PLANNING BOARD

Tuesday, June 13, 2023 at 4:30 PM
The meeting will be held remotely via Zoom

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

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: Jun 13, 2023 04:30 PM Eastern Time (US and Canada)
Topic: Planning Board Workshop and Public Hearing 06/13/2023

Please click the link below to join the webinar:
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Dial(for higher quality, dial a number based on your current location):
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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 and Conditional Use; 48 Brown Street; Developers Collaborative, LLC & Equality Community Limited Partnership, Co-Applicants. The Planning Board will hold a remote workshop to

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consider a proposal to develop a new mixed use building with retail space and 54 residential units at 48 Brown Street. The development triggers inclusionary zoning, and all required workforce units are proposed on-site. The subject property totals 38,968 square feet, is zoned B-3 Downtown Business, is located within the Downtown Entertainment Overlay Zone (DEOZ), and is located within the Congress Street 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-002468-2023.

PUBLIC HEARING - 5:30 PM

1. ROLL CALL AND DECLARATION OF QUORUM

2. COMMUNICATION AND REPORTS

3. REPORT OF ATTENDANCE AT THE MEETING HELD ON MAY 23, 2023

Public Hearing
465 Congress Street: Barker, Chann, Murphy, Silk, Smith and Stanley present. Mazer absent.
2 Riverton Drive: Chann, Mazer, Murphy, Silk, Smith and Stanley present. Barker recused.

4. REPORTS OF DECISIONS AT THE MEETING HELD ON MAY 23, 2023

i. Major Site Plan and Conditional Use; 465 Congress Street; CTR Congress, LLC, Applicant. Stanley motioned, and Smith seconded a motion to approve the conditional use for inclusionary zoning. Vote 6-0, Mazer absent. Stanley motioned, and Smith seconded a motion to approve the major site plan application. Vote 6-0, Mazer absent.

ii. Major Site Plan and Conditional Use; 2 Riverton Drive; Riverton Park, LP, Portland Housing Development Corp. and Portland Housing Authority, Co-Applicants. Stanley motioned, and Murphy seconded a motion to waive Technical Manual Standard 1.10.3 to reduce the minimum driveway aisle width from 24 feet to 22 feet. Vote 6-0, Barker recused. Stanley motioned, and Murphy seconded a motion to waive Technical Manual Standard 1.10.2.1 to increase the percentage of compact spaces for Building One 5% beyond the maximum permitted, from 20% to 25% of spaces. Vote 6-0, Barker recused. Stanley motioned, and Murphy seconded a motion to waive Technical Manual Section 1, Figure I-12 to permit the use of slip-form concrete curbing in place of the required granite curbing for certain locations along the Riverton Drive right-of-way. Vote 6-0, Barker recused. Stanley motioned, and Murphy seconded a motion to approve the conditional use for a place of assembly greater than 10,000 square feet in the B-2 Community Business zone. Vote 6-0, Barker recused. Stanley motioned, and Murphy seconded a motion to approve the conditional use for inclusionary zoning. Vote 6-0, Barker recused. Stanley motioned, and Murphy seconded a motion to approve the major site plan application. Vote 6-0, Barker recused.

5. NEW BUSINESS

i. Major Site Plan and Conditional Use; 511 Congress Street; Tom Watson & Co., Applicant. The Planning Board will hold a remote public hearing to consider a proposal to redevelop the building at 511 Congress Street from office use to predominantly residential use, with 107 new residential units being proposed. The building would retain three floors of existing office space, and would provide amenities for residents including storage, and bicycle storage. The development triggers inclusionary zoning review, with 27 workforce housing units proposed on-site. The subject property is 42,560 square feet in area, is zoned B-3 Downtown Business, and is also located within the Congress Street Historic District, as well as the Pedestrian Activities District (PAD), and the Downtown Entertainment Overlay Zone (DEOZ). A project and plan summary are available for viewing on the city's CSS Portal (https://css.portlandmaine.gov/) by referencing Plan Number PL-002419-2023.

ii. Master Development Plan; 196 Lancaster Street (West Bayside Master Development Plan); West Bayside Partners, LLC, Applicant. The Planning Board will hold a remote public hearing to consider a Master Development Plan proposal to develop 13 parcels across 7 City blocks in Portland's West Bayside neighborhood. The development will consist of 7 new buildings constructed over 5 phases, including 804 residential units (201 affordable and 603 market rate units), 28,500 square feet of new commercial space, and a new open space in the form of a linear park/woonerf/shared street along Lancaster Street between Elm Street and Preble Street. The subject property totals approximately 8.97 acres and is located within the B-3 Downtown Business Zone, the B-7 Mixed Development Zone, and the R-6 Residential Zone, and is further within the DEOZ Downtown Entertainment Overlay Zone. A project and plan summary are available for viewing on the city's CSS Portal (https://css.portlandmaine.gov/) by referencing Plan Number PL-002315-2022

To:	Chair Mazer & Members of the Planning Board
From:	Maya Balassa
Date:	June 9, 2023
Re:	Major Site Plan
Project ID:	PL-002468-2023
CBL:	037 D004001
Meeting Date:	June 13, 2023

I. INTRODUCTION



Figure 1 Google Earth View of 48 Brown Street

Developers Collaborative Predevelopment LLC and Equality Community Limited Partnership have submitted a Major Site Plan application to facilitate the development of a five-story mixed use development with a ground level retail space and 54 residential units. A lot split is being proposed as part of this application to create a new lot, separate from the Arts District Parking Garage, with frontage on Casco Street. This application is being referred to the Planning Board for compliance with the City of Portland's Land Use Code Site Plan Standards, Section 14.1 and Inclusionary Zoning Conditional Use Standards, Section 18.2.3.

The Planning and Urban Development Department mailed 158 notices advertising this meeting to property owners within 500 feet of the site. A legal advertisement ran in the June 2 and 3, 2023 editions of the *Portland Press Herald*.

Applicant: Ocean Gate, LLC.
Applicant Representatives: Gorrill Palmer Consulting Engineers, Stephen Bushey

II. REQUIRED REVIEWS

Review	*Applicable Standards*
Site Plan	Section 14.6
Inclusionary Zoning Conditional Use	Section 18.2.3
Design Review	Historic Preservation Board Review

III. PROJECT DATA

Existing Zoning	B-3, Downtown Entertainment Overlay Zone, Congress Street Historic District
Property Size	38,968 square feet
Proposed Property Size	13,595 square feet
Existing Use	Surface parking lot
Proposed Use	Mixed-use residential and commercial

	Existing	*Proposed*	*Net Change*
Building Footprint	200 square feet	4,899 square feet	4,699 square feet
Building Floor Area	200 square feet	43,867 square feet	+43,667 square feet
Impervious Surface Area	13,595 square feet	12,000 square feet	-1,595 square feet
Parking Spaces	25	7	-18
Bicycle Parking Spaces	0	4	+4

IV. BACKGROUND

Ocean Gate, LLC owns 511 Congress Street, the Arts District Parking Garage and 15 Casco Street. The Arts District Parking Garage was approved by the Planning Board in 2017 and was completed in 2019. Nearby, redevelopment of the office building at 511 Congress Street for residential use is currently under review as a Major Site Plan, and involves conversion of currently vacant office space into 107 new residential units.

V. EXISTING CONDITIONS AND SURROUNDING AREA

The subject property is 38,968 square feet in area and is improved with a public, for pay, surface parking lot with 25 parking spaces and a drive-thru ATM kiosk. The proposed development site currently occupies a portion of parcel 037 D004001, which also contains the Arts District Parking Garage. The property is located within the B-3 Downtown Business zone, the Downtown Entertainment Overlay zone and the Congress Street Historic District. North of the site is the Ambassador Apartments at 37 Casco Street and south of the site is the Equality Community Center at 15 Casco Street. The closest bus stop is at the corner of Congress Street and Casco Street, approximately .1 miles from the project site.

VI. PROPOSED DEVELOPMENT



Figure 2 Rendering from Casco Street

The proposed Major Site Plan application would facilitate the development of a five-story, mixed-use commercial and residential building totaling 43,867 square feet, which would be developed in part using a Low-Income Housing Tax Credit (LIHTC). There is 673 square feet of commercial space proposed at the ground level, 4,912 square feet dedicated to residential amenities, including a trash room, bike room, community room, and laundry room on the first floor, and 38,400 square feet of residential space on floors two through five. Residential units will consist of 12 studio, 34 one-bedroom, and eight two-bedroom units. The proposed development includes seven covered parking spaces for the Equality Community Center, three of which would be designated as handicap spaces. The building is proposed to be 57 feet in height.

The proposal includes a lot split of parcel 037 D004001, which would create a 26,100 square foot parcel for the Arts District Garage and a 13,595 square foot lot for the proposed development, with frontage on Casco Street.

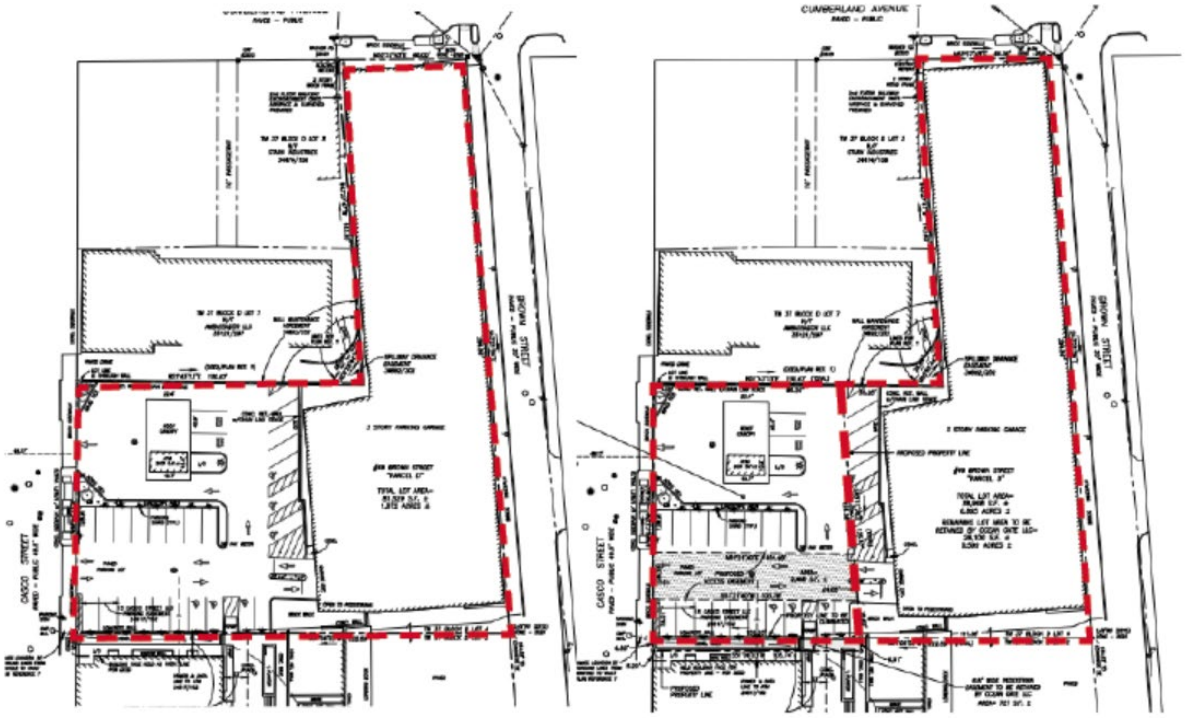


Figure 3 Proposed lot split

VII. RIGHT, TITLE, & INTEREST

The site is owned by Ocean Gate, LLC; Right, Title, and Interest is shown with submission of the deed (Attachment B).

VIII. FINANCIAL & TECHNICAL CAPACITY

The applicant team includes Ryan Senatore Architects, Gorrill Palmer Consulting Engineers, and Developers Collaborative Predevelopment. The applicant has submitted a letter from NBT Bank to show financial capacity.

IX. ZONING ANALYSIS

The site is located within the B-3 Downtown Business Zone, the Downtown Entertainment Overlay zone and the Congress Street Historic District. Multifamily and retail are both permitted uses in the B-3 zone. The B-3 Downtown Business zone has no density requirement. Building heights are governed by the Downtown Height Overlay Map. The development site is permitted a maximum building height of 210 feet with a 90-foot maximum street wall height, after which a 15-foot minimum stepback would be required along Casco Street. The proposed building height is 57.25 feet.

At this time the applicant is proposing a 19.5-foot setback for a large portion of the building, where the maximum allowable setback in the B-3 zone is 5 feet. To exceed the maximum front setback the applicant would need to demonstrate compliance with Section 7.5.5.F.4 and the B-3 Design Standards in the City of Portland *Design Manual*. Staff will prepare a recommendation for the requested increase in front setback

based upon the design manual standards as part of the Planning Board public hearing report. Applicable design standards are listed below.

- 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;
- 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
- 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 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.
- Roof top appurtenances: All mechanical equipment, ventilating and air conditioning and other build ing 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, as described and illustrated in the Downtown Urban Design Guidelines (Appendix 1);

The City is also asking that building elevations be updated to provide the average post development grade and associated building height measurements.

A. INCLUSIONARY ZONING CONDITIONAL USE (Section 18.2.3)

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.

1. Ensuring Workforce Housing

   Projects proposing 10 or more new residential units are required by Article 18.2.3, to provide a minimum of 25% of all units as workforce housing. The applicant is proposing to provide 54 workforce housing units on-site. The proposed number of units meets the 25% inclusionary zoning requirement.

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.

1. Transportation Standards (Section 14.6.1)

   A. Impact on surrounding street systems

   The proposed site reduces parking by 18 spaces onsite. The city's third-party traffic engineer has requested sight distances to be documented from the driveway onto Casco Street to further assess the safe egress of trucks and cars from the site. The city's third-party traffic engineer has suggested a crosswalk be considered across Casco Street to Shepley Street to facilitate safe pedestrian movements for residents and for patrons of the Arts District Parking garage that exit onto Casco Street through the proposed easement.

B. Access and circulation

The City is requesting that the applicant provide a safe and direct pedestrian route between Casco Street and the Arts District Garage.

C. Public transit access

The nearest but stop is at the corner of Congress Street and Casco Street, 500 feet from the site. The applicant is using the proximity to parking as justification for not providing parking for the residents.

D. Parking

Seven parking spaces, including three handicap spaces, are proposed onsite, under the building, which are to be leased to The Equality Community Center. The City has requested further information on how the spaces will be managed- and what signage may be installed to help regulate these spaces. Regarding bicycle parking, the applicant is showing four spaces at present, and will be required to provide an additional 18 bicycle spaces in order to satisfy the City's bicycle parking requirement. The seven parking spaces do not have EV charging proposed at this time but will need to meet tech manual EV charging requirements for 20% of parking spaces.

E. Transportation demand management (TDM)

The applicant is utilizing the proximate transit access as justification to not provide parking and therefore, the applicant will be required to provide a TDM.

2. Environmental Quality Standards (Section 14.6.2)

A. Preservation of significant natural features

The site is an existing surface parking lot with drive -thru ATM kiosk and no significant natural features have been identified.

B. Landscape preservation

As part of this application, one existing tree not subject to landscape preservation or tree replacement requirements, is proposed to be removed. Staff note that the proposed building may adversely impact the vegetation in an existing planting bed along the Equality Community Center façade that abuts this site. In the event that this vegetation needs to be replaced, staff recommend the use of shade tolerant species.

C. Site landscaping and buffers

A landscaping plan has been submitted with landscaping proposed along Casco Street and at the rear of the site. There have been several issues identified in the landscaping plan (Attachment 1. 48 Congress Street City Staff Comments). Alternative plant species have been recommended that may work better in this location based upon the proposed site conditions.
Based upon the number of residential units being proposed, the applicant is responsible for providing 54 street trees, or an acceptable equivalent alternative. The applicant is proposing to plant four new street trees and has yet to determine how the remaining requirement of 50 street trees will be satisfied.

D. Water quality/storm water management/erosion control

The applicant is proposing roof drains to tie into an existing 12-inch drainpipe along Casco Street. The city's third-party stormwater engineer has requested more details on both the existing and proposed grade.

In review of the submitted plans, the City's stormwater engineer has requested that the utility plans be updated to show proposed connections into the City's combined sewer system, and has been notified that the Water Resources Division of Public Works will need to approve any discharge of stormwater into the sewer system due to frequent overflows of this system. As part of this review, the applicant has also been asked to update their stormwater plans to provide on-site stormwater detention.

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

A. Consistency with City Master Plans

Consistency with the zoning standards of the B-3 Business zone, Downtown Entertainment Overlay zone and Congress Street Historic District will facilitate consistency with Portland's Plan 2030. The addition of housing, including affordable housing in an urban core and proximal to public transportation supports several of Portland's goals, including:

- Encourage additional contextually appropriate housing density in and proximate to neighborhood centers, concentrations of services, and transit nodes and corridors as a means of supporting complete neighborhoods.
- Increase, preserve, and modify the overall supply of housing city-wide to meet the needs, preferences and financial capabilities of all Portland residents.
- Pursue policies to enable people who work in Portland to have the option to live in Portland.

B. Public safety and fire prevention

The proposed building is meeting public safety and fire prevention standards by proposing the development to be fully sprinkled. The nearest fire hydrant is in front of the Equality Community Center, the abutting property, on Casco Street.

C. Availability and capacity of public utilities

Letters of capacity from utility providers are outstanding.

4. Site Design Standards (Section 14.6.4)

A. Massing, ventilation, and wind impact

The project is not anticipated to create adverse massing, ventilation, or wind impacts.

B. Shadows

Not applicable.

C. Snow and ice loading

The applicant is being asked to identify snow storage on the site plan for code conformance.

D. View corridors

Not applicable.

E. Historic resources

The project is simultaneously going through Historic Preservation Board Review since the site is located within the Congress Street Historic District. The project has been scheduled for the Historic Preservation Board for a workshop on July 5th. The Historic Preservation Program has met with the

applicants to discuss initial thoughts. There are some concerns around the façade, particularly the parking garage entrance.

F. Exterior lighting

A photometric plan has been requested to confirm the compliance of proposed site lighting with the City's exterior lighting requirements.

G. Noise and vibration

The application is not anticipated to create any noise and vibration impacts.

H. Signage and wayfinding

Signage is permitted through the Permitting Department in the City of Portland.

I. Zoning-related design standards

This site resides in the Congress Street Historic District and will be required to go through Historic Preservation Board Review.

XI. NEIGHBORHOOD MEETING & PUBLIC COMMENT

The applicant held a neighborhood meeting on May 17, 2023 at 5pm. No members of the public attended. There has been one public comment submitted to the city with concerns surrounding the design and color choices of the proposed building.

XII. NEXT STEPS

The applicant should address any outstanding staff or Planning Board review comments and resubmit plans, materials, and a written response to comments prior to the application being scheduled for a Planning Board Public Hearing.

XIII. ATTACHMENTS

Report Attachments:

Attachment 1. 48 Brown Street City Staff Comments

Applicant's Submittal:

A. Cover Letter
B. Deed
C. Authorization Letter from Ocean Gate
D. Affordable Housing Capacity Letter
E. Environmental Standards
F. Public Infrastructure Standards
G. Site Design
H. Technical Capacity
I. Transportation Standards
J. Major Site Plan Checklist
K. Zoning Analysis Table- Garage Parcel
L. Zoning Analysis Table- Proposed Parcel
M. Neighborhood Meeting

Applicant Plans:

1. Cover
2. General Notes
3. Concept Image 2
4. Site & Utility Plan
5. Concept Image 4
6. Grading and Drainage Erosion Plan
7. Site & Misc Details
8. Site and Misc Details
9. First Floor Code Review
10. Code Review Elevations
11. Code Review Elevations
12. Layout Plan
13. Planting Plan
14. Concept Image 3
15. Ex & Removals Plan
16. Architectural Cover Sheet
17. Casco Street Renderings
18. Boundary Survey
19. Casco Street Lot Division Plan
20. First Floor Plan
21. Second Floor Plan
22. Third Flood Plan
23. Fourth Floor Plan
24. Fifth Floor Plan
25. West Elevation
26. South Elevation
27. East Elevation
28. North Elevation
29. Concept Image 1

Public Comment

PC 1. Bollie Bollenbach 5-27-2023

Review Criteria:

- Portland's Site Plan Ordinance

GENERAL

- Please submit a photometric plan to show proposed site lighting as well as cutsheets with lighting details.

ZONING

- With the proposed lot split, the applicant will need to get the E-911 address from Public Works for the new building. Please reach out to the assessor' office with the proposed lot split so that they can create the new CBL for the new lot on Casco St.
- Under Table 7-E the maximum front setback is 5'. The lobby and parking garage meet the setback but the majority of the building (66') is 19.5' from Casco Street. It appears part of the second floor has an overhang that might go closer but it is still not meeting front setback requirement.
- To verify the proposed building is meeting height regulations, please provide calculations for the average grade, with average grade lines in the elevations.

TRANSPORTATION

- Please submit a waiver request for the 20-foot parking aisle widths.
- Please note how the four non-handicap parking spaces will be managed.
- Please provide details on delivery and trash removal truck movements to and from the site.
- Sight distance shall be documented for the driveway onto Casco Street.
- The third-party traffic engineer suggests a crosswalk be considered on Casco Street at the Shepley Street intersection.
- It is likely that tenants will park in the Brown Street garage (and there may be pedestrians walking from the garage to Casco Street) and thus a safe pedestrian route shall be provided.
- The site plan should note what type of traffic control is to be proposed at the driveway approach to Casco Street.

WATER QUALITY, STORMWATER, & INFRASTRUCTURE

DPW Transportation

- Please be aware that Casco Street is under moratorium and will require a moratorium repair. The applicant shall get permission from the Department of Public Works prior to any work within the street Right of Way. The applicant will be required to repave the finished surface of the street per the moratorium standards. All pavement cuts in the City ROW 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 City's Technical Manual has been recently updated and approved. After reviewing the proposed details for this project it is clear that not all the changes are reflected in this plan set. The applicant shall update all proposed details (Site, Sewer, Stormwater, Landscape, ... details) to meet the requirements of the recently approved technical manual updates (found on the city's website).
- Details that need to be included or referenced on the site plans are:
    - Vertical Granite Curb
    - Brick Sidewalk with Bituminous Base
    - Brick Driveway Apron with Bituminous Base

    - Commercial Driveway Apron
- The applicant shall update the plans to label and or provide spot grades and slopes for the proposed sidewalks and driveway improvements at grade breaks.
- 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.
- Improvements in the right-of-way shall be dimensioned on the plan view sheets. For example, ROW, street, lanes sidewalk, esplanade driveways (and other improvements) widths as well as when a width change.
- The applicant has noted that the existing Granite Curb will be reset in the area adjacent to the vaults. The applicant shall insure that the existing granite is free of any defects such as but not limited to chipping and cracking. Be aware that Public Works may require the use of new granite curb upon inspection of the existing granite curb prior to installation / during construction.
- On the site plan, please note the location of the curb that will be removed and reset per the current City standards.

DPW Water Resources

- The applicant shall update the grading and drainage plan to show proposed stormwater infrastructure onsite and any connections being proposed into the combined sewer system.
- Storm drainage and sanitary sewer flows in this project area drain to the City's combined sewer system located in the Preble Street-Marginal Way CSO #17 sewershed. Lack of wet weather capacity in this combined sewer system results in frequent system wide sanitary sewer overflows, combined sewer overflows and flooding at the Maple Street/Commercial Street intersection. City wide mitigation of combined sewer overflows is required as part of the City's CSO consent decree administered by the EPA and Maine DEP.
- Section 2.2.3 of the City's Technical Manual requires DPW Water Resources approval when rain water is being proposed to discharge into a sewer which conveys sanitary waste. Prior to authorizing a new stormwater connection into the combined sewer, DPW will require that stormwater storage and flow control as listed below be provided based on the lack of wet weather capacity in the combined sewer system.
- The applicant shall provide on-site stormwater detention volume equal to the greater of 1" of rainfall over the entire project redeveloped area being proposed on the parcel or the projected average 24 hour daily sanitary sewer flow each being added to combined sewer system by the project in order for DPW to authorize a new stormwater connection into the Brown Street combined sewer system.
- The maximum permissible stormwater outflow rate into the City's system during the design storm event shall be less than or equal to 0.1 CFS per acre of watershed area draining to the detention system.
- The applicant shall submit a wastewater capacity application to the DPW water resources division for review and approval.
- New connections into the combined sewer system shall be equipped with back flow preventers in accordance with section 2 of the technical manual.

- The applicant shall determine if grease traps are required for the proposed commercial space and update the utility plans to include a grease trap with the proper sizing and configuration if necessary.

- Please provide more details on the grading drainage and erosion control plan
- The Grading Drainage and Erosion Control Plan appears to have most of the relevant layers turned off. Please provide more information on proposed grading and drainage.
- There is an area of covered parking proposed. Any drainage from within this are will need to be directed to an oil water separator to the sewer.
- Please identify snow storage on the site plan.

LANDSCAPING & ENVIRONMENTAL QUALITY

- Applicant proposes a good use of native ground cover and perennial plantings, which are appreciated. Irrigation is strongly encouraged to ensure success and longevity of proposed foundation plantings.

- Site plan / existing conditions plan does not show existing courtyard plantings of abutting property (Equality Community Center). Impact from the proposed taller structure on this abutting property's existing courtyard / walled planting areas, particularly the existing significant tree planting, is of concern. The applicant should consider contribution for replacement costs of tree if new structure's blocking of sunlight, rain or other critical environmental resources contributes to existing trees' decline. Replacement with more shade tolerant species, in the event of existing tree decline / removal, would be recommended.

- Please ensure all planting beds have sufficient distance between utilities and building foundations and massings of plantings is maintained to allow for adequate air circulation and operational function. Likewise ensure walkways, doorways, and important egress / entrance routes are not impeded or encroached by plant growth.

- It is observed that the GT species proposed are given a very narrow planting bed. While linear beds are preferred to narrow and overly constrained tree planters, consider utilizing a bump out at trunk locations where utilities permit, to provide additional soil media and planting area for trees. Bump outs could include partial bed covering to provide a more accessible walkway use over planting bed, and transition into perennial planting area between tree locations. Refer to figure IV-4a in chapter 4 of technical manual for flush tree well covering example in walkway area.

- The proposed single GT species, on lower left plan by parking lot, appears to conflict with facade of structure. Similar comment regarding overly narrow bed size for this tree planting applies.

- XX AM plantings appear to not match plant schedule labeling. Schedule shows "AL" for plant symbology, "AM" is tied to plant leader information. For "AM" species shown across from proposed trash room door, tree is only 2' from walkway edge and would possibly intrude into walk and doorway area. Move tree further into bed to prevent conflict, or replace tree and proposed shrubs with a larger, specimen shrub.

- Gleditsia triacanthos species not shown in planting schedule. Ensure species is a thornless cultivar, consider 'shademaster' or other drought tolerant species. Strongly encourage a less overplanted

tree species, perhaps Sorbus americana , or if a taller species is preferred, Ulmus americana 'Accolade'.

- For the proposed plant XXPA - Consider more shade tolerant substitute species in proposed location. If form and habit are of primary importance, *Chamaecyparis obtusa* 'Willamette Elegance' might be a suitable cultivar, an abies species, or taxus species if smaller form required. If PA strongly desired by applicant, please be prepared for more shade tolerant replacement species if plant performance is not robust.

- Please provide detail and /or section of proposed fence screening, ensure compliance with section 4.5.7 of Landscaping standards in chapter 4 of technical manual.

- Applicant shall provide payment into street tree fund based on section 4.6.1 and 4.6.4 of chapter 4 of the technical manual and chapter 14.6.2 of Land Use Code. 54 units – 4 trees proposed in the right of way = 50 trees * $400 per tree = $20,000

GORRILL PALMER

300 Southborough Drive, Suite 200
South Portland, Maine 04106
207.772.2515

March 31, 2023

Ms. Christine Grimando -Director
City of Portland Planning & Urban Development
389 Congress Street, 4th Floor
Portland, ME 04101

Subject: 48 Brown Street/Casco Street - Major Site Plan Application
Mixed use development
Applicant: Equality Community Limited Partnership
CBL: 037-D-004

Dear Christine:

On behalf of **Developers Collaborative Predevelopment LLC & Equality Community-Limited Partnership,** Gorrill Palmer is submitting application materials for a Major Site Plan Application, for a new mixed-use LIHTC apartment building on Casco Street. The proposal is to construct a new five-story building to contain a small ground level commercial suite and two dwelling units with 13 dwelling units per floor on the upper floors (54 units total). According to the boundary survey by Owen Haskell, Inc., the existing Brown Street Parking Garage site is 38,968 SF in size. The site presently serves two uses: adjacent Casco Street is a public, for-pay paved parking lot with a former drive-thru ATM facility in the center of the lot, while adjacent Brown Street is a public, for-pay 257 space parking garage, with ground floor access on Brown Street and upper floor access from Casco Street, via the parking lot. The parking garage was approved in 2017 (see Portland Planning Project ID 2017-145). The drive-thru ATM portion of the site has been unused in recent times. As a part of the development, the applicant intends to split the parcel in two; creating a 13,595 SF lot adjacent Casco Street to contain the new building, and the remainder 26,100 SF lot containing the existing Brown Street garage. Lot line adjustments and easement agreements with the adjacent properties at 15 Casco Street and 511 Congress Street (both under common ownership of Ocean Gate LLC) are also proposed. The existing parking garage will remain as it exists today with ground level access from Brown Street and the upper level access from Casco Street. 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 October 26, 2022. Assisting on the project are Ryan Senatore Architects and ALA Landscape Architects. Owen Haskell Inc is the property surveyor.

Existing Conditions

The existing site is located on Casco Street and contains a public, for-pay paved parking area containing 25 parking spaces, a former drive-thru ATM, and the Brown Street public, for-pay parking garage. The site frontage along Casco Street contains two driveway openings and a couple of short segments of concrete retaining wall – the tallest of which is approximately 3 feet tall. The parking lot portion of the

site is accessed from Casco Street, while the parking garage is accessed both via Brown Street – on the ground floor – and Casco Street – on the upper floors. The Ambassador Apartments lie north of the site and Equality Community Center is south of the site. The 511 Congress Street Office tower is located to the southeast of the site. The site is located in the B-3 zone as identified below.



Fig 1: Zoning Excerpt

According to City records, underground utilities in Casco Street includes water, gas, and sewer. Underground power and communications lines are located in the sidewalk on the development side of Casco Street. The proposed building will occupy nearly all of the lot and contain street level access along the Casco Street sidewalk. Separate entries to the Commercial suite and the residential space will be provided. The residential space will also have entry access at the rear of the building – where there will be a small landscaped area between the proposed building and the existing parking garage. The construction will require coordination with the abutting building owners at 37 Casco Street (Ambassador Apartments), 511 Congress Street, and 15 Casco Street (Equality Community Center). The construction will involve reconstruction of brick sidewalk along Casco Street, a new sidewalk on the east side, and repaving of some of the site and the adjacent alleyway. Portions of Casco Street may also require restoration due to proposed utility connections.

Nearby land uses include residential units in the building to the north, the Equality Community Center and other retail and commercial spaces to the south and west, and a parking garage to the east. We understand that a change of use to residential is also being pursued for the 511 Congress Street building.



Fig 2: Existing Street View from the intersection of Casco Street and Shepley Street

Proposed Development

The proposed building will involve a tenant mix as follows:

Level	Tenant/Use	Area (SF)	Land Use category
1	Commercial Suite	673 SF	**Retail or commercial**
1	Residential/support	4,912 SF	**Two Res units/trash room/bike room/community room/laundry and support spaces**
2 thru 5	Residential	9,600 SF+/- per floor	Residential 3 studio units 8 one-bedroom units 2 two-bedroom units
	Total	**43,867 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 25 vehicles. The parking will be eliminated as part of the project except for 7 covered spaces adjacent the Equality Community Center that will remain along the parking garage entrance off Casco Street. Tenants of the building will be required to secure parking in nearby parking facilities including, but not limited to; the adjacent Brown Street garage, or the Monument Square garage. Commercial Suite visitors will use nearby on-street parking or the garages as is typical for the downtown area. The project is not expected to generate substantial 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 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 an 8" water main in Casco Street. The Fire Dept connection will be located along the south side of the building.
- A domestic sewer connection is proposed to tie into an existing 15" sewer line in Casco Street.
- The building may be served by Natural gas coming from nearby, although the MEP design has not been advanced enough to make a determination on gas need. All HVAC equipment will be roof top mounted and screened.
- There is underground power in Casco 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, Casco Street remains located Mixed Use/Commercial/Office zone and is located near an enhanced Priority Corridor (Congress 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 near Congress Street, the site is within a downtown 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 as 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 Ocean Gate, LLC per Deed recorded at the CCRD Book 31452, page 305, a copy of which is attached to this submission document. Additional agreements pertaining to shared access will be made part of the RTI upload to Eplan.

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** – The applicant is proposing an access easement through the property to maintain access from Casco Street to the second floor of the adjacent parking garage. The proposed ground level easement will actually pass underneath the upper floors of the proposed building – which will be supported by columns. A pedestrian access easement will also be provided across the sidewalk that will be removed and reconstructed along the east side of the property.
7. **Waiver Request** – none requested.
8. **Evidence of financial and Technical Capacity** – The applicant has retained Ryan Senatore Architects, Gorrill Palmer Consulting Engineers, and Developers Collaborative Predevelopment to assist with the design and construction of the proposed project. A letter from NBT Bank affirming their interest in underwriting the project accompanies this application.

Transportation

9. **Impact on Surrounding Street system** – The impact to the surrounding street system is expected to be minor based on historic street conditions and land use surrounding the site. The activity involves redevelopment of an existing parking lot with less onsite parking provided in the proposed condition than the existing. The site use is not expected to create or aggravate any existing or proposed hazard or safety concern on Casco Street as the sidewalk conditions are relatively robust and accomodating. The site access conditions are consistent with the neighboring sites on both sides of the street.
10. **Access and Circulation** – The first floor of the building is to be accessible to foot traffic from all four sides with ample access for emergency vehicles from Casco Street. The elevator will be sized to allow for a stretcher and emergency personnel. The building entrances off the Casco Street sidewalk will be flush to existing grade. The proposed finish floor elevation will be 89.75' (NGVD29). An existing sidewalk on the north side of the Equality Community Center at 15 Casco Street will be removed and reconstructed as part of the building construction. ADA access routes to 511 Congress and 15 Casco street at the rear of those buildings will also be maintained.
11. **Public transit** – There are no METRO routes on Casco Street however the nearest bus stop is just east of the intersection of Casco Street and Congress Street and is within 500 feet of the site.
12. **Off-Street Parking** – Onsite parking is provided on the ground level, beneath the upper floors of the proposed building. Six spaces are provided adjacent the existing Equality Community Center. Access is also to be maintained via an easement to the adjacent Brown Street parking garage. Dero Bike Hitches will be provided on the site. Snow removal from the parking area is not a concern as the parking spaces and access easement are covered by the upper floors of the 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 and a small, landscaped island within the existing parking lot that will be removed as a part of the construction of the building. The applicant is proposing landscaped area along the Casco Street frontage. This area is to be planted with native, approved trees. The perimeter of the building will also be modified from the existing paved condition to become landscaping in the form of grass or similar planting approach. This new, proposed landscaped area will be considerably larger than the existing landscaped area on site.
16. **Site landscaping and Buffers** – As mentioned above, the applicant is proposing a landscaped area along the Casco Street frontage and around the building perimeter. The area is to be planted with approved trees, shrubs, and grasses. This landscaped area is to be considerably larger than the existing non-impervious area on the site. No heritage or feature trees exist on the site, and none are proposed.
17. **Water Quality, Stormwater Management and Erosion control** – Save for a couple small parking lot islands, the site is fully paved/concrete in the current condition. The majority of the surface will change to roof top, while some will be converted to landscaped area. The roof drains will tie into the existing drainage system consisting of a 12" drainpipe along the Casco Street frontage. There is no expected change in overall site drainage however, the elimination of parking will improve water quality. 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 Casco Street Façade. The nearest fire hydrant is located on Casco Street, in front of the neighboring Equality Community Center, less than one hundred feet from the proposed building.
20. **Availability and Adequacy of Public Utilities** – see above.

Site Design

21. **Massing, Ventilations and Wind Impact** – not applicable – See Architectural 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** Not applicable
26. **Exterior Lighting** – The applicant proposes some building mounted fixtures to satisfy safety and security needs around the site. There are existing cobra head street lights on the existing utility poles on Casco Street, opposite the property.
27. **Noise and Vibration** – Not applicable- rooftop equipment will be screened and dampened as necessary to satisfy City noise and vibration standards.
28. **Signage and Wayfinding** – All signage to be permitted separately by the applicant.
29. **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.

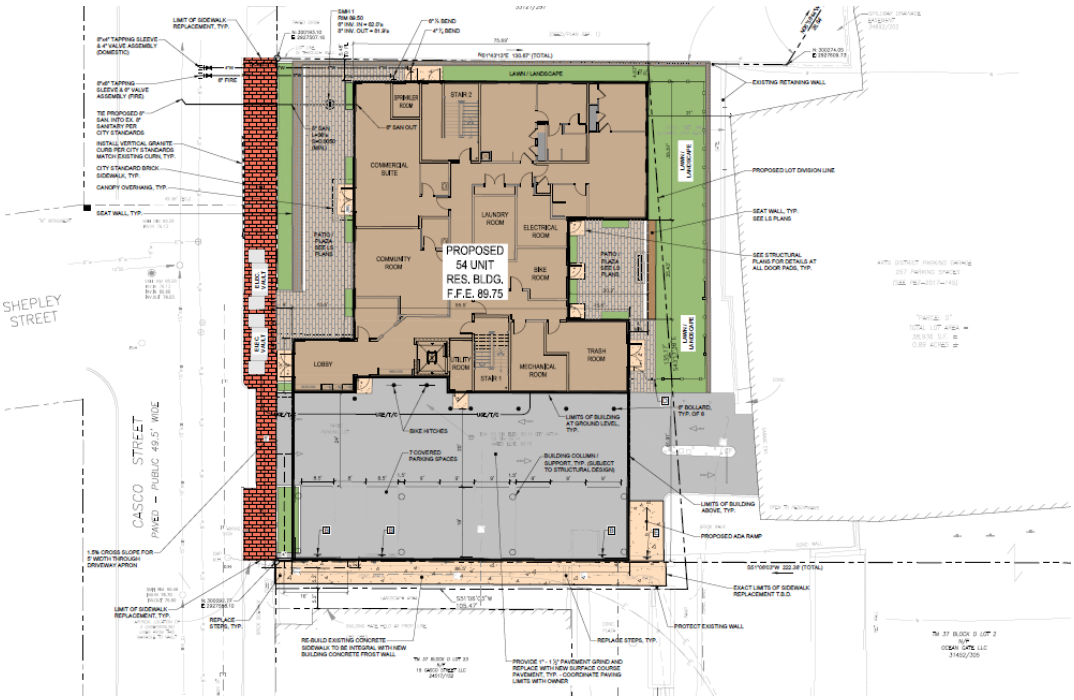


Fig 3 Proposed Site plan – Casco Street



Fig 4 – Rendering from Casco Street – looking East

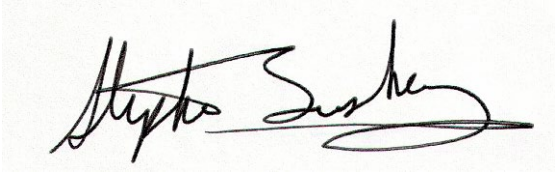


Fig 5 – Rendering from Casco Street NE

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: Ed Gardner, Equality Community LP
Laura Reading, DC Predevelopment LLC

U:\4043 54 Unit Apartment Casco Street - Portland\P Applications\Local\2023.03.31 app_15 Casco_site plan_Cover Letter

MAINE REAL ESTATE TAX PAID

QUITCLAIM DEED WITH COVENANT
Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **511 PLAZA LIMITED PARTNERSHIP**, a Maine limited partnership having an address at 21 Technology Drive, Suite 6, West Lebanon, New Hampshire 03784, for consideration paid, grants to **OCEAN GATE, LLC**, a Maine limited liability company with a place of business at 151 Newbury Street, Portland, Maine 04101 with **QUITCLAIM COVENANTS**, the land, together with any improvements thereon, situated in the City of Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A-1 and Exhibit A-2** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said 511 PLAZA LIMITED PARTNERSHIP has caused this instrument to be signed and sealed this 18th day of April, 2014.

WITNESS:

511 Plaza Limited Partnership
By. BBBC 511 Plaza, LLC
Its General Partner

By: _____
Name: William Braucher
Its: Manager

STATE OF MAINE
COUNTY OF CUMBERLAND

April 18, 2014

Then personally appeared the above named William Braucher, in his said capacity as Manager of BBBC 511 Plaza, LLC, in its capacity as General Partner of 511 Plaza Limited Partnership and acknowledged the foregoing instrument to be his free act and deed, the free act and deed of said BBBC 511 Plaza, LLC and free act and deed of 511 Plaza Limited Partnership, before me.

_____
Attorney at Law ~~Notary Public~~
Drew A. Anderson
Printed Name

EXHIBIT A-1

511 Congress Street, Portland, Maine

A certain lot or parcel of land, with any buildings or improvements thereon, situated at the westerly corner of Congress and Brown Streets in the City of Portland, County of Cumberland and State of Maine, being bounded and described as follows:

BEGINNING at a point where the southwesterly side of Brown Street intersects the northwesterly side of Congress Street, which point is also the most easterly corner of land conveyed by W. H. Clifford Company to Maine Savings Bank by deed dated July 21, 1972, and recorded in the Cumberland County Registry of Deeds in Book 3271, Page 139; thence by said Congress Street South 59° 24' 30" West, one hundred eighty-five and ninety-three hundredths (185.93) feet to the most easterly corner of land owned by the Maine Charitable Mechanics Association; thence by said land of Maine Charitable Mechanics Association by the follow courses and distances: North 23° 58' West, forty-two and fifty hundredths (42.50) feet to a point; thence North 66° 02' East, four and thirty-three hundredths (4.33) feet to a point; thence North 23° 58' West, fifty-six and eighty-six hundredths (56.86) feet to the most northerly corner of said land of Maine Charitable Mechanics Association; thence South 65° 52' West, sixty and forty hundredths (60.40) feet to the easterly side of Casco Street; thence North 23° 51' West by the easterly side of Casco Street, twenty-six and ninety-six hundredths (26.96) feet to the southerly corner of the existing, or formerly existing, Maine Savings Bank Building; thence around the perimeter of the existing, or formerly existing, Maine Savings Bank Building by the following courses and distances:

North 66° 09' East, seventy-five and seventy-five hundredths (75.75) feet to a corner in said Building; thence North 23° 51' West, seventy-nine and ninety-five hundredths (79.95) feet to another corner in said Building; thence North 66° 09' East, four and fifty hundredths (4.50) feet to another corner in said Building; thence North 23° 51' West, fourteen and twenty-two hundredths (14.22) feet to another corner in said Building; thence South 66° 09' West, four and fifty hundredths (4.50) feet to another corner in said Building; thence North 23° 51' West, twenty-two and eighty-seven hundredths (22.87) feet to another corner in said Building; thence South 66° 09' West, seventy-five and seventy-five hundredths (75.75) feet by the northwesterly line of said Building, and said line extended, to the easterly side of Casco Street; thence by the easterly side of Casco Street North 23° 51' West, twelve and nine hundredths (12.09) feet to a point and other land of the successors or assigns of Maine Savings Bank; thence by said other land formerly of Maine Savings Bank North 66° 09' East two hundred twenty-two and fifty-nine hundredths (222.59) feet to the westerly side of Brown Street; thence by the westerly side of Brown Street South 28° 20' 29" East, two hundred thirty-four and five hundredths (234.05) feet to the intersection of the westerly side of Brown Street with the northerly side of Congress Street

and the point of beginning.

Together with the benefit of and subject to the easements as described in the Quitclaim Deed With Covenant from 511 Plaza Limited Partnership to 15 Casco Street, LLC, dated October 19, 2006 and recorded in said Registry of Deeds in Book 24517, Page 152.

Together with easements and rights granted to Maine Charitable Mechanics' Association as set forth or referred to in an indenture dated February 26, 1910, by and between Maine Charitable Mechanics' Association and John S. Russell, et al. recorded in said Registry of Deeds in Book 852, Page 191, as modified and amended by Agreement dated July 31, 1973 between Maine Charitable Mechanics' Association and Maine Savings Bank dated July 31, 1973, and recorded at said Registry of Deeds in Book 3439, Page 245, and as may be affected by Easement Deed granted to Northern Utilities, Inc. dated July 13, 1995, and recorded at said Registry of Deeds in Book 12012, Page 115, subject to rights of others to also use such easement.

Being a portion of the premises conveyed to 511 Plaza Limited Partnership by Quitclaim Deed With Covenant from Spring Street Limited Partnership dated June 2, 2005 and recorded in said Registry of Deeds in Book 22717, Page 79.

EXHIBIT A-2

Surface Parking Lots, Portland, Maine

The following described parcels of land shown on Plans entitled "ALTA/ACSM Land Title Survey on Casco Street, Shepley Street and Oak Street, Portland, Maine" made for C.B. Richard Ellis by Owen Haskell, Inc. dated October 21, 2002, last revised November 12, 2002, Sheets 1 of 2 and 2 of 2, recorded in the Cumberland County Registry of Deeds in Plan Book 203, Pages 11 and 12; and "ALTA/ACSM Land Title Survey Portland, Maine, Maine Savings Plaza" made for C.B. Richard Ellis by Owen Haskell, Inc., last revised October 23, 2002, original plan dated June 27, 1973 and made by H.I. & E.C. Jordan Surveyors."

Parcel "B & C" - the Oak-Shepley Lot and the Shepley-Casco Lot

A certain lot or parcel of land located on the southeasterly side of Shepley Street, the northeasterly side of Oak Street and the southwesterly side of Casco Street, in the City of Portland, County of Cumberland, State of Maine, bounded and described as follows:

BEGINNING at a point at the intersection of the southeasterly side of Shepley Street with the northeasterly side of Oak Street;

Thence N 58° 34' 13" E, along the southeasterly side of said Shepley Street, 290.00 feet to the intersection of the southeasterly side of said Shepley Street with the southwesterly side of Casco Street;

Thence S 23° 51' 00" E, along with southwesterly side of Casco Street, 54.39 feet to the northerly corner of land now or formerly owned by John J. Quirk and Sally L. Quirk as described in Book 11794, Page 306;

Thence S 66° 06' 44" W, along land of said Quirk, 68.20 feet to a point;

Thence S 30° 25' 49" E, along land of said Quirk, 35.19 feet to a point;

Thence S 58° 31' 12" W, along land of said Quirk, also along the northwesterly line of land now or formerly of Survey Properties, Inc. as described in Book 11113, Page 126, 122.49 feet to a 5/8 inch rebar set on the northeasterly line of land now or formerly of Henry D. Audesse et al. as described in Book 7686, Page 334;

Thence N 30° 39' 41" W, along land of said Audesse, 14.64 feet to a 5/8 inch rebar set;

Thence S 57° 06' 52" W, along land of said Audesse, 93.52 feet to a 5/8 inch rebar set on the northeasterly side of said Oak Street;

Thence N 30° 25' 49" W, along the northeasterly side of said Oak Street, 68.00 feet to the point

of beginning.

Grantor specifically excludes from the limited warranty covenants (quitclaim with covenants) contained in this deed with respect to so much of the above-described Oak-Shepley Lot and Shepley-Casco Lot as is shown on said ALTA/ACSM Land Title Survey dated October 21, 2002 and last revised November 12, 2002, Sheet 1 of 2 as "Gore" and "Building Encroachment".

Parcel D – the 354-358 Cumberland Avenue Lot and the 48-72 Brown Street Lower Level and Upper Level Lots

A certain lot or parcel of land located on the southeasterly side of Cumberland Avenue, southwesterly side of Brown Street, and the northeasterly side of Casco Street, in the City of Portland, County of Cumberland, State of Maine, bounded and described as follows:

BEGINNING at the intersection of the southeasterly side of Cumberland Avenue with the southwesterly side of Brown Street;

Thence S 28° 19' 02" E, along the southwesterly side of Brown Street, 294.48 feet to a 5/8 inch rebar set on the northwesterly line of land now or formerly of the October Corporation as described in Book 12007, Page 156 (being the 511 Congress Street Parcel hereinabove described);

Thence S 66° 09' 00" W, along said 511 Congress Street Parcel, 222.59 feet to the northwesterly side of Casco Street;

Thence N 23° 51' 00" W, along the northeasterly side of Casco Street, 129.28 feet to the southerly corner of land now or formerly of John J. Quirk and Sally L. Quirk as described in Book 4798, Page 12;

Thence N 66° 56' 23" E, along land of said Quirk, 130.93 feet to a point;

Thence N 5° 14' 53" E, along land of said Quirk, 28.02 feet to a point;

Thence N 28° 12' 53" W, along land of said Quirk, also along land now or formerly of Cumby Corporation as described in Book 10797, Page 147, 141.49 feet to the southeasterly side of said Cumberland Avenue;

Thence N 65° 40' 30" E, along the southeasterly side of said Cumberland Avenue, 66.00 feet to the point of beginning.

Being a portion of the premises conveyed to 511 Plaza Limited Partnership by Quitclaim Deed With Covenant from Spring Street Limited Partnership dated June 2, 2005 and recorded in said Registry of Deeds in Book 22717, Page 79.

Received
Recorded Register of Deeds
Apr 18,2014 01:04:13P
Cumberland County
Pamela E. Lovley

Ocean Gate, LLC
511 Congress Street
Portland, ME 04101

April 12, 2023

Ms. Christine Grimando, Director
City of Portland Planning & Urban Development
389 Congress Street, 4th Floor
Portland, ME 04101

Re: 48 Brown Street

Dear Christine:

As the Manager of Ocean Gate, LLC, the current property owner of the above-referenced property, I am writing to confirm that Equality Community Limited Partnership is authorized to submit a Major Site Plan Application for a mixed-use development on a portion of the 48 Brown Street lot which is identified as "Land to be conveyed to Equality Community Center" on the attached Lot Division Plan.

Please feel free to contact me at 207-415-4493 or ed@gardnerregroup.com if you need any additional information.

Sincerely,

Ed Gardner
Manager of Ocean Gate, LLC

February 2, 2023

RE: Equality Community Center 54 Unit Affordable Housing Project, Casco Street, Portland

To Whom It May Concern:

Please accept this letter as validation that Developers Collaborative Predevelopment, LLC has an existing relationship with NBT Bank, NA and has brought this project and potential need to our attention. Pending full underwriting and formal approval of Equality Community Limited Partnership's request, we are supportive of this project and believe that they have the ability to source all projected project costs.

Sincerely,



Mark Y. Schaub
Vice President, Senior Commercial Relationship Manager
NBT Bank, National Association

ENVIRONMENTAL

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



14.6.2 (B) Landscape Preservation – There is one existing street tree and a small landscaped island within the existing parking lot that will be removed as a part of the construction of the building. The applicant is proposing landscaped area along the Casco Street frontage and around the building perimeter. This area is to be planted with native, approved trees and grass. This new, proposed landscaped area will be considerably larger than the existing landscaped area on site.

14.6.2 (C) Site landscaping and Buffers – As mentioned above, the applicant is proposing a landscaped area along the Casco Street frontage. The area is to be planted with approved trees, shrubs, and grasses. This landscaped area is to be considerably larger than the existing non-impervious area on the site. No heritage or feature trees exist on the site, and none are proposed.



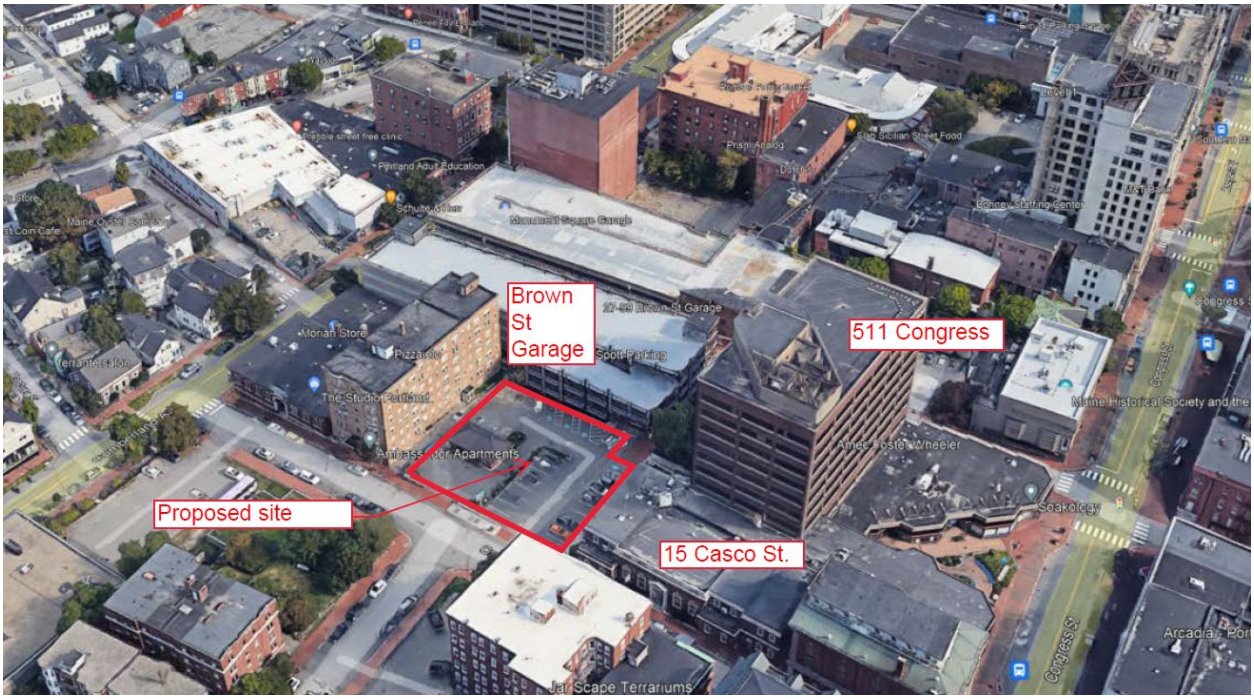


Streetview towards Commercial Suite patio from Casco St Sidewalk

14.6.2 (D) Water Quality, Stormwater Management and Erosion control – Save for a couple small parking lot islands, the site is fully paved/concrete in the current condition. The majority of the surface will change to roof top, while some will be converted to landscaped area. The roof drains will tie into the existing drainage system consisting of a 12" drain pipe along the Casco Street frontage. There is no expected change in overall site drainage however, the elimination of parking will improve water quality. 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, Casco Street is located within Mixed Use/Commercial/Office zone and is located near an enhanced Priority Corridor (Congress 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 near Congress Street, the site is within a downtown area that is maintaining a robust level of activity and development. This site is an ideal location for a building with ground level commercial suite and residential above. We believe the proposed infill building and uses go hand in hand as complimentary uses to the surrounding businesses and land use an envisioned in the Comprehensive plan and current zoning.



Aerial Image of surrounding vicinity

14.6.3 (B) Public Safety and Fire Prevention – The new building will have a full sprinkler system and Fire Department Connection along the Casco Street Façade. The nearest fire hydrant is located on Casco Street, in front of the neighboring Equality Community Center, less than one hundred feet from the proposed 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 an 8" water main in Casco Street. The Fire Dept connection will be located along the south side of the building.
- A domestic sewer connection is proposed to tie into an existing 15" sewer line in Casco Street.
- The building may be served by Natural gas coming from Casco Street.
- There is underground power in Casco 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 architectural elevations and 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

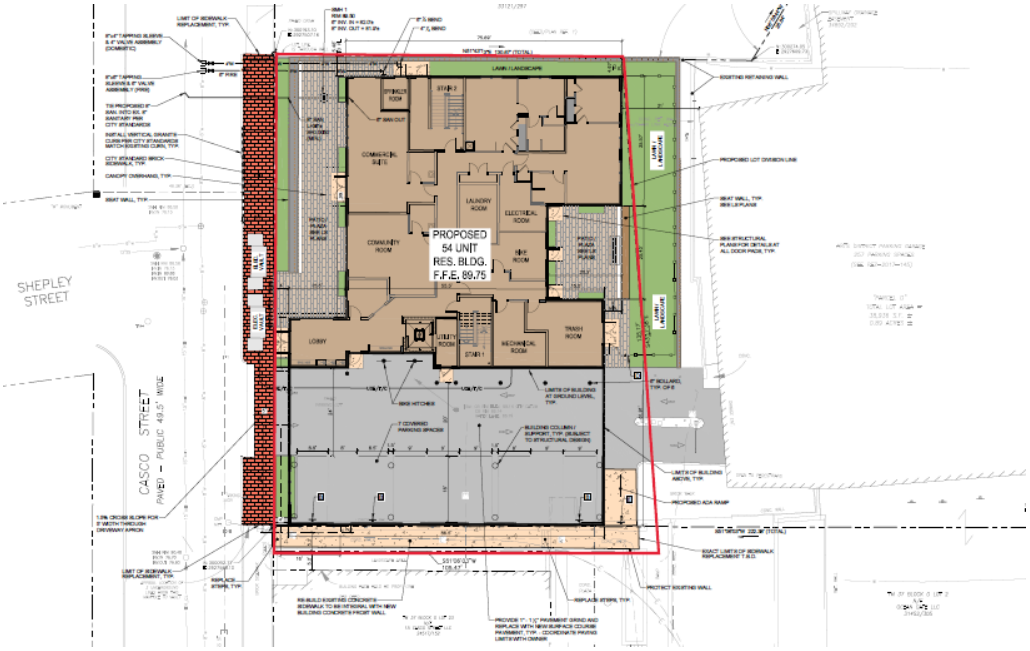
14.6.4 (E) Historic Resources – Not applicable.

14.6.4 (F) Exterior Lighting – The applicant proposes wall mount lighting for safety and security and the door entrances. All lighting will be full cut off and dark sky complaint.

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 applicant.

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. The site is also within the Downtown Entertainment Overlay, however the provisions within the DEOZ are not applicable to the proposed use.



Proposed Site plan – Casco Street

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:

Civil Engineer	Stephen Bushey, P.E. Gorrill-Palmer Consulting Engineers 300 Southborough Drive, Suite 200 South Portland, Maine 04106 (207) 772-2515 sbushey@gorrillpalmer.com
Architect	Ryan Senatore Ryan Senatore Architecture 500 Congress Street, Suite 2 Portland, ME 04101 Ryan Senatore <ryan@senatorearchitecture.com>
Surveyor	Owen Haskell, Inc Samuel D Glidden, PLS 390 US Route 1 Falmouth, ME 04105 Sam Glidden <sglidden@owenhaskell.com>
Geotechnical	Summit Geoengineering Bill Peterlein PE 210 Maine Avenue Farmingdale, Maine 04344 bpeterlein@summitgeoeng.com
Development Manager	DC Predevelopment LLC Laura Reading 631 Stevens Ave Suite 203 Portland, ME 04103 Laura Reading - DC Pre <reading.lauraj@gmail.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 team also has significant experience in the design, permitting, development and management of large institutional projects as evidenced by various projects throughout the City including Stevens Square and the Nathan Clifford School.

TRANSPORTATION

14.6.1(A) **Impact on Surrounding Street system** – No significant impact is predicted for the proposed development. The activity consists of redevelopment of an existing parking lot resulting in less onsite traffic and parking in the proposed condition than the existing. The site use is not expected to create or aggravate any existing or proposed hazard or safety concern on Casco Street as sidewalk conditions are ample to allow pedestrian movement to nearby streets and activities. The site access conditions are consistent with the neighboring sites on both sides of the street. The activity is considered an urban infill development that's consistent with City goals and objectives.

14.6.1(B) **Access and Circulation** – The first floor of the building is to be accessible from all four 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 Casco Street sidewalk will be flush to existing grade. The existing sidewalk along the west side of the Equality Community Center at 15 Casco Street will be reconstructed to maintain an access route from Casco Street to entrances at both 15 Casco and the rear of the 511 Congress Street tower. ADA access will also be maintained from the Brown Street Garage to all of the buildings.

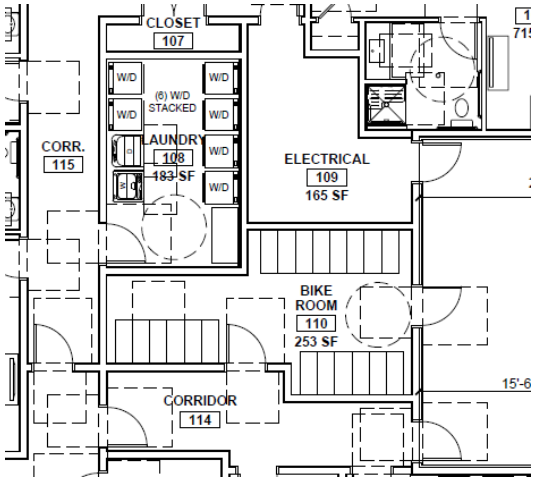


Equality Community Apartments Casco Street

14.6.1(C) **Public transit** – Not applicable. The nearest bus stop is just east of the intersection of Casco Street and Congress Street less than 500 feet distance.

1. 14.6.1(D) **Off-Street Parking** – Onsite parking is provided on the ground level, beneath the upper floors of the proposed building. Seven spaces including 3 ADA spaces are provided adjacent the existing Equality Community Center – within the previously described parking easement. Access is also to be maintained via easement to the adjacent Brown Street parking garage. At least six Dero Bike Hitches will be provided

on the site to support the interior bike room in the building. Snow removal from the parking area is not a concern as the parking spaces and access easement are covered by the upper floors of the building.



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

Transportation Demand Management – Not applicable

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

Portland, Maine Yes. Life's good here.

Planning & Urban Development Department

ZONING ANALYSIS Relevant Zone(s) B-3 - #48 Brown St

All Projects:

	Required	Proposed
Lot Size	-	26,100
Area Per Dwelling Unit	-	
Minimum Street Frontage	15 ft	295 ft
Front Yard Minimum		
Front Yard Maximum	5 ft	1.5 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	257 sp
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):			

Portland, Maine Yes. Life's good here.

Planning & Urban Development Department

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Minimum Lot Size		
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	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):			

GORRILL PALMER

300 Southborough Drive, Suite 200
South Portland, Maine 04106
207.772.2515

April 27, 2023

Dear Neighbor:

Please join Developers Collaborative Predevelopment LLC and Equality Community LP, for a Neighborhood Meeting via Zoom to discuss their proposed 54-unit affordable residential housing development in a new five story building at **48 Brown Street,** in Portland, ME. The Planning Authority project ID is PL-002468-2023. The proposed project includes a 9,500 SF footprint, 5-story building within the existing surface parking lot, situated with access from Casco Street. The site is part of the existing Brown Street parking garage property. Pursuant to the City of Portland's COVID guidelines, this meeting is to be held by video conference.

Meeting Location: Join Zoom Meeting
https://us02web.zoom.us/j/84859776247?pwd=ZGdaQjFrUWswcUNJeVBtbTh0NzJ2dz09

Meeting ID: 848 5977 6247
Passcode: 941007
One tap mobile
+19292056099,,84859776247#,,,,*941007# US (New York)
+13017158592,,84859776247#,,,,*941007# US (Washington DC)

Meeting ID: 848 5977 6247
Passcode: 941007
Find your local number: https://us02web.zoom.us/u/kcSRWl3XkE

Meeting Date: **May 17, 2023**

Meeting Time: **5:00 PM – 5:30 PM**

The City Code requires that property owners within 500 feet (except notices must be sent to property owners within 1,000 feet for industrial zoning map amendments and industrial subdivisions) of the proposed development and residents on an "interested parties list", be invited to participate in a neighborhood meeting. We will take attendance and submit a sign-in sheet to the Planning Board. The meeting will last no more than 30 – 45 minutes. If you have any questions, please feel free to contact Stephen Bushey 207.772.2515 x286.

Sincerely,

GORRILL PALMER

Stephen Bushey, PE
Senior Associate
sbushey@gorrillpalmer.com

Note: Under Section 14-32(C) and 14-525 of the City Code of Ordinances, an applicant for a Major Site plan development, subdivision of over five lots/units, or zone change is required to hold a neighborhood meeting within three weeks of submitting a preliminary application or two weeks of submitting a final site plan application, if a preliminary plan was not submitted. The neighborhood meeting must be held at least seven days prior to the Planning Board public hearing on the proposal. Should you wish to offer additional comments on this proposed development, you may contact the Planning Division at 874-8721 or send written correspondence to the Planning and Urban Development Department, Planning Division 4th Floor, 389 Congress Street, Portland, ME 04101.

U:\4043 54 Unit Apartment Casco Street - Portland\G Abutters\Neighborhood meeting notice 2023.04.27

48 Brown Street 1 view

Subscribe



bollie3@maine.rr.com <bollie3@maine.rr.c… May 27, 2023, 2:24:21 PM (2 days ago)

to planningboard@portlandmaine.gov

Good afternoon.

After looking at the plans, I have the following comments and opinions:

1. Too many colors and different finishes on front of building. Way too busy for me; it also dates the building since so many recent product and new stuff look very similar. The green, mustard and rust colors don't excite me.

2. Community Room is a good idea.

3. Need a screen or wall on the roof to hide the heat pump units. Otherwise, looks messy. A wall will also help to keep the coils clean, reducing the cleaning frequency.

Are these condos or apartment rentals?

Regards,

Bollie Bollenbach

(owner of 104 Oak Street building)

PROJECT PARCEL SITE		
ZONING: B3 DOWNTOWN ZONING DISTRICT		
PORTLAND TAX ASSESSOR'S MAP AND LOT NUMBERS		
MAP	BLOCK	LOT
37	D	004

OWNER:
Ocean Gate LLC
511 CONGRESS STREET
PORTLAND, ME 04101
ATTN: EDMUND GARDNER

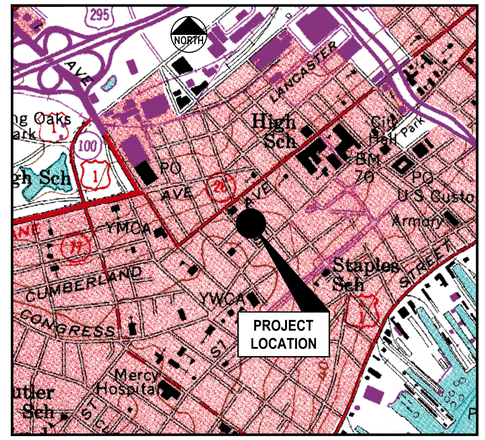
APPLICANT:
Developers Collaborative Predevelopment, LLC
631 STEVENS AVENUE, SUITE 203
PORTLAND, ME 04103
ATTN: KEVIN BUNKER / LAURA READING

CO-APPLICANT:
Equality Community Limited Partnership
15 CASCO STREET
PORTLAND, ME 04101
ATTN: ED GARDNER, CHAIR

C.C.R.D. BOOK 31452, PAGE 305

REFERENCE PLAN:
1. "BOUNDARY SURVEY AND LOT SPLIT ON CASCO STREET, CUMBERLAND STREET, & BROWN STREET, PORTLAND, MAINE, MADE FOR ANEW DEVELOPMENT, 17 CHESTNUT STREET, PORTLAND, MAINE 04101", BY OWEN HASKELL, INC., DATE JANUARY 14, 2020.

SITE DEVELOPMENT PLANS
FOR
54-UNIT RESIDENTIAL DEVELOPMENT
CASCO STREET
PORTLAND, MAINE
PERMIT PLAN SUBMISSION
MARCH 2023



LOCATION MAP
N.T.S.

INDEX

C-1.0 COVER SHEET
C-1.1 GENERAL NOTES & LEGEND
C-1.2 BOUNDARY & EXISTING CONDITIONS SURVEY (BY OWEN HASKELL)
C-1.3 LOT DIVISION PLAN
C-2.0 EXISTING CONDITIONS & REMOVALS PLAN
C-3.0 SITE LAYOUT & UTILITY PLAN
C-3.1 CONSTRUCTION MANAGEMENT PLAN
C-4.0 GRADING, DRAINAGE & EROSION CONTROL PLAN
C-5.0 SITE & MISCELLANEOUS DETAILS
C-5.1 SITE & MISCELLANEOUS DETAILS
C-6.0 SITE SECTIONS

L-1.0 LANDSCAPE PLAN

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)

PERMITS / APPROVALS

LOCAL	GOVERNING BODY	STATUS
MAJOR SITE PLAN APPLICATION	CITY OF PORTLAND PLANNING AUTHORITY CITY HALL 389 CONGRESS STREET PORTLAND, MAINE 04101 207.874.8719 CONTACT: MATT GROOMS	ANTICIPATED SUBMITTAL: MARCH 21, 2023
BUILDING AND DEMOLITION PERMITS	CITY OF PORTLAND CODE ENFORCEMENT OFFICE CITY HALL 389 CONGRESS STREET PORTLAND, MAINE 04101 207.874.8703	TO BE FILED PRIOR TO CONSTRUCTION BY CONTRACTOR
STREET OPENING PERMIT	CITY OF PORTLAND PUBLIC SERVICES DIVISION 212 CANCO ROAD PORTLAND, MAINE 04103 207.874.8801	TO BE FILED PRIOR TO CONSTRUCTION BY CONTRACTOR

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.

CONSULTANT LIST

CIVIL ENGINEER:
Gorrill Palmer Consulting Engineers, Inc.
300 SOUTHBOROUGH DRIVE, SUITE 200
SOUTH PORTLAND, MAINE 04106
207.772.2515
ATTN: STEVE BUSHEY
sbushey@gorrillpalmer.com

SURVEYOR:
Owen Haskell, Inc
390 U.S. ROUTE 1, UNIT 10
FALMOUTH, ME 04105
207.774.0424
ATTN: SAMUEL D. GLIDDEN, P.L.S.
www.owenhaskell.com

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

BUILDING ARCHITECT:
Ryan Senatore Architecture
500 CONGRESS STREET, 2nd FLOOR
PORTLAND, ME 04101
207.650.6414
ATTN: RYAN SENATORE, AIA, LEED-AP
ryan@senatorearchitecture.com

LANDSCAPE ARCHITECT:
ALA Aceto Landscape Architects
424 FORE STREET, #3B
PORTLAND, ME 04101
207.221-3390
ATTN: NICK ACETO
ca@acetola.com

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.

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

STATE OF MAINE
STEPHEN R. BUSHEY
03.21.23
LICENSED PROFESSIONAL ENGINEER
STEPHEN R. BUSHEY, P.E.
LIC. #7429

Rev.	Date	Revision

Rev.	Date	Revision
1	2023.03.21	SITE PLAN APPLICATION

Design: SRB	Draft: CDD	Date: OCT. 2022
Checked: SRB	Scale: AS NOTED	Job No.: 4043
File Name: 4043–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
300 Southborough Drive, Suite 200
South Portland, Me 04106
207.772.2515 / www.gorrillpalmer.com
Relationships. Responsiveness. Results.

Drawing Name: COVER SHEET
Project: PROPOSED MULTI-UNIT RESIDENTIAL DEVELOPMENT
CASCO STREET, PORTLAND, MAINE
Client: DEVELOPERS COLLABORATIVE PREDEVELOPMENT, LLC
631 STEVENS AVENUE, SUITE 203, PORTLAND, MAINE 04103

Drawing No. C-1.0

U:\4043 54 Unit Apartment Casco Street – Portland\Z – CAD\DWG\4043–COVER.dwg 3/30/2023 5:23 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 AND WITHIN 8 INCHES OF THE SLAB-ON-GRADE	95%

*ALL PERCENTAGES OF COMPACTION SHALL BE OF THE MAXIMUM DRY DENSITY AT THE OPTIMUM MOISTURE CONTENT AS DETERMINED AND CONTROLLED IN ACCORDANCE WITH ASTM-D-1557.

8. ADJUST ALL MANHOLES, CATCH BASINS, CURB BOXES, ETC. WITHIN LIMITS OF WORK TO FINISH GRADE.

9. CONTRACTOR SHALL PROVIDE A FINISH PAVEMENT SURFACE FREE OF LOW SPOTS AND PONDING AREAS. CRITICAL AREAS INCLUDE BUILDING ENTRANCE AND EXIT RAMPS ADJACENT TO THE BUILDING AND ALONG NEW CURBED AREAS.

10. PROVIDE STABILIZATION OR SEPARATION GEOTEXTILE FABRIC OVER UNSTABLE SOILS AS DIRECTED BY THE OWNER'S REPRESENTATIVE AND IN ACCORDANCE WITH THE FINAL GEOTECHNICAL RECOMMENDATIONS.

11. NATIVE SOILS RANGE FROM 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 BARIRIERS 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
- UTILITY POLE
- LIGHT POLE
- DMH — DRAINAGE MANHOLE
- EMH — ELECTRIC MANHOLE
- SMH — SEWER MANHOLE
- CATCH BASIN
- SIGN
- EDGE OF PAVEMENT
- CURB
- ohw — OVERHEAD WIRES
- E — UNDERGROUND ELECTRIC
- T — TELEPHONE
- W — WATER LINE
- G — GAS LINE
- 15"san — SANITARY SEWER
- SD — STORM DRAIN
- 1' CONTOUR
- × 15.23 — SPOT ELEVATION
- TREE
- TREE LINE OR LIMIT OF CLEARING
- BUILDING
- RETAINING WALL/WOOD TILES
- PROPERTY LINE
- EASEMENT LINE
- TEST BORING

PROPOSED

- BARRIER FREE SYMBOL
- SIGN
- SIGN LABEL
- BUILDING / BUILDING ACCESS
- VERTICAL GRANITE CURB
- CB — CATCH BASIN
- 22 — CONTOUR LABEL
- DMH — DRAIN MANHOLE
- 2 / 1 2:1 — SLOPE DESIGNATION
- 18.73 — SPOT GRADE
- 28.58 TW / 16.20 BW — SPOT GRADE AT RETAINING WALL (TW = TOP WALL / BW = BOTTOM WALL)
- 10"UD — UNDERDRAIN
- 12" SD L = 188' S = 0.005 — STORM DRAIN
- CURB STOP
- HYDRANT
- LIGHT POLE WITH FIXTURE(S)
- SMH — SANITARY SEWER MANHOLE
- TEST PIT
- UTILITY POLE
- VALVE
- 6" SAN — SANITARY SEWER
- W — DOMESTIC/ FIRE WATER MAIN
- 2"G — GAS MAIN
- UGE/T/C — UNDERGROUND ELECTRIC

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

STATE OF MAINE — STEPHEN R. BUSHEY — 03.21.23 — LICENSED PROFESSIONAL ENGINEER

STEPHEN R. BUSHEY, P.E.
LIC. #7429

Rev.	Date	Revision

Rev.	Date	Revision
1	2023.03.21	SITE PLAN APPLICATION

Design: SRB	Draft: CDD	Date: OCT. 2022
Checked: SRB	Scale: AS NOTED	Job No.: 4043
File Name: 4043-GEN NOTES.dwg		

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GORRILL PALMER
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South Portland, Me 04106
207.772.2515 / www.gorrillpalmer.com
Relationships. Responsiveness. Results.

Drawing Name: GENERAL NOTES & LEGEND

Project: PROPOSED MULTI-UNIT RESIDENTIAL DEVELOPMENT
CASCO STREET, PORTLAND, MAINE

Client: DEVELOPERS COLLABORATIVE PREDEVELOPMENT, LLC
631 STEVENS AVENUE, SUITE 203, PORTLAND, MAINE 04103

Drawing No. C-1.1

U:\4043 54 Unit Apartment Casco Street - Portland\2 - CAD\DWG\4043-GEN NOTES.dwg 3/30/2023 5:31 PM



1 CONCEPT IMAGE 2
NTS

© 2023 RYAN SENATORE ARCHITECTURE

APARTMENTS
CASCO STREET
PORTLAND, MAINE

RSA
RYAN SENATORE
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CONSULTANTS:

REVISIONS:

PROGRESS PRINT ONLY
Not for Construction
MARCH 22, 2023

DATE:	
PROJECT No.	2236
DRAWN BY:	RRT, RJS
CHECKED BY:	RJS
SCALE:	AS NOTED

SHEET TITLE:
CONCEPT IMAGE 2

C-2

SIGN LEGEND:

A	B	C	D	E
R1–1 24"x24"	BLDG. MOUNTED	W16-7P 24"x 12"	12"x18"	R8–3 12"x18"

SPACE AND BULK REGULATIONS

SPACE AND BULK REGULATION	REQUIRED - B3 ZONE	PROVIDED
MINIMUM LOT SIZE	NONE	13,565 SF
MIN. STREET FRONTAGE	15 FT	128.91 FT
MAX. FRONT YARD SETBACK	5 FT	0 FT
SIDE / REAR SETBACK	N / A	
MAX. BUILDING HEIGHT	*	58 FT
LENGTH OF UNDIFFERENTIATED BLANK WALL ALONG PUBLICLY ACCESSIBLE WAY	30 FT (MAX.)	< 30 FT (MAX.)

* MAXIMUM BUILDING HEIGHT ACCORDING TO THE DOWNTOWN HEIGHT OVERLAY DISTRICT

PROPOSED 54 UNIT RES. BLDG. F.F.E. 89.75

SHEPLEY STREET

CASCO STREET
PAVED – PUBLIC 49.5' WIDE

BROWN STREET
PAVED – PUBLIC 33' WIDE

ARTS DISTRICT PARKING GARAGE
257 PARKING SPACES
(SEE PEZ–2017–145)

"PARCEL D"
TOTAL LOT AREA = 38,936 S.F. ± 0.89 ACRES ±

TM 37 BLOCK D LOT 7
N/F
AMBASSADOR LLC
33121/297

TM 37 BLOCK D LOT 23
N/F
15 CASCO STREET LLC
24517/152

TM 37 BLOCK D LOT 2
N/F
OCEAN GATE LLC
31452/305

LIMIT OF SIDEWALK REPLACEMENT, TYP.
8"x4" TAPPING SLEEVE & 4" VALVE ASSEMBLY (DOMESTIC)
8"x6" TAPPING SLEEVE & 6" VALVE ASSEMBLY (FIRE)
TIE PROPOSED 8" SAN. INTO EX. 8" SANITARY PER CITY STANDARDS
INSTALL VERTICAL GRANITE CURB PER CITY STANDARDS MATCH EXISTING CURN, TYP.
CITY STANDARD BRICK SIDEWALK, TYP.
CANOPY OVERHANG, TYP.
SEAT WALL, TYP.
4" DOMESTIC
6" FIRE
SMH 1 RIM 89.50 6" INV. IN = 82.0'± 8" INV. OUT = 81.9'±
6" ¼ BEND
4" ¼ BEND
N: 300193.10 E: 2927507.16
LOT LINE IS THROUGH WALL
(DEED/PLAN REF. 1)
75.69'
N51°43'13"E 130.67' (TOTAL)
95.29'
LAWN / LANDSCAPE
LINES PER PLAN REF. 1
N05°58'34"W 26.84'
N: 300274.05 E: 2927609.73
SPILLWAY DRAINAGE EASEMENT 34892/202
35.28'
EXISTING RETAINING WALL
SPRINKLER ROOM
STAIR 2
6" SAN OUT
8" SAN L=36'± S=0.0050 (MIN.)
COMMERCIAL SUITE
CONC. RET. WALL w/CHAIN LINK FENCE
GATE
21'
35.57'
LAWN / LANDSCAPE
PROPOSED LOT DIVISION LINE
SEE STRUCTURAL PLANS FOR DETAILS AT ALL DOOR PADS, TYP.
SEAT WALL, TYP. SEE LS PLANS
LAUNDRY ROOM
ELECTRICAL ROOM
PATIO / PLAZA SEE LS PLANS
COMMUNITY ROOM
BIKE ROOM
PATIO / PLAZA SEE LS PLANS
25.43'
20.2'
55.5'
15.5'
4' MIN.
ELEC. VAULT
ELEC. VAULT
N39°59'47"W 135.80'
LOBBY
UTILITY ROOM
STAIR 1
MECHANICAL ROOM
TRASH ROOM
135.17'
S43°17'38"E
LAWN / LANDSCAPE
CONC.
6" BOLLARD, TYP. OF 6
UGE/T/C
BIKE HITCHES
PAVED PARKING LOT
TBM: CB RIM ELEV. 89.14 CITY DATUM
CB RIM 89.14
WATER LEVEL 86.79
7 COVERED PARKING SPACES
BUILDING COLUMN / SUPPORT, TYP. (SUBJECT TO STRUCTURAL DESIGN)
LIMITS OF BUILDING AT GROUND LEVEL, TYP.
LIMITS OF BUILDING ABOVE, TYP.
GARAGE ENT.
61.91'
OPEN TO PEDESTRIANS
BRICK WALK
PROPOSED ADA RAMP
CONC. WALL
N: 300232.41 E: 2927761.17
117.36'
S51°06'03"W 222.59' (TOTAL)
5/8"IRF (2015) GONE – 2020
234' ± TO CONGRESS ST.
#4
86.5'
CONC. WALK
LANDSCAPE AREA
S51°06'03"W 105.74'
6.91'
EXACT LIMITS OF SIDEWALK REPLACEMENT T.B.D.
PROTECT EXISTING WALL
REPLACE STEPS, TYP.
CONC. PLAZA
CONC. WALL
RAMP
RET. WALL
BUILDING FACE HELD AS PROP. LINE PER DEED
RE-BUILD EXISTING CONCRETE SIDEWALK TO BE INTEGRAL WITH NEW BUILDING CONCRETE FROST WALL WIDEN SIDEWALK TO 8' WIDTH
REMOVE & RESET AND / OR REPLACE EXISTING LANDSCAPING - SEE LS PLANS
PROVIDE 1" - 1 ½" PAVEMENT GRIND AND REPLACE WITH NEW SURFACE COURSE PAVEMENT, TYP. - COORDINATE PAVING LIMITS WITH OWNER
REMOVE AND REPLACE EXISTING LANDSCAPE EDGE / KNEEWALL TO ACCOMMODATE WIDENED SIDEWALK
1.5% CROSS SLOPE FOR 5' WIDTH THROUGH DRIVEWAY APRON
LIMIT OF SIDEWALK REPLACEMENT, TYP.
N: 300092.77 E: 2927588.10
REPLACE STEPS, TYP.
APPROX. LOCATION OF 3 UNDERGROUND LINES FROM THIS MANHOLE TO VAULT
SMH RIM 88.58 INV.IN 76.13
SMH RIM 88.58 INV.IN 76.13 INV.IN 80.68 INV.OUT 76.03
SMH RIM 90.48 INV.IN 76.70 INV.OUT 76.60
49.38' (ECJ)
"M" MONUMENT
TMH
PARKING SIGN
CMP M.H.
EMH
CONC. SIDEWALK
BRICK SIDEWALK
TO CONGRESS ST.
6.89'
8.6'
4.67' PL
5.48' PL
10' PL
6" w
8" w
12"ss
15"san
5' 8.5' 8' 8.5' 1.5' 9' 9' 9' 1.5' 9' 9' 9'
24' 20' 18' 29'

NORTH

GRAPHIC SCALE
0 5 10 20
1 inch = 10 ft.

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

STATE OF MAINE
STEPHEN R. BUSHEY
03.21.23
LICENSED PROFESSIONAL ENGINEER
STEPHEN R. BUSHEY, P.E.
LIC. #7429

Rev.	Date	Revision

Rev.	Date	Revision
1	2023.03.21	SITE PLAN APPLICATION

Design: SRB	Draft: CDD	Date: OCT. 2022
Checked: SRB	Scale: AS NOTED	Job No.: 4043
File Name: 4043–SITE & UTILITY.dwg		

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300 Southborough Drive, Suite 200
South Portland, Me 04106
207.772.2515 / www.gorrillpalmer.com
Relationships. Responsiveness. Results.

Drawing Name: SITE LAYOUT & UTILITY PLAN

Project: PROPOSED MULTI-UNIT RESIDENTIAL DEVELOPMENT
CASCO STREET, PORTLAND, MAINE

Client: DEVELOPERS COLLABORATIVE PREDEVELOPMENT, LLC
631 STEVENS AVENUE, SUITE 203, PORTLAND, MAINE 04103

Drawing No. C-3.0

U:\4043 54 Unit Apartment Casco Street – Portland\Z – CAD\DWG\4043–SITE & UTILITY.dwg 3/30/2023 5:19 PM



1 CONCEPT IMAGE 4
NTS

© 2023 RYAN SENATORE ARCHITECTURE

APARTMENTS
CASCO STREET
PORTLAND, MAINE

RSA
RYAN SENATORE
ARCHITECTURE
500 CONGRESS STREET, SUITE 2
PORTLAND, MAINE 04101
O: 207-747-5159
C: 207-650-6414
senatorearchitecture.com

CONSULTANTS:

REVISIONS:

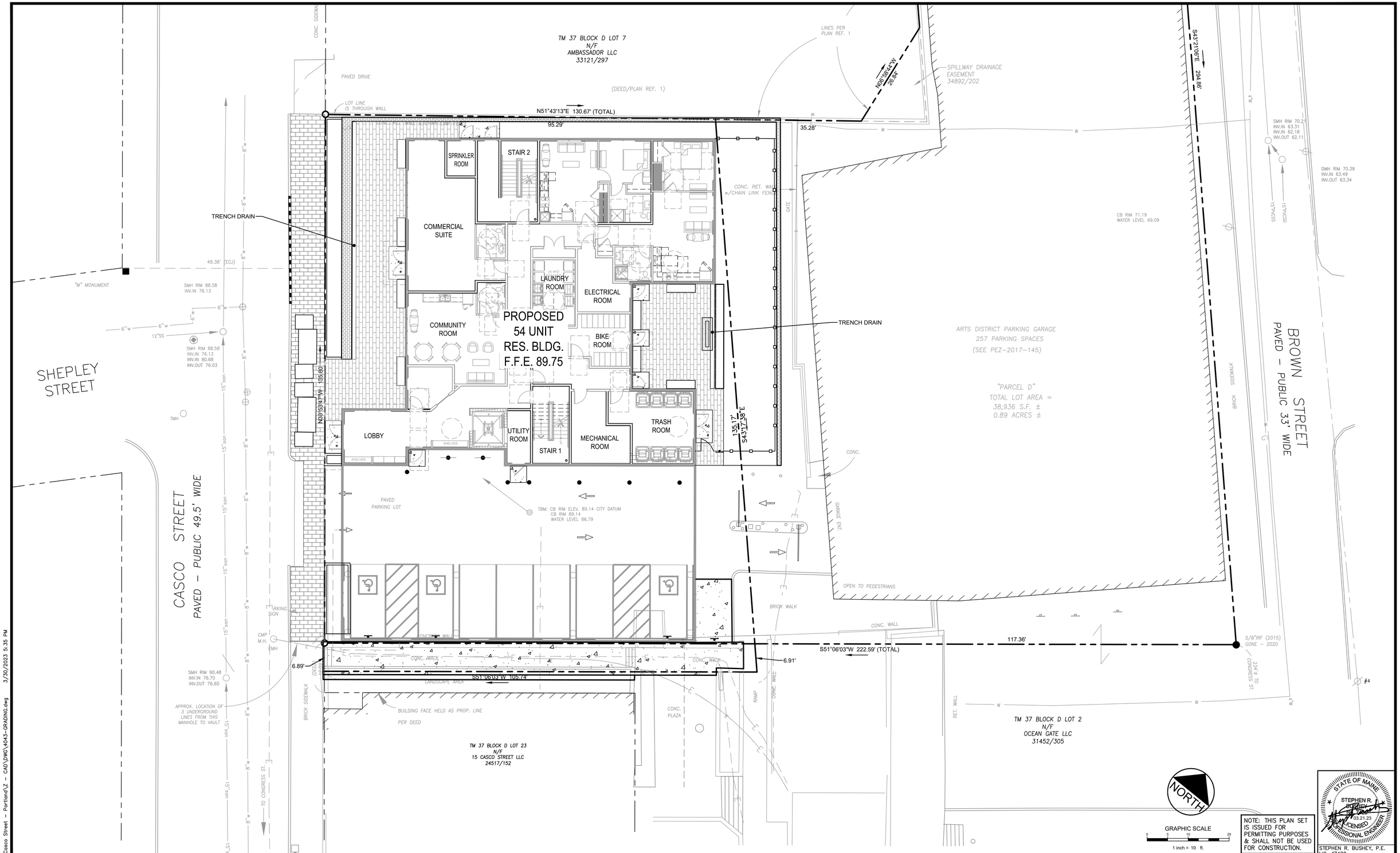
PROGRESS PRINT ONLY
Not for Construction
MARCH 22, 2023

DATE:

PROJECT No.	2236
DRAWN BY:	RRT, RJS
CHECKED BY:	RJS
SCALE:	AS NOTED

SHEET TITLE:
CONCEPT IMAGE 4

C-4



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

STATE OF MAINE
STEPHEN R. BUSHEY
03.21.23
LICENSED PROFESSIONAL ENGINEER
STEPHEN R. BUSHEY, P.E.
LIC. #7429

Rev.	Date	Revision

Rev.	Date	Revision
1	2023.03.21	SITE PLAN APPLICATION

Design: SRB	Draft: CDD	Date: OCT. 2022
Checked: SRB	Scale: AS NOTED	Job No.: 4043
File Name: 4043-GRADING.dwg		

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GORRILL PALMER
300 Southborough Drive, Suite 200
South Portland, Me 04106
207.772.2515 / www.gorrillpalmer.com
Relationships. Responsiveness. Results.

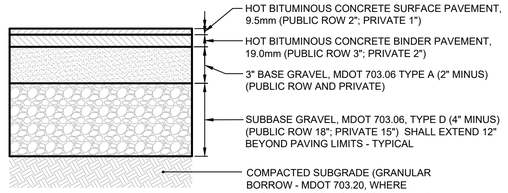
Drawing Name: GRADING, DRAINAGE & EROSION CONTROL PLAN

Project: PROPOSED MULTI-UNIT RESIDENTIAL DEVELOPMENT
CASCO STREET, PORTLAND, MAINE

Client: DEVELOPERS COLLABORATIVE PREDEVELOPMENT, LLC
631 STEVENS AVENUE, SUITE 203, PORTLAND, MAINE 04103

Drawing No. C-4.0

U:\4043 54 Unit Apartment Casco Street – Portland\Z – CAD\DWG\4043-GRADING.dwg 3/30/2023 5:35 PM



NOTES:

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

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

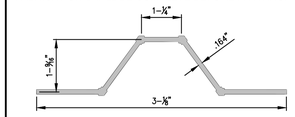
LENGTH: AS REQUIRED

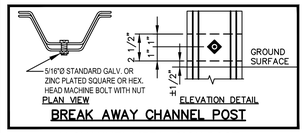
WEIGHT PER LINEAR FOOT: 2.50 LBS. MIN.

HOLES: ⅜" DIAMETER, 1" C-C FULL LENGTH

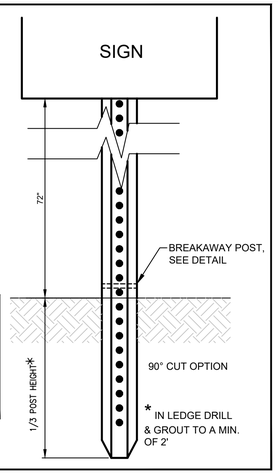
STEEL: SHALL CONFORM TO ASTM A-499 (GRADE 60) OR ASSTM A-576 (GRADE 1070 - 1080)

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

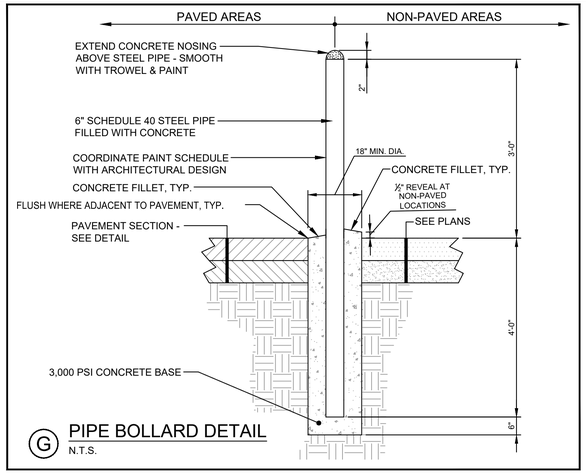




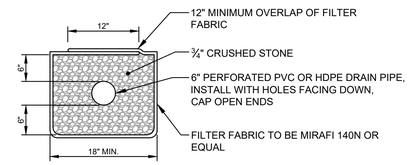
BREAK AWAY CHANNEL POST



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

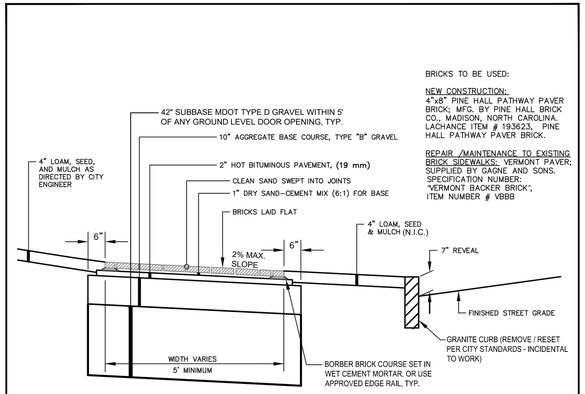


(G) PIPE BOLLARD DETAIL
N.T.S.



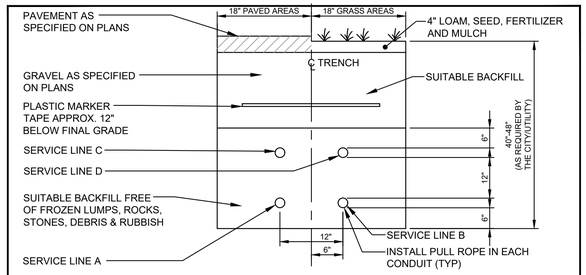
NOTE:
LOCATIONS AS NOTED ON PLANS - COORDINATE WITH ARCHITECTURAL AND / OR STRUCTURAL PLANS.

(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"



CONDUIT TYPE

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

*AS REQUIRED BY CITY /UTILITY

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.

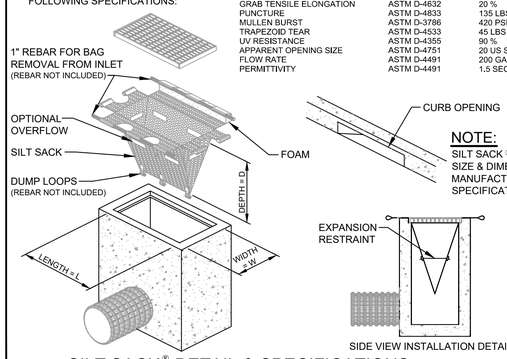
(E) UTILITY TRENCH - PRIMARY ELEC., TEL. & COMM.
N.T.S.

NOTE: THE SILT SACK ® WILL BE MANUFACTURED FROM A WOVEN POLYPROPYLENE FABRIC THAT MEETS OR EXCEEDS THE FOLLOWING SPECIFICATIONS:

HIGH-FLOW SILT SACK ® (FOR USE IN LOW POINTS/SAGS)

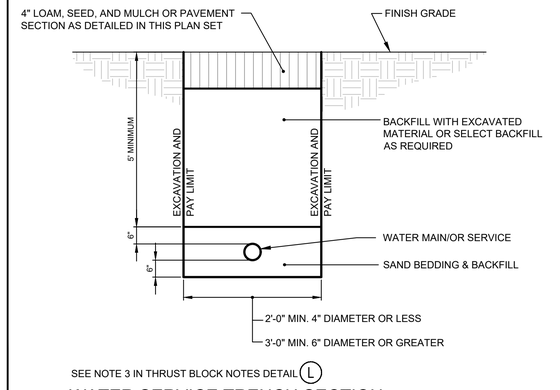
(FOR AREAS OF MODERATE TO HEAVY PRECIPITATION AND RUN-OFF)

PROPERTIES	TEST METHOD	UNITS
GRAB TENSILE STRENGTH	ASTM D-4632	265 LBS
GRAB TENSILE ELONGATION	ASTM D-4632	20 %
PUNCTURE	ASTM D-4833	135 LBS
MULLEN BURST	ASTM D-3786	420 PSI
TRAPEZOID TEAR	ASTM D-4533	45 LBS
UV RESISTANCE	ASTM D-4355	90 %
APPARENT OPENING SIZE	ASTM D-4751	20 US SIEVE
FLOW RATE	ASTM D-4491	200 GAL/MIN/SQ FT
PERMITTIVITY	ASTM D-4491	1.5 SEC -1



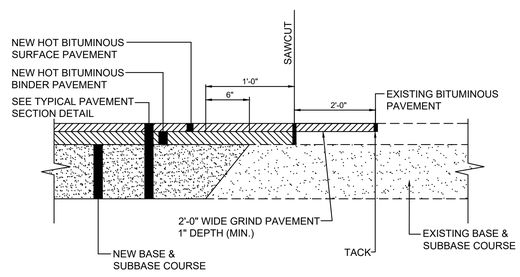
NOTE:
SILT SACK ® SIZE & DIMENSIONS PER MANUFACTURER'S SPECIFICATIONS.

(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.

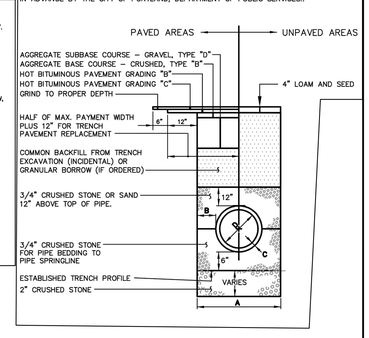
(C) PAVEMENT SAWCUT DETAIL
N.T.S.

NOTES:
1. ALTERNATIVE CONSTRUCTION METHODS OR PAYMENT METHODS SHALL BE APPROVED IN ADVANCE BY THE CITY.
2. IN PAVED AREAS, DEPTHS OF GRAVEL AND HOT MIX ASPHALT PAVEMENT SHALL MATCH THE GREATER OF EXISTING CONDITIONS OR THE REQUIREMENTS FOR THE CORRESPONDING STREET CLASSIFICATION.
3. DIMENSION **B** SHALL BE SUFFICIENT TO ALLOW CRUSHED STONE BEDDING TO BE PLACED AND COMPACTED UNDER THE HAUNCHES OF THE PIPE, BUT IN ALL CASES DIMENSION **B** SHALL BE AT LEAST 9".
4. DIMENSION **A** IS THE MAXIMUM WIDTH ALLOWED FOR CALCULATING PAY QUANTITIES UNDER GRANULAR BORROW, CRUSHED STONE, STRUCTURAL EARTH EXCAVATION, AND STRUCTURAL ROCK EXCAVATION. DIMENSION **A** SHALL BE BASED ON PIPE DIAMETER **D**, AS SET FORTH IN THE FOLLOWING TABLE.

PIPE DIAMETER, D (INCHES)	MAX. TRENCH WIDTH, A (FEET)
4 – – – –	4.0
6	4.0
8	4.0
10	4.0
12	5.0
15	5.0
18 – – – –	5.0
21	5.0
24	6.0
27	6.0
30	6.0
36 – – – –	6.0
42	7.0
48	7.0

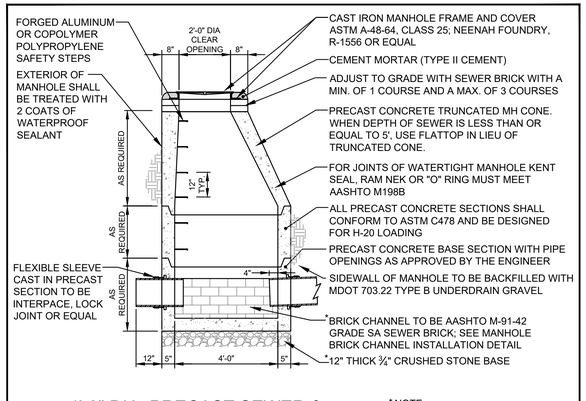
NOTES:
DEPTH OF BITUMINOUS PAVEMENT AND AGGREGATE COURSES SHALL BE DETERMINED BY STREET CLASSIFICATION.

ANY ALTERNATE TRENCHING OR PAYMENT METHODS SHALL BE APPROVED IN ADVANCE BY THE CITY OF PORTLAND, DEPARTMENT OF PUBLIC SERVICES..



(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.

*NOTE:
CHANNEL MAY ALSO BE A PREFABRICATED FIBERLINER 2000 CHANNEL AS FABRICATED BY GDT, INC. OF ESSEX, CT OR EQUAL

1. INSTALL POLY BARRIER BETWEEN PIPE AND ALL THRUST BLOCKS.
2. ANY MODIFICATION TO THRUST BLOCK SIZING OR PIPE RESTRAINT REVISIONS SHALL BE APPROVED IN WRITING BY THE ENGINEER PRIOR TO IMPLEMENTATION IN THE FIELD.
3. ANY WORK RELATING TO WATER PIPING OR DETAILS SHALL BE IN ACCORDANCE WITH THE PORTLAND WATER DISTRICT SPECIFICATIONS.
4. ALL RESTRAINED JOINTS MUST HAVE GRIPRING™.

BEARING SURFACE REQUIRED IN SQUARE FEET

PIPE SIZE	⅛ BEND	⅙ BEND	¼ BEND	½ 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.

STATE OF MAINE — STEPHEN R. BUSHEY — 03.21.23 — LICENSED PROFESSIONAL ENGINEER

STEPHEN R. BUSHEY, P.E.
LIC. #7429

Rev.	Date	Revision

Rev.	Date	Revision
1	2023.03.21	SITE PLAN APPLICATION

Design: SRB	Draft: CDD	Date: OCT. 2022
Checked: SRB	Scale: AS NOTED	Job No.: 4043
File Name: 4043–DETAILS.dwg		

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South Portland, Me 04106
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Relationships. Responsiveness. Results.

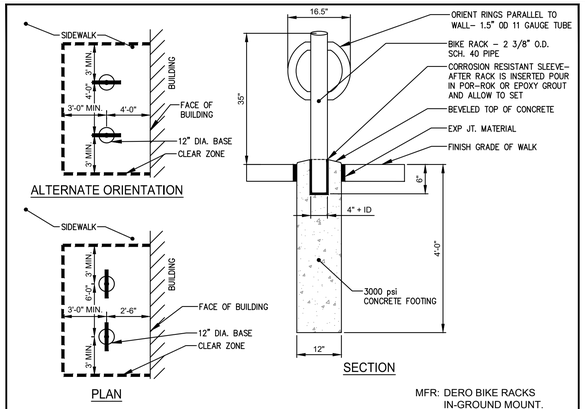
Drawing Name: SITE & MISCELLANEOUS DETAILS

Project: PROPOSED MULTI-UNIT RESIDENTIAL DEVELOPMENT
CASCO STREET, PORTLAND, MAINE

Client: DEVELOPERS COLLABORATIVE PREDEVELOPMENT, LLC
631 STEVENS AVENUE, SUITE 203, PORTLAND, MAINE 04103

Drawing No. C-5.0

U:\4043 54 Unit Apartment Casco Street – Portland\Z – CAD\DWG\4043-DETAILS.dwg 3/31/2023 8:38 AM

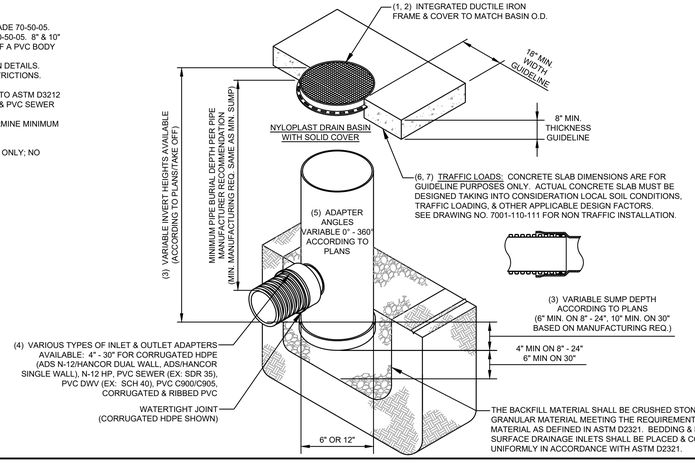


MFR: DERO BIKE RACKS
IN-GROUND MOUNT.
POWDER COAT FINISH
COLOR: BLACK
www.dero.com
1-800-298-4915

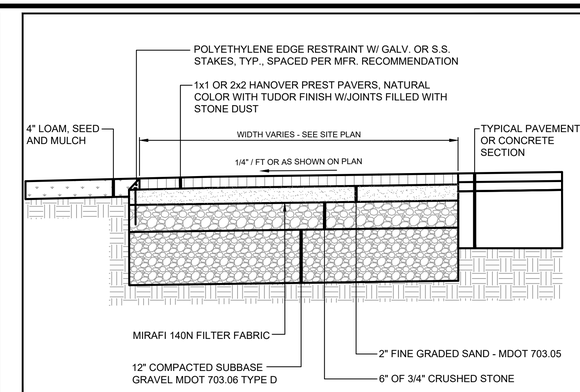
A BIKE HITCH MOUNTING DETAIL
N.T.S.

NOTES

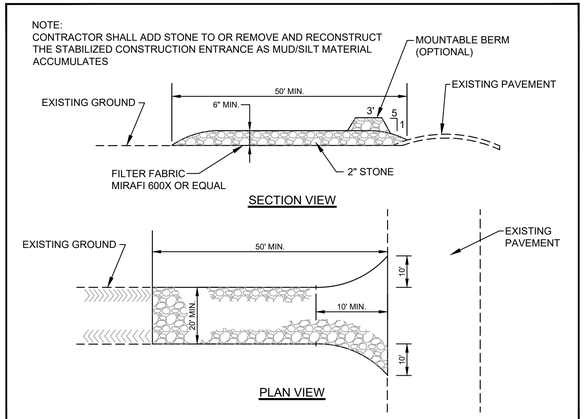
1. 8" - 30" SOLID COVERS SHALL BE DUCTILE IRON PER ASTM A536 GRADE 70-50-05.
2. 12" - 30" FRAMES SHALL BE DUCTILE IRON PER ASTM A536 GRADE 70-50-05. 8" & 10" SOLID COVERS FIT DIRECTLY ONTO DRAIN BASINS WITH THE USE OF A PVC BODY TOP. SEE DRAWING NO. 7001-110-045.
3. DRAIN BASIN TO BE CUSTOM MANUFACTURED ACCORDING TO PLAN DETAILS. RISERS ARE NEEDED FOR BASINS OVER 84" DUE TO SHIPPING RESTRICTIONS. SEE DRAWING NO. 7001-110-065.
4. 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").
5. ADAPTERS CAN BE MOUNTED ON ANY ANGLE 0° TO 360°. TO DETERMINE MINIMUM ANGLE BETWEEN ADAPTERS SEE DRAWING NO. 7001-110-012.
6. 12" - 30" SOLID COVERS SHALL MEET H-20 LOAD RATING.
7. 8" & 10" SOLID COVERS ARE RATED FOR LIGHT DUTY APPLICATIONS ONLY; NO CONCRETE COLLAR NEEDED FOR LIGHT DUTY RATING.



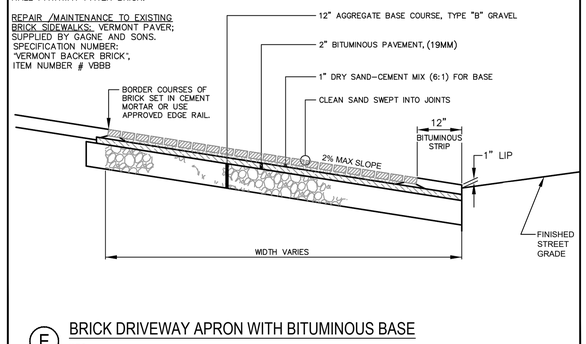
D NYLOPLAST DRAIN BASIN
N.T.S.



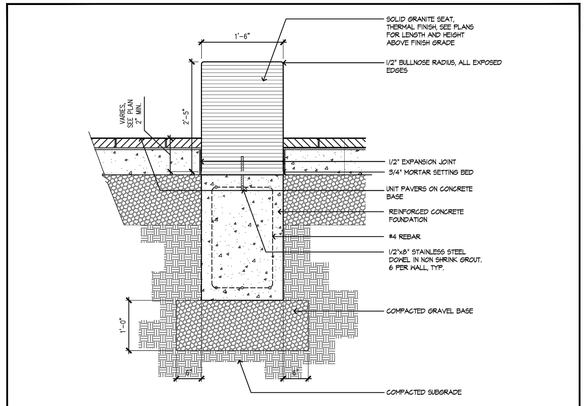
I HANOVER PREST CONCRETE PAVER DETAIL
N.T.S.



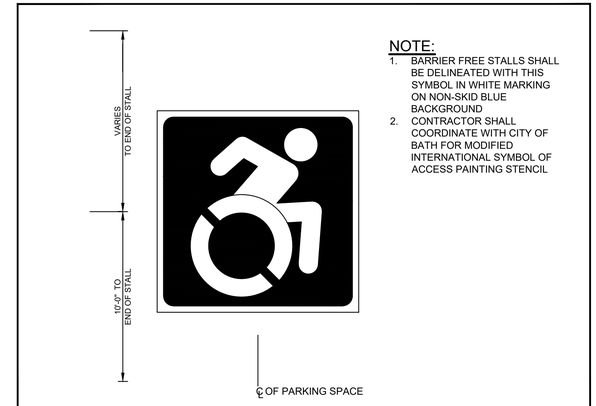
B STABILIZED CONSTRUCTION ENTRANCE DETAIL
N.T.S.



E BRICK DRIVEWAY APRON WITH BITUMINOUS BASE
N.T.S.

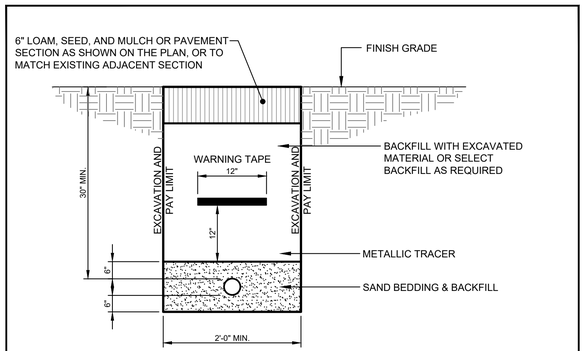


G SEAT WALL SECTION
N.T.S.



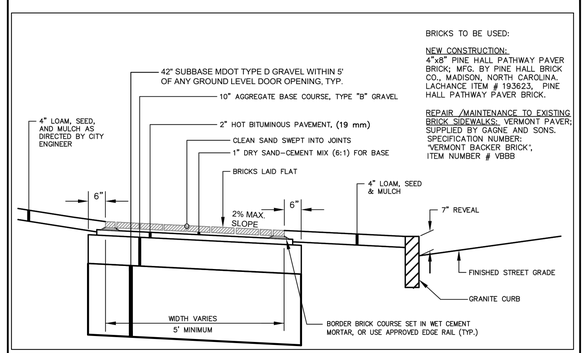
NOTE:
1. BARRIER FREE STALLS SHALL BE DELINEATED WITH THIS SYMBOL IN WHITE MARKING ON NON-SKID BLUE BACKGROUND
2. CONTRACTOR SHALL COORDINATE WITH CITY OF BATH FOR MODIFIED INTERNATIONAL SYMBOL OF ACCESS PAINTING STENCIL

J INTERNATIONAL BARRIER FREE SYMBOL
N.T.S.



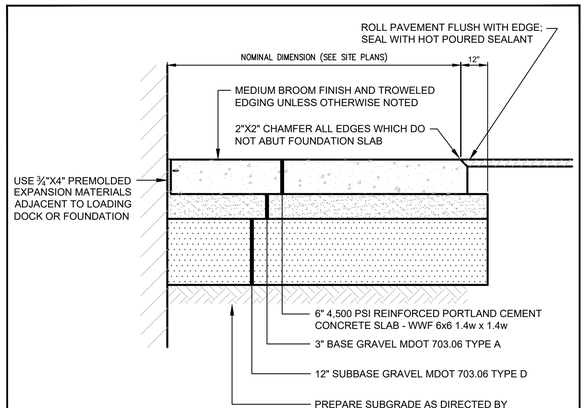
NOTE:
GAS LINE TO BE INSTALLED BY OTHERS. GAS LINE INSTALLATION TO BE COORDINATED WITH THE LOCAL GAS UTILITY COMPANY, AND SHALL COMPLY WITH ITS STANDARDS. SITE CONTRACTOR IS RESPONSIBLE FOR EXCAVATION AND BACKFILL OF THE GAS LINE AND PLACEMENT OF THE WARNING TAPES AND TRACER.

C GAS SERVICE TRENCH SECTION
N.T.S.



F BRICK SIDEWALK WITH BITUMINOUS BASE
N.T.S.

AS OBTAINED FROM THE CITY OF PORTLAND "TECHNICAL MANUAL"



H CONCRETE SLAB DETAIL
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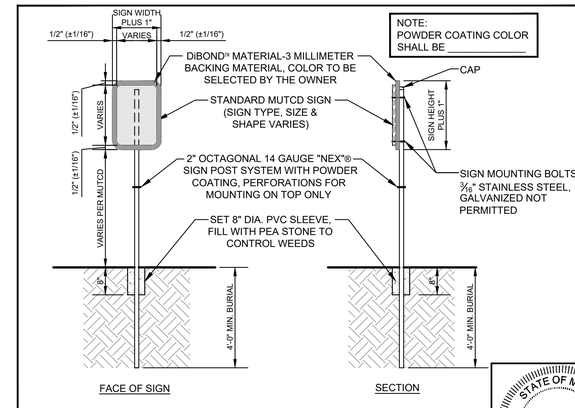

K TRAFFIC SIGN (WITH BACKING)
N.T.S.

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

STATE OF MAINE
STEPHEN R. BUSHEY
03.21.23
LICENSED PROFESSIONAL ENGINEER
STEPHEN R. BUSHEY, P.E.
LIC. #7429

Rev.	Date	Revision

Rev.	Date	Revision
1	2023.03.21	SITE PLAN APPLICATION

Design: SRB	Draft: CDD	Date: OCT. 2022
Checked: SRB	Scale: AS NOTED	Job No.: 4043
File Name: 4043–DETAILS.dwg		

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GORRILL PALMER
300 Southborough Drive, Suite 200
South Portland, Me 04106
207.772.2515 / www.gorrillpalmer.com
Relationships. Responsiveness. Results.

Drawing Name: SITE & MISCELLANEOUS DETAILS
Project: PROPOSED MULTI-UNIT RESIDENTIAL DEVELOPMENT
CASCO STREET, PORTLAND, MAINE
Client: DEVELOPERS COLLABORATIVE PREDEVELOPMENT, LLC
631 STEVENS AVENUE, SUITE 203, PORTLAND, MAINE 04103

Drawing No. C-5.1

U:\4043 54 Unit Apartment Casco Street – Portland\Z – CAD\DWG\4043–DETAILS.dwg 3/31/2023 8:46 AM

LIFE SAFETY LEGEND

30 - MINUTE FIRE PARTITION (20 MIN.)	P
1 - HOUR FIRE PARTITION (20 MIN.)	P
1 - HOUR FIRE BARRIER (45 MIN. / 60 MIN.)	
1 - HOUR SMOKE BARRIER (45 MIN.)	S
2 - HOUR FIRE BARRIER (90 MIN.)	
2 - HOUR FIRE / SMOKE BARRIER (90 MIN.)	S

(WALL RATINGS SHOWN FOLLOWED BY OPENING PROTECTION REQUIREMENTS IN PARENTHESIS)

(60-MINUTE OPENING PROTECTIVES REQUIRED FOR DOORS SERVING 1 - HOUR EXIT ENCLOSURES AND 1 - HOUR SHAFTS)

OCCUPANT LOAD BLOCK

ROOM NAME — SAMPLE ROOM

AREA (SF) — 1,000

OCCUPANT LOAD FACTOR — 100

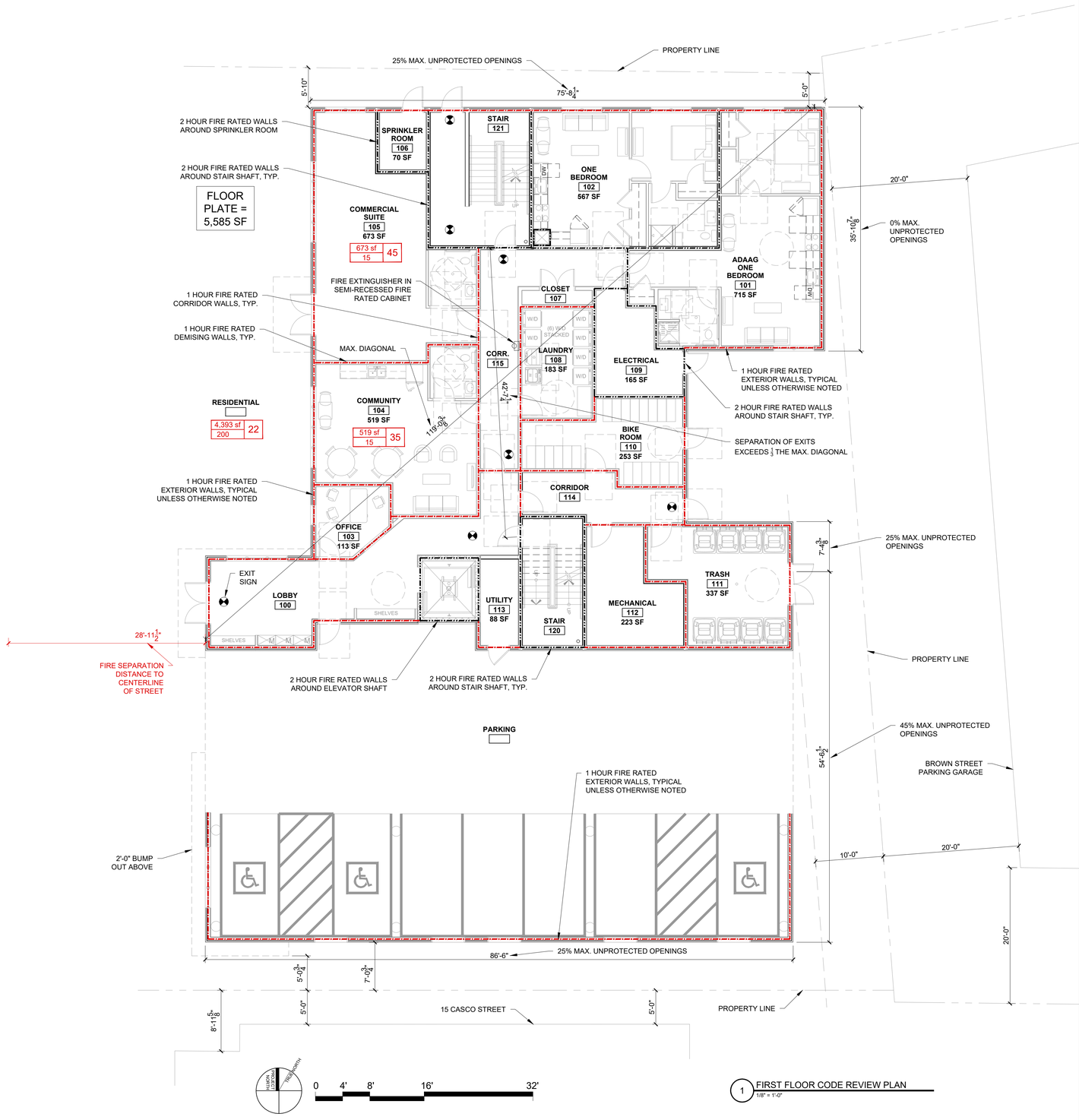
OCCUPANT LOAD — 10

EXIT BLOCK

EXIT DESIGNATION — EXIT 4

EXIT SIGN

FIRE EXTINGUISHER



1 FIRST FLOOR CODE REVIEW PLAN
1/8" = 1'-0"

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APARTMENTS

CASCO STREET
PORTLAND, MAINE

RSA
RYAN SENATORE
ARCHITECTURE
500 CONGRESS STREET, SUITE 2
PORTLAND, MAINE 04101
O: 207-747-5159
C: 207-650-6414
senatorearchitecture.com

CONSULTANTS:

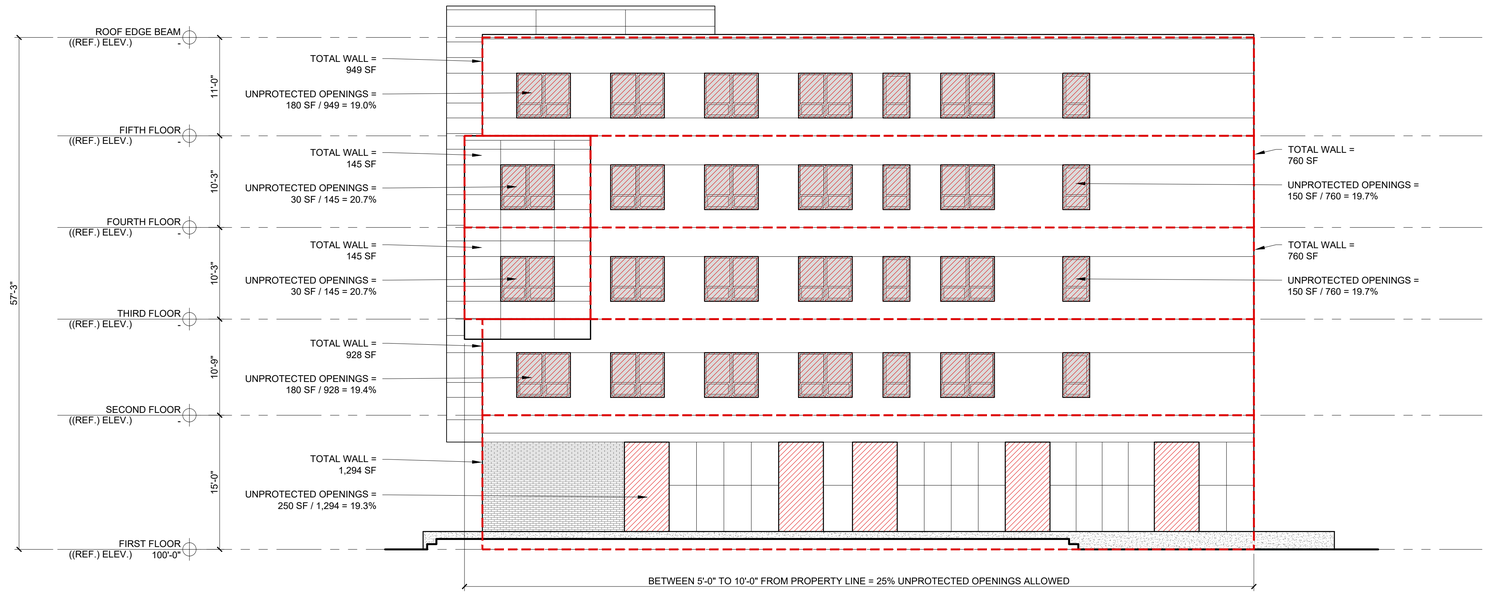
REVISIONS:

PROGRESS PRINT ONLY
Not for Construction
MARCH 22, 2023

DATE:	
PROJECT No.	2236
DRAWN BY:	RRT, RJS
CHECKED BY:	RJS
SCALE:	AS NOTED

SHEET TITLE:
FIRST FLOOR CODE REVIEW PLAN

G1-0



1 SOUTH ELEVATION CODE REVIEW
1/8" = 1'-0"

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APARTMENTS

CASCO STREET
PORTLAND, MAINE

RYAN SENATORE
ARCHITECTURE
500 CONGRESS STREET, SUITE 2
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O: 207-747-5159
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senatorearchitecture.com

CONSULTANTS:

REVISIONS:

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DATE:

PROJECT No. 2236

DRAWN BY: RRT, RJS

CHECKED BY: RJS

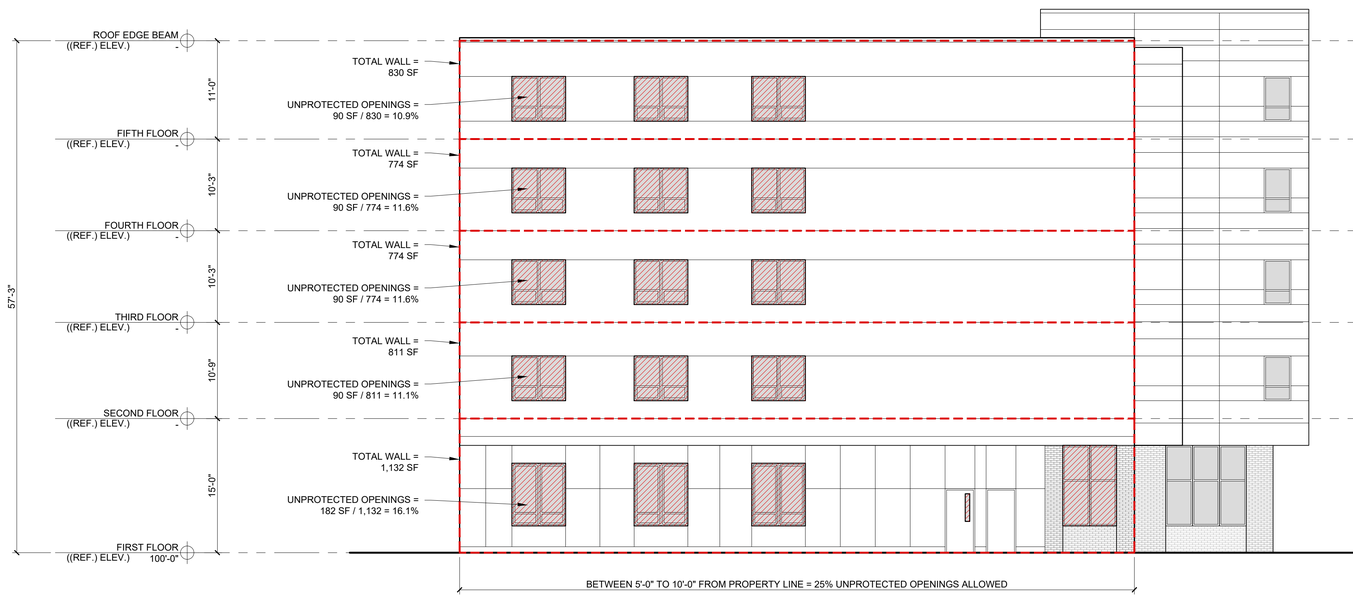
SCALE: AS NOTED

SHEET TITLE:
CODE REVIEW ELEVATIONS

G2-0



1 EAST ELEVATION CODE REVIEW
1/4" = 1'-0"



2 NORHT ELEVATION CODE REVIEW
1/4" = 1'-0"

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APARTMENTS
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PORTLAND, MAINE

RSA
RYAN SENATORE
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REVISIONS:

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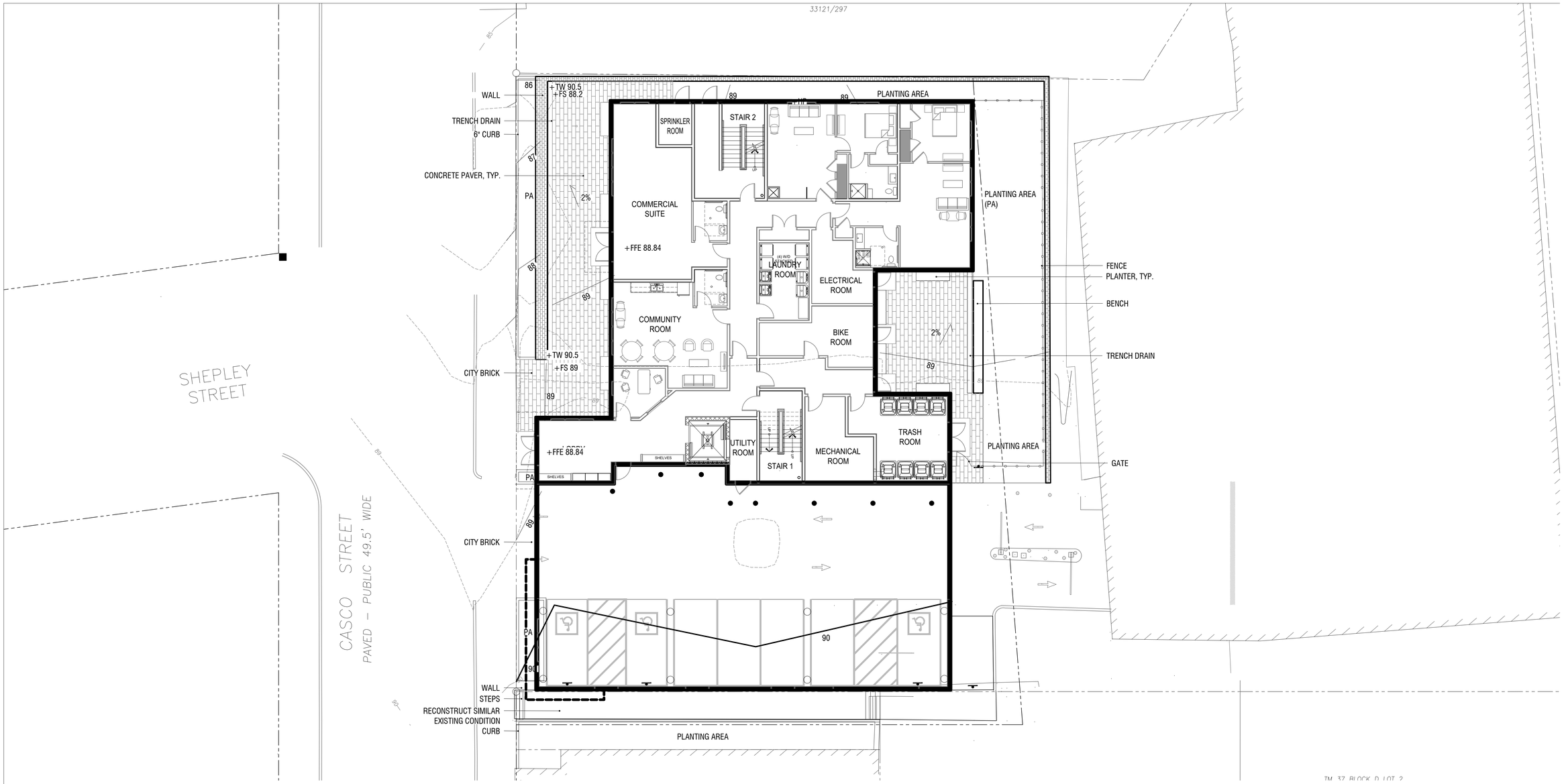
DATE:

PROJECT No.	2236
DRAWN BY:	RRT, RJS
CHECKED BY:	RJS
SCALE:	AS NOTED

SHEET TITLE:
CODE REVIEW ELEVATIONS

G2-1



MATERIALS PALETTE

	CONCRETE PAVERS	APPROX. 1,3861 SF
	TRENCH DRAIN	APPROX. 83 LF
	CONCRETE CURB (FLUSH)	XX LF, RE: CIVIL
	BENCH SEATING	APPROX. XX LF

0 4 8 16

ACETO LANDSCAPE ARCHITECTS
207 221 3390 | ACETOLA.COM

SEAL

PROJECT TITLE

CASCO ST
15 CASCO ST
PORTLAND, ME

PREPARED FOR

DEVELOPER'S COLLABORATIVE

631 STEVENS AVE
PORTLAND, ME

207-772-7673

REVISIONS DATE

ISSUE DATE

APRIL 14, 2023

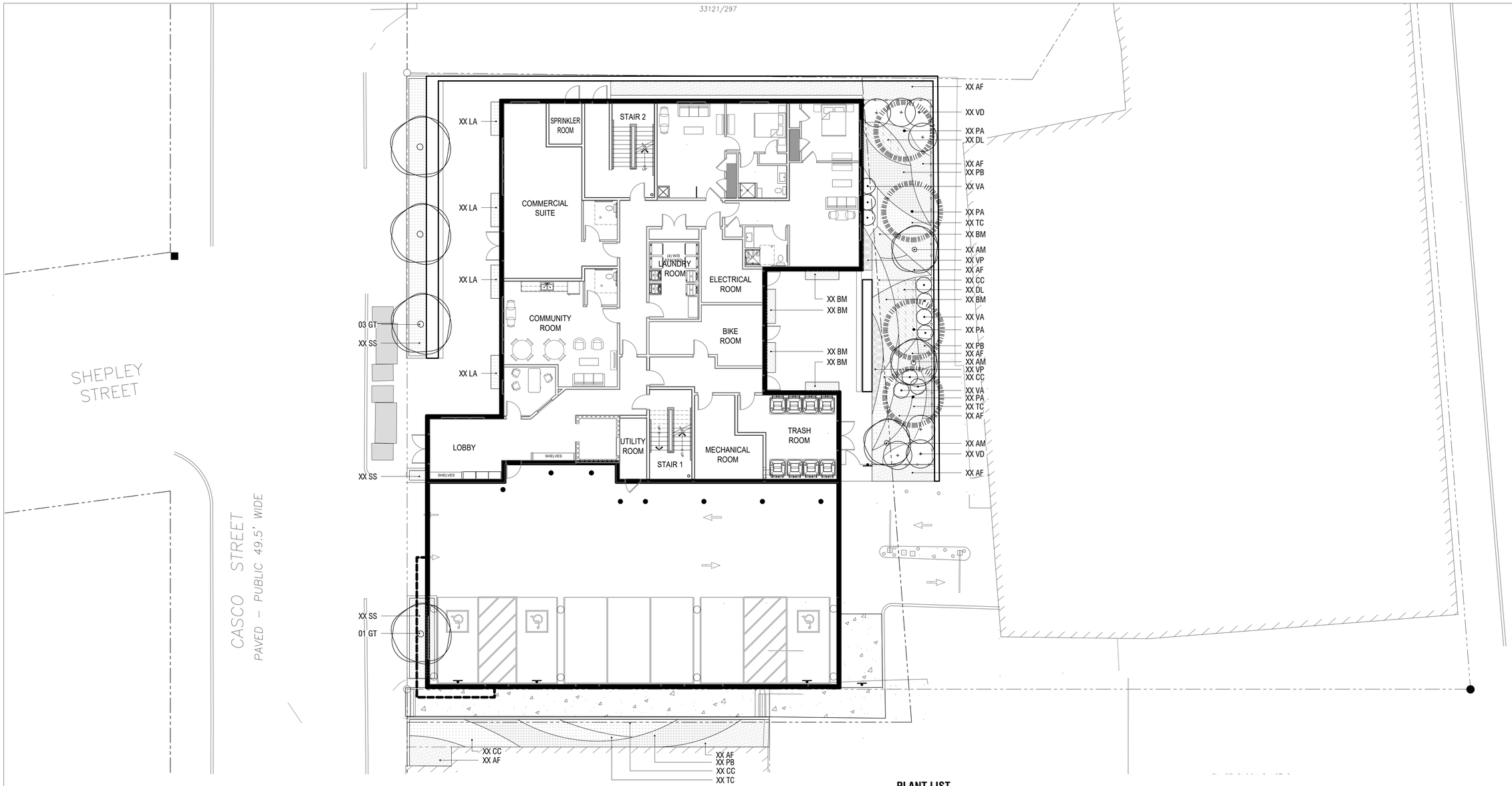
SHEET TITLE

LAYOUT PLAN

SHEET INFORMATION

L 1-00

NOT FOR CONSTRUCTION



PLANT LIST

SYMB.		BOTANICAL NAME	COMMON NAME	QTY.	SIZE	SPACING
TREES - DECIDUOUS						
	AL	AMELANCHIER LAEVIS	ALLEGHENY SERVICEBERRY	XX	2.5" CAL. MIN.	PER PLAN
	GT	GLEDITSIA TRICANTHOS VAR. INERMIS	THORNLESS HONEYLOCUST 'SHADEMASTER'	XX	2.5" CAL. MIN.	PER PLAN
TREES - CONIFEROUS						
	PA	PICEA ABIES 'PENDULA'	WEEPING NORWAY SPRUCE	XX	2.5" CAL. MIN.	PER PLAN
SHRUBS						
	VA	VIBURNUM ACERIFOLIUM	MAPLELEAF VIBURNUM	XX	#1	PER PLAN
	VD	VIBURNUM DENTATUM	ARROWWOOD VIBURNUM	XX	#1	PER PLAN
PERENNIALS						
	AF	ATHYRIUM FILIX-FEMINA	LADY FERN	XX	#1	24" O.C.
	BM	BRUNNERA MACROPHYLLA	SIBERIAN BUGLOSS	XX	#1	18" O.C.
	CC	CORNUS CANADENSIS	CREEPING DOGWOOD	XX	#1	12" O.C.
	DL	DICENTRA 'LUXURIANT'	FERN-LEAF BLEEDING HEART	XX	#1	20" O.C.
	LA	LAVANDULA ANGUSTIFOLIA	ENGLISH LAVENDER	XX	#1	12" O.C.
	PB	POLYGONATUM BIFLORUM	SMOOTH SOLOMON'S SEAL	XX	#1	12" O.C.
	SS	SCHIZACHYRIUM SCOPARIUM	LITTLE BLUESTEM	XX	#1	18" O.C.
	TC	TIARELLA CORDIFOLIA	FOAM FLOWER	XX	#1	18" O.C.
	VP	VIOLA PUBESCENS	DOWNY YELLOW VIOLET	XX	#1	12" O.C.

0 4 8 16

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SEAL

PROJECT TITLE

CASCO ST
15 CASCO ST
PORTLAND, ME

PREPARED FOR

DEVELOPER'S COLLABORATIVE

631 STEVENS AVE
PORTLAND, ME

207-772-7673

REVISIONS DATE

ISSUE DATE

APRIL 14, 2023

SHEET TITLE

PLANTING PLAN

SHEET INFORMATION

L 2-00

NOT FOR CONSTRUCTION



1 CONCEPT IMAGE 3
NTS

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PORTLAND, MAINE

RSA
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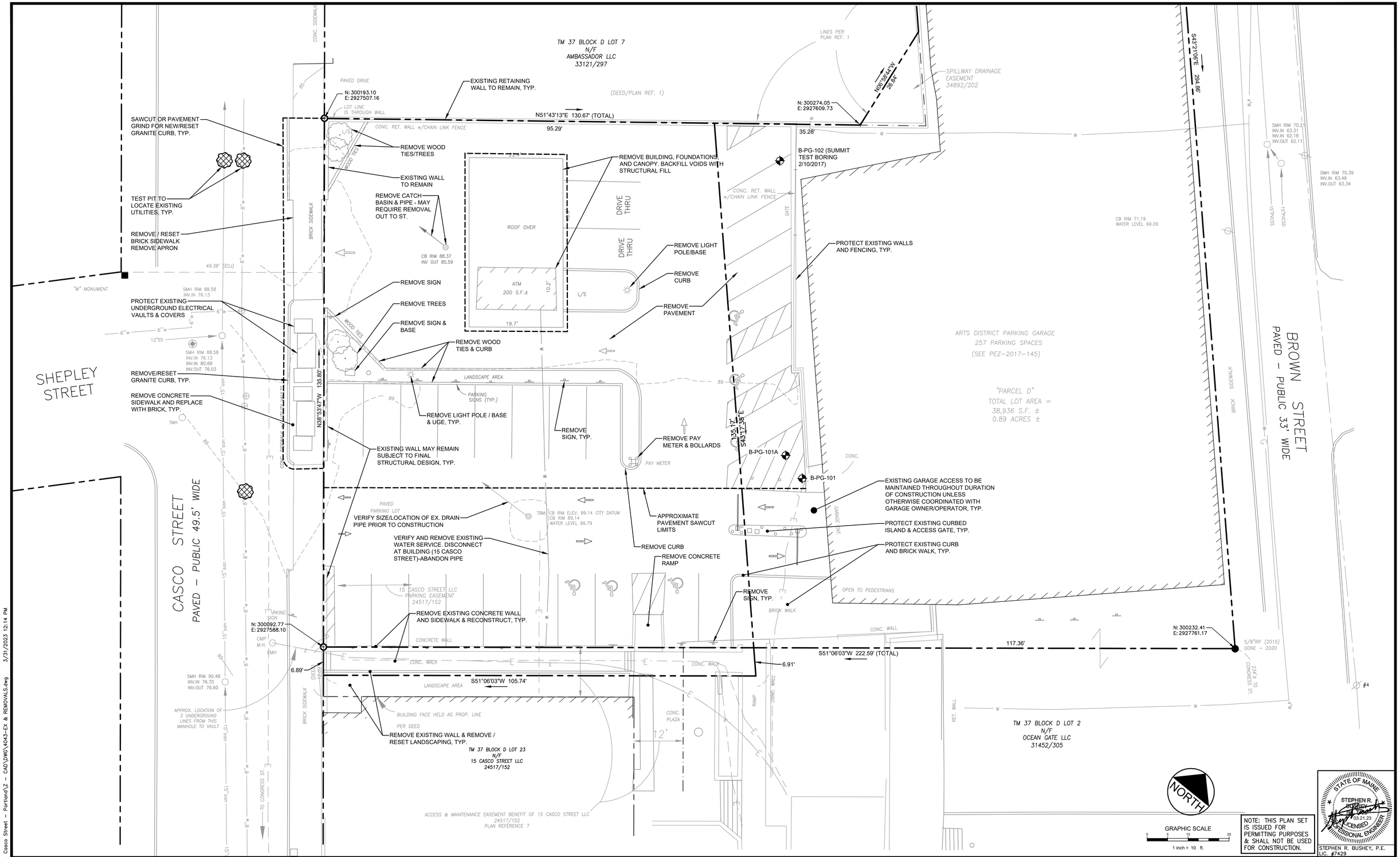
SCALE:	AS NOTED

SHEET TITLE:
CONCEPT IMAGE 3

C-3



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STATE OF MAINE
STEPHEN R. BUSHEY
03.21.23
LICENSED PROFESSIONAL ENGINEER
STEPHEN R. BUSHEY, P.E.
LIC. #7429

Rev.	Date	Revision

Rev.	Date	Revision
1	2023.03.21	SITE PLAN APPLICATION

Design: SRB	Draft: CDD	Date: OCT. 2022
Checked: SRB	Scale: AS NOTED	Job No.: 4043
File Name: 4043-EX & REMOVALS.dwg		

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GORRILL PALMER
300 Southborough Drive, Suite 200
South Portland, Me 04106
207.772.2515 / www.gorrillpalmer.com
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Drawing Name: EXISTING CONDITIONS & REMOVALS PLAN

Project: PROPOSED MULTI-UNIT RESIDENTIAL DEVELOPMENT
CASCO STREET, PORTLAND, MAINE

Client: DEVELOPERS COLLABORATIVE PREDEVELOPMENT, LLC
631 STEVENS AVENUE, SUITE 203, PORTLAND, MAINE 04103

Drawing No. C-2.0

U:\4043 54 Unit Apartment Casco Street – Portland\Z – CAD\DWG\4043-EX & REMOVALS.dwg 3/31/2023 12:14 PM

CASCO STREET APARTMENTS

CASCO STREET

PORTLAND, MAINE

PROGRESS DRAWINGS

MARCH 17, 2023



DRAWING LIST

SHEET NUMBER

G0-0	TITLE SHEET
G1-0	GENERAL NOTES, ABBREVIATIONS, AND LEGENDS
G1-1	FIRST FLOOR CODE REVIEW PLAN
G2-0	CODE REVIEW ELEVATIONS
G2-1	CODE REVIEW ELEVATIONS

ARCHITECTURAL

A0-1	WALL ASSEMBLIES
A0-2	FLOOR- CEILING, SLAB, AND ROOF ASSEMBLIES
A1-0	SLAB PLAN
A1-1	FIRST FLOOR PLAN
A1-2	SECOND FLOOR PLAN
A1-3	THIRD FLOOR PLAN
A1-4	FOURTH FLOOR PLAN
A1-5	FIFTH FLOOR PLAN
A1-6	ROOF PLAN
A2-0	WEST ELEVATION
A2-1	SOUTH ELEVATION
A2-2	EAST ELEVATION
A2-3	NORTH ELEVATION

STRUCTURAL

S1.0	GENERAL NOTES, ETC.

ARCHITECT

RYAN SENATORE **ARCHITECTURE**

500 CONGRESS STREET, SUITE 2
PORTLAND, MAINE 04101
O: 207-747-5159
C: 207-650-6414



CASCO STREET | VIEW FROM CASCO STREET

ACETO LANDSCAPE ARCHITECTURE + URBAN DESIGN

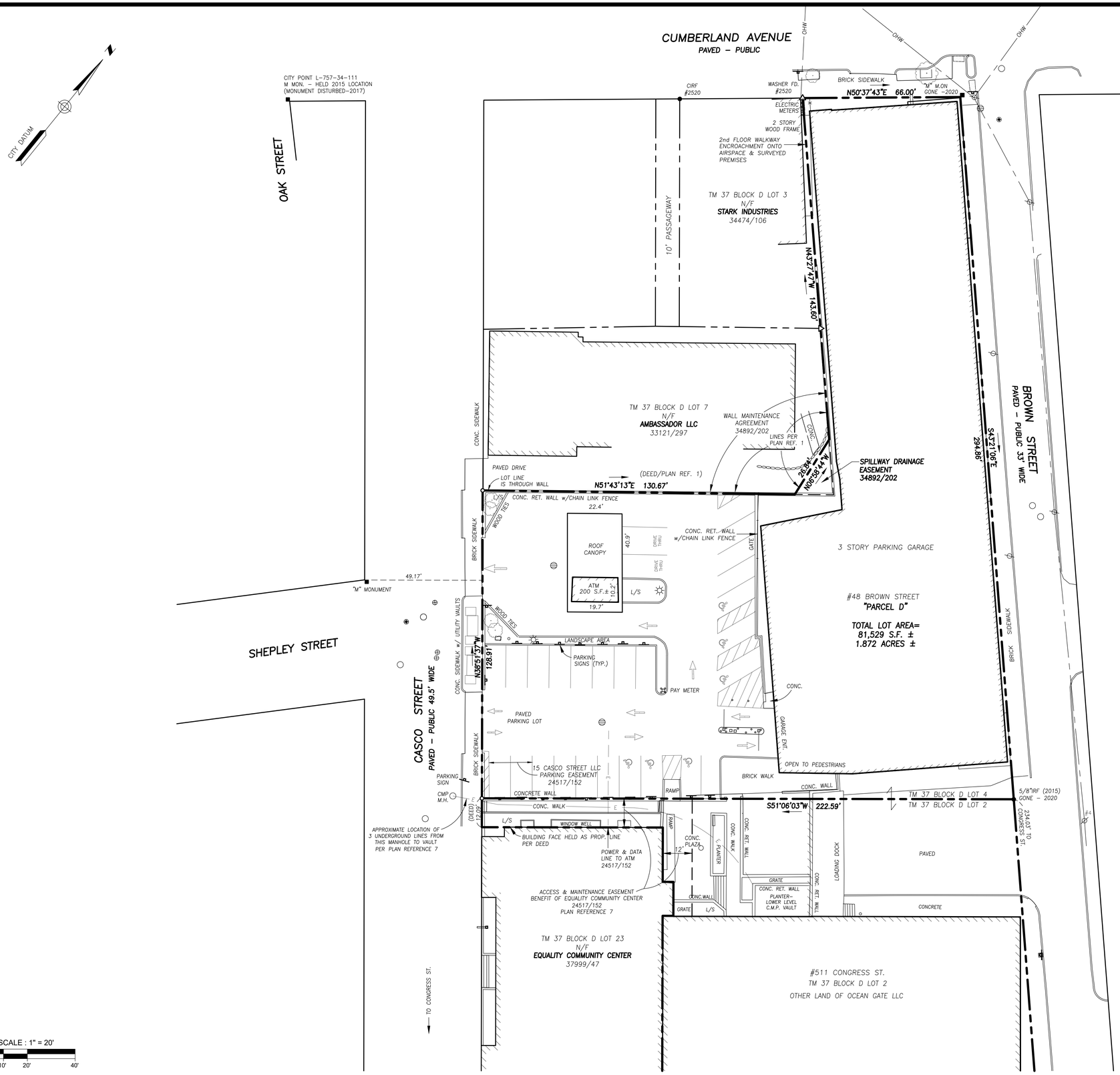


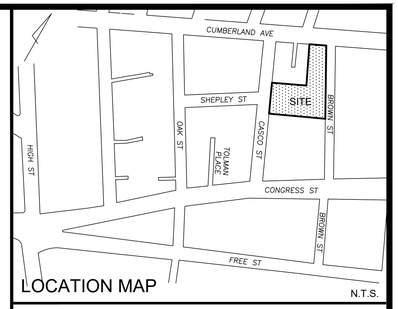
CASCO STREET | VIEW OF FRONT PLAZA

ACETO LANDSCAPE ARCHITECTURE + URBAN DESIGN

CASCO STREET | VIEW OF BACK COURTYARD

ACETO LANDSCAPE ARCHITECTURE + URBAN DESIGN





LOCATION MAP N.T.S.

LEGEND

- IRON PIPE OR ROD FOUND
- MONUMENT FOUND
- CAPPED IRON ROD SET
- UTILITY POLE
- MANHOLE
- EM/GM ELECTRIC/GAS METER
- SIGN
- CATCH BASIN
- HYDRANT
- WATER VALVE OR SHUTOFF
- LIGHT POLE
- DECIDUOUS TREE
- CONIFEROUS TREE
- FENCE
- STONEWALL
- CURB
- OHW OVERHEAD WIRES
- IPF/IRF IRON PIPE OR ROD FOUND
- N/F NOW OR FORMERLY
- 000/000 DEED BOOK / PAGE

PLAN REFERENCES

1. PLAN OR PROPERTY IN PORTLAND, MAINE MADE FOR MAINE SAVINGS BANK," BY H.I. & E.C. JORDAN, DATED FEB. 14, 1972 AND REVISED THROUGH MAR. 13, 1973.
2. PLAN OF PROPERTY IN PORTLAND, MAINE, MAINE SAVINGS PLAZA MADE FOR THE MAINE SAVINGS BANK, LAND LEASE PLAN EXHIBIT A DATED 6-27-1973 REV. 7-20-95 BY H.I. & E.C. JORDAN SURVEYORS.
3. STANDARD BOUNDARY SURVEY OF FLEET BANK PROPERTIES FOR FLEET FINANCIAL GROUP, INC. DATED 4-08-1996 BY SEBAGO TECHNICS.
4. PLAN OF PROPERTY IN PORTLAND, MAINE MADE FOR MAINE SAVINGS BANK DATED SEPT. 20, 1958 BY H.I. & E.C. JORDAN.
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6. ALTA/ACSM LAND TITLE SURVEY ON CASCO STREET, SHEPLEY STREET & OAK STREET, PORTLAND, MAINE MADE FOR 511 PLAZA LIMITED PARTNERSHIP DATED OCT. 21, 2002 REV. 3 12-12-12 BY OWEN HASKELL, INC.
7. EXISTING CONDITIONS PLAN ON CASCO STREET, SHEPLEY STREET & OAK STREET, PORTLAND, MAINE MADE FOR ANEW DEVELOPMENT JAN. 14, 2016 BY OWEN HASKELL, INC.
8. ALTA/NSPS LAND TITLE SURVEY AT 511 CONGRESS STREET & 48 BROWN STREET, PORTLAND, CUMBERLAND COUNTY, MAINE MADE FOR BUSH WATSON JANUARY 27, 2023 BY OWEN HASKELL, INC.

GENERAL NOTES

1. OWNER OF RECORD: OCEAN GATE LLC
   CUMBERLAND COUNTY REGISTRY OF DEEDS BOOK 31452 PAGE 305
   TAX MAP 37 BLOCK D LOT 4
2. BEARINGS ARE BASED ON MAGNETIC STATE PLANE COORDINATE SYSTEM, MAINE WEST ZONE, NAD83 BASED ON CITY CONTROL POINTS:

	T124-11-1087	T124-12-1096
N:	300446.78	N: 299913.92
E:	2927558.71	E: 2926805.42

CERTIFICATE

OWEN HASKELL, INC. HEREBY CERTIFIES THAT THIS PLAN IS BASED ON, AND THE RESULT OF, AN ON THE GROUND FIELD SURVEY AND THAT TO THE BEST OF OUR KNOWLEDGE, INFORMATION AND BELIEF, IT CONFORMS TO THE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS CURRENT STANDARDS OF PRACTICE.

SAMUEL D. GLIDDEN, PLS #2520

3/17/2023
DATE

STATE OF MAINE · SAMUEL D. GLIDDEN · 2520 · REGISTERED PROFESSIONAL LAND SURVEYOR

Boundary Survey

Casco Street, Portland, Maine

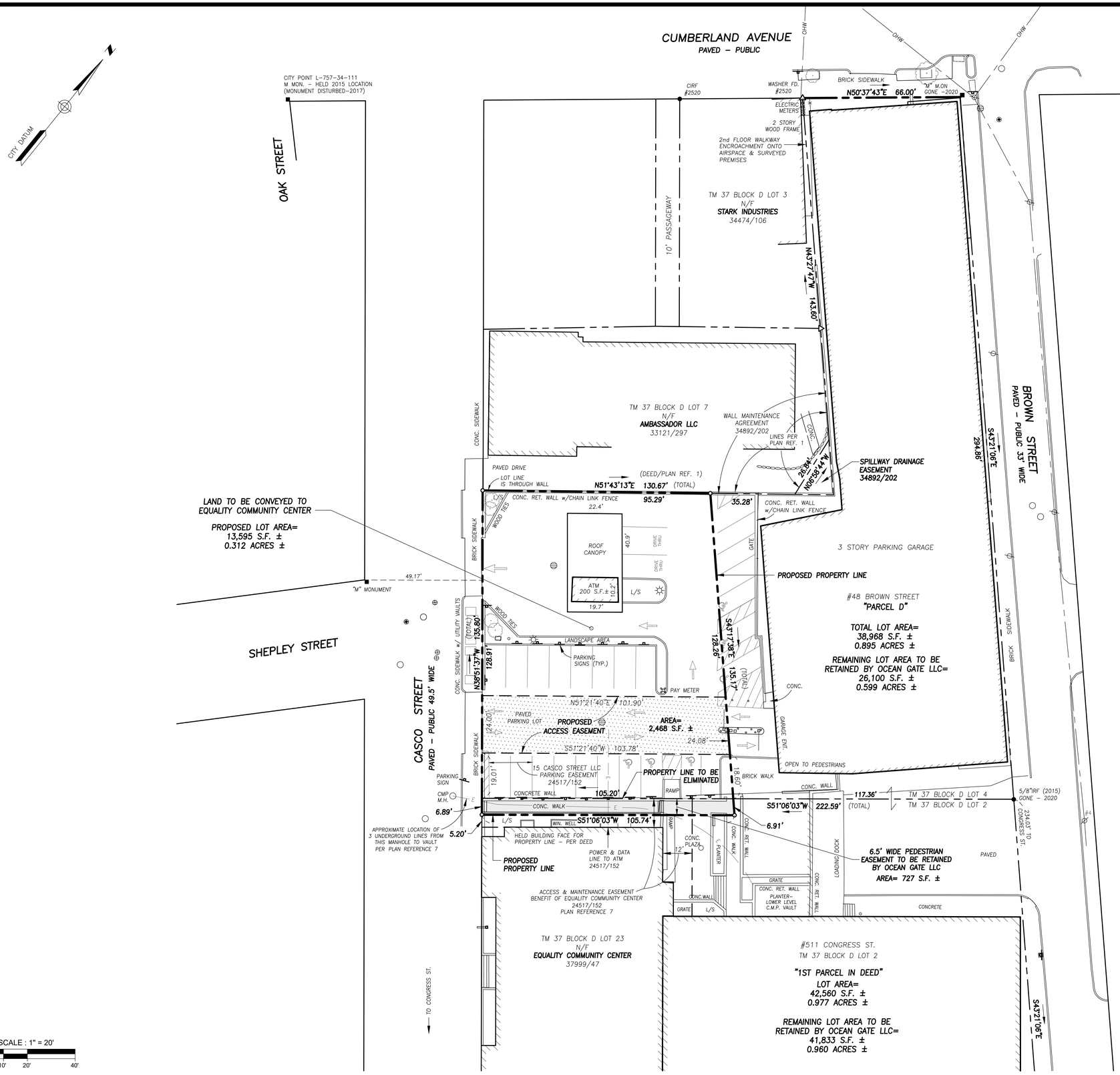
Made for

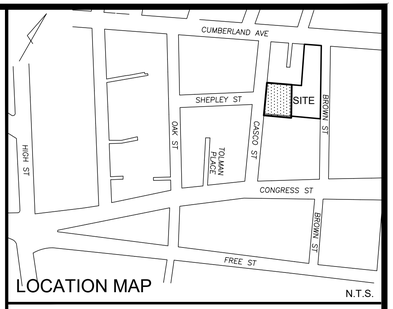
Equality Community Limited Partnership

15 Casco Street, Portland, Maine

OWEN HASKELL, INC.
PROFESSIONAL LAND SURVEYORS
390 US ROUTE 1, UNIT 10, FALMOUTH, ME 04105 TEL. 207-774-0424

DRAWN BY: JLW	DATE: MARCH 17, 2023	JOB NO. 2023-032 P	
CHECKED BY: SDG	SCALE: 1" = 20'	DRWG. NO. 1	





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SAMUEL D. GLIDDEN, PLS #2520

DATE

Lot Division Plan

Casco Street, Portland, Maine
Made for
Equality Community
Limited Partnership
15 Casco Street, Portland, Maine

OWEN HASKELL, INC.
PROFESSIONAL LAND SURVEYORS
390 US ROUTE 1, UNIT 10, FALMOUTH, ME 04105 TEL. 207-774-0424

DRAWN BY: JLW	DATE: MAR. 24, 2023	JOB NO. 2023-032 P	
CHECKED BY: SDG	SCALE: 1" = 20'	DRWG. NO. 1	

NOTE: AT ALL EXTERIOR WALL PANELS, ALL PANEL JOINTS, BOTH VERTICAL AND HORIZONTAL, TO HAVE TWO CONTINUOUS BEADS OF ELASTOMERIC SEALANT INSTALLED.

TOTAL = (54) UNITS

12 STUDIO UNITS
34 ONE BEDROOM UNITS
8 TWO BEDROOM UNITS

TOTAL = (21) ADAAG UNITS

(8) ADAAG - STUDIO
(9) ADAAG - ONE BED
(4) ADAAG - TWO BED

FIRST FLOOR (2 UNITS)

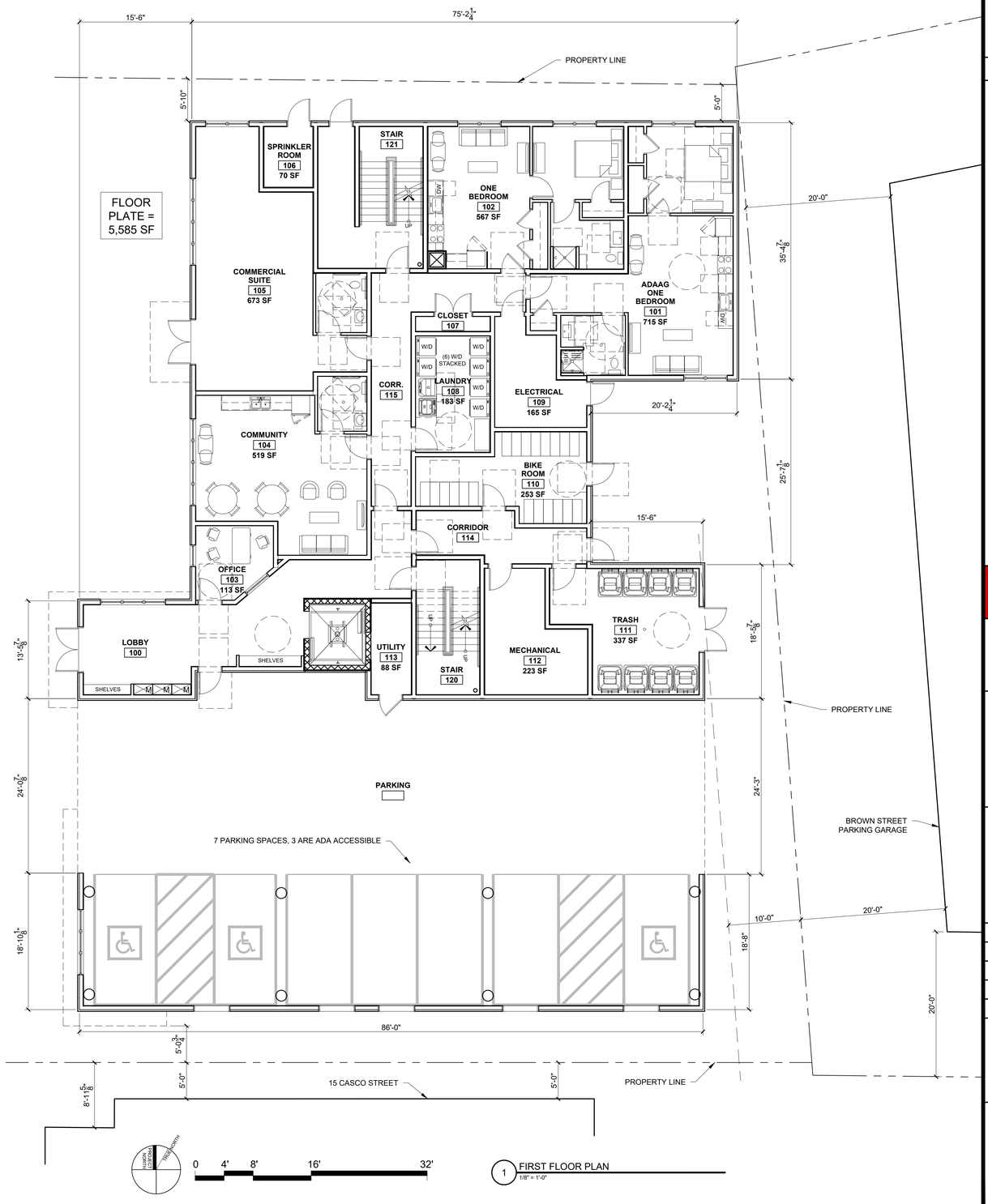
2 ONE BEDROOM UNITS

(1) ADAAG - ONE BED

SECOND FLOOR (13 UNITS)
(SAME FOR 3RD, 4TH, 5TH)

3 STUDIO UNITS
8 ONE BEDROOM UNITS
2 TWO BEDROOM UNITS

(2) ADAAG - STUDIO
(2) ADAAG - ONE BED
(1) ADAAG - TWO BED



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APARTMENTS

CASCO STREET
PORTLAND, MAINE

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senatorearchitecture.com

CONSULTANTS:

REVISIONS:

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MARCH 22, 2023

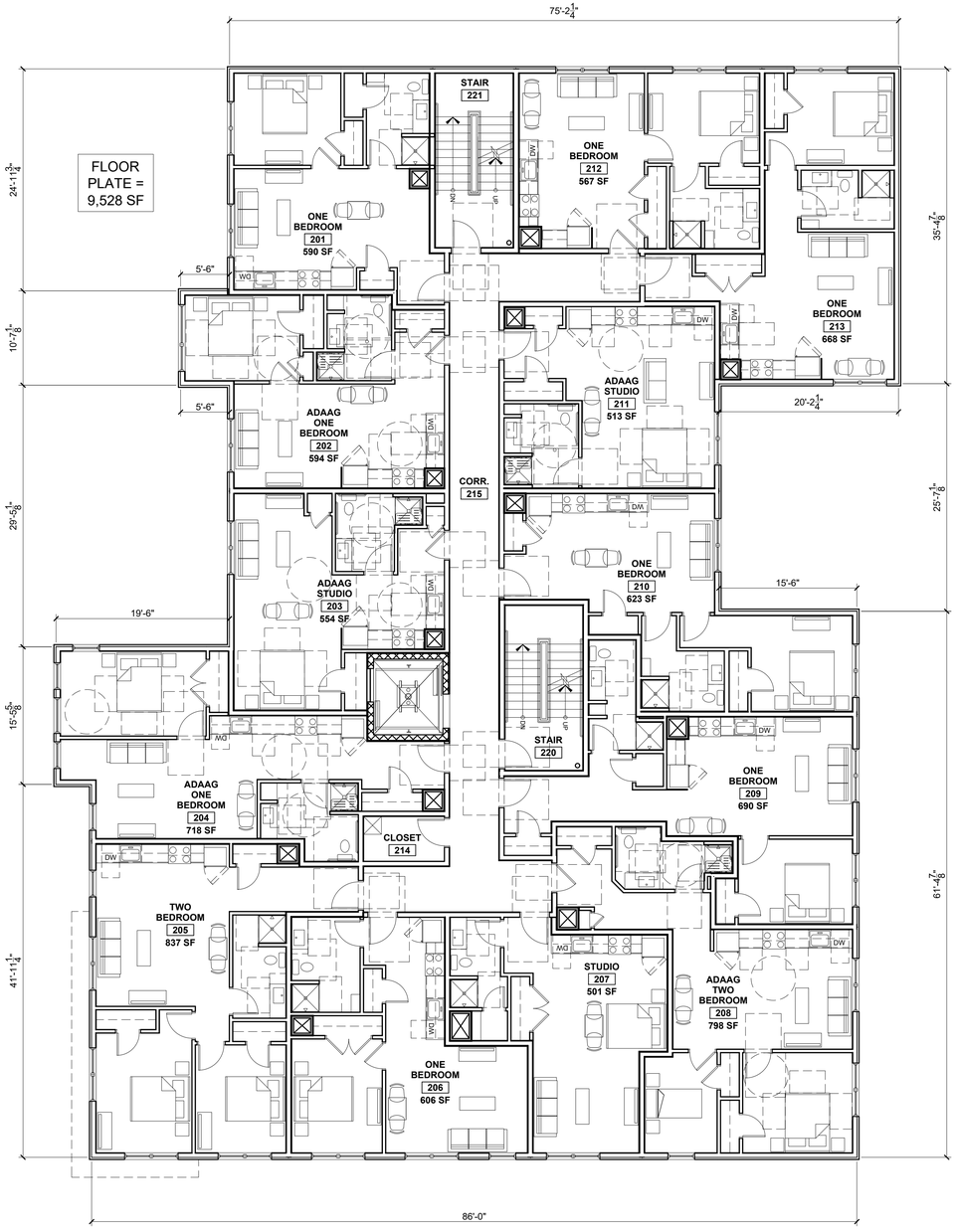
DATE:

PROJECT No.	2236
DRAWN BY:	RRT, RJS
CHECKED BY:	RJS
SCALE:	AS NOTED

SHEET TITLE:
FIRST FLOOR PLAN

A1-1

NOTE: AT ALL EXTERIOR WALL PANELS, ALL PANEL JOINTS, BOTH VERTICAL AND HORIZONTAL, TO HAVE TWO CONTINUOUS BEADS OF ELASTOMERIC SEALANT INSTALLED.



0 4' 8' 16' 32'

1 SECOND FLOOR PLAN
1/8" = 1'-0"

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APARTMENTS

CASCO STREET
PORTLAND, MAINE

RSA
RYAN SENATORE
ARCHITECTURE
500 CONGRESS STREET, SUITE 2
PORTLAND, MAINE 04101
O: 207-747-5159
C: 207-650-6414
senatorearchitecture.com

CONSULTANTS:

REVISIONS:

PROGRESS PRINT ONLY
Not for Construction
MARCH 22, 2023

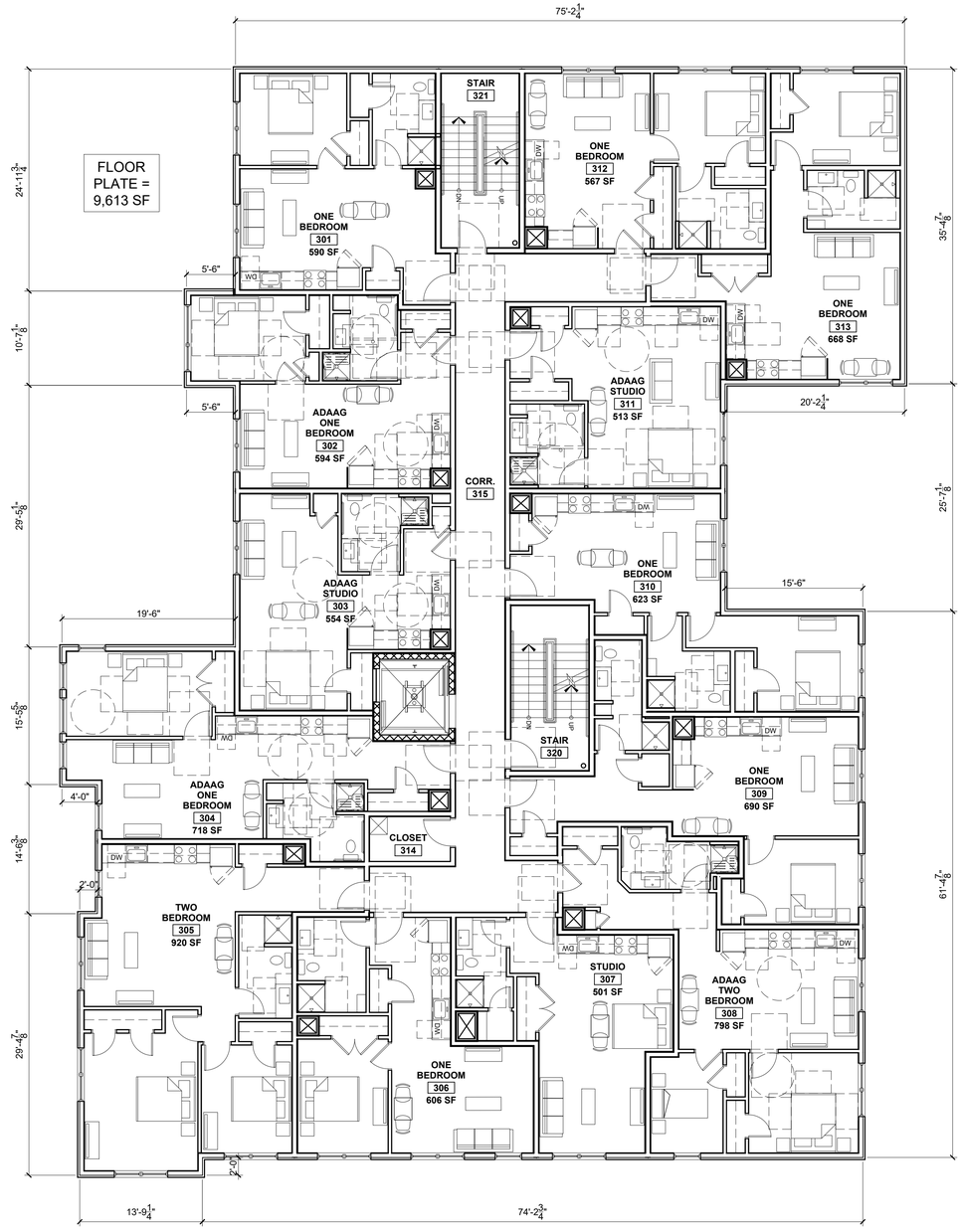
DATE:

PROJECT No.	2236
DRAWN BY:	RRT, RJS
CHECKED BY:	RJS
SCALE:	AS NOTED

SHEET TITLE:
SECOND FLOOR PLAN

A1-2

NOTE: AT ALL EXTERIOR WALL PANELS, ALL PANEL JOINTS, BOTH VERTICAL AND HORIZONTAL, TO HAVE TWO CONTINUOUS BEADS OF ELASTOMERIC SEALANT INSTALLED.



0 4' 8' 16' 32'

1 THIRD FLOOR PLAN
1/8" = 1'-0"

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CONSULTANTS:

REVISIONS:

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MARCH 22, 2023

DATE:

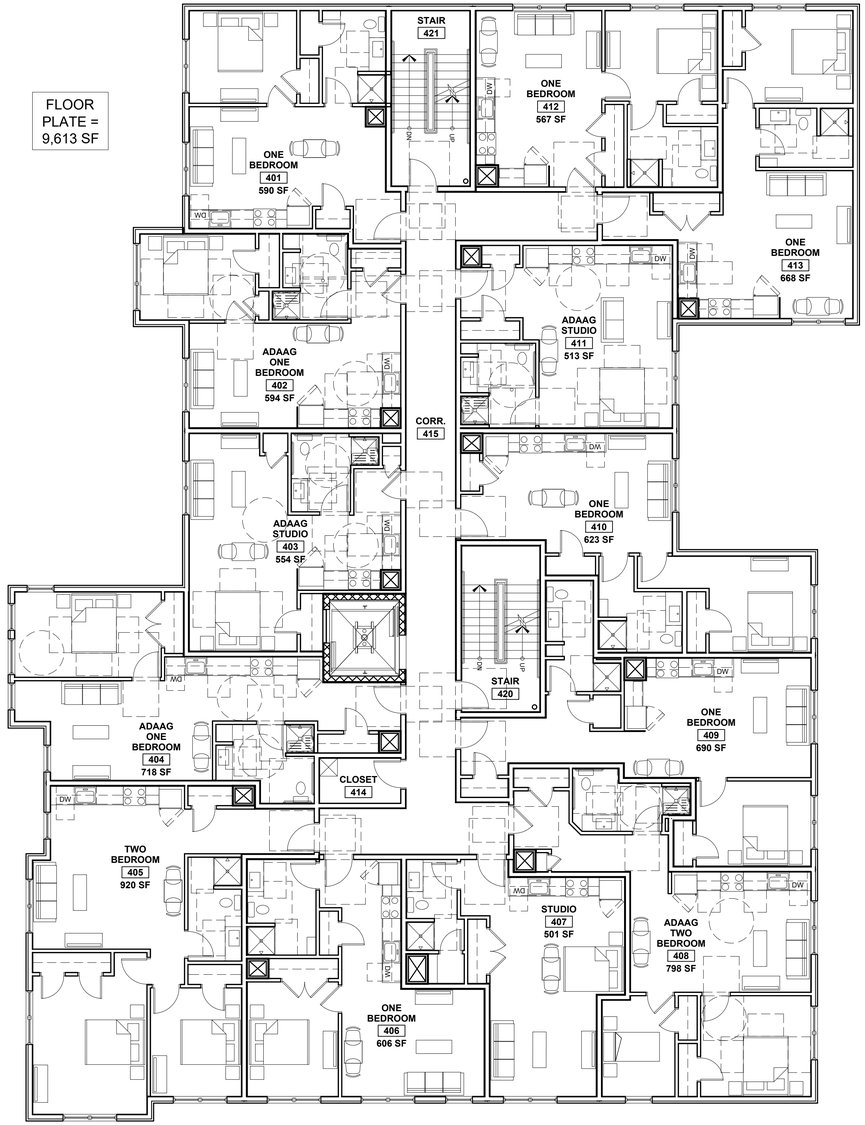
PROJECT No.	2236
DRAWN BY:	RRT, RJS
CHECKED BY:	RJS
SCALE:	AS NOTED

SHEET TITLE:
THIRD FLOOR PLAN

A1-3

NOTE: AT ALL EXTERIOR WALL PANELS, ALL PANEL JOINTS, BOTH VERTICAL AND HORIZONTAL, TO HAVE TWO CONTINUOUS BEADS OF ELASTOMERIC SEALANT INSTALLED.

FLOOR PLATE = 9,613 SF





0 4' 8' 16' 32'

1 FOURTH FLOOR PLAN
1/8" = 1'-0"

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CONSULTANTS:

REVISIONS:

PROGRESS PRINT ONLY
Not for Construction
MARCH 22, 2023

DATE:

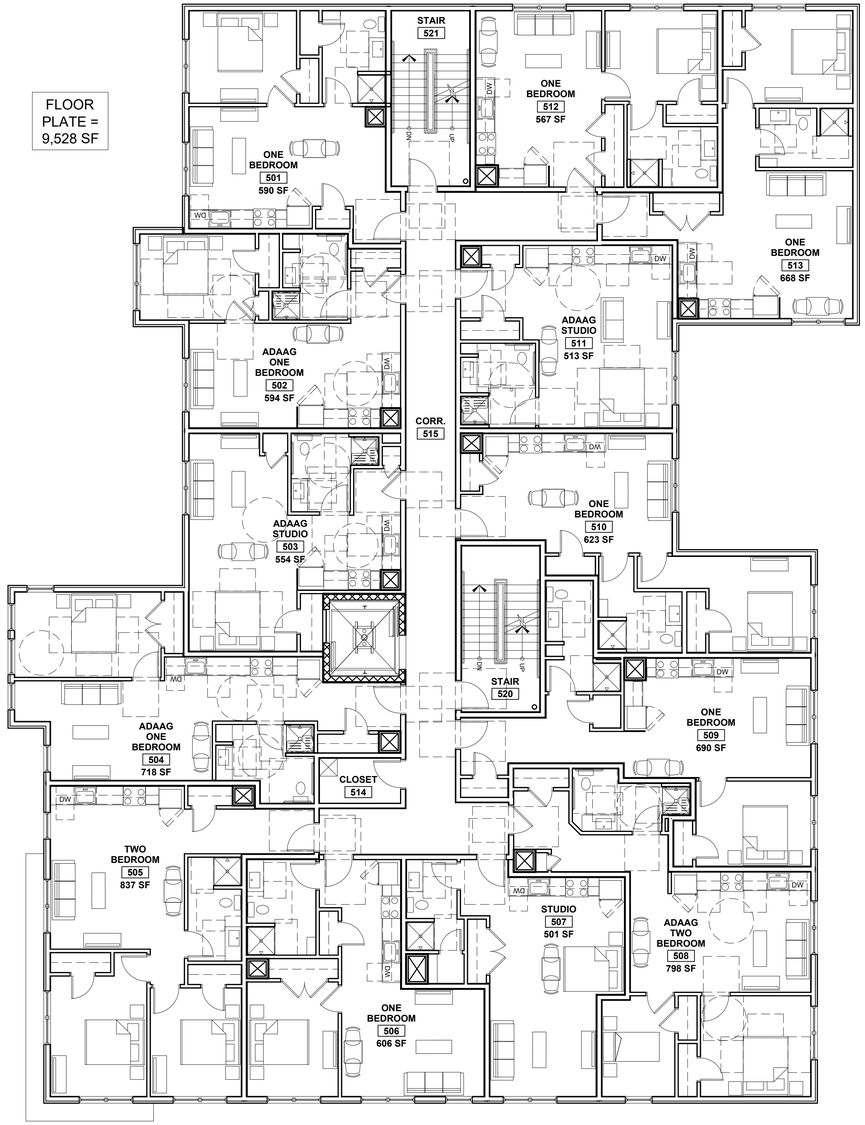
PROJECT No.	2236
DRAWN BY:	RRT, RJS
CHECKED BY:	RJS
SCALE:	AS NOTED

SHEET TITLE:
FOURTH FLOOR PLAN

A1-4

NOTE: AT ALL EXTERIOR WALL PANELS, ALL PANEL JOINTS, BOTH VERTICAL AND HORIZONTAL, TO HAVE TWO CONTINUOUS BEADS OF ELASTOMERIC SEALANT INSTALLED.

FLOOR PLATE = 9,528 SF





0 4' 8' 16' 32'

1 FIFTH FLOOR PLAN
1/8" = 1'-0"

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APARTMENTS

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CONSULTANTS:

REVISIONS:

PROGRESS PRINT ONLY
Not for Construction
MARCH 22, 2023

DATE:

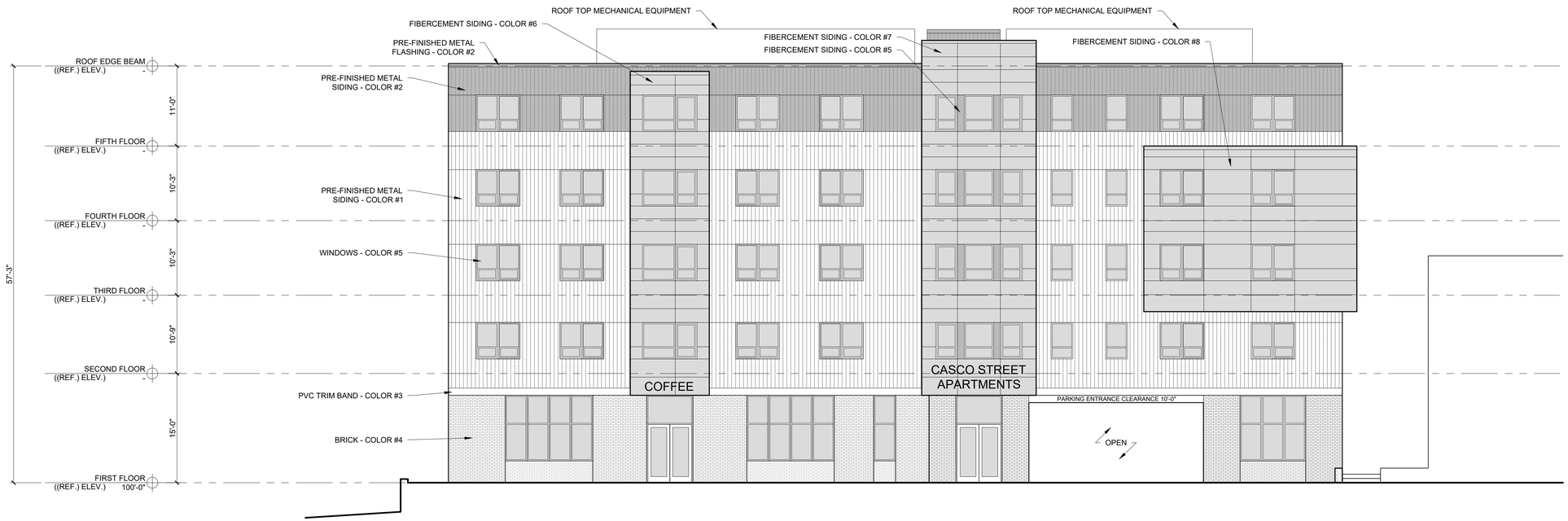
PROJECT No.	2236
DRAWN BY:	RRT, RJS
CHECKED BY:	RJS
SCALE:	AS NOTED

SHEET TITLE:
FIFTH FLOOR PLAN

A1-5



1 EAST ELEVATION COLOR RENDERING
NTS



1 EAST ELEVATION
1/8" = 1'-0"

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APARTMENTS

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CONSULTANTS:

REVISIONS:

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Not for Construction
MARCH 22, 2023

DATE:

PROJECT No.	2236
DRAWN BY:	RRT, RJS
CHECKED BY:	RJS
SCALE:	AS NOTED

SHEET TITLE:
WEST
ELEVATION

A2-0



1 SOUTH ELEVATION COLOR RENDERING
NTS



1 SOUTH ELEVATION
1/8" = 1'-0"

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CONSULTANTS:

REVISIONS:

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Not for Construction
MARCH 22, 2023

DATE:

PROJECT No.	2236
DRAWN BY:	RRT, RJS
CHECKED BY:	RJS
SCALE:	AS NOTED

SHEET TITLE:
SOUTH ELEVATION

A2-1



1 EAST ELEVATION COLOR RENDERING
NTS



1 EAST ELEVATION
1/8" = 1'-0"

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CONSULTANTS:

REVISIONS:

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Not for Construction
MARCH 22, 2023

DATE:

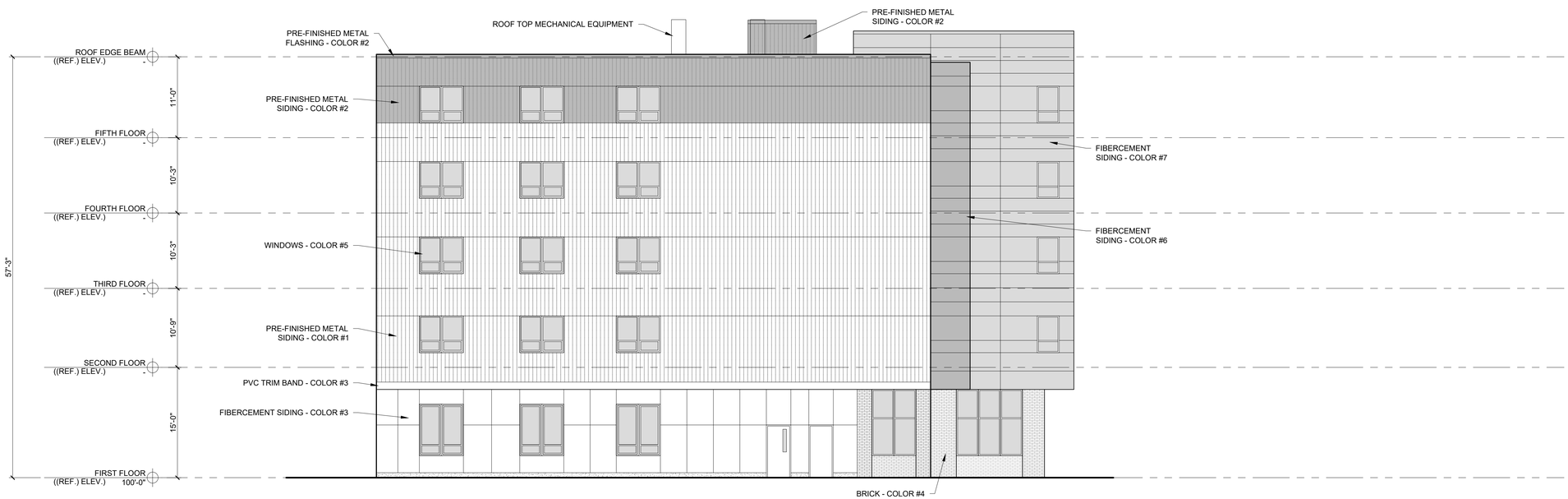
PROJECT No.	2236
DRAWN BY:	RRT, RJS
CHECKED BY:	RJS
SCALE:	AS NOTED

SHEET TITLE:
EAST ELEVATION

A2-2



1 NORTH ELEVATION COLOR RENDERING
NTS



1 NORTH ELEVATION
1/8" = 1'-0"

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PROJECT No.	2236
DRAWN BY:	RRT, RJS
CHECKED BY:	RJS
SCALE:	AS NOTED

SHEET TITLE:
NORTH
ELEVATION

A2-3



1 CONCEPT IMAGE 1
NTS

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APARTMENTS

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CONSULTANTS:

REVISIONS:

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MARCH 22, 2023

DATE:	
PROJECT No.	2236
DRAWN BY:	RRT, RJS
CHECKED BY:	RJS
SCALE:	AS NOTED

SHEET TITLE:
CONCEPT IMAGE 1

C-1

Planning Board Report
Planning & Urban Development Department

Office building renovation to residential
511 Congress Street
Major Site Plan Application
PL-002419-2023
Ocean Gate LLC, Applicant

Submitted to:	Portland Planning Board	**Prepared By:**	Maya Balassa
Public Hearing Date:	June 13, 2023	**Date:**	June 9, 2023

I. INTRODUCTION



Figure 1 511 Congress Street from Google Earth

Ocean Gate LLC has submitted a Major Site Plan and Inclusionary Zoning Conditional Use application to facilitate the renovation of the existing ten-story office building at 511 Congress Street to create 107 residential units, primarily on floors two through seven. While most proposed work is within the interior of the existing building, an enclosed exit stairway is being proposed to satisfy code requirements for adaptive reuse of the building as housing. The footprint of this proposed stairwell is approximately 271 square feet, while the building's total interior floor area is 139,837 square feet. As a change of use exceeding 20,000 square feet of floor area, and as a residential project of greater than three units, this application is being referred to the Planning Board for compliance with *Land Use Code Section 14.6, Site Plan Standards*. As a residential project of greater than 10 units, this application is being referred to the Planning Board for compliance with *Land Use Code Section 18.2.3, Inclusionary Zoning Conditional Use Standards*.

The Planning and Urban Development Department mailed 152 notices advertising this meeting to property owners within 500 feet of the site. A legal advertisement ran in the June 2 and 3, 2023 editions of the *Portland Press Herald*.

Applicant: Mike Barton
Applicant Representatives: Zachary Stevens, Acorn Engineering, Inc.

II. REQUIRED REVIEWS

Review	*Applicable Standards*
Major Site Plan	Site Plan Ordinance
Inclusionary Zoning Conditional Use	Section 18.2.3

III. PROJECT DATA

Existing Zoning	B-3 / Downtown Entertainment Overlay Zone / Congress Street Historic District
Property Size	42,570 square feet
Existing Use	Commercial Office
Proposed Use	Mixed use
Proposed Development Program	Commercial and Residential

	Existing	*Proposed*	*Net Change*
Building Footprint	12,027 square feet	12,298 square feet	+271 square feet
Building Floor Area	139,837 square feet	142,005 square feet	+2,168 square feet
Impervious Surface Area	4,000 square feet	4,000 square feet	0
Parking Spaces	4	4	0
Bicycle Parking Spaces	0	43	+43

IV. BACKGROUND & EXISTING CONDITIONS

The existing development consists of a 10-story office building with a connected two-story commercial annex, located at the corner of Congress Street and Brown Street. The 10-story tower is largely vacant, with the exception being the first, eighth and ninth floors, which are utilized for commercial and office use. The commercial annex that fronts Congress Street is occupied by three separate retail tenants; Anytime Fitness, Soakology, and Garden Lotus.

This property is located in the B-3 Downtown Business zone and is also in the Downtown Entertainment Overlay Zone, the Pedestrian Activities District (PAD) and the Congress Street Historic District. The proposed stairwell went through Historic Preservation Board Review and was unanimously approved on May 3, 2023.

V. PROPOSED DEVELOPMENT

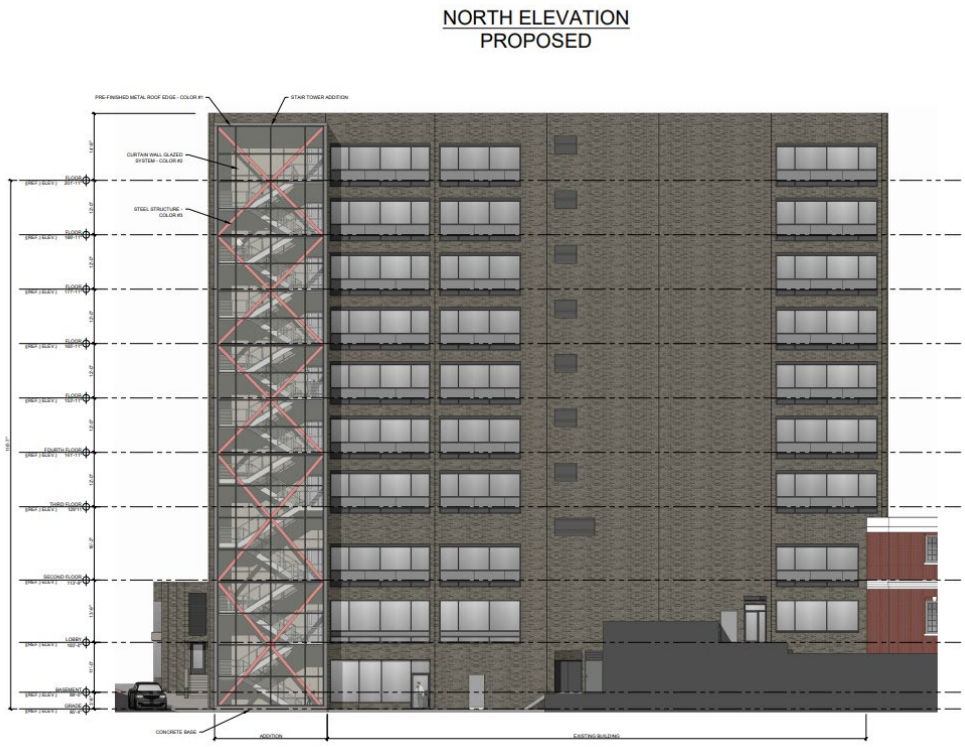

Figure 2 Proposed eastern elevation

The proposed Major Site Plan application is limited to redevelopment of the 10-story office tower, and does not involve redevelopment of the two-story commercial annex or private plaza along the property's Congress Street frontage. The applicant is proposing to convert a portion of the daylighted basement along with floors two through seven from office use to residential use, with a total of 107 residential units being proposed. The daylighted basement would also include a storage area for residents, a bicycle storage room, and a golf simulator for use by residents. The project would retain commercial use on the first floor and office space on the eighth and ninth floors. The units are proposed to be made up of 77 one-bedroom and 30 studio units. Site work is limited to the construction of a 271 square foot stair tower to offer a second means of egress, sidewalk and driveway reconstruction, landscaping, stone drip edge installation along Brown Street, and lighting around the new stair tower. No off-street vehicular parking is required for this project and no new off-street spaces are proposed; however, 43 bicycle parking spaces will be provided on the basement level for residents.

VI. RIGHT, TITLE, & INTEREST

A Memorandum of Lease has been submitted demonstrating ownership of the site by Ocean Gate, LLC, and a lease agreement with 511 Congress Street LLC.

VII. FINANCIAL & TECHNICAL CAPACITY

A letter from the Norway Savings Bank states sufficient financial capacity. The applicant has shown technical capacity in their project team, including Acorn Engineering, Inc. and Ryan Senatore Architecture.

VIII. ZONING ANALYSIS

The site is located within the B-3 Downtown Business Zone, Pedestrian Activities District (PAD), Downtown Entertainment Overlay Zone, and Congress Street Historic District. The B-3 Downtown Business zone allows for both commercial and residential uses as proposed. This redevelopment aligns with the intended purpose of the B-3 Downtown Business zone and complies with the B-3 zoning dimensional standards.

Staff have conducted an analysis of applicable overlay zone and workforce housing (IZ) standards, shown below:

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.

- Separate Business Entities
  The proposed project maintains existing ground floor commercial activity along Congress Street. 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.

- Permitted Uses
  The uses along Congress are not proposed to change. Therefore, this standard is not applicable.

C. INCLUSIONARY ZONING CONDITIONAL USE (Section 18.2.3)

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.

- Ensuring Workforce Housing
  Projects proposing 10 or more new residential units are required by Article 18.2.3, to provide a minimum of 25% of all units as workforce housing. The applicant is proposing to provide 27 workforce housing units on-site. The proposed number of units meets the 25% inclusionary zoning requirement. The applicant is aware that the units will need to be dispersed evenly throughout the building, in unit type and floor, for the Affordable Housing Agreement.

IX. 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:

1. Transportation Standards (Section 14.6.1)
   A. Impact on surrounding street systems
      The project is not providing any more than the existing four parking spaces off of Brown Street. The 107 residential units will impact circulation and traffic through the area, however, the surrounding sidewalk and street network have the capacity to accommodate the traffic generated. While off-street parking is not formally being provided as part of this application, the property owner also owns and operates the Arts District parking garage located at 48 Brown Street. Residents are likely

to utilize the garage, and will access the garage via entrances off of Brown Street, Cumberland Avenue, or Casco Street.

B. Access and circulation



Figure 3 Congress Street Sidewalk along Property Line

Pedestrian access along Congress Street is remaining the same. The stair tower along Brown Street will offer an additional ingress and egress point for residents. The sidewalk along Brown Street will be reconstructed to tech manual standards to facilitate safe pedestrian movements and meet city standards. The City has also observed that the sidewalk along Congress Street does not meet ADA (Americans with Disabilities Act) standards, due to the condition of the bricks, and the applicant will be required to reconstruct this sidewalk as well. The applicant has noted that the two-story commercial annex along Congress Street is likely to be redeveloped within the next five years, which would impact any replaced sidewalk in this location. Noting this, the applicant has requested that replacement of this sidewalk be made a condition of approval, to be required in the event that this future development does not proceed within a five-year timeframe. Staff support this being made a condition, and are recommending that the applicant post a performance guarantee for the anticipated cost of the sidewalk prior to the issuance of the Certificate of Occupancy. This performance guarantee would be held until the applicant completes reconstruction of the sidewalk either under this application or a future site plan application.

C. Public transit access

The location of this building in the dense urban core of Portland provides extensive access to public transportation. The closest existing transit shelter to the site is 200 feet away, along Congress Street, therefore this standard is not applicable.

D. Parking

No off-street parking is required for changes of use within the B-3 zone according to Table 19-B Categorical Exceptions to Off-Street Parking Minimums. Additionally, this project is within .25 miles of a bus route and is therefore not required to provide off-street parking. There are four existing parking spaces at the rear of the building, which are accessible off of Brown Street, which will remain. A bicycle parking room is provided for residents on the first floor with 43 bicycle parking spaces, which meets the City's bicycle parking requirement. While this development does not include guaranteed leases for parking within the Arts District Garage, located at 48 Brown Street, residents will have the option of leasing parking within the garage, and it is likely that much of the parking demand will be accommodated through this garage.

E. Transportation demand management (TDM)

The proposed project is exempt from providing parking. However, based on Land Use Code Section 14.6.1.E, any mixed-use development totaling more than 50,000 sf is required to provide a Transportation Demand Management plan. The applicant is aware of this standard and review of a TDM for this site is being proposed as a condition of approval, prior to the issuance of a building permit.

2. Environmental Quality Standards (Section 14.6.2)

A. Preservation of significant natural features

There are no significant natural features identified on the site.

B. Landscape preservation

There is no existing landscaping onsite.

C. Site landscaping and buffers

The landscaping plan provides six plant boxes and one tree along Brown Street, out of the right of way. Based upon there being 107 proposed dwelling units, the applicant is required to provide a minimum of 107 street trees, or a permitted alternative. The applicant is proposing one street tree along Brown Street and is opting to pay a fee in-lieu, assessed at $400 per tree (Technical Manual Sec. 4.3.8), for the remaining 106 required trees. Staff have drafted a condition of approval requiring that the applicant provide a fee of $42,400 to satisfy this requirement

D. Water quality/storm water management/erosion control

This redevelopment will not result in 1,000 square feet of new impervious surface; thus, it falls below Chapter 500 requirements. An erosion and sediment control plan has been submitted that meets city standards. Existing stormwater treatment and drainage systems will largely remain as they are today.

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

A. Consistency with City Master Plans

This project is consistent with Portland's Plan 2030 as it is meeting zoning and design review standards. This redevelopment aligns with Portland's goal to "Encourage additional contextually

appropriate housing density in and proximate to neighborhood centers, concentrations of services, and transit nodes and corridors as a means of supporting complete neighborhoods" Moreover the proposed project supports Portland's Plan to "Reinforce the Center by embracing the principle that downtown should be a predominant locus of activity for the broader region."

B. Public safety and fire prevention
The site meets all public safety and fire prevention standards. The building will be fully sprinkled and will offer two means of egress.

C. Availability and capacity of public utilities
The current utility connections are to remain with no new utility connections being proposed.

4. Site Design Standards (Section 14.6.4)

A. Massing, ventilation, and wind impact
The proposed stair tower is not anticipated to have adverse impacts in regards to massing, ventilation, and wind.

B. Shadows
Shadow impact analysis requirements do not apply to buildings in the B-3 zone. Not applicable.

C. Snow and ice loading
The site is maintaining snow and ice loading strategies. The flat roof is not expected to create adverse snow/ice impacts.

D. View corridors
The site is not located within an established view corridor. Not applicable.

E. Historic resources
As the site resides in the Congress Street Historic District, the project went through the Historic Preservation Board Review and was unanimously approved on May 3rd, 2023 (HPBR-002418-2023). (See Attachment C and D)

F. Exterior lighting
Site lighting standards are being met with two wall-mounted, full-cutoff lights on either side of the stair tower. The maximum foot candle proposed is 1.9, with an average of .07- which is below the allowable maximum.

G. Noise and vibration
The project is not anticipated to produce adverse noise and vibration impacts.

H. Signage and wayfinding
Any proposed signage will need to go through Permitting.

I. Zoning-related design standards
The project was subject to Historic Preservation Board Review and was approved on May 3rd, 2023.

X. NEIGHBORHOOD MEETING & PUBLIC COMMENT

The applicant held a neighborhood meeting on April 27, 2023. There were several comments and questions raised during the public meeting surrounding construction impacts, apartment specifications, and amenities. There has been no public comments submitted to the city in regards to this project.

XI. STAFF RECOMMENDATION

Subject to the proposed motions and conditions of approval listed below, Planning Department staff recommends to the Planning Board approval of the redevelopment at 511 Congress Street. Staff finds that the project meets the applicable standards of Portland's Land Use Code.

XII. PROPOSED MOTIONS

A. INCLUSIONARY ZONING 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 June 13, 2023 for application PL-002419-2023 at 511 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 conditional use for workforce housing meets the standards of Section 18.2.3 with the following conditions:

PRIOR TO ISSUANCE OF A BUILDING PERMIT

1. That the applicant and the City enter into an agreed upon Affordable Housing Agreement (AHA) for all on-site workforce housing units, or as an alternative to providing workforce housing units on-site, the applicant may pay a fee-in-lieu for some or all of the required units.

PRIOR TO ISSUANCE OF CERTIFCATE OF OCCUPANCY

2. The Affordable Housing Agreement (AHA) shall be filed as covenant to the 511 Congress Street property's deed with the Cumberland County Registry of Deeds.

B. SITE PLAN REVIEW

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the Planning Board Report for the public hearing on June 13, 2023 for application PL-002419-2023 relevant to the site plan regulations; and the testimony presented to 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 APPLYING FOR A BUILDING PERMIT

1. The applicant shall submit ability to serve confirmation from utility providers.
2. The applicant shall submit a Transportation Demand Management (TDM) plan developed in accordance with Section 17 of the City of Portland Technical Manual for review and approval by the Planning Authority.
3. The applicant shall submit documentation of that the existing building sewer laterals are not defective. If found defective, site plans should be updated and submitted for review and approval with rehabilitation of sewer laterals in accordance with the city code 24-42.
4. The applicant shall submit an updated site plan depicting reconstruction of the sidewalk along the property's Congress Street frontage for review and approval by the Planning Authority and the Department of Public Works.

PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY

5. The applicant shall contribute to the tree fund in the amount of $400 per tree for 106 trees, for a total of $42,400.
6. The applicant shall submit a cost estimate for the reconstruction of the brick sidewalk along the property's Congress Street frontage for review and approval by the Planning Authority.
7. Based upon the approved cost estimate for reconstruction of the Congress Street sidewalk, the applicant shall submit a performance guarantee to the Planning Authority for the complete anticipated cost of this work. This performance guarantee shall be held by the Planning Authority until the applicant completes reconstruction of the sidewalk as part of either a future site plan or under this approved application.

XIII. ATTACHMENTS

Report Attachments:

A. 511 Congress City Staff Comments (1)
B. 511 Congress City Staff Comments (2)
C. Historic Preservation Certificate of Appropriateness
D. Historic Preservation Board Review Report 511 Congress, Addition

Applicant's Submittal:

A. Cover Letter
B. Major Site Plan Application
C. Right, Title, & Interest
D. Zoning Assessment
E. Easements
F. Waivers Table
G. Technical Capacity
H. Technical Capacity
I. Conformity with Land Use Ordinance
J. Stormwater Management Report
K. Erosion and Sedimentation Control Report
L. Fire Department Letter
M. Wastewater Capacity
N. Lighting
O. Arch Design Narrative
P. Utilities
Q. Construction Management Report
R. Solid Waste Disposal
S. Parking Analysis
T. Certification Letter
U. Neighborhood Meeting Letter
V. Sign in Sheet
W. Neighborhood Meeting Minutes
X. 511 Congress Street Comment Response
Y. 511 Congress Street Comment Response 5-26-23

Applicant Plans:

1. Cover Sheet & Legend
2. General Notes
3. Survey

3.1 Survey
4. Construction Management Plan
5. Site Plan
6. Utility Plan
7. Grading & Drainage Plan
8. Site Details
9. Erosion & Sedimentation Control Details and Notes
10. Basement Plan
11. First Floor Plan
12. Second Floor Plan
13. Third Floor Plan
14. Eighth Floor Plan
15. North Elevation Existing
16. North Elevation Proposed
17. East Elevation Existing
18. East Elevation Proposed
19. Google Earth Site Image
20. Before and After 1
21. Before and After 2
22. Materials
23. Fourth Floor Plan
24. Fifth Floor Plan
25. Sixth Floor Plan
26. Seventh Floor Plan
27. Photometric Plan

Review Criteria:

- Portland's Site Plan Ordinance

GENERAL

- Please submit a photometric plan for the proposed lighting with cut sheet details.

INCLUSIONARY ZONING

- Please show which one-bedroom units will be the IZ units on the floor plans. They need to be evenly distributed throughout.
- The documents state that there are 107 one-bedrooms proposed, however, some of the units look to be studios. Please explain.

WATER QUALITY, STORMWATER, & INFRASTRUCTURE

- *Possible comments to come from DPW and Water Resources.*

LANDSCAPING & ENVIRONMENTAL QUALITY

- This project converts commercial use/units into residential rental units, and should conform with land use code environmental quality standards for street trees (section 14.6.2.C.4 - street trees). As existing site constraints preclude full conformity with street tree standards (land use code 14.6.2 and chapter 4.6.1 of the City Technical manual) applicants should review "street tree alternatives" from technical manual chapter 4.6.4 . Work with City arborist/ Parks representative on suitable alternatives for street tree planting on site. Payment into City tree fund is a suitable alternative. Funding amount entails a $400 contribution for each new tree required, at a rate of one tree per unit in the new building.

Review Criteria:

- Portland's Site Plan Ordinance

WATER QUALITY, STORMWATER, & INFRASTRUCTURE

- DPW Transportation
- Please include the existing driveway and sidewalk conditions on the plans.
- Please update the plans to label or provide spot grades and slopes for the proposed sidewalks, accessible ramps and driveways at grade breaks.
- Improvements in the ROW shall be dimensioned on the plan view sheets. For example ROW, street, lanes sidewalk, esplanade driveways (and other improvements) widths as well as when a width changes.
- Please provide the running slope and cross slope on the plans.
- High quality access (accessible walkways) shall be provided to and from the transit stop. The project shall remove and reconstruct the existing sidewalk and driveway and replace the granite curb along Brown Street. The project shall remove and reconstruct the existing sidewalk along Congress Street ending at the Casco Street intersection accessible ramps. The sidewalk and driveway shall be reconstructed in accordance with the City's Sidewalk and Driveway Apron Material Policy and current standards and the granite curb installed per the current City standards. Please update the plans and provide spot grades and slopes for the proposed sidewalk. The sidewalk material shall be continued through the driveway aprons at grade with the proposed sidewalk and not in excess of 2% cross-slope per the current City standards.
- The accessible ramps along Congress Street have been reconstructed and shall not be replaced as a part of this project.
- DPW Water Resources
- Please provide documentation that the existing building sewer laterals are not defective. If found defective it shall be rehabilitated in accordance with city code 24-42 as part of this project prior to reuse.
- Please retrofit each existing sewer connection with a backflow preventer as described in section 2 of the City's technical manual.
- We encourage implementing a stormwater detention system (subsurface detention, green roof system, blue roof system, ect.) to mitigate stormwater runoff from the building's existing roof drain and increased daily sewer flows draining directly into the City's combined sewer system. This property is served by a combined sewer system which produces the highest volume of combined sewer overflow discharge into Back Cove on an annual basis as a result of the system-wide stormwater capacity limitations.

Planning and Urban Development
Historic Preservation Program

May 4, 2023

Owner: Ocean Gate, LLC
511 Congress Street
Portland, ME 04101

Applicant: Ryan Senatore
Ryan Senatore Architecture, LLC
565 Congress Street
Portland, ME 04101

Re: 511 Congress Street – Addition

HPBR-002418-2023

Ryan Senatore,

The Historic Preservation Board has approved your application for a Certificate of Appropriateness for an addition at 511 Congress Street. Approval was based on the application materials submitted for the public hearing held on May 3, 2023 and stamped for approval on May 4, 2023.

All improvements shall be carried out as shown on the materials submitted for the hearing on May 3, 2023, and stamped for approval on May 4, 2023. 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,

Evan R. Schueckler
Historic Preservation Program Manager

STAFF MEMORANDUM
HISTORIC PRESERVATION PROGRAM
PLANNING AND URBAN DEVELOPMENT

TO: Chair O'Brien and Members of the Historic Preservation Board
FROM: Evan R. Schueckler, Historic Preservation Program Manager
DATE: April 28, 2023
RE: 511 Congress Street – PUBLIC HEARING – Addition
PROJECT ID: HPBR-002418-2023
MEETING: May 3, 2023

Owner: Ocean Gate, LLC
Architect: Ryan Senatore, Ryan Senatore Architecture

A sign announcing the Historic Preservation Board's meeting on May 3, 2023 was posted at the property on April 20, 2023. A legal ad was published in the Portland Press Herald on April 21, 2023 and April 22, 2023, and 41 notices were sent to neighboring property owners within 100 feet of the subject property.

PROJECT SCOPE

Construct ten-story rear egress stair tower addition at rear of 511 Congress Street in area of alley between 511 Congress Street and parking garage at 48 Brown Street. Addition to have concrete foundation and be clad in metal with glazing and glass spandrel panels.

SUMMARY OF HISTORIC CONTEXT

511 Congress Street is a non-contributing building in the Congress Street Historic District located at the corner of Browns and Congress Streets. The building was constructed in 1974 as the Maine Savings Plaza, an expansion for the 1949 Maine Savings Building at 15 Casco Street which is a contributing building in the Historic District. The building is composed of a 9-story tower set back from Congress Street by a large open plaza flanked by one-story commercial spaces on the east and west sides. At the west side of the plaza, the commercial spaces share a party wall with Mechanic's Hall. At the east side, the commercial spaces step down to the corner of Brown and Congress Streets. Along Brown Street, the basement level becomes exposed by the sloping grade making the tower 10 stories tall at the rear. The rear property line of the site is the boundary of the Congress Street Historic District. Across Brown Street is the 1987 Maine Historical Society Building, which is also non-contributing in the district.


Congress Street
Historic District
Property Designations
Contributing
Landmark
Non-Contributing Structure
Non-Contributing Vacant Land or Parking Lot / Garage
Parks and Squares
PARK AV
CUMBERLAND AV
DEERING ST
CONGRESS ST
PORTLAND ST
SPRING ST ARTERIAL
FORT ST AV
FOREST AV
GRAND ST
SHERMAN ST
STATE ST
OAK ST
SHERLEY ST
MECHANIC ST
MONUMENT SQ
LINCOLN PARK
CONGRESS ST
FEDERAL ST W
MARKET ST
CHESTNUT ST
MIDDLE ST
EXCHANGE ST
UNION ST
FORE ST
COMMERCIAL ST
CROSS ST SOUTH
COTTON ST
CENTER ST
MAPLE ST
OAKDALE AV
KENNEBEC ST
LANCASTER ST
PARRIS ST
HANOVER ST
OXFORD ST
PEARL ST
NEWBURY ST W
PARRIS ST
PARRIS TER
AVON PL
HIGH ST
PINE ST
PINE PL
MYRTLE ST
WILLOW ST
ELLSWORTH ST
DEERING AV
BRYANT ST
BOWDOIN ST
BOWDOIN PL
MAYO ST
MAYO PL
MARKET SQ
EXCHANGE PL
MARKET PL
MARKET ST
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MARKET PL
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MARKET SQ
MARKET PL
MARKET ST
MARKET SQ

The addition is proposed to be installed at the rear of the building, facing away from Congress Street and towards a parking garage located outside the Historic District. The placement of the addition means that it will have little to no visibility from Congress Street, though there will be some visibility from Casco Street looking across a parking lot.

The design of the addition is contemporary using metal paneling at the side elevations and corners and glass curtain wall with glass spandrel panels at the rear elevation, facing north. The seams of the panels and glazing have been aligned with the masonry openings on the existing structure, creating a visual relationship between them. The addition will have an expressed steel structure visible through the curtain wall.

ANALYSIS OF APPLICABLE REVIEW STANDARDS

Standards for Review of Alterations to or Redesign of Noncontributing Structures, 17.8.4:

Standard A.	
In considering an application for a Certificate of Appropriateness involving alteration(s) to a noncontributing structure the standards for review of alterations set forth in Subsection 17.8.2 shall apply as applicable. The intent of the review shall be to ensure no further erosion of any existing architectural character of the subject structure determined to be significant by the Planning Authority or Historic Preservation Board and, where practicable, to guide projects toward a more compatible relationship with the surrounding context.	
Standard Met?	Staff Comments
Yes	The proposed addition does not involve removal or redesign of large areas of the existing structure. Additionally, the addition has been designed with a visual relationship to existing structure's façade composition and fenestration patterns.

Standards for Review of Alterations, 17.8.2:

Standard 1	
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 residential use is compatible with the character of the Congress Street Historic District as evidenced by the many residential structure located along Congress Street, and will require minimal exterior alterations beyond the proposed addition.

Standard 2	
The distinguishing original qualities or character of a structure, object, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.	
Standard Met?	Staff Comments
Yes	The proposed addition will not require major alterations to the existing building, nor will it require destruction of any of the original qualities or character of neighboring historic buildings. No removal or alteration to historic material is proposed.

Standard 3	
All sites, structures, and objects shall be recognized as products of their own time, place, and use. Alterations that have no historical basis or create a false sense of historical development, such as adding conjectural features or elements from other properties, shall be discouraged.	
Standard Met?	Staff Comments
Yes	The proposed addition is contemporary in character, using modern materials, and does not attempt to create a false sense of historical development. The visual relationship created between the addition and the existing structure also defers to the existing building's character, recognizing its origin.

Standard 9	
Contemporary design for alterations and 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, color, material, and character of the property, neighborhood or environment.	
Standard Met?	Staff Comments
Yes	The proposed addition will not destroy significant historical materials. Through the use of metal and glass cladding materials, the addition will be subtly distinguished from the existing building, and clearly distinguished from nearby historic buildings. The proposed addition will be compatible with the 9- to 10-story height, fenestration pattern, and dark gray color of the existing property.

MOTION FOR CONSIDERATION

I move to APPROVE application HPBR-002418-2023 for an addition at 511 Congress 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 Alterations 17.8.2-1-3 & 9 and Standards for Review of Alterations to or Redesign of Noncontributing Structures 17.8.4-A

ATTACHMENTS

1. Project Summary
2. Drawings

ACORN ENGINEERING, INC.

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

March 31, 2023

Subject: Major Site Plan Application
Redevelopment of 511 Congress Street, Portland, Maine

Dear Christine Grimando:

On behalf of Tom Watson & Co., we are pleased to submit the accompanying package of submission materials related to the proposed redevelopment project located at 511 Congress Street (Map 37, Block D, Lots 2 & 3). The parcel resides in the B-3 Downtown Business, Downtown Entertainment Overlay & Congress Street Historic Districts.

The project proposes to convert the existing 10 story (including daylighted basement) office building into residential units which will include (107) 1-Bedroom units primarily on floors two through seven, with existing office space located on floors 1, 8, and 9. Additionally there is a basement occupied by (5) 1-Bedroom units, (2) small offices, storage space, a golf simulator, a bike room, & other miscellaneous amenities. The only site work expected outside the limits of the existing building is to construct an approximate 300sf egress stair tower on the northern corner of the building. It is anticipated to utilize all exisitng utility connections to service the project.

It is anticipated that (27) 1-Bedroom units will be designated as work force units to conform with Portland's land use code Section 18. Due to the change of use at the property exceeding 20,000-square feet, the project is subject to a Major Site Plan Development Application and approval from the Planning Board.

Tom Watson & Co. and the design team look forward to your review of this project. If you have any questions regarding these materials or the completeness of the application materials, please do not hesitate to contact us.

Sincerely,

Peter F. Heil, P.E.
Project Manager
Acorn Engineering, Inc.

The following documents and drawings will be uploaded onto the City's electronic submission site per the procedure outlined in the application:

Documents:

- Section A: Cover Letter
- Section B: Major Site Plan Application & Checklist
- Section C: Right, Title, Interest
- Section D: Zoning Assessment
- Section E: Easements
- Section F: Waiver Table
- Section G: Financial Capacity
- Section H: Technical Capacity
- Section I: Conformity with Land Use Ordinance
- Section J: Stormwater Management Report
- Section K: Erosion & Sedimentation Control Report
- Section L: Fire Department Letter
- Section M: Wastewater Capacity
- Section N: Lighting
- Section O: Architectural Design Narrative
- Section P: Utility Cover
- Section Q: Construction Management Plan
- Section R: Solid Waste Disposal
- Section S: Parking Analysis

Drawings:

- Civil Site Plan Set, Dated 3/31/2023
- Architectural Plan Set, Dated 3/21/2023

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

C. Right, Title, and Interest

Please refer to the attached Memorandum of Lease demonstrating the Applicant's Right, Title, Interest. Recorded in Book 39971, Page 279.

MEMORANDUM OF LEASE

In accordance with 33 M.R.S.A Section 201, notice is hereby given of a certain Lease dated as of February 1, 2023 (the "Lease") by and between **Ocean Gate, LLC**, a Maine limited liability company, with a mailing address of 511 Congress Street, Portland, Maine 04101, as Landlord, and **511 Congress Street LLC**, a Maine limited liability company with a mailing address of c/o Port Property Management, Inc., 82 Hanover Street, Suite 5, Portland, Maine 04101, as Tenant.

1. PREMISES LEASED: The "Premises" is located at 511 Congress Street and 48 Brown Street, Portland, Maine, being the property of Landlord described in that certain Quitclaim Deed with Covenant dated April 18, 2014, and recorded at the Cumberland County Registry of Deeds in Book 31452, Page 305, more particularly described in **Exhibit A** attached hereto and made a part hereof, together with all appurtenances, easements, rights of way and other rights belonging to or in any way pertaining to the Premises, and all other associated appurtenances as are set out in the Lease, excepting however, (a) that parcel of land conveyed to City Oak LLC by Quitclaim Deed with Covenant dated May 30, 2018 and recorded in the Cumberland County Registry of Deeds in Book 34876, Page 261, and (b) that surface parking lot located at Casco Street, subject to vehicular and pedestrian easements appurtenant to the Premises, depicted as "Proposed Lot Area = 13,987 S.F. ± 0.32 Acres ±" on **Exhibit A-1** attached hereto and incorporated herein by reference..

2. TERM: The term of the Lease commences on February 1, 2023, and expires on January 31, 2043.

3. RENEWALS OR EXTENSIONS: None.

4. PURCHASE OPTION: Pursuant to Section 21.1 of the Lease, during the first ten (10) Lease Years (as such term is defined in the Lease) of the Term of the Lease, Tenant has the right and option to purchase the Premises for the Purchase Price (as such term is defined in the Lease), and on such other the terms set forth in the Lease.

5. RIGHT OF FIRST REFUSAL: Section 21.2 of the Lease provides a right of first refusal to the Tenant as follows:

> "(a) During the Term, Landlord covenants and agrees with Tenant that it will not sell the Premises to a bona fide third-party purchaser the Premises, unless Landlord shall first notify Tenant in writing of its desire to sell or otherwise dispose of the same, and that Landlord has received a bona fide offer for the same, such notice to state the terms of the bona fide offer. Tenant shall have the right, which Landlord hereby grants to Tenant, to purchase the Premises described in such notice either (i) on the terms of said bona fide offer or (ii) if the Purchase Price in the Purchase Option above is less than the purchase price offered in such bona fide offer, then on the terms of the Purchase Option above, which right shall be exercisable by Tenant for a period of fourteen (14) days following Tenant's receipt of such notice by mailing to Landlord a written notice of election to exercise said right (the "ROFR").

(b) If Tenant shall either send notice of its rejection of such offer within said fourteen (14) days or shall fail to so exercise its right to purchase under this Section 21.2 within said fourteen (14)-day period, then Landlord may sell the Premises described in said bona fide offer to the prospective purchaser who made said bona fide offer on the terms of said bona fide offer, subject, in all cases, to the terms and conditions of this Lease, including the Purchase Option and the ROFO, provided, however, that if such sale to the bona fide third-party purchaser does not close, then the ROFR shall continue in accordance with its terms. Under no circumstances will Landlord proceed with a sale to a third party on any terms more beneficial to the purchaser than those which were presented to Tenant in the ROFR without first presenting new terms to Tenant with the option to accept the purchase on such new terms.

(c) If Tenant shall exercise said right in the manner aforesaid, the purchase and sale of the Premises shall take place and be consummated on such day identified in the notice of exercise (but no later than within sixty (60) days of the Tenant's receipt of the first-mentioned notice from Landlord) (hereinafter called the "ROFR Closing Date"). On the ROFR Closing Date, Landlord shall convey the Premises to Tenant in accordance with the bona fide offer's terms or the Purchase Option's terms, as the case may be. Notwithstanding anything to the contrary contained herein, the provisions of this ROFR shall not be triggered by or applicable to the grant of mortgages of the Premises or to any proceedings for the foreclosure thereof, including a deed in lieu of foreclosure or foreclosure auctions, provided that these potential transferees take the Premises subject, in all cases, to the terms and conditions of this Lease, including the ROFR and the Purchase Option."

6. RIGHT OF FIRST OFFER: Section 21.3 of the Lease provides a right of first offer to the Tenant as follows:

"Landlord agrees that if at any time during the Term of the Lease, Landlord desires to sell the Premises, Landlord shall first offer to sell the Premises to Tenant upon the following terms and conditions (the "ROFO"):

i. Landlord shall send Tenant written notice ("Landlord's Sale Notice") of its offer to sell the Premises, which notice shall set forth a sales price in U.S. Dollars and the proposed terms of such sale in the form of a proposed purchase and sale agreement. Landlord's Sale Notice shall be in writing and shall set forth the price and terms on which Landlord proposes to sell the Premises. Such terms shall: (x) involve no other property; (y) allow the purchaser to assign its contract to an Affiliate, so long as Tenant hereunder remains liable for all obligations of the purchaser; and (z) require conveyance of title subject only to this Lease and all Permitted Encumbrances. Any purported Landlord's Sale Notice that does not constitute a formal offer to sell the Premises in accordance with this Section 21.3 shall not constitute a Landlord's Sale Notice and no time period begins to run.

ii. Upon Tenant's receipt of a proper Landlord's Sale Notice, Tenant shall have the right to purchase the Premises upon those terms offered or upon such terms as the parties otherwise agree upon within thirty (30) days of Tenant's receipt of Landlord's Sale Notice (the "Negotiation Period"). If Tenant desires to purchase upon the terms offered or wishes to engage in negotiations of such terms with Landlord, Tenant shall send written notice to Landlord of either it's acceptance of such offer (which may be evidenced by an executed purchase and sale agreement) or its desire to negotiate, in its sole discretion ("Tenant's Purchase Notice"). In the event Tenant accepts Landlord's terms, then the parties shall proceed pursuant to the purchase and sale terms offered and accepted; in the event Tenant desires to negotiate, then the following shall apply:

1. Tenant must prior to the end of the Negotiation Period make a written counteroffer to Landlord to purchase the Premises in the form of a purchase and sale agreement and otherwise in accordance with this ROFO and the parties agree to negotiate such counteroffer terms in good faith during such Negotiation Period.

2. If the parties do reach terms within the Negotiation Period, then the parties shall proceed pursuant to the purchase terms agreed to.

3. If the parties do not reach agreement within the Negotiation Period, Tenant's last-received (by Landlord) written counteroffer shall be deemed Tenant's "Last Best Offer" (and if no written counteroffer is made by Tenant within the Negotiation Period, then Tenant's Last Best Offer price shall be considered to be $0). Landlord shall have the right (but not the obligation) to sell the Premises free of this ROFO in accordance with the following: During the eighteen (18) months following the end of the Negotiation Period, Landlord may sell the Premises at a gross purchase price in U.S. Dollars that is more than ninety (90%) percent of the Tenant's Last Best Offer purchase price, such sale to be free of this ROFO, but subject at all times to the terms and conditions of this Lease, including the ROFR and the Purchase Option. Variations in terms other than gross purchase price, to the extent not commercially unreasonable (e.g., financing contingencies, inspections and representations and warranties or the lack thereof) shall not be a part of the determination of whether the offer is at or above the Tenant's Last Best Offer.

4. If Landlord receives an offer at a gross purchase price in U.S. Dollars equal to or less than ninety (90%) percent of the purchase price contained in Tenant's Last Best Offer that Landlord is willing to accept, Landlord must provide a written copy of such offer to Tenant and Tenant shall have fourteen (14) days from receipt thereof within which to agree in writing to agree to the terms set out in such offer. If such an

offer that Landlord is willing to accept contains a purchase price that is in whole or in part stated in other than U.S. Dollars, and if Tenant desires to purchase the Premises on the terms of such offer, Tenant shall be entitled to substitute for any non-US Dollar consideration the fair equivalent in U.S. Dollars. If notice of such written agreement of Tenant is not received by Landlord within said fourteen (14) days, Tenant's right to agree to such terms shall terminate and Landlord may sell the Premises pursuant to such offer and this ROFO shall automatically terminate as of the closing on the sale, provided, however that such purchaser shall take title to the Premises subject to all terms and conditions of the Lease, including the ROFR and the Purchase Option, both of which shall survive such closing on the sale of the Premises. If, however, the closing on the sale of the Premises is not completed within said eighteen (18) months, this ROFO shall continue in full force and effect.

iii. Notwithstanding anything to the contrary contained herein, the provisions of this ROFO shall not be triggered by or applicable to the grant of mortgages of the Premises or to any proceedings for the foreclosure thereof, including a deed in lieu of foreclosure or foreclosure auctions, provided that these potential transferees take the Premises subject to the ROFO."

THIS MEMORANDUM OF LEASE is prepared for recording and for the purpose of making a public record of said Lease, and it is intended that the parties shall be subject to all of the provisions of the Lease and that nothing herein shall be construed or deemed to alter or change any of the terms or provisions of the Lease. All Capitalized Terms used herein and not otherwise defined shall have the meanings given them in the Lease.

DATED: February 1, 2023

[Remainder of Page Intentionally Left Blank; Signatures Follow]

LANDLORD:

OCEAN GATE, LLC, a Maine limited liability Company

By: _____
Edmund S. Gardner III, Manager

STATE OF MAINE
COUNTY OF Cumberland, ss February 1, 2023

Personally appeared the above-named Edmund S. Gardner III, as Manager of Ocean Gate LLC, and acknowledged the foregoing instrument to his free act and deed in said capacity and the free act and deed of said limited liability company.

Before me,

_____
~~Notary Public~~/Attorney-at-Law
Print Name: Nicholas T. Alfond
My Commission Expires:_____

Signature Page to Memorandum of Lease

EXHIBIT A

Legal Description of the Premises

A certain lot or parcel of land, with any buildings or improvements thereon, situated at the westerly corner of Congress and Brown Streets in the City of Portland, County of Cumberland and State of Maine, being bounded and described as follows:

BEGINNING at a point where the southwesterly side of Brown Street intersects the northwesterly side of Congress Street, which point is also the most easterly corner of land conveyed by W. H. Clifford Company to Maine Savings Bank by deed dated July 21, 1972, and recorded in the Cumberland County Registry of Deeds in Book 3271; thence by said Congress Street South 59° 24' 30" West, one hundred eighty-five and ninety-three hundredths (185.93) feet to the most easterly corner of land owned by the Maine Charitable Mechanics Association; thence by said land of Maine Charitable Mechanics Association by the follow courses and distances: North 23° 58' West, forty-two and fifty hundredths (42.50) feet to a point; thence North 66° 02' East, four and thirty-three hundredths (4.33) feet to a point; thence North 23° 58' West, fifty-six and eighty-six hundredths (56.86) feet to the most northerly corner of said land of Maine Charitable Mechanics Association; thence South 65° 52' West, sixty and forty hundredths (60.40) feet to the easterly side of Casco Street; thence North 23° 51' West by the easterly side of Casco Street, twenty-six and ninety-six hundredths (26.96) feet to the southerly corner of the existing, or formerly existing, Maine Savings Bank Building; thence around the perimeter of the existing, or formerly existing, Maine Savings Bank Building by the following courses and distances:

North 66° 09' East, seventy-five and seventy-five hundredths (75.75) feet to a corner in said Building; thence North 23° 51' West, seventy-nine and ninety-five hundredths (79.95) feet to another corner in said Building; thence North 66° 09' East, four and fifty hundredths (4.50) feet to another corner in said Building; thence North 23° 51' West, fourteen and twenty-two hundredths (14.22) feet to another corner in said Building; thence South 66° 09' West, four and fifty hundredths (4.50) feet to another corner in said Building; thence North 23° 51' West, twenty-two and eighty-seven hundredths (22.87) feet to another corner in said Building; thence South 66° 09' West, seventy-five and seventy-five hundredths (75.75) feet by the northwesterly line of said Building, and said line extended, to the easterly side of Casco Street; thence by the easterly side of Casco Street North 23° 51' West, twelve and nine hundredths (12.09) feet to a point and other land of the successors or assigns of Maine Savings Bank; thence by said other land formerly of Maine Savings Bank North 66° 09' East two hundred twenty-two and fifty-nine hundredths (222.59) feet to the westerly side of Brown Street; thence by the westerly side of Brown Street South 28° 20' 29" East, two hundred thirty-four and five hundredths (234.05) feet to the intersection of the westerly side of Brown Street with the northerly side of Congress Street and the point of beginning.

Together with the benefit of and subject to the easements as described in the Quitclaim Deed with Covenant from 511 Plaza Limited Partnership to 15 Casco Street, LLC, dated October 19, 2006 and recorded in said Registry of Deeds in Book 24517, Page 152.

Together with easements and rights granted to Maine Charitable Mechanics' Association as set forth or referred to in an indenture dated February 26, 1910, by and between Maine Charitable Mechanics' Association and John S. Russell, et al. recorded in said Registry of Deeds in Book 852, Page 191, as modified and amended by Agreement dated July 31, 1973 between Maine Charitable Mechanics' Association and Maine Savings Bank dated July 31, 1973, and recorded at said Registry of Deeds in Book 3439, Page 245, and as may be affected by Easement Deed granted to Northern Utilities, Inc. dated July 13, 1995, and recorded at said Registry of Deeds in Book 12012, Page 115, subject to rights of others to also use such easement.

The following described parcels of land shown on Plans entitled "ALTA/ACSM Land Title Survey on Casco Street, Shepley Street and Oak Street, Portland, Maine" made for C.B. Richard Ellis by Owen Haskell, Inc. dated October 21, 2002, last revised November 12, 2002, Sheets 1 of 2 and 2 of 2, recorded in the Cumberland County Registry of Deeds in Plan Book 203, Pages 11 and 12; and "ALTA/ACSM Land Title Survey Portland, Maine, Maine Savings Plaza" made for C.B. Richard Ellis by Owen Haskell, Inc., last revised October 23, 2002, original plan dated June 27, 1973 and made by H.I. & E.C. Jordan Surveyors."

A certain lot or parcel of land located on the southeasterly side of Cumberland Avenue, southwesterly side of Brown Street, and the northeasterly side of Casco Street, in the City of Portland, County of Cumberland, State of Maine, bounded and described as follows:

BEGINNING at the intersection of the southeasterly side of Cumberland Avenue with the southwesterly side of Brown Street;

Thence S 28° 19' 02" E, along the southwesterly side of Brown Street, 294.48 feet to a 5/8 inch rebar set on the northwesterly line of land now or formerly of the October Corporation as described in Book 12007, Page 156 (being the 511 Congress Street Parcel hereinabove described);

Thence S 66° 09' 00" W, along said 511 Congress Street Parcel, 222.59 feet to the northwesterly side of Casco Street;

Thence N 23° 51' 00" W, along the northeasterly side of Casco Street, 129.28 feet to the southerly corner of land now or formerly of John J. Quirk and Sally L. Quirk as described in Book 4798, Page 12;

Thence N 66° 56' 23"E, along land of said Quirk, 130.93 feet to a point; Thence N 5° 14' 53" E, along land of said Quirk, 28.02 feet to a point;

Thence N 28° 12' 53" W, along land of said Quirk, also along land now or formerly of Cumby Corporation as described in Book 10797, Page 147, 141.49 feet to the southeasterly side of said Cumberland Avenue;

Thence N 65° 40' 30" E, along the southeasterly side of said Cumberland Avenue, 66.00 feet to the point of beginning.

DOC :3518 BK:39971 PG:286
RECEIVED - RECORDED, CUMBERLAND COUNTY REGISTER OF DEEDS
02/02/2023, 08:09:59A
Register of Deeds Jessica M. Spaulding E-RECORDED

EXHIBIT A-1

Exhibit A-1 has been redacted from the recorded version of this instrument, it not being in a format acceptable for recording at the Cumberland County Registry of Deeds.

A copy of Exhibit A-1 is on file with, and may be obtained from any of the following parties:

Ocean Gate, LLC
511 Congress Street
Portland, Maine 04101

Jensen Baird
Ten Free Street, 4th Floor
Portland, Maine 04101
Attn: Nicholas J. Morrill, Esq.

511 Congress Street LLC
c/o Port Property Management, Inc.
82 Hanover Street, Suite 5
Portland, Maine 04101

Bernstein Shur
100 Middle Street
Portland, Maine 04101
Attn: Hawley R. Strait, Esq.

Portland, Maine Yes. Life's good here.

Planning & Urban Development Department

ZONING ANALYSIS Relevant Zone(s) B3

All Projects:

	Required	Proposed
Lot Size	NONE	42,560 SF
Area Per Dwelling Unit	NONE	NONE
Minimum Street Frontage	15'	> 15'
Front Yard Minimum	NONE	NONE
Front Yard Maximum	5'	7.05'
Rear Yard	NONE	N/A
Yard Right	NONE	N/A
Yard Left	NONE	N/A
Side Street Setback	NONE	N/A
Step Back	NONE	N/A
Maximum Lot Coverage	100%	< 100%
Minimum Lot Coverage	N/A	N/A
Maximum Height	210'	< 210'
Open Space	NONE	NONE
Maximum Impervious Area	NONE	NONE
Pavement Setback	NONE	N/A
Floor Area Ratio	NONE	N/A
Off Street Parking Spaces	NONE	NONE
Loading Bays	N/A	NONE
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):			

E. Summary of Written Easements

Exiting Easements:

Refer to the ALTA / NSPS Land Title Survey prepared by Owen Haskell, Inc. for all existing easements.

Proposed Easements:

There are no proposed easements as part of the proposed project.

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.
N/A			

G. Financial Capacity

A letter from the Applicant's lender confirming financial capacity is attached to this section.

March 30, 2023

City of Portland
Planning Department
389 Congress Street
Portland, ME 04101

RE: Tom Watson & Co / Redevelopment of 511 Congress Street, Portland, Maine

To Whom it May Concern,

On behalf of Norway Savings Bank, I am pleased to provide this letter in support of Tom Watson & Co. on their plans to develop the property at 511 Congress Street, Portland, Maine. Based on our review of the financial aspect of the project, I believe Tom Watson and his team have the financial capacity and technical experience to successfully complete this project.

I have known and worked with the principals of Tom Watson & Co. in the past and have been involved with the financing of prior projects. Norway Savings Bank currently has a lending relationship with Tom Watson & Co. and I am interested in providing financing for the subject project. While this letter of support is not a commitment to lend, the Bank would welcome the opportunity to look at providing financing to Tom Watson and his team on the subject project.

Sincerely,



Dana Myles
Regional Vice President
Commercial Lending
1200 Congress Street
Portland, ME 04102
(O) 207-482-7907
(C) 207-515-4754
DMyles@NorwaySavingsBank.com

H. Technical Capacity

Acorn Engineering, Inc. and Ryan Senatore Architecture have successfully permitted and engineered over 20 Major Site Plan projects in Portland over the past few years. Some examples include:

- Eldredge Lumber
- 127 York Street – Harborside Townhomes
- Munjoy Heights
- 70 Anderson St.
- 89 Anderson St. – East Bayside Lofts
- 667 Congress St – The Hiawatha
- 104 Grant St.
- 201 Federal Street
- Mercy Hospital redevelopment off State Street

Port Property is the largest landlord in the city and has completed several development projects within Downtown, East End, Longfellow, Oakdale, West Bayside/Parkside, and West End. Many of the apartment homes in Port Property's portfolio consist of Portland's oldest historic buildings. These historic buildings have been renovated with modern amenities but retain much of their unique historic charm. Portland gives residents plenty to see and do with its walkable downtown, chic restaurants, boutique shopping, and waterfront activities. Convenient living in Maine's largest city has resulted in Port Property apartments to be a perfect living location.

I. Conformity with Land Use Ordinance

The following outline is made in accordance with the City of Portland Code of Ordinances, Chapter 14 Land Use. Specifically, Article 14 Section 6 Site Plan Review Standards.

OVERVIEW

The proposed project has been designed to conform to City standards where possible as demonstrated in the following narrative.

(a) Transportation Standards

1. Impact on Surrounding Street Systems:

   The project will not generate 100 or more cars during peak hour; therefore a Traffic Movement Permit will not be required. The site is located on Congress Street and can be accessed directly via Brown Street. The change of use is not anticipated to create any significant hazard to safety on the surrounding street network. Congestion of the intersections is not anticipated.

2. Access and Circulation:

   a. Site Access and Circulation:

      This project conforms with the design standards of Section 14.6.1.B as demonstrated in the following narrative:

      (i) All site access and internal circulation will be designed in accordance with the standards set forth in Section 1 of the Technical Manual.

      (ii) A sidewalk is existing along Brown Street as well as Congress Street and will provide safe access to the existing and proposed use.

      (iii) Egress and access to the site is directly off the sidewalk on Brown Street and Congress Street. There are no anticipated conflicts with traffic flows or turning movements.

      (iv) The site does not feature drive up services as mentioned in this requirement.

   b. Loading and Servicing:

      (i) The site has an existing loading area located in the rear of the site with access from Brown Street.

c. Curb and Sidewalks:

(i) A sidewalk with curbing is existing on Brown Street This project proposes minimal site work and will rebuild a section of the existing concrete sidewalk on Brown Street associated with the proposed stairwell, if necessary.

(ii) Any disturbance of this sidewalk to accommodate the site will be rebuilt in conformance with Chapter 25 of the City's Code of Ordinances and the applicable design standards in the City's Technical Manual.

(iii) Not applicable.

(iv) Not applicable.

3. Public Transit Access:

a. The project is located on a bus route with the closest bus stop located on Congress Street approximately 200 feet away.

b. Not applicable.

c. Not applicable.

4. Parking:

a. Vehicular parking:

(i) No off-street parking is required for changes of use per Section 19 Off-Street Parking & Loading, Table 19-B

(ii) A parking study is not required.

(iii) A parking study is not required.

(iv) The existing parking layout is not proposed to be disturbed as a part of the proposed project.

b. Bicycle parking

(i) A bicycle parking room will be provided on the 1st floor (basement) as part of the proposed project.

c. Snow Storage:

(i) The client will be responsible for the management of snow removal from the site.

(ii) Snow storage shall not be located where it interferes with pedestrian walkways or stormwater management systems.

d. Electric Vehicle (EV) charging

(i) Not applicable.

5. Transportation Demand Management (TDM):

a. A Transportation Demand Management plan is not required for this project.

b. Not applicable.

(b) Environmental Quality Standards

1. Preservation of Significant Natural Features:

a. There are no significant natural features on site.

b. Not applicable.

c. Not applicable.

2. Landscaping Preservation:

a. No trees or vegetation is proposed to be removed as part of the proposed project.

b. No trees or vegetation is proposed to be removed as part of the proposed project.

c. Not applicable.

d. Not applicable.

e. Not applicable.

3. Site landscaping and buffers.

a. Landscaping
(i) Not applicable

b. Buffers
(i) The existing solid waste container is anticipated to remain undisturbed as a result of the proposed project.

(ii) Not applicable.

(iii) Not applicable

c. Parking and vehicle display lot landscaping.
(i) Parking is not required as part of this project.

(ii) Not applicable.

(iii) Not applicable.

4. Street trees

a. Not applicable

b. Not applicable.

5. Water Quality, Stormwater Management and Erosion Control:

a. Stormwater

(i) The drainage patterns will be maintained as they currently exist.

(ii) Any stormwater that flows onto adjacent lots will not exceed the pre-development flows.

(iii) The runoff from the site into the public way will not increase from the pre-development condition.

b. A site-specific Stormwater Management Plan has been developed for the project to show compliance with Section 5 of the Technical Manual, including standards of MEDEP Chapter 500. Please refer to the Stormwater Management Report for this information.

c. The development is not anticipated to pose a contamination risk to groundwater during or after construction. The project will be serviced by a public wastewater system.

(c) Public Infrastructure and Community Safety Standards

1. Consistency with City Master Plans:

a. The project has been designed to be consistent with the City's Zoning Ordinance and off-site infrastructure.

b. There are no proposed easements as part of this project.

2. Public Safety and Fire Prevention:

a. Public Safety Design

(i) The existing site has long viewing aisles and minimal spaces obscured from view.

(ii) Access to the site will not change as part of this project.

(iii) This area will promote natural surveillance and access control.

b. Emergency Access
(i) Emergency Access to the site will not be affected as part of this project.

3. Public Utilities:

a. Ability to Serve letters have been sent to the respective companies. Responses are forthcoming. The stormwater report demonstrates that the post development conditions will not overburden the existing storm sewer within Cumberland Avenue.

b. The existing electrical service to the building is anticipated to remain.

c. The existing sewer and stormwater infrastructure are anticipated to remain.

d. The project will be served by an existing connection to the public sewer system within Brown Street.

e. Spaces allocated for solid waste storage can be seen on the Site Plan. The solid waste container will remain undisturbed as a result of the proposed project.

(d) Site Design Standards

1. Massing, Ventilation and Wind Impact:

a. Please refer to Section O, Architectural Design Narrative.

b. Please refer to Section O, Architectural Design Narrative.

c. Please refer to Section O, Architectural Design Narrative.

2. Shadows:

a. Not applicable.

3. Snow and Ice Loading:

a. There will be no change to the existing exterior of the building.

4. View Corridors:

a. Please refer to Section O, Architectural Design Narrative.

5. Historic Resources:

a. The development is located in the Congress Street Historic District.

b. The development is located adjacent to the Mechanic's Hall located at 519 Congress Street.

c. There are no known archaeological resources on the site.

6. Exterior Lighting:

a. Site Lighting.

(i) Exterior lighting will be designed to meet the requirements of Section 12 of the Technical Manual. See Section N: Lighting for additional information.

(ii) Any lighting that may adversely impact the abutting residential properties will feature house-side shielding.

b. Architectural and Specialty Lighting.

(i) No architectural or specialty lighting is proposed.

(ii) No up-lighting is proposed.

c. Street Lighting.

(i) No new street lighting is proposed.

7. Noise and Vibration:

a. The HVAC system will meet the applicable state and federal emissions requirements and will also be screened and directed away from abutters.

8. Signage and Wayfinding:
a. Signage

(i) Not applicable.

(ii) Not applicable.

(iii) Not applicable.

(iv) Not applicable.

(v) Not applicable.

b. Wayfinding

(i) All street and wayfinding signage shall meet the requirements of the Manual on Uniform Traffic Devices (MUTCD) and Chapter 25 of the City Code.

9. Design Standards:

a. The project has been designed to meet the standards set forth in the B-3 - downtown business zoning district, downtown entertainment overlay and Congress Street historic district. The project proposes an additional building entrance off of Brown Street and will rebuild and extend the sidewalk to promote accessibility to the northern side of the structure. Please refer to the Site Plan and Architectural Drawings for additional information.

ACORN ENGINEERING, INC.

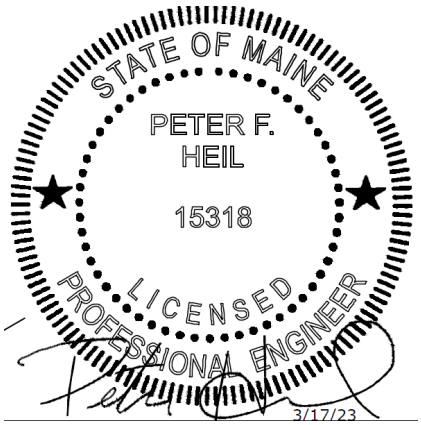
STORMWATER MANAGEMENT REPORT

Prepared For:

Tom Watson & CO.
188 State Street, 3rd Floor
Portland, Maine 04101

Prepared By:

Acorn Engineering, Inc.
P.O. Box 3372
Portland, Maine 04104



March 2023

INTRODUCTION

The project proposes to renovate the existing commercial use building into residential use as well as construct an approximate 300 SF stairwell building addition on the North corner of the building along Brown Street. Minimal site work is expected to accompany the building renovation/addition.

A stormwater analysis has been prepared to demonstrate that the project will meet the following requirements of the City of Portland (the City):

- City of Portland Land Use Ordinance Article 14.6.2.D.
- City of Portland Technical Manual – Section 5 – Portland Stormwater Management Standards and Maine DEP Chapter 500 Stormwater Management.

The proposed project will not result in 1,000 sf of new impervious area or redevelop greater than 5,000 sf of existing non-roof impervious surface. Therefore, measures for treatment will not be required as part of this project.

SOILS

Onsite soil information includes the following:

- Soil Conservation Service Medium Intensity Soil Survey for Cumberland County

Given the soils information, listed above, no onsite wastewater is proposed, deep fills/cuts the applicant does not intend to perform a more intense hydric soil boundary delineation because of the waiver requirements set forth in the City of Portland Technical Manual – Section 7 – Soil Survey, Rev. 6/17/11;12/8/20 are met.

The area within and surrounding the project includes soils types listed in the table below. The susceptibility of soils to erosion is indicated on a relative "K" scale of values over a range of 0.02 to 0.69. Higher "K" values indicate more erodible soils.

Table 5 - "K" Value		
Soils Type	**Subsurface**	**Substratum**
Hinckley Loamy Sand	.17	.17

The soil "K" values for the soils, listed above, show a low susceptibility to erosion. The site's susceptibility to erosion is from the Soil Conservation Service Medium Intensity Soil Survey for Cumberland County. Although soil "K" values for the soils show a low susceptibility to erosion, implementation of the proposed Erosion & Sedimentation Measures by the contractor will be of the utmost importance, given the embankment and downhill retaining wall.

Conclusion

The proposed project does not anticipate creating erosion, drainage or runoff problems for the development, the City, or abutting properties.

ACORN ENGINEERING, INC.

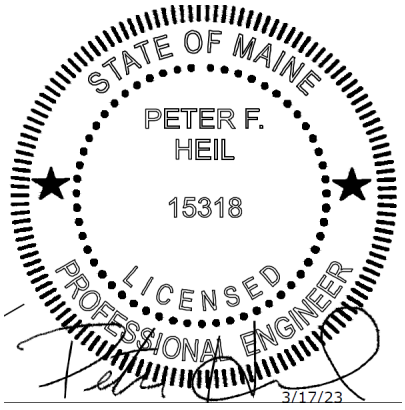
K. EROSION & SEDIMENTATION CONTROL REPORT

Prepared For:

Tom Watson & CO.
188 State Street, 3rd Floor
Portland, Maine 04101

Prepared By:

Acorn Engineering, Inc.
P.O. Box 3372
Portland, Maine 04104



March 2023

INTRODUCTION

The project proposes to convert the existing 10 story (including daylighted basement) office building into residential units which will include (107) 1-Bedroom units primarily on floors two through seven, with existing office space located on floors 1, 8, and 9. Additionally there is a basement occupied by (5) 1-Bedroom units, (2) small offices, storage space, a golf simulator, a bike room, & other miscellaneous amenities. The only site work expected outside the limits of the existing building is to construct an approximate 300sf egress stair tower on the northern corner of the building.

The following Erosion and Sedimentation Control Report was developed in accordance with the City of Portland Technical Manual – Section 5 – Portland Stormwater Management Standards and the Maine DEP Chapter 500 Stormwater Management Appendix A and B (1), Amended August 12, 2015. This narrative also meets the standards required in the Maine DEP's Erosion & Sediment Control BMP's Manual, revised in 2016.

1.0 EXISTING CONDITIONS

The proposed project is located at 511 Congress Street. An ALTA / NSPS Land Title Survey has been prepared by Owen Haskell, Inc. on February 27, 2023.

Abutting Uses:

- North B3 Zone — Multi-Use Commercial
- East B3 Zone — Literary & Scientific
- South B3 Zone — Retail Services
- West B3 Zone — Benevolent & Charitable/Commercial Retail

Nearly 100% of the existing site is comprised of impervious surface chiefly including buildings and walkways. The average slope is moderate with grades dropping from south to north.

1.1 Existing Soils

Onsite soil information includes the following:

- Soil Conservation Service Medium Intensity Soil Survey for Cumberland County

Given the soils information, listed above, no onsite wastewater is proposed; the applicant does not intend to perform a more intense hydric soil boundary delineation because the waiver requirements set forth in the City of Portland Technical Manual – Section 7 – Soil Survey, Rev. 6/17/11;12/8/20 are met.

The area within and surrounding the project includes soil types listed in the table below. The susceptibility of soils to erosion is indicated on a relative "K" scale of values over a range of 0.02 to 0.69. Higher "K" values indicate more erodible soils.

Table 1 - "K" Value		
Soils Type	**Subsurface**	**Substratum**
Hinckley Loamy Sand	0.17	0.17

The soil "K" value for the soil, listed above, shows a low susceptibility to erosion. The site's susceptibility to erosion is from the Soil Conservation Service Medium Intensity Soil Survey for Cumberland County. Although soil "K" values for the soils show a low susceptibility to erosion, implementation of the proposed Erosion & Sedimentation Measures by the contractor will be of the utmost importance given the sustained slope throughout the site.

1.2 Existing Erosion Problems

There are no signs of erosion.

1.3 Critical Areas

With minimal site work for the proposed project. There are no critical areas.

1.4 Protected Natural Resource

The client is not aware of the presence of any existing significant natural features located on the site as listed in Section 14-526 (b) 1. of the Land Use Code. The project is not located within a watershed classified as an Urban Impaired Stream by the Maine DEP.

1.5 Previous Construction Activity (5 years)

Acorn Engineering, Inc. is not aware of any construction related activities within the project limits within the past 5 years.

1.6 Timber Harvesting

Acorn Engineering, Inc. is not aware of any timber harvesting within the past five years.

2.0 EROSION CONTROL MEASURES AND SITE STABILIZATION

As part of the site development, the following temporary and permanent erosion and sedimentation control devices shall be implemented. Devices shall be installed as described in this report or within the plan set. See the Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices for further reference.

2.1 Temporary Erosion Control Measures

The following temporary erosion and sedimentation control measures are planned for the project's construction period:

2.1.1 Crushed stone stabilized construction entrances shall be placed at all access points to the project site where there are disturbed areas. The following specifications shall be followed at a minimum:

- Stone size shall be 2-3 inches or reclaimed or recycled concrete equivalent.
- The thickness of the entrance stone layer shall be no less than 6 inches.
- The entrance shall not be less than 20 feet wide, however not less than the full width of points where ingress or egress occurs. The length shall not be less than 50 feet in length.
- Geotextile fabric (woven or non-woven) shall be placed over the entire entrance area.
- The entrance/exit shall be maintained to the extent that it will prevent the tracking of sediment onto public roadways.

2.1.2 Siltation fence or erosion control berm shall be installed down gradient of any disturbed areas to trap runoff borne sediments until permanent stabilization is achieved. The silt fence or erosion control berm shall be installed per the details provided in the plan set and inspected before and immediately after each rainfall and at least daily during prolonged rainfall. Repairs shall be made if there are any signs of erosion or sedimentation below the fence line or berm. If there are signs of undercutting at the center or the edges, or impounding of large volumes of water behind the fence or berm, the barrier shall be replaced with a stone check dam.

2.1.3 Hay mulch including hydro seeding is intended to provide cover for denuded or seeded areas until revegetation is established. Mulch placed between April 15th and November 1st on slopes of less than 15 percent shall be covered by fabric netting and anchored with staples in accordance with the manufacturer's recommendation. Mulch placed between November 1st and April 15th on slopes equal to or steeper than 8 percent and equal to or flatter than 2:1 shall use mats or fabric netting and anchored with staples in accordance with the manufacturer's recommendation.

2.1.4 At any time of the year, all slopes greater than 3:1 shall be stabilized with Double Net Erosion Control Blanket Bionet SC150BN by North American Green or Approved Equal, or Erosion Control Mix Slope Protection as detailed within the plans.

2.1.5 Brown Street shall be swept to control mud and dust from the construction site as necessary. Add additional stone to the stabilized construction entrance to minimize the tracking of material off the site and onto the surrounding roadways.

2.1.6 During demolition, clearing and grubbing operations, stone check dams shall be installed at any areas of concentrated flow. The maximum height of the check dam shall not exceed 2 feet. The center of the check dam shall be 6 inches below the outer edges of the dam. The contractor shall mulch the side slopes

and install stone check dams for all newly excavated ditch lines within 24 hours of their creation.

2.1.7 Silt fence stake spacing shall not exceed 6 feet unless the fence is supported with 14-gauge wire in which case the maximum spacing shall not exceed 10 feet. The silt fence shall be "toed" into the ground.

2.1.8 Storm drain inlet protection shall be provided to storm drains using any of the following: hay bale drop inlet structures, silt fence drop inlet sediment filter, gravel and wire mesh drop inlet sediment filter, or curb inlet sediment filter. Barriers shall be inspected after every rainfall event and repaired as necessary. Sediments shall be removed when accumulation has reached ½ the design height.

2.1.9 Dust control shall be accomplished using any of the following: water, calcium chloride, stone, or an approved MDEP product. Dust control shall be applied as needed to accomplish dust control.

2.1.10 Temporary loam, seed, and mulching shall be used in areas where no other erosion control measure is used. Application rates for seeding are provided at the end of this report.

2.1.11 Stockpiles shall be stabilized within 7 days of formation unless a scheduled rain event occurs prior to the 7-day window, in which case the stockpile shall be stabilized prior to the rain event. Methods of stabilization shall be mulch, erosion control mix, or erosion control blankets/mats. Silt fence or a wood waste compost filter berm shall be placed downhill of any soil stockpile location.

2.1.12 For disturbance between November 1 and April 15, please refer to winter stabilization plan in this report and the Maine Erosion and Sediment Control BMP manual for further information.

2.1.13 It is of the utmost importance that stormwater runoff and potential sediment from the construction site be diverted around the proposed underdrains until the trench is backfilled.

2.2 Permanent Erosion Control Measures

The following permanent erosion control measures are intended for post disturbance areas of the project.

2.2.1 All disturbed areas during construction, not subject to other proposed conditions, shall receive a minimum 4" of loam, limed, and mulched. Erosion control blankets or mats shall be placed over the mulch in areas noted in paragraph 4.1 of this report.

2.2.2 All stormwater devices shall be installed, and tributary areas stabilized prior receiving stormwater.

2.2.3 Refer to the Maine Erosion and Sediment Control BMP manual for additional information.

3.0 EROSION AND SEDIMENTATION CONTROL PLAN

3.1 The Erosion and Sedimentation Control Plan is included within the plan set.

4.0 DETAILS AND SPECIFICATIONS

4.1 Erosion Control Details and Specifications are included in the plan set.

5.0 STABILIZATION PLAN FOR WINTER CONSTRUCTION

Winter Construction consists of earthwork disturbance between the dates of November 1 and April 15. If a construction site is not stabilized with pavement, a road gravel base, 75% mature vegetation cover or riprap by November 15, then the site shall be protected with over-winter stabilization. Any area not stabilized with pavement, vegetation, mulching, erosion control mix, erosion control mats, riprap, or gravel base on a road shall be considered open.

The contractor shall limit the work area to areas that work will occur in during the subsequent 15 days and so that it can be mulched one day prior to a snow event. The contractor shall stabilize work areas prior to opening additional work areas to minimize areas without erosion control measures.

The following measures shall be implemented during winter construction periods:

5.1 Sediment Barriers

During frozen conditions, sediment barriers may consist of erosion control mix berms or any other recognized sediment barriers as frozen soil prevents the proper installation of hay bales or silt fences.

5.2 Mulching

All areas shall be considered to be denuded until seeded and mulched. Hay and straw mulch shall be applied at a rate of 150 lb. per 1,000 square feet or 3 tons/acre (twice the normal accepted rate of 75-lbs./1,000 s.f. or 1.5 tons/acre) and shall be properly anchored. Erosion control mix must be applied with a minimum 4-inch thickness. Mulch shall not be spread on top of snow. The snow shall be removed down to a one-inch depth or less prior to application. After each day of final grading, the area shall be properly stabilized with anchored hay or straw or erosion control matting. An area shall be considered to have been stabilized when exposed surfaces have been either mulched or adequately anchored so that ground surface is not visible through the mulch. Between the dates of November 1 and April 15, all mulch shall be anchored by either mulch netting, tracking or wood cellulose fiber. The cover will be considered sufficient when the ground surface is not visible through the mulch. After November

1st, mulch and anchoring of all exposed soil shall occur at the end of each final grading workday.

5.3 Soil Stockpiling

Stockpiles of soil or subsoil shall be mulched for over winter protection with hay or straw at twice the normal rate or with a four-inch layer of erosion control mix. This shall be done within 24 hours of stocking and re-established prior to any rainfall or snowfall.

5.4 Seeding

Between the dates of October 15th and April 1st, loam or seed shall not be required. During periods of above freezing temperatures finished areas shall be fine graded and either protected with mulch or temporarily seeded and mulched until the final treatment can be applied. If the date is after November 1st and if the exposed area has not been loamed, final grading with a uniform surface, then the area may be dormant seeded at a rate of 3 times higher than specified for permanent seed and then mulched.

Dormant seeding may be placed prior to the placement of mulch or erosion control blankets. If dormant seeding is used for the site, all disturbed areas shall receive 4" of loam and seed at an application rate of 5 lbs./1,000 s.f. All areas seeded during the winter shall be inspected in the spring for adequate catch. All areas insufficiently vegetated (less than 75% catch) shall be revegetated by replacing loam, seed and mulch. If dormant seeding is not used for the site, all disturbed areas shall be revegetated in the spring.

5.5 Over winter stabilization of disturbed soils

By September 15th, all disturbed soils on areas having a slope less than 15% shall be seeded and mulched. If the disturbed areas are not stabilized by this date, then one of the following actions shall be taken to stabilize the soil for late fall and winter:

- Stabilize the soil with temporary vegetation – By October 1st, seed the disturbed soil with winter rye at a seeding rate of 3lbs per 1,000 s.f., lightly mulch the seeded soil with hay or straw at 75 lbs per 1,000 s.f., and anchor the mulch with plastic netting. Monitor growth of the rye over the next 30 days. If the rye fails to grow at least three inches or fails to cover at least 75% of the disturbed soil before November 1st, then mulch the area for over-winter protection.

- Stabilize the soil with sod – Stabilize the disturbed soil with properly installed sod by October 1st. Proper installation includes pinning the sod onto the soil with wire pins, rolling the sod to guarantee contact between the sod and underlying soil, and watering the sod to promote root growth into the disturbed soil.

- Stabilize the soil with mulch – By November 15th, mulch the disturbed soil by spreading hay or straw at a rate of at least 150 lbs per 1,000 s.f. on the area so that no soil is visible through the mulch. Immediately after applying the mulch,

anchor the mulch with plastic netting to prevent wind from moving the mulch off the disturbed soil.

5.6 Over winter stabilization of disturbed slopes

All stone-covered slopes shall be constructed and stabilized by November 15th. All slopes to be vegetated shall be seeded and mulched by September 1st. A slope is considered a grade greater than 15%. If a slope to be vegetated is not stabilized by September 1st, then one of the following action shall be taken to stabilize the slope for late fall and winter:

- Stabilize the soil with temporary vegetation and erosion control mats – By October 1st the disturbed slope shall be seeded with winter rye at a seeding rate of 3 lbs per 1,000 s.f. and then install erosion control mats or anchored mulch over the seeding. If the rye fails to grow at least three inches or fails to cover at least 75% of the slope by November 1st, then the contractor shall cover the slope with a layer of erosion control mix or with stone riprap.

- Stabilize the soil with sod – The disturbed slope shall be stabilized with properly installed sod by October 1st. Proper installation includes the contractor pinning the sod onto the slope with wire pins, rolling the sod to guarantee contact between the sod and underlying soil, and watering the sod to promote root growth into the disturbed soil. The contractor shall not use late-season sod installation to stabilize slopes having a grade greater than 3H:1V or having groundwater seeps on the slope face.

- Stabilize the soil with erosion control mix – Erosion control mix shall be properly installed by November 15th. The contractor shall not use erosion control mix to stabilize slopes having grades greater than 2H:1V or having groundwater seeps on the slope face.

- Stabilize the soil with stone riprap – Place a layer of stone riprap on the slope by November 15th. A registered professional engineer shall be hired to determine the stone size needed for stability on the slope and to design a filter layer for underneath the riprap.

6.0 INSPECTION AND MAINTENANCE

A person with knowledge of erosion and stormwater control, including the standards and conditions in the permit, shall conduct periodic visual inspections of installed erosion control measures. The frequency of inspection shall occur at least once every two weeks, as well as after a "storm event". A "storm event" shall consist 0.5 inches of rain within a 24-hour period. The following Erosion and Sediment Control - Best Management Practices (BMP's) shall inspected in the manner as described.

6.1 Sediment Barriers

Hay bale barriers, silt fences and filter berms shall be inspected and repaired for the following if there are any signs of erosion or sedimentation below them. If there are signs of undercutting at the center or the edges of the barrier, or impounding of large volumes of water behind them, sediment barriers shall be replaced with a temporary check dam. Should the fabric on a silt fence or filter barrier decompose or become ineffective prior to the end of the expected usable life and the barrier is still necessary, the fabric shall be replaced promptly. Sediment deposits should be removed when deposits reach approximately one-half the height of the barrier. Filter berms should be reshaped as needed. Any sediment deposits remaining in place after the silt fence or filter barrier is no longer required should be dressed to conform to the existing grade, prepared and seeded.

6.2 Stabilized Stone Construction Entrances

The exit shall be maintained in a condition that will prevent tracking of sediment onto public rights-of-way. When the control pad becomes ineffective, the stone shall be removed along with the collected soil material and redistributed on site in a stable manner. The entrance should then be reconstructed. The contractor shall sweep or wash pavement at exits, which have experienced mud-tracking on to the pavement or traveled way. When washing is required, it shall be done on an area stabilized with aggregate, which drains into an approved sediment trapping device. All sediment shall be prevented from entering storm drains, ditches, or waterways.

6.3 Mulched Areas

All mulches must be inspected periodically, in particular after rainstorms, to check for rill erosion. If less than 90% of the soil surface is covered by mulch, additional mulch shall be immediately applied. Nets must be inspected after rain events for dislocation or failure. If washouts or breakage occur, re-install the nets as necessary after repairing damage to the slope. Where mulch is used in conjunction with ornamental plantings, inspect periodically throughout the year to determine if mulch is maintaining coverage of the soil surface. Repair as needed.

6.4 Dust Control

When temporary dust control measures are used, repetitive treatment shall be applied as needed to accomplish control.

6.5 Stormwater Appurtenances

All underdrains, storm drains, and catch basins need to be operating effectively and free of debris.

6.6 Erosion and Sedimentation Control Inspections:

Acorn Engineering has personnel qualified to conduct Erosion and Sedimentation Control Inspections. For further information, contact:

Contact: Peter Heil, PE
Telephone: (207) 775-2655

Qualifications:

- Maine Professional Engineering License #15318
- Maine DEP - Certified in Maintenance & Inspection of Stormwater BMP's
- Maine DEP – Certified Third-Party Inspector
- Certified Professional in Erosion and Sediment Control (CPESC) Cert. #7071

The Contractor has sole responsibility for complying with the Erosion and Sedimentation Report/Plan, including control of fugitive dust. The Contractor shall be responsible for any monetary penalties resulting from failure to comply with these standards.

7.0 IMPLEMENTATION SCHEDULE

The following implementation sequence is intended to maximize the effectiveness of the above described erosion control measures. Contractors should avoid overexposing disturbed areas and limit the amount of stabilization area.

1. Install a stabilized construction entrance in all locations where construction traffic will enter and exit the site.
2. Install perimeter silt fence or erosion control berm.
3. Commence installation of drainage infrastructure.
4. Install all other erosion control devices as necessary throughout the remainder of this schedule.
5. Commence earthwork operations, associated with the roadway construction.
6. Commence installation of utilities.
7. Continue earthwork and grading to subgrade as necessary for construction.
8. Complete installation of drainage infrastructure, as well as other utility work.
9. Complete remaining earthwork operations.
10. Install sub-base and base gravels in paved areas.
11. Install paving, curbing and brickwork.
12. Loam, lime, fertilize, seed and mulch disturbed areas and complete all landscaping.
13. Once the site is stabilized, 90% catch of grass has been obtained, or mulching of landscape areas is complete, remove all temporary erosion control measures.
14. Touch up areas without a vigorous catch of grass with loam and seed.
15. Complete site signage and striping.
16. Execute proper maintenance of all temporary and permanent erosion control measures throughout the project.

The above implementation sequence should be generally followed by the site contractor. However, the contractor may construct several items simultaneously. The contractor shall submit to the owner a schedule of the completion of the work. If the contractor is to commence the construction of more than one item above, they shall limit the amount of exposed areas to those areas in which work is expected to be undertaken during the following 30 days.

The contractor shall re-vegetate disturbed areas as rapidly as possible. All areas shall be permanently stabilized within 7 days of final grading or before a storm event. The contractor shall incorporate planned inlets and drainage systems as early as possible into the construction phase.

8.0 CONCLUSION

The above erosion control narrative is intended to minimize the development impact by implementing temporary and permanent erosion control measures. The contractor shall also refer to the Maine Erosion and Sediment Control BMP manual for additional information.

9.0 ATTACHMENTS

- Temporary Seeding Plan
- Permanent Seeding Plan
- Hydrological Soil Group Map (Web Soil Survey)

TEMPORARY SEEDING PLAN

Site Preparation

The seeded areas shall be feasibly graded out to provide the use of equipment for seedbed preparation, seeding, mulch application, and mulch anchoring. If necessary, the site may require additional temporary erosion control measures outlined in the Erosion Control report.

Seedbed Preparation

Fertilizer shall be applied to the site at a rate of 13.8 pounds per 1,000 square feet. The composition of the fertilizer shall be 10-10-10 (N-P2O5-K2O) or equivalent.

Limestone shall be applied to the site at a rate of 138 pounds per 1,000 square feet.

Seeding

The composition and amount of temporary seed applied to a site shall be determined by the following table:

Seed	Pounds / 1,000 S.F.	Recommended Seeding Dates
Winter Rye	2.57	Aug-15 to Oct-1
Oats	1.84	Apr-1 to Jul-1 Aug-15 to Sep-15
Annual Ryegrass	0.92	Apr-1 to Jul-1
Sudangrass	0.92	May-15 to Aug-15
Perennial	0.92	Aug-15 to Sep-15

Mulching

Mulch shall be applied at a rate of 70 lbs – 90 lbs per 1,000 square feet. The mulch shall be installed at a minimum depth of 4 inches. The seeded area shall be mulched immediately after seed is applied. Mulching during the winter season shall be double the normal amount.

Conclusion

Please refer to the Maine Erosion and Sediment Control BMP manual for additional information pertaining to temporary seeding and mulching.

PERMANENT SEEDING PLAN

Site Preparation

The seeded areas shall be feasibly graded out to provide the use of equipment for seedbed preparation, seeding, mulch application, and mulch anchoring. If necessary, the site may require additional temporary erosion control measures outlined in the Erosion Control report.

Seedbed Preparation

Fertilizer shall be applied to the site at a rate of 13.8 pounds per 1,000 square feet. The composition of the fertilizer shall be 10-10-10 (N-P2O5-K2O) or equivalent.

Limestone shall be applied to the site at a rate of 138 pounds per 1,000 square feet.

Seeding

The composition and amount of permanent seed applied to a site shall be determined by the following table:

Seed	Pounds / 1,000 S.F.
Kentucky Bluegrass	0.46
Creeping Red Fescue	0.46
Perennial Ryegrass	0.11
Total	1.03

Mulching

Mulch shall be applied at a rate of 70 lbs – 90 lbs per 1,000 square feet. The mulch shall be installed at a minimum depth of 4 inches. The seeded area shall be mulched immediately after seed is applied. Mulching during the winter season shall be double the normal amount.

Recommendations

Permanent seeding is recommended to be completed in the spring. Later summer seeding is allowed if completed prior to September 1st. If seeding cannot be accomplished during the periods recommended for permanent seeding, then the contractor shall perform temporary seeding per the temporary seeding plan.

Conclusion

Please refer to the Maine Erosion and Sediment Control BMP manual for additional information pertaining to permanent seeding and mulching.



Map Scale: 1:1,220 if printed on A portrait (8.5" x 11") sheet.

N

Meters
0 15 30 60 90

Feet
0 50 100 200 300

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 19N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils

Soil Rating Polygons
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Soil Rating Lines
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Soil Rating Points
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

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 LEGEND

MAP INFORMATION

imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Table—Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
HIB	Hinckley loamy sand, 3 to 8 percent slopes	A	2.7	100.0%
Totals for Area of Interest			**2.7**	**100.0%**

Rating Options—Hydrologic Soil Group

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

ACORN ENGINEERING, INC.

Chief Gautreau
City of Portland Fire Department
380 Congress St.
Portland, ME 04101

March 31, 2023

Subject: 511 Congress Street – Fire Department Checklist
Section L of Application

On behalf of Tom Watson & CO., the design team is pleased to respond to the Portland Fire Department Site Review Checklist.

1. Name, address, telephone number of applicant:

   Tom Watson & CO.
   188 State Street, 3rd Floor,
   Portland, ME 04101
   (207) 590-2029

2. Name address, telephone number of architect:

   Ryan Senatore Architecture
   500 Congress Street Floor 2
   Portland, Maine 04101
   207-650-6414

3. Proposed uses of any structures [NFPA and IBC classification]

   NFPA: Apartment & Business / IBC: R-2 & B

4. Square footage of all structures, including decks [total and per story]

Existing Building		
Total	Approx. 120,270	**gfa**

Existing Building with new addition		
Total	Approx. 123,270	**gfa**

The existing building is proposed to remain as a part of this project with an approximate 300 SF stair tower egress addition of the first floor.

5. Elevation of all structures

   The existing 10-story structure's height will not change as a result of this project. This height is below the allowable 210 feet within the B-3 zoning district. Please refer to the building elevations provided by the Architect for additional information.

6. Proposed fire protection of all structures

   The building will have a sprinkler system per code. Fire flows and requirements for system storage or booster pumping are subject to the fire designer which will be performed prior the request for a building permit.

7. Hydrant locations

   a. An existing hydrant is located southeast of the existing building on the corner of Brown Street and Congress Street. Hydrant flow data from the Portland Water District once received may be made available to the Fire Department upon request.

8. Water main size and location

   The existing water service connection to the existing 6" water main within Brown Street is expected to remain as part of this project.

9. Access to all structures [min. 2 sides]

   Access to the structure is provided directly on Brown Street and from the parking lot on the northwest side of the building. Additionally, the site is accessible, from the existing parking lot off of Casco Street at the rear of the building.

10. The Architect has provided a code summary (attached).

NFPA 1 – Chapter 18 Fire Department Access and Water Supply

18.2 Fire Department Access:

The project site is located in a heavily developed area and is fronted by a public street. The following pavement street width is currently available:

- Brown Street: 20 feet (one-way)
- Cumberland Avenue: 43.5 feet
- Casco Street: 32 feet

Per NFPA 1 – Chapter 18.2.3.3.1, there will be public street access within 50 feet of at least one exterior door. Per NFPA 1 – Chapter 18.2.3.2.2.1, all first story floors shall be located not more than 450 feet from a Fire Department access road.

City of Portland Technical Manual – Section 3 Public Safety

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

Response: The existing access to the site will remain the same as a result of this project.

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

Response: Access to the structure is provided directly on Brown Street and from the parking lot on the northwest side of the building. Additionally, the site is accessible, from the existing parking lot off of Casco Street at the rear of the building.

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

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

Response: The proposed development layout has contemplated emergency access conditions and provides for safe and efficient access along the public street for emergency vehicles.

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

Response: The building will be provided with exterior doors that will be within 50' of a Fire Department access route, namely Brown Street.

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

Response: The proposed site maintains the required clearance height of nine feet in all cases.

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

Response: elevators will be sized to accommodate an 80 x 24 inch stretcher.

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

Response: The sites address is 511 Congress Street in Portland Maine.

Thank you for your review. Please let me know if you have any additional questions or comments.
Sincerely,



Peter Heil, P.E.
Project Manager
Acorn Engineering, Inc.

M. Calculation of Wastewater Flowrate for 511 Congress Street

The project proposes to convert the existing 10 story (including daylighted basement) office building into a mixed-use building, consisting of (107) 1-Bedroom residential units primarily on floors two through seven, with existing office space located on floors 1, 8, and 9. Additionally there is a basement occupied by (5) 1-Bedroom units, (2) small offices, storage space, a golf simulator, a bike room, & other miscellaneous amenities. Based upon the Section 4 of the Maine Subsurface Wastewater Disposal Rules, the project anticipates the following daily flows:

Estimate of Anticipated Daily Flows			
Development	Unit Size	Gallons per Day per Unit	Total Gallons per Day (GPD)
Existing Flow			
Office **	108,000 SF	75 GPD / 1,000 SF	8,100 GPD
Total Gallons per Day (Existing)			**8,100 GPD**
Proposed Flow			
1 Bedroom Residential Unit*	107 Units	180 GPD/ Unit	19,260 GPD
Office **	36,000 SF	75 GPD / 1,000 SF	2,700 GPD
Total Gallons per Day (Proposed)			**21,960 GPD**
Net Change			**+13,860 GPD**
*Values based on Chapter 241 State of Maine: Subsurface Wastewater Disposal Rules, most recent edition ** Values based on an EQR Schedule from salsiburyma.gov.			

The proposed project is anticipated to increase the net flow by approximately 13,860 gallons per day (GPD).

CITY OF PORTLAND WASTEWATER CAPACITY APPLICATION

Portland Dept. of Public Works -
Water Resources
55 Portland Street,
Portland, Maine 04101-2991

Date: March 2023

Bradley Roland, P.E.
Water Resources Division
Department of Public Works
55 Portland Street
Portland, ME 04103

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

Site Address: 511 Congress Street Portland ME

Chart Block Lot Number: 37 - D - 2 & 4

Proposed Use: Residential and Office Use
Previous Use: Office Use
Existing Sanitary Flows: 8,100 GPD
Existing Process Flows: _____ GPD
Description and location of City sewer that is to receive the proposed building sewer lateral.

Ex. sewer lateral to remain to outlet into manicipal system

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

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

2. Please, Submit Contact Information.

City Planner's Name: TBD Phone: 207.874.8719
Owner/Developer Name: Tom Watson & CO.
Owner/Developer Address: 188 State Street, 3rd Floor, Portland, ME 04101
Phone: 207.776.9715 Fax: _____ E-mail: John@Bushwatson.com
Engineering Consultant Name: Acorn Engineering, Inc.
Engineering Consultant Address: 500 Washington Ave. Suite 202, Portland, ME 04103
Phone: 207.775.2655 Fax: _____ E-mail: Pheil@acorn-engineering.com

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

3. Please, Submit Domestic Wastewater Design Flow Calculations.

Estimated Domestic Wastewater Flow Generated: 13,860 GPD
Peaking Factor/ Peak Times: Diurnal
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)*
Handbook of Subsurface Wastewater Disposal in Maine

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: _____

Size of External Grease Interceptor: _____

Retention Time: _____

Peaking Factor/ Peak Times: _____

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

5. Please, Submit Industrial Process Wastewater Flow Calculations

Estimated Industrial Process Wastewater Flows Generated: 0 GPD

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

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

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

Peaking Factor/Peak Process Times: NA

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.

N. Lighting

Existing building mounted lighting is to remain and two additional wall pack lighting fixtures are proposed to be added to the stair tower located at the north side of the existing building. All proposed lighting will be down shaded and dark sky compliant. Please refer to the Site Plan and attached cut sheet for additional information.

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DATE: | LOCATION:

TYPE: | PROJECT:

CATALOG #:

RATIO Wall

RWL1/RWL2 LED WALLPACK



FEATURES

- Low profile LED wall luminaire with a variety of IES distributions for lighting applications such as retail, commercial and industrial building mount
- Featuring Micro Strike Optics which maximizes target zone illumination with minimal losses at the house-side, reducing light trespass issues
- Visual comfort standard
- Control options including photo control, occupancy sensing, NX Distributed Intelligence™, Wiscape and 7-Pin with networked controls
- Battery Backup options available for emergency code compliance
- Quick-mount adapter allows easy installation/maintenance
- 347V and 480V versions for industrial applications and Canada
- Stock versions available in 3500lm and 5500lm configurations at 4000K

C US

BUY AMERICAN SOLUTIONS
See Certification Specifications

DLC LISTED

DLC PREMIUM

CONTROL TECHNOLOGY

NX LIGHTING CONTROLS™ wiSCAPE™

SPECIFICATIONS

CONSTRUCTION

- Die-cast housing with hidden vertical heat fins that are optimal for heat dissipation while keeping a clean smooth outer surface
- Corrosion resistant, die-cast aluminum housing with powder coat paint finish
- Powder paint finish provides durability in outdoor environments. Tested to meet 1000 hour salt spray rating.

OPTICS

- Entire optical aperture illuminates to create a larger luminous surface area resulting in a low glare appearance without sacrificing optical performance
- 48 or 160 midpower LEDs
- 3000K, 4000K or 5000K (70 CRI/80 CRI) CCT
- Zero uplight distributions
- LED optics provide IES type II, III and IV distributions. Type II only available in RWL2 configurations.

INSTALLATION

- Quick-mount adapter provides easy installation to wall or to recessed junction boxes (4" square junction box)
- Designed for direct j-box mount.
- Integral back box contains 1/2" conduit hubs
- Integral back box standard with Dual Driver, Dual Power Feed, NX, Wiscape and battery versions (battery versions for RWL1 only)

ELECTRICAL

- 120V-277V universal voltage 50/60Hz 0-10V dimming drivers
- 347V and 480V dimmable driver option for all wattages above 35W.

ELECTRICAL (CONTINUED)

- Ambient operating temperature -40˚C to 40˚C
- Drivers have greater than .90 power factor and less than 20% Total Harmonic Distortion
- Driver RoHS and IP66
- Field replaceable surge protection device provides 20kA protection meeting ANSI/IEEE C62.41.2 Category C High and Surge Location Category C3; Automatically takes fixture off-line for protection when device is compromised
- Dimming drivers are standard and dimming leads are extended out of the luminaire unless control options require connection to the dimming leads. Must specify if wiring leads are to be greater than 6" standard.

CONTROLS

- Photo control, occupancy sensor and wireless available for complete on/off and dimming control
- Button photocontrol is suitable for 120-277V operation
- 7-pin ANSI C136.41-2013 photocontrol receptacle option available for twist lock photocontrols or wireless control modules (control accessories sold separately)
- NX Distributed Intelligence™ available with in fixture wireless control module, features dimming and occupancy sensor wiSCAPE® available with in fixture wireless control module, features dimming and occupancy sensor
- Integral Battery Backup provides emergency lighting for the required 90 minute path of egress
- Battery Backup suitable for operating temperatures -25˚C to 40˚C. RWL1 battery is 12.5W RWL2 battery is 18W

CONTROLS (CONTINUED)

- Dual Driver and Dual Power Feed options creates product configuration with 2 internal drivers for code compliance
- Please consult brand or sales representative when combining control and electrical options as some combinations may not operate as anticipated depending on your application.

CERTIFICATIONS

- Listed to UL1598 and CSAC22.2#250.0-24 for wet locations
- IP65 rated housing
- This product qualifies as a "designated country construction material" per FAR 52.225-11 Buy American-Construction Materials under Trade Agreements effective 04/23/2020. See Buy American Solutions
- DLC® (DesignLights Consortium Qualified), with some Premium Qualified configurations. Please refer to the DLC website for specific product qualifications at www.designlights.org

WARRANTY

- 5 year limited warranty

KEY DATA	
Lumen Range	1,300–18,800
Wattage Range	10–155
Efficacy Range (LPW)	119–148
Weights lbs. (kg)	6.5/16.5 (2.9/7.5)

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RATIO WALL

RWL1/RWL2 LED WALLPACK

DATE: LOCATION:

TYPE: PROJECT:

CATALOG #:

ORDERING GUIDE

Example: RWL1–48L-10–3K7–2–UNV–BLS–E

CATALOG #

ORDERING INFORMATION

Series		# LEDs - Wattage		CCT/CRI		Distribution		Voltage		Color	
RWL1	Ratio Wall 1	**48L-10**	1,000 Lumens[4]	**3K7**	3000K, 70 CRI	**2**	IES TYPE II[1]	**UNV**	120-277V	**BLT**	Black Matte Textured
		48L-15	2,000 Lumens[4]	**4K7**	4000K, 70 CRI	**3**	IES TYPE III	**120**	120V	**BLS**	Black Gloss Smooth
		48L-20	2,500 Lumens[4]	**5K7**	5000K, 70 CRI	**4F**	IES TYPE IV Forward	**208**	208V	**DBT**	Dark Bronze Matte Textured
		48L-25	3,500 Lumens			**4W**	IES TYPE IV	**240**	240V	**DBS**	Dark Bronze Gloss Smooth
		48L-35	4,500 Lumens					**277**	277V	**GTT**	Graphite Matte Textured
		48L-45	5,500 Lumens[4]					**347**	347V	**LGS**	Light Grey Gloss Smooth
RWL2	Ratio Wall 2	**160L-45**	6,500 Lumens					**480**	480V	**LGT**	Light Grey Matte Textured
		160L-50	7,500 Lumens							**PSS**	Platinum Silver Smooth
		160L-65	9,500 Lumens							**WHT**	White Matte Textured
		160L-80	11,000 Lumens							**WHS**	White Gloss Smooth
		160L-95	13,000 Lumens							**VGT**	Verde Green Textured
		160L-115	15,000 Lumens							**Color Option**	
		160L-135	17,500 Lumens							**CC**	Custom Color
		160L-155	19,500 Lumens								

Control Options Network	
NXWE	NX Wireless Enabled (module + radio)[4,7]
NXSPW_F	NX Wireless, PIR Occ. Sensor, Daylight Harvesting[4,5,7]
NXSP_F	NX, PIR Occ. Sensor, Daylight Harvesting[4,5,7]
WIR	Wireless Controls, wiSCAPE™ [2,6]
Stand Alone Sensors	
SCP-8F	Remote control programmable line voltage sensor[3,4]
SCP-20F	Remote control programmable line voltage sensor[3,4]
BTS-14F	Bluetooth® Programmable, PIR Occupancy/Daylight Sensor [10]
BTS-40F	Bluetooth® Programmable, PIR Occupancy/Daylight Sensor [10]
BTSO-12F	Bluetooth® Programmable, PIR Occupancy/Daylight Sensor, up to 12'mounting height [10]
Control Options	
7PR_	7-Pin Receptacle[6]

Options*	
F	Fusing[3]
E	Emergency Battery Backup[7,8,9]
EH	Emergency Battery w/ Heater Option[7,8]
2DR	Dual Driver[4,6,11]
2PF	Dual Power Feed[4,6,11]
PC	Button Photocontrol[8]

Notes:

1 Only available with RWL2
2 wiSCAPE Gateway required for system programming
3 Specific voltage selection is required
4 Not available with 347/480V
5 Replace "_" with "14" for up to 14' mounting height, "40" for up to 40' mounting height
6 This item is located in the integral backbox which will be automatically added onto the fixture if chosen.
7 This item is located in the integral backbox for RWL1 configurations only.
8 Option only available at 120 or 277V
9 2DR and 2PF can't be combined with E and EH due to space limitations
10 Not available in RWL1 or 2 PF
11 Available only in UNV in 25, 35 and 45 Watt in RWL1; Not available in RWL1 10, 15 and 20 Watt.
* Based on space limitations, some options may not be able to be combined

STOCK ORDERING INFORMATION

Catalog Number	Lumens	Wattage	LED Count	CCT/CRI	Voltage	Distribution	Finish
RWL1-48L-25-4K-3	3500lm	25	48L	4000K/70CRI	120-277V	Type III	Dark Bronze Textured
RWL1-48L-25-4K-4W	3500lm	25	48L	4000K/70CRI	120-277V	Type IV Wide	Dark Bronze Textured
RWL1-48L-45-4K-3	5500lm	45	48L	4000K/70CRI	120-277V	Type III	Dark Bronze Textured
RWL1-48L-45-4K-4W	5500lm	45	48L	4000K/70CRI	120-277V	Type IV Wide	Dark Bronze Textured

CONTROLS

Control Options	
Standalone	
SCPREMOTE	Order at least one per project location to program and control

ACCESSORIES AND REPLACEMENT PARTS - MADE TO ORDER

	Catalog Number	Description
☐	**WP-BB-XXX**	Accessory for conduit entry[1]

Notes:

1 replace "xxx" with color option

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RATIO WALL

RWL1/RWL2 LED WALLPACK

DATE: LOCATION:

TYPE: PROJECT:

CATALOG #:

PERFORMANCE DATA

Description	Nominal Wattage	System Watts	Dist. Type	5K (5000K NOMINAL 70 CRI)					4K (4000K NOMINAL 70 CRI)					3K (3000K NOMINAL 70 CRI)				
				Lumens	LPW	B	U	G	Lumens	LPW	B	U	G	Lumens	LPW	B	U	G
RWL1	10	10.1	3	1362	135	0	0	1	1355	134	0	0	1	1303	129	0	0	1
			4W	1343	133	0	0	1	1336	132	0	0	1	1285	127	0	0	1
	15	14.5	3	1972	136	1	0	1	1962	135	1	0	1	1887	130	1	0	1
			4W	1945	134	0	0	1	1935	133	0	0	1	1861	128	0	0	1
	20	19.9	3	2722	137	1	0	1	2709	136	1	0	1	2605	131	1	0	1
			4W	2685	135	1	0	1	2672	134	1	0	1	2569	129	1	0	1
	25	28.0	3	3749	134	1	0	1	3732	133	1	0	1	3588	128	1	0	1
			4W	3698	132	1	0	1	3680	131	1	0	1	3538	126	1	0	1
	35	36.9	3	4751	129	1	0	2	4728	128	1	0	2	4546	123	1	0	1
			4W	4685	127	1	0	2	4663	126	1	0	2	4483	121	1	0	2
	45	46.5	3	5812	125	1	0	2	5784	124	1	0	2	5562	120	1	0	2
			4W	5731	123	1	0	2	5704	123	1	0	2	5485	118	1	0	2
RWL2	45	46.1	2	6701	145	1	0	2	6668	145	1	0	2	6412	139	1	0	2
			3	6812	148	1	0	2	6780	147	1	0	2	6519	141	1	0	2
			4W	6678	145	1	0	2	6646	144	1	0	2	6390	139	1	0	2
	50	54.0	2	7747	143	1	0	2	7710	143	1	0	2	7413	137	1	0	2
			3	7876	146	1	0	2	7838	145	1	0	2	7537	140	1	0	2
			4W	7720	143	1	0	2	7683	142	1	0	2	7388	137	1	0	2
	65	67.2	2	9539	142	1	0	2	9494	141	1	0	2	9129	136	1	0	2
			3	9699	144	2	0	2	9652	144	2	0	2	9281	138	2	0	2
			4W	9507	141	2	0	2	9461	141	2	0	2	9097	135	2	0	2
	80	80.8	2	11228	139	2	0	2	11174	138	2	0	2	10745	133	2	0	2
			3	11416	141	2	0	2	11361	141	2	0	2	10924	135	2	0	2
			4W	11190	138	2	0	2	11136	138	2	0	2	10708	133	2	0	2
	95	93.2	2	13148	141	2	0	2	13085	140	2	0	2	12582	135	2	0	2
			3	13368	143	2	0	2	13304	143	2	0	2	12792	137	2	0	2
			4W	13103	141	2	0	2	13040	140	2	0	2	12539	135	2	0	2
	115	109.8	2	15102	138	2	0	3	15030	137	2	0	3	14452	132	2	0	3
			3	15354	140	2	0	3	15281	139	2	0	3	14693	134	2	0	3
			4W	15050	137	2	0	3	14978	136	2	0	3	14402	131	2	0	3
	135	137.1	2	17533	128	2	0	3	17449	127	2	0	3	16778	122	2	0	3
			3	17826	130	2	0	3	17740	129	2	0	3	17058	124	2	0	3
			4W	17473	127	2	0	3	17389	127	2	0	3	16720	122	2	0	3
	155	156.8	2	19495	124	2	0	3	19402	124	2	0	3	18656	119	2	0	3
			3	19821	126	2	0	3	19726	126	2	0	3	18967	121	2	0	3
			4W	19542	125	2	0	3	19448	124	2	0	3	18700	119	2	0	3

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RATIO WALL

RWL1/RWL2 LED WALLPACK

DATE: LOCATION:

TYPE: PROJECT:

CATALOG #:

LUMINAIRE AMBIENT TEMPERATURE FACTOR (LATF)

Ambient Temperature		Lumen Multiplier
0°C	32°F	1.03
10°C	50°F	1.01
20°C	68°F	1.00
25°C	77°F	1.00
30°C	86°F	0.99
40°C	104°F	0.98
50°C	122°F	0.97

Use these factors to determine relative lumen output for average ambient temperatures from 0-40°C (32-104°F).

PROJECTED LUMEN MAINTENANCE

Ambient Temperature	OPERATING HOURS					
	0	25,000	TM-21-11 L90 36,000	50,000	100,000	L70 (Hours)
25°C / 77°F	1.00	0.97	0.96	0.95	0.91	408,000
40°C / 104°F	0.99	0.96	0.95	0.94	0.89	356,000

ELECTRICAL DATA

# OF LEDS	Nominal Wattage	Input Voltage	Oper. Current (Amps)	System Power (Watts)
RWL1	10	120	0.08	10.1
		208	0.05	
		240	0.04	
		277	0.04	
		347	0.03	
		480	0.02	
	15	120	0.12	14.5
		208	0.07	
		240	0.06	
		277	0.05	
		347	0.04	
		480	0.03	
	20	120	0.17	19.9
		208	0.10	
		240	0.08	
		277	0.07	
		347	0.06	
		480	0.04	
	25	120	0.23	28.0
		208	0.13	
		240	0.12	
		277	0.10	
		347	0.08	
		480	0.06	
	35	120	0.31	36.9
		208	0.18	
		240	0.15	
		277	0.13	
		347	0.11	
		480	0.08	
	45	120	0.39	46.5
		208	0.22	
		240	0.19	
		277	0.17	
		347	0.13	
		480	0.10	

# OF LEDS	Nominal Wattage	Input Voltage	Oper. Current (Amps)	System Power (Watts)
RWL2	45	120	0.38	46.1
		208	0.22	
		240	0.19	
		277	0.17	
		347	0.13	
		480	0.10	
	50	120	0.45	54.0
		208	0.26	
		240	0.23	
		277	0.19	
		347	0.16	
		480	0.11	
	65	120	0.56	67.2
		208	0.32	
		240	0.28	
		277	0.24	
		347	0.19	
		480	0.14	
	80	120	0.67	80.8
		208	0.39	
		240	0.34	
		277	0.29	
		347	0.23	
		480	0.17	
	95	120	0.78	93.2
		208	0.45	
		240	0.39	
		277	0.34	
		347	0.27	
		480	0.19	
	115	120	0.92	109.8
		208	0.53	
		240	0.46	
		277	0.40	
		347	0.32	
		480	0.23	
	135	120	1.14	137.1
		208	0.66	
		240	0.57	
		277	0.49	
		347	0.40	
		480	0.29	
	155	120	1.31	156.8
		208	0.75	
		240	0.65	
		277	0.57	
		347	0.45	
		480	0.33	

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RATIO WALL

RWL1/RWL2 LED WALLPACK

DATE: LOCATION:

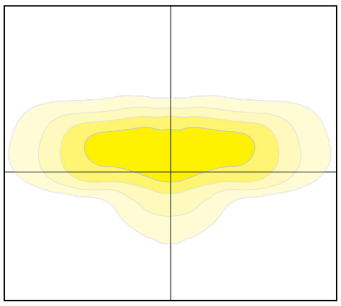
TYPE: PROJECT:

CATALOG #:

PHOTOMETRY

Mounting Height: 30ft

Type 2



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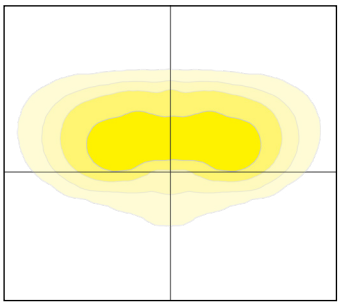
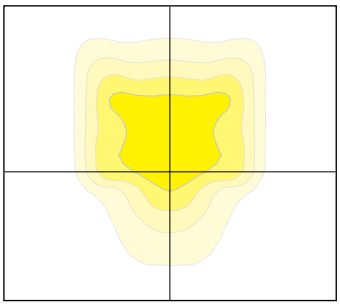
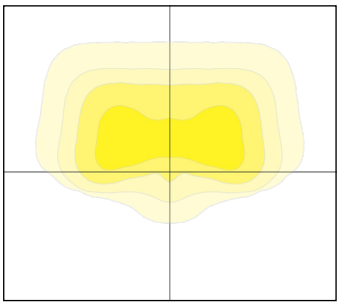


Type 4F

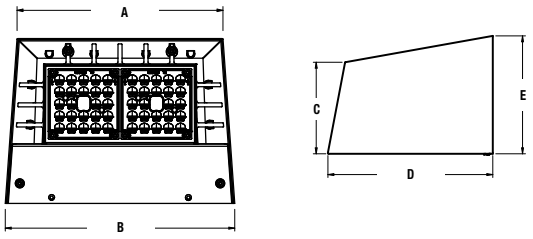


Type 4W



DIMENSIONS

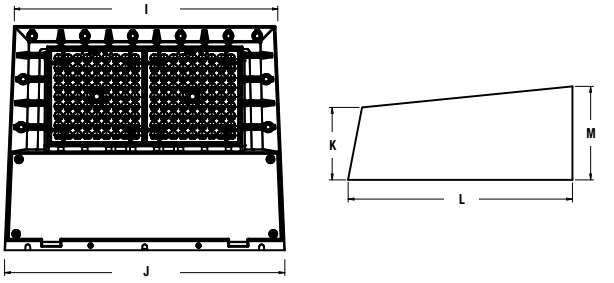
RWL1



A	B	C	D	E
8.7"	9.7"	3.9"	7.0"	5.0"
221mm	246mm	99mm	178mm	127mm

Weight
6.5 lbs (2.95 kgs)

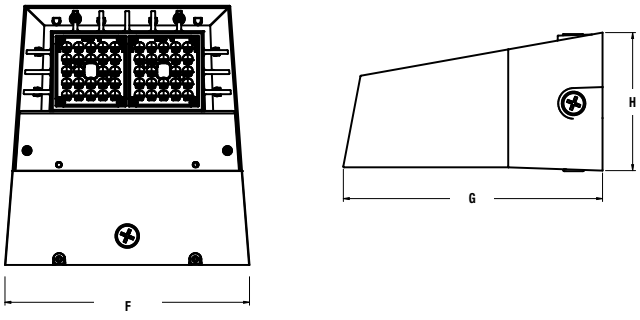
RWL2



I	J	K	L	M
14.0"	15.0"	3.9"	12.0"	5.0"
356mm	381mm	99mm	305mm	127mm

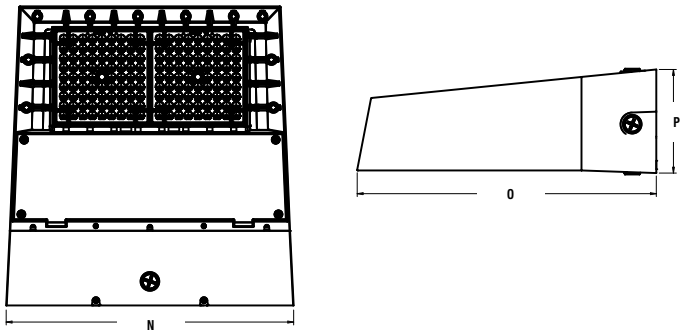
Weight
16.5 lbs (7.48 kgs)

RWL1 with Integral Back Box



F	G	H
10.4"	11.0"	5.9"
264mm	279mm	150mm

RWL2 with Integral Back Box



N	O	P
15.4"	16.0"	5.5"
391mm	406mm	140mm

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RATIO WALL

RWL1/RWL2 LED WALLPACK

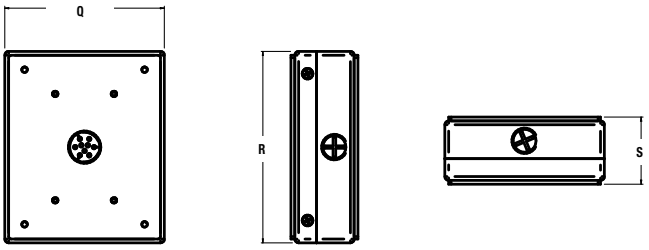
DATE: LOCATION:

TYPE: PROJECT:

CATALOG #:

DIMENSIONS (CONTINUED)

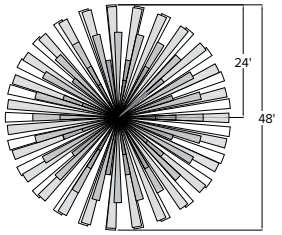
Back Box Accessory

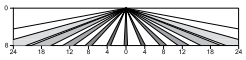


Q	R	S
4.9" 124mm	5.9" 150mm	2.1" 53mm

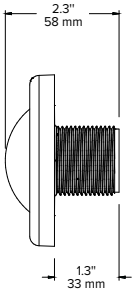
ADDITIONAL INFORMATION

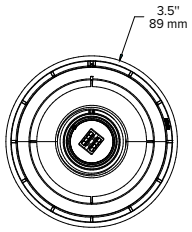
NXSP-14F





Sensor Lens Coverage and Detection Patterns
When Mounted at 8ft with Low Mount Lens





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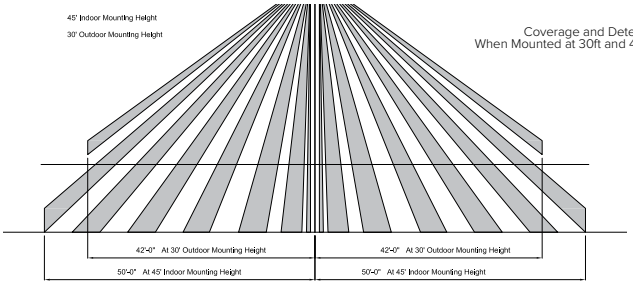
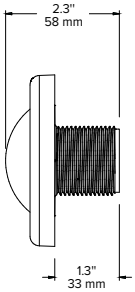
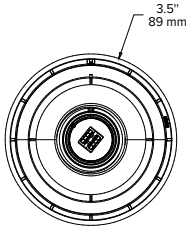


Coverage and Detection Patterns
When Mounted at 30ft and 45ft with Standard Lens





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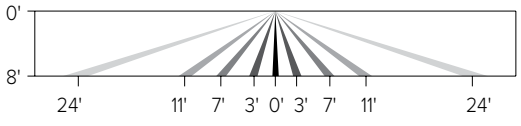

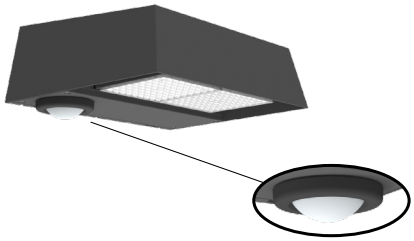

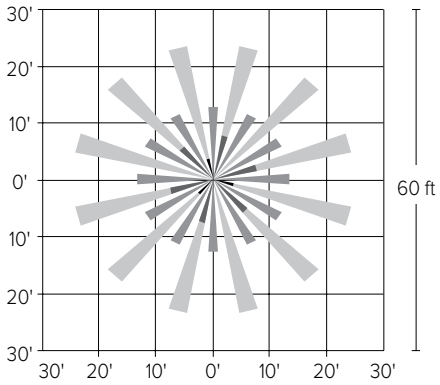

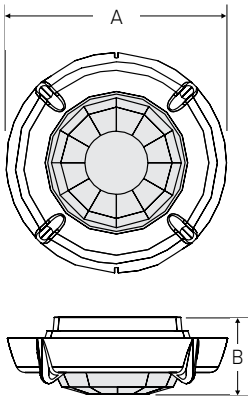

A	B
2.3" (59mm)	.8" (20mm)

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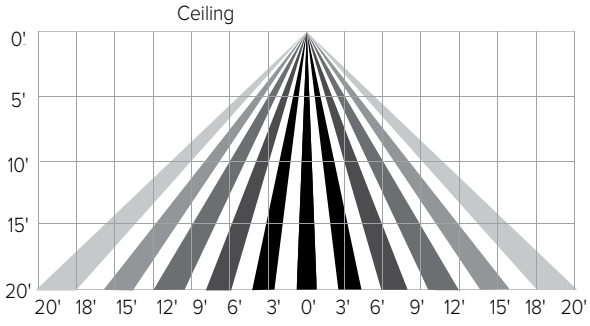
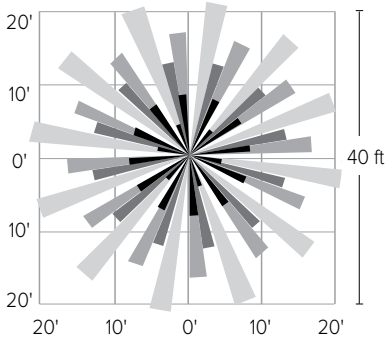
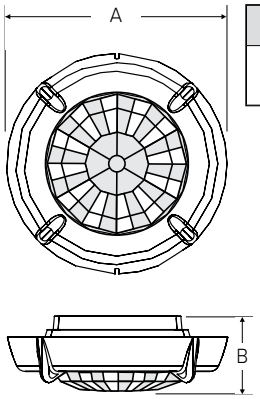
RATIO WALL

RWL1/RWL2 LED WALLPACK

SCP-20F







A	B
2.3" (59mm)	.8" (20mm)

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O. Architectural Design Narrative

Please find attached the design narrative completed by Ryan Senatore Architecture.

March 21, 2023

Evan Schueckler
Historic Preservation Program Manager
City of Portland Maine
389 Congress Street
Portland, Maine 04101

Re: 511 Congress Street - Renovations

Evan,

Please see the attached design proposal for the exterior improvements to 511 Congress Street. The project includes an exterior stair tower addition to the existing 10 story building. The project proposes to convert existing office use floors to residential apartments, this change of use requires the building's egress to be addressed. The existing exit stairs are not adequately separated for this new use so we are proposing the new egress stair to serve this use.

The existing building is a modern Architectural style from the early 1970s, the proposed addition maintains a clean and simple massing but provides a more contemporary facade treatment than the original building. The proposed stair tower addition is located off of Brown Street in the rear loading dock court of the exisiting building.

The proposed stair tower has solid sidewalls clad in a metal siding panel with the endwall treated as a transparent facade. The endwall facade is comprised of glass curtainwall with an expressed steel structure behind. This structure is painted a bright color to provide contrasting element to the muted tones of the existing structure.

We look forward to discussing at the upcoming Historic Preservation Review Board meeting.

Sincerely,



Ryan Senatore, AIA LEED AP

Principal

207-747-5159

senatorearchitecture.com

ryan@senatorearchitecture.com

500 Congress Street, Suite 2
Portland, Maine 04101

P. Utilities

The proposed project anticipates utilizing the existing utilities as part of the proposed project. No new utility connections are proposed at this time.

Water:

The existing domestic service is connected to the 6" water main within Brown Street and is anticipated to remain as part of the proposed project. The existing fire suppression service is anticipated to remain and is connected to the water main within Congress Street.

Sewer:

The two existing 8" VC sewer services to the existing building are anticipated to remain and be utilized as part of the proposed project.

Stormwater:

There are two catch existing basins located within the parking lot that are anticipated to remain as part of the proposed project.

UGE/T/C:

The existing building is currently serviced by overhead and underground electric/telecommunication services that connects to a utility pole located across Brown Street on the north side of the existing building. It is anticipated that the existing service will remain as part of the proposed project.

Gas:

There is an existing gas main within Brown Street. We are not aware of an existing gas service at this time.

Ability to serve letters have been sent out to the respective utility companies in accordance with the City of Portland Code of Ordinances Chapter 14 Land Use Code. Responses from the utility companies can be found attached to this section.

Q. Construction Management Plan

Project Address: 511 Congress Street, Portland, ME

Project Description:

The project proposes to convert the existing office-use building into a multi-use building that includes residential units and office space. Additionally an approximate 300SF stair tower building addition will be added to the north corner of the existing building as part of the proposed project.

Project Team Summary:

Owner:	Tom Watson & CO.
General Contractor:	TBD
Civil Engineer:	Acorn Engineering, Inc.
Architect:	Ryan Senatore Architecture
Structural Engineer:	TBD

The Owner/GC and all subcontractors will work with the City of Portland and adjacent landowners to minimize any project impacts.

The GC will remain responsible for enforcement of all compliance with 1) all contract plans and specifications in their scope of work and 2) all site working conditions and safety requirements, day and night, for both persons and property, in each case for the duration of their work. These include OSHA, NIOSH, U.S. EPA, local ordinance and any other applicable governmental regulations. Both the Owner/GC and any subcontractors will remain responsible for safeguarding the general public.

The GC shall review all permits and conditions associated with the project. The GC will prepare a Construction Management Plan their means and methods to be taken during construction.

The following outline has been developed in accordance with the City of Portland Construction Management Plan General Template and shall be referenced by the GC during construction.

A. Construction Management Principles

The control of noise, vibrations, ground movement, truck traffic, and other construction related factors will be of utmost importance. Care shall be taken to minimize these effects in the best interest of neighbors and the general public. GC to ensure that work hours conform to the City of Portland's Ordinance.

B. Development Review of Construction Management Plan

Logistics and safety program shall be submitted at or prior to the preconstruction meeting by the GC with all pertinent information required by the Maine Department of Transportation's Traffic Control Plan Standard Specification 652.3.3.

C. Performance Guarantees, Inspection Fees, Preconstruction Meeting, and Permits

Guarantees and fees will be paid at the time of the respective application. Sections 14-530 and 13-532 will be complied with all necessary permits will be obtained prior to work.

1. Street Opening and Street Occupancy Permits:

   Required permits regarding street opening and occupancy will be obtained from the Department of Public Works. The requests shall conform to the approved Construction Management Plan.

2. Blasting:

   Although not anticipated, if blasting occurs, it shall conform to Article VIII. In Chapter 14 of the City Code and Section 3.7 in the City's Technical Manual.

3. Building Code:

   Employ the best practices, as applicable, of Chapter 33 Safeguards During Construction, from the 2009 International Building Code.

D. Construction Administration and Communication

The Contractor will work closely with adjacent abutters, businesses, and all parties informed, as far in advance as possible, of scheduled work, particularly work anticipated to cause significant noise, vibrations, or dust. Communication in order to comply with all agreements, ordinances, and special permits will be of the utmost importance. Contractor contact information shall be posted on a sign on the construction fence along Congress Street frontage. Additional signage necessary for communication shall be provided but will be temporary and removed upon completion of the project. The contact information for the project personnel is:

John Laliberte
Tom Watson & CO.
(207) 590-2029

GC and Subcontractor information will be posted along Congress Street frontage once contracted.

E. Construction Schedule

The GC shall submit a construction timeline at or prior to the preconstruction meeting. Construction may occur during the daytime hours as defined in Section 17-18 of the Construction Activities for Building permit and City Code Section 25-129, Noise, dust and debris. Between September 1 and May 31, the following year, no person shall engage in construction activities generating noise exceeding 50 decibels, between the hours of 7 pm and 7 am of the following day within 500 feet of any buildings. From June 1 to August 31, construction activity may continue until 8 pm. No construction activity shall begin before 8 am on a Saturday, Sunday, or legal holiday. Extended hours or night work may be

requested for special circumstances and street utility work if needed. These requests will be subject to approval by the Public Works Authority.
Due to the limited space within the project parcel, deliveries will need to be stored in an alternate location or deliveries must be small enough to fit within the property. Deliveries will be scheduled between 7 am and 5 pm.

The estimated timeframe of the proposed project is outlined below:

Project Start Date:	2023
Project End Date:	2025

A more detailed work schedule shall be provided by the GC at or before the pre-construction meeting with the City.

F. Security & Public Safety

1. The GC will provide all fencing and other barriers, with the intent of separating pedestrian and vehicle circulation from the construction site. Construction entrances per detail shall be installed.

2. Structures undergoing construction, alteration, or demolition operations, including those in underground locations, shall comply with NFPA 1 Chapter 16. *Safeguarding Construction, Alteration, and Demolition Operations.*

3. Fire Safety Program: Prior to construction, an overall construction and demolition fire safety program shall be developed. Essential items to be emphasized include the following:
    - Good Housekeeping
    - On-site security
    - Installation of new fire protection systems as construction progresses
    - Preservation of existing systems during demolition
    - Organization and training of an on-site fire brigade
    - Development of a pre-fire plan with the local fire department
    - Rapid communication
    - Consideration of special hazards resulting from previous occupancies
    - Protection of existing structures and equipment from exposure fires resulting from construction, alteration, and demolition operations.

4. 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.

5. Temporary security lighting shall be shown on the Construction Management Plan, and all fixtures shall be full cutoffs.

G. Construction Permitting and Traffic Control Plans

1. Construction Activity in Public Streets

    Construction activity in the public right-of-way shall be compliant with Chapter 25

Article VII of the City Code. At no time will it be permissible for construction activity including delivery vehicle to close or block streets or affect public safety access without prior notice and approval of the Department of Public Works.

2. Sewer and Stormwater

   Sewer and stormwater system connections are controlled by Chapters 24 and 32 of the City code of Ordinance. Required permits for new connections and/or abandonment of existing connections are available through the Street Opening Clerk at the Department of Public Works. Rules and Regulations for these utility systems are available through the City Engineer's office of the Department of Public Works and in Section II of the Technical Manual. This will apply to the new connections within Congress Street.

3. Traffic Control Plans

   Construction activity that impacts the existing public street system must be controlled to protect the safety of the construction workers and all modes of the traveling public. The contractor shall submit a satisfactory "Maintenance of Traffic" (MOT) plan prior to any street opening permit approval. This document shall contain all pertinent information from the Maine Department of Transportation's Traffic Control Plan Standard Specification 652.3.3.

   The MOT will address the work required for utility connections in Congress Street. Traffic will be channelized utilizing drums and cones. Proper signage will be installed prior to the through work zone. Alternating traffic will be controlled with flaggers. Trenches will be patched with pavement daily.

   The MOT plan shall provide for the safe passage of the public through or along the construction work zone. It may be permissible to close a portion of Congress Street during utility connections and/or detour a mode of traffic when absolutely necessary for safety. All requests shall be subject to City approval. MOT plans shall employ the appropriate techniques and devices as called for in the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD). In addition:

   - Construction speed signing may be used as needed to slow traffic.
   - Traffic Control signs shall not be placed where they would create any obstructions to bicycles or pedestrians.
   - Flaggers will be utilized when necessary.

   All existing modes of travel in the work zone area shall be accommodated if impacted by the activity. The safe passage of pedestrians, bicyclists, transit providers, and motorists are of equal importance when planning and laying out the work zone; no pre-existing travel mode may be eliminated without the express approval of the Department of Public Works. The MOT should also address on-street parking impacts, including deliveries and parking for adjoining businesses and property owners, analysis of roadway capacity or diversion capacity if street closure or change to roadway capacity is required, and coordination with other on-going or future construction or utility projects in the vicinity.

- Traffic control bicycle and pedestrian facilities or routes through work zones shall be maintained until the bicycle and pedestrian facilities or routes are ready for safe operation. Traffic control will not be removed to allow auto travel at the expense of bicycle and pedestrians.
- Barrier systems utilized to separate the construction activity from the public street and /or sidewalk shall not inhibit sight distances, particularly for visibility of pedestrians and bicyclists.
- ADA compliance in all capacities shall be maintained.

Use of public parking spaces on Brown Street shall not be permissible. The blockage of any portion of sidewalk for the purpose of construction activity shall require an occupancy permit and appropriate fee as assessed by the Department of Public Works.

H. Site Management and Controls

1. Regular trash and debris shall be managed appropriately, and its removal shall comply with all local, state, and federal regulations.

2. Street cleaning and sweeping shall be followed as outlined in the erosion and sedimentation control notes and report. Damage to the street shall be avoided and shall be the responsibility of the contractor.

3. Dust shall be controlled and shall comply with Section 25-129 and the erosion and sedimentation control notes, plan, and details.

4. Noise shall be controlled and shall comply with Section 17-18 and Section 25-129.

5. Rodent Control shall be provided, if applicable, by a professional exterminator and shall be consistent with Chapter 22 of the City Code.

6. Snow and Ice Removal shall be provided. Pursuant to Section 25-173, the Contractor shall ensure a safe means of travel within the work zone by the following steps:

    a. Snow/ice removal or commence automatically from 1" or greater of snow or ice
    b. Remove snow as needed within the work zone, including parking spaces. Driveways and site lines shall not be blocked by piles of snow.
    c. Clear all walks and ramps within the work zone
    d. Sand or salt as needed
    e. Clear all basin or drainage to help snow melt
    f. The above steps shall be carried out Sunday-Saturday including holidays.

I. Erosion Control and Preservation of Trees

1. The Contractor shall install all erosion and sedimentation controls as outlined in the plan set, and the approved erosion and sedimentation control report, prior to the pre-construction meeting for inspection by the City. The Contractor shall regularly inspect the control measures, no less than weekly and after storm events (0.5" or more in 24 hours). Additionally, temporary or permanent stormwater management systems shall be inspected and maintained to ensure working order. The Contractor shall document all inspection activities and corrective actions and be prepared to provide these

documents for inspection by the City, Maine Department of Environmental Protection (MDEP) or the U.S. Environmental Protection Agency (EPA) upon request.

2. Due to the existing sparse landscaping on site, no protection during construction will be necessary.

3. Stored materials shall be identified and avoid being located under/near trees.

J. Construction Staging Area

1. The Contractor shall submit a plan with locations depicted for the location of material staging areas, the location of on-site temporary construction trailers, the location of on-site truck delivery holding areas, the location of on-site truck washing stations, masonry mixing stations, the general location of the construction security fence and the general location of temporary construction dumpsters. This plan shall be submitted at or prior to the pre-construction meeting. Any open storage areas shall be shown on the plan.

2. Delivery Truck Holding Areas On-Site: The majority of materials delivered to the site will be scheduled such that they are able to be off-loaded immediately. On days when the construction activities require multiple truck deliveries, these deliveries will be carefully scheduled so that there is always adequate on-site area for the holding of trucks until they can be unloaded. Once at the site all vehicles will be brought within the fence line and will make every attempt to avoid queuing on public streets. If, for any reason, on-site holding of trucks is not feasible, an off-site location must be designated and shown on the submitted plan referenced above in J.1.

3. All deliveries for materials shall comply with the City's noise requirements.

K. Parking During Construction

1. Adequate parking for construction workers shall be provided on site or arrangements for off-street parking at an off-site location shall be provided.

2. Truck Routes and Volumes: The following quantities are estimated as part of the reconstruction:

    - Gravel & Stone – Approx. 10 CY. Earthwork subcontractor(s) pit to project site.
    - Hot Mix Asphalt – Approx. 20 tons. Paving subcontractor(s) pit to project site.

L. Dewatering Plans

1. A basic dewatering plan for any construction work is required and shall be submitted by the Contractor. The plan must cover construction sites where groundwater is not expected but the impact of rainwater may require dewatering. The plan must include operating procedures, equipment to be used, including filters, erosion and sediment control measures, or other methods of removing sediment from approved discharges.

2. For construction work that will require frequent dewatering of groundwater from site, a dewatering plan must be prepared by the Contractor and approved by the Department

of Public Works. Groundwater and/or soil testing may be required to determine course of action if treatment is necessary. Approval for all discharges to City infrastructure is required. The proposed plan must address the following:

- Project duration, discharge location, storage equipment on-site, dewatering schematic, and emergency contact.
- General requirements include trained staff on-site for all approve discharges and required site log for documentation of all discharges.
- Storage and/or treatment process should include proper settling time and maintain proper use of filtering medium as required.
- Contingency/maintenance plan for all dewatering equipment devices and filtration mediums.

Any water that is removed from an excavation must be pumped from a perforated device buried in crush stone prior discharge and/or prior to storage and treatment. There will be no discharge allowed during precipitation events.

M. Special Measures as Necessary

No special measures are necessary for the proposed reconstruction.

R. Solid Waste Disposal

An existing solid waste container is located in the western corner of the existing parking lot on site. The solid waste container is anticipated to remain and service the building. A private hauler will be contracted with for removal.

S. Parking Analysis

Per Land Use Code Section 19 Off Street Parking Table 19-B Categorical Exceptions to Off-Street Parking Minimums, Zone-Based Vehicular Exceptions. Zone B3: No off-street parking required for changes of use.

ACORN ENGINEERING, INC.

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

April 28, 2023

Subject: 511 Congress Street Neighborhood Meeting

I, Peter Heil, hereby certify that a neighborhood meeting was held on April 27, 2023 at 511 Congress Street at 5:30 pm.

I also certify that on April 14, 2023, invitations were mailed to the following:

1. All addresses on the mailing list provided by the Planning Division which includes property owners within 500 feet of the proposed development.
2. Residents on the "interested parties" list.

Sincerely,

Peter F. Heil, P.E.
Project Manager
Acorn Engineering, Inc.

Included with this certification are:

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

ACORN ENGINEERING, INC.

Dear Neighbor: April 14, 2023

On behalf of Tom Watson & Co., we are pleased to invite you to a neighborhood meeting to discuss the Site Plan application for the proposed redevelopment of 511 Congress Street. The proposed development intends to convert portions of the existing 10-story office building into 107 residential units, including 27 workforce housing units, located primarily on floors two through seven, with some office space remaining on floors eight and nine, along with new amenity space, emergency stair tower, and associated infrastructure improvements.

A sign-in sheet will be circulated, and a record of the meeting will be taken. Both the sign-in sheet and record will be submitted to the Planning Board. If you have any questions, please call (207) 775-2655.

Meeting Location: 511 Congress Street, 7th Floor, Portland, ME 04101
Meeting Date/Time: Thursday, April 27th, 2023 at 5:30 p.m.

Note: Under the City of Portland land use code, an applicant for a major site plan, master development plan, subdivision of over five lots, or zoning map amendment is required to hold a neighborhood meeting within 30 days of an application being deemed complete and no less than seven calendar days before a public hearing. 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.

511 Congress Street Neighborhood Meeting
4/27/23 | 5:30 pm

Sign-in Sheet

Name	Email
Elyse Grams	Elyse.Grams-staff@meca.edu
Nathan Valentine	No email provided
Ed Gardner	ed@gardnerregroup.com
Kelley Craig	Kellen@gardnerregroup.com

Project Team	
Mike Barton	mbarton@bushwatson.com
John Laliberte	john@bushwatson.com
Peter F. Heil, P.E.	pheil@acorn-engineering.com
Zach Stevens, E.I.	zstevens@acorn-engineering.com
David Horne, E.I.	dhorne@acorn-engineering.com
Jenn Munroe	Jmunroe@portproperty.com
Reid Tozier	reid@senatorearchitecture.com

ACORN ENGINEERING, INC.

511 Congress Street Redevelopment
Major Site Plan Application

Neighborhood Meeting Minutes

April 28, 2023 / 5:30 pm
511 Congress Street

Project Team Attendees:

Mike Barton (MB): Developer/Presenter – (Tom Watson & Co.)

John Laliberte (JL): Developer – (Tom Watson & Co.)

Peter F. Heil (PH): Civil Engineer/Presenter (Acorn Engineering)

Zachary Stevens (ZS): Civil Engineer/Note Taker (Acorn Engineering)

Reid Tozier (RT): Architect/Presenter (Ryan Senatore Architecture)

Jenn Munroe (JM): Developer (Port Property, LLC)

Meeting started at approximately 5:30 pm.

Presentation:

Pete Heil:

- Welcomed audience to neighborhood meeting and inform that all are welcome to attend the planning board meeting at a later date.
    - Neighborhood Meeting is a City requirement for a Major Site Plan Application
- Sign In sheet is available for everyone which will become public record along with the meeting minutes.
- The project is located at 511 Congress Street and the existing office building will be redeveloped to provide a total of (107) dwelling units on floors two through seven, and within the basement level. Office space will remain on floors 1, 8 and, 9. Additionally the project proposes additional amenities for the residents, including recreation areas, co-working space, dog wash, laundry, etc.

- Overview of project vicinity showing the building location in the downtown area.
- The project includes minimal sitework as the stair tower and sidewalk reconstruction are the only external modifications to the building. All current utility services are anticipated remain as part of the project.

Reid Tozier & Mike Barton:

- Overview of stair tower
  - Proposed because of fire safety standards regarding minimum egress separation requirement.
- Overview of floor plans
  - The basement floor will be redeveloped into units, and amenity space.
  - The first floor will remain as the building lobby and commercial use.
  - Floors two through seven will be redeveloped into residential units.
  - Floors eight and nine will remain as office space.
- Tenant amenities
  - Golf simulator.
  - Exercise area.
  - Conference rooms/co-working areas.
  - Laundry rooms on every other floor.
  - Maker spaces.

Comments, Questions & Answers:

Please note that the following questions and answers were not recorded verbatim and aim to represent and summarize the actual questions, answers, and discussion that took place at the meeting. Q or C denotes Question or Comment from the Public.

Q: How many square feet will the units be?

RT: Approx. 500-600 SF

C: Will there be air conditioning?

RT: The building currently is and will continue to be air conditioned.

Q: When will construction start?

MB: Anticipated January 2024.

Q: Will there be impact to the neighborhood during construction?

PH: The existing utilities are anticipated to remain. Proposed street impacts are minimal sidewalk modifications.

Q: Is there access from the parking garage to the elevators within the building?

MB: The tenants will be able to directly access the building and elevators from the parking garage. The tenants will not have to walk around the building.

Q: What is the duration of construction?

MB: Approximately 14 months.

Q: What is the cost of the work force housing?

RT: Approximately 1,500 dollars.

Q: Will these units be apartments of condos?

RT: Apartments.

C: The plans look great. What are the amenities on the first floor and basement?

MB: There will be a conference room, golf simulator and laundry locations on every other floor.

Q: Will the amenities increase the cost of rent?

RT: The cost of amenities is included within the rent.

Q: Are pets allowed?

JM: Yes, Port Property has a pet policy. We are known to be one of the most pet friendly property owners in Portland.

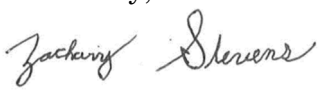
Q: What historic preservation regulations affect the new stair tower?

RT: Because the building is located in a historic district, the appearance and cohesion of the materials used on the stair tower will need to be approved by the Historic Board. The same process has been completed for other buildings in the area.

Meeting concluded at approximately 6:00 pm.

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

Recorded by,



Zachary Stevens, E.I.
Design Engineer
Acorn Engineering, Inc.
zstevens@acorn-engineering.com

ACORN ENGINEERING, INC.

Maya Balassa – City Planner
Department of Planning & Urban Development
City Hall, 389 Congress Street, 4th Floor
Portland, Maine 04101

May 12th, 2023

Subject: Comment Response Letter
511 Congress Street

On behalf of Tom Watson & Co., we are pleased to respond to the comments that we received dated May 10th, 2023, related to the proposed redevelopment project located at 511 Congress Street.

General Comments from Planning Staff

Comment *– Please submit a photometric plan for the proposed lighting with cut sheet details.*

Response – Please find the attached photometric plan and lighting cut sheets for the proposed wall packs on the stair tower addition.

Comments Related to Zoning Standards

Comment *– Please show which one-bedroom units will be the IZ units on the floor plans. They need to be evenly distributed throughout.*

Response – The IZ units will be established as part of the Workforce Housing Agreement by identifying the total and the minimums. We understand the IZ units will be required to be evenly distributed throughout the building. If agreeable, we would respectfully request a condition of approval that "the Developer shall enter into an affordable housing agreement with the City to satisfy the provisions of the Workforce Housing Ordinance by providing at least twenty (27) affordable rental units comprised of no more than seven (7) studio units within the Development (the "Workforce Units"); and…" similar to past projects approvals with similar conditions.

Comment *– The documents state that there are 107 one-bedrooms proposed, however some of the units look to be studios. Please explain.*

Response – The current floor plans show (77) one-bedrooms and (30) studios.

Comments Related to Water Quality & Infrastructure

Comment *– Possible comments to come from DPW and Water resources.*

Response – Understood. We will address if any comments are received.

Comments Related to Landscaping & Environmental Quality

Comment *– This project converts commercial use/units into residential rental units, and should conform with land use code environmental quality standards for street trees (section 14.6.2.C.4 – street trees). As existing site constraints preclude full conformity with street tree standards (land use code 14.6.2 and chapter 4.6.1 of the City Technical manual) applicants should review "street tree alternatives" from technical manual chapter 4.6.4. Work with City arborist/Parks representative on suitable alternatives for street tree planting on site. Payment into City tree fund is a suitable alternative. Funding amount entails a $400 contribution for each new tree required, at a rate of one tree per unit in the new building.*

Response – Understood, the applicant intends to contribute to the City tree fund. $400/unit x 107 units = $42,800.

Please let us know if you have any additional questions or comments.

Sincerely,

Pete F. Heil, P.E.
Project Manager
Acorn Engineering, Inc.

Zachary M. Stevens, E.I
Design Engineer
Acorn Engineering, Inc.

ACORN ENGINEERING, INC.

Maya Balassa – City Planner
Department of Planning & Urban Development
City Hall, 389 Congress Street, 4th Floor
Portland, Maine 04101

May 26th, 2023

Subject: Comment Response Letter
511 Congress Street

On behalf of Tom Watson & Co., we are pleased to respond to the comments that we received dated May 16th, 2023 and as a follow up to the site walk with Planning and DPW Staff on May 23rd, 2023, related to the proposed redevelopment project located at 511 Congress Street.

Comments Related to Water Quality, Stormwater, & Infrastructure

DPW Transportation

Comment *– Please include the existing driveway and sidewalk conditions on the plans.*

Response – The plan set has been updated to show existing sidewalk conditions along the frontage of Brown Street and Congress Street. Please refer to sheet C-03 for specific information.

Comment *– Please update the plans to label or provide spot grades and slopes for the proposed sidewalks, accessible ramps, and driveways at grade breaks.*

Response – The Grading & Drainage Plan has been updated to show spot grades and slopes for the proposed sidewalks, accessible ramps, and driveways. Please refer to sheet C-30 for additional information.

Comment *– Improvements in the ROW shall be dimensioned on the plan view sheets. For example, ROW, street, lanes sidewalk, esplanade driveways (and other improvements) widths as well as when a width changes*

Response – All sidewalk improvements widths are now shown on the Site Plan. Please refer to Sheet C-10 for additional information.

Comment *– Please provide the running slope and cross slope on the plans.*

Response – The running slopes and cross slopes have been added to the plan set for the sidewalk replacement on Brown Street. Please refer to Sheet C-30 for additional information.

***Comment** – High quality access (accessible walkways) shall be provided to and from the transit stop. The project shall remove and reconstruct the existing sidewalk and driveway and replace the granite curb along Brown Street. The project shall remove and reconstruct the existing sidewalk along Congress Street ending at the Casco Street intersection accessible ramps. The sidewalk and driveway shall be reconstructed in accordance with the City's Sidewalk and Driveway Apron Material Policy and current standards, and the granite curb installed per the current City Standards. The sidewalk material shall be continued through the driveway aprons at grade with the proposed sidewalk and not in excess of 2% cross-slope per the current City standards.*

Response – The driveway apron and sidewalk are proposed to be replaced and existing granite curb to be reset on along Brown Street in conformance with City standards. For the Congress Street sidewalks, Acorn met with the Planning Staff and Department of Public Works on 5/23/23 and it was generally agreed to defer reconstruction of the Congress Street sidewalk based on potential redevelopment of the property along the Congress Street frontage in the relatively near future. As discussed, the applicant is requesting a condition the approval that if potential future development along the Congress Street frontage doesn't not occur within 5 years, the developers would be required to implement sidewalk improvements up to ADA standards.

***Comment** – The accessible ramps along Congress Street have been reconstructed and shall not be replaced as part of this project.*

Response – Understood.

DPW Water Resources

***Comment** – Please provide documentation that the existing building sewer laterals are not defective. If found defective it shall be rehabilitated in accordance with the city code 24-42 as part of this project prior to reuse.*

Response – The project team is currently coordinating with Zoom Drain to have the sewer lines inspected and request a condition of approval that confirmation on the continued suitability of the services or plans detailing replacement is provided and approved by City Staff prior to scheduling a preconstruction meeting.

***Comment** – Please retrofit each existing sewer connection with a backflow preventer as described in section 2 of the city's technical manual.*

Response – New backflow preventers have been added to each sewer service connection. Please see Sheet C-20 for additional information.

***Comment** – We encourage implementing a stormwater detention system (subsurface detention, green roof system, blue roof system, ect.) to mitigate stormwater runoff from the building's existing roof drain and increase daily sewer flows draining directly into the City's combined sewer system. This property is served by a combined sewer system which produces the highest volume of combined sewer overflow discharge into Back Cove on an annual basis*

as a result of the system-wide stormwater capacity limitations.

Response – At this time, no stormwater detention or treatment systems are proposed as part of the project, as the proposed development does not trigger thresholds as identified in the City's Technical Manual.

Comments Related to Landscaping & Environmental Quality

Comment *– This project converts commercial use/units into residential rental units, and should conform with land use code environmental quality standards for street trees (section 14.6.2.C.4 – street trees). As existing site constraints preclude full conformity with street tree standards (land use code 14.6.2 and chapter 4.6.1 of the City Technical manual) applicants should review "street tree alternatives" from technical manual chapter 4.6.4. Work with City arborist/Parks representative on suitable alternatives for street tree planting on site. Payment into City tree fund is a suitable alternative. Funding amount entails a $400 contribution for each new tree required, at a rate of one tree per unit in the new building.*

Updated Response from our initial 5/12/23 letter– Understood. The applicant is proposing a single street tree along Brown Street within the private portion of the sidewalk as identified on Plan Sheet C-10. The applicant intends to contribute to the City tree fund for the remaining street tree requirements. $400/unit x 106 units = $42,400.

Please let us know if you have any additional questions or comments.

Sincerely,

Pete F. Heil, P.E.
Project Manager
Acorn Engineering, Inc.

511 CONGRESS STREET REDEVELOPMENT

TOM WATSON & CO.
PORTLAND, MAINE

LEGEND

EXISTING

REFER TO THE EXISTING CONDITIONS PLAN FOR ADDITIONAL INFORMATION

PROPOSED

- UNDERDRAIN
- GREEN SPACE
- UTILITY PAVEMENT CUTS
- STRIPING
- SEDIMENTATION BARRIER
- EDGE OF EX. PAVEMENT
- CURB
- SIGN
- LAMP OR LIGHT POLE
- UTILITY POLE
- GUY WIRE
- WATER VALVE
- FIRE HYDRANT
- SEWER MANHOLE
- CATCH BASIN
- DRAIN MANHOLE
- UNDERGROUND ELECTRIC LINE
- UNDERGROUND WATER LINE
- MINOR CONTOURS (1 FT)
- MAJOR CONTOURS (5 FT)
- GAS LINE
- STORM DRAIN LINE
- SEWER LINE
- EXISTING/PROPOSED BUILDING
- OVERHEAD ELECTRICAL/TELEPHONE/CABLE
- PROPERTY LINE
- SETBACKS

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C-41	EROSION & SEDIMENT CONTROL DETAILS AND NOTES

UTILITIES

SEWER

DEPARTMENT OF PUBLIC WORKS (DPW)
250 CANCO ROAD
PORTLAND, MAINE 04101
CONTACT: BRAD ROLLAND, P.E.
(207) 874-8834

WATER

PORTLAND WATER DISTRICT
225 DOUGLASS STREET
PO BOX 3553
PORTLAND, MAINE 04104
ATTN: MEANS DIVISION
(207) 774-5961

ELECTRIC

CENTRAL MAINE POWER COMPANY (CMP)
162 CANCO ROAD
PORTLAND, MAINE 04103
CONTACT: JAMIE COUGH
(207) 828-2882

TELEPHONE

CONSOLIDATED COMMUNICATIONS
(FORMERLY FAIRPOINT)
5 DAVIS FARM ROAD
PORTLAND, MAINE 04101
CONTACT: JAY CUNHA
(207) 745-9363

CABLE

SPECTRUM CABLE
444 PERRY ROAD
BANGOR, MAINE, 04401
CONTACT: MARK PELLETIER
(207) 631-1618

NATURAL GAS

UNITIL SERVICE CORP
1075 FOREST AVENUE
PORTLAND, ME 04103
CONTACT: SCOTT CARPENTER
(207) 541-2543

TELEPHONE

FIRST LIGHT
41 STATE STREET
ALBANDY, NY 12207
CONTACT: MIKE ELLINGWOOD
(207) 333-3471

PROJECT TEAM

DEVELOPER

TOM WATSON & CO.
PORTLAND, MAINE
CONTACT: JOHN LALIBERTE
(207) 590-2029

CIVIL ENGINEER:

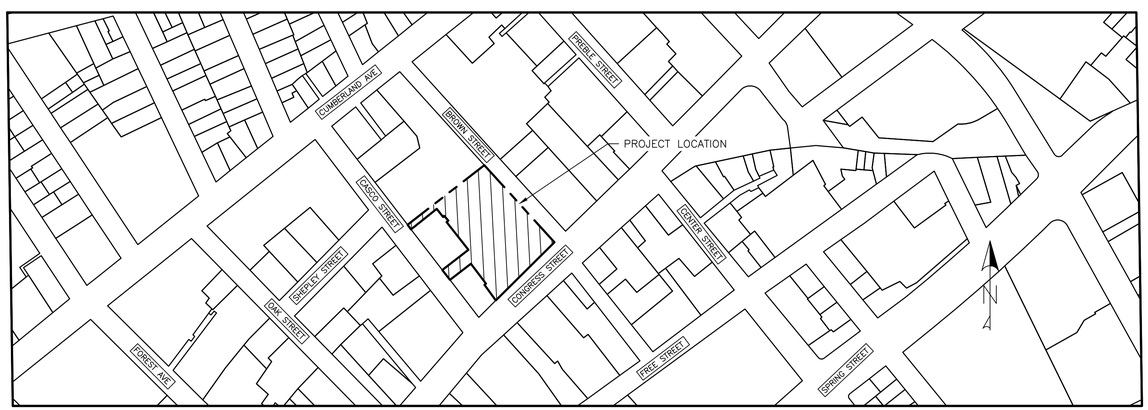
ACORN ENGINEERING, INC.
PORTLAND, MAINE
CONTACT: PETER HEIL, P.E.
(207) 775-2655

ARCHITECT

RYAN SENATORE ARCHITECTURE
PORTLAND, MAINE
CONTACT: RYAN SENATORE, R.A.
(207) 650-6414

SURVEYOR

OWEN HASKELL, INC.
FALMOUTH, MAINE
CONTACT: SAMUEL D. GLIDDEN, P.L.S
(207) 774-0424



VICINITY MAP
SCALE: 1:50

ABBREVIATIONS

PARTIAL LIST OF ABBREVIATIONS AND THEIR CORRESPONDING MEANING. PLEASE CONTACT THE ENGINEER FOR ANY CLARIFICATION

APPROX.	APPROXIMATE
BC	BOTTOM OF CURB
BMP	BEST MANAGEMENT PRACTICE
BOT.	BOTTOM
CB	CATCH BASIN
CF	CUBIC FOOT
CIP	CAST IN PLACE
CL	CENTERLINE
CM	CONSTRUCTION MANAGER
CMP	CENTRAL MAINE POWER
CONC.	CONCRETE
CPP	CORRUGATED PLASTIC PIPE
CY	CUBIC YARD
DI	DUCTILE IRON PIPE
DIA.	DIAMETER
DIM.	DIMENSION
EA.	EACH
ELEC.	ELECTRICAL
ELEV.	ELEVATION
EQUIV.	EQUIVALENT
EST.	ESTIMATE
EX.	EXISTING
FFE	FINISH FLOOR ELEVATION
FT.	FEET
HDPE	HIGH DENSITY POLY ETHYLENE
ID	INNER DIAMETER
IN.	INCH
INV.	INVERT
L	LENGTH
MAX.	MAXIMUM
MDEP	MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION
MDOT	MAINE DEPARTMENT OF TRANSPORTATION
M.E.P	MECHANICAL, ELECTRICAL, PLUMBING DESIGNER
MFG.	MANUFACTURED
MH	MANHOLE
MIN.	MINIMUM
O.C.	ON CENTER
OD	OUTSIDE DIAMETER
OHE/T/C	OVERHEAD ELECTRIC/TELEPHONE/CABLE
PC	PRECAST
PE	PROFESSIONAL ENGINEER
PL	PROPERTY LINE
PLS	PROFESSIONAL LAND SURVEYOR
PROP.	PROPOSED
PSI	POUNDS PER SQUARE INCH
PVC	POLYVINYL CHLORIDE
PWD	PORTLAND WATER DISTRICT
R	RADIUS
RD	ROOF DRAIN
RET.	RETAINING
ROW	RIGHT OF WAY
S	SLOPE
SD	STORM DRAIN
SDR	STANDARD DIMENSION RATIO
SF	SQUARE FEET
SMH	SEWER MANHOLE
SPEC.	SPECIFICATION
TC	TOP OF CURB
TW	TOP OF WALL
TYP.	TYPICAL
UD	UNDERDRAIN
UGE	UNDERGROUND ELECTRIC
VIF	VERIFY IN FIELD

CALL BEFORE YOU DIG
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1-888-344-7233

PERMITTING
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY	DATE
MAJOR SITE PLAN	PFH	3/31/23
COMMENT RESPONSE	PFH	5/25/23

DRAWING NAME: COVER SHEET & LEGEND
PROJECT NAME/ ADDRESS: 511 CONGRESS STREET REDEVELOPMENT – PORLTAND
CLIENT/OWNER OF RECORD: TOM WATSON & CO. 188 STATE STREET, 3RD FLOOR, PORTLAND ME 04101

ACORN ENGINEERING, INC.
ENGINEERING, INC.
ACORN ENGINEERING, INC.
PO BOX 3472 PORTLAND, MAINE 04101
(207) 775-2655

ALL PLANS SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. ANY MODIFICATIONS MADE WITHOUT WRITTEN AUTHORIZATION FROM ACORN ENGINEERING, INC. SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

FILE: 1192.3_CIVIL
JN: 1192.3
SCALE: AS NOTED
DESIGNED BY: PFH
DRAWN BY: ZMS
CHECKED BY: PFH

STATE OF MAINE
PETER F. HEIL
15318
LICENSED PROFESSIONAL ENGINEER

DRAWING NO.
C-01

GENERAL NOTES:

1. THE CONTRACTOR SHALL CALL THE APPROPRIATE UTILITY COMPANIES AND DIG SAFE AT LEAST 72 HOURS PRIOR TO ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION FOR UTILITIES. OTHERWISE IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE LOCATION OF UNDERGROUND UTILITIES AND LOCATE ANY POTENTIAL CONFLICTS WITH THE APPROVED PLANS PRIOR TO CONSTRUCTION.
2. THE CONTRACTOR IS RESPONSIBLE FOR MAINTENANCE OF ALL EROSION CONTROL MEASURES SHOWN ON THE PLAN. IF DEEMED NECESSARY BY THE OWNER OR OWNER'S REPRESENTATIVE (IF APPLICABLE), ADDITIONAL EROSION CONTROL MEASURES SHALL BE INSTALLED AT NO ADDITIONAL COST TO THE OWNER.
3. THE CONTRACTOR SHALL PREPARE THEIR OWN MATERIAL SCHEDULE BASED ON THE PLANS AND FIELD VERIFICATION BY THE CONTRACTOR. ALL MATERIAL SCHEDULES SHOWN WITHIN THE PLAN SET ARE FOR GENERAL INFORMATION ONLY.
4. ALL CONSTRUCTION METHODS, TESTING AND MATERIALS SHALL CONFORM TO THE MAINE DEPARTMENT OF TRANSPORTATION SPECIFICATIONS, THE CITY OF PORTLAND AND SERVICING UTILITY REQUIREMENTS, IF ANY. IN CASES WHERE THESE CONFLICT THE MOST STRINGENT SPECIFICATION SHALL APPLY AT NO ADDITIONAL COST TO THE OWNER.
5. THE SITE CONTRACTOR SHALL MAINTAIN A SET OF PAPER AND CAD DRAWINGS WHICH SHALL RECORD THE ACTUAL LOCATION, DIMENSIONS, ELEVATIONS, MATERIALS OF THEIR WORK, INDICATING THEREON ALL VARIATIONS FROM THE CONTRACT DRAWINGS. THE CONTRACTOR SHALL PROVIDE THE OWNER WITH ONE COMPLETE SET OF REPRODUCIBLE RECORD DRAWINGS, IN .DWG FORMAT AND PAPER, STAMPED ''AS-BUILT''. IF AUTOCAD CAPABILITY IS NOT AVAILABLE, EXCLUDE FROM BID IN WRITING.
6. THE CONTRACTOR WILL REMAIN SOLELY AND COMPLETELY RESPONSIBLE FOR ENFORCEMENT OF AND COMPLIANCE WITH 1) ALL CONTRACT PLANS AND SPECIFICATIONS, 2) APPLICABLE INTERNATIONAL BUILDING CODE REQUIREMENTS, AND 3) ALL SITE WORKING CONDITIONS AND SAFETY REQUIREMENTS, DAY AND NIGHT, FOR BOTH PERSONS AND PROPERTY, IN EACH CASE BOTH BY THE CONTRACTOR AND ITS SUBCONTRACTORS. THESE INCLUDE ALL OSHA, NIOSH, U.S. EPA AND ANY OTHER APPLICABLE GOVERNMENTAL REGULATIONS.
7. EXISTING CONDITIONS, BOUNDARY SURVEY, AND TOPOGRAPHY FROM THE PLAN TITLED ALTA / NSPS LAND TITLE SURVEY PREPARED BY OWEN HASKELL, INC., DATED 2/27/23.
8. **SUBSURFACE DATA HAVE BEEN OBTAINED BY SUMMIT GEOENGINEERING SERVICES, INC. AND SHALL BE INCLUDED IN THE CONTRACT DOCUMENTS. THE CONTRACTOR SHALL ALSO REVIEW THE REPORT PRIOR TO SUBMITTING A BID.**
9. THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING ACCESS TO THE SITE AT ALL TIMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TEMPORARY MARKINGS, SIGNAGE AND INCIDENTALS TO MAINTAIN A SAFE VEHICLE AND PEDESTRIAN ACCESS THOUGH THE LIFE OF THE PROJECT. THE CONTRACTOR SHALL NOTIFY THE PORTLAND PUBLIC SAFETY DIVISION ROUTINELY REGARDING TEMPORARY IMPACTS OR CHANGES TO SITE ACCESS CONDITIONS.
10. **CONSTRUCTION MANAGEMENT PLAN AND SITE LOGISTICS NARRATIVE DATED SEPTEMBER 11TH, 2015 BY THE CONTRACTOR SHALL BE REFERRED TO FOR ANTICIPATED PROJECT SCHEDULE AND CLOSURES. TRAFFIC CONTROL SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.**
11. CONTRACTOR TO DETERMINE SOIL CLASSIFICATION INDEPENDENTLY FOR TRENCH, SHORING, AND OTHER SIMILAR CONSTRUCTION MEANS AND METHODS APPLICATIONS.
12. NO HOLES, TRENCHES, OR STRUCTURES SHALL BE LEFT OPEN OR UNATTENDED OVERNIGHT IN ANY AREA ACCESSIBLE TO THE PUBLIC OR WITHIN THE PUBLIC RIGHT-OF-WAY.
13. THE CONTRACTOR SHALL CONDUCT A PRE-CONSTRUCTION SURVEY OF INTERIOR SUBGRADE AND ABOVE GRADE ACCESSIBLE WALLS, CEILINGS, FLOORS, ROOF AND VISIBLE EXTERIOR AS VIEWED FROM THE GRADE LEVEL. THIS SHALL BE COMPLETED AT A MINIMUM FOR BROWN STREET AND STRONGLY RECOMMENDED FOR STRUCTURES DIRECTLY ACROSS THE SITE ALONG BROWN STREET AND CONGRESS STREET. A COPY OF THE SURVEY SHOULD BE PROVIDED TO THE OWNER. DOCUMENT WITH PICTURES AT A MINIMUM.
14. THE CONTRACTOR SHALL PROVIDE A GPS MODEL OF THE PROPERTY TO PROVIDE TO ACORN ENGINEERING.
15. THE CONTRACTOR SHALL SURVEY ROCK SURFACE PRIOR TO EXCAVATION AND DEVELOP VOLUME CALCULATIONS TO SHARE WITH THE ENGINEER, ACORN ENGINEERING INC. (ACORN), IF ANY.
16. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PRESERVATION OF ALL TREES AND SHRUBS ON THE PROJECT WHICH ARE NOT TO BE REMOVED.
17. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING ANY TRENCH PAVEMENT THAT HAS EXPERIENCED EXCESSIVE SETTLEMENT, CRACKING, OR OPENING OF JOINTS. REPAIRS MAY INCLUDE OVERLAY. REMOVAL OF WORK MAY BE NECESSARY AFTER THE FINAL ACCEPTANCE OF WORK OR PRIOR TO THE END OF THE WARRANTY PERIOD. THIS WORK SHALL BE DONE AT THE CONTRACTOR'S EXPENSE.

CIVIL SITE NOTES:

1. THE CONTRACTOR SHALL SUBMIT IN WRITING ANY REQUESTS TO ACORN TO MODIFY THE CONTRACT DOCUMENTS.
2. ALL SHOP, ERECTION, AND CONSTRUCTION DRAWINGS SHALL BE CHECKED AND STAMPED BY THE CONTRACTOR PRIOR TO SUBMISSION FOR ACORN'S REVIEW. ANY UNCHECKED OR NON-STAMPED SUBMITTALS WILL BE RETURNED WITHOUT REVIEW.
3. CONTRACTOR SHALL THOROUGHLY INSPECT AND SURVEY EXISTING STRUCTURES AND SITE TO VERIFY CONDITIONS THAT AFFECT THE WORK SHOWN ON THE DRAWINGS. CONTRACTOR TO NOTIFY ACORN OF ANY DISCREPANCIES PRIOR TO PROCEEDING.
4. DETAILS SHOWN APPLY TO ALL SIMILAR CONDITIONS UNLESS OTHERWISE INDICATED.
5. ALTHOUGH ALL DUE DILIGENCE HAS BEEN APPLIED TO MAKE THE DRAWINGS AS COMPLETE AS POSSIBLE, NOT ALL DETAILS ARE ILLUSTRATED, NOR IS EVERY EXCEPTION CONDITION ADDRESSED WITHIN THE CONTRACT DOCUMENTS.
6. ALL PROPRIETARY CONNECTIONS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
7. THE CONTRACTOR IS RESPONSIBLE FOR THE COORDINATION OF ALL WORK, INCLUDING DIMENSION AND LAYOUT VERIFICATION, MATERIALS COORDINATION, SHOP DRAWING REVIEW, AND THE WORK OF ANY SUBCONTRACTORS.
8. UNLESS OTHERWISE SPECIFICALLY INDICATED, THE DRAWINGS DO NOT DESCRIBE OR DIRECT MEANS OR METHODS OF CONSTRUCTION.
9. THE CONTRACTOR, IN THE PROPER SEQUENCE, SHALL PERFORM OR SUPERVISE ALL WORK NECESSARY TO ACHIEVE THE FINAL COMPLETED STRUCTURE, AND TO PROTECT THE STRUCTURE, WORKMEN, AND OTHERS DURING THE CONSTRUCTION. SUCH WORK SHALL INCLUDE, BUT NOT BE LIMITED TO, BRACING, SHORING FOR CONSTRUCTION EQUIPMENT, SHORING FOR EXCAVATION, FORMWORK, SCAFFOLDING, SAFETY DEVICES AND PROGRAMS OF ALL KINDS, SUPPORT AND BRACING FOR CRANES AND OTHER ERECTION EQUIPMENT.
10. DO NOT BACKFILL AGAINST RETAINING WALLS UNTIL SUPPORTING SLABS AND FLOOR FRAMING ARE IN PLACE AND SECURELY ANCHORED, UNLESS ADEQUATE BRACING IS PROVIDED. PRIOR TO BACKFILLING, CONCRETE SHALL BE CURED PER STRUCTURAL ENGINEER'S SPECIFICATIONS.
11. TEMPORARY BRACING SHALL REMAIN IN PLACE UNTIL ALL FLOORS, WALLS, ROOFS AND OTHER SUPPORTING ELEMENTS ARE IN PLACE, IF APPLICABLE.
12. ALL PAVEMENT JOINTS SHALL BE SAWCUT AND APPLIED WITH TACK COAT PRIOR TO PAVING TO PROVIDE A DURABLE AND UNIFORM JOINT.
13. ACORN BEARS NO RESPONSIBILITY FOR THE ABOVE ITEMS, AND SITE OBSERVATION VISITS DO NOT IN ANY WAY INCLUDE INSPECTION OF THEM.
14. EXCAVATIONS ACCOMPLISHED AS PART OF THIS PROJECT SHALL BE CONSTRUCTED IN ACCORDANCE WITH SUBPART P OF 29 CRF PART 1926.650-.652 (CONSTRUCTION STANDARD FOR EXCAVATIONS).
15. ALL TRENCH PAVEMENT REPAIR SHALL BE COMPLETED WITH THE USE OF A STREET PAVER WITH A SCREED WIDTH CAPABLE OF SPANNING THE FULL WIDTH OF THE TRENCH UNLESS OTHERWISE AUTHORIZED BY THE ENGINEER.

SPECIAL INSPECTION NOTES

1. ALL SITE SOILS-RELATED WORK AND FOOTING EXCAVATIONS PRIOR TO PLACING FORMS SHALL BE REVIEWED BY THE PROJECT GEOTECHNICAL ENGINEER.
2. ALL SITE DRAINAGE-RELATED WORK SHALL BE REVIEWED BY ACORN ENGINEERING.
3. NORMAL REVIEWS BY LOCAL BUILDING DEPARTMENT. NOTIFY 48 HOURS PRIOR TO REQUIRED REVIEW.
4. REQUIRED SPECIAL INSPECTIONS PER I.B.C. SECTION 1705.6 BY AN APPROVED SPECIAL INSPECTOR RETAINED BY OWNER. CONTRACTOR TO COORDINATE SPECIAL INSPECTIONS.
5. SPECIAL INSPECTOR SHALL BE A QUALIFIED PERSON WHO SHALL DEMONSTRATE COMPETENCE, TO THE SATISFACTION OF THE BUILDING OFFICIAL, FOR INSPECTION OF THE PARTICULAR TYPE OF CONSTRUCTION OR OPERATION REQUIRING SPECIAL INSPECTION.
   - 5.1. DUTIES AND RESPONSIBILITIES OF THE SPECIAL INSPECTOR SHALL BE TO OBSERVE AND/OR TEST THE WORK ASSIGNED AND OUTLINE ABOVE FOR CONFORMANCE WITH THE CONTRACT DOCUMENTS, ALL DISCREPANCIES SHALL BE BROUGHT TO THE IMMEDIATE ATTENTION OF THE CONTRACTOR FOR CORRECTION.
   - 5.2. THE SPECIAL INSPECTOR SHALL FURNISH REGULAR REPORTS TO THE BUILDING OFFICIAL, THE ARCHITECT AND ENGINEER OF RECORD, AND OTHER DESIGNATED PERSONS. PROGRESS REPORTS FOR CONTINUOUS INSPECTION SHALL BE FURNISHED WEEKLY. INDIVIDUAL REPORTS OF PERIODIC INSPECTIONS SHALL BE FURNISHED WITHIN ONE WEEK OF INSPECTION DATES. THE REPORTS SHALL NOTE UNCORRECTED DEFICIENCIES, AND NET CHANGES TO THE APPROVED CONSTRUCTION DOCUMENTS AUTHORIZED BY THE ENGINEER OF RECORD.
   - 5.3. THE SPECIAL INSPECTOR SHALL SUBMIT A FINAL SIGNED REPORT WITHIN TEN DAYS OF THE FINAL INSPECTION STATING WHETHER THE WORK REQUIRING A SPECIAL INSPECTION WAS, TO THE BEST OF THE INSPECTOR'S KNOWLEDGE AND BELIEF, IN CONFORMANCE WITH THE APPROVED CONSTRUCTION DOCUMENTS AND THE APPLICABLE WORKMANSHIP PROVISIONS OF THE INTERNATIONAL BUILDING CODE. WORK NOT IN COMPLIANCE SHALL BE NOTED IN THE REPORT.
   - 5.4. SPECIAL INSPECTOR SHALL BE EMPLOYED BY THE CLIENT AND COORDINATED BY THE CONTRACTOR.

LAYOUT NOTES:

1. MONUMENTS DELINEATING PROPERTY LINES OR RIGHT OF WAYS SHALL NOT BE DISTURBED DURING CONSTRUCTION OPERATIONS. IN THE CASE A MONUMENT IS DISTURBED, AT THE CONTRACTOR'S EXPENSE, THE MONUMENT SHALL BE RESET TO ITS ORIGINAL LOCATION AND ELEVATION BY A LICENSED PROFESSIONAL LAND SURVEYOR.
2. ALL DIMENSIONS ON THE FOLLOWING SHEETS TAKE PRECEDENT OVER SCALED DIMENSIONS. EACH DRAWING WITH A BAR SCALE MEANS THAT THE DRAWING/DETAIL HAS BEEN SCALED AS ACCURATELY AS POSSIBLE, AND THE BAR SCALE IS FOR GENERAL REFERENCE ONLY. IF NO BAR SCALE IS PRESENT, THEN THERE IS NO SCALE TO THAT DRAWING/DETAIL. AT NO TIME SHOULD DRAWINGS BE SCALED FROM. ANY DISCREPANCIES BETWEEN DRAWINGS, DETAILS, SPECIFICATIONS AND THE FIELD CONDITION SHALL BE IMMEDIATELY REPORTED TO ACORN FOR FURTHER DIRECTIONS BEFORE ANY ADDITIONAL WORK PROCEEDS.
3. SIGNAGE, STRIPING, AND PAVEMENT MARKINGS SHALL BE IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).
4. ALL TRAFFIC CONTROL SIGNS INDICATED ON THE SITE LAYOUT PLAN ARE TO MEET ALL REQUIREMENTS & CONDITIONS OF THE CITY OF PORTLAND, MAINE DEPARTMENT OF TRANSPORTATION AND THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, LATEST EDITION.
5. THE CONTRACTOR SHALL OBTAIN THE SERVICES OF A LICENSED PROFESSIONAL LAND SURVEYOR TO PROVIDE A MINIMUM OF TWO TEMPORARY BENCHMARKS WITHIN THE SITE AND TO LOCATE PROPOSED STRUCTURE CORNERS.
6. CONTRACTOR TO ENSURE THAT ACCESS, INCLUDING BUT NOT LIMITED TO WALKWAYS, DRIVEWAYS, AND MAILBOXES ADJACENT TO THE PROJECT REMAIN FUNCTIONAL AND AVAILABLE FOR USE AT ALL TIMES.

PERMITTING NOTES

1. THIS PROJECT IS SUBJECT TO THE TERMS AND CONDITIONS OF MAJOR SITE PLAN – PERMIT FROM THE CITY OF PORTLAND.
2. THE CONTRACTOR SHALL REVIEW THE ABOVE REFERENCED PERMITS PRIOR TO SUBMITTING A BID FOR THIS PROJECT, AND INCLUDE COSTS AS NECESSARY TO COMPLY WITH THE CONDITIONS OF THESE PERMITS.
3. ALL WORK WITHIN THE PUBLIC RIGHT-OF-WAY REQUIRES A STREET OPENING PERMIT FROM THE CITY OF PORTLAND. ADDITIONALLY, COORDINATE WITH THE DEPARTMENT OF PUBLIC WORKS.

GRADING AND DRAINAGE NOTES:

1. TOPSOIL STRIPPED FROM THE SITE THAT IS SUITABLE FOR REUSE AS LOAM (MEETS THE REQUIREMENTS WITHIN SECTION 615 OF THE MDOT STANDARD SPECIFICATIONS, MOST RECENT VERSION AND IS FREE OF TRACEABLE AMOUNTS OF CONTAMINANTS) SHALL BE STOCKPILED WITHIN THE PROPOSED LIMIT OF WORK AREA. THE CONTRACTOR SHALL NOT ASSUME THAT ANY STRIPPED TOPSOIL WILL BE ACCEPTABLE FOR REUSE WITH THEIR ESTIMATE.
2. THE CONTRACTOR SHALL ANTICIPATE THAT GROUNDWATER WILL BE ENCOUNTERED DURING CONSTRUCTION AND SHALL INCLUDE SUFFICIENT COSTS WITHIN THEIR BID TO PROVIDE DEWATERING AS NECESSARY; NO SEPARATE PAYMENT SHALL BE MADE TO THE CONTRACTOR FOR DEWATERING. DEWATERING SHALL INCLUDE TREATMENT OF SILT THROUGH THE USE OF A DIRTBAG BY ACF ENVIRONMENTAL OR APPROVED EQUIVALENT. FLOWS FROM DEWATERING ACTIVITIES SHALL NOT BE DISCHARGED INTO SANITARY SEWERS. **SEE BORING LOGS FOR ADDITIONAL INFORMATION.**
3. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ANY EASEMENT OR TEMPORARY CONSTRUCTION RIGHTS AS NECESSARY BY PRIVATE ADJACENT LAND OWNERS. THE CONTRACTOR SHALL NOT DISTURB ANY SOIL BEYOND THE PROPERTY LINE WITHOUT NOTIFYING AND OBTAINING SUCH EASEMENT OR TEMPORARY CONSTRUCTION RIGHT FROM THE ADJACENT LAND OWNERS. PRIOR TO THE CONTRACTOR PRICING THE WORK, THEY SHALL PROVIDE ACORN WITH PROOF OF SUCH EASEMENT OR TEMPORARY RIGHTS. SHOULD EASEMENTS OR TEMPORARY RIGHTS NOT BE AVAILABLE, THE CONTRACTOR SHALL INCLUDE COST FOR BRACING AND SHORING AS NECESSARY.
4. THE MINIMUM SLOPE SHALL MEET OR EXCEED 0.5% IN ALL CASES WHERE NOT NOTED ON THE GRADING PLAN. SLOPES IDENTIFIED ON THE GRADING PLAN TAKE PRECEDENT. ALL SLOPES SHALL BE AWAY FROM BUILDINGS AND TOP OF PAVEMENT SHALL BE AT OR BELOW EXISTING FINISH FLOOR ELEVATIONS.
5. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST **GEOTECHNICAL REPORT PREPARED BY THE PROJECT GEOTECHNICAL ENGINEER.**
6. CONTRACTOR TO REVIEW EXISTING SOIL CONDITIONS, TEST PITS, AND BORINGS. THERE WILL BE NO ADDITIONAL PAYMENT FOR UNSUITABLE SOILS.
7. ALL STORM DRAIN PIPE SHALL BE SMOOTH BORE INTERIOR PROVIDING A MANNINGS ROUGHNESS COEFFICIENT OF N=0.012 OR LESS.
8. ADJUST ALL MANHOLES, CATCH BASINS, CURB BOXES, ETC. WITHIN LIMITS OF WORK TO FINISH GRADE.
9. NATIVE SOILS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO LIMIT THE DISTURBANCE TO SUBGRADE SOILS. SHOULD THE SUBGRADE BECOME YIELDING OR DIFFICULT TO WORK, CONTACT ACORN. THE DISTURBED AREAS SHALL BE EXCAVATED AND BACKFILLED WITH COMPACTED SELECT FILL OR CRUSHED STONE AT NO ADDITIONAL EXPENSE TO THE OWNER.
10. ALL SUBGRADE PREPARATION IS SUBJECT TO THE RECOMMENDATIONS OF THE PROJECT **GEOTECHNICAL** ENGINEER, IF APPLICABLE.

EROSION CONTROL NOTES:

1. DISTURBED AREAS ARE DEFINED AS THOSE SURFACES WHERE EXISTING VEGETATION OR STRUCTURES HAVE BEEN REMOVED, EXPOSING NATIVE SOIL TO THE ELEMENTS.
2. ALL ROUTINE WORK ACTIVITIES SHALL BE CONDUCTED IN SUCH A WAY TO LIMIT THE AMOUNT OF DISTURBED AREA AT ONE TIME TO THE EXTENT PRACTICABLE.
3. PRIOR TO THE START OF ANY CLEARING/LAND DISTURBING ACTIVITIES, THE CONTRACTOR SHALL INSTALL APPLICABLE EROSION CONTROL DEVICES SUCH AS PERIMETER SILT FENCE, AND OTHER APPLICABLE MEASURES. IN THE EVENT THE CONTRACTOR IS NOT SURE A EROSION CONTROL MEASURE SHOULD BE IMPLEMENTED, THE CONTRACTOR SHALL CONTACT THE ENGINEER OF RECORD TO CONFIRM IMPLEMENTATION OF ANY EROSION CONTROL DEVICES.
4. ALL GROUND AREAS GRADED FOR CONSTRUCTION SHALL BE GRADED, LOAMED, SEEDED AND MULCH SHALL BE APPLIED AS SOON AS POSSIBLE WITHIN 7 DAYS FOLLOWING THE COMPLETION OF ANY SOIL DISTURBANCE, AND PRIOR TO ANY STORM EVENT.
5. EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE INSTALLED TO THE SATISFACTION OF THE CITY. THE CONTRACTOR SHALL REFERENCE THE APPROVED EROSION AND SEDIMENTATION CONTROL REPORT FOR TEMPORARY AND PERMANENT EROSION AND SEDIMENTATION CONTROL DEVICES IN ADDITION TO THE PLAN SET. THE CONTRACTOR SHALL ALSO REFER TO THE MAINE D.E.P.'S PERMIT CONDITIONS, FINDINGS OF FACT AND ORDER (IF ANY), AND THE CURRENT MAINE EROSION AND SEDIMENT CONTROL BMP MANUAL FOR ADDITIONAL INFORMATION.
6. PRIOR TO PAVING, THE CONTRACTOR SHALL REMOVE ALL SEDIMENT FROM STORM DRAINS, CATCH BASINS, AND APPURTENANCES.
7. REFER TO THE EROSION CONTROL DETAILS & NOTES FOR ADDITIONAL INFORMATION.

UTILITY NOTES:

1. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND ELEVATION OF THE EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED UPON RECORDS OF VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THIS INFORMATION IS NOT TO BE RELIED UPON AS BEING EXACT OR COMPLETE. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO TEST PIT TO DETERMINE THE EXACT LOCATION AND ELEVATION OF UTILITIES TO COORDINATE WITH THE PROPOSED CONNECTIONS OR CROSSING. ANY DISCREPANCIES SHALL BE IMMEDIATELY REPORTED TO ACORN FOR FURTHER DIRECTIONS BEFORE ANY ADDITIONAL WORK PROCEEDS.
2. **CONTRACTOR TO BYPASS EXISTING SEWER FLOW CONTROL AT CONNECTION TO EXISTING SYSTEM AT NO ADDITIONAL COST.**
3. CONTRACTOR SHALL, AT NO ADDITIONAL COST TO THE OWNER, CONDUCT EXPLORATORY EXCAVATIONS AT LOCATIONS WHERE PROPOSED EXCAVATION WILL INTERSECT WITH EXISTING UTILITIES, PRIOR TO THE ORDERING OF STRUCTURES.
4. ALL NEW SANITARY MANHOLES SHALL BE VACUUM TESTED AND SHOWN TO PASS PRIOR TO BACKFILLING. TESTING SHALL BE COMPLETED IN ACCORDANCE WITH TECHNICAL REPORT #16 (TR-16): GUIDES FOR THE DESIGN OF WASTEWATER TREATMENT WORKS, PREPARED BY THE NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL COMMISSION.
5. SEWER MANHOLES SHALL BE 4' ID UNLESS OTHERWISE STATED ON THE PLANS.
6. CONTRACTOR TO PROVIDE 5.5' OF COVER FROM TOP OF PIPE TO FINISH GRADE FOR WATER MAINS.
7. THRUST BLOCKS SHALL BE USED FOR THRUST RESTRAIN ON WATER MAINS. DETAIL AND LIMITS FOR THRUST BLOCKS ARE SHOWN WITHIN THE PLAN SET.
8. WATER INFRASTRUCTURE SHALL BE TESTED IN ACCORDANCE WITH THE PORTLAND WATER DISTRICT DOCUMENT ''WATER AND SEWER CONSTRUCTION SPECIFICATIONS AND PROCEDURE'', MOST RECENT REVISION.
9. ALL REQUIRED FITTINGS FOR THE WATER MAIN ARE NOT SHOWN ON DRAWINGS. CONTRACTOR SHALL FURNISH AND INSTALL ALL NECESSARY FITTINGS REQUIRED TO CONSTRUCT THE WATER MAIN IN ACCORDANCE WITH CITY OF PORTLAND, STATE OF MAINE, AND AMERICAN WATER WORKS ASSOCIATION STANDARDS AND REGULATIONS.
10. CONTRACTOR SHALL COORDINATE WORK REGARDING ANY WATER MAIN CONNECTION AND WATER MAIN SHUTDOWN WITH THE PORTLAND WATER DISTRICT AT LEAST SEVEN (7) DAYS PRIOR TO CONSTRUCTION.
11. ALL WATER PIPE INSTALLATION SHALL CONFORM WITH THE PORTLAND WATER DISTRICT SPECIFICATIONS AND PROCEDURES, MOST RECENT EDITION.
12. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.
13. SEWER, GAS, TELEPHONE, ELECTRICITY, CABLE, WATER AND ANY OTHER UTILITY CONNECTIONS SHALL BE REVIEWED BY PLUMBING, ELECTRICAL, AND MECHANICAL DESIGNER FOR CONSISTENCY WITH THEIR PLANS PRIOR TO CONSTRUCTION.
14. COORDINATE EXIT POINT FOR SECONDARY UTILITY SERVICES WITH THE ARCHITECT/ELECTRICAL ENGINEER. SECONDARY LINE LOCATIONS NOT PROVIDED BY ACORN WITHIN THE UTILITY PLAN.
15. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN ALL THE NECESSARY PERMITS FOR THE INSTALLATION OF THE UTILITIES AND STORMDRAINS WITHIN THE PUBLIC RIGHT OF WAY. THE CONTRACTOR SHALL SUBMIT A MAINTENANCE OF TRAFFIC PLAN TO THE CITY IN ACCORDANCE WITH THE CITY OF PORTLAND TECHNICAL MANUAL PRIOR TO ANY WORK.
16. 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.
17. ALL UTILITY PIPES SHALL SLOPE UNIFORMLY BETWEEN ELEVATIONS INDICATED ON THE DRAWINGS. NO CRESTS OR SAGS IN THE PIPING WILL BE PERMITTED. ALL HORIZONTAL AND VERTICAL BENDS IN PRESSURIZED PIPE LINES SHALL BE SUITABLY RESTRAINED WITH THRUST BLOCKS OR RETAINER GLANDS. RETAINER GLANDS ALLOWED FOR DUCTILE IRON PIPE ONLY. PROVIDE ALL BENDS, HORIZONTAL AND VERTICAL, AS REQUIRED TO MEET THE GRADES AND ALIGNMENTS INDICATED ON THE DRAWINGS.
18. ALL WASTEWATER PIPING, EXCLUDING BUILDING DRAINS, AND ALL PRESSURIZED PIPING, TO INCLUDE WATER MAINS, INSTALLED BENEATH STRUCTURES SHALL BE ENCASED IN CONCRETE.
19. WHERE NEW PIPING IS TO BE CONNECTED TO EXISTING PIPING, THE CONTRACTOR SHALL FURNISH AND INSTALL ALL ADAPTERS, FITTINGS AND ADDITIONAL PIPE AS REQUIRED TO ENSURE A COMPLETE AND PROPERLY FUNCTIONING CONNECTION. CONTRACTOR TO VERIFY LOCATION, ELEVATION, ORIENTATION AND MATERIAL OF CONSTRUCTION. ADAPTERS AND FITTINGS ARE INCIDENTAL TO THE PIPE INSTALLATION.
20. WHENEVER POSSIBLE, WATER LINES SHOULD BE INSTALLED OVER WASTEWATER LINES. A MINIMUM SEPARATION OF 18 INCHES BETWEEN THE BOTTOM OF THE WATER LINE AND THE TOP OF THE WASTEWATER LINE SHALL BE MAINTAINED WHERE POSSIBLE. WHERE A WATER LINE CROSSES UNDER THE WASTEWATER LINE, A FULL LENGTH OF WASTEWATER PIPE SHALL BE CENTERED ABOVE THE WATER LINE SO THAT BOTH JOINTS WILL BE AS FAR FROM THE WATER LINE AS POSSIBLE,
21. THE CONTRACTOR SHALL BE ANTICIPATE THAT THE NATIVE SILT AND CLAY SOILS WILL NOT BE SUITABLE FOR PIPE TRENCH BACKFILL IN PAVED AREAS.
22. GROUNDWATER SHALL BE CONTROLLED TO A LEVEL OF AT LEAST ONE FOOT BELOW SUBGRADE OF THE PIPE OR STRUCTURE. THE CONTRACTOR SHALL MAINTAIN THE LOWERED GROUNDWATER LEVEL UNTIL CONSTRUCTION HAS BEEN COMPLETED TO SUCH AN EXTENT THAT THE STRUCTURES OR PIPES WILL NOT BE FLOATED OR OTHERWISE DAMAGED.
23. EXCAVATION TO SUBRADE IN NATIVE SILT AND CLAY SHALL BE COMPLETED WITH A SMOOTH EDGE BUCKET TO MINIMIZE SUBGRADE DISTURBANCE.
24. ALL ADJUSTMENTS TO FINISHED GRADE ARE TO BE COMPLETED BY THE CONTRACTOR. THE CONTRACTOR SHALL CONFIRM STRUCTURES THAT REQUIRE ADJUSTMENT WITH THE ENGINEER OR OWNERS REPRESENTATIVE PRIOR TO ADJUSTING FRAMES.

DEMOLITION NOTES:

1. THE FOLLOWING ITEMS ARE TYPICAL OF MATERIAL WHICH MAY BE ON SITE:
   - ROCK AND CONCRETE FOUNDATIONS
   - CONCRETE SLABS
   - BITUMINOUS ASPHALT PAVEMENT
   - CONCRETE PADS AND BLOCKS
   - FENCE POST AND FENCING
   - UNDERGROUND UTILITY LINES
   - ABOVE AND OR BELOW FUEL OIL AND PROPANE GAS TANKS
   - STORM DRAIN PIPES AND APPURTENANCE STRUCTURES
   - OTHER TRASH & MISCELLANEOUS SOLID WASTES
2. THE CONTRACTOR IS ADVISED TO VISIT THE SITE TO CONFIRM DEMOLITION ITEMS SINCE THE LIST IS NOT INCLUSIVE OF THE SITE CONDITIONS WHICH MAY BE ENCOUNTERED
3. ALL DISPOSAL OF DEMOLITION DEBRIS OR WASTE SHALL BE IN ACCORDANCE WITH ALL LOCAL, STATE, & FEDERAL REGULATIONS. CONTRACTORS SHALL PROVIDE OWNER WITH APPROPRIATE "BILLS OF LADING" DEMONSTRATING PROPER DISPOSAL OF ALL MATERIALS.
4. **THE CLIENT HAS NOT REQUESTED NOR HAS ACORN COMPLETED A PHASE I – ENVIRONMENTAL SITE ASSESSMENT FOR THE PROPERTY.**

PERMITTING
NOT ISSUED FOR
CONSTRUCTION

ISSUED FOR	BY	DATE
MAJOR SITE PLAN	PFH	3/31/23

DRAWING NAME: GENERAL NOTES

PROJECT NAME/ ADDRESS: 511 CONGRESS STREET REDEVELOPMENT – PORTLAND

CLIENT/OWNER OF RECORD: TOM WATSON & CO.
188 STATE STREET, 3RD FLOOR, PORTLAND ME 04101

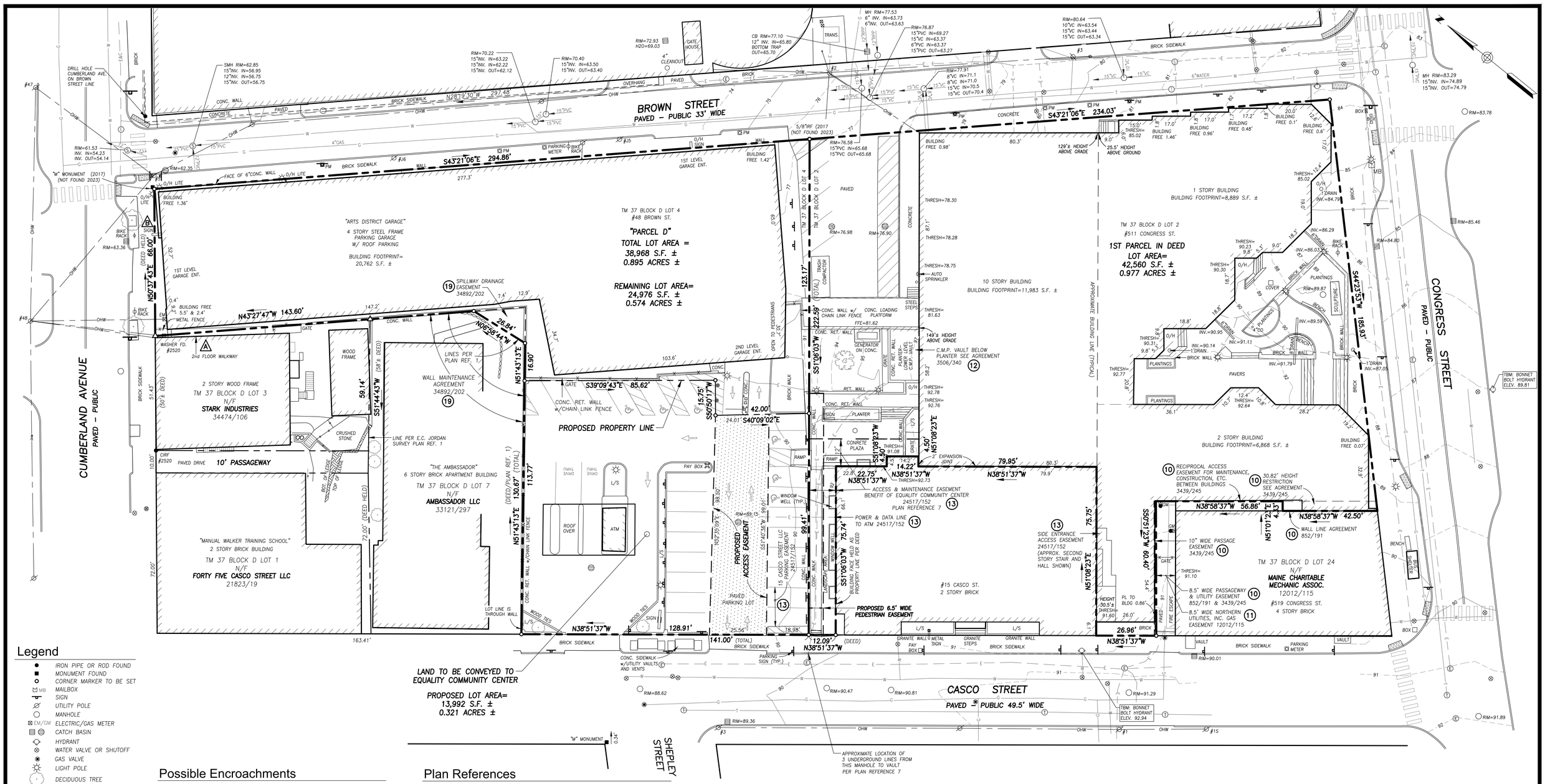
THESE PLANS SHALL NOT BE MODIFIED WITHOUT THE WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. AND SHALL BE RETURNED UPON REQUEST OR, OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

ACORN ENGINEERING, INC.
70 FORT ROAD, SOUTH BERWICK, MAINE 04101
PO BOX 472 (207) 775-2655

FILE: 1192.3_CIVIL
JN: 1192.3
SCALE: AS NOTED
DESIGNED BY: PFH
DRAWN BY: ZMS
CHECKED BY: PFH

STATE OF MAINE
PETER F. HEIL
15318
LICENSED PROFESSIONAL ENGINEER

DRAWING NO.
C-02



Legend

- IRON PIPE OR ROD FOUND
- MONUMENT FOUND
- CORNER MARKER TO BE SET
- MB MAILBOX
- SIGN
- UTILITY POLE
- MANHOLE
- EM/GM ELECTRIC/GAS METER
- CATCH BASIN
- HYDRANT
- WATER VALVE OR SHUTOFF
- GAS VALVE
- LIGHT POLE
- DECIDUOUS TREE
- CONIFEROUS TREE
- L/S LANDSCAPED AREA
- CONC. CONCRETE
- FENCE
- CURB
- OHW OVERHEAD WIRES
- E UNDERGROUND POWER
- W WATER LINE
- G GAS LINE
- T TELEPHONE
- SD STORM DRAIN
- SS SANITARY SEWER
- 100 1' CONTOUR
- IPF/IRF IRON PIPE/ROD FOUND
- N/F NOW OR FORMERLY
- 000/000 DEED BOOK / PAGE
- A POSSIBLE ENCROACHMENT
- 1 SCHEDULE B EXCEPTION

SCALE : 1" = 20'

0' 10' 20' 40'

Possible Encroachments

A 2ND FLOOR WALKWAY ENCROACHMENT ONTO AIRSPACE & SURVEYED PREMISES

B OVERHEAD SIGN ENCROACHES INTO STREET 1.2'±

Zoning Information

NONE PROVIDED

Flood Zone Note

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE C (AREAS OF MINIMAL FLOODING) OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 230051 0013B, WHICH BEARS AN EFFECTIVE DATE OF JULY 17, 1986 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

Utility Note

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEY HAS NOT PHYSICALLY LOCATION THE UNDERGROUND UTILITIES. CALL 1-888-DIGSAFE AT LEAST THREE BUSINESS DAYS BEFORE PERFORMING ANY CONSTRUCTION. DUE TO OSHA CONFINED SPACE REQUIREMENTS, ALL INVERTS AND PIPE SIZES MUST BE VERIFIED PRIOR TO ANY CONSTRUCTION.

Plan References

1. "PLAN OR PROPERTY IN PORTLAND, MAINE MADE FOR MAINE SAVINGS BANK" BY H.I. & E.C. JORDAN, DATED FEB. 14, 1972 AND REVISED THROUGH MAR. 13, 1973.
2. "PLAN OF PROPERTY IN PORTLAND, MAINE, MAINE SAVINGS PLAZA MADE FOR THE MAINE SAVINGS BANK, LAND LEASE PLAN EXHIBIT A" DATED JUNE 27, 1973 REVISED JULY 20, 1995" BY H.I. & E.C. JORDAN SURVEYORS.
3. "STANDARD BOUNDARY SURVEY OF FLEET BANK PROPERTIES FOR FLEET FINANCIAL GROUP, INC." DATED APRIL 08, 1996 BY SEBAGO TECHNICS.
4. "PLAN OF PROPERTY IN PORTLAND, MAINE MADE FOR MAINE SAVINGS BANK" DATED SEPT. 20, 1958 BY H.I. & E.C. JORDAN SURVEYORS.
5. "PLAN OF PROPERTY IN PORTLAND, MAINE MADE FOR MAINE SAVINGS BANK" DATED MAY 1943 BY H.I. & E.C. JORDAN SURVEYORS.
6. "ALTA/ACSM LAND TITE SURVEY ON CASCO STREET, SHEPLEY STREET & OAK STREET, PORTLAND, MAINE MADE FOR 511 PLAZA LIMITED PARTNERSHIP" DATED OCT. 21, 2002 REVISED DEC. 12, 2012 BY OWEN HASKELL, INC.
7. "EXISTING CONDITIONS PLAN ON CASCO STREET, SHEPLEY STREET & OAK STREET, PORTLAND, MAINE MADE FOR ANEW DEVELOPMENT" DATED JAN. 14, 2016 BY OWEN HASKELL, INC.
8. BOUNDARY SURVEY AT 360 CUMBERLAND AVE., PORTLAND, MAINE MADE FOR DANIEL SOLEY" DATED MARCH 3, 2020 BY OWEN HASKELL, INC.

General Notes

1. OWNER OF RECORD: OCEAN GATE, LLC, 151 NEWBURY STREET, PORTLAND, MAINE CUMBERLAND COUNTY REGISTRY OF DEEDS BOOK 31452 PAGE 305 TAX MAP 37 BLOCK D LOTS 2 & 4
2. BEARINGS ARE BASED ON STATE PLANE COORDINATE SYSTEM, MAINE WEST ZONE NAD 83 BASED ON CITY CONTROL POINTS:

T124-11-1087	T124-12-1096
N: 300446.78	N: 299913.92
E: 2927558.71	E: 2926805.42

3. ELEVATIONS ARE BASED ON CITY DATUM. BENCHMARK PROVIDED BY THE CITY OF PORTLAND:

   L 757-34-112 "M" MONUMENT AT THE NORTHWESTERLY CORNER OF FOREST AVE. & CUMBERLAND AVE. ELEVATION = 80.66' (REF. CITY L.B. 725 PG. 99-100)

4. THERE ARE 23 REGULAR SPACES AND 6 HANDICAP SPACES, FOR A TOTAL OF 29 PARKING SPACES.
5. NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, BUILDING ADDITIONS, OR RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS WAS OBSERVED.
6. NO PROPOSED CHANGES IN STREET LINES IS KNOWN BY THIS SURVEYOR.
7. INTERIOR BUILDING LINES ON THE SUBJECT PREMISES AND ALONG LANDS OF MAINE CHARITABLE MECHANIC ASSOCIATION AND EQUALITY COMMUNITY CENTER ARE APPROXIMATE AND ARE DERIVED FROM PLAN REFERENCES.

Surveyor's Certification

TO: CATIC TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6(A), 7(A), 7(B)(1), 7(C), 8, 9, 10, 11(A), 11(B), 13, 16, 17, AND 18 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JANUARY 17, 2023.

SAMUEL D. GLIDDEN
PROFESSIONAL LAND SURVEYOR NO. 2520

DATE OF PLAT OR MAP: FEBRUARY 27, 2023
DATE OF LAST REVISION:

ALTA / NSPS Land Title Survey

At

511 Congress Street & 48 Brown Street
Portland, Cumberland County, Maine

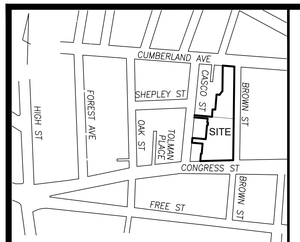
Made for

Bush Watson

188 State Street, 3rd Floor, Portland, Maine

OWEN HASKELL, INC.
PROFESSIONAL LAND SURVEYORS
390 US ROUTE 1, UNIT 10, FALMOUTH, ME 04105 TEL. 207-774-0424

DRAWN BY: SDG / JLW	FIELD BK: FILE	JOB NO. 2022-313 P
CHECKED BY: SDG	SCALE: 1" = 20'	DRWG. NO. 1



Location Map N.T.S.

Legal Description

A CERTAIN PARCEL OF LAND, WITH ANY BUILDINGS OR IMPROVEMENTS THEREON, SITUATED AT THE WESTERLY CORNER OF CONGRESS AND BROWN STREET IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE OF MAINE, BEING BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHERE THE SOUTHWESTERLY SIDE OF BROWN STREET INTERSECTS THE NORTHWESTERLY SIDE OF CONGRESS STREET, WHICH POINT IS ALSO THE MOST EASTERLY CORNER OF LAND CONVEYED BY W. H. CLIFFORD COMPANY TO MAINE SAVINGS BANK BY DEED DATED JULY 21, 1972, AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 3271, PAGE 139; THENCE BY SAID CONGRESS STREET SOUTH 59° 24' 30" WEST, ONE HUNDRED EIGHTY-FIVE AND NINETY-THREE HUNDREDTHS (185.93) FEET TO THE MOST EASTERLY CORNER OF LAND OWNED BY THE MAINE CHARITABLE MECHANICS ASSOCIATION; THENCE BY SAID LAND OF MAINE CHARITABLE MECHANICS ASSOCIATION BY THE FOLLOWING COURSES AND DISTANCES; NORTH 23° 58' WEST, FORTY-TWO AND FIFTY HUNDREDTHS (42.50) FEET TO A POINT; THENCE NORTH 66° 02' EAST, FOUR AND THIRTY-THREE HUNDREDTHS (4.33) FEET TO A POINT; THENCE NORTH 23° 58' WEST, FIFTY-SIX AND EIGHT-SIX HUNDREDTHS (56.86) FEET TO THE MOST NORTHERLY CORNER OF SAID LAND OF MAINE CHARITABLE MECHANICS ASSOCIATION; THENCE SOUTH 65° 52' WEST, SIXTY AND FORTY HUNDREDTHS (60.40) FEET TO THE EASTERLY SIDE OF CASCO STREET; THENCE NORTH 23° 51' WEST BY THE EASTERLY SIDE OF CASCO STREET, TWENTY-SIX AND NINETY-SIX HUNDREDTHS (26.96) FEET TO THE SOUTHERLY CORNER OF THE EXISTING, OR FORMERLY EXISTING, MAINE SAVINGS BANK BUILDING; THENCE AROUND THE PERIMETER OF THE EXISTING, OR FORMERLY EXISTING, MAINE SAVINGS BANK BUILDING BY THE FOLLOWING COURSES AND DISTANCES:

NORTH 66° 09' EAST, SEVENTY-FIVE AND SEVENTY-FIVE HUNDREDTHS (75.75) FEET TO A CORNER IN SAID BUILDING; THENCE NORTH 23° 51' WEST, SEVENTY-NINE AND NINETY-FIVE HUNDREDTHS (79.95) FEET TO ANOTHER CORNER IN SAID BUILDING; THENCE NORTH 66° 09' EAST, FOUR AND FIFTY HUNDREDTHS (4.50) FEET TO ANOTHER CORNER IN SAID BUILDING; THENCE NORTH 23° 51' WEST, FOURTEEN AND TWENTY-TWO HUNDREDTHS (14.22) FEET TO ANOTHER CORNER IN SAID BUILDING; THENCE SOUTH 66° 09' WEST, FOUR AND FIFTY HUNDREDTHS (4.50) FEET TO ANOTHER CORNER IN SAID BUILDING; THENCE NORTH 23° 51' WEST, TWENTY-TWO AND EIGHTY-SEVEN HUNDREDTHS (22.87) FEET TO ANOTHER CORNER IN SAID BUILDING; THENCE SOUTH 66° 09' WEST, SEVENTY-FIVE AND SEVENTY-FIVE (75.75) FEET BY THE NORTHWESTERLY LINE OF SAID BUILDING, AND SAID LINE EXTENDED, TO THE EASTERLY SIDE OF CASCO STREET; THENCE BY THE EASTERLY SIDE OF CASCO STREET NORTH 23° 51' WEST, TWELVE AND NINE HUNDREDTHS (12.09) FEET TO A POINT AND OTHER LAND OF THE SUCCESSORS OR ASSIGNS OF MAINE SAVINGS BANK;

THENCE BY SAID OTHER LAND FORMERLY OF MAINE SAVINGS BANK NORTH 66° 09' EAST TWO HUNDRED TWENTY-TWO AND FIFTY-NINE HUNDREDTHS (222.59) FEET TO THE WESTERLY SIDE OF BROWN STREET; THENCE BY THE WESTERLY SIDE OF BROWN STREET SOUTH 28° 20' 29" EAST, TWO HUNDRED THIRTY-FOUR AND FIVE HUNDREDTHS (234.05) FEET TO THE INTERSECTION OF THE WESTERLY SIDE OF BROWN STREET WITH THE NORTHERLY SIDE OF CONGRESS STREET AND THE POINT OF BEGINNING.

PARCEL D – THE 354-358 CUMBERLAND AVENUE LOT AND THE 48-72 BROWN STREET LOWER LEVEL AND UPPER LEVEL LOTS

A CERTAIN LOT OR PARCEL OF LAND LOCATED ON THE SOUTHEASTERLY SIDE OF CUMBERLAND AVENUE, SOUTHWESTERLY SIDE OF BROWN STREET, AND THE NORTHEASTERLY SIDE OF CASCO STREET, IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, STATE OF MAINE, BOUNDED AS DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHEASTERLY SIDE OF CUMBERLAND AVENUE WITH THE SOUTHWESTERLY SIDE OF BROWN STREET;

THENCE S 28° 19' 02" E, ALONG THE SOUTHWESTERLY SIDE OF BROWN STREET, 294.48 FEET TO A 5/8 INCH REBAR SET ON THE NORTHWESTERLY LINE OF LAND NOW OR FORMERLY OF THE OCTOBER CORPORATION AS DESCRIBED IN BOOK 12007, PAGE 156 (BEING THE 511 CONGRESS STREET PARCEL HEREINABOVE DESCRIBED);

THENCE S 66° 09' 00" W, ALONG SAID 511 CONGRESS STREET PARCEL, 222.59 FEET TO THE NORTHWESTERLY SIDE OF CASCO STREET;

THENCE N 23° 51' 00" W, ALONG THE NORTHEASTERLY SIDE OF CASCO STREET, 129.28 FEET TO THE SOUTHERLY CORNER OF LAND NOW OF FORMERLY OF JOHN J. QUIRK AND SALLY L. QUIRK AS DESCRIBED IN BOOK 4798, PAGE 12;

THENCE N 66° 56' 23" E, ALONG LAND OF SAID QUIRK, 130.93 FEET TO A POINT; THENCE N 5° 14' 53" E, ALONG LAND OF SAID QUIRK, 28.02 FEET TO A POINT;

THENCE N 28° 12' 53" W, ALONG LAND OF SAID QUIRK, ALSO ALONG LAND NOW OR FORMERLY OF CUMBY CORPORATION AS DESCRIBED IN BOOK 10797, PAGE 147, 141.49 FEET TO THE SOUTHEASTERLY SIDE OF SAID CUMBERLAND AVENUE;

THENCE N 65° 40' 30" E, ALONG THE SOUTHEASTERLY SIDE OF SAID CUMBERLAND AVENUE, 66.00 FEET TO THE POINT OF BEGINNING.

Schedule B Section II Exceptions

CATIC TITLE INSURANCE COMPANY
COMMITMENT NO. 080922-02 EFFECTIVE DATE: OCTOBER 18, 2022

1 – 9. NON SURVEY

10. RIGHTS, EASEMENTS, TERMS, CONDITIONS, AND RESTRICTIONS SET FORTH IN AGREEMENT BY AND BETWEEN MAINE CHARITABLE MECHANIC'S ASSOCIATION AND JOHN S. RUSSELL, ET AL. DATED FEBRUARY 26, 1910 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 852, PAGE 191, AS AFFECTED BY AGREEMENT BY AND BETWEEN MAINE CHARITABLE MECHANIC ASSOCIATION AND MAINE SAVINGS BANK DATED JULY 31, 1973 AND RECORDED IN THE SAID REGISTRY OF DEEDS IN BOOK 3439, PAGE 245. – AFFECTS AND BENEFITS SURVEYED PREMISES AS SHOWN HEREON.

11. RIGHTS, EASEMENTS, COVENANTS AND CONDITIONS SET FORTH IN EASEMENT DEED GRANTED BY MAINE CHARITABLE MECHANIC ASSOCIATION TO NORTHERN UTILITIES, INC., DATED JULY 13, 1995, AND RECORDED IN BOOK 12012, PAGE 115. – DOES NOT AFFECT SURVEYED PREMISES BUT DOES AFFECT 8'-6" PASSAGEWAY BENEFITING THE SURVEYED PREMISES, AS SHOWN HEREON.

12. RIGHTS, EASEMENTS, TERMS AND CONDITIONS SET FORTH IN INSTRUMENT GRANTED BY MURRAY W. FINARD, TRUSTEE OF THE MAINE SAVINGS PLAZA TRUST TO CENTRAL MAINE POWER COMPANY DATED DECEMBER 26, 1973 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 3506, PAGE 340. – AFFECTS PROPERTY AS SHOWN HEREON.

13. RIGHTS, EASEMENTS, TERMS AND CONDITIONS SET FORTH IN QUITCLAIM DEED FROM 511 PLAZA LIMITED PARTNERSHIP TO 15 CASCO STREET, LLC, DATED OCTOBER 20, 2006 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 24517, PAGE 152. – THE RESERVED UTILITY EASEMENT FOR EXISTING UTILITIES BENEFITS THE SURVEYED PREMISES AND IS BLANKET IN NATURE. THE SIDE ENTRANCE EASEMENT, REAR ENTRANCE EASEMENT, PARKING EASEMENT, AND UTILITY EASEMENT BENEFIT NOW OR FORMERLY EQUALITY COMMUNITY CENTER OF MAINE AND AFFECT PROPERTY AS SHOWN HEREON.

14. RIGHTS AND EASEMENTS SET FORTH IN QUITCLAIM DEED WITH COVENANT GRANTED BY MAINE SAVINGS BANK TO JOHN J. QUIRK AND SALLY L. QUIRK DATED SEPTEMBER 16, 1982 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 5031, PAGE 105. NON-LOCUS – 18 SHEPLEY (POSSIBLY CASCO) STREET IS ON THE OPPOSITE SIDE OF THE STREET FROM THE SURVEYED PREMISES AND IS ADJACENT TO LAND FORMERLY OWNED BY MAINE SAVINGS BANK.

15. SUCH STATE OF FACTS INCLUDING NOTES DISCLOSED ON PLAN ENTITLED "ALTA/ACSM LAND TITLE SURVEY ON CASCO STREET, SHEPLEY STREET AND OAK STREET, PORTLAND MAINE FOR 511 PLAZA LIMITED PARTNERSHIP" BY OWEN HASKELL, INC., DATED OCTOBER 21, 2002, LAST REVISED DECEMBER 12, 2012 AND RECORDED AT CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 213, PAGE 2. – SEE REFERENCED PLAN. ALL PERTINENT ITEMS ARE SHOWN HEREON.

16. SUCH STATE OF FACTS INCLUDING NOTES DISCLOSED ON PLAN ENTITLED "ALTA/ACSM LAND TITLE SURVEY ON CASCO STREET, SHEPLEY STREET AND OAK STREET, PORTLAND MAINE FOR 511 PLAZA LIMITED PARTNERSHIP" BY OWEN HASKELL, INC., DATED OCTOBER 21, 2002, LAST REVISED DECEMBER 12, 2012 AND RECORDED AT CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 213, PAGE 3. – SEE REFERENCED PLAN. ALL PERTINENT ITEMS ARE SHOWN HEREON.

17. SUCH STATE OF FACTS INCLUDING NOTES DISCLOSED ON PLAN ENTITLED ALTA/ACSM LAND TITLE SURVEY ON CASCO STREET, SHEPLEY STREET & OAK STREET, PORTLAND, MAINE, MADE FOR C.B. RICHARD ELLIS" BY OWEN HASKELL, INC., DATED OCTOBER 21, 2022, LAST REVISED NOVEMBER 19, 2002, AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 203, PAGE 10. – THE TITLE OF THE REFERENCED PLAN IS NOT ACCURATE, SEE RECORDED PLAN. ALL PERTINENT ITEMS ARE SHOWN HEREON.

18. SUCH STATE OF FACTS INCLUDING NOTES DISCLOSED ON PLAN ENTITLED "ALTA/ACSM LAND TITLE SURVEY ON CASCO STREET, SHEPLEY STREET & OAK STREET, PORTLAND, MAINE, MADE FOR C.B. RICHARD ELLIS" BY OWEN HASKELL, INC. DATED OCTOBER 21, 2002, LAST REVISED NOVEMBER 19, 2002, AND RECORDED THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 203, PAGE 12. – SEE REFERENCED PLAN. ALL PERTINENT ITEMS ARE SHOWN HEREON.

19. RIGHTS, EASEMENTS, CONDITIONS AND RESTRICTIONS SET FORTH IN EASEMENT DEED GRANTED BY OCEAN GATE, LLC TO AMBASSADOR, LLC DATED MAY 14, 2018 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 34892, PAGE 202. – SPILLWAY EASEMENT AND RETAINING WALL MAINTENANCE AGREEMENT AFFECT PROPERTY AS SHOWN HEREON.

20. NON – SURVEY ITEM.

21. COMMON LAW PARTY WALL RIGHTS.

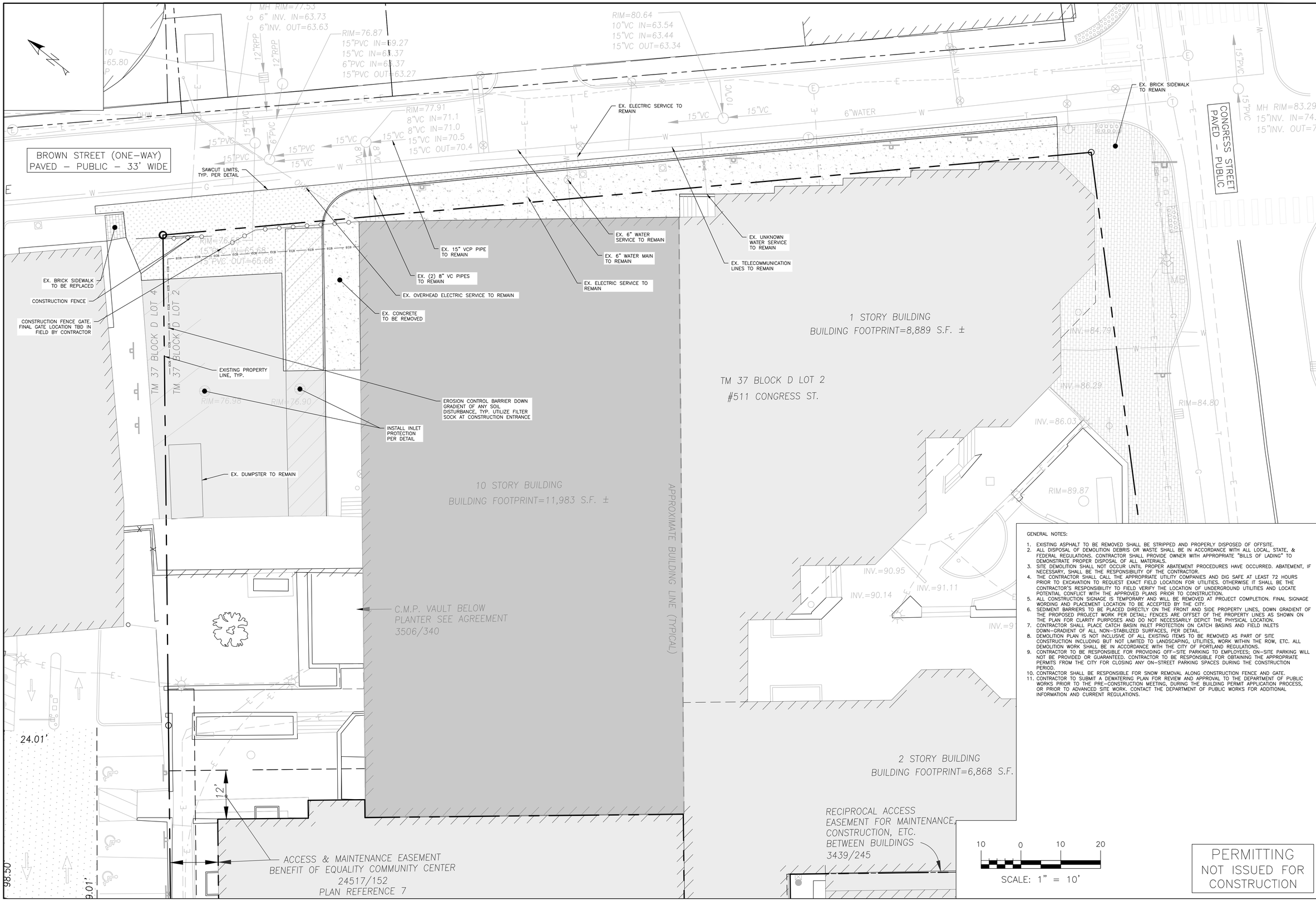
SAMUEL D. GLIDDEN
PROFESSIONAL LAND SURVEYOR NO. 2520

DATE OF PLAT OR MAP: FEBRUARY 27, 2023
DATE OF LAST REVISION:

ALTA / NSPS Land Title Survey
At
511 Congress Street & 48 Brown Street
Portland, Cumberland County, Maine
Made for
Bush Watson
188 State Street, 3rd Floor, Portland, Maine

OWEN HASKELL, INC.
PROFESSIONAL LAND SURVEYORS
390 US ROUTE 1, UNIT 10, FALMOUTH, ME 04105 TEL. 207-774-0424

DRAWN BY: SDG / JLW	FIELD BK: FILE	JOB NO. 2022-313 P
CHECKED BY: SDG	SCALE: 1" = 20'	DRWG. NO. 2



GENERAL NOTES:

1. EXISTING ASPHALT TO BE REMOVED SHALL BE STRIPPED AND PROPERLY DISPOSED OF OFFSITE.
2. ALL DISPOSAL OF DEMOLITION DEBRIS OR WASTE SHALL BE IN ACCORDANCE WITH ALL LOCAL, STATE, & FEDERAL REGULATIONS. CONTRACTOR SHALL PROVIDE OWNER WITH APPROPRIATE "BILLS OF LADING" TO DEMONSTRATE PROPER DISPOSAL OF ALL MATERIALS.
3. SITE DEMOLITION SHALL NOT OCCUR UNTIL PROPER ABATEMENT PROCEDURES HAVE OCCURRED. ABATEMENT, IF NECESSARY, SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
4. THE CONTRACTOR SHALL CALL THE APPROPRIATE UTILITY COMPANIES AND DIG SAFE AT LEAST 72 HOURS PRIOR TO EXCAVATION TO REQUEST EXACT FIELD LOCATION FOR UTILITIES. OTHERWISE IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE LOCATION OF UNDERGROUND UTILITIES AND LOCATE POTENTIAL CONFLICT WITH THE APPROVED PLANS PRIOR TO CONSTRUCTION.
5. ALL CONSTRUCTION SIGNAGE IS TEMPORARY AND WILL BE REMOVED AT PROJECT COMPLETION. FINAL SIGNAGE WORDING AND PLACEMENT LOCATION TO BE ACCEPTED BY THE CITY.
6. SEDIMENT BARRIERS TO BE PLACED DIRECTLY ON THE FRONT AND SIDE PROPERTY LINES, DOWN GRADIENT OF THE PROPOSED PROJECT WORK PER DETAIL; FENCES ARE OFFSET OF THE PROPERTY LINES AS SHOWN ON THE PLAN FOR CLARITY PURPOSES AND DO NOT NECESSARILY DEPICT THE PHYSICAL LOCATION.
7. CONTRACTOR SHALL PLACE CATCH BASIN INLET PROTECTION ON CATCH BASINS AND FIELD INLETS DOWN-GRADIENT OF ALL NON-STABILIZED SURFACES, PER DETAIL.
8. DEMOLITION PLAN IS NOT INCLUSIVE OF ALL EXISTING ITEMS TO BE REMOVED AS PART OF SITE CONSTRUCTION INCLUDING BUT NOT LIMITED TO LANDSCAPING, UTILITIES, WORK WITHIN THE ROW, ETC. ALL DEMOLITION WORK SHALL BE IN ACCORDANCE WITH THE CITY OF PORTLAND REGULATIONS.
9. CONTRACTOR TO BE RESPONSIBLE FOR PROVIDING OFF-SITE PARKING TO EMPLOYEES; ON-SITE PARKING WILL NOT BE PROVIDED OR GUARANTEED. CONTRACTOR TO BE RESPONSIBLE FOR OBTAINING THE APPROPRIATE PERMITS FROM THE CITY FOR CLOSING ANY ON-STREET PARKING SPACES DURING THE CONSTRUCTION PERIOD.
10. CONTRACTOR SHALL BE RESPONSIBLE FOR SNOW REMOVAL ALONG CONSTRUCTION FENCE AND GATE.
11. CONTRACTOR TO SUBMIT A DEWATERING PLAN FOR REVIEW AND APPROVAL TO THE DEPARTMENT OF PUBLIC WORKS PRIOR TO THE PRE-CONSTRUCTION MEETING, DURING THE BUILDING PERMIT APPLICATION PROCESS, OR PRIOR TO ADVANCED SITE WORK. CONTACT THE DEPARTMENT OF PUBLIC WORKS FOR ADDITIONAL INFORMATION AND CURRENT REGULATIONS.

PERMITTING
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY	DATE
MAJOR SITE PLAN	PFH	3/31/23
COMMENT RESPONSE	PFH	5/25/23

DRAWING NAME: CONSTRUCTION MANAGEMENT PLAN

PROJECT NAME/ PROJECT NO: 511 CONGRESS STREET REDEVELOPMENT – PORLTAND

CLIENT/OWNER OF RECORD: TOM WATSON & CO. 188 STATE STREET, 3RD FLOOR, PORTLAND ME 04101

THESE PLANS SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. AND SHALL BEAR ITS NAME THEREON, OR, OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

ACORN ENGINEERING, INC.
ACORN ENGINEERING, INC.
PO BOX 3422 PORTLAND, MAINE 04101
(207) 775-2655

FILE:	1192.3_CIVIL
JN:	1192.3
SCALE:	AS NOTED
DESIGNED BY:	PFH
DRAWN BY:	ZMS
CHECKED BY:	PFH

STATE OF MAINE
PETER F. HEIL
15318
LICENSED PROFESSIONAL ENGINEER

DRAWING NO.
C-03

GENERAL NOTES:

1. ALL SIDEWALK AND VERTICAL GRANITE CURB TO BE REPLACED SHALL BE REBUILT TO CITY OF PORTLAND STANDARD.
2. ALL PAVEMENT STRIPING AND MARKINGS SHALL COMPLY TO CITY OF PORTLAND STANDARDS.
3. ANY ASPHALT TO BE REMOVED SHALL BE STRIPPED AND PROPERLY DISPOSED OF OFFSITE.
4. CURB TO BE REMOVED, STOCKPILED AND RESET IN ACCORDANCE WITH DETAIL. BROKEN CURB SHALL BE PROPERLY DISPOSED OF AND SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE.
5. ALL RAMPS TO CONFORM TO ADA GUIDELINES. SLOPE SHALL NOT EXCEED 1 INCH PER FOOT.
6. ALL SITE SIGNAGE TO COMPLY WITH MUTCD STANDARDS. CONTRACTOR TO COORDINATE AND INSTALL.
7. FOLLOWING COMPLETION OF CONSTRUCTION, THE OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND MANAGEMENT OF DRIVEWAYS, SITE LIGHTING, TRASH REMOVAL AND SNOW REMOVAL.
8. PLAN REFERENCES
   - 8.1. PLAN TITLED "ALTA / NSPS LAND TITLE SURVEY" PREPARED BY OWEN HASKELL, INC. DATED FEBRUARY 27, 2023.
   - 8.2. PLAN TITLED "SITE PHOTOMETRIC PLAN" PREPARED BY SWANEY LIGHTING, INC. DATED MAY 12, 2023.

BROWN STREET (ONE-WAY)
PAVED – PUBLIC – 33' WIDE

CONGRESS STREET
PAVED – PUBLIC

RAISED PLANTER BED
EXISTING PARKING METER TO REMAIN UNDISTURBED, TYP. OF 2
CONTRACTOR TO RESET EXISTING VERTICAL GRANITE CURB PER DETAIL
PROPOSED BRICK SIDEWALK PER DETAIL
EXISTING "NO PARKING" SIGN TO REMAIN UNDISTURBED, TYP.
LIMIT OF SIDEWALK DISTURBANCE
FLUSH VERTICAL GRANITE CURB, TYP.
EXISTING "NO PARKING" SIGN TO REMAIN UNDISTURBED, TYP.
EXISTING "1 HOUR PARKING" SIGN TO REMAIN UNDISTURBED, TYP. OF 2
DRIVEWAY ENTRANCE, PER DETAIL
PR. BUG, TYP.
19.67'
0.99'
8.38'
R=2'
EXISTING PROPERTY LINE, TYP.
PROPOSED BUILDING ADDITION APPROX. 260 SF
18" STONE DRIP EDGE PER DETAIL
(3) SP
(3) SI
(1) JC
5.00'
PROPOSED VERTICAL GRANITE CURB, TYP. PER DETAIL
PROPOSED LIMITS OF PAVEMENT RECONSTRUCTION, TYP. PER DETAIL
PROPOSED WALL PACK LIGHTING, TYP. OF 2. SEE PLAN REFERENCE 8.2 FOR ADDITIONAL INFORMATION
PROPOSED STAIR TOWER BUILDING ADDITION APPROX. 300 SF
REBUILD CONCRETE SIDEWALK, TYP. PER DETAIL
R=2'
PROPOSED LIMITS TO SIDEWALK DISTURBANCE
EXISTING SIGNS TO REMAIN UNDISTURBED, TYP. OF 3.
EXISTING PAVEMENT TO REMAIN, TYP.
EXISTING BUILDING TO HAVE BASEMENT MODIFICATIONS – SEE THE ARCHITECTURAL PLAN SET FOR ADDITIONAL INFORMATION
WATER ENTRANCE
EXISTING CONCRETE SIDEWALK TO REMAIN, TYP.
EXISTING TRASH COMPACTOR LOCATION TO REMAIN, TYP.
EXISTING STAIRS TO REMAIN, TYP.
EXISTING LOADING DOCK TO REMAIN, TYP.
EXISTING PARKING GARAGE
EXISTING BUILDING TO BE RENOVATED
FOOTPRINT: 12,027± SF
PUMP AND METER ROOM
WOM
MEN'S
CLOSET
ELECTRICAL
MECH
ELEV 3
ELEV 2
ELEV 1
STAIR 1
ELECTRICAL SWITCHBOARD
EMERGENCY GENERATOR
MECH. ROOM
MECHANICAL
EXISTING BUILDING TO HAVE BASEMENT MODIFICATIONS – SEE THE ARCHITECTURAL PLAN SET FOR ADDITIONAL INFORMATION
ELECTRICAL ROOM
JANITOR
PARTY WALL TO REMAIN, TYP.
EXISTING BUILDING TO REMAIN UNDISTURBED

SPACE AND BULK STANDARDS			
B.3 – DOWNTOWN BUSINESS ZONING DISTRICT, DOWNTOWN ENTERTAINMENT OVERLAY, CONGRESS STREET HISTORIC DISTRICT.	REQUIRED	EXISTING	PROPOSED
MINIMUM LOT SIZE	NONE	1.87 AC	0.98 AC
MINIMUM STREET FRONTAGE	15'	> 15'	> 15'
MAXIMUM FRONT SETBACK	5'	7.05'	7.05'
MINIMUM SIDE SETBACK	NONE	N/A	N/A
MINIMUM REAR SETBACK	NONE	N/A	N/A
STEPBACKS	NONE	N/A	N/A
MAXIMUM LOT COVERAGE	100%	< 100%	< 100%
MINIMUM BUILDING HEIGHT	35'	> 35'	> 35'
MAXIMUM BUILDING HEIGHT	210'	< 210'	< 210'
MAXIMUM STREET WALL HEIGHT	65'	N/A	N/A

10 0 10 20

SCALE: 1" = 10'

PLANT SCHEDULE				
ID	BOTANICAL NAME	COMMON NAME	QTY	SIZE
TREES				
JC	JUNIPERUS COMMONS 'PENCIL POINT'	PENCIL POINT JUNIPER	1	5'
SHRUBS				
SP	SALIX PURPUREA 'NANA'	PURPLE WILLOW	3	3 GAL.
SI	SALIX INTEGRA 'HAKURO NISHIKI'	DAPPLED WILLOW	3	3 GAL.

PERMITTING
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY	DATE
MAJOR SITE PLAN	PFH	3/31/23
COMMENT RESPONSE	PFH	5/25/23

DRAWING NAME: SITE PLAN

PROJECT NAME/ ADDRESS: 511 CONGRESS STREET REDEVELOPMENT – PORLTAND

CLIENT/OWNER OF RECORD: TOM WATSON & CO. 188 STATE STREET, 3RD FLOOR, PORTLAND ME 04101

ACORN ENGINEERING, INC.
ENGINEERING, PLANNING, SURVEYING
PO BOX 337 LIMINGTON, MAINE 04101
(207) 775-2655

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STATE OF MAINE
PETER F. HEIL
15318
LICENSED PROFESSIONAL ENGINEER

DRAWING NO.
C-10

BROWN STREET (ONE-WAY)
PAVED – PUBLIC – 33' WIDE

CONGRESS STREET
PAVED – PUBLIC

EXISTING UTILITY POLE TO REMAIN

EXISTING GAS MAIN TO REMAIN

EXISTING OVERHEAD WIRES TO REMAIN

PR. BACKFLOW VALVE PER DETAIL, TYP. (OF 2)

EXISTING DOMESTIC WATER SERVICE TO REMAIN

EXISTING ELECTRIC SERVICES TO REMAIN, TYP.

(2) EXISTING 8" VC SERVICES TO REMAIN

UNKNOWN WATER SERVICE WITH FDC

EXISTING 15" SEWER MAIN TO REMAIN

EXISTING ELECTRIC DUCT BANK TO REMAIN

EXISTING 6" WATER MAIN TO REMAIN

EXISTING TELECOM DUCT BANK TO REMAIN

EXISTING FIRE HYDRANT TO REMAIN

EXISTING FIRE SUPPRESSION WATER SERVICE TO REMAIN

EXISTING BUILDING TO HAVE BASEMENT MODIFICATIONS – SEE THE ARCHITECTURAL PLAN SET FOR ADDITIONAL INFORMATION

EXISTING BUILDING TO BE RENOVATED
FOOTPRINT: 12,027± SF

EXISTING BUILDING TO HAVE BASEMENT MODIFICATIONS – SEE THE ARCHITECTURAL PLAN SET FOR ADDITIONAL INFORMATION

EXISTING BUILDING TO REMAIN UNDISTURBED

EXISTING PARKING GARAGE

WATER ENTRANCE

PUMP AND METER ROOM

MENS

CLOSET

WOM

ELECTRICAL

MECH

ELEV 1

ELEV 2

ELEV 1

STAIR 1

ELECTRICAL SWITCHBOARD

EMERGENCY GENERATOR

MECH ROOM

MECHANICAL

ELECTRICAL ROOM

JANITOR

RIM=76.87
15"PVC IN=69.27
15"VC IN=63.37
6"PVC IN=63.37
15"PVC OUT=63.27

RIM=80.64
10"VC IN=63.54
15"VC IN=63.44
15"VC OUT=63.34

RIM=77.91
8"VC IN=71.1
8"VC IN=71.0
15"VC IN=70.5
15"VC OUT=70.4

RIM=76.58
15"PVC IN=65.68
15"PVC OUT=65.68

RIM=76.98

RIM=76.90

INV.=84.79

INV.=86.29

RIM=84.80

INV.=86.03

RIM=89.87

INV.=89.59

INV.=90.95

INV.=91.11

INV.=90.14

24.01'

98.50'

9.01'

GENERAL NOTES:

1. LOCATION OF PROPOSED CONNECTIONS ARE APPROXIMATE. CONTRACTOR TO CONTACT ENGINEER IF FIELD INFORMATION VARIES FROM INFORMATION ON PLANS.
2. CONTRACTOR IS TO BE CAUTIONED THAT CERTAIN LOCATIONS AND/OR ELEVATIONS OF EXISTING UTILITIES HAVE BEEN PROVIDED THROUGH UTILITY COORDINATION OR OTHER OBSERVATIONS. INFORMATION IS NOT TO BE RELIED UPON AS EXACT OR COMPLETE. CONTRACTOR TO FIELD VERIFY AND COORDINATE WITH UTILITY COMPANY AND DIG SAFE NO LESS THAN 72 HOURS PRIOR TO ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF ALL UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS INDICATED IN THE CONTRACT DOCUMENTS. CONTRACTOR TO NOTIFY ENGINEER OF ANY DIFFERENTIATIONS FROM EXISTING CONDITIONS, INCLUDING UTILITY INFORMATION, PRIOR TO ANY CHANGES.
3. FOR ALL UTILITIES, ACORN ENGINEERING DESIGN LIMITS END AT EXTERIOR WALL OF BUILDING. METERING OF UTILITIES TO BE COMPLETED BY M.E.P. UNLESS SPECIFIED OTHERWISE.
4. CONTRACTOR TO COORDINATE WITH ARCHITECT ON FINAL UTILITY CONNECTIONS WITHIN THE BUILDING.
5. SEWER UTILITIES: CONTRACTOR TO COORDINATE WITH ARCHITECT FOR FINAL SERVICE CONNECTION. SEWER UTILITIES TO BE CONSTRUCTED IN ACCORDANCE WITH CITY OF PORTLAND TECHNICAL STANDARDS. VALVE FOR BACKFLOW PREVENTION SHALL BE INSTALLED WITHIN THE THE PROPERTY LINES FOR EACH CITY SEWER CONNECTION. CONTACT ENGINEER IF INVERT FIELD CONDITIONS VARY FROM DESIGN.
6. WATER UTILITIES: FINAL PIPE SIZING PROVIDED BY M.E.P. ENGINEER AND FIRE PROTECTION DESIGNER. INTERNAL METERING, BACKFLOW PREVENTION, AND PRESSURE REDUCERS TO BE COMPLETED BY M.E.P. ENGINEER. DOMESTIC WATER PIPE SIZES WILL DETERMINE THE FINAL WATER METERING OPTIONS. METER MAY BE SMALLER THAN PROPOSED WATER MAIN. WATER METERING, PRESSURE REDUCER AND BACKFLOW PREVENTION TO BE IN ACCORDANCE WITH THE PORTLAND WATER DISTRICT STANDARDS. CONTRACTOR TO FOLLOW METERING GUIDELINES OF THE PORTLAND WATER DISTRICT AND CITY OF PORTLAND.
7. GAS UTILITIES: PROJECT GAS LOAD, GAS UTILITY DESIGN, AND FINAL GAS SERVICE LOCATION AND METERS TO BE DEFINED BY M.E.P. AND IN ACCORDANCE WITH UNITIL.
8. ELECTRIC UTILITIES: ELECTRIC DESIGN TO BE FINALIZED BY M.E.P. ENGINEER. ELECTRICAL LOAD TO BE DETERMINED BY M.E.P. ENGINEER. METER LOCATION AND TRANSFORMER SIZE, IF NECESSARY DEFINED BY M.E.P. M.E.P. TO FINALIZE SERVICE CONNECTION TO BUILDING. ALL ELECTRIC CONSTRUCTION SHALL CONFORM TO CMP GUIDEBOOK OF STANDARD REQUIREMENTS, MOST RECENT EDITION. DESIGN SUBJECT TO FINAL APPROVAL FROM CMP.
9. CABLE AND TELEPHONE PULLBOXES AND PEDESTAL LOCATIONS TO BE DETERMINED BY CHARTER COMMUNICATIONS AND FAIRPOINT PRIOR TO CONSTRUCTION. CONTRACTOR TO COORDINATE INSTALLATION OF UNDERGROUND UTILITIES WITH ALL UTILITY COMPANIES INVOLVED.

10 0 10 20
SCALE: 1" = 10'

PERMITTING
NOT ISSUED FOR
CONSTRUCTION

ISSUED FOR	BY	DATE
MAJOR SITE PLAN	PFH	3/31/23
COMMENT RESPONSE	PFH	5/25/23

DRAWING NAME: UTILITY PLAN

PROJECT NAME/ ADDRESS: 511 CONGRESS STREET REDEVELOPMENT – PORTLAND

CLIENT/OWNER OF RECORD: TOM WATSON & CO.
188 STATE STREET, 3RD FLOOR, PORTLAND ME 04101

ACORN ENGINEERING, INC.

ACORN ENGINEERING, INC.
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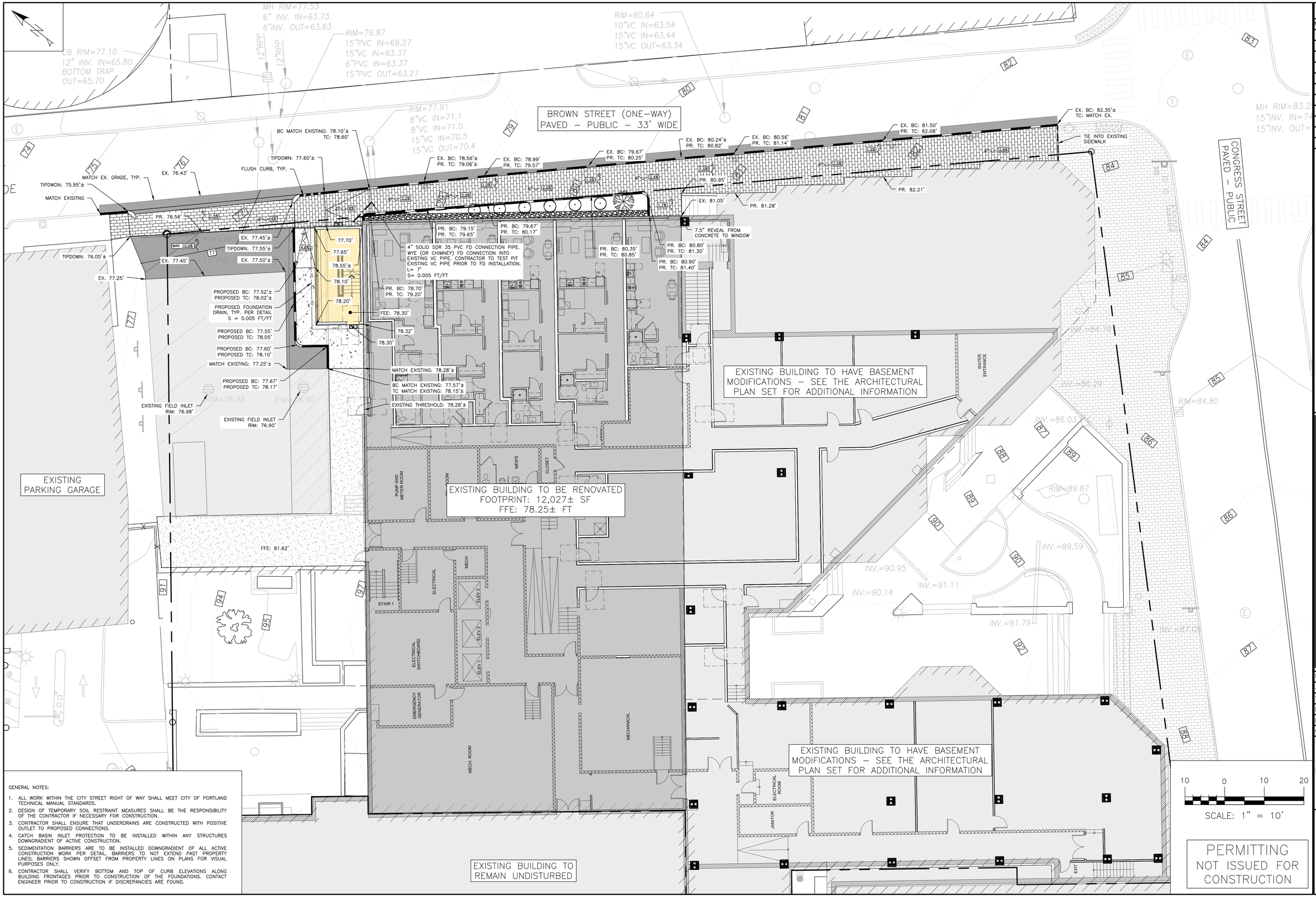
STATE OF MAINE
PETER F. HEIL
15318
LICENSED PROFESSIONAL ENGINEER

DRAWING NO.
C-20



GENERAL NOTES:

1. ALL WORK WITHIN THE CITY STREET RIGHT OF WAY SHALL MEET CITY OF PORTLAND TECHNICAL MANUAL STANDARDS.
2. DESIGN OF TEMPORARY SOIL RESTRAINT MEASURES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR IF NECESSARY FOR CONSTRUCTION.
3. CONTRACTOR SHALL ENSURE THAT UNDERDRAINS ARE CONSTRUCTED WITH POSITIVE OUTLET TO PROPOSED CONNECTIONS.
4. CATCH BASIN INLET PROTECTION TO BE INSTALLED WITHIN ANY STRUCTURES DOWNGRADIENT OF ACTIVE CONSTRUCTION.
5. SEDIMENTATION BARRIERS ARE TO BE INSTALLED DOWNGRADIENT OF ALL ACTIVE CONSTRUCTION WORK PER DETAIL. BARRIERS TO NOT EXTEND PAST PROPERTY LINES; BARRIERS SHOWN OFFSET FROM PROPERTY LINES ON PLANS FOR VISUAL PURPOSES ONLY.
6. CONTRACTOR SHALL VERIFY BOTTOM AND TOP OF CURB ELEVATIONS ALONG BUILDING FRONTAGES PRIOR TO CONSTRUCTION OF THE FOUNDATIONS. CONTACT ENGINEER PRIOR TO CONSTRUCTION IF DISCREPANCIES ARE FOUND.

PERMITTING
NOT ISSUED FOR
CONSTRUCTION

ISSUED FOR	BY	DATE
MAJOR SITE PLAN	PFH	3/31/23
COMMENT RESPONSE	PFH	5/25/23

DRAWING NAME: GRADING & DRAINAGE PLAN

PROJECT NAME/ PROJECT ADDRESS: 511 CONGRESS STREET REDEVELOPMENT – PORLTAND

CLIENT/OWNER OF RECORD: TOM WATSON & CO.
188 STATE STREET, 3RD FLOOR, PORTLAND ME 04101

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ACORN ENGINEERING, INC.
ENGINEERING
LANDSCAPE ARCHITECTURE
SURVEYING
AND PLANNING
PO BOX 337 FALMOUTH, MAINE 04101
(207) 775-2655

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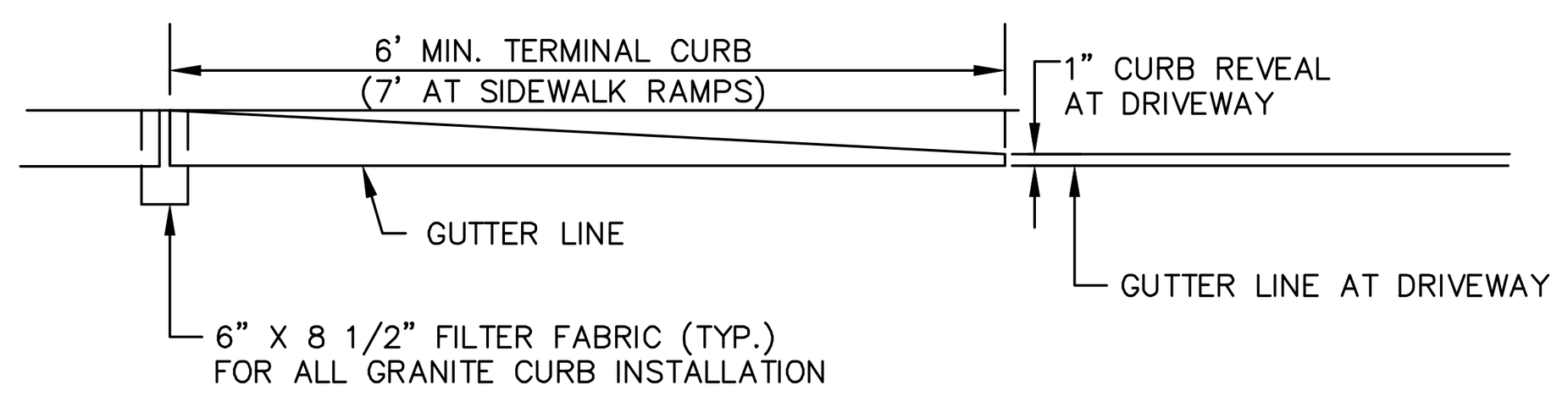
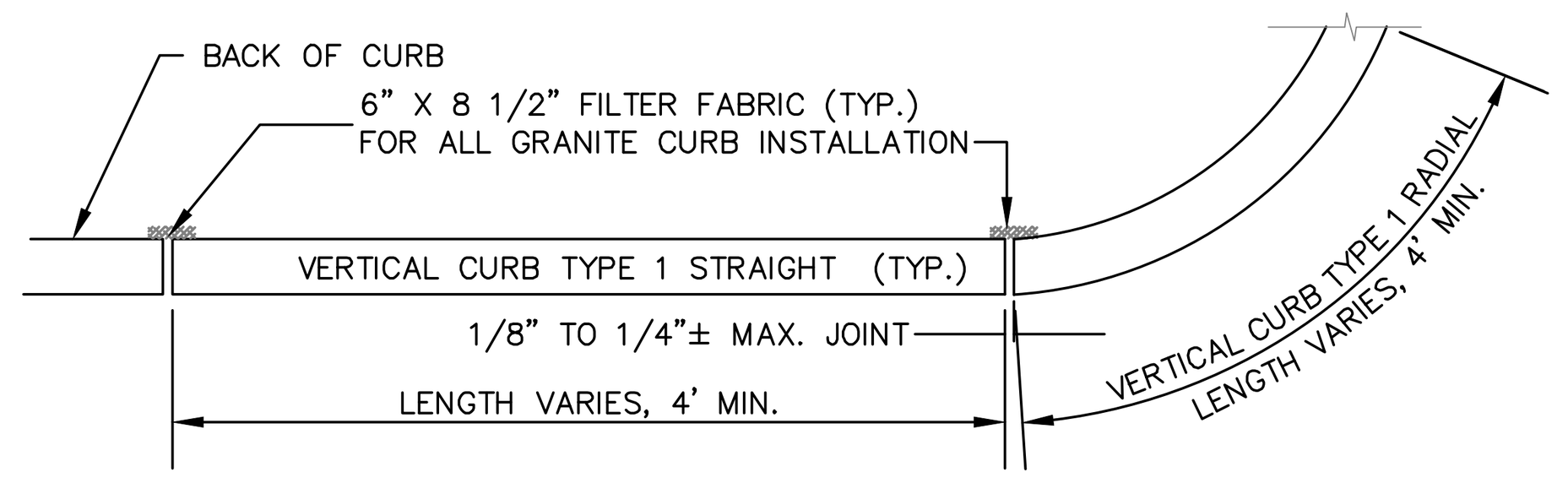
15318
LICENSED PROFESSIONAL ENGINEER
STATE OF MAINE

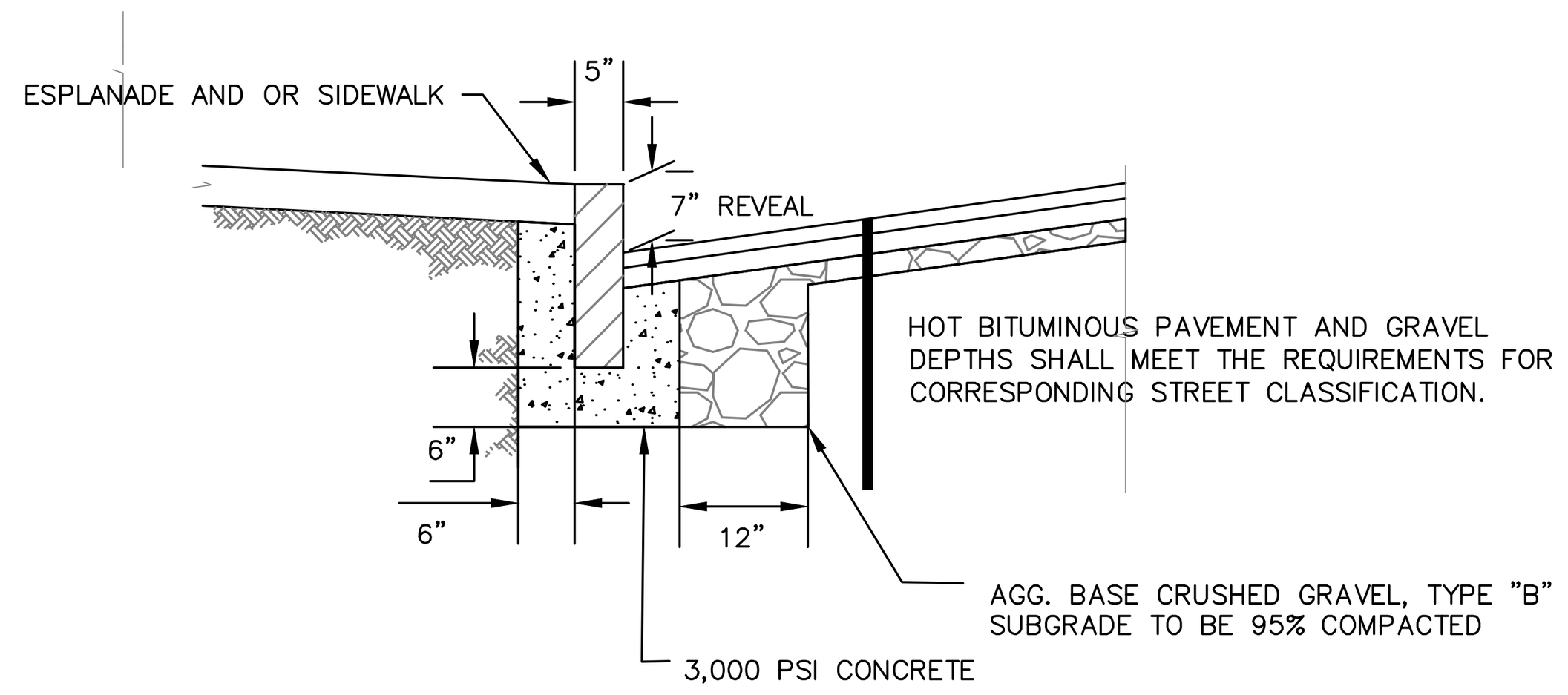
DRAWING NO.
C-30



TERMINAL CURB PROFILE



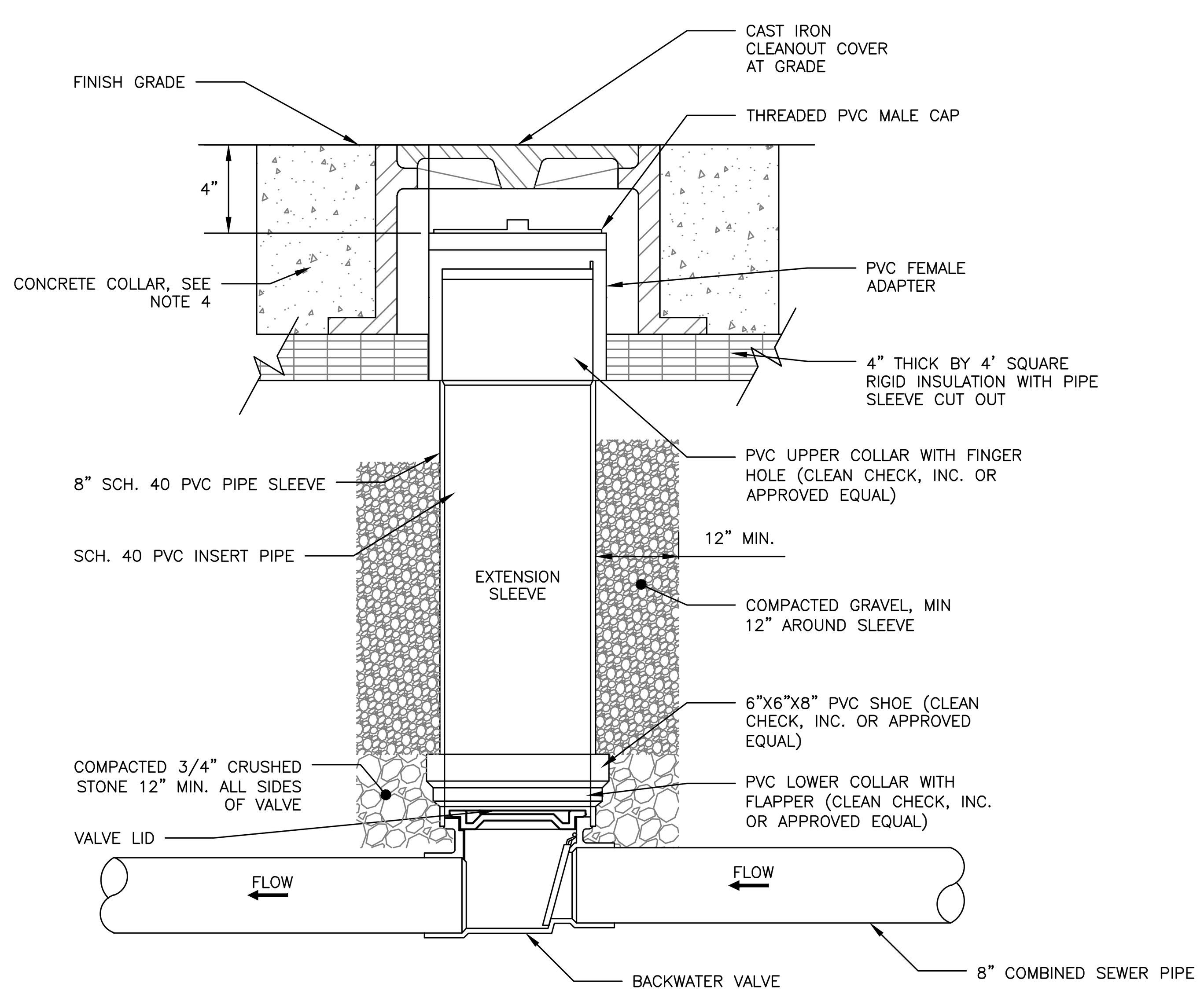
VERTICAL GRANITE CURB PLAN VIEW



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



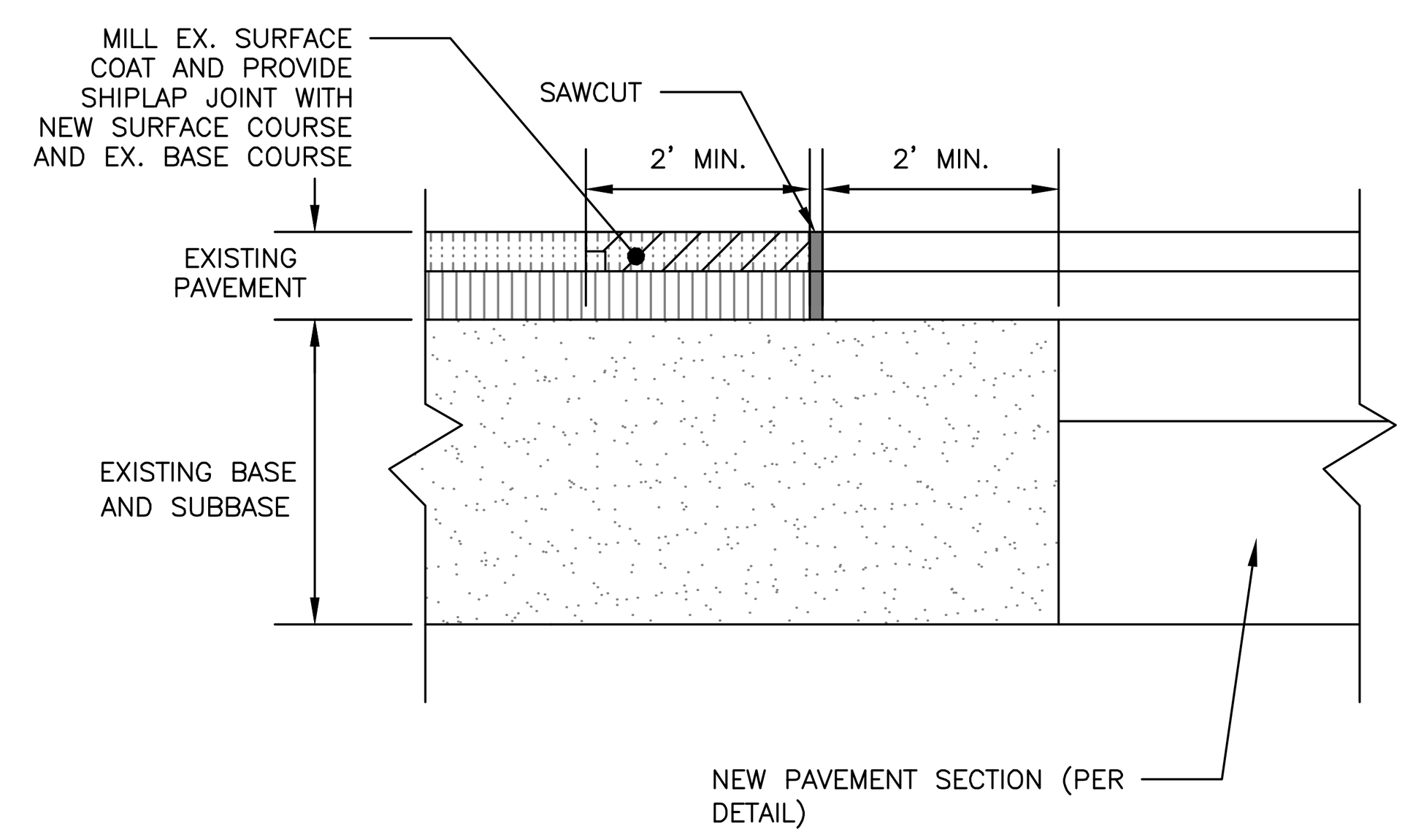
NOTES:

1. BACKFLOW VALVE TO BE PROVIDED BY AGRI DRAIN CORPORATION OR AN APPROVED EQUAL.
2. VALVE TO BE INSTALLED TO MANUFACTURER'S SPECIFICATIONS AND COMPLY WITH RULES AND REGULATIONS AS OUTLINED IN SECTION 2 OF THE CITY OF PORTLAND TECHNICAL MANUAL.
3. VALVE SHALL BE INSTALLED WITH A VALVE BOX AND COVER TO PROVIDE EASY ACCESS AND MAINTENANCE; VALVE COVER SHALL STATE 'SEWER' ON LID FLUSH TO SURFACE. REFER TO VALVE & BOX COVER DETAIL FOR ADDITIONAL INFORMATION.
4. CONCRETE COLLAR AT A MINIMUM 24–HOUR COMPRESSIVE STRENGTH OF 3,000 PSI.
5. STRUCTURE TO BE APPLIED WITH DAMP PROOF COATING

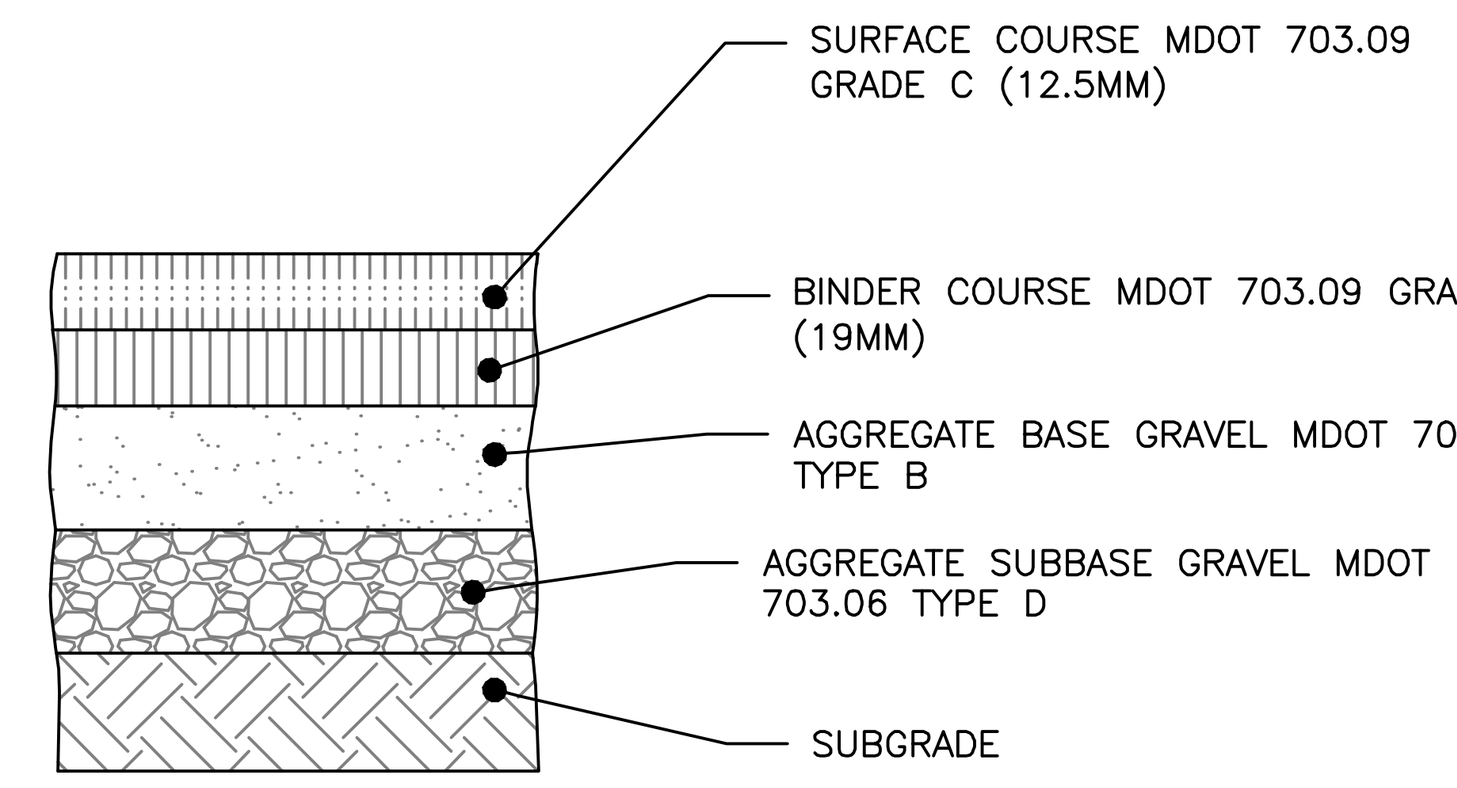
BACKFLOW VALVE ASSEMBLY
NOT TO SCALE

NOTES:

1. SAWCUT EXISTING PAVEMENT AND REMOVE 2' STRIP OF EXISTING PAVEMENT. CREATE UNIFORM AND RIGID BUTT JOINT AND APPLY BITUMINOUS TACK COAT AT AN APPLICATION RATE OF 0.10 TO 0.14 GALLONS PER SQUARE YARD PRIOR TO PLACEMENT OF NEW BITUMINOUS PAVEMENT.
2. THE NEW PAVEMENT SECTION SHALL MEET PAVEMENT SECTION DETAIL AT A MINIMUM OR THE THE EXISTING PAVEMENT AND AGGREGATE BASE AND SUBBASE DEPTH WHICHEVER IS GREATER.



PAVEMENT SAWCUT DETAIL
NOT TO SCALE



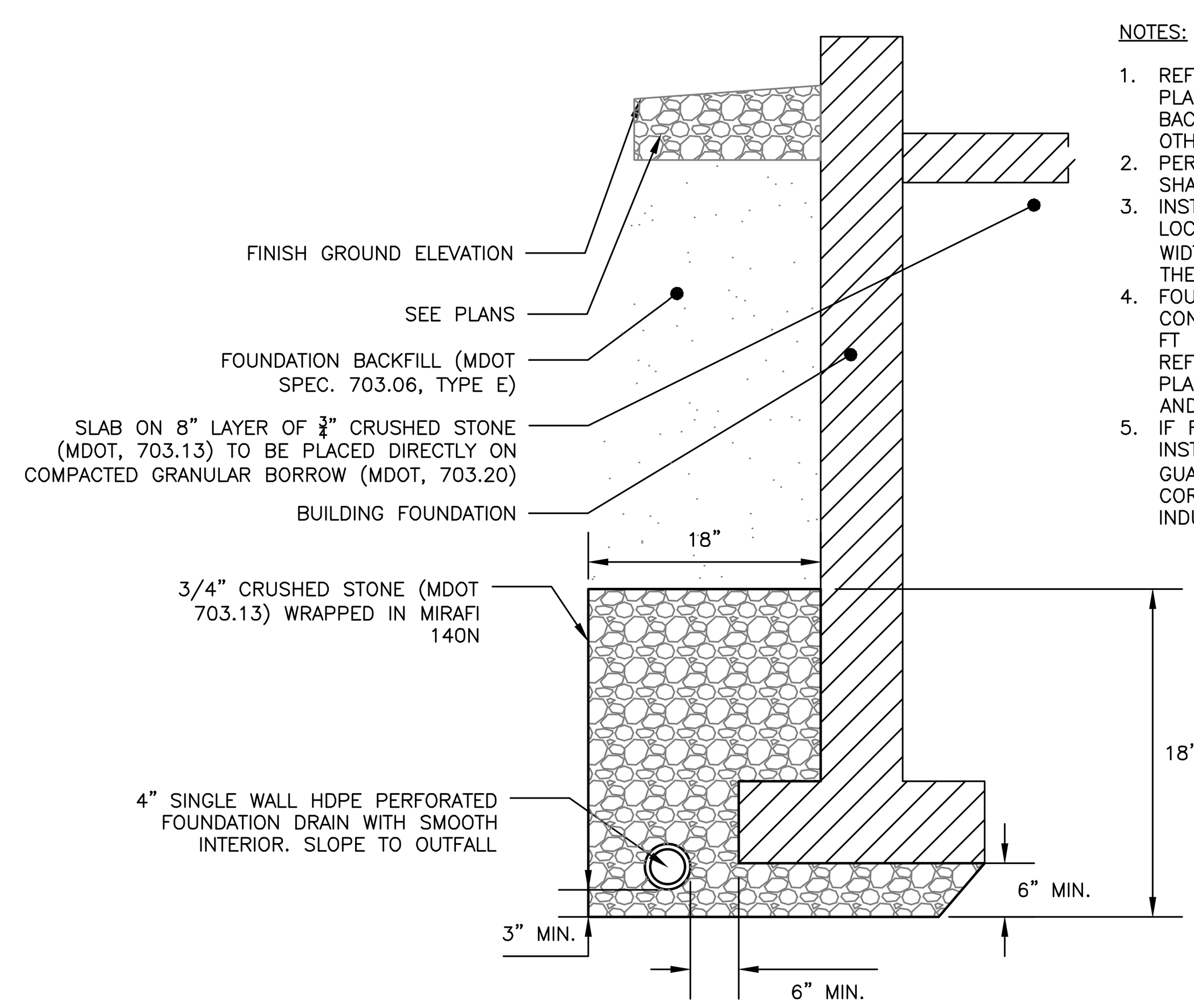
NOTES:

1. COMPACT SUBGRADE TO 95% MAXIMUM DRY DENSITY IN ACCORDANCE WITH ASTM D–1557
2. SURFACE AND AGGREGATE MATERIALS SHALL MEET THE CITY OF PORTLAND STANDARDS IN ADDITION TO MDOT STANDARDS.

THICKNESS OF LAYERS

STANDARD	LAYERS
1–1/2"	SURFACE COURSE MDOT 703.09 GRADE C (12.5mm)
2"	BINDER COURSE MDOT 703.09 GRADE B (19mm)
3"	AGGREGATE BASE GRAVEL MDOT 703.06 TYPE B
15"	AGGREGATE SUBBASE GRAVEL MDOT 703.06 TYPE D

BITUMINOUS PAVEMENT PROFILE
NOT TO SCALE

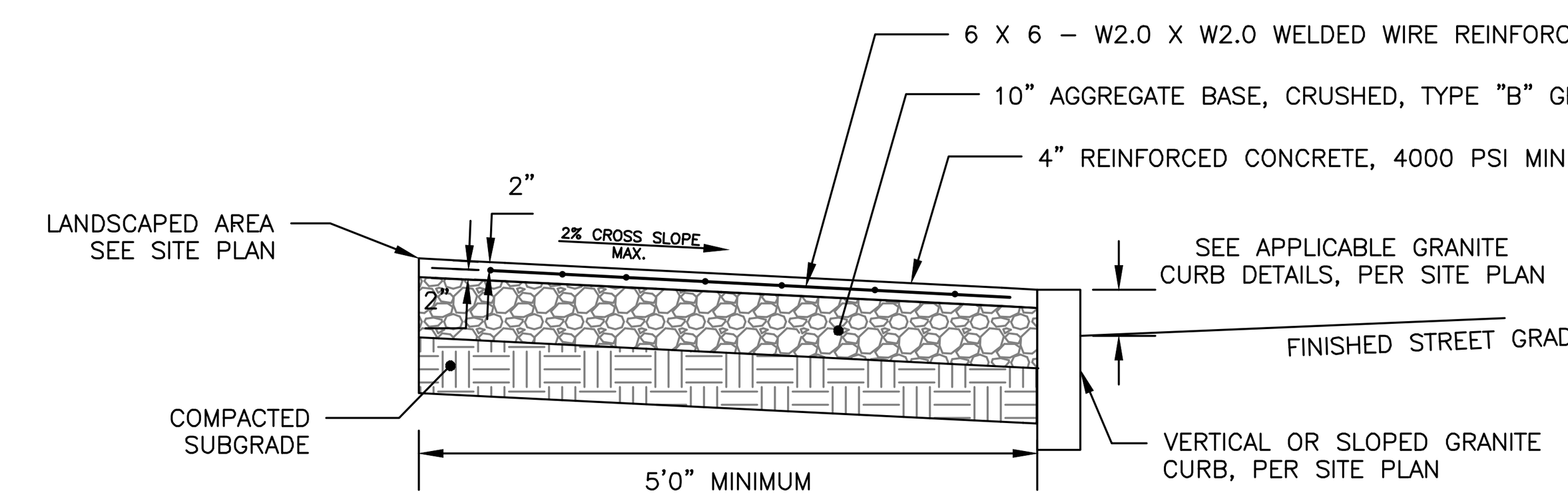


NOTES:

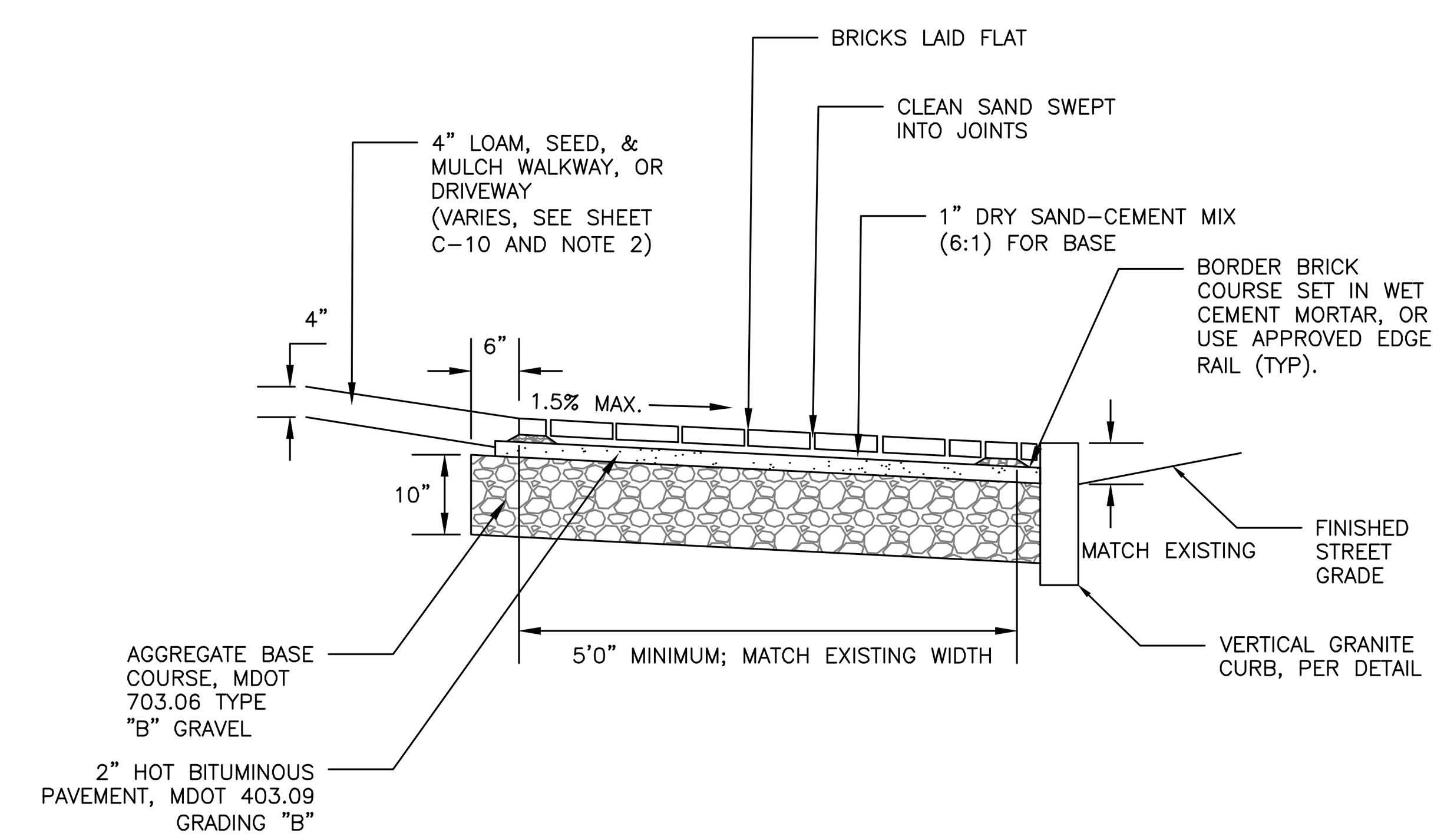
1. REFER TO THE BUILDING ARCHITECTS PLANS FOR THE BUILDING FOUNDATION, BACKFILL, ROOF DRAIN, SIDEWALK AND OTHER DETAILS.
2. PERFORATIONS IN UNDERDRAIN PIPE SHALL BE ORIENTED DOWN.
3. INSTALL STONE DRIP EDGE IN A LOCATIONS SUBJECT TO ROOF RUNOFF. WIDTH SHALL BE A MIN. 12" BEYOND THE PROJECTION OF THE ROOF EVE.
4. FOUNDATION WALL FOOTINGS SHALL BE CONSTRUCTED TO A MIN. DEPTH OF 4 FT BELOW ADJACENT FINISH GRADE. REFER TO STRUCTURAL ENGINEERS PLANS FOR ADDITIONAL INFORMATION AND MIN. REQUIREMENTS.
5. IF FOUNDATION DRAIN DAYLIGHTS, INSTALL DRAINAGE SOLUTIONS ANIMAL GUARD 4" EXTERNAL PVC OR CORRUGATED PLASTIC PIPE, OR INDUSTRY APPROVED EQUAL.

FOUNDATION DRAIN DETAIL
NOT TO SCALE

NOTES:
1. AT A MINIMUM, TESTING SHALL CONSIST OF ENTRAINED AIR AND SLUMP TESTS ON SITE PRIOR TO POURING THE SIDEWALKS. ENTRAINED AIR TESTS SHALL BE DONE IN ACCORDANCE WITH AASHTO T152. TEST FIRST TWO LOADS AND EVERY THIRD LOAD THEREAFTER PROVIDED CONSISTENT RESULTS ARE ACHIEVED.
2. WELDED WIRE FABRIC SHALL BE PLACED 2 INCHES ABOVE THE CRUSHED GRAVEL, AND 2 INCHES FROM ALL FINISHED EDGES, EXPANSION JOINTS AND CURBS. ALL FABRIC JOINTS SHALL BE OVERLAPPED A MINIMUM OF 1 FOOT AND BE PROPERLY TIED. IF THE CONTRACTOR ELECTS TO USE REBAR, ONLY 4–GAUGE WILL BE ACCEPTABLE. IF THE CONTRACTOR ELECTS TO USE A PRE–MIXED FIBER MESH, A SPECIFICATION SHEET MUST BE SUBMITTED AND PRE–APPROVED BY THE ENGINEER PRIOR TO ITS APPLICATION.
3. SLABS SHALL BE PLACED ALTERNATELY IN LENGTHS NOT TO EXCEED 30 FEET OR AS DIRECTED AND SHALL BE SEPARATED BY AN EXPANSION JOINT OF PREFORMED EXPANSION FILLER ½ INCH IN THICKNESS.
4. WHEN CONSTRUCTED ADJACENT TO A BUILDING, RETAINING WALL OR OTHER FIXED STRUCTURE, A ¼ INCH THICK PREFORMED JOINT FILLER SHALL BE USED BETWEEN THE SLAB AND THE STRUCTURE.
5. THE SIDEWALK SURFACE SHALL BE SCORED INTO BLOCK UNITS NO GREATER THAN 40 SQUARE FEET AS DIRECTED. THE DEPTH OF THE SCORING SHALL BE AT LEAST ONE QUARTER OF THE THICKNESS OF THE SLAB.
6. ANY MATCHING INTO EXISTING SIDEWALKS SHALL BE DONE SO WITH A CLEAN VERTICAL FACE CONNECTION.
7. THE SURFACE SHALL BE FINISHED TO PRODUCE A BROOMLIKE "BRUSHED" PATTERN. NO PLASTERING OF THE SURFACE WITH MORTAR WILL BE PERMITTED. THE FINISH SHALL RESULT IN A SURFACE OF UNIFORM TEXTURE AND COLOR. ALL OUTSIDE EDGES OF THE SLAB AND ALL JOINTS SHALL BE ROUNDED WITH A ¼ INCH RADIUS EDGING TOOL.
8. CONCRETE SHALL BE CURED FOR 72 HOURS. CURING SHALL BE BY MEANS OF THOMPSON'S WATER SEAL AS MANUFACTURED BY E.A. THOMPSON CO., INC. OF MEMPHIS, TENNESSEE, BOILED LINSEED OIL, WHITE PIGMENTED CURING COMPOUND, OR BY OTHER APPROVED METHODS. CONCRETE SIDEWALK TO BE SEALED WITH CONSOLIDECK SALTGUARD WB OR APPROVED EQUAL 28 DAYS AFTER PLACEMENT. FOLLOW MANUFACTURER'S RECOMMENDATIONS FOR APPLICATION.
9. GENERAL CONTRACTOR TO COLLECT DELIVERY SLIPS AND TRANSFER TO THE OWNER.
10. WHERE REINFORCED CONCRETE SIDEWALK IS PROPOSED IN A PUBLIC RIGHT OF WAY, THE DETAIL MUST BE APPROVED BY THE PUBLIC WORKS DEPARTMENT PRIOR TO THE INSTALLATION OF THE WALK.



REINFORCED CONCRETE SIDEWALK
NOT TO SCALE



NOTES:

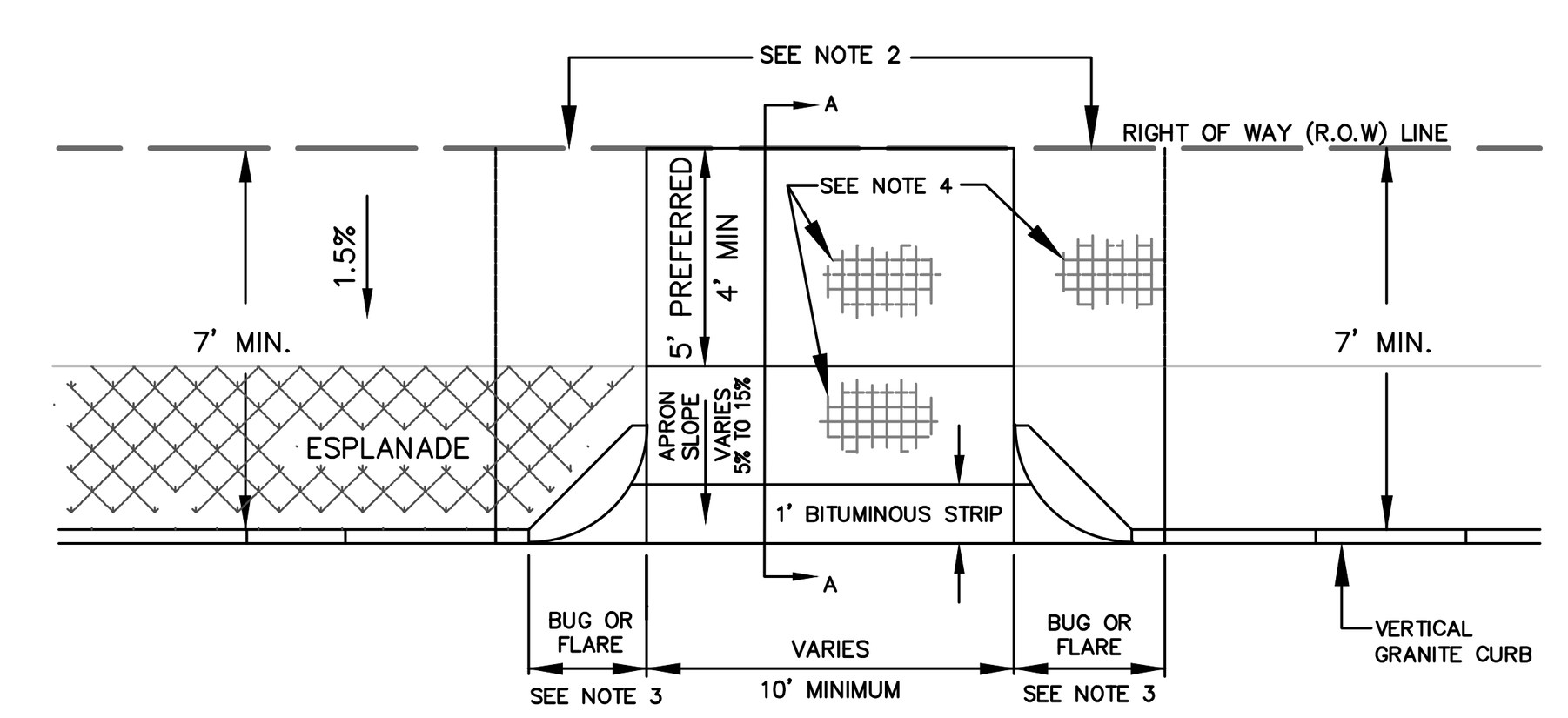
1. BRICKS TO BE USED:

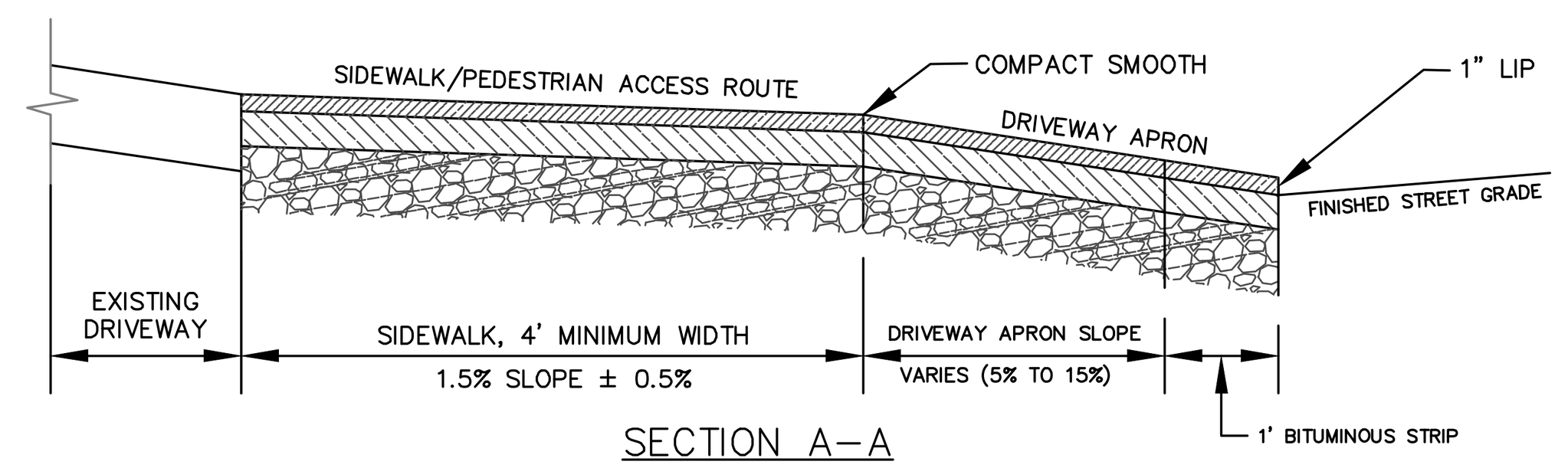
   NEW CONSTRUCTION:
   4"X8" PINE HALL PATHWAY PAVER BRICK; MFG. BY PINE HALL BRICK CO., MADISON, NORTH CAROLINA. LACHANCE ITEM #193623;. PINE HALL PATHWAY PAVER BRICK.

   REPAIR/MAINTENANCE TO EXISTING BRICK SIDEWALKS:
   VERMONT BACKER SUPPLIED BY GAGNE AND SONS SPECIFICATION NUMBER: "VERMONT PAVER BRICK", ITEM NUMBER #VBBB

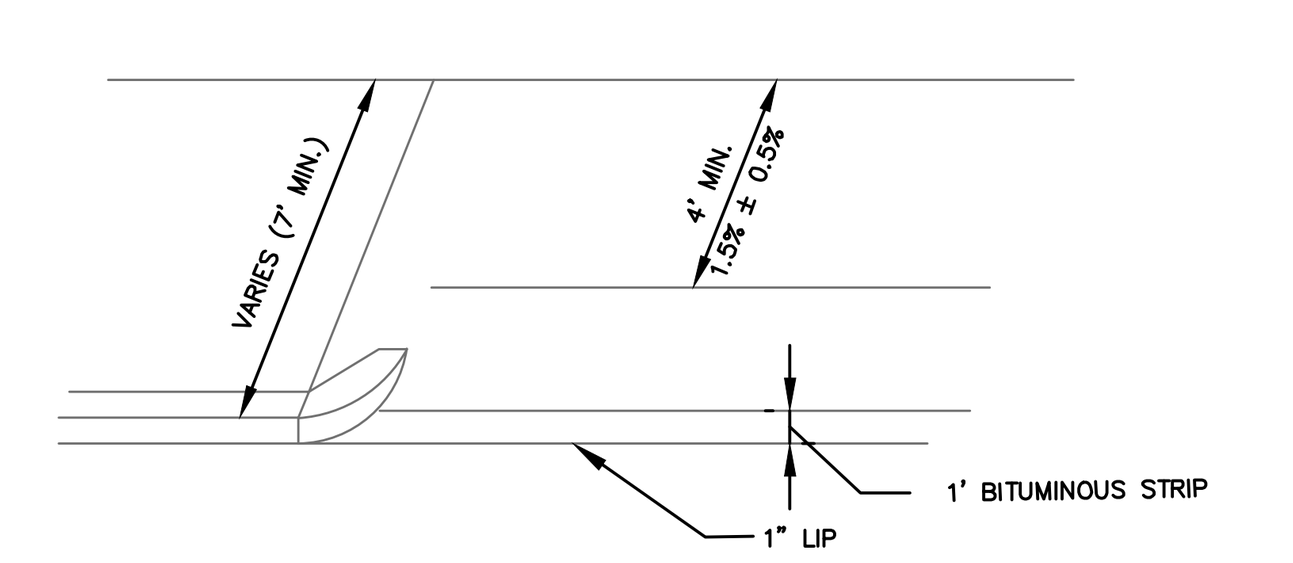
2. INSTALL BRICK FLUSH UP TO BUILDING, PAVEMENT, STAIRS, CONCRETE SURFACES, CURB OR LANDSCAPED AREAS.

BRICK SIDEWALK WITH BITUMINOUS BASE DETAIL
NOT TO SCALE





SECTION A–A
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. TWO–FOOT RADIUS CORNER GRANITE PIECES ("BUGS") ARE REQUIRED AT LOW–VOLUME DRIVEWAYS UNLESS OTHERWISE DIRECTED BY DPW. AT OTHER DRIVEWAYS, STANDARD FLARE/TIPDOWN TREATMENTS SHALL BE USED.
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

PERMITTING
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY / DATE
MAJOR SITE PLAN	PFH 3/31/23
COMMENT RESPONSE	PFH 5/25/23

DRAWING NAME: SITE DETAILS – 1

PROJECT NAME/ADDRESS: 511 CONGRESS STREET REDEVELOPMENT – PORLTAND

CLIENT/OWNER OF RECORD: TOM WATSON & CO.
188 STATE STREET, 3RD FLOOR, PORTLAND ME 04101

A C O R N ENGINEERING, INC.

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

ACORN ENGINEERING, INC.
PO BOX 3372, PORTLAND MAINE 04101
(207) 775–2655

FILE:	1192.3_CIVIL
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DESIGNED BY:	PFH
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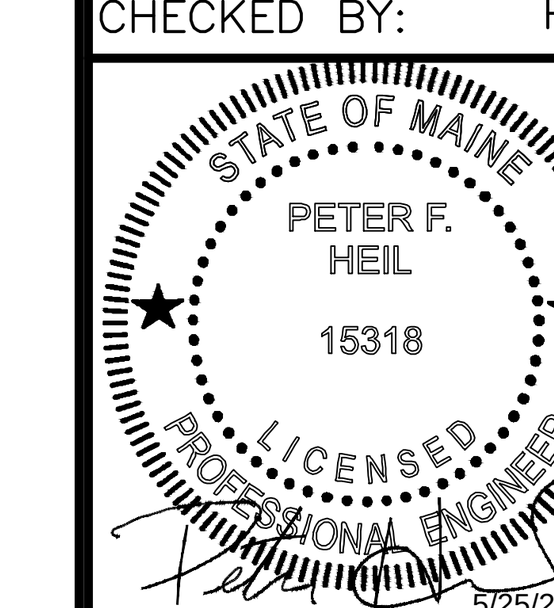


DRAWING NO.
C-40

1.0 EROSION CONTROL MEASURES AND SITE STABILIZATION

AS PART OF THE SITE DEVELOPMENT, THE FOLLOWING TEMPORARY AND PERMANENT EROSION AND SEDIMENTATION CONTROL DEVICES SHALL BE IMPLEMENTED. DEVICES SHALL BE INSTALLED AS DESCRIBED IN THIS REPORT OR WITHIN THE PLAN SET. SEE THE MAINE EROSION AND SEDIMENT CONTROL HANDBOOK FOR CONSTRUCTION: BEST MANAGEMENT PRACTICES FOR FURTHER REFERENCE.

1.1 TEMPORARY EROSION CONTROL MEASURES

THE FOLLOWING TEMPORARY EROSION AND SEDIMENTATION CONTROL MEASURES ARE PLANNED FOR THE PROJECT'S CONSTRUCTION PERIOD:

1.1.1 CRUSHED STONE STABILIZED CONSTRUCTION ENTRANCES SHALL BE PLACED AT ALL ACCESS POINTS TO THE PROJECT SITE WHERE THERE ARE DISTURBED AREAS. THE FOLLOWING SPECIFICATIONS SHALL BE FOLLOWED AT A MINIMUM:
- STONE SIZE SHALL BE 2–3 INCHES, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT.
- THE THICKNESS OF THE ENTRANCE STONE LAYER SHALL BE NO LESS THAN 6 INCHES.
- THE ENTRANCE SHALL NOT BE LESS THAN 20 FEET WIDE, HOWEVER NOT LESS THAN THE FULL WIDTH OF POINTS WHERE INGRESS OR EGRESS OCCURS. THE LENGTH SHALL NOT BE LESS THAN 50 FEET IN LENGTH.
- GEOTEXTILE FABRIC (WOVEN OR NON–WOVEN) SHALL BE PLACED OVER THE ENTIRE ENTRANCE AREA.
- THE ENTRANCE/EXIT SHALL BE MAINTAINED TO THE EXTENT THAT IT WILL PREVENT THE TRACKING OF SEDIMENT ONTO PUBLIC ROAD WAYS.

1.1.2 SILTATION FENCE OR EROSION CONTROL BERM SHALL BE INSTALLED DOWN GRADIENT OF ANY DISTURBED AREAS TO TRAP RUNOFF BORNE SEDIMENTS UNTIL PERMANENT STABILIZATION IS ACHIEVED. THE SILT FENCE OR EROSION CONTROL BERM SHALL BE INSTALLED PER THE DETAILS PROVIDED IN THE PLAN SET AND INSPECTED BEFORE AND IMMEDIATELY AFTER EACH RAINFALL AND AT LEAST DAILY DURING PROLONGED RAINFALL. REPAIRS SHALL BE MADE IF THERE ARE ANY SIGNS OF EROSION OR SEDIMENTATION BELOW THE FENCE LINE OR BERM. IF THERE ARE SIGNS OF UNDERCUTTING AT THE CENTER OR THE EDGES, OR IMPOUNDING OF LARGE VOLUMES OF WATER BEHIND THE FENCE OR BERM, THE BARRIER SHALL BE REPLACED WITH A STONE CHECK DAM.

1.1.3 HAY MULCH INCLUDING HYDRO SEEDING IS INTENDED TO PROVIDE COVER FOR DENUDED OR SEEDED AREAS UNTIL REVEGETATION IS ESTABLISHED. MULCH PLACED BETWEEN APRIL 15TH AND NOVEMBER 1ST ON SLOPES OF LESS THAN 15 PERCENT SHALL BE COVERED BY FABRIC NETTING AND ANCHORED WITH STAPLES IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATION. MULCH PLACED BETWEEN NOVEMBER 1ST AND APRIL 15TH ON SLOPES EQUAL TO OR STEEPER THAN 8 PERCENT AND EQUAL TO OR FLATTER THAN 2:1 SHALL USE MATS OR FABRIC NETTING AND ANCHORED WITH STAPLES IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATION.

1.1.4 AT ANY TIME OF THE YEAR, ALL SLOPES STEEPER THAN 3:1 SHALL BE STABILIZED WITH DOUBLE NET EROSION CONTROL BLANKET BIONET SC150BN BY NORTH AMERICAN GREEN OR APPROVED EQUAL, OR EROSION CONTROL MIX SLOPE PROTECTION AS DETAILED WITHIN THE PLANS.

1.1.5 **BROWN STREET AND CONGRESS STREET** SHALL BE SWEPT TO CONTROL MUD AND DUST FROM THE CONSTRUCTION SITE AS NECESSARY. ADD ADDITIONAL STONE TO THE STABILIZED CONSTRUCTION ENTRANCE TO MINIMIZE THE TRACKING OF MATERIAL OFF THE SITE AND ONTO THE SURROUNDING ROADWAYS.

1.1.6 DURING DEMOLITION, CLEARING AND GRUBBING OPERATIONS, STONE CHECK DAMS SHALL BE INSTALLED AT ANY AREAS OF CONCENTRATED FLOW. THE MAXIMUM HEIGHT OF THE CHECK DAM SHALL NOT EXCEED 2 FEET. THE CENTER OF THE CHECK DAM SHALL BE 6 INCHES BELOW THE OUTER EDGES OF THE DAM. THE CONTRACTOR SHALL MULCH THE SIDE SLOPES AND INSTALL STONE CHECK DAMS FOR ALL NEWLY EXCAVATED DITCH LINES WITHIN 24 HOURS OF THEIR CREATION.

1.1.7 SILT FENCE STAKE SPACING SHALL NOT EXCEED 6 FEET UNLESS THE FENCE IS SUPPORTED WITH 14 GAUGE WIRE IN WHICH CASE THE MAXIMUM SPACING SHALL NOT EXCEED 10 FEET. THE SILT FENCE SHALL BE "TOED" INTO THE GROUND.

1.1.8 STORMDRAIN INLET PROTECTION SHALL BE PROVIDED TO STORMDRAINS THROUGH THE USE OF ANY OF THE FOLLOWING: HAY BALE DROP INLET STRUCTURES, SILT FENCE DROP INLET SEDIMENT FILTER, GRAVEL AND WIRE MESH DROP INLET SEDIMENT FILTER, OR CURB INLET SEDIMENT FILTER. BARRIERS SHALL BE INSPECTED AFTER EVERY RAINFALL EVENT AND REPAIRED AS NECESSARY. SEDIMENTS SHALL BE REMOVED WHEN ACCUMULATION HAS REACHED ½ THE DESIGN HEIGHT.

1.1.9 DUST CONTROL SHALL BE ACCOMPLISHED BY THE USE OF ANY OF THE FOLLOWING: WATER, CALCIUM CHLORIDE, STONE, OR AN APPROVED MDEP PRODUCT. DUST CONTROL SHALL BE APPLIED AS NEEDED TO ACCOMPLISH DUST CONTROL.

1.1.10 TEMPORARY LOAM, SEED, AND MULCHING SHALL BE USED IN AREAS WHERE NO OTHER EROSION CONTROL MEASURE IS USED. APPLICATION RATES FOR SEEDING ARE PROVIDED AT THE END OF THIS REPORT.

1.1.11 STOCKPILES SHALL BE STABILIZED WITHIN 7 DAYS OF FORMATION UNLESS A SCHEDULED RAIN EVENT OCCURS PRIOR TO THE 7 DAY WINDOW, IN WHICH CASE THE STOCKPILE SHALL BE STABILIZED PRIOR TO THE RAIN EVENT. METHODS OF STABILIZATION SHALL BE MULCH, EROSION CONTROL MIX, OR EROSION CONTROL BLANKETS/MATS. SILT FENCE OR A WOOD WASTE COMPOST FILTER BERM SHALL BE PLACED DOWNHILL OF ANY SOIL STOCKPILE LOCATION.

1.1.12 FOR DISTURBANCE BETWEEN NOVEMBER 1 AND APRIL 15, PLEASE REFER TO WINTER STABILIZATION PLAN IN THIS REPORT AND THE MAINE EROSION AND SEDIMENT CONTROL BMP MANUAL FOR FURTHER INFORMATION.

1.1.13 IT IS OF THE UTMOST IMPORTANCE THAT STORMWATER RUNOFF AND POTENTIAL SEDIMENT FROM THE CONSTRUCTION SITE BE DIVERTED AROUND THE PROPOSED UNDERDRAINS UNTIL THE TRENCH IS BACKFILLED.

1.2 PERMANENT EROSION CONTROL MEASURES

THE FOLLOWING PERMANENT EROSION CONTROL MEASURES ARE INTENDED FOR POST DISTURBANCE AREAS OF THE PROJECT.

1.2.1 ALL DISTURBED AREAS DURING CONSTRUCTION, NOT SUBJECT TO OTHER PROPOSED CONDITIONS, SHALL RECEIVE A MINIMUM 4" OF LOAM AND SHALL BE LIMED, AND MULCHED.
EROSION CONTROL BLANKETS OR MATS SHALL BE PLACED OVER THE MULCH IN AREAS NOTED IN PARAGRAPH 4.2 OF THIS REPORT.

1.2.2 ALL STORMWATER DEVICES SHALL BE INSTALLED AND TRIBUTARY AREAS STABILIZED PRIOR RECEIVING STORMWATER.

1.2.3 REFER TO THE MAINE EROSION AND SEDIMENT CONTROL BMP MANUAL FOR ADDITIONAL INFORMATION.

2.0 EROSION AND SEDIMENTATION CONTROL PLAN

2.1 THE EROSION AND SEDIMENTATION CONTROL PLAN IS INCLUDED WITHIN THE PLAN SET.

3.0 DETAILS AND SPECIFICATIONS

3.1 EROSION CONTROL DETAILS AND SPECIFICATIONS ARE INCLUDED IN THE PLAN SET.

4.0 STABILIZATION PLAN FOR WINTER CONSTRUCTION

WINTER CONSTRUCTION CONSISTS OF EARTHWORK DISTURBANCE BETWEEN THE DATES OF NOVEMBER 1 AND APRIL 15. IF A CONSTRUCTION SITE IS NOT STABILIZED WITH PAVEMENT, A ROAD GRAVEL BASE, 75% MATURE VEGETATION COVER OR RIPRAP BY NOVEMBER 15, THEN THE SITE SHALL BE PROTECTED WITH OVER–WINTER STABILIZATION. ANY AREA NOT STABILIZED WITH PAVEMENT, VEGETATION, MULCHING, EROSION CONTROL MIX, EROSION CONTROL MATS, RIPRAP, OR GRAVEL BASE ON A ROAD SHALL BE CONSIDERED OPEN.

THE CONTRACTOR SHALL LIMIT THE WORK AREA TO AREAS THAT WORK WILL OCCUR IN DURING THE SUBSEQUENT 15 DAYS AND SO THAT IT CAN BE MULCHED ONE DAY PRIOR TO A SNOW EVENT. THE CONTRACTOR SHALL STABILIZE WORK AREAS PRIOR TO OPENING ADDITIONAL WORK AREAS TO MINIMIZE AREAS WITHOUT EROSION CONTROL MEASURES.

THE FOLLOWING MEASURES SHALL BE IMPLEMENTED DURING WINTER CONSTRUCTION PERIODS:

4.1 SEDIMENT BARRIERS

DURING FROZEN CONDITIONS, SEDIMENT BARRIERS MAY CONSIST OF EROSION CONTROL MIX BERMS OR ANY OTHER RECOGNIZED SEDIMENT BARRIERS AS FROZEN SOIL PREVENTS THE PROPER INSTALLATION OF HAY BALES OR SILT FENCES.

4.2 MULCHING

ALL AREAS SHALL BE CONSIDERED TO BE DENUDED UNTIL SEEDED AND MULCHED. HAY AND STRAW MULCH SHALL BE APPLIED AT A RATE OF 150 LB. PER 1,000 SQUARE FEET OR 3 TONS/ACRE (TWICE THE NORMAL ACCEPTED RATE OF 75–LBS./1,000 S.F. OR 1.5 TONS/ACRE) AND SHALL BE PROPERLY ANCHORED. EROSION CONTROL MIX MUST BE APPLIED WITH A MINIMUM 4 INCH THICKNESS. MULCH SHALL NOT BE SPREAD ON TOP OF SNOW. THE SNOW SHALL BE REMOVED DOWN TO A ONE–INCH DEPTH OR LESS PRIOR TO APPLICATION. AFTER EACH DAY OF FINAL GRADING, THE AREA SHALL BE PROPERLY STABILIZED WITH ANCHORED HAY OR STRAW OR EROSION CONTROL MATTING. AN AREA SHALL BE CONSIDERED TO HAVE BEEN STABILIZED WHEN EXPOSED SURFACES HAVE BEEN EITHER MULCHED OR ADEQUATELY ANCHORED SO THAT GROUND SURFACE IS NOT VISIBLE THROUGH THE MULCH. BETWEEN THE DATES OF NOVEMBER 1 AND APRIL 15, ALL MULCH SHALL BE ANCHORED BY EITHER MULCH NETTING, TRACKING OR WOOD CELLULOSE FIBER. THE COVER WILL BE CONSIDERED SUFFICIENT WHEN THE GROUND SURFACE IS NOT VISIBLE THROUGH THE MULCH. AFTER NOVEMBER 1ST, MULCHING AND ANCHORING OF ALL EXPOSED SOIL SHALL OCCUR AT THE END OF EACH FINAL GRADING WORKDAY.

4.3 SOIL STOCKPILING

STOCKPILES OF SOIL OR SUBSOIL SHALL BE MULCHED FOR OVER WINTER PROTECTION WITH HAY OR STRAW AT TWICE THE NORMAL RATE OR WITH A FOUR–INCH LAYER OF EROSION CONTROL MIX. THIS SHALL BE DONE WITHIN 24 HOURS OF STOCKING AND RE–ESTABLISHED PRIOR TO ANY RAINFALL OR SNOWFALL.

4.4 SEEDING

BETWEEN THE DATES OF OCTOBER 15TH AND APRIL 1ST, LOAM OR SEED SHALL NOT BE REQUIRED. DURING PERIODS OF ABOVE FREEZING TEMPERATURES FINISHED AREAS SHALL BE FINE GRADED AND EITHER PROTECTED WITH MULCH OR TEMPORARILY SEEDED AND MULCHED UNTIL SUCH TIME AS THE FINAL TREATMENT CAN BE APPLIED. IF THE DATE IS AFTER NOVEMBER 1ST AND IF THE EXPOSED AREA HAS NOT BEEN LOAMED, FINAL GRADING WITH A UNIFORM SURFACE, THEN THE AREA MAY BE DORMANT SEEDED AT A RATE OF 3 TIMES HIGHER THAN SPECIFIED FOR PERMANENT SEED AND THEN MULCHED.

DORMANT SEEDING MAY BE PLACED PRIOR TO THE PLACEMENT OF MULCH OR EROSION CONTROL BLANKETS. IF DORMANT SEEDING IS USED FOR THE SITE, ALL DISTURBED AREAS SHALL RECEIVE 4" OF LOAM AND SEED AT AN APPLICATION RATE OF 5 LBS/1,000 S.F. ALL AREAS SEEDED DURING THE WINTER SHALL BE INSPECTED IN THE SPRING FOR ADEQUATE CATCH. ALL AREAS INSUFFICIENTLY VEGETATED (LESS THAN 75% CATCH) SHALL BE REVEGETATED BY REPLACING LOAM, SEED AND MULCH. IF DORMANT SEEDING IS NOT USED FOR THE SITE, ALL DISTURBED AREAS SHALL BE REVEGETATED IN THE SPRING.

4.5 OVER WINTER STABILIZATION OF DISTURBED SOILS

BY SEPTEMBER 15TH, ALL DISTURBED SOILS ON AREAS HAVING A SLOPE LESS THAN 15% SHALL BE SEEDED AND MULCHED. IF THE DISTURBED AREAS ARE NOT STABILIZED BY THIS DATE, THEN ONE OF THE FOLLOWING ACTIONS SHALL BE TAKEN TO STABILIZE THE SOIL FOR LATE FALL AND WINTER:

- STABILIZE THE SOIL WITH TEMPORARY VEGETATION – BY OCTOBER 1ST, SEED THE DISTURBED SOIL WITH WINTER RYE AT A SEEDING RATE OF 3LBS PER 1,000 S.F., LIGHTLY MULCH THE SEEDED SOIL WITH HAY OR STRAW AT 75 LBS PER 1,000 S.F., AND ANCHOR THE MULCH WITH PLASTIC NETTING. MONITOR GROWTH OF THE RYE OVER THE NEXT 30 DAYS. IF THE RYE FAILS TO GROW AT LEAST THREE INCHES OR FAILS TO COVER AT LEAST 75% OF THE DISTURBED SOIL BEFORE NOVEMBER 1ST, THEN MULCH THE AREA FOR OVER–WINTER PROTECTION.
- STABILIZE THE SOIL WITH SOD – STABILIZE THE DISTURBED SOIL WITH PROPERLY INSTALLED SOD BY OCTOBER 1ST. PROPER INSTALLATION INCLUDES PINNING THE SOD ONTO THE SOIL WITH WIRE PINS, ROLLING THE SOD TO GUARANTEE CONTACT BETWEEN THE SOD AND UNDERLYING SOIL, AND WATERING THE SOD TO PROMOTE ROOT GROWTH INTO THE DISTURBED SOIL.
- STABILIZE THE SOIL WITH MULCH – BY NOVEMBER 15TH, MULCH THE DISTURBED SOIL BY SPREADING HAY OR STRAW AT A RATE OF AT LEAST 150 LBS PER 1,000 S.F. ON THE AREA SO THAT NO SOIL IS VISIBLE THROUGH THE MULCH. IMMEDIATELY AFTER APPLYING THE MULCH, ANCHOR THE MULCH WITH NETTING TO PREVENT WIND FROM MOVING THE MULCH OFF THE DISTURBED SOIL.

4.6 OVER WINTER STABILIZATION OF DISTURBED SLOPES

ALL STONE–COVERED SLOPES SHALL BE CONSTRUCTED AND STABILIZED BY NOVEMBER 15TH. ALL SLOPES TO BE VEGETATED SHALL BE SEEDED AND MULCHED BY SEPTEMBER 1ST. A SLOPE IS CONSIDERED A GRADE GREATER THAN 15%. IF A SLOPE TO BE VEGETATED IS NOT STABILIZED BY SEPTEMBER 1ST, THEN ONE OF THE FOLLOWING ACTION SHALL BE TAKEN TO STABILIZE THE SLOPE FOR LATE FALL AND WINTER:

- STABILIZE THE SOIL WITH TEMPORARY VEGETATION AND EROSION CONTROL MATS – BY OCTOBER 1ST THE DISTURBED SLOPE SHALL BE SEEDED WITH WINTER RYE AT A SEEDING RATE OF 3 LBS PER 1,000 S.F. AND THEN INSTALL EROSION CONTROL MATS OR ANCHORED MULCH OVER THE SEEDING. IF THE RYE FAILS TO GROW AT LEAST THREE INCHES OR FAILS TO COVER AT LEAST 75% OF THE SLOPE BY NOVEMBER 1ST, THEN THE CONTRACTOR SHALL COVER THE SLOPE WITH A LAYER OF EROSION CONTROL MIX OR WITH STONE RIPRAP.
- STABILIZE THE SOIL WITH SOD – THE DISTURBED SLOPE SHALL BE STABILIZED WITH PROPERLY INSTALLED SOD BY OCTOBER 1ST. PROPER INSTALLATION INCLUDES THE CONTRACTOR PINNING THE SOD ONTO THE SLOPE WITH WIRE PINS, ROLLING THE SOD TO GUARANTEE CONTACT BETWEEN THE SOD AND UNDERLYING SOIL, AND WATERING THE SOD TO PROMOTE ROOT GROWTH INTO THE DISTURBED SOIL. THE CONTRACTOR SHALL NOT USE LATE–SEASON SOD INSTALLATION TO STABILIZE SLOPES HAVING A GRADE GREATER THAN 3H:1V OR HAVING GROUNDWATER SEEPS ON THE SLOPE FACE.
- STABILIZE THE SOIL WITH EROSION CONTROL MIX – EROSION CONTROL MIX SHALL BE PROPERLY INSTALLED BY NOVEMBER 15TH. THE CONTRACTOR SHALL NOT USE EROSION CONTROL MIX TO STABILIZE SLOPES HAVING GRADES GREATER THAN 2H:1V OR HAVING GROUNDWATER SEEPS ON THE SLOPE FACE.
- STABILIZE THE SOIL WITH STONE RIPRAP – PLACE A LAYER OF STONE RIPRAP ON THE SLOPE BY NOVEMBER 15TH. A REGISTERED PROFESSIONAL ENGINEER SHALL BE HIRED TO DETERMINE THE STONE SIZE NEEDED FOR STABILITY ON THE SLOPE AND TO DESIGN A FILTER LAYER FOR UNDERNEATH THE RIPRAP.

5.0 INSPECTION AND MAINTENANCE

A PERSON WITH KNOWLEDGE OF EROSION AND STORMWATER CONTROL, INCLUDING THE STANDARDS AND CONDITIONS IN THE PERMIT, SHALL CONDUCT PERIODIC VISUAL INSPECTIONS OF INSTALLED EROSION CONTROL MEASURES. THE FREQUENCY OF INSPECTION SHALL OCCUR AT LEAST ONCE EVERY TWO WEEKS, AS WELL AS AFTER A "STORM EVENT". A "STORM EVENT" SHALL CONSIST 0.5 INCHES OF RAIN WITHIN A 24 HOUR PERIOD. THE FOLLOWING EROSION AND SEDIMENT CONTROL – BEST MANAGEMENT PRACTICES (BMP'S) SHALL INSPECTED IN THE MANNER AS DESCRIBED.

5.1 SEDIMENT BARRIERS

HAY BALE BARRIERS, SILT FENCES AND FILTER BERMS SHALL BE INSPECTED AND REPAIRED FOR THE FOLLOWING IF THERE ARE ANY SIGNS OF EROSION OR SEDIMENTATION BELOW THEM. IF THERE ARE SIGNS OF UNDERCUTTING AT THE CENTER OR THE EDGES OF THE BARRIER, OR IMPOUNDING OF LARGE VOLUMES OF WATER BEHIND THEM, SEDIMENT BARRIERS SHALL BE REPLACED WITH A TEMPORARY CHECK DAM. SHOULD THE FABRIC ON A SILT FENCE OR FILTER BARRIER DECOMPOSE OR BECOME INEFFECTIVE PRIOR TO THE END OF THE EXPECTED USABLE LIFE AND THE BARRIER IS STILL NECESSARY, THE FABRIC SHALL BE REPLACED PROMPTLY. SEDIMENT DEPOSITS SHOULD BE REMOVED WHEN DEPOSITS REACH APPROXIMATELY ONE–HALF THE HEIGHT OF THE BARRIER. FILTER BERMS SHOULD BE RESHAPED AS NEEDED. ANY SEDIMENT DEPOSITS REMAINING IN PLACE AFTER THE SILT FENCE OR FILTER BARRIER IS NO LONGER REQUIRED SHOULD BE DRESSED TO CONFORM TO THE EXISTING GRADE, PREPARED AND SEEDED.

5.2 STABILIZED STONE CONSTRUCTION ENTRANCES

THE EXIT SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OF SEDIMENT ONTO PUBLIC RIGHTS–OF–WAY. WHEN THE CONTROL PAD BECOMES INEFFECTIVE, THE STONE SHALL BE REMOVED ALONG WITH THE COLLECTED SOIL MATERIAL AND REDISTRIBUTED ON SITE IN A STABLE MANNER. THE ENTRANCE SHOULD THEN BE RECONSTRUCTED. THE CONTRACTOR SHALL SWEEP OR WASH PAVEMENT AT EXITS, WHICH HAVE EXPERIENCED MUD–TRACKING ON TO THE PAVEMENT OR TRAVELED WAY. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH AGGREGATE, WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE. ALL SEDIMENT SHALL BE PREVENTED FROM ENTERING STORM DRAINS, DITCHES, OR WATERWAYS.

5.3 MULCHED AREAS

ALL MULCHES MUST BE INSPECTED PERIODICALLY, IN PARTICULAR AFTER RAINSTORMS, TO CHECK FOR RILL EROSION. IF LESS THAN 90% OF THE SOIL SURFACE IS COVERED BY MULCH, ADDITIONAL MULCH SHALL BE IMMEDIATELY APPLIED. NETS MUST BE INSPECTED AFTER RAIN EVENTS FOR DISLOCATION OR FAILURE. IF WASHOUTS OR BREAKAGE OCCUR, RE–INSTALL THE NETS AS NECESSARY AFTER REPAIRING DAMAGE TO THE SLOPE. WHERE MULCH IS USED IN CONJUNCTION WITH ORNAMENTAL PLANTINGS, INSPECT PERIODICALLY THROUGHOUT THE YEAR TO DETERMINE IF MULCH IS MAINTAINING COVERAGE OF THE SOIL SURFACE. REPAIR AS NEEDED.

5.4 DUST CONTROL

WHEN TEMPORARY DUST CONTROL MEASURES ARE USED, REPETITIVE TREATMENT SHALL BE APPLIED AS NEEDED TO ACCOMPLISH CONTROL.

5.5 STORMWATER APPURTENANCES

ALL UNDERDRAINS, STORM DRAINS, AND CATCH BASINS NEED TO BE OPERATING EFFECTIVELY AND FREE OF DEBRIS.

5.6 EROSION AND SEDIMENTATION CONTROL INSPECTIONS:

ACORN ENGINEERING HAS PERSONNEL QUALIFIED TO CONDUCT EROSION AND SEDIMENTATION CONTROL INSPECTIONS. FOR FURTHER INFORMATION CONTACT:

CONTACT: PETER HEIL, PE
TELEPHONE: (207) 775–2655

QUALIFICATIONS:

- MAINE PROFESSIONAL ENGINEERING LICENSE #15318
- MAINE DEP – CERTIFIED IN MAINTENANCE & INSPECTION OF STORMWATER BMP'S CERT
- MAINE DEP – CERTIFIED THIRD–PARTY INSPECTOR
- CERTIFIED PROFESSIONAL IN EROSION AND SEDIMENT CONTROL (CPESC) CERT. #7071

THE CONTRACTOR HAS SOLE RESPONSIBILITY FOR COMPLYING WITH THE EROSION AND SEDIMENTATION REPORT/PLAN, INCLUDING CONTROL OF FUGITIVE DUST. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY MONETARY PENALTIES RESULTING FROM FAILURE TO COMPLY WITH THESE STANDARDS.

6.0 IMPLEMENTATION SCHEDULE

THE FOLLOWING IMPLEMENTATION SEQUENCE IS INTENDED TO MAXIMIZE THE EFFECTIVENESS OF THE ABOVE DESCRIBED EROSION CONTROL MEASURES. CONTRACTORS SHOULD AVOID OVEREXPOSING DISTURBED AREAS AND LIMIT THE AMOUNT OF STABILIZATION AREA.

1. INSTALL A STABILIZED CONSTRUCTION ENTRANCE IN ALL LOCATIONS WHERE CONSTRUCTION TRAFFIC WILL ENTER AND EXIT THE SITE.
2. INSTALL PERIMETER SILT FENCE OR EROSION CONTROL BERM.
3. INSTALL ALL OTHER EROSION CONTROL DEVICES AS NECESSARY THROUGHOUT THE REMAINDER OF THIS SCHEDULE.
4. COMMENCE INSTALLATION OF DRAINAGE INFRASTRUCTURE.
5. PRIORITIZE THE DOWNHILL SIDE TO CONTAIN RUNOFF WITHIN THE SITE WHILE PROVIDING AN ENGINEERED OUTLET WITH SILTATION BARRIER TO THE MUNICIPAL STORMWATER SYSTEM WITHIN BROWN STREET.
6. COMMENCE EARTHWORK OPERATIONS, WALL AND FOUNDATION INSTALLATION.
7. COMMENCE INSTALLATION OF UTILITIES.
8. CONTINUE EARTHWORK AND GRADING TO SUBGRADE AS NECESSARY FOR CONSTRUCTION.
9. COMPLETE INSTALLATION OF DRAINAGE INFRASTRUCTURE, AS WELL AS OTHER UTILITY WORK.
10. COMPLETE REMAINING EARTHWORK OPERATIONS.
11. INSTALL SUB–BASE AND BASE GRAVELS IN PAVED AREAS.
12. INSTALL PAVING, CURBING AND BRICKWORK.
13. LOAM, LIME, FERTILIZE, SEED AND MULCH DISTURBED AREAS AND COMPLETE ALL LANDSCAPING.
14. ONCE THE SITE IS STABILIZED, 90% CATCH OF GRASS HAS BEEN OBTAINED, OR MULCHING OF LANDSCAPE AREAS IS COMPLETE REMOVE ALL TEMPORARY EROSION CONTROL MEASURES.
15. TOUCH UP AREAS WITHOUT A VIGOROUS CATCH OF GRASS WITH LOAM AND SEED.
16. COMPLETE SITE SIGNAGE AND STRIPING.
17. EXECUTE PROPER MAINTENANCE OF ALL TEMPORARY AND PERMANENT EROSION CONTROL MEASURES THROUGHOUT THE PROJECT.

THE ABOVE IMPLEMENTATION SEQUENCE SHOULD BE GENERALLY FOLLOWED BY THE SITE CONTRACTOR. HOWEVER, THE CONTRACTOR MAY CONSTRUCT SEVERAL ITEMS SIMULTANEOUSLY. THE CONTRACTOR SHALL SUBMIT TO THE OWNER A SCHEDULE OF THE COMPLETION OF THE WORK. IF THE CONTRACTOR IS TO COMMENCE THE CONSTRUCTION OF MORE THAN ONE ITEM ABOVE, THEY SHALL LIMIT THE AMOUNT OF EXPOSED AREAS TO THOSE AREAS IN WHICH WORK IS EXPECTED TO BE UNDERTAKEN DURING THE FOLLOWING 30 DAYS.

THE CONTRACTOR SHALL RE–VEGETATE DISTURBED AREAS AS RAPIDLY AS POSSIBLE. ALL AREAS SHALL BE PERMANENTLY STABILIZED WITHIN 7 DAYS OF FINAL GRADING OR BEFORE A STORM EVENT. THE CONTRACTOR SHALL INCORPORATE PLANNED INLETS AND DRAINAGE SYSTEMS AS EARLY AS POSSIBLE INTO THE CONSTRUCTION PHASE.

7.0 SEEDING PLAN

7.1 SITE PREPARATION

THE SEEDED AREAS SHALL BE FEASIBLY GRADED OUT TO PROVIDE THE USE OF EQUIPMENT FOR SEEDBED PREPARATION, SEEDING, MULCH APPLICATION, AND MULCH ANCHORING. IF NECESSARY, THE SITE MAY REQUIRE ADDITIONAL TEMPORARY EROSION CONTROL MEASURES OUTLINED IN THE EROSION CONTROL REPORT.

7.2 SEEDBED PREPARATION

FERTILIZER SHALL BE APPLIED TO THE SITE AT A RATE OF 13.8 POUNDS PER 1,000 SQUARE FEET. THE COMPOSITION OF THE FERTILIZER SHALL BE 10–10–10 (N–P205–K20) OR EQUIVALENT.

LIMESTONE SHALL BE APPLIED TO THE SITE AT A RATE OF 138 POUNDS PER 1,000 SQUARE FEET.

7.3 SEEDING

THE COMPOSITION AND AMOUNT OF TEMPORARY SEED APPLIED TO A SITE SHALL BE DETERMINED BY THE FOLLOWING TABLE:

TEMPORARY SEED APPLICATION RATES

SEED	LBS / ACRE	RECOMMENDED SEEDING DATES
WINTER RYE	2.57	8/15 TO 10/1
OATS	1.84	4/1 TO 7/1 8/15 TO 9/15
ANNUAL RYGRASS	0.92	4/1 TO 7/1
SUDANGRASS	0.92	5/15 TO 8/15
PERENNIAL	0.92	8/15 TO 9/15
TOTAL	7.17 LBS/ACRE	

PERMANENT SEED APPLICATION RATES

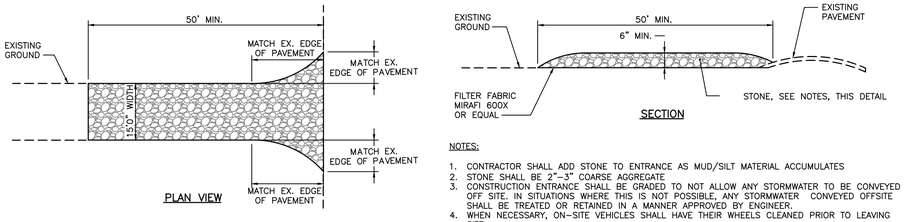
SEED	LBS / ACRE
KENTUCKY BLUEGRASS	20.00
CREEPING RED FESCUE	20.00
PERENNIAL RYEGRASS	4.80
TOTAL	44.8 LBS/ACRE

7.4 MULCHING

MULCH SHALL BE HARDWOOD AND APPLIED AT A RATE OF 70 LBS – 90 LBS PER 1,000 SQUARE FEET. THE MULCH SHALL BE INSTALLED AT A MINIMUM DEPTH OF 4 INCHES. THE SEEDED AREA SHALL BE MULCHED IMMEDIATELY AFTER SEED IS APPLIED. MULCHING DURING THE WINTER SEASON SHALL BE DOUBLE THE NORMAL AMOUNT. REFER TO DETAIL FOR MORE INFORMATION.

8.0 CONCLUSION

THE ABOVE EROSION CONTROL NARRATIVE IS INTENDED TO MINIMIZE THE DEVELOPMENT IMPACT BY IMPLEMENTING TEMPORARY AND PERMANENT EROSION CONTROL MEASURES. THE CONTRACTOR SHALL ALSO REFER TO THE MAINE EROSION AND SEDIMENT CONTROL BMP MANUAL FOR ADDITIONAL INFORMATION.



NOTES:

1. CONTRACTOR SHALL ADD STONE TO ENTRANCE AS MUD/SILT MATERIAL ACCUMULATES
2. STONE SHALL BE 2"–3" COARSE AGGREGATE
3. CONSTRUCTION ENTRANCE SHALL BE GRADED TO NOT ALLOW ANY STORMWATER TO BE CONVEYED OFF SITE. IN SITUATIONS WHERE THIS IS NOT POSSIBLE, ANY STORMWATER CONVEYED OFFSITE SHALL BE TREATED OR RETAINED IN A MANNER APPROVED BY ENGINEER.
4. WHEN NECESSARY, ON–SITE VEHICLES SHALL HAVE THEIR WHEELS CLEANED PRIOR TO LEAVING SITE.
5. CONSTRUCTION ENTRANCE SHALL BE GRADED IN A MANNER THAT PREVENTS TRACKING OF SEDIMENTS ONTO PUBLIC RIGHT–OF–WAY

STABILIZED CONSTRUCTION ENTRANCE
NOT TO SCALE

NOTES:

1. THE EROSION CONTROL MIX SHALL CONFORM TO THE FOLLOWING STANDARDS AND IN ACCORDANCE WITH THE MAINE DOT CHAPTER 700, SECTION 717.04(E):

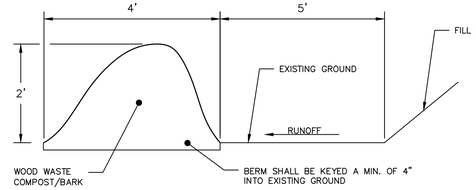
1.1. pH BETWEEN 5.0 – 8.0
1.2. PARTICLE SIZE (BY WEIGHT):
1.2.1. 100% PASSING A 150 MM (6 IN) SCREEN
1.2.2. 75 TO 85% PASSING A 19 MM (0.75 IN) SCREEN
1.3. SOLUBLE SALTS CONTENT < 4.0 MMHOS/CM
1.4. ORGANIC MATTER 20 TO 100% , DRY WEIGHT BASIS

2. THE BERM SHOULD BE PLACED, UNCOMPACTED, ALONG A RELATIVELY LEVEL CONTOUR, WHEN NECESSARY THE BERM MAY BE PLACED PERPENDICULAR TO THE SLOPE ALONG THE PROPERTY LINE TO CONTAIN THE SEDIMENT PROVIDED A BERM IS LOCATED AT THE BASE OF THE SLOPE.

3. THE BERM MAY BE USED IN LIEU OF SILTATION FENCE, AT THE TOE OF SHALLOW SLOPES, ON FROZEN GROUND, LEDGE OUT CROPS, VERY ROOTED FORESTED AREA OR AT THE EDGE OF GRAVEL PARKING AREAS.

4. WHERE A BERM IS USED AT THE BASE OF A SLOP GREATER THAN 8%, ANOTHER MEASURE SHALL BE USED IN CONJUNCTION WITH A BERM, SUCH AS A SILT FENCE.

5. BERMS SHALL REMAIN IN PLACE UNTIL UPSTREAM AREA IS STABILIZED OR 90% CATCH OF VEGETATION IS ATTAINED. BERMS SHALL BE REMOVED OFFSITE OR BY SPREADING SUCH THAT NATIVE EARTH CAN BE SEEN BELOW.



EROSION CONTROL MIX BERM DETAIL
NOT TO SCALE

NOTES:

1. FULL CONTACT WITH THE GROUND IS CRITICAL TO PREVENT SHORT CIRCUITING UNDER THE TUBE – THE GROUND SURFACE SHOULD BE SMOOTH AND LEVEL. IN WOODED AREAS, PROTRUDING ROOTS AND DEBRIS MAY AND BRICKWORK. IN GRASSED AREAS, THE GRASS NEEDS TO BE EITHER MOWED OR COMPRESSED DOWN.

2. STAKING MAY BE NECESSARY ON STEEP SLOPES.

3. UPON FINAL STABILIZATION, THE TUBE CAN BE CUT OPEN AND THE MATERIAL SPREAD OUT ONTO THE GROUND. THE MESH MATERIAL SHOULD BE REMOVE.

4. LOOSE COMPOST MAY BE BACKFILLED ALONG THE UPSLOPE SIDE OF THE COMPOST FILTER SOC

UNIT NOTES

1.) CEILING HEIGHTS, WINDOW HEAD AND SILL HEIGHTS VARY FROM FLOOR TO FLOOR. INTERIOR ELEVATIONS GRAPHICALLY DEPICT ONE FLOOR ONLY, FOR HEIGHT INFORMATION REFER TO BUILDING SECTIONS AND WALL SECTIONS

2.) G.C. TO CONFIRM AND COORDINATE ALL ROUGH FRAMING DIMENSIONS FOR TUBS, SHOWERS, BUILT-IN FIXTURES ETC.

3.) G.C. TO CONFIRM AND COORDINATE ALL CABINETRY AND APPLIANCES DIMENSIONS

4.) PROVIDE APPROPRIATE FIRE TREATED BLOCKING IN WALLS BEHIND ALL FIXTURES, PARTITIONS AND ACCESSORIES. BLOCKING FOR GRAB BARS TO BE PROVIDED IN WALLS OF BATHROOMS IN ALL UNITS

5.) PROVIDE MOISTURE RESISTANT GWB AT ALL WALLS AND CEILINGS IN BATHROOMS TYPICAL

6.) SET ALL CLOTHES WASHERS IN PANS WITH WATER SENSOR REFER TO ELECTRICAL AND MECHANICAL DRAWINGS FOR ADDITIONAL INFORMATION REGARDING, LIGHTING, DIFFUSERS, ETC.

7.) PROVIDE FIRE EXTINGUISHER ON BRACKET IN BASE CABINET BELOW KITCHEN SINK - TYPICAL

8.) HANG HOT WATER HEATER FROM DECK ABOVE. (SEE DETAIL ON TYPICAL UNIT DETAILS SHEET)

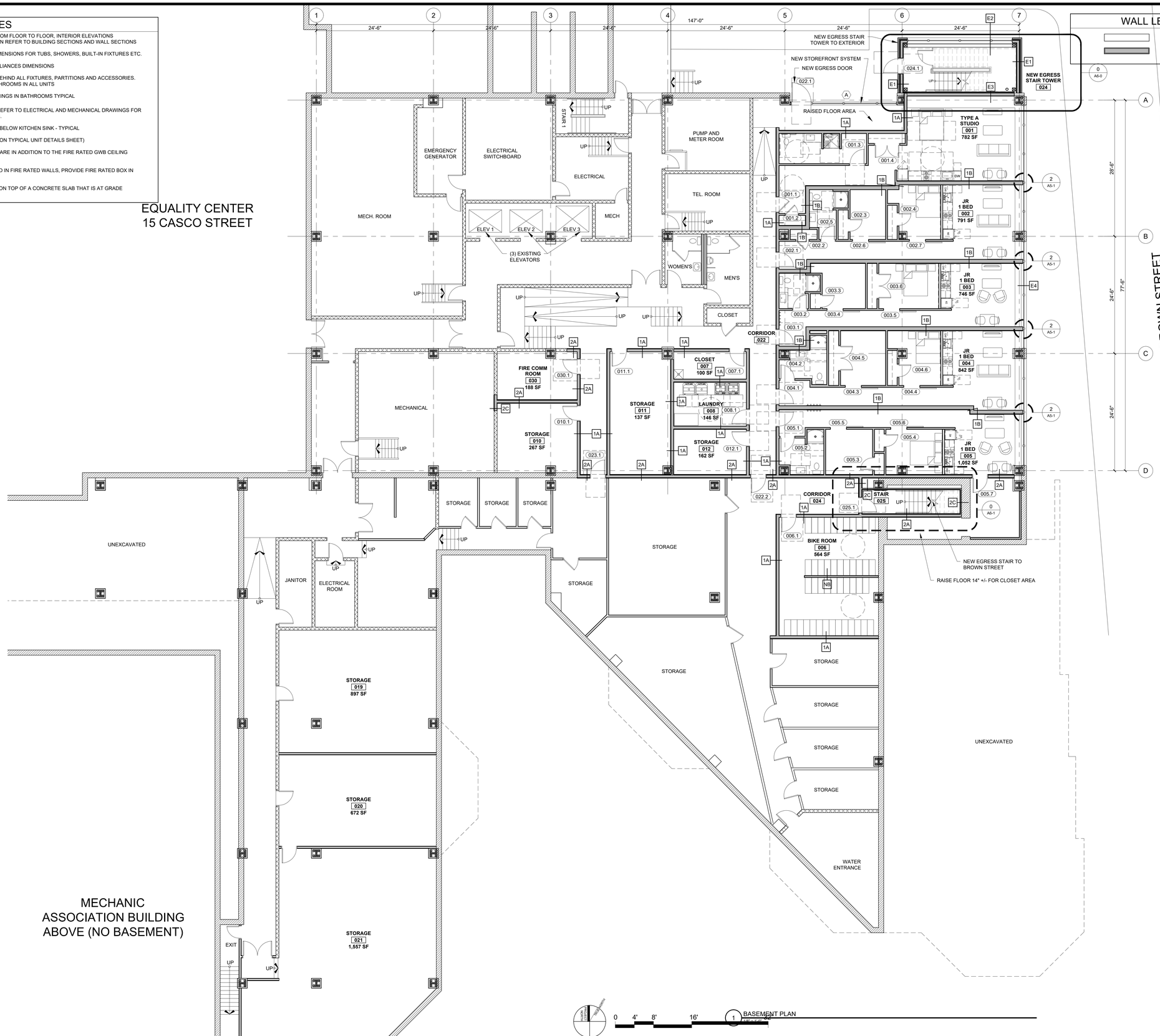
9.) WHERE DROPPED SOFFIT AND CEILINGS ARE SHOWN, THESE ARE IN ADDITION TO THE FIRE RATED GWB CEILING ABOVE WHICH IS PART OF THE RATED ASSEMBLY

10.) WHERE PLUMBING VALVES (TUB, SHOWER, ETC) ARE LOCATED IN FIRE RATED WALLS, PROVIDE FIRE RATED BOX IN WALL FOR VALVE TO BE INSTALLED WITHIN

11.) PROVIDE SILL SEALER UNDER ALL WALLS THAT ARE FRAMED ON TOP OF A CONCRETE SLAB THAT IS AT GRADE

EQUALITY CENTER
15 CASCO STREET

MECHANIC
ASSOCIATION BUILDING
ABOVE (NO BASEMENT)



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PROJECT No.	2235
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CHECKED BY:	RJS
SCALE:	AS NOTED

SHEET TITLE:
BASEMENT PLAN

A1-0

UNIT NOTES

1.) CEILING HEIGHTS, WINDOW HEAD AND SILL HEIGHTS VARY FROM FLOOR TO FLOOR. INTERIOR ELEVATIONS GRAPHICALLY DEPICT ONE FLOOR ONLY, FOR HEIGHT INFORMATION REFER TO BUILDING SECTIONS AND WALL SECTIONS

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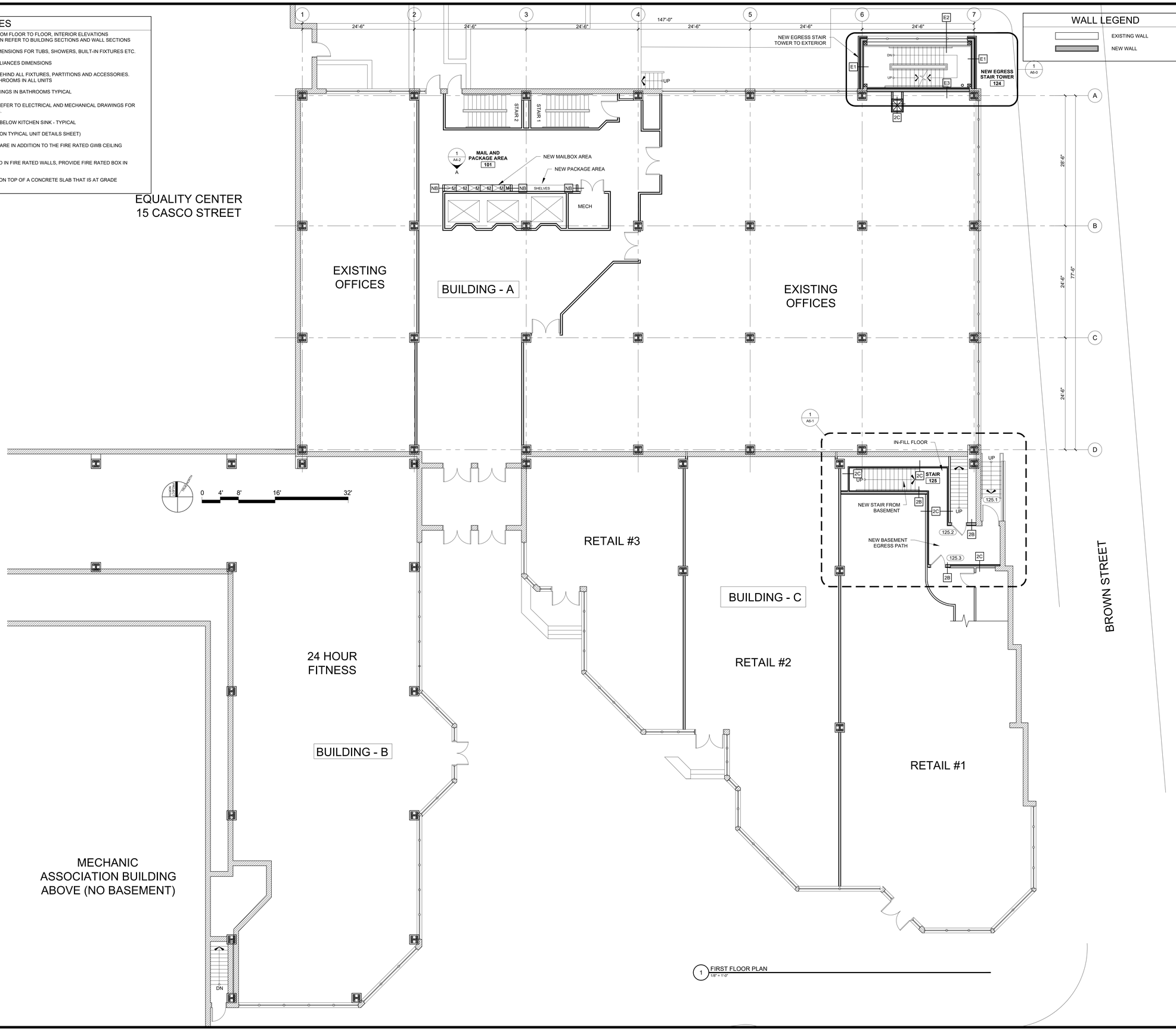

1 FIRST FLOOR PLAN
1/8" = 1'-0"

WALL LEGEND

EXISTING WALL

NEW WALL

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SCALE:	AS NOTED

SHEET TITLE:
FIRST FLOOR PLAN

A1-1

UNIT NOTES

1.) CEILING HEIGHTS, WINDOW HEAD AND SILL HEIGHTS VARY FROM FLOOR TO FLOOR. INTERIOR ELEVATIONS GRAPHICALLY DEPICT ONE FLOOR ONLY, FOR HEIGHT INFORMATION REFER TO BUILDING SECTIONS AND WALL SECTIONS

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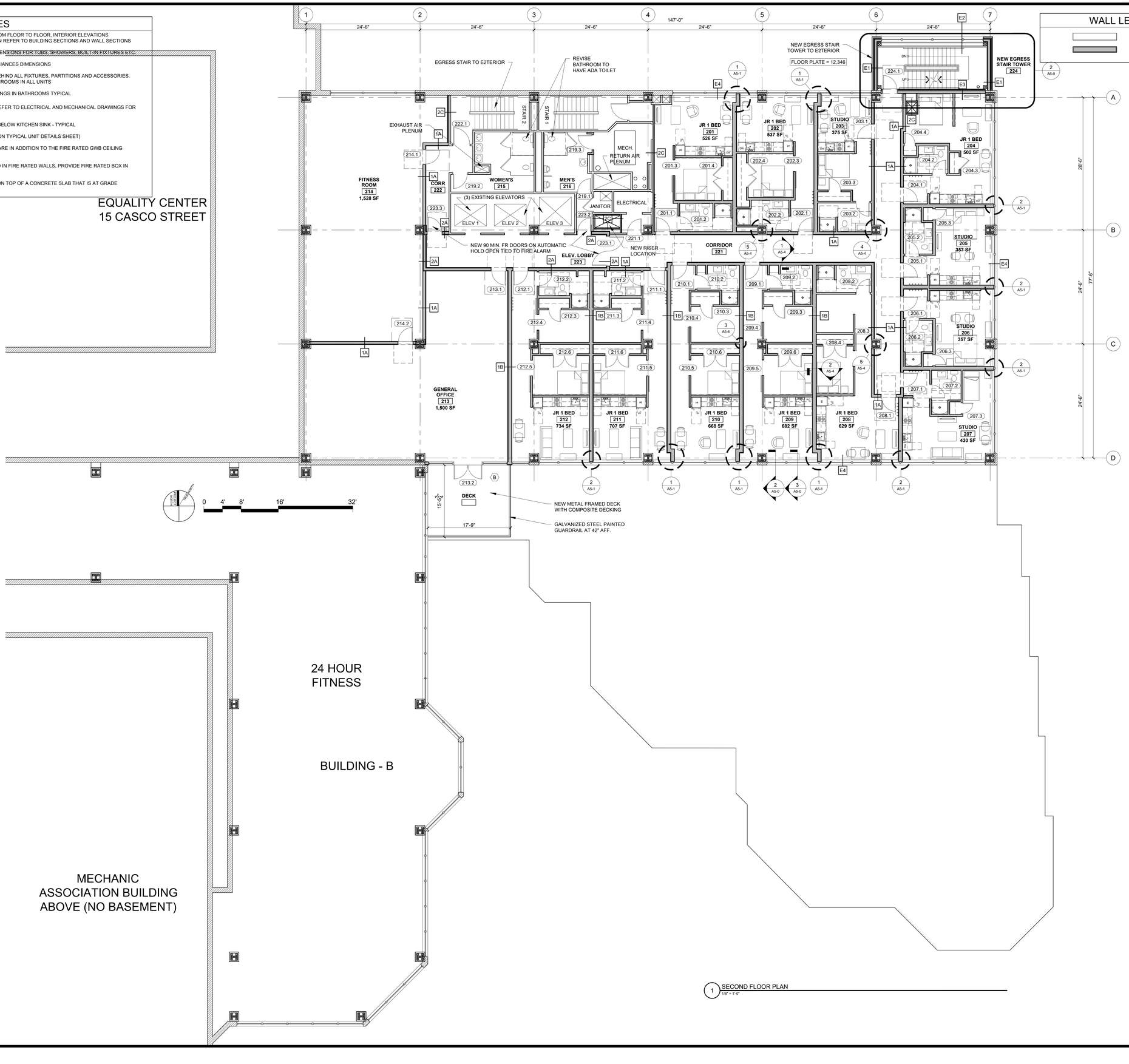

24 HOUR FITNESS

BUILDING - B

MECHANIC ASSOCIATION BUILDING ABOVE (NO BASEMENT)

1 SECOND FLOOR PLAN
1/8" = 1'-0"

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SCALE:	AS NOTED

SHEET TITLE:
SECOND FLOOR PLAN

A1-2

UNIT NOTES

1.) CEILING HEIGHTS, WINDOW HEAD AND SILL HEIGHTS VARY FROM FLOOR TO FLOOR. INTERIOR ELEVATIONS GRAPHICALLY DEPICT ONE FLOOR ONLY, FOR HEIGHT INFORMATION REFER TO BUILDING SECTIONS AND WALL SECTIONS

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6.) SET ALL CLOTHES WASHERS IN PANS WITH WATER SENSOR REFER TO ELECTRICAL AND MECHANICAL DRAWINGS FOR ADDITIONAL INFORMATION REGARDING, LIGHTING, DIFFUSERS, ETC.

7.) PROVIDE FIRE EXTINGUISHER ON BRACKET IN BASE CABINET BELOW KITCHEN SINK - TYPICAL

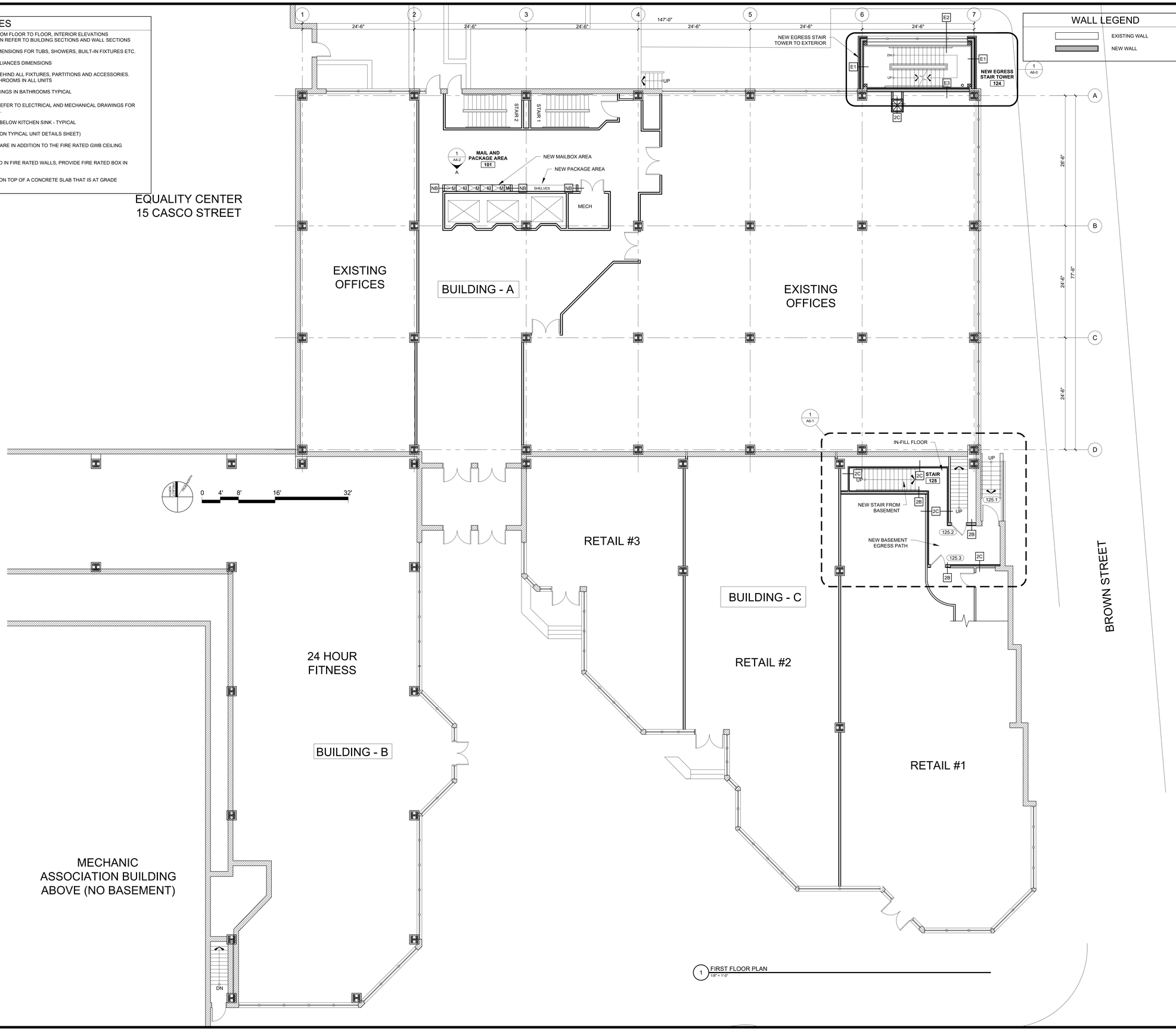
8.) HANG HOT WATER HEATER FROM DECK ABOVE. (SEE DETAIL ON TYPICAL UNIT DETAILS SHEET)

9.) WHERE DROPPED SOFFIT AND CEILINGS ARE SHOWN, THESE ARE IN ADDITION TO THE FIRE RATED GWB CEILING ABOVE WHICH IS PART OF THE RATED ASSEMBLY

10.) WHERE PLUMBING VALVES (TUB, SHOWER, ETC) ARE LOCATED IN FIRE RATED WALLS, PROVIDE FIRE RATED BOX IN WALL FOR VALVE TO BE INSTALLED WITHIN

11.) PROVIDE SILL SEALER UNDER ALL WALLS THAT ARE FRAMED ON TOP OF A CONCRETE SLAB THAT IS AT GRADE

EQUALITY CENTER
15 CASCO STREET



1 FIRST FLOOR PLAN
1/8" = 1'-0"

WALL LEGEND

EXISTING WALL

NEW WALL

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RESIDENTIAL CONVERSION

511 CONGRESS STREET
PORTLAND, MAINE

RSA
RYAN SENATORE
ARCHITECTURE
500 CONGRESS STREET, SUITE 2
PORTLAND, MAINE 04101
O: 207-747-5159
C: 207-650-6414
senatorearchitecture.com

CONSULTANTS:

REVISIONS:

DATE:	JUNE 08, 2023
PROJECT No.	2235
DRAWN BY:	RRT
CHECKED BY:	RJS
SCALE:	AS NOTED

SHEET TITLE:
FIRST FLOOR PLAN

A1-1

UNIT NOTES

1.) CEILING HEIGHTS, WINDOW HEAD AND SILL HEIGHTS VARY FROM FLOOR TO FLOOR. INTERIOR ELEVATIONS GRAPHICALLY DEPICT ONE FLOOR ONLY, FOR HEIGHT INFORMATION REFER TO BUILDING SECTIONS AND WALL SECTIONS

2.) G.C. TO CONFIRM AND COORDINATE ALL ROUGH FRAMING DIMENSIONS FOR TUBS, SHOWERS, BUILT-IN FIXTURES ETC.

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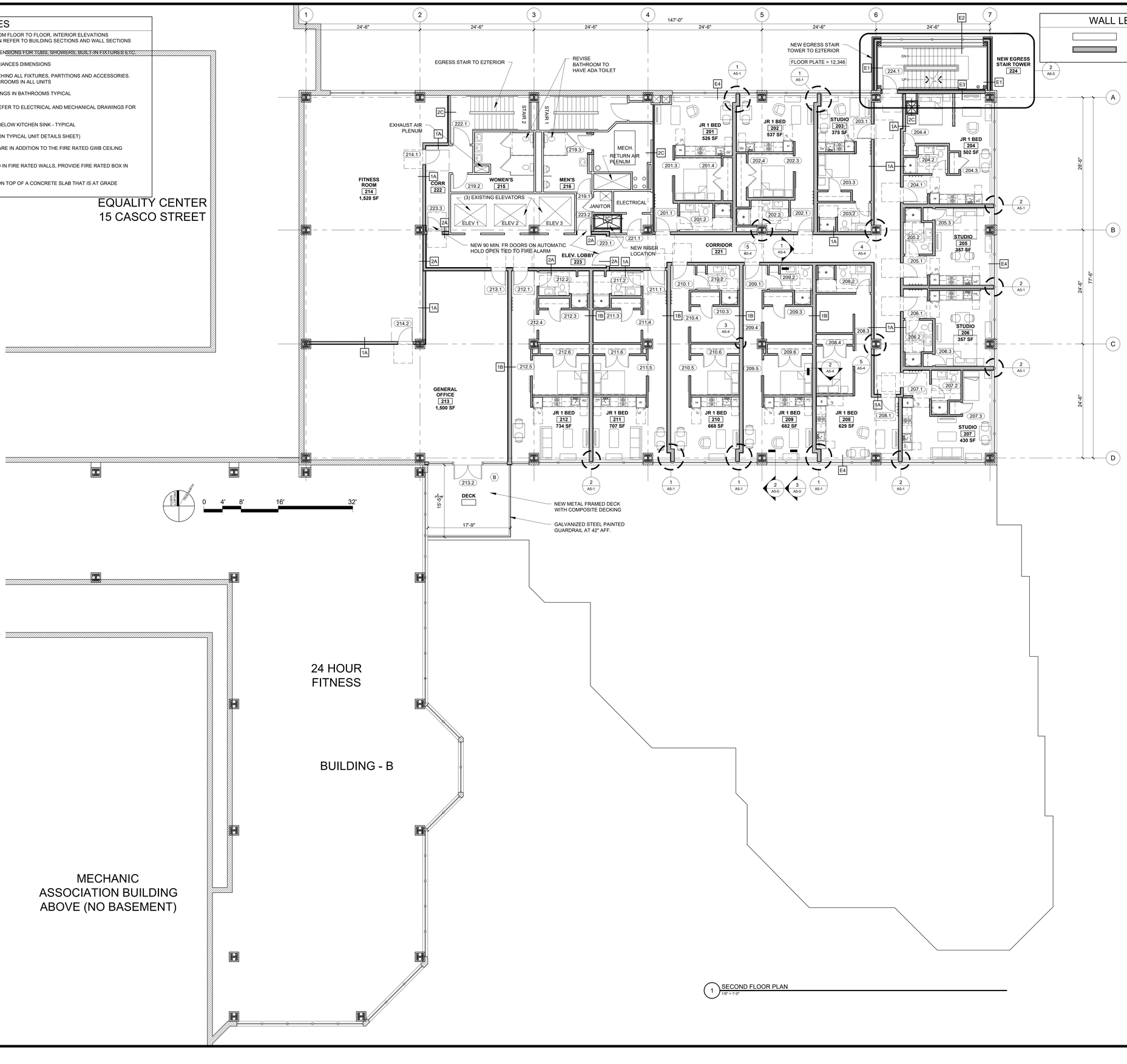
EQUALITY CENTER
15 CASCO STREET



24 HOUR FITNESS

BUILDING - B

MECHANIC ASSOCIATION BUILDING ABOVE (NO BASEMENT)

1 SECOND FLOOR PLAN
1/8" = 1'-0"

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REVISIONS:

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DRAWN BY:	RRT
CHECKED BY:	RJS
SCALE:	AS NOTED

SHEET TITLE:
SECOND FLOOR PLAN

A1-2

UNIT NOTES

1.) CEILING HEIGHTS, WINDOW HEAD AND SILL HEIGHTS VARY FROM FLOOR TO FLOOR. INTERIOR ELEVATIONS GRAPHICALLY DEPICT ONE FLOOR ONLY, FOR HEIGHT INFORMATION REFER TO BUILDING SECTIONS AND WALL SECTIONS

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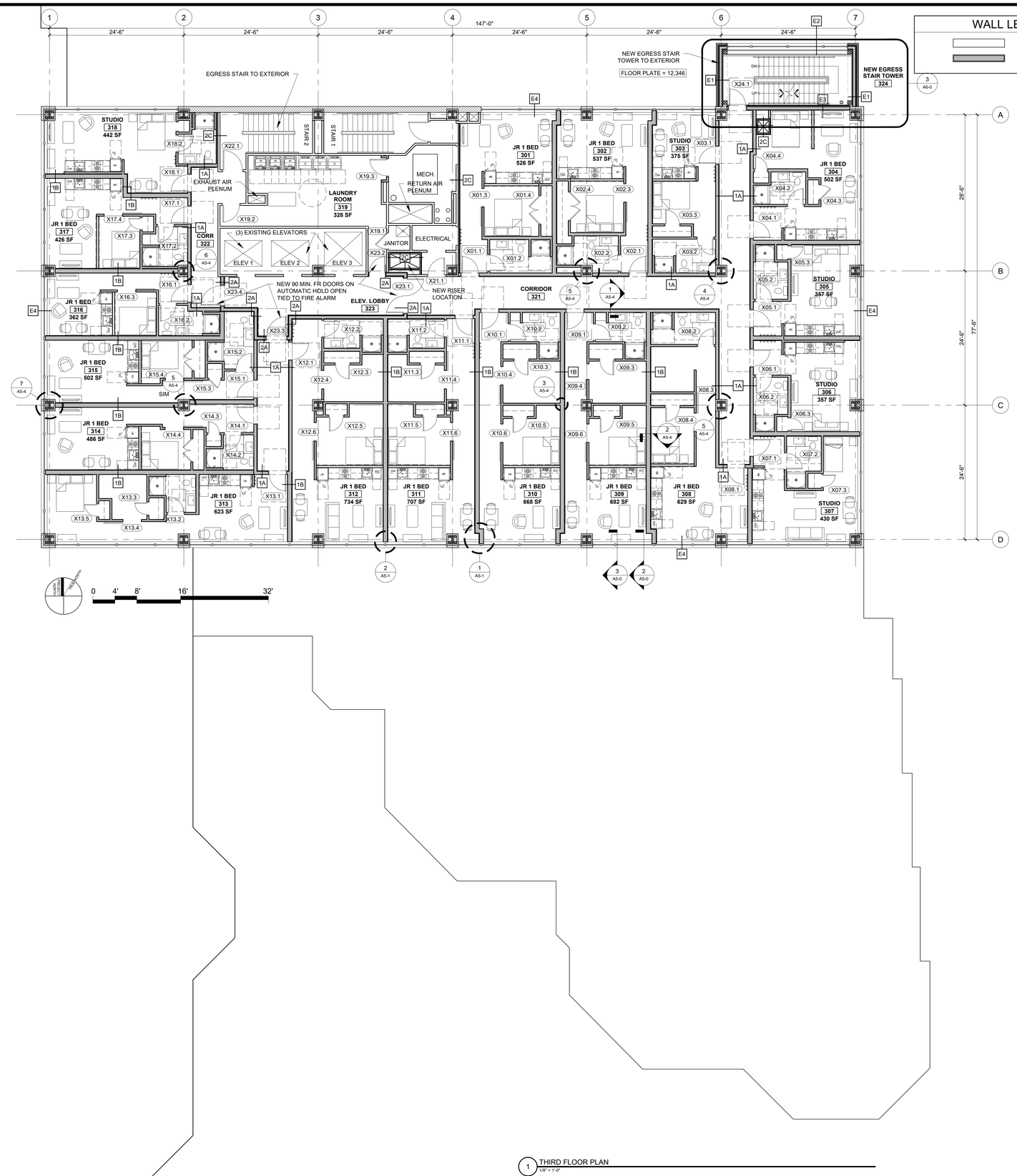

MECHANIC ASSOCIATION BUILDING ABOVE (NO BASEMENT)

1 THIRD FLOOR PLAN
1/8" = 1'-0"

WALL LEGEND

EXISTING WALL

NEW WALL

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MAY 04, 2023

DATE:	
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DRAWN BY:	RRT
CHECKED BY:	RJS
SCALE:	AS NOTED

SHEET TITLE:
THIRD FLOOR PLAN

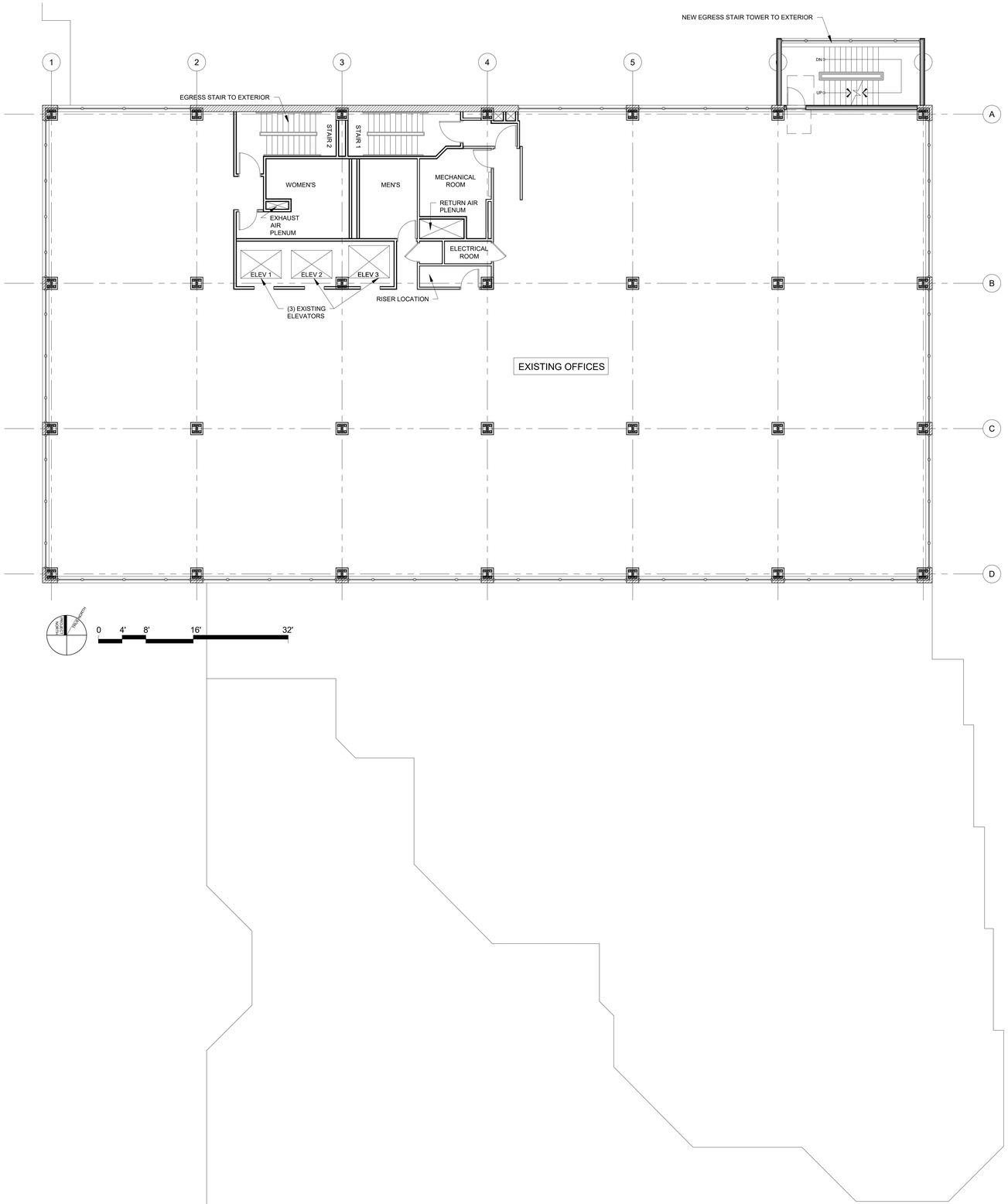
A1-3

RESIDENTIAL CONVERSION

511 CONGRESS STREET, PORTLAND, MAINE

MARCH 21, 2023

EIGHTH AND NINTH FLOORS
(0 UNITS)



1 EIGHTH AND NINTH FLOOR PLAN
1/8" = 1'-0"

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NORTH ELEVATION
EXISTING



1 NORTH ELEVATION (EXISTING)
1/8" = 1'-0"

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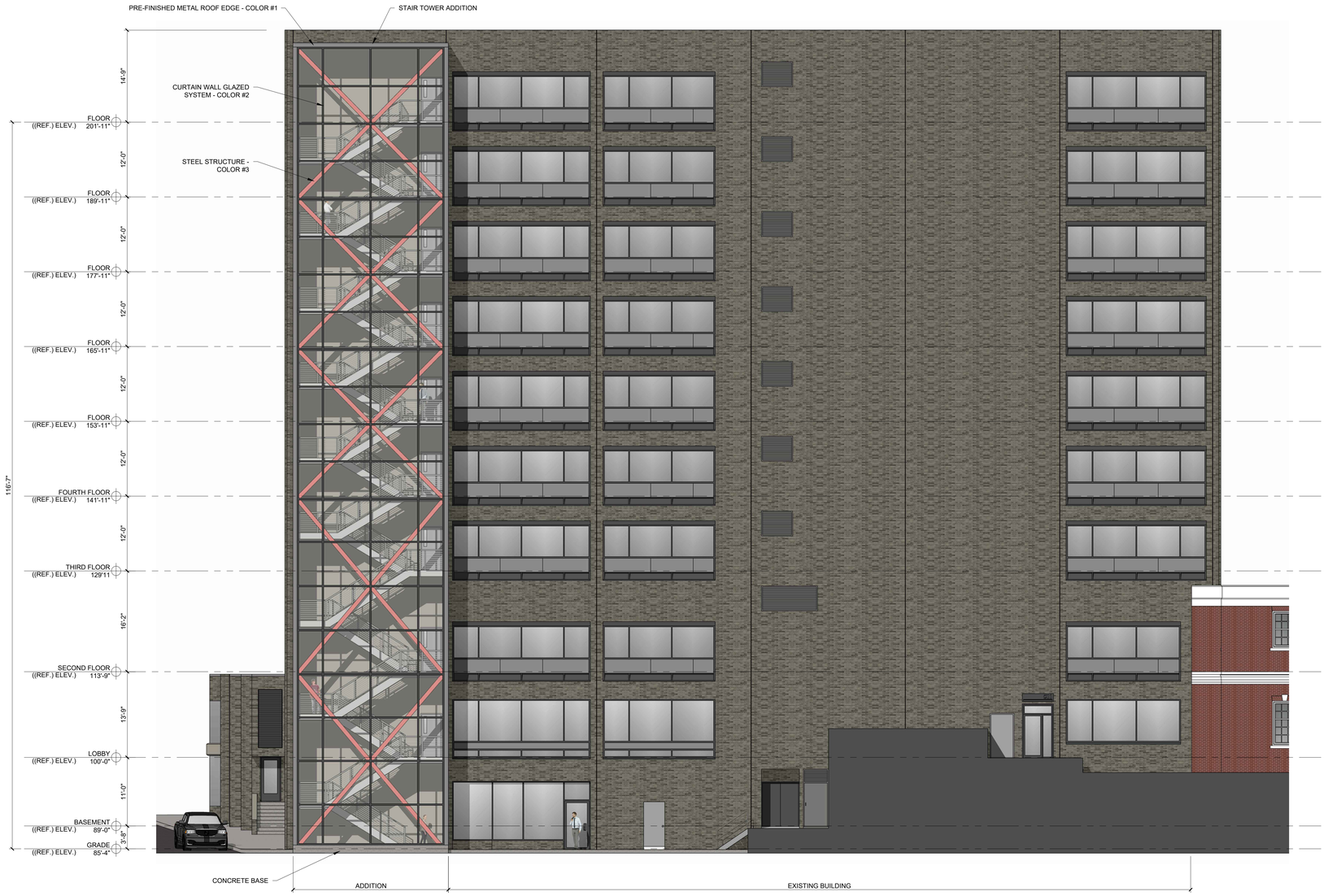
RYAN SENATORE **ARCHITECTURE**

NORTH ELEVATION
PROPOSED



1 NORTH ELEVATION (PROPOSED)
1/8" = 1'-0"

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Not for Construction

RYAN SENATORE **ARCHITECTURE**

EAST ELEVATION
EXISTING



1 EAST ELEVATION (EXISTING)
1/8" = 1'-0"

PROGRESS PRINT ONLY
Not for Construction

RYAN SENATORE **ARCHITECTURE**

EAST ELEVATION
PROPOSED



1 EAST ELEVATION (PROPOSED)
1/8" = 1'-0"

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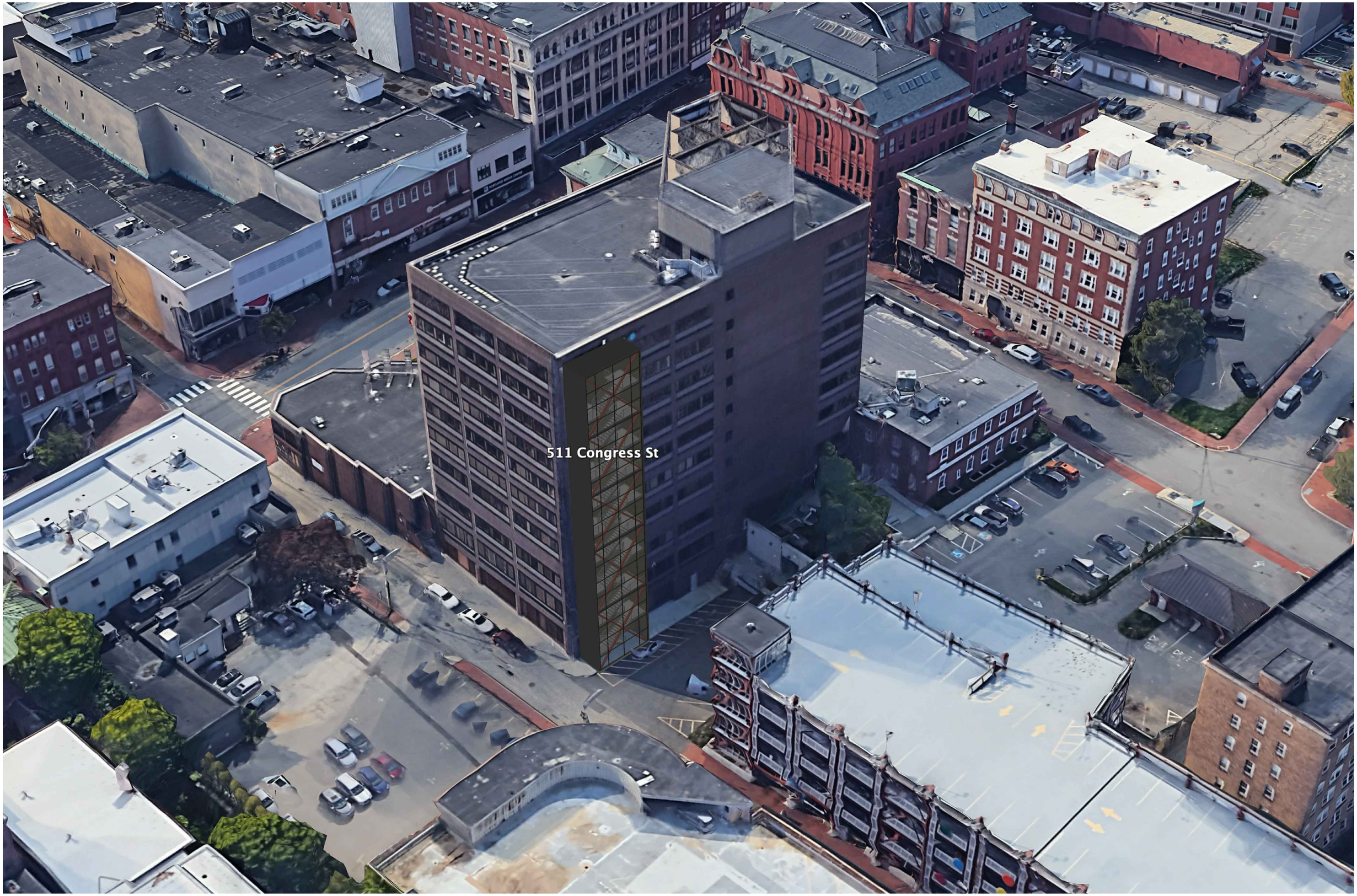
RESIDENTIAL CONVERSION

511 CONGRESS STREET, PORTLAND, MAINE

MARCH 21, 2023



PROPOSED EGRESS STAIR TOWER

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RESIDENTIAL CONVERSION

511 CONGRESS STREET, PORTLAND, MAINE

MARCH 21, 2023



EXISTING



PROPOSED

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511 CONGRESS STREET, PORTLAND, MAINE

MARCH 21, 2023



EXISTING



PROPOSED

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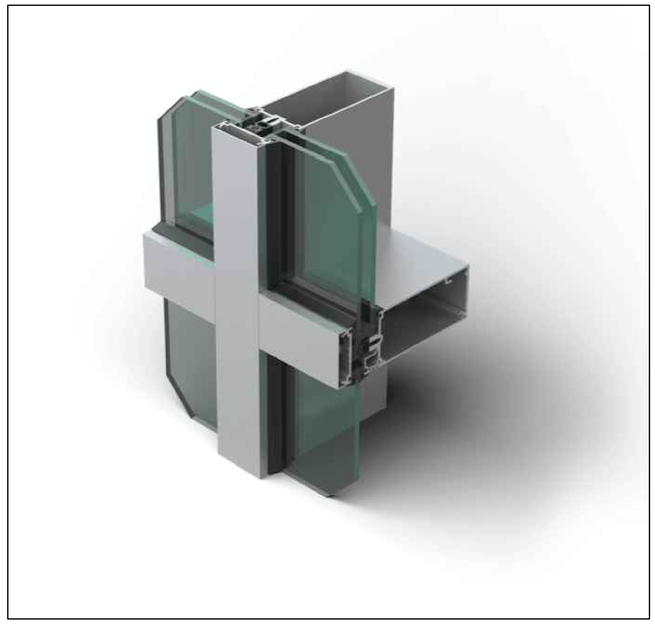
3 ACM SIDING PANEL IMAGE



2 CURTAINWALL IMAGE



1 CURTAINWALL AXONOMETRIC

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UNIT NOTES

1.) CEILING HEIGHTS, WINDOW HEAD AND SILL HEIGHTS VARY FROM FLOOR TO FLOOR. INTERIOR ELEVATIONS GRAPHICALLY DEPICT ONE FLOOR ONLY, FOR HEIGHT INFORMATION REFER TO BUILDING SECTIONS AND WALL SECTIONS

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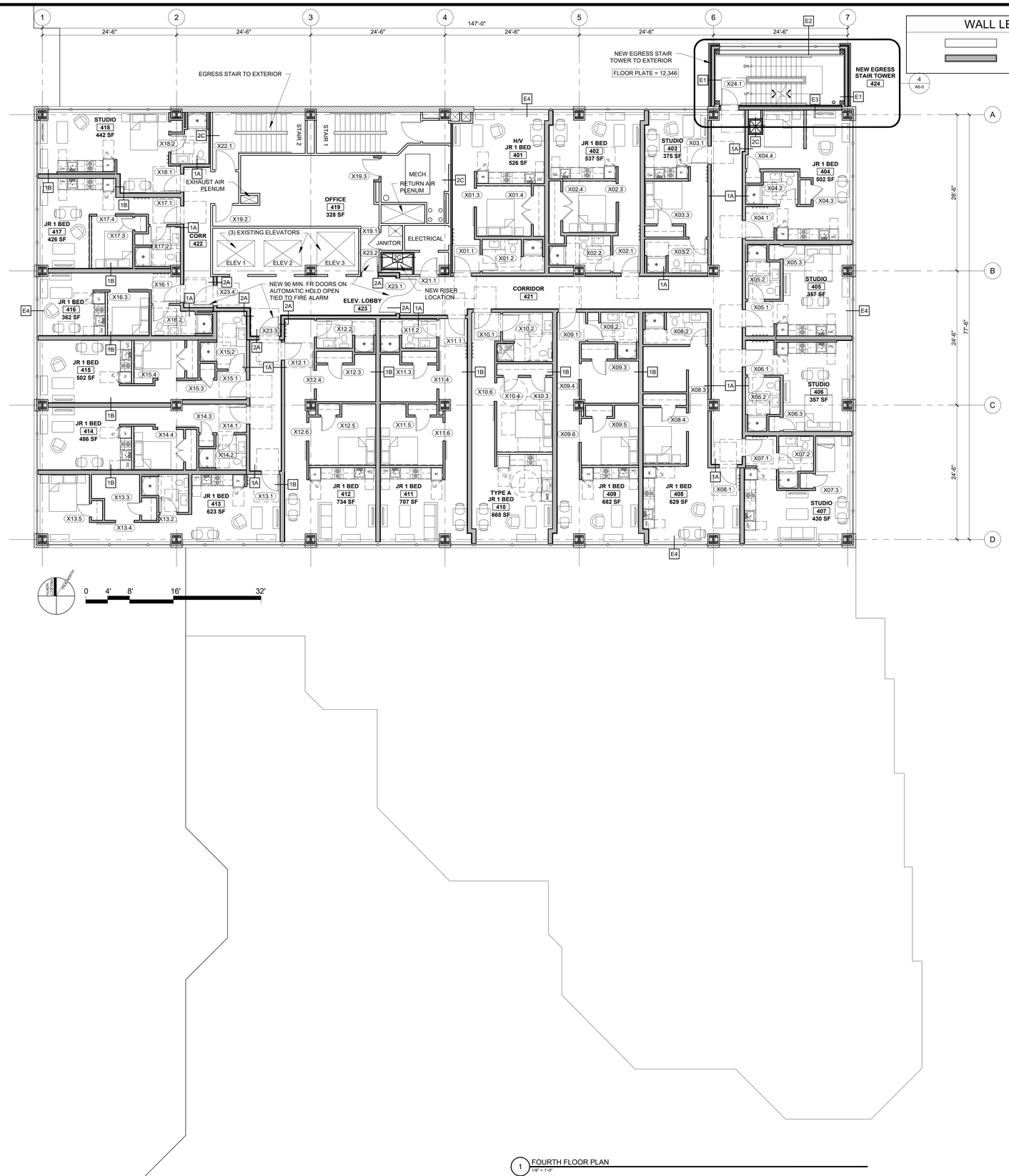

1 FOURTH FLOOR PLAN
1/8" = 1'-0"

WALL LEGEND

EXISTING WALL

NEW WALL

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C: 207-650-6414
senatorearchitecture.com

CONSULTANTS:

REVISIONS:

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MAY 04, 2023

DATE:	
PROJECT No.	2235
DRAWN BY:	RRT
CHECKED BY:	RJS
SCALE:	AS NOTED

SHEET TITLE:
FOURTH FLOOR PLAN

A1-4

UNIT NOTES

1.) CEILING HEIGHTS, WINDOW HEAD AND SILL HEIGHTS VARY FROM FLOOR TO FLOOR. INTERIOR ELEVATIONS GRAPHICALLY DEPICT ONE FLOOR ONLY, FOR HEIGHT INFORMATION REFER TO BUILDING SECTIONS AND WALL SECTIONS

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7.) PROVIDE FIRE EXTINGUISHER ON BRACKET IN BASE CABINET BELOW KITCHEN SINK - TYPICAL

8.) HANG HOT WATER HEATER FROM DECK ABOVE. (SEE DETAIL ON TYPICAL UNIT DETAILS SHEET)

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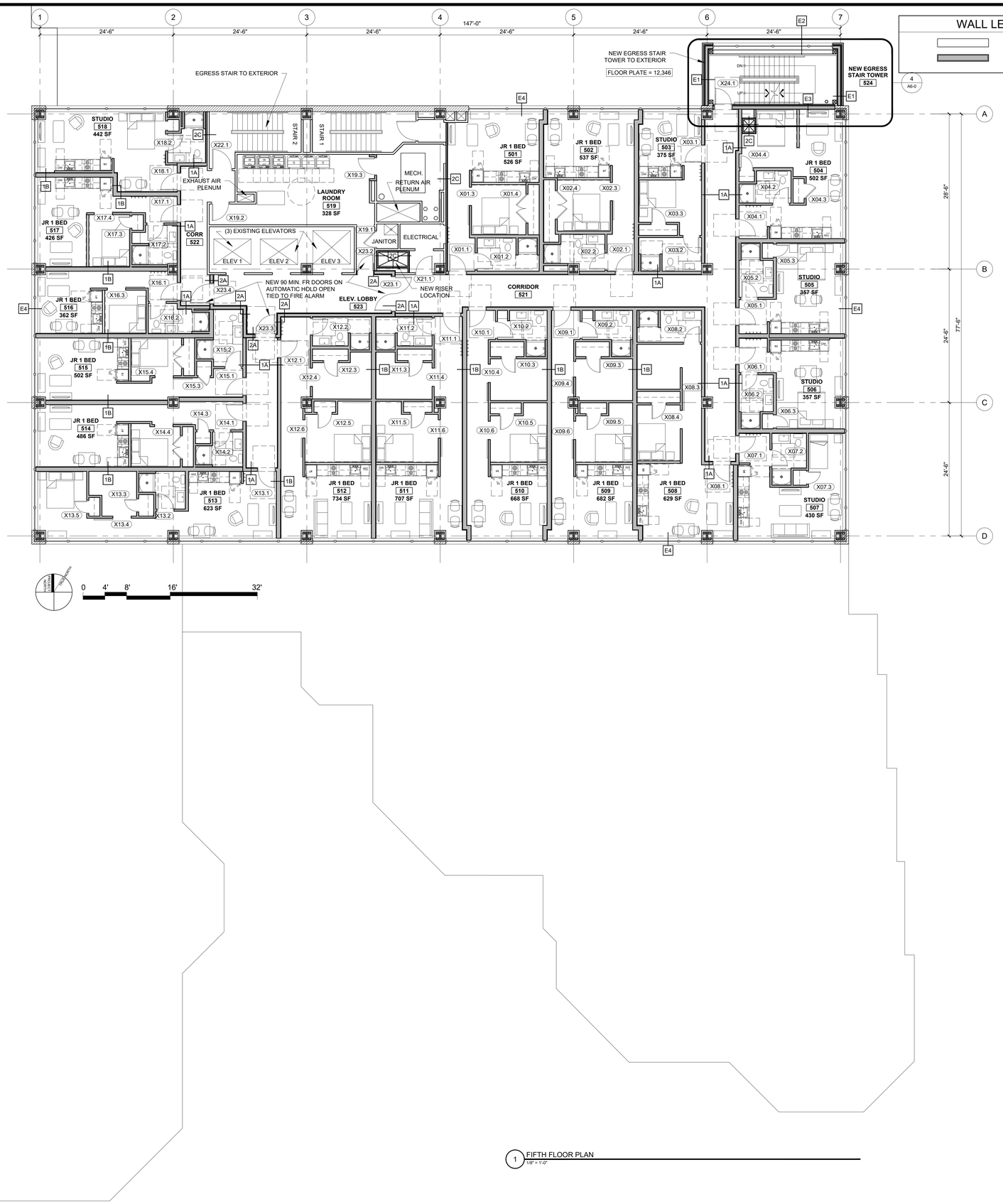

1 FIFTH FLOOR PLAN
1/8" = 1'-0"

WALL LEGEND

EXISTING WALL

NEW WALL

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senatorearchitecture.com

CONSULTANTS:

REVISIONS:

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MAY 04, 2023

DATE:	
PROJECT No.	2235
DRAWN BY:	RRT
CHECKED BY:	RJS
SCALE:	AS NOTED

SHEET TITLE:
FIFTH FLOOR PLAN

A1-5

UNIT NOTES

1.) CEILING HEIGHTS, WINDOW HEAD AND SILL HEIGHTS VARY FROM FLOOR TO FLOOR. INTERIOR ELEVATIONS GRAPHICALLY DEPICT ONE FLOOR ONLY, FOR HEIGHT INFORMATION REFER TO BUILDING SECTIONS AND WALL SECTIONS

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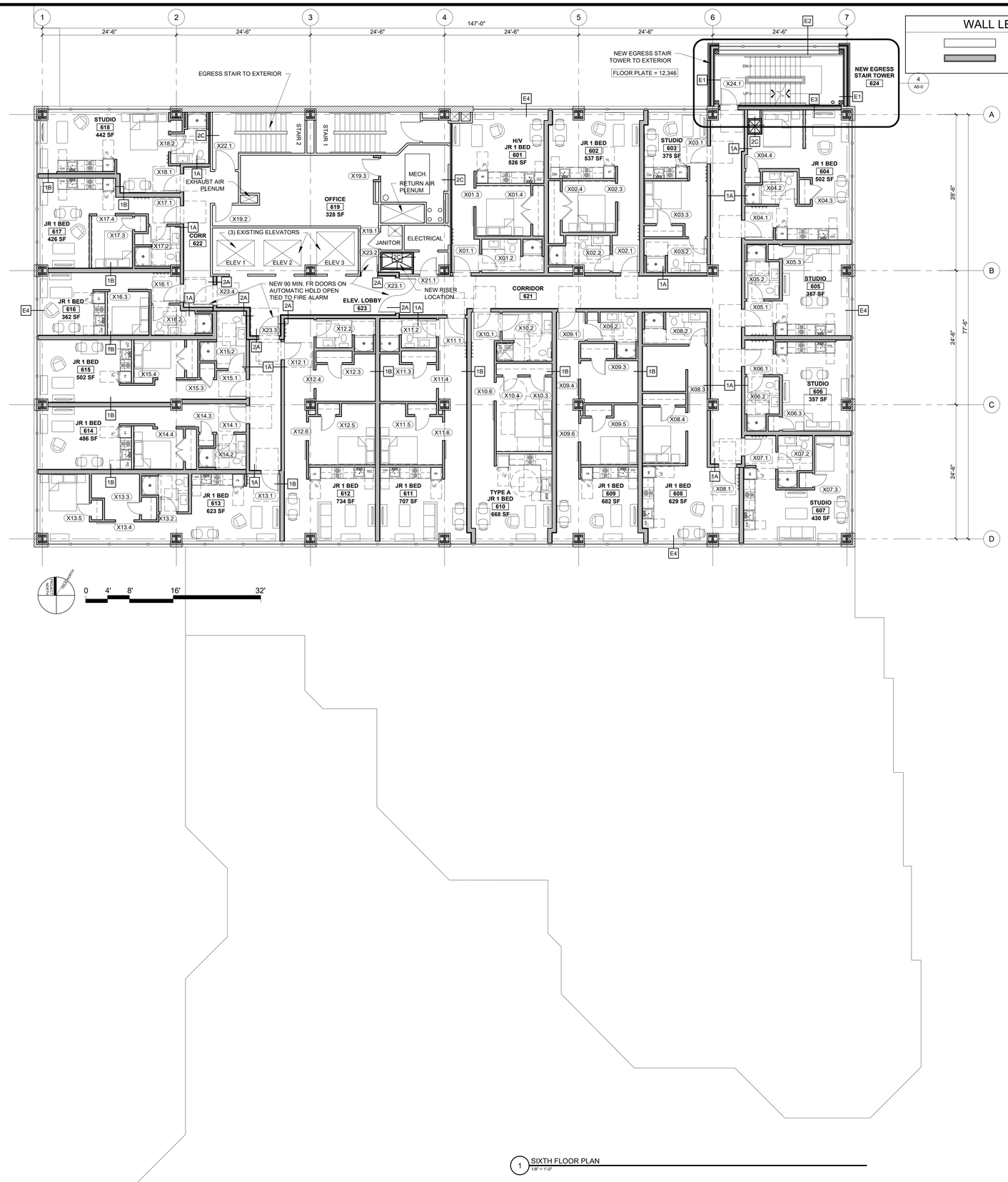

1 SIXTH FLOOR PLAN
1/8" = 1'-0"

WALL LEGEND

EXISTING WALL

NEW WALL

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DATE:	
PROJECT No.	2235
DRAWN BY:	RRT
CHECKED BY:	RJS
SCALE:	AS NOTED

SHEET TITLE:
SIXTH FLOOR PLAN

A1-6

UNIT NOTES

1.) CEILING HEIGHTS, WINDOW HEAD AND SILL HEIGHTS VARY FROM FLOOR TO FLOOR. INTERIOR ELEVATIONS GRAPHICALLY DEPICT ONE FLOOR ONLY, FOR HEIGHT INFORMATION REFER TO BUILDING SECTIONS AND WALL SECTIONS

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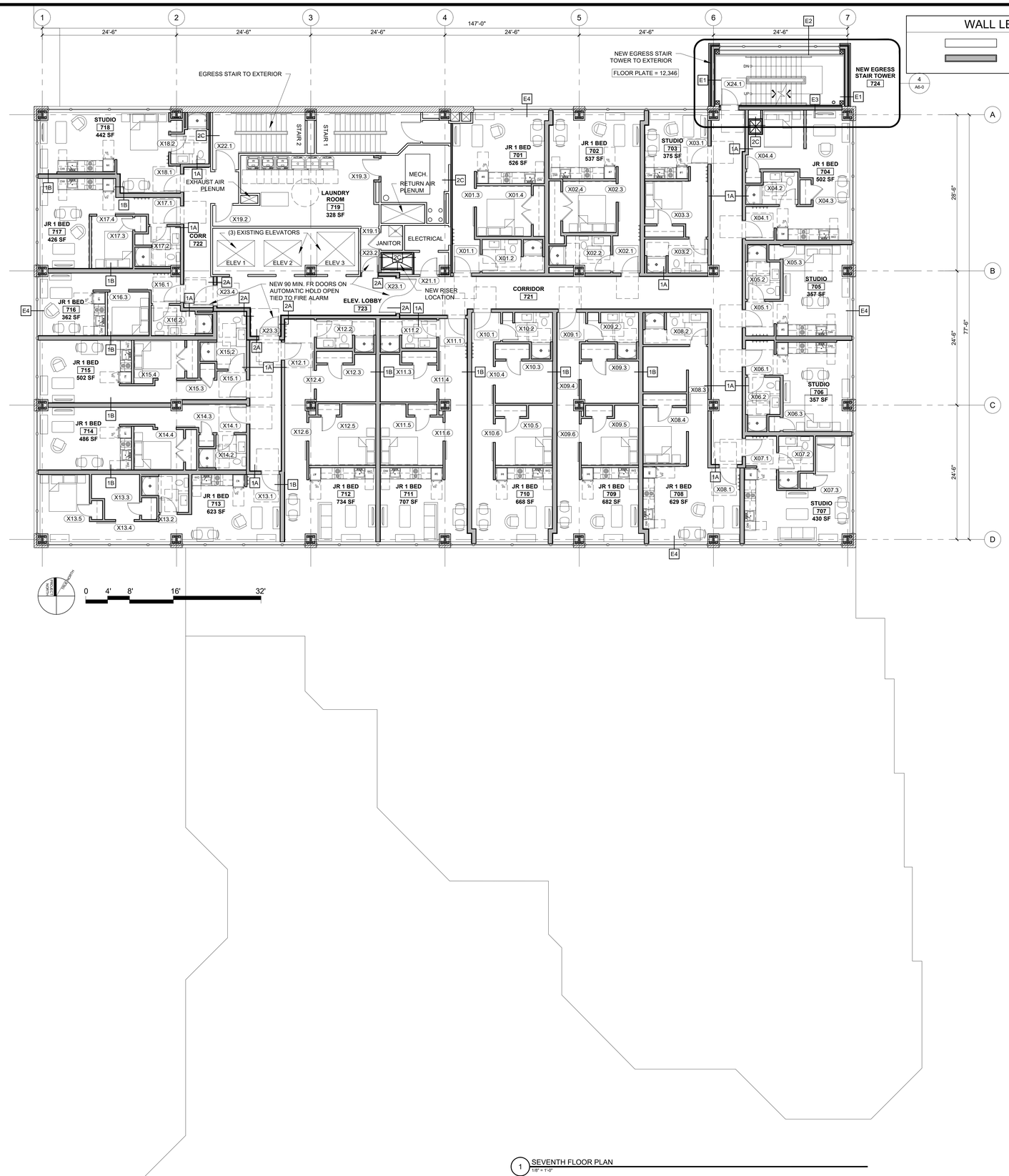

1 SEVENTH FLOOR PLAN
1/8" = 1'-0"

WALL LEGEND

EXISTING WALL

NEW WALL

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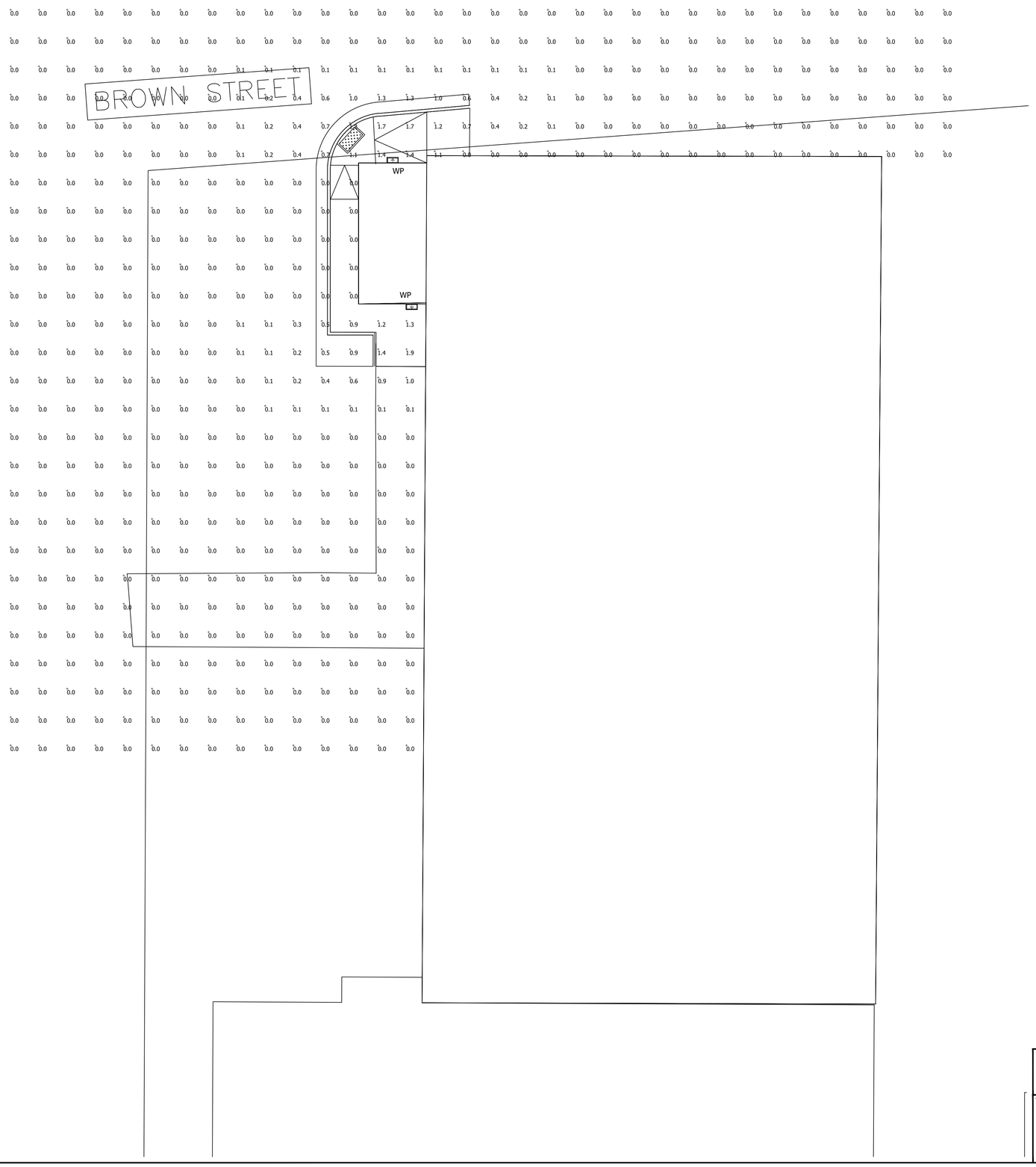
SCALE:	AS NOTED

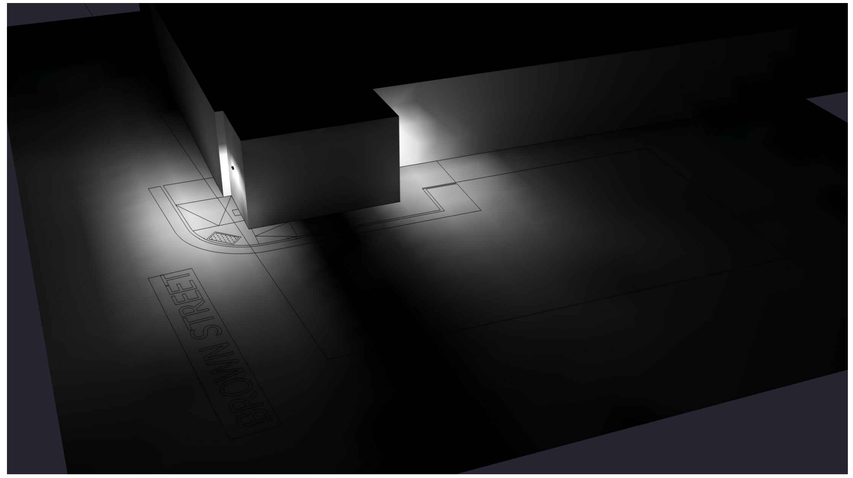
SHEET TITLE:
SEVENTH FLOOR PLAN

A1-7



Luminaire Schedule							
Symbol	Qty	Label	Mounting Height	LLF	Lum. Lumens	Lum. Watts	Description
	2	WP	8' - 0" AFG	0.900	833	13	LNC-5LU-3K-3-X

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
Overall Area	Illuminance	Fc	0.07	1.9	0.0	N.A.	N.A.



10 0 5 10 20 40

1 inch = 10 - FT.

1. THIS LIGHTING DESIGN IS BASED ON LIMITED INFORMATION SUPPLIED BY OTHERS TO CURRENT. SITE DETAILS PROVIDED HEREON ARE REPRODUCED ONLY AS A VISUALIZATION AID. FIELD DEVIATIONS MAY SIGNIFICANTLY AFFECT PREDICTED PERFORMANCE. PRIOR TO INSTALLATION, CRITICAL SITE INFORMATION (POLE LOCATIONS, ORIENTATION, MOUNTING HEIGHT, ETC.) SHOULD BE COORDINATED WITH THE CONTRACTOR AND/OR SPECIFIER RESPONSIBLE FOR THE PROJECT.
2. LUMINAIRE DATA IS TESTED TO INDUSTRY STANDARDS UNDER LABORATORY CONDITIONS. OPERATING VOLTAGE AND NORMAL MANUFACTURING TOLERANCES OF LAMP, BALLAST, AND LUMINAIRE MAY AFFECT FIELD RESULTS.
3. CONFORMANCE TO FACILITY CODE AND OTHER LOCAL REQUIREMENTS IS THE RESPONSIBILITY OF THE OWNER AND/OR THE OWNER'S REPRESENTATIVE.

TITLE:

511 CONGRESS STREET
PORTLAND, ME
SITE PHOTOMETRIC PLAN

REVISED FROM DRAWING NUMBER(S):

Current

DN BY:	DATE:	CHK BY:
DHK	05/12/23	N/A
REV. BY:	DATE:	SCALE:
		AS NOTED
QUOTE:	DRAWING / DESIGN NO.:	
N/A	A230717	

Bayside Master Development Plan
89 Elm Street, 196 Lancaster Street, 60 Elm Street, 315 Cumberland Avenue, 149 Lancaster Street, 195 Lancaster Street, 163 Lancaster Street, 235 Oxford Street, 117 Preble Street, 81 Preble Street, 62 Elm Street, 165-185 Lancaster Street
Master Development Plan
PL-002315-2022
West Bayside Partners, LLC & Port Property Management, Applicants

Submitted to:	Portland Planning Board	**Prepared By:**	Zach Powell, Senior Planner
Public Hearing Date:	June 13, 2023	**Date:**	June 9, 2023

I. INTRODUCTION

West Bayside Partners, LLC and Port Property Management have submitted an application for a Master Development Plan (MDP) to facilitate a phased development spanning multiple blocks in the Bayside Neighborhood that includes the demolition of four buildings, partial demolition of the northern portion of 185 Lancaster Street, ±1,200 square foot addition of ground-floor retail at 315 Cumberland Avenue, and construction of seven new mixed-use buildings totaling ±663,500 square feet with 804 total dwelling units and ± 28,200 square feet of commercial space.



Figure 1: Rendering of 195 and 196 Lancaster Street with proposed linear park and woonerf.

The Planning and Urban Development Department mailed 107 notices advertising this meeting to property owners within 500 feet of the site. A legal advertisement ran in the June 3rd and June 6th, 2023 editions of the *Portland Press Herald*.

Applicants: West Bayside Partners, LLC & Port Property Management
Applicant Representatives: Will Savage, Acorn Engineering

II. REQUIRED REVIEWS

Review	*Applicable Standards*
Master Development Plan	Section 14.7
Design Review	B-3, B-7, R-6, and Multiple-Family Guidelines

Increased Maximum Front Setback Request	*Applicable Standard*
§7.3 – Table 7-E: Mixed-Use Zone Dimensional Standards – to vary the front setback on Lancaster Street for the proposed building at 196 Lancaster Street	§7.3 – The maximum permitted front setback from all street frontages in the B-3 zone is 5 feet. §7.5.5.F.4 of the Land Use Code allows the Planning Board to set a different setback to comply with design standards.
Waiver Request	*Applicable Standard*
Technical Manual § 1 – Figure I-12 – Flush curbing along Lancaster Street between Preble & Elm Street to facilitate the construction of a woonerf.	Technical Manual §1 – Figure I-12 – 7" reveal required

III. PROJECT DATA

Existing Zoning	B-3 (Downtown Business) B-7 (Mixed Development) R-6 (Residential) Downtown Entertainment Overlay	
Property Size	±308,042 SF* (7.07 acres) (*Please note total includes a 30-foot extension into the R-6 district of the proposed 89 Elm Street)	
Existing Uses	Artist studio	14,850 SF
	Clinic	52,700 SF
	Dwelling units	55 units (35,595 SF)
	Office	64,924 SF
	Retail (Bakery)	6,016 SF
	School	43,454 SF
	Structured Parking	595 spaces
	Surface Parking	411 spaces
Proposed Uses	Dwelling units	651,500 SF (859 units)
	Retail space (Art Gallery and General Retail)	9,000 SF
	Low-Impact, Industrial (Brewery)	6,200 SF
	Restaurant	9,000 SF (2 units)
	Place of Assembly (Fitness Center)	4,000 SF
	Office	64,924 SF
	School	43,454 SF
	Structured Parking	595 spaces
	Surface Parking	60 Spaces

	Existing	*Proposed*	*Net Change*
Building Footprint	139,541 SF	194,235 SF	+54,694 SF
Building Floor Area	475,939 SF	1,104,133 SF	+628,194 SF
Parking Spaces	1,006 spaces	655 spaces	-351 spaces
Curb Cuts	22	9	-13

IV. EXISTING CONDITIONS AND SURROUNDING AREA

The project site spans six blocks and is approximately seven acres in area. The MDP is bounded to the north by Chestnut Street, to the South by Preble Street, to the East by Cumberland Avenue, and the West by Kennebec Street. Located in Bayside, several residential, commercial, and industrial uses were historically located in this neighborhood, as its location was convenient to downtown and the former freight yard west of Somerset Street as shown in Figure 2. While Figure 2 shows a significant number of residential dwellings in the project area in 1914, the neighborhood experienced a reduction in its residential population in the mid-to-late 20th century and has seen a significant change in uses and physical form. As a result, the majority of the area formerly occupied by residential development has been converted into off-street parking, while a number of residential structures remain along Cedar Street. Along with these changes, the rail-oriented industrial uses in the area led to soil contamination, which prompted brownfield remediation efforts by the City in the late 1990s and early 2000s.

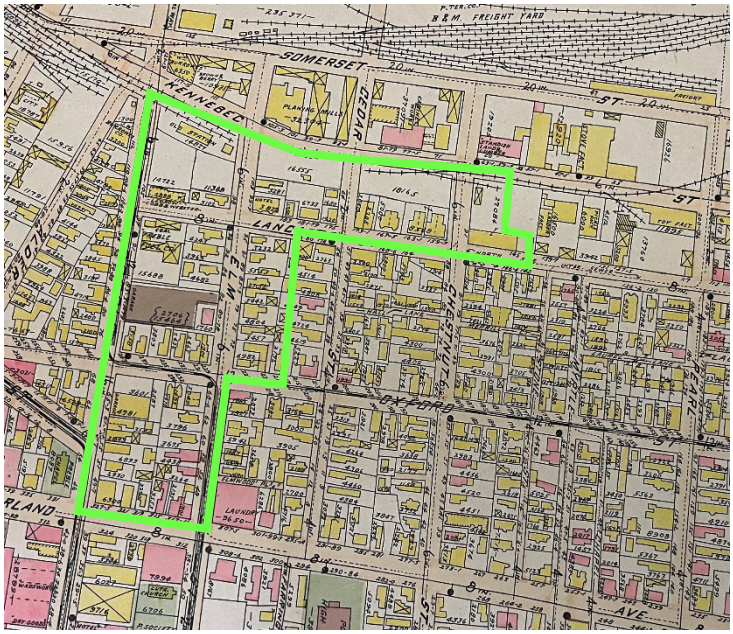


Figure 2: 1914 City Atlas with MDP boundary shown in green.


Figure 3: Existing conditions looking south along Lancaster Street

Today, the surrounding area includes a mix of commercial and social services of varying scales located on the edges of the MDP boundary, with newer residential uses and commercial buildings located west of the MDP boundary, including a 171-unit mixed-use building under construction at 52 Hanover Street, and 82 Hanover Street, a former DPW plow garage that was converted into restaurants, retail, and office space. 75 Chestnut Street, a 52-unit residential building is located north of the MDP boundary. Commercial & social service uses are primarily located to the east and south. Within the MDP boundary lies:

- Existing office buildings at 62 Elm Street, 235 Oxford Street, 81 Preble Street, and 196 Lancaster Street
- A clinic (MaineHealth Behavioral Healthcare) and school (Baxter Academy) at 185 Lancaster Street
- Retail (Bakery) at 195 Lancaster Street
- Surface parking lots at 60 & 89 Elm Street and 149,195,196 Lancaster Street
- The Public Market Parking Garage at 315 Cumberland Avenue
- 55 multi-family dwelling units in the renovated Schlotterbeck & Foss building at 117 Preble Street

As part of the proposed development, the majority of existing historic structures are to remain, with four structures at 235 Oxford Street, 195, and 196 Lancaster Street proposed to be demolished. A portion of the building at 185 Lancaster Street will also be demolished, though the remaining portion of this building will continue to house the Baxter Academy. All of the remaining historic structures in the MDP boundary are owned by the Applicant.

The MDP area is proximate to public transit, with METRO PULSE at Elm Street (Downtown Transportation Center) located half a block from the MDP's northern boundary. METRO PULSE serves as a hub for Routes #2, #4, #5, #7, and the Husky Line begins and ends their routes. METRO bus route #8 currently runs through the MDP boundary on Cumberland Avenue, Elm Street, Lancaster Street, and Preble Street, with recommendations from Transit Together to re-route service outside the MDP boundary in the future.

While there are no existing publicly accessible open spaces within the MDP boundaries, a number of City-owned open spaces can be found nearby that provide active (Kennedy Park) and passive (Deering Oaks Park, Monument Square, and Stone Street Playground) recreational spaces, as well as walking/biking trails (Bayside & Back Cove Trails).

V. PROPOSED DEVELOPMENT

The applicant's MDP includes five proposed phases, with a total of eight sub-phases shown in Figure 4, Table 1, and described below.

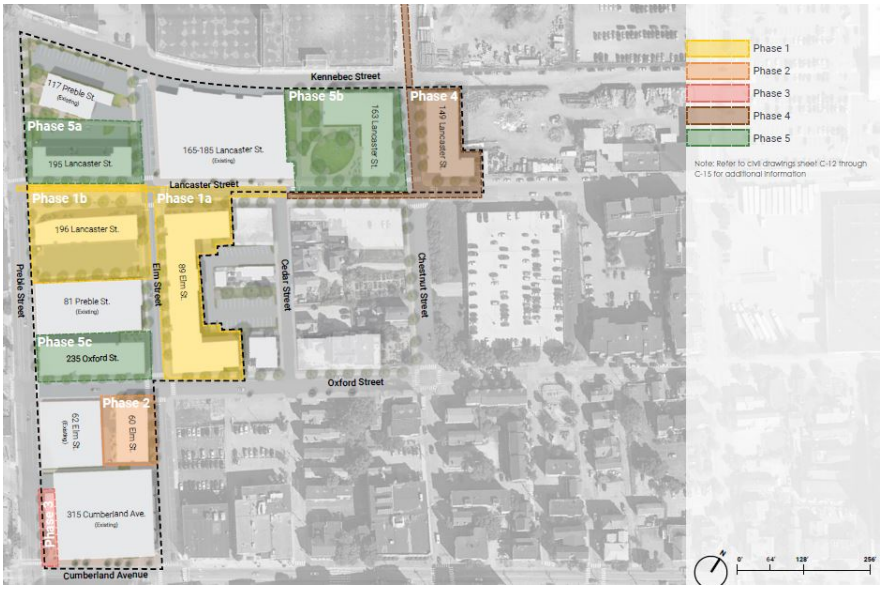


Figure 4: Phasing Plan.

Phase 1a (89 Elm Street): As part of a competitive public process, the applicant secured affordable housing funding from the MaineHousing Authority to construct an 8-story ±162,00 square foot mixed-use building containing 201 affordable dwelling units for residents earning 60% AMI or less and ±6,000 square feet of retail space. The existing 132-space surface parking lot is proposed to be reduced to 33 surface parking spaces, with 12 of those spaces located within the MDP boundary. A major site plan application has been submitted for this phase and is currently under review by City staff.

Phase 1b (196 Lancaster Street): Demolition of a ±4,544 square foot commercial structure and construction of an 8-story, ±72,000 mixed-use building with 140 residential dwelling units and 4 commercial units totaling ±5,000 square feet. A ±4,000 square foot public plaza is proposed to occupy the front setback area of the site along Lancaster Street. An existing 85-space surface parking lot is proposed to be reduced to 34 surface parking spaces.

Phase 2 (60 Elm Street): Removal of 32 surface parking spaces and construction of a 10-story, ±70,000 square foot mixed-use building with 90 dwelling units and one commercial unit totaling ±1,500 square feet.

Phase 3 (315 Cumberland Avenue): Infill construction of a 1-story, ±1,200 square feet retail unit along the subject property's southeastern frontage (Preble Street).

Phase 4 (149 Lancaster Street): Removal of 57 surface parking spaces and construction of a 10-story, ±105,000 square foot mixed-use building with 125 dwelling units and two commercial units totaling ±1,500 square feet.

Phase 5a (195 Lancaster Street): Demolition of a ±6,016 square foot commercial building, removal of 18 surface parking spaces, and construction of a 5-story, ±42,500 square foot mixed-use structure with 50 dwelling units and three commercial units totaling ±6,500 square feet.

Phase 5b (163 Lancaster Street): Partial demolition of ±14,044 square feet of an existing commercial building, removal of an existing surface parking lot with 27 spaces, and construction of a 10-story, ±140,000 square foot mixed-use structure with 120 dwelling units and commercial unit totaling ±2,500 square feet. ±16,515 square feet of passive recreation open space is proposed along the northeastern portion of the site.

Phase 5c (235 Oxford Street): Demolition of two commercial buildings totaling ±11,902 square feet, removal of 23 surface parking spaces, and construction of a 6-story, ±72,000 square foot mixed-use building with 78 dwelling units and four commercial units totaling ±4,000 square feet.

Table 1: Proposed Master Development Plan Program

Phase	Building Program	Height	Floor area (SF)	Footprint (SF)	Dwelling Units	Commercial Units	Structured parking	Surface parking
1a	• Multi-family dwelling units • Ground floor commercial	B-3: <80' R-6: 55'	162,000	24,000	201	3 (6,000 SF)	0	12
1b		85'	72,000	9,000	140	4 (5,000 SF)	0	34
2		105'	70,000	12,000	90	1 (1,500 SF)	0	0
3	Ground-floor retail addition	15'	1,200	1,200	0	1 (1,200 SF)	595	0
4	• Multi-family dwelling units • Ground floor commercial	105'	105,000*	10,500	125	2 (1,500 SF)	0	0
5a		55'	42,500*	8,500	50	3 (6,500 SF)	0	14
5b		105'	140,000*	14,000	120	1 (2,500 SF)	0	0
5c		65'	72,000	12,000	78	4 (4,000 SF)	0	0
TOTAL			**664,700**	**91,200**	**804**	**19 (28,200 SF)**	**595**	**60**

*Sub-phase subject to 15-foot building stepbacks from the street wall to be calculated during site plan review and may alter final total floor area. See Standard E-2 of the B-7 Design Standards.

VI. PREVIOUS WORKSHOPS

The Planning Board held a workshop on March 14, 2023, which served as an introduction to the project. Overall, the Planning Board was generally supportive of the conceptual MDP layout, the proposed program of uses, the redevelopment of large existing surface parking lots, and the focus on Lancaster Street as a prominent new focal point within the Bayside Neighborhood. While much of the feedback was positive, the Board did express some concerns and encouraged the applicant to consider the following suggestions as part of subsequent submissions:

- Provide additional green space designed with solar exposure in mind
- Enhance the pedestrian network, and provide mid-block permeability, particularly at 89 Elm Street.
- Building and site design for 89 Elm Street in relationship to the built context along Cedar Street
- Provide additional information on the proposed woonerf such as phasing, programming, and possible extension further along Lancaster Street.
- Distribute IZ units across proposed buildings as opposed to concentrating all IZ units at 89 Elm Street

On April 25, 2023, the Applicant led a site walk through the MDP site, which was followed by a second Planning Board workshop for the project. The Applicant submitted updated materials that reoriented 163 Lancaster Street to remove proposed surface parking and add new green space that would be open to the public, provided additional information around the design and function of the proposed woonerf, and submitted an updated visioning document to further articulate the implementation of the MDP vision. The Board supported the updates made to the application and recommended the following items for the following meeting:

- Providing additional information in the phasing plan to clarify the implementation of anticipated infrastructure, interim conditions, and open space,
- Undergrounding of overhead utilities, particularly along the woonerf on Lancaster Street, as part of the streetscape design,
- Submitting additional information on the applicant's approach to inclusionary zoning, particularly a framework to track the compliance of future phases of development with the City's IZ requirements., and
- Further consideration of traffic impacts to Cedar Street from the 89 Elm Street project.

Outstanding staff comments were sent after the meeting (Attachments 1 and 2) to address the remaining compliance issues connected to the MDP review standards. From these comment letters, the Applicant submitted:

- Phasing plan sheets and narrative (Attachments O & P.11-14) that clarify the implementation of enhanced infrastructure, document interim conditions, and identify open space relative to each sub-phase
- Design documents that further clarify the design intent of the MDP (Attachment DD2), along with a shadow study for 89 Elm Street (Attachment R)
- Information on the continuity of unit design for market-rate and IZ units (Attachment G1 & DD2)
- A parking memorandum on the number of automobile parking spaces in the MDP that are obligated to existing leases and the timeframe for the expiration of those leases (Attachment T)
- Management and design information on the proposed Lancaster Street woonerf (Attachment I, DD2 & EE2)

- A communications and outreach program that identifies the digital and in-person engagement strategies used to keep neighbors apprised of projects within the MDP (Attachment II)

An assessment of how all application documents meet the MDP review standards can be found in Section X of this report.

VII. RIGHT, TITLE, & INTEREST

The Applicant has submitted deeds verifying that all properties in the MDP boundary are under common ownership (Attachments C & C1). Utility and access easements have been identified in these deeds, with easements either functioning as access for utility providers/infrastructure or access/lot line clarification for properties under site control by the applicant.

VIII. FINANCIAL & TECHNICAL CAPACITY

The applicant has submitted a letter of financial capacity from Gorham Savings Bank (Attachment L) and supplied supporting information related to the technical capacity of the applicant team in Attachment M.

IX. ZONING ANALYSIS

The site is encompassed by the B-3 (Downtown Business). B-7 (Mixed-Development), R-6 (Residential), and the Downtown Entertainment Overlay Zone.

Relevant sections of the B-3, B-7, and R-6 purpose statements are included below:

- *B-3: … to encourage increased housing opportunity downtown for a diverse residential population; to 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; to preserve and capitalize on the unique character and historic fabric of the downtown through the encouragement of reuse of significant existing structures; to provide opportunity for an enhanced presence and integration of the arts and cultural activities; to reinforce the role of the downtown as a meeting place for community residents and visitors alike from all walks of life and all socio-economic groups; to provide adequate parking and transportation facilities which promote accessibility, enhance and encourage development opportunity, and enhance and protect the pedestrian environment; …*
- *B-7: … The B-7 zone encourages these districts to acquire a distinctly urban form through dense development featuring a mix of uses such as housing, retail, offices, research and development, and artisan studios and that emphasizes a quality pedestrian experience, promotes public transit, and demonstrates exemplary urban design. Use of multi-modal transportation is strongly encouraged and is advanced by the installation of bicycle amenities, such as bicycle racks and storage areas. The zone promotes a wide range of uses in high quality structures and public open spaces to achieve 24-hour urban vitality and shared parking infrastructure. The B-7 zone promotes a mixed-use development pattern envisioned on Portland's peninsula.*
- *R-6: To set aside areas on the peninsula for housing characterized primarily by multi-family dwellings at a high density providing a wide range of housing for differing types of households; to conserve the existing housing stock and residential character of neighborhoods*

*by **controlling the scale and external impacts of professional offices and other nonresidential uses**; and to encourage new housing development consistent with the compact lot development pattern typically found on the peninsula.*

The zoning dimensional requirements for all three zones are intentionally permissive in this urban area, with a prioritization of creating denser, taller buildings that reinforce a street wall. Prioritization of the first 35 feet of building height, ground-floor building elements/features, and stepbacks in the B-7 and R-6 zones emphasize the prioritization of the pedestrian realm. Each future site plan application will be evaluated for conformance with zoning and site plan requirements as well as undergoing design review for the multiple-family design standards and B-3, B-7, R-6, and 100-foot Historic Preservation Advisory Reviews (as applicable).

As submitted, the Master Development Plan is consistent with zoning, including the B-3, B-7, and R-6 zone purpose statements, uses, and dimensional standards, and the Bayside Height Overlay Map, which has a range of permitted building heights between 55' and 105' in the MDP Boundary. The Applicant is proposing that 100% of the units in Phase 1a will be low-income units at 60% of the Area Median Income (AMI). §18.2.4.A. of the Land Use Code permits buildings with 75% or more of units having low-income units (Units with rents affordable to households making ≤80% AMI) that the proposed building can have an additional 25' of height in the B-3 portion of the site.

Expanded Front Setback Request

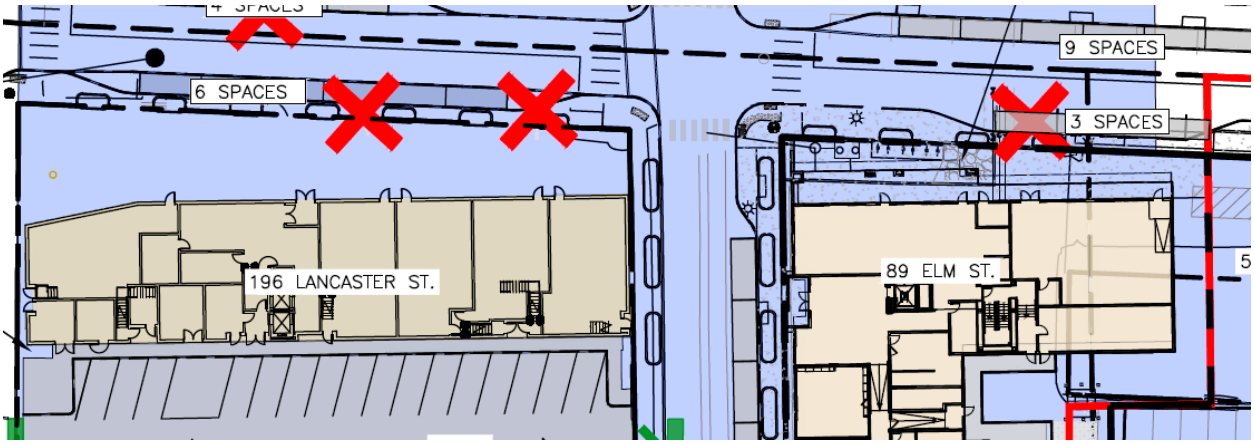


Figure 5: MDP Master Site Plan on Lancaster Street showing the proposed expanded sidewalks and plaza.

The Applicant is requesting, pursuant to §7.5.5.F.4, that the Planning Board allow the proposed buildings at 196 Lancaster Street and 89 Elm Street to have front setbacks greater than the B-3 zone maximum permitted front setback of 5 feet. The proposed buildings contemplate a front setback ranging between 13 – 40 feet along Lancaster Street. This expanded setback would allow the two proposed buildings to be developed in a manner that facilitates the creation of a linear publicly accessible open space along Lancaster Street.

Proposed Front Setbacks

§(b)(1)(e)(2) of the Design Manual identifies the review standards for the Planning Board to permit an increased setback beyond street build-to lines. The following list includes the standards of §(b)(1)(e)(2) along with staff review of the compliance with these standards:

i. **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.
Complies. The requested increased setbacks facilitate expanded sidewalk areas, outdoor eating spaces, and plaza space.

ii. 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.
Complies. Redevelopment of these parcels would define the street wall along the eastern side of Lancaster Street that currently lacks definition given that the majority of the frontage is occupied by surface parking areas. The proposed design for 196 Lancaster Street will provide a plaza that serves as a nexus for the MDP design with the woonerf, and 89 Elm Street will include an arcade that will enhance pedestrian facilities and meet the required setbacks on upper stories. Both of these setbacks help to support the goal of the project to establish Lancaster Street as a main thoroughfare for the project and enhance pedestrian activity.

iii. 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.
Complies. The proposed setback for 196 Lancaster Street enables the development of one of the two open spaces for the project area, while the arcaded setback at 89 Elm Street will serve a complementary function to the proposed passive recreation space proposed at 163 Lancaster Street. These enhancements to Lancaster Street introduce open space in an area of the Bayside neighborhood with limited open space options and enhance connections to proximate open spaces such as the Bayside Trail, Deering Oaks Park, and Monument Square.

iv. 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.
Complies. The expanded sidewalks and open space will function as an attractive improvement for pedestrian activity along Lancaster Street and will enable positive building and site features.

Based on the compliance with these review standards, Staff recommends approval of the proposed expanded setback.

<u>Inclusionary Zoning</u>
The City's Inclusionary Zoning ordinance is required for development projects creating 10 dwelling units or more for rent or sale. Projects that trigger the ordinance are required to include at least 25% affordable housing units, affordable to households making 80% of the Area Median Income (AMI) or less. Applicants have the option to either construct the units (on-site or off-site) or make a fee-in-lieu contribution to the City's Jill C. Duson Housing Trust Fund (originally $150,000/per unit, adjusted annually) rather than construct the units. A Master Development Plan does not require Inclusionary Zoning compliance; however, at the time of site plan review, future projects associated with an approved MDP that create 10 or more dwelling units will be evaluated for compliance with the City's Inclusionary Zoning requirements outlined in Article 18.2.
It should be noted that the applicant envisions constructing eight new buildings and has secured funding from the MaineHousing Authority to construct a 201-unit building at 89 Elm Street intended for residents earning less than 60% AMI. The applicant is proposing to construct this building first, as part of Phase 1a, and it is their intent to utilize the Inclusionary Zoning off-site provisions and provide all required affordable units

for the remaining seven development projects associated with the MDP within the building proposed at 89 Elm Street.

Per the ordinance, off-site workforce units must conform to the ordinance's size and location provisions and include comparable attributes to market rate units. Therefore, by constructing the affordable housing project first, the subsequent market rate projects would need to be reviewed for compliance with the Inclusionary Zoning off-site regulations based upon the project at 89 Elm Street.

X. MASTER DEVELOPMENT PLAN STANDARDS (Section 14.7)

Section 14.7 of the City's Land Use Code establishes standards under which Master Development Plan applications must be reviewed. Per this section, Master Development Plans shall adhere to the following requirements:

Section 14.7.1. In general

a. Designed to integrate with the surrounding context with respect to land use, architecture, open space and pedestrian networks, vehicular access and circulation, off-site public facilities and all other infrastructure.

Staff Comment: The proposed MDP reflects the surrounding context by:

- Providing a similar mix of land uses,
- Using architecture that ranges from mid-to higher-level density in bulk and massing,
- Providing urban open spaces similar to surrounding downtown open spaces,
- Incorporating enhanced pedestrian networks and mid-block permeability to break up larger blocks,
- Minimizing automobile usage given the urban context and access to public transportation through reduced curb cuts, centralization of parking facilities, and utilization of TDM strategies, and
- Supporting off-site public infrastructure through stormwater improvements that go above base City standards for redevelopment.

Updated phasing plan materials (P11-P14) document how and where construction will occur during each sub-phase. In particular, the materials provide more definition to the proposed implementation of the woonerf on Lancaster Street. As proposed and shown in Figure 6, the eastern side of the woonerf would be constructed in Phase 1b up to the gutter line on the western side of the street, with an interim curbed condition for approximately six years until the review of Phase 5a. As part of Phase 5a, the woonerf would be completed on the western side of the street.

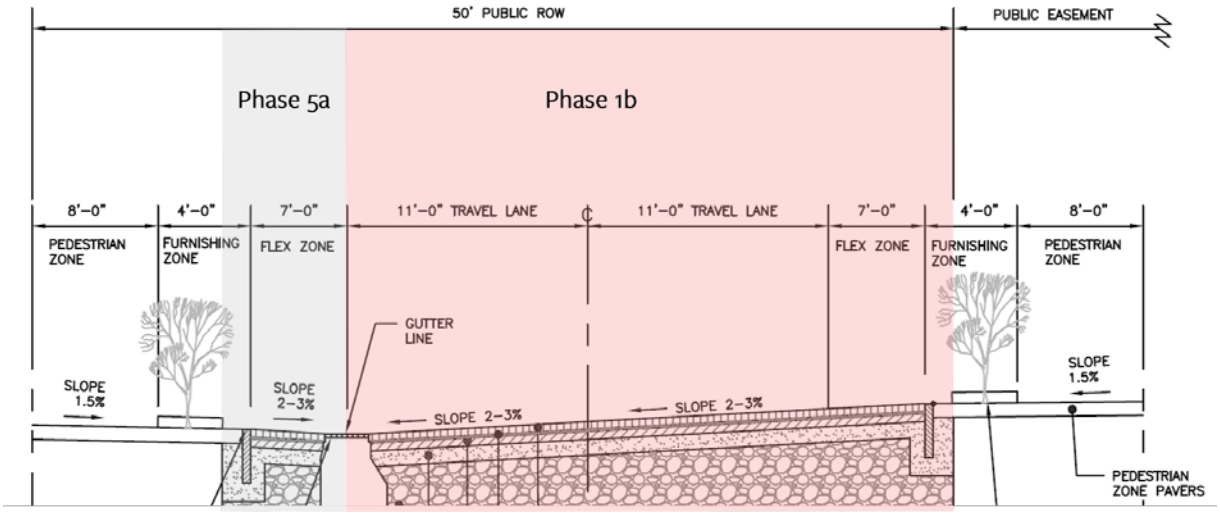


Figure 6: Shared Street Cross-Section Shaded to Indicate portions of woonerf proposed to be completed in Phase 1b (Shown in Red) and Phase 5a (Shown in Gray).

The submitted parking memorandum (Attachment T) explains how existing parking agreements will be phased out over the course of the MDP, which will help to provide a smoother transition for new and existing uses. Consulting Traffic Engineer Tom Errico has requested additional information to confirm if any of the parking agreements are tied to previous site plan approvals, which has been included as a recommended condition of approval.

Updates to the architecture and site design relative to the contextuality of the surrounding area can be found under the Design section of this report. As part of the Design Memorandum comments, the Applicant updated the Street Typology Map to include the Kennebec Street frontage as part of the Neighborhood Connector Typology to ensure all frontages of the MDP are included and provide a unified streetscape design for Kennebec Street that more fully integrates with the surrounding context.

Based on the submitted application materials the proposed MDP is designed to integrate with the surrounding context and conforms to the existing zoning dimensional and use standards.

b. Consistent with the objectives of this ordinance, consistent with the City's Comprehensive Plan, and consistent with City Council-approved master plans and facility plans for off-premise infrastructure.

Staff Comment: The submitted MDP is consistent with City Council-approved master plans by:

- Increasing on-site stormwater detention and extending separated storm drains throughout the MDP boundary to minimize flow rates to the Back Cove South Sewershed (**CSO Abatement Study, 1993**).
- Proposing the construction of dense housing proximate to Downtown and upgraded pedestrian facilities to promote walkability and connections to open space (**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)**.

A New Vision for Bayside is a vision for the Bayside neighborhood to contain housing, workplaces, services, transportation, recreation, dining, and shopping, all within comfortable walking distance of each other and the downtown. *A New Vision for Bayside* places considerable emphasis on supporting and creating a mix of residences that will fill in, extend, and enhance the existing residential fabric with a substantial amount of new housing, which the proposed MDP advances.

More recently, the City completed the 2018 Bayside Transportation Master Plan, which examines existing conditions in Bayside and identifies broad and corridor-specific improvements. Some of the recommendations from this Plan include the recently implemented road diets on Preble and Elm Street, corridor improvements on Lancaster and Kennebec Streets, and the conversion of Oxford Street into a two-way street, also being proposed by the Applicant as part of this MDP, with final review to be handled as part of the review of the associated Traffic Movement Permit.

The MDP site is also located within the area encompassed by the Portland Tree Canopy Project, funded through the American Rescue Plan Act (ARPA), which will plant 80 street trees in the Bayside neighborhood in 2023 and serves as a pilot study for guiding future City planting locations and sustainable planting guidelines. The City's Forestry division has facilitated the coordination of the MDP development with the Tree Canopy Project, which will help align the MDP with future City standards.

The MDP aligns with the City's Comprehensive Plan, and Portland's Plan 2030 by infilling underdeveloped sites primarily used for automobile parking with residential units, commercial uses, and publicly accessible open spaces and pedestrian connections that better reflect the location and are in proximity to public transit. Portland's Plan 2030 supports walkable, connected, mixed-use, complete neighborhoods widely, and specifically in this neighborhood in the Vision, Housing, Transportation Sustainability, and Future Land Use sections. Excerpts are included below.

Environment

- Adopt sustainable land use and transportation policies that support connectivity, walkable neighborhoods, and multi-modal transportation.
- Continue to develop land use policies that support complete neighborhoods.

A Livable City: Housing

- Increase, preserve, and modify the overall supply of housing city-wide to meet the needs, preferences and financial capabilities of all Portland residents
- Encourage additional contextually appropriate housing density in and proximate to neighborhood centers, concentrations of services, and transit nodes and corridors as a means of supporting complete neighborhoods.
- Pursue policies to enable people who work in Portland to have the option to live in Portland.
- Encourage quality, sustainable design in new housing development.
- Coordinate linkages between accessible transportation and housing affordability.

An Active City – Recreation & Open Space

- Pursue opportunities, in collaboration with partners, to create new open spaces in areas that are currently underserved.
- Strengthen connections between open spaces

An Accessible City – Transportation

- Promote multi-modal accessibility, enabling residents and visitors of all ages and abilities to participate fully in the social and economic life of the community.



Figure 7: Graphic of six interlocking principles of Portland's Plan 2030.

Future Land Use

- **Reinforce the Center:** Though Portland's commercial and entrepreneurial activity takes place throughout the city, downtown Portland remains at the center of the region's arts and cultural, economic, and civic health, and Portland's Plan embraces the principle that downtown should continue to be a predominant locus of activity for the broader region.
- **Complete Neighborhoods**: Portland's Plan recognizes that strong, complete neighborhoods are fundamental to the city's overall health... The strength and diversity of these neighborhoods is fundamental to the growth of a diverse city where residents can choose housing types, businesses, schools, and recreational opportunities.

Natural features and open space

a. Developed so as to locate buildings and improvements in a manner that considers existing topography, provides usable open space, preserves significant natural features as defined in Subsection 14.6.2, and preserves existing trees to the maximum extent possible.

Staff Comment: The MDP is located in an already developed area of the City that does not currently include any open space and has limited natural features. The MDP does include an existing change in grade from Lancaster to Oxford Streets, which has been considered in the placement of entrances for the building at 89 Elm Street. Larger open spaces are provided through a public plaza and passive recreation area at 163 Lancaster Street.

The majority of existing on-site and street trees are proposed to be removed as part of the streetscape improvements for the MDP. Staff requested additional information on when new trees would be planted and how open space would be provided through each development phase to meet the multiple-family design standards of the Design Manual.

The Applicant submitted an updated phasing plan and landscaping plan (Attachments P8b & P11-14) that identifies across each sub-phase where existing trees are proposed to be removed or preserved and where new trees are anticipated to be planted, which will be further reviewed through future site plan applications as required by the Land Use Code and Technical Manual, aligning with comments from the City Forestry Division (Attachment #6). This phasing document also identifies where, when, and how

open space would be provided through each anticipated sub-phase. Through the submission of updated application materials, the Applicant complies with the standard.

b. Include provisions for the ownership and maintenance of usable open space as appropriate.
Staff Comment: Open space is provided in two locations along Lancaster Street through a public plaza and passive recreation space. Previous application documents included other public realm functions (e.g., buffer landscaping, sidewalks, driveways) in open space calculations, which blurred the lines between each of these functions. The resubmitted public realm design exhibits (Attachment DD2) have better defined each of these functions and the phasing plan documents (Attachments P11-14) state the implementation of open space in each sub-phase.

While the entirety of the MDP area is under common ownership, the Applicant has confirmed that Port Properties will provide maintenance for all open spaces within the MDP boundaries. Maintenance of the proposed woonerf is further discussed under the Infrastructure Section of this report.

Historic Preservation

a. Developed as so to conform with standards for designated landmarks or for properties within designated historic districts or historic landscape districts as found in Article 17.
Staff Comment: Not applicable. A designated landmark, historic district, or historic landscape district is not located in the MDP boundary.

b. When proposed adjacent to or within one hundred (100) feet of a designated landmark, historic district, or historic landscape, the master development plan shall be developed so as to be generally compatible with the major character-defining elements of the landmark or portion of the district in the immediate vicinity of the proposed development.

Staff Comment: The sole portion of the MDP that is located within 100 feet of a local historic district is the proposed addition to the Public Market Garage. The proximity to the Congress Street Historic District has been reviewed by the City's Historic Preservation Manager as part of the design review (Attachment 4) and has provided general comments on updating the design to better engage with Preble Street and incorporate elements that reflect the pedestrian-oriented nature of the neighborhood and nearby Congress Street Historic District.

As part of larger design comments, the Applicant updated the public realm design exhibits (Attachment DD2) to show a new entrance directly from Preble Street. Review of the Phase 3 site plan will require conformance with the guidance from the June 9, 2023 Design Memorandum (Attachment 5), as well as an additional design review involving Historic Preservation Staff.

Infrastructure

a. Designed with sizing of street and other infrastructure systems to accommodate the overall service demand of the plan.
Staff Comment: The project's proposed redevelopment has presented capacity considerations related to on-site stormwater detention and new connections to the combined sewer system in an area of the City that is prone to frequent flooding and is located in the sewershed with the highest combined sewer overflow volumes annually in the City. Consultation with the Department of Public Works has resulted

in a methodology for the MDP that improves system capacity with upgrades to existing main lines, exploration of alternate separated connections at Somerset Street, and for new connections requiring on-site stormwater detention volumes equal or greater than:

- 1" of rainfall over the entire redeveloped area on the parcel, or
- The project average 24-hour daily sanitary sewer flow each parcel is proposing to add to the system. increased on-site detention above minimum DEP requirements.

Through these requirements and ongoing efforts, the proposed MDP will be designed to accommodate the overall water & sewer demand of the plan, as well as minimize negative stormwater impacts.

Continuing dialogue between the Applicant and DPW raised several questions related to the purpose, design, maintenance, phasing, and extent of the woonerf. The Applicant has submitted updated application materials (Attachments I, O, DD2, EE2) that clarify the intent and operations of the woonerf. Upon review of the updated application materials, the Department of Public Works has stated that they support the concept of a woonerf along Lancaster Street, with final design details and coordination to be made under site plan review. As part of the review for the MDP, a proposed waiver request has been submitted to allow a flush curb, when a 7" curb reveal is required in §1, Figure I-12 of the City's Technical Manual.

The proposed application is corresponding with a submitted Traffic Movement Permit (TMP) application for Phases 1-2 of the MDP. Traffic Movement Permits are required for developments that are projected to create 100 or more passenger car trips per hour. While the approval of the TMP is not required as part of the Master Development Application, the TMP will be approved prior to or concurrent with the site plan application for Phase 1a (89 Elm Street) of the MDP, given that based on preliminary traffic calculations, the project would generate more than 100 passenger car trips.

Overall for the MDP, the unadjusted number of trips throughout the MDP is 535 in the AM peak hour and 569 in the PM peak hour. As part of the TMP and future site plan applications, the Applicant will be utilizing traffic counts and traffic demand management (TDM) strategies to reduce the number of overall automobile trips.

As mentioned earlier in this report, the Applicant is exploring the conversion of Oxford Street into a two-way road as part of the Traffic Movement Permit, which aligns with the goals of the Bayside Transportation Master Plan.

b. Designed to create a street grid pattern that reflects average city block sizes of the surrounding neighborhood.

Staff Comment: Unlike other MDPs approved throughout the City that have been constructed on large undeveloped parcels, this MDP is located in an area of the City with existing streets and platted lots that primarily retain the existing street grid. Per staff feedback, the Applicant has taken the step to provide a mid-block connection from Lancaster Street to Kennebec Street that emulates a connection previously provided by Cedar Street, as demonstrated in the 1914 City Atlas. Through these steps, the Applicant complies with this requirement.

Design

a. *Designed to create a cohesive identity through building scale, massing, and articulation; use of quality exterior materials and architectural detailing at pedestrian scale; consistency of design and materials for streetscape and pedestrian amenities; framing of outdoor open space and linkages; a clear conveyance of the function and significance of various buildings, entrances, and features; and to generally comply with design and development standards of the zone in which it is located.*

Staff Comment: Design Review memorandums were prepared by Urban Designer Sean King on March 10th, April 19th, and June 8th detailing the compliance of the submitted application with the MDP design standards (Attachments 3-5).

Updated application materials (Attachment DD2) have provided:

- Additional information on the design intent,
- Revised renderings, and other visuals,
- A demonstration of cohesive shared materials through development phases, and
- Revised open space and street typologies to address previous staff comments.

The updated materials were reviewed by the Urban Designer as part of the June 8th Design Memorandum. Overall, the updated application materials satisfied the majority of comments previously noted in previous design memorandums, with key comments included below:

- Rooftop appurtenances, mechanical equipment, and façade mounted utilities shall be integrated within the building design and/or screened to minimize views from adjacent properties.
- The proposed buildings within the MDP shall be designed for pedestrian scale with active uses fronting the street that support the neighborhood and shall select exterior materials that are cohesive throughout each building in future Site Plan applications and reviews. Quality exterior materials shall include appropriate scale, articulation, transition, durability, visual interest, and placement.
- Buildings shall articulate architectural elements at the street and mid-block pedestrian connections to provide architectural detailing that demonstrates the perceived use of the building. These aspects will be reviewed with special attention to the ground floors and areas most visible to pedestrians. In the Site Plan review, the details should be reviewed to provide depth, articulation, visual interest, and quality transitions.
- Staff required the Applicant to update the Street Typologies diagram from the *Public Realm Design – L Series Exhibits* to include the eastern side of Kennebec Street in the MDP boundaries as a Neighborhood Connector.
- The Applicant shall submit a wayfinding and signage program specific to each site plan review submission.
- Primary entrances shall front the major streets and significant corner intersections shall demonstrate a clear architectural character.
- Staff has identified key design standards from each applicable zone design standard that shall relate to the Master Development Plan to be applied during future Site Plan applications and reviews:
    - B-3 Downtown Urban Design Guidelines – Relationship to Pedestrian Environment

        - Elm Street and Chestnut Street as neighborhood connector streets shall engage gateway intersections to provide pedestrian-oriented ground floors with articulated building entries, canopies, and special features.
    - B-7 Mixed-Use Urban District Zone Design Principles and Standards- Standard E-2 Height
        - Lancaster Street shall include building stepbacks of fifteen feet above five stories when located at the street build-to-line or to provide a front setback of fifteen feet to include activation at the ground floor such as a linear plaza, retail and building entries.

Through ongoing conformance with the June 9, 2023 Design Memorandum, the proposed design of the MDP complies with the MDP design standards.

XI. NEIGHBORHOOD MEETING & PUBLIC COMMENT

The applicant held a Neighborhood Meeting on February 21, 2023, and 43 members of the public attended (Attachments X-BB). Questions raised at the Neighborhood Meeting addressed the following topics:

- Location and number of proposed units/affordability of units
- Provision of open space and green space and utility of these spaces for existing uses within and surrounding the MDP
- Street design and streetscape improvements
- The proposed number and location of parking spaces

As of the writing of this report, 48 written public comments have been received. 10 comments have been received since the April 25, 2023 workshop and have focused on the traffic and visual impacts to existing properties on Cedar Street, the historic character of the neighborhood, the design of building tops and streetscape, and the location of all affordable units in 89 Elm Street. These and public comments made over the course of the workshops have touched on additional items such as scale and massing of development, the lack of capacity for Cedar Street to handle garbage trucks and other project-generated traffic, the impact of future retail businesses and noise on residential properties, and the desire to retain existing buildings facades within new construction.

In addition, other items have been raised for consideration such as the formation of a community advisory group. Many of these items, including design details will be addressed in much greater detail in the course of Major Site Plan reviews. Some, such as the desire to condition the applicant to form a community advisory group is beyond the scope of Planning Board review to mandate for an MDP or Site Plan application. Examples of instances where community advisory groups or neighborhood advisory panels were established were associated with either specific conditional use standards or for projects utilizing the Institutional Overlay Zone (IOZ) zoning mechanism. Another category of questions raised during public comment has had to do with the concentration of affordable units within one building at 89 Elm Street. Inclusionary zoning compliance is not reviewed during an MDP and is beyond the scope of the Planning Board's MDP review standards. Additionally, the applicant's intent to utilize the Inclusionary Zoning off-site provisions is not associated with the MDP. IZ compliance will be reviewed in the course of each Major Site Plan review.

XII. STAFF RECOMMENDATION

Subject to the proposed motions and conditions of approval listed below, Planning Department staff recommends that the Planning Board Application PL-002315-2022 for a Master Development Plan meets the applicable standards of Portland's Land Use Code with the following waivers and conditions of approval.

XIII. PROPOSED MOTIONS

A. WAIVERS

On the basis of the application, plans, reports, and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report for the public hearing held on June 13, 2023 for application # PL-002315-2022 relevant to the Master Development Plan Standards of the Land Use Code and Portland's Technical and Design Standards, and other regulations, and testimony presented at the Planning Board public hearing:

1. Flush Curbing for Woonerf

   The Planning Board [finds/does not find] based upon the Planning Staff's review that extraordinary conditions exist or undue hardship may result from strict compliance with Section 1, Figure I-12 of the Technical Manual which requires a 7" curb reveal, that substantial justice, and the public interest are secured with the proposed variation in this standard, and that variation is consistent with the intent of the ordinance. The Planning Board [waives/does not waive] Technical Manual §1, Figure I-12 to allow a flush curb along Lancaster Street between Preble & Elm Streets.

B. MASTER DEVELOPMENT PLAN REVIEW

On the basis of the application, plans, reports, and other information submitted by the applicant; findings and recommendations contained in the Planning Board Report for the public hearing on June 13, 2023 for application # PL-002315-2022 relevant to the Master Development 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 Master Development Plan standards of the Land Use Code subject to the following conditions of approval:

1. The Design Standards outlined in the City's Urban Design Review Memo dated June 9, 2023, in addition to the B-3, B-7, and R-6 Design standards shall guide the site plan review of all the applicable MDP phases. The approval of the MDP does not imply approval of individual building designs and the public realm details as presented, which shall be addressed in future Site Plan applications and reviews.
2. **Prior to the approval of the first site plan of the MDP,** the Applicant shall update the submitted Parking Memorandum to identify if any spaces are fulfilling the parking requirements of a previous site plan approval.
3. **Prior to the approval of the first site plan of the MDP,** the Applicant shall submit a site plan sheet that notes removals, upgrades, and additions of curb cuts, along with a corresponding narrative that details how the changes in curb cuts comply with the City's Technical Manual.

XIV. ATTACHMENTS

Staff Attachments

1. May 5, 2023 City Comment Letter
2. May 19, 2023 City Comment Letter

3. March 10, 2023 City Staff Design Memorandum
4. April 19, 2023 City Staff Design Memorandum
5. June 8, 2023 City Staff Design Memorandum
6. June 9, 2023 City Forestry Comments

Applicant's Documents

A. Cover Letter and Description
A1. Resubmission Cover Letter
A2. April 10, 2023 Applicant Response Letter
A3. June 2, 2023 Applicant Response Letter
B. Master Development Plan Checklist
C. Right Title and Interest
C1. Right Title and Interest 2023-04-10
D. Evidence of State/Federal Approvals
E. Zoning Analysis Table
E1. Zoning Analysis Table 2023-04-11
F. Assessment of Compliance
G. Inclusionary Zoning Memorandum 2023-05-01
G1. Inclusionary Zoning Memorandum 2023-05-30
H. Developer's Draft Workforce Housing Agreement
I. Winter Management Memorandum 2023-06-02
J. Easements & Covenants
K. Waiver Table
K1. Waiver Table 2023-04-10
L. Financial Capacity
M. Technical Capacity
N. Master Development Context and Building Design
N1. Master Development Context and Building Design Supplemental
O. Phasing Narrative
P. Natural Features
Q. Views and Historic Features
R. Shadow Study – 89 Elm Street
S. Traffic Analysis
T. Parking Memorandum 2023-05-26
U. Utilities
V. TMP Application
W. TMP – Scoping Meeting Technical Memo
X. February 21, 2023 MDP Neighborhood Meeting Notice
Y. February 21, 2023 MDP Neighborhood Meeting Certification Letter
Z. February 21, 2023 MDP Neighborhood Meeting Sign-In Sheet
AA. February 21, 2023 MDP Neighborhood Meeting Presentation
BB. February 21, 2023 MDP Neighborhood Meeting Minutes
CC. MDP Context
CC1. MDP Context – Updated Visioning Documents 2023-04-10
DD. Public Realm Design – L Series Exhibits 2023-04-10
DD1. Public Realm Design – L Series Exhibits 2023-06-02
DD2. Public Realm Design – L Series Exhibits 2023-06-09

EE. Shared Street Cross Section 2023-04-10
EE1. Shared Street Cross Section 2023-05-02
EE2. Shared Street Cross Section 2023-06-02
FF. Exhibit P1 – Cumberland View Corridor
GG. Impacts to Public School System
HH. Renderings 2023-04-14
II. Communications & Outreach Program
JJ. Auto-Turn Templates for 89 Elm Street

Plans

P1. Cover Sheet
P1a. Cover Sheet (2023-04-10)
P2. Existing Conditions Survey - 1
P2a. Existing Conditions Survey – 1 (2023-04-10)
P3. Existing Conditions Survey – 2
P3a. Existing Conditions Survey – 2 (2023-04-10)
P4. Existing Conditions Survey – 3
P5. Existing Conditions Survey - 4
P6. Master Site Plan
P6a. Master Site Plan (2023-04-10)
P6b. Master Site Plan (2023-06-02)
P7. Property Line Modifications Plan
P8. Landscape Plan
P8a. Landscape Plan (2023-04-10)
P8b. Landscape Plan (2023-06-02)
P9. Utility Plan
P9a. Utility Plan (2023-04-10)
P9b. Utility Plan (2023-06-02)
P10. Grading & Drainage Plan
P10a. Grading & Drainage Plan (2023-04-10)
P10b. Grading & Drainage Plan (2023-06-02)
P11. Master Phasing Plan
P11a. Master Phasing Plan (2023-06-07)
P12. Phasing Plan – Phase 1
P13. Phasing Plan – Phases 2 & 3
P14. Phasing Plan – Phases 4 & 5

Public Comment

a. PC1: Compiled Comments from March 14, 2023 Workshop
b. PC2: Compiled Comments from April 25, 2023 Workshop
c. PC3: Jim Hall
d. PC4: Christian Milneil
e. PC5: Robert Hyde
f. PC6: George Rheault
g. PC7: Andrew Rosenstein
h. PC8: George Rheault
i. PC9: George Rheault

j. PC10: Bayside Neighborhood Association
k. PC11: George Rheault
l. PC12: George Rheault

Consulting Traffic Engineer

- Back up information regarding the distribution of site trips shall be provided.
- Greater detail is required regarding plans to convert Oxford Street to a two-way street. At a minimum this shall include on-street parking impacts, existing roadway widths, the need to widen the street, and intersection conditions (turning movements and traffic control).
- While there are no High Crash Locations identified in the vicinity of the project, there may be locations with high crash rates (Marginal Way/Preble Street/Elm Street) that will likely be requested for evaluation. Specific locations will be identified at the TMP scoping meeting.
- A detailed pedestrian and bicycle facility evaluation within the study area will be required in conjunction with the TMP. The scope of this evaluation will be discussed at the TMP scoping meeting.
- The proposed project will be modifying driveways along public streets. Documentation on the number of driveways and location of driveways shall be specifically evaluated as it relates to complying with the city's Technical Standards.
- The applicant shall provide specific information on parking conditions both in the Public Market Garage and on surface parking lots that are being impacted. This shall include existing parking usage and any previous site plan requirements for use of the parking facilities.
- The applicant has prepared a memorandum that evaluates traffic conditions associated with the Master Development Plan. My comments are noted below.
    - The applicant has submitted a Traffic Movement Permit Application for initial phases of the project and a scoping meeting is scheduled for May 8, 2023. A detailed traffic study will be required.
    - The MDP traffic analysis assumed adjustments to the trip generation estimate to account for internal capture activity and mode share (auto, bike, walk, transit). City staff does not support the trip reduction assumptions included in the MDP traffic analysis and additional supporting information is being requested as part of the Traffic Movement Permit. I would note that without any adjustment, the MDP is estimated to generate 535 AM peak hour vehicles and 569 PM peak hour vehicles. The MDP will be displacing some existing land uses and thus total new traffic will be reduced. The city continues to review adjustments assumed by the project.
    - A trip distribution assignment has been provided and a detailed review of this will be performed in conjunction with the TMP.
    - As noted in the MDP Traffic analysis, the site is situated such that transit, bike, and walk trips are likely. As noted above, the city will be working with the applicant in quantifying mode share estimates for the TMP study.
- I have reviewed the MDP Master Site Plan, and I generally find it to be acceptable from traffic perspective but would like more information as it relates to use/management of the proposed surface parking lots and as noted above details on driveway compliance with city standards.

Fire

No comments.

Forestry

MDP Comments

- Street tree well design - COP Parks department appreciates the applicant team for their willingness to collaborate with Parks in finding a best practice in creating a tree health centric approach in street tree wells and planters. Parks seeks to strike a balance that creates a comfortable, and enjoyable pedestrian circulation experience, and nourishes a healthy and lush street tree canopy for improvement of this district. We hope to facilitate any opportunity for the applicant to coordinate further with Parks and other divisions, particularly water resources, to find means of combining street tree health with stormwater infrastructure opportunities in this project.
- Please distinguish street tree well typology in landscaping plan and future site plans (flush, metal style planters, vs raised granite vs. any other type, etc.). Ensure any planters with raised edges do not create conflict with building circulation, parked car doors, winter plowing routes or other circulation and element adjacent site needs.
- Ensure any planting areas in ROW or public spaces that have expectations of maintenance from the City of Portland use simplified, native plantings and follow low maintenance principles.
- Some public / private partnerships exist in other areas of the city that share maintenance needs in ROW. Portland Downtown District works with City and private businesses and private entities on specific programming and maintenance efforts within the Downtown District for example. Cary Tyson is PDD executive director (cary@portlandmaine.com). Please reach out to him for any additional questions or insights.
- The Parks Department will continue to work with COP planning and applicant team on ensuring a robust and effective street tree design conditions and implementation approach can be met to support future urban canopy in this neighborhood as much as possible.
- Opportunities to integrate street tree infrastructure with water resources / stormwater treatment is strongly encouraged. Parks is eager to facilitate that coordination between applicant and city departments, to help ensure successful and efficient integration.
- Please consider burial of utilities that would be in conflict or prohibit a fuller canopy growth of the street tree environment.

Comments Specific to 89 Elm

Street Site Plan

- For street trees at intersection locations with bump out or widened sidewalk conditions, consider creating a larger planting bed for street trees at those locations, keeping in mind safe sight triangles/ lines, generous circulation and room for ramps / tip downs and street utilities / furnishings, and building egress points.
- At the intersection of Oxford and Elm, by the corner building entrance and at retail entrance location, and

at Elm side entry: Street tree locations appear to be close to entrances and might create conflict with circulation. Ensure that any circumstances with trunks, low branching etc. do not block entry ways or unreasonably alter signage / preserve a degree of effective recognition of retail space from the outdoor environment.

- In the parking area and around building foundations, ensure native landscaping selections in planting areas adhere to Technical Manual requirements in Chapter 4, and provide screening from headlights and other off site lighting or visual intrusion into lower building units, particularly in adjacent parking areas.

Grading Plan

- Provide additional information on the intended use of the stairwell on the east (back) side of building along central access drive? If this stair well is providing informal access for residents, between the parking lot and internal units, consider landing grade and cross slope in relation to drive slope. Allow for egress from building to connect with a striped pedestrian route along drive to upper and lower lot areas if sidewalk or more formal walk material is infeasible.
- Ensure compliance with the standards of Chapter 4, Section 4.5.2 of the Technical Manual for screening along parking lot edges with abutting neighbors is followed. Please also ensure consideration is given to views from building into parking lots or adjacent properties. Please show proposed plantings / landscape screening for the lower parking area, particularly along the walk edge and along the shared property lines with 44 Cedar Street.
- Confirm whether the lower parking area will be connected with the drive aisle / loading dock corridor. Callout references detail inset, but corresponding inset is not shown on the plan. Please clarify circulation intent here.
- The landscape / site condition at up slope entry of delivery / drive aisle appears incomplete / obscured. Please show the condition of this area, and if it is a landscaped area, show screening and buffer design in compliance with Sections 4.5.5 and 4.5.2 of Chapter 4 of the Technical Manual.
- Please share the condition of the site along service ramp and back of abutting residential property along east side of parking lot connector drive.

Roof Plan

- If the applicant seeks additional open space for new building residents, consider utilization of proposed flat roof space for open space within required technical, code and COP planning requirements.

Parking

- While off-street parking is exempted through the transit proximate development and uses exemption, consideration is recommended for restrictions from new buildings utilizing resident on- street parking stickers.

Planning

- The Planning Department is currently in the process of compiling comments on the application and comments will be provided under a separate cover.

Public Works - Transportation

- DPW would like to understand the intent of the proposed woonerf that cannot be accomplished with standard methods. Additionally, the Department would like clarification on why other portions of Lancaster Street, particularly west of this block, would not make for viable candidates as well.
- The current Master Development Plan submission does not provide enough information to attempt a thorough review
- The proposed cross-section shall have an 8' minimum sidewalk width. The applicant shall consider placing the proposed planters (within the right of way) in the curb extensions and narrowing the furniture zones.
- The applicant shall provide more documentation on how the shared street cross-section/woonerf will address pedestrian circulation in this zone.
- The Applicant shall describe how winter operation limits will be delineated on the shared street cross-section and/or who will be responsible for winter operations.
- Tree planters, if placed in the flex zone, should be against the edge of the flex zone for plow guidance. If they can be 4′ wide and 6′ long, that would allow for 8′ in the ped zone space.
- The lanes could be 10′, which would allow for 8′ in the flex zone, which is absolutely needed if parking can be accommodated. On a related note, we have very little detail about the intended use of the flex zone (e.g., Vehicle Loading Zones? Long-term parking? Short-term parking? Festival space? None of the Above?)

Water Resources

- DPW has determined that adequate infrastructure capacity can only be affirmed provided future applications provide on-site stormwater detention volume equal to the greater of 1" of rainfall over the entire redeveloped area on the parcel or equal to the projected average 24 hour daily sanitary sewer flow each parcel is proposing to add to the system and extensions of separated storm drains are completed as shown on the applicant's MDP grading and drainage plan.
- Comments on the applicant's proposed sewer/storm drain connection locations were previously delivered to the applicant in March and are still valid. The applicant's updated MDP utility plan doesn't fully capture all DPW's previous comments on the proposed utility connection locations but DPW is comfortable with the applicant working out the remaining details as part of individual site plan reviews for each parcel. DPW will require further information on the proposed sewer/storm infrastructure extension design during our review of individual site plans.
- DPW will weigh in further on street drainage design requirements for the proposed shared street Woonerf during subsequent site plan reviews.

Zoning

- Proposed elevations for the specific buildings have still not been provided.
- Buildings in the B-3 zone need to be within 5′ of the street. 89 Elm Street and 196 Lancaster Street are not meeting this, with only a waiver request in for 196 Lancaster Street.
- Update the Master Site Plan Sheet to confirm how the proposed building at 163 Lancaster Street complies with the minimum building length at maximum setback requirements of the B-7 zoning district.
- Update the zoning analysis sheets to resolve the following minor errors:
    - 89 Elm in R-6 - Maximum height allowed is 55′ (Height bonus for building affordability can be noted with an asterisk)
    - Revised square footage of lots given that the lot lines are changing
- Update Sheet C-11 to include the square footage for each lot in the MDP.

The following summarizes all outstanding comments from City reviewers that still require additional information from the Applicant, with the associated Master Development Plan review sections. Please include a response letter addressing these comments with the updated application materials. Comments for the 89 Elm Street site plan and TMP applications are not included below.

14.7.1 In general

A. Integration with the surrounding context

- Update the phasing plan in the *Visioning Documents*. Please include the following items for each sub-phase to indicate interim conditions at each phase of development, as well as which infrastructure and other public improvements will accompany each phase:
  - Estimated building dimensions, uses, # of residential units
  - Anticipated removal/planting of street trees
  - Associated improvements in the ROW (e.g., repaving/sidewalk replacement, Oxford Street conversion, Lancaster Street woonerf)
  - When and which open space will be provided for each sub-phase
  - Interim conditions and anticipated staging/construction storage locations (or overall approach)
- Update the transportation analysis to be consistent with TMP analysis and data as needed, as well as information on any existing agreements/leases for structured and surface parking spaces in the MDP boundary.

B. Consistency with City plans

- Submit a narrative regarding how the residential components of the MDP will be consistent with Inclusionary Zoning requirements §18.2.3.c.3-5 of the Land Use Code and the *Interior Standards* section of the Inclusionary Zoning Implementation Guidelines.

14.7.2 Natural features and open space

B. Provisions for Open Space

- Confirm the ownership and maintenance plans for public open spaces. For the proposed open space at 163 Lancaster Street, for instance, this may simply be confirming that Port Properties will maintain it and confirming that it will be passive recreation programmed to meet resident needs. Similarly for the woonerf, address the maintenance and programming of the privately owned portion, and the applicant's intended role in winter maintenance of the public right of way (also noted under 14.7.4 below).
- Clarify which spaces will be dedicated to public access and recreation (as compared to other public realm functions/spaces such as streets, sidewalks, landscaping, etc.) on the open space plan.

14.7.4 Infrastructure

A. Adequacy of Infrastructure Capacity

- Submit additional information regarding the woonerf that:
  - Addresses pedestrian circulation

- Identifies anticipated programming for the flex zone
- Describes proposed winter operations responsibilities
- Updates the shared street cross-section to provide a minimum 8-foot width for the pedestrian zone, potential 10' lane width.
- Revisions to tree planter locations and dimensions, changes to furniture zones and curb extensions in response to prior DPW comments (*tree planters, if placed in the flex zone, should be against the edge of the flex zone for plow guidance. If they can be 4' wide and 6' long, that would allow for 8' in the ped zone space. ...consider placing the proposed planters ... in the curb extensions and narrowing the furniture zones*).
- Lastly, City staff have noted that there is not sufficient information on the details of the woonerf at this stage for there to be a final determination on the suitability of the design. A full street design is not required for the MDP, however, any additional details you are able to provide will give staff and the Planning Board an opportunity to provide direction as part of the MDP review. Staff recommends that information be provided on how the design, including materials, surface treatments, street furniture and plantings, and traffic calming elements, will align with standards and best practices elsewhere, including but not limited to NAACTO's commercial shared street standards, shared streets standards that have been implemented in other cities, and/or elements of successful shared streets/woonerfs that you would propose to incorporate into Lancaster Street. In the absence of the City having a shared street detail, grounding this proposal with such examples will help advance understanding about what's needed during site plan review, and what will make this a safe and activated space for all users.

14.7.5 Design

A. Creation of a cohesive identity.

- Please complete your design materials by submitting the full set of perspective renderings. In addition, the following clarifications are requested:
  - An accompanying statement on the role of significant building elements (e.g., angular projections on 196 Lancaster Street, building top of 89 Elm Street) and how the buildings meet (or will meet) the standards of their respective zones.
  - Additional information on proposed *gateway elements* if available.
  - Include a primary entrance directly at Preble Street for the proposed addition to the Public Market Garage.
  - Assign Kennebec Street its street typology in the Street Typology visual.
  - Clarify how the space between 60 and 62 Elm will function as both a service access area and functional open space. Staff encourages the Applicant to consider utilizing on-street loading in this area and to close the existing curb cut which would improve pedestrian circulation and allow for an expanded open space between the two buildings.

Design Review
Planning and Urban Development Department

City of portland

Subject:	186 Lancaster Street – Master Development Plan
Zone:	B3, B7 & R-6
Date of Review:	Thursday, March 9, 2023
Reviewer(s):	Design Review
	Sean King (Urban Designer), Zachary Powell (Senior Planner), Kevin Kraft (Deputy Director)
Project ID:	PL-002315-2022

I. INTRODUCTION

The proposed Master Development Plan (MDP) is subject to the *Master Development Plan Standards of Review, Land Use Code Section 14.7.5.* Portions of the proposed MDP (315 Cumberland Avenue) are also within 100 feet of a historic district (Congress Street Historic District) and therefore will require an advisory review by historic preservation staff.

The proposed MDP is only reviewed according to the Master Development Plan criteria. In future Site Plan design reviews, the projects will be subject to the following guidelines in the City of Portland Design Manual:

- *B-3 Downtown Business Zone, Appendix 1;*
- *B-7 Bayside Mixed Use Urban District Zone, Appendix 4;*
- *Two-family, special needs independent living units, multiple-family, lodging houses, bed and breakfasts and emergency shelters;*
- *Small residential lot development located in the R-6 Zone.*

II. DESIGN REVIEW COMMENTS:

Based on the submitted materials to date, staff have the following comments.

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 MDP is a collection of existing properties of various dimensions within the West Bayside neighborhood. Multiple zoning districts comprise the development area and the existing pattern of development contains large building footprints facing the street with multiple surface parking lots that the applicant proposes for infill development. In addition, smaller scale residential buildings ranging between two- to three-stories are concentrated along Cedar and Oxford streets.

The Bayside Height Overlay Map defines allowable building heights to indicate several blocks that require transitional heights to the surrounding residential neighborhood. City staff finds that the proposed buildings heights are appropriate and recommend the Applicant maximize building heights at significant corner intersections of Elm Street & Lancaster and Elm Street & Oxford as visual anchors for the neighborhood. The preservation of several existing structures shall inform the proposed infill development with transitions in building height, massing and articulation. At the

perimeter of the MDP properties are residential buildings of lower heights to the east and west, and larger floor plate buildings to the north.

Use of quality exterior material and architectural detailing at pedestrian scale;

Staff comment: The proposed buildings within the MDP shall be designed for pedestrian scale with active uses fronting the street that support the neighborhood, selection of exterior material shall relate to the prevailing character of the adjacent structures in the neighborhood. Buildings shall articulate architectural features at the street and pedestrian passages and provide architectural detailing that demonstrate the perceived use of the building. Quality exterior materials include 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. In Site Plan review the details should be reviewed to provide depth, articulation, visual interest, and quality transitions.

Consistency of design and materials for streetscape and pedestrian amenities;

Staff comment: The proposed MDP identifies various street typologies, City staff requests that the Applicant identify the function for each and provide streetscape guidelines for proposed improvements. Streetscape guidelines shall correspond to the MDP street typologies and include: a palette of surface materials to encourage walkability, calm traffic and connect, visually or physically to the Bayside Trail; sidewalk widths to accommodate street trees; tree wells; permanent outdoor seating; ornamental street lighting, and other pedestrian amenities in the furnishing zone. The Applicant should work with the City's Parks Department to coordinate on proposed improvements to ensure changes align with the ongoing Portland Tree Canopy Project in Bayside neighborhood.

City staff has prioritized the following streets and pedestrian passages to promote connectivity, traffic calming, on-street parking, and amenities for pedestrians:

- Shared Street (Lancaster Street between Preble Street & Elm Street, Kennebec Street between Elm Street & Chestnut Street) – Correspond to a lower traffic demand and encourage appropriate traffic calming measures to include appropriate sidewalk widths, street trees and landscaping, street lighting, articulated surface paving, enhanced crosswalks, signage and street furnishings, including pedestrian-scaled wayfinding locations.

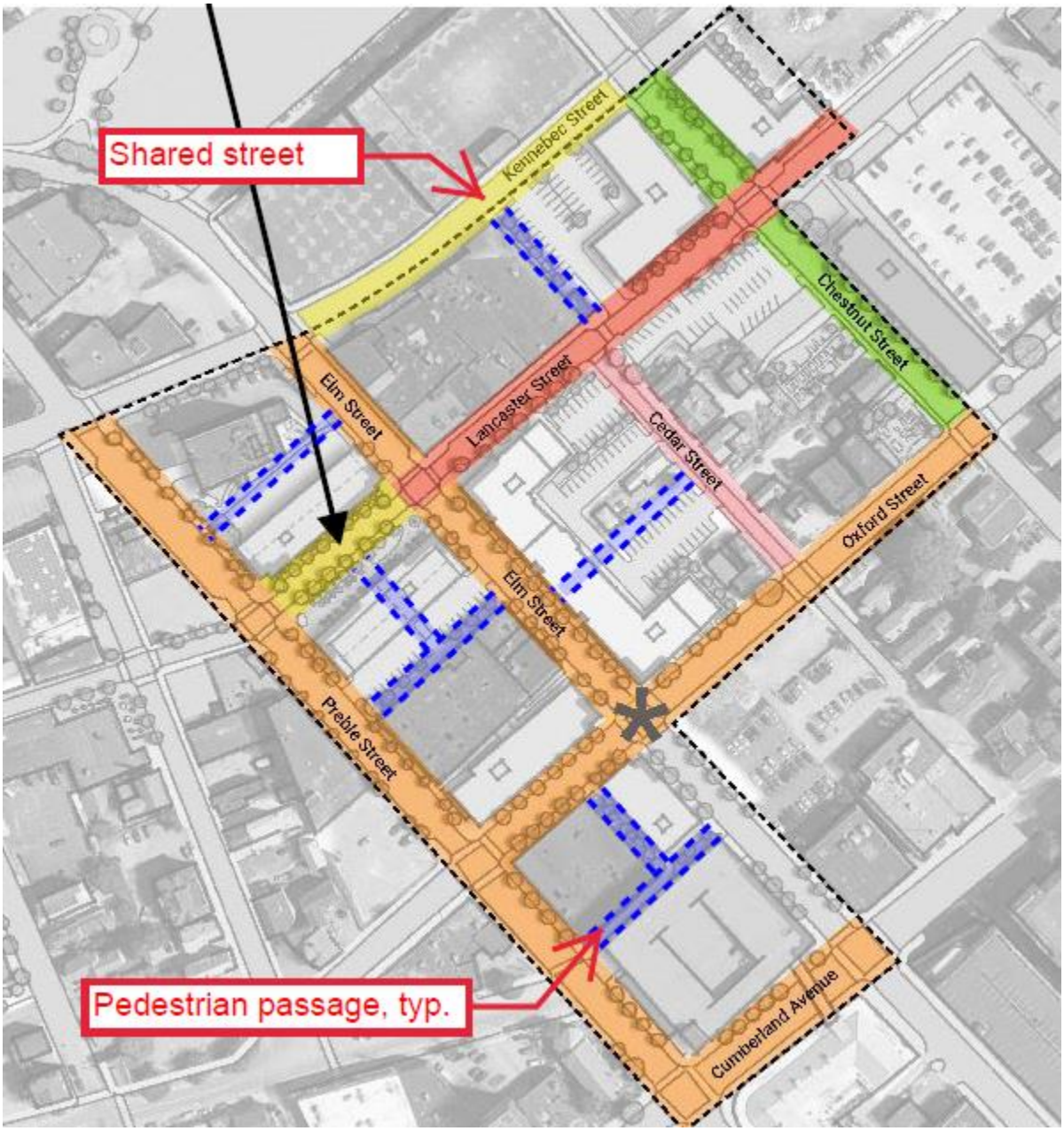
- Neighborhood Main (Lancaster Street) – Enhance pedestrian character with unified material palette to include appropriate sidewalk widths, street trees and landscaping, street lighting, surface paving, enhanced crosswalks, signage and street furnishings, including pedestrian-scaled wayfinding locations.

- Neighborhood Connector (Preble Street, Elm Street, Kennebec Street, Oxford Street & Cumberland Avenue) – Demonstrate safe pedestrian crossings with improvements including, but not limited to, clear pedestrian-scaled wayfinding.

- Parkway (Chestnut Street) – Connect to Bayside Trail and surrounding neighborhood with appropriate sidewalks width to accommodate for street trees, street lighting and street furnishings, including wayfinding locations.

- Neighborhood Street (Cedar Street) – Establish sidewalks that allow for street trees and street lighting and facilitate on-street parking.

- Pedestrian passages – Opportunities for mid-block permeability is encouraged to allow for comfortable pedestrian passage and provide breaks in buildings lengths that exceed two-hundred feet.



Framing of outdoor open space and linkages;

Staff comment: The proposed MDP indicates a quarter-mile radius from Elm Street and Lancaster Street for proximity to existing open spaces, including Deering Oaks, Monument Square, and the Bayside Trail, with smaller neighborhood open spaces and pocket parks less dispersed within the West Bayside neighborhood. The proposal includes a permanent linear park and plaza between Preble and Elm Streets along Lancaster Street, pedestrian connections between buildings throughout the development to provide access between streets and access lanes. City staff requests that the Applicant provide program description for each open space typology with guidelines for shared use streets and service access to allow for pedestrians, plazas and pocket parks as a network of publicly accessible spaces. City staff recommends the applicant continue to consider other open space opportunities both within and outside of the MDP boundaries.

A clear conveyance of the function and significance of various buildings, entrances, and features;

Staff comment: Existing buildings within the proposed MDP range in use from multi-family, office, retail, social and health services, education facilities and structured parking. The architectural character of existing buildings demonstrates a clear visibility along street frontages with ground-level windows and pedestrian scaled entrances. Existing services and surface parking are typically located towards the rear of properties, although several surface parking lots along frontages create voids that diminish the street wall. Primary entrances shall front the major streets, significant corner intersections shall demonstrate a clear architectural character.

And to generally comply with design and development standards of the zone in which it is located.

Staff Comment: In addition to the MDP review standards, the application will be reviewed for general compliance with design and development standards of the zone in which it is located including, *B-3* Downtown Business Zone, Appendix 1; B-7 Bayside Mixed-Use Urban District Zone, Appendix 4; Two-family, special needs independent living units, multiple-family, lodging houses, bed and breakfasts and emergency shelters; Small residential lot development located in the R-6 Zone. Future. Future Site Plan applications, projects will be reviewed against relevant standards.

Design Review
Planning and Urban Development Department

Subject:	196 Lancaster Street – Master Development Plan
Zone:	B3, B7 & R-6
Date of Review:	Wednesday, April 19, 2023
Reviewer(s):	Design Review Sean King (Urban Designer), Zachary Powell (Senior Planner), Kevin Kraft (Deputy Director)
Project ID:	PL-002315-2022

I. INTRODUCTION

The proposed Master Development Plan (MDP) is subject to the *Master Development Plan Standards of Review, Land Use Code Section 14.7.5*. Portions of the proposed MDP (315 Cumberland Avenue) are also within 100 feet of a historic district (Congress Street Historic District) and therefore will require an advisory review by historic preservation staff.

The proposed MDP is only reviewed according to the Master Development Plan criteria. In future Site Plan design reviews, the projects will be subject to the following guidelines in the City of Portland Design Manual:

- *B-3 Downtown Business Zone, Appendix 1;*
- *B-7 Bayside Mixed Use Urban District Zone, Appendix 4;*
- *Two-family, special needs independent living units, multiple-family, lodging houses, bed and breakfasts and emergency shelters;*
- *Small residential lot development located in the R-6 Zone.*

II. DESIGN REVIEW COMMENTS:

Based on the resubmitted materials to date, staff have the following comments.

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 MDP is a collection of existing properties of various dimensions within the West Bayside neighborhood. Multiple zoning districts comprise the development area and the existing pattern of development contains large building footprints facing the street with multiple surface parking lots that the applicant proposes for infill development. In addition, smaller scale residential buildings ranging between two- to three-stories are concentrated along Cedar and Oxford streets.

The Bayside Height Overlay Map defines allowable building heights to indicate several blocks that require transitional heights to the surrounding residential neighborhood. The preservation of several existing structures shall inform the proposed infill development with transitions in building height, massing and articulation. At the perimeter of the MDP properties are residential buildings of lower heights to the east and west, and larger floor plate buildings to the north.

The proposed MDP and massing renderings illustrate an infill development approach that staff finds should reinforce the proposed street typologies through building massing and height. Notably Lancaster Street as a neighborhood main shall employ building stepbacks above 4 stories with a pedestrian-oriented ground floors and building entries, articulation at upper floors and distinct building top termination. Elm Street and Chestnut Street as neighborhood connector streets shall engage corner intersections and provide pedestrian-oriented ground floors with articulated building entries that account for variations in the street typography.

Effective building scale transitions through building stepbacks and/or contextual proportions of building elements shall be sensitive to the adjacent neighborhood. Rooftop appurtenances, mechanical equipment and façade mounted utilities shall be integrated within the building design and/or screened to minimize views from adjacent properties.

Historic preservation staff is requesting architectural elevations and/or renderings in order to provide an advisory review of the proposed retail addition at Preble Street.

Use of quality exterior material and architectural detailing at pedestrian scale;

Staff comment: The proposed buildings within the MDP shall be designed for pedestrian scale with active uses fronting the street that support the neighborhood, selection of exterior material shall relate to the prevailing character of the adjacent structures in the neighborhood. Buildings shall articulate architectural features at the street and pedestrian passages and provide architectural detailing that demonstrate the perceived use of the building. Quality exterior materials include 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. In Site Plan review the details should be reviewed to provide depth, articulation, visual interest, and quality transitions.

The proposed massing diagrams begin to illustrate an exterior material palette and prioritization of architectural detailing at a pedestrian scale. Staff finds the relationship of exterior materials to street typologies can be enhanced to create a stronger cohesive identity within the Bayside MDP. Staff finds the proposed 'visual connection through buildings' shall employ building elements such as vestibule, vaulted building entries or glass corridors to provide a clear visual connection through a building. The applicant shall incorporate into massing renderings.

Consistency of design and materials for streetscape and pedestrian amenities;

Staff comment: The applicant has provided conceptual streetscape guidelines that include surface materials, trees and landscaping, lighting and pedestrian amenities in the furnishing zone that relate to the street typologies. Staff continues to support the inclusion of Kennebec Street as a a neighborhood connector in the street typology diagram, applicant shall incorporate. The Applicant shall continue to coordinate with the City's Parks Department on proposed improvements to ensure changes align with the ongoing Portland Tree Canopy Project in Bayside neighborhood.

City staff has prioritized the following streets and pedestrian passages to promote connectivity, traffic calming, on-street parking, and amenities for pedestrians:

- Shared Street (Lancaster Street between Preble Street & Elm Street, Kennebec Street between Elm Street & Chestnut Street) – Correspond to a lower traffic demand and encourage appropriate traffic calming measures to include appropriate sidewalk widths, street trees and landscaping, street lighting, articulated surface paving, enhanced crosswalks, signage and street furnishings, including pedestrian-scaled wayfinding locations.

- Neighborhood Main (Lancaster Street) – Enhance pedestrian character with unified material palette to include appropriate sidewalk widths, street trees and landscaping, street lighting, surface paving, enhanced crosswalks, signage and street furnishings, including pedestrian-scaled wayfinding locations.

- Neighborhood Connector (Preble Street, Elm Street, Kennebec Street, Oxford Street & Cumberland Avenue) – Demonstrate safe pedestrian crossings with improvements including, but not limited to, clear pedestrian-scaled wayfinding.

- Parkway (Chestnut Street) – Connect to Bayside Trail and surrounding neighborhood with appropriate sidewalks width to accommodate for street trees, street lighting and street furnishings, including wayfinding locations.

- Neighborhood Street (Cedar Street) – Establish sidewalks that allow for street trees and street lighting and facilitate on-street parking.

- Pedestrian passages – Opportunities for mid-block permeability is encouraged to allow for comfortable pedestrian passage and provide breaks in buildings lengths that exceed two-hundred feet.

Framing of outdoor open space and linkages;

Staff comment: The proposed MDP indicates a quarter-mile radius from Elm Street and Lancaster Street for proximity to existing open spaces, including Deering Oaks, Monument Square, and the Bayside Trail, with smaller neighborhood open spaces and pocket parks less dispersed within the West Bayside neighborhood. The proposal includes a permanent linear park and plaza between Preble and Elm Streets along Lancaster Street, pedestrian connections between buildings throughout the development to provide access between streets and access lanes.

The applicant has provided an open space typologies diagram to illustrate the allocation of proposed open space within the Bayside MDP. Staff finds the major publicly accessible open space and linear parklet to be appropriate for the community and recommends the publicly accessible open spaces be reduced to only include substantial programmable open spaces categorized as parks and plazas. Staff finds that sidewalks, service access and vehicular access points are not appropriate as open space, applicant shall revise.

A clear conveyance of the function and significance of various buildings, entrances, and features;

Staff comment: Existing buildings within the proposed MDP range in use from multi-family, office, retail, social and health services, education facilities and structured parking. The architectural character of existing buildings demonstrates a clear visibility along street frontages with ground-level windows and pedestrian scaled entrances. Existing services and surface parking are typically located towards the rear of properties, although several surface parking lots along frontages create voids that diminish the street wall. Primary entrances shall front the major streets, significant corner intersections shall demonstrate a clear architectural character.

The applicant has provided visioning diagrams and massing renderings to illustrate building function, use and entrances as primary building entry, parking entry, retail entry and existing building entry that staff finds provides clear conveyance. Staff finds the proposed retail addition shall indicate a primary retail entry directly at Preble Street, a secondary entry can be maintained at the proposed plaza. Staff is recommending additional renderings along Elm Street to illustrate the proposed building massing and primary building entries of 89 Elm Street with additional neighborhood context.

And to generally comply with design and development standards of the zone in which it is located.

Staff Comment: In addition to the MDP review standards, the application will be reviewed for general compliance with design and development standards of the zone in which it is located including, *B-3* Downtown Business Zone, Appendix 1; B-7 Bayside Mixed-Use Urban District Zone, Appendix 4; Two-family, special needs independent living units, multiple-family, lodging houses, bed and breakfasts and emergency shelters; Small residential lot development located in the R-6 Zone. Future Site Plan applications, projects will be reviewed against relevant standards.

Design Review
Planning and Urban Development Department

City of portland

Subject:	196 Lancaster Street – Master Development Plan
Zone:	B3, B7 & R-6
Date of Review:	Thursday, June 8, 2023
Reviewer(s):	Design Review
	Sean King (Urban Designer), Zachary Powell (Senior Planner), Kevin Kraft (Deputy Director)
Project ID:	PL-002315-2022

I. INTRODUCTION

The proposed Master Development Plan (MDP) is subject to the *Master Development Plan Standards of Review, Land Use Code Section 14.7.5*. Portions of the proposed MDP (315 Cumberland Avenue) are also within 100 feet of a historic district (Congress Street Historic District) and therefore will require an advisory review by historic preservation staff.

The proposed MDP is only reviewed according to the Master Development Plan criteria. In future Site Plan design reviews, the projects will be subject to the following guidelines in the City of Portland Design Manual:

- *B-3 Downtown Business Zone, Appendix 1;*
- *B-7 Bayside Mixed-Use Urban District Zone, Appendix 4;*
- *Two-family, special needs independent living units, multiple-family, lodging houses, bed and breakfasts and emergency shelters;*

II. DESIGN REVIEW COMMENTS:

Based on the resubmitted materials to date, staff have the following comments.

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 MDP is a collection of existing properties of various dimensions within the West Bayside neighborhood. Multiple zoning districts comprise the development area and the existing pattern of development contains large building footprints facing the street with multiple surface parking lots that the applicant proposes for infill development. In addition, smaller-scale residential buildings ranging between two- to three stories are concentrated along Cedar and Oxford streets.

The Bayside Height Overlay Map defines allowable building heights to indicate several blocks that require transitional heights to the surrounding residential neighborhood. The preservation of several existing structures shall inform the proposed infill development with transitions in building height, massing and articulation. At the perimeter of the MDP properties are residential buildings of lower heights to the east and west, and larger floor area buildings to the north.

The applicant has resubmitted plans and renderings to illustrate the proposed scale, massing and articulation of the master development plan that staff finds generally creates a cohesive identity. Staff finds the identity of street typologies as a critical unifying characteristic of the master development plan. As part of future site plan applications the Applicant should include effective building scale transitions through building stepbacks that respect existing building datum levels and that respond to the street typologies along Lancaster Street and Chestnut Street, contextual proportions of building elements and consistency of fenestration patterns that are compatible with the adjacent neighborhood. Buildings should also consider design techniques such as incorporating bays and projections to break up building facades.

In addition, Elm Street and Chestnut Street as neighborhood connector streets will be expected to engage gateway intersections to provide pedestrian-oriented ground floors with articulated building entries, canopies and special features.

Rooftop appurtenances, mechanical equipment and façade mounted utilities shall be integrated within the building design and/or screened to minimize views from adjacent properties.

Use of quality exterior material and architectural detailing at pedestrian scale;

Staff comment: The applicant has resubmitted plans and renderings to illustrate exterior materials with architectural detailing at a pedestrian scale. Staff finds the relationship of exterior materials to street typologies creates a stronger cohesive identity within the Bayside MDP.

The proposed buildings within the MDP shall be designed for pedestrian scale with active uses fronting the street that support the neighborhood and shall select exterior materials that are cohesive throughout each building in future Site Plan applications and reviews. Quality exterior materials shall include appropriate scale, articulation, transition, durability, visual interest and placement.

Buildings shall articulate architectural elements at the street and mid-block pedestrian connections to provide architectural detailing that demonstrates the perceived use of the building. These aspects will be reviewed with special attention to the ground floors and areas most visible to pedestrians. In Site Plan review the details should be reviewed to provide depth, articulation, visual interest, and quality transitions.

Consistency of design and materials for streetscape and pedestrian amenities;

Staff comment: The applicant has provided conceptual streetscape guidelines that include surface materials, trees and landscaping, lighting and pedestrian amenities in the furnishing zone that correspond to each street typology that staff finds to unify the master development plan. The Applicant has identified the following streets and pedestrian passages to promote connectivity, traffic calming, on-street parking, and amenities for pedestrians:

- Shared Street (Lancaster Street between Preble Street & Elm Street) – Lower traffic demand and encourage appropriate traffic calming measures through enhanced crosswalks and signage. The Applicant has proposed eight foot sidewalk widths, a four foot

furnishing zone for street trees, landscaping, street lighting, articulated surface paving and seating.

- Neighborhood Main / Commercial Corridor A (Lancaster Street) – The Applicant has proposed a unified material palette to include eight foot sidewalk widths, street trees and landscaping, street lighting, surface paving, enhanced crosswalks, signage and street furnishings.

- Commercial Corridor B (Preble Street, Oxford Street & Cumberland Avenue) – The Applicant has proposed consistent streetscape materials to include six foot sidewalk widths, street trees and landscaping, street lighting and pedestrian amenities.

- Neighborhood Connector (Elm Street, Kennebec Street, & Cumberland Avenue) – The Applicant has proposed consistent streetscape materials to include six foot sidewalk widths, street trees and landscaping, street lighting and pedestrian amenities. Staff requires the applicant to update the Street Typologies diagram from the *Public Realm Design - L Series Exhibits* to include the eastern side of Kennebec Street in the MDP boundaries as a Neighborhood Connector.

- Mid-block Pedestrian Connections & Visual Connections through Buildings – The Applicant has proposed for mid-block permeability to allow for comfortable pedestrian passage and provide breaks in building lengths that exceed two-hundred feet.

The Applicant shall submit a wayfinding and signage program specific to each site plan review submission, as the master development plan does not imply approval of individual building designs and public realm improvements within the right of way.

Furthermore, the Applicant shall continue to coordinate with the City's Parks Department on proposed improvements to ensure changes align with the ongoing Portland Tree Canopy Project in the Bayside neighborhood.

Framing of outdoor open space and linkages;

Staff comment: The proposed MDP indicates a quarter-mile radius from Elm Street and Lancaster Street for proximity to existing open spaces, including Deering Oaks, Monument Square, and the Bayside Trail, with smaller neighborhood open spaces and pocket parks less dispersed within the West Bayside neighborhood.

The applicant has resubmitted the Open Space Typologies diagram from the *Public Realm Design - L Series Exhibits* to illustrate the allocation of proposed open space within the Bayside MDP. Staff finds the major publicly accessible open space, linear parklet and expanded public sidewalk as linkages to existing open spaces outside the MDP boundaries to be appropriate.

A clear conveyance of the function and significance of various buildings, entrances, and features;

Staff comment: Existing buildings within the proposed MDP range in use from multi-family, office, retail, social and health services, education facilities and structured parking. The architectural character of existing buildings demonstrates street frontages at the public right of way with ground-level windows and pedestrian-scaled entrances. Existing services and surface parking are typically located towards the rear of properties, although several surface parking lots along frontages create voids that diminish the street wall. Primary entrances shall front the major streets and significant corner intersections shall demonstrate a clear architectural character.

The applicant has resubmitted plans and renderings to illustrate building function, use and entrances as primary building entry, parking entry, retail entry and existing building entry that staff finds provides clear conveyance as indicated in the Retail & Outdoor Dining Opportunities diagram from the *Public Realm Design - L Series Exhibits*.

And to generally comply with design and development standards of the zone in which it is located.

Staff Comment: In addition to the MDP review standards, the application will be reviewed for general compliance with design standards of the zone in which it is located including, *B-3* Downtown Business Zone, Appendix 1; B-7 Bayside Mixed-Use Urban District Zone, Appendix 4; and Two-family, special needs independent living units, multiple-family, lodging houses, bed and breakfasts and emergency shelters. Future Site Plan applications, projects will be reviewed against relevant standards.

Staff has identified key design standards from each applicable zone that shall relate to the Master Development Plan to be applied during future Site Plan applications and reviews:

- B-3 Downtown Urban Design Guidelines – Relationship to Pedestrian Environment
    - Elm Street and Chestnut Street as neighborhood connector streets shall engage gateway intersections to provide pedestrian-oriented ground floors with articulated building entries, canopies and special features.B-3 Downtown Urban Design Guidelines – Relationship to Pedestrian Environment
- B-7 Mixed-Use Urban District Zone Design Principles and Standards – Standard E-2 Height
    - Lancaster Street shall include building stepbacks of fifteen feet above five stories when located at the street build to line or to provide a front setback of fifteen feet to include activation at the ground floor such as linear plaza, retail and building entries.

Zachary Powell <zpowell@portlandmaine.gov>

Bayside MDP - still need a little more time! my apologies!

Robert Massengale <rmassengale@portlandmaine.gov> Fri, Jun 9, 2023 at 11:03 AM
To: Zachary Powell <zpowell@portlandmaine.gov>

Hi Zach,

This is my current review feedback for 196 Lancaster. I'll review a bit further if anything major stands out, but this should generally cover it for now.

PL-002315-2022
196 Lancaster Street Master Development Plan
Project ID: **PL-002315-2022**

Summary -

Comments from landscape and site preservation perspective -

General comment -

117 Preble & 195 Lancaster Survey & 315 Cumberland Ave Survey- For forthcoming site plan review documents, please ensure that trees and vegetation surveyed shows locations, size and species of all trees 10” or greater at DBH on site and within right-of-way and other site and landscape related information as required in section 4.3 of Landscaping and Landscape Preservation standards in chapter 4 of technical manual.

Architectural Plans and Renderings 3 - legend shows affordable housing as orange, market rate as yellow. This appears to be reversed on the rendering plan diagram. Please add / include associated open space / public space build outs in their associated phase if possible.

Phasing Plans - Please add / include note regarding contractor compliance with section 4.3 of Landscape protection standards in City Technical manual chapter 4, and figure IV-2 of tree preservation details.

Landscape Plan - Applicant is encouraged to continue conversation with Parks department, Planning department, and department of water resources on potential integrated infiltration or detention system for linear, connected tree wells to provide more soil volume for street trees and reduced stormwater inputs / demand on city drainage systems.

Landscape Plan - Applicants are encouraged to utilize native and resilient urban street tree species in landscape plan, avoiding monocultural species use and overplanted or disease prone species. Portland has an overabundance of red maple street tree plantings, and would benefit from a well considered combination palette for street trees to the extent possible. Please provide names and locations of species in site plans. Refer to section 4.7 in chapter 4 of City Technical manual for plant selection requirements and avoid use of any invasive species.

Landscape Plan - Ensure that tree wells and other vegetation associated with the proposal do not adversely block or impact entrances and egress locations to buildings, and give particular care to retail visibility impacts from plantings.

Landscape Plan - Any tree planting furnishings or elements should accommodate vehicular doors / swing radii to prevent damage to trees and vehicles.

Thank you!

Bob

[Quoted text hidden]

ACORN ENGINEERING, INC.

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

December 15, 2022

Subject: West Bayside Master Development Plan

To Whom It May Concern:

On behalf of West Bayside Partners, LLC and Port Property, we are pleased to submit the accompanying package of materials which is intended to meet the City's Submission Requirements as outlined in the Master Development Plan procedures. The development is framed by 13 parcels on 7 city blocks controlled by the developers in Portland's West Bayside neighborhood. The blocks span from Kennebec Street to Cumberland Ave north-south & Preble Street to Chestnut Street west-east. The development is in B7 & B3 zones, with a small portion extending into the R6 zone.

The development total parcel area is comprised of approximately 9 acres & currently consists of buildings social services, retail, educational & office space. There are also surface parking lots & an existing parking garage at 315 Cumberland Ave.

The proposed development will consist of 7 new buildings constructed over 5 phases. The residential unit count for the full buildout is anticipated to be 804 total units consisting of 201 affordable & 603 market-rate units. In addition to retaining approximately 175,000 sf of existing commercial uses listed above, there will be approximately 28,500 sf of proposed street level commercial space that will be a mix of retail storefronts, bars/restaurants, coffee shops, and wellness spaces. Additionally, the first floor of the parking garage at 315 Cumberland Ave is intended to be infilled with complementary commercial gallery or maker retail spaces to further activate the pedestrian experience.

Open space will be provided to the public by a proposed linear park/Woonerf/shared street area along Lancaster Street, between Preble Street and Elm Street and by enhanced activation of the existing streetscape in the neighborhood. This area will serve to act as the 18 hour daily community engagement engine along Lancaster Street within the new development & existing businesses outside of the Master Plan.

The applicant and the design team look forward to your review of this project and are requesting a planning application number & access to Portland ePlan to upload the complete application with associated materials. If you have any questions regarding the site plan, & elevations as part of the CSS Submission, do not hesitate to contact.

Sincerely,

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

ACORN ENGINEERING, INC.

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

April 10, 2023

Subject: West Bayside Master Development Plan – Response to City Comments

To Whom It May Concern:

On behalf of West Bayside Partners, LLC and Port Property, we are pleased to submit the accompanying package of materials as an update to the West Bayside Master Development Plan, originally submitted to the City on December 23, 2023. The scope of the development has remained the same as the original submission.

This resubmission is informed by the comments received by City Staff, the Neighborhood Meeting held on February 21, 2023, the initial Planning Board Workshop held on March 14, 2023, and multiple breakout meetings with City Staff to discuss the project. The breakout meetings were held as follows:

- Portland Water District – 1/4/23
- Portland Department of Public Works (Lancaster Streetscape) – 2/16/23
- Portland Department of Public Works (Water Resources) – 3/20/23
- Portland METRO – 3/21/23
- Portland Planning & Urban Development (Design) – 3/22/23
- Portland Parks Department (Tree Canopy) – 3/23/23
- Portland Department of Public Works (Transportation & Connectivity) – 3/27/23
- Portland Fire Department (E911 Addressing) – 3/31/23
- Portland Parks Department (Open Space) – 4/4/23

This resubmission package includes a response letter to City Staff comments received prior to the planning board workshop, as well as updated & supplemental materials to better address the city's Master Development Plan submission requirements. A table of contents is included as part of this letter.

The applicant and the design team look forward to further review of this project. If you have any questions regarding the plans or submission documents, do not hesitate to contact.

Sincerely,

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

Table of Contents

Supplemental Documents:

- Cover Letter – Response to City Comments
- City Comment Response Letter
- Shared Street Cross Section
- Public Realm Design – L Series Exhibits
- Exhibit P1 – Cumberland View Corridor
- Updated Visioning Documents

Updated Documents:

- 3. RTI
- 5. West Bayside Zoning Assessment
- 8. Waiver Requests

Supplemental Drawings:

- 117 Preble & 195 Lancaster Survey
- 315 Cumberland Ave Survey
- Property Line Modifications Plan

Updated Drawings:

- Cover Sheet
- Existing Conditions Survey 1
- Existing Conditions Survey 2
- Master Site Plan
- Landscape Plan
- Utility Plan
- Grading & Drainage Plan

ACORN ENGINEERING, INC.

City of Portland Planning Department
Zach Powell – Planner
389 Congress Street, 4th Floor
Portland, Maine 04101

April 10, 2023

Subject: West Bayside Master Development Plan
City of Portland Request for Future Application Materials

On behalf of West Bayside Partners, LLC and Port Property, Acorn Engineering is pleased to respond to the following comments & request for future application materials from the City of Portland Planning Department review of the Master Development Plan submission of the West Bayside Master Development Plan in Portland, Maine.

Acorn Response = Green
Stantec Response = Orange

Request for Future Application Materials - Zach Powell, City of Portland Planning Department – Dated 2/14/23

1. *Comment – Application documents submitted to the City of EnerGov list 81 Preble Street as the main address for the project. City addresses over postal addresses shall be used in referencing sites in future application submissions, given that 196 Lancaster Street is not an existing parcel address. If addresses are anticipated to change based on lot modifications, changes should be identified in supporting materials.*
   Response – The address for the project should be changed to 315 Cumberland Ave, which is the existing lot with the parking garage on the south portion of the project area.

2. *Comment – More detailed elevations and/or renderings with envisioned materiality will need to be submitted for each of the proposed buildings to assess compliance with MDP standards. The proposed program of uses by floor and entrances shall be submitted for each of the proposed buildings.*
   Response – See attached diagram that illustrates proposed ground floor uses, potential locations for entrances, service access and loading (Exhibit L-3). Preliminary building elevations will be developed to illustrate potential massing and materials for the proposed buildings for review at the next Planning Board Workshop.

3. *Comment – The proposed open space program should include linkages (connections) to the existing Bayside Trail and existing open spaces.*
   Response – See attached diagram Exhibit L1.

4. *Comment – Shadow studies will need to be submitted to assess impacts on open space.*
   Response – Shadow studies will be provided as required for each building during individual site plan reviews.

5. *Comment – Photovisualizations shall be submitted for Cumberland Avenue looking north to assess compliance with view corridor standards for the proposed ground floor garage retail retrofit.*
   Response – Please see attached Exhibit P1 which demonstrates the only proposed new built volume on the garage site is located on Preble Street and does not impact the Cumberland Avenue view corridor.

6. *Comment – Confirm that architectural drawings align with other project documents. Some of the proposed designs suggest uses that are different from the site plan sheet or narrative landscape documents (e.g., the loading area for the proposed 60 & 66 Elm Street is also shown as a pocket park; renderings show covered parking within the footprint of the 85 Preble (AKA 196 Lancaster Street) buildings when only surface parking is shown to the east).*
   Response – Please see the attached updated plans and diagrams which have been updated to coordinate proposed locations of open spaces, service and loading, parking and the boundary of the MDP.

7. *Comment – Submit narrative documentation related to the anticipated phasing of site plan submission for each phase and sub-phase, along with identifying the anticipated point for open space & streetscape improvements in relationship to these phases.*
   Response – Please refer to the development phasing diagram and accompanying narrative below:

   Phase 1a includes the 89 Elm St. building, streetscape improvement immediately surrounding the property and a portion of the rear parking lot.

   Phase 1b includes the 196 Lancaster St building, the linear parklet and shared street to the centerline of Lancaster St. It also includes the parking lot to the rear of the building.

   Phase 2 includes the 60 Elm St building and streetscape improvements immediately surrounding the property including the alley behind the property.

   Phase 3 includes improvements to the existing parking garage building including a proposed new retail addition and corner pocket park facing Preble St.

   Phase 4 includes the 149 Lancaster St. building and streetscape improvements immediately surrounding the property.

   Phase 5a includes the 195 Lancaster St building including the sidewalk and shared street to the centerline of Lancaster St. and the parking lot to the rear of the building.

   Phase 5b includes the 163 Lancaster St. building and streetscape improvements immediately surrounding the property including new proposed open space

fronting Lancaster Street.

Phase 5c includes the 235 Oxford St. building, streetscape improvements immediately surrounding the property and includes the alley behind the property.

8. *Comment – Submit surveys for 315 Cumberland Avenue, 197 & 201 Lancaster Street & 117 Preble Street.*
   Response – Additional surveys for 315 Cumberland Avenue, 197 &01 Lancaster, and 117 Preble Street have been provided as additional plans.

9. *Comment – The deed for 197 Oxford Street & 31 Cedar Street were submitted, but not included in MDP materials. Clarify whether these properties are intended to be included in the MDP or serve an ancillary function for properties within the MDP.*
   Response – 197 Oxford Street & 31 Cedar Street are not to be included in the MDP or serve an ancillary function for properties within the MDP.

10. *Comment – Submit RTI Documentation for: 117 Preble Street, 158 Lancaster Street, 197 Lancaster Street, 201 Lancaster Street, 60 Elm Street, and 315 Cumberland Avenue.*
    Response – Additional RTI documentation for the listed properties are included as part of this submission.

11. *Comment – Clarify boundaries of the proposed MDP, along with the submission of a narrative detailing the anticipated relationship, connections, programming, and improvement of parcels under common ownership outside of the MDP boundaries (i.e., 31 Cedar Street, 158 Lancaster Street, and 197 Oxford Street).*
    Response – Boundaries of the proposed MDP have been added to the Site Plan. As the existing neighborhood street/sidewalk network is already a well planned grid, the existing connectivity provides the commonly owned parcels with a natural connection to those identified within the boundaries of the MDP. The precedents established through the MDP process specific to pedestrian level materiality, tree canopy, sidewalk lighting, etc. will be referenced and integrated into commonly owned parcels outside of the MDP during anticipated future site plan applications as those plans start to materialize.

12. *Comment – Update site plan sheets to clearly indicate lot lines. All proposed lot line adjustments and consolidations should be identified on plan sheets and the site plan set should include a separate plan sheet solely identifying lot modifications.*
    Response – A plan is included as C-11 which shows proposed lot modifications. Revised property lines are shown in red on sheet C-11 and are reflected in all plans.

13. *Comment – Resubmit utility and grading & drainage sheets to detail the entirety of the proposed MDP. All future MDP site plan set submissions should detail the entirety of the proposed MDP boundaries.*
    Response – The plans have been revised to include the entirety of the site, including the lot at 315 Cumberland Ave.

14. *Comment - A plan sheet shall be submitted for landscaping to detail the proposed landscaping for the site.*

Response – See attached site plans and annotated perspective sections which identify a conceptual level approach for landscape architecture/site design /site features/hard and soft materiality for the site. More detailed plans will be submitted with the site plan approval for each of the parcels.

15. *Comment – The submitted Master Site Plan identifies 'Public Spaces', which appears to mean on-street parking. Update label to on-street parking. Off-street parking available to the public should be noted in a separate category.*
Response – Labels on the Master Site Plan have been revised for on- and off-street parking.

16. *Comment – Application documents shall remove all references to the required number of parking spaces for each of the proposed phases. Off-street parking requirements shall be set by the Planning Board, based on information provided through parking studies and findings from the Traffic Movement Permit and the development of a Transportation Demand Management (TDM) Plan.*
Response – Application documents have been revised to remove required number of parking spaces.

17. *Comment – The list of abutters included for the TMP does not include all property owners that meet the MaineDOT definition of an abutter. MaineDOT defines an abutter as any property that shares a property line with the Development Area or is directly across any roadway from the Development Area. 89 Elm Street is one of the subject properties of the TMP and has frontage on the southern side of Cedar Street. Notices of Intent to File were not sent to property owners on the northern side of Cedar Street. Resubmit an updated TMP application that includes all applicable abutters and includes evidence that notices were sent to all applicable abutters.*
Response – Abutters list for the updated TMP has been revised to include property owners on the northern side of Cedar Street.

18. *Comment – Zoning Assessments need to be resubmitted to be site specific and include individual assessments for each parcel. Currently, they only show an analysis of the proposed zoning for the consolidation of 60 & 66 Elm Street, for which the consolidation is not indicated on the master site plan.*
Response – Updated zoning assessments for all parcels within the MDP with proposed buildings are provided in the revised submission materials.

Traffic Review Comments - Tom Errico, TY Lin – Dated 2/10/23

1. *Comment – I have provided comments to the applicant regarding the Traffic Movement Permit Application which needs to be revised. The comments included the following:*
   - *The level of TMP should be based on an unadjusted Trip Generation estimate. This project is a 200+ TMP.*
   - *The Notice of Intent should also note the unadjusted trip generation (Generator) for the project prior to adjustments for internal capture and pass-by reductions.*
   - *Internal capture adjustments are typically applied for developments in self-contained sites and not within a downtown CBD area. This should be revisited and back up documentation for similar sites should be provided if adjustments are to be incorporated.*
   - *The assumption for multi-modal trips is higher than expected. While the site is certainly conducive to walk, transit and bike trips, additional local information is suggested, before approval of a mode split estimate can be made.*

2. *Comment - A TMP Scoping meeting will be scheduled upon receipt of the revised TMP Application that addresses the above comments.*

3. *Comment - Back up information regarding the distribution of site trips shall be provided.*

4. *Comment - Greater detail is required regarding plans to convert Oxford Street to a two-way street. At a minimum this shall include on-street parking impacts, existing roadway widths, the need to widen the street, and intersection conditions (turning movements and traffic control).*

5. *Comment - While there are no High Crash Locations identified in the vicinity of the project, there may be locations with high crash rates (Marginal Way/Preble Street/Elm Street) that will likely be requested for evaluation. Specific locations will be identified at the TMP scoping meeting.*

6. *Comment - A detailed pedestrian and bicycle facility evaluation within the study area will be required in conjunction with the TMP. The scope of this evaluation will be discussed at the TMP scoping meeting.*

7. *Comment - The proposed project will be modifying driveways along public streets. Documentation on the number of driveways and location of driveways shall be specifically evaluated as it relates to complying with the city's Technical Standards.*

8. *Comment - The applicant shall provide specific information on parking conditions both in the Public Market garage and on surface parking lots that are being impacted. This shall include existing parking usage and any previous site plan requirements for use of the parking facilities.*

   Response – The project's traffic engineer, VHB, has had a TMP scoping meeting with the City Traffic Engineer, Tom Errico, in response to the original TMP application & their communication is ongoing. A subsequent TMP application has been filed and is awaiting review. Further progression of the transportation aspects of the application will be presented in subsequent application materials.

Design Review Comments – Sean King, Zachary Powell, Kevin Kraft, City of Portland – Dated 3/9/23

1. *Comment – The proposed MDP is a collection of existing properties of various dimensions within the West Bayside neighborhood. Multiple zoning districts comprise the development area and the existing pattern of development contains large building footprints facing the street with multiple surface parking lots that the applicant proposes for infill development. In addition, smaller scale residential buildings ranging between two- to three-stories are concentrated along Cedar and Oxford streets.*

   The Bayside Height Overlay Map defines allowable building heights to indicate several blocks that require transitional heights to the surrounding residential neighborhood. City staff finds that the proposed buildings heights are appropriate and recommend the Applicant maximize building heights at significant corner intersections of Elm Street & Lancaster and Elm Street & Oxford as visual anchors for the neighborhood. The preservation of several existing structures shall inform the proposed infill development with transitions in building height, massing and articulation. At the perimeter if the MDP properties are residential buildings of lower heights to the east and west, and larger floor plate buildings to the north.
   Response – We concur with the goal to articulate primary corners of the buildings to create visual focal points or anchors for the neighborhood. During the site plan application process for each parcel, we will develop the conceptual elevations.

2. *Comment – The proposed MDP identifies various street typologies, City staff requests that the Applicant identify the function for each and provide streetscape guidelines for proposed improvements. Streetscape guidelines shall correspond to the MDP street typologies and include: a palette of surface materials to encourage walkability, calm traffic and connect, visually or physically to the Bayside Trail; sidewalk widths to accommodate street trees; tree wells; permanent outdoor seating; ornamental street lighting, and other pedestrian amenities in the furnishing zone. The Applicant should work with the City's Parks Department to coordinate on proposed improvements to ensure changes align with the ongoing Portland Tree Canopy Project in Bayside neighborhood. City staff has prioritized the following streets and pedestrian passages to promote connectivity, traffic calming, on-street parking, and amenities for pedestrians:*
   - *Shared Street (Lancaster Street between Preble Street & Elm Street, Kennebec Street between Elm Street & Chestnut Street) – Correspond to a lower traffic demand and encourage appropriate traffic calming measures to include appropriate sidewalk widths, street trees and landscaping, street lighting, articulated surface paving, enhanced crosswalks, signage and street furnishings, including pedestrian-scaled wayfinding locations.*
   - *Neighborhood Main (Lancaster Street) – Enhance pedestrian character with unified material palette to include appropriate sidewalk widths, street trees and landscaping, street lighting, surface paving, enhanced crosswalks, signage and street furnishings, including pedestrian-scaled wayfinding locations.*
   - *Neighborhood Connector (Preble Street, Elm Street, Kennebec Street, Oxford Street & Cumberland Avenue) – Demonstrate safe pedestrian crossings with improvements including, but not limited to, clear pedestrian-scaled wayfinding.*

- *Parkway (Chestnut Street) – Connect to Bayside Trail and surrounding neighborhood with appropriate sidewalks width to accommodate for street trees, street lighting and street furnishings, including wayfinding locations.*
- *Neighborhood Street (Cedar Street) – Establish sidewalks that allow for street trees and street lighting and facilitate on-street parking.*
- *Pedestrian passages – Opportunities for mid-block permeability is encouraged to allow for comfortable pedestrian passage and provide breaks in buildings lengths that exceed two hundred feet.*

Response – See attached site plan diagrams, illustrative site plan and annotated perspective sections which identify a conceptual level approach for landscape architecture/site design/site features/hard and soft materiality for the site. More detailed plans will be submitted with the site plan approval for each of the phased building development packages.

3. *Comment – The proposed MDP indicates a quarter-mile radius from Elm Street and Lancaster Street for proximity to existing open spaces, including Deering Oaks, Monument Square, and the Bayside Trail, with smaller neighborhood open spaces and pocket parks less dispersed within the West Bayside neighborhood. The proposal includes a permanent linear park and plaza between Preble and Elm Streets along Lancaster Street, pedestrian connections between buildings throughout the development to provide access between streets and access lanes. City staff requests that the Applicant provide program description for each open space typology with guidelines for shared use streets and service access to allow for pedestrians, plazas and pocket parks as a network of publicly accessible spaces. City staff recommends the applicant continue to consider other open space opportunities both within and outside of the MDP boundaries.*

Response – 1) Please refer to the updated 'Open Space Typologies' Exhibit L2 diagram. All typologies in the 'Open Space' category are privately owned spaces but are intended to be publicly accessible.

The Linear Parklet is located at new prominent intersection of Preble and Lancaster Street and is intended to be a signature gateway space announcing the development from surrounding urban fabric. The space will include a unique site feature e.g. water feature or public art that will provide both punctuation and wayfinding within the development and surrounding district. The space will also include areas for outdoor dining adjacent to proposed ground floor retail and passive seating and gathering spaces for the public. The space will also include higher end finishes and design elements e.g. seating planter walls, integrated lighting elements, paving, low level and tree plantings.

The Major Publicly Accessible Open Space will be a passive, greener counterpoint to the Linear Parklet and will add 5,000 sf of open space to the masterplan. This space provides outdoor spill out space from the adjoining ground floor retail and provide a greener respite for residents and visitors to the neighborhood. This lawn is intended to be a flexible use space that can be converted to small outdoor event space for residents and the community.

The remaining 'Publicly Accessible Open Spaces" are small, distributed open space amenities and intended to provide a variety of open space program.

2) The applicant has clarified via the 'Open Space Connections' diagram Exhibit L1 the improved sidewalk connections to surrounding off-site open spaces. We have also added a significant new "Major Open Space" along Lancaster Street in response to recent comments.

4. *Comment – Existing buildings within the proposed MDP range in use from multi-family, office, retail, social and health services, education facilities and structured parking. The architectural character of existing buildings demonstrates a clear visibility along street frontages with groundlevel windows and pedestrian scaled entrances. Existing services and surface parking are typically located towards the rear of properties, although several surface parking lots along frontages create voids that diminish the street wall. Primary entrances shall front the major streets, significant corner intersections shall demonstrate a clear architectural character.*
   Response – Primary entrances shall front major streets. See attached plan Exhibit L3 that identifies location of entrances, loading and service access.

5. *Comment – In addition to the MDP review standards, the application will be reviewed for general compliance with design and development standards of the zone in which it is located including, B-3 Downtown Business Zone, Appendix 1; B-7 Bayside Mixed-Use Urban District Zone, Appendix 4; Two-family, special needs independent living units, multiple-family, lodging houses, bed and breakfasts and emergency shelters; Small residential lot development located in the R-6 Zone. Future Site Plan applications, projects will be reviewed against relevant standards.*
   Response – Noted. Future site plan applications will be designed in accordance to relevant standards.

General comments from landscape and site preservation perspective

1. *Comment – Applaud the considerations for varied building facade dimensionality in proposed architecture and appreciate the dense use of street tree plantings shown along Lancaster street and attention given to public spaces. Thank you*
   Response – Noted. Efforts to ensure this application and future Site Plans throughout the project will continue.

2. *Comment – Can parking capacity be increased by having ground level parking under new structures, or expand structures ?*
   Response – The goal is to dedicate as much as the ground floors as possible to retail uses to create an active street scape. Adequate parking is available in the existing parking structure to support the proposed residential uses.

3. *Comment – Please include / explain considerations given to existing community garden programming at Oxford Street and Bayside Community gardens. If these are negatively impacted, what is a mitigation plan for providing these important programming spaces for the neighborhood?*
   Response – The community garden spaces are continuing to operate as they have prior to acquisition of the property. Continued access to water supply and waste disposal is in place. Authorization to increase the number of planting beds along the Hall Ct corridor has been granted for the upcoming planting season. A commitment to support the volunteer effort with in-kind donations (materials and labor) has been offered and is awaiting acceptance to confirm when and how. The applicant has requested a meeting with relevant garden representatives and a time to meet in person is trending towards the week of April 17th or April 24th to discuss.

4. *Comment – Any tree planting requirements that are not able to be accommodated on site shall have compensation funding deposited to the City of Portland Parks Tree replacement fund.*
   Response – Noted. Tree planting requirements for each individual site can be determined with forthcoming Site Plan applications.

5. *Comment – Can proposed street tree elements have occasional or frequent infiltration capacity for flooding / stormwater absorption?*
   Response – Specific street tree elements will be addressed during individual Site Plan applications. Street trees will be given adequate soil volume at or above the planting bed requirements of the technical manual to ensure tree survival. Additional measures to increase soil volume, such as Silva Cells, are being considered to support the street trees at direction of Portland Parks Department. Opportunities for flooding and stormwater absorption will be considered during individual site designs.

6. *Comment – Question regarding proposed utility treatments along street tree planting coordinators and planting space. Are overhead lines or buried utilities going to be associated with the street tree and public space areas?*
   a. *If so, ensure street tree locations, berms, or large shrubs shall not be placed over buried utilities. Horizontal clearances from the trunk of any tree or shrub to any buried utility will be at least 3 feet unless an exception is granted by the utility company.*

b. *For overhead line circumstances, no medium or large trees shall be planted directly under or within 15' (20' preferred of overhead utility line.)*

Response – Street tree locations will be selected to avoid conflicts with proposed and existing utilities. Where trees are to be planted below overhead utility lines, smaller species shall be selected.

7. *Comment – Street Trees, Tree boxes or wells with borders - General detail suggestion for any circumstances of tree wells with vertical edging:*
   a. *In general, tree grate and tree well details from the city are minimums*
      i. *Where possible, especially in important urban use areas, it is strongly suggested applicants will provide more volume and area for tree roots and tree establishment.*
      ii. *Consider permeable hardscape materials that can be compatible with street tree plantings and root development beyond immediate tree well footprints.*
      iii. *Please ensure soil spec is developed for any tree well and tree grate circumstances to ensure proper soil mix is installed and not gravel.*
   b. *Maintain a clear distance of 3 feet from a crosswalk or paved bus stop landing, 6 feet from an entrance to an alley or street corner, and 4 feet from a parking meter or fire hydrant*
   c. *Borders include low fencing or curbs around tree box areas. For the safety of people exiting vehicles,borders should not be placed on the curbside of the tree space*
   d. *Include plants that have a shallow root system and that grow less than 18 inches in height, and be planted a minimum of 2' from the edge of the trunk to protect root flare. Consult with City arborist or arborist representative for alternate design concepts, plant selections or circumstances.*

Response – All noted and applicant agrees with comments. The applicant will apply as part of the site plan approval packages for each of the phased building development packages.

8. *Comment – All plantings should be species that are winter hardy to zone 5a or lower temperature zone (ie zone 4, 3 etc.)*
   a. *Native species are preferred*
   b. *Non-invasive species are required*
   c. *Trees should be selected for compacted soil durability, salt tolerance, strong branch structure, and other urban planting requirements.*
   d. *Monocultural plantings are to be avoided if possible*
   e. *Species locations should accommodate all manner of sight lines / triangles, appropriate offsets from building entrances or egresses, delivery areas and service programs for buildings and circulation types in the space.*

Response –

a.

i. Applicant will optimize soil volumes by either creating sufficiently sized (to meet or exceed Portland standards) tree planter wells or contiguous subsurface soil structure systems e.g., structural CU soils or equal or silva cells or equal. These approaches and systems will be studied as part of the site plan approval packages for each of the phased building

development packages.

ii. The applicant will study and apply where applicable and where possible as part of the site plan approval packages for each of the phased building development packages.

iii. The applicant will apply as part of the site plan approval packages for each of the phased building development packages.

b. Noted. The applicant will apply as part of the site plan approval packages for each of the phased building development packages.

c. Noted. The applicant will apply as part of the site plan approval packages for each of the phased building development packages.

d. Noted. The applicant will apply as part of the site plan approval packages for each of the phased building development packages.

9. *Comment – For proposed park and public space environments, due care and consideration shall be given to microclimates and multi season use and maintenance.*
   Response – All noted and applicant agrees with comments. The applicant will apply as part of the site plan approval packages for each of the phased building development packages.

10. *Comment – Will irrigation be proposed for any landscape, lawn, or significant planting elements?*
    Response – Irrigation will be provided for softscape/planting areas within each building property. The applicant intends to water (via gator bags) all proposed street trees and planters within the street ROW.

11. *Comment – Sheet 6 Consistency with city master development plan standards pdf v1 - sheet 2 - What is the dashed circle representing? Consider showing 5 minute and 10 minute walking radii. Consider showing significant parking deck infrastructure or other sources of pedestrian activity.*
    Response – Please refer to the "Existing Open Space Connections" Diagram Exhibit L1.

12. *Comment – Neighborhood Context Statement - general - The Bayside neighborhood has had significant effort and requests made to improve conditions for street tree infrastructure and replacement of lost and degraded urban canopy.*
    - *Making strong efforts to accommodate significant space and thoughtful design for shade trees and street trees generally will be important to develop in the visioning and detailing of this projects urban outdoor environment.*
    - *Applicant is encouraged to coordinate with Alex Marshall in the Parks Division for specific efforts on Bayside canopy enhancement work. Amarshall@portlandmaine.gov*

    Response – The applicant has met with Alex Marshall and the Parks Division and will continue to collaborate with the team to ensure the proposed development is coordinated with the ongoing efforts for improved street tree infrastructure.

13. *Comment – Streetscape pdf V1 sheets 4 & 5 - tree proximity to buildings is extreme, preferred recommendation is to consider wider offset if possible. If not, provide an example / character of compact / fastigite cultivars proposed.*
    - *Will heights of buildings along Lancaster and along cross street networks significant reduce or impact sunlight requirements for trees and plantings?*

    Response – The applicant will specify appropriately sized trees for proposed sidewalks. This detail will be submitted with the site plan approval for each of the phased building development packages.

    Heights of proposed buildings will impact the sunlight for the street ROW to varying degrees. That said, street trees can be successful if appropriate soil volumes, care and maintenance is provided.

14. *Comment – Streetscape pdf V1 - sheet 4 - shared space section elevation - if edge of walks or curbing is to be eliminated in these areas, consider expanding tree planting areas to give more survival success to street tree plantings.*
    Response – Noted. Please refer to response for item 7 a, i.

15. *Comment – Streetscape pdf V1 - sheet 5 - 1' swing offset for car door is appreciated, but feels like a lost opportunity for increase planter space for tree well. Consider flush or low street side edge for any tree well elements alongside street / parking areas to accommodate door clearance, and add to more tree well space.*
    Response – Noted. The applicant will study for locations where road curbs are flush with sidewalk.

DPW Development Review Comments – Dated 3-10-23

DPW Transportation:

1. *Comment – DPW has reviewed this submission with Tom and has no additional comments at this time.*
   Response – Noted, thank you.

DPW Water Resources

1. *Comment – The Department of Public Works Water Resources Division can not conclude at this time that the combined sewer and storm drain systems in the MDP project area have sufficient capacity to serve the proposed West Bayside Master Development Plan. This finding is based on the projected additional sanitary flow rates the applicant is proposing to add to the sewer system, the proposed sewer and storm drain connection into the City's systems as shown on the MDP utility plan and drainage plan and the known capacity issues within these systems during wet weather events.*
   Response – Noted. Following the March 20, 2023 meeting with DPW Water Resources, Acorn and the development team will continue to assess onsite detention for stormwater, alternate connection locations, and upgrades to existing sewer infrastructure with DPW to serve the needs of the project.

2. *Comment – The proposed dry weather sanitary sewer inputs into the combined sewer system will reduce wet weather flow capacity in the combined sewer lines within the project vicinity. This will lead to increased Combined Sewer Overflow (CSO) volumes in the sewershed. The project area is located in the Back Cove South Sewershed which produces the most CSO volume City wide on an annual basis. Mitigation of CSO's in this sewershed is a federal mandate as part of the City's CSO consent decree administered by the EPA and Maine DEP.*
   Response – On-site detention will be utilized to reduce wet weather flow to the combined sewer lines. MS4 extensions are being analyzed for feasibility along Oxford and Chestnut Streets at the direction of DPW, and an MS4 extension for Lancaster Street is being designed for coordination with the 89 Elm Street Site Plan.

3. *Comment – The West Bayside MDP project proposes several significant connections into public combined sewer and storm drain systems which are prone to frequent flooding. This flooding occurs as a result of system wide capacity issues associated with stormwater runoff from the heavily developed urban watershed, tidal surcharges, the low lying elevation of the area and increasing high intensity rainfall events associated with climate change.*
   Response – On-site detention will be utilized to reduce wet weather flow to the combined sewer lines.

4. *Comment - DPW will authorize new connections to the sewer and storm drain from the proposed development area if the applicant can provide on-site stormwater detention volume equal to the greater of;*
   - *1" of rainfall over the entire redeveloped area on the parcel or;*
   - *The projected average 24 hour daily sanitary flow each parcel is proposing to add to the system.*

   Response – On-site detention will be utilized for the proposed building sites. Where some sites may not contain area for on-site detention, systems shall be oversized

on other sites to compensate. Per the 3/20/23 meeting with DPW Water Resources, this may be an acceptable method of detention. Possible stormwater detention areas have been noted on the revised grading & drainage plan.

5. *Comment – The overflow diversion elevation of the detention system should be set at the top of the proposed system to ensure storage in the system is maximized prior to overflows discharging into the City's systems during larger storm events.*
   Response – Overflow elevations will be set to maximize on-site stormwater storage prior to discharging into the City's systems.

6. *Comment – The maximum permissible stormwater outflow rate into the City's system during the design storm event shall be less than or equal to 0.1 CFS per acre of watershed area draining to the detention system.*
   Response – Stormwater outflow rates into the City's system during the design storm event shall be less than or equal to 0.1 CFS per acre of watershed area. HydroCAD models of proposed stormwater systems shall be developed as the sites are designed to ensure these flows.

7. *Comment – DPW would encourage further stormwater detention be provided for each parcel to help contribute to the City's Climate Resiliency goals for the Bayside neighborhoods.*
   Response – Stormwater detention will be provided to the maximum extent practicable. Proposed stormwater detention areas have been added to the grading & drainage plan.

8. *Comment - All other City and Maine DEP stormwater regulations and requirements for redevelopment projects will still apply.*
   Response – All applicable stormwater regulations and requirements will be met by the proposed project.

9. *Comment - The applicant's surveyor and engineer should make a formal plan request to the DPW engineering archivist to obtain record City sewer/storm infrastructure being sought after. Once this information has been obtained please reach out with any clarifying questions. DPW would be pleased to sit down with the applicant's engineering team to review the system configuration in this area once the documents have been obtained by the applicant and the existing condition plan has been updated to reflect the information.*
   Response – Additional information has been received from the City archivist and the existing conditions are updated based on the information.

10. *Comment - Water Resources has questions/concerns about street drainage functionality along the section of Lancaster Street being proposed to be converted to a curbless/shared street. We feel that further information on the proposed design of this street section should be submitted and reviewed as part of the MDP process so baseline elements of the design can be agreed to as part of the overall Master Plan.*
    Response – A street cross section for the shared street prepared by Acorn Engineering is included in this resubmission. Additional information on materiality is included as Exhibit L-9.

General notes on proposed sanitary sewer and storm drain connections:

11. Comment – 195 Lancaster Street

- *Proposed Sanitary Sewer Connection: 8" sewer in Elm Street*
- *DPR WR Comment: 8" sewer line does not appear in the City's GIS system. Further research is needed to determine if the line is active and where it routes. We suggest this connection be made to the 15" combined sewer in Elm Street located near the centerline of Elm Street.*
- *Proposed Storm Drain Connection: 15" combined sewer in Elm Street.*
- *DPW WR comment: Make connection into 24" storm drain in Preble Street with Detention listed above.*

12. Comment – 196 Lancaster Street

- *Proposed Sanitary Sewer connection : 18" combined sewer in Preble Street.*
- *DPW WR Comment: Connection acceptable*
- *Proposed City Storm Drain Connection: 24" storm drain in Preble Street.*
- *DPW WR Comment: Connection acceptable. Provide stormwater detention as listed above.*

13. Comment – 235 Oxford

- *Proposed Sanitary Sewer Connection: 18" combined sewer in Preble Street*
- *DPW WR Comment: Location Acceptable*
- *Proposed Storm Drain Connection: 24" storm drain in Preble Street*
- *DPW WR Comment: Connection acceptable. Provide stormwater detention as listed above.*

14. Comment – 60 Elm

- *Proposed Sanitary Sewer Connection Location: 10" sanitary Sewer in Oxford Street.*
- *DPW WR Comment: Connection location acceptable. Sewer does not connect to storm drain at Preble Street as shown on the Utility Plan. The EC plan will need to be updated to show the correct configuration of the existing city sewer line.*
- *Proposed Storm Drain Connection: 18" oval brick combined sewer in Cedar Street*
- *DPW WR Comment: Connection acceptable. Provide stormwater detention as listed above.*

15. Comment – 89 Elm and 50 Cedar

- *Proposed Sanitary Sewer Connection Location: 18" Oval Brick combined sewer in Cedar Street.*
- *DPW WR Comment: Connection Location acceptable. The City is currently assessing the existing condition of the sewer line and may require it to be upgraded in pipe condition is poor.*
- *Proposed Storm Drain Connection: 18" Oval Brick combined sewer in Cedar Street.*
- *DPW WR Comment: Connection acceptable. Provide stormwater detention as listed above.*

16. Comment – 163, 158, 149 Lancaster

- *Proposed Sanitary Sewer Connection Locations: 44" brick combined sewer in Lancaster Street.*

- *DPW WR Comment: Existing "feeder" sewer lines were installed parallel to the Lancaster Street Sewer interceptor line. The feeder lines shall connect to the Lancaster sewer via an existing manhole. The applicant shall show these lines on the existing condition plan and make connections to the feeder lines to limit new manholes being installed on the 44" combined sewer interceptor line. DPW will assess the condition of the feeder lines and provide further information. Upgrades to these feeder lines may be required prior to new connections being made if the condition of the existing pipe is determined to be poor.*
- *Proposed Storm Drain Connection: 44" Brick combined sewer line in Lancaster Street*
- *DPW WR Comment: Extend 18" storm drain pipe up Chestnut Street from the Somerset intersection and make connection to the separated storm drain system. Provide stormwater detention as listed above.*

Response – Thank you for the analysis of the previously shown sanitary and storm drain sewer connections. We have revised the Master Utility Plan according to the comments and the progression of our designs. The utility locations will be finalized as individual building designs are progressed with their corresponding Site Plan applications.

DPW Transportation Programming Comments – Bruce Hyman - Dated 3-14-23

1. *Comment – The Traffic Analysis memo (dated December 23, 2022) contains inventory maps that document the locations of bicycle, pedestrian and transit infrastructure and routes. This inventory does not include, though, a qualitative assessment of how well the existing conditions and potential enhancements by the project (with the exception of a portion of Lancaster Street) would contribute to and achieve many of the neighborhood-level elements of the Neighborhood Context Statement's Placemaking Framework such as Foster Real Walkability or Create Places that Connect People.*
   Response –The streetscapes within the demarcated MPD will be improved to create a significantly improved pedestrian environment and will include the following:

   Tree lined streets that will meet or exceed Portland City standards with regards spacing and soil volumes. Furnishing zones that will provide open space-like amenities for the neighborhood such as seating, bike racks, trash receptacles, lighting, district gateway features and expanded areas for outdoor dining. The sidewalks will also include well dimensioned pedestrian zones.

2. *Comment – The Traffic Analysis memo also proposes a target for the project to achieve a high percentage of multimodal trips that will require the desired high quality pedestrian and transit-oriented development context but should also reflect the need for reinforcement by a strong transportation demand management plan and program that will be part of subsequent applications.*
   Response - Noted, future site plan applications will be submitted with Transportation Demand Management Plans which will reinforce the percentage of multimodal trips referenced in the Traffic Analysis Memo.

Please let us know if you have any additional questions or comments.

Sincerely,

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

ACORN ENGINEERING, INC.

City of Portland Planning Department
Zach Powell – Planner
389 Congress Street, 4th Floor
Portland, Maine 04101

June 2, 2023

Subject: West Bayside Master Development Plan
City of Portland Request for Future Application Materials

On behalf of West Bayside Partners, LLC and Port Property, Acorn Engineering is pleased to respond to the punch list, dated 5-19-23, from the City of Portland Planning Department review of the Master Development Plan submission of the West Bayside Master Development Plan in Portland, Maine.

Acorn Response = Green
Stantec Response = Orange

Bayside MDP Punchlist - Zach Powell, City of Portland Planning Department – Dated 5/19/23

14.7.1 In general

1. *Comment – Update the phasing plan in the Visioning Documents: Please include the following items for each sub-phase to indicate interim conditions at each phase of development, as well as which infrastructure and other public improvements will accompany each phase:*
   a. *Estimated building dimensions, uses, # of residential units*
   Response – Proposed buildings with approximate dimensions, uses & residential units are shown on sheet C-12, Master Phasing Plan.
   b. *Anticipated removal/planting of street trees*
   Response – Street tree removals are shown on sheets C-13-C-15, Phasing Plans. Proposed street trees are shown on sheet L-100, Landscaping Plan.
   c. *Associated improvements in the ROW (e.g., repaving. sidewalk replacement, Oxford Street conversion, Lancaster Street woonerf)*
   Response – Limits of work are shown on sheets C-13-C-15, Phasing Plans. Also included is a Phasing Narrative document, which explains limit of work and ROW improvements associated with each project phase.
   d. *When and which open space will be provided for each sub-phase*
   Response – Open space will be constructed & provided with it's associated phase of construction, see Phasing Plans, sheet C-12-C-15. Publicly accessible open space constructed as part of initial phases of construction will remain open during subsequent phases to the maximum extent possible.
   e. *Interim conditions and anticipated staging/construction storage locations (or overall approach)*
   Response – Anticipated staging/construction storage locations are provided on

sheets C-13-C-15, Phasing Plans. Interim conditions and extents of construction are also shown on Phasing Plans, and explained in further detail in the Phasing Narrative.

2. *Comment – Update the transportation analysis to be consistent with the TMP analysis and data as needed, as well as information on any existing agreements/leases for structured and surface parking spaces in the MDP boundary.*
   Response – A summary of existing agreements and leases for structured and surface parking in the MDP boundary is included in the Parking Narrative Memo prepared by WBP. This also includes information on how the leases and agreements will evolve with subsequent phases of the MDP.

3. *Comment – Submit a narrative regarding how the residential components of the MDP will be consistent with Inclusionary Zoning requirements 18.2.3.c.3-5 of the Land Use Code and the Interior Standards section of the Inclusionary Zoning Implementation Guidelines.*
   Response – Appendix A has been added to the IZ conformance memo previously submitted that summarizes how the development will meet the inclusionary zoning requirements of the Land Use Code and Inclusionary Zoning Implementation Guidelines.

14.7.2 Natural Features and Open Space

4. *Comment – Confirm the ownership and maintenance plans for public open spaces. For the proposed open space at 163 Lancaster Street, for instance, this may simply be confirming that Port Properties will maintain it and confirming that it will be passive recreation programmed to meet resident needs. Similarly for the woonerf, address the maintenance and programming of the privately owned portion, and the applicant's intended role in winter maintenance of the public right of way (also noted 14.7.4 below).*
   Response – See included Winter Management Memo prepared by WBP. This memo includes language for ownership of open spaces within the MDP and maintenance responsibilities associated with these spaces.

5. *Comment – Clarify which spaces will be dedicated to public access and recreation (as compared to other public realm functions/spaces such as streets, sidewalks, landscaping, etc.) on open space plan.*
   Response – Exhibit L-2 has been modified to clarify open-space functions.

14.7.4 Infrastructure

6. *Comment – Submit additional information regarding the woonerf that:*
   a. *Addresses pedestrian circulation*
   Response – Please refer to Exhibit L-13
   b. *Identifies anticipated programming for the flex zone*
   Response – Please refer to notes on Exhibits L-18, L-20
   c. *Describes winter operations responsibilities*
   Response – See included Winter Management Memo prepared by MDP, which assigns winter operations & maintenance responsibilities for the Lancaster Street Woonerf.
   d. *Updates the shared street cross section to provide minimum 8-foot width for the pedestrian zone*

Response – The furnishing zone dimensions have been modified and narrowed to 4' to allow for an 8' foot pedestrian zone on Lancaster Street. Similarly, the furnishing zones have been narrowed to 5' to allow for a 6' pedestrian zone on other streets.

e. *Revisions to tree planter locations and dimensions, changes to furniture zones and curb extensions in response to prior DPW comments (tree planters, if placed in the flex zone, should be against the edge of the flex zone for plow guidance. If the can be 4' wide and 6' long, that would allow for 8' in the ped zone space…consider placing the proposed planters…in the curb extensions and narrowing the furnishing zones).*

Response – Tree planters, and bollards are placed at the back of road curbs where the flex zone is flush with the travel lanes on the shared street.

f. *Lastly, City staff have noted that there is not sufficient information on the details of the woonerf at this stage for there to be a final determination on the suitability of the design. A full street design is not required for the MDP, however, any additional details you are able to provide will give staff and the planning board an opportunity to provide direction as part of the MDP review. Staff recommends that information be provided on how the design, including materials, surface treatments, street furniture and plantings, and traffic calming elements, will align with standards and best practices elsewhere, including but not limited to NAACTO's commercial shared street standards that have been implemented in other cities, and/or elements of successful shared streets/woonerfs that you would propose to incorporate into Lancaster Street. In the absence of the City having a shared street detail, grounding this proposal with such examples will help advance understanding about what's needed during site plan review, and what will make this a safe and activated space for all users.*

Response - Please refer to Exhibit L-10 – L-15 for additional information.

14.7.5 Design

7. *Comment – Please complete your design materials by submitting the full set of perspective renderings. In addition, the following clarifications are requested:*

a. *An accompanying statement on the role of significant building elements (e.g. angular projections on 196 Lancaster Street, building top of 89 Elm Street) and how the buildings meet (or will meet) the standards of their respective zones.*

Response - Please refer to Exhibit L-18, L-20, L-29, L-32 for additional information.

b. *Additional information on proposed gateway elements if available.*

Response – Please refer to Exhibit L-18, L-32 for additional information.

c. *Include a primary entrance directly on Preble Street for the proposed addition to the Public Market Garage*

Response – Please reference the revised entry locations for this structure as illustrated in Exhibit L-3 (the RETAIL & OUTDOOR DINING OPPORTUNITIES diagram)

d. *Assign Kennebec Street its street typology in the Street Typology visual.*

Response – Please refer to Exhibit L-6 for clarification.

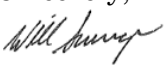
e. *Clarify how the space between 60 and 62 Elm will function as both a service access area and functional open space. Staff encourages the Applicant to consider utilizing on-street loading in this area and to close the existing curb cut which would improve pedestrian circulation and allow for an expanded open space between the two buildings.*

Response - This space is intended to primarily be used as open space associated

with the retail uses in 60 Elm. The portion of this space closest to Oxford Street will serve as service access for the building, but the expectation is actual service activities will be infrequent. It will be scheduled and managed to minimize interference with pedestrian usage. Additionally, the retail open space has been extended along the corridor between 60 Elm and the garage to connect to Elm Street for an accessible route to the space between 60 and 62 Elm. See Exhibit L-2 (open space typologies) for reference.

Please let us know if you have any additional questions or comments.

Sincerely,



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

West Bayside Development Vision

Vision for Lancaster Street, as seen from Preble Street.



Tom Watson & Co. PORT PROPERTY Stantec ACORN ENGINEERING, INC vhb

Master Development Plan Process

Anticipated Timeline:

- Application Submission – December 23, 2022
- Neighborhood Meeting – February 21, 2023
- 1st Planning Board Workshop – March 14, 2023
- 2nd Planning Board Workshop – TBD
- Planning Board Public Hearing - TBD

City of Portland Planner: Zach Powell (zpowell@portlandmaine.gov)

Introduction

In keeping with Portland's goals, Bayside will foster a community that is:



Bayside will source inspiration from other walkable, mixed-use community spaces. This image is from the recently completed The Landing, in Fort Wayne, IN.

The Development will:

- Establish the Lancaster corridor as Bayside's "Main Street," lined with retail, food and beverage, and other amenities from Parris Street to Whole Foods.
- Introduce 800+ total and 200+ affordable new rental homes for the Portland community to accommodate the City's growing need for mixed-income housing.
- Create a signature public space between Preble and Elm where the neighborhood can come together.
- Convert numerous surface parking lots into vibrant new developments.
- Retain social services and other established community organizations in refurbished historic buildings.
- Consolidate parking at the Public Market garage to manage traffic, promote pedestrian access, and strengthen the connection between Bayside and downtown Portland.
- Source inspiration from cities that have successfully followed a similar path, prioritizing pedestrian access, mixed-use community spaces, and sustainable initiatives.
- Promote a thoughtful development process that helps Portland achieve its Comprehensive Plan goals and addresses affordability, accessibility, connectivity, and climate resiliency.

Translating Portland's plan into a diverse neighborhood that celebrates shared community

Build a neighborhood heart for the entire community



Develop a Main Street and public realm that reflects what makes Bayside special.

Create places that connect people



Promote walkable connections across Bayside and to the surrounding city.

Establish a genuine common ground



Introduce an inclusive, accessible place where the community can come together.

Foster real walkability



Develop a critical mass of density and mix of uses that invite pedestrians.

Celebrate living culture and local heritage



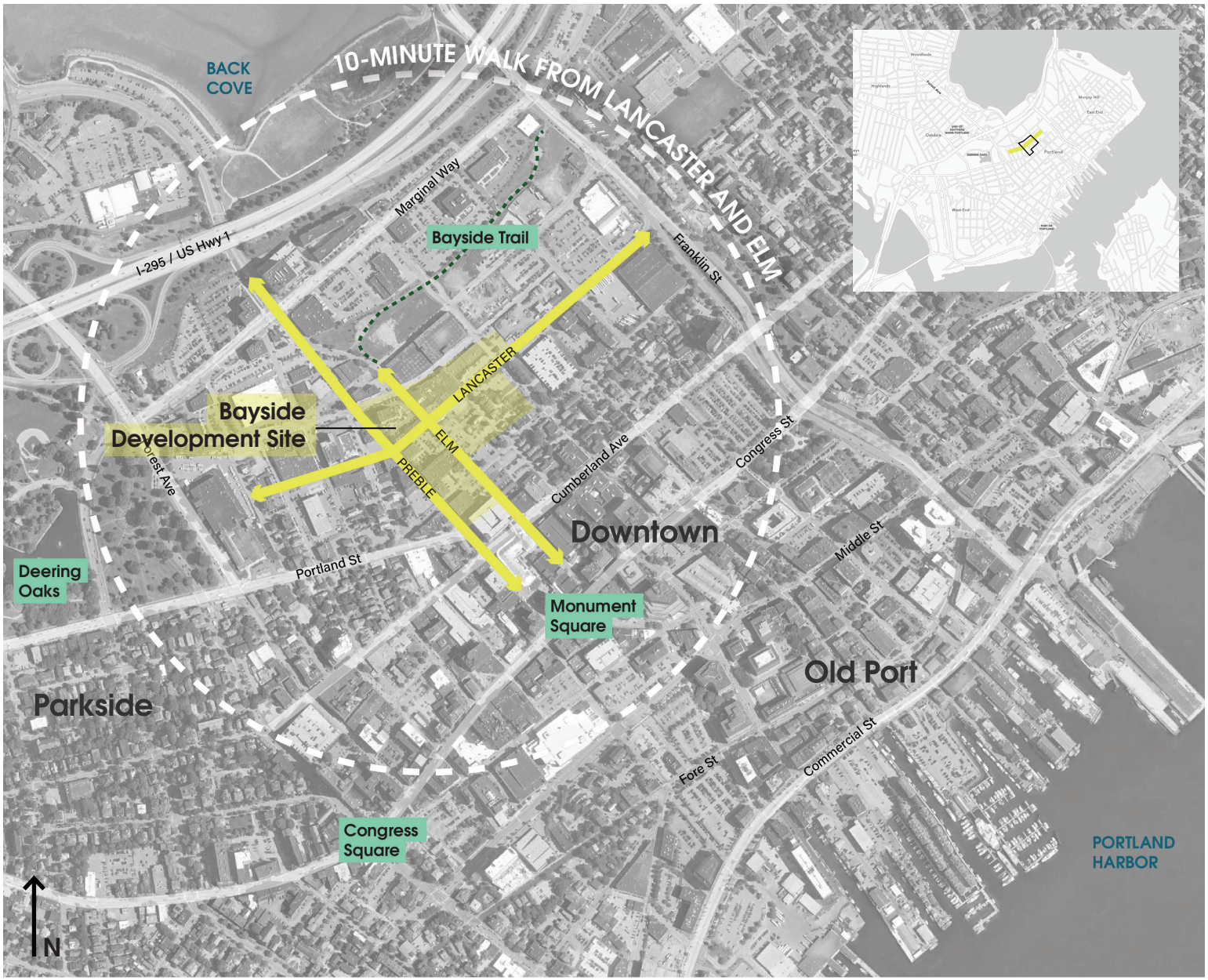
Reinforce the neighborhood's diverse architectural character and community values.

Curate the street



Integrate food/beverage and other neighborhood amenities that bring the streets to life.

A Centrally Located Portland Neighborhood

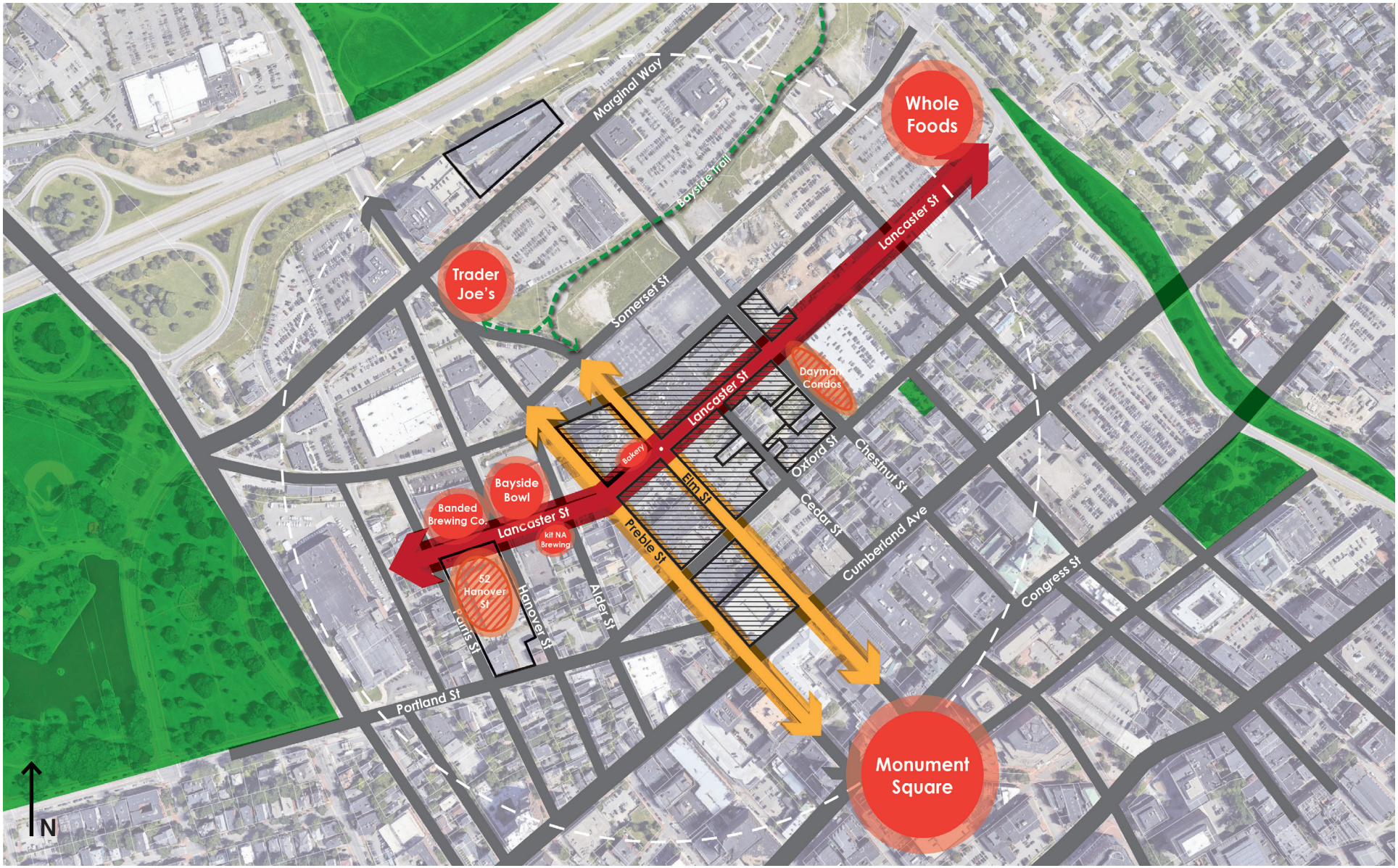


The Bayside neighborhood is situated near Portland's scenic Back Cove and the historic Deering Oaks Park area, all while being minutes away from Downtown.

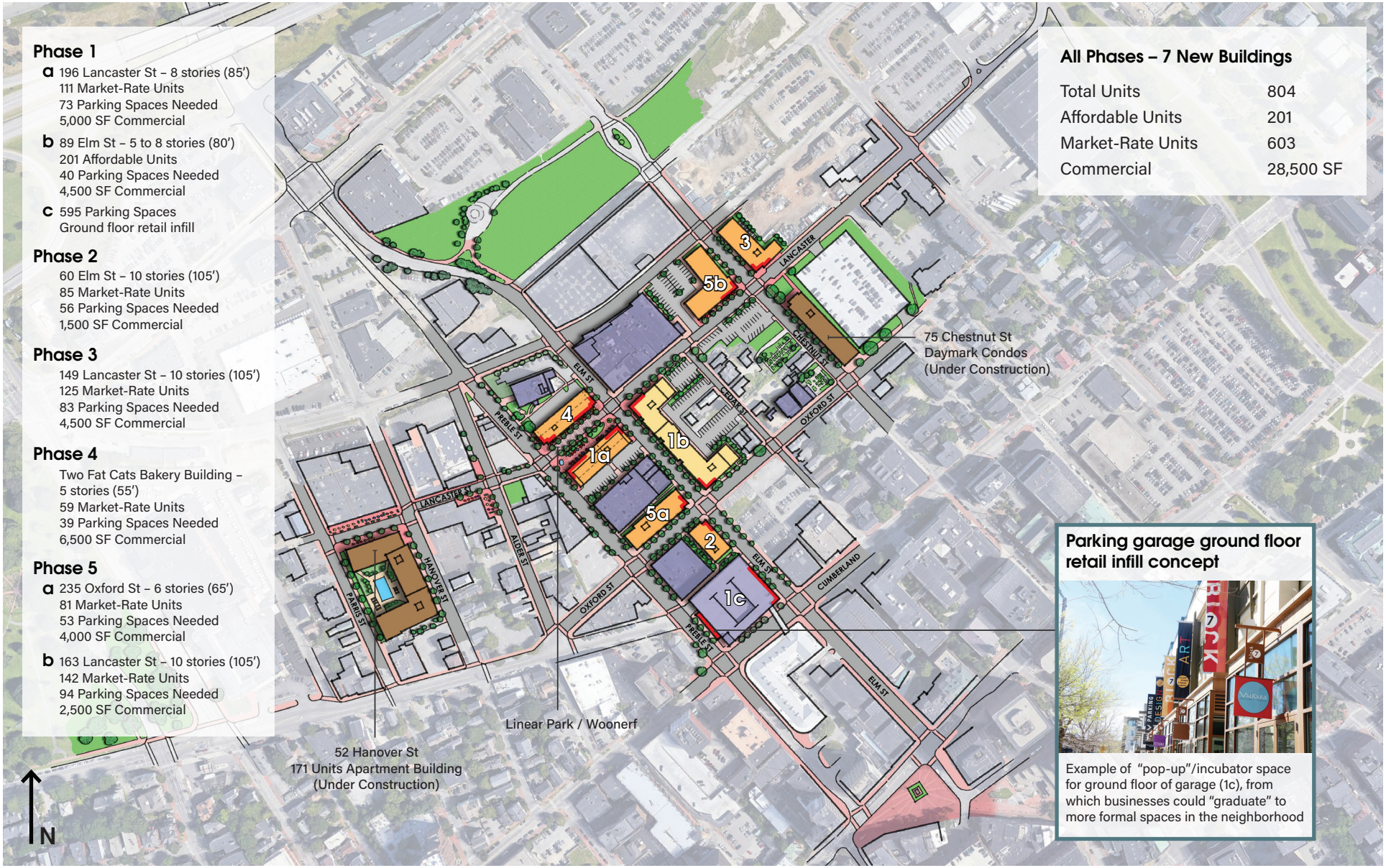
Bayside offers residents and neighbors a unique, distinctive feel with local cafes, restaurants, and craft breweries to experience.

The Heart of Bayside

The site resides at the crossroads of West Bayside's key streets and corridors and introduces a new heart to the neighborhood.



Site Plan


Phase 1
a 196 Lancaster St – 8 stories (85')
111 Market-Rate Units
73 Parking Spaces Needed
5,000 SF Commercial
b 89 Elm St – 5 to 8 stories (80')
201 Affordable Units
40 Parking Spaces Needed
4,500 SF Commercial
c 595 Parking Spaces
Ground floor retail infill
Phase 2
60 Elm St – 10 stories (105')
85 Market-Rate Units
56 Parking Spaces Needed
1,500 SF Commercial
Phase 3
149 Lancaster St – 10 stories (105')
125 Market-Rate Units
83 Parking Spaces Needed
4,500 SF Commercial
Phase 4
Two Fat Cats Bakery Building –
5 stories (55')
59 Market-Rate Units
39 Parking Spaces Needed
6,500 SF Commercial
Phase 5
a 235 Oxford St – 6 stories (65')
81 Market-Rate Units
53 Parking Spaces Needed
4,000 SF Commercial
b 163 Lancaster St – 10 stories (105')
142 Market-Rate Units
94 Parking Spaces Needed
2,500 SF Commercial
All Phases – 7 New Buildings
Total Units 804
Affordable Units 201
Market-Rate Units 603
Commercial 28,500 SF
75 Chestnut St
Daymark Condos
(Under Construction)
Linear Park / Woonerf
52 Hanover St
171 Units Apartment Building
(Under Construction)
Parking garage ground floor retail infill concept
Example of "pop-up"/incubator space for ground floor of garage (1c), from which businesses could "graduate" to more formal spaces in the neighborhood
N
Planned affordable housing
Planned market-rate housing
Existing buildings remain
Existing or planned retail
Housing currently under construction

The Lancaster Street Corridor




Banded Brewing


Schlotterbeck & Foss Building


Baxter Academy



Two Fat Cats Bakery


Whole Foods

Batson River Brewing


Bayside Bowl

There is already a lot going on along Lancaster Street, but gaps in activity between Preble and Pearl detract from the street's overall liveliness.

The Lancaster Street Corridor




Banded Brewing


Schlotterbeck & Foss Building



Baxter Academy


Coffee shop


Whole Foods



Two Fat Cats Bakery

Batson River Brewing


Bayside Bowl


Cafe

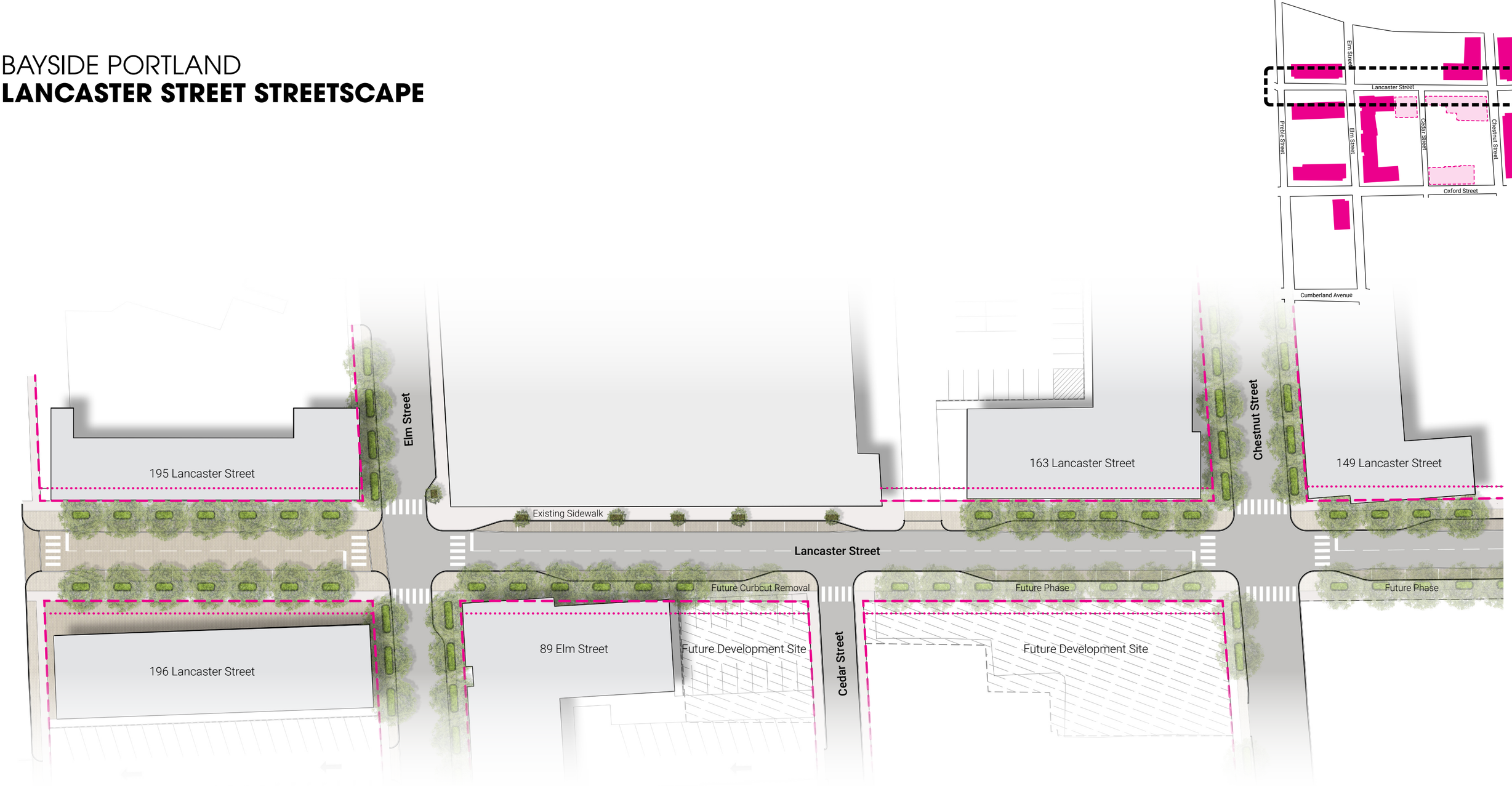

Restaurant


Bookstore

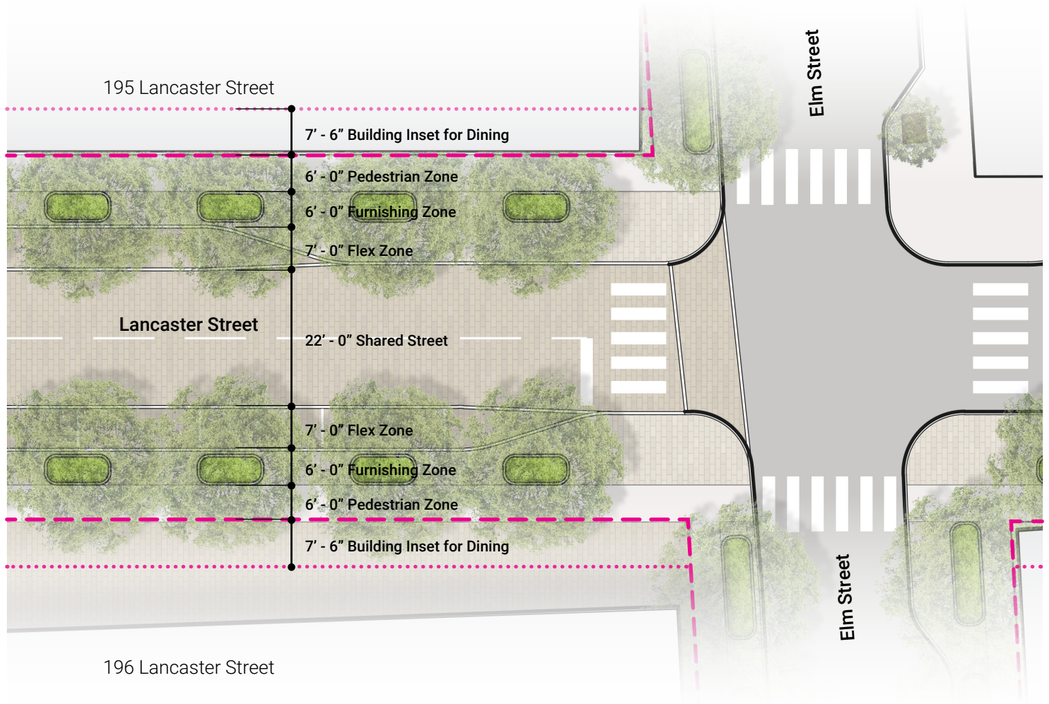

Ice cream shop

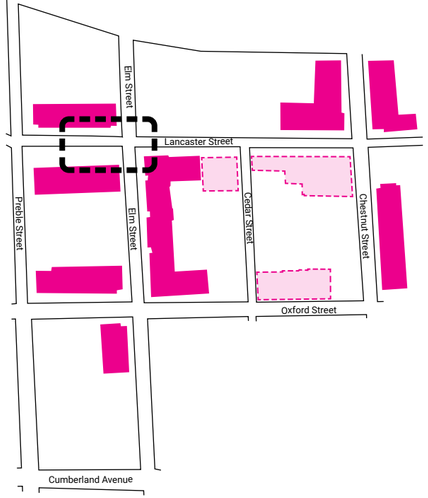
BAYSIDE PORTLAND

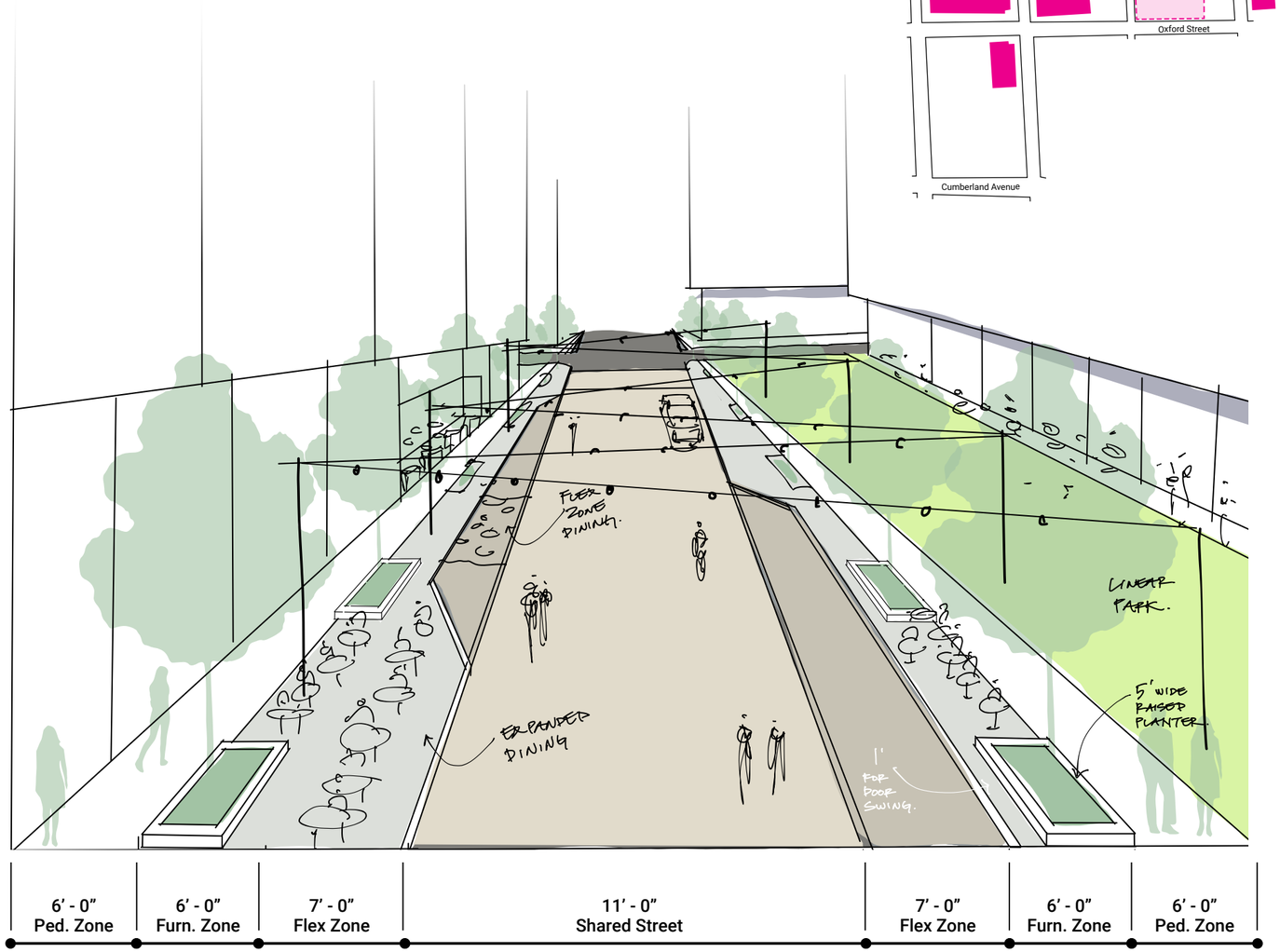
LANCASTER STREET STREETSCAPE



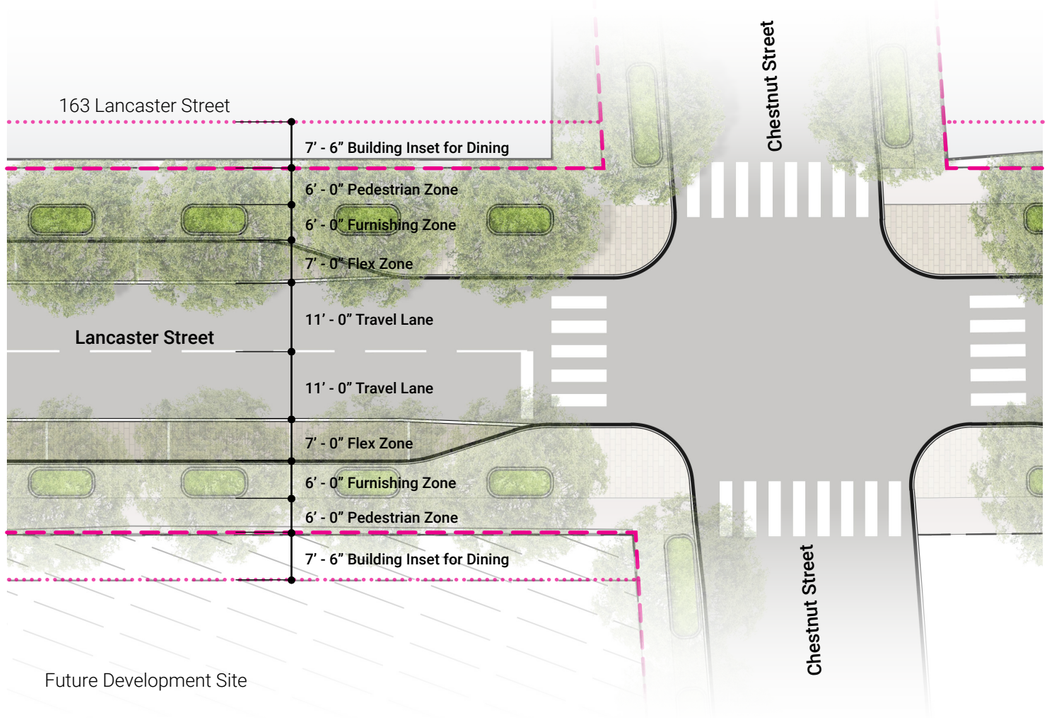
LANCASTER STREETSCAPE
195 -196 LANCASTER STREET

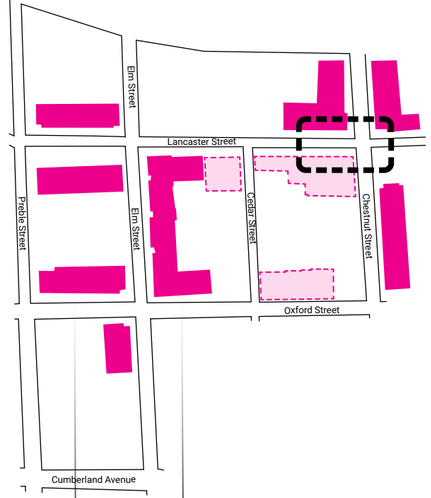


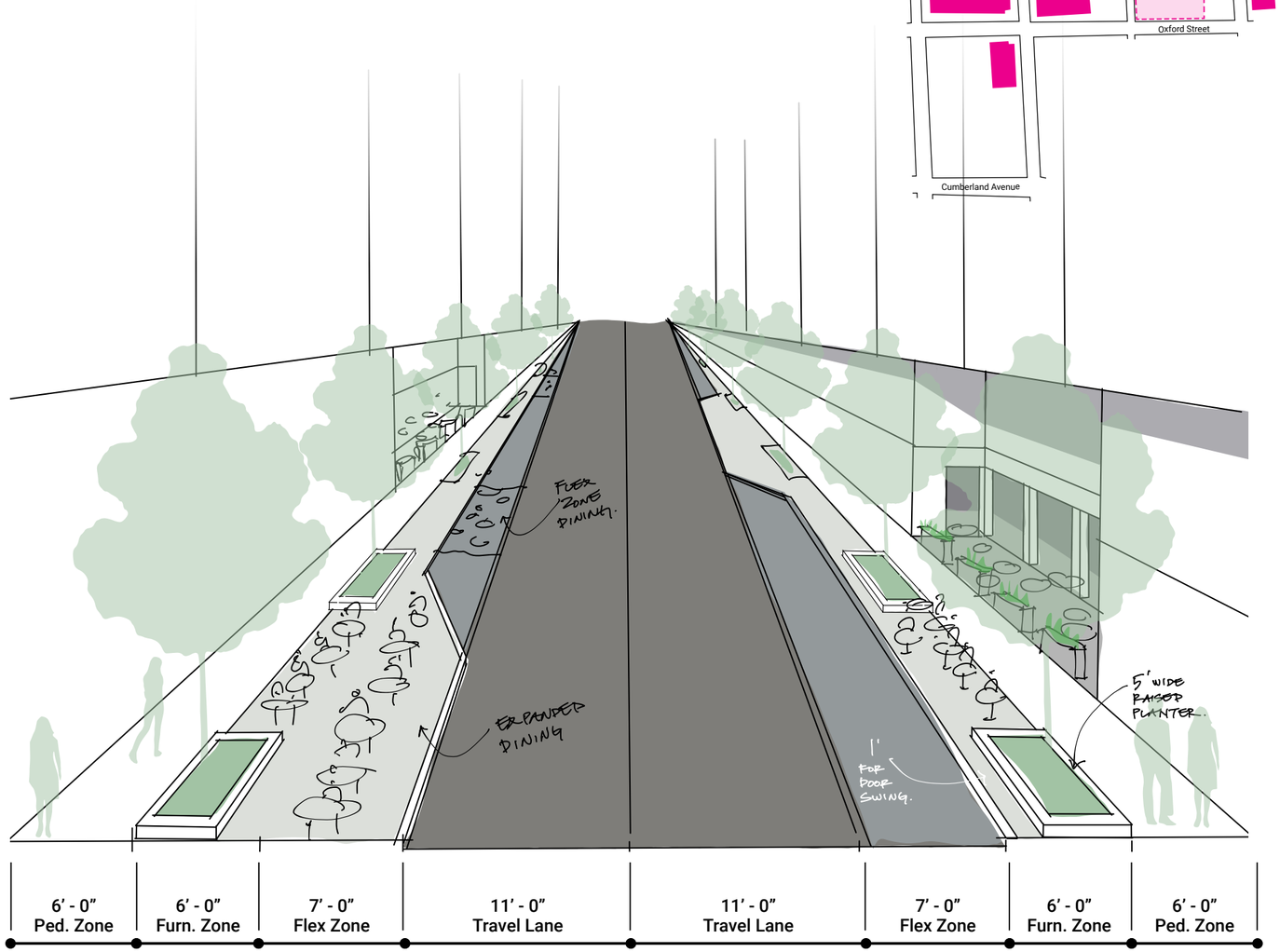




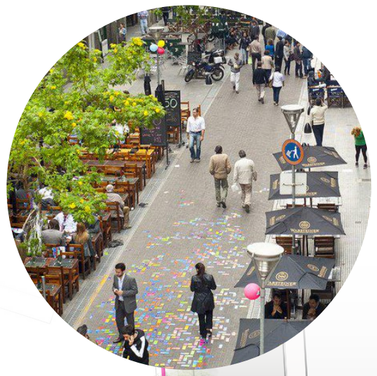
LANCASTER STREETSCAPE
163 -149 LANCASTER STREET







LANCASTER STREETSCAPE PRECEDENTS
1. SHARED STREET





LANCASTER STREETSCAPE PRECEDENTS
2. ECLECTIC COMMERCIAL FRONTAGE



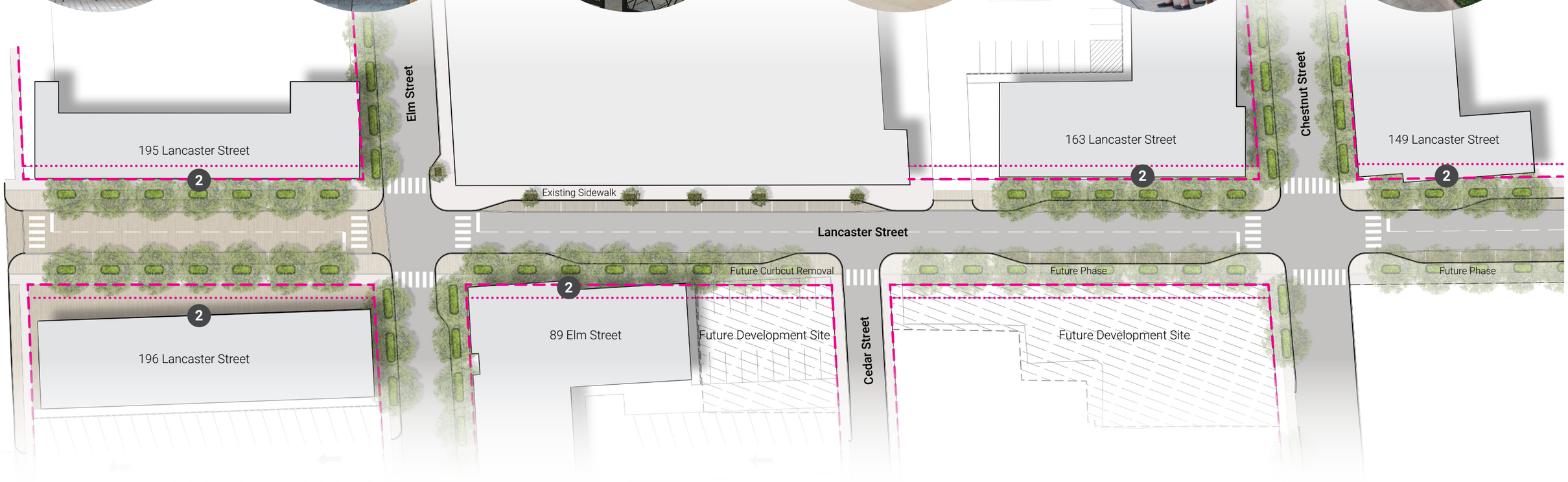












LANCASTER STREETSCAPE PRECEDENTS
3. OUTDOOR DINING



a.) Expanded Furnishing Zone



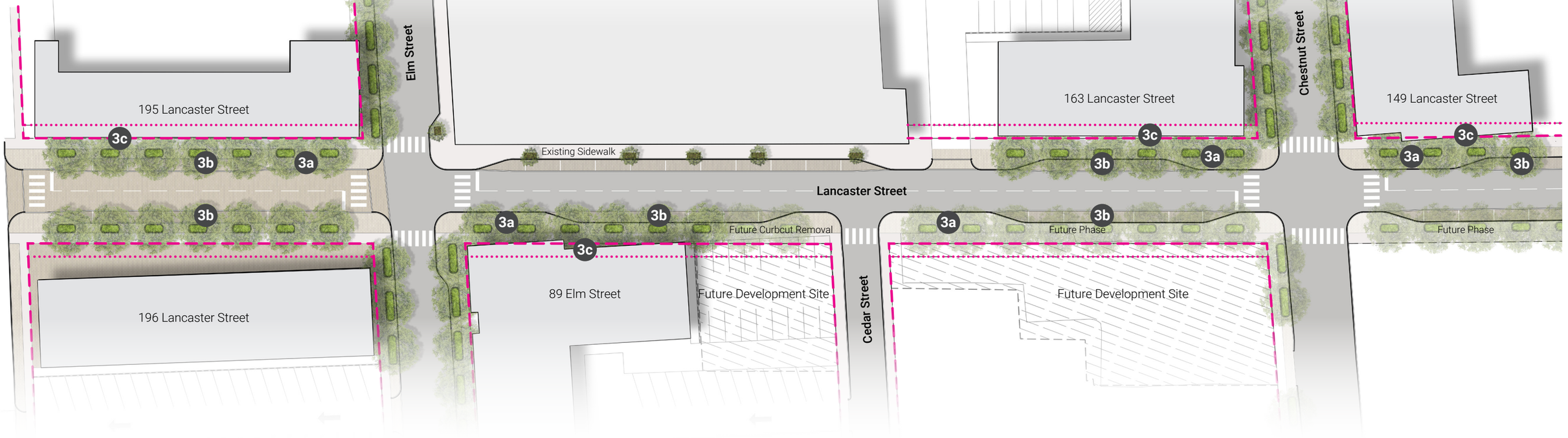
b.) Flex Zone





c.) Inset Buildng Face





LANCASTER STREETSCAPE PRECEDENTS
4. LIGHTING



a.) catenary



b.) gateway



c.) integrated



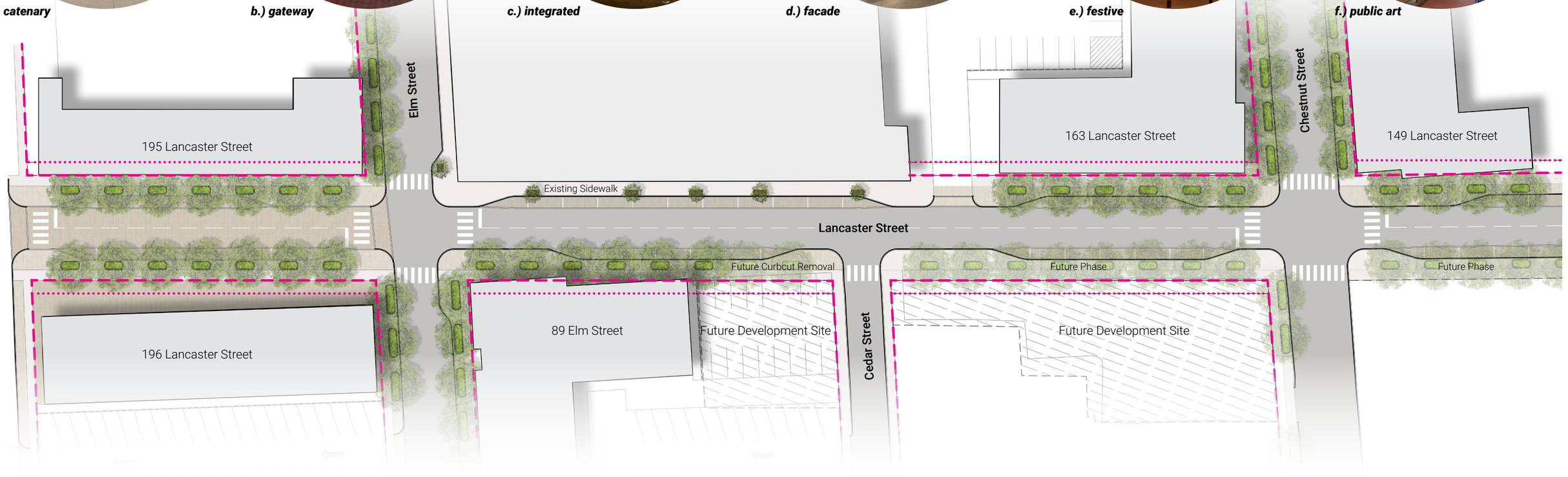
d.) facade



e.) festive



f.) public art



BAYSIDE PORTLAND

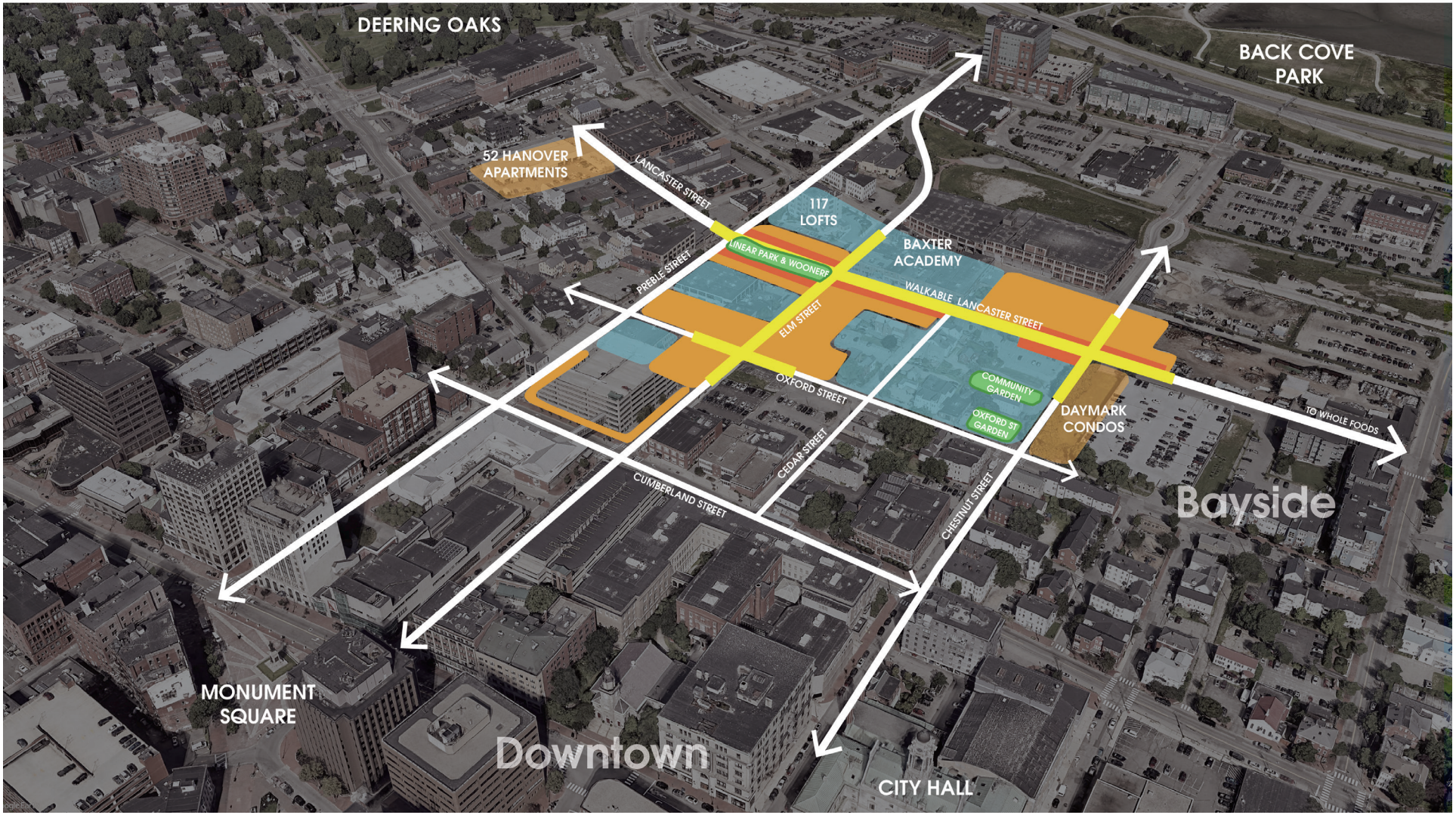
RETAIL & OUTDOOR DINING OPPORTUNITIES



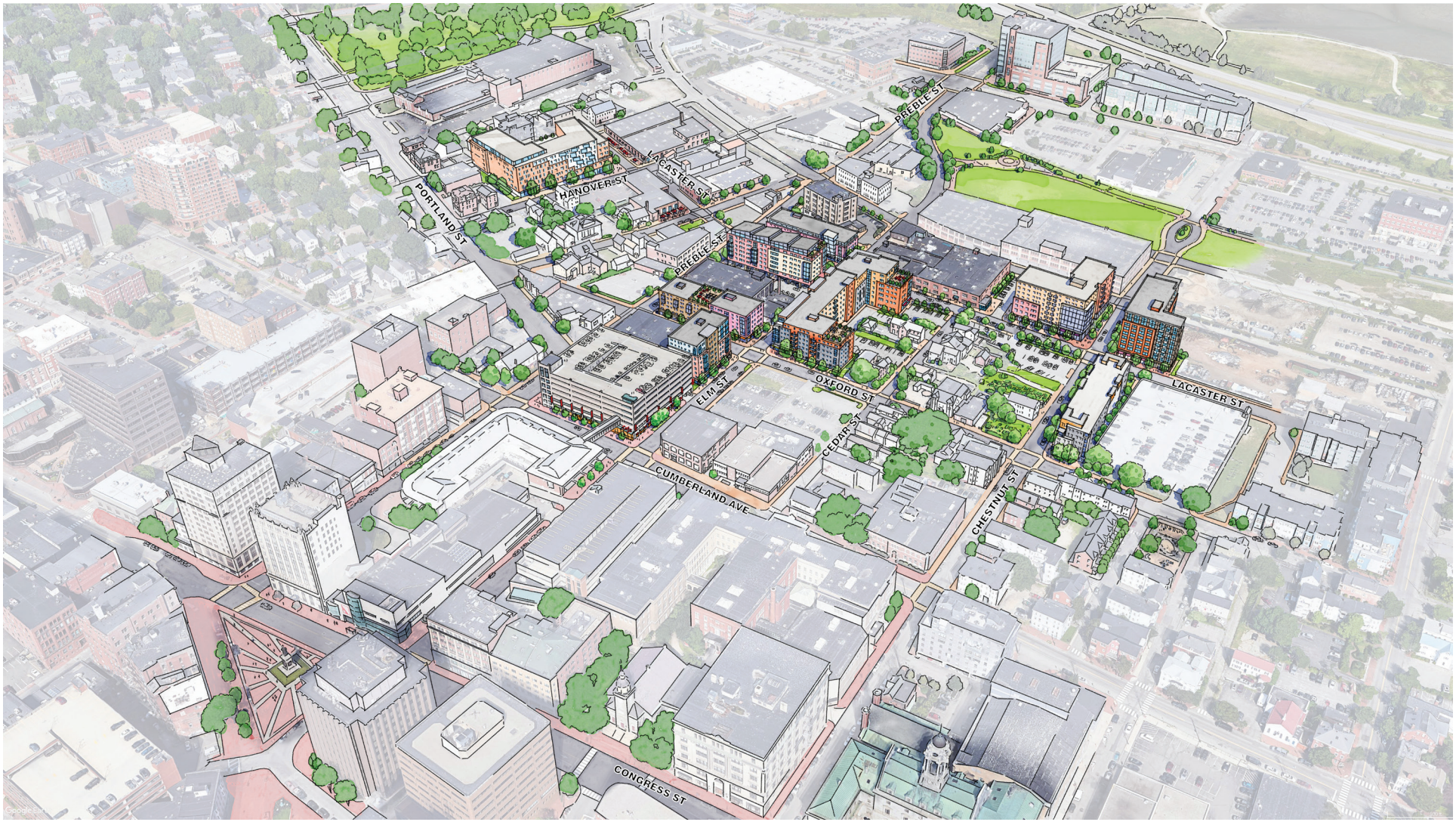
Placemaking Framework

Applying the Master Plan Principles:

- Build a neighborhood heart for the entire community
- Create places that connect people
- Establish a genuine common ground
- Foster real walkability
- Celebrate living culture and local heritage
- Curate the street



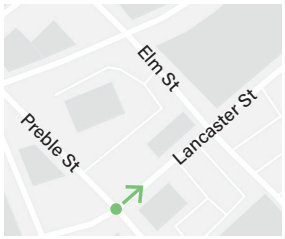
Bayside From Above



Lancaster Street Transformed



The development vision imagines a Lancaster Street brought to life by a new linear greenspace, walkable shared street, and vibrant mix of retail, food, and beverage destinations.





View from Preble St, looking east down Lancaster St



Creating an 18-hour live work play neighborhood

Note: Lighting will be designed to meet city dark sky requirements

CITY OF PORTLAND
Planning & Urban Development Department

MASTER DEVELOPMENT PLAN
SUBMISSION CHECKLIST
GENERAL DOCUMENT AND DRAWINGS CHECKLIST

Please submit each document as a separate PDF file.
Please confirm by electronically checking the boxes to the left.

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

GENERAL APPLICATION DOCUMENTS	
Yes NA	**Project Description** • Cover letter with detailed project description
Yes NA	**Completed Checklist – Master Development Plan** (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, if applicable** • Permits or letters of non-jurisdiction, if applicable
Yes NA	**Zoning Assessment** (see Zoning Assessment Table) • Table listing required and proposed uses and dimensional standards
Yes NA	**Assessment of Compliance with Master Development Plan Standards (see Article 14.7)**
Yes NA	**Existing and/or Proposed Easements or Covenants, if applicable** • Evidence of existing easements and any proposed easements
Yes NA	**Waiver Requests** • Written request for waiver describing request and reason Waiver Table
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

MASTER DEVELOPMENT
STANDARDS AND SUBMISSION CHECKLIST

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

NEIGHBORHOOD CONTEXT	
Yes NA	**Neighborhood Context Statement** • Provide a statement and/or plan as to the general impact of the proposed Master Development Plan upon the area, indicating how the Master Development Plan relates to surrounding properties and what measures will be taken to create appropriate transitions and access from the subject property to abutting public properties (i.e. parks, waterfront, etc.) or other neighboring tracts (if applicable)
SITE ANALYSIS	
Yes NA	**Natural Features and Open Space** • An analysis of existing and/or adjacent natural waterways, wetlands, floodplains topography, soil conditions and other natural features, as applicable. • Evidence demonstrating the provision of sufficient onsite open space to serve resident needs throughout all project phases, including interim spaces to be temporarily programmed as open space in advance of buildout of future phases
Yes NA	**View and Historic Features** • A study of the designated view corridors, historic resources, and archaeological resources associated with the site.
Yes **NA**	**Public Safety** • A summary of the public safety services needed to support the Master Development Plan.
Yes **NA**	**School Impacts** • An analysis of the anticipated impacts on the public school system to support the Master Development Plan
Yes NA	**Traffic Analysis** • A traffic impact analysis and recommendations prepared by a registered professional engineer, including current traffic counts for streets surrounding the project, analysis of existing capacity, projections of the amount of traffic that will be generated by the project, and the ability of the street system to absorb the traffic. (Note: In cases when a Master Development Plan is subject to a Traffic Movement Permit, those submission requirements shall supersede.)

Yes **NA**	**Utilities** • A utility capacity report, including recommendations for needed improvements, prepared by a registered professional engineer, including an inventory of existing utilities (storm sewers and drains, sanitary sewers, electrical lines, fire alarm boxes and lines, gas lines/mains, water mains, lighting, lines, gas lines/mains, water mains, lighting, curb and gutter, etc.), documenting utility locations, sizes, diameters, carrying capacity and present load on the system, and the systems' capacity to adequately serve the proposed development. (Note: If the current utility system is found to be inadequate for the proposed development, the report shall confirm the deficiencies and make recommendation(s) as to the infrastructure improvements necessary to properly service the proposed development and maintain the existing service. The report shall also present a formal plan for infrastructure improvements, documenting timing, funding mechanisms and coordination with the City)
Yes **NA**	**Other Information** • Other supportive information that may be beneficial in the evaluation of the Master Development Plan.

MASTER DEVELOPMENT PLAN
DRAWINGS CHECKLIST

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

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

NEIGHBORHOOD CONTEXT MAP (scale of note less than 1"=100')

- Roads
- Utilities
- Public facilities
- Major existing buildings and structures

CONCEPTUAL SITE PLAN(s) (at a scale of not less than 1"=50')

General Requirements

- North arrow
- Date
- Scale
- Legend
- Title of Master Development Plan and Project Name
- Applicant name and address
- Preparer/Applicant Representative name and address

Existing Conditions Plan

- Approximate boundary lines of existing lots within and immediately adjacent to Master Development Plan project area, with approximate areas and dimensions
- Existing buildings and other significant structures, building groupings, parking areas, and other significant features of the site
- Existing streets, including street width, ways, easements, and any public areas within or next to the site
- Existing natural waterways, wetlands, floodplains, topography, soil conditions, and other natural features
- Existing utilities on site and within adjacent public streets (storm sewers and drains, sanitary sewers, electrical lines, fire alarm boxes and lines, gas lines, water mains, lighting, curb and gutter, and etc.)
- Designated view corridors, historic resources, archeological resources
- Approximate location of structures on abutting property
- Topography (two foot contours)
- Zoning boundary lines, including overlays

Proposed Site Layout Plan

- Approximate boundary lines of proposed lots within and immediately adjacent to Master Development Plan project area, with appropriate areas and dimensions
- Proposed buildings and other significant structures, building groupings, exterior building elevations and entrances, parking areas, and other significant physical features of the site
- Major circulation patterns surrounding and serving the site, proposed streets (including width), ways, easements, and any public areas within or next to the site

- Major landscaping elements, features, open space, and plans for preservation of significant natural features

Proposed Utility Plan

- Proposed location, sizing and directional flows of all existing and proposed utilities (storm sewers and drains, sanitary sewers, electrical lines, fire alarm boxes and lines, gas lines, water mains, lighting, curb and gutter, and etc.

Grading and Drainage Plan

- Generalized drainage plan for the site, including drainage ways, flow, points of outfall and annotations to indicate impacts of development on affected drainage basins
- Contour information of not less than two-foot intervals

Landscape Plan

- Major landscaping elements, features, and open space
- Plans for preservation of natural features

ARCHITECTURAL PLANS AND RENDERINGS

- Context drawings, perspective renderings, photographic montages, and/or computer-generated graphics depicting proposed development within context of neighborhood
- Elevations showing all sides of the structures, views of major entries or prominent building features, building articulation and elements, and finish composition
- Digital three-dimensional model of development site showing buildout for each phase, if applicable

West Bayside Master Development Plan

Neighborhood Meeting Minutes

February 21, 2023 / 5:30 pm
190 Lancaster St, Portland, ME

Project Team Attendees:

Will Savage (WS): Civil Engineer/Presenter (Acorn Engineering)
Mike Triglione (MT): Civil Engineer/Note Taker (Acorn Engineering)
Jeff Sauser (JS): Urban Designer/Presenter (Stantec)
Mike Barton (MB): Developer/Applicant (Bush Watson)
John Laliberte (JL): Developer/Applicant (Bush Watson)

Meeting started at approximately 5:30 pm.

Presentation:

Will Savage:
- Team introduction
- Overview of MDP process
- Project introduction

Jeff Sauser:
- Stantec introduction
- Master Plan Principles
    - Neighborhood context
    - Phasing
    - Lancaster Street corridor & streetscape
    - Retail & outdoor dining opportunities
    - Placemaking & overall vision

Comments, Questions & Answers:

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

Neighbor: Why are all the affordable units located in one building? Is there a time limit on the affordable designation of the apartments?

- **JL**: All of the affordable units located in one building is a function of the financing. The units will be affordable in perpetuity. The buildings will be held to Maine Housing standards as part of the financing.

Neighbor: Please consider further partnership with HUD or Portland Housing to make very low income housing.

Neighbor: Tom Toye had formerly owned most of these parcels and regularly attended Bayside neighborhood meetings. It seems the neighborhood has been the solution to City's homeless/drug problems in the past and is now the solution to the City's housing problem. Developer should consider concessions for property owners on Cedar St where an 8 story building will be in their backyard.

South Portland Resident: Consider a facility locally that acts as a community center.

Neighbor: Will the mental health services that currently occupy the area be displaced?

- **JL**: Current leases are to be honored.

Neighbor: What will be the impact to the existing 190 Lancaster Parking lot?

- **JS**: The parking lot will be reconstructed with double-loaded head-in parking.

Neighbor: What is the amount of income the affordable housing is intended for?

- **MB**: Housing is based on income of 60% of area median income.
- **Neighbor**: Is there any consideration for lower income housing?
- **MB**: Not at this time.

Robert S. from Bayside Neighborhood Association: Voiced concerns regarding the Bayside Community Garden, as it is the only community garden in the city that is not owned by the city.

Neighbor: What is the proposed height of the buildings?

- **MB**: Buildings currently planned are to be 5-8 stories. Future phases could be as tall as 10 stories as zoning rules allow.

Neighbor: Advocating for greenspace within the neighborhood.

Neighbor: How was the retail to housing ratio determined? It appears there is a portion of Elm Street with no retail. Preference for smaller retail spaces.

- **MB**: There was no formula used; most retail spaces were determined by the topography of the site. It can be challenging to make good retail with ADA accessible spaces along the steep slopes like Elm St. Retail spaces are more focused on Lancaster & Oxford St, where the entrances can be more level.
- **WS**: Retail spaces currently planned are will likely be 2,000 sf or less.

Neighbor: Advocating for ground floor retail space.

Neighbor: Has concerns that some recent developments in Portland act as "gated communities", having lots of amenities such that are for residents only. Advocating for buildings that serve the whole community.

- **JL**: Retail spaces are to be public and buildings are not planned to be highly amenitized apartments.

Neighbor: What is the typical bedroom count of the apartments?

- **MB**: Most of the apartments are to be studios and 1-bedrooms. The affordable building will be 1- and 2-bedrooms.

Neighbor: Voicing concerns for how much parking is provided for the proposed development.

Neighbor: How is mobility for disabled or elderly people being considered? Concerns for parking at parking garage & going down steep slopes of Elm & Preble Streets.

- **MB**: Handicapped spaces will be provided as streetside parking.
- **JS**: Sidewalk condition will be improved & brought up to ADA & City standards.

Neighbor: Have there been any discussions on improving connections from this neighborhood to other neighborhoods in the city?

- **MB**: Coordination of this project with city traffic engineers is ongoing. The project is in the immediate vicinity of the Metro Pulse & bike lanes have been recently striped on Elm & Preble to have better connectivity for bicycles.

Neighbor: Voicing concerns about parking impacts of the development.

Neighbor: 190 Lancaster building was the first reinforced concrete building in the state of Maine, the former Chrysler dealership. Advocating for preservation of it as it is a historic building. Is there any plan for the building at the corner of Oxford & Preble?

- **JL**: Future uses of the building are still being considered.

Heidi from Bayside: This is the biggest development in Portland in a generation. Voiced concerns on greenspace. Bayside Trail park is shown on site plan, but is not a pleasant usable park currently. Also, looking for more info on neighborhood pride and architectural details. A good example of architecture for the neighborhood would be the building housing Batson River. A bad example would be 409 Cumberland. Also voicing concerns on complete, walkable neighborhood with amenities for community members.

- **JS**: The team is looking for feedback regarding the open space on the plan. With regard to architecture, the Master Development plan is intended to show overall themes as oppose to showing finished architectural plans.

Sarah from Greater Portland Landmarks: We have just completed surveys of the Armenian and Chinese Heritage of the neighborhood and it will be shared with the project team shortly. In addition, voicing concerns for environmental impacts and climate and flooding resiliency of the development.

- **WS**: Each site will have a soil management plan to deal with the urban fill that is currently on site. Sites will have designs to minimize environmental impact soil export, such as buildings without basements. In reference to flooding, elevation 12' is typically the elevation that Acorn uses as a minimum Finished Floor Elevation to give buildings resiliency against future flooding and sea level rise. There are two portions of the site that are below that elevation, along the north portion of Elm & at the corner of Chestnut & Lancaster.

Neighbor: What have been the conversations with other stakeholders in the area? Namely Avesta, who owns a lot near the project.

- **MB**: Conversations are being had with Avesta, but no plans have been presented from Avesta at this point. Other abutters are being reached out to.

Neighbor: Are the unit counts subject to change and would that be reviewed by the Board or Staff?

- **WS**: The current unit count is based on the maximum feasible amount. We will need to check with planner to see the process for changing unit counts post-approval if that occurs. Typically, a reduction of units is limited to staff review/approval.

Neighbor: Is there consideration for making Lancaster Street pedestrian only?

- **JS**: Not at this time, as traffic can make retail spaces more desirable.
- **WS**: There have been discussions on closing the street to traffic at certain times for neighborhood festivals, etc.

Neighbor: Complaints about how difficult it is to drive around neighborhood, namely Oxford Street.

Neighbor: Expressing a need for community gathering spaces and more greenspace in the area, and possibly a community center. Also voicing encouragement for more affordable housing. Consideration and outreach to immigrant & underprivileged members of the communities should be conducted.

- **JS**: It is the intention to make a plan for a diverse neighborhood.
- **WS**: We are open to suggestions for more outreach. Requested the neighbor provide outreach opportunities to the team following the meeting.

Owner of Two Fat Cats Bakery: Want to bring up that Baxter Academy is an important part of the local community and the kids there do not have a cafeteria in their building. At lunchtime all the kids are released onto the streets to find a place to eat lunch. Baxter Academy has chosen this location intentionally to be an urban school, and they should be considered in the master plan. Also, I have moved my business to here from India Street to be in a more authentic Portland neighborhood. Having formerly been on India Street, I moved from that location due to new development changing the character of the neighborhood.

Neighbor: The neighborhood has been historically dis-invested by the city and the developers should consider the role they have to help the community. Voicing of concerns for 1-way streets in the neighborhood that are hard to navigate.

Parris Street Resident: Concerns about disruptions from construction, parking, and density of proposed development.

Portland Protectors Representative: Concerns about how difficult to drive around the area is, namely Oxford Street. Also concerns about parking spaces. Concerns voiced about greenspace & the condition of the Bayside trail. This area has the least trees in the city. There is also no publicly owned community garden.

- **JS**: Gave example of street trees to be planted as part of development.

Neighbor: 3 of the buildings to be demolished are brick and future buildings should be brick to match the neighborhood. Also support for maximizing ground space retail.

Neighbor: Will tenants be displaced as part of this project?

- **MB:** Intention is to honor existing commercial leases & move displaced tenants to other spaces in the area. There is no residential displacement.

Cedar St Resident: Is there any plan for the Cedar St homes? A shadow study should be done for the 89 Elm development. The project residential density, height and scale should be reduced.

Closing Comments

Will Savage:

- Thanks everyone for coming, provided planner, Zach Powell's email as the final slide.

Meeting concluded at approximately 7:30 pm.

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

Recorded by,

Mike Triglione, PE
Project Engineer, Acorn Engineering, Inc.
mtriglione@acorn-engineering.com

Evidence of Right, Title and Interest

See attached deeds showing ownership for the proposed development parcels.

MAINE REAL ESTATE TAX PAID

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE II, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **73 ELM STREET LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Bayside II, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

BAYSIDE II, LLC

By_____
Thomas A. Toye, III
Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside II, LLC.

_____
Attorney at Law/Notary Public

_____
Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

Doc#: 51977 Bk:39779 Pg: 235

Received
Recorded Register of Deeds
Oct 13,2022 02:29:58P
Cumberland County
Jessica M. Spaulding

EXHIBIT A
(Legal Description, Parcel to 73 Elm Street LLC)

A CERTAIN LOT OR PARCEL OF LAND WITH THE IMPROVEMENTS THEREON SITUATED ON THE NORTHEASTERLY SIDELINE OF ELM STREET AND THE NORTHWESTERLY SIDE OF OXFORD STREET IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE OF MAINE AS SHOWN PLAN TITLED "LAND DIVISION PLAN BAYSIDE II, LLC" MADE FOR RECORD OWNER BAYSIDE II, LLC BY OWEN HASKELL, INC. DATED SEPTEMBER 14, 2022, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHWESTERLY SIDELINE OF OXFORD STREET AND THE NORTHEASTERLY SIDELINE OF ELM STREET;

THENCE, N 43° 45' 13" W ALONG SAID SIDELINE OF SAID ELM STREET 111.92 FEET; THENCE, THE FOLLOWING COURSES AND DISTANCES THROUGH THE LAND OF THE GRANTOR:

N 46° 08' 15" E A DISTANCE OF 90.10 FEET;

S 43° 54' 25" E A DISTANCE OF 31.26 FEET;

N 49° 53' 31" E A DISTANCE OF 55.81 FEET TO THE WESTERLY CORNER OF LAND NOW OR FORMERLY OF DAVID B. NOWLIN AS DESCRIBED IN DEED BOOK 25148, PAGE 336;

THENCE, S 42° 36' 35" E ALONG THE LAND OF SAID NOWLIN 83.34 FEET TO THE NORTHWESTERLY SIDELINE OF SAID OXFORD STREET;

THENCE, S 48° 38' 53" W ALONG THE SIDELINE OF OXFORD STREET 144.34 FEET TO THE POINT OF BEGINNING, CONTAINING 14,879 S.F. OR 0.34 ACRES. MORE OR LESS.

BEARINGS ARE REFERENCED TO CITY GRID.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING A PORTION OF THE LAND DESCRIBED AS PARCEL 2 CONVEYED TO BAYSIDE II, LLC BY QUITCLAIM DEED OF OCTOBER CORPORATION, DATED JANUARY 26, 2000 AND RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 15298, PAGE 144.

MAINE REAL ESTATE TAX PAID

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE II, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **89 ELM STREET LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Bayside II, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

BAYSIDE II, LLC

By _____
Thomas A. Toye, III
Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside II, LLC.

_____
Attorney at Law/Notary Public

_____
Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

EXHIBIT A
(Legal Description, Parcel 2)

A CERTAIN LOT OR PARCEL OF LAND, WITH THE IMPROVEMENTS THEREON SITUATED ON THE NORTHEASTERLY SIDELINE OF ELM STREET, THE SOUTHEASTERLY SIDELINE OF LANCASTER STREET EAST AND THE SOUTHWESTERLY SIDELINE OF CEDAR STREET AND IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE OF MAINE AS SHOWN ON A PLAN TITLED "LAND DIVISION PLAN BAYSIDE II, LLC" MADE FOR RECORD OWNER BAYSIDE II, LLC BY OWEN HASKELL, INC. DATED SEPTEMBER 14, 2022, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHEASTERLY SIDELINE OF LANCASTER STREET EAST AND THE NORTHEASTERLY SIDELINE OF ELM STREET;

THENCE, N 49° 39' 27" E ALONG SAID SIDELINE OF LANCASTER STREET EAST 210.57 FEET TO THE SOUTHWESTERLY SIDELINE OF CEDAR STREET;

THENCE, S 43° 29' 51" E ALONG SAID SIDELINE OF CEDAR STREET 40.00 FEET TO THE NORTHEASTERLY CORNER OF LAND NOW OR FORMERLY OF BAYSIDE IV, LLC AS DESCRIBED IN DEED BOOK 35293, PAGE 78;

THENCE, THE FOLLOWING COURSES AND DISTANCES ALONG SAID BAYSIDE IV, LLC LAND:

S 49° 39' 26" W A DISTANCE OF 117.00 FEET;

S 42° 13' 00" E A DISTANCE OF 39.96 FEET;

N 49° 39' 26" E A DISTANCE OF 117.89 FEET TO THE SOUTHWESTERLY SIDELINE OF SAID CEDAR STREET;

THENCE, S 43° 29' 51" E ALONG THE SIDELINE OF CEDAR STREET 39.34 FEET TO THE NORTHERLY CORNER OF LAND NOW OR FORMERLY OF AMELIA A. LABRECK AS DESCRIBED IN DEED BOOK 37970, PAGE 11;

THENCE, BY THE FOLLOWING COURSES AND DISTANCES ALONG SAID LABRECK LAND:

S 48° 42' 12" W A DISTANCE OF 118.73 FEET;
S 42° 13' 00" E A DISTANCE OF 40.00 FEET;

N 48° 41' 30" E A DISTANCE OF 119.62 FEET TO THE SIDELINE OF SAID CEDAR STREET;

THENCE, S 43° 29' 51" E ALONG THE SIDELINE OF CEDAR STREET 80.62 FEET TO THE NORTHERLY CORNER OF LAND NOW OR FORMERLY OF DAVID B. NOWLIN AS DESCRIBED IN DEED BOOK 25148, PAGE 336;

THENCE, S 48° 41' 30" W ALONG SAID NOWLIN LAND 63.30 FEET;

THENCE, THE FOLLOWING COURSES AND DISTANCES THROUGH THE LAND OF THE GRANTOR:

S 49°53'31" W A DISTANCE OF 55.81 FEET;

N 43°54'25" W A DISTANCE OF 31.26 FEET;

S 46°08'15" W A DISTANCE OF 90.10 FEET TO THE NORTHEASTERLY SIDELINE OF SAID ELM STREET;

THENCE, N 43°45'13" W ALONG THE SIDELINE OF ELM STREET 215.15 FEET TO THE POINT OF BEGINNING, CONTAINING 38,462 S.F. OR 0.88 ACRES, MORE OR LESS.

BEARINGS ARE REFERENCED TO CITY GRID.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING A PORTION OF THE LAND DESCRIBED AS PARCEL 2 CONVEYED TO BAYSIDE II, LLC BY QUITCLAIM DEED OF OCTOBER CORPORATION, DATED JANUARY 26, 2000 AND RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 15298, PAGE 144.

Received
Recorded Register of Deeds
Oct 13,2022 02:30:55P
Cumberland County
Jessica M. Spaulding

Doc#: 51979 Bk:39779 Pg: 239

MAINE REAL ESTATE TAX PAID

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE III, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **197 OXFORD STREET LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Bayside III, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

BAYSIDE III, LLC

By _____
Thomas A. Toye, III
Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside III, LLC.

_____
Attorney at Law/Notary Public

_____
Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

EXHIBIT A
(Legal Description, Parcel 1)

A CERTAIN PARCEL OF LAND, TOGETHER WITH THE IMPROVEMENTS THEREON, SITUATED ON THE NORTHWESTERLY SIDE OF OXFORD STREET IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, STATE OF MAINE, AND SHOWN AS PARCEL 1 ON ALTA/ACSM LAND TITLE SURVEY ON CEDAR STREET, CHESTNUT STREET, ELM STREET AND OXFORD STREET, PORTLAND, MAINE FOR BAYSIDE III, LLC BY OWEN HASKELL, INC., DATED JANUARY 24, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY Of DEEDS IN PLAN BOOK 200, PAGE 42 (THE "PLAN'), BOUNDED AND DESCRIBED AS FOLLOWS:

THENCE S 48° 37' 47" W ALONG THE SIDELINE OF OXFORD STREET 167.19 FEET;

THENCE N 43° 29' 51" W 67.00 FEET;

THENCE N 48° 37' 47" E 35.54 FEET;

THENCE N 00° 14' 40" E 2.72 FEET;

THENCE N 52° 33' 00" E 18.73 FEET;

THENCE N 41° 16' 13" W 3.10 FEET;

THENCE N 49° 06' 44" E 109.65 FEET TO THE SOUTHWESTERLY SIDELINE OF CHESTNUT STREET;

THENCE S 44° 38' 26" E 70.00 FEET TO THE POINT OF BEGINNING.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING A PORTION OF THE PREMISES CONVEYED TO BAYSIDE III, LLC BY QUITCLAIM DEED FROM OCTOBER CORPORATION, DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 193.

Received
Recorded Register of Deeds
Oct 13,2022 02:32:29P
Cumberland County
Jessica M. Spaulding

MAINE REAL ESTATE TAX PAID

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE IV, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **89 ELM STREET LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Bayside IV, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

BAYSIDE IV, LLC

By _____
Thomas A. Toye, III
Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside IV, LLC.

_____
Attorney at Law/Notary Public

_____
Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

EXHIBIT A
(Legal Description, Parcel 5- 50 Cedar Street)

A CERTAIN LOT OR PARCEL OF LAND WITH ALL THE BUILDINGS THEREON, SITUATED ON THE SOUTHWESTERLY SIDE OF CEDAR STREET, IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE OF MAINE, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A STAKE ON THE LINE OF SAID STREET DISTANT TWO HUNDRED FORTY-FOUR AND FOUR TENTHS (244.4) FEET NORTHWESTERLY FROM OXFORD STREET AT THE NORTHERLY CORNER OF LAND SOLD BY THE ADMINISTRATOR OF WILLIAM WEBB'S ESTATE TO JOSIAH M. HASKELL AND RUNNING THENCE NORTHWESTERLY BY SAID CEDAR STREET FORTY (40) FEET TO A STAKE;

THENCE SOUTHWESTERLY ON A LINE PARALLEL WITH THE NORTHWESTERLY SIDE OF SAID HASKELL'S LAND ONE HUNDRED SEVENTEEN (117) FEET, MORE OR LESS, TO THE SOUTHWESTERLY SIDELINE OF LAND OF WHICH THE SAID WEBB DIED SEIZED;

THENCE SOUTHEASTERLY BY SAID SOUTHWESTERLY SIDELINE OF SAID WEBB'S LAND TO MOST WESTERLY CORNER OF SAID HASKELL'S LOT;

THENCE NORTHEASTERLY BY SAID HASKELL'S LAND ONE HUNDRED SEVENTEEN (117) FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

BEING THE SAME PREMISES CONVEYED BY DEED DATED NOVEMBER 16, 2018 FROM 50 CEDAR STREET, LLC, TO BAYSIDE IV, LLC, AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 35293, PAGE 77, AND BY DEED RECORDED IN SAID REGISTRY AT BOOK 35293, PAGE 78.

Received
Recorded Register of Deeds
Oct 13,2022 02:35:36P
Cumberland County
Jessica M. Spaulding

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE IV, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **149 LANCASTER STREET LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

MAINE REAL ESTATE TAX PAID

IN WITNESS WHEREOF, the said Bayside IV, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

BAYSIDE IV, LLC

By _____
Thomas A. Toye, III
Its: Sole Member

STATE OF MAINE__
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside IV, LLC.

_____
Attorney at Law/Notary Public

_____
Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

EXHIBIT A
(Legal Description, Parcel 1)

A CERTAIN LOT OR PARCEL OF LAND, TOGETHER WITH THE IMPROVEMENTS THEREON, SITUATED ON THE NORTHWESTERLY SIDE OF LANCASTER STREET AND THE NORTHEASTERLY SIDE OF CHESTNUT STREET, IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, AND STATE OF MAINE, AND SHOWN AS PARCEL 1 ON ALTA/ACSM LAND TITLE SURVEY ON CEDAR STREET, LANCASTER STREET EAST, CHESTNUT STREET AND OXFORD STREET, PORTLAND, MAINE FOR BAYSIDE IV, LLC BY OWEN HASKELL, INC., DATED JANUARY 24, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 200, PAGE 43 (THE PLAN), BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHEASTERLY SIDE OF SAID CHESTNUT STREET AND THE NORTHWESTERLY SIDE OF LANCASTER STREET;

THENCE BY THE NORTHEASTERLY SIDE OF CHESTNUT STREET N 44° 38' 26" W, A DISTANCE OF 165.33 FEET, TO THE SOUTHEASTERLY SIDE OF KENNEBEC STREET;

THENCE BY THE SOUTHEASTERLY SIDE OF SAID KENNEBEC STREET N 49° 02' 07" E, A DISTANCE OF 84.95 FEET, TO THE NORTHWESTERLY CORNER OF LAND CONVEYED TO E. PERRY IRON AND METAL CO. AS DESCRIBED IN THE DEED RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 12604 PAGE 268;

THENCE BY LAND NOW OR FORMERLY OF SAID E. PERRY IRON AND METAL CO. ON THE FOLLOWING COURSES:

S 40° 57' 53" E, A DISTANCE OF 117.11 FEET;
N 49° 02' 47" E, A DISTANCE OF 40.11 FEET;
S 43° 43' 01" E, A DISTANCE OF 47.93 FEET, TO THE NORTHWESTERLY SIDE OF SAID LANCASTER STREET;

THENCE BY THE NORTHWESTERLY SIDE OF SAID LANCASTER STREET S 49° 02' 07" W, A DISTANCE OF 116.76 FEET TO THE POINT OF BEGINNING.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING THE LAND DESCRIBED AS PARCEL 1 IN DEED FROM OCTOBER CORPORATION TO BAYSIDE IV, LLC DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 242.

Received
Recorded Register of Deeds
Oct 13,2022 02:34:34P
Cumberland County
Jessica M. Spaulding

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE IV, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **197 OXFORD STREET LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

MAINE REAL ESTATE TAX PAID

IN WITNESS WHEREOF, the said Bayside IV, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

BAYSIDE IV, LLC

By_____
Thomas A. Toye, III
Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside IV, LLC.

_____
Attorney at Law/Notary Public

_____
Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

EXHIBIT A
(Legal Description, Parcel 4)

A CERTAIN PARCEL OF LAND, TOGETHER WITH THE IMPROVEMENTS THEREON, SITUATED ON THE NORTHWESTERLY SIDE OF OXFORD STREET, AND THE NORTHEASTERLY SIDE OF CEDAR STREET IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND STATE OF MAINE AND SHOWN AS PARCEL 4 ON ALTA/ACSM LAND TITLE SURVEY ON CEDAR STREET, LANCASTER STREET EAST, CHESTNUT STREET AND OXFORD STREET, PORTLAND, MAINE FOR BAYSIDE IV, LLC BY OWEN HASKELL. INC., DATED JANUARY 24, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 200, PAGE 43 (THE PLAN), BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHWESTERLY SIDELINE OF OXFORD STREET AND THE NORTHEASTERLY SIDELINE OF CEDAR STREET;

THENCE N 43° 29' 51" W ALONG THE SIDELINE OF CEDAR STREET 64.50 FEET;
THENCE N 48° 37' 47" E 57.00 FEET;
THENCE S 43° 29' 51" E 64.50 FEET TO THE NORTHWESTERLY SIDELINE OF OXFORD STREET;
THENCE S 48° 37' 47" W ALONG SAID SIDELINE 57.00 FEET TO THE POINT OF BEGINNING.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING THE LAND DESCRIBED AS PARCEL 4 IN DEED FROM OCTOBER CORPORATION TO BAYSIDE IV, LLC DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 242.

EXHIBIT A
(Legal Description, Parcel 3)

A CERTAIN PARCEL OF LAND, TOGETHER WITH THE IMPROVEMENTS THEREON. SITUATED ON THE SOUTHWESTERLY SIDE OF CHESTNUT STREET AND THE SOUTHEASTERLY SIDE OF HALL'S COURT, SO CALLED, IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, STATE OF MAINE AND SHOWN AS PARCEL 3 ON ALTA/ACSM LAND TITLE SURVEY ON CEDAR STREET, LANCASTER STREET EAST, CHESTNUT STREET AND OXFORD STREET, PORTLAND, MAINE FOR BAYSIDE IV, LLC BY OWEN HASKELL, INC., DATED JANUARY 24, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 200, PAGE 43 (THE PLAN), BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHWESTERLY SIDELINE OF CHESTNUT STREET AND THE SOUTHEASTERLY SIDELINE OF HALL'S COURT;

THENCE S 44° 38' 26" E ALONG THE SIDELINE OF CHESTNUT STREET 78.04 FEET;
THENCE S 49° 06' 44" W 108.67 FEET;
THENCE S 43° 14' 05" E 39.95 FEET;
THENCE S 41°16' 13" E 3.10 FEET;
THENCE S 52° 33' 00" W 18.73 FEET;
THENCE S 00°14' 40" W 2.72 FEET;
THENCE S 48° 37' 47" W 35.54 FEET;
THENCE N 43° 29' 51" W 33.00 FEET;
THENCE S 48° 37' 47" W 57.00 FEET TO THE NORTHEASTERLY SIDELINE OF CEDAR STREET;
THENCE N 43° 29' 51" W ALONG SAID SIDELINE 23.00 FEET;
THENCE N 48°37' 47" E 113.42 FEET;
THENCE N 43° 14' 05' W 58.51 FEET TO THE SOUTHEASTERLY SIDELINE OF HALL'S COURT;
THENCE ALONG SAID SIDELINE THE FOLLOWING COURSES AND DISTANCES:
N 33° 50' 09" E 19.40 FEET;
N 42° 14' 19" E 19.88 FEET;
N 49° 19' 48" E 68.00 FEET TO THE POINT OF BEGINNING.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING THE LAND DESCRIBED AS PARCEL 3 IN DEED FROM OCTOBER CORPORATION TO BAYSIDE IV, LLC DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 242.

Received
Recorded Register of Deeds
Oct 13,2022 02:33:19P
Cumberland County
Jessica M. Spaulding

MAINE REAL ESTATE TAX PAID

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE I, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **60 ELM STREET LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Bayside I, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

BAYSIDE I, LLC

By _____
Thomas A. Toye, III
Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside I, LLC.

_____
Attorney at Law/Notary Public

_____
Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

EXHIBIT A
(Legal Description, 60 Elm Street)

A CERTAIN LOT OR PARCEL OF LAND SITUATED ON THE WESTERLY SIDE OF ELM STREET AND SOUTHERLY SIDE OF OXFORD STREET 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 ELM STREET AND SOUTHERLY SIDE OF OXFORD STREET, THENCE, S 43° 40' 43" E ALONG THE WESTERLY SIDELINE OF ELM STREET A DISTANCE OF 122.92 FEET TO LAND NOW OR FORMERLY OF NORTHEAST INVESTORS, LLC (aka NORTHEAST INVESTORS (MAINE), LLC) AS DESCRIBED IN DEED BOOK 32422, PAGE 197;

THENCE, S 47° 21' 26" W ALONG LAND OF SAID NORTHEAST INVESTORS, LLC A DISTANCE OF 93.70 FEET;

THENCE, N 43° 08' 59" W BY THE NORTHERLY FACE OF THE EXISTING BRICK BUILDING A DISTANCE OF 124.83 FEET TO THE SOUTHERLY SIDELINE OF SAID OXFORD STREET;

THENCE N 48° 33' 13" E ALONG THE SIDELINE OF OXFORD STREET A DISTANCE OF 92.61 FEET TO THE POINT OF BEGINNING, CONTAINING 11,535 S.F. OR 0.26 ACRES, MORE OR LESS.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING A PORTION OF THE LAND DESCRIBED AS PARCEL 1 IN DEED FROM OCTOBER CORPORATION TO BAYSIDE I, LLC DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 91.

Received
Recorded Register of Deeds
Oct 13,2022 02:25:54P
Cumberland County
Jessica M. Spaulding

MAINE REAL ESTATE TAX PAID

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE I, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **196 LANCASTER STREET LLC** a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Bayside I, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

_____

BAYSIDE I, LLC

By _____

Thomas A. Toye, III

Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside I, LLC.

_____

Attorney at Law/~~Notary Public~~

_____

Printed Name Jason G. Howe, Esq.
Bar No. 0004860

Doc#: 51976 Bk:39779 Pg: 233

Received
Recorded Register of Deeds
Oct 13,2022 02:28:31P
Cumberland County
Jessica M. Spaulding

EXHIBIT A
(Legal Description, 196 Lancaster Street East)

A CERTAIN PARCEL OF LAND WITH THE BUILDINGS THEREON SITUATED ON SOUTHEASTERLY SIDE OF LANCASTER STREET EAST, THE SOUTHWESTERLY SIDE OF ELM STREET AND THE NORTHEASTERLY SIDE OF PREBLE STREET IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE Of MAINE AS SHOWN PLAN TITLED "LAND DIVISION PLAN BAYSIDE I, LLC' MADE FOR RECORD OWNER BAYSIDE I, LLC BY OWEN HASKELL, INC. DATED SEPTEMBER 14, 2022, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHEASTERLY SIDELINE OF PREBLE STREET AND THE SOUTHEASTERLY SIDELINE OF LANCASTER STREET EAST;

THENCE, N 49° 39' 27" E ALONG THE SIDELINE OF SAID LANCASTER STREET EAST 199.65 FEET TO THE SOUTHWESTERLY SIDELINE OF ELM STREET;

THENCE, S 43° 45' 13" E ALONG THE SIDELINE OF SAID ELM STREET 134.76 FEET;

THENCE, THE FOLLOWING COURSES AND DISTANCES THROUGH THE LAND OF THE GRANTOR:

S 47° 34' 12" W A DISTANCE OF 93.02 FEET;

S 44° 45' 38" E A DISTANCE OF 7.27 FEET;

S 47° 31' 17" W A DISTANCE OF 109.53 FEET TO THE NORTHEASTERLY SIDELINE Of SAID PREBLE STREET;

THENCE, N 42° 34' 18" W ALONG THE SIDELINE OF PREBLE STREET 149.36 FEET TO THE POINT OF BEGINNING, CONTAINING 28,591 S.F. OR 0.66 ACRES, MORE OR LESS.

BEARINGS ARE REFERENCED TO CITY GRID.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING A PORTION OF THE LAND DESCRIBED AS PARCEL 2 IN DEED FROM OCTOBER CORPORATION TO BAYSIDE I, LLC DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 91.

MAINE REAL ESTATE TAX PAID

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE I, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **WBP COMMERCIAL LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101,with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Bayside I, LLC has caused this instrument to be executed by Thomas A Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

_____

BAYSIDE I, LLC

By _____

Thomas A. Toye, III

Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside I, LLC.

_____

Attorney at Law/Notary Public

_____

Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

EXHIBIT A
(Legal Description, 190 Lancaster Street East)

A CERTAIN PARCEL OF LAND WITH THE BUILDINGS THEREON SITUATED ON THE SOUTHWESTERLY SIDE OF ELM STREET, THE NORTHWESTERLY SIDE OF OXFORD STREET AND THE NORTHEASTERLY SIDE PREBLE STREET IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, STATE OF MAINE AS SHOWN PLAN TITLED "LAND DIVISION PLAN BAYSIDE I, LLC" MADE FOR RECORD OWNER BAYSIDE I, LLC BY OWEN HASKELL, INC. DATED SEPTEMBER 14, 2022, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHEASTERLY SIDELINE OF PREBLE STREET AND THE NORTHWESTERLY SIDELINE OF OXFORD STREET;

THENCE, N 42°34'18" W ALONG THE SIDELINE OF SAID PREBLE STREET 182.30 FEET;

THENCE THE FOLLOWING COURSES AND DISTANCES THROUGH THE LAND OF THE GRANTOR:

N 47° 31' 17" E A DISTANCE OF 109.53 FEET;

N 44° 45' 38" W A DISTANCE OF 7.27 FEET;

N 47° 34' 12" E A DISTANCE OF 93.02 FEET TO THE SOUTHWESTERLY SIDELINE OF ELM STREET;

THENCE, S 43° 45' 13" E ALONG THE SIDELINE OF SAID ELM STREET 193.26 FEET TO THE NORTHWESTERLY SIDELINE OF SAID OXFORD STREET;

THENCE, S 48° 33' 13" W ALONG THE SIDELINE OF OXFORD STREET 206.30 FEET TO THE POINT OF BEGINNING. CONTAINING 38,301 S.F. OR 0.88 ACRES, MORE OR LESS.

BEARINGS ARE REFERENCED TO CITY GRID.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING A PORTION OF THE LAND DESCRIBED AS PARCEL 2 IN DEED FROM OCTOBER CORPORATION TO BAYSIDE I, LLC DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 91.

EXHIBIT A
(Legal Description 62 Elm Street)

A CERTAIN LOT OR PARCEL OF LAND, WITH THE BUILDINGS THEREON, SITUATED ON THE EASTERLY SIDE OF PREBLE STREET AND SOUTHERLY SIDE OF OXFORD STREET IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, AND STATE OF MAINE, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERLY SIDE OF PREBLE STREET AND SOUTHERLY SIDE OF OXFORD STREET, THENCE N 48° 33' 13" E ALONG THE SOUTHERLY SIDE OF OXFORD STREET A DISTANCE OF 114.66 FEET;

THENCE, S 43° 08' 59" E BY THE NORTHERLY FACE OF THE EXISTING BRICK BUILDING A DISTANCE OF 124.83 FEET TO LAND NOW OR FORMERLY OF NORTHERN INVESTORS LLC AS DESCRIBED IN DEED BOOK 32422, PAGE 197;

THENCE, S 47° 21' 26" W ALONG LAND OF SAID NORTHERN INVESTORS LLC AND BY THE FACE OF THE SAID BRICK BUILDING A DISTANCE OF 115.91 FEET TO THE EASTERLY SIDELINE OF SAID PREBLE STREET;

THENCE, N 42° 34' 00" W ALONG THE SIDELINE OF PREBLE STREET A DISTANCE OF 127.22 FEET TO THE POINT OF BEGINNING, CONTAINING 14,526 S.F. OR 0.33 ACRES, MORE OR LESS.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING A PORTION OF THE LAND DESCRIBED AS PARCEL 1 IN DEED FROM OCTOBER CORPORATION TO BAYSIDE I, LLC DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 91.

Received
Recorded Register of Deeds
Oct 13,2022 02:23:43P
Cumberland County
Jessica M. Spaulding

MAINE REAL ESTATE TAX PAID

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE II, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **WBP COMMERCIAL LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Bayside II, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

BAYSIDE II, LLC

By _____
Thomas A. Toye, III
Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside II, LLC.

_____
Attorney at Law/Notary Public

_____
Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

EXHIBIT A
(Legal Description, Parcel 1)

A CERTAIN LOT OR PARCEL OF LAND, WITH THE IMPROVEMENTS THEREON, SITUATED IN THE BLOCK BOUNDED BY ELM, KENNEBEC, CHESTNUT AND LANCASTER STREETS, IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE OF MAINE AND SHOWN AS PARCEL 1 ON ALTA/ACSM LAND TITLE SURVEY ON KENNEBEC STREET, LANCASTER STREET EAST, ELM STREET, CEDAR STREET AND OXFORD STREET, PORTLAND, MAINE MADE FOR BAYSIDE II, LLC BY OWEN HASKELL, INC., DATED JANUARY 24, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 200, PAGE 41 (THE PLAN), BEING BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION MARKING THE NORTHWESTERLY SIDE OF LANCASTER STREET AND THE NORTHEASTERLY SIDE OF ELM STREET;

THENCE, BY THE NORTHEASTERLY SIDE OF ELM STREET N 43° 46' 33" W, A DISTANCE OF 158.86' TO AN ANGLE IN SAID STREET;

THENCE, N 40° 53' 33" W, A DISTANCE OF 31.49' TO THE SOUTHEASTERLY SIDE OF KENNEBEC STREET, MARKING A NON-TANGENT POINT ON A CURVE, IN SAID STREET;

THENCE, NORTHEASTERLY BY THE SOUTHEASTERLY SIDE OF SAID KENNEBEC STREET AND BY A CURVE TO THE LEFT WHOSE RADIUS IS 695.00', AN ARC DISTANCE OF 210.01', TO A POINT OF TANGENCY;

THENCE CONTINUING BY SAID KENNEBEC STREET N 48° 56' 54' E, A DISTANCE OF 251.30', TO THE SOUTHWESTERLY SIDE OF SAID CHESTNUT STREET;

THENCE BY THE SOUTHWESTERLY SIDE OF SAID CHESTNUT STREET S 44° 38' 26" E, A DISTANCE OF 164.71' TO THE NORTHWESTERLY SIDE OF SAID LANCASTER STREET;

THENCE BY THE NORTHWESTERLY SIDE OF SAID LANCASTER STREET S 49° 39' 27" W, A DISTANCE OF 461.02', TO THE POINT OF BEGINNING.

THE PROPERTY IS SUBJECT TO A NOTICE OF ABANDONED UNDERGROUND OIL STORAGE FACIUTY OR TANK NOTICE, DATED APRIL 6, 2011 AND RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 28629, PAGE 238.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING THE SAME LAND DESCRIBED AS PARCEL 1 CONVEYED TO BAYSIDE II, LLC BY QUITCLAIM

DEED OF OCTOBER CORPORATION, DATED JANUARY 26, 2000 AND RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 15298, PAGE 144.

EXHIBIT A
(Legal Description, Parcel 3)

A CERTAIN PARCEL OF LAND, WITH THE OF IMPROVEMENTS THEREON SITUATED ON THE SOUTHEASTERLY SIDE OF LANCASTER STREET, IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, STATE OF MAINE AND SHOWN AS PARCEL 3 ON ALTA/ACSM LAND TITLE SURVEY ON KENNEBEC STREET, LANCASTER STREET EAST, ELM STREET, CEDAR STREET AND OXFORD STREET, PORTLAND, MAINE MADE FOR BAYSIDE II, LLC BY OWEN HASKELL, INC., DATED JANUARY 24, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 200, PAGE 41 (THE PLAN), BEING BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHEASTERLY SIDELINE OF LANCASTER STREET AND THE SOUTHWESTERLY SIDELINE OF CHESTNUT STREET;

THENCE S 44° 38' 26" E ALONG THE SIDELINE OF CHESTNUT STREET 88.08 FEET;
THENCE S 49° 39' 27" W 107.40;
THENCE N 45° 57' 49" W 3.67 FEET;
THENCE S 31° 29' 21" W 4.67 FEET;
THENCE N 43° 29' 51" W 23.77 FEET;
THENCE S 49° 39' 27" W 35.69 FEET;
THENCE N 43° 29' 51" W 28.00 FEET;
THENCE S 49° 39' 27" W 72.00 FEET TO THE NORTHEASTERLY SIDELINE OF CEDAR STREET;
THENCE N 43° 29' 51" W ALONG SAID SIDELINE 34.00 FEET TO THE SOUTHEASTERLY SIDELINE OF LANCASTER STREET;
THENCE N 49° 39' 27" E ALONG SAID SIDELINE 218.00 FEET TO THE POINT OF BEGINNING.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING THE SAME LAND DESCRIBED AS PARCEL 3 CONVEYED TO BAYSIDE II, LLC BY QUITCLAIM DEED OF OCTOBER CORPORATION, DATED JANUARY 26, 2000 AND RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 15298, PAGE 144.

Received
Recorded Register of Deeds
Oct 13,2022 02:22:36P
Cumberland County
Jessica M. Spaulding

MAINE REAL ESTATE TAX PAID

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE IV, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **WBP COMMERCIAL LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Bayside IV, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

BAYSIDE IV, LLC

By _____
Thomas A. Toye, III
Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside IV, LLC.

_____
Attorney at Law/Notary Public

_____
Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

EXHIBIT A
(Legal Description, Parcel 2)

A CERTAIN PARCEL OF LAND, TOGETHER WITH THE IMPROVEMENTS THEREON, SITUATED ON THE SOUTHWESTERLY SIDE OF CHESTNUT STREET AND THE NORTHWESTERLY SIDE OF HALL'S COURT, SO CALLED, IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, STATE OF MAINE AND SHOWN AS PARCEL 2 ON ALTA/ACSM LAND TITLE SURVEY ON CEDAR STREET, LANCASTER STREET EAST, CHESTNUT STREET AND OXFORD STREET, PORTLAND, MAINE FOR BAYSIDE IV, LLC BY OWEN HASKELL, INC., DATED JANUARY 24, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 200, PAGE 43 (THE PLAN), BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHWESTERLY SIDELINE OF CHESTNUT STREET AND THE NORTHWESTERLY SIDELINE OF HALL'S COURT;

THENCE S 49° 19' 48" W ALONG THE SIDELINE OF HALL'S COURT 112.65 FEET;

THENCE N 43° 29' 51" W 31.09 FEET;

THENCE N 49° 39' 27" E 112.08 FEET TO THE SOUTHWESTERLY SIDELINE OF CHESTNUT STREET;

THENCE S 44° 38' 26" E 30.48 FEET TO THE POINT OF BEGINNING.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING THE LAND DESCRIBED AS PARCEL 2 IN DEED FROM OCTOBER CORPORATION TO BAYSIDE IV, LLC DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 242.

Received
Recorded Register of Deeds
Oct 13,2022 02:21:12P
Cumberland County
Jessica M. Spaulding

MAINE REAL ESTATE TAX PAID

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE I, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **60 ELM STREET LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Bayside I, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

BAYSIDE I, LLC

By _____
Thomas A. Toye, III
Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside I, LLC.

_____
Attorney at Law/Notary Public

_____
Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

EXHIBIT A
(Legal Description, 60 Elm Street)

A CERTAIN LOT OR PARCEL OF LAND SITUATED ON THE WESTERLY SIDE OF ELM STREET AND SOUTHERLY SIDE OF OXFORD STREET 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 ELM STREET AND SOUTHERLY SIDE OF OXFORD STREET, THENCE, S 43° 40' 43" E ALONG THE WESTERLY SIDELINE OF ELM STREET A DISTANCE OF 122.92 FEET TO LAND NOW OR FORMERLY OF NORTHEAST INVESTORS, LLC (aka NORTHEAST INVESTORS (MAINE), LLC) AS DESCRIBED IN DEED BOOK 32422, PAGE 197;

THENCE, S 47° 21' 26" W ALONG LAND OF SAID NORTHEAST INVESTORS, LLC A DISTANCE OF 93.70 FEET;

THENCE, N 43° 08' 59" W BY THE NORTHERLY FACE OF THE EXISTING BRICK BUILDING A DISTANCE OF 124.83 FEET TO THE SOUTHERLY SIDELINE OF SAID OXFORD STREET;

THENCE N 48° 33' 13" E ALONG THE SIDELINE OF OXFORD STREET A DISTANCE OF 92.61 FEET TO THE POINT OF BEGINNING, CONTAINING 11,535 S.F. OR 0.26 ACRES, MORE OR LESS.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING A PORTION OF THE LAND DESCRIBED AS PARCEL 1 IN DEED FROM OCTOBER CORPORATION TO BAYSIDE I, LLC DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 91.

Received
Recorded Register of Deeds
Oct 13,2022 02:25:54P
Cumberland County
Jessica M. Spaulding

MAINE REAL ESTATE TAX PAID

QUITCLAIM DEED WITH COVENANT

KNOW ALL BY THESE PRESENTS that J.B. BROWN & SONS, a Maine corporation, of Portland, County of Cumberland and State of Maine (the "Grantor"), for full value and consideration paid, hereby grants to SCHLOTTERBECK BLOCK LLC, a Maine limited liability company, having a mailing address 104 Grant Street, Portland, Maine 04101 (the "Grantee"), with QUITCLAIM COVENANT, certain real estate in the City of Portland, County of Cumberland and State of Maine, being more particularly described in Exhibit A attached hereto and made a part hereof.

The property hereby conveyed is subject to the encumbrances listed on Exhibit B.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed as of the 20th day of January, 2016.

WITNESS:

J.B. BROWN & SONS

By: _____
Vincent P. Veroneau
Its President

STATE OF MAINE
COUNTY OF CUMBERLAND

January 20th, 2016

Personally appeared before me the above-named Vincent P. Veroneau, President of J.B. Brown & Sons, and acknowledged the foregoing instrument to be his free act and deed in said capacity, and the free act and deed of J.B. Brown & Sons.

SEAL

_____
Notary Public/Attorney-at-Law
Print Name: _____
My Commission Expires: _____

JUDE A. CLUFF
NOTARY PUBLIC, MAINE
MY COMMISSION EXPIRES OCTOBER 27, 2020

Exhibit A

A certain lot or parcel of land with the buildings thereon, situated on the easterly side of Preble Street and the westerly side of Elm Street in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

Beginning on the easterly side line of Preble Street at a point twenty-eight (28) feet northerly, measured on said line from the northerly side line of Lancaster Street, said point being the southerly corner of land conveyed by Francis Fessenden to the Portland and Rochester Railroad by deed dated June 26, 1891 and recorded in the Cumberland County Registry of Deeds in Book 582, Page 23; thence easterly on a line parallel with said Lancaster Street along the southerly line of said land conveyed by said Fessenden, one hundred two and ninety-five hundredths (102.95) feet more or less, to land conveyed by Karl N. Murch to Cushman Baking Company by deed dated December 20, 1921 and recorded in said registry in Book 1091, Page 336; thence northerly along the westerly line of said last mentioned land four and ninety-seven hundredths (4.97) feet, more or less, to the southerly line of land conveyed by Mary J.E. Clapp to the Portland and Rochester Railroad by deed dated June 29, 1891 and recorded in said registry in Book 580, Page 338; thence easterly on a line parallel with said Lancaster Street, along the southerly line of said last mentioned land ninety-five and one tenth (95.1) feet, more or less, to the westerly side line of Elm Street at a point thirty-three (33) feet northerly measured along said line of Elm Street from the northerly side line of Lancaster Street, thence northerly along said line of Elm Street one hundred twenty-one and fifty-five hundredths (121.55) feet; thence westerly on a straight line two hundred seven and fifty-eight hundredths (207.58) feet to a point on the easterly side line of Preble Street one hundred eighty-nine (189) feet northerly from point of beginning; thence southerly on said line of Preble Street to the point of beginning.

For source of title, reference is made to a Quitclaim Deed With Covenant from The Foss Company to J.B. Brown & Sons dated September 24, 2008 and recorded in the Cumberland County Registry of Deeds in Book 26354, Page 312.

Also a certain lot or parcel of land situated in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

Beginning at an iron pipe in the northeasterly sideline of Preble Street, said pipe being at the westerly corner of a parcel of land conveyed by Portland Terminal Company to Schlotterbeck & Foss Co. by deed dated December 17, 1925 and recorded in the Cumberland County Registry of Deeds in Book 1224, Page 397; thence northeasterly in the northwesterly sideline of said land of Schlotterbeck & Foss Co. a distance of two hundred seven and fifty-eight hundredths (207.58) feet, more or less, to an iron pipe in the southwesterly sideline of Elm Street, said pipe being at the northerly corner of said land of Schlotterbeck & Foss Co.; thence northwesterly in a

southwesterly sideline of Elm Street a distance of fifty-three (53) feet, more or less, to its intersection with the southeasterly sideline of Kennebec Street a distance of two hundred five (205) feet, more or less, to its intersection with the northeasterly sideline of Preble Street; thence southeasterly in said northeasterly sideline of said Preble Street a distance of fifty-four (54) feet, more or less, to the point of beginning. Meaning and intending to convey all the land of the Portland Terminal Company lying between Preble and Elm Streets and between the northwesterly sideline of land of Schlotterbeck & Foss Company, Inc. and Kennebec Street.

For source of title, reference is made to a Quitclaim Deed With Covenant from The Foss Company to J.B. Brown & Sons dated September 24, 2008 and recorded in the Cumberland County Registry of Deeds in Book 26354, Page 314.

Also a certain parcel of land, with the improvements thereon, situated on the northwesterly side of Lancaster Street, the southwesterly side of Elm Street and the northeasterly side of Preble Street in the City of Portland, County of Cumberland and State of Maine and shown as Parcel 3 on ALTA/ACSM Land Title Survey on Preble Street, Lancaster Street East, Elm Street and Oxford Street, Portland, Maine made for Bayside I, LLC by Owen Haskell, Inc., dated January 26, 2000 and recorded in Cumberland County Registry of Deeds in Plan Book 200, Page 40, bounded and described as follows:

Beginning at the point of intersection of the northeasterly sideline of Preble Street and the northwesterly sideline of Lancaster Street;

Thence, N 42°34'18" W by Preble Street 28.00 feet to the land now or formerly of Schlotterbeck & Foss Co. as described in the deed recorded in said Registry of Deeds in Book 1224, Page 397;

Thence, the following courses by Schlotterbeck & Foss:

N 49° 39' 27" E a distance of 102.97 feet to a 6" by 6" concrete monument found;
N 43° 46' 33" W a distance of 4.97 feet to a 6" by 6" concrete monument found;
N 49° 39' 27" E a distance of 94.88 feet to Elm Street;

Thence, S 43°46' 33" E by Elm Street 33.00 feet to Lancaster Street;

Thence, S 49°39' 27" W by Lancaster Street 198.44 feet to the point of beginning.

For source of title, reference is made to a Quitclaim Deed With Covenant from Bayside I, LLC to J.B. Brown & Sons dated March 1, 2012 and recorded in the Cumberland County Registry of Deeds in Book 29387, Page 27.

Also hereby releasing to the Grantee, without covenant, all of the Grantor's right, title and interest in and to the following described parcel of land, together with the buildings and improvements thereon, bounded by Kennebec, Preble, Elm and Lancaster Streets in said Portland, and as depicted on that certain "ALTA/ACSM Land Title Survey on #117 Preble Street & #195 Lancaster Street, Portland, Cumberland County, Maine", made for Schlotterbeck Block LLC dated January 6, 2016 by Owen Haskell, Inc.:

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

Beginning at a point on the easterly sideline of Preble Street at the intersection with the southerly sideline of Kennebec Street;

Thence, N 67°23'22" E along the southerly sideline of said Kennebec Street 208.27 feet to the westerly sideline of Elm Street;

Thence, S 40°58'03" E along the westerly sideline of Elm Street 38.49 feet;

Thence, S 43°47'56" E along the westerly sideline of said Elm Street 168.10 feet to the northerly sideline of Lancaster Street;

Thence, S 49°38'04" W along the northerly sideline of said Lancaster Street 198.44 feet to the easterly sideline of Preble Street;

Thence, N 42°34'06" W along the easterly sideline of said Preble Street 270.00 feet to the southerly sideline of Kennebec Street and the point of beginning.

EXHIBIT B
(List of Encumbrances)

117-119 Preble Street

1. Commissioner's Certification of Completion of Remedial Actions Under a Voluntary Response Action Plan recorded in the Cumberland County Registry of Deeds in Book 26383, Page 323.

2. Declaration of Environmental Covenant recorded in Book 26409, Page 214 of the Cumberland County Registry of Deeds.

195 Lancaster Street

1. Such state of facts as shown on a "ALTA/ACSM Land Title Survey on Preble Street, Lancaster Street East, Elm Street and Oxford Street, Portland, Maine" made for Bayside I, LLC, by Owen Haskell, Inc., dated January 26, 2000 and recorded in the Cumberland County Registry of Deeds in Plan Book 200, Page 40.

2. Such state of facts as shown on a "ALTA/ACSM Land Title Survey on #117 Preble Street & #195 Lancaster Street, Portland, Cumberland County, Maine", made for Schlotterbeck Block LLC dated January 6, 2016 by Owen Haskell, Inc.

Received
Recorded Register of Deeds
Jan 22,2016 03:16:28P
Cumberland County
Nancy A. Lane

MAINE REAL ESTATE TAX PAID

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE II, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **WBP COMMERCIAL LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Bayside II, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

BAYSIDE II, LLC

By _____
Thomas A. Toye, III
Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside II, LLC.

_____
Attorney at Law/Notary Public

_____
Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

EXHIBIT A
(Legal Description, Parcel 1)

A CERTAIN LOT OR PARCEL OF LAND, WITH THE IMPROVEMENTS THEREON, SITUATED IN THE BLOCK BOUNDED BY ELM, KENNEBEC, CHESTNUT AND LANCASTER STREETS, IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE OF MAINE AND SHOWN AS PARCEL 1 ON ALTA/ACSM LAND TITLE SURVEY ON KENNEBEC STREET, LANCASTER STREET EAST, ELM STREET, CEDAR STREET AND OXFORD STREET, PORTLAND, MAINE MADE FOR BAYSIDE II, LLC BY OWEN HASKELL, INC., DATED JANUARY 24, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 200, PAGE 41 (THE PLAN), BEING BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION MARKING THE NORTHWESTERLY SIDE OF LANCASTER STREET AND THE NORTHEASTERLY SIDE OF ELM STREET;

THENCE, BY THE NORTHEASTERLY SIDE OF ELM STREET N 43° 46' 33" W, A DISTANCE OF 158.86' TO AN ANGLE IN SAID STREET;

THENCE, N 40° 53' 33" W, A DISTANCE OF 31.49' TO THE SOUTHEASTERLY SIDE OF KENNEBEC STREET, MARKING A NON-TANGENT POINT ON A CURVE, IN SAID STREET;

THENCE, NORTHEASTERLY BY THE SOUTHEASTERLY SIDE OF SAID KENNEBEC STREET AND BY A CURVE TO THE LEFT WHOSE RADIUS IS 695.00', AN ARC DISTANCE OF 210.01', TO A POINT OF TANGENCY;

THENCE CONTINUING BY SAID KENNEBEC STREET N 48° 56' 54' E, A DISTANCE OF 251.30', TO THE SOUTHWESTERLY SIDE OF SAID CHESTNUT STREET;

THENCE BY THE SOUTHWESTERLY SIDE OF SAID CHESTNUT STREET S 44° 38' 26" E, A DISTANCE OF 164.71' TO THE NORTHWESTERLY SIDE OF SAID LANCASTER STREET;

THENCE BY THE NORTHWESTERLY SIDE OF SAID LANCASTER STREET S 49° 39' 27" W, A DISTANCE OF 461.02', TO THE POINT OF BEGINNING.

THE PROPERTY IS SUBJECT TO A NOTICE OF ABANDONED UNDERGROUND OIL STORAGE FACIUTY OR TANK NOTICE, DATED APRIL 6, 2011 AND RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 28629, PAGE 238.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING THE SAME LAND DESCRIBED AS PARCEL 1 CONVEYED TO BAYSIDE II, LLC BY QUITCLAIM

DEED OF OCTOBER CORPORATION, DATED JANUARY 26, 2000 AND RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 15298, PAGE 144.

EXHIBIT A
(Legal Description, Parcel 3)

A CERTAIN PARCEL OF LAND, WITH THE OF IMPROVEMENTS THEREON SITUATED ON THE SOUTHEASTERLY SIDE OF LANCASTER STREET, IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, STATE OF MAINE AND SHOWN AS PARCEL 3 ON ALTA/ACSM LAND TITLE SURVEY ON KENNEBEC STREET, LANCASTER STREET EAST, ELM STREET, CEDAR STREET AND OXFORD STREET, PORTLAND, MAINE MADE FOR BAYSIDE II, LLC BY OWEN HASKELL, INC., DATED JANUARY 24, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 200, PAGE 41 (THE PLAN), BEING BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHEASTERLY SIDELINE OF LANCASTER STREET AND THE SOUTHWESTERLY SIDELINE OF CHESTNUT STREET;

THENCE S 44° 38' 26" E ALONG THE SIDELINE OF CHESTNUT STREET 88.08 FEET;
THENCE S 49° 39' 27" W 107.40;
THENCE N 45° 57' 49" W 3.67 FEET;
THENCE S 31° 29' 21" W 4.67 FEET;
THENCE N 43° 29' 51" W 23.77 FEET;
THENCE S 49° 39' 27" W 35.69 FEET;
THENCE N 43° 29' 51" W 28.00 FEET;
THENCE S 49° 39' 27" W 72.00 FEET TO THE NORTHEASTERLY SIDELINE OF CEDAR STREET;
THENCE N 43° 29' 51" W ALONG SAID SIDELINE 34.00 FEET TO THE SOUTHEASTERLY SIDELINE OF LANCASTER STREET;
THENCE N 49° 39' 27" E ALONG SAID SIDELINE 218.00 FEET TO THE POINT OF BEGINNING.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING THE SAME LAND DESCRIBED AS PARCEL 3 CONVEYED TO BAYSIDE II, LLC BY QUITCLAIM DEED OF OCTOBER CORPORATION, DATED JANUARY 26, 2000 AND RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 15298, PAGE 144.

Received
Recorded Register of Deeds
Oct 13,2022 02:22:36P
Cumberland County
Jessica M. Spaulding

MAINE REAL ESTATE TAX-Paid

QUITCLAIM DEED WITH COVENANT

DLN: 1002240211933

NORTHEAST INVESTORS, LLC (a/k/a NORTHEAST INVESTORS (MAINE), LLC), a Delaware limited liability company with a place of business located at PO Box 6, Kents Hill, ME 04349 (the "Grantor"), for consideration paid, grants to **WBP GARAGE LLC,** a Maine limited liability company with a mailing address: c/o Port Property Management, Inc., 82 Hanover Street, Suite 5, Portland, ME 04101, with Quitclaim Covenant, a certain parcel of land, together with buildings thereon, situated on the northerly side of Cumberland Avenue, the easterly side of Preble Street and the westerly side of Elm Street in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

Beginning at a point on the easterly side line of Preble Street at the southwest corner of the land now or formerly of Douglas T. and Linda A. Cardente (see Cumberland County Registry of Deeds Book 6727, Page 52 and 55), which point is on the westerly extension of the southerly side of the two story brick building on the land now or formerly of Cardente;

Thence N 59° 00' 05" E by land now or formerly of Cardente and by said building and the extension thereof 209.61 feet to the westerly sideline of Elm Street;

Thence S 32° 02' 05" E by Elm Street 187.98 feet to Cumberland Avenue;

Thence S 62° 01' 40" W by Cumberland Avenue 213.54 feet to Preble Street;

Thence N 30° 55' 22" W by Preble Street 176.67 feet to the point of beginning.

Reference is made to the following surveys:

1. ALTA/ACSM Land Title Survey on Congress Street, Cumberland Avenue, Preble Street & Elm Street, Portland, Maine made for record owner October Corporation by Owen Haskell, Inc. dated August 23, 2006.

DOC :49664 BK:39746 PG:217
RECEIVED - RECORDED, CUMBERLAND COUNTY REGISTER OF DEEDS
09/29/2022, 08:03:09A
Register of Deeds Jessica M. Spaulding E-RECORDED

2. ALTA/ACSM Land Title Survey on Congress Street, Cumberland Avenue, Preble Street & Elm Street, Portland, Maine made for record owner GRE Congress Canal LLC dated January 10, 2007, prepared by Owen Haskell, Inc.

3. ALTA/ACSM Land Title Survey, 315 Cumberland Avenue, Portland, Maine made for Bush-Watson dated May 25, 2022 and last revised June 7, 2022, prepared by Owen Haskell, Inc.

The parcel described above is conveyed TOGETHER WITH all of Grantor's right, title and interest in and to, and SUBJECT TO the rights, easements, terms and conditions of that certain Easement Agreement between GRE Congress Canal LLC and Atlantic National Holdings, LLC dated June 2, 2008 and recorded in the Cumberland County Registry of Deeds in Book 26103, Page 335.

Meaning and intending to convey the premises described in deed of L. E. Springer, Inc. to Northeast Investors, LLC, a Delaware limited liability company authorized to do business in the State of Maine under the name of Northeast Investors (Maine), LLC, dated July 10, 2015 and recorded in the Cumberland County Registry of Deeds in Book 32422, Page 197.

IN WITNESS WHEREOF the said Northeast Investors, LLC has caused this deed to be executed by Stephen B. Hammond, Trustee of the Stephen B. Hammond Grantor Trust u/d November 25, 2019, its sole member duly authorized this 28th day of September, 2022.

Signed, Sealed and Delivered
in the presence of

_____
Witness

NORTHEAST INVESTORS, LLC

_____
By: Stephen B. Hammond, Trustee of the Stephen B. Hammond Grantor Trust
Its: Sole Member

STATE OF MAINE
COUNTY OF Cumberland

Sept. 28, 2022

Personally appeared the above-named Stephen B. Hammond, in his said capacity as Trustee of the Stephen B. Hammond Grantor Trust, as Sole Member of Northeast Investors, LLC and acknowledged the foregoing instrument to be his free act and deed in said capacity, and the free act and deed of Northeast Investors, LLC.

Before me,

_____
~~Notary Public~~/Attorney-at-Law
Printed Name: MARY A. DENSON
My Commission Expires: _____
Maine Bar No. 9301

LD/cm
NTS

Evidence of Right, Title and Interest

See attached deeds showing ownership for the proposed development parcels.

MAINE REAL ESTATE TAX PAID

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE II, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **73 ELM STREET LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Bayside II, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

BAYSIDE II, LLC

By_____
Thomas A. Toye, III
Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside II, LLC.

_____
Attorney at Law/Notary Public

_____
Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

Doc#: 51977 Bk:39779 Pg: 235

Received
Recorded Register of Deeds
Oct 13,2022 02:29:58P
Cumberland County
Jessica M. Spaulding

EXHIBIT A
(Legal Description, Parcel to 73 Elm Street LLC)

A CERTAIN LOT OR PARCEL OF LAND WITH THE IMPROVEMENTS THEREON SITUATED ON THE NORTHEASTERLY SIDELINE OF ELM STREET AND THE NORTHWESTERLY SIDE OF OXFORD STREET IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE OF MAINE AS SHOWN PLAN TITLED "LAND DIVISION PLAN BAYSIDE II, LLC" MADE FOR RECORD OWNER BAYSIDE II, LLC BY OWEN HASKELL, INC. DATED SEPTEMBER 14, 2022, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHWESTERLY SIDELINE OF OXFORD STREET AND THE NORTHEASTERLY SIDELINE OF ELM STREET;

THENCE, N 43° 45' 13" W ALONG SAID SIDELINE OF SAID ELM STREET 111.92 FEET; THENCE, THE FOLLOWING COURSES AND DISTANCES THROUGH THE LAND OF THE GRANTOR:

N 46° 08' 15" E A DISTANCE OF 90.10 FEET;

S 43° 54' 25" E A DISTANCE OF 31.26 FEET;

N 49° 53' 31" E A DISTANCE OF 55.81 FEET TO THE WESTERLY CORNER OF LAND NOW OR FORMERLY OF DAVID B. NOWLIN AS DESCRIBED IN DEED BOOK 25148, PAGE 336;

THENCE, S 42° 36' 35" E ALONG THE LAND OF SAID NOWLIN 83.34 FEET TO THE NORTHWESTERLY SIDELINE OF SAID OXFORD STREET;

THENCE, S 48° 38' 53" W ALONG THE SIDELINE OF OXFORD STREET 144.34 FEET TO THE POINT OF BEGINNING, CONTAINING 14,879 S.F. OR 0.34 ACRES. MORE OR LESS.

BEARINGS ARE REFERENCED TO CITY GRID.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING A PORTION OF THE LAND DESCRIBED AS PARCEL 2 CONVEYED TO BAYSIDE II, LLC BY QUITCLAIM DEED OF OCTOBER CORPORATION, DATED JANUARY 26, 2000 AND RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 15298, PAGE 144.

MAINE REAL ESTATE TAX PAID

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE II, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **89 ELM STREET LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Bayside II, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

BAYSIDE II, LLC

By _____
Thomas A. Toye, III
Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside II, LLC.

_____
Attorney at Law/Notary Public

_____
Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

EXHIBIT A
(Legal Description, Parcel 2)

A CERTAIN LOT OR PARCEL OF LAND, WITH THE IMPROVEMENTS THEREON SITUATED ON THE NORTHEASTERLY SIDELINE OF ELM STREET, THE SOUTHEASTERLY SIDELINE OF LANCASTER STREET EAST AND THE SOUTHWESTERLY SIDELINE OF CEDAR STREET AND IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE OF MAINE AS SHOWN ON A PLAN TITLED "LAND DIVISION PLAN BAYSIDE II, LLC" MADE FOR RECORD OWNER BAYSIDE II, LLC BY OWEN HASKELL, INC. DATED SEPTEMBER 14, 2022, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHEASTERLY SIDELINE OF LANCASTER STREET EAST AND THE NORTHEASTERLY SIDELINE OF ELM STREET;

THENCE, N 49° 39' 27" E ALONG SAID SIDELINE OF LANCASTER STREET EAST 210.57 FEET TO THE SOUTHWESTERLY SIDELINE OF CEDAR STREET;

THENCE, S 43° 29' 51" E ALONG SAID SIDELINE OF CEDAR STREET 40.00 FEET TO THE NORTHEASTERLY CORNER OF LAND NOW OR FORMERLY OF BAYSIDE IV, LLC AS DESCRIBED IN DEED BOOK 35293, PAGE 78;

THENCE, THE FOLLOWING COURSES AND DISTANCES ALONG SAID BAYSIDE IV, LLC LAND:

S 49° 39' 26" W A DISTANCE OF 117.00 FEET;

S 42° 13' 00" E A DISTANCE OF 39.96 FEET;

N 49° 39' 26" E A DISTANCE OF 117.89 FEET TO THE SOUTHWESTERLY SIDELINE OF SAID CEDAR STREET;

THENCE, S 43° 29' 51" E ALONG THE SIDELINE OF CEDAR STREET 39.34 FEET TO THE NORTHERLY CORNER OF LAND NOW OR FORMERLY OF AMELIA A. LABRECK AS DESCRIBED IN DEED BOOK 37970, PAGE 11;

THENCE, BY THE FOLLOWING COURSES AND DISTANCES ALONG SAID LABRECK LAND:

S 48° 42' 12" W A DISTANCE OF 118.73 FEET;
S 42° 13' 00" E A DISTANCE OF 40.00 FEET;

N 48° 41' 30" E A DISTANCE OF 119.62 FEET TO THE SIDELINE OF SAID CEDAR STREET;

THENCE, S 43° 29' 51" E ALONG THE SIDELINE OF CEDAR STREET 80.62 FEET TO THE NORTHERLY CORNER OF LAND NOW OR FORMERLY OF DAVID B. NOWLIN AS DESCRIBED IN DEED BOOK 25148, PAGE 336;

THENCE, S 48° 41' 30" W ALONG SAID NOWLIN LAND 63.30 FEET;

THENCE, THE FOLLOWING COURSES AND DISTANCES THROUGH THE LAND OF THE GRANTOR:

S 49°53'31" W A DISTANCE OF 55.81 FEET;

N 43°54'25" W A DISTANCE OF 31.26 FEET;

S 46°08'15" W A DISTANCE OF 90.10 FEET TO THE NORTHEASTERLY SIDELINE OF SAID ELM STREET;

THENCE, N 43°45'13" W ALONG THE SIDELINE OF ELM STREET 215.15 FEET TO THE POINT OF BEGINNING, CONTAINING 38,462 S.F. OR 0.88 ACRES, MORE OR LESS.

BEARINGS ARE REFERENCED TO CITY GRID.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING A PORTION OF THE LAND DESCRIBED AS PARCEL 2 CONVEYED TO BAYSIDE II, LLC BY QUITCLAIM DEED OF OCTOBER CORPORATION, DATED JANUARY 26, 2000 AND RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 15298, PAGE 144.

Received
Recorded Register of Deeds
Oct 13,2022 02:30:55P
Cumberland County
Jessica M. Spaulding

Doc#: 51979 Bk:39779 Pg: 239

MAINE REAL ESTATE TAX PAID

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE III, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **197 OXFORD STREET LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Bayside III, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

BAYSIDE III, LLC

By _____
Thomas A. Toye, III
Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside III, LLC.

_____
Attorney at Law/Notary Public

_____
Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

EXHIBIT A
(Legal Description, Parcel 1)

A CERTAIN PARCEL OF LAND, TOGETHER WITH THE IMPROVEMENTS THEREON, SITUATED ON THE NORTHWESTERLY SIDE OF OXFORD STREET IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, STATE OF MAINE, AND SHOWN AS PARCEL 1 ON ALTA/ACSM LAND TITLE SURVEY ON CEDAR STREET, CHESTNUT STREET, ELM STREET AND OXFORD STREET, PORTLAND, MAINE FOR BAYSIDE III, LLC BY OWEN HASKELL, INC., DATED JANUARY 24, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY Of DEEDS IN PLAN BOOK 200, PAGE 42 (THE "PLAN'), BOUNDED AND DESCRIBED AS FOLLOWS:

THENCE S 48° 37' 47" W ALONG THE SIDELINE OF OXFORD STREET 167.19 FEET;

THENCE N 43° 29' 51" W 67.00 FEET;

THENCE N 48° 37' 47" E 35.54 FEET;

THENCE N 00° 14' 40" E 2.72 FEET;

THENCE N 52° 33' 00" E 18.73 FEET;

THENCE N 41° 16' 13" W 3.10 FEET;

THENCE N 49° 06' 44" E 109.65 FEET TO THE SOUTHWESTERLY SIDELINE OF CHESTNUT STREET;

THENCE S 44° 38' 26" E 70.00 FEET TO THE POINT OF BEGINNING.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING A PORTION OF THE PREMISES CONVEYED TO BAYSIDE III, LLC BY QUITCLAIM DEED FROM OCTOBER CORPORATION, DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 193.

Received
Recorded Register of Deeds
Oct 13,2022 02:32:29P
Cumberland County
Jessica M. Spaulding

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

MAINE REAL ESTATE TAX PAID

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE IV, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **89 ELM STREET LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Bayside IV, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

BAYSIDE IV, LLC

By _____
Thomas A. Toye, III
Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside IV, LLC.

_____
Attorney at Law/Notary Public

_____
Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

EXHIBIT A
(Legal Description, Parcel 5- 50 Cedar Street)

A CERTAIN LOT OR PARCEL OF LAND WITH ALL THE BUILDINGS THEREON, SITUATED ON THE SOUTHWESTERLY SIDE OF CEDAR STREET, IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE OF MAINE, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A STAKE ON THE LINE OF SAID STREET DISTANT TWO HUNDRED FORTY-FOUR AND FOUR TENTHS (244.4) FEET NORTHWESTERLY FROM OXFORD STREET AT THE NORTHERLY CORNER OF LAND SOLD BY THE ADMINISTRATOR OF WILLIAM WEBB'S ESTATE TO JOSIAH M. HASKELL AND RUNNING THENCE NORTHWESTERLY BY SAID CEDAR STREET FORTY (40) FEET TO A STAKE;

THENCE SOUTHWESTERLY ON A LINE PARALLEL WITH THE NORTHWESTERLY SIDE OF SAID HASKELL'S LAND ONE HUNDRED SEVENTEEN (117) FEET, MORE OR LESS, TO THE SOUTHWESTERLY SIDELINE OF LAND OF WHICH THE SAID WEBB DIED SEIZED;

THENCE SOUTHEASTERLY BY SAID SOUTHWESTERLY SIDELINE OF SAID WEBB'S LAND TO MOST WESTERLY CORNER OF SAID HASKELL'S LOT;

THENCE NORTHEASTERLY BY SAID HASKELL'S LAND ONE HUNDRED SEVENTEEN (117) FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

BEING THE SAME PREMISES CONVEYED BY DEED DATED NOVEMBER 16, 2018 FROM 50 CEDAR STREET, LLC, TO BAYSIDE IV, LLC, AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 35293, PAGE 77, AND BY DEED RECORDED IN SAID REGISTRY AT BOOK 35293, PAGE 78.

Received
Recorded Register of Deeds
Oct 13,2022 02:35:36P
Cumberland County
Jessica M. Spaulding

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE IV, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **149 LANCASTER STREET LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

MAINE REAL ESTATE TAX PAID

IN WITNESS WHEREOF, the said Bayside IV, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

BAYSIDE IV, LLC

By _____
Thomas A. Toye, III
Its: Sole Member

STATE OF MAINE__
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside IV, LLC.

_____
Attorney at Law/Notary Public

_____
Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

EXHIBIT A
(Legal Description, Parcel 1)

A CERTAIN LOT OR PARCEL OF LAND, TOGETHER WITH THE IMPROVEMENTS THEREON, SITUATED ON THE NORTHWESTERLY SIDE OF LANCASTER STREET AND THE NORTHEASTERLY SIDE OF CHESTNUT STREET, IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, AND STATE OF MAINE, AND SHOWN AS PARCEL 1 ON ALTA/ACSM LAND TITLE SURVEY ON CEDAR STREET, LANCASTER STREET EAST, CHESTNUT STREET AND OXFORD STREET, PORTLAND, MAINE FOR BAYSIDE IV, LLC BY OWEN HASKELL, INC., DATED JANUARY 24, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 200, PAGE 43 (THE PLAN), BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHEASTERLY SIDE OF SAID CHESTNUT STREET AND THE NORTHWESTERLY SIDE OF LANCASTER STREET;

THENCE BY THE NORTHEASTERLY SIDE OF CHESTNUT STREET N 44° 38' 26" W, A DISTANCE OF 165.33 FEET, TO THE SOUTHEASTERLY SIDE OF KENNEBEC STREET;

THENCE BY THE SOUTHEASTERLY SIDE OF SAID KENNEBEC STREET N 49° 02' 07' E, A DISTANCE OF 84.95 FEET, TO THE NORTHWESTERLY CORNER OF LAND CONVEYED TO E. PERRY IRON AND METAL CO. AS DESCRIBED IN THE DEED RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 12604 PAGE 268;

THENCE BY LAND NOW OR FORMERLY OF SAID E. PERRY IRON AND METAL CO. ON THE FOLLOWING COURSES:

S 40° 57' 53" E, A DISTANCE OF 117.11 FEET;
N 49° 02' 47" E, A DISTANCE OF 40.11 FEET;
S 43° 43' 01" E, A DISTANCE OF 47.93 FEET, TO THE NORTHWESTERLY SIDE OF SAID LANCASTER STREET;

THENCE BY THE NORTHWESTERLY SIDE OF SAID LANCASTER STREET S 49° 02' 07" W, A DISTANCE OF 116.76 FEET TO THE POINT OF BEGINNING.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING THE LAND DESCRIBED AS PARCEL 1 IN DEED FROM OCTOBER CORPORATION TO BAYSIDE IV, LLC DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 242.

Received
Recorded Register of Deeds
Oct 13,2022 02:34:34P
Cumberland County
Jessica M. Spaulding

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE IV, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **197 OXFORD STREET LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

MAINE REAL ESTATE TAX PAID

IN WITNESS WHEREOF, the said Bayside IV, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

BAYSIDE IV, LLC

By_____
Thomas A. Toye, III
Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside IV, LLC.

_____
Attorney at Law/Notary Public

_____
Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

EXHIBIT A
(Legal Description, Parcel 4)

A CERTAIN PARCEL OF LAND, TOGETHER WITH THE IMPROVEMENTS THEREON, SITUATED ON THE NORTHWESTERLY SIDE OF OXFORD STREET, AND THE NORTHEASTERLY SIDE OF CEDAR STREET IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND STATE OF MAINE AND SHOWN AS PARCEL 4 ON ALTA/ACSM LAND TITLE SURVEY ON CEDAR STREET, LANCASTER STREET EAST, CHESTNUT STREET AND OXFORD STREET, PORTLAND, MAINE FOR BAYSIDE IV, LLC BY OWEN HASKELL. INC., DATED JANUARY 24, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 200, PAGE 43 (THE PLAN), BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHWESTERLY SIDELINE OF OXFORD STREET AND THE NORTHEASTERLY SIDELINE OF CEDAR STREET;

THENCE N 43° 29' 51" W ALONG THE SIDELINE OF CEDAR STREET 64.50 FEET;
THENCE N 48° 37' 47" E 57.00 FEET;
THENCE S 43° 29' 51" E 64.50 FEET TO THE NORTHWESTERLY SIDELINE OF OXFORD STREET;
THENCE S 48° 37' 47" W ALONG SAID SIDELINE 57.00 FEET TO THE POINT OF BEGINNING.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING THE LAND DESCRIBED AS PARCEL 4 IN DEED FROM OCTOBER CORPORATION TO BAYSIDE IV, LLC DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 242.

EXHIBIT A
(Legal Description, Parcel 3)

A CERTAIN PARCEL OF LAND, TOGETHER WITH THE IMPROVEMENTS THEREON. SITUATED ON THE SOUTHWESTERLY SIDE OF CHESTNUT STREET AND THE SOUTHEASTERLY SIDE OF HALL'S COURT, SO CALLED, IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, STATE OF MAINE AND SHOWN AS PARCEL 3 ON ALTA/ACSM LAND TITLE SURVEY ON CEDAR STREET, LANCASTER STREET EAST, CHESTNUT STREET AND OXFORD STREET, PORTLAND, MAINE FOR BAYSIDE IV, LLC BY OWEN HASKELL, INC., DATED JANUARY 24, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 200, PAGE 43 (THE PLAN), BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHWESTERLY SIDELINE OF CHESTNUT STREET AND THE SOUTHEASTERLY SIDELINE OF HALL'S COURT;

THENCE S 44° 38' 26" E ALONG THE SIDELINE OF CHESTNUT STREET 78.04 FEET;
THENCE S 49° 06' 44" W 108.67 FEET;
THENCE S 43° 14' 05" E 39.95 FEET;
THENCE S 41°16' 13" E 3.10 FEET;
THENCE S 52° 33' 00" W 18.73 FEET;
THENCE S 00°14' 40" W 2.72 FEET;
THENCE S 48° 37' 47" W 35.54 FEET;
THENCE N 43° 29' 51" W 33.00 FEET;
THENCE S 48° 37' 47" W 57.00 FEET TO THE NORTHEASTERLY SIDELINE OF CEDAR STREET;
THENCE N 43° 29' 51" W ALONG SAID SIDELINE 23.00 FEET;
THENCE N 48°37' 47" E 113.42 FEET;
THENCE N 43° 14' 05' W 58.51 FEET TO THE SOUTHEASTERLY SIDELINE OF HALL'S COURT;
THENCE ALONG SAID SIDELINE THE FOLLOWING COURSES AND DISTANCES:
N 33° 50' 09" E 19.40 FEET;
N 42° 14' 19" E 19.88 FEET;
N 49° 19' 48" E 68.00 FEET TO THE POINT OF BEGINNING.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING THE LAND DESCRIBED AS PARCEL 3 IN DEED FROM OCTOBER CORPORATION TO BAYSIDE IV, LLC DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 242.

Received
Recorded Register of Deeds
Oct 13,2022 02:33:19P
Cumberland County
Jessica M. Spaulding

MAINE REAL ESTATE TAX PAID

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE I, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **60 ELM STREET LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Bayside I, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

BAYSIDE I, LLC

By _____
Thomas A. Toye, III
Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside I, LLC.

_____
Attorney at Law/Notary Public

_____
Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

EXHIBIT A
(Legal Description, 60 Elm Street)

A CERTAIN LOT OR PARCEL OF LAND SITUATED ON THE WESTERLY SIDE OF ELM STREET AND SOUTHERLY SIDE OF OXFORD STREET 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 ELM STREET AND SOUTHERLY SIDE OF OXFORD STREET, THENCE, S 43° 40' 43" E ALONG THE WESTERLY SIDELINE OF ELM STREET A DISTANCE OF 122.92 FEET TO LAND NOW OR FORMERLY OF NORTHEAST INVESTORS, LLC (aka NORTHEAST INVESTORS (MAINE), LLC) AS DESCRIBED IN DEED BOOK 32422, PAGE 197;

THENCE, S 47° 21' 26" W ALONG LAND OF SAID NORTHEAST INVESTORS, LLC A DISTANCE OF 93.70 FEET;

THENCE, N 43° 08' 59" W BY THE NORTHERLY FACE OF THE EXISTING BRICK BUILDING A DISTANCE OF 124.83 FEET TO THE SOUTHERLY SIDELINE OF SAID OXFORD STREET;

THENCE N 48° 33' 13" E ALONG THE SIDELINE OF OXFORD STREET A DISTANCE OF 92.61 FEET TO THE POINT OF BEGINNING, CONTAINING 11,535 S.F. OR 0.26 ACRES, MORE OR LESS.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING A PORTION OF THE LAND DESCRIBED AS PARCEL 1 IN DEED FROM OCTOBER CORPORATION TO BAYSIDE I, LLC DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 91.

Received
Recorded Register of Deeds
Oct 13,2022 02:25:54P
Cumberland County
Jessica M. Spaulding

MAINE REAL ESTATE TAX PAID

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE I, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **196 LANCASTER STREET LLC** a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Bayside I, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

_____

BAYSIDE I, LLC

By _____

Thomas A. Toye, III

Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside I, LLC.

_____

Attorney at Law/~~Notary Public~~

_____

Printed Name Jason G. Howe, Esq.
Bar No. 0004860

Doc#: 51976 Bk:39779 Pg: 233

Received
Recorded Register of Deeds
Oct 13,2022 02:28:31P
Cumberland County
Jessica M. Spaulding

EXHIBIT A
(Legal Description, 196 Lancaster Street East)

A CERTAIN PARCEL OF LAND WITH THE BUILDINGS THEREON SITUATED ON SOUTHEASTERLY SIDE OF LANCASTER STREET EAST, THE SOUTHWESTERLY SIDE OF ELM STREET AND THE NORTHEASTERLY SIDE OF PREBLE STREET IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE Of MAINE AS SHOWN PLAN TITLED "LAND DIVISION PLAN BAYSIDE I, LLC' MADE FOR RECORD OWNER BAYSIDE I, LLC BY OWEN HASKELL, INC. DATED SEPTEMBER 14, 2022, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHEASTERLY SIDELINE OF PREBLE STREET AND THE SOUTHEASTERLY SIDELINE OF LANCASTER STREET EAST;

THENCE, N 49° 39' 27" E ALONG THE SIDELINE OF SAID LANCASTER STREET EAST 199.65 FEET TO THE SOUTHWESTERLY SIDELINE OF ELM STREET;

THENCE, S 43° 45' 13" E ALONG THE SIDELINE OF SAID ELM STREET 134.76 FEET;

THENCE, THE FOLLOWING COURSES AND DISTANCES THROUGH THE LAND OF THE GRANTOR:

S 47° 34' 12" W A DISTANCE OF 93.02 FEET;

S 44° 45' 38" E A DISTANCE OF 7.27 FEET;

S 47° 31' 17" W A DISTANCE OF 109.53 FEET TO THE NORTHEASTERLY SIDELINE Of SAID PREBLE STREET;

THENCE, N 42° 34' 18" W ALONG THE SIDELINE OF PREBLE STREET 149.36 FEET TO THE POINT OF BEGINNING, CONTAINING 28,591 S.F. OR 0.66 ACRES, MORE OR LESS.

BEARINGS ARE REFERENCED TO CITY GRID.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING A PORTION OF THE LAND DESCRIBED AS PARCEL 2 IN DEED FROM OCTOBER CORPORATION TO BAYSIDE I, LLC DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 91.

MAINE REAL ESTATE TAX PAID

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE I, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **WBP COMMERCIAL LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101,with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Bayside I, LLC has caused this instrument to be executed by Thomas A Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

_____

BAYSIDE I, LLC

By _____

Thomas A. Toye, III

Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside I, LLC.

_____

Attorney at Law/Notary Public

_____

Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

EXHIBIT A
(Legal Description, 190 Lancaster Street East)

A CERTAIN PARCEL OF LAND WITH THE BUILDINGS THEREON SITUATED ON THE SOUTHWESTERLY SIDE OF ELM STREET, THE NORTHWESTERLY SIDE OF OXFORD STREET AND THE NORTHEASTERLY SIDE PREBLE STREET IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, STATE OF MAINE AS SHOWN PLAN TITLED "LAND DIVISION PLAN BAYSIDE I, LLC" MADE FOR RECORD OWNER BAYSIDE I, LLC BY OWEN HASKELL, INC. DATED SEPTEMBER 14, 2022, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHEASTERLY SIDELINE OF PREBLE STREET AND THE NORTHWESTERLY SIDELINE OF OXFORD STREET;

THENCE, N 42°34'18" W ALONG THE SIDELINE OF SAID PREBLE STREET 182.30 FEET;

THENCE THE FOLLOWING COURSES AND DISTANCES THROUGH THE LAND OF THE GRANTOR:

N 47° 31' 17" E A DISTANCE OF 109.53 FEET;

N 44° 45' 38" W A DISTANCE OF 7.27 FEET;

N 47° 34' 12" E A DISTANCE OF 93.02 FEET TO THE SOUTHWESTERLY SIDELINE OF ELM STREET;

THENCE, S 43° 45' 13" E ALONG THE SIDELINE OF SAID ELM STREET 193.26 FEET TO THE NORTHWESTERLY SIDELINE OF SAID OXFORD STREET;

THENCE, S 48° 33' 13" W ALONG THE SIDELINE OF OXFORD STREET 206.30 FEET TO THE POINT OF BEGINNING. CONTAINING 38,301 S.F. OR 0.88 ACRES, MORE OR LESS.

BEARINGS ARE REFERENCED TO CITY GRID.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING A PORTION OF THE LAND DESCRIBED AS PARCEL 2 IN DEED FROM OCTOBER CORPORATION TO BAYSIDE I, LLC DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 91.

EXHIBIT A
(Legal Description 62 Elm Street)

A CERTAIN LOT OR PARCEL OF LAND, WITH THE BUILDINGS THEREON, SITUATED ON THE EASTERLY SIDE OF PREBLE STREET AND SOUTHERLY SIDE OF OXFORD STREET IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, AND STATE OF MAINE, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERLY SIDE OF PREBLE STREET AND SOUTHERLY SIDE OF OXFORD STREET, THENCE N 48° 33' 13" E ALONG THE SOUTHERLY SIDE OF OXFORD STREET A DISTANCE OF 114.66 FEET;

THENCE, S 43° 08' 59" E BY THE NORTHERLY FACE OF THE EXISTING BRICK BUILDING A DISTANCE OF 124.83 FEET TO LAND NOW OR FORMERLY OF NORTHERN INVESTORS LLC AS DESCRIBED IN DEED BOOK 32422, PAGE 197;

THENCE, S 47° 21' 26" W ALONG LAND OF SAID NORTHERN INVESTORS LLC AND BY THE FACE OF THE SAID BRICK BUILDING A DISTANCE OF 115.91 FEET TO THE EASTERLY SIDELINE OF SAID PREBLE STREET;

THENCE, N 42° 34' 00" W ALONG THE SIDELINE OF PREBLE STREET A DISTANCE OF 127.22 FEET TO THE POINT OF BEGINNING, CONTAINING 14,526 S.F. OR 0.33 ACRES, MORE OR LESS.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING A PORTION OF THE LAND DESCRIBED AS PARCEL 1 IN DEED FROM OCTOBER CORPORATION TO BAYSIDE I, LLC DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 91.

Received
Recorded Register of Deeds
Oct 13,2022 02:23:43P
Cumberland County
Jessica M. Spaulding

MAINE REAL ESTATE TAX PAID

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE II, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **WBP COMMERCIAL LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Bayside II, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

BAYSIDE II, LLC

By _____
Thomas A. Toye, III
Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside II, LLC.

_____
Attorney at Law/Notary Public

_____
Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

EXHIBIT A
(Legal Description, Parcel 1)

A CERTAIN LOT OR PARCEL OF LAND, WITH THE IMPROVEMENTS THEREON, SITUATED IN THE BLOCK BOUNDED BY ELM, KENNEBEC, CHESTNUT AND LANCASTER STREETS, IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE OF MAINE AND SHOWN AS PARCEL 1 ON ALTA/ACSM LAND TITLE SURVEY ON KENNEBEC STREET, LANCASTER STREET EAST, ELM STREET, CEDAR STREET AND OXFORD STREET, PORTLAND, MAINE MADE FOR BAYSIDE II, LLC BY OWEN HASKELL, INC., DATED JANUARY 24, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 200, PAGE 41 (THE PLAN), BEING BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION MARKING THE NORTHWESTERLY SIDE OF LANCASTER STREET AND THE NORTHEASTERLY SIDE OF ELM STREET;

THENCE, BY THE NORTHEASTERLY SIDE OF ELM STREET N 43° 46' 33" W, A DISTANCE OF 158.86' TO AN ANGLE IN SAID STREET;

THENCE, N 40° 53' 33" W, A DISTANCE OF 31.49' TO THE SOUTHEASTERLY SIDE OF KENNEBEC STREET, MARKING A NON-TANGENT POINT ON A CURVE, IN SAID STREET;

THENCE, NORTHEASTERLY BY THE SOUTHEASTERLY SIDE OF SAID KENNEBEC STREET AND BY A CURVE TO THE LEFT WHOSE RADIUS IS 695.00', AN ARC DISTANCE OF 210.01', TO A POINT OF TANGENCY;

THENCE CONTINUING BY SAID KENNEBEC STREET N 48° 56' 54' E, A DISTANCE OF 251.30', TO THE SOUTHWESTERLY SIDE OF SAID CHESTNUT STREET;

THENCE BY THE SOUTHWESTERLY SIDE OF SAID CHESTNUT STREET S 44° 38' 26" E, A DISTANCE OF 164.71' TO THE NORTHWESTERLY SIDE OF SAID LANCASTER STREET;

THENCE BY THE NORTHWESTERLY SIDE OF SAID LANCASTER STREET S 49° 39' 27" W, A DISTANCE OF 461.02', TO THE POINT OF BEGINNING.

THE PROPERTY IS SUBJECT TO A NOTICE OF ABANDONED UNDERGROUND OIL STORAGE FACIUTY OR TANK NOTICE, DATED APRIL 6, 2011 AND RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 28629, PAGE 238.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING THE SAME LAND DESCRIBED AS PARCEL 1 CONVEYED TO BAYSIDE II, LLC BY QUITCLAIM

DEED OF OCTOBER CORPORATION, DATED JANUARY 26, 2000 AND RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 15298, PAGE 144.

EXHIBIT A
(Legal Description, Parcel 3)

A CERTAIN PARCEL OF LAND, WITH THE OF IMPROVEMENTS THEREON SITUATED ON THE SOUTHEASTERLY SIDE OF LANCASTER STREET, IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, STATE OF MAINE AND SHOWN AS PARCEL 3 ON ALTA/ACSM LAND TITLE SURVEY ON KENNEBEC STREET, LANCASTER STREET EAST, ELM STREET, CEDAR STREET AND OXFORD STREET, PORTLAND, MAINE MADE FOR BAYSIDE II, LLC BY OWEN HASKELL, INC., DATED JANUARY 24, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 200, PAGE 41 (THE PLAN), BEING BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHEASTERLY SIDELINE OF LANCASTER STREET AND THE SOUTHWESTERLY SIDELINE OF CHESTNUT STREET;

THENCE S 44° 38' 26" E ALONG THE SIDELINE OF CHESTNUT STREET 88.08 FEET;
THENCE S 49° 39' 27" W 107.40;
THENCE N 45° 57' 49" W 3.67 FEET;
THENCE S 31° 29' 21" W 4.67 FEET;
THENCE N 43° 29' 51" W 23.77 FEET;
THENCE S 49° 39' 27" W 35.69 FEET;
THENCE N 43° 29' 51" W 28.00 FEET;
THENCE S 49° 39' 27" W 72.00 FEET TO THE NORTHEASTERLY SIDELINE OF CEDAR STREET;
THENCE N 43° 29' 51" W ALONG SAID SIDELINE 34.00 FEET TO THE SOUTHEASTERLY SIDELINE OF LANCASTER STREET;
THENCE N 49° 39' 27" E ALONG SAID SIDELINE 218.00 FEET TO THE POINT OF BEGINNING.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING THE SAME LAND DESCRIBED AS PARCEL 3 CONVEYED TO BAYSIDE II, LLC BY QUITCLAIM DEED OF OCTOBER CORPORATION, DATED JANUARY 26, 2000 AND RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 15298, PAGE 144.

Received
Recorded Register of Deeds
Oct 13,2022 02:22:36P
Cumberland County
Jessica M. Spaulding

MAINE REAL ESTATE TAX PAID

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE IV, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **WBP COMMERCIAL LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Bayside IV, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

BAYSIDE IV, LLC

By _____
Thomas A. Toye, III
Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside IV, LLC.

_____
Attorney at Law/Notary Public

_____
Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

EXHIBIT A
(Legal Description, Parcel 2)

A CERTAIN PARCEL OF LAND, TOGETHER WITH THE IMPROVEMENTS THEREON, SITUATED ON THE SOUTHWESTERLY SIDE OF CHESTNUT STREET AND THE NORTHWESTERLY SIDE OF HALL'S COURT, SO CALLED, IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, STATE OF MAINE AND SHOWN AS PARCEL 2 ON ALTA/ACSM LAND TITLE SURVEY ON CEDAR STREET, LANCASTER STREET EAST, CHESTNUT STREET AND OXFORD STREET, PORTLAND, MAINE FOR BAYSIDE IV, LLC BY OWEN HASKELL, INC., DATED JANUARY 24, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 200, PAGE 43 (THE PLAN), BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHWESTERLY SIDELINE OF CHESTNUT STREET AND THE NORTHWESTERLY SIDELINE OF HALL'S COURT;

THENCE S 49° 19' 48" W ALONG THE SIDELINE OF HALL'S COURT 112.65 FEET;

THENCE N 43° 29' 51" W 31.09 FEET;

THENCE N 49° 39' 27" E 112.08 FEET TO THE SOUTHWESTERLY SIDELINE OF CHESTNUT STREET;

THENCE S 44° 38' 26" E 30.48 FEET TO THE POINT OF BEGINNING.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING THE LAND DESCRIBED AS PARCEL 2 IN DEED FROM OCTOBER CORPORATION TO BAYSIDE IV, LLC DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 242.

Received
Recorded Register of Deeds
Oct 13,2022 02:21:12P
Cumberland County
Jessica M. Spaulding

MAINE REAL ESTATE TAX-Paid

QUITCLAIM DEED WITH COVENANT

DLN: 1002240211933

NORTHEAST INVESTORS, LLC (a/k/a NORTHEAST INVESTORS (MAINE), LLC), a Delaware limited liability company with a place of business located at PO Box 6, Kents Hill, ME 04349 (the "Grantor"), for consideration paid, grants to **WBP GARAGE LLC,** a Maine limited liability company with a mailing address: c/o Port Property Management, Inc., 82 Hanover Street, Suite 5, Portland, ME 04101, with Quitclaim Covenant, a certain parcel of land, together with buildings thereon, situated on the northerly side of Cumberland Avenue, the easterly side of Preble Street and the westerly side of Elm Street in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

Beginning at a point on the easterly side line of Preble Street at the southwest corner of the land now or formerly of Douglas T. and Linda A. Cardente (see Cumberland County Registry of Deeds Book 6727, Page 52 and 55), which point is on the westerly extension of the southerly side of the two story brick building on the land now or formerly of Cardente;

Thence N 59° 00' 05" E by land now or formerly of Cardente and by said building and the extension thereof 209.61 feet to the westerly sideline of Elm Street;

Thence S 32° 02' 05" E by Elm Street 187.98 feet to Cumberland Avenue;

Thence S 62° 01' 40" W by Cumberland Avenue 213.54 feet to Preble Street;

Thence N 30° 55' 22" W by Preble Street 176.67 feet to the point of beginning.

Reference is made to the following surveys:

1. ALTA/ACSM Land Title Survey on Congress Street, Cumberland Avenue, Preble Street & Elm Street, Portland, Maine made for record owner October Corporation by Owen Haskell, Inc. dated August 23, 2006.

DOC :49664 BK:39746 PG:217
RECEIVED - RECORDED, CUMBERLAND COUNTY REGISTER OF DEEDS
09/29/2022, 08:03:09A
Register of Deeds Jessica M. Spaulding E-RECORDED

2. ALTA/ACSM Land Title Survey on Congress Street, Cumberland Avenue, Preble Street & Elm Street, Portland, Maine made for record owner GRE Congress Canal LLC dated January 10, 2007, prepared by Owen Haskell, Inc.

3. ALTA/ACSM Land Title Survey, 315 Cumberland Avenue, Portland, Maine made for Bush-Watson dated May 25, 2022 and last revised June 7, 2022, prepared by Owen Haskell, Inc.

The parcel described above is conveyed TOGETHER WITH all of Grantor's right, title and interest in and to, and SUBJECT TO the rights, easements, terms and conditions of that certain Easement Agreement between GRE Congress Canal LLC and Atlantic National Holdings, LLC dated June 2, 2008 and recorded in the Cumberland County Registry of Deeds in Book 26103, Page 335.

Meaning and intending to convey the premises described in deed of L. E. Springer, Inc. to Northeast Investors, LLC, a Delaware limited liability company authorized to do business in the State of Maine under the name of Northeast Investors (Maine), LLC, dated July 10, 2015 and recorded in the Cumberland County Registry of Deeds in Book 32422, Page 197.

IN WITNESS WHEREOF the said Northeast Investors, LLC has caused this deed to be executed by Stephen B. Hammond, Trustee of the Stephen B. Hammond Grantor Trust u/d November 25, 2019, its sole member duly authorized this 28th day of September, 2022.

Signed, Sealed and Delivered
in the presence of

_____
Witness

NORTHEAST INVESTORS, LLC

_____
By: Stephen B. Hammond, Trustee of the Stephen B. Hammond Grantor Trust
Its: Sole Member

STATE OF MAINE
COUNTY OF Cumberland

Sept. 28, 2022

Personally appeared the above-named Stephen B. Hammond, in his said capacity as Trustee of the Stephen B. Hammond Grantor Trust, as Sole Member of Northeast Investors, LLC and acknowledged the foregoing instrument to be his free act and deed in said capacity, and the free act and deed of Northeast Investors, LLC.

Before me,

_____
~~Notary Public~~/Attorney-at-Law
Printed Name: MARY A. DENSON
My Commission Expires: _____
Maine Bar No. 9301

LD/cm
NTS

MAINE REAL ESTATE TAX PAID

QUITCLAIM DEED WITH COVENANT

KNOW ALL BY THESE PRESENTS that J.B. BROWN & SONS, a Maine corporation, of Portland, County of Cumberland and State of Maine (the "Grantor"), for full value and consideration paid, hereby grants to SCHLOTTERBECK BLOCK LLC, a Maine limited liability company, having a mailing address 104 Grant Street, Portland, Maine 04101 (the "Grantee"), with QUITCLAIM COVENANT, certain real estate in the City of Portland, County of Cumberland and State of Maine, being more particularly described in Exhibit A attached hereto and made a part hereof.

The property hereby conveyed is subject to the encumbrances listed on Exhibit B.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed as of the 20th day of January, 2016.

WITNESS:

J.B. BROWN & SONS

By: _____
Vincent P. Veroneau
Its President

STATE OF MAINE
COUNTY OF CUMBERLAND

January 20th, 2016

Personally appeared before me the above-named Vincent P. Veroneau, President of J.B. Brown & Sons, and acknowledged the foregoing instrument to be his free act and deed in said capacity, and the free act and deed of J.B. Brown & Sons.

SEAL

_____
Notary Public/Attorney-at-Law
Print Name: _____
My Commission Expires: _____

JUDE A. CLUFF
NOTARY PUBLIC, MAINE
MY COMMISSION EXPIRES OCTOBER 27, 2020

Exhibit A

A certain lot or parcel of land with the buildings thereon, situated on the easterly side of Preble Street and the westerly side of Elm Street in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

Beginning on the easterly side line of Preble Street at a point twenty-eight (28) feet northerly, measured on said line from the northerly side line of Lancaster Street, said point being the southerly corner of land conveyed by Francis Fessenden to the Portland and Rochester Railroad by deed dated June 26, 1891 and recorded in the Cumberland County Registry of Deeds in Book 582, Page 23; thence easterly on a line parallel with said Lancaster Street along the southerly line of said land conveyed by said Fessenden, one hundred two and ninety-five hundredths (102.95) feet more or less, to land conveyed by Karl N. Murch to Cushman Baking Company by deed dated December 20, 1921 and recorded in said registry in Book 1091, Page 336; thence northerly along the westerly line of said last mentioned land four and ninety-seven hundredths (4.97) feet, more or less, to the southerly line of land conveyed by Mary J.E. Clapp to the Portland and Rochester Railroad by deed dated June 29, 1891 and recorded in said registry in Book 580, Page 338; thence easterly on a line parallel with said Lancaster Street, along the southerly line of said last mentioned land ninety-five and one tenth (95.1) feet, more or less, to the westerly side line of Elm Street at a point thirty-three (33) feet northerly measured along said line of Elm Street from the northerly side line of Lancaster Street, thence northerly along said line of Elm Street one hundred twenty-one and fifty-five hundredths (121.55) feet; thence westerly on a straight line two hundred seven and fifty-eight hundredths (207.58) feet to a point on the easterly side line of Preble Street one hundred eighty-nine (189) feet northerly from point of beginning; thence southerly on said line of Preble Street to the point of beginning.

For source of title, reference is made to a Quitclaim Deed With Covenant from The Foss Company to J.B. Brown & Sons dated September 24, 2008 and recorded in the Cumberland County Registry of Deeds in Book 26354, Page 312.

Also a certain lot or parcel of land situated in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

Beginning at an iron pipe in the northeasterly sideline of Preble Street, said pipe being at the westerly corner of a parcel of land conveyed by Portland Terminal Company to Schlotterbeck & Foss Co. by deed dated December 17, 1925 and recorded in the Cumberland County Registry of Deeds in Book 1224, Page 397; thence northeasterly in the northwesterly sideline of said land of Schlotterbeck & Foss Co. a distance of two hundred seven and fifty-eight hundredths (207.58) feet, more or less, to an iron pipe in the southwesterly sideline of Elm Street, said pipe being at the northerly corner of said land of Schlotterbeck & Foss Co.; thence northwesterly in a

southwesterly sideline of Elm Street a distance of fifty-three (53) feet, more or less, to its intersection with the southeasterly sideline of Kennebec Street a distance of two hundred five (205) feet, more or less, to its intersection with the northeasterly sideline of Preble Street; thence southeasterly in said northeasterly sideline of said Preble Street a distance of fifty-four (54) feet, more or less, to the point of beginning. Meaning and intending to convey all the land of the Portland Terminal Company lying between Preble and Elm Streets and between the northwesterly sideline of land of Schlotterbeck & Foss Company, Inc. and Kennebec Street.

For source of title, reference is made to a Quitclaim Deed With Covenant from The Foss Company to J.B. Brown & Sons dated September 24, 2008 and recorded in the Cumberland County Registry of Deeds in Book 26354, Page 314.

Also a certain parcel of land, with the improvements thereon, situated on the northwesterly side of Lancaster Street, the southwesterly side of Elm Street and the northeasterly side of Preble Street in the City of Portland, County of Cumberland and State of Maine and shown as Parcel 3 on ALTA/ACSM Land Title Survey on Preble Street, Lancaster Street East, Elm Street and Oxford Street, Portland, Maine made for Bayside I, LLC by Owen Haskell, Inc., dated January 26, 2000 and recorded in Cumberland County Registry of Deeds in Plan Book 200, Page 40, bounded and described as follows:

Beginning at the point of intersection of the northeasterly sideline of Preble Street and the northwesterly sideline of Lancaster Street;

Thence, N 42°34'18" W by Preble Street 28.00 feet to the land now or formerly of Schlotterbeck & Foss Co. as described in the deed recorded in said Registry of Deeds in Book 1224, Page 397;

Thence, the following courses by Schlotterbeck & Foss:

N 49° 39' 27" E a distance of 102.97 feet to a 6" by 6" concrete monument found;
N 43° 46' 33" W a distance of 4.97 feet to a 6" by 6" concrete monument found;
N 49° 39' 27" E a distance of 94.88 feet to Elm Street;

Thence, S 43°46' 33" E by Elm Street 33.00 feet to Lancaster Street;

Thence, S 49°39' 27" W by Lancaster Street 198.44 feet to the point of beginning.

For source of title, reference is made to a Quitclaim Deed With Covenant from Bayside I, LLC to J.B. Brown & Sons dated March 1, 2012 and recorded in the Cumberland County Registry of Deeds in Book 29387, Page 27.

Also hereby releasing to the Grantee, without covenant, all of the Grantor's right, title and interest in and to the following described parcel of land, together with the buildings and improvements thereon, bounded by Kennebec, Preble, Elm and Lancaster Streets in said Portland, and as depicted on that certain "ALTA/ACSM Land Title Survey on #117 Preble Street & #195 Lancaster Street, Portland, Cumberland County, Maine", made for Schlotterbeck Block LLC dated January 6, 2016 by Owen Haskell, Inc.:

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

Beginning at a point on the easterly sideline of Preble Street at the intersection with the southerly sideline of Kennebec Street;

Thence, N 67°23'22" E along the southerly sideline of said Kennebec Street 208.27 feet to the westerly sideline of Elm Street;

Thence, S 40°58'03" E along the westerly sideline of Elm Street 38.49 feet;

Thence, S 43°47'56" E along the westerly sideline of said Elm Street 168.10 feet to the northerly sideline of Lancaster Street;

Thence, S 49°38'04" W along the northerly sideline of said Lancaster Street 198.44 feet to the easterly sideline of Preble Street;

Thence, N 42°34'06" W along the easterly sideline of said Preble Street 270.00 feet to the southerly sideline of Kennebec Street and the point of beginning.

EXHIBIT B
(List of Encumbrances)

117-119 Preble Street

1. Commissioner's Certification of Completion of Remedial Actions Under a Voluntary Response Action Plan recorded in the Cumberland County Registry of Deeds in Book 26383, Page 323.

2. Declaration of Environmental Covenant recorded in Book 26409, Page 214 of the Cumberland County Registry of Deeds.

195 Lancaster Street

1. Such state of facts as shown on a "ALTA/ACSM Land Title Survey on Preble Street, Lancaster Street East, Elm Street and Oxford Street, Portland, Maine" made for Bayside I, LLC, by Owen Haskell, Inc., dated January 26, 2000 and recorded in the Cumberland County Registry of Deeds in Plan Book 200, Page 40.

2. Such state of facts as shown on a "ALTA/ACSM Land Title Survey on #117 Preble Street & #195 Lancaster Street, Portland, Cumberland County, Maine", made for Schlotterbeck Block LLC dated January 6, 2016 by Owen Haskell, Inc.

Received
Recorded Register of Deeds
Jan 22,2016 03:16:28P
Cumberland County
Nancy A. Lane

MAINE REAL ESTATE TAX PAID

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE I, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **60 ELM STREET LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Bayside I, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

BAYSIDE I, LLC

By _____
Thomas A. Toye, III
Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside I, LLC.

_____
Attorney at Law/Notary Public

_____
Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

EXHIBIT A
(Legal Description, 60 Elm Street)

A CERTAIN LOT OR PARCEL OF LAND SITUATED ON THE WESTERLY SIDE OF ELM STREET AND SOUTHERLY SIDE OF OXFORD STREET 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 ELM STREET AND SOUTHERLY SIDE OF OXFORD STREET, THENCE, S 43° 40' 43" E ALONG THE WESTERLY SIDELINE OF ELM STREET A DISTANCE OF 122.92 FEET TO LAND NOW OR FORMERLY OF NORTHEAST INVESTORS, LLC (aka NORTHEAST INVESTORS (MAINE), LLC) AS DESCRIBED IN DEED BOOK 32422, PAGE 197;

THENCE, S 47° 21' 26" W ALONG LAND OF SAID NORTHEAST INVESTORS, LLC A DISTANCE OF 93.70 FEET;

THENCE, N 43° 08' 59" W BY THE NORTHERLY FACE OF THE EXISTING BRICK BUILDING A DISTANCE OF 124.83 FEET TO THE SOUTHERLY SIDELINE OF SAID OXFORD STREET;

THENCE N 48° 33' 13" E ALONG THE SIDELINE OF OXFORD STREET A DISTANCE OF 92.61 FEET TO THE POINT OF BEGINNING, CONTAINING 11,535 S.F. OR 0.26 ACRES, MORE OR LESS.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING A PORTION OF THE LAND DESCRIBED AS PARCEL 1 IN DEED FROM OCTOBER CORPORATION TO BAYSIDE I, LLC DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 91.

Received
Recorded Register of Deeds
Oct 13,2022 02:25:54P
Cumberland County
Jessica M. Spaulding

MAINE REAL ESTATE TAX PAID

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE II, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **WBP COMMERCIAL LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Bayside II, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

BAYSIDE II, LLC

By _____
Thomas A. Toye, III
Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside II, LLC.

_____
Attorney at Law/Notary Public

_____
Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

EXHIBIT A
(Legal Description, Parcel 1)

A CERTAIN LOT OR PARCEL OF LAND, WITH THE IMPROVEMENTS THEREON, SITUATED IN THE BLOCK BOUNDED BY ELM, KENNEBEC, CHESTNUT AND LANCASTER STREETS, IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE OF MAINE AND SHOWN AS PARCEL 1 ON ALTA/ACSM LAND TITLE SURVEY ON KENNEBEC STREET, LANCASTER STREET EAST, ELM STREET, CEDAR STREET AND OXFORD STREET, PORTLAND, MAINE MADE FOR BAYSIDE II, LLC BY OWEN HASKELL, INC., DATED JANUARY 24, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 200, PAGE 41 (THE PLAN), BEING BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION MARKING THE NORTHWESTERLY SIDE OF LANCASTER STREET AND THE NORTHEASTERLY SIDE OF ELM STREET;

THENCE, BY THE NORTHEASTERLY SIDE OF ELM STREET N 43° 46' 33" W, A DISTANCE OF 158.86' TO AN ANGLE IN SAID STREET;

THENCE, N 40° 53' 33" W, A DISTANCE OF 31.49' TO THE SOUTHEASTERLY SIDE OF KENNEBEC STREET, MARKING A NON-TANGENT POINT ON A CURVE, IN SAID STREET;

THENCE, NORTHEASTERLY BY THE SOUTHEASTERLY SIDE OF SAID KENNEBEC STREET AND BY A CURVE TO THE LEFT WHOSE RADIUS IS 695.00', AN ARC DISTANCE OF 210.01', TO A POINT OF TANGENCY;

THENCE CONTINUING BY SAID KENNEBEC STREET N 48° 56' 54' E, A DISTANCE OF 251.30', TO THE SOUTHWESTERLY SIDE OF SAID CHESTNUT STREET;

THENCE BY THE SOUTHWESTERLY SIDE OF SAID CHESTNUT STREET S 44° 38' 26" E, A DISTANCE OF 164.71' TO THE NORTHWESTERLY SIDE OF SAID LANCASTER STREET;

THENCE BY THE NORTHWESTERLY SIDE OF SAID LANCASTER STREET S 49° 39' 27" W, A DISTANCE OF 461.02', TO THE POINT OF BEGINNING.

THE PROPERTY IS SUBJECT TO A NOTICE OF ABANDONED UNDERGROUND OIL STORAGE FACIUTY OR TANK NOTICE, DATED APRIL 6, 2011 AND RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 28629, PAGE 238.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING THE SAME LAND DESCRIBED AS PARCEL 1 CONVEYED TO BAYSIDE II, LLC BY QUITCLAIM

DEED OF OCTOBER CORPORATION, DATED JANUARY 26, 2000 AND RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 15298, PAGE 144.

EXHIBIT A
(Legal Description, Parcel 3)

A CERTAIN PARCEL OF LAND, WITH THE OF IMPROVEMENTS THEREON SITUATED ON THE SOUTHEASTERLY SIDE OF LANCASTER STREET, IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, STATE OF MAINE AND SHOWN AS PARCEL 3 ON ALTA/ACSM LAND TITLE SURVEY ON KENNEBEC STREET, LANCASTER STREET EAST, ELM STREET, CEDAR STREET AND OXFORD STREET, PORTLAND, MAINE MADE FOR BAYSIDE II, LLC BY OWEN HASKELL, INC., DATED JANUARY 24, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 200, PAGE 41 (THE PLAN), BEING BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHEASTERLY SIDELINE OF LANCASTER STREET AND THE SOUTHWESTERLY SIDELINE OF CHESTNUT STREET;

THENCE S 44° 38' 26" E ALONG THE SIDELINE OF CHESTNUT STREET 88.08 FEET;
THENCE S 49° 39' 27" W 107.40;
THENCE N 45° 57' 49" W 3.67 FEET;
THENCE S 31° 29' 21" W 4.67 FEET;
THENCE N 43° 29' 51" W 23.77 FEET;
THENCE S 49° 39' 27" W 35.69 FEET;
THENCE N 43° 29' 51" W 28.00 FEET;
THENCE S 49° 39' 27" W 72.00 FEET TO THE NORTHEASTERLY SIDELINE OF CEDAR STREET;
THENCE N 43° 29' 51" W ALONG SAID SIDELINE 34.00 FEET TO THE SOUTHEASTERLY SIDELINE OF LANCASTER STREET;
THENCE N 49° 39' 27" E ALONG SAID SIDELINE 218.00 FEET TO THE POINT OF BEGINNING.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING THE SAME LAND DESCRIBED AS PARCEL 3 CONVEYED TO BAYSIDE II, LLC BY QUITCLAIM DEED OF OCTOBER CORPORATION, DATED JANUARY 26, 2000 AND RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 15298, PAGE 144.

Received
Recorded Register of Deeds
Oct 13,2022 02:22:36P
Cumberland County
Jessica M. Spaulding

DocuSign Envelope ID: 0B2EA8DF-758A-4315-92D5-977AB92112D6

PORTA & CO.

COMMERCIAL REAL ESTATE

30 Milk Street, Second Floor, ME 04101 * 207.747.1515

PURCHASE AND SALE AGREEMENT FOR REAL ESTATE

Offer Date: May 6, 2022

PARTIES: This Agreement is made between **Tom Watson & Co., LLC and/or Assigns,** hereinafter called Purchaser(s), and **Northeast Investors, LLC** hereinafter called Seller(s), for the purchase and sale of the following described real estate, situated in the municipality of **Portland**, County of **Cumberland**, State of **Maine** and located at **315 Cumberland Avenue** and described at said County's Registry of Deeds Book **32422**, Page **197** and further described as: **0.88 +/- acres improved with a 242,720 +/- square foot parking facility building** hereinafter called the Property, upon the terms and conditions hereinafter set forth:

1. PURCHASE PRICE: Subject to any adjustments and prorations hereinafter provided, Purchaser agrees to pay for the Property the sum of **Twenty Million Dollars ($20,000,000.00)**, payable as follows: at closing, Purchaser shall deliver to Seller a promissory note in the amount of Two Million Dollars ($2,000,000.00) (the "Note"), which Note shall be for a term of five (5) years and shall provide for interest only payments at 5%, with the entire balance due and payable at the expiration of such five (5) year period. The Note shall be secured by a second position mortgage on the Property. The balance of the purchase purchase, as adjusted for all closings costs, prorations, the application of the Earnest Money Deposit and, if applicable, the Purchaser's assumption of the Seller's existing financing on the Property, shall be paid to Seller at the closing in immediately available funds.
2. PERSONAL PROPERTY: The following items of personal property are included in this sale (if applicable): **All furniture, fixtures, and equipment**.
3. EARNEST MONEY/ACCEPTANCE: Purchaser(s) shall deposit within three (3) days of full execution of this Agreement the sum of **One Hundred Thousand Dollars ($100,000.00)** as earnest money deposit and in part payment of the purchase price. A mutually agreeable attorney shall hold said earnest money in a non-interest-bearing account and act as Escrow Agent until closing; this offer shall be valid until **5/6/2022** at **5:00PM**; and in the event of the Seller's non-acceptance, this earnest money shall be returned promptly to the Purchaser(s). Earnest Money Deposit shall be increased to Two Hundred and Fifty Thousand Dollars ($250,000.00) upon expiration of the inspection and financing contingency periods and, at which time, it shall become non refundable except in the case of a Seller default hereunder.
4. TITLE AND CLOSING: A deed conveying good and merchantable title in accordance with standards adopted by the Maine Bar Association shall be delivered to the Purchaser(s) and this transaction shall be closed and the Purchaser(s) shall pay the balance due and execute all necessary papers on or before **that date which is thirty (30) days after the expiration of the inspection and financing contingency periods**. If Seller(s) is unable to convey in accordance with the provisions of this paragraph, then the Seller(s) shall have a reasonable time period, not to exceed thirty (30) days, from the time the Seller(s) receives written notice of the defect, unless otherwise agreed to by both parties, to remedy the title, after which time, if such defect is not corrected so that there is merchantable title, the Purchaser(s) may, within fifteen (15) days thereafter, at Purchaser's option, declare this Agreement null and void and any earnest money shall be returned to the Purchaser(s) and neither party shall have any further obligation hereunder. If the Purchaser(s) does not declare this Agreementt void within the period set forth above, the Purchaser(s) shall have waived the right to object to title. The Seller(s) hereby agrees to make a good-faith effort to cure any title defect during such period. Purchaser shall have right to extend the Closing date set forth above for a period of Thirty Days (30) by increasing the Earnest Money Deposit by an additional One Hundred Thousand Dollars ($100,000.000), which additional Earnest Money Deposit shall be non refundable except in the case of a Seller default hereunder.
5. DEED: That the Property shall be conveyed by a **Quitclaim Deed with Covenant**, and shall be free and clear of all encumbrances except building and zoning restrictions of record, restrictive covenants and conditions of record and usual public utilities servicing the property and shall be subject to applicable land use and building laws and regulations.
6. POSSESSION /OCCUPANCY: Possession/occupancy of premises shall be given to Purchaser(s) immediately at Closing, subject to any leases, unless otherwise agreed by both parties in writing.
7. LEASES/TENANT SECURITY DEPOSITS: Seller(s) agrees to transfer at closing to Purchaser(s) all Seller(s)' rights under the current leases to the Property and all security deposits held by Seller(s) pursuant to said leases.
8. RISK OF LOSS: Until the transfer of title, the risk of loss or damage to said premises by fire or otherwise, is assumed by the Seller(s) unless otherwise agreed in writing. Said premises shall then be in substantially the same condition as at present, excepting reasonable use and wear.
9. PRORATIONS: The following items shall be prorated as of the date of closing:
   a. Real Estate Taxes based on the municipality's tax year. Seller is responsible for any unpaid taxes for prior years.

DS DS

c. Deposits
d. Rents
e. Parking fees
f. Metered utilities, such as water and sewer, shall be paid by Seller(s) through the date of closing.
g. Purchaser(s) and Seller(s) shall each pay its transfer tax as required by the State of Maine.

10. INSPECTIONS: The Purchaser(s) is encouraged to seek information from professionals regarding any specific issue of concern. Purchaser(s) acknowledges receipt of disclosure form attached hereto. The Agent makes no warranties regarding the condition, permitted use or value of the Seller's real or personal property. This Agreement is subject to the following inspections, to be completed by within ninety (90) days from the Effective Date of this Agreement, with the results being satisfactory to the Purchaser(s) in Purchaser's sole discretion:

TYPE OF INSPECTION	YES	NO	RESULTS REPORTED	TYPE OF INSPECTION	YES	NO	RESULTS REPORTED
a. General Building	X		Within **90** days	g. Lead Paint		X	Within # days
b. Sewage Disposal		X	Within # days	h. Pests		X	Within # days
c. Water Quality		X	Within # days	i. ADA		X	Within # days
d. Radon Air Quality		X	Within # days	j. Wetlands		X	Within # days
e. Radon Water Quality		X	Within # days	k. Environmental Scan		X	Within # days
f. Asbestos		X	Within # days	l. Other: **Parking etc.**		X	Within **90** days

The use of "days" is intended to mean business days from the effective date of this Agreement. All inspections will be done by inspectors chosen and paid for by the Purchaser(s). If the result of any inspection or other condition specified herein is unsatisfactory to the Purchaser(s), in Purchaser(s) sole discretion, Purchaser(s) may declare the Agreement null and void by notifying Seller(s) in writing within the specified number of days, and any earnest money shall be returned to the Purchaser(s). If the Purchaser(s) does not notify the Seller(s) that an inspection is unsatisfactory within the time period set forth above, this contingency is waived by the Purchaser(s). In the absence of inspection(s) mentioned above, the Purchaser(s) is relying completely upon Purchaser's own opinion as to the condition of the property.

11. FINANCING: **This Agreement is subject to financing.**
12. This Agreement is subject to an Purchaser obtaining an approved **conventional** mortgage on terms and conditions which are acceptable to Purchaser in its sole, but reasonable discretion.
    a) If Seller, or Sellers agent, is not notified to the contrary in writing within **90** days of the Effective Date of this Agreement, then this financing condition shall be deemed to have been waived by Purchaser(s).
    b) Purchaser may also satisfy this contingency through a potential assumption of the Seller's existing financing on the Property and Seller shall use commercially reasonable efforts to cooperate with Purchaser in pursuing such assumption, it being the intent hereof that Purchaser's acceptance or non-acceptance of such assumption shall be at Purchaser's sole, but reasonable discretion.
    c) If any of the above financing conditions are not met, Purchaser(s) may declare the Agreement null and void by notifying Seller(s) in writing within the specified number of days, and any earnest money shall be returned to the Purchaser(s).
13. AGENCY DISCLOSURE: The Purchaser(s) and Seller(s) acknowledge that they have been informed that the Listing Licensee is acting as a Seller's agent in this transaction and is representing the Seller, and the Selling Licensee is acting as the Purchaser's agent in this transaction and is representing the Purchaser.
14. DEFAULT: If Purchaser(s) fails to perform any of the terms of this Agreement or is otherwise in default of any of its obligations, Seller(s) sole remedy shall be to retain the earnest money as full and complete liquidated damages, it being agreed between the parties that the actual damages to Seller in the event of such breach are difficult to ascertain and/or prove and the earnest money is a reasonable estimate and forecast of such actual damages. If Seller(s) fails to perform any of the terms of this Agreement or is otherwise in default of any of its obligations, Purchaser(s) shall have to option of receiving the earnest money back, and/or pursuaing specific performance, and/or any other remedies allowed by law. Notwithstanding any other provision of this agreement, Escrow Agent shall have the right to require written releases from both parties prior to releasing the earnest money to either party. If a dispute arises between Purchaser(s) and Seller as to the existence of a default hereunder and/or the release of the earnest money and said dispute is not resolved by the parties within (30) days, Escrow Agent may elect to file an action in interpleader and deposit the earnest money in the court to resolve said dispute, or otherwise disburse the earnest money pursuant to Maine Real Estate Commission regulations. Purchaser(s) and Seller, jointly and severally, shall indemnify Escrow Agent for all costs, losses, expenses, and damages, including reasonable attorneys' fees, incurred by Escrow Agent in connection with said action and/or in connection with any dispute relating to this Agreement and/or the Deposit.
15. MEDIATION: Any dispute or claim arising out of or relating to this Agreement or the premises addressed in this Agreement shall be submitted to mediation in accordance with the Maine Residential Real Estate Mediation Rules of the American Arbitration Association. This clause shall survive the Closing of this transaction.

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Seller_____ Purchaser_____

PORTA & CO.

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16. PRIOR STATEMENTS: Any verbal representations, statements and agreements are not valid unless contained herein. This Agreement completely expresses the obligations of the parties. This is a Maine Agreement and shall be construed according to the laws of Maine.
17. HEIRS/ASSIGNS: This Agreement is assignable by Purchaser without the Seller's consent, but Seller shall not assign this Agreement without Purchaser's consent. . This Agreement shall extend to and be obligatory upon heirs, personal representatives, successors, and assigns (if assignment is allowed by the terms of this Agreement), of the respective parties.
18. COUNTERPARTS: This Agreement may be signed on any number of identical counterparts, including telefacsimile and PDF copies, with the same binding effect as if the signatures were on one instrument. Original or telefacsimilied signatures are binding.
19. BINDING AGREEMENT: This Agreement is a binding Agreement when signed by both Seller(s) and Purchaser(s) and when that fact has been communicated to all parties or to their agents. The Effective Date of the Agreement is noted below. Time is of the essence in this Agreement.
20. REVIEW OF PROPERTY INFORMATION, LEASES, AND INCOME / EXPENSE INFORMATION: The Seller(s) shall provide the Purchaser(s) with copies of all property information, documents, leases and income & expense information regarding the subject property within **three (3)** days from the Effective Date of this Agreement, including but not limited to, (i) all agreements, leases, contracts, covenants, easements, parking reports, and restrictions related to or benefiting the Property and any and all rights of Seller thereunder, including development rights, air rights, water and well rights, density (lot coverage) rights, and drainage rights; (ii)all approvals, permits, and applications with or from governmental authorities related to or benefiting the Property; and (iii)to the extent they are in Seller's possession, all documents and work product of all professionals in connection with the Property, if any, including all environmental studies and water samplings, all soil or engineering tests, and all construction, engineering, architectural, landscaping, and other plans, drawings, specifications, surveys, maps, site plans, plats, title policies and other graphics related to development of the Property.
21. Seller(s) and Purchaser(s) acknowledge receipt of the Maine Real Estate Commission Disclosure of Agency Relationship Form (Form #3), *if the property is, or has a component of, one to four residential dwelling units*.
22. SECTION 1031 EXCHANGE: Seller(s) and Purchaser(s) each reserves the right to include this transaction as part of an IRC Section 1031tax deferred exchange, at no cost, expense or liability to the other party. Each party further agrees to execute any and all documents (subject to the reasonable approval of the other party's counsel) as are reasonably necessary in connection therewith, provided that the Closing for the conveyance of the Property shall not be contingent upon or subject to the completion of such exchange. Purchaser and Seller each agrees to indemnify and hold the other free and harmless from any cost, expense or liability, including reasonable attorney's fees, resulting from such other party's participation in such exchange.
23. THIS IS AN "AS-IS WHERE-IS" PURHCASE. PURCHASER SHALL MAKE ITS OWN INSPECTIONS OF ALL MATTERS AND IS NOT RELYING ON ANY REPRESENTATIONS BY THE BROKERS OR THE SELLER.
24. ADDENDA: This Agreement has addenda containing additional terms and conditions **YES_X_NO** Purchase Money Mortgage

A COPY OF THIS AGREEMENT IS TO BE RECEIVED BY ALL PARTIES AND, BY SIGNATURE, RECEIPT OF A COPY IS HEREBY ACKNOWLEDGED. IF NOT FULLY UNDERSTOOD; CONSULT AN ATTORNEY.

Seller(s) acknowledges that the laws of the State of Maine provide that every buyer of real property located in Maine must withhold a withholding tax equal to 2 ½% of the consideration unless the Seller(s) furnishes to the Buyer(s) a certificate by the Seller(s) stating, under penalty of perjury, that Seller(s) is/are a resident of Maine or the transfer is otherwise exempt from withholding.

The Selling Licensee is **Mackenzie Simpson** of **Porta & Company.** (Company).
The Listing Licensee is **Terry Sheldon** of **T.L. Sheldon & Associates.**(Company).

The Seller(s) accepts the offer and agrees to deliver the above-mentioned Property at the price and upon the terms and conditions set forth above and agrees to pay the Selling Licensee (Purchaser's broker) 50% of the commission for services herein according to the Listing Agreement. In the event that there is no Listing Agreement, Seller agrees to pay the Selling Licensee the commission for services herein the **sum of 1.25% of the total purchase price**. The obligation to pay said commission or sum shall survive the Closing of this transaction. Seller agrees that Selling Licensee may apply any deposit(s) received in connection with the sale of the Property toward commissions due and payable under this Agreement. If the earnest money is forfeited by Purchaser(s), it shall be evenly distributed between the Licensees and Seller(s), provided, however, that Selling Licensee's portion shall not exceed the full amount of the commission specified. In the event the Seller(s) defaults on its obligations hereunder, Porta & Company shall be entitled to costs of collection, including reasonable attorneys' fees.

(Signatures on Next Page)

DS DS

Seller_____ Purchaser_____

PORTA & CO.

DocuSigned by:
John Laliberte
B9246DB2735A417...

5/6/2022

Purchaser(s): Tom Watson & Co., LLC *Date*

Name/Title: John Laliberte, Vice President

DocuSigned by:
83236D5ABFCD4A5...

Seller(s) *Date*

Name/Title

Signed this: 6th day of May, 2022. Effective Date of Agreement: 6th day of May, 2022

Offer reviewed and refused on _____, _____. _____, Seller

Seller_____ Purchaser DS

PORTA & CO.

ASSIGNMENT OF PURCHASE AND SALE AGREEMENT FOR REAL ESTATE

This ASSIGNMENT OF PURCHASE AND SALE AGREEMENT FOR REAL ESTATE (this "Assignment") is made as of the 26th day of September, 2022, by and between **Tom Watson & Co., LLC**, a Maine limited liability company (the "Assignor"), and **WBP Garage LLC**, a Maine limited liability company (the "Assignee"), both have a mailing address and principal place of business at 82 Hanover Street, Suite 5, Portland, Maine 04101.

RECITALS

WHEREAS, Assignor is the Buyer and Northeast Investors, LLC is the Seller under that certain Purchase and Sale Agreement for Real Estate dated May 6, 2022 (as the same has been or may be amended and extended from time to time, the "Contract") respecting the real estate and improvements thereon situated at 315 Cumberland Avenue, Portland, Maine (the "Property") and more particularly described in the Contract; and

WHEREAS, Assignor desires to assign to Assignee, and Assignee desires to accept from Assignor, an assignment of all Assignor's right, title and interest in and to the Contract as such relate to the Property, all in accordance with the terms and conditions of this Assignment.

ASSIGNMENT

NOW THEREFORE, for good and valuable consideration, the recipe and sufficiency of which are hereby acknowledged, Assignor and Assignee hereby agrees as follows:

1) Assignor hereby assigns to Assignee all right, title and interest of Assignor in and to the Contract as such relate to the Property, including, without limitation, all right, title and interest of Assignor in and to any earnest money deposit or other amounts being held pursuant to the terms of the Contract.

2) Assignee hereby accepts the foregoing assignment from Assignor and hereby assumes all obligations of Assignor under the Contract as such relate to the Property.

[Remainder of page intentionally left blank; signature page follows.]

IN WITNESS WHEREOF, the Assignor and the Assignee have caused this Assignment to be duly executed as of the date first above written.

ASSIGNOR:

Tom Watson & Co., LLC

By: _____
John Laliberte, its Vice President

ASSIGNEE:

WBP Garage LLC

By: Tom Watson & Co., LLC, its Manager

By: _____
John Laliberte, its Vice President

Seen and agreed to by Seller:

Northeast Investors, LLC

By: _____
Name:
Title:

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FIRST AMENDMENT TO PURCHASE AND SALE AGREEMENT FOR REAL ESTATE

THIS FIRST AMENDMENT to **PURCHASE AND SALE AGREEMENT FOR REAL ESTATE** (the "**First Amendment**") is effective as of the 19th day of July, 2022 and amends that certain Purchase and Sale Agreement for Real Estate (the "Agreement") dated on or about May 6, 2022, between the Seller, Northeast Investors, LLC, and the Purchaser, Tom Watson & Co., LLC, relating to a certain parcel of land with improvements thereon, located at 315 Cumberland Avenue, Portland, Maine, as more particularly described in the Agreement (the "**Property**"). Capitalized terms not otherwise defined herein shall have the definitions provided for under the Agreement. In the event that any provision in this First Amendment shall conflict in whole or in part with any of the terms contained in the Agreement, the provisions of this First Amendment shall control, and any conflicting terms of the Agreement are hereby considered amended and revised hereby.

Seller and Purchaser agree that the Agreement shall be amended and supplemented as hereinafter set forth.

1. The purchase price for the Property (the "Purchase Price") shall remain Twenty Million Dollars ($20,000,000.00), but the following adjustments shall be made to the payment of such Purchase Price at closing:
    a. The cash to be paid by Purchaser at closing shall be reduced by Five Hundred Thousand Dollars ($500,000.00).
    b. The amount of the promissory note to be delivered by Purchaser to Seller at closing shall be increased by Five Hundred Thousand Dollars ($500,000.00) to a total of Two Million Five Hundred Thousand Dollars ($2,500,000.00).
2. The Purchaser shall deposit an additional One Hundred Fifty Thousand Dollars ($150,000.00) of earnest money with escrow agent upon execution of this First Amendment, to increase earnest money deposit to a total of Two Hundred and Fifty Thousand Dollars ($250,000), which total earnest money deposit shall be applied to the Purchase Price at closing. It is the intent hereof that such deposit of an additional earnest money as provided above shall replace Purchaser's obligation to deliver an additional earnest money deposit upon the expiration of the inspection and financing periods as provided in the Agreement and, as such, the last sentence of Section 3 of the Agreement shall be deleted in its entirety.

Notwithstanding the foregoing, the Purchaser and Seller hereby agree and acknowledge that the changes to the Agreement pursuant to this First Amendment shall not result in a modification of the expiration date of the Purchaser's inspection and financing periods, nor shall such changes modify the closing date pursuant to the Agreement, nor Purchaser's right to extend the closing date pursuant to the Agreement.

Except as modified herein, the terms and conditions of the Agreement shall remain the same, and in full force and effect.



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SELLER:

Northeast Investors, LLC

DocuSigned by:
83230D5ABFCD4A5...

By:
Its:

PURCHASER:

Tom Watson & Co., LLC

DocuSigned by:
John Laliberte
B9246DB2735A417...

By: John Laliberte
Its: Vice President

CONTRACT FOR THE SALE OF COMMERCIAL REAL ESTATE

RECEIVED from Tom Watson & Co., LLC, a Maine limited liability company whose mailing address is c/o Port Property Management, Inc., 82 Hanover Street, Suite 5, Portland, Maine 04101 (hereinafter called "Purchaser"), this 18th day of May, 2022, the sum of Fifty Thousand Dollars ($50,000.00) as earnest money deposit toward purchase and sale of all real estate owned by Bayside I, LLC, a Maine limited liability company, Bayside II, LLC, a Maine limited liability company, Bayside III, LLC, a Maine limited liability company, and Bayside IV, LLC, a Maine limited liability company (hereinafter collectively called the "Seller") including the property, and improvements thereon, listed on Exhibits A-1 – A-4 attached hereto and incorporated herein by this reference, upon the terms and conditions indicated below.

1. PERSONAL PROPERTY: The following items of personal property are included in this sale (if applicable): any items of personal property or equipment owned by the Seller and used in connection with the operation or maintenance of the property.

2. PURCHASE PRICE: The total Purchase Price is Twenty Five Million Dollars ($25,000,000.00), with payment made as follows:

Earnest money to be delivered within three (3) days of the Effective Date (the "Initial Deposit"):	$ 50,000.00
Additional earnest money to be delivered upon expiration of the Due Diligence Period (the "Additional Deposit"):	$ 200,000.00
Balance due at closing, in immediately-available funds:	$ 24,750,000.00, subject to any adjustments and prorations hereinafter provided

3. EARNEST MONEY/ACCEPTANCE: Porta & Co. ("Escrow Agent") shall hold the Initial Deposit and Additional Deposit, if applicable, in a non-interest bearing account and act as escrow agent until closing.

4. TITLE: Within sixty (60) days of the Effective Date (the "Title Review Period"), Purchaser shall notify Seller in writing (the "Title Objection Notice") of any matters affecting title to the property that are objectionable to Purchaser in Purchaser's sole discretion ("Title Defects"). Purchaser shall be deemed to have waived the right to object to any matter affecting title as of the Effective Date, except for any mortgage, tax lien, mechanics' lien, judgment lien, or other liens encumbering the property (for which no objection is required), if Purchaser fails to specifically identify such matters in the Title Objection Notice (each matter not objected to being a "Permitted Encumbrance"). Within seven (7) days of Seller's receipt of the Title Objection Notice, Seller shall notify Purchaser in writing whether or not Seller elects to cure any of the matters identified in the Title Objection Notice. If Seller elects to cure certain Title Defects, Seller shall use good faith efforts to cure such Title Defects and shall have a period of not more than thirty (30) days after notice of Seller's election within which to cure any such Title Defects (the "Title Cure Period"), and the Closing Date shall be extended until five (5) days after the expiration of the Title Cure Period. Seller agrees that, after the Effective Date, it shall not permit or suffer encumbrance of the property with any liens, easements, leases or other encumbrances without Purchaser's prior written consent, except that Purchaser shall not unreasonably withhold or delay its consent to new leases. On or before the Closing Date, Seller shall remove at its sole cost any such matters affecting the title to the property suffered or created by or consented to by Seller after the Effective Date that are not approved in writing by Purchaser. If Seller elects not to cure any Title Defects or if Title Defects which Seller elects to cure are not cured within the Title Cure Period, then Purchaser shall elect, by written notice to Seller on or before the Closing Date, as the same may be extended, either (i) to accept title to the property subject to such uncured Title Defects without reduction of the purchase price and without any liability on the part of Seller therefor, in which case such Title Defects shall be Permitted Encumbrances, or (ii) to terminate this Contract, whereupon the Initial Deposit shall be immediately released to Seller, the Additional Deposit shall be immediately returned to Purchaser, if applicable, and neither party shall have any further obligations under this Contract.

5. DEED: In return for payment in full of the purchase price, Seller shall convey the property on the date that is sixty (60) days following the expiration of the Due Diligence Period (the "Closing Date") to Purchaser by Maine Statutory Short-Form Quitclaim with Covenant Deed from each Seller (collectively, the "Deed"), and the parties agree to execute and deliver on the Closing Date such other documents that are customary and/or reasonably necessary to complete the conveyance, including but not limited to (i) such customary certificates, affidavits or letters of indemnity as the Purchaser's title company issuing title insurance policies on the property shall require in order to issue the title policy and to omit therefrom all exceptions for unfiled mechanic's, materialmen's or similar liens and for parties in possession (other than the Seller), survey exceptions and to facilitate gap coverage; (ii) such affidavits and certificates from Seller, in form and substance reasonably satisfactory to Purchaser, as Purchaser shall deem necessary to relieve Purchaser of any obligation to deduct and withhold any portion of the Purchase Price pursuant to Section 1445 of the Internal Revenue Code; (iii) an executed original certificate from Purchaser in form and substance reasonably satisfactory to Seller acknowledging receipt of notification of the withholding tax requirements of the State of Maine; (iv) such information, affidavits and certificates from Seller, in form and substance reasonably satisfactory to Purchaser, as Purchaser shall deem necessary, to allow Purchaser to comply with Purchaser's obligation, if any, to deduct and withhold a portion of the Purchase Price pursuant to 36

M.R.S.A. § 5250-A; (v) a written notice from Seller, in form and substance reasonably satisfactory to Purchaser, which written notice shall certify either: (a) that Seller is unaware of any underground oil storage facility located on the property, or (b) pursuant to 38 M.R.S.A. § 563(6), if Seller is aware that there is such a facility on the Premises, Seller shall identify all such facilities to the extent known to Seller and shall disclose its registration number or numbers, the location of such facility, whether or not it has been abandoned in place, and that the facility is subject to regulation by the MDEP; (vi) a Certificate of Good Standing from each party, together with such documentation evidencing such party's authority to enter into and complete the transaction as contemplated by this Contract, including without limitation a Secretary or Clerk's certificate as to vote and incumbency; (vii) a closing statement setting forth any prorations and adjustments to the Purchase Price; (viii) a bill of sale for any personal property to be conveyed to Purchaser; and (ix) a Real Estate Transfer Tax Declaration in the form required to be recorded with the Deed. Purchaser shall have the right to extend the Closing Date by up to thirty (30) additional days. In the event Purchaser elects to exercise its extension of the Closing Date, Purchaser shall do so by delivering written notice to that effect to Seller on or before the original Closing Date and delivering to Escrow Agent an additional Fifty Thousand Dollars ($50,000.00) of earnest money, which shall be non-refundable and paid directly to Seller, but applied to the purchase price. It is a condition to Purchaser's obligations hereunder that title to the property shall be free and clear of all liens and encumbrances except for the following matters and otherwise in compliance with the requirements of this Contract: (i) zoning restrictions and land use laws and regulations and permits and approvals issued pursuant thereto; (ii) current taxes and assessments attributable to periods from and after the Closing, which Purchaser shall be liable to pay; (iii) leases and occupancies disclosed to Purchaser pursuant to Section 11 below; and (iv) any Permitted Encumbrance.

6. LEASES/TENANT SECURITY DEPOSITS: Seller agrees at closing to transfer to Purchaser, by proper assignment thereof, all Seller's rights under the current leases to the property and any and all security deposits held by Seller pursuant to said leases.

7. POSSESSION/OCCUPANCY: Possession/occupancy of property shall be given to Purchaser on the Closing Date subject only to the leases and tenancies disclosed to Purchaser pursuant to Section 11 below, unless otherwise agreed by both parties in writing.

8. RISK OF LOSS: Until transfer of title, the risk of loss or damage to the property by fire or otherwise is assumed by Seller unless otherwise agreed in writing. The property shall at closing be in substantially the same condition as of the Effective Date, excepting reasonable use and wear. If the property is materially damaged or destroyed prior to closing, Purchaser may either terminate this Contract and be refunded the Initial Deposit and Additional Deposit, if applicable, or close this transaction and accept the property in its as-is condition together with an assignment of the Seller's right to any insurance proceeds relating thereto. For purposes of this paragraph, in order for Purchaser to exercise its termination right as provided above, 'materially damaged or destroyed' shall mean damaged or destroyed to the extent that the cost of replacement or repair will exceed $250,000 based on an estimate from Seller's insurance carrier, provided, however, such $250,000 minimum threshold shall not apply to nor otherwise limit the application of Purchaser's right to receive an assignment of the Seller's right to any insurance proceeds as set forth above.

9. PRORATIONS: The following items shall be prorated as of the Closing Date:

   a. Real Estate Taxes based on the municipality's tax year. Seller is responsible for any unpaid taxes for prior years.
   b. Fuel
   c. Metered utilities, such as water and sewer, shall be paid by the Seller through the date of closing, unless paid by tenant(s) under the leases;
   d. Purchaser and Seller shall each pay one-half of the transfer tax as required by the laws of the State of Maine.
   e. Rents, estimated monthly common area maintenance charges, estimated monthly property tax payments, and all other additional revenue received by Seller pursuant to leases of the property.

10. DUE DILIGENCE: Purchaser is advised to seek information from professionals regarding any specific issue of concern. Neither Seller nor the Real Estate Licensees identified below make any representations or warranties regarding the condition, permitted use or value of Seller's real or personal property. Purchaser's obligation to close under this Contract is conditioned upon Purchaser's satisfaction with its investigations of the property, which may without limitation include survey, environmental assessment, engineering studies, wetlands or soils studies, zoning compliance or feasibility, and code compliance, all within sixty (60) days of the Effective Date (the "Due Diligence Period").

    Seller hereby grants Purchaser and its agents the right to enter upon or in any part of the property at all reasonable times and from time to time prior to the closing in order to inspect the property, and at its sole cost and expense conduct surveys, soil tests, engineering and environmental testing and studies and to do such things as are reasonably necessary with respect to its due diligence, acquisition and financing of the property. Purchaser shall not interrupt the business of any of the tenants of Seller. Access to any space that is under lease shall only be permitted in accordance with Seller's right of access pursuant to the terms of any of the leases and by execution of this Contract, Seller hereby represents to Purchaser that all leases for the property include a right for Seller, as landlord, to access and inspect each tenant's leased premises, subject in all cases to the terms of each tenant's respective lease. Purchaser acknowledges that it shall perform such activities at its sole risk and hereby indemnifies and holds Seller, its officers, directors, shareholders and agents, harmless from any and all damage, loss or injury resulting from Purchaser's access under this

  Purchaser's Initials _____ Seller's Initials

provision, and further agrees that Purchaser shall use reasonable efforts to minimize any interference with Seller's business operations.

Purchaser acknowledges that Seller has, prior to the Effective Date, provided to Purchaser for Purchaser's review and inspection copies of all of the any and all documents relating to the Seller and the property that are in Seller's possession, custody, or control, and that Seller has no further obligation to provide Purchaser with any information or documents with respect to Seller and the property except as set forth in this Contract .

All investigations will be done by professionals chosen and paid for by Purchaser. If the result of any investigation is unsatisfactory to Purchaser, Purchaser may declare this Contract null and void by notifying Seller in writing within the specified number of days set forth above, and the Initial Deposit shall be released to Seller. If Purchaser does not notify Seller that Purchaser's investigations are unsatisfactory within the time period set forth above, this contingency is waived by Purchaser. In the absence of any investigations(s) mentioned above, Purchaser is relying completely upon Purchaser's own opinion as to the condition of the property. Purchaser agrees to restore any disturbance to the property caused by Purchaser's investigations, and Purchaser agrees to indemnify and hold Seller harmless for any claims, damages, losses or costs, including without limitation reasonable attorneys' fees, incurred or suffered by Seller as a result of Purchaser's investigations of the property, which indemnification obligation shall survive termination or closing under this Contract.

11. REVIEW OF LEASES AND INCOME AND EXPENSE INFORMATION: Seller represents that to the best of Seller's knowledge: (a) that below is a complete list of all tenants occupying the property under leases or other tenancy arrangements or agreements (the "Leases"), (b) that the Leases are in full force and effect, (c) that to Seller's knowledge, all tenants under the Leases are in full compliance therewith and (d) that Seller is not in violation of its obligations under the Leases. Seller has provided prior to the Effective Date complete copies of all Leases, including any amendments, and income and expense information concerning the property. Purchaser shall have sixty (60) days from the Effective Date to review same, and if the result of the review is unsatisfactory to Purchaser, Purchaser may declare the Contract terminated and the Initial Deposit shall be released to Seller, and thereafter neither party shall have any further obligation under this Contract. Seller represents and warrants that income and expense information provided to Purchaser was true, accurate and complete in all material respects when given. Seller shall use reasonable efforts to obtain a tenant estoppel certificate and a subordination, non disturbance and attornment agreement in form reasonably satisfactory to Purchaser and/or Purchaser's lender for each "Required Lease" within thirty (30) days from delivery of forms therefor. Purchaser agrees that Seller shall have no obligation to deliver such forms for distribution to the tenants until after the expiration of the Due Diligence Period. For purposes hereof, "Required Lease" means any lease that (i) is for space of at least 1,500 square feet and (ii) has at least one (1) year remaining in its term or unexercised renewal rights. Purchaser shall also on a rolling basis have ten (10) days from the date of actual receipt of fully-executed written tenant estoppel certificates in which to terminate this Contract pursuant to this Section 11 due to unsatisfactory information contained therein and upon such termination the Initial Deposit shall be immediately released to Seller, the Additional Deposit shall be immediately returned to Purchaser, if applicable, and thereafter neither party shall have any further obligation under this Contract. Between the Effective Date and the closing, Seller shall not modify, voluntarily terminate or enter into new leases or tenancy arrangements or agreements and shall obtain Purchaser's written consent to any modification or termination of Leases and to any new lease that Seller proposes to enter into with respect to the property, Purchaser's consent not to be unreasonably withheld, conditioned or delayed. In the event that Seller modifies or terminates any Leases or enters into a new Lease without Purchaser's consent, Purchaser's sole remedy shall be to terminate this Contract and receive an immediate refund of the Initial Deposit and the Additional Deposit and thereafter neither party shall have any further obligation under this Contract. Failure of Purchaser to timely notify Seller of its termination of the Contract pursuant to any of its foregoing rights to do so under this Section 11 shall be deemed to be a waiver of the applicable right under this Section 11 to terminate the Contract. At the closing, Seller shall deliver written notice to the tenants and occupants of the property of the transfer of the property, and of the tenants' security deposits, to Purchaser. List tenants: See Exhibit B attached hereto and incorporated herein by this reference.

12. . ACCEPTANCE OF DEED. The acceptance of the deed by Purchaser at the Closing shall be deemed to be the full performance and discharge of every agreement, obligation and representation made on the part of Seller, except as expressly set forth herein or in such deed. No provisions, agreements or representations herein shall survive the Closing except as specifically stated herein. The property is being sold and will be conveyed "as is" without any representation or warranties as to habitability, merchantability, fitness, condition or otherwise. Neither party is relying upon any statements or representations not embodied in this Contract.

13. AGENCY DISCLOSURE: Purchaser and Seller acknowledge that they have been informed that ____N/A_____ ("Selling Agent") is representing Seller in this transaction, and that Porta & Co. ("Purchasing Agent") is representing Purchaser (Selling Agent and Purchasing Agent are referred to elsewhere herein as "Licensees").

14. DEFAULT: If the sale of the property as contemplated hereunder is not consummated solely by reason of Purchaser's default hereunder, provided that Seller is then ready, willing and able to consummate the sale of the property as contemplated by this Contract, Seller's sole and exclusive remedy shall be to terminate this Contract and receive the Initial Deposit and Additional Deposit, if applicable, as full and complete liquidated damages for the breach of this Contract, it being agreed between the parties that

the actual damages to Seller in the event of such breach are difficult to ascertain and/or prove and the Initial Deposit and Additional Deposit, if applicable, is a reasonable estimate and forecast of such actual damages. The parties acknowledge that the payment of the Initial Deposit and Additional Deposit, if applicable, is not intended as a forfeiture or penalty, but is intended to constitute liquidated damages to Seller. In the event of an undisputed default by either party, the Escrow Agent may deliver the Initial Deposit and Additional Deposit, if applicable, to the party entitled to it under this Contract, with written notice to both parties pursuant to Maine Real Estate Commission regulations. In the event that Seller shall be in breach of any of its obligations hereunder for any reason other than Purchaser's default, the exclusive remedies of Purchaser shall (1) be to declare this Contract terminated and to receive: (a) the immediate return of the Initial Deposit and Additional Deposit, if applicable, and (b) reimbursement by Seller of the actual costs and expenses incurred by Purchaser (up to the maximum amount of $100,000) in connection with the subject transaction, or (2) specific performance of Seller's obligations hereunder. If a dispute arises between Purchaser and Seller as of the existence of a default hereunder and said dispute is not resolved by the parties within thirty (30) days, the Escrow Agent may elect to file an action in interpleader and deposit the Initial Deposit and Additional Deposit, if applicable, in the court to resolve said dispute, or otherwise disburse the Initial Deposit and Additional Deposit, if applicable, pursuant to Maine Real Estate Commission regulations. Purchaser and Seller, jointly and severally, shall indemnify Escrow Agent for all costs, losses, expenses, and damages, including reasonable attorneys' fees, incurred by the Escrow Agent in connection with said action and/or in connection with any dispute relating to this Contract and/or the Initial Deposit and Additional Deposit, if applicable.

15. MEDIATION: Any dispute or claim arising out of or relating to this Contract or the property addressed in this Contract shall be submitted to mediation in accordance with the Maine Residential Real Estate Mediation Rules of the Maine Association of Dispute Resolution Professionals or its successor organization. This clause shall survive the closing of this transaction.

16. PRIOR STATEMENTS: This Contract sets forth the entire agreement between the parties, and there are no other representations, agreements or understandings with respect to the subject matter of this Contract. This Contract shall be construed according to the laws of the State of Maine.

17. HEIRS/ASSIGNS: This Contract shall extend to and be obligatory upon heirs, personal representatives, successors, and assigns of Seller and permitted assigns of Purchaser. Purchaser may not assign its rights under this Contract, except that Purchaser may assign its interests under this Contract to an affiliated entity or entities of Purchaser, or in accordance with paragraph 23 hereof, without obtaining the prior written consent of Seller. In the event of such assignment, Seller agrees to close the transaction contemplated by this Agreement with the affiliated assignee of Purchaser.

18. COUNTERPARTS: This Contract may be signed on any number of identical counterparts, including telefax copies and electronically transmitted copies with the same binding effect as if all of the signatures were on one instrument.

19. EFFECTIVE DATE: This Contract is a binding contract when signed by both Seller and Purchaser and when that fact has been communicated to all parties or to their agents. Time is of the essence of this Contract. Seller or Licensees are given permission by the parties to complete the Effective Date blank below with the date of the last signature of the parties, and that date shall be the Effective Date for all purposes under this Contract, and if that blank is not completed, then the Effective Date shall be the date of the last signature of the parties. Except as expressly set forth to the contrary in this Contract, the use of the term "days" in this Contract, including all addenda made a part hereof, shall mean calendar days. Deadlines in this Contract, including all addenda, expressed as "within x days" or the like shall be counted from the Effective Date, unless another starting date is expressly set forth, beginning with the first day after the Effective Date, or such other established starting date, and ending at 5:00 pm, Eastern Time, on the last day counted.

20. CONFIDENTIALITY: Purchaser and Seller authorize the disclosure of the information herein to the real estate licensees, attorneys, lenders, appraisers, inspectors, investigators and others involved in the transaction necessary for the purpose of closing this transaction. Purchaser and Seller authorize the lender and/or closing agent preparing the closing statement to release a copy of the closing statement to the parties and their licensees prior to, at and after the closing.

21. A copy of this Contract is to be received by all parties and, by signature, receipt of a copy is hereby acknowledged. If not fully understood, consult an attorney.

22. Seller acknowledges that the laws of the State of Maine provide that every buyer of real property located in Maine must withhold a withholding tax equal to 2 1/2 % of the consideration unless Seller furnishes to Purchaser a certificate by the Seller stating, under penalty of perjury, that Seller is a resident of the State of Maine or the transfer is otherwise exempt from withholding.

23. Section 1031 Exchange. Seller and Purchaser each reserves the right to include this transaction as part of an IRC Section 1031 tax deferred exchange, at no cost, expense or liability to the other party. Each party further agrees to execute any and all documents (subject to the reasonable approval of the other party's counsel) as are reasonably necessary in connection therewith, provided that the Closing for the conveyance of the Subject Property shall not be contingent upon or subject to the completion of such exchange.

Purchaser and Seller each agrees to indemnify and hold the other free and harmless from any cost, expense or liability, including reasonable attorney's fees, resulting from such other party's participation in such exchange.

24. Notices. All notices required to be given hereunder shall be deemed sufficient if in writing and if sent: (i) by first class mail, postage prepaid, registered or certified, return receipt requested; (ii) by hand delivery; (iii) by FedEx, or similar overnight express mail service, prepaid; or (iv) by facsimile ("Fax") transmission, each to the addresses and/or Fax numbers listed below:

To Seller at:

Bayside I, LLC
Bayside II, LLC
Bayside III, LLC
Bayside IV, LLC
Attn: Thomas A. Toye, III
2515 Mercedes Drive
Fort Lauderdale, FL 33316

With a copy, which shall not constitute notice, to:

Drew A. Anderson, Esq.
Murray, Plumb & Murray
75 Pearl Street
Portland, Maine 04101

To Purchaser at:

Tom Watson & Co., LLC
c/o Port Property Management, Inc.
82 Hanover Street, Suite 5
Portland, Maine 04101

With a copy, which shall not constitute notice, to:

Hawley R. Strait, Esq.
Bernstein Shur
100 Middle Street
PO Box 9729
Portland, ME 04104-5029

All such communication shall be deemed made upon the earlier of (3) business days following deposit with the U.S. Mail or the date of receipt as disclosed on the return receipt (if sent by registered or certified mail), or upon delivery (if hand delivered), or upon delivery as indicated on the proof of delivery (if sent via FedEx or similar overnight express mail service), or upon time of confirmed receipt (if sent via Fax). With respect to any of the above-referenced methods of delivery, rejection or other refusal to accept or the inability to deliver because of a change of address of which no notice was given shall be deemed to be receipt of the notice sent. Either party may change its address or its Fax number for purposes of this subparagraph by giving the other party notice of the new address or Fax number in the manner described herein.

The parties agree that none of the above are collateral agreements. It is the intent of the parties that except as expressly set forth in this Contract, all covenants, representations, statements and obligations of both parties herein shall not survive closing.

Purchaser: **Tom Watson & Co., LLC**

By: _____
Name: John Lalberte
Title: Vice President

Signed this 18th day of May, 2022.

Seller:

Bayside I, LLC

By: _____
Name: Thomas A. Toye, III
Title: Member

Bayside II, LLC

By: _____
Name: Thomas A. Toye, III
Title: Member

Bayside III, LLC

By: _____
Name: Thomas A. Toye, III
Title: Member

Bayside IV, LLC

By: _____
Name: Thomas A. Toye, III
Title: Member

Escrow Agent: **Porta & Co.**

By: _____
Name: _____
Title: _____

EFFECTIVE DATE OF THIS CONTRACT: May 18, 2022.

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EXHIBITS "A-1 – A-4"

DESCRIPTION OF PROPERTY

(see attached)

EXHIBIT A - 1

BAYSIDE I, LLC PROPERTY

PARCEL 1 –

Comprised of:

1. 59-69 Preble Street/232-244 Oxford Street/60-64 Elm Street – (33-M-1); and
2. 66-68 Elm Street/228-330 Oxford Street – (33-M-12):

A certain lot or parcel of land, with the improvements thereon, situated on the southeasterly side of Oxford Street, the northeasterly side of Preble Street and the southwesterly side of Elm Street, in the City of Portland, County of Cumberland and State of Maine and shown as Parcel 1 on ALTA/ACSM Land Title Survey on Preble Street, Lancaster Street East, Elm Street and Oxford Street, Portland, Maine made for Bayside I, LLC by Owen Haskell, Inc., dated January 24, 2000 and recorded in the Cumberland County Registry of Deeds in Plan Book 200, Page 40 (the "Plan"), bounded and described as follows:

Beginning at a granite "M" monument found at the point of intersection of the northeasterly sideline of Preble Street and the southeasterly sideline of Oxford Street;

Thence, N 48° 33' 13" E by Oxford Street 207.26 feet to Elm Street;

Thence, S 43° 40' 43" E by Elm Street 122.92 feet to the land now or formerly of August Corporation as described in the deed recorded in said Registry of Deeds in Book 12033, Page 341;

Thence, S 47° 21' 26" W by land now or formerly of October Corporation and by the building on the premises herein described and the northeasterly extension thereof 209.61 feet to Preble Street;

Thence, N 42° 34' 00" W by Preble Street 127.22 feet to the point of beginning.

PARCEL 2 –

Comprised of:

1. 87-91 Preble Street – (33-G-1);
2. 79 Preble/78-84 Elm Street – (33-G-2-10);
3. 97 Preble Street/200-206 Lancaster Street East – (33-G-3);
4. 73-77 Preble Street/241-243 Oxford Street – (33-G-4);
5. 237-239 Oxford Street - (33-G-5);
6. 94-96 Elm Street/192-198 Lancaster Street - (33-G-6);
7. 90-92 Elm Street – (33-G-7);
8. 86 Elm Street – (33-G-8);
9. 233-235 Oxford Street - (33-G-12); and
10. 70-74 Elm Street/229-231 Oxford Street – (33-G-14-17):

A certain parcel of land with the buildings thereon situated on the southeasterly side of Lancaster Street, the southwesterly side of Elm Street, the northwesterly side of Oxford Street and the northeasterly side of Preble Street in the City of Portland, County of Cumberland and State of Maine and shown as Parcel 2 on the Plan, bounded and described as follows:

Beginning at the point of intersection of the northeasterly sideline of Preble Street and the southeasterly sideline of Lancaster Street;

Thence, N 49° 39' 27" E by Lancaster Street 199.65 feet to Elm Street;

Thence, S 43° 45' 13" E by Elm Street 328.02 feet to Oxford Street;

Thence, S 48° 33' 13" W by Oxford Street 206.30 feet to Preble Street;

Thence, N 42° 34' 18" W by Preble Street 331.66 feet to the point of beginning.

Meaning and intending to convey and hereby conveying all of the remaining properties conveyed to Bayside I, LLC by Quitclaim Deed of October Corporation, dated January 26, 2000 and recorded in said Registry of Deeds in Book 15298, Page 91.

EXHIBIT A - 2

BAYSIDE II, LLC PROPERTY

PARCEL 1 –

Comprised of:

1. 157-189 Lancaster Street East/97-109 Elm Street – (25-F-1 & 33-F-1)
2. 92-106 Kennebec Street/72 Cedar Street/Elm Street – (33-F-2)

A certain lot or parcel of land, with the improvements thereon, situated in the block bounded by Elm, Kennebec, Chestnut and Lancaster Streets, in the City of Portland, County of Cumberland and State of Maine and shown as Parcel 1 on ALTA/ACSM Land Title Survey on Kennebec Street, Lancaster Street East, Elm Street, Cedar Street and Oxford Street, Portland, Maine made for Bayside II, LLC by Owen Haskell, Inc., dated January 24, 2000 and recorded in the Cumberland County Registry of Deeds in Plan Book 200, Page 41 (the "Plan"), being bounded and described as follows:

Beginning at the intersection marking the northwesterly side of Lancaster Street and the northeasterly side of Elm Street;

Thence by the northeasterly side of Elm Street N 43° 46' 33" W, a distance of 158.86', to an angle in said Street;

Thence N 40° 53' 33" W a distance of 31.49' to the southeasterly side of Kennebec Street, marking a non-tangent point on a curve, in said Street;

Thence northeasterly by the southeasterly side of said Kennebec Street and by a curve to the left whose radius is 695.00', an arc distance of 210.01', to a point of tangency;

Thence continuing by said Kennebec Street N 48° 56' 54" E, a distance of 251.30', to the southwesterly side of said Chestnut Street;

Thence by the southwesterly side of said Chestnut Street S 44° 38' 26" E, a distance of 164.71' to the northwesterly side of said Lancaster Street;

Thence by the northwesterly side of said Lancaster Street S 49° 39' 27" W, a distance of 461.02', to the point of beginning.

The property is subject to a Notice of Abandoned Underground Oil Storage Facility or Tank Notice, dated April 6, 2011 and recorded in said Registry of Deeds in Book 28629, Page 238.

PARCEL 2 -

Comprised of:

1. 83-95 Elm Street/180-190 Lancaster Street – (33-H-18);
2. 54 Cedar Street/Lancaster Street East – (33-H-8);
3. 46-48 Cedar Street – (33-H-10);
4. 79-81 Elm Street – (33-H-5);
5. 69-77 Elm Street/217-227 Oxford Street – (33-H-6-7-14-15);
6. 36-38 Cedar Street – (33-H-13); and
7. 40-42 Cedar Street – (33-H-12)

A certain lot or parcel of land, with the improvements thereon situated on the northwesterly sideline of Oxford Street, the northeasterly sideline of Elm Street, the southwesterly sideline of Cedar Street and the southeasterly sideline of Lancaster Street East in the City of Portland, County of Cumberland and State of Maine and shown as Parcel 2 on the Plan, bounded and described as follows:

Beginning at the point of intersection of the northwesterly sideline of Oxford Street and the northeasterly sideline of Elm Street;

Thence N 43° 45' 13" W along said sideline of Elm Street 327.06 feet to the southeasterly sideline of Lancaster Street East;

Thence N 49° 39' 27" E along said sideline of Lancaster Street East 210.57 feet to the southwesterly sideline of Cedar Street;

Thence S 43° 29' 51" E along said sideline of Cedar Street 40.00 feet to the northeasterly corner of land now or formerly of Archie and Margaret Tevanian;

Thence by the following courses and distances along said Tevanian land:

S 49° 39' 26" W 117.00 feet to a point;
S 42° 13' 00" E 39.96 feet to a point;
N 49° 39' 26" E 117.89 feet to a point on said sideline of Cedar Street;

Thence S 43° 29' 51" E along said sideline of Cedar Street 39.34 feet to the northeasterly corner of land now or formerly of Leon and Mary Tevanian;

Thence by the following courses and distances along said Tevanian land:

S 48° 42' 12" W 118.73 feet to a point;
S 42° 13' 00" E 40.00 feet to a point;
N 48° 41' 30" E 119.62 feet to a point on said sideline of Cedar Street;

Thence S 43° 29' 51" E along said sideline of Cedar Street 80.62 feet to the northeasterly corner of land now or formerly of Francis F. Buck;

Thence S 48° 41' 30" W along said Buck land 63.30 feet to a point;

Thence S 42° 36' 35" E along said Buck land 83.34 feet to a point on the northwesterly sideline of said Oxford Street;

Thence S 48° 38' 53" W along said sideline of Oxford Street 144.34 feet to the point of beginning.

PARCEL 3 -

Comprised of:

1. 156-174 Lancaster Street East/51-53 Cedar Street/84 Chestnut Street – (26-A-1)

A certain parcel of land, with the improvements thereon, situated on the southeasterly side of Lancaster Street, in the City of Portland, County of Cumberland, State of Maine and shown as Parcel 3 on the Plan, bounded and described as follows:

Beginning at the intersection of the southeasterly sideline of Lancaster Street and the southwesterly sideline of Chestnut Street;

Thence S 44° 38' 26" E along the sideline of Chestnut Street 88.08 feet;

Thence S 49° 39' 27" W 107.40;

Thence N 45° 57' 49" W 3.67 feet;

Thence S 31° 29' 21" W 4.67 feet;

Thence N 43° 29' 51" W 23.77 feet;

Thence S 49° 39' 27" W 35.69 feet;

Thence N 43° 29' 51" W 28.00 feet;

Thence S 49° 39' 27" W 72.00 feet to the northeasterly sideline of Cedar Street;

Thence N 43° 29' 51" W along said sideline 34.00 feet to the southeasterly sideline of Lancaster Street;

Thence N 49° 39' 27" E along said sideline 219.00 feet to the point of beginning.

Meaning and intending to convey and hereby conveying the same premises conveyed to Bayside II, LLC by Quitclaim Deed of October Corporation, dated January 26, 2000 and recorded in said Registry of Deeds in Book 15298, Page 144.

EXHIBIT A - 3

BAYSIDE III, LLC PROPERTY

Comprised of

1. 191 Oxford Street/66-68 Chestnut – (26-B-8);
2. 193-195 Oxford Street – (26-B-9);
3. 197 Oxford Street – (26-B-18)
4. 199-201 Oxford Street – (26-B-10-11)

A certain parcel of land, together with the improvements thereon, situated on the northwesterly side of Oxford Street in the City of Portland, County of Cumberland, State of Maine, and shown as Parcel 1 on ALTA/ACSM Land Title Survey on Cedar Street, Chestnut Street, Elm Street and Oxford Street, Portland, Maine for Bayside III, LLC by Owen Haskell, Inc., dated January 24, 2000 and recorded in the Cumberland County Registry of Deeds in Plan Book 200, Page 42 (the "Plan"), bounded and described as follows:

Beginning at the intersection of the northwesterly sideline of Oxford Street and the southwesterly sideline of Chestnut Street;

Thence S 48° 37' 47" W along the sideline of Oxford Street 167.19 feet;

Thence N 43° 29' 51" W 67.00 feet;

Thence N 48° 37' 47" E 35.54 feet;

Thence N 00° 14' 40" E 2.72 feet;

Thence N 52° 33' 00" E 18.73 feet;

Thence N 41° 16' 13" W 3.10 feet;

Thence N 49° 06' 44" E 109.65 feet to the southwesterly sideline of Chestnut Street;

Thence S 44° 38' 26" E 70.00 feet to the point of beginning.

Meaning and intending to convey and hereby conveying the remaining premises conveyed to Bayside III, LLC by Quitclaim Deed from October Corporation, dated January 26, 2000 and recorded in said Registry of Deeds in Book 15298, Page 193.

EXHIBIT A - 4

BAYSIDE IV, LLC PROPERTY

PARCEL 1 -

Comprised of:

1. 91-95 Chestnut Street/147-155 Lancaster Street – (25-D-10)
2. 97-103 Chestnut Street/60-66 Kennebec Street – (25-D-9)

A certain lot or parcel of land, together with the improvements thereon, situated on the northwesterly side of Lancaster Street and the northeasterly side of Chestnut Street, in the City of Portland, County of Cumberland, and State of Maine, and shown as Parcel 1 on ALTA/ACSM Land Title Survey on Cedar Street, Lancaster Street East, Chestnut Street and Oxford Street, Portland, Maine for Bayside IV, LLC by Owen Haskell, Inc., dated January 24, 2000 and recorded in the Cumberland County Registry of Deeds in Plan Book 200, Page 43 (the "Plan"), bounded and described as follows

Beginning at the intersection of the northeasterly side of said Chestnut Street and the northwesterly side of Lancaster Street;

Thence by the northeasterly side of Chestnut Street N 44° 38' 26" W, a distance of 165.33 feet, to the southeasterly side of Kennebec Street;

Thence by the southeasterly side of said Kennebec Street N 49° 02' 07" E, a distance of 84.95 feet, to the northwesterly corner of land conveyed to E. Perry Iron and Metal Co. as described in the deed recorded in said Registry of Deeds in Book 12604 Page 268;

Thence by land now or formerly of said E. Perry Iron and Metal Co. on the following courses:

S 40° 57' 53" E, a distance of 117.11 feet;
N 49° 02' 47" E, a distance of 40.11 feet;
S 43° 43' 01" E, a distance of 47.93 feet, to the northwesterly side of said Lancaster Street;

Thence by the northwesterly side of said Lancaster Street S 49° 02' 07" W, a distance of 116.76 feet to the point of beginning.

PARCEL 2 -

Comprised of:

1. 82 Chestnut Street/Hall's Court – (26-A-5-14)
2. 1-5 Hall's Court – (26-A-6-7)

A certain parcel of land, together with the improvements thereon, situated on the southwesterly side of Chestnut Street and the northwesterly side of Hall's Court, so-called, in the City of Portland, County of Cumberland, State of Maine and shown as Parcel 2 on the Plan, bounded and described as follows:

Beginning at the intersection of the southwesterly sideline of Chestnut Street and the northwesterly sideline of Hall's Court;

Thence S 49° 19' 48" W along the sideline of Halls Court 112.65 feet;

Thence N 43° 29' 51" W 31.09 feet;

Thence N 49° 39' 27" E 112.08 feet to the southwesterly sideline of Chestnut Street;

Thence S 44° 38' 26" E 30.48 feet to the point of beginning.

PARCEL 3 –

Comprised of:

1. 78 Chestnut Street/Halls Court – (26-B-5);
2. 74 Chestnut Street – (26-B-6-15);
3. 4-8 Hall's Court – (26-B-4-17);
4. 35 Cedar Street – (26-B-16)

A certain parcel of land, together with the improvements thereon, situated on the southwesterly side of Chestnut Street and the southeasterly side of Hall's Court, so-called, in the City of Portland, County of Cumberland, State of Maine and shown as Parcel 3 on the Plan, bounded and described as follows:

Beginning at the intersection of the southwesterly sideline of Chestnut Street and the southeasterly sideline of Hall's Court;

Thence S 44° 38' 26" E along the sideline of Chestnut Street 78.04 feet;

Thence S 49° 06' 44" W 108.67 feet;

Thence S 43° 14' 05" E 39.95 feet;

Thence S 41° 16' 13" E 3.10 feet;

Thence S 52° 33' 00" W 18.73 feet;

Thence S 00° 14' 40" W 2.72 feet;

Thence S 48° 37' 47" W 35.54 feet;

Thence N 43° 29' 51" W 33.00 feet;

Thence S 48° 37' 47" W 57.00 feet to the northeasterly sideline of Cedar Street;

Thence N 43° 29' 51" W along said sideline 23.00 feet;

Thence N 48° 37' 47" E 113.42 feet;

Thence N 43° 14' 05" W 58.51 feet to the southeasterly sideline of Hall's Court;

Thence along said sideline the following courses and distances:

N 33° 50' 09" E 19.40 feet;
N 42° 14' 19" E 19.88 feet;
N 49° 19' 48" E 68.00 feet to the point of beginning.

PARCEL 4

Comprised of:

1. 205-209 Oxford Street/27-31 Cedar Street – (26-B-12-13)

A certain parcel of land, together with the improvements thereon, situated on the northwesterly side of Oxford Street, and the northeasterly side of Cedar Street in the City of Portland, County of Cumberland State of Maine and shown as Parcel 4 on the Plan, bounded and described as follows:

Beginning at the intersection of the northwesterly sideline of Oxford Street and the northeasterly sideline of Cedar Street;

Thence N 43° 29' 51" W along the sideline of Cedar Street 64.50 feet;

Thence N 48° 37' 47" E 57.00 feet;

Thence S 43° 29' 51" E 64.50 feet to the northwesterly sideline of Oxford Street;

Thence S 48° 37' 47" W along said sideline 57.00 feet to the point of beginning.

Meaning and intending to convey and hereby conveying the remaining premises conveyed to Bayside IV, LLC by Quitclaim Deed of October Corporation, dated January 26, 2000 and recorded in said Registry of Deeds in Book 15298, Page 242.

PARCEL 5

Comprised of: 50 Cedar Street – (33-H-9)

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

Beginning at a stake on the line of said Street distant two hundred forty-four and four tenths (244.4) feet northwesterly from Oxford Street at the northerly comer of land sold by the Administrator of William Webb's Estate to Josiah M. Haskell and running thence northwesterly by said Cedar Street forty (40) feet to a stake;

Thence southwesterly on a line parallel with the northwesterly side of said Haskell's land one hundred seventeen (117) feet, more or less, to the southwesterly sideline of land of which the said Webb died seized;

Thence southeasterly by said southwesterly sideline of said Webb's land to most westerly corner of said Haskell's lot:

Thence northeasterly by said Haskell's land one hundred seventeen (117) feet, more or less, to the point of beginning.

Being the same premises conveyed by Quitclaim Deed with Covenant dated November 16, 2018 from 50 Cedar Street, LLC, to Bayside IV, LLC, and recorded in the Cumberland County Registry of Deeds in Book 35293, Page 77.

Exhibit B

Leases

BOULOS ASSET MANAGEMENT

Rent Roll

BAYSIDE I, LLC

May 17, 2022

LOCATION	LEASED PREMISES	TENANT	UNIT NO.	SQUARE FEET	LEASE TERM FROM	LEASE TERM TO	OPTION TYPE	OPTION YEARS	OPTION RATE	NOTES	ANNUAL BASE RENT	EXPENSE REIMBURSEMENT	GROSS RENT	PER SQUARE FOOT
62 ELM	63 Preble St, 1st fl	PORTLAND COMMUNITY HEALTH CENTER	508 - 1004	4,200	04/01/14	03/31/27	1	5	MARKET	4	$ 70,691.76	$ 14,379.32	$ 85,071.08	$ 13.51
62 ELM		MAINE VOCATIONAL AND REHABILITATION ASSOCIATES, INC.	508 - 1009	2,177	08/13/12	08/31/23	NONE	NONE	NONE		$ 55,300.20	$ 7,279.44	$ 62,579.64	$ 11.95
62 ELM		MAINE VOCATIONAL/REHAB. ASSOCIATES, INC. (Billed under 508-1009)	508 - 1009A	2,860	08/13/12	08/31/23	NONE	NONE	NONE		$ -	$ -	$ -	$ -
62 ELM		MAINE VOCATIONAL/REHAB. ASSOCIATES, INC. (Billed under 508-1009)	508 - 1011	200	08/13/12	08/31/23	NONE	NONE	NONE		$ -	$ -	$ -	$ -
62 ELM	234 Oxford, 1st Fl	ASAL LOGISTICS, INC.	508 - 1012	860	11/09/16	TAW	NONE	NONE	NONE		$ 6,711.12	$ 920.27	$ 7,631.39	$ 8.87
62 ELM	234 Oxford, 1st Fl	PORTLAND COMMUNITY HEALTH CENTER (billed under 508-1004)	508 - 1014	2,097	04/01/17	03/31/27					$ -	$ -	$ -	$ -
62 ELM		SPURWINK SERVICES INC.	508 - 1021	1,200	10/01/21	02/29/24	1	2-4 YRS	+3%/YR	3	$ 36,668.04	$ -	$ 36,668.04	$ 30.56
62 ELM		SPURWINK SERVICES INC. (billed under 508-1021)	508 - 1022	2,360	10/01/21	02/29/24					$ -	$ -	$ -	$ -
62 ELM		SPURWINK SERVICES INC.	508 - 1023	6,658	02/26/19	02/29/24	1	2-4 YRS	+3%/YR	3	$ 93,651.36	$ 1,931.89	$ 95,583.25	$ 14.36
62 ELM	60 Elm Street	SPURWINK SERVICES, INC. -Includes Hallway	508 - 1027	2,208	04/15/22	02/29/24	1	2-4 YRS	+3%/YR		$ 28,704.00	$ -	$ 28,704.00	$ 13.00
62 ELM	60 Elm Street	SPURWINK SERVICES INC.	508 - 1029	1,400	01/27/20	02/29/24	1	2-4 YRS	+3%/YR	3	$ 14,852.64	$ -	$ 14,852.64	$ 9.50
190 LANCASTER	190 Lancaster	OPPORTUNITY ALLIANCE	509 - 100	3,100	04/28/17	04/30/27	1	2-5 YRS	See Lease	9	$ 41,072.04	$ 6,469.92	$ 47,541.96	$ 15.34
190 LANCASTER	190-196 Lancaster	VACANT	509 - 110	5,912							$ -	$ -	$ -	$ -
190 LANCASTER		VACANT	509 - 112B	765							$ -	$ -	$ -	$ -
190 LANCASTER		VACANT	509 - 112F	528							$ -	$ -	$ -	$ -
190 LANCASTER	81-85 Preble Street	VACANT	509 - 113	3,012							$ -	$ -	$ -	$ -
190 LANCASTER	82 Elm Street	RECOVERY CONNECTIONS OF MAINE, LLC	509 - 115	1,390	01/14/21	01/31/24	1	2-3 YRS	MARKET	8	$ 21,475.56	$ -	$ 21,475.56	$ 15.45
190 LANCASTER	80 Elm Street	BRICKLIGHT REALTY MANAGEMENT, LLC	509 - 116	800	03/05/21	03/31/23	1	1-1 YEAR	BR + 3%	6	$ 12,360.00	$ -	$ 12,360.00	$ 15.45
190 LANCASTER	76 Elm Street	MAINE PRETRIAL SERVICES, INC.	509 - 117	2,250	03/09/17	03/31/27	NONE	NONE	NONE		$ 29,025.00	$ 3,220.65	$ 32,245.65	$ 14.33
190 LANCASTER	237 Oxford Street	MAINEHEALTH	509 - 221A	402	01/29/18	05/31/25	NONE	NONE	NONE		$ 86,747.04	$ 5,890.53	$ 92,637.57	$ 15.40
190 LANCASTER	237 Oxford Street	MAINE ACCESS IMMIGRANT NETWORK	509 - 225	2,298	12/13/13	TAW	NONE	NONE	NONE		$ 6,077.64	$ 2,043.38	$ 8,121.02	$ 3.53
190 LANCASTER	237 Oxford, 2nd Fl	MAINEHEALTH - billed under 509-221A	509 - 222	1,715	05/14/19	05/31/25	NONE	NONE	NONE		$ -	$ -	$ -	$ -
190 LANCASTER	237 Oxford, 2nd Fl	GOODWILL INDUSTRIES OF NNE	509 - 223	660	05/24/17	03/31/24	1	4-2 YRS	MARKET	2	$ 10,777.80	$ -	$ 10,777.80	$ 16.33
190 LANCASTER	237 Oxford, 2nd Fl	PASTOR LAWUM KAYAMBA	509 - 224	405	12/01/15	MTM	NONE	NONE	NONE		$ 4,200.00		$ 4,200.00	$ 10.37
190 LANCASTER	237 Oxford, 2nd Fl	MICHAEL BEAN	509 - 226A&B	293	07/01/10	MTM	NONE	NONE	NONE		$ 3,987.72	$ 459.59	$ 4,447.31	$ 15.18
190 LANCASTER	237 Oxford, 2nd Fl	MOHAMUD BARRE	509 - 226C&D	308	07/01/10	MTM	NONE	NONE	NONE		$ 3,714.24		$ 3,714.24	$ 12.06
190 LANCASTER	190 Lancaster, 2nd	GOODWILL INDUSTRIES OF NNE	509 - 200	6,925	04/01/15	03/31/24	1	4-2 YRS	MARKET	1	$ 113,080.80	$ 6,200.52	$ 119,281.32	$ 17.22
190 LANCASTER	190 Lancaster	SWEETSER	509 - 130C	3,697	07/01/16	06/30/25	NONE	NONE	NONE		$ 46,940.64	$ 5,448.32	$ 52,388.96	$ 14.17
190 LANCASTER	190 Lancaster, 3rd	OPPORTUNITY ALLIANCE	509 - 310	11,500	05/22/17	05/31/27	1	2-Five Years	See Lease	7	$ 149,375.64	$ 16,958.74	$ 166,334.38	$ 14.46
190 LANCASTER	74 Elm St.	PEOPLEREADY, INC. fka Labor Ready Northeast, Inc.	509 - 2040	2,124	05/31/12	11/30/22	1	5 yrs.	MARKET	5	$ 28,738.56	$ 3,711.64	$ 32,450.20	$ 15.28
190 LANCASTER	74 Elm St.	AM-AT-UER SERVICE, INC.	509 - 2042	1,800	10/01/00	09/30/23	NONE	NONE	NONE		$ 29,877.96	$ -	$ 29,877.96	$ 16.60
77 PREBLE		VACANT - *BASEMENT NOT RENTABLE*	509 - 3050	3,800							$ -	$ -	$ -	$ -
77 PREBLE	241 Oxford Street	MAINE HEALTH - billed under 509-221A	509 - 3052	3,900	10/17/02	05/31/25	NONE	NONE	NONE		$ -	$ -	$ -	$ -
196 LANCASTER	97 Preble St.	COMPLETE LABOR AND STAFFING, LLC	509 - 4001	2,631	01/01/12	12/31/22	NONE	NONE	NONE		$ 31,659.60	$ 3,000.94	$ 34,660.54	$ 13.17
196 LANCASTER	200 Lancaster St.	SPECIALIZED HEALTH MANAGEMENT	509 - 4002	593	01/01/99	12/31/22	NONE	NONE	NONE		$ 10,374.72	$ 1,356.40	$ 11,731.12	$ 19.78
196 LANCASTER	198 Lancaster	PHOODIE MARKETING d/b/a ESEM Foods, LLC	509 - 4003	1,000	04/17/19	04/30/23	NONE	NONE	NONE		$ 14,205.48	$ -	$ 14,205.48	$ 14.21
		TOTALS		88,028							$ 950,269.56	$ 79,271.55	$ 1,029,541.11	$ 11.70
		TOTAL OCCUPIED SQUARE FEET		77,811										
		TOTAL VACANT SQUARE FEET		10,217										

OPTION TYPE

1. Option to renew at either a stated rent or a rent to be negotiated.
2) The option or options may be exercised by the Tenant any time up to the expiration of the tenancy; lack of such notice combined with continued occupancy will automatically trigger an exercise of the option. Under this option, the Landlord has no right to terminate the tenancy.

NOTES

1) Has four 2 year options, Option ND = 9/30/23, 9/30/25, 9/30/27, 9/30/29.
2) Options are conterminous with 509-200.
3) Option NDs 8/31/23 and 8/31/27.
4) Option ND 3/31/26.
5) One 5-year optios; ND 8/31/22.
6) One 1-yar option; ND 12/31/22. Option Rent is Base Year rent plus 3%.
7) 1st Option ND 8/31/26; 1st Option Rent: Year 1 $14,018.44; Yr 2 $14,298.80; Yr 3 $14,584.78; Yr 4 $14,876.48; Yr 5 $15,174.01. 2nd Option ND 8/31/31; 2nd Option Rent:Year 1 $15,477.49; Yr 2 $15,787.04; Yr 3 $16,102.78; Yr 4 $16,424.83; Yr 5 $16,753.33.
8) Has two 4 year options. Option ND 8/4/23 and 8/4/26.
9) Has two 4 year options. Option ND 7/31/2026 and 7/31/2031.

BOULOS PROPERTY MANAGEMENT
Rent Roll

BAYSIDE II, LLC

BAYSIDE II, LLC - 165-175-185 LANCASTER STREET

May 17, 2022

ADDRESS	LOCATION	UNIT NO.	SQUARE FEET	LEASE TERM FROM	TO	OPTION TYPE	OPTION YEARS	OPTION RATE	NOTES	ANNUAL BASE RENT	ANNUAL EXPENSE REIMBURSEMENT	ANNUAL GROSS RENT	RENT PER SQUARE FOOT
165 Lancaster	MAINEHEALTHCARE - COMMUNITY COUNSELING CENTER	512 - 100	33,074	04/22/11	04/30/26	1	5 yrs.	2.5% ESCALATOR -	2	$ 622,250.40	$ 2,134.60	$ 624,385.00	$ 18.88
	VACANT	512 - 101	660										
185 Lancaster	BAXTER ACADEMY (billed under 512-200A)	512 - 100A	19,624	12/01/17	9/30/1942					$ -	$ -	$ -	$ -
185 Lancaster	BAXTER ACADEMY	512 - 200A	12,360	09/14/17	9/30/2042	1	Two (5 Yrs)	2% Escalator - Base Rent	3	$ 339,416.76	$ 6,863.14	$ 346,279.90	$ 28.02
175 Lancaster	VACANT	512 - 208D	319							$ -	$ -	$ -	$ -
175 Lancaster	THE STORY BOARD, LLC	512 - 209	745	04/15/16	04/30/23	1	One option (2 Yrs)	3% ESCALATOR - BASE RENT	1	$ 9,068.52	$ -	$ 9,068.52	$ 12.17
175 Lancaster	INSTITUTE FOR FINANCIAL LITERACY, INC.	512 - 210	737	10/01/18	09/30/22	NONE	NONE	NONE		$ 8,730.00	$ 141.32	$ 8,871.32	$ 12.04
185 Lancaster	SEA CHANGE YOGA	512 - 213	1,050	02/23/22	03/31/23	1	Three (1 year)	3% ESCALATOR - BASE RENT	4	$ 14,700.00	$ -	$ 14,700.00	$ 14.00
175 Lancaster	DEFENDIFY, INC.	512 216	3,584	11/06/19	11/30/22	NONE	NONE	NONE		$ 84,700.92	$ 391.89	$ 85,092.81	$ 11.72
175 Lancaster	VACANT	512 - 214	473							$ -	$ -	$ -	$ -
175 Lancaster	DEFENDIFY, INC. (billed under Suite 216)	512 216A	3,674	11/06/19	11/30/22	NONE	NONE	NONE		$ -	$ -	$ -	$ -
175 Lancaster	CONGOLESE COMMUNITY OF MAINE, LLC	512 - 216B	1,183	01/24/20	03/31/22	NONE	NONE	NONE		$ 15,060.60	$ 1,632.48	$ 16,693.08	$ 14.11
175 Lancaster	RESTORATIVE JUSTICE PROJECT MAINE	512 - 217A	2,213	07/01/18	06/30/23	NONE	NONE	NONE		$ 26,600.16	$ -	$ 26,600.16	$ 6.53
175 Lancaster	ProsperityME	512 - 218A	1,059	05/10/22	05/31/24				5	$ 20,046.36		$ 20,046.36	$ 18.93
175 Lancaster	VACANT	512 - 219A	670							$ -	$ -	$ -	$ -
175 Lancaster	PORTLAND COURIER	512 - 219B	263	12/01/05	2/28/2023	NONE	NONE	NONE		$ 3,155.88	$ 341.88	$ 3,497.76	$ 13.30
175 Lancaster	SEXUAL ASSAULT RESPONSE SERVICES OF SOUTHERN MAINE	512 - 220A	1,860	09/15/12	10/31/22	NONE	NONE	NONE		$ 51,048.60	$ 3,099.99	$ 54,148.59	$ 13.73
175 Lancaster	SEXUAL ASSAULT RESPONSE SERVICES OF SOUTHERN MAINE	512 - 221	2,084	01/17/18	10/31/22	NONE	NONE	NONE		$ -	$ -	$ -	$ -
	GREG SCHILLING - BASEMENT STORAGE		0	09/01/11	MTM	NONE	NONE	NONE		$ 1,800.00	$ -	$ 1,800.00	$ -
	ADMIN. OFFICE OF THE COURTS - Basement	512 - 1B	0	06/15/98	TAW	NONE	NONE	NONE		$ 900.00	$ -	$ 900.00	#DIV/0!
	BOULOS PROPERTY MANAGEMENT - Basement	512 - 4B	0	02/01/02	TAW	NONE	NONE	NONE		$ 1,134.00	$ -	$ 1,134.00	$ -
	THIRD FLOOR NOT LEASABLE DUE TO CODE ISSUE		1,659										
	TOTAL BUILDING SQUARE FOOTAGE		85,632							$ 1,198,612.20	$ 14,605.30	$ 1,213,217.50	$ 14.17
	TOTAL LEASABLE SQUARE FOOTAGE		83,973										
	TOTAL OCCUPIED SQUARE FEET		82,324										
	TOTAL VACANT SQUARE FEET		1,649										

OPTION TYPE

1) Option to renew at either a stated rent or a rent to be negotiated.

NOTES

1) One 2-year option w/ND of 07/30/22.
2) One 5-year option. ND of 4/30/25.
3) First Option ND 12/31/41; Second Option ND 12/31/2046.
4) First Option ND 10/2/22; Second ND 10/2/23; Third ND 10/2/24.
5) Rent increases to $1,363.45 on TBD. Base Year 2021, Additional Expense Reimbursment not included in calculation above. Tenant has 3 parking spaces at the rate of $75.00 per space per month.

BOULOS PROPERTY MANAGEMENT

Rent Roll

BAYSIDE III, LLC

May 17, 2022

	TENANT	UNIT NO.	SQUARE FEET	LEASE TERM FROM	LEASE TERM TO	OPTION TYPE	OPTION YEARS	OPTION RATE	NOTES	ANNUAL BASE RENT	ANNUAL EXPENSE REIMBURSEMENT	ANNUAL GROSS RENT	RENT PER SQUARE FOOT
197 OXFORD	CITY OF PORTLAND	513 - 1001	1,800	07/01/97	02/28/23	NONE	NONE	NONE	1	$ 28,936.56	$ 4,988.59	$ 33,925.15	$ 18.85
197 OXFORD	CITY OF PORTLAND - 201-203 Oxford	513 - 2001	9,000	07/01/97	02/28/23	NONE	NONE	NONE	2	$ 132,664.80	$ -	$ 132,664.80	$ 14.74
			10,800							$ 161,601.36	$ 4,988.59	$ 166,589.95	$ 15.42
	TOTAL OCCUPIED SQUARE FEET		10,800										
	TOTAL VACANT SQUARE FEET		0										

BOULOS ASSET MANAGEMENT

Rent Roll

BAYSIDE IV, LLC

May 17, 2022

TENANT	UNIT NO.	SQUARE FEET	LEASE TERM FROM	LEASE TERM TO	OPTION TYPE	OPTION YEARS	OPTION RATE	ANNUAL BASE RENT	ANNUAL EXPENSE REIMBURSEMENT	ANNUAL GROSS RENT	RENT PER SQUARE FOOT
PARKING CARD DEPOSITS	515 - D	0			NONE	NONE	NONE	$ -	$ -	$ -	$ -
CITY OF PORTLAND - GARDEN	515 - L	0	07/01/01	TAW	NONE	NONE	NONE	$ 1.00	$ -	$ 1.00	
VACANT	515 - 101	0						$ -	$ -	$ -	
VACANT	VACANT - 102	0								$ -	$ -
VACANT	512 - 2P	0							$ -	$ -	$ -
VACANT	515 - 401	0						$ -	$ -	$ -	$ -
	VACANT									$ -	
TOTALS		0						$ 1.00	$ -	$ 1.00	$ -
TOTAL OCCUPIED SQUARE FEET	VACANT	0								$ -	
TOTAL VACANT SQUARE FEET		0									

OPTION TYPE

ASSIGNMENT OF CONTRACT FOR THE SALE OF COMMERCIAL REAL ESTATE

This ASSIGNMENT OF CONTRACT FOR THE SALE OF COMMERCIAL REAL ESTATE (this "Assignment") is made as of the 5th day of October, 2022, by and between **Tom Watson & Co., LLC**, a Maine limited liability company (the "Assignor"), and **60 Elm Street LLC**, a Maine limited liability company (the "Assignee"), both have a mailing address and principal place of business at 82 Hanover Street, Suite 5, Portland, Maine 04101.

RECITALS

WHEREAS, Assignor is the Buyer and Bayside I, LLC, a Maine limited liability company, is the Seller under that certain Contract for the Sale of Commercial Real Estate dated May 18, 2022 (as the same has been or may be amended and extended from time to time, the "Contract") respecting real property and improvements thereon located at 60 Elm Street, Portland, Maine (the "Property") and more particularly described in the Contract; and

WHEREAS, Assignor desires to assign to Assignee, and Assignee desires to accept from Assignor, an assignment of all Assignor's right, title and interest in and to the Contract as such relate to the Property, all in accordance with the terms and conditions of this Assignment.

ASSIGNMENT

NOW THEREFORE, for good and valuable consideration, the recipe and sufficiency of which are hereby acknowledged, Assignor and Assignee hereby agrees as follows:

1) Assignor hereby assigns to Assignee all right, title and interest of Assignor in and to the Contract as such relate to the Property, including, without limitation, all right, title and interest of Assignor in and to any earnest money deposit or other amounts being held pursuant to the terms of the Contract.

2) Assignee hereby accepts the foregoing assignment from Assignor and hereby assumes all obligations of Assignor under the Contract as such relate to the Property.

[Remainder of page intentionally left blank; signature page follows.]

IN WITNESS WHEREOF, the Assignor and the Assignee have caused this Assignment to be duly executed as of the date first above written.

ASSIGNOR:

Tom Watson & Co., LLC

By: _____
John Laliberte, its Vice President

ASSIGNEE:

60 Elm Street LLC

By: Tom Watson & Co., LLC, its Manager

By: _____
John Laliberte, its Vice President

Seen and agreed to by Seller:

Bayside I, LLC

By: _____
Thomas A. Toye, III, Member

ASSIGNMENT OF CONTRACT FOR THE SALE OF COMMERCIAL REAL ESTATE

This ASSIGNMENT OF CONTRACT FOR THE SALE OF COMMERCIAL REAL ESTATE (this "Assignment") is made as of the 5th day of October, 2022, by and between **Tom Watson & Co., LLC**, a Maine limited liability company (the "Assignor"), and **73 Elm Street LLC**, a Maine limited liability company (the "Assignee"), both have a mailing address and principal place of business at 82 Hanover Street, Suite 5, Portland, Maine 04101.

RECITALS

WHEREAS, Assignor is the Buyer and Bayside I, LLC, a Maine limited liability company, is the Seller under that certain Contract for the Sale of Commercial Real Estate dated May 18, 2022 (as the same has been or may be amended and extended from time to time, the "Contract") respecting real property and improvements thereon located at 73 Elm Street, Portland, Maine (the "Property") and more particularly described in the Contract; and

WHEREAS, Assignor desires to assign to Assignee, and Assignee desires to accept from Assignor, an assignment of all Assignor's right, title and interest in and to the Contract as such relate to the Property, all in accordance with the terms and conditions of this Assignment.

ASSIGNMENT

NOW THEREFORE, for good and valuable consideration, the recipe and sufficiency of which are hereby acknowledged, Assignor and Assignee hereby agrees as follows:

1) Assignor hereby assigns to Assignee all right, title and interest of Assignor in and to the Contract as such relate to the Property, including, without limitation, all right, title and interest of Assignor in and to any earnest money deposit or other amounts being held pursuant to the terms of the Contract.

2) Assignee hereby accepts the foregoing assignment from Assignor and hereby assumes all obligations of Assignor under the Contract as such relate to the Property.

[Remainder of page intentionally left blank; signature page follows.]

IN WITNESS WHEREOF, the Assignor and the Assignee have caused this Assignment to be duly executed as of the date first above written.

ASSIGNOR:

Tom Watson & Co., LLC

By: _____
John Laliberte, its Vice President

ASSIGNEE:

73 Elm Street LLC

By: Tom Watson & Co., LLC, its Manager

By: _____
John Laliberte, its Vice President

Seen and agreed to by Seller:

Bayside I, LLC

By: _____
Thomas A. Toye, III, Member

ASSIGNMENT OF CONTRACT FOR THE SALE OF COMMERCIAL REAL ESTATE

This ASSIGNMENT OF CONTRACT FOR THE SALE OF COMMERCIAL REAL ESTATE (this "Assignment") is made as of the 5th day of October, 2022, by and between **Tom Watson & Co., LLC**, a Maine limited liability company (the "Assignor"), and **89 Elm Street LLC**, a Maine limited liability company (the "Assignee"), both have a mailing address and principal place of business at 82 Hanover Street, Suite 5, Portland, Maine 04101.

RECITALS

WHEREAS, Assignor is the Buyer and Bayside II, LLC, a Maine limited liability company, is the Seller under that certain Contract for the Sale of Commercial Real Estate dated May 18, 2022 (as the same has been or may be amended and extended from time to time, the "Contract") respecting real property and improvements thereon located at 89 Elm Street, Portland, Maine (the "Property") and more particularly described in the Contract; and

WHEREAS, Assignor desires to assign to Assignee, and Assignee desires to accept from Assignor, an assignment of all Assignor's right, title and interest in and to the Contract as such relate to the Property, all in accordance with the terms and conditions of this Assignment.

ASSIGNMENT

NOW THEREFORE, for good and valuable consideration, the recipe and sufficiency of which are hereby acknowledged, Assignor and Assignee hereby agrees as follows:

1) Assignor hereby assigns to Assignee all right, title and interest of Assignor in and to the Contract as such relate to the Property, including, without limitation, all right, title and interest of Assignor in and to any earnest money deposit or other amounts being held pursuant to the terms of the Contract.

2) Assignee hereby accepts the foregoing assignment from Assignor and hereby assumes all obligations of Assignor under the Contract as such relate to the Property.

[Remainder of page intentionally left blank; signature page follows.]

IN WITNESS WHEREOF, the Assignor and the Assignee have caused this Assignment to be duly executed as of the date first above written.

ASSIGNOR:

Tom Watson & Co., LLC

By: _____
John Laliberte, its Vice President

ASSIGNEE:

89 Elm Street LLC

By: Tom Watson & Co., LLC, its Manager

By: _____
John Laliberte, its Vice President

Seen and agreed to by Seller:

Bayside II, LLC

By: _____
Thomas A. Toye, III, Member

ASSIGNMENT OF CONTRACT FOR THE SALE OF COMMERCIAL REAL ESTATE

This ASSIGNMENT OF CONTRACT FOR THE SALE OF COMMERCIAL REAL ESTATE (this "Assignment") is made as of the 5th day of October, 2022, by and between **Tom Watson & Co., LLC**, a Maine limited liability company (the "Assignor"), and **149 Lancaster Street LLC**, a Maine limited liability company (the "Assignee"), both have a mailing address and principal place of business at 82 Hanover Street, Suite 5, Portland, Maine 04101.

RECITALS

WHEREAS, Assignor is the Buyer and Bayside IV, LLC, a Maine limited liability company, is the Seller under that certain Contract for the Sale of Commercial Real Estate dated May 18, 2022 (as the same has been or may be amended and extended from time to time, the "Contract") respecting real property and improvements thereon located at 149 Lancaster Street, Portland, Maine (the "Property") and more particularly described in the Contract; and

WHEREAS, Assignor desires to assign to Assignee, and Assignee desires to accept from Assignor, an assignment of all Assignor's right, title and interest in and to the Contract as such relate to the Property, all in accordance with the terms and conditions of this Assignment.

ASSIGNMENT

NOW THEREFORE, for good and valuable consideration, the recipe and sufficiency of which are hereby acknowledged, Assignor and Assignee hereby agrees as follows:

1) Assignor hereby assigns to Assignee all right, title and interest of Assignor in and to the Contract as such relate to the Property, including, without limitation, all right, title and interest of Assignor in and to any earnest money deposit or other amounts being held pursuant to the terms of the Contract.

2) Assignee hereby accepts the foregoing assignment from Assignor and hereby assumes all obligations of Assignor under the Contract as such relate to the Property.

[Remainder of page intentionally left blank; signature page follows.]

IN WITNESS WHEREOF, the Assignor and the Assignee have caused this Assignment to be duly executed as of the date first above written.

ASSIGNOR:

Tom Watson & Co., LLC

By: _____
John Laliberte, its Vice President

ASSIGNEE:

149 Lancaster Street LLC

By: Tom Watson & Co., LLC, its Manager

By: _____
John Laliberte, its Vice President

Seen and agreed to by Seller:

Bayside IV, LLC

By: _____
Thomas A. Toye, III, Member

ASSIGNMENT OF CONTRACT FOR THE SALE OF COMMERCIAL REAL ESTATE

This ASSIGNMENT OF CONTRACT FOR THE SALE OF COMMERCIAL REAL ESTATE (this "Assignment") is made as of the 5th day of October, 2022, by and between **Tom Watson & Co., LLC**, a Maine limited liability company (the "Assignor"), and **196 Lancaster Street LLC**, a Maine limited liability company (the "Assignee"), both have a mailing address and principal place of business at 82 Hanover Street, Suite 5, Portland, Maine 04101.

RECITALS

WHEREAS, Assignor is the Buyer and Bayside I, LLC, a Maine limited liability company, is the Seller under that certain Contract for the Sale of Commercial Real Estate dated May 18, 2022 (as the same has been or may be amended and extended from time to time, the "Contract") respecting real property and improvements thereon located at 196 Lancaster Street, Portland, Maine (the "Property") and more particularly described in the Contract; and

WHEREAS, Assignor desires to assign to Assignee, and Assignee desires to accept from Assignor, an assignment of all Assignor's right, title and interest in and to the Contract as such relate to the Property, all in accordance with the terms and conditions of this Assignment.

ASSIGNMENT

NOW THEREFORE, for good and valuable consideration, the recipe and sufficiency of which are hereby acknowledged, Assignor and Assignee hereby agrees as follows:

1) Assignor hereby assigns to Assignee all right, title and interest of Assignor in and to the Contract as such relate to the Property, including, without limitation, all right, title and interest of Assignor in and to any earnest money deposit or other amounts being held pursuant to the terms of the Contract.

2) Assignee hereby accepts the foregoing assignment from Assignor and hereby assumes all obligations of Assignor under the Contract as such relate to the Property.

[Remainder of page intentionally left blank; signature page follows.]

IN WITNESS WHEREOF, the Assignor and the Assignee have caused this Assignment to be duly executed as of the date first above written.

ASSIGNOR:

Tom Watson & Co., LLC

By: _____
John Laliberte, its Vice President

ASSIGNEE:

196 Lancaster Street LLC

By: Tom Watson & Co., LLC, its Manager

By: _____
John Laliberte, its Vice President

Seen and agreed to by Seller:

Bayside I, LLC

By: _____
Thomas A. Toye, III, Member

ASSIGNMENT OF CONTRACT FOR THE SALE OF COMMERCIAL REAL ESTATE

This ASSIGNMENT OF CONTRACT FOR THE SALE OF COMMERCIAL REAL ESTATE (this "Assignment") is made as of the 5th day of October, 2022, by and between **Tom Watson & Co., LLC**, a Maine limited liability company (the "Assignor"), and **197 Oxford Street LLC**, a Maine limited liability company (the "Assignee"), both have a mailing address and principal place of business at 82 Hanover Street, Suite 5, Portland, Maine 04101.

RECITALS

WHEREAS, Assignor is the Buyer and Bayside III, LLC, a Maine limited liability company, is the Seller under that certain Contract for the Sale of Commercial Real Estate dated May 18, 2022 (as the same has been or may be amended and extended from time to time, the "Contract") respecting real property and improvements thereon located at 197 Oxford Street, Portland, Maine (the "Property") and more particularly described in the Contract; and

WHEREAS, Assignor desires to assign to Assignee, and Assignee desires to accept from Assignor, an assignment of all Assignor's right, title and interest in and to the Contract as such relate to the Property, all in accordance with the terms and conditions of this Assignment.

ASSIGNMENT

NOW THEREFORE, for good and valuable consideration, the recipe and sufficiency of which are hereby acknowledged, Assignor and Assignee hereby agrees as follows:

1) Assignor hereby assigns to Assignee all right, title and interest of Assignor in and to the Contract as such relate to the Property, including, without limitation, all right, title and interest of Assignor in and to any earnest money deposit or other amounts being held pursuant to the terms of the Contract.

2) Assignee hereby accepts the foregoing assignment from Assignor and hereby assumes all obligations of Assignor under the Contract as such relate to the Property.

[Remainder of page intentionally left blank; signature page follows.]

IN WITNESS WHEREOF, the Assignor and the Assignee have caused this Assignment to be duly executed as of the date first above written.

ASSIGNOR:

Tom Watson & Co., LLC

By: _____
John Laliberte, its Vice President

ASSIGNEE:

197 Oxford Street LLC

By: Tom Watson & Co., LLC, its Manager

By: _____
John Laliberte, its Vice President

Seen and agreed to by Seller:

Bayside III, LLC

By: _____
Thomas A. Toye, III, Member

ASSIGNMENT OF CONTRACT FOR THE SALE OF COMMERCIAL REAL ESTATE

This ASSIGNMENT OF CONTRACT FOR THE SALE OF COMMERCIAL REAL ESTATE (this "Assignment") is made as of the 5th day of October, 2022, by and between **Tom Watson & Co., LLC**, a Maine limited liability company (the "Assignor"), and **WBP Commercial LLC**, a Maine limited liability company (the "Assignee"), both have a mailing address and principal place of business at 82 Hanover Street, Suite 5, Portland, Maine 04101.

RECITALS

WHEREAS, Assignor is the Buyer and Bayside I, LLC, Bayside II, LLC, Bayside III, LLC and Bayside IV, LLC, each a Maine limited liability company and, collectively, is the Seller under that certain Contract for the Sale of Commercial Real Estate dated May 18, 2022 (as the same has been or may be amended and extended from time to time, the "Contract") respecting (a) real property and improvements thereon located at 165-185 Lancaster Street, Portland, Maine; (b) real property and improvements thereon located at 82 Chestnut Street, Portland, Maine; (c) real property and improvements thereon located at 190 Lancaster Street, Portland, Maine; and (d) real property and improvements thereon located at 62 Elm Street, Portland, Maine (items (a) through (d) are referred to herein collectively as the "Property") and more particularly described in the Contract; and

WHEREAS, Assignor desires to assign to Assignee, and Assignee desires to accept from Assignor, an assignment of all Assignor's right, title and interest in and to the Contract as such relate to the Property, all in accordance with the terms and conditions of this Assignment.

ASSIGNMENT

NOW THEREFORE, for good and valuable consideration, the recipe and sufficiency of which are hereby acknowledged, Assignor and Assignee hereby agrees as follows:

1) Assignor hereby assigns to Assignee all right, title and interest of Assignor in and to the Contract as such relate to the Property, including, without limitation, all right, title and interest of Assignor in and to any earnest money deposit or other amounts being held pursuant to the terms of the Contract.

2) Assignee hereby accepts the foregoing assignment from Assignor and hereby assumes all obligations of Assignor under the Contract as such relate to the Property.

[Remainder of page intentionally left blank; signature page follows.]

IN WITNESS WHEREOF, the Assignor and the Assignee have caused this Assignment to be duly executed as of the date first above written.

ASSIGNOR:

Tom Watson & Co., LLC

By: _____
John Laliberte, its Vice President

ASSIGNEE:

WBP Commercial LLC

By: Tom Watson & Co., LLC, its Manager

By: _____
John Laliberte, its Vice President

Seen and agreed to by Seller:

Bayside I, LLC

By: _____
Thomas A. Toye, III, Member

Bayside II, LLC

By: _____
Thomas A. Toye, III, Member

Bayside III, LLC

By: _____
Thomas A. Toye, III, Member

Bayside IV, LLC

By: _____
Thomas A. Toye, III, Member

Neighborhood Context Statement. *Provide a statement and/or plan as to the general impact of the proposed Master Development Plan upon the area, indicating how the Master Development Plan relates to surrounding properties and what measures will be taken to create appropriate transitions and access from the subject property to abutting public properties (i.e. parks, waterfront, etc.) or other neighboring tracts (if applicable)*

Att. CC

General impact

The master plan has been developed to reflect and reinforce priorities from the City's recent comprehensive plan. The exhibit at right introduces these goals and summarizes the project's key community benefits.

In keeping with Portland's goals, Bayside will foster a community that is:



Bayside will source inspiration from other walkable, mixed-use community spaces. This image is from the recently completed The Landing, in Fort Wayne, IN.

The Development will:

- Establish the Lancaster corridor as Bayside's "Main Street," lined with retail, food and beverage, and other amenities from Parris Street to Whole Foods.
- Introduce 800+ total and 200+ affordable new rental homes for the Portland community to accommodate the City's growing need for mixed-income housing.
- Create a signature public space between Preble and Elm where the neighborhood can come together.
- Convert numerous surface parking lots into vibrant new developments.
- Retain social services and other established community organizations in refurbished historic buildings.
- Consolidate parking at the Public Market garage to manage traffic, promote pedestrian access, and strengthen the connection between Bayside and downtown Portland.
- Source inspiration from cities that have successfully followed a similar path, prioritizing pedestrian access, mixed-use community spaces, and sustainable initiatives.
- Promote a thoughtful development process that helps Portland achieve its Comprehensive Plan goals and addresses affordability, accessibility, connectivity, and climate resiliency.

Neighborhood Context Statement. *Provide a statement and/or plan as to the general impact of the proposed Master Development Plan upon the area, indicating how the Master Development Plan relates to surrounding properties and what measures will be taken to create appropriate transitions and access from the subject property to abutting public properties (i.e. parks, waterfront, etc.) or other neighboring tracts (if applicable)*

General impact
The project translates the City's comprehensive plan priorities into planning and design strategies that reflect and reinforce local community goals and shared values.

MASTER PLAN PRINCIPLES

5

Translating Portland's plan into a diverse neighborhood that celebrates shared community

Build a neighborhood heart for the entire community



Develop a Main Street and public realm that reflects what makes Bayside special.

Create places that connect people



Promote walkable connections across Bayside and to the surrounding city.

Establish a genuine common ground



Introduce an inclusive, accessible place where the community can come together.

Foster real walkability



Develop a critical mass of density and mix of uses that invite pedestrians.

Celebrate living culture and local heritage



Reinforce the neighborhood's diverse architectural character and community values.

Curate the street

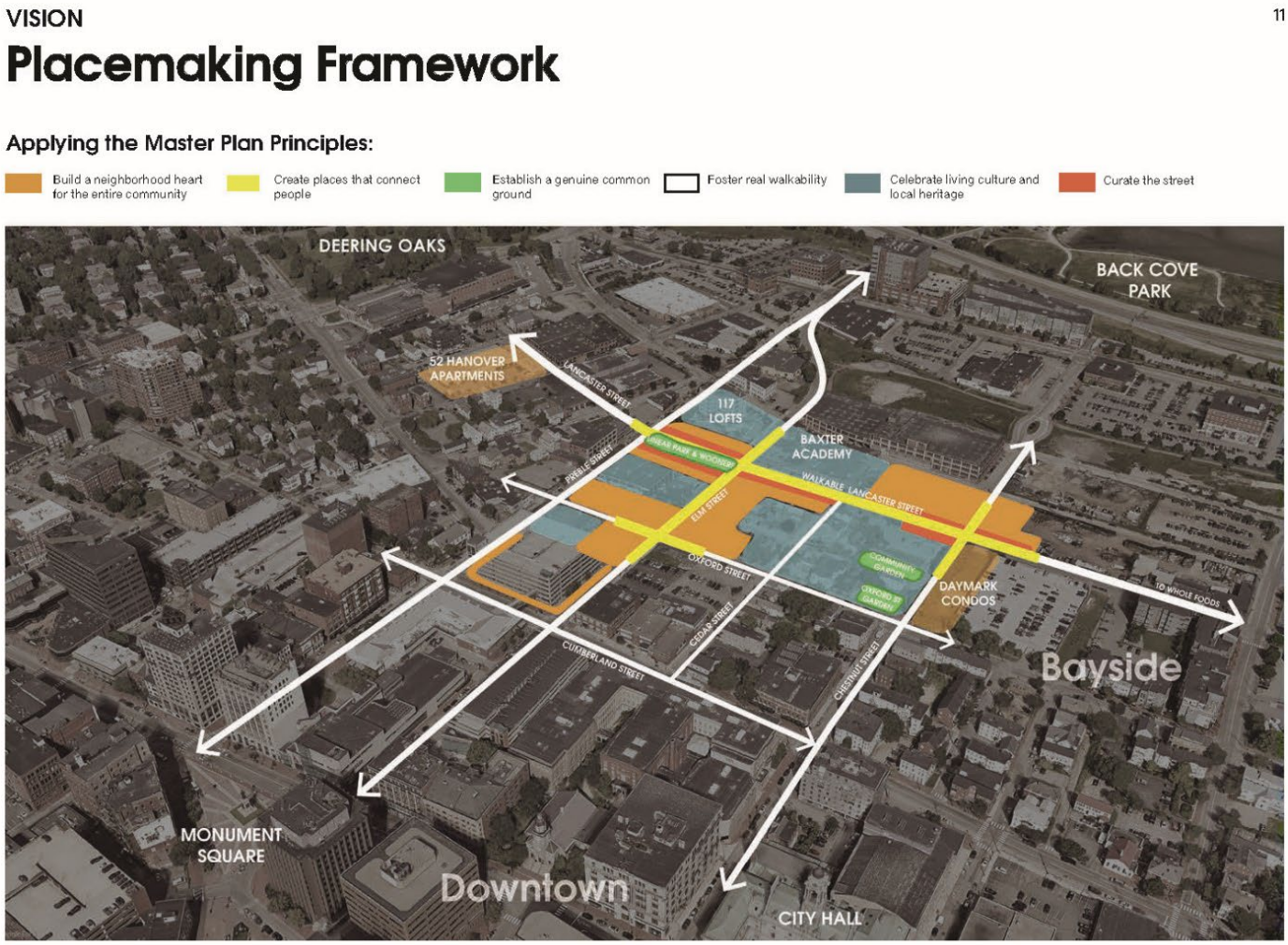


Integrate food/beverage and other neighborhood amenities that bring the streets to life.

Neighborhood Context Statement. *Provide a statement and/or plan as to the general impact of the proposed Master Development Plan upon the area, indicating how the Master Development Plan relates to surrounding properties and what measures will be taken to create appropriate transitions and access from the subject property to abutting public properties (i.e. parks, waterfront, etc.) or other neighboring tracts (if applicable)*

Relationship to surrounding properties

The master plan envisions a development knit into and helping strengthen the neighborhood fabric through its relationship with and connection to surrounding structures and places. The project's placemaking framework applies the master planning principles to the West Bayside context, emphasizing community connection, diversity, walkability, local heritage, and vibrant streets.

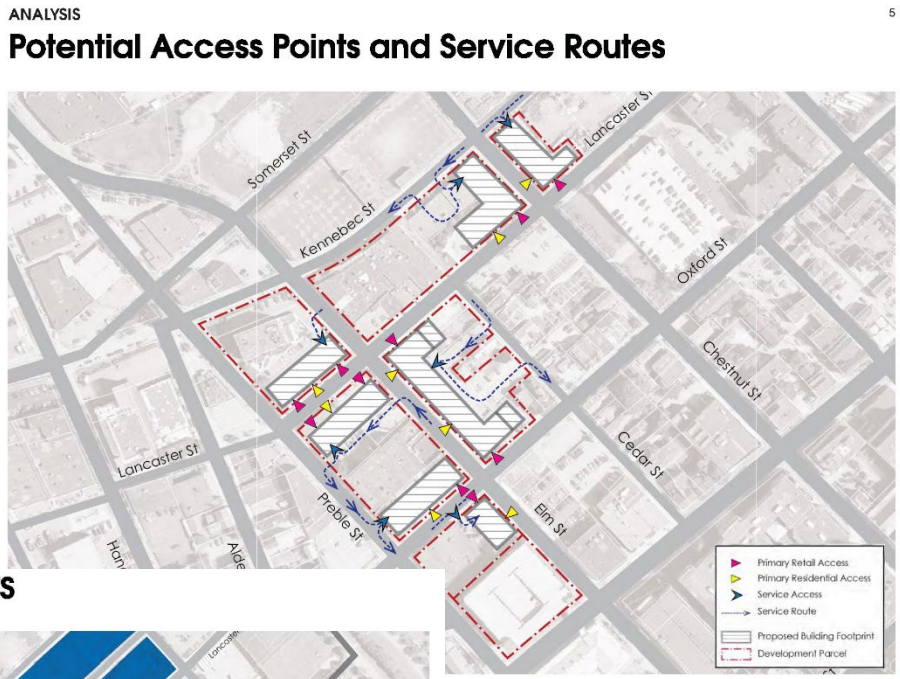


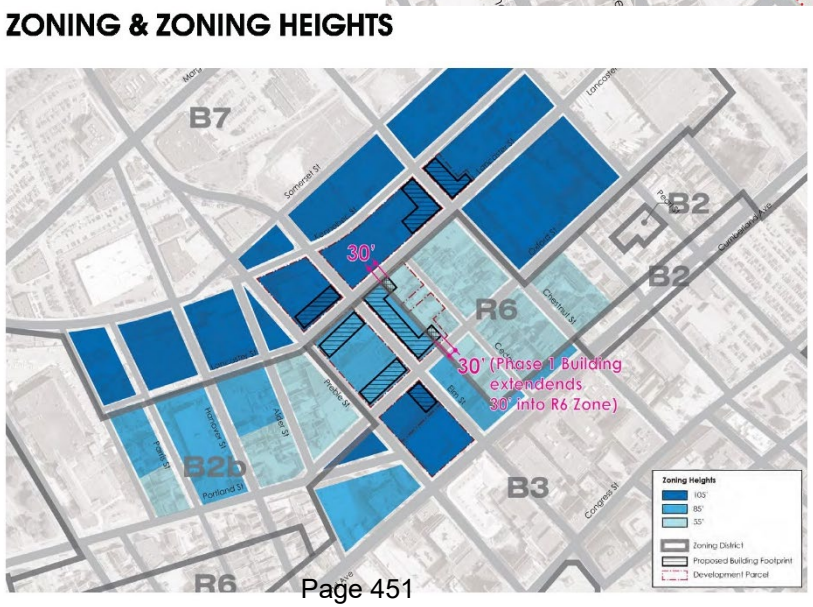
Neighborhood Context Statement. *Provide a statement and/or plan as to the general impact of the proposed Master Development Plan upon the area, indicating how the Master Development Plan relates to surrounding properties and what measures will be taken to create appropriate transitions and access from the subject property to abutting public properties (i.e. parks, waterfront, etc.) or other neighboring tracts (if applicable)*

Measures to create appropriate transitions and access to abutting public properties / neighboring tracts

The master plan does not abut public properties but does take care to provide access to new buildings without disrupting access to existing properties.

Planned buildings all conform to currently approved height limits. The buildings adjacent to the lower R6 zone include a step down at the zone border, helping transition the massing from taller construction to lower context.





Integration with the surrounding context. *A master development plan shall be designed to integrate with the surrounding context with respect to land use, architecture, open space and pedestrian networks, vehicular access and circulation, off-site public facilities and all other infrastructure.*

Land use

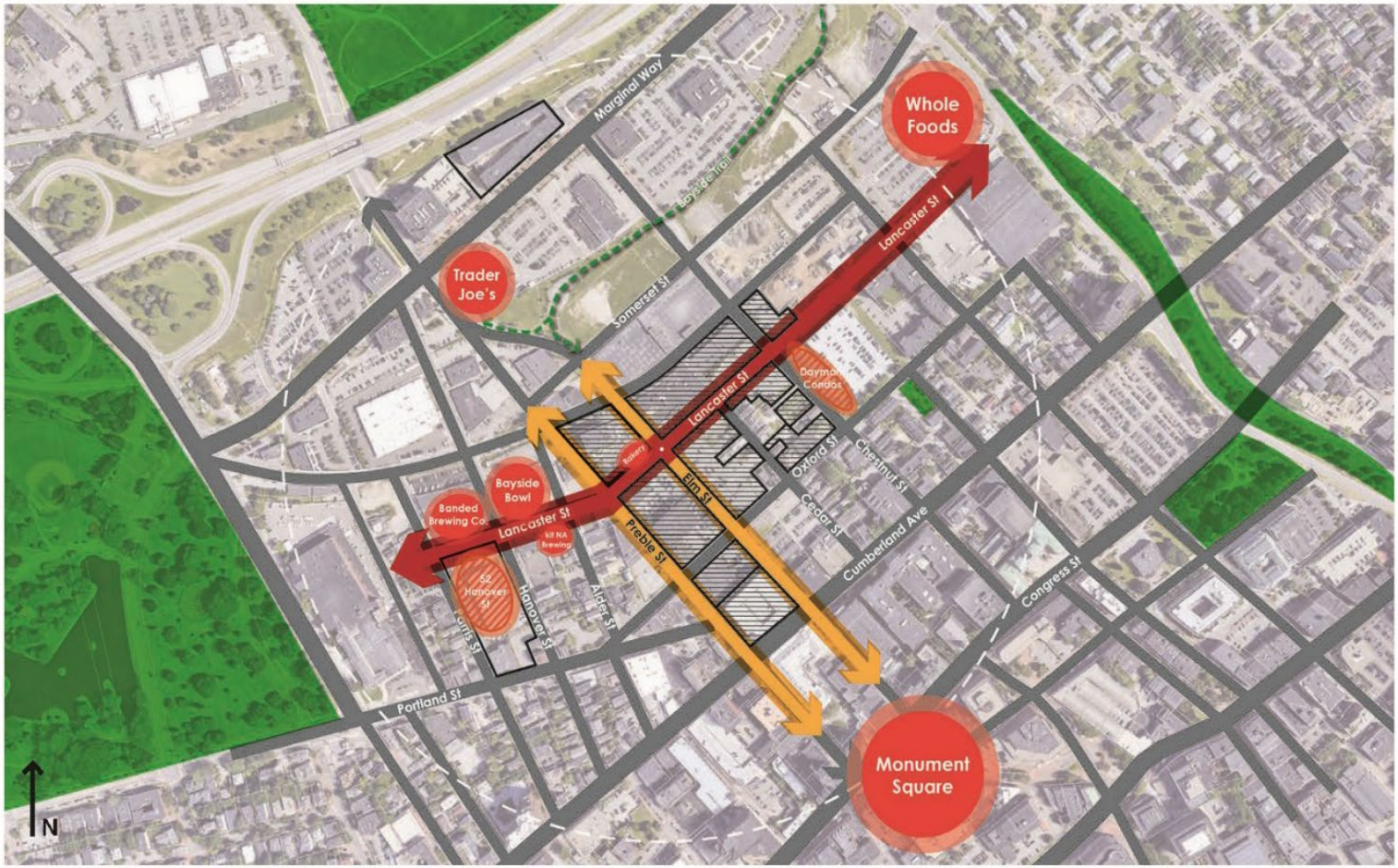
The master plan's housing program represents and extension of West Bayside's residential neighborhood land uses.

Additionally, the project connects emerging and established local amenities and landmarks to the east/west along Lancaster Street and north/south to downtown along Elm and Preble Streets.

CONTEXT 7

The Heart of Bayside

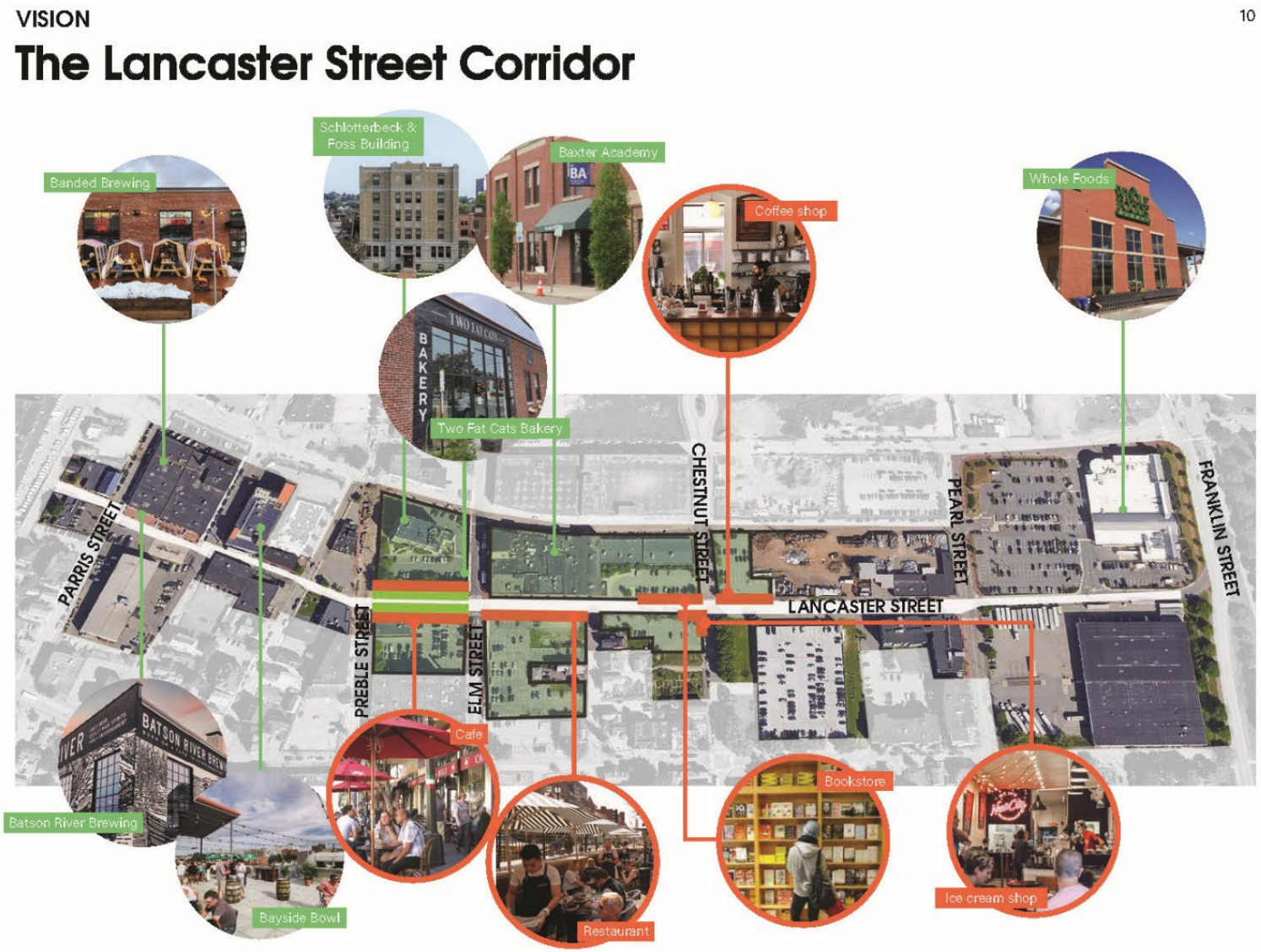
The site resides at the crossroads of West Bayside's key streets and corridors and introduces a new heart to the neighborhood.



Integration with the surrounding context. A master development plan shall be designed to integrate with the surrounding context with respect to land use, architecture, open space and pedestrian networks, vehicular access and circulation, off-site public facilities and all other infrastructure.

Land use (cont.)

The master plan extends and infills the emerging corridor of amenities and destinations along Lancaster Street, connecting recent developments at the Parris Street end with Whole Foods at the Franklin Street end for a consistent and cohesive pedestrian experience from end to end.



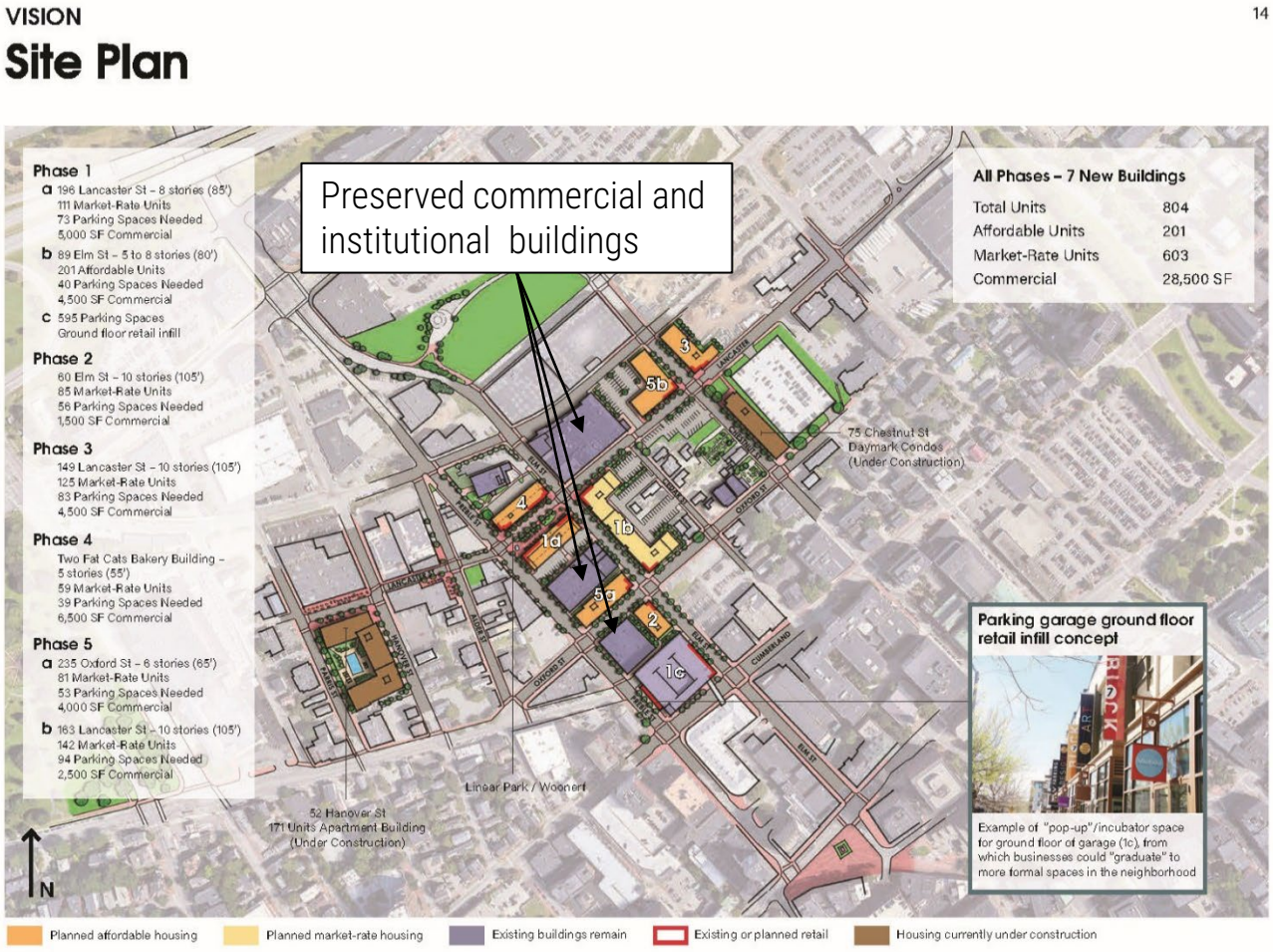
Integration with the surrounding context. A master development plan shall be designed to integrate with the surrounding context with respect to land use, architecture, open space and pedestrian networks, vehicular access and circulation, off-site public facilities and all other infrastructure.

Land use (cont.)

The master plan includes retaining and, in some cases, renovating multiple existing commercial and institutional buildings within the master plan area. The developer intends to maintain leases with willing local community service providers that occupy these spaces and consolidate those displaced from demolished buildings into preserved buildings.

This approach will help continue the Bayside neighborhood's role as a home for important community resources serving both the local neighborhood and the City more broadly.

The plan also envisions retrofitting the Public Market parking garage with infill retail and amenity uses, strengthening the experiential connection to downtown along Preble and Elm Streets.



Integration with the surrounding context. A master development plan shall be designed to integrate with the surrounding context with respect to land use, architecture, open space and pedestrian networks, vehicular access and circulation, off-site public facilities and all other infrastructure.

Architecture

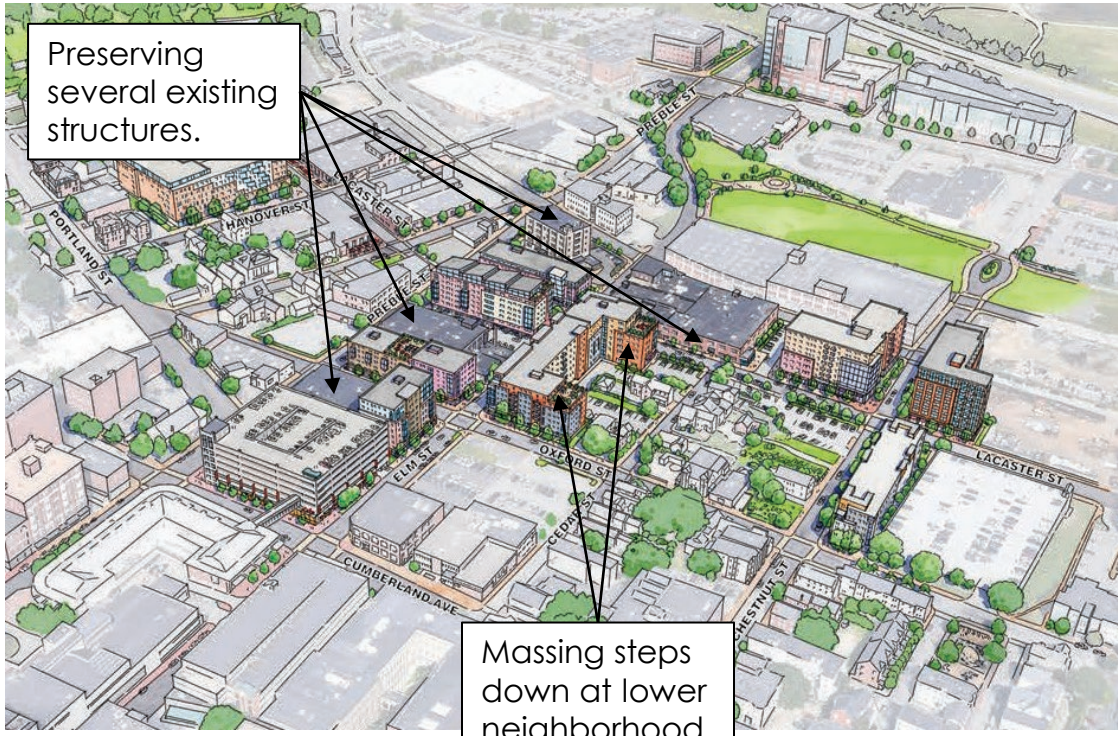
Buildings will be designed to incorporate visual diversity between new structures and avoid a monolithic appearance across the parcels. Their architectural style will blend contemporary and contextual elements to add new visual interest while resonating with existing neighborhood character. Architectural design will be consistent with the Bayside Design Standards.

Several existing structures will be retained throughout the master plan, complementing new buildings with their established neighborhood character.

Most new buildings will be sited on surface parking lots, adding infill development to the neighborhood with reduced displacement of existing structures.

Building heights are all consistent with current zoning, requiring no variances or waivers that would drive heights above currently approved limits.

Buildings step down in height to transition to lower existing neighborhood fabric, such as along Oxford Street.



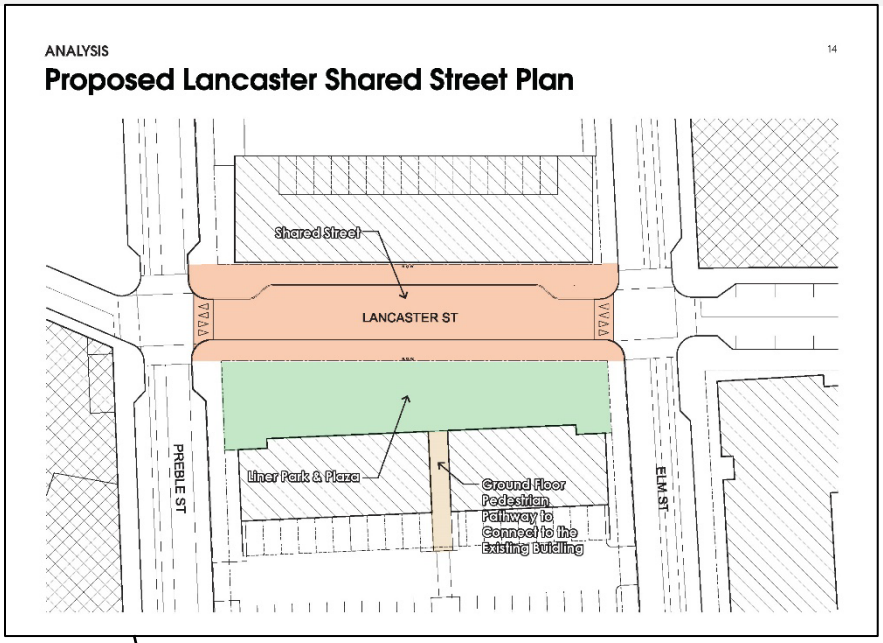
Integration with the surrounding context. A master development plan shall be designed to integrate with the surrounding context with respect to land use, architecture, open space and pedestrian networks, vehicular access and circulation, off-site public facilities and all other infrastructure.

Open space and pedestrian networks

The master plan's open space and pedestrian networks are designed to integrate seamlessly with the surrounding neighborhood and public spaces.

All streetscapes will be optimized for walkability, incorporate Bayside lighting fixtures, and include street trees that contribute to the district's growing canopy. Planned streetscape improvements include reducing curb cut counts and widening sidewalks along several blocks, extending and enhancing the pedestrian network through and around the development.

The shared street and linear park planned for the segment of Lancaster Street between Preble and Elm represents a signature moment within the development's public realm network and adds a vibrant and inviting new open space to the neighborhood's collection of unique public places and spaces.





Integration with the surrounding context. A master development plan shall be designed to integrate with the surrounding context with respect to land use, architecture, open space and pedestrian networks, vehicular access and circulation, off-site public facilities and all other infrastructure.

Vehicular access and circulation

The plan does not envision significant changes to local vehicular access or circulation patterns

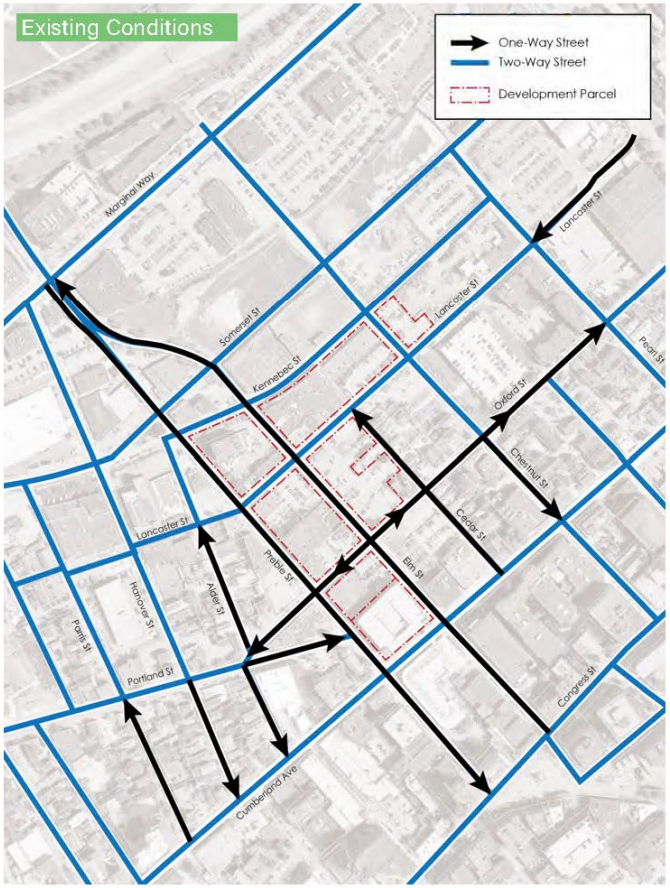
The shared street planned for one block of Lancaster will retain its existing two-way vehicular flow. Given very low current and expected volumes on this street segment, the slight modification of the roadway to a shared street design should not disrupt local traffic circulation. This shared street configuration is also referenced as a planned future condition of the segment in the Bayside Master Transportation Plan.

The plan anticipates Oxford Street's conversion to two-way operation as identified in the Transportation Master Plan.

ANALYSIS

2

One-Way & Two-Way Streets





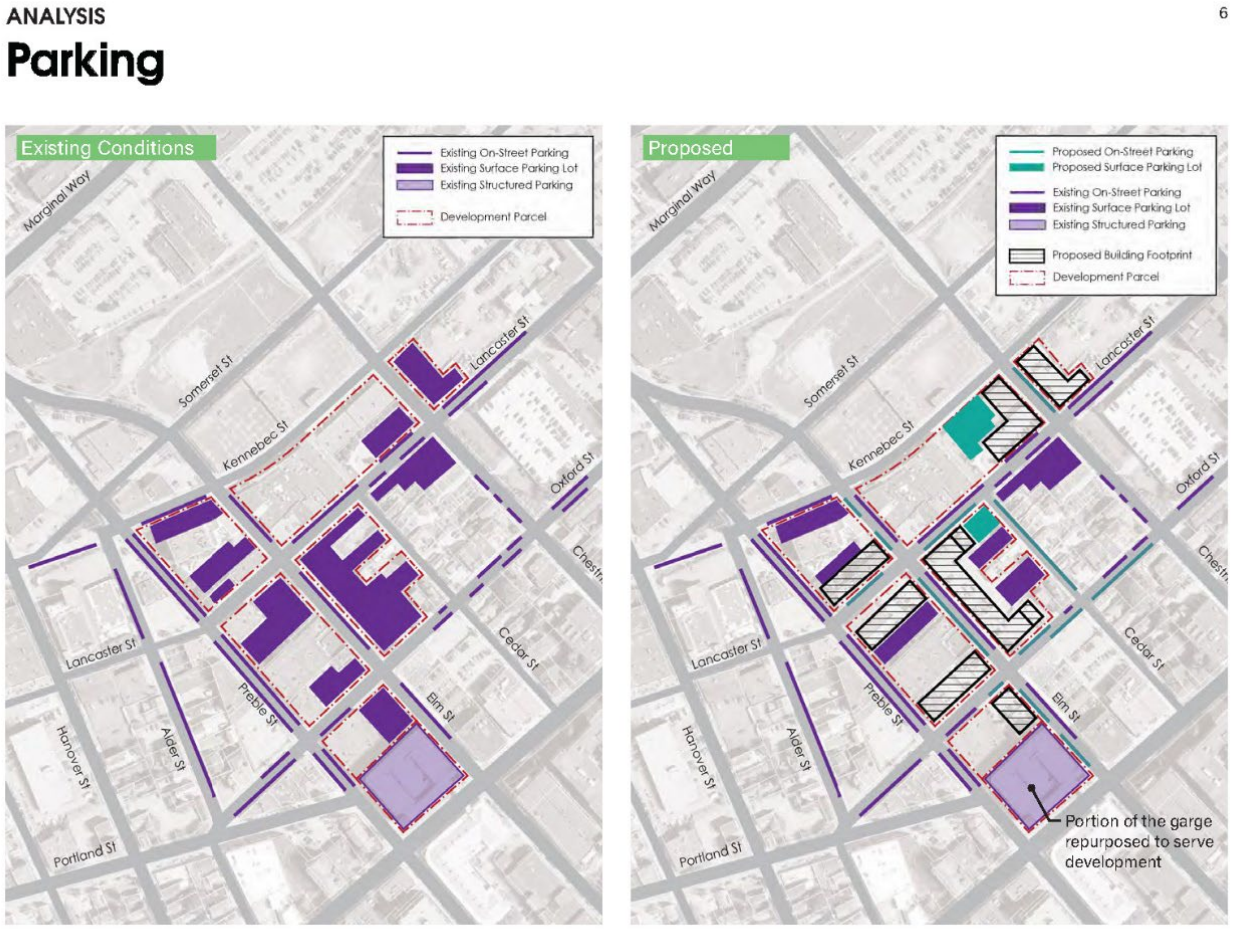
Integration with the surrounding context. A master development plan shall be designed to integrate with the surrounding context with respect to land use, architecture, open space and pedestrian networks, vehicular access and circulation, off-site public facilities and all other infrastructure.

Vehicular access and circulation (cont.)

New housing development will utilize the existing Public Market parking garage, diverting residential traffic from the local streets within the heart of the neighborhood.

Consistent with established patterns across the neighborhood, retail uses will utilize on-street parking which will be provided along all blocks.

All new buildings will be located on what are currently surface parking lots, transferring parking capacity to on-street and garage locations. This transition will help restore the neighborhood's urban fabric by converting pervious paved surfaces to mixed-income housing development and vibrant, walkable streets and open spaces.



Creation of a cohesive identity. *A master development plan shall be designed to create a cohesive identity through building scale, massing, and articulation; use of quality exterior materials and architectural detailing at pedestrian scale; consistency of design and materials for streetscape and pedestrian amenities; framing of outdoor open space and linkages; a clear conveyance of the function and significance of various buildings, entrances, and features; and to generally comply with design and development standards of the zone in which it is located.*

Building scale, massing, and articulation.

The master plan's buildings support a cohesive sense of neighborhood identify with a consistent approach to building scale, massing, and articulation. Though no two buildings will be identical, all will share a common architectural language and material palette to help tie the district together visually.

The plan's approach to architectural design will be informed by and relate to the existing neighborhood fabric, though it will also include modern elements to complement rather than mimic the adjacent structures it infills between.



Creation of a cohesive identity. *A master development plan shall be designed to create a cohesive identity through building scale, massing, and articulation; use of quality exterior materials and architectural detailing at pedestrian scale; consistency of design and materials for streetscape and pedestrian amenities; framing of outdoor open space and linkages; a clear conveyance of the function and significance of various buildings, entrances, and features; and to generally comply with design and development standards of the zone in which it is located.*

Use of quality exterior materials and architectural detailing at pedestrian scale.

Creating a vibrant, walkable, pedestrian-oriented environment is a top master plan priority. To support this goal, all buildings will include high-quality materials and detailing along edges facing and framing the public realm.

The master plan will also coordinate façade design with streetscape and open space design to maximize overall neighborhood legibility, navigability, and accessibility for pedestrians. In particular, architecture and landscape architecture along the Lancaster Street corridor will be tightly coordinated to create a cohesive and engaging pedestrian experience.



Creation of a cohesive identity. *A master development plan shall be designed to create a cohesive identity through building scale, massing, and articulation; use of quality exterior materials and architectural detailing at pedestrian scale; consistency of design and materials for streetscape and pedestrian amenities; framing of outdoor open space and linkages; a clear conveyance of the function and significance of various buildings, entrances, and features; and to generally comply with design and development standards of the zone in which it is located.*

Consistency of design and materials for streetscape and pedestrian amenities.
The master plan organizes streets into "typologies" based on their role in the development's placemaking framework and the land uses they flank. Though typologies will vary in dimension and organization from street to street, they will all draw from a common palette of materials and design strategies to create a cohesive appearance and pedestrian experience overall.

Framing of outdoor open space and linkages
Lancaster's shared street and linear park between Preble and Elm Streets, the project's primary new open space, will be framed by new buildings with high quality materials and articulation on both sides. The plan also explores gateway elements key Lancaster intersections to indicate its elevated significance as a signature pedestrian corridor.





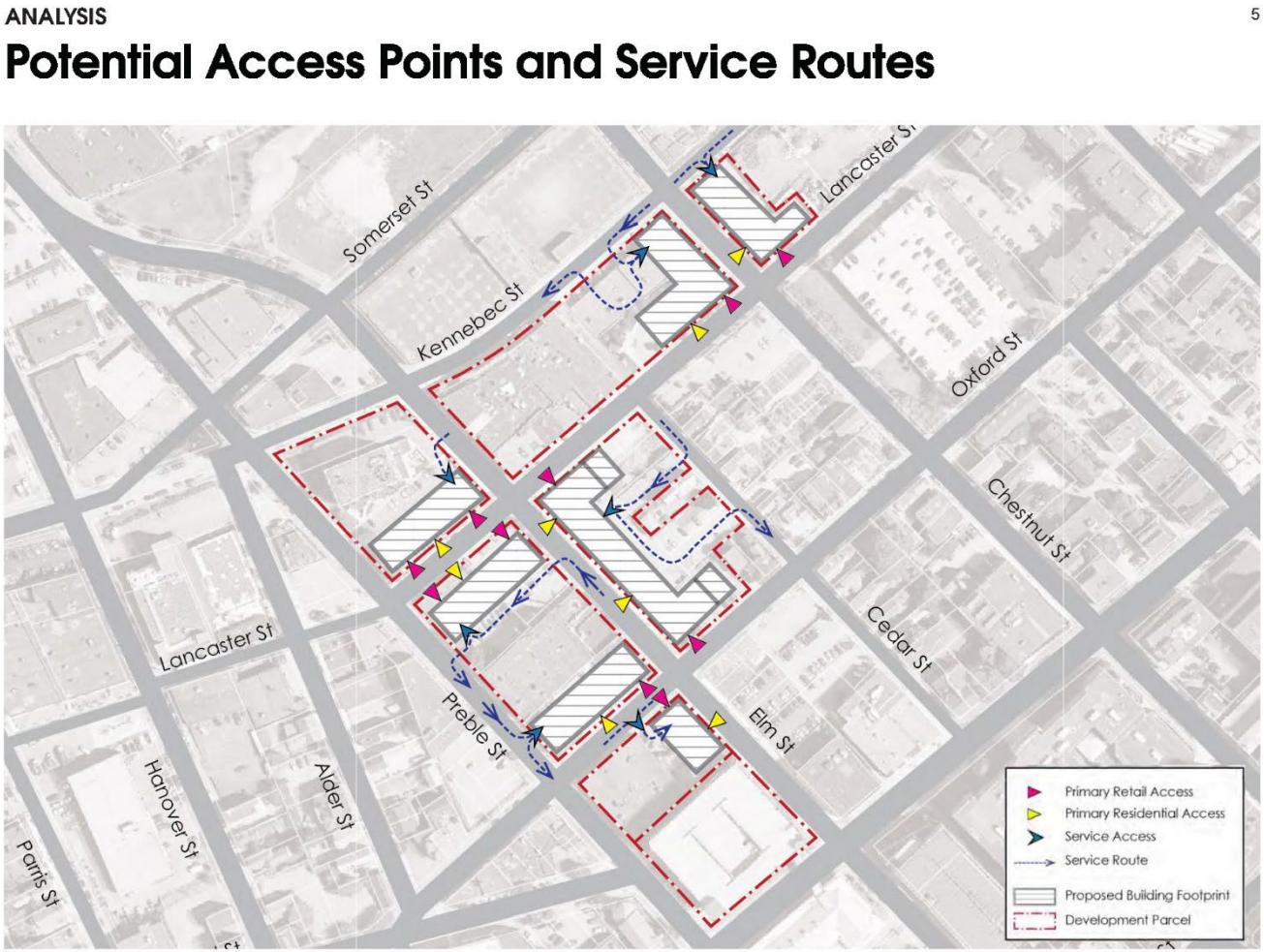
Creation of a cohesive identity. *A master development plan shall be designed to create a cohesive identity through building scale, massing, and articulation; use of quality exterior materials and architectural detailing at pedestrian scale; consistency of design and materials for streetscape and pedestrian amenities; framing of outdoor open space and linkages; a clear conveyance of the function and significance of various buildings, entrances, and features; and to generally comply with design and development standards of the zone in which it is located.*

Clear conveyance of the function and significance of various buildings, entrances, and features

The master plan organizes building access, servicing, and circulation for pedestrians and vehicles to avoid conflicts between the modes.

In general, the pedestrian experience along public streets has been prioritized with resident and customer entrances along primary streetscapes and vehicular service access behind buildings, along secondary streets, and off-street altogether when possible.

The access and circulation plan also entails reducing the site's total curb cut count, especially along primary pedestrian streets such as Lancaster.



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Generally, comply with design and development standards of the zone in which it is located.

The development is directly informed by previous plans and regulatory guidelines for the City and Bayside neighborhood, including:

- Zoning and Land Use Code
- Bayside Design Standards
- Public works technical manual
- Bayside Transportation Plan
- Portland 2030 Plan

As detailed design takes shape, buildings and open spaces will continue to reference and reflect these guiding documents.



Landscape Plan

- *Major landscaping elements, features, and open space*
- *Plans for preservation of natural features*

The diagram below summarizes the development's approach to open space organization and design. Major landscaping elements include a shared street and linear park along Lancaster Street between Preble and Elm Streets; enhanced sidewalks and pedestrian amenities flanking new buildings; and potential pocket and pop-up parks in smaller spaces between buildings on permanent or temporary bases. The plan includes substantial street tree planting to expand the Bayside tree canopy throughout the site.

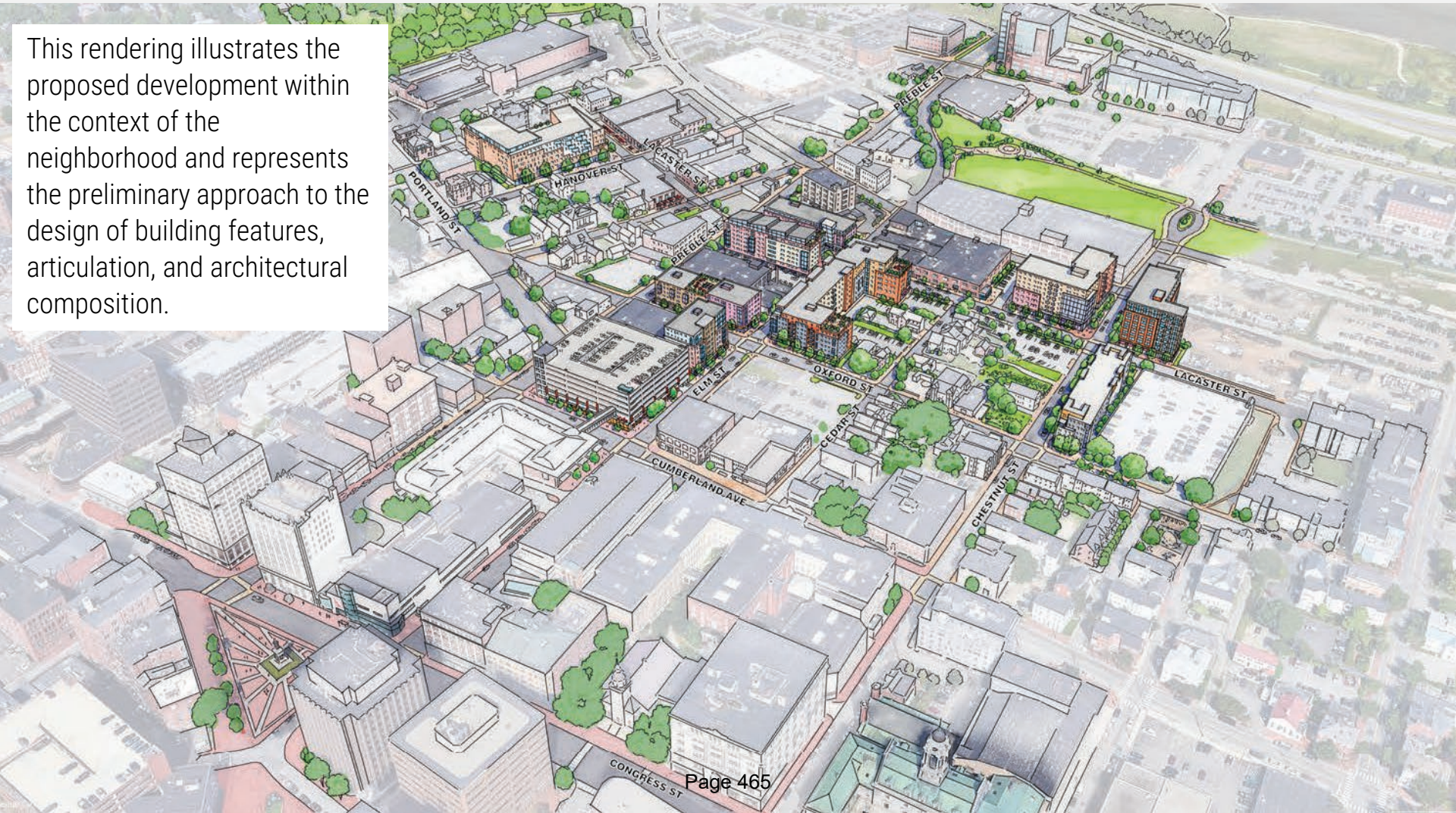


ARCHITECTURAL PLANS AND RENDERINGS

• Context drawings, perspective renderings, photographic montages, and/or computer-generated graphics depicting proposed development within context of neighborhood

• Elevations showing all sides of the structures, views of major entries or prominent building features, building articulation and elements, and finish composition

• Digital three-dimensional model of development site showing buildout for each phase, if applicable



This rendering illustrates the proposed development within the context of the neighborhood and represents the preliminary approach to the design of building features, articulation, and architectural composition.

ARCHITECTURAL PLANS AND RENDERINGS

• Context drawings, perspective renderings, photographic montages, and/or computer-generated graphics depicting proposed development within context of neighborhood

• Elevations showing all sides of the structures, views of major entries or prominent building features, building articulation and elements, and finish composition

• Digital three-dimensional model of development site showing buildout for each phase, if applicable

A view of the project's signature Lancaster Street corridor, this exhibit introduces the plan's preliminary approach to the design of major entries, building articulation, and architectural composition.



The development vision imagines a Lancaster Street brought to life by a new linear greenspace, walkable shared street, and vibrant mix of retail, food, and beverage destinations.





View from Preble St, looking east down Lancaster St

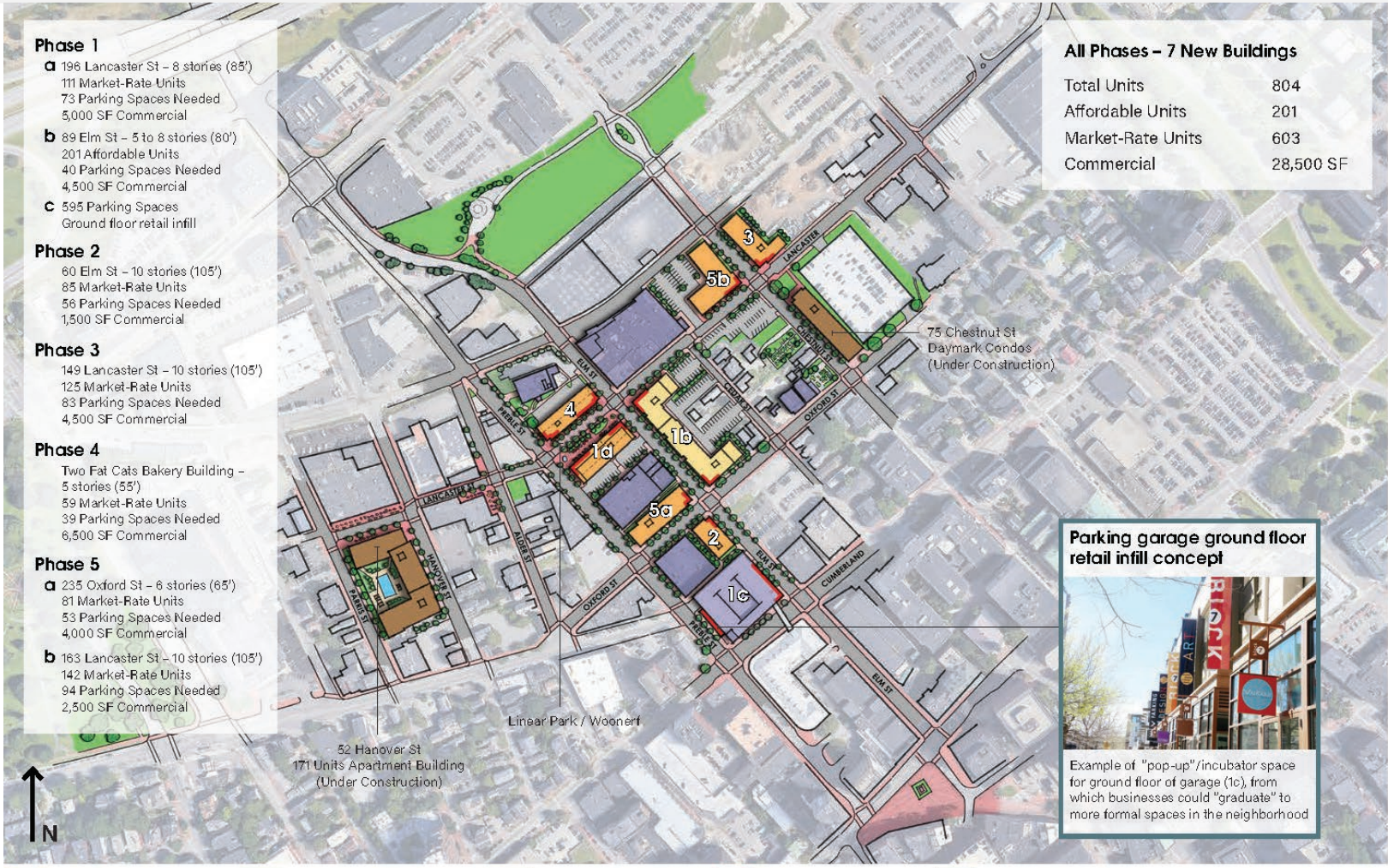
ARCHITECTURAL PLANS AND RENDERINGS

• Context drawings, perspective renderings, photographic montages, and/or computer-generated graphics depicting proposed development within context of neighborhood

• Elevations showing all sides of the structures, views of major entries or prominent building features, building articulation and elements, and finish composition

• Digital three-dimensional model of development site showing buildout for each phase, if applicable

This site plan indicates buildout for each phase of the development.



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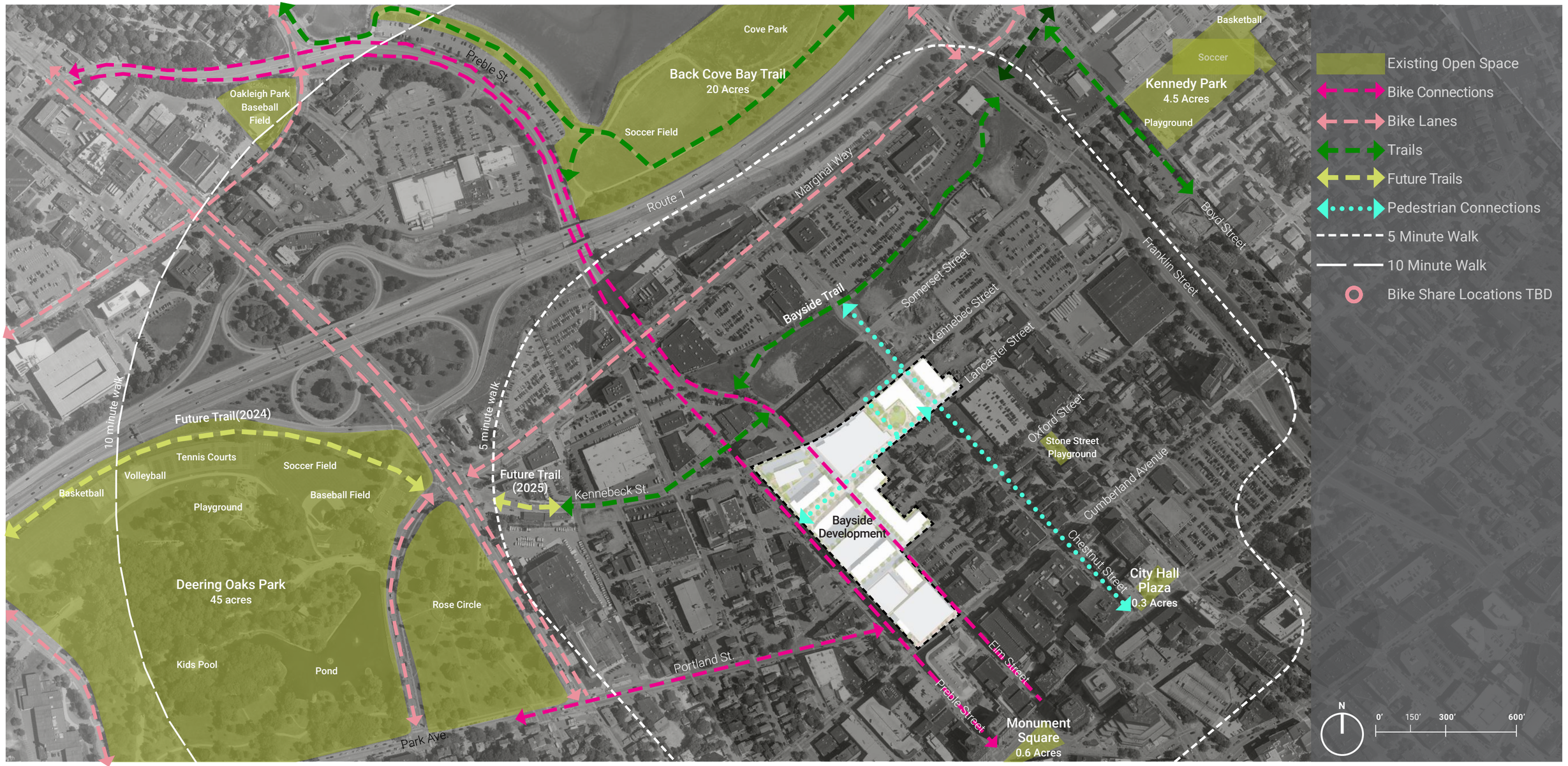
BAYSIDE PORTLAND

EXISTING OPEN SPACE CONNECTIONS



BAYSIDE PORTLAND

OPEN SPACE TYPOLOGIES



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RETAIL & OUTDOOR DINING OPPORTUNITIES



BAYSIDE PORTLAND
ILLUSTRATIVE SITE PLAN



BAYSIDE PORTLAND

PHASING DIAGRAM



BAYSIDE PORTLAND
STREET TYPOLOGIES

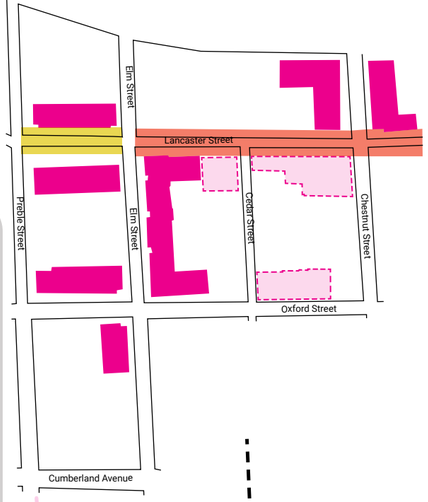


BAYSIDE PORTLAND

LANCASTER STREETSCAPE

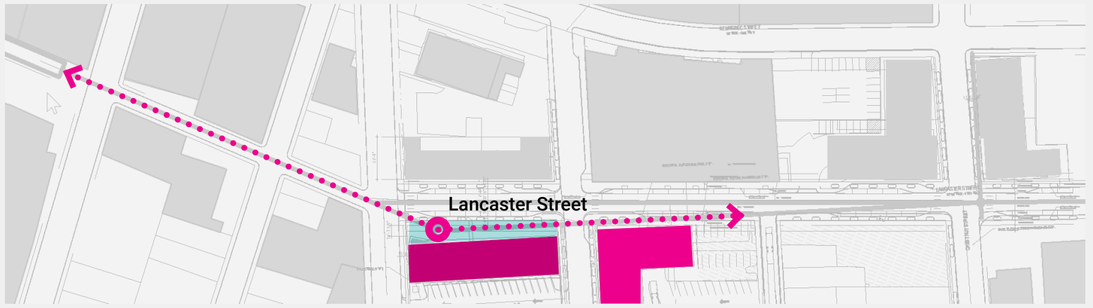




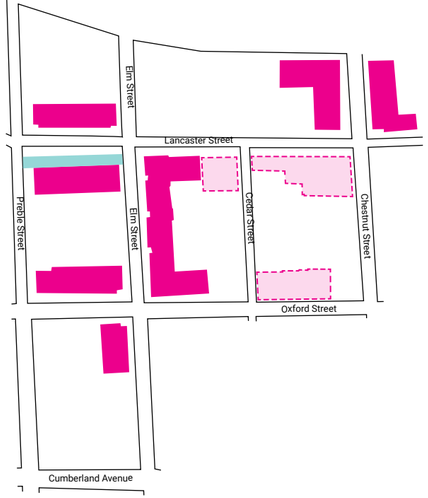


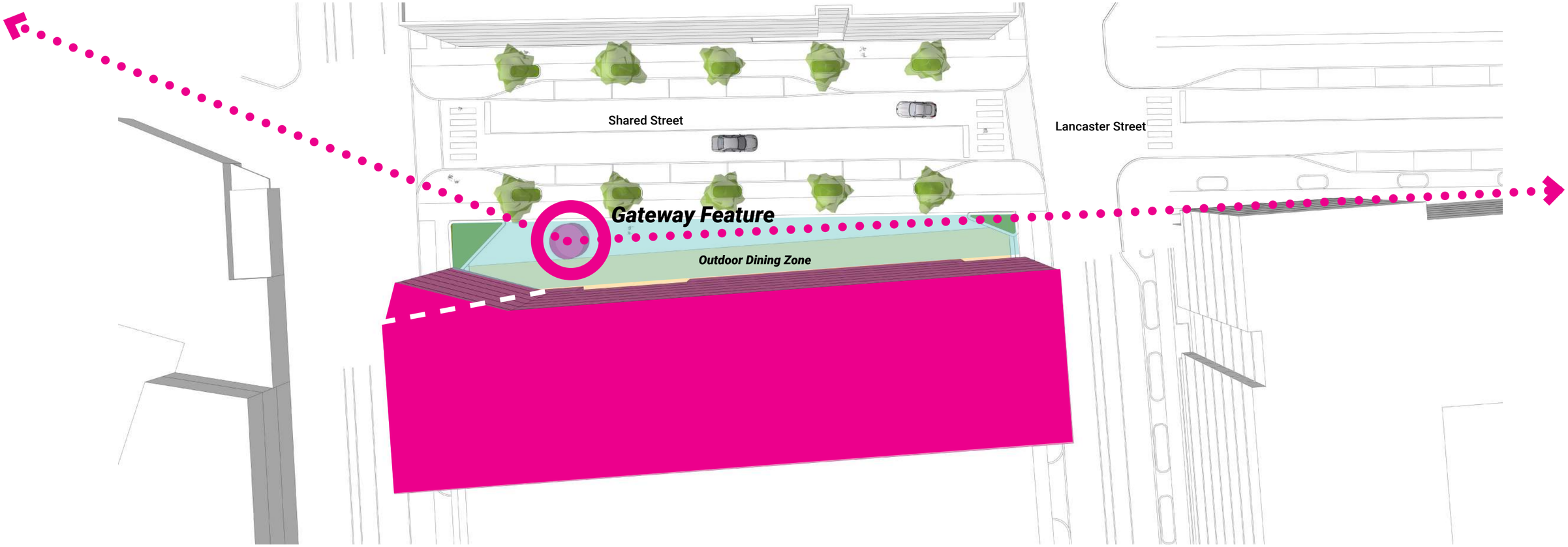


BAYSIDE PORTLAND
LINEAR PARKLET/GATEWAY



Context Plan

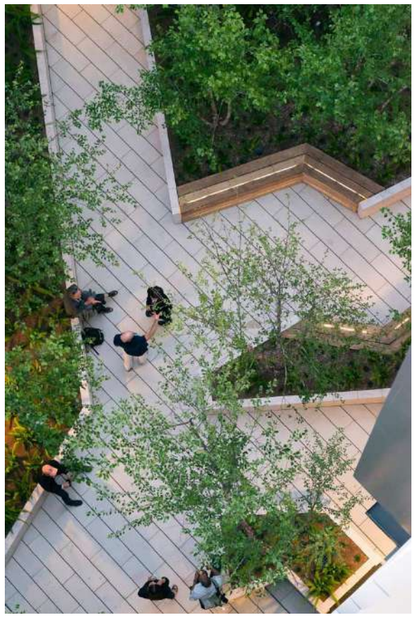


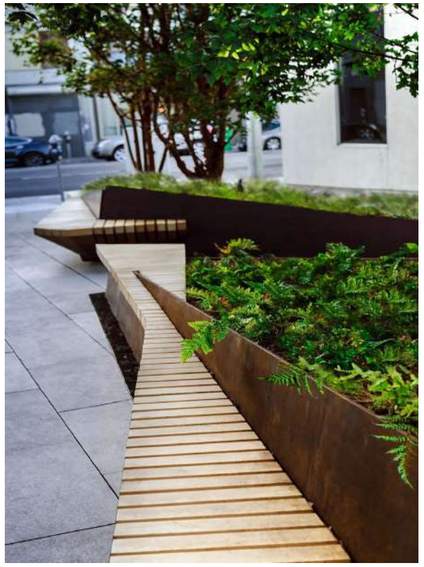


BAYSIDE PORTLAND

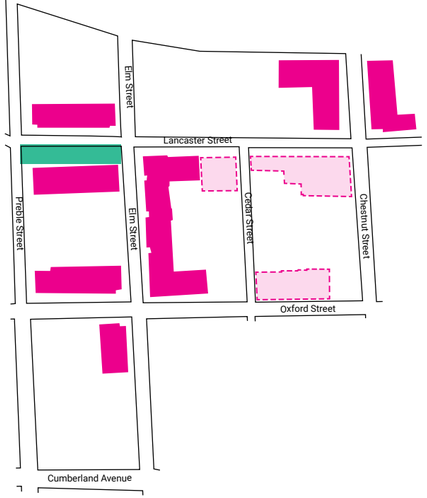
LINEAR PARKLET CHARACTER & MATERIALS

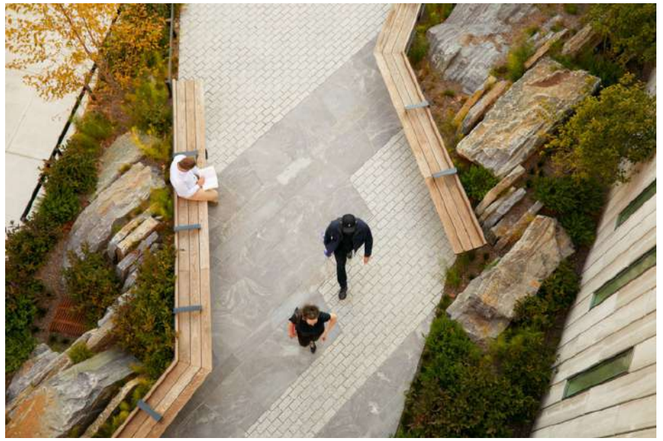






















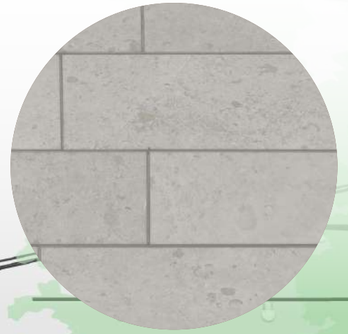
SHARED STREET

MATERIALS

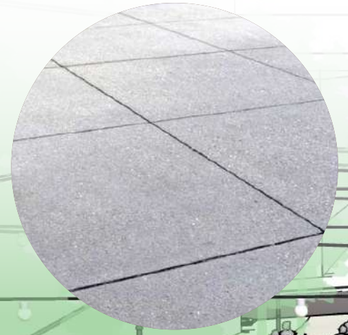
1.) Roadway Unit Pavers



2.) Furnishing Zone Unit Pavers



3.) Pedestrian Zone Cast in Place Concrete





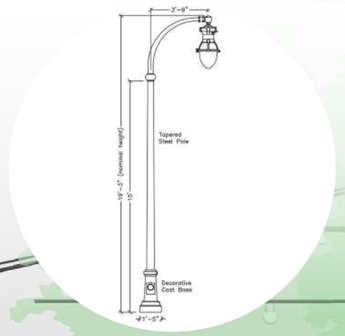
SHARED STREET

FURNISHINGS

1.) Gateway Element



2.) Street Light Pole



3.) Catenary Lighting



4.) Planter with Integrated Seating



5.) Bike Racks





BAYSIDE PORTLAND

MAJOR PUBLICLY ACCESSIBLE OPEN SPACE | PRECEDENT IMAGES









COMMERCIAL CORRIDOR A
MATERIALS

1.) Parking Flex Zone Unit Pavers

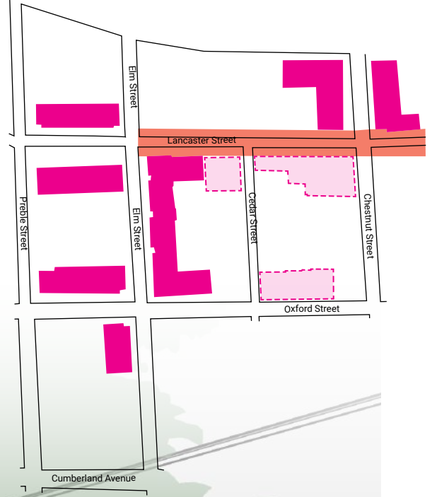


2.) Furnishing Zone Unit Pavers



3.) Pedestrian Zone Cast in Place Concrete





Future Development Site

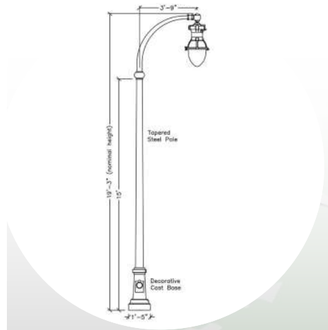
1

2

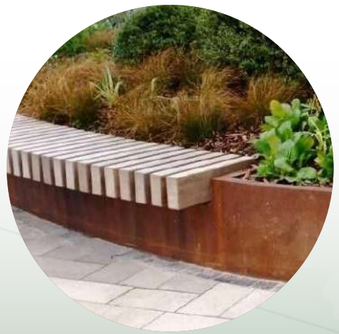
3

COMMERCIAL CORRIDOR A
FURNISHINGS

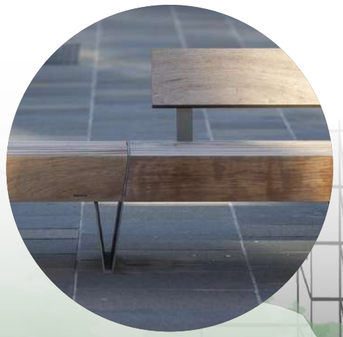
1.) Street Light Pole



2.) Planter with Integrated Seating



3.) Bench



4.) Bike Racks





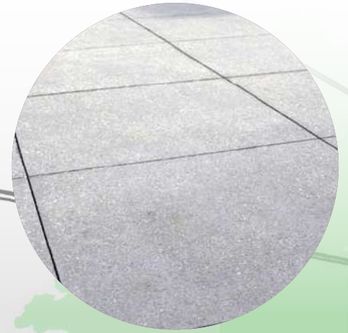
Future Development Site

COMMERCIAL CORRIDOR B
MATERIALS

1.) Furnishing Zone Unit Pavers

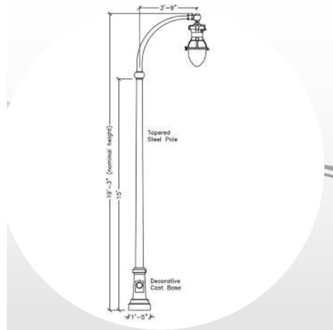


2.) Pedestrian Zone Cast in Place Concrete



COMMERCIAL CORRIDOR B
FURNISHINGS

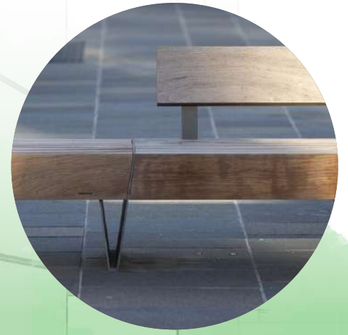
1.) Street Light Pole



2.) Street Tree Planter Edge

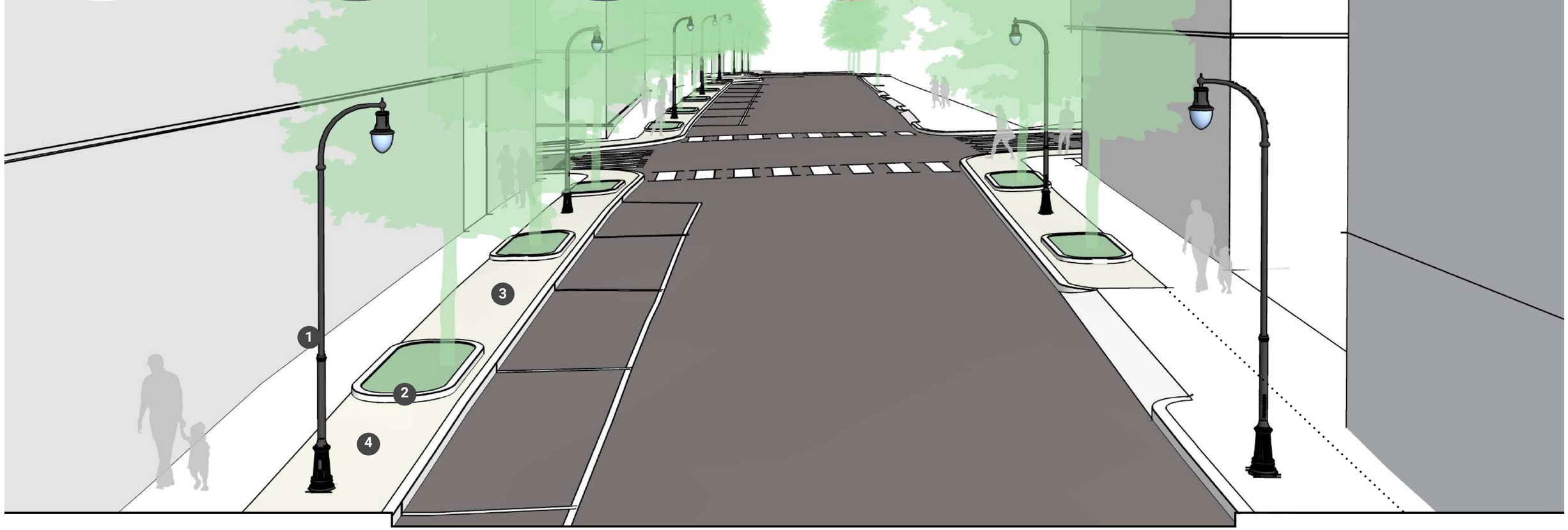


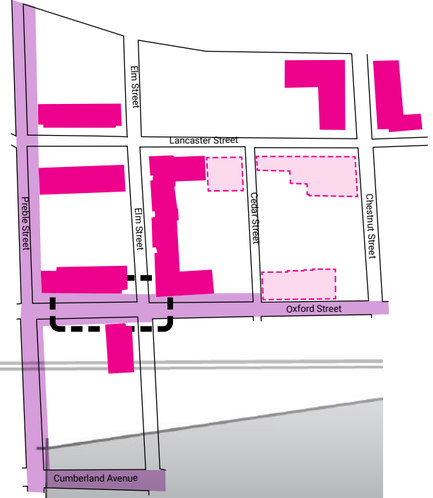
3.) Bench



4.) Bike Racks

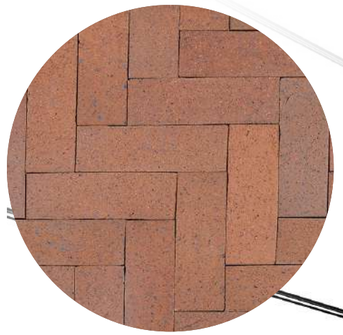




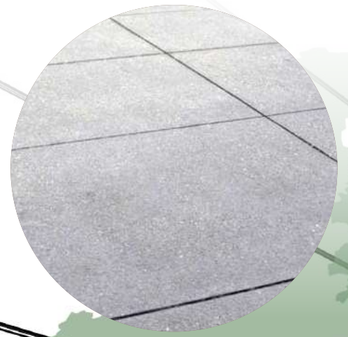


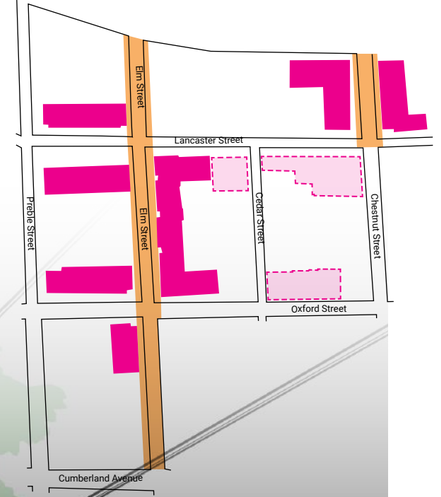
NEIGHBORHOOD CONNECTOR
MATERIALS

1.) Furnishing Zone Unit Pavers



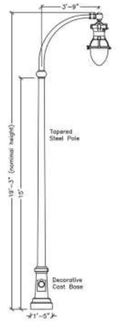
2.) Pedestrian Zone Cast in Place Concrete





NEIGHBORHOOD CONNECTOR
FURNISHINGS

1.) Street Light Pole



2.) Planter Edge

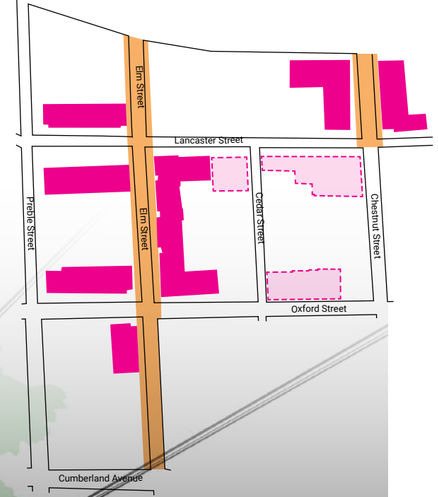


3.) Bench



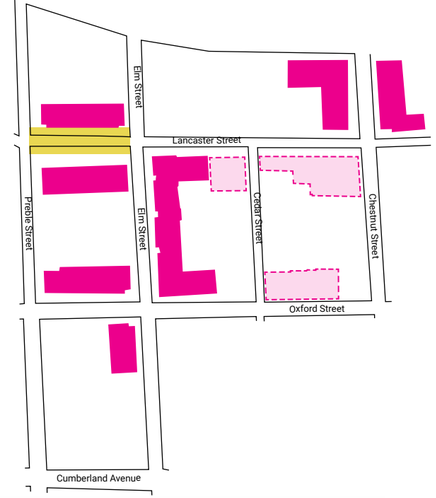
4.) Bike Racks



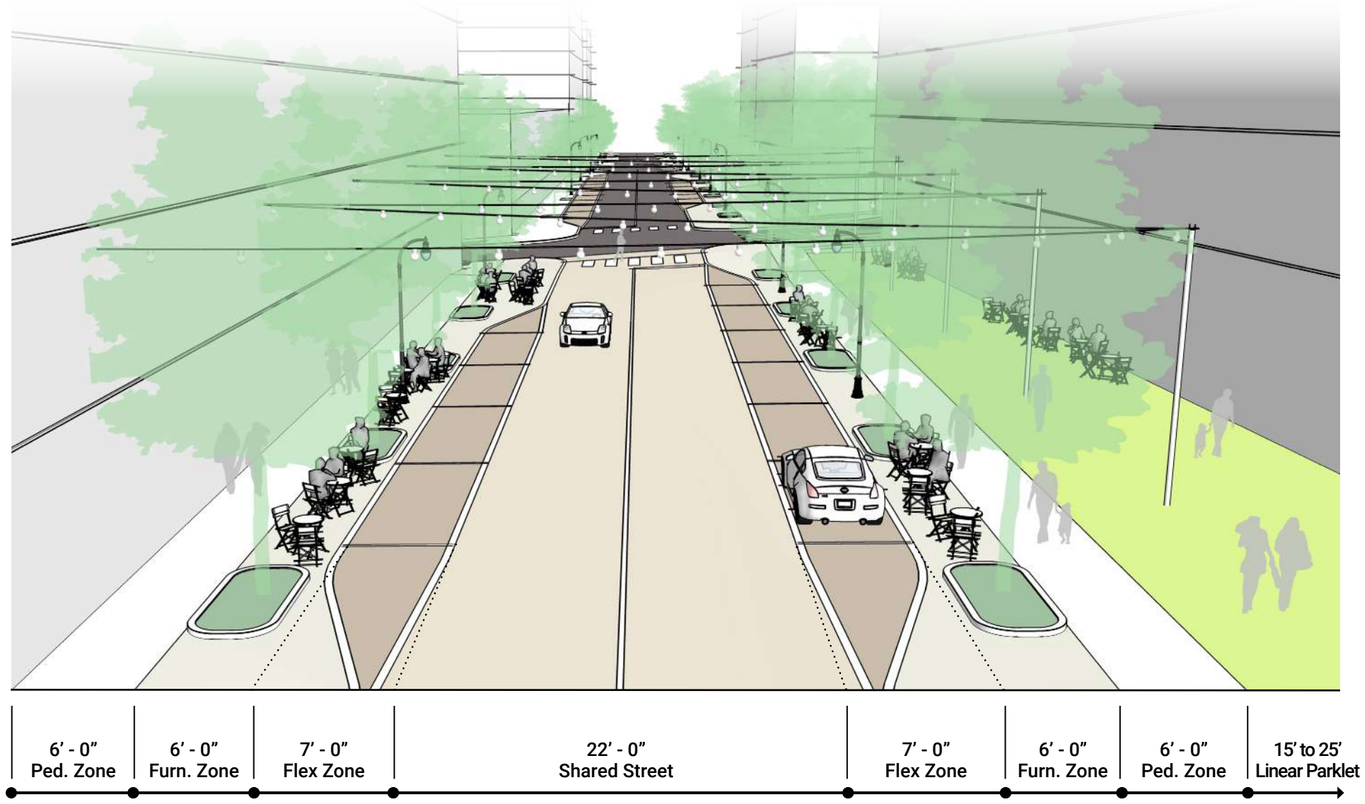


LANCASTER STREETSCAPE
SHARED STREET DIMENSIONS

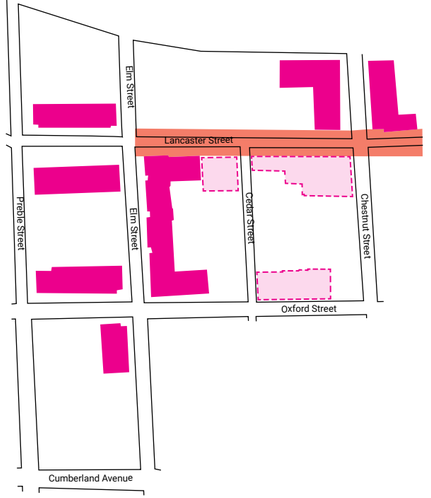
SHARED STREET

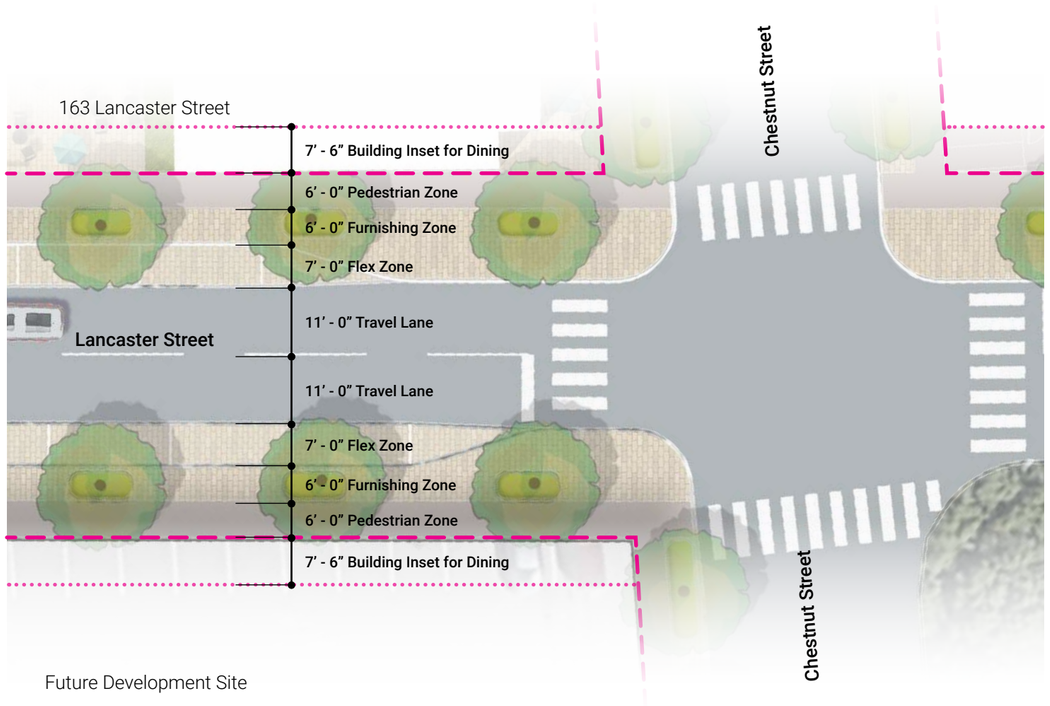


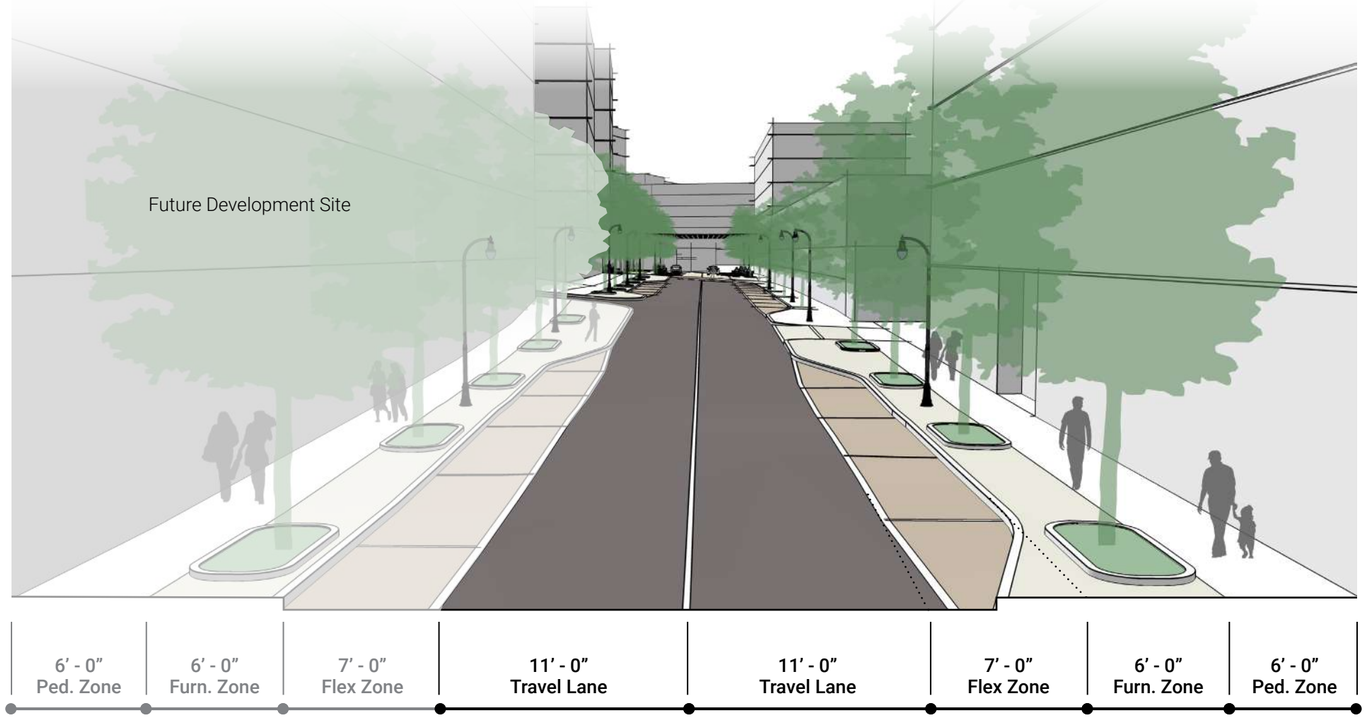




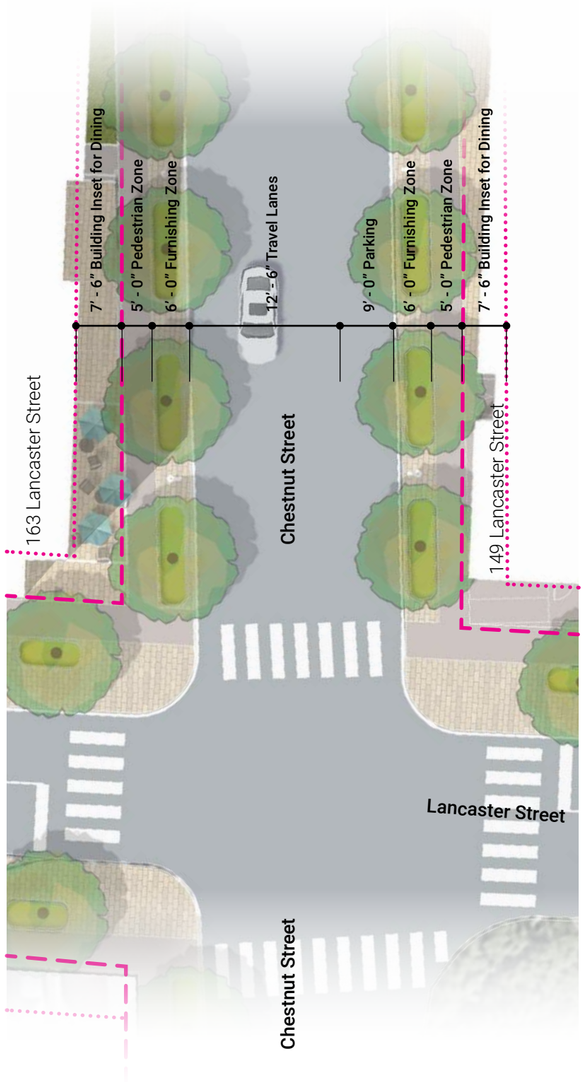
LANCASTER STREETSCAPE
TYPICAL STREET DIMENSIONS
COMMERCIAL CORRIDOR A

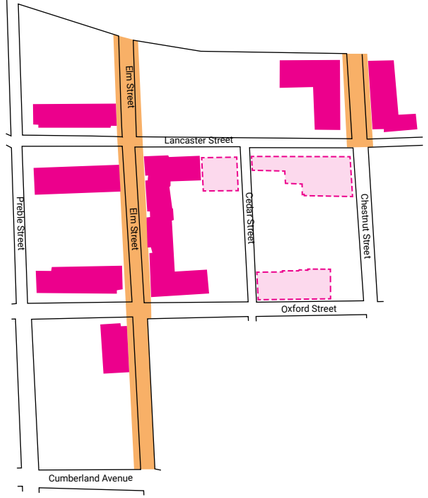






CHESTNUT STREETSCAPE
TYPICAL STREET DIMENSIONS
NEIGHBORHOOD CONNECTOR

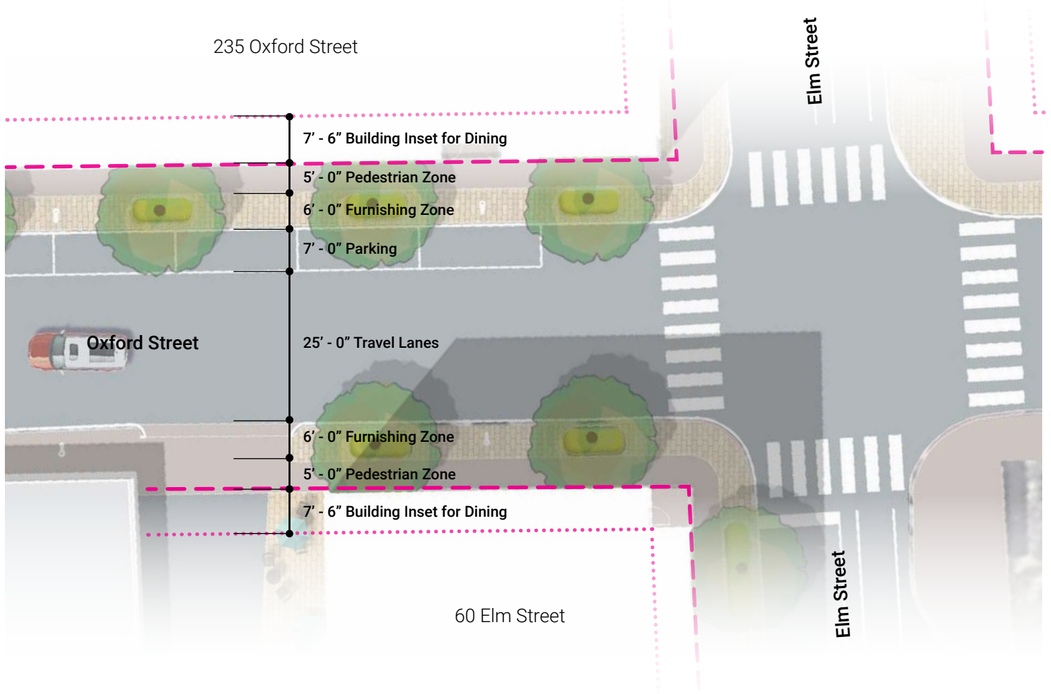


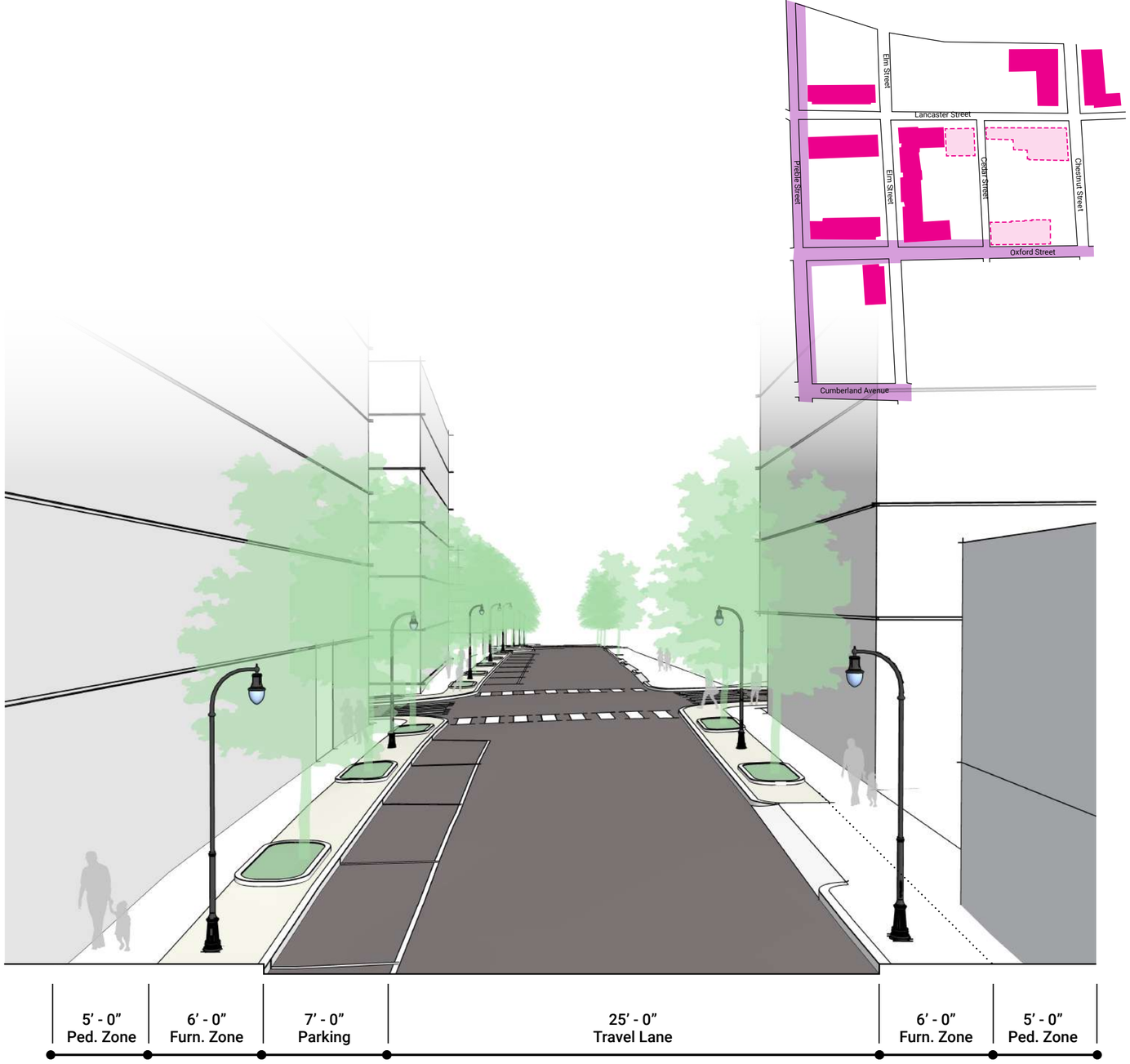




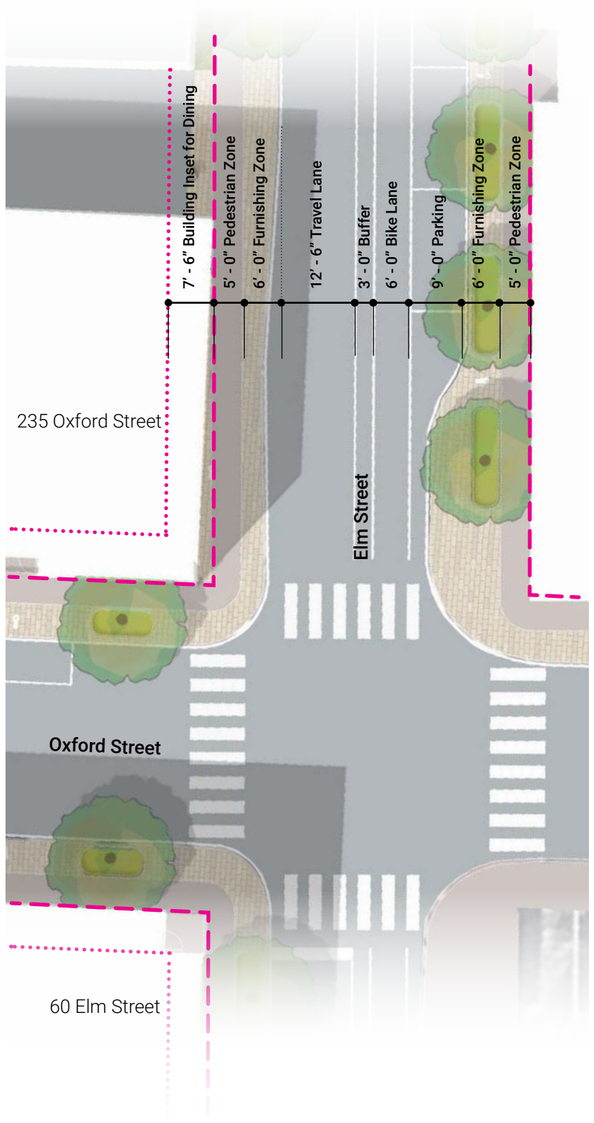
OXFORD STREETSCAPE
TYPICAL STREET DIMENSIONS

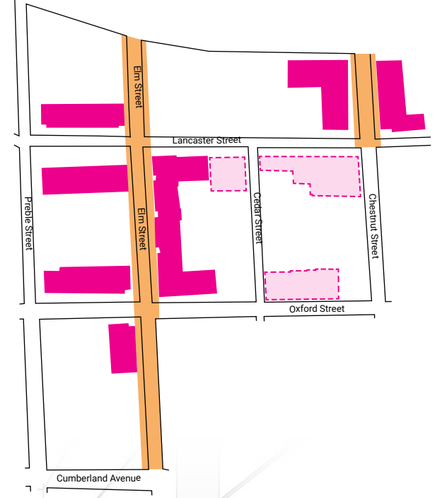
COMMERCIAL CORRIDOR B

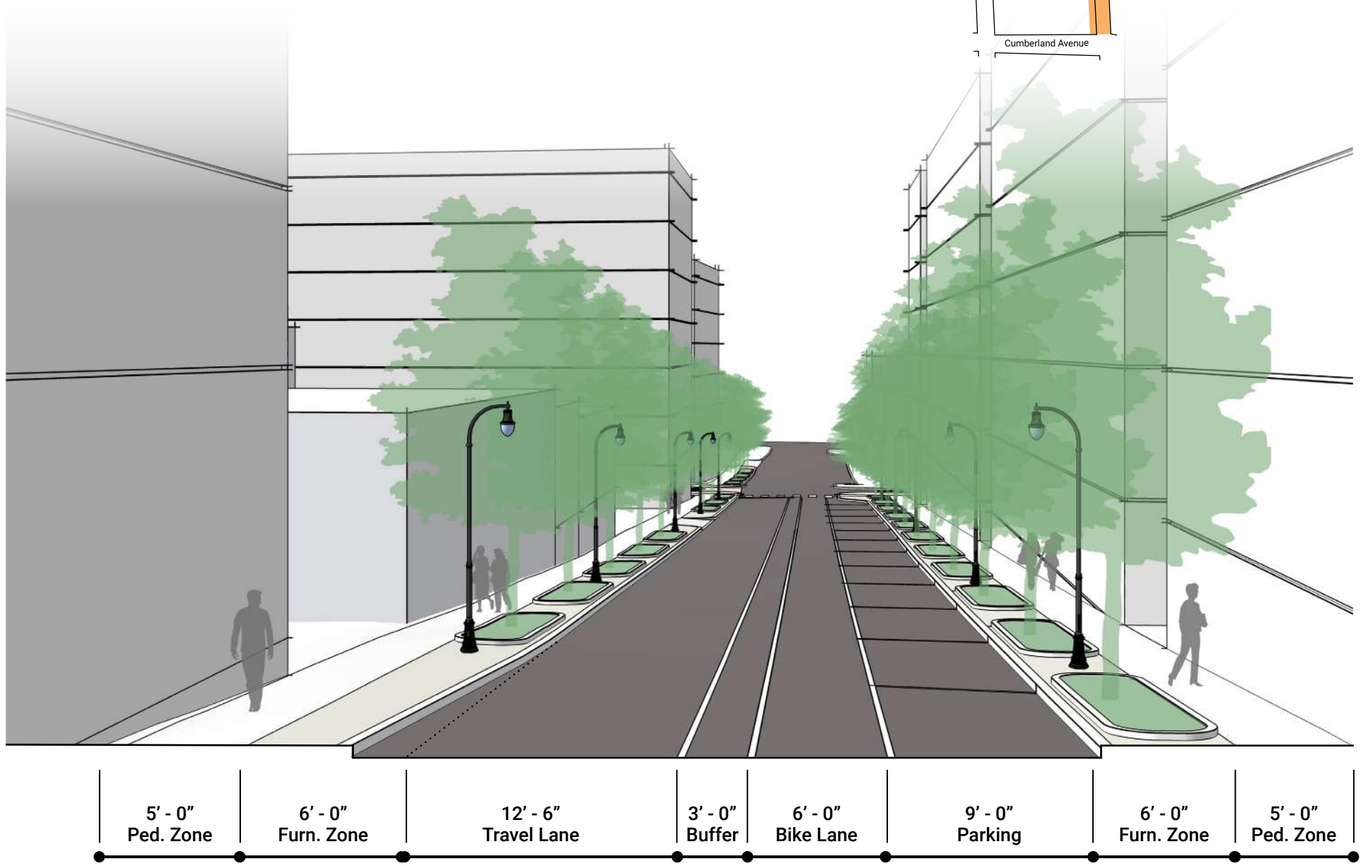




ELM STREETSCAPE
TYICAL STREET DIMENSIONS
NEIGHBORHOOD CONNECTOR

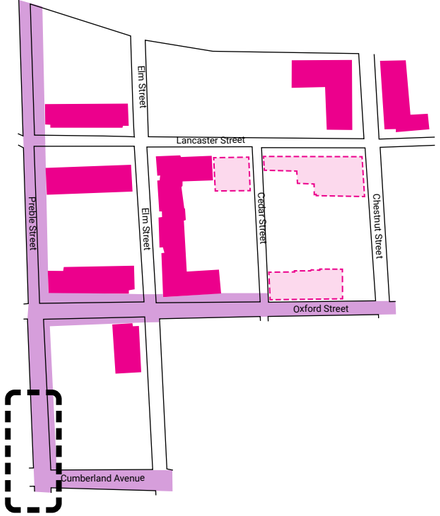






PREBLE STREET GARAGE
TYPICAL DIMENSIONS

COMMERCIAL CORRIDOR B





Evidence of State or Federal Approvals

Not applicable – no State or Federal approvals are required for this project at this time.

Att.
DD

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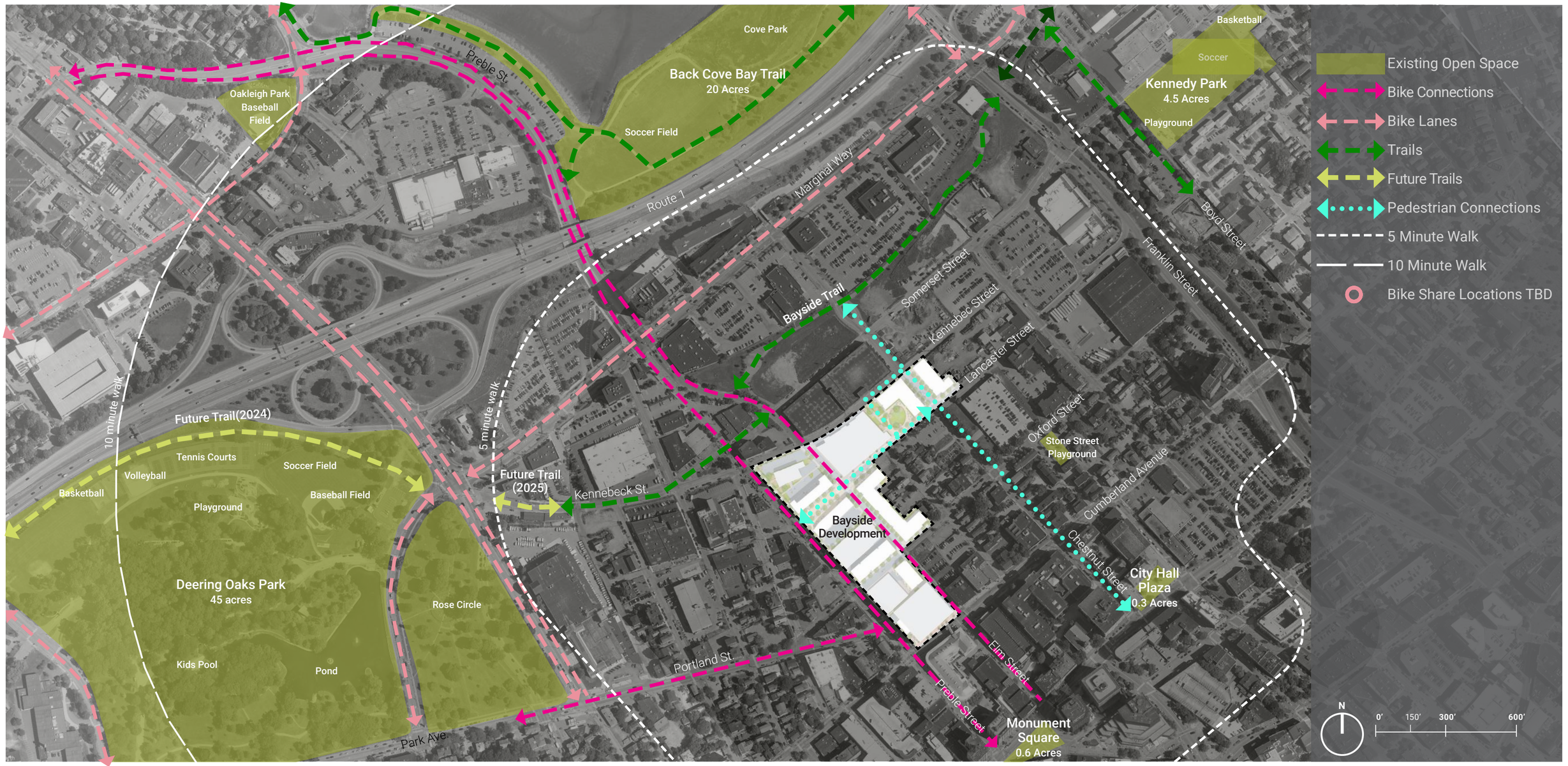
BAYSIDE PORTLAND

EXISTING OPEN SPACE CONNECTIONS



BAYSIDE PORTLAND

OPEN SPACE TYPOLOGIES



BAYSIDE PORTLAND

RETAIL & OUTDOOR DINING OPPORTUNITIES



BAYSIDE PORTLAND

ILLUSTRATIVE SITE PLAN



BAYSIDE PORTLAND

PHASING DIAGRAM



BAYSIDE PORTLAND
STREET TYPOLOGIES

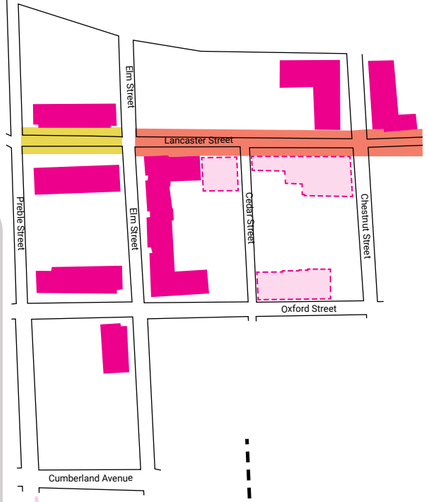


BAYSIDE PORTLAND

LANCASTER STREETSCAPE

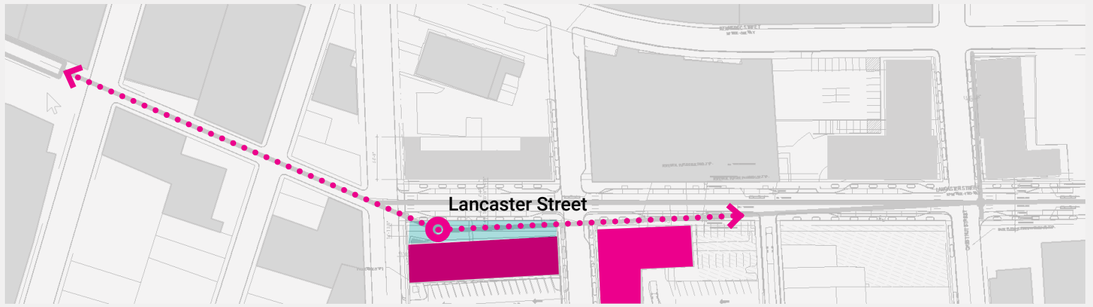




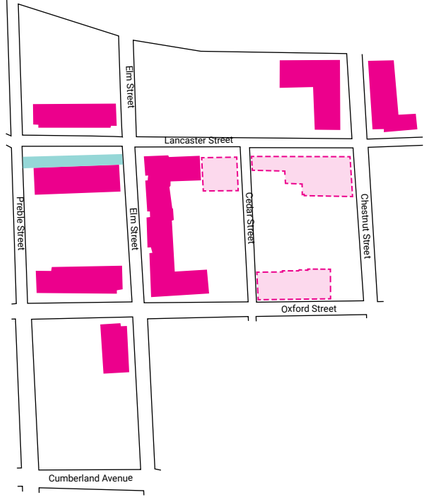


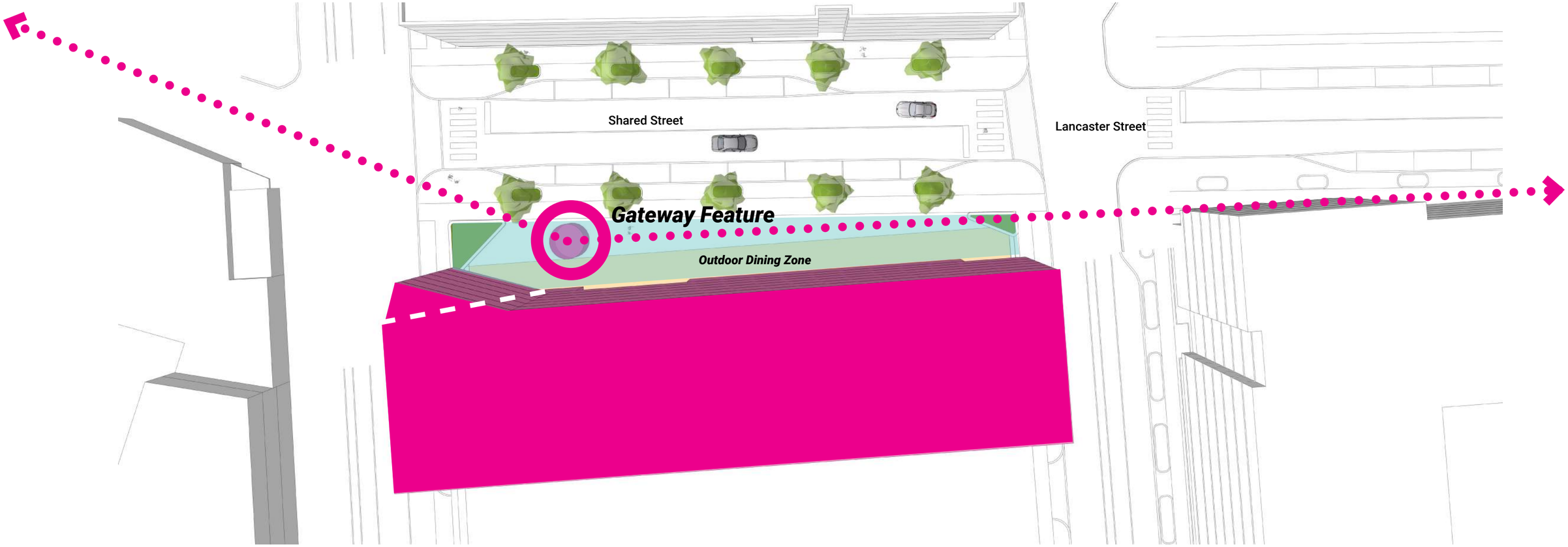


BAYSIDE PORTLAND
LINEAR PARKLET/GATEWAY



Context Plan

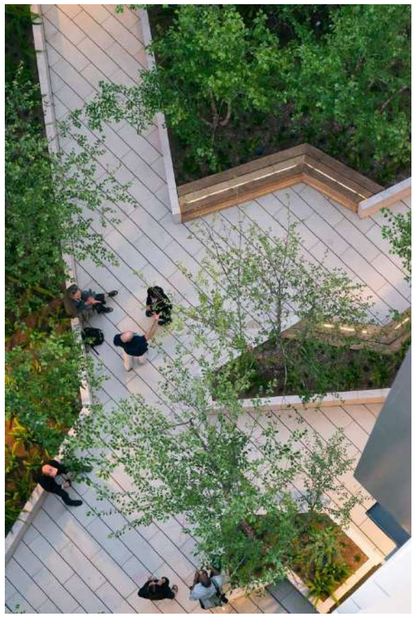


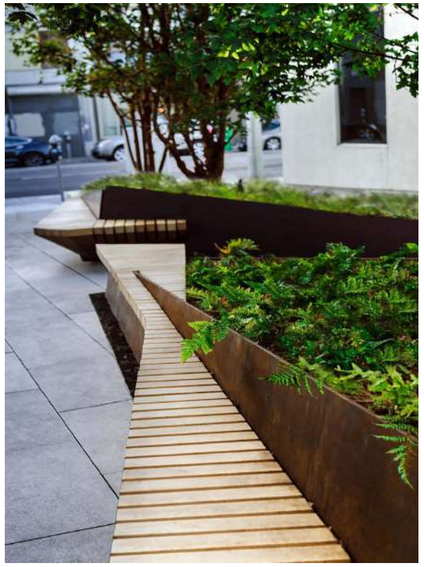


BAYSIDE PORTLAND

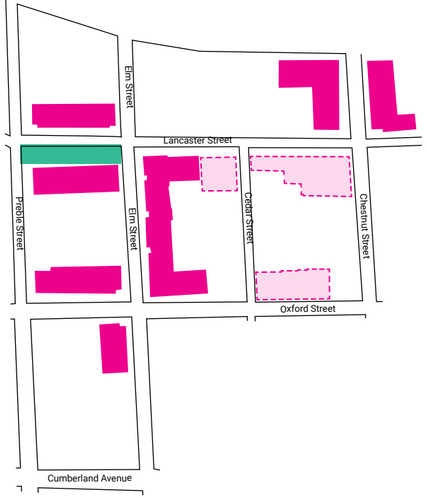
LINEAR PARKLET CHARACTER & MATERIALS

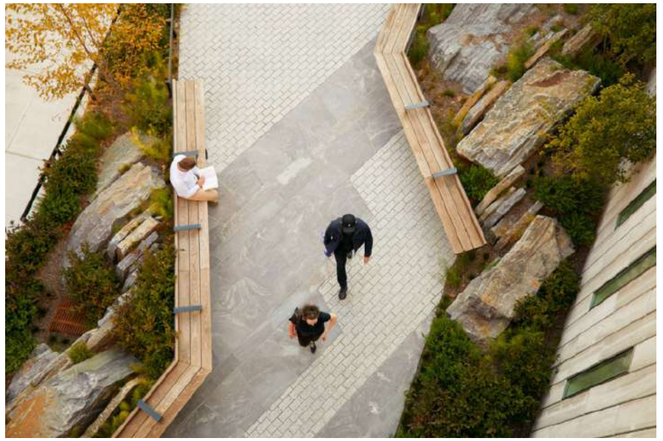






















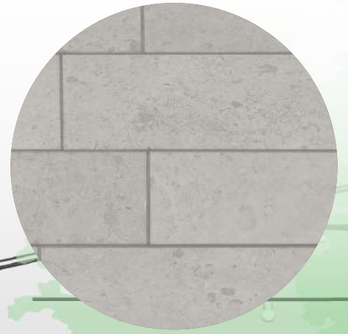
SHARED STREET

MATERIALS

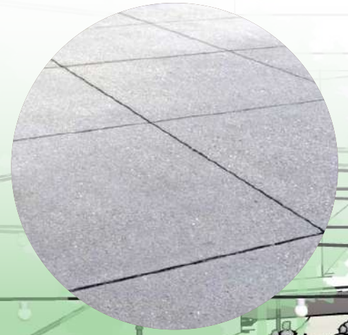
1.) Roadway Unit Pavers



2.) Furnishing Zone Unit Pavers



3.) Pedestrian Zone Cast in Place Concrete





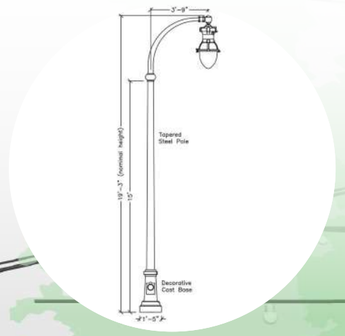
SHARED STREET

FURNISHINGS

1.) Gateway Element



2.) Street Light Pole



3.) Catenary Lighting



4.) Planter with Integrated Seating



5.) Bike Racks





BAYSIDE PORTLAND

MAJOR PUBLICLY ACCESSIBLE OPEN SPACE | PRECEDENT IMAGES









COMMERCIAL CORRIDOR A
MATERIALS

1.) Parking Flex Zone Unit Pavers

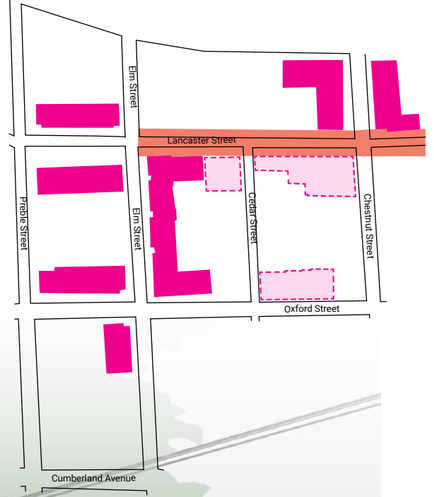


2.) Furnishing Zone Unit Pavers



3.) Pedestrian Zone Cast in Place Concrete





Future Development Site

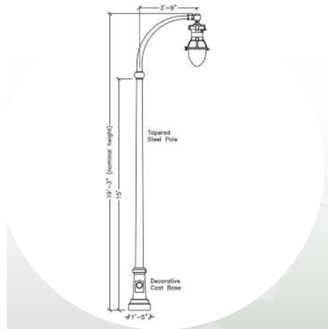
1

2

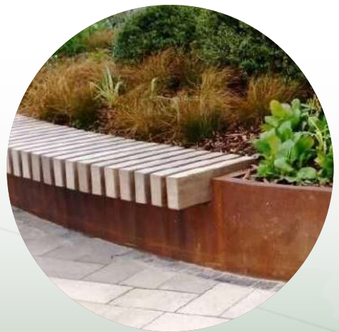
3

COMMERCIAL CORRIDOR A
FURNISHINGS

1.) Street Light Pole



2.) Planter with Integrated Seating



3.) Bench



4.) Bike Racks





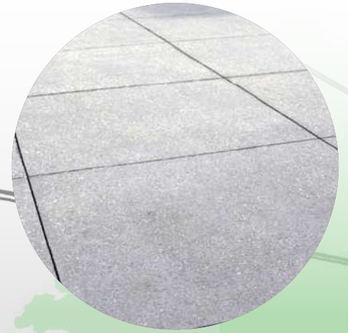
Future Development Site

COMMERCIAL CORRIDOR B
MATERIALS

1.) Furnishing Zone Unit Pavers

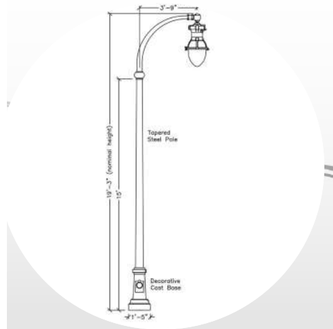


2.) Pedestrian Zone Cast in Place Concrete



COMMERCIAL CORRIDOR B
FURNISHINGS

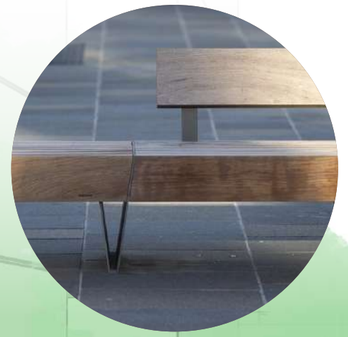
1.) Street Light Pole



2.) Street Tree Planter Edge

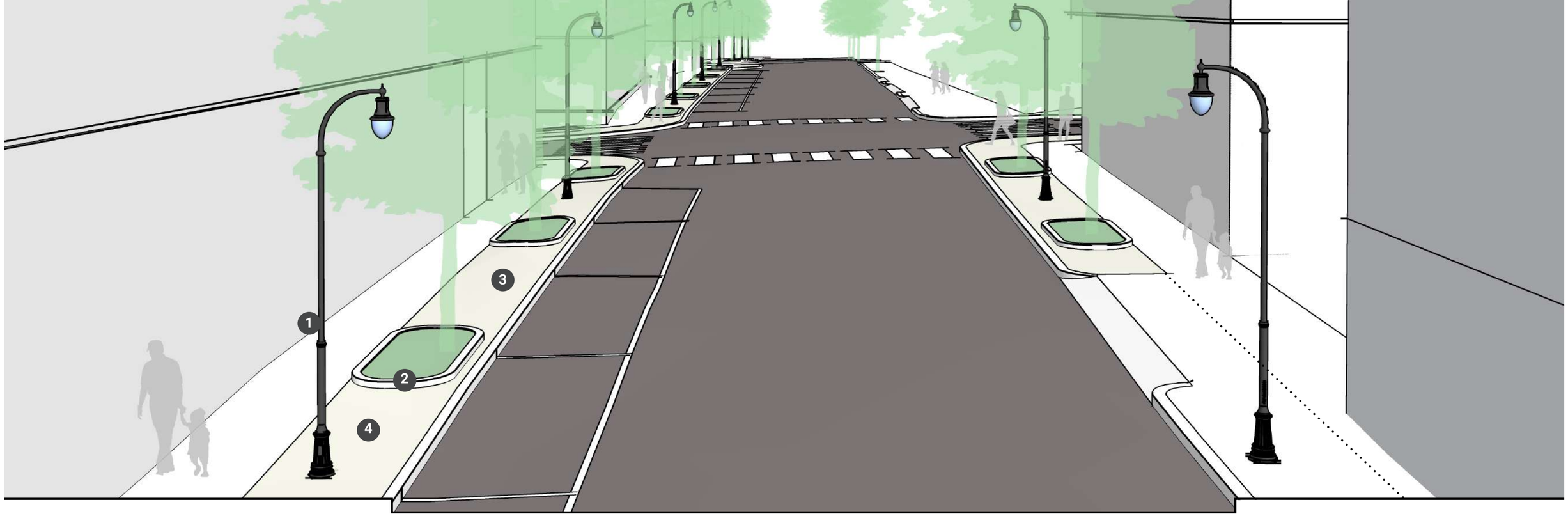


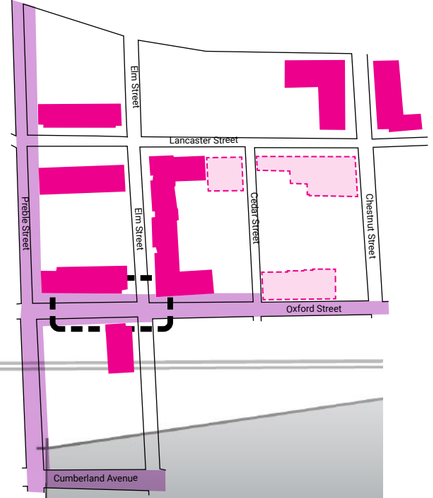
3.) Bench



4.) Bike Racks

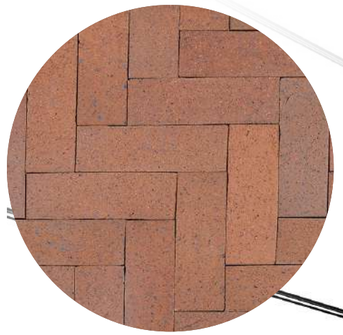




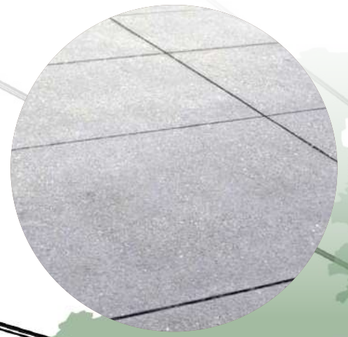


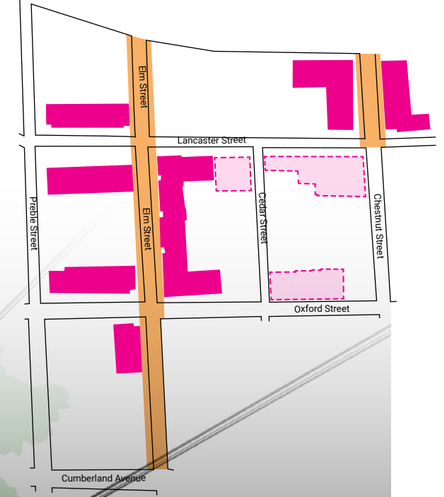
NEIGHBORHOOD CONNECTOR
MATERIALS

1.) Furnishing Zone Unit Pavers



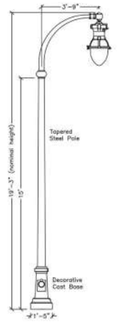
2.) Pedestrian Zone Cast in Place Concrete





NEIGHBORHOOD CONNECTOR
FURNISHINGS

1.) Street Light Pole



2.) Planter Edge

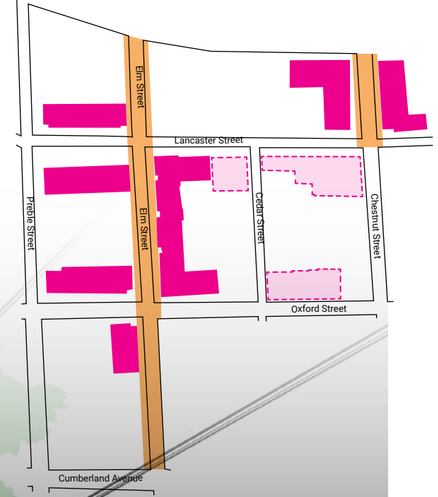


3.) Bench



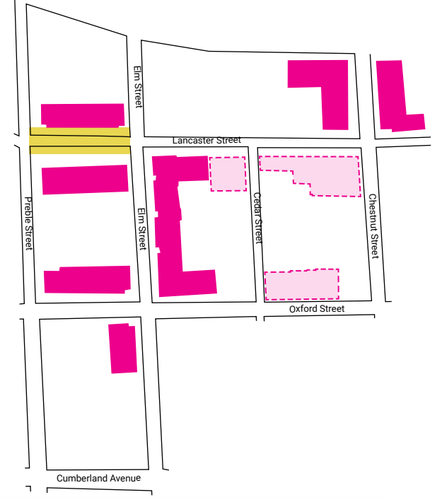
4.) Bike Racks



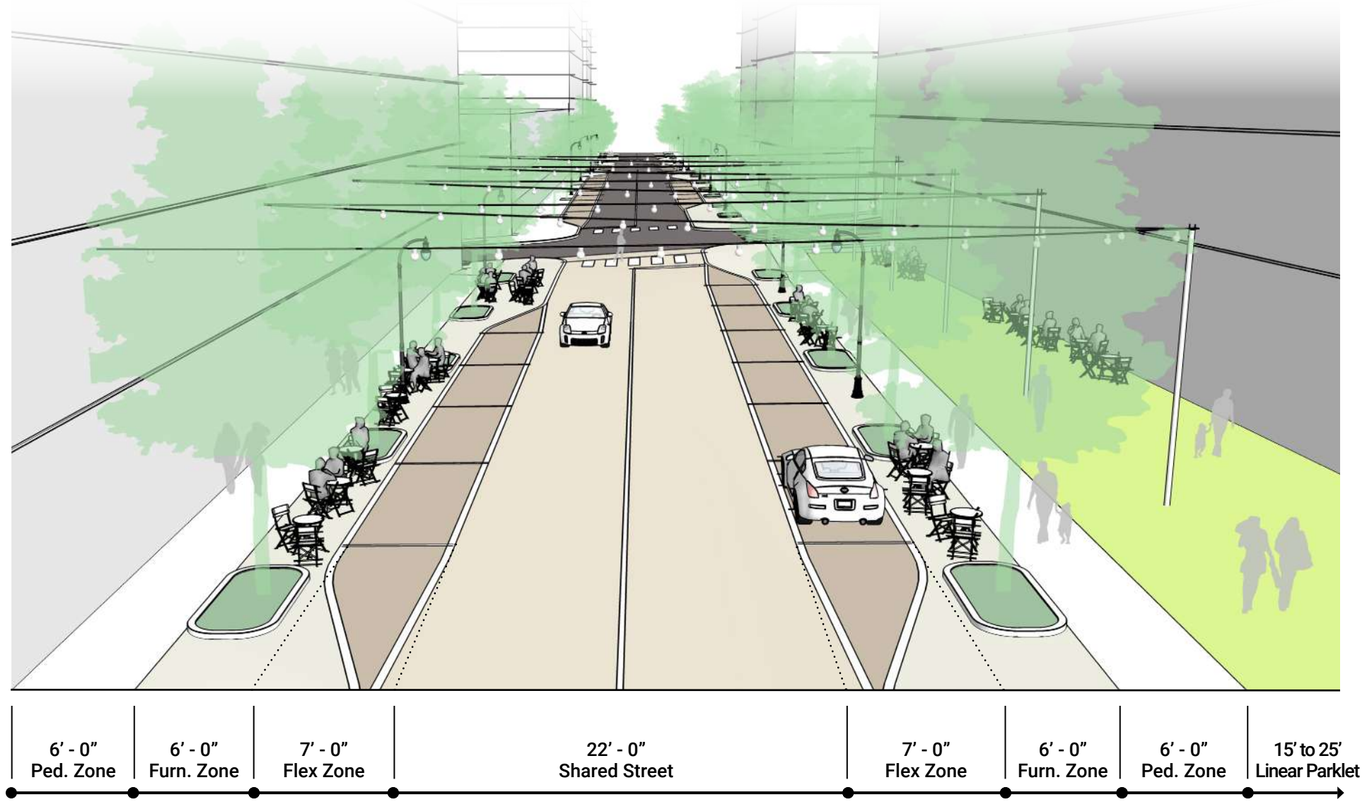


LANCASTER STREETSCAPE
SHARED STREET DIMENSIONS

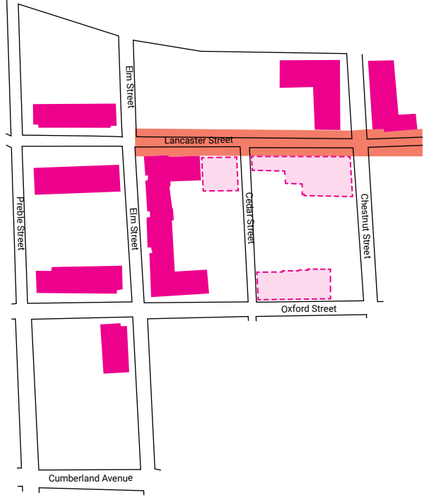
SHARED STREET

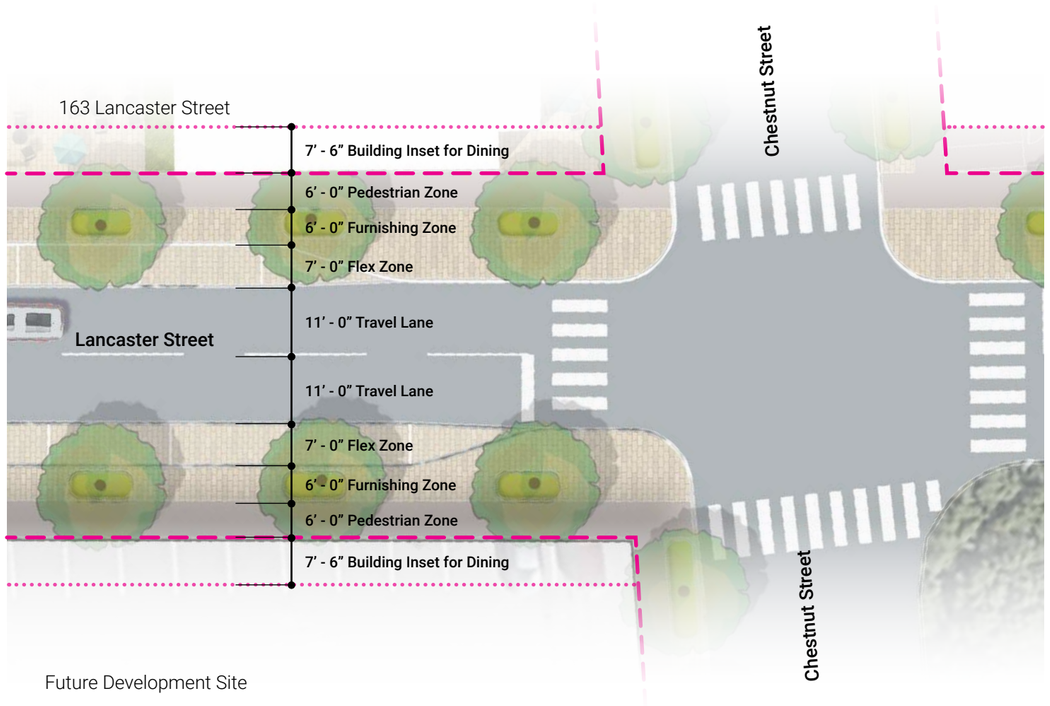


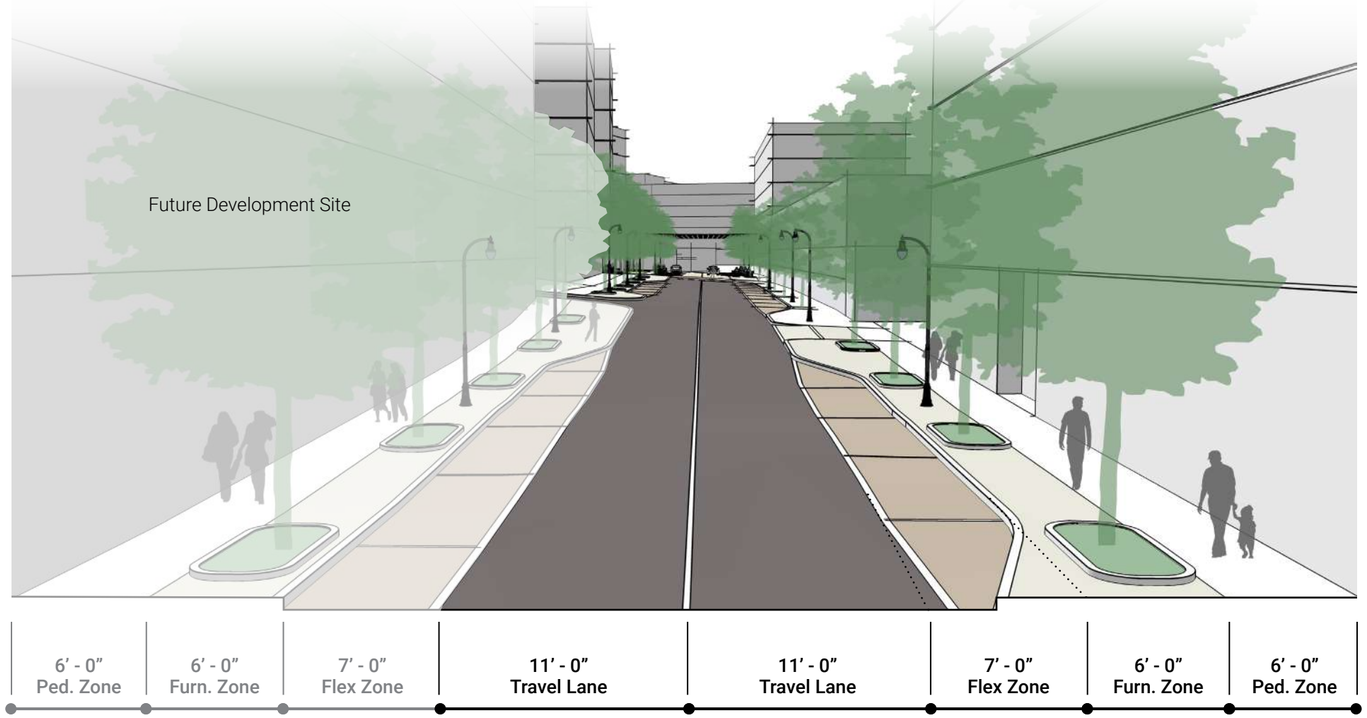




LANCASTER STREETSCAPE
TYPICAL STREET DIMENSIONS
COMMERCIAL CORRIDOR A

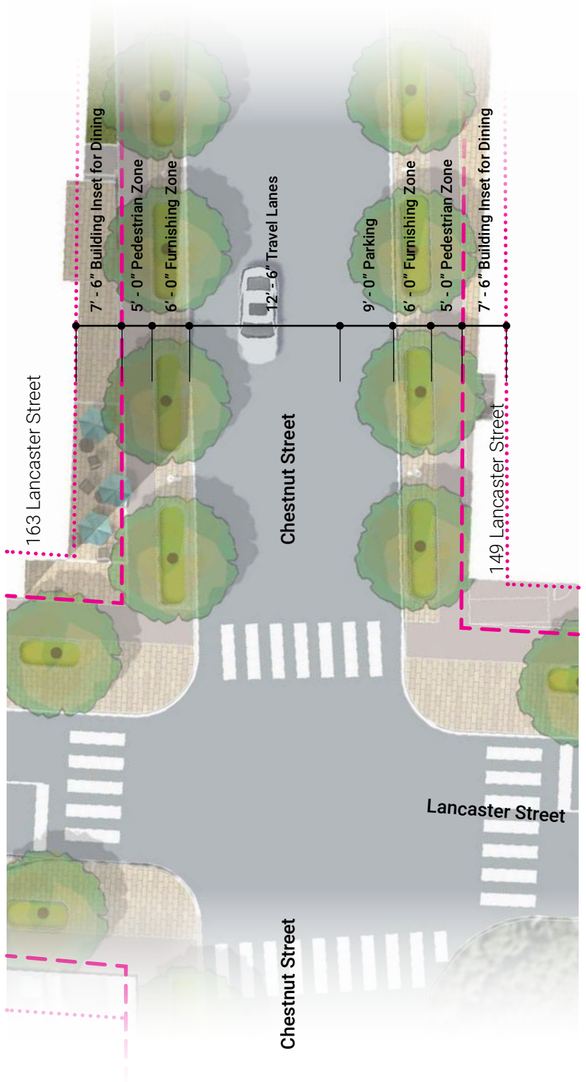


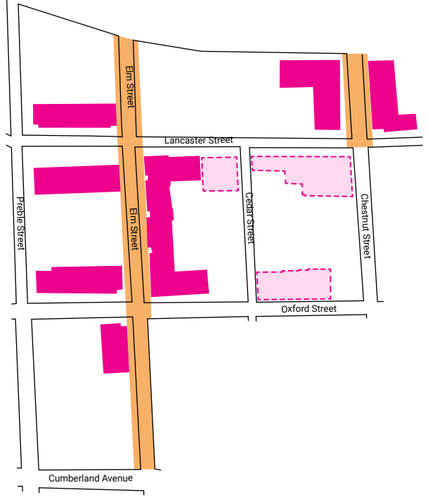




CHESTNUT STREETSCAPE
TYPICAL STREET DIMENSIONS

NEIGHBORHOOD CONNECTOR

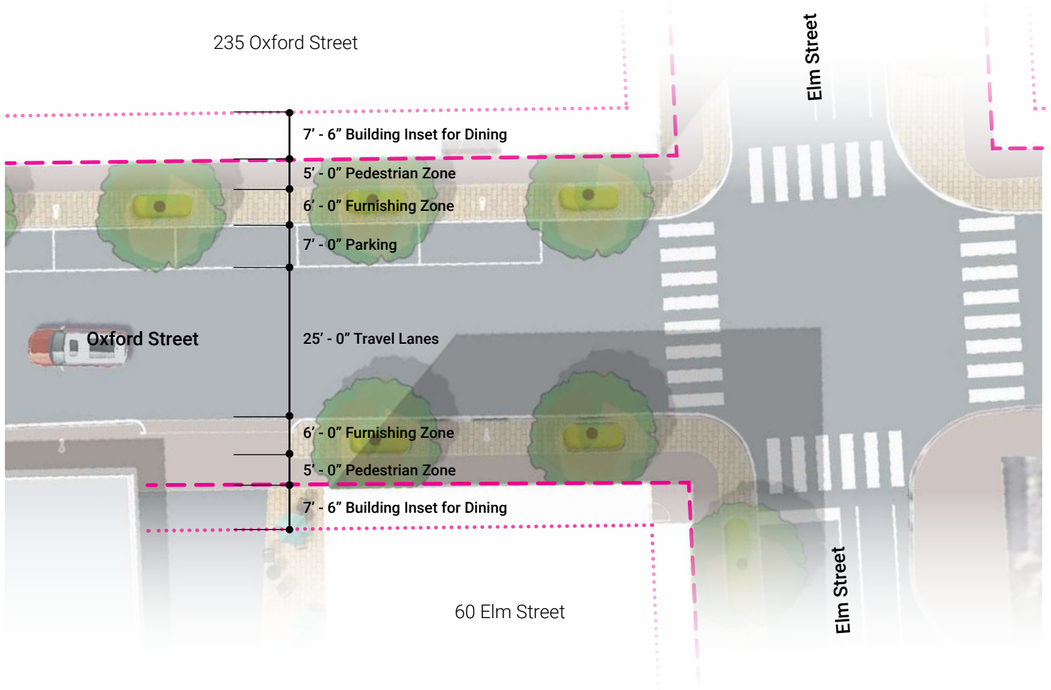


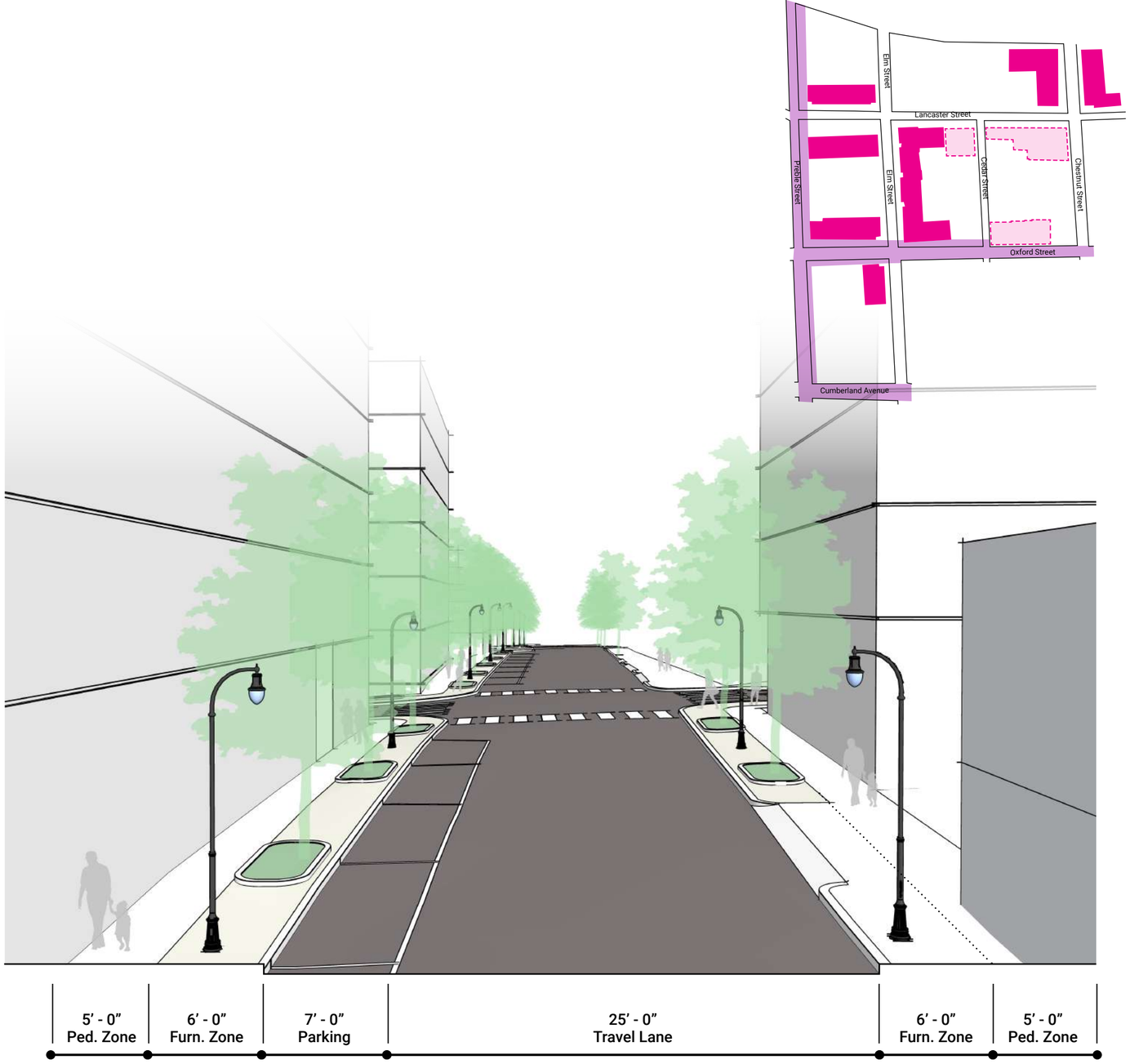




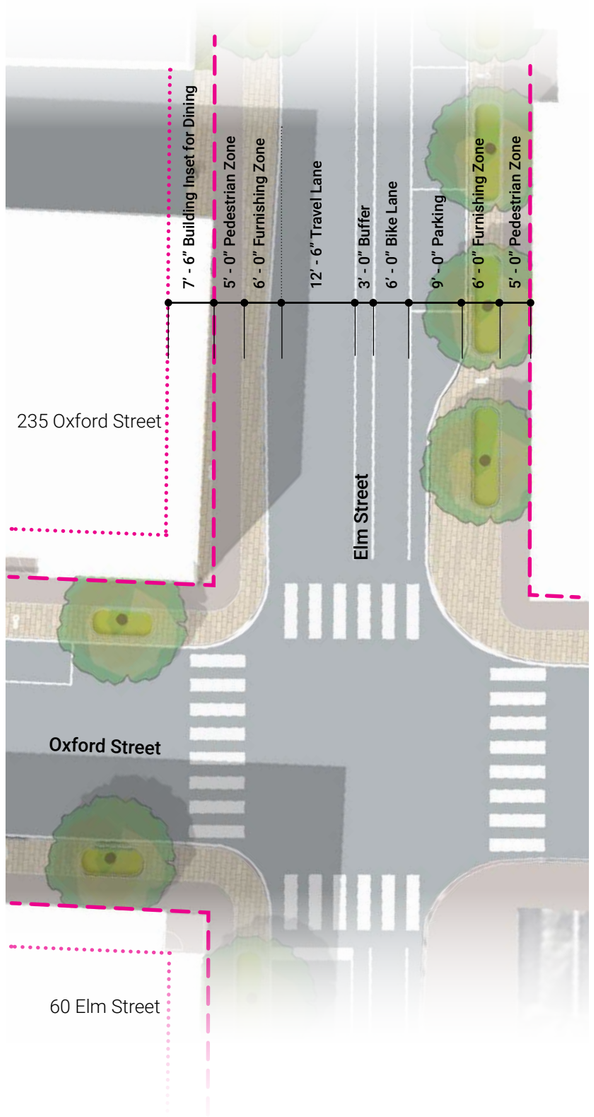
OXFORD STREETSCAPE
TYPICAL STREET DIMENSIONS

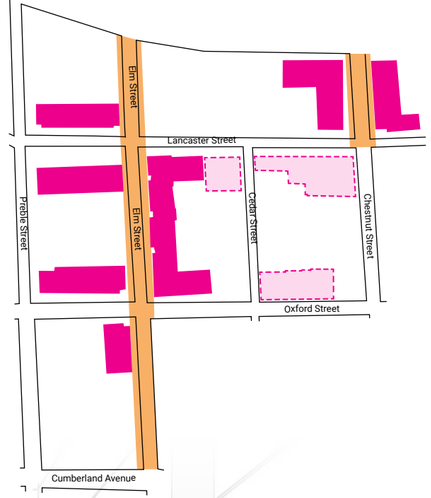
COMMERCIAL CORRIDOR B

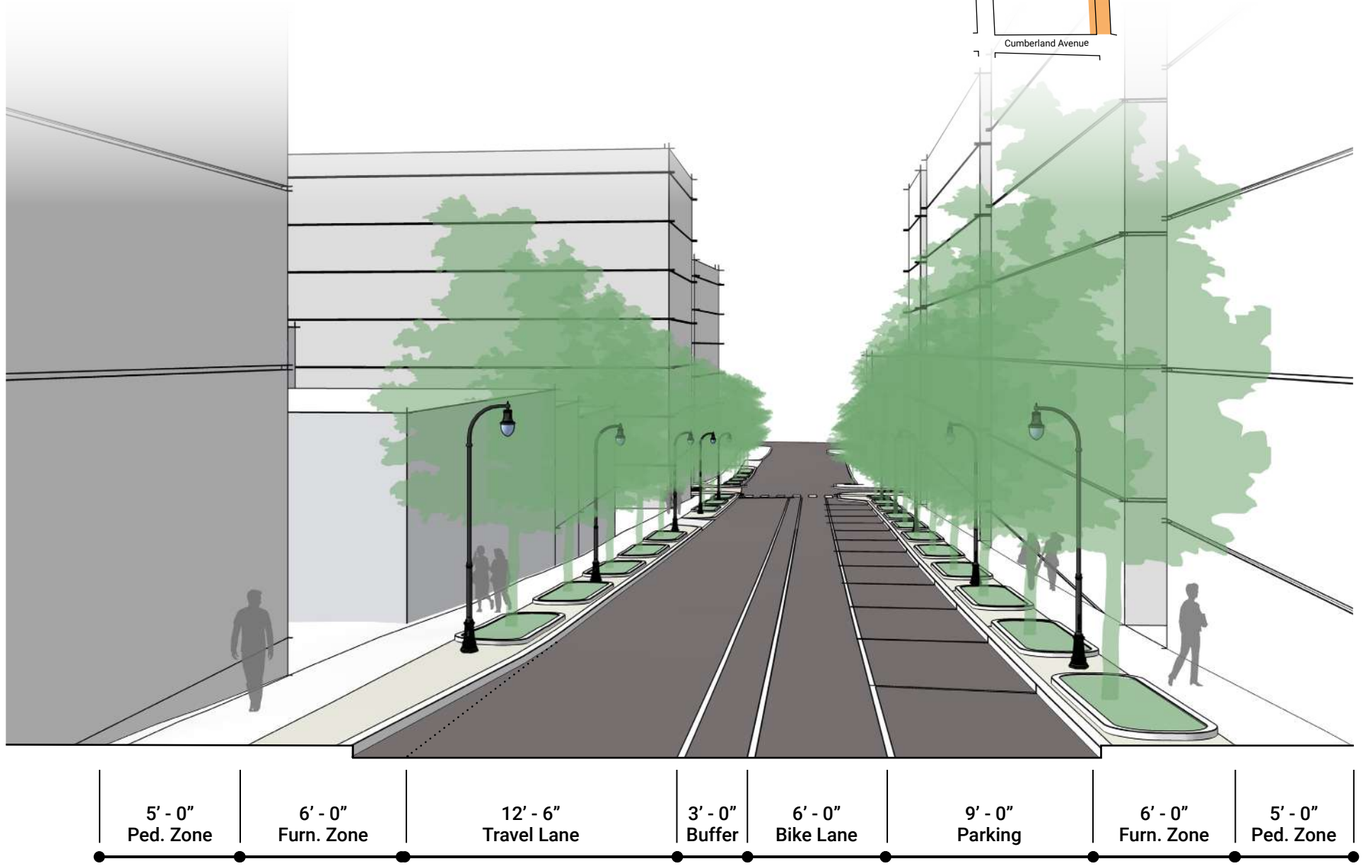




ELM STREETSCAPE
TYICAL STREET DIMENSIONS
NEIGHBORHOOD CONNECTOR

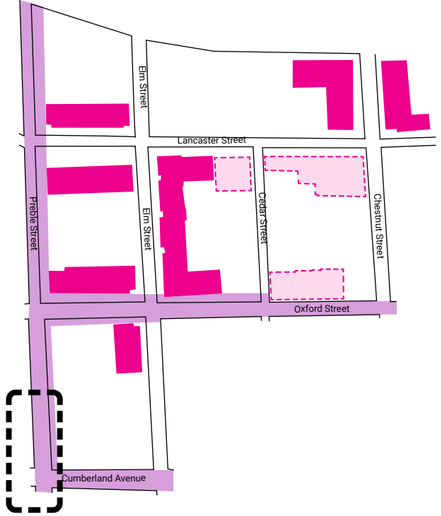






PREBLE STREET GARAGE
TYPICAL DIMENSIONS

COMMERCIAL CORRIDOR B



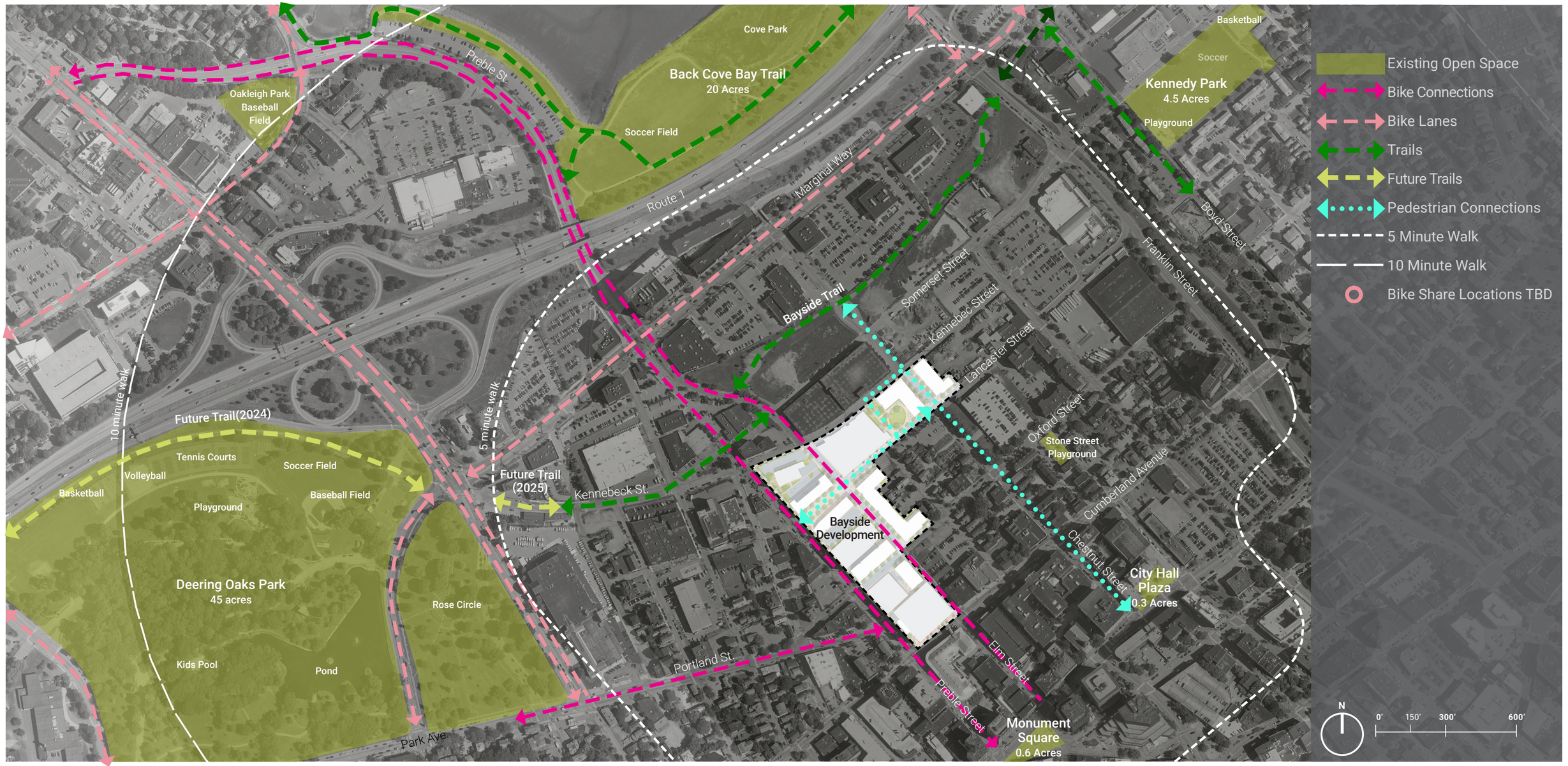


Att.
DD1

BAYSIDE | PORTLAND, ME
PUBLIC REALM DESIGN

BAYSIDE PORTLAND

EXISTING OPEN SPACE CONNECTIONS



BAYSIDE PORTLAND

OPEN SPACE TYPOLOGIES



BAYSIDE PORTLAND

RETAIL & OUTDOOR DINING OPPORTUNITIES



BAYSIDE PORTLAND

ILLUSTRATIVE SITE PLAN



BAYSIDE PORTLAND

PHASING DIAGRAM



BAYSIDE PORTLAND
STREET TYPOLOGIES



BAYSIDE PORTLAND

LANCASTER STREETSCAPE

Eclectic Commercial Frontage





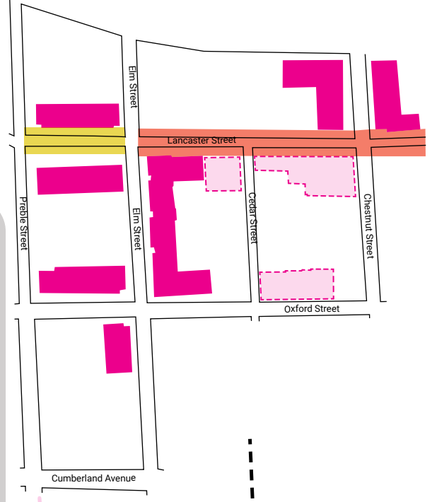


Tree Lined Streetscape / Outdoor Dining



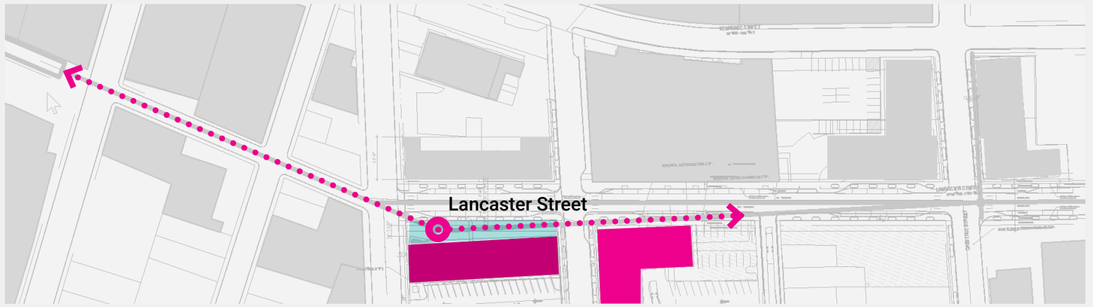




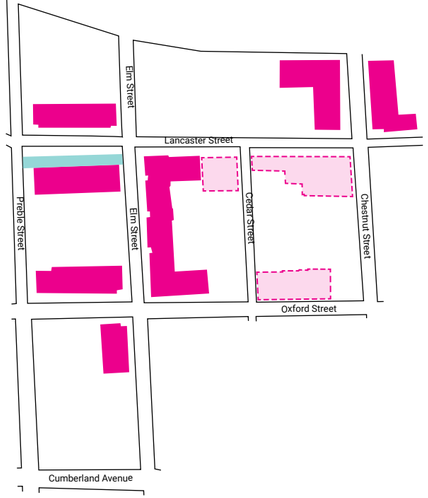


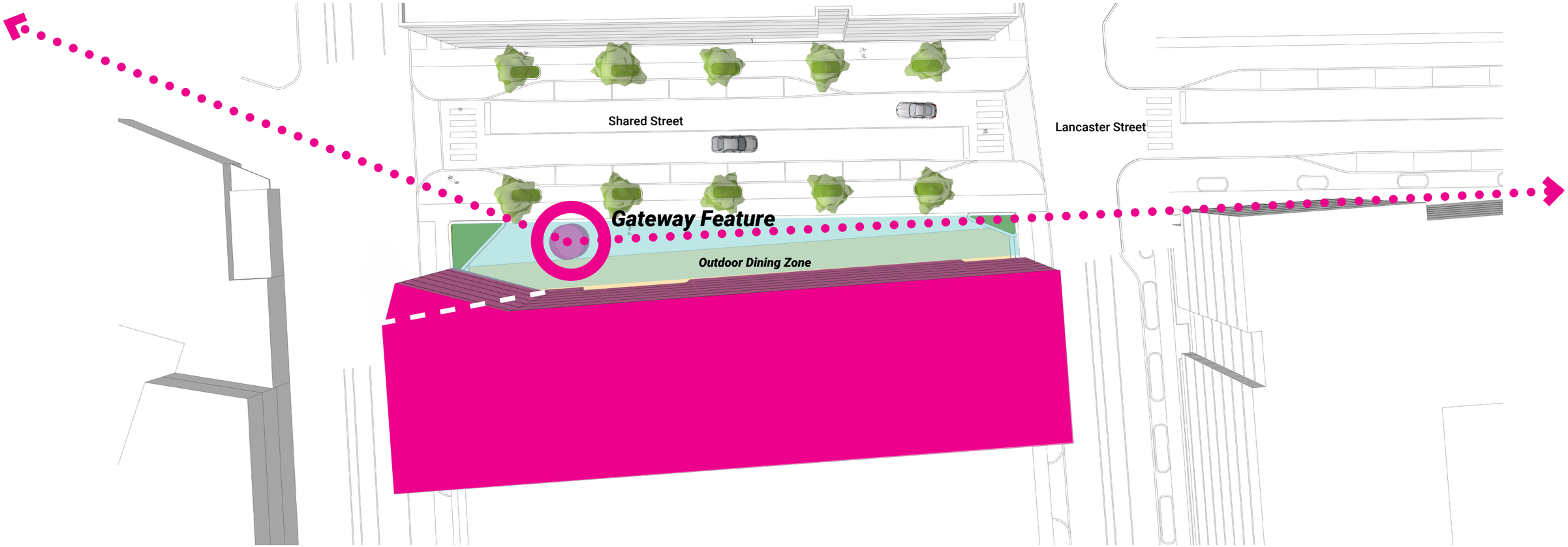


BAYSIDE PORTLAND
LINEAR PARKLET/GATEWAY



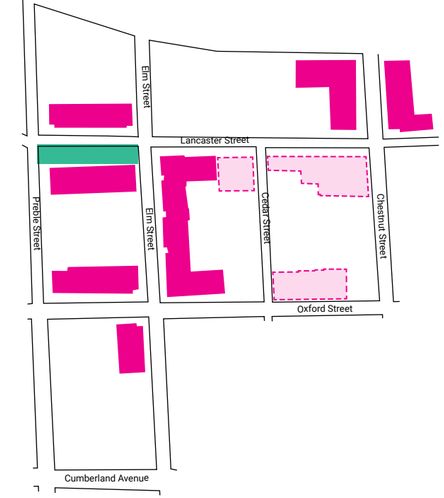
Context Plan

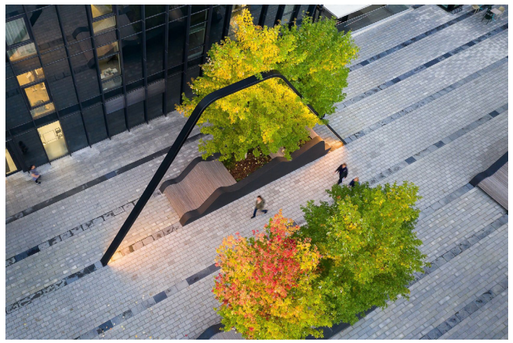


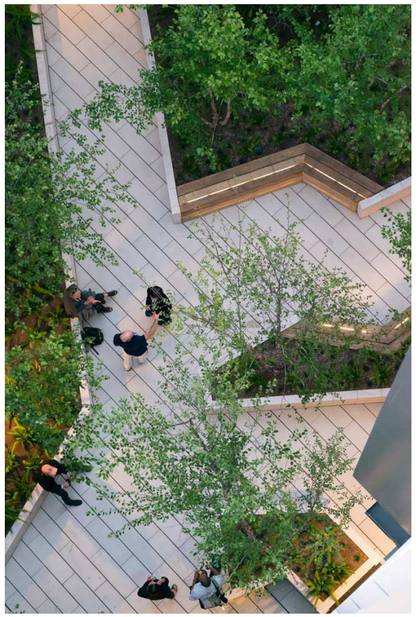


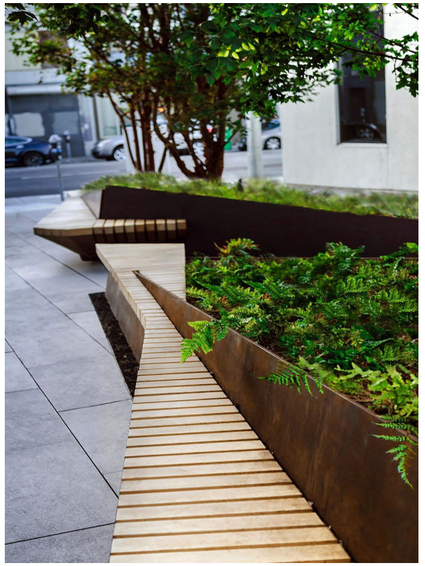
BAYSIDE PORTLAND

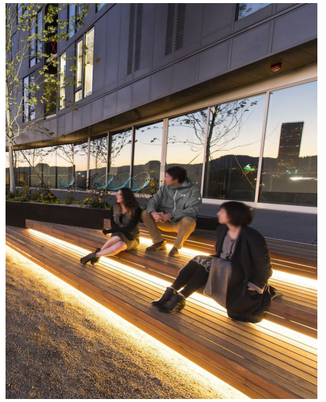
LINEAR PARKLET CHARACTER & MATERIALS

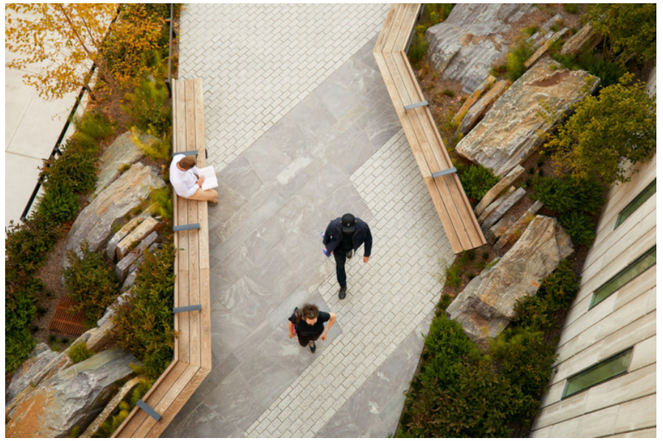


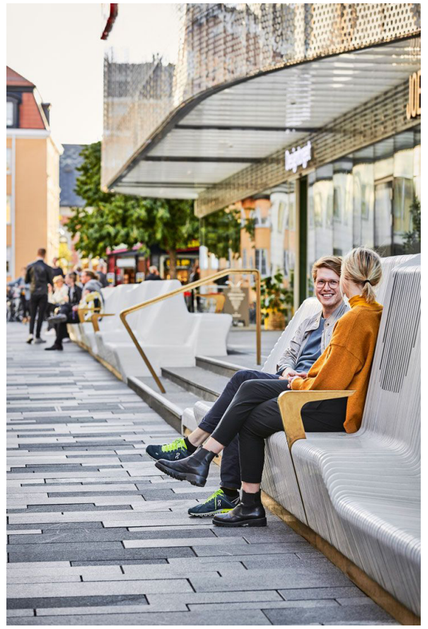


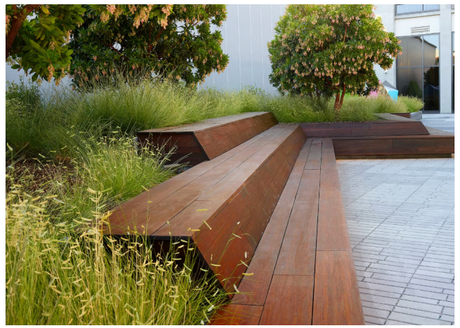


















SHARED STREET

STREET DESIGN GUIDELINES (NACTO)

1 ***Street furniture, including bollards, benches, planters, street lights, sculptures, trees, and bicycle parking, will be sited to provide definition for a shared space, subtly delineating the traveled way from the pedestrian-exclusive area.***

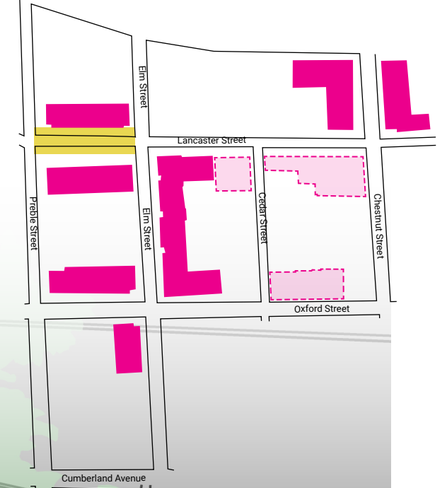
An 8-foot-clear path will be provided to protect pedestrians from traffic. The clear path will be defined using planters, bollards, street furniture, and street lights as well as detectable warning strips at back of road curb

Landscaping, seating and other streetscape amenities or furniture will be located and spaced to allow visual permeability and controlled pedestrian movement through the entire shared public way when vehicles are present.

2 ***Special pavements will be selected to be flush with the curb. This will reinforce the pedestrian-priority operation of the street. Snowplow-compatible materials will be selected. Drainage channels will be provided offset from the flush curb (between travel lane and parking).***

3 ***This commercial shared street will be accessible by single-unit trucks making deliveries. Designated loading and unloading zones will be defined by striping and signage.***

4 ***This shared street may be closed to through traffic for specific portions of the day or for events throughout the year. The public permitting/ licensing process will be utilized to confirm street closure requirements.***

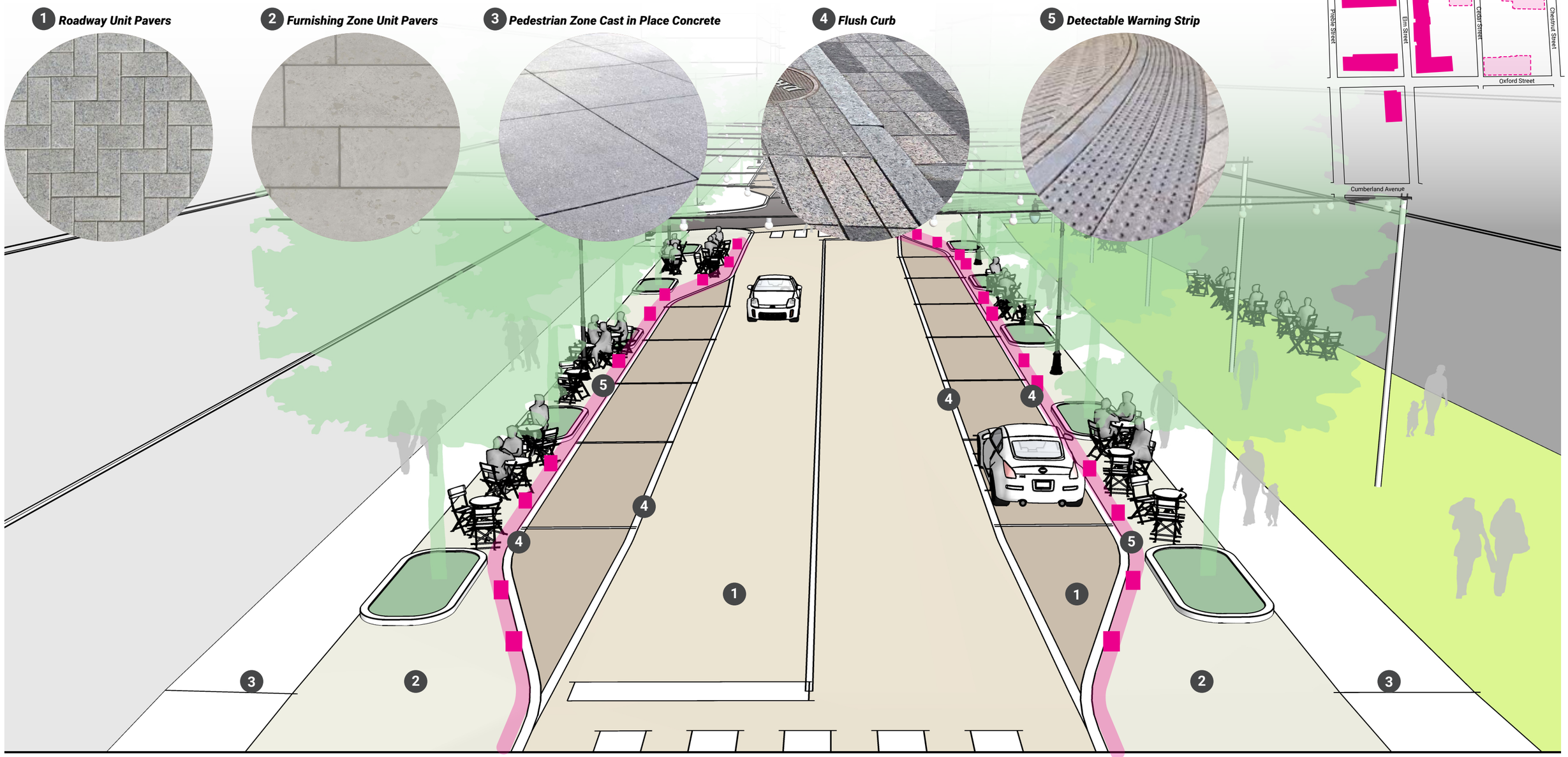


Light Poles
Street Tree Planters
Bollards
Detectable Warning Strip

**** the street design guidelines information excerpted from SF Better Streets (A guide to making street improvements in San Francisco), and NACTO Commercial Shared Street Guide***

SHARED STREET

MATERIALS



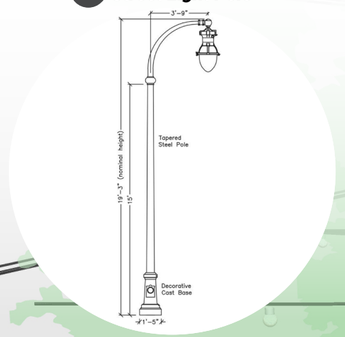
SHARED STREET

FURNISHINGS

1 *Gateway Element*



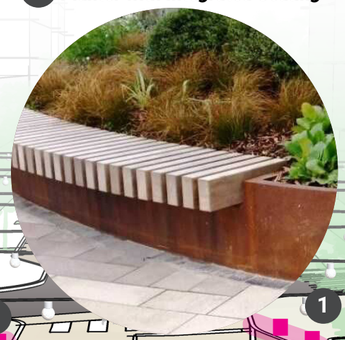
2 *Street Light Pole*



3 *Catenary Lighting*



4 *Planter with Integrated Seating*



5 *Bike Racks*



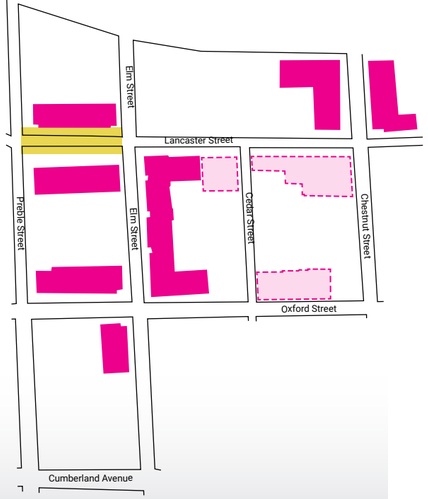
6 *Bollards*





SHARED STREET

PEDESTRIAN CIRCULATION



195 Lancaster Street

Pedestrian Zone

Furnishing Zone

Flex Zone

Preble Street

Lancaster Street

Shared Street

Elm Street

Flex Zone

Furnishing Zone

Pedestrian Zone

Linear Parklet

Elm Street

196 Lancaster Street

N

Primary Pedestrian Circulation

Controlled Pedestrian Movement

Light Poles

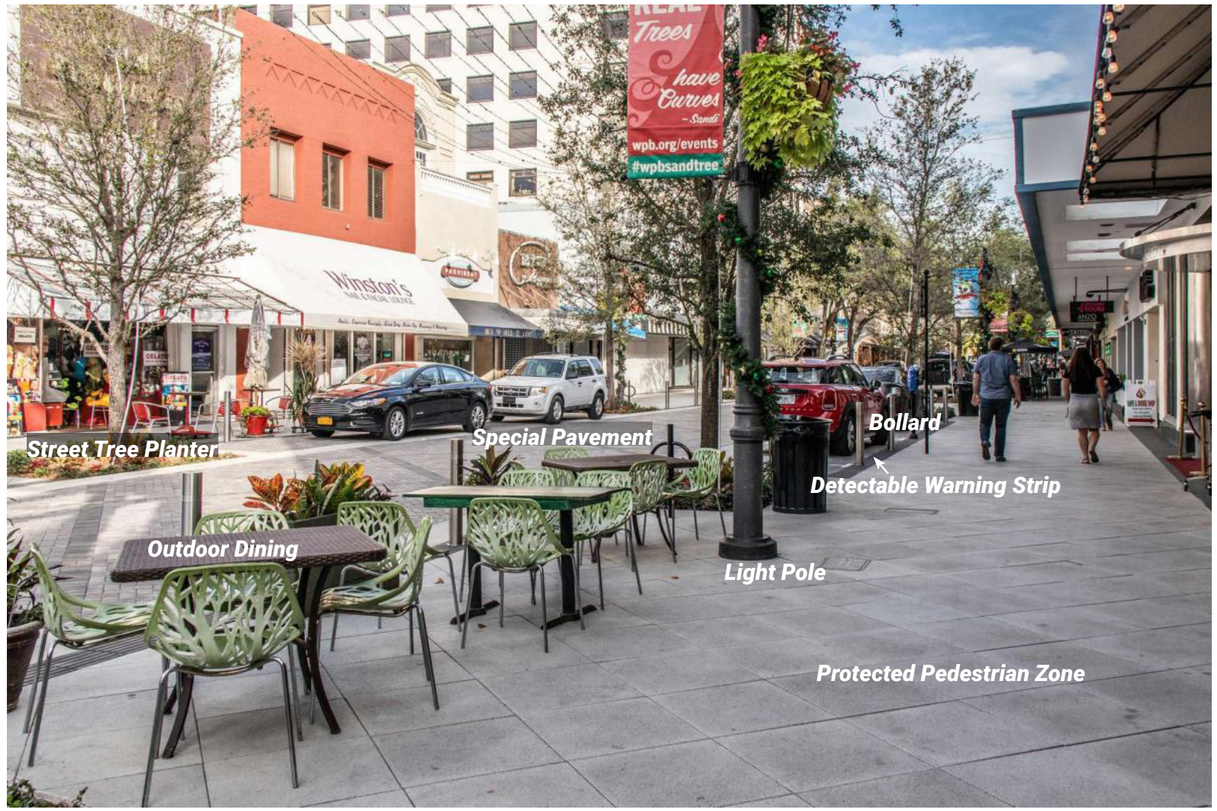
Street Tree Planters

Bollards

Detectable Warning Strip

SHARED STREET

PRECEDENTS





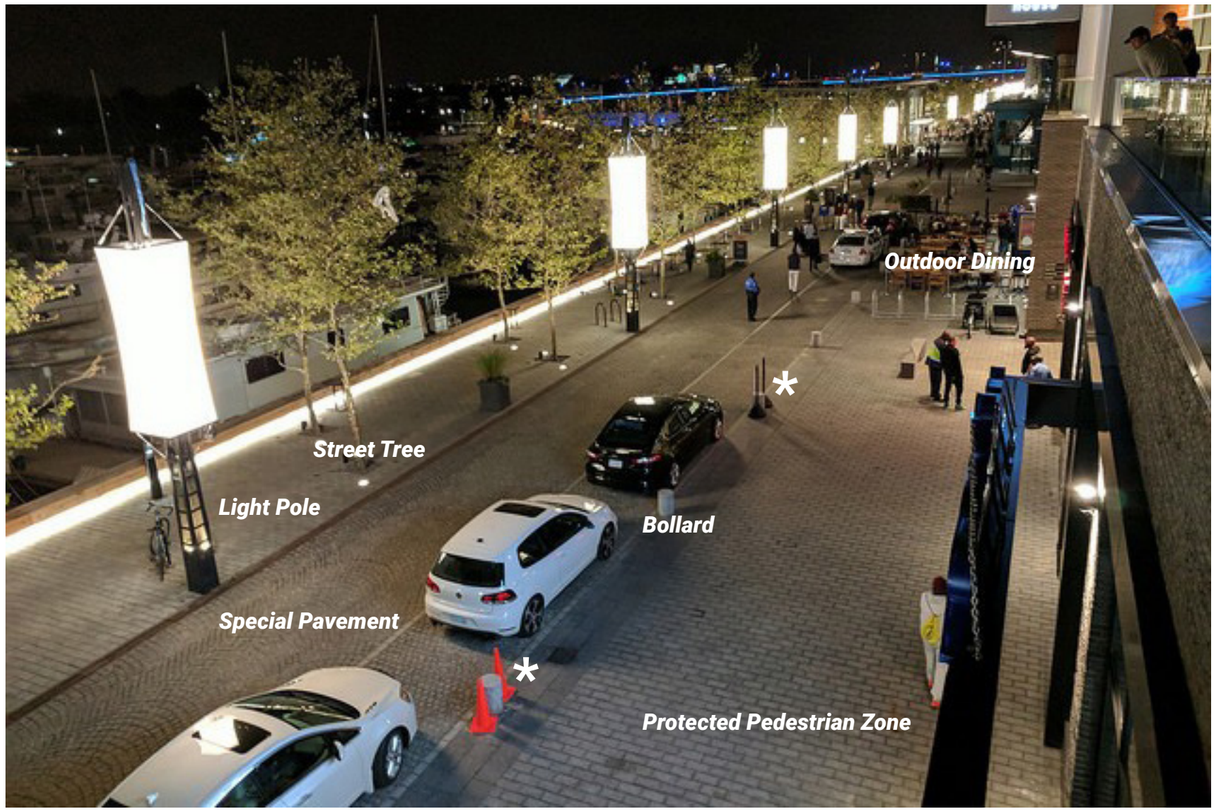
Clematis Street, West Palm Beach

SHARED STREET

PRECEDENTS



Bell Street Park, Seattle, WA



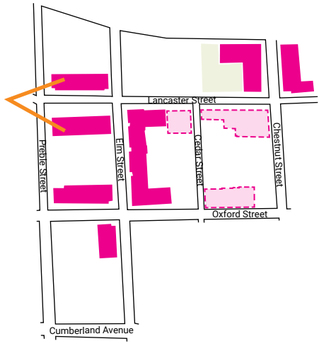
Wharf District, Washington DC.

** Vertical elements must be tall enough to be visible when parking to avoid conflicts with car door swing.*

SHARED STREET

PERSPECTIVE VIEW





SHARED STREET

PERSPECTIVE VIEW





SHARED STREET

PERSPECTIVE VIEW



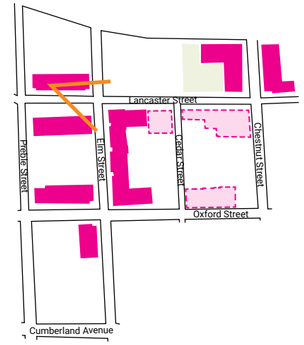


1. ***196 Lancaster: Defined street wall*** with distinct and contextual facade rhythm.
2. ***196 Lancaster: Angled corner projections*** highlight master plan entry points and define shared open space.
3. ***195 Lancaster: Masonry facade*** with contemporary detailing reimagines local historic precedents.
4. ***195 Lancaster: Glazed vertical breaks*** signify building entry-points and offer mid-block focal points.
5. ***195 Lancaster: Porous and and engaging ground level facades.***
6. ***89 Elm: Tower element*** highlights Lancaster corner.
7. ***Public realm: Flex zone*** accommodates parking, outdoor dining, food trucks, service loading.
8. ***Public realm: Gateway Element*** as vertical feature displaying street / district name
9. ***Public realm: An 8-foot-clear pedestrian path*** will be provided. A 4-foot furnishing zone will protect pedestrians from vehicular traffic.
10. ***Public realm: The 4-foot furnishing zone*** will include tree planters, bollards, street furniture, street lights as well as a detectable warning strip at back of road curb.

SHARED STREET

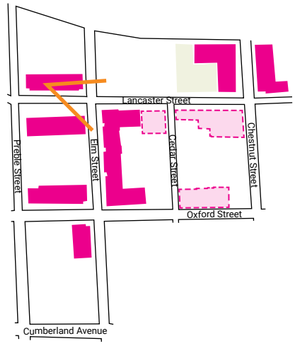
PERSPECTIVE VIEW





SHARED STREET

PERSPECTIVE VIEW





1. ***195/196 Lancaster: Ground Level Retail Facades*** are porous and engaging
2. ***195/196 Lancaster: Canopies, Awnings and Other Features*** reinforce pedestrian scale
3. ***195/196 Lancaster: Ground Level Retail Facades*** include depth and natural, tactile materials
4. ***89 Elm: Tower element*** highlights Lancaster corner.
5. ***89 Elm: Facades*** broken down with cladding variation and step downs at intervals along primary frontages.
6. ***Public realm: Flex zone*** accommodates parking, outdoor dining, food trucks, service loading
7. ***Public realm: An 8-foot-clear pedestrian path*** will be provided. A 4-foot furnishing zone will protect pedestrians from vehicular traffic.
8. ***Public realm: The 4-foot furnishing zone*** will include tree planters, bollards, street furniture, street lights as well as a detectable warning strip at back of road curb.

BAYSIDE PORTLAND

MAJOR PUBLICLY ACCESSIBLE OPEN SPACE | PRECEDENT IMAGES





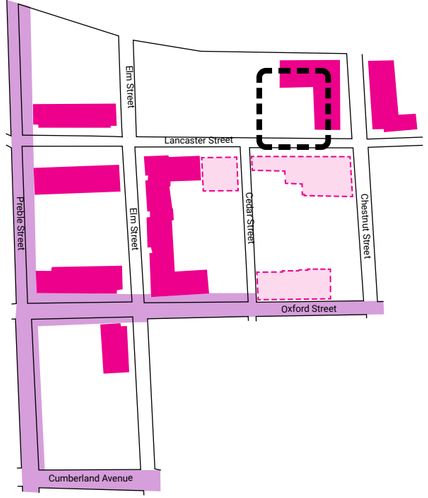




LANCASTER STREET OPEN SPACE
ENLARGEMENT PLAN

COMMERCIAL CORRIDOR A



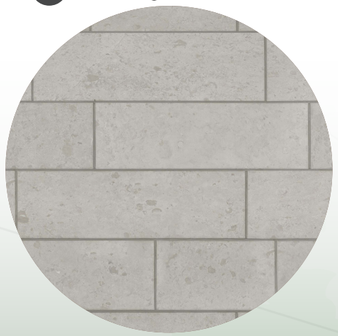


COMMERCIAL CORRIDOR A
MATERIALS

1 ***Parking Flex Zone Unit Pavers***

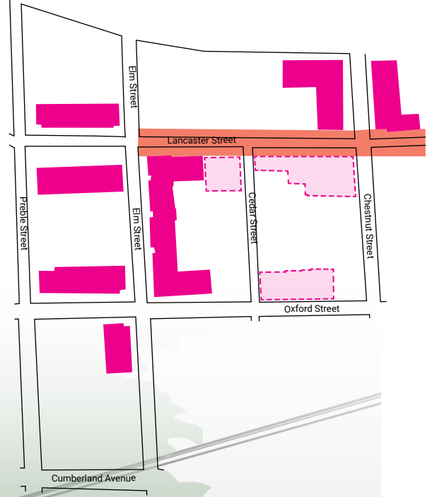


2 ***Furnishing Zone Unit Pavers***



3 ***Pedestrian Zone Cast in Place Concrete***





Future Development Site

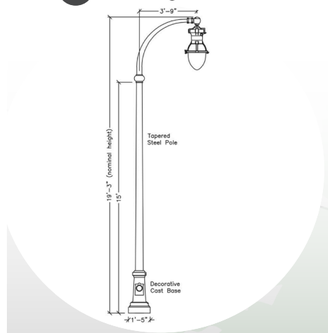
1

2

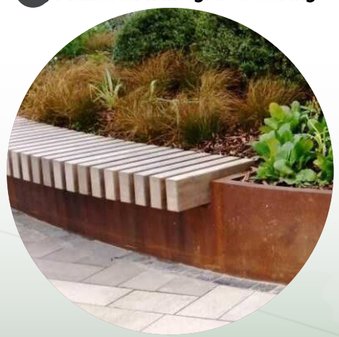
3

COMMERCIAL CORRIDOR A
FURNISHINGS

1 *Street Light Pole*



2 *Planter with Integrated Seating*



3 *Bench*



4 *Bike Racks*



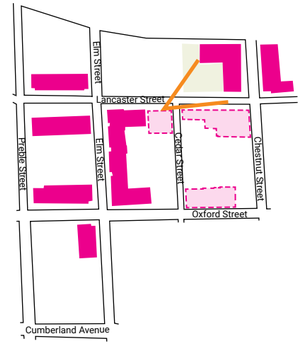


Future Development Site

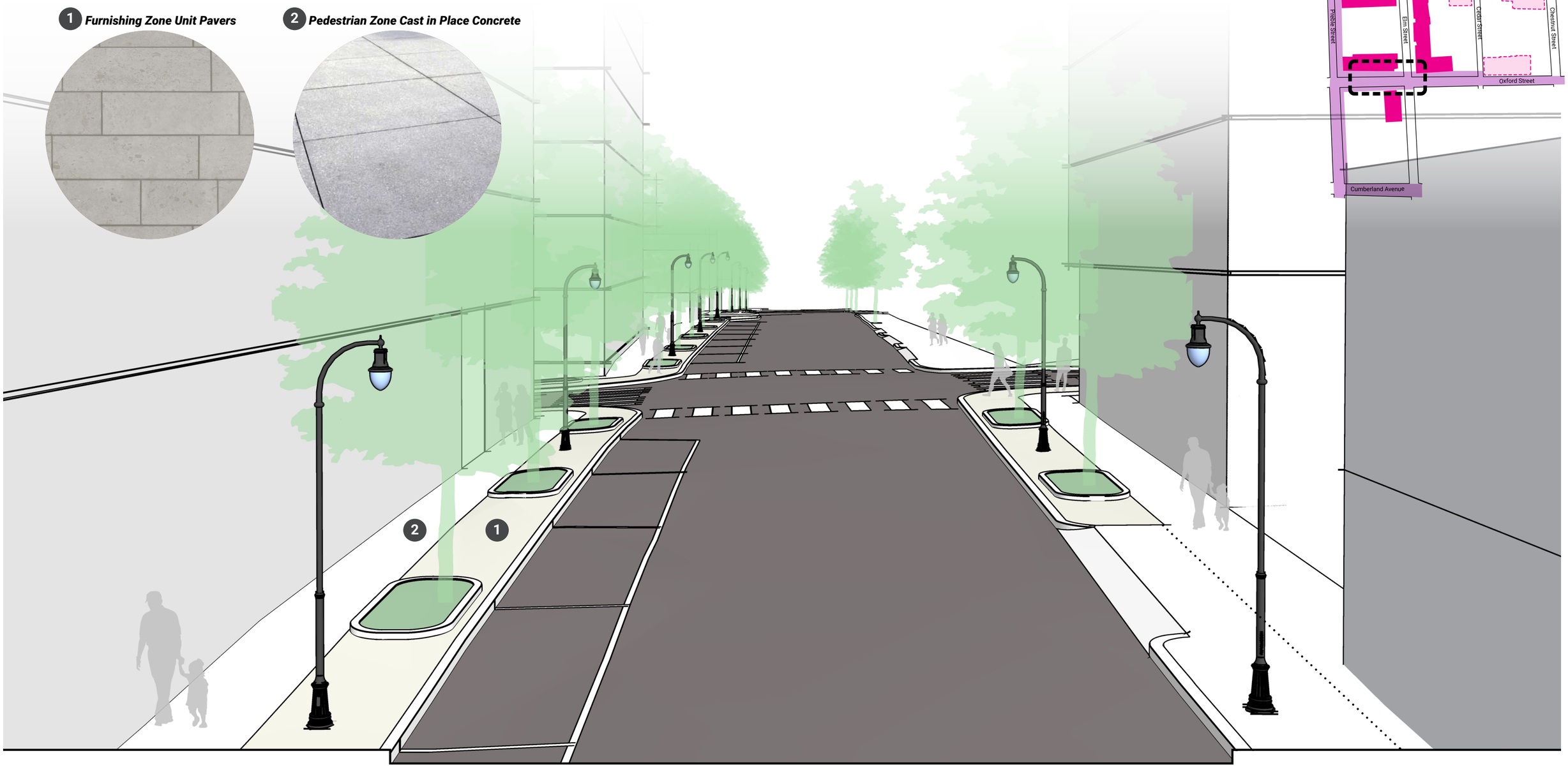
COMMERCIAL CORRIDOR A

PERSPECTIVE VIEW



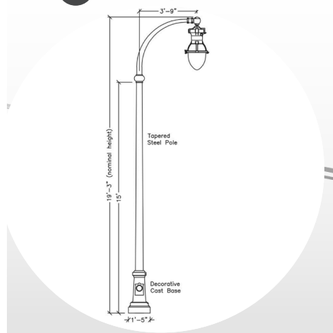


COMMERCIAL CORRIDOR B
MATERIALS



COMMERCIAL CORRIDOR B
FURNISHINGS

1 ***Street Light Pole***



2 ***Street Tree Planter Edge***



3 ***Bench***



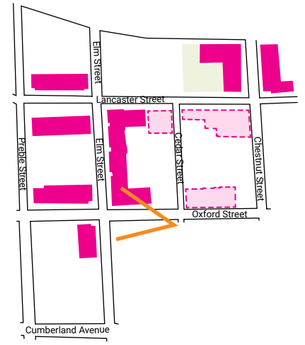
4 ***Bike Racks***



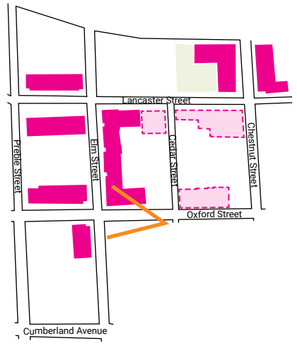
COMMERCIAL CORRIDOR A

PERSPECTIVE VIEW





COMMERCIAL CORRIDOR A
PERSPECTIVE VIEW

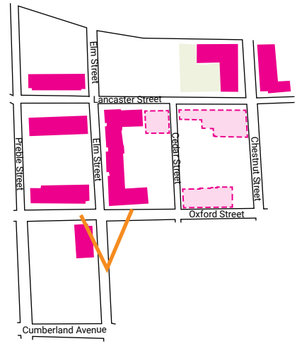




1. ***60 Elm: Building Massing and Cladding*** expression steps down at key points to respond to hillside site
2. ***60 Elm: Horizontal siding*** residential material reinterpreted in modern facade concept
3. ***60 Elm: Open Corner Retail Element*** establishes neighborhood activity zone
4. ***235 Oxford: Sawtooth Building Massing*** breaks down facade length and creates vertical rhythm
5. ***89 Elm: Massing*** steps down to meet neighborhood context along Oxford Street toward Cedar Street.
6. ***89 Elm: Facades*** broken down with cladding variation and step downs at intervals along primary frontages.

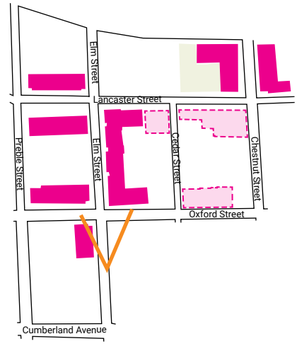
COMMERCIAL CORRIDOR A
PERSPECTIVE VIEW



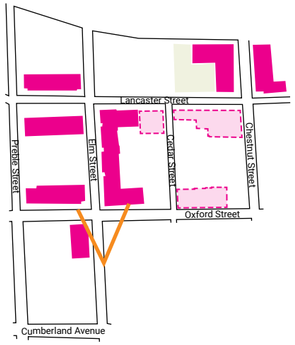


COMMERCIAL CORRIDOR A
PERSPECTIVE VIEW





COMMERCIAL CORRIDOR A
PERSPECTIVE VIEW

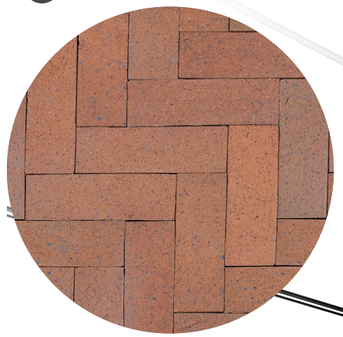




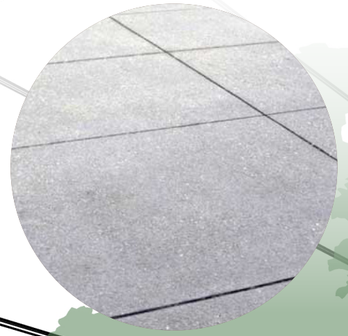
1. ***60 Elm: Horizontal siding*** residential material reinterpreted in modern facade concept
2. ***60 Elm: Open corner retail element*** establishes neighborhood activity zone
3. ***235 Oxford: Natural tone materials*** soften streetscape
4. ***235 Oxford: 'Juliet' residential balconies*** activate facade and encourage interaction
5. ***89 Elm: Tower element*** highlights Lancaster corner.
6. ***89 Elm: Facades*** broken down with cladding variation and step downs at intervals along primary frontages.
7. ***89 Elm: Massing*** steps down to meet neighborhood context along Oxford Street toward Cedar Street.
8. ***89 Elm: Outdoor decks*** activate facade and encourage interaction.
9. ***Public realm: Gateway element*** as vertical feature displaying street / district name

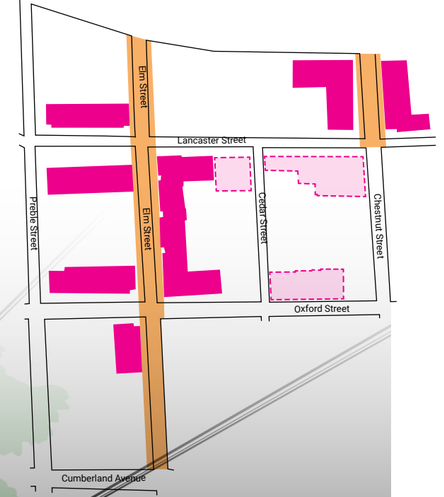
NEIGHBORHOOD CONNECTOR
MATERIALS

1 ***Furnishing Zone Unit Pavers***



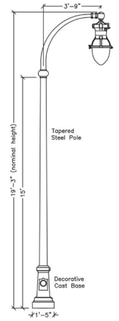
2 ***Pedestrian Zone Cast in Place Concrete***





NEIGHBORHOOD CONNECTOR
FURNISHINGS

1 ***Street Light Pole***



2 ***Planter Edge***

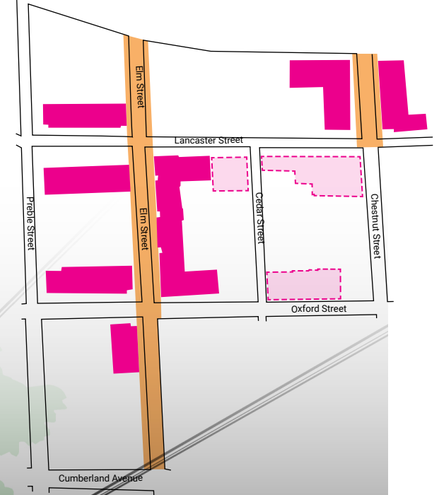


3 ***Bench***



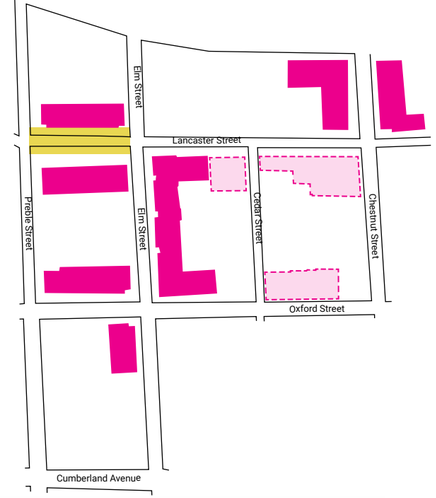
4 ***Bike Racks***



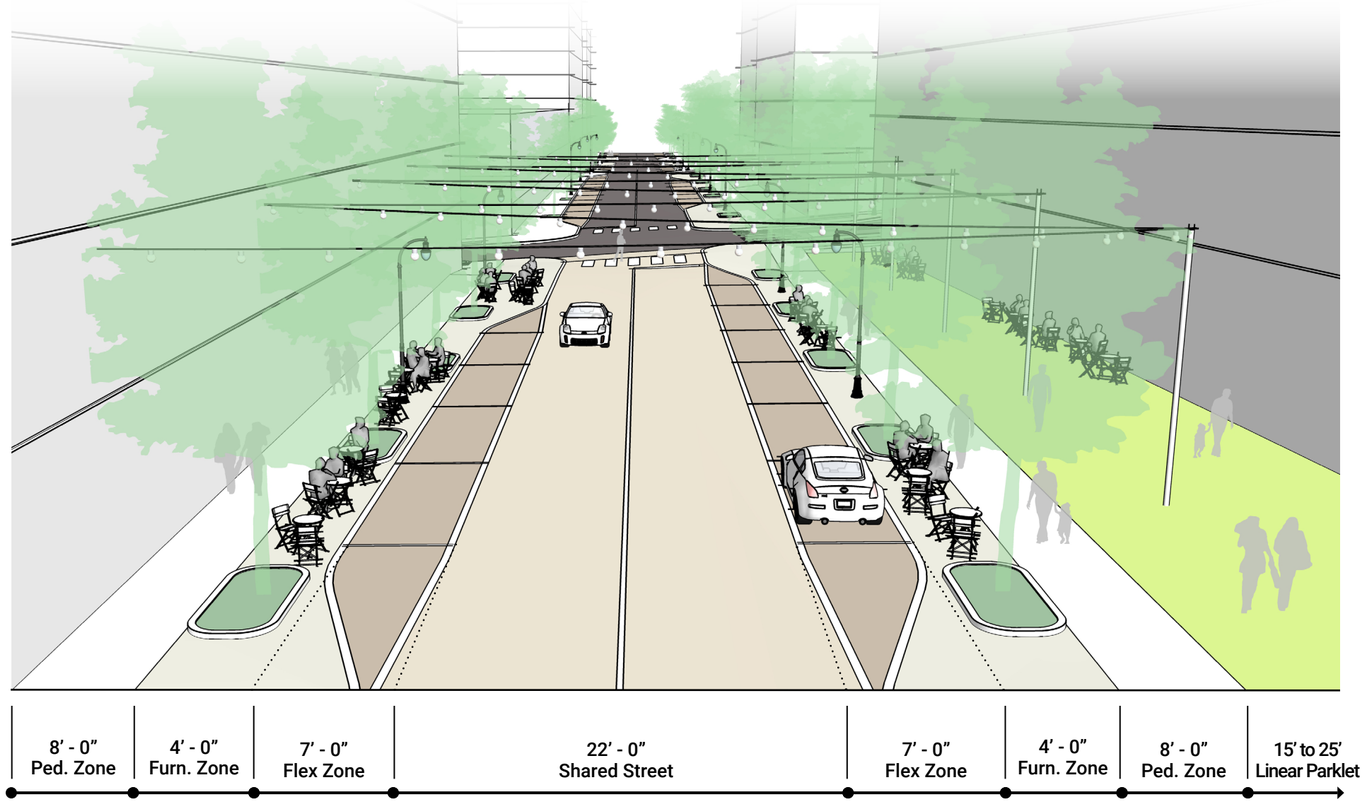


LANCASTER STREETSCAPE
SHARED STREET DIMENSIONS

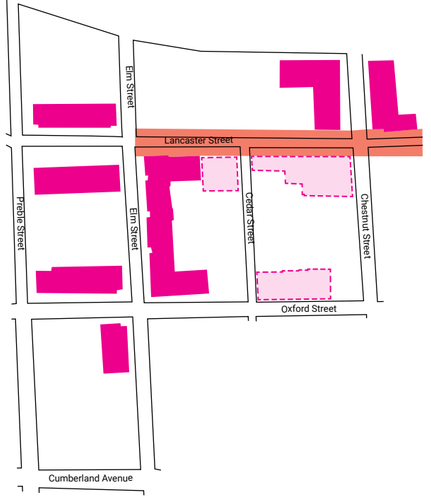
SHARED STREET

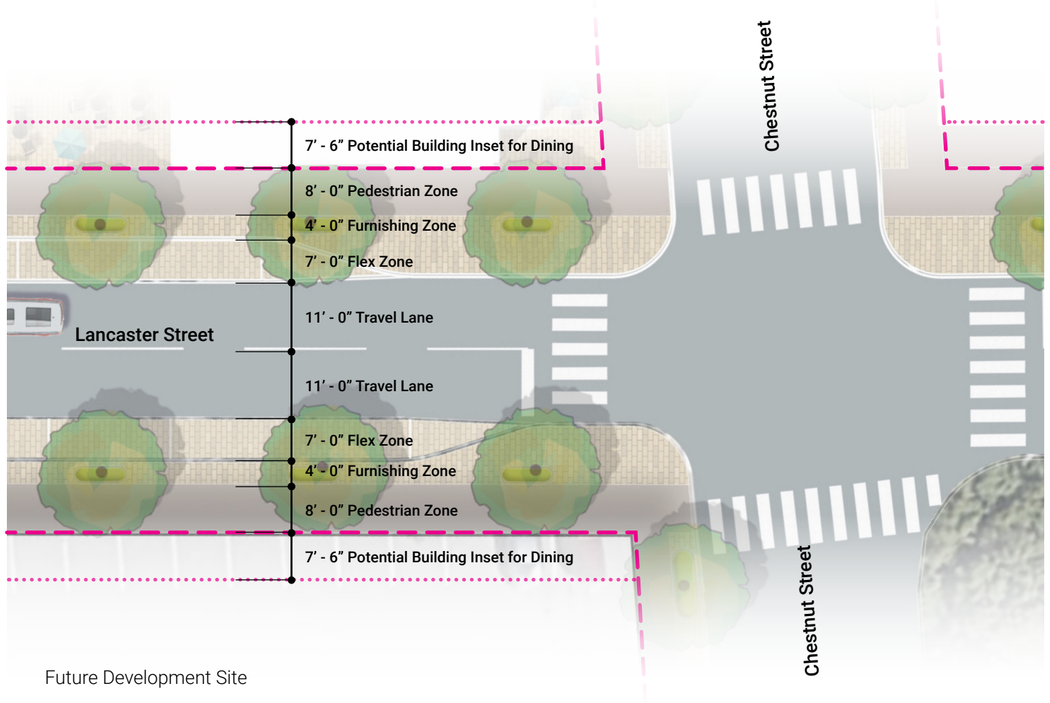






LANCASTER STREETSCAPE
TYPICAL STREET DIMENSIONS
COMMERCIAL CORRIDOR A

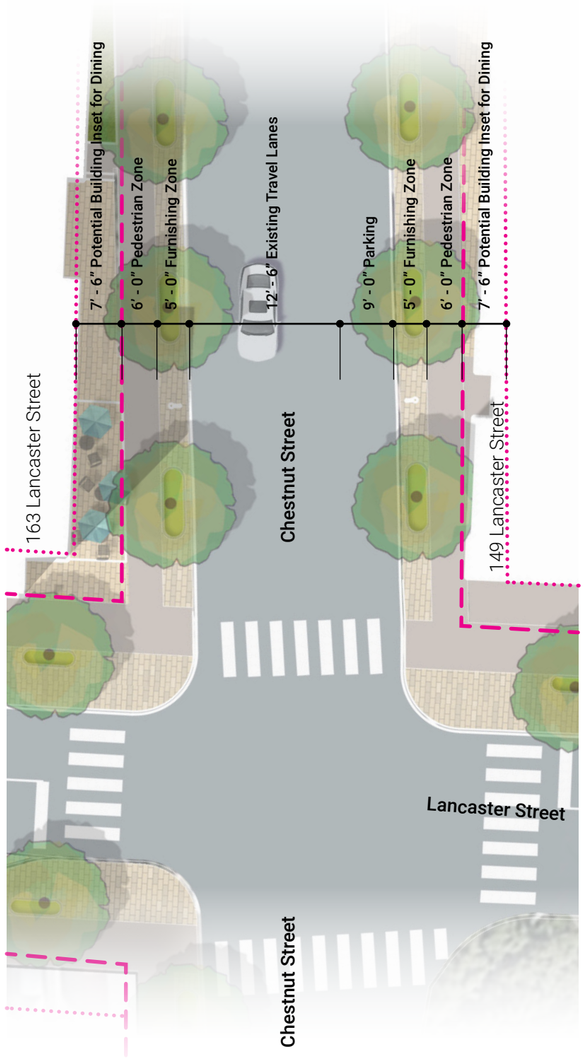


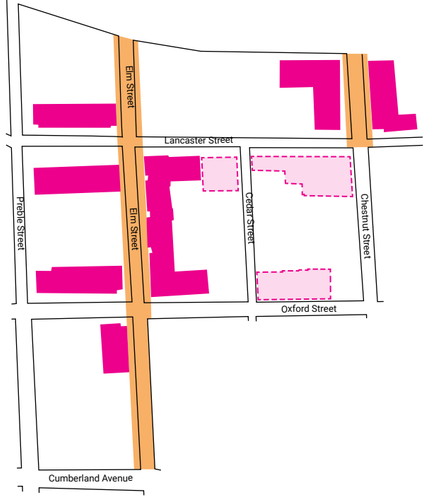




CHESTNUT STREETSCAPE
TYPICAL STREET DIMENSIONS

NEIGHBORHOOD CONNECTOR

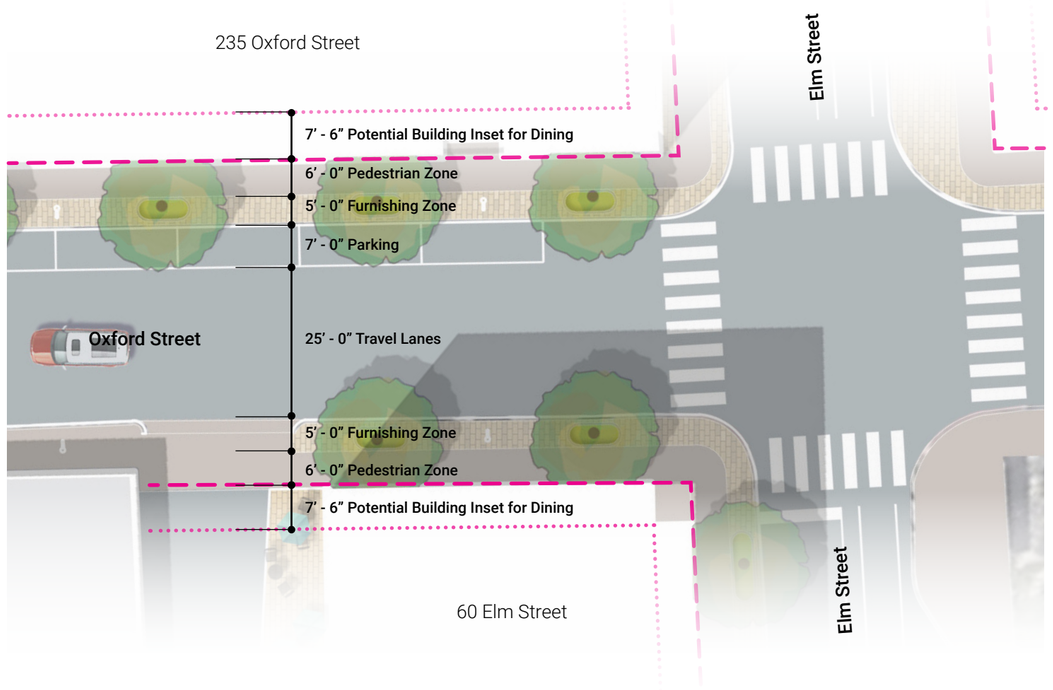


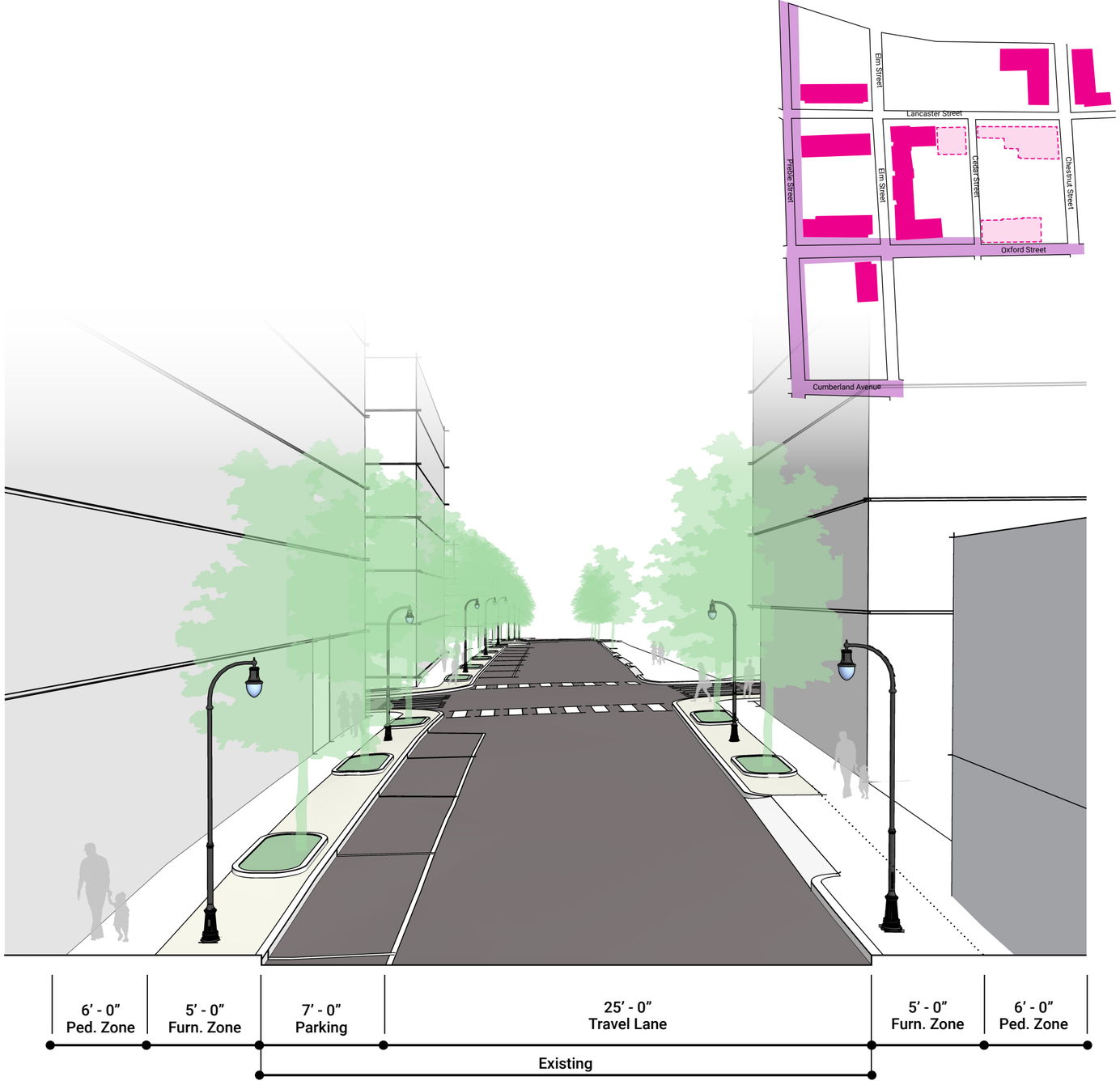




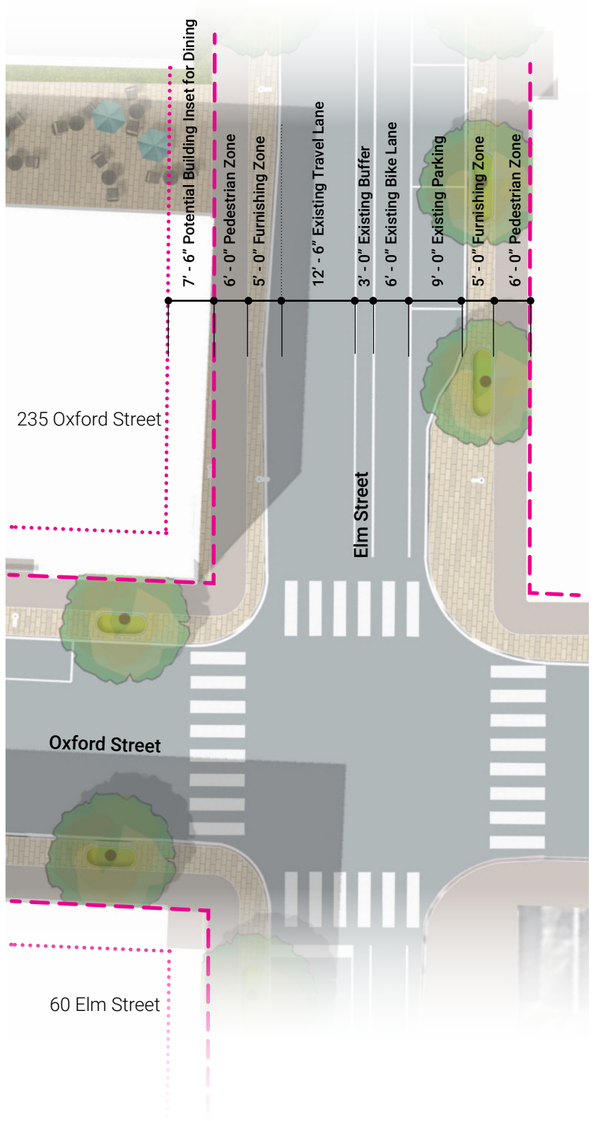
OXFORD STREETSCAPE
TYPICAL STREET DIMENSIONS

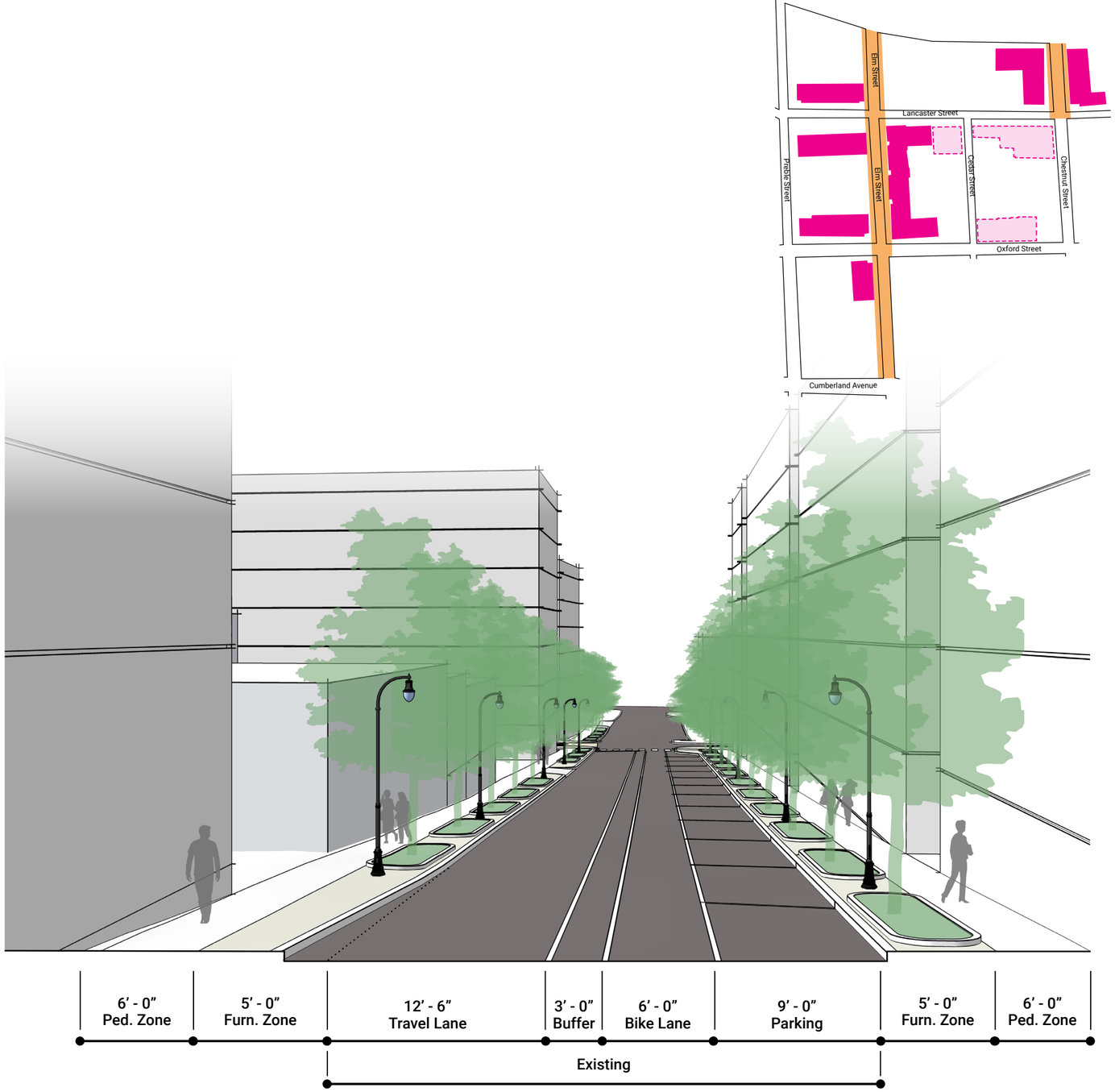
COMMERCIAL CORRIDOR B





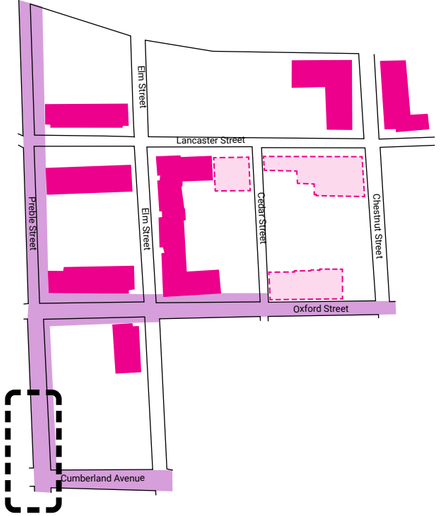
ELM STREETSCAPE
TYICAL STREET DIMENSIONS
NEIGHBORHOOD CONNECTOR

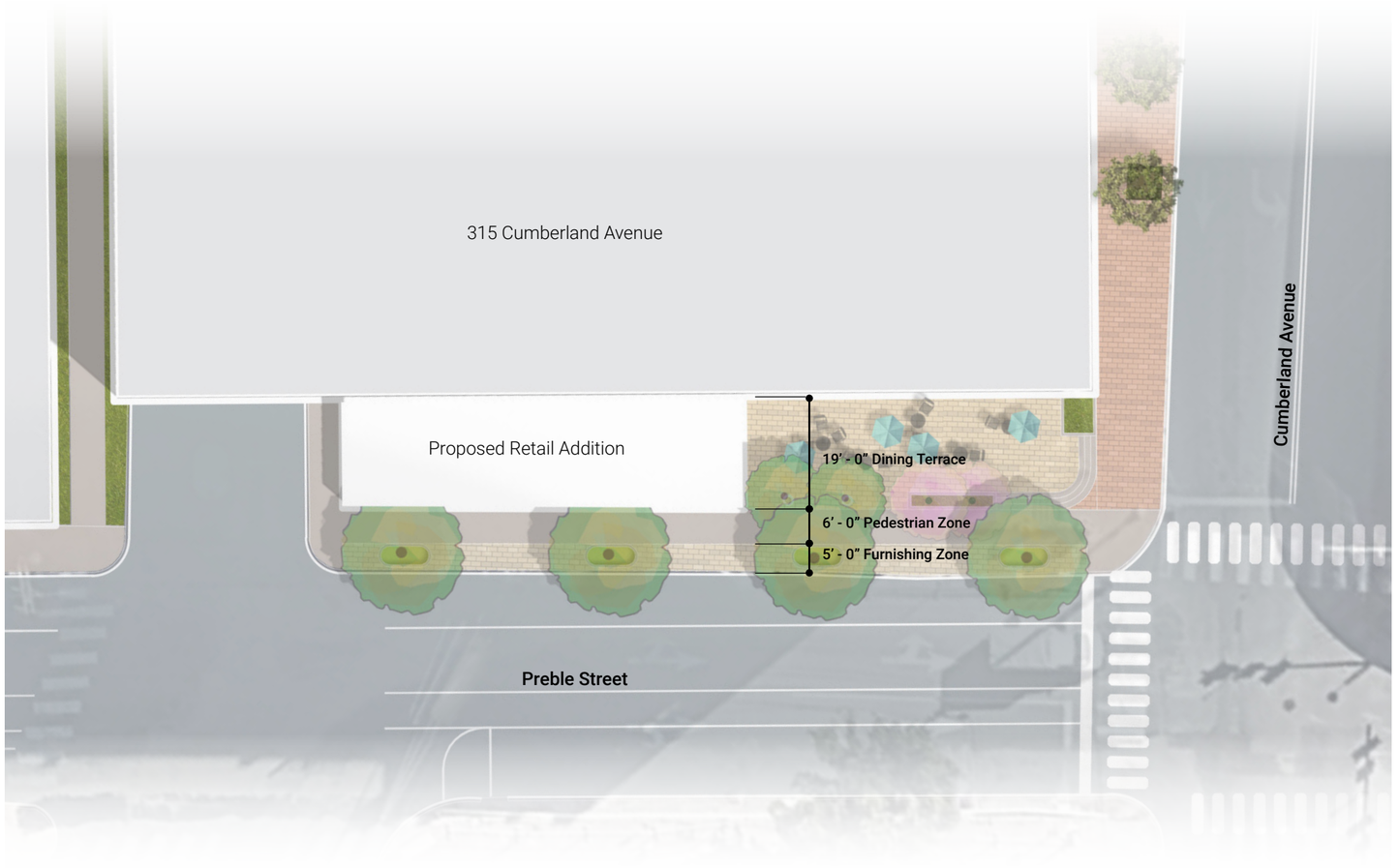




PREBLE STREET GARAGE
TYPICAL DIMENSIONS

COMMERCIAL CORRIDOR B



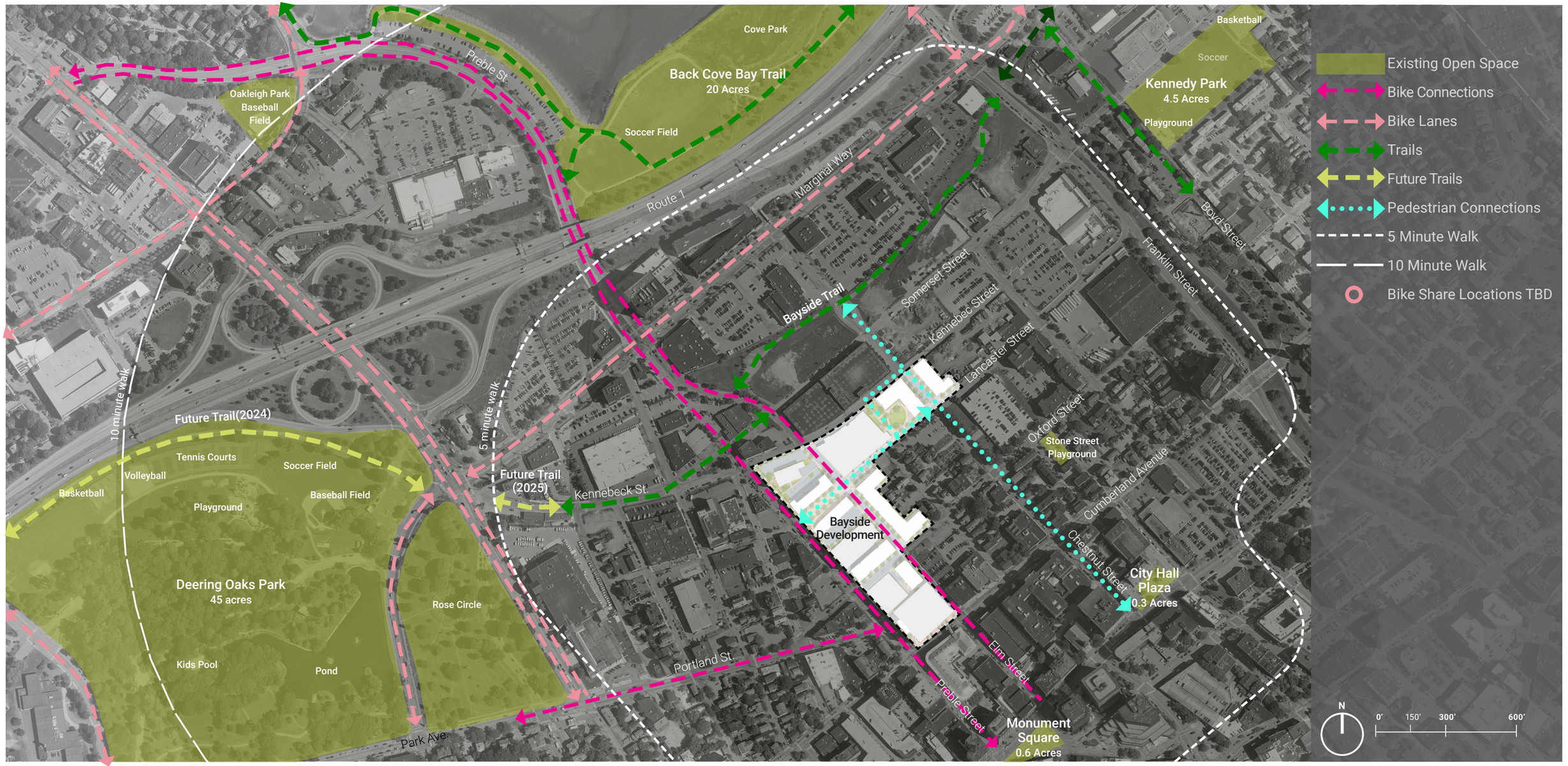


Att.
DD2

BAYSIDE | PORTLAND, ME
PUBLIC REALM DESIGN

BAYSIDE PORTLAND

EXISTING OPEN SPACE CONNECTIONS



BAYSIDE PORTLAND

OPEN SPACE TYPOLOGIES



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RETAIL & OUTDOOR DINING OPPORTUNITIES



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ILLUSTRATIVE SITE PLAN



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PHASING DIAGRAM



BAYSIDE PORTLAND
STREET TYPOLOGIES



BAYSIDE PORTLAND

LANCASTER STREETSCAPE

Eclectic Commercial Frontage





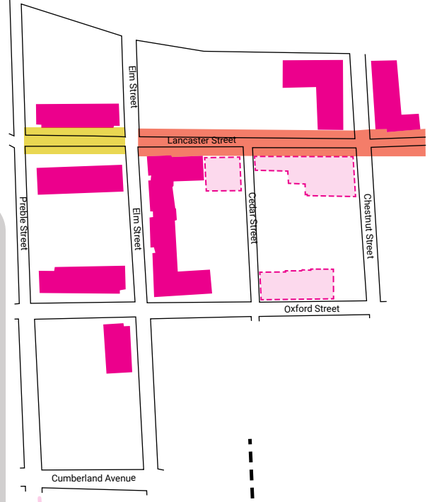


Tree Lined Streetscape / Outdoor Dining



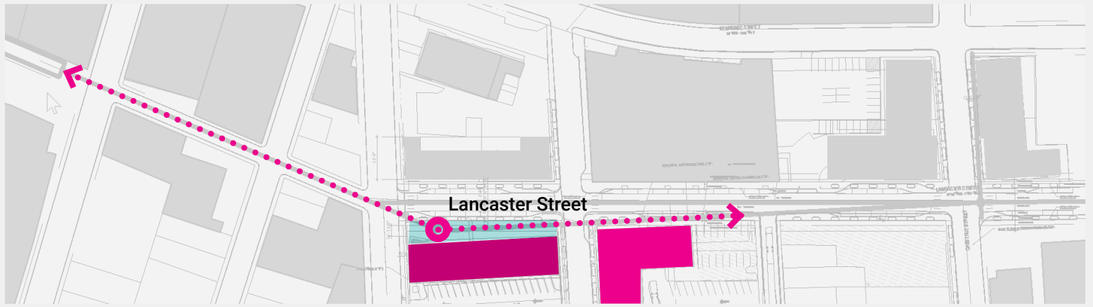




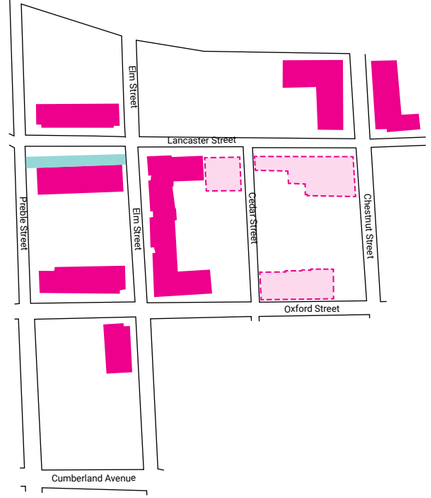


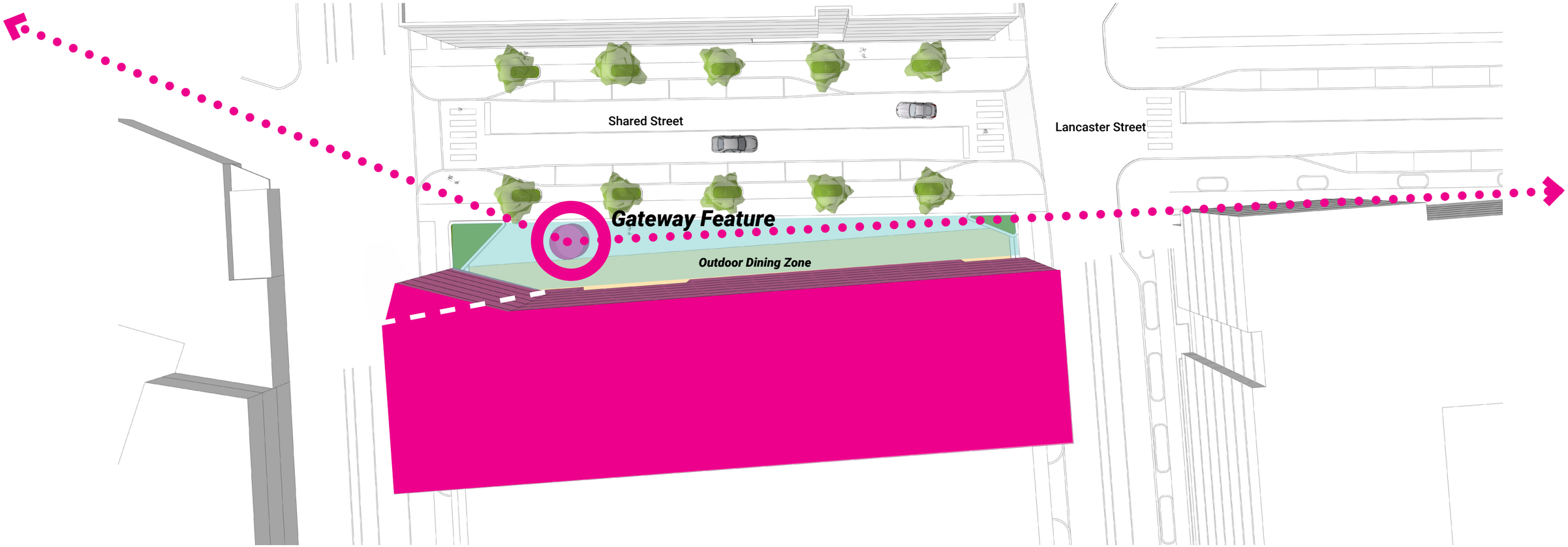


BAYSIDE PORTLAND
LINEAR PARKLET/GATEWAY



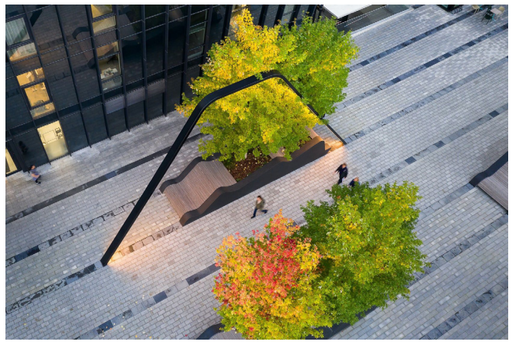
Context Plan

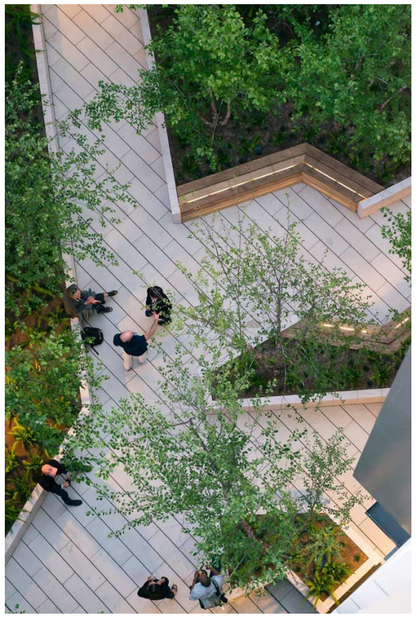


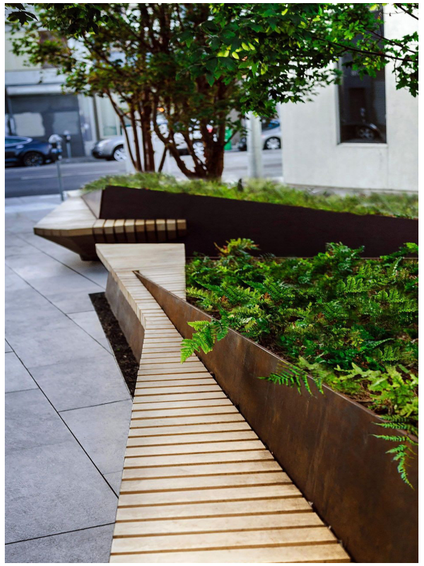


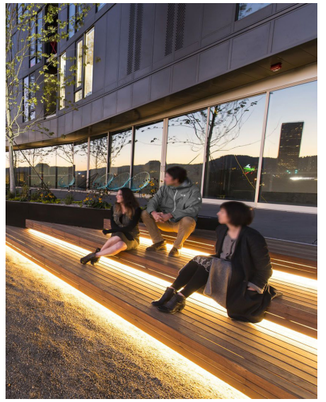
BAYSIDE PORTLAND

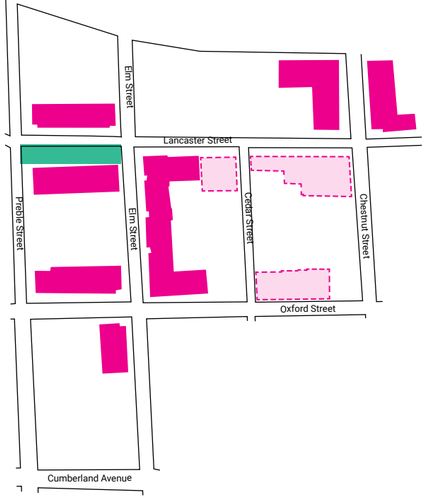
LINEAR PARKLET CHARACTER & MATERIALS

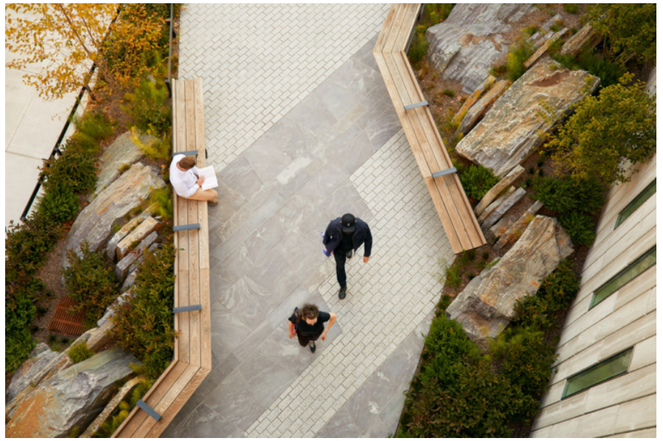




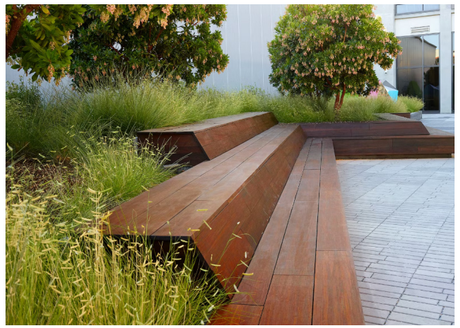


















SHARED STREET

STREET DESIGN GUIDELINES (NACTO)

1 ***Street furniture, including bollards, benches, planters, street lights, sculptures, trees, and bicycle parking, will be sited to provide definition for a shared space, subtly delineating the traveled way from the pedestrian-exclusive area.***

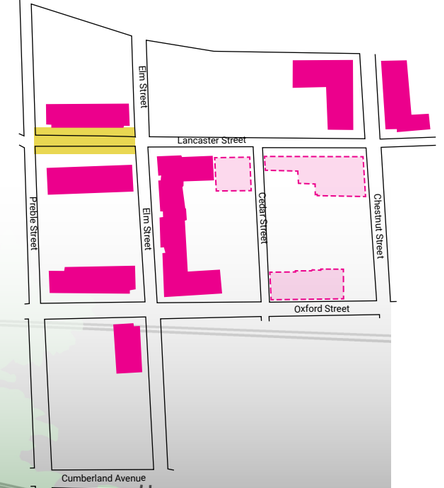
An 8-foot-clear path will be provided to protect pedestrians from traffic. The clear path will be defined using planters, bollards, street furniture, and street lights as well as detectable warning strips at back of road curb

Landscaping, seating and other streetscape amenities or furniture will be located and spaced to allow visual permeability and controlled pedestrian movement through the entire shared public way when vehicles are present.

2 ***Special pavements will be selected to be flush with the curb. This will reinforce the pedestrian-priority operation of the street. Snowplow-compatible materials will be selected. Drainage channels will be provided offset from the flush curb (between travel lane and parking).***

3 ***This commercial shared street will be accessible by single-unit trucks making deliveries. Designated loading and unloading zones will be defined by striping and signage.***

4 ***This shared street may be closed to through traffic for specific portions of the day or for events throughout the year. The public permitting/ licensing process will be utilized to confirm street closure requirements.***

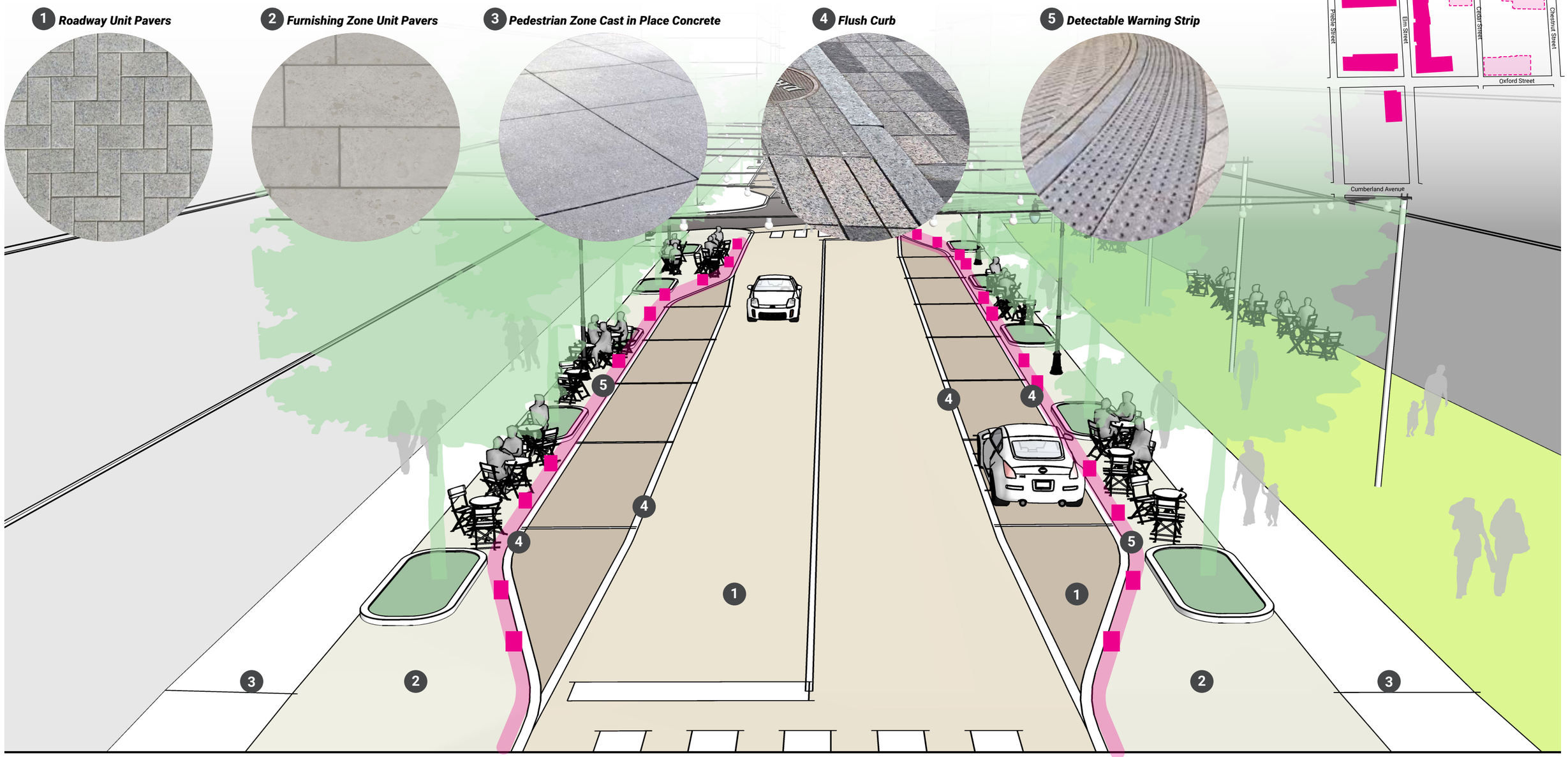


Light Poles
Street Tree Planters
Bollards
Detectable Warning Strip

**** the street design guidelines information excerpted from SF Better Streets (A guide to making street improvements in San Francisco), and NACTO Commercial Shared Street Guide***

SHARED STREET

MATERIALS

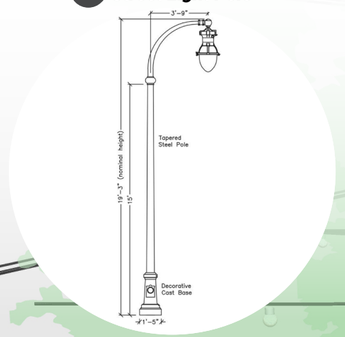


SHARED STREET
FURNISHINGS

1 *Gateway Element*



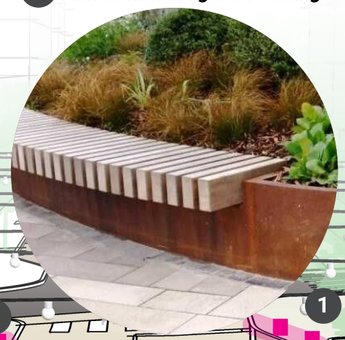
2 *Street Light Pole*



3 *Catenary Lighting*



4 *Planter with Integrated Seating*



5 *Bike Racks*



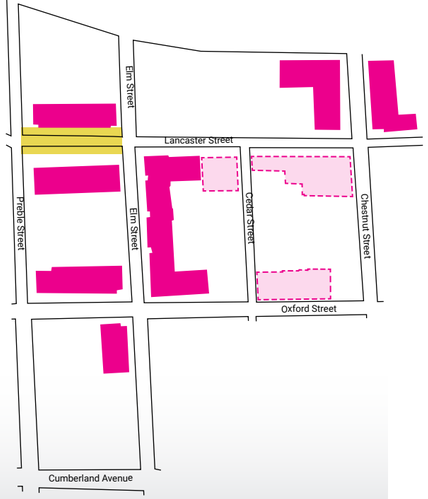
6 *Bollards*





SHARED STREET

PEDESTRIAN CIRCULATION



195 Lancaster Street

Pedestrian Zone

Furnishing Zone

Flex Zone

Preble Street

Lancaster Street

Shared Street

Elm Street

Flex Zone

Furnishing Zone

Pedestrian Zone

Linear Parklet

Elm Street

196 Lancaster Street

N

Primary Pedestrian Circulation

Controlled Pedestrian Movement

Light Poles

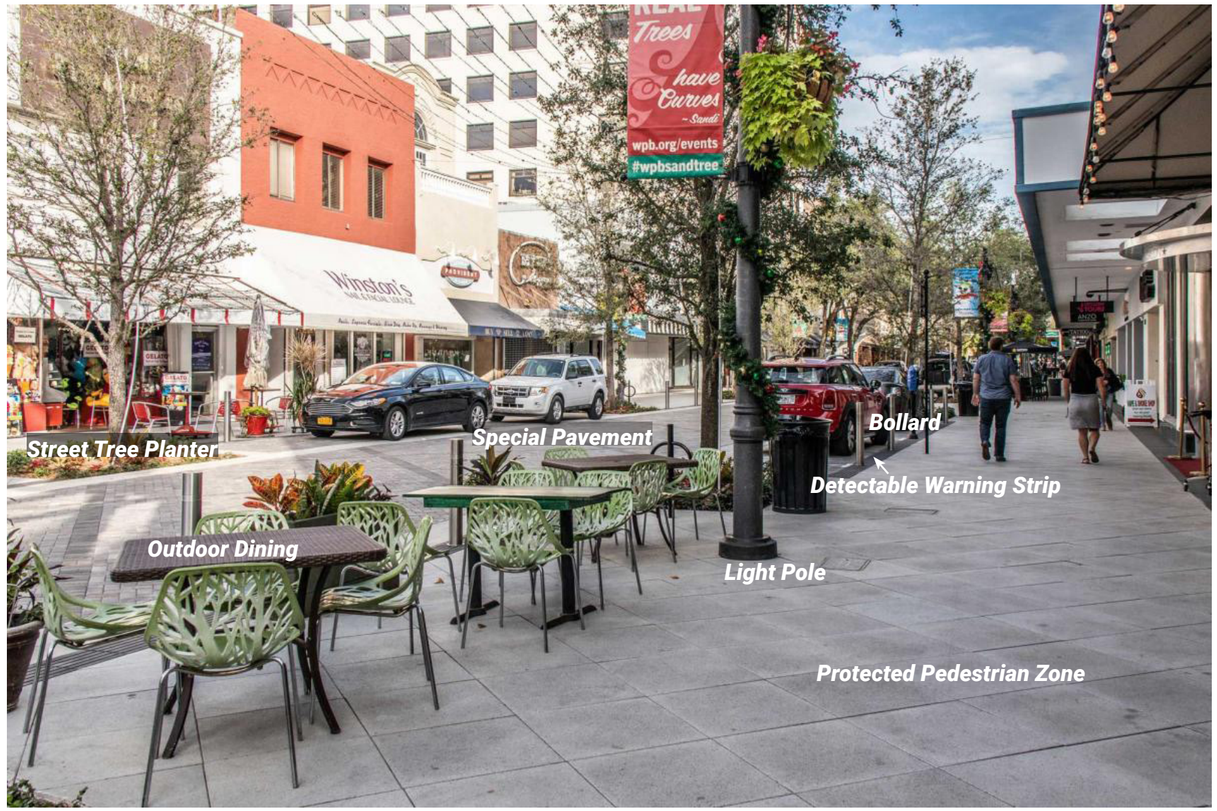
Street Tree Planters

Bollards

Detectable Warning Strip

SHARED STREET

PRECEDENTS





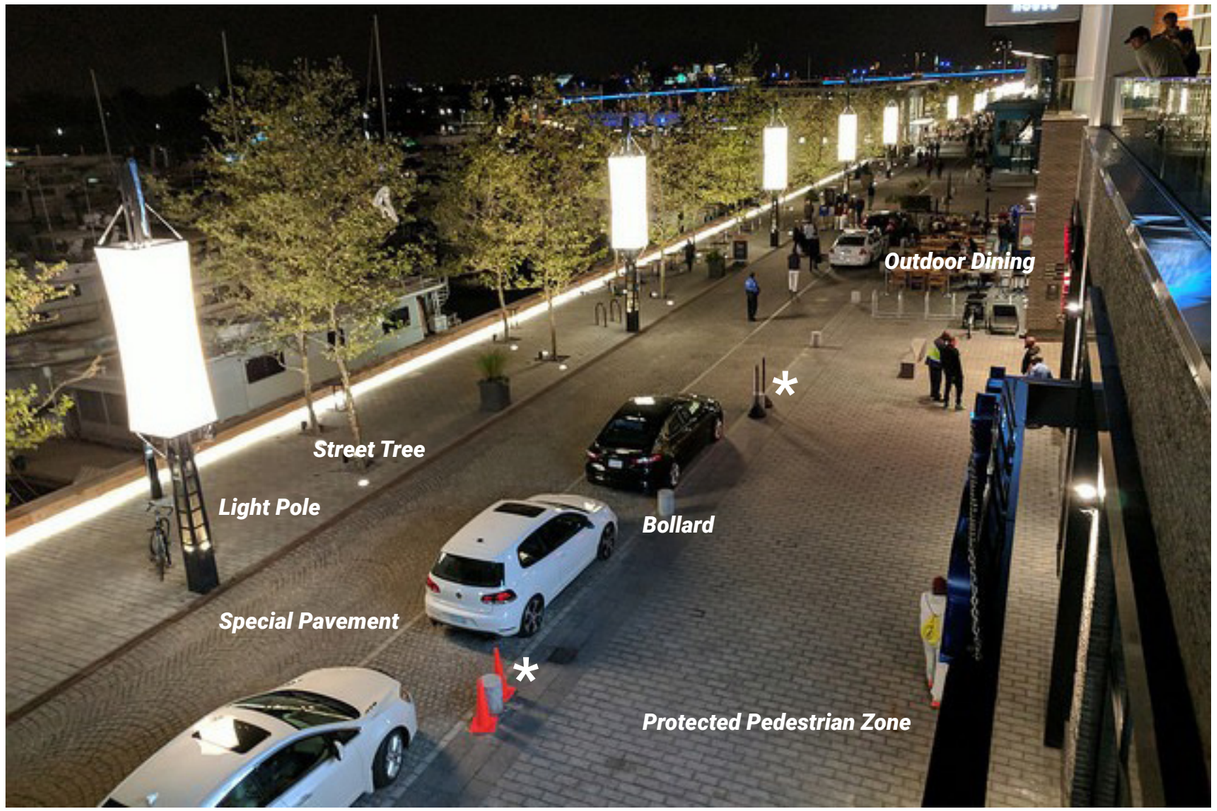
Clematis Street, West Palm Beach

SHARED STREET

PRECEDENTS



Bell Street Park, Seattle, WA



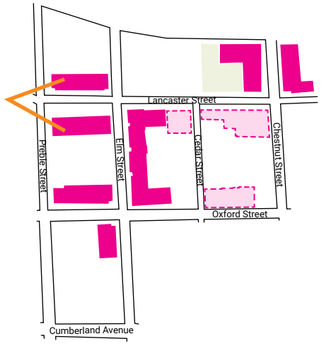
Wharf District, Washington DC.

** Vertical elements must be tall enough to be visible when parking to avoid conflicts with car door swing.*

SHARED STREET

PERSPECTIVE VIEW





SHARED STREET

PERSPECTIVE VIEW





SHARED STREET

PERSPECTIVE VIEW



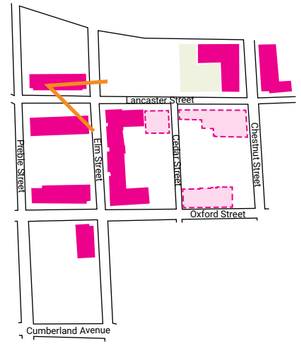


1. ***196 Lancaster: Defined street wall*** with distinct and contextual facade rhythm.
2. ***196 Lancaster: Angled corner projections*** highlight master plan entry points and define shared open space.
3. ***195 Lancaster: Masonry facade*** with contemporary detailing reimagines local historic precedents.
4. ***195 Lancaster: Glazed vertical breaks*** signify building entry-points and offer mid-block focal points.
5. ***195 Lancaster: Porous and and engaging ground level facades.***
6. ***89 Elm: Tower element*** highlights Lancaster corner.
7. ***Public realm: Flex zone*** accommodates parking, outdoor dining, food trucks, service loading.
8. ***Public realm: Gateway Element*** as vertical feature displaying street / district name
9. ***Public realm: An 8-foot-clear pedestrian path*** will be provided. A 4-foot furnishing zone will protect pedestrians from vehicular traffic.
10. ***Public realm: The 4-foot furnishing zone*** will include tree planters, bollards, street furniture, street lights as well as a detectable warning strip at back of road curb.

SHARED STREET

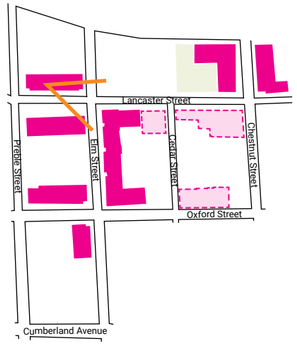
PERSPECTIVE VIEW





SHARED STREET

PERSPECTIVE VIEW





1. ***195/196 Lancaster: Ground Level Retail Facades*** are porous and engaging
2. ***195/196 Lancaster: Canopies, Awnings and Other Features*** reinforce pedestrian scale
3. ***195/196 Lancaster: Ground Level Retail Facades*** include depth and natural, tactile materials
4. ***89 Elm: Tower element*** highlights Lancaster corner.
5. ***89 Elm: Facades*** broken down with cladding variation and step downs at intervals along primary frontages.
6. ***Public realm: Flex zone*** accommodates parking, outdoor dining, food trucks, service loading
7. ***Public realm: An 8-foot-clear pedestrian path*** will be provided. A 4-foot furnishing zone will protect pedestrians from vehicular traffic.
8. ***Public realm: The 4-foot furnishing zone*** will include tree planters, bollards, street furniture, street lights as well as a detectable warning strip at back of road curb.

BAYSIDE PORTLAND

MAJOR PUBLICLY ACCESSIBLE OPEN SPACE | PRECEDENT IMAGES





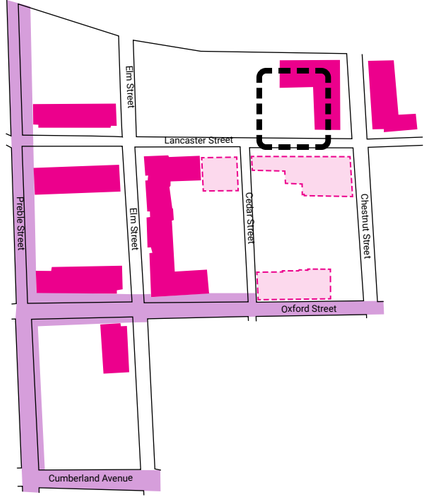




LANCASTER STREET OPEN SPACE
ENLARGEMENT PLAN

COMMERCIAL CORRIDOR A



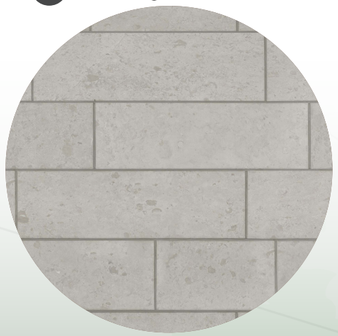


COMMERCIAL CORRIDOR A
MATERIALS

1 ***Parking Flex Zone Unit Pavers***

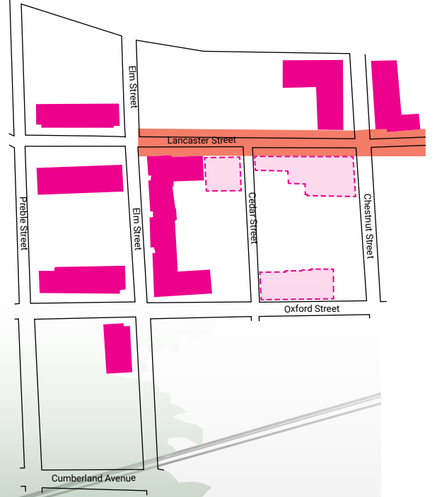


2 ***Furnishing Zone Unit Pavers***



3 ***Pedestrian Zone Cast in Place Concrete***





Future Development Site

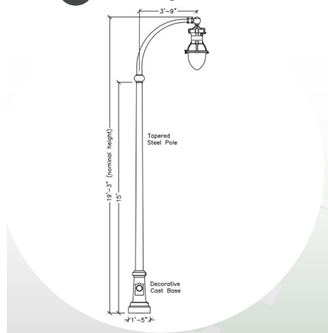
1

2

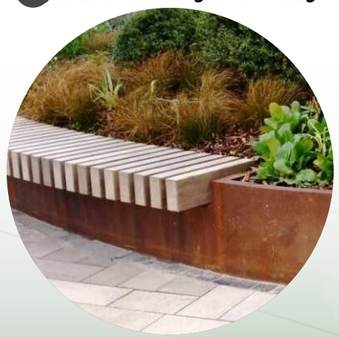
3

COMMERCIAL CORRIDOR A
FURNISHINGS

1 *Street Light Pole*



2 *Planter with Integrated Seating*



3 *Bench*



4 *Bike Racks*



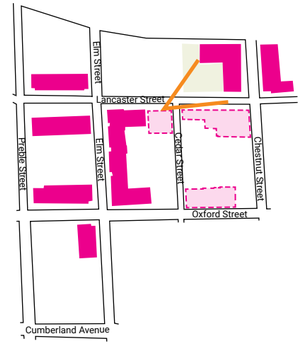


Future Development Site

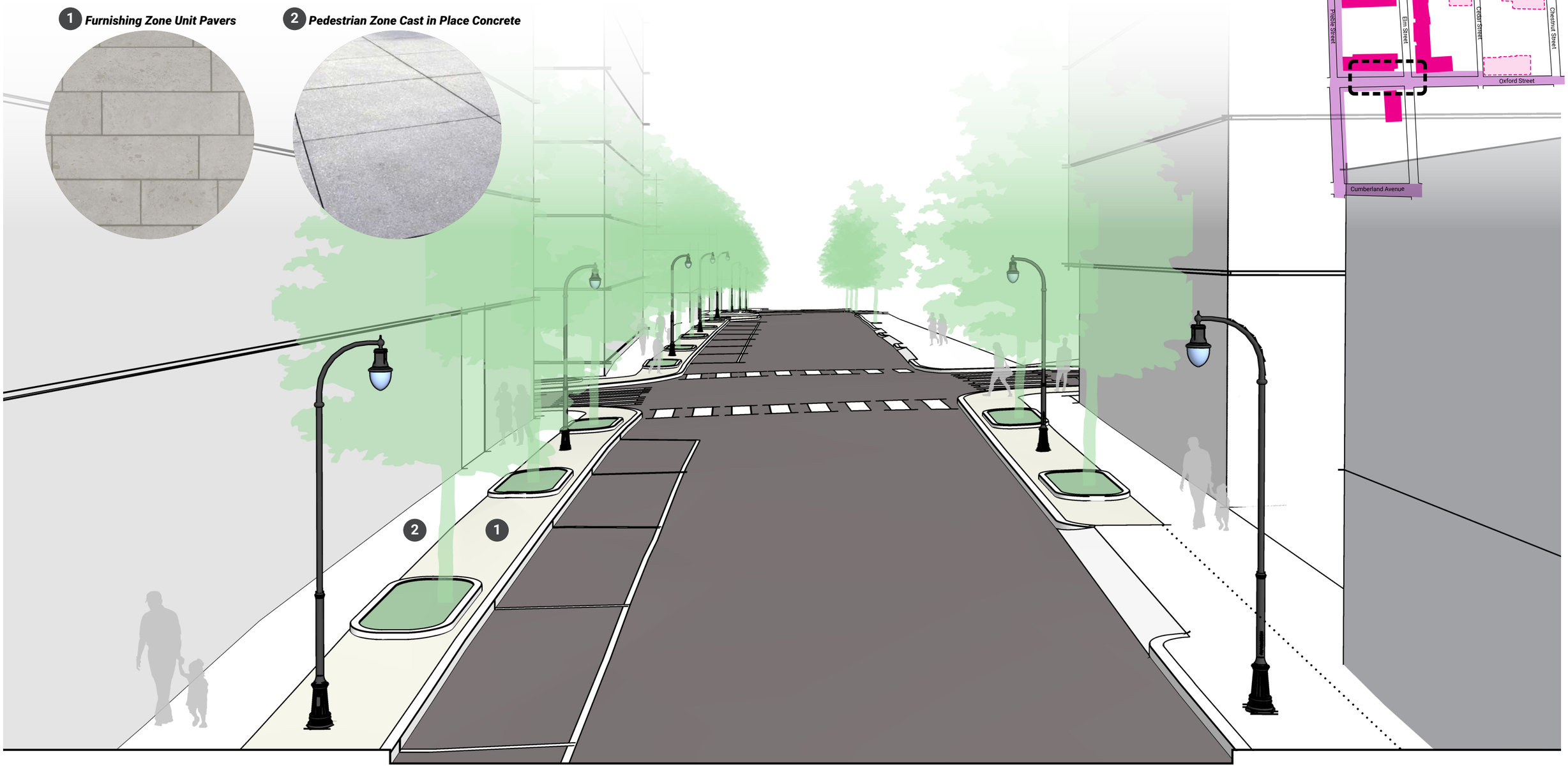
COMMERCIAL CORRIDOR A

PERSPECTIVE VIEW



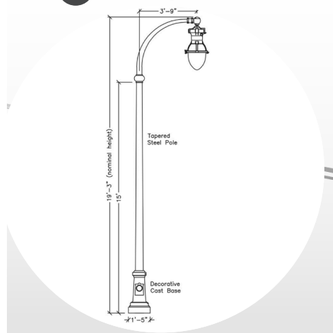


COMMERCIAL CORRIDOR B
MATERIALS



COMMERCIAL CORRIDOR B
FURNISHINGS

1 ***Street Light Pole***



2 ***Street Tree Planter Edge***



3 ***Bench***



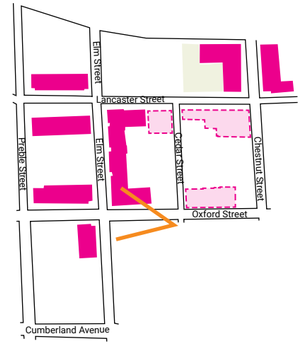
4 ***Bike Racks***



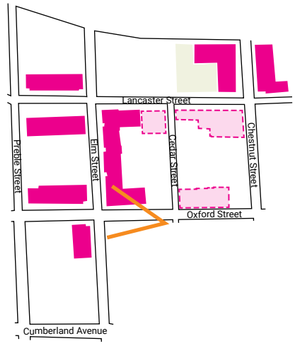
COMMERCIAL CORRIDOR A

PERSPECTIVE VIEW





COMMERCIAL CORRIDOR A
PERSPECTIVE VIEW

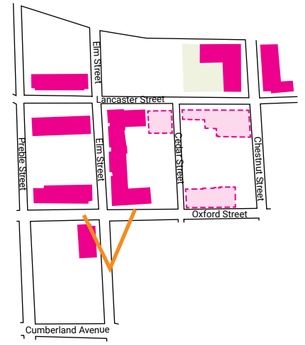




1. ***60 Elm: Building Massing and Cladding*** expression steps down at key points to respond to hillside site
2. ***60 Elm: Horizontal siding*** residential material reinterpreted in modern facade concept
3. ***60 Elm: Open Corner Retail Element*** establishes neighborhood activity zone
4. ***235 Oxford: Sawtooth Building Massing*** breaks down facade length and creates vertical rhythm
5. ***89 Elm: Massing*** steps down to meet neighborhood context along Oxford Street toward Cedar Street.
6. ***89 Elm: Facades*** broken down with cladding variation and step downs at intervals along primary frontages.

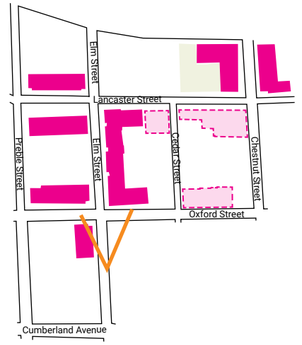
COMMERCIAL CORRIDOR A
PERSPECTIVE VIEW



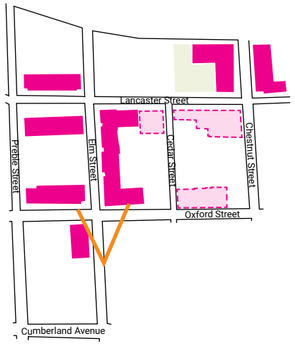


COMMERCIAL CORRIDOR A
PERSPECTIVE VIEW





COMMERCIAL CORRIDOR A
PERSPECTIVE VIEW



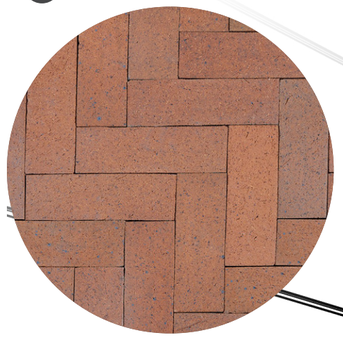


1. ***60 Elm: Horizontal siding*** residential material reinterpreted in modern facade concept
2. ***60 Elm: Open corner retail element*** establishes neighborhood activity zone
3. ***235 Oxford: Natural tone materials*** soften streetscape
4. ***235 Oxford: 'Juliet' residential balconies*** activate facade and encourage interaction
5. ***89 Elm: Tower element*** highlights Lancaster corner.
6. ***89 Elm: Facades*** broken down with cladding variation and step downs at intervals along primary frontages.
7. ***89 Elm: Massing*** steps down to meet neighborhood context along Oxford Street toward Cedar Street.
8. ***89 Elm: Outdoor decks*** activate facade and encourage interaction.
9. ***Public realm: Gateway element*** as vertical feature displaying street / district name

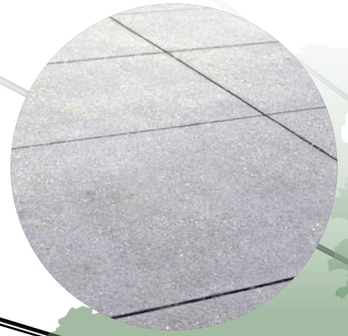
NEIGHBORHOOD CONNECTOR

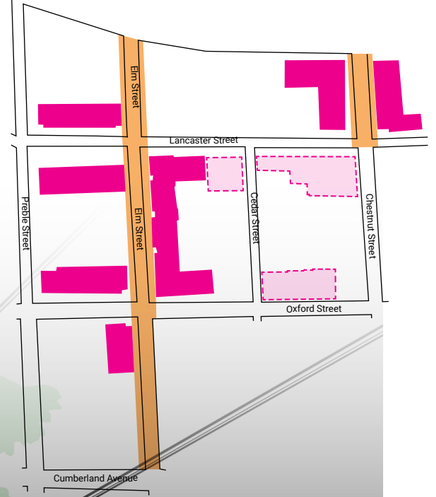
MATERIALS

1 ***Furnishing Zone Unit Pavers***



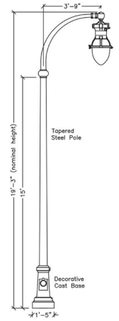
2 ***Pedestrian Zone Cast in Place Concrete***





NEIGHBORHOOD CONNECTOR
FURNISHINGS

1 ***Street Light Pole***



2 ***Planter Edge***

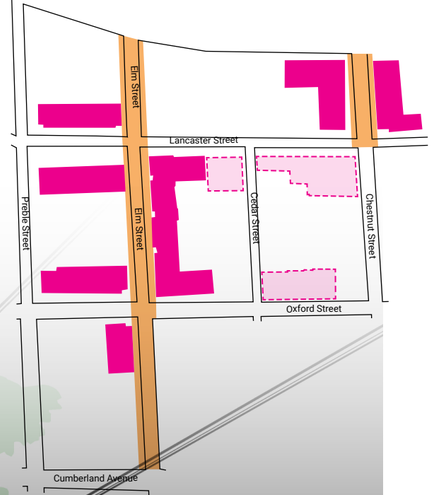


3 ***Bench***



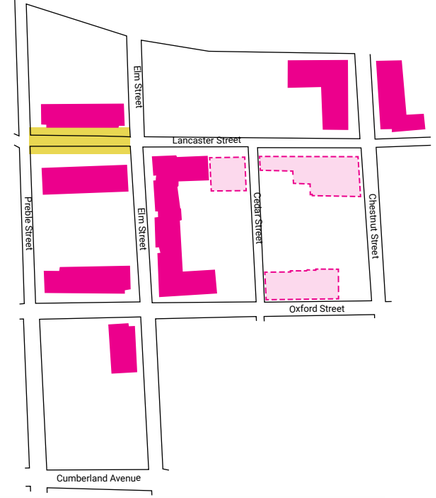
4 ***Bike Racks***



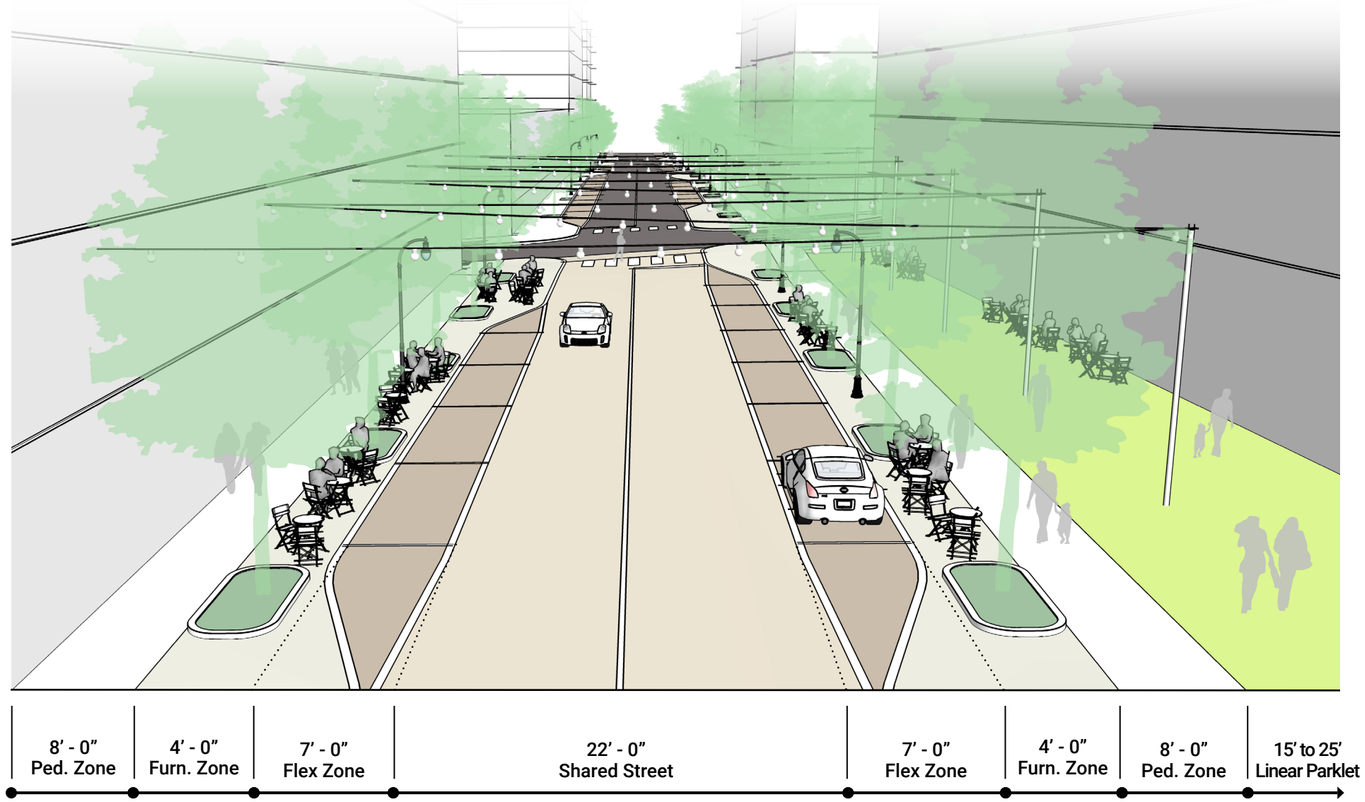


LANCASTER STREETSCAPE
SHARED STREET DIMENSIONS

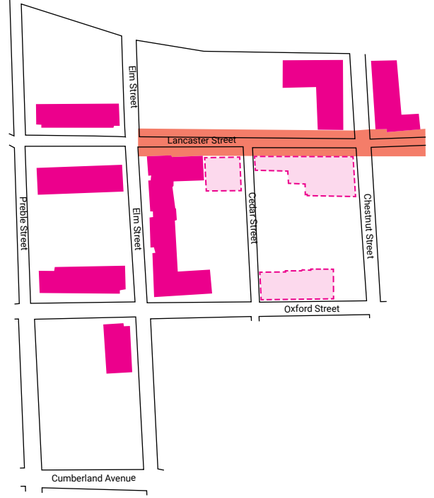
SHARED STREET

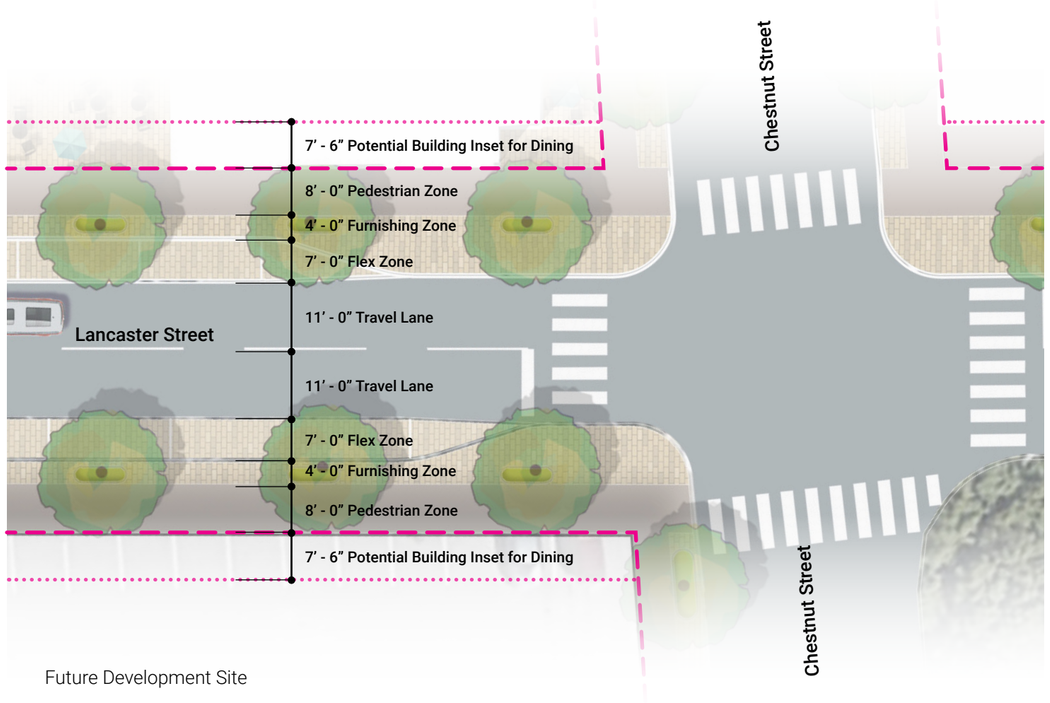






LANCASTER STREETSCAPE
TYPICAL STREET DIMENSIONS
COMMERCIAL CORRIDOR A

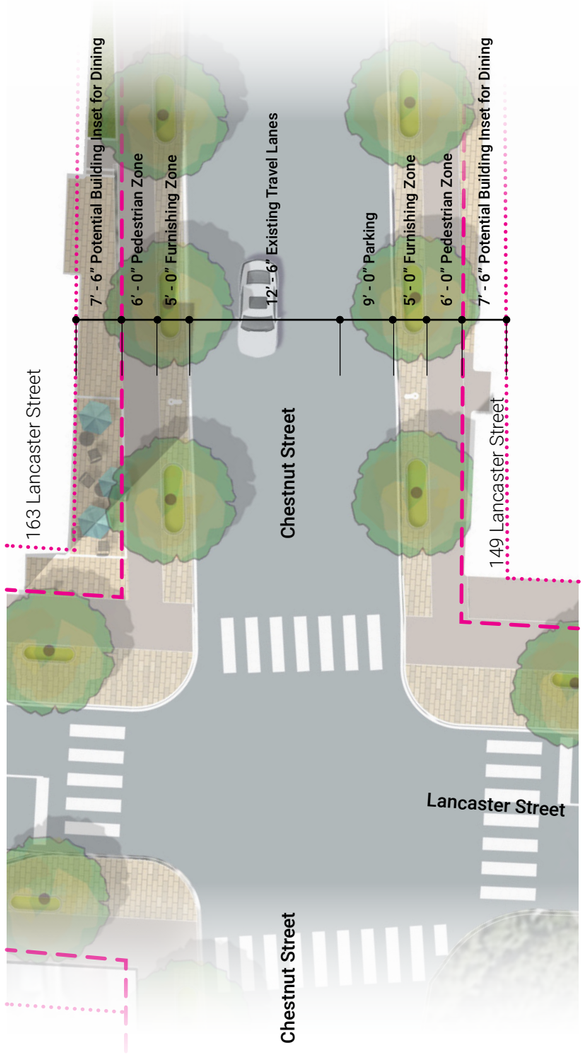


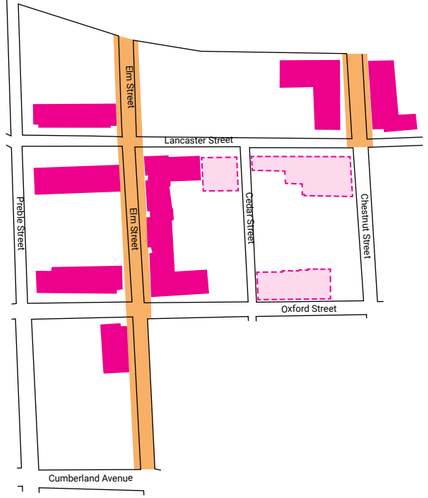




CHESTNUT STREETSCAPE
TYPICAL STREET DIMENSIONS

NEIGHBORHOOD CONNECTOR

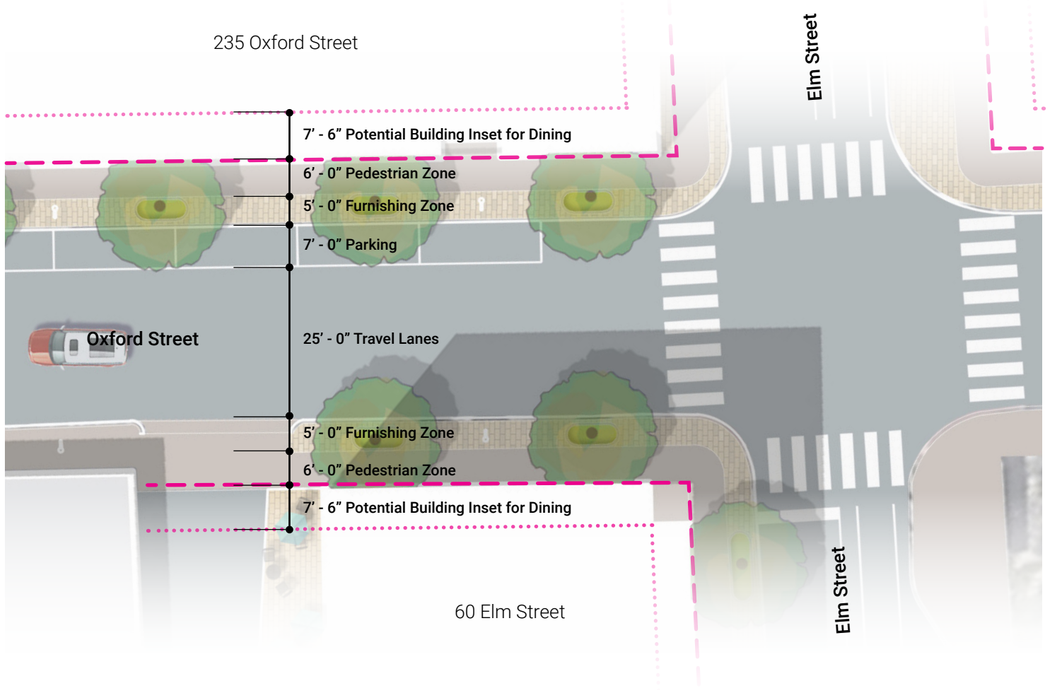


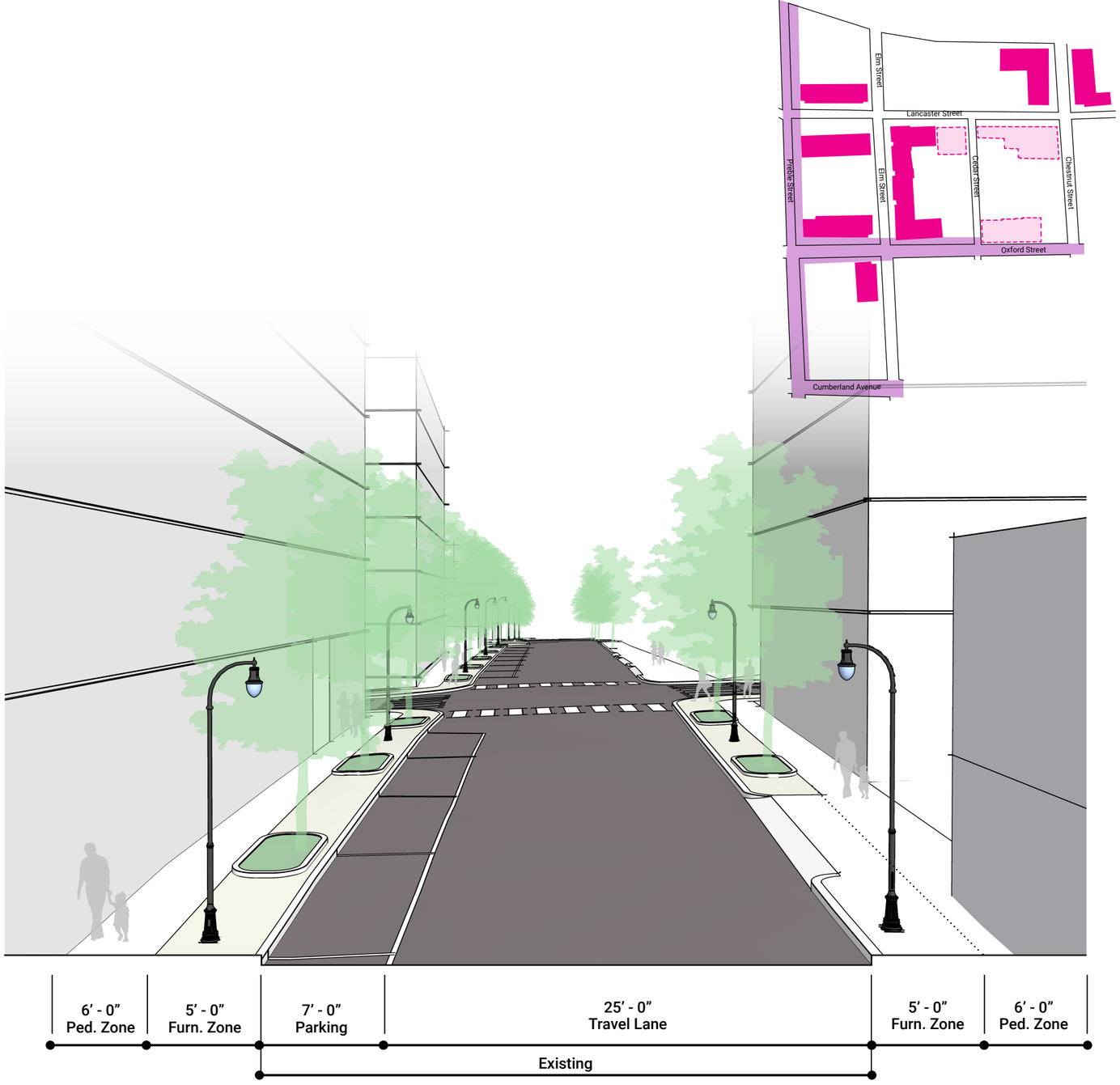




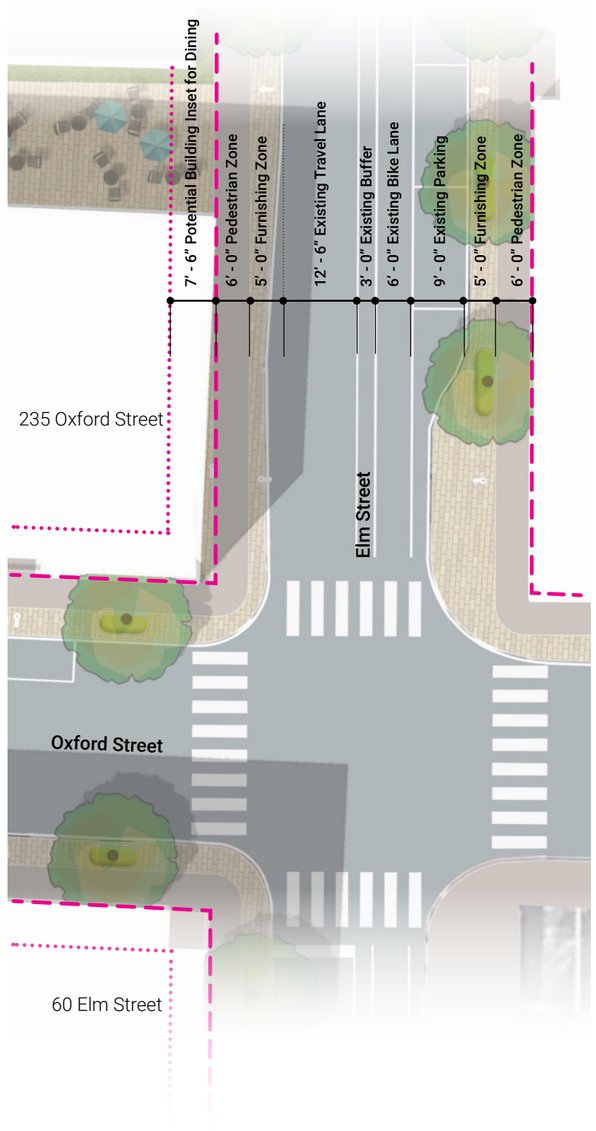
OXFORD STREETSCAPE
TYPICAL STREET DIMENSIONS

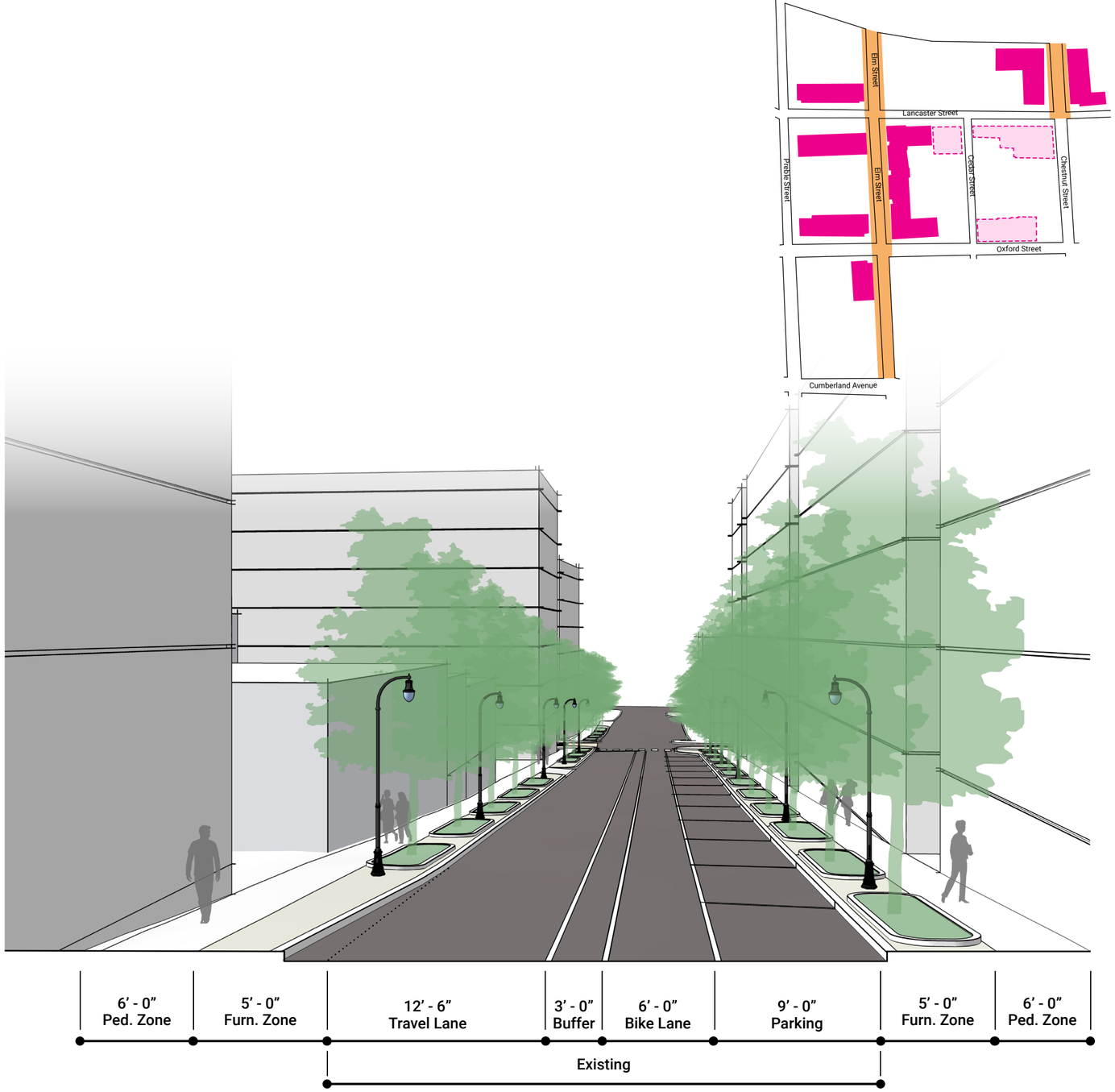
COMMERCIAL CORRIDOR B





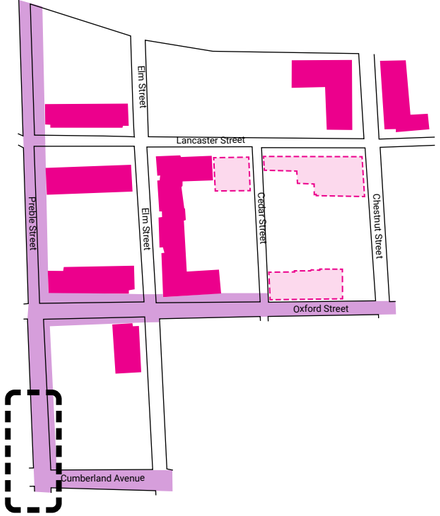
ELM STREETSCAPE
TYICAL STREET DIMENSIONS
NEIGHBORHOOD CONNECTOR

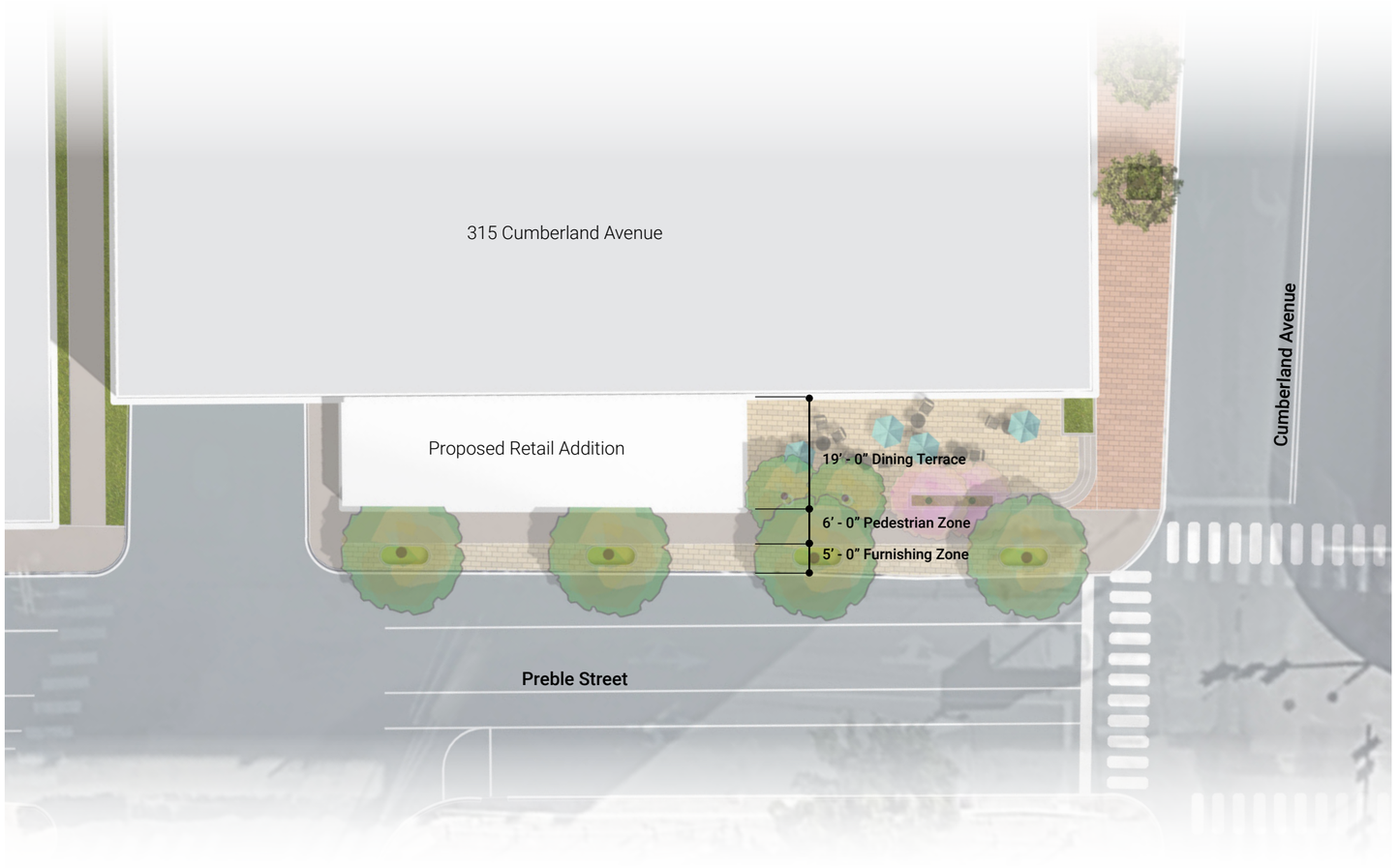




PREBLE STREET GARAGE
TYPICAL DIMENSIONS

COMMERCIAL CORRIDOR B





Portland, Maine Yes. Life's good here.

Planning & Urban Development Department

60 Elm Street

ZONING ANALYSIS Relevant Zone(s) B3

All Projects:

	Required	Proposed
Lot Size	N/A	26,062 SF
Area Per Dwelling Unit	N/A	N/A
Minimum Street Frontage	15 FT	207.3 FT
Front Yard Minimum	N/A	N/A
Front Yard Maximum	5 FT	1.5 FT
Rear Yard	N/A	N/A
Yard Right	N/A	N/A
Yard Left	N/A	N/A
Side Street Setback	N/A	N/A
Step Back	N/A	N/A
Maximum Lot Coverage	NONE/25%	N/A
Minimum Lot Coverage	N/A	N/A
Maximum Height	SEE MAP	105 FT
Open Space	N/A	N/A
Maximum Impervious Area	N/A	N/A
Pavement Setback	N/A	N/A
Floor Area Ratio	NONE/15,000 SF	N/A
Off Street Parking Spaces	SEE TABLE	56
Loading Bays	N/A	N/A
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):			

89 Elm Street

ZONING ANALYSIS Relevant Zone(s) B3

All Projects:

	Required	Proposed
Lot Size	N/A	26,062 SF
Area Per Dwelling Unit	N/A	N/A
Minimum Street Frontage	15 FT	207.3 FT
Front Yard Minimum	N/A	N/A
Front Yard Maximum	5 FT	1.5 FT
Rear Yard	N/A	N/A
Yard Right	N/A	N/A
Yard Left	N/A	N/A
Side Street Setback	N/A	N/A
Step Back	N/A	N/A
Maximum Lot Coverage	NONE/25%	N/A
Minimum Lot Coverage	N/A	N/A
Maximum Height	SEE MAP	105 FT
Open Space	N/A	N/A
Maximum Impervious Area	N/A	N/A
Pavement Setback	N/A	N/A
Floor Area Ratio	NONE/15,000 SF	N/A
Off Street Parking Spaces	SEE TABLE	56
Loading Bays	N/A	N/A
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):			

149 Lancaster Street

ZONING ANALYSIS Relevant Zone(s) B3

All Projects:

	Required	Proposed
Lot Size	N/A	26,062 SF
Area Per Dwelling Unit	N/A	N/A
Minimum Street Frontage	15 FT	207.3 FT
Front Yard Minimum	N/A	N/A
Front Yard Maximum	5 FT	1.5 FT
Rear Yard	N/A	N/A
Yard Right	N/A	N/A
Yard Left	N/A	N/A
Side Street Setback	N/A	N/A
Step Back	N/A	N/A
Maximum Lot Coverage	NONE/25%	N/A
Minimum Lot Coverage	N/A	N/A
Maximum Height	SEE MAP	105 FT
Open Space	N/A	N/A
Maximum Impervious Area	N/A	N/A
Pavement Setback	N/A	N/A
Floor Area Ratio	NONE/15,000 SF	N/A
Off Street Parking Spaces	SEE TABLE	56
Loading Bays	N/A	N/A
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):			

163 Lancaster Street

ZONING ANALYSIS Relevant Zone(s) B3

All Projects:

	Required	Proposed
Lot Size	N/A	26,062 SF
Area Per Dwelling Unit	N/A	N/A
Minimum Street Frontage	15 FT	207.3 FT
Front Yard Minimum	N/A	N/A
Front Yard Maximum	5 FT	1.5 FT
Rear Yard	N/A	N/A
Yard Right	N/A	N/A
Yard Left	N/A	N/A
Side Street Setback	N/A	N/A
Step Back	N/A	N/A
Maximum Lot Coverage	NONE/25%	N/A
Minimum Lot Coverage	N/A	N/A
Maximum Height	SEE MAP	105 FT
Open Space	N/A	N/A
Maximum Impervious Area	N/A	N/A
Pavement Setback	N/A	N/A
Floor Area Ratio	NONE/15,000 SF	N/A
Off Street Parking Spaces	SEE TABLE	56
Loading Bays	N/A	N/A
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):			

195 Lancaster Street

ZONING ANALYSIS Relevant Zone(s) B3

All Projects:

	Required	Proposed
Lot Size	N/A	26,062 SF
Area Per Dwelling Unit	N/A	N/A
Minimum Street Frontage	15 FT	207.3 FT
Front Yard Minimum	N/A	N/A
Front Yard Maximum	5 FT	1.5 FT
Rear Yard	N/A	N/A
Yard Right	N/A	N/A
Yard Left	N/A	N/A
Side Street Setback	N/A	N/A
Step Back	N/A	N/A
Maximum Lot Coverage	NONE/25%	N/A
Minimum Lot Coverage	N/A	N/A
Maximum Height	SEE MAP	105 FT
Open Space	N/A	N/A
Maximum Impervious Area	N/A	N/A
Pavement Setback	N/A	N/A
Floor Area Ratio	NONE/15,000 SF	N/A
Off Street Parking Spaces	SEE TABLE	56
Loading Bays	N/A	N/A
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):			

196 Lancaster Street

ZONING ANALYSIS Relevant Zone(s) B3

All Projects:

	Required	Proposed
Lot Size	N/A	26,062 SF
Area Per Dwelling Unit	N/A	N/A
Minimum Street Frontage	15 FT	207.3 FT
Front Yard Minimum	N/A	N/A
Front Yard Maximum	5 FT	1.5 FT
Rear Yard	N/A	N/A
Yard Right	N/A	N/A
Yard Left	N/A	N/A
Side Street Setback	N/A	N/A
Step Back	N/A	N/A
Maximum Lot Coverage	NONE/25%	N/A
Minimum Lot Coverage	N/A	N/A
Maximum Height	SEE MAP	105 FT
Open Space	N/A	N/A
Maximum Impervious Area	N/A	N/A
Pavement Setback	N/A	N/A
Floor Area Ratio	NONE/15,000 SF	N/A
Off Street Parking Spaces	SEE TABLE	56
Loading Bays	N/A	N/A
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):			

235 Oxford Street

ZONING ANALYSIS Relevant Zone(s) B3

All Projects:

	Required	Proposed
Lot Size	N/A	26,062 SF
Area Per Dwelling Unit	N/A	N/A
Minimum Street Frontage	15 FT	207.3 FT
Front Yard Minimum	N/A	N/A
Front Yard Maximum	5 FT	1.5 FT
Rear Yard	N/A	N/A
Yard Right	N/A	N/A
Yard Left	N/A	N/A
Side Street Setback	N/A	N/A
Step Back	N/A	N/A
Maximum Lot Coverage	NONE/25%	N/A
Minimum Lot Coverage	N/A	N/A
Maximum Height	SEE MAP	105 FT
Open Space	N/A	N/A
Maximum Impervious Area	N/A	N/A
Pavement Setback	N/A	N/A
Floor Area Ratio	NONE/15,000 SF	N/A
Off Street Parking Spaces	SEE TABLE	56
Loading Bays	N/A	N/A
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):			

Portland, Maine Yes. Life's good here.

Planning & Urban Development Department

60 Elm Street

ZONING ANALYSIS Relevant Zone(s) B3

All Projects:

	Required	Proposed
Lot Size	N/A	11,535 SF
Area Per Dwelling Unit	N/A	N/A
Minimum Street Frontage	15 FT	92.61 FT
Front Yard Minimum	N/A	N/A
Front Yard Maximum	5 FT	3 FT
Rear Yard	N/A	N/A
Yard Right	N/A	N/A
Yard Left	N/A	N/A
Side Street Setback	N/A	N/A
Step Back	N/A	N/A
Maximum Lot Coverage	NONE/25%	N/A
Minimum Lot Coverage	N/A	N/A
Maximum Height	SEE MAP	105 FT
Open Space	N/A	N/A
Maximum Impervious Area	N/A	N/A
Pavement Setback	N/A	N/A
Floor Area Ratio	NONE/15,000 SF	N/A
Off Street Parking Spaces	TBD	0
Loading Bays	N/A	N/A
Other 1		
Other 2		
Other 3		

89 Elm St

ZONING ANALYSIS Relevant Zone(s) B-3

All Projects:

	Required	Proposed
Lot Size	N/A	28,082 SF
Area Per Dwelling Unit	None	
Minimum Street Frontage	15'	132'
Front Yard Minimum	None	7.6'
Front Yard Maximum	5'	18'
Rear Yard	None	0.3'
Yard Right	None	2.88'
Yard Left	None	2.88'
Side Street Setback	None	
Step Back	None	
Maximum Lot Coverage	None*	
Minimum Lot Coverage	N/A	
Maximum Height	80**	< 80'
Open Space	N/A	
Maximum Impervious Area	100%	
Pavement Setback	None	
Floor Area Ratio	None	
Off Street Parking Spaces	None***	
Loading Bays	N/A	
Other 1	30'****	<30'
Other 2		
Other 3		

Total Lot Size: 35,282 SF (.81 AC)

*Max 25% of lot area for portions of structures exceeding 125 feet in height

**See Bayside Height Overlay Map

***See Section S, Parking Study

****Max length of undifferentiated blank wall along publicly accessible way

89 Elm St

ZONING ANALYSIS Relevant Zone(s) R-6

All Projects:

	Required	Proposed
Lot Size	2,000 SF	7,185 SF
Area Per Dwelling Unit	725 SF	1,960 SF
Minimum Street Frontage	20'	132'
Front Yard Minimum	5'	14.40'
Front Yard Maximum	N/A	
Rear Yard	10'	10.40'
Yard Right	5'	11.50'
Yard Left	5'	11.50'
Side Street Setback	N/A	
Step Back	35'*	35'
Maximum Lot Coverage	60%	40%
Minimum Lot Coverage	N/A	
Maximum Height	45'	<45'
Open Space	20%	38%
Maximum Impervious Area	100%	
Pavement Setback	None	
Floor Area Ratio	None	
Off Street Parking Spaces	None**	
Loading Bays	N/A	
Other 1	20'***	>20'
Other 2		
Other 3		

Total Lot Size: 35,282 SF (.81 AC)

*Additional 5' setback above 35'

**See Section S, Parking Study

***Lot width

149 Lancaster Street

ZONING ANALYSIS Relevant Zone(s) B7

All Projects:

	Required	Proposed
Lot Size	N/A	115,117 SF
Area Per Dwelling Unit	N/A	N/A
Minimum Street Frontage	N/A	N/A
Front Yard Minimum	N/A	N/A
Front Yard Maximum	10 FT	1.00 FT
Rear Yard	N/A	N/A
Yard Right	N/A	N/A
Yard Left	N/A	N/A
Side Street Setback	N/A	N/A
Step Back	N/A	N/A
Maximum Lot Coverage	N/A	N/A
Minimum Lot Coverage	N/A	N/A
Maximum Height	SEE MAP	105 FT
Open Space	N/A	N/A
Maximum Impervious Area	N/A	N/A
Pavement Setback	35'	N/A
Floor Area Ratio	N/A	N/A
Off Street Parking Spaces	TBD	0
Loading Bays		
Other 1		
Other 2		
Other 3		

163 Lancaster Street

ZONING ANALYSIS Relevant Zone(s) B7

All Projects:

	Required	Proposed
Lot Size	N/A	32,266 SF
Area Per Dwelling Unit	N/A	N/A
Minimum Street Frontage	N/A	199.44
Front Yard Minimum	N/A	N/A
Front Yard Maximum	10 FT	3.5 FT
Rear Yard	N/A	N/A
Yard Right	N/A	N/A
Yard Left	N/A	N/A
Side Street Setback	N/A	N/A
Step Back	N/A	N/A
Maximum Lot Coverage	N/A	N/A
Minimum Lot Coverage	N/A	N/A
Maximum Height	SEE MAP	105
Open Space	N/A	N/A
Maximum Impervious Area	N/A	N/A
Pavement Setback	35'	N/A
Floor Area Ratio	N/A	N/A
Off Street Parking Spaces	TBD	0
Loading Bays		
Other 1		
Other 2		
Other 3		

195 Lancaster Street

ZONING ANALYSIS Relevant Zone(s) B7

All Projects:

	Required	Proposed
Lot Size	N/A	14514 SF
Area Per Dwelling Unit	N/A	N/A
Minimum Street Frontage	N/A	198.44 FT
Front Yard Minimum	N/A	N/A
Front Yard Maximum	10 FT	3.00 FT
Rear Yard	N/A	N/A
Yard Right	N/A	N/A
Yard Left	N/A	N/A
Side Street Setback	N/A	N/A
Step Back	N/A	N/A
Maximum Lot Coverage	N/A	N/A
Minimum Lot Coverage	N/A	N/A
Maximum Height	SEE MAP	55 FT
Open Space	N/A	N/A
Maximum Impervious Area	N/A	N/A
Pavement Setback	N/A	N/A
Floor Area Ratio	N/A	N/A
Off Street Parking Spaces	TBD	14
Loading Bays		
Other 1		
Other 2		
Other 3		

196 Lancaster Street

ZONING ANALYSIS Relevant Zone(s) B3

All Projects:

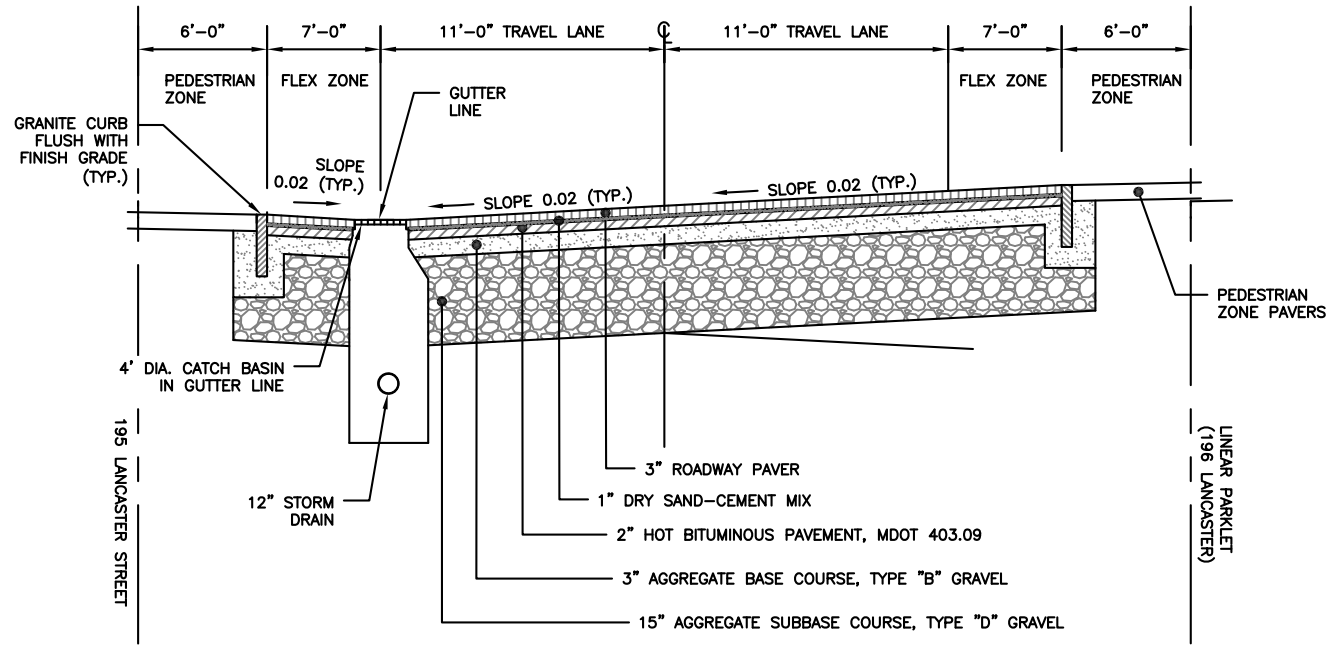
	Required	Proposed
Lot Size	N/A	28,5961SF
Area Per Dwelling Unit	N/A	N/A
Minimum Street Frontage	15 FT	199.65 FT
Front Yard Minimum	N/A	N/A
Front Yard Maximum	5 FT	39.65 FT
Rear Yard	N/A	N/A
Yard Right	N/A	N/A
Yard Left	N/A	N/A
Side Street Setback	N/A	N/A
Step Back	N/A	N/A
Maximum Lot Coverage	NONE/25%	N/A
Minimum Lot Coverage	N/A	N/A
Maximum Height	SEE MAP	85 FT
Open Space	N/A	N/A
Maximum Impervious Area	N/A	N/A
Pavement Setback	N/A	N/A
Floor Area Ratio	NONE/15,000 SF	N/A
Off Street Parking Spaces	TBD	34
Loading Bays	N/A	
Other 1		
Other 2		
Other 3		

235 Oxford Street

ZONING ANALYSIS Relevant Zone(s) B3

All Projects:

	Required	Proposed
Lot Size	N/A	16528 SF
Area Per Dwelling Unit	N/A	N/A
Minimum Street Frontage	15 FT	206.3 FT
Front Yard Minimum	N/A	N/A
Front Yard Maximum	5 FT	4.33 FT
Rear Yard	N/A	N/A
Yard Right	N/A	N/A
Yard Left	N/A	N/A
Side Street Setback	N/A	N/A
Step Back	N/A	N/A
Maximum Lot Coverage	NONE/25%	N/A
Minimum Lot Coverage	N/A	N/A
Maximum Height	SEE MAP	65'
Open Space	N/A	N/A
Maximum Impervious Area	N/A	N/A
Pavement Setback	N/A	N/A
Floor Area Ratio	NONE/15,000 SF	N/A
Off Street Parking Spaces	TBD	0
Loading Bays	N/A	N/A
Other 1		
Other 2		
Other 3		



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NOT TO SCALE

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DRAWING NO.

SK–1

FILE:	WOONERFXSXN.DWG
JN:	1192
SCALE:	NTS
DESIGN BY:	MKT
DRAWN BY:	MKT
CHECKED BY:	WHS

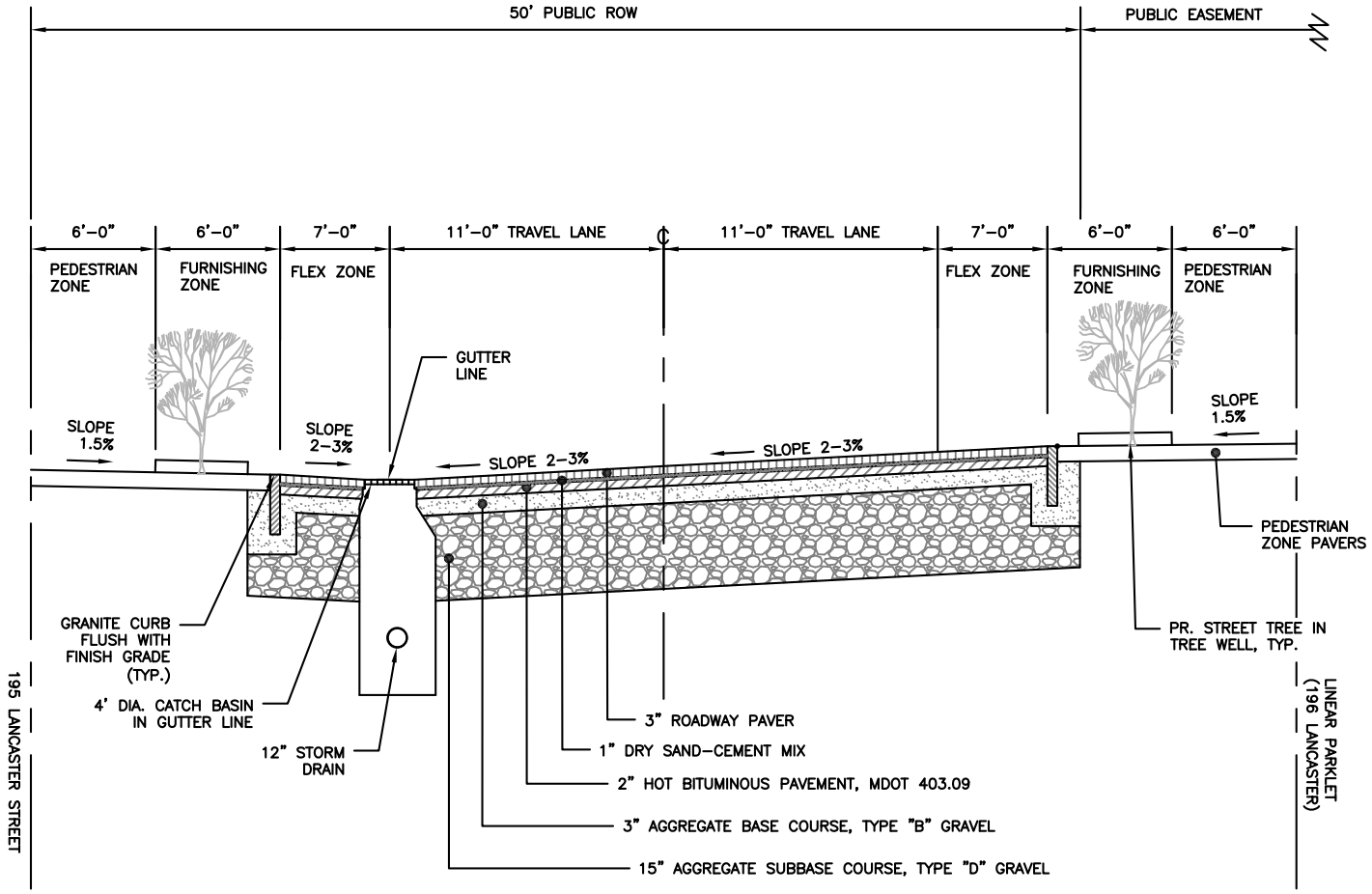
ACORN ENGINEERING, INC
ACORN ENGINEERING, INC. P.O. BOX 3372
PORTLAND, MAINE 04104 (207) 775-2655

DRAWING NAME: SHARED STREET CROSS SECTION

PROJECT NAME: WEST BAYSIDE MASTER DEVELOPMENT PLAN

CLIENT: WEST BAYSIDE PARTNERS, LLC

ISSUED FOR	BY DATE
MDP RESUBMISSION	MKT 4/10/23



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DRAWING NO.

SK-1

FILE:	WOONERFXSXN.DWG
JN:	1192
SCALE:	NTS
DESIGN BY:	MKT
DRAWN BY:	MKT
CHECKED BY:	WHS

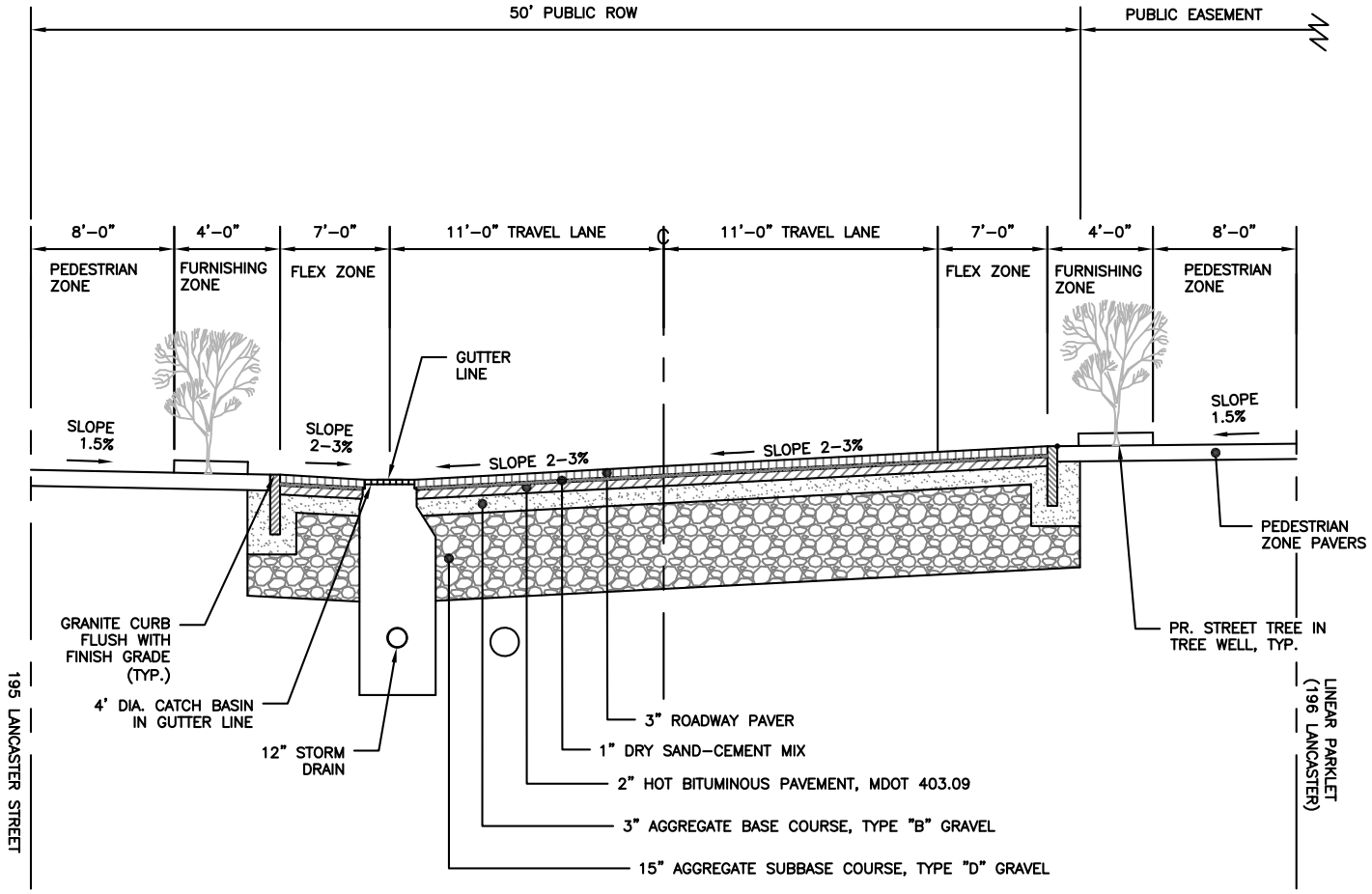
ACORN ENGINEERING, INC
ACORN ENGINEERING, INC. P.O. BOX 3372
PORTLAND, MAINE 04104 (207) 775-2655

DRAWING NAME: SHARED STREET CROSS SECTION

PROJECT NAME: WEST BAYSIDE MASTER DEVELOPMENT PLAN

CLIENT: WEST BAYSIDE PARTNERS, LLC

ISSUED FOR	BY	DATE
MDP RESUBMISSION	MKT	4/10/23
REVISION	MKT	5/2/23



SHARED STREET CROSS SECTION

NOT TO SCALE

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DRAWING NO.

SK-1

FILE:	WOONERFXSXN.DWG
JN:	1192
SCALE:	NTS
DESIGN BY:	MKT
DRAWN BY:	MKT
CHECKED BY:	WHS

ACORN ENGINEERING, INC
ACORN ENGINEERING, INC. P.O. BOX 3372
PORTLAND, MAINE 04104 (207) 775-2855

DRAWING NAME: SHARED STREET CROSS SECTION

PROJECT NAME: WEST BAYSIDE MASTER DEVELOPMENT PLAN

CLIENT: WEST BAYSIDE PARTNERS, LLC

ISSUED FOR	BY DATE
MDP RESUBMISSION	MKT 4/10/23
REVISION	MKT 5/2/23
MDP PUNCHLIST	MKT 6/2/23

Assessment of Compliance with Master Development Plan Standards

14.1.1 In general

A. Integration with the surrounding context: See enclosed Section 11. Neighborhood context statement & attached to this section Integration with Surrounding Context Narrative.

B. Consistency with City plans: See attached to this section Consistency with City Plans narrative prepared by Levine Planning Strategies

14.7.2 Natural Features & Open Space

A. Preservation of natural features: See enclosed Section 12. Natural Features & Open Space.

B. Provisions for open space: See enclosed Section 12. Natural Features & Open Space & attached Landscape & Site Plans.

14.7.3 Historic Preservation

A. See enclosed Section 13. View & Historic Features.

B. N/A

14.7.4 Infrastructure

A. Adequacy of infrastructure capacity: See enclosed Section 15. Utilities.

B. Continuation of street grid: No changes are planned to the existing city blocks and street grid in the neighborhood. See attached site plan for proposed development layout.

14.7.5 Design

A. Creation of Cohesive Identity: See attached to this section Creation of Cohesive Identity documents prepared by Stantec.

Integration with the surrounding context. *A master development plan shall be designed to integrate with the surrounding context with respect to land use, architecture, open space and pedestrian networks, vehicular access and circulation, off-site public facilities and all other infrastructure.*

Land use

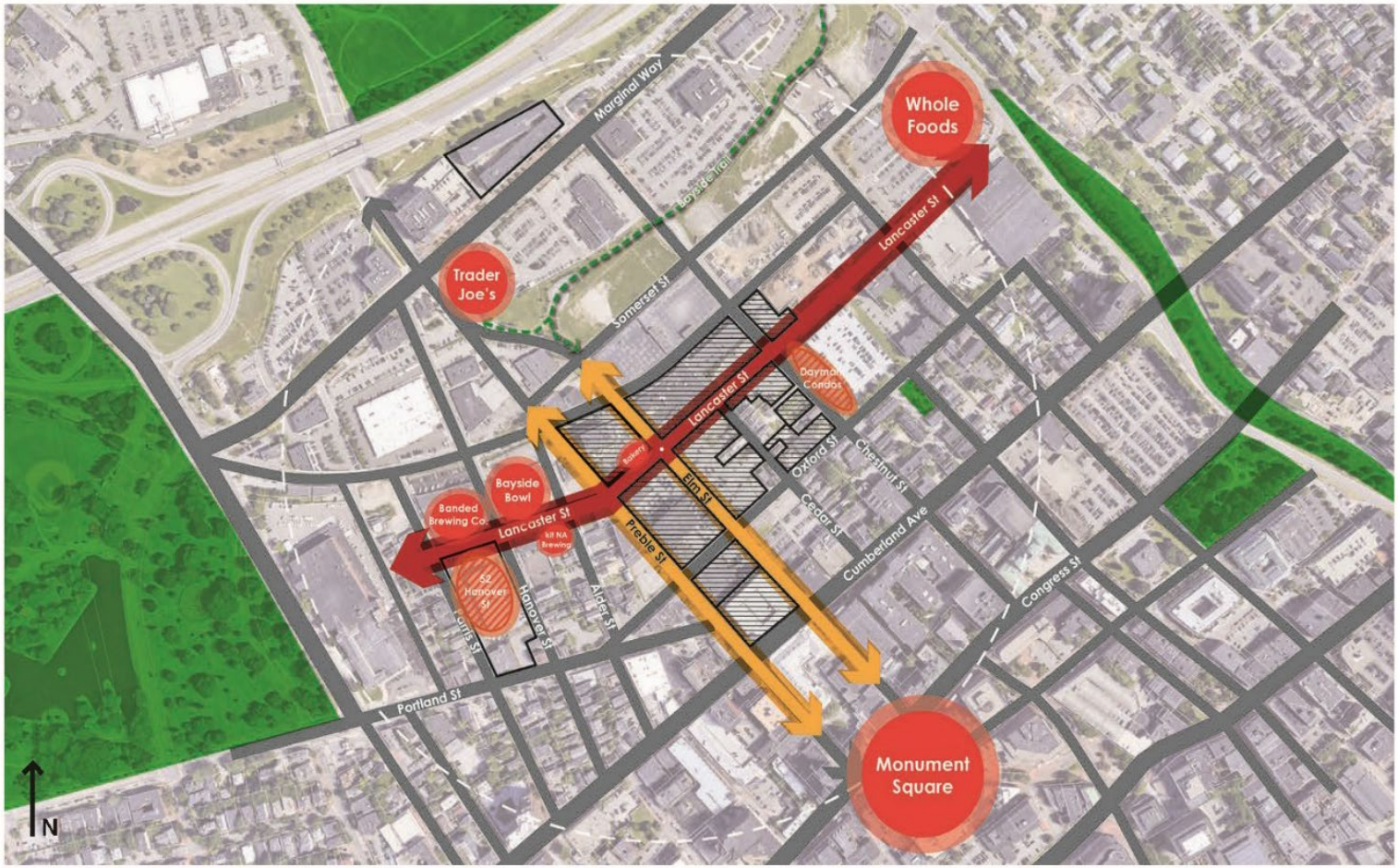
The master plan's housing program represents and extension of West Bayside's residential neighborhood land uses.

Additionally, the project connects emerging and established local amenities and landmarks to the east/west along Lancaster Street and north/south to downtown along Elm and Preble Streets.

CONTEXT 7

The Heart of Bayside

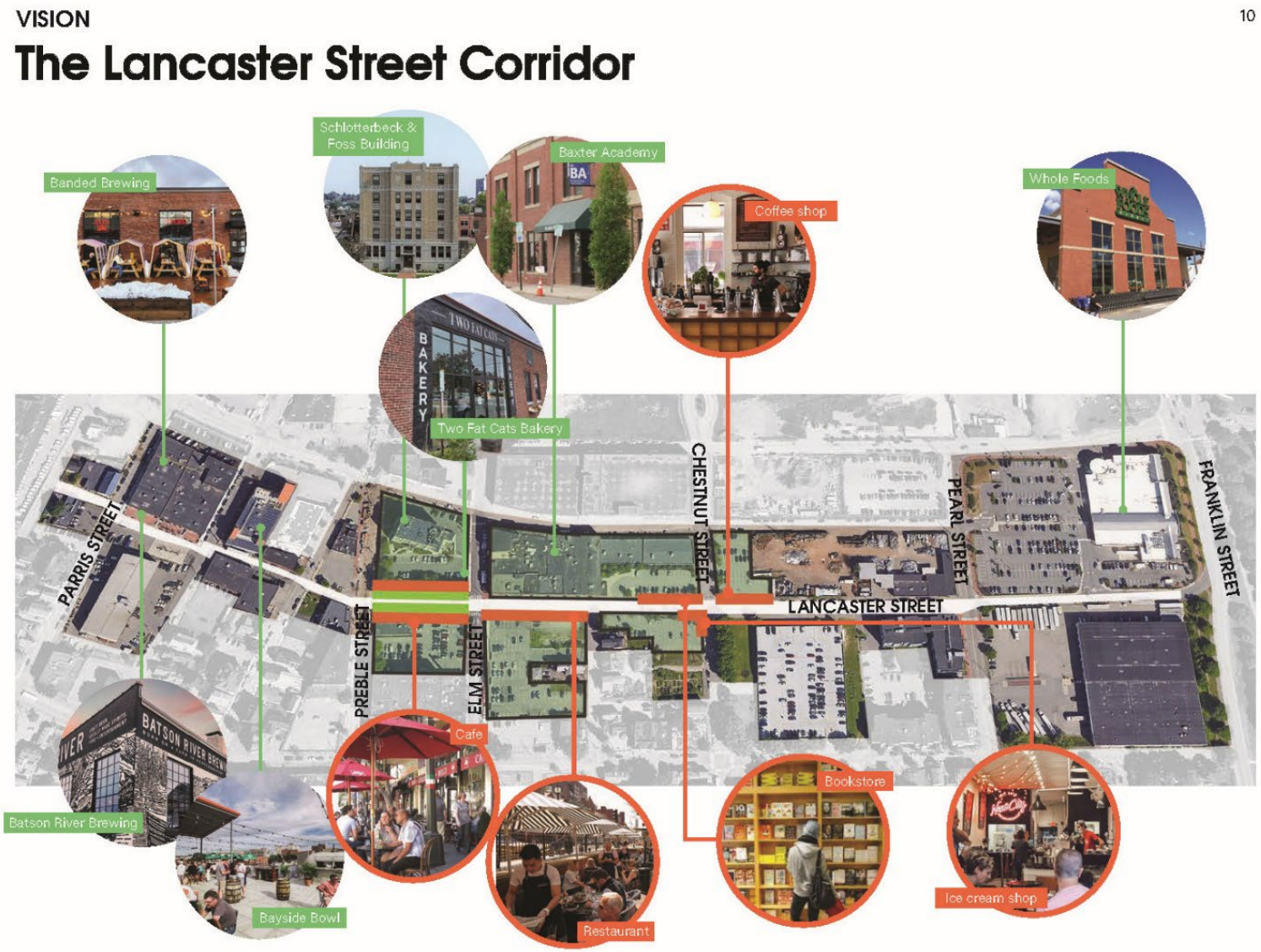
The site resides at the crossroads of West Bayside's key streets and corridors and introduces a new heart to the neighborhood.



Integration with the surrounding context. A master development plan shall be designed to integrate with the surrounding context with respect to land use, architecture, open space and pedestrian networks, vehicular access and circulation, off-site public facilities and all other infrastructure.

Land use (cont.)

The master plan extends and infills the emerging corridor of amenities and destinations along Lancaster Street, connecting recent developments at the Parris Street end with Whole Foods at the Franklin Street end for a consistent and cohesive pedestrian experience from end to end.



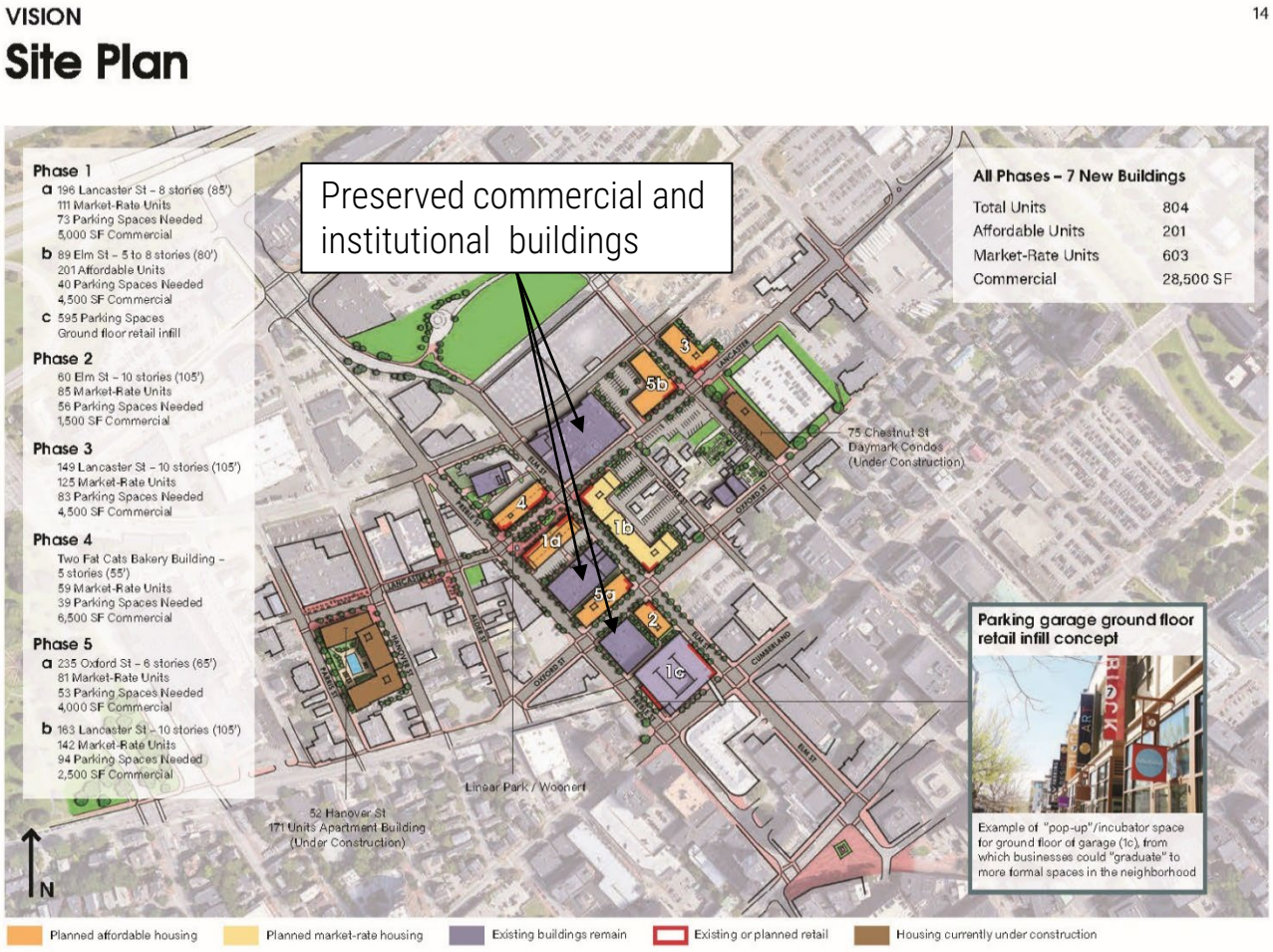
Integration with the surrounding context. A master development plan shall be designed to integrate with the surrounding context with respect to land use, architecture, open space and pedestrian networks, vehicular access and circulation, off-site public facilities and all other infrastructure.

Land use (cont.)

The master plan includes retaining and, in some cases, renovating multiple existing commercial and institutional buildings within the master plan area. The developer intends to maintain leases with willing local community service providers that occupy these spaces and consolidate those displaced from demolished buildings into preserved buildings.

This approach will help continue the Bayside neighborhood's role as a home for important community resources serving both the local neighborhood and the City more broadly.

The plan also envisions retrofitting the Public Market parking garage with infill retail and amenity uses, strengthening the experiential connection to downtown along Preble and Elm Streets.



Integration with the surrounding context. A master development plan shall be designed to integrate with the surrounding context with respect to land use, architecture, open space and pedestrian networks, vehicular access and circulation, off-site public facilities and all other infrastructure.

Architecture

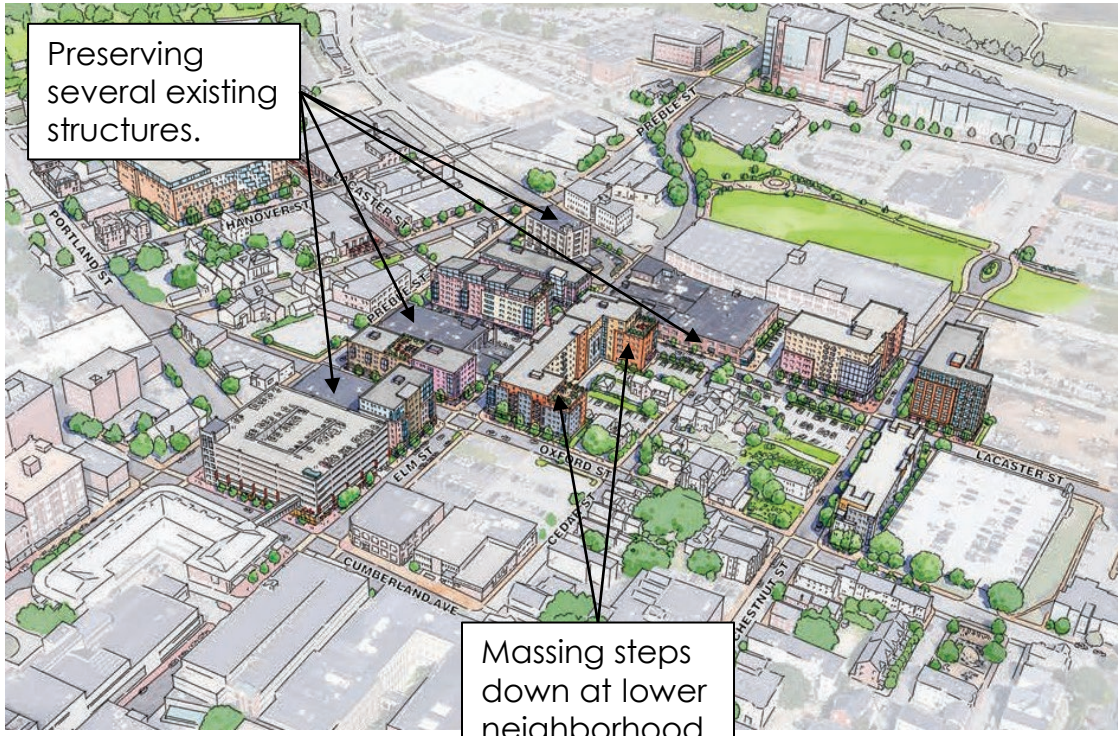
Buildings will be designed to incorporate visual diversity between new structures and avoid a monolithic appearance across the parcels. Their architectural style will blend contemporary and contextual elements to add new visual interest while resonating with existing neighborhood character. Architectural design will be consistent with the Bayside Design Standards.

Several existing structures will be retained throughout the master plan, complementing new buildings with their established neighborhood character.

Most new buildings will be sited on surface parking lots, adding infill development to the neighborhood with reduced displacement of existing structures.

Building heights are all consistent with current zoning, requiring no variances or waivers that would drive heights above currently approved limits.

Buildings step down in height to transition to lower existing neighborhood fabric, such as along Oxford Street.



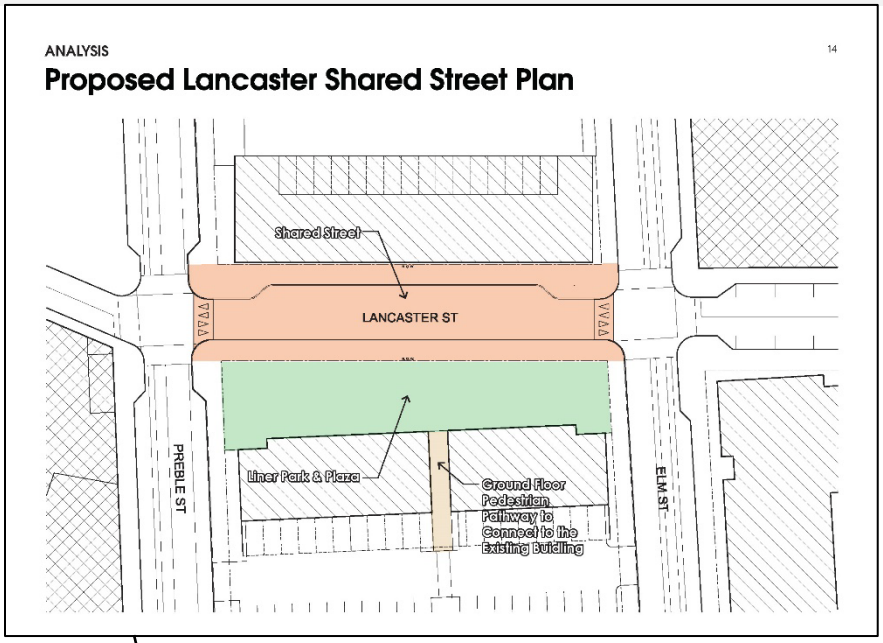
Integration with the surrounding context. A master development plan shall be designed to integrate with the surrounding context with respect to land use, architecture, open space and pedestrian networks, vehicular access and circulation, off-site public facilities and all other infrastructure.

Open space and pedestrian networks

The master plan's open space and pedestrian networks are designed to integrate seamlessly with the surrounding neighborhood and public spaces.

All streetscapes will be optimized for walkability, incorporate Bayside lighting fixtures, and include street trees that contribute to the district's growing canopy. Planned streetscape improvements include reducing curb cut counts and widening sidewalks along several blocks, extending and enhancing the pedestrian network through and around the development.

The shared street and linear park planned for the segment of Lancaster Street between Preble and Elm represents a signature moment within the development's public realm network and adds a vibrant and inviting new open space to the neighborhood's collection of unique public places and spaces.





Integration with the surrounding context. A master development plan shall be designed to integrate with the surrounding context with respect to land use, architecture, open space and pedestrian networks, vehicular access and circulation, off-site public facilities and all other infrastructure.

Vehicular access and circulation

The plan does not envision significant changes to local vehicular access or circulation patterns

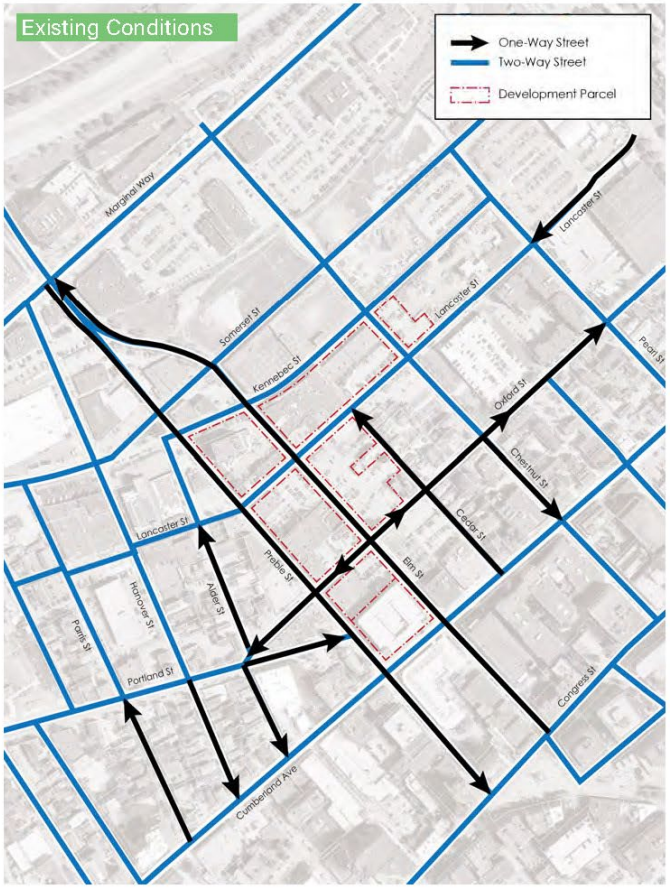
The shared street planned for one block of Lancaster will retain its existing two-way vehicular flow. Given very low current and expected volumes on this street segment, the slight modification of the roadway to a shared street design should not disrupt local traffic circulation. This shared street configuration is also referenced as a planned future condition of the segment in the Bayside Master Transportation Plan.

The plan anticipates Oxford Street's conversion to two-way operation as identified in the Transportation Master Plan.

ANALYSIS

2

One-Way & Two-Way Streets





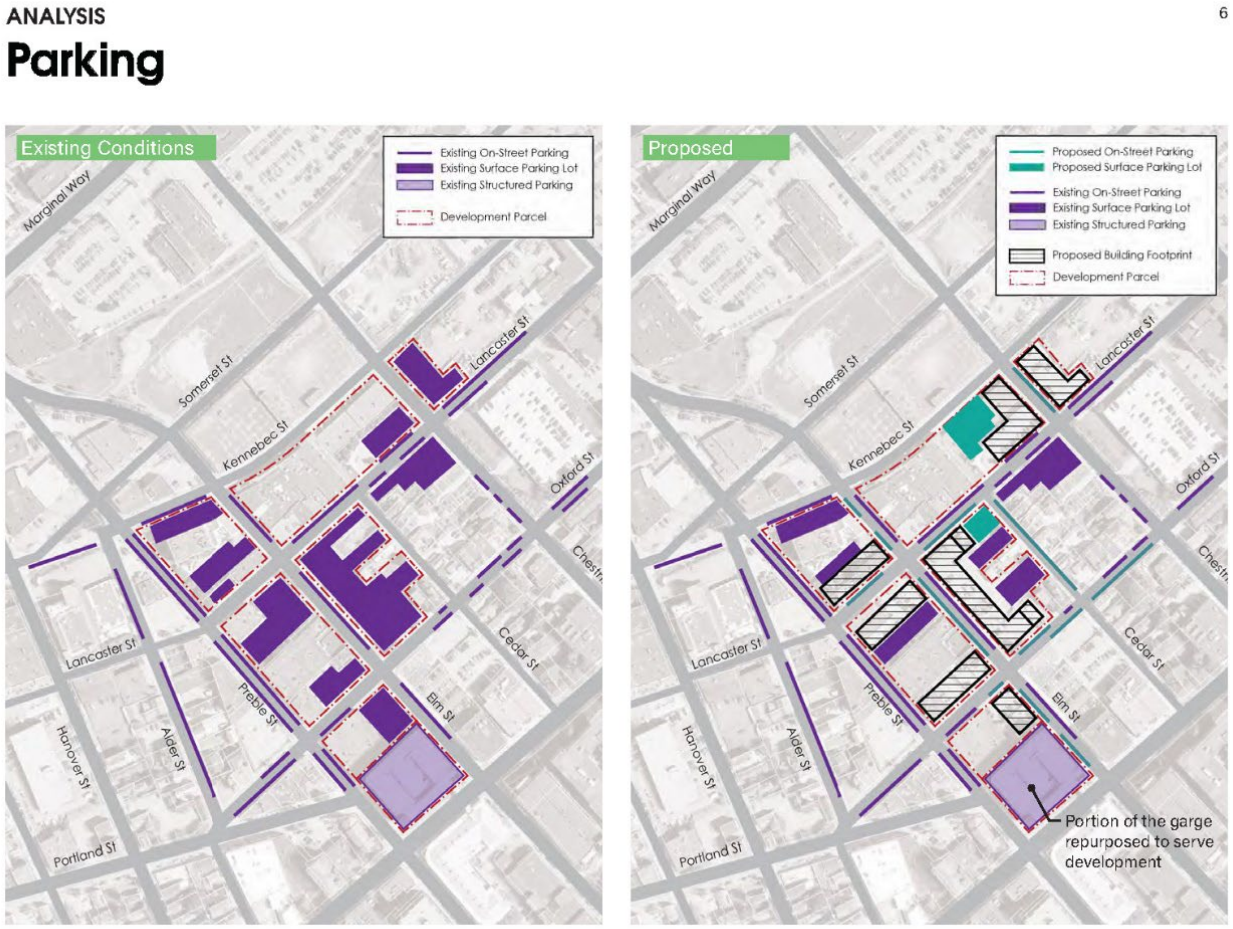
Integration with the surrounding context. A master development plan shall be designed to integrate with the surrounding context with respect to land use, architecture, open space and pedestrian networks, vehicular access and circulation, off-site public facilities and all other infrastructure.

Vehicular access and circulation (cont.)

New housing development will utilize the existing Public Market parking garage, diverting residential traffic from the local streets within the heart of the neighborhood.

Consistent with established patterns across the neighborhood, retail uses will utilize on-street parking which will be provided along all blocks.

All new buildings will be located on what are currently surface parking lots, transferring parking capacity to on-street and garage locations. This transition will help restore the neighborhood's urban fabric by converting pervious paved surfaces to mixed-income housing development and vibrant, walkable streets and open spaces.



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Tools for Building Communities

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617-817-0424

Consistency with City plans.
A master development plan shall be consistent with the objectives of this ordinance, consistent with the City's Comprehensive Plan, and consistent with City Council-approved master plans and facility plans for off-premise infrastructure.

The development program and related amenities proposed in this Master Development Plan (MDP) are consistent with the objectives of the *Portland Land Use Code,* as well as the purpose statements for the zoning districts in which it is located. The MDP also implements critical aspects of City plans, including *Portland's Plan 2030*, *A New Vision for Bayside*, the *Bayside Transportation Master Plan*, and *One Climate Future*.

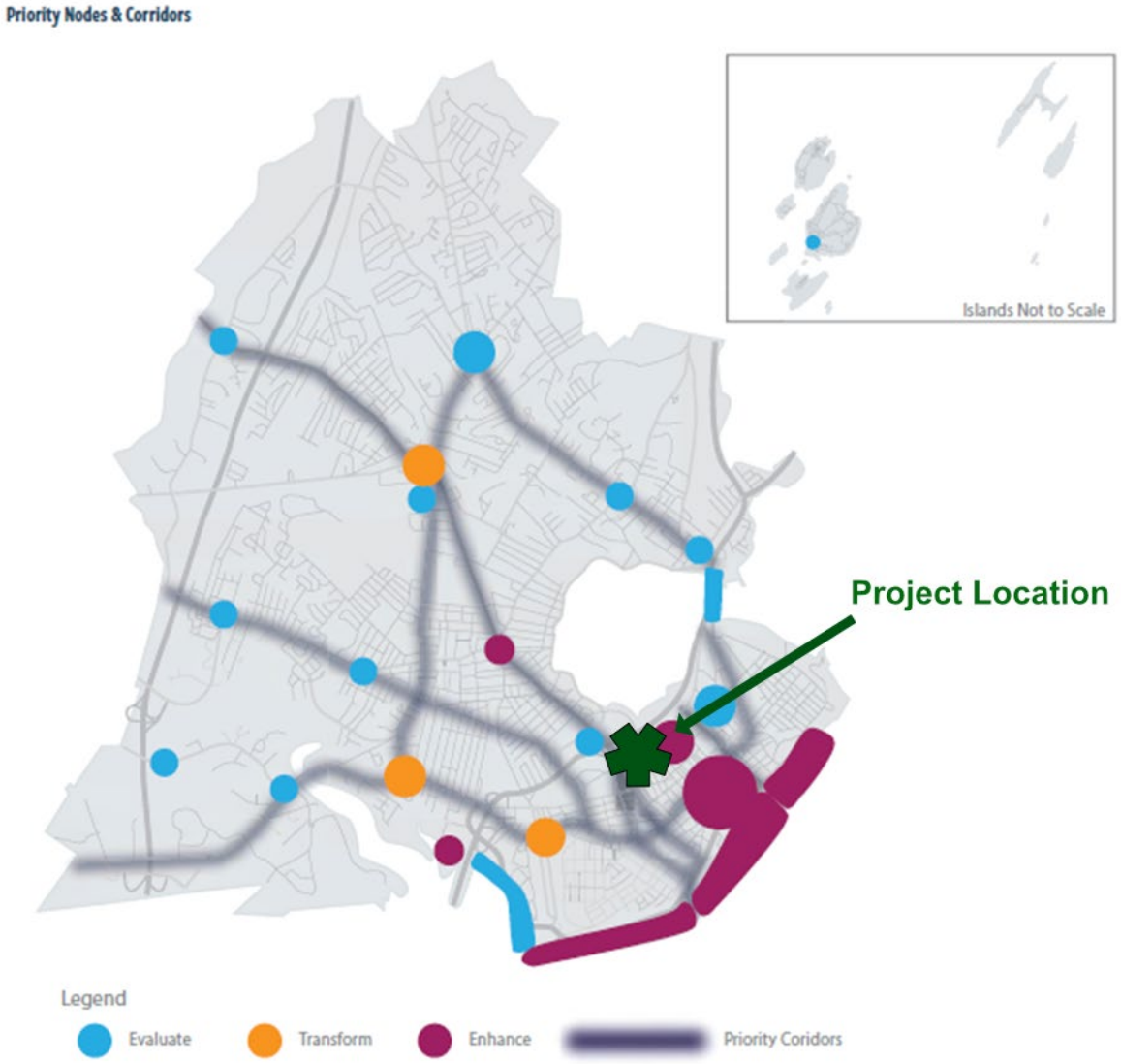
Land Use Code Objectives
The objective of the Portland Land Use Code is "*to protect the health, safety, and general welfare of the residents of Portland, consistent with the City's Comprehensive Plan, through standards that govern the orderly and compatible use of land, the form and mass of buildings, and the relationship of development to the public realm, Portland's open spaces, and the environment*." (Section 1.3.) This MDP has been designed with a form and massing of buildings that builds on the goals of the Comprehensive Plan and the relationship of the development to existing and planned public spaces. As outlined below, it is also consistent with the standards of the Land Use Code in the B-7 and R-6 zones.

The purpose of the B-7 zoning district, in which most of this MDP is located, is "*[t]o establish a zoning district for urban areas in which the City has adopted master plans for redevelopment. Certain areas, including but not limited to Bayside, lie at the perimeter of the established downtown and contain significant redevelopment opportunities. The B-7 zone encourages these districts to acquire a distinctly urban form through dense development featuring a mix of uses such as housing, retail, offices, research and development, and artisan studios and that emphasizes a quality pedestrian experience, promotes public transit, and demonstrates exemplary urban design. Use of multi-modal transportation is strongly encouraged and is advanced by the installation of bicycle amenities, such as bicycle racks and storage areas. The zone promotes a wide range of uses in high quality structures and public open spaces to achieve 24-hour urban vitality and shared parking infrastructure. The B-7 zone promotes a mixed-use development pattern envisioned on Portland's peninsula."*

This Master Development Plan is designed with an urban form of multi-story buildings. Much of the space in this development is planned for housing, but there will also be commercial and artistic uses, all designed around an excellent streetscape and a strong transit, walking, and bicycling infrastructure. By creating a new shared-street on Lancaster the project will add to the public open spaces in Bayside, and through high quality design the development will contribute to the mixed-use development pattern envisioned in the area. Finally, by utilizing the existing Public Market garage as shared parking for much

of the development's parking needs, the MDP allows for more active space and less space devoted to storing vehicles.

While the MDP is primarily in the B-7 zone, there are small portions of one building that crosses into the R-6 district. The purpose of that zoning district is "*[t]o set aside areas on the peninsula for housing characterized primarily by multi-family dwellings at a high density providing a wide range of housing for differing types of households; to conserve the existing housing stock and residential character of neighborhoods by controlling the scale and external impacts of professional offices and other nonresidential uses; and to encourage new housing development consistent with the compact lot development pattern typically found on the peninsula.*" The below-market affordable multi-family housing planned for this part of the development is high density and designed to make the transition from the B-7 to R-6 areas of Bayside.



Portland's Plan 2030

This project also advances many goals of Portland's Comprehensive Plan. Most notably, it serves to enhance a priority node and two priority corridors, as identified in the Future Land Use section of the plan (see diagram above.) It also promotes three of the guiding principles for future land use in the Plan:

- It promotes *Complete Neighborhoods*, building a place where residents "regardless of age, ability, or income have access to the basic necessities of daily life - high quality and affordable housing, schools and other civic functions, food, open space, other amenities and services - within a walkable, bikeable distance."
- It also *Reinforces the Center*, supporting "the principle that downtown should continue to be a predominant locus of activity for the broader region."
- Finally, the development *Connects the Chain*, by providing for "physically integrated transportation systems, utilities, and open spaces [that] provide the structure for the city's growth."

Given that the MDP includes a significant component of below-market affordable housing, it also meets goals in the *A Livable City* housing policy guide. Finally, the multi-modal nature of its location supports the transportation goals in the *An Accessible City* transportation policy guide.

A New Vision for Bayside

While *A New Vision for Bayside* is over 20 years old, there are elements of the action plan in that document that are still relevant. The MDP helps advance *Critical Action 3* by building more housing. It also helps advance *Critical Action 4* by promoting transit-oriented development. Finally, it helps implement the illustrative plans in *A New Vision for Bayside* for the "Kennebec Crossing" and "Government Center" subdistricts of Bayside.

Bayside Transportation Master Plan

The *Bayside Transportation Master Plan* adopted in 2018 set forth an action plan for promoting sustainable mobility in Bayside. Many of its recommendations have already been implemented, including new bicycle facilities on Elm and Preble Streets and the extension of the Bayside Trail.
The *Plan* also sets forth specific recommendations for the Lancaster Street corridor. To improve east-west connectivity across Bayside, as well as to make Lancaster Street more usable, the *Plan* recommends Lancaster Street be built to an urban street standard or be redesigned as a shared street. This MDP will help implement this recommendation by allowing urban street cross-sections where appropriate and creating a shared street on Lancaster between Preble and Elm.

The *Plan* also outlines recommendations for public realm improvements, such as street furnishings and lighting, that will be incorporated into buildout of this MDP.

One Climate Future

In 2019, the Cities of Portland and South Portland jointly completed *One Climate Future*, setting forth a proactive strategy for addressing the impacts of climate change on the two communities, as well as ways to locally reduce the emissions that contribute to climate chance. While many of the elements of *One Climate Future* address issues specific to individual buildings or public infrastructure, it also looks to changes in land use patterns to help reduce ways in which the transportation sector contributes to climate change.

One Climate Future recommends that steps be taken to "[s]trengthen the cities' transit-oriented development nodes to support travel by walking, biking, and public transportation." This MDP is in one of those development nodes, as identified in *Portland's Plan 2030*. In addition, *One Climate Future* recommends management of parking supply to address vehicle ownership and use. This MDP will provide most of its parking in the existing Public Market garage, minimizing the provision of additional parking spaces.

Summary

This MDP will proactively implement many of the actions outlined in the Land Use Code as well as City plans. It will advance City goals for housing production in key corridors and nodes identified in *Portland's Plan*.

Creation of a cohesive identity. *A master development plan shall be designed to create a cohesive identity through building scale, massing, and articulation; use of quality exterior materials and architectural detailing at pedestrian scale; consistency of design and materials for streetscape and pedestrian amenities; framing of outdoor open space and linkages; a clear conveyance of the function and significance of various buildings, entrances, and features; and to generally comply with design and development standards of the zone in which it is located.*

Building scale, massing, and articulation.

The master plan's buildings support a cohesive sense of neighborhood identity with a consistent approach to building scale, massing, and articulation. Though no two buildings will be identical, all will share a common architectural language and material palette to help tie the district together visually.

The plan's approach to architectural design will be informed by and relate to the existing neighborhood fabric, though it will also include modern elements to complement rather than mimic the adjacent structures it infills between.



Creation of a cohesive identity. *A master development plan shall be designed to create a cohesive identity through building scale, massing, and articulation; use of quality exterior materials and architectural detailing at pedestrian scale; consistency of design and materials for streetscape and pedestrian amenities; framing of outdoor open space and linkages; a clear conveyance of the function and significance of various buildings, entrances, and features; and to generally comply with design and development standards of the zone in which it is located.*

Use of quality exterior materials and architectural detailing at pedestrian scale.

Creating a vibrant, walkable, pedestrian-oriented environment is a top master plan priority. To support this goal, all buildings will include high-quality materials and detailing along edges facing and framing the public realm.

The master plan will also coordinate façade design with streetscape and open space design to maximize overall neighborhood legibility, navigability, and accessibility for pedestrians. In particular, architecture and landscape architecture along the Lancaster Street corridor will be tightly coordinated to create a cohesive and engaging pedestrian experience.



Creation of a cohesive identity. *A master development plan shall be designed to create a cohesive identity through building scale, massing, and articulation; use of quality exterior materials and architectural detailing at pedestrian scale; consistency of design and materials for streetscape and pedestrian amenities; framing of outdoor open space and linkages; a clear conveyance of the function and significance of various buildings, entrances, and features; and to generally comply with design and development standards of the zone in which it is located.*

Consistency of design and materials for streetscape and pedestrian amenities.
The master plan organizes streets into "typologies" based on their role in the development's placemaking framework and the land uses they flank. Though typologies will vary in dimension and organization from street to street, they will all draw from a common palette of materials and design strategies to create a cohesive appearance and pedestrian experience overall.

Framing of outdoor open space and linkages
Lancaster's shared street and linear park between Preble and Elm Streets, the project's primary new open space, will be framed by new buildings with high quality materials and articulation on both sides. The plan also explores gateway elements key Lancaster intersections to indicate its elevated significance as a signature pedestrian corridor.

BAYSIDE PORTLAND
STREET TYPOLOGIES



BAYSIDE PORTLAND
OPEN SPACE TYPOLOGIES



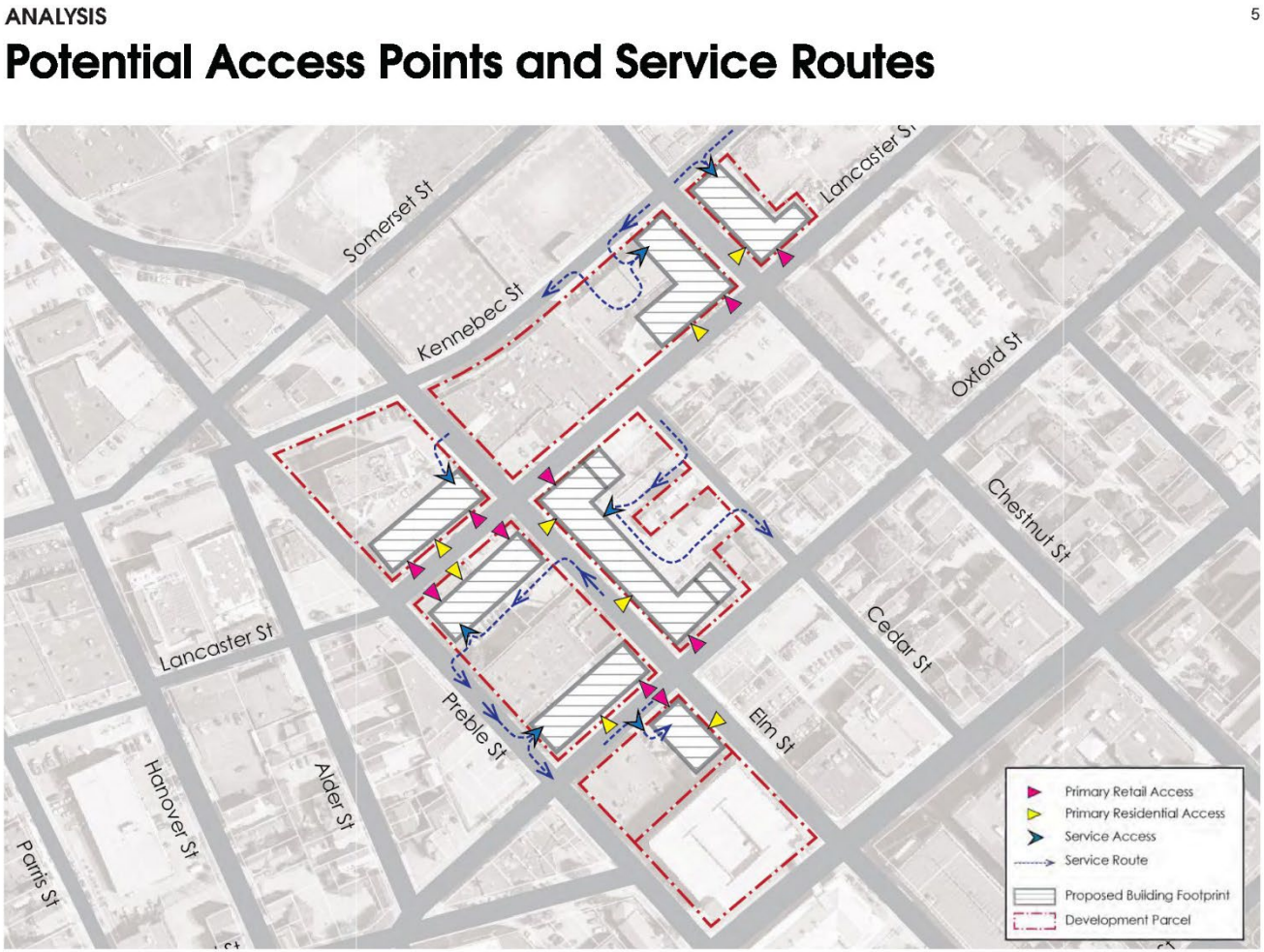
Creation of a cohesive identity. *A master development plan shall be designed to create a cohesive identity through building scale, massing, and articulation; use of quality exterior materials and architectural detailing at pedestrian scale; consistency of design and materials for streetscape and pedestrian amenities; framing of outdoor open space and linkages; a clear conveyance of the function and significance of various buildings, entrances, and features; and to generally comply with design and development standards of the zone in which it is located.*

Clear conveyance of the function and significance of various buildings, entrances, and features

The master plan organizes building access, servicing, and circulation for pedestrians and vehicles to avoid conflicts between the modes.

In general, the pedestrian experience along public streets has been prioritized with resident and customer entrances along primary streetscapes and vehicular service access behind buildings, along secondary streets, and off-street altogether when possible.

The access and circulation plan also entails reducing the site's total curb cut count, especially along primary pedestrian streets such as Lancaster.



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Generally, comply with design and development standards of the zone in which it is located.

The development is directly informed by previous plans and regulatory guidelines for the City and Bayside neighborhood, including:

- Zoning and Land Use Code
- Bayside Design Standards
- Public works technical manual
- Bayside Transportation Plan
- Portland 2030 Plan

As detailed design takes shape, buildings and open spaces will continue to reference and reflect these guiding documents.



Att. FF


Approximate volume of planned building as seen from Cumberland corridor
COFFEE & SHOP
ONE WAY
PARKING
PUBLIC MARKET

Date: 05/01/2023

To: City of Portland Planning Staff

From: WBP Commercial, LLC/Tom Watson & Co

RE: West Bayside Master Development Plan – IZ Conformance Memo & Narrative

Goal: To Identify the anticipated pathway to satisfying the City of Portland Inclusionary Zoning Ordinance for a completely integrated, master planned, scaled, mixed-use retail and multifamily residential development in the West Bayside Neighborhood.

Current Status: The applicant (WBP Commercial LLC and other entities) is progressing through a Master Development Plan (Project ID – PL-002315-2022) having completed two public workshops and myriad breakout meetings with members of City Staff and members of the public. The first site plan application for a 201-unit, 100% below-market affordable mixed use building has been submitted, deemed complete, and is awaiting a date/time for its first public workshop. The applicant was selected and awarded, through a competitive public process, a onetime funding tool by the MaineHousing Authority which will enable the construction of 201 affordable housing units in a single building that offers affordability to 100% of its residents earning 60% AMI or less.

Supplemental information: As the trigger for City Staff to commence review of the Workforce Housing Agreement is Planning Board approval, the applicant has provided a draft of the Workforce Housing Agreement and will reference the summary of its terms below to address concerns raised by the Planning Board regarding intent, term of affordability, covenants, enforcement, etc. proposed to this unique project. The Workforce Housing Agreement itself provides a more detailed description of these terms and the application to this project.

Summary Strategy:

- The applicant chose the voluntary Master Development Plan tool to create the framework for a multi-year, multi-phase, mixed-use, mixed-income neighborhood consisting of 804 new housing units, retention of existing commercial buildings, enhanced street typologies, improvements to the pedestrian street network, creation of publicly accessible open space, and infrastructure improvements.
- There are 8 thoughtfully coordinated new construction buildings each adjacent to one another in some fashion with each contributing uniquely to the neighborhood. Each building has ground floor retail/commercial uses and residential entrances thoughtfully integrated to the streetscape with the objective of minimizing barriers for new and existing residents and guests and allowing for optimum neighborhood interactions. The 4-way intersections at Lancaster & Elm and Oxford & Elm have direct interactions with 3 newly activated retail opportunities where surface parking lots reside currently. Each proposed building is permissible by right and in conformance with city standards.
- All new buildings share the following common attributes:
    - Steel and concrete construction

- Use of quality exterior materials (masonry veneer, metal siding, cementitious siding, uPVC and aluminum windows and storefronts)
- Residential entrance lobbies with elevator services
- Multiple street level retail suites both in-line and corner end-cap
- High-Efficiency HVAC systems providing Energy Recovery Ventilation, Heating, and Air Conditioning throughout
- In building amenity packages including but not limited to lobbies, bicycle storage, community rooms/lounges, fitness areas, and resident storage.
- Improved sidewalks and tree canopy at the pedestrian level
- On site waste management
- Mixture of design team partners to promote uniquity in design, while maintaining cohesion
- Conformance with B3 & B7 design guidelines and referenced standards
- Common property management administered through Port Property

- Proposed Affordable Housing Specific Attributes:
  - The first proposed building to be completed within 3 years.
  - 201 Units (25% of overall development)
    - 20% - 2 BR
    - 70% - 1 BR
    - 10% - Studio
  - Average Unit Size
    - 615 square feet
  - Location is centralized in the MDP
  - Unique Architectural Feature on the corner of Lancaster & Elm
  - See the Workforce Housing Agreement for additional information

- Proposed Market Rate Housing Specific Attributes:
  - 7 proposed buildings phased over an estimated 10-year period
    - Phase 1B – (years 2-3)
    - Phase 2 – (years 3-4)
    - Phase 3 – (years 4-5)
    - Phase 4 – (years 5-7)
    - Phase 5 – (years 8-10)
  - 603 Units (75% of overall development)
    - 10% - 2 BR
    - 45% - 1 BR
    - 45% - Studio
  - Average Unit Size
    - 590 square feet
  - Locations are directly adjacent to one another including multiple adjacencies to the centrally located affordable housing
  - Each building has a Unique Architectural Feature providing individualized identity

See reference to the Workforce Housing Agreement for additional information about the ownership entities associated with the Master Development Plan and forthcoming site plan application

Closure:

The applicant, in working with City staff and in response to planning board/public comment, has created this memo to communicate the intention to utilize the offsite provision within the City of Portland Inclusionary Zoning Ordinance with the initial construction of 201, 100% affordable/workforce units to support the subsequent construction of 603, 100% market rate units resulting in a ratio of 25% workforce and 75% market residential units. This proposal, as outlined above and detailed in the Workforce Housing Agreement, satisfies the City of Portland Inclusionary Zoning Ordinance and will result in the completion of an integrated, master planned, scaled, mixed-use retail and multifamily residential development in the West Bayside Neighborhood.

In addition, it offers the additional benefit of timing. These below-market affordable units will be completed as the first part of this project, while the Ordinance only requires that these units be completed as market-rate units are built. This timing advantage means that there will be 201 units of much-needed affordable housing available years earlier than they otherwise might be.

Date: 05/01/2023

To: City of Portland Planning Staff

From: WBP Commercial, LLC/Tom Watson & Co

RE: West Bayside Master Development Plan – IZ Conformance Memo

Goal: To identify a pathway to satisfying the City of Portland Inclusionary Zoning Ordinance for a completely integrated, master planned, scaled, mixed-use retail and multifamily residential development in Portland's Bayside Neighborhood.

Current Status: The applicant (WBP Commercial LLC and other entities) is progressing through a voluntary Master Development Plan (Project ID – PL-002315-2022) and, to date, has completed two public workshops and myriad breakout meetings with members of City of Portland staff and public. The first site plan application (Project ID – PL-002403-2023) for a proposed development on a surface parking lot located at 89 Elm Street has been submitted, deemed complete, and is awaiting a date/time for its first public workshop. The applicant was selected and awarded, through a competitive public process, a onetime funding allocation from the MaineHousing Authority which will enable the construction of a single 201-unit building that offers affordability to 100% of its residents earning 60% AMI or less.

Supplemental information: The trigger for City staff to commence review of the Workforce Housing Agreement is traditionally Planning Board approval of a site plan application. Given the circumstances here, the applicant has opted to provide a draft of the Workforce Housing Agreement earlier in the process. A summary of the proposed terms can be found below. The summary is intended to address concerns raised by the Planning Board regarding intent, term of affordability, covenants, enforcement, etc. as they related to satisfying the IZ ordinance for a master-planned site. The Workforce Housing Agreement itself provides a more detailed description of these terms and their application to this project.

Summary Strategy:

- The applicant chose the voluntary Master Development Plan tool to create the framework for a multi-year, multi-phase, mixed-use, mixed-income neighborhood consisting of 804 new housing units, retention of existing commercial buildings, enhanced street typologies, improvements to the pedestrian street network, creation of publicly accessible open space, and infrastructure improvements.
- The Master Development Plan envisions eight new construction buildings, including 89 Elm, incorporated into the proposed site and woven into the existing urban fabric. Each new building is adjacent to another new build, with each contributing uniquely to the overall whole of the site and the larger neighborhood. Each of the eight new buildings will have ground floor retail/commercial uses and residential entrances thoughtfully integrated into the streetscape with the objective of minimizing barriers for new and existing residents and guests and allowing for optimum neighborhood activation. The four-way intersections at Lancaster & Elm and Oxford & Elm have direct interactions with three newly activated retail opportunities where surface parking lots reside currently. Each proposed building is permissible by right and in conformance with city standards.

- All eight new buildings will share the following common attributes:
    - Steel and concrete construction
    - Use of quality exterior materials (masonry veneer, metal siding, cementitious siding, uPVC and aluminum windows and storefronts)
    - Residential entrance lobbies with elevator services
    - Multiple street level retail suites both in-line and corner end-cap
    - High-Efficiency HVAC systems providing Energy Recovery Ventilation, Heating, and Air Conditioning throughout
    - In building amenity packages including but not limited to lobbies, bicycle storage, community rooms/lounges, fitness areas, and resident storage.
    - Improved sidewalks and tree canopy at the pedestrian level
    - On site waste management
    - Mixture of design team partners to promote uniquity in design, while maintaining cohesion
    - Conformance with B3 & B7 design guidelines and referenced standards
    - Property management administered through Port Property

- Proposed Affordable Housing Specific Attributes:
    - The first proposed building to be completed within 3 years.
    - 201 Units (25% of overall development)
        - 20% - 2 BR
        - 70% - 1 BR
        - 10% - Studio
    - Average Unit Size
        - 615 square feet
    - Location is centralized in the MDP
    - Unique architectural feature on the corner of Lancaster & Elm
    - See the Workforce Housing Agreement for additional information

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    - Seven proposed buildings phased over an estimated 10-year period
        - Phase 1B – (years 2-3)
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    - Average Unit Size
        - 590 square feet
    - Each building has a unique architectural feature providing individualized identity

See reference to the Workforce Housing Agreement for additional information about the ownership entities associated with the Master Development Plan and forthcoming site plan application

Closure:

The applicant, in working with City staff and in response to planning board/public comment, has created this memo to communicate the intention to utilize the offsite provision within the City of Portland Inclusionary Zoning Ordinance with the initial construction of 201, 100% affordable/workforce units to support the subsequent construction of 603, 100% market rate units resulting in a ratio of 25% workforce and 75% market residential units. This proposal, as outlined above and detailed in the Workforce Housing Agreement, satisfies the City of Portland Inclusionary Zoning Ordinance and will result in the completion of an integrated, master planned, scaled, mixed-use retail and multifamily residential development in the City of Portland's Bayside Neighborhood.

In addition, it offers the additional benefit of expediency in the midst of a housing shortage. These below-market affordable units will be completed as the first phase of this project, ahead of all market rate units. This is not required in the Ordinance but means that there will be 201 units of much-needed affordable housing available years earlier than they otherwise might be built.

Appendix A –

Consistency with Inclusionary Zoning requirements §18.2.3.c.3-5 of the Land Use Code are outlined in the memo above.

Consistency with the *Interior Standards* section of the Inclusionary Zoning Implementation Guidelines are identified below for all units within the proposed MDP:

Kitchen

Refrigerator – **Provided**

Stove or separate cook top and oven - **Provided**

Sink Disposal – **Not Provided in any proposed units**

Cabinets - **Provided**

Range Hood - **Provided**

Microwave (if provided in market rate units) - **Provided**

Washer Dryer (if provided in market rate units) – **Multiple Laundry Rooms Provided**

Countertop: Minimum Counter Space not including sink and stove

Studio – 4 linear feet - **Provided**

1BR – 6 linear feet - **Provided**

2BR – 8 linear feet - **Provided**

3BR – **N/A**

Bathroom

Sink - **Provided**

Shower - **Provided**

Toilet – **Provided**

Shower Curtain Rod or Shower Door – **Provided**

Medicine Cabinet with Mirror or other storage space with a separate mirror - **Provided**

Flooring

All living space and storage areas shall have a finished floor. The Workforce Units should have the same or comparable floor finishes to the market rate units. However, in order to promote respiratory health, living and dining areas and at least one bedroom should have a surface other than carpet. **Provided**

Closets

All units shall have adequate storage (including common space storage if provided to the market rate units). **Provided**

All bedrooms shall have at least one closet including at least one closet for a studio. All closets shall have a shelf and pole. **Provided.**

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SCHOOL ENROLLMENT PROJECTION

WEST BAYSIDE MASTER DEVELOPMENT PLAN

We have developed an estimate for the projected number of Portland Public School students in the multi-family housing expected to be built as part of the West Bayside Master Development Plan. Using available data on per-unit student enrollment from national sources, cross-checked against regional figures, we estimate that the 804 units of mixed-income housing will have between 53 and 82 students in the Portland Public School system. Since the development is planned in multiple stages over the course of approximately ten years, that means that an estimated five to eight new students will enter the system per year.

Details on methodology and sources follow.

Unit Profile

The Master Development Plan includes 804 units of housing in total, currently expected to include the following unit sizes:

Unit Size	89 Elm (below-market affordable)	Market Rate Units
Studio	34	271
1-bedroom	135	271
2-bedroom	32	60
TOTAL	**201**	**603**

These units will all be in mid-sized multi-family buildings, consisting of over 20 units per building.

Estimates of Public-School Enrollment

One of the most extensive studies of typical public-school enrollment from housing development is a 2020 report completed by the National Association of Home Builders (NAHB.)[1] That report studied public school enrollment by state, unit type and unit size, among other factors. It concluded that housing in Maine produces fewer school enrollments than national figures. Maine has the third lowest overall number of school enrollments per unit, below only Vermont and the District of Columbia. For

[1] Zhao, "One Public School Child for Every Three Homes," NAHB Economics and Housing Policy Group, 2020.

this reason, we expect that using national data from that study will serve as a higher limit on the actual numbers for this development.

This report further breaks out student enrollments by unit size and type. For studio, one-bedroom, and two-bedroom rental units nationally, average school enrollment is as follows:

Unit Size	Public School Children/Unit
1-bedroom	0.07
2-bedroom	0.35
3+-bedroom	0.87

Applying these figures to the projected unit types in the West Bayside development produces the following estimated enrollments:

Unit Size	Units	Public School Children/Unit	Total Public-School Children
Studio	305	0.07*	21
1-bedroom	406	0.07	28
2- bedroom	92	0.35	32
TOTAL	**804**		**82**

**- studio units are treated as one-bedroom units for this calculation, though they likely have lower coefficients*

Using these figures, we therefore estimate **82 public-school students in these 804 units**.

Alternate Methodology

Since the NAHB data did not differentiate between market-rate units and below-market affordable units, we developed a second estimate that did so. That study, completed in Newton, Massachusetts, used school enrollment data from apartment buildings and Newton Public Schools data to develop estimated school enrollment in a proposed new apartment-style housing development.[2] Newton is a suburban community that has a generally high number of students per household.

This study differentiated market-rate and below-market affordable development and estimated private school enrollment levels at 14 percent of all students. It developed the following coefficients:

Unit Size	School Children per Affordable Unit	School Children per Market Rate Unit
Studio & 1-bedroom	0.00	0.00
2-bedroom	0.918	0.192

Applying these figures to the West Bayside MDP unit mix produces the following results:

[2] "Newton Northland Development Fiscal Impact Analysis," Fougere Planning & Development, Inc., 2018.

Unit Size	89 Elm	Balance of MDP	School Children per Affordable Unit	School Children per Market Rate Unit	89 Elm School Children	Balance School Children	Total School Children	Total Public School Children
Studio	34	271	0	0	0	0	**0**	**0**
1-bedroom	135	271	0	0	0	0	**0**	**0**
2-bedroom	32	60	0.918	0.192	6	55	**61**	**53**
TOTAL	**201**	**603**			**6**	**55**	**61**	**53**

Using this methodology, we estimate a total of 61 school students in the MDP development overall, of which 53 will be Portland Public Schools students.

Summary

To summarize, we examined this issue using two methodologies and determined that the number of Portland Public School students expected from this Master Development Plan will be between 53 and 82 students, spread across the grades from Kindergarten to 12th grade. Since the development is planned in multiple stages over the course of approximately ten years, that means that an estimated five to eight new students will enter the system per year.

CITY OF PORTLAND
Workforce Rental Housing Agreement and
Declaration of Covenants, Conditions and Restrictions

This Workforce Rental Housing Agreement and Declaration of Covenants, Conditions and Restrictions (the "Declaration") is entered into by and between the **CITY OF PORTLAND**, a public body corporate and politic with its principal place of business at 389 Congress Street, Portland, Maine, 04101 ("City") **WBP COMMERCIAL LLC**, a Maine limited liability company (hereinafter "WBP Commercial"), **SCHLOTTERBECK BLOCK LLC**, a Maine limited liability company (hereinafter Schlotterbeck Block"), **60 ELM STREET LLC**, a Maine limited liability company (hereinafter "60 Elm"), **73 ELM STREET LLC**, a Maine limited liability company (hereinafter "73 Elm"), **89 ELM STREET LLC**, a Maine limited liability company (hereinafter "89 Elm"), **149 LANCASTER STREET LLC**, a Maine limited liability company (hereinafter "149 Lancaster") and **196 LANCASTER STREET LLC**, a Maine limited liability company (hereinafter "196 Lancaster," and together with WBP Commercial, Schlotterbeck Block, 60 Elm, 73 Elm, 89 Elm, and 149 Lancaster, the "Developers" and each a "Developer"), each with a mailing address of c/o Port Property Management, 82 Hanover Street, Suite 5, Portland, Maine 04101.

W I T N E S S E T H

WHEREAS, the City has established a workforce housing requirement (the "Workforce Housing Ordinance") in the Affordable Housing provisions of its Land Use Ordinance (Portland City Code §§ 14-484 to 488), and related regulations promulgated by the City's Planning Board (the "Workforce Housing Regulations"), which are intended to encourage production of housing that is affordable for households with moderate income; and

WHEREAS, WBP Commercial is the owner of the following real property and improvements thereon (collectively, the "Commercial Parcels"): (a) real property and improvements thereon located at 165-185 Lancaster Street, Portland, Maine and further described on **Exhibit A** attached hereto; (b) real property and improvements thereon located at 85 Chestnut Street, Portland, Maine and further described on **Exhibit B** attached hereto; (c) real property and improvements thereon located at 190 Lancaster Street, Portland, Maine and further described on **Exhibit C** attached hereto; (d) real property and improvements thereon located at 62 Elm Street, Portland, Maine and further described on **Exhibit D** attached hereto; and (e) real property and improvements thereon located at 156-174 Lancaster Street, Portland, Maine and further described on **Exhibit E** attached hereto; and

WHEREAS, Schlotterbeck Block is the owner of the real property and improvements thereon located at 195 Lancaster Street, Portland, Maine and further described on **Exhibit F** attached hereto (the "Schlotterbeck Block Parcel"); and

WHEREAS, 60 Elm is the owner of the real property and improvements thereon located at 60 Elm Street, Portland, Maine and further described on **Exhibit G** attached hereto (the "60 Elm Parcel"); and

WHEREAS, 73 Elm is the owner of the real property and improvements thereon located at 73 Elm Street, Portland, Maine and further described on **Exhibit H** attached hereto (the "73 Elm Parcel"); and

WHEREAS, 89 Elm is the owner of the real property and improvements thereon located at 89 Elm Street, Portland, Maine and further described on **Exhibit I** attached hereto (the "89 Elm Parcel"); and

WHEREAS, 149 Lancaster is the owner of the real property and improvements thereon located at 149 Lancaster Street, Portland, Maine and further described on **Exhibit J** attached hereto (the "149 Lancaster Parcel"); and

WHEREAS, 196 Lancaster is the owner of the real property and improvements thereon located at 196 Lancaster Street, Portland, Maine and further described on **Exhibit K** attached hereto (the "196 Lancaster Parcel and together with the 60 Elm Parcel, the 73 Elm Parcel, the 89 Elm Parcel, and the 149 Lancaster Parcel, the "Parking Parcels," and collectively with the Commercial Parcels and the Schlotterbeck Parcel, the "Property"); and

WHEREAS, the Developers plan to construct certain multi-family development projects on the Property consisting of an aggregate of approximately eight hundred and four (804) dwelling units on the Property (collectively, the "Master Development," and each an "Individual Development"); and

WHEREAS, on _____, the City's Planning Board approved the Master Development Plan for the Master Development, on the condition that the Developers enter into a workforce housing agreement with the City to satisfy the provisions of the Workforce Housing Ordinance by providing workforce rental units comprised of [studio, one-bedroom, and two-bedroom units] within the Master Development (the "Workforce Units") simultaneously with or following the completion of market rate dwelling units within the Master Development at a ratio not less than that required by the Workforce Housing Ordinance then in effect at the time of submission of the site plan application to the City's Planning Board for each Individual Development, but in no event in excess of twenty five percent (25%) of the total dwelling units in the Master Development, subject at all times to the right of the Developers to allocate Workforce Units to other developments owned by affiliates of the Developers pursuant to Section 4(b) of this Declaration; and

WHEREAS, in order to fulfill the provisions of the Workforce Housing Ordinance, Developers hereby agree to certain restrictions on the rental amounts charged for the Workforce Units on the terms and conditions hereinafter provided and in accordance with Maine law, including 33 M.R.S.A. Sec. 121 *et seq.*;

NOW THEREFORE, in consideration of the mutual undertakings set forth herein, the City and the Developers hereby agree as follows:

1. **Parties' Intent**. The terms and conditions contained herein have been freely and voluntarily accepted by the parties, each with the independent and informed advice of legal counsel. The

provisions and restrictions contained herein exist to further the mutual purposes and goals of the Developers and the City set forth herein to create and preserve access to decent and affordable housing and home ownership opportunities for moderate-income people in the City of Portland. It is the express understanding and intent of the parties that the terms and conditions hereof will enhance the marketability of the Master Development by making the Master Development affordable to moderate income families who, without such provisions, would be unable to afford property in the City similar to the Workforce Units.

2. **Term**. The term of this Declaration shall be for a period beginning on the date of the issuance of the first certificate of occupancy for the Master Development (the "Effective Date"), and ending on the earlier of: (i) the date on which limitations mandated by the Federal Low Income Housing Tax Credit Program or capital subsidy from Maine State Housing Authority for master planned units for the Master Development expire; or (ii) ninety-nine (99) years from the date hereof (the "Termination Date").

3. **Enforceability of Covenants**. The covenants and restrictions set forth herein are intended to be and shall be considered covenants that run with the Master Development and each Individual Development and shall bind all subsequent owners and holders of any interest in said real estate, except to the extent herein provided. The City may enforce the covenants set forth herein as a contract beneficiary. The covenants set forth herein shall survive a sale, transfer, or other disposition of the Property and shall survive a foreclosure or transfer of title in lieu of foreclosure but shall cease to apply to the Property in the event of involuntary noncompliance caused by substantial destruction, seizure, requisition, or change in law or an action of a governmental agency that prevents the City from enforcing the covenants, even though compensated by insurance.

4. **Covenants**. Developers hereby covenant and represent to the City as follows:

    a. **Development**. The Master Development shall consist of the Property, together with all improvements built thereon, which after completion of the work will contain a total of approximately eight hundred and four (804) dwelling units and related amenities. The Developers shall at all times have Workforce Units rented to, or available for rent by an "Eligible Household" (as defined below) at the "Workforce Rent" (as defined below) at a ratio not less than that required by the Workforce Housing Ordinance then in effect at the time of submission of the site plan application to the City's Planning Board for each Individual Development, but in no event in excess of twenty five percent (25%) of the total dwelling units in the Master Development, subject at all times to the right of the Developers to allocate Workforce Units to other developments owned by affiliates of the Developers pursuant to Section 4(b) of this Declaration. All Workforce Units shall comply with the following requirements, as applicable: (i) if the Individual Development within which such Workforce Units are located receives federal, state or and/or local municipal low income housing tax credits (the "Tax Credits"), such Individual Development must be of the quality and have amenities required by the statutes, rules, and regulations governing projects receiving Tax Credits; (ii) if the Individual Development within which such Workforce Units are located receives a federal, state and/or local municipal capital subsidy (a "Capital Subsidy"),such

Individual Development must be of the quality and have amenities required by the statutes, rules, and regulations governing projects receiving a Capital Subsidy; or (iii) be of the same quality and have comparable amenities to other units in the Master Development, provided, however, that for purposes of this Agreement, the City hereby agrees and acknowledges that any credit enhancement agreement entered into by the City and the Developer(s) in connection with the Master Development shall not be deemed to be a Tax Credit or Capital Subsidy pursuant to this Agreement. Notwithstanding anything to the contrary set forth herein, the total number of Workforce Units required shall be based on the total number of dwelling units in the Master Development, and the Workforce Units may be allocated by the Developers amongst the Individual Developments comprising the Master Development as the Developers may from time to time decide.

In addition, it is hereby agreed and acknowledged that the Developers may acquire additional real property adjacent to the Property ("Additional Property") and the Developers may desire to include such Additional Property as part of the Master Development. In the case of the foregoing, in the event the Developers desire to include the Additional Property as part of the Master Development, the Developers shall provide written notice to the City of such election, and the Developers and the City shall cooperate in good faith to amend the Master Development Plan for the Master Development to include the Additional Property and to amend this Declaration to incorporate and encumber the Additional Property by the covenants, conditions, and restrictions of this Declaration.

b. **Offsite Units**. The Developers may, in their sole and absolute discretion, elect to designate existing market rate units of certain projects owned by affiliated entities (each, an "Affiliated Developer"), and located outside of the Master Development, as Workforce Units pursuant to this Declaration in order to satisfy the requirements regarding the number of Workforce Units required in connection with subsequent site plan applications submitted to the City's Planning Board for Individual Developments (such designated units located outside of the Master Development, being hereinafter referred to as the "Offsite Workforce Units"). In the event that the Developers desire to designate such Offsite Workforce Units as set forth above, the Developers shall provide written notice to the City of such election, and the Developers and the City shall cooperate in good faith to amend this Declaration to incorporate such Affiliated Developer as an additional party to this Declaration and to encumber such Affiliated Developer's existing market rate property by the covenants, conditions, and restrictions of this Declaration. The Developer may also, in their sole and absolute discretion, elect to designate a greater number of Offsite Workforce Units than are required for an Individual Development in order to allocate such Offsite Workforce Units to subsequent site plan applications submitted to the City's Planning Board for future Individual Developments and to satisfy the requirements regarding the number of Workforce Units required in connection thereto. The City hereby agrees and acknowledges that, upon completion of such amendment to this Declaration and so long as the Developers have otherwise satisfied the requirements of Section 4(a) above, the Developers shall be deemed to have satisfied all requirements regarding the number

of Workforce Units required for the applicable Individual Development(s), including, but not limited to, any such future Individual Developments to which the Offsite Workforce Units may be allocated as set forth above.

c. **Use**. The Developers shall rent the Workforce Units to an "Eligible Household," as that term is defined herein. Any purported lease, transfer, or other disposition of a Workforce Unit to any other person or entity done without following the procedures set forth below, or in violation of the rent limitations set forth below, shall be ***null and void***. For purposes hereof, the parties agree that the term "Eligible Household" means any of the following: (i) a person or household with a gross income not exceeding the limitations mandated by the statutes, rules and regulations governing projects receiving Tax Credits or a Capital Subsidy, to the extent any Individual Development containing Workforce Units has received such Tax Credits or Capital Subsidy; or (ii) a moderate income person or household with a gross income not exceeding 80% of the Housing and Urban Development ("HUD") Greater Portland Metropolitan Statistical Area Median Income (the "AMI") figures for a household of that size.

d. **Interior Standards for Workforce Units.** The Workforce Units shall include the basic amenities set forth in the City's "Inclusionary Zoning Implementation Guidelines for Developers of Rental Housing" in effect as of the Effective Date, provided, however, to the extent any Individual Development is receiving Tax Credits and/or a Capital Subsidy, the Workforce Units within such Individual Development must only include the amenities required by the statutes, rules, and regulations governing projects receiving Tax Credits and/or a Capital Subsidy, as applicable.

e. **Occupancy and Marketing.** Not less than quarterly, each Developer or its agent shall provide a written report to the City's Housing and Community Development Office listing the occupied Workforce Units, including the unit number, the name of the tenant, tenant income, household size, tenant rent, number of bedrooms, and move-in date, together with the Workforce Units that are available for rent, identified by unit number. When listing a Workforce Unit for rent, unless otherwise agreed to by the City, the Developers shall satisfy all requirements of the Workforce Housing Ordinance and the Workforce Housing Regulations then in effect.

f. **Eligible Household; Income.** For the term of this Declaration, at the time a lease for a Workforce Unit is signed, the tenant must be an Eligible Household. When determining income eligibility, the City will reference the AMI figures published annually by HUD for the Portland Metropolitan Statistical Area. If at a time in the future HUD no longer provides these annual figures, the City will identify another similar method of determining income guidelines for affordability applicable to the same geographic area. The City shall determine income eligibility based on a household's adjusted gross income using a process similar to what HUD recommends for its HOME program or another method deemed reasonable by the City. Developers will collect and compile all of the documents and information required by the City to assess a household's eligibility and provide it to the City for the City's final approval. The City shall make the final determination as to whether or not a household meets the

income or size requirements of each Workforce Unit prior to the signing of the applicable lease with such tenant. The City may request that the Developers obtain and provide additional information in order for the City to determine a household's eligibility. The City shall make the final determination, in accordance with the terms of this Declaration, as to whether or not a household meets the income or size requirements of the Workforce Unit prior to the signing of the lease, promptly and without undue delay.

The City reserves the right to perform an asset test to help determine a household's income. The City may request documentation for three of the most recent years to help determine a household's income.

Eligible households may not qualify if, at the time of application, any member of the household owns residential real estate.

No employee, agent, stockholder, member, manager, officer or director of any Developer, and no family member thereof (related by blood, marriage, or operation of law), and no employee, agent, stockholder, member, manager, officer or director of any entity related to a Developer and no family member thereof (related either by blood, marriage, or operation of law) may qualify to rent a Workforce Unit. Employees of the City's Planning Authority will not be eligible to rent a Workforce Unit.

g. **Household Preference.** Household preference for Workforce Units shall be given, to the extent permitted under law, to Eligible Households in accordance with the Workforce Housing Ordinance and the Workforce Housing Regulations then in effect.

h. **Maintenance of a Waiting List**. Each Developer is encouraged to maintain a waiting list of potentially Eligible Households.

i. **Determination of Affordable Monthly Rent; Security Deposits**. To maintain consistency of Workforce Units within the City, the maximum allowable rent for the Workforce Unit (the "Workforce Rent") will be either: (i) set by the City and will be based on the minimum household size per bedroom; or (ii) set in accordance with the requirements associated with the Tax Credits or Capital Subsidy, to the extent any Individual Development receives such Tax Credits or Capital Subsidy.

For units with Workforce Rent being set by the City, the Workforce Rent shall be calculated as 30% gross income per month (based on the AMI) of the minimum household size allowed per bedroom less utilities as follows:

0.30 x (annual income based on minimum household size at 80% AMI / 12) less utilities = Workforce Rent

To determine the maximum allowable rent for studio Workforce Units the City will calculate 85% of the allowable housing related expenses for an Eligible Household using the following formula:

0.30 x ((annual income based on minimum household size at 80% AMI / 12) X 0.85) less tenant-paid utilities = Workforce Studio Rent

Developers may choose to include some or all utilities within the total rent. Utilities that effect the Workforce Rent calculation include electricity, heat, hot water, cooking energy, sewer, water, and trash collection. For all utilities listed that are not included by the Developers in the rent the City shall make reasonable assumptions based on a unit's bedroom count as to the monthly cost of each utility. To determine what is reasonable, the City may utilize the figures estimated by HUD and distributed through the Portland Housing Authority annually for similar utility allowances based on a unit's bedroom count. The City shall reserve the right to determine a different metric should the HUD figures be unavailable or a better metric be determined.

The Developers may require first and last month's rent and a security deposit from tenants. Each of these three expenses shall not exceed the value of one month of rent.

If a Developer requires a parking spot(s) be leased with the Workforce Unit and charges a separate fee, then parking may be counted similarly to the utilities above and shall be subtracted from housing related expenses for calculating the maximum allowable rent.

The maximum allowable rent determination is subject to City's final approval, which shall be granted or denied promptly upon request, and which shall be made in accordance with the terms of this Declaration.

Household Size.

To the extent any Individual Development is receiving Tax Credits and/or a Capital Subsidy, the household size/composition at the time that a lease for a Workforce Unit is signed should be consistent with the applicable requirements governing projects receiving Tax Credits and/or a Capital Subsidy, as applicable. To the extent any Individual Development is not receiving Tax Credits or a Capital Subsidy, household size/composition at the time that a lease for a Workforce Unit is signed should be consistent with the schedules set forth below.

The schedule below indicates the minimum household size for each unit type based on bedroom count:

Minimum Household Size By Bedroom	
Studio/One-Bed:	1
Two-Bed:	2
Three-Bed:	3
Four-Bed:	4

Workforce Units are also subject to maximum household sizes based on bedroom counts. The schedule below indicates the maximum number of persons allowable per bedroom assuming the occupants meet all other requirements related to qualifications for

determining a household size:

Maximum Household Size By Bedroom	
Studio/One-Bed:	2
Two-Bed:	4
Three-Bed:	6
Four-Bed:	8

If a Developer finds it difficult to rent a Workforce Unit to an Eligible Household that meets the established minimum size requirements, such Developer may request that the City allow such Developer to rent the unit in this singular instance to an Eligible Household smaller than the minimum household size described herein. The Developer must make reasonable marketing efforts, as determined by the City, to find Eligible Households of a qualified size for at least thirty (30) days prior to requesting a household minimum size waiver. Any such waiver is only for a single applicant and that household's recertification. Rent shall be calculated based on the smaller household size. Once the Workforce Unit is again vacant, the minimum household sizes set forth herein shall apply to future tenants. Under no circumstances will households be allowed to exceed the maximum household size.

j. **Workforce Unit Leases**. All leases for a Workforce Unit shall be a year in length with the rent consistent throughout the term of the lease. The maximum rent allowable will be the Workforce Rent determined at the time of the initial application for such lease and during any recertification process prior to the renewal of a lease, as set forth below. All leases for a Workforce Unit shall comply with the Workforce Housing Ordinance and the Workforce Housing Regulations in effect at the time such lease is signed to the extent not inconsistent with the terms of this Declaration. Eligible Households renting Workforce Units must be recertified annually with final approval from the City before renewing a lease.

k. **Recertification of Workforce Units.** Prior to the renewal of a Workforce Unit's lease, and not more than once per year, the Developer shall require that the tenant recertify that their household meets the eligibility and household size requirements for the Workforce Unit. The same process and documentation will occur as was required with the initial application to lease the Workforce Unit. Unless the Developer can demonstrate that the tenant has violated material terms of the lease, that the tenant is refusing to comply with the requirements of the recertification process, or that the tenant does not wish to renew the lease, no other households may be considered for a lease of a Workforce Unit.

   A household is considered to have failed to participate in the recertification process after not sufficiently responding to three written requests for information and documents by the Developer or City within a sixty (60) day period. The City shall make the final determination as to whether Developer has provided sufficient evidence to substantiate a household's failure to participate in the recertification process.

l. **Loss of Workforce Unit Status.** A unit shall lose its designation as a Workforce Unit when two consecutive recertifications demonstrate that a once Eligible Household's income is greater than the allowed AMI and is no longer considered eligible. The recertification of all applicants is subject to final review and approval from the City. In this scenario, the Developer may, with ninety (90) days' notice, charge market rent for the unit. The tenant is then eligible for continued occupancy in the particular unit for one (1) additional year following the date of the most recent recertification. After any adjustment in accordance with the above, the next available appropriate unit that will substitute for the former Workforce Unit shall be rented to an Eligible Household, so as to restore and maintain the number, unit size, and bedroom count of Workforce Units originally intended under this Declaration. The City shall make the final determination as to whether any substitute unit is appropriate for satisfying the requirements intended for Workforce Units within the Development.

If no suitable unit becomes available to rent as a Workforce Unit within a year of the time the former Eligible Household begins paying market rent, then the Developer shall not renew or extend the former Eligible Household's lease and shall return the unit to its use as a Workforce Unit for Eligible Households. The Developer shall cooperate with the City and provide the City with any documentation that it deems reasonably necessary to approve the substitute Workforce Unit or Eligible Household.

In the case where the tenant has been accepted as a market rate tenant, the Developer shall pay to the City's Housing Trust the cash value of the difference between the maximum allowable Workforce rent and the market rent until such time as another unit has been approved by the City as an acceptable substitute Workforce Unit and occupied by an Eligible Household. Occupancy during this transition period by an over-income household will not constitute default under the conditions set forth in this Declaration so long as Developer is making such payments to the City's Housing Trust.

m. **Primary Residence.** An Eligible Household shall occupy a Workforce Unit as its primary residence. An Eligible Household may not sublet the apartment for any reason. An Eligible Household must notify the City if it is absent from a Workforce Unit for thirty (30) days in any forty-five (45) day period. If the Eligible Household is absent from a Workforce Unit for a period exceeding sixty (60) days in one consecutive three hundred sixty-five (365) day period for reasons other than work obligations, health, or emergency reasons, then, subject to applicable law, the household's eligibility will be terminated (in the City's reasonable discretion) and their lease term shall not be renewed or extended. Where absences in excess of the above limitations are caused by work obligations, health reasons or other emergency, the City may require verification of the reasons for the tenants' absence. If tenants fail to comply with such requests for verification, their lease shall not be renewed or extended. Incarceration does not constitute a health or other emergency justifying prolonged absence from a Workforce Unit.

n. **Administration & Record Keeping.** Each Developer shall maintain an Eligible Household's application, recertification forms and all related documentation, and any

third-party verifications throughout the Eligible Household's occupancy of a Workforce Unit and for a period of at least seven (7) years thereafter. Each Developer shall provide copies of these records to the City within ten (10) business days if requested. Each Developer shall also keep all Workforce Unit applications and waiting lists for a period of at least seven (7) years or some shorter period of time if deemed reasonable by the City. Each Developer will file an annual report to the City within sixty (60) days of the end of each calendar year providing information related to Workforce Unit vacancies, waitlists, household turnover, household size, household income, market rate rents, recertifications, and any other relevant information the City requests.

5. **Construction and Duration**. The covenants contained herein shall run with the land for the term of this Declaration. Each Developer covenants and agrees for itself and its assigns that the rights and restrictions contained herein shall be for the benefit of the City, its successors, and assigns, and shall be binding on all future purchasers of the Master Development or each Individual Development. Developers and the City agree and intend that this Declaration and the covenants contained herein are to be interpreted as "Affordable Housing Covenants" as defined by 33 M.R.S. Sec. 121 and satisfy the Workforce Housing Ordinance.

6. **Violation**. Each Developer shall immediately notify the City if Developer discovers any noncompliance with any restriction or covenant in this Declaration, including, without limitation, noncompliance with the occupancy restrictions in Section 4 of this Declaration. In the event the Developer fails to comply with the covenants set forth herein, and fails to cure such non-compliance within any applicable cure period, the City shall be entitled to exercise any of its rights under this Declaration and applicable law, maintain an action in law or in equity against the Developer to recover damages incurred by the City from such failure, including, without limitation, reasonable attorneys' fees and costs, and to require the Developer (through injunctive relief or specific performance) to comply with the provisions and covenants set forth herein and to immediately cure any failure to comply with the covenants set forth herein by the Developer.

7. **Indemnification**. Developers shall indemnify and hold City and its agents harmless from and against any and all claims, demands, liability, loss, cost or expense (including, but not limited to attorney's fees and other costs of litigation) which may be incurred by the City arising out of or in any way related to the Developer's breach of any of its obligations under this Declaration or any action taken by the City to enforce or exercise its rights under the Declaration as a result of such breach, except for claims arising from the gross negligence or willful acts of the City or for claims arising from Developer's applying a provision of the Declaration that is subsequently deemed unlawful by a court of law. The obligations under this Section shall survive the termination or expiration of this Declaration as necessary to effectuate its provisions.

8. **Modifications**. This Declaration may be amended or modified, in whole or in part, only by written agreement of Developers and the City clearly expressing the intent to modify this Declaration.

9. **Severability**. The validity of any clause, part or provision of this Declaration shall not affect the validity of the remaining portions thereof.

10. **Successors and Assigns**. This Declaration shall be binding upon Developers' respective heirs, personal representatives, executors, administrators, transferees, successors and assigns and shall inure to the benefit of and be enforceable by City, its successors, transferees, and assigns.

11. **Governing Law**. This Declaration shall be construed in accordance with and governed by the laws of the State of Maine.

12. **Additional Documents.** Each Developer shall execute such other documents the City reasonably deems necessary in order to effectuate the intent and purpose of this Declaration and the intent and purpose of the City's Workforce Housing Ordinance then in effect at the time of submission of the site plan application to the City's Planning Board for each Individual Development.

13. **Notices**. Any notice or demand required or provided for in this Declaration shall be in writing and shall be deemed to have been sufficiently given for all purposes when hand-delivered or mailed by certified or registered United States mail, postage prepaid, or sent by overnight United States mail or overnight commercial delivery service to each Developer or the City at their respective addresses set forth herein, or at such other address as either of them may from time to time hereafter designate by notice given to the other as herein provided.

[Remainder of Page Intentionally Left Blank; Signatures Follow]

IN WITNESS WHEREOF, this Declaration has been duly executed by the Developers and City as of _____ ____, 2023.

CITY OF PORTLAND

_____ By:_____
Witness Name:
Its:

State of Maine
Cumberland, ss. _____, 2023

Personally appeared the above named _____, as _____ of the City of Portland, and acknowledged the foregoing instrument to be his/her free act and deed in his/her said capacity and the free act and deed of said City of Portland.

Before me,

_____
Notary Public/Attorney-at-Law

_____
(Print or type name)

WBP COMMERCIAL LLC

By: Tom Watson & Co., LLC, its Manager

_____ By:_____
Witness Name: John Laliberte
Its Vice President

State of Maine
Cumberland, ss. _____, 2023

Personally appeared the above named John Laliberte, Vice President of Tom Watson & Co., LLC, Manager of WBP Commercial LLC, a Maine limited liability company, and acknowledged the foregoing instrument to be his free act and deed in said capacity and the free act and deed of said limited liability company.

Before me,

_____
Notary Public/Attorney-at-Law

_____
(Print or type name)

SCHLOTTERBECK BLOCK LLC

By: Tom Watson & Co., LLC, its Manager

_____
Witness

By:_____
Name: John Laliberte
Its Vice President

State of Maine
Cumberland, ss. _____, 2023

Personally appeared the above named John Laliberte, Vice President of Tom Watson & Co., LLC, Manager of Schlotterbeck Block LLC, a Maine limited liability company, and acknowledged the foregoing instrument to be his free act and deed in said capacity and the free act and deed of said limited liability company.

Before me,

_____
Notary Public/Attorney-at-Law

_____
(Print or type name)

60 ELM STREET LLC

By: Tom Watson & Co., LLC, its Manager

_____ By:_____
Witness Name: John Laliberte
Its Vice President

State of Maine
Cumberland, ss. _____, 2023

Personally appeared the above named John Laliberte, Vice President of Tom Watson & Co., LLC, Manager of 60 Elm Street LLC, a Maine limited liability company, and acknowledged the foregoing instrument to be his free act and deed in said capacity and the free act and deed of said limited liability company.

Before me,

_____
Notary Public/Attorney-at-Law

_____

(Print or type name)

73 ELM STREET LLC

By: Tom Watson & Co., LLC, its Manager

_____ By:_____
Witness Name: John Laliberte
Its Vice President

State of Maine
Cumberland, ss. _____, 2023

Personally appeared the above named John Laliberte, Vice President of Tom Watson & Co., LLC, Manager of 73 Elm Street LLC, a Maine limited liability company, and acknowledged the foregoing instrument to be his free act and deed in said capacity and the free act and deed of said limited liability company.

Before me,

_____
Notary Public/Attorney-at-Law

_____
(Print or type name)

89 ELM STERET LLC

By: Tom Watson & Co., LLC, its Manager

_____ By:_____
Witness Name: John Laliberte
Its Vice President

State of Maine
Cumberland, ss. _____, 2023

Personally appeared the above named John Laliberte, Vice President of Tom Watson & Co., LLC, Manager of 89 Elm Street LLC, a Maine limited liability company, and acknowledged the foregoing instrument to be his free act and deed in said capacity and the free act and deed of said limited liability company.

Before me,

_____
Notary Public/Attorney-at-Law

_____
(Print or type name)

149 LANCASTER STREET LLC

By: Tom Watson & Co., LLC, its Manager

_____ By:_____
Witness Name: John Laliberte
Its Vice President

State of Maine
Cumberland, ss. _____, 2023

Personally appeared the above named John Laliberte, Vice President of Tom Watson & Co., LLC, Manager of 149 Lancaster Street LLC, a Maine limited liability company, and acknowledged the foregoing instrument to be his free act and deed in said capacity and the free act and deed of said limited liability company.

Before me,

_____
Notary Public/Attorney-at-Law

_____
(Print or type name)

196 LANCASTER STREET LLC

By: Tom Watson & Co., LLC, its Manager

_____ By:_____
Witness Name: John Laliberte
Its Vice President

State of Maine
Cumberland, ss. _____, 2023

Personally appeared the above named John Laliberte, Vice President of Tom Watson & Co., LLC, Manager of 196 Lancaster Street LLC, a Maine limited liability company, and acknowledged the foregoing instrument to be his free act and deed in said capacity and the free act and deed of said limited liability company.

Before me,

_____
Notary Public/Attorney-at-Law

_____
(Print or type name)

EXHIBIT A

(165-185 Lancaster Parcel)

A CERTAIN LOT OR PARCEL OF LAND, WITH THE IMPROVEMENTS THEREON, SITUATED IN THE BLOCK BOUNDED BY ELM, KENNEBEC, CHESTNUT AND LANCASTER STREETS, IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE OF MAINE AND SHOWN AS PARCEL 1 ON ALTA/ACSM LAND TITLE SURVEY ON KENNEBEC STREET, LANCASTER STREET EAST, ELM STREET, CEDAR STREET AND OXFORD STREET, PORTLAND, MAINE MADE FOR BAYSIDE II, LLC BY OWEN HASKELL, INC., DATED JANUARY 24, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 200, PAGE 41 (THE PLAN), BEING BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION MARKING THE NORTHWESTERLY SIDE OF LANCASTER STREET AND THE NORTHEASTERLY SIDE OF ELM STREET;

THENCE, BY THE NORTHEASTERLY SIDE OF ELM STREET N 43° 46' 33” W, A DISTANCE OF 158.86' TO AN ANGLE IN SAID STREET;

THENCE, N 40° 53' 33” W, A DISTANCE OF 31.49' TO THE SOUTHEASTERLY SIDE OF KENNEBEC STREET, MARKING A NON-TANGENT POINT ON A CURVE, IN SAID STREET;

THENCE, NORTHEASTERLY BY THE SOUTHEASTERLY SIDE OF SAID KENNEBEC STREET AND BY A CURVE TO THE LEFT WHOSE RADIUS IS 695.00', AN ARC DISTANCE OF 210.01', TO A POINT OF TANGENCY;

THENCE CONTINUING BY SAID KENNEBEC STREET N 48° 56' 54’ E, A DISTANCE OF 251.30', TO THE SOUTHWESTERLY SIDE OF SAID CHESTNUT STREET;

THENCE BY THE SOUTHWESTERLY SIDE OF SAID CHESTNUT STREET S 44° 38' 26” E, A DISTANCE OF 164.71' TO THE NORTHWESTERLY SIDE OF SAID LANCASTER STREET;

THENCE BY THE NORTHWESTERLY SIDE OF SAID LANCASTER STREET S 49° 39' 27" W, A DISTANCE OF 461.02', TO THE POINT OF BEGINNING.

MEANING AND INTENDING TO DESCRIBED THE SAME LAND DESCRIBED AS PARCEL 1 IN QUITCLAIM DEED OF BAYSIDE II, LLC TO WBP COMMERCIAL LLC OF NEAR OR EVEN DATE.

EXHIBIT B

(85 Chestnut Parcel)

A CERTAIN PARCEL OF LAND, TOGETHER WITH THE IMPROVEMENTS THEREON, SITUATED ON THE SOUTHWESTERLY SIDE OF CHESTNUT STREET AND THE NORTHWESTERLY SIDE OF HALL'S COURT, SO CALLED, IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, STATE OF MAINE AND SHOWN AS PARCEL 2 ON ALTA/ACSM LAND TITLE SURVEY ON CEDAR STREET, LANCASTER STREET EAST, CHESTNUT STREET AND OXFORD STREET, PORTLAND, MAINE

FOR BAYSIDE IV, LLC BY OWEN HASKELL, INC., DATED JANUARY 24, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 200, PAGE 43 (THE PLAN), BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHWESTERLY SIDELINE OF CHESTNUT STREET AND THE NORTHWESTERLY SIDELINE OF HALL'S COURT;

THENCE S 49° 19' 48" W ALONG THE SIDELINE OF HALL'S COURT 112.65 FEET;

THENCE N 43° 29' 51" W 31.09 FEET;

THENCE N 49° 39' 27" E 112.08 FEET TO THE SOUTHWESTERLY SIDELINE OF CHESTNUT STREET;

THENCE S 44° 38' 26" E 30.48 FEET TO THE POINT OF BEGINNING.

MEANING AND INTENDING TO DESCRIBED THE SAME LAND DESCRIBED IN QUITCLAIM DEED OF BAYSIDE IV, LLC TO WBP COMMERCIAL LLC OF NEAR OR EVEN DATE.

The above described parcel of land is further designated as "Parcel 2, 3,452 S.F., Parcel to be Conveyed to WBP Commercial LLC" on ALTA/NSPS Land Title Survey titled BAYSIDE IV, LLC, CEDAR ST., LANCASTER ST. EAST, CHESTNUT ST. & OXFORD ST., PORTLAND, CUMBERLAND COUNTY, MAINE, MADE FOR BUSH-WATSON dated September 14, 2022 by Owen Haskell, Inc., Job No. 2022-162 P.

EXHIBIT C

(190 Lancaster Parcel)

A CERTAIN PARCEL OF LAND WITH THE BUILDINGS THEREON SITUATED ON THE SOUTHWESTERLY SIDE OF ELM STREET, THE NORTHWESTERLY SIDE OF OXFORD STREET AND THE NORTHEASTERLY SIDE PREBLE STREET IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, STATE OF MAINE AS SHOWN PLAN TITLED "LAND DIVISION PLAN BAYSIDE I, LLC" MADE FOR RECORD OWNER BAYSIDE I, LLC BY OWEN HASKELL, INC. DATED SEPTEMBER 14, 2022, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHEASTERLY SIDELINE OF PREBLE STREET AND THE NORTHWESTERLY SIDELINE OF OXFORD STREET;

THENCE, N 42°34'18" W ALONG THE SIDELINE OF SAID PREBLE STREET 182.30 FEET;

THENCE THE FOLLOWING COURSES AND DISTANCES THROUGH THE LAND OF THE GRANTOR:

N 47° 31' 17" E A DISTANCE OF 109.53 FEET;

N 44° 45' 38" W A DISTANCE OF 7.27 FEET;

N 47° 34' 12" E A DISTANCE OF 93.02 FEET TO THE SOUTHWESTERLY SIDELINE OF ELM STREET;

THENCE, S 43° 45' 13" E ALONG THE SIDELINE OF SAID ELM STREET 193.26 FEET TO THE NORTHWESTERLY SIDELINE OF SAID OXFORD STREET;

THENCE, S 48° 33' 13" W ALONG THE SIDELINE OF OXFORD STREET 206.30 FEET TO THE POINT OF BEGINNING. CONTAINING 38,301 S.F. OR 0.88 ACRES, MORE OR LESS.

BEARINGS ARE REFERENCED TO CITY GRID.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING A PORTION OF THE LAND DESCRIBED AS PARCEL 2 IN DEED FROM OCTOBER CORPORATION TO BAYSIDE I, LLC DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 91.

EXHIBIT D

(62 Elm Parcel)

A CERTAIN LOT OR PARCEL OF LAND, WITH THE BUILDINGS THEREON, SITUATED ON THE EASTERLY SIDE OF PREBLE STREET AND SOUTHERLY SIDE OF OXFORD STREET IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, AND STATE OF MAINE, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERLY SIDE OF PREBLE STREET AND SOUTHERLY SIDE OF OXFORD STREET, THENCE N 48° 33' 13" E ALONG THE SOUTHERLY SIDE OF OXFORD STREET A DISTANCE OF 114.66 FEET;

THENCE, S 43° 08' 59" E BY THE NORTHERLY FACE OF THE EXISTING BRICK BUILDING A DISTANCE OF 124.83 FEET TO LAND NOW OR FORMERLY OF NORTHERN INVESTORS LLC AS DESCRIBED IN DEED BOOK 32422, PAGE 197;

THENCE, S 47° 21' 26" W ALONG LAND OF SAID NORTHERN INVESTORS LLC AND BY THE FACE OF THE SAID BRICK BUILDING A DISTANCE OF 115.91 FEET TO THE

EASTERLY SIDELINE OF SAID PREBLE STREET;

THENCE, N 42° 34' 00" W ALONG THE SIDELINE OF PREBLE STREET A DISTANCE OF 127.22 FEET TO THE POINT OF BEGINNING, CONTAINING 14,526 S.F. OR 0.33 ACRES, MORE OR LESS.

MEANING AND INTENDING TO DESCRIBED THE SAME LAND DESCRIBED AS PARCEL 2 IN QUITCLAIM DEED OF BAYSIDE II, LLC TO WBP COMMERCIAL LLC OF NEAR OR EVEN DATE.

EXHIBIT E

(156-174 Lancaster Parcel)

A CERTAIN PARCEL OF LAND, WITH THE OF IMPROVEMENTS THEREON SITUATED ON THE SOUTHEASTERLY SIDE OF LANCASTER STREET, IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, STATE OF MAINE AND SHOWN AS PARCEL 3 ON ALTA/ACSM LAND TITLE SURVEY ON KENNEBEC STREET, LANCASTER STREET EAST, ELM STREET, CEDAR STREET AND OXFORD STREET, PORTLAND, MAINE MADE FOR BAYSIDE II, LLC BY OWEN HASKELL, INC., DATED JANUARY 24, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 200, PAGE 41 (THE PLAN), BEING BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHEASTERLY SIDELINE OF LANCASTER STREET AND THE SOUTHWESTERLY SIDELINE OF CHESTNUT STREET;

THENCE S 44° 38' 26” E ALONG THE SIDELINE OF CHESTNUT STREET 88.08 FEET;

THENCE S 49° 39' 27” W 107.40;

THENCE N 45° 57' 49" W 3.67 FEET;

THENCE S 31° 29' 21” W 4.67 FEET;

THENCE N 43° 29' 51" W 23.77 FEET;

THENCE S 49° 39' 27” W 35.69 FEET;

THENCE N 43° 29' 51" W 28.00 FEET;

THENCE S 49° 39' 27” W 72.00 FEET TO THE NORTHEASTERLY SIDELINE OF CEDAR STREET;

THENCE N 43° 29' 51" W ALONG SAID SIDELINE 34.00 FEET TO THE SOUTHEASTERLY SIDELINE OF LANCASTER STREET;

THENCE N 49° 39' 27” E ALONG SAID SIDELINE 218.00 FEET TO THE POINT OF BEGINNING.

MEANING AND INTENDING TO DESCRIBED THE SAME LAND DESCRIBED AS PARCEL 2 IN QUITCLAIM DEED OF BAYSIDE II, LLC TO WBP COMMERCIAL LLC OF NEAR OR EVEN DATE.

EXHIBIT F

(SCHLOTTEBECK BLOCK)

A certain lot or parcel of land together with the buildings located thereon situated on the easterly side of Preble Street in the City of Portland, County of Cumberland and State of Maine bounded and described as follows:

Beginning at a point on the easterly sideline of Preble Street at the intersection with the southerly sideline of Kennebec Street;

Thence, N 67° 23’ 22” E along the southerly sideline of said Kennebec Street 208.27 feet to the westerly sideline of Elm Street;

Thence, S 40° 58’ 03” E along the westerly sideline of Elm Street 38.49 feet;

Thence, S 43° 47’ 56” E along the westerly sideline of said Elm Street 168.10 feet to the northerly sideline of Lancaster Street;

Thence, S 49° 38’ 04” W along the northerly sideline of said Lancaster Street 198.44 feet to the easterly sideline of Preble Street;
Thence, N 42° 34’ 06” W along the easterly sideline of said Preble Street 270.00 feet to the southerly sideline of Kennebec Street and the point of beginning.

EXHIBIT G

(60 Elm Parcel)

A CERTAIN LOT OR PARCEL OF LAND SITUATED ON THE WESTERLY SIDE OF ELM STREET AND SOUTHERLY SIDE OF OXFORD STREET 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 ELM STREET AND SOUTHERLY SIDE OF OXFORD STREET, THENCE, S 43° 40' 43" E ALONG THE WESTERLY SIDELINE OF ELM STREET A DISTANCE OF 122.92 FEET TO LAND NOW OR FORMERLY OF NORTHEAST INVESTORS, LLC (aka NORTHEAST INVESTORS (MAINE), LLC) AS DESCRIBED IN DEED BOOK 32422, PAGE 197;

THENCE, S 47° 21' 26" W ALONG LAND OF SAID NORTHEAST INVESTORS, LLC A DISTANCE OF 93.70 FEET;

THENCE, N 43° 08' 59" W BY THE NORTHERLY FACE OF THE EXISTING BRICK BUILDING A DISTANCE OF 124.83 FEET TO THE SOUTHERLY SIDELINE OF SAID OXFORD STREET;

THENCE N 48° 33' 13" E ALONG THE SIDELINE OF OXFORD STREET A DISTANCE OF 92.61 FEET TO THE POINT OF BEGINNING, CONTAINING 11,535 S.F. OR 0.26 ACRES, MORE OR LESS.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING A PORTION OF THE LAND DESCRIBED AS PARCEL 1 IN DEED FROM OCTOBER CORPORATION TO BAYSIDE I, LLC DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 91.

EXHIBIT H

(73 Elm Parcel)

A CERTAIN LOT OR PARCEL OF LAND WITH THE IMPROVEMENTS THEREON SITUATED ON THE NORTHEASTERLY SIDELINE OF ELM STREET AND THE NORTHWESTERLY SIDE OF OXFORD STREET IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE OF MAINE AS SHOWN PLAN TITLED “LAND DIVISION PLAN BAYSIDE II, LLC" MADE FOR RECORD OWNER BAYSIDE II, LLC BY OWEN HASKELL, INC. DATED SEPTEMBER 14, 2022, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHWESTERLY SIDELINE OF OXFORD STREET AND THE NORTHEASTERLY SIDELINE OF ELM STREET;

THENCE, N 43° 45' 13” W ALONG SAID SIDELINE OF SAID ELM STREET 111.92 FEET; THENCE, THE FOLLOWING COURSES AND DISTANCES THROUGH THE LAND OF THE GRANTOR:

N 46° 08' 15” E A DISTANCE OF 90.10 FEET;

S 43° 54' 25” E A DISTANCE OF 31.26 FEET;

N 49° 53' 31” E A DISTANCE OF 55.81 FEET TO THE WESTERLY CORNER OF LAND NOW OR FORMERLY OF DAVID B. NOWLIN AS DESCRIBED IN DEED BOOK 25148, PAGE 336;

THENCE, S 42° 36' 35” E ALONG THE LAND OF SAID NOWLIN 83.34 FEET TO THE NORTHWESTERLY SIDELINE OF SAID OXFORD STREET;

THENCE, S 48° 38' 53” W ALONG THE SIDELINE OF OXFORD STREET 144.34 FEET TO THE POINT OF BEGINNING, CONTAINING 14,879 S.F. OR 0.34 ACRES. MORE OR LESS.

BEARINGS ARE REFERENCED TO CITY GRID.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING A PORTION OF THE LAND DESCRIBED AS PARCEL 2 CONVEYED TO BAYSIDE II, LLC BY QUITCLAIM DEED OF OCTOBER CORPORATION, DATED JANUARY 26, 2000 AND RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 15298, PAGE 144.

EXHIBIT I

(89 Elm Parcel)

Parcel 2

A CERTAIN LOT OR PARCEL OF LAND, WITH THE IMPROVEMENTS THEREON SITUATED ON THE NORTHEASTERLY SIDELINE OF ELM STREET, THE SOUTHEASTERLY SIDELINE OF LANCASTER STREET EAST AND THE SOUTHWESTERLY SIDELINE OF CEDAR STREET AND IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE OF MAINE AS SHOWN ON A PLAN TITLED "LAND DIVISION PLAN BAYSIDE II, LLC" MADE FOR RECORD OWNER BAYSIDE II, LLC BY OWEN HASKELL, INC. DATED SEPTEMBER 14, 2022, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHEASTERLY SIDELINE OF LANCASTER STREET EAST AND THE NORTHEASTERLY SIDELINE OF ELM STREET;

THENCE, N 49° 39' 27" E ALONG SAID SIDELINE OF LANCASTER STREET EAST 210.57 FEET TO THE SOUTHWESTERLY SIDELINE OF CEDAR STREET;

THENCE, S 43° 29' 51" E ALONG SAID SIDELINE OF CEDAR STREET 40.00 FEET TO THE NORTHEASTERLY CORNER OF LAND NOW OR FORMERLY OF BAYSIDE IV, LLC AS DESCRIBED IN DEED BOOK 35293, PAGE 78;

THENCE, THE FOLLOWING COURSES AND DISTANCES ALONG SAID BAYSIDE IV, LLC LAND:

S 49° 39' 26" W A DISTANCE OF 117.00 FEET;

S 42° 13' 00" E A DISTANCE OF 39.96 FEET;

N 49° 39' 26" E A DISTANCE OF 117.89 FEET TO THE SOUTHWESTERLY SIDELINE OF SAID CEDAR STREET;

THENCE, S 43° 29' 51" E ALONG THE SIDELINE OF CEDAR STREET 39.34 FEET TO THE NORTHERLY CORNER OF LAND NOW OR FORMERLY OF AMELIA A. LABRECK AS DESCRIBED IN DEED BOOK 37970, PAGE 11;

THENCE, BY THE FOLLOWING COURSES AND DISTANCES ALONG SAID LABRECK LAND:

S 48° 42' 12" W A DISTANCE OF 118.73 FEET;
S 42° 13' 00" E A DISTANCE OF 40.00 FEET;
N 48° 41' 30" E A DISTANCE OF 119.62 FEET TO THE SIDELINE OF SAID CEDAR

STREET;

THENCE, S 43° 29' 51" E ALONG THE SIDELINE OF CEDAR STREET 80.62 FEET TO THE NORTHERLY CORNER OF LAND NOW OR FORMERLY OF DAVID B. NOWLIN AS DESCRIBED IN DEED BOOK 25148, PAGE 336;

THENCE, S 48° 41' 30" W ALONG SAID NOWLIN LAND 63.30 FEET;

THENCE, THE FOLLOWING COURSES AND DISTANCES THROUGH THE LAND OF THE GRANTOR:

S 49°53’31” W A DISTANCE OF 55.81 FEET;

N 43°54’25” W A DISTANCE OF 31.26 FEET;

S 46°08’15” W A DISTANCE OF 90.10 FEET TO THE NORTHEASTERLY SIDELINE OF SAID ELM STREET;

THENCE, N 43°45’13” W ALONG THE SIDELINE OF ELM STREET 215.15 FEET TO THE POINT OF BEGINNING, CONTAINING 38,462 S.F. OR 0.88 ACRES, MORE OR LESS.

BEARINGS ARE REFERENCED TO CITY GRID.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING A PORTION OF THE LAND DESCRIBED AS PARCEL 2 CONVEYED TO BAYSIDE II, LLC BY QUITCLAIM DEED OF OCTOBER CORPORATION, DATED JANUARY 26, 2000 AND RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 15298, PAGE 144

Parcel 5-50 Cedar St.

A CERTAIN LOT OR PARCEL OF LAND WITH ALL THE BUILDINGS THEREON, SITUATED ON THE SOUTHWESTERLY SIDE OF CEDAR STREET, IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE OF MAINE, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A STAKE ON THE LINE OF SAID STREET DISTANT TWO HUNDRED FORTY-FOUR AND FOUR TENTHS (244.4) FEET NORTHWESTERLY FROM OXFORD STREET AT THE NORTHERLY CORNER OF LAND SOLD BY THE ADMINISTRATOR OF WILLIAM WEBB’S ESTATE TO JOSIAH M. HASKELL AND RUNNING THENCE NORTHWESTERLY BY SAID CEDAR STREET FORTY (40) FEET TO A STAKE;

THENCE SOUTHWESTERLY ON A LINE PARALLEL WITH THE NORTHWESTERLY SIDE OF SAID HASKELL’S LAND ONE HUNDRED SEVENTEEN (117) FEET, MORE OR LESS, TO THE SOUTHWESTERLY SIDELINE OF LAND OF WHICH THE SAID WEBB DIED SEIZED;

THENCE SOUTHEASTERLY BY SAID SOUTHWESTERLY SIDELINE OF SAID WEBB'S LAND TO MOST WESTERLY CORNER OF SAID HASKELL'S LOT;

THENCE NORTHEASTERLY BY SAID HASKELL'S LAND ONE HUNDRED SEVENTEEN (117) FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

BEING THE SAME PREMISES CONVEYED BY DEED DATED NOVEMBER 16, 2018 FROM 50 CEDAR STREET, LLC, TO BAYSIDE IV, LLC, AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 35293, PAGE 77, AND BY DEED RECORDED IN SAID REGISTRY AT BOOK 35293, PAGE 78

EXHIBIT J

(149 Lancaster Parcel)

A CERTAIN LOT OR PARCEL OF LAND, TOGETHER WITH THE IMPROVEMENTS THEREON, SITUATED ON THE NORTHWESTERLY SIDE OF LANCASTER STREET AND THE NORTHEASTERLY SIDE OF CHESTNUT STREET, IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, AND STATE OF MAINE, AND SHOWN AS PARCEL 1 ON ALTA/ACSM LAND TITLE SURVEY ON CEDAR STREET, LANCASTER STREET EAST, CHESTNUT STREET AND OXFORD STREET, PORTLAND, MAINE FOR BAYSIDE IV, LLC BY OWEN HASKELL, INC., DATED JANUARY 24, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 200, PAGE 43 (THE PLAN), BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHEASTERLY SIDE OF SAID CHESTNUT STREET AND THE NORTHWESTERLY SIDE OF LANCASTER STREET;

THENCE BY THE NORTHEASTERLY SIDE OF CHESTNUT STREET N 44° 38' 26" W, A DISTANCE OF 165.33 FEET, TO THE SOUTHEASTERLY SIDE OF KENNEBEC STREET;

THENCE BY THE SOUTHEASTERLY SIDE OF SAID KENNEBEC STREET N 49° 02' 07" E, A DISTANCE OF 84.95 FEET, TO THE NORTHWESTERLY CORNER OF LAND CONVEYED TO E. PERRY IRON AND METAL CO. AS DESCRIBED IN THE DEED RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 12604 PAGE 268;

THENCE BY LAND NOW OR FORMERLY OF SAID E. PERRY IRON AND METAL CO. ON THE FOLLOWING COURSES:

S 40° 57' 53" E, A DISTANCE OF 117.11 FEET;
N 49° 02' 47" E, A DISTANCE OF 40.11 FEET;
S 43° 43' 01" E, A DISTANCE OF 47.93 FEET, TO THE NORTHWESTERLY SIDE OF SAID LANCASTER STREET;

THENCE BY THE NORTHWESTERLY SIDE OF SAID LANCASTER STREET S 49° 02' 07" W, A DISTANCE OF 116.76 FEET TO THE POINT OF BEGINNING.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING THE LAND DESCRIBED AS PARCEL 1 IN DEED FROM OCTOBER CORPORATION TO BAYSIDE IV, LLC DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 242.

EXHIBIT K

(196 Lancaster Parcel)

A CERTAIN PARCEL OF LAND WITH THE BUILDINGS THEREON SITUATED ON SOUTHEASTERLY SIDE OF LANCASTER STREET EAST, THE SOUTHWESTERLY SIDE OF ELM STREET AND THE NORTHEASTERLY SIDE OF PREBLE STREET IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE Of MAINE AS SHOWN PLAN TITLED “LAND DIVISION PLAN BAYSIDE I, LLC' MADE FOR RECORD OWNER BAYSIDE I, LLC BY OWEN HASKELL, INC. DATED SEPTEMBER 14, 2022, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHEASTERLY SIDELINE OF PREBLE STREET AND THE SOUTHEASTERLY SIDELINE OF LANCASTER STREET EAST;

THENCE, N 49° 39' 27” E ALONG THE SIDELINE OF SAID LANCASTER STREET EAST 199.65 FEET TO THE SOUTHWESTERLY SIDELINE OF ELM STREET;

THENCE, S 43° 45' 13” E ALONG THE SIDELINE OF SAID ELM STREET 134.76 FEET;

THENCE, THE FOLLOWING COURSES AND DISTANCES THROUGH THE LAND OF THE GRANTOR:

S 47° 34' 12” W A DISTANCE OF 93.02 FEET;

S 44° 45' 38” E A DISTANCE OF 7.27 FEET;

S 47° 31' 17” W A DISTANCE OF 109.53 FEET TO THE NORTHEASTERLY SIDELINE Of SAID PREBLE STREET;

THENCE, N 42° 34' 18” W ALONG THE SIDELINE OF PREBLE STREET 149.36 FEET TO THE POINT OF BEGINNING, CONTAINING 28,591 S.F. OR 0.66 ACRES, MORE OR LESS.

BEARINGS ARE REFERENCED TO CITY GRID.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING A PORTION OF THE LAND DESCRIBED AS PARCEL 2 IN DEED FROM OCTOBER CORPORATION TO BAYSIDE I, LLC DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 91.

MASTERPLAN VIEWS 195/196 LANCASTER SHARED STREET AND PARKLET

Att. HH

BAYSIDE PORTLAND

MASTERPLAN VIEWS 195/196 LANCASTER SHARED STREET AND PARKLET





BAYSIDE PORTLAND

MASTERPLAN VIEWS 195/196 LANCASTER SHARED STREET AND PARKLET

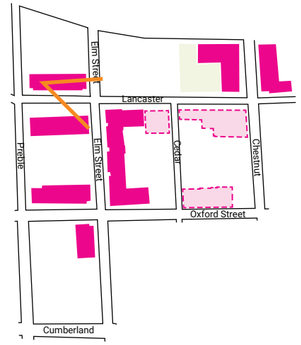




BAYSIDE PORTLAND

MASTERPLAN VIEWS 195/196 LANCASTER SHARED STREET AND PARKLET





Date: 06/02/2023

To: City of Portland Planning Staff

From: WBP Commercial, LLC/Tom Watson & Co

RE: West Bayside Master Development Plan – Winter Management Narrative

Goal

To comply with Chapter 25 of the City of Portland Code of Ordinances to specifically address the maintenance and winter management program for the publicly accessible open spaces and portions of the public right-of-way included in the overall West Bayside Master Development Plan.

Summary of Winter Management Obligations

1. WBP Commercial, LLC shall establish and manage third party services to comply with City of Portland Chapter 25 Ordinance for sidewalk clearance.
2. WBP Commercial, LLC to allocate internal maintenance resources to comply with Chapter 25 covenants.
3. In addition to shared street protocols, WBP Commercial, LLC shall remove plow drift wind rows, that are greater than 36” in width, 48 hours after snow has ceased to fall or 48 hours after the City conducts its last snow clearing for that storm.
4. WBP Commercial, LLC shall irrigate landscaping areas following winter season.
5. WBP Commercial, LLC shall remove trash, needles, human needles and waste maintaining beautification and biohazard cleanliness of the site.

Closure

WBP Commercial, LLC shall be compliant with all City Ordinances to maintain the winter management program at West Bayside while investing internal resources to maintain safety standards of the proposed program. It will retain ownership and maintenance responsibilities associated with all publicly accessible open spaces not in the public right-of-way.

LONGFELLOW COMMUNICATIONS

Bayside Master Development Plan

Att. II

Communications & Outreach Program

In Partnership With:

PORT PROPERTY™ Stantec ACORN ENGINEERING, INC

Tom Watson & Co. is excited to share our below program for continued community engagement with the Bayside neighborhood, expanding ongoing neighborhood outreach in Bayside that has been underway since first investing in Bayside in 2016.

The vision outlined in the Master Development Plan is a carefully crafted approach to developing this site in a way that addresses urgent needs for new housing, increases safety, and enhances the livability of the neighborhood – while also ensuring that we preserve what is valued by the community including important existing ways of life, commerce and social services.

By taking a 10-year, phased approach with the MDP we are extending a long-term commitment to the neighborhood, and our community engagement efforts will take a similar, partnership-based approach. The below program is anchored in continuing to work closely with the neighborhood association, but also extend our efforts out to engage a broader audience, including key social service agencies and other stakeholders, to ensure a diverse representation.

DIGITAL ENGAGEMENT

- **Project Website —** We will maintain a robust project website which will serve as the single source of truth for information about the MDP and the associated projects. The website will be frequently updated with news items and project details.

DIGITAL ENGAGEMENT (CONT.)

- **Contact Information & Form —** We will provide direct contact information on the website, and a contact form which will allow interested parties to quickly submit an inquiry or outreach request.

- **Email List & Distributions —** Throughout our efforts, we'll maintain an email distribution list of interested parties (with sign-up on our website) and provide a regular cadence of updates to that list.

IN-PERSON ENGAGEMENT

- **Neighborhood Association Meeting —** Our project team will maintain a consistent presence at meetings of the Bayside Neighborhood Association, building on our past and current efforts with that group to answer questions and understand the dynamics in the community as they evolve throughout.

- **Hosted Forums —** At key junctures in the project, we will host in-person forums (partnering with the neighborhood association and other stakeholders on our approach) to provide a deep-dive view and answer all questions.

- **Abutter Relationships —** We will continue to take a direct approach with abutters as activity begins on particular phases of planning, development or construction, reaching out proactively and early to discuss progress and to address any concerns or source feedback/ideas from this core group should any challenges arise.



Existing and/or Proposed Easements or Covenants

See existing easements & boundary line agreement for the proposed development parcels.

BOUNDARY LINE AGREEMENT

Boundary Line Agreement (the "Agreement") made effective as of October 12, 2022, by and among **WBP GARAGE LLC**, a Maine limited liability company with a mailing address c/o Port Property Management, Inc., 82 Hanover Street, Suite 5, Portland, ME 04101, **WBP COMMERCIAL LLC**, a Maine limited liability company with a mailing address c/o Port Property Management, Inc., 82 Hanover Street, Suite 5, Portland, ME 04101, and **60 ELM STREET LLC**, a Maine limited liability company with a mailing address c/o Port Property Management, Inc., 82 Hanover Street, Suite 5, Portland, ME 04101.

WITNESSETH AS FOLLOWS:

WHEREAS, WBP GARAGE LLC owns certain real property in Portland, Maine, more fully described in a Quitclaim Deed with Covenant from Northeast Investors, LLC dated September 28, 2022 and recorded in the Cumberland County Registry of Deeds in Book 39746, Page 216 (the "Garage Parcel"); and

WHEREAS, WBP COMMERCIAL LLC and **60 ELM STREET LLC** own certain real property in Portland, Maine abutting the aforementioned Garage Parcel, more fully described in a Quitclaim Deed with Covenant from Bayside I, LLC to WBP Commercial LLC and a Quitclaim Deed with Covenant from Bayside I, LLC to 60 Elm Street LLC both dated on or near October 12, 2022, and to be recorded contemporaneously herewith at the Cumberland County Registry of Deeds (collectively the "Bayside Parcel");

WHEREAS, the parties hereto desire to clarify the location of the common boundary line between their respective properties.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

The common boundary line between the above-referenced Garage Parcel and the Bayside Parcel shall hereafter be described as follows:

A certain line running between Preble Street and Elm Street in the City of Portland, County of Cumberland, and State of Maine, bounded and described as follows:

Beginning at a point on the northeast side of Preble Street at the intersection of the extension of the southeasterly side of the building on the land of Bayside I, LLC and the sideline of Preble Street, which point is located 176.67 feet northwesterly from the point of intersection of the northeasterly sideline of Preble Street with the northwesterly sideline of Cumberland Avenue, and which point is located southeasterly 127.22 feet from the point of intersection of the northeasterly sideline of Preble Street with the southeasterly sideline of Oxford Street;

Thence, N 59° 00' 05" E, magnetic 1973, by the southeasterly side of said building and its extension 209.61 feet to Elm Street, as shown on "ALTA/NSPS Land Title Survey 315 Cumberland Avenue Portland, Cumberland County, Maine made for Bush-Watson June 7, 2022 Owen Haskell, Inc. Job No. 2022-142P" which line is the same line as the line with a bearing of N 47° 21' 26" E,

grid, on "ALTA/ACSM Land Title Survey on Preble Street, Lancaster Street East, Elm Street & Oxford Street Portland, Maine made for Bayside I, LLC Jan. 26, 2000 Owen Haskell, Inc. Job No. 99336P" recorded in Plan Book 200, Page 40 (the "Plan").

By agreeing to the line as shown on the Plan and described above as the new boundary line separating the lots of WBP Garage LLC, WBP Commercial LLC and 60 Elm Street LLC, each party is releasing any and all claims to the land located on the other party's side of the boundary line, as shown on the Plan.

This Agreement shall bind and inure to the benefit of the parties hereto, and their respective heirs, successors, and assigns.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals as of the date first written above.

WITNESS:

_____

Name: Hunter Strait

WBP GARAGE LLC
By: Tom Watson & Co., LLC, its Manager

By: _____
John Laliberte
Its: Vice President

STATE OF MAINE
COUNTY OF CUMBERLAND, ss. September 28, 2022

Then personally appeared the above-named John Laliberte, Vice President of Tom Watson & Co., LLC, the Manager of WBP Garage LLC, acknowledged the same to be his free act and deed in his said capacity and the free act and deed of said limited liability company.

Before me,

_____

~~Notary Public~~/Attorney at Law

Hunter Strait

[~~Type or~~ Print Name]

WITNESS:

WBP COMMERCIAL LLC
By: Tom Watson & Co., LLC, its Manager

Name:

By: _____
John Laliberte
Its: Vice President

STATE OF MAINE
COUNTY OF CUMBERLAND, ss.

September 26, 2022

Then personally appeared the above-named John Laliberte, Vice President of Tom Watson & Co., LLC, the Manager of WBP Commercial LLC, acknowledged the same to be his free act and deed in his said capacity and the free act and deed of said limited liability company.

Before me,

_____
~~Notary Public~~/Attorney at Law

_____
[Type ~~or~~ Print Name]

WITNESS:

Name:

60 ELM STREET LLC
By: Tom Watson & Co., LLC, its Manager

By: _____
John Laliberte
Its: Vice President

STATE OF MAINE
COUNTY OF CUMBERLAND, ss.

September 26, 2022

Then personally appeared the above-named John Laliberte, Vice President of Tom Watson & Co., LLC, the Manager of 60 ELM STREET LLC, acknowledged the same to be his free act and deed in his said capacity and the free act and deed of said limited liability company.

Before me,

_____
Notary Public/Attorney at Law

_____
[Type or Print Name]

CONSENT TO BOUNDARY LINE AGREEMENT

The undersigned Kennebec Savings Bank hereby acknowledges and consents to that certain Boundary Line Agreement by and among WBP Garage LLC, WBP Commercial LLC and 60 Elm Street LLC of near or even date (the "Boundary Agreement") affecting certain real property owned by said WBP Garage LLC located on the Oxford Street in Portland, Cumberland County, Maine (the "Garage Parcel"). Additionally, the undersigned expressly acknowledges and agrees that the execution, delivery and recording of the Boundary Agreement at said Registry of Deeds shall constitute neither a breach nor default under that certain mortgage held by said Kennebec Savings Bank affecting the Garage Parcel dated September 28, 2022 and recorded in said Registry of Deeds in Book 39746, Page 218.

IN WITNESS WHEREOF this document is executed under seal as of this 12th day of October, 2022.

WITNESS:

_____
Name:

KENNEBEC SAVINGS BANK

By: _____
Name: David M. Eldridge
Its: Regional VP

STATE OF MAINE
COUNTY OF CUMBERLAND

Sept 28, 2022

Personally appeared the above-named David M Eldridge, Regional VP of Kennebec Savings Bank and acknowledged the foregoing instrument to be his/her free act and deed and the free act and deed of said Kennebec Savings Bank.

Before me,

_____
Name: Peter D Klein
Title: Attorney Bar No 9223
My Commission Expires:

CONSENT TO BOUNDARY AGREEMENT

The undersigned Northeast Investors, LLC hereby acknowledges and consents to that certain Boundary Agreement by and between WBP Garage LLC, WBP Commercial LLC and 60 Elm Street LLC of near or even date (the "Boundary Agreement") affecting certain real property owned by said WBP Garage LLC located on the Oxford Street in Portland, Cumberland County, Maine, (the "Garage Parcel"). Additionally, the undersigned expressly acknowledges and agrees that the execution, delivery and recording of the aforesaid Boundary Agreement at said Registry of Deeds shall constitute neither a breach nor default under that certain mortgage held by said Northeast Investors, LLC affecting the Garage Parcel dated September 28, 2022 and recorded in said Registry of Deeds in Book 39746, Page 244.

IN WITNESS WHEREOF this document is executed under seal as of this 12th day of October, 2022.

WITNESS:

_____
Name:

NORTHEAST INVESTORS, LLC

By: _____
Name: Stephen B. Hammond, Trustee of the Stephen B. Hammond Grantor Trust
Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

9/28, 2022

Personally appeared the above-named Stephen B. Hammond, Trustee of the Stephen B. Hammond Grantor Trust, Sole Member of Northeast Investors, LLC and acknowledged the foregoing instrument to be his/her free act and deed and the free act and deed of said Northeast Investors, LLC.

Before me,

_____
Name: MARY A. DENISON
Title: Attorney at Law
Maine Bar No. 9301

Received
Recorded Register of Deeds
Oct 13,2022 02:42:51P
Cumberland County
Jessica M. Spaulding

When recorded return to:
Bernstein Shur
100 Middle St.
Attn: Hawley R. Strait, Esq.

EASEMENT AND MAINTENANCE AGREEMENT

This Easement and Maintenance Agreement (the "Agreement") is entered into as of the 12th day of October, 2022, between **60 Elm Street LLC**, a Maine limited liability company ("60 Elm"), **WBP Commercial** a Maine limited liability company ("WBP Commercial," and collectively with 60 Elm, each a "Party" and together the "Parties"), for the purpose of establishing the following easements and other privileges in, on, over and across certain properties located along Elm Street and Lancaster Street in the City of Portland, Maine.

RECITALS

1. 60 Elm is the sole owner of land with all buildings and improvements thereon located at 60 Elm Street in the City of Portland, Cumberland County, Maine described in a certain Quitclaim with Covenant Deed from Bayside I, LLC dated October 12, 2022, recorded in the Cumberland County Registry of Deeds (the "Registry of Deeds") at Book 39779, Page 230 (the "60 Elm Parcel").

2. WBP Commercial is the sole owner of land with all buildings and improvements thereon located at 62 Elm Street in the City of Portland, Cumberland County, Maine described in a certain Quitclaim with Covenant Deed from Bayside I, LLC dated October 12, 2022, recorded in the Registry of Deeds at Book 39779, Page 227 (the "WBP Parcel," and together with the 60 Elm Parcel, the "Parcels" and each a "Parcel").

3. The Parties by this Agreement wish to establish certain mutual rights of access, utilities, shared systems and other rights associated with the ownership, use and operation of their respective Parcels to ensure the continued use and enjoyment of the Parcels.

4. To that end, the Parties have agreed to grant each other certain easements and privileges to ensure the continued use and enjoyment of their respective Parcels.

NOW THEREFORE, in consideration of the mutual promises and covenants herein contained, and other good and valuable consideration the receipt and sufficiency of which is acknowledged, the parties agree as follows:

ARTICLE I – EASEMENTS

1. 60 Elm Covenants and Easements Granted to WBP Commercial. 60 Elm hereby grants and conveys to WBP Commercial, and its successors and assigns, the following perpetual easements, rights of way and privileges on, over, under and across the 60 Elm Parcel, which easement(s) shall be appurtenant to and run with the WBP Commercial Parcel (collectively, the "60 Elm Easements"):

A. Utility Easement. A perpetual non-exclusive easement for the installation, use, maintenance, and repair of any and all utilities to service the WBP Commercial Parcel including, without limitation, water, electricity, gas, phone, cable TV and internet on, over, under and across the 60 Elm Parcel in the area where such utility facilities currently exist on the 60 Elm Parcel. 60

Elm shall also have the right to transmit electricity, water, gas, data and any other utility over all existing wires, lines, systems, cables and apparatus located on or within the 60 Elm Parcel for any lawful purpose. WBP Commercial shall have the right, in common with 60 Elm, to connect to any such wires, lines, systems, cables and/or apparatus as may be located by 60 Elm from time to time for such uses as may be convenient for the WBP Commercial Parcel, provided that such connections shall in all events: 1) be at the sole expense of WBP Commercial; 2) shall not interfere with or affect the continuous use and operation of the 60 Elm Parcel; and 3) shall be installed and maintained in a good and workmanlike manner consistent with good utility practice and in compliance with all applicable law and/or permitting requirements. 60 Elm reserves the right for 60 Elm and its successors and assigns to grant routine utility easements in favor of and as requested by utility companies and WBP Commercial shall join in such easements as may reasonably be requested.

B. Access and Use Easement. A perpetual, nonexclusive right of way and easement (in common with 60 Elm and others to whom 60 Elm may grant like rights provided those rights do not interfere with WBP Commercial's easements and rights of way) for the passage and accommodation of persons and vehicles (including commercial vehicles) at any and all times over and across the roads, sidewalks, and other areas of ingress and egress currently existing on the 60 Elm Parcel (the "60 Elm Access Easement Area") for the purpose of providing unimpeded access, ingress and egress from the WBP Commercial Parcel to Elm Street, together with the right to enter from time to time upon said 60 Elm Access Easement Area to inspect, install, maintain, repair, rebuild, replace and remove fill, pavement and other facilities and appurtenances intended to facilitate or improve access over such area, together with the right and easement, at such times if the circumstances allow as 60 Elm shall reasonably approve, to cut, clear and remove trees, bushes, growth and obstructions to clear and keep clear said 60 Elm Access Easement Area of all snow, ice, trees and bushes on or adjacent thereto by such means as WBP Commercial may select. Prior to conducting any work on the 60 Elm Parcel, in the absence of an exigent circumstance, WBP Commercial shall notify 60 Elm at least 48 hours in advance and shall observe 60 Elm's reasonable requests in the further conduct and timing of such work so as to minimize any disruption to the operations on the 60 Elm Parcel. Any and all contractors or personnel engaged for such work shall be under the supervision of 60 Elm and shall have liability insurance in such ordinary and reasonable amounts as 60 Elm may require, certificates of which shall be presented by WBP Commercial upon request.

C. Maintenance Easement. The right, privilege, and easement to temporarily use and occupy, including the right to place scaffolding, cranes and other equipment as may be reasonably required, and for other purposes reasonably incidental to the maintenance and repair of structures constructed or to be constructed upon the WBP Commercial Parcel, that, unimproved portion of the 60 Elm Parcel reasonably necessary for maintenance and repair in connection with the construction, maintenance and repair of the building located or to be located on the WBP Parcel. Prior to entering into the Easement Area for such maintenance and/or repair, in the absence of an exigent circumstance, WBP Commercial shall notify 60 Elm at least 48 hours in advance and shall observe 60 Elm's reasonable requests in the further conduct and timing of such work so as to minimize any disruption to the operations on the 60 Elm Parcel. Any and all contractors or personnel engaged for such work shall be under the supervision of 60 Elm and shall have liability insurance in such ordinary and reasonable amounts as 60 Elm may require, certificates of which shall be presented by WBP Commercial to 60 Elm upon request.

Subject to the terms of Article II below, 60 Elm reserves all rights of ownership in and to the 60 Elm Parcel which are not inconsistent with this Agreement, including, without limitation, the right to grant further easements on, over or across the 60 Elm Parcel, the right to use the 60 Elm Parcel for all

uses not interfering with the use permitted WBP Commercial hereunder, and the right to develop the 60 Elm Parcel and relocate the 60 Elm Easements as set forth in Article II below.

2. WBP Commercial Covenants and Easements Granted to 60 Elm. WBP Commercial hereby grants and conveys to 60 Elm, and its successors and assigns, the following perpetual easements, rights of way and privileges on, over, under and across the WBP Commercial Parcel, which easement(s) shall be appurtenant to and run with the 60 Elm Parcel (collectively, the "WBP Commercial Easements"):

A. Utility Easement. A perpetual non-exclusive easement for the installation, use, maintenance, and repair of any and all utilities to service the 60 Elm Parcel including, without limitation, water, electricity, gas, phone, cable TV and internet on, over, under and across the WBP Commercial Parcel in the area where such utility facilities currently exist on the WBP Commercial Parcel. WBP Commercial shall also have the right to transmit electricity, water, gas, data and any other utility over all existing wires, lines, systems, cables and apparatus located on or within the WBP Commercial Parcel for any lawful purpose. 60 Elm shall have the right, in common with WBP Commercial, to connect to any such wires, lines, systems, cables and/or apparatus as may be located by WBP Commercial from time to time for such uses as may be convenient for the 60 Elm Parcel, provided that such connections shall in all events: 1) be at the sole expense of 60 Elm; 2) shall not interfere with or affect the continuous use and operation of the WBP Commercial Parcel; and 3) shall be installed and maintained in a good and workmanlike manner consistent with good utility practice and in compliance with all applicable law and/or permitting requirements. WBP Commercial reserves the right for WBP Commercial and its successors and assigns to grant routine utility easements in favor of and as requested by utility companies and 60 Elm shall join in such easements as may reasonably be requested.

B. Access and Use Easement. A perpetual, nonexclusive right of way and easement (in common with WBP Commercial and others to whom WBP Commercial may grant like rights provided those rights do not interfere with 60 Elm's easements and rights of way) for the passage and accommodation of persons and vehicles (including commercial vehicles) at any and all times over and across the roads, sidewalks, and other areas of ingress and egress currently existing on the WBP Commercial Parcel (the "WBP Commercial Access Easement Area") for the purpose of providing unimpeded access, ingress and egress from the 60 Elm Parcel to Preble Street, together with the right to enter from time to time upon said WBP Commercial Access Easement Area to inspect, install, maintain, repair, rebuild, replace and remove fill, pavement and other facilities and appurtenances intended to facilitate or improve access over such area, together with the right and easement, at such times if the circumstances allow as WBP Commercial shall reasonably approve, to cut, clear and remove trees, bushes, growth and obstructions to clear and keep clear said WBP Commercial Access Easement Area of all snow, ice, trees and bushes on or adjacent thereto by such means as 60 Elm may select. Prior to conducting any work on the WBP Commercial Parcel, in the absence of an exigent circumstance, 60 Elm shall notify WBP Commercial at least 48 hours in advance and shall observe WBP Commercial's reasonable requests in the further conduct and timing of such work so as to minimize any disruption to the operations on WBP Commercial Parcel. Any and all contractors or personnel engaged for such work shall be under the supervision of WBP Commercial and shall have liability insurance in such ordinary and reasonable amounts as WBP Commercial may require, certificates of which shall be presented by 60 Elm upon request.

C. Maintenance Easement. The right, privilege, and easement to temporarily use and occupy, including to the right to place scaffolding, cranes and other equipment as may be reasonably required, and for other purposes reasonably incidental to the maintenance and repair of

structures constructed or to be constructed upon the 60 Elm Parcel, that unimproved portion of the WBP Commercial Parcel reasonably necessary for such maintenance and repair in connection with the construction, maintenance and repair of the building located or to be located on the 60 Elm Parcel. Prior to entering into the Easement Area for such maintenance and/or repair, in the absence of an exigent circumstance, 60 Elm shall notify WBP Commercial at least 48 hours in advance and shall observe WBP Commercial's reasonable requests in the further conduct and timing of such work so as to minimize any disruption to the operations on WBP Commercial Parcel. Any and all contractors or personnel engaged for such work shall be under the supervision of WBP Commercial and shall have liability insurance in such ordinary and reasonable amounts as WBP Commercial may require, certificates of which shall be presented by 60 Elm to WBP Commercial upon request.

Subject to the terms of Article II below, WBP Commercial reserves all rights of ownership in and to the WBP Commercial Parcel which are not inconsistent with this Agreement, including, without limitation, the right to grant further easements on, over or across the WBP Commercial Parcel, the right to use the WBP Commercial Parcel for all uses not interfering with the use permitted 60 Elm hereunder, and the right to develop the WBP Commercial Parcel and relocate the WBP Commercial Easements as set forth in Article II below.

ARTICLE II – DEVELOPMENT OF A PARCEL

1. In the event that 60 Elm desires to develop the 60 Elm Parcel, 60 Elm shall provide written notice of its intention to so develop (a "Development Notice") to the WBP Commercial prior to commencing such development. Thereafter, 60 Elm shall have the unrestricted right to relocate the 60 Elm Easements to area of the 60 Elm Parcel reasonably designated by 60 Elm. Upon completion the development described in a Development Notice, the 60 Elm Easements will automatically be deemed: (i) terminated as to those portions of 60 Elm Parcel described herein, and (ii) relocated to the areas specified by 60 Elm. Although the foregoing provision is intended to be self-operative, WBP Commercial agrees to execute any instrument reasonably requested by 60 Elm to further evidence such termination and relocation.

2. In the event that WBP Commercial desires to develop the WBP Commercial Parcel, WBP Commercial shall provide a Development Notice to the 60 Elm prior to commencing such development. Thereafter, WBP Commercial shall have the unrestricted right to relocate the WBP Commercial Easements to area of the WBP Commercial Parcel reasonably designated by WBP Commercial. Upon completion the development described in a Development Notice, the WBP Commercial Easements will automatically be deemed: (i) terminated as to those portions of WBP Commercial Parcel described herein, and (ii) relocated to the areas specified by WBP Commercial. Although the foregoing provision is intended to be self-operative, 60 Elm agrees to execute any instrument reasonably requested by WBP Commercial to further evidence such termination and relocation, including those that may be recorded in the Cumberland County Registry of Deeds.

ARTICLE III – DEFAULT; REMEDIES

1. The occurrence of any one or more of the following events shall constitute a material default and breach of this Agreement by the non-performing Party (the "defaulting Party"): the failure to observe or perform any other of the covenants, conditions or obligations of this Agreement or to abide by the restrictions and requirements herein provided and such failure of performance remains uncured sixty (60) days after the issuance of a notice by the other Party (the "non-defaulting Party") specifying the nature of the default claimed.

2. Each non-defaulting Party shall have the right to prosecute any proceedings at law or in equity against any defaulting Party hereto, or any other person, violating or attempting to violate or

defaulting upon any of the provision contained in this Agreement, and to recover damages for any such violation or default. Such proceeding shall include the right to restrain by injunction any violation or threatened violation by another of any of the terms, covenants, or conditions of this Agreement, or to obtain a decree to compel performance of any such terms, covenants, or conditions, it being agreed that the remedy at law for a breach of any such term, covenant, or condition (except those, if any, requiring the payment of a liquidated sum) is not adequate. All of the remedies permitted or available to a Party under this Agreement or at law or in equity shall be cumulative and not alternative, and invocation of any such right or remedy shall not constitute a waiver or election of remedies with respect to any other permitted or available right or remedy. In the event that a Party brings a proceeding at law or in equity against another Party pursuant to this Section, the non-prevailing Party shall pay the reasonable attorneys' fees of the prevailing Party.

3. No delay or omission of any Party in the exercise of any right accruing upon any default of any other Party shall impair any such right or be construed to be a waiver thereof, and every such right may be exercised at any time during the continuance of such default. No waiver by any Party of any default under this Declaration shall be effective or binding on such Party unless made in writing by such Party and no such waiver shall be implied from any omission by a Party to take action in respect to such default. No express written waiver of any default shall affect any other default or cover any other period of time other than any default and/or period of time specified in such express waiver. One or more written waivers or any default under any provision of this Agreement shall not be deemed to be a waiver of any subsequent default in the performance or the same provision or any other term or provision contained in this Agreement.

4. No breach, whether or not material, of the provisions of this Agreement shall entitle any Party to cancel, rescind or otherwise terminate this Agreement, but such limitation shall not affect, in any manner, any other rights or remedies which any Party may have hereunder by reason of any breach of the provisions of this Agreement.

ARTICLE IV - MISCELLANEOUS

1. The easements granted by this Agreement shall be binding on the Parties, their successors and assigns and shall be appurtenant to each Parcel, as the case may be, and shall inure to the benefit of the Parties and their respective successors, assigns, mortgagees, tenants, subtenants, beneficiaries, guests, invitees, contractors and licensees.

2. WBP Commercial agrees to indemnify, defend and hold harmless 60 Elm from:

   a. Any and all claims, actions, damages, liability or expense, including without limitation reasonable attorneys' fees, expert witness and consultants' fees, and court costs, which 60 Elm, or its respective tenants, agents, contractors, employees and licensees, may incur in connection with any and all injuries to or deaths of persons or damage to real or personal property or business arising out of the exercise or use of the rights granted hereunder by 60 Elm.

   b. Any and all mechanic's liens, materialmen's or other liens or claims arising out of any action taken by WBP Commercial, or their tenants, agents, contractors, licensee, or employees pursuant to the provisions of this Agreement, including without limitation attorneys' fees, expert witness and consultants' fees, and court costs incurred by 60 Elm in connection with such claims.

3. 60 Elm agrees to indemnify, defend and hold harmless WBP Commercial from:

a. Any and all claims, actions, damages, liability or expense, including without limitation reasonable attorneys' fees, expert witness and consultants' fees, and court costs, which WBP Commercial, or its respective tenants, agents, contractors, employees and licensees, may incur in connection with any and all injuries to or deaths of persons or damage to real or personal property or business arising out of the exercise or use of the rights granted hereunder by WBP Commercial.

b. Any and all mechanic's liens, materialmen's or other liens or claims arising out of any action taken by 60 Elm, or their tenants, agents, contractors, licensee, or employees pursuant to the provisions of this Agreement, including without limitation attorneys' fees, expert witness and consultants' fees, and court costs incurred by WBP Commercial in connection with such claims.

4. This Agreement may be amended solely by written instrument executed by each of the parties hereto or their respective successors in interest, which written instrument shall be recorded in the Registry of Deeds.

5. Neither this Agreement and grant of any easement, nor the use and enjoyment pursuant to the provisions of this Agreement, shall be deemed in any way to create or confer in or on any member of the public any right to use or enjoy the same, or any estate therein, or operate as a dedication by the Parties or any of them.

6. This Agreement shall be governed by the laws of the State of Maine, without reference to choice of law rules.

7. The rule of strict construction does not apply to the easement grants herein, which shall be given a reasonable construction so that the intention of the parties to confer on each grantee a commercially usable right of enjoyment consistent with historical use. The rights exercised by each Party on the land of the other shall in all cases be exercised so as to reasonably minimize the interference with the use and operation of the other Party's respective land. The use of section titles is for convenience only and shall not be deemed to evidence any intent of the parties hereto.

8. In the event any provision or portion of this Agreement is held by any court of competent jurisdiction to be invalid or unenforceable, such holding will not affect the remainder hereof, and the remaining provisions shall continue in full force and effect to the same extent as would have been the case had such invalid or unenforceable provision or portion never been a part hereof.

9. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and all such counterparts shall constitute one and the same instrument.

TO HAVE AND TO HOLD the same, together with all the privileges and appurtenances thereunto belonging, to the parties, their successors and assigns forever.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

SIGNATURE PAGE TO FOLLOW

IN WITNESS WHEREOF, the Parties have caused this Easement and Maintenance Agreement to be executed as of the day and year first written above.

WBP Commercial LLC
By: Tom Watson & Co., LLC, its Manager

Witness

By: _____
Name: John Laliberte
Its: Vice President

STATE OF MAINE
COUNTY OF Cumberland, SS.

On this 12th day of October, 2022, personally appeared John Laliberte, the Vice President of Tom Watson & Co., LLC, the Manager of WBP Commercial, LLC, to me known to be the person who executed the foregoing instrument, and he acknowledged this instrument, by him signed, to be his free act and deed and the free act and deed of WBP Commercial LLC.

Before me, _____
Notary Public Attorney at Law

Printed Name: Harley Strauss

Affix Notarial Seal or Stamp

Received
Recorded Register of Deeds
Oct 13,2022 02:44:03P
Cumberland County
Jessica M. Spaulding

60 Elm Street LLC

By: Tom Watson & Co., LLC, its Manager

Witness

By: _____
Name: John Laliberte
Its: Vice President

STATE OF MAINE
COUNTY OF Cumberland, SS.

On this 12th day of October, 2022, personally appeared John Laliberte, the Vice President of Tom Watson & Co., LLC, the Manager of 60 Elm Street LLC, to me known to be the person who executed the foregoing instrument, and he acknowledged this instrument, by him signed, to be his free act and deed and the free act and deed of 60 Elm Street LLC.

Before me, _____
Notary Public Attorney at Law

Printed Name: Harley Strauss

Affix Notarial Seal or Stamp

When recorded return to:
Bernstein Shur
100 Middle St.
Attn: Hawley R. Strait, Esq.

EASEMENT AND MAINTENANCE AGREEMENT

This Easement and Maintenance Agreement (the "Agreement") is entered into as of the 12th day of October, 2022, between **89 Elm Street LLC**, a Maine limited liability company ("89 Elm"), **73 Elm Street LLC**, a Maine limited liability company ("73 Elm," and collectively with 89 Elm, each a "Party" and together the "Parties"), for the purpose of establishing the following easements and other privileges in, on, over and across certain properties located along Elm Street in the City of Portland, Maine.

RECITALS

1. 89 Elm is the sole owner of land with all buildings and improvements thereon located at 89 Elm Street in the City of Portland, Cumberland County, Maine described in a certain Quitclaim with Covenant Deed from Bayside II, LLC dated October 12, 2022, recorded in the Cumberland County Registry of Deeds (the "Registry of Deeds") at Book 39779, Page 236 and in a certain Quitclaim with Covenant Deed from Bayside IV, LLC dated October 12, 2022, recorded in the Registry at Book 39779, Page 246 (the "89 Elm Parcel").

2. 73 Elm is the sole owner of land with all buildings and improvements thereon located at 73 Elm Street in the City of Portland, Cumberland County, Maine described in a certain Quitclaim with Covenant Deed from Bayside II, LLC dated October 12, 2022, recorded in the Registry of Deeds at Book 39779, Page 234 (the "73 Elm Parcel," and together with the 89 Elm Parcel, the "Parcels" and each a "Parcel").

3. The Parties by this Agreement wish to establish certain mutual rights of access, utilities, shared systems and other rights associated with the ownership, use and operation of their respective Parcels to ensure the continued use and enjoyment of the Parcels.

4. To that end, the Parties have agreed to grant each other certain easements and privileges to ensure the continued use and enjoyment of their respective Parcels.

NOW THEREFORE, in consideration of the mutual promises and covenants herein contained, and other good and valuable consideration the receipt and sufficiency of which is acknowledged, the parties agree as follows:

ARTICLE I – EASEMENTS

1. 89 Elm Covenants and Easements Granted to 73 Elm. 89 Elm hereby grants and conveys to 73 Elm, and its successors and assigns, the following perpetual easements, rights of way and privileges on, over, under and across the 89 Elm Parcel, which easement(s) shall be appurtenant to and run with the 73 Elm Parcel (collectively, the "89 Elm Easements"):

A. Utility Easement. A perpetual non-exclusive easement for the installation, use, maintenance, and repair of any and all utilities to service the 73 Elm Parcel including, without limitation, water, electricity, gas, phone, cable TV and internet on, over, under and across the 89

Elm Parcel in the area where such utility facilities currently exist on the 89 Elm Parcel. 89 Elm shall also have the right to transmit electricity, water, gas, data and any other utility over all existing wires, lines, systems, cables and apparatus located on or within the 89 Elm Parcel for any lawful purpose. 73 Elm shall have the right, in common with 89 Elm, to connect to any such wires, lines, systems, cables and/or apparatus as may be located by 89 Elm from time to time for such uses as may be convenient for the 73 Elm Parcel, provided that such connections shall in all events: 1) be at the sole expense of 73 Elm; 2) shall not interfere with or affect the continuous use and operation of the 89 Elm Parcel; and 3) shall be installed and maintained in a good and workmanlike manner consistent with good utility practice and in compliance with all applicable law and/or permitting requirements. 89 Elm reserves the right for 89 Elm and its successors and assigns to grant routine utility easements in favor of and as requested by utility companies and 73 Elm shall join in such easements as may reasonably be requested.

B. Access and Use Easement. A perpetual, nonexclusive right of way and easement (in common with 89 Elm and others to whom 89 Elm may grant like rights provided those rights do not interfere with 73 Elm's easements and rights of way) for the passage and accommodation of persons and vehicles (including commercial vehicles) at any and all times over and across the roads, sidewalks, and other areas of ingress and egress currently existing on the 89 Elm Parcel (the "89 Elm Access Easement Area") for the purpose of providing unimpeded access, ingress and egress from the 73 Elm Parcel to Elm Street, together with the right to enter from time to time upon said 89 Elm Access Easement Area to inspect, install, maintain, repair, rebuild, replace and remove fill, pavement and other facilities and appurtenances intended to facilitate or improve access over such area, together with the right and easement, at such times if the circumstances allow as 89 Elm shall reasonably approve, to cut, clear and remove trees, bushes, growth and obstructions to clear and keep clear said 89 Elm Access Easement Area of all snow, ice, trees and bushes on or adjacent thereto by such means as 73 Elm may select. Prior to conducting any work on the 89 Elm Parcel, in the absence of an exigent circumstance, 73 Elm shall notify 89 Elm at least 48 hours in advance and shall observe 89 Elm's reasonable requests in the further conduct and timing of such work so as to minimize any disruption to the operations on the 89 Elm Parcel. Any and all contractors or personnel engaged for such work shall be under the supervision of 89 Elm and shall have liability insurance in such ordinary and reasonable amounts as 89 Elm may require, certificates of which shall be presented by 73 Elm upon request.

C. Maintenance Easement. The right, privilege, and easement to temporarily use and occupy, including the right to place scaffolding, cranes and other equipment as may be reasonably required, and for other purposes reasonably incidental to the maintenance and repair of structures constructed or to be constructed upon the 73 Elm Parcel, that, unimproved portion of the 89 Elm Parcel reasonably necessary for maintenance and repair in connection with the construction, maintenance and repair of the building located or to be located on the 73 Elm Parcel. Prior to entering into the Easement Area for such maintenance and/or repair, in the absence of an exigent circumstance, 73 Elm shall notify 89 Elm at least 48 hours in advance and shall observe 89 Elm's reasonable requests in the further conduct and timing of such work so as to minimize any disruption to the operations on the 89 Elm Parcel. Any and all contractors or personnel engaged for such work shall be under the supervision of 89 Elm and shall have liability insurance in such ordinary and reasonable amounts as 89 Elm may require, certificates of which shall be presented by 73 Elm to 89 Elm upon request.

Subject to the terms of Article II below, 89 Elm reserves all rights of ownership in and to the 89 Elm Parcel which are not inconsistent with this Agreement, including, without limitation, the right to grant further easements on, over or across the 89 Elm Parcel, the right to use the 89 Elm Parcel for all uses not interfering with the use permitted 73 Elm hereunder, and the right to develop the 89 Elm Parcel and relocate the 89 Elm Easements as set forth in Article II below.

2. 73 Elm Covenants and Easements Granted to 89 Elm. 73 Elm hereby grants and conveys to 89 Elm, and its successors and assigns, the following perpetual easements, rights of way and privileges on, over, under and across the 73 Elm Parcel, which easement(s) shall be appurtenant to and run with the 89 Elm Parcel (collectively, the "73 Elm Easements"):

A. Utility Easement. A perpetual non-exclusive easement for the installation, use, maintenance, and repair of any and all utilities to service the 89 Elm Parcel including, without limitation, water, electricity, gas, phone, cable TV and internet on, over, under and across the 73 Elm Parcel in the area where such utility facilities currently exist on the 73 Elm Parcel. 73 Elm shall also have the right to transmit electricity, water, gas, data and any other utility over all existing wires, lines, systems, cables and apparatus located on or within the 73 Elm Parcel for any lawful purpose. 89 Elm shall have the right, in common with 73 Elm, to connect to any such wires, lines, systems, cables and/or apparatus as may be located by 73 Elm from time to time for such uses as may be convenient for the 89 Elm Parcel, provided that such connections shall in all events: 1) be at the sole expense of 89 Elm; 2) shall not interfere with or affect the continuous use and operation of the 73 Elm Parcel; and 3) shall be installed and maintained in a good and workmanlike manner consistent with good utility practice and in compliance with all applicable law and/or permitting requirements. 73 Elm reserves the right for 73 Elm and its successors and assigns to grant routine utility easements in favor of and as requested by utility companies and 89 Elm shall join in such easements as may reasonably be requested.

B. Access and Use Easement. A perpetual, nonexclusive right of way and easement (in common with 73 Elm and others to whom 73 Elm may grant like rights provided those rights do not interfere with 89 Elm's easements and rights of way) for the passage and accommodation of persons and vehicles (including commercial vehicles) at any and all times over and across the roads, sidewalks, and other areas of ingress and egress currently existing on the 73 Elm Parcel (the "73 Elm Access Easement Area") for the purpose of providing unimpeded access, ingress and egress from the 89 Elm Parcel to Preble Street, together with the right to enter from time to time upon said 73 Elm Access Easement Area to inspect, install, maintain, repair, rebuild, replace and remove fill, pavement and other facilities and appurtenances intended to facilitate or improve access over such area, together with the right and easement, at such times if the circumstances allow as 73 Elm shall reasonably approve, to cut, clear and remove trees, bushes, growth and obstructions to clear and keep clear said 73 Elm Access Easement Area of all snow, ice, trees and bushes on or adjacent thereto by such means as 89 Elm may select. Prior to conducting any work on the 73 Elm, in the absence of an exigent circumstance, 89 Elm shall notify 73 Elm at least 48 hours in advance and shall observe 73 Elm's reasonable requests in the further conduct and timing of such work so as to minimize any disruption to the operations on 73 Elm Parcel. Any and all contractors or personnel engaged for such work shall be under the supervision of 73 Elm and shall have liability insurance in such ordinary and reasonable amounts as 73 Elm may require, certificates of which shall be presented by 89 Elm upon request.

C. Maintenance Easement. The right, privilege, and easement to temporarily use and occupy, including to the right to place scaffolding, cranes and other equipment as may be reasonably required, and for other purposes reasonably incidental to the maintenance and repair of structures constructed or to be constructed upon the 89 Elm Parcel, that unimproved portion of the 73 Elm Parcel reasonably necessary for such maintenance and repair in connection with the construction, maintenance and repair of the building located or to be located on the 89 Elm Parcel. Prior to entering into the Easement Area for such maintenance and/or repair, in the absence of an exigent circumstance, 89 Elm shall notify 73 Elm at least 48 hours in

advance and shall observe 73 Elm's reasonable requests in the further conduct and timing of such work so as to minimize any disruption to the operations on 73 Elm Parcel. Any and all contractors or personnel engaged for such work shall be under the supervision of 73 Elm and shall have liability insurance in such ordinary and reasonable amounts as 73 Elm may require, certificates of which shall be presented by 89 Elm to 73 Elm upon request.

Subject to the terms of Article II below, 73 Elm reserves all rights of ownership in and to the 73 Elm Parcel which are not inconsistent with this Agreement, including, without limitation, the right to grant further easements on, over or across the 73 Elm Parcel, the right to use the 73 Elm Parcel for all uses not interfering with the use permitted 89 Elm hereunder, and the right to develop the 73 Elm Parcel and relocate the 73 Elm Easements as set forth in Article II below.

ARTICLE II – DEVELOPMENT OF A PARCEL

1. In the event that 89 Elm desires to develop the 89 Elm Parcel, 89 Elm shall provide written notice of its intention to so develop (a "Development Notice") to 73 Elm prior to commencing such development. Thereafter, 89 Elm shall have the unrestricted right to relocate the 89 Elm Easements to area of the 89 Elm Parcel reasonably designated by 89 Elm. Upon completion the development described in a Development Notice, the 89 Elm Easements will automatically be deemed: (i) terminated as to those portions of 89 Elm Parcel described herein, and (ii) relocated to the areas specified by 89 Elm. Although the foregoing provision is intended to be self-operative, 73 Elm agrees to execute any instrument reasonably requested by 89 Elm to further evidence such termination and relocation.

2. In the event that 73 Elm desires to develop the 73 Elm Parcel, 73 Elm shall provide a Development Notice to the 89 Elm prior to commencing such development. Thereafter, 73 Elm shall have the unrestricted right to relocate the 73 Elm Easements to area of the 73 Elm Parcel reasonably designated by 73 Elm. Upon completion the development described in a Development Notice, the 73 Elm Easements will automatically be deemed: (i) terminated as to those portions of 73 Elm Parcel described herein, and (ii) relocated to the areas specified by 73 Elm. Although the foregoing provision is intended to be self-operative, 89 Elm agrees to execute any instrument reasonably requested by 73 Elm to further evidence such termination and relocation, including those that may be recorded in the Cumberland County Registry of Deeds.

ARTICLE III – DEFAULT; REMEDIES

1. The occurrence of any one or more of the following events shall constitute a material default and breach of this Agreement by the non-performing Party (the "defaulting Party"): the failure to observe or perform any other of the covenants, conditions or obligations of this Agreement or to abide by the restrictions and requirements herein provided and such failure of performance remains uncured sixty (60) days after the issuance of a notice by the other Party (the "non-defaulting Party") specifying the nature of the default claimed.

2. Each non-defaulting Party shall have the right to prosecute any proceedings at law or in equity against any defaulting Party hereto, or any other person, violating or attempting to violate or defaulting upon any of the provision contained in this Agreement, and to recover damages for any such violation or default. Such proceeding shall include the right to restrain by injunction any violation or threatened violation by another of any of the terms, covenants, or conditions of this Agreement, or to obtain a decree to compel performance of any such terms, covenants, or conditions, it being agreed that the remedy at law for a breach of any such term, covenant, or condition (except those, if any, requiring the payment of a liquidated sum) is not adequate. All of the remedies permitted or available to a Party under this Agreement or at law or in equity shall be cumulative and not alternative, and invocation of any such right or remedy shall not constitute a waiver or election of remedies with respect to any other permitted or available right or remedy. In the event that a Party brings a proceeding at law or in equity

against another Party pursuant to this Section, the non-prevailing Party shall pay the reasonable attorneys' fees of the prevailing Party.

3. No delay or omission of any Party in the exercise of any right accruing upon any default of any other Party shall impair any such right or be construed to be a waiver thereof, and every such right may be exercised at any time during the continuance of such default. No waiver by any Party of any default under this Declaration shall be effective or binding on such Party unless made in writing by such Party and no such waiver shall be implied from any omission by a Party to take action in respect to such default. No express written waiver of any default shall affect any other default or cover any other period of time other than any default and/or period of time specified in such express waiver. One or more written waivers or any default under any provision of this Agreement shall not be deemed to be a waiver of any subsequent default in the performance or the same provision or any other term or provision contained in this Agreement.

4. No breach, whether or not material, of the provisions of this Agreement shall entitle any Party to cancel, rescind or otherwise terminate this Agreement, but such limitation shall not affect, in any manner, any other rights or remedies which any Party may have hereunder by reason of any breach of the provisions of this Agreement.

ARTICLE IV - MISCELLANEOUS

1. The easements granted by this Agreement shall be binding on the Parties, their successors and assigns and shall be appurtenant to each Parcel, as the case may be, and shall inure to the benefit of the Parties and their respective successors, assigns, mortgagees, tenants, subtenants, beneficiaries, guests, invitees, contractors and licensees.

2. 73 Elm agrees to indemnify, defend and hold harmless 89 Elm from:

   a. Any and all claims, actions, damages, liability or expense, including without limitation reasonable attorneys' fees, expert witness and consultants' fees, and court costs, which 89 Elm, or its respective tenants, agents, contractors, employees and licensees, may incur in connection with any and all injuries to or deaths of persons or damage to real or personal property or business arising out of the exercise or use of the rights granted hereunder by 89 Elm.

   b. Any and all mechanic's liens, materialmen's or other liens or claims arising out of any action taken by 73 Elm, or their tenants, agents, contractors, licensee, or employees pursuant to the provisions of this Agreement, including without limitation attorneys' fees, expert witness and consultants' fees, and court costs incurred by 89 Elm in connection with such claims.

3. 89 Elm agrees to indemnify, defend and hold harmless 73 Elm from:

a. Any and all claims, actions, damages, liability or expense, including without limitation reasonable attorneys' fees, expert witness and consultants' fees, and court costs, which 73 Elm, or its respective tenants, agents, contractors, employees and licensees, may incur in connection with any and all injuries to or deaths of persons or damage to real or personal property or business arising out of the exercise or use of the rights granted hereunder by 73 Elm.

b. Any and all mechanic's liens, materialmen's or other liens or claims arising out of any action taken by 89 Elm, or their tenants, agents, contractors, licensee, or employees pursuant to the provisions of this Agreement, including without limitation attorneys' fees, expert witness and consultants' fees, and court costs incurred by 73 Elm in connection with such claims.

4. This Agreement may be amended solely by written instrument executed by each of the parties hereto or their respective successors in interest, which written instrument shall be recorded in the Registry of Deeds.

5. Neither this Agreement and grant of any easement, nor the use and enjoyment pursuant to the provisions of this Agreement, shall be deemed in any way to create or confer in or on any member of the public any right to use or enjoy the same, or any estate therein, or operate as a dedication by the Parties or any of them.

6. This Agreement shall be governed by the laws of the State of Maine, without reference to choice of law rules.

7. The rule of strict construction does not apply to the easement grants herein, which shall be given a reasonable construction so that the intention of the parties to confer on each grantee a commercially usable right of enjoyment consistent with historical use. The rights exercised by each Party on the land of the other shall in all cases be exercised so as to reasonably minimize the interference with the use and operation of the other Party's respective land. The use of section titles is for convenience only and shall not be deemed to evidence any intent of the parties hereto.

8. In the event any provision or portion of this Agreement is held by any court of competent jurisdiction to be invalid or unenforceable, such holding will not affect the remainder hereof, and the remaining provisions shall continue in full force and effect to the same extent as would have been the case had such invalid or unenforceable provision or portion never been a part hereof.

9. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and all such counterparts shall constitute one and the same instrument.

TO HAVE AND TO HOLD the same, together with all the privileges and appurtenances thereunto belonging, to the parties, their successors and assigns forever.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

SIGNATURE PAGE TO FOLLOW

IN WITNESS WHEREOF, the Parties have caused this Easement and Maintenance Agreement to be executed as of the day and year first written above.

73 Elm Street LLC

By: Tom Watson & Co., LLC, its Manager

Witness

By: _____
Name: John Laliberte
Its: Vice President

STATE OF MAINE
COUNTY OF Cumberland, SS.

On this 12th day of October, 2022, personally appeared John Laliberte, the Vice President of Tom Watson & Co., LLC, the Manager of 73 Elm Street LLC, to me known to be the person who executed the foregoing instrument, and he acknowledged this instrument, by him signed, to be his free act and deed and the free act and deed of 73 Elm Street LLC.

Before me, _____
Notary Public Attorney at Law

Printed Name: Hunter Starbird

Affix Notarial Seal or Stamp

Received
Recorded Register of Deeds
Oct 13,2022 02:45:44P
Cumberland County
Jessica M. Spaulding

89 Elm Street LLC

By: Tom Watson & Co., LLC, its Manager

Witness

By: _____
Name: John Laliberte
Its: Vice President

STATE OF MAINE
COUNTY OF Cumberland, SS.

On this 12th day of October, 2022, personally appeared John Laliberte, the Vice President of Tom Watson & Co., LLC, the Manager of 89 Elm Street LLC, to me known to be the person who executed the foregoing instrument, and he acknowledged this instrument, by him signed, to be his free act and deed and the free act and deed of 89 Elm Street LLC.

Before me, _____
Notary Public Attorney at Law

Printed Name: Hunter

Affix Notarial Seal or Stamp

When recorded return to:
Bernstein Shur
100 Middle St.
Attn: Hawley R. Strait, Esq.

EASEMENT AND MAINTENANCE AGREEMENT

This Easement and Maintenance Agreement (the "Agreement") is entered into as of the 12th day of October, 2022, between **196 Lancaster Street LLC**, a Maine limited liability company ("196 Lancaster"), **WBP Commercial LLC**, a Maine limited liability company ("WBP Commercial," and collectively with 196 Lancaster, each a "Party" and together the "Parties"), for the purpose of establishing the following easements and other privileges in, on, over and across certain properties located along Lancaster Street in the City of Portland, Maine.

RECITALS

1. 196 Lancaster is the sole owner of land with all buildings and improvements thereon located at 196 Lancaster Street in the City of Portland, Cumberland County, Maine described in a certain Quitclaim with Covenant Deed from Bayside I, LLC dated October 12, 2022, recorded in the Cumberland County Registry of Deeds (the "Registry of Deeds") at Book 39779, Page 232 (the "196 Lancaster Parcel").

2. WBP Commercial is the sole owner of land with all buildings and improvements thereon located at 190 Lancaster Street in the City of Portland, Cumberland County, Maine described in a certain Quitclaim with Covenant Deed from Bayside I, LLC dated October 12, 2022, recorded in the Registry of Deeds at Book 39779, Page 227 (the "WBP Parcel," and together with the 196 Lancaster Parcel, the "Parcels" and each a "Parcel").

3. The Parties by this Agreement wish to establish certain mutual rights of access, utilities, shared systems and other rights associated with the ownership, use and operation of their respective Parcels to ensure the continued use and enjoyment of the Parcels.

4. To that end, the Parties have agreed to grant each other certain easements and privileges to ensure the continued use and enjoyment of their respective Parcels.

NOW THEREFORE, in consideration of the mutual promises and covenants herein contained, and other good and valuable consideration the receipt and sufficiency of which is acknowledged, the parties agree as follows:

ARTICLE I – EASEMENTS

1. 196 Lancaster Covenants and Easements Granted to WBP Commercial. 196 Lancaster hereby grants and conveys to WBP Commercial, and its successors and assigns, the following perpetual easements, rights of way and privileges on, over, under and across the 196 Lancaster Parcel, which easement(s) shall be appurtenant to and run with the WBP Commercial Parcel (collectively, the "196 Lancaster Easements"):

A. Utility Easement. A perpetual non-exclusive easement for the installation, use, maintenance, and repair of any and all utilities to service the WBP Commercial Parcel including,

without limitation, water, electricity, gas, phone, cable TV and internet on, over, under and across the 196 Lancaster Parcel in the area where such utility facilities currently exist on the 196 Lancaster Parcel. 196 Lancaster shall also have the right to transmit electricity, water, gas, data and any other utility over all existing wires, lines, systems, cables and apparatus located on or within the 196 Lancaster Parcel for any lawful purpose. WBP Commercial shall have the right, in common with 196 Lancaster, to connect to any such wires, lines, systems, cables and/or apparatus as may be located by 196 Lancaster from time to time for such uses as may be convenient for the WBP Commercial Parcel, provided that such connections shall in all events: 1) be at the sole expense of WBP Commercial; 2) shall not interfere with or affect the continuous use and operation of the 196 Lancaster Parcel; and 3) shall be installed and maintained in a good and workmanlike manner consistent with good utility practice and in compliance with all applicable law and/or permitting requirements. 196 Lancaster reserves the right for 196 Lancaster and its successors and assigns to grant routine utility easements in favor of and as requested by utility companies and WBP Commercial shall join in such easements as may reasonably be requested.

B. Access and Use Easement. A perpetual, nonexclusive right of way and easement (in common with 196 Lancaster and others to whom 196 Lancaster may grant like rights provided those rights do not interfere with WBP Commercial's easements and rights of way) for the passage and accommodation of persons and vehicles (including commercial vehicles) at any and all times over and across the roads, sidewalks, and other areas of ingress and egress currently existing on the 196 Lancaster Parcel (the "196 Lancaster Access Easement Area") for the purpose of providing unimpeded access, ingress and egress from the WBP Commercial Parcel to Elm Street, Preble Street, and Lancaster Street East, together with the right to enter from time to time upon said 196 Lancaster Access Easement Area to inspect, install, maintain, repair, rebuild, replace and remove fill, pavement and other facilities and appurtenances intended to facilitate or improve access over such area, together with the right and easement, at such times if the circumstances allow as 196 Lancaster shall reasonably approve, to cut, clear and remove trees, bushes, growth and obstructions to clear and keep clear said 196 Lancaster Access Easement Area of all snow, ice, trees and bushes on or adjacent thereto by such means as WBP Commercial may select. Prior to conducting any work on the 196 Lancaster Parcel, in the absence of an exigent circumstance, WBP Commercial shall notify 196 Lancaster at least 48 hours in advance and shall observe 196 Lancaster's reasonable requests in the further conduct and timing of such work so as to minimize any disruption to the operations on the 196 Lancaster Parcel. Any and all contractors or personnel engaged for such work shall be under the supervision of 196 Lancaster and shall have liability insurance in such ordinary and reasonable amounts as 196 Lancaster may require, certificates of which shall be presented by WBP Commercial upon request.

C. Maintenance Easement. The right, privilege, and easement to temporarily use and occupy, including the right to place scaffolding, cranes and other equipment as may be reasonably required, and for other purposes reasonably incidental to the maintenance and repair of structures constructed or to be constructed upon the WBP Commercial Parcel, that, unimproved portion of the 196 Lancaster Parcel reasonably necessary for maintenance and repair in connection with the construction, maintenance and repair of the building located or to be located on the WBP Parcel. Prior to entering into the Easement Area for such maintenance and/or repair, in the absence of an exigent circumstance, WBP Commercial shall notify 196 Lancaster at least 48 hours in advance and shall observe 196 Lancaster's reasonable requests in the further conduct and timing of such work so as to minimize any disruption to the operations on the 196 Lancaster Parcel. Any and all contractors or personnel engaged for such work shall be under the supervision of 196 Lancaster and shall have liability insurance in such ordinary and reasonable amounts as 196 Lancaster may require, certificates of which shall be presented by WBP Commercial to 196 Lancaster upon request.

Subject to the terms of Article II below, 196 Lancaster reserves all rights of ownership in and to the 196 Lancaster Parcel which are not inconsistent with this Agreement, including, without limitation, the right to grant further easements on, over or across the 196 Lancaster Parcel, the right to use the 196 Lancaster Parcel for all uses not interfering with the use permitted WBP Commercial hereunder, and the right to develop the 196 Lancaster Parcel and relocate the 96 Lancaster Easements as set forth in Article II below.

2. WBP Commercial Covenants and Easements Granted to 196 Lancaster. WBP Commercial hereby grants and conveys to 196 Lancaster, and its successors and assigns, the following perpetual easements, rights of way and privileges on, over, under and across the WBP Commercial Parcel, which easement(s) shall be appurtenant to and run with the 196 Lancaster Parcel (collectively, the "WBP Commercial Easements"):

A. Utility Easement. A perpetual non-exclusive easement for the installation, use, maintenance, and repair of any and all utilities to service the 196 Lancaster Parcel including, without limitation, water, electricity, gas, phone, cable TV and internet on, over, under and across the WBP Commercial Parcel in the area where such utility facilities currently exist on the WBP Commercial Parcel. WBP Commercial shall also have the right to transmit electricity, water, gas, data and any other utility over all existing wires, lines, systems, cables and apparatus located on or within the WBP Commercial Parcel for any lawful purpose. 196 Lancaster shall have the right, in common with WBP Commercial, to connect to any such wires, lines, systems, cables and/or apparatus as may be located by WBP Commercial from time to time for such uses as may be convenient for the 196 Lancaster Parcel, provided that such connections shall in all events: 1) be at the sole expense of 196 Lancaster; 2) shall not interfere with or affect the continuous use and operation of the WBP Commercial Parcel; and 3) shall be installed and maintained in a good and workmanlike manner consistent with good utility practice and in compliance with all applicable law and/or permitting requirements. WBP Commercial reserves the right for WBP Commercial and its successors and assigns to grant routine utility easements in favor of and as requested by utility companies and 196 Lancaster shall join in such easements as may reasonably be requested.

B. Access and Use Easement. A perpetual, nonexclusive right of way and easement (in common with WBP Commercial and others to whom WBP Commercial may grant like rights provided those rights do not interfere with 196 Lancaster's easements and rights of way) for the passage and accommodation of persons and vehicles (including commercial vehicles) at any and all times over and across the roads, sidewalks, and other areas of ingress and egress currently existing on the WBP Commercial Parcel (the "WBP Commercial Access Easement Area") for the purpose of providing unimpeded access, ingress and egress from the 196 Lancaster Parcel to Preble Street, Elm Street, and Oxford Street, together with the right to enter from time to time upon said WBP Commercial Access Easement Area to inspect, install, maintain, repair, rebuild, replace and remove fill, pavement and other facilities and appurtenances intended to facilitate or improve access over such area, together with the right and easement, at such times if the circumstances allow as WBP Commercial shall reasonably approve, to cut, clear and remove trees, bushes, growth and obstructions to clear and keep clear said WBP Commercial Access Easement Area of all snow, ice, trees and bushes on or adjacent thereto by such means as 196 Lancaster may select. Prior to conducting any work on the WBP Commercial Parcel, in the absence of an exigent circumstance, 196 Lancaster shall notify WBP Commercial at least 48 hours in advance and shall observe WBP Commercial's reasonable requests in the further conduct and timing of such work so as to minimize any disruption to the operations on WBP Commercial Parcel. Any and all contractors or personnel engaged for such work shall be under the supervision of WBP Commercial and shall have liability insurance in such ordinary and reasonable

amounts as WBP Commercial may require, certificates of which shall be presented by 196 Lancaster upon request.

C. Maintenance Easement. The right, privilege, and easement to temporarily use and occupy, including to the right to place scaffolding, cranes and other equipment as may be reasonably required, and for other purposes reasonably incidental to the maintenance and repair of structures constructed or to be constructed upon the 196 Lancaster Parcel, that unimproved portion of the WBP Commercial Parcel reasonably necessary for such maintenance and repair in connection with the construction, maintenance and repair of the building located or to be located on the 196 Lancaster Parcel. Prior to entering into the Easement Area for such maintenance and/or repair, in the absence of an exigent circumstance, 196 Lancaster shall notify WBP Commercial at least 48 hours in advance and shall observe WBP Commercial's reasonable requests in the further conduct and timing of such work so as to minimize any disruption to the operations on WBP Commercial Parcel. Any and all contractors or personnel engaged for such work shall be under the supervision of WBP Commercial and shall have liability insurance in such ordinary and reasonable amounts as WBP Commercial may require, certificates of which shall be presented by 196 Lancaster to WBP Commercial upon request.

Subject to the terms of Article II below, WBP Commercial reserves all rights of ownership in and to the WBP Commercial Parcel which are not inconsistent with this Agreement, including, without limitation, the right to grant further easements on, over or across the WBP Commercial Parcel, the right to use the WBP Commercial Parcel for all uses not interfering with the use permitted 196 Lancaster hereunder, and the right to develop the WBP Commercial Parcel and relocate the WBP Commercial Easements as set forth in Article II below.

ARTICLE II – DEVELOPMENT OF A PARCEL

1. In the event that 196 Lancaster desires to develop the 196 Lancaster Parcel, 196 Lancaster shall provide written notice of its intention to so develop (a "Development Notice") to the WBP Commercial prior to commencing such development. Thereafter, 196 Lancaster shall have the unrestricted right to relocate the 196 Lancaster Easements to area of the 196 Lancaster Parcel reasonably designated by 196 Lancaster. Upon completion the development described in a Development Notice, the 196 Lancaster Easements will automatically be deemed: (i) terminated as to those portions of 196 Lancaster Parcel described herein, and (ii) relocated to the areas specified by 196 Lancaster. Although the foregoing provision is intended to be self-operative, WBP Commercial agrees to execute any instrument reasonably requested by 196 Lancaster to further evidence such termination and relocation.

2. In the event that WBP Commercial desires to develop the WBP Commercial Parcel, WBP Commercial shall provide a Development Notice to the 196 Lancaster prior to commencing such development. Thereafter, WBP Commercial shall have the unrestricted right to relocate the WBP Commercial Easements to area of the WBP Commercial Parcel reasonably designated by WBP Commercial. Upon completion the development described in a Development Notice, the WBP Commercial Easements will automatically be deemed: (i) terminated as to those portions of WBP Commercial Parcel described herein, and (ii) relocated to the areas specified by WBP Commercial. Although the foregoing provision is intended to be self-operative, 196 Lancaster agrees to execute any instrument reasonably requested by WBP Commercial to further evidence such termination and relocation, including those that may be recorded in the Cumberland County Registry of Deeds.

ARTICLE III – DEFAULT; REMEDIES

1. The occurrence of any one or more of the following events shall constitute a material default and breach of this Agreement by the non-performing Party (the "defaulting Party"): the failure to

observe or perform any other of the covenants, conditions or obligations of this Agreement or to abide by the restrictions and requirements herein provided and such failure of performance remains uncured sixty (60) days after the issuance of a notice by the other Party (the "non-defaulting Party") specifying the nature of the default claimed.

2. Each non-defaulting Party shall have the right to prosecute any proceedings at law or in equity against any defaulting Party hereto, or any other person, violating or attempting to violate or defaulting upon any of the provision contained in this Agreement, and to recover damages for any such violation or default. Such proceeding shall include the right to restrain by injunction any violation or threatened violation by another of any of the terms, covenants, or conditions of this Agreement, or to obtain a decree to compel performance of any such terms, covenants, or conditions, it being agreed that the remedy at law for a breach of any such term, covenant, or condition (except those, if any, requiring the payment of a liquidated sum) is not adequate. All of the remedies permitted or available to a Party under this Agreement or at law or in equity shall be cumulative and not alternative, and invocation of any such right or remedy shall not constitute a waiver or election of remedies with respect to any other permitted or available right or remedy. In the event that a Party brings a proceeding at law or in equity against another Party pursuant to this Section, the non-prevailing Party shall pay the reasonable attorneys' fees of the prevailing Party.

3. No delay or omission of any Party in the exercise of any right accruing upon any default of any other Party shall impair any such right or be construed to be a waiver thereof, and every such right may be exercised at any time during the continuance of such default. No waiver by any Party of any default under this Declaration shall be effective or binding on such Party unless made in writing by such Party and no such waiver shall be implied from any omission by a Party to take action in respect to such default. No express written waiver of any default shall affect any other default or cover any other period of time other than any default and/or period of time specified in such express waiver. One or more written waivers or any default under any provision of this Agreement shall not be deemed to be a waiver of any subsequent default in the performance or the same provision or any other term or provision contained in this Agreement.

4. No breach, whether or not material, of the provisions of this Agreement shall entitle any Party to cancel, rescind or otherwise terminate this Agreement, but such limitation shall not affect, in any manner, any other rights or remedies which any Party may have hereunder by reason of any breach of the provisions of this Agreement.

ARTICLE IV - MISCELLANEOUS

1. The easements granted by this Agreement shall be binding on the Parties, their successors and assigns and shall be appurtenant to each Parcel, as the case may be, and shall inure to the benefit of the Parties and their respective successors, assigns, mortgagees, tenants, subtenants, beneficiaries, guests, invitees, contractors and licensees.

2. WBP Commercial agrees to indemnify, defend and hold harmless 196 Lancaster from:

a. Any and all claims, actions, damages, liability or expense, including without limitation reasonable attorneys' fees, expert witness and consultants' fees, and court costs, which 196 Lancaster, or its respective tenants, agents, contractors, employees and licensees, may incur in connection with any and all injuries to or deaths of persons or damage to real or personal property or business arising out of the exercise or use of the rights granted hereunder by 196 Lancaster.

b. Any and all mechanic's liens, materialmen's or other liens or claims arising out of any action taken by WBP Commercial, or their tenants, agents, contractors, licensee, or employees pursuant to the provisions of this Agreement, including without limitation attorneys' fees, expert witness and consultants' fees, and court costs incurred by 196 Lancaster in connection with such claims.

3. 196 Lancaster agrees to indemnify, defend and hold harmless WBP Commercial from:

a. Any and all claims, actions, damages, liability or expense, including without limitation reasonable attorneys' fees, expert witness and consultants' fees, and court costs, which WBP Commercial, or its respective tenants, agents, contractors, employees and licensees, may incur in connection with any and all injuries to or deaths of persons or damage to real or personal property or business arising out of the exercise or use of the rights granted hereunder by WBP Commercial.

b. Any and all mechanic's liens, materialmen's or other liens or claims arising out of any action taken by 196 Lancaster, or their tenants, agents, contractors, licensee, or employees pursuant to the provisions of this Agreement, including without limitation attorneys' fees, expert witness and consultants' fees, and court costs incurred by WBP Commercial in connection with such claims.

4. This Agreement may be amended solely by written instrument executed by each of the parties hereto or their respective successors in interest, which written instrument shall be recorded in the Registry of Deeds.

5. Neither this Agreement and grant of any easement, nor the use and enjoyment pursuant to the provisions of this Agreement, shall be deemed in any way to create or confer in or on any member of the public any right to use or enjoy the same, or any estate therein, or operate as a dedication by the Parties or any of them.

6. This Agreement shall be governed by the laws of the State of Maine, without reference to choice of law rules.

7. The rule of strict construction does not apply to the easement grants herein, which shall be given a reasonable construction so that the intention of the parties to confer on each grantee a commercially usable right of enjoyment consistent with historical use. The rights exercised by each Party on the land of the other shall in all cases be exercised so as to reasonably minimize the interference with the use and operation of the other Party's respective land. The use of section titles is for convenience only and shall not be deemed to evidence any intent of the parties hereto.

8. In the event any provision or portion of this Agreement is held by any court of competent jurisdiction to be invalid or unenforceable, such holding will not affect the remainder hereof, and the

remaining provisions shall continue in full force and effect to the same extent as would have been the case had such invalid or unenforceable provision or portion never been a part hereof.

9. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and all such counterparts shall constitute one and the same instrument.

TO HAVE AND TO HOLD the same, together with all the privileges and appurtenances thereunto belonging, to the parties, their successors and assigns forever.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

SIGNATURE PAGE TO FOLLOW

IN WITNESS WHEREOF, the Parties have caused this Easement and Maintenance Agreement to be executed as of the day and year first written above.

WBP Commercial LLC
By: Tom Watson & Co., LLC, its Manager

Witness

By: _____
Name: John Laliberte
Its: Vice President

STATE OF MAINE
COUNTY OF Cumberland, SS.

On this 12th day of October, 2022, personally appeared John Laliberte, the Vice President of Tom Watson & Co., LLC, the Manager of WBP Commercial, LLC, to me known to be the person who executed the foregoing instrument, and he acknowledged this instrument, by him signed, to be his free act and deed and the free act and deed of WBP Commercial LLC.

Before me, _____
Notary Public Attorney at Law

Printed Name: Hartley Stuart

Affix Notarial Seal or Stamp

196 Lancaster Street LLC

By: Tom Watson & Co., LLC, its Manager

Witness

By: _____
Name: John Laliberte
Its: Vice President

Received
Recorded Register of Deeds
Oct 13,2022 02:46:55P
Cumberland County
Jessica M. Spaulding

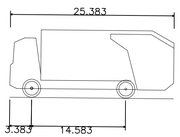
STATE OF MAINE
COUNTY OF Cumberland, SS.

On this 12th day of October, 2022, personally appeared John Laliberte, the Vice President of Tom Watson & Co., LLC, the Manager of 196 Lancaster Street LLC, to me known to be the person who executed the foregoing instrument, and he acknowledged this instrument, by him signed, to be his free act and deed and the free act and deed of 196 Lancaster Street LLC.

Before me, _____
Notary Public Attorney at Law

Printed Name: Hartley Stuart

Affix Notarial Seal or Stamp



Hino 268A J + Wayne Royal GT12 Refuse Truck

Overall Length	25.383ft
Overall Width	8.042ft
Overall Body Height	10.488ft
Min Body Ground Clearance	1.318ft
Track Width	8.042ft
Lock-to-lock time	6.00s
Curb to Curb Turning Radius	23.900ft

196 LANCASTER STREET LLC
39779/232
28,591 S.F. ±
0.66 ACRES ±

WBP COMMERCIAL LLC.
39779/227
38,301 S.F. ±
0.88 ACRES ±

ZONE B7
ZONE B3
ZONE R6

LANCASTER STREET
(TWO-WAY)

ELM STREET
(ONE-WAY)

RETAIL SPACE
SPRINKLER ROOM
RETAIL SPACE
LOBBY
BIKE STORAGE
MECHANICAL ROOM
MAIL/PACKAGES
COMMUNITY ROOM
STORAGE/ LAUNDRY
2ND STORY
RESIDENTIAL
3RD STORY
RETAIL SPACE

PROPOSED BUILDING:
89 ELM STREET
3 RETAIL UNITS
201 RESIDENTIAL UNITS

7.60'
16.00'
14.44'
27.30'
5.00'
11.50'
11.80'
20.00'
2.90'
0.30'
8.90'
100.00'
10.40'
14.40'
4.20'

50 CEDAR STREET
21.40'
15.80'

CEDAR STREET
(ONE-WAY)

N/F AMELIA A. LABRECK
37970/11

TM 33-H-16,17
N/F
DAVID B. NOWLIN
25148/336

TM 26-A-12
N/F JAMES W. HALL
SARAH MICHNIEWICZ
23909/341

TM 26-A-11
N/F ROBERT HYDE
27470/68

TM 26-A-8
N/F ALBERT
BRESETTE
7951/275

HALL COURT

TM 26-B-1
N/F ROBERT HYDE
27470/68

TM 26-B-2,3
N/F ALBERT
BRESETTE

7.00'
20.70'
R15'
16.00'
24.00'
R2'

EXISTING PARKING SPACE (TYP.)

TM 26-B-14
N/F MARY LEE
BENNISON
27956/297

197 OXFORD STREET LLC
39779/241
3,674 S.F. ±
0.08 ACRES ±

OXFORD STREET
(ONE-WAY)

Hino 268A J + Wayne Royal GT12 Refuse Truck

20 0 20 40
SCALE: 1" = 20'

PRELIMINARY
NOT ISSUED FOR
CONSTRUCTION

ISSUED FOR	BY DATE
CITY COMMENT	WHS 6/8/23

DRAWING NAME: TURNING TEMPLATE

PROJECT NAME: 89 ELM STREET REDEVELOPMENT – PORTLAND

CLIENT: 89 ELM, LLC
188 STATE STREET, 3RD FLOOR, PORTLAND, ME 04101

ACORN ENGINEERING, INC.

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. ANY MODIFICATIONS MADE TO THIS PLAN WITHOUT THE WRITTEN PERMISSION OF ACORN ENGINEERING, INC. SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

ACORN ENGINEERING, INC.
P.O. BOX 3422, PORTLAND, MAINE 04104
(207) 775-2655

FILE:	1192.2_CIVIL
JN:	1192.2
SCALE:	AS NOTED
DESIGNED BY:	SJL
DRAWN BY:	DNM
CHECKED BY:	WHS

STATE OF MAINE
WILLIAM H. SAVAGE
11419
6/8/23
LICENSED PROFESSIONAL ENGINEER

DRAWING NO.
EX-1

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.
Technical Manual Section 1 Figure I-16	Requires a 7" curb reveal adjacent to sidewalks or esplanades	We are requesting flush curbing in select locations along Lancaster Street.	The project proposes to construct a shared street along Lancaster Street between Preble & Elm Street. The flush curbing is a feature of the shared street that has been utilized in similar application in other areas of the City.
Chapter 14 Table 7-E: Mixed-Use Zone Dimensional Standards	Front setback maximum 5 ft zone B-3	The development proposes to exceed the maximum 5 ft front setback.	The setback increase will allow for a public linear park and outdoor retail area along the front of the 196 Lancaster St building between Elm & Preble Streets.
Technical Manual 1.14 Parking Lot and Parking Space Design / Figure I-27	Requires that drive aisle width for right-angle parking be 24' wide	We are requesting the drive aisle width be reduced to 22' for right angle parking.	In order to maximize greenspace & residential units, we wish to reduce the footprint of parking areas in multiple low-turnover parking areas within the development.

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.
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Chapter 14 Table 7-E: Mixed-Use Zone Dimensional Standards	Front setback maximum 5 ft zone B-3	The development proposes to exceed the maximum 5 ft front setback.	The setback increase will allow for a public linear park and outdoor retail area along the front of the 196 Lancaster St building between Elm & Preble Streets.

Att. L

Gorham Savings Bank

December 22, 2022

To Whom it May Concern,

I am writing regarding the future development of the Bayside parcels recently acquired by Portland-based developer Tom Watson & Co. Gorham Savings has enjoyed a long and productive relationship with this firm. Having partnered with them on several occasions and having closely reviewed the financials of both the company and key principals, it is clear that the group has the capacity and experience for a development of this nature.

Several recent projects that the company has led give a sense of the group's strength and abilities from both a financial and development perspective:

- Construction is currently underway on a 171-unit apartment property at 52 Hanover Street, a few blocks away from the subject development. The deal was financed through a participation of Maine and regional banks.
- Right next door to 52 Hanover, is the firm's 82 Hanover development. Acquired in 2018 from the city, the team repurposed a former Public Works building into 40,000 SF of retail, restaurant and office space. 82 Hanover has become a thriving hub of the Bayside community. The project is financed with a Maine-based bank.
- In 2019 the team purchased a multifamily property at 132 Marginal way. Following the acquisition, the property was converted from 100-quad units to 196 traditional apartment units. The project is financed with a Maine-based bank.
- In Biddeford, construction is nearing completion on a 96-unit historic tax credit conversion of a former mill building. This building is the first phase in a campus-style development along Gooch Street that will combine rental housing, for-sale condos and commercial space. The project is financed with a Maine-based bank.
- In Wilmington, North Carolina, Tom Watson & Co recently acquired a 219-unit multifamily property. The property was acquired with financing from a national bridge lending program with plans to refinance the property into agency financing upon completion of the improvement plan.

These and many other projects make up the firm's long list of strong projects. Tom Watson & Co has access to a wide array of debt funding sources and a deep list of loyal investors who are eager to participate in future projects.

Please reach out with any further questions.

Best,

Nick Weightman SVP
Commercial Banking | Gorham Savings Bank

Team

Att. M

Development team

Tom Watson & Co. PORT PROPERTY

Local commitment, local perspective

Tom Watson & Co. and its property management arm, Port Property, have been **invested in and committed to the Bayside neighborhood** for years, with a diverse portfolio in the immediate area – including The Linden, 117 Lofts, and the commercial spaces of 52 Hanover Street.

With Port Property's own management office located at 82 Hanover Street, the team has formed a deep-rooted connection to the area and locally operates out of the Bayside neighborhood.

Port Property was founded in Portland and has been managing properties and "making home happen" since 1993. Port Property owns and manages more than 100 unique properties, leveraging their experience and expansive portfolio to provide exceptional quality and customer service to residents.

Tom Watson & Co. & Port Property take a **comprehensive approach to development, construction and management**. Working as a collective group, they invest in their own properties, use their own construction team or collaborate directly with a construction partner, and, ultimately, oversee that property's management.

Their cohesive approach ensures an unmatched level of quality, service, and longstanding commitment – even after a project is completed.

This project continues the team's vision that began with 52 Hanover. Built around the idea of strengthening connection and synergy between community residents and the surrounding area, the activation of Lancaster Street will create **a dynamic neighborhood hub that is authentic to its location while accommodating local housing and workforce needs**.



TOM WATSON, Principal
Tom founded Port Property Management (Tom Watson & Co.'s Maine management company) with his father, Jack, in 1993 in an effort towards growing and diversifying the portfolio, and he has since grown the company into the largest owner and manager of residential property in Maine. Tom also founded and leads Tom Watson & Co, our Portland-based acquisition & development company. Tom graduated from Stanford University with a BA and later Boston University with an MBA. He now maintains homes in Portland, ME and Wilmington, NC.



JOSEPH PORTA, Principal
Joe is the founder of Porta & Co. Commercial Real Estate Services, a commercial real estate brokerage based in Portland, Maine. Joe has 16-years of experience in the industry, where he has traded over $1billion in deal volume. His deals include some of the largest multi-family transactions in the history of the state, in addition to representing many of Portland's largest commercial office tenants. In addition to Joe's career in brokerage, he has over decade of experience developing and repositioning assets in downtown Portland.



JOHN LALIBERTE, Developer
John joined Tom Watson & Co. in 2018. His primary focus is multi-family development in the Greater Portland market. He is responsible for leading the development team through the full-cycle development process, beginning with deal-sourcing and concluding on project stabilization. John is currently leading the development efforts at 52 Hanover Street, Portland and he played a primary role in the repositioning of The Linden at 132 Marginal Way.



MICHAEL BARTON, Developer
Mike is a project specialist who recently joined the Tom Watson & Co. team to facilitate A&D's growth goals for ground-up new development and major rehabilitation projects. Mike works closely with the in-house construction management division to align its goals with A&D. His roles include assisting with underwriting & early hard cost estimation, feasibility, entitlements, project team procurement and administration, and post development support. Mike previously served as the Owner/Operator of the Congress Group of Maine, an independent Owner's Representative company specializing in project management in the Greater Portland area in addition to undertaking real estate development projects of his own. Mike is a LEED AP and a Certified Professional Constructor.

Team

Consultant team

Stantec Urban Places

Our Urban Places practice is a uniquely connected virtual studio—uniting interdisciplinary leaders in specialties that contribute to renewed urban centers from transit oriented corridors to sprawling downtown hubs and all that is in between. In the last 5 years, our Urban Places team members have opened the door to well over $25 billion worth of projected development in North America through implemented plans that increase multimodal access and safety to the places where we live, work, invest, and thrive.

Our Urban Places professionals help clients successfully tackle complex issues. One key to our success lies in our unconventional structure. As a specialized, multi-national practice of urban experts, we maintain the focus and responsiveness of a boutique firm within Stantec's broader network of 400 global offices and over 26,000 professionals. As an industry leading design and engineering firm, we uniquely buttress our mobility and transit planning approach with unmatched in-house technical resources in streetscape and landscape design; public realm; infrastructure and transportation; environmental services; policy support; funding strategies; and more.

Levine Planning Strategies

Levine Planning Strategies, LLC, (LPS) is a small, New England-based firm committed to building communities by using good processes and effective planning tools. Whether helping a developer coordinate a good concept into implementation, or working with municipal staff on their land use code, or helping a community develop realistic and dynamic policies and plans, LPS sees the value of planning for developers, and the value of developments to implement plans. LPS also has experience in planning for vibrant downtowns, drafting and revising zoning bylaws and ordinances, and how public finance tools can be used for policy objectives.

Firm founder Jeff Levine, AICP, spent 25 years in leadership positions in local government planning offices. Currently he is a member of the faculty in the Department of Urban Studies & Planning at MIT.

Team

Civil Engineer

Acorn Engineering

Acorn Engineering, Inc. specializes in providing urban redevelopment, civil/site design, environmental services, municipal consulting, and construction administration. Together, Acorn Engineering, Inc. has successfully designed and permitted more than 20 Minor and Major projects in Portland, including Munjoy Heights, East Bayside Lofts, The Hiawatha, 70 Anderson, 52 Hanover, and most recently 200 Federal Street, Mercy Hospital as well as 1 Upper Falls Road (aka 1 Gooch Street) in Biddeford.

Transportaion Engineer

VHB

VHB's passionate professionals include engineers, scientists, planners and designers who partner with public and private clients in the transportation, real estate, institutional, and energy industries, as well as federal, state and local governments.

Together, we work to improve mobility, enhance communities and economic vitality, and balance development and infrastructure needs with environmental stewarship.

We're a team - 1,800 strong - eager to deliver value by embracing out clients' goals, anticipating challenges building lasting partnerships, and always providing an exceptional experience. We're passionate about making meaningful contributions to the wold through the work we do; and we are proud, yet humbled to have been doing this for over 40 years.

The transportation professionals in our South Portland office have been involved in the transportation permitting of some of Portland's most exciting projects.

Neighborhood Context Statement. *Provide a statement and/or plan as to the general impact of the proposed Master Development Plan upon the area, indicating how the Master Development Plan relates to surrounding properties and what measures will be taken to create appropriate transitions and access from the subject property to abutting public properties (i.e. parks, waterfront, etc.) or other neighboring tracts (if applicable)*

Att. N

General impact

The master plan has been developed to reflect and reinforce priorities from the City's recent comprehensive plan. The exhibit at right introduces these goals and summarizes the project's key community benefits.

In keeping with Portland's goals, Bayside will foster a community that is:



Bayside will source inspiration from other walkable, mixed-use community spaces. This image is from the recently completed The Landing, in Fort Wayne, IN.

The Development will:

- Establish the Lancaster corridor as Bayside's "Main Street," lined with retail, food and beverage, and other amenities from Parris Street to Whole Foods.
- Introduce 800+ total and 200+ affordable new rental homes for the Portland community to accommodate the City's growing need for mixed-income housing.
- Create a signature public space between Preble and Elm where the neighborhood can come together.
- Convert numerous surface parking lots into vibrant new developments.
- Retain social services and other established community organizations in refurbished historic buildings.
- Consolidate parking at the Public Market garage to manage traffic, promote pedestrian access, and strengthen the connection between Bayside and downtown Portland.
- Source inspiration from cities that have successfully followed a similar path, prioritizing pedestrian access, mixed-use community spaces, and sustainable initiatives.
- Promote a thoughtful development process that helps Portland achieve its Comprehensive Plan goals and addresses affordability, accessibility, connectivity, and climate resiliency.

Neighborhood Context Statement. *Provide a statement and/or plan as to the general impact of the proposed Master Development Plan upon the area, indicating how the Master Development Plan relates to surrounding properties and what measures will be taken to create appropriate transitions and access from the subject property to abutting public properties (i.e. parks, waterfront, etc.) or other neighboring tracts (if applicable)*

General impact
The project translates the City's comprehensive plan priorities into planning and design strategies that reflect and reinforce local community goals and shared values.

MASTER PLAN PRINCIPLES

5

Translating Portland's plan into a diverse neighborhood that celebrates shared community

Build a neighborhood heart for the entire community



Develop a Main Street and public realm that reflects what makes Bayside special.

Create places that connect people



Promote walkable connections across Bayside and to the surrounding city.

Establish a genuine common ground



Introduce an inclusive, accessible place where the community can come together.

Foster real walkability



Develop a critical mass of density and mix of uses that invite pedestrians.

Celebrate living culture and local heritage



Reinforce the neighborhood's diverse architectural character and community values.

Curate the street

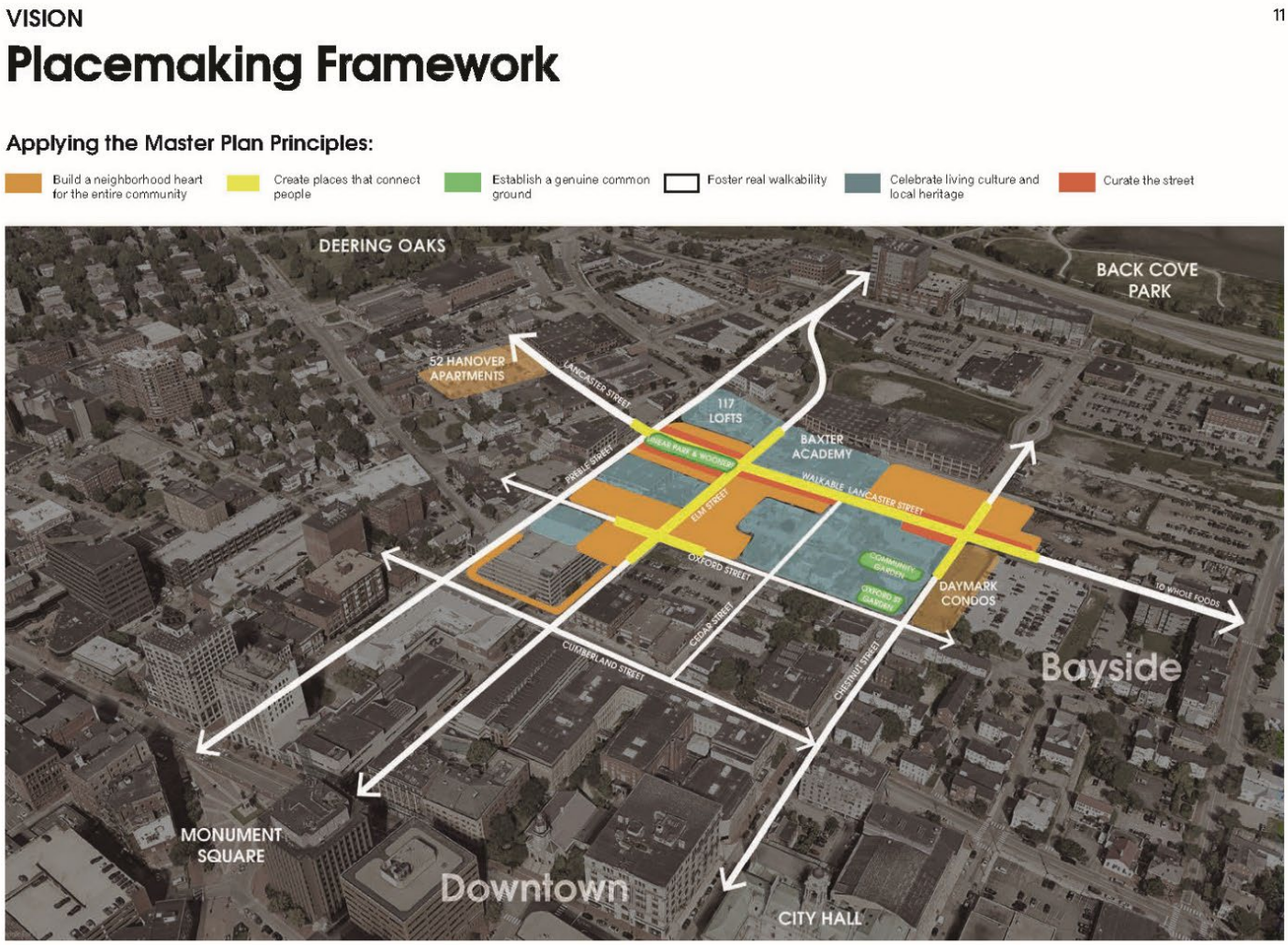


Integrate food/beverage and other neighborhood amenities that bring the streets to life.

Neighborhood Context Statement. *Provide a statement and/or plan as to the general impact of the proposed Master Development Plan upon the area, indicating how the Master Development Plan relates to surrounding properties and what measures will be taken to create appropriate transitions and access from the subject property to abutting public properties (i.e. parks, waterfront, etc.) or other neighboring tracts (if applicable)*

Relationship to surrounding properties

The master plan envisions a development knit into and helping strengthen the neighborhood fabric through its relationship with and connection to surrounding structures and places. The project's placemaking framework applies the master planning principles to the West Bayside context, emphasizing community connection, diversity, walkability, local heritage, and vibrant streets.

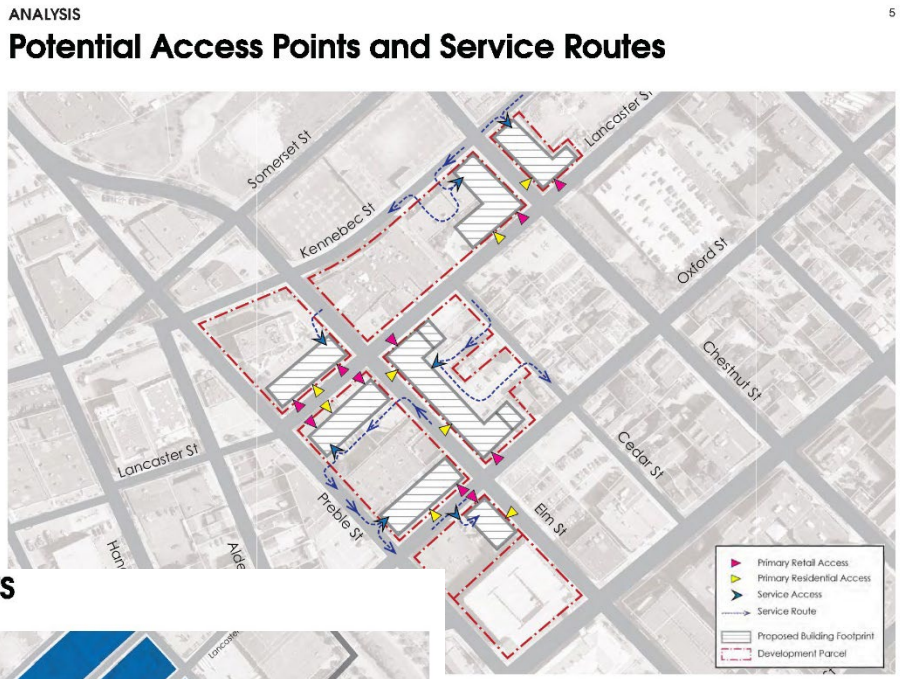


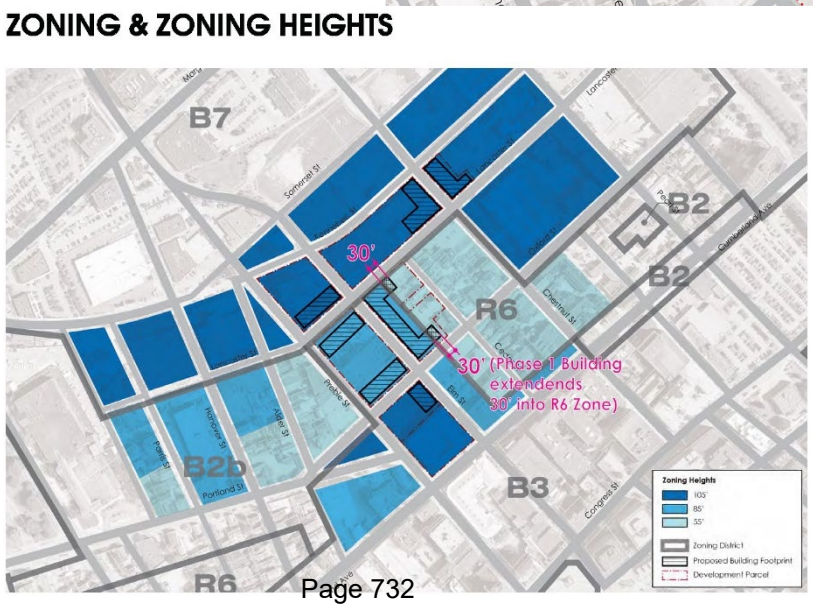
Neighborhood Context Statement. *Provide a statement and/or plan as to the general impact of the proposed Master Development Plan upon the area, indicating how the Master Development Plan relates to surrounding properties and what measures will be taken to create appropriate transitions and access from the subject property to abutting public properties (i.e. parks, waterfront, etc.) or other neighboring tracts (if applicable)*

Measures to create appropriate transitions and access to abutting public properties / neighboring tracts

The master plan does not abut public properties but does take care to provide access to new buildings without disrupting access to existing properties.

Planned buildings all conform to currently approved height limits. The buildings adjacent to the lower R6 zone include a step down at the zone border, helping transition the massing from taller construction to lower context.





Att.
N1

BAYSIDE | PORTLAND, ME
LANCASTER STREETSCAPE

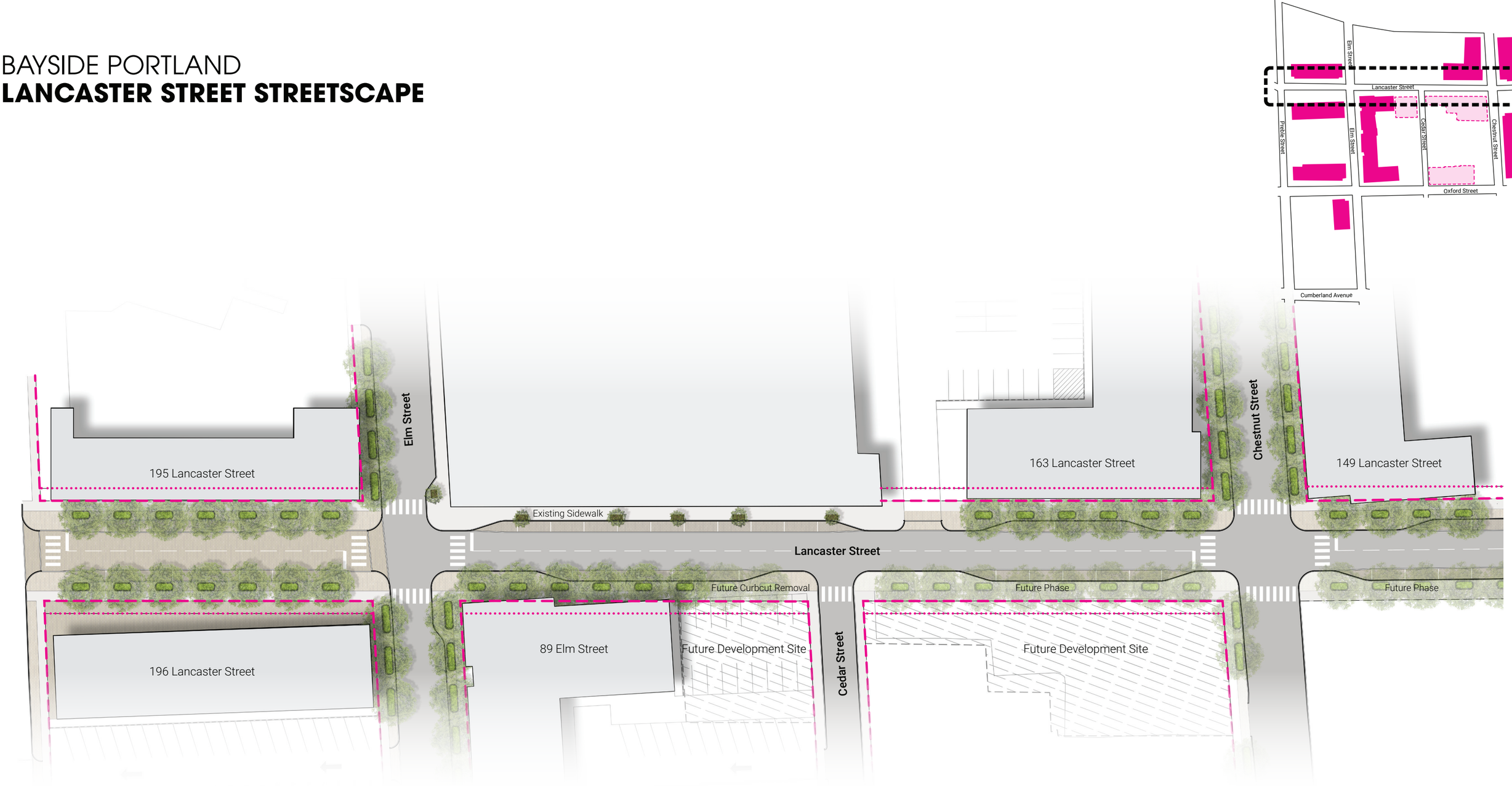
BAYSIDE PORTLAND

RETAIL & OUTDOOR DINING OPPORTUNITIES

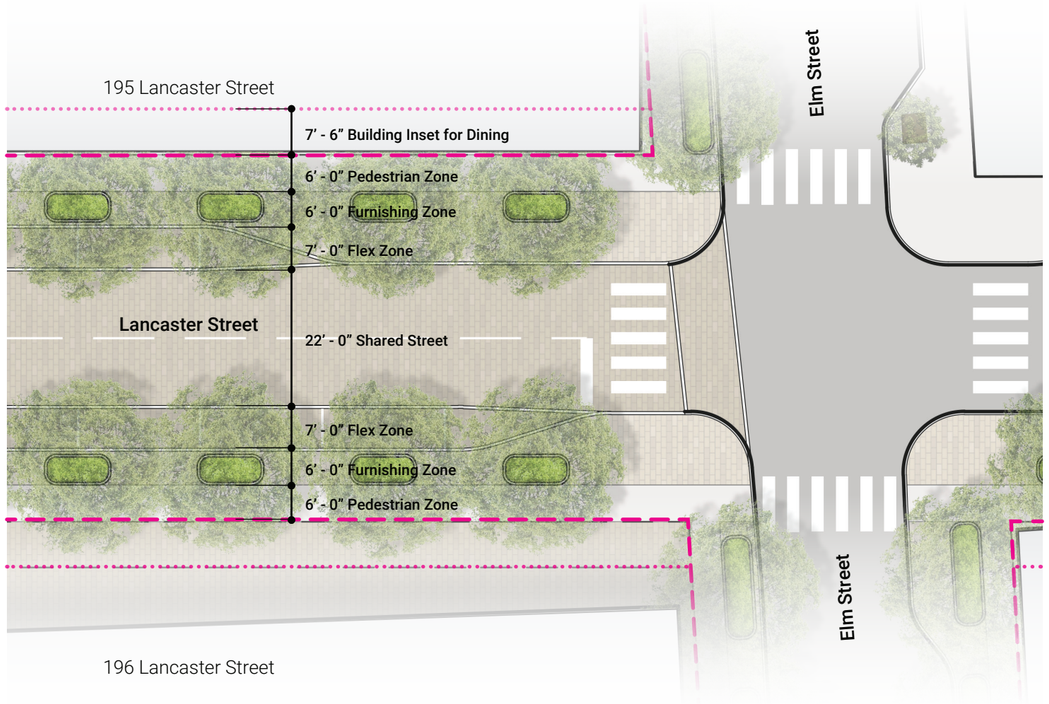


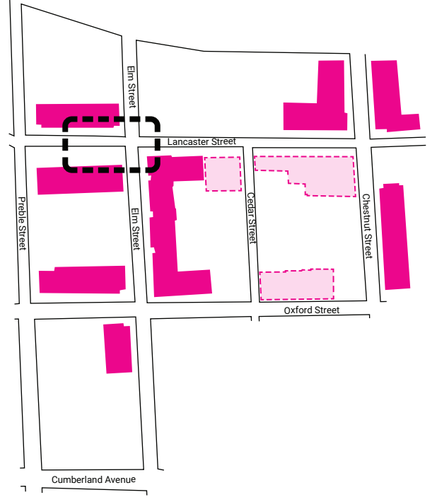
BAYSIDE PORTLAND

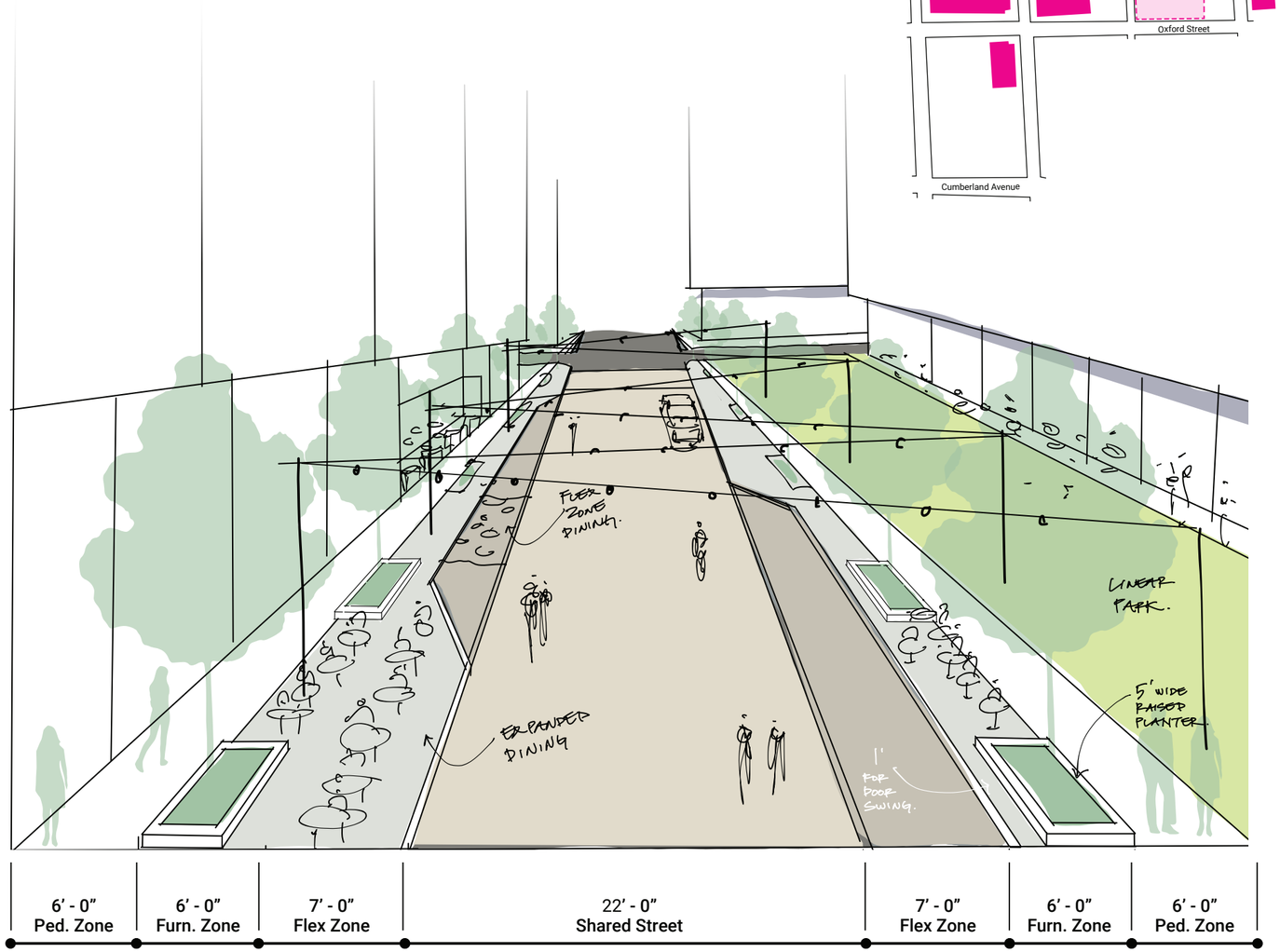
LANCASTER STREET STREETSCAPE



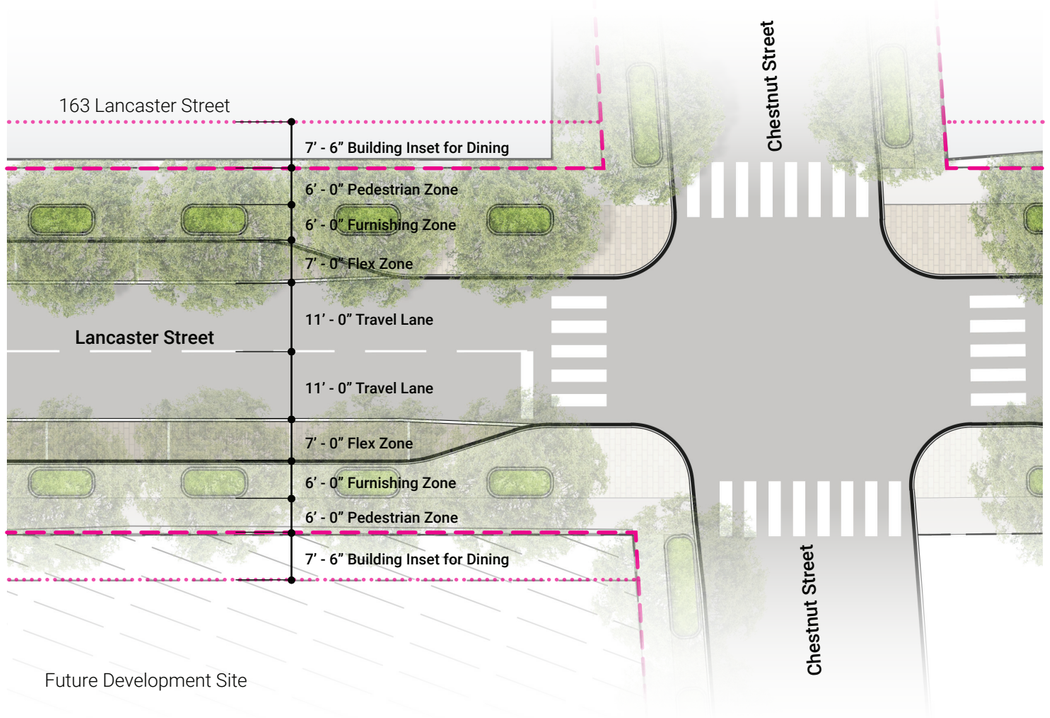
LANCASTER STREETSCAPE
195 -196 LANCASTER STREET

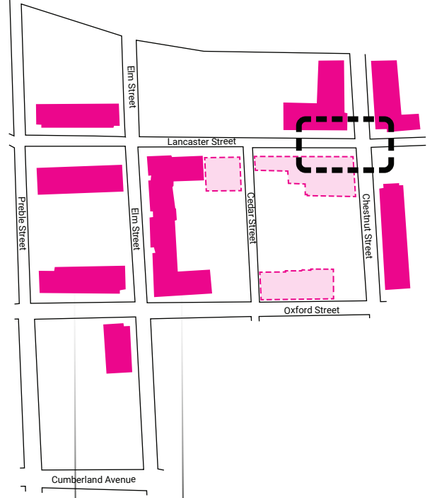


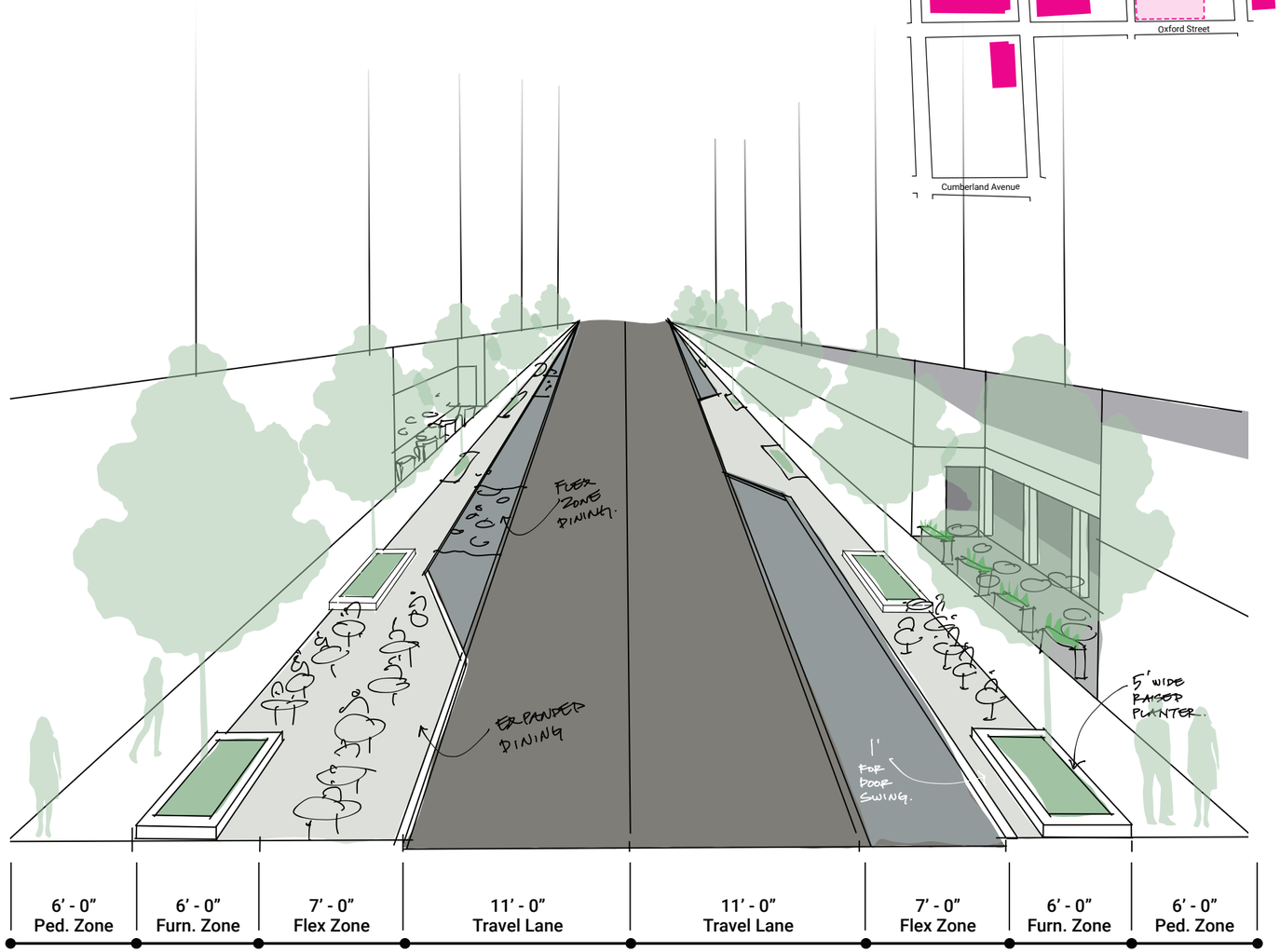




LANCASTER STREETSCAPE
163 -149 LANCASTER STREET







LANCASTER STREETSCAPE PRECEDENTS
1. SHARED STREET








LANCASTER STREETSCAPE PRECEDENTS
2. ECLECTIC COMMERCIAL FRONTAGE



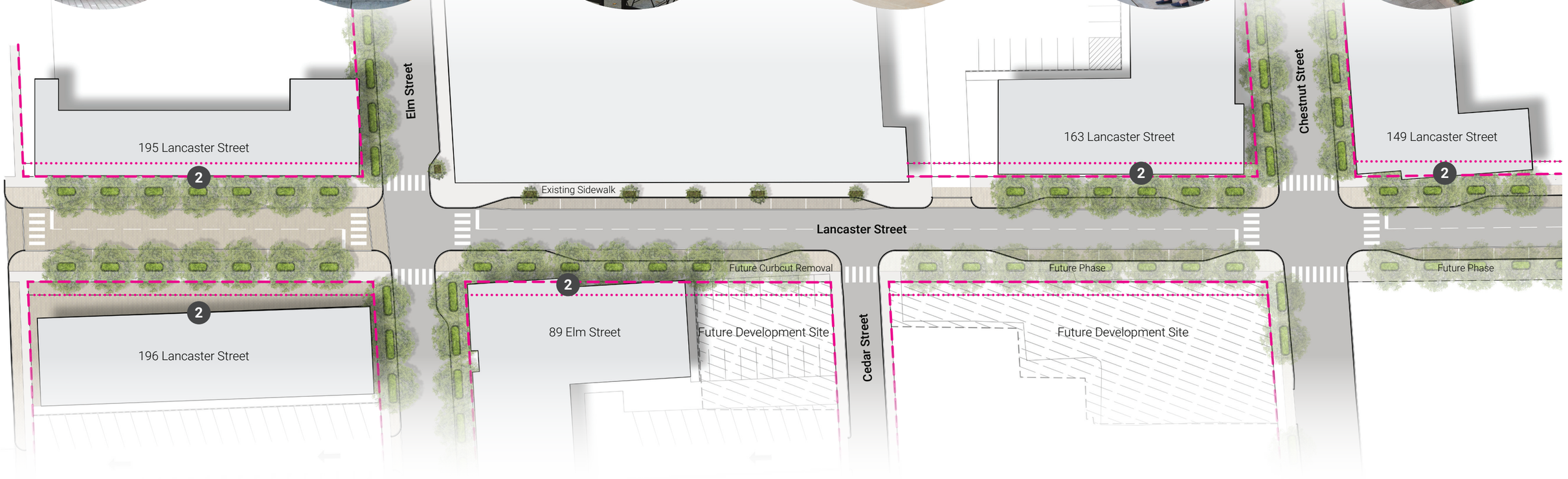












LANCASTER STREETSCAPE PRECEDENTS
3. OUTDOOR DINING



a.) Expanded Furnishing Zone



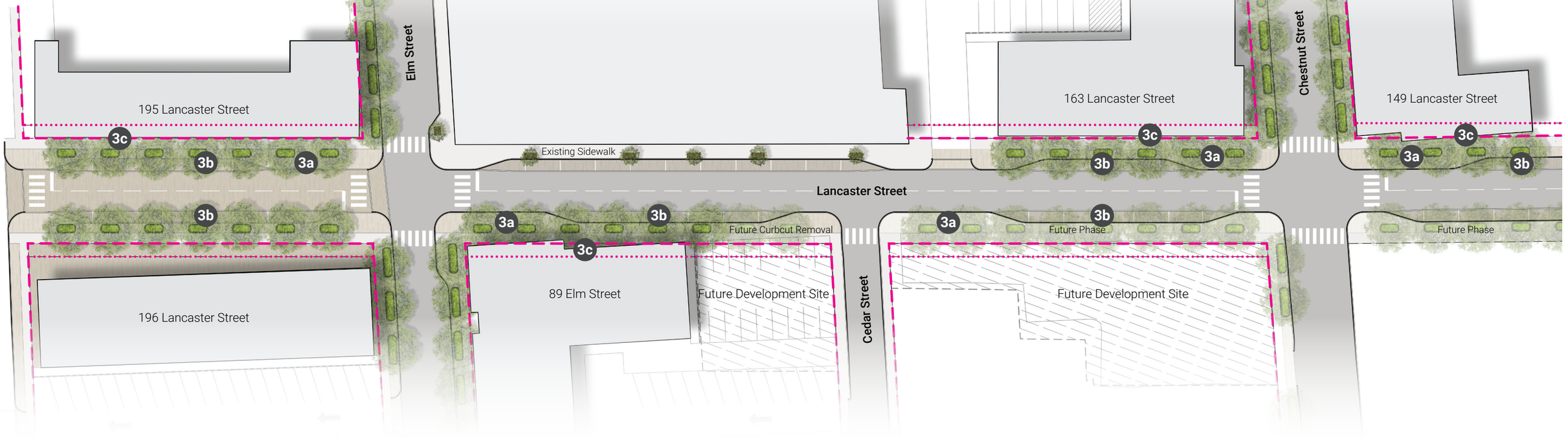
b.) Flex Zone





c.) Inset Buildng Face





LANCASTER STREETSCAPE PRECEDENTS
4. LIGHTING



a.) catenary



b.) gateway



c.) integrated



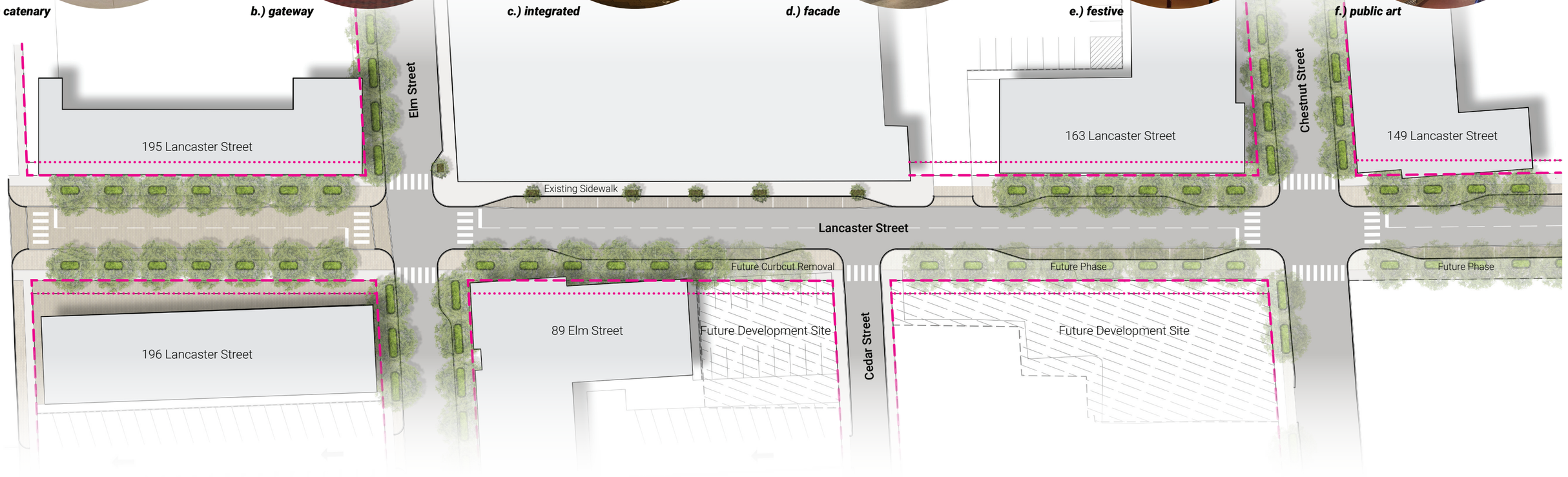
d.) facade



e.) festive



f.) public art



ARCHITECTURAL DESIGN PRINCIPLES

MASTER PLAN PRINCIPLES

5

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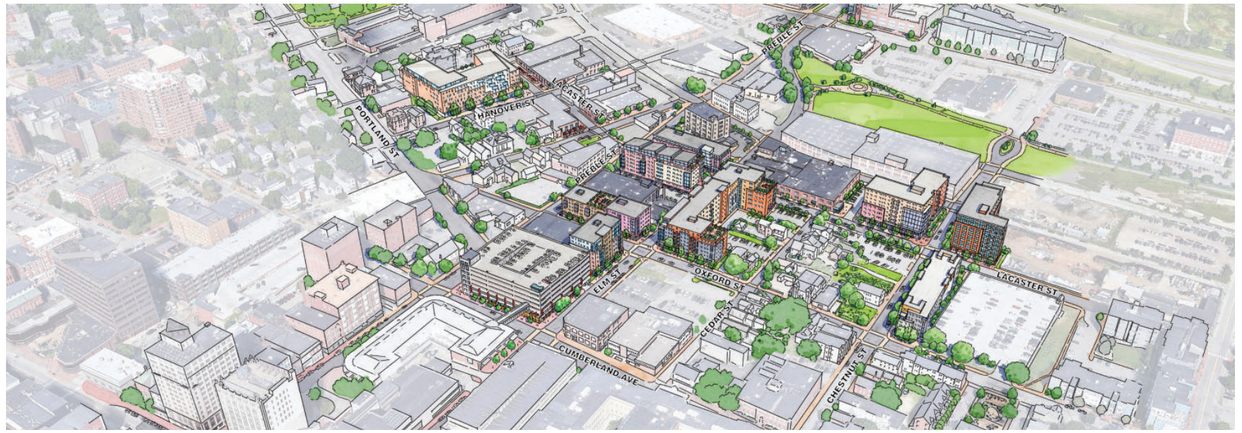




GUIDED BY MASTERPLAN GOALS

MESH WITH EXISTING PORTLAND DESIGN GUIDELINES

ARCHITECTURAL DESIGN PRINCIPLES

CONTEXT

9

The Lancaster Street Corridor



There is already a lot going on along Lancaster Street, but gaps in activity between Preble and Pearl detract from the street's overall liveliness.

ESTABLISH UNIFYING THEMES

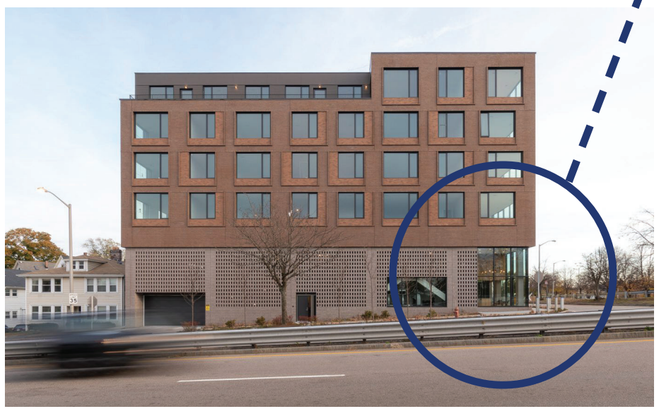
CREATE A NEIGHBORHOOD CHARACTER

REFERENCE IMAGE EXAMPLE, NOT FINAL DESIGN INTENT



IDENTIFY SIMILAR ELEMENTS THAT REPEAT THEMATICALLY ACROSS MASTERPLAN BUILDINGS

MATERIAL, DETAIL, COLOR, ETC







CREATE READILY APPARENT STREETWALL MASSING

ESTABLISH A NEW DATUM FOR FUTURE DEVELOPMENT

REFERENCE IMAGE EXAMPLE, NOT FINAL DESIGN INTENT



DEFINE A COMMON STREETWALL

CREATE A DATUM OR TWO, BREAK IT WHEN IMPORTANT

BAYSIDE PORTLAND

ARCHITECTURAL DESIGN PRINCIPLES



LOOK TO WARM AND‘NATURAL’ MATERIALS AND COLORS

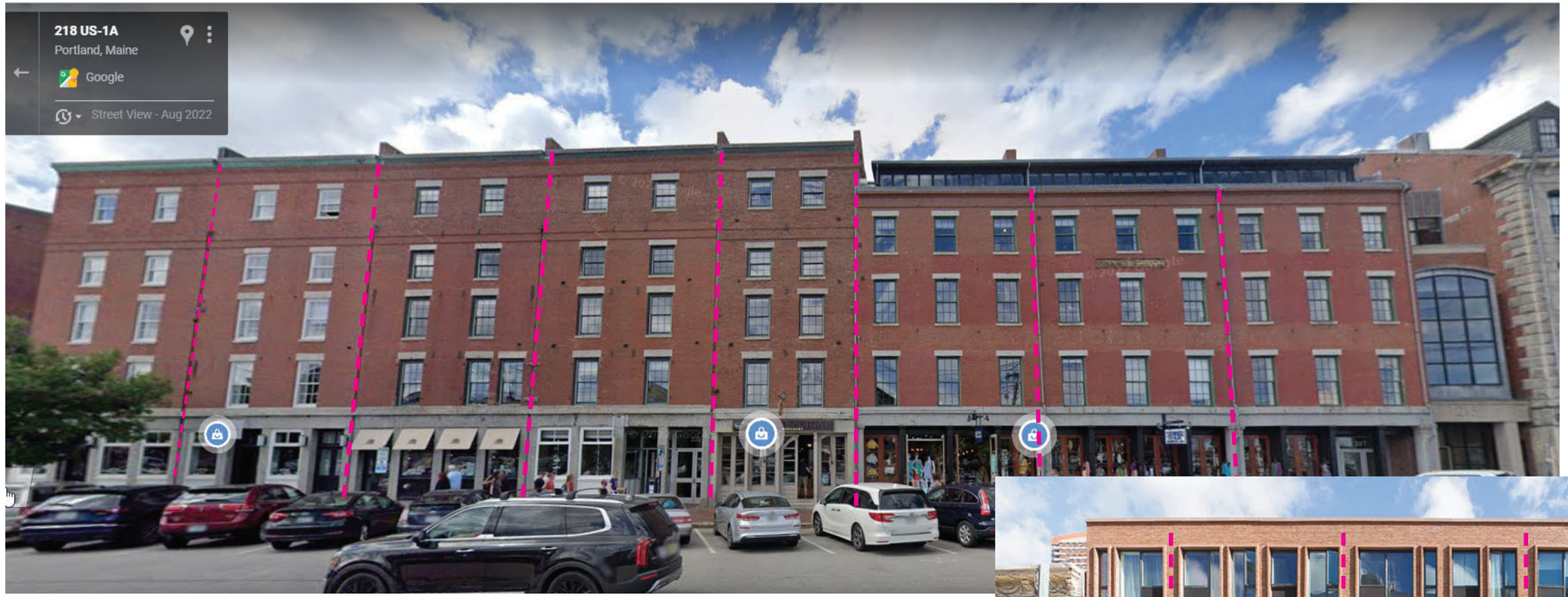
REFERENCE IMAGE EXAMPLE, NOT FINAL DESIGN INTENT





RECOGNIZABLE MATERIALS, MODERN APPLICATIONS

BE RESPECTFUL OF CONTEXT, BUT NOT REVERENTIAL





CREATE RHYTHM & PATTERN

SIMPLICITY, TEXTURE & DEPTH



SMALL & MEDIUM SCALE 'FEATURE' BUILDING ELEMENTS APPROPRIATE FOR BAYSIDE NEIGHBORHOOD

MATERIAL TRANSITION OR SPECIAL DETAIL CAN ACT AS A SIGNIFIER

REFERENCE IMAGE EXAMPLE, NOT FINAL DESIGN INTENT



CURATE SPECIAL MOMENTS

NOT EVERY GESTURE HAS TO BE GRAND





REFERENCE IMAGE EXAMPLE, NOT FINAL DESIGN INTENT

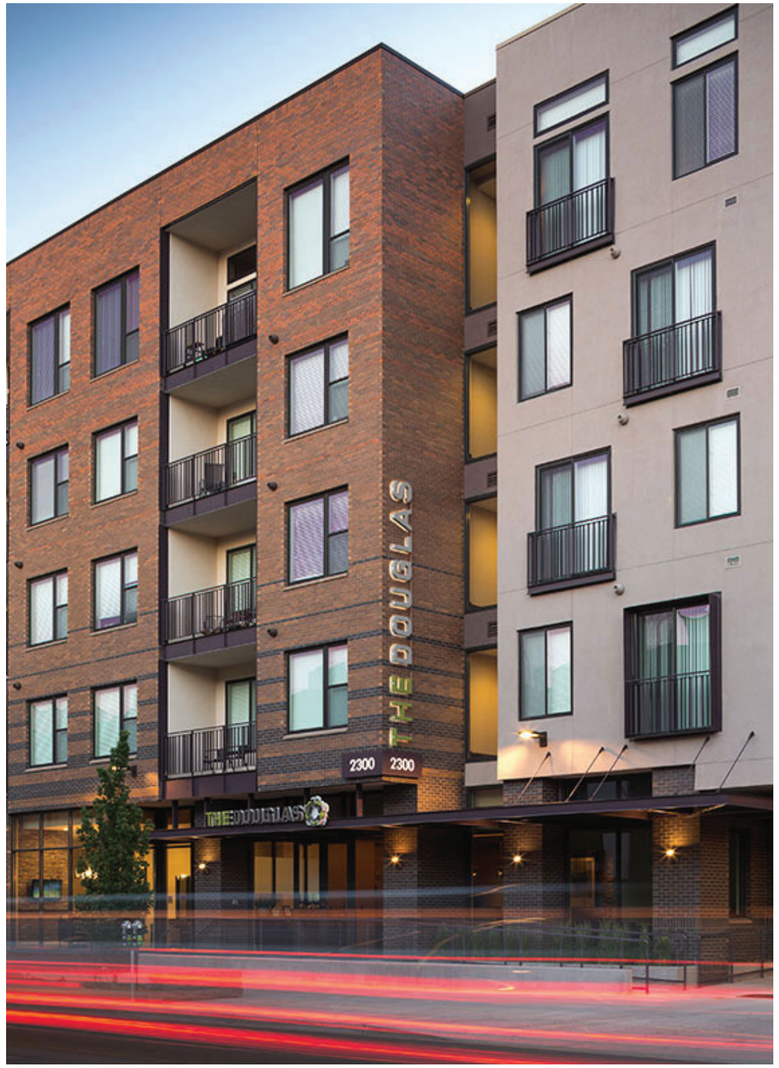


HUMAN-SCALED GROUND LEVEL

CLEARLY DEFINED, WITH ROOM FOR ‘SMALL MOMENTS’



REFERENCE IMAGE EXAMPLE, NOT FINAL DESIGN INTENT



INSIDE-OUTSIDE ACTIVATION

FIND ROOM FOR BAYS & BALCONIES

Phasing Plan Narrative

West Bayside Master Development Plan

Phase 1A – 89 Elm Street

Lancaster Street – Along the project frontage, curbing is to be realigned for 11' travel land, 7' flex zone, 4' furnishing zone, 8' pedestrian zone (see "Public Realm Design, Sheet L-20). Materials and furnishings installed per L-13 & 14. Roadway to be paved to centerline. One curb cut is to be removed.

MS4 & new 12" water main to be installed to the intersection of Preble St & Lancaster St. Trenches will be sawcut & patched from Elm Street to Preble Street until Phase 1B ROW improvements. Utilities may be stubbed to serve future 195 Lancaster building if allowed by respective utility companies.

Elm Street – ROW improvements extend to edge of existing curbline along the project's frontage. New sidewalk & street trees will be installed, as the existing will need to be removed to allow for excavation related to the foundation construction. This portion of Elm Street is under paving moratorium until 6/28/2027.

Oxford Street – ROW improvements to extend to existing curbline along the project's frontage. New sidewalk & street trees will be installed, as the existing will need to be removed to allow for excavation related to the foundation construction. New curbing will be installed to close curb cuts.

Cedar Street – New curbing provided to close 2 curb cuts, with sawcuts & patching along new curb. Sidewalk to be installed in areas of new curbing. There are no proposed utility service connections or utility main improvements proposed within Cedar St.

Phase 1B – 196 Lancaster Street

Lancaster Street – Realigned new curbing (flush) on south side of roadway to create 22' shared street 7' flex zone, 4' furnishing zone, and 8' pedestrian zone along 196 Lancaster frontage. 8' pedestrian zone will connect to a 15'-25' linear parklet. Shared street materials & furnishings per L-10 & 11 to be installed to gutter line on opposite side of roadway. Interim condition will be constructed for 195 Lancaster Street sidewalk. 2 existing curb cuts will be closed along 196 frontage. Utility connections as required.

Elm Street – ROW improvements to extend to existing curbline. New sidewalk & street trees to be provided along 196 Lancaster frontage. New curb cut to be constructed for exit from 196 Lancaster parking lot. This portion of Elm Street is under paving moratorium until 6/28/2027.

Preble Street – ROW improvements to extend to existing curbline. New sidewalk & street trees provided along 196 Lancaster frontage. New curb cut to be constructed for entrance to 196 Lancaster parking lot.

Phase 2 – 60 Elm Street

Oxford Street – ROW improvements to extend to existing curbline. New sidewalk & street trees provided along 60 Elm frontage. Existing curb cut to be reset. Utility connections as required.

Elm Street – ROW improvements to extend to existing curbline. New sidewalk & street trees provided along 60 Elm frontage. This portion of Elm Street is under paving moratorium until 6/28/2027.

Phase 3 – 315 Cumberland Ave

Preble Street – ROW improvements extend to existing curbline, south of the existing curb cut for the parking garage entrance. New sidewalks & street trees provided in this area. Utility connections as required.

Cumberland Ave – No improvements. This portion of Cumberland Ave is under paving moratorium until 8/3/2025

Elm Street – No improvements

Phase 4 – 149 Lancaster Street

Lancaster Street – Revise curb line to construct bump-out at Chestnut/Lancaster St intersection & provide 11' drive lane, 7' flex zone, 4' furnishing zone, and 8' pedestrian zone. New street trees & sidewalk installed. Materials & furnishings installed per L-13 & L-14 to roadway centerline along project frontage. Utility Connections as required.

Chestnut Street – ROW improvements extend to existing curbline. New sidewalk & street trees along 149 Lancaster St frontage.

Kennebec Street – ROW improvements extend to existing curbline. New street trees along 149 Lancaster St frontage & installation of sidewalk possible.

Phase 5a – 195 Lancaster Street

Lancaster Street – ROW improvements will be completed from building frontage to gutter line installed as part of 196 Lancaster construction. Street trees will be installed within the furnishing zone. Materials & furnishings installed per L-13 & 14. Utility connections as required. Repair any damage as a result of construction previously completed under Phase 1B within Lancaster St.

Elm Street – ROW improvements extend to existing curbline. New sidewalk and street trees to extend from Lancaster Street to existing curb cut. This portion of Elm Street is under paving moratorium until 6/28/27.

Preble Street – ROW improvements extend to existing curbline. New sidewalk and street trees to be installed along lot frontage.

Phase 5b – 163 Lancaster Street

Lancaster Street – Revise curb line to construct bump-outs & provide 11' drive lane, 7' flex zone, 4' furnishing zone, and 8' pedestrian zone. New street trees & sidewalk installed. Materials & furnishings installed per L-13 & L-14 to roadway centerline along project frontage. Utility connections as required.

Chestnut Street – ROW improvements to extend to existing curbline. New sidewalk and street trees along project frontage from Lancaster St to Kennebec St.

Kennebec Street – Installation of new curbing, sidewalk and street trees along parcel frontage.

Phase 5c – 235 Oxford Street

Oxford Street – ROW improvements extend to existing curbline with new sidewalk and street trees. New curbing will be constructed to close 2 existing curb cuts. Utility connections as required.

Elm Street – ROW improvements to existing curbline with new sidewalk and street trees. New curbing to close one curb cut. This portion of Elm Street is under paving moratorium until 6/28/27.

Preble Street – ROW improvements extend to existing curbline with new sidewalk and street trees.

Natural Features & Open Space

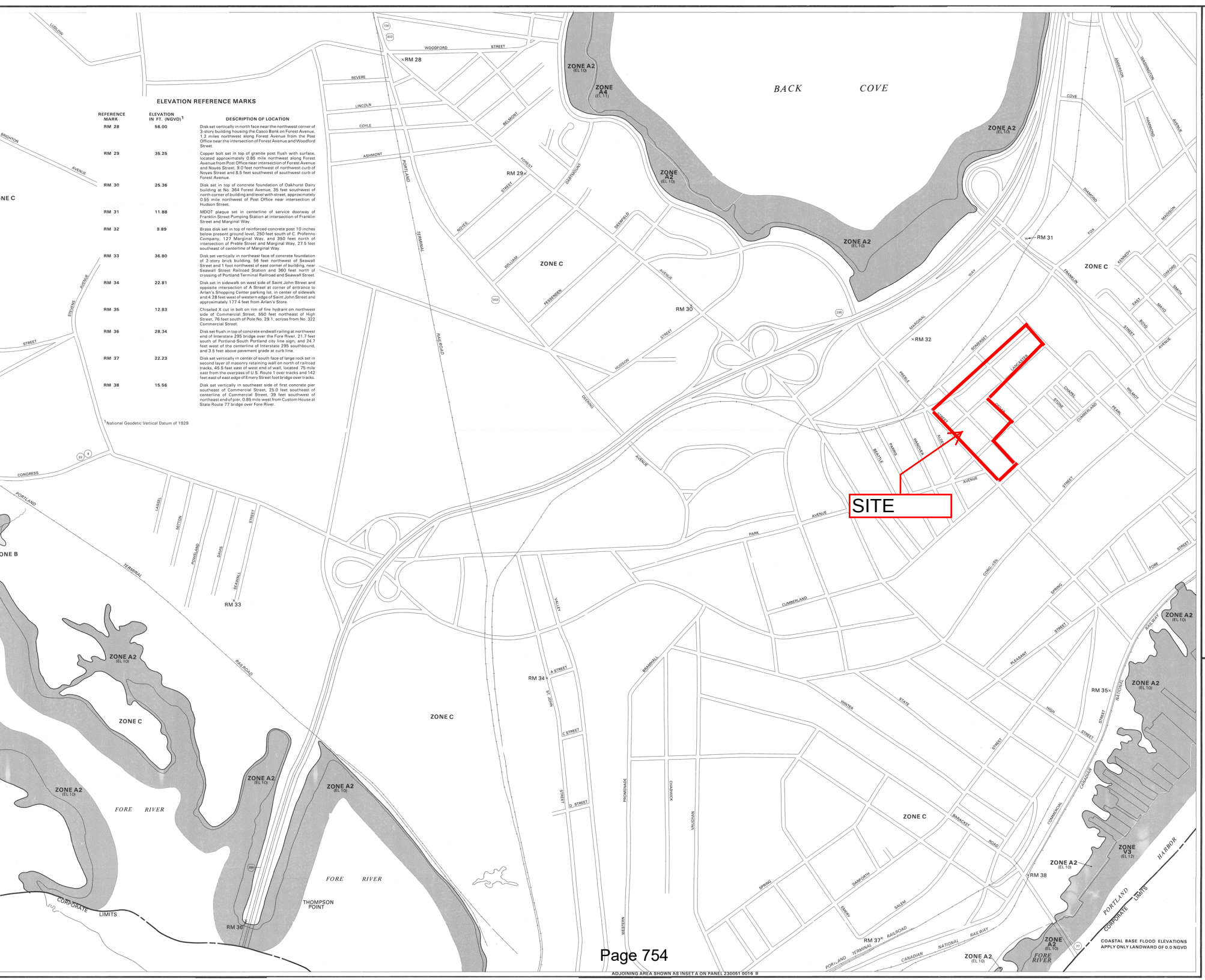
The project area is made up of urban parcels that are previously or currently developed with buildings & paved surface parking lots. The site is mostly impervious with only small limited vegetated areas & some existing street trees. There are no natural waterways or wetlands on or within the project area.

Effective FEMA FIRM maps have been reviewed & the project area is within Zone C. See attached effective FEMA FIRM map for the project area.

A base flood elevation of 12 is considered to protect against future flooding and sea level rise. All proposed building Finish Floor Elevations will be placed above this elevation. This elevation has been considered on recent similar projects in the City. Elevation 12 is seen highlighted on the attached Site Plan.

Open Space will be provided in the development with a shared street and linear park & plaza along Lancaster Street between Elm Street & Preble Street. See "Proposed Lancaster Shared Street Plan" prepared by Stantec. The area may be occupied by natural, landscaped, or hardscaped elements. The developer plans to work with the city to create a space that could be used for events, farmers markets, neighborhood celebrations, passive or active recreation, etc., with the possibility of restricting access at times to maximize the space for these uses. In addition, portions of the linear park and plaza could possibly be used by the retail spaces that occupy the 196 Lancaster Street development.

Additionally, the development is adjacent to the Bayside Trail, which is approximately 400 feet north of the northern edge of the project boundary. The development is also walkable to the Back Cove Trail, which is about 0.3 miles north of the site.


ELEVATION REFERENCE MARKS
REFERENCE MARK
ELEVATION IN FT. (NGVD)[1]
DESCRIPTION OF LOCATION
RM 28 56.00 Disk set vertically in north face near the northwest corner of 3-story building housing the Casco Bank on Forest Avenue, 1.2 miles northwest along Forest Avenue from the Post Office near the intersection of Forest Avenue and Woodford Street.
RM 29 35.25 Copper bolt set in top of granite post flush with surface, located approximately 0.85 mile northwest along Forest Avenue from Post Office near intersection of Forest Avenue and Noyes Street, 9.0 feet northwest of northwest curb of Noyes Street and 8.5 feet southwest of southwest curb of Forest Avenue.
RM 30 25.36 Disk set in top of concrete foundation of Oakhurst Dairy building at No. 364 Forest Avenue, 35 feet southwest of north corner of building and level with street, approximately 0.55 mile northwest of Post Office near intersection of Hudson Street.
RM 31 11.88 MDOT plaque set in centerline of service doorway of Franklin Street Pumping Station at intersection of Franklin Street and Marginal Way.
RM 32 9.89 Brass disk set in top of reinforced concrete post 10 inches below present ground level, 250 feet south of C. Profenno Company, 127 Marginal Way, and 350 feet north of intersection of Preble Street and Marginal Way, 27.5 feet southeast of centerline of Marginal Way.
RM 33 36.80 Disk set vertically in northeast face of concrete foundation of 2-story brick building, 58 feet northwest of Seawall Street and 1 foot northwest of east corner of building, near Seawall Street Railroad Station and 360 feet north of crossing of Portland Terminal Railroad and Seawall Street.
RM 34 22.81 Disk set in sidewalk on west side of Saint John Street and opposite intersection of A Street at corner of entrance to Arlan's Shopping Center parking lot, in center of sidewalk and 4.28 feet west of western edge of Saint John Street and approximately 177.4 feet from Arlan's Store.
RM 35 12.83 Chiseled X cut in bolt on rim of fire hydrant on northwest side of Commercial Street, 550 feet northeast of High Street, 76 feet south of Pole No. 29.1, across from No. 322 Commercial Street.
RM 36 28.34 Disk set flush in top of concrete endwall railing at northwest end of Interstate 295 bridge over the Fore River, 21.7 feet south of Portland-South Portland city line sign, and 24.7 feet west of the centerline of Interstate 295 southbound, and 3.5 feet above pavement grade at curb line.
RM 37 22.23 Disk set vertically in center of south face of large rock set in second layer of masonry retaining wall on north of railroad tracks, 45.5 feet east of west end of wall, located .75 mile east from the overpass of U.S. Route 1 over tracks and 142 feet east of east edge of Emery Street foot bridge over tracks.
RM 38 15.56 Disk set vertically in southeast side of first concrete pier southeast of Commercial Street, 25.0 feet southeast of centerline of Commercial Street, 39 feet southwest of northeast end of pier, 0.85 mile west from Custom House at State Route 77 bridge over Fore River.
[1]National Geodetic Vertical Datum of 1929
BACK COVE
FORE RIVER
ZONE A2 (EL 10)
ZONE A (EL 11)
ZONE C
ZONE V3 (EL 12)
SITE
RM 28
RM 29
RM 30
RM 31
RM 32
RM 33
RM 34
RM 35
RM 36
RM 37
RM 38
THOMPSON POINT
CORPORATE LIMITS
PORTLAND
CUMBERLAND
WOODFORD STREET
CONGRESS STREET
PORTLAND TERMINAL RAILROAD
CANADIAN NATIONAL RAILWAY
ADJOINING AREA SHOWN AS INSET A ON PANEL 230051 0016 B
COASTAL BASE FLOOD ELEVATIONS APPLY ONLY LANDWARD OF 0.0 NGVD
KEY
500-Year Flood Boundary
100-Year Flood Boundary
Zone Designations*
100-Year Flood Boundary
500-Year Flood Boundary
Base Flood Elevation Line With Elevation In Feet**
Base Flood Elevation in Feet Where Uniform Within Zone**
Elevation Reference Mark
Zone D Boundary
River Mile
**Referenced to the National
*EXPLANATION OF
ZONE
A Areas of 100-yea flood hazard facto
A0 Areas of 100-yea are between one (of inundation are determined.
AH Areas of 100-yea are between one elevations are sh determined.
A1-A30 Areas of 100-yea flood hazard facto
A99 Areas of 100-yea protection syster elevations and flo
B Areas between lim year flood; or cert ing with average de the contributing d mile; or areas prot (Medium shading).
C Areas of minimal f
D Areas of undeterm
V Areas of 100-year action); base flood not determined.
V1-V30 Areas of 100-year action); base flood determined.
NOTES
Certain areas not in the special may be protected by flood con
This map is for flood insurance poses only; it does not necessa ing in the community or all flood hazard areas. The coas differ significantly from those Service for hurricane evacuation
For adjoining map panels, see Panels.
Coastal base flood elevations sh of wave action.
Coastal base flood elevations ag
INITIAL ID
APRI
FLOOD HAZARD BOU
FLOOD INSURANCE
JULY
FLOOD INSURANCE
Refer to the FLOOD INSURA shown on this map to deter structures in the zones where e lished.
To determine if flood insura contact your insurance agent, Program, at (800) 638-6620.
APPROXI
400
NATIONAL
FIRM
FLOOD
CITY OF
PORTL
CUMBER
PANEL 13
(SEE MAP I
CON
Federal Em

Levine Planning Strategies

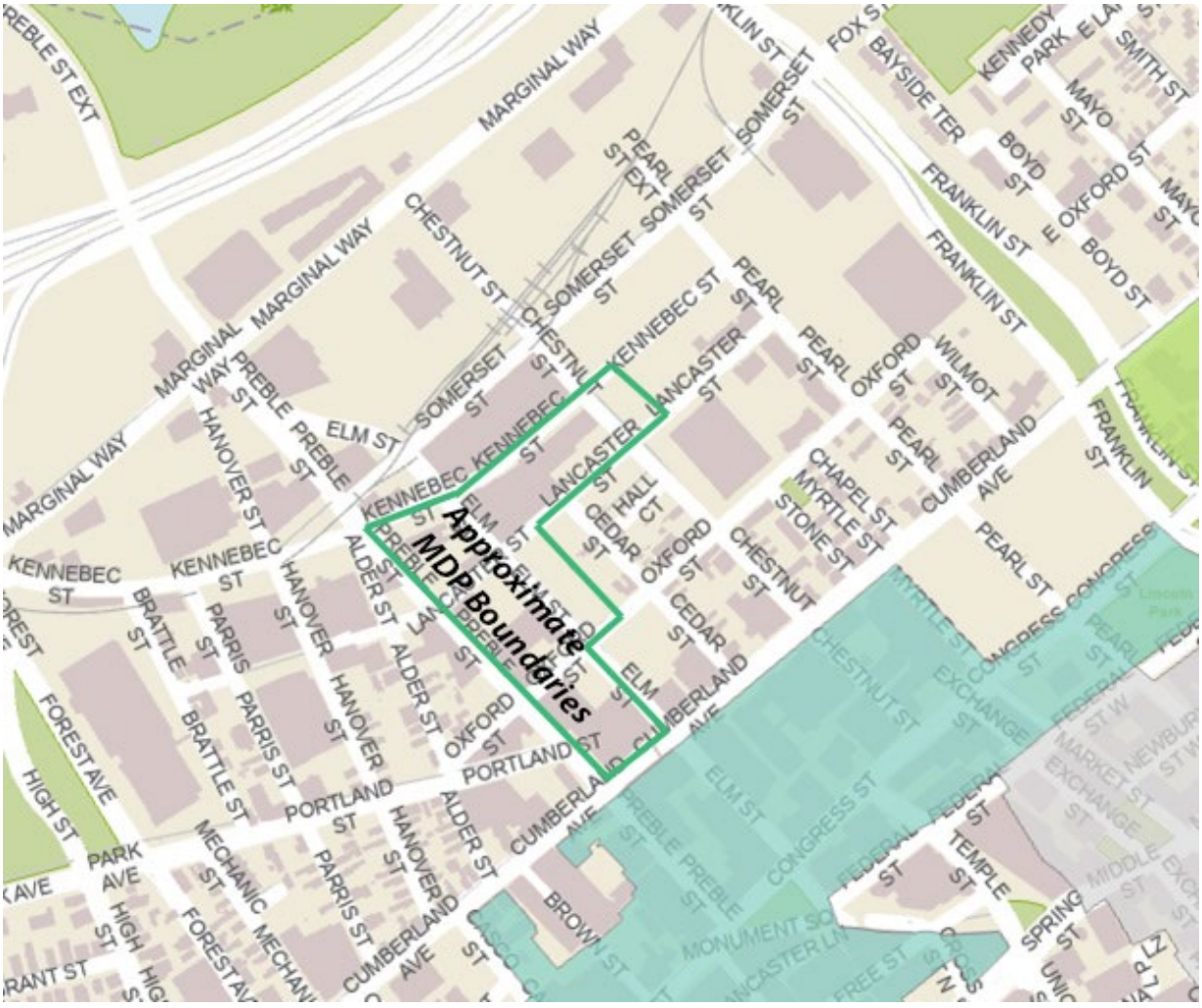
Tools for Building Communities

Levine Planning Strategies, LLC
PO Box 7215
Portland, ME 04112-7215
jlevine@levineplans.com
617-817-0424

View and Historic Features

A study of the designated view corridors, historic resources, and archaeological resources associated with the site.

As a phased project located on the downslope of West Bayside, this project will have minimal impacts on designated view corridors, historic resources, and archaeological resources in the area.



Congress Street Local Historic District (Source: City of Portland)

Historic and Archaeological Features

Congress Street Local Historic District

This Master Development Plan (MDP) is located north of the Congress Street Local Historic District. The new construction components of the MDP are located behind the Public Market garage, approximately 200' north of the district. As shown above, the concept plan locates much of the building height behind the existing Public Market garage. For this reason, the visual impact of these new buildings on the Congress Street LHD will be minimal.

National Register Buildings

The MDP is located just to the south of the Schlotterbeck & Foss Building at 117 Preble Street. That 1927 building, designed by John Calvin Stevens and John Howard Stevens, is on the National Register of Historic Places as maintaining a "high degree of historic integrity":

> *"The Schlotterbeck & Foss Building at 117 Preble Street in Portland, Maine is significant under Criterion A, for Industry on the local level between 1927 and 1966; and under Criterion C, Architecture, as a rare surviving industrial building by Maine's most-noted architect John Calvin Stevens and a rare example of the Art Deco style of architecture in Portland. The less well-known Portland architectural and engineering firm Webster & Libby played an important role in designing the building." (Source: 117 Preble Street National Register of Historic Places Registration Form)*

117 Preble Street has been redeveloped in housing using historic tax credits. Its parking lot is located closest to the proposed MDP, with a slight grade change on the parcel line.



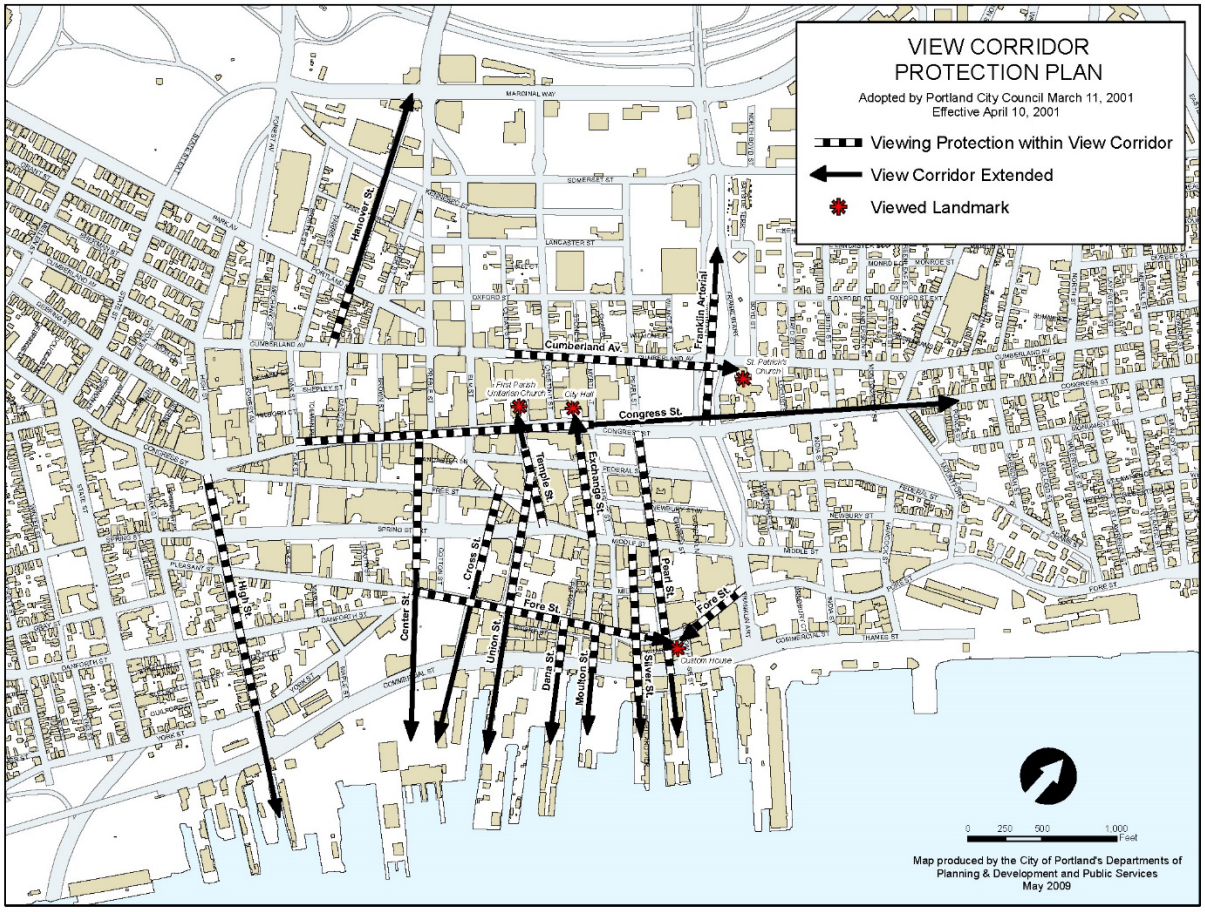
117 Preble Street (Source: National Register of Historic Places Registration Form)

While the development will clearly be visible from 117 Preble, the grade change and existing parking lot should minimize those impacts. In addition, the visual impacts may be positive given the existing condition of many of the current parcels that are included in the MDP.

Designated View Corridors

The City of Portland approved a view corridor protection plan in 2001. While not part of the current Comprehensive Plan, the plan still serves some planning goals. In addition, view corridor protections have been added as parts of zoning language in other parts of Portland, though not near this MDP.

This MDP has no significant impact on any of these view corridors. The closest identified view corridors are on Hanover Street and Franklin Street heading down to the Back Cove. The parcels in this MDP are in between those two corridors and will not impact them.



View Corridor Protection Plan (Source: City of Portland)

ACORN ENGINEERING, INC.

Planning and Urban Development Department
Planning Division
Attn: Zach Powell, Senior Planner
City of Portland, Maine
389 Congress Street, 4th Floor
Portland, ME 04101

May 4th, 2023

Subject: West Bayside Master Development Plan – Shadow Study Review

Zach:

On behalf of West Bayside Partners LLC, and Port Property, Acorn has reviewed the City requirements for developments required to submit a Shadow Study. The purpose of this document is to demonstrate the City's Shadow Study requirements in comparison with the West Bayside Master Development Plan that is currently under review.

The proposed redevelopment project includes the construction of 7 buildings over five phases, spanning the B3 and B7 Zoning districts. As outlined in the City Land Use Code, Section 5.2.3: Extension of zone lines, for locations where the boundary line divides a single lot, the provisions of the land use code for the less restricted portion of the lot extend no more than 30 feet into the more restricted portion. The 89 Elm Street development has a boundary division line between the B-3 and R-6 zones. As allowed, the 89 Elm Street Development will utilize the provisions for the B3 zoning district. The portions of the development that are within the 30-foot zone extension are still subjected to the R-6 criteria pertaining to the building height and other dimensional requirements.

The following passage is taken from the City's Land Use Code; "*All developments outside the B-3, B-5, B-6, and B-7 Zones shall be designed to avoid and/or mitigate the adverse impacts of shadows cast by new structures or building additions from falling on publicly accessible open space in accordance with the shadow standards of the Technical Manual.*" As the proposed project boundary is within the B-3 and B-7 zone and does not encompass any existing public open spaces, it is apparent that a Shadow Study is not required with the exception of buildings within the B-7 zone that exceed 65 feet (Standard E-19 within the Design Manual). Should this condition occur, a shadow model would be created in accordance with the Design Manual specifications during the Site Plan application associated with that respective parcel/building. However as requested by the city, a voluntary shadow study has been completed for the proposed development at 89 Elm Street. The shadow study analyzed the shadows from 10:00 am to 2:00 pm during the Spring, Summer, and Fall. This approach is similar to past projects including the 18-story building at 201 Federal St that is currently under construction. Please refer to the attached Shadow Study completed along with a Site plan from our office outlining the abutting properties and uses.

To conclude, a shadow study is not required for the proposed developments associated with the West Bayside Master Development Plan per the requirements as outlined in the Land Use Code, Technical Manual, and Design Manual with the aforementioned exception for buildings in excess of 65' that may occur during Phases 3B and 5. The development is not directly along the Bayside Trail, Congress Street, or any of the City's plazas, parks, or squares identified as significant public

resources / open spaces. The shadow study was completed for 89 Elm Street per the city's request to visually assist the staff with the complex building design and surrounding features.

Please do not hesitate to reach out if you have any questions or need further clarification on the project features.

Sincerely,

Sam Lebel

Sam Lebel, P.E.
Project Manager
Acorn Engineering, Inc.

Attachments:

- Shadow Study prepared by Ryan Senatore Architecture
- Preliminary Site Plan prepared by Acorn Engineering

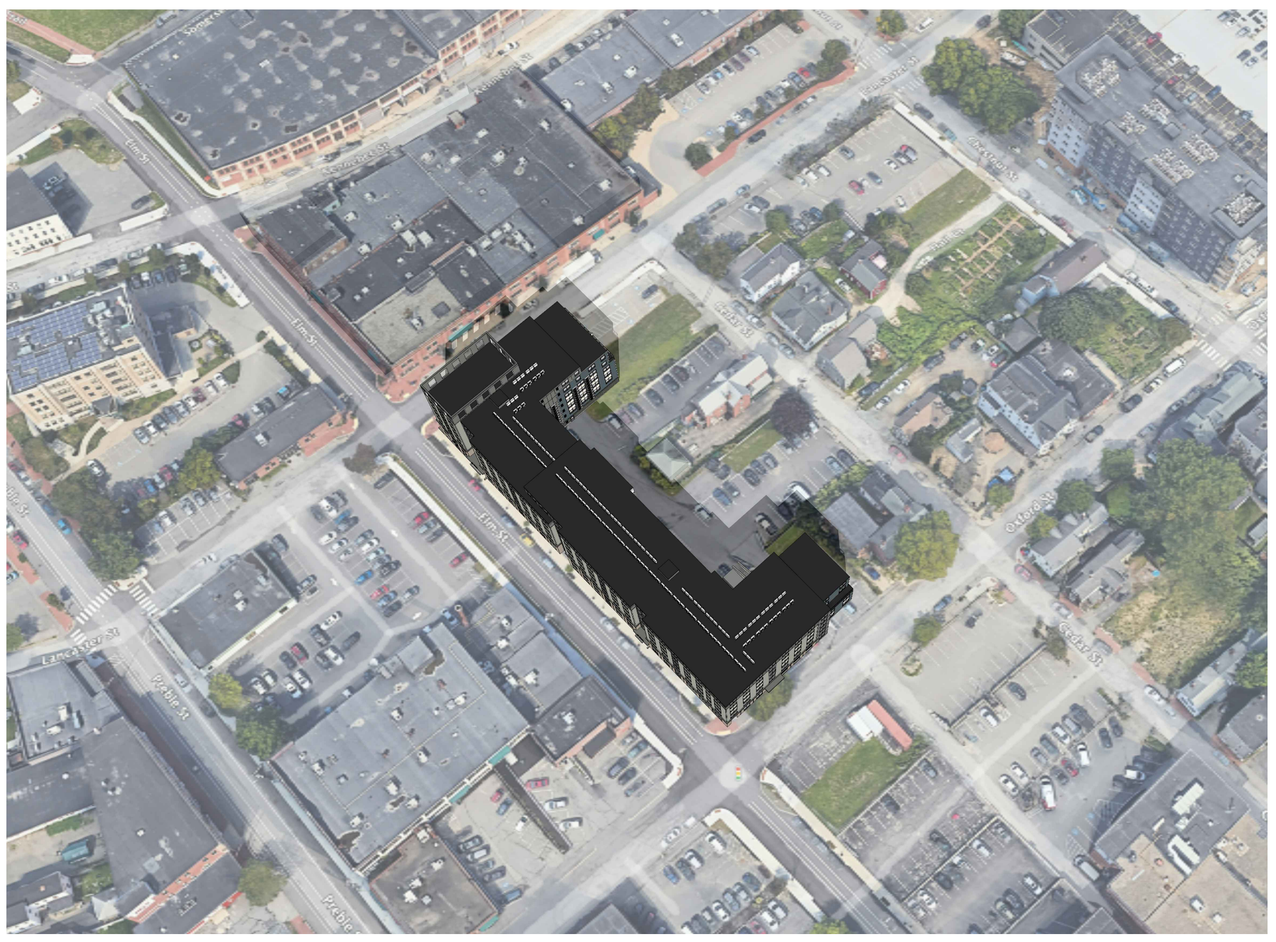
SHADOW STUDY

89 ELM STREET APRATMENTS

04-27-23



10:00 AM



12:00 PM



2:00 PM

MARCH 21st

RYAN SENATORE **ARCHITECTURE**

SHADOW STUDY

04-27-23

89 ELM STREET APRATMENTS



10:00 AM



12:00 PM



2:00 PM

JUNE 21st

RYAN SENATORE **ARCHITECTURE**

SHADOW STUDY

04-27-23

89 ELM STREET APRATMENTS



10:00 AM



12:00 PM



2:00 PM

SEPTEMBER 21st

RYAN SENATORE **ARCHITECTURE**

SPACE AND BULK STANDARDS		
ZONING DISTRICT: B3	REQUIRED	PROPOSED
MINIMUM LOT AREA	N/A	28,082 SF[1] (TOTAL AREA OF PARCEL–0.81AC)
MINIMUM STREET FRONTAGE	15 FT	132 FT
MAX FRONT YARD SETBACK	5 FT	18 FT
MINIMUM FRONT YARD SETBACK (LANCASTER ST)	N/A	7.6 FT
MINIMUM REAR YARD SETBACK (OXFORD ST)	N/A	0.3 FT
MINIMUM SIDE YARD SETBACK	N/A	2.88 FT
MAX LENGTH OF UNDIFFERENTIATED BLANK WALL ALONG PUBLICLY ACCESSIBLE WAY	30 FT, EXCEPT 15 FT WITH PAD OVERLAY	< 30 FT
MAXIMUM BUILDING HEIGHT[2]	80'	< 80 FT
[1]REFERENCES THE AMOUNT OF THE PARCEL THAT FALLS WITHIN THE B3 ZONING DISTRICT		
[2]PER THE BAYSIDE HEIGHT OVERLAY PLUS THE ADDITIONAL 25' FOR AFFORDABILITY IN SECTION 18		

SPACE AND BULK STANDARDS		
ZONING DISTRICT: R6	REQUIRED	PROPOSED
MINIMUM LOT AREA	2,000 SF	7,185 SF[1]
MINIMUM LOT AREA PER DWELLING UNIT	725 SF	1,960 SF
MINIMUM STREET FRONTAGE	20 FT	132 FT
MINIMUM FRONT YARD SETBACK (LANCASTER ST)	5 FT	14.40 FT
MINIMUM REAR YARD SETBACK (OXFORD ST)	10 FT	10.40 FT
MINIMUM SIDE YARD SETBACK	5 FT	11.50 FT
LOT WIDTH	20 FT	>20 FT
MAXIMUM BUILDING HEIGHT	45 FT	< 45'
STEPBACK	ADDITIONAL 5' SETBACK ABOVE 35'	ADDITIONAL 5' SETBACK ABOVE 35'
MAXIMUM LOT COVERAGE	60%	40%
MINIMUM LANDSCAPED OPEN SPACE RATIO	20%	38%
[1]REFERENCES THE AMOUNT OF THE PARCEL THAT FALLS WITHIN THE R–6 ZONING DISTRICT.		

GENERAL NOTES:
1. ALL PAVEMENT STRIPING AND MARKINGS SHALL COMPLY TO CITY OF PORTLAND STANDARDS.
2. ANY ASPHALT TO BE REMOVED SHALL BE STRIPPED AND PROPERLY DISPOSED OF OFFSITE
3. CURB TO BE REMOVED, STOCKPILED AND RESET IN ACCORDANCE WITH DETAIL. BROKEN CURB SHALL BE PROPERLY DISPOSED OF AND SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE.
4. ALL RAMPS TO CONFORM TO ADA GUIDELINES. SLOPE SHALL NOT EXCEED 1 INCH PER FOOT.
5. ALL SITE SIGNAGE TO COMPLY WITH MUTCD STANDARDS. CONTRACTOR TO COORDINATE AND INSTALL.
6. FOLLOWING COMPLETION OF CONSTRUCTION, THE OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND MANAGEMENT OF DRIVEWAYS, SITE LIGHTING, TRASH REMOVAL AND SNOW REMOVAL.
7. IN ACCORDANCE WITH SECTION 4.3 OF THE PORTLAND TECHNICAL MANUAL, EXISTING VEGETATION WILL BE PRESERVED BY PUTTING A FENCE OR OTHER BARRIER ALONG WITH SIGNAGE DURING CONSTRUCTION.

REFERENCES:
1. PLAN REFERENCE
   - 1.1. PLAN TITLED "TOPOGRAPHIC SURVEY" PREPARED BY OWEN HASKELL, INC. DATED DECEMBER 8TH, 2022, LAST REVISED MARCH 29TH, 2023.
   - 1.2. PLANSET TITLED "PREBLE ST/KENNEBEC ST/SOMERSET ST SEWER SEPARATION" PREPARED BY GORRILL PALMER, DATED JANUARY 2019.

LEGEND:
- PROPERTY LINE
- SETBACK LINE
- FLUSH GRANITE CURB
- VERTICAL GRANITE CURB

PROPOSED STREET TREE WELL PER DETAIL AND LA, TYP. TREE SPECIES TBD
EX. ADA PARKING SPACES TO REMAIN
EX. "5 MINUTE DROP–OFF PARKING SCHOOL HOURS ONLY" ZONE TO REMAIN
PROPOSED MODIFICATION OF CURBLINE WITH VERTICAL GRANITE CURB PER DETAIL
"30 MINUTE PARKING AND LOADING ZONE" SIGNAGE COORDINATE WITH DPW FOR APPLICABILITY AND FINAL PLACEMENT
ZONING DISTRICT BOUNDARY, TYP.
ZONE B7
ZONE B3
ZONE R6
LANCASTER STREET (TWO–WAY)
PROPOSED CURB EXTENSION, CROSSWALK, AND DETECTABLE PAD
PROPOSED REINFORCED CONCRETE SIDEWALK AND SEATING AREA
PR. STREET LIGHT PER OWNER AND PORTLAND'S TECHNICAL MANUAL
PR. BUILDING CANOPY ABOVE
EXISTING FIRE HYDRANT TO REMAIN
EX. RRFB TO REMAIN
PROPOSED SEAT WALL PER LA
EXISTING PARKING LOT TO REMAIN
PROPOSED RETAINING WALL AND DECORATIVE FENCING PER ARCHITECT
"30 MINUTE PARKING AND LOADING ZONE" SIGNAGE COORDINATE WITH DPW FOR APPLICABILITY AND FINAL PLACEMENT
EXISTING CONCRETE SIDEWALK TO BE REMOVED AND REPLACED PER DETAIL, TYP.
END "30 MINUTE PARKING AND LOADING ZONE" SIGNAGE COORDINATE WITH DPW FOR APPLICABILITY AND FINAL PLACEMENT
PROPOSED 60 BIKE STORAGE SPACES
196 LANCASTER STREET LLC 39779/232 28,591 S.F. ± 0.66 ACRES ±
ELM STREET (ONE–WAY)
RETAIL SPACE
SPRINKLER ROOM
RETAIL SPACE
PR. KNOX BOX TO BE INSTALLED ON ENTRANCES PER FIRE AND MEP.
LOBBY
BIKE STORAGE
MAIL/PACKAGES
COMMUNITY ROOM
STORAGE/ LAUNDRY
MECHANICAL ROOM
PROPOSED BUILDING: 89 ELM STREET 3 RETAIL UNITS 201 RESIDENTIAL UNITS
2ND STORY
3RD STORY
RETAIL SPACE
RESIDENTIAL
PR. CAST IN PLACE RETAINING WALL AND GUARDRAIL PER STRUCTURAL ENGINEER
PR. STAIRS AND RAILINGS PER STRUCTURAL ENGINEER
PR. LOCATION OF SOLID WASTE
PR. TRASH CHUTE INTO PR. DUMPSTERS, PER OWNER
7.60'
16.00'
14.40'
16'
27.30'
5.00'
11.50'
11.80'
21.10'
20.00'
2.90'
0.30'
8.90'
10.40'
14.80'
5.00'
100.00'
R15'
REFER TO LANDSCAPE ARCHITECTURE PLANS FOR PROPOSED PLANTING, TYP.
PROPOSED PROPERTY LINE, TYP.
MECHANICAL AND ELECTRICAL ROOM WITH FUTURE EV AND SOLAR PROVISIONS
SETBACK LINE, TYP.
#1 PR. LOCATION OF 9'X9' PAD FOR 3–PHASE TRANSFORMER WITH PROTECTIVE BOLLARDS, PER DETAIL
POTENTIAL EXTENTS OF MAINTENANCE AND PAVEMENT REPAIR ON 50 CEDAR EX. PARKING LOT
PROPOSED SNOW STORAGE
50 CEDAR STREET
PR. PLANTINGS PER LANDSCAPE ARCHITECT
PROPOSED WOOD GUARDRAIL PER DETAIL
PR. PAVEMENT PER DETAIL
PR. BREAK IN GUARDRAIL
PR. 7" VERTICAL CURB, TYP.
EXISTING PARKING LOT TO REMAIN.
PROPOSED ACCESS EASEMENT
6' SIDEWALK PER DETAIL
PR. MULCH AND SHRUBS PER LANDSCAPE ARCHITECT
REMOVE EX. CHAIN LINK FENCE AND REPLACE WITH NEW HORIZONTAL CEDAR SLAT FENCE
PR. CURBING WITH VARYING REVEAL, SEE SHEET C–30
ABUTTER'S CURB CUT TO REMAIN
EX. RETAINING WALL TO REMAIN WITH MODIFICATIONS AS NECESSARY
EXISTING PARKING AND CURB CUT TO REMAIN
EXISTING "1–HOUR" ONSTREET PARKING TO REMAIN
EXISTING HOME TO REMAIN
CEDAR STREET (ONE–WAY)
HALL COURT
TM 26–A–12 N/F JAMES W. HALL SARAH MICHNIEWICZ 23909/341
TM 26–A–11 N/F ROBERT HYDE 27470/68
TM 26–A–8 N/F ALBERT BRESETTE 7951/275
N/F AMELIA A. LABRECK 37970/11
TM 26–B–1 N/F ROBERT HYDE 27470/68
TM 26–B–2,3 N/F ALBERT BRESETTE
TM 26–B–14 N/F MARY LEE BENNISON 27956/297
TM 33–H–16,17 N/F DAVID B. NOWLIN 25148/336
OXFORD STREET LLC 39779/241 3,674 S.F. ± 0.08 ACRES ±
EX. ADA PARKING SPACE TO REMAIN
EXISTING DRIVEWAY
EX. "1 HOUR" ONSTREET PARKING TO REMAIN. PORTLAND HIGH SCHOOL "PHS" PARKING ZONE
WBP COMMERCIAL LLC. 39779/227 38,301 S.F. ± 0.88 ACRES ±
EXISTING UTILITY POLE TO REMAIN, TYP.
PROPOSED PENINSULA DECORATIVE LIGHTING PER CITY TECHNICAL MANUAL. PROPOSED TO RE–USE EXISTING DECORATIVE LIGHTING WHEN FEASIBLE ALONG ELM STREET, TYP.
PR. SEAT WALL AT ELM ST. ENTRY, TYP. OF 3
POTENTIAL 3' WIDE PUBLIC ACCESS EASEMENT BETWEEN PROPERTY LINE AND BUILDING
EXISTING OVERHEAD UTILITIES TO BE REROUTED, SEE SHEET C–20
EXISTING GRANITE CURB ALONG ELM STREET TO REMAIN. IF DISTURBANCE OCCURS DURING CONSTRUCTION, RESET PER DETAIL
PR. STREET TREE PLANTED, TYP.
POTENTIAL LICENSE REQUIRED FOR CANOPY ENCROACHMENT
OXFORD STREET (ONE–WAY)

20 0 20 40
SCALE: 1" = 20'

PERMIT LEVEL
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY	DATE
CONCEPT	WHS	8/4/22
PRELIM SITE	SJL	2/13/23
SITE PLAN	SJL	4/3/23

DRAWING NAME: SITE PLAN
PROJECT NAME: 89 ELM STREET REDEVELOPMENT – PORTLAND
CLIENT: 89 ELM, LLC
188 STATE STREET, 3RD FLOOR, PORTLAND, ME 04101

ACORN ENGINEERING, INC.

THESE PLANS SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. ANY MODIFICATIONS MADE TO THESE PLANS BY ANYONE OTHER THAN ACORN ENGINEERING, INC. OR WITHOUT ITS EXPRESS CONSENT, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

ACORN ENGINEERING, INC.
70 FORE RIVER PARKWAY, SUITE 104
FALMOUTH, ME 04105
PO BOX 3294
(207) 775–2655

FILE: 1192.2_CIVIL
JN: 1192.2
SCALE: AS NOTED
DESIGNED BY: SJL
DRAWN BY: DNM
CHECKED BY: WHS

STATE OF MAINE — SAMUEL J. LEBEL — No. 16505 — LICENSED PROFESSIONAL ENGINEER
4/3/23

DRAWING NO.
C-10

Memorandum

To: City of Portland

Date: December 23, 2022

Project #: 55678.00

From: Jennifer Conley, PE, PTOE

Re: West Bayside Redevelopment
Transportation Materials

Introduction

Vanasse Hangen Brustlin, Inc. (VHB) has been requested to provide technical transportation data to support the Master Development Plan for a mixed-use development in Portland, Maine. The project is to be constructed on multiple streets in the West Bayside neighborhood including Preble Street, Elm Street, Lancaster Street, and Oxford Street. The existing space to be developed includes predominately surface lots and a few existing buildings. The proposed development program includes the following components:

- Multi-Family Housing – 603 Dwelling Units
- Affordable Housing – 201 Dwelling Units
- Commercial Space – 28,500 SF

At this point, tenants have not been identified for the retail space, however a mix of tenants similar to the tenant mix at 52 Hanover Street are anticipated. If so, those uses may include:

- 1,500 sf Art Gallery
- 4,500 sf Restaurant and Coffee Shop
- 4,500 sf Bar and Eatery
- 6,500 sf Brewery
- 4,000 sf Fitness Center
- 7,500 sf General Retail

Parking for these land uses is expected use the 595 space Public Market Garage which is now controlled by this developer and largely vacant.

This memorandum has been prepared to summarize the transportation context for the site development area and the expected trip generation of the proposed development. It is important to note that program listed above represents the master development as a whole and that this project is intended to be phased moving forward. VHB will meet with the City of Portland and discuss the findings outlined below for the Master Development Plan.

Existing Conditions

VHB reviewed the existing conditions in the site vicinity including transit, vehicular, bicycle and pedestrian infrastructure and current commuting patterns.

Public Transit

As illustrated in Figure 1 the site is located along several METRO bus stops. Route #8 and H both stop on Preble Street and Elm Street just south of the site. Numerous other METRO bus routes also run along Oxford Street (Routes 2, 4, 5) and Congress Street (1, 2, 5, 8, 9A, 9B) which is a 5-minute walk away.

Roadways

The West Bayside area is just south of I-295 on the Portland peninsula. Major roads adjacent to the site are classified as minor arterial (Preble Street and Elm Street), and major collector (Portland Street and Cumberland Ave). There are also numerous one-way streets intertwined in a grid system around the site. Figure 2 below represents the existing roadway network.

Bicycle and Pedestrians

As illustrated in Figure 3, existing one-way bike lanes are present on Preble Street and Elm Street and two-way bike lanes present on part of Portland Street, and Marginal Way along with the Bayside Trail multi-use path north of the site for both pedestrian and bicyclist users.

As illustrated in Figure 4, pedestrians are well accommodated in this urban environment. Most roadways surrounding the site provide sidewalks on each side of the street and crosswalks at each major intersection.

Past Permitting for this Area

As indicated above, the Public Market parking garage is anticipated to accommodate the vehicles associated with the proposed residential units. The Public Market parking garage was permitted in 1996 to accommodate the parking demand associated with the office development in the immediate area. As such, the trips to the proposed garage were calculated based on the trip generation characteristics of the office space in the area and resulted in 357 evening peak hour trips. The garage is now largely vacant, outside of a few lease agreements, and able to instead accommodate the uses now proposed for the area.

Historic Traffic Volume Data

The existing traffic volume data available in the vicinity of the site was researched. MaineDOT traffic volume data is available for Elm Street, Preble Street and Cumberland Avenue. Data from October 2016 indicates that the evening peak hour traffic volume on Elm Street south of Cumberland Avenue was 498 vehicles. In September 2016, the evening peak hour traffic volume on Preble Street south of Cumberland Avenue was 251 vehicles. The two-way volume on Cumberland Avenue was 820 vehicles in September 2016. These volumes vary inconsistently from the traffic volumes associated with the garage permitting with some higher and some lower. Turning movement count data included in that filing indicated that evening peak hour volumes at those same locations on Elm Street were 396 vehicles, approximately 100 lower than the 2016 data. The 1996 volume on Preble Street was 316 vehicles, approximately 60 vehicles higher than the 2016 data. Cumberland Avenue traffic volumes were 739 vehicles in 1996, approximately 81 vehicles lower than the 2016 data.

Trip Generation of Existing Uses on Redevelopment Properties

The existing properties slated for redevelopment are currently occupied by a mix of land uses. Trip generation estimates for these existing land uses were calculated based on standard Institute of Transportation Engineers' (ITE)

Memorandum

data[1]. The ITE Trip Generation Manual categorizes various land uses and provides weekday daily, weekday morning peak hour, and weekday evening peak hour unadjusted vehicle trip generation estimates for each use. Trip generation estimates for the existing uses were calculated using data published in the ITE Trip Generation Manual based on the metrics and land use codes presented in Table 1.

Table 1 Existing Site Properties ITE Land Use Codes

Land Use Code	***Size***	***Unit***
LUC 221- Multifamily Housing (Mid-Rise)	30	Dwelling units
LUC 538 – Charter School	400	Students
LUC 710 – General Office	148	KSF
LUC 720 – Medical-Dental Office Building	18.1	KSF
LUC 822 - Strip Retail Plaza (<40k)	6.6	KSF
LUC 936 – Coffee/Donut Shop w/o Drive-thru	2.5	KSF

A number of these land uses will be removed as a part of the redevelopment of the area. The following land uses (Table 2) are anticipated to be removed.

Table 2 Existing Site Properties ITE Land Use Codes – to be removed

Land Use Code	***Size***	***Unit***
LUC 710- General Office	4.3	KSF
LUC 720 – Medical-Dental Office Building	14.1	KSF
LUC 822 - Strip Retail Plaza (<40k)	4.2	KSF
LUC 936 – Coffee/Donut Shop w/o Drive-thru	2.5	KSF

The total trips associated with the land uses being removed as a part of the development is 293 morning peak hour trips and 97 evening peak hour trips.

Current West Bayside Commuting Characteristics

With the surrounding urban environment, it is expected that a significant portion of site traffic will use alternative modes of transportation to get to and from the site including walking, biking and using transit. The Portland Plan illustrates information from the American Community Survey (ACS) Five-Year Estimate by Census Tract for the City of Portland. The data includes an estimated percentage of workers living in the Bayside area that use each mode of transportation to travel to work. The mode shares are presented in Table 3.

Table 3 Mode Share Percentages for Work Trips

Mode of Transportation	***Size(%)***
Drove Alone	44%
Public Transit	13%
Walked	43%

Source: ACS 5-Year Estimate by Census Tract: Workers 16 yrs and over

[1] *Trip Generation Manual –11th Edition; Institute of Transportation Engineers; Washington, D.C.; 2017*

Memorandum

Project Trip Generation

The walking, biking, transit and vehicular trips associated with the West Bayside redevelopment were calculated. The trip rates for each land use were determined, mode splits applied, and resulting trips were calculated.

ITE Trip Generation Rates

Trip generation estimates for the Project are based on standard Institute of Transportation Engineers' (ITE) data. The ITE Trip Generation Manual categorizes various land uses and provides weekday daily, weekday morning peak hour, and weekday evening peak hour unadjusted vehicle trip generation estimates for each use. Trip generation estimates for the proposed uses were projected using data published in the ITE Trip Generation Manual based on the metrics and land use codes presented in Table 4.

Table 4 ITE Land Use Code Assumptions – Proposed Site

Land Use Code	*Size*	Unit
LUC 221- Multifamily Housing (Mid-Rise)	603	Dwelling units
LUC 223 – Affordable Housing	201	Dwelling Units
LUC 492 – Health / Fitness Club	4.0	KSF
LUC 822 - Strip Retail Plaza (<40k)	9.0	KSF
LUC 932 - High-Turnover (Sit-Down) Restaurant	15.5	KSF

The unadjusted trips anticipated to be generated by the proposed site were 535 morning peak hour trips and 569 evening peak hour trips. For comparison, the existing land uses that are being removed are estimated to generate 293 morning peak hour trips and 97 evening peak hour unadjusted trips.

Trip Adjustments

As the Project proposes a mixture of uses, the trip generation characteristics of the Project will be different from a single-use project. Some of the traffic to be generated by the Project will be contained among the components of the site as "internal" or "shared vehicle" trips. This concept means that some patrons could visit more than one of the uses on the Project Site. For example, residents who live in the development may also be patrons of the sites retail and restaurant uses. While these shared trips represent new traffic to the individual uses, they would not necessarily register as new vehicle trips on the surrounding roadway network.

As described in the ITE Trip Generation Handbook,[2] "*because of the complementary nature of these land uses, some trips are made among the on-site uses. This capture of trips internal to the Development Site has the net effect of reducing vehicle trip generation between the overall Development Site and the external street system (compared to the total number of trips generated by comparable land uses developed individually on stand-alone sites) an internal capture rate can generally be defined as the percentage of total person trips generated by a site that are made entirely within the Development Site. The trip origin, destination, and travel path are all within the site.*" To be conservative, for this Master Development Plan analysis, only five percent of trips were estimated as internal capture trips between development land uses.

The future mode shares for the Project were developed based on existing travel patterns summarized in Table 3 previously. The project mode shares applied to the project were 44% driving alone, 13% using public transit and 43%

2 Trip Generation Handbook, 3rd Edition, Institute of Transportation Engineers, Washington, D.C., 2017.

walking. At the time of the survey, the bicycle infrastructure in this area was minimal which likely contributed to the lack of bicycle trips. Since that time, bicycle infrastructure has been added to key links and it is anticipated that the City will continue to improve bicycle connections as paving is completed, increasing that mode share. To be conservative, no bicycling trips were included in the calculations.

Adjusted Trip Generation

The mode shares presented in Table 3 were applied to the adjusted vehicle trips for the proposed development to generate the adjusted Redevelopment person trips by mode. The adjusted trips are shown in Table 5 for the proposed site.

Table 5 Trip Generation – Proposed Site

Time Period / Direction	*Transit Trips*	Walk, Bike, Other Trips	Vehicle Trips
Weekday Morning			
Enter	24	81	73
Exit	45	149	135
Total	**69**	**230**	**208**
Weekday Evening			
Enter	44	144	131
Exit	30	100	91
Total	**74**	**244**	**222**

Notes: Trip generation estimates by land use with mode share and internal capture credits applied.

Trip Distribution

To determine the likely travel patterns of trips to the redevelopment area, census journey to work data was reviewed. Based on that data, most of the employees in Portland work in either Portland or point to the north and south along the interstate. The distribution of these Portland resident work trips presented in Table 6. A regional trip distribution graphic is provided in Figure 5. The likely travel patterns to and from the redevelopment area were determined for if the site trips were to follow these same patterns. The local assignment graphic is provided in Figure 6.

Table 6 Distribution Trip Assignments

Route	***Proposed Distribution[1]***
I-295 points north	28%
I-95 points north	7%
26/100 points north/west	9%
302 points north/west	8%
25 points west	2%
I-295 points south	41%
Marginal Way	1%
Casco Bay Bridge points south	3%
High or State streets (local)	1%
Cumberland Ave (local)	1%

1. Trip distribution based on journey to work information sorted by Portland residence.

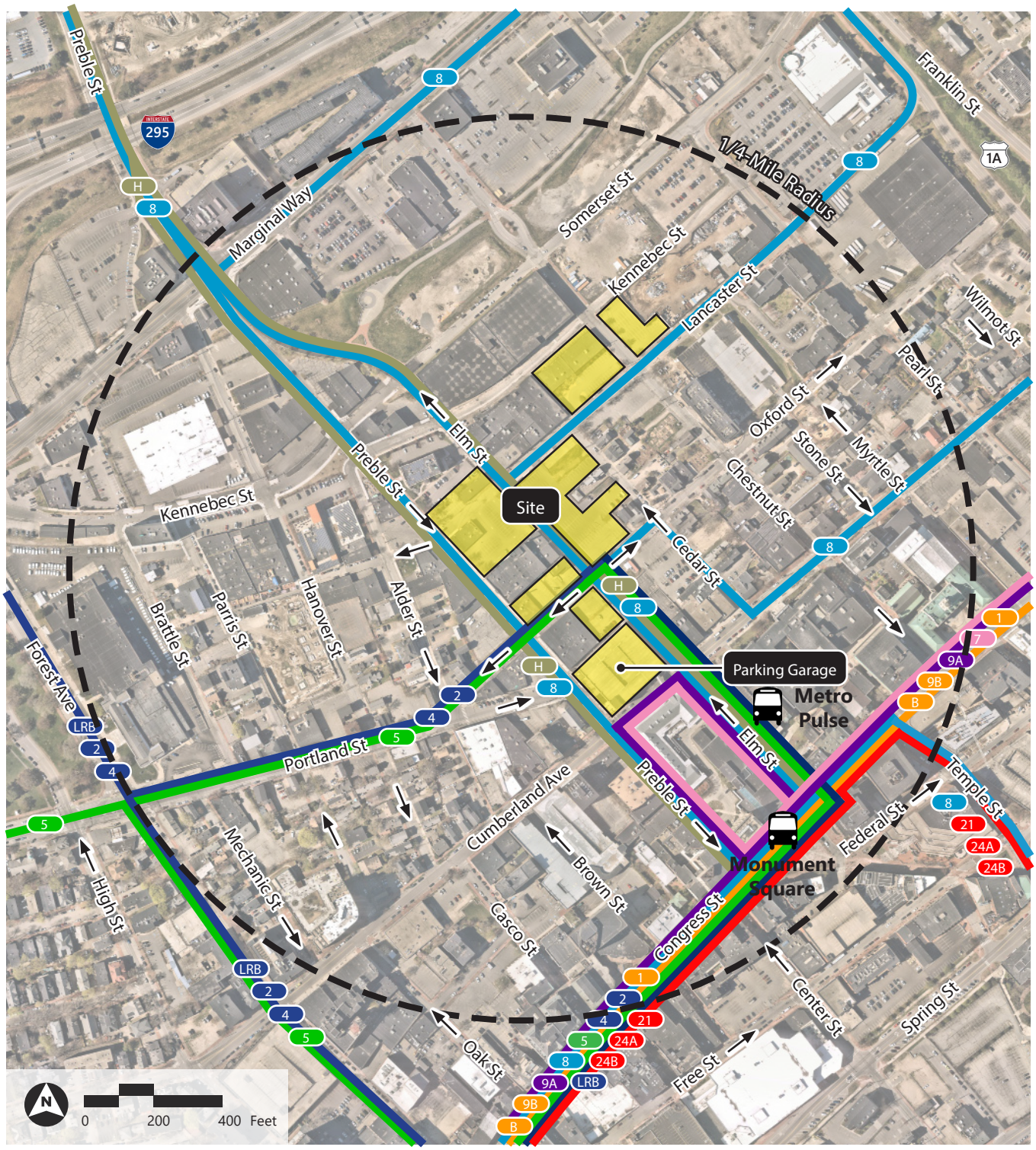
Findings

As shown above, the full redevelopment program as proposed is anticipated to produce 208 vehicle trips (73 entering and 135 exiting) during the morning peak hour and 222 vehicle trips (131 entering and 91 exiting) during the evening peak hour. The site is located in an urban environment, allowing site users to take advantage of alternative modes of transportation to get to and from the site including walking, biking and transit aligning with existing travel characteristics of the site today. The analysis does not account for the existing site uses and trips that would be removed to support the project or the inclusion of trips in the permitting of the garage to support those uses, so this trip generation exercise is conservative as compared to actual net-new trip generation.

The site takes advantage of accessibility to the regional roadway network and many routes both in and out of the site. The memorandum including Figures 5 and 6 suggest that the vehicle trips arriving to and departing the garage would disperse to both the local destination routes or quickly traverse to the regional network (i.e. 295, 95, 302).

Figure 1. Existing Public Transit Services

West Bayside Master Development Plan | Portland, Maine



Source: Nearmap Aerial, Greater Portland Metro

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Figure 2. Existing Street Network

West Bayside Master Development Plan | Portland, Maine



Source: Nearmap Aerial, MaineDOT Public Roads

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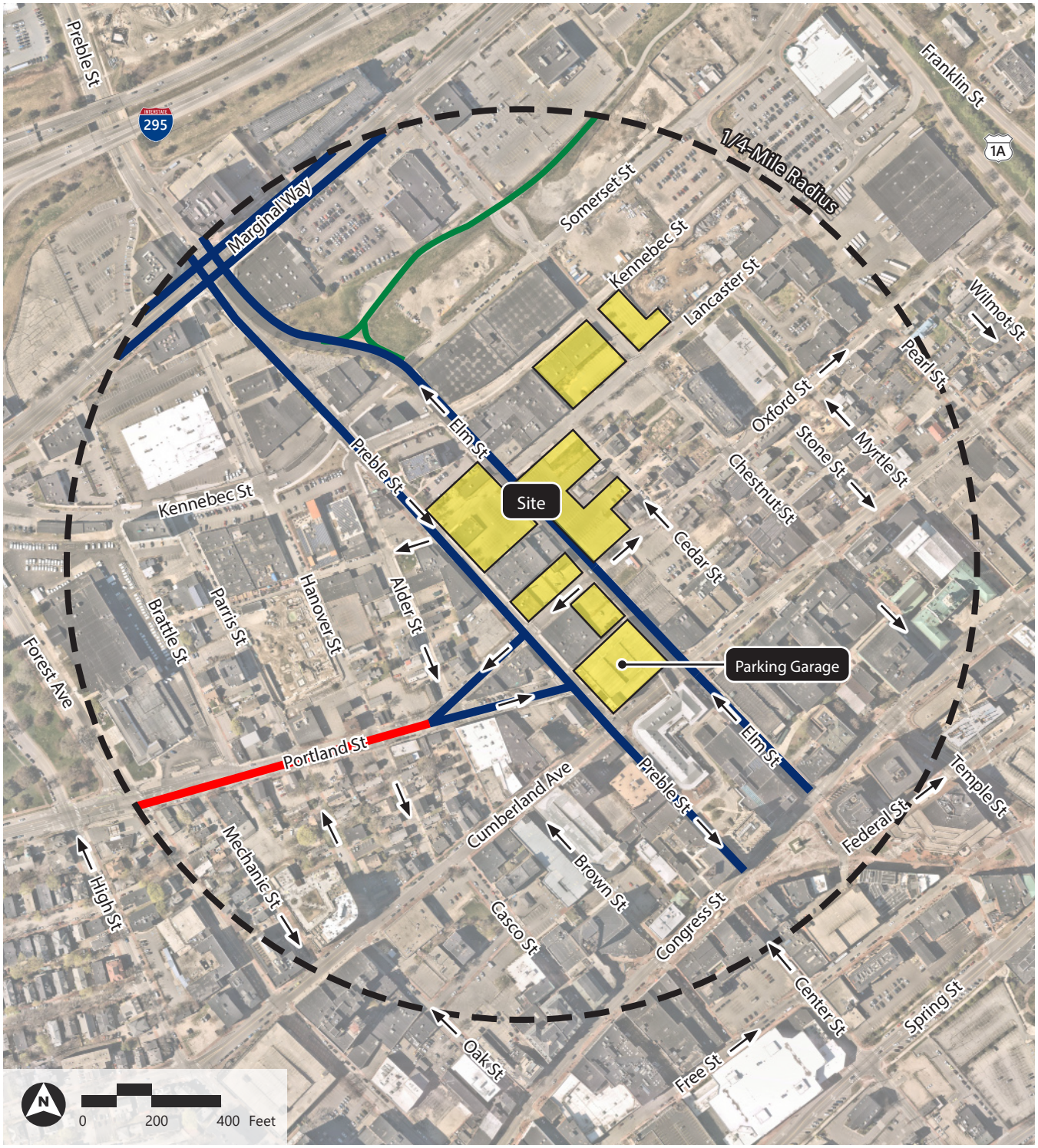
Figure 3. Existing Bicycle Network

West Bayside Master Development Plan | Portland, Maine



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Source: Nearmap Aerial, City of Portland Bikeway Network Map

Figure 4. Existing Pedestrian Infrastructure

West Bayside Master Development Plan | Portland, Maine



Source: Nearmap Aerial, BTD Bicycle Level of Traffic Stress Map 2022

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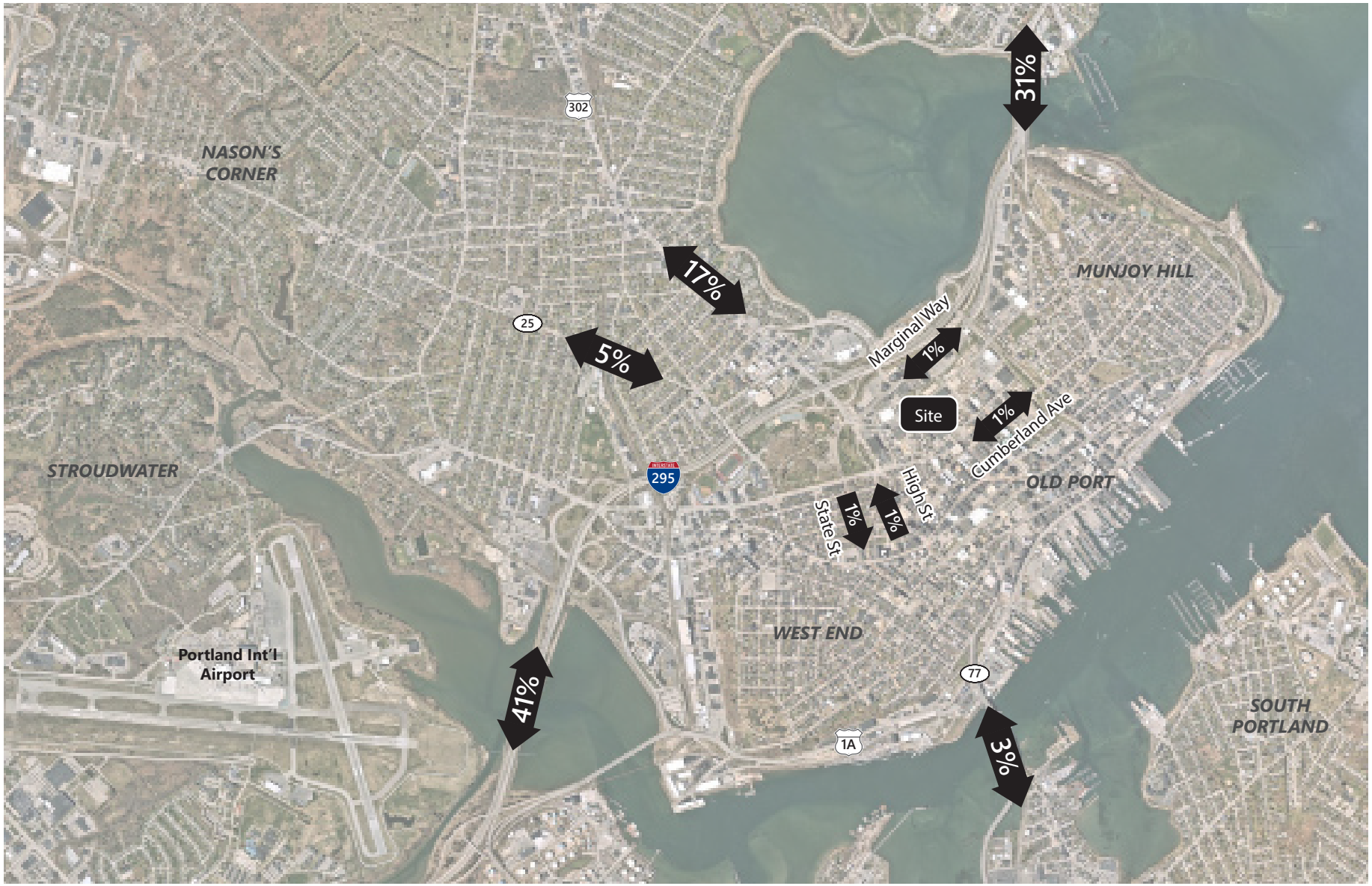
Figure 5. Project Traffic Distribution

West Bayside Master Development Plan | Portland, Maine



% Project Traffic In/Out

Source: Nearmap Aerial

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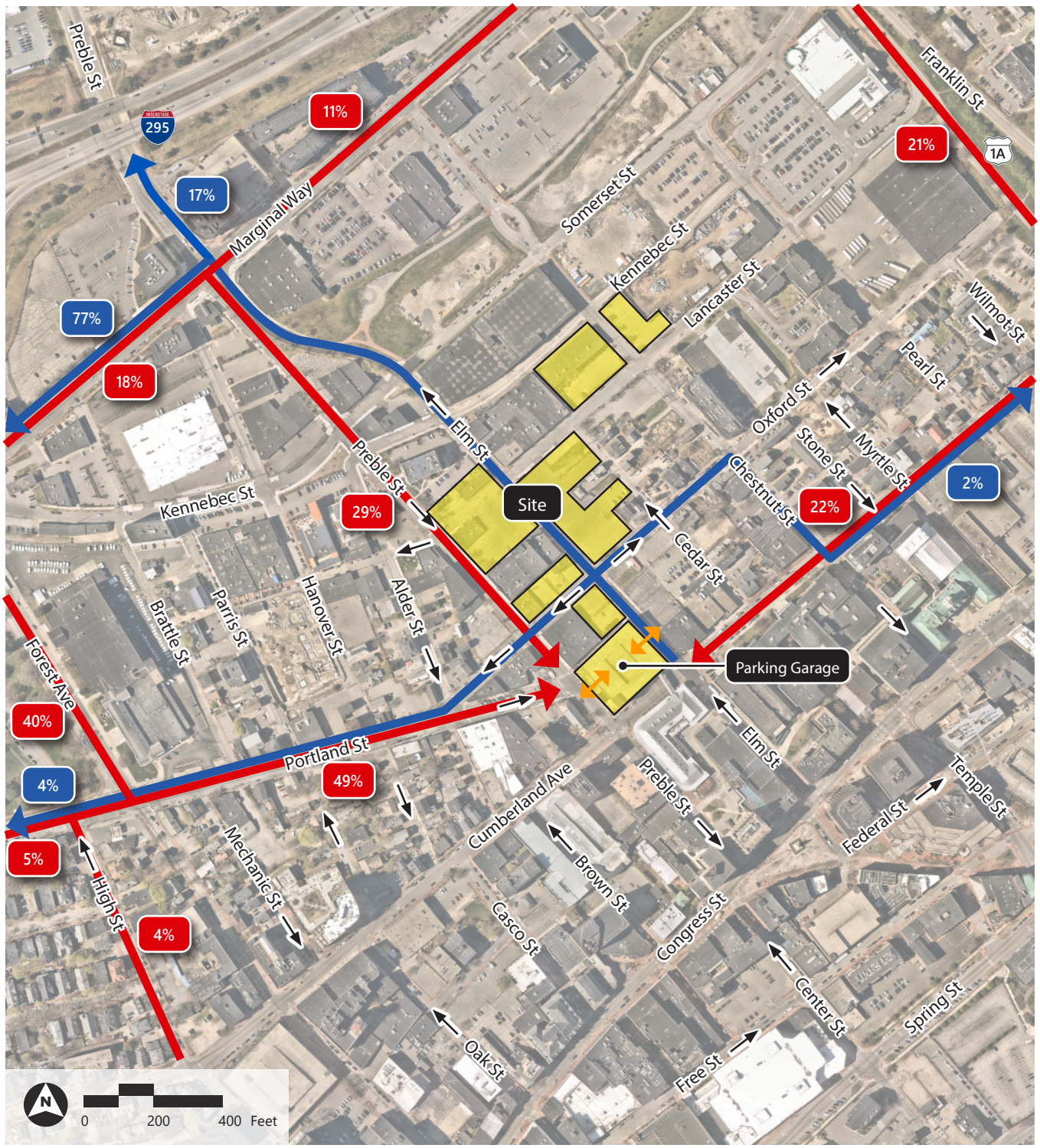
Figure 6. Project Traffic Assignment

West Bayside Master Development Plan | Portland, Maine



Source: Nearmap Aerial

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ITE Trip Generation 11th Edition - Existing To Be Replaced

Total Site generated trips (not accounting for internal, pass-by, or diverted trips)

Site Land Uses and Descriptions				AM PK HR OF ADJACENT STREET TRAFFIC										PM PK HR OF ADJACENT STREET TRAFFIC									
				directional dist.		average				regression		# trips			directional dist.		average				regression		# trips		
Code	Land Use	Size	Unit	% enter	% exit	# studies	Avg Rate	Std Dev.	Total by Avg	r^2	total by Eq'n	Method Chosen	Total Trips	Entering	Exiting	% enter	% exit	# studies	Avg Rate	Std Dev.	Total by Avg	r^2	total by Eq'n	Method Chosen	Total Trips	Entering	Exiting
710	Medical-Dental Office Building	4.3	1000 SF GFA	88%	12%	221	1.52	0.58	7	0.78	11	Regression	11	10	1	17%	83%	232	1.44	0.60	6	0.77	12	Regression	12	2	10
720	Medical-Dental Office Building	14.1	1000 SF GFA	79%	21%	24	3.10	1.49	44	0.80	41	Average	44	35	9	30%	70%	30	3.93	1.86	55	0.77	54	Average	55	17	39
822	Strip Retail Plaza (<40k)	4.2	1000 SF GFA	60%	40%	5	2.36	0.94	10	0.57	16	Regression	16	10	6	50%	50%	25	6.59	2.94	28	0.56	42	Regression	42	21	21
936	Coffee/Donut Shop w/o Drive	2.5	1000 SF GFA	51%	49%	25	93.08	42.71	233	N/A	N/A	Average	233	119	114												

	total	entering	exiting
AM Peak Hour Total Site Trips:	293	163	130

	total	entering	exiting
PM Peak Hour Total Site Trips:	97	38	60

Existing To Be Replaced

Trip Generation Summary

	Total Peak Hour Site Generated Trips					Net New Trips
Peak Period	Total	Transit	Bike & Pedestrian	Internal Capture	External Vehicles	Total
Weekday Morning		*13%*	*43%*	*5%*		
Enter	163	21	70	8	63	63
Exit	130	17	56	6	50	50
Total	293	38	126	15	113	113
Weekday Evening		13%	43%	*5%*		
Enter	38	5	16	2	14	14
Exit	60	8	26	3	23	23
Total	97	13	42	5	37	37

ITE Trip Generation 11th Edition - Proposed

Total Site generated trips (not accounting for internal, pass-by, or diverted trips)

Site Land Uses and Descriptions				AM PK HR OF ADJACENT STREET TRAFFIC												PM PK HR OF ADJACENT STREET TRAFFIC											
				directional dist.		average				regression		# trips				directional dist.		average				regression		# trips			
Code	Land Use	Size	Unit	% enter	% exit	# studies	Avg Rate	Std Dev.	Total by Avg	r^2	total by Eq'n	Method Chosen	Total Trips	Entering	Exiting	% enter	% exit	# studies	Avg Rate	Std Dev.	Total by Avg	r^2	total by Eq'n	Method Chosen	Total Trips	Entering	Exiting
221	Multifamily Housing (Mid-Rise)	603	Dwelling Units	23%	77%	30	0.37	0.09	223	0.91	254	Regression	254	58	196	61%	39%	31	0.39	0.08	235	0.91	236	Regression	236	144	92
223	Affordable Housing	201	Dwelling Units	29%	71%	7	0.50	0.39	101	0.73	91	Average	101	29	72	59%	41%	8	0.46	0.28	92	0.67	86	Average	92	54	38
492	Health/Fitness Club	4	1000 SF GFA	51%	49%	6	1.31	0.64	5	N/A	N/A	Average	5	3	2	57%	43%	8	3.45	1.57	14	0.67	29	Regression	29	17	12
822	Strip Retail Plaza (<40k)	9	1000 SF GFA	60%	40%	5	2.36	0.94	21	0.57	27	Regression	27	16	11	50%	50%	25	6.59	2.94	59	0.56	72	Regression	72	36	36
932	High-Turnover (Sit-Down)	15.5	1000 SF GFA	55%	45%	37	9.57	11.61	148	N/A	N/A	Average	148	81	67	61%	39%	104	9.05	6.18	140	N/A	N/A	Average	140	85	55

Based on ITE 11th Edition

Brewery is included in LUC 932

	total	entering	exiting
AM Peak Hour Total Site Trips:	535	188	347

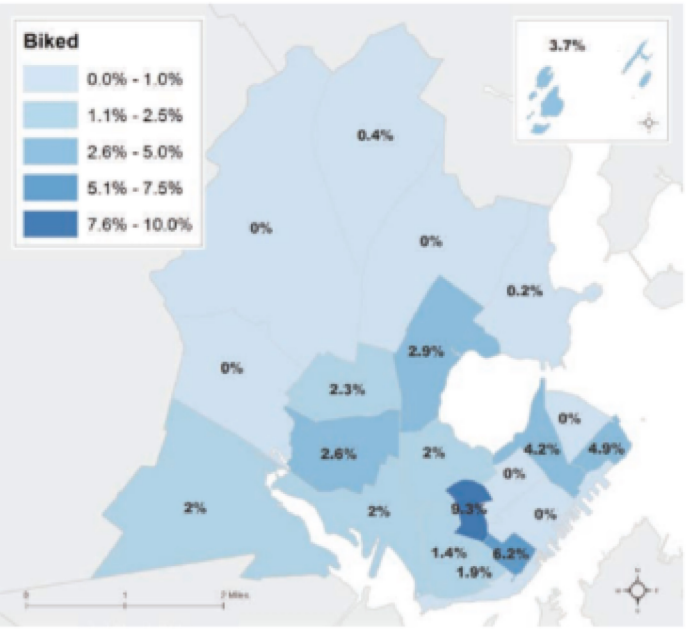
	total	entering	exiting
PM Peak Hour Total Site Trips:	569	336	233

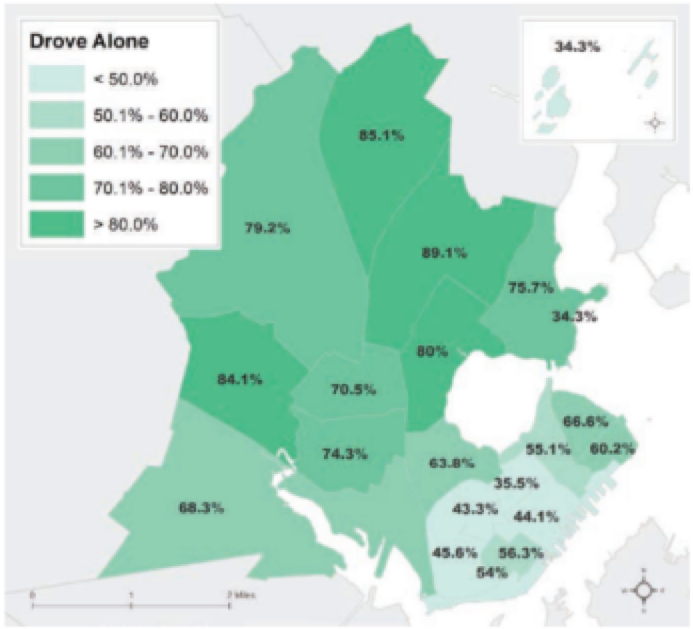
Proposed

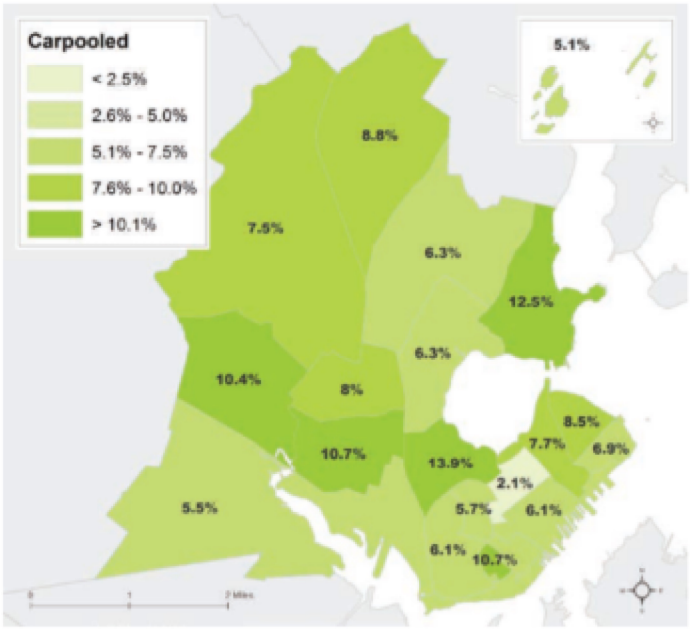
Trip Generation Summary

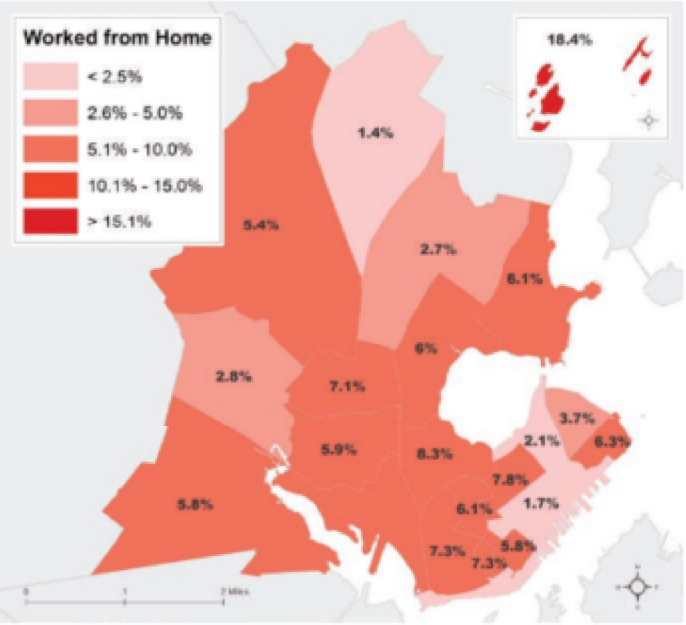
Peak Period	Total Peak Hour Site Generated Trips: Total	Transit	Bike & Pedestrian	Internal Capture	External Vehicles	Existing Trip Generation Total	Net New Trips Total
Weekday Morning		*13%*	*43%*	*5%*			
Enter	188	24	81	9	73	63	10
Exit	347	45	149	17	135	50	85
Total	535	70	230	27	208	113	95
Weekday Evening		13%	43%	*5%*			
Enter	336	44	144	17	131	14	117
Exit	233	30	100	12	91	23	67
Total	569	74	245	28	222	37	184

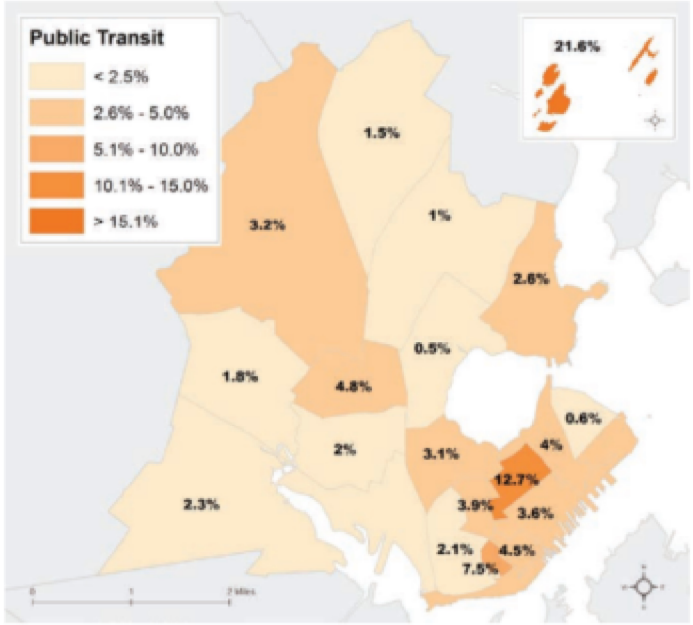
Means of Transportation to Work (2010 - 2014)

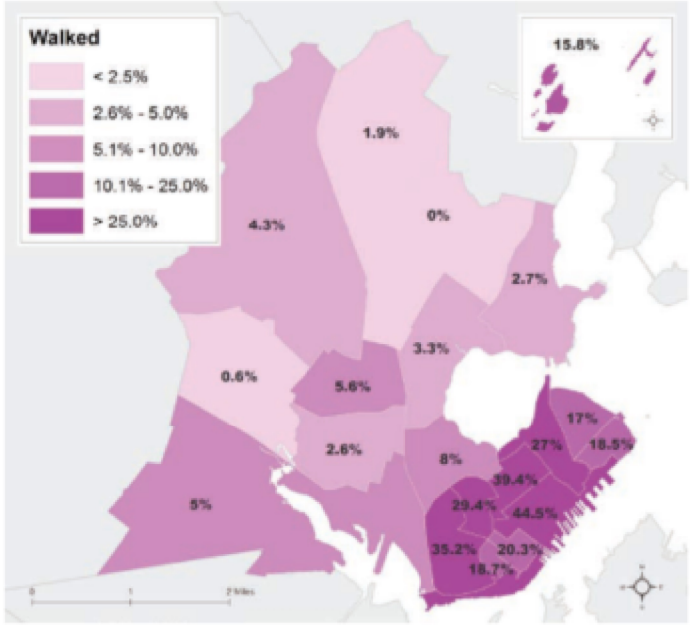












Source: ACS 5-Year Estimate by Census Tract: Workers 16 yrs and over

ATTACHMENT D-1

Traffic Impact Study

MONUMENT SQUARE ASSOCIATES PARKING GARAGE

CUMBERLAND STREET @ PREBLE & ELM STREETS ■ Portland, Maine

Prepared for
Criterium-Mooney Engineers
Portland, Maine

ete EATON TRAFFIC ENGINEERING
Brunswick, Maine

April 1996

MONUMENT SQUARE ASSOCIATES PARKING GARAGE
Portland, Maine
Traffic Impact Study

Introduction

Monument Square Associates proposes to construct a 648± space parking garage on the north side of Cumberland Street between Preble and Elm Streets (see Figure 1 on the following page). Proposed access to the facility will be provided via two-way access drives on both Preble and Elm Streets. The access points will be located at the northerly end of the property, and are constrained to these points due to structural column spacing and the circulation plan for the garage. The Preble Street access drive is essentially aligned with Portland Street.

The construction of the parking garage will replace existing buildings along Cumberland Street and a surface parking lot (Seroco Parking). To serve drop-off and pick-up activities associated with the garage, two on-street parking spaces are proposed on the east side of Preble Street south of the Preble Street entrance to the garage. On-street parking currently is allowed on the west side of Preble Street north of the Preble Street/ Portland Street intersection. Of the 648 ± spaces planned for this garage, approximately 498 are expected to be leased spaces to serve employees in the immediate area. The remaining 150 spaces are to be "live" parking, available to the general public.

The purpose of this traffic impact study is to assess the impact of additional traffic associated with the increase in parking supply at the site. Clearly this parking is primarily intended to support the occupancy of existing vacant office and retail space in the immediate area. Accordingly, parking/traffic demand will be based upon increased employment in the area, less the traffic already associated with the existing surface parking lot. Discussions with the City Traffic Engineer and Deputy Public Works Director indicated that this was a reasonable approach to the study, and that the study should focus analysis on the intersections of Cumberland Street @ Preble Street, Cumberland Street @ Elm Street, and Preble Street @ Marginal Way. In addition, City staff indicated a concern with the Preble Street garage access being located at the Preble/ Portland Streets intersection, and tentatively indicated that through movements between Portland Street and the Preble Street garage access may need to be prohibited through use of a properly designed median island on Portland Street @ Preble Street.

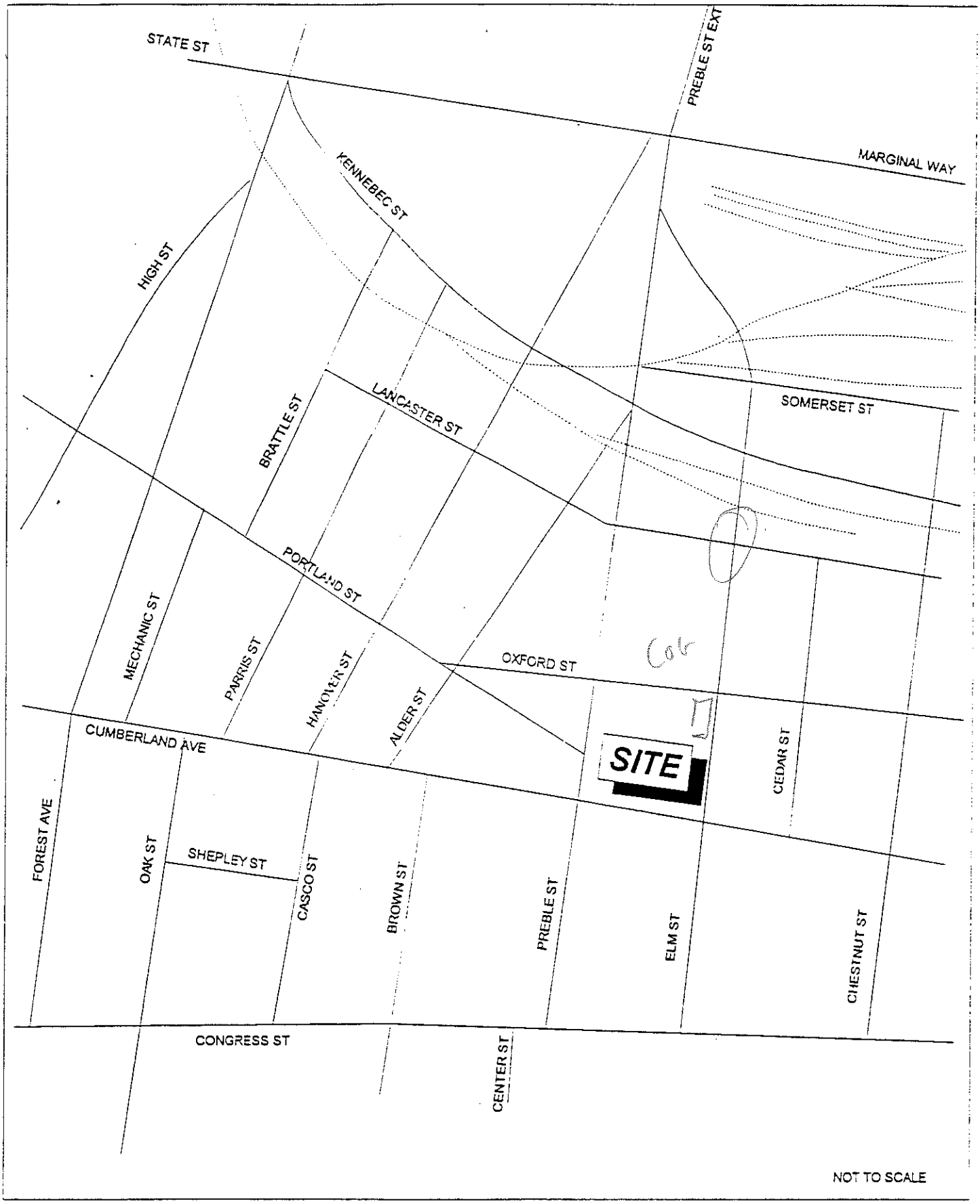


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Figure 1
SITE LOCATION

MONUMENT SQUARE ASSOCIATES PARKING GARAGE - PORTLAND, MAINE

Subsequent review of the accident history at this location, discussed more fully in the **Safety** section of this report, indicates that there is currently no safety problem associated with vehicle movements between Portland Street and the existing surface parking lot. Accordingly, this study will proceed on the basis that such movements could be safely allowed to continue, which, in addition to providing flexibility and convenience to garage users, also should help disperse traffic entering and exiting the facility.

Existing AM and PM Peak Hour Traffic

Manual turning movement counts were performed for the periods 6:00 - 9:00 AM and 3:00 - 6:00 PM during February 1996 for the following locations:

- Cumberland @ Preble
- Cumberland @ Elm
- Preble @ Marginal Way
- Preble @ Portland/Existing Seroco Parking Lot

Figures 2 and 3 on the following pages present the AM and PM peak hour traffic volumes for the first three locations noted above respectively. Figure 4 presents AM and PM traffic volumes at the Portland/Preble/Seroco Lot intersection, and includes information on the pattern of traffic entering and exiting the existing Seroco Lot, which can be used to assist in assigning access routes for the proposed facility. As can be seen in Figure 4, the Portland Street access pattern serves a significant proportion of traffic to/from the existing surface lot, with 40 percent of the vehicles entering from this route in the AM peak hour, and 55 percent exiting via this route during the PM peak hour.

Projected 1996 AM and PM Design Hour Traffic Volumes

Typically, traffic volumes vary seasonally, with the highest volumes occurring during the summer months of July and August. Traffic impact analysis generally evaluates peak traffic flows for the seasonal high (usually referred to as the "design hour"), thus it was necessary to "adjust" the February AM and PM peak hour traffic volumes shown in Figures 2 and 3 to reflect summer conditions. Factors provided by MDOT, based upon their statewide continuous traffic

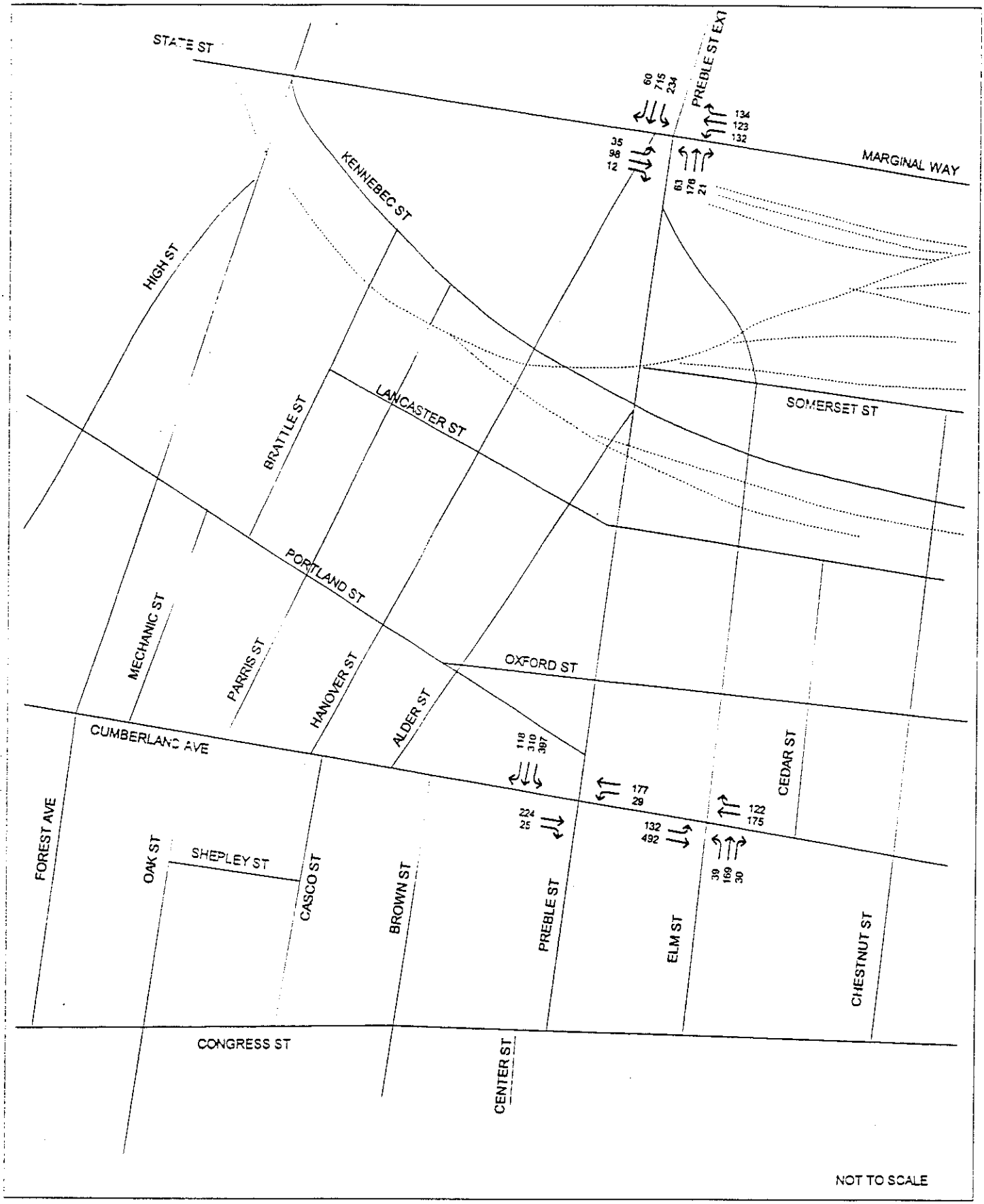

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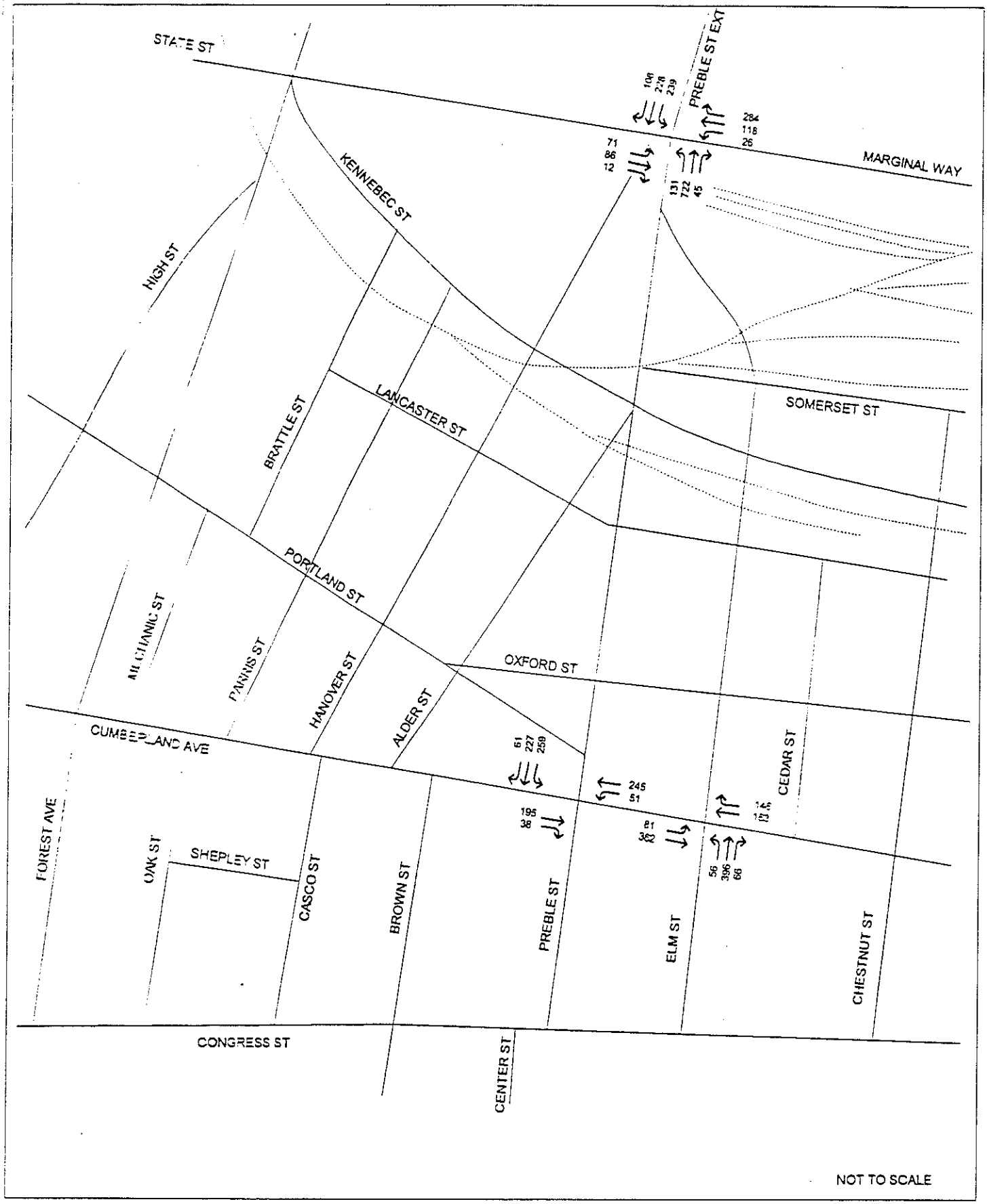
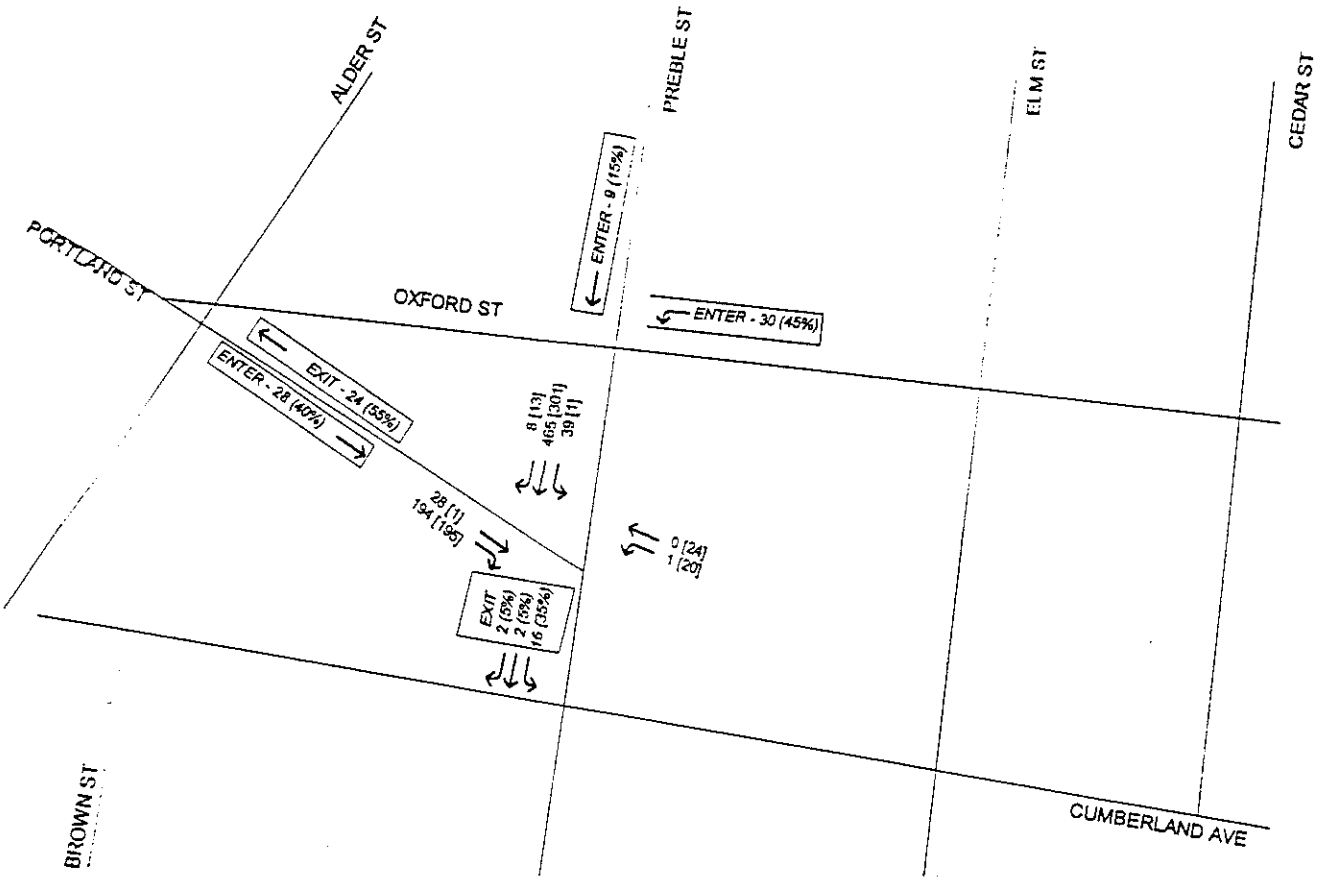
Figure 2
1996 AM PEAK HOUR TRAFFIC - FEBRUARY 1996

MONUMENT SQUARE ASSOCIATES PARKING GARAGE - PORTLAND, MAINE



ete EATON TRAFFIC ENGINEERING 2 Monroe St. - Brunswick, Maine (207) 725-8805 Fax (207) 725-8775	Figure 3 1996 PM PEAK HOUR TRAFFIC - FEBRUARY 1996
	MONUMENT SQUARE ASSOCIATES PARKING GARAGE - PORTLAND, MAINE



ete EATON TRAFFIC ENGINEERING
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Figure 4
AM & PM PEAK HOUR TRAFFIC TO/FROM EXISTING SURFACE PARKING LOT

MONUMENT SQUARE ASSOCIATES PARKING GARAGE - PORTLAND, MAINE

counting program, indicate that the February traffic volumes collected for this study would have to be increased by 25± percent to reflect peak seasonal volumes. Because the area of Portland in the vicinity of the proposed garage is not particularly likely to be travelled by tourists (one of the key factors in higher summer traffic), this level of increase is likely to result in traffic volumes higher than will actually be experienced; however, to provide a conservative assessment of potential impacts, the February AM and PM peak hour traffic volumes were increased by 25± percent to estimate AM and PM design hour volumes. In addition to the seasonal adjustment. the projected PM peak hour traffic volumes also incorporate the PM peak hour traffic associated with the proposed Maine Bank and Trust project (addition of drive through teller and ATM facilities) on the corner of Preble Street and Congress Street (it was assumed that this project would have little if any impact on AM peak hour traffic). Figures 5 and 6 present the estimated AM and PM design hour traffic volumes for the pre-development condition.

Site Generated AM and PM Peak Hour Traffic Volumes

The development of estimated AM and PM peak hour traffic associated with the proposed parking garage was accomplished using trip rates for the land uses to be served by the facility, combined with observation of the existing surface lot and its entering and exiting characteristics. Site generated peak hour traffic was first estimated using the statistics contained in the publication Trip Generation - Fifth Edition[1]. For the AM peak hour (typically 7:00 - 8:00 AM) it was assumed that the traffic to/from the garage would be restricted to the 498 spaces to be leased to employees in the area. Retail and other service related trips to the facility was assumed to be insignificant during the AM peak hour. The 498 leased spaces would support approximately 200,000 square feet of office type use at a parking demand rate of 2.5 spaces per 1000 square feet of office floor area. This translates into estimated AM peak hour traffic generation (for ITE Land Use Code 710 - General Office Building) of 327 trips - 291 entering and 36 exiting. The existing surface parking lot (all leased spaces) evidenced only one vehicle exiting the lot during the AM peak hour, and it is considered unlikely that any significant exiting parking would occur at the proposed garage. The exiting trips reflected in the ITE trip generation estimate may well represent drop-off trips or employees leaving for early

[1] Institute of Transportation Engineers, 1991 and February 1995 Update

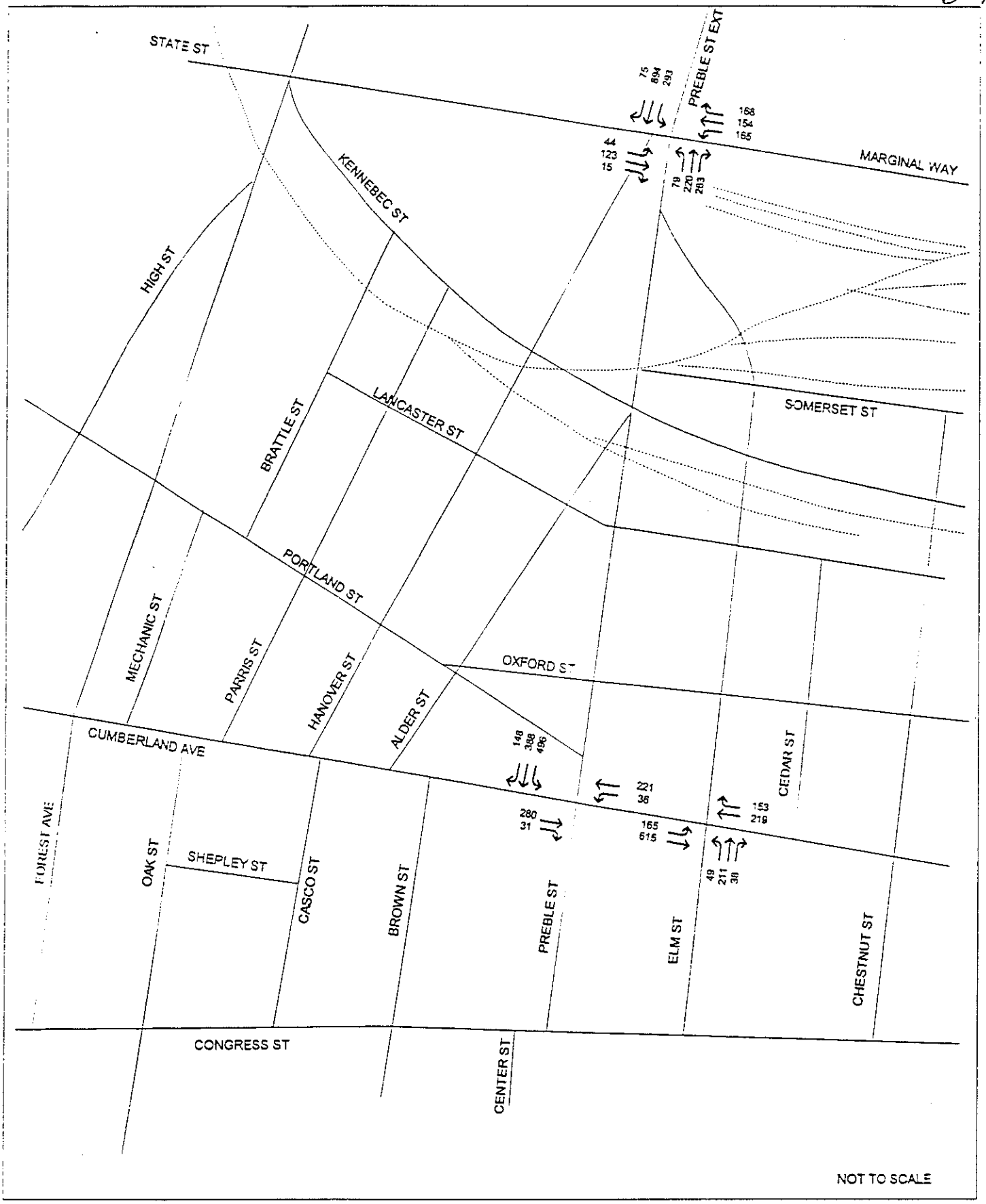

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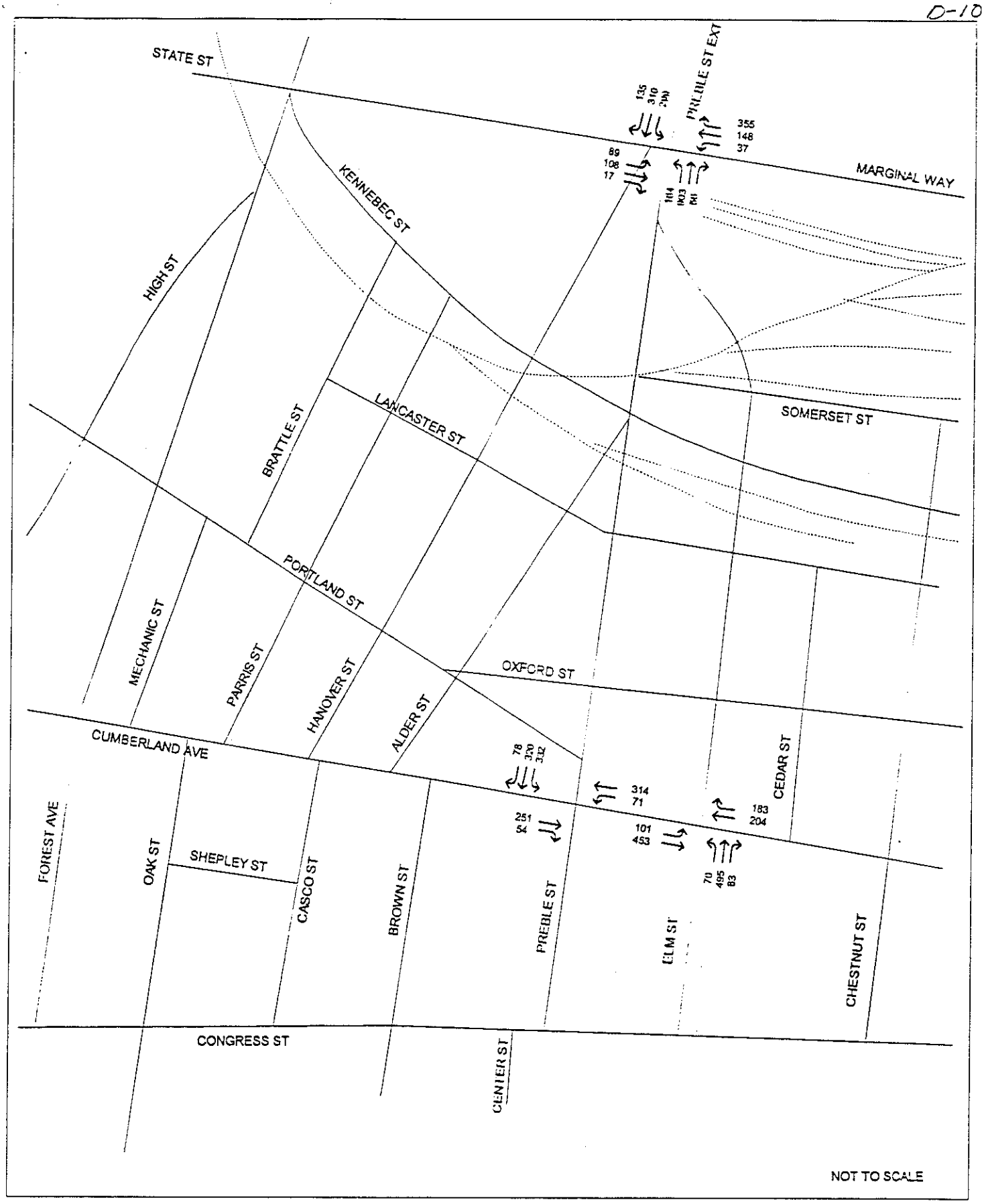
Figure 5
ESTIMATED AM PEAK HOUR TRAFFIC - PRE-DEVELOPMENT

MONUMENT SQUARE ASSOCIATES PARKING GARAGE - PORTLAND, MAINE



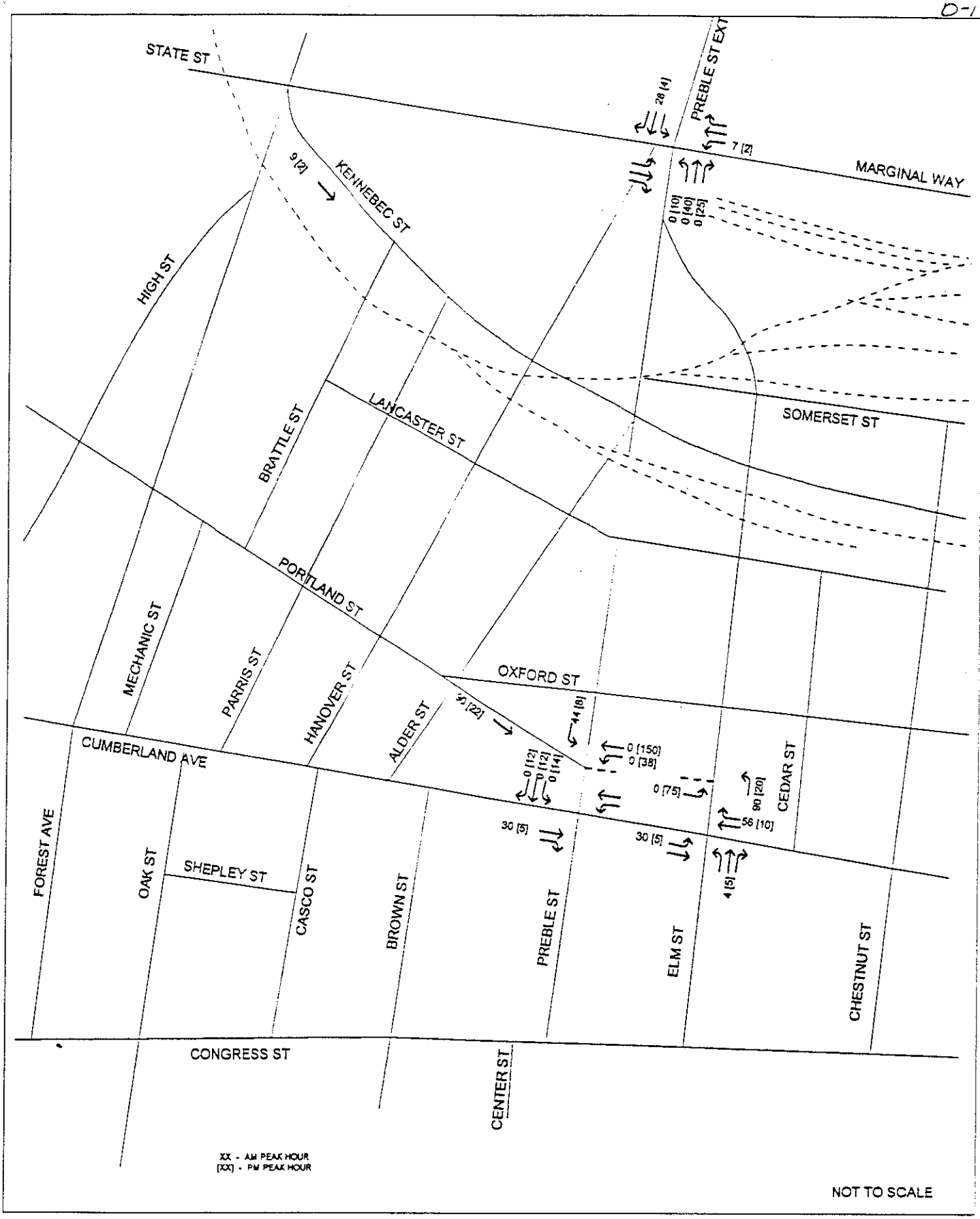
eaton traffic engineering 2 Minnesota St. - Brunswick, Maine (207) 725-8605 Fax (207) 725-8773	Figure 6 ESTIMATED 1996 PM PEAK HOUR TRAFFIC - PRE-DEVELOPMENT
	MONUMENT SQUARE ASSOCIATES PARKING GARAGE - PORTLAND, MAINE

appointments. These would generally not be significant for the proposed facility, thus AM peak hour traffic generation for the facility is estimated at 219± trips entering.

For the PM peak hour, all 648 spaces would be in use for trips associated with office and retail/service land uses in the area. For this analysis it was assumed that the ITE rate for general office buildings would apply again to the 498 leased spaces, and a generic retail/service rate based upon typical land uses in the ITE manual would be applied for the 150 live parking spaces. The office component of the PM peak hour (200,000 square feet) is projected to generate 310 trips - 53 entering and 257 exiting. Again, assuming the entering proportion would not apply for leased parking, the office component would generate 257 trips exiting the facility. For the retail/service component of demand, an average parking demand of 3.00 spaces per 1000 square feet of floor area would indicate that the 150 live spaces serve approximately 50,000 square feet of floor area. A review of a number of retail/service land uses contained in the ITE manual was conducted. Based upon this review, a generic average rate of 2 trips per 1000 square feet of floor area was used to estimate PM peak hour traffic generation of 100 trips - 50 entering and 50 exiting. This yields estimated PM peak hour traffic generation of 357± trips, 50 entering and 307 exiting.

In reviewing the trip generation estimates above and comparing them to the existing surface parking lot, the projected AM peak hour compares quite well with existing patterns of arrival, with about 60 percent of the capacity of each facility arriving during the AM peak hour. For the PM peak hour, the existing lot indicates a much less pronounced rate of departure, with approximately 40 percent of capacity departing during the PM peak hour. The projected PM peak hour based upon all 648 spaces and ITE office and retail/service trip rates would empty over 55 percent of the capacity of the proposed garage. While this estimate may be somewhat high, it will be carried through the analysis to provide a conservative measure of impacts during the PM peak hour.

Projected site generated AM and PM peak hour traffic was assigned to the roadway system in the vicinity of the proposed garage on the basis of the general arrival/departure patterns for the existing surface lot, as depicted in Figure 4. Figure 7 presents the net new traffic generated to the proposed facility (i.e. traffic to the existing surface lot is not included).



ete EATON TRAFFIC ENGINEERING 2 Mineola St. - Brunswick, Maine (207) 725-8625 Fax (207) 725-8771	Figure 7 ESTIMATED NET AM & PM PEAK HOUR SITE GENERATED TRAFFIC VOLUMES
	MONUMENT SQUARE ASSOCIATES PARKING GARAGE - PORTLAND, MAINE

Operational Assessment of Pre- and Post-Development Conditions

Projected post-development AM and PM peak hour traffic volumes were estimated by combining pre-development volumes with net site generated traffic. Figures 8, 9, and 10 present these projections.

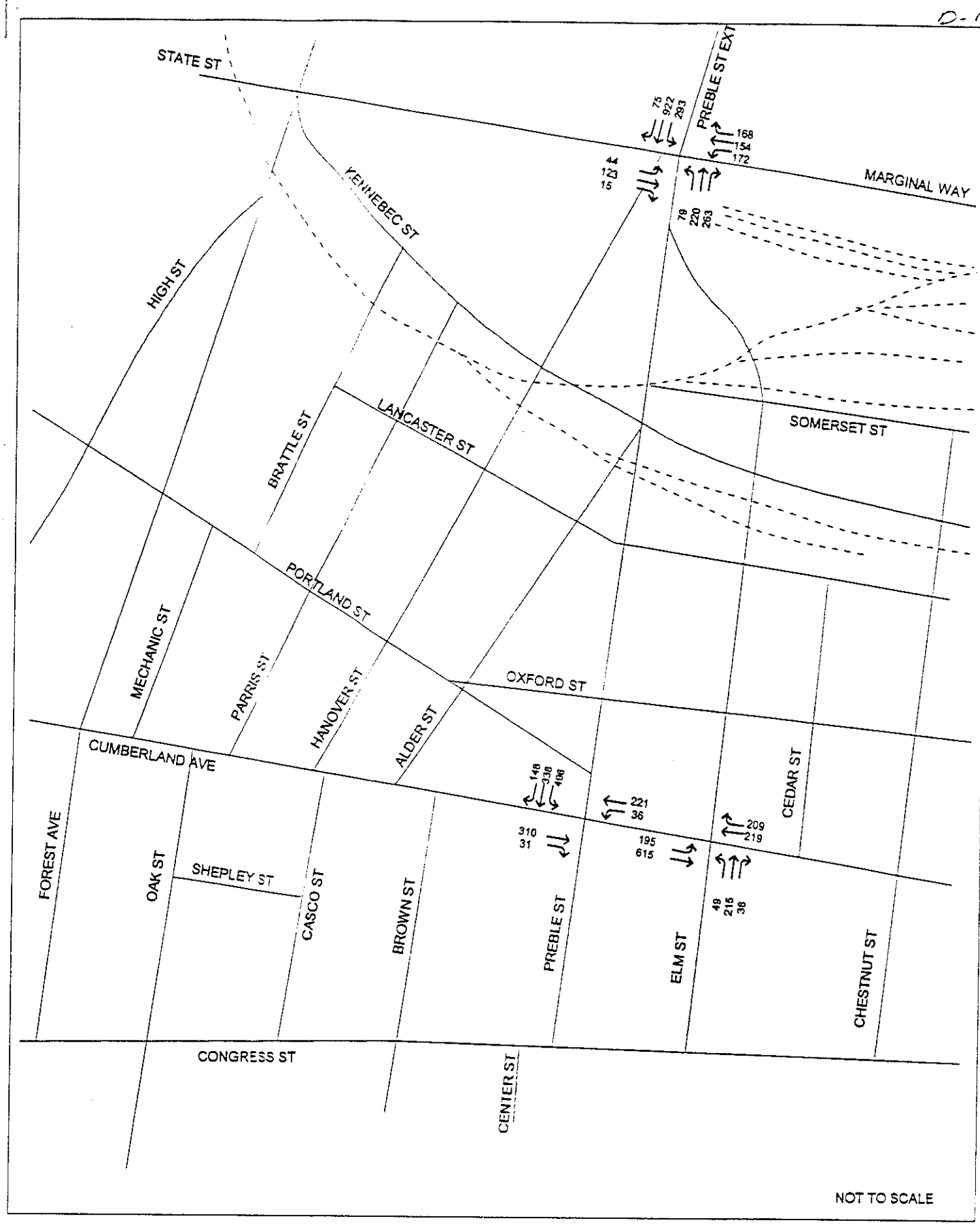
Capacity analysis was performed for the 1996 pre- and post-development PM peak hour condition for the study area signalized (Cumberland @ Preble, Cumberland @ Elm, Preble @ Marginal Way) and unsignalized intersection (Garage Access @ Preble/Portland) per the procedures contained in the Highway Capacity Manual[2]. Capacity analysis provides a quantitative assessment of the quality of traffic flow at an intersection, and "rates" this quality in terms of its Level of Service (LOS). LOS ratings range from A to F, and much like a school rank card, A indicates very good conditions, and F indicates extremely congested conditions. LOS for signalized intersections is based upon the average stopped delay for all vehicles using the intersection. The relationship between LOS and average stopped delay is shown in the table below.

Signalized Intersection Level of Service Measures

Level of Service	Average Stopped Delay Per Vehicle
A	≤ 5.0 Seconds
B	5.1 - 15.0 Seconds
C	15.1 - 25.0 Seconds
D	25.1 - 40.0 Seconds
E	40.1 - 60.0 Seconds
F	≥ 60.0 Seconds

For unsignalized intersections, such as the proposed access driveways, analysis procedures are different than those used for signalized intersections, and have recently been updated. LOS for unsignalized intersections is based upon average total delay, which takes into account the

[2] Special Report 209, Highway Capacity Manual, Transportation Research Board, 1994



EATON TRAFFIC ENGINEERING

Figure 8
PROJECTED AM PEAK HOUR TRAFFIC - POST-DEVELOPMENT

MONUMENT SQUARE ASSOCIATES PARKING GARAGE - PORTLAND, MAINE

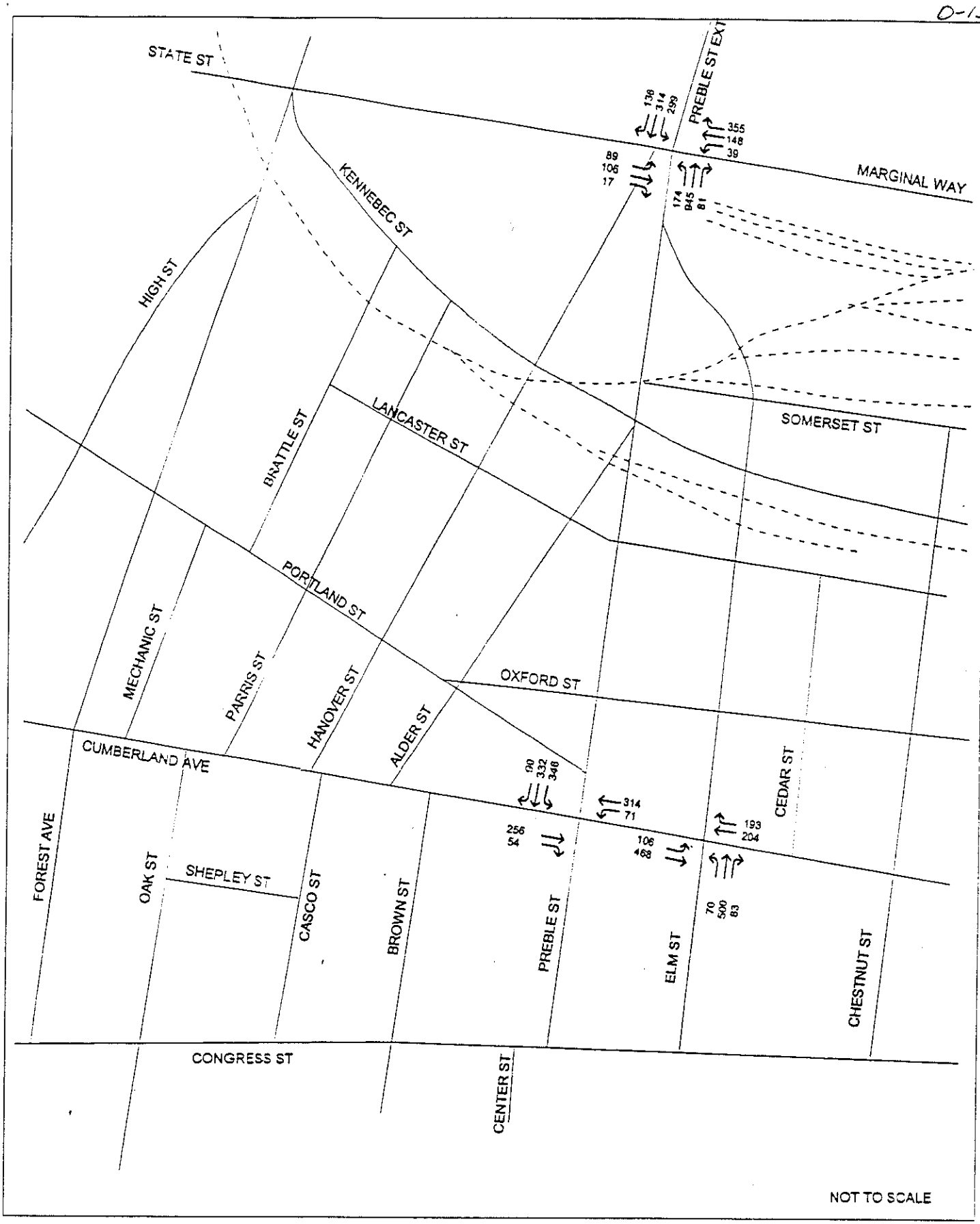


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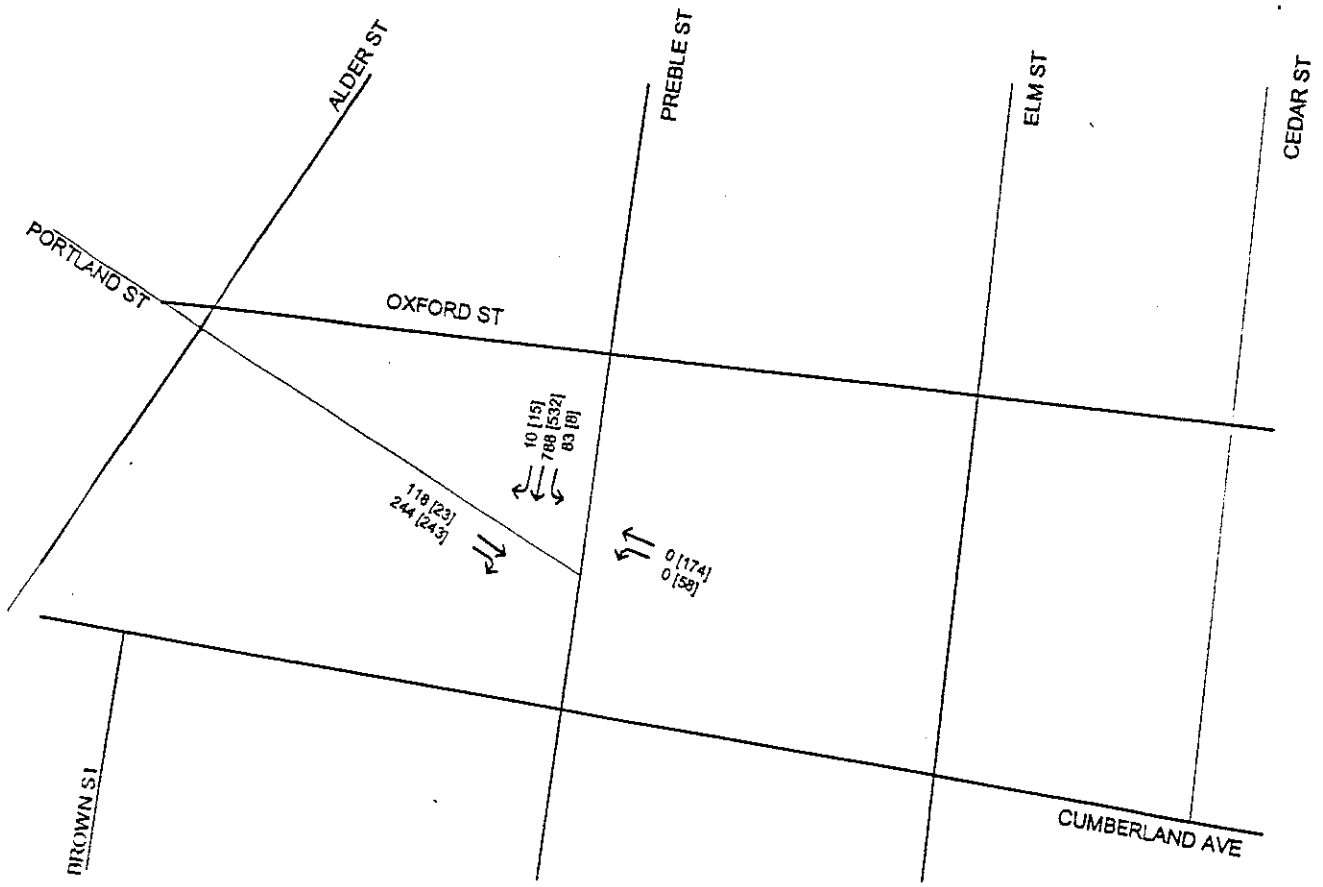
Figure 9
PROJECTED PM PEAK HOUR TRAFFIC - POST-DEVELOPMENT

MONUMENT SQUARE ASSOCIATES PARKING GARAGE - PORTLAND, MAINE



EATON TRAFFIC ENGINEERING

Figure 10
PROJECTED AM & PM PEAK HOUR TRAFFIC AT PREBLE STREET ACCESS - POST-DEVELOPMENT

MONUMENT SQUARE ASSOCIATES PARKING GARAGE - PORTLAND, MAINE

delay involved in waiting in a vehicle queue. The relationship between LOS and average total delay is shown below:

Level of Service Measurement for Unsignalized Intersections

Level of Service	Average Total Delay Per Vehicle
A	≤ 5.0 Seconds
B	5.1 - 10.0 Seconds
C	10.1 - 20.0 Seconds
D	20.1 - 30.0 Seconds
E	30.1 - 45.0 Seconds
F	≥ 45.0 Seconds

To establish basic conditions for analysis of the three signalized intersections in the study area analyzed, current phasing and timing was observed in the field, and average phase timing during the AM and PM peak period was used as a starting point for this analysis. The results of the analysis for pre- and post-development traffic are summarized below.

Signalized Intersection Analysis

Location	Pre-Development		Post-Development	
	LOS	Stopped Delay (sec)	LOS	Stopped Delay (sec)
		AM Peak Hour		
Cumberland @ Preble	C	16.2	C	16.1
Cumberland @ Elm	B	14.5	B	14.4
Preble @ Marginal	C	18.6	C	18.7
		PM Peak Hour		
Cumberland @ Preble	B	13.1	B	13.3
Cumberland @ Elm	B	12.4	B	12.5
Preble @ Marginal	D	26.8	D	27.1

As can be seen, the impact of site generated traffic on the Cumberland/Preble and Cumberland/Elm intersections is minimal. At Marginal Way @ Preble Street, the impact is also quite small - an increase in delay of under 0.5 seconds per vehicle - but the intersection is experiencing low levels of service on some of the movements. While it is felt that the adjusted peak hour volumes used in this analysis are somewhat higher than will actually occur (see **Projected 1996 AM and PM Design Hour Traffic Volumes**), there are clear indications that the intersection is heavily loaded for short periods of time during the PM peak hour. This is perhaps a supplementary reason to provide direct access between the Preble Street access to the proposed garage and Portland Street. If this access route were not available, vehicles bound for I-295 would likely exit via the Elm Street access and further increase traffic at the Marginal Way @ Preble Street Intersection.

Unsignalized intersection analysis was performed for the proposed entrance/exit drive from the site to Preble Street @ Portland Street. The table below summarizes the results of the analysis.

Unsignalized Intersection Analysis
Preble @ Portland Street/Garage Access

Movement	Pre-Development		Post-Development	
	LOS	Total Delay (sec)	LOS	Total Delay (sec)
		AM Peak Hour		
Portland St Thru	C	11.5	D	19.6
Portland St Right	B	6.0	B	6.0
Preble St Left	A	2.2	A	2.2
Total Intersection		6.7		8.0
		PM Peak Hour		
Portland St Thru	B	6.8	B	7.3
Portland St Right	A	4.9	A	4.9
Preble St Left	A	2.1	A	2.1
Garage Exit	B	9.8	D	26.2
Total Intersection		8.4		12.6

As would be expected, the LOS and delay associated with movements into the garage during the AM peak hour, and movements out of the garage during the PM peak hour increases significantly. While delay increases and LOS is reduced, these operational measures are felt to be acceptable for the short periods of time involved. Overall, the Preble/Portland/Garage intersection is projected to operate with reasonable delay and LOS.

Safety

Safety data for the most recent available 3 year period (1992-94) was obtained from the Accident Records Section of the MDOT Bureau of Planning for roadways in the vicinity of the site. A summary of the accident history in the area is presented in the table on the next page.

MDOT guidelines for identification of a High Accident Location (HAL - indicating a potential safety deficiency) is that a location must experience 8 or more accidents in a 3 year period and have a Critical Rate Factor of 1.00 or greater. Seven locations in the study area satisfy these criteria. Detailed accident collision diagrams for these locations were prepared from accident records on file at MDOT and analyzed. The findings of the analysis are summarized below:

Preble Street @ Kennebec Street: Of the 13 accidents occurring at this location, 10 involved cross traffic collisions between eastbound Kennebec Street and southbound Preble. Failure to yield the right of way (Kennebec Street is stop sign controlled) and disregarding a traffic control device were the primarily contributing factors cited in the reports. It is likely that speed on Preble Street might also be a factor. Given the number of cross traffic collisions, this location may warrant an intersection hazard beacon (flashing red and yellow).

Preble Street @ Lancaster Street: Of the 8 accidents at this location, 6 were cross traffic collisions, similar to those occurring at Preble @ Kennebec. Failure to yield the right of way was most commonly cited as the primary contributing factor. This location is a "borderline" HAL, but accident frequency has been increasing - from 2 in 1992, to 3 in 1993, to 4 in 1994. It is suggested that accident occurrence be monitored to determine if this trend on increasing accident frequency continues.

1992-94 Accident History in Site Vicinity

LOCATION	1992-94 ACCIDENTS	ANNUAL AVERAGE	CRITICAL RATE FACTOR[3]
Preble Street @ Marginal Way	30*	10.00	0.73
Preble Street/Marginal to Somerset	0	0	0
Preble Street @ Somerset	0	0	0
Preble Street/ Somerset to Kennebec/Alder	2	0.67	2.33
Preble Street @ Kennebec	13	4.33	2.51
Preble Street/Kennebec to Lancaster	0	0	0
Preble Street @ Lancaster	8	2.67	1.60
Preble Street/Lancaster to Oxford	3	1.00	0.68
Preble Street @ Oxford	13	4.33	0.80
Preble Street/Oxford to Portland	0	0	0
Preble Street @ Portland	6	2.00	0.80
Preble Street/Portland to Cumberland	0	0	0
Preble Street @ Cumberland	16	5.33	0.71
Preble Street/Cumberland to Congress	8	2.67	2.50
Elm Street/Congress to Cumberland	4	1.33	1.33
Elm Street @ Cumberland	25	8.33	1.29
Elm Street/Cumberland to Oxford	6	2.00	3.54
Elm Street @ Oxford	0	0	0
Elm Street/Oxford to Lancaster	2	0.67	1.18
Elm Street @ Lancaster	8	2.67	3.36
Elm Street/Lancaster to Kennebec	3	1.00	2.32
Elm Street @ Kennebec	18	6.00	8.25
Elm Street/Kennebec to Somerset	3	1.00	4.85
Elm Street @ Somerset	1	0.33	0.46
Elm Street/Somerset to Marginal	2	na	na
Cumberland Ave/Brown to Preble	2	0.67	0.69
Cumberland Ave/Preble to Elm	2	0.67	0.59
Cumberland Ave/Elm to Cedar	1	0.33	0.21

[3] The Critical Rate Factor is a statistical measure which compares the accident frequency at a location to similar locations throughout the State. A Critical Rate Factor of 1.00 or greater indicates that the location has a higher frequency of accidents than would be expected due to random occurrence, with a 99 percent level of confidence.

1992-94 Accident History in Site Vicinity (cont)

LOCATION	1992-94 ACCIDENTS	ANNUAL AVERAGE	CRITICAL RATE FACTOR
Portland Street @ Forest Ave*	30	10.00	0.93
Portland Street/Forest to Mechanic*	6	2.00	2.85
Portland Street @ Mechanic*	0	0	0
Portland Street/Mechanic to Brattle*	1	0.33	0.65
Portland Street @ Brattle*	1	0.33	0.23
Portland Street/Brattle to Parris*	3	1.00	1.64
Portland Street @ Parris*	8	2.67	1.78
Portland Street/Parris to Hanover*	0	0	0
Portland Street @ Hanover*	6	2.00	1.27
Portland Street/Hanover to Oxford*	2	0.67	0.95
Portland Street @ Oxford*	2	0.67	0.52
Portland Street/Oxford to Preble*	5	1.67	0.94

* 1993-95 Data

Preble Street/ Cumberland to Congress Street: Of the 8 accidents on this segment of Preble Street, 4 clearly involve collisions with vehicles entering or exiting an on-street parking space. Two of the remaining accidents are lane change/sideswipe accidents that could also be related to on street parking. The primary trend indicates that on-street parking activity is a major contributing factor. Other than prohibiting on-street parking, which is not likely to be feasible, no recommendation can be made to address this section of Preble Street.

Elm Street @ Cumberland Street: Cross traffic collisions between eastbound Cumberland Street and northbound Elm Street constitute the primary accident pattern at this location, with 15 of the 24 accidents being of this type. The remainder of the accidents are generally disparate in nature and indicate no pattern. All but two of the 15 cross traffic collisions occurred during the late night or early morning when the traffic signal was operating in a flashing mode. To address this problem it is recommended that the traffic signal at this location be operated in full "stop and go" mode 24 hours a day.

Elm Street @ Lancaster Street: Of the eight accidents at this location, 6 were cross traffic collisions between eastbound Lancaster Street and northbound Elm Street. The remaining two accidents were lane change sideswipe collisions on Elm Street northbound. As was the case for the Preble/Kennebec and Preble/Lancaster intersections, disregard of the traffic control device (stop sign control on Lancaster) was cited as the primary contributing factor. It is somewhat strange that no accidents occurred at this location in 1993, with 4 occurring for both 1992 and 1994. Because of the cross traffic collision pattern, this intersection may be a candidate for an intersection hazard beacon.

Elm Street @ Kennebec Street: The primary collision pattern at this intersection is lane change/sideswipe accidents on Elm Street northbound, with 13 of the 18 total accidents being this type. The remaining 5 accidents were cross traffic collisions, 4 of these between eastbound Kennebec and northbound Elm Street. The major contributing factors cited included driver inattention. unsafe/improper turn, and unsafe lane change. It is recommended that pavement markings be improved in this area, and that overhead lane assignment signs be considered to address the lane change/sideswipe pattern.

Portland Street @ Parris Street: Of the 8 accidents occurring at this location, 4 accidents were cross traffic collisions, 3 of these occurring during icy conditions. An additional 3 accidents were rear-end collisions, with 2 of these occurring on an icy roadway. Overall it appears that environmental conditions are the prime contributing factor in accident occurrence at this location.

Although not meeting the criteria for a HAL, the intersection of Forest Avenue @ ParkAve/Portland Street was analyzed due to the number of accidents (30) that occurred.

Forest Avenue @ Park-Portland: The primary collision patterns at this location include cross traffic collisions (7), left turn collisions (7) and rear-end collisions (9). In addition, two accidents involving pedestrians occurred (1 involving a pedestrian violation). Overall the accident experience at this heavily travelled intersection is fairly typical. It is interesting that 12 of the 30 accidents occurred after 6:00 PM, after peak traffic flow periods have subsided. Cross traffic and rear-end collisions were most common for these evening accidents (4 each). Accident frequency is increasing (6 in 1993, 9 in 1994

and 15 in 1995), and this location should be monitored. In addition, it is suggested that vehicle clearance intervals be reviewed and modified if necessary.

An overall pattern that seems to emerge from the accident analysis is that unsignalized intersections on both Preble and Elm Streets are experiencing a significant number of cross traffic collisions. While failure to yield, disregarding traffic control devices and driver inattention were cited as primary contributing factors, it is likely that vehicle speeds on Preble and Elm Street are also factors. Both streets are one-way facilities that serve as a direct north/south routing to/from downtown Portland. Once a vehicle on Elm Street clears the Elm/Cumberland intersection it has "clear sailing" to Marginal Way. The same is true - in the opposite direction - for Preble Street (the Preble/Oxford signal does not typically stop traffic on Preble very often due to low vehicle demand on Oxford. To compound the potential speed problem, the locations of cross street intersections on Elm and Preble are often difficult to see due to the closeness of adjacent buildings and/or on-street parking. Overall, it appears that improving the visibility of cross streets would assist or at least help warn drivers on Elm and Preble that a potential conflict is present.

Access and Circulation

As noted in the introduction of this report, preliminary discussions with City of Portland staff raised the issue as to whether vehicles entering and exiting the Preble Street access should be allowed to do so to/from Portland Street. AM and PM peak period traffic counts at the intersection of Preble @ Portland/Seroco Lot indicates that a significant proportion of existing parking lot traffic uses a Portland Street routing. A review of accident history at this location reveals that only 6 accidents occurred at this location over the 3 year period 1992-94. Three of the accidents were collisions with bicyclists. The accident reports did not specify whether the bicyclists were travelling in the wrong direction on Preble Street, but it is a likely explanation for the accidents, since drivers would be looking north (left) to see oncoming traffic, and would not expect any traffic to be approaching from the south. The remaining accidents included 2 rear-end collisions, and 1 lane change/sideswipe collision. No cross traffic accidents involving traffic entering or exiting the existing access to the Seroco parking lot were recorded.

Portland Street is approximately 50 feet in width near Preble Street. It is suggested that two approach lanes be provided on Portland Street at its intersection with Preble Street to provide a through lane for access into the garage, and a right turn lane for vehicles turning on to Preble Street. Figure 11 on the following page provides a schematic layout of the suggested lane configuration.

Summary of Findings

The proposed Monument Square Associates parking garage will provide 648 parking spaces in the Portland Central Business District. Access to the facility will be provided by two-way entrance/exits on Preble Street and Elm Street. The facility is projected to generate 291 vehicle trips during the AM peak hour, and 357 trips during the PM peak hour. Analysis of the impact of the net increase in AM and PM peak hour traffic indicates that the key intersections in the study area (Cumberland @ Preble, Cumberland @ Elm, and Preble @ Marginal Way) will operate at acceptable levels of service. The capacity analysis did indicate that the Preble @ Marginal Way intersection is heavily loaded during the PM peak hour, and that maintaining access to the Preble Street entrance/exit via Portland Street will help minimize the impact of exiting PM peak hour traffic on that intersection.

Safety analysis indicates that there are currently 7 High Accident Locations in the study area. Detailed review of these locations is contained in the **Safety** section of this report, and will not be repeated here.

Site Name PORTLAND 07908 **Site ID** 230517007908 **Description** PREBLE ST (OW) NW/O CONGRESS ST

Exclude data: None

	Volume	Total
12:00 am	-	0
01:00 am	-	0
02:00 am	-	0
03:00 am	-	0
04:00 am	-	0
05:00 am	-	0
06:00 am	-	0
07:00 am	-	0
08:00 am	-	0
09:00 am	-	0
10:00 am	194	194
11:00 am	243	243
12:00 pm	225	225
01:00 pm	251	251
02:00 pm	232	232
03:00 pm	232	232
04:00 pm	216	216
05:00 pm	201	201
06:00 pm	162	162
07:00 pm	148	148
08:00 pm	106	106
09:00 pm	60	60
10:00 pm	38	38
11:00 pm	45	45
7am-7pm	1956	1956
6am-10pm	2270	2270
6am-12am	2353	2353
12am-12am	2353	2353
am Peak	11:00 am	11:00 am
Peak Volume	243	243
pm Peak	01:00 pm	01:00 pm
Peak Volume	251	251

Event key: QC Failure QC Outlier QC Atypical Events Special Holiday Offline
Weekends and defined holidays

Holidays & Events:
None

Site Name PORTLAND 07808 **Site ID** 230517007808 **Description** ELM ST (OW) NW/O CONGRESS ST

Exclude data: None

	Volume	Total
12:00 am	-	0
01:00 am	-	0
02:00 am	-	0
03:00 am	-	0
04:00 am	-	0
05:00 am	-	0
06:00 am	-	0
07:00 am	-	0
08:00 am	-	0
09:00 am	-	0
10:00 am	-	0
11:00 am	281	281
12:00 pm	335	335
01:00 pm	368	368
02:00 pm	297	297
03:00 pm	351	351
04:00 pm	439	439
05:00 pm	498	498
06:00 pm	246	246
07:00 pm	155	155
08:00 pm	140	140
09:00 pm	125	125
10:00 pm	64	64
11:00 pm	50	50
7am-7pm	2815	2815
6am-10pm	3235	3235
6am-12am	3349	3349
12am-12am	3349	3349
am Peak	11:00 am	11:00 am
Peak Volume	281	281
pm Peak	05:00 pm	05:00 pm
Peak Volume	498	498

Event key: QC Failure QC Outlier QC Atypical Events Special Holiday Offline
Weekends and defined holidays

Holidays & Events:
None

Site Name PORTLAND 13204 **Site ID** 230517013204 **Description** ELM ST (OW) SE/O MARGINAL WAY

Exclude data: None

	Northwestbound	Total
12:00 am	22	22
01:00 am	25	25
02:00 am	12	12
03:00 am	2	2
04:00 am	12	12
05:00 am	21	21
06:00 am	54	54
07:00 am	144	144
08:00 am	261	261
09:00 am	221	221
10:00 am	263	263
11:00 am	321	321
12:00 pm	333	333
01:00 pm	397	397
02:00 pm	445	445
03:00 pm	446	446
04:00 pm	612	612
05:00 pm	-	-
06:00 pm	-	-
07:00 pm	-	-
08:00 pm	-	-
09:00 pm	-	-
10:00 pm	-	-
11:00 pm	-	-
7am-7pm	3443	3443
6am-10pm	3497	3497
6am-12am	3497	3497
12am-12am	3591	3591
am Peak	11:00 am	11:00 am
Peak Volume	321	321
pm Peak	04:00 pm	04:00 pm
Peak Volume	612	612

Event key: QC Failure QC Outlier QC Atypical Events Special Holiday Offline
Weekends and defined holidays

Holidays & Events:
None

Site Name PORTLAND 13205 **Site ID** 230517013205 **Description** PREBLE ST (OW) S/O MARGINAL WAY

Exclude data: None

	Southbound	Total
12:00 am	-	0
01:00 am	-	0
02:00 am	-	0
03:00 am	-	0
04:00 am	-	0
05:00 am	-	0
06:00 am	-	0
07:00 am	-	0
08:00 am	-	0
09:00 am	-	0
10:00 am	-	0
11:00 am	-	0
12:00 pm	-	0
01:00 pm	-	0
02:00 pm	-	0
03:00 pm	195	195
04:00 pm	177	177
05:00 pm	162	162
06:00 pm	108	108
07:00 pm	79	79
08:00 pm	54	54
09:00 pm	34	34
10:00 pm	19	19
11:00 pm	11	11
7am-7pm	642	642
6am-10pm	809	809
6am-12am	839	839
12am-12am	839	839
am Peak	-	-
Peak Volume	-	-
pm Peak	03:00 pm	03:00 pm
Peak Volume	195	195

Event key: QC Failure QC Outlier QC Atypical Events Special Holiday Offline
Weekends and defined holidays

Holidays & Events:
None

Site Name PORTLAND 21102 **Site ID** 230517021102 **Description** CUMBERLAND AVE NE/O PREBLE ST

Exclude data: None

	NB	SB	Total
12:00 am	-	-	0
01:00 am	-	-	0
02:00 am	-	-	0
03:00 am	-	-	0
04:00 am	-	-	0
05:00 am	-	-	0
06:00 am	-	-	0
07:00 am	-	-	0
08:00 am	-	-	0
09:00 am	-	-	0
10:00 am	321	225	546
11:00 am	354	265	619
12:00 pm	415	254	669
01:00 pm	372	276	648
02:00 pm	391	311	702
03:00 pm	381	297	678
04:00 pm	418	341	759
05:00 pm	472	348	820
06:00 pm	337	269	606
07:00 pm	225	186	411
08:00 pm	191	150	341
09:00 pm	107	106	213
10:00 pm	85	64	149
11:00 pm	71	55	126
7am-7pm	3461	2586	6047
6am-10pm	3984	3028	7012
6am-12am	4140	3147	7287
12am-12am	4140	3147	7287
am Peak	11:00 am	11:00 am	11:00 am
Peak Volume	354	265	619
pm Peak	05:00 pm	05:00 pm	05:00 pm
Peak Volume	472	348	820

Event key: QC Failure QC Outlier QC Atypical Events Special Holiday Offline
Weekends and defined holidays

Holidays & Events:
None

Date: 05/26/2023

To: City of Portland Planning Staff

From: WBP Commercial, LLC/Tom Watson & Co

RE: West Bayside Master Development Plan – Parking Narrative

Goal: To identify existing surface and structured parking commitments that exist on the property and identify adjustments during the development period

Surface Parking:

- **Existing Commitments** – 258 surface parking spaces have term commitments in place during portions of the proposed development period
- **Phase 1 Completion Commitments** – 207 surface parking spaces will remain committed at completion of phases 1A & 1B
- **Phase 2-4 Completion Commitments –** Depending on start timing, ownership has the ability to reduce parking commitments by 157 surface spaces during years 3-9 of the anticipated development period
- **Phase 5 Completion Commitments –** 50 surface parking space commitments will remain at completion of the MDP. A total of 126 surface parking spaces will be available upon completion of the MDP.

Structured Parking:

- **Existing Commitments –** 157 structured parking spaces have term commitments in place during portions of the proposed development period.
- **Future Commitments –** Depending on start timing, ownership has the ability to reduce parking commitments to 0 during years 6-7 of the anticipated development period.

Closure:

A combination of surface and structured parking is adequate to service existing and future needs associated with the proposed development while honoring existing commitments in place with various commercial spaces within the MDP.

Utilities

The proposed project will include installation of multiple utility services to each new building. Letters have been sent to each utility provider for the development area to inquire about their ability to serve the proposed developments. The utility providers contacted are as follows:

- Water: Portland Water District
- Sewer: Portland Department of Public Works
- Electricity: Central Maine Power
- Gas: Unitil
- Communications: Charter
- Communications: Consolidated
- Communications: First Light

See enclosed the letters sent to each utility provider specified & proposed Utility Plan. Revisions to the Utility Plan & the utility provider's ability to serve each project will be forwarded to the city upon receipt.

ACORN ENGINEERING, INC.

Charter Communications
Attn: Mark Pelletier
118 Johnson Road
Portland, ME 04102

December 20, 2022

Subject: West Bayside Master Development Plan, Portland, Maine
Re: Ability to Serve

Mr. Pelletier:

On behalf of West Bayside Partners, LLC and Port Property, Acorn Engineering, Inc. (Acorn) is pleased to submit the following request for Charter's ability to serve at the attached locations within the West Bayside area in Portland Maine. The area of interest is currently populated by multiple structures which are being served by Charter. The proposed Master Development Plan will include construction and demolition at the following properties:

- 149 Lancaster Street
  - Demolition of existing parking lot.
  - Construction of a 10-story mixed-use building consisting of 125 residential units (56 studio, 56 1-bedroom and 13 2-bedroom) totaling 119,610 SF of residential space and 4,500 SF of commercial use space.
- 163 Lancaster Street
  - Demolition of the eastern portion of the existing building currently "Genoa Healthcare" and "Downeast Laser Services" and accompanying parking lots.
  - Construction of a 10-story mixed-use building consisting of 142 residential units (64 studio, 64 1-bedroom and 14 2-bedroom) totaling 135,190 SF of residential space and 2,500 SF of commercial use space.
- 195 Lancaster Street
  - Demolition of the existing retail building, currently "Two Fat Cats Bakery".
  - Construction of a 5-story mixed-use building consisting of 59 residential units (26 studio, 26 1-bedroom and 6 2-bedroom) totaling 27,450 SF of residential space and 6,500 SF of commercial use space.
- 196 Lancaster Street
  - Demolition of the existing commercial business building, currently "Complete Labor & Staffing" and accompanying parking lots.
  - Construction of an 8-story mixed-use building consisting of 111 residential units (50 studio, 50 1-bedroom and 11 2-bedroom) totaling 86,320 SF of residential space and 5,000 SF of commercial use space.

- 60 Elm Street

- Demolition of existing parking lot.
- Construction of a 10-story SF mixed-use building consisting of 85 residential units (38 studio, 38 1-bedroom and 8 2-bedroom) totaling 62,690 SF of residential space and 1,500 SF of commercial use space.

- 79-89 Elm Street
  - Demolition of the existing parking lot.
  - Construction of an 8-story SF mixed-use building consisting of 201 affordable residential units (91 studio, 91 1-bedroom and 20 2-bedroom) totaling 195,404 SF of residential space and 4,500 SF of commercial use space.
- 235 Oxford Street
  - Demolition of the existing commercial building currently "Am-At-Uer Service Shop" as well as the existing medical service building "Care Partners" and accompanying parking lots.
  - Construction of a 6-story, 11,838 SF mixed-use building consisting of 81 residential units (37 studio, 37 1-bedroom and 8 2-bedroom) totaling 67,028 SF of residential space and 4,000 SF of commercial use space.

A summary of all the proposed buildings is reflected in the following table:

Parcel	# Of Units	Studio	1-Bed	2-Bed	Commercial Use (SF)	Residential Use (SF)	Footprint (SF)	Floor Area (SF)
149 Lancaster Street	125	56	56	13	4,500	119,610	12,411	124,110
163 Lancaster Street	142	64	64	14	2,500	135,190	13,769	137,690
195 Lancaster Street	59	26	26	6	6,500	27,450	6,790	33,950
196 Lancaster Street	111	50	50	11	5,000	86,320	11,415	91,320
60 Elm Street	85	38	38	8	1,500	62,690	6,419	64,190
79-89 Elm Street	201	91	91	20	4,500	195,404	24,988	199,904
235 Oxford Street	81	37	37	8	4,000	67,028	11,838	71,028
Existing to Remain	-	-	-	-	180,500	-	-	-
Total	**804**	**362**	**362**	**80**	**209,000**	**693,692**	**87,630**	**722,192**

On behalf of the client, we are requesting the following information:

1. Additional information, such as utility mapping within the proposed development area along Preble Street, Elm Street, Cedar Street, Chestnut Street, Lancaster Street, Kennebec Street and Oxford Street.
2. Alternative connection locations from the property to the existing communication system.
3. Charter's proposed infrastructure improvements within the project vicinity.
4. Charter's ability to serve the project.

I have attached two Topographic Surveys of the bayside parcels, prepared by Owen Haskell, Inc, dated 12/8/22 to facilitate your review, as well as a preliminary utility plan developed by our office. Please do not hesitate to contact me or the office for any questions or clarifications.

Sincerely,



Mike Triglione, EI
Project Engineer
Acorn Engineering, Inc.

ACORN ENGINEERING, INC.

Central Maine Power Company
Attn: Jamie Cough
162 Canco Road
Portland, ME 04103

December 20, 2022

Subject: West Bayside Master Development Plan, Portland, Maine
Re: Ability to Serve

Mr. Cough,

On behalf of West Bayside Partners, LLC and Port Property, Acorn Engineering, Inc. (Acorn) is pleased to submit the following request for CMP's ability to serve at the attached locations within the West Bayside area in Portland Maine. The area of interest is currently populated by multiple structures which are being served by CMP. The proposed Master Development Plan will include construction and demolition at the following properties:

- 149 Lancaster Street
  - Demolition of existing parking lot.
  - Construction of a 10-story mixed-use building consisting of 125 residential units (56 studio, 56 1-bedroom and 13 2-bedroom) totaling 119,610 SF of residential space and 4,500 SF of commercial use space.
- 163 Lancaster Street
  - Demolition of the eastern portion of the existing building currently "Genoa Healthcare" and "Downeast Laser Services" and accompanying parking lots.
  - Construction of a 10-story mixed-use building consisting of 142 residential units (64 studio, 64 1-bedroom and 14 2-bedroom) totaling 135,190 SF of residential space and 2,500 SF of commercial use space.
- 195 Lancaster Street
  - Demolition of the existing retail building, currently "Two Fat Cats Bakery".
  - Construction of a 5-story mixed-use building consisting of 59 residential units (26 studio, 26 1-bedroom and 6 2-bedroom) totaling 27,450 SF of residential space and 6,500 SF of commercial use space.
- 196 Lancaster Street
  - Demolition of the existing commercial business building, currently "Complete Labor & Staffing" and accompanying parking lots.
  - Construction of an 8-story mixed-use building consisting of 111 residential units (50 studio, 50 1-bedroom and 11 2-bedroom) totaling 86,320 SF of residential space and 5,000 SF of commercial use space.
- 60 Elm Street

- Demolition of existing parking lot.
- Construction of a 10-story SF mixed-use building consisting of 85 residential units (38 studio, 38 1-bedroom and 8 2-bedroom) totaling 62,690 SF of residential space and 1,500 SF of commercial use space.

- 79-89 Elm Street
  - Demolition of the existing parking lot.
  - Construction of an 8-story SF mixed-use building consisting of 201 affordable residential units (91 studio, 91 1-bedroom and 20 2-bedroom) totaling 195,404 SF of residential space and 4,500 SF of commercial use space.
- 235 Oxford Street
  - Demolition of the existing commercial building currently "Am-At-Uer Service Shop" as well as the existing medical service building "Care Partners" and accompanying parking lots.
  - Construction of a 6-story, 11,838 SF mixed-use building consisting of 81 residential units (37 studio, 37 1-bedroom and 8 2-bedroom) totaling 67,028 SF of residential space and 4,000 SF of commercial use space.

A summary of all the proposed buildings is reflected in the following table:

Parcel	# Of Units	Studio	1-Bed	2-Bed	Commercial Use (SF)	Residential Use (SF)	Footprint (SF)	Floor Area (SF)
149 Lancaster Street	125	56	56	13	4,500	119,610	12,411	124,110
163 Lancaster Street	142	64	64	14	2,500	135,190	13,769	137,690
195 Lancaster Street	59	26	26	6	6,500	27,450	6,790	33,950
196 Lancaster Street	111	50	50	11	5,000	86,320	11,415	91,320
60 Elm Street	85	38	38	8	1,500	62,690	6,419	64,190
79-89 Elm Street	201	91	91	20	4,500	195,404	24,988	199,904
235 Oxford Street	81	37	37	8	4,000	67,028	11,838	71,028
Existing to Remain	-	-	-	-	180,500	-	-	-
Total	**804**	**362**	**362**	**80**	**209,000**	**693,692**	**87,630**	**722,192**

On behalf of the client, we are requesting the following information:

1. Existing easements for services currently crossing the proposed development.
2. Additional information, such as utility mapping within the proposed development area along Preble Street, Elm Street, Cedar Street, Chestnut Street, Lancaster Street, Kennebec Street and Oxford Street.
3. Alternative connection locations from the area of interest to the existing system.
4. CMP's proposed infrastructure improvements within the project vicinity.
5. CMP's ability to serve the project.
6. Access requirements to the CMP meters & transformers. Specifically we are looking for information regarding locating transformers in building alcoves.
7. List of service providers currently located on existing utility poles.

I have attached two Topographic Surveys of the bayside parcels, prepared by Owen Haskell, Inc, dated 12/8/22 to facilitate your review, as well as a preliminary utility plan developed by our office. Please do not hesitate to contact me or the office for any questions or clarifications.

Sincerely,



Mike Triglione, EI
Project Engineer
Acorn Engineering, Inc.

ACORN ENGINEERING, INC.

Consolidated Communications
Attn: Patrick Morrison
5 Davis Farm Rd
Portland, Maine 04103

December 20, 2022

Subject: West Bayside Master Development Plan, Portland, Maine
Re: Ability to Serve

Mr. Morrison,

On behalf of West Bayside Partners, LLC and Port Property, Acorn Engineering, Inc. (Acorn) is pleased to submit the following request for Consolidated's ability to serve at the attached locations within the West Bayside area in Portland Maine. The area of interest is currently populated by multiple structures which are being served by Consolidated. The proposed Master Development Plan will include construction and demolition at the following properties:

- 149 Lancaster Street
  - Demolition of existing parking lot.
  - Construction of a 10-story mixed-use building consisting of 125 residential units (56 studio, 56 1-bedroom and 13 2-bedroom) totaling 119,610 SF of residential space and 4,500 SF of commercial use space.
- 163 Lancaster Street
  - Demolition of the eastern portion of the existing building currently "Genoa Healthcare" and "Downeast Laser Services" and accompanying parking lots.
  - Construction of a 10-story mixed-use building consisting of 142 residential units (64 studio, 64 1-bedroom and 14 2-bedroom) totaling 135,190 SF of residential space and 2,500 SF of commercial use space.
- 195 Lancaster Street
  - Demolition of the existing retail building, currently "Two Fat Cats Bakery".
  - Construction of a 5-story mixed-use building consisting of 59 residential units (26 studio, 26 1-bedroom and 6 2-bedroom) totaling 27,450 SF of residential space and 6,500 SF of commercial use space.
- 196 Lancaster Street
  - Demolition of the existing commercial business building, currently "Complete Labor & Staffing" and accompanying parking lots.
  - Construction of an 8-story mixed-use building consisting of 111 residential units (50 studio, 50 1-bedroom and 11 2-bedroom) totaling 86,320 SF of residential space and 5,000 SF of commercial use space.

- 60 Elm Street
    - Demolition of existing parking lot.
    - Construction of a 10-story SF mixed-use building consisting of 85 residential units (38 studio, 38 1-bedroom and 8 2-bedroom) totaling 62,690 SF of residential space and 1,500 SF of commercial use space.
- 79-89 Elm Street
    - Demolition of the existing parking lot.
    - Construction of an 8-story SF mixed-use building consisting of 201 affordable residential units (91 studio, 91 1-bedroom and 20 2-bedroom) totaling 195,404 SF of residential space and 4,500 SF of commercial use space.
- 235 Oxford Street
    - Demolition of the existing commercial building currently "Am-At-Uer Service Shop" as well as the existing medical service building "Care Partners" and accompanying parking lots.
    - Construction of a 6-story, 11,838 SF mixed-use building consisting of 81 residential units (37 studio, 37 1-bedroom and 8 2-bedroom) totaling 67,028 SF of residential space and 4,000 SF of commercial use space.

A summary of all the proposed buildings is reflected in the following table:

Parcel	# Of Units	Studio	1-Bed	2-Bed	Commercial Use (SF)	Residential Use (SF)	Footprint (SF)	Floor Area (SF)
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79-89 Elm Street	201	91	91	20	4,500	195,404	24,988	199,904
235 Oxford Street	81	37	37	8	4,000	67,028	11,838	71,028
Existing to Remain	-	-	-	-	180,500	-	-	-
Total	**804**	**362**	**362**	**80**	**209,000**	**693,692**	**87,630**	**722,192**

On behalf of the client, we are requesting the following information:

1. Additional information, such as utility mapping within Auburn Street.
2. Alternative connection locations from the property to the existing communication system.
3. Consolidated's proposed infrastructure improvements within the project vicinity.
4. Consolidated's ability to serve the project.

I have attached two Topographic Surveys of the bayside parcels, prepared by Owen Haskell, Inc, dated 12/8/22 to facilitate your review, as well as a preliminary utility plan developed by our office. Please do not hesitate to contact me or the office for any questions or clarifications.

Sincerely,



Mike Triglione, EI
Project Engineer
Acorn Engineering, Inc.

ACORN ENGINEERING, INC.

Department of Public Works
Attn: Bradley Roland
212 Canco Road
Portland, Maine 04103

December 20, 2022

Subject: West Bayside Master Development Plan, Portland, Maine
Re: Ability to Serve

Mr. Roland:

On behalf of West Bayside Partners, LLC and Port Property, Acorn Engineering, Inc. (Acorn) is pleased to submit the following request for DPW's ability to serve at the attached locations within the West Bayside area in Portland Maine. The area of interest is currently populated by multiple structures which are being served by DPW. The proposed Master Development Plan will include construction and demolition at the following properties:

- 149 Lancaster Street
  - Demolition of existing parking lot.
  - Construction of a 10-story mixed-use building consisting of 125 residential units (56 studio, 56 1-bedroom and 13 2-bedroom) totaling 119,610 SF of residential space and 4,500 SF of commercial use space.
    - This building will contribute approximately 22,500 GPD of flow from residential units to the existing sanitary sewer systems.
- 163 Lancaster Street
  - Demolition of the eastern portion of the existing building currently "Genoa Healthcare" and "Downeast Laser Services" and accompanying parking lots.
  - Construction of a 10-story mixed-use building consisting of 142 residential units (64 studio, 64 1-bedroom and 14 2-bedroom) totaling 135,190 SF of residential space and 2,500 SF of commercial use space.
    - This building will contribute approximately 22,560 GPD of flow from residential units to the existing sanitary sewer systems.
- 195 Lancaster Street
  - Demolition of the existing retail building, currently "Two Fat Cats Bakery".
  - Construction of a 5-story mixed-use building consisting of 59 residential units (26 studio, 26 1-bedroom and 6 2-bedroom) totaling 27,450 SF of residential space and 6,500 SF of commercial use space.
    - This building will contribute approximately 10,620 GPD of flow from residential units to the existing sanitary sewer systems.

- 196 Lancaster Street
    - Demolition of the existing commercial business building, currently "Complete Labor & Staffing" and accompanying parking lots.
    - Construction of an 8-story mixed-use building consisting of 111 residential units (50 studio, 50 1-bedroom and 11 2-bedroom) totaling 86,320 SF of residential space and 5,000 SF of commercial use space.
        - This building will contribute approximately 19,980 GPD of flow from residential units to the existing storm sewer systems.
- 60 Elm Street
    - Demolition of existing parking lot.
    - Construction of a 10-story SF mixed-use building consisting of 85 residential units (38 studio, 38 1-bedroom and 8 2-bedroom) totaling 62,690 SF of residential space and 1,500 SF of commercial use space.
        - This building will contribute approximately 15,300 GPD of flow from residential units to the existing storm sewer systems.
- 79-89 Elm Street
    - Demolition of the existing parking lot.
    - Construction of an 8-story SF mixed-use building consisting of 201 affordable residential units (91 studio, 91 1-bedroom and 20 2-bedroom) totaling 195,404 SF of residential space and 4,500 SF of commercial use space.
        - This building will contribute approximately 36,180 GPD of flow from residential units to the existing storm sewer systems.
- 235 Oxford Street
    - Demolition of the existing commercial building currently "Am-At-Uer Service Shop" as well as the existing medical service building "Care Partners" and accompanying parking lots.
    - Construction of a 6-story, 11,838 SF mixed-use building consisting of 81 residential units (37 studio, 37 1-bedroom and 8 2-bedroom) totaling 67,028 SF of residential space and 4,000 SF of commercial use space.
        - This building will contribute approximately 14,580 GPD of flow from residential units to the existing storm sewer systems.

A summary of all the proposed buildings is reflected in the following table:

Parcel	# Of Units	Studio	1-Bed	2-Bed	Design Flow (GPD)	Commercial Use (SF)	Residential Use (SF)	Footprint (SF)	Floor Area (SF)
149 Lancaster Street	125	56	56	13	22,500	4,500	119,610	12,411	124,110
163 Lancaster Street	142	64	64	14	22,560	2,500	135,190	13,769	137,690
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60 Elm Street	85	38	38	8	15,300	1,500	62,690	6,419	64,190
79-89 Elm Street	201	91	91	20	36,180	4,500	195,404	24,988	199,904
235 Oxford Street	81	37	37	8	14,580	4,000	67,028	11,838	71,028
Existing to Remain	-	-	-	-	-	180,500	-	-	-
Total	**804**	**362**	**362**	**80**	**141,720***	**209,000**	**693,692**	**87,630**	**722,192**

Design flows were calculated based on the State of Maine Subsurface Wastewater Disposal Rules, Chapter 241, Section 4, Table 4A "Design Flows for Single Family Dwelling Units". *Design flows for commercial spaces are not included in the estimation as specific uses are to be determined at a later date.

On behalf of the client, we are requesting the following information:

1. Any additional information, such as utility mapping within the proposed development area along Preble Street, Elm Street, Cedar Street, Chestnut Street, Lancaster Street, Kennebec Street and Oxford Street.
2. DPW's proposed infrastructure improvements within the project vicinity.
3. DPW's ability to serve the project.
4. Any project related offsite sewer main improvements.

Attached are two Topographic Surveys of the bayside parcels, prepared by Owen Haskell, Inc, dated 12/8/22 to facilitate your review, as well as a preliminary utility plan developed by our office. Please do not hesitate to contact me or the office for any questions or clarifications.

Sincerely,

Mike Triglione, EI
Project Engineer
Acorn Engineering, Inc.

ACORN ENGINEERING, INC.

First Light
Attn: Jonathan Rovillard
14 Resilient Circle
Brunswick, ME 04011

December 20, 2022

Subject: West Bayside Master Development Plan, Portland, Maine
Re: Ability to Serve

Mr. Rovillard:

On behalf of West Bayside Partners, LLC and Port Property, Acorn Engineering, Inc. (Acorn) is pleased to submit the following request for First Light's ability to serve at the attached locations within the West Bayside area in Portland Maine. The proposed Master Development Plan will include construction and demolition at the following properties:

- 149 Lancaster Street
  - Demolition of existing parking lot.
  - Construction of a 10-story mixed-use building consisting of 125 residential units (56 studio, 56 1-bedroom and 13 2-bedroom) totaling 119,610 SF of residential space and 4,500 SF of commercial use space.
- 163 Lancaster Street
  - Demolition of the eastern portion of the existing building currently "Genoa Healthcare" and "Downeast Laser Services" and accompanying parking lots.
  - Construction of a 10-story mixed-use building consisting of 142 residential units (64 studio, 64 1-bedroom and 14 2-bedroom) totaling 135,190 SF of residential space and 2,500 SF of commercial use space.
- 195 Lancaster Street
  - Demolition of the existing retail building, currently "Two Fat Cats Bakery".
  - Construction of a 5-story mixed-use building consisting of 59 residential units (26 studio, 26 1-bedroom and 6 2-bedroom) totaling 27,450 SF of residential space and 6,500 SF of commercial use space.
- 196 Lancaster Street
  - Demolition of the existing commercial business building, currently "Complete Labor & Staffing" and accompanying parking lots.
  - Construction of an 8-story mixed-use building consisting of 111 residential units (50 studio, 50 1-bedroom and 11 2-bedroom) totaling 86,320 SF of residential space and 5,000 SF of commercial use space.

- 60 Elm Street

- Demolition of existing parking lot.
- Construction of a 10-story SF mixed-use building consisting of 85 residential units (38 studio, 38 1-bedroom and 8 2-bedroom) totaling 62,690 SF of residential space and 1,500 SF of commercial use space.

- 79-89 Elm Street
  - Demolition of the existing parking lot.
  - Construction of an 8-story SF mixed-use building consisting of 201 affordable residential units (91 studio, 91 1-bedroom and 20 2-bedroom) totaling 195,404 SF of residential space and 4,500 SF of commercial use space.
- 235 Oxford Street
  - Demolition of the existing commercial building currently "Am-At-Uer Service Shop" as well as the existing medical service building "Care Partners" and accompanying parking lots.
  - Construction of a 6-story, 11,838 SF mixed-use building consisting of 81 residential units (37 studio, 37 1-bedroom and 8 2-bedroom) totaling 67,028 SF of residential space and 4,000 SF of commercial use space.

A summary of all the proposed buildings is reflected in the following table:

Parcel	# Of Units	Studio	1-Bed	2-Bed	Commercial Use (SF)	Residential Use (SF)	Footprint (SF)	Floor Area (SF)
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Total	**804**	**362**	**362**	**80**	**209,000**	**693,692**	**87,630**	**722,192**

On behalf of the client, we are requesting the following information:

1. Additional information, such as utility mapping within the proposed development area along Preble Street, Elm Street, Cedar Street, Chestnut Street, Lancaster Street, Kennebec Street and Oxford Street.
2. Alternative connection locations from the property to the existing communication system.
3. First Light's proposed infrastructure improvements within the project vicinity.
4. First Light's ability to serve the project.

I have attached two Topographic Surveys of the bayside parcels, prepared by Owen Haskell, Inc, dated 12/8/22 to facilitate your review, as well as a preliminary utility plan developed by our office. Please do not hesitate to contact me or the office for any questions or clarifications.

Sincerely,



Mike Triglione, EI
Project Engineer
Acorn Engineering, Inc.

ACORN ENGINEERING, INC.

Portland Water District
Attn: MEANS Department
225 Douglass Street
Portland, Maine 04104

December 20, 2022

Subject: West Bayside Master Development Plan, Portland, Maine
Re: Ability to Serve

To whom it may concern:

On behalf of West Bayside Partners, LLC and Port Property, Acorn Engineering, Inc. (Acorn) is pleased to submit the following request for PWD's ability to serve at the attached locations within the West Bayside area in Portland Maine. The area of interest is currently populated by multiple structures which are being served by PWD. The proposed Master Development Plan will include construction and demolition at the following properties:

- 149 Lancaster Street
  - Demolition of existing parking lot.
  - Construction of a 10-story mixed-use building consisting of 125 residential units (56 studio, 56 1-bedroom and 13 2-bedroom) totaling 119,610 SF of residential space and 4,500 SF of commercial use space.
    - This building will contribute approximately 22,500 GPD of flow from residential units to the existing sanitary sewer systems.
- 163 Lancaster Street
  - Demolition of the eastern portion of the existing building currently "Genoa Healthcare" and "Downeast Laser Services" and accompanying parking lots.
  - Construction of a 10-story mixed-use building consisting of 142 residential units (64 studio, 64 1-bedroom and 14 2-bedroom) totaling 135,190 SF of residential space and 2,500 SF of commercial use space.
    - This building will contribute approximately 22,560 GPD of flow from residential units to the existing sanitary sewer systems.
- 195 Lancaster Street
  - Demolition of the existing retail building, currently "Two Fat Cats Bakery".
  - Construction of a 5-story mixed-use building consisting of 59 residential units (26 studio, 26 1-bedroom and 6 2-bedroom) totaling 27,450 SF of residential space and 6,500 SF of commercial use space.
    - This building will contribute approximately 10,620 GPD of flow from residential units to the existing sanitary sewer systems.

- 196 Lancaster Street
    - Demolition of the existing commercial business building, currently "Complete Labor & Staffing" and accompanying parking lots.
    - Construction of an 8-story mixed-use building consisting of 111 residential units (50 studio, 50 1-bedroom and 11 2-bedroom) totaling 86,320 SF of residential space and 5,000 SF of commercial use space.
        - This building will contribute approximately 19,980 GPD of flow from residential units to the existing storm sewer systems.
- 60 Elm Street
    - Demolition of existing parking lot.
    - Construction of a 10-story SF mixed-use building consisting of 85 residential units (38 studio, 38 1-bedroom and 8 2-bedroom) totaling 62,690 SF of residential space and 1,500 SF of commercial use space.
        - This building will contribute approximately 15,300 GPD of flow from residential units to the existing storm sewer systems.
- 79-89 Elm Street
    - Demolition of the existing parking lot.
    - Construction of an 8-story SF mixed-use building consisting of 201 affordable residential units (91 studio, 91 1-bedroom and 20 2-bedroom) totaling 195,404 SF of residential space and 4,500 SF of commercial use space.
        - This building will contribute approximately 36,180 GPD of flow from residential units to the existing storm sewer systems.
- 235 Oxford Street
    - Demolition of the existing commercial building currently "Am-At-Uer Service Shop" as well as the existing medical service building "Care Partners" and accompanying parking lots.
    - Construction of a 6-story, 11,838 SF mixed-use building consisting of 81 residential units (37 studio, 37 1-bedroom and 8 2-bedroom) totaling 67,028 SF of residential space and 4,000 SF of commercial use space.
        - This building will contribute approximately 14,580 GPD of flow from residential units to the existing storm sewer systems.

A summary of all the proposed buildings is reflected in the following table:

Parcel	# Of Units	Studio	1-Bed	2-Bed	Design Flow (GPD)	Commercial Use (SF)	Residential Use (SF)	Footprint (SF)	Floor Area (SF)
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Total	**804**	**362**	**362**	**80**	**141,720***	**209,000**	**693,692**	**87,630**	**722,192**

Design flows were calculated based on the State of Maine Subsurface Wastewater Disposal Rules, Chapter 241, Section 4, Table 4A "Design Flows for Single Family Dwelling Units". *Design flows for commercial spaces are not included in the estimation as specific uses are to be determined at a later date.

On behalf of the client, we are requesting the following information:

1. Any additional information, such as utility mapping within the proposed development area along Preble Street, Elm Street, Cedar Street, Chestnut Street, Lancaster Street, Kennebec Street and Oxford Street.
2. PWD's proposed infrastructure improvements within the project vicinity.
3. Flow data for adjacent hydrants.
4. PWD's ability to serve the project.
5. Any project related offsite water main improvements.

Attached are two Topographic Surveys of the bayside parcels, prepared by Owen Haskell, Inc, dated 12/8/22 to facilitate your review, as well as a preliminary utility plan developed by our office. Please do not hesitate to contact me or the office for any questions or clarifications.

Sincerely,



Mike Triglione, EI
Project Engineer
Acorn Engineering, Inc.

ACORN ENGINEERING, INC.

Unitil Service Corp.
Attn: Scott Carpenter
1075 Forest Avenue
Portland, Maine 04103

December 20, 2022

Subject: West Bayside Master Development Plan, Portland, Maine
Re: Ability to Serve

Dear Mr. Carpenter:

On behalf of West Bayside Partners, LLC and Port Property, Acorn Engineering, Inc. (Acorn) is pleased to submit the following request for Unitil's ability to serve at the attached locations within the West Bayside area in Portland Maine. The area of interest is currently populated by multiple structures which are being served by Unitil. The proposed Master Development Plan will include construction and demolition at the following properties:

- 149 Lancaster Street
  - Demolition of existing parking lot.
  - Construction of a 10-story mixed-use building consisting of 125 residential units (56 studio, 56 1-bedroom and 13 2-bedroom) totaling 119,610 SF of residential space and 4,500 SF of commercial use space.
- 163 Lancaster Street
  - Demolition of the eastern portion of the existing building currently "Genoa Healthcare" and "Downeast Laser Services" and accompanying parking lots.
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- 60 Elm Street
    - Demolition of existing parking lot.
    - Construction of a 10-story SF mixed-use building consisting of 85 residential units (38 studio, 38 1-bedroom and 8 2-bedroom) totaling 62,690 SF of residential space and 1,500 SF of commercial use space.
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Total	**804**	**362**	**362**	**80**	**209,000**	**693,692**	**87,630**	**722,192**

On behalf of the client, we are requesting the following information:

1. Additional information, such as utility mapping within the proposed development area along Preble Street, Elm Street, Cedar Street, Chestnut Street, Lancaster Street, Kennebec Street and Oxford Street.
2. Confirmation of any existing building service tap location & size.
3. Unitil's proposed infrastructure improvements within the project vicinity.
4. Unitil's ability to serve the project.
5. Any project related offsite main improvements.

Attached are two Topographic Surveys of the bayside parcels, prepared by Owen Haskell, Inc, dated 12/8/22 to facilitate your review, as well as a preliminary utility plan developed by our office. Please do not hesitate to contact me or the office for any questions or clarifications.

Sincerely,



Mike Triglione, EI
Project Engineer
Acorn Engineering, Inc.

www.vhb.com

February 3, 2023
Resubmitted April 12, 2023

Mr. Zachary Powell
City of Portland
389 Congress Street
Portland, Maine 04101

Re: Application for Traffic Movement Permit
West Bayside Development
Portland, Maine

Dear Zachary,

On behalf of West Bayside Partners, LLC (applicant), VHB is pleased to submit this Traffic Movement Permit Application for a mixed-use phased development located on Lancaster Street and Elm Street in Portland.

We have attached the following information in support of this application:

- Sections 1-6
- Signed Application Form
- Notice of Intent to File
- List of Abutters
- $500 application fee

We look forward to scheduling a Scoping Meeting in the near future.

Very truly yours,

Jennifer Conley, PE, PTOE
Director, Transportation Systems
Jconley@vhb.com

Engineers | Scientists | Planners | Designers

500 Southborough Drive
Suite 105B
South Portland, Maine 04106
P 207.889.3150
F 207.253.5596

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Department of Transportation
Traffic Engineering Division
16 State House Station
Augusta, Maine 04333
Telephone: 207-624-3600

FOR MDOT USE
ID #

Total Fees:

Date: Received

****

PERMIT APPLICATION - TRAFFIC
TRAFFIC MOVEMENT PERMIT, 23 M.R.S.A. § 704 - A

Please type or print:

This application is for:

Traffic 100-200 PCE's	____
Traffic 100-200 PCE's (Expedited)	____
Traffic 200+ PCE's	_X_

Name of Applicant: West Bayside Partners, LLC

Address: 82 Hanover Street, Suite 5, Portland, ME 04101 Telephone: 207-761-0832

Name of local contact or agent: Michael Barton

Address: 82 Hanover Street, Suite 5, Portland, ME 04101 Telephone: 207-761-0832

Name and type of development: The development consists of 215 multi family housing units, 201 affordable housing units, 6,000 sf retail, 2,000 sf coffee shop, and 6,000 sf restaurant

Location of development including road, street, or nearest route number: The site is bounded by Preble Street to the southwest, Lancaster Street to the northwest, Cedar Street and Elm Street to the northeast, Cumberland and Oxford Street to the southeast.

City/~~Town/Plantation~~: Portland, County: Cumberland, Tax Map # 033, Lot # G003, G006, H005-7, H0018, M012001, M004001

Do you want a consolidated review with DEP pursuant to 23 M.R.S.A. § 704-A (7)? Yes ____ No __X__

Was this development started prior to obtaining a traffic permit? No

Is the project located in an area designated as a growth area (as defined in M.R.S.A. title 30 - A, chapter 187)? Yes ____ No _____

Is this project located within a compact area of an urban compact municipality? Yes __X__ No _____

Is this development or any portion of the site currently subject to state or municipal enforcement action? None Known

Existing DEP or MDOT permit number (if applicable): None Known

Name(s) of DOT staff person(s) contacted concerning this application: _____

Name(s) of DOT staff person(s) present at the scoping meeting for 200+ applications: N/A

CERTIFICATION

The traffic engineer responsible for preparing this application and/or attaching pertinent site and traffic information hereto, by signing below, certifies that the application for traffic approval is complete and accurate to the best of his/her knowledge.

Signature: _____ Re/Cert/Lic No.: Maine PE #15652

Name (print): Jennifer Conley

Date: March 24, 2023



If the signature below is not the applicant's signature, attach letter of agent authorization signed by applicant.

"I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I authorize the Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

_____ 03/25/2023

Signature of applicant Date

NOTICE OF INTENT TO FILE
Traffic Movement Permit

Please take notice that

West Bayside Partners, LLC
82 Hanover Street, Suite 5
Portland, ME 04101

is intending to file a Traffic Movement Permit application with the City of Portland, who has delegated review authority to administer the application, pursuant to the provisions of 23 M.R.S.A. § 704 – A on or about February 3, 2023 resubmitted on March 24, 2023.

The application is for the development of 215 multi family housing units, 201 affordable housing units, and 14,000 sf of commercial space comprising of retail, restaurant, and a coffee shop. The project is forecast to generate 340 and 349 AM and PM weekday peak hour trip ends respectively based on ITE Trip Generation, 11th edition. Each of the uses described are anticipated to be constructed in 2025 and occupied in 2026.

at the following location:

The site is bounded by Preble Street to the southwest, Lancaster Street to the northwest, Cedar Street and Elm Street to the northeast, Cumberland Avenue and Oxford Street to the southeast.

Any interested party may request in writing to participate in the City of Portland scoping meeting for the subject project no later than 20 days after the application is found by the City to be complete and is accepted for processing. Requests shall be sent to the State Traffic Engineer, 16 State House Station, Augusta, ME 04333. Public comments on the application pertaining to either congestion or safety will be accepted throughout the processing of the application.

The application will be filed for public inspection at the Department of Transportation Region office in Scarborough (Region 1) during normal working hours. Addresses may be found at the following website: https://www.maine.gov/mdot/about/regions/ A copy of the application may also be seen at the municipal offices in Portland, Maine.

Written public comments concerning congestion or safety only, may be sent to the following address: Attention Zachary Powell, City of Portland, 389 Congress Street, Portland, ME 04101.



Jennifer Conley, PE, PTOE
VHB, Inc.

Parcel ID	Address	Owner	Owners Mailing Address
034 I001000	125 KENNEBEC STREET	125 KENNEBEC STREET CONDO	125 KENNEBEC STREET, PORTLAND, ME, 04101
034 I001001	125 KENNEBEC STREET	PORTLAND ARCITECTURAL SALVAGE INC	125 KENNEBEC STREET, PORTLAND, ME, 04101
034 I001002	125 KENNEBEC STREET	PD2 LLC	6 PHANTOM FARM RD, CAPE ELIZABETH, ME, 04107
025 E001001	71 KENNEBEC STREET	HOWLES CORPORATION	PO BOX 938, PORTLAND, ME, 04104
025 C002001	53 KENNEBEC STREET	HOWLES CORPORATION	PO BOX 938, PORTLAND, ME, 04104
025 D008001	145 LANCASTER STREET	PERRY E IRON & METAL CO	115 LANCASTER ST, PORTLAND, ME, 04101
026 E004504	75 CHESTNUT STREET	75 CHESTNUT STREET OWNER LLC	220 BROADWAY # 302, LYNNFIELD, MA, 01940
026 A001001	158 LANCASTER STREET	BAYSIDE II LLC	ONE CANAL PLAZA, PORTLAND, ME, 04101
033 H008001	178 LANCASTER STREET	BAYSIDE II LLC	ONE CANAL PLAZA, PORTLAND, ME, 04101
033 H009001	50 CEDAR STREET	BAYSIDE IV LLC	ONE CANAL PLAZA STE 500, PORTLAND, ME, 04101
033 H010001	48 CEDAR STREET	BAYSIDE II LLC	PO BOX 266, CAPRE ELIZABETH, ME, 04107
033 H011001	44 CEDAR STREET	LABRECK AMELIA A	87 MUNJOY ST, PORTLAND, ME, 04101
033 H012001	40 CEDAR STREET	BAYSIDE II LLC	PO BOX 266, CAPRE ELIZABETH, ME, 04107
033 H013001	36 CEDAR STREET	BAYSIDE II LLC	ONE CANAL PLAZA, PORTLAND, ME, 04101
033 H016001	215 OXFORD STREET	NOWLIN DAVID B	360 PLEASANT HILL RD, SCARBOROUGH, ME, 04074
033 N009001	18 CEDAR STREET	SALVATION ARMY THE	88 PREBLE ST, PORTLAND, ME, 04101
033 N003001	220 OXFORD STREET	AVESTA HOUSING DEVELOPMENT CORPORATION	307 CUMBERLAND AVE, PORTLAND, ME, 04101
033 N001001	67 ELM STREET	AVESTA HOUSING DEVELOPMENT CORPORATION	307 CUMBERLAND AVE, PORTLAND, ME, 04101
033 N002001	65 ELM STREET	AVESTA HOUSING DEVELOPMENT CORPORATION	307 CUMBERLAND AVE, PORTLAND, ME, 04101
033 N004001	61 ELM STREET	AVESTA HOUSING DEVELOPMENT CORPORATION	307 CUMBERLAND AVE, PORTLAND, ME, 04101
033 N006001	55 ELM STREET	AVESTA HOUSING DEVELOPMENT CORPORATION	307 CUMBERLAND AVE, PORTLAND, ME, 04101
033 N018001	307 CUMBERLAND AVE	AVESTA HOUSING DEVELOPMENT CORPORATION	307 CUMBERLAND AVE, PORTLAND, ME, 04101
027 A001001	320 CUMBERLAND AVE	EAST END CORP	PO BOX 10291, PORTLAND, ME, 04104
037 F020001	38 PREBLE STREET	PREBLE STREET	38 PREBLE ST, PORTLAND, ME, 04101
033 K010001	331 CUMBERLAND AVE	YOUTH AND FAMILY OUTREACH	331 CUMBERLAND AVE, PORTLAND, ME, 04101
033 L004001	9 PORTLAND STREET	PREBLE STREET RESOURCE CENTER INC	331 CUMBERLAND AVE, PORTLAND, ME, 04101
033 D015001	74 PREBLE STREET	SALVATION ARMY THE	88 PREBLE ST, PORTLAND, ME, 04101
033 D006001	98 PREBLE STREET	SALVATION ARMY THE	88 PREBLE ST, PORTLAND, ME, 04101
033 O002001	106 PREBLE STREET	114 PREBLE BLOCK LLC	PO BOX 779, PORTLAND, ME, 04104
033 O001001	114 PREBLE STREET	114 PREBLE BLOCK LLC	PO BOX 779, PORTLAND, ME, 04104
033 O004001	120 PREBLE STREET	114 PREBLE BLOCK LLC	PO BOX 779, PORTLAND, ME, 04104
033 O003001	75 ALDER STREET	STATE OF MAINE	16 STATE HOUSE STATION, AUGUSTA, ME, 04330
034 K004001	101 HANOVER STREET	KENNEBEC KROSSING LLC	PO BOX 779, PORTLAND, ME, 04104
027 B001001	284 CUMBERLAND AVE	CITY OF PORTLAND	389 CONGRESS ST, PORTLAND, ME, 04101
026 B012001	31 CEDAR STREET	197 OXFORD STREET LLC	82 HANOVER ST, PORTLAND, ME 04101
026 B014001	33 CEDAR STREET	BENNISON MARY LEE	33 CEDAR ST, PORTLAND, ME 04101
026 B004001	4 HALL COURT	197 OXFORD STREET LLC	82 HANOVER ST, PORTLAND, ME 04101
026 B001001	39 CEDAR STREET	HYDE ROBERT	39 CEDAR ST, PORTLAND, ME 04101
026 A009001	45 CEDAR STREET	AMES PETER P & ALICE D JTS	69 ROCK RIDGE RUN, CUMBERLAND, ME 04021
026 A011001	47 CEDAR STREET	HALL JAMES W & SARAH E MICHNIEWICZ JTS	47 CEDAR ST, PORTLAND, ME 04101
026 A001001	158 LANCASTER STREET	WBP COMMERCIAL LLC	82 HANOVER ST, PORTLAND, ME 04101

West Bayside Development

Traffic Movement Permit (Phase 1 & 2)

PREPARED FOR

West Bayside Partners, LLC
82 Hanover Street, Suite 5
Portland, ME 04101

PREPARED BY

500 Southborough Drive
Suite 105B
South Portland, ME 04106-6928

April 12, 2023

1

Section 1: Site and Traffic Information

1.A Site Description and Site Plan

The site is located on multiple streets in the West Bayside neighborhood including Preble Street, Elm Street, Lancaster Street, and Oxford Street in Portland, Maine. Existing space to be developed includes predominately surface lots and a few existing buildings. The site is identified on the following City Parcels:

- 196 Lancaster Street – 033 G003, G006 (Phase 1)
- 89 Elm Street – 033 H018, H005, H006, H007 (Phase 1)
- 60 Elm Street – 033 M012001 (Phase 2)
- 315 Cumberland Avenue – 033 M004001 (Existing Garage)

The site and boundary surveys, and proposed site plan are included in Attachment 1A.

1.B Existing and Proposed Site Uses

The following describes the existing and proposed uses:

Existing Uses

196 Lancaster Street is currently being used as a 4,250 sf office building. 89 and 60 Elm Street are currently surface parking lots. The Portland Public Market Garage is a seven-level, 595-space parking structure. Vehicular access to and from the garage is provided on both Preble Street and Elm Street.

Proposed Site Uses

The Project consists of a mixed-use two-phase redevelopment of four sites. The following presents the land use program by phase.

Phase 1

› 130 Multi-family housing units
› 201 Affordable housing units
› 4,000 sf general retail

- 2,000 sf coffee shop
- 6,000 sf restaurant

Phase 2

- 85 Multi-family housing units
- 2,000 sf general retail

The existing 595 space Portland Public Market Garage will provide parking for these uses since it is controlled by the developer and is largely vacant. As it does today, the parking garage will continue to have access/egress on both Preble Street and Elm Street. A detailed site plan for 89 Elm Street and a master site plan level for 196 Lancaster Street and 60 Elm Street is provided in Attachment 1A. Parking allocated by site is presented in Table 1.

Table 1 Vehicle Parking Allocation in the Portland Public Market Garage

Site Location	Number of Parking Spaces Allocated
Phase 1	
196 Lancaster Street	73
89 Elm Street	40
Phase 2	
60 Elm Street	56
Total	**169**

1.C Regional Mapping

Site location maps showing the development area is included in Attachment 1A.

The site is bounded by Preble Street to the southwest, Lancaster Street to the northwest, Cedar Street and Elm Street to the northeast, Cumberland Avenue and Oxford Street to the southeast.

1.D Proposed Uses in the Study Area

Projects that have been approved but are not yet occupied as well as projects that have applied for approval are required to be included in the predevelopment traffic volumes. A mapping of locations of these projects is provided in Attachment 1C.

- 385 Congress Street (Mixed-Use Development) (PL001970-2022) This mixed-use development is approved and not yet constructed. A minimal number of trips may pass near the West Bayside proposed development.
- 477-481 Congress Street (PL-01003-2021) This project is a redevelopment of the existing building at 477 Congress Street into a 186-room hotel with retail space, restaurant, rooftop bar, and associated hotel amenities. The site was previously used as an office and retail and a revised trip generation was reviewed by the City and found that the expected AM peak hour traffic will not change while the PM peak hour traffic reduces from the previous use on the site.

- 29 Marginal Way (PL-01879-2021) 29 Marginal Way is a multi-tenant commercial site with a total of six commercial buildings. The re-development of this site has been constructed and has been occupied.
- 343 Cumberland Street (PL-002095-2022) This project combines two existing facilities within 500' of each other and is not expected to increase traffic on the adjacent roadway network.

1.E Trip Generation

Trip generation estimates for the Project are based on the Institute of Transportation Engineers (ITE) publication, Trip Generation, 11th Edition. The ITE Trip Generation Manual categorizes various land uses and provides weekday daily, weekday morning peak hour, and weekday evening peak hour unadjusted vehicle trip generation estimates for each use. Trip generation estimates for the proposed uses were projected using data published in the ITE Trip Generation Manual based on the metrics and land use codes presented in Table 2.

Table 2 Project Program & ITE Land Use Codes

Land Use	Size	Land Use Code	
Multi-family housing	215 units	221	Multifamily Housing (Mid-Rise)
Affordable housing	201 units	223	Affordable Housing
General retail	6,000 sf	822	Strip Retail Plaza (<40k)
Coffee shop	2,000 sf	936*	Coffee/Donut Shop without drive through window
Restaurant	6,000 sf	932	High-Turnover (Sit-Down)

Source: ITE Trip Generation 11th Edition

* AM peak hour is based on trip generation for coffee shop as included in 52 Hanover Street TMP

Site trip generation for the proposed coffee shop is developed based upon methodology used for the approved 52 Hanover Street development in Portland, Maine by using count data taken at an existing neighborhood coffee shop at the intersection of Congress Street and Atlantic Street. Table 3 below summarizes the results of from the 52 Hanover Street traffic movement permit.

Table 3 Trip Generation Neighborhood Coffee Shop

Land Use	Entering Trips		Exiting Trips		Total Trips	
	Pedestrian Trips	Vehicle Trips	Pedestrian Trips	Vehicle Trips	Pedestrian Trips	Vehicle Trips
8:00 to 8:15 AM	7	1	7	1	14	2
8:15 to 8:30 AM	5	2	3	2	8	4
8:30 to 8:45 AM	9	2	7	2	16	4
8:45 to 9:00 AM	12	3	8	2	20	5
9:00 to 9:15 AM	8	1	10	2	18	3
9:15 to 9:30 AM	4	1	6	1	10	2
Peak Hour (8:30 – 9:30) Total	**33**	**7**	**31**	**7**	**64**	**14**

Source: AM peak hour is based on trip generation for coffee shop as included in 52 Hanover Street TMP

The existing coffee shop generates far fewer vehicle trips than pedestrian trips during the AM peak hour. For the analysis, we have included the pedestrian and vehicular trips into our total trip count listed below.

The unadjusted ITE vehicle trip generation was calculated for the weekday AM and PM peak hours for the remainder of the land uses on site as presented in Table 4. Trip generation calculations are provided in Attachment 1D.

Table 4 Total Unadjusted Trips

Land Use	AM Peak Hour			PM Peak Hour		
	In	Out	Total	In	Out	Total
Multi-family housing	19	64	83	51	33	84
Affordable housing	29	72	101	54	38	92
General retail	12	8	21	27	27	54
Restaurant	31	26	57	33	21	54
Coffee shop*	40	38	78	33	33	65
Total	**132**	**208**	**340**	**198**	**151**	**349**

Source: ITE Trip Generation 11th Edition

*AM peak hour is based on trip generation for coffee shop as included in 52 Hanover Street TMP

Internal Capture

As a multi-use development, the trip generation characteristics of the Project will be different from single-use sites. Some of the traffic to be generated by the Project will be contained among the components of the site as "internal" or "shared vehicle" trips. This concept means that some patrons could visit more than one of the uses on the Project Site. For example, apartment residents may also patronize the site's retail and restaurant spaces.

While these shared trips represent new traffic to the individual uses, they would not correspond to new vehicle trips on the surrounding roadway network.

As described in the ITE Trip Generation Handbook, *"because of the complementary nature of these land uses, some trips are made among the on-site uses. This capture of trips internal to the Development Site has the net effect of reducing vehicle trip generation between the overall Development Site and the external street system (compared to the total number of trips generated by comparable land uses developed individually on stand-alone sites) an internal capture rate can generally be defined as the percentage of total person trips generated by a site that are made entirely within the Development Site. The trip origin, destination, and travel path are all within the site."*

Because this site is not contiguous, internal capture has been determined at the building level rather than site level. Credit is taken only for trips that would occur between uses in the same building. The internal capture adjustment calculations are presented in Attachment 1D. The internal and external trips are presented in Table 5 and Table 6.

Table 5 Internal Capture Adjustment – AM Peak Hour

	Total Trips			Internal Trips			Net External Trips
	Retail	Restaurant	Residential	Retail	Restaurant	Residential	
196 Lancaster							
Enter	--	61	12	--	8	1	64
Exit	--	55	39	--	1	8	85
89 Elm							
Enter	8	10	29	2	3	1	41
Exit	5	9	72	2	1	3	80
60 Elm							
Enter	4	--	8	0	--	0	12
Exit	3	--	25	0	--	0	28
TOTAL	**20**	**135**	**185**	**4**	**13**	**13**	**310**

Table 6 Internal Capture Adjustment – PM Peak Hour

	Total Trips			Internal Trips			Net External Trips
	Retail	Restaurant	Residential	Retail	Restaurant	Residential	
196 Lancaster							
Enter	--	55	31	--	4	5	77
Exit	--	47	20	--	5	4	58
89 Elm							
Enter	18	11	54	5	5	6	67
Exit	18	7	38	8	4	4	47
60 Elm							
Enter	9	--	20	1	--	2	26
Exit	9	--	13	2	--	1	19
TOTAL	**54**	**120**	**176**	**16**	**18**	**22**	**294**

1.F Trip Distribution

To determine the likely travel patterns of trips to the redevelopment area, the US Census Journey to Work data was consulted. Based on this data, most Portland residents work in either Portland or points to the north and south along the interstate. The distribution of these Portland resident work trips is presented in Table 7. The likely travel patterns to and from the redevelopment area are illustrated to follow these same patterns.

Table 7 Trip Distribution Percentages for Residents

Route	Proposed Distribution[1]
I-295 points north	28%
I-95 points north	7%
26/100 points north/west	9%
302 points north/west	8%
25 points west	2%
I-295 points south	41%
Marginal Way	1%
Casco Bay Bridge points south	3%
High or State streets (local)	1%
Cumberland Ave (local)	1%

1: Trip distribution based on journey to work information sorted by Portland residence.

1.G Trip Assignment

Typically, some share of trips to coffee shops and restaurants are counted as pass-by trips. To be conservative, all vehicle trips are assumed to be 100% primary with reductions only for internal capture. With no pass-by trips, all vehicle trips are anticipated to start or end at the existing Portland Public Market Garage at Preble and Elm Streets. New vehicle trips were assigned based on the distribution in Table 7. The resulting trip assignment is shown in Attachment 1D.

Attachment 1A

Boundary Survey

Overall Site Plan

MATCH LINE SHT. 2

LANCASTER STREET EAST (50' WIDE)

PREBLE STREET (56.5' WIDE)

ELM STREET (49.5' WIDE)

CEDAR STREET (33' WIDE)

CHESTNUT STREET (49.5' WIDE)

OXFORD STREET (49.5' WIDE)

PORTLAND ST.

CUMBERLAND AVE.

HALL COURT

PASSAGE

196 LANCASTER ST.
196 LANCASTER STREET LLC
39779/232
28,591 S.F. ±
0.66 ACRES ±

89 ELM ST.
89 ELM STREET LLC
39779/246
4,691 S.F. ±

50 CEDAR ST.
N/F AMELIA A. LABRECK
37970/11

81 PREBLE ST.
WBP COMMERCIAL LLC.
39779/227
38,301 S.F. ±
0.88 ACRES ±

73 ELM ST.
73 ELM STREET LLC
39779/234
14,879 S.F. ±
0.34 ACRES ±

60 ELM ST.
60 ELM STREET LLC
39779/230
11,535 S.F. ±
0.26 ACRES ±

62 ELM ST.
WBP COMMERCIAL LLC
39779/229
14,526 S.F. ±
0.33 ACRES ±

158 LANCASTER ST.
WBP COMMERCIAL LLC
39779/225
14,307 S.F. ±
0.33 ACRES ±

82 CHESTNUT ST.
WBP COMMERCIAL LLC
39779/221
3,442 S.F. ±
0.08 ACRES ±

78 CHESTNUT ST.
197 OXFORD STREET LLC
39779/243
12,721 S.F. ±
0.30 ACRES ±

193 OXFORD ST.
197 OXFORD STREET LLC
39779/239
11,550 S.F. ±
0.265 ACRES ±

31 CEDAR ST.
197 OXFORD STREET LLC
39779/241
3,674 S.F. ±
0.08 ACRES ±

TM 26-A-12
N/F JAMES W. HALL
SARAH MICHNIEWICZ
23909/341

TM 26-A-11
N/F ROBERT HYDE
27470/68

TM 26-A-8
N/F ALBERT
BRESETTE
7951/275

TM 26-B-1
N/F ROBERT HYDE
27470/68

TM 26-B-2,3
N/F ALBERT
BRESETTE

TM 26-B-7
N/F FRANK E. DIDONATO
DONNA E. COX
24885/320

TM 26-B-14
N/F MARY LEE
BENNISON
27956/297

TM 33-H-16,17
N/F
DAVID B. NOWLIN
25148/336

TM 33-M-4
N/F
WBP GARAGE LLC
39746/216
PARKING GARAGE

OWNERS UNKNOWN

LEGEND

- IRON PIPE OR ROD FOUND
- MONUMENT FOUND
- UTILITY POLE
- MANHOLE
- EM/GM ELECTRIC/GAS METER
- MB MAILBOX
- SIGN
- PM PARKING METER
- CATCH BASIN
- HYDRANT
- WATER VALVE OR SHUTOFF
- LIGHT POLE
- GAS VALVE
- DECIDUOUS TREE
- FENCE
- CURB
- OHW OVERHEAD WIRES
- UGE UNDERGROUND POWER
- W WATER LINE
- G GAS LINE
- T TELEPHONE
- SD STORM DRAIN
- SS SANITARY SEWER
- 100 1' CONTOUR
- IPF/IRF IRON PIPE/ROD FOUND
- N/F NOW OR FORMERLY
- 000/000 DEED BOOK / PAGE
- TM TAX MAP–BLOCK–LOT
- CONC. CONCRETE

SCALE : 1" = 30'

0' 15' 30' 60'

UTILITY NOTE

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEY HAS NOT PHYSICALLY LOCATION THE UNDERGROUND UTILITIES. CALL 1-888-DIGSAFE AT LEAST THREE BUSINESS DAYS BEFORE PERFORMING ANY CONSTRUCTION. DUE TO OSHA CONFINED SPACE REQUIREMENTS, ALL INVERTS AND PIPE SIZES MUST BE VERIFIED PRIOR TO ANY CONSTRUCTION.

PLAN REFERENCES

ALTA/NSPS LAND TITLE SURVEYS, BAYSIDE I, LLC, BAYSIDE II, LLC, BAYSIDE III, LLC, BAYSIDE IV, LLC, CEDAR ST., LANCASTER ST. EAST, CHESTNUT ST., PREBLE ST. & OXOFRD ST., PORTLAND, CUMBERLAND COUNTY, MAINE MADE FOR BUSH–WATSON SEPT. 2022 BY OWEN HASKELL, INC.

GENERAL NOTES

1. OWNERS OF RECORD: AS NOTED ON PLAN
2. BEARINGS ARE BASED ON MAINE STATE GRID WEST ZONE PER COORDINATES ON CONTROL POINTS PROVIDED BY THE CITY OF PORTLAND ENGINEERING DEPARTMENT.
3. ELEVATIONS BASED ON NGVD 1929. CITY BENCHMARK TBM 307 MDOT DISK "612–(1)–10 1983" IN CONCRETE BASE OF LIGHT POLE AT NORTHEAST CORNER ELM/SOMERSET ELEVATION = 9.02.
4. STREET LINES SHOWN ARE BASED ON MONUMENTATION FOUND AND TIES TO BUILDINGS PER SURVEYED BY E.C. JORDAN CO.
5. OWNERSHIP OF FENCES AND RETAINING WALLS ALONG PROPERTY LINES HAS NOT BEEN DETERMINED.

STATE OF MAINE
RANDY R. LOUBIER
2407
PROFESSIONAL LAND SURVEYOR

Topographic Survey
Bayside Parcels
Lancaster, Preble, Elm, Cedar, Chestnut and Oxford Streets, Portland, Maine
Made for
Bush-Watson
188 State Street, 3rd Floor, Portland, Maine

OWEN HASKELL, INC.
PROFESSIONAL LAND SURVEYORS
390 US ROUTE 1, UNIT 10, FALMOUTH, ME 04105 TEL. 207-774-0424

DRAWN BY: RS / JLW	DATE: DEC. 8, 2022	JOB NO. 2022-162 P	
CHECKED BY: RRL	SCALE: 1" = 30'	DRWG. NO. 1	

SPACE AND BULK STANDARDS		
ZONING DISTRICT: B3	REQUIRED	PROPOSED
MINIMUM LOT AREA	N/A	.86 AC
MINIMUM STREET FRONTAGE	15 FT	132 FT
MAX FRONT YARD SETBACK	5 FT	6.66 FT
MINIMUM FRONT YARD SETBACK (LANCASTER ST)	N/A	5 FT
MINIMUM REAR YARD SETBACK (OXFORD ST)	N/A	3.85 FT
MINIMUM SIDE YARD SETBACK	N/A	2.91 FT
MAX LENGTH OF UNDIFFERENTIATED BLANK WALL ALONG PUBLICLY ACCESSIBLE WAY	30 FT, EXCEPT 15 FT WITH PAD OVERLAY	< 30 FT
MAXIMUM BUILDING HEIGHT	80'*	< 80 FT

* PER THE BAYSIDE HEIGHT OVERLAY PLUS THE ADDITIONAL 25' FOR AFFORDABILITY IN SECTION 18

SPACE AND BULK STANDARDS		
ZONING DISTRICT: R6	REQUIRED	PROPOSED
MINIMUM LOT AREA	2,000 SF	.86 AC
MINIMUM STREET FRONTAGE	20 FT	132 FT
MINIMUM FRONT YARD SETBACK (LANCASTER ST)	5 FT	6.66 FT
MINIMUM REAR YARD SETBACK (OXFORD ST)	10 FT	10.88 FT
MINIMUM SIDE YARD SETBACK	5 FT	5.09 FT
LOT WIDTH	20 FT	89.51 FT
MAXIMUM BUILDING HEIGHT	45 FT	< 45'
STEPBACK	ADDITIONAL 5' SETBACK ABOVE 35'	–

GENERAL NOTES:
1. ALL PAVEMENT STRIPING AND MARKINGS SHALL COMPLY TO CITY OF PORTLAND STANDARDS.
2. ANY ASPHALT TO BE REMOVED SHALL BE STRIPPED AND PROPERLY DISPOSED OF OFFSITE
3. CURB TO BE REMOVED, STOCKPILED AND RESET IN ACCORDANCE WITH DETAIL. BROKEN CURB SHALL BE PROPERLY DISPOSED OF AND SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE.
4. ALL RAMPS TO CONFORM TO ADA GUIDELINES. SLOPE SHALL NOT EXCEED 1 INCH PER FOOT.
5. ALL SITE SIGNAGE TO COMPLY WITH MUTCD STANDARDS. CONTRACTOR TO COORDINATE AND INSTALL.
6. FOLLOWING COMPLETION OF CONSTRUCTION, THE OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND MANAGEMENT OF DRIVEWAYS, SITE LIGHTING, TRASH REMOVAL AND SNOW REMOVAL.

REFERENCES:

1. PLAN REFERENCE
   1.1. PLAN TITLED "TOPOGRAPHIC SURVEY" PREPARED BY OWEN HASKELL, INC. DATED DECEMBER 8TH, 2022

LEGEND:
- PROPERTY LINE
- SETBACK LINE
- FLUSH GRANITE CURB
- VERTICAL GRANITE CURB

20 0 20 40
SCALE: 1" = 20'

PROPOSED MODIFICATION OF CURBLINE WITH VERTICAL GRANITE CURB PER DETAIL
PROPOSED STREET TREE PER DETAIL AND LA, TYP.
PROPOSED CURB EXTENSION, CROSSWALK, AND DETECTABLE PAD
EXISTING CURB, CROSSWALK, AND DETECTABLE PAD
PROPOSED PATIO PER LA
ZONE B7
ZONE B3
ZONE R6
ZONING DISTRICT BOUNDARY, TYP.
LANCASTER STREET
PROPOSED REINFORCED CONCRETE SIDEWALK
EXISTING CURB CUT TO REMAIN AND BE MODIFIED
CANOPY ABOVE, TYP.
PROPOSED SEAT WALL PER LA
EXISTING PARKING LOT TO REMAIN
SPRINKLER ROOM
RETAIL SPACE
RETAIL SPACE
EXISTING CONCRETE SIDEWALK TO BE REMOVED AND REPLACED PER DETAIL
56 CEDAR STREET
CURB CUT TO BE CLOSED
LOBBY
MECHANICAL ROOM
PROPOSED PROPERTY LINE, TYP.
EXISTING LIGHT POLE TO REMAIN, TYP.
BIKE STORAGE
MAIL/PACKAGES
PROPOSED RETAINING WALL AND GUARDRAIL/FENCE PER STRUCTURAL ENGINEER
EX. RETAINING WALL TO REMAIN WITH MODIFICATIONS AS SHOWN
MECHANICAL AND ELECTRICAL ROOM WITH FUTURE EV AND SOLAR PROVISIONS
SETBACK LINE, TYP.
COMMUNITY ROOM
STORAGE/ LAUNDRY
PR. LOCATION OF 9'X9' PADMOUNT TRANSFORMER
50 CEDAR STREET
EXISTING PARKING AND CURB CUT TO REMAIN
EXISTING HOME TO REMAIN
PROPOSED BUILDING: 89 ELM STREET 3 RETAIL UNITS 201 RESIDENTIAL UNITS
PROPOSED WOOD GUARDRAIL PER DETAIL
PR. PAVEMENT
N/F AMELIA A. LABRECK 37970/11
196 LANCASTER STREET LLC 39779/232
ELM STREET (ONE-WAY)
EX. STREET TREES TO REMAIN, TYP.
EXISTING GRANITE CURB ALONG ELM STREET TO REMAIN. IF DISTURBANCE OCCURS DURING CONSTRUCTION, RESET PER DETAIL
2ND STORY
HALL COURT
TM 26-A-12 N/F JAMES W. HALL SARAH MICHNIEWICZ 23909/341
TM 26-A-11 N/F ROBERT HYDE 27470/68
TM 26-A-8 N/F ALBERT BRESETTE 7951/275
12 PARKING STALLS TO BE STRIPED
EXISTING PARKING LOT TO REMAIN
TM 26-B-1 N/F ROBERT HYDE 27470/68
TM 26-B-2,3 N/F ALBERT BRESETTE
3 STORY CONCRETE
WBP COMMERCIAL LLC. 39779/227 38,301 S.F. ± 0.88 ACRES ±
CEDAR STREET (ONE-WAY)
46 CEDAR STREET
PROPOSED DRIVEWAY AND MODIFIED CURB CUT
PR. STAIRS AND RAMP WITH RAILINGS
SEAT WALL OR CURB AND DECORATIVE RAILING AT ELM STREET ENTRY, TYP. OF 3
PROPOSED RESURFACED PARKING LOT
PR. LOCATION OF SOLID WASTE
PROPOSED 22' WIDE ACCESS AND UTILITY EASEMENT
6' SIDEWALK PER DETAIL
EXISTING CONCRETE SIDEWALK TO BE REMOVED AND REPLACED PER DETAIL
PR. MULCH AND SHRUBS
TM 26-B-14 N/F MARY LEE BENNISON 27956/297
REFER TO LANDSCAPE ARCHITECTURE PLANS FOR PROPOSED PLANTING, TYP.
RESIDENTIAL
3RD STORY
TM 33-H-16,17 N/F DAVID B. NOWLIN 25148/336
PR. RETAINING WALL
EXISTING OVERHEAD UTILITIES TO BE REROUTED, SEE SHEET C-20
RETAIL SPACE
1977 OXFORD STREET LLC 39779/241 3,674 S.F. ±
2-1/2 STORY WOOD FRAME
1 STORY BRICK
EXISTING LIGHT POLE AND OVERHEAD WIRES TO BE REMOVED AND REROUTED
EXISTING TREE TO BE REMOVED
ABUTTER'S CURB CUT TO REMAIN
TEMP. CONSTRUCTION SIGNAGE AND TRAFFIC CONTROL PLAN TO BE DEVELOPED BY CONTRACTOR AND SUBMITTED TO CITY PRIOR TO CONSTRUCTION
OXFORD STREET (ONE-WAY)

PRELIMINARY
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY	DATE
CONCEPT	WHS	8/4/22
PRELIM SITE	SJL	2/13/23

DRAWING NAME: SITE PLAN
PROJECT NAME: 89 ELM STREET REDEVELOPMENT – PORTLAND
CLIENT: TOM WATSON & CO., LLC
188 STATE STREET, 3RD FLOOR, PORTLAND, ME 04101

THESE PLANS SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. AND SHALL NOT BE USED FOR ANY PROJECT OTHER THAN THAT SPECIFICALLY INTENDED BY ACORN ENGINEERING, INC. AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

ACORN ENGINEERING, INC.
ACORN ENGINEERING, INC.
72 OLD ELM ROAD, KENNEBUNK, MAINE 04043
PO BOX 3472, KENNEBUNK, MAINE 04104
(207) 775-2655

FILE:	1192.2_CIVIL
JN:	1192.2
SCALE:	AS NOTED
DESIGNED BY:	SJL
DRAWN BY:	DNM
CHECKED BY:	WHS

STATE OF MAINE
SAMUEL J. LEBEL
10509
LICENSED
PROFESSIONAL ENGINEER
2/13/23

DRAWING NO.
C-10

REFERENCES:

1. EXISTING CONDITIONS PROVIDED BY "TOPOGRAPHIC SURVEY BAYSIDE PARCELS LANCASTER, PREBLE, ELM, CEDAR, CHESTNUT AND OXFORD STREETS, PORTLAND, MAINE" PREPARED FOR BUSH WATSON DATED DECEMBER 6, 2022 BY OWEN HASKELL, INC.UTILITY INFORMATION OBTAINED FROM PORTLAND WATER DISTRICT MAPPING, UNITIL MAPPING, AND THE CITY OF PORTLAND GIS DATA CATALOG.
2. ADDITIONAL EXISTING INFORMATION FROM CAD FILE PROVIDED BY OWEN HASKELL, INC. OF "BOUNDARY & TOPOGRAPHIC SURVEY AT 117 PREBLE STREET, PORTLAND, MAINE" DATED SEPTEMBER 28, 2015.

SPACE AND BULK STANDARDS

ZONING DISTRICT	DOWNTOWN BUSINESS (B3)	MIXED DEVELOPMENT (B7)	RESIDENTIAL (R6)
MINIMUM LOT AREA	N/A	N/A	VARIES
MINIMUM STREET FRONTAGE	15 FT	N/A	20 FT
MAX FRONT YARD SETBACK	5 FT	10 FT	N/A
MINIMUM FRONT YARD SETBACK	N/A	N/A	5 FT
MINIMUM REAR YARD SETBACK	N/A	N/A	10 FT
MINIMUM SIDE YARD SETBACK	N/A	N/A	5 FT
LOT WIDTH	N/A	N/A	20 FT
MINIMUM LENGTH OF BUILDING WALL AT MAX SETBACK	N/A	75% OF STREET FRONTAGE OR 25% OF BUILDING PERIMETER	N/A
LENGTH OF UNDIFFERENTIATED BLANK WALL ALONG PUBLICLY ACCESSIBLE WAY	30 FT, EXCEPT 15 FT WITH PAD OVERLAY	N/A	N/A
FLOOR AREA	NONE, EXCEPT 15,000 SF FOR EACH FLOOR ABOVE 125 FT		
MAXIMUM BUILDING HEIGHT	PER DOWNTOWN AND BAYSIDE OVERLAY MAPS	PER BAYSIDE OVERLAY MAP	45 FT
LOT COVERAGE (MAX)	N/A*	N/A	60%
LANDSCAPED OPEN SPACE RATIO	N/A	N/A	20%
*MAX 25% OF LOT AREA FOR PORTIONS OF STRUCTURES EXCEEDING 125 FEET IN HEIGHT			

LEGEND:

- PROPOSED BUILDING
- WEST BAYSIDE PARTNERS, LLC OWNED LAND
- PROPOSED PARKING AREA
- PROPOSED CURB CUT
- EXISTING CURB CUT TO REMAIN
- CURB CUT TO BE REMOVED
- ZONING BOUNDARY/ZONE — B3

PARKING SUMMARY

	# PARKING SPACES
PRIVATE SPACES	168
PUBLIC SPACES	225
GARAGE SPACES (EX.)	595

GENERAL NOTES:

1. ALL BRICK SIDEWALK AND VERTICAL GRANITE CURB TO BE REPLACED SHALL BE REBUILT TO CITY OF PORTLAND STANDARD.
2. ALL PAVEMENT STRIPING AND MARKINGS SHALL COMPLY TO CITY OF PORTLAND STANDARDS.
3. ANY ASPHALT TO BE REMOVED SHALL BE STRIPPED AND PROPERLY DISPOSED OF OFFSITE.
4. CURB TO BE REMOVED, STOCKPILED AND RESET IN ACCORDANCE WITH DETAIL. BROKEN CURB SHALL BE PROPERLY DISPOSED OF AND SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE.
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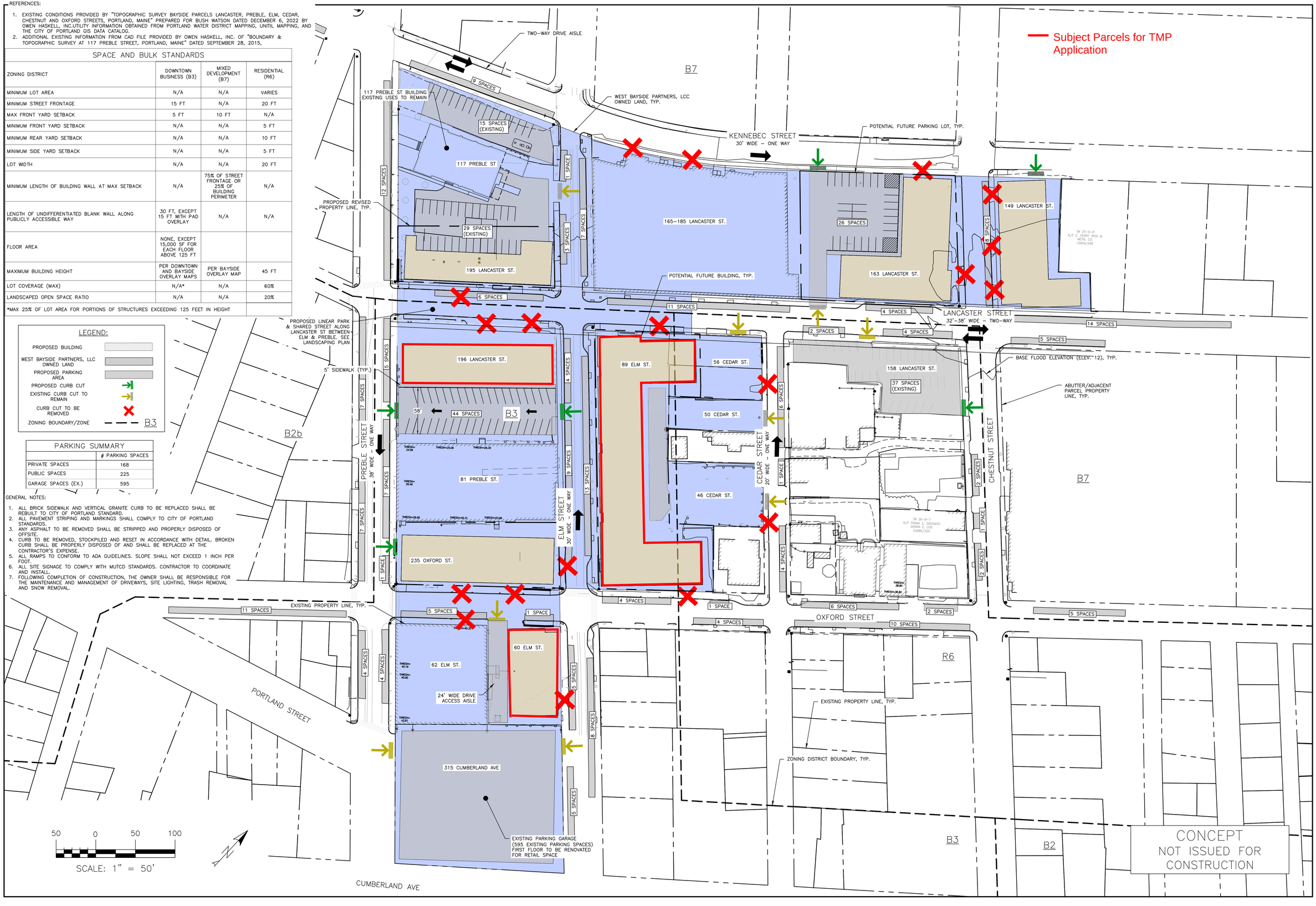


ISSUED FOR	BY	DATE
MASTER DEVELOPMENT PLAN	WHS	12/23/22
TMP	WHS	2/2/23

DRAWING NAME: MASTER SITE PLAN

PROJECT NAME: WEST BAYSIDE MASTER DEVELOPMENT PLAN

CLIENT: WEST BAYSIDE PARTNERS, LLC
188 STATE STREET, 3RD FLOOR, PORTLAND, ME 04101

ACORN ENGINEERING, INC.
PO BOX 3427 PORTLAND, MAINE 04104
(207) 775-2655

ALL PLANS SHALL NOT BE MODIFIED WITHOUT THE WRITTEN PERMISSION OF ACORN ENGINEERING, INC. AND ARE NOT TO BE USED FOR ANY PROJECT OTHER THAN THAT FOR WHICH THEY WERE PREPARED AND DELIVERED, UNLESS OTHERWISE AGREED TO IN WRITING BY ACORN ENGINEERING, INC. ALL REUSE OR MODIFICATION OF THESE PLANS BY THE OWNER OR OTHERS SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

FILE:	1093.13_CIVIL
JN:	1093.13
SCALE:	AS NOTED
DESIGNED BY:	SJL
DRAWN BY:	ZMS
CHECKED BY:	WHS

STATE OF MAINE — WILLIAM H. SAVAGE — 11419 — 2/2/2023 — LICENSED PROFESSIONAL ENGINEER

DRAWING NO.
C-10


ELEVATION=16.25
BIKE
ZONE B-7
ZONE B-3
RETAIL
1,156 SF
RESIDENTIAL
LOBBY
VEST
PACKAGE
FCC
BIKE
STORAGE
VEST
ELEC
WATER
/ FP
T/D
TRASH
RETAIL
4,521 SF
+17.1
+17.3
+17.9
+35
+21.8
+23.5
+23.5
+23.5
+23.29
+24.28
+24.55
+25.05
20.1
38 90° / 34 75°
PARKING SPACES
269'
ZONE B-2B
ZONE B-3
(50.5' WIDE)
(49.5' WIDE)
STREET
89 ELM STREET LLC
36779/235

60 Elm Street

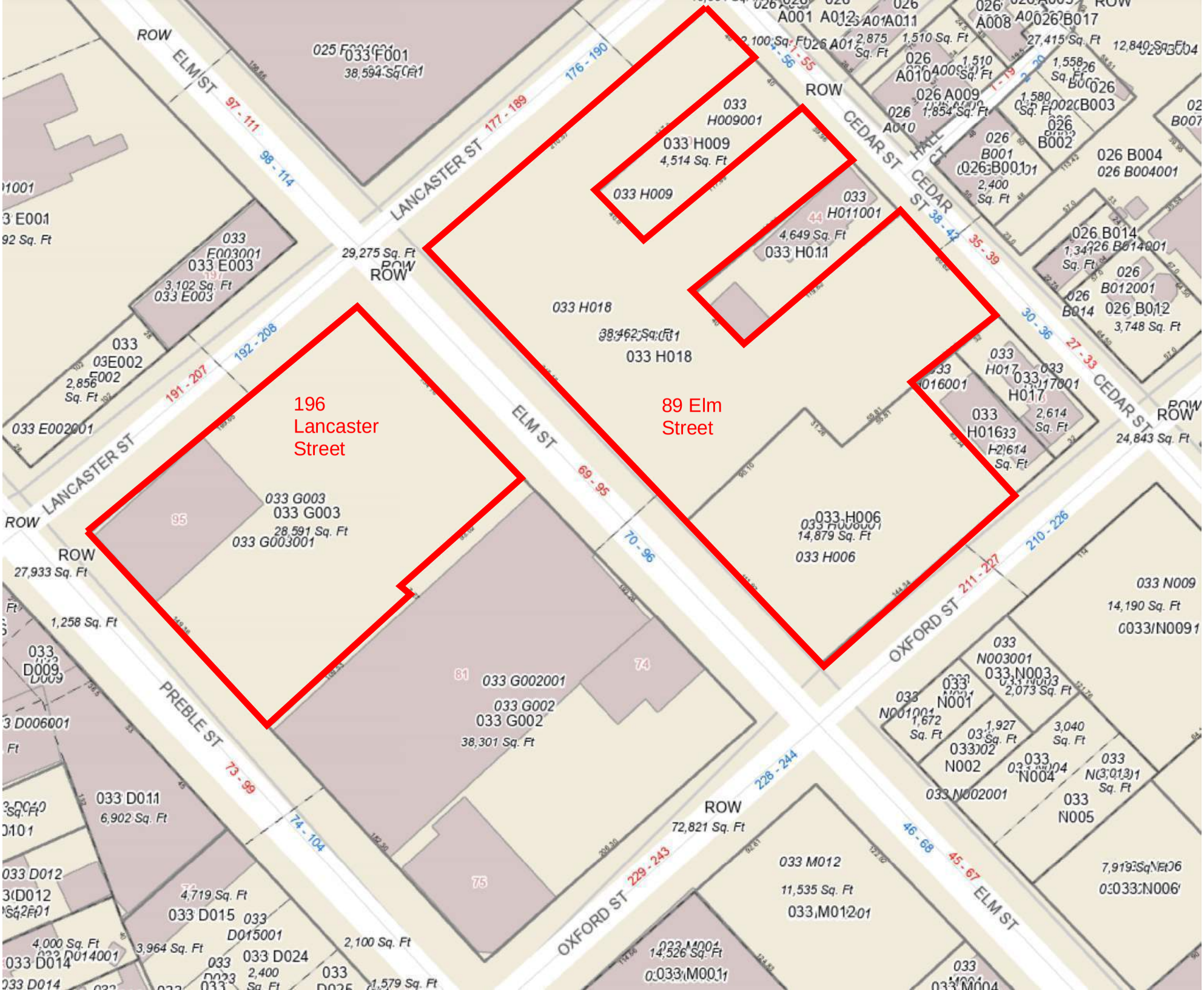
OXFORD STRE

RELOCATE TRANSFORMER
CURRENT
NEW
+30.00
+32.00
+40.31
+34.00
+53.99
+36.00
+36.80
+36.00
PATIO - 1,098 SF
18.33'
24.57'
+LOADING
THRESH= 29.91
THRESH= 30.73
+34.80
TRASH
EMR
BIKE STORAGE
ELEC
WATER / FP
T/D
+34.80
AMENITY ABOVE
2,070 SF +45.40
RETAIL
3,246 SF
+37.58
RETAIL
3,242 SF
+42.75
ELEVATION=35.64
+37.58
THRESH=37.58
VEST
+42.00
235 OXFORD
RESIDENTIAL LOBBY
2,493 SF
+42.00
+42.75
11.00'
ELEVATION=46.56
+43.00
+45.00
RETAIL
1,953 SF
+45.00
TRASH
+44.00
+44.00
EMR
BIKE STORAGE
62 ELM
+53.75
NEW
T/D
+48.00
60 ELM
VEST
+48.00
RELOCATE TRANSFORMER
ELEC
FCC
EASEMENT 6921/105
RESIDENTIAL LOBBY
2,671 SF
+51.25
WATER / FP
CURRENT
ACCESS PATH TO 66 ELM
5.00'

Attachment 1B

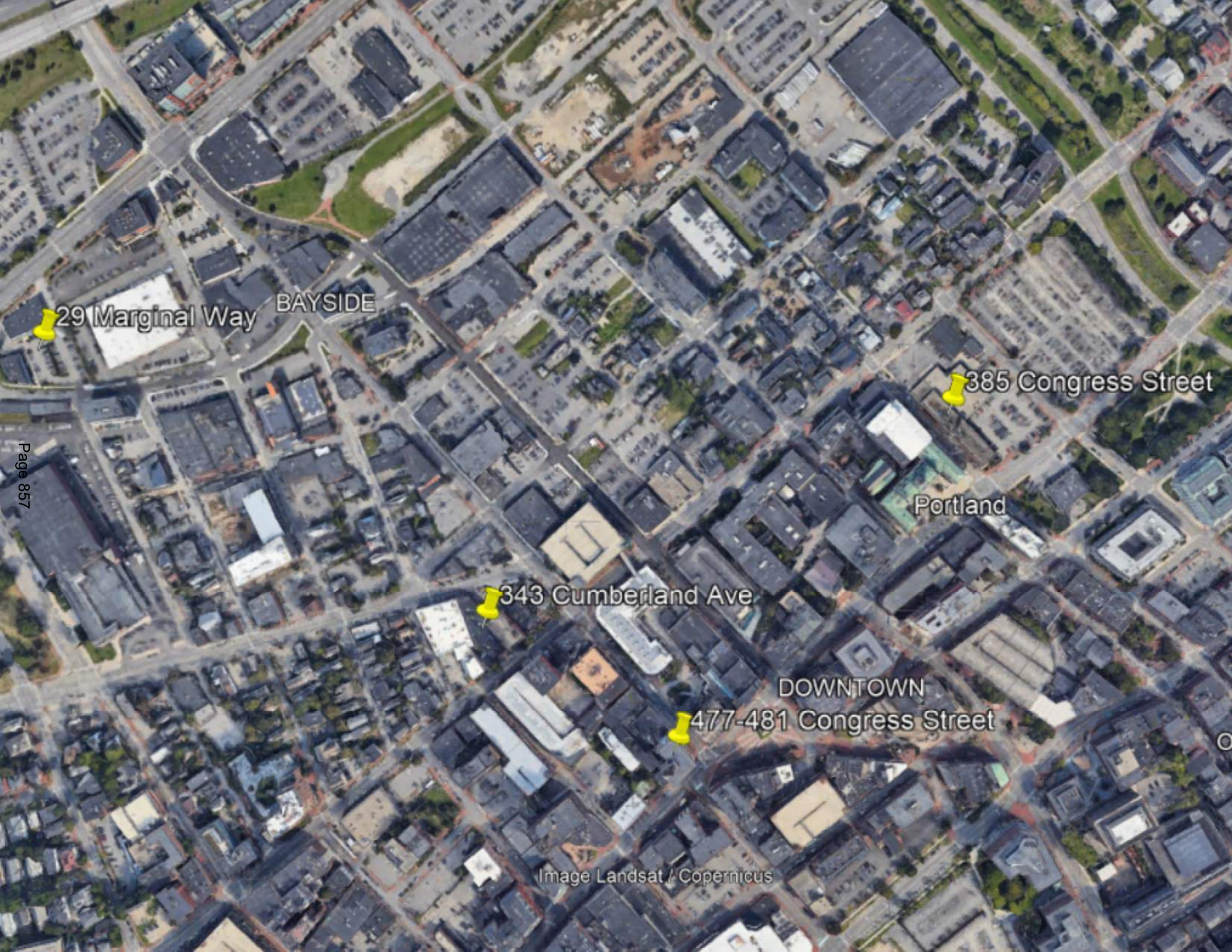
Tax Maps


60 Elm Street
Parking Garage
033 M012
11,535 Sq. Ft
033 M004001
38,535 Sq. Ft
033 M004
033 M001
14,526 Sq. Ft
033 M001001
033 G002
38,301 Sq. Ft
033 G002001
033 N020001
033 N020
033 N018
033 N018001
033 N006
033 N005
033 N004
033 N002001
033 N001
033 N016
033 N017
033 L006
033 L007
033 L008
033 L009
033 L005
033 K010001
8,087 Sq. Ft
033 K010
033 K009
033 K007
033 K006
033 K005
027 A001
027 A001001
027 A012001
033 D025
033 D026
033 X001
PREBLE ST
OXFORD ST
PORTLAND ST
CUMBERLAND AVE
ELM ST
ROW
72,821 Sq. Ft
62,422 Sq. Ft
43,960 Sq. Ft
1,439 Sq. Ft
1,049 Sq. Ft
1,983 Sq. Ft
11,578 Sq. Ft
26 Sq. Ft
1,927 Sq. Ft
2,414 Sq. Ft
2,108 Sq. Ft
1,579 Sq. Ft
1,672 Sq. Ft
3,040 Sq. Ft
1,927 Sq. Ft
2,156 Sq. Ft
2,678 Sq. Ft
7,919 Sq. Ft
8,900 Sq. Ft
1,815 Sq. Ft
2,269 Sq. Ft
2,339 Sq. Ft
229 - 243
228 - 244
46 - 68
45 - 67
55 - 71
58 - 72
43 - 53
44 - 56
311 - 327
312 - 326
1 - 19
2 - 16
245 - 262
2 - 28
1 - 25


196 Lancaster Street
89 Elm Street
LANCASTER ST
ELM ST
CEDAR ST
OXFORD ST
PREBLE ST
ROW
033 H018
033 H009
033 H011001
033 H006
033 G002
033 G003
033 F001
033 E003
033 D011
033 D015
033 M012
033 N001
033 N002
033 N003
033 N004
033 N005
033 N009
026 B014
026 B012
026 B004
026 B003
026 B002
026 B001
026 A008
026 A009
026 A010
026 A011
026 B017
033 E002001
033 G003001
033 G002001
033 H009001
033 H011001
033 H018
033 H016001
033 H017001
033 N003001
026 B014001
026 B012001
026 B004001
026 B003001
026 B002001
026 B001001
033 E003001
033 D015001
033 M012001
033 N002001
033 N001001
033 N009001
033 D006001
033 D009001
033 D014001
033 D024001
033 M004001
033 M001001
033 N006001
033 N005001
033 N004001
033 N003001
033 N002001
033 N001001
033 N009001
033 H017001
033 H016001
033 H011001
033 H009001
033 H018001
033 G003001
033 G002001
033 E003001
033 E002001
033 F001001
026 B014001
026 B012001
026 B004001
026 B003001
026 B002001
026 B001001
026 A008001
026 A009001
026 A010001
026 A011001
026 B017001
033 D009001
033 D011001
033 D012001
033 D014001
033 D015

Attachment 1C

Other Project Locations Map


29 Marginal Way
BAYSIDE
385 Congress Street
Portland
343 Cumberland Ave
DOWNTOWN
477-481 Congress Street
Image Landsat / Copernicus

Attachment 1D

Trip Generation Calculations

Site Trip Diagrams

ITE Trip Generation 11th Edition - Proposed

Total Site generated trips (not accounting for internal, pass-by, or diverted trips)

Site Land Uses and Descriptions				AM PK HR OF ADJACENT STREET TRAFFIC											PM PK HR OF ADJACENT STREET TRAFFIC										
				ectional d	average				regression		# trips				directional dist.		average				regression		# trips			
Code	Land Use	Size	Unit	% exit	# studies	Avg Rate	Std Dev.	Total by Avg	r^2	total by Eq'n	Method Chosen	Total Trips	Entering	Exiting	% enter	% exit	# studies	Avg Rate	Std Dev.	Total by Avg	r^2	total by Eq'n	Method Chosen	Total Trips	Entering	Exiting
Overall Trip Gen																										
221	Multifamily Housing (Mid-Rise)	215	Dwelling Units	77%	30	0.37	0.09	80	0.91	83	Regression	83	19	64	61%	39%	31	0.39	0.08	84	0.91	84	Regression	84	51	33
223	Affordable Housing	201	Dwelling Units	71%	7	0.50	0.39	101	0.73	91	Average	101	29	72	59%	41%	8	0.46	0.28	92	0.67	86	Average	92	54	38
936*	Coffee/Donut Shop without Drive-Thro	2	1000 SF GFA	49%	N/A	N/A	N/A	N/A	N/A	N/A	N/A	78	40	38	50%	50%	16	32	12.64	65	N/A	N/A	Average	65	33	33
822	Strip Retail Plaza (<40k)	6	1000 SF GFA	40%	5	2.36	0.94	14	0.57	21	Regression	21	12	8	50%	50%	25	6.59	2.94	40	0.56	54	Regression	54	27	27
932	High-Turnover (Sit-Down)	6	1000 SF GFA	45%	37	9.57	11.61	57	N/A	N/A	Average	57	31	26	61%	39%	104	9.05	6.18	54	N/A	N/A	Average	54	33	21
196 Lancaster Only																										
221	Multifamily Housing (Mid-Rise)	130	Dwelling Units	77%								50	12	39	61%	39%								51	31	20
936*	Coffee/Donut Shop without Drive-Thro	2	1000 SF GFA	49%								78	40	38	50%	50%								65	33	33
932	High-Turnover (Sit-Down)	4	1000 SF GFA	45%								38	21	17	61%	39%								36	22	14
89 Elm St Only																										
223	Affordable Housing	201	Dwelling Units	71%								101	29	72	59%	41%								92	54	38
932	High-Turnover (Sit-Down)	2	1000 SF GFA	45%								19	10	9	61%	39%								18	11	7
822	Strip Retail Plaza (<40k)	4	1000 SF GFA	40%								14	8	5	50%	50%								36	18	18
60 Elm St Only																										
221	Multifamily Housing (Mid-Rise)	85	Dwelling Units	77%								33	8	25	61%	39%								33	20	13
822	Strip Retail Plaza (<40k)	2	1000 SF GFA	40%								7	4	3	50%	50%								18	9	9

Based on ITE 11th Edition

*AM peak hour is based on trip generation for coffee shop as included in 52 Hanover Street TMP

	total	entering	exiting
AM Peak Hour Total Site Trips:	340	132	208

	total	entering	exiting
PM Peak Hour Total Site Trips:	349	198	151

Proposed

Trip Generation Summary

Total	Total Peak Hour Site Generated Trips		
Peak Period	Total Unadjusted ITE	Internal	**External**
Weekday Morning			
Enter	132	15	**117**
Exit	208	15	**193**
Total	340	30	**310**
Weekday Evening			
Enter	198	28	**170**
Exit	151	28	**123**
Total	349	56	**293**

NCHRP 8-51 Internal Trip Capture Estimation Tool			
Project Name:	West Bayside	**Organization:**	VHB
Project Location:	196 Lancaster St, Portland, ME	**Performed By:**	EPH
Scenario Description:		**Date:**	3/20/2023
Analysis Year:	2023	**Checked By:**	MC
Analysis Period:	**AM Street Peak Hour**	**Date:**	3/20/2023

Table 1-A: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)

Land Use	Development Data (*For Information Only*)			Estimated Vehicle-Trips		
	ITE LUCs[1]	Quantity	Units	Total	Entering	Exiting
Office				0		
Retail				0		
Restaurant	932/936	4	1K sf	116	61	55
Cinema/Entertainment				0		
Residential	221	130	ea	51	12	39
Hotel				0		
All Other Land Uses[2]				0		
Total				167	73	94

Table 2-A: Mode Split and Vehicle Occupancy Estimates

Land Use	Entering Trips			Exiting Trips		
	Veh. Occ.	% Transit	% Non-Motorized	Veh. Occ.	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses[2]						

Table 3-A: Average Land Use Interchange Distances (Feet Walking Distance)

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-A: Internal Person-Trip Origin-Destination Matrix*

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		0	0	0	0
Restaurant	0	0		0	1	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	0	8	0		0
Hotel	0	0	0	0	0	

Table 5-A: Computations Summary

	Total	Entering	Exiting
All Person-Trips	167	73	94
Internal Capture Percentage	11%	12%	10%
External Vehicle-Trips[3]	149	64	85
External Transit-Trips[4]	0	0	0
External Non-Motorized Trips[4]	0	0	0

Table 6-A: Internal Trip Capture Percentages by Land Use

Land Use	Entering Trips	Exiting Trips
Office	N/A	N/A
Retail	N/A	N/A
Restaurant	13%	2%
Cinema/Entertainment	N/A	N/A
Residential	8%	21%
Hotel	N/A	N/A

[1]Land Use Codes (LUCs) from *Trip Generation Informational Report*, published by the Institute of Transportation Engineers.

[2]Total estimate for all other land uses at mixed-use development site-not subject to internal trip capture computations in this estimator

[3]Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-A

[4]Person-Trips

*Indicates computation that has been rounded to the nearest whole number.

Estimation Tool Developed by the Texas Transportation Institute

Project Name:	West Bayside
Analysis Period:	**AM Street Peak Hour**

Table 7-A: Conversion of Vehicle-Trip Ends to Person-Trip Ends

Land Use	Table 7-A (D): Entering Trips			Table 7-A (O): Exiting Trips		
	Veh. Occ.	Vehicle-Trips	Person-Trips*	Veh. Occ.	Vehicle-Trips	Person-Trips*
Office	1.00	0	0	1.00	0	0
Retail	1.00	0	0	1.00	0	0
Restaurant	1.00	61	61	1.00	55	55
Cinema/Entertainment	1.00	0	0	1.00	0	0
Residential	1.00	12	12	1.00	39	39
Hotel	1.00	0	0	1.00	0	0

Table 8-A (O): Internal Person-Trip Origin-Destination Matrix (Computed at Origin)

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		0	0	0	0
Restaurant	17	8		0	2	2
Cinema/Entertainment	0	0	0		0	0
Residential	1	0	8	0		0
Hotel	0	0	0	0	0	

Table 8-A (D): Internal Person-Trip Origin-Destination Matrix (Computed at Destination)

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	14	0	0	0
Retail	0		31	0	0	0
Restaurant	0	0		0	1	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	0	12	0		0
Hotel	0	0	4	0	0	

Table 9-A (D): Internal and External Trips Summary (Entering Trips)

Destination Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles[1]	Transit[2]	Non-Motorized[2]
Office	0	0	0	0	0	0
Retail	0	0	0	0	0	0
Restaurant	8	53	61	53	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	1	11	12	11	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses[3]	0	0	0	0	0	0

Table 9-A (O): Internal and External Trips Summary (Exiting Trips)

Origin Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles[1]	Transit[2]	Non-Motorized[2]
Office	0	0	0	0	0	0
Retail	0	0	0	0	0	0
Restaurant	1	54	55	54	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	8	31	39	31	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses[3]	0	0	0	0	0	0

[1]Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-A

[2]Person-Trips

[3]Total estimate for all other land uses at mixed-use development site-not subject to internal trip capture computations in this estimator

*Indicates computation that has been rounded to the nearest whole number.

NCHRP 8-51 Internal Trip Capture Estimation Tool			
Project Name:	West Bayside	**Organization:**	VHB
Project Location:	196 Lancaster St, Portland, ME	**Performed By:**	EPH
Scenario Description:		**Date:**	3/20/2023
Analysis Year:	2023	**Checked By:**	MC
Analysis Period:	**PM Street Peak Hour**	**Date:**	3/20/2023

Table 1-P: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)

Land Use	Development Data (*For Information Only*)			Estimated Vehicle-Trips		
	ITE LUCs[1]	Quantity	Units	Total	Entering	Exiting
Office				0		
Retail				0		
Restaurant	932/936	4	1K sf	102	55	47
Cinema/Entertainment				0		
Residential	221	130	ea	51	31	20
Hotel				0		
All Other Land Uses[2]				0		
Total				153	86	67

Table 2-P: Mode Split and Vehicle Occupancy Estimates

Land Use	Entering Trips			Exiting Trips		
	Veh. Occ.	% Transit	% Non-Motorized	Veh. Occ.	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses[2]						

Table 3-P: Average Land Use Interchange Distances (Feet Walking Distance)

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-P: Internal Person-Trip Origin-Destination Matrix*

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		0	0	0	0
Restaurant	0	0		0	5	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	0	4	0		0
Hotel	0	0	0	0	0	

Table 5-P: Computations Summary

	Total	Entering	Exiting
All Person-Trips	153	86	67
Internal Capture Percentage	12%	10%	13%
External Vehicle-Trips[3]	135	77	58
External Transit-Trips[4]	0	0	0
External Non-Motorized Trips[4]	0	0	0

Table 6-P: Internal Trip Capture Percentages by Land Use

Land Use	Entering Trips	Exiting Trips
Office	N/A	N/A
Retail	N/A	N/A
Restaurant	7%	11%
Cinema/Entertainment	N/A	N/A
Residential	16%	20%
Hotel	N/A	N/A

[1]Land Use Codes (LUCs) from *Trip Generation Informational Report*, published by the Institute of Transportation Engineers.

[2]Total estimate for all other land uses at mixed-use development site-not subject to internal trip capture computations in this estimator

[3]Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-P

[4]Person-Trips

*Indicates computation that has been rounded to the nearest whole number.

Estimation Tool Developed by the Texas Transportation Institute

Project Name:	West Bayside
Analysis Period:	**PM Street Peak Hour**

Table 7-P: Conversion of Vehicle-Trip Ends to Person-Trip Ends

Land Use	Table 7-P (D): Entering Trips			Table 7-P (O): Exiting Trips		
	Veh. Occ.	Vehicle-Trips	Person-Trips*	Veh. Occ.	Vehicle-Trips	Person-Trips*
Office	1.00	0	0	1.00	0	0
Retail	1.00	0	0	1.00	0	0
Restaurant	1.00	55	55	1.00	47	47
Cinema/Entertainment	1.00	0	0	1.00	0	0
Residential	1.00	31	31	1.00	20	20
Hotel	1.00	0	0	1.00	0	0

Table 8-P (O): Internal Person-Trip Origin-Destination Matrix (Computed at Origin)

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		0	0	0	0
Restaurant	1	19		4	8	3
Cinema/Entertainment	0	0	0		0	0
Residential	1	8	4	0		1
Hotel	0	0	0	0	0	

Table 8-P (D): Internal Person-Trip Origin-Destination Matrix (Computed at Destination)

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	1	0	1	0
Retail	0		16	0	14	0
Restaurant	0	0		0	5	0
Cinema/Entertainment	0	0	2		1	0
Residential	0	0	8	0		0
Hotel	0	0	3	0	0	

Table 9-P (D): Internal and External Trips Summary (Entering Trips)

Destination Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles[1]	Transit[2]	Non-Motorized[2]
Office	0	0	0	0	0	0
Retail	0	0	0	0	0	0
Restaurant	4	51	55	51	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	5	26	31	26	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses[3]	0	0	0	0	0	0

Table 9-P (O): Internal and External Trips Summary (Exiting Trips)

Origin Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles[1]	Transit[2]	Non-Motorized[2]
Office	0	0	0	0	0	0
Retail	0	0	0	0	0	0
Restaurant	5	42	47	42	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	4	16	20	16	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses[3]	0	0	0	0	0	0

[1]Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-P

[2]Person-Trips

[3]Total estimate for all other land uses at mixed-use development site-not subject to internal trip capture computations in this estimator

*Indicates computation that has been rounded to the nearest whole number.

NCHRP 8-51 Internal Trip Capture Estimation Tool			
Project Name:	West Bayside	**Organization:**	VHB
Project Location:	89 Elm St, Portland, ME	**Performed By:**	EPH
Scenario Description:		**Date:**	3/20/2023
Analysis Year:	2023	**Checked By:**	MC
Analysis Period:	**AM Street Peak Hour**	**Date:**	3/20/2023

Table 1-A: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)

Land Use	Development Data (*For Information Only*)			Estimated Vehicle-Trips		
	ITE LUCs[1]	Quantity	Units	Total	Entering	Exiting
Office				0		
Retail	822	4	1k sf	13	8	5
Restaurant	932	2	1k sf	19	10	9
Cinema/Entertainment				0		
Residential	223	201	ea	101	29	72
Hotel				0		
All Other Land Uses[2]				0		
Total				133	47	86

Table 2-A: Mode Split and Vehicle Occupancy Estimates

Land Use	Entering Trips			Exiting Trips		
	Veh. Occ.	% Transit	% Non-Motorized	Veh. Occ.	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses[2]						

Table 3-A: Average Land Use Interchange Distances (Feet Walking Distance)

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-A: Internal Person-Trip Origin-Destination Matrix*

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		1	0	1	0
Restaurant	0	1		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	1	2	0		0
Hotel	0	0	0	0	0	

Table 5-A: Computations Summary

	Total	Entering	Exiting
All Person-Trips	133	47	86
Internal Capture Percentage	9%	13%	7%
External Vehicle-Trips[3]	121	41	80
External Transit-Trips[4]	0	0	0
External Non-Motorized Trips[4]	0	0	0

Table 6-A: Internal Trip Capture Percentages by Land Use

Land Use	Entering Trips	Exiting Trips
Office	N/A	N/A
Retail	25%	40%
Restaurant	30%	11%
Cinema/Entertainment	N/A	N/A
Residential	3%	4%
Hotel	N/A	N/A

[1]Land Use Codes (LUCs) from *Trip Generation Informational Report*, published by the Institute of Transportation Engineers.

[2]Total estimate for all other land uses at mixed-use development site-not subject to internal trip capture computations in this estimator

[3]Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-A

[4]Person-Trips

*Indicates computation that has been rounded to the nearest whole number.

Estimation Tool Developed by the Texas Transportation Institute

Project Name:	West Bayside
Analysis Period:	**AM Street Peak Hour**

Table 7-A: Conversion of Vehicle-Trip Ends to Person-Trip Ends

Land Use	Table 7-A (D): Entering Trips			Table 7-A (O): Exiting Trips		
	Veh. Occ.	Vehicle-Trips	Person-Trips*	Veh. Occ.	Vehicle-Trips	Person-Trips*
Office	1.00	0	0	1.00	0	0
Retail	1.00	8	8	1.00	5	5
Restaurant	1.00	10	10	1.00	9	9
Cinema/Entertainment	1.00	0	0	1.00	0	0
Residential	1.00	29	29	1.00	72	72
Hotel	1.00	0	0	1.00	0	0

Table 8-A (O): Internal Person-Trip Origin-Destination Matrix (Computed at Origin)

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	1		1	0	1	0
Restaurant	3	1		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	1	1	14	0		0
Hotel	0	0	0	0	0	

Table 8-A (D): Internal Person-Trip Origin-Destination Matrix (Computed at Destination)

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		3	2	0	0	0
Retail	0		5	0	1	0
Restaurant	0	1		0	1	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	1	2	0		0
Hotel	0	0	1	0	0	

Table 9-A (D): Internal and External Trips Summary (Entering Trips)

Destination Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles[1]	Transit[2]	Non-Motorized[2]
Office	0	0	0	0	0	0
Retail	2	6	8	6	0	0
Restaurant	3	7	10	7	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	1	28	29	28	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses[3]	0	0	0	0	0	0

Table 9-A (O): Internal and External Trips Summary (Exiting Trips)

Origin Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles[1]	Transit[2]	Non-Motorized[2]
Office	0	0	0	0	0	0
Retail	2	3	5	3	0	0
Restaurant	1	8	9	8	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	3	69	72	69	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses[3]	0	0	0	0	0	0

[1]Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-A

[2]Person-Trips

[3]Total estimate for all other land uses at mixed-use development site-not subject to internal trip capture computations in this estimator

*Indicates computation that has been rounded to the nearest whole number.

NCHRP 8-51 Internal Trip Capture Estimation Tool			
Project Name:	West Bayside	**Organization:**	VHB
Project Location:	89 Elm St, Portland, ME	**Performed By:**	EPH
Scenario Description:		**Date:**	3/20/2023
Analysis Year:	2023	**Checked By:**	MC
Analysis Period:	**PM Street Peak Hour**	**Date:**	3/20/2023

Table 1-P: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)

Land Use	Development Data (*For Information Only*)			Estimated Vehicle-Trips		
	ITE LUCs[1]	Quantity	Units	Total	Entering	Exiting
Office				0		
Retail	822	4	1k sf	36	18	18
Restaurant	932	2	1k sf	18	11	7
Cinema/Entertainment				0		
Residential	223	201	ea	92	54	38
Hotel				0		
All Other Land Uses[2]				0		
Total				146	83	63

Table 2-P: Mode Split and Vehicle Occupancy Estimates

Land Use	Entering Trips			Exiting Trips		
	Veh. Occ.	% Transit	% Non-Motorized	Veh. Occ.	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses[2]						

Table 3-P: Average Land Use Interchange Distances (Feet Walking Distance)

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-P: Internal Person-Trip Origin-Destination Matrix*

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		3	0	5	0
Restaurant	0	3		0	1	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	2	2	0		0
Hotel	0	0	0	0	0	

Table 5-P: Computations Summary

	Total	Entering	Exiting
All Person-Trips	146	83	63
Internal Capture Percentage	22%	19%	25%
External Vehicle-Trips[3]	114	67	47
External Transit-Trips[4]	0	0	0
External Non-Motorized Trips[4]	0	0	0

Table 6-P: Internal Trip Capture Percentages by Land Use

Land Use	Entering Trips	Exiting Trips
Office	N/A	N/A
Retail	28%	44%
Restaurant	45%	57%
Cinema/Entertainment	N/A	N/A
Residential	11%	11%
Hotel	N/A	N/A

[1]Land Use Codes (LUCs) from *Trip Generation Informational Report*, published by the Institute of Transportation Engineers.

[2]Total estimate for all other land uses at mixed-use development site-not subject to internal trip capture computations in this estimator

[3]Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-P

[4]Person-Trips

*Indicates computation that has been rounded to the nearest whole number.

Estimation Tool Developed by the Texas Transportation Institute

Project Name:	West Bayside
Analysis Period:	**PM Street Peak Hour**

Table 7-P: Conversion of Vehicle-Trip Ends to Person-Trip Ends

Land Use	Table 7-P (D): Entering Trips			Table 7-P (O): Exiting Trips		
	Veh. Occ.	Vehicle-Trips	Person-Trips*	Veh. Occ.	Vehicle-Trips	Person-Trips*
Office	1.00	0	0	1.00	0	0
Retail	1.00	18	18	1.00	18	18
Restaurant	1.00	11	11	1.00	7	7
Cinema/Entertainment	1.00	0	0	1.00	0	0
Residential	1.00	54	54	1.00	38	38
Hotel	1.00	0	0	1.00	0	0

Table 8-P (O): Internal Person-Trip Origin-Destination Matrix (Computed at Origin)

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		5	1	5	1
Restaurant	0	3		1	1	0
Cinema/Entertainment	0	0	0		0	0
Residential	2	16	8	0		1
Hotel	0	0	0	0	0	

Table 8-P (D): Internal Person-Trip Origin-Destination Matrix (Computed at Destination)

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		1	0	0	2	0
Retail	0		3	0	25	0
Restaurant	0	9		0	9	0
Cinema/Entertainment	0	1	0		2	0
Residential	0	2	2	0		0
Hotel	0	0	1	0	0	

Table 9-P (D): Internal and External Trips Summary (Entering Trips)

Destination Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles[1]	Transit[2]	Non-Motorized[2]
Office	0	0	0	0	0	0
Retail	5	13	18	13	0	0
Restaurant	5	6	11	6	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	6	48	54	48	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses[3]	0	0	0	0	0	0

Table 9-P (O): Internal and External Trips Summary (Exiting Trips)

Origin Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles[1]	Transit[2]	Non-Motorized[2]
Office	0	0	0	0	0	0
Retail	8	10	18	10	0	0
Restaurant	4	3	7	3	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	4	34	38	34	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses[3]	0	0	0	0	0	0

[1]Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-P

[2]Person-Trips

[3]Total estimate for all other land uses at mixed-use development site-not subject to internal trip capture computations in this estimator

*Indicates computation that has been rounded to the nearest whole number.

NCHRP 8-51 Internal Trip Capture Estimation Tool			
Project Name:	West Bayside	**Organization:**	VHB
Project Location:	60 Elm St, Portland, ME	**Performed By:**	EPH
Scenario Description:		**Date:**	3/20/2023
Analysis Year:	2023	**Checked By:**	MC
Analysis Period:	**AM Street Peak Hour**	**Date:**	3/20/2023

Table 1-A: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)

Land Use	Development Data (*For Information Only*)			Estimated Vehicle-Trips		
	ITE LUCs[1]	Quantity	Units	Total	Entering	Exiting
Office				0		
Retail	822	2	1k sf	7	4	3
Restaurant				0		
Cinema/Entertainment				0		
Residential	221	85	ea	33	8	25
Hotel				0		
All Other Land Uses[2]				0		
Total				40	12	28

Table 2-A: Mode Split and Vehicle Occupancy Estimates

Land Use	Entering Trips			Exiting Trips		
	Veh. Occ.	% Transit	% Non-Motorized	Veh. Occ.	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses[2]						

Table 3-A: Average Land Use Interchange Distances (Feet Walking Distance)

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-A: Internal Person-Trip Origin-Destination Matrix*

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		0	0	0	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	0	0	0		0
Hotel	0	0	0	0	0	

Table 5-A: Computations Summary

	Total	Entering	Exiting
All Person-Trips	40	12	28
Internal Capture Percentage	0%	0%	0%
External Vehicle-Trips[3]	40	12	28
External Transit-Trips[4]	0	0	0
External Non-Motorized Trips[4]	0	0	0

Table 6-A: Internal Trip Capture Percentages by Land Use

Land Use	Entering Trips	Exiting Trips
Office	N/A	N/A
Retail	0%	0%
Restaurant	N/A	N/A
Cinema/Entertainment	N/A	N/A
Residential	0%	0%
Hotel	N/A	N/A

[1]Land Use Codes (LUCs) from *Trip Generation Informational Report*, published by the Institute of Transportation Engineers.

[2]Total estimate for all other land uses at mixed-use development site-not subject to internal trip capture computations in this estimator

[3]Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-A

[4]Person-Trips

*Indicates computation that has been rounded to the nearest whole number.

Estimation Tool Developed by the Texas Transportation Institute

Project Name:	West Bayside
Analysis Period:	**AM Street Peak Hour**

Table 7-A: Conversion of Vehicle-Trip Ends to Person-Trip Ends

Land Use	Table 7-A (D): Entering Trips			Table 7-A (O): Exiting Trips		
	Veh. Occ.	Vehicle-Trips	Person-Trips*	Veh. Occ.	Vehicle-Trips	Person-Trips*
Office	1.00	0	0	1.00	0	0
Retail	1.00	4	4	1.00	3	3
Restaurant	1.00	0	0	1.00	0	0
Cinema/Entertainment	1.00	0	0	1.00	0	0
Residential	1.00	8	8	1.00	25	25
Hotel	1.00	0	0	1.00	0	0

Table 8-A (O): Internal Person-Trip Origin-Destination Matrix (Computed at Origin)

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	1		0	0	0	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	1	0	5	0		0
Hotel	0	0	0	0	0	

Table 8-A (D): Internal Person-Trip Origin-Destination Matrix (Computed at Destination)

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		1	0	0	0	0
Retail	0		0	0	0	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	1	0	0		0
Hotel	0	0	0	0	0	

Table 9-A (D): Internal and External Trips Summary (Entering Trips)

Destination Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles[1]	Transit[2]	Non-Motorized[2]
Office	0	0	0	0	0	0
Retail	0	4	4	4	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	0	8	8	8	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses[3]	0	0	0	0	0	0

Table 9-A (O): Internal and External Trips Summary (Exiting Trips)

Origin Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles[1]	Transit[2]	Non-Motorized[2]
Office	0	0	0	0	0	0
Retail	0	3	3	3	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	0	25	25	25	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses[3]	0	0	0	0	0	0

[1]Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-A

[2]Person-Trips

[3]Total estimate for all other land uses at mixed-use development site-not subject to internal trip capture computations in this estimator

*Indicates computation that has been rounded to the nearest whole number.

NCHRP 8-51 Internal Trip Capture Estimation Tool			
Project Name:	West Bayside	**Organization:**	VHB
Project Location:	60 Elm St, Portland, ME	**Performed By:**	EPH
Scenario Description:		**Date:**	3/20/2023
Analysis Year:	2023	**Checked By:**	MC
Analysis Period:	**PM Street Peak Hour**	**Date:**	3/20/2023

Table 1-P: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)

Land Use	Development Data (*For Information Only*)			Estimated Vehicle-Trips		
	ITE LUCs[1]	Quantity	Units	Total	Entering	Exiting
Office				0		
Retail	822	2	1k sf	18	9	9
Restaurant				0		
Cinema/Entertainment				0		
Residential	221	85	ea	33	20	13
Hotel				0		
All Other Land Uses[2]				0		
Total				51	29	22

Table 2-P: Mode Split and Vehicle Occupancy Estimates

Land Use	Entering Trips			Exiting Trips		
	Veh. Occ.	% Transit	% Non-Motorized	Veh. Occ.	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses[2]						

Table 3-P: Average Land Use Interchange Distances (Feet Walking Distance)

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-P: Internal Person-Trip Origin-Destination Matrix*

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		0	0	2	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	1	0	0		0
Hotel	0	0	0	0	0	

Table 5-P: Computations Summary

	Total	Entering	Exiting
All Person-Trips	51	29	22
Internal Capture Percentage	12%	10%	14%
External Vehicle-Trips[3]	45	26	19
External Transit-Trips[4]	0	0	0
External Non-Motorized Trips[4]	0	0	0

Table 6-P: Internal Trip Capture Percentages by Land Use

Land Use	Entering Trips	Exiting Trips
Office	N/A	N/A
Retail	11%	22%
Restaurant	N/A	N/A
Cinema/Entertainment	N/A	N/A
Residential	10%	8%
Hotel	N/A	N/A

[1]Land Use Codes (LUCs) from *Trip Generation Informational Report*, published by the Institute of Transportation Engineers.

[2]Total estimate for all other land uses at mixed-use development site-not subject to internal trip capture computations in this estimator

[3]Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-P

[4]Person-Trips

*Indicates computation that has been rounded to the nearest whole number.

Estimation Tool Developed by the Texas Transportation Institute

Project Name:	West Bayside
Analysis Period:	**PM Street Peak Hour**

Table 7-P: Conversion of Vehicle-Trip Ends to Person-Trip Ends

Land Use	Table 7-P (D): Entering Trips			Table 7-P (O): Exiting Trips		
	Veh. Occ.	Vehicle-Trips	Person-Trips*	Veh. Occ.	Vehicle-Trips	Person-Trips*
Office	1.00	0	0	1.00	0	0
Retail	1.00	9	9	1.00	9	9
Restaurant	1.00	0	0	1.00	0	0
Cinema/Entertainment	1.00	0	0	1.00	0	0
Residential	1.00	20	20	1.00	13	13
Hotel	1.00	0	0	1.00	0	0

Table 8-P (O): Internal Person-Trip Origin-Destination Matrix (Computed at Origin)

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		3	0	2	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	1	5	3	0		0
Hotel	0	0	0	0	0	

Table 8-P (D): Internal Person-Trip Origin-Destination Matrix (Computed at Destination)

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		1	0	0	1	0
Retail	0		0	0	9	0
Restaurant	0	5		0	3	0
Cinema/Entertainment	0	0	0		1	0
Residential	0	1	0	0		0
Hotel	0	0	0	0	0	

Table 9-P (D): Internal and External Trips Summary (Entering Trips)

Destination Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles[1]	Transit[2]	Non-Motorized[2]
Office	0	0	0	0	0	0
Retail	1	8	9	8	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	2	18	20	18	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses[3]	0	0	0	0	0	0

Table 9-P (O): Internal and External Trips Summary (Exiting Trips)

Origin Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles[1]	Transit[2]	Non-Motorized[2]
Office	0	0	0	0	0	0
Retail	2	7	9	7	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	1	12	13	12	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses[3]	0	0	0	0	0	0

[1]Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-P

[2]Person-Trips

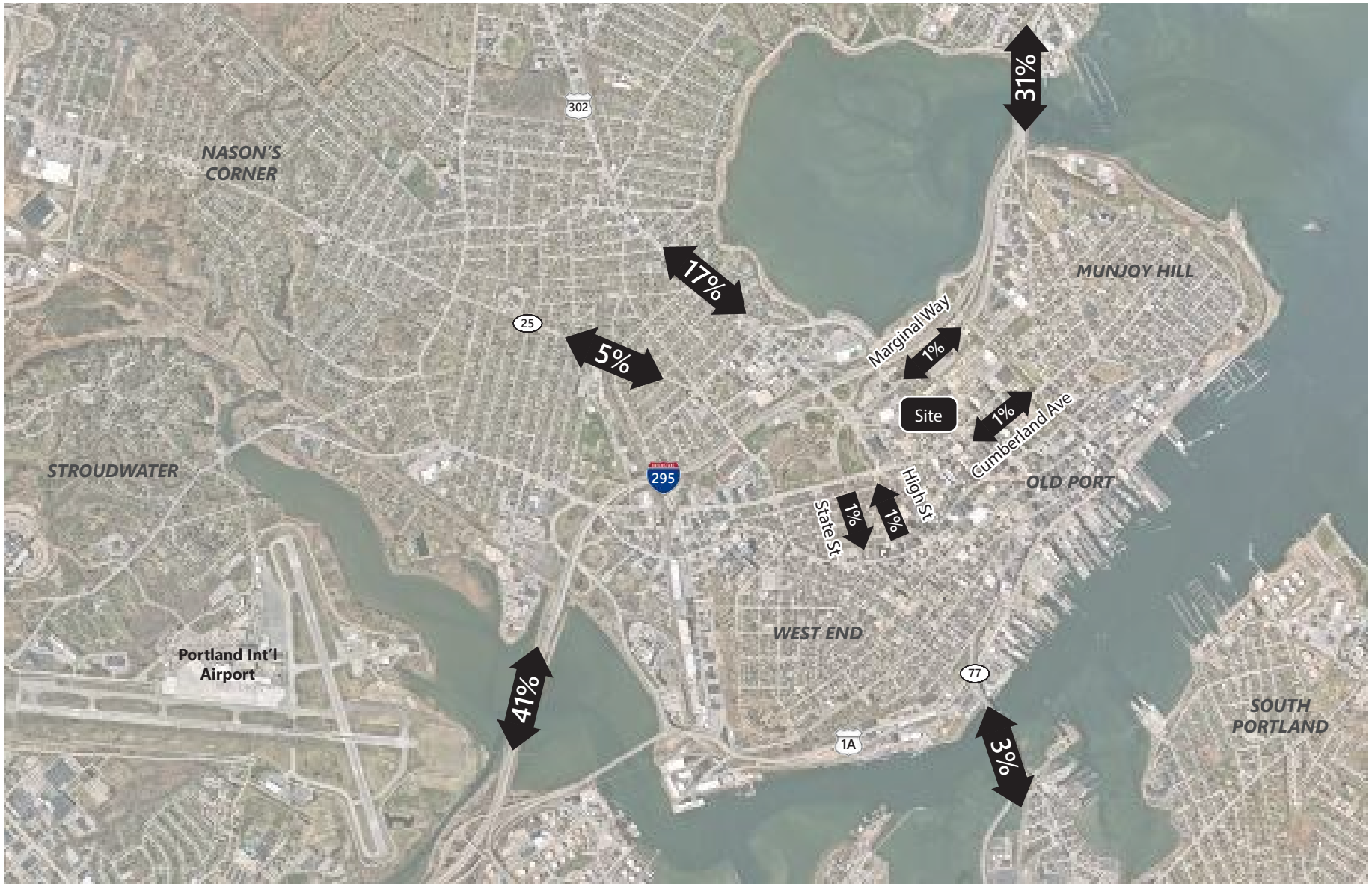
[3]Total estimate for all other land uses at mixed-use development site-not subject to internal trip capture computations in this estimator

*Indicates computation that has been rounded to the nearest whole number.

	Potential Routes	I-295 points north	I-95 points north	26/100 points north/west	302 points north/west	25 points west	I-295 points south	Marginal Way	State Street points south	High Street Points north	Cumberland Ave	totals
County	Work Destination											
Androscoggin	229	115	114									229
Aroostook	7	7										7
Cumberland	3,084											3084
Baldwin	36						36					36
Bridgton	43		43									43
Brunswick	111	33					78					111
Cape Elizabeth	115						115					115
Casco	60			30	30							60
Chebeague Island	7						7					7
Cumberland	58	58										58
Falmouth	220	220										220
Freeport	133	133										133
Frye Island	0											0
Gorham	145						145					145
Gray	50			50								50
Harpswell	30	30										30
Harrison	0											0
Long Island	19						19					19
Naples	36		36									36
New Gloucester	84	56		28								84
North Yarmouth	28	28										28
Pownal	7		7									7
Raymond	25			18	8							25
Scarborough	224						224					224
Sebago	0											0
Standish	25						25					25
Windham	107			54	53							107
Yarmouth	85	85										85
Cities: Portland	814	41		81	163		366	41	41	41	41	814
Cities: S. Portland	339						226		113			339
Cities: Westbrook	283			94	94	94						283
Franklin	13	13										13
Hancock	26	17	9									26
Kennebec	169	85	84									169
Knox	47	47										47
Lincoln	42	42										42
Oxford	72			50	22							72
Penobscot	40	40										40
Piscataquis	0											0
Sagadahoc	251	251										251
Somerset	57	29	28									57
Waldo	0											0
Washington	13	13										13
York	683						683					683
Sum	4,733	1344	321	405	369	94	1924	41	154	41	41	4733
		28%	7%	9%	8%	2%	41%	1%	3%	1%	1%	100%

Project Traffic Distribution

West Bayside | Portland, Maine



% Project Traffic In/Out

Source: Nearmap Aerial

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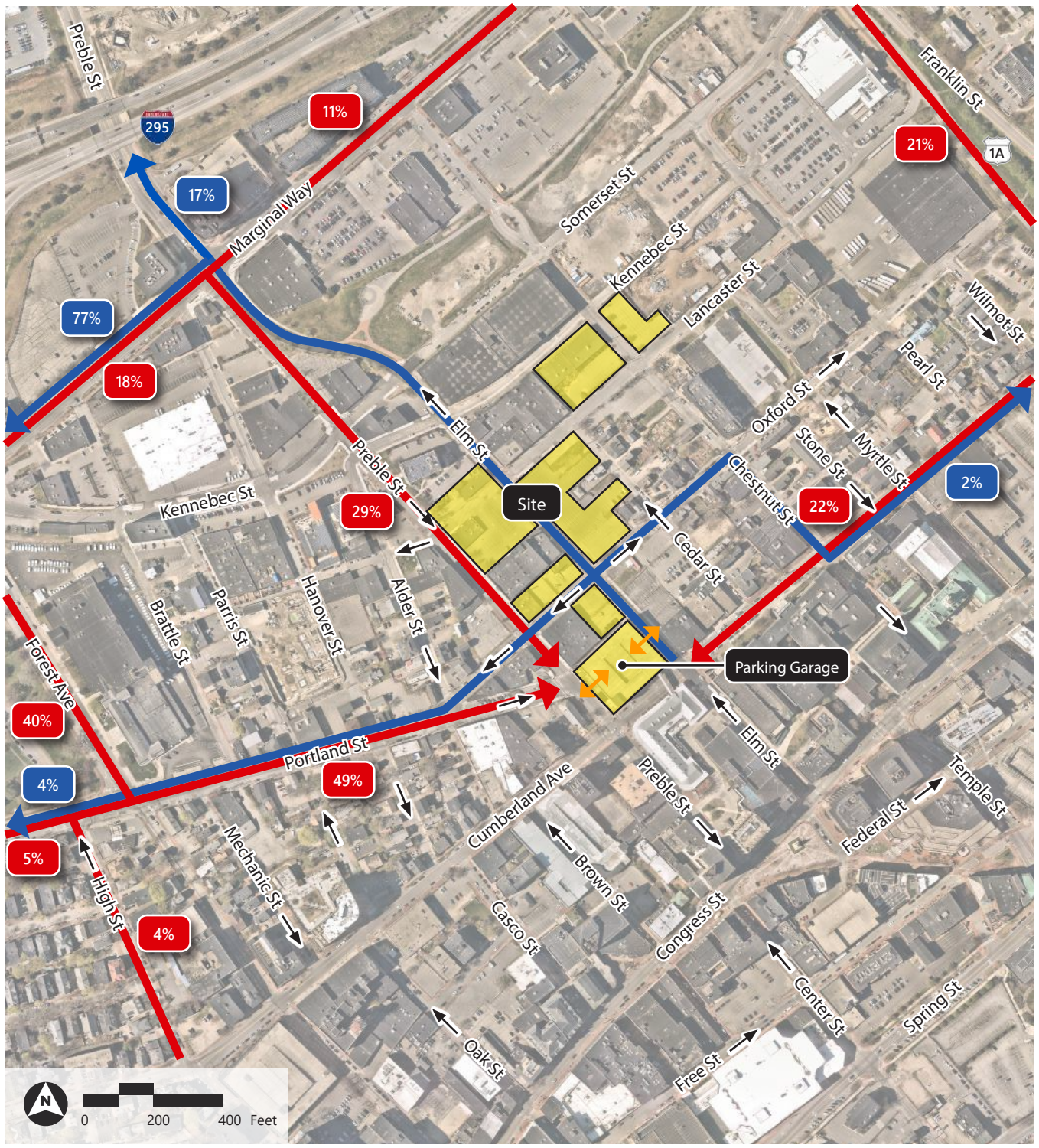
Project Traffic Assignment

West Bayside | Portland, Maine



Source: Nearmap Aerial

\\hb\gbl\proj\Portland\55678.00 West Bayside\Graphics\FIGURES\Transportation Figures - SY working.indd p6 12/23/22

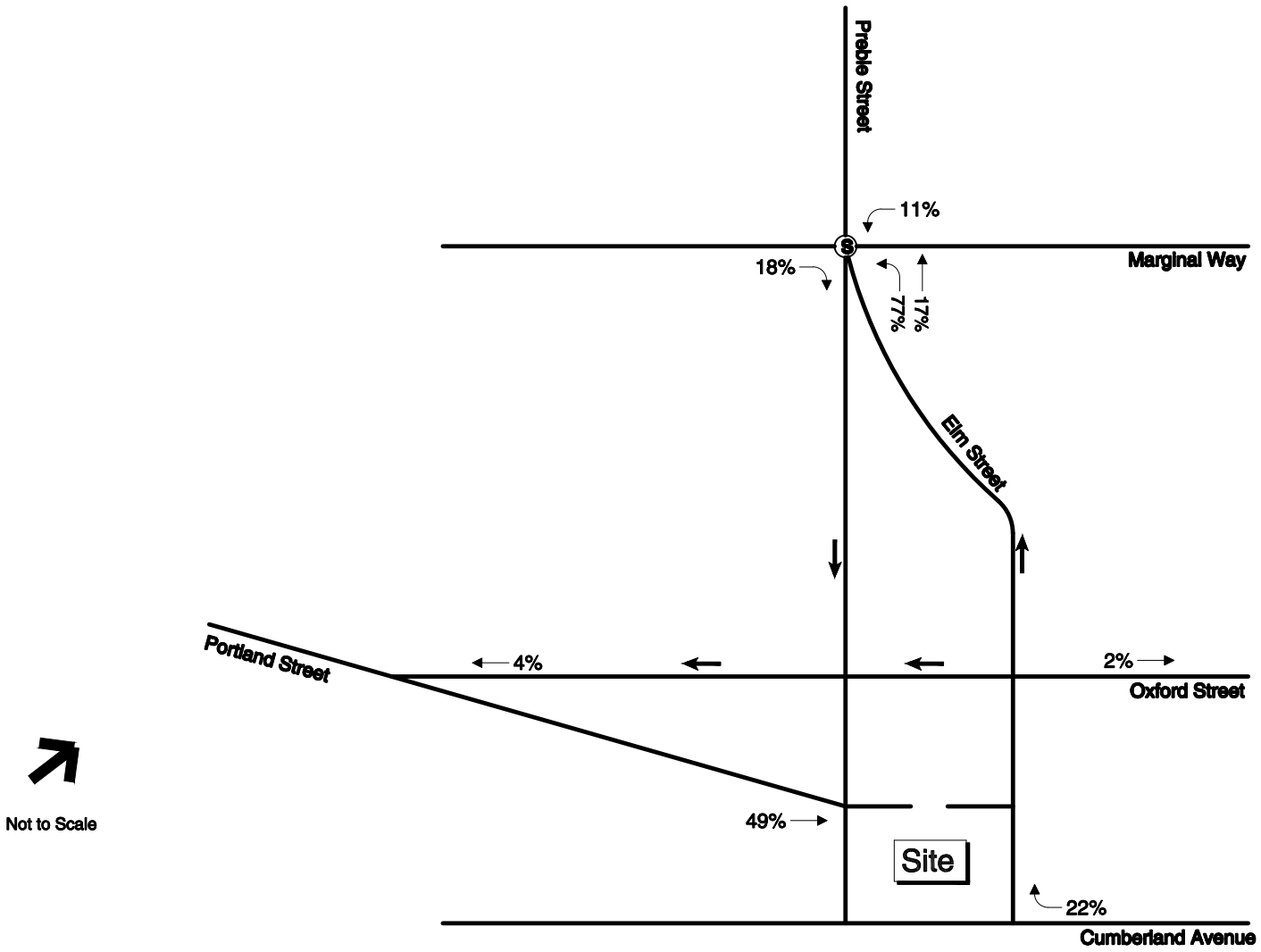
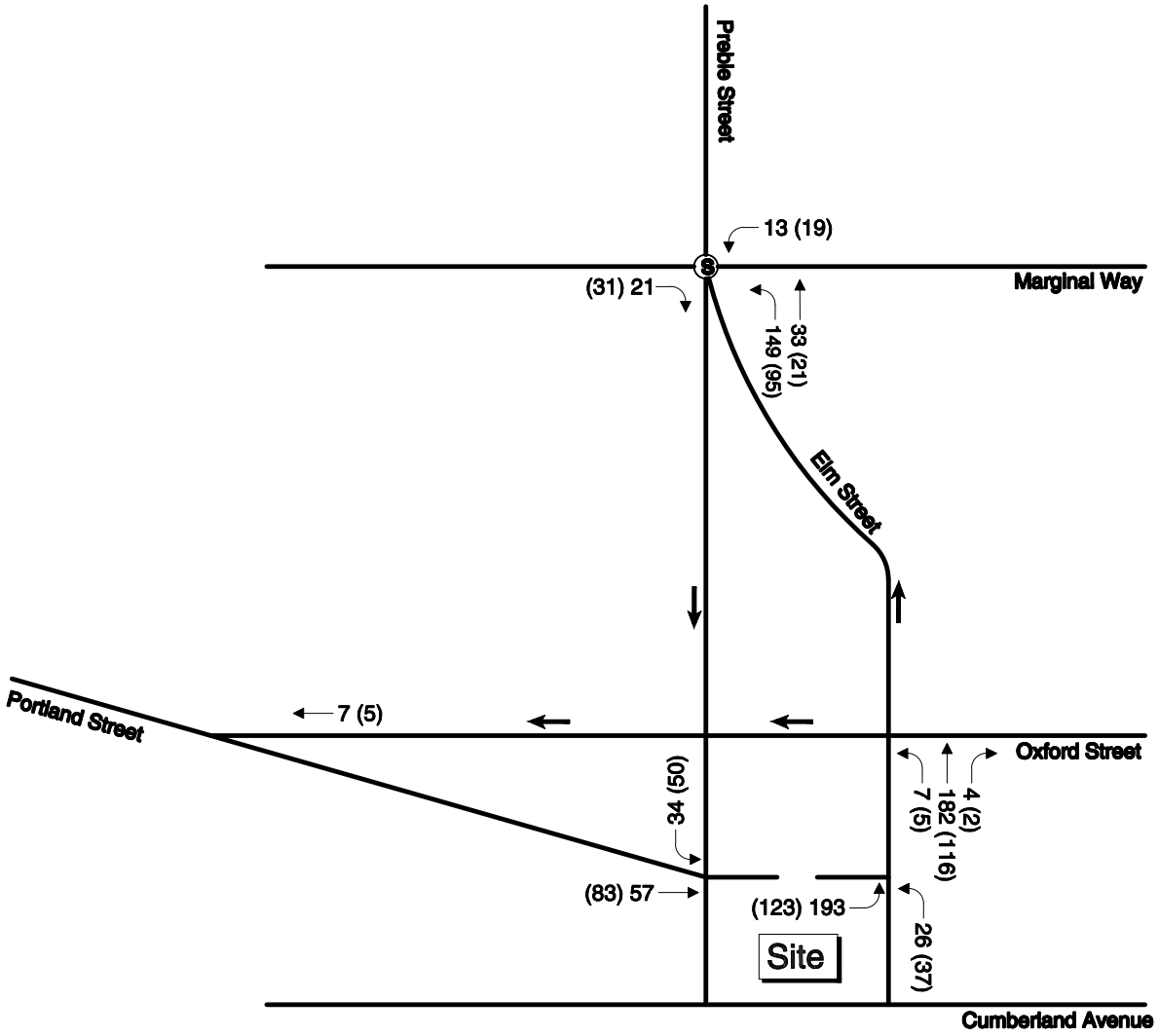


Figure 1
Trip Distribution Percentages



Not to Scale

Trip Assignment	AM (PM)
Enter	117 (170)
Exit	193 (123)
Total	310 (293)

Legend

AM Peak Hour
(PM Peak Hour)

Figure 2
Trip Assignment
Site Generated Vehicle Trips

2

Section 2: Traffic Crashes

2.A Crash Summary Data

VHB obtained the crash data from MaineDOT for the period 2019-2021, the most recent three-year period available.

In order to evaluate whether a location has a crash problem, MaineDOT uses two criteria to define a High Crash Location (HCL). Both criteria must be met in order to be classified as an HCL.

1. A critical rate factor (CRF) of 1.00 or more for a three-year period. A CRF compares the actual crash rate to the rate for similar intersections in the state. A CRF of less than 1.00 indicated a rate of less than average and:
2. A minimum of eight crashes over the same three-year period

Based on the crash data provided by MaineDOT, there are no HCLs in the site vicinity.

The crash information for the intersections in the site vicinity is provided in Attachment 2.

2.B Bicycle and Pedestrian Crashes

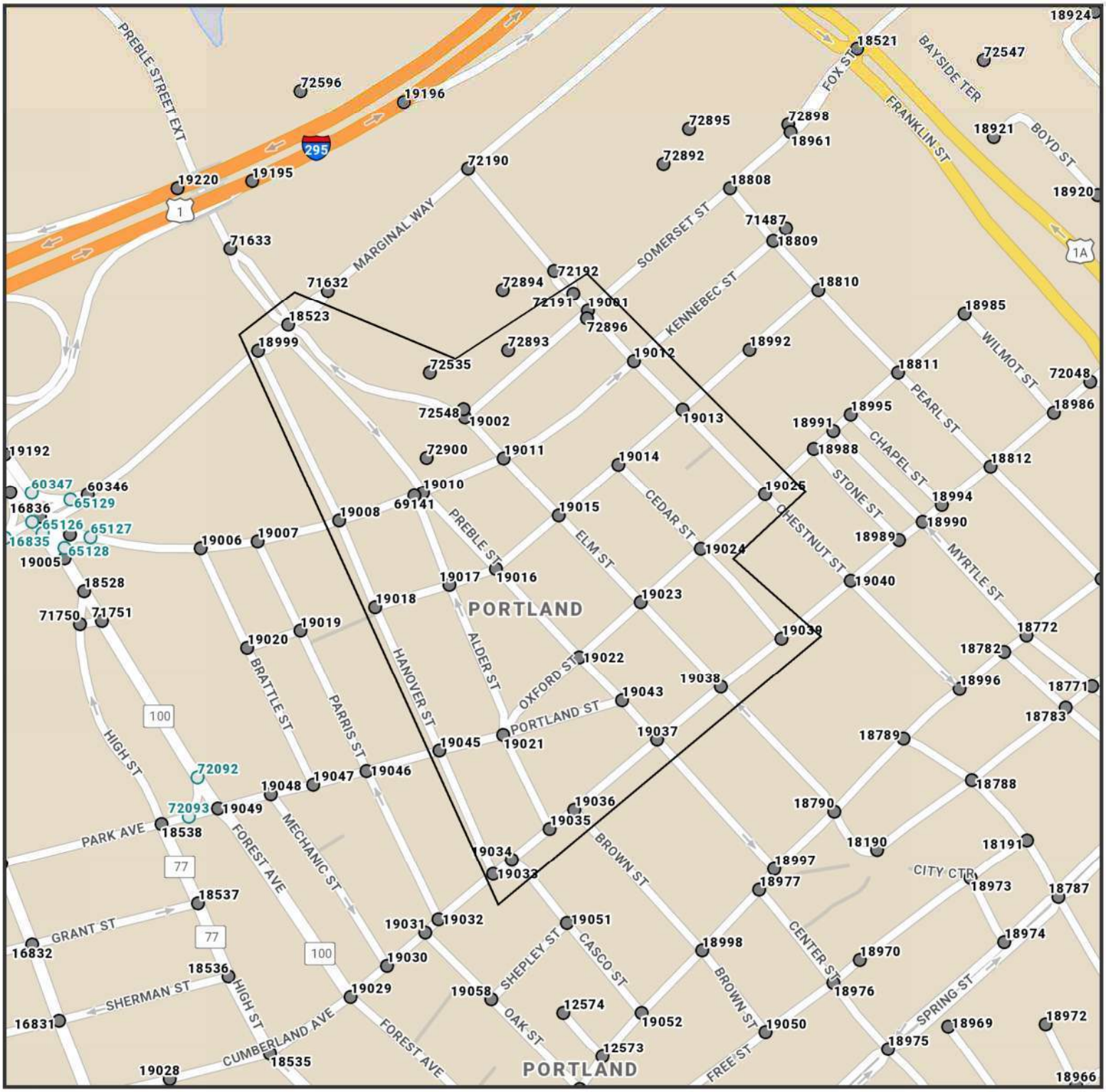
There have been 8 crashes involving bicycles and 6 crashes involving pedestrians in the past three years in the vicinity of the site. Six of the crashes involving bicycles occurred at numerous locations along Preble and Elm Street with 4 of them resulting in injury. Three of the crashes involving pedestrians occurred at the intersection of Cumberland Avenue and Elm Street, all resulting in injury and occurring during the afternoon.

Attachment 2

Node Map

Crash Summary

WEST BAYSIDE



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

0.1 Miles

1 inch = 0.11 miles

Date: 1/10/2023
Time: 2:54:21 PM

LEGEND

Maine Department Of Transportation - Office of Safety, Crash Records Section

Crash Summary Report

Report Selections and Input Parameters

REPORT SELECTIONS

☑ **Crash Summary I** ☐ **Section Detail** ☑ **Crash Summary II** ☐ **1320 Public** ☐ **1320 Private** ☐ **1320 Summary**

REPORT DESCRIPTION

Portland Area

REPORT PARAMETERS

Year 2019, Start Month 1 through Year 2021 End Month: 12

Route: **0560477**	Start Node: **18999**	Start Offset: **0**	☐ **Exclude First Node**
	End Node: **18523**	End Offset: **0**	☐ **Exclude Last Node**
Route: **3210331**	Start Node: **18523**	Start Offset: **0**	☑ **Exclude First Node**
	End Node: **18999**	End Offset: **0**	☑ **Exclude Last Node**
Route: **0561238**	Start Node: **19033**	Start Offset: **0**	☐ **Exclude First Node**
	End Node: **19039**	End Offset: **0**	☐ **Exclude Last Node**
Route: **0560345**	Start Node: **18999**	Start Offset: **0**	☑ **Exclude First Node**
	End Node: **19033**	End Offset: **0**	☑ **Exclude Last Node**
Route: **0560597**	Start Node: **18523**	Start Offset: **0**	☑ **Exclude First Node**
	End Node: **19037**	End Offset: **0**	☑ **Exclude Last Node**
Route: **0560252**	Start Node: **19038**	Start Offset: **0**	☑ **Exclude First Node**
	End Node: **18523**	End Offset: **0**	☑ **Exclude Last Node**
Route: **0560120**	Start Node: **19014**	Start Offset: **0**	☐ **Exclude First Node**
	End Node: **19039**	End Offset: **0**	☑ **Exclude Last Node**
Route: **0560135**	Start Node: **19025**	Start Offset: **0**	☐ **Exclude First Node**
	End Node: **72191**	End Offset: **0**	☐ **Exclude Last Node**
Route: **0560008**	Start Node: **69141**	Start Offset: **0**	☐ **Exclude First Node**
	End Node: **19035**	End Offset: **0**	☑ **Exclude Last Node**
Route: **0560667**	Start Node: **19002**	Start Offset: **0**	☑ **Exclude First Node**
	End Node: **19001**	End Offset: **0**	☑ **Exclude Last Node**
Route: **0560414**	Start Node: **19012**	Start Offset: **0**	☑ **Exclude First Node**

Crash Summary Report

Report Selections and Input Parameters

REPORT SELECTIONS

☑ Crash Summary I ☐ Section Detail ☑ Crash Summary II ☐ 1320 Public ☐ 1320 Private ☐ 1320 Summary

REPORT DESCRIPTION

Portland Area

REPORT PARAMETERS

Year 2019, Start Month 1 through Year 2021 End Month: 12

	End Node: **19011**	End Offset: **0**	☑ **Exclude Last Node**
Route: **0560414**	Start Node: **19011**	Start Offset: **0**	☑ **Exclude First Node**
	End Node: **19010**	End Offset: **0**	☑ **Exclude Last Node**
Route: **0560414**	Start Node: **19010**	Start Offset: **0**	☑ **Exclude First Node**
	End Node: **69141**	End Offset: **0**	☑ **Exclude Last Node**
Route: **0560414**	Start Node: **69141**	Start Offset: **0**	☑ **Exclude First Node**
	End Node: **19008**	End Offset: **0**	☑ **Exclude Last Node**
Route: **0560426**	Start Node: **19013**	Start Offset: **0**	☑ **Exclude First Node**
	End Node: **19014**	End Offset: **0**	☑ **Exclude Last Node**
Route: **0560426**	Start Node: **19014**	Start Offset: **0**	☑ **Exclude First Node**
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Route: **0560426**	Start Node: **19015**	Start Offset: **0**	☑ **Exclude First Node**
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Route: **0560426**	Start Node: **19016**	Start Offset: **0**	☑ **Exclude First Node**
	End Node: **19017**	End Offset: **0**	☑ **Exclude Last Node**
Route: **0560426**	Start Node: **19017**	Start Offset: **0**	☑ **Exclude First Node**
	End Node: **19018**	End Offset: **0**	☑ **Exclude Last Node**
Route: **0560560**	Start Node: **19021**	Start Offset: **0**	☑ **Exclude First Node**
	End Node: **19022**	End Offset: **0**	☑ **Exclude Last Node**
Route: **0560560**	Start Node: **19022**	Start Offset: **0**	☑ **Exclude First Node**
	End Node: **19023**	End Offset: **0**	☑ **Exclude Last Node**

Maine Department Of Transportation - Office of Safety, Crash Records Section

Crash Summary Report

Report Selections and Input Parameters

REPORT SELECTIONS

☑ **Crash Summary I** ☐ **Section Detail** ☑ **Crash Summary II** ☐ **1320 Public** ☐ **1320 Private** ☐ **1320 Summary**

REPORT DESCRIPTION

Portland Area

REPORT PARAMETERS

Year 2019, Start Month 1 through Year 2021 End Month: 12

Route: **0560560**	Start Node: **19023**	Start Offset: **0**	☑ **Exclude First Node**
	End Node: **19024**	End Offset: **0**	☑ **Exclude Last Node**
Route: **0560560**	Start Node: **19024**	Start Offset: **0**	☑ **Exclude First Node**
	End Node: **19025**	End Offset: **0**	☑ **Exclude Last Node**
Route: **0560593**	Start Node: **19045**	Start Offset: **0**	☑ **Exclude First Node**
	End Node: **19021**	End Offset: **0**	☑ **Exclude Last Node**
Route: **0560593**	Start Node: **19021**	Start Offset: **0**	☑ **Exclude First Node**
	End Node: **19043**	End Offset: **0**	☑ **Exclude Last Node**

Crash Summary I

Nodes

Node	Route - MP	Node Description	U/R	Total Crashes	Injury Crashes K	A	B	C	PD	Percent Injury	Annual M Ent-Veh	Crash Rate	Critical Rate	CRF
18999	0560477 - 0.16	Int of HANOVER ST MARGINAL WY	2	4	0	0	0	0	4	0.0	4.035	0.33	0.36	0.00
												Statewide Crash Rate:	0.13	
18523	0560477 - 0.19	Int of ELM ST MARGINAL WY PREBLE ST PREBLE ST EX	9	20	0	0	1	4	13	27.8	8.927	0.75	1.03	0.72
												Statewide Crash Rate:	0.65	
19033	0561238 - 0.28	Int of CUMBERLAND AV HANOVER ST	2	3	0	0	0	0	3	0.0	2.699	0.37	0.39	0.00
												Statewide Crash Rate:	0.13	
19034	0561238 - 0.29	Int of CASCO ST CUMBERLAND AV	2	3	0	2	0	0	1	66.7	2.765	0.36	0.39	0.00
												Statewide Crash Rate:	0.13	
19035	0561238 - 0.32	Int of ALDER ST CUMBERLAND AV	2	1	0	0	0	1	0	100.0	2.571	0.13	0.40	0.00
												Statewide Crash Rate:	0.13	
19036	0561238 - 0.34	Int of BROWN ST CUMBERLAND AV	2	0	0	0	0	0	0	0.0	2.710	0.00	0.39	0.00
												Statewide Crash Rate:	0.13	
19037	0561238 - 0.41	Int of CUMBERLAND AV PREBLE ST	9	8	0	0	1	2	5	37.5	5.725	0.47	1.12	0.42
												Statewide Crash Rate:	0.65	
19038	0561238 - 0.46	Int of CUMBERLAND AV ELM ST	9	11	0	1	2	2	6	45.5	4.731	0.77	1.17	0.66
												Statewide Crash Rate:	0.65	
19039	0561238 - 0.51	Int of CEDAR ST CUMBERLAND AV	2	0	0	0	0	0	0	0.0	3.171	0.00	0.38	0.00
												Statewide Crash Rate:	0.13	
19008	0560345 - 0.11	Int of HANOVER ST KENNEBEC ST	2	0	0	0	0	0	0	0.0	1.167	0.00	0.45	0.00
												Statewide Crash Rate:	0.12	
19018	0560345 - 0.17	Int of HANOVER ST LANCASTER ST	2	1	0	0	0	0	1	0.0	0.401	0.83	0.52	1.61
												Statewide Crash Rate:	0.12	
19045	0560345 - 0.26	Int of HANOVER ST PORTLAND ST	2	1	0	0	0	0	1	0.0	1.513	0.22	0.46	0.00
												Statewide Crash Rate:	0.13	
19010	0560597 - 0.13	Int of KENNEBEC ST PREBLE ST	2	4	0	0	0	1	3	25.0	1.679	0.79	0.44	1.79
												Statewide Crash Rate:	0.13	
19043	0560597 - 0.30	Int of PORTLAND ST PREBLE ST	2	2	0	0	2	0	0	100.0	2.890	0.23	0.39	0.00
												Statewide Crash Rate:	0.13	
19022	0560597 - 0.26	Int of OXFORD ST PREBLE ST	2	3	0	0	0	0	3	0.0	2.545	0.39	0.40	0.00
												Statewide Crash Rate:	0.13	
19016	0560597 - 0.19	Int of LANCASTER ST PREBLE ST	2	2	0	0	1	0	1	50.0	1.838	0.36	0.43	0.00
												Statewide Crash Rate:	0.13	
19015	0560252 - 0.24	Int of ELM ST LANCASTER ST	2	3	0	0	0	1	2	33.3	1.336	0.75	0.47	1.59
												Statewide Crash Rate:	0.13	
19011	0560252 - 0.29	Int of ELM ST KENNEBEC ST	2	7	0	0	3	2	2	71.4	1.555	1.50	0.45	3.31
												Statewide Crash Rate:	0.13	
19023	0560252 - 0.17	Int of ELM ST OXFORD ST	2	1	0	0	0	0	1	0.0	1.741	0.19	0.44	0.00
												Statewide Crash Rate:	0.13	
19002	0560252 - 0.32	Int of ELM ST SOMERSET ST	2	0	0	0	0	0	0	0.0	2.075	0.00	0.42	0.00
												Statewide Crash Rate:	0.13	
19014	0560120 - 0	Int of CEDAR ST LANCASTER ST	2	0	0	0	0	0	0	0.0	0.907	0.00	0.48	0.00
												Statewide Crash Rate:	0.12	
19024	0560120 - 0.07	Int of CEDAR ST OXFORD ST	2	0	0	0	0	0	0	0.0	0.463	0.00	0.52	0.00
												Statewide Crash Rate:	0.12	

Crash Summary I

Nodes

Node	Route - MP	Node Description	U/R	Total Crashes	Injury Crashes K	A	B	C	PD	Percent Injury	Annual M Ent-Veh	Crash Rate	Critical Rate	CRF
19012	0560135 - 0.27	Int of CHESTNUT ST KENNEBEC ST	2	0	0	0	0	0	0	0.0	1.042	0.00 Statewide Crash Rate:	0.46 0.12	0.00
19001	0560135 - 0.31	Int of CHESTNUT ST SOMERSET ST	2	1	0	0	1	0	0	100.0	1.665	0.20 Statewide Crash Rate:	0.42 0.12	0.00
19013	0560135 - 0.23	Int of CHESTNUT ST LANCASTER ST	2	0	0	0	0	0	0	0.0	1.330	0.00 Statewide Crash Rate:	0.44 0.12	0.00
19025	0560135 - 0.16	Int of CHESTNUT ST OXFORD ST	2	0	0	0	0	0	0	0.0	0.874	0.00 Statewide Crash Rate:	0.48 0.12	0.00
72191	0560135 - 0.32	Non Int CHESTNUT ST	2	0	0	0	0	0	0	0.0	0.879	0.00 Statewide Crash Rate:	0.48 0.12	0.00
19017	0560008 - 0.06	Int of ALDER ST LANCASTER ST	2	0	0	0	0	0	0	0.0	0.384	0.00 Statewide Crash Rate:	0.52 0.12	0.00
19021	0560008 - 0.16	Int of ALDER ST, OXFORD ST, PORTLAND ST	2	1	0	0	0	0	1	0.0	1.264	0.26 Statewide Crash Rate:	0.48 0.13	0.00
69141	0560008 - 0	Int of ALDER ST KENNEBEC ST	2	0	0	0	0	0	0	0.0	0.412	0.00 Statewide Crash Rate:	0.52 0.12	0.00
Study Years:	3.00	**NODE TOTALS:**		76	0	3	11	13	47	35.5	65.294	0.39	0.38	1.03

Crash Summary I

Sections

Start Node	End Node	Element	Offset Begin - End	Route - MP	Section Length	U/R	Total Crashes	Injury Crashes K	A	B	C	PD	Percent Injury	Annual HMVM	Crash Rate	Critical Rate	CRF
18523	18999	3106676	0 - 0.03	0560477 - 0.16	0.03	2	0	0	0	0	0	0	0.0	0.00052	0.00	765.88	0.00
Int of ELM ST MARGINAL WY PREBLE ST PREBLE ST EXT				RD INV 05 60477											Statewide Crash Rate: 189.30		
18523	18999	4210645	0 - 0.02	3210331 - 0.03	0.02	2	0	0	0	0	0	0	0.0	0.00035	0.00	807.42	0.00
Int of ELM ST MARGINAL WY PREBLE ST PREBLE ST EXT				RD INV 3210331											Statewide Crash Rate: 189.30		
19033	19034	3130203	0 - 0.01	0561238 - 0.28	0.01	2	0	0	0	0	0	0	0.0	0.00026	0.00	677.25	0.00
Int of CUMBERLAND AV HANOVER ST				RD INV 05 61238											Statewide Crash Rate: 158.39		
19034	19035	3123316	0 - 0.03	0561238 - 0.29	0.03	2	0	0	0	0	0	0	0.0	0.00075	0.00	619.52	0.00
Int of CASCO ST CUMBERLAND AV				RD INV 05 61238											Statewide Crash Rate: 158.39		
19035	19036	3122300	0 - 0.02	0561238 - 0.32	0.02	2	0	0	0	0	0	0	0.0	0.00049	0.00	663.08	0.00
Int of ALDER ST CUMBERLAND AV				RD INV 05 61238											Statewide Crash Rate: 158.39		
19036	19037	3106839	0 - 0.07	0561238 - 0.34	0.07	2	5	0	0	0	0	5	0.0	0.00166	1005.57	517.59	1.94
Int of BROWN ST CUMBERLAND AV				RD INV 05 61238											Statewide Crash Rate: 158.39		
19037	19038	3122301	0 - 0.05	0561238 - 0.41	0.05	2	0	0	0	0	0	0	0.0	0.00162	0.00	520.37	0.00
Int of CUMBERLAND AV PREBLE ST				RD INV 05 61238											Statewide Crash Rate: 158.39		
19038	19039	3117970	0 - 0.05	0561238 - 0.46	0.05	2	2	0	0	0	0	2	0.0	0.00158	420.85	523.46	0.00
Int of CUMBERLAND AV ELM ST				RD INV 05 61238											Statewide Crash Rate: 158.39		
18999	19008	194689	0 - 0.11	0560345 - 0	0.11	2	2	0	0	0	0	2	0.0	0.00115	580.98	1028.96	0.00
Int of HANOVER ST MARGINAL WY				RD INV 05 60345											Statewide Crash Rate: 351.30		
19008	19018	5080409	0 - 0.06	0560345 - 0.11	0.06	2	0	0	0	0	0	0	0.0	0.00029	0.00	1411.88	0.00
Int of HANOVER ST KENNEBEC ST				RD INV 05 60345											Statewide Crash Rate: 351.30		
19018	19045	5080405	0 - 0.09	0560345 - 0.17	0.09	2	7	0	1	0	1	5	28.6	0.00026	9129.81	1442.85	6.33
Int of HANOVER ST LANCASTER ST				RD INV 05 60345											Statewide Crash Rate: 351.30		
19033	19045	194749	0 - 0.08	0560345 - 0.26	0.08	2	0	0	0	0	0	0	0.0	0.00007	0.00	1287.57	0.00
Int of CUMBERLAND AV HANOVER ST				RD INV 05 60345											Statewide Crash Rate: 351.30		
18523	19010	3940497	0 - 0.13	0560597 - 0	0.13	2	1	0	0	0	0	1	0.0	0.00179	185.75	579.47	0.00
Int of ELM ST MARGINAL WY PREBLE ST PREBLE ST EXT				RD INV 05 60597											Statewide Crash Rate: 189.30		
19010	19016	3106835	0 - 0.06	0560597 - 0.13	0.06	2	1	0	0	0	0	0	0.0	0.00104	320.77	663.69	0.00
Int of KENNEBEC ST PREBLE ST				RD INV 05 60597											Statewide Crash Rate: 189.30		
19016	19022	3106836	0 - 0.07	0560597 - 0.19	0.07	2	1	0	0	0	0	0	0.0	0.00143	232.43	613.43	0.00
Int of LANCASTER ST PREBLE ST				RD INV 05 60597											Statewide Crash Rate: 189.30		
19022	19043	3117969	0 - 0.04	0560597 - 0.26	0.04	2	0	0	0	0	0	0	0.0	0.00071	0.00	722.78	0.00
Int of OXFORD ST PREBLE ST				RD INV 05 60597											Statewide Crash Rate: 189.30		
19037	19043	3124005	0 - 0.03	0560597 - 0.30	0.03	2	1	0	0	0	0	1	0.0	0.00088	380.66	690.47	0.00
Int of CUMBERLAND AV PREBLE ST				RD INV 05 60597											Statewide Crash Rate: 189.30		
19023	19038	3122299	0 - 0.07	0560252 - 0.10	0.07	2	2	0	0	0	0	2	0.0	0.00122	546.90	638.66	0.00
Int of ELM ST OXFORD ST				RD INV 05 60252											Statewide Crash Rate: 189.30		
19015	19023	3123553	0 - 0.07	0560252 - 0.17	0.07	2	1	0	0	0	0	1	0.0	0.00065	512.02	735.27	0.00
Int of ELM ST LANCASTER ST				RD INV 05 60252											Statewide Crash Rate: 189.30		

Crash Summary I

Sections

Start Node	End Node	Element	Offset Begin - End	Route - MP	Section Length	U/R	Total Crashes	Injury Crashes K	A	B	C	PD	Percent Injury	Annual HMVM	Crash Rate	Critical Rate	CRF
19011	19015	3119283	0 - 0.05	0560252 - 0.24	0.05	2	1	0	0	0	0	1	0.0	0.00070	475.15	724.29	0.00
Int of ELM ST KENNEBEC ST				RD INV 05 60252											Statewide Crash Rate: 189.30		
19002	19011	3129301	0 - 0.03	0560252 - 0.29	0.03	2	1	0	0	0	0	1	0.0	0.00055	611.15	759.91	0.00
Int of ELM ST SOMERSET ST				RD INV 05 60252											Statewide Crash Rate: 189.30		
18523	19002	3106678	0 - 0.12	0560252 - 0.32	0.12	2	0	0	0	0	0	0	0.0	0.00257	0.00	528.34	0.00
Int of ELM ST MARGINAL WY PREBLE ST PREBLE ST EXT				RD INV 05 60252											Statewide Crash Rate: 189.30		
19014	19024	194713	0 - 0.07	0560120 - 0	0.07	2	1	0	0	0	0	0	0.0	0.00016	2100.86	1513.88	1.39
Int of CEDAR ST LANCASTER ST				RD INV 05 60120											Statewide Crash Rate: 351.30		
19024	19039	5080414	0 - 0.07	0560120 - 0.07	0.07	2	1	0	0	0	0	1	0.0	0.00012	2842.33	1504.22	1.89
Int of CEDAR ST OXFORD ST				RD INV 05 60120											Statewide Crash Rate: 351.30		
19013	19025	5080419	0 - 0.07	0560135 - 0.16	0.07	2	1	0	0	0	0	1	0.0	0.00045	745.93	1297.00	0.00
Int of CHESTNUT ST LANCASTER ST				RD INV 05 60135											Statewide Crash Rate: 351.30		
19012	19013	194709	0 - 0.04	0560135 - 0.23	0.04	2	1	0	0	0	1	0	100.0	0.00033	1004.00	1379.16	0.00
Int of CHESTNUT ST KENNEBEC ST				RD INV 05 60135											Statewide Crash Rate: 351.30		
19001	19012	5080420	0 - 0.04	0560135 - 0.27	0.04	2	1	0	0	0	0	1	0.0	0.00029	1153.67	1414.40	0.00
Int of CHESTNUT ST SOMERSET ST				RD INV 05 60135											Statewide Crash Rate: 351.30		
19001	72191	4348461	0 - 0.01	0560135 - 0.31	0.01	2	0	0	0	0	0	0	0.0	0.00009	0.00	1428.41	0.00
Int of CHESTNUT ST SOMERSET ST				RD INV 05 60135											Statewide Crash Rate: 351.30		
69141	19017	3525695	0 - 0.06	0560008 - 0	0.06	2	0	0	0	0	0	0	0.0	0.00013	0.00	1513.73	0.00
Int of ALDER ST KENNEBEC ST				RD INV 05 60008											Statewide Crash Rate: 351.30		
19017	19021	194719	0 - 0.10	0560008 - 0.06	0.10	2	2	0	0	0	0	2	0.0	0.00021	3215.64	1483.38	2.17
Int of ALDER ST LANCASTER ST				RD INV 05 60008											Statewide Crash Rate: 351.30		
19021	19035	194725	0 - 0.06	0560008 - 0.16	0.06	2	1	0	0	0	0	1	0.0	0.00005	6646.59	964.27	6.89
Int of ALDER ST, OXFORD ST, PORTLAND ST				RD INV 05 60008											Statewide Crash Rate: 351.30		
19001	19002	194691	0 - 0.10	0560667 - 0	0.10	2	1	0	0	0	0	1	0.0	0.00051	649.07	1256.84	0.00
Int of CHESTNUT ST SOMERSET ST				RD INV 05 60667											Statewide Crash Rate: 351.30		
19011	19012	194707	0 - 0.10	0560414 - 0.11	0.10	2	0	0	0	0	0	0	0.0	0.00019	0.00	1498.08	0.00
Int of ELM ST KENNEBEC ST				RD INV 05 60414											Statewide Crash Rate: 351.30		
19010	19011	194704	0 - 0.05	0560414 - 0.21	0.05	2	0	0	0	0	0	0	0.0	0.00015	0.00	1515.93	0.00
Int of KENNEBEC ST PREBLE ST				RD INV 05 60414											Statewide Crash Rate: 351.30		
69141	19010	3509369	0 - 0.01	0560414 - 0.26	0.01	2	0	0	0	0	0	0	0.0	0.00003	0.00	-166.94	0.00
Int of ALDER ST KENNEBEC ST				RD INV 05 60414											Statewide Crash Rate: 351.30		
19008	69141	5094277	0 - 0.05	0560414 - 0.27	0.05	2	0	0	0	0	0	0	0.0	0.00016	0.00	1514.46	0.00
Int of HANOVER ST KENNEBEC ST				RD INV 05 60414											Statewide Crash Rate: 351.30		
19013	19014	5080418	0 - 0.05	0560426 - 0.10	0.05	2	1	0	0	0	0	0	0.0	0.00033	1020.38	1383.40	0.00
Int of CHESTNUT ST LANCASTER ST				RD INV 05 60426											Statewide Crash Rate: 351.30		
19014	19015	194712	0 - 0.05	0560426 - 0.15	0.05	2	0	0	0	0	0	0	0.0	0.00035	0.00	1362.02	0.00
Int of CEDAR ST LANCASTER ST				RD INV 05 60426											Statewide Crash Rate: 351.30		
19015	19016	5080410	0 - 0.05	0560426 - 0.20	0.05	2	0	0	0	0	0	0	0.0	0.00005	0.00	1020.97	0.00
Int of ELM ST LANCASTER ST				RD INV 05 60426											Statewide Crash Rate: 351.30		

Crash Summary I

Sections

Start Node	End Node	Element	Offset Begin - End	Route - MP	Section Length	U/R	Total Crashes	Injury Crashes K	A	B	C	PD	Percent Injury	Annual HMVM	Crash Rate	Critical Rate	CRF
19016	19017	194716	0 - 0.03	0560426 - 0.25	0.03	2	0	0	0	0	0	0	0.0	0.00003	0.00	87.16	0.00
Int of LANCASTER ST PREBLE ST				RD INV 05 60426											Statewide Crash Rate: 351.30		
19017	19018	194718	0 - 0.05	0560426 - 0.28	0.05	2	0	0	0	0	0	0	0.0	0.00002	0.00	-3401.07	0.00
Int of ALDER ST LANCASTER ST				RD INV 05 60426											Statewide Crash Rate: 351.30		
19021	19022	3106837	0 - 0.07	0560560 - 0	0.07	2	1	0	0	0	0	1	0.0	0.00054	621.25	655.82	0.00
Int of ALDER ST, OXFORD ST, PORTLAND ST				RD INV 05 60560											Statewide Crash Rate: 158.39		
19022	19023	3122298	0 - 0.05	0560560 - 0.07	0.05	2	0	0	0	0	0	0	0.0	0.00025	0.00	674.98	0.00
Int of OXFORD ST PREBLE ST				RD INV 05 60560											Statewide Crash Rate: 158.39		
19023	19024	194730	0 - 0.05	0560560 - 0.12	0.05	2	0	0	0	0	0	0	0.0	0.00015	0.00	1516.58	0.00
Int of ELM ST OXFORD ST				RD INV 05 60560											Statewide Crash Rate: 351.30		
19024	19025	194732	0 - 0.05	0560560 - 0.17	0.05	2	1	0	0	0	0	1	0.0	0.00012	2823.00	1505.11	1.88
Int of CEDAR ST OXFORD ST				RD INV 05 60560											Statewide Crash Rate: 351.30		
19021	19045	3122297	0 - 0.04	0560593 - 0.14	0.04	2	2	0	0	2	0	0	100.0	0.00040	1675.67	677.87	2.47
Int of ALDER ST, OXFORD ST, PORTLAND ST				RD INV 05 60593											Statewide Crash Rate: 158.39		
19021	19043	3129954	0 - 0.07	0560593 - 0.18	0.07	2	6	0	0	0	1	4	20.0	0.00078	2554.76	614.47	4.16
Int of ALDER ST, OXFORD ST, PORTLAND ST				RD INV 05 60593											Statewide Crash Rate: 158.39		
Study Years: 3.00				**Section Totals:**	2.68		45	0	1	2	3	34	13.3	0.02640	568.17	342.01	1.66
				Grand Totals:	2.68		121	0	4	13	16	81	27.3	0.02640	1527.73	464.84	3.29

Crash Summary

Section Details

Start Node	End Node	Element	Offset Begin - End	Route - MP	Total Crashes	Injury Crashes K	A	B	C	PD	Crash Report	Crash Date	Crash Mile Point	Injury Degree
18523	18999	3106676	0 - 0.03	0560477 - 0.16	0	0	0	0	0	0				
18523	18999	4210645	0 - 0.02	3210331 - 0.03	0	0	0	0	0	0				
19033	19034	3130203	0 - 0.01	0561238 - 0.28	0	0	0	0	0	0				
19034	19035	3123316	0 - 0.03	0561238 - 0.29	0	0	0	0	0	0				
19035	19036	3122300	0 - 0.02	0561238 - 0.32	0	0	0	0	0	0				
19036	19037	3106839	0 - 0.07	0561238 - 0.34	5	0	0	0	0	5	2019-67019	10/03/2019	0.35	PD
											2019-46162	03/13/2019	0.37	PD
											2019-58617	07/18/2019	0.38	PD
											2019-1495	01/14/2019	0.39	PD
											2019-73097	11/24/2019	0.40	PD
19037	19038	3122301	0 - 0.05	0561238 - 0.41	0	0	0	0	0	0				
19038	19039	3117970	0 - 0.05	0561238 - 0.46	2	0	0	0	0	2	2019-69195	10/25/2019	0.47	PD
											2019-48636	04/10/2019	0.50	PD
18999	19008	194689	0 - 0.11	0560345 - 0	2	0	0	0	0	2	2019-58618	07/18/2019	0.03	PD
											2021-8903	04/11/2021	0.06	PD
19008	19018	5080409	0 - 0.06	0560345 - 0.11	0	0	0	0	0	0				
19018	19045	5080405	0 - 0.09	0560345 - 0.17	7	0	1	0	1	5	2020-18215	07/31/2020	0.18	PD
											2020-11372	04/20/2020	0.18	PD
											2021-13760	05/09/2021	0.21	C
											2019-2633	01/18/2019	0.21	PD
											2019-47842	03/29/2019	0.23	PD
											2019-44843	03/01/2019	0.23	PD
											2019-72752	11/21/2019	0.25	A
19033	19045	194749	0 - 0.08	0560345 - 0.26	0	0	0	0	0	0				
18523	19010	3940497	0 - 0.13	0560597 - 0	1	0	0	0	0	1	2019-44220	02/27/2019	0.12	PD
19010	19016	3106835	0 - 0.06	0560597 - 0.13	1	0	0	0	0	0	2019-1870	01/17/2019	0.17	
19016	19022	3106836	0 - 0.07	0560597 - 0.19	1	0	0	0	0	0	2019-52933	05/23/2019	0.23	
19022	19043	3117969	0 - 0.04	0560597 - 0.26	0	0	0	0	0	0				
19037	19043	3124005	0 - 0.03	0560597 - 0.30	1	0	0	0	0	1	2021-12331	05/21/2021	0.31	PD
19023	19038	3122299	0 - 0.07	0560252 - 0.10	2	0	0	0	0	2	2021-16503	07/01/2021	0.13	PD
											2021-32496	11/18/2021	0.15	PD
19015	19023	3123553	0 - 0.07	0560252 - 0.17	1	0	0	0	0	1	2019-58250	07/15/2019	0.18	PD
19011	19015	3119283	0 - 0.05	0560252 - 0.24	1	0	0	0	0	1	2019-67929	10/14/2019	0.28	PD
19002	19011	3129301	0 - 0.03	0560252 - 0.29	1	0	0	0	0	1	2020-29957	12/02/2020	0.30	PD
18523	19002	3106678	0 - 0.12	0560252 - 0.32	0	0	0	0	0	0				

Crash Summary

Section Details

Start Node	End Node	Element	Offset Begin - End	Route - MP	Total Crashes	Injury Crashes K	A	B	C	PD	Crash Report	Crash Date	Crash Mile Point	Injury Degree
19014	19024	194713	0 - 0.07	0560120 - 0	1	0	0	0	0	0	2021-1478	01/03/2021	0.05	
19024	19039	5080414	0 - 0.07	0560120 - 0.07	1	0	0	0	0	1	2019-52185	05/20/2019	0.11	PD
19013	19025	5080419	0 - 0.07	0560135 - 0.16	1	0	0	0	0	1	2020-20337	08/25/2020	0.19	PD
19012	19013	194709	0 - 0.04	0560135 - 0.23	1	0	0	0	1	0	2020-23199	09/29/2020	0.24	C
19001	19012	5080420	0 - 0.04	0560135 - 0.27	1	0	0	0	0	1	2019-45592	02/26/2019	0.30	PD
19001	72191	4348461	0 - 0.01	0560135 - 0.31	0	0	0	0	0	0				
69141	19017	3525695	0 - 0.06	0560008 - 0	0	0	0	0	0	0				
19017	19021	194719	0 - 0.10	0560008 - 0.06	2	0	0	0	0	2	2021-27344	10/09/2021	0.10	PD
											2019-67248	10/08/2019	0.11	PD
19021	19035	194725	0 - 0.06	0560008 - 0.16	1	0	0	0	0	1	2021-33319	11/29/2021	0.21	PD
19001	19002	194691	0 - 0.10	0560667 - 0	1	0	0	0	0	1	2019-71683	11/14/2019	0.03	PD
19011	19012	194707	0 - 0.10	0560414 - 0.11	0	0	0	0	0	0				
19010	19011	194704	0 - 0.05	0560414 - 0.21	0	0	0	0	0	0				
69141	19010	3509369	0 - 0.01	0560414 - 0.26	0	0	0	0	0	0				
19008	69141	5094277	0 - 0.05	0560414 - 0.27	0	0	0	0	0	0				
19013	19014	5080418	0 - 0.05	0560426 - 0.10	1	0	0	0	0	0	2019-59865	07/26/2019	0.13	
19014	19015	194712	0 - 0.05	0560426 - 0.15	0	0	0	0	0	0				
19015	19016	5080410	0 - 0.05	0560426 - 0.20	0	0	0	0	0	0				
19016	19017	194716	0 - 0.03	0560426 - 0.25	0	0	0	0	0	0				
19017	19018	194718	0 - 0.05	0560426 - 0.28	0	0	0	0	0	0				
19021	19022	3106837	0 - 0.07	0560560 - 0	1	0	0	0	0	1	2019-74264	12/03/2019	0.04	PD
19022	19023	3122298	0 - 0.05	0560560 - 0.07	0	0	0	0	0	0				
19023	19024	194730	0 - 0.05	0560560 - 0.12	0	0	0	0	0	0				
19024	19025	194732	0 - 0.05	0560560 - 0.17	1	0	0	0	0	1	2019-47012	03/24/2019	0.18	PD
19021	19045	3122297	0 - 0.04	0560593 - 0.14	2	0	0	2	0	0	2019-54997	06/07/2019	0.15	B
											2021-8970	04/01/2021	0.15	B
19021	19043	3129954	0 - 0.07	0560593 - 0.18	6	0	0	0	1	4	2019-59213	07/19/2019	0.21	PD
											2021-23574	09/06/2021	0.21	PD
											2019-58068	07/09/2019	0.22	PD
											2019-1375	01/12/2019	0.23	
											2020-26608	10/22/2020	0.23	C
											2020-19411	08/07/2020	0.23	PD
				Totals:	45	0	1	2	3	34				

Crash Summary II - Characteristics

Crashes by Day and Hour

	AM												Hour of Day PM												
Day Of Week	**12**	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	**11**	**12**	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	**11**	**Un**	**Tot**
SUNDAY	0	1	0	1	0	0	0	0	0	1	0	0	0	1	1	0	1	2	0	0	0	0	0	0	0	8
MONDAY	0	0	0	0	0	0	0	0	4	1	2	0	1	1	1	2	1	3	0	1	1	1	0	0	0	19
TUESDAY	1	0	0	0	0	0	0	2	0	1	0	2	1	2	1	4	5	0	2	0	1	0	0	0	0	22
WEDNESDAY	0	0	0	0	0	0	0	0	1	2	0	0	2	1	2	2	2	2	2	1	0	0	1	0	0	18
THURSDAY	0	0	0	0	0	0	0	2	0	0	0	1	4	3	3	2	2	3	0	0	2	0	0	0	0	22
FRIDAY	1	0	0	0	0	0	0	0	0	1	1	1	2	6	2	0	2	3	0	1	2	1	1	0	0	24
SATURDAY	0	1	0	0	0	0	0	0	0	1	0	1	0	0	1	2	0	0	0	0	1	1	0	0	0	8
Totals	2	2	0	1	0	0	0	4	5	7	3	5	10	14	11	12	13	13	4	3	7	3	2	0	0	**121**

Vehicle Counts by Type

Unit Type	Total	Unit Type	Total
1-Passenger Car	135	23-Bicyclist	8
2-(Sport) Utility Vehicle	43	24-Witness	24
3-Passenger Van	1	25-Other	9
4-Cargo Van (10K lbs or Less)	4	26-Construction	1
5-Pickup	16	27-Farm Vehicle	0
6-Motor Home	0	**Total**	**260**
7-School Bus	2		
8-Transit Bus	2		
9-Motor Coach	0		
10-Other Bus	1		
11-Motorcycle	1		
12-Moped	2		
13-Low Speed Vehicle	0		
14-Autocycle	0		
15-Experimental	0		
16-Other Light Trucks (10,000 lbs or Less)	1		
17-Medium/Heavy Trucks (More than 10,000 lbs)	4		
18-ATV - (4 wheel)	0		
20-ATV - (2 wheel)	0		
21-Snowmobile	0		
22-Pedestrian	6		

Crash Summary II - Characteristics

Crashes by Driver Action at Time of Crash

Driver Action at Time of Crash	Dr 1	Dr 2	Dr 3	Dr 4	Dr 5	Other	Total
No Contributing Action	31	57	1	0	0	0	89
Ran Off Roadway	4	0	0	0	0	0	4
Failed to Yield Right-of-Way	18	6	0	0	0	0	24
Ran Red Light	4	1	0	0	0	0	5
Ran Stop Sign	0	0	0	0	0	0	0
Disregarded Other Traffic Sign	1	0	0	0	0	0	1
Disregarded Other Road Markings	0	0	0	0	0	0	0
Exceeded Posted Speed Limit	0	0	0	0	0	0	0
Drove Too Fast For Conditions	0	0	0	0	0	0	0
Improper Turn	10	2	0	0	0	0	12
Improper Backing	8	1	0	0	0	0	9
Improper Passing	0	1	0	0	0	0	1
Wrong Way	2	0	0	0	0	0	2
Followed Too Closely	9	2	0	0	0	0	11
Failed to Keep in Proper Lane	7	2	0	0	0	0	9
Operated Motor Vehicle in Erratic, Reckless, Careless, Negligent or Aggressive Manner	3	0	0	0	0	0	3
Swerved or Avoided Due to Wind, Slippery Surface, Motor Vehicle, Object, Non-Motorist in Roadway	2	0	0	0	0	0	2
Over-Correcting/Over-Steering	2	1	0	0	0	0	3
Other Contributing Action	9	3	1	0	0	0	13
Unknown	0	0	0	0	0	0	0
Total	**110**	**76**	**2**	**0**	**0**	**0**	**188**

Crashes by Apparent Physical Condition And Driver

Apparent Physical Condition	Dr 1	Dr 2	Dr 3	Dr 4	Dr 5	Other	Total
Apparently Normal	102	74	2	0	0	12	190
Physically Impaired	0	0	0	0	0	0	0
Emotional(Depressed, Angry, Disturbed, etc.)	1	0	0	0	0	0	1
Ill (Sick)	0	0	0	0	0	0	0
Asleep or Fatigued	2	0	0	0	0	0	2
Under the Influence of Medications/Drugs/Alcohol	4	1	0	0	0	2	7
Other	0	0	0	0	0	0	0
Total	**109**	**75**	**2**	**0**	**0**	**14**	**200**

Driver Age by Unit Type

Age	Driver	Bicycle	SnowMobile	Pedestrian	ATV	Total
09-Under	0	0	0	0	0	0
10-14	0	0	0	0	0	0
15-19	11	0	0	0	0	11
20-24	22	0	0	0	0	22
25-29	18	0	0	0	0	18
30-39	40	0	0	0	0	40
40-49	37	0	0	0	0	37
50-59	33	0	0	0	0	33
60-69	17	0	0	0	0	17
70-79	14	0	0	0	0	14
80-Over	6	0	0	0	0	6
Unknown	24	8	0	6	0	38
Total	**222**	**8**	**0**	**6**	**0**	**236**

Crash Summary II - Characteristics

Most Harmful Event

Most Harmful Event	Total	Most Harmful Event	Total
1-Overturn / Rollover	0	38-Other Fixed Object (wall, building, tunnel, etc.)	0
2-Fire / Explosion	0	39-Unknown	0
3-Immersion	0	40-Gate or Cable	0
4-Jackknife	0	41-Pressure Ridge	0
5-Cargo / Equipment Loss Or Shift	0	**Total**	**211**
6-Fell / Jumped from Motor Vehicle	0		
7-Thrown or Falling Object	0		
8-Other Non-Collision	0		
9-Pedestrian	0		
10-Pedalcycle	2		
11-Railway Vehicle - Train, Engine	0		
12-Animal	0		
13-Motor Vehicle in Transport	182		
14-Parked Motor Vehicle	22		
15-Struck by Falling, Shifting Cargo or Anything Set in Motion by Motor Vehicle	0		
16-Work Zone / Maintenance Equipment	3		
17-Other Non-Fixed Object	0		
18-Impact Attenuator / Crash Cushion	0		
19-Bridge Overhead Structure	0		
20-Bridge Pier or Support	0		
21-Bridge Rail	0		
22-Cable Barrier	0		
23-Culvert	0		
24-Curb	0		
25-Ditch	0		
26-Embankment	0		
27-Guardrail Face	0		
28-Guardrail End	0		
29-Concrete Traffic Barrier	0		
30-Other Traffic Barrier	0		
31-Tree (Standing)	0		
32-Utility Pole / Light Support	1		
33-Traffic Sign Support	1		
34-Traffic Signal Support	0		
35-Fence	0		
36-Mailbox	0		
37-Other Post, Pole, or Support	0		

Traffic Control Devices

Traffic Control Device	Total
1-Traffic Signals (Stop & Go)	44
2-Traffic Signals (Flashing)	2
3-Advisory/Warning Sign	0
4-Stop Signs - All Approaches	4
5-Stop Signs - Other	22
6-Yield Sign	0
7-Curve Warning Sign	0
8-Officer, Flagman, School Patrol	1
9-School Bus Stop Arm	0
10-School Zone Sign	0
11-R.R. Crossing Device	0
12-No Passing Zone	0
13-None	46
14-Other	2
Total	**121**

Injury Data

Severity Code	Injury Crashes	Number Of Injuries
K	0	0
A	4	4
B	13	13
C	16	20
PD	81	0
Total	**114**	**37**

Road Character

Road Grade	Total
1-Level	76
2-On Grade	36
3-Top of Hill	4
4-Bottom of Hill	4
5-Other	1
Total	**121**

Light

Light Condition	Total
1-Daylight	94
2-Dawn	0
3-Dusk	1
4-Dark - Lighted	25
5-Dark - Not Lighted	1
6-Dark - Unknown Lighting	0
7-Unknown	0
Total	**121**

Crash Summary II - Characteristics

Crashes by Year and Month

Month	2019	2020	2021	Total
JANUARY	6	2	3	11
FEBRUARY	3	2	2	7
MARCH	5	1	2	8
APRIL	4	1	4	9
MAY	5	0	9	14
JUNE	2	1	0	3
JULY	10	3	3	16
AUGUST	0	3	2	5
SEPTEMBER	3	3	6	12
OCTOBER	5	3	3	11
NOVEMBER	7	1	2	10
DECEMBER	7	4	4	15
Total	**57**	**24**	**40**	**121**

Report is limited to the last 10 years of data.

Crash Summary II - Characteristics

Crashes by Crash Type and Type of Location

Crash Type	Straight Road	Curved Road	Three Leg Intersection	Four Leg Intersection	Five or More Leg Intersection	Driveways	Bridges	Interchanges	Other	Parking Lot	Private Way	Cross Over	Railroad Crossing	Traffic Circle-Roundabout	Total
Object in Road	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rear End - Sideswipe	26	0	4	23	1	4	0	0	0	0	0	0	0	0	58
Head-on - Sideswipe	4	0	1	0	0	0	0	0	0	0	0	0	0	0	5
Intersection Movement	0	0	6	24	0	3	0	0	0	0	0	0	0	0	33
Pedestrians	1	0	1	3	0	0	0	0	0	0	0	0	0	0	5
Train	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Went Off Road	2	0	1	5	0	1	0	0	0	0	0	0	0	0	9
All Other Animal	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Bicycle	1	0	1	5	0	1	0	0	0	0	0	0	0	0	8
Other	2	0	0	1	0	0	0	0	0	0	0	0	0	0	3
Jackknife	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rollover	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fire	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Submersion	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Thrown or Falling Object	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Bear	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Deer	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Moose	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Turkey	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	**36**	**0**	**14**	**61**	**1**	**9**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**121**

Crash Summary II - Characteristics

Crashes by Weather, Light Condition and Road Surface

Weather / Light	Dry	Ice/Frost	Mud, Dirt, Gravel	Oil	Other	Sand	Slush	Snow	Unknown	Water (Standing, Moving)	Wet	Total
Blowing Sand, Soil, Dirt												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Blowing Snow												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Clear												
Dark - Lighted	13	0	0	0	0	0	1	0	0	0	5	19
Dark - Not Lighted	1	0	0	0	0	0	0	0	0	0	0	1
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	72	2	0	0	0	0	1	0	0	0	1	76
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Cloudy												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	1	1
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	12	0	0	0	0	0	0	0	0	0	0	12
Dusk	1	0	0	0	0	0	0	0	0	0	0	1
Unknown	0	0	0	0	0	0	0	0	0	0	0	0

Crash Summary II - Characteristics

Crashes by Weather, Light Condition and Road Surface

Weather / Light	Dry	Ice/Frost	Mud, Dirt, Gravel	Oil	Other	Sand	Slush	Snow	Unknown	Water (Standing, Moving)	Wet	Total
Fog, Smog, Smoke												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Other												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Rain												
Dark - Lighted	0	0	1	0	0	0	0	0	0	0	4	5
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	2	2
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Severe Crosswinds												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	2	0	0	0	0	0	0	0	0	0	0	2
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0

Crash Summary II - Characteristics

Crashes by Weather, Light Condition and Road Surface

Weather / Light	Dry	Ice/Frost	Mud, Dirt, Gravel	Oil	Other	Sand	Slush	Snow	Unknown	Water (Standing, Moving)	Wet	Total
Sleet, Hail (Freezing Rain or Drizzle)												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	1	1
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Snow												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	1	0	0	0	1
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	**101**	**2**	**1**	**0**	**0**	**0**	**2**	**1**	**0**	**0**	**14**	**121**

3

Section 3: Development Entrances and Exits

3.A Entrance and Exit Locations

The site is bounded by Preble Street to the southwest, Lancaster Street to the northwest, Cedar Street and Elm Street to the northeast, Cumberland Avenue and Oxford Street to the southeast. All driveway locations are illustrated on the site plans as attachments to Section 1.

Project generated vehicle trips are expected to use the 595 space Public Market Garage for parking which is now controlled by this developer and is largely vacant. Vehicular access and egress are provided via both Preble Street and Elm Street. There are also supplemental surface parking proposed at 196 Lancaster Street (44 proposed spaces) with an entrance / exit on both Preble Street and Elm Street, surface parking proposed at 89 Elm Street on both Lancaster Street (15 proposed spaces) and Cedar Street (39 proposed spaces) with one entrance / exit and two entrance /exits respectively. Although surface parking will be present on these parcels, this parking is largely occupied by nearby uses and it is assumed all vehicles associated with this TMP will use the garage.

The garage access on Preble and Elm Street are located 175' from Cumberland Avenue and 200' from Oxford Street.

Existing one-way bike lanes are present on Preble Street and Elm Street and two-way bike lanes present on part of Portland Street, and Marginal Way along with the Bayside Trail multi-use path north of the site for both pedestrian and bicyclist users.

Pedestrians are well accommodated in this urban environment. Most roadways surrounding the site provide sidewalks on each side of the street and crosswalks at each major intersection.

3.B Plan View of Entrance and Exit Locations

Attachment 1A of Section 1 shows the proposed site plan. As shown, the garage site fronts onto Preble Street and Elm Street.

3.C Stopping Sight Distances

VHB followed the MaineDOT evaluation of sight distance. Sight distance is measured to and from the point of centerline of the proposed access that is located 10 feet from the edge of the traveled way. The speed limit is posted as 25 mph on Preble and Elm Street and assumed to be 25 mph on Lancaster Street and Cedar Street. The minimum allowable sight distances can be seen in Table 1 below:

Table 1 MaineDOT Sight Distance Requirements

Posted Speed (MPH)	Sight Distance (Feet)
20	155
25	**200**
30	250
35	305
40	360
45	425
50	495
55	570
60	645

Based on a field visit, the Portland Public Market Garage sight distance exceeds the minimum 200 feet on Elm Street. However, when exiting the garage on Preble Street, the sight distance is blocked by the existing building. As in most urban areas, in actuality, vehicles pull up further than 10 feet behind the edge of pavement. If existing vehicles pull up to edge of roadway, beyond the impact of the adjacent building, sight lines increase dramatically, because parking is prohibited in this area.

Sight distance along Preble and Elm Street for the proposed parking at 196 Lancaster Street both exceed 400 feet and sight distance along Lancaster Street and Cedar Street for 89 Elm Street parking all exceed 300 feet.

3.D Entrance/Exit Compliance with Design Requirements

Entrances and exits were designed to meet all the criteria specified in the MaineDOT's Chapter 299 Highway Driveway and Entrance Rules.

Attachment 3

Entrance/Exit Locations

SPACE AND BULK STANDARDS		
ZONING DISTRICT: B3	REQUIRED	PROPOSED
MINIMUM LOT AREA	N/A	.86 AC
MINIMUM STREET FRONTAGE	15 FT	132 FT
MAX FRONT YARD SETBACK	5 FT	6.66 FT
MINIMUM FRONT YARD SETBACK (LANCASTER ST)	N/A	5 FT
MINIMUM REAR YARD SETBACK (OXFORD ST)	N/A	3.85 FT
MINIMUM SIDE YARD SETBACK	N/A	2.91 FT
MAX LENGTH OF UNDIFFERENTIATED BLANK WALL ALONG PUBLICLY ACCESSIBLE WAY	30 FT, EXCEPT 15 FT WITH PAD OVERLAY	< 30 FT
MAXIMUM BUILDING HEIGHT	80'*	< 80 FT

* PER THE BAYSIDE HEIGHT OVERLAY PLUS THE ADDITIONAL 25' FOR AFFORDABILITY IN SECTION 18

SPACE AND BULK STANDARDS		
ZONING DISTRICT: R6	REQUIRED	PROPOSED
MINIMUM LOT AREA	2,000 SF	.86 AC
MINIMUM STREET FRONTAGE	20 FT	132 FT
MINIMUM FRONT YARD SETBACK (LANCASTER ST)	5 FT	6.66 FT
MINIMUM REAR YARD SETBACK (OXFORD ST)	10 FT	10.88 FT
MINIMUM SIDE YARD SETBACK	5 FT	5.09 FT
LOT WIDTH	20 FT	89.51 FT
MAXIMUM BUILDING HEIGHT	45 FT	< 45'
STEPBACK	ADDITIONAL 5' SETBACK ABOVE 35'	–

GENERAL NOTES:
1. ALL PAVEMENT STRIPING AND MARKINGS SHALL COMPLY TO CITY OF PORTLAND STANDARDS.
2. ANY ASPHALT TO BE REMOVED SHALL BE STRIPPED AND PROPERLY DISPOSED OF OFFSITE
3. CURB TO BE REMOVED, STOCKPILED AND RESET IN ACCORDANCE WITH DETAIL. BROKEN CURB SHALL BE PROPERLY DISPOSED OF AND SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE.
4. ALL RAMPS TO CONFORM TO ADA GUIDELINES. SLOPE SHALL NOT EXCEED 1 INCH PER FOOT.
5. ALL SITE SIGNAGE TO COMPLY WITH MUTCD STANDARDS. CONTRACTOR TO COORDINATE AND INSTALL.
6. FOLLOWING COMPLETION OF CONSTRUCTION, THE OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND MANAGEMENT OF DRIVEWAYS, SITE LIGHTING, TRASH REMOVAL AND SNOW REMOVAL.

REFERENCES:

1. PLAN REFERENCE
   1.1. PLAN TITLED "TOPOGRAPHIC SURVEY" PREPARED BY OWEN HASKELL, INC. DATED DECEMBER 8TH, 2022

LEGEND:
- PROPERTY LINE
- SETBACK LINE
- FLUSH GRANITE CURB
- VERTICAL GRANITE CURB

20 0 20 40
SCALE: 1" = 20'

PROPOSED MODIFICATION OF CURBLINE WITH VERTICAL GRANITE CURB PER DETAIL
PROPOSED CURB EXTENSION, CROSSWALK, AND DETECTABLE PAD
EXISTING CURB, CROSSWALK, AND DETECTABLE PAD
PROPOSED STREET TREE PER DETAIL AND LA, TYP.
PROPOSED PATIO PER LA
ZONE B7
ZONE B3
ZONE R6
ZONING DISTRICT BOUNDARY, TYP.
25 mph
LANCASTER STREET
300'
PROPOSED REINFORCED CONCRETE SIDEWALK
EXISTING CURB CUT TO REMAIN AND BE MODIFIED
EXISTING PARKING LOT TO REMAIN
PROPOSED SEAT WALL PER LA
CANOPY ABOVE, TYP.
RETAIL SPACE
SPRINKLER ROOM
RETAIL SPACE
27.32'
EXISTING CONCRETE SIDEWALK TO BE REMOVED AND REPLACED PER DETAIL
LOBBY
MECHANICAL ROOM
56 CEDAR STREET
PROPOSED PROPERTY LINE, TYP.
CURB CUT TO BE CLOSED
TM 26-A-12
N/F JAMES W. HALL
SARAH MICHNIEWICZ
23909/341
EXISTING LIGHT POLE TO REMAIN, TYP.
BIKE STORAGE
MAIL/PACKAGES
10.18'
PROPOSED RETAINING WALL AND GUARDRAIL/FENCE PER STRUCTURAL ENGINEER
EX. RETAINING WALL TO REMAIN WITH MODIFICATIONS AS SHOWN
TM 26-A-11
N/F ROBERT HYDE
27470/68
MECHANICAL AND ELECTRICAL ROOM WITH FUTURE EV AND SOLAR PROVISIONS
SETBACK LINE, TYP.
COMMUNITY ROOM
STORAGE/ LAUNDRY
PR. LOCATION OF 9'X9' PADMOUNT TRANSFORMER
50 CEDAR STREET
EXISTING PARKING AND CURB CUT TO REMAIN
EXISTING HOME TO REMAIN
TM 26-A-8
N/F ALBERT
BRESETTE
7951/275
PROPOSED BUILDING:
89 ELM STREET
3 RETAIL UNITS
201 RESIDENTIAL UNITS
PROPOSED WOOD GUARDRAIL PER DETAIL
PR. PAVEMENT
N/F AMELIA A. LABRECK
37970/11
24'
HALL COURT
EX. STREET TREES TO REMAIN, TYP.
89.51
2ND STORY
EXISTING GRANITE CURB ALONG ELM STREET TO REMAIN. IF DISTURBANCE OCCURS DURING CONSTRUCTION, RESET PER DETAIL
12 PARKING STALLS TO BE STRIPED
EXISTING PARKING LOT TO REMAIN
TM 26-B-1
N/F ROBERT HYDE
27470/68
TM 26-B-2,3
N/F ALBERT
BRESETTE
CEDAR STREET (ONE-WAY)
25 MPH
46 CEDAR STREET
22'
PROPOSED DRIVEWAY AND MODIFIED CURB CUT
PR. STAIRS AND RAMP WITH RAILINGS
R15'
PROPOSED RESURFACED PARKING LOT
PROPOSED 22' WIDE ACCESS AND UTILITY EASEMENT
PR. LOCATION OF SOLID WASTE
6' SIDEWALK PER DETAIL
PR. MULCH AND SHRUBS
TM 26-B-14
N/F MARY LEE
BENNISON
27956/297
TM 33-H-16,17
N/F
DAVID B. NOWLIN
25148/336
PR. RETAINING WALL
RESIDENTIAL
3RD STORY
RETAIL SPACE
10.36'
14.78'
2.91'
0.33'
8.92'
100.08'
EXISTING TREE TO BE REMOVED
EXISTING LIGHT POLE AND OVERHEAD WIRES TO BE REMOVED AND REROUTED
ABUTTER'S CURB CUT TO REMAIN
OXFORD STREET (ONE-WAY)
300'
300'
196 LANCASTER STREET LLC
39779/232
3 STORY CONCRETE
WBP COMMERCIAL LLC.
39779/227
38,301 S.F. ±
0.88 ACRES ±
ELM STREET (ONE-WAY)
SEAT WALL OR CURB AND DECORATIVE RAILING AT ELM STREET ENTRY, TYP. OF 3
EXISTING CONCRETE SIDEWALK TO BE REMOVED AND REPLACED PER DETAIL
REFER TO LANDSCAPE ARCHITECTURE PLANS FOR PROPOSED PLANTING, TYP.
EXISTING OVERHEAD UTILITIES TO BE REROUTED, SEE SHEET C-20
TEMP. CONSTRUCTION SIGNAGE AND TRAFFIC CONTROL PLAN TO BE DEVELOPED BY CONTRACTOR AND SUBMITTED TO CITY PRIOR TO CONSTRUCTION
1977 OXFORD STREET LLC
39779/241
3,674 S.F. ±
2-1/2 STORY WOOD FRAME
1 STORY BRICK

PRELIMINARY
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY	DATE
CONCEPT	WHS	8/4/22
PRELIM SITE	SJL	2/13/23

DRAWING NAME: SITE PLAN
PROJECT NAME: 89 ELM STREET REDEVELOPMENT – PORTLAND
CLIENT: TOM WATSON & CO., LLC
188 STATE STREET, 3RD FLOOR, PORTLAND, ME 04101

ACORN ENGINEERING, INC.
THESE PLANS SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. AND SHALL NOT BE USED FOR ANY PROJECT OTHER THAN THAT SPECIFICALLY INTENDED BY ACORN ENGINEERING, INC. ANY MODIFICATION OR REUSE OF THESE PLANS FOR ANY OTHER PROJECT, EXTENSION TO THIS PROJECT, OR PUBLICATION BY ANY PERSON OR ENTITY WITHOUT THE EXPRESS WRITTEN CONSENT OF ACORN ENGINEERING, INC. SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

ACORN ENGINEERING, INC.
70 MILK STREET, SUITE 202, PORTLAND, MAINE 04104
PO BOX 3294, PORTLAND, MAINE 04104
(207) 775-2655

FILE:	1192.2_CIVIL
JN:	1192.2
SCALE:	AS NOTED
DESIGNED BY:	SJL
DRAWN BY:	DNM
CHECKED BY:	WHS

STATE OF MAINE
SAMUEL J. LEBEL
10509
LICENSED PROFESSIONAL ENGINEER
2/13/23

DRAWING NO.
C-10

REFERENCES:

1. EXISTING CONDITIONS PROVIDED BY "TOPOGRAPHIC SURVEY BAYSIDE PARCELS LANCASTER, PREBLE, ELM, CEDAR, CHESTNUT AND OXFORD STREETS, PORTLAND, MAINE" PREPARED FOR BUSH WATSON DATED DECEMBER 6, 2022 BY OWEN HASKELL, INC.UTILITY INFORMATION OBTAINED FROM PORTLAND WATER DISTRICT MAPPING, UNITIL MAPPING, AND THE CITY OF PORTLAND GIS DATA CATALOG.
2. ADDITIONAL EXISTING INFORMATION FROM CAD FILE PROVIDED BY OWEN HASKELL, INC. OF "BOUNDARY & TOPOGRAPHIC SURVEY AT 117 PREBLE STREET, PORTLAND, MAINE" DATED SEPTEMBER 28, 2015.

SPACE AND BULK STANDARDS

ZONING DISTRICT	DOWNTOWN BUSINESS (B3)	MIXED DEVELOPMENT (B7)	RESIDENTIAL (R6)
MINIMUM LOT AREA	N/A	N/A	VARIES
MINIMUM STREET FRONTAGE	15 FT	N/A	20 FT
MAX FRONT YARD SETBACK	5 FT	10 FT	N/A
MINIMUM FRONT YARD SETBACK	N/A	N/A	5 FT
MINIMUM REAR YARD SETBACK	N/A	N/A	10 FT
MINIMUM SIDE YARD SETBACK	N/A	N/A	5 FT
LOT WIDTH	N/A	N/A	20 FT
MINIMUM LENGTH OF BUILDING WALL AT MAX SETBACK	N/A	75% OF STREET FRONTAGE OR 25% OF BUILDING PERIMETER	N/A
LENGTH OF UNDIFFERENTIATED BLANK WALL ALONG PUBLICLY ACCESSIBLE WAY	30 FT, EXCEPT 15 FT WITH PAD OVERLAY	N/A	N/A
FLOOR AREA	NONE, EXCEPT 15,000 SF FOR EACH FLOOR ABOVE 125 FT		
MAXIMUM BUILDING HEIGHT	PER DOWNTOWN AND BAYSIDE OVERLAY MAPS	PER BAYSIDE OVERLAY MAP	45 FT
LOT COVERAGE (MAX)	N/A*	N/A	60%
LANDSCAPED OPEN SPACE RATIO	N/A	N/A	20%
*MAX 25% OF LOT AREA FOR PORTIONS OF STRUCTURES EXCEEDING 125 FEET IN HEIGHT			

LEGEND:

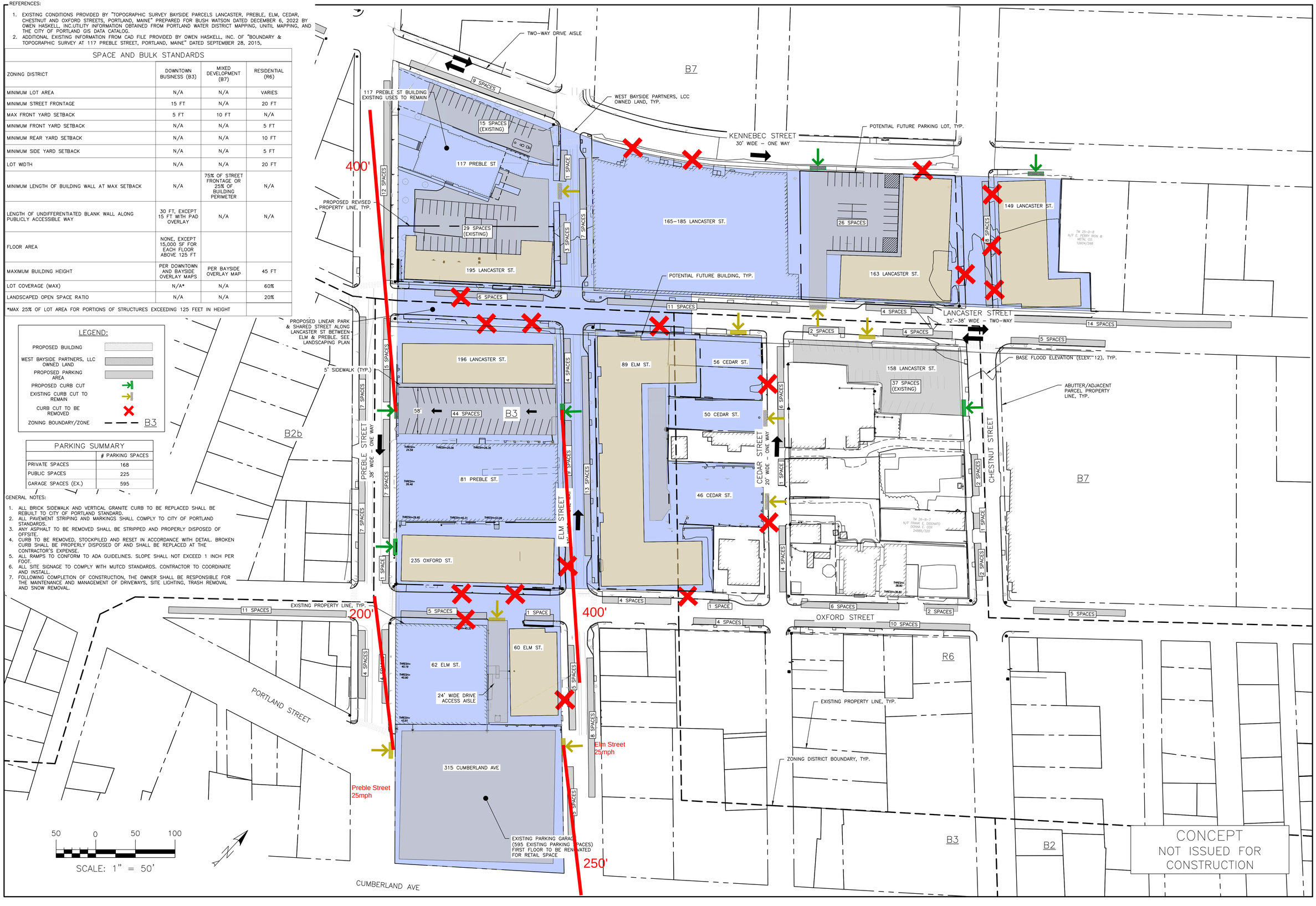
- PROPOSED BUILDING
- WEST BAYSIDE PARTNERS, LLC OWNED LAND
- PROPOSED PARKING AREA
- PROPOSED CURB CUT
- EXISTING CURB CUT TO REMAIN
- CURB CUT TO BE REMOVED
- ZONING BOUNDARY/ZONE — B3

PARKING SUMMARY

	# PARKING SPACES
PRIVATE SPACES	168
PUBLIC SPACES	225
GARAGE SPACES (EX.)	595

GENERAL NOTES:

1. ALL BRICK SIDEWALK AND VERTICAL GRANITE CURB TO BE REPLACED SHALL BE REBUILT TO CITY OF PORTLAND STANDARD.
2. ALL PAVEMENT STRIPING AND MARKINGS SHALL COMPLY TO CITY OF PORTLAND STANDARDS.
3. ANY ASPHALT TO BE REMOVED SHALL BE STRIPPED AND PROPERLY DISPOSED OF OFFSITE.
4. CURB TO BE REMOVED, STOCKPILED AND RESET IN ACCORDANCE WITH DETAIL. BROKEN CURB SHALL BE PROPERLY DISPOSED OF AND SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE.
5. ALL RAMPS TO CONFORM TO ADA GUIDELINES. SLOPE SHALL NOT EXCEED 1 INCH PER FOOT.
6. ALL SITE SIGNAGE TO COMPLY WITH MUTCD STANDARDS. CONTRACTOR TO COORDINATE AND INSTALL.
7. FOLLOWING COMPLETION OF CONSTRUCTION, THE OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND MANAGEMENT OF DRIVEWAYS, SITE LIGHTING, TRASH REMOVAL AND SNOW REMOVAL.



ISSUED FOR

	BY	DATE
MASTER DEVELOPMENT PLAN	WHS	12/23/22
TMP	WHS	2/2/23

DRAWING NAME: MASTER SITE PLAN

PROJECT NAME: WEST BAYSIDE MASTER DEVELOPMENT PLAN

CLIENT: WEST BAYSIDE PARTNERS, LLC
188 STATE STREET, 3RD FLOOR, PORTLAND, ME 04101

ACORN ENGINEERING, INC.
PO BOX 3427 PORTLAND, ME 04104
(207) 775-2655

ALL PLANS SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. AND SHALL BE RETURNED UPON REQUEST. ALL RE-USE OF THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

FILE:	1093.13_CIVIL
JN:	1093.13
SCALE:	AS NOTED
DESIGNED BY:	SJL
DRAWN BY:	ZMS
CHECKED BY:	WHS

STATE OF MAINE
WILLIAM H. SAVAGE
11419
2/2/2023
LICENSED PROFESSIONAL ENGINEER

DRAWING NO.
C-10

4

Section 4: Title, Right, or Interest

4.A Evidence of Title, Right, or Interest

The proposed development is located on properties owned by the Applicant and identified as the following:

- 60 Elm Street – 033 M012001
- 89 Elm Street – 033 H018, H005, H006, H007
- 196 Lancaster Street – 033 G003, G006
- 315 Cumberland Avenue (Garage) – 033 M004001

Attached are copies of the deeds associated with the property.

Attachment 4

Deeds

Evidence of Right, Title and Interest

See attached deeds showing ownership for the proposed development parcels.

MAINE REAL ESTATE TAX PAID

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE II, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **73 ELM STREET LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Bayside II, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

BAYSIDE II, LLC

By_____
Thomas A. Toye, III
Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside II, LLC.

_____
Attorney at Law/Notary Public

_____
Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

Doc#: 51977 Bk:39779 Pg: 235

Received
Recorded Register of Deeds
Oct 13,2022 02:29:58P
Cumberland County
Jessica M. Spaulding

EXHIBIT A
(Legal Description, Parcel to 73 Elm Street LLC)

A CERTAIN LOT OR PARCEL OF LAND WITH THE IMPROVEMENTS THEREON SITUATED ON THE NORTHEASTERLY SIDELINE OF ELM STREET AND THE NORTHWESTERLY SIDE OF OXFORD STREET IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE OF MAINE AS SHOWN PLAN TITLED "LAND DIVISION PLAN BAYSIDE II, LLC" MADE FOR RECORD OWNER BAYSIDE II, LLC BY OWEN HASKELL, INC. DATED SEPTEMBER 14, 2022, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHWESTERLY SIDELINE OF OXFORD STREET AND THE NORTHEASTERLY SIDELINE OF ELM STREET;

THENCE, N 43° 45' 13" W ALONG SAID SIDELINE OF SAID ELM STREET 111.92 FEET; THENCE, THE FOLLOWING COURSES AND DISTANCES THROUGH THE LAND OF THE GRANTOR:

N 46° 08' 15" E A DISTANCE OF 90.10 FEET;

S 43° 54' 25" E A DISTANCE OF 31.26 FEET;

N 49° 53' 31" E A DISTANCE OF 55.81 FEET TO THE WESTERLY CORNER OF LAND NOW OR FORMERLY OF DAVID B. NOWLIN AS DESCRIBED IN DEED BOOK 25148, PAGE 336;

THENCE, S 42° 36' 35" E ALONG THE LAND OF SAID NOWLIN 83.34 FEET TO THE NORTHWESTERLY SIDELINE OF SAID OXFORD STREET;

THENCE, S 48° 38' 53" W ALONG THE SIDELINE OF OXFORD STREET 144.34 FEET TO THE POINT OF BEGINNING, CONTAINING 14,879 S.F. OR 0.34 ACRES. MORE OR LESS.

BEARINGS ARE REFERENCED TO CITY GRID.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING A PORTION OF THE LAND DESCRIBED AS PARCEL 2 CONVEYED TO BAYSIDE II, LLC BY QUITCLAIM DEED OF OCTOBER CORPORATION, DATED JANUARY 26, 2000 AND RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 15298, PAGE 144.

MAINE REAL ESTATE TAX PAID

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE II, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **89 ELM STREET LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Bayside II, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

BAYSIDE II, LLC

By _____
Thomas A. Toye, III
Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside II, LLC.

_____
Attorney at Law/Notary Public

_____
Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

EXHIBIT A
(Legal Description, Parcel 2)

A CERTAIN LOT OR PARCEL OF LAND, WITH THE IMPROVEMENTS THEREON SITUATED ON THE NORTHEASTERLY SIDELINE OF ELM STREET, THE SOUTHEASTERLY SIDELINE OF LANCASTER STREET EAST AND THE SOUTHWESTERLY SIDELINE OF CEDAR STREET AND IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE OF MAINE AS SHOWN ON A PLAN TITLED "LAND DIVISION PLAN BAYSIDE II, LLC" MADE FOR RECORD OWNER BAYSIDE II, LLC BY OWEN HASKELL, INC. DATED SEPTEMBER 14, 2022, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHEASTERLY SIDELINE OF LANCASTER STREET EAST AND THE NORTHEASTERLY SIDELINE OF ELM STREET;

THENCE, N 49° 39' 27" E ALONG SAID SIDELINE OF LANCASTER STREET EAST 210.57 FEET TO THE SOUTHWESTERLY SIDELINE OF CEDAR STREET;

THENCE, S 43° 29' 51" E ALONG SAID SIDELINE OF CEDAR STREET 40.00 FEET TO THE NORTHEASTERLY CORNER OF LAND NOW OR FORMERLY OF BAYSIDE IV, LLC AS DESCRIBED IN DEED BOOK 35293, PAGE 78;

THENCE, THE FOLLOWING COURSES AND DISTANCES ALONG SAID BAYSIDE IV, LLC LAND:

S 49° 39' 26" W A DISTANCE OF 117.00 FEET;

S 42° 13' 00" E A DISTANCE OF 39.96 FEET;

N 49° 39' 26" E A DISTANCE OF 117.89 FEET TO THE SOUTHWESTERLY SIDELINE OF SAID CEDAR STREET;

THENCE, S 43° 29' 51" E ALONG THE SIDELINE OF CEDAR STREET 39.34 FEET TO THE NORTHERLY CORNER OF LAND NOW OR FORMERLY OF AMELIA A. LABRECK AS DESCRIBED IN DEED BOOK 37970, PAGE 11;

THENCE, BY THE FOLLOWING COURSES AND DISTANCES ALONG SAID LABRECK LAND:

S 48° 42' 12" W A DISTANCE OF 118.73 FEET;
S 42° 13' 00" E A DISTANCE OF 40.00 FEET;

N 48° 41' 30" E A DISTANCE OF 119.62 FEET TO THE SIDELINE OF SAID CEDAR STREET;

THENCE, S 43° 29' 51" E ALONG THE SIDELINE OF CEDAR STREET 80.62 FEET TO THE NORTHERLY CORNER OF LAND NOW OR FORMERLY OF DAVID B. NOWLIN AS DESCRIBED IN DEED BOOK 25148, PAGE 336;

THENCE, S 48° 41' 30" W ALONG SAID NOWLIN LAND 63.30 FEET;

THENCE, THE FOLLOWING COURSES AND DISTANCES THROUGH THE LAND OF THE GRANTOR:

S 49°53'31" W A DISTANCE OF 55.81 FEET;

N 43°54'25" W A DISTANCE OF 31.26 FEET;

S 46°08'15" W A DISTANCE OF 90.10 FEET TO THE NORTHEASTERLY SIDELINE OF SAID ELM STREET;

THENCE, N 43°45'13" W ALONG THE SIDELINE OF ELM STREET 215.15 FEET TO THE POINT OF BEGINNING, CONTAINING 38,462 S.F. OR 0.88 ACRES, MORE OR LESS.

BEARINGS ARE REFERENCED TO CITY GRID.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING A PORTION OF THE LAND DESCRIBED AS PARCEL 2 CONVEYED TO BAYSIDE II, LLC BY QUITCLAIM DEED OF OCTOBER CORPORATION, DATED JANUARY 26, 2000 AND RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 15298, PAGE 144.

Received
Recorded Register of Deeds
Oct 13,2022 02:30:55P
Cumberland County
Jessica M. Spaulding

MAINE REAL ESTATE TAX PAID

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE III, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **197 OXFORD STREET LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Bayside III, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

BAYSIDE III, LLC

By _____
Thomas A. Toye, III
Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside III, LLC.

_____
Attorney at Law/Notary Public

_____
Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

EXHIBIT A
(Legal Description, Parcel 1)

A CERTAIN PARCEL OF LAND, TOGETHER WITH THE IMPROVEMENTS THEREON, SITUATED ON THE NORTHWESTERLY SIDE OF OXFORD STREET IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, STATE OF MAINE, AND SHOWN AS PARCEL 1 ON ALTA/ACSM LAND TITLE SURVEY ON CEDAR STREET, CHESTNUT STREET, ELM STREET AND OXFORD STREET, PORTLAND, MAINE FOR BAYSIDE III, LLC BY OWEN HASKELL, INC., DATED JANUARY 24, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY Of DEEDS IN PLAN BOOK 200, PAGE 42 (THE "PLAN'), BOUNDED AND DESCRIBED AS FOLLOWS:

THENCE S 48° 37' 47" W ALONG THE SIDELINE OF OXFORD STREET 167.19 FEET;

THENCE N 43° 29' 51" W 67.00 FEET;

THENCE N 48° 37' 47" E 35.54 FEET;

THENCE N 00° 14' 40" E 2.72 FEET;

THENCE N 52° 33' 00" E 18.73 FEET;

THENCE N 41° 16' 13" W 3.10 FEET;

THENCE N 49° 06' 44" E 109.65 FEET TO THE SOUTHWESTERLY SIDELINE OF CHESTNUT STREET;

THENCE S 44° 38' 26" E 70.00 FEET TO THE POINT OF BEGINNING.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING A PORTION OF THE PREMISES CONVEYED TO BAYSIDE III, LLC BY QUITCLAIM DEED FROM OCTOBER CORPORATION, DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 193.

Received
Recorded Register of Deeds
Oct 13,2022 02:32:29P
Cumberland County
Jessica M. Spaulding

MAINE REAL ESTATE TAX PAID

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE IV, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **89 ELM STREET LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Bayside IV, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

BAYSIDE IV, LLC

By _____
Thomas A. Toye, III
Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside IV, LLC.

_____
Attorney at Law/Notary Public

_____
Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

EXHIBIT A
(Legal Description, Parcel 5- 50 Cedar Street)

A CERTAIN LOT OR PARCEL OF LAND WITH ALL THE BUILDINGS THEREON, SITUATED ON THE SOUTHWESTERLY SIDE OF CEDAR STREET, IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE OF MAINE, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A STAKE ON THE LINE OF SAID STREET DISTANT TWO HUNDRED FORTY-FOUR AND FOUR TENTHS (244.4) FEET NORTHWESTERLY FROM OXFORD STREET AT THE NORTHERLY CORNER OF LAND SOLD BY THE ADMINISTRATOR OF WILLIAM WEBB'S ESTATE TO JOSIAH M. HASKELL AND RUNNING THENCE NORTHWESTERLY BY SAID CEDAR STREET FORTY (40) FEET TO A STAKE;

THENCE SOUTHWESTERLY ON A LINE PARALLEL WITH THE NORTHWESTERLY SIDE OF SAID HASKELL'S LAND ONE HUNDRED SEVENTEEN (117) FEET, MORE OR LESS, TO THE SOUTHWESTERLY SIDELINE OF LAND OF WHICH THE SAID WEBB DIED SEIZED;

THENCE SOUTHEASTERLY BY SAID SOUTHWESTERLY SIDELINE OF SAID WEBB'S LAND TO MOST WESTERLY CORNER OF SAID HASKELL'S LOT;

THENCE NORTHEASTERLY BY SAID HASKELL'S LAND ONE HUNDRED SEVENTEEN (117) FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

BEING THE SAME PREMISES CONVEYED BY DEED DATED NOVEMBER 16, 2018 FROM 50 CEDAR STREET, LLC, TO BAYSIDE IV, LLC, AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 35293, PAGE 77, AND BY DEED RECORDED IN SAID REGISTRY AT BOOK 35293, PAGE 78.

Received
Recorded Register of Deeds
Oct 13,2022 02:35:36P
Cumberland County
Jessica M. Spaulding

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE IV, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **149 LANCASTER STREET LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

MAINE REAL ESTATE TAX PAID

IN WITNESS WHEREOF, the said Bayside IV, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 13th day of October, 2022.

WITNESS:

BAYSIDE IV, LLC

By _____
Thomas A. Toye, III
Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside IV, LLC.

_____
Attorney at Law/Notary Public

_____
Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

EXHIBIT A
(Legal Description, Parcel 1)

A CERTAIN LOT OR PARCEL OF LAND, TOGETHER WITH THE IMPROVEMENTS THEREON, SITUATED ON THE NORTHWESTERLY SIDE OF LANCASTER STREET AND THE NORTHEASTERLY SIDE OF CHESTNUT STREET, IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, AND STATE OF MAINE, AND SHOWN AS PARCEL 1 ON ALTA/ACSM LAND TITLE SURVEY ON CEDAR STREET, LANCASTER STREET EAST, CHESTNUT STREET AND OXFORD STREET, PORTLAND, MAINE FOR BAYSIDE IV, LLC BY OWEN HASKELL, INC., DATED JANUARY 24, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 200, PAGE 43 (THE PLAN), BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHEASTERLY SIDE OF SAID CHESTNUT STREET AND THE NORTHWESTERLY SIDE OF LANCASTER STREET;

THENCE BY THE NORTHEASTERLY SIDE OF CHESTNUT STREET N 44° 38' 26" W, A DISTANCE OF 165.33 FEET, TO THE SOUTHEASTERLY SIDE OF KENNEBEC STREET;

THENCE BY THE SOUTHEASTERLY SIDE OF SAID KENNEBEC STREET N 49° 02' 07' E, A DISTANCE OF 84.95 FEET, TO THE NORTHWESTERLY CORNER OF LAND CONVEYED TO E. PERRY IRON AND METAL CO. AS DESCRIBED IN THE DEED RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 12604 PAGE 268;

THENCE BY LAND NOW OR FORMERLY OF SAID E. PERRY IRON AND METAL CO. ON THE FOLLOWING COURSES:

S 40° 57' 53" E, A DISTANCE OF 117.11 FEET;
N 49° 02' 47" E, A DISTANCE OF 40.11 FEET;
S 43° 43' 01" E, A DISTANCE OF 47.93 FEET, TO THE NORTHWESTERLY SIDE OF SAID LANCASTER STREET;

THENCE BY THE NORTHWESTERLY SIDE OF SAID LANCASTER STREET S 49° 02' 07" W, A DISTANCE OF 116.76 FEET TO THE POINT OF BEGINNING.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING THE LAND DESCRIBED AS PARCEL 1 IN DEED FROM OCTOBER CORPORATION TO BAYSIDE IV, LLC DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 242.

Received
Recorded Register of Deeds
Oct 13,2022 02:34:34P
Cumberland County
Jessica M. Spaulding

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE IV, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **197 OXFORD STREET LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

MAINE REAL ESTATE TAX PAID

IN WITNESS WHEREOF, the said Bayside IV, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

BAYSIDE IV, LLC

By_____
Thomas A. Toye, III
Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside IV, LLC.

_____
Attorney at Law/Notary Public

_____
Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

EXHIBIT A
(Legal Description, Parcel 4)

A CERTAIN PARCEL OF LAND, TOGETHER WITH THE IMPROVEMENTS THEREON, SITUATED ON THE NORTHWESTERLY SIDE OF OXFORD STREET, AND THE NORTHEASTERLY SIDE OF CEDAR STREET IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND STATE OF MAINE AND SHOWN AS PARCEL 4 ON ALTA/ACSM LAND TITLE SURVEY ON CEDAR STREET, LANCASTER STREET EAST, CHESTNUT STREET AND OXFORD STREET, PORTLAND, MAINE FOR BAYSIDE IV, LLC BY OWEN HASKELL. INC., DATED JANUARY 24, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 200, PAGE 43 (THE PLAN), BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHWESTERLY SIDELINE OF OXFORD STREET AND THE NORTHEASTERLY SIDELINE OF CEDAR STREET;

THENCE N 43° 29' 51" W ALONG THE SIDELINE OF CEDAR STREET 64.50 FEET;
THENCE N 48° 37' 47" E 57.00 FEET;
THENCE S 43° 29' 51" E 64.50 FEET TO THE NORTHWESTERLY SIDELINE OF OXFORD STREET;
THENCE S 48° 37' 47" W ALONG SAID SIDELINE 57.00 FEET TO THE POINT OF BEGINNING.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING THE LAND DESCRIBED AS PARCEL 4 IN DEED FROM OCTOBER CORPORATION TO BAYSIDE IV, LLC DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 242.

EXHIBIT A
(Legal Description, Parcel 3)

A CERTAIN PARCEL OF LAND, TOGETHER WITH THE IMPROVEMENTS THEREON. SITUATED ON THE SOUTHWESTERLY SIDE OF CHESTNUT STREET AND THE SOUTHEASTERLY SIDE OF HALL'S COURT, SO CALLED, IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, STATE OF MAINE AND SHOWN AS PARCEL 3 ON ALTA/ACSM LAND TITLE SURVEY ON CEDAR STREET, LANCASTER STREET EAST, CHESTNUT STREET AND OXFORD STREET, PORTLAND, MAINE FOR BAYSIDE IV, LLC BY OWEN HASKELL, INC., DATED JANUARY 24, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 200, PAGE 43 (THE PLAN), BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHWESTERLY SIDELINE OF CHESTNUT STREET AND THE SOUTHEASTERLY SIDELINE OF HALL'S COURT;

THENCE S 44° 38' 26" E ALONG THE SIDELINE OF CHESTNUT STREET 78.04 FEET;
THENCE S 49° 06' 44" W 108.67 FEET;
THENCE S 43° 14' 05" E 39.95 FEET;
THENCE S 41°16' 13" E 3.10 FEET;
THENCE S 52° 33' 00" W 18.73 FEET;
THENCE S 00°14' 40" W 2.72 FEET;
THENCE S 48° 37' 47" W 35.54 FEET;
THENCE N 43° 29' 51" W 33.00 FEET;
THENCE S 48° 37' 47" W 57.00 FEET TO THE NORTHEASTERLY SIDELINE OF CEDAR STREET;
THENCE N 43° 29' 51" W ALONG SAID SIDELINE 23.00 FEET;
THENCE N 48°37' 47" E 113.42 FEET;
THENCE N 43° 14' 05' W 58.51 FEET TO THE SOUTHEASTERLY SIDELINE OF HALL'S COURT;
THENCE ALONG SAID SIDELINE THE FOLLOWING COURSES AND DISTANCES:
N 33° 50' 09" E 19.40 FEET;
N 42° 14' 19" E 19.88 FEET;
N 49° 19' 48" E 68.00 FEET TO THE POINT OF BEGINNING.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING THE LAND DESCRIBED AS PARCEL 3 IN DEED FROM OCTOBER CORPORATION TO BAYSIDE IV, LLC DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 242.

Received
Recorded Register of Deeds
Oct 13,2022 02:33:19P
Cumberland County
Jessica M. Spaulding

MAINE REAL ESTATE TAX PAID

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE I, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **60 ELM STREET LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Bayside I, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

BAYSIDE I, LLC

By_____
Thomas A. Toye, III
Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside I, LLC.

_____
Attorney at Law/Notary Public

_____
Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

EXHIBIT A
(Legal Description, 60 Elm Street)

A CERTAIN LOT OR PARCEL OF LAND SITUATED ON THE WESTERLY SIDE OF ELM STREET AND SOUTHERLY SIDE OF OXFORD STREET 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 ELM STREET AND SOUTHERLY SIDE OF OXFORD STREET, THENCE, S 43° 40' 43" E ALONG THE WESTERLY SIDELINE OF ELM STREET A DISTANCE OF 122.92 FEET TO LAND NOW OR FORMERLY OF NORTHEAST INVESTORS, LLC (aka NORTHEAST INVESTORS (MAINE), LLC) AS DESCRIBED IN DEED BOOK 32422, PAGE 197;

THENCE, S 47° 21' 26" W ALONG LAND OF SAID NORTHEAST INVESTORS, LLC A DISTANCE OF 93.70 FEET;

THENCE, N 43° 08' 59" W BY THE NORTHERLY FACE OF THE EXISTING BRICK BUILDING A DISTANCE OF 124.83 FEET TO THE SOUTHERLY SIDELINE OF SAID OXFORD STREET;

THENCE N 48° 33' 13" E ALONG THE SIDELINE OF OXFORD STREET A DISTANCE OF 92.61 FEET TO THE POINT OF BEGINNING, CONTAINING 11,535 S.F. OR 0.26 ACRES, MORE OR LESS.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING A PORTION OF THE LAND DESCRIBED AS PARCEL 1 IN DEED FROM OCTOBER CORPORATION TO BAYSIDE I, LLC DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 91.

Received
Recorded Register of Deeds
Oct 13,2022 02:25:54P
Cumberland County
Jessica M. Spaulding

Doc#: 51976 Bk:39779 Pg: 232

MAINE REAL ESTATE TAX PAID

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE I, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **196 LANCASTER STREET LLC** a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Bayside I, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

_____

BAYSIDE I, LLC

By _____

Thomas A. Toye, III

Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside I, LLC.

_____

Attorney at Law/~~Notary Public~~

_____

Printed Name Jason G. Howe, Esq.
Bar No. 0004860

Doc#: 51976 Bk:39779 Pg: 233

Received
Recorded Register of Deeds
Oct 13,2022 02:28:31P
Cumberland County
Jessica M. Spaulding

EXHIBIT A
(Legal Description, 196 Lancaster Street East)

A CERTAIN PARCEL OF LAND WITH THE BUILDINGS THEREON SITUATED ON SOUTHEASTERLY SIDE OF LANCASTER STREET EAST, THE SOUTHWESTERLY SIDE OF ELM STREET AND THE NORTHEASTERLY SIDE OF PREBLE STREET IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE Of MAINE AS SHOWN PLAN TITLED "LAND DIVISION PLAN BAYSIDE I, LLC' MADE FOR RECORD OWNER BAYSIDE I, LLC BY OWEN HASKELL, INC. DATED SEPTEMBER 14, 2022, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHEASTERLY SIDELINE OF PREBLE STREET AND THE SOUTHEASTERLY SIDELINE OF LANCASTER STREET EAST;

THENCE, N 49° 39' 27" E ALONG THE SIDELINE OF SAID LANCASTER STREET EAST 199.65 FEET TO THE SOUTHWESTERLY SIDELINE OF ELM STREET;

THENCE, S 43° 45' 13" E ALONG THE SIDELINE OF SAID ELM STREET 134.76 FEET;

THENCE, THE FOLLOWING COURSES AND DISTANCES THROUGH THE LAND OF THE GRANTOR:

S 47° 34' 12" W A DISTANCE OF 93.02 FEET;

S 44° 45' 38" E A DISTANCE OF 7.27 FEET;

S 47° 31' 17" W A DISTANCE OF 109.53 FEET TO THE NORTHEASTERLY SIDELINE Of SAID PREBLE STREET;

THENCE, N 42° 34' 18" W ALONG THE SIDELINE OF PREBLE STREET 149.36 FEET TO THE POINT OF BEGINNING, CONTAINING 28,591 S.F. OR 0.66 ACRES, MORE OR LESS.

BEARINGS ARE REFERENCED TO CITY GRID.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING A PORTION OF THE LAND DESCRIBED AS PARCEL 2 IN DEED FROM OCTOBER CORPORATION TO BAYSIDE I, LLC DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 91.

MAINE REAL ESTATE TAX PAID

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE I, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **WBP COMMERCIAL LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101,with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Bayside I, LLC has caused this instrument to be executed by Thomas A Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

_____

BAYSIDE I, LLC

By _____

Thomas A. Toye, III

Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside I, LLC.

_____

Attorney at Law/Notary Public

_____

Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

EXHIBIT A
(Legal Description, 190 Lancaster Street East)

A CERTAIN PARCEL OF LAND WITH THE BUILDINGS THEREON SITUATED ON THE SOUTHWESTERLY SIDE OF ELM STREET, THE NORTHWESTERLY SIDE OF OXFORD STREET AND THE NORTHEASTERLY SIDE PREBLE STREET IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, STATE OF MAINE AS SHOWN PLAN TITLED "LAND DIVISION PLAN BAYSIDE I, LLC" MADE FOR RECORD OWNER BAYSIDE I, LLC BY OWEN HASKELL, INC. DATED SEPTEMBER 14, 2022, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHEASTERLY SIDELINE OF PREBLE STREET AND THE NORTHWESTERLY SIDELINE OF OXFORD STREET;

THENCE, N 42°34'18" W ALONG THE SIDELINE OF SAID PREBLE STREET 182.30 FEET;

THENCE THE FOLLOWING COURSES AND DISTANCES THROUGH THE LAND OF THE GRANTOR:

N 47° 31' 17" E A DISTANCE OF 109.53 FEET;

N 44° 45' 38" W A DISTANCE OF 7.27 FEET;

N 47° 34' 12" E A DISTANCE OF 93.02 FEET TO THE SOUTHWESTERLY SIDELINE OF ELM STREET;

THENCE, S 43° 45' 13" E ALONG THE SIDELINE OF SAID ELM STREET 193.26 FEET TO THE NORTHWESTERLY SIDELINE OF SAID OXFORD STREET;

THENCE, S 48° 33' 13" W ALONG THE SIDELINE OF OXFORD STREET 206.30 FEET TO THE POINT OF BEGINNING. CONTAINING 38,301 S.F. OR 0.88 ACRES, MORE OR LESS.

BEARINGS ARE REFERENCED TO CITY GRID.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING A PORTION OF THE LAND DESCRIBED AS PARCEL 2 IN DEED FROM OCTOBER CORPORATION TO BAYSIDE I, LLC DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 91.

EXHIBIT A
(Legal Description 62 Elm Street)

A CERTAIN LOT OR PARCEL OF LAND, WITH THE BUILDINGS THEREON, SITUATED ON THE EASTERLY SIDE OF PREBLE STREET AND SOUTHERLY SIDE OF OXFORD STREET IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, AND STATE OF MAINE, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERLY SIDE OF PREBLE STREET AND SOUTHERLY SIDE OF OXFORD STREET, THENCE N 48° 33' 13" E ALONG THE SOUTHERLY SIDE OF OXFORD STREET A DISTANCE OF 114.66 FEET;

THENCE, S 43° 08' 59" E BY THE NORTHERLY FACE OF THE EXISTING BRICK BUILDING A DISTANCE OF 124.83 FEET TO LAND NOW OR FORMERLY OF NORTHERN INVESTORS LLC AS DESCRIBED IN DEED BOOK 32422, PAGE 197;

THENCE, S 47° 21' 26" W ALONG LAND OF SAID NORTHERN INVESTORS LLC AND BY THE FACE OF THE SAID BRICK BUILDING A DISTANCE OF 115.91 FEET TO THE EASTERLY SIDELINE OF SAID PREBLE STREET;

THENCE, N 42° 34' 00" W ALONG THE SIDELINE OF PREBLE STREET A DISTANCE OF 127.22 FEET TO THE POINT OF BEGINNING, CONTAINING 14,526 S.F. OR 0.33 ACRES, MORE OR LESS.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING A PORTION OF THE LAND DESCRIBED AS PARCEL 1 IN DEED FROM OCTOBER CORPORATION TO BAYSIDE I, LLC DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 91.

Received
Recorded Register of Deeds
Oct 13,2022 02:23:43P
Cumberland County
Jessica M. Spaulding

MAINE REAL ESTATE TAX PAID

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE II, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **WBP COMMERCIAL LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Bayside II, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

BAYSIDE II, LLC

By _____
Thomas A. Toye, III
Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside II, LLC.

_____
Attorney at Law/Notary Public

_____
Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

EXHIBIT A
(Legal Description, Parcel 1)

A CERTAIN LOT OR PARCEL OF LAND, WITH THE IMPROVEMENTS THEREON, SITUATED IN THE BLOCK BOUNDED BY ELM, KENNEBEC, CHESTNUT AND LANCASTER STREETS, IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE OF MAINE AND SHOWN AS PARCEL 1 ON ALTA/ACSM LAND TITLE SURVEY ON KENNEBEC STREET, LANCASTER STREET EAST, ELM STREET, CEDAR STREET AND OXFORD STREET, PORTLAND, MAINE MADE FOR BAYSIDE II, LLC BY OWEN HASKELL, INC., DATED JANUARY 24, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 200, PAGE 41 (THE PLAN), BEING BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION MARKING THE NORTHWESTERLY SIDE OF LANCASTER STREET AND THE NORTHEASTERLY SIDE OF ELM STREET;

THENCE, BY THE NORTHEASTERLY SIDE OF ELM STREET N 43° 46' 33" W, A DISTANCE OF 158.86' TO AN ANGLE IN SAID STREET;

THENCE, N 40° 53' 33" W, A DISTANCE OF 31.49' TO THE SOUTHEASTERLY SIDE OF KENNEBEC STREET, MARKING A NON-TANGENT POINT ON A CURVE, IN SAID STREET;

THENCE, NORTHEASTERLY BY THE SOUTHEASTERLY SIDE OF SAID KENNEBEC STREET AND BY A CURVE TO THE LEFT WHOSE RADIUS IS 695.00', AN ARC DISTANCE OF 210.01', TO A POINT OF TANGENCY;

THENCE CONTINUING BY SAID KENNEBEC STREET N 48° 56' 54' E, A DISTANCE OF 251.30', TO THE SOUTHWESTERLY SIDE OF SAID CHESTNUT STREET;

THENCE BY THE SOUTHWESTERLY SIDE OF SAID CHESTNUT STREET S 44° 38' 26" E, A DISTANCE OF 164.71' TO THE NORTHWESTERLY SIDE OF SAID LANCASTER STREET;

THENCE BY THE NORTHWESTERLY SIDE OF SAID LANCASTER STREET S 49° 39' 27" W, A DISTANCE OF 461.02', TO THE POINT OF BEGINNING.

THE PROPERTY IS SUBJECT TO A NOTICE OF ABANDONED UNDERGROUND OIL STORAGE FACIUTY OR TANK NOTICE, DATED APRIL 6, 2011 AND RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 28629, PAGE 238.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING THE SAME LAND DESCRIBED AS PARCEL 1 CONVEYED TO BAYSIDE II, LLC BY QUITCLAIM

DEED OF OCTOBER CORPORATION, DATED JANUARY 26, 2000 AND RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 15298, PAGE 144.

EXHIBIT A
(Legal Description, Parcel 3)

A CERTAIN PARCEL OF LAND, WITH THE OF IMPROVEMENTS THEREON SITUATED ON THE SOUTHEASTERLY SIDE OF LANCASTER STREET, IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, STATE OF MAINE AND SHOWN AS PARCEL 3 ON ALTA/ACSM LAND TITLE SURVEY ON KENNEBEC STREET, LANCASTER STREET EAST, ELM STREET, CEDAR STREET AND OXFORD STREET, PORTLAND, MAINE MADE FOR BAYSIDE II, LLC BY OWEN HASKELL, INC., DATED JANUARY 24, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 200, PAGE 41 (THE PLAN), BEING BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHEASTERLY SIDELINE OF LANCASTER STREET AND THE SOUTHWESTERLY SIDELINE OF CHESTNUT STREET;

THENCE S 44° 38' 26" E ALONG THE SIDELINE OF CHESTNUT STREET 88.08 FEET;
THENCE S 49° 39' 27" W 107.40;
THENCE N 45° 57' 49" W 3.67 FEET;
THENCE S 31° 29' 21" W 4.67 FEET;
THENCE N 43° 29' 51" W 23.77 FEET;
THENCE S 49° 39' 27" W 35.69 FEET;
THENCE N 43° 29' 51" W 28.00 FEET;
THENCE S 49° 39' 27" W 72.00 FEET TO THE NORTHEASTERLY SIDELINE OF CEDAR STREET;
THENCE N 43° 29' 51" W ALONG SAID SIDELINE 34.00 FEET TO THE SOUTHEASTERLY SIDELINE OF LANCASTER STREET;
THENCE N 49° 39' 27" E ALONG SAID SIDELINE 218.00 FEET TO THE POINT OF BEGINNING.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING THE SAME LAND DESCRIBED AS PARCEL 3 CONVEYED TO BAYSIDE II, LLC BY QUITCLAIM DEED OF OCTOBER CORPORATION, DATED JANUARY 26, 2000 AND RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 15298, PAGE 144.

Received
Recorded Register of Deeds
Oct 13,2022 02:22:36P
Cumberland County
Jessica M. Spaulding

MAINE REAL ESTATE TAX PAID

DLN:_____

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS THAT **BAYSIDE IV, LLC,** a Maine limited liability with a principal place of business in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **WBP COMMERCIAL LLC**, a Maine limited liability company with an address of 82 Hanover Street, Portland, Maine 04101, with **QUITCLAIM COVENANT**, the land, together with any buildings and improvements thereon, in Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Bayside IV, LLC has caused this instrument to be executed by Thomas A. Toye, III, its Sole Member thereunto duly authorized as of this 12th day of October, 2022.

WITNESS:

BAYSIDE IV, LLC

By _____
Thomas A. Toye, III
Its: Sole Member

STATE OF MAINE
COUNTY OF CUMBERLAND

October 12, 2022

Then personally appeared the above named Thomas A. Toye, III, Sole Member 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 Bayside IV, LLC.

_____
Attorney at Law/Notary Public

_____
Printed Name

Jason G. Howe, Esq.
Bar No. 0004860

EXHIBIT A
(Legal Description, Parcel 2)

A CERTAIN PARCEL OF LAND, TOGETHER WITH THE IMPROVEMENTS THEREON, SITUATED ON THE SOUTHWESTERLY SIDE OF CHESTNUT STREET AND THE NORTHWESTERLY SIDE OF HALL'S COURT, SO CALLED, IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, STATE OF MAINE AND SHOWN AS PARCEL 2 ON ALTA/ACSM LAND TITLE SURVEY ON CEDAR STREET, LANCASTER STREET EAST, CHESTNUT STREET AND OXFORD STREET, PORTLAND, MAINE FOR BAYSIDE IV, LLC BY OWEN HASKELL, INC., DATED JANUARY 24, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 200, PAGE 43 (THE PLAN), BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHWESTERLY SIDELINE OF CHESTNUT STREET AND THE NORTHWESTERLY SIDELINE OF HALL'S COURT;

THENCE S 49° 19' 48" W ALONG THE SIDELINE OF HALL'S COURT 112.65 FEET;

THENCE N 43° 29' 51" W 31.09 FEET;

THENCE N 49° 39' 27" E 112.08 FEET TO THE SOUTHWESTERLY SIDELINE OF CHESTNUT STREET;

THENCE S 44° 38' 26" E 30.48 FEET TO THE POINT OF BEGINNING.

MEANING AND INTENDING TO CONVEY AND HEREBY CONVEYING THE LAND DESCRIBED AS PARCEL 2 IN DEED FROM OCTOBER CORPORATION TO BAYSIDE IV, LLC DATED JANUARY 26, 2000 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 15298, PAGE 242.

Received
Recorded Register of Deeds
Oct 13,2022 02:21:12P
Cumberland County
Jessica M. Spaulding

5

Section 5: Public or Private Right-of-Way

5.A Public or Private Rights–of–Way

The site is proposed to be accessed as described in Section 3. No additional public or private rights of way are proposed.

6

Section 6: Schedule

6.A Schedule

Phases 1 and 2 are anticipated to be constructed by 2025. The proposed uses are anticipated to be fully occupied in 2026.

Memorandum

To: Tom Errico, PE

Date: May 19, 2023

Project #: 55678.00

From: Jennifer Conley, PE, PTOE
Mike Cristiani

Re: West Bayside Redevelopment
TIS Technical Memo

Introduction

Vanasse Hangen Brustlin, Inc. (VHB) has prepared this supplemental information as part of the approval process for the West Bayside Development project (Phase 1 & 2), as it relates to the study area and methodologies used in the forthcoming traffic impact study. The following summarizes a reined trip generation, internal capture / mode share, volume adjustments, trip distribution and assignment, and study area.

Trip Generation

As presented in the scoping meeting, trip generation estimates for the Project are based on the Institute of Transportation Engineers (ITE) publication, Trip Generation, 11th Edition with the exception of the coffee shop during the AM peak hour. Because VHB counted trips to and from the coffee shop on Cumberland Avenue to review the mode share, VHB also had total trip generation for that facility and used that data to develop a trip rate for the proposed coffee shop in the West Bayside Development. The sources used are outlined in Table 1.

Table 1 Project Program & ITE Land Use Codes

Land Use	Size	Land Use Code	
Multi-family housing	215 units	221	Multifamily Housing (Mid-Rise)
Affordable housing	201 units	223	Affordable Housing
General retail	6,000 sf	822	Strip Retail Plaza (<40k)
Coffee shop	2,000 sf	936*	Coffee/Donut Shop without drive through window
Restaurant	6,000 sf	932	High-Turnover (Sit-Down)

Source: ITE Trip Generation 11th Edition
* AM peak hour is based on data collected at Coffee Me Up on Cumberland Avenue

Table 2 below summarizes the results of the Coffee Me Up count conducted on May 16, 2023, from 7:00 AM to 9:00 AM.

Table 2 Trip Generation Neighborhood Coffee Shop

Land Use	Entering Trips		Exiting Trips		Total Trips	
	Pedestrian Trips	Vehicle Trips	Pedestrian Trips	Vehicle Trips	Pedestrian Trips	Vehicle Trips
7:00 to 7:15 AM	4	5	3	4	7	9
7:15 to 7:30 AM	4	4	3	5	7	9
7:30 to 7:45 AM	6	8	6	7	12	15
7:45 to 8:00 AM	9	6	5	7	14	13
8:00 to 8:15 AM	1	5	4	5	5	10
8:15 to 8:30 AM	6	9	3	9	9	18
8:30 to 8:45 AM	4	3	2	2	6	5
8:45 to 9:00 AM	4	3	4	3	8	6
Peak Hour (7:30 – 8:30) Total	**22**	**28**	**18**	**28**	**40**	**56**

Source: Data collected at Coffee Me Up on Cumberland Avenue

The existing coffee shop generates slightly more vehicle trips than pedestrian trips during the AM peak hour. For the analysis, we have included the pedestrian and vehicular trips into our total trip count listed below.

The unadjusted ITE vehicle trip generation was calculated for the weekday AM and PM peak hours for the remainder of the land uses on site as presented in 3.

Table 3 Total Unadjusted Trips

Land Use	AM Peak Hour			PM Peak Hour		
	In	Out	Total	In	Out	Total
Multi-family housing	19	64	83	51	33	84
Affordable housing	29	72	101	54	38	92
General retail	12	8	21	27	27	54
Restaurant	31	26	57	33	21	54
Coffee shop*	50	46	96	33	32	65
Total	**141**	**216**	**358**	**198**	**151**	**349**

Source: ITE Trip Generation 11th Edition
*AM peak hour is based on trip rates determined at Coffee Me Up on Cumberland Avenue

Internal Capture

As outlined and agreed upon during the scoping meeting, internal trips were calculated using NCHRP 684 methodology.

Because this site is not contiguous, internal capture has been determined at the building level rather than site level. Credit is taken only for trips that would occur between uses in the same building. The internal capture results only increased by one trip due to modifications in the coffee shop trip generation. The internal and external trips are presented in Table 4 and Table 5.

Memorandum

Table 4 Internal Capture Adjustment – AM Peak Hour

	Total Trips			Internal Trips			
	Retail	Restaurant	Residential	Retail	Restaurant	Residential	Net External Trips
196 Lancaster							
Enter	--	71	12	--	8	1	74
Exit	--	63	39	--	1	8	93
89 Elm							
Enter	8	10	29	2	3	1	41
Exit	5	9	72	2	1	3	80
60 Elm							
Enter	4	--	8	0	--	0	12
Exit	3	--	25	0	--	0	28
TOTAL	**20**	**135**	**185**	**4**	**13**	**13**	**328**

Table 5 Internal Capture Adjustment – PM Peak Hour

	Total Trips			Internal Trips			
	Retail	Restaurant	Residential	Retail	Restaurant	Residential	Net External Trips
196 Lancaster							
Enter	--	55	31	--	4	5	77
Exit	--	47	20	--	5	4	58
89 Elm							
Enter	18	11	54	5	5	6	67
Exit	18	7	38	8	4	4	47
60 Elm							
Enter	9	--	20	1	--	2	26
Exit	9	--	13	2	--	1	19
TOTAL	**54**	**120**	**176**	**16**	**18**	**22**	**294**

Mode Share

Due to this project's central location, it is expected that a portion of site trips will be by alternative modes including walking, biking, and transit. VHB observed travel patterns at a nearby residential building (117 Lofts) on Preble Street just north of the proposed site location during both peak hours to capture mode splits in and out of the building. Table 6 and Table 7 below summarizes the data observed:

Table 6 AM Residential Building Mode Share

Land Use	Entering Trips		Exiting Trips		Total Trips	
	Pedestrian Trips	Vehicle Trips	Pedestrian Trips	Vehicle Trips	Pedestrian Trips	Vehicle Trips
7:00 to 7:15 AM	2	0	3	1	5	1
7:15 to 7:30 AM	0	2	0	2	0	4
7:30 to 7:45 AM	0	2	2	1	2	3
7:45 to 8:00 AM	1	0	1	0	2	0
8:00 to 8:15 AM	0	1	2	2	2	3
8:15 to 8:30 AM	0	1	0	1	0	2
8:30 to 8:45 AM	0	1	1	1	1	2
8:45 to 9:00 AM	0	1	3	0	3	1
Total	**3**	**8**	**12**	**8**	**15**	**16**

Source: AM peak hour is based on data collected at 117 Lofts on Preble Street

Table 7 PM Residential Building Mode Share

Land Use	Entering Trips		Exiting Trips		Total Trips	
	Pedestrian Trips	Vehicle Trips	Pedestrian Trips	Vehicle Trips	Pedestrian Trips	Vehicle Trips
4:00 to 4:15 PM	0	1	0	1	0	2
4:15 to 4:30 PM	0	0	0	1	0	1
4:30 to 4:45 PM	1	1	0	0	1	1
4:45 to 5:00 PM	1	2	1	0	2	2
5:00 to 5:15 PM	4	2	1	1	5	3
5:15 to 5:30 PM	0	0	1	1	1	1
5:30 to 5:45 PM	0	1	0	0	0	1
5:45 to 6:00 PM	1	1	1	0	2	1
Total	**7**	**8**	**4**	**4**	**11**	**12**

Source: PM peak hour is based on data collected at 117 Lofts on Preble Street

As seen in Tables 2, 6, and 7 above the average mode split observed between vehicles and pedestrians at local the residential building and coffee shop shows that there is a large portion or pedestrian trips entering and exiting as opposed to driving.

Table 8 shows a comparison of the Journey To Work mode shares to the locally observed mode shares:

Table 8 Mode Share Comparison

Mode of Transportation		Local Coffee Shop Mode Share	Local Residential Mode Share	ACS 2017-2021 Mode Share – Excluding "Worked from home"
Drove Alone	AM	**56%**	**52%**	**55%**
	PM	**N/A**	**53%**	
Other modes	AM	**44%**	**48%**	**45%**
	PM	**N/A**	**47%**	

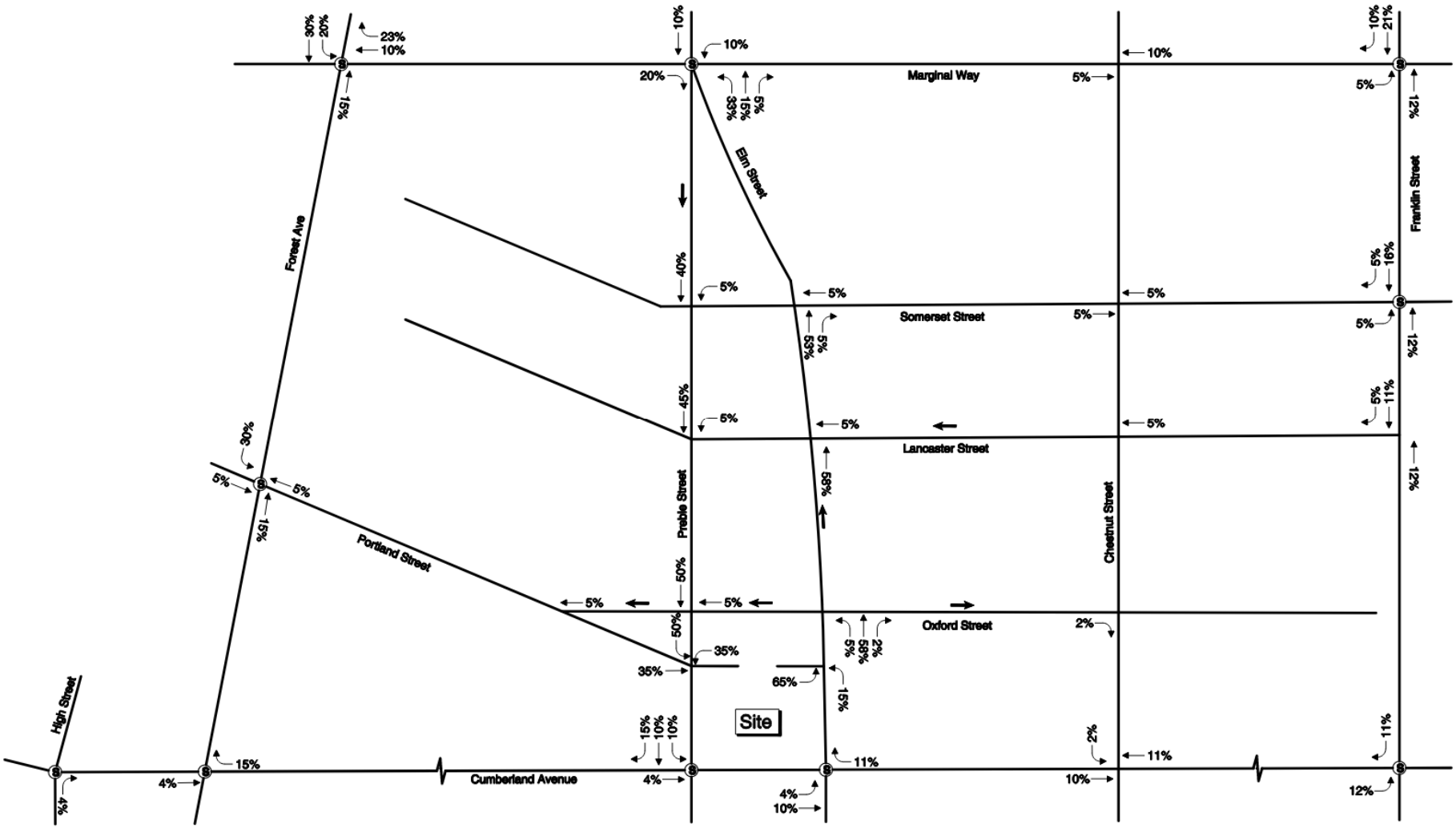
Source: US Census Bureau American Community Survey. Census Tract 6, Workers 16 yrs and over
Local data collected at Coffee Me Up and 117 Lofts in Portland Maine

As shown in Table 8 the vehicular mode share provided by the ACS data for this census tract is verified by the locally collected mode share data in this vicinity.

Trip Distribution

Based on discussions at the scoping meeting, the trip distribution in the immediate vicinity of the site was refined and can be seen in Figure 1 below. Specifically, trips were assigned to local roadway grid network to and from the site and some of the trips to and from I-295 north were oriented towards Franklin Street and Marginal Way at exit 7.:

Figure 1 – Trip Distribution



Study Area

The study area intersections for the project are based on criteria based on MaineDOT threshold requirements for inclusion. The outside parameters are as follows:

- Development entrances and exits
- First major intersection in either direction from the Development entrances and exits
- All intersections where, during any one-hour period, traffic attributable to the proposed Development equals or exceeds:
    - 25 left turn movements per lane; or
    - 50 through and or/right turn movements per lane

Once the distribution is agreed upon VHB will track the trips through the study area and include any required intersections to be studied.

Findings

The following represents any finding and conclusions to proceed with the Traffic Impact Study:

- The project is forecast to generate 358 AM peak hour trips and 349 PM peak hour trips (unadjusted)
- AM trip generation for the coffee shop is based on local data collected at Coffee Me Up on Cumberland Avenue in Portland Maine
- Because this site is not contiguous, internal capture has been determined at the building level rather than site level
- Based on the local data collected at a residential building as well as a coffee shop, the mode shares developed using ACS Journey to Work census data were confirmed to be accurate for these land uses in this area.
- Study area will be determined based on MaineDOT volume thresholds and assigned trips using the trip distribution shown in Figure 1

ACORN ENGINEERING, INC.

Dear Neighbor: February 10th, 2023

On behalf of West Bayside Partners, LLC and Port Property, we are pleased to invite you to a neighborhood meeting to discuss Port Property's 10-year Master Development Plan for the proposed redevelopment of the West Bayside area. A Master Development Plan is an optional planning tool that can be used to outline large, multi-phase projects in the early stages. The 10-year plan includes five phases of development that, taken together, include the construction of seven new buildings, 200+ affordable housing units, 600+ market-rate units, and 28,500 square feet of new commercial space. Along with this new construction, the plan also outlines the retention and renovation of existing commercial and institutional buildings, as well as the retrofitting of the Public Market parking garage with infill retail and amenity uses.

A key feature of the development plan is the prioritization of pedestrian networks and connectivity within the surrounding neighborhood. Port Property aims to optimize streetscapes for walkability with widened sidewalks, enhanced lighting, and additional landscaping.

Meeting Location: 190 Lancaster Street, Portland, ME 04101
Meeting Date/Time: Tuesday, February 21, 2023 at 5:30 p.m.

A sign-in sheet will be circulated and a record of the meeting will be taken. Both the sign-in sheet and record will be submitted to the Planning Board. If you have any questions, please call (207) 775-2655.

Note: Under the City of Portland land use code, an applicant for a major site plan, master development plan, subdivision of over five lots, or zoning map amendment is required to hold a neighborhood meeting within 30 days of an application being deemed complete and no less than seven calendar days before a public hearing. 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.

ACORN ENGINEERING, INC.

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

February 22, 2023

Subject: West Bayside Master Development Plan Neighborhood Meeting

I, Mike Triglione, hereby certify that a neighborhood meeting was held on February 21, 2023 at 190 Lancaster Street at 5:30 pm.

I also certify that on February 10, 2023, invitations were mailed to the following:

1. All addresses on the mailing list provided by the Planning Division which includes property owners within 500 feet of the proposed development.

2. Residents on the "interested parties" list.

Sincerely,

Mike Triglione, P.E.
Project Engineer
Acorn Engineering, Inc.

Included with this certification are:

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

West Bayside Master Development Plan Neighborhood Meeting
2/21/23 | 5:30 pm

Sign-in Sheet

Name	Email
Holly Picotte	hpicotte@gmail.com
Jenepher Cliffe	jeni.cliffe@gmail.com
Patrick-THERRIAULT	patrick@thernault@gmail.com
Sophie Hamblett	Sophie.c.hamblett@gmail.com
Jay York	jay@jayyork.biz
Kristin Ricciardone	kristin.ricciardone@opportunityalliance.org
Michelle Hansen	michelle.hansen@opportunityalliance.org
Jim Hall	MTJIMHALL@GMAIL.COM
Andrew Rosenstein	andrew718@mac.com
Heidi Souerwine	heidisouerwine@gmail.com

Sign-in Sheet

Name	Email
Carol Hutchins	hutchinscarol54@gmail.com
Jed Nitzberg	jednitzberg@gmail.com
PAT PINTO	always a boomer @ gmail.com
ANNETTE ELOWITCH	annette.elowitch@gmail.com
Alec Jaegerman	alecjaegerman@gmail.com
Deborah Fell	dffell@yahoo.com
Tex Haeuser	tex@haeuserplanning.com
Taylor Cray	tcray@pebblestreet.org
Homeless Voices for Justice	hvj@pebblestreet.org
Cheryl Harkins (HVJ, HaH4ALL, ~~Statewide~~ Homeless Council, MeCoC	cherylharkins5@gmail.com
Amy Geren	amy.m.geren@gmail.com
Scott McMullin + Shirley Navarro	mcmullin.scott@gmail.com sknavarro@gmail
DAVID NOWLIN	ARCHC3@GMAIL.COM
Christine Nickerson	ChrisLNick@gmail.com
SARAH MICHNIEWICZ	SARAHMICHNIEWICZ@MAC.COM

Sign-in Sheet

Name	Email
Madeleine Weatherhead	mweather@protonmail.com
Stacy Begin	sbegin@twofatcatsbakery.com
Christine Arsenault ☆	carsenault3@gmail.com
Ned Payne	NedPayne@gmail.com
Colette Bouchard	colette.bouchard@goodwillnne.org
Carrie Swarthout	carrie.swarthout@opportunityalliance.org
Sarah Hansen	shansen@portlandlandmarks.org
Alex Landry	alex@citymouse.us
Susan McCluskey	smccluskey@maine.rr.com

Sign-in Sheet

Name	Email
Peter Markoe	pjmarkoe@gmail.com
Sam Rhys	portlandgm@batsonriver.com
James King	jfk1757@gmail.com
Klayton Brewer	Klaytonbrewer@Gmail.com
Hilda Taylor	hilda@urbancatsitters.com
George Rheault	george.rheault@gmail.com
Jim Devine	JamesWDevine@yahoo.com
Avery Yale Kamila	avery.kamila@gmail.com
Bruce Daigle	bdaigle@smcme.edu

PC1

Heidi Souerwine <heidi.souerwine@gmail.com> Feb 8, 2023, 3:14:01 PM (17 hours ago)

to Zachary Powell, Anna Trevorrow, azarro@portlandmaine.gov, rrodriguez@portlandmaine.gov, vpelletier@portlandmaine.gov, Kate Snyder, Pious Ali, mdion@portlandmaine.gov, afournier@portlandmaine.gov, rphillips@portlandmaine.gov, sustainabilityoffice@portlandmaine.gov, planning@portlandmaine.gov

Dear Mr. Powell (& Council members),

I have recently dug into the site plan proposed for an upcoming project in (west) Bayside, where I live. Although I hope there will be real opportunities for citizen feedback that can influence this project's vision, I know from past projects that stage in the process often occurs too far down the line for substantive change or human-centered design. So, I'm sharing my feedback as soon as possible, with as many people as possible, and will continue to watch for other avenues to engage in the process. Although I try to be an engaged citizen, I am still unclear about the processes and order of actions overall that contribute to new developments in our city (and what elements City officials can influence), so I apologize in advance for any naivety.

I would like to respectfully raise a few questions and concerns for the pending 7 block, 13 parcel development project (Site Plan PL-002315-2022) for early consideration:

1) **Green space** - There is no green space built into this plan, which is necessary for all neighborhoods, and is part of what makes Portland such a wonderful home for us. Bayside has seen an incredible loss of trees in the last 5 years, and increasing tree canopy and green space in the neighborhood is crucial to this being a livable, healthy, whole neighborhood. The large swath of green space shown at the edge of the site plan is not part of the project, and is primarily abandoned dirt lots. How can we add green space to this project in a meaningful way to mitigate environmental impact, support healthy citizenry in the future, and ensure Bayside is a welcoming environment?

2) **Neighborhood Pride & Built Environment** - The plans for the built environment in Bayside should take into consideration the history of the neighborhood and downtown Portland as they do in the West End, Munjoy Hill, and other historic neighborhoods. West Bayside has historical significance - it is one of the only areas that didn't burn in Portland's many fires and it has long been a working class neighborhood supporting many of the businesses and industries that draw people to downtown Portland. Bayside also has significance to Portland today - it represents the struggle for the heart and future of this city. Replacing its character-filled brick buildings with more of the disconnected ugly boxes that have been popping up of late would be a huge misstep. The City and the process must insist that the built environment respect the visual identity of the neighborhood overall (not a couple new misstep buildings as a reference point) and respect the history of the neighborhood. It's been done successfully in other neighborhoods. The Parkside Cumberland Ave project is a **good** example of the way new construction developments can seamlessly fit with and even *enhance* a neighborhood (something Bayside's existing population should benefit from). The 178 Kennebec project, in contrast, is a **bad** example and 7 blocks of similarly built buildings would be the wrong direction.

3) **Complete neighborhoods & human centered design** - The footprint and scope of this project makes it crucially important that its vision be held tightly to the concept of complete neighborhoods. Will the traffic plan allow easy access to public transportation? Are there enough public spaces and retail space for services and practical things that neighborhoods need with 800 new residents (& the several hundred more that will be there shortly) when there are dead zones all around it? The couple restaurants & bars over at the Batson River/Wilson Co/etc development may be a **good** example of a built environmental but are not enough for community growth of its size, or likely affordable enough for 1/4 of the new residents. Will the sidewalks and street design be done holistically (unlike disparate development in Bayside done so far) - so it can really be a walkable neighborhood and reflect Portland's climate goals? Are there places for families & children to be in community together? Do the building heights work against (desperately needed) tree canopy efforts to ensure the area is healthy and breathable?

This is possibly the most significant development in Portland in decades. All of these things should be considerations for us to ensure Bayside residents - both old and new Mainers - have equitable access to the opportunities for growth, health, and long-term residency in Portland. Bayside is often forced to accept things that would never be accepted elsewhere. The greater community knows its residents are disadvantaged and often unempowered. I'm thrilled to see a quarter of the housing allocated for affordable housing, and I'm thrilled for so much needed housing inventory to be added to the market. But for future generations to thrive in Bayside as Portlanders do in other neighborhoods, this project needs to be thoughtfully considered, and we as a City can't be afraid to challenge the developers to improve their vision.

I look forward to engaging in the process further. I recognize how challenging a project of this scope is. And, as always, I remain grateful for all of your public service.

All the best,
Heidi Souerwine, (west) Bayside resident

Gerry Greenberg <gerrygreenberg2018@gmail.com> 9:20 AM (19 minutes ago)

to planningboard@portlandmaine.gov

I am writing to support the Bayside project on Chestnut and Elm. I have some concerns which the Planning Board could deal with.

1. The small area for green park space.

2. The lack of trees which improve the air and provide some recreational space.

3 Having one building for affordable housing. This would create a poor persons building and it would get stigmatized by both its residents and the community. Affordable housing should be integrated within the whole development

Thank you. Gerry Greenberg, Portland resident

PC3

Stephanie Towns <stephtowns@gmail.com> 11:21 AM (3 hours ago)

to planningboard@portlandmaine.gov

For the love of … NO. Please don't overdevelop Portland. This area can't handle traffic in this area of that many more people. Already that shit show that is the bm bean development is going to hit the environment and community hard. Already our infrastructure can't handle traffic and drainage. Please stop trying to grow this area. Greedy developers should move on!!!

Thomas Blackburn <teb@mainemechanics.org> Mar 9, 2023, 3:20:32 PM (17 hours ago)

to planningboard@portlandmaine.gov

My name is Thomas Blackburn and I have resided in Bayside on Hanover Street for over 20 years and have observed the transition of this neighborhood from the proposal of a new civic center on the land proposed for this development.

Frankly I am very concerned. Parking has become a huge issue in Portland, especially in Bayside. When the PB approved the development of the maintenance garage into 170 housing units this project contained parking for a single car per unit.

My concern for the proposed project is the fact that the parking garage at the corner of Elm and Cumberland may or may not accommodate the needs of the new tenants.However, where are the cars that now park on those surface lots park when this development is built? I would assume they will look for street parking.

Several years ago the city borrowed $10 million from HUD to build a large parking garage near Whole Foods. Why is that not being built? We have the money and in fact we are now paying it back. If this were built it would help. My understanding is that given that the city is seeking a more pedestrian and bike friendly environment some of that parking was intended for commuters.who would then use public transportation to get downtown. I think the approval of this project should be conditioned on the completion of this garage, Perhaps this developer could build it to expedite the process.

I am supportive of the more housing, certainly low income or affordable housing for our workforce. Another option to alleviate parking issues is to condition of the approval is having the developer build the first 2 floors for parking. And possibly include some space for retail .

I oppose the heights that are being mentioned 10 Stories? That is too much. However if a parking component were included I realize that with some space for retail and a couple of floors for parking that supports the need for upper stories

This city is losing the character and reputation which Portland has cultivated, with the parking hassles one now experiences even before this project is developed.

Thanks you T

--

Thomas Blackburn

Superintendent of Hall

Mechanics' Hall

PC5

Port Property proposal for Bayside neighborhood 0 views



Aaron Chase <cejsko@gmail.com> 9:07 AM (3 minutes ago)

to planningboard@portlandmaine.gov

I am concerned about Port Property's proposed development in the Bayside neighborhood. Specifically, I'm concerned that the project segregates all 200 units of housing for people making 60% of Portland's median income in a single building. I believe the widening income gap is one of the gravest threats to our country. One meager tool the City of Portland has to combat the ill-effects of that widening gap is the use of the Planning Board process to ensure that people on opposite sides of the gap maintain contact and common interests.

I am further concerned by the lack of small retail spaces, green spaces, and community spaces in Port Property's proposal.

I encourage the Planning Board to require revisions to Port Property's plans, including a requirement that housing for people making 60% of Portland's median income be more evenly distributed throughout the project's buildings.

Aaron Chase
Portland Maine

Zachary Powell <zpowell@portlandmaine.gov>

Fwd: 800 unit in Bayside

jmy <jmy@portlandmaine.gov> Fri, Mar 10, 2023 at 12:38 PM
To: Zachary Powell <zpowell@portlandmaine.gov>

---------- Forwarded message ---------
From: Robert Kahn <rhkahnme@gmail.com>
Date: Friday, March 10, 2023 at 11:42:35 AM UTC-5
Subject: 800 unit in Bayside
To: planningboard@portlandmaine.gov <planningboard@portlandmaine.gov>

Planning Board Members - The impact of 800 units on several city blocks in Bayside requires careful, thoughtful and long range planning. This project should not move forward until a serious long range impact analysis has been thoroughly studied and resolved.

Planning Board history has included a rush to approve large projects, breaking city zoning ordinances to satisfy developers, ignoring traffic impacts and lack of overall concern for quality of life in established neighborhoods.

Also a historical problem has been developers bamboozling our city by promising commitments and then breaking those commitments after ground is broken. This has been willful and often behind the backs of city leaders.

Please accept my comments as public record and move on to the City Council, if necessary. Thank you - Robert Kahn, Portland resident

PC7

John Leddy <ledj16@gmail.com> 2:17 PM (13 minutes ago)

to planningboard@portlandmaine.gov

Re: 800-unit Bayside development - I read with interest in the PPH(Thurs. 03/09)**Maine Voices** about future housing plans of Port Property. I could hardly believe my eyes when I read the “low-income units will be segregated into a single build”. Have we not learned this lesson yet ? Segregation is segregation ! Whether it is by skin color or the amount of money a family earns. …and if you think about this arrangement, it is NOT the low-income folks that lose out,”the poor you always have with you”, but rather the folks who will live in the other buildings.

John Leddy

Zachary Powell <zpowell@portlandmaine.gov>

Comments on Master Development Plan 196 Lancaster Street

Laura S. Underkuffler <lu27@cornell.edu> Sun, Mar 12, 2023 at 7:14 PM
To: "planningboard@portlandmaine.gov" <planningboard@portlandmaine.gov>
Cc: Zachary Powell <zpowell@portlandmaine.gov>

Dear Planning Board Members,

Port Properties has submitted a Master Development Plan (MDP) which will have a greater permanent impact on the character of the City of Portland than any other single action by an actor since the urban renewal of the 1960s. This could be an opportunity for all involved to create a vibrant, cohesive, next-generational neighborhood for a truly diverse population, which residents and non-residents can experience. The project still has this potential. Unfortunately, this proposed MDP is so substantively lacking in critical respects that it cannot be approved in its present form.

At the outset, it needs to be noted that the function of a MDP as opposed to a site plan under the City's Land Use Code is at times difficult to discern. However, the approval of a MDP has to mean something. Indeed, the City Land Use Code states that proposed MDP approval "establishes the general parameters for the development, including the general development program, massing, open space plan, and infrastructure plan." (§14.3.2B). These are critically important matters. MDP plan approval is sought by the developer because its approval will freeze the applicability of regulations in effect at the time of approval for the duration of the project. That is what the developer fairly gets from the process. What the City and its citizens get is articulation and commitment from the developer as to how it will comply with the City's priorities and values as stated – as required – for the approval of the proposed MDP.

MDP review standards are explicitly set forth in §14.7 of the Land Use Code. When compared with the project proposal, there are serious deficiencies in the proposal as it now stands. These include:

I. Integration with and respect for surrounding context in design and massing of buildings

The applicant acknowledges that for approval, a MDP must "be designed to integrate with the surrounding context with respect to land use, architecture, open space and pedestrian networks." (See Portal Document #6, "Assessment of Compliance with Master Development Plan Standards" (ACMDPS) at page 2). The applicant asserts that it has met all of these requirements. Unfortunately it has not.

First, the applicant argues that its plan meets the "land use" integrative requirement, because it proposes a mixture of residential use and retail. This is true. However, that is largely where compliance ends.

a. Architecture and massing

The proposed MDP states that the new, very massive and tall buildings "will be designed to incorporate visual diversity ... [to] avoid a monolithic appearance across ... parcels." (ACMDPS at p. 5) Tall buildings could certainly do that. However, the vague drawing that accompanies this proposal (on that page) pictures large, monolithic buildings of virtually identical appearance; rectangular squares, built out to maximum lot boundaries, with colored panels and otherwise

remarkably uniform. The applicant acknowledges elsewhere that uniformity is what there will be: the project will use “a consistent approach to building scale, massing, and articulation. Though no two buildings will be identical, all will share a common architectural language and material palette ... .” (emphasis added). In other words, they won’t be identical, but they will all be virtually the same.

The assurance that the buildings “will avoid a monolithic appearance” rings hollow when the plan’s articulated descriptions will in fact result in that outcome. The assurance that these buildings “will blend contemporary and contextual elements” is so vague as to be meaningless; it in no way describes any particular proposed appearance of any particular building, and commits to no diverse particular (or even general) architectural principles. If approval of the MDP means approval of the pictured “masses” of these buildings on this drawing, with (for instance) their absence of mid-block breaks (required by City Code Table 7E), and their lack of any true distinction of one from another in design or style, both the project and the City will be the loser.

Nor does the applicant’s “Neighborhood Context Statement – Supplemental” (Portal Document #11) rectify these deficiencies. The section of this document entitled “Architectural Design Principles” begins in page 10. On that page, it first re-represents the drawing found on page 5 of the ACMDPS, described above. This is accompanied by a drawing of an idealized street scape that is not identified as anything that the applicant has actually committed to build. (Indeed, it is in appearance completely incompatible with the area as it exists and with any area that would be produced by the project drawing on the same page, just described.) The following page of the Document #11 – which states aspirations to “identify similar elements that repeat thematically across masterplan buildings – material, detail, color, etc.” – utilizes drawings of buildings that are “reference images” and explicitly labeled as “not final design intent.” So what is the design intent? The idea that the ways in which the buildings are similar will be the cohesive theme tells us nothing beyond the promise that the buildings all will be nearly the same.

The same kinds of images and the identical disclaimers are found on the following pages of the document (pages 12-17). Bottom line: the applicant has given no idea or commitment regarding architecture, beyond the nearly identical shapes that appear in the drawing on page 5 of the ACMDPS. The MDP approval is intended by the applicant to be a blank check.

This proposed development can involve architecture that meets City standards. It must involve sufficient real, architectural depictions to meet City standards. This is important when the project involves one or two buildings. It is critically important when a project will transform seven city blocks.

b. Required consideration of context

The proposed MDP is also – despite its assertions of good intention – devoid of actual acknowledgment or actual consideration of context with surrounding properties and structures. This brings us to one of what might be called one of the existing Achilles’ heels of the current proposal, which it only attempts to sweep under the rug.

On the same pivotal drawing (on page 5 of the ACMDPS), it is noted that “massing steps down at lower neighborhood edge.” This refers to the block bounded by Elm Street, Oxford Street, Cedar Street, and Lancaster Street. The proposed MDP pictures one huge building on this block – indeed, apparently the largest in the proposed development – which is in a horse-shoe shape. The long side of this building (“Elm Street 89)”) (along the entirety of the Elm Street side, with no break in facade – in violation of City Code requirements, as noted by Planning Department staff), has two ells, one along Oxford Street and one along Cedar Streets. This block is unusual in the area, and perhaps unique in the City, in that precisely half of it is zoned B-3 and the other half is zoned R-6. The R-6 zoning was to protect two very old and historic properties which are on that half of the lot:

a house built in 1824, located at 213-215 Oxford Street, and another one built in 1846, at 44 Cedar Street.

The “stepping down” of the applicant’s building as it crosses into the R-6 zone is not a gratuitous gesture to respect context at that point; it is required by R-6 zoning. The applicant has indicated that it wishes to completely build-out its building located on this block to 80 feet in height (8 stories), and then will reduce the building to 55 feet (5 stories) after it crosses into the R-6 zone and abuts these two historic structures. (The abutting of the 213-215 Oxford Street house is literal: the proposed 55 foot building at that point – as pictured on the Port Property drawing – will come within 10 feet of the lot line, and then six feet further to the house.) Disappointingly, there is no attempt to acknowledge this “context” or offer any recognition of the purpose of the commencement of the R-6 zone at this point – which is to protect the cluster of residential structures, most very old and historical in nature, on this block and across Cedar Street.

It is not expected that the applicant would radically reduce its building as it looms over these historic homes; but it would be reasonable to expect that it would respect context at those points, perhaps with an increased set-back or step-back or other contextual accommodation. (See, e.g., Code §§ 14.6.4A2, site design standards – massing, bulk, location, and height of proposed buildings or structures should minimize, to the extent feasible, any diminution in the value or utility of neighboring structures that are under different ownership and not subject to a legal servitude in favor of the site being developed; 14.6.4E3biv & vii (all development shall protect state or local archeological resources, which include built features located on the Portland Peninsula that predate the Great Fire of 1866).

The applicant deals with this issue by simply repeating, verbatim, the language of the Code’s general description R-6 zoning. (See Levine Planning Strategies letter, in ACMDPS packet page 10). This description, it points out, states that the purpose of R-6 zoning is “to set aside areas on the peninsula for housing characterized primarily by multi-family dwellings at high density [in order to] provid[e] a wide range of housing for differing types of households; to conserve the existing housing stock and residential character of neighborhoods by controlling the scale and external impacts of ... nonresidential uses”; and so on. The submitted letter then states:

“While the MDP is primarily in the B-7 zone, there are small portions of one building that cross[] into the R-6 district. ... The below-market affordable multi-family housing planned for this part of the development is high density and designed to make the transition from the B-7 [sic]* to R-6 areas of Bayside.”

(*In this case, the transition is actually from B-3 to R-6).

In other words, the statement is that because the proposed building is high density, that fact alone means that any problems involved in transition from a zone allowing an 8-story building, to one which does not, have been met. There is – in this view – no other need for any other consideration of context or impact on existing (historic) single-family homes in the way of architectural modifications, modestly increased set-backs, step-backs, the planting of trees or greenery, or any other measures.

(It should be noted that the MDP option which Port Property has chosen to pursue applies, under the Code, only to the B-3 portion of that block. See Code §14.3.2A. Therefore, as a technical matter, the approval of the applicant’s MDP cannot include the portions of its building that cross into the R-6 zone. However, as a practical matter – for instance, the approval of the “mass” and “architectural style” of the proposed ell along Oxford Street – would almost certainly be determinative of what the remaining feet of that ell in the R-6 zone will be.)

One could take the position that the problems of this block (and other problems of contextual requirements) could be taken care of as part of the site-plan application phase. However, if that is to be the case, it must be made clear to the applicant that approval of its proposed MDP – which does not address these issues – does not preclude later review and later requirements to solve problems created by the currently shown massing and placement of its buildings.

2. The meeting of open space and greenery requirements

The document that claims to demonstrate compliance with Code requirements for a proposed MDP (ACMDPS document, described above), spends pages discussing streets, vehicular access, walking on sidewalks, etc. It spends almost no time on the question of open space.

The only "new open space" that is guaranteed under this proposal is apparently the strip along Lancaster Street between Preble and Elm Streets This small strip, one block long, is the "vibrant and inviting new open space" that the entire development of hundreds of units of high-rise buildings offers. (See ACMDPS page 6.) In its initial drawings, the open space/greenery issues were fudged by the project's "green coloring"; land owned by others, and the few treex that exist in West Bayside, were exaggerated to create the impression that the development would be affording lots of these. Later, the designation of these areas – such as the strip of land along Lancaster Street, adjacent to homes on Cedar Street – was changed; that area now is now labeled "future area of development." However, some exaggerations – such as the large green blob adjacent to the end of the ell of the new 89 Elm Street building, which is really a tree in front of the impacted building at 213-215 Oxford Street – still, as a pictoral matter, remain. (See ACMDPS, drawing on page 5).

Apparently, other than the Lancaster Street strip described above, open space requirements for the project are planned to be met by required sidewalks and parking lots. That strip of land, the only item mentioned under the ACMDPS discussion of the open space requirement, is patently inadequate for a project of this size.

(As a particular example, consider the submitted plan for block bounded by Elm, Oxford, Cedar, and Lancaster Streets, discussed above. This block is slated to house 201 affordable units of housing and their occupants. The building of affordable housing is an idea that should be heartily endorsed. However, the only open space planned for these residents is apparently the parking lots, and some trees or greenery that are pictured on the rooftops of the ells on one drawing, where the ells are forced to step down to 55 feet after crossing the R-6 zoning line. See drawing, ADMDPS drawing on page 5. If this is simply an area of greenery, that would be fine, although hardly a substitute for real open space for the massive numbers of units in this project. However, if those rooftops are instead intended as gathering areas for people, a new problem is created. Noise from that area would be about 10 feet from the adjacent home's second-story bedroom windows.)

3. Documented sewer inadequacy

A third problem with the applicant's current proposal is the fact that approval of a MDP requires certification by the Portland DPW that the combined sewer and storm drain systems in the MDP project area have sufficient capacity to serve the proposed project. At the moment, the evaluation of the DPW is that the City sewer system does not have this capacity. The communication from the DPW states that "[t]his finding is based on the projected additional sanitary flow rates the applicant is proposing to add to the sewer system, the proposed sewer and storm drain connections into the City's systems as shown on the MDP utility plan and drainage plan, and the known capacity issues within these systems during wet weather events." (See Staff Report on proposed MDP, attachment page 13). This problem needs to be addressed before the proposed MDP can be approved.

Conclusion

The overall impression is that this proposed MDP has been rushed through with inadequate time for real, substantive answers to the City Code's MDP requirements. With more thought and flexibility, this proposal can be resubmitted with real grappling with the issues that a development plan of this magnitude involves. For the sake of the development and the City, that additional thought and resubmission must be done.

Sincerely,

Laura Underkuffler

Co-owner of 213-215 Oxfford St
Resident of that house for 12 years

Zachary Powell <zpowell@portlandmaine.gov>

Public Comment for 3/14/2023 Planning Board Packet - Master Development Plan; 196 Lancaster Street (West Bayside Master Development Plan); West Bayside Partners, LLC, Applicant - PL-002315-2022

Jim Hall <mtjimhall@gmail.com> Mon, Mar 13, 2023 at 5:52 AM
To: Planning Board <planningboard@portlandmaine.gov>
Cc: Planning and Urban Development <planning@portlandmaine.gov>, Zachary Powell <zpowell@portlandmaine.gov>, Danielle West-Chuhta <dwchuhta@portlandmaine.gov>, Kate Snyder <ksnyder@portlandmaine.gov>, Anna Trevorrow <atrevorrow@portlandmaine.gov>

Dear Members of the Planning Board,

I am writing with both excitement and trepidation regarding Port Property's Bayside Master Plan. At this stage I have some high level questions I'm hoping the board can address at the 3/14/23 workshop.

(1) Question — Will there be at least one additional workshop before moving to final vote?

As I understand it, a "Master Plan" is entirely optional for the developer, and triggers additional requirements of them when they want to lock in a multi-phase project to ordinance *as adopted today*, for their own predictability. I'm glad the community gets a glimpse of an overall vision at all, but the consequence of approving 10 years of changes now requires a high bar to get it right.

As someone whose home is literally surrounded (though somehow neither listed as an abutter nor an interested party), I've devoted my entire weekend attempting to digest hundreds of pages uploaded to the agenda Friday evening, and it's hard to imagine a single meeting even covering all aspects. Staff submitted 16 pages of additional requests for the applicant to resubmit, which suggests that we're not even to a point where we have everything we need to review. The applicants themselves presented at the neighborhood meeting (p.306) that tonight would lead to at least one more workshop before proceeding to the board vote.

(2) Question — Can the board require as a condition of approval that a Master Plan (or its subsequent phases) revisit significant zoning changes adopted in the interim?

As a municipality we are poised for a major substantive zoning overhaul with ReCode II. That may not be an inherent feature of a ruling on whether this application complies with code requirements, but it does underline the threshold or burden of proof we must require before granting lock-in that would make ongoing work toward planning improvements irrelevant.

(3) Question — Can the board require the formation of a Community Advisory Panel as a condition of approval? (if so, I request this condition)

The precedent I'm aware of is that the Board added this requirement when approving conditional use of both 5 Portland and 654 Riverside as emergency shelters (which are surely much less impactful than a 10-year proposal of this size). The council has also recently amended a zoning change request from the Roux Institute on the model adopted when Maine Med expanded, adding the requirement to form such a community panel, in that case even requiring representation from specific dwellings.

I've asked the co-developers to voluntarily implement a community advisory panel for this Master Plan, and I've also asked District One Councillor Trevorrow to sponsor Council action (though I haven't heard back from either on this topic). Whatever the mechanism or venue, I feel this will be a vital step to ensuring all stakeholders are appropriately involved in such a large and transformative change.

(4) Question – What level of consistency and what level of completeness is required of a Master Plan?

As staff point out, there are multiple places throughout the submission that are not even internally consistent (such as the pocket park that's shown elsewhere as covered parking). Is a collection of letters sent to utilities considered "complete" evidence the project can be served?

This "master" application mostly outlines intentions for the first two phases (though what I believe is *currently* proposed to be the initial step is still labeled "1B" not "1A" in various places).

If we're locking-in today's code to apply to Phase 5 in 2033 or so, are we not able to require more detail of those stages first?

And beyond that, the applicant has shifted several of their recently purchased properties to different subsidiary LLCs (see deeds and easements) and has only labeled them "*future development*" on a few pages, and not referenced them at all throughout most parts of the master proposal. Don't we need to know about a *whole* integrated strategy, not just tactical first steps?

I have concerns about accuracy as well. One example - an "existing conditions" survey (one of the most official looking portions of the application), lists abutting property owners incorrectly. But my main question for this initial workshop is about what threshold is expected and required.

(5) Question — What precisely is the applicant held to if this Master Plan is approved?

The imagineering from Stantec shows a lot of trees and a lot of brick buildings, very wide roadways between outdoor dining arrangements etc. When I commented about one rendering, *"Oh, it's brick-colored!,"* the presenters were quick to respond that these are only concept drawings. Supposed green space is shown in several places also marked as new buildings elsewhere, or even claimed in areas outside the developers control.

If we're meant to skip over "concept" aspects of the submission as relates to meeting design requirements, it would be helpful to require labeling them explicitly as such. Staff has asked for details about materiality and other aspects that we don't have yet, so I presume all this may be part of what will ultimately be considered for approval. If someone from either the Planning Department or the Planning Board could take time during the workshop on 3/14/23 to clarify where that line-in-the-sand is (i.e what this applicant is actually promising in exchange for being granted immunity from any subsequent ordinance decisions), it would be incredibly helpful.

(6) Question — What mechanisms exist for interested parties to learn about *related* aspects of this plan that are not explicitly part of this submission?

For example, I learned after the fact that Port Property has already requested and received mitigation funding from the Portland Development Committee for sites within this master plan. That appears to be the first time the applicant publicly documented they were changing the order of proposed phases from their original upload to the self-service portal. It's also the first time they've indicated the intended fate of the building on Oxford that's being retired as an emergency shelter, while referencing an additional low-income development phase not listed at all in this plan:

> *City of Portland Oxford Street Shelter – intended for demolition and potential use as a construction staging/contractor parking area as an interim condition until potential future redevelopment into affordable housing.*

There have been irregularities in noticing (which staff is aware of and has commented on in their memo), where an entire side of one street failed to receive notice of DOT traffic study. I'm actually still unclear how the public will know when that particular application is deemed complete, which I believe triggers a limited timeline to request notification of the results.

The developers have also mentioned outside of this application that they are seeking one-time ARPA funding allocation from MaineHousing, and that this specifically impacts their plans around how they integrate affordable housing (see below). That kind of detail seems relevant to understanding the overall master plan being considered.

This is only one area where forming an early Community Advisory Panel would remediate a problem – that there's no "single source of truth" for impacted stakeholders to even learn about all the moving pieces.

(7) Some specific concerns

PARKING
The Furman Block was approved a few years ago with just 11 spaces for 56 Units of workforce housing. I'd like to know more explicitly how that kind of ratio has actually worked out nearby. Anecdotally, the residents nearby indicate that on-street parking issues have gotten worse, in an area that was already poorly marked, allowing "ad hoc" parking attempts where there is no infrastructure for humans to walk to their destination or sometimes even leave their vehicle safely, resulting in dangerous interactions with passing vehicles.

I personally tried out the walk from the former public-market garage to the housing proposed on the corner of Lancaster & Elm (the farthest distance in this proposal to divert parking). That's over a 5-minute walk for someone with a longer-than-average stride and faster-than-average gait, during clement weather (though facing nor'east I noticed). My prediction based on watching parking patterns out my window for the past 25 years is that people paying market rate would continue to "invent" closer street spaces where they don't exist under the current proposal, with similar results as described above.

TRAFFIC FLOW
The census block for this site showed 0% bike use in the provided materials (p156 of submission). I can also tell you anecdotally from living here that there has been very scant usage of any of the new bike lanes that were added after the city's sewer separation construction on Elm & Preble. As much as we collectively want to enable alternate modes of transportation, this is simply not a case of "if you build it they will come," and we have to be clear and realistic about *actual* vehicle use. If we presume high use of bikes, the plan should be showing how 800 families of carless wonders will store them.

Direct abutters are very concerned with the proposal to change all ingress & egress for the phase-1 block onto Cedar. The existing curb cuts are almost never used (in fact one was fenced over until last month), partly because of the extremely narrow turning allowable. In addition, some of the documents show service access flowing the *wrong way* on this one-way street. This particular aspect of the overall proposal amounts to creating adverse impact on adjacent properties, especially when there is an existing working option via Lancaster.

INFRASTRUCTURE CONCERNS
I am glad the developers want to help remedy inconsistencies in directionality on Oxford, and I appreciate that staff will require additional details before this can be fully

reviewed.

A few years ago Portland Police requested a similar adjustment on Alder to allow that traffic to flow in a single direction. That is outside the boundaries of this plan, but I bring it up so that when city staff do look at overall improvements, they may still consider building toward *alternating*, full-street flow where street widths require limiting to a single direction. There is ample research showing various ways poor neighborhoods suffer when stuck with bad prior urban design like the existing layout of Bayside.

The Council is in the process of reopening Franklin Redesign. That's again "outside the lines" of this proposal -- but I would like some reassurance that both adjacent "master plans" at least have a way to coordinate when appropriate, such as design of the connections staff have asked for to the trail and other neighborhoods. I don't know if coordinating with something that's still in committee can rise to the level of "condition of approval", but it feels important to make the right-hand talk to the left when considering such sweeping changes on both sides.

PERMEABLE BLOCKS
The sudden shift from single-family homes on Cedar to a block-long 8-story building on Elm does not strike me as a transition that respects existing neighborhood character. I'm aware that this particular parcel straddles a business zone & a residential zone. R6 is supposed to *"conserve the existing housing stock and residential character of neighborhoods by controlling scale and external impacts."* I hope we can all find a mutually agreeable way to break up that particular monolith. Given that staff have suggested even taller corners, that would present an opportunity to scale back the wings butting into R6, without actually losing units.

My understanding (from the developer) was that they had been *required* by Maine Housing to cluster all the subsidised low-income development into this single building, and also to move the ordering to happen first. A representative from the State has indicated to me that neither of these are forced by their funding rules, in fact MaineHousing "embraces if not encourages" mixed income housing development. Given that the municipality also prefers to promote mixed income housing for various reasons, the proposed segregation of all 200 affordable units into one building is troubling. Several community members asked to consider mingling income levels during the neighborhood meeting.

I noted with some humor the references in this application to the failed April 2000 "Vision for Bayside" (p73). Since you brought it up -- it's worth clarifying that vision actually called for infill in this "Bayside Heights" area with "new rental and owner occupied dwellings *in a variety of sizes and types.*" Portland is lacking proposals for the kind of middle-density housing development supported by groups like Livable Portland. It's likely not something current laws or the board would require of any given atomized application -- but I'd generally like to know if there are ways the uninterrupted mass girth

height and overall imposing nature of this particular structure can be tempered, where it meets 2-story homes.

MIX OF USES

The proposal of 28,000 square feet of retail activated ground floor is welcome, but does not seem anywhere close to forming a "complete" neighbrohood as defined in Portland's Comprehensive plan. 82 Hanover is listed in this application (p110) as 40,000 square feet, which hosts three storefronts, so I'm guessing 28k only allows one or two. If we want 800 families to build lives in this neighborhood (with limited use of cars), it's clear they'd need a better balance of services for the community. The 72% traffic egress shown from here to I-295 north & south (p150) seems to indicate we need more intown amenities to make it livable and walkable.

I was sad to learn this plan proposes to destroy the brick building currently housing Two Fat Cats and force the bakery tenant to relocate again. Decisions at that level are probably the prerogative of the owner, but it would be nice to be able to point to something pleasant preserved in this plan. So far the applicants have focused on what's new rather than anything that ties back to neighborhood fabric.

COMMUNITY GARDEN

I'd like to ask city staff, and if relevant the council, to work directly with this developer, and whatever additional organizations may be relevant to preservation / parks / landbank / etc. — in order to once and for all secure a *permanent* home for what has been the only "rental" green space in this neighborhood for decades.

I understand the landowner is operating as a for-profit company and is unlikely to allow this to happen on their own, and I understand that code requires only what's termed "open" space that can even be hard-scaped. The garden is living on borrowed time on one of those "future development" parcels tucked into certain pages, and without direct action appears unlikely to survive for new tenants to enjoy at all. The people who will eventually build lives in these new developments will thank you for preserving a community garden, or in fact creating *any* green space at all here.

I have other specific types of concern but I appear to have run out of available time to review ahead of this particular meeting. So I will reiterate my request to schedule additional workshops, at least until the staff memo on required resubmissions is whittled down to changes that can reasonably be reviewed in an evening.

I'd like to acknowledge that this particular developer reached out to direct residential abutters, and previously had voluntarily participated in additional community forums during the approval process for 52 Hanover. I for one am looking forward to a long and fruitful relationship. and I hope they see it the same way even though I'm saying their plan isn't ready and currently contains serious flaws.

Thank you,

Jim Hall
47 Cedar St

PS - I am appending a link to my MaineVoices submission published last week, as it includes additional details about community feedback heard at the neighborhood meeting that did not appear in the minutes the applicant recorded:

https://www.pressherald.com/2023/03/09/maine-voices-speak-up-early-and-often-about-800-unit-bayside-development/

Amy Oberlin <agoberlin@gmail.com> Mar 12, 2023, 11:19:17 PM (10 hours ago)
to planningboard@portlandmaine.gov

I'm writing to voice my full support for the development project in Bayside proposed by Port Property.

I am a resident of Munjoy Hill and a member of Livable Portland, a local group that advocates for housing affordability. I routinely bike to the Bayside neighborhood for groceries, other errands, and recreation. I am thrilled to see a proposal for a walkable and bike-able development on multiple bus routes that will take the place of existing surface parking lots and will allow far more people to live in and enjoy this amenity-rich area of our city.

I am writing in part because I have seen some concerns and opposition to this project in the PPH that I feel are vague and unfounded, and I think it would be a shame if this sorely needed housing project were scaled back when the concerns are so nebulous while housing in Portland is so scarce.

There are concerns that there is too little parking and that the parking provided is too far away. However, the primary benefit of such a dense and amenity-rich neighborhood is that a car is not a necessity. Adding more parking to this project would only increase the cost of this housing unnecessarily and would reduce the number of people that could have walkable access to the surrounding amenities. Port Property's plan documents clearly states a vision for de-emphasizing cars and prioritizing pedestrian access, including converting Lancaster between Preble and Elm into a woonerf as a central community public space. As a cyclist with concerns about both climate change and the myriad heath hazards of car traffic, I am thrilled to see this focus at the forefront. I would like to see concrete measures to exclude cars from this central space and manage traffic on adjacent streets.

There are also concerns about massing and shadows cast from 8-10 story buildings, but a look at the proposed plan shows that these shadows will fall on warehouses, scrap yards, and parking lots. The alternative to density and height is sprawl, and I would prefer to see an extra few floors of dense housing and a few more shadows in my city than see those same people move out to a forest-clearing, car-dependent suburbia.

This part of Bayside is in the heart of Portland; it is as central to transit, groceries, green space, and community services as you can be in this city. This proposed project contains not only desperately needed housing, but creates mixed-use density and de-emphasizes cars in a way that is essential to adapting to and mitigating our warming climate. As planned, it will be an incredible positive transformation for Bayside and for Portland. I believe as many people as possible deserve to be able to live near these valuable amenities. I strongly support the planned development and I encourage the planning board to not scale back the number of housing units nor the height of the buildings in response to nebulous opposition.

My one request would be to be sure to incorporate substantial bike parking. The City's phi-shaped bike racks are excellent but there are simply too few of them on most city blocks. With the reduced emphasis on personal cars and parking, the inclusion of both street bike racks for customers of commercial tenants and secure indoor ground-level bike storage for residents will ensure the long-term success of this planned car-lite neighborhood.

Thank you,
Amy Oberlin

D Leland <lelanddm@gmail.com> Mar 12, 2023, 4:18:21 PM (17 hours ago)

to planningboard@portlandmaine.gov

Yes, do your best to provide housing with amenities like parks and walkways in the Bayside area. Enough pricey condos-- House the people who can't pay ridiculous rents and thus live outside the community where they work.

Thanks for your work!

Dawn

Tom Bander <tom.bander@gmail.com> Mar 12, 2023, 11:24:57 PM (10 hours ago)
to planningboard@portlandmaine.gov

I'm writing in strong support of the Master Development Plan for upcoming development in Bayside at 196 Lancaster (Site Plan PL-002315-2022). I'm beyond excited to see a well-designed, long-term plan to develop these parcels, many of which are currently surface parking lots, to meet our increasingly dire housing needs. These locations are perfect for more dense housing given the close proximity to outdoor spaces (Deering Oaks, Back Cove Park, Portland Trails system), grocery stores and restaurants, medical facilities (urgent care, hospital, outpatient offices, and pharmacies), and public transportation.

Our need for housing is dire. My employer, MaineHealth, currently has 2400 job postings at all levels. Our primary care and specialty offices cannot currently meet the medical needs of our increasingly aging state and region without a larger workforce, and lack of access to convenient and affordable housing is a consistent roadblock as we attempt to hire nurses, medical assistants, and physicians. As a major center of commerce and healthcare in our region, we must meet these challenges with increased density.

I'm in particular support of the reasonable ratio of housing units to parking spaces allotted to the project. When housing is close to public transit and jobs, there is actually a decrease in traffic and parking needs in the area. I'm fortunate to be able to bike to my office on Outer Congress, or take the bus when there is inclement weather. There is clear demand to live and work on this vibrant peninsula, but we lose neighbors to nearby towns, reducing the viability of these alternative and more climate-friendly transit modes. We cannot miss this opportunity for thoughtful and climate-focused development in our community. I'm an advocate for more density all over Portland, and this would be an excellent next step.

Thanks,

Tom Bander
108 Eastern Promenade, Apt 3
Portland, ME 04101

ATAYLOR87371@roadrunner.com <ATAYLOR87371@roadrunner.com> 7:40 AM (2 hours ago)

to planningboard@portlandmaine.gov

To achieve an inclusive neighborhood where many points of view are reflected in the outcome, please consider complementing the Port Property proposal with a multi agency collaborative neighborhood revitalization strategy that includes strong historic preservation and neighborhood revitalization components. Specifically, such efforts should be directed at shoring up historic properties along Cedar Street, to preclude developers combining lots in the neighborhood's last remaining intact block of the pre civil War house and lot p[attern that narrowly escaped the Fire of 1866. Another at risk historic building of prime importance is the 1846 Greek revival Thomas Cummings house, directly across from PHS, beloved by PHS students who patronized Zack's PHS Luncheonette located there in the 60s, 70s and 80s. Its front porch, noted for its rare Tower of the Winds style columns, was lost in an in appropriate remodeling, and would if restored be a powerful statement of the area's rebirth without compromising its architectural history. Keeping the area directly across Cumberland Avenue from PHS in its present humanly scaled architectural character would prevent shadows of tall buildings away from the front steps and yard of one of the nation's most historic downtown high schools and preserve a saving remnant of what was historically the epicenter of Portland's Armenian refugee community.

Respectfully submitted,

Anthony Taylor
Architectural Historian
18 Groveville Road
Buxton, Maine 04093

John Clark <jmclark995@gmail.com> 9:17 AM (14 minutes ago)

to planningboard@portlandmaine.gov

Hello Planning Board Members,

I would like to express my support for the proposed West Bayside Master Plan brought forth. The proposed project will provide desperately needed housing to the region, reclaim surface parking lots and underutilized plots, and revitalize a neighborhood sorely damaged by urban renewal.

Adding density along with ground floor retail will create a more vibrant and human-centered environment, something not currently existing in most of the Bayside neighborhood. This project aims to prioritize people over cars, which is why I believe the traffic and parking concerns addressed in other public comments may prove to not actually be an issue should this project see through to completion.

While as a conservation professional, I do slightly agree with other public commenter's concerns regarding a lack of green space and acknowledge the fact that Bayside has an extreme lack of tree cover, I also acknowledge that there are exceptional green spaces within a short walk or bike ride from this proposed development, and this development would be replacing what is currently wasted surface lots, not existing green space. (Additionally, by creating denser housing closer to where people work, shop, and play, we are reducing the sprawl eating up the forest and farm land of the Greater Portland area, but that's a bit beyond the scope of the Portland Planning Board). I do not feel that the lack of green space should be a reason to derail such a crucial project to the city's growth.

As someone who grew up in the region and hopes to stay here, but is actively being priced out due to rising housing costs and a shortage of places to live, I ask you to approve this project. Not only does this project provide housing, but it makes Portland a more vibrant and enjoyable place to live.

Thank you,

--

John Clark (he | him | his)
225 Valley Street, Portland, ME 04102
(207) 712-0480

Public Comment for 3/14 Planning Board Meeting

0 views

Nathaniel Ferguson <me@nathanielferg.com>
to planningboard@portlandmaine.gov

9:00 AM (1 hour ago)

Dear Portland Planning Board,

I'm writing in support of the Bayside Master Development Plan and urge the Planning Board to swiftly approve the MDP and future site plans for this area. I support the project for a few key reasons: first, the MDP will bring sorely needed housing and pedestrian facilities to an underserved neighborhood; second, the development will generate substantial additional revenue for the City of Portland through increased property values; finally, the status quo for the site is out of alignment with our goals as a city.

These points are all interconnected. At the end of the day, the area under consideration is currently a sea of parking and low density buildings. This does not make sense for an area so close to downtown Portland. To transition to a more sustainable, productive city, we need to identify areas of underutilized urban land and find ways to make the most of it. This project does exactly that. Any delay to this project is a delay to much-needed housing being ready for occupancy, a delay to additional property tax revenue being generated for the city, and a delay in the removal of wasteful surface parking lots. Do not delay this proposal—Portland can't afford to wait.

Thank you for your consideration,

Nathaniel Ferguson
44 Exeter Street, Portland

hjahns@maine.rr.com <hjahns@maine.rr.com> 11:20 AM (1 hour ago)
to planningboard@portlandmaine.gov

Good Morning,

I am writing to express my support for the proposed Port Property development in Bayside.

I read with interest Todd Morse's article on Saturday, March 11. This project will be a positive change to create a walkable neighborhood where people would meet, have a little chat or simply exchange a friendly smile. The walking to and from destinations keeps the body healthy and less stressful than fighting the traffic and searching for parking space. The trees and plants make us appreciate nature. What a healthy living.

I grew up in such an environment in an apartment in Germany. But as an 86 year old grandmother I would like to add another thought. The idea each family should own a house is idealistic but outdated. After World War Two we had plenty of undeveloped spaces and a much smaller population. We need to save the few wild places that are left but still find housing for those who need it. We should build apartments which can be practical, energy efficient and pretty. Keep the greenspaces with dog runs, benches, playgrounds (maybe even with private vegetable and flower gardens) but protect our dwindling nature! We would be healthier, happier and friendlier and part of a wider family. This new development would help us all.

Suse Jahns

17 Chenery

Portland, ME 04103

William Hall <wpeaks@earthlink.net> 11:32 AM (1 hour ago)

to planningboard@portlandmaine.gov

I urge you to support the proposal for a master development plan from West Bayside Partners. This is a very exciting and worthwhile project that meets so many goals for moving Portland forward in all the right directions - in particular toward more housing, one of our city's most urgent needs.
Thank you for your service to the city.
Bill Hall
317 Pleasant Avenue, Peaks Island
Planning board member 2006-2016

Roger Buck <rcbuck9@gmail.com> 11:45 AM (1 hour ago)

to planningboard@portlandmaine.gov

As a long term housing provider in Portland, I am acutely aware of the shortage of housing, especially affordable housing, in Portland. This 800 unit project, including 200 units of affordable housing, is exactly what the city needs. A recent Maine Voices column urged opposition to the project, based on all the usual objections- the buildings are too tall, don't have enough retail space, a bakery and community garden will have to relocate, not enough additional green space, parking is in the wrong place, etc, etc. This sounds so similar to the "midtown" apartment project , which was visionary in its anticipation of the housing shortage we are now experiencing, but was killed by local opposition. That debacle enhanced Portland's reputation as a city which is hostile to residential development.

The only solution to a lack of affordable housing is more housing. Any new housing displaces something, and taller, denser development is exactly what we need. People want to live near downtown, where they are not dependent on cars. This alleviates sprawl, with its ensuing traffic congestion and environmental harm, not to mention the fact that multifamily development "off peninsula" would likely be much smaller and face fierce neighborhood opposition. It is time to stop complaining about the lack of affordable housing and actually do something about it.

Financially, I would be better off if this project is killed or scaled back. It will compete against apartments that I own, and could slow the dramatic rent increases from which I benefit.
Nevertheless, I support it because I see first hand the great hardship faced by the dozens of would be renters I have to turn away whenever an apartment becomes available. We need this housing, all 800 units. I enthusiastically support this proposal as it was submitted.

- Roger Buck, owner
Home State Properties
150 Glenwood Ave.
Portland, Maine

Amelia Labreck <labreckestates@gmail.com> 11:53 AM (27 minutes ago)

to planningboard@portlandmaine.gov

Good morning. My name is Amelia Labreck and I am one of the abutting property owners in Bayside, in the center of the latest Port Porperty proposed master development plan. Let me begin by saying that I applaud all efforts to provide housing and progress within Portland and recognize that taking on such a mass scale project is highly complex with innumerable moving parts. I commend Port Porperty for many of their efforts regarding this challenge and am impressed by many of their renderings with regards to lighting and modern, walkable design elements. I feel that the project as a whole will undoubtedly be a benefit to so many individuals as it helps address Portland's housing shortage. After reviewing all documents provided in great detail it seems clear that there are a number of areas that could be reworked to better meet the needs and desires of the whole neighborhood including current and future residents.

At the public meeting on 2/21 many residents including myself raised concerns with the proposal regarding items including but not limited to:

Scale (specifically height where zones change from B3 to R6)

Parking

Building Design

Location of Affordable Units

Lack of Green Space

Preservation of Authentic Antique Structures and Original Charm

Traffic (including utilizing Cedar St as a driveway to supply a B3 zone)

The current proposal will have many positive effects on quality of life in Bayside as well as property values overall. However, there are some serious issues that would negatively impact the quality of life for everyone currently residing in smaller homes on Cedar St. Property owners there including me are not alright with the way that Cedar St.in particular has been addressed in this process. What is known as the a2 building is utilizing an extra affordable housing height overlay which is overshadowing this neighborhood completely. The current plan turns a quiet residential street into what would essentially become a service ally for businesses at this location. The concentration of all affordable housing in one building is not only a potential for serious management issues, it is a form of redling in a project this size. As we have seen from Franklin Towers and other past attempts at a non incorporated approach to housing, poverty at those numbers in one location is known to cause exponential crime, and a myriad of issues.

We would like to see incorporation of some of the affordable units to other buildings, egresses for this building on Oxford and Lancaster, not Cedar, a reduction in height or a break in the building to allow sunlight, as well as a more green space in the overall design and a dedicated respect for original charm in the area. I have met with outside consultants and have many ideas and possible solutions to these issues. I look forward to a beautiful collaboration between Port Property and Bayside.

Sincerely,

Amelia Labreck
labreckestates@gmail.com
207.807.5764
44 Cedar St.Portland, Maine
Beacon Realty

John Doxsee <johnboy29@gmail.com> 11:56 AM (25 minutes ago)

to planningboard@portlandmaine.gov

I am writing to voice my strong opposition to this project. While I do not consider myself to be any sort of qualified expert on population growth, I do live in the real world. In my 83 years of living I have experienced, often from personal experience, far too many negative results of too much development. Those of you who have seen the movie Field of Dreams (Kevin Costner) will remember the theme of that movie, "Build it and they will come." My point exactly.

The problem here is that the more you build, the more they will come. And keep coming and keep coming. Based on current strong demand, this 800 unit project will sell out very quickly. Indeed, many similar projects are already sold out or nearly so before construction even starts. Once it is sold out, then what? Build another 800 units? And then another? The more you build, the more demand will continue. It is a demand that can never be satisfied.

All of this growth puts more demand on stress on an already stressed infrastructure, recent articles about problems with toxic sludge removal is but one of so, so many other problems
(traffic congestion, parking problems which is already a nightmare for many, more demands on water use, rents go up... the list goes on ad nauseam. As members of the city board,
you certainly are more aware of these problems than most people. The end result is that the cost of living goes up and the quality of life goes down. This is an inescapable truth.

So please, have the courage and inner fortitude to reject this project and others like it
for the good of us all. You have the opportunity to create positive change, please
do not miss the opportunity to do so.

Thank you
John Doxsee
South Portland

Sarah Michniewicz <sarahmichniewicz@mac.com> 12:05 PM (16 minutes ago)
to planningboard@portlandmaine.gov

Chair Stanley, Vice Chair Mazer, and members of the Planning Board,

I'm writing to you with thoughts on the 196 Lancaster Master Site Plan application. As some of you know I'm a longtime resident of Bayside and a direct abutter of this project, and my home is one of a handful of private residences wholly within the boundaries of Port Property's holdings in this area.

Port Property's proposal is a huge opportunity for the neighborhood, the city, and the developer, and there's an enormous responsibility to get it right. Failure to do so will leave use all will leave Bayside changed but maybe not much more hospitable or economically viable.

The question is how to make such a transformative project successful in as many dimensions as possible for as many people as possible – the new residents, particularly those in the affordable units; the businesses who will occupy the retail spaces and their patrons; and my neighbors and me, most of whom have lived or owned our properties in the middle of the project area for over a decade.

Starting with a Master Plan is a good way to frame a cohesive vision, which this application clearly intends to do. I'm not sure when Port Property's planning for the MDP began; presumably well before their purchase of the properties was announced in October 2022. Even so, even with a dedicated team at work, one would anticipate a longer arc to get a fully realized master plan to workshop stage.

After thoroughly examining Port Properties submission, I'm left feeling this application was turned out too quickly, and I'm wondering why we are already here when staff has so many questions. Many of the submitted documents are missing critical information, or continue to contain errors for which corrections have been requested.

Bulleted here are some of the issues I see with the application, some of which planning staff have apparently asked previously to be addressed. I understand that many of these are issues that would be worked out at some point, but it's not entirely clear to me what the MPD locks in, or what might be considered a fait accompli when the MPD is approved. Additional info is further down.

Unfortunately, as hopeful as I am for this project, I have to agree with staff's analysis that this application should be resubmitted, with all the missing information and requested documents; the errors and inconsistencies have been corrected; and parcels and features outside the project area have been redacted from the site plan and architectural renderings order to accurately represent the scope of the project and amount of existing and proposed open that will be locked in by the MDP.

I have additional thoughts on the amount of proposed retail and whether it's adequate for the number of proposed residential units I'll share at another time. Briefly, there need to be enough amenities to support climate goals to keep residents in the neighborhood instead of going elsewhere for daily needs.

Thank you for reading and I look forward to hearing your thoughts at Tuesday's meeting.

Sarah Michniewicz
Cedar Street

Errors and Inconsistencies:

- Original site plan, October 2022: The color legend reverses affordable and market rate housing. This gives the appearance of predominantly or equally distributed affordable housing, which the applicant has clarified is not the case. I wrote to Port Property just after this document was released but the error has not been corrected in subsequent displays of the document (such as before the Portland Development Corporation and the Neighborhood Meeting).
- Original site plan and subsequent renderings contain multiple green-colored spaces that are either outside the project area; unrelated to the site plan; not public; not actually green; or don't exist. This creates the false impression that there is an abundant amount of green space in the neighborhood without adding more within the project area. See annotated green space inventory below.

- Phasing confusion: Original site plan and Staff's notes refer to196 Lancaster as building phase 1a; the developer said at a public meeting in February that 89 Elm, the affordable housing building, would be built first. Staff's memo continues to reference the original phasing.

- Inconsistent messaging on heights: During the neighborhood meeting the applicant's team stated the building shown in the renderings could be lower. It's unclear what would happen to the total housing unit count if building heights change.

- Zoning Assessment: These charts all contain the same data for each parcel despite a request from the planning department in February to correct them

- Parking Analysis: The developer purports to add new parking on Cedar Street - this parking already exists. The map also eliminates existing parking on Oxford Street, which is outside the project area.

- Existing Conditions: The survey of the project area contains an error involving my property, confirmed as such by the surveyor. I was told a corrected survey had been shared with the applicant but don't see it in the materials.

- Consistency with Master Plan: This document contains inconsistent descriptions:

  "Most new buildings will be sited on surface parking lots..." (p.5)

  "All new buildings will be located on what are currently surface parking lots..." (p.8)

  P. 5 is correct, according to the Utilities section, which describes plans for demolishing several buildings to make way for new construction.

Green Space

Green space is one of the most important opportunities this MDP could support. Open space requirements may not stipulate "green" spaces, but this is such a huge and systemic equity problem for this neighborhood, and the developer has so much land to play with, it seems only right for them to participate sincerely in helping turning the tide in favor of green infrastructure.

Open Space Typologies section

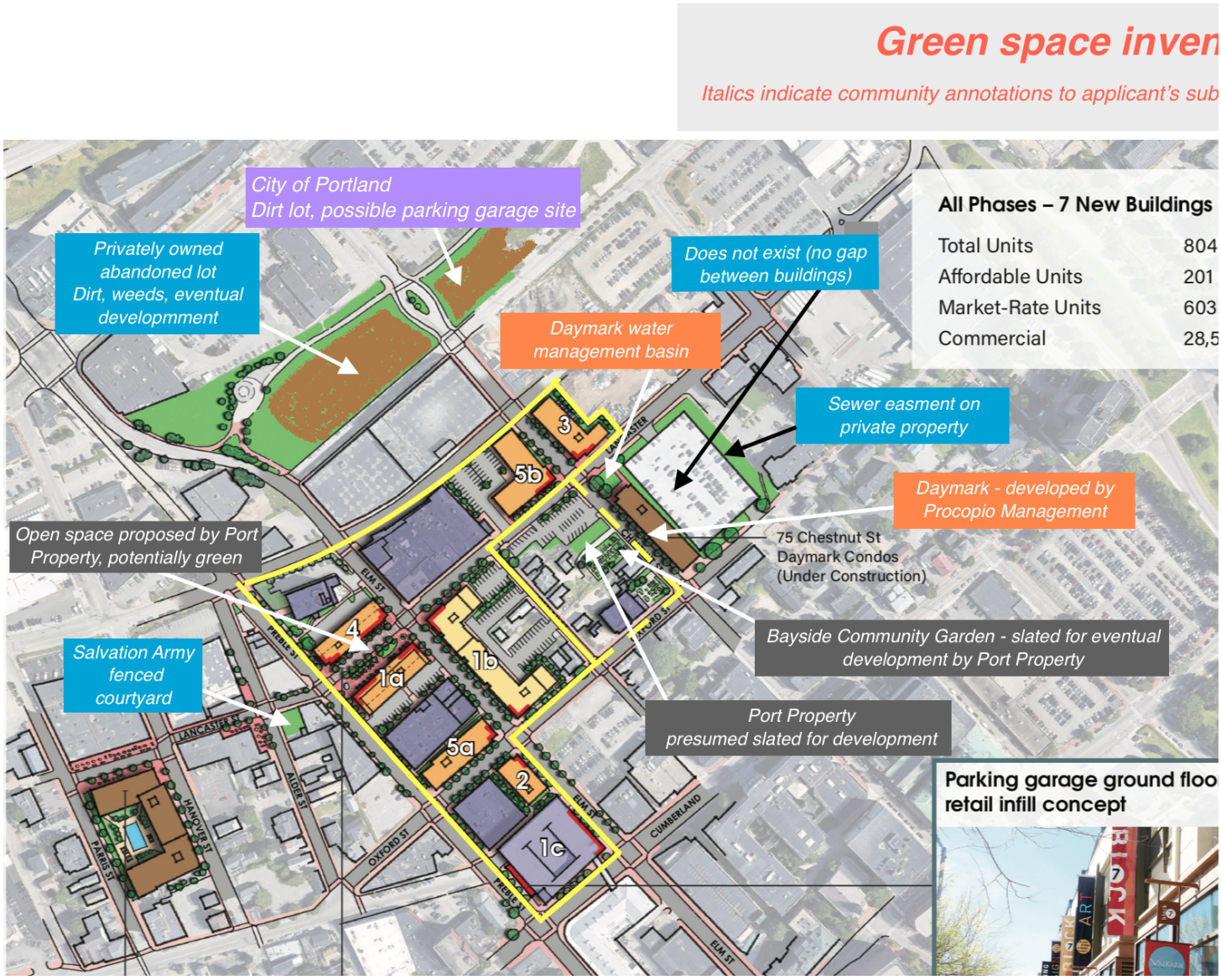
The only truly green space in this graphic its the light green area of the community garden, which is outside the project area and which the developer has indicated will be developed in the future.

The darker green area, elsewhere labeled "pop up park," is an asphalt surface parking lot and in other parts of the plan is described as remaining one for the foreseeable future. Unless the applicant is planning otherwise, this area should not be colored green.

The "linear park," elsewhere colored green, is now aqua. What this indicates is unclear. The mossy green paths are called "pocket parks" but their actual amount of greenery is unknown.

Staff has created an updated graphic which includes additional mossy green mid-block pocket parks. It's unclear whether the one between Elm and Cedar would bisect the building or create a passage underneath.


Kennebec Street
Chestnut Street
Elm Street
Lancaster Street
Cedar Street
Oxford Street
Elm Street
Preble Street



West Bayside Zoning Assessment section

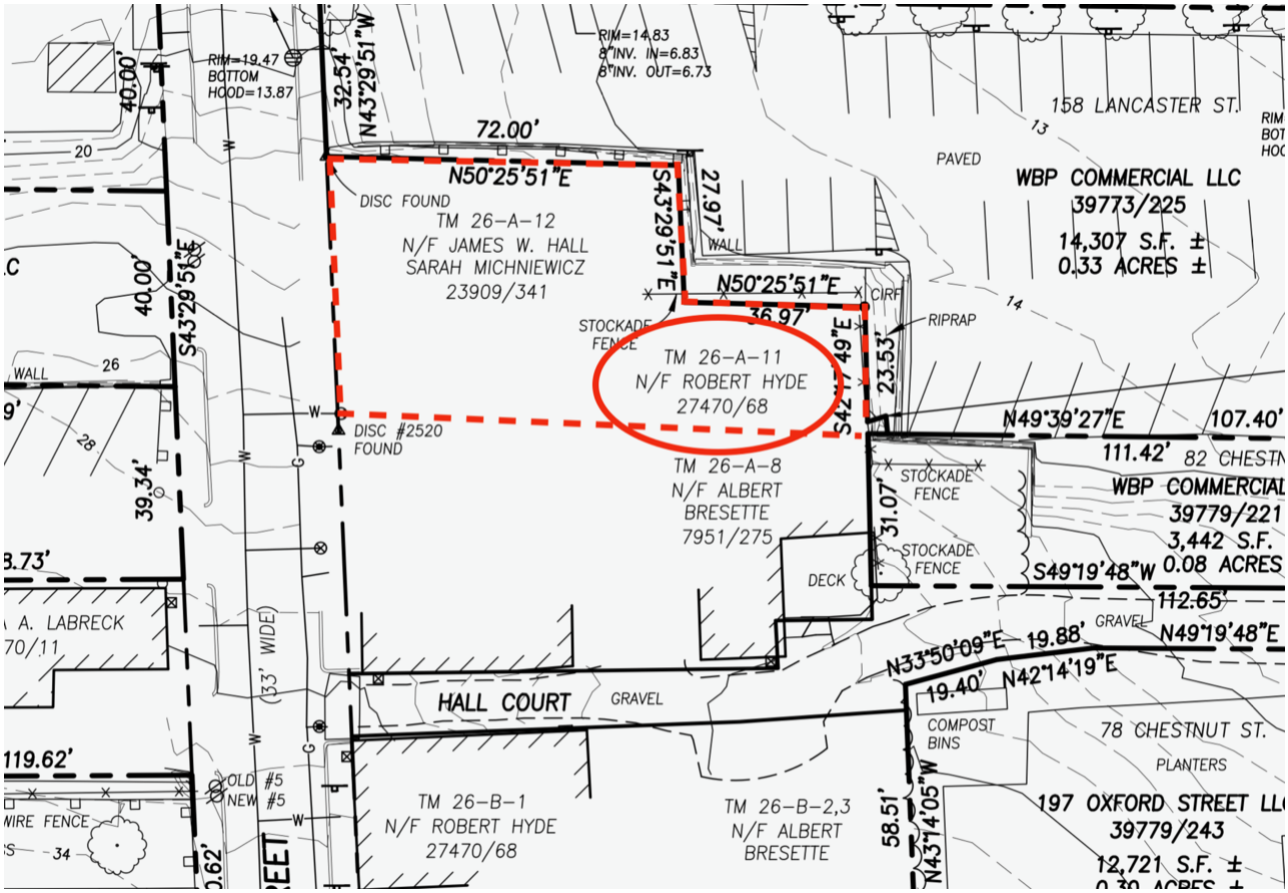
These charts are populated with identical numbers for each parcel, which don't necessarily align with the legally allowed heights in current zoning ordinance (for example, a 105' height proposed in the 85' B3 zone).

Existing Conditions section

The survey of the MDP area shows the owner of 39 Cedar's name within the boundaries of my back yard at 47 Cedar, see below.

In January 2019 I had the same surveyor, Owen Haskell, conduct a survey of my property. Randy Loubier from Owen Haskell has confirmed the extra name on my property is an error.

I suggest the planning department ask the applicant to have Owen Haskell give the full survey a once-over to determine whether this is an isolated error and avoid compounding any inaccuracies as the project progresses.



Traffic Analysis section

The intersection at Lancaster and Elm is an example of poor street design that the Master Plan should address. It's very difficult to see oncoming downhill traffic when looking up Elm when vehicles are parked on its east side without nosing out across the crosswalk and bike lane. At least two major collisions have occurred at this intersection in the years since the ADA bump-outs were added (surveillance footage available).

The interplay of this existing deficiency, the proposed parking additions along Elm, and the Lancaster woonerf with its presumed increase in foot traffic should be more closely examined for safety ramifications.

The crash data also shows a high number of crashes at the intersection of Kennebec and Elm. As a pedestrian I've experienced two close calls and witnessed multiple incidents of cars running through the stop sign on Kennebec. Again, any alterations to parking or the addition of a second woonerf and impact on safety needs to be explored.

Consistency with City Master Development Plan Standards section

This section is inconsistent:

*"**Most** new buildings will be sited on surface parking lots, adding infill development to the neighborhood with reduced displacement of existing structures."* – Consistency with City Master Development Plan Standards, p. 5

*"**All** new buildings will be located on what are currently surface parking lots, transferring parking capacity to on-street and garage locations."* – Consistency with City Master Development Plan Standards, p. 8

The text on page 5 is correct, as indicated by the Utilities document which describes the intent to demolish the Two Fat Cats building and the buildings on Oxford between Preble and Elm.

One Way and Two Way Streets section

"The plan anticipates Oxford Street's conversion to two-way operation as identified in the Transportation Master Plan

The assumption of Oxford being converted to two ways, and basing Master Plan elements on this assumption, is premature in the absence of an actionable plan, coordination with the City, and a broader analysis of traffic circulation and specifically the effect of the one-way street system.

This section also states *"This shared street configuration is also referenced as a planned future condition of the segment in the Bayside Master Transportation Plan."*

I can find no such reference in the Bayside Transportation Master Plan The only discussion of a similar idea is exploring the closing of Kennebec from Chestnut to Pearl (p.41), a suggestion I made to the council during the BTMP adoption phase. Planning staff has made a similar suggestion for Kennebec, but between Preble and Chestnut. This would truly require deep reassessment of traffic flow patterns due to the accident history of the intersection with Elm and the need for large trucks to access and maneuver around Noyes Storage.

Parking section

"Consistent with established patterns across the neighborhood, retail uses will utilize on-street parking which will be provided along all blocks."

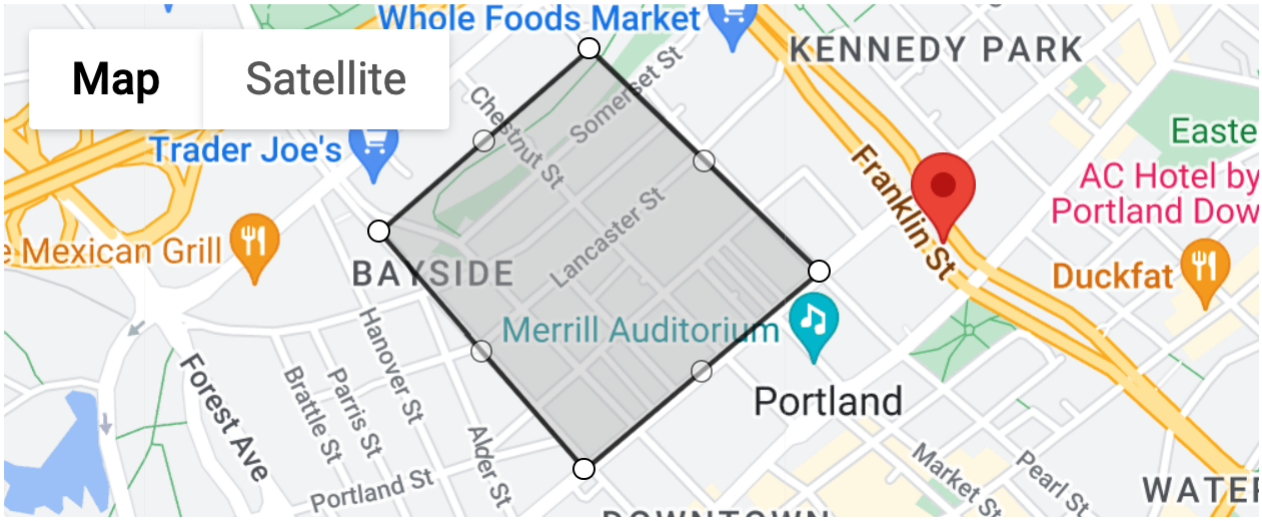
There are no existing retail uses within the project area, except for Two Fat Cats Bakery. Fom the Bayside Trail to Cumberland Ave and Preble Street to Pearl Street, a land area of almost 44 acres, there are only two other retail buildings, each with ample on-site parking, so there isn't much agains which to compare the potential on-street parking impacts.

It does seem safe to assume, however, that the addition of 28,500 square feet of retail space with planned uses such as restaurants, coffee shops, and breweries designed to attract visitors by car will add an unprecedented amount of traffic and parking demand on the streets within and near the project area.

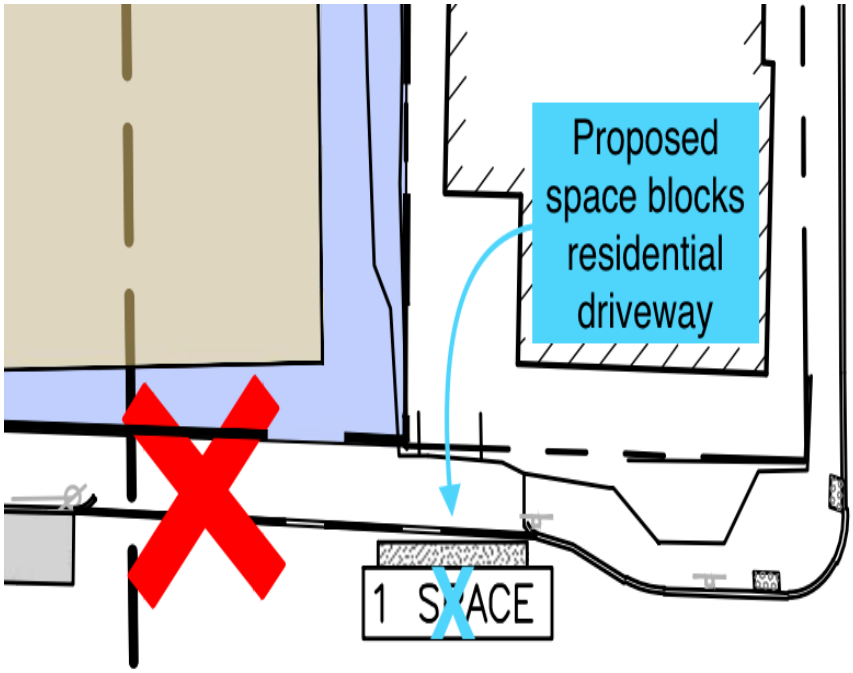
New retail uses at the applicant's other Lancaster Street development and a 55 unit apartment building with just 11 parking spaces arrived in the past few years and the street parking in that area has become harder to find during evening hours.

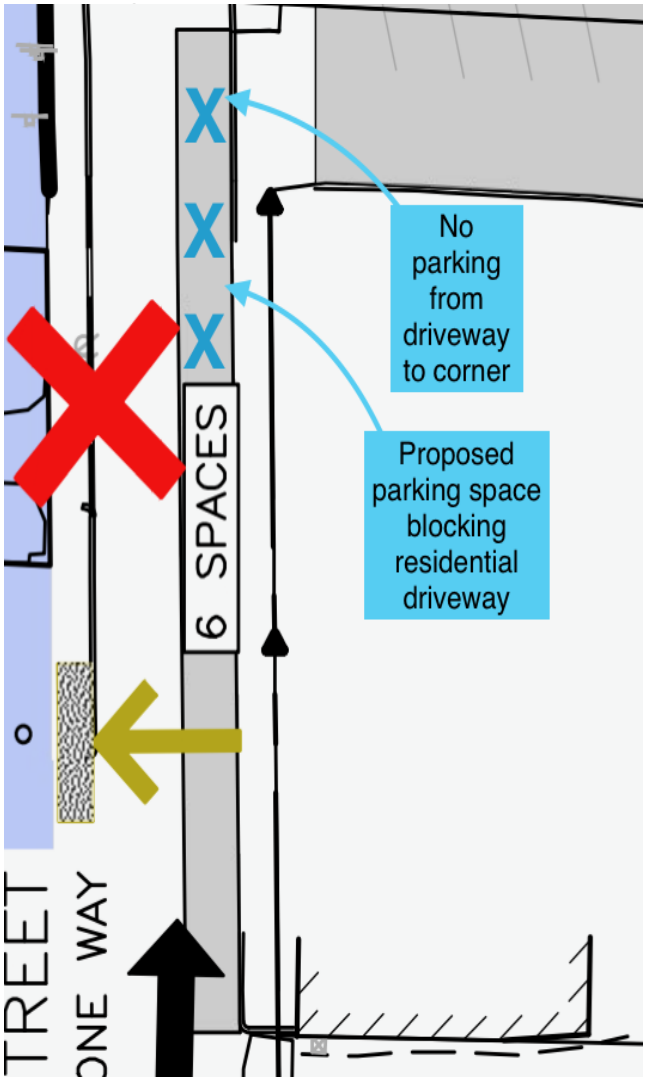
Area 176780 meters^2, 1902842 feet^2 43.68 acres 0.068 miles^2 0.177 km^2

Perimeter 1251 meters , 4106 feet 0.778 miles 1.251 km



Additionally, schematics showing proposed on-street parking contain multiple errors. The applicant purports to add parking that already exists on Cedar and Oxford. Some of the ostensibly additive parking is pictured blocking residential driveways. The actual number of available on-street spaces cannot be determined.





The proposed parking on both sides of Elm reduces the amount of space available for the existing bike lane and the visibility at cross streets. The Lancaster/Elm intersection has been the site of multiple major collisions in recent years (documentation available) as has Kennebec and Elm.

Sophie Hamblett <sophie.c.hamblett@gmail.com> 12:14 PM (9 minutes ago)
to planningboard@portlandmaine.gov

To whom it may concern,

As Bayside residents, we support and are excited about this project. The city needs more housing and we know that any additional housing added to the inventory is a good thing. That being said, there are a few points we'd like to bring up:

1. Affordable housing. We applaud the developer's efforts to bring much-needed affordable housing to the peninsula. We are, however, deeply concerned that all of the affordable housing will be concentrated into a single building rather than distributed throughout all phases of the project. We would like to see this examined further by the planning board. Although we would rather have all 200 affordable units in one building than have no affordable units at all, this just doesn't seem equitable and there must be a better way. We don't feel that it is in the spirit of revitalizing the neighborhood—segregating affordable housing like this will do a disservice to all residents and the neighborhood overall.
2. Green space. We like the idea of the creation of a shared street and a core area that will activate the neighborhood. We are also conscious of the fact that this isn't the same as green space. We feel that the plans provided by the developer were misleading in that they present certain areas of green space that are either (a.) not green, or (b.) not actually part of their project (this is along with other misrepresentations in the plan, such as swapping of colors for affordable and market-rate housing in the key).
3. The community garden. This neighborhood needs a community garden, and we feel that the existing one (the only community garden in Portland not supported by the city) is in danger after being purchased by PPM. It would go a long way with residents if they made a pledge to maintain a community garden in the neighborhood, as it's an important aspect of community.
4. We are also concerned about a parking shortage. We support the move to a society that is less dependent on cars, but acknowledge that Portland is not yet at that point. We are a little concerned about parking congestion in the neighborhood, which will affect residents and possibly the success of new retail in the neighborhood.

We appreciate your consideration of our comments and look forward to the Planning Board Meeting on Tuesday, March 14.

Best,
Sophie and Peter Markoe
47 Hanover St.

Sarah Michniewicz <sarahmichniewicz@mac.com> 12:16 PM (8 minutes ago)
to planningboard@portlandmaine.gov

Chair Stanley, Vice Chair Mazer, and Members of the Planning Board,

Here are some thoughts on issues related to Cedar Street in regards to the 196 Lancaster Master Development Plan.

Thank you for reading.

Sarah Michniewicz
Cedar Street

Cedar Street

Cedar has not formerly been used for the proposed purpose of being a 24/7 vehicular entrance and egress for parking spaces and service vehicle access at 89 Elm. Its limited capacity and immutable characteristics (size, orientation, and presence of existing homes) make it insufficient to serve the intended residential and service traffic.

Vehicular access and circulation section

"The plan does not envision significant changes to local vehicular access or circulation patterns"

This is a worrying assumption generally, and particularly in regards to Cedar Street. The current poor configuration in the MDP area drives many vehicles the wrong way up Cedar daily (documentation available) and the area is generally known to be difficult to navigate. Hall Court, an unaccepted and unmaintained narrow dirt right of way about 10' wide running between Chestnut and Cedar, enters blindly onto Cedar between parking spaces and adds to the unsafe conditions.

This MDP is an opportunity to reevaluate these patterns, and take steps to ameliorate ongoing safety issues which will likely be exacerbated by the addition of 800+ new residents.

A more detailed analysis of the traffic flow and correction of existing deficiencies should be conducted to benefit the proposal and support bicycle infrastructure and walkability.

Street Typologies: This graphic clearly indicates Cedar is the smallest street within the project area and the only "Neighborhood" street. The paved surface curb to curb is 20'.

However, both drive aisles for the largest building (201 units and 40 parking spaces) is proposed to utilize this street for entrance, egress, and service deliveries despite the availability of more appropriate "Neighborhood Connectors" (Oxford Street and Elm Street) and a "Neighborhood Main" (Lancaster Street), all of which are 50% larger than Cedar Street. Cedar Street is particularly difficult to turn onto when snowbanks are present.

Suggested change to relocate drive aisles and maintain housing: Whereas Elm is intended to be housing frontage, Oxford and Lancaster remain the most appropriate location for drive aisles, realized by cutting back the south and north ells that project into the R6 zone.

Some of the housing units that would be eliminated by this change could be potentially be regained in the upper floors of the ells, which now would be set back enough from the R6 zone that the area above 35' would not need to be stepped back an additional 5' as indicated per. T 7-A (CONT.): Residential Zone Dimensional Standards of the current Land Use Code (p.110).

This would also create a more appropriate transition to the lower R6 zone, uniquely starting at the midpoint of the block between Elm and Cedar. The Land Use Code specifies that existing surrounding neighborhood characteristics be taken into account when adding new buildings; there can be no question that the existing character of this R6 zone is and always has been of small residential single-family and multi-unit properties. While that may change in the future, the existing character is what this application must respond to.

Housing space can additionally be retained by increasing the height of the corner of the 89 Elm building, as recommended in planning staff's memo.

Note: Although the north-most proposed drive aisle on Cedar is currently used as such for the existing parking lot, the traffic volume is very low. The vast majority of parkers utilize the drive aisle on Lancaster (documentation available). Further, this traffic has for over two decades been constrained to 9-5 weekday use. The proposed use would see 24/7 traffic, and add service traffic such as large trash and maintenance trucks, which pose much greater impact on abutting homes by way of noise and light.

Note: Since taking possession of the property the applicant has removed a guard rail in the vicinity of the curb cut to the south. This new access point doesn't reflect the historic flow of traffic through these lots.

Note: Cedar Street is in absolutely terrible repair. No paving or sidewalk maintenance of any kind has occurred in at least the past 25 years despite many openings for gas, water, sewer, etc. The parts that aren't held together with rough, ungraded asphalt and cold patch are irreparably degraded. Whatever happens with this project, Cedar Street needs a wholesale upgrade .
The staff memo rightly recommends: Neighborhood Street (Cedar Street) – Establish sidewalks that allow for street trees and street lighting and facilitate on-street parking

However, should the sidewalks be modified to achieve this, Cedar may become narrower & even less suitable to accommodate the traffic from 89 Elm.

Greater Portland Landmarks

Historic character enriches our lives

March 13, 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 to express our thoughts about the Master Development Plan for 196 Lancaster Street. Although we understand that this project is at an early workshop stage and plans are still conceptual, it is one of the largest major development initiatives the city has seen in a long time. The development has the potential for improving the city but also must be considered thoughtfully and within the context of the city's built environment generally. We are pleased that it proposes to turn vacant surface lots into development that will provide housing, including a substantial number of units of affordable housing.

The applicant has conducted a preliminary study of the overall project's impact on only a few surrounding historic (and archaeological) features, as this was limited to the nearby Congress Street Historic District and the Schlotterbeck & Foss Building at 117 Preble Street. It did not consider, for example, the two historic brick houses on Cedar Street between Oxford and Lancaster Streets immediately adjacent to the proposed 8-story building at 89 Elm Street. Nor did it consider the smaller wood frame one- and two-family dwellings on neighboring streets, which as a cluster are significant for representing the history of Portland's Armenian immigrant community of the late nineteenth and early twentieth centuries who called this neighborhood home for decades. Additionally, the proposal itself incorporates demolition of several historic commercial and warehouse buildings to accommodate market-rate housing and retail spaces without suggesting ways of incorporating that historic fabric into the designs.

The master development plan obviously contains merits such as reinvigorating an area of the city that has historically been undervalued. Prioritizing green space and a pedestrian-friendly environment are also admirable goals. But it has insufficiently considered its impact on the neighborhood's historic character and community, and so we encourage the board to recommend the applicant do so as its plans evolve based on feedback.

Thank you,

C. Ian Stevenson, PhD
Director of Advocacy

511 Congress Street, Ste. 502, Portland ME 04101 | 207.774.5561 | info@portlandlandmarks.org | portlandlandmarks.org

curtis@gnew.me 11:45 AM (44 minutes ago)

to planningboard@portlandmaine.gov, azarro@portlandmaine.gov

I'm writing a comment in support of the proposed development at Lancaster St. - 196 (Mixed Use). No longer a local resident of that district, I believe it is critical to continue the process of infilling & increasing housing stock in the area to allow the city to continue developing, and the addition of large scale buildings to replace car-focused lots is an obvious choice. Off-peninsula transit into town is sufficient that parking is not a significant hindrance in our experience.

I agree with several previous commenters regarding the desirability for more green space, a greater spread of the affordable units between the buildings, but this is a net-positive in my views.

Curtis Agnew
22 Nevada Ave
Portland, ME 04103

Members of the Planning Board,

Thank you, again, for your time and attention.

Bayside is in the midst of its most significant changes in the last 100 years. Inevitable, progressive development is upon us and Portland will soon feel the relief of some badly needed housing. The opportunity to create an amazing, inclusive community environment while still preserving the sliver of authentic historic character that is in Bayside is not only entirely possible, but necessary. As you may know, this neighborhood has truly seen it all.

One thing has held true throughout Portland's history...Bayside has always been home to immigrant families.The first to come were predominantly Europeans who brought with them their style of housing and knowledge of fine homebuilding craftsmanship. Here they lived in what they built and happily maintained these one of a kind homes for the next hundred years. In the 30's, after The Depression, nearly everyone fell on hard times, and, though already examples of charming antique architecture, a lot of the homes fell into disrepair and were sold inexpensively. New immigrants moved into the area and began to revive things. For a time the primarily Armenian, Jewish, Italian, and Irish newcomers thrived in Bayside until targeted slum clearing sighted the majority of these communities for demolition and forced the relocation of hundreds of families. Thankfully, one portion of Cedar St. is still intact and has been in the renaissance process for a number of years. That portion happens to be in the dead center of the massive new development project proposed to you now.

When I first saw our home, my heart skipped a beat and my head yelled, "run!". Developers had plans to tear it down, but our tiny family agreed to take on the responsibility of restoring this bespoke, Greek Revival piece of history to its intended glory. My children and I have been painstakingly restoring the interior ever since (though the now nine year old hasn't shown much promise as a professional painter). A few examples of the interior rehab are attached.

Edward Thompson built our home in 1845 for his son (of same name) and his new bride. A mason by trade, what he built was a brick gem, full of strength, grandeur, quirky charm, and beauty. Like a gem, its very nature commands the ability to withstand the test of time, and that it has. It is, in fact, one of two antique homes on the block that were selected as potential national and local landmarks and are in the lengthy review process. Every single one of the homes on this stretch of Cedar St. (all in the center of the proposed master plan) are antique, survived Portland's fires, are authentic to the history of Portland's Bayside, and have been in the process of being lovingly restored for a number of years.

Repairing the exterior has proven to be an exhaustive and exceptionally costly challenge for many of us due to the consistent vandalism, theft, and break-ins our neighborhood has experienced. It made much more sense for some time to focus, instead, on the interiors. I know when the visible repair process is complete Portland will no doubt be beyond proud of the care taken and choices made here on Cedar St. Attached are some photos from 1924 showing examples of the homes here and what their potential is working toward being restored to.

After purchasing the home, we were warmly welcomed by neighbors and excited to learn just how willing they also were to struggle to preserve these structures and pour the love, time, and attention needed into saving them. To come to know the compassionate nature of these people...most of whom have lived here for quite some time, was an unexpected gift. Collectively, these people educate, volunteer, and give back to the community in a multitude of ways through many local non profit organizations. I myself have been an active volunteer at Preble St. and Maine Needs for some years as well as donate to several local non-profits each annually. Our interest is unified in our love of Portland and desire to heal this community. These neighbors have an amazing track record of kindness, acceptance, and understanding and have touched my heart with their efforts and ability to flex with the current conditions. However, expecting them to be completely overshadowed by a 6 to 8 story monolithic structure is not something these good people and these special homes are able to tolerate.

The developers in this instance, Port Property and Tom Watson Co, are currently developing in multiple municipalities in multiple states.They own several other parcels of yet to be developed land in the immediate vicinity in Bayside, not part of this master plan, and are currently inquiring about purchasing more of Bayside. With so many parcels to work with in just this pending development, it's curious why they are hoping to utilize the added affordable housing height overlay here and build an enormous building at the one location where it completely diminishes residents' quality of life, casting an entire small residential neighborhood in darkness. One can only hope this was not an intentional, strategic move to drive residents out and these property values down in order to purchase at lower prices and finish erasing historic Bayside. If the height considered at the (1b) location is not lowered in order to allow light to continue to shine here, the eventual demolition of all of this community is inevitable.

One of the things that makes Portland so great and attracts so many people is its focus on preserving and cherishing its history. In all of Portland's mission, vision, and purpose statements, conforming to existing fabric, character, context, and scale are referenced regarding new development especially where it abuts existing housing stock. In the current proposal, this building is non-conforming. Its heights are not adequately staggered with respect to the single family neighborhood context it surrounds.This would never be allowed in any other neighborhood on the peninsula and it should not be allowed here in Bayside.

Understandably, this master plan is situated and set up to support and maximize the long term profitability of all of Port Property's nearest holdings.That's their business and they are very good at what they do. Portland's job is to make sure it's done responsibly and to look after all of its citizens in this process. Residents most negatively affected by this proposal's design implore you to urge the developers to alter this plan to break up this building, allowing light to pass through and for them to utilize any added height allowances at another location where it will not devastate a small community. Clean air, safety, and light are vital to all lives in Portland. While we here on Cedar St. are as eager as everyone to see needed development and progress, we know diminishing people's quality of life is not vital to that. We ask to be part of their vision of the future. With this and developments to come, let's create an amazing inclusionary legacy in Bayside that does not include regrets.

Most Sincerely,

Amelia Labreck












adidas

www.mainememory.net/item/68259
Collections of City of Portland - Planning & Development



www.mainememory.net/item/44200
Collections of City of Portland - Planning & Development



www.mainememory.net/item/44152
Collections of City of Portland - Planning & Development

V - 3700



26-B-1

www.mainememory.net/item/44379
Collections of City of Portland - Planning & Development



Y 2000
26-A-9

www.mainememory.net/item/44239
Collections of City of Portland - Planning & Development

V-4483



33-11-16

www.mainememory.net/item/44261
Collections of City of Portland - Planning & Development



V - 3800 Ward 12

www.mainememory.net/item/44368
Collections of City of Portland - Planning & Development



26-A-11

ayiasophia@aol.com <ayiasophia@aol.com> Apr 3, 2023, 10:19:54 PM (15 hours ago)
to atrevorrow@portlandmaine.gov, planningboard@portlandmaine.gov

i just read this evening how back in 1946 - 1946 - the federal government had to step in to ensure the city of Portland was developing - ready - affordable housing because the city government was - dragging its feet.. The complex is now known as Sagamore Village.

and here we are...decades later...and Portland STILL does not have the vision or drive to housing, and especially housing density, to the city.

So...what will be the excuse this time:
too tall?
too "breezy"
block the sun
possible "historical" value?
too big?

but, yes, do make sure yet another parking garage (but make it so far away that SHUTTLE BUSSES are needed...like the MMC fiasco when the neighborhood "complained" (they now have lost street parking and have shuttle traffic - brilliant)..or allow another brewery to cater to the Portland elite.

no doubt it makes a few people squirm to read that, oh yes, Portland did no get another "award" for a restaurant or was voted as "best" in the nation (if you were wealthy)...nope, the city is rated as one of the WORSE for people making under $100,000...you know, like the majority of people living here...

Plan on folks...or pretend to do so...i have seen the outcome now for decades.

April 4, 2023

33 Cedar Street
Portland, ME 04101

Zachery Powell
City of Portland
389 Congress Street
Portland, ME 04101

RE: Traffic Movement Permit for West Bayside Partners, LLC 82 Hanover Street, Suite 5, Portland, ME 04101

Dear Mr. Powell:

Thank you for meeting with me last week.

My wife and I live in a house on Cedar Street across from the first property under development (building 1B) and we have serious concerns about the large increase in traffic planned that will be accessing a parking lot 24 hours a day. Currently, this lot, bounded by Elm Street, Cedar Street, and Lancaster Street has access only from Lancaster Street, which is a two-way street designed for this volume of traffic flow. Plans call for the Lancaster entrance/exit to be closed and all traffic to enter and exit on Cedar Street, which is a narrow, single-lane, one-way street.

The proposed plan would be a hardship to residents and impose a 10 times increase in traffic (according to West Bayside Partner's own traffic study estimate). This increase will occur on a narrow, one-way street. There are multiple traffic choke points at Oxford Street and Lancaster Street that will cause delays. This may cause drivers to bypass congested intersections and detour onto Hall Court, which is a narrow, unpaved alley, not suited for through traffic. And there already is difficulty in keeping the street plowed in the winter because of it's narrowness. In addition, delivery trucks or utility trucks would be required to negotiate a narrow road and make a tight turn into the proposed parking lot. There simply isn't enough room for trucks to enter and exit this lot from Cedar Street.

An entry and exit to the parking lot should remain on Lancaster Street, which is appropriate for the traffic volume expected. Thank you for accepting my comments.

Sincerely yours,
Andrew Rosenstein

George Rheault <george.rheault@gmail.com> 11:31 AM (3 hours ago)

to Planning Board, Zachary Powell

Has the Planning Department lifted a single finger in the last decade or so to identify significant structures worth preserving in the so-called "Bayside neighborhood" area?

Some aspect of facade preservation would at least preserve some memory of the area's evolution, but I have seen zero effort and engagement on even that front.

---------- Forwarded message ---------
From: **George Rheault** <george.rheault@gmail.com>
Date: Wed, Feb 15, 2023 at 2:26 PM
Subject: Re: PDC Public Comment - Brownfields Assessment Grant & Oxford Street Shelter
To: Mary Davis <mpd@portlandmaine.gov>
Cc: Lori Paulette <ljn@portlandmaine.gov>, Michael Goldman <mig@portlandmaine.gov>, <istevenson@portlandlandmarks.org>, <shansen@portlandlandmarks.org>, Evan Schueckler <evans@portlandmaine.gov>, Christine Grimando <cdg@portlandmaine.gov>, Kate Snyder <ksnyder@portlandmaine.gov>, Pious Ali <pali@portlandmaine.gov>, April Fournier <afournier@portlandmaine.gov>, Roberto Rodríguez <rrodriguez@portlandmaine.gov>, Anna Trevorrow <atrevorrow@portlandmaine.gov>, Victoria Pelletier <vpelletier@portlandmaine.gov>, Andrew Zarro <Azarro@portlandmaine.gov>, Regina Phillips <rphillips@portlandmaine.gov>, Mark Dion <mdion@portlandmaine.gov>, Bayside Neighborhood <bnaportland@gmail.com>

Mary,

The City of Portland should use ALL of its leverage points to encourage the private owner of the property to seriously consider a preservation path even if that means mothballing the structures for some time (lots of properties in Portland sit vacant for years before something is done with them). In this case, the PDC could condition an overall award of assessment funding on Port Properties not demolishing the 197-203 Oxford Street buildings for a defined time frame (18 months is probably fair to all sides) to allow room for ideas to bubble up that might enable Tom Watson and his partners to see the value of preservation here as part of their overall redevelopment plan for Bayside.

Dilapidated structures in far worse condition have been targeted for preservation and rehabilitation even if that meant taking years to achieve it (most recent examples include the house at 99 Capisic Street and the carriage house behind the former mansion house at 79 High Street). In both those cases, the City of Portland played a key role in ensuring preservation was centered in the re-use conversations.

Where there is a will, there is a way. There is evidence, via the 1882 Goodwin Tax Atlas and the Portland edition of the1886 Sanborn Fire Insurance Map that date the townhouses (which were ultimately combined into the Oxford Street Shelter in 1989/1990) to being older than 1890 which is the date I gave in my initial email. Assuming they were there circa 1880 makes them older than all but a handful of buildings currently given historic protection status within the Munjoy Hill and Western Promenade historic district areas.

On Wed, Feb 15, 2023 at 1:55 PM Mary Davis <mpd@portlandmaine.gov> wrote:

> Hi George,
>
> Thank you for your comments. Your comments will be shared with the members of the PDC board. I want to clarify that the request being considered by the PDC Board tomorrow night is specifically related to financial assistance to complete an assessment of potential hazardous substances, pollutants or contaminants on various sites identified in the developers proposed master development plan.
>
> Approval of any future development would be done through the City's usual regulatory processes.
>
> Mary P. Davis
> Interim Director, Housing and Economic Development Dept.
> 207-874-8711

housing & economic development

On Wed, Feb 15, 2023 at 11:58 AM George Rheault <george.rheault@gmail.com> wrote:

> Please postpone action on the piece of the assessment grant pertaining to the Oxford Street Shelter property (197-203 Oxford Street).
>
> I am appalled that the City of Portland would be actively facilitating the demolition of this apartment house, both because it can be used in the short term to alleviate housing needs even after the Riverside Homeless Services Center is opened, as well as the fact it is a historic resource that should have been formally designated as such a long time ago if historic preservation in our community was directed towards preservation of our physical history rather than merely window dressing for real estate gentrification.
>
> The PDC should request that a complete history of the structure be brought before it by city officials and/or interested members of the community including Greater Portland Landmarks utilizing sources such as those listed at the links below.
>
> 203 Oxford Street, Portland, 1924 - Maine Memory Network
> Assessor's Record, 197-201 Oxford Street, Portland, 1924 - Maine Memory Network
> 197 Oxford Street, Portland, 1924 - Maine Memory Network
> Maine Methodist Conference Deaconess Home at 201 Oxford Street, opened in 1903
> Paul Potenzo, taken from 200 Oxford Street in the 40's. The house across the street was 201 Oxford St and was owned by the Meezoian Family
>
> This building, built circa 1890, spans many periods of Portland and Bayside history, helping to tell the story of immigration, urban renewal as well as more recent contemporary stories like the Cardente real estate empire, the Libra Foundation's work (private urban renewal) and of course the infamous politics of homelessness since the 1980s.
>
> Wiping out that history would be bad for a private owner, but for the City of Portland to grease the wheels for that erasure of history, especially in light of how much of "Bayside" has already been wiped off the map, is unforgivable.

George Rheault <george.rheault@gmail.com> 9:48 AM (2 minutes ago)

to Planning Board, Zachary Powell

A planning board and planning staff that spent huge amounts of time, money and political focus between 2017 and 2021 "saving" Munjoy Hill from having its "historic resources" from being demolished, has somehow never found an ounce of time for doing anything similar for the Bayside neighborhood.

Furthermore, sections of Stevens and Forest Avenue were exhaustively examined for historic preservation purposes in the very recent past, but yet Bayside conveniently escaped any kind of similar attention.

Apparently the 2017 Comp Plan's section on "Historic Resources" (see attached) should have each of its pages stamped at the top with a "DOES NOT APPLY TO BAYSIDE NEIGHBORHOOD" notice.

Please square this exclusionary treatment and intentional omission with the following Comp Plan "Vision Statement" bullet points:

EQUITABLE

• The benefits and costs of our city will be born ***fairly*** across ***the entire city***.
• Our government will continue to be ***transparent*** and its policies ***fair and uniformly enforced***.
• We will incorporate the needs of ***all our residents*** in planning for our future.

SUSTAINABLE

• Portland has been built and rebuilt to endure; we will ***balance*** our ***historic fabric***, sound infrastructure, and the best of new technology and design ***for the future***.

AUTHENTIC

• We will celebrate our ***city's*** incredible history. [not just the West End, etc.]
• The ***uniqueness*** and ***integrity*** of our neighborhoods will be ***maintained*** and ***enhanced***.
• We will maintain our character through ***preservation***, innovation, and excellence in design for the built environment

An Enduring City



PORTLAND HAS AN EXTRAORDINARILY RICH HISTORY. The historic buildings, streetscapes, neighborhoods, and parks we experience today are the most tangible links to that history and are valuable because they tell Portland's unique story. Thanks to a combination of luck, vocal advocacy, and adopted public policy, many of Portland's historic assets have remained vital parts of the urban fabric as the city has continued to grow and evolve.

In 1990, the Portland City Council established a preservation program within the Department of Planning & Urban Development to ensure that stewardship of Portland's historic, cultural, and architectural assets is an integral part of the City's urban planning strategy. Portland's preservation program seeks to identify and document historic resources throughout the city and educate the public about their significance and ongoing contribution to present-day Portland. The program also includes a regulatory tool to effectively preserve and enhance these historic resources over time. Today, Portland's Historic Preservation Ordinance protects more than 2,000 properties, in areas as diverse as the Old Port, Stroudwater, Congress Street, the West End, India Street, and Fort McKinley on Great Diamond Island. The intent of the ordinance is not to prevent change, but to thoughtfully manage it so that the unique character of historic buildings, parks, commercial districts, and neighborhoods is retained. Designated properties are protected from demolition and proposed alterations or additions are reviewed to ensure compatibility with a property's original design. New construction within designated historic districts is also reviewed to ensure a respectful relationship between new and old.

Although many of Portland's historic structures and neighborhoods have been documented and afforded protection, particularly on the peninsula, other lesser-known areas and structures remain to be studied and considered for preservation. Survey, documentation, and, where appropriate, designation will be ongoing priorities of Portland's preservation program. Only with a fuller understanding of Portland's existing building fabric will the potential impacts and consequences of proposed development be appropriately evaluated. Ongoing education will also be key to the success of Portland's preservation efforts. If current and future residents appreciate why these places matter, Portland will be able to retain its historic assets over time. Under the regulatory arm of the program, the City must



continue to seek a balance between preservation of its historic fabric and meeting new or changing demands, such as building code and accessibility requirements and evolving building technologies. Embracing and encouraging quality contemporary architecture will be important as well if we are to contribute elements of our own time to Portland's continuing story.

Today, the impact of the Historic Preservation program in Portland is clear: Identifying and preserving historic resources stabilizes neighborhoods, makes economic sense, and contributes to a distinct sense of place that helps make Portland such a desirable place in which to live, to visit, and to invest. A walk or drive through any of Portland's historic districts reveals exciting changes, as more and more old buildings are carefully rehabilitated according to historic preservation standards while compatible new buildings are absorbed into the mix. In addition to the economic benefits of preservation, the sustainability implications of our historic legacy are increasingly recognized. As the city grows, preservation of its historic resources remains an integral part of Portland's future.



INDIA STREET HISTORIC DISTRICT

The designation of the India Street Historic District in 2015 was one of the major outcomes of a 2 ½-year neighborhood planning effort aimed at identifying the area's assets, needs, and aspirations. Historical research and a detailed architectural survey revealed that not only was India Street the site of the first European settlement on Portland's peninsula, the neighborhood also served as home to a long succession of immigrant groups arriving in Portland throughout the 19th and early 20th centuries. The cultural and economic impact of each of these immigrant communities on the India Street neighborhood can be found today in the variety of religious buildings that are the area's key landmarks and in the many family businesses established in the neighborhood, some that continue to the present day.



RECENT & ONGOING INITIATIVES

Since the establishment of the City's Historic Preservation Program in 1990, the City has assumed responsibility for the identification, designation, and ongoing stewardship of Portland's historic resources, which include individual landmarks, residential and commercial historic districts, historic landscape districts, and historic cemeteries. To date, the City of Portland has designated 73 individual landmarks, 11 historic districts, five historic landscape districts, and three historic cemeteries. In addition to its designation function, the Historic Preservation Program conducts development review — each year, the Historic Preservation Board and staff review more than 300 applications.

However, the City's Historic Preservation Program entails many other ongoing responsibilities and initiatives that are key to Portland's overall health and well-being. The Historic Preservation Program conducts historic resource surveys to identify and document historic resources warranting potential designation and protection under the Historic Preservation Ordinance. The program provides critical design consultation and technical assistance to public, private, and nonprofit entities engaged in projects with historic resource implications and it develops design guidelines and master plans for historic districts and landscapes. Last, the program actively engages in efforts to secure funding for local preservation initiatives, support public education around the city's history, and build partnerships with nonprofits doing preservation-related work — Greater Portland Landmarks, Committee to Restore the Abyssinian, Maine Charitable Mechanics Association, Portland Free Masons, Friends of the Eastern Promenade, Friends of Lincoln Park, Friends of Eastern Cemetery, Friends of Deering Oaks, and Friends of Fort Gorges among them.

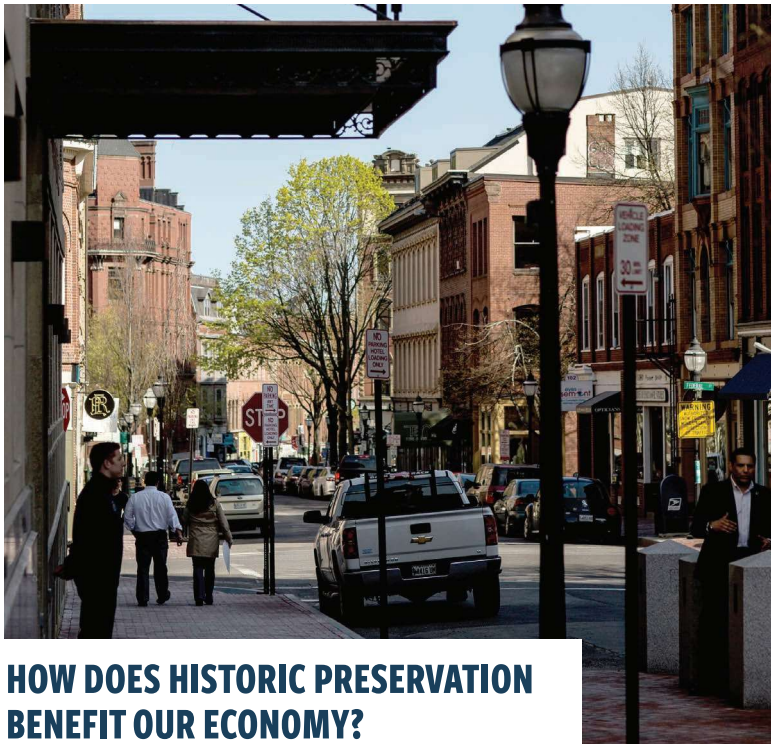


POLICY GUIDE:
HISTORIC RESOURCES

In the past decade, the City has made great progress in protecting and enhancing Portland's historic architecture and landscapes. The City has conducted five historic resource surveys, including a recent survey on Forest Avenue and Stevens Avenue in collaboration with Greater Portland Landmarks. The program has designated four new historic districts in recent years, from Congress Street in 2009 to House Island, India Street, and most recently, the Portland Company complex. It has also designated three individual landmarks: the Nathan Clifford School, the Ann Freeman House on Munjoy Hill, and the Abraham Levey Block on Middle Street. Additionally, the program has developed plans for important historic resources: Fort Allen Park, Lincoln Park, and Fort Gorges. Each of these efforts has helped not only to preserve critical elements of the city's past, but, as a whole, to spur additional public and private investment in the city.

The program has also engaged in active efforts to advance public education and fund local preservation efforts. In 2013, over 30,000 century-old photographs of Portland properties were made available online through partnership between the City, the Maine Historical Society, and the Portland Public Library. And since 2010, the Historic Preservation Program has collaborated with the Economic Development Department to provide technical assistance and design consultation to building and business owners revitalizing storefronts along traditional commercial corridors such as Congress Street and, more recently, India Street.

Over the coming decade, the Historic Preservation Program will continue to serve as an advocate for preservation and a facilitator of compatible change. In order to achieve the vision of Portland's Plan, the City must continue to work to carefully manage these two roles, and to celebrate those fundamental elements of Portland that are central to its history in order to ensure that its future is as successful as its past.



HOW DOES HISTORIC PRESERVATION BENEFIT OUR ECONOMY?

While being part of a historic district can involve an additional layer of review for maintenance and renovations, the benefits to property owners and to the community are extensive. Enacting historic preservation standards has consistently shown to stimulate private investment and increase property values. Preservation efforts also capitalize on existing infrastructure and services, offer spaces conducive to small businesses, diversify housing options, and can be a catalyst for downtown revitalization. Investing in historic resources makes good economic sense.



POLICY GUIDE:
HISTORIC RESOURCES

STATE GOALS

To preserve the State's historic and archaeological resources.

LOCAL GOALS

WE WILL:

Identify, document, designate, and preserve Portland's historic resources, including individual structures, neighborhoods, parks, cemeteries, and archaeological resources.

Educate and engage residents and visitors in appreciation of Portland's unique heritage.

Promote historic preservation as a key economic, sustainability, and community development strategy.

Stabilize and enhance historic areas of the city by ensuring quality investment in existing structures and compatible infill development.

Ensure an appropriate balance of continuity and change as Portland grows and evolves.



FUTURE STRATEGIES

1. SURVEY, DOCUMENT, AND DESIGNATE HISTORIC RESOURCES

- Continue to conduct architectural surveys, particularly in off-peninsula neighborhoods.
- Undertake a city-wide archaeological survey to identify potentially significant resources associated with Portland's agricultural, residential, and industrial heritage.
- Based on survey findings and input from applicable stakeholders, document and designate resources of historic, architectural, and/or cultural significance to encourage thoughtful building rehabilitation, deter demolition, and support neighborhood revitalization.

2. ADOPT MEASURABLE OBJECTIVES

- Prepare annual reports on preservation activities and projects reviewed under the Historic Preservation Ordinance for distribution to City leadership, staff, and the public.
- Track performance on key preservation objectives.
- Consider national best practices in developing metrics.

3. ENCOURAGE INVESTMENTS IN HISTORIC STRUCTURES

- Disseminate information about existing federal and State historic tax credit programs available for the rehabilitation of income-producing historic properties.
- Pursue grant and low-interest loan programs, potentially in collaboration with local nonprofits, to assist eligible building owners with the cost of historic rehabilitation.
- Consider a Transfer of Development Rights (TDR) program to allow for the permanent transfer or sale of unused development potential of historic landmarks or districts to areas considered more appropriate for intensive growth, allowing direct revenue from the transfers to be applied toward prescribed preservation initiatives.
- Explore a tax abatement program for owners of historic properties to allow a period for recouping investment.



ENVIRONMENTAL BENEFITS OF HISTORIC PRESERVATION

Recent research by the National Trust for Historic Preservation found that the re-use or rehabilitation of existing buildings offers significant environmental benefits over new construction. According to their report, ***The Greenest Building,*** each year approximately 1 billion square feet of buildings are demolished and replaced nationwide, resulting in significant environmental impacts associated with demolition and waste disposal, the production of new raw materials, and new construction. The study found that reusing an existing building can result in 4 to 46% less environmental impact than new construction, depending on the type of building, location, and level of energy efficiency. Even when new construction is designed for optimal energy efficiency, it can take 10 to 80 years for a new building to offset the negative environmental implications of its construction.



4. ENHANCE PUBLIC AWARENESS

- Expand the Historic Preservation Program website to include detailed information about the history and architecture of each historic district, comprehensive building inventories, and areas that have been researched or surveyed but not designated.
- Initiate a street sign program to identify and highlight historic districts.
- Expand interpretive signage programs for historic parks and selected sites.
- Collaborate with nonprofit organizations, such as Greater Portland Landmarks, on the development of interpretive mobile applications.
- Collaborate with Portland Public Schools in educating younger generations about Portland's history and architectural legacy.

5. ENSURE UNDERSTANDING OF PRESERVATION REQUIREMENTS

- Expand the Historic Preservation Program website to include an explanation of review standards, illustrated design guidelines, examples of model projects, and answers to frequently asked questions.
- Provide adequate staffing to ensure effective public outreach, efficient and timely permitting, follow-up on approved projects, and enforcement of ordinance requirements.

6. FOSTER PARTNERSHIPS

- Collaborate with nonprofits, private organizations, neighborhood associations, businesses, property owners, and affinity groups to pursue and expand support for preservation initiatives, including the implementation of adopted master plans for historic structures, parks, and cemeteries.
- Identify and secure available grants and public funding to leverage private support for preservation projects.

7. BALANCE MULTIPLE OBJECTIVES

- Accommodate multiple objectives, such as improved accessibility, improved energy efficiency, or climate change adaption, in alterations to historic structures while adhering to preservation objectives.
- Assess new construction techniques, products, and materials for compatibility with historic structures, and develop policies and guidelines for their use in historic rehabilitation projects.

8. LEAD BY EXAMPLE

- Maintain City-owned historic resources to high preservation standards.
- Continue to implement improvements recommended in adopted master plans for historic parks and cemeteries.
- Ensure that public infrastructure projects in residential and commercial historic districts reinforce and enhance the distinct streetscape character of the district.

PC7

Zachary Powell <zpowell@portlandmaine.gov>

Public Comment - 196 Lancaster Street: MDP Impact on 52 & 82 Hanover TDM - Parking Provisions

George Rheault <george.rheault@gmail.com> Mon, Apr 24, 2023 at 11:44 AM
To: Planning Board <planningboard@portlandmaine.gov>, zpowell@portlandmaine.gov

Planning staff really should be required to demonstrate the history of the parking and transportation demand management requirements that have been introduced at the 82 Hanover Street complex and the soon-to-be-completed 52 Hanover Street apartment building.

In certain cases, the applicant of those projects (the same applicant as here), Port Properties, made a LOT of assumptions about using surface parking options elsewhere in the surrounding neighborhood in order to get within the necessary parameters for planning approvals.

Assuming a complete build-out of the MDP, shouldn't the impacts on these projects be revisited to see how they would be impacted?

If this part of Bayside is to be turned into a massive sea of congestion (which may be the point, as it would enable more reliance on mass transit and cycling solutions), the planning apparatus should be honest and transparent about that AND ALSO EXPLAIN WHY THIS IS TOTALLY FINE HERE BUT NOT TOLERATED IN ANY OTHER PART OF THE CITY INCLUDING OTHER EQUALLY BUILT OUT PENINSULA NEIGHBORHOODS).

PC8

From: **George Rheault** <george.rheault@gmail.com>
Date: Mon, Apr 24, 2023 at 11:54 AM
Subject: Public Comment - 196 Lancaster Street: Barrett Made Housing Proposal
To: Planning Board <planningboard@portlandmaine.gov>, <zpowell@portlandmaine.gov>

The planning staff should be aware of and incorporate other development proposals in the immediate vicinity of the proposed MDP as part of the overall proposed MDP review.

For instance, Barrett Made, when it purchased the building where it currently has its offices, promised the City it would build a ~25 unit apartment complex (perhaps in conjunction with AVESTA). SEE ATTACHED PRESS ARTICLE.

Where does this proposal stand? Is Barrett Made currently in default of its agreement with the City of Portland for that parcel?

The existing surface parking lot where the housing would go is heavily used during the day.

How the loss of this parking would impact transportation circulation is probably a very important question to ask with respect to the MDP traffic planning process.

September 2, 2020

Large mixed-use development planned for West Bayside public works site



COURTESY / CUBE3

A rendering of the proposed mixed-use development for 52 Hanover St. in Portland. At right is Parris Street, at left the retail storefronts that will face a courtyard and the Lancaster Street pedestrian walkway.

By Maureen Milliken

A mixed-use building with ground-floor retail and up to 171 apartments is planned for 52 Hanover St., one of six former Portland Public Works Department parcels sold by the city over the past four years.

Where and what are the five former public works parcels in West Bayside?

More Information >

Developer Tom Watson, CEO of Port Property Management, got the go-ahead Aug. 3 from the City Council for a use change to his purchase and sale agreement that paves the way for the development at the site of the former city fleet garage. Watson said that Port Property will submit an application to the city planning staff by the end of the week.

The proposal is in addition to 196 workforce apartments Watson plans at Bayside Village, on Marginal Way, two blocks away.

Watson had initially planned to redevelop the fleet garage with 18 maker spaces when he bought the property from the city two years ago, but the development and design of adjacent 82 Hanover, which he also owns, made him rethink his plan.

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The 82 Hanover mixed-use development has three restaurants, and a wide courtyard with Lancaster Court, a pedestrian walkway, between the two properties. It also has office space and a variety of other businesses that face Kennebec Street, on the other side.

'It started with looking at that courtyard," Watson told Mainebiz Wednesday. "We could have something incredibly unique if we had a courtyard on both sides [of the walkway]," he said. "If it was just maker space and parking, it's not going to bring out the best of that."

The two properties are part of a six-parcel sale to five developers by the city when the Public Works Dept. moved to Canco Street.

Watson said the development will also complement his Bayside Village project, as well as other public works site residential developments. Other developments include Szanton. Co.'s Furman Block, which will have 46 apartments for those 55 and older; at 178 Kennebec St., and Parris Terraces, by Jack Soley, 23 workforce-priced condominiums at 60 Parris St.

Developer Rob Barrett is also in the initial stages of plans for a 25-apartment building in what's now a parking lot at 65 Hanover St., next to his The Public Works maker space development in what used to be the city's paint garage.

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"There'll be 600-plus [residential units] in that neighborhood," Watson said. The different types of housing "bring a wonderful mix."

"There'll be much more of a 24-7 presence there," he said. "It's going to completely enliven the neighborhood."



PHOTO / MAUREEN MILLIKEN

The courtyard on Lancaster Street, a pedestrian way behind 82 Hanover St., will face a new one at a mixed residential and retail building across Lancaster.

'It'll be a lifestyle'

Watson's plans, with partner John Laliberte, are for a six- to eight-story building, designed by Cube3, of Massachusetts. The building would have 8,000 to 10,000 square feet of retail facing Lancaster Court, a pedestrian walkway that borders the courtyard of 82 Hanover St. Banded Brewing, The Whiskey Barrel and Wilson County Barbeque all have outdoor seating. He plans a similar courtyard on the 52 Hanover St. side.

The ground floor facing Lancaster Court will have retail that includes a cafe. The rest of that level will be underground parking. A grassy courtyard is planned to face Parris Street, with the building a U shape around the courtyard.

Watson said a cafe is planned as part of the four or five ground-floor retail spaces, and he envisions residents meeting friends there, going across the courtyard to the businesses at 82 Hanover St., in addition to the amenities that will be in the building. "It'll be a lifestyle," more than just a place to live, he said.

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Watson said at least 10% of the apartments will be workforce, with the rest market-rate.

Barrett, across Hanover Street, is in the early planning stages of development 25 modern, energy-efficient apartments on what's now a 14,000-square-foot parking lot.

He said he wanted to make sure his other development, The Public Works, was doing well before he started, then the pandemic hit. 'I pushed it off, but I hope to get it started next year," he said.

He said he hopes to building workforce housing. "It's tough to make the numbers work, but if I can, I will," he said.



PHOTO / MAUREEN MILLIKEN

The former city fleet garage at 52 Hanover St. will come down to make way for a mixed-use building that could include up to 171 apartments.

Seeing what could be

The evolution of the neighborhood has been a fast one, going in four years from a mostly industrial area to an entertainment and office neighborhood, and now, residential.

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When the city put the land up for sale in 2016, the plan was for a variety of local developers to build a neighborhood out of the industrial space, rather than one large developer with one big project. That plan is now taking shape.

Watson said the success of development on the four acres of former city land comes from those who could look past the hardscrabble industrial sites and see something better.

The proposal doesn't need any kind of rezoning or city financial help, and he hopes to break ground next summer if all goes well through the planning and permitting process.

Despite the fact that 82 Hanover St. leased up in less than two years "it was not without its sleepless nights," he said.

"I see what I see there, but would others?"

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He said he and Laliberte can also see past the one-story concrete and metal garage that's there now to a new 52 Hanover St. "I know other people will see it, too."

Former Portland Public Works Dept. property development



COURTESY / CITY OF PORTLAND

Former Portland Public Works Department property that was sold to five developers. 1] 55 Portland St., (Ford Reiche) 2] 52 Hanover St. (formerly 44 Hanover St., site of a planned mixed retail and apartment building by Tom Watson, Port Properties); 3] 60 Parris St., (Parris Terraces; Josh Soley) 4] 82 Hanover St. (developed by Watson] 5) 65 Hanover St. [now 53 Alder St., developed by Rob Barrett) 6] 178 Kennebec St. (Furman Block, Szanton Co.). Marginal Way is at the left and the Forest Avenue post office is at the bottom right corner of the photo.

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Zachary Powell <zpowell@portlandmaine.gov>

Public Comment - 196 Lancaster Street: Facade Preservation

George Rheault <george.rheault@gmail.com> Mon, Apr 24, 2023 at 11:59 AM
To: Planning Board <planningboard@portlandmaine.gov>, zpowell@portlandmaine.gov

Please save these historic facades from demolition as part of the MPD and incorporate them into the new construction (relatively easy since they are both single-story structures).

73-77 Preble Street, Portland, 1924 - Maine Memory Network [see attached photo for contemporary view]

98-104 Chestnut Street, Portland, 1924 - Maine Memory Network - NABISCO [existing condition is altered but still salvageable]



73-77 Preble Street - 2023 Existing Condition.JPG
2999K

Zachary Powell <zpowell@portlandmaine.gov>

Comments on Revised Submission - MDP 196 Lancaster Street Bayside

Laura S. Underkuffler <lu27@cornell.edu> Mon, Apr 24, 2023 at 12:13 PM
To: "planningboard@portlandmaine.gov" <planningboard@portlandmaine.gov>
Cc: Zachary Powell <zpowell@portlandmaine.gov>

Dear Planning Board Members,

Following are comments on the revised submission of Port Property for its development proposal for 13 parcels and 7 city blocks in the Bayside neighborhood. These comments will center on its apparently more detailed proposals for the block bounded by Elm Street, Oxford Street, Cedar Street, and Lancaster Street; and its response to the Board's prior concern about green space in the overall development plan.

1. New (?) proposed traffic plan for 89 Elm Street Building (affordable housing building). From what I can tell, Drawing No. C-10, which is comprised of a series of drawings, appears to have a significant inconsistency. The "Master Site Plan" Drawing No. C-10 shows two entrances and exits from Cedar Street into the rear of the building designated as 89 Elm Street. The "Site Plan" Drawing No. C-10 for this block which follows seems to indicate only one two-way entrance and exit into the rear of that building. If this is indeed a change in the traffic plan, it is highly problematic. One entrance and exit for all of the resident cars and service traffic into the rear of this building is obviously inadequate.

2. Required transition from B-3 zone to R-6 zone, and required preservation of historical/archeological resources that predate the Great Fire of 1866. In response to the Board's concern about the lack of the required transition from B-3 to the R-6 zone, and the protection for the old and historic (pre-Fire) houses at 213-215 Oxford Street and 44 Cedar Street, the applicant indicates a set-back along the Oxford Street side of the proposed "ell" of its building, which butts up against the house at 213-215 Oxford Street. This set back, using the scale present on the "Site Plan" drawing cited above, is apparently in the vicinity of 2 or 3 feet. This does not achieve the transition or bulk modification necessary to avoid the visual or psychological overpowering the historic house. A set-back of twice this (6 feet or more) would be required to have any real visual or psychological impact.

3. In addition, the crowding of this new building against the historic resource is also unchanged in this proposal. This proposal seems to reflect the absolute minimum setback along the side of the historic 213-215 Oxford Street house. As marked on the "Site Plan," the distance for this setback is 10 feet: a 6-foot concrete sidewalk, "mulch and shrubbery" of an undetermined width (appears to be 3 or 4 feet), then a retaining wall. The minimum required setback here under the zoning code is 10 feet. This plan reflects no recognition of the need for separation or screening from the historic house (see #2 above). A setback which provides some kind of genuine psychological and physical separation -- e.g., 15 feet -- containing real greenery such as planted trees to screen the new use from the historic house is required.

4. Preservation of mature tree on Oxford Street. There are two mature trees (only) along the entirety of this section of Oxford Street. One is in front of the historic house at 213-315 Oxford Street, and one is farther up Oxford Street closer to its intersection with Elm Street. The tree in front of our house at 213-215 Oxford Street was explicitly saved by the efforts of the City arborist in the planning and execution of the City's sidewalk repairs 4 years ago. The second tree, of similar size today (45-50 feet tall), is labeled on the "Site Plan" as "existing tree to be removed", in violation of

the City's tree preservation ordinance. There is no reason why this tree -- which is so rare in this area of the City, which is otherwise a sea of concrete -- cannot be incorporated into the applicant's sidewalk design, with the assistance of the City's arborist. The proposal to cut this tree down and replace it with a sapling a few feet tall makes no sense in view of Portland's commitment to preservation of its tree canopy.

5. Green space for the building at 89 Elm Street. The green space currently proposed for the 89 Elm Street block, and its 201 affordable residential units (400+ projected residents), is severely inadequate. For this building, there is now added "green space" (colored green) in the form of the 6-foot wide cement sidewalk that begins on the Oxford Street side of the same ell of the building described above, around the end (in the 10-foot setback between the new building and the historic house, described above), and along the other side of the ell along the parking lot and next to the commercial dumpsters. This green space is obviously inadequate for a building of 201 units (and 400+ residents); what is needed is green space for a building of this size as is now provided by the applicant in its market rate, other buildings in Portland that are already constructed.

6. "Major publicly accessible open space" created from a parking lot between 165-185 Lancaster Street, and 163 Lancaster Street. This is clearly a step in the right direction. However, it is -- alone -- an inadequate response to the Board's stated concerns about the nonexistence of dedicated green or recreational space in the totality of this very large development.

Thank you very much, Laura Underkuffler
Co-owner of 213-215 Oxford Street
Resident of that house for 12 years

4/25/23 changes to PL-002315-2022, Bayside Master Development Plan

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Jim Hall <mtjimhall@gmail.com> 10:50 AM (2 hours ago)

to Planning Board

Dear Chair & Members of the Planning Board,

RE: 4/25/23 changes to PL-002315-2022, Bayside Master Development Plan (MDP)

First off, I will concur with the Staff report: *"Comments* are *anticipated to be provided after the April 25th Workshop."*

The upload of agenda documents Friday evening did not provide enough time to collate an understanding of how changes interact across 650 pages of materials. In general I think I see a mix of some progress, some unmet requirements, and some significant changes that would need to be newly assessed. Is there a way for the community to learn about the pending Staff response? It would be unfortunate to upload this for the next workshop alongside a *new* round of changes from the applicant. I had also understood from Staff that this workshop was to be focused on the topic of Design, but without design submissions, I don't see how that's possible.

At the highest level, I'd like help understanding better: What is an MDP?

Planning Staff recently clarified for me that MDPs are technically not allowable in "R" zones. That could be one potential reason the first-draft submission obfuscated intentions for the plots abutters care the most about (those in R6 containing the surviving residential homes & community garden), instead only showing cross-hatched *"future development"* labels if anything. But it underlines the fact that this MDP application is being used to cluster inclusionary zoning for ten years of *residential* development. That aspect now appears even more out of whack with intent of the law, now that I understand MDP was designed as a *commercial* planning tool.

Given consistent alignment among community members, Planning Staff, and Board members that mixed-income development is the proven best practice, I hope we will see an explicit response from the applicants at some point. To date they have simply doubled down and accelerated toward the segregation model, shuffling phases to submit a Major Site

Plan in parallel with this MDP, along with an inclusionary zoning application to meet low-income requirements by clustering 25% of seven buildings into 100% of one.

Regarding percentages — I would like clarification that height bonuses only meet the 25% threshold. You cannot both say that a building three blocks away will meet its 25% IZ requirement by pointing back to 89 Elm, and *also* grant 89 Elm a bonus for being 100% of the same pie.

TABLE 18-C: BONUSES FOR ELIGIBLE PROJECTS

% Low-income Units	% Work-force Units	Density Permitted[1]	Additional Height Permitted[2]	Setback Reductions[3]
10%	**20%**	1.1 x base	N/A	N/A
20%	**40%**	1.2 x base	10 ft.	N/A
30%	**60%**	1.3 x base	10 ft.	5 ft.
50%	**100%**	2.0 x base	15 ft.	5 ft.
75%	**N/A**	2.5 x base	25 ft.	10 ft.

It's unfortunate that the land use has not yet incorporated updates to this table since IZ requirements changed via referendum in 2020 (10% isn't even legal anymore, making this dead code). It's even more unfortunate that the Bayside overlay of 2005 has not caught up to the last 15 years of learnings around best practices. And of course it feels a bit unseemly to shoehorn in this MDP knowing a major ReCode is imminent.

We all know that building too dense is toxic, and building low-income too dense is in fact immoral. This proposal would create one low-income block that's *5 times* the average density of Portland, a density that has never existed *anywhere* in Portland as far as I know, and frankly would never be allowed or even considered in any other neighborhood. We do want urban density — just not *HYPER*-density. Didn't we learn that over-clustering any single type of use was bad from the failures of the gerrymandered Bayside social service ghetto the city has recently worked so hard to distribute?

One section I was able to review carefully was the inline responses to the Staff memo of the prior workshop (pp5-21). In many cases the applicant requests to defer to "future site plans", and I'd like to ask Staff and the Board to say at the 4/25 workshop which specific items they do consider appropriate to require, at least at a high level, as part of MDP review. Where Staff have written something like, *"The application will be reviewed*

for compliance with standards of the zone," I wouldn't think an applicant could simply say, *"No thanks, maybe later"* — but it's possible there have been discussions between Staff and the applicant agreeing on justifications for the blanks.

Some examples of topics the applicants have requested to bypass during this MDP review (Att. B):
- Shadow study,
- Relationship to commonly owned parcels,
- Utility & drainage,
- Building articulation,
- Landscaping,
- Materiality,
- Zone-based standards,
- Facade dimensionality,
- Parking capacity,
- Garden mitigation plan,
- Tree location / sunlight / root requirements / size / type / wells (there were a lot of Staff questions on trees, thank you!),
- Stormwater & flooding assessment,
- Multi-season use,
(…etc…).

I looked forward to seeing details of the new proposal for "green/open" space on Lancaster. Seeing the phrase "green space" used for the first time in the submission is a very welcome addition in itself, but to be clear in context – this space is not in any way a replacement for a permanent plan for the Community Garden, which is on borrowed time within this applicant's recent purchases from Tom Toye (though as previously mentioned, in an R zone and ignored in the MDP)

At a structural level the change of use on Lancaster to "green/open" space appears to create additional parking needs (or at least more generally, to require managed arrival in some way), while also proposing to *remove* 40 spaces. I mention this not as a criticism per se, but more as an example of the kinds of complex interactions that changes in the overall scape may introduce – and the need for the Board to very carefully weigh what might be called "Total Livability Factor", with a balance of *all* aspects in mind. The statement that *"adequate parking is available"* begs the question (p17 of submission). Only your human intelligence, not mechanical code requirements, will be adequate to fully assess the gestalt of traffic & human flow, mass & ratio of uses, new utilities needs, etc. I hope the applicants also sees optimizing "Total Livability" as in their best interests, as presumably they hope to design environments where their future

residential tenants will actually want to build lives, and their future retail tenants are actually able to maintain a critical flow of patronage. On a side note, I do hope utilities get a very careful assessment. I can tell you that direct abutters of the former shelter have already experienced years of water-pressure drops at peak hours.

I'm interested in ensuring this MDP can become a turning point to a history of purposeful disinvestment. The patterns of the past demolished immigrant homes, and sequestered their buildable land in surface lots nobody wants, until the market could benefit someone like Port Property, I do definitely see it as a win-win that someone with such means will finally build, in a neighborhood that has been abused and neglected for at least a century. And this plan does flirt with some aspects that could repair neglectful planning of the past (e.g. joining the growing consensus that supports consistent 2-way directionality along Oxford). But it contains other aspects that are complicit in similar patterns (e.g. a proposed change of use of R6 Cedar to act as a B3 back service alley). Please try to approach this neighborhood with empathy, for instance picture any aspect of the proposal located at your home. The fact is, it takes *active* "anti-discrimination" in order to repair the sins of the past, and systemic biases like the Bayside Height Overlay will not repair themselves.

I'm aware that the Board takes its charge as largely ministerial, i.e. at root to assess technical adherence to adopted ordinance requirements. Planning staff have also indicated to me that "conditions on approval" are generally more used as a tool to capture work in progress that didn't happen to complete at the time of hearing, rather than how it intuitively sounds, as setting any additional expectations. The other side of the coin is that the Courts have an incredibly strong tendency to uphold findings of civilian review bodies, unless something like really blatant discrimination were evident. In general it could be worth considering when your mission as a Board may call for extraordinary action to ensure a given plan meets the *intent* and not just the letter of the law. For example, personally I would see a condition to form a Community Advisory Panel as very needed, very relevant, and very low-risk to the city, even should such a condition be formally challenged. I ask the bravest Board member to self-identify by making such a motion at the appropriate time, at least for the sake of clarifying level of support through deliberation.

Thank You,
Jim Hall
Cedar Street

Sarah Michniewicz <sarahmichniewicz@mac.com> 11:32 AM (1 hour ago)

to planningboard@portlandmaine.gov, planning@portlandmaine.gov

Hello Chair Mazer and members of the Planning Board,

I'm writing in regards to the 196 Lancaster MDP application. Thank you for your continued good work on this proposal.

Try as I might I have not been able to get through the entire 500+ page submission and all the changes. There is just too much to review, and not enough time - and I'm someone who is very engaged in the process, has skin in the game, and has been making time to study the materials and give feedback from the outset.

Reading between the lines of planning staff's comments, it seems as if they too are struggling to respond to the applicant's submission and have not received meaningful responses to some of their earlier requests for information and updates. I'm left with the sense that each party is playing by a different set of rules.

I suggest the typical planning process is not working well for an MDP of this scope, and it should be modified. Please consider another meeting between now and the next workshop to discuss the current submission so the public and planning staff can adequately process materials and provide well-informed commentary and questions.

There is simply too much to get through, and the stakes are too high, to move this along at the pace that's being attempted.

Thank you,
Sarah

Public comment: : PL-002315-2022

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Sophie Hamblett <sophie.c.hamblett@gmail.com> 12:12 PM (30 minutes ago)
to planningboard@portlandmaine.gov

Members of the Planning Board,

Thank you for your attention to this. We absolutely support more housing in Portland and are excited about many aspects of this plan. We think this could be a great opportunity for the neighborhood we live in and love—if it is done with care, thoughtfulness, respect, and an intention to build community. There are a few points that we believe require further attention:

- Traffic on Cedar St. and the overwhelming bulk/density of the 89 Elm St. building
- Green space. We were happy to see the “major publicly accessible open space” in the updated plans, but are still concerned about the lack of green space overall in this enormous project. We also want to reiterate the importance of the community garden to our neighborhood.
- Concentrating all of the affordable housing in a single large building remains an issue and won’t create positive outcomes for anyone involved. We wholeheartedly support the plan to add affordable housing, just not the way it's being carried out.

We appreciate the updates made to the master plan but think they are still lacking in some areas. We are looking for more as Bayside residents and we hope the developers will do more to listen to the community (as others have previously suggested, a community advisory panel would be a welcome solution to this).

Best,
Sophie and Peter Markoe

West Bayside Development Partners Plan

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Andrew Rosenstein <andrew718@icloud.com> 11:55 AM (1 hour ago)

to planning@portlandmaine.gov

RE: West Bayside Development Partners LLC Plan

Dear Members of the Planning Board:

As a residents of Bayside who have owned a home at 33 Cedar Street for almost 15 years, we are concerned about some of the proposed changes to our neighborhood. The development planned by West Bayside Development Partners LLC is unique is its size and scope, and we hope the planning board considers several key points regarding the plan in moving forward.

1) Developers have insisted that funding is dependent on having 100% of 89 Elm Street being designated for low-income tenants. Maine Housing Authority, where WBDP LLC says they are receiving grants from, does not ask this. MHA supports mixed income buildings over single low-income only buildings.

2) There are concerns that traffic entry and exit from the parking lot will overwhelm Cedar Street, a one-way street, currently in considerable disrepair with unimproved sewer and water lines. Also, there is little room for truck traffic for deliveries or garbage pickup coming off Cedar Street. Traffic should be routed on main streets like Lancaster and Elm, rather than increasing traffic density on Cedar Street, which will lead to overflow using Hall Court which is an unimproved gravel alley unsuitable for vehicular traffic.

3) There is a lack of designated green space in the plan, and often WBDP LLC claims green space on private property (Schlotterback and Foss Lofts) as green space. Request that tree density be doubled along Lancaster, Elm, Cedar, and Chestnut Streets to compensate for lack of parks and designated green space in proposed development.

4) Building height of 89 Elm Street will create a monolithic, high-density building that shadows existing homes along Cedar Street and is out-of-character for the many charming brick buildings in the neighborhood. A creative solution needs to be found to reduce the density and the impact of such a large proposed structure along Elm Street.

Thank you!

All the best,

Andrew and MaryLee (Bennison) Rosenstein
33 Cedar Street
Portland, ME 04101

Port Property - where's the open space?

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Avery Yale Kamila <avery.kamila@gmail.com> 6:07 AM (2 hours ago)

to planningboard@portlandmaine.gov, Zachary Powell, Anna Trevorrow, Andrew Zarro, Pious Ali, Bayside Neighborhood

Dear Honorable Members of the Portland Planning Board,

Thank you for holding a site walk to examine the Bayside properties included in the Port Property master plan, the adjacent properties Port Property owns, and the surrounding impacted property.

The developers estimate that its very welcome 800+ new units will bring up to 82 new Portland Public School students to this neglected neighborhood that only has one overcrowded playground with broken playground equipment, no basketball court (or even a hoop,) and no other public recreation facilities for children and teens. This majority Black neighborhood with high poverty levels and high rates of food insecurity lacks a single, publicly-owned community garden because the city has refused to support a community garden for this neighborhood. Because of this continuing neglect by the city, the Bayside neighbors took it into their own hands to create four gardens, all on private property. Port Property now owns two of these privately-owned gardens. (Both are located on former house lots torn down in past waves of discriminatory public policies.) For some reason, the developer has carved these two gardens, located on Chestnut Street, out of its Master Plan area. Instead, the developer is proposing to tear down yet more historic buildings in this neighborhood and turn a publicly-owned street into open space. I support wide adoption of woonerf streets. However, they do not represent an increase in public open space and the benefits of such streets, just like pocket parks, will accrue mostly to the businesses and residents renting the adjacent properties from Port Property. The wider neighborhood benefits of a woonerf street are negligible at best. A pocket park will provide needed cooling for this hottest of all Portland neighborhoods. https://treeequityscore.org/map/#15.1/43.66356/-70.25801 However, neither addresses the recreation needs of the hundreds of already existing children in the neighborhood or the pressing food insecurity needs of its residents.

Port Property is financially benefiting from 100 years of de jure discrimination in Bayside that displaced residents of non-British ancestry and economically depressed the neighborhood for decades. During this time, hundreds of owner-occupied homes were torn down. Now Port Property is poised to become the economic beneficiary of all these discriminatory policies. What are they doing to repair this historic discrimination and neglect, which they will now benefit from financially? What are they doing to provide missing neighborhood amenities? What are they providing to support 82 new children in this neglected neighborhood? Why haven't they proposed deeding the two community gardens they now own on Chestnut Street to the city?

Since Port Property does not seem ready to voluntarily donate these community gardens to the city or create recreation space for children, I ask the board to require Port Property to deed the two community gardens to the city and create a basketball court for neighborhood tweens and teens.

Sincerely,
Avery

—
Avery Yale Kamila, AOLCP

Co-founder
Portland Protectors
PO Box 4242
Portland, ME 04101
207-780-0915
www.facebook.com/portlandprotectors

Jim Hall
to Planning

Dear Planning BOard Members,

I chose to shift my spoken comments tonight to respond to specific items I'd heard during the workshop, so copying my comments I'd prepared:

I'd like to focus my comments on two related aspects - the need for a Community Advisory Panel, and the need for an active anti-discrimination remediation plan.

This 10-year master plan is at least as impactful as Roux, as Maine Med, as the Homeless Service Center, all of which have mandated community advisory panels. It's not fair to require community members to stay on top of managing communications for such a massive undertaking themselves. The precedent for a working solution is clear from those cases - we need a community advisory panel.

So far the applicant has preferred to handle communications more casually, and only in reaction after community pressure builds. In my written comments I outlined a case for the board to take an activist role in setting conditions of approval. A formal community advisory panel will solve so many tensions and community concerns, while simplifying this more targeted MDP approval process.

I can already point to an example where requiring more active engagement could have avoided a problem before it started — there was not an adequate proactive plan in place between the City of Portland and the new property owners to manage the immediate aftermath on Oxford Street when shelter guests were transitioned to the new Riverton Service Center. It took a week of community feedback for both entities to meet and start devising a reactive response. A community advisory panel will ensure we can avoid such gaps in site management, by involving those who know what happens on the ground on a daily basis.

The applicants have many adjacent holdings and plans beyond what they're including in the boundaries of this so-called master application. An advisory panel of various stakeholders impacted by the actual "total plan" would be better poised to reach alignment on aspects such as a permanent plan for the community garden, able to encompass the whole context.

The lack of municipal support for this garden is just one example of a century or more of discriminatory practices that have beleaguered this neighborhood – which has been denied adequate infrastructure for shade trees, denied safe sidewalks and lighting, denied road repairs, denied reasonable traffic patterns, denied green space, etc.

I do thank the applicants for proposing the new green-slash-open space on Lancaster as a commercially viable way to provide other community amenities ten years from now, but we're not going to heal the sins of the past by only considering viable profitability options or merely rubber stamping current code requirements. And just to clearly restate the obvious, this open space is not a community garden solution. I understand it's neither realistic nor really fair to ask a commercial entity that has made significant investment to solely create anti-discriminatory solutions. That's why this board must intervene to ensure at minimum that the community can continue to participate after you give your stamp of approval. There are no mechanisms currently in place to ensure this.

I personally consider the segregation of low-income units to be a discrimination issue in itself, and I know not everyone agrees. but beyond that there is a well-documented history of abuse and neglect that has set up the dominos to simply benefit the highest bidder now. Business as usual will not provide a moral solution. All levels of the city must collaborate, engage in creative thinking, and act fast, otherwise we will all become complicit in allowing the "letter of the law" to finally follow through on the outcomes that discriminatory practices have set up to deliver over generations. What we really need is a public-private partnership where city entities provide common solutions a for-profit applicant cannot and will not. Please contribute to that partnership by requiring a neighborhood advisory panel as a condition of approval.

Thank you
Jim Hall
Cedar Street



Christian MilNeil <c.neal.milneil@gmail.com> Apr 26, 2023, 1:22:45 PM (yesterday)
to planningboard@portlandmaine.gov, Jeremiah Bartlett, Bruce Hyman, William Savage, PBPAC@googlegroups.com

Hi everyone,

I'd like to offer some constructive feedback w/r/t the Port Properties Master Plan application for 89 Elm Street.

I'm an extremely strong supporter of this proposal, which will bring an urgently needed infusion of new housing into one of New England's most walkable and transit-accessible neighborhoods. Adding new housing here, instead of in places like Windham (or even places like North Deering) will result in significant reductions in regional traffic and associated air pollution, and add more vibrancy to Bayside by replacing parking lot blight with a vibrant new neighborhood. If it were in my power to amend the proposal by fiat, my first request would be for the applicants to build even more housing than they're already proposing.

My other (more reasonable) request regards the project's sidewalks, which will be an important public amenity for the neighborhood's future residents.

According to "public realm" sketches posted on the city's CSS portal, most of the proposed sidewalks on frontages along the project's new buildings would only have 5 feet of width for clear passage. Usually this would be supplemented by a 6-foot "furnishing zone" along the curb, but in the applicants' sketches, that zone would be filled with outdoor dining tables, light fixtures, and elevated planters, all of which would obstruct or outright block the passage of foot traffic.

Unfortunately, 5-foot sidewalks are not adequate for a neighborhood of this density, where the applicants' traffic forecasts predict hundreds of new pedestrian trips every hour. Federal Highway Administration guidance notes that "for any two people to walk together, 5.0 feet of space is the bare minimum" and that "in some areas, such as near schools, sporting complexes, some parks, and many shopping districts, the minimum width for a sidewalk is 8.0 feet."

The applicants' own sketches illustrate how cramped these sidewalks are going to feel:



I encourage the City and the Planning Board to insist on a minimum 7-foot sidewalk clear-zone for streets affected by this Master Plan, and encourage, wherever possible, at least 8 feet of clear zones. There are numerous practical ways to achieve more comfortable, functional sidewalks with minor changes in the applicants' site plans:

- On-street parking areas and driving lanes could be reduced in size to make space for wider sidewalks. This would also create space for more robust, healthy tree plantings to add considerable property value to the neighborhood (reducing the neighborhood's ashpalt-paved surface area would mitigate Bayside's severe heat island and make the project more consistent with the city's One Climate Future goals, since this neighborhood should be prioritized for non-motorist transportation access). If we're claiming to prioritize pedestrian-oriented streets, the Master Plan's design of those streets should reflect that priority, and give pedestrians and tree plantings more space than the cars are getting.
- In bottleneck areas, consider reducing the width of tree planters to enlarge the clear zone (especially if the applicant compensates with subsurface Silva Cells to encourage tree health) and/or build tree planting wells that are flush with the sidewalk and thus won't create trip hazards for pedestrians, as the city's raised granite curbs do.
- I was a big fan of this design solution from Montreal, which has harsher winters than we do. Note the flanged removable collar around the tree trunk, which protects young trees from snow plow damage while also mitigating trip hazards for pedestrians:



Thanks for your consideration, and for all your hard work on making this important project succeed.

Christian MilNeil

Robert Hyde <rhyde2@gmail.com> 9:02 AM (1 hour ago)
to planningboard@portlandmaine.gov

Hello,

I hope this message finds you well. I'm the owner of the home at 39 Cedar Street.

In advance of the June 13th hearing, I'd like to express my opposition to Port Property Management's proposal to segregate 201 workforce units into a single building. The proposal will create social stigmatization for the residents of such a building and it seems to be in violation of the city's Inclusionary Zoning requirement (City of Portland Land Use Code, Chapter 14; Article 18.2.3 Ensuring Workforce Housing; section C-4) (see attached):

> **Workforce units must be integrated with the rest of the development, must use a common entrance, and must provide no indications from common areas that these units are workforce housing units.**

In order to bypass the requirement to integrate affordable units, Port Property Management seems to have decided that the term 'development' encompasses their 7-structure project of an almost unprecedented scale in Portland's history. But this interpretation is evidently in conflict with the spirit and language of the Inclusionary Zoning requirement: 'development' can only mean single structure, otherwise the terms 'common entrance' and 'common areas' are meaningless in the excerpt above.

Kind regards,
Robert

18.2.2 Reduction of fees

A. Notwithstanding any other provision of this Land Use Code or Chapter 6 to the contrary, development fees shall be reduced by the City for an eligible project in the manner described in Table 18-A.

B. Development fees shall include:
   1. Site plan review and inspection fees.
   2. Subdivision review and inspection fees.
   3. Impact fees.
   4. Administrative fees.
   5. Construction and permit fees as described in Chapter 6 of the City of Portland Code of Ordinances.

   Development fees do not include any fees charged for review conducted by any party other than the City.

C. Eligible project shall mean a development project:
   1. That is permissible under the provisions of this Land Use Code in the zone in which it is proposed.
   2. That will be a single-family or multi-family dwelling, or subdivision consisting of a group of dwellings, and will not be located in an R-1 or R-2 zone.
   3. That creates new dwelling units, among which is at least one low-income or workforce housing unit for rent or sale, through new construction, substantial rehabilitation of existing structures, adaptive reuse or conversion of a nonresidential use to residential use, or any combination of these elements. Affordable housing units for sale or rent may not differ in exterior design from other units within an eligible project.
   4. Projects shall not be considered "eligible projects" solely because they are subject to Subsection 18.2.3.

D. The Planning Authority shall perform its review of an eligible project in as expedited a manner as is practical, without impairing the scope or thoroughness of the review. The Planning Authority may adopt administrative procedures to prioritize review of eligible projects and facilitate this expedited review.

E. The Planning Board shall make its best efforts to give priority in scheduling workshops and public hearings related to any plans or applications required for an eligible project that are within the Planning Board's jurisdiction, without impairing the scope or thoroughness of its review. At the conclusion of these public meetings, the Planning Board shall promptly issue a decision on all such plans and applications before it for consideration.

18.2.3 Ensuring workforce housing

A. **Purpose.** Based on the City's Comprehensive Plan and the City's 2015 housing study, it is in the public interest to promote an adequate supply of housing that is affordable to a range of households at different income levels. The purpose of this subsection is to ensure that housing developments over a certain size provide a portion of workforce housing units and, by doing so, promote the health, safety, and welfare of Portland citizens.

B. **Applicability.** This subsection shall apply to development projects that create ten or more net new dwelling units for rent or for sale through new construction, substantial rehabilitation of existing structures, adaptive reuse or conversion of a nonresidential use to

residential use, or any combination of these elements, with the exception that projects using public financing requiring affordability restrictions, as defined by tax increment financing, U.S. Department of Housing and Urban Development funds such as HOME or CDBG, other federal, state, or local housing program, or the Low-income Housing Tax Credit program, shall be considered exempt.

C. **Standards.** Development projects subject to this subsection shall be subject to the following requirements:

1. Notwithstanding any language to the contrary in this Land Use Code, all developments of ten units or more are conditional uses subject to Planning Board review on the condition that they comply with the requirements of this subsection, unless they are within the India Street Form-Based Code Zone, in which case the review will be conducted administratively or by the Planning Board in accordance with the thresholds of site plan review for the district.
2. At least 25% of the units in the project shall meet the definition of workforce housing unit for sale or for rent as defined in Article 3. The project shall have the option of paying a partial fee-in-lieu as per (6) below or providing an additional unit on-site for any fractional value.
3. Projects shall not be segmented or phased to avoid compliance with these provisions. In cases where projects are completed in phases, affordable units shall be provided in proportion to the development of market rate units unless otherwise permitted through regulations.
4. Workforce units must be integrated with the rest of the development, must use a common entrance, and must provide no indications from common areas that these units are workforce housing units.
5. Workforce units need not be the same size as other units in the development but the number of bedrooms in such units, either on- or off-site, shall be no less than 10 percent of the total number of bedrooms in the development. For the purposes of calculating the number of bedrooms in a development, every 400 square feet in each market rate unit will count as a bedroom if the Planning Authority determines this method is appropriate in lieu of counting actual bedrooms.
6. As an alternative to providing workforce housing units, projects may pay a fee-in-lieu of some or all of the units. In-lieu fees shall be paid into the Housing Trust Fund. The fee for affordable units not provided shall be $150,000 per unit, adjusted annually in the same way as the fee under Subsection 18.1.8.
7. Workforce housing units for sale, if converted to workforce housing units for rent, shall become subject to the income limits and other requirements of such units.
8. If at least 33% of the units in a development are workforce units, the development is eligible for subsidy through an Affordable Housing TIF, subject to City Council approval.
9. The term of affordability for the required 25% workforce units provided shall be defined as shown in Table 18-B.

D. **Implementing regulations.** Regulations to further specify the details of this subsection shall be developed, including, but not limited to:
   1. Specific methodology for income verification.
   2. Situations where less than permanent affordability might be considered.
   3. Guidelines for meeting the requirement that off-site units be "in the same neighborhood."

TABLE 18-B: MINIMUM TERM OF AFFORDABILITY FOR REQUIRED WORKFORCE UNITS

% of Workforce Units Provided	Minimum Term of Affordability
25%	30 years
50%	20 years
100%	10 years

TABLE 18-C: BONUSES FOR ELIGIBLE PROJECTS

% Low-income Units	% Work-force Units	Density Permitted[1]	Additional Height Permitted[2]	Setback Reductions[3]
10%	20%	1.1 x base	N/A	N/A
20%	40%	1.2 x base	10 ft.	N/A
30%	60%	1.3 x base	10 ft.	5 ft.
50%	100%	2.0 x base	15 ft.	5 ft.
75%	N/A	2.5 x base	25 ft.	10 ft.

[1] "Base" is the number of units allowed under the zoning without this bonus but with any other bonuses applied. In R-P zones, multifamily is permitted with a "base" no less than 1 unit per 1,500 SF. of land area. If an eligible project is providing both workforce and affordable housing units, the applicant shall have the option of utilizing applicable incentives, but not cumulatively.
[2] The maximum additional height permitted in the B-1/B-1b zones and the R-P zone shall be 15 feet. In addition, the maximum structure height is 50 feet within 750 feet of the Portland Observatory.
[3] Setback reductions are absolute reductions in front, side, and/or rear setback requirements. The maximum setback reductions in the B-1/B-1b and R-P zones shall be 5 ft.

E. **Reporting to City Council.** In conjunction with the annual report on the Housing Trust Fund, the Planning Authority shall annually report on developments subject to this subsection, the number of units produced, the amount of fee-in-lieu collected, and the overall effectiveness of this subsection in achieving its stated purpose.

18.2.4 Density and dimensional bonuses and reductions

Notwithstanding any other provision of this Land Use Code to the contrary, in order to encourage low-income and workforce units in designated growth areas, eligible projects as defined under Subsection 18.2.2 may avail themselves of the following options:

A. **Density bonuses.** The maximum number of units that would otherwise be allowed under this Land Use Code shall be increased for an eligible project in the manner described in Table 18-C, applicable in the B-1/B-1b, B-2/B-2b/B-2c, B-3/B-3b/B-3c, B-5, R-7, and R-P zones.

B. **Planned Residential Unit Developments (PRUDs).** In order to promote orderly development of low- and moderate-income development as PRUDs, any project in which more than 50% of the units are low-income or workforce units for rent or for sale may utilize the following dimensional bonuses and changes:
   1. Minimum lot area per dwelling unit is reduced by 50%.
   2. Maximum number of units and maximum length of buildings do not apply but may be set through site plan review.
   3. Minimum building setbacks may be reduced to 10 feet.

4. The PRUD may cross public rights of way provided that the right of way does not count towards minimum lot size nor towards any open space requirements.
5. Minimum recreation open space area is reduced to 200 square feet per dwelling unit of common area designated for recreational purposes by the residents. Minimum contiguous size and setbacks do not apply and shall be set through site plan review.
6. The Planning Board's *Design Manual*, design standards, and guidelines with respect to PRUDs shall apply in full to PRUDs utilizing this subsection.

C. **Unit size and term of affordability.** In order to be eligible for this subsection, the low-income and workforce housing units must meet Subsections 18.2.3(C)(3), (4), and (5) and be affordable for the longest term permitted under federal, state, and local laws.

D. **Required public process.** The developer of the project must also commit to a good faith effort to communicate openly with affected properties as their process moves forward. At a minimum, no less than 30 days prior to application for site plan review, any project that wishes to take advantage of this subsection must hold a public meeting noticed to all properties within 500 feet of their site and post a sign on the property in question describing the proposed project, intent to submit an application to the City in 30 days (cite anticipated submission date), and contact information for the developer and the Planning Authority. The Planning Board may adopt regulations regarding the content and processes for noticing as part of the *Technical Manual*.

E. **Projects under 18.2.3.** Projects that are subject to Subsection 18.2.3 that choose to provide the required workforce housing units on site are eligible for a 25% increase in total permitted units. If an eligible project as defined under Subsection 18.2.2 is also subject to Subsection 18.2.3, the applicant shall have the option of utilizing either this bonus or any bonuses they are eligible for under Subsections 18.2.4(A) and (B) but not both.

18.2.5 Inclusionary zoning for hotel projects

A. **Purpose.** This subsection is based on City analysis, most specifically the analysis documented in the Greater Portland Council of Government study *Proposed Hotel Linkage Fee: Supportable Range* dated August 29, 2018, that finds that new hospitality developments create a need for new affordable housing. This need is the result of the fact that hospitality developments necessarily create a number of jobs that do not pay employees at a rate sufficient to allow those employees to afford market-rate housing in the City of Portland.

B. **Hotel projects.** For the purposes of this subsection, hotel projects shall include any hotel as defined in Article 3 consisting of 10 or more guest rooms for rent. Any expansion of an existing hotel by 10 or more rooms within any five-year period will also be considered a hotel project.

C. **Hotel projects conditional uses.** Notwithstanding anything to the contrary in this Land Use Code, all hotel projects are conditional uses subject to Planning Board

George Rheault <george.rheault@gmail.com> 3:15 PM (2 minutes ago)
to Planning Board, Zachary Powell, Christine Grimando, Abigail Reed, jmy

Please see attached a recently taken photo of the new (almost completed) CMP substation at Forest Avenue & Marginal Way that now presents itself as the "Gateway to Bayside" for those coming off I-295. See below as well for my detailed commentary from May 2020 regarding this embarrassing slap-in-the-face to Baysiders.

Also in view (in the attached photo) is the bland Bangor Savings Bank with the garish blue lighting accents (highly visible at night) and the drive thru service window and attached parking lot. While an improvement over the previous car wash located on the site, the Planning Board unanimously approved in 2015 a new auto-centric use here without much in the way of countervailing urbanism of any kind: https://www.bangordailynews.com/2015/10/07/news/bangor-savings-bank-plans-portland-expansion/

The relevance of this input to the current master development application from Port Properties is simply to note for the record the absolutely pathetic record the Planning Board and the planning staff have in being an advocate for Bayside's needs (and West Bayside in particular).

Our city's elites want to open up Bayside to profitable real estate ventures and the increased property tax revenue and economic vitality that goes with them, but has done next to nothing to ensure that Bayside develops as a healthy stand-alone neighborhood with a good quality of life that has an authentic sense of place and is not just a 21st century "no-wheres-ville" as so many commercial developments are perfectly happy to deliver in the awful American planning tradition.

We know the planning staff DO NOT go the extra mile for Bayside nor does the Planning Board.

Their goals are to protect the Stroudwaters, the West Enders, the Munjoy Hills and the Deering Centers by effectively forbidding new development in those places while still being able to say with a straight face that Portland is a welcoming place to both real estate investors and new residents desperately looking for housing opportunities.

The so-called 2030 Portland Comprehensive Plan is a joke when you actually look at the Planning Board's efforts over the last decade or more in Bayside and certainly since the 2030 Plan was approved in 2017.

We are NOT a mere "tabula rasa" or "get-out-of-NIMBY-jail" escape valve to be played when it suits you.

---------- Forwarded message ---------
From: **George Rheault** <george.rheault@gmail.com>
Date: Wed, May 20, 2020 at 2:36 PM
Subject: Utility Sub-Station - Corner of Forest Avenue & Marginal Way: Another Failure of Portland's Imagination

To: <publicart@portlandmaine.gov>, Kate Snyder <ksnyder@portlandmaine.gov>, Pious Ali <pali@portlandmaine.gov>, Nicholas Mavodones <nmm@portlandmaine.gov>, jduson <jduson@portlandmaine.gov>, Tae Chong <tchong@portlandmaine.gov>, Kim Cook <kcook@portlandmaine.gov>, Justin Costa <jcosta@portlandmaine.gov>, Spencer Thibodeau <sthibodeau@portlandmaine.gov>, Councilor Belinda Ray <bsr@portlandmaine.gov>
Cc: Christine Grimando <cdg@portlandmaine.gov>, Caitlin Cameron <ccameron@portlandmaine.gov>

On May 12, 2020, the Planning Board approved a plan for a drab, essentially pre-fabricated, utility substation to be placed in one of the most visible gateways to center city Portland. Based on info from Central Maine Power representatives, the substation is likely to be a permanent fixture for residents and visitors alike for 50+ years (assuming climate change does not interfere).

See attachment. Source: https://portlandme.portal.civicclerk.com/event/1221/overview [click here for agenda and meeting materials]

Portland could have done so much better. But it didn't make much effort here as far as I can tell. Portland likes to brand itself as a "Smart City" or tag itself "Creative Portland" but no smartness or creativity has been applied and also no willpower. We should expect better results from the Snyder City beyond hot air and empty boosterish spin.

One would think that as soon as this application arrived at City Hall in late 2019, the bright lights in our planning department would reach out to CMP and various other stakeholders to consider ways that the purely functional here could be dressed up to enliven our public realm rather than diminish our physical landscape. There are plenty of precedents for this kind of thing - SEE BELOW for local and international inspiration. The Public Art Committee certainly should have been engaged (they often have little to do frankly). Various Parkside, Bayside and other downtown neighbors should have cared enough to ask some questions, but didn't (too pre-occupied no doubt with various anti-homeless and other NIMBY endeavors).

When the old substation (now being replaced) was installed in the early 1970s (as I-295 was being finished), Portland certainly did not have the luxury to consider embellishing this area. But times have changed.

Many people traveling to MECA and Portland's barely there "Arts District" travel this Forest Avenue corridor, so those constituencies perhaps could have mobilized some time and attention in lobbying CMP to brainstorm ideas and ways to fund them (or at least create some enforceable commitments that might bear some fruit in the near future so as not to hold up the immediate project). CMP might even be willing to fund it if they get some promotional value from it. I am sure they are happy to purchase some goodwill amidst their many public challenges of late.

With new investment in "Bayside" and many other expensive improvements in and around Deering Oaks Park having taken place in the last decade (with more to come), this choice parcel should be made to host a site-specific art intervention that would enhance everything around it. (In a truly perfect world, the substation should have been incorporated into some larger multi-use development, but that takes real long-term vision and skill which does not exist in Portland development precincts right now).

It is especially disappointing that the art planned for the nearby Deering Ave round-about and the proposed MLK memorial further down Marginal Way, despite being dumbed down (if they even happen at all) showed some interest in public art using infrastructure improvements (a transportation project and public trail, respectively, here a utility upgrade) to launch public art and/or stimulating architecture to places formerly absent of such amenities. Apparently a few token projects are all that our current city administration is willing to entertain instead of letting creative ideas inform every opportunity and application.

In any event, I hope the graffiti taggers give the new CMP transformer shed some pizzazz in the next 50+ years. It is all up to them now.

LOCAL INSPIRATION:

This very site (or almost this very site) once had a cool power plant that was sadly demolished, I think, to make way for I-295. Would be an iconic building today if someone had bothered to save it and adaptively re-use it. A reminder that utility companies - both public and private - once saw value in their role in creating impressive civic architecture - whether it was small scale (like the 1931 Portland Water District pump station on Munjoy Hill: https://www.mainememory.net/artifact/82245) or big like this now gone power plant:

Power Plant at 207-217 Forest Avenue in Bayside, Portland, was owned by Portland Rail Road Company in 1924 (Leased to Cumberland County Power & Light at this time) https://www.mainememory.net/artifact/54277

CMP's signage on Canco Road is super cool and could give us some design cues for something impressive on Marginal Way. Hopefully someone makes sure we preserve Portland's only example of Soviet Constructivism.



MaineBiz photo credit

INTERNATIONAL INSPIRATION

Great overview of how creativity is informing utility infrastructure...
http://www.designcurial.com/news/beacons-of-utility-a-new-wave-of-public-works-projects-7755007

Minneapolis efforts to jazz up substations (kind of underwhelming though very site-specific, but hey, they tried!)
http://www.alliiance.us/our-work/civic-community/xcel-energy-substation/
https://mgmcgrath.com/portfolio/xcel-energy-midtown-substation/

London UK - Sub-Station Wrapper
https://manchesterhistory.net/architecture/2010/substation.html
https://marble-arch.london/culture-blog/tube-station-wrapped-artwork/
https://www.ianvisits.co.uk/blog/2012/12/03/london-underground-have-covered-up-a-sub-station-with-art/

San Francisco (a bit bland but definitely easier on the eyes than nothing at all)
https://www.urb-in.com/pge-larkin-substation (firm has done a number of these types of projects)
https://www.architecturalrecord.com/articles/14327-larkin-street-substation-addition-illuminates-an-industrial-corner-in-san-francisco


MARGINAL WAY
STATE ST
SPEED LIMIT 30
Bangor
Savings Bank

Andrew Rosenstein <andrew718@mac.com> Jun 7, 2023, 3:34:05 PM (17 hours ago)
to planningboard@portlandmaine.gov

Dear Planning Board:

As a homeowner on Cedar Street in Portland, we are abutters to Phase 1 to the development plan at 89 Elm Street. We have serious concerns about the building design and we are concerned that the Planning Board is overlooking many factors because Portland's affordable housing needs are so great. And we agree, Portland needs affordable housing on a large scale. But we ask that you slow the process down for 89 Elm Street (Phase 1B) and consider carefully some of the issues that Port Property is intent on pushing through the Planning Board process.

There is no question that Portland needs the housing that 89 Elm Street will bring, but in its current design, it does little to fit into a historic neighborhood of homes. With design changes, 89 Elm Street can be scaled differently, just as Avesta has worked in Portland to design housing that is a good fit for both residents and Portland. Here are some problems, as we see it, with the current design that Port Properties is proposing:

1) 89 Elm Street, as designed, is a monolithic, multi-story structure along one city block that is out-of-character for our neighborhood. We have asked Port Properties many times at meetings to consider dividing the building into two separate structures along Elm Street to enable a mid-block passage, which would reduce the wind-tunnel effect and reduce shadow coverage over Cedar Street. Most of all, two buildings on the site could potentially provide more green-space and offer a smaller, friendlier scale of housing for residents.

2) Commercial trash-hauling trucks and delivery vehicles plan to be routed down Cedar Street into a small rear parking area without the necessary Maine DOT commercial driveway specifications or turning-radius. We have interviewed commercial drivers from two trash hauling companies and asked if they could negotiate the turn from Cedar Street into the parking lot without making multiple corrections and backing up onto curbs putting drivers and pedestrians at risk. Both have said that it was not possible. "No way," was the phrase used by one driver who spoke off-the-record. Heavy trucks do not belong on narrow, one-way Cedar Street, which is in terrible disrepair and has a pre-1920 sewer system that has not been upgraded.

3) We ask that a pass-through be created so that trucks can enter the parking area from Elm Street, Oxford Street, or Lancaster Street. All of those are streets that are designed wide enough for truck traffic to pass by parked cars and snowy streets in the winter.

4) We are asking for housing that blends all income levels, and does not segregate affordable income to one enormous unit. Fifty years of research has asked and answered this question many times: it's not good for residents of affordable housing to be segregated. The two buildings proposed for Phase 1 of this project must blend a variety of income levels, with equal amenities. Maine Housing Authority position is that they support multi-income housing in a single building, not segregated housing. Port Property says they will offer support to tenants of 89 Elm. They have not specified what that means. And what happens if (and possibly when) they sell the building? What will new owners do to support the tenants of 89 Elm Street? We ask for smart planning now by the developer with encouragement from the Planning Board.

Portland cannot afford to have what amounts to an untested social experiment at 89 Elm Street. Port Property successfully manages a large mixed income building at 638 Congress Street, but affordable units on this scale has never been done in Portland because it doesn't work. In addition, the architecture of the building at 89 Elm Street has elements that are antiquated before construction has even begun, and the building has no connection to the Portland vernacular. What, for instance, is that bizarre and useless tower element doing high on the corner of the building at Elm and Lancaster in design renderings? And the street-level architecture is even more off-putting on the Lancaster side of 89 Elm Street, with massive columns.

89 Elm Street is the wrong design for the proposed units. It's parking access destroys the quiet character of Cedar Street with 10 times as many cars per day (Port Property estimate). It is simply, too big and no effort is being made to integrate it into a brick and clapboard neighborhood with a rich working-class history.

Thank you!

Sincerely,

Andrew and MaryLee Rosenstein
33 Cedar Street
Portland, ME 04101

Zachary Powell <zpowell@portlandmaine.gov>

Public Comment - 196 Lancaster Street - Port Properties MDP: Greater Portland Landmarks Hypocrisy

George Rheault <george.rheault@gmail.com> Wed, Jun 7, 2023 at 4:34 PM
To: Planning Board <planningboard@portlandmaine.gov>, Zachary Powell <zpowell@portlandmaine.gov>, Christine Grimando <cdg@portlandmaine.gov>, jmy <jmy@portlandmaine.gov>, Abigail Reed <areed@portlandmaine.gov>

It is astonishing that several notable Bayside historic structures located within the footprint of the applicant's master development plan are currently slated for outright demolition. The Planning Board appears to be eager to rubber-stamp the decision to proceed with those demolitions.

Yet, where has the Greater Portland Landmarks advocacy been focused the last few months?

NOT IN BAYSIDE!

Instead at 142 Free Street (see attachment and pressherald.com link below): a beat up nondescript box riddled with all kinds of perforations over its almost 200 year history that all but eliminates any claims to exterior (and certainly interior) historic integrity.

Yet, GPL is demanding the preservation of 142 Free Street's historicist, stage-set (inauthentic) facade by the nativist elite bigot, John Calvin Stevens.

GPL is more than happy (along with its donors) to stand in the way of a truly ground-breaking inclusionary PMA effort in order to champion the physical embodiment of triumphant 1920s Portland's white supremacism - the new Chamber of Commerce headquarters (fresh from its coalition victory along with the KKK of installing the city manager form of government in 1923 and destroying the political power of the city's immigrant enclaves back then INCLUDING the area we call BAYSIDE today).

Apparently the tepid mealy-mouth vagaries the GPL introduced in advance of the first workshop in March was meant to be a performative exercise only - mere symbolism linked with no real preservation advocacy whatsoever. Here is a link to the completely token gesture, free of any specific asks or history: b3b0bde4-e3cd-42a4-8470-ec91423e74b7.pdf (windows.net)

Such a disgrace. And of course, this lack of any effort provided important cover for planning staff to similarly engage in ZERO meaningful advocacy and demand NOTHING from the applicant in terms of incorporating any facade preservation of any kind as part of the MDP.

Commentary: Portland Museum of Art must now proceed with care (pressherald.com)


Portland Museum of Art must proceed with care

ABOUT THE AUTHOR

Greater Portland Landmarks - Public Advocacy Hypocrisy - Portland_Press_Herald_Sun__Mar_19__2023.jpg
2095K

Portland Museum of Art must proceed with care

As the area's nonprofit organization devoted to historic preservation, Greater Portland Landmarks' mission is to ensure that Greater Portland preserves its sense of place for all and builds vibrant, sustainable neighborhoods for the future, encouraging public participation in the decisions shaping our communities. It is with this mission in mind that we offer considerations on the Portland Museum of Art's proposal to expand and unite its campus, with special concern for its implications for the PMA's architectural legacy.

The PMA recently announced the selection of LEVER Architecture to design a major new building and master plan to unite the museum's campus. LEVER's initial proposal has many worthy distinctions, including its scale, choice of sustainable materials, homage to Maine's Wabanaki heritage and ability to welcome the public.

It does not, however, appear that the program gave significant weight to preservation considerations, including how the design should interface with existing buildings and the surrounding community.

The historic buildings of the campus are a part of the PMA's admirable "Art for All" initiative by showcasing important pieces of Portland's architectural history. All of the campus buildings – including the Payson building (1983) – are contributing structures both to Portland's local Congress Street Historic District and the Spring Street National Register District.

The proposed design implicitly assumes complete demolition of one of these buildings – 142 Free Street, the former Children's Museum – without any specified justifications. Yet, the PMA will have to seek multiple city approvals to do so; 142 Free Street enjoys preservation protections based on its significance as a structure of nearly 200 years and association with notable architects, including John Calvin Stevens, a founding member of what is now the PMA.

Outside of the preservation protections for 142 Free Street (and the other buildings of the campus), the signature Payson building was designed to be in conversation with the façade of 142 Free Street, and its rhythm and scale were influenced by the earlier building.

Removing that context thus diminishes the Payson building, which is also proposed to be significantly modified with the introduction of an archway leading to a High Street courtyard. This design effectively re-orients the museum away from Congress Square. These changes would dramatically affect the museum's interactions with a major intersection undergoing significant publicly funded upgrades. The redesigned courtyard itself has the potential to eliminate the beloved, heritage Copper Beech tree that presently graces that space.

As a major cultural institution for the city and heart of the Arts District, it is entirely appropriate for the PMA to make a bold architectural statement fitting of the twenty-first century to augment its historic campus and provide spaces for new forms of programming.

But the PMA is also stitched into the fabric of the existing city and Portland's sense of place.

As the museum looks to enhance its actions on accessibility and equity, we hope that it will also prioritize the stories that these spaces and historic structures on its campus represent, using its architecture to teach us about the history and cultural heritage of the city.

The Portland Museum of Art now has an extraordinary opportunity to fully incorporate its architectural legacy and our shared built environment into its plans for the future.

ABOUT THE AUTHOR

Sarah Hansen is the executive director of the historic preservation nonprofit Greater Portland Landmarks.

George Rheault <george.rheault@gmail.com> 1:33 PM (3 hours ago)

to Planning Board, Zachary Powell, Christine Grimando, jmy, Abigail Reed

The Schlotterbeck & Foss Building, which was converted to residential use circa 2016, was also listed in 2016 on the National Register to enable it to participate in the historic tax credit rehabilitation program.

The Portland Land Use Code is very poorly drafted on many things including the definitions of "landmark" and "designated landmark" which one would assume both terms would be applicable to the Schlotterbeck & Foss Building. Even if this structure is not officially designated locally, it is designated FEDERALLY.

This confusion should be acknowledged and a position taken by planning staff and the Planning Board.

It is my position that this National Register property makes the 100 foot rule applicable to the MDP parcels touched by that circumference and any planning approvals should take this into account.

Recent Listings in Maine | Maine Historic Preservation Commission

Schlotterbeck & Foss Building, Portland, Cumberland County, 1927-1966



Date listed: 7/11/2016

Criterion A: Industry Criterion C: Architecture Local Significance Listed July 11, 2016

The Schlotterbeck & Foss Building at 117 Preble Street in Portland, Maine is significant for its association with the pharmaceutical and food processing industry on the local level between 1927 and 1966; and as a rare surviving industrial building by Maine's most-noted architect John Calvin Stevens and a rare example of the style of architecture in Portland. The less-well-known Portland architectural and engineering firm Webster & Libby played an imp designing the building. The building was constructed for the food processing and pharmaceutical manufacturing operations of th Schlotterbeck & Foss company and continued in that use by the same company until 2015. The period of significance extends f of the building's completion until fifty years before the present. Throughout that period, the building remained largely unchanged continued in the same use by the same company.

Zachary Powell <zpowell@portlandmaine.gov>

Port Property's Bayside Master Development Plan ("MDP") PL-002315-2022

Bayside Neighborhood <bnaportland@gmail.com> Thu, Jun 8, 2023 at 4:55 PM
To: Planning Board <planningboard@portlandmaine.gov>
Cc: Zachary Powell <zpowell@portlandmaine.gov>, Kevin Kraft <kkraft@portlandmaine.gov>

BAYSIDE NEIGHBORHOOD ASSOCIATION
baysideportland.org bnaportland@gmail.com

To Chair Mazer and Members of the Portland Planning Board,

Regarding Port Property's Bayside Master Development Plan ("MDP") PL-002315-2022:

The Board of the Bayside Neighborhood Association ("BNA") strongly urges the Planning Board to briefly postpone a yes-no vote on this MDP to a date certain in consideration of the outstanding community questions and concerns outlined below, and to ask the applicant to use the intervening time for additional engagement with relevant stakeholders in order to better ensure alignment and collectively produce an outcome we can all be proud of for the future of our city.

The BNA has a history of advocating for more housing within our neighborhood. We supported the sale and redevelopment of the former Public Works parcels and the subsequent development of the Szanton Company's Furman Block and Jack Soley's Parris Terraces. We participated in the public process for the recently opened Daymark.

We supported Port Property's request for a change of use to create much needed housing on the Public Works parcel they purchased at 52 Hanover Street, and we are thankful to them for initiating the proposal now before you. As engaged and invested community members, we more than anyone want a neighborhood redevelopment plan that will succeed where others have not.

The Federated Midtown proposal failed in part due to stakeholder resistance, and the City's own New Vision for Bayside, produced in 2000, lacked an adequate implementation mechanism and is now considered largely obsolete. At the time that Vision was proposed, Bayside had already suffered from systematic discrimination, demolition, and disinvestment for most of the preceding century. The Master Development Plan before you now would appear to be the best option we have to holistically address the scars of that neglect. This is overdue progress.

This MDP is also Portland's first-of-its kind foray into multi-block hyper-density, roughly five times the density of anywhere else in the City. This is arguably the most unprecedented and most impactful residential development in Portland's history.

With this scale and impact comes great opportunity, and a correspondingly grave responsibility for City planners, Port Property, and the Planning Board to get an enormous number of details right.

We very much appreciate Port Property's responses to some of the community feedback that's been offered, such as adding significant open space to the MDP — yet significant parts of the plan remain at

odds with the abutting residential neighborhood context, especially the monolithic nature of 89 Elm.

As such we believe this plan is close, but not quite ready, for its decade-long build-out and a lifelong commitment to whatever this body chooses to approve.

In its current form this proposal:

- Does not acknowledge or respond to the existing residential fabric or its vulnerabilities, other than to note minimal height reductions in mass and scale across zones where required by code
    - We don't believe a block-long building that isolates and shadows Cedar Street meets the standards described in Portland's land use code, nor aligns with the principles of its 2030 Comprehensive Plan.
    - The lack of integration with or consideration for the existing residential neighborhood can, and should, be remedied.
- Does not acknowledge the history of the neighborhood, other than the retention of existing large-scale commercial spaces and tenants.
    - We believe a small nineteenth century neighborhood street like Cedar should not be relegated to being a garbage removal alley and competitive parking lane for the new housing and retail uses.
- Adversely impacts abutters with a range of collateral damage
    - We do not believe the intention of the B3/R6 zone split between Elm and Cedar was to locate part of an "18-hour community engagement engine" adjacent to small historical residential homes.
- Segregates lower-income units in ways that are broadly understood to be discriminatory
    - We do not believe the purpose of the MDP tool is to promote or allow the segregation of income classes in this way.
    - Regardless of the letter-of-the-law, we and many others in the community are very concerned about the precedent set for this city should we allow all of the affordable housing for a large-scale project to be off-loaded to a legally separable parcel.

While the master development planning tool can streamline some processes for both the applicant and developer, it's not at all clear that it is the most effective way to plan a project of this magnitude when it's being inserted into an existing neighborhood. The amount of information to present, digest and adequately vet is far greater than an individual site plan; however this MDP is being moved along at roughly the same pace. The stakeholder voice is proportionately diminished.

We have seen recent public processes that leveraged simple tools for high-impact projects to produce meaningful outcomes.

- This body strongly validated the importance of community voice by requiring advisory boards for both the private Preble Street homeless shelter and the City-run Homeless Services Center which mandate seats for the relevant neighborhood associations, businesses, and community members.

- The city placed covenants on its disposed Bayside Public Works properties, ensuring plans would proceed apace and generally as envisioned.

- Maine Med is required to maintain a neighborhood advisory panel.

- The Council recently approved an agreement for the Roux development that reduced massing impact without jeopardizing the overall program, and formed a community advisory panel to ensure direct participation throughout the development.

    - Note that the massive Roux project is on the edge of a neighborhood. Port Property's MDP and additional holdings literally engulf one.

It shouldn't fall to a small group of residents to design these responses, with little other recourse than extreme measures that could kill a desirable project.

We therefore ask that the Planning Board accept our above suggestion to postpone a decision on this MDP to a date certain and ask the applicant to schedule two narrowly focused meetings with abutters and relevant direct stakeholders to discuss the above issues so a final vote, and this project, may proceed with as much alignment and as little delay as possible.

We do not feel that the constraints of the Jun 13 meeting or suggesting approval conditions from the floor would provide sufficient opportunity for thoughtful collaboration.

Respectfully,

Sarah Michniewicz
President
Bayside Neighborhood Association

The Bayside Neighborhood Association Board of Directors

And Community Committee Members and Abutters

Amelia Labreck
Peter Markoe
Sophie Markoe
Andrew Rosenstein
MaryLee Rosenstein
Laura Underkuffler
David Nowlin

Mission Statement

*The **Bayside Neighborhood Association (BNA)** brings members of the Bayside community together. BNA brings conversations about Bayside to Bayside and to the greater community in a way that organizes, informs, and empowers residents; social service and other organizations; local businesses; and city representatives to form meaningful and long-term partnerships. BNA preserves and promotes safety, multi-cultural diversity, housing, and carefully planned social, economic, and physical development in this unique urban community.*

Zachary Powell <zpowell@portlandmaine.gov>

Public Comment - 196 Lancaster Street - Port Properties Master Development Plan: Non-Compliance with MDP Standards

George Rheault <george.rheault@gmail.com> Fri, Jun 9, 2023 at 10:54 AM
To: Planning Board <planningboard@portlandmaine.gov>, Zachary Powell <zpowell@portlandmaine.gov>, Christine Grimando <cdg@portlandmaine.gov>, Abigail Reed <areed@portlandmaine.gov>, jmy <jmy@portlandmaine.gov>

It is astonishing that the planning staff and the Planning Board have, for months, been dragging the public through a planning review process for the Bayside Master Development Plan proposed by Port Properties without acknowledging how fast and loose they are playing with the MDP standards.

To begin with, **Section 14.3.2A** (**Master development plan**) says explicitly that, ***"An applicant may elect to submit a master development plan application for a large, multi-phase development program consisting of multiple buildings and site improvements on a site of one acre or more of total land area which is designed as a cohesive and integrated whole."***

Clearly Port Properties is proposing "multiple buildings" but they are doing it across a host of individual parcels interspersed in an existing urban environment with little organic connection to one another. This violates the requirement of the Land Use Code specifying "***on A site***" [emphasis added] clearly indicating a nod towards ***contiguity*** and a ***singular*** location controlled exclusively by the land owner rather than disparate urban blocks established 150 years or more ago. Port Properties also must make "***SITE improvements***" on a HOST OF DIFFERENT SITES rather than just one large 1+ acre SITE in order to bring its ambitions to fruition.

The precedents of Hobson's Landing, Thompson's Point, the Motherhouse project on Stevens Avenue and the very recent but now apparently defunct Portland Square proposal all involved large sites that were either 100% contiguous (thus easily meeting the singular "***A site***" requirement) or were at least very compact and organically situated in the case of Portland Square that crossing a SINGLE street (Fore Street in that case) only ONCE made sense and could be defended as a reasonable interpretation by the planning authority despite the fact that the owner did not control the public right-of-way that connected the TWO sides of its proposal.

In this case, however, we have far-flung parcels that have no natural connection to one another either visually or programmatically.

While there may be some utility tie-ins that make these parcels work together, that is not the intent of the MDP language or standards. The objective is to create a "total land area which is designed as a cohesive and integrated whole" but this is completely impossible in an existing urban context that is largely be left unchanged as part of the project. Existing streets, except for the granting of a big favor on Lancaster Street between Elm & Preble Streets, are left undisturbed.

While it may be unfair to expect a Rockefeller Center-type integration in such a modest built environment, that is PRECISELY what the MDP standards demand here if the MDP rules are with a straight face being applied to the MANY SITES [plural] that comprise the applicant-defined MDP area. This design integration was obsessed about endlessly at Hobson's Landing and great attention was paid to that at various levels of the approvals process (even if the Historic Preservation Board was allowed an outsized role there).

Nothing among the spread-sheet architecture of the proposed development (which the public has yet to see from all sides despite two workshops to date), presents and brings together "***a cohesive and integrated whole***" which is the minimum that neighbors and the rest of Portland should expect.

For example, how a modest single-story bump-out to a massive existing parking garage on the corner of Preble Street and Cumberland Avenue presents itself as part of "***a cohesive and integrated whole***" with the other elements including a tall residential tower way over on the corner of Lancaster & Chestnut Streets is completely unaddressed by the applicant and the planning authority. Neither side bothers to even explain it, presumably in the hopes that no one is educated enough to press the point.

The Planning Board has the ability to set "***ANY*** *conditions*" [emphasis added] on the MDP before it.

The Board SHOULD have set conditions for some facade preservation to allow the old, existing environment to speak in conversation with the new. That at least would have allowed some claim towards producing "***a cohesive and integrated***

whole" by weaving in the existing environment into the new additions. But absent that kind of attempt at integration, we simply have demolition of much of the existing on-site(s) context which is then used as an excuse to produce the "anywheres-ville" hodge-podge of new elements we have before us that do not speak to one another in any meaningful way that would be noticeable to a resident or passersby.

The Planning Board should not be a patsy for political leadership and planning staff desperate to get out from under a century of bad land-use decisions culminating most recently in the "Green New Deal" 25% inclusionary zoning restrictions brought into being by a successful November 2020 referendum.

BENDING the MDP rules in order to sneak in a massive project that would otherwise not be feasible due to the 25% IZ rules is not the job of the Planning Board.

The Planning Board should postpone action on this application and send it back to the starting gate, with a real public engagement process baked in and a clear order to the applicant that if it wants to get shoe-horned into the MDP rubric, it must respect and honor those standards in a meaningful way that gives honor and distinction to the effort rather than a lame "check-the-box" effort that will not pass real scrutiny in a court of law. OR the Planning Board can simply declare directly that the MDP framework simply is not applicable here due to the failure of the applicant to have a contiguous singular site of 1+ acre or more on which to devise a truly "***cohesive and integrated whole***" MDP proposal.

Zachary Powell <zpowell@portlandmaine.gov>

Public Comment - 196 Lancaster Street - Port Properties MDP: Non-Compliance with Workforce Housing Standards

George Rheault <george.rheault@gmail.com> Fri, Jun 9, 2023 at 11:51 AM
To: Planning Board <planningboard@portlandmaine.gov>, Zachary Powell <zpowell@portlandmaine.gov>, Christine Grimando <cdg@portlandmaine.gov>, Abigail Reed <areed@portlandmaine.gov>, jmy <jmy@portlandmaine.gov>

The Planning Board and planning staff are inappropriately applying the inclusionary zoning requirements of Portland's Land Use Code to the proposed master development plan from Port Properties.

The Section 18.2.3 "Ensuring workforce housing" requirements are littered with language that any careful reading of will make someone stand up and realize that the structure of compliance that Port Properties has proposed to meet the Section 18.2.3 standards do not fit.

First, the proposed "piece" of the MDP at 89 Elm Street (200-units) cannot be joined with the rest of the other parcels (separate "sites" which make them ineligible for MDP application, though that is a separate issue from Section 18.2.3 compliance).

89 Elm Street is being financed through a special 4% Low-income Housing Tax Credit (LIHTC) program established by Maine Housing based on an RFP in 2022 (see attachment found at this link: https://mainehousing.org/docs/default-source/development/program-guides/2022-walk-in-4-with-pla.pdf?sfvrsn=59ac8315_1)

Section 18.2.3B specifically speaks to the eligibility of LIHTC projects for IZ purposes and carves them OUT of being INCLUDED in any of the Section 18.2.3 calculations. The language in B.) is quite clear that they are EXEMPT:

> B. Applicability. This subsection shall apply to development projects that create ten or more net new dwelling units for rent or for sale through new construction, substantial rehabilitation of existing structures, adaptive reuse or conversion of a nonresidential use to HOUSING 18-6 | CITY OF PORTLAND LAND USE CODE residential use, or any combination of these elements, ***with the EXCEPTION*** that projects using public financing requiring affordability restrictions, as defined by tax increment financing, U.S. Department of Housing and Urban Development funds such as HOME or CDBG, other federal, state, or local housing program, or the Low-income Housing Tax Credit program, ***shall be considered EXEMPT***. [emphasis added]

How does a stand-alone 89 Elm Street project made possible by an explicit LIHTC financing program get INCLUDED in the MDP IZ calculations at the same time that the clear language of Section 18.2.3B says it is exempt and not to be counted? The applicant, Planning Board and planning staff cannot have it both ways - it is exempt if it was being purely pitched as a "stand-alone" project but it counts if it is being shoe-horned into an overall MDP framework.

Therefore, assuming the overall MDP remains intact with respect to the other qualifications of the Land Use Code (questionable, but let's assume for this IZ discussion), then the 89 Elm Street project falls out for purposes of the IZ language (not "in the project") and the satisfaction of the IZ requirements of the applicant must be assessed on the non-LIHTC units only.

With respect to those, the Land Use Code is clear, under Section 18.2.3C, either there are 25% units provided "in the project" itself (which cannot include the EXEMPT 89 Elm Street) or the applicant makes the "fee-in-lieu" payment for some or all of the units at the then applicable annual rate which SHALL BE PAID INTO THE HOUSING TRUST FUND not anywhere else (including to finance or subsidize 89 Elm Street directly, though perhaps city staff and the City Council can make those funds flow into the 89 Elm Street project, but that is a separate effort that does not implicate the Planning Board). The 600 market rate units therefore must create 150 IZ units or else a fee-in-lieu payment for some or all of those 150 units must be paid DIRECTLY into the Housing Trust Fund as that is defined in the Land Use Code.

This is the right result.

It also avoids a deep analysis of Section 18.2.3 with respect to whether 89 Elm Street would even qualify under the clear requirements to avoid "separateness" of the "workforce" defined units from the market-rate units (any careful reading of the legislative intent of those requirements would shut down the idea that 89 Elm Street is acceptable since as an explicit LIHTC project, the drafters of the Land Use Code already exempted it from the scope of the IZ requirements so it is

already "separate" and apart so there is no reason to analyze it as part of the applicant's IZ obligations because it cannot be included AFTER being expressly EXCLUDED).

Please do the right thing here and stop this interpretative chicanery right now so as to avoid costly and embarrassing litigation on this point. Using 89 Elm Street to directly address the applicant's need to satisfy its IZ requirements fails under the city's IZ statutory requirements and the applicant must go back to the drawing board on addressing its IZ conditional use approval.

Maine Housing Special 4% Walk-in LIHTC Program - September 2022.pdf
3083K

4% Tax Credit

Walk-in Funding Program

MaineHousing
MAINE STATE HOUSING AUTHORITY

mainehousing.org | 207-626-4600

MaineHousing
MAINE STATE HOUSING AUTHORITY

Walk-in Financing Program

INTRODUCTION

The Maine State Housing Authority is making $20,000,000 in American Recovery Program State and Local Fiscal Recovery Funds available to be used to leverage private and other funds for the creation of affordable housing for low-income households. Funds must be used for the construction of new affordable housing through new construction or the adaptive reuse of existing structures. Projects funded under this program must use general contractors that agree to: enter into pre-hire, collectively bargained Project Labor Agreements (PLAs) with all workers who will build the affordable housing, including those employed by a contractor and all subcontractors; and (ii) require any entity working on the housing to make a good faith effort at all time to promote workforce diversity, including diversity with regard to race and gender.

All projects must be eligible for and utilize the 4% LIHTCs. In addition to requirements specified in this document, projects must comply with MaineHousing's Rental Loan Program Guide dated October 2017 (the "RLP Guide"), MaineHousing's 2023-2024 Qualified Allocation Plan (QAP), MaineHousing's Multi-family Mortgage Loans Rule, Section 142(d) of the Internal Revenue Code of 1986, as amended (the "Code") and associated regulations regarding the use of tax-exempt bond proceeds, and Section 42 of Code and associated regulations regarding the 4% LIHTC. Unless indicated otherwise, capitalized terms have the same definitions set forth in the 2023-2024 QAP.

ELIGIBLE PROJECTS

Projects must meet the following requirements**.**

1. The Project must create new affordable rental housing units for low-income households through new construction or the adaptive re-use of an existing building.
2. All credit units must be available for rent by persons who earn 60% or less of the area median income for a period of 45 years.
3. General Contractors must enter into a PLA with the Maine State Building and Construction Trades Council as described above.

Projects that have a Notice to Proceed from another MaineHousing program are not eligible to apply.

FUNDING SOURCES

MaineHousing may make available one, some, or all of the following resources under the Rental Loan Program**:**

- Proceeds of tax-exempt facility bonds issued pursuant to Section 142(d) of the Code
- 4% "automatic" Low Income Housing Tax Credit (LIHTC)
- Maine State Low Income Housing Tax Credit

- American Recovery Program State and Local Fiscal Recovery Funds
- Other sources made available by MaineHousing

Funding under this program is available for eligible projects on a walk-in basis until further notice.

MaineHousing may suspend or terminate this program at any time, reject or cease processing any application prior to closing, and award all, a portion of, additional, or none of the available Deferred Debt.

CONSTRUCTION FINANCING

If a Project's financing requires MaineHousing to participate in the construction loan at a level greater than 60%, MaineHousing will provide all of the construction period financing, except in instances where the applicant is using the Affordable Housing Program from the Federal Home Loan Bank and the member bank needs to participate with MaineHousing in the construction loan pursuant to a competitive scoring selection process. All tax-exempt debt must be secured by a first lien mortgage and security interest in the Project and related personal property.

0% DEFERRED DEBT

MaineHousing is making 0% Deferred Debt available for eligible projects. The amount awarded to a project will be limited as follows:

1. The per-unit amounts listed in the table below, based on geographic location and construction type

Counties/HFMAs	New Construction	Historic Adaptive Reuse
Cumberland, Sagadahoc, and York	$118,000	$88,000
Androscoggin, Hancock, Kennebec, Knox, Lincoln, and Bangor HMFA	$142,000	$118,000
Aroostook, Franklin, Oxford, Penobscot (exc. Bangor HMFA), Piscataquis, Somerset, Waldo, and Washington	$160,000	$142,000

Effective August 8, 2021

2. The amount necessary for the Project to achieve feasibility.

UNDERWRITING CRITERIA

Construction Financing Terms

- 3.5% interest rate per year plus a 2-point origination fee, subject to change based on market conditions at the time the tax-exempt facility bonds are issued. Must be secured by a first lien mortgage and security interest in the Project and related personal property. Repayment will not be allowed until construction completion. The Project must meet the 50% test for tax-exempt bonds.

Debt Financing Terms

- 5.5% interest rate per year, subject to change based on market conditions at the time the tax-exempt facility bonds are issued.

- At the Applicant's option, debt may be structured as (a) interest only payments for 30 years with a final balloon payment of all amounts owed due at the end of 30 years, (b) interest only payments for 15 years with a 30-year amortization beginning in year 16 and a final balloon payment of all amounts owed due at the end of 30 years, or (c) interest only payments for 15 years with a 40-year amortization beginning in year 16 and a final balloon payment of all amounts owed due at the end of 30 years.

- Debt must be supported by an acceptable operating budget.

- Debt cannot be prepaid during the term of the loan.

Deferred Debt Terms

- Loans will be structured as a non-interest deferred payment loan with payment due on the earliest of (a) 30 years, (b) a sale, transfer, or assignment of the Project, (c) the discontinuation of the intended public purpose, or (d) a default of the MaineHousing loan(s). The loan must be secured by a mortgage and security interest in the Project and related personal property, the priority of which will be determined on a project-by-project basis.

- All other resources available for the Project will be considered in determining the need for Deferred Debt. Applicants must first maximize all other resources available for the Project.

- The amount of Deferred Debt awarded to a Project may be less than the amount requested by the Applicant if MaineHousing determines that the Project can support more debt financing or reduce costs.

- Maximum tax credit rents will be used for credit-eligible units to determine the need for Deferred Debt, unless the comparable market rents are lower and supported by an acceptable independent market study.

- Applicants proposing deeper affordability than 60% of area median income must provide additional resources to support the greater affordability. Additionally MaineHousing may require deeper affordability to make efficient use of funding sources.

- Projects will be required to maintain the rents used in underwriting if lower than tax credit rent maximums.

- Net Developer Fee. The amount of Developer Fee not deferred may not exceed $750,000 plus any unused construction contingency returned to the Applicant after completion.

Construction Cost Increases

If the construction costs of a project increase after the date of the Application due to market conditions or other reasons beyond the control of the Applicant, MaineHousing may award additional

resources to the Project, provided that the additional Deferred Debt (a) when combined with the equity generated by any additional 4% LIHTC awarded under the QAP, will not exceed an amount equal to 5% of the Total Construction Cost for the Project estimated at the time construction bids on the Project are requested, and (b) does not exceed the Deferred Debt limits set forth above.

APPLICATION REVIEW

Eligible applications will be evaluated to ensure compliance with applicable MaineHousing requirements including threshold requirements from MaineHousing's 2023-2024 QAP. Applicants must submit the information in Appendix B to the QAP with their application. Applicants must complete all information and submit all documentation required for this program.

FUNDING PRIORITIES

Projects which meet the applicable requirements of the 2023-2024 QAP and the RLP Guide will be considered eligible. Funding will be awarded to eligible projects on a first-come, first-served basis until available funding is not enough to support any of the remaining projects. Any Deferred Debt that is returned or otherwise is allocated specifically to this program may be made available to the next Application(s) received that can achieve feasibility with the available Deferred Debt.

SUBMISSION AND CONTACT INFORMATION

The Application must be in the form prescribed by MaineHousing for this program, and found on the MaineHousing website, www.mainehousing.org. Applications that MaineHousing determines are complete, eligible, and feasible will be processed. Applications that do not meet these requirements, will be rejected.

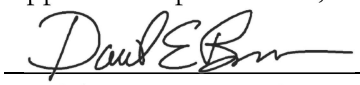
Applications must be submitted to Kelly Purington at kpurington@mainehousing.org

Any questions about the 4% Tax Credit Walk-In Funding Program must be directed to Bill Glover, LIHTC Programs Manager, at (207) 626-4634.

MAINEHOUSING'S NONDISCRIMINATION POLICY

MaineHousing does not discriminate on the basis of race, color, religion, sex, sexual orientation, national origin, ancestry, physical or mental disability, age, familial status or receipt of public assistance in the admission or access to or treatment in its programs and activities. In employment, MaineHousing does not discriminate on the basis of race, color, religion, sex, sexual orientation, national origin, ancestry, age, physical or mental disability or genetic information. MaineHousing will provide appropriate communication auxiliary aids and services upon sufficient notice. MaineHousing will also provide this document in alternative formats upon sufficient notice. MaineHousing has designated the following person responsible for coordinating compliance with applicable federal and state nondiscrimination requirements and addressing grievances: Lauren Bustard, Maine State Housing Authority, 26 Edison Drive, Augusta, Maine 04330-4633, Telephone Number 1-800-452-4668 (voice in state only), (207) 626-4600 (voice) or Maine Relay 711.

Approved: September 16, 2022



Daniel E. Brennan, Director

WEST BAYSIDE MASTER DEVELOPMENT PLAN

WEST BAYSIDE PARTNERS, LLC
PORTLAND, MAINE

LEGEND

EXISTING		PROPOSED
REFER TO THE EXISTING CONDITIONS PLAN FOR ADDITIONAL INFORMATION	UNDERDRAIN	
	GREEN SPACE	
	UTILITY PAVEMENT CUTS	
	STRIPING	
	SEDIMENTATION BARRIER	
	EDGE OF EX. PAVEMENT	
	CURB	
	SIGN	
	LAMP OR LIGHT POLE	
	UTILITY POLE	
	GUY WIRE	
	WATER VALVE	
	FIRE HYDRANT	
	SEWER MANHOLE	
	CATCH BASIN	
	DRAIN MANHOLE	
UE UE	UNDERGROUND ELECTRIC LINE	UGE
W W	UNDERGROUND WATER LINE	1"W 1"W
64	MINOR CONTOURS (1 FT)	64
65	MAJOR CONTOURS (5 FT)	65
G G	GAS LINE	
SD SD	STORM DRAIN LINE	
S S	SEWER LINE	S S
	EXISTING/PROPOSED BUILDING	
OHE/T/C	OVERHEAD ELECTRICAL/TELEPHONE/CABLE	
	PROPERTY LINE	
	SETBACKS	

INDEX

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EX-2	TOPOGRAPHIC SURVEY 2 – BY OWEN HASKELL
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L-1	LANDSCAPE PLAN
C-20	UTILITY PLAN
C-30	GRADING & DRAINAGE PLAN

PROJECT TEAM

DEVELOPER
WEST BAYSIDE PARTNERS, LLC
188 STATE STREET, 3RD FLOOR
PORTLAND, MAINE, 04101
CONTACT: MIKE BARTON

CIVIL ENGINEER
ACORN ENGINEERING, INC.
PORTLAND, MAINE
CONTACT: WILLIAM SAVAGE, P.E.
(207) 775-2655

SURVEYOR
OWEN HASKELL, INC.
FALMOUTH, MAINE
CONTACT: RANDY R. LOUBIER, P.L.S.
(207) 774-0424

ARCHITECT/ LANDSCAPE ARCHITECT
STANTEC
BOSTON, MA
CONTACT: JEFF SAUSER
(404) 583-8735

TRAFFIC ENGINEER
VHB
SOUTH BURLINGTON, VT
CONTACT: JENN CONLEY, P.E., P.T.O.E.
(802) 497-6191

PLANNER
LEVINE PLANNING STRATEGIES
PORTLAND, MAINE
CONTACT: JEFF LEVINE, AICP
(617) 817-0424

UTILITIES

SEWER
DEPARTMENT OF PUBLIC WORKS (DPW)
212 CANCO ROAD
PORTLAND, MAINE 04103
CONTACT: BRADLEY ROLAND
(207) 874-8834

WATER
PORTLAND WATER DISTRICT
225 DOUGLASS STREET
PO BOX 3553
PORTLAND, MAINE 04104
ATTN: MEANS DIVISION
(207) 774-5961

ELECTRIC
CENTRAL MAINE POWER COMPANY (CMP)
162 CANCO ROAD
PORTLAND, MAINE 04103
CONTACT: JAMIE COUGH
(207) 828-2882

TELEPHONE
CONSOLIDATED COMMUNICATIONS
(FORMERLY FAIRPOINT)
45 FOREST AVENUE
PORTLAND, MAINE 04101
CONTACT: PAT MORRISON
(207) 745-9363

CABLE
CHARTER COMMUNICATIONS
118 JOHNSON ROAD
PORTLAND, MAINE, 04102
CONTACT: MARK PELLETIER
(207) 631-1618

CABLE
FIRST LIGHT FIBER
14 RESILIENT CIRCLE
BRUNSWICK, MAINE, 04011
CONTACT: JONATHAN ROVILLARD
(207) 631-1618

NATURAL GAS
UNITIL SERVICE CORP
1075 FOREST AVENUE
PORTLAND, ME 04103
CONTACT: SCOTT CARPENTER
(207) 541-2543



VICINITY MAP
SCALE: 1:300

ABBREVIATIONS

PARTIAL LIST OF ABBREVIATIONS AND THEIR CORRESPONDING MEANING. PLEASE CONTACT THE ENGINEER FOR ANY CLARIFICATION

APPROX.	APPROXIMATE
BC	BOTTOM OF CURB
BMP	BEST MANAGEMENT PRACTICE
BOT.	BOTTOM
CB	CATCH BASIN
CF	CUBIC FOOT
CIP	CAST IN PLACE
CL	CENTERLINE
CM	CONSTRUCTION MANAGER
CMP	CENTRAL MAINE POWER
CONC.	CONCRETE
CPP	CORRUGATED PLASTIC PIPE
CY	CUBIC YARD
DI	DUCTILE IRON PIPE
DIA.	DIAMETER
DIM.	DIMENSION
EA.	EACH
ELEC.	ELECTRICAL
ELEV.	ELEVATION
EQUIV.	EQUIVALENT
EST.	ESTIMATE
EX.	EXISTING
FFE	FINISH FLOOR ELEVATION
FT.	FEET
HDPE	HIGH DENSITY POLY ETHYLENE
ID	INNER DIAMETER
IN.	INCH
INV.	INVERT
L	LENGTH
MAX.	MAXIMUM
MDEP	MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION
MDOT	MAINE DEPARTMENT OF TRANSPORTATION
M.E.P	MECHANICAL, ELECTRICAL, PLUMBING DESIGNER
MFG.	MANUFACTURED
MH	MANHOLE
MIN.	MINIMUM
O.C.	ON CENTER
OD	OUTSIDE DIAMETER
OHE/T/C	OVERHEAD ELECTRIC/TELEPHONE/CABLE
PC	PRECAST
PE	PROFESSIONAL ENGINEER
PL	PROPERTY LINE
PLS	PROFESSIONAL LAND SURVEYOR
PROP.	PROPOSED
PSI	POUNDS PER SQUARE INCH
PVC	POLYVINYL CHLORIDE
PWD	PORTLAND WATER DISTRICT
R	RADIUS
RD	ROOF DRAIN
RET.	RETAINING
ROW	RIGHT OF WAY
S	SLOPE
SD	STORM DRAIN
SDR	STANDARD DIMENSION RATIO
SF	SQUARE FEET
SMH	SEWER MANHOLE
SPEC.	SPECIFICATION
TC	TOP OF CURB
TW	TOP OF WALL
TYP.	TYPICAL
UD	UNDERDRAIN
UGE	UNDERGROUND ELECTRIC
VIF	VERIFY IN FIELD

CALL BEFORE YOU DIG
1-888-DIG-SAFE
1-888-344-7233

PRELIMINARY
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY	DATE
MASTER DEVELOPMENT PLAN	WHS	12/23/22

DRAWING NAME: COVER SHEET & LEGEND
PROJECT NAME: WEST BAYSIDE MASTER DEVELOPMENT PLAN
CLIENT: WEST BAYSIDE PARTNERS, LLC, 188 STATE STREET, 3RD FLOOR, PORTLAND, ME 04101

THESE PLANS SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. ANY MODIFICATIONS MADE TO THESE PLANS BY ANYONE OTHER THAN ACORN ENGINEERING, INC. OR OTHERWISE, SHALL BE DONE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

ACORN ENGINEERING, INC.
ENGINEERING, LAND PLANNING, SURVEYING
PO BOX 3257 PORTLAND, MAINE 04104
(207) 775-2655

FILE: 1192.1_CIVIL
JN: 1192.1
SCALE: AS NOTED
DESIGNED BY: MKT
DRAWN BY: MKT
CHECKED BY: WHS

STATE OF MAINE
WILLIAM H. SAVAGE
11419
12/23/2022
REGISTERED PROFESSIONAL ENGINEER

DRAWING NO.
C-01

WEST BAYSIDE MASTER DEVELOPMENT PLAN

WEST BAYSIDE PARTNERS, LLC
PORTLAND, MAINE

LEGEND

EXISTING

REFER TO THE EXISTING CONDITIONS PLAN FOR ADDITIONAL INFORMATION

PROPOSED

	UNDERDRAIN
	GREEN SPACE
	UTILITY PAVEMENT CUTS
	STRIPING
	SEDIMENTATION BARRIER
	EDGE OF EX. PAVEMENT
	CURB
	SIGN
☼	LAMP OR LIGHT POLE
	UTILITY POLE
	GUY WIRE
	WATER VALVE
	FIRE HYDRANT
S	SEWER MANHOLE
	CATCH BASIN
D	DRAIN MANHOLE
UE — UE	UNDERGROUND ELECTRIC LINE
W — W	UNDERGROUND WATER LINE
64	MINOR CONTOURS (1 FT)
65	MAJOR CONTOURS (5 FT)
G — G	GAS LINE
SD — SD	STORM DRAIN LINE
S — S	SEWER LINE
	EXISTING/PROPOSED BUILDING
OHE/T/C	OVERHEAD ELECTRICAL/TELEPHONE/CABLE
	PROPERTY LINE
	SETBACKS

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EX-1	TOPOGRAPHIC SURVEY 1 – BY OWEN HASKELL
EX-2	TOPOGRAPHIC SURVEY 2 – BY OWEN HASKELL
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EX-4	ALTA/NSPS LAND TITLE SURVEY 315 CUMBERLAND AVENUE
C-10	SITE PLAN
C-11	PROPERTY LINE MODIFICATIONS PLAN
L-1	LANDSCAPE PLAN
C-20	UTILITY PLAN
C-30	GRADING & DRAINAGE PLAN

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1-888-344-7233

PROJECT TEAM

DEVELOPER

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PORTLAND, MAINE, 04101
CONTACT: MIKE BARTON

CIVIL ENGINEER

ACORN ENGINEERING, INC.
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VICINITY MAP
SCALE: 1:300

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UGE	UNDERGROUND ELECTRIC
VIF	VERIFY IN FIELD

PRELIMINARY
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY	DATE
MASTER DEVELOPMENT PLAN	WHS	12/23/22
MDP RESUBMISSION	WHS	4/7/23

DRAWING NAME: COVER SHEET & LEGEND
PROJECT NAME: WEST BAYSIDE MASTER DEVELOPMENT PLAN
CLIENT: WEST BAYSIDE PARTNERS, LLC
188 STATE STREET, 3RD FLOOR, PORTLAND, ME 04101

ACORN ENGINEERING, INC.

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ACORN ENGINEERING, INC.
PORTLAND, MAINE 04104
PO BOX 3257
(207) 775-2655

FILE: 1192.1_CIVIL
JN: 1192.1
SCALE: AS NOTED
DESIGNED BY: MKT
DRAWN BY: MKT
CHECKED BY: WHS

STATE OF MAINE
WILLIAM H. SAVAGE
11419
4/7/2023
LICENSED PROFESSIONAL ENGINEER

DRAWING NO.
C-01

MATCH LINE SHT. 2

LANCASTER STREET EAST (50' WIDE)

PREBLE STREET (56.5' WIDE)

ELM STREET (49.5' WIDE)

CEDAR STREET (33' WIDE)

CHESTNUT STREET (49.5' WIDE)

OXFORD STREET (49.5' WIDE)

HALL COURT

PORTLAND ST.

CUMBERLAND AVE.

PASSAGE

196 LANCASTER STREET LLC
39779/232
28,591 S.F. ±
0.66 ACRES ±

89 ELM STREET LLC
39779/246
4,691 S.F. ±

89 ELM STREET LLC
39779/236
38,462 S.F. ±
0.88 ACRES ±

WBP COMMERCIAL LLC.
39779/227
38,301 S.F. ±
0.88 ACRES ±

73 ELM ST.
73 ELM STREET LLC
39779/234
14,879 S.F. ±
0.34 ACRES ±

60 ELM ST.
60 ELM STREET LLC
39779/230
11,535 S.F. ±
0.26 ACRES ±

62 ELM ST.
WBP COMMERCIAL LLC
39779/229
14,526 S.F. ±
0.33 ACRES ±

158 LANCASTER ST.
WBP COMMERCIAL LLC
39773/225
14,307 S.F. ±
0.33 ACRES ±

82 CHESTNUT ST.
WBP COMMERCIAL LLC
39779/221
3,442 S.F. ±
0.08 ACRES ±

78 CHESTNUT ST.
197 OXFORD STREET LLC
39779/243
12,721 S.F. ±
0.30 ACRES ±

193 OXFORD ST.
197 OXFORD STREET LLC
39779/239
11,550 S.F. ±
0.265 ACRES ±

31 CEDAR ST.
197 OXFORD STREET LLC
39779/241
3,674 S.F. ±
0.08 ACRES ±

N/F AMELIA A. LABRECK
37970/11

TM 26-A-12
N/F JAMES W. HALL
SARAH MICHNIEWICZ
23909/341

TM 26-A-11
N/F ROBERT HYDE
27470/68

TM 26-A-8
N/F ALBERT
BRESETTE
7951/275

TM 26-B-1
N/F ROBERT HYDE
27470/68

TM 26-B-2,3
N/F ALBERT
BRESETTE

TM 26-B-7
N/F FRANK E. DIDONATO
DONNA E. COX
24885/320

TM 26-B-14
N/F MARY LEE
BENNISON
27956/297

TM 33-H-16,17
N/F
DAVID B. NOWLIN
25148/336

TM 33-M-4
N/F
WBP GARAGE LLC
39746/216
PARKING GARAGE

OWNERS UNKNOWN

LEGEND

- IRON PIPE OR ROD FOUND
- MONUMENT FOUND
- UTILITY POLE
- MANHOLE
- EM/GM ELECTRIC/GAS METER
- MB MAILBOX
- SIGN
- PM PARKING METER
- CATCH BASIN
- HYDRANT
- WATER VALVE OR SHUTOFF
- LIGHT POLE
- GAS VALVE
- DECIDUOUS TREE
- FENCE
- CURB
- OHW OVERHEAD WIRES
- UGE UNDERGROUND POWER
- W WATER LINE
- G GAS LINE
- T TELEPHONE
- SD STORM DRAIN
- SS SANITARY SEWER
- 100 1' CONTOUR
- IPF/IRF IRON PIPE/ROD FOUND
- N/F NOW OR FORMERLY
- 000/000 DEED BOOK / PAGE
- TM TAX MAP–BLOCK–LOT
- CONC. CONCRETE

SCALE : 1" = 30'

0' 15' 30' 60'

UTILITY NOTE

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEY HAS NOT PHYSICALLY LOCATION THE UNDERGROUND UTILITIES. CALL 1-888-DIGSAFE AT LEAST THREE BUSINESS DAYS BEFORE PERFORMING ANY CONSTRUCTION. DUE TO OSHA CONFINED SPACE REQUIREMENTS, ALL INVERTS AND PIPE SIZES MUST BE VERIFIED PRIOR TO ANY CONSTRUCTION.

PLAN REFERENCES

ALTA/NSPS LAND TITLE SURVEYS, BAYSIDE I, LLC, BAYSIDE II, LLC, BAYSIDE III, LLC, BAYSIDE IV, LLC, CEDAR ST., LANCASTER ST. EAST, CHESTNUT ST., PREBLE ST. & OXOFRD ST., PORTLAND, CUMBERLAND COUNTY, MAINE MADE FOR BUSH–WATSON SEPT. 2022 BY OWEN HASKELL, INC.

GENERAL NOTES

1. *OWNERS OF RECORD: AS NOTED ON PLAN*
2. *BEARINGS ARE BASED ON MAINE STATE GRID WEST ZONE PER COORDINATES ON CONTROL POINTS PROVIDED BY THE CITY OF PORTLAND ENGINEERING DEPARTMENT.*
3. *ELEVATIONS BASED ON NGVD 1929. CITY BENCHMARK TBM 307 MDOT DISK "612–(1)–10 1983" IN CONCRETE BASE OF LIGHT POLE AT NORTHEAST CORNER ELM/SOMERSET ELEVATION = 9.02.*
4. *STREET LINES SHOWN ARE BASED ON MONUMENTATION FOUND AND TIES TO BUILDINGS PER SURVEYED BY E.C. JORDAN CO.*
5. *OWNERSHIP OF FENCES AND RETAINING WALLS ALONG PROPERTY LINES HAS NOT BEEN DETERMINED.*

STATE OF MAINE
RANDY R. LOUBIER
2407
PROFESSIONAL LAND SURVEYOR

Topographic Survey
Bayside Parcels
Lancaster, Preble, Elm, Cedar, Chestnut and Oxford Streets, Portland, Maine
Made for
Bush-Watson
188 State Street, 3rd Floor, Portland, Maine

OWEN HASKELL, INC.
PROFESSIONAL LAND SURVEYORS
390 US ROUTE 1, UNIT 10, FALMOUTH, ME 04105 TEL. 207-774-0424

DRAWN BY: RS / JLW	DATE: DEC. 8, 2022	JOB NO. 2022-162 P	
CHECKED BY: RRL	SCALE: 1" = 30'	DRWG. NO. 1	

MATCH LINE SHT. 2

LANCASTER STREET EAST (50' WIDE)

PREBLE STREET (56.5' WIDE)

ELM STREET (49.5' WIDE)

CEDAR STREET (33' WIDE)

CHESTNUT STREET (49.5' WIDE)

OXFORD STREET (49.5' WIDE)

HALL COURT

ONE WAY

PORTLAND ST.

CUMBERLAND AVE.

196 LANCASTER STREET LLC
39779/232
28,591 S.F. ±
0.66 ACRES ±

WBP COMMERCIAL LLC.
39779/227
38,301 S.F. ±
0.88 ACRES ±

WBP COMMERCIAL LLC
39779/229
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14,307 S.F. ±
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TM 33-H-16,17
N/F
DAVID B. NOWLIN
25148/336

TM 33-M-4
N/F
WBP GARAGE LLC
39746/216
PARKING GARAGE

OWNERS UNKNOWN

1 STORY CONCRETE

3 STORY CONCRETE

1 STORY BRICK

2 STORY BRICK

2-1/2 STORY WOOD FRAME

PARKING GARAGE

EASEMENT 3216/374 NO POLE 11.01 FOUND

EASEMENT CMP/NET&T 4811/70

CMP UGE EASEMENT 6103/54

EASEMENT 6921/185

APPROXIMATE 7' PASSAGEWAY IN DEEDS

APPROXIMATE 10' PASSAGEWAY IN DEEDS

PASSAGE

N49°39'27"E 199.65'

S49°39'26"W 117.00'

N49°39'26"E 117.89'

S48°42'12"W 118.73'

N48°41'30"E 119.62'

S46°08'15"W 90.10'

S48°41'30"W 63.30'

S49°53'31"W 55.81'

S48°38'53"W 144.34'

S48°33'13"W 206.30'

N48°33'13"E 207.26'

S47°21'26"W 209.61'

S49°39'27"W 461.02'

N49°39'27"E 218.00'

S49°02'07"W 116.76'

S43°43'10"E 147.93'

S44°45'38"E 7.27'

S47°34'12"W 93.02'

S47°31'17"W 109.53'

N49°19'48"E 111.42'

N49°19'48"E 112.65'

N49°19'48"E 68.00'

S49°06'44"W 108.67'

N49°06'44"E 109.65'

S48°37'47"W 57.00'

N48°37'47"E 113.42'

S48°37'47"W 35.54'

S48°37'47"W 167.19'

N33°50'09"E 19.88'

N42°14'19"E 19.40'

S00°14'40"W 2.72'

N52°33'00"E 18.73'

S41°16'13"E 3.10'

S00°14'40"W 64.50'

N43°29'51"W 64.50'

N43°29'51"W 32.54'

S43°29'51"E 33.00'

S43°29'51"E 23.00'

S43°29'51"E 39.95'

S43°14'05"E 39.95'

N43°14'05"W 58.51'

S44°38'26"E 88.08'

S44°38'26"E 30.48'

S44°38'26"E 78.04'

S44°38'26"E 70.00'

N43°54'29"W 193.26'

N43°45'13"W 215.15'

N43°45'13"E 327.06'

S43°45'13"E 328.02'

S43°40'43"E 122.92'

S43°06'59"E 124.83'

N42°34'18"W 182.30'

N42°34'00"W 127.22'

S42°36'35"E 83.34'

S43°25'51"E 40.00'

S42°13'00"E 40.00'

S42°17'49"E 23.53'

S42°17'49"E 39.98'

N42°17'49"W 149.36'

N42°17'49"W 149.14'

N50°25'51"E 72.00'

N50°25'51"E 36.97'

S42°29'51"E 22.97'

S43°38'26"E 38.34'

S43°38'26"E 30.80'

N43°38'26"W 30.80'

S43°38'26"E 30.80'

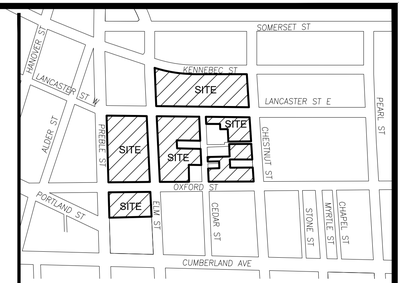
S43°38'26"E 30.80'

S43°38'26"E

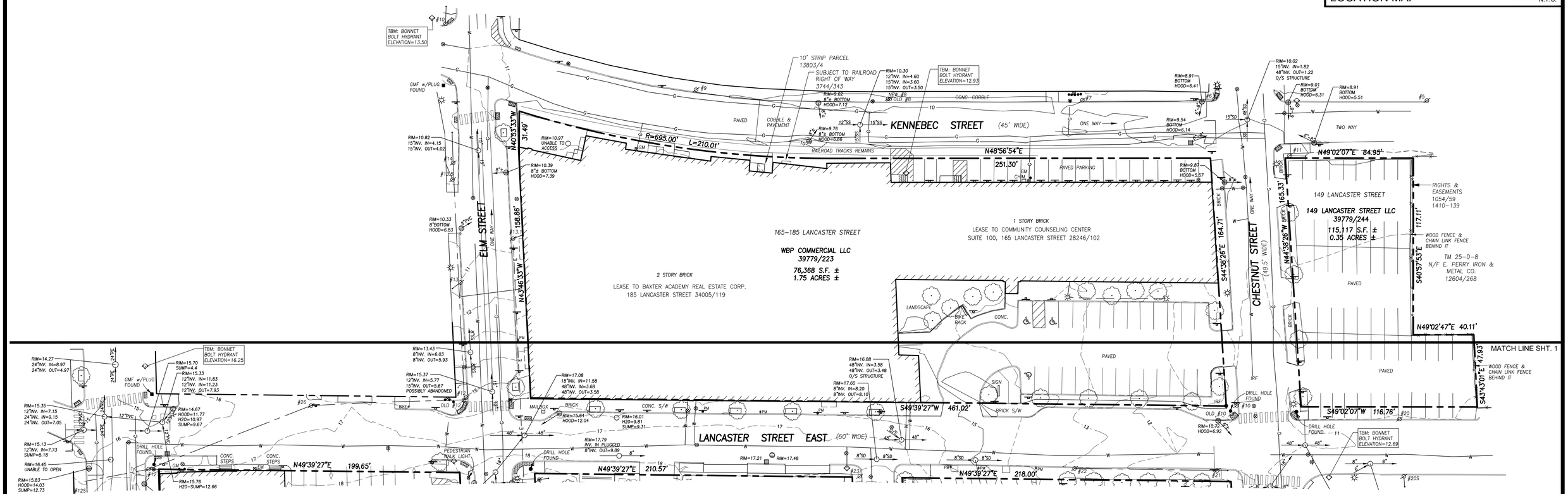
LEGEND

- IRON PIPE OR ROD FOUND
- MONUMENT FOUND
- UTILITY POLE
- MANHOLE
- EM/GM — ELECTRIC/GAS METER
- MB — MAILBOX
- SIGN
- PM — PARKING METER
- CATCH BASIN
- HYDRANT
- WATER VALVE OR SHUTOFF
- LIGHT POLE
- GAS VALVE
- DECIDUOUS TREE

- FENCE
- CURB
- OHW — OVERHEAD WIRES
- UGE — UNDERGROUND POWER
- W — WATER LINE
- G — GAS LINE
- T — TELEPHONE
- SD — STORM DRAIN
- SS — SANITARY SEWER
- 100 — 1' CONTOUR
- IPF/IRF — IRON PIPE/ROD FOUND
- N/F — NOW OR FORMERLY
- 000/000 — DEED BOOK / PAGE
- TM — TAX MAP–BLOCK–LOT
- CONC. — CONCRETE
- THRES. — THRESHOLD



LOCATION MAP N.T.S.



UTILITY NOTE

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEY HAS NOT PHYSICALLY LOCATION THE UNDERGROUND UTILITIES. CALL 1–888–DIGSAFE AT LEAST THREE BUSINESS DAYS BEFORE PERFORMING ANY CONSTRUCTION. DUE TO OSHA CONFINED SPACE REQUIREMENTS, ALL INVERTS AND PIPE SIZES MUST BE VERIFIED PRIOR TO ANY CONSTRUCTION.

PLAN REFERENCES

ALTA/NSPS LAND TITLE SURVEYS, BAYSIDE I, LLC, BAYSIDE II, LLC, BAYSIDE III, LLC, BAYSIDE IV, LLC, CEDAR ST., LANCASTER ST. EAST, CHESTNUT ST., PREBLE ST. & OXOFRD ST., PORTLAND, CUMBERLAND COUNTY, MAINE MADE FOR BUSH–WATSON SEPT. 2022 BY OWEN HASKELL, INC.

SCALE : 1" = 30'

0' 15' 30' 60'

GENERAL NOTES

1. *OWNERS OF RECORD: AS NOTED ON PLAN*
2. *BEARINGS ARE BASED ON MAINE STATE GRID WEST ZONE PER COORDINATES ON CONTROL POINTS PROVIDED BY THE CITY OF PORTLAND ENGINEERING DEPARTMENT.*
3. *ELEVATIONS BASED ON NGVD 1929. CITY BENCHMARK TBM 307 MDOT DISK "612–(1)–10 1983" IN CONCRETE BASE OF LIGHT POLE AT NORTHEAST CORNER ELM/SOMERSET ELEVATION = 9.02.*
4. *STREET LINES SHOWN ARE BASED ON MONUMENTATION FOUND AND TIES TO BUILDINGS PER SURVEYED BY E.C. JORDAN CO.*
5. *OWNERSHIP OF FENCES AND RETAINING WALLS ALONG PROPERTY LINES HAS NOT BEEN DETERMINED.*

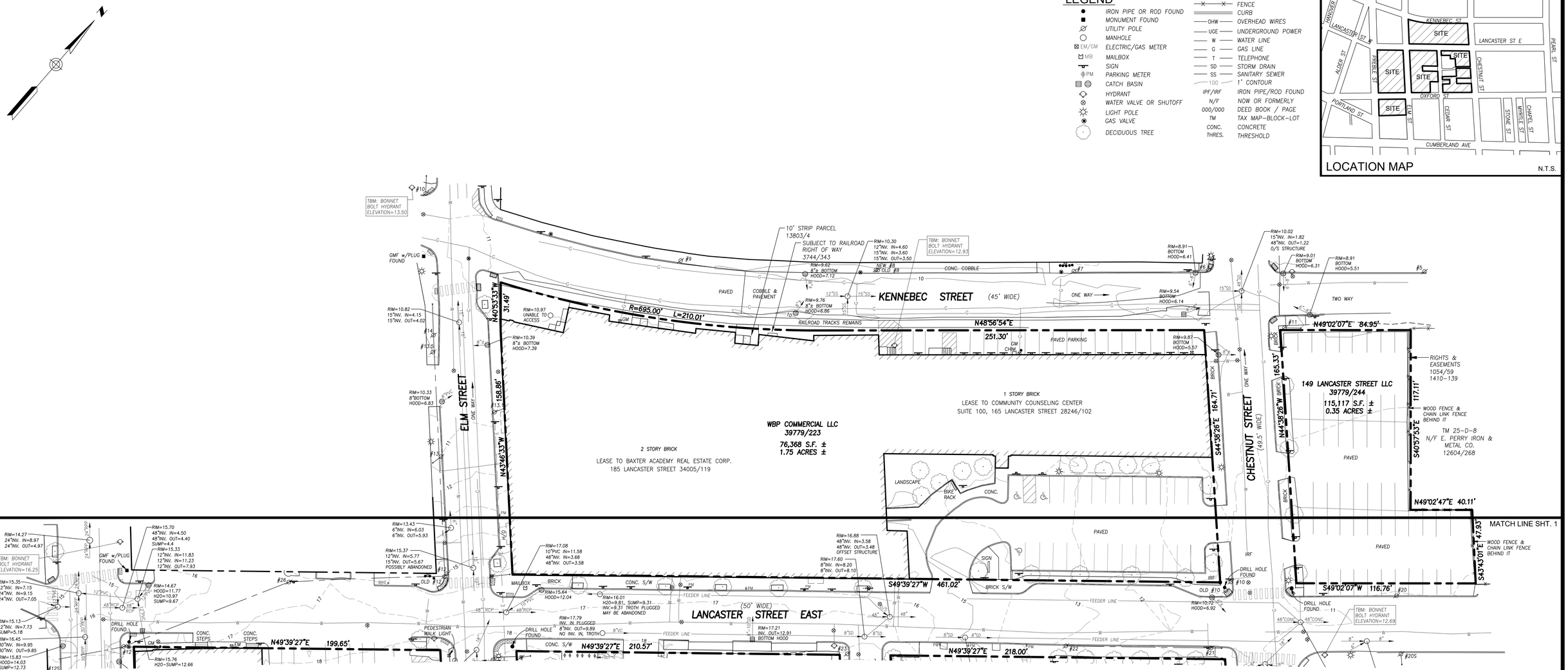
STATE OF MAINE
RANDY R. LOUBIER 2407
PROFESSIONAL LAND SURVEYOR

Randy R Loubier

Topographic Survey
Bayside Parcels
Lancaster, Preble, Elm, Cedar, Chestnut and Oxford Streets, Portland, Maine
Made for
Bush-Watson
188 State Street, 3rd Floor, Portland, Maine

OWEN HASKELL, INC.
PROFESSIONAL LAND SURVEYORS
390 US ROUTE 1, UNIT 10, FALMOUTH, ME 04105 TEL. 207-774-0424

DRAWN BY: RS / JLW	DATE: DEC. 8, 2022	JOB NO. 2022-162 P	
CHECKED BY: RRL	SCALE: 1" = 30'	DRWG. NO. 2	



UTILITY NOTE

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEY HAS NOT PHYSICALLY LOCATION THE UNDERGROUND UTILITIES. CALL 1–888–DIGSAFE AT LEAST THREE BUSINESS DAYS BEFORE PERFORMING ANY CONSTRUCTION. DUE TO OSHA CONFINED SPACE REQUIREMENTS, ALL INVERTS AND PIPE SIZES MUST BE VERIFIED PRIOR TO ANY CONSTRUCTION.

PLAN REFERENCES

1. *ALTA/NSPS LAND TITLE SURVEYS, BAYSIDE I, LLC, BAYSIDE II, LLC, BAYSIDE III, LLC, BAYSIDE IV, LLC, CEDAR ST., LANCASTER ST. EAST, CHESTNUT ST., PREBLE ST. & OXOFRD ST., PORTLAND, CUMBERLAND COUNTY, MAINE MADE FOR BUSH–WATSON SEPT. 2022 BY OWEN HASKELL, INC.*

2. *"PREBLE, KENNEBEC, SOMERSET SEWER SEPERATION PREBLE STREET PLAN AND PROFILE CITY OF PORTLAND, MAINE PUBLIC WORKS DEPARTMENT WATER RESOURCES DIVISION" VAULT PLAN NUMBER 01038_007R DATED JAN. 2019.*

3. *"NORTH SIDE INTERCEPTING SEWER AND APPURTENANCES WILMOT ST. TO PREBLE ST. SHEET 4" ON FILE AT THE CITY OF PORTLAND.*

GENERAL NOTES

1. *OWNERS OF RECORD: AS NOTED ON PLAN*

2. *BEARINGS ARE BASED ON MAINE STATE GRID WEST ZONE PER COORDINATES ON CONTROL POINTS PROVIDED BY THE CITY OF PORTLAND ENGINEERING DEPARTMENT.*

3. *ELEVATIONS BASED ON NGVD 1929. CITY BENCHMARK TBM 307 MDOT DISK "612–(1)–10 1983" IN CONCRETE BASE OF LIGHT POLE AT NORTHEAST CORNER ELM/SOMERSET ELEVATION = 9.02.*

4. *STREET LINES SHOWN ARE BASED ON MONUMENTATION FOUND AND TIES TO BUILDINGS PER SURVEYED BY E.C. JORDAN CO.*

5. *OWNERSHIP OF FENCES AND RETAINING WALLS ALONG PROPERTY LINES HAS NOT BEEN DETERMINED.*

SCALE : 1" = 30'

0' 15' 30' 60'

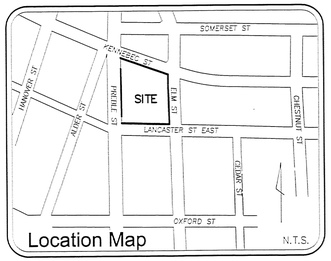
STATE OF MAINE
RANDY R. LOUBIER 2407
PROFESSIONAL LAND SURVEYOR

REV.3	03/29/2023	ADDED MISC. UTILITIES PER CITY COMMENT
REV.2	03/09/2023	REVISED ABUTTER NAME LOCATION
REV.1	02/22/2023	MISC. REVISIONS PER CLIENT COMMENT.

Topographic Survey
Bayside Parcels
Lancaster, Preble, Elm, Cedar, Chestnut and Oxford Streets, Portland, Maine
Made for
Bush-Watson
188 State Street, 3rd Floor, Portland, Maine

OWEN HASKELL, INC.
PROFESSIONAL LAND SURVEYORS
390 US ROUTE 1, UNIT 10, FALMOUTH, ME 04105 TEL. 207-774-0424

DRAWN BY: RS / JLW	DATE: FEB. 17, 2023	JOB NO. 2022-162 P	
CHECKED BY: RRL	SCALE: 1" = 30'	DRWG. NO. 2	



Plan References:

1. ELM STREET, STREET LINE RETRACEMENT PLAN, SOMERSET STREET TO LANCASTER STREET, CITY OF PORTLAND, MAINE PUBLIC SERVICES DEPARTMENT ENGINEERING DIVISION DATED OCT. 16, 2012.

2. BAYSIDE TRAIL SOMERSET STREET EXTENSION, ELM STREET TO KENNEBEC STREET, CITY OF PORTLAND, MAINE PUBLIC SERVICES DEPARTMENT ENGINEERING DIVISION DATED JULY 3, 2012.

3. ALTA/ACSM LAND TITLE SURVEY ON PREBLE STREET, LANCASTER STREET EAST, ELM STREET & OXFORD STREET, PORTLAND, MAINE MADE FOR BAYSIDE I, LLC JAN. 26, 2000 BY OWEN HASKELL, INC. RECORDED IN PLAN BOOK 200 PAGE 40.

4. BOUNDARY & TOPOGRAPHIC SURVEY AT 117 PREBLE STREET, PORTLAND, MAINE MADE FOR MITCHELL & ASSOCIATES DATED JULY 7, 2015, REV. 1 9-26-25 BY OWEN HASKELL, INC.

Notes:

1. OWNER OF RECORD: J.B. BROWN & SONS
   TAX MAP 33-E-1 & 5
   C.C.R.D. BOOK 26354 PAGE 312 & 314
   TAX MAP 33-E-2 & 3
   C.C.R.D. BOOK 29387 PAGE 27

2. BEARINGS ARE BASED ON MAINE STATE PLAN COORDINATE SYSTEM MAINE WEST NAD 83, BASED ON CITY POINT 55 N:301742.42 E: 2927203.68 AND POINT 59 N:301442.06 E:2927035.61 FROM PLAN REFERENCE 1.

3. ELEVATIONS BASED ON NGVD 1929. CITY BENCHMARK TBM 307 PLAN REFERENCE 1. MDOT DISK "612-(1)-10 1983" IN CONCRETE BASE OF LIGHT POLE AT NORTHEAST CORNER ELM/SOMERSET ELEVATION = 9.02.

Flood Zone Note:

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE C OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 230051 0013B, WHICH BEARS AN EFFECTIVE DATE OF JULY 17, 1986 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

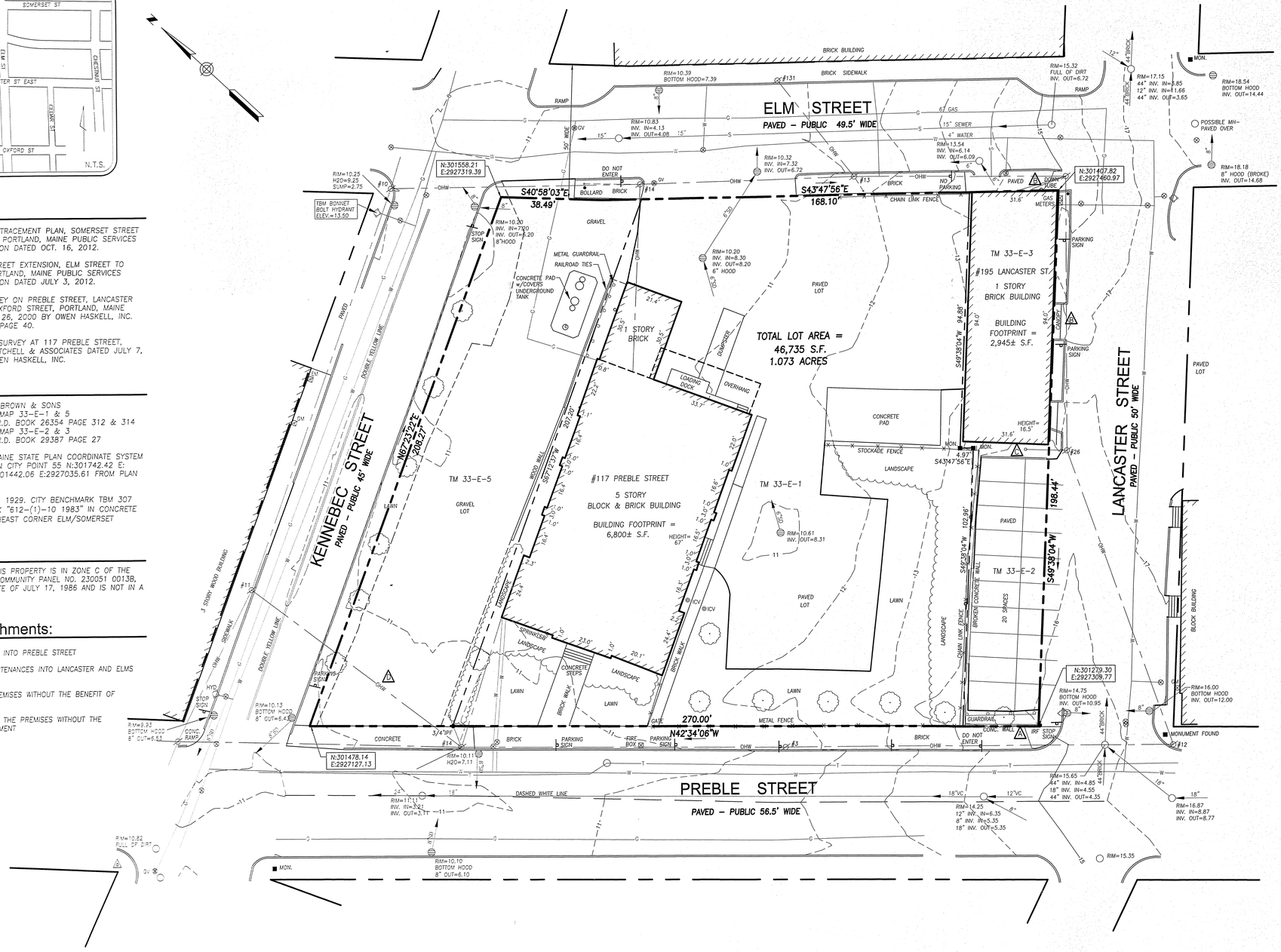
Possible Encroachments:

A. PORTION OF CONCRETE WALL INTO PREBLE STREET

B. PORTION OF BUILDING APPURTENANCES INTO LANCASTER AND ELMS STREET

C. GUY LINE ONTO INSURED PREMISES WITHOUT THE BENEFIT OF RECORDED EASEMENT

D. OVER HEAD WIRES CROSSING THE PREMISES WITHOUT THE BENEFIT OF RECORDED EASEMENT



Survey Description

A CERTAIN LOT OR PARCEL OF LAND WITH THE BUILDINGS THEREON SITUATED ON THE EASTERLY SIDE OF PREBLE STREET IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE OF MAINE BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY SIDELINE OF PREBLE STREET AT THE INTERSECTION WITH THE SOUTHERLY SIDELINE OF KENNEBEC STREET;

THENCE, N 67°23'22" E ALONG THE SOUTHERLY SIDELINE OF SAID KENNEBEC STREET 208.27 FEET TO THE WESTERLY SIDELINE OF ELM STREET;

THENCE, S 40°58'03" E ALONG THE WESTERLY SIDELINE OF ELM STREET 38.49 FEET;

THENCE, S 43°47'56" E ALONG THE WESTERLY SIDELINE OF SAID ELM STREET 168.10 FEET TO THE NORTHERLY SIDELINE OF LANCASTER STREET;

THENCE, S 49°38'04" W ALONG THE NORTHERLY SIDELINE OF SAID LANCASTER STREET 198.44 FEET TO THE EASTERLY SIDELINE OF PREBLE STREET;

THENCE, N 42°34'06" W ALONG THE EASTERLY SIDELINE OF SAID PREBLE STREET 270.00 FEET TO THE SOUTHERLY SIDELINE OF KENNEBEC STREET AND THE POINT OF BEGINNING CONTAINING 1.07 ACRES

THE AREA DELINEATED ON THE PLAN CORRESPONDS EXACTLY WITH THE LAND DESCRIBED IN THE TITLE POLICY.

Legend:

●	IRON PIPE OR ROD FOUND	-X-X-	FENCE
■	MONUMENT FOUND	═══	CURB
⌀	UTILITY POLE	—OHW—	OVERHEAD WIRES
○	MANHOLE	—W—	WATER LINE
EM/GM	ELECTRIC/GAS METER	—G—	GAS LINE
▭	SIGN	—T—	TELEPHONE
▤	CATCH BASIN	—SD—	STORM DRAIN
⌀	HYDRANT	—S—	SANITARY SEWER
⊗	WATER VALVE OR SHUTOFF	10	1' CONTOUR
☼	LIGHT POLE	(1)	SCHEDULE B EXCEPTION
	DECIDUOUS TREE	△	POSSIBLE ENCROACHMENT
	CONIFEROUS TREE		

■ MON.

Zoning Information:

NONE PROVIDED BY TITLE INSURER

Utility Note:

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. CALL 1-888-DIGSAFE AT LEAST THREE BUSINESS DAYS BEFORE PERFORMING ANY CONSTRUCTION. DUE TO OSHA CONFINED SPACE REQUIREMENTS, ALL INVERTS AND PIPE SIZES MUST BE VERIFIED PRIOR TO ANY CONSTRUCTION.

Schedule B Section 2 Exceptions:

FIRST AMERICAN TITLE INSURANCE COMPANY
COMMITMENT FILE NO. 01945-00300, EFFECTIVE DATE: MAY 7, 2015

1-6. NON SURVEY ITEMS

AFFECT ONLY PARCEL I – PREBLE STREET:

7-11. NON SURVEY ITEMS

12. STATE OF FACTS DEPICTED ON AN UNRECORDED PLAN OF LAND ENTITLED "BOUGHT BY SCHLOTTERBECK & FOSS CO. FROM PORTLAND TERMINAL CO., AREA 30,488 SQ. FT. LAID OUT FROM SURVEY BY E.A. BOOTHBY", DATED SEPT. 1925. – PLAN NOT PROVIDED

PARCEL II – LANCASTER STREET:

13-14. NON SURVEY ITEMS

15. ALTA/ACSM LAND TITLE SURVEY ON PREBLE STREET, LANCASTER STREET EAST, ELM STREET & OXFORD STREET, PORTLAND, ME" DATED JAN. 26, 2000, MADE FOR BAYSIDE I, LLC, RECORDED IN PLAN BOOK 200, PAGE 40, WHICH SHOWS:

(A) PORTION OF BUILDING INTO LANCASTER STREET;
(B) PORTION OF BUILDING APPURTENANCES INTO LANCASTER AND ELMS STREET; AND
(C) GUY LINE ONTO INSURED PREMISES WITHOUT THE BENEFIT OF RECORDED EASEMENT.

SCALE : 1" = 20'

0' 10' 20' 40'

ALTA/ACSM Land Title Survey

#117 Preble Street & #195 Lancaster Street
Portland, Cumberland County, Maine
made for
Schlotterbeck Block LLC

Surveyor's Certification

TO: SCHLOTTERBECK BLOCK LLC, KATAHDIN TRUST, FIRST AMERICAN TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2, 3, 4, 5, 7(A), 7(B)(1), 7(C), 8, 9, 11(A), 11(B), 13 AND 20 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JULY 7, 2015, WITH A FIELD INSPECTION ON JANUARY 5, 2016.

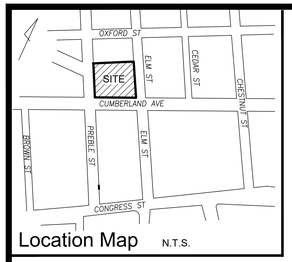
JOHN W. SWAN
PROFESSIONAL LAND SURVEYOR NO. 1038
IN THE STATE OF MAINE

STATE OF MAINE JOHN W. SWAN 1NO. 1038 PROFESSIONAL LAND SURVEYOR

DATE OF MAP OR PLAT: JANUARY 6, 2016
REVISION DATE:

OHI JOB NO. 2015-109P

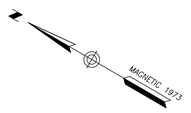
OWEN HASKELL, INC.
PROFESSIONAL LAND SURVEYORS
390 U.S. ROUTE ONE, UNIT 10
FALMOUTH, MAINE 04105
Tel. (207) 774-0424 www.owenhaskell.com

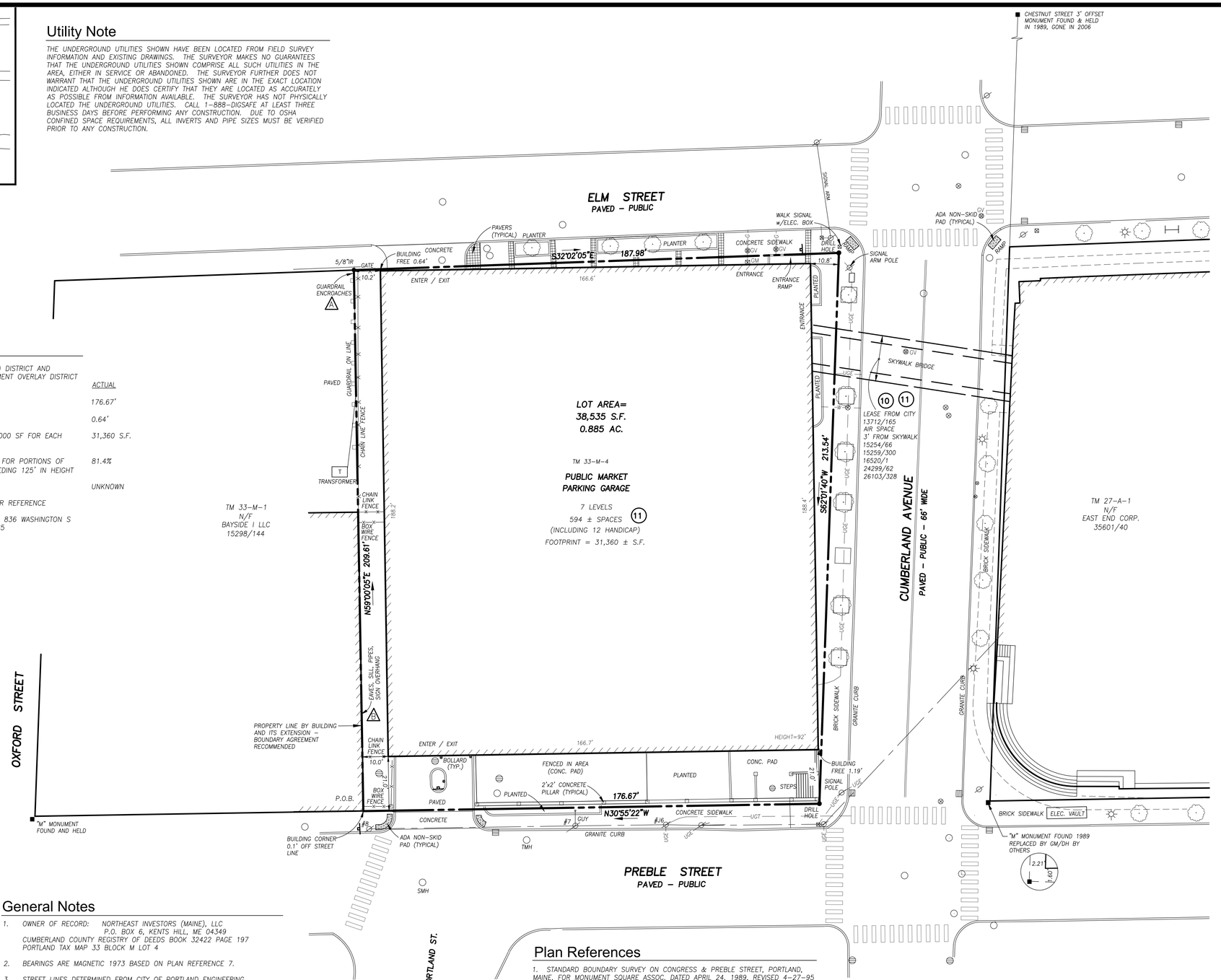


Location Map N.T.S.

Utility Note

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. CALL 1-888-DIGSAFE AT LEAST THREE BUSINESS DAYS BEFORE PERFORMING ANY CONSTRUCTION. DUE TO OSHA CONFINED SPACE REQUIREMENTS, ALL INVERTS AND PIPE SIZES MUST BE VERIFIED PRIOR TO ANY CONSTRUCTION.





Zoning Information

ZONING DISTRICT: DOWNTOWN BUSINESS (B-3) DISTRICT AND THE DOWNTOWN ENTERTAINMENT OVERLAY DISTRICT

	REQUIRED	ACTUAL
MINIMUM STREET FRONTAGE:	15'	176.67'
MAXIMUM FRONT SETBACK:	5'	0.64'
MAXIMUM FLOOR AREA:	NONE, EXCEPT 15,000 SF FOR EACH FLOOR ABOVE 125'	31,360 S.F.
MAXIMUM LOT COVERAGE:	25% OF LOT AREA FOR PORTIONS OF STRUCTURES EXCEEDING 125' IN HEIGHT	81.4%
OFF-STREET PARKING MINIMUMS:	NONE	UNKNOWN

SEE CITY OF PORTLAND ZONING ORDINANCE FOR REFERENCE

ZONING PROVIDED BY ZONING SOLUTIONS, INC., 836 WASHINGTON S TREET, P.O. BOX 850270, BRAINTREE, MA 02185

ZONING CERTIFICATE DATE: JUNE 17, 2022

Legend

- IRON PIPE OR ROD FOUND
- MONUMENT FOUND
- UTILITY POLE
- MANHOLE
- SIGN
- CATCH BASIN
- HYDRANT
- WATER VALVE OR SHUTOFF
- LIGHT POLE
- GM GAS METER
- GAS VALVE
- DECIDUOUS TREE
- CURB
- FENCE
- GUARDRAIL
- G GAS LINE
- W WATER LINE
- OHW OVERHEAD WIRES
- UGE UNDERGROUND POWER
- UGT TELEPHONE
- N/F NOW OR FORMERLY
- TM TAX MAP-BLOCK-LOT
- 000/000 DEED BOOK / PAGE
- P.O.B. POINT OF BEGINNING
- A POSSIBLE ENCROACHMENT
- 1 SCHEDULE B EXCEPTION

SCALE : 1" = 20'

0' 10' 20' 40'

General Notes

1. OWNER OF RECORD: NORTHEAST INVESTORS (MAINE), LLC P.O. BOX 6, KENTS HILL, ME 04349
CUMBERLAND COUNTY REGISTRY OF DEEDS BOOK 32422 PAGE 197
PORTLAND TAX MAP 33 BLOCK M LOT 4

2. BEARINGS ARE MAGNETIC 1973 BASED ON PLAN REFERENCE 7.

3. STREET LINES DETERMINED FROM CITY OF PORTLAND ENGINEERING DEPARTMENT RECORDS AND AS SHOWN ON PLAN REFERENCE 1.

4. NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, BUILDING ADDITIONS, OR RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS WAS OBSERVED.

5. NO PROPOSED CHANGES IN STREET LINES IS KNOWN BY THIS SURVEYOR.

6. THE LAND DEPICTED HEREON IS THE SAME LAND DESCRIBED IN THE DEED INTO THE CURRENT OWNER RECORDED IN BOOK 32422, PAGE 197 AND IS THE SAME LAND DESCRIBED IN THE FIRST AMERICAN TITLE INSURANCE COMMITMENT NO. 050922-01 AND CONTAINS NO GAPS OR GORES.

7. THE LAND HAS OPEN AND EXISTING VEHICULAR AND PEDESTRIAN ACCESS, VIA CURB CUTS, TO THE PUBLIC WAYS KNOWN AS ELM STREET AND PREBLE STREET.

8. THE SURVEYED LAND DEPICTED HEREON IS THE SAME LAND AS DESCRIBED IN THE DEED INTO THE CURRENT OWNER RECORDED IN BOOK 32422, PAGE 197 AND IS THE SAME LAND DESCRIBED IN THE FIRST AMERICAN TITLE INSURANCE COMMITMENT DATED SEPTEMBER 13, 2022 AND CONTAIN NO GAPS, GORES OR STRIP.

Plan References

1. STANDARD BOUNDARY SURVEY ON CONGRESS & PREBLE STREET, PORTLAND, MAINE, FOR MONUMENT SQUARE ASSOC. DATED APRIL 24, 1989, REVISED 4-27-95 BY OWEN HASKELL, INC.

2. LAND TITLE SURVEY ON CUMBERLAND AVENUE AND PREBLE STREET, PORTLAND, MAINE, FOR AUGUST CORPORATION, JULY 6, 1995, BY OWEN HASKELL, INC.

3. PLAN OF LAND AT CONGRESS AND ELM STREETS IN PORTLAND, MAINE FOR THE CITY OF PORTLAND DATED FEB. 17, 1997 BY OWEN HASKELL, INC.

4. STANDARD BOUNDARY AND TOPOGRAPHIC SURVEY ON CUMBERLAND AVE., PREBLE ST. & ELM ST., PORTLAND, MAINE MADE FOR AUGUST CORPORATION DATED OCT. 25, 1996 REVISED THRU 5-28-97 BY OWEN HASKELL, INC.

5. LAND TITLE SURVEY ON CUMBERLAND AVENUE & PREBLE STREET, PORTLAND, MAINE FOR AUGUST CORPORATION JULY 20, 1995 REVISED 9-5-95 OWEN HASKELL, INC. JOB NO. 95125P.

6. ALTA/ACSM LAND TITLE SURVEY ON CONGRESS STREET, CUMBERLAND AVENUE, PREBLE STREET & ELM STREET, PORTLAND, MAINE MADE FOR RECORD OWNER OCTOBER CORPORATION AUGUST 23, 2006 BY OWEN HASKELL, INC. JOB NO. 2006-134P.

7. ALTA/ACSM LAND TITLE SURVEY ON CONGRESS STREET, CUMBERLAND AVENUE, PREBLE STREET & ELM STREET, PORTLAND, MAINE MADE FOR RECORD OWNER GRE CONGRESS CANAL LLC JAN. 10, 2007 BY OWEN HASKELL, INC. JOB NO. 2006-134P.

Flood Zone Note

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE C (AREAS OF MINIMAL FLOODING) OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 230051 0013B, WHICH BEARS AN EFFECTIVE DATE OF JULY 17, 1986 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

Possible Encroachments

A *METAL GUARDRAIL ENCROACHES ONTO PREMISES 0.2'±*

B *EAVES, SILL, PIPES, SIGN OVERHANG ONTO PREMISES*

Legal Description

A CERTAIN PARCEL OF LAND, TOGETHER WITH BUILDINGS THEREON, SITUATED ON THE NORTHERLY SIDE OF CUMBERLAND AVENUE, THE EASTERLY SIDE OF PREBLE STREET AND THE WESTERLY SIDE OF ELM STREET IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE OF MAINE, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY SIDE LINE OF PREBLE STREET AT THE SOUTHWEST CORNER OF THE LAND NOW OR FORMERLY OF DOUGLAS T. AND LINDA A. CARDENTE (SEE CUMBERLAND COUNTY REGISTRY OF DEEDS BOOK 6727, PAGE 52 AND 55), WHICH POINT IS ON THE WESTERLY EXTENSION OF THE SOUTHERLY SIDE OF THE TWO STORY BRICK BUILDING ON THE LAND NOW OR FORMERLY OF CANDENTE;

THENCE N 59° 00' 05" E BY LAND NOW OR FORMERLY OF CARDENTE AND BY SAID BUILDING AND THE EXTENSION THEREOF 209.61 FEET TO THE WESTERLY SIDELINE OF ELM STREET;

THENCE S 32° 02' 05" E BY ELM STREET 187.98 FEET TO CUMBERLAND AVENUE;

THENCE S 62° 01' 40" W BY CUMBERLAND AVENUE 213.54 FEET TO PREBLE STREET;

THENCE N 30° 55' 22" W BY PREBLE STREET 176.67 FEET TO THE POINT OF BEGINNING.

Schedule B Section II Exceptions

FIRST AMERICAN TITLE INSURANCE COMPANY
COMMITMENT NO. 050922-01 EFFECTIVE DATE: SEPTEMBER 13, 2022

1 – 9. NON SURVEY

10. LEASE OF AIR SPACE BY AND BETWEEN THE CITY OF PORTLAND AND AUGUST CORPORATION, DATED FEBRUARY 27, 1998, A MEMORANDUM OF WHICH IS RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 13712, PAGE 165, AS AFFECTED BY ASSIGNMENT AND ASSUMPTION AGREEMENT WITH RESPECT TO LEASES AND LICENSES BY AND BETWEEN AUGUST CORPORATION AND AUGUST HOLDING, LLC DATED DECEMBER 30, 1999, RECORDED IN THE SAID REGISTRY OF DEEDS IN BOOK 15254, PAGE 66; AS AFFECTED BY ASSIGNMENT AND ASSUMPTION AGREEMENT WITH RESPECT TO LEASES AND LICENSES BY AND BETWEEN AUGUST HOLDINGS, LLC AND OCTOBER CORPORATION, DATED JANUARY 3, 2000, RECORDED IN THE SAID REGISTRY OF DEEDS IN BOOK 15259, PAGE 300; MEMORANDUM OF ASSIGNMENTS OF LEASE BY AND BETWEEN OCTOBER CORPORATION AND CITY OF PORTLAND, DATED JULY 2001, RECORDED IN THE SAID REGISTRY OF DEEDS IN BOOK 16520, PAGE 1; AS AFFECTED BY ASSIGNMENT AND ASSUMPTION OF SKYWALK LEASES BY AND BETWEEN OCTOBER CORPORATION AND GRE CONGRESS CANAL, LLC DATED AUGUST 24, 2006, RECORDED IN THE SAID REGISTRY OF DEEDS IN BOOK 24299, PAGE 62, AS AFFECTED BY ASSIGNMENT AND ASSUMPTION OF SKYWALK LEASE BY AND BETWEEN GRE CONGRESS CANAL LLC AND ATLANTIC NATIONAL HOLDINGS LLC DATED MAY 15, 2008 AND RECORDED IN THE SAID REGISTRY OF DEEDS IN BOOK 26103, PAGE 328. –AFFECTS PROPERTY, AS SHOWN

11. EASEMENT AGREEMENT BY AND BETWEEN GRE CONGRESS CANAL LLC AND ATLANTIC NATIONAL HOLDINGS, LLC DATED JUNE 2, 2008 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 26103, PAGE 335. –AS SHOWN, SKYBRIDGE AND RIGHT TO LEASE PARKING SPACES.

12. SUCH STATE OF FACTS INCLUDING NOTES DISCLOSED ON UNRECORDED PLAN ENTITLED "LAND TITLE SURVEY ON CUMBERLAND AVENUE AND PREBLE STREET, PORTLAND, MAINE FOR AUGUST CORPORATION" PREPARED BY OWEN HASKELL, INC. DATED JULY 20, 1995, AS REVISED SEPTEMBER 5, 1995 AND OCTOBER 2, 1996. –ALL PERTINENT INFORMATION AFFECTING THE PROPERTY SHOWN ON SAID PLAN ARE SHOWN ON THE FACE OF THIS SURVEY.

13. SUCH STATE OF FACTS INCLUDING NOTES DISCLOSED ON UNRECORDED PLAN ENTITLED "ALTA/ACSM LAND TITLE SURVEY, CONGRESS STREET, CUMBERLAND AVENUE, PREBLE STREET & ELM STREET, PORTLAND, MADE FOR GRE CONGRESS CANAL LLC" PREPARED BY OWEN HASKELL, INC. DATED JANUARY 10, 2007. –ALL PERTINENT INFORMATION AFFECTING THE PROPERTY SHOWN ON SAID PLAN ARE SHOWN ON THE FACE OF THIS SURVEY.

14. INTENTIONALLY OMITTED.

15.-16. NON SURVEY ITEM

ALTA / NSPS Land Title Survey

315 Cumberland Avenue
Portland, Cumberland County, Maine
Made For
Bush-Watson
188 State Street, 3rd Floor, Portland, Maine

Surveyor's Certification

TO: WBP GARAGE LLC, FIRST AMERICAN TITLE INSURANCE COMPANY, AND KENNEBEC SAVINGS BANK, ITS SUCCESSORS AND/OR ASSIGNS AS THEIR INTEREST MAY APPEAR

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(A), 7(A), 7(B)(1), 7(C), 8, 9, 11, 13, 16, AND 17 OF TABLE A THEREOF. THE FIELD SURVEY WAS PERFORMED BETWEEN AUGUST 2006 AND JUNE 2022 WITH A FINAL FIELD INSPECTION ON JUNE 6, 2022.

RANDY R. LOUBIER
PROFESSIONAL LAND SURVEYOR NO. 2407

DATE OF PLAT OR MAP: MAY 25, 2022
DATE OF LAST REVISION: SEPTEMBER 15, 2022

STATE OF MAINE
RANDY R. LOUBIER
2407
REGISTERED
PROFESSIONAL
LAND SURVEYOR

OWEN HASKELL, INC.
PROFESSIONAL LAND SURVEYORS
390 U.S. ROUTE 1, UNIT 10, FALMOUTH, ME 04105 TEL. 207-774-0424

DRAWN BY: JCS / JLW	FIELD BOOK: FILE	JOB NO.	2022-142 P
CHECKED BY: JCS	SCALE: 1" = 20'	DRWG. NO.	1

REFERENCES:

1. EXISTING CONDITIONS PROVIDED BY "TOPOGRAPHIC SURVEY BAYSIDE PARCELS LANCASTER, PREBLE, ELM, CEDAR, CHESTNUT AND OXFORD STREETS, PORTLAND, MAINE" PREPARED FOR BUSH WATSON DATED DECEMBER 6, 2022 BY OWEN HASKELL, INC.UTILITY INFORMATION OBTAINED FROM PORTLAND WATER DISTRICT MAPPING, UNITIL MAPPING, AND THE CITY OF PORTLAND GIS DATA CATALOG.
2. ADDITIONAL EXISTING INFORMATION FROM CAD FILE PROVIDED BY OWEN HASKELL, INC. OF "BOUNDARY & TOPOGRAPHIC SURVEY AT 117 PREBLE STREET, PORTLAND, MAINE" DATED SEPTEMBER 28, 2015.

SPACE AND BULK STANDARDS

ZONING DISTRICT	DOWNTOWN BUSINESS (B3)	MIXED DEVELOPMENT (B7)	RESIDENTIAL (R6)
MINIMUM LOT AREA	N/A	N/A	VARIES
MINIMUM STREET FRONTAGE	15 FT	N/A	20 FT
MAX FRONT YARD SETBACK	5 FT	10 FT	N/A
MINIMUM FRONT YARD SETBACK	N/A	N/A	5 FT
MINIMUM REAR YARD SETBACK	N/A	N/A	10 FT
MINIMUM SIDE YARD SETBACK	N/A	N/A	5 FT
LOT WIDTH	N/A	N/A	20 FT
MINIMUM LENGTH OF BUILDING WALL AT MAX SETBACK	N/A	75% OF STREET FRONTAGE OR 25% OF BUILDING PERIMETER	N/A
LENGTH OF UNDIFFERENTIATED BLANK WALL ALONG PUBLICLY ACCESSIBLE WAY	30 FT, EXCEPT 15 FT WITH PAD OVERLAY	N/A	N/A
FLOOR AREA	NONE, EXCEPT 15,000 SF FOR EACH FLOOR ABOVE 125 FT		
MAXIMUM BUILDING HEIGHT	PER DOWNTOWN AND BAYSIDE OVERLAY MAPS	PER BAYSIDE OVERLAY MAP	45 FT
LOT COVERAGE (MAX)	N/A*	N/A	60%
LANDSCAPED OPEN SPACE RATIO	N/A	N/A	20%
*MAX 25% OF LOT AREA FOR PORTIONS OF STRUCTURES EXCEEDING 125 FEET IN HEIGHT			

LEGEND:

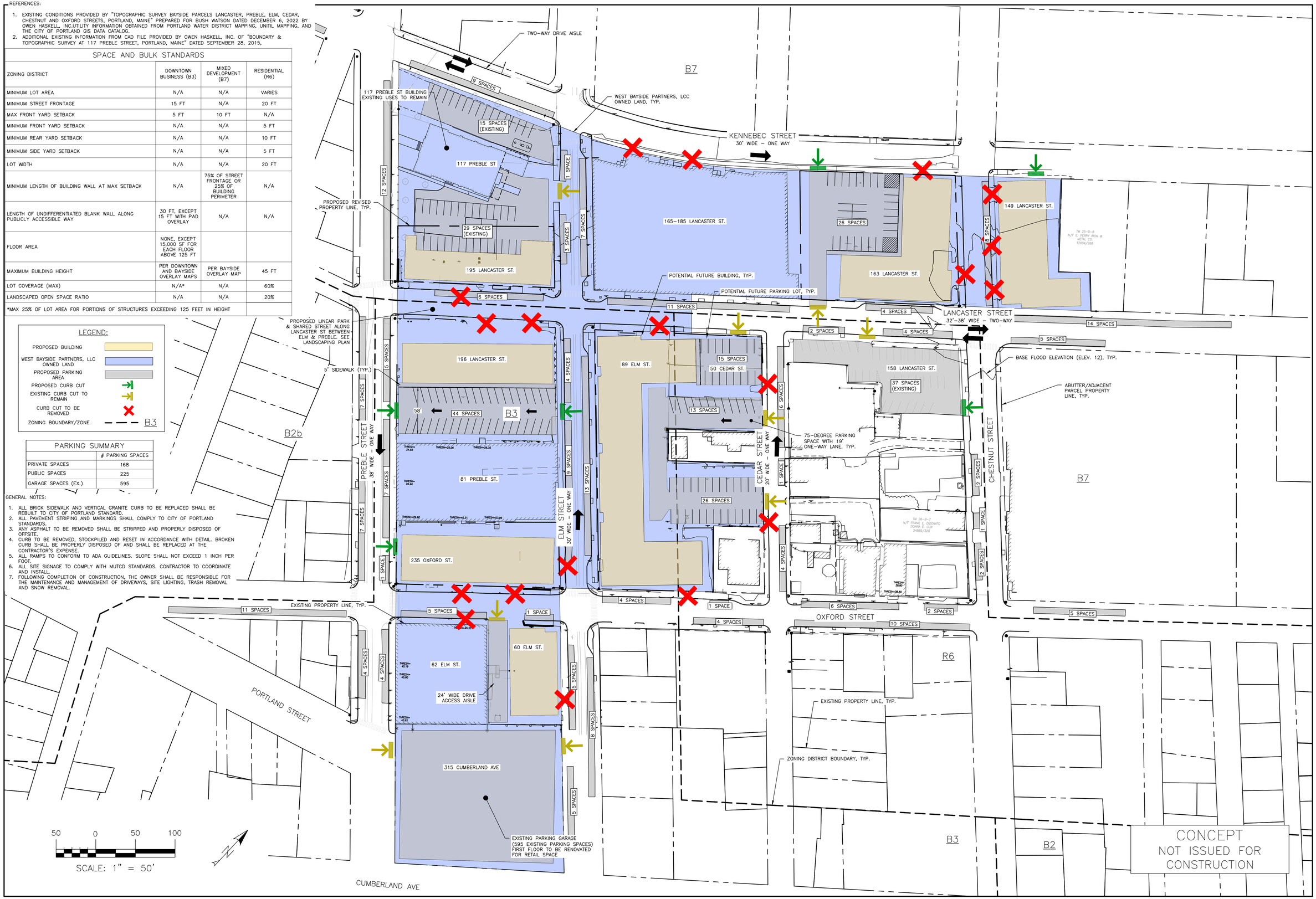
- PROPOSED BUILDING
- WEST BAYSIDE PARTNERS, LLC OWNED LAND
- PROPOSED PARKING AREA
- PROPOSED CURB CUT
- EXISTING CURB CUT TO REMAIN
- CURB CUT TO BE REMOVED
- ZONING BOUNDARY/ZONE — B3

PARKING SUMMARY

	# PARKING SPACES
PRIVATE SPACES	168
PUBLIC SPACES	225
GARAGE SPACES (EX.)	595

GENERAL NOTES:

1. ALL BRICK SIDEWALK AND VERTICAL GRANITE CURB TO BE REPLACED SHALL BE REBUILT TO CITY OF PORTLAND STANDARD.
2. ALL PAVEMENT STRIPING AND MARKINGS SHALL COMPLY TO CITY OF PORTLAND STANDARDS.
3. ANY ASPHALT TO BE REMOVED SHALL BE STRIPPED AND PROPERLY DISPOSED OF OFFSITE.
4. CURB TO BE REMOVED, STOCKPILED AND RESET IN ACCORDANCE WITH DETAIL. BROKEN CURB SHALL BE PROPERLY DISPOSED OF AND SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE.
5. ALL RAMPS TO CONFORM TO ADA GUIDELINES. SLOPE SHALL NOT EXCEED 1 INCH PER FOOT.
6. ALL SITE SIGNAGE TO COMPLY WITH MUTCD STANDARDS. CONTRACTOR TO COORDINATE AND INSTALL.
7. FOLLOWING COMPLETION OF CONSTRUCTION, THE OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND MANAGEMENT OF DRIVEWAYS, SITE LIGHTING, TRASH REMOVAL AND SNOW REMOVAL.



ISSUED FOR	BY	DATE
CONCEPT	WHS	12/9/22
MASTER DEVELOPMENT PLAN	WHS	12/23/22

DRAWING NAME: MASTER SITE PLAN

PROJECT NAME: WEST BAYSIDE MASTER DEVELOPMENT PLAN

CLIENT: WEST BAYSIDE PARTNERS, LLC
188 STATE STREET, 3RD FLOOR, PORTLAND, ME 04101

ACORN ENGINEERING, INC.
PO BOX 3235 KENNEBUNK, MAINE 04043
(207) 775-2655

FILE: 1093.13_CIVIL
JN: 1093.13
SCALE: AS NOTED
DESIGNED BY: SJL
DRAWN BY: ZMS
CHECKED BY: WHS

STATE OF MAINE
WILLIAM H. SAVAGE
11419
12/23/2022
LICENSED PROFESSIONAL ENGINEER

DRAWING NO.
C-10

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THESE PLANS SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. ANY MODIFICATIONS MADE TO THESE PLANS WITHOUT THE WRITTEN AUTHORIZATION OF ACORN ENGINEERING, INC. SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

REFERENCES:

1. EXISTING CONDITIONS PROVIDED BY "TOPOGRAPHIC SURVEY BAYSIDE PARCELS LANCASTER, PREBLE, ELM, CEDAR, CHESTNUT AND OXFORD STREETS, PORTLAND, MAINE" PREPARED FOR BUSH WATSON DATED DECEMBER 6, 2022 BY OWEN HASKELL, INC.UTILITY INFORMATION OBTAINED FROM PORTLAND WATER DISTRICT MAPPING, UNITIL MAPPING, AND THE CITY OF PORTLAND GIS DATA CATALOG.
2. ADDITIONAL EXISTING INFORMATION FROM CAD FILE PROVIDED BY OWEN HASKELL, INC. OF "BOUNDARY & TOPOGRAPHIC SURVEY AT 117 PREBLE STREET, PORTLAND, MAINE" DATED SEPTEMBER 28, 2015.

SPACE AND BULK STANDARDS

ZONING DISTRICT	DOWNTOWN BUSINESS (B3)	MIXED DEVELOPMENT (B7)	RESIDENTIAL (R6)
MINIMUM LOT AREA	N/A	N/A	VARIES
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MINIMUM FRONT YARD SETBACK	N/A	N/A	5 FT
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FLOOR AREA	NONE, EXCEPT 15,000 SF FOR EACH FLOOR ABOVE 125 FT		
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LANDSCAPED OPEN SPACE RATIO	N/A	N/A	20%
*MAX 25% OF LOT AREA FOR PORTIONS OF STRUCTURES EXCEEDING 125 FEET IN HEIGHT			

LEGEND:

- PROPOSED BUILDING
- WEST BAYSIDE PARTNERS, LLC OWNED LAND
- PROPOSED PARKING AREA
- PROPOSED CURB CUT
- EXISTING CURB CUT TO REMAIN
- CURB CUT TO BE REMOVED
- ZONING BOUNDARY/ZONE — B3
- MDP PROJECT BOUNDARY

GENERAL NOTES:

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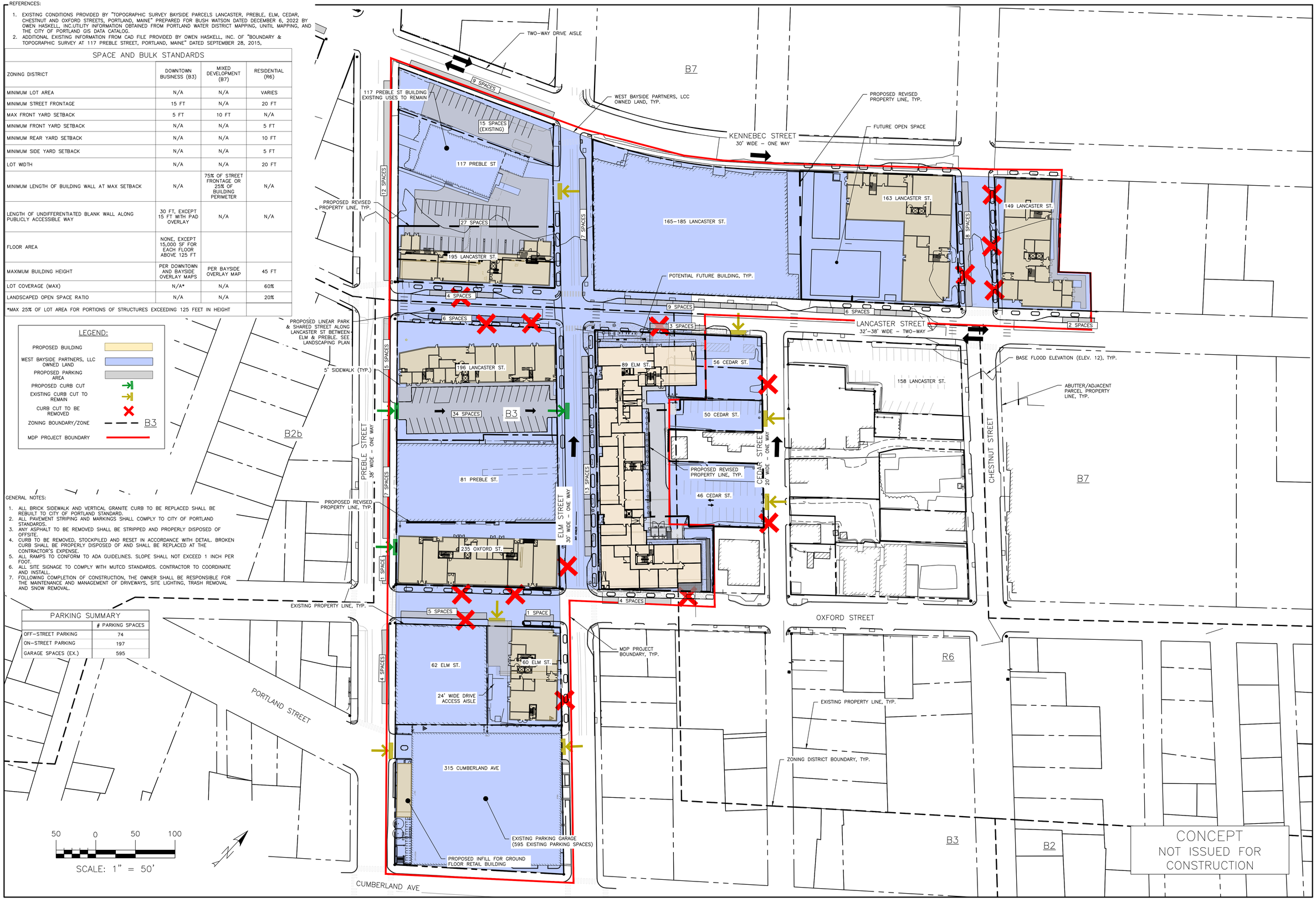
PARKING SUMMARY

	# PARKING SPACES
OFF-STREET PARKING	74
ON-STREET PARKING	197
GARAGE SPACES (EX.)	595



ISSUED FOR	BY DATE
MASTER DEVELOPMENT PLAN	WHS 12/23/22
TMP	WHS 2/2/23
PB WORKSHOP	WHS 3/10/23
MDP RESUBMISSION	WHS 4/7/23

DRAWING NAME: MASTER SITE PLAN

PROJECT NAME: WEST BAYSIDE MASTER DEVELOPMENT PLAN

CLIENT: WEST BAYSIDE PARTNERS, LLC
188 STATE STREET, 3RD FLOOR, PORTLAND, ME 04101

THESE PLANS SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. AND ANY UNAUTHORIZED MODIFICATIONS OR REUSE OF THESE PLANS SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

ACORN ENGINEERING, INC.
PO BOX 3401 PORTLAND, MAINE 04104
(207) 775-2655

FILE:	1192_CIVIL
JN:	1192.1
SCALE:	AS NOTED
DESIGNED BY:	SJL
DRAWN BY:	MKT
CHECKED BY:	WHS

STATE OF MAINE
WILLIAM H. SAVAGE
11419
4/7/2023
LICENSED PROFESSIONAL ENGINEER

DRAWING NO.
C-10

REFERENCES:

1. EXISTING CONDITIONS PROVIDED BY "TOPOGRAPHIC SURVEY BAYSIDE PARCELS LANCASTER, PREBLE, ELM, CEDAR, CHESTNUT AND OXFORD STREETS, PORTLAND, MAINE" PREPARED FOR BUSH WATSON DATED DECEMBER 6, 2022 BY OWEN HASKELL, INC.UTILITY INFORMATION OBTAINED FROM PORTLAND WATER DISTRICT MAPPING, UNITIL MAPPING, AND THE CITY OF PORTLAND GIS DATA CATALOG.
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LEGEND:

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- PROPOSED PARKING AREA
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- EXISTING CURB CUT TO REMAIN
- CURB CUT TO BE REMOVED
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- MDP PROJECT BOUNDARY

GENERAL NOTES:

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PARKING SUMMARY

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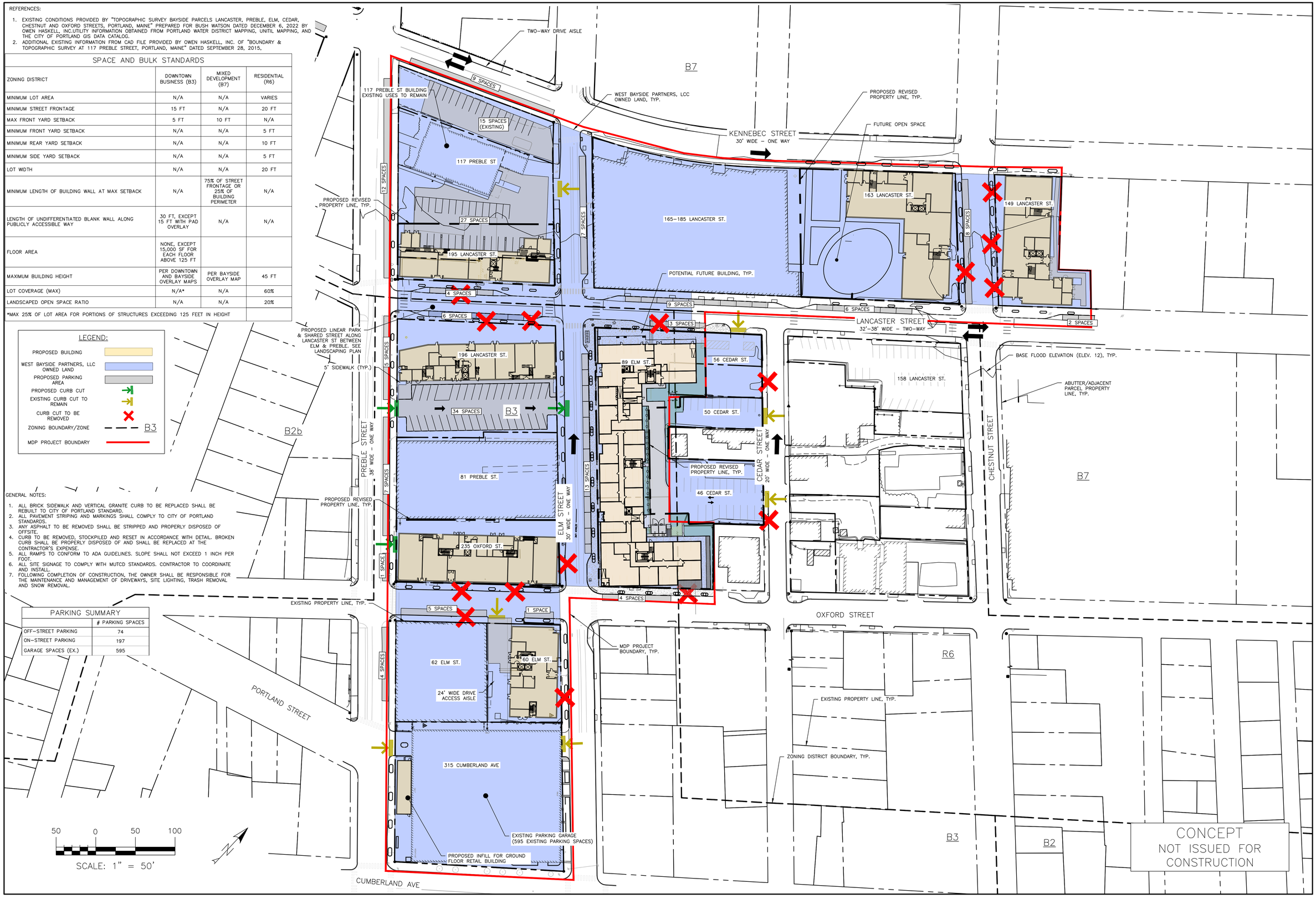
ON-STREET PARKING	197
GARAGE SPACES (EX.)	595



ISSUED FOR	BY	DATE
MASTER DEVELOPMENT PLAN	WHS	12/23/22
TMP	WHS	2/2/23
PB WORKSHOP	WHS	3/10/23
MDP RESUBMISSION	WHS	4/7/23
MDP PUNCHLIST	WHS	6/2/23

DRAWING NAME: MASTER SITE PLAN

PROJECT NAME: WEST BAYSIDE MASTER DEVELOPMENT PLAN

CLIENT: WEST BAYSIDE PARTNERS, LLC
188 STATE STREET, 3RD FLOOR, PORTLAND, ME 04101

ACORN ENGINEERING, INC.
CIVIL ENGINEERING
PO BOX 3401, PORTLAND, MAINE 04104
(207) 775-2655

ALL PLANS SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. AND ANY REUSE OF THE PLANS FOR OTHER PROJECTS, EXTENSIONS OR ALTERATIONS SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

FILE: 1192_CIVIL
JN: 1192.1
SCALE: AS NOTED
DESIGNED BY: SJL
DRAWN BY: MKT
CHECKED BY: WHS

STATE OF MAINE
WILLIAM H. SAVAGE
11419
6/2/2023
LICENSED PROFESSIONAL ENGINEER

DRAWING NO.
C-10

REFERENCES:

1. EXISTING CONDITIONS PROVIDED BY "TOPOGRAPHIC SURVEY BAYSIDE PARCELS LANCASTER, PREBLE, ELM, CEDAR, CHESTNUT AND OXFORD STREETS, PORTLAND, MAINE" PREPARED FOR BUSH WATSON DATED DECEMBER 6, 2022 BY OWEN HASKELL, INC.UTILITY INFORMATION OBTAINED FROM PORTLAND WATER DISTRICT MAPPING, UNITIL MAPPING, AND THE CITY OF PORTLAND GIS DATA CATALOG.
2. ADDITIONAL EXISTING INFORMATION FROM CAD FILE PROVIDED BY OWEN HASKELL, INC. OF "BOUNDARY & TOPOGRAPHIC SURVEY AT 117 PREBLE STREET, PORTLAND, MAINE" DATED SEPTEMBER 28, 2015,

117 PREBLE ST

EX. 195 LANCASTER ST PROPERTY LINE TO BE REVISED

PROPOSED PROPERTY LINE TO CREATE 163 LANCASTER ST LOT

165-185 LANCASTER ST.

163 LANCASTER ST.

149 LANCASTER ST.

195 LANCASTER ST.

EX. PROPERTY LINE, TYP.

196 LANCASTER ST.

89 ELM ST.

56 CEDAR ST.

REVISED PROPERTY LINES TO CREATE 89 ELM STREET & ADJACENT LOT (ADDRESS TBD)

158 LANCASTER ST.

50 CEDAR ST.

81 PREBLE ST.

46 CEDAR ST.

PROPOSED PROPERTY LINE TO CREATE 235 OXFORD ST LOT

235 OXFORD ST.

62 ELM ST.

60 ELM ST.

315 CUMBERLAND AVE

50 0 50 100

SCALE: 1" = 50'

CONCEPT
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY	DATE
MDP RESUBMISSION	WHS	4/7/23

DRAWING NAME: **PROPERTY LINE MODIFICATIONS PLAN**

PROJECT NAME: **WEST BAYSIDE MASTER DEVELOPMENT PLAN**

CLIENT: WEST BAYSIDE PARTNERS, LLC
188 STATE STREET, 3RD FLOOR, PORTLAND, ME 04101

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. ANY MODIFICATIONS MADE TO THIS PLAN WITHOUT THE WRITTEN PERMISSION OF ACORN ENGINEERING, INC. SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

ACORN ENGINEERING, INC.
ELIOT, MAINE
PO BOX 3477 04104
(207) 775-2655

FILE:	1192_CIVIL
JN:	1192.1
SCALE:	AS NOTED
DESIGNED BY:	SJL
DRAWN BY:	MKT
CHECKED BY:	WHS

STATE OF MAINE
WILLIAM H. SAVAGE
11419
4/7/2023
LICENSED PROFESSIONAL ENGINEER

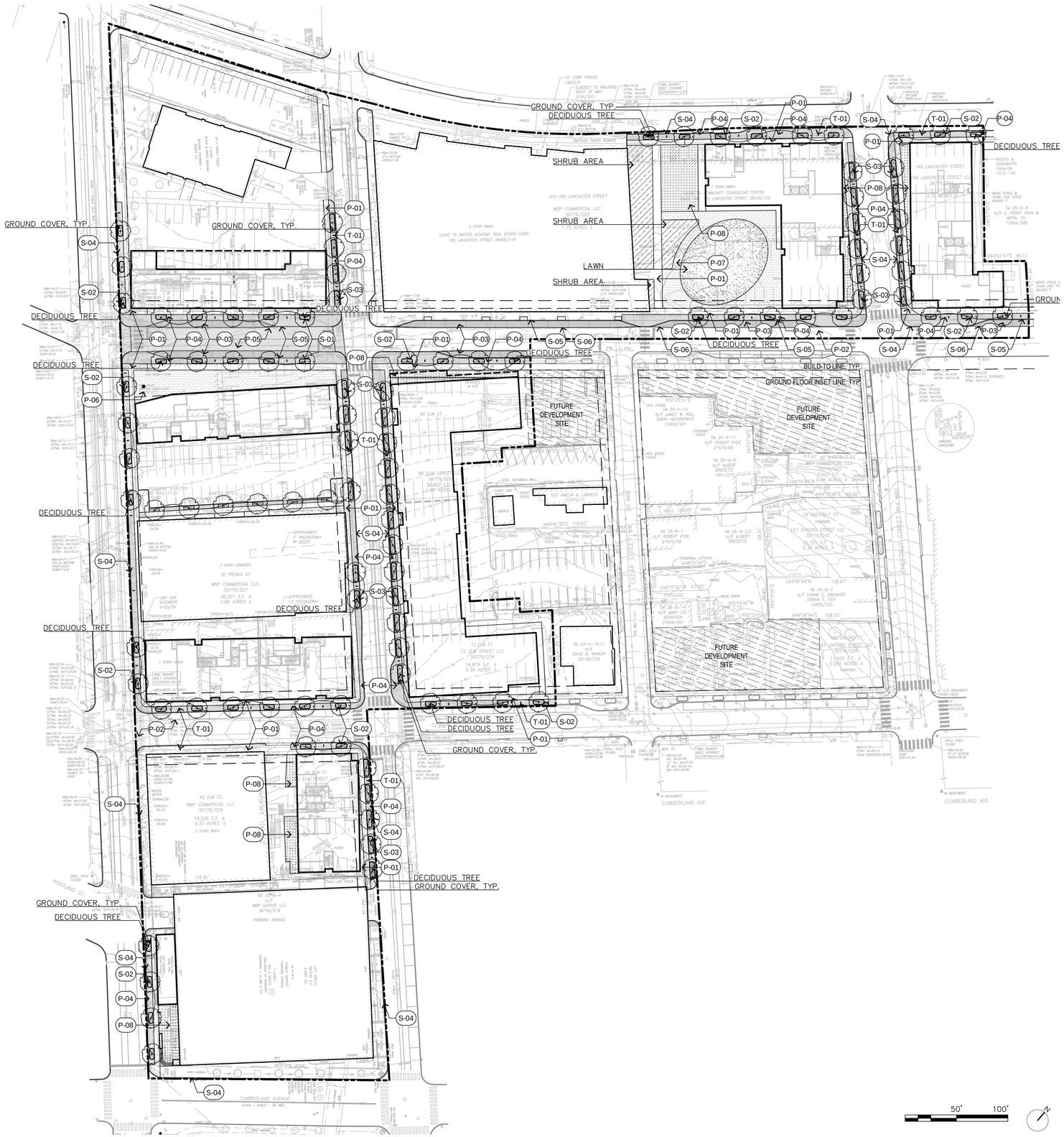
DRAWING NO.
C-11

Landscape Plan

- *Major landscaping elements, features, and open space*
- *Plans for preservation of natural features*

The diagram below summarizes the development's approach to open space organization and design. Major landscaping elements include a shared street and linear park along Lancaster Street between Preble and Elm Streets; enhanced sidewalks and pedestrian amenities flanking new buildings; and potential pocket and pop-up parks in smaller spaces between buildings on permanent or temporary bases. The plan includes substantial street tree planting to expand the Bayside tree canopy throughout the site.





PLANT SCHEDULE

STREET TREE
-

SHRUB AREA
-

LAWN
-

GROUND COVER
-

MATERIALS LEGEND

PAVING

SYMBOL	DESCRIPTION
P-01	CONCRETE SIDEWALK
P-02	ASPHALT PAVEMENT
P-03	FLEX ZONE UNIT PAVERS
P-04	FURNISHING ZONE UNIT PAVERS
P-05	SHARED STREET SPECIAL PAVEMENT
P-06	LINEAR PARKLET
P-07	PLAZA PAVEMENT
P-08	PUBLICLY ACCESSIBLE OPEN SPACE

SITE ELEMENTS

SYMBOL	DESCRIPTION
S-01	METAL TREE PLANTERS WITH INTEGRATED SEAT
S-02	METAL TREE PLANTER
S-03	GRANITE TREE PLANTER
S-04	GRANITE CURB
S-05	GRANITE FLUSH CURB
S-06	GRANITE MOUNTABLE CURB

SITE FURNITURE

SYMBOL	DESCRIPTION
T-01	LIGHT POST

PRELIMINARY
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY	DATE
MDP SUBMITTAL	KGS	4/7/2023

DRAWING NAME: LANDSCAPING PLAN

PROJECT NAME: 89 ELM STREET REDEVELOPMENT – PORTLAND

CLIENT: 89 ELM, LLC
188 STATE STREET, 3RD FLOOR, PORTLAND, ME 04101

Stantec
Stantec Consulting Services Inc
40 Water Street Boston MA 02109

THIS PLAN SHALL NOT BE LOANED WITHOUT WRITTEN PERMISSION AND SHALL BE RETURNED UPON REQUEST OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

FILE:	210400026_BASE
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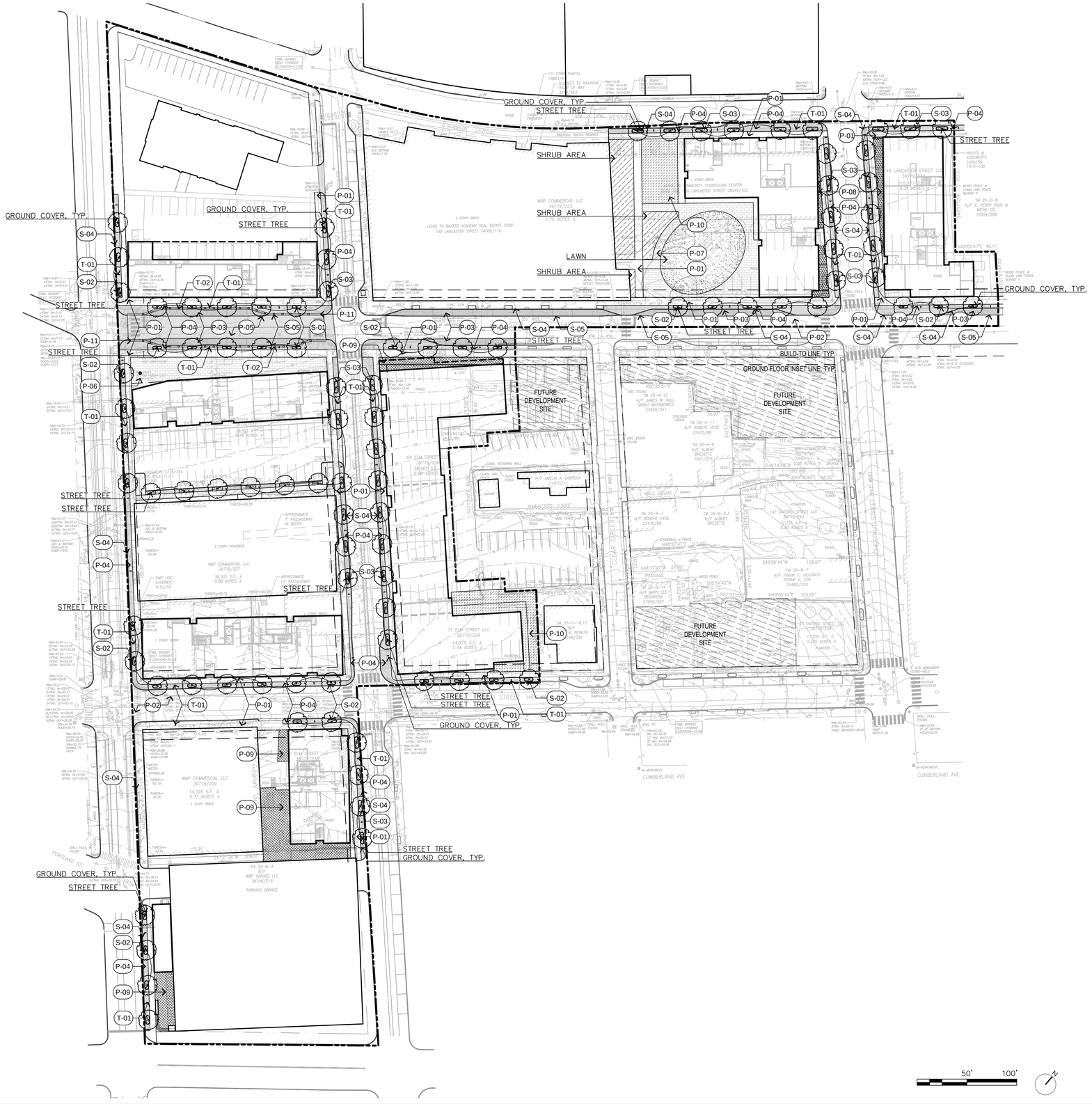
SCALE:	AS NOTED
DESIGNED BY:	CCB
DRAWN BY:	KGS
CHECKED BY:	CCB

DRAWING NO.
L-100



PLANT SCHEDULE

STREET TREE	-
SHRUB AREA	-
LAWN	-
GROUND COVER	-

MATERIALS LEGEND

PAVING

SYMBOL	DESCRIPTION
P-01	CONCRETE SIDEWALK
P-02	ASPHALT PAVEMENT
P-03	FLEX ZONE UNIT PAVERS
P-04	FURNISHING ZONE UNIT PAVERS
P-05	SHARED STREET SPECIAL PAVEMENT
P-06	LINEAR PARKLET
P-07	PLAZA PAVEMENT
P-08	EXPANDED PUBLIC SIDEWALK / LANDSCAPING
P-09	OPEN SPACE FOR RETAIL USE
P-10	OPEN SPACE FOR RESIDENTIAL USE
P-11	DETECTABLE WARNING STRIP

SITE ELEMENTS

SYMBOL	DESCRIPTION
S-01	METAL TREE PLANTERS WITH INTEGRATED SEAT
S-02	METAL TREE PLANTER
S-03	GRANITE TREE PLANTER
S-04	GRANITE CURB
S-05	GRANITE FLUSH CURB
S-06	GRANITE MOUNTABLE CURB

SITE FURNITURE

SYMBOL	DESCRIPTION
T-01	LIGHT POST
T-02	BOLLARD

PRELIMINARY
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY	DATE
MDP SUBMITTAL	KGS	4/7/2023

DRAWING NAME: LANDSCAPING PLAN

PROJECT NAME: 89 ELM STREET REDEVELOPMENT – PORTLAND

CLIENT: 89 ELM, LLC
188 STATE STREET, 3RD FLOOR, PORTLAND, ME 04101

Stantec
Stantec Consulting Services Inc
40 Water Street Boston MA 02109

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN AUTHORIZATION FROM STANTEC OR, OTHERWISE SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO STANTEC CONSULTING SERVICES INC.

FILE:	210400026_BASE
JN:	1192.2
SCALE:	AS NOTED
DESIGNED BY:	CCB
DRAWN BY:	KGS
CHECKED BY:	CCB

DRAWING NO.
L-100

GENERAL NOTES:

1. LOCATION OF PROPOSED CONNECTIONS ARE APPROXIMATE. CONTRACTOR TO CONTACT ENGINEER IF FIELD INFORMATION VARIES FROM INFORMATION ON PLANS.
2. CONTRACTOR IS TO BE CAUTIONED THAT CERTAIN LOCATIONS AND/OR ELEVATIONS OF EXISTING UTILITIES HAVE BEEN PROVIDED THROUGH UTILITY COORDINATION OR OTHER OBSERVATIONS. INFORMATION IS NOT TO BE RELIED UPON AS EXACT OR COMPLETE. CONTRACTOR TO FIELD VERIFY AND COORDINATE WITH UTILITY COMPANY AND DIG SAFE NO LESS THAN 72 HOURS PRIOR TO ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF ALL UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS INDICATED IN THE CONTRACT DOCUMENTS. CONTRACTOR TO NOTIFY ENGINEER OF ANY DIFFERENTIATIONS FROM EXISTING CONDITIONS, INCLUDING UTILITY INFORMATION, PRIOR TO ANY CHANGES.
3. FOR ALL UTILITIES, ACORN ENGINEERING DESIGN LIMITS END AT EXTERIOR WALL OF BUILDING. METERING OF UTILITIES TO BE COMPLETED BY M.E.P. UNLESS SPECIFIED OTHERWISE.
4. CONTRACTOR TO COORDINATE WITH ARCHITECT ON FINAL UTILITY CONNECTIONS WITHIN THE BUILDING.
5. SEWER UTILITIES: CONTRACTOR TO COORDINATE WITH ARCHITECT FOR FINAL SERVICE CONNECTION. SEWER UTILITIES TO BE CONSTRUCTED IN ACCORDANCE WITH CITY OF PORTLAND TECHNICAL STANDARDS. VALVE FOR BACKFLOW PREVENTION SHALL BE INSTALLED WITHIN THE THE PROPERTY LINES FOR EACH CITY SEWER CONNECTION. CONTACT ENGINEER IF INVERT FIELD CONDITIONS VARY FROM DESIGN.
6. WATER UTILITIES: FINAL PIPE SIZING PROVIDED BY M.E.P. ENGINEER AND FIRE PROTECTION DESIGNER. INTERNAL METERING, BACKFLOW PREVENTION, AND PRESSURE REDUCERS TO BE COMPLETED BY M.E.P. ENGINEER. DOMESTIC WATER PIPE SIZES WILL DETERMINE THE FINAL WATER METERING OPTIONS. METER MAY BE SMALLER THAN PROPOSED WATER MAIN. WATER METERING, PRESSURE REDUCER AND BACKFLOW PREVENTION TO BE IN ACCORDANCE WITH THE PORTLAND WATER DISTRICT STANDARDS. CONTRACTOR TO FOLLOW METERING GUIDELINES OF THE PORTLAND WATER DISTRICT AND CITY OF PORTLAND.
7. GAS UTILITIES: PROJECT GAS LOAD, GAS UTILITY DESIGN, AND FINAL GAS SERVICE LOCATION AND METERS TO BE DEFINED BY M.E.P. AND IN ACCORDANCE WITH UNITIL.
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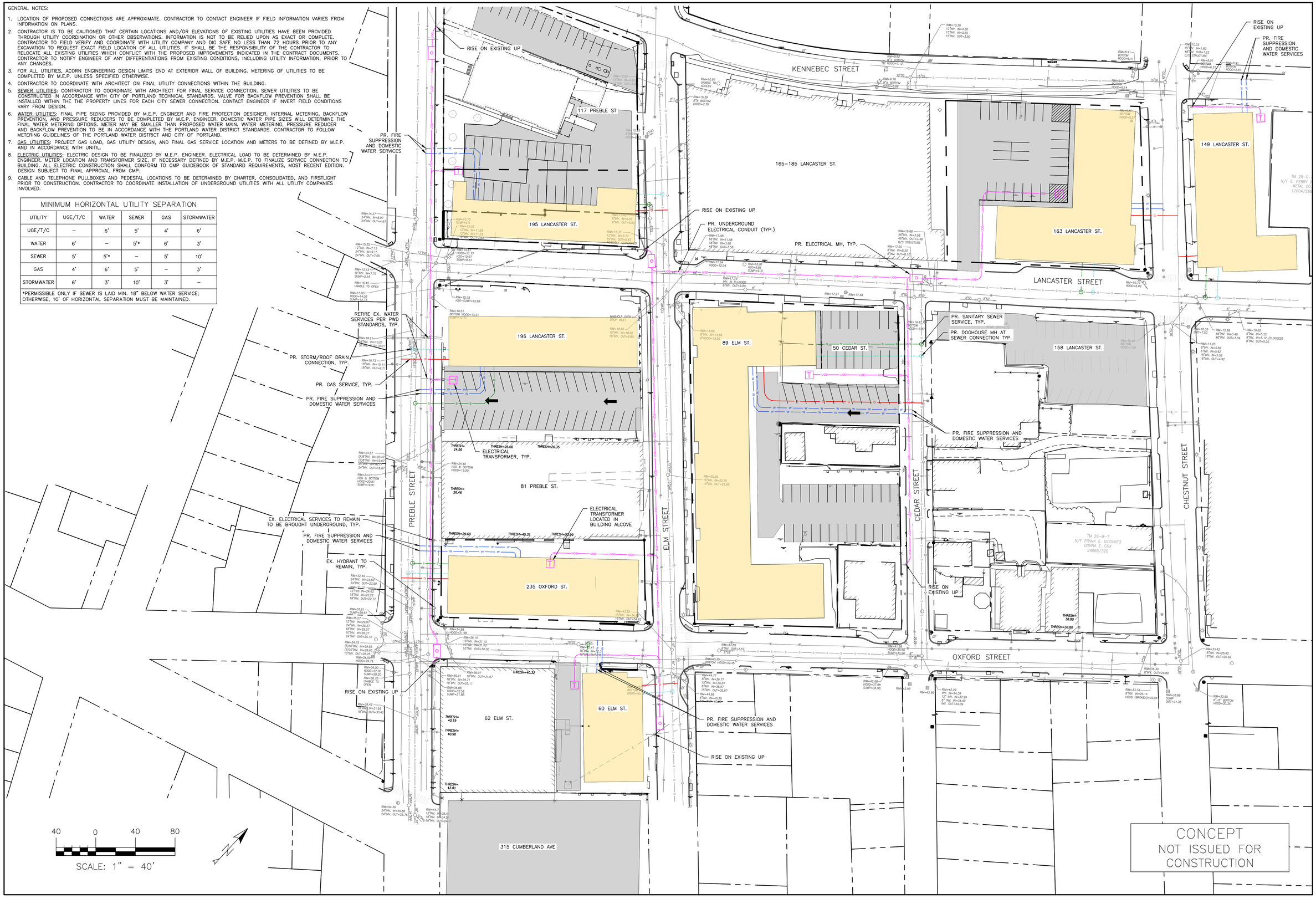
9. CABLE AND TELEPHONE PULLBOXES AND PEDESTAL LOCATIONS TO BE DETERMINED BY CHARTER, CONSOLIDATED, AND FIRSTLIGHT PRIOR TO CONSTRUCTION. CONTRACTOR TO COORDINATE INSTALLATION OF UNDERGROUND UTILITIES WITH ALL UTILITY COMPANIES INVOLVED.

MINIMUM HORIZONTAL UTILITY SEPARATION

UTILITY	UGE/T/C	WATER	SEWER	GAS	STORMWATER
UGE/T/C	–	6'	5'	4'	6'
WATER	6'	–	5'*	6'	3'
SEWER	5'	5'*	–	5'	10'
GAS	4'	6'	5'	–	3'
STORMWATER	6'	3'	10'	3'	–

*PERMISSIBLE ONLY IF SEWER IS LAID MIN. 18" BELOW WATER SERVICE; OTHERWISE, 10' OF HORIZONTAL SEPARATION MUST BE MAINTAINED.



40 0 40 80

SCALE: 1" = 40'

CONCEPT
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY DATE
CONCEPT ATS	WHS 12/20/22
MASTER DEVELOPMENT PLAN	WHS 12/23/22

PRELIMINARY UTILITY PLAN

DRAWING NAME:

PROJECT NAME: WEST BAYSIDE MASTER DEVELOPMENT PLAN

CLIENT: WEST BAYSIDE PARTNERS, LLC
188 STATE STREET, 3RD FLOOR, PORTLAND, ME 04101

ACORN ENGINEERING, INC.

THE PLANS SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. ANY MODIFICATIONS MADE TO THESE PLANS BY ANYONE OTHER THAN ACORN ENGINEERING, INC. OR OTHERWISE, SHALL BE DONE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

ACORN ENGINEERING, INC.
ACORN ENGINEERING, INC.
P.O. BOX 3200 ~ 49 PLEASANT HILL AVE. 04104
PO BOX 3200 ~ (207) 775-2655

FILE:	1093.13_CIVIL
JN:	1093.13
SCALE:	AS NOTED
DESIGNED BY:	SJL
DRAWN BY:	ZMS
CHECKED BY:	WHS

STATE OF MAINE
WILLIAM H. SAVAGE
11419
12/23/2022
LICENSED PROFESSIONAL ENGINEER

DRAWING NO.
C-20

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PRELIMINARY STORMWATER DETENTION AREA, TYP.
RISE ON EXISTING UP, TYP.
MS4 EXTENSION IN LANCASTER STREET
PR. WATER MAIN REPLACEMENT TO BE CONDUCTED IN TWO PHASES PER PWD
PR. GAS SERVICE, TYP.
RETIRE EX. WATER SERVICES PER PWD STANDARDS, TYP.
PR. STORM/ROOF DRAIN CONNECTION, TYP.
EX. HYDRANTS TO REMAIN WITHIN MDP EXTENTS, TYP.
ELECTRICAL TRANSFORMER, TYP.
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MS4 EXTENTION UP CHESTNUT TO SOMERSET ST SEPARATED STORM DRAIN. CONNECTION FEASIBILITY STUDY ONGOING.
PR. FIRE SUPPRESSION AND DOMESTIC WATER SERVICES
PHASE 1 WATER MAIN REPLACEMENT
PHASE 2 WATER MAIN REPLACEMENT
PR. DOGHOUSE MH AT SEWER CONNECTION, TYP.
PR. UNDERGROUND ELECTRICAL CONDUIT, TYP.
PR. FIRE SUPPRESSION AND DOMESTIC WATER SERVICES, TYP.
ELECTRICAL TRANSFORMER, TYP.

117 PREBLE ST
195 LANCASTER ST.
196 LANCASTER ST.
81 PREBLE ST.
235 OXFORD ST.
62 ELM ST.
60 ELM ST.
315 CUMBERLAND AVE
165–185 LANCASTER ST.
163 LANCASTER ST.
149 LANCASTER ST.
158 LANCASTER ST.
89 ELM ST.
56 CEDAR ST.
50 CEDAR ST.
46 CEDAR ST.

KENNEBEC STREET
LANCASTER STREET
PREBLE STREET
ELM STREET
CEDAR STREET
CHESTNUT STREET
OXFORD STREET

50 0 50 100
SCALE: 1" = 50'

CONCEPT
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CONCEPT ATS	WHS 12/20/22
MASTER DEVELOPMENT PLAN	WHS 12/23/22
MDP RESUBMISSION	WHS 4/7/23

DRAWING NAME: PRELIMINARY UTILITY PLAN
PROJECT NAME: WEST BAYSIDE MASTER DEVELOPMENT PLAN
CLIENT: WEST BAYSIDE PARTNERS, LLC
188 STATE STREET, 3RD FLOOR, PORTLAND, ME 04101

ACORN ENGINEERING, INC.
CIVIL ENGINEERING
ACORN ENGINEERING, INC.
70 MAIN STREET, SACO, MAINE 04104
PO BOX 3200, SACO, MAINE 04072
(207) 775-2655

THESE PLAN SHEETS ARE MODIFIED WITH PERMISSION FROM ACORN ENGINEERING, INC. ANY REUSE, MODIFICATIONS OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

FILE:	1192_CIVIL
JN:	1192.1
SCALE:	AS NOTED
DESIGNED BY:	SJL
DRAWN BY:	MKT
CHECKED BY:	WHS

STATE OF MAINE
WILLIAM H. SAVAGE
11419
4/7/2023
LICENSED PROFESSIONAL ENGINEER

DRAWING NO.
C-20

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MS4 EXTENTION UP CHESTNUT TO SOMERSET ST SEPARATED STORM DRAIN. CONNECTION FEASIBILITY STUDY ONGOING.

PRELIMINARY STORMWATER DETENTION AREA, TYP.

RISE ON EXISTING UP, TYP.

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PR. WATER MAIN REPLACEMENT TO BE CONDUCTED IN TWO PHASES PER PWD

PR. GAS SERVICE, TYP.

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PR. FIRE SUPPRESSION AND DOMESTIC WATER SERVICES, TYP.

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KENNEBEC STREET

LANCASTER STREET

OXFORD STREET

PREBLE STREET

ELM STREET

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56 CEDAR ST.

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50 0 50 100

SCALE: 1" = 50'

CONCEPT
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CONCEPT ATS	WHS 12/20/22
MASTER DEVELOPMENT PLAN	WHS 12/23/22
MDP RESUBMISSION	WHS 4/7/23
MDP PUNCHLIST	WHS 6/2/23

DRAWING NAME: PRELIMINARY UTILITY PLAN

PROJECT NAME: WEST BAYSIDE MASTER DEVELOPMENT PLAN

CLIENT: WEST BAYSIDE PARTNERS, LLC
188 STATE STREET, 3RD FLOOR, PORTLAND, ME 04101

ACORN ENGINEERING, INC.
CIVIL ENGINEERING

THESE PLANS SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FIRST BEING OBTAINED FROM ACORN ENGINEERING, INC. ANY MODIFICATIONS, OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

ACORN ENGINEERING, INC.
P.O. BOX 3294 PORTLAND, MAINE 04104
(207) 775-2655

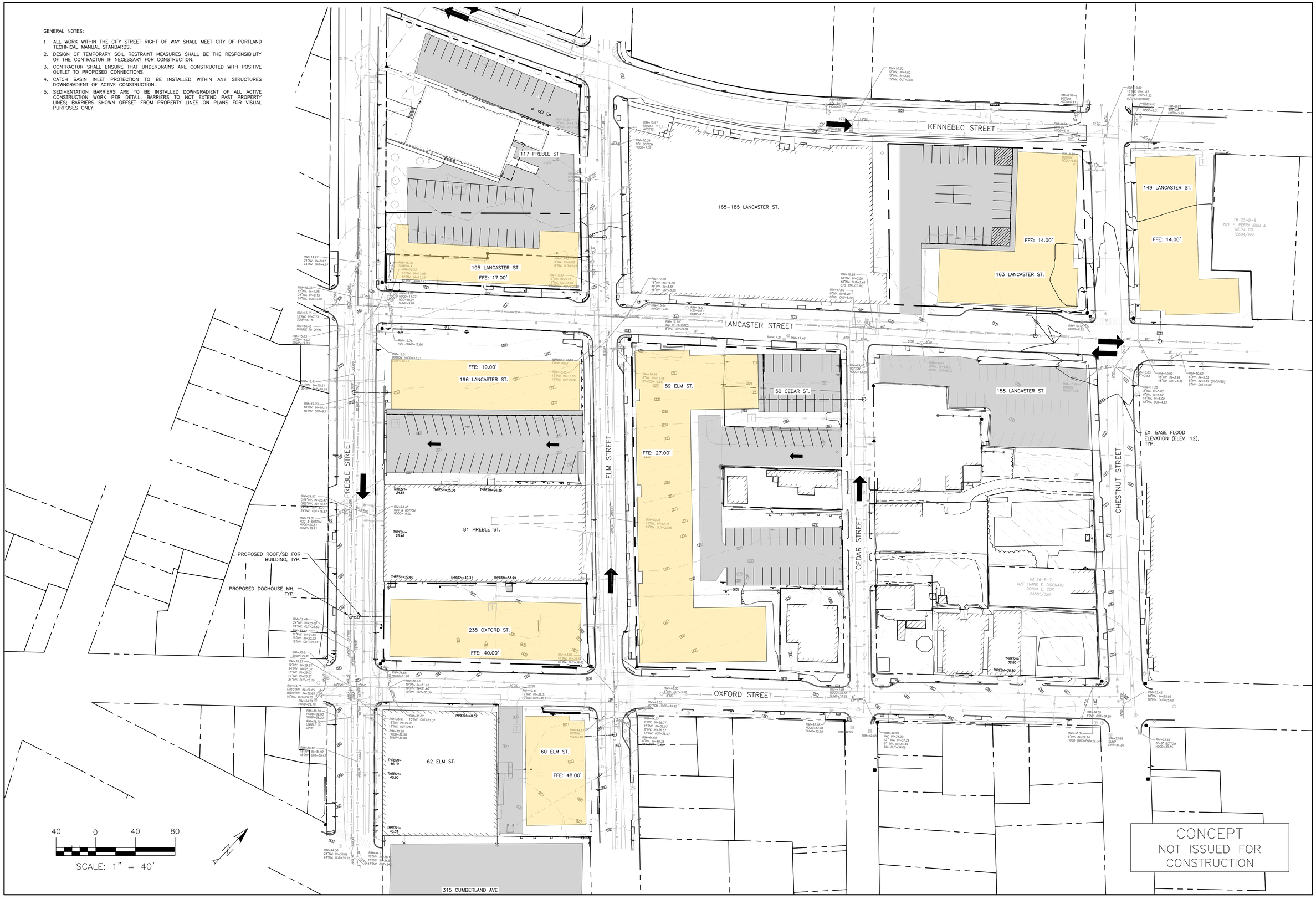
FILE:	1192_CIVIL
JN:	1192.1
SCALE:	AS NOTED
DESIGNED BY:	SJL
DRAWN BY:	MKT
CHECKED BY:	WHS

STATE OF MAINE
WILLIAM H. SAVAGE
11419
6/2/2023
LICENSED PROFESSIONAL ENGINEER

DRAWING NO.
C-20

GENERAL NOTES:

1. ALL WORK WITHIN THE CITY STREET RIGHT OF WAY SHALL MEET CITY OF PORTLAND TECHNICAL MANUAL STANDARDS.
2. DESIGN OF TEMPORARY SOIL RESTRAINT MEASURES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR IF NECESSARY FOR CONSTRUCTION.
3. CONTRACTOR SHALL ENSURE THAT UNDERDRAINS ARE CONSTRUCTED WITH POSITIVE OUTLET TO PROPOSED CONNECTIONS.
4. CATCH BASIN INLET PROTECTION TO BE INSTALLED WITHIN ANY STRUCTURES DOWNGRADIENT OF ACTIVE CONSTRUCTION.
5. SEDIMENTATION BARRIERS ARE TO BE INSTALLED DOWNGRADIENT OF ALL ACTIVE CONSTRUCTION WORK PER DETAIL. BARRIERS TO NOT EXTEND PAST PROPERTY LINES; BARRIERS SHOWN OFFSET FROM PROPERTY LINES ON PLANS FOR VISUAL PURPOSES ONLY.



ISSUED FOR	BY	DATE
CONCEPT	WHS	12/9/22
MASTER DEVELOPMENT PLAN	WHS	12/23/22

DRAWING NAME: **PRELIMINARY GRADING PLAN**

PROJECT NAME: **WEST BAYSIDE MASTER DEVELOPMENT PLAN**

CLIENT: WEST BAYSIDE PARTNERS, LLC
188 STATE STREET, 3RD FLOOR, PORTLAND, ME 04101

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STATE OF MAINE
WILLIAM H. SAVAGE
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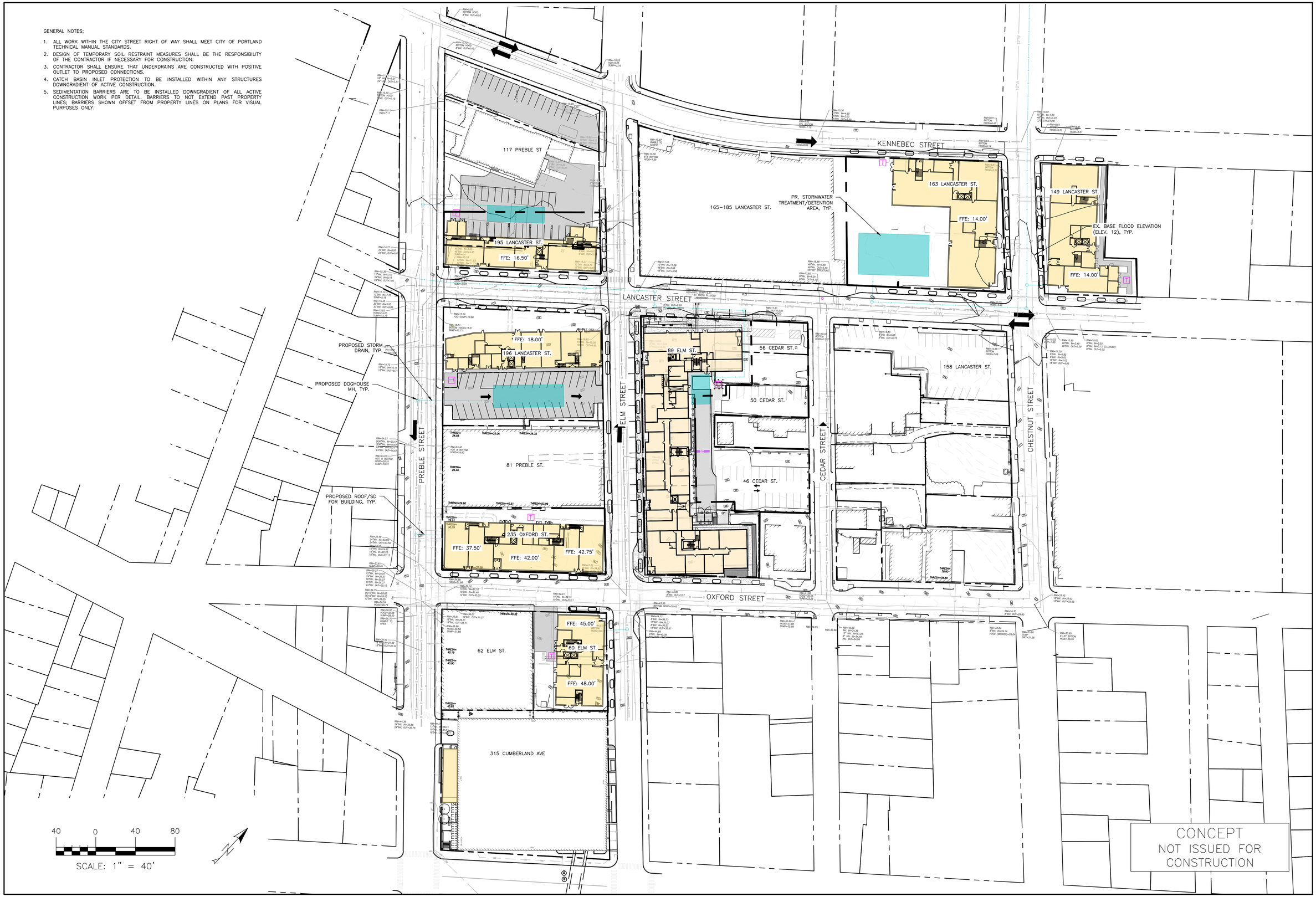

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PO BOX 71 LIMINGTON, MAINE 04049
(207) 775-2655

FILE:	1192_CIVIL
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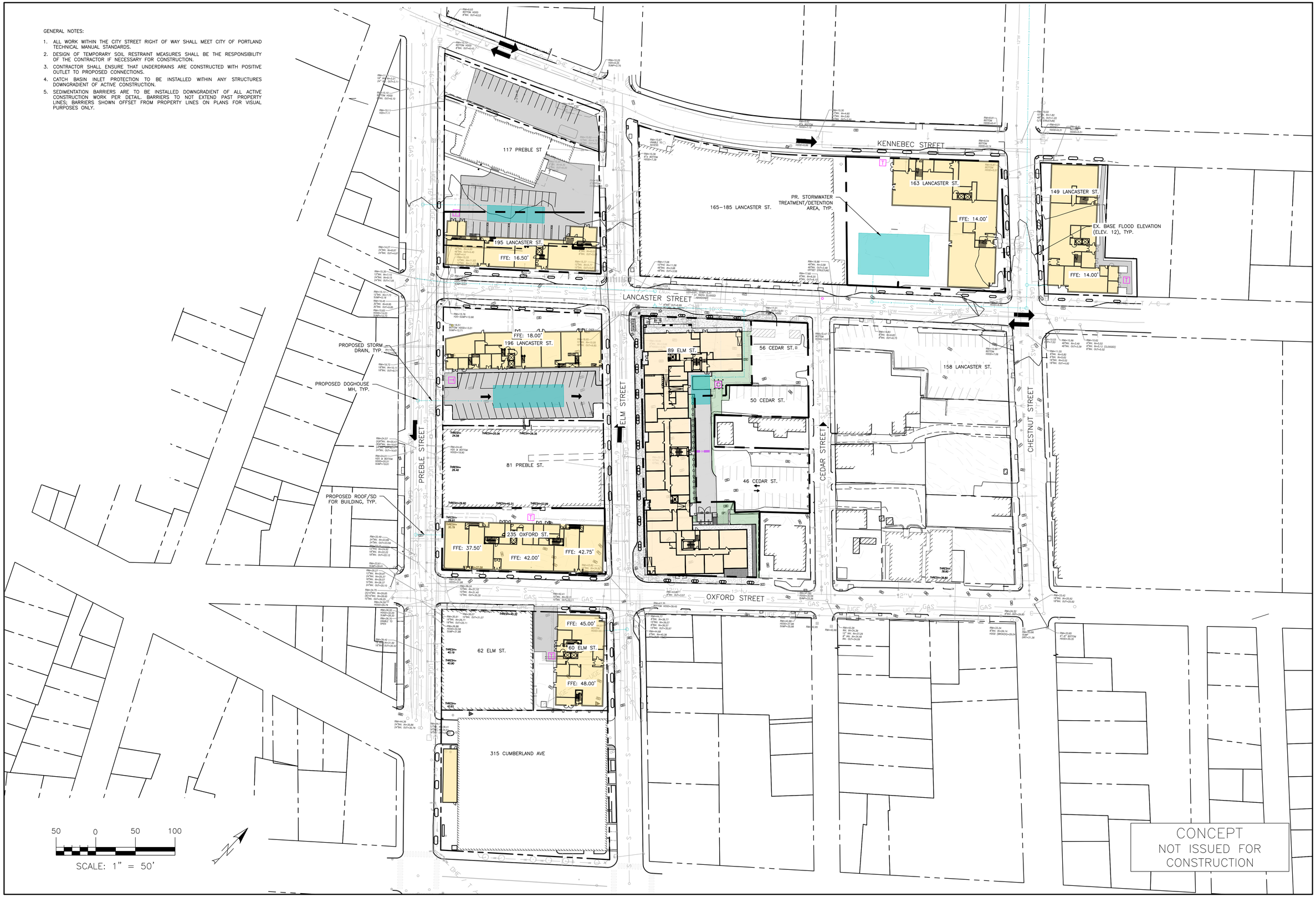

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C-30

REFERENCES:

1. EXISTING CONDITIONS PROVIDED BY "TOPOGRAPHIC SURVEY BAYSIDE PARCELS LANCASTER, PREBLE, ELM, CEDAR, CHESTNUT AND OXFORD STREETS, PORTLAND, MAINE" PREPARED FOR BUSH WATSON DATED DECEMBER 6, 2022 BY OWEN HASKELL, INC.UTILITY INFORMATION OBTAINED FROM PORTLAND WATER DISTRICT MAPPING, UNITIL MAPPING, AND THE CITY OF PORTLAND GIS DATA CATALOG.
2. ADDITIONAL EXISTING INFORMATION FROM CAD FILE PROVIDED BY OWEN HASKELL, INC. OF "BOUNDARY & TOPOGRAPHIC SURVEY AT 117 PREBLE STREET, PORTLAND, MAINE" DATED SEPTEMBER 28, 2015.

GENERAL NOTES:

1. EXISTING ASPHALT TO BE REMOVED SHALL BE STRIPPED AND PROPERLY DISPOSED OF OFFSITE.
2. ALL DISPOSAL OF DEMOLITION DEBRIS OR WASTE SHALL BE IN ACCORDANCE WITH ALL LOCAL, STATE, & FEDERAL REGULATIONS. CONTRACTOR SHALL PROVIDE OWNER WITH APPROPRIATE "BILLS OF LADING" TO DEMONSTRATE PROPER DISPOSAL OF ALL MATERIALS.
3. SITE DEMOLITION SHALL NOT OCCUR UNTIL PROPER ABATEMENT PROCEDURES HAVE OCCURRED. ABATEMENT, IF NECESSARY, SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
4. THE CONTRACTOR SHALL CALL THE APPROPRIATE UTILITY COMPANIES AND DIG SAFE AT LEAST 72 HOURS PRIOR TO EXCAVATION TO REQUEST EXACT FIELD LOCATION FOR UTILITIES. OTHERWISE IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE LOCATION OF UNDERGROUND UTILITIES AND LOCATE POTENTIAL CONFLICT WITH THE APPROVED PLANS PRIOR TO CONSTRUCTION.
5. ALL CONSTRUCTION SIGNAGE IS TEMPORARY AND WILL BE REMOVED AT PROJECT COMPLETION. FINAL SIGNAGE WORDING AND PLACEMENT LOCATION TO BE ACCEPTED BY THE CITY.
6. SEDIMENT BARRIERS TO BE PLACED DIRECTLY ON THE FRONT AND SIDE PROPERTY LINES, DOWN GRADIENT OF THE PROPOSED PROJECT WORK PER DETAIL; FENCES ARE OFFSET OF THE PROPERTY LINES AS SHOWN ON THE PLAN FOR CLARITY PURPOSES AND DO NOT NECESSARILY DEPICT THE PHYSICAL LOCATION.
7. CONTRACTOR SHALL PLACE CATCH BASIN INLET PROTECTION ON CATCH BASINS AND FIELD INLETS DOWN-GRADIENT OF ALL NON-STABILIZED SURFACES, PER DETAIL.
8. DEMOLITION PLAN IS NOT INCLUSIVE OF ALL EXISTING ITEMS TO BE REMOVED AS PART OF SITE CONSTRUCTION INCLUDING BUT NOT LIMITED TO LANDSCAPING, UTILITIES, WORK WITHIN THE ROW, ETC. ALL DEMOLITION WORK SHALL BE IN ACCORDANCE WITH THE CITY OF PORTLAND REGULATIONS.
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10. CONTRACTOR SHALL BE RESPONSIBLE FOR SNOW REMOVAL ALONG CONSTRUCTION FENCE AND GATE.
11. REMOVAL OF UNDERGROUND FUEL TANKS TO BE IN ACCORDANCE WITH MAINE DEP CHAPTER 691 REGULATIONS.

LEGEND:

- PHASE 1A
- PHASE 1B
- PHASE 2
- PHASE 3
- PHASE 4
- PHASE 5A
- PHASE 5B
- PHASE 5C

117 PREBLE ST

195 LANCASTER ST
PHASE 5A
8,500 SF FOOTPRINT
5 STORIES – 55'
50 RESIDENTIAL UNITS
6,500 SF COMMERCIAL

196 LANCASTER ST
PHASE 1B
9,000 SF FOOTPRINT
8 STORIES – 85'
140 RESIDENTIAL UNITS
5,000 SF COMMERCIAL

81 PREBLE ST.

235 OXFORD ST
PHASE 5C
12,000 SF FOOTPRINT
6 STORIES – 65'
78 RESIDENTIAL UNITS
4,000 SF COMMERCIAL

62 ELM ST.

60 ELM ST
PHASE 2
12,000 SF FOOTPRINT
10 STORIES – 105'
90 RESIDENTIAL UNITS
1,500 SF COMMERCIAL

315 CUMBERLAND AVE

315 CUMBERLAND AVE INFILL
PHASE 3
1,200 SF FOOTPRINT
1 STORY – 15'
1,200 SF COMMERCIAL

KENNEBEC ST

165–185 LANCASTER ST.

163 LANCASTER ST
PHASE 5B
14,000 SF FOOTPRINT
10 STORIES – 105'
120 RESIDENTIAL UNITS
2,500 SF COMMERCIAL

149 LANCASTER ST
PHASE 4
10,500 SF FOOTPRINT
10 STORIES – 105'
125 RESIDENTIAL UNITS
1,500 SF COMMERCIAL

LANCASTER ST

89 ELM ST
PHASE 1A
24,000 SF FOOTPRINT
8 STORIES – 85'
201 RESIDENTIAL UNITS
6,000 SF COMMERCIAL

56 CEDAR ST.

50 CEDAR ST.

46 CEDAR ST.

158 LANCASTER ST.

PREBLE ST

ELM ST

CEDAR ST

CHESTNUT ST

OXFORD ST

50 0 50 100

SCALE: 1" = 50'

CONCEPT
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY	DATE
MDP PUNCHLIST	WHS	6/2/23

DRAWING NAME: MASTER PHASING PLAN

PROJECT NAME: WEST BAYSIDE MASTER DEVELOPMENT PLAN

CLIENT: WEST BAYSIDE PARTNERS, LLC
188 STATE STREET, 3RD FLOOR, PORTLAND, ME 04101

ACORN ENGINEERING, INC.

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. ANY MODIFICATIONS MADE TO THIS PLAN WITHOUT THE COMPLETE WRITTEN PERMISSION OF ACORN ENGINEERING, INC. SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

ACORN ENGINEERING, INC.
53 ROYAL RIVER CIRCLE, YARMOUTH, MAINE 04104
PO BOX 1237 (207) 775-2655

FILE:	1192_CIVIL
JN:	1192.1
SCALE:	AS NOTED
DESIGNED BY:	SJL
DRAWN BY:	MKT
CHECKED BY:	WHS

STATE OF MAINE
WILLIAM H. SAVAGIE
11419
6/2/2023
LICENSED PROFESSIONAL ENGINEER

DRAWING NO.
C-12

REFERENCES:

1. EXISTING CONDITIONS PROVIDED BY "TOPOGRAPHIC SURVEY BAYSIDE PARCELS LANCASTER, PREBLE, ELM, CEDAR, CHESTNUT AND OXFORD STREETS, PORTLAND, MAINE" PREPARED FOR BUSH WATSON DATED DECEMBER 6, 2022 BY OWEN HASKELL, INC.UTILITY INFORMATION OBTAINED FROM PORTLAND WATER DISTRICT MAPPING, UNITIL MAPPING, AND THE CITY OF PORTLAND GIS DATA CATALOG.
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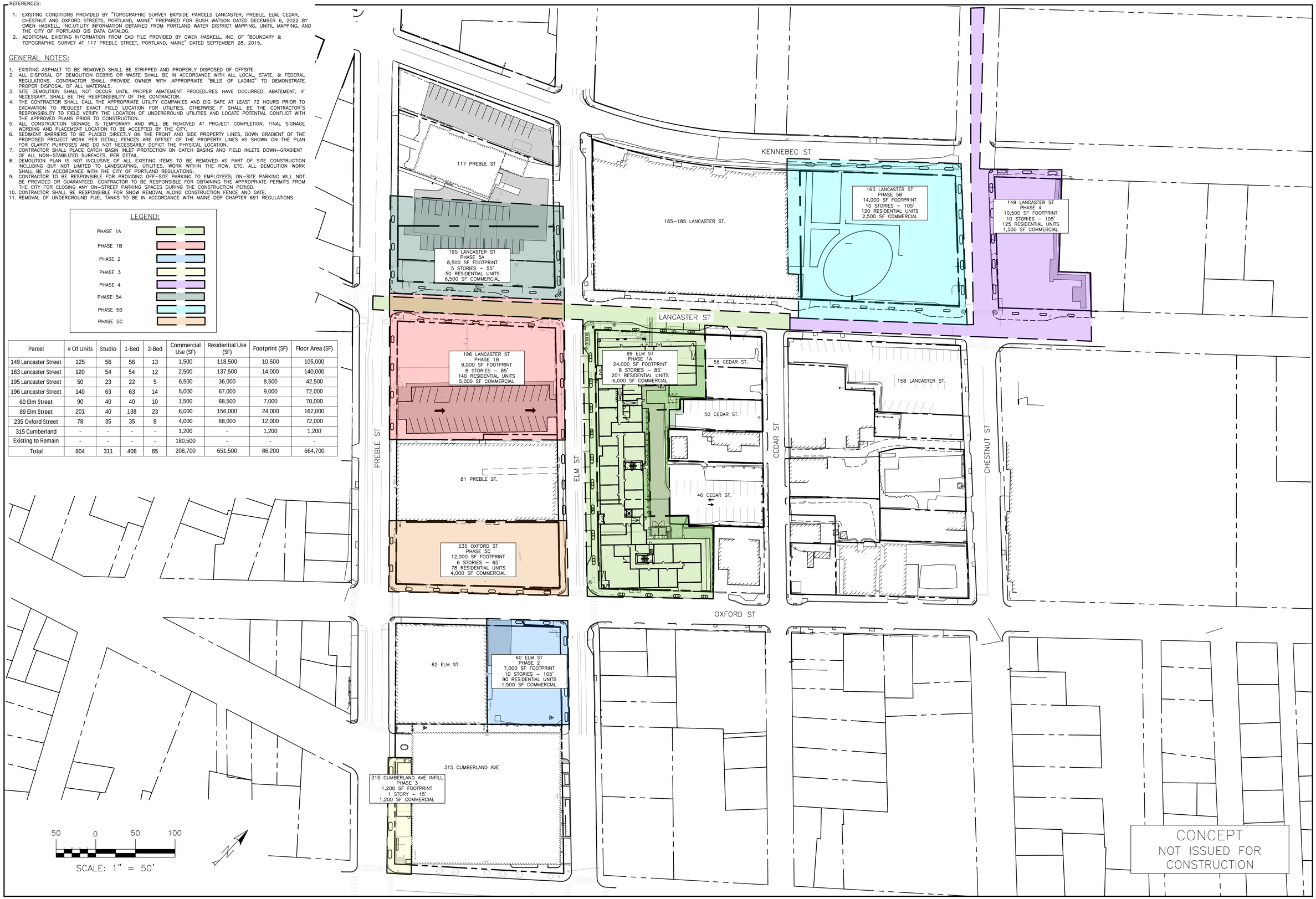
LEGEND:

- PHASE 1A
- PHASE 1B
- PHASE 2
- PHASE 3
- PHASE 4
- PHASE 5A
- PHASE 5B
- PHASE 5C

Parcel	# Of Units	Studio	1-Bed	2-Bed	Commercial Use (SF)	Residential Use (SF)	Footprint (SF)	Floor Area (SF)
149 Lancaster Street	125	56	56	13	1,500	118,500	10,500	105,000
163 Lancaster Street	120	54	54	12	2,500	137,500	14,000	140,000
195 Lancaster Street	50	23	22	5	6,500	36,000	8,500	42,500
196 Lancaster Street	140	63	63	14	5,000	67,000	9,000	72,000
60 Elm Street	90	40	40	10	1,500	68,500	7,000	70,000
89 Elm Street	201	40	138	23	6,000	156,000	24,000	162,000
235 Oxford Street	78	35	35	8	4,000	68,000	12,000	72,000
315 Cumberland	-	-	-	-	1,200	-	1,200	1,200
Existing to Remain	-	-	-	-	180,500	-	-	-
Total	804	311	408	85	208,700	651,500	86,200	664,700



ISSUED FOR	BY	DATE
MDP PUNCHLIST	WHS	6/2/23
DIMENSIONS TABLE	WHS	6/7/23

DRAWING NAME: MASTER PHASING PLAN

PROJECT NAME: WEST BAYSIDE MASTER DEVELOPMENT PLAN

CLIENT: WEST BAYSIDE PARTNERS, LLC
188 STATE STREET, 3RD FLOOR, PORTLAND, ME 04101

ACORN ENGINEERING, INC.
ENGINEERING — SURVEYING — PERMITTING

THIS PLAN SHALL NOT BE MODIFIED WITHOUT THE PRIOR AUTHORIZATION OF ACORN ENGINEERING, INC. AND/OR AS NOTED HEREIN, OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

ACORN ENGINEERING, INC.
70 ROMANO DRIVE, PLAINVILLE, CT 06062
PO BOX 1237, PORTLAND, MAINE 04104
(207) 775-2655

FILE:	1192_CIVIL
JN:	1192.1
SCALE:	AS NOTED
DESIGNED BY:	SJL
DRAWN BY:	MKT
CHECKED BY:	WHS

STATE OF MAINE
WILLIAM H. SAVAGE
11419
6/7/2023
LICENSED PROFESSIONAL ENGINEER

DRAWING NO.
C-12

REFERENCES:

1. EXISTING CONDITIONS PROVIDED BY "TOPOGRAPHIC SURVEY BAYSIDE PARCELS LANCASTER, PREBLE, ELM, CEDAR, CHESTNUT AND OXFORD STREETS, PORTLAND, MAINE" PREPARED FOR BUSH WATSON DATED DECEMBER 6, 2022 BY OWEN HASKELL, INC.UTILITY INFORMATION OBTAINED FROM PORTLAND WATER DISTRICT MAPPING, UNITIL MAPPING, AND THE CITY OF PORTLAND GIS DATA CATALOG.
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LEGEND:

PHASE 1A

PHASE 1B

117 PREBLE ST

195 LANCASTER ST.

WOONERF TO BE INSTALLED TO GUTTER LINE AS PART OF PHASE 1B

APPROXIMATE LIMITS OF PHASE 1B WORK

LINEAR PARK & WOONERF TO BE INSTALLED – PHASE 1B

165–185 LANCASTER ST.

APPROXIMATE LIMITS OF PHASE 1A WORK

LANCASTER STREET TO BE RECONSTRUCTED TO CENTERLINE OR AS NECESSARY TO INSTALL UTILITIES

163 LANCASTER ST.

PHASE 1A UTILITY WORK TO EXTEND TO PREBLE ST

196 LANCASTER ST.

DEMOLISH EXISTING BUILDING

2 EXISTING STREET TREES TO BE REMOVED

EXISTING SIDEWALK ALONG PREBLE & ELM TO BE RECONSTRUCTED – PHASE 1B

POTENTIAL PHASE 1B CONSTRUCTION STAGING AREA

STABILIZED CONSTRUCTION ENTRANCE, TYP.

81 PREBLE ST.

235 OXFORD ST.

9 EXISTING STREET TREES ALONG LANCASTER, ELM, AND OXFORD TO BE REMOVED

89 ELM ST.

LANCASTER, ELM, AND OXFORD SIDEWALKS ALONG PROPOSED BUILDING TO BE RECONSTRUCTED – PHASE 1A

56 CEDAR ST.

POTENTIAL PHASE 1A CONSTRUCTION STAGING AREA

50 CEDAR ST.

46 CEDAR ST.

62 ELM ST.

60 ELM ST.

30 0 30 60

SCALE: 1" = 30'

CONCEPT
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY	DATE
MDP PUNCHLIST	WHS	6/2/23

DRAWING NAME: PHASING PLAN – PHASE 1

PROJECT NAME: WEST BAYSIDE MASTER DEVELOPMENT PLAN

CLIENT: WEST BAYSIDE PARTNERS, LLC
188 STATE STREET, 3RD FLOOR, PORTLAND, ME 04101

ACORN ENGINEERING, INC.
THESE PLANS SHALL NOT BE MODIFIED WITHOUT THE WRITTEN PERMISSION OF ACORN ENGINEERING, INC. AND ANY UNAUTHORIZED MODIFICATIONS SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

ACORN ENGINEERING, INC.
PO BOX 3287, PORTLAND, MAINE 04104
(207) 775-2655

FILE:	1192_CIVIL
JN:	1192.1
SCALE:	AS NOTED
DESIGNED BY:	SJL
DRAWN BY:	MKT
CHECKED BY:	WHS

STATE OF MAINE
WILLIAM H. SAVAGE
11419
6/2/2023
LICENSED PROFESSIONAL ENGINEER

DRAWING NO.
C-13

REFERENCES:

1. EXISTING CONDITIONS PROVIDED BY "TOPOGRAPHIC SURVEY BAYSIDE PARCELS LANCASTER, PREBLE, ELM, CEDAR, CHESTNUT AND OXFORD STREETS, PORTLAND, MAINE" PREPARED FOR BUSH WATSON DATED DECEMBER 6, 2022 BY OWEN HASKELL, INC.UTILITY INFORMATION OBTAINED FROM PORTLAND WATER DISTRICT MAPPING, UNITIL MAPPING, AND THE CITY OF PORTLAND GIS DATA CATALOG.
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LEGEND:

PHASE 2

PHASE 3

195 LANCASTER ST.

163 LANCASTER ST.

WOONERF & LINEAR PARK (OPEN SPACE) TO REMAIN PUBLICLY ACCESSIBLE

PUBLICLY ACCESSIBLE OPEN SPACE

196 LANCASTER ST.

89 ELM ST.

56 CEDAR ST.

158 LANCASTER ST.

50 CEDAR ST.

81 PREBLE ST.

46 CEDAR ST.

235 OXFORD ST.

PRELIMINARY LOCATION OF UTILITY CONNECTIONS IN OXFORD STREET

STABILIZED CONSTRUCTION ENTRANCE

POTENTIAL PHASE 2 CONSTRUCTION LAYDOWN AREA

60 ELM ST.

62 ELM ST.

APPROXIMATE LIMITS OF PHASE 2 WORK

1 EXISTING STREET TREE TO BE REMOVED

APPROXIMATE LIMITS OF PHASE 3 WORK

2 EXISTING STREET TREES ALONG PREBLE ST TO BE REMOVED

315 CUMBERLAND AVE

POSSIBLE UTILITY CONNECTIONS TO EXISTING PARKING GARAGE

EXISTING PLANTING BEDS TO BE REMOVED

POTENTIAL PHASE 3 CONSTRUCTION LAYDOWN AREA

6 EXISTING STREET TREES ALONG CUMBERLAND TO REMAIN

40 0 40 80

SCALE: 1" = 40'

CONCEPT
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY	DATE
MDP PUNCHLIST	WHS	6/2/23

DRAWING NAME: PHASING PLAN – PHASE 2 & 3

PROJECT NAME: WEST BAYSIDE MASTER DEVELOPMENT PLAN

CLIENT: WEST BAYSIDE PARTNERS, LLC
188 STATE STREET, 3RD FLOOR, PORTLAND, ME 04101

ACORN ENGINEERING, INC.
ENGINEERING, INC.
PO BOX 1237, CAMDEN, MAINE 04104
(207) 775-2655

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FILE:	1192_CIVIL
JN:	1192.1
SCALE:	AS NOTED
DESIGNED BY:	SJL
DRAWN BY:	MKT
CHECKED BY:	WHS

STATE OF MAINE
WILLIAM H. SAVAGE
11419
6/2/2023
LICENSED PROFESSIONAL ENGINEER

DRAWING NO.
C-14

REFERENCES:

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11. REMOVAL OF UNDERGROUND FUEL TANKS TO BE IN ACCORDANCE WITH MAINE DEP CHAPTER 691 REGULATIONS.

LEGEND:

- PHASE 4
- PHASE 5A
- PHASE 5B
- PHASE 5C

117 PREBLE ST
PHASE 5A CONSTRUCTION LAYDOWN AREA
APPROXIMATE LIMITS OF PHASE 5A WORK
APPROXIMATE LIMITS OF PHASE 5C WORK
3 EXISTING TREES ON BACKSIDE OF SIDEWALK TO BE REMOVED
195 LANCASTER ST.
DEMOLISH EXISTING BUILDING
165-185 LANCASTER ST.
SECTION OF BUILDING TO BE DEMOLISHED
POTENTIAL PHASE 5B CONSTRUCTION LAYDOWN AREA
163 LANCASTER ST.
WATER MAIN EXTENSION TO EXTEND TO SOMERSET ST
APPROXIMATE LIMITS OF PHASE 4 WORK
149 LANCASTER ST.
4 EXISTING TREES ON BACKSIDE OF SIDEWALK TO BE REMOVED
7 EXISTING TREES ON BACKSIDE OF SIDEWALK TO BE REMOVED
WOONERF & LINEAR PARK (OPEN SPACE) TO REMAIN PUBLICLY ACCESSIBLE
196 LANCASTER ST.
PUBLICLY ACCESSIBLE OPEN SPACE TO BE ACCESSIBLE DURING PHASE 4 & 5 CONSTRUCTION
89 ELM ST.
56 CEDAR ST.
50 CEDAR ST.
46 CEDAR ST.
158 LANCASTER ST.
POTENTIAL PHASE CONSTRUCTION LAYDOWN AREA
81 PREBLE ST.
POTENTIAL PHASE 5C CONSTRUCTION LAYDOWN AREA
STABILIZED CONSTRUCTION ENTRANCE, TYP.
235 OXFORD ST.
EXISTING BUILDING TO BE DEMOLISHED
EXISTING BUILDING TO BE DEMOLISHED
APPROXIMATE LIMITS OF PHASE 5C WORK
CHANGES TO OXFORD STREET LANE DIRECTIONS SUBJECT TO OUTCOMES OF TRAFFIC MOVEMENT PERMITS
62 ELM ST.
160 ELM ST.
PUBLICLY ACCESSIBLE OPEN SPACE TO BE ACCESSIBLE DURING PHASE 4 & 5 CONSTRUCTION
315 CUMBERLAND AVE

40 0 40 80

SCALE: 1" = 40'

CONCEPT
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY DATE
MDP PUNCHLIST	WHS 6/2/23

DRAWING NAME: PHASING PLAN – PHASE 4 & 5

PROJECT NAME: WEST BAYSIDE MASTER DEVELOPMENT PLAN

CLIENT: WEST BAYSIDE PARTNERS, LLC
188 STATE STREET, 3RD FLOOR, PORTLAND, ME 04101

ACORN ENGINEERING, INC.
ENGINEERING
ACORN ENGINEERING, INC
70 FORT ALLEN ROAD, PORTLAND, MAINE 04104
PO BOX 3422 (207) 775-2655

THIS PLAN SHALL NOT BE MODIFIED WITHOUT PERMISSION FROM ACORN ENGINEERING, INC. AND ANY MODIFICATIONS MADE TO THIS PLAN SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

FILE:	1192_CIVIL
JN:	1192.1
SCALE:	AS NOTED
DESIGNED BY:	SJL
DRAWN BY:	MKT
CHECKED BY:	WHS

STATE OF MAINE
WILLIAM H. SAVAGE
11419
6/2/2023
LICENSED PROFESSIONAL ENGINEER

DRAWING NO.
C-15