

CITY OF PORTLAND, MAINE

PLANNING BOARD



Sean Dundon, Chair
Brandon Mazer, Vice Chair
Bob Dunfey
David Eaton
David Silk
Austin Smith
Maggie Stanley

AGENDA PORTLAND PLANNING BOARD MEETING

The Portland Planning Board will hold a meeting on October 22, 2019, Council Chambers, 2nd Floor, City Hall, 389 Congress Street. **Public comments will be taken for each item on the agenda during the estimated allotted time and written comments should be submitted to planningboard@portlandmaine.gov.**

WORKSHOP - 4:30 PM

- i. Level III Site Plan and Subdivision; 6 White Birch Lane; King Weinstein, representing Birchlane, LLC., Applicant. (estimated time 4:30 - 5:15 p.m.) The Planning Board will hold a workshop to consider a three (3) story, three (3) unit building with associated parking and stormwater improvements within the existing Planned Residential Unit Development at 6 White Birch Lane. Access to the site will be from Knight Street. The property is located within the R-5 zone and the overall development is in both the R-5 and R-3 zones. The project is subject to review under the City's subdivision and site plan standards.

PUBLIC HEARING - 6:30 PM

1. ROLL CALL AND DECLARATION OF QUORUM

2. COMMUNICATION AND REPORTS

ReCode Update and Review Schedule

3. REPORT OF ATTENDANCE AT THE MEETING HELD ON OCTOBER 8, 2019

Workshop

Portland Square Item: Dundon, Smith, Eaton, Silk and Stanley present; Dunfey and Mazer absent.

631 Stevens Ave. Item: Dundon, Dunfey, Silk, Smith, Eaton and Stanley present; Mazer absent.

Public Hearing

145 Washington Ave. Item: Dundon, Dunfey, Silk, Smith, Eaton and Stanley present; Mazer absent.

263 Cumberland Ave. Item: Dundon, Dunfey, Silk, Smith, Eaton and Stanley present; Mazer absent.

4. REPORTS OF DECISIONS AT THE MEETING HELD ON OCTOBER 8, 2019

- i. Level II Site Plan; 145 Washington Avenue; Akasha 155, LLC., Applicant. Stanley moved and Eaton seconded a motion to approve the site plan application with (6) six conditions of approval. Vote 6-0, Mazer absent.

- ii. Level III Site Plan; 263 Cumberland Avenue; Downtown Lodging, LLC., Applicant. Stanley moved and Eaton seconded a motion to waive the technical manual standard requiring the preservation of a minimum of 30% of existing trees ten (10) inches DBH or greater within the setback area. Vote 6-0, Mazer absent. Stanley moved and Eaton seconded a motion to waive the technical manual standard requiring a minimum of thirty-five (35) feet from driveways to the nearest intersection. Vote 6-0, Mazer absent. Stanley moved and Eaton seconded a motion to approve the site plan application with three conditions of approval. Vote 6-0, Mazer absent.

5. NEW BUSINESS

- i. Level III Site Plan and Subdivision; 130 Morning Street; Northeast Turner, LLC., Applicant. (estimated time 6:30 p.m.) The Planning Board will hold a public hearing to consider a proposal to construct a 4-story, 9-unit residential building, including one workforce housing unit for rent, a shared driveway for 7 parking spaces and 4 exterior parking spaces for neighboring properties. This is an infill lot currently utilized as a surface parking lot. The project is located within the R-5 zone and the overall development is in both the R-5 and R-3 zones. The project is subject to review under the City's subdivision and site plan standards.

Memorandum
Planning and Urban Development Department
Planning Division



To: Sean Dundon, Chair and Members of the Portland Planning Board
 From: Shukria Wiar, Planner
 Date: October 15, 2019
 Re: Birch Meadow Apartments, 6 White Birch Lane, Birchlane, LLC
 Project #: PL-000570-2019 CBL: 437 A046, 343 D016
 Meeting Date: October 22, 2019

I. INTRODUCTION

Birchlane, LLC has requested a workshop with the Planning Board to consider a proposed subdivision and site plan for a new three-story, three-unit residential building at 6 White Birch Lane. The project is located within an existing Planned Unit Residential Development (PRUD) in North Deering called Birch Meadow Apartments. The site is accessed through Knight Street from Allen Avenue. The proposed additional building will expand the existing multi-unit residential development from twenty-seven (27) residential units to thirty (30) units. All other remaining buildings and access onsite will stay unchanged.



Fig. 1: Site of the overall development and the proposed project

As a Level III Site Plan and Subdivision application, this proposal is subject to review under Portland's Site Plan and Subdivision Ordinances and the Design Standard for PRUDs in the R-5 Residential Zone.

Property Owner: Birchlane, LLC
Applicant: King Real Estate
Agent and Engineer: Craig Burgess, of Sebago Technics
Architect: Richard Pellerin
Surveyor: Sebago Technics

II. REQUIRED REVIEWS

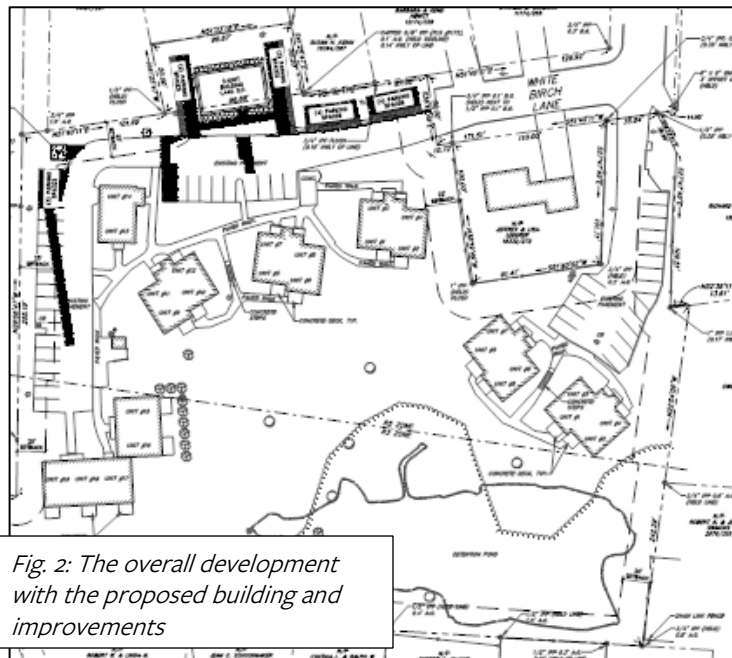
<i>Review</i>	<i>Applicable Standards</i>
Subdivision (creation of 3 or more lots)	<i>Section 14-497</i>
Design Review of PRUD	<i>Planned Residential Unit Developments (PRUDs) in the R-3, R-5, and R-5A Residential Zones and Manufactured Housing Parks in Any Zone.</i>

III. PROJECT DATA

Existing Zoning	R-3 and R-5 (Proposed building on the R-5 portion)		
Existing Use	PRUD		
Proposed Use	PRUD		
Parcel Size	170,079 SF (3.90 acres)		
	<i>Existing</i>	<i>Proposed</i>	<i>Net Change</i>
Impervious Surface Area	1,795 SF	5,615 SF	+3,819 SF
Building Footprint	13,136 SF	14,576 SF	+ 1,440 SF
Number of Residential Units	27	30	+ 3
Estimated Cost of Project	\$300,000		

IV. PROPOSED DEVELOPMENT

The overall development is constructed as a PRUD and is approximately 3.90 acres. The property has frontage along White Birch Lane. The project proposes to develop a small portion of the site for an additional three Planned Residential Units. The proposed project will be built on a portion of 10,159 SF of the site. The proposed new building will be located on an area, which is currently utilized for parking and for a trash receptacle. Four of the existing parking spaces will be displaced, and the dumpster will be relocated to another location onsite. The dumpster will be screened enclosure. Six (6) new parking spaces will be provided as part of the required parking. The road serving the PRUD development is private road maintained by the owner and will also provide access the proposed new building site. The existing internal drive will not be affected by the proposed new building beyond trenching for infrastructure connections and the subsequent pavement repair. The new building will be adjacent to the existing residential building and parking.



V. PUBLIC COMMENT

Notices were sent to two hundred and nineteen (219) residents and the interested citizen list. The notice also appeared in the Portland Press Herald on October 13th and 14th, 2019, as well as being posted on the City's web page. No written public comments have been received by the Planning Office. An abutter, Paul Sylvester of 58 Samuel Street called to express his concerns about drainage. Mr. Sylvester stated that there is drainage coming from the development site onto the rear property behind his house.

The applicant did not hold a neighborhood meeting since the subdivision is for three units only; proposed developments that have five or greater units or lots are required to hold a neighborhood meeting.

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

- The owner of the property is Birchlane LLC. The applicant has provided a copy of a short form deed of sale, recorded at the Cumberland County Registry of Deeds (Book 19897 Page 001), which demonstrates their right, title and interest in the property.

- b. The estimated cost of the development is \$300,000. The applicant has submitted a letter from Biddeford Savings, dated March 14, 2019, as demonstration of their financial and technical capacity to complete the proposed development.

VII. ZONING ASSESSMENT

The subject parcel is located in the R-5 and R-3 Zoning Districts with an area of Shoreland Overlay in the R-3 portion of the site. The proposed development area (the new 3-unit dwelling) is in the R-5 residential zone. The project meets relevant minimum lot size, lot area per dwelling unit, maximum lot coverage, setbacks, and open space requirements. Division 20 of the Land Use Code dictates parking requirements. The proposed development requires two space per dwelling unit. With six parking spaces for six dwelling units the proposed project meets this requirement.

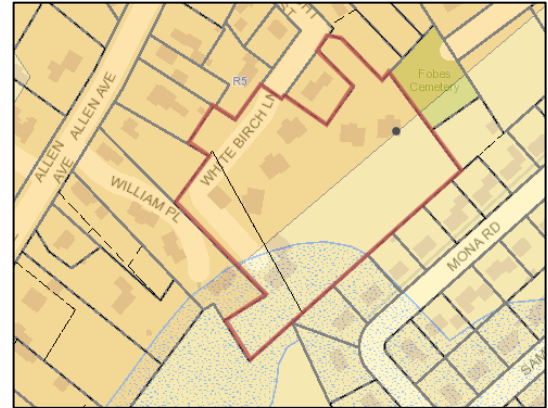


Fig 3: Zoning Map of Site

VIII. DEVELOPMENT REVIEW

A. SITE PLAN SUBMISSION REQUIREMENTS (Section 14-527) and SUBDIVISION PLAT AND RECORDING PLAT REQUIREMENTS (Section 14-496)

The applicant has not submitted draft Subdivision Plat; this will be provided as part of the final application for a public hearing.

B. SUBDIVISION (Section 14-496)

Staff reviewed the proposed development for conformance with the relevant review standards of Portland's Subdivision Ordinance and applicable regulations. Staff comments are summarized below.

1. Will Not Result in Undue Water and Air Pollution (Section 14-497 (a) 1), and Will Not Result in

The project is not anticipated to result in any water or air pollution. A final Sedimentation and Erosion Plan has been submitted and has been found to be acceptable by the consulting civil engineer Lauren Swett, P.E. with Woodard and Curran Engineering (Attachment 2).

2. Sufficient Water Available (Section 14-497 (a) 2 and 3)

The existing service line at this site will provide domestic water to the building. Confirmation of ability to serve letter from Portland Water District has been submitted.

3. Will Not Cause Unreasonable Traffic Congestion (Section 14-497 (a) 5)

An assessment of the expected traffic generation, as well as a report from Sebago Technics Traffic Division has been submitted for review. The applicant is proposing to utilize the existing access to the site off of White Birch Lane. Tom Errico, P.E. of TY Lin, Consultant Traffic Engineer, reviewed the proposal's details including the access, parking, and vehicle circulation and states that he finds the conditions to be acceptable.

4. Will Provide for Adequate Sanitary Sewer and Stormwater Disposal (Section 14-497 (a) 6), and Will Not Cause an Unreasonable Burden on Municipal Solid Waste and Sewage (Section 14-497 (a) 7)

The applicant will be utilizing the existing utilities that are in the established development. A wastewater capacity application has been submitted to the Water Resources Division; the review of the application is pending.

The site will be graded to maintain the existing drainage patterns, however there will be some swales graded in order to guide runoff into proposed catch basins, eventually ending up in the existing storm drain system. The best management practices (BMP) that the applicant is proposing is two stone roof drip edges and porous pavement for water quality and quantity. Lauren Swett, P.E., consultant civil engineer with Woodard and Curran, has reviewed the drainage plan, and offers the following recommendations (see Attachment 2 for the complete analysis):

- *The proposed sewer service will be located below a proposed roof drip edge filter; an impermeable liner should be provided around the drip edge filter to prevent infiltration of stormwater runoff over the sewer service.*
- *The Applicant has noted that the site soils consist of Hydrologic Soil Group D, which generally have a slow infiltration rate and the proposed roof drip edge filters and porous pavement have been designed to include an underdrain system. The Applicant should provide evidence that these stormwater BMPs will have sufficient separation from groundwater, or impermeable liners should be provided.*
- *The Applicant is proposing to connect the underdrain from the roof drip edge filter on the north side of the proposed building to the underdrain system for the porous pavement located west of the proposed building; these underdrain systems should be separated to ensure that the drainage of the porous pavement will not be restricted by insufficient underdrain capacity.*
- *The Applicant is proposing to construct a shallow swale north of the proposed building to direct runoff away from the building; however, it appears that a portion of the rear yard will drain towards the building and the roof drip edge filter. Additional spot grades should be provided to ensure that runoff will drain away from the building.*

5. Comprehensive Plan (Section 14-497 (a) 9)

Several local goals identified in the Housing section of the City's Comprehensive Plan are relevant to the proposed project, including the following:

"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."

C. SITE PLAN REVIEW

The site plan ordinance contains specific standards for PRUDs. These standards relate to design relationship to site, internal design character and relationship to surrounding neighborhoods, and recreation and open space. The proposed development has been reviewed by staff for conformance with the relevant review standards of Portland's site plan ordinance and applicable regulations. Staff comments are listed below.

1. Transportation Standards

- a. Impact on Surrounding Street Systems and Access and Circulation- see Subdivision, Paragraph VIII (B)

(3), above.

b. Sidewalks

As the site is located within an existing PRUD, there are existing walkways available to access units. No new sidewalk is proposed as part of this project. A new internal walkway made of permeable pavers is proposed adjacent to the new building. Other existing internal walks on the site will remain as they exist currently without modification.

c. Parking

To construct the new building, four parking spaces will be displaced. The proposed development requires two spaces per dwelling unit and the applicant is proposing six parking spaces for six dwelling units, meeting this requirement.

d. Bicycle Parking

The applicant is not proposing any bicycle parking spaces. As part of the final application for the public hearing, these spaces will need to be provided.

2. Environmental Quality Standards

a. Preservation of Significant Natural Features

There are no known significant natural features on the site.

b. Landscaping and Landscape Preservation

A landscaping plan was submitted as part of the application. The street tree requirement for PRUDs is two trees per unit in or near the ROW. The applicant is proposing twelve trees on the site, meeting the requirement.

c. Water Quality, Storm Water Management and Erosion Control

The application states that the “*project falls under the jurisdiction of the Maine Department of Environmental Protection (Maine DEP) Site Location of Development (Site Law) permit for the development, thus a Minor Amendment permit is being filed for the redevelopment of impervious surface, as well as the creation of additional impervious surface*”. For a Level III development, the City of Portland will require that the project satisfy Maine DEP standards for stormwater management. Maine DEP’s General Standard applies because the project is located in the Fall Brook watershed, which is classified as urban impaired in Chapter 502.

Under Section 5 of the City of Portland Technical Manual, a Level III development project is required to submit a stormwater management plan pursuant to the regulations of Maine DEP Chapter 500 Stormwater Management Rules, including conformance with the Basic, General, and Flooding Standards. Lauren Swett, consultant civil engineer with Woodard and Curran, has reviewed the drainage plan and stormwater report, and offers the following excerpt of her recommendations (see [Attachment 2](#) for the complete analysis):

- *The Applicant has provided erosion and sediment control details and a written plan in accordance with the Basic Standards; the locations for proposed erosion and sediment control measures should be indicated on the drawings.*
- *The Applicant is proposing to provide stormwater treatment in accordance with the redevelopment provisions of the General Standard for the project via porous pavement and two roof drip edge filters.*

- *The Applicant has indicated that post-development peak rates of runoff will not exceed those in the pre-development condition; however, a copy of the report for the model referenced by the Applicant has not been received at this time. Woodard & Curran will provide a review of the model relative to the Flooding Standard upon receipt of a copy of the report.*
- *The project is located with the Fall Brook Watershed, which is an Urban Impaired Stream. Developments which will result in the creation of up to 1,000 square-feet of new impervious area or up to 10,000 square-feet of new developed area must either pay a compensation fee or mitigate project impacts by treating, reducing, or eliminating an off-site or on-site pre-development impervious stormwater source. The Applicant should clarify how the Urban Impaired Stream Standard will be met.*

3. *Public Infrastructure and Community Safety Standards*

a. Consistency with Master Plans

See Subdivision, Paragraph VIII (B) 6 above.

b. Public Safety and Fire Prevention

The Crime Prevention through Environmental Design (CPTED) standards in the site plan ordinance address the principles of natural surveillance, access control and territorial reinforcement so that the design of developments enhance the security of public and private spaces and reduce the potential for crime.

The site has been designed to promote safe and inviting public access. Adequate emergency access will be provided. The turning radii of the driveway are large enough to allow for emergency vehicles to enter and exit the proposed street. A fire hydrant is located along White Birch Lane.

c. Availability and Adequate Capacity of Public Utilities

The development will be serviced by the existing municipal water and sewer within the overall development supplied by the Portland Water District. Confirmation of ability to serve water has been submitted, whereas a confirmation of ability to serve sewer from City Department of Public Services has not been submitted. As part of the final application for public hearing, a confirmation letter for sewer needs to be submitted.

4. *Site Design Standards*

a. Snow and Ice Loading

The applicant is proposing on-site snow storage. Snow within the PRUD lot is to be stored along the side slopes of the driveway. It is anticipated that snow will be stored along the roadway within the esplanade or 11-foot buffer between the curb face and property lines.

b. View Corridors

This site is not within a Protected View Corridor as per the "View Corridor Protection Plan" approved by the Portland City Council in 2001.

c. Historic Resources

The site is just outside the Stroudwater historic district; therefore, the project does not require Historic Preservation review.

d. Exterior Lighting

According to the applicant, there will be no new street lighting provided. All exterior site lighting including lighting of building entrances will have to be cutoff with no light emitted above the horizontal plane or spilled onto adjacent properties or streets. The catalogue cuts for the building entrances are not meeting

the City's technical standards since they are not full cutoff fixtures; this will require revision for the final application.

e. Noise and Vibration

All heating, ventilation and air conditioning equipment (HVAC), air handling units (AHU), emergency generators, and similar equipment will have to be shown on the plans and meet state and federal emissions requirements. These mechanical equipment should be located to the interior of the site, away from abutting residential properties and be screened from view from any public street and from adjacent sites by structure walls, evergreen landscaping, fencing, masonry wall or a combination thereof.

f. Signage and Wayfinding

This standard does not apply to the proposal.

g. Zoning Related Design Standards

A design review in accordance with the *City of Portland Design Manual* Standards was performed by Planning and Urban Development Department staff for the resubmission of the proposed new construction of the PRUD building. The project was reviewed against the *Planned Residential Unit Developments (PRUDs) in the R-5 Residential Zone and Manufactured Housing Parks in Any Zone* (Section (h) of the Design Manual) and does meet design standards; please see Attachment 8 for a complete analysis. The design does not pass the criteria around character and massing variation; the vinyl clapboard and divided lights do not relate to the neighboring buildings. The facade is flat and does not meet the standard around massing variation.

IX. NEXT STEPS

1. Address stormwater and drainage comments
2. Address this memo and Planning Board comments
3. Planning Board to provide guidance on readiness to proceed to a public hearing

ATTACHMENTS:

Staff Review Comments and Background Information

1. Department of Public Works Review, Mike Tremblay, P.E., dated 09.23.2019
2. Civil Engineer Peer Review, Lauren Swett, P.E., dated 05.31.2019
3. Urban Design Review, Caitlin Cameron, dated 10.17.2019
4. Fire Department Review, Robert Thompson dated 10.17.2019

Applicant's Submittal

- A. 01.1-Response Ltr+Attachments_2019-07-18
- B. 01-Cover Letter_PB_18519
- C. 02-Lvl II III CHECKLIST+Sig Page
- D. 03-Right, Title, Interest
- E. 04-State.Federal Approvals
- F. 05-Zoning Assessment
- G. 06-Exist.Prop Easements
07-Waivers
- H. 08-Financial
- I. 09-Technical
- J. 10-Transportation Analysis-Traffic Impact

- K. 11-Access & Circulation
- L. 12-Loading+Servicing
- M. 13-Sidewalks
- N. 14-Public Transit
- O. 15-Off-street Parking
- P. 16-Bicycle Parking
- Q. 17-Snow Storage
- R. 18-Traffic Demand Mngmt
- S. 19-Pres of Sig Natural Features
- T. 20-Landscaping+Preservation
- U. 21-Site Landscaping
- V. 22-Parking Lot Landscaping
- W. 23-Street Trees
- X. 24-Wtr Qual, Stormwater, ESC
- Y. 25-Consistency with City MstrPlan
- Z. 26-Public Safety and Fire Prevention
- AA. 27-Avail+Adequacy Public Utilities
- BB. 28-Mass, Ventilation, Wind Impact
- CC. 29-Shadows
- DD. 30-Snow Ice Loading
- EE. 31-View Corridor
- FF. 32-Historic Resource
- GG. 33-Exterior Lighting
- HH. 34-Noise+Vibration
- II. 35-Signage Wayfinding
- JJ. 36-ZoneRelated Design Stds
- KK. 37-Construction Management Plan
- LL. A.18519 HVAC Manufacturer Verification
- MM. B.18519 Wastewater Capacity - 6 Birch Lane
- NN. C.18519 Wall-Mounted Light Cut Sheet
- OO. D.18519 Ecoclean Invoice & Report
- PP. D.18519 video sewer WB lane Report
- QQ. D.video sewer WB lane Report
- RR. E.11x17.Existing Conditions Annotated for Sewer Inspection
- SS. E.24x36.Existing Conditions Annotated for Sewer Inspection
- TT. Incomplete Application, PL-000570-2019, 6 WHITE BIRCH LN
- UU. White Birch Lane Application

Plans

- Plan 1 Cover Sheet
- Plan 2 Overall Site Plan
- Plan 3 Site Plan
- Plan 4 Grading and Utility Plan
- Plan 5 Erosion Control and Construction Notes
- Plan 6 Details
- Plan 7 Details
- Plan 8 Details
- Plan 9 Existing Conditions

Plan 10	Pre-development Watershed Plan
Plan 11	Post-development Watershed Plan
Plan 12	Arch-1st Floor Plan-White Birch Ln
Plan 13	Arch-2nd Floor Plan-White Birch Ln
Plan 14	Arch-3rd Floor Plan-White Birch Ln
Plan 15	Arch-Color Render-White Birch Ln
Plan 16	Arch-Front+Left Elevations-White Birch Ln
Plan 17	Arch-Rear+Right Elevations-White Birch Ln

6 White Birch Lane
5/31/19 L.Swett Comments

The proposed sewer service will be located below a proposed roof drip edge filter; an impermeable liner should be provided around the drip edge filter to prevent infiltration of stormwater runoff over the sewer service.

The Applicant has noted that the site soils consist of Hydrologic Soil Group D, which generally have a slow infiltration rate and the proposed roof drip edge filters and porous pavement have been designed to include an underdrain system. The Applicant should provide evidence that these stormwater BMPs will have sufficient separation from groundwater, or impermeable liners should be provided.

The Applicant is proposing to connect the underdrain from the roof drip edge filter on the north side of the proposed building to the underdrain system for the porous pavement located west of the proposed building; these underdrain systems should be separated to ensure that the drainage of the porous pavement will not be restricted by insufficient underdrain capacity.

The Applicant is proposing to construct a shallow swale north of the proposed building to direct runoff away from the building; however, it appears that a portion of the rear yard will drain towards the building and the roof drip edge filter. Additional spot grades should be provided to ensure that runoff will drain away from the building.

Projects applying for Level III Site Plans are required to comply with the City of Portland's Section 5 Stormwater Standards as well as Chapter 500 Regulations. The project must consider the Basic, General, Flooding, and Urban Impaired Stream Standards. The following comments should be addressed:

- The Applicant has provided erosion and sediment control details and a written plan in accordance with the Basic Standards; the locations for proposed erosion and sediment control measures should be indicated on the drawings.
- The Applicant is proposing to provide stormwater treatment in accordance with the re-development provisions of the General Standard for the project via porous pavement and two roof drip edge filters.
- The Applicant has indicated that post-development peak rates of runoff will not exceed those in the pre-development condition; however, a copy of the report for the model referenced by the Applicant has not been received at this time. Woodard & Curran will provide a review of the model relative to the Flooding Standard upon receipt of a copy of the report.
- The project is located with the Fall Brook Watershed, which is an Urban Impaired Stream. Developments which will result in the creation of up to 1,000 square-feet of new impervious area or up to 10,000 square-feet of new developed area must either pay a compensation fee or mitigate project impacts by treating, reducing, or eliminating an off-site or on-site pre-development impervious stormwater source. The Applicant should clarify how the Urban Impaired Stream Standard will be met.

The Stormwater Inspection and Maintenance Plan should specify the frequency of inspections for the proposed porous pavement per the maintenance requirements of Chapter 7.7 of Volume III of the MaineDEP Stormwater BMP Manual.

The Applicant has noted that an application for a Minor Site Law Amendment is being filed with the MaineDEP for the proposed work; the Applicant should provide copies of all permit approvals to the City upon receipt.

The Applicant has provided copies of communications with the City of Portland regarding the inspection and verification of existing sewer and storm drain systems; the Applicant should clarify the status of this work and whether the Existing Conditions plan has been updated to reflect the results of the inspections.



Shukria Wiar <shukriaw@portlandmaine.gov>

6 White Birch Lane

5 messages

Mike Tremblay <mtremblay@portlandmaine.gov>
To: Shukria Wiar <shukriaw@portlandmaine.gov>

Mon, Sep 23, 2019 at 3:12 PM

Shukria,

I know I owe you comments on this; I'm seeking responses from Doug R before I do so. They addressed 2 of my 4 comments so we just need to make sure Doug is satisfied before I sign off on it.

-Mike

Mike Tremblay, P.E.
Senior Engineer
Engineering Division
Department of Public Works
City of Portland, ME
mtremblay@portlandmaine.gov
P. 207.874.8881 F. 207.874.8852



Shukria Wiar <shukriaw@portlandmaine.gov>
To: Mike Tremblay <mtremblay@portlandmaine.gov>

Wed, Oct 2, 2019 at 11:30 AM

Hello,

Have you had a change to talk to Ben Pearson yet about their comments.

Thanks.

[Quoted text hidden]

--

Shukria Wiar, Planner

Planning & Urban Development Department
389 Congress Street 4th Floor
Portland, ME 04101
Phone 207.756.8083
Fax 207.756.8258
<http://www.portlandmaine.gov/planning>

Mike Tremblay <mtremblay@portlandmaine.gov>

Wed, Oct 2, 2019 at 11:30 AM

To: Shukria Wiar <shukriaw@portlandmaine.gov>, Benjamin Pearson <bnp@portlandmaine.gov>

Shukria,

Doug R. told me that Ben is going to respond to you directly.

Mike Tremblay, P.E.
Senior Engineer
Engineering Division
Department of Public Works
City of Portland, ME
mtremblay@portlandmaine.gov
P. 207.874.8881 F. 207.874.8852



[Quoted text hidden]

Benjamin Pearson <bnp@portlandmaine.gov>

Wed, Oct 2, 2019 at 11:33 AM

To: Mike Tremblay <mtremblay@portlandmaine.gov>

Cc: Shukria Wiar <shukriaw@portlandmaine.gov>

Hi Shukria,

The applicant needs to update the existing conditions to show the connection between the two sewer lines behind the buildings. The current plans just asterisks where they believe the sewer is but they do not show the size or length of pipe connecting. I will send over a pdf showing what I am talking about shortly.

Thank you,
Ben

[Quoted text hidden]

--

10/17/2019

City of Portland Mail - 6 White Birch Lane

Benjamin Pearson, PE
Compliance Coordinator
Water Resources, Public Works
bnp@portlandmaine.gov
207-874-8843

Benjamin Pearson <bnp@portlandmaine.gov>
To: Mike Tremblay <mtremblay@portlandmaine.gov>
Cc: Shukria Wiar <shukriaw@portlandmaine.gov>

Wed, Oct 2, 2019 at 11:51 AM

See attached plans. Note that "6 White Birch Ln Plan+aerial2" shows the investigation map superimposed on the aerial photo. Doug drew in the existing sewer man hole and sewer in green to call attention to the fact that the investigation map is a little off. Then connection from the existing sewer man hole #1 to the sewer between the two SMH3s is not shown on any existing conditions plan nor is the pipe size or material included. The applicant needs to transfer the information found from their investigation into the existing conditions maps so we have the correct information for our files.

Thank you,

Ben

[Quoted text hidden]

2 attachments

 **6 White Birch Ln 08 Existing Conditions.pdf**
661K

 **6 White Birch Ln Plan+aerial2.pdf**
3082K



PLAN CORRECTIONS REPORT PL-000570-2019 FOR CITY OF PORTLAND

PLAN ADDRESS:	6 White Birch Ln , 6 Portland, ME 04103	PARCEL:	343 D016001
APPLICATION DATE:	03/21/2019	SQUARE FEET:	0.00
EXPIRATION DATE:		VALUATION:	\$0.00
		DESCRIPTION:	Construction of a new 3-unit residential dwelling within an existing 28 Unit PRUD.

CONTACTS	Name	Company	Address
Agent/Representative	Craig Burgess	Sebago Technics	75 John Roberts Road, Suite 1 A South Portland, ME 04106

Comments & Corrections Required

Fire

Robert Thompson

Comment(s)/ Recommendation(s):

The Fire Department finds this plan, submitted as V.1, to be acceptable.

Planning and Urban Development Department Planning Division



Subject: R-5 PRUD Design Review – 6 White Birch Lane
Written by: Caitlin Cameron, Urban Designer
Date of Review: Thursday, October 17 2019

The planned residential unit development project at 6 White Birch Lane was reviewed according to the *City of Portland Design Manual* standards by Caitlin Cameron, Urban Designer, Shukria Wiar, Planner, and Christian Roadman, Planner against the standards of the *Planned Residential Unit Developments in the R5 Residential Zones* (Section (h) of the Design Manual).

Design Review Comments:

(h) Planned Residential Unit Development (PRUDs) in the R-5 Residential Zones

Standard (1) a. Design Relationship to the Site

Building placement is responsive to the site conditions of the previously established PRUD. The building is setback from the street consistent with the other building placement nearby. This building is set apart from the rest of the development and the communal open space. The broad façade faces southeast for good solar orientation (though part of this façade is occupied by circulation rather than living space).

Standard (1) b. Internal Design Character and Relationship to the Surrounding Neighborhood

Context – The existing PRUD development is considered to be the “surrounding neighborhood” – these are small-scale homes with natural finish clapboard, gable roofs, vestibules, and simple windows.

- Character: The overall design character should be cohesive with the existing PRUD development. The characteristics of these buildings include a single siding material – clapboard, projecting vestibule massing with recessed entry, double-hung windows. **There are several revisions suggested to better relate the character of this building to that existing context – material selection, window character, massing variation.** The building uses a single material – clapboard - which is appropriate and compatible. However, the drawings indicate **vinyl siding which does not fit in with the existing development of weathered wood clapboard – what is the finish of the clapboard? Divided light windows are not appropriate** – the existing character is double-hung.
- Height, scale, and massing: This building is taller by one story than those around it. If the roof space is not occupied by living space, a simple gable roof or hip roof is appropriate – **there is a hip roof found on a building across the street.** The slope of this roof is shallower than the context buildings. If the pitch is to remain so shallow, the hip roof variation might better relate.
- Massing/Roof Variation: Because the building contains more than 2 units, **the project must provide variation in roof and façade character through changes in façade**

setback, roof configuration, and projecting or recessed building elements. The building includes a gable roof – staff support either a simple gable or hip roof in this location as appropriate to reduce the impact and appearance of the height since this building is taller than the existing. **Since roof variation is not a part of this design, the standard should then be met through façade variation drawing from the existing building character – vestibule/entrance projections, bay windows, etc.** In proportion to the overall massing and façade, **staff recommend a more substantial massing variation at the entrance/circulation or adding bays similar to those found nearby to be more effective in creating that cohesive design character as required by this standard.**

Standard (1) c. Recreation and Open Space

1. External buffers: The project keeps an existing fence and trees with additional new trees as external buffer to the rear of the property.
2. Internal buffers: The dumpster area is being relocated away from the units, there is also a transformer pad with screening added. The building is set back from the street for some privacy with some vegetated buffer between driveways/surface parking and ground floor units.
3. Passive recreational open space: Lawn is provided.
4. Active recreational open space: n/a
5. Private open spaces: Some yard space is left available at the rear of the property – most private open space is occupied by surface parking.



July 18, 2019
18519

Ms. Shukria Wiar, Planner
City of Portland
Planning & Urban Development Department
389 Congress Street 4th Floor
Portland, ME 04101

6 White Birch Lane PRUD, Portland, Maine
Response to Comments

Dear Ms. Wiar,

We have reviewed the comments received via email on June 21, 2019, and offer the below responses in the appropriate order.

From Shukria Wiar:

1. Submit the following for review:

- **Written summary of solid waste generation and proposed management of solid waste.**

Response: Solid waste in the form of typical residential household trash will be generated from each of the three units. Tenants will be responsible for bringing their trash to the on-site dumpster.

Construction debris associated with building construction, including clean wood, material packaging, cardboard, etc. will be collected in large onsite construction dumpsters. Proposed improvements will result in approximately 12.67 c.y. of building construction waste.

$$1,447 \text{ s.f. building} \times 4.39 \text{ lbs./s.f. waste} = 6,338 \text{ lbs. of waste}$$

$$6,338 \text{ lbs}/500 \text{ lbs./c.y.} = 12.67 \text{ c.y. of waste}$$

Construction will also require removal of a pavement which will generate approximately 23 c.y. of waste. Very minimal tree clearing is anticipated for the project.

- **Written assessment of conformity with applicable design standards.**

Response: Please refer to the checklist for general application documents in Section 5 of the application. In accordance with §14-526, the proposed development meets or exceeds the applicable requirements for approval. Written narratives for each applicable requirement were previously submitted. Additionally, the proposed development generally meets the applicable standards of the City's Technical Design Manual.

- **Manufacturer's verification that HVAC and manufacturing equipment meets applicable state and federal emissions requirements.**

Response: The building will use heat pumps for heating and cooling. Please see the enclosed email from the manufacturer for verification that equipment meets applicable State and Federal emission requirements.

- **Provide wastewater capacity letter.**

Response: A wastewater capacity letter is enclosed which was originally submitted under Section 27.

1. Bicycle parking needs to be provided.

Response: Plans were revised to show one Dero bike rack for the three-unit multi-unit structure. The rack accommodates two bicycle parking spaces which generally satisfies the Bicycle Parking Standard of 2 bicycle parking spaces for every 5 dwelling units.

2. Show on site plan where snow storage areas are.

Response: The Site Plan (Sheet 3) depicts snow storage areas in the general vicinity of the new multi-unit dwelling and other surrounding site improvements.

3. Provide cut sheets and photometric plan for all proposed exterior lights.

Response: A cut sheet for the wall-mounted lighting fixtures is enclosed for review. Plans were revised to show lighting locations near building entryways. The fixture is typical of a residential dwelling unit that holds a 90-watt lightbulb. We respectfully request a waiver from a photometric plan considering the minimal lighting and type of wall-mounted fixture proposed.

4. The makeshift lighting pole (from floodlighting) will have not be removed.

Response: Plans were revised to show the pole removed.

5. Provide height calculation based on average grade.

Response: The building height as based on average land grade is elevation 34 feet – 3/4 inches (34'-3/4"). The building height is 32 feet and the exposed foundation is 11 inches in three corners and 18 inches in the fourth corner. The maximum building height in the underlying zone is 35 feet.

From Mike Tremblay:

1. **As Doug R. has been in contact about, there are significant issue with the sewer and stormwater management systems in the development, and he has recommended that the entire sewer and storm drain system be televised an accurately mapped by the applicant's engineers before we approve any new construction. My comments assume that the utilities that are shown in the Grading and Utility Plan are accurate, but this may not be the case.**

Response: A stamped existing conditions survey plan by others was provided to the City after receiving concerns from the City's Engineering Department. The survey plan shows a separated sanitary sewer and stormdrain system in the general vicinity of where City engineers originally speculated there may be sewer connecting into the stormdrain, or vice versa. Existing storm drainage within the development is accurately mapped on the survey plan that was uploaded to the server after the original submission.

Additionally, King Real Estate hired Ecoclean to televise two sanitary sewer outlet pipes of manholes behind Unit 15 and inside the detention pond area. Ecoclean found that the sewer pipe leaving the manhole behind Unit #15 extends southeast and connects with a wye fitting to the outlet pipe from the manhole within the detention pond area. The outlet pipe of the manhole located inside the detention pond extends southwest behind Units 17 – 19 as generally shown on the survey plan. Ecoclean also notes in their report that cross contamination between sanitary and storm lines was not observed during their inspection.

At this time, the original sewer design for this development is unclear and there are no known records other than information on City's GIS database. It is apparent that the mapped sewer system is not consistent with the City's GIS database, however collected data does not indicate that there is any cross contamination between storm and sanitary sewer flow. We believe the Existing Conditions Plan and data collected by Ecoclean demonstrates sewage is not discharging into the municipal storm drain system or stormwater from the pond is not directed to a separated sewer.

A copy of Ecoclean's invoice and report is enclosed. Also enclosed is an assessment of the sewer manhole inside the pond. Videos of the inspection can be provided separately if requested.

- 2. In the same vein as the above, there are several notes on the plan that indicate that the depth of existing infrastructure is not known, and that decisions will be made in the field. This is not ideal for plan review and accurate documentation of conditions going forward.**

Response: Understood – Unitil Gas Company indicated during a phone call that gas service installation depths in this development were not documented. There will likely be a conflict between the stormdrain and the gas service if gas was installed at a typical depth (2.5 – 3.0 feet). Unitil indicated the gas can be lowered below the stormdrain if needed.

- 3. The Grading and Utility plan shows storm drain crossing sewer laterals twice, at acute angles. Generally, crossing should be avoided, and when necessary, they should be crossed at close to 90-degree angles. Crossings may be avoidable if CB-1 could be adjusted. Alternately, the sewer could avoid the storm drain by providing a sewer manhole northwest of CB-1; this may require the proposed transformer to shift somewhat.**

Response: The sanitary sewer design was adjusted to exit the building at the southwest corner to avoid crossing the stormdrain and gas service.

4. CB-1 does not appear to be located at a low point. Is this the best location for it?

Response: CB-1 was shifted horizontally to be slightly further from the edge of existing pavement. Proposed grading around the catch basin creates a low spot at elevation 95.30 so that concentrated runoff is not directed across the driveway. Also, the catch basin location allows for the stormdrain outlet to cross the existing gas service and driveway at a 90-degree angle.

From George Carhart:

In January Craig Burgess from Sebago Technics, Inc. contacted me regarding the utilities in White Birch Ln and about a sewer manhole in the lane that looked to be blocking up. This manhole was not on either our GIS nor on the plans that we have for the subdivision from 1984. As this manhole looked to be in line with a storm drain, Doug Roncarati and Ben Pearson felt that it should be investigated. Due to snow and other delays this did not happen until this week. The outcome of the inspection was that sewer and storm drain lines in the ground and the plans at DPW do not match. The discrepancies are so great that Doug and Ben feel that until the developer can provide the city with clear plans of how and where sewer and storm drain lines for this subdivision run, a hold on any planning permission should be made.

Response: Please see response to Mike Tremblay's comment #4 above.

From Doug Roncarti:

There appear to be some significant issues that need to be resolved with regard to the sewer and stormwater management systems at White Birch Ln. Structures are not located where they are supposed to be according to the only plans we have on file and after a pump station failed, the development got approval to connect to Mona Rd, but we didn't have plans for that change (Although we just got them from the applicant's engineer). Finally, there is a manhole and/or flow control structure in the middle of the detention pond that is not shown on the plans and George informed me that one of our Water Resources staff investigated and found sewage running through it, but did not determine what inputs were coming into it or to what other infrastructure it connects.

Given these issues, I highly recommend that we require that the entire sewer and storm drain system associated with this site be televised and accurately mapped by the applicant's engineers before we approve new construction. The City has gone to great lengths to separate sewers and storm drains in this part of the City and we need to make sure that this apartment complex is not sending sewage to a municipal storm drain system or stormwater from the pond to a separated sewer.

Response: Please see response to Mike Tremblay's comment #4 above.

From Caitlin Cameron:

- **Character:** The overall design character should be cohesive with the existing PRUD development. The characteristics of these buildings include a single siding material – clapboard, projecting vestibule massing with recessed entry, double-hung windows. **Shutters and divided lights are not consistent with this character and should be reconsidered. The**

building should be one cladding material – the floor delineation and different materials are not necessary and do not help tie the building into its context.

Response: King Real Estate has built several multi-story buildings with board and batten siding and clapboards above. This type of construction has been well received and reduces the vertical factor of three stories. We would request the character of the building remain as originally proposed.

- Height, scale, and massing: If the roof space is not occupied by living space, **a simple gable roof or hip roof is more appropriate** – there is a hip roof found on a building across the street. This building is taller by one story than those around it and the cross-gable form, though providing some variation in the massing, **does not mitigate the scale difference and does not relate in character or form given the more shallow roof pitch and placement of the cross-gable.** Instead of this roof form variation, massing variation at the entrance/circulation or adding bays similar to those found nearby will be more effective in creating that cohesive design character as required by this standard.

Response: A cross-gable roof with similar roof form as surrounding buildings will be constructed.

- Massing/Roof Variation: Because the building contains more than 2 units, the project must provide variation in roof and façade character through changes in façade setback, roof configuration, and projecting or recessed building elements. The building includes a cross-gable roof to provide some of this variation however, the cross gable space does not include windows or vents and it is not clear if this space is inhabited – **this form and its blankness do not create variation that ties this building into the existing context.** To be consistent with the forms found within the context, staff recommend that a simple gable or hip roof are more appropriate here to reduce the impact and appearance of the height since this building is taller than the existing. **The standard should then be met through façade variation drawing from the existing building character – vestibule/entrance projections, bay windows, etc.**

Response: A cross-gable roof will be constructed. The area over the third floor will not be inhabited.

Standard (1) c. Recreation and Open Space

1. External buffers: The project keeps an existing fence and trees with additional new trees as external buffer to the rear of the property. **No screening or buffer is provided between the new surface parking and the neighboring residential properties.**

Response: The Site Plan (Sheet 3) was revised to add landscaping and fencing so that external buffers are enhanced between the new surface parking and the neighboring residential properties.

2. Internal buffers: The dumpster area is being relocated away from the units, there is also a transformer pad – **no screening is shown for these two elements.** The building is set back from the street for some privacy but **surface parking is directly adjacent to the ground floor unit without buffer.**

Response: The Site Plan (Sheet 3) was revised to add landscaping near the dumpster enclosure and transformer so that screening is provided by these units and apartment units. A narrow strip of pavement was eliminated between the building and parking to provide a 3-foot wide planting bay.

Upon your review of our responses, please contact me if you have any questions.

Sincerely,

SEBAGO TECHNICS, INC.

A handwritten signature in cursive script that reads "Craig Burgess".

Craig A. Burgess, P.E.
Project Manager

CAB
Enc.

Craig Burgess

From: Tompkins, Caton <CTompkins@homans.com>
Sent: Friday, July 12, 2019 9:50 AM
To: Craig Burgess; King Weinstein
Cc: rhp1148@gmail.com
Subject: Mitsubishi Heat Pumps

Hi Craig,

Regarding our brand of Mitsubishi M&P Series heat pumps that you are looking at for your job in Portland: They will meet the State of Maine and Federal standards that you inquired about.

Best Regards,



Caton Tompkins

Territory Manager

p: 207-874-9500

m: 207-310-3908

a: 111C Pine Tree Industrial Pkwy.
Portland, ME 04103

w: <http://www.homans.com>



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CITY OF PORTLAND WASTEWATER CAPACITY APPLICATION

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



Bradley Roland, P.E.
Water Resources Division

brad@portlandmaine.gov

Date: March 27, 2019

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

Site Address: 6 White Birch Lane (Birch Meadow Apartments, 27 Existing Units)

Chart Block Lot Number: 437-A-46, 343-D-16

Proposed Use: New 3-Unit Residential Building

Previous Use: Unimproved Land within a PRUD

Existing Sanitary Flows: n/a GPD

Existing Process Flows: n/a GPD

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

Site Category	Commercial (<i>see part 4 below</i>)	☐
	Industrial (<i>complete part 5 below</i>)	☐
	Governmental	☐
	Residential	☒
	Other (<i>specify</i>)	☐

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

2. Please, Submit Contact Information.

City Planner's Name: TBD, Not Assigned Phone: (207) 874-8719, Portland Planning

Owner/Developer Name: Owner: Birchlane, LCC Developer: King Real Estate

Owner/Developer Address: King Real Estate, 198 Saco Ave., Old Orchard Beach, ME 04064

Phone: (207) 934-7622 Fax: c/o Richard Pelletier E-mail: rhp1148@gmail.com

Engineering Consultant Name: Sebago Technics, Inc. c/o Craig Burgess, P.E.

Engineering Consultant Address: 75 John Roberts Road, Suite 4A, S. Portland, ME 04106

Phone: (207) 200-2081 Fax: (207) 856-2206 E-mail: cburgess@sebagotechnics.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: 720 GPD

Peaking Factor/ Peak Times: 5 PM - 7 PM

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) McGraw-Hill Series in Water Resources and Environmental Engineering

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.

n/a **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.

n/a **5. Please, Submit Industrial Process Wastewater Flow Calculations**

Estimated Industrial Process Wastewater Flows Generated: _____ GPD

Do you currently hold Federal or State discharge permits? _____

Yes _____ No _____

Is the process wastewater termed categorical under CFR 40? _____

Yes _____ No _____

OSHA Standard Industrial Code (SIC): _____

(<http://www.osha.gov/oshstats/sicser.html>)

Peaking Factor/Peak Process Times: _____

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

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

1002 956 547



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EcoClean The Sewer & Drain Specialist
P.O. Box 10255
Portland, ME 04104
Phone # 207-310-8429 Fax # 207-467-3166
E-mail office@ecoclean1.com
Web Site www.ecoclean1.com

Invoice #
13102061119

Date	6/11/2019
Terms	Due on receipt

Billing Information		Service Address		Due Date	6/11/2019
King Real Estate Accounts Payable 198 Saco Avenue Old Orchard Beach, ME 04064		King Real Estate 10 White Birch Lane Portland, ME 04110		P.O. #	
				W.O. #	
				Rep	MBL
				Project	
Customer Contact	King Weinstein	Customer Alt. Contact	Dick	Lat TV & Locate Sewer - 10476	
Customer Phone	207-934-7622	Customer Alt. Phone	(978) 423-1517		
Customer Fax		Add. Contact			
Customer E-mail	king198@icloud.com	Add. Phone			

Description	Qty	Rate	Amount
Lateral Televis- Use camera to inspect multiple lines while on site as follows. MH at rear of unit 15: use lateral camera to inspect 6" SDR 35 line 89' to wye where it ties into 8" SDR 35 cross country main. Then continued out to downstream MH in marsh area. Found and opened MH and verified camera in trough. Pulled back and located wye and marked out on ground.	1	250.00	250.00
CMMH in woods: Use lateral camera to inspect 8" SDR 35 line 143' from MH. Unable to make over lap with previously televised section. Approx 6' - 8' shy. Located and marked out on ground. Then while pulling back located near CB in woods and line appears to be in good condition through out. See no breaks or defect that would allow for cross contamination between sanitary and storm lines.			
Left thumb drive: Addition time spent on site televising. M Legnard - Matthew Legnard - Jun 11, 2019 3:15 PM Called customer and spoke with him about payment and customer has not called in to make payment.	1	200.00	200.00 0.00

Thank you for your business.	Payments/Credits	-\$450.00
All jobs are COD at time of service unless stated otherwise. All costs of collection, including but not limited to lien costs, collection commissions, and attorney fees, shall be the responsibility of the customer and shall be paid by the customer in addition to the outstanding balance and interest owed. All late payments will incur a fee of 1.7% per month (20.4% per year). Also, a fee of \$25.00 will be added to any returned checks.	Balance Due	\$0.00

EcoClean, LLC- P.O. Box 10255 - Portland, Maine 04104 - Fax: (207) 467-3166 - Email: office@ecoclean1.com

 EcoClean The Sewer & Drain Specialist P.O. Box 10255 Portland, ME 04104 Phone # 207-310-8429 Fax # 207-467-3166 E-mail office@ecoclean1.com Web Site www.ecoclean1.com		Invoice # 13102061119													
Billing Information King Real Estate Accounts Payable 198 Saco Avenue Old Orchard Beach, ME 04064		Service Address King Real Estate 10 White Birch Lane Portland, ME 04104													
Customer Contact King Weinstein Customer Phone 207-934-7622 Customer Fax Customer E-mail king198@icloud.com		Due Date 6/11/2019 P.O. # W.O. # Rep MBL Project Lat TV & Locate Sewer - 10476													
Description Lateral Televis- Use camera to inspect multiple lines while on site as follows. MH at rear of unit 15: use lateral camera to inspect 6" SDR 35 line 89' to wye where it ties into 8" SDR 35 cross country main. Then continued out to downstream MH in marsh area. Found and opened MH and verified camera in trough. Pulled back and located wye and marked out on ground. CCMH in woods: Use lateral camera to inspect 8" SDR 35 line 143' from MH. Unable to make over lap with previously televised section. Approx 6' - 8' shy. Located and marked out on ground. Then while pulling back located near CB in woods and line appears to be in good condition through out. See no breaks or defect that would allow for cross contamination between sanitary and storm lines. Left thumb drive: Addition time spent on site televising. M Legnard - Matthew Legnard - Jun 11, 2019 3:15 PM Called customer and spoke with him about payment and customer has not called in to make payment.		<table border="1"> <thead> <tr> <th>Qty</th> <th>Rate</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>250.00</td> <td>250.00</td> </tr> <tr> <td>1</td> <td>200.00</td> <td>200.00</td> </tr> <tr> <td></td> <td></td> <td>0.00</td> </tr> </tbody> </table>		Qty	Rate	Amount	1	250.00	250.00	1	200.00	200.00			0.00
Qty	Rate	Amount													
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1	200.00	200.00													
		0.00													

Sewer Camera Observation
White Birch lane Portland, Maine
Purpose

6/11/2019 White Birch Lane LLC

Lateral televis	Video Sewer for cross contamination		
inverts in	inverts out	Pipe size	Trough condition
6"	6"	sdr35 - 6"	good
8"	6" to 8" coupling	sdr35 - 8"	wye good
8"		sdr35 - 8"	good

SMH 1 behind unit 10-15

Video 89' to sewer wye
 to 8" main to smh3 in rear wood area
 observed camera in trough @214'

entrance to sewer mahole 1



structure troughs



line view at 10"



SMH 2 behind units 6-8

inverts in	inverts out	Pipe size	Trough condition
6"	8"	sdr35 8"	good

drain manhole at 92' sewer passes by
 ave sewer depth at 8.6' DMH invert out 8"
 at 5 ft from finish grade
 DMH1 at detention area

Invert in 6" out 8"



sewer at 7.6'



Pipe Condition

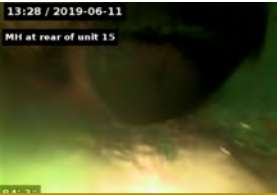
noted as good/clean, no cross contamination noted
noted as good/clean, no cross contamination noted
noted as good/clean, no cross contamination noted

Video Link

<https://youtu.be/iFwfQ-ceiDc>
<https://youtu.be/mPUFF0abme0>

in to SMH 1
pull back SMH 1

Line view at sewer wye



Pipe Condition

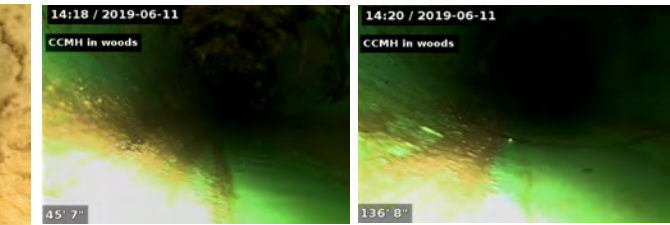
noted as good/clean no cross contamination at DMH 1
noted as good/clean no cross contamination at DMH 1

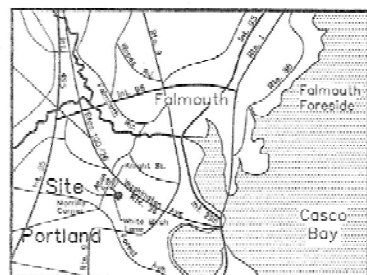
Video Link

<https://youtu.be/1RAvxi6vzOA>
https://youtu.be/igaNtoG_Bi4

in to SMH2
pullback from SMH2

sewer at 45.7'





LOCATION MAP
SCALE: 1" = 2 MILES

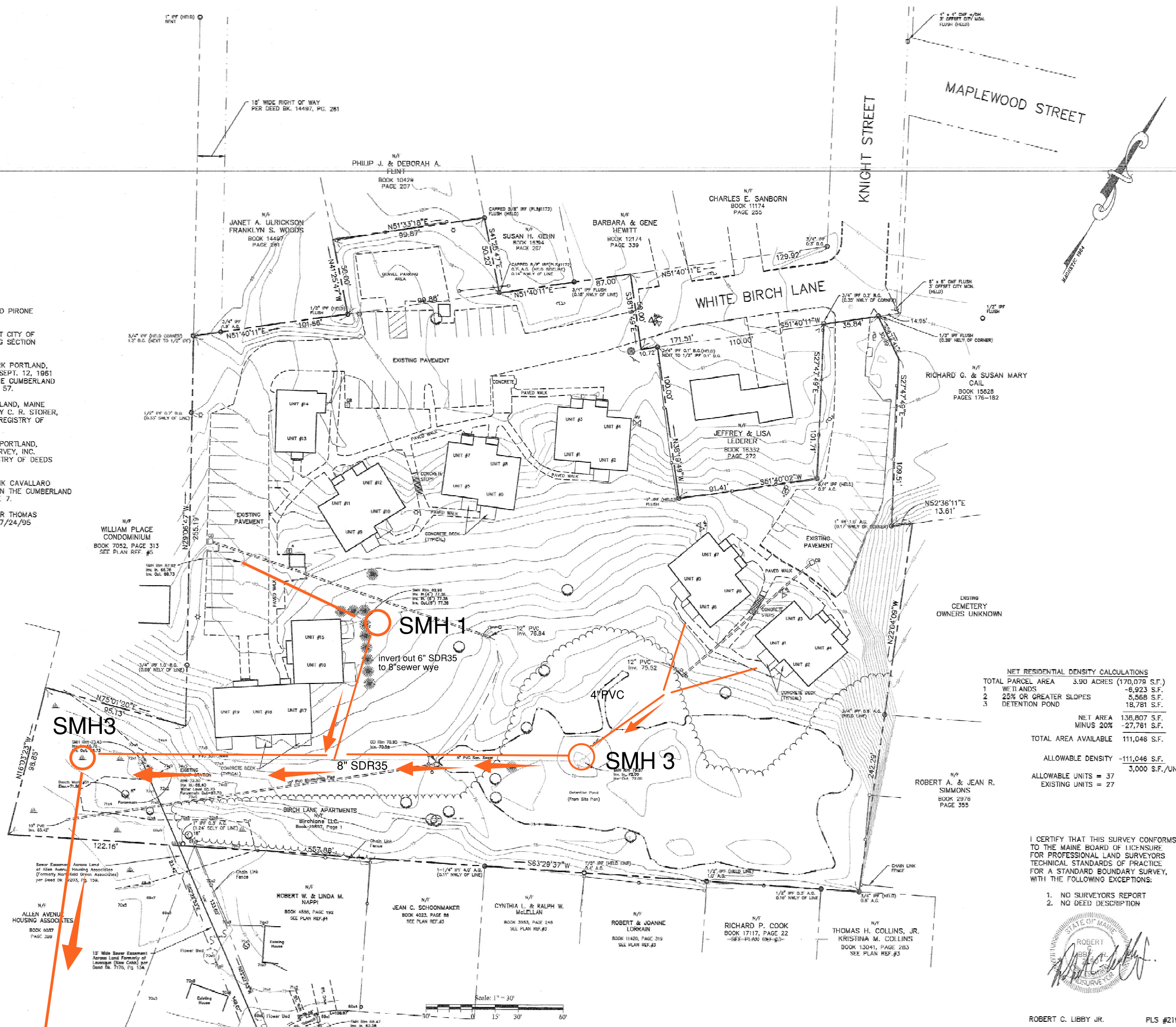
PLAN REFERENCES:

1. PLAN OF PROPERTY IN PORTLAND, MAINE FOR DAVID PIRONE DATED APRIL 1984 BY SURVEY, INC.
2. PLAN SHOWING NEW MONUMENTS ON KNIGHT STREET CITY OF PORTLAND PUBLIC WORKS DEPARTMENT ENGINEERING SECTION DATED APRIL 2002.
3. PLAN OF PROPERTY SECTION "B" MEADOW VIEW PARK PORTLAND, MAINE MADE FOR THE MINAT CORPORATION DATED SEPT. 12, 1961 BY CARL E. EMERY ENGINEER AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS PLAN BOOK 60, PAGE 57.
4. MEADOW VIEW PARK SECTION "D" MONA ROAD PORTLAND, MAINE FOR THE MINAT CORPORATION DATED 7/07/1977 BY C. R. STORER, INC. AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS PLAN BOOK 117, PAGE 9.
5. CONDOMINIUM PLAN WILLIAM PLACE ALLEN AVENUE PORTLAND, MAINE FOR JEN COMPANY DATED JAN. 1986 BY SURVEY, INC. AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS PLAN BOOK 153, PAGE 7.
6. PLAN OF PROPERTY IN PORTLAND, MAINE FOR FRANK CAVALLARO DATED JULY 1979 BY A. W. HUME AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS PLAN BOOK 124, PAGE 7.
7. PLAN SHOWING A STANDARD BOUNDARY SURVEY FOR THOMAS F. BLACK ALLEN AVENUE PORTLAND, MAINE DATED 7/24/95 BY DANIEL J. DALFONSO PLS #1172.

NOTE:

1. WETLAND MAPPING: MARK HAMPTON ASSOCIATES PORTLAND, MAINE

SYMBOL	DESCRIPTION
□	GRANITE MONUMENT FOUND
○	IRON PIPE/IRON ROD FOUND
⊕	5/8" IRON ROD W/ CAP TO BE SET
⊕	UTILITY POLE
⊕	ELECTRIC TRANSFORMER
○	DECIDUOUS TREE
⊕	CONIFEROUS TREE
⊕	STOCKADE FENCE
---	PROPERTY LINE
---	EASEMENT LINE
---	EDGE PAVEMENT
⊕	LIGHT POST
⊕	SEWER MANHOLE
⊕	WATER VALVE
⊕	CATCH BASIN
AR	ABOVE GROUND
N/F	NOW OR FORMERLY
⊕	MAPPED WETLAND (MAY 2008)
⊕	SLOPES GREATER THAN 25%



NET RESIDENTIAL DENSITY CALCULATIONS	
TOTAL PARCEL AREA	3.90 ACRES (170,079 S.F.)
1. WETLANDS	-6,923 S.F.
2. 25% OR GREATER SLOPES	-5,568 S.F.
3. DETENTION POND	-18,781 S.F.
NET AREA	138,807 S.F.
MINUS 20%	-27,761 S.F.
TOTAL AREA AVAILABLE	111,046 S.F.
ALLOWABLE DENSITY	-111,046 S.F.
ALLOWABLE UNITS = 37	3,000 S.F./UNIT
EXISTING UNITS = 27	

I CERTIFY THAT THIS SURVEY CONFORMS TO THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS TECHNICAL STANDARDS OF PRACTICE FOR A STANDARD BOUNDARY SURVEY, WITH THE FOLLOWING EXCEPTIONS:

1. NO SURVEYORS REPORT
2. NO DEED DESCRIPTION



ROBERT C. LIBBY JR.

PLS #2190

NO.	DATE	REVISION	DESCRIPTION
1	5/23/08		Final

BH2M
Berry, Huff, McDonald, Milligan, Inc.
Engineers, Surveyors
28 State Street
Portland, Maine 04108
Tel: (207) 839-2771
Fax: (207) 839-8250

FOR
BIRCH LANE L.L.C.
198 Saco Avenue
Old Orchard Beach, Maine 04064

EXISTING CONDITIONS
PLAN
LAND OF
BIRCH LANE L.L.C.
WHITE BIRCH LANE
PORTLAND, MAINE 04103

DESIGNED R. Libby, Jr.	DATE May 2008
DRAWN R. Libby, Jr.	SCALE 1" = 30'
CHECKED W. Thompson	JOB NO. 03134

SHEET
1
REPRODUCTION OR REUSE OF THIS DOCUMENT WITHOUT THE EXPRESS WRITTEN CONSENT OF BH2M INC. IS PROHIBITED.



March 27, 2019
18519

City of Portland Planning Board
Mr. Sean Dundon, Chair
389 Congress Street, 4th Floor
Portland, Maine 04101

Level III Site Plan Application Submittal –White Birch Lane 3-Unit Dwelling
6 White Birch Lane, Portland, Maine 04103
City Parcels: 437-A-46, 343-D-16

Dear Chair Dundon and Planning Board Members:

On behalf of Birchlane, LLC, we have assembled the following Level III Site Plan Submittal for a new three-story, three-unit residential building. The site is located in within an existing Planned Unit Residential Development (PRUD) in North Deering. The site is accessed over Knight Street from Allen Avenue. The building will expand the existing multi-unit residential development. The existing buildings and access will remain as they exist without modification.

Per Portland City Land Use Code Chapter 14, Section 14-117 - Permitted Uses the proposed project area (is located in the portion of the overall parcel located in the R-5 (Residential 5) Zone. The overall parcel is located in both the R-5 and R-3 (Residential 3) zones and a portion of the R3 Zone is located in the Shoreland Overlay Zoning (SHZ) and may be located in a FEMA Flood Zone. No part of the proposed project is located in the portion of the site where the SHZ and flood area occurs. The three-unit residential structure is an allowed use per 14-117: pr: 3. *Planned residential unit development (PRUD)*. PRUD developments are subject to the City Design Standards that are addressed in this application.

Over the past few months, since the pre-application meeting with City staff, the applicant has continued the planning and design of the facility and site and would like to move forward with the City Planning Board review process. The following narrative provides an overview of the project team and design/facility components.

Project Team:

Applicant: King Real Estate

Record Owner: Birchlane, LLC

Building Design: Richard Pellerin

Civil Engineering/Survey/Traffic/Landscape Architecture: Sebago Technics, Inc.

Project Site/Use:

The project site is located in the City of Portland's North Deering neighborhood and identified by the City assessor as lots 347-A-46 and 343-D-16. There are existing residential structures on the site and this application is for continued improvement by the addition of a single 3,420 SF (gross), 1,440 SF (footprint), 3-unit residential structure, parking, utilities and other associated site improvements. This location is ideal for the project given its size, location and compatibility with adjacent multi-unit residential uses on the

site. The overall project site is approximately 3.9 acres in size and the project limits for this project is 10,159 SF. The area of the site to be developed has flat topography and no protected natural resources such as watercourses, wetlands, animal or plant habitat areas identified within the proposed new development area.

Development Program:

The development program includes continued access over the existing drive to the proposed new building site which is adjacent to the existing residences and parking. The proposed new building will be located in an area that is currently utilized for parking and contains a small shed and trash receptacle. A portion of the existing parking spaces will be relocated and the dumpster will be relocated to a new screened enclosure. Six new parking spaces will be provided as part of the required site improvements. The existing internal drive will not be affected by the proposed new building beyond trenching for infrastructure connections and the subsequent pavement repair.

State and Federal Permits:

Additional permits for the expanded site development are not anticipated. The proposed work area is less than one acre in size and does not include impact to protected natural resources requiring Maine Department of Environmental Protection or U.S. Army Corps of Engineers review.

Utilities:

The project will be served by public water and sewer. Sebago Technics has confirmed availability of water service with the Portland Water District, submitted a City of Portland Wastewater Application and discussion regarding gas and electrical/communication services have been initiated with providers. Final utilities design and connections will be coordinated with respective companies in accordance with their individual standards. See **Section 27** for utilities correspondence.

Exterior Lighting:

The lighting is limited to the installation of wall-mounted cut-off fixtures to direct illumination toward the building entry and to prevent light spill onto neighboring properties. Additional site lighting is not proposed.

Landscaping:

The existing PRUD development has mature vegetation surrounding the units. The applicant intends to remove some vegetation within the work area and intends to install landscaping at the rear of the building at the property line to provide a vegetative barrier along the existing fence line. The proposed landscaping is shown on the enclosed Site Plan that is enclosed in this Site Plan submittal package.

Stormwater Management and Erosion Control:

The stormwater management plan was designed to meet City and Maine Department of Environmental Protection Chapter 500 standards. See **Section 24** for the Stormwater Management Report. The Site Plans show erosion control measures, details and contain the written ESC plan.

Traffic:

Sebago Technics, Inc. has completed an assessment of expected traffic generation and a memorandum from the STI Traffic Division is included in this submittal package.

Waiver Requests:

No waivers from submittal or standards are requested at this time.

Schedule:

The applicant is hopeful to complete the permitting process through the City by late spring/early summer to allow for summer 2019 commencement and completion within one year.

Closure:

We look forward to working with the City and Planning/Engineering staff through the permitting process for the proposed property new building residential building at 6 White Birch Lane. Please feel free to contact me if you have any questions or require further information.

Sincerely,
SEBAGO TECHNICS, INC.

A handwritten signature in black ink that reads "Craig Burgess". The signature is written in a cursive, flowing style.

Craig A. Burgess, P.E.
Project Manager

CAB/skn

enc.

cc: R. Pelletier, King Real Estate



LEVEL II and LEVEL III APPLICATION SUBMISSION CHECKLIST

Please submit each document as a separate PDF file.

Please confirm by electronically checking the boxes to the left

General Application Documents

Checklist	Items to be Provided	
Yes ☒ NA ☐ Plan ☐ ☒ ☐ ☐	PROJECT DESCRIPTION Cover Letter with detailed project description	01
Yes ☒ NA ☐ Plan ☐ ☒ ☐ ☐	COMPLETED CHECKLIST – LEVEL III APPLICATION	02
Yes ☒ NA ☐ Plan ☐ ☒ ☐ ☐	RIGHT, TITLE AND INTEREST Deeds, leases, or purchase and sales agreements	03
Yes ☐ NA ☒ Plan ☐ ☐ ☒ ☐	EVIDENCE OF STATE OR FEDERAL APPROVALS , if applicable Permits or letters of non-jurisdiction, if applicable	04
Yes ☒ NA ☐ Plan ☐ ☒ ☐ ☐	ZONING ASSESSMENT Table listing required and proposed uses and dimensional standards Zoning Assessment Table	05
Yes ☐ NA ☐ Plan ☒ ☐ ☐ ☒	EXISTING &/OR PROPOSED EASEMENTS OR COVENANTS , if applicable Evidence of existing easements and any proposed easements	06
Yes ☐ NA ☒ Plan ☐ ☐ ☒ ☐	WAIVER REQUESTS Written request for waiver describing request and reason. Waiver Table	07
Yes ☒ NA ☐ Plan ☐ ☒ ☐ ☐	FINANCIAL CAPABILITY Letter or evidence from a financial institution or third party verifying financial capacity to undertake project	08
Yes ☒ NA ☐ Plan ☐ ☒ ☐ ☐	TECHNICAL CAPABILITY Evidence of technical capability of applicant and consultants – resumes and/or examples of past projects	09

LEVEL II AND LEVEL III 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			
Check list			Assess/Provide/Document:
Yes	NA	Plan	Transportation Analysis- Traffic Impact (14-526 (a) 1) - Provisions for pedestrian, bicycle, vehicle, and loading circulation and incremental volume of traffic impacts - Traffic Impact Study (Technical Manual, Section 1) if applicable 10
☒	☐	☒	
Yes	NA	Plan	Access and Circulation (14-526 (a) 2 a) - Access and internal circulation, addressing ADA access - Access and egress impacts on traffic flows - Description and use of drive-up features, if applicable 11
☒	☐	☐	
Yes	NA	Plan	Loading and Servicing (14-526 (a) 2 b) - Loading and servicing needs, route and travel way geometrics for deliveries - Turning templates for delivery vehicles, if applicable 12
☐	☒	☐	
Yes	NA	Plan	Sidewalks (14-526 (a) 2 c) - Sidewalks and condition along street frontages and internal walkways - Engineered details for ADA ramps and public sidewalk details meeting sidewalk materials policy and ADA ramp construction details as applicable (Technical Manual, Section 1) 13
☒	☐	☒	
Yes	NA	Plan	Public Transit (14-526 (a) 3), if applicable - Existing available transit services - Proposed site plan design details, such as easement, pad base, and shelter 14
☐	☒	☐	
Yes	NA	Plan	Off-Street Parking: Vehicle & Motorcycle/Scooter) (14-526 (a) 4 a and c) - Expected parking demand, proposed parking supply, ADA parking, and applicable Zoning Requirements - Address Technical Manual standards (Section 1) for curb cut separation and parking lot layout and locate on site plan 15
☒	☐	☒	
Yes	NA	Plan	Bicycle Parking (14-526 (a) 4 b) - Address bicycle parking requirements and identify locations on-site - Construction details for bike racks (Technical Manual, Section 1) 16
☒	☐	☒	
Yes	NA	Plan	Snow Storage (14-526 (a) 4 d) Management plan for snow removal and locate snow storage areas on plan 17
☐	☐	☒	
Yes	NA	Plan	Traffic Demand Management (TDM) (14-526 (a) 5), if applicable Develop TDM with Trip Reduction Targets and Strategies 18
☐	☒	☐	

ENVIRONMENTAL AND LANDSCAPE FEATURES			
Check list			Assess/Provide/Document:
Yes	NA	Plan	Preservation of Significant Natural Features (14-526 (b) 1), if applicable - Trees, plants, habitats listed on State or Federal list of endangered or threatened - High and moderate value waterfowl and wading habitat - Aquifers on Casco Bay Islands - Waterbodies (including wetlands, watercourses, significant vernal pools and floodplains) - Proposed preservation areas and protection measures - Documentation from environmental consultants, determinations from applicable state agencies 19
Yes	NA	Plan	Landscaping and Landscape Preservation (14-526 (b) 2 a) - Preservation of trees and preservation within required zoning setbacks (Technical Manual, Section 4) - Protection measures of existing vegetation during construction - Protection measures within Shoreland Zone, if applicable 20
Yes	NA	Plan	Site Landscaping (14-526 (b) 2 b) - Screening and buffering of service areas and between non-residential and residential uses - Planting plans with plant schedule and sizes (Technical Manual, Section 4) 21
Yes	NA	Plan	Parking Lot Landscaping (14-526 (b) 2 b ii), if applicable Landscaped islands within parking areas (Technical Manual, Section 4) 22
Yes	NA	Plan	Street Trees (14-526 (b) 2 b iii) - Existing Heritage or Feature Trees on site and measures to preserve - Identify street trees on the plan meeting the site plan and Technical Manual standards (Section 4) or identify alternative measures, if applicable 23
ENVIRONMENTAL AND STORMWATER			
Check list			Assess/Provide/Document:
Yes	NA	Plan	Water Quality, Stormwater Management and Erosion Control (14-526 (b) 3 a) - Stormwater report in compliance with Section 5 of Technical Manual and DEP Chapter 500 stormwater for basic, general and flooding standards, as applicable - Erosion control plan and measures - Evidence of compliance with Urban Impaired Stream Standards pursuant to DEP Chapter 500 stormwater, as applicable - Subsurface sanitary sewage disposal and groundwater protection 24

PUBLIC INFRASTRUCTURE AND SAFETY			
Check list		Assess/Provide/Document:	
Yes	NA	Plan	
☐	☒	☐	☐
		Consistency with City Master Plans (14-526 (c) 1) - Identify consistency with master plans - Proposed easements, rights and improvements to connect or continue off-premises public infrastructure, as applicable 25	
Yes	NA	Plan	
☒	☐	☐	☐
		Public Safety and Fire Prevention (14-526 (c)) - Address Crime Prevention through Environmental Design (CPTED) (Technical Manual, Section 3) - Emergency vehicle access - Address consistency with public safety standards (Technical Manual, Section 3) - Submit a code summary referring NFPA 1 and all Fire Department standards (Technical Manual, Section 3) – Fire Checklist 26	
Yes	NA	Plan	
☒	☐	☐	☐
		Availability and Adequacy of Public Utilities (14-526 (c) 3) (Technical Manual, Sections 2 & 9) - Electrical services, including providing underground services - Identify existing and proposed connections for public utilities and required public utility upgrades - Sewer line connections are required, if there is a main within 200 feet - Proposed solid waste management facilities on-site and management for the site - Written evidence of the ability to serve from utility companies, as applicable 27	
SITE DESIGN			
Check list		Assess/Provide/Document:	
Yes	NA	Plan	
☒	☐	☐	☐
		Massing, Ventilations and Wind Impact (14-526 (d) 1) - Wind and ventilation impacts on adjoining structures and/or adjacent public spaces. Wind study, if applicable - Bulk, location or height impacts on adjoining structures - Identify and locate HVAC equipment and venting away from public spaces and residential properties - Identify screening and manufacturing specifications for noise, if applicable 28	
Yes	NA	Plan	
☐	☒	☐	☐
		Shadows (14-526 (d) 2), if applicable Shadow analysis of impacts on publicly accessible open space (Technical Manual, Section 11) 29	
Yes	NA	Plan	
☐	☒	☐	☐
		Snow and Ice Loading (14-526 (d) 3) Building design to prevent snow and ice from loading or falling onto adjacent properties or public ways 30	
Yes	NA	Plan	
☐	☒	☐	☐
		View Corridors (14-526 (d) 4), if applicable Protection of designated view corridors (Portland Design Manual, Appendix 1) 31	

Yes NA Plan ☐ ☒ ☐	Historic Resources (14-526 (d) 5), if applicable - Identify developments within Historic Districts or affecting Designated Landmarks - Certificate of Appropriateness or other evidence - Identify Developments within 100 feet of Historic Districts or affecting Designated Landmarks. Advisory HP review may be required - Address preservation and documentation of Archaeological Resources 32
Yes NA Plan ☒ ☐ ☐	Exterior Lighting (14-526 (d) 6) - Cut sheets of on-site light fixtures and any architectural or specialty lights (Technical Manual, Section 12) - Engineered details for any lights proposed in street right-of-way (Technical Manual, Section 10) 33
Yes NA Plan ☐ ☒ ☐	Noise and Vibration (14-526 (d) 7) Evidence of noise levels for equipment, such as equipment specifications, to demonstrate consistency with zoning requirements 34
Yes NA Plan ☐ ☒ ☐	Signage and Wayfinding (14-526 (d) 8), if applicable - Signage plan showing the location, dimensions, height and setback of all existing and proposed signs. Signs in Historic Districts are reviewed by Historic Preservation staff - Proposed commercial and directional signage on site 35
Yes NA Plan ☒ ☐ ☐	Zone Related Design Standards (14-526 (d) 5) - Address Historic Preservation Design Review, if applicable - Address any applicable design review standards by zone - Address submission requirements from Design Manual, page 1, addressing neighborhood context - Description of exterior materials, color, finish, and samples 36
Construction Management Plan	
Yes NA Plan ☐ ☒ ☒	Construction Management Plan Construction Management Document and Plan 37

Level II and Level III Site Plan Checklist

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

☐ **RECENT BOUNDARY SURVEY** (stamped by Maine Licensed Surveyor)

Must be in compliance with Technical Manual, Section 13

SITE PLAN(s) (stamped by Maine Licensed Engineer) including:

☒ **Existing Conditions**

- Approximate location of structures on abutting property
- Topography
- Locate water courses
- Delineate wetlands
- Zone lines

☒ **Proposed Site Plan**

- Ground floor area, and grade elevations for all buildings

☒ **Access, Circulation, and Parking**

- Streets and intersections adjacent to site , any proposed geometric modifications
- Location, dimensions and materials of all existing and 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
- Existing and proposed transit infrastructure with dimensions/ engineering specifications
- Location of vehicle and bicycle parking with dimensions and engineering specifications

☒ **Site Considerations**

- Identify snow storage areas
- Location of fire hydrants
- Location of solid waste management facilities

☒ **UTILITY PLAN** including:

- Existing utilities on site and within public streets
- Location, sizing, and directional flows of all existing and proposed utilities
- Location and dimensions of off-premises public or publicly accessible infrastructure adjacent to site
- Electric utility infrastructure

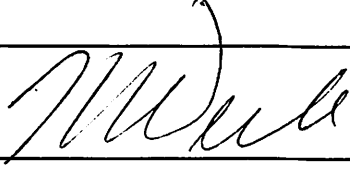
☒	GRADING and DRAINAGE PLAN including:
	- Existing grades and drainage - Proposed grades - Proposed stormwater management meeting Technical Manual (Section 5) standards - Location and proposed alteration of a water course - Preservation or alteration of wetlands
☒	EROSION CONTROL
	Must be in compliance with Technical Manual, Section 5
☒	LANDSCAPE PLAN including:
	SEE SITE PLAN, 3 of 8 - Existing vegetation to be preserved and preservation measures - Proposed landscaping and buffers - Planting schedule
☐	RECORDING PLAT , if applicable
	IF SUBDIVISION: Must be in compliance with requirements of Section 14-496 (b)
☒	ARCHITECTURAL PLANS & RENDERINGS including:
	- Exterior building elevations, color renderings, illustrations of all sides - Location and dimensions of all existing & proposed HVAC & mechanical equipment, all proposed screening - Provide context drawings, if applicable (Design Manual, page 1) - Floor plans

VI. APPLICANT SIGNATURE

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

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Planning Authority and Code Enforcement's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

This application is for a Level III Site Plan review. It is not a permit to begin construction. An approved site plan, a Performance Guarantee, Inspection Fee, Building Permit, and associated fees will be required prior to construction. Other Federal, State or local permits may be required prior to construction, which are the responsibility of the applicant to obtain.

Signature of Applicant: X King →	 ITS MARY
Date: 3/21/19	KING WEINSTEIN BICKMAN, LLC

03: RIGHT, TITLE, INTEREST

The record owner of the parcel(s) is Birchlane LLC by deed(s) recorded at the Cumberland County Registry of Deeds (CCRD). The referenced deeds provided by the applicant are included in this section.

EXHIBIT A

Grantor: Richard P. LeBlanc and Christopher Pirone, Trustees of
The J. David Pirone Charitable Remainder Unitrust, u/a dated 12/10/97
Grantee: BirchLane LLC
Date: July 31, 2003
Instrument: Short Form Trustees' Deed of Sale

Parcel I

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

Beginning at an iron pipe set in the southeasterly sideline of White Birch Lane, said pipe being distant fifteen (15.0) feet southwesterly along the southeasterly sideline of said White Birch Lane from its intersection with the northeasterly sideline of Knight Street; thence running South 51° 40' 11" West along the southeasterly sideline of said White Birch Lane, and continuing along a prolongation in a straight line on the same course along the southeasterly sideline of a proposed street to be known as White Birch Lane, a distance of four hundred fifty-three and twenty-two one hundredths (453.22) feet, more or less, to an iron pipe set in the ground and land now or formerly of Cugini Associates, formerly of Andre P. Cote; thence running South 29° 06' 47" East by land of said Cugini Associates a distance of two hundred four and fifty-three one hundredths (204.53) feet, more or less, to an iron pipe set in the ground; thence running South 75° 01' 20" West by land of said Cugini Associates a distance of ninety-five and thirteen one hundredths (95.13) feet, more or less, to an iron pipe and land now or formerly of Northfield Green Associates, formerly of Minat Corporation; thence South 16° 03' 23" East by land of said Northfield Green Associates, a distance of ninety-eight and eighty-five one hundredths (98.85) feet, more or less, to an iron pipe; thence running North 63° 29' 37" East by land of said Northfield Green Associates and along the rear line of lots on the northerly side of Mona Road as shown on plans of Meadowview Park, Sections B, C, and D, and recorded in the Cumberland County Registry of Deeds in Plan Book 60, Page 57, Plan Book 81, Page 14, a distance of five hundred fifty-seven and eighty-eight one hundredths (557.88) feet, more or less, to an iron pipe and land conveyed to Robert A. and Gene C. R. Simmons by deed dated September 22, 1966, and recorded in Cumberland County Registry of Deeds in Book 2976, Page 355; thence running North 22° 04' 09" West by land of Simmons and a Cemetery Lot a distance of two hundred forty-two and twenty-nine one hundredths (242.29) feet to an iron pipe at the northwesterly corner of the Cemetery Lot located at the westerly end of Fobes Street and land now or formerly of Herbert G. Cail; thence running South 52° 36' 11" West a distance of thirteen and sixty-one one hundredths (13.61) feet, more or less, to land of said Cail to an iron pipe; thence running North 27° 47' 49" West by land of said Cail a distance of one hundred nine and fifty-one one hundredths (109.51) feet, more or less, to an iron pipe; thence running North 56° 12' 41" West by land of said Cail a distance of thirty and ninety-nine one hundredths (30.99) feet, more or less to an iron pipe at the point of beginning on the southeasterly sideline of White Birch Lane.

Excepting and reserving, however, from the above-described premises a certain lot or parcel of land with any buildings thereon situated in Portland and bounded and described as follows:

CP
VZ/L

EXHIBIT A

Grantor: Richard P. LeBlanc and Christopher Pirone, Trustees of
The J. David Pirone Charitable Remainder Unitrust, u/a dated 12/10/97
Grantee: BirchLane LLC
Date: July 31, 2003
Instrument: Short Form Trustees' Deed of Sale

Beginning at an iron stake set in the ground on the southeasterly sideline of White Birch Lane, which iron pipe is located fifty (50) feet southwesterly along the southeasterly sideline of White Birch Lane from its intersection with the northeasterly sideline of Knight Street and which iron pipe is located a distance of three hundred twenty-seven and ninety-four one hundredths (327.94) feet southeasterly along the southwesterly sideline of Knight Street from the intersection of the southeasterly sideline of Allen Avenue and the southwesterly line of Knight Street; thence running South $51^{\circ} 40' 11''$ West along the southeasterly sideline of White Birch Lane one hundred ten (110) feet to an iron stake; thence southeasterly at right angles to said line one hundred (100) feet to an iron stake; thence northeasterly at right angles to the last described line and parallel to the line of said White Birch Lane ninety-one and forty-one one hundredths (91.41) feet to an iron stake; thence northwesterly along the southwesterly sideline of a proposed but unaccepted street known as Knight Street Extension one hundred one and seventy-one one hundredths (101.71) feet to the point of beginning.

Being the same premises conveyed by Warranty Deed of Louise R. Stewart to J. David Pirone, dated September 20, 1984 and recorded in the Cumberland County Registry of Deeds in Book 6568, Page 30.

Including a sewer easement from Joel J. Levesque and Shari B. Levesque to J. David Pirone dated May 16, 1985 and recorded in said Registry in Book 7176, Page 134.

Also including a sewer easement from Northfield Green Associates to J. David Pirone dated July 30, 1986 and recorded in said Registry in Book 19203, Page 159.

Also including a covenant to maintain surface water drainage from J. David Pirone to the City of Portland, dated September 18, 1985 and recorded in said Registry in Book 6908, Page 38.

Parcel II

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

All right, title and interest Cornelia E. Woodbrey may have in and to the real property devised to Willard W. Knight and Frederick H. Knight by Edward W. Knight, Cumberland County Probate Docket No. 15659, including, but not limited to the interests in land described in paragraphs "First", "Second", and "Third" of a deed from the said Frederick H. Knight to Willard W. Knight dated March 27, 1925 and recorded in the Cumberland County Registry of Deeds in Book 1212, Page 187, to which deed reference is made for a more particular description.

CP
RPL

EXHIBIT A

Grantor: Richard P. LeBlanc and Christopher Pirone, Trustees of
The J. David Pirone Charitable Remainder Unitrust, u/a dated 12/10/97
Grantee: BirchLane LLC
Date: July 31, 2003
Instrument: Short Form Trustees' Deed of Sale

Being the same premises conveyed to J. David Pirone by Quitclaim Deed of Cornelia E. Woodbrey dated September 14, 1984 and recorded in the Cumberland County Registry of Deeds in Book 6678, Page 199.

Parcel III

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

Beginning at a point Southeasterly of Allen Avenue, said point being situated one hundred seventy-five and nine hundred nineteen one-thousandths (175.919) feet Southeasterly from the Southeasterly sideline of Allen Avenue, on a line being the first course described in deed of Wolf Associates, Inc. to Helene B. Anderson and Daniel W. Anderson; thence fifty (50) feet Southeasterly to a point, said point being situated on the Northwesterly sideline of a proposed street and two hundred fifteen and five hundred sixty-nine one-thousandths (215.569) feet Southwesterly from the intersection made by the said Northwesterly sideline of a proposed street with the Westerly sideline of Knight Street aforesaid measured on the Northwesterly sideline of said proposed street; thence Southwesterly on said Northwesterly sideline of said proposed street and making an interior angle with the last described course of $86^{\circ} 53' 28''$ a distance of ninety-nine and eight hundred fifty-six one-thousandths (99.856) feet to a point; thence Northwesterly by a line making an interior angle with the said Northwesterly sideline of proposed street of $93^{\circ} 06' 32''$ a distance of fifty (50) feet; thence Northeasterly and parallel to the Northwesterly sideline of said proposed street one hundred (100) feet, more or less, to the point of beginning. Said premises being a fifty (50) foot strip of land at the rear of the premises conveyed to Helene B. Anderson and Daniel W. Anderson by deed of Wolf Associates, Inc. recorded in said Registry of Deeds.

Being the same premises conveyed by Quitclaim Deed of C.M.G. Associates to J. David Pirone, dated March 24, 2003, and recorded in the Cumberland County Registry of Deeds in Book 19262, Page 39.

Further reference is made to the Warranty Deed of Helene B. Anderson and Daniel W. Anderson to C.M.G. Associates dated June 11, 1987, and recorded in the Cumberland County Registry of Deeds in Book 7816, Page 264.

All of the foregoing being the same premises conveyed to the Grantor herein by J. David Pirone by Quitclaim Deed dated June 5, 2003 and recorded at the Cumberland County Registry of Deeds in Book 19837, Page 128.

CP
D207

SHORT FORM TRUSTEES' DEED OF SALE

Christopher Pirone and Richard P. LeBlanc, both of Portland, Maine, in their capacity as Trustees of The J. David Pirone Charitable Remainder Unitrust u/a dated December 10, 1997, by the power conferred by law, and every other power, FOR CONSIDERATION PAID, grant to BirchLane LLC, whose mailing address is 198 Saco Ave., P.O. Box W, Old Orchard Beach, Maine 04064, certain real property, together with the buildings and improvements thereon, located in the City of Portland, County of Cumberland and State of Maine, being more particularly bounded and described in Exhibit A attached hereto and incorporated herein by specific reference.

WITNESS our hands and seals in our said capacity this 31st day of July, 2003.

WITNESS:

The J. David Pirone Charitable Remainder
Unitrust u/a dated December 10, 1997

Katherine A. Foster
Name:

By: Christopher P. Pirone
Christopher Pirone, Trustee

Katherine A. Foster
Name:

By: Richard P. LeBlanc
Richard P. LeBlanc, Trustee

State of Maine
County of Cumberland, ss.

July 31, 2003

PERSONALLY APPEARED the above-named Christopher Pirone and Richard P. LeBlanc, in their said capacity, and acknowledged the foregoing instrument to be their free act and deed.

Before me,

KATHERINE A. FOSTER
Notary Public, Maine
My Commission Expires March 3, 2008

Katherine A. Foster
~~Attorney-at-Law~~ / Notary Public

04: STATE AND FEDERAL PERMITS

The proposed site development does not require state or federal permits. Stormwater will be reviewed under the provisions of delegated review authority by the City of Portland and the site disturbance area does not exceed the one-acre threshold requiring a Maine Construction General Permit Notice of Intent from the Maine Department of Environmental Protection.

05: ZONING ASSESSMENT

The subject parcel is located in the R-5 and R-3 Zoning Districts with an area of Shoreland Overlay in the R-3 portion of the site. The proposed development area (new 3-unit dwelling) is in the R-5 portion of the site. The new development on the site is an expansion to the existing Planned Residential Unit Development (PRUD). In accordance with the dimensional requirements defined in Chapter 14, Division 6, R-5 Residential Zone, of the City of Portland Land Use Ordinance, the proposed development meets or exceeds the requirements in the zoning district. We have provided a *Zoning Assessment Table* for each of the zones within the existing PRUD. Reference is made to the plan set for additional space and bulk information.



ZONING ANALYSIS Relevant Zone(s) R-5

All Projects:

	Required	Proposed
Lot Size	6,000	95,416
Area Per Dwelling Unit	3,000	95,416
Minimum Street Frontage	50	N/A
Front Yard Minimum	20	N/A
Front Yard Maximum	N/A	N/A
Rear Yard	20	25
Yard Right	15	26
Yard Left	15	26
Side Street Setback	N/A	N/A
Step Back	N/A	N/A
Maximum Lot Coverage	40	11
Minimum Lot Coverage	N/A	N/A
Maximum Height	35	N/A
Open Space	300	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	2	6
Loading Bays	N/A	N/A
Other 1	N/A	N/A
Other 2	N/A	N/A
Other 3	N/A	N/A

Planned Residential Unit Developments (PRUD) Requirements

	Required	Proposed
Minimum Lot Size	6,000	95,416
Minimum Lot Area per Dwelling	3,000	95,416
Maximum # Units per Building	4	3
Maximum Building Length	140	48
Maximum Accessory Building Length	60	N/A
Minimum Setbacks	N/A	N/A
Minimum Building Separation	N/A	N/A
Minimum Open Space	300	N/A

Affordable Housing Density Bonuses (if applicable)

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



ZONING ANALYSIS Relevant Zone(s) R-3

All Projects:

	Required	Proposed
Lot Size	6,500	N/A
Area Per Dwelling Unit	3,000	N/A
Minimum Street Frontage	50	N/A
Front Yard Minimum	25	N/A
Front Yard Maximum	N/A	N/A
Rear Yard	25	N/A
Yard Right	20	N/A
Yard Left	20	N/A
Side Street Setback	N/A	N/A
Step Back	N/A	N/A
Maximum Lot Coverage	35	N/A
Minimum Lot Coverage	N/A	N/A
Maximum Height	35	N/A
Open Space	300	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	2 per unit	N/A
Loading Bays	N/A	N/A
Other 1	N/A	N/A
Other 2	N/A	N/A
Other 3	N/A	N/A

Planned Residential Unit Developments (PRUD) Requirements

	Required	Proposed
Minimum Lot Size	6,500	N/A
Minimum Lot Area per Dwelling	3,000	N/A
Maximum # Units per Building	4	N/A
Maximum Building Length	100	N/A
Maximum Accessory Building Length	N/A	N/A
Minimum Setbacks	N/A	N/A
Minimum Building Separation	16	N/A
Minimum Open Space	300	N/A

Affordable Housing Density Bonuses (if applicable)

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

06: EXISTING AND/OR PROPOSED EASEMENTS OR COVENANTS

A. Existing Easements

Reference is made to the enclosed Existing Conditions and Site Plans. No easements are located within the proposed site improvement area.

B. New Easements

No new easements beyond those that are typically granted for utility access are part of the proposed site improvements.

C. Covenants

No restrictions or covenants are proposed at this time.

07: WAIVERS

No waivers from submittal or standards are proposed.

08: FINANCIAL CAPABILITY

A letter from Biddeford Savings is included in this section as demonstration of financial capability.



March 14, 2019

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

RE: Mr. King Weinstein of, Birchlane, LLC, 10 White Birch Lane.

To whom it may concern:

Biddeford Savings is pleased to entertain a request for financing by Mr. **King Weinstein and Birchlane, LLC** on the development of 6 residential units at 10 White Birch Lane, Portland Maine. King and Birchlane, LLC are customers in good standing and have the track record to engage in a project of this size.

The Bank is currently entertaining financing of the above referenced project and based on the current information on the project and subject to completion of underwriting and approval I am supportive of the request and it is my view that Mr. Weinstein and Birchlane, LLC have the financial capacity and wherewithal to complete the proposed project.

If you have any questions or comments regarding this letter, please call me at 571-5673, or send an e-mail to djones@biddefordsavings.com.

Sincerely,

A handwritten signature in blue ink, appearing to read "Doug Jones", with a long horizontal flourish extending to the right.

Doug Jones
Senior Vice President
Commercial Lender



Member FDIC

PO Box 525, Biddeford, ME 04005 207-284-5906 biddefordsavings.com

09: TECHNICAL CAPABILITY

King Real Estate King Real Estate has previous development experience under the direction of owner Mr. King Weinstein. King Weinstein has been a contractor and developer for over 30 years and is the principal of Birchlane, LLC. Mr. Weinstein holds a bachelor's and master's degree from University of Southern Maine and is also a licensed real estate broker, contractor, electrician and plumber. King Real Estate owns numerous apartment complexes throughout southern Maine and is based out of Old Orchard Beach, Maine.

King has developed many residential and commercial projects in Portland, Maine, including, but not limited to:

- Flatbread Company/Ri Ra Irish Pub at 72 Commercial Street, Portland
- 904 Washington Avenue Condominiums
- Bancroft Street 7,000 SF single family home
- Stepping Stone Lane Subdivision off Washington Avenue

Other area residential projects include:

- 80 apartments, Sanford
- Colindale, 64 apartment complex, Old Orchard Beach
- Snow Goose Condominiums, Westbrook
- Sea Pointe Condominiums, Saco

Sebago Technics The applicant has retained Sebago Technics, Inc., a multi-disciplinary consulting engineering firm, to assist in all aspects of the proposed site development. A firm introduction and key personnel resumes are included in this section.

Introduction to Sebago Technics, Inc.



Year Established: 1981 (36 years in business)

About Us: Sebago Technics, Inc. (STI) is a consulting firm of more than 65 design professionals and technical staff providing services throughout New England. From the start, our business plan was simple: “to provide quality, cost-effective civil engineering services that are responsive to a customer’s goals, schedule and budget.” Our One Company capabilities and resources provide clients with experience and solutions to respond to their planning, permitting and design needs.



Structure: Employee-owned since 1998

Services: Civil, environmental, transportation & traffic engineering; municipal engineering; local/state/federal permitting and planning; land surveying & laser scanning; GIS; landscape architecture; environmental services; and natural resources.

Employee Disciplines:

Professional Engineers, Civil Engineers, Transportation Engineers, Landscape Architects, Professional Land Surveyors, Survey Technicians, CADD Designers, Wetland Scientist, Soil Scientist, Construction Inspectors, Environmental Scientists, GIS Professionals, Marketing, Administrative & Financial



Professional Focus: Sebago Technics provides engineering and planning services to both public and private sector clients. In the municipal and government sectors we have provided multiple discipline services through General Services Contracts (GSC) and project specific contracts. A few examples include the Portland Jetport, City of Portland Public Services, City of South Portland, City of Lewiston, City of Westbrook and several smaller communities. Our municipal sector work includes street and utility infrastructure design, municipal facility planning and specialty work such as Island marine and solid waste planning & engineering.

Location: South Portland, ME



Geographic Service Area: Maine, New Hampshire, Vermont, Massachusetts

Web Site: www.sebagotechnics.com

CRAIG A. BURGESS, PE

Senior Project Engineer



Mr. Burgess joined Sebago Technics, Inc., (STI) in June of 2012. Having over 10 years of civil engineering experience throughout Maine, Craig is involved in all aspects of project management, roadway and site design, permitting, plan preparation and stormwater analyses. He has been involved with a variety of institutional, municipal and private sector projects.

Craig routinely coordinates directly with clients, regulatory agencies and internal project managers on projects of diverse caliber. He excels at his communication skills and creative engineered solutions that work to create efficient, aesthetic and cost-effective projects for his clients. His engineered solutions were recognized in late 2013 for the Baxter Boulevard North CSO Storage conduit and Morse Street Sewer Separation Project with the City of Portland. The project won the 2013 Build Maine Award from AGC Maine, and also won the 2014 Maine ACEC Special Recognition Award for Engineering Excellence.

EXPERIENCE



- **Margaret Chase Elementary School - Sanford, ME:** Comprehensive building expansion involving design for complete overhaul of site amenities, including a new multi-purpose field. Served as the Lead Site Engineer to bring the project into compliance with State stormwater phosphorus standards.
- **Sanford High School and Regional Technical Center:** Site selection design, site engineering and permitting for a new 350,000 s.f. high school and regional technical campus in the City of Sanford. Served as lead site engineer for most expensive school construction project in state history.
- **Morse High School (RSU 1):** Led site engineering team for new high school and surrounding site amenities. Developed creative solutions to manage stormwater across site with a significant elevation differential and earthwork demands.
- **Colby College Athletic Fieldhouse Complex - Waterville, ME:** Lead site engineer of stormwater management design for new athletic facility and site amenities.
- **Wells School District - Wells, ME:** New athletic field and track expansion plan. The project was designed, permitted, and construction started within 3 months of authorization. The project features an internal underdrained sand filter that received immediate approval from DEP, allowing the project to meet treatment exemptions needs cost effectively.
- **Cabin in the Woods - Chelsea, ME:** Project Manager, site engineering and permitting for residential housing project serving homeless veterans in Maine.
- **Martin's Point Healthcare** - Lead site engineer for innovative new medical office facilities in Biddeford and Scarborough, Maine.
- **South Portland Municipal Facility, Westbrook Public Works Facility, & Orono Public Works Facility:** Served as lead site engineer for new public works facilities, both involving engineering of expansive spaces and involved permitting efforts.
- **Baxter Boulevard North Storage Conduit Storage Project - Portland, ME:** Lead site engineer for a 2 Million Gallon CSO Storage Project.
- **Central Maine Veterans Memorial Cemetery - Augusta, ME:** Engineering, permitting and construction administration for the new crypt construction. The first of its kind in the State of Maine. This new site will inturn over 950 Veterans serving our State and Country.

EDUCATION



Villanova University
Villanova, Pennsylvania
August 1999 – May 2003
B.S., Mechanical Engineering

CERTIFICATIONS

LEED Green Associate

State of Maine Certification for
Inspection and Maintenance of
Stormwater BMP

MEMBERSHIPS

American Society of Civil Engineers

RECOGNITION

Baxter Boulevard won Maine ACEC
Special Recognition Award for
Engineering Excellence

Baxter Boulevard won 2013 Build
Maine award for AGC Maine

REGISTRATIONS

Professional Engineer: Maine #12638



CAMERON R. MULLEN

Civil Engineer



Mr. Mullen joined Sebago Technics, Inc. in 2017 as a Civil Engineer. Cameron graduated from The University of Maine with a degree in Civil Engineering. Mr. Mullen previously interned with a local construction company where he gained experience working with project managers, project engineers, and architects to complete submittals and RFI's. Cameron also performed weekly safety inspections on the job site to make sure all safety hazards were being avoided and handled properly. He also kept track of all the steel that was put up to make sure everything was being accounted for and placed correctly.

EXPERIENCE



A. Duie Pyle Bus Terminal – Scarborough, ME

Currently an undeveloped site, this project required a full site and stormwater design. Mr. Mullen assisted with stormwater design, site layout, and grading. The site required the design of multiple storm drains, catch basins, underdrained soil filters and a wet pond in order to be sure all runoff water on the site would be accounted and treated for.

Paychex – Auburn, ME

This project involved the addition of a parking lot with an underdrained soil filter along with some adjustments to the existing development. Cam helped with the proposed site layout, stormwater design, and grading of the new parking lot and underdrained soil filter.

Pleasantdale Sewer Separation Project – South Portland, ME

This project involved the design of a sewer separation for a subdivision in South Portland. Mr. Mullen's role in this project involved assisting in the design for existing pipes. Cameron also assisted with mark-ups on drawings and cost estimates.

Twin Falls Subdivision – Westbrook, ME

This project consisted of the full design of a new subdivision that will be replacing the existing golf course. The subdivision will have one through access road with a treatment pond located in the middle of the subdivision. The site required a full pre-development and post-development stormwater design. Mr. Mullen assisted with the utilities and stormwater on this project.

EDUCATION



University of Maine
Orono, ME
B.S., Civil Engineering
2017

CERTIFICATIONS

OSHA 10 Certified

SKILLS

HydroCAD
AutoCAD



CHARLES D. MARCHESE, PLS

Director of Survey Operations



Mr. Marchese has over 40 years of experience in the land surveying field with an emphasis on boundary and engineering related projects. He joined Sebago Technics in November of 2009 after eighteen years with Civil Consultants as a survey project manager. Since joining Sebago Technics, Mr. Marchese has assisted with field and office duties relating to private, residential and public works projects. In his role as a Director, he continues to manage his survey team and provide the experience and knowledge necessary to provide quality and timely survey work to a wide variety of clients.

EXPERIENCE



During 1991 to 2009 while employed at Civil Consultants, Charlie worked on an assortment of boundary retracement surveys for various government agencies. This work included thirty-three miles of United States Forest Service boundary retracement in Lovell, Stoneham, Gilead and Bethel, Maine. Boundary work for the United States Fish and Wildlife Service comprised surveys for the acquisition of tracts for addition to the many refuges located throughout Maine and New Hampshire. The bulk of this work involved the establishment of the Lake Umbagog National Wildlife Refuge located in Errol, New Hampshire and localities along the shores of Lake Umbagog and its many waterways. This project ultimately surveyed in excess of 30,000 acres for inclusion within the National Wildlife Refuge System.

During the summers of 1994 through 1996 Charlie was the party chief for survey crews working on approximately 30 miles of boundary corridor survey along the Appalachian Trail for the National Park Service. This work involved surveying and monumenting the actual ownership lines of the lands surrounding the trail and other scenic areas owned by the National Park Service.

Charlie was the project surveyor, subcontracted through Sebago Technics, for the boundary and topographic survey associated with the Sanford, Maine site for the new Wal-Mart and Lowe's stores. He was responsible for the layout of the Wal-Mart site for Cleveland Construction throughout the building phase of the project. He has an extensive background in construction layout ranging from residential development to large scale retail and public works projects.

EDUCATION



The University of Maine, Orono, ME

Established 60 credit hours
towards Bachelor of Science in Civil
Engineering, 1976

Attended Business Administration
classes University of Maine, Portland

Annual seminars and meetings
pertaining to survey topics current to
continuing practice

CERTIFICATIONS

OSHA 10-hour Construction Safety
and Health

MEMBERSHIPS

Maine Society of Land Surveyors

National Society of Professional Land
Surveyors

REGISTRATIONS

Professional Land Surveyor:
Maine #2009



DEREK H. CALDWELL, PE, PTOE

Transportation/Traffic Engineer



Mr. Caldwell joined Sebago Technics in 2016 as a Transportation/Traffic Engineer. He was previously employed by the Massachusetts Department of Transportation as a Traffic Engineer in the District Four office. Derek is a graduate of Worcester Polytechnic Institute with a B.S. in Civil Engineering and also has a M.S. in Transportation Engineering from the University of Massachusetts – Lowell.

He is proficient in the use of AutoCad, ArcGIS, Microstation, Synchro/SimTraffic and Vissim. Since joining the firm he has been actively involved in a variety of projects including traffic impact studies, traffic signal design, traffic signal operations, intersection design, and planning studies.

EXPERIENCE



Broadway at Evans Street and Lincoln Street – South Portland, ME: Design engineer for signal reconstruction project. Project involves two signalized intersections being modified from isolated to coordinated operation. Improvements are to address traffic operational efficiency as well as vehicle and pedestrian safety. Project completed under the MaineDOT Local Project Administration (LPA) program.

Route 108 Corridor Study – Dover, NH: Developed a VISSIM traffic simulation model to compare alternatives along an existing signalized corridor. The model contained multiple scenarios to include both signalized and roundabout traffic control.

Dirigo Plaza Off-Site Improvements – Portland/Westbrook, ME: Design of new traffic signals at five locations as part of mitigation for a major commercial development.

State of Maine Office Building – Augusta, ME: Traffic Impact Study for 125,000 square feet of new office space. Study including the analysis of an existing coordinated signal system.

383 Commercial Street – Portland, ME: Traffic Impact Study for hotel, residential and commercial mixed use development in Portland's Waterfront District. Study included alternatives analysis of proposed traffic signal configurations.

Municipal Peer Review Services– Portsmouth, Dover, Newington, and Somersworth, NH: Provide peer review of roadway plans and traffic studies for various municipalities.

CERTIFICATIONS

IMSA Work Zone Temporary Traffic Control Technician

ACI Concrete Field Testing Technician – Grade I

NETTCP Concrete Inspector

IMSA Traffic Signal Design/Engineering Technician Level II

IMSA Traffic Signal Construction Technician Level II

IMSA Traffic Signal Field Technician Level II

EDUCATION



Worcester Polytechnic Institute
Worcester, MA
B.S., Civil Engineering, 2008

University of Massachusetts - Lowell
Lowell, MA
M.S., Civil Engineering -
Transportation, 2013

MEMBERSHIPS

Institute of Transportation Engineers

REGISTRATIONS

Professional Engineer:
Maine #14400
Massachusetts #52626
New Hampshire #15272
Vermont #127175

Professional Traffic Operations
Engineer #4273



207.200.2053



DCALDWELL@SEBAGOTECHNICS.COM

10: TRAFFIC IMPACT (14-526 (a) 1)**Provisions for pedestrian, bicycle, vehicle, and loading circulation and incremental volume of traffic impacts.**

Additional vehicular traffic associated with this project will be limited to the residents of the three new units and periodic guests. Additional parking that meets City requirements is included in the site design. The existing internal circulation pattern will not be altered by this project and the anticipated additional volume of traffic is de minimis. Please refer to the enclosed Site Plans for parking and circulation information.

Traffic Impact Study (Technical Manual, Section 1), if applicable.

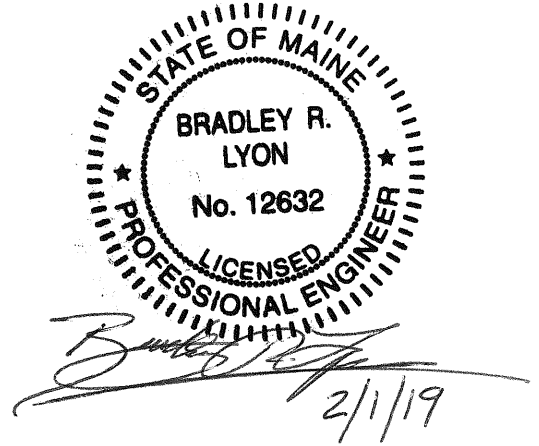
This project represents an expansion to the existing PRUD development. Please see the attached February 1, 2019 **Traffic Memorandum** prepared by Sebago Technics included in this section.



Memorandum

18519

To: Craig Burgess, P.E., Sebago Technics
From: Bradley Lyon, P.E., PTOE, Sebago Technics
Nikki Scott, EI, Sebago Technics
Date: February 1, 2019
Subject: Trip Generation Analysis, White Birch Lane, Portland, ME



Per your request, we have completed a trip generation analysis for the proposed addition of a residential building to an existing residential site on White Birch Lane in Portland, Maine. The existing site is made up of eight buildings consisting of 19 residential townhouse units. An additional building with three new units is currently proposed to be developed. As such, trip generation for the existing and proposed site are quantified in the following memorandum.

Existing Trip Generation

The 10th Edition of the Institute of Transportation Engineer's (ITE) Trip Generation Manual was utilized to estimate the existing trip generation of the site. Land Use Code (LUC) 220 – Multifamily Housing (Low-Rise) was utilized on the basis of 19 units. It is important to note that Saturday was estimated on the basis of occupied dwelling units as there was more available data. The existing trip generation is shown in Table 1:

Table 1 – Trip Generation
Land Use Code 220 – Multifamily Housing (Low-Rise)
Based on 19 units

<i>Time Period</i>	<i>Average Trip Generation Rate/Dwelling Unit</i>	<i>Total Trips</i>	<i>Entering</i>	<i>Exiting</i>
Weekday	7.32	140	70 (50%)	70 (50%)
AM Peak Hour of Generator	0.56	11	3 (28%)	8 (72%)
AM Peak Hour of Adjacent Street, One Hour Between 7 and 9 AM	0.46	9	2 (23%)	7 (77%)
PM Peak Hour of Generator	0.67	13	8 (59%)	5 (41%)
PM Peak Hour of Adjacent Street, One Hour Between 4 and 6 PM	0.56	11	7 (63%)	4 (37%)
Saturday	6.68	128	64 (50%)	64 (50%)
Saturday Peak Hour of Generator	0.54	10	5 (50%)	5 (50%)

As demonstrated above, the existing site is generating based on ITE, 11 trips, 13 trips, and 10 trips during the AM, PM, and Saturday peak hour periods, respectively.

Proposed Trip Generation

The trips for the three townhouse units were estimated utilizing the same methodology detailed previously. These results are summarized in Table 2:

Table 2 – Trip Generation
Land Use Code 220 – Multifamily Housing (Low-Rise)
Based on 3 units

<i>Time Period</i>	<i>Average Trip Generation Rate/Dwelling Unit</i>	<i>Total Trips</i>	<i>Entering</i>	<i>Exiting</i>
Weekday	7.32	22	11 (50%)	11 (50%)
AM Peak Hour of Generator	0.56	2	0 (28%)	2 (72%)
AM Peak Hour of Adjacent Street, One Hour Between 7 and 9 AM	0.46	1	0 (23%)	1 (77%)
PM Peak Hour of Generator	0.67	2	1 (59%)	1 (41%)
PM Peak Hour of Adjacent Street, One Hour Between 4 and 6 PM	0.56	2	1 (63%)	1 (37%)
Saturday	6.68	20	10 (50%)	10 (50%)
Saturday Peak Hour of Generator	0.54	2	1 (50%)	1 (50%)

As shown in the previous table, the three new townhouse units are expected to generate based on ITE, 2 trips during each of the AM, PM, and Saturday peak hour periods. This brings total site trip generation to 13 trips, 15 trips, and 12 trips during the AM, PM, and Saturday peak hour periods. Given this level of traffic, no additional traffic analysis of this site should be necessary.

11: ACCESS AND CIRCULATION (14-526 (a) 2a)

Access and internal circulation, addressing ADA access

- (i) The existing drive provides safe, reasonable site access and internal circulation. No change to the internal circulation is planned. The new building is an expansion within an approved Planned Residential Unit Development.

Access and egress impacts on traffic flows

- (ii) The point of access and egress is existing and was approved by previous City Site Plan Review. Modification to the site access is not proposed.

Description and use of drive up features, if applicable.

- (iii) No drive up features are proposed for this project.

12: LOADING AND SERVICING (14-526 (a) 2 b)

Load and servicing needs, route and travel way geometrics for deliveries

Turning templates for delivery vehicles, if applicable

- (i) On-site circulation will not be altered for the additional residential building. The additional building will not modify the existing internal drive that currently handles delivery vehicles. No loading areas are required or proposed as part of the proposed site improvements.

13: SIDEWALKS (14-526 (a) 2 c)

Sidewalks and condition along street frontages and internal walkways

The site is located within an existing PRUD. There are existing walkways to access units that were approved by previous site reviews. No new public sidewalk is proposed. A new internal walkway is proposed adjacent to the new building. Other existing internal walks on the site will remain as they exist without modification. See enclosed site plans and details.

Engineered details for ADA ramps and public sidewalk details meeting sidewalk materials policy and ADA ramp construction details as applicable (Technical Manual, Section 1)

ADA ramps at public sidewalks are not proposed as part of this project.

14: PUBLIC TRANSIT - (14-526 (a) 3), if applicable

Existing available transit services

There are existing METRO bus stops along Routes 9A and 9B on Allen Avenue which is a short walk from the existing/proposed White Birch Lane residential development.

Proposed site plan design details, such as easement, pad base, and shelter

Not applicable. There is existing bus service in relatively close proximity to White Birch Lane.

**15: OFF-STREET PARKING: VEHICLE & MOTORCYCLE/SCOOTER
(14-526 (a) 4 a and c)**

Expected parking demand, proposed parking supply, ADA parking, and applicable Zoning Requirements

- a. The proposed parking is appropriate for the intended use/zone and the spaces meet the dimensional standard as detailed in Section 1 of the City Technical Standard. Please see the enclosed site plans.
- b. Bicycle parking space is not included in the site design.
- c. Motorcycle/scooter parking is available on the site within the designated vehicle parking spaces. Motorcycle specific parking is not included in the site design.

Address Technical Manual standards (Section 1) for curb cut separation and parking lot layout and locate on site plan

The new building is accessed from an existing drive. No additional curb cuts or parking lots are proposed as part of the proposed residential building development. The reconfigured and proposed additional parking adjacent to the new building meets the City space/bulk requirements. Reference is made to the enclosed Site Plans.

16: BICYCLE PARKING (14-526 (a) 4b)

Address bicycle parking requirements and identify locations on-site

- b. Bicycle parking is not included in the project design.

17: SNOW STORAGE (14-526 (a) 4 d)

Management plan for snow removal and locate snow storage areas on plan

- (i) The designated snow storage area is existing and is shown on the Site Plan.
- (ii) The snow storage area does not adversely impact stormwater management features and does not encroach on pedestrian, parking or accessways.

18: TRAFFIC DEMAND MANAGEMENT (TDM) (14-526 (a) 5)

Not applicable. The project does not meet the standard for types of development required to implement a TDM Plan.

19: PRESERVATION OF SIGNIFICANT NATURAL FEATURES (14-526 (b) 1), if applicable

Trees, plants, habitats listed on State or Federal list of endangered or threatened

- (i) Per the State of Maine Department of Agriculture, Conservation and Forestry Natural Areas Program (MNAP) there is a low probability of rare or significant botanical features occurring within the project location. Reference is made to 01/28/19 letter from MNAP included in this section.

Per the Maine Department of Inland Fisheries and Wildlife (MDIFW) site review response letter dated 02/20/2019 available information indicates no location of endangered, threatened or special concern species within the project area that would be affected by the project. Additionally the Department has not mapped essential or significant wildlife habitats or fisheries habitats that would be directly affected by this project. Reference is made to the letter and map from MDIFW included in this section.

High and moderate value waterfowl and wading habitat

- (ii) Per review by the MDIFW and the *MDIFW Beginning with Habitats – Map 2*, no high or moderate waterfowl or wading habitat is located within the overall site.

Aquifers on Casco Bay Islands

- (iii) Not applicable.

Waterbodies (including wetlands, watercourses, significant vernal pools and floodplains)

- (v) A portion of the overall site is located within the Shoreland Overlay Zone (SHZ) located on the overall site. No work is proposed in or near the SHZ or wetland areas. Reference is made to the enclosed City SHZ graphic.

The proposed new building is also not located in or near the flood zone shown on the attached FEMA Flood Insurance Rate Map Community – Panel Number 230051 0007 C, 12/08/1998 exhibit (FIRMETTE) enclosed in this section.

Proposed preservation areas and protection measures

No dedicated preservation areas or protection measures are proposed as part of the White Birch Lane PRUD expansion project.

Documentation from environmental consultant determinations from applicable state agencies

Reference is made to the enclosed correspondence and maps regarding natural features: MNAP, MDIFW, City Shoreland Zoning, and FEMA FIRM map.



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
93 STATE HOUSE STATION
AUGUSTA, MAINE 04333

January 28, 2019

Stefanie Nichols
Sebago Technics
75 John Roberts Road, Suite 4A
South Portland, ME 04106

Via email: snichols@sebagotechnics.com

Re: Rare and exemplary botanical features in proximity to: #18519, Birch Meadow Apartments, Portland, Maine

Dear Ms. Nichols:

I have searched the Natural Areas Program's Biological and Conservation Data System files in response to your request received January 24, 2019 for information on the presence of rare or unique botanical features documented from the vicinity of the project in Portland, Maine. Rare and unique botanical features include the habitat of rare, threatened, or endangered plant species and unique or exemplary natural communities. Our review involves examining maps, manual and computerized records, other sources of information such as scientific articles or published references, and the personal knowledge of staff or cooperating experts.

Our official response covers only botanical features. For authoritative information and official response for zoological features you must make a similar request to the Maine Department of Inland Fisheries and Wildlife, 284 State Street, Augusta, Maine 04333.

According to the information currently in our Biological and Conservation Data System files, there are no rare botanical features documented specifically within the project area. Based on the information in our files and the landscape context of this project, there is a low probability that rare or significant botanical features occur at this project location.

This finding is available and appropriate for preparation and review of environmental assessments, but it is not a substitute for on-site surveys. Comprehensive field surveys do not exist for all natural areas in Maine, and in the absence of a specific field investigation, the Maine Natural Areas Program cannot provide a definitive statement on the presence or absence of unusual natural features at this site.

The Natural Areas Program is continuously working to achieve a more comprehensive database of exemplary natural features in Maine. We would appreciate the contribution of any information obtained should you decide to do field work. The Natural Areas Program welcomes coordination with individuals or organizations proposing environmental alteration, or conducting environmental assessments. If, however, data provided by the Natural Areas Program are to be published in any form, the Program should be informed at the outset and credited as the source.

MOLLY DOCHERTY, DIRECTOR
MAINE NATURAL AREAS PROGRAM



PHONE: (207) 287-8044
FAX: (207) 287-8040
WWW.MAINE.GOV/DACF/MNAP

The Natural Areas Program has instituted a fee structure of \$75.00 an hour to recover the actual cost of processing your request for information. You will receive an invoice for \$150.00 for two hours of our services.

Thank you for using the Natural Areas Program in the environmental review process. Please do not hesitate to contact me if you have further questions about the Natural Areas Program or about rare or unique botanical features on this site.

Sincerely,

A handwritten signature in cursive script, appearing to read "Krist Puryear".

Kristen Puryear | Ecologist | Maine Natural Areas Program
207-287-8043 | kristen.puryear@maine.gov



STATE OF MAINE
DEPARTMENT OF
INLAND FISHERIES & WILDLIFE
284 STATE STREET
41 STATE HOUSE STATION
AUGUSTA ME 04333-0041



February 20, 2019

Stephanie Nichols
Sebago Technics
75 John Roberts Road Suite 4A
South Portland, ME 04106-6963

RE: Information Request - Birch Meadow Apartments, Portland

Dear Stephanie:

Per your request received January 25, 2019, we have reviewed current Maine Department of Inland Fisheries and Wildlife (MDIFW) information for known locations of Endangered, Threatened, and Special Concern species; designated Essential and Significant Wildlife Habitats; and fisheries habitat concerns within the vicinity of the *Birch Meadow Apartments Project* in Portland.

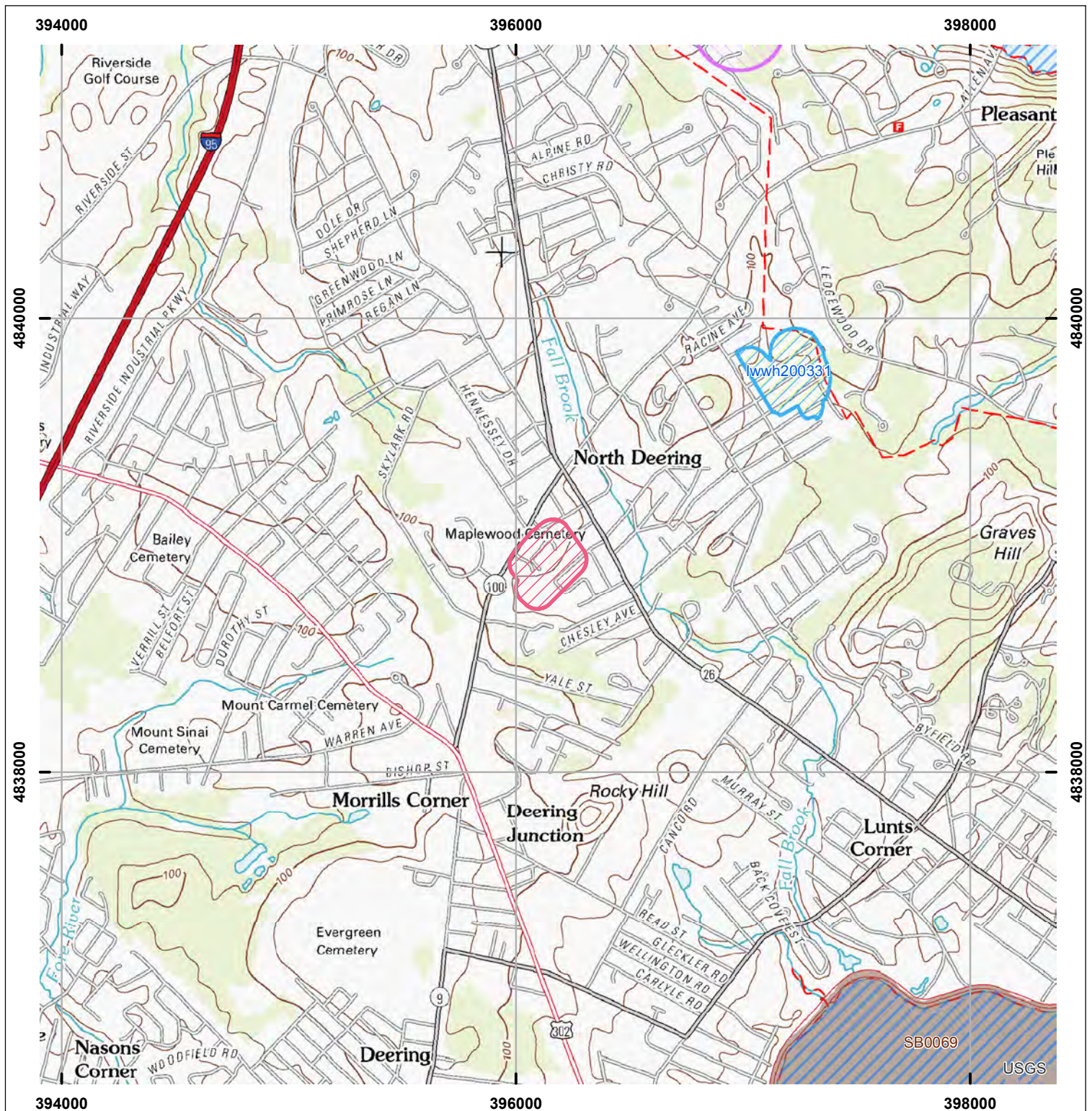
Our information indicates no locations of Endangered, Threatened, or Special Concern species within the project area that would be affected by your project. Additionally, our Department has not mapped any Essential or Significant Wildlife Habitats or fisheries habitats that would be directly affected by your project.

This consultation review has been conducted specifically for known MDIFW jurisdictional features and should not be interpreted as a comprehensive review for the presence of other regulated features that may occur in this area. Prior to the start of any future site disturbance we recommend additional consultation with the municipality, and other state resource agencies including the Maine Natural Areas Program and Maine Department of Environmental Protection in order to avoid unintended protected resource disturbance.

Please feel free to contact my office if you have any questions regarding this information, or if I can be of any further assistance.

Best regards,

Becca Settele
Wildlife Biologist



Environmental Review of Fish and Wildlife Observations and Priority Habitats

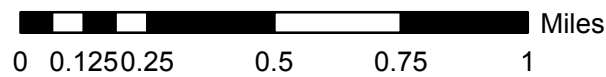
Project Name:

Portland, Birch Meadow Apartments

(Version 1)



Maine Department of
Inland Fisheries and Wildlife



Projection: UTM, NAD83, Zone 19N

Date: 1/30/2019

- ProjectSearchAreas
- Shorebird Areas
- Inland Waterfowl/Wading Bird
- Tidal Waterfowl/Wading Bird
- ETSc Environmental Review Polygons

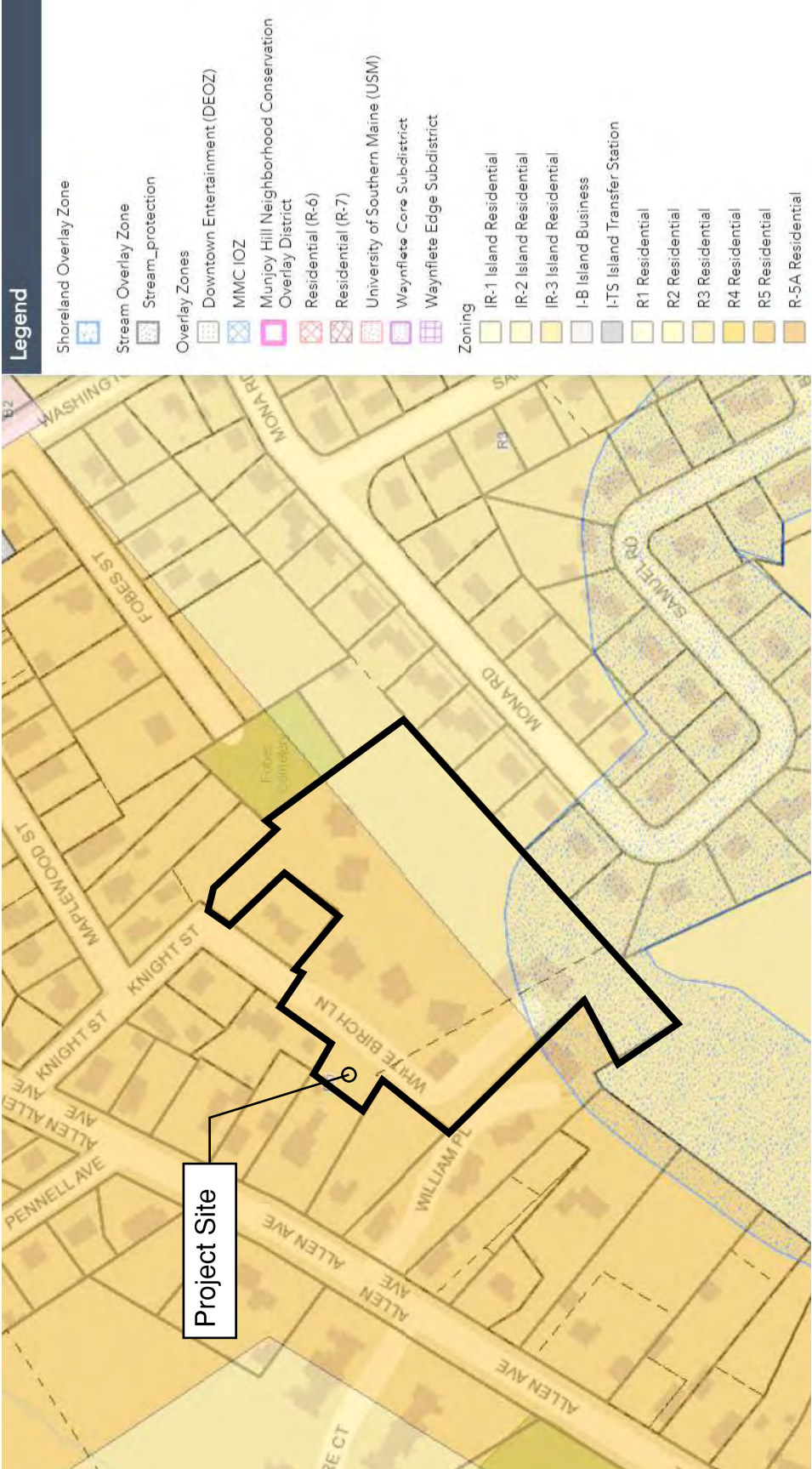


Reference: Excerpt from MDIFW Beginning with Habitat, Primary Map 2- High Value Animal & Plant Habitats Portland



HIGH VALUE PLANT & ANIMAL HABITATS

Reference: Online City of Portland Maine Parcel Viewer



ZONING MAP



NATIONAL FLOOD INSURANCE PROGRAM

FROM FLOOD INSURANCE RATE MAP

CITY OF
PORTLAND,
MAINE
CUMBERLAND COUNTY

PANEL 7 OF 17
(SEE MAP INDEX FOR)

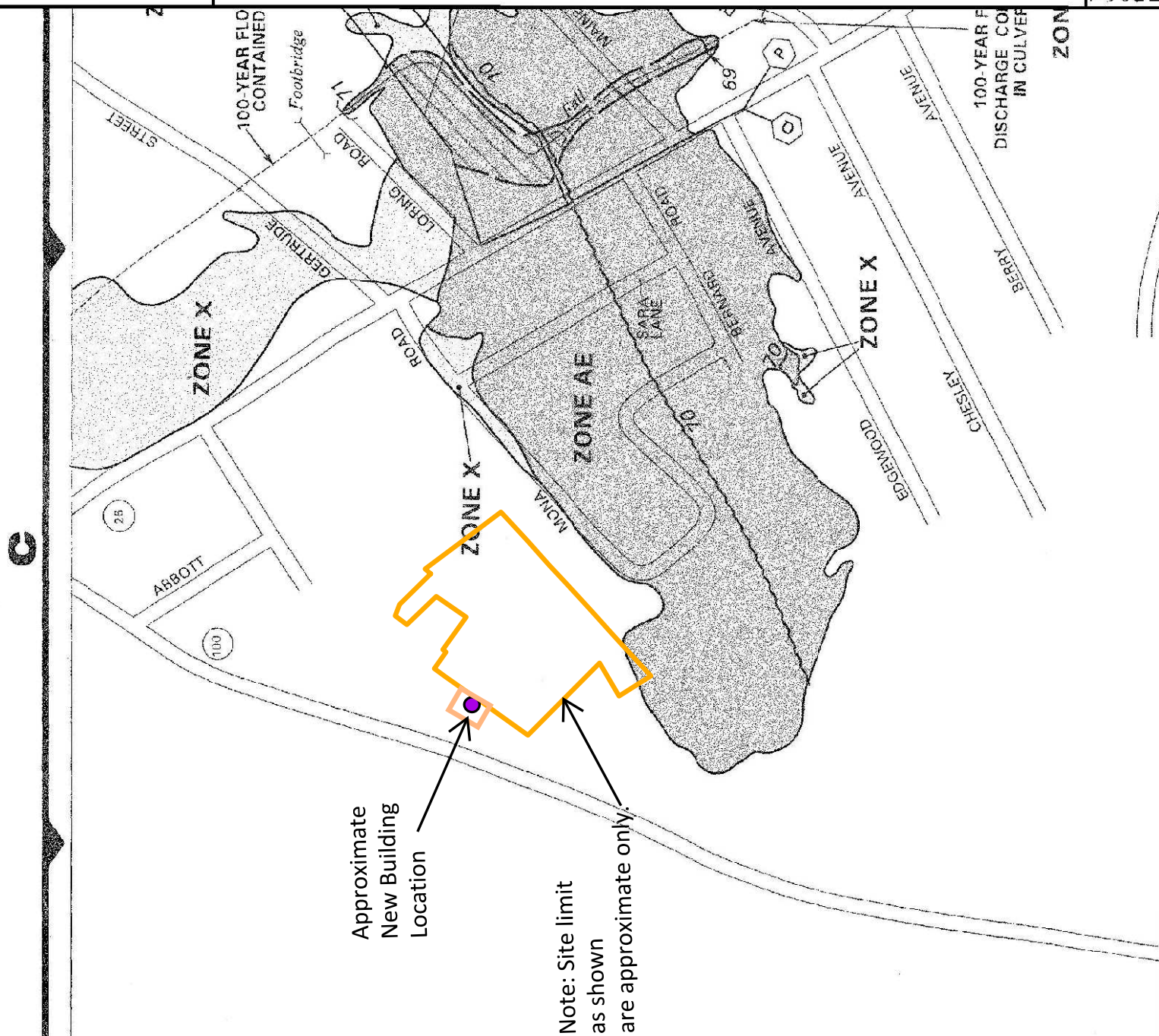
COMMUNITY-PANEL NUMBER
2300510007C

MAP REVISED:
DECEMBER 8, 1998



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.nsc.fema.gov



20: LANDSCAPING AND LANDSCAPE PRESERVATION (14-526 (b) 2a)

Preservation of trees and preservation within required zoning setbacks (Technical Manual, Section 4)

The project has been designed to limit site disturbance and tree removal to the greatest extent practicable. Tree protection measures will be installed outside of the dripline of perimeter trees. The proposed site improvements includes landscaping as shown the enclosed Site Plan (Sheet 3 of 8).

Protection measures within Shoreland Zone, if applicable

Not applicable. The new building precinct is not located within a Shoreland Overlay Zone (SHZ).

21: SITE LANDSCAPING (14-526 (b) 2b)

Screening and buffering of service areas and between non-residential and residential uses

Adjacent uses are residential. The applicant proposes landscaping at the rear of the proposed new building at the property line. See enclosed Site Plan. The dumpster will be relocated and installed in a new gated enclosure.

Planting plans with plant schedule and sizes (Technical Manual, Section 4)

Please see the Site Plan (3 of 8) that includes a plant schedule, as required.

22: PARKING LOT LANDSCAPING (14-526 (b) 2 b ii), if applicable

Landscaped islands within parking areas (Technical Manual, Section 4)

Not applicable.

23: STREET TREES (14-526 (b) iii)

Existing Heritage or Feature Trees on site and measures to preserve

No existing Heritage or feature trees have been located on the site.

Identify street trees on the plan meeting the site plan and Technical Manual standards (Section 4) or identify alternative measures, if applicable

There are existing mature street trees located along White Birch Lane and within the existing PRUD development. Street trees are not proposed. Reference is made to the images in this section showing *Google Earth* street view screenshots depicting existing vegetation.



Approximate Property Line

PROP.
NEW BUILDING →

Google Earth

© 2019 Google

8.38 ft



Proposed
Dumpster
Relocation

Google Earth

© 2019 Google

7.44 ft





Existing Mature Vegetation and Parking
within Birch Meadow Apartments on Opposite Side of Entry
Drive from Proposed New Development Area

24: WATER QUALITY, STORMWATER MANAGEMENT AND EROSION CONTROL (14-526(b) 3 a)

The proposed site development has been designed in accordance with the City and Maine DEP Chapter 500 Stormwater standards. Please refer to the **Stormwater Management Report**, this section. Erosion controls, details and the written ESC plan is located in the appended plan set.

**Stormwater Narrative
White Birch Lane Apartment
Portland, Maine**

The proposed project involves construction of a new townhouse to be located within Birch Meadow Apartments and located off White Birch Lane in Portland, Maine. Land to be developed is currently a mix of gravel and undeveloped grassed area. Existing is approximately 1,900 square feet of gravel and 10,800 square feet of grass. The approximate total watershed area is 16,891 square feet. Land areas will be mostly redeveloped to include a new 1,447 square foot building, access drives, parking, walkways and associated utility and stormwater infrastructure. Overall, the project will result in construction of approximately 10,159 square feet of redeveloped area, including 5,633 square feet of impervious surface. There is also a portion of the redeveloped area to the southwest within Birch Meadow Apartment that consists of a new concrete pad/dumpster and three new parking spaces.

Existing topography generally varies, however land grades around the existing gravel area are generally flat (less than 2.0%). There are no existing stormwater features in the proximity of the proposed townhouse. Drainage generally drains south and southwest, and ultimately into an existing catch basin in the southern corner of the existing parking lot across from the proposed townhouse. Underlying soils consist of silty loam that are D soils which have a generally slow infiltration rate when wet. Because of this of the large presence of D soils, there is a high runoff potential for this site.

The site will be graded to generally maintain existing drainage patterns, although there will be some swales graded in order to guide runoff into proposed catch basins, ultimately ending up in the existing stormdrain system. Best management practices (BMP), including two stone roof drip edges and porous pavement, are proposed for water quality and quantity. The project falls under the jurisdiction of the Maine Department of Environmental Protection (Maine DEP) Site Location of Development (Site Law) permit for the development, thus a Minor Amendment permit is being filed for the redevelopment of impervious surface, as well as the creation of additional impervious surface. For this level of development at this site, the City of Portland will require that the project satisfy Maine DEP standards for stormwater management. Maine DEP's General Standard applies because the project is located in the Fall Brook watershed, which is classified as urban impaired in Chapter 502. Furthermore, the project is being considered a Redevelopment Project under the General Standard since land area is currently developed.

Redevelopment calculations were prepared in general conformance with §C(2)d. of Chapter 500. In considering the impervious change of use and creation of additional impervious area, calculations demonstrate a slightly higher weighted average pollutant ranking in the post-development condition. The redevelopment rating difference is 0.58 which requires treatment of runoff from a minimum 60% of developed area. Maine DEP General standard calculations show that runoff from 61.57% of developed area and 83.31% of impervious area will be treated with the proposed stormwater management plan, including porous pavement and two stone drip edge filters. Since runoff from greater than 60% of developed area will be provided, the project will generally comply with the General Standard. Supporting calculations for water quality and BMP sizing are enclosed under **Attachment B**.

According to the model, peak rates of runoff during the 2-, 10- and 25-year storm events in the post-developed condition are less than the existing peak rates. Also, runoff from the project will be detained and treated in the porous pavement and two stone drip edge filters. Proposed stormdrains consist of the underdrains for all of the BMPs, which are all 4 inches in diameter, and two other stormdrain pipes that are both 12 inches in diameter which all are assumed to be adequate in size for the proposed

amount of runoff from the developed site and insignificant amount of offsite area. Supporting calculations for pipe sizing are enclosed under **Attachment B**.

Basic Standards per Section 4(A) of the Department of Environmental Protection Chapter 500 outline specific guidelines for erosion control practices which will be generally followed for development of the townhouse. An Erosion and Sedimentation Control Plan was created for the project that emphasizes the installation of sedimentation barriers and vegetation to minimize erosion potential from development activities during and after construction. The Erosion and Sedimentation Control Plan is incorporated into the design plans and includes the locations of the erosion control provisions (i.e., silt fence) along with notes and construction details for reference by the contractor during construction of the Lifeflight facility. With incorporation of these measures, no significant impacts to off-site drainage related to erosion are anticipated due to the development.

Sincerely,

Craig Burgess



Craig A. Burgess, P.E.
Project Manager

March 21, 2019

CAB

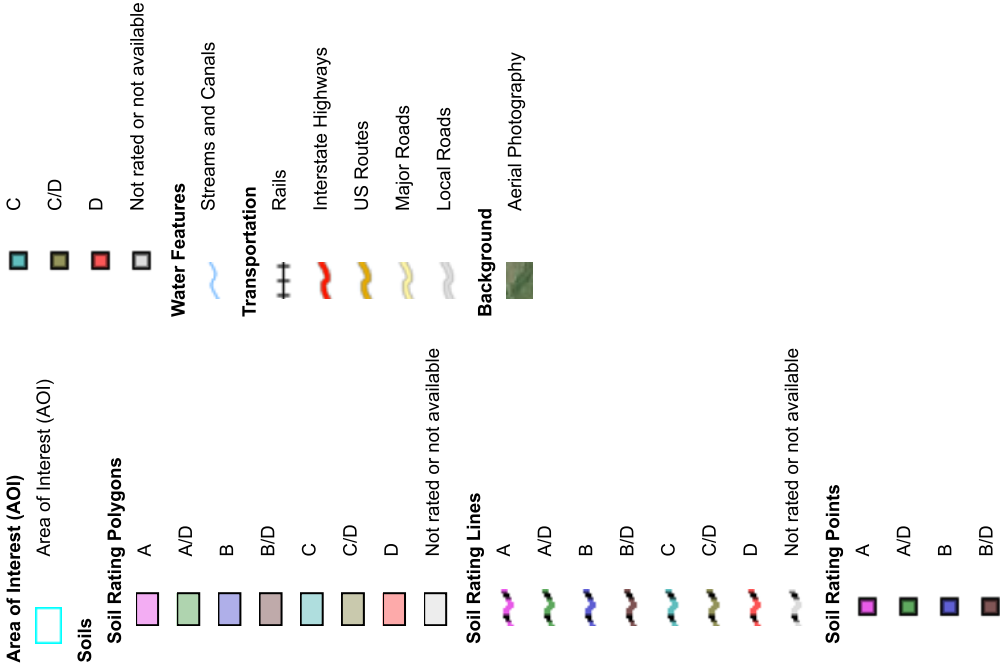
Appendix A

Soils Map

Hydrologic Soil Group—Cumberland County and Part of Oxford County, Maine



MAP LEGEND



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 15, Sep 6, 2018

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Data not available.

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
BuB	Lamoine silt loam, 3 to 8 percent slopes	C/D	3.2	52.7%
BuC2	Buxton silt loam, 8 to 15 percent slopes	C/D	2.8	46.8%
Sn	Scantic silt loam, 0 to 3 percent slopes	D	0.0	0.4%
Totals for Area of Interest			6.1	100.0%

Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

Rating Options

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

Attachment B

Stormwater Calculations

Table 1: MDEP GENERAL STANDARD CALCULATIONS

White Birch Lane Townhouse

Job #18519

AREA ID	WATERSHED SIZE S.F.	ONSITE IMPERVIOUS AREA S.F.	ONSITE LANDSCAPED/ DRIP EDGE AREA S.F.	EXISTING AREA TO REMAIN UNDISTURBED	DEVELOPED AREA S.F.	TREATMENT PROVIDED?	IMPERVIOUS AREA TREATED* S.F.	LANDSCAPED AREA TREATED* S.F.	DEVELOPED AREA TREATED* S.F.	TREATMENT BMP	TREATMENT BMP
10S	892	699	193	0	892	YES	699	193	892	DRIP EDGE	DEF #1
10.1S	468	374	94	0	468	YES	374	94	468	DRIP EDGE	DEF #2
10.2S	468	374	94	0	468	YES	374	94	468	DRIP EDGE	DEF #3
11S	907	907	0	0	907	YES	907	0	907	Porous Paver	
11.1S	1,425	1,026	399	0	1,425	YES	1,026	399	1,425	Porous Paver	
11.2S	979	665	141	173	806	YES	665	141	806	Porous Paver	NONE
11.3S	964	648	151	165	799	YES	648	151	799	Porous Paver	NONE
12S	3,174	0	451	2,723	451	NO	0	0	0	Porous Paver	NONE
13S	3,595	18	1,203	2,374	1,221	NO	0	0	0	None	NONE
14S	1,182	0	83	1,099	83	NO	0	0	0	None	NONE
15S	854	301	372	181	673	NO	0	0	0	None	NONE
16S	1,906	621	549	736	1,170	NO	0	0	0	Porous Paver	NONE
TOTAL (S.F.)	16,814	5,633	3,730	7,451	9,363	-	4,693	1,072	5,765	-	-

TOTAL IMPERVIOUS AREA (S.F.)	5,633	TOTAL DEVELOPED AREA (S.F.)	9,363
TOTAL IMPERVIOUS AREA RECEIVING TREATMENT (S.F.)	4,693	TOTAL DEV. AREA RECEIVING TREATMENT (S.F.)	5,765
% OF IMPERVIOUS AREA RECEIVING TREATMENT	83.31%	% OF DEV. AREA RECEIVING TREATMENT	61.57%

*60% treatment required for redevelopment

(Calculations based on Chapter 500, Section 4.C.d)

Per Table 2: Pollutant Impact Rankings of Various Redevelopment Land Uses

10,159

** No vehicular traffic

- | | | |
|----|--|-------------|
| a. | Existing Impact Rating = | 0.42 |
| b. | Proposed Impact Rating = | 0.56 |
| c. | Existing Impact Rating per Acre of Development = | 1.80 |
| d. | Proposed Impact Rating per Acre of Development = | 2.39 |
| e. | Redevelopment Rating Difference | 0.58 |

Therefore 60% of Developed Area must be treated
(per Table 3 - Treatment Levels for Redevelopment Projects)

75 John Roberts Road Suite 4A
South Portland, Maine 04106
(207) 200-2100

FILE NAME

18519WQC

PRNT DATE

3/19/2019

137.6 cf

SEBAGO TECHNICS, INC.
 75 John Roberts Road, Suite 4A
 South Portland, ME 04106
(207) 856-0277 FAX (207) 856-2206

JOB

SHEET NO.

1

OF

CALCULATED BY

DATE

3/19/2019

CHECKED BY

FILE NAME

PRINT DATE

3/19/2019

MDEP Site Location of Development Submission

Note: Permeable Pavers are sized in accordance with Chapter 7.7 of the Maine Department of
 Environment 240

Treatment Calculations for Proposed Permeable Pavers 11 (PP-11)									
<i>Subcatchments tributary to PP-11 include 11S</i>									
11S	964								
WQV Calculation									
(WQV = Water Quality Volume)									
Total Impervious Area =		907.0	sf						
Total Landscaped Area=		0.0	sf						
Total Watershed Area=		907.0	sf						
Area of Permeable Pavers=		224.0	sf						
Percent of Permeable Pavers=		32.8%							
WQV Required= 1" x Impervious Area + 0.4"x Landscape Area =					75.6	cf			
Total Depth of Open Graded Base (Reservoir Coarse Varies)=					6.0	in.			
Porosity=	40.0%								
WQV within Reservoir Coarse=		44.8	c.f.						
Maximum Run-on Flow Path=		50	l.f.						
Filter Layer Depth Required=		18.0	in.						
Filter Layer Depth Provided=		18.0	in.						
Porosity=	30.0%								
WQV within Filter Layer=		100.8	c.f.						
WQV Provided=		145.6	c.f.						
Treatment Factor Calculation									
TF=0.4 * (BMPST/BMP _{TF})=		0.21							
Min TF=	0.25								

Treatment Calculations for Proposed Permeable Pavers 11.1 (PP-11.1)									
<i>Subcatchments tributary to PP-11.1P include 11.1S</i>									
11.1S	1425								
WQV Calculation									
(WQV = Water Quality Volume)									
Total Impervious Area =		1,026.0	sf						
Total Landscaped Area=		399.0	sf						
Total Watershed Area=		907.0	sf						
Area of Permeable Pavers=		259.0	sf						

Percent of Permeable Pavers=	33.8%						
WQV Required= 1" x Impervious Area + 0.4"x Landscape Area =	98.8	cf					
Total Depth of Open Graded Base (Reservoir Coarse Varies)=	6.0	in.					
Porosity= 40.0%							
WQV within Reservoir Coarse=	51.8	c.f.					
Maximum Run-on Flow Path=	50	l.f.					
Filter Layer Depth Required=	18.0	in.					
Filter Layer Depth Provided=	18.0	in.					
Porosity= 30.0%							
WQV within Filter Layer=	116.6	c.f.					
WQV Provided=	168.4	c.f.					
Treatment Factor Calculation							
TF=0.4 * (BMP _{ST} /BMP _{TF})=	0.23						
Min TF=	0.25						

Treatment Calculations for Proposed Permeable Pavers 11.2 (PP-11.2)							
<i>Subcatchments tributary to PP-11.2P include 11.2S</i>							
11.2S	979						
WQV Calculation							
(WQV = Water Quality Volume)							
Total Impervious Area =	665.0	sf					
Total Landscaped Area=	141.0	sf					
Total Watershed Area=	979.0	sf					
Area of Permeable Pavers=	259.0	sf					
Percent of Permeable Pavers=	63.8%						
WQV Required= 1" x Impervious Area + 0.4"x Landscape Area =	60.1	cf					
Total Depth of Open Graded Base (Reservoir Coarse Varies)=	6.0	in.					
Porosity= 40.0%							
WQV within Reservoir Coarse=	51.8	c.f.					
Maximum Run-on Flow Path=	50	l.f.					
Filter Layer Depth Required=	18.0	in.					
Filter Layer Depth Provided=	18.0	in.					
Porosity= 30.0%							
WQV within Filter Layer=	116.6	c.f.					
WQV Provided=	168.4	c.f.					
Treatment Factor Calculation							
TF=0.4 * (BMP _{ST} /BMP _{TF})=	0.14						

Min TF=	0.25							
---------	------	--	--	--	--	--	--	--

Treatment Calculations for Proposed Permeable Pavers 11.3 (PP-11.3)								
<i>Subcatchments tributary to PP-11.3P include 11.3S</i>								
11.3S	964							
WQV Calculation								
(WQV = Water Quality Volume)								
Total Impervious Area =		648.0	sf					
Total Landscaped Area=		151.0	sf					
Total Watershed Area=		964.0	sf					
Area of Permeable Pavers=		259.0	sf					
Percent of Permeable Pavers=		66.6%						
WQV Required= 1" x Impervious Area + 0.4"x Landscape Area =					59.0	cf		
Total Depth of Open Graded Base (Reservoir Coarse Varies)=					6.0	in.		
Porosity=	40.0%							
WQV within Reservoir Coarse=		51.8	c.f.					
Maximum Run-on Flow Path=		50	l.f.					
Filter Layer Depth Required=		18.0	in.					
Filter Layer Depth Provided=		18.0	in.					
Porosity=	30.0%							
WQV within Filter Layer=		116.6	c.f.					
WQV Provided=		168.4	c.f.					
Treatment Factor Calculation								
TF=0.4 * (BMP _{ST} /BMP _{TF})=		0.14						
Min TF=	0.25							

Attachment C

Inspection, Maintenance and Housekeeping Plan

INSPECTION, MAINTENANCE, AND HOUSEKEEPING PLAN

White Birch Lane Townhouse Portland, Maine

Introduction

The following plan outlines the anticipated inspection and maintenance procedures for the erosion and sedimentation control measures as well as stormwater management facilities for the project. This plan also outlines several housekeeping requirements that shall be followed during and after construction. These procedures shall be followed in order to ensure the intended function of the designed measures and to prevent unreasonably adverse impacts to the surrounding environment.

The procedures outlined in this Inspection, Maintenance, and Housekeeping Plan are provided as an overview of the anticipated practices to be used on this site by the Contractor during construction and by King Real Estate after construction. In some instances, additional measures may be required due to unexpected conditions. For additional detail on any of the erosion and sedimentation control measures or stormwater management devices to be utilized on this project, refer to the most recently revised edition of the "Maine Erosion and Sedimentation Control BMP" manual and/or the "Stormwater Management for Maine: Best Management Practices" manual as published by the Maine Department of Environmental Protection (MDEP).

During Construction

1. **Inspection:** During the construction process, it is the Contractor's responsibility to comply with the inspection and maintenance procedures outlined in this section and the erosion and sedimentation control plan for the project. These responsibilities include inspecting disturbed and impervious areas, erosion control measures, materials storage areas that are exposed to precipitation, and locations where vehicles enter or exit the site. These areas shall be inspected at least once per week as well as before and after a storm event, and prior to completing permanent stabilization measures. A person with knowledge of erosion and stormwater control, including the standards and conditions in any applicable permits, shall conduct the inspections.
2. **Maintenance:** All measures shall be maintained in an effective operating condition until areas are permanently stabilized. If Best Management Practices (BMPs) need to be maintained or modified, additional BMPs are necessary, or other corrective action is needed, implementation must be completed within 7 calendar days and prior to any storm event (rainfall).
3. **Documentation:** A log summarizing the inspections and any corrective action taken must be maintained on-site. Correction action shall be performed in general conformance with the Maine Construction General Permit and Maine DEP Chapter 500 Stormwater standards. The log must include the name(s) and qualifications of the person making the inspections, the date(s) of the inspections, and major observations about the operation and maintenance of erosion and sedimentation controls, material storage areas, and vehicle access points to the site. Major observations must include BMPs that need maintenance, BMPs that failed to operate as designed or proved inadequate for a particular location, and locations where additional BMPs are needed. For each BMP requiring maintenance, BMP needing replacement, and location needing additional

BMPs, note in the log the corrective action taken and when it was taken. The log must be made accessible to the appropriate regulatory agency upon request. The permittee shall retain a copy of the log for a period of at least three years from the completion of permanent stabilization.

4. **Specific Inspection and Maintenance Tasks:** The following is a list of erosion control and stormwater management measures and the specific inspection and maintenance tasks to be performed during construction.

A. Filter Berms:

- Hay bale barriers, silt fences, and filter berms shall be inspected immediately after each rainfall and at least daily during prolonged rainfall.
- If the fabric on a silt fence or filter barrier should decompose or become ineffective prior to the end of the expected usable life and the barrier is still necessary, it shall be replaced.
- Sediment deposits should be removed after each storm event. They must be removed before deposits reach approximately one-half the height of the barrier.
- Filter berms shall be reshaped as needed.
- Any sediment deposits remaining in place after the silt fence or filter barrier is no longer required should be dressed to conform to the existing grade, prepared, and seeded.

B. Riprap Materials:

- Once a riprap installation has been completed, it should require very little maintenance. It shall, however, be inspected periodically to determine if high flows have caused scour beneath the riprap or dislodged any of the stone.

C. Erosion Control Blankets:

- Inspect these reinforced areas semi-annually and after significant rainfall events for slumping, sliding, seepage, and scour. Pay close attention to unreinforced areas adjacent to the erosion control blankets, which may experience accelerated erosion.
- Review all applicable inspection and maintenance procedures recommended by the specific blanket manufacturer. These tasks shall be included in addition to the requirements of this plan.

D. Stabilized Construction Entrances/Exits:

- The exit shall be maintained in a condition that will prevent tracking of sediment onto public rights-of-way.
- When the control pad becomes ineffective, the stone shall be removed along with the collected soil material. The entrance should then be reconstructed.
- Areas that have received mud-tracking or sediment deposits shall be swept or washed. Washing shall be done on an area stabilized with aggregate, which drains into an approved sediment-trapping device (not into storm drains, ditches, or waterways).

E. Temporary Seed and Mulch:

- Mulched areas should be inspected after rain events to check for rill erosion.
- If less than 90% of the soil surface is covered by mulch, additional mulch shall be applied in bare areas.
- In applications where seeding and mulch have been applied in conjunction with erosion control blankets, the blankets must be inspected after rain events for dislocation or undercutting.
- Mulch shall continue to be reapplied until 95% of the soil surface has established temporary vegetative cover.

F. Stabilized Temporary Drainage Swales:

- Sediment accumulation in the swale shall be removed once the cross section of the swale is reduced by 25%.
- The swales shall be inspected after rainfall events. Any evidence of sloughing of the side slopes or channel erosion shall be repaired and corrective action should be taken to prevent reoccurrence of the problem.
- In addition to the stabilized lining of the channel (i.e. erosion control blankets), stone check dams may be needed to further reduce channel velocity.

5. **Housekeeping:** The following general performance standards apply to the proposed project.

- A. Spill prevention: Controls must be used to prevent pollutants from being discharged from materials on-site, including storage practices to minimize exposure of the materials to stormwater, and appropriate spill prevention, containment, and response planning and implementation. A Spill, Prevention, Control and Countermeasures Plan is created for the project and is to be kept onsite at all times.
- B. Groundwater protection: During construction, liquid petroleum products and other hazardous materials with the potential to contaminate groundwater may not be stored or handled in areas of the site draining to an infiltration area. An "infiltration area" is any area of the site that by design or as a result of soils, topography and other relevant factors, accumulates runoff that infiltrates into the soil. Dikes, berms, sumps, and other forms of secondary containment that prevent discharge to groundwater may be used to isolate portions of the site for the purposes of storage and handling of these materials.
- C. Fugitive sediment and dust: Actions must be taken to insure that activities do not result in noticeable erosion of soils or fugitive dust emissions during or after construction. Oil may not be used for dust control.
- D. Debris and other materials: Litter, construction debris, and chemicals exposed to stormwater must be prevented from becoming a pollutant source.
- E. Trench or foundation dewatering: Trench dewatering is the removal of water from trenches, foundations, cofferdams, ponds, and other areas within the construction area that retain water after excavation. In most cases, the collected water is heavily silted

and hinders correct and safe construction practices. The collected water must be removed from the ponded area, either through gravity or pumping, and must be spread through natural wooded buffers or removed to areas that are specifically designed to collect the maximum amount of sediment possible, like a cofferdam sedimentation basin. Avoid allowing the water to flow over disturbed areas of the site. Equivalent measures may be taken if approved.

Post-Construction

1. **Inspection:** After construction, it is the responsibility of King Real Estate or assigned heirs to comply with the inspection and maintenance procedures outlined in this section. All measures must be maintained in effective operating condition. A person with knowledge of erosion and stormwater control, including the standards and conditions in all applicable permits, shall conduct the inspections.
2. **Specific Inspection and Maintenance Tasks:** The following is a list of permanent erosion control and stormwater management measures and the inspection and maintenance tasks to be performed after construction.
 - A. **Vegetated Areas:**
 - Inspect vegetated areas, particularly slopes and embankments, early in the growing season or after heavy rains to identify active or potential erosion problems.
 - Replant bare areas or areas with sparse growth. Where rill erosion is evident, armor the area with an appropriate lining or divert the erosive flows to on-site areas able to withstand the concentrated flows.
 - B. **Ditches, Swales and Other Open Channels:**
 - Inspect ditches, swales, level spreaders and other open stormwater channels in the spring, in the late fall, and after heavy rains to remove any obstructions to flow. Remove accumulated sediments and debris, remove woody vegetative growth that could obstruct flow, and repair any erosion of the ditch lining.
 - Vegetated ditches must be mowed at least annually or otherwise maintained to control the growth of woody vegetation and maintain flow capacity.
 - Any woody vegetation growing through riprap linings must also be removed. Repair any slumping side slopes as soon as practicable.
 - If the ditch has a riprap lining, replace riprap in areas where any underlying filter fabric or underdrain gravel is showing through the stone or where stones have dislodged.
 - C. **Winter Sanding:**
 - Clear accumulations of winter sand along access road at least once a year, preferably in the spring.
 - Accumulations of sand along road shoulders may be removed by grading excess sand to the pavement edge and removing it manually or by a front-end loader or other acceptable method.

D. Culverts:

- Inspect culverts in the spring, in the late fall, and after heavy rains to remove any obstructions to flow.
- Remove accumulated sediments and debris at the inlet, at the outlet, and within the conduit.
- Inspect and repair any erosion damage at the culvert's inlet and outlet.

E. Roof Dripline:

- These structures may not be paved over or altered in anyway. No gutter may be installed on the roof line.
- During the first year, the dripline shall be inspected semi-annually and following major storm events.
- Debris and sediment buildup shall be removed as needed. Any bare area or erosion rills shall be repaired with new stone.
- The dripline should be inspected after every major storm in the first year to be sure it is functioning properly. Thereafter, the dripline should be inspected at least once every six months to ensure that it is draining within 48 hours following a one inch storm or greater.
- Sediment and plant debris should be removed at least annually.

I. Porous Pavement Roadway Section:

- Check upslope face of stone layer to prevent clogging by eroded soil, road sand, debris and leaf litter.
- Check for standing water on the surface of the pavement after a precipitation event. If standing water remains within 30 minutes after rainfall had ended, cleaning of porous pavement is recommended.
- Vacuum sweeper shall be used regularly to remove sediment and organic debris on the pavement surface. The sweeper may be fitted with water jets.
- Pavement vacuuming should occur during spring cleanup following the last snow event to remove accumulated debris, at minimum.
- Pavement vacuuming should occur during fall cleanup to remove dead leaves, at minimum.
- Power washing can be an effective tool for cleaning clogged areas. This should occur at mid pressure typically less than 500 psi and at an angle of 30 degrees or less.
- Check for debris accumulating on pavement, especially debris buildup in winter.
- For loose debris, a power/leaf blower or gutter broom can be used to remove leaves and trash.
- Check for damage to porous pavements from non-design loads.

3. **Documentation:**

- A. The owner or operator of a BMP or a qualified post-construction stormwater inspector hired by that person, shall, on or by June 30 of each year, provide a completed and signed certification to DPS in a form provided by DPS, certifying that the person has inspected the BMP(s) and that they are adequately maintained and functioning as intended by the approved post-construction stormwater management plan, or that they required maintenance or repair, including the record of the deficiency and corrective action(s) taken.
 - B. A log summarizing the inspections and any corrective action taken must be maintained. The log must include the name(s) and qualifications of the person making the inspections, the date(s) of the inspections, and major observations about the operation and maintenance of controls. Major observations must include BMPs that need maintenance, BMPs that failed to operate as designed or proved inadequate for a particular location, and locations where additional BMPs are needed. For each BMP requiring maintenance, BMP needing replacement, and location needing additional BMPs, note in the log the corrective action taken and when it was taken. The log must be made accessible to the appropriate regulatory agency upon request. A sample "Stormwater Inspection and Maintenance Form" has been included as Attachment 2 of this Inspection, Maintenance, and Housekeeping Plan.
4. **Duration of Maintenance:** Perform maintenance as described and required for any associated permits unless and until the system is formally accepted by a municipality or quasi-municipal district, or is placed under the jurisdiction of a legally created association that will be responsible for the maintenance of the system. If a municipality or quasi-municipal district chooses to accept a stormwater management system, or a component of a stormwater system, it must provide a letter to the MDEP stating that it assumes responsibility for the system. The letter must specify the components of the system for which the municipality or district will assume responsibility, and that the municipality or district agrees to maintain those components of the system in compliance with MDEP standards. Upon such assumption of responsibility, and approval by the MDEP, the municipality, quasi-municipal district, or association becomes a co-permittee for this purpose only and must comply with all terms and conditions of the permit.

Attachments

Attachment 1 – Stormwater Inspection and Maintenance Log Form

ATTACHMENT 1 – STORMWATER INSPECTION AND MAINTENANCE LOG

White Birch Lane Townhouse Portland, Maine

This log is intended to accompany the Inspection, Maintenance, and Housekeeping Plan for the proposed White Birch Townhouse in Portland, Maine. The following items shall be checked, cleaned and maintained on a regular basis as specified in the Maintenance Plan and as described in the table below. This log shall be kept on file for a minimum of five (5) years and shall be available for review by the municipality. Qualified personnel familiar with drainage systems and soils shall perform all inspections. Attached is a copy of the construction and post-construction maintenance logs.

		INSPECTOR NAME	DATE PERFORMED	SUGGESTED INTERVAL
Vegetated Areas				
	Inspect all slopes and embankments			Annually
	Replant bare areas or areas with sparse growth			Annually
Paved Surfaces				
	Clear accumulated winter sand			Annually
	Remove sediment along edges and in pockets			Annually
Ditches & Swales				
	Remove any obstructions and accumulated sediments and debris			Monthly
	Repair any erosion of ditch lining			Annually
	Mow vegetated ditches			Annually
	Remove woody vegetation growing through riprap			Annually
	Repair any slumping side slopes			Annually
	Replace riprap where stones have dislodged			Annually
Catch Basins				
	Remove accumulated sediments and debris in the sump and at grate			Annually
Culverts				
	Remove accumulated sediments and debris at the inlet, outlet and within conduit			Annually
	Repair any erosion at inlet and outlet			Annually
Roof Dripline				
	Remove sediment & debris			Monthly
	Inspection after a major storm to verify proper function			Bi-Annually
Porous Pavement Roadway Section				
	Vauum sweep and/or power wash			Bi-Monthly
	Inspection after a major storm to verify proper function			Bi-Annually

25: CONSISTENCY WITH CITY MASTER PLANS (14-526 (c) 1)

Identify consistency with master plans

- a. A formal Master Plan for the North Deering area of the City is not available. The proposed new building is consistent with the adjacent uses and will not create an eyesore or diminish the neighborhood characteristics nor with the proposed site development include features that will burden the City's resources.

Proposed easements, rights and improvements to connect or continue off-premises public infrastructure, as applicable

- b. Connections are limited to extension of existing/available public services as shown on the enclosed Site Plans.

26: PUBLIC SAFETY AND CRIME PREVENTION (14-526(c))

Address Crime Prevention through Environmental Design (CPTED) (Technical Manual, Section 3)

Natural Surveillance: The site design allows formal and non-formal natural surveillance increasing safety of users and deterring possible offenders. The physical features of the project design maximize visibility from adjacent apartments to allow for surveillance opportunities to and from the new building.

The proximity of the existing residences and the new building to the internal access drive enable occupants and visitors to observe movement and activities on the site during the day and at night. A mechanical surveillance system is not proposed as part of this project.

Access Management: The existing and proposed development features include the complex identification signage that clearly guides pedestrians and vehicular traffic to the White Birch Lane complex.

Mechanical Access Control: Not applicable. Mechanical access controls are not proposed.

Emergency vehicle access

2.b. There is adequate access to the site for emergency vehicles. Please see the plan set. The proposed new building is an expansion to an approved PRUD development. The existing access will remain as it exists without change to the existing vehicular circulation pattern.

Address consistency with public safety standards (Technical Manual, Section 3)

The site design complies with the applicable sections of the Technical Design Manual in the following manner:

Fire Hydrant Standard: There is an existing fire hydrant approximately 300 LF from the new building location at the intersection of Knight and Maplewood Street.

Site Access Standards: Fire Department vehicles can enter the site via the existing drive that will remain as it exists without modification. Direct access to three sides of the new building is available from the existing drive.

Street Numbers: The assigned street numbers will be placed on the new building façade as required by the City of Portland.

Submit a code summary referring NFPA 1 and all Fire Department standards (Technical Manual, Section 3)-Fire Checklist. Please see the attached Fire Department Checklist, this section.



**PORTLAND FIRE DEPARTMENT
SITE REVIEW
FIRE DEPARTMENT CHECKLIST**



18519

A separate drawing[s] shall be provided as part of the site plan application for the Portland Fire Department's review.

1. Name, address, telephone number of applicant **King Real Estate, 198 Saco Ave., Old Orchard Beach, ME 04064
(207) 934-7762**
- 2.
3. Name address, telephone number of architect/designer: **Richard Pellerin, 132 Airport Rd. #4, Sanford, ME 04073
(207) 324-2174**
4. Proposed uses of any structures [NFPA and IBC classification]
- 5.
6. Square footage of all structures [total and per story] **4,320 SF Gross
1,440 SF 1st Fl
1,440 SF 2nd Fl
1,440 SF 3rd Fl**
7. Elevation of all structures **35' Max, See Elevation Plans**
8. Proposed fire protection of all structures
 - **As of September 16, 2010 all new construction of one and two family homes are required to be sprinkled in compliance with NFPA 13D. This is required by City Code. (NFPA 101 2009 ed.)**
9. Hydrant locations **~300 LF from proposed building at the intersection of Knight Street and Wood Street**
10. Water main[s] size and location **2" domestic water service extending from existing 4" DI in entry drive**
11. Access to all structures [min. 2 sides] **Yes. Access to three sides from existing internal extending drive.**
12. A code summary shall be included referencing NFPA 1 and all fire department. Technical standards.

Some structures may require Fire flows using annex H of NFPA 1

27: AVAILABILITY AND ADEQUACY OF PUBLIC UTILITIES (14-526 (c) 3)
Technical Manual, Sections 2 & 9

Electrical services, including providing underground services

Electrical service will extend underground from an existing utility pole within the apartment complex property. See the enclosed Grading and Utility Plan.

Identify existing and proposed connections for public utilities and required public utility upgrades

See enclosed plan set for proposed utilities connections.

Sewer line connections are required, if there is a main within 200 feet

There is existing sanitary sewer service located within the apartment complex. The proposed sewer service will connect to the existing on-site infrastructure in accordance with City standards.

Proposed solid waste management facilities on-site and management for the site

There is an existing dumpster on the site that currently located within the proposed new building precinct. Site improvements include relocating the dumpster to a new enclosure as shown on the enclosed site plans.

Written evidence of the ability to serve from utility companies, as applicable

Please refer to ability/capacity to serve correspondence regarding water and sewer service for this project.



Portland Water District

FROM SEBAGO LAKE TO CASCO BAY

March 6, 2019

Cameron R. Mullen
Sebago Technics, Inc.
75 John Roberts Road
South Portland, ME 04106

Re: 12 White Birch Lane, PO
Ability to Serve with PWD Water

Dear Mr. Mullen:

The Portland Water District has received your request for an Ability to Serve Determination for the noted site submitted on February 25, 2019. Based on the information provided per plans dated February 25, 2019, we can confirm that the District will be able to serve the proposed project as further described in this letter. **Please note that this letter constitutes approval of the water system as currently designed. Any changes affecting the approved water system will require further review and approval by PWD.**

Conditions of Service

The following conditions of service apply:

- The existing service line at this site may be used to provide domestic water to the building. Our records show that the site is currently served with a 4-inch domestic water service and a 3-inch meter. An approved backflow prevention device must be installed on the service line directly after the service enters the proposed building. Please refer to the PWD website for more information on cross-connection control policies.

Prior to construction, the owner or contractor will need to make an appointment to complete a service application form and pay all necessary fees. The appointment shall be requested through MEANS@pwd.org or by calling 207-774-5961 ext. 3199. Please allow (3) business days to process the service application paperwork. PWD will guide the applicant through the new development process during the appointment.

Existing Site Service

According to District records, the project site does currently have existing water service. A 4-inch diameter ductile iron domestic service line provides water service to the site. Please refer to the "Conditions of Service" section of this letter for requirements related to the use of this service.



Water System Characteristics

According to District records, there is a 6-inch diameter ductile iron water main in White Birch Lane and a public fire hydrant located approximately 425 feet from the site. The most recent static pressure reading was 75 psi on July 17, 2017.

Public Fire Protection

The installation of new public hydrants to be accepted into the District water system will most likely not be required. It is your responsibility to contact the City of Portland Fire Department to ensure that this project is adequately served by existing and/or proposed hydrants.

Domestic Water Needs

The data noted above indicates there should be adequate pressure and volume of water to serve the domestic water needs of your proposed project.

Private Fire Protection Water Needs

You have indicated that this project will not require water service to provide private fire protection to the site. Please note that the District does not guarantee any quantity of water or pressure through a fire protection service.

Should you disagree with this determination, you may request a review by the District's Internal Review Team. Your request for review must be in writing and state the reason for your disagreement with the determination. The request must be sent to MEANS@PWD.org or mailed to 225 Douglass Street, Portland Maine, 04104 c/o MEANS. The Internal Review Team will undertake review as requested within 2 weeks of receipt of a request for review.

If the District can be of further assistance in this matter, please let us know.

Sincerely,
Portland Water District

A handwritten signature in black ink, appearing to read 'Robert A. Bartels', written in a cursive style.

Robert A. Bartels, P.E.
Senior Project Engineer

CITY OF PORTLAND WASTEWATER CAPACITY APPLICATION

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



Bradley Roland, P.E.
Water Resources Division

brad@portlandmaine.gov

Date: March 27, 2019

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

Site Address: 6 White Birch Lane (Birch Meadow Apartments, 27 Existing Units)

Chart Block Lot Number: 437-A-46, 343-D-16

Proposed Use: New 3-Unit Residential Building

Previous Use: Unimproved Land within a PRUD

Existing Sanitary Flows: n/a GPD

Existing Process Flows: n/a GPD

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

Site Category	Commercial (<i>see part 4 below</i>)	☐
	Industrial (<i>complete part 5 below</i>)	☐
	Governmental	☐
	Residential	☒
	Other (<i>specify</i>)	☐

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

2. Please, Submit Contact Information.

City Planner's Name: TBD, Not Assigned Phone: (207) 874-8719, Portland Planning

Owner/Developer Name: Owner: Birchlane, LCC Developer: King Real Estate

Owner/Developer Address: King Real Estate, 198 Saco Ave., Old Orchard Beach, ME 04064

Phone: (207) 934-7622 Fax: c/o Richard Pelletier E-mail: rhp1148@gmail.com

Engineering Consultant Name: Sebago Technics, Inc. c/o Craig Burgess, P.E.

Engineering Consultant Address: 75 John Roberts Road, Suite 4A, S. Portland, ME 04106

Phone: (207) 200-2081 Fax: (207) 856-2206 E-mail: cburgess@sebagotechnics.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: 720 GPD

Peaking Factor/ Peak Times: 5 PM - 7 PM

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) McGraw-Hill Series in Water Resources and Environmental Engineering

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.

n/a **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.

n/a **5. Please, Submit Industrial Process Wastewater Flow Calculations**

Estimated Industrial Process Wastewater Flows Generated: _____ GPD

Do you currently hold Federal or State discharge permits? _____

Yes _____ No _____

Is the process wastewater termed categorical under CFR 40? _____

Yes _____ No _____

OSHA Standard Industrial Code (SIC): _____

(<http://www.osha.gov/oshstats/sicser.html>)

Peaking Factor/Peak Process Times: _____

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

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

28: MASSING, VENTILATION AND WIND IMPACT (14-526(d) 1)

Wind and ventilation impacts on adjoining structures and/or adjacent public spaces.

Windy study, if applicable

The proposed building will not result in health or safety problems due to reduction in ventilation to adjoining structures or adjacent public spaces. A wind study is not applicable to this site development.

Bulk, location or height impacts on adjoining structures

The bulk, location, and height of the proposed buildings will not minimize the value or utility to neighboring structures. The proposed development is consistent in size and scale and use with other multi-unit neighborhood properties and is an allowed use in the district.

Identify and locate HVAC equipment and venting away from public spaces and residential properties

Residential scale HVAC equipment will be located and vented away from abutting residential properties. The proposed new building is separated from off-site residences by the required City building setbacks and existing vegetation.

Identify screening and manufacturing specifications for noise, if applicable

Not applicable.

29: SHADOWS (14-526 9d), if applicable

Shadow analysis of impacts on publicly accessible open space (Technical Manual, Section 11)

Not applicable. There are no publicly accessible open spaces areas that will be affected by shadows from the proposed new building.

30: SNOW AND ICE LOADING (14-526 (d) 3)

Building design to prevent snow and ice from loading or falling onto adjacent properties or public ways

The new building is situated on the site to avoid accumulated snow and ice from loading or falling onto adjacent properties or public ways.

31: VIEW CORRIDORS (14-526 (d)4)

Protection of designated view corridors (Portland Design Manual, Appendix 1)

Not applicable. The site is not located in a view corridor as identified in the City of Portland Downtown Vision View Corridor Protection Plan, Portland Design Manual, Appendix 1.

32: HISTORIC RESOURCES (14-526(d) 5)

Identify developments within Historic Districts or affecting Designated Landmarks

Certificate of Appropriateness or other evidence

Identify Developments within 100 feet of Historic Districts of affecting Designated Landmarks. Advisory HP review may be required

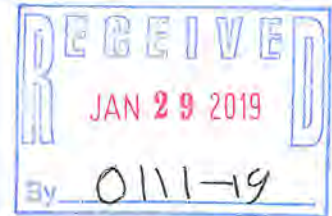
Address preservation and documentation of Archaeological Resources

Per review of available City information, the proposed new residential building is not located in a City Historic District and will not affect a designated landmark. A copy of the site review request 02/04/2019 response received from Maine Historic Preservation Commission (MHPC) indicating no historical or archaeological concern is enclosed in this section.



January 24, 2019
18519

Mr. Kirk Mohny
Maine Historic Preservation Commission
55 Capitol Street
65 State House Station
Augusta, ME 04039-0065



Re: Proposed New 3-Unit Residential Building, Birch Meadows Apartments
12 White Birch Lane, Portland

Dear Mr. Mohny

On behalf of King Real Estate, Sebago Technics formally requests a site review for the construction of a new 3-unit, 2-story residential building in proposed in an existing Planned Residential Unit Development (PRUD) known as Birch Meadow Apartments on a ± 3.9 -acre lot in the City of Portland at 12 White Birch Lane. This proposed project includes the new building, parking, utilities and other associated site improvements. The site is located within the North Deering Section of Portland off Allen Avenue in a dense residential area consisting of multi-family units and single-family homes.

Sebago Technics intends to file Level III Site Plan Application with the City. We have reviewed City resources and determined that the development site is not located within a designated Historic District. We respectfully request a review by the Maine Historic Preservation Commission for any Archaeological or Historic Sites within or adjacent to the redevelopment area in accordance with the provisions of 36 CFR, Part 800, Section 106.

We have enclosed a site location map and a selection of keyed assessor cards with photos depicting abutting/nearby structures that are 50 years or older. At your earliest convenience, please review and forward your findings. If you have any questions or need further information please do not hesitate to contact me at snichols@sebagotechnics.com.

Sincerely,

SEBAGO TECHNICS, INC.

Stefanie Nichols
Permitting Specialist/Project Coordinator

enc.

Based on the information submitted, I have concluded that there will be no historic properties affected by the proposed undertaking, as defined by Section 106 of the National Historic Preservation Act. Consequently, pursuant to 36 CFR 800.4(d)(1), no further Section 106 consultation is required unless additional resources are discovered during project implementation pursuant to 36 CFR 800.13.

Kirk F. Mohny,
State Historic Preservation Officer
Maine Historic Preservation Commission

2/4/19
Date

33: EXTERIOR LIGHTING (14-526 (d) 6)

Cut sheets of on-site light fixtures and any architectural or specialty lights (Technical Manual, Section 12

The building lighting includes wall-mounted full cut-off fixtures to direct illumination to the building entry. Such fixtures prevent illumination onto neighboring properties.

Engineered details for any lights proposed in street right-of-way (Technical Manual, Section 10)

No lights are proposed in a street right-of-way.

34: NOISE AND VIBRATION (14-526(d)7)

Evidence of noise levels for equipment, such as equipment specifications, to demonstrate consistency with zoning requirements

- (i), (ii) Any heating, ventilation and air conditioning equipment (HVAC), air handling units (AHU), emergency generators, and/or similar equipment will be residential scale and will meet applicable state and federal emissions requirements and will be located away from abutting residential properties, be screened from view from public streets and adjacent sites per City standards. Please note that an emergency generator is not proposed as part of this project therefore generator maintenance, testing and noise standards are not applicable.

35: SIGNAGE AND WAYFINDING (14-526(d)8), if applicable

Signage plan showing the location, dimensions, height and setback of all existing and proposed signs. Signs in Historic Districts are reviewed by Historic Preservation staff

All signage shall meet applicable requirements of Division 22 of the City Code, in addition to:

- (i) Historic Preservation: Not applicable
- (ii) Commercial Signage and Directional Traffic Signage: Not applicable
- (iii) On-site directional traffic signage: Not applicable, no new internal signage proposed.
- (iv) Waiver criteria: Not applicable, no signage waivers requested.

36: ZONE RELATED STANDARDS (14-526(d) 5)

The new residential building is subject to the PRUD design standards found in the City of Portland Design Standards Manual adopted May 11, 2010 per *(h) Planned Residential Unit Developments (PRUDS) in the R-3, R-5, and R5-A Residential Zones and Manufactured Housing Parks in any zone in addition to the provisions of Section 14-526(a) as follows:*

- a. Design relationship to site: The design is consistent with the existing residences and is a traditional style that compliments the site.
- b. Internal design character and relationship to surrounding neighborhood: The proposed new 3-unit structure is part of an existing PRUD. The design and layout remains cohesive with existing development within the complex and surrounding neighborhood by virtue of such features as architectural style, height, scale, massing, character of exterior facades, roof, circulation, landscaping and the transition of scale and massing with the surrounding neighborhood.
 1. Recreation and open space: There is existing vegetative screening in place that will be preserved to the greatest extent practicable.
 2. Internal buffers: Landscaping and a new dumpster enclosure is proposed as part of the site improvements.
 3. There are existing passive recreational features available within the existing PRUD including open space and lawn seating area.
 4. No provisions for new active recreational open space areas are proposed as part of the development expansion. The units will utilize existing features.
 5. Private open space measures at the proposed new building include lawn area at the rear of the building.

**(h) PLANNED RESIDENTIAL UNIT DEVELOPMENTS (PRUDS) IN THE R-3, R-5,
AND R5-A RESIDENTIAL ZONES AND MANUFACTURED HOUSING PARKS IN ANY
ZONE**

(1) **STANDARDS.** Planned residential unit developments (PRUDS) in the R-3, R-5 or R-5A residential zones and manufactured housing parks in any zone shall meet the following standards:

- a. Design relationship to site: The layout and design of buildings, roadways, parking areas, open space, recreation amenities, landscaping, drainage facilities and control mechanisms and other site improvements are organized to complement and accentuate the natural topography, vegetation, streams, water features, and other existing features of the site, and the solar orientation provides natural light within dwelling units, in outdoor open space and in recreation areas.
- b. Internal design character and relationship to surrounding neighborhood: The design and layout of the development and buildings exhibit a cohesive design character and complement existing development in the surrounding neighborhood by virtue of such features as architectural style, height, scale and massing, character of exterior facades and roofs, circulation, open space, landscaping, and the transition of scale and massing with the surrounding neighborhood. Buildings with more than two (2) dwelling units or

9

City of Portland Design Manual
Adopted May 11, 2010

greater than forty (40) feet in length shall provide variation in roof and facade character through changes in facade setback, roof configuration, and projecting or recessed building elements.

- c. Recreation and open space: All open spaces on the site shall be integrated into the development and designated on the site plan. Each development shall have the following features:
 1. External buffers: An effective and permanent screening from neighboring properties and roadways;
 2. Internal buffers: Areas planted, maintained and located in such a manner as to provide privacy between units and buildings and paved areas and screening of parking, utilities, roadways, waste collection facilities and storage facilities;
 3. Passive recreational open space: Open spaces, designated and improved with such features as gardens, picnic areas, walking trails; benches and lawn and seating areas;
 4. Active recreational open space: Open spaces designated and improved for active recreational use with facilities such as tennis courts, basketball courts, multipurpose game fields, swimming pools, and children's playgrounds; and
 5. Private open spaces: Open spaces designated for the individualized use of unit owners such as yards, decks and patios;

37: CONSTRUCTION MANAGEMENT PLAN

Site specific construction management features are addressed on the site plans/details appended to this application.

Craig Burgess

From: Tompkins, Caton <CTompkins@homans.com>
Sent: Friday, July 12, 2019 9:50 AM
To: Craig Burgess; King Weinstein
Cc: rhp1148@gmail.com
Subject: Mitsubishi Heat Pumps

Hi Craig,

Regarding our brand of Mitsubishi M&P Series heat pumps that you are looking at for your job in Portland: They will meet the State of Maine and Federal standards that you inquired about.

Best Regards,



Caton Tompkins

Territory Manager

p: 207-874-9500

m: 207-310-3908

a: 111C Pine Tree Industrial Pkwy.
Portland, ME 04103

w: <http://www.homans.com>



Discover our technology tools, designed especially for the HVAC Professional:

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CITY OF PORTLAND WASTEWATER CAPACITY APPLICATION

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



Bradley Roland, P.E.
Water Resources Division

brad@portlandmaine.gov

Date: March 27, 2019

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

Site Address: 6 White Birch Lane (Birch Meadow Apartments, 27 Existing Units)

Chart Block Lot Number: 437-A-46, 343-D-16

Proposed Use: New 3-Unit Residential Building

Previous Use: Unimproved Land within a PRUD

Existing Sanitary Flows: n/a GPD

Existing Process Flows: n/a GPD

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

Site Category	Commercial (<i>see part 4 below</i>)	☐
	Industrial (<i>complete part 5 below</i>)	☐
	Governmental	☐
	Residential	☒
	Other (<i>specify</i>)	☐

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

2. Please, Submit Contact Information.

City Planner's Name: TBD, Not Assigned Phone: (207) 874-8719, Portland Planning

Owner/Developer Name: Owner: Birchlane, LCC Developer: King Real Estate

Owner/Developer Address: King Real Estate, 198 Saco Ave., Old Orchard Beach, ME 04064

Phone: (207) 934-7622 Fax: c/o Richard Pelletier E-mail: rhp1148@gmail.com

Engineering Consultant Name: Sebago Technics, Inc. c/o Craig Burgess, P.E.

Engineering Consultant Address: 75 John Roberts Road, Suite 4A, S. Portland, ME 04106

Phone: (207) 200-2081 Fax: (207) 856-2206 E-mail: cburgess@sebagotechnics.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: 720 GPD

Peaking Factor/ Peak Times: 5 PM - 7 PM

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) McGraw-Hill Series in Water Resources and Environmental Engineering)

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.

n/a **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.

n/a **5. Please, Submit Industrial Process Wastewater Flow Calculations**

Estimated Industrial Process Wastewater Flows Generated: _____ GPD

Do you currently hold Federal or State discharge permits? _____

Yes _____ No _____

Is the process wastewater termed categorical under CFR 40? _____

Yes _____ No _____

OSHA Standard Industrial Code (SIC): _____

(<http://www.osha.gov/oshstats/sicser.html>)

Peaking Factor/Peak Process Times: _____

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

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

1002 956 547

Att. NN



For Wet Locations

Uncovered Porches/Patios
Para lugares húmedos
Porches descubiertos/Patios

Uses (1) Standard Bulb up to 60 Watts
or CFL or LED Equivalent (Not Included)

Usa 1 bombilla estándar de hasta 60 W
o CFL o LED equivalente (no incluida)

Clear Seeded Glass

Vidrio granulado transparente

3 Year Warranty

3 Años de garantía



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ATLANTA, GA 30339

FOR ASSISTANCE, CALL:
SI NECESITA AYUDA, LLAME AL:
1-855-HD-HAMPTON
HAMPTONBAY.COM





EcoClean The Sewer & Drain Specialist
P.O. Box 10255
Portland, ME 04104
Phone # 207-310-8429 Fax # 207-467-3166
E-mail office@ecoclean1.com
Web Site www.ecoclean1.com

Invoice #
13102061119
Att. OO

Date	6/11/2019
Terms	Due on receipt

Billing Information		Service Address		Due Date	6/11/2019
King Real Estate Accounts Payable 198 Saco Avenue Old Orchard Beach, ME 04064		King Real Estate 10 White Birch Lane Portland, ME 04110		P.O. #	
				W.O. #	
				Rep	MBL
Customer Contact	King Weinstein	Customer Alt. Contact	Dick	Project	
Customer Phone	207-934-7622	Customer Alt. Phone	(978) 423-1517	Lat TV & Locate Sewer - 10476	
Customer Fax		Add. Contact			
Customer E-mail	king198@icloud.com	Add. Phone			

Description	Qty	Rate	Amount
Lateral Televis- Use camera to inspect multiple lines while on site as follows. MH at rear of unit 15: use lateral camera to inspect 6" SDR 35 line 89' to wye where it ties into 8" SDR 35 cross country main. Then continued out to downstream MH in marsh area. Found and opened MH and verified camera in trough. Pulled back and located wye and marked out on ground.	1	250.00	250.00
CMMH in woods: Use lateral camera to inspect 8" SDR 35 line 143' from MH. Unable to make over lap with previously televised section. Approx 6' - 8' shy. Located and marked out on ground. Then while pulling back located near CB in woods and line appears to be in good condition through out. See no breaks or defect that would allow for cross contamination between sanitary and storm lines.			
Left thumb drive: Addition time spent on site televising. M Legnard - Matthew Legnard - Jun 11, 2019 3:15 PM Called customer and spoke with him about payment and customer has not called in to make payment.	1	200.00	200.00 0.00

Thank you for your business.	Payments/Credits	-\$450.00
All jobs are COD at time of service unless stated otherwise. All costs of collection, including but not limited to lien costs, collection commissions, and attorney fees, shall be the responsibility of the customer and shall be paid by the customer in addition to the outstanding balance and interest owed. All late payments will incur a fee of 1.7% per month (20.4% per year). Also, a fee of \$25.00 will be added to any returned checks.	Balance Due	\$0.00

EcoClean, LLC- P.O. Box 10255 - Portland, Maine 04104 - Fax: (207) 467-3166 - Email: office@ecoclean1.com

		EcoClean The Sewer & Drain Specialist P.O. Box 10255 Portland, ME 04104 Phone # 207-310-8429 Fax # 207-467-3166 E-mail office@ecoclean1.com Web Site www.ecoclean1.com		Invoice # 1310206111	
Billing Information King Real Estate Accounts Payable 198 Saco Avenue Old Orchard Beach, ME 04064		Service Address King Real Estate 10 White Birch Lane Portland, ME 04110		Date 6/11/2019 Terms Due on receipt	
Customer Contact King Weinstein Customer Phone 207-934-7622 Customer Fax Customer E-mail king198@jcloud.com		Customer Alt. Contact Dick Customer Alt. Phone (978) 423-1517 Add. Contact		Due Date 6/11/2019 P.O. # W.O. # Rep MBL	
Project Lat TV & Locate Sewer - 10476					
Description				Qty	Rate
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				1	200.00
					200.00

Sewer Camera Observation**6/11/2019 White Birch Lane LLC****White Birch lane Portland, Maine****Purpose**

Lateral televis- Video Sewer for cross contamination

inverts in inverts out Pipe size

SMH 1 behind unit 10-15

Video 89' to sewer wye
 to 8" main to smh3 in rear wood area
 observed camera in trough @214'

6"	6"	sdr35 - 6"
8"	6" to 8" coupling	sdr35 - 8"
8"		sdr35 - 8"

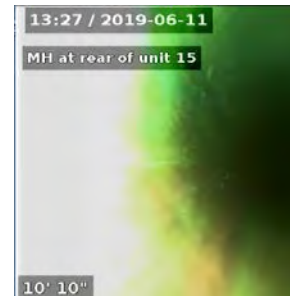
entrance to sewer mahole 1



structure troughs



line view at 10"



SMH 2 behind units 6-8

inverts in

inverts out

Pipe size

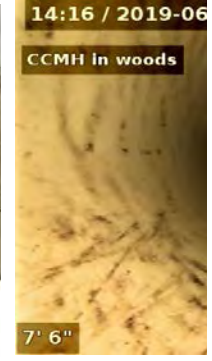
6"

8"

sdr35 8"

drain manhole at 92 ' sewer passes by
ave sewer depth at 8.6' DMH invert out 8"
at 5 ft from finish grade
DMH1 at detention area

Invert in 6" out 8"



19
ipt
int
.00
.00
.00

Trough condition

Pipe Condition

good
wye good
good

noted as good/clean, no cross contamination noted
noted as good/clean, no cross contamination noted
noted as good/clean, no cross contamination noted

Line view at sewer wye



Trough condition

Pipe Condition

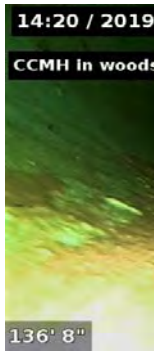
good

noted as good/clean no cross contamination at DMH 1
noted as good/clean no cross contamination at DMH 1

sewer at 7.6 '



sewer at 45.7'



Video Link

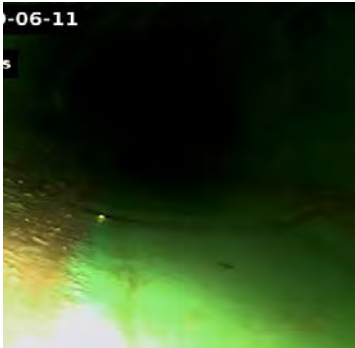
<https://youtu.be/iFwfQ-ceiDc>
<https://youtu.be/mPUFF0abme0>

in to SMH 1
pull back SMH 1

Video Link

<https://youtu.be/1RAvxi6vzOA>
https://youtu.be/igaNtoG_Bi4

in to SMH2
pullback from SMH2



EcoClean The Sewer & Drain Specialist		Invoice #	
P.O. Box 10255		13102061119	
Portland, ME 04104		Date 6/11/2019	
Phone # 207-310-8429	Fax # 207-467-3166	Terms Due on receipt	
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Customer E-mail king198@icloud.com		Add. Phone	
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			250.00
		1	200.00
			200.00
			0.00

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8"	6" to 8" coupling	sdr35 - 8"	wye good
8"		sdr35 - 8"	good

entrance to sewer mahole 1



structure troughs



line view at 10"



SMH 2 behind units 6-8

drain manhole at 92' sewer passes by
ave sewer depth at 8.6' DMH invert out 8"
at 5 ft from finish grade
DMH1 at detention area

inverts in	inverts out	Pipe size	Trough condition
6"	8"	sdr35 8"	good

Invert in 6" out 8"



sewer at 7.6'



Pipe Condition

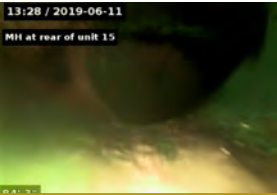
noted as good/clean, no cross contamination noted
noted as good/clean, no cross contamination noted
noted as good/clean, no cross contamination noted

Video Link

<https://youtu.be/iFwfQ-ceiDc>
<https://youtu.be/mPUFF0abme0>

in to SMH 1
pull back SMH 1

Line view at sewer wye



Pipe Condition

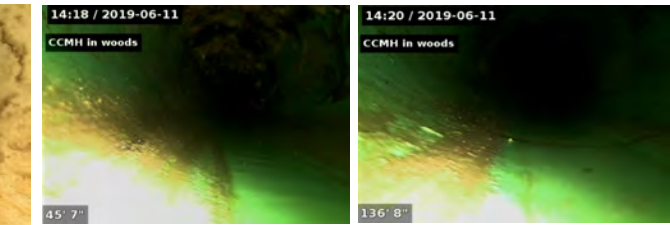
noted as good/clean no cross contamination at DMH 1
noted as good/clean no cross contamination at DMH 1

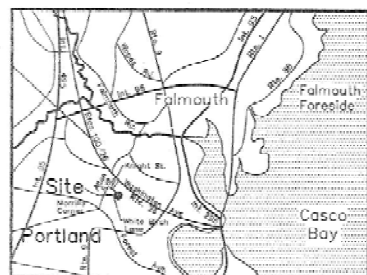
Video Link

<https://youtu.be/1RAvxi6vzOA>
https://youtu.be/igaNtoG_Bi4

in to SMH2
pullback from SMH2

sewer at 45.7'





LOCATION MAP
SCALE: 1" = 2 MILES

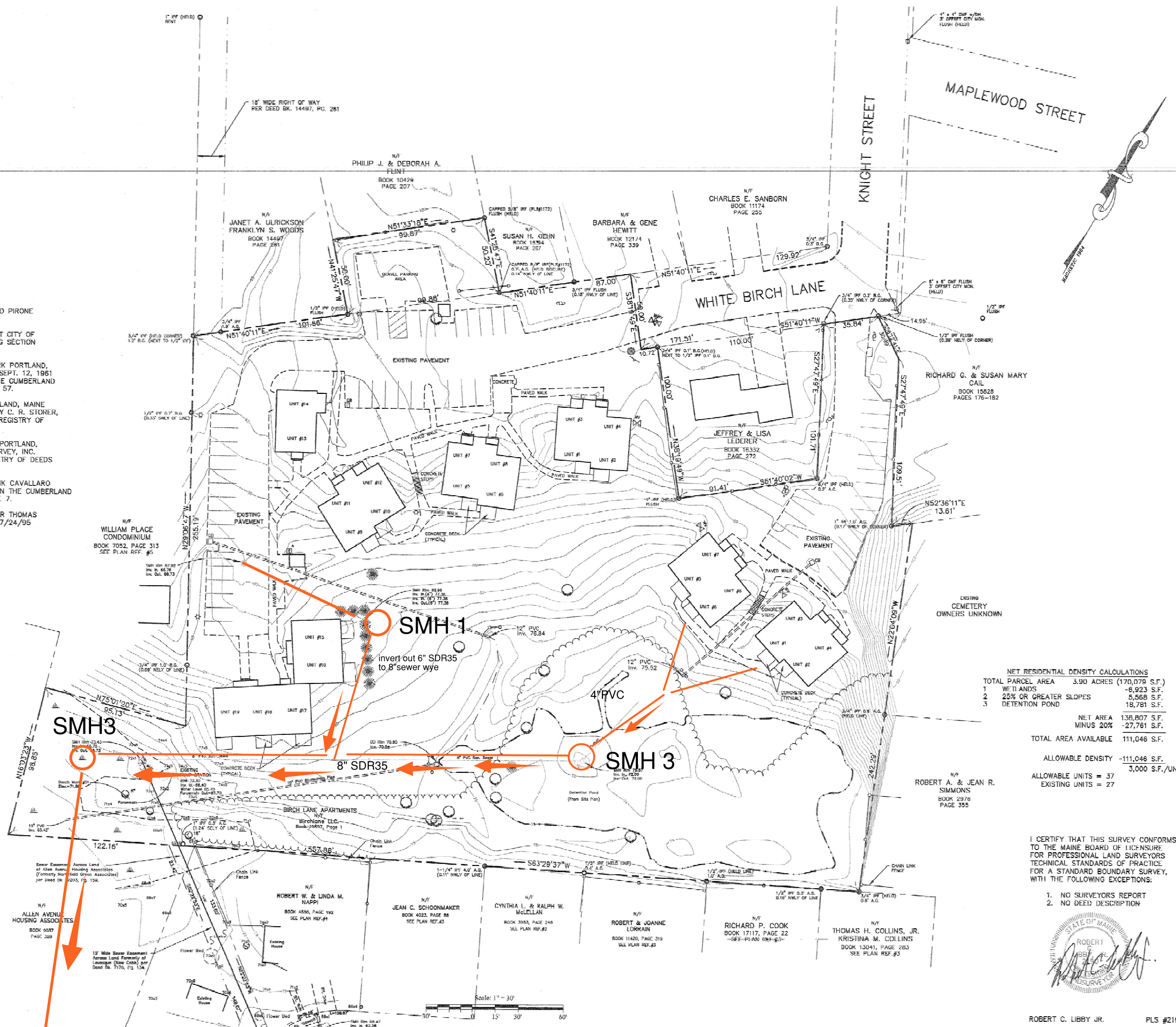
PLAN REFERENCES:

1. PLAN OF PROPERTY IN PORTLAND, MAINE FOR DAVID PIRONE DATED APRIL 1984 BY SURVEY, INC.
2. PLAN SHOWING NEW MONUMENTS ON KNIGHT STREET CITY OF PORTLAND PUBLIC WORKS DEPARTMENT ENGINEERING SECTION DATED APRIL 2002.
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7. PLAN SHOWING A STANDARD BOUNDARY SURVEY FOR THOMAS F. BLACK ALLEN AVENUE PORTLAND, MAINE DATED 7/24/95 BY DANIEL J. DALFONSO PLS #1172.

NOTE:

1. WETLAND MAPPING: MARK HAMPTON ASSOCIATES PORTLAND, MAINE

SYMBOL	DESCRIPTION
□	GRANITE MONUMENT FOUND
○	IRON PIPE/IRON ROD FOUND
⊕	5/8" IRON ROD W/ CAP TO BE SET
⊕	UTILITY POLE
⊕	ELECTRIC TRANSFORMER
○	DECIDUOUS TREE
⊕	CONIFEROUS TREE
⊕	STOCKADE FENCE
---	PROPERTY LINE
---	EASEMENT LINE
---	EDGE PAVEMENT
⊕	LIGHT POST
⊕	SEWER MANHOLE
⊕	WATER VALVE
⊕	CATCH BASIN
AR	ABOVE GROUND
N/F	NOW OR FORMERLY
⊕	MAPPED WETLAND (MAY 2008)
⊕	SLOPES GREATER THAN 25%



NET RESIDENTIAL DENSITY CALCULATIONS	
TOTAL PARCEL AREA	3.90 ACRES (170,079 S.F.)
1. WETLANDS	-6,923 S.F.
2. 25% OR GREATER SLOPES	-5,568 S.F.
3. DETENTION POND	-18,781 S.F.
NET AREA	138,807 S.F.
MINUS 20%	-27,761 S.F.
TOTAL AREA AVAILABLE	111,046 S.F.
ALLOWABLE DENSITY	-111,046 S.F.
ALLOWABLE UNITS = 37	3,000 S.F./UNIT
EXISTING UNITS = 27	

I CERTIFY THAT THIS SURVEY CONFORMS TO THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS TECHNICAL STANDARDS OF PRACTICE FOR A STANDARD BOUNDARY SURVEY, WITH THE FOLLOWING EXCEPTIONS:

1. NO SURVEYORS REPORT
2. NO DEED DESCRIPTION



ROBERT C. LIBBY JR. PLS #2190

NO.	DATE	REVISION	DESCRIPTION
1	5/23/08		Final

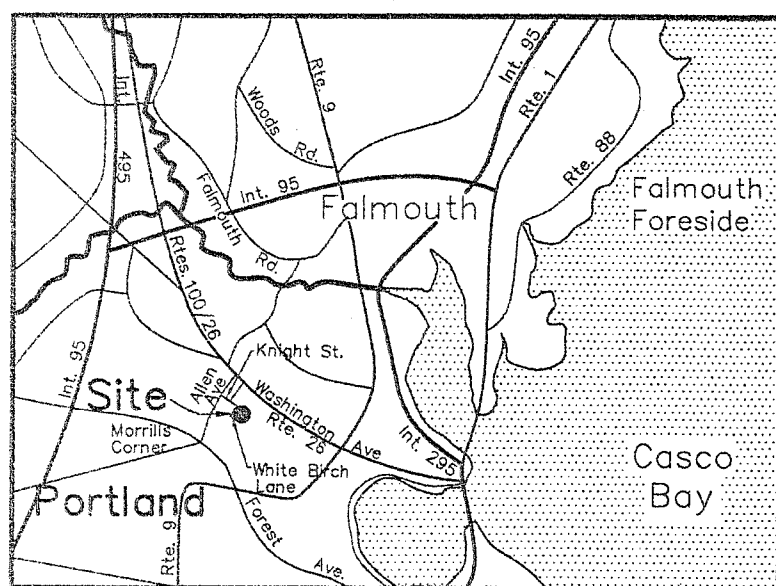
BH2M
Berry, Huff, McDonald, Milligan, Inc.
Engineers, Surveyors
28 State Street
Portland, Maine 04108
Tel: (207) 839-2771
Fax: (207) 839-8250

FOR
Birch Lane L.L.C.
198 Saco Avenue
Old Orchard Beach, Maine 04064

EXISTING CONDITIONS
PLAN
LAND OF
BIRCH LANE L.L.C.
WHITE BIRCH LANE
PORTLAND, MAINE 04103

DESIGNED R. Libby, Jr.	DATE May 2008
DRAWN R. Libby, Jr.	SCALE 1" = 30'
CHECKED W. Thompson	JOB NO. 03134

SHEET
1
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LOCATION MAP
SCALE: 1" = 2 MILES

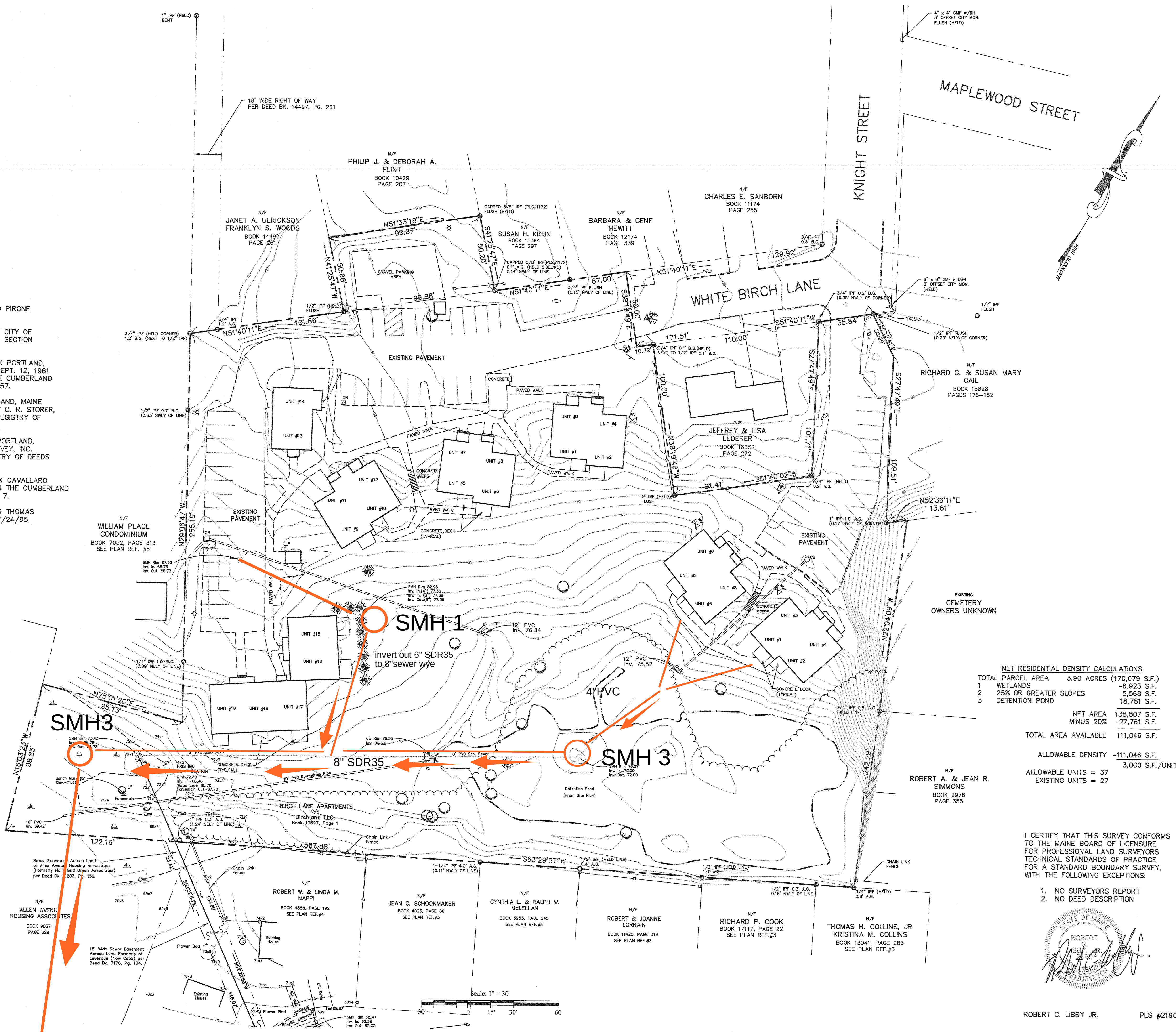
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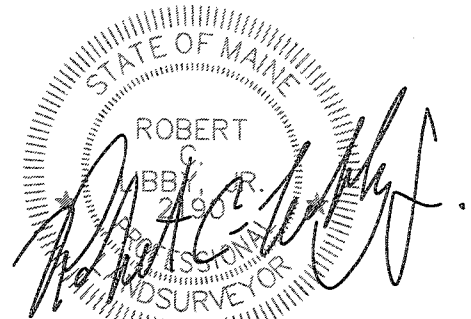
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2. NO DEED DESCRIPTION



ROBERT C. LIBBY JR.

PLS #2190

REVISION	DESCRIPTION
NO.	DATE
1	5/23/08
2	
3	
4	
5	
6	
7	
8	
9	
10	

BH2M
BERRY, HUFF, McDONALD, MILLIGAN, INC.
Engineers, Surveyors
Tel: (207) 839-2771
Fax: (207) 839-8559
28 State Street
Portland, Maine 04103

FOR
BIRCH LANE L.L.C.
198 Saco Avenue
Old Orchard Beach, Maine 04064

EXISTING CONDITIONS
PLAN
LAND OF
BIRCH LANE L.L.C.
WHITE BIRCH LANE
PORTLAND, MAINE 04103

DESIGNED R. Libby, Jr.	DATE May 2008
DRAWN R. Libby, Jr.	SCALE 1" = 30'
CHECKED W. Thompson	JOB. NO. 03134

SHEET
1

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Fwd: Incomplete Application, PL-000570-2019, 6 WHITE BIRCH LN

1 message

Barbara Barhydt <bab@portlandmaine.gov>

Mon, Apr 15, 2019 at 10:18 AM

To: Craig Burgess <cburgess@sebagotechnics.com>, Stefanie Nichols <snichols@sebagotechnics.com>

Cc: "Munson, Jennifer" <jmy@portlandmaine.gov>, "Roncarati, Doug" <dar@portlandmaine.gov>, George Carhart <gcarhart@portlandmaine.gov>

Hello:

I was reviewing the application for 12 White Birch, which recently came into my queue for a completion check. I am marking it incomplete, because I cannot find a survey stamped by a Maine licenses surveyor.

Also, I want to let you know that I have heard from DPW that there are issues with the utilities in this area. I am excerpting the comments below. I know you are aware of these issues and the plans you have submitted may address the utility questions. This will need to be addressed during the review. Once I have the survey, then I will assign it to a planner to manage the review.

From George Carhart:

Re new Development plans on White Birch Ln. **PL-000570-2019.Level III Site Plan (6 White Birch Lane)**

In January Craig Burgess from Sebago Technics, Inc. contacted me regarding the ulies in Whit e Birch Ln and about a sewer manhole in the lane that looked to be blocking up. This manhole was not on either our GIS nor on the plans that we have for the subdivision from 1984. As this manhole looked to be in line with a storm drain, Doug Roncara and Ben P earson felt that it should be invesg ated. Due to snow and other delays this did not happen unl this w eek. The outcome of the inspecon w as that sewer and storm drain lines in the ground and the plans at DPW do not match. The discrepancies are so great that Doug and Ben feel that unl the de veloper can provide the city with clear plans of how and where sewer and storm drain lines for this subdivision run, a hold on any planning permission should be made.

From Doug Roncarti:

There appear to be some significant issues that need to be resolved with regard to the sewer and stormwater management systems at White Birch Ln. Structures are not located where they are supposed to be according to the only plans we have on file and after a pump station failed, the development got approval to connect to Mona Rd, but we didn't have plans for that change (Although we just got them from the applicant's engineer). Finally, there is a manhole and/or flow control structure in the middle of the detention pond that is not shown on the plans and George informed me that one of our Water Resources staff investigated and found sewage running through it, but did not determine what inputs were coming into it or to what other infrastructure it connects.

Given these issues, I highly recommend that we require that the entire sewer and storm drain system associated with this site be televised and accurately mapped by the applicant's engineers before we approve new construction. The City has gone to great lengths to separate sewers and storm drains in this part of the City and we need to make sure that this apartment complex is not sending sewage to a municipal storm drain system or stormwater from the pond to a separated sewer.

Thank you.

Barbara

Barbara Barhydt
Development Review Services Manager
Planning Division
389 Congress Street 4th Floor
Portland, ME 04101
(207) 874-8699
Fax: (207) 756-8256
bab@portlandmaine.gov

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

From: <noreply@portlandmaine.gov>
Date: Mon, Apr 15, 2019 at 10:10 AM
Subject: Incomplete Application, PL-000570-2019, 6 WHITE BIRCH LN
To: <rh1148@gmail.com>, <snichols@sebagotechnics.com>
Cc: <bab@portlandmaine.gov>

Dear Applicant,

A review of your application submission has been deemed incomplete. Please go to [the online portal](#) and resubmit the following information:

1. A survey stamped by a Maine Licensed Surveyor is not included in the packet.

If you have any questions or need assistance, please contact our office.

City of Portland, Department of Planning and Urban Development
389 Congress St., 4th Floor, Portland, ME 04101

Jennifer Munson, Office Manager
jmy@portlandmaine.gov | (207) 874-8719 | Fax (207) 756-8258

James Dealaman, Administrative Officer
jdealaman@portlandmaine.gov | (207) 874-8721 | Fax (207) 756-8258



Att. UU

Shukria Wiar <shukriaw@portlandmaine.gov>

Fwd: White Birch Lane Application

2 messages

Barbara Barhydt <bab@portlandmaine.gov>
To: Shukria Wiar <shukriaw@portlandmaine.gov>

Tue, Apr 30, 2019 at 9:40 AM

Please include in e-plan. Thanks

Barbara Barhydt
Development Review Services Manager
Planning Division
389 Congress Street 4th Floor
Portland, ME 04101
(207) 874-8699
Fax: (207) 756-8256
bab@portlandmaine.gov

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

From: **Doug Roncarati** <dar@portlandmaine.gov>
Date: Mon, Apr 29, 2019 at 2:20 PM
Subject: Fwd: White Birch Lane Application
To: Michael Tremblay <mtremblay@portlandmaine.gov>, Barbara Barhydt <bab@portlandmaine.gov>

FYI: Please see Ben's email below regarding our request for more accurate information from the applicant, given that the available existing site plans are so grossly inaccurate. We simply have no record of how the visible manholes are connected and how the various units tie into that system (only speculation). The existence of an undocumented manhole in the detention pond with visible sewage flowing through it emphasizes the fact that the project was not constructed according to the original designs and we need to get handle on what's going on before allowing additional connections to the system.

Doug

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

From: **Benjamin Pearson** <bnp@portlandmaine.gov>
Date: Mon, Apr 29, 2019 at 1:20 PM
Subject: Re: White Birch Lane Application
To: Craig Burgess <cburgess@sebagotechnics.com>
Cc: Doug Roncarati <dar@portlandmaine.gov>, George Carhart <gcarhart@portlandmaine.gov>, Bradley Roland <brad@portlandmaine.gov>

Hi Craig,

We sat down to go over what was sent. A CCTV inspection of the sewer lines and structures must be completed. I have attached a pdf showing the pipes (that we know of) and structures that need inspection in red. All manholes need structural inspection as well, as we are concerned about the manhole in the detention basin and it's integrity. I wrote that we know of because there is no verification where buildings 1-14 tie into the system. When doing the inspection, please determine where these are entering in as well.

Thank you,
Ben

On Thu, Apr 25, 2019 at 1:59 PM Craig Burgess <cburgess@sebagotechnics.com> wrote:

Doug,

It was nice seeing you, George and Brad last week. We received a stamped existing conditions plan from BH2M which included some additional sewer data, including showing that the manhole in the pond is connected to the former pump station. Also, we did some field recon and found that the sewer manhole near Unit 15 is directed south and likely connects into sewer. With this data confirmed, will a CCTV report still be needed.

Thanks,

Craig Burgess, P.E. *Project Manager*

Office: 207.200.2100 | Direct: 207.200.2081

75 John Roberts Rd., Suite 4A, South Portland, ME 04106

cburgess@sebagotechnics.com | www.sebagotechnics.com

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From: Doug Roncarati <dar@portlandmaine.gov>

Sent: Thursday, April 18, 2019 11:58 AM

To: Craig Burgess <cburgess@sebagotechnics.com>

Cc: George Carhart <gcarhart@portlandmaine.gov>; Benjamin Pearson <bnp@portlandmaine.gov>; Bradley Roland <brad@portlandmaine.gov>

Subject: Re: White Birch Lane Application

Hi Craig,

Would you be able to meet at around 2:00 PM tomorrow to go over things? If so, I'll set up a meeting notice and book a room.

Thanks,
Doug

On Thu, Apr 18, 2019 at 7:25 AM Craig Burgess <cburgess@sebagotechnics.com> wrote:

Thanks Doug. Tomorrow might actually be better for me. The client has reached out to BH2M with regard to the existing conditions plan that they developed, and I understand that sewer and storm drain lines will be included in the revised plan.

Best, Craig

Sent from my iPhone

Craig Burgess, P.E. *Project Manager*

Office: [207.200.2100](tel:207.200.2100) | Direct: [207.200.2081](tel:207.200.2081)

[75 John Roberts Rd., Suite 4A, South Portland, ME 04106](mailto:cburgess@sebagotechnics.com)

cburgess@sebagotechnics.com | www.sebagotechnics.com

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On Apr 18, 2019, at 7:03 AM, Doug Roncarati <dar@portlandmaine.gov> wrote:

Hi Craig,

I need to take my cat to the vet this morning and depending on how things go, I might not make it in today. My apologies.

George, I recommend that you work with Ben Pearson and Brad Roland to discuss the best approach to figuring out how the sewer and storm drain systems work on this site and how they connect to the City systems. It's obvious that the only plans we have do not reflect how the systems were actually built and altered over the years.

Thanks,

Doug

On Wed, Apr 17, 2019 at 4:58 PM Craig Burgess <cburgess@sebagotechnics.com> wrote:

Doug and George,

Do you have time tomorrow to discuss the White Birch Lane project? I'd like to better understand what you are looking for to keep this project moving forward.

Have a great night,

Craig Burgess, P.E. *Project Manager*

Office: 207.200.2100 | Direct: 207.200.2081

[75 John Roberts Rd., Suite 4A, South Portland, ME 04106](#)

cburgess@sebagotechnics.com | www.sebagotechnics.com

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<image001.png>

<image002.jpg> <image003.jpg>

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--

Doug Roncarati
Stormwater Program Coordinator
City of Portland
Department of Public Works
(207) 874-8848

Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.

--

Doug Roncarati
Stormwater Program Coordinator
City of Portland
Department of Public Works
(207) 874-8848

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--

Benjamin Pearson, PE
Compliance Coordinator
Water Resources, Public Works
bnp@portlandmaine.gov
207-874-8843

--

Doug Roncarati
Stormwater Program Coordinator
City of Portland
Department of Public Works
(207) 874-8848

 **08 Existing Conditions REV - CCTV.pdf**
1116K

Barbara Barhydt <bab@portlandmaine.gov>
To: Shukria Wiar <shukriaw@portlandmaine.gov>

Fri, May 3, 2019 at 4:46 PM

I don't remember if I forwarded this one to you for the files.

Thanks.

[Quoted text hidden]

 **08 Existing Conditions REV - CCTV.pdf**
1116K

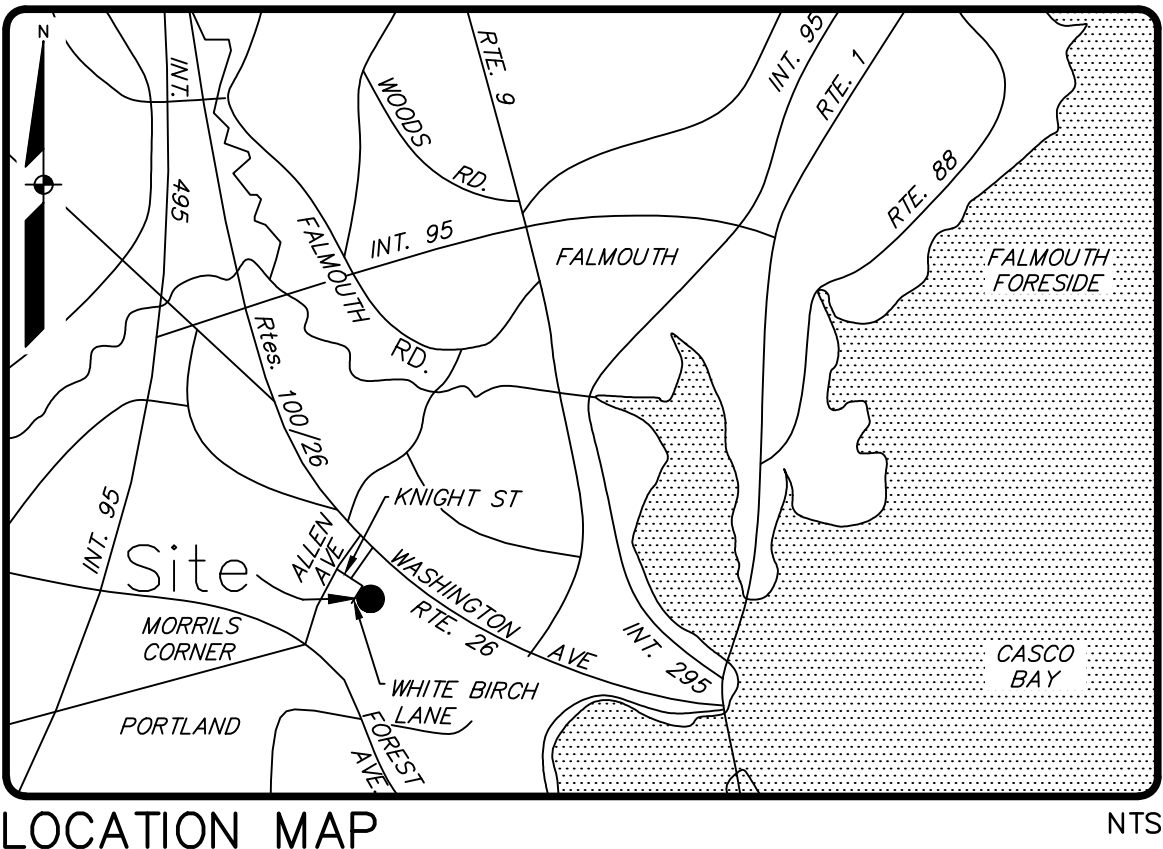
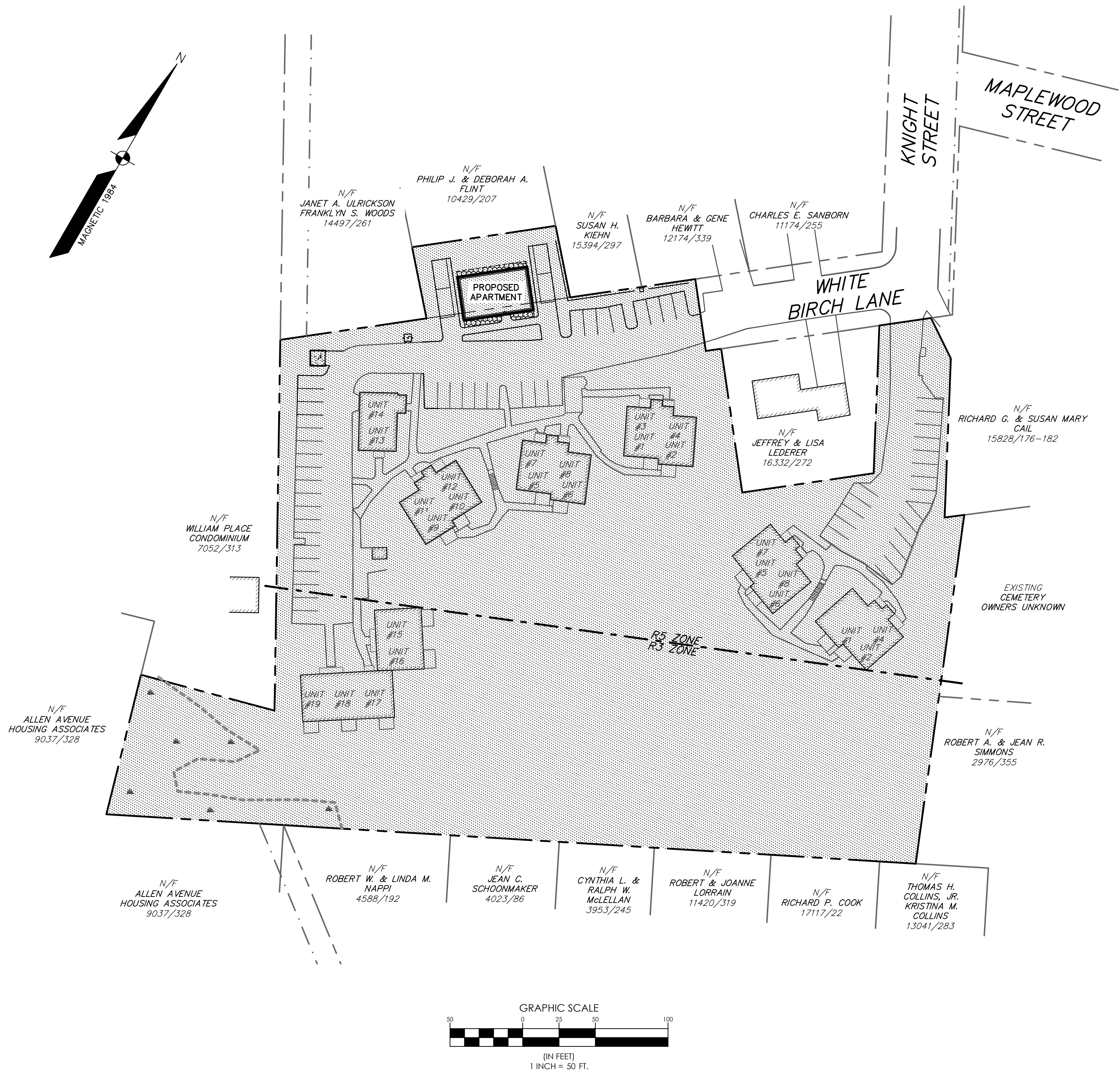
WHITE BIRCH LANE APARTMENT

6 WHITE BIRCH LANE
PORTLAND, MAINE

APPLICANT:
KING REAL ESTATE
198 SACO AVENUE
OLD ORCHARD BEACH, MAINE 04064

ENGINEER/
LANDSCAPE ARCHITECT:

SEBAGO
TECHNICS
WWW.SEBAGOTECHNICS.COM
75 John Roberts Rd.
Suite 4A
South Portland, ME 04106
Tel. 207-200-2100

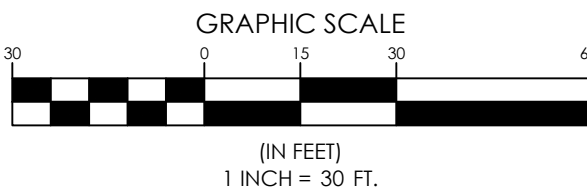


SHEET LIST TABLE

Sheet Number	Sheet Title
1	COVER SHEET
2	OVERALL SITE PLAN
3	SITE PLAN
4	GRADING AND UTILITY PLAN
5	EROSION CONTROL & CONSTRUCTION NOTES
6	DETAILS
7	DETAILS
8	DETAILS
1 OF 2	PRE-DEVELOPMENT WATERSHED PLAN
2 OF 2	POST-DEVELOPMENT WATERSHED PLAN



10'x10' CONCRETE
DUMPSTER PAD



GENERAL NOTES:

- ## NET RESIDENTIAL DENSITY CALCULATIONS

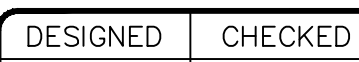
NET RESIDENTIAL DENSITY CALCULATIONS (R-5 ZONE)

TOTAL PARCEL AREA:	2.19 ACRES (95,416 S.F.)
1. WETLANDS:	0
2. 25% OR GREATER SLOPES:	4,178 S.F.
TOTAL LAND AREA AVAILABLE:	91,238 S.F.
ALLOWABLE DENSITY:	91,238 / 3,000 S.F. = 30
ALLOWABLE UNITS:	30 UNITS
EXISTING UNITS:	22 UNITS
MAX ALLOWABLE PERCENT COVERAGE:	40%
EXISTING PERCENTAGE COVERAGE:	10.54%

NET RESIDENTIAL DENSITY CALCULATIONS (R-3 ZONE)

TOTAL PARCEL AREA:	1.71 ACRES (74,663 S.F.)
1. WETLANDS:	6,923 S.F.
2. 25% OR GREATER SLOPES:	1,390 S.F.
TOTAL LAND AREA AVAILABLE:	47,569 S.F.
ALLOWABLE DENSITY:	47,569 / 6,500 S.F. = 7.32
ALLOWABLE UNITS:	7 UNITS
EXISTING UNITS:	5 UNITS
MAX ALLOWABLE PERCENT COVERAGE:	35%
EXISTING PERCENTAGE COVERAGE:	4.55%

CRAIG A. BURGESS, PE 12638



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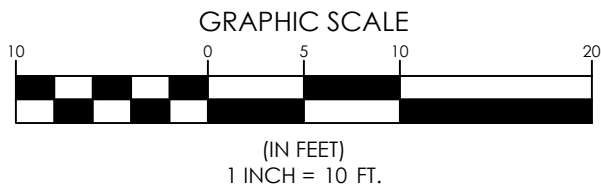
PROJECT NO.	SCALE
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18519	1"=30'
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SHEET 2 OF 8

SHEET 2 OF 8

18519 S.dwg, TAB: OS



DESIGNED		CHECKED
CRM		CAB
	B CAB 07-18-19 REVISED PER CITY COMMENTS & REISSUED	
	A CAB 02-25-19 SUBMITTED FOR CITY REVIEW AND APPROVAL	
	REV BY: DATE:	
	THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM SEBAGO TECHNIQS, INC. ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SEBAGO TECHNIQS, INC.	

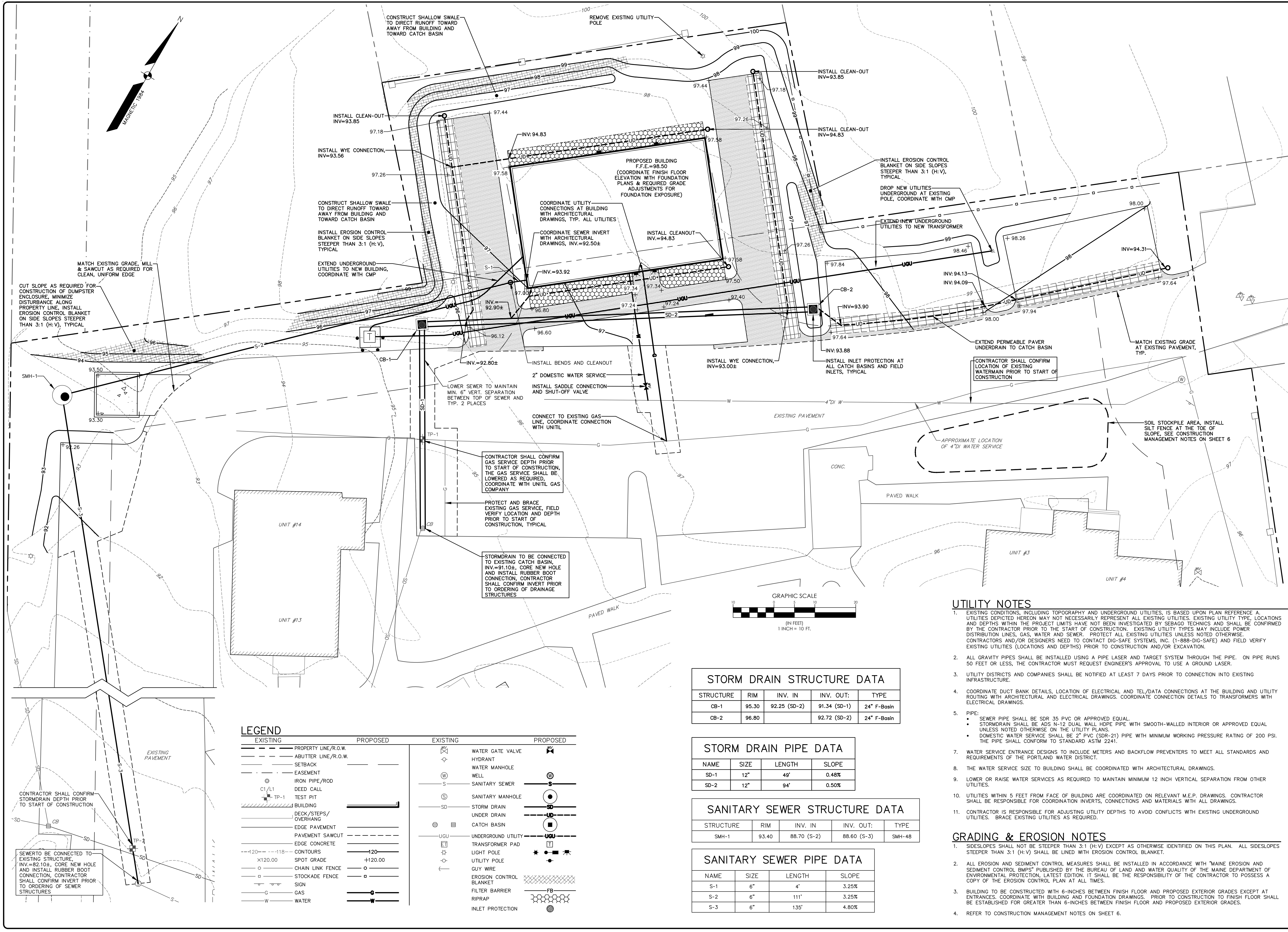
SEBAGO
TECHNICS
WWW.SEBAGOTECHNICS.COM
75 John Roberts Rd.
Suite 4A
South Portland, ME 04106
Tel. 207-200-2100

SITE PLAN
OF: **WHITE BIRCH LANE APARTMENT**
 6 WHITE BIRCH LANE
 PORTLAND, MAINE
FOR: **KING REAL ESTATE**
 198 SACO AVENUE
 OLD ORCHARD BEACH, MAINE 04064

PROJECT NO.	SCALE
18519	1"=10'

SHEET 3 OF 8

18519 S.dwg, TAB:S



LEGEND

EXISTING	PROPOSED	EXISTING	PROPOSED
--- PROPERTY LINE/R.O.W.	---	⚡ WATER GATE VALVE	⚡
--- ABUTTER LINE/R.O.W.	---	⚡ HYDRANT	⚡
--- SETBACK	---	⚡ WATER MANHOLE	⚡
--- EASEMENT	---	⚡ WELL	⚡
⊙ IRON PIPE/ROD	⊙	⚡ SANITARY SEWER	⚡
⊙ DEED CALL	⊙	⚡ SANITARY MANHOLE	⚡
⊙ TP-1	⊙	⚡ SD	⚡
⚡ BUILDING	⚡	⚡ STORM DRAIN	⚡
⚡ DECK/STEPS/ OVERHANG	⚡	⚡ UNDER DRAIN	⚡
⚡ EDGE PAVEMENT	⚡	⚡ CATCH BASIN	⚡
⚡ PAVEMENT SAWCUT	⚡	⚡ UGU	⚡
⚡ EDGE CONCRETE	⚡	⚡ TRANSFORMER PAD	⚡
--- -120 --- -118 ---	--- -120 ---	⚡ LIGHT POLE	⚡
⊙ SPOT GRADE	⊙	⚡ UTILITY POLE	⚡
⊙ CHAIN LINK FENCE	⊙	⚡ GUY WIRE	⚡
⊙ STOCKADE FENCE	⊙	⚡ EROSION CONTROL BLANKET	⚡
⊙ SIGN	⊙	⚡ FILTER BARRIER	⚡
⊙ GAS	⊙	⚡ RIPRAP	⚡
⊙ WATER	⊙	⚡ INLET PROTECTION	⚡

STORM DRAIN STRUCTURE DATA

STRUCTURE	RIM	INV. IN	INV. OUT:	TYPE
CB-1	95.30	92.25 (SD-2)	91.34 (SD-1)	24" F-Basin
CB-2	96.80		92.72 (SD-2)	24" F-Basin

STORM DRAIN PIPE DATA

NAME	SIZE	LENGTH	SLOPE
SD-1	12"	49'	0.48%
SD-2	12"	94'	0.50%

SANITARY SEWER STRUCTURE DATA

STRUCTURE	RIM	INV. IN	INV. OUT:	TYPE
SMH-1	93.40	88.70 (S-2)	88.60 (S-3)	SMH-48

SANITARY SEWER PIPE DATA

NAME	SIZE	LENGTH	SLOPE
S-1	6"	4'	3.25%
S-2	6"	111'	3.25%
S-3	6"	135'	4.80%

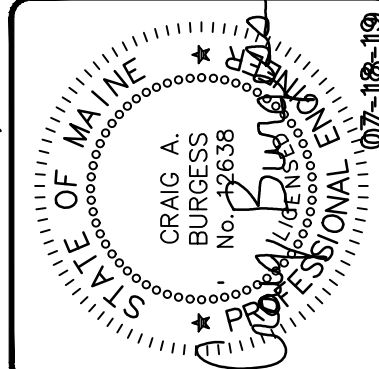
UTILITY NOTES

- EXISTING CONDITIONS, INCLUDING TOPOGRAPHY AND UNDERGROUND UTILITIES, IS BASED UPON PLAN REFERENCE A. UTILITIES DEPICTED HEREON MAY NOT NECESSARILY REPRESENT ALL EXISTING UTILITIES. EXISTING UTILITY TYPE, LOCATIONS AND DEPTHS WITHIN THE PROJECT LIMITS HAVE NOT BEEN INVESTIGATED BY SEBAGO TECHINCS AND SHALL BE CONFIRMED BY THE CONTRACTOR PRIOR TO THE START OF CONSTRUCTION. EXISTING UTILITY TYPES MAY INCLUDE POWER DISTRIBUTION LINES, GAS, WATER AND SEWER. PROTECT ALL EXISTING UTILITIES UNLESS NOTED OTHERWISE. CONTRACTORS AND/OR DESIGNERS NEED TO CONTACT DIG-SAFE SYSTEMS, INC. (1-888-DIG-SAFE) AND FIELD VERIFY EXISTING UTILITIES (LOCATIONS AND DEPTHS) PRIOR TO CONSTRUCTION AND/OR EXCAVATION.
- ALL GRAVITY PIPES SHALL BE INSTALLED USING A PIPE LASER AND TARGET SYSTEM THROUGH THE PIPE. ON PIPE RUNS 50 FEET OR LESS, THE CONTRACTOR MUST REQUEST ENGINEER'S APPROVAL TO USE A GROUND LASER.
- UTILITY DISTRICTS AND COMPANIES SHALL BE NOTIFIED AT LEAST 7 DAYS PRIOR TO CONNECTION INTO EXISTING INFRASTRUCTURE.
- COORDINATE DUCT BANK DETAILS, LOCATION OF ELECTRICAL AND TEL/DATA CONNECTIONS AT THE BUILDING AND UTILITY ROUTING WITH ARCHITECTURAL AND ELECTRICAL DRAWINGS. COORDINATE CONNECTION DETAILS TO TRANSFORMERS WITH ELECTRICAL DRAWINGS.
- PIPE:
 - SEWER PIPE SHALL BE SDR 35 PVC OR APPROVED EQUAL.
 - STORMDRAIN SHALL BE ADS N-12 DUAL WALL HDPE PIPE WITH SMOOTH-WALLED INTERIOR OR APPROVED EQUAL UNLESS NOTED OTHERWISE ON THE UTILITY PLANS.
 - DOMESTIC WATER SERVICE SHALL BE 2" PVC (SDR-21) PIPE WITH MINIMUM WORKING PRESSURE RATING OF 200 PSI. THE PIPE SHALL CONFORM TO STANDARD ASTM 2241.
- WATER SERVICE ENTRANCE DESIGNS TO INCLUDE METERS AND BACKFLOW PREVENTERS TO MEET ALL STANDARDS AND REQUIREMENTS OF THE PORTLAND WATER DISTRICT.
- THE WATER SERVICE SIZE TO BUILDING SHALL BE COORDINATED WITH ARCHITECTURAL DRAWINGS.
- LOWER OR RAISE WATER SERVICES AS REQUIRED TO MAINTAIN MINIMUM 12 INCH VERTICAL SEPARATION FROM OTHER UTILITIES.
- UTILITIES WITHIN 5 FEET FROM FACE OF BUILDING ARE COORDINATED ON RELEVANT M.E.P. DRAWINGS. CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION INVERTS, CONNECTIONS AND MATERIALS WITH ALL DRAWINGS.
- CONTRACTOR IS RESPONSIBLE FOR ADJUSTING UTILITY DEPTHS TO AVOID CONFLICTS WITH EXISTING UNDERGROUND UTILITIES. BRACE EXISTING UTILITIES AS REQUIRED.

GRADING & EROSION NOTES

- SIDESLOPES SHALL NOT BE STEEPER THAN 3:1 (H:V) EXCEPT AS OTHERWISE IDENTIFIED ON THIS PLAN. ALL SIDESLOPES STEEPER THAN 3:1 (H:V) SHALL BE LINED WITH EROSION CONTROL BLANKET.
- ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH "MAINE EROSION AND SEDIMENT CONTROL BMPs" PUBLISHED BY THE BUREAU OF LAND AND WATER QUALITY OF THE MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION, LATEST EDITION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO POSSESS A COPY OF THE EROSION CONTROL PLAN AT ALL TIMES.
- BUILDING TO BE CONSTRUCTED WITH 6-INCHES BETWEEN FINISH FLOOR AND PROPOSED EXTERIOR GRADES EXCEPT AT ENTRANCES. COORDINATE WITH BUILDING AND FOUNDATION DRAWINGS. PRIOR TO CONSTRUCTION TO FINISH FLOOR SHALL BE ESTABLISHED FOR GREATER THAN 6-INCHES BETWEEN FINISH FLOOR AND PROPOSED EXTERIOR GRADES.
- REFER TO CONSTRUCTION MANAGEMENT NOTES ON SHEET 6.

CRAIG A. BURGESS, PE 12638



DESIGNED	CHECKED
CRM	CAB
B CAB 07-18-19 REVISED PER CITY COMMENTS & RESUBMITTED A CAB 02-25-19 SUBMITTED FOR CITY REVIEW AND APPROVAL	
REV BY:	DATE:
STATUS: WITHOUT WRITTEN PERMISSION FROM SEBAGO TECHINCS, INC. ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SEBAGO TECHINCS, INC.	

SEBAGO TECHINCS
WWW.SEAGOTECHINCS.COM
75 John Roberts Rd.
Suite 4A
South Portland, ME 04106
Tel: 207-220-2100

GRADING AND UTILITY PLAN
OF:
WHITE BIRCH LANE APARTMENT
6 WHITE BIRCH LANE
PORTLAND, MAINE
FOR:
KING REAL ESTATE
198 SAGO AVENUE
OLD ORCHARD BEACH, MAINE 04064

PROJECT NO. 18519
SCALE 1"=10'
SHEET 4 OF 8

18519 GU.dwg, TAG:GU

EROSION CONTROL MEASURES

PRE-CONSTRUCTION PHASE

PRIOR TO THE BEGINNING OF ANY CONSTRUCTION, SEDIMENT BARRIERS (SILT FENCE) WILL BE STAKED/INSTALLED ACROSS THE SLOPE(S), ON THE CONTOUR AT OR JUST BELOW THE LIMITS OF CLEARING OR GRUBBING, AND/OR JUST ABOVE ANY ADJACENT PROPERTY LINE OR WATERCOURSE TO PROTECT AGAINST CONSTRUCTION RELATED EROSION. THE PLACEMENT OF SEDIMENT BARRIERS SHALL BE COMPLETED IN ACCORDANCE WITH GUIDELINES ESTABLISHED IN BEST MANAGEMENT PRACTICES AND IN ACCORDANCE WITH THIS EROSION CONTROL PLAN AND DETAILS IN THIS PLAN SET. THIS NETWORK IS NOT MAINTAINED BY THE CONTRACTOR UNTIL ALL EXPOSED SLOPES HAVE AT LEAST 90% VIGOROUS PERENNIAL VEGETATIVE COVER TO PREVENT EROSION. TEMPORARY EROSION CONTROL MEASURES SHALL BE REMOVED WITHIN 30 DAYS AFTER PERMANENT STABILIZATION IS ATTAINED.

PRIOR TO ANY CLEARING OR GRUBBING, A CONSTRUCTION ENTRANCE/EXIT SHALL BE CONSTRUCTED AT THE INTERSECTION OF THE PROPOSED ENTRANCES AND EXISTING ROADWAY TO AVOID TRACKING OF MUD, DUST AND DEBRIS FROM THE SITE.

PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL PREPARE A DETAILED SCHEDULE AND MARKED UP PLAN INDICATING AREAS AND COMPONENTS OF THE WORK AND KEY DATES SHOWING DATE OF DISTURBANCE AND DATE OF THE WORK. THE CONTRACTOR SHALL SCHEDULE ONLY AFTER THE PRE-CONSTRUCTION MEETING WITH THE MUNICIPAL STAFF. THREE COPIES OF THE SCHEDULE AND MARKED UP PLAN SHALL BE PROVIDED TO THE MUNICIPALITY THREE DAYS PRIOR TO THE SCHEDULED PRE-CONSTRUCTION MEETING. SPECIAL ATTENTION SHALL BE GIVEN TO THE 14 DAY LIMIT OF DISTURBANCE IN THE SCHEDULE ADDRESSING TEMPORARY AND PERMANENT VEGETATION MEASURES.

CONSTRUCTION AND POST-CONSTRUCTION PHASE

AREAS UNDERGOING ACTUAL CONSTRUCTION SHALL ONLY EXPOSE THAT AMOUNT OF MINERAL SOIL NECESSARY FOR PROGRESSIVE AND EFFICIENT CONSTRUCTION. AN AREA CONSIDERED OPEN IS ANY AREA NOT STABILIZED WITH PAVEMENT, VEGETATION, MULCHING, EROSION CONTROL MATS, RIPRAP OR GRAVEL BASE ON A ROAD. OPEN AREAS SHALL BE ANCHORED WITH TEMPORARY EROSION CONTROL AS SHOWN ON THE DESIGN PLANS AND AS DESCRIBED WITHIN THIS EROSION CONTROL PLAN WITHIN 7 DAYS OF DISTURBANCE. AREAS LOCATED WITHIN 100' OF STREAMS SHALL BE ANCHORED WITH TEMPORARY EROSION CONTROL WITHIN SEVEN (7) DAYS. REFERENCE TO WINTER EROSION CONTROL NOTES FOR THE TREATMENT OF OPEN AREAS AFTER OCTOBER 1ST OF THE CONSTRUCTION YEAR. NO MORE THAN ONE (1) ACRE SHOULD BE ACTIVELY WORKED ON AT ONE TIME, AND NO LARGER AREA SHOULD BE DISTURBED THAN CAN BE MULCHED IN ONE (1) DAY.

THE CONTRACTOR MUST INSTALL ANY ADDED MEASURES WHICH MAY BE NECESSARY TO CONTROL EROSION/SEDIMENTATION FROM THE SITE DEPENDENT UPON THE ACTUAL SITE AND WEATHER CONDITIONS. CONTINUATION OF EARTHWORK OPERATIONS ON ADDITIONAL AREAS SHALL NOT BEGIN UNTIL THE EXPOSED SOIL SURFACE ON THE AREA BEING WORKED HAS BEEN STABILIZED, IN ORDER TO MINIMIZE AREAS WITHOUT EROSION CONTROL PROTECTION.

EROSION CONTROL APPLICATIONS & MEASURES

THE PLACEMENT OF EROSION CONTROL MEASURES SHALL BE COMPLETED IN ACCORDANCE WITH GUIDELINES ESTABLISHED IN BEST MANAGEMENT PRACTICES AND IN ACCORDANCE WITH THE EROSION CONTROL PLAN AND DETAILS IN THE PLAN SET.

1. TEMPORARY MULCHING:

ALL DISTURBED AREAS SHALL BE MULCHED WITH MATERIALS SPECIFIED BELOW PRIOR TO ANY STORM EVENT. ALL DISTURBED AREAS NOT FINAL GRADE WITHIN 14 DAYS SHALL BE MULCHED. DISTURBED AREAS ADJACENT TO NATURAL RESOURCES THAT ARE NOT GRADED WITHIN SEVEN (7) DAYS SHALL BE MULCHED. ALSO, AREAS, WHICH HAVE BEEN TEMPORARILY OR PERMANENTLY SEEDED, SHALL BE MULCHED IMMEDIATELY FOLLOWING SEEDING. EROSION CONTROL BLANKETS ARE RECOMMENDED TO BE USED AT THE BASE OF GRASSSED WATERWAYS AND ON SLOPES GREATER THAN 33%. MULCH ANCHORING SHOULD BE USED ON SLOPES GREATER THAN 5% AFTER SEPTEMBER 15TH OF THE CONSTRUCTION YEAR (SEE WINTER EROSION CONTROL NOTES).

TYPES OF MULCH:

HAY OR STRAW SHALL BE APPLIED AT A RATE OF 75 LBS/1,000 S.F. (1.5 TONS PER ACRE).

EROSION CONTROL MIX: SHALL BE PLACED EVENLY AND MUST PROVIDE 100% SOIL COVERAGE. EROSION CONTROL MIX SHALL BE APPLIED SUCH THAT THE THICKNESS ON SLOPES 3:1 OR LESS IS 2 INCHES PLUS 1/2 INCH PER 20 FEET OF SLOPE UP TO 100 FEET. THE THICKNESS ON SLOPES BETWEEN 3:1 AND 2:1 SHALL BE 4 INCHES PLUS 1/2 INCH PER 20 FEET OF SLOPE UP TO 100 FEET. THIS SHALL NOT BE USED ON SLOPES GREATER THAN 2:1.

EROSION CONTROL BLANKET: SHALL BE INSTALLED SUCH THAT CONTINUOUS CONTACT BETWEEN THE MAT AND THE SOIL IS OBTAINED. INSTALL BLANKETS AND STAPLE IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.

2. SOIL STOCKPILES:

STOCKPILES OF SOIL OR SUBSOIL SHALL BE MULCHED WITH HAY OR STRAW AT A RATE OF 75 LBS/1,000 S.F. (1.5 TONS PER ACRE) OR WITH A FOUR-INCH LAYER OF WOOD WASTE. EROSION CONTROL SHALL BE APPLIED TO STOCKPILES THAT ARE NOT GRADED WITHIN SEVEN (7) DAYS. ANY RAINFALL, ANY SOIL STOCKPILE WILL NOT BE PLACED (EVEN COVERED WITH HAY OR STRAW) WITHIN 100 FEET FROM ANY NATURAL RESOURCES. SEDIMENT BARRIERS SHALL BE INSTALLED DOWNGRADIENT OF STOCKPILES, AND STORMWATER SHALL BE PREVENTED FROM RUNNING ONTO THE STOCKPILE.

3. NATURAL RESOURCES PROTECTION:

ANY AREAS WITHIN 100 FEET FROM ANY NATURAL RESOURCES, IF NOT STABILIZED WITH A MINIMUM OF 90% MATURE VEGETATION CATCH, SHALL BE MULCHED USING TEMPORARY MULCHING (AS DESCRIBED IN PART 1. OF THIS SECTION) WITHIN 7 DAYS OF EXPOSURE OR PRIOR TO ANY STORM EVENT. SEDIMENT BARRIERS (AS DESCRIBED IN PART 4. OF THIS SECTION) SHALL BE PLACED BETWEEN ANY NATURAL RESOURCE AND THE DISTURBED AREA. PROJECTS CROSSING THE NATURAL RESOURCE SHALL BE PROTECTED A MINIMUM DISTANCE OF 100 FEET ON EITHER SIDE FROM THE RESOURCE.

4. SEDIMENT BARRIERS:

PRIOR TO THE BEGINNING OF ANY CONSTRUCTION, SEDIMENT BARRIERS SHALL BE STAKED ACROSS THE SLOPE(S), ON THE CONTOUR AT OR JUST BELOW THE LIMITS OF CLEARING OR GRUBBING, AND/OR JUST ABOVE ANY ADJACENT PROPERTY LINE OR WATERCOURSE TO PROTECT AGAINST CONSTRUCTION RELATED EROSION. SEDIMENT BARRIERS SHALL BE MAINTAINED BY THE CONTRACTOR UNTIL ALL EXPOSED SLOPES HAVE AT LEAST 90% VIGOROUS PERENNIAL VEGETATIVE COVER TO PREVENT EROSION.

SILT FENCE: SHALL BE INSTALLED PER THE DETAIL ON THE PLANS. THE EFFECTIVE HEIGHT OF THE FENCE SHALL NOT EXCEED 36 INCHES. IT IS RECOMMENDED THAT SILT FENCE BE REMOVED BY CUTTING THE FENCE MATERIALS AT GROUND LEVEL SO AS TO AVOID ADDITIONAL SOIL DISTURBANCE.

HAY BALES: SHALL NOT BE INSTALLED ADJACENT TO WETLAND. INSTALL PER THE DETAIL ON THE PLANS. BALES SHALL BE WIRE-BOUND OR STRING-TIED AND THESE BINDINGS MUST REMAIN PARALLEL WITH THE GROUND SURFACE DURING INSTALLATION TO PREVENT DEGRADATION OF THE BINDINGS. BALES SHALL BE INSTALLED WITHIN A MINIMUM 4 INCH DEEP TRENCH LINE WITH ENDS OF ADJACENT BALES TIGHTLY ABUTTING ONE ANOTHER.

EROSION CONTROL MIX: SHALL NOT BE USED ADJACENT TO WETLANDS. INSTALL PER THE DETAIL ON THE PLANS. THE MIX SHALL CONSIST PRIMARILY OF ORGANIC MATERIAL AND CONTAIN A WELL-GRADED MIXTURE OF PARTICLE SIZES AND MAY CONTAIN ROCKS LESS THAN 4 INCHES IN DIAMETER. THE MIX COMPOSITION SHALL MEET THE STANDARDS DESCRIBED WITHIN THE MDEP BEST MANAGEMENT PRACTICES. NO TRENCHING IS REQUIRED FOR INSTALLATION OF THIS BARRIER. EROSION CONTROL MIX BERMS SHALL NOT BE USED AT THE TOP OF STEEP SLOPES (>8%) OR SLOPES WITH FLOWING WATER.

CONTINUOUS CONTAINED BERM: SHALL BE INSTALLED PER THE DETAIL ON THE PLANS. THIS SEDIMENT BARRIER IS EROSION CONTROL MIX PLACED WITHIN A SYNTHETIC TUBULAR NETTING AND PERFORMS AS A STURDY SEDIMENT BARRIER THAT WORKS WELL ON HARD GROUND SUCH AS FROZEN CONDITIONS, TRAVELED AREAS OR PAVEMENT. NO TRENCHING IS REQUIRED FOR INSTALLATION OF THIS BARRIER.

5. TEMPORARY CHECK DAMS:

SHALL BE INSTALLED PER THE DETAIL ON THE PLANS. CHECK DAMS ARE TO BE PLACED WITHIN DITCHES/ SWALES AS SPECIFIED ON THE DESIGN PLANS IMMEDIATELY AFTER FINAL GRADING. CHECK DAMS SHALL BE 2 FEET HIGH. TEMPORARY CHECK DAMS SHALL BE CONSTRUCTED ONLY AFTER THE ROADWAYS ARE PAVED AND THE VEGETATED SWALE ARE ESTABLISHED WITH AT LEAST 90% OF VIGOROUS PERENNIAL GROWTH. THE AREA BENEATH THE CHECK DAM MUST BE SEEDED AND MULCHED IMMEDIATELY AFTER REMOVAL OF THE CHECK DAM.

STONE CHECK DAMS: STONE DAMS SHOULD BE CONSTRUCTED OF 2 TO 3 INCH STONE AND PLACED SUCH THAT COMPLETE COVERAGE OF THE SWALE IS OBTAINED AND THAT THE CENTER OF THE DAM IS 6 INCHES LOWER THAT THE OUTER EDGES.

HAY BALE CHECK DAMS: BALES SHALL BE WIRE-BOUND OR STRING-TIED. BALES SHALL BE INSTALLED WITHIN A MINIMUM 4 INCH DEEP TRENCH LINE WITH ENDS OF ADJACENT BALES TIGHTLY ABUTTING ONE ANOTHER. HAY BALES SHALL BE PLACED SUCH THAT COMPLETE COVERAGE OF THE SWALE IS OBTAINED AND THAT THE CENTER OF THE DAM IS 6 INCHES LOWER THAT THE OUTER EDGES.

MANUFACTURED CHECK DAMS: MANUFACTURED CHECK DAMS, AS SPECIFIED IN THE DETAIL ON THE PLANS, MAY BE USED IF AUTHORIZED BY THE PROPER LOCAL STATE OR FEDERAL REGULATING AGENCIES. THESE UNITS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.

6. STORMDRAIN INLET PROTECTION:

INLET PROTECTION SHALL BE PLACED AROUND A STORMDRAIN DROP INLET OR CURB INLET PRIOR TO PERMANENT STABILIZATION OF THE IMMEDIATE AND UPSTREAM DISTURBED AREA. INLET PROTECTION SHALL BE CONSTRUCTED IN A MANNER THAT WILL FACILITATE CLEAN-OUT AND DISPOSAL OF TRAPPED SEDIMENT AND MINIMIZE INTERFERENCE WITH CONSTRUCTION ACTIVITIES. ANY RESULTANT PONDING OF WATER FROM THE PROTECTION METHOD MUST NOT CAUSE EXCESSIVE INCONVENIENCE OR DAMAGE TO ADJACENT AREAS OR STRUCTURES.

HAY BALE DROP INLET PROTECTION: WE DO NOT RECOMMEND THE USE OF HAY BALES AS INLET PROTECTION.

CONCRETE BLOCK AND STONE INLET SEDIMENT FILTER (DROP OR CURB INLET): SHALL BE INSTALLED PER THE DETAIL ON THE PLANS. THE HEIGHT OF THE CONCRETE BLOCK BARRIER CAN VARY BUT MUST BE BETWEEN 12 AND 24 INCHES TALL. A MINIMUM OF 1 INCH CRUSHED STONE SHALL BE USED.

MANUFACTURED SEDIMENT BARRIERS AND FILTER (DROP OR CURB INLET): MANUFACTURED FILTERS, AS SPECIFIED IN THE DETAIL ON THE PLANS, MAY BE USED IF INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.

7. STABILIZED CONSTRUCTION ENTRANCE/EXIT:

PRIOR TO CLEARING AND/OR GRUBBING THE SITE A STABILIZED CONSTRUCTION ENTRANCE/EXIT SHALL BE CONSTRUCTED WHEREVER TRAFFIC WILL EXIT THE CONSTRUCTION SITE ONTO A PAVED ROADWAY IN ORDER TO MINIMIZE THE TRACKING OF SEDIMENT AND DEBRIS FROM THE CONSTRUCTION SITE ONTO PUBLIC ROADWAYS. THE ENTRANCES AND ADJACENT ROADWAY AREAS SHALL BE PERIODICALLY SWEEP OR WASHED TO FURTHER MINIMIZE THE TRACKING OF MUD, DUST OR DEBRIS FROM THE CONSTRUCTION AREA. STABILIZED CONSTRUCTION EXITS SHALL BE CONSTRUCTED IN AREAS SPECIFIED ON THE PLANS AND AS DETAILED ON THE PLANS. THE CONTRACTOR SHALL MAINTAIN THE STABILIZED CONSTRUCTION ENTRANCE UNTIL ALL DISTURBED AREAS ARE STABILIZED.

8. DUST CONTROL:

DUST CONTROL DURING CONSTRUCTION SHALL BE ACHIEVED BY THE USE OF A WATERING TRUCK TO PERIODICALLY SPRINKLE THE EXPOSED ROADWAY AREAS AS NECESSARY TO REDUCE DUST DURING THE DRY MONTHS. APPLYING OTHER DUST CONTROL PRODUCTS SUCH AS CALCIUM CHLORIDE OR OTHER MANUFACTURED PRODUCTS ARE ALLOWED IF AUTHORIZED BY THE PROPER LOCAL, STATE AND/OR FEDERAL REGULATING AGENCIES. HOWEVER, IT IS THE CONTRACTOR'S ULTIMATE RESPONSIBILITY TO MITIGATE DUST AND SOIL LOSS FROM THE SITE. IF OFFSITE TRACKING OCCURS, PUBLIC ROADS SHOULD BE SWEEP IMMEDIATELY AND NOT LESS THAN ONCE A WEEK AND PRIOR TO SIGNIFICANT STORM EVENTS.

9. TEMPORARY VEGETATION:

TEMPORARY VEGETATION SHALL BE APPLIED TO DISTURBED AREAS THAT WILL NOT RECEIVE FINAL GRADING FOR PERIODS UP TO 12 MONTHS. THIS PROCEDURE SHOULD BE USED EXTENSIVELY IN AREAS ADJACENT TO NATURAL RESOURCES. SEEDED PREPARATION AND APPLICATION OF SEED SHALL BE CONDUCTED AS INDICATED IN THE PERMANENT VEGETATION SECTION OF THIS NARRATIVE. SPECIES SEEDS (FAST GROWING AND SHORT LIVING) SHALL BE SELECTED FROM THE MAINE EROSION AND SEDIMENT CONTROL BMP MANUAL DATED 3/2003 OR LATER. ALTERNATIVE VEGETATION MEASURES SHOULD BE USED IF SEEDING CAN NOT BE DONE BEFORE SEPTEMBER 15TH OF THE CONSTRUCTION YEAR.

10. PERMANENT VEGETATION:

REVEGETATION MEASURES SHALL COMMENCE IMMEDIATELY UPON COMPLETION OF FINAL GRADING OF AREAS TO BE LOAMED AND SEEDED. THE APPLICATION OF SEED SHALL BE CONDUCTED BETWEEN APRIL 1ST AND OCTOBER 1ST OF THE CONSTRUCTION YEAR, PLEASE REFER TO THE WINTER EROSION CONTROL NOTES FOR MORE DETAIL. REVEGETATION MEASURES SHALL CONSIST OF THE FOLLOWING:

SEEDED PREPARATION:

A. FOUR (4) INCHES OF LOAM SHALL BE SPREAD OVER DISTURBED AREAS AND SMOOTHED TO A UNIFORM SURFACE. LOAM SHALL BE FREE OF SUBSOIL, CLAY LUMPS, STONES AND OTHER OBJECTS OVER 2 INCHES OR LARGER IN ANY DIMENSION, AND WITHOUT WEEDS, ROOTS OR OTHER OBJECTIONABLE MATERIAL.

B. SOIL TESTS SHALL BE TAKEN AT THE TIME OF SOIL STRIPPING TO DETERMINE FERTILIZATION REQUIREMENTS. SOIL TESTS SHALL BE TAKEN PROMPTLY AS TO NOT INTERFERE WITH THE 14-DAY LIMIT ON SOIL EXPOSURE. BASED UPON TEST RESULTS, SOIL AMENDMENTS SHALL BE INCORPORATED INTO THE SOIL PRIOR TO FINAL SEEDING. IN LIEU OF SOIL TESTS, SOIL AMENDMENTS MAY BE APPLIED AS FOLLOWS:

ITEM	APPLICATION RATE
10-20-20 FERTILIZER (N-P205-K20 OR EQUAL)	18.4 LBS./1,000 S.F.
GROUND LIMESTONE (50% CALCIUM & MAGNESIUM OXIDE)	138 LBS./1,000 S.F.
C. WORK LIME AND FERTILIZER INTO THE SOIL AS NEARLY AS PRACTICAL TO A DEPTH OF 4 INCHES WITH PROPER EQUIPMENT. ROLL THE AREA TO FIRM THE SEEDED EXPOSED ON CLAY OR SILTY SOILS OR COARSE SAND.	

APPLICATION OF SEED:

A. SEEDING: SHALL BE CONDUCTED BETWEEN APRIL 1ST AND OCTOBER 1ST OF THE CONSTRUCTION YEAR. GENERALLY A SEED MIXTURE MAY BE APPLIED AS FOLLOWS: (MDEP SEED MIX 2 IS DISPLAYED)

SEED TYPE	APPLICATION RATE
CREeping RED FESCUE	0.46 LBS/1,000 S.F. (20 LBS/ACRE)
RED TOP	0.05 LBS/1,000 S.F. (2 LBS/ACRE)
TALL FESCUE	0.46 LBS/1,000 S.F. (20 LBS/ACRE)
TOTAL:	0.97 LBS/1,000 S.F. (42 LBS/ACRE)

NOTE: A SPECIFIC SEED MIXTURE SHOULD BE CHOSEN TO MATCH THE SOILS CONDITION OF THE SITE. VARIOUS AGENCIES CAN RECOMMEND SEED MIXTURES. MDEP RECOMMENDED SEED MIXTURES ARE IN THE EROSION AND SEDIMENT CONTROL BMP MANUAL DATED 3/2003 OR LATER.

B. HYDROSEEDING: SHALL BE CONDUCTED ON PREPARED AREAS WITH SLOPES LESS THAN 2:1. LIME AND FERTILIZER MAY BE APPLIED SIMULTANEOUSLY WITH THE SEED. RECOMMENDED SEEDING RATES MUST BE INCREASED BY 10% WHEN HYDROSEEDING.

C. MULCHING: SHALL COMMENCE IMMEDIATELY AFTER SEED IS APPLIED. REFER TO THE TEMPORARY MULCHING SECTION OF THIS NARRATIVE FOR DETAILS.

SODDING: FOLLOWING SEEDED PREPARATION, SOD CAN BE APPLIED IN LIEU OF SEEDING IN AREAS WHERE IMMEDIATE VEGETATION IS MOST BENEFICIAL SUCH AS DITCHES, AROUND STORMWATER DROP INLETS AND AREAS OF AESTHETIC VALUE. SOD SHOULD BE LAID AT RIGHT ANGLES TO THE DIRECTION OF FLOW, STARTING AT THE LOWEST ELEVATION. SOD SHOULD BE ROLLED OR TAMPED DOWN TO EVEN OUT THE JOINTS ONCE LAID DOWN. WHERE FLOW IS PREVALENT THE SOD MUST BE PROPERLY ANCHORED DOWN. IRRIGATE THE SOD IMMEDIATELY AFTER INSTALLATION. IN MOST CASES, SOD CAN BE ESTABLISHED BETWEEN APRIL 1ST AND NOVEMBER 15TH OF THE CONSTRUCTION YEAR, HOWEVER, REFER TO THE WINTER EROSION CONTROL NOTES FOR ANY ACTIVITIES AFTER OCTOBER 1ST.

STANDARDS FOR TIMELY STABILIZATION:

STANDARD FOR THE TIMELY STABILIZATION OF DISTURBED SLOPES -- THE CONTRACTOR WILL CONSTRUCT AND STABILIZE STONE-COVERED SLOPES BY NOVEMBER 15. THE CONTRACTOR WILL SEED AND MULCH ALL SLOPES TO BE VEGETATED BY SEPTEMBER 15. THE MDEP WILL CONSIDER ANY AREA HAVING A GRADE GREATER THAN 15% (10H:1V) TO BE A SLOPE. IF THE CONTRACTOR FAILS TO STABILIZE ANY SLOPE TO BE VEGETATED BY SEPTEMBER 15, THEN THE CONTRACTOR WILL TAKE ONE OF THE FOLLOWING ACTIONS TO STABILIZE THE SLOPE FOR LATE FALL AND WINTER.

A. STABILIZE THE SOIL WITH TEMPORARY VEGETATION AND EROSION CONTROL MATS -- BY OCTOBER 1 THE CONTRACTOR WILL SEED THE DISTURBED SLOPE WITH WINTER RYE AT A SEEDING RATE OF 3 POUNDS PER 1,000 SQUARE FEET AND APPLY EROSION CONTROL MATS OVER THE MULCHED SLOPE. THE CONTRACTOR WILL MONITOR GROWTH OF THE RYE OVER THE NEXT 30 DAYS. IF THE RYE FAILS TO GROW AT LEAST THREE INCHES OR COVER AT LEAST 75% OF THE DISTURBED SLOPE BY NOVEMBER 15, THEN THE APPLICANT WILL MULCH THE SLOPE WITH HAY OR STRAW AT 75 POUNDS PER 1,000 SQUARE FEET, AND ANCHOR THE MULCH WITH PLASTIC NETTING. THE APPLICANT WILL MONITOR GROWTH OF THE RYE OVER THE NEXT 30 DAYS. IF THE RYE FAILS TO GROW AT LEAST THREE INCHES OR COVER AT LEAST 75% OF THE DISTURBED SLOPE BEFORE NOVEMBER 15, THEN THE APPLICANT WILL MULCH THE AREA FOR OVER-WINTER PROTECTION AS DESCRIBED IN ITEM 2(C) OF THIS STANDARD.

B. STABILIZE THE SOIL WITH SOD -- THE CONTRACTOR WILL STABILIZE THE DISTURBED SLOPE WITH PROPERLY INSTALLED SOD BY OCTOBER 1. PROPER INSTALLATION INCLUDES THE APPLICANT PINNING THE SOD ONTO THE SLOPE WITH WIRE PINS, ROLLING THE SOD TO GUARANTEE CONTACT BETWEEN THE SOD AND UNDERLYING SOIL, AND WATERING THE SOD TO PROMOTE ROOT GROWTH INTO THE DISTURBED SOIL. THE APPLICANT WILL NOT USE LATE-SEASON SOD INSTALLATION TO STABILIZE SLOPES HAVING A GRADE GREATER THAN 33% (3H:1V).

C. STABILIZE THE SLOPE WITH WOOD WASTE COMPOST -- THE CONTRACTOR WILL PLACE A SIX-INCH LAYER OF WOOD WASTE COMPOST ON THE SLOPE BY NOVEMBER 15. PRIOR TO PLACING THE WOOD WASTE COMPOST, THE APPLICANT WILL REMOVE ANY SNOW ACCUMULATION ON THE DISTURBED SLOPE. THE APPLICANT WILL NOT USE WOOD WASTE COMPOST TO STABILIZE SLOPES HAVING GRADES GREATER THAN 50% (2H:1V) OR HAVING GROUNDWATER SEEPS ON THE SLOPE FACE.

D. STABILIZE THE SLOPE WITH STONE RIPRAP -- THE CONTRACTOR WILL PLACE A LAYER OF STONE RIPRAP ON THE SLOPE BY NOVEMBER 15. THE APPLICANT WILL HIRE A REGISTERED PROFESSIONAL ENGINEER TO DETERMINE THE STONE SIZE NEEDED FOR STABILITY AND TO DESIGN A FILTER LAYER FOR UNDERNEATH THE RIPRAP.

STANDARD FOR THE TIMELY STABILIZATION OF DISTURBED SOILS -- BY SEPTEMBER 15 THE CONTRACTOR WILL SEED AND MULCH ALL DISTURBED SOILS ON AREAS HAVING A SLOPE LESS THAN 15%. IF THE CONTRACTOR FAILS TO STABILIZE THESE SOILS BY THIS DATE, THEN THE CONTRACTOR WILL TAKE ONE OF THE FOLLOWING ACTIONS TO STABILIZE THE SOIL FOR LATE FALL AND WINTER.

A. STABILIZE THE SOIL WITH TEMPORARY VEGETATION -- BY OCTOBER 1 THE CONTRACTOR WILL SEED THE DISTURBED SOIL WITH WINTER RYE AT A SEEDING RATE OF 3 POUNDS PER 1,000 SQUARE FEET, LIGHTLY MULCH THE SEEDED SOIL WITH HAY OR STRAW AT 75 POUNDS PER 1,000 SQUARE FEET, AND ANCHOR THE MULCH WITH PLASTIC NETTING. THE APPLICANT WILL MONITOR GROWTH OF THE RYE OVER THE NEXT 30 DAYS. IF THE RYE FAILS TO GROW AT LEAST THREE INCHES OR COVER AT LEAST 75% OF THE DISTURBED SOIL BEFORE NOVEMBER 15, THEN THE APPLICANT WILL MULCH THE AREA FOR OVER-WINTER PROTECTION AS DESCRIBED IN ITEM 2(C) OF THIS STANDARD.

B. STABILIZE THE SOIL WITH SOD -- THE APPLICANT WILL STABILIZE THE DISTURBED SOIL WITH PROPERLY INSTALLED SOD BY OCTOBER 1. PROPER INSTALLATION INCLUDES THE APPLICANT PINNING THE SOD ONTO THE SOIL WITH WIRE PINS, ROLLING THE SOD TO GUARANTEE CONTACT BETWEEN THE SOD AND UNDERLYING SOIL, AND WATERING THE SOD TO PROMOTE ROOT GROWTH INTO THE DISTURBED SOIL.

C. STABILIZE THE SOIL WITH MULCH -- BY NOVEMBER 15 THE APPLICANT WILL MULCH THE DISTURBED SOIL BY SPREADING HAY OR STRAW AT A RATE OF AT LEAST 150 POUNDS PER 1,000 SQUARE FEET ON THE AREA SO THAT NO SOIL IS VISIBLE THROUGH THE MULCH. PRIOR TO APPLYING THE MULCH, THE APPLICANT WILL REMOVE ANY SNOW ACCUMULATION ON THE DISTURBED AREA. IMMEDIATELY AFTER APPLYING THE MULCH, THE APPLICANT WILL ANCHOR THE MULCH WITH PLASTIC NETTING TO PREVENT WIND FROM MOVING THE MULCH OFF THE DISTURBED SOIL.

1. MAINTENANCE MEASURES SHALL BE APPLIED AS NEEDED DURING THE ENTIRE CONSTRUCTION CYCLE. AFTER EACH RAINFALL, SNOW STORM OR PERIOD OF THAWING AND RUNOFF, AND AT LEAST EVERY SEVEN (7) DAYS, THE CONTRACTOR SHALL PERFORM A VISUAL INSPECTION OF ALL INSTALLED EROSION CONTROL MEASURES. THE CONTRACTOR SHALL PERFORM REPAIRS NO LATER THAN THE END OF THE NEXT WORKDAY, TO ALLOW CONTINUED PROPER FUNCTIONING OF THE EROSION CONTROL MEASURE. THE CONTRACTOR SHALL PROVIDE THE NECESSARY REGULATING AGENCIES WITH WRITTEN DOCUMENTATION DESCRIBING DATES OF INSPECTIONS AND NECESSARY FOLLOW-UP WORK TO MAINTAIN EROSION CONTROL MEASURES MEETING THE REQUIREMENTS OF THIS PLAN WITHIN SEVEN (7) DAYS.

2. FOLLOWING THE TEMPORARY AND/OR FINAL SEEDINGS, THE CONTRACTOR SHALL INSPECT THE WORK AREA SEMIMONTHLY UNTIL THE SEEDINGS HAVE BEEN ESTABLISHED. ESTABLISHED MEANS A MINIMUM OF 90% OF AREAS VEGETATED WITH VIGOROUS GROWTH. RESEEDING SHALL BE CARRIED OUT BY THE CONTRACTOR WITH FOLLOW-UP INSPECTIONS IN THE EVENT OF ANY FAILURES UNTIL VEGETATION IS ADEQUATELY ESTABLISHED.

HOUSEKEEPING:

1. SPILL PREVENTATION: CONTROLS MUST BE USED TO PREVENT POLLUTANTS FROM CONSTRUCTION AND WASTE MATERIALS STORED ON SITE TO ENTER STORMWATER, WHICH INCLUDES STORAGE PRACTICES TO MINIMIZE EXPOSURE OF THE MATERIALS TO STORMWATER, THE SITE CONTRACTOR OR OPERATOR MUST DEVELOP, AND IMPLEMENT AS NECESSARY, APPROPRIATE SPILL PREVENTION, CONTAINMENT, AND RESPONSE PLANNING MEASURES.

2. GROUNDWATER PROTECTION: DURING CONSTRUCTION, LIQUID PETROLEUM PRODUCTS AND OTHER HAZARDOUS MATERIALS WITH THE POTENTIAL TO CONTAMINATE GROUNDWATER MAY NOT BE STORED OR HANDLED IN AREAS OF THE SITE DRAINING TO AN INFILTRATION AREA. AN "INFILTRATION AREA" IS ANY AREA OF THE SITE THAT BY DESIGN OR AS A RESULT OF SOILS, TOPOGRAPHY AND OTHER RELEVANT FACTORS ACCUMULATES RUNOFF THAT INFILTRATES INTO THE SOIL. DIKES, BERMS, SUMPS, AND OTHER FORMS OF SECONDARY CONTAINMENT THAT PREVENT DISCHARGE TO GROUNDWATER MAY BE USED TO PREVENT DISCHARGE TO GROUNDWATER. THE CONTRACTOR SHALL PERFORM REPAIRS NO LATER THAN THE END OF THE NEXT WORKDAY, TO ALLOW CONTINUED PROPER FUNCTIONING OF THE EROSION CONTROL MEASURE. THE CONTRACTOR SHALL PROVIDE THE NECESSARY REGULATING AGENCIES WITH WRITTEN DOCUMENTATION DESCRIBING DATES OF INSPECTIONS AND NECESSARY FOLLOW-UP WORK TO MAINTAIN EROSION CONTROL MEASURES MEETING THE REQUIREMENTS OF THIS PLAN WITHIN SEVEN (7) DAYS.

3. FUGITIVE SEDIMENT AND DUST: ACTIONS MUST BE TAKEN TO ENSURE THAT ACTIVITIES DO NOT RESULT IN NOTICEABLE EROSION OF SOILS OR FUGITIVE DUST EMISSIONS DURING OR AFTER CONSTRUCTION. OIL MAY NOT BE USED FOR DUST CONTROL, BUT OTHER WATER ADDITIVES MAY BE CONSIDERED AS NEEDED. A STABILIZED CONSTRUCTION ENTRANCE (SCE) SHOULD BE INCLUDED TO MINIMIZE TRACKING OF MUD AND SEDIMENT. IF OFF-SITE TRACKING OCCURS, PUBLIC ROADS SHOULD BE SWEEP IMMEDIATELY AND NO LESS THAN ONCE A WEEK AND PRIOR TO SIGNIFICANT STORM EVENTS. OPERATIONS DURING DRY MONTHS, THAT EXPERIENCE FUGITIVE DUST PROBLEMS, SHOULD WET DOWN UNPAVED ACCESS ROADS ONCE A WEEK OR MORE FREQUENTLY AS NEEDED WITH A WATER ADDITIVE TO SUPPRESS FUGITIVE SEDIMENT AND DUST.

4. DEBRIS AND OTHER MATERIALS: MINIMIZE THE EXPOSURE OF CONSTRUCTION DEBRIS, BUILDING AND LANDSCAPING MATERIALS, TRASH, FERTILIZERS, PESTICIDES, HERBICIDES, DETERGENTS, SANITARY WASTE AND OTHER MATERIALS TO PRECIPITATION AND STORMWATER RUNOFF. THESE MATERIALS MUST BE PREVENTED FROM BECOMING A POLLUTANT SOURCE.

5. EXCAVATION DE-WATERING: EXCAVATION DE-WATERING IS THE REMOVAL OF WATER FROM TRENCHES, FOUNDATIONS, COFFER DAMS, PONDS, AND OTHER AREAS WITHIN THE CONSTRUCTION AREA THAT RETAIN WATER AFTER EXCAVATION. IN MOST CASES THE COLLECTED WATER IS HEAVILY SILTED AND HINDERS CORRECT AND SAFE CONSTRUCTION PRACTICES. THE COLLECTED WATER REMOVED FROM THE PONDED AREA, EITHER THROUGH GRAVITY OR PUMPING, MUST BE SPREAD THROUGH NATURAL WOODDED BUFFERS OR REMOVED TO AREAS THAT ARE SPECIFICALLY DESIGNED TO COLLECT THE MAXIMUM AMOUNT OF SEDIMENT POSSIBLE, LIKE A COFFERDAM SEDIMENTATION BASIN. AVOID ALLOWING THE WATER TO FLOW OVER DISTURBED AREAS OF THE SITE. EQUIVALENT MEASURES MAY BE TAKEN IF APPROVED BY THE DEPARTMENT.

6. AUTHORIZED NON-STORMWATER DISCHARGES: IDENTIFY AND PREVENT CONTAMINATION BY NON-STORMWATER DISCHARGES, WHERE ALLOWED NON-STORMWATER DISCHARGES EXIST. THEY MUST BE IDENTIFIED AND STEPS SHOULD BE TAKEN TO ENSURE THE IMPLEMENTATION OF APPROPRIATE POLLUTION PREVENTION MEASURES FOR THE NON-STORMWATER COMPONENT(S) OF THE DISCHARGE. AUTHORIZED NON-STORMWATER DISCHARGES ARE:

- A. DISCHARGES FROM FIREFIGHTING ACTIVITY;
- B. FIRE HYDRANT FLUSHINGS;
- C. VEHICLE WASHWATER IF DETERGENTS ARE NOT USED AND WASHING IS LIMITED TO THE EXTERIOR OF VEHICLES (ENGINE, UNDERCARRIAGE AND TRANSMISSION WASHING IS PROHIBITED);
- D. DUST CONTROL RUNOFF IN ACCORDANCE WITH PERMIT CONDITIONS AND ITEM 3 OF THIS SECTION;
- E. SITUING EXTERIOR SOIL LOSS FROM THE SITE. IF OFFSITE TRACKING OCCURS, PUBLIC ROADS SHOULD BE SWEEP IMMEDIATELY AND NOT LESS THAN ONCE A WEEK AND PRIOR TO SIGNIFICANT STORM EVENTS;
- F. PAVEMENT WASHWATER (WHERE SPILLS/LEAKS OF TOXIC OR HAZARDOUS MATERIALS HAVE NOT OCCURRED, UNLESS ALL SPILLED MATERIAL HAD BEEN REMOVED) IF DETERGENTS ARE NOT USED;
- G. UNCONTAMINATED AIR CONDITIONING OR COMPRESSOR CONDENSATE;
- H. UNCONTAMINATED GROUNDWATER OR SPRING WATER;
- I. FOUNDATION OR FOOTER DRAIN-WATER WHERE FLOWS ARE NOT CONTAMINATED;
- J. UNCONTAMINATED EXCAVATION DEWATERING (SEE REQUIREMENTS IN ITEM 5 OF THIS SECTION);
- K. POTABLE WATER SOURCES INCLUDING WATERLINE FLUSHINGS; AND
- L. LANDSCAPE IRRIGATION.

7. UNAUTHORIZED NON-STORMWATER DISCHARGES: THE DEPARTMENT'S APPROVAL DOES NOT AUTHORIZE A DISCHARGE THAT IS MIXED WITH A SOURCE OF NON-STORMWATER, OTHER THAN THOSE DISCHARGES IN COMPLIANCE WITH ITEM 6 OF THIS SECTION. SPECIFICALLY, THE DEPARTMENT'S APPROVAL DOES NOT AUTHORIZE DISCHARGES OF THE FOLLOWING:

- A. WASTEWATER FROM THE WASHOUT OR CLEANOUT OF CONCRETE, STUCCO, PAINT, FORM RELEASE OILS, CURING COMPOUNDS OR OTHER CONSTRUCTION MATERIALS;
- B. FUELS, OILS OR OTHER POLLUTANTS USED IN VEHICLE AND EQUIPMENT OPERATION AND MAINTENANCE;
- C. SOAPS, SOLVENTS, OR DETERGENTS USED IN VEHICLE AND EQUIPMENT WASHING; AND
- D. TOXIC OR HAZARDOUS SUBSTANCES FROM A SPILL OR OTHER RELEASE.

WINTER EROSION CONTROL MEASURES

THE WINTER CONSTRUCTION PERIOD IS FROM OCTOBER 1 THROUGH APRIL 15. IF THE CONSTRUCTION SITE IS NOT STABILIZED WITH PAVEMENT, A ROAD GRAVEL BASE, 75% MATURE VEGETATION COVER OR RIPRAP BY NOVEMBER 15 THEN THE SITE NEEDS TO BE PROTECTED WITH OVER-WINTER STABILIZATION. AN AREA CONSIDERED OPEN IS ANY AREA NOT STABILIZED WITH PAVEMENT, VEGETATION, MULCHING, EROSION CONTROL MATS, RIPRAP OR GRAVEL BASE ON A ROAD. LIMIT THE EXPOSED AREA TO THOSE AREAS IN WHICH WORK IS EXPECTED TO BE UNDER TAKEN DURING THE PROCEEDING 15 DAYS AND THAT CAN BE MULCHED IN ONE DAY PRIOR TO ANY SNOW EVENT. ALL AREAS SHALL BE CONSIDERED TO BE DENUDED UNTIL THE SUBBASE GRAVEL IS INSTALLED IN ROADWAY AREAS OR THE AREAS OF FUTURE LOAM AND SEED HAVE BEEN LOAMED, SEEDED AND MULCHED. HAY AND STRAW MULCH RATE SHALL BE A MINIMUM OF 150 LBS./1,000 S.F. (3 TONS/ACRE) AND SHALL BE PROPERLY ANCHORED. THE CONTRACTOR MUST INSTALL ANY ADDED MEASURES WHICH MAY BE NECESSARY TO CONTROL EROSION/SEDIMENTATION FROM THE SITE DEPENDENT UPON THE ACTUAL SITE AND WEATHER CONDITIONS. CONTINUATION OF EARTHWORK OPERATIONS ON ADDITIONAL AREAS SHALL NOT BEGIN UNTIL THE EXPOSED SOIL SURFACE ON THE AREA BEING WORKED HAS BEEN STABILIZED, IN ORDER TO MINIMIZE AREAS WITHOUT EROSION CONTROL PROTECTION.

1. SOIL STOCKPILES

STOCKPILES OF SOIL OR SUBSOIL WILL BE MULCHED FOR OVER WINTER PROTECTION WITH HAY OR STRAW AT TWICE THE NORMAL RATE OR AT 150 LBS./1,000 S.F. (3 TONS PER ACRE) OR WITH A FOUR-INCH LAYER OF WOOD WASTE EROSION CONTROL MIX. THIS WILL BE DONE WITHIN 24 HOURS OF STOCKING AND RE-ESTABLISHED PRIOR TO ANY RAINFALL OR SNOWFALL. ANY SOIL STOCKPILE WILL NOT BE PLACED (EVEN COVERED WITH HAY OR STRAW) WITHIN 100 FEET FROM ANY NATURAL RESOURCES.

2. NATURAL RESOURCES PROTECTION

ANY AREAS WITHIN 100 FEET FROM ANY NATURAL RESOURCES, IF NOT STABILIZED WITH A MINIMUM OF 75% MATURE VEGETATION CATCH, SHALL BE MULCHED BY DECEMBER AND ANCHORED WITH PLASTIC NETTING OR PROTECTED WITH EROSION CONTROL MATS. DURING WINTER CONSTRUCTION, A DOUBLE LINE OF SEDIMENT BARRIERS (I.E. SILT FENCE BACKED WITH HAY BALES OR EROSION CONTROL MIX) WILL BE PLACED BETWEEN ANY NATURAL RESOURCE AND THE DISTURBED AREA.

PROJECTS CROSSING THE NATURAL RESOURCE SHALL BE PROTECTED A MINIMUM DISTANCE OF 100 FEET ON EITHER SIDE FROM THE RESOURCE. EXISTING PROJECTS NOT STABILIZED BY DECEMBER 1 SHALL BE PROTECTED WITH THE SECOND LINE OF SEDIMENT BARRIER TO ENSURE FUNCTIONALITY DURING THE SPRING THAW AND RAINS.

3. SEDIMENT BARRIERS

DURING FROZEN CONDITIONS, SEDIMENT BARRIERS SHALL CONSIST OF WOOD WASTE FILTER BERMS AS FROZEN SOIL PREVENTS THE PROPER INSTALLATION OF HAY BALES AND SEDIMENT SILT FENCES.

4. MULCHING

ALL AREA SHALL BE CONSIDERED TO BE DENUDED UNTIL AREAS OF FUTURE LOAM AND SEED HAVE BEEN LOAMED, SEEDED AND MULCHED. HAY AND STRAW MULCH SHALL BE APPLIED AT A RATE OF 150 LBS. PER 1,000 SQUARE FEET OR 3 TONS/ACRE (TWICE THE NORMAL ACCEPTED RATE OF 75-LBS./1,000 S.F. OR 1.5 TONS/ACRE) AND SHALL BE PROPERLY ANCHORED. MULCH SHALL NOT BE SPREAD ON TOP OF SNOW. THE SNOW WILL BE REMOVED DOWN TO A ONE-INCH DEPTH OR LESS PRIOR TO APPLICATION. AFTER EACH DAY OF FINAL GRADING, THE AREA WILL BE PROPERLY STABILIZED WITH ANCHORED HAY OR STRAW OR EROSION CONTROL MATTING. AN AREA SHALL BE CONSIDERED TO HAVE BEEN STABILIZED WHEN EXPOSED SURFACES HAVE BEEN EITHER MULCHED WITH STRAW OR HAY AT A RATE OF 150 LB. PER 1,000 SQUARE FEET (3TONS/ACRE) AND ADEQUATELY ANCHORED THAT GROUND SURFACE IS NOT VISIBLE THOUGH THE MULCH.

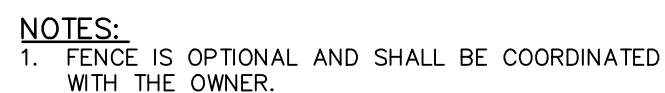
BETWEEN THE DATES OF SEPTEMBER 1 AND APRIL 15, ALL MULCH SHALL BE ANCHORED BY EITHER PEG LINE, MULCH NETTING, ASPHALT EMULSION CHEMICAL, TRACK OR WOOD CELLULOSE FIBER. WHEN GROUND SURFACE IS NOT VISIBLE THOUGH THE MULCH THEN COVER IS SUFFICIENT. AFTER NOVEMBER 1ST, MULCH AND ANCHORING OF ALL BARE SOIL SHALL OCCUR AT THE END OF EACH FINAL GRADING WORK DAY.

5. MULCHING ON SLOPES AND DITCHES

SLOPES SHALL NOT BE LEFT EXPOSED FOR ANY EXTENDED TIME OF WORK SUSPENSION UNLESS FULLY MULCHED AND ANCHORED WITH PEG AND NETTING OR WITH EROSION CONTROL BLANKETS. MULCHING SHALL BE APPLIED AT A RATE OF 230 LBS./1,000 S.F. ON ALL SLOPES GREATER THAN 8% MULCH NETTING SHALL BE USED TO ANCHOR MULCH IN ALL DRAINAGE WAYS WITH A SLOPE GREATER THAN 3% FOR SLOPES EXPOSED TO DIRECT WINDS AND FOR ALL OTHER SLOPES GREATER THAN 8%. EROSION CONTROL BLANKETS SHALL BE USED IN LIEU OF MULCH IN ALL DRAINAGE WAYS WITH SLOPES 8% EROSION CONTROL MIX CAN BE USED TO SUBSTITUTE EROSION CONTROL BLANKETS ON ALL SLOPES EXCEPT DITCHES.

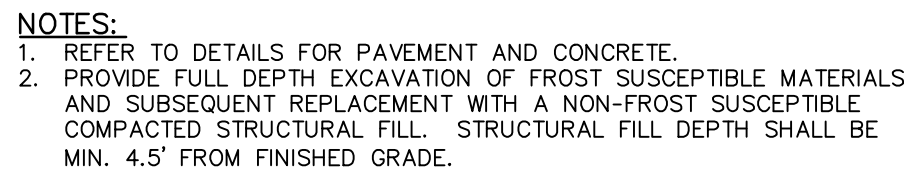
6. SEEDING

BETWEEN THE DATES OF OCTOBER 15 AND APRIL 1ST, LOAM OR SEED WILL NOT BE REQUIRED. DURING PERIODS OF ABOVE FREEZING TEMPERATURES FINISHED AREAS SHALL BE FINE GRADED AND EITHER PROTECTED WITH MULCH OR TEMPORARILY SEEDED AND MULCHED UNTIL SUCH TIME AS THE FINAL TREATMENT CAN BE APPLIED. IF THE DATE IS AFTER NOVEMBER 1ST AND IF THE EXPOSED AREA HAS BEEN LOAMED, FINAL GRADED WITH A UNIFORM SURFACE, THEN THE AREA MAY BE DORMANT SEEDED AT A RATE OF 3 TIMES HIGHER THAN SPECIFIED FOR PERMANENT SEED AND THEN MULCHED. DORMANT SEEDING MAY BE SELECTED TO BE PLACED PRIOR TO THE PLACEMENT OF MULCH AND FABRIC NETTING ANCHORED WITH STAPLES. IF DORMANT SEEDING IS USED FOR THE SITE, ALL DISTURBED AREAS SHALL RECEIVE 4" OF LOAM AND SEED AT AN APPLICATION RATE OF 50LBS/1000 S.F. ALL AREAS SEEDED DURING THE WINTER WILL BE INSPECTED IN THE SPRING FOR ADEQUATE CATCH. ALL AREAS SUFFICIENTLY VEGETATED (LESS THAN 75% CATCH) SHALL BE REVEGETATED BY REPLACING LOAM, SEED AND MULCH. IF DORMANT SEEDING IS NOT USED FOR THE SITE, ALL DISTURBED AREAS SHALL BE REVEGETATED



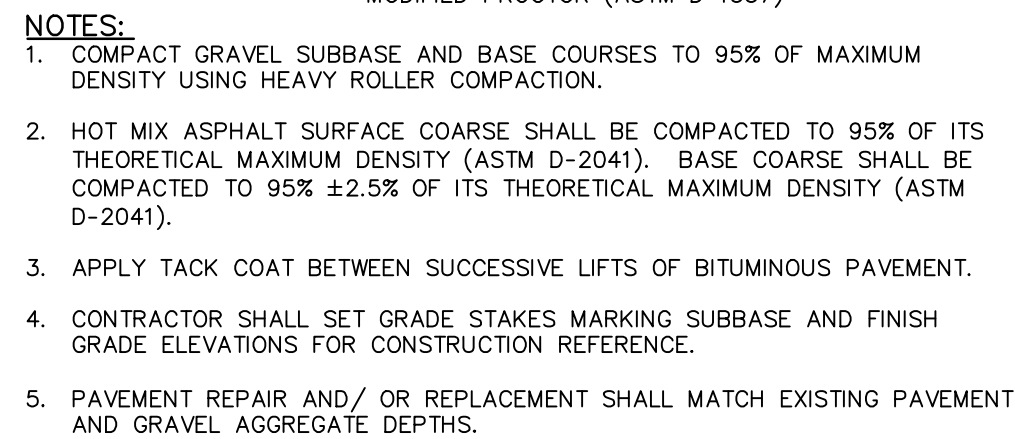
DUMPSTER ENCLOSURE DETAIL

NOT TO SCALE



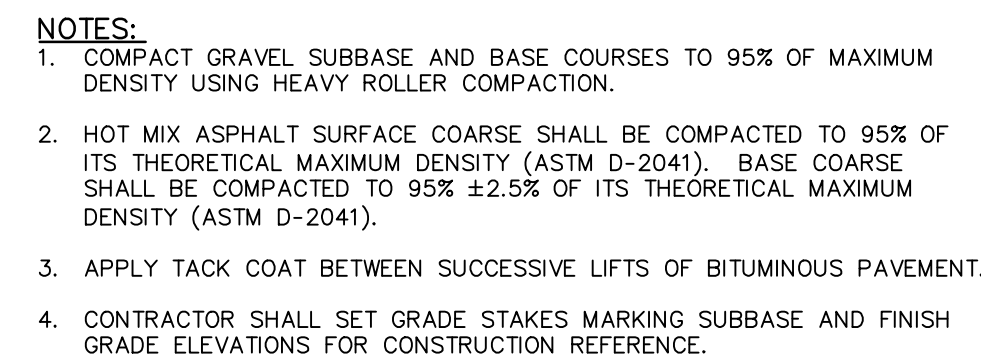
PAVEMENT SECTION @ BUILDING

NOT TO SCALE



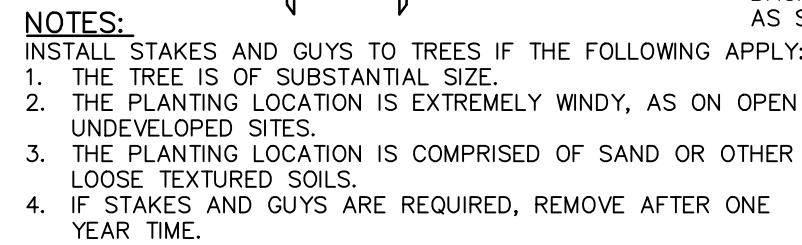
TYPICAL PAVEMENT SECTION

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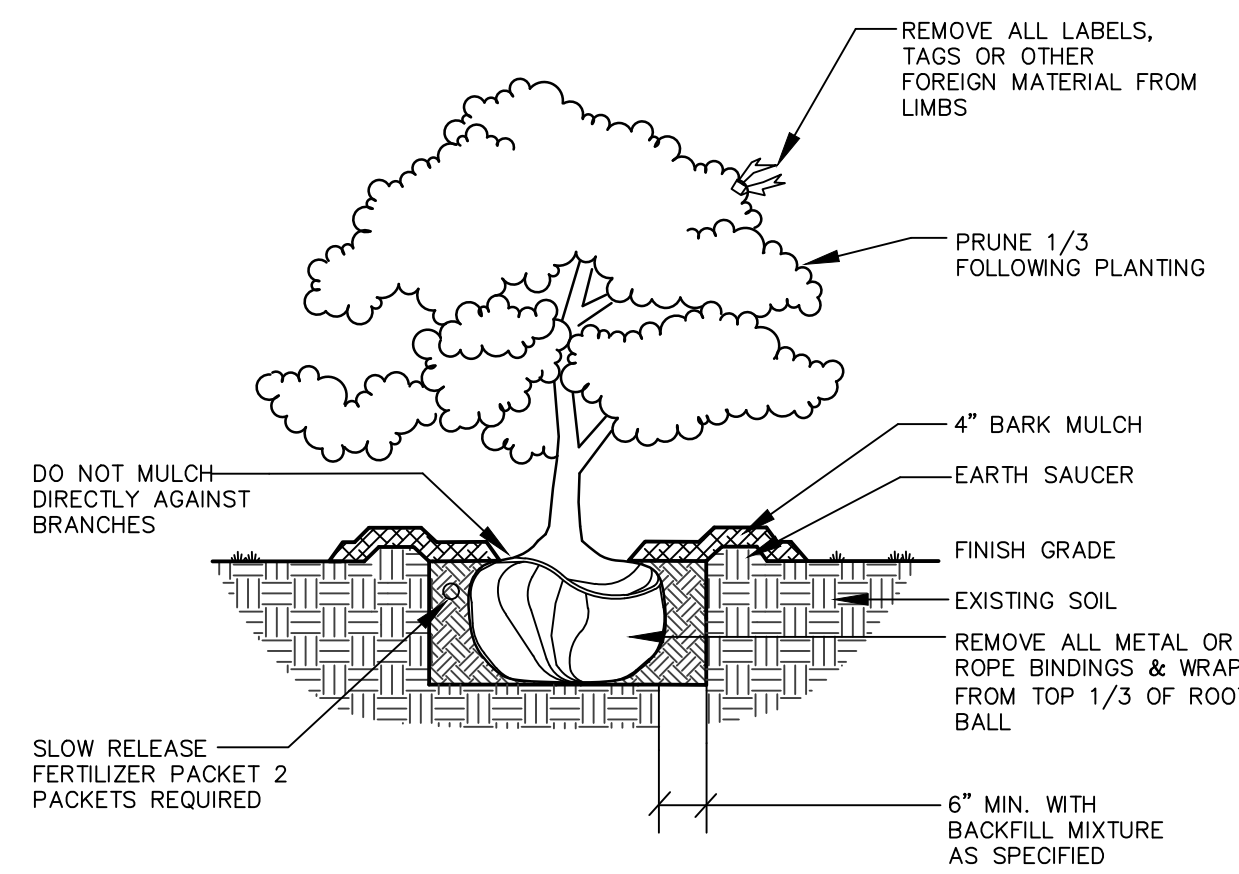
PEDESTRIAN (WALKWAY) PAVING

NOT TO SCALE



TREE PLANTING DETAIL

NOT TO SCALE

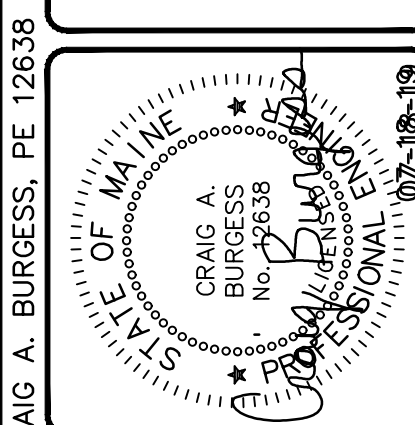
DECIDUOUS & EVERGREEN SHRUB

NOT TO SCALE



LANDSCAPE NOTES

- | | | | |
|----|--|-----|--|
| 1. | THE CONTRACTOR IS RESPONSIBLE FOR ALL PLANT MATERIAL INSTALLATION AS SHOWN ON PLANS. | 8. | THE LANDSCAPE CONTRACTOR IS ADVISED OF THE PRESENCE OF THE UNDERGROUND UTILITIES AND SHALL VERIFY THE EXISTENCE AND LOCATION OF SAME BEFORE COMMENCING ANY CONSTRUCTION OPERATIONS. THE LANDSCAPE CONTRACTOR SHALL REPLACE OR REPAIR UTILITIES, PAVING, WALKS, DRIVEWAYS, ETC. DURING THE COURSE OF THIS JOB AT NO ADDITIONAL COST TO THE OWNER. |
| 2. | SIZE AND GRADING STANDARDS OF PLANT MATERIAL SHALL COMPLY WITH THE LATEST EDITION OF "U.S.A. STANDARD FOR NURSERY STOCK," BY THE AMERICAN ASSOCIATION OF NURSERYMEN, INC. ALL PLANT MATERIAL SHALL BE FREE FROM INJURY AND DISEASE. | 9. | ALL SHRUB BEDS SHALL BE MULCHED WITH 3" CLEAN SHREDDED DARK BROWN BARK MULCH. |
| 3. | ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH ACCEPTABLE HORTICULTURAL PRACTICES. | 10. | THE LANDSCAPE CONTRACTOR SHALL SOLOAM FOR ALL AREAS TO BE SODED OR SEEDED. PLANTING AREAS SHALL RECEIVE 12" ROULDED THICKNESS OF LOAM. THE LANDSCAPE CONTRACTOR SHALL FERTILIZE PLANTING AREAS PRIOR TO PLANTING. |
| 4. | STAKING OR TYPING, WRAPPING, SPRAYING, FERTILIZATION, INCLUDING SOLOAM, SHALL BE MAINTENANCE UNTIL ACCEPTANCE BY THE OWNER. | 11. | THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE GENERAL CONTRACTOR PRIOR TO PLACING LOAM. ANY DEVIATION FROM THE LANDSCAPE PLAN, SPECIFICATIONS, AND GENERAL CONDITIONS SHALL BE QUANTITY OR CONDITION SHALL BE REVIEWED AND APPROVED BY THE OWNER AND LANDSCAPE ARCHITECT (AND MUNICIPAL AUTHORITY, IF APPLICABLE) PRIOR TO PLACING LOAM. |
| 5. | PLANT MATERIAL SHALL BE GUARANTEED FOR A PERIOD OF ONE YEAR BY THE CONTRACTOR AND A PERIOD OF TWO YEARS BY THE LANDSCAPE ARCHITECT FROM DATE OF INSTALLATION. DURING THE ONE YEAR GUARANTEE PERIOD, DEAD PLANT MATERIAL SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE. AT THE END OF THE ONE YEAR PERIOD, THE CONTRACTOR SHALL OBTAIN FINAL ACCEPTANCE FROM THE OWNER. | 12. | WHERE INDICATED ON PLAN, PLANTING SOIL MIXTURE FOR PERENNIAL AND ANNUAL FLOWER BED AREAS SHALL CONSIST OF FOUR PARTS TOPSOIL, TWO PARTS EXHAUSTED MANURE, AND ONE PART HORTICULTURAL PERLITE BY VOLUME. PEAT MOSS MAY BE SUBSTITUTED WITH WELL-ROTTED OR COMPOSTED MANURE. ROTOTILL BEDS TO A DEPTH OF 8 INCHES. |
| 6. | ALL OTHER VEGETATION AND DEBRIS SHALL BE REMOVED FROM ALL PLANTING AREAS PRIOR TO PLANTING. | | |
| 7. | ALL TREES TO BE PRESERVED WILL BE PROTECTED DURING CONSTRUCTION AND SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR. | | |



		DESIGNED	CHECKED
		CRM	CAB
B	CAB 07-18-19	REVISED PER CITY COMMENTS & REISSUED	
A	CAB 02-25-19	SUBMITTED FOR CITY REVIEW AND APPROVAL	
REVIEW BY:	DATE:	STATUS:	
THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM SEBAGO TECHNIQS, INC.. ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SEBAGO TECHNIQS, INC.			



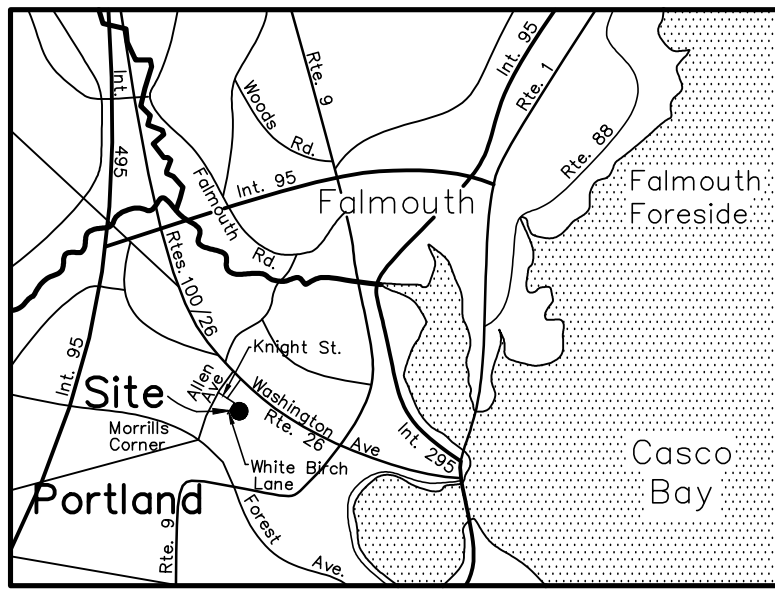
DETAILS
OF: WHITE BIRCH LANE APARTMENT
6 WHITE BIRCH LANE
PORTLAND, MAINE

FOR:
KING REAL ESTATE
198 SACO AVENUE

PROJECT NO.	SCALE
18519	N.T.S.

SHEET 8 OF 8

18519 D.dwg, TAB:D4



LOCATION MAP
SCALE: 1" = 2 MILES

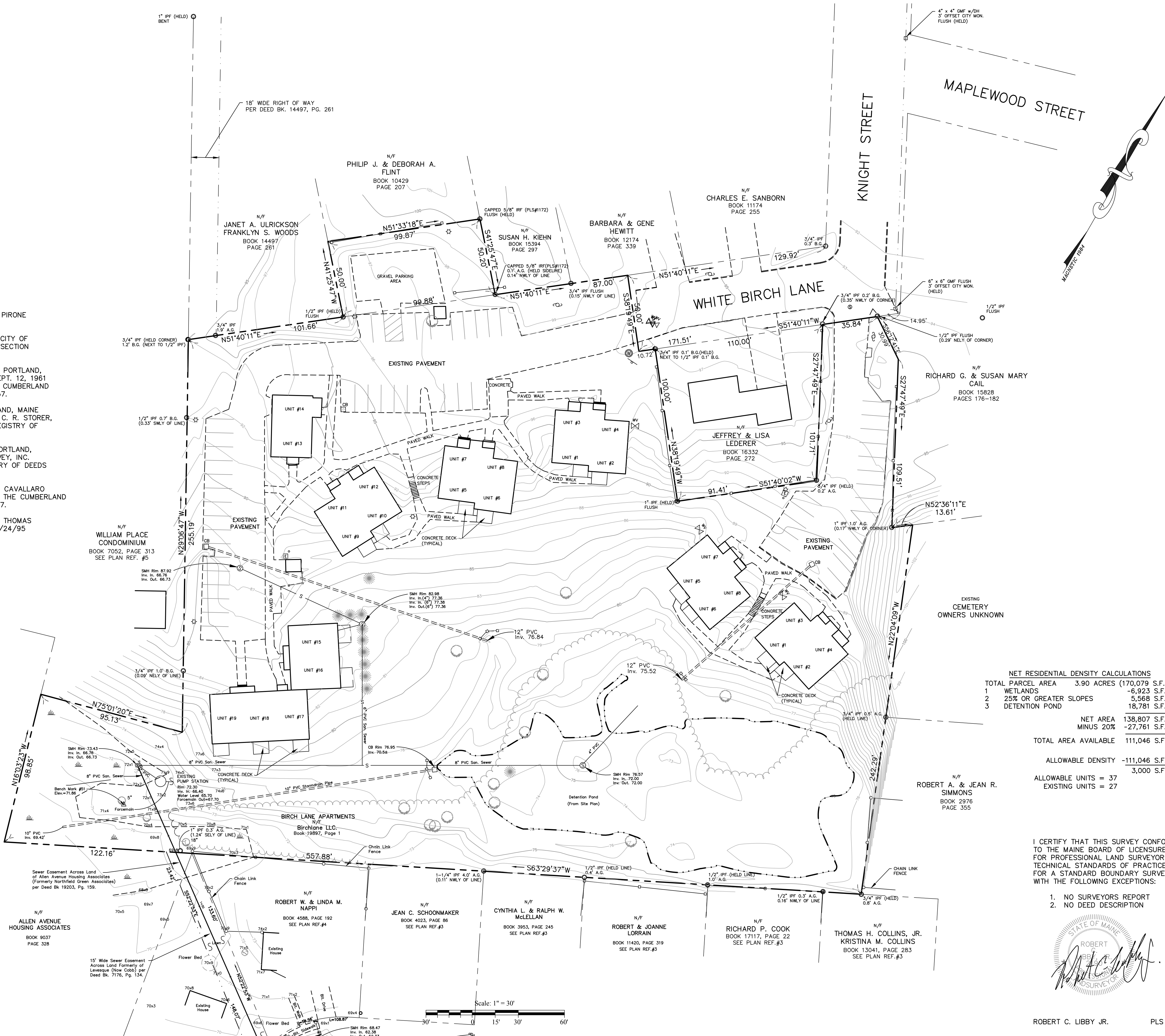
PLAN REFERENCES:

1. PLAN OF PROPERTY IN PORTLAND, MAINE FOR DAVID PIRONE DATED APRIL 1984 BY SURVEY, INC.
2. PLAN SHOWING NEW MONUMENTS ON KNIGHT STREET CITY OF PORTLAND PUBLIC WORKS DEPARTMENT ENGINEERING SECTION DATED APRIL 2002.
3. PLAN OF PROPERTY SECTION "B" MEADOW VIEW PARK PORTLAND, MAINE MADE FOR THE MINAT CORPORATION DATED SEPT. 12, 1961 BY CARL E. EMERY ENGINEER AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS PLAN BOOK 60, PAGE 57.
4. MEADOW VIEW PARK SECTION "D" MONA ROAD PORTLAND, MAINE FOR THE MINAT CORPORATION DATED 7/07/1977 BY C. R. STORER, INC. AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS PLAN BOOK 117, PAGE 9.
5. CONDOMINIUM PLAN WILLIAM PLACE ALLEN AVENUE PORTLAND, MAINE FOR JEN COMPANY DATED JAN. 1986 BY SURVEY, INC. AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS PLAN BOOK 153, PAGE 7.
6. PLAN OF PROPERTY IN PORTLAND, MAINE FOR FRANK CAVALLARO DATED JULY 1979 BY A. W. HUME AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS PLAN BOOK 124, PAGE 7.
7. PLAN SHOWING A STANDARD BOUNDARY SURVEY FOR THOMAS F. BLACK ALLEN AVENUE PORTLAND, MAINE DATED 7/24/95 BY DANIEL J. DALFONSO PLS #1172.

NOTE:

1. WETLAND MAPPING: MARK HAMPTON ASSOCIATES PORTLAND, MAINE

<u>LEGEND</u>	
<u>SYMBOL</u>	<u>DESCRIPTION</u>
	GRANITE MONUMENT FOUND
	IRON PIPE/IRON ROD FOUND
	5/8" IRON ROD W/ CAP TO BE SET
	UTILITY POLE
	ELECTRIC TRANSFORMER
	DECIDUOUS TREE
	CONIFEROUS TREE
	STOCKADE FENCE
	PROPERTY LINE
	EASEMENT LINE
	EDGE PAVEMENT
	LIGHT POST
	SEWER MANHOLE
	WATER VALVE
	CATCH BASIN
	ABOVE GROUND
	NOW OR FORMERLY
	MAPPED WETLAND (May 2008)
	SLOPES GREATER THAN 25%



NET RESIDENTIAL DENSITY CALCULATIONS	
TOTAL PARCEL AREA	3.90 ACRES (170,079 S.F.)
1 WETLANDS	-6,923 S.F.
2 25% OR GREATER SLOPES	5,568 S.F.
3 DETENTION POND	18,781 S.F.
NET AREA MINUS 20%	138,807 S.F.
TOTAL AREA AVAILABLE	-27,761 S.F.
ALLOWABLE DENSITY	-111,046 S.F.
ALLOWABLE UNITS = 37	3,000 S.F./UNIT
EXISTING UNITS = 27	

I CERTIFY THAT THIS SURVEY CONFORMS TO THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS TECHNICAL STANDARDS OF PRACTICE FOR A STANDARD BOUNDARY SURVEY, WITH THE FOLLOWING EXCEPTIONS:

1. NO SURVEYORS REPORT
2. NO DEED DESCRIPTION

STATE OF MAINE
ROBERT C. LIBBY, JR.
REGISTERED LAND SURVEYOR

ROBERT C. LIBBY JR. PLS #2190

NO.	DATE	REVISION	DESCRIPTION
1	5/23/08		Mapped Wetlands
2	10/9/19		Labeled Existing Sewer Pipes

BH2M
Berry, Huff, McDonald, Milligan Inc.
Engineers, Surveyors
28 State Street
Portland, Maine 04103
Tel: (207) 839-2771
Fax: (207) 839-9250

FOR
Birch Lane L.L.C.
198 Saco Avenue
Old Orchard Beach, Maine 04064

EXISTING CONDITIONS
PLAN

DESIGNED R. Libby, Jr.	DATE May 2008
DRAWN R. Libby, Jr.	SCALE 1" = 30'
CHECKED W. Thompson	JOB. NO. 03134

SHEET
1

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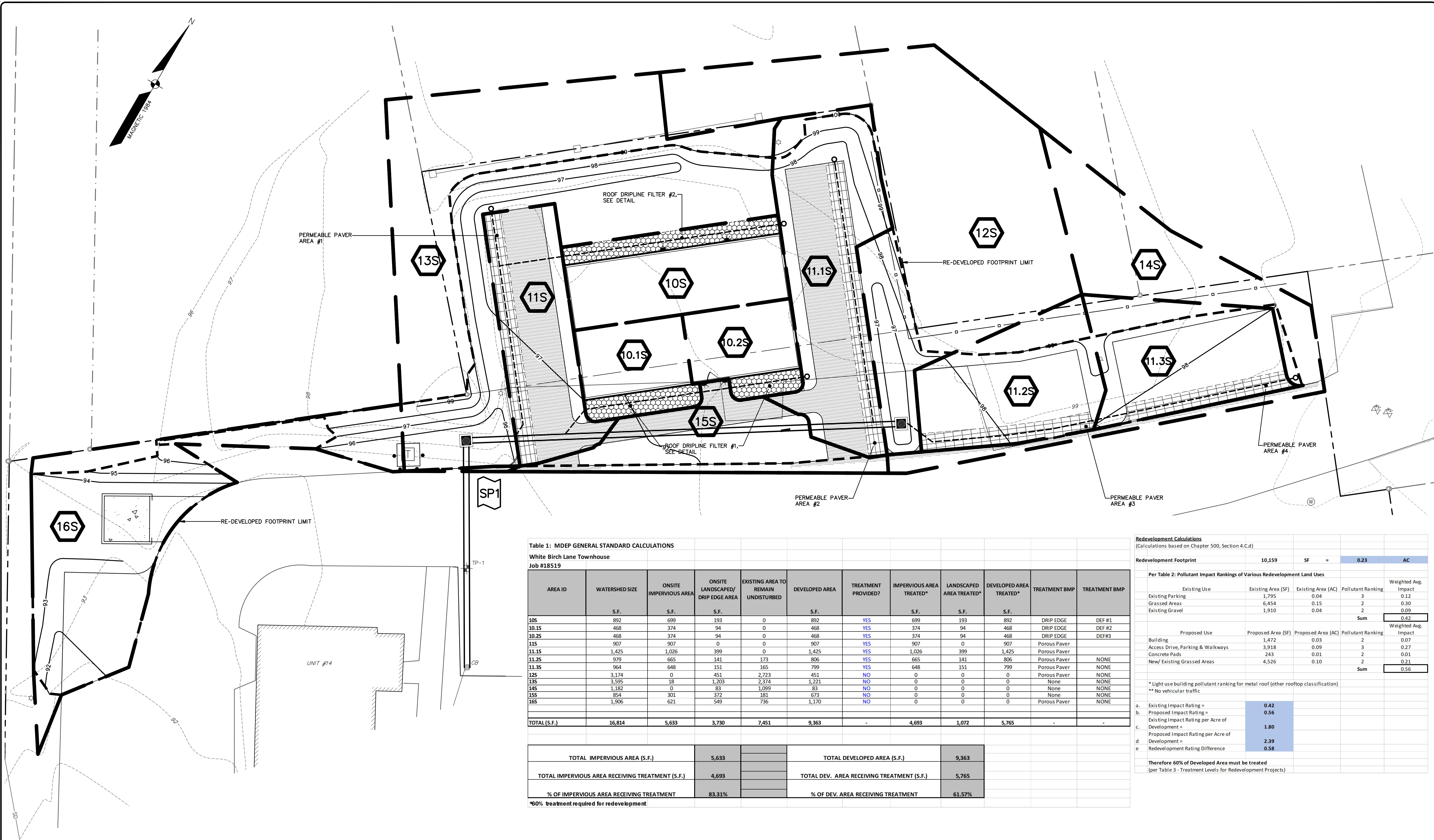


Table 1: MDEP GENERAL STANDARD CALCULATIONS

White Birch Lane Townhouse
Job #18519

AREA ID	WATERSHED SIZE	ONSITE IMPERVIOUS AREA	ONSITE LANDSCAPED/ DRIP EDGE AREA	EXISTING AREA TO REMAIN UNDISTURBED	DEVELOPED AREA	TREATMENT PROVIDED?	IMPERVIOUS AREA TREATED*	LANDSCAPED AREA TREATED*	DEVELOPED AREA TREATED*	TREATMENT BMP	TREATMENT BMP
	S.F.	S.F.	S.F.		S.F.		S.F.	S.F.	S.F.		
10S	892	699	193	0	892	YES	699	193	892	DRIP EDGE	DEF #1
10.1S	468	374	94	0	468	YES	374	94	468	DRIP EDGE	DEF #2
10.2S	468	374	94	0	468	YES	374	94	468	DRIP EDGE	DEF #3
11S	907	907	0	0	907	YES	907	0	907	Porous Paver	
11.1S	1,425	1,026	399	0	1,425	YES	1,026	399	1,425	Porous Paver	
11.2S	979	665	141	173	806	YES	665	141	806	Porous Paver	NONE
11.3S	964	648	151	165	799	YES	648	151	799	Porous Paver	NONE
12S	3,174	0	451	2,723	451	NO	0	0	0	Porous Paver	NONE
13S	3,595	18	1,203	2,374	1,221	NO	0	0	0	None	NONE
14S	1,182	0	83	1,099	83	NO	0	0	0	None	NONE
15S	854	301	372	181	673	NO	0	0	0	None	NONE
16S	1,906	621	549	736	1,170	NO	0	0	0	Porous Paver	NONE
TOTAL (S.F.)	16,814	5,633	3,730	7,451	9,363	-	4,693	1,072	5,765	-	-

TOTAL IMPERVIOUS AREA (S.F.)	5,633	TOTAL DEVELOPED AREA (S.F.)	9,363
TOTAL IMPERVIOUS AREA RECEIVING TREATMENT (S.F.)	4,693	TOTAL DEV. AREA RECEIVING TREATMENT (S.F.)	5,765
% OF IMPERVIOUS AREA RECEIVING TREATMENT	83.31%	% OF DEV. AREA RECEIVING TREATMENT	61.57%

*60% treatment required for redevelopment

Redevelopment Calculations

(Calculations based on Chapter 500, Section 4.C.d.)

Redevelopment Footprint	10,159	SF	=	0.23	AC
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Per Table 2: Pollutant Impact Rankings of Various Redevelopment Land Uses

Existing Use	Existing Area (SF)	Existing Area (AC)	Pollutant Ranking	Weighted Avg. Impact
Existing Parking	1,795	0.04	3	0.12
Grassland	6,454	0.15	2	0.30
Existing Gravel	1,910	0.04	2	0.09
			Sum	0.42
Proposed Use	Proposed Area (SF)	Proposed Area (AC)	Pollutant Ranking	Weighted Avg. Impact
Building	1,472	0.03	2	0.07
Access Drive, Parking & Walkways	3,918	0.09	3	0.27
Concrete Pads	243	0.01	2	0.01
New/Existing Grassed Areas	4,526	0.10	2	0.21
			Sum	0.56

* Light use building pollutant ranking for metal roof (other rooftop classification)

** No vehicular traffic

a. Existing Impact Rating =	0.42
b. Proposed Impact Rating =	0.56
c. Existing Impact Rating per Acre of Development =	1.80
d. Proposed Impact Rating per Acre of Development =	2.39
e. Redevelopment Rating Difference	0.58

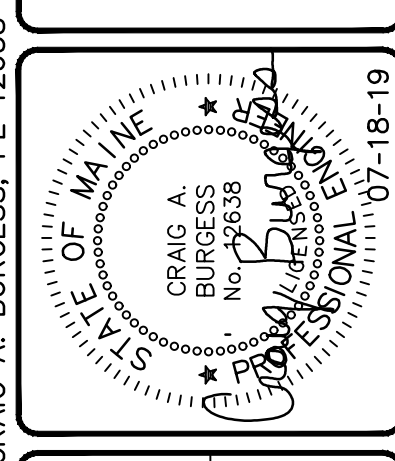
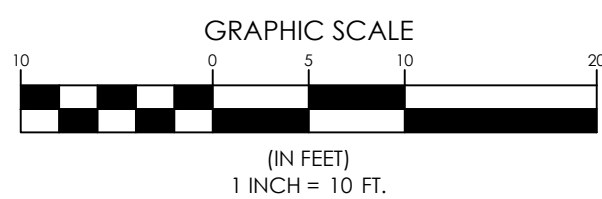
Therefore 60% of Developed Area must be treated
(per Table 3 - Treatment Levels for Redevelopment Projects)

LEGEND

- WATERSHED BOUNDARY
- TIME OF CONCENTRATION
- REACH
- WATERSHED LABEL
- REACH
- DETENTION POND
- SOILS BOUNDARY
- STUDY POINT

NOTE

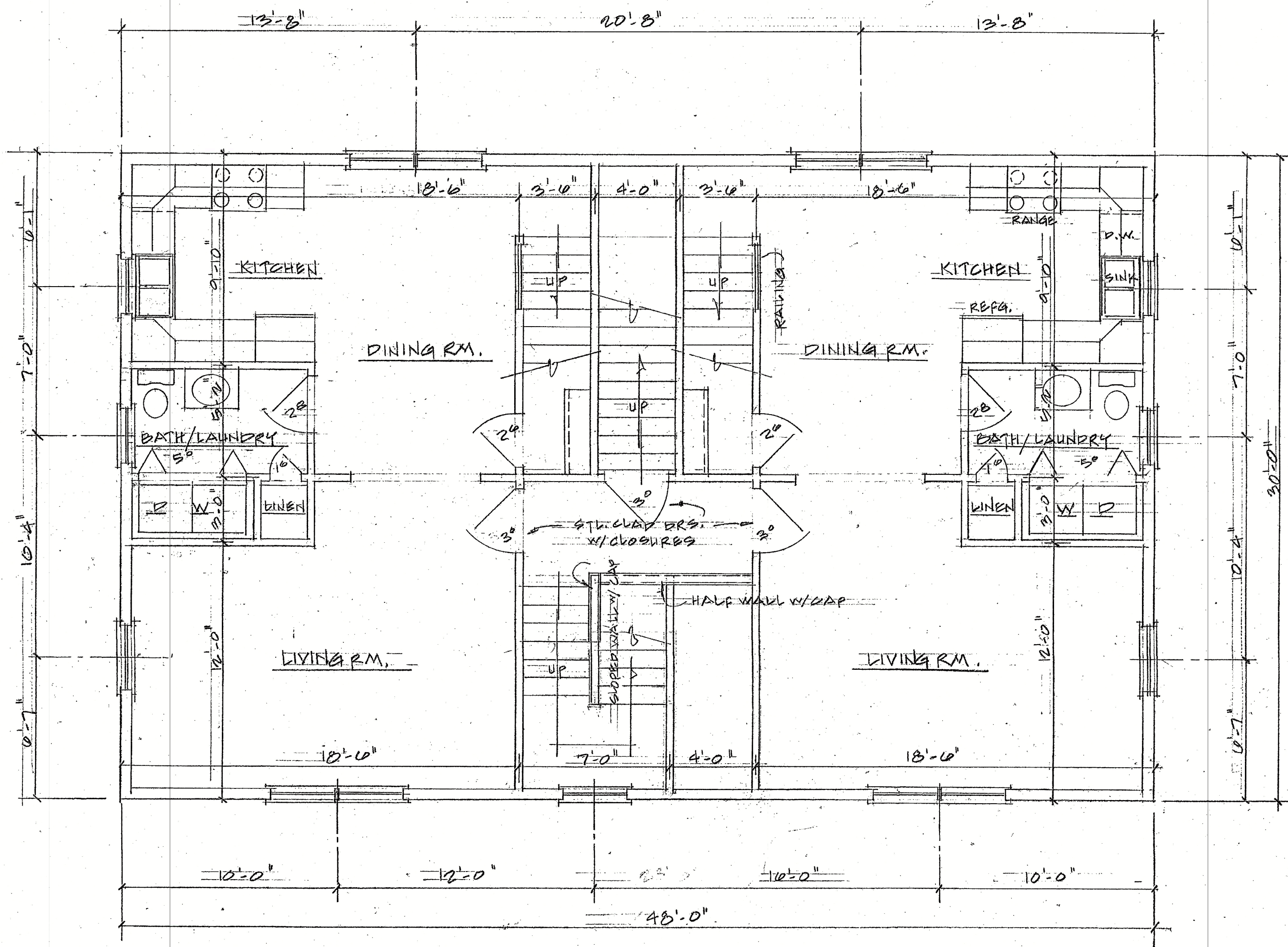
SOIL INFORMATION FOR THE SITE WAS OBTAINED VIA THE USDA UNITED STATES DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES CONSERVATION SERVICE'S WEB SOIL SURVEY FOR CUMBERLAND COUNTY, MAINE. THE HYDROLOGIC SOIL GROUP (HSG) OF THE SITE SOILS ARE CLASSIFIED BY TECHNICAL RELEASE TR-55 OF THE SOIL CONSERVATION SERVICE. SOILS WITHIN THE PROJECT DEVELOPMENT ARE ARE CLASSIFIED LAMONE, HYDROLOGIC GROUP D SOIL TYPE AND BUXTON, HYDROLOGIC GROUP D SOIL TYPE.



DESIGNED	CHECKED
CRM	CAB
B. CAB 07-18-19 REVISED PER CITY COMMENTS & REISSUED	
A. CAB 02-25-19 SUBMITTED FOR CITY REVIEW AND APPROVAL	
REVIEW BY:	DATE:
STATUS: WITHOUT WRITTEN PERMISSION FROM SEBAGO TECHNICS, INC. ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SEBAGO TECHNICS, INC.	



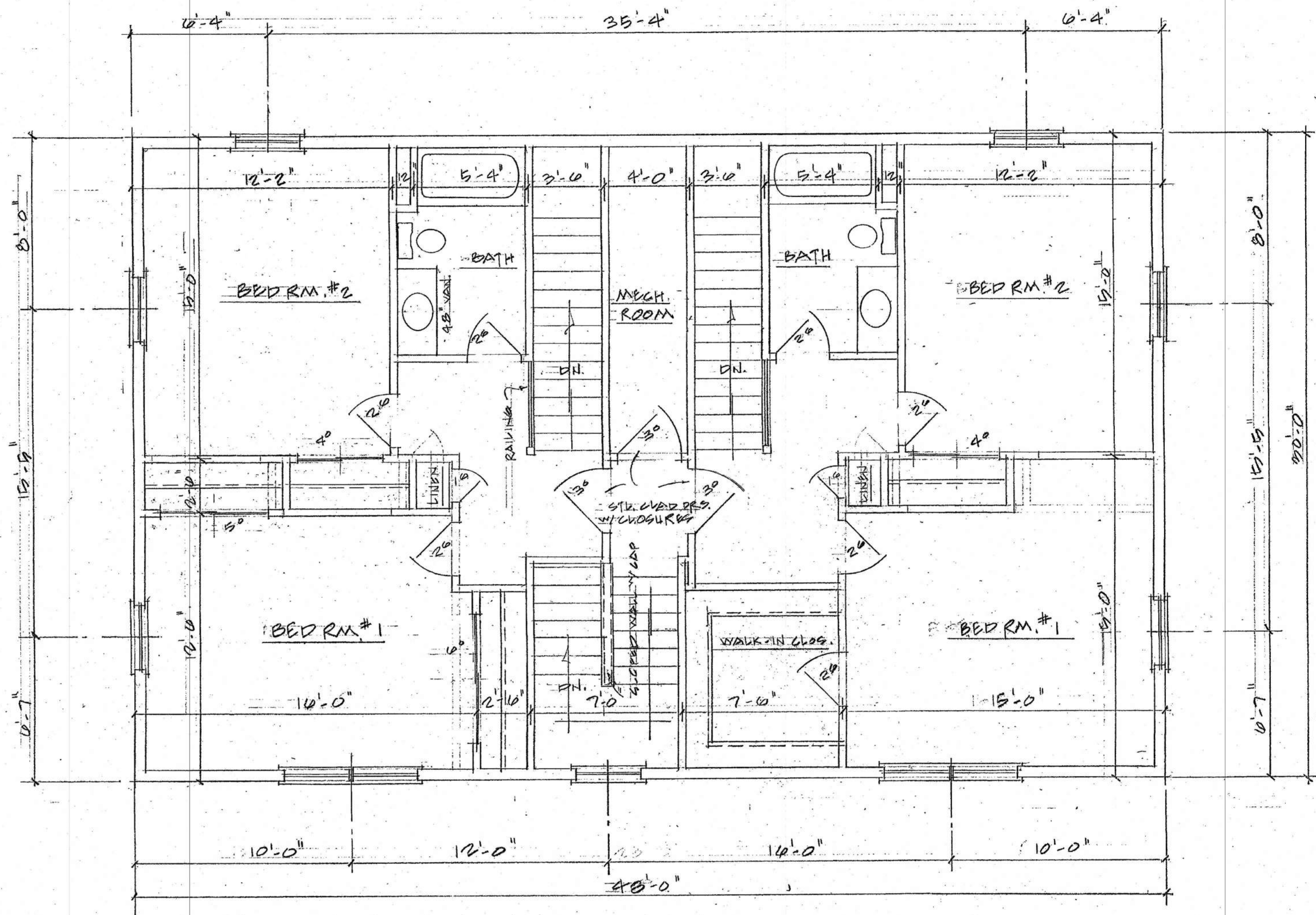
POST-DEVELOPMENT WATERSHED PLAN
OF:
WHITE BIRCH LANE TOWNHOUSE
6 WHITE BIRCH LANE
PORTLAND, MAINE
FOR:
KING REAL ESTATE
198 SAGO AVENUE
OLD ORCHARD BEACH, MAINE 04064
PROJECT NO. 18519
SCALE 1"=10'
SHEET 2 OF 2



SECOND FL. PLAN

1/4" = 1'-0"

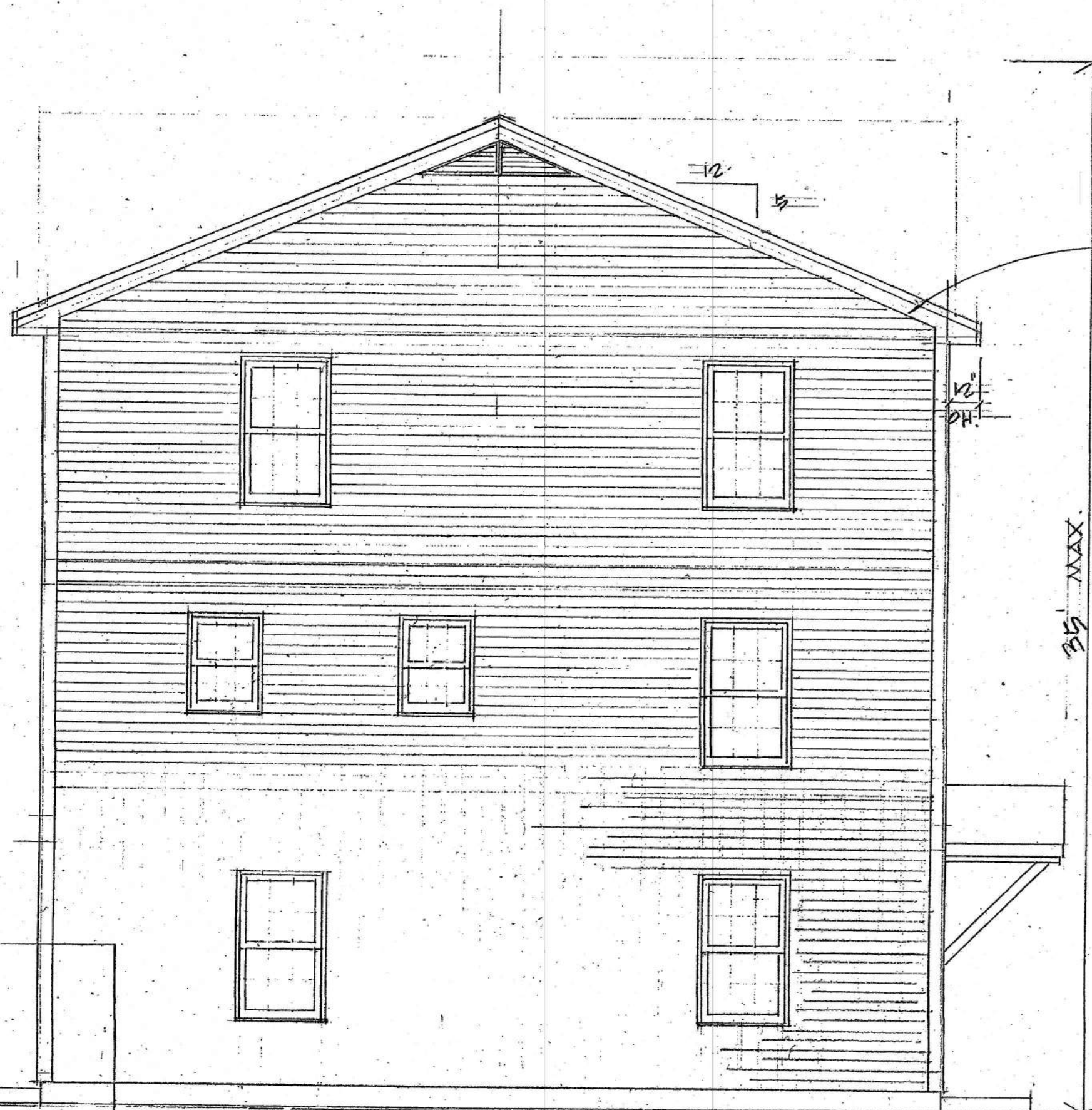
KING REAL ESTATE		
SCALE: 1/4" = 1'-0"	APPROVED BY:	DRAWN BY: J. K. KIRKIN
DATE: 10/10/89		REVISED:
WHITE BIRCH - PORTLAND, ME.		
SECOND FL. PLAN		DRAWING NUMBER:



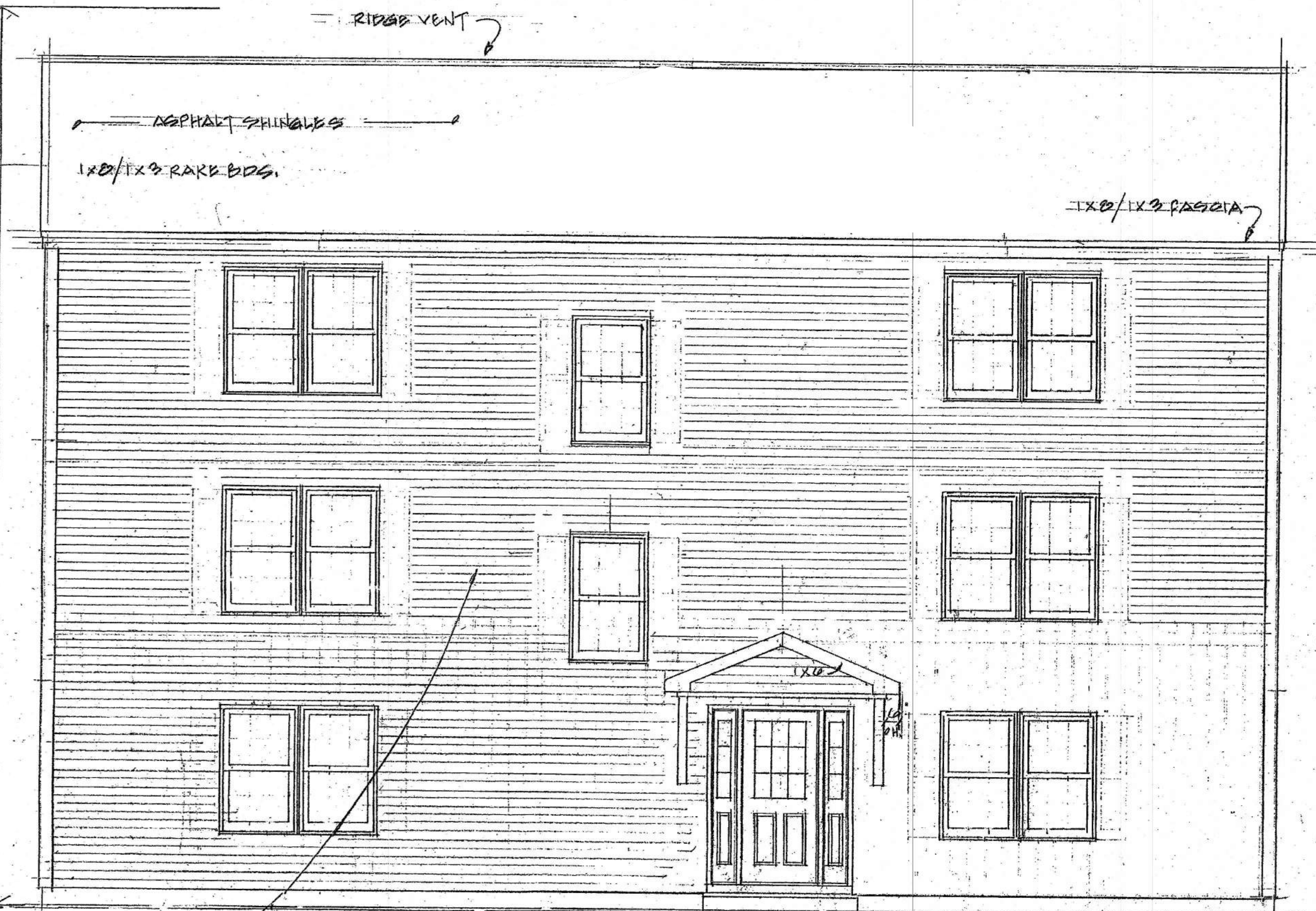
THIRD FL. PLAN
 1/4" = 1'-0"

KING REAL ESTATE		
SCALE: 1/4" = 1'-0"	APPROVED BY:	DRAWN BY: [Signature]
DATE: 12-10-19		REVISED
WHITE BIRCH PORTLAND, ME.		
THIRD FL. PLAN		DRAWING NUMBER





LEFT SIDE ELEVATION

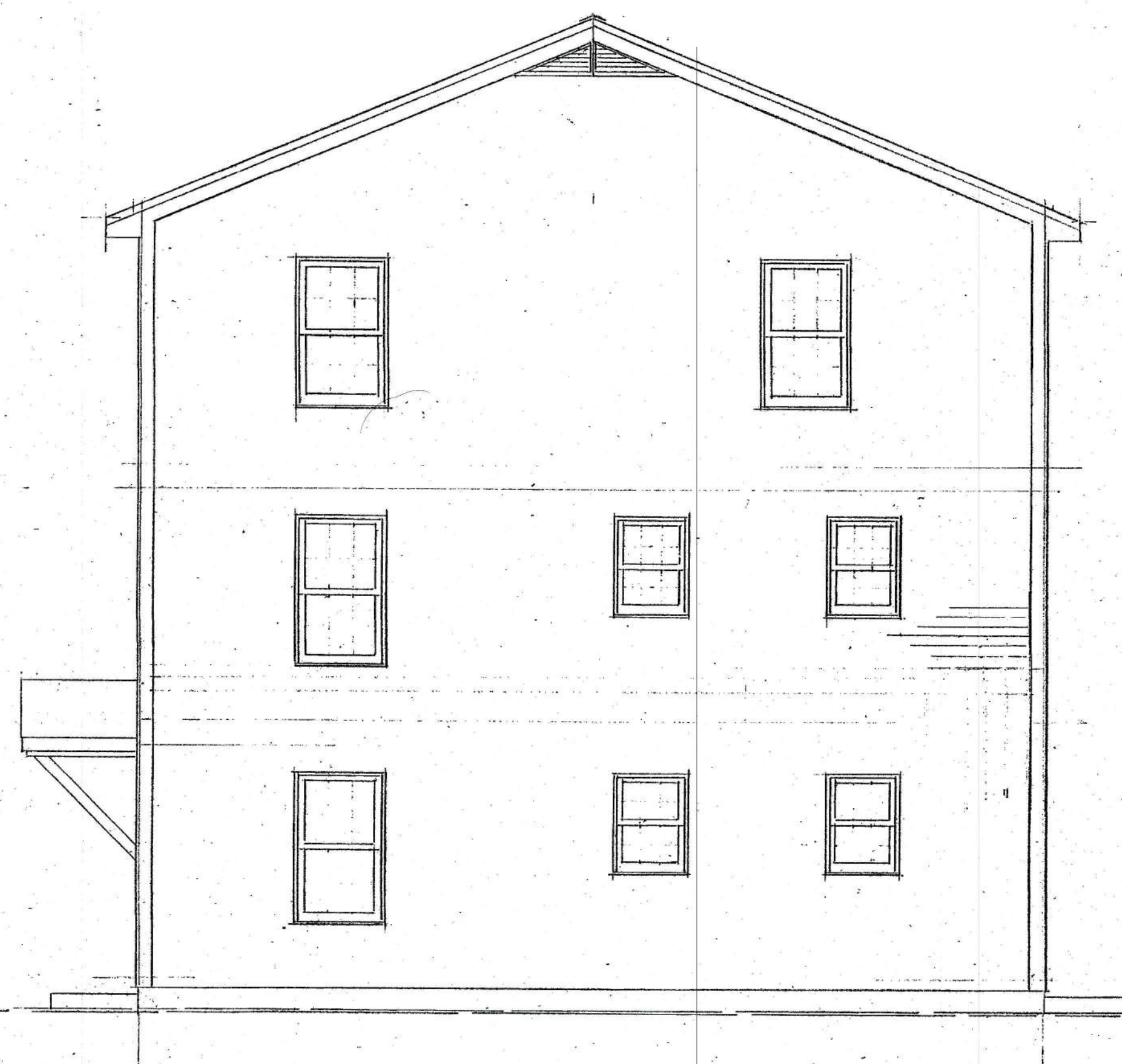


FRONT ELEVATION

KING REAL ESTATE		
SCALE: 1/4" = 1'-0"	APPROVED BY:	DRAWN BY: [Signature]
DATE: 2-28-19		REVISED
WHITE BIRCH PORTLAND, ME.		
ELEVATIONS		DRAWING NUMBER



REAR ELEVATION



RIGHT SIDE ELEVATION

KING REAL ESTATE		
SCALE: 1/4" = 1'-0"	APPROVED BY:	DRAWN BY: <i>[Signature]</i>
DATE: 2-26-19		REVISED
WHITE BIRCH PORTLAND, ME.		
ELEVATIONS		DRAWING NUMBER



CITY OF PORTLAND
Planning & Urban Development
Christine Grimando, AICP, Acting Director

To: Sean Dundon, Chair, and Members of the Portland Planning Board

From: Christine Grimando, Acting Director, Planning & Urban Development

Date: October 17, 2019

Re: ReCode Communication

Meeting Date: October 22, 2019

I. INTRODUCTION

Since late 2017, staff in the Department of Planning & Urban Development has been working on the ReCode, an effort to rethink, restructure, and redraft the city's 961+-page [land use code](#). The ReCode involves all elements of the current Chapter 14, including historic preservation ordinance, site plan, subdivision, and zoning elements of the code. Several updates have been brought before the Planning Board at prior meetings to provide an overview of the process, introduce sign ordinance revisions, and discuss potential changes to parking and accessory dwelling unit policies. As staff prepares to release the full draft for review, Tuesday's communication will preview major changes, as well as the review process for the new document.

II. PROGRESS UPDATE

Staff has continued the immense task of re-ordering and reformatting the existing code, simplifying and eliminating redundancies and inconsistencies wherever possible. This has been an iterative process, done with feedback from a range of Planning & Urban Development staff, as well as with frequent assistance from the Permitting & Inspections Department. As of now, staff has distributed drafts of the draft code for internal review, primarily across the Department and within the office of the Zoning Administrator, and is being distributed to Corporation Counsel for review this week.

In addition, the Council's ReCode Committee has given substantive policy direction and feedback on the subject of parking policies and accessory dwelling units, and will be providing input on those sections of the code at a meeting on October 29th. Following that

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• 207-874-8720

www.portlandmaine.gov

meeting and incorporation of the ReCode Committee's additional feedback, the full draft code will be made publicly available, and a Planning Board Workshop on the document will be scheduled in November.

For a substantive overview of the topics that the ReCode Committee have been engaged with, the materials from their [9-23-2019 meeting](#) provided a thorough overview.

III. OCTOBER 22, 2019 PLANNING BOARD MEETING

Though Phase I of ReCode endeavors to be faithful to the current Land Use Code's content and policy intent on most topics, it is structurally a very different document from the existing code. At the October 22nd, 2019 Planning Board meeting, staff will provide a preview of the new code, with examples of the major structural changes, as well as discussion of the review schedule going forward.



PLANNING BOARD REPORT PORTLAND, MAINE

Residential Development
130 Morning Street
Level III Site Plan and Subdivision Review
PL-000732-2019
Northeast Turner, LLC, Applicant

Submitted to: Portland Planning Board
Public Hearing Date: 10/22/2019

Prepared by: Christian Roadman, Planner
Date Prepared: 10/17/2019



Site context of proposed development at 130 Morning Street (image: Pictometry)

I. INTRODUCTION / PROPOSED DEVELOPMENT

Northeast Turner, LLC seeks to build a nine-unit, four-story residential building at 130 Morning Street. The site is 7,400 square feet in area. The proposed use would replace an existing parking lot close to the intersection of Morning Street and Turner Street. The proposed project is located on Munjoy Hill where it slopes down towards the northeast. The neighborhood contains a variety of building types, primarily residential in nature, from single family homes to 21+ unit multifamily buildings. The project is located within the R-6 residential zone as well as the Munjoy Hill Neighborhood Conservation District Overlay (MHNCD).

The proposed project takes advantage of a 10-foot height bonus (from 35' up to 45') under the MHNCD for developments of three units or more that include at least one "workforce housing unit for rent." The unit intended to qualify as rental workforce housing is a one-bedroom unit located on the third floor.

As proposed, the project includes 11 parking spaces. However, only seven of these are intended for use by the proposed project. The remaining four, located outside to the west of the proposed building, are intended for use by specific neighboring properties (22 and 30 Turner Street). Several access easements facilitate this shared use. The seven spaces for building residents are located within the proposed building envelope on the first floor. Several parking / driveway-related waiver requests from the Technical Manual transportation standards are needed for the project to receive approval.

The Planning Board previously discussed the project at its September 10 workshop, and identified design cohesion and accessibility as points of concern. The applicant revised elements of the design and added an accessible entrance from the Morning Street sidewalk after that workshop.

The Planning Department mailed 169 notices of the October 22 Public Hearing to notify properties within 500' as well as the Planning Department's interested parties list. Legal advertisements ran on 10/11/2019 and 10/12/2019.

Applicant: Northeast Turner, LLC

Consultants: Acorn Engineering (engineer), Cornerstone Building & Restoration (architect)



Rendering of proposed development at 130 Morning Street (image: applicant)

II. REQUIRED REVIEWS

Waiver Requests	Applicable Standards
Driveway width: 10.4'	Technical Manual, <i>Section 1.7.2.3</i> requiring a driveway width of 20' for two-way driveways to 10+ space parking lots
Drive aisle width: 19.9' and 23.9'	Technical Manual, <i>Figure I-27 and I-29</i> requiring a drive aisle width of 24' for spaces at a ninety degree angle.
Percentage of compact spaces: 27% (3 of 7 interior spaces, 0 of 4 exterior spaces)	Technical Manual, <i>Section 1.14</i> requiring a maximum of 20% compact parking spaces
Review	Applicable Standards
Site Plan	Section 14-526
Subdivision	Section 14-497

III. PROJECT DATA

Existing Zoning	R-6 (Munjoy Hill Neighborhood Conservation Overlay District)
Existing Use	Parking lot
Proposed Use	Nine-unit residential (nine condominiums, including one workforce unit)
Bedroom Mix	1 Bedroom / Efficiency: One 1 Bedroom : Two 2 Bedroom: Four 3 Bedroom: Two
Parcel Size	7,412 sf.

	Existing	Proposed	Net Change
Building Footprint (sf.)	0	3,819	+3,819
Building Floor Area (sf.)	0	14,780	+14,780
Impervious Surface Area (sf.)	5,725	5,860	+ ~135
Parking Spaces	12	11	-1
Bicycle Parking Spaces	0	10 (accessory building)	+10
Estimated Cost of Project	\$6,067,940		

IV. PUBLIC COMMENT AND NEIGHBORHOOD MEETING

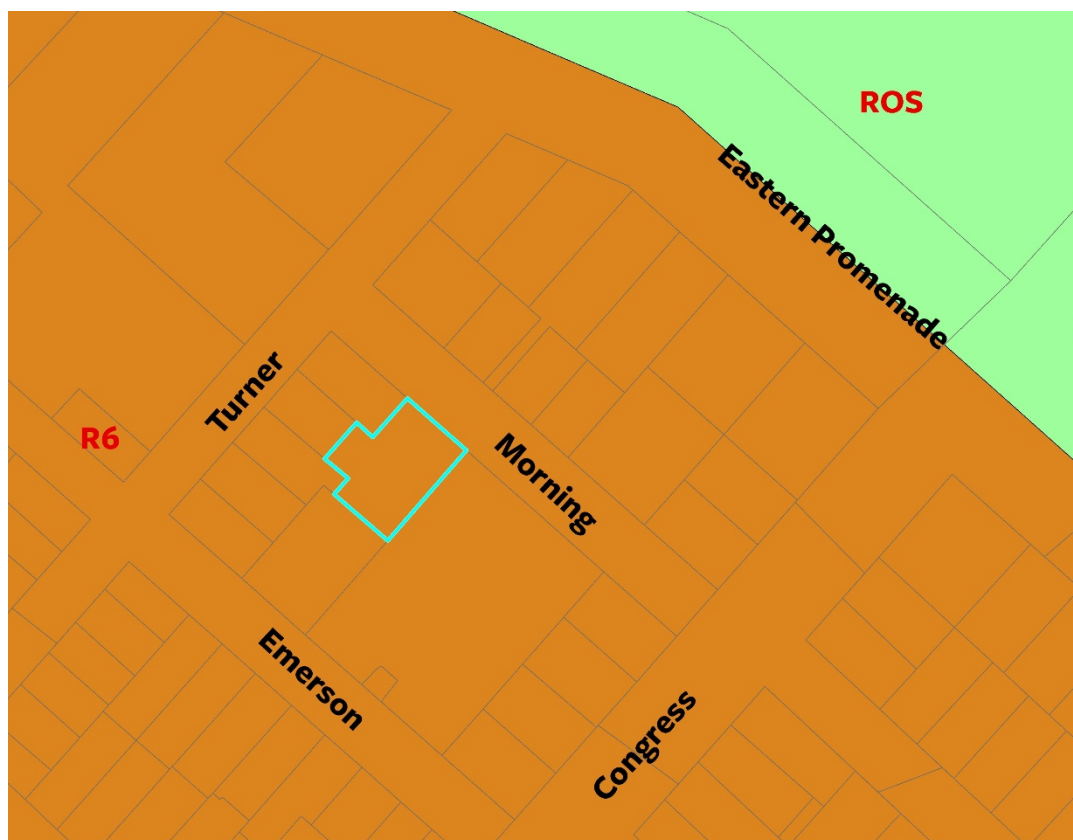
The Planning Department received six public comments (**attachments PC1 – PC6**) regarding this project, generally expressing concern with the size of the development and its interaction with surrounding properties.

The applicant team held a neighborhood meeting (**attachment V**) on July 29 2019, which was attended by 14 individuals. According to the applicant, attendees asked questions about a variety of items including ownership type, design, elevation, trees, construction schedule, and placement of HVAC systems and solar panels.

V. RIGHT, TITLE, & INTEREST AND FINANCIAL & TECHNICAL CAPACITY

The applicant provided a quitclaim deed and easement and parking plan (**attachment C**) as evidence of right, title, and interest. The applicant cited completed and ongoing projects (**attachment H**) in the City of Portland by Acorn Engineering and Cornerstone Building & Restoration as evidence of technical capacity to complete the project.

VI. ZONING ANALYSIS



Zoning context of proposed development at 130 Morning Street

Multifamily residential dwellings are a permitted use in the R-6 residential zone.

The MHNCO requires that, in order for the proposed workforce unit to qualify the project for a 45' height limit, the apartment cannot be less than 50% of the average size of the other units. The unit proposed as a workforce housing, 3C, is designed at 567 sf. The average size of the other proposed units is 1,095 sf. Half of that area is 547.5 sf, so the proposed apartment is large enough as designed.

The City's Housing Programs Manager confirmed (**attachment 1**) that the proposed unit in question will qualify for the ten foot height bonus based on square footage provided that the applicant and the City enter into an agreed upon Affordable Housing Agreement, the details of which must be filed as a covenant to the property's deed. However, the draft condo documents (**attachment Z**) should be amended. Currently, the documents reference the City's inclusionary zoning requirements, which do not apply in this instance. Language should also be added to prohibit the workforce housing unit from being rented out to other households. These are expected to be addressed prior to the Planning Board hearing.

The proposed plan partially conforms to zoning requirements, with some required modifications. Currently, the draft site plan and landscape plan (**attachment P5 and attachment P6**) do not provide sufficient "landscaped open space" of 20% of the site. An updated landscape plan is required. This is expected to be addressed prior to the Planning Board hearing.

The proposed parking spaces exceed the required amount by more than 10%, but the excess spaces are provided for specific neighboring properties (22 and 30 Turner St). The applicant proposes covered bicycle parking in an

accessory structure to the rear of the principal building.

	Required	Proposed
Lot Size (sf.)	2000	7,412
Area Per Dwelling Unit (sf.)	725	823
Minimum Street Frontage	20'	69.9
Front Yard Minimum	5'	5.25'
Rear Yard	15' (principal), 5' (accessory)	15.39' (principal) 5' (accessory)
Side Yard	10' average	10+ average
Maximum Lot Coverage	60%	56%
Maximum Height	45'	45'
Landscaped Open Space	20%	~14.5%
Off-Street Parking	6	11

VII. DEVELOPMENT REVIEW

A. SITE PLAN SUBMISSION REQUIREMENTS (Section 14-527) and SUBDIVISION PLAT AND RECORDING PLAT REQUIREMENTS (Section 14-496)

The applicant submitted a draft recording plat (**attachment P17**), which was reviewed by staff in the Department of Public Works (**attachment 2**). The recording plat must include the signature, date, and stamp of a registered Maine land surveyor, as well as several other minor revisions. These revisions are expected before the scheduled Planning Board public hearing on October 22.

The final plat will need to be revised to reflect any waivers and conditions of approval that relate to the subdivision plan. Any waivers granted must be recorded at the Registry of Deeds within two years of a Planning Board decision.

Necessary changes to the landscape plan must be reflected on the site plan and other supporting documents.

B. SUBDIVISION (Section 14-496)

Staff reviewed the proposed development for conformance with the relevant review standards of the City's Subdivision Ordinance and applicable regulations. Pertinent comments are listed below.

- Will Not Result in Undue Water and Air Pollution (Section 14-497 (a) 1), and Will Not Result in Undue Soil Erosion (Section 14-497 (a) 4)
The project does not meet thresholds requiring additional stormwater quantity or quality controls. The applicant provided an erosion and sedimentation control report (**attachment K**).
- Sufficient Water Available (Section 14-497 (a) 2 and 3)
The applicant provided an ability to serve letter from the Portland Water District (**attachment P**).
- Will Not Cause Unreasonable Traffic Congestion (Section 14-497 (a) 5)
NA
- Will Provide for Adequate Sanitary Sewer and Stormwater Disposal (Section 14-497 (a) 6), and Will Not Cause an Unreasonable Burden on Municipal Solid Waste and Sewage (Section 14-497 (a) 7)
The Department of Public Works confirmed adequate wastewater capacity for the project (**attachment 3**),

5. Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat (Section 14-497 (a) 8)
NA
6. Comprehensive Plan (Section 14-497 (a) 9)
Several local goals identified in the Housing section of the City's Comprehensive Plan are relevant to the proposed project, including the following:

"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."
7. Adequate financial and technical capacity (Section 14-497 (a) 10)
The applicant provided a letter from a commercial banking officer at Camden National Bank (**attachment G**) expressing expectation that the applicant will be able to obtain adequate financing for the proposed project.

The applicant cited completed and ongoing projects (**attachment H**) within the City of Portland by Acorn Engineering and Cornerstone Building & Restoration as evidence of technical capacity to complete the project.
8. Will not adversely affect the quality or quantity of groundwater (Section 14-497 (a) 12)
Please see 1, above.
9. Is or is not in a flood-prone area (Section 14-497 (a) 13)
Per the existing conditions plan provided by the applicant (**attachment P3**) the proposed development is not in a flood-prone area.
10. All potential wetlands are identified (Section 14-497 (a) 14)
NA
11. Any river, stream or brook within or abutting the proposed subdivision are identified Section 14-497 (a) 15)
NA

B. SITE PLAN STANDARDS (Section 14-526)

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

a) Transportation Standards

Impact on Surrounding Street Systems and Access and Circulation; Access and Circulation; Public Transit Access; Parking; Transportation Demand Management

The Department of Public Works' engineering reviewer requested several circulation-related changes (**attachment 4 and attachment 5**): updated turning templates and reorientation of the interior parking to provide a clear area adjacent to the stairwell. The site plan should be updated to show the footprint of the internal lift as it appears on the grading and drainage plan. The site plan and grading and drainage plan should show a rough internal grade break between the finished floor elevations of 111' and 113.33' (along with any stairs proposed, if applicable). Finally, the driveway should

be constructed in brick with brick in the same direction as the sidewalk. These changes are anticipated to be made by the applicant in advance of the Planning Board public hearing.

The City's consulting traffic engineer noted (**attachment 7**) that their previous comment regarding sight lines and fencing near the driveway was adequately addressed by the applicant.

b) Environmental Quality Standards

Preservation of Significant Natural Features; Landscaping and Landscape Preservation; Water Quality, Storm Water Management and Erosion Control

The landscape plan provided (**attachment P6**) requires revision to conform to the 20% landscaped open space requirement. An updated landscape plan must be submitted for review and approval by the City's arborist. Staff assume this will occur previous to the October 22 public hearing.

Because the proposed project includes nine units, it must account for nine street trees. Staff understand the applicant intends to pay into the City's street tree fund for six required trees (\$400 x 6 = \$2,400) and account for three trees on site.

The City's third-party civil engineering consultant reviewed the plans, and their comments were adequately addressed by the applicant (**attachment 7**).

c) Public Infrastructure and Community Safety Standards

As noted above, the applicant provided an ability to serve letter from the Portland Water District (**attachment P**), and the Department of Public Works provided confirmation of wastewater capacity (**attachment 3**).

The proposed plans were reviewed and determined as acceptable by the Fire Department (**attachment 8**).

d) Site Design Standards

The applicant provided cut sheets for full cutoff lights, and the photometric plan provided indicates that no unacceptable light spillage will occur over the property line (**attachment N**)

1. Zoning Related Design Standards

The City's urban designer provided a memo regarding this project (**attachment 9**). While the project is found to conform generally to the relevant design guidelines, several potential modifications are suggested for consideration (listed below). Additionally, the applicant is strongly encouraged to provide updated renderings within the neighborhood context, reflective of the new design. Such renderings were provided previously (**attachment P18**) but are now outdated.

Entrance: this could be enhanced with lighting or other design elements to make it more prominent.

Planting edge: a more formal, raised edge treatment between the sidewalk right-of-way and plantings in front of the building may conform better to the existing neighborhood pattern.

Façade composition: vertical elements could be emphasized further, as horizontal elements appear to have greater visual weight. Balcony railings could be integrated into the columns to increase overall cohesion. Additionally, the mechanical screening on the rooftop is shy of symmetrical with

the front façade, and could be adjusted to be symmetrical.

Articulation: window trim could be increased to provide a more comparable level of articulation to surrounding buildings.

VIII. 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 on October 22, 2019 for application PL-000732-2019 relevant to Portland's technical and design standards and other regulations; and the testimony presented at the Planning Board hearing:

1. The Planning Board [**finds / does not find**], based upon the Department of Public Works engineer's review (**Attachment 5**), that extraordinary conditions exist or undue hardship may result from strict compliance with the Technical Manual standard (Section 1.14) which requires that aisle width for right-angle parking be 24 feet per Figure I-27. The Planning Board [**waives / does not waive**] the Technical Manual standard (Section 1.14) to allow a 23.9 foot wide aisle for the seven interior parking spaces and a 19.9 foot wide aisle for the four exterior spaces;
2. The Planning Board [**finds / does not find**], based upon the Department of Public Works engineer's review (**Attachment 5**), that extraordinary conditions exist or undue hardship may result from strict compliance with the Technical Manual standard (Section 1.14) which allows parking lots with greater than 10 spaces to be comprised of 20% compact parking spaces. The Planning Board [**waives / does not waive**] the Technical Manual standard (Section 1.14) to allow 27% of the proposed spaces to be compact.
3. The Planning Board [**finds/does not find**], based upon the Department of Public Works engineer's review (**Attachment 5**) that extraordinary conditions exist or undue hardship may result from strict compliance with the Technical Manual standard (Section 1.7.2.3) which requires that two-way driveways with access to a street (for multi-family development with ten parking spaces or more) shall have a minimum width of 20 feet. The Planning Board [**waives / does not waive**] the Technical Manual standard (Section 1.7.2.3) to allow a driveway width of 10.4 feet.

B. SUBDIVISION

On the basis of the application, plans, reports, and other information submitted by the applicant; findings and recommendations contained in the Planning Board report for the public hearing on October 22, 2019 for application PL-000732-2019 relevant to the subdivision regulations; and the testimony presented at the Planning Board hearing, the Planning Board finds that the plan [**is / is not**] in conformance with the subdivision standards of the land use code.

C. DEVELOPMENT REVIEW

On the basis of the application, plans, reports, and other information submitted by the applicant; findings and recommendations contained in the Planning Board report for the public hearing on October 22, 2019 for application PL-000732-2019 relevant to the site plan regulations; and the testimony presented at the Planning Board hearing, the Planning Board finds that the plan [**is / is not**] in conformance with the site plan standards of the land use code, subject to the following conditions of approval:

1. Prior to issuance of a building permit, the applicant and the City shall enter into an agreed upon Affordable Housing Agreement outlining the details of affordability restrictions placed on the Workforce Unit.
2. Prior to issuance of a certificate of occupancy, the Affordable Housing Agreement will be filed as a covenant to the property's deed with the Cumberland County Registry of Deeds.

3. Prior to issuance of a certificate of occupancy, the applicant shall pay \$2,400 total (\$400 per tree) for each of the six street trees not provided in accordance with the City's Technical Manual.

XIII. ATTACHMENTS

PLANNING BOARD REPORT ATTACHMENTS

1. Housing Programs Manager Memo 10-17-2019
2. Subdivision Plan Markup 10-17-2019
3. Wastewater Capacity Authorization 9-17-2019
4. DPW Engineering Comments 10-2-2019
5. DPW Engineering Comments 10-17-2019
6. Consulting Traffic Engineer Signoff 10-17-2019
7. Consulting Civil Engineer Comments 10-17-2019
8. Preliminary Comments 8-9-2019
9. Design Review Memo 10-17-2019

PUBLIC COMMENT

- PC1. 7-30-2019
- PC2. 8-8-2019
- PC3. 9-3-2019
- PC4. 9-4-2019
- PC5. 9-10-2019
- PC6. 9-10-2019

APPLICANT'S SUBMITTALS

- A. Cover Letter
- B. Level III Site Plan Application & Checklist
- C. Right, Title, & Interest
- D. Zoning Assessment
- E. Easements
- F. Waivers
- G. Financial Capacity
- H. Technical Capacity
- I. Conformity with Land Use Ordinance
- J. Stormwater Management Report
- K. Erosion & Sedimentation Control Report
- L. Fire Department Letter
- M. Wastewater Capacity
- N. Lighting
- O. Architectural Design Narrative
- P. Utilities
- Q. Construction Management Report
- R. Solid Waste Disposal
- S. Parking Analysis
- T. Code Information
- U. Photographic Documentation of Neighborhood
- V. Neighborhood Meeting Materials

W. Comment Response Letter
X. Design Architectural Response
Y. Turning Templates
Z. Draft Condominium Documents

PLANS

P1. Cover Sheet
P2. General Notes
P3. Existing Conditions
P4. Construction Management
P5. Site Plan
P6. Landscape
P7. Utility Plan
P8. Grading & Drainage
P9. Site Details
P10. Landscaping Details
P11. Utility Details
P12. Drainage Details
P13. Erosion & Sedimentation Control Details
P14. Floor Plans
P15. Elevations
P16. Perspective Renderings
P17. Subdivision Plat
P18. Context Renderings (Outdated)
P19. Context Elevation (Outdated)



To: Christian Roadman, Planner, Planning & Urban Development Department

From: Victoria Volent, Housing Program Manager, Housing & Community Development Division

Date: October 17, 2019

Subject: 130 Morning Street, Munjoy Hill Neighborhood Conservation Overlay District

Section 14-140.5 c, Munjoy Hill Neighborhood Conservation Overlay District- height bonus, requires developments of three or more units on lots over 2,000 sf, with a building height of greater than 35' to a maximum of 45' in height, include at least one workforce housing unit for rent or for sale. The Workforce unit shall be no smaller than 50% of the average size of the other units in the development and only be sold or rented to a household at or below the applicable income levels. These workforce units shall be deed restricted for affordability for the longest term possible under the state and federal law.

The development at 130 Morning Street proposes the creation of a building that triggers the maximum height requirement within the Munjoy Hill Neighborhood Conservation Overlay District. Based on the requirements outlined in Section 14-140.5 c and materials submitted, the Applicant is required to create one (1) one-bedroom unit that is no smaller than 50% of the average size of the other units (or 545 sf). The Applicant has elected to provide unit 3C, a one (1) one-bedroom unit that is 567 sf. As such, the project has met the minimum requirements set forth in Section 14-140.5.

Exhibit E *City of Portland Inclusionary Zoning Requirements* should be amended to "City of Portland Division 30 Affordable Housing". The Munjoy Hill Neighborhood Conservation Overlay District does reference the term "workforce housing unit" which is further described in Division 30 Affordable Housing. This project does not trigger Inclusionary Zoning, therefore references to Inclusionary Zoning should be amended to "Division 30 Affordable Housing".

Staff recommends the Board approve the development at 130 Morning Street provided the Applicant and the City enter into an agreed upon Affordable Housing Agreement (AHA) before a Building Permit may be issued. The Affordable Housing Agreement will outline the details of the affordability restrictions placed on the Workforce Unit and will be filed as a covenant to the property's deed with the Cumberland County Registry of Deeds before a Certificate of Occupancy may be issued.

Staff recommends the Draft Declaration of Condominium of Morning Street Condominium be amended to change all references to "Inclusionary Zoning Requirements" to "Division 30



Affordable Housing", and reference to "Inclusionary Zoning Ordinance" be changed to "Division 30 Affordable Housing Ordinance".

Staff recommends Exhibit E from the Declaration of Condominium of Morning Street Condominium include the following language:

"The unit may not be rented out for short or long periods to other households."

Sincerely,

Victoria Volent
Housing Programs Manager

SPACE AND BULK STANDARDS -130 MORNING STREET		
ZONE: R6/MHCD0	REQUIRED	PROPOSED
MINIMUM LOT SIZE	2,000 SF	7,412 SF
MINIMUM STREET FRONTAGE	20'	69.93'
MINIMUM FRONT YARD SETBACK	5'	5.25'
MINIMUM SIDE YARD SETBACK	5'	10.21'
MINIMUM REAR YARD SETBACK	15'	15.39'
MINIMUM LOT COVERAGE	60%	56%
DECK SETBACK	7.5'	7.52'
ACCESSORY BUILDING REAR SETBACK	5'	5'
ACCESSORY BUILDING SIDE SETBACK	5'	5.30'
MINIMUM LOT WIDTH	20'	63'
MAXIMUM BUILDING HEIGHT	45'	< 45'
MINIMUM LANDSCAPED OPEN AREA	20%	21%
MAXIMUM NUMBER OF DWELLING UNITS	725 SF/UNIT = 10	9
RESIDENTIAL PARKING	1 SPACE PER UNIT AFTER 3 UNITS = 6 SPACES	7
MINIMUM INTERNAL RESIDENT BICYCLE STORAGE SPACES	2 SPACES/5 D.U. = 3	> 3

*BASED UPON CONTEXTUAL OBSERVATIONS OF OTHER BUILDINGS ON THE STREET/BLOCK
DECKS COUNTED AS BUILDING COVERAGE, BUT NOT AS IMPERVIOUS AREA DUE TO THEIR PERMEABLE PROPERTIES

OWNER:
NORTHEAST TURNER, LLC
PORTLAND, MAINE
CONTACT: TOM LANDRY
72 PINE STREET, #16, PORTLAND, ME 04102

CIVIL/SITE ENGINEER:
ACORN ENGINEERING, INC.
PORTLAND, MAINE
CONTACT: WILL SAVAGE, P.E.
65 HANOVER STREET, PORTLAND, ME 04101

SURVEYOR
R.W. EATON ASSOCIATES
WESTBROOK, MAINE
CONTACT: RICHARD EATON, P.L.S.
58 PLEASANT STREET, WESTBROOK, ME 04092

LANDSCAPED AREAS	
PAVED	
CURB	
PROPOSED BUILDING	
PROPERTY LINE	
STRIPING	
GRANITE CURB	
PROPERTY MARKER	
SETBACK LINE	

RECORDING INFORMATION
STATE OF MAINE, CUMBERLAND COUNTY REGISTRY OF DEEDS

RECEIVED: _____
RECORDED IN: _____
ATTEST: _____ REGISTRAR

PARKING SUMMARY		
SIZE	#	PARKING SPACES
9'x18'	7	
9'x15'	3	
8'x18' (ADA)	1	
TOTAL	11*	

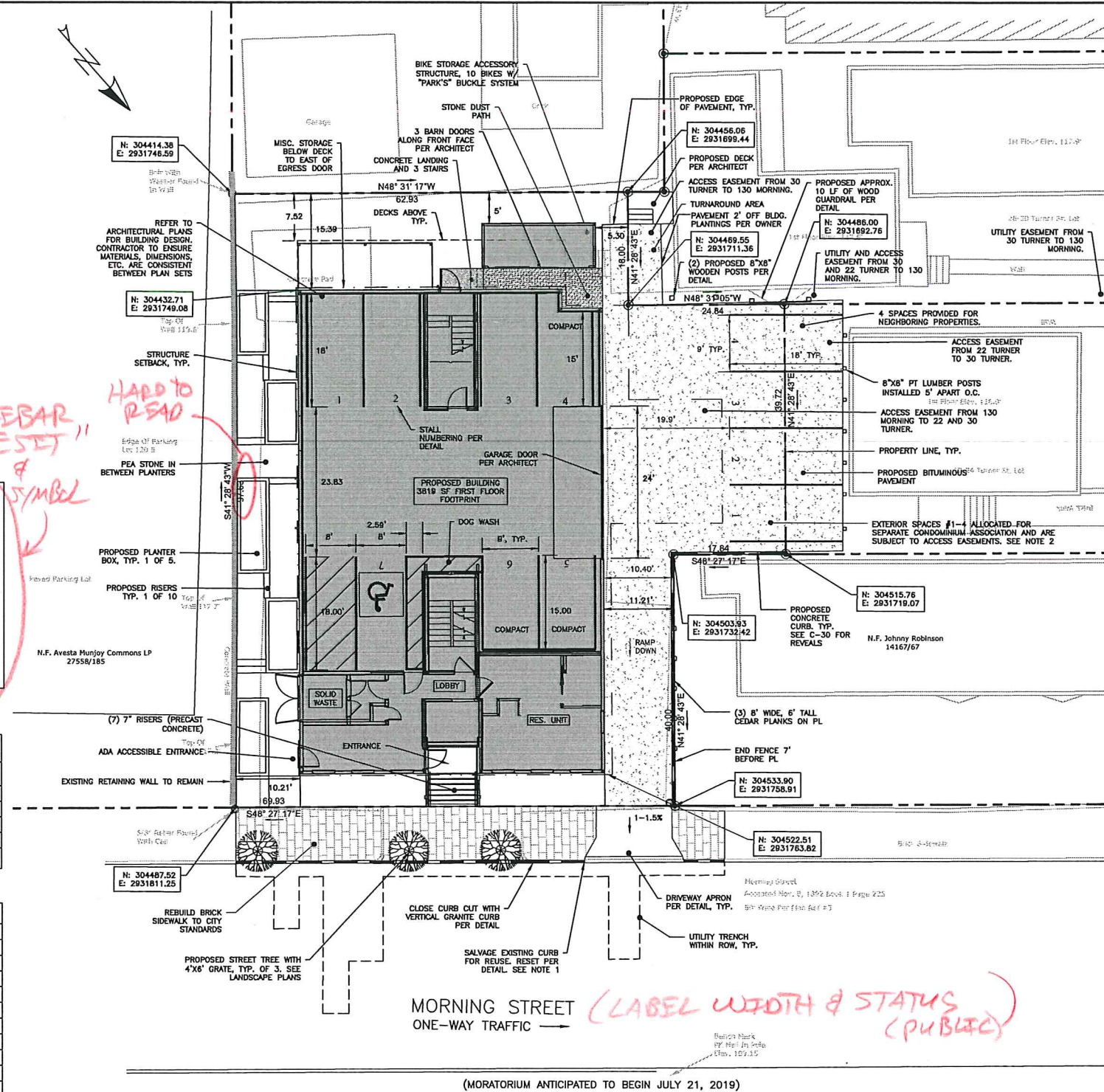
*4 DESIGNATED FOR ADJUTING PROPERTIES.

APPROVED: PORTLAND PLANNING BOARD	
CHAIRPERSON:	DATE:

UNIT TABULATION		
UNIT NUMBER	SIZE (SF)*	
1A	380	
2A	964	
2B	967	
2C	967	
3A	1,175	
3B	1,153	
3C	567	
4A	1,562	
4B	1,549	

*UNIT AREA MEASURED FROM OUTSIDE OF EXTERIOR WALLS TO THE CENTER OF SHARED WALLS

OPEN SPACE CALCS		
LOT	OPEN SPACE	REQ
22 TURNER	24%	20%
30 TURNER	25%	20%



GENERAL NOTES:

- FOR INFORMATION REGARDING THE GARAGE LEVEL, REFER TO THE SITE PLAN, C-10, MOST RECENT VERSION.
- FOR INFORMATION REGARDING PROPOSED UTILITIES, REFER TO THE UTILITY PLAN, SHEET C-20, MOST RECENT VERSION.
- FOR INFORMATION REGARDING PROPOSED GRADING AND STORMWATER, REFER TO THE GRADING & DRAINAGE PLAN, SHEET C-30, MOST RECENT VERSION.
- UNIT TABULATION PROVIDED BY RYAN SENATORE ARCHITECTURE; REFER TO ARCHITECTURAL PLANS FOR FLOOR PLANS AND BUILDING HEIGHTS.
- TOTAL SITE AREA INCLUDES 0.17 ACRES (7,412 S.F.). R.O.W. WIDTH FOR MORNING STREET IS 60 FEET PER BOUNDARY SURVEY & TOPOGRAPHICAL MAP WITH EXISTING CONDITIONS COMPLETED BY R.W. EATON ASSOCIATES DATED 8/18/2018 (PROJECT #7378).
- SITE BOUNDARIES PER BOUNDARY SURVEY & TOPOGRAPHICAL MAP WITH EXISTING CONDITIONS COMPLETED BY R.W. EATON ASSOCIATES DATED 8/18/2018 (PROJECT #7378) AND PROPERTY LINES TO BE SET BY R.W. EATON ASSOCIATES.
- AS OF 5/7/2019, THE SITE IS BOUNDED BY THE R-6 ZONE ON EAST, SOUTH, AND NORTH SIDES OF THE PROPERTY AND BY THE R-6 ZONE ON THE WEST SIDE PER CITY OF PORTLAND GIS WEBSITE.
- LOCUS PARCEL IS SHOWN ON THE CITY OF PORTLAND ASSESSOR'S MAP 14, BLOCK K, LOT 7.
- LOCUS PARCEL DOES NOT FALL IN A SPECIAL FLOOD HAZARD AREA PER FEMA FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NUMBER 23005100148, INDEX DATED 7/17/1986.
- ALL BUILDING CORNER OFFSETS TO BOUNDARY LINES ARE FROM THE BUILDING FOUNDATION, UNLESS OTHERWISE NOTED.
- THIS SHEET IS THE SUBDIVISION PLAT FOR THE CREATION OF UP TO NINE (9) DWELLING UNITS ON THE EXISTING SUBJECT PROPERTY. APPROVAL OF THIS PLAT DOES NOT CREATE ANY SUBDIVISION OF THE LAND ON THE SUBJECT PROPERTY.
- THE CONDOMINIUM DOCUMENTS ARE TO OUTLINE THE MAINTENANCE AND MANAGEMENT OF DRIVEWAYS, SIDEWALKS, RETAINING WALLS, STORMWATER DEVICES, SITE LIGHTING, TRASH REMOVAL, AND SNOW REMOVAL AS THE RESPONSIBILITY OF THE OWNER.
- THE OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND MANAGEMENT OF DRIVEWAYS, SIDEWALKS, STORMWATER DEVICES, SITE LIGHTING, TRASH REMOVAL, RETAINING WALLS, AND SNOW REMOVAL.
- THE OWNER SHALL BE RESPONSIBLE FOR COMPLYING WITH THE CONDITIONS OF CHAPTER 32 STORMWATER INCLUDING ARTICLE III, POST-CONSTRUCTION STORMWATER MANAGEMENT AGREEMENT, WHICH SPECIFIES ANNUAL INSPECTIONS AND REPORTING REQUIREMENTS AT A MINIMUM. IN ADDITION, THE OWNER SHALL BE RESPONSIBLE FOR COMPLYING WITH THE CONDITIONS OF THE SUBMITTED STORMWATER MANAGEMENT PLAN AND THE APPROVED PLANS, AND MEET CITY STANDARDS AND STATE GUIDELINES.
- THE CONDOMINIUM ASSOCIATION MUST COMPLY TO THE FOLLOWING AS APPROVED BY THE CITY:
15.1. CONDOMINIUM DOCUMENTS: BOOK _____ PAGE _____
16. EASEMENTS BENEFITTING 22 TURNER, 30 TURNER, AND 130 MORNING RECORDED AT CUMBERLAND COUNTY REGISTRY OF DEEDS BK 35463 PG 121

SURVEY NOTES:

- AREA OF SUBJECT PARCELS
2-24 TURNER ST. LOT 2,272 SQUARE FEET OR 0.05 ACRES
27-30 TURNER ST. LOT 3,151 SQUARE FEET OR 0.07 ACRES
130-132 MORNING ST. 7,412 SQUARE FEET OR 0.17 ACRES
- BASIS OF BEARING, MAINE STATE PLANE NAD 1983 1802 WEST ZONE BASE POINT, GRANITE MONUMENT WITH BOLT AT CONGRESS STREET AND MERRILL STREET T111-30-132, N303787, 1980 E2931509 0550 AZIMUTH N81-59-44°W 751.88' FEET.
- VERTICAL DATUM IS NVD 1929 BENCHMARK IS PK NAIL ON CMP POLE #9 WEST SIDE CONGRESS ELEVATION = 139.79' PROVIDED BY CITY OF PORTLAND PUBLIC WORKS ENGINEERING.
- SUBJECT TAX MAP 014 BLOCK K LOT 003, 004, 013, & 007.
- SUBJECT NOT IN SPECIAL FLOOD HAZARD AREA PER FEMA RATE MAP PANEL # 230051 00148 DATED JULY 17, 1986 PARCEL IN C ZONE.
- ZONE R-6

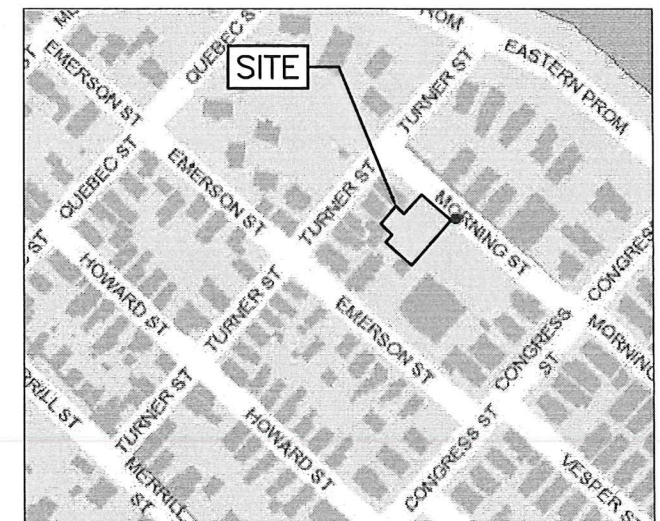
EASEMENTS:

- THERE ARE MULTIPLE EXISTING EASEMENTS WHICH WERE RECENTLY RECORDED AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS (CCRD) BK 35463 PG 121:
- ACCESS EASEMENT: 30F/30R TURNER TO 22 TURNER AND 130 MORNING (EASEMENT A)
 - ACCESS AND UTILITY EASEMENT: MUTUAL BENEFIT AND BURDEN BETWEEN 30F/30R AND 22 TURNER (EASEMENT B)
 - ACCESS AND UTILITY EASEMENT: 30F/30R TURNER TO 22 TURNER AND 130 MORNING (EASEMENT C)
 - ACCESS EASEMENT: 130 MORNING TO 22,30F/30R TURNER (EASEMENT D)
 - ACCESS EASEMENT: 22 TURNER TO 30F/30R TURNER (EASEMENT E)
- THERE ARE NO PROPOSED EASEMENTS

WAIVERS & CONDITIONS OF APPROVAL:

TBD

TURNER STREET



VICINITY MAP
NOT TO SCALE



PERMIT LEVEL
NOT ISSUED FOR
CONSTRUCTION

★
NEED PLS
SIGNATURE, DATE &
STAMP

ISSUED FOR	BY
SITE PLAN	WHS
DATE	6/25/19
COMMENT RESPONSE	WHS
DATE	6/25/19
COMMENT RESPONSE #	WHS
DATE	6/25/19

DRAWING NAME:	SUBDIVISION PLAT - 130 MORNING STREET
PROJECT NAME:	130 MORNING ST. REDEVELOPMENT
CLIENT:	NORTHEAST TURNER, LLC
	72 PINE STREET #16 PORTLAND, MAINE 04102

FILE:	1109_CIVIL
JN:	1109
SCALE:	1"=10'
DESIGNED BY:	SJL
DRAWN BY:	ZMS
CHECKED BY:	WHS

DRAWING NO.	PLAT
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CITY OF PORTLAND
Department of Public Works
Christopher C. Branch, P.E., Director

Date: September 17, 2019

Re: Wastewater Capacity Authorization

Address: 130 Morning Street
Applicant: Northeast Turner, LLC

Planner: Christian Roadman

Anticipated Wastewater Flow:

Estimate of Anticipated Design Flows				
Development	Unit Size	Number of Units	Gallons per Day per Unit	Total Gallons per Day
Existing flow to be removed				
Vacant				0
Proposed flow				
Multiple Family Dwelling Units	1-Bedroom	3	120	360
Multiple Family Dwelling Units	2-Bedroom	4	180	720
Multiple Family Dwelling Units	3-Bedroom	2	270	540
Net Change				+ 1620
*Values based on STATE OF MAINE: SUBSURFACE WASTEWATER DISPOSAL RULES, most recent edition				

Comments:

The Department of Public Works, which includes the Water Resource Division, have reviewed and determined that the downstream sewers from the project address have the capacity to convey the estimated dry weather wastewater flows which will be generated from this development.

You are reminded that the sewers you are proposing to connect into convey both sanitary and stormwater (Combined Sewer) and therefore a backflow preventer is suggested.

If the City can be of further assistance, please contact me at all 874-8840 or brad@portlandmaine.gov
Sincerely,

Bradley A. Roland, P.E.
Senior Project Engineer

130 Morning Street comments

Mike Tremblay <mtremblay@portlandmaine.gov>

Wed, Oct 2, 2019 at 10:18 AM

To: Christian Roadman <croadman@portlandmaine.gov>

Christian,

Some comments on the latest site plan for [130 Morning Street](#):

- The HP space location provides only 2.59 feet of clear width between the parking space and the stairwell. This is not acceptable as a parked car in this space will restrict the ability of all users of the parking area to enter the stairwell. DPW suggests that this HP space be striped as an 11-foot wide parking space with a 5-foot aisle adjacent to the stairwell, with the remaining 2.59' acting as a buffer between the parking space and the exterior wall. This layout is an ADA-standard van space (as the 8-foot space with 8-foot aisle is as well); however, this design also allows some flexibility of the accessible space. A user of this space will be able to position themselves within the space to allow for a 5-foot aisle on either side of the space, depending on which side of the space they use, while guaranteeing that a 5-foot clear area is provided adjacent to the stairwell.
- The turn templates for the outdoor spaces appear to show both entering and exiting maneuvers; however, these maneuvers overlap and are difficult to follow, which cause the maneuvers to look more difficult than they actually are. DPW suggests these maneuvers be broken out into separate sheets, or separate viewports within the same sheet.
- The driveway should be constructed in brick, with brick in the same orientation as the adjacent sidewalk. See attached detail.
- The site plan should more clearly show the internal lift location adjacent to the accessible entrance. This is shown more clearly in the floor plans, but more detail is requested in the site plan.

Thanks!

Mike Tremblay, P.E.
Senior Engineer
Engineering Division
Department of Public Works
City of Portland, ME
mtremblay@portlandmaine.gov
P. 207.874.8881 F. 207.874.8852



Figure_I_9A_DrivewayApron_rev2019.pdf

150K

130 Morning Street Waiver Signoff?

Mike Tremblay <mtremblay@portlandmaine.gov>

Thu, Oct 17, 2019 at 11:12 AM

To: Christian Roadman <croadman@portlandmaine.gov>

Christian,

I approve of the waivers as worded. It should be noted that 50% of parking spaces provided for users of the project site (and not neighboring properties) are compact, compared to the 27% in the waiver table. It does not substantially change their request, but I would suggest adding this clarification to the table so that the Board understands what they'd be waiving.

As an aside, I am a little worried about how much the eastern landscaped area has changed in each submission we have received. The applicant should be reminded that the plan they present at planning board hearing should be more or less final.

I have additional comments based on the new plans uploaded on 10/11/19.

- The accessible parking space (space 7) continues to be unacceptable. The 2.59-foot space between Space 7 and the stairwell, which will be used by all users of the parking area to access the building, is not sufficient; this should be at least 4 feet wide (5 feet preferred). It is suggested that the space be reconfigured to the alternate van-accessible space configuration: an 11-foot space with a 5-foot clear area. This would allow the 11-foot parking space to be placed 2.59 feet from the eastern wall of the garage. The 5-foot clear area would be adjacent to the stairwell. The space width would allow the van driver to align themselves within the space in the most advantageous way.
- The footprint of the internal lift should be shown on the site plan as it is on the grading and drainage plan.
- The internal area where the ADA lift is proposed shows two elevations: 111.00' and 113.33' (FFE) with no delineation between them. A rough internal grade break should be shown on both the site plan and the grading and drainage plan to show that the side entrance is not at the same level as FFE. If there are any stairs proposed for people who do not need the lift, those should be shown as well.

Thanks,
Mike

Mike Tremblay, P.E.
Senior Engineer
Engineering Division
Department of Public Works
City of Portland, ME
mtremblay@portlandmaine.gov
P. 207.874.8881 F. 207.874.8852



130 Morning Street

Tom Errico <thomas.errico@tylin.com>

Thu, Oct 17, 2019 at 11:27 AM

To: Christian Roadman <croadman@portlandmaine.gov>

Hi Christian – I have reviewed the updated site plan as it relates to the following previous comment and I find it to be acceptable.

- The Applicant should specify sight distance measurements (to both pedestrians on the sidewalk and vehicles on Morning Street) for vehicles exiting the site given the building location adjustment. The Applicant should also consider changes to the 6-foot fence impacting sight lines to the south.

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, PE
Senior Associate
Traffic Engineering Director
TYLIN INTERNATIONAL
12 Northbrook Drive
Falmouth, ME 04105
+1.207.781.4721 main
+1.207.347.4354 direct
+1.207.400.0719 mobile
thomas.errico@tylin.com
Visit us online at www.tylin.com
Twitter | Facebook | LinkedIn | Instagram

Christian Roadman <croadman@portlandmaine.gov>

130 Morning Street

Lauren Swett <lswett@woodardcurran.com>

Thu, Oct 17, 2019 at 9:14 AM

To: Christian Roadman <croadman@portlandmaine.gov>

Hi Christian,

They have adequately addressed all of my prior comments.

They do need to account for the crushed stone area as impervious surface. I've confirmed with the DEP that they do consider stone to be impervious surface, and they are going to provide something for the file that explains that. I'll provide it to you when I see it come in.

I've done a quick take-off on their plan, and accounting for the stone as impervious surface, they still will not meet the threshold to require stormwater treatment.

If you have any questions, let me know.

Thanks,

Lauren

[Quoted text hidden]

Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.

PRELIMINARY COMMENTS: 130 MORNING ST

8/9/2019

Planning

1. The required 5' front yard zoning setback is not met. Please revise. (Staff confirmed with zoning that average front yard measurements across the street / down the road cannot be applied, and the 5' setback is the appropriate measure here).
2. Application documents specify that decks are not included in impervious surface calculations. Please clarify expected interaction between decks and pervious surfaces below (material, spacing, etc.)
3. Site plan / detail should call out design / logistics / product used for interior bicycle storage.
4. Per Technical Manual Section 12.6 please provide a photometric plan.
5. Workforce housing documentation / agreement should be coordinated with and reviewed by the housing program manager.
6. Please mark compact spaces on site plan.
7. Please clarify decision not to include a parapet screening on the southwest elevation. If PV panels are the reason, please investigate if low parapet could reduce exposure only insignificantly.
8. Per neighborhood meeting minutes and public comment, rendering(s) showing the context / visibility from farther up the Hill (Emerson Street) are requested.
9. The driveway width crossing the sidewalk is larger than the driveway width next to building. Is this intentional?

Fire

1. The street address shall be verified by the City of Portland E911 addressing officer.
2. The street address shall be attached to the front of the building and approved by the Fire Department.

Department of Public Works*Site Plan*

1. The Applicant installed utility stubs, installed the proposed site driveway, and closed the previously existing site driveway in July 2019, ahead of the City's planned repaving of Morning Street in summer/fall 2019. Any changes to these installations required by site plan review, or proposed by the applicant, immediately proceeding or at any time following (up to 5 years) paving of Morning Street shall be subject to moratorium repair, as outlined in the [City's Rules and Regulations for Excavation Activity](#). DPW does not anticipate that any such changes will be required at this time, but this may change as the site plan approval

process moves forward. Right-of-way work including sidewalk and streetscape improvements that do not affect curb placement or street excavations will still be required.

2. The Applicant is utilizing adjacent properties for their exterior parking spaces, vehicle turnaround, and underground utility. The Applicant shows right, title, and interest to these parcels via easements in their documentation. All easements should be clearly shown in the site plan with a brief descriptor.

3. The site driveway measures only 10.5 feet wide. The parking area it serves is 11 total spaces. The driveway width will require a waiver from the City's technical manual, section 1.7.2.3, as the minimum width for a 2-way driveway serving 10 or more parking spaces is 20 feet. The driveway is close to the minimum width for a driveway serving 9 or fewer spaces. The full driveway width shall stay clear of obstruction so that the effective width is not reduced below 10.0 feet.

4. The four exterior spaces are shown as serving neighboring properties. Specific properties should be identified, and pedestrian access route(s) should be identified. It is not recommended that the site driveway double as a pedestrian access route, given the steep slope (12%) and narrow width that will not allow a vehicle to drive past a pedestrian.

5. The drive aisle serving the exterior parking spaces is 19.9 feet. This width will require a waiver of the City's technical manual, section 1.14. The effective drive aisle width serving spaces 3, 4 and 7 is only 21.84'. This should be labeled. The waiver for this drive aisle can be included under the same waiver as the exterior spaces. The standard width for a drive aisle serving perpendicular spaces is 90 degrees. *[It should be noted that, while this language isn't reflected in the technical manual, substandard drive aisles may cause the (standard size) parking spaces served by the drive aisle to be de facto compact spaces, since a 20-foot aisle serving 18-foot spaces is quite the same as a 23-foot aisle serving 15-foot spaces. 64% of spaces on site are served by drive aisles of less than 22 feet.]*

6. Three of the 11 total spaces are compact spaces (excluding the four exterior spaces served by a substandard drive aisle). This represents a compact space ratio of 27%. This will require a waiver from the City's technical manual, Section 1.14.

7. Please relabel the parking spaces 1-11, rather than using 1-4 twice.

8. The site plan should clarify whether the interior parking spaces will be accessed via a garage door and, if so, the placement and width of this door. The current site plan appears to depict a door or opening that is the full width of the interior drive aisle (~24 feet). The size and placement of the garage door or opening may affect turning maneuvers into some of the interior spaces.

9. Given the presumed request for a waiver for the outdoor spaces, turn templates are requested for each of these four spaces.

10. Some of the interior parking spaces appear to be challenging to enter or exit based on placement and proximity to walls. Turn templates are requested for interior spaces 1, 4, 5, and 7.

11. It appears the easiest way to access the accessible space (interior space #7) will be to back into this space; however, HP spaces should be accessible by pulling in or backing in. A space oriented like Space 7 should prioritize the ability to pull into the space, since the passenger's side is the side most likely to need

the adjacent clear area. DPW suggests that the HP space be switched with the adjacent clear area, so that Space 7 is located adjacent to the stairwell and the clear area is located closer to the garage door; this will make it easier to pull into this space while continuing to facilitate backing into the space. We recognize that this may affect the layout of the solid waste storage area. Note that the HP space and clear zone are both wider than necessary (8 feet required), which may give additional "wiggle room" in terms of the placement of the HP space between the stairwell and garage door.

12. Snow storage area is not specified.

13. The site plan should delineate a 5-foot minimum, 2% maximum cross-slope sidewalk section running through the driveway. This is not clearly noted in the site plan or grading/drainage plan.

14. The front of the building runs up to within 2 feet of the property line. It is unlikely that an exiting vehicle will be able to see an oncoming vehicle or pedestrian coming from the east until they are partially blocking the sidewalk. This represents a hazard to pedestrians.

Grading and Drainage Plan

15. Field inlets are provided serving the back yard and easterly side yard, and a catch basin serves the exterior parking area. The Applicant should explore whether infiltration areas are possible in the back or side yard in order to improve groundwater recharge and reduce the burden on the storm sewer. DPW acknowledges that the grading of the site may make this difficult.

Utility Plan

16. As noted above, utility stubs have been installed.

17. Underground electric and telecommunications to be installed via an easement from an existing utility pole on Turner Street. No additional excavation on Morning Street is expected.

Construction Management Plan

18. Plan notes "Min. 4' sidewalk to remain clear and functional during construction when feasible. The Applicant should provide approximate durations during which keeping this sidewalk open may not be feasible (during sidewalk construction only? Or longer?)

19. A temporary crosswalk and ADA ramps are shown just east of the project frontage for use when the sidewalk is closed. Note that parking should also be restricted within 10 feet of the temporary crosswalk while the crosswalk is painted on the roadway.

20. Verify that the lone construction entrance for vehicles will be at the driveway shown. Note states "construction fence with access gate along property lines".

21. Applicant shall verify that construction vehicles can turn into and out of the site without restrictions to street parking. Parking occupancy permits shall be sought if these movements cannot be made without heavy vehicles backing up to make 3-point turns into the driveway.

Civil Engineering Peer Review

1. The Applicant should clarify their electrical service. A capped stub from the adjacent property is shown, but the location of the service connection to the proposed building is not shown.
2. I suggest the applicant evaluate the impact of sending site drainage into their foundation drain system. The field inlet to the east of the building will collect stormwater from that side of the building and is connected to the foundation drain pipe. The Applicant should verify that there will be adequate slope on the pipe to an outlet point and/or that there will be sufficient infiltration such that stormwater doesn't sit around the foundation.
3. Confirm the location of the connection of the roof drain at the western corner of the building. It is unclear where the connection to a main pipe is located; this may just be due to a line-type issue.
4. The Applicant should verify that the 6-inch pipe from the site will be adequate to manage all of the site's stormwater. The slope of the stormdrain pipe connection into the City's sewer is relatively steep at 8%. The Applicant should also confirm that additional protection (i.e. clay dams, or scour protection) due to this slope and anticipated flow is not necessary at the connection to the existing 10-inch vitrified clay pipe.
5. I suggest adding a few more spot grades or flow arrows to the space in front of the garage entrance to ensure the area is graded away from the doorway.
6. On the Construction management plan, it appears that the construction fence note is incorrectly pointing to the silt fence. Also, it appears that along the eastern and part of the western boundary, the construction fence will be installed off of the property. Please clarify if this is the case, show construction easements as required, and provide for restoration of those impacted off-site areas as necessary following construction.

Design Review

Please see attachment.

Planning and Urban Development Department Planning Division



Subject: R-6 Small Infill Design Review – 130 Morning Street

Written by: Caitlin Cameron, Urban Designer

Date of Review: Wednesday, October 16, 2019

A design review according to the *City of Portland Design Manual* Standards was performed for the revised proposed new construction of a multi-family dwelling at 130 Morning Street. The review was performed by Caitlin Cameron, Urban Designer, Christian Roadman, Planner, and Deb Andrews, Historic Preservation Program Manager, all within the Department of Planning & Urban Development. The project was reviewed against the *R-6 Small Infill Development Design Principles & Standards* (Appendix 7 of the Design Manual).

Findings of the Design Review:

The revised proposal was responsive to the Planning Board and staff comments. Staff find the proposed design passes all of the principles/standards with a few suggested revisions – please refer to comments below.

- **Please show the proposal within its context such as a context plan or renderings that show the project with the surrounding buildings.**
- The revisions include:
 - o Adjustment to the window size and proportion so as to relate across the façade
 - o Revised material placement at the base for overall façade composition and proportion
 - o The central circulation shaft was brought forward to strengthen the front façade plane and to provide privacy between units.
 - o Balconies were aligned vertically and include vertical supports that align with the ground floor of the building to visually and physically tie the façade together.
 - o Rooftop appurtenances were relocated and minimized
 - o An accessible entrance was added from the street

Design Review Comments (*red text denotes principles or standards that are not met; staff recommendations in bold*):

Principle A Overall Context – Met – see below.

- *A-1 Scale and Form:* The proposed building has a scale and massing that references the double-triple building type found in the neighborhood – in this case, with an additional 4th floor. Double-triples can be found in the surrounding context including a four-story building within the same block. The scale and form of those buildings incorporate massing variation and articulation with pronounced and overhang cornice lines, bay windows, recessed entries with canopies, and/or stacked porches. Of these formal and

- scaling elements, the project employs a canopy at the entrance, a recessed entry, overhanging cornice, and stacked porches (although the relationship of the balconies to the front façade differs from the traditional massing). Staff find that the overall massing, proportion, and forms relate to the predominant patterns of the context though with a contemporary approach, especially the proportion of the front façade..
- *A-2 Composition of Principal Facades:* The composition of the street-facing facades is consistent with context in terms of using symmetrical bays (typically two or three bays) that are oriented to the street. The front façade includes multiple planes (porches, elevator shaft, ground floor living spaces) that have an atypical relationship compared with traditional façade composition. Some revisions were made to resolve these plane relationships in a way that better defines the front façade plane with the central shaft and vertical supports. The current design still creates emphasis on the horizontal because the balconies are proud of the vertical supports – this exaggerates the fact that this façade is already more horizontal in proportion than the traditional buildings. The rhythm, size, and proportion of windows is a contemporary exaggeration of the traditional design. The ground floor is high above the sidewalk level – that line was revised per staff comment for overall proportion. Revisions to the window proportion and size, and the material placement help balance the overall façade composition, emphasize the vertical proportion, and provide a more grounded base to the building of similar proportions to those found nearby. Without trim or similar details, the design relies on the material texture and balconies to provide articulation and the fine-grain residential character. **Staff find that generally, the relationship of these architectural elements has been improved to create a more cohesive, integrated front façade, however, in this project, the treatment and relationship of the balconies is a departure from the traditional contextual relationship of stacked porches to front façade (where balconies have a vertical hierarchy rather than horizontal). Staff suggest that the vertical elements could be revised to bring stronger emphasis and refine the relationship between the balconies and the other façade elements.**
 - *A-3 Relationship to the Street:* The building placement is consistent with the spacing of the residential fabric – slightly setback from sidewalk to allow for stoops and provide privacy. **The landscaped transition space ideally would have an edge treatment (curb, planter wall, retaining wall) between the sidewalk and the landscape to define the public/private edge and protect the landscape – this would further emphasize the transition space/buffer provided by this landscape front yard as found throughout the neighborhood.**

Principle B Massing – Met – The proposed massing reflects and reinforces the massing and proportion of the double-triple multi-family building type – these buildings are characterized by a slightly wider façade proportion, symmetrical bay composition, and changes in massing, like the roof form and bays, to mitigate the scale and provide a pedestrian-friendly, visually interesting street presence. The design emphasizes the double-triple massing by creating a strong roof line and flat roof form, uses a symmetrical composition, provides massing variation with the stacked porches, and keeps a vertical proportion similar to that found in the context.

- *B-1 Massing:* The principal mass is reminiscent of a double triple-decker found in the context (simple rectilinear mass, simple roof form, façade variation). The overall massing is a regular box with vertical proportion and is varied with the stacked porches on the front façade. Though the proportion of this massing differs from the traditional buildings, staff find the overall massing to be harmonious with the context

- *B-2 Roof Forms:* The proposed roof form is a flat roof with overhanging cornice. To meet the standard, the rooftop appurtenances have been minimized, integrated, screened, or otherwise made recessive – **can the rooftop appurtenance/screening be centered on the roof?**
- *B-4 Roof Pitch:* The roofs is a monopitch/ flat roof.
- *B-5 Façade Articulation:* The project employs three of the required articulation elements – covered entry, recessed entry, balconies.
- *B-6 Garages:* Not applicable.

Principle C Orientation to the Street – Met – The project is oriented to the street with a street-facing stoop (although door is side-facing).

- *C-1 Entrances:* The entry stoop is street-facing and emphasized with a canopy and recess. **Additional emphasis could be brought with lighting.**
- *C-2 Visual Privacy:* Visual privacy is adequately addressed; ground floor windows are higher than 48” above adjoining sidewalk grade; the ground floor is adequately raised above sidewalk grade appropriate for private residential buildings with living space on the ground floor (at least 24” is required by the standard).
- *C-3 Transition Spaces:* The project uses a canopy at the entrance, the building is set back with planted front yard buffer. The ground floor is elevated from the sidewalk grade.

Principle D Proportion and Scale – Met - The façade elements are proportionate and scaled to the overall building.

- *D-1 Windows:* The majority of windows are rectangular and have vertical proportion; window proportions and sizes have an overall proportional relationship to the building.
- *D-2 Fenestration:* The project appears to meet the 12% fenestration requirement; appropriately scaled windows are included on all sides of the building. The solid to void relationship is similar to that found in the context.
- *D-3 Porches:* The balconies included in this project are at least 48 sf and meet this standard.

Principle E Balance – Met – The building façade composition creates a sense of balance with good use of overall and local symmetry and articulation of façade materials.

- *E-1 Window and Door Height:* The majority of window and door head heights align along a common horizontal datum.
- *E-2 Window and Door Alignment:* The majority of windows shall stack so that centerlines of windows are in vertical alignment.
- *E-3 Symmetry:* Primary window compositions are arranged symmetrically around discernable vertical axes.

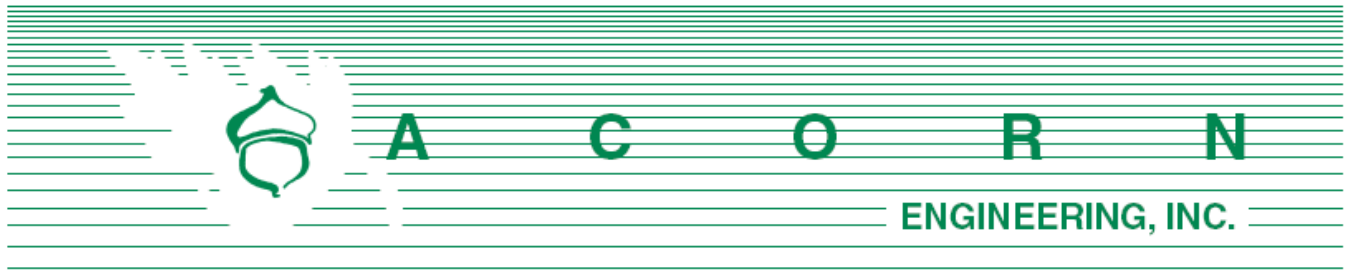
Principle F Articulation – Met – The façade has visual interest with high levels of articulation provided by stacked balconies, canopy, overhanging cornice.

- *F-1 Articulation:* Cornice and balcony details create shadow lines on front façade.
- *F-2 Window Types:* Two window types at street façade.
- *F-3 Visual Cohesion:* The visual cohesion of the façade is good – material placement is logical and according to overall massing changes.
- *F-4 Delineation between Floors:* The floors are delineated by fenestration patterns, material change, balconies.

- *F-5 Porches, etc.:* The stacked balconies are a dominant architectural feature – revisions were made to visually integrate these elements into the front façade composition (vertical supports, align balconies, central shaft brought in alignment with the front plane). Railings and floor plates are used to provide articulation and shadow lines to the front façade and do not obscure.
- *F-6 Main Entries:* The main entry is emphasized with placement near the street, recessed, and the use of a canopy.
- *F-7 Articulation Elements:* The cornice is pronounced and has an overhang similar to those found in context multi-family buildings; **adding a trim detail to the windows would provide more approachable/residential character and visual interest**; the façade offset is at least 12”; the cornice line was increased in scale to be in better proportion to whole facade.

Principle G Materials – Met– A predominant characteristic of this neighborhood is a limited and simple material palette and placement – typically fine-grain materials such as clapboard with occasional shingle or brick. The use of clapboard is appropriate for the context.

- *G-1 Materials:* The residential context is predominantly clapboards with occasional shingle or brick. The proposal primarily uses fiber cement clapboard with horizontal orientation with varying reveal widths. The watertable foundation is panel board – **concrete or masonry would be preferable.**
- *G-2 Material and Façade Design:* The materials are appropriately placed according to their nature panel base, clapboard above.
- *G-3 Chimneys:* Not applicable.
- *G-4 Window Types:* Two window types on street façade.
- *G-5 Patios and Plazas:* Not applicable.



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

June 20, 2019

Subject: Level III Final Site Plan/Subdivision Application
130 Morning Street Redevelopment

To Whom It May Concern:

On behalf of Northeast Turner, LLC, we are pleased to submit the accompanying package of submission materials related to the proposed redevelopment at 130 Morning Street. The project proposes to construct a 4-story, 9-unit residential building on an infill lot which currently consists of a parking lot. The building design has effectively hidden the garage door and parking, allowing for the front façade to maintain living space and decks which will encourage interaction with the street. The project site is located within the City's R-6 Zoning District as well as the Munjoy Hill Conservation Overlay District. This application package is intended to meet the City's Submission Requirements as outlined in the Level III Site Plan Application procedures. The project anticipates developing one of the proposed nine units into a workforce unit.

We are pleased to submit this application which will increase the housing stock, repurpose the existing parking lot, improve the site's green space and stormwater management, and increase the aesthetics of the streetscape by establishing an inviting front façade, rebuilding the brick sidewalk, and planting street trees. The existing 24-foot curb cut would be closed and replaced with a smaller curb cut. The driveway location will allow for the project site to share a driveway with two neighboring properties (22 and 30 Turner Street) which satisfies a public policy goal of the City.

If you have any questions regarding these materials or the completeness of the application materials, please contact us within the next five (5) days.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sam Lebel', is written above the typed name.

Samuel J. Lebel, E.I.
Project Engineer
Acorn Engineering, Inc.

A handwritten signature in black ink, appearing to read 'Will Savage', is written above the typed name.

William H. Savage, P.E.
Principal – 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: Level III Final Site Plan Application & Checklist
- Section C: Right, Title, Interest
- Section D: Zoning Assessment
- Section E: Easements
- Section F: Waivers
- 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 Letter
- Section N: Lighting
- Section O: Architectural Design Narrative
- Section P: Utility Cover
- Section Q: Construction Management Plan
- Section R: Solid Waste
- Section S: Parking Analysis
- Section T. Turner St. Zoning Information
- Section U. Photographic Documentation of Neighborhood

Drawings:

- Civil Site Plan Set, Dated 6/19/19
- Architectural Plan Set, Dated 6/19/19





LEVEL II and LEVEL III APPLICATION SUBMISSION CHECKLIST

Please submit each document as a separate PDF file.

Please confirm by electronically checking the boxes to the left

General Application Documents			
Checklist	Items to be Provided		
Yes NA Plan ☒ ☐ ☐	PROJECT DESCRIPTION Cover Letter with detailed project description		
Yes NA Plan ☒ ☐ ☐	COMPLETED CHECKLIST – LEVEL III APPLICATION		
Yes NA Plan ☒ ☐ ☐	RIGHT, TITLE AND INTEREST Deeds, leases, or purchase and sales agreements		
Yes NA Plan ☐ ☒ ☐	EVIDENCE OF STATE OR FEDERAL APPROVALS, if applicable Permits or letters of non-jurisdiction, if applicable		
Yes NA Plan ☒ ☐ ☐	ZONING ASSESSMENT Table listing required and proposed uses and dimensional standards Zoning Assessment Table		
Yes NA Plan ☒ ☐ ☐	EXISTING &/OR PROPOSED EASEMENTS OR COVENANTS, if applicable Evidence of existing easements and any proposed easements		
Yes NA Plan ☒ ☐ ☐	WAIVER REQUESTS Written request for waiver describing request and reason. Waiver Table		
Yes NA Plan ☒ ☐ ☐	FINANCIAL CAPABILITY Letter or evidence from a financial institution or third party verifying financial capacity to undertake project		
Yes NA Plan ☒ ☐ ☐	TECHNICAL CAPABILITY Evidence of technical capability of applicant and consultants – resumes and/or examples of past projects		

LEVEL II AND LEVEL III 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

Check list	Assess/Provide/Document:
Yes NA Plan ☐ ☒ ☐	Transportation Analysis- Traffic Impact (14-526 (a) 1) - Provisions for pedestrian, bicycle, vehicle, and loading circulation and incremental volume of traffic impacts - Traffic Impact Study (Technical Manual, Section 1) if applicable
Yes NA Plan ☒ ☐ ☐	Access and Circulation (14-526 (a) 2 a) - Access and internal circulation, addressing ADA access - Access and egress impacts on traffic flows - Description and use of drive-up features, if applicable
Yes NA Plan ☐ ☒ ☐	Loading and Servicing (14-526 (a) 2 b) - Loading and servicing needs, route and travel way geometrics for deliveries - Turning templates for delivery vehicles, if applicable
Yes NA Plan ☒ ☐ ☐	Sidewalks (14-526 (a) 2 c) - Sidewalks and condition along street frontages and internal walkways - Engineered details for ADA ramps and public sidewalk details meeting sidewalk materials policy and ADA ramp construction details as applicable (Technical Manual, Section 1)
Yes NA Plan ☐ ☒ ☐	Public Transit (14-526 (a) 3), if applicable - Existing available transit services - Proposed site plan design details, such as easement, pad base, and shelter
Yes NA Plan ☒ ☐ ☐	Off-Street Parking: Vehicle & Motorcycle/Scooter) (14-526 (a) 4 a and c) - Expected parking demand, proposed parking supply, ADA parking, and applicable Zoning Requirements - Address Technical Manual standards (Section 1) for curb cut separation and parking lot layout and locate on site plan
Yes NA Plan ☒ ☐ ☐	Bicycle Parking (14-526 (a) 4 b) - Address bicycle parking requirements and identify locations on-site - Construction details for bike racks (Technical Manual, Section 1)
Yes NA Plan ☒ ☐ ☐	Snow Storage (14-526 (a) 4 d) Management plan for snow removal and locate snow storage areas on plan
Yes NA Plan ☐ ☒ ☐	Traffic Demand Management (TDM) (14-526 (a) 5), if applicable Develop TDM with Trip Reduction Targets and Strategies

ENVIRONMENTAL AND LANDSCAPE FEATURES			
Check list			Assess/Provide/Document:
Yes	NA	Plan	Preservation of Significant Natural Features (14-526 (b) 1), if applicable • Trees, plants, habitats listed on State or Federal list of endangered or threatened • High and moderate value waterfowl and wading habitat • Aquifers on Casco Bay Islands • Waterbodies (including wetlands, watercourses, significant vernal pools and floodplains) • Proposed preservation areas and protection measures • Documentation from environmental consultants, determinations from applicable state agencies Landscaping and Landscape Preservation (14-526 (b) 2 a) • Preservation of trees and preservation within required zoning setbacks (Technical Manual, Section 4) • Protection measures of existing vegetation during construction • Protection measures within Shoreland Zone, if applicable Site Landscaping (14-526 (b) 2 b) • Screening and buffering of service areas and between non-residential and residential uses • Planting plans with plant schedule and sizes (Technical Manual, Section 4) Parking Lot Landscaping (14-526 (b) 2 b ii), if applicable • Landscaped islands within parking areas (Technical Manual, Section 4) Street Trees (14-526 (b) 2 b iii) • Existing Heritage or Feature Trees on site and measures to preserve • Identify street trees on the plan meeting the site plan and Technical Manual standards (Section 4) or identify alternative measures, if applicable
☐	☒	☐	
Yes	NA	Plan	
☒	☐	☐	
Yes	NA	Plan	
☐	☒	☐	
Yes	NA	Plan	
☒	☐	☐	
ENVIRONMENTAL AND STORMWATER			
Check list			Assess/Provide/Document:
Yes	NA	Plan	Water Quality, Stormwater Management and Erosion Control (14-526 (b) 3 a) • Stormwater report in compliance with Section 5 of Technical Manual and DEP Chapter 500 stormwater for basic, general and flooding standards, as applicable • Erosion control plan and measures • Evidence of compliance with Urban Impaired Stream Standards pursuant to DEP Chapter 500 stormwater, as applicable • Subsurface sanitary sewage disposal and groundwater protection
☒	☐	☐	
Yes	NA	Plan	
☐	☐	☐	
Yes	NA	Plan	

PUBLIC INFRASTRUCTURE AND SAFETY			
Check list		Assess/Provide/Document:	
Yes	NA	Plan	Consistency with City Master Plans (14-526 (c) 1) - Identify consistency with master plans - Proposed easements, rights and improvements to connect or continue off-premises public infrastructure, as applicable
☒	☐	☐	
Yes	NA	Plan	Public Safety and Fire Prevention (14-526 (c)) - Address Crime Prevention through Environmental Design (CPTED) (Technical Manual, Section 3) - Emergency vehicle access - Address consistency with public safety standards (Technical Manual, Section 3) - Submit a code summary referring NFPA 1 and all Fire Department standards (Technical Manual, Section 3) – Fire Checklist
☒	☐	☐	
Yes	NA	Plan	Availability and Adequacy of Public Utilities (14-526 (c) 3) (Technical Manual, Sections 2 & 9) - Electrical services, including providing underground services - Identify existing and proposed connections for public utilities and required public utility upgrades - Sewer line connections are required, if there is a main within 200 feet - Proposed solid waste management facilities on-site and management for the site - Written evidence of the ability to serve from utility companies, as applicable
☒	☐	☐	
SITE DESIGN			
Check list		Assess/Provide/Document:	
Yes	NA	Plan	Massing, Ventilations and Wind Impact (14-526 (d) 1) - Wind and ventilation impacts on adjoining structures and/or adjacent public spaces. Wind study, if applicable - Bulk, location or height impacts on adjoining structures - Identify and locate HVAC equipment and venting away from public spaces and residential properties - Identify screening and manufacturing specifications for noise, if applicable
☐	☒	☐	
Yes	NA	Plan	Shadows (14-526 (d) 2), if applicable Shadow analysis of impacts on publicly accessible open space (Technical Manual, Section 11)
☒	☐	☐	
Yes	NA	Plan	Snow and Ice Loading (14-526 (d) 3) Building design to prevent snow and ice from loading or falling onto adjacent properties or public ways
☒	☐	☐	
Yes	NA	Plan	View Corridors (14-526 (d) 4), if applicable Protection of designated view corridors (Portland Design Manual, Appendix 1)
☐	☒	☐	

Yes NA Plan ☐ ☒ ☐	Historic Resources (14-526 (d) 5), if applicable • Identify developments within Historic Districts or affecting Designated Landmarks • Certificate of Appropriateness or other evidence • Identify Developments within 100 feet of Historic Districts or affecting Designated Landmarks. Advisory HP review may be required • Address preservation and documentation of Archaeological Resources
Yes NA Plan ☒ ☐ ☐	Exterior Lighting (14-526 (d) 6) • Cut sheets of on-site light fixtures and any architectural or specialty lights (Technical Manual, Section 12) • Engineered details for any lights proposed in street right-of-way (Technical Manual, Section 10)
Yes NA Plan ☐ ☒ ☐	Noise and Vibration (14-526 (d) 7) • Evidence of noise levels for equipment, such as equipment specifications, to demonstrate consistency with zoning requirements
Yes NA Plan ☐ ☒ ☐	Signage and Wayfinding (14-526 (d) 8), if applicable • Signage plan showing the location, dimensions, height and setback of all existing and proposed signs. Signs in Historic Districts are reviewed by Historic Preservation staff • Proposed commercial and directional signage on site
Yes NA Plan ☒ ☐ ☐	Zone Related Design Standards (14-526 (d) 5) • Address Historic Preservation Design Review, if applicable • Address any applicable design review standards by zone • Address submission requirements from Design Manual, page 1, addressing neighborhood context • Description of exterior materials, color, finish, and samples
Construction Management Plan	
Check list	
Yes NA Plan ☒ ☐ ☐	Construction Management Plan • Construction Management Document and Plan

Level II and Level III Site Plan Checklist Please upload the following drawings with the listed details into e-Plan as separate pdfs.	
✖ RECENT BOUNDARY SURVEY (stamped by Maine Licensed Surveyor)	
Must be in compliance with Technical Manual, Section 13	
SITE PLAN(s) (stamped by Maine Licensed Engineer) including:	
✖ Existing Conditions • Approximate location of structures on abutting property • Topography • Locate water courses • Delineate wetlands • Zone lines	
✖ Proposed Site Plan • Ground floor area, and grade elevations for all buildings	
✖ Access, Circulation, and Parking • Streets and intersections adjacent to site , any proposed geometric modifications • Location, dimensions and materials of all existing and 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 • Existing and proposed transit infrastructure with dimensions/ engineering specifications • Location of vehicle and bicycle parking with dimensions and engineering specifications	
✖ Site Considerations • Identify snow storage areas • Location of fire hydrants • Location of solid waste management facilities	
✖ UTILITY PLAN including:	
• Existing utilities on site and within public streets • Location, sizing, and directional flows of all existing and proposed utilities • Location and dimensions of off-premises public or publicly accessible infrastructure adjacent to site • Electric utility infrastructure	

✕ GRADING and DRAINAGE PLAN including:
- Existing grades and drainage - Proposed grades - Proposed stormwater management meeting Technical Manual (Section 5) standards - Location and proposed alteration of a water course - Preservation or alteration of wetlands
✕ EROSION CONTROL
Must be in compliance with Technical Manual, Section 5
✕ LANDSCAPE PLAN including:
- Existing vegetation to be preserved and preservation measures - Proposed landscaping and buffers - Planting schedule
Δ RECORDING PLAT, if applicable
IF SUBDIVISION: Must be in compliance with requirements of Section 14-496 (b)
✕ ARCHITECTURAL PLANS & RENDERINGS including:
- Exterior building elevations, color renderings, illustrations of all sides - Location and dimensions of all existing & proposed HVAC & mechanical equipment, all proposed screening - Provide context drawings, if applicable (Design Manual, page 1) - Floor plans

Section C

Right, Title, Interest



Please find attached the deed showing the Applicant's Right, Title, Interest.

DLN: _____

QUITCLAIM WITH COVENANT DEED
(Maine Statutory Short Form)

GOOD MORNING TURNER, LLC, a Maine limited liability company, whose mailing address is 72 Pine Street, #16, Portland, Maine 04102, for consideration paid, GRANTS to **NORTH EAST MORNING, LLC**, a Maine limited liability company, whose mailing address is 100 Congress Street, Portland, Maine 04101, with QUITCLAIM COVENANTS, a certain lot or parcel of land, together with any buildings and improvements thereon, situated on Morning Street in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

See attached Exhibit A attached hereto

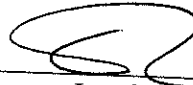
WITNESS our hands and seals this 14th day of February, 2019.

WITNESS:



Witness Michael R. Cooks

GOOD MORNING TURNER, LLC



By Thomas Landry
Its Manager

STATE OF MAINE
COUNTY OF CUMBERLAND, ss.

February 14, 2019

Then personally appeared the above-named Thomas Landry and acknowledged the foregoing instrument to be his free act and deed in his stated capacity.

Before me,


Notary Public/Attorney at Law

Charles Katz-Leary, Esq

Print Name

Bar #4039

My commission expires:

EXHIBIT A

A certain lot or parcel of land located on the southerly side of Morning Street in the City of Portland, Cumberland County, and State of Maine and being more particularly described as follows:

Beginning at a 5/8" rebar set with cap on the southerly side of Morning Street at the northeast corner of land now or formerly of Johnny Robinson as described in Book 14167, Page 67 of the Cumberland County Registry of Deeds, and being S48°-27'-17"E seventy five and zero hundredths 75.00 feet from the intersection of the east bound of Turner Street and the south bound of Morning Street;

- 1) Thence S48°-27'-17"E sixty nine and ninety three hundredths 69.93 feet along the southerly side of Morning Street to a 5/8" rebar found with cap at the northwest corner of land now or formerly of Avesta Munjoy Commons LP as described in deed recorded in said Registry in Book 27558, Page 185.
- 2) Thence S41°-28'-43"W ninety seven and sixty three hundredths 97.63 feet along the westerly sideline of said Avesta Munjoy Commons LP to a bolt found on a concrete wall at the northeast corner of land now or formerly of Emerson East Condominium as shown on Plat recorded in said Registry in Plan Book 216 Page 146.
- 3) Thence N48°-31'-02"W sixty two and ninety three hundredths 62.93 feet along the northerly sideline of said Emerson East Condominium to a 5/8" rebar set with cap on the easterly sideline of land of Good Morning Turner, LLC described therein as 26-30 Turner Street and recorded in said Registry in Book 34967 Page 245.
- 4) Thence N41°-28'-43"E eighteen and zero hundredths 18.00 feet along the easterly boundary of said 26-30 Turner Street lot to a 5/8" rebar set with cap at the northeast corner of said 26-30 Turner Street lot and being the southeast corner of the lot described as 20-24 Turner Street in said Book 34967 Page 245.
- 5) Thence N48°-31'-05"W twenty four and eighty four hundredths 24.84 feet along the northerly boundary of said 26-30 Turner Street lot to a 5/8" rebar set with cap.
- 6) Thence N41°-28'-43"E thirty nine and seventy two hundredths 39.72 feet across a portion of land of said 20-24 Turner Street lot to a 5/8" rebar set with cap on the south bounds of land of said Johnny Robinson.
- 7) Thence S48°-27'-17"E seventeen and eighty four hundredths 17.84 feet along the southerly boundary of said Johnny Robinson to a 5/8" rebar set with cap at the southeast corner of said Johnny Robinson.

- 8) Thence N41°-28'-43"E forty and zero hundredths 40.00 feet along the westerly boundary of said Johnny Robinson to the point of beginning.

Containing approximately 7,412 Square Feet (0.17 Acres).

Reference is made to a plan entitled "Boundary Survey For Good Morning Turner, LLC" for Land Located at 22, 30, & 30R Turner Street, 130 & 134 Morning Street, Portland, Maine, Owned by Good Morning Turner LLC, prepared R.W. Eaton Associates dated August 18, 2018 and recorded in the Cumberland County Registry of Deeds in Plan Book 219, Page 84.

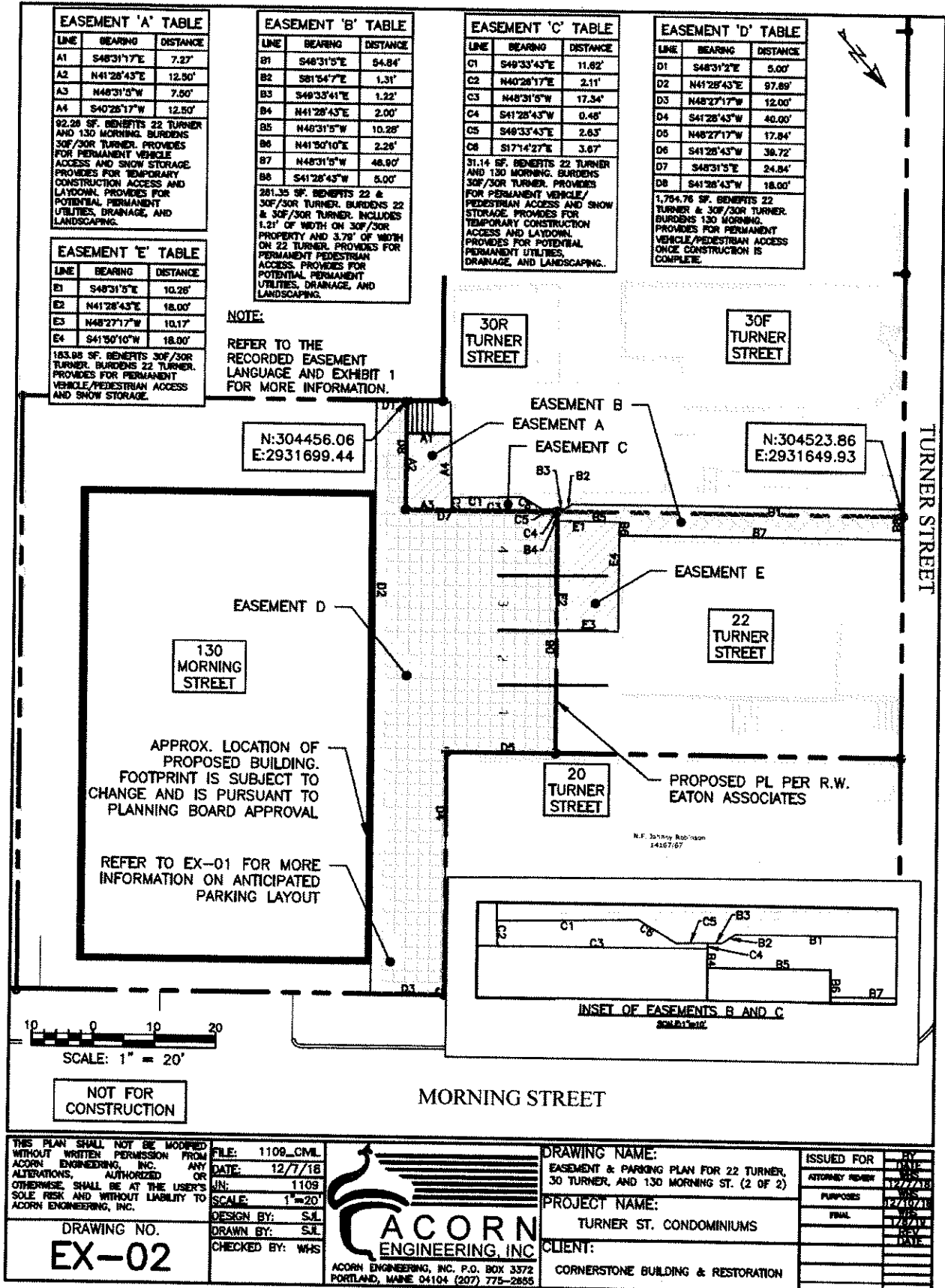
Being a portion of the premises conveyed to Good Morning Turner, LLC by Warranty Deed dated July 2, 2018 and recorded in the Cumberland County Registry of Deeds Book 34967, Page 245, including all of the 130-132 Morning Street parcel and a portion of the 22-24 Turner Street parcel described in said deed.

The above-described premises (the "Premises") is conveyed SUBJECT TO the following appurtenant easements:

1. An appurtenant exclusive easement for parking one noncommercial, compact vehicle in each of the two parking spaces identified as Space #3 and Space #4 on the Premises as shown on the Plan, as hereinafter defined, to benefit the adjacent parcel of land owned by Turner Gardens, LLC described in a deed from Grantor recorded of even date herewith (the "TG Parcel"), which is commonly known as 30 Turner Street, and an appurtenant exclusive easement for parking one noncommercial, compact vehicle in each of the two parking spaces identified as Space #1 and Space #2 on the Premises as shown on the Plan to benefit the adjacent remaining parcel of land retained by Grantor, which is commonly known as 22 Turner, and which is a portion of the property described in a deed to Grantor dated July 2, 2018 and recorded in the Cumberland County Registry of Deeds in Book 34967, Page 245 ("Grantor's Retained Land"), shown as "22 Turner Street" and "130 Morning Street" on a plan entitled "Easement & Parking Plan, 22 Turner, 30 Turner and 130 Morning Street" dated December 7, 2018, as revised through January 8, 2019, prepared by Acorn Engineering, Inc. (the "Plan"), which Plan is attached hereto as Schedule A-1 and incorporated herein. Grantee, its successors and assigns, shall have the right to temporarily relocate, limit or prohibit use of the parking spaces during periods of construction on the Premises; provided, however, that the right to prohibit the use of the parking spaces shall automatically terminate on January 1, 2021.

The above-described Premises are further conveyed SUBJECT TO and TOGETHER WITH the benefits, burdens, obligations, and covenants set forth in that certain deed for the TG Parcel dated of even date herewith and recorded in the Cumberland County Registry of Deeds concurrently herewith, excepting for the easement rights to the pedestrian walkway shown as Easement Area B on the Plan. Such benefits, burdens, obligations, and covenants shall include, but not be limited to, those indemnification obligations contained in said deed.

Schedule A-1



Section D

Zoning Assessment



ZONING ANALYSIS

Relevant Zone: R-6

All Projects:

	Required	Proposed
Lot Size	2,000 sf	7,412 sf
Area Per Dwelling Unit	725 sf	823 sf
Minimum Street Frontage	20'	69.93'
Front Yard Minimum	5'	1.75'
Front Yard Maximum	N/A	N/A
Rear Yard	10'	15.45'
Yard Right	5'	10.59'
Yard Left	5'	10.9'
Side Street Setback	N/A	N/A
Step Back	15' @ 35'	> 15'
Maximum Lot Coverage	60%	56%
Minimum Lot Coverage	N/A	N/A
Maximum Height	45'	< 45'
Open Space	20%	23%
Maximum Impervious Area	80%	77%
Pavement Setback	N/A	N/A
Floor Area Ratio	N/A	N/A
Off Street Parking Spaces		11
Loading Bays		
Other 1		
Other 2		
Other 3		

SPACE AND BULK STANDARDS		
ZONE: R6	REQUIRED	PROPOSED
MINIMUM LOT SIZE	2,000 SF	7,412 SF
MINIMUM STREET FRONTAGE	20'	69.93'
MINIMUM FRONT YARD SETBACK	1.75'	1.75'
MINIMUM SIDE YARD SETBACK	5'	10.5'
MINIMUM REAR YARD SETBACK	10'	15.45'
MAXIMUM LOT COVERAGE	60%	56%
MINIMUM LOT WIDTH	20'	63'
MAXIMUM BUILDING HEIGHT	45'	< 45'
MINIMUM LANDSCAPED OPEN AREA	20%	23%
MAXIMUM NUMBER OF DWELLING UNITS	725 SF/UNIT = 10	9
RESIDENTIAL PARKING	1 SPACE PER UNIT AFTER 3 UNITS = 6 SPACES	11*
MINIMUM INTERNAL RESIDENT BICYCLE STORAGE SPACES	2 SPACES/5 D.U. = 3	> 3
*4 SPACES PROVIDED FOR NEIGHBORING PROPERTIES		
DECKS COUNTED AS BUILDING COVERAGE, BUT NOT AS IMPERVOUS AREA DUE TO THEIR PERMEABLE PROPERTIES		

E. Summary of Written Easements

Existing

There are multiple existing easements which were recently recorded at the Cumberland County Registry of Deeds (CCRD):

- Access easement: 30F/30R Turner to 22 Turner and 130 Morning (Easement A)
- Access and utility easement: mutual benefit and burden between 30F/30R and 22 Turner (Easement B)
- Access and utility easement: 30F/30R Turner to 22 Turner and 130 Morning (Easement C)
- Access easement: 130 Morning to 22, 30F, 30R Turner (Easement D)
- Access easement: 22 Turner to 30F/30R Turner (Easement E)

The primary purpose of the easements outlined above are to share infrastructure between three condominium owners on Turner Street and the future residential development at 130 Morning Street. Please refer to Document T for the attached recorded agreements and schematic exhibits for more information.

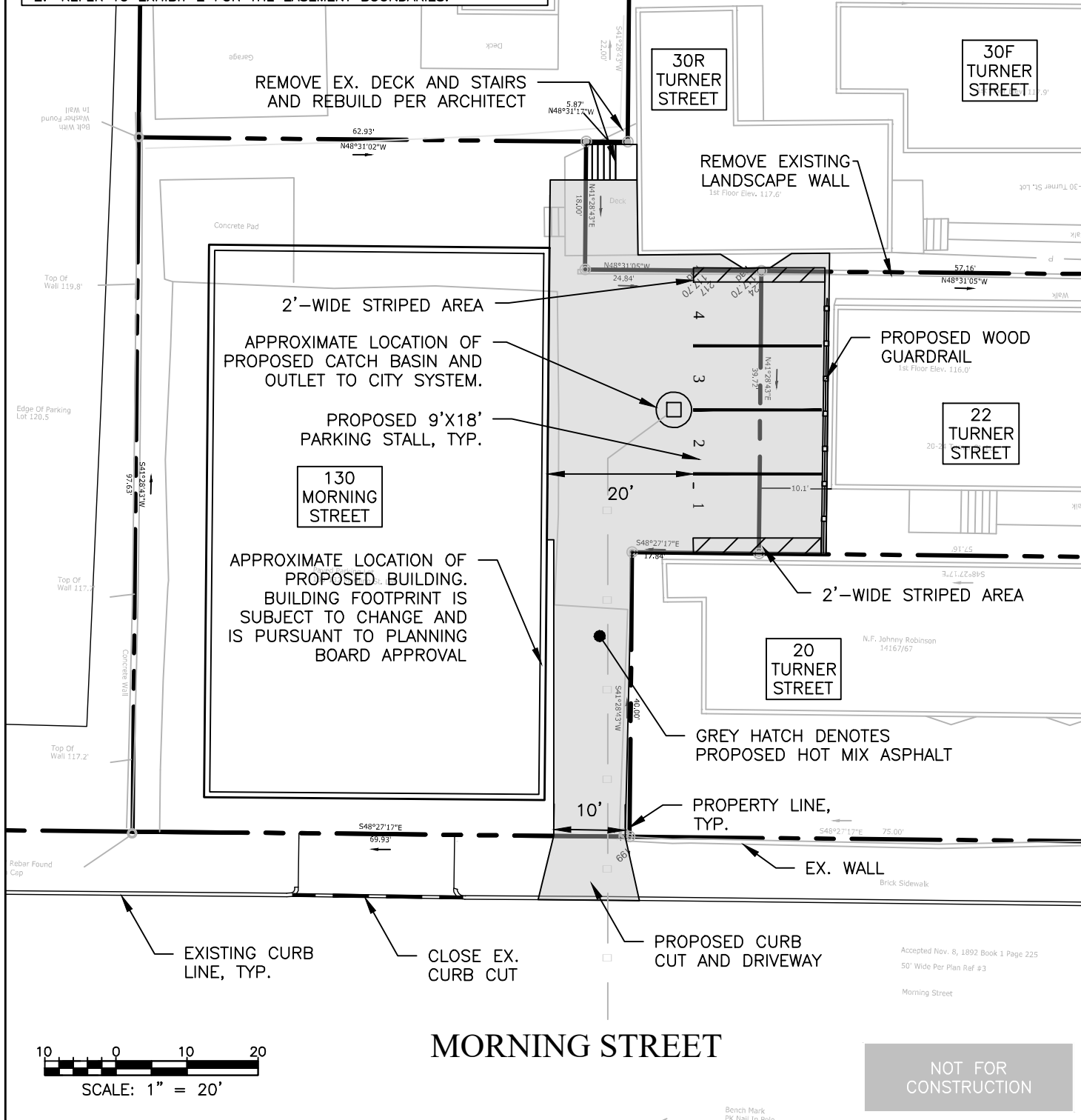
Proposed

There are no proposed easements.



NOTES:

1. THIS PLAN HAS BEEN PREPARED TO DEMONSTRATE THAT 4 SPACES FOR COMPACT VEHICLES WITH A MAXIMUM WHEELBASE OF 9.50' CAN BE ALLOCATED AS OFF-STREET PARKING FOR THE EXISTING 22 AND 30F/30R TURNER STREET PROPERTIES. THE PLAN IS PRELIMINARY BY NATURE AND THE PROPOSED PARKING LAYOUT AS WELL AS THE 130 MORNING STREET STRUCTURE FOOTPRINT AND LOCATION MAY BE ALTERED DUE TO PLANNING DEPARTMENT REQUIREMENTS. ADEQUATE ACCESS WITH A PAVED DRIVEWAY AS SHOWN SHALL BE PROVIDED FOR PARKING STALLS #1-4.
2. REFER TO EXHIBIT 2 FOR THE EASEMENT BOUNDARIES.



THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

DRAWING NO.
EX-01

FILE: 1109_CIVIL
DATE: 12/7/18
JN: 1109
SCALE: 1"=20'
DESIGN BY: SJL
DRAWN BY: SJL
CHECKED BY: WHS



DRAWING NAME:
OVERALL SITE & PARKING PLAN FOR 22 TURNER, 30 TURNER, AND 130 MORNING ST. (1 OF 2)

PROJECT NAME:
TURNER ST. CONDOMINIUMS

CLIENT:
CORNERSTONE BUILDING & RESTORATION

ISSUED FOR	BY DATE
ATTORNEY REVIEW	WHS 11/28/18
UPDATES PER EASEMENT	WHS 12/7/18
FINAL	WHS 1/8/19
	REV DATE

EASEMENT 'A' TABLE

LINE	BEARING	DISTANCE
A1	S48°31'17"E	7.27'
A2	N41°28'43"E	12.50'
A3	N48°31'5"W	7.50'
A4	S40°26'17"W	12.50'

92.26 SF. BENEFITS 22 TURNER AND 130 MORNING. BURDENS 30F/30R TURNER. PROVIDES FOR PERMANENT VEHICLE ACCESS AND SNOW STORAGE. PROVIDES FOR TEMPORARY CONSTRUCTION ACCESS AND LAYDOWN. PROVIDES FOR POTENTIAL PERMANENT UTILITIES, DRAINAGE, AND LANDSCAPING.

EASEMENT 'E' TABLE

LINE	BEARING	DISTANCE
E1	S48°31'5"E	10.28'
E2	N41°28'43"E	18.00'
E3	N48°27'17"W	10.17'
E4	S41°50'10"W	18.00'

183.98 SF. BENEFITS 30F/30R TURNER. BURDENS 22 TURNER. PROVIDES FOR PERMANENT VEHICLE/PEDESTRIAN ACCESS AND SNOW STORAGE.

EASEMENT 'B' TABLE

LINE	BEARING	DISTANCE
B1	S48°31'5"E	54.84'
B2	S81°54'7"E	1.31'
B3	S49°33'41"E	1.22'
B4	N41°28'43"E	2.00'
B5	N48°31'5"W	10.28'
B6	N41°50'10"E	2.26'
B7	N48°31'5"W	46.90'
B8	S41°28'43"W	5.00'

261.35 SF. BENEFITS 22 & 30F/30R TURNER. BURDENS 22 & 30F/30R TURNER. INCLUDES 1.21' OF WIDTH ON 30F/30R PROPERTY AND 3.79' OF WIDTH ON 22 TURNER. PROVIDES FOR PERMANENT PEDESTRIAN ACCESS. PROVIDES FOR POTENTIAL PERMANENT UTILITIES, DRAINAGE, AND LANDSCAPING.

EASEMENT 'C' TABLE

LINE	BEARING	DISTANCE
C1	S49°33'43"E	11.62'
C2	N40°26'17"E	2.11'
C3	N48°31'5"W	17.34'
C4	S41°28'43"W	0.46'
C5	S49°33'43"E	2.63'
C6	S17°14'27"E	3.67'

31.14 SF. BENEFITS 22 TURNER AND 130 MORNING. BURDENS 30F/30R TURNER. PROVIDES FOR PERMANENT VEHICLE/PEDESTRIAN ACCESS AND SNOW STORAGE. PROVIDES FOR TEMPORARY CONSTRUCTION ACCESS AND LAYDOWN. PROVIDES FOR POTENTIAL PERMANENT UTILITIES, DRAINAGE, AND LANDSCAPING..

EASEMENT 'D' TABLE

LINE	BEARING	DISTANCE
D1	S48°31'2"E	5.00'
D2	N41°28'43"E	97.69'
D3	N48°27'17"W	12.00'
D4	S41°28'43"W	40.00'
D5	N48°27'17"W	17.84'
D6	S41°28'43"W	39.72'
D7	S48°31'5"E	24.84'
D8	S41°28'43"W	18.00'

1,754.76 SF. BENEFITS 22 TURNER & 30F/30R TURNER. BURDENS 130 MORNING. PROVIDES FOR PERMANENT VEHICLE/PEDESTRIAN ACCESS ONCE CONSTRUCTION IS COMPLETE.

NOTE:

REFER TO THE RECORDED EASEMENT LANGUAGE AND EXHIBIT 1 FOR MORE INFORMATION.

N:304456.06
E:2931699.44

N:304523.86
E:2931649.93

EASEMENT D

130
MORNING
STREET

APPROX. LOCATION OF PROPOSED BUILDING. FOOTPRINT IS SUBJECT TO CHANGE AND IS PURSUANT TO PLANNING BOARD APPROVAL

REFER TO EX-01 FOR MORE INFORMATION ON ANTICIPATED PARKING LAYOUT

30R
TURNER
STREET

EASEMENT B
EASEMENT A
EASEMENT C

30F
TURNER
STREET

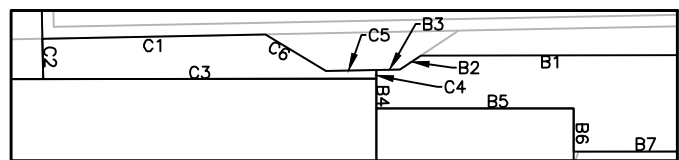
EASEMENT E

22
TURNER
STREET

20
TURNER
STREET

PROPOSED PL PER R.W.
EATON ASSOCIATES

N.F. Johnny Robinson
14167/67



INSET OF EASEMENTS B AND C
SCALE: 1"=10'



SCALE: 1" = 20'

NOT FOR
CONSTRUCTION

MORNING STREET

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

DRAWING NO.
EX-02

FILE: 1109_CIVIL
DATE: 12/7/18
JN: 1109
SCALE: 1"=20'
DESIGN BY: SJL
DRAWN BY: SJL
CHECKED BY: WHS



DRAWING NAME:
EASEMENT & PARKING PLAN FOR 22 TURNER,
30 TURNER, AND 130 MORNING ST. (2 OF 2)

PROJECT NAME:
TURNER ST. CONDOMINIUMS

CLIENT:
CORNERSTONE BUILDING & RESTORATION

ISSUED FOR	BY	DATE
ATTORNEY REVIEW	WHS	12/7/18
PURPOSES	WHS	12/10/18
FINAL	WHS	1/8/19
	REV.	DATE

Section F

Request For Waivers



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 1.7.2.3 Driveway Width	Any site with driveway access to a street shall have a minimum width of 20 feet for two-way ingress and egress	We are requesting to reduce the driveway width to approx. 10.4' given the low-use of the driveway and Morning Street.	The waiver is being sought so that the driveway is not a prominent part of the site. A 20' wide drive is unnecessary given the low turnover and low amount of spaces the lot serves.
Technical Manual 1.14. Parking Lot and Parking Space Design	Parking lots with greater than 10 spaces may be comprised of up to 20% compact parking spaces.	We are requesting 3 compact spaces which results in a total compact parking space of 27%	Given the site constraints, the waiver is necessary to facilitate parking.
Technical Manual 1.14 I-27 Standard Parking Spaces	Figure I-27 shows that each parking lot should maintain a 24' drive aisle	We are requesting a drive aisle of 23.9' for the 7 interior and 19.9' for the 4 exterior parking spaces	Given the site constraints, the waiver is necessary to facilitate parking.

G. Financial Capacity

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





June 20, 2019

Re: 9 Unit Condominium Development at 130 Morning Street

To Whom It May Concern:

On behalf of Camden National Bank ("Bank") I am pleased to provide this letter in support of North East Morning, LLC ("Developer") for the planned 9 unit condominium development at 130 Morning Street in Portland ("Project"). Based on our review of the financial elements of the Project, we believe that the applicant has the ability to get the financing needed to support a budgeted Project cost of \$6,067,940.

While this letter of support is not a commitment to lend, the Bank would welcome the opportunity to be a resource to the Developer for financing. This letter shall in no way obligate the bank, or the Developer, beyond the scope and intent of this letter.

Please feel free to contact me with questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Elliott Barry", with a stylized flourish extending from the end.

Elliott Barry, Senior Vice President
Commercial Banking Officer
207.344.6852
ebarry@camdennational.com



Section H - Technical Capacity

Acorn Engineering, Inc. and Cornerstone Building & Restoration have successfully permitted, engineered, and constructed a plethora of projects in Portland over the past several years. Some examples include:

- Eldredge Lumber
- Munjoy Heights
- 89 Anderson St. – East Bayside Lofts
- 121 Washington Ave
- 667 Congress St – the Hiawatha
- Cumberland Flats
- East End Loft



A C O R N Engineering, Inc. • www.acorn-engineering.com
207-775-2655 • PO Box 3372 • Portland • Maine • 04104

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, Article V Section 14-526 as well as the City of Portland Technical Manual, Chapter 14 Standards for Local Site Location of Development Review.

OVERVIEW

The proposed 4-story, 9-unit residential multi-family building has been designed to conform to City standards where possible as well as improve upon existing non-conformities. This project conforms with the majority of the applicable standards of Portland's Land Use Ordinance Section 14-526 as demonstrated in the following narrative.

(a) Transportation Standards

1. Impact on Surrounding Street Systems:

The site is located at the corner of Morning and Turner Streets, which are both classified as local streets and currently support a low traffic volume. A negligible traffic increase along Morning Street is expected for this project due to the low turnover of the proposed land use.

2. Access and Circulation:

a. Site Access and Circulation:

This project conforms with the majority of design standards of Section 14-526 as demonstrated in the following narrative, with one minor dimensional variance of the driveway to reduce the site's impervious area.

- (i) The development will provide safe access and internal circulation for both pedestrians and vehicles as seen on the Site Plan.
- (ii) The proposed driveway has been located to provide ample site distance from oncoming traffic on Morning Street (one-way towards Turner St.). Additionally, the existing 23 foot curb cut will be closed and replaced with a 16 foot curb cut.
- (iii) The site does not feature drive up services as mentioned in this requirement.

b. Loading and Servicing:

- (i) There are no anticipated loading and servicing needs.

c. Sidewalks:

- (i) A brick sidewalk exists along Morning Street and will be rebuilt as part of the project.
- (ii) The existing sidewalk will be rebuilt along the project's frontage.
- (iii) The main entrance to the building will be located directly adjacent to the Morning Street sidewalk with a concrete walkway and stairs. Please refer to the Site Plan, Sheet C-10, for more information.



3. Public Transit Access:

- a. Not applicable.
- b. Not applicable.
- c. Not applicable.

4. Parking:

a. Location and Required Number of Vehicle Parking Spaces:

- (i) The proposed project will provide 11 parking spaces which meets the requirement. 4 of these spaces will be provided for three neighboring condominiums.
- (ii) A parking study is not required.
- (iii) The amount of parking exceeds the minimum requirement by more than 10%. The proposed 11 spaces exceed the requirement by 5 spaces (6 required spaces). The reason for this parking count is to provide 7 parking spaces for the proposed 9-unit condominium and 4 spaces for the three neighboring condominiums at 22, 30F, and 30R Turner. Over the past few years, Munjoy Hill has seen an overall higher demand for on-street parking. Decreasing the demand for on-street parking will benefit the end users as well as the entire neighborhood. For more information, please refer to section S. Parking Analysis.
- (iv) The parking spaces and aisle dimensions are generally in conformance with the Technical Standards.
- (v) The exterior driveway and parking areas will be constructed with bituminous pavement which will drain water without eroding.

b. Location and Required Number of Bicycle Parking Spaces:

- (i) The site plan includes an interior bicycle storage room. This will allow for the minimum storage of 4 bicycles to be parked in a secure location. Additional indoor storage is available within the units themselves.

c. Motorcycles and Scooter Parking:

- (i) There are no areas designated for motorcycles or scooters at this time; however, adequate room exists for the storage of these motor vehicles within the parking area.

d. Snow Storage:

- (i) The snow storage area can be seen on the site plan near the rear of the parcel. In addition, the Owner may have snow removed from the site when necessary.
- (ii) The snow storage has not been located where it will adversely impact the functionality of any part of the site.

5. Transportation Demand Management (TDM):



- a. A TDM plan is not required for this project.
- b. A TDM plan is not required for this project.
- c. A TDM plan is not required for this project.

(b) Environmental Quality Standards

1. Preservation of Significant Natural Features:

- a. Not applicable.
- b. Not applicable.

2. Landscaping and Landscaping Preservation:

a. Landscape Preservation.

- (i) There is not existing vegetation on the site
- (ii) There are no trees 10 inches DBH or greater identified by the Surveyor within the setbacks.
- (iii) It is not anticipated that the project will necessitate any tree protection.
- (iv) A waiver is not requested.
- (v) Not applicable.

b. Site Landscaping.

(i) Landscaped Buffers:

- a. All solid waste will be indoors and out of site from the public way.
- b. The project has 69.9 linear feet of frontage along Morning Street; per requirement, it is a minimum of six shrubs or shrub alternatives per 45 feet of frontage are planted. The requirement is met through a combination of landscaping within the setbacks and internally within the site. Please refer to the Site Plan for more information.
- c. Not applicable.
- d. Not applicable.

(ii) Parking Lot Landscaping:

- a. Per Section 4.6 of the Portland Maine Technical Manual, 9 street trees are required (one per unit). Based on the property's frontage and the utilities – public and private, three shade trees are proposed to be planted within the sidewalk. The applicant will contribute to the City's Street Tree Fund in place of the six trees that will not be planted.
- b. There is no proposed area with greater than 40 parking spaces without interrupted pavement.
- c. Not applicable.



d. Not applicable.

e. Not applicable.

f. Not applicable.

(iii) Street Trees:

a. Street trees are to be provided every 30 to 45 feet along the street frontage. This ratio equates to a minimum of two trees. Three shade trees are proposed to be planted within the sidewalk, thus exceeding the requirement.

b. Not applicable.

3. Water Quality, Stormwater Management and Erosion Control:

a. Stormwater:

(i) The site drainage will not be directed to flow or pond onto adjacent lots. The drainage patterns will be built as such to intercept the roof runoff as well as the driveway runoff, with the addition of stormwater management practices to attenuate the flows.

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

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

(iv) Not applicable.

b. A site-specific Stormwater Management Plan has been developed for the project to show compliance with Section 5 of the Technical Manual, including the basic standards of MEDEP Chapter 500. Please refer to sections J and K, the Stormwater Management and Erosion & Sedimentation Control Plans, respectively, for more information.

c. The project is not located in a watershed of an urban impaired stream as listed by the MEDEP.

d. Not applicable.

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

f. The development will provide for adequate and sanitary disposal of sewage in accordance with Section 2 of the Technical Manual.

(c) Public Infrastructure and Community Safety Standards

1. Consistency with City Master Plans:

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



- b. Not applicable.
- 2. Public Safety and Fire Prevention:
 - a. The site has been designed to promote safe and inviting public access.
 - b. Adequate emergency access has been provided. Access is available from Morning Street as well as the driveway.
 - c. A fire hydrant is located about 275' away near the intersection of Turner Street and the Eastern Promenade.
- 3. Availability and Adequate Capacity of Public Utilities:
 - a. Public utilities in the vicinity of the site have capacity to serve the project. Ability to Serve letters have been sent to the respective companies. Responses have been included in the submission and any remaining responses will be submitted upon receipt.
 - b. The electrical service will be wired underground.
 - c. The new sewer and stormwater infrastructure will meet the provisions of the Technical Manual.
 - d. The project will be served by connection to the public sewer system within Morning Street.
 - e. The sanitary sewer collection system meets all applicable sections of the Technical Manual. The stormwater management system is designed to meet the standards of Chapter 500.
 - f. Although not required, the project anticipates providing internal solid waste storage with private hauling of the waste.

(d) Site Design Standards

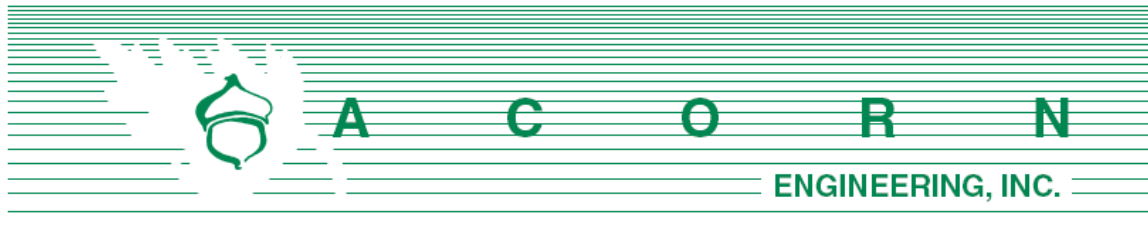
- 1. Massing, Ventilation and Wind Impact:
 - a. Not applicable.
 - b. Not applicable.
 - c. Not applicable.
- 2. Shadows:
 - a. The shadows created by the building will not influence public open spaces.
- 3. Snow and Ice Loading:
 - a. The structures will not distribute snow and ice onto adjacent properties.
- 4. View Corridors:
 - a. The project site is located outside the Downtown Vision View Corridor Protection Plan.
- 5. Historic Resources:



- a. The development is not located in a historic district, historic landscape district or City designated landmark.
 - b. The development is not located adjacent to designated landmarks, historic district, or historic landscape district.
 - c. There are no known archaeological resources on the site.
6. Exterior Lighting:
 - a. Site Lighting.
 - (i) Exterior lighting has been designed to meet the requirements of Section 12 of the Technical Manual. Cut sheets have been included with this submission – please let us know if a photometric plan is required.
 - (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 lights are 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. All street and wayfinding signage shall meet the requirements of the Manual on Uniform Traffic Devices (MUTCD) and Division 22 of the City Code.
 - (i) The project is not located in a historic district or subject to Article IX.
 - (ii) Not applicable.
 - (iii) All street and wayfinding signage shall meet the requirements of the Manual on Uniform Traffic Devices (MUTCD) and Division 22 of the City Code.
9. Zoning Related Design Standards:
 - a. The project has been designed to meet the standards set forth in the R-6 zone. Please refer to the Site Plan for more information on the Space & Bulk Standards.







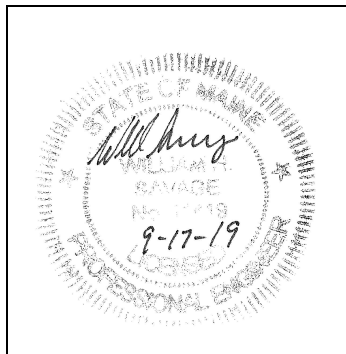
STORMWATER MANAGEMENT **REPORT**

Prepared For:

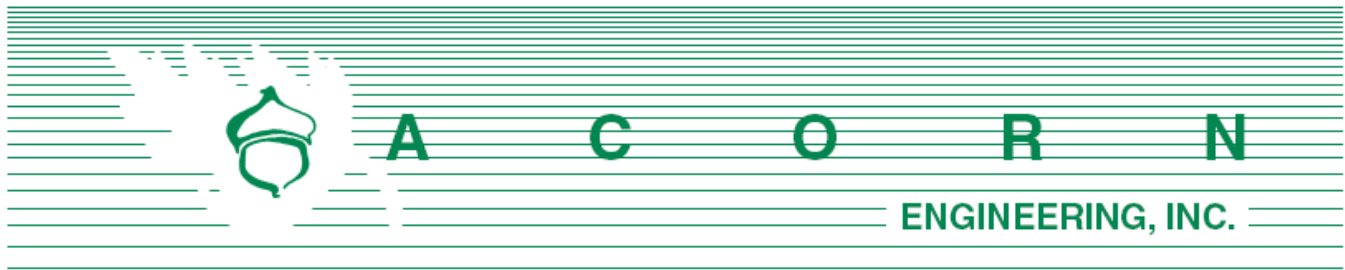
**Northeast Turner, LLC
Portland, Maine 04101**

Prepared By:

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



**June 2019
Rev. Sept. 2019**



INTRODUCTION

Acorn Engineering, Inc., has been retained by Northeast Turner, LLC to provide civil engineering services for the proposed redevelopment of the lot located at 130 Morning Street in Portland, Maine. The project is a nine-unit urban infill redevelopment in Munjoy Hill with ground level parking.

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 Chapter 14, Article V. Site Plan Section 14-523. Required Approvals and Applicability (F) Level III Site Plan Review.
- City of Portland Technical Manual – Section 5 – Portland Stormwater Management Standards and Maine DEP Chapter 500 Stormwater Management.

The proposed project is expected to decrease the impervious area by approximately 250 square-feet. Additionally, the proposed landscaping will help retain stormwater on site. These features will help reduce the overall runoff of stormwater into the street and thus reduce the demand on the City’s combined sewer/storm system.

EXISTING CONDITIONS

The proposed project site is located at 130 Morning Street adjacent to the corner lot (20 Turner) at the intersection of Morning St. and Turner St. A boundary plan has been prepared by R.W. Eaton Associates of Westbrook, Maine dated August 18, 2018.

Abutting Uses:

➤ North R-6 Zone	Multi Family Residential
➤ East R-6 Zone	Multi Family Residential
➤ South R-6 Zone	Multi Family Residential
➤ West R-6 Zone	Multi Family Residential

Over 80% of the site is comprised of pavement or rooftop. The average slope is relatively steep with grades dropping towards Morning Street at approximately 9-13% on the western side of the lot.

The project team is not aware of the presence of any existing significant natural features located on the site. Given the urban setting, and existing impervious surfaces, a field inventory of significant natural feature was not undertaken. The project is not located within a watershed classified as an Urban Impaired Stream.

PROPOSED DEVELOPMENT

The proposed project is a four-story, nine-unit building, with four levels of living space and a combined first floor level with living space and parking. The building will be set into the slope, taking advantage of the grade change to accommodate nearly one parking space per unit while “hiding” the parking from the streetscape. The driveway will incline at an average grade of 10% along the western side of the building to match into the existing topography.

The proposed project will decrease the site’s impervious area by approximately 550 square-feet. Therefore, stormwater management features for quality control that meets Maine DEP’s Chapter 500 General Standards have not been designed. Furthermore, features for quantity control are not required and have not been analyzed; however, the project is anticipated to meet Chapter 500 Flooding Standards by decreasing peak flows from the site.

Furthermore, the non-roof impervious area has remained well under 5,000 square-feet. The landscaping plan includes generous plantings of shrubs and perennials. The re-vegetation strategy proposes native plants which will complement the new structure while offering environmental benefits such as reducing the heat island effect and stormwater runoff. The attached map shows the reduction in peak flow rate as well as the reduction of approximately 10% over a 2-hour period of stormwater runoff which in the existing watershed contributes to a combined sewer.

The development will be served by the Portland Water District, underground power/cable/communications, natural gas and the municipal sewer system. Solid waste and recycling will be contracted through a private waste disposal and recycling provider. The project anticipates incorporating Maine DEP approved stormwater Best Management Practices (BMP) to meet the General and Flooding Standards.

SOILS

Onsite soil information includes the following:

- Soil Conservation Service Medium Intensity Soil Survey for Cumberland County
- United States Department of Agriculture Web Soil Survey

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

The area within and surrounding the project includes 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” values for the soils, listed above, show a low susceptibility to erosion. The site’s susceptibility to erosion is from the Soil Conservation Service Medium Intensity Soil Survey for



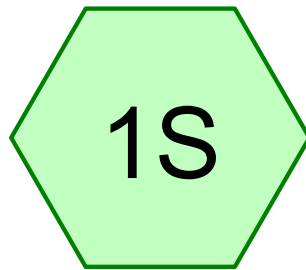
Cumberland County. Although soil “K” values for the soils show a low susceptibility to erosion, implementation of the proposed Erosion & Sedimentation Measures by the contractor will be of the utmost importance given the sustained slope throughout the site.

Conclusion

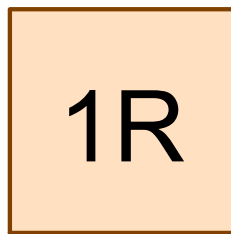
The proposed redevelopment was designed to meet the requirements set forth in the City of Portland Technical Manual – Section 5 – Portland Stormwater Management Standards. The proposed project as designed is anticipated to largely maintain existing drainage patterns while decreasing the overall volume and flowrate of stormwater runoff. The project will not cause flooding or erosion problems within the subject site, abutters’ sites, nor within the right-of-way.

re e elopment dro calc lations
ost e elopment dro calc lations

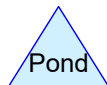
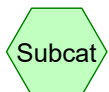




Existing Parking Lot



Morning Street
Combined Sewer



Routing Diagram for Existing Flows

Prepared by HP, Printed 9/25/2019

HydroCAD® 10.00-24 s/n 00620 © 2018 HydroCAD Software Solutions LLC

Existing Flows

Prepared by HP

HydroCAD® 10.00-24 s/n 00620 © 2018 HydroCAD Software Solutions LLC

Printed 9/25/2019

Page 2

Area Listing (all nodes)

Area (acres)	CN	Description (subcatchment-numbers)
0.023	49	50-75% Grass cover, Fair, HSG A (1S)
0.147	98	Pavement, concrete, compacted gravel (1S)
0.170	91	TOTAL AREA

Existing Flows

Prepared by HP

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Printed 9/25/2019

Page 3

Soil Listing (all nodes)

Area (acres)	Soil Group	Subcatchment Numbers
0.023	HSG A	1S
0.000	HSG B	
0.000	HSG C	
0.000	HSG D	
0.147	Other	1S
0.170		TOTAL AREA

Existing Flows

Prepared by HP

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Printed 9/25/2019

Page 4

Ground Covers (all nodes)

HSG-A (acres)	HSG-B (acres)	HSG-C (acres)	HSG-D (acres)	Other (acres)	Total (acres)	Ground Cover	Subcatchment Numbers
0.023	0.000	0.000	0.000	0.000	0.023	50-75% Grass cover, Fair	
0.000	0.000	0.000	0.000	0.147	0.147	Pavement, concrete, compacted gravel	
0.023	0.000	0.000	0.000	0.147	0.170	TOTAL AREA	

Existing Flows

Prepared by HP

HydroCAD® 10.00-24 s/n 00620 © 2018 HydroCAD Software Solutions LLC

Type III 24-hr 1" Storm Rainfall=1.00"

Printed 9/25/2019

Page 5

Time span=1.00-36.00 hrs, dt=0.01 hrs, 3501 points

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN

Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1S: Existing Parking Lot

Runoff Area=7,412 sf 86.37% Impervious Runoff Depth=0.36"

Tc=5.0 min CN=91 Runoff=0.07 cfs 0.005 af

Reach 1R: Morning Street Combined Sewer

Inflow=0.07 cfs 0.005 af

Outflow=0.07 cfs 0.005 af

Total Runoff Area = 0.170 ac Runoff Volume = 0.005 af Average Runoff Depth = 0.36"
13.63% Pervious = 0.023 ac 86.37% Impervious = 0.147 ac

Existing Flows

Prepared by HP

HydroCAD® 10.00-24 s/n 00620 © 2018 HydroCAD Software Solutions LLC

Type III 24-hr 1" Storm Rainfall=1.00"

Printed 9/25/2019

Page 6

Summary for Subcatchment 1S: Existing Parking Lot

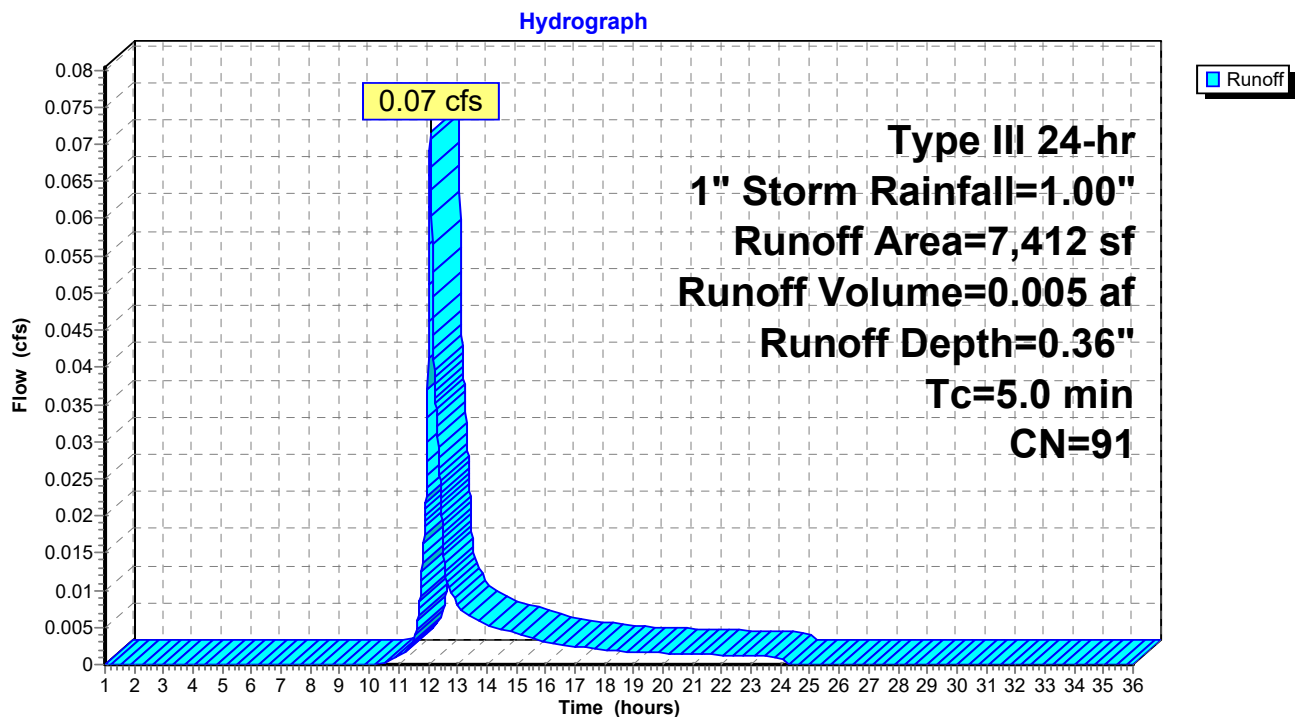
Runoff = 0.07 cfs @ 12.08 hrs, Volume= 0.005 af, Depth= 0.36"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-36.00 hrs, dt= 0.01 hrs
Type III 24-hr 1" Storm Rainfall=1.00"

	Area (sf)	CN	Description
*	6,402	98	Pavement, concrete, compacted gravel
	1,010	49	50-75% Grass cover, Fair, HSG A
	7,412	91	Weighted Average
	1,010		13.63% Pervious Area
	6,402		86.37% Impervious Area

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

Subcatchment 1S: Existing Parking Lot



Existing Flows

Prepared by HP

HydroCAD® 10.00-24 s/n 00620 © 2018 HydroCAD Software Solutions LLC

Type III 24-hr 1" Storm Rainfall=1.00"

Printed 9/25/2019

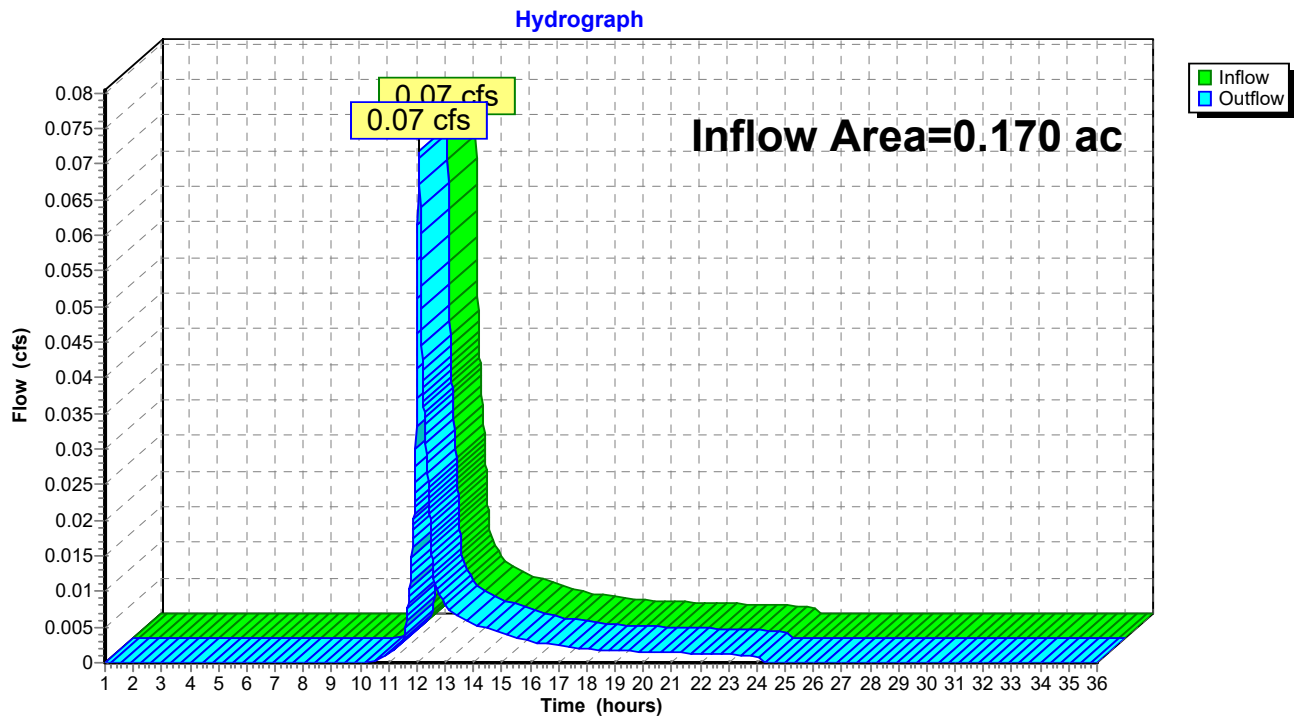
Page 7

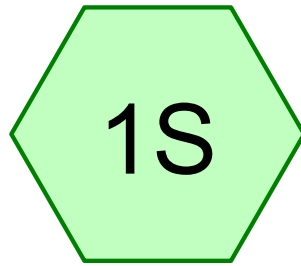
Summary for Reach 1R: Morning Street Combined Sewer

Inflow Area = 0.170 ac, 86.37% Impervious, Inflow Depth = 0.36" for 1" Storm event
Inflow = 0.07 cfs @ 12.08 hrs, Volume= 0.005 af
Outflow = 0.07 cfs @ 12.08 hrs, Volume= 0.005 af, Atten= 0%, Lag= 0.0 min

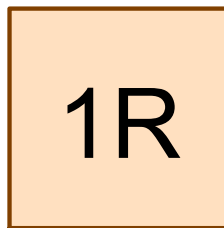
Routing by Dyn-Stor-Ind method, Time Span= 1.00-36.00 hrs, dt= 0.01 hrs

Reach 1R: Morning Street Combined Sewer

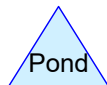
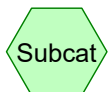




Proposed Surfaces



Morning Street
Combined Sewer



Routing Diagram for Proposed Flows

Prepared by HP, Printed 9/25/2019

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Proposed Flows

Prepared by HP

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Page 2

Area Listing (all nodes)

Area (acres)	CN	Description (subcatchment-numbers)
0.036	39	>75% Grass cover, Good, HSG A (1S)
0.134	98	Roof/Pavement, etc. (1S)
0.170	85	TOTAL AREA

Proposed Flows

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Page 3

Soil Listing (all nodes)

Area (acres)	Soil Group	Subcatchment Numbers
0.036	HSG A	1S
0.000	HSG B	
0.000	HSG C	
0.000	HSG D	
0.134	Other	1S
0.170		TOTAL AREA

Proposed Flows

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Ground Covers (all nodes)

HSG-A (acres)	HSG-B (acres)	HSG-C (acres)	HSG-D (acres)	Other (acres)	Total (acres)	Ground Cover	Subcatchment Numbers
0.036	0.000	0.000	0.000	0.000	0.036	>75% Grass cover, Good	1S
0.000	0.000	0.000	0.000	0.134	0.134	Roof/Pavement, etc.	1S
0.036	0.000	0.000	0.000	0.134	0.170	TOTAL AREA	

Proposed Flows

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Type III 24-hr 1" Storm Rainfall=1.00"

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Time span=1.00-36.00 hrs, dt=0.01 hrs, 3501 points

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN

Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1S: Proposed Surfaces

Runoff Area=7,412 sf 78.75% Impervious Runoff Depth=0.17"

Tc=5.0 min CN=85 Runoff=0.03 cfs 0.002 af

Reach 1R: Morning Street Combined Sewer

Inflow=0.03 cfs 0.002 af

Outflow=0.03 cfs 0.002 af

Total Runoff Area = 0.170 ac Runoff Volume = 0.002 af Average Runoff Depth = 0.17"
21.25% Pervious = 0.036 ac 78.75% Impervious = 0.134 ac

Proposed Flows

Prepared by HP

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Type III 24-hr 1" Storm Rainfall=1.00"

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Summary for Subcatchment 1S: Proposed Surfaces

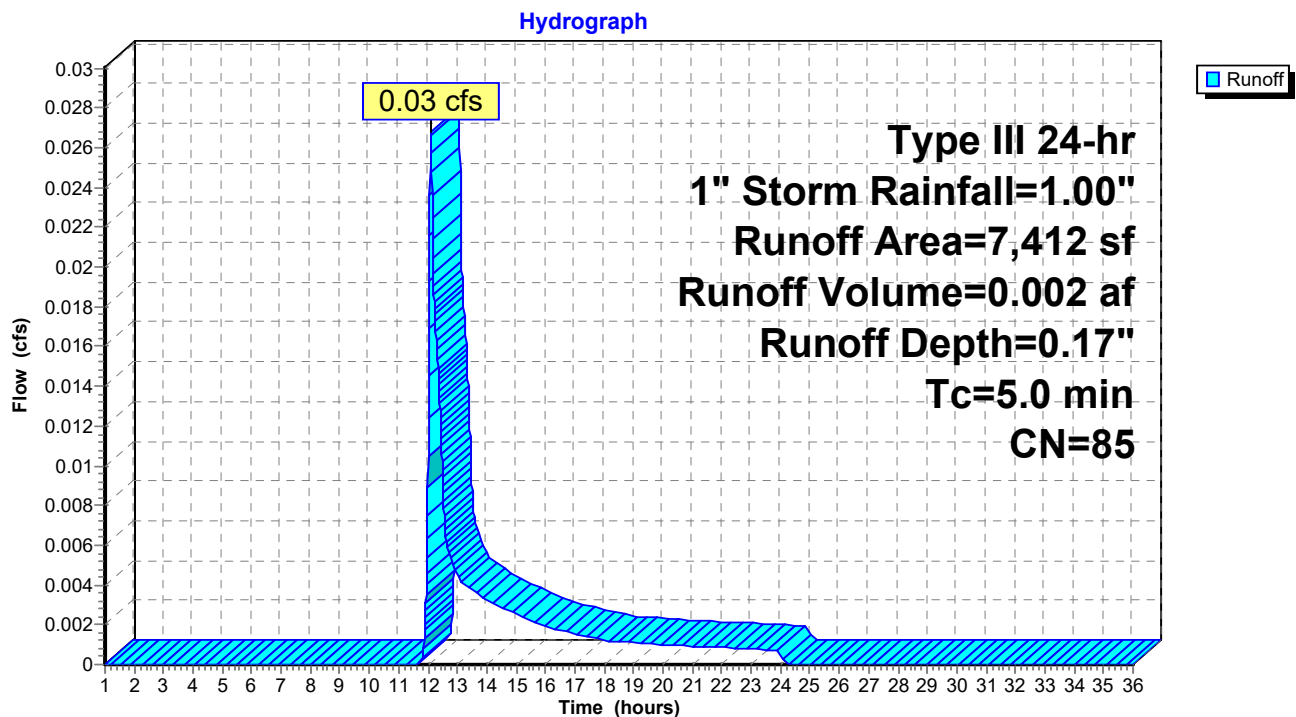
Runoff = 0.03 cfs @ 12.10 hrs, Volume= 0.002 af, Depth= 0.17"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-36.00 hrs, dt= 0.01 hrs
Type III 24-hr 1" Storm Rainfall=1.00"

	Area (sf)	CN	Description
*	5,837	98	Roof/Pavement, etc.
	1,575	39	>75% Grass cover, Good, HSG A
	7,412	85	Weighted Average
	1,575		21.25% Pervious Area
	5,837		78.75% Impervious Area

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

Subcatchment 1S: Proposed Surfaces



Proposed Flows

Prepared by HP

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Type III 24-hr 1" Storm Rainfall=1.00"

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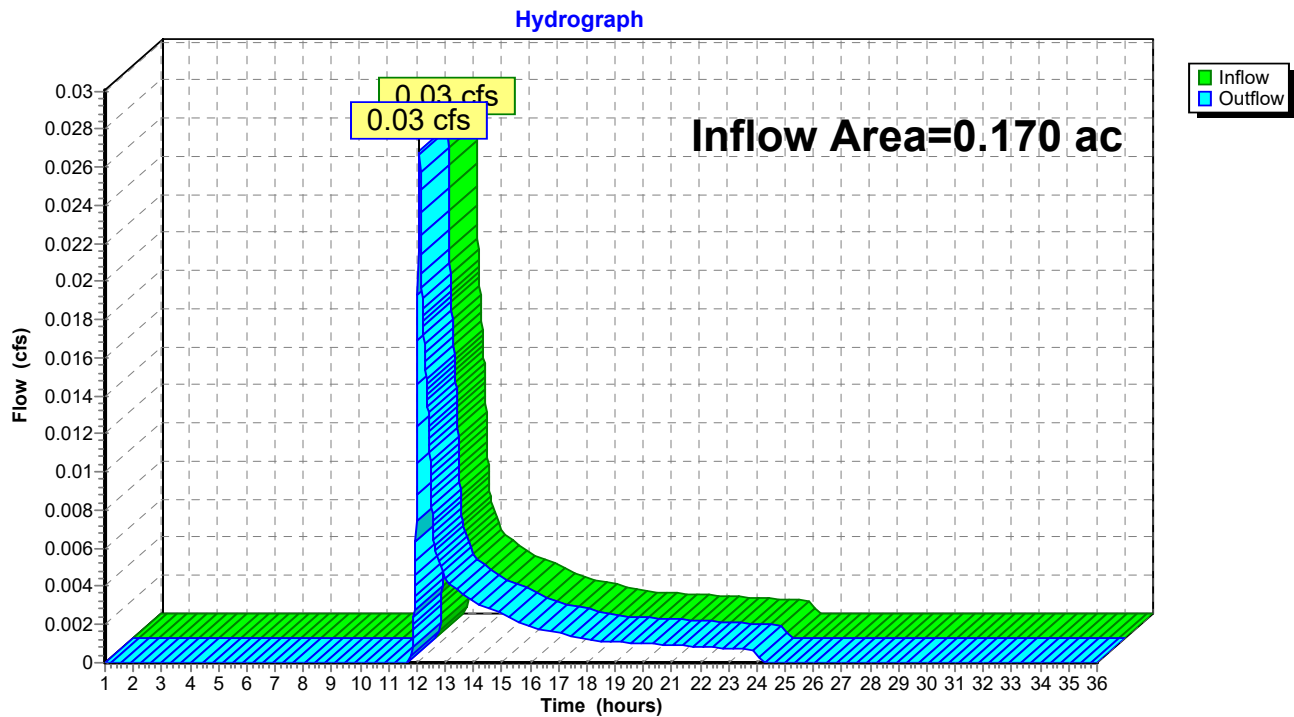
Page 7

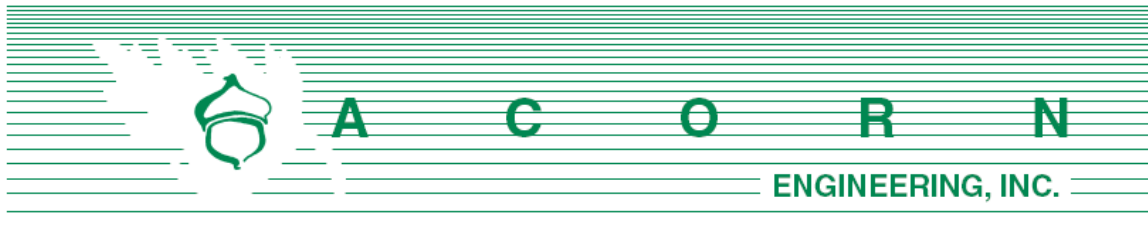
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Reach 1R: Morning Street Combined Sewer





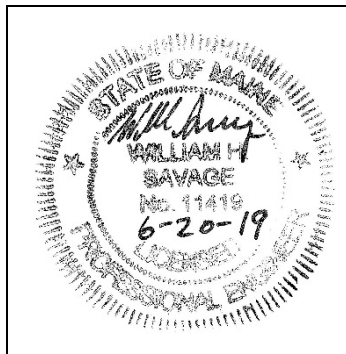
K. EROSION & SEDIMENTATION **CONTROL REPORT**

Prepared For:

**Northeast Turner, LLC
Portland, ME 04101**

Prepared By:

**Acorn Engineering, Inc.
65 Hanover Street
Portland, Maine 04101**



June 2019

INTRODUCTION

Acorn Engineering, Inc. has been retained by Northeast Turner, LLC to provide civil engineering services for the proposed redevelopment of 130 Morning Street. The proposed project includes a four-story, nine-unit residential multi-family building with on-site parking.

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 site is located at 130 Morning Street. A boundary plan has been prepared by R.W. Eaton Associates of Westbrook, Maine dated August 18, 2018.

Abutting Uses:

➤ North R-6 Zone	Multi Family Residential
➤ East R-6 Zone	Multi Family Residential
➤ South R-6 Zone	Multi Family Residential
➤ West R-6 Zone	Multi Family Residential

A large portion of the site is occupied by an existing parking lot. The site is also comprised of a concrete pad and shed, with average grades of 10% dropping towards Morning Street. Approximately 84% of the site is impervious.

1.1 Existing Soils

Onsite soil information includes the following:

- Soil Conservation Service Medium Intensity Soil Survey for Cumberland County
- United States Department of Agriculture Web Soil Survey

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

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

1.2 Existing Erosion Problems

There are no signs of erosion.

1.3 Critical Areas

There are no critical areas that will require special attention during construction.

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 road ways.
- 2.1.2 Siltation fence or erosion control berm shall be installed down gradient of any disturbed areas to trap runoff borne sediments until permanent stabilization is achieved. The silt fence or erosion control berm shall be installed per the details provided in the plan set and inspected before and immediately after each rainfall and at least daily during prolonged rainfall. Repairs shall be made if there are any signs of erosion or sedimentation below the fence line or berm. If there are signs of undercutting at the center or the edges, or impounding of large volumes of water behind the fence or berm, the barrier shall be replaced with a stone check dam.
- 2.1.3 Hay mulch including hydro seeding is intended to provide cover for denuded or seeded areas until revegetation is established. Mulch placed between April 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 Morning Street and Turner 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 $\frac{1}{2}$ 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: Will Savage, PE
Telephone: (207) 775-2655

Qualifications:

- Maine Professional Engineering License #11419
- Maine DEP - Certified in Maintenance & Inspection of Stormwater BMP's Cert #14
- Certified Erosion, Sediment and Storm Water Inspector (CESSWI) Cert #0293
- Certified Professional in Erosion and Sediment Control (CPESC) Cert. #4620

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



7.0 IMPLEMENTATION SCHEDULE

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

1. Install a stabilized construction entrance in all locations where construction traffic will enter and exit the site.
2. Install perimeter silt fence or erosion control berm.
3. 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



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

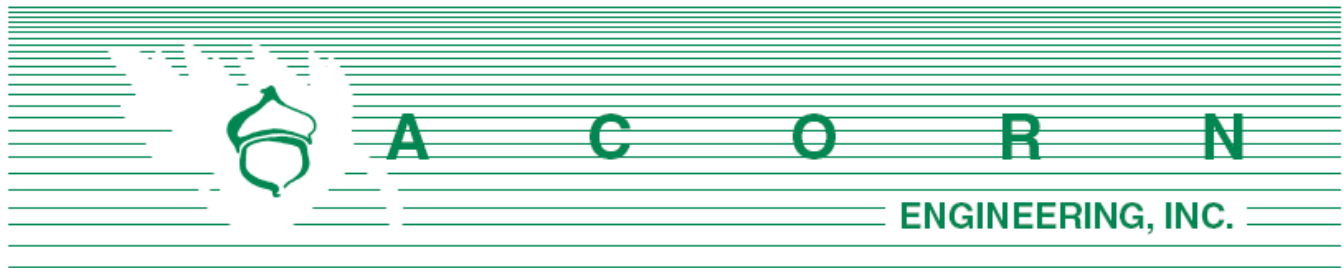
Mulch shall be applied at a rate of 70 lbs – 90 lbs per 1,000 square feet. The mulch shall be installed at a minimum depth of 4 inches. The seeded area shall be mulched immediately after seed is applied. Mulching during the winter season shall be double the normal amount.

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.



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

June 25, 2019

Subject: 130 Morning Street – Fire Department Checklist
 Section L of Application

On behalf of Northeast Turner, LLC, the design team is pleased to respond to the Portland Fire Department Site Review Checklist.

1. Name, address, telephone number of applicant

Northeast Turner, LLC
 72 Pine Street #16
 Portland, ME 04102
 207-775-9085

2. Name address, telephone number of architect

Michael Chestnutt, AIA of Cornerstone Restoration
 100 Congress Street
 Portland, Maine 04101
 207-756-4153

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

NFPA: Apartments / IBC: R-2

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

Existing Building		
Total	N/A	sf

Proposed Building		
Garage	868	sf
1 st Floor	3,730	sf
2 nd Floor	3,955	sf
3 rd Floor	3,834	sf
4 th Floor	4,124	sf
Total	16,511	sf

5. Elevation of all structures

Based upon the average grade plane defined by the IBC, the proposed building height is just under 45'. This height is below the allowable 45 feet within the R-6 zone. 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 with additional protection 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

An existing hydrant is located approximately 250 ft north of the property along Turner 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 redevelopment will be serviced by a new 6" sprinkler line and domestic water main within Morning Street. A 6" fire service line will extend from the domestic water main to the building fire suppression system. The building is expected to have internal sprinkler risers and a Fire Department pump connection on the street side of the building.

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

Access to the structure is provided directly on Morning Street. Additionally, there will be access to the property's driveway.

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 developed area and is fronted by a public street. The following pavement street width is currently available:

- Morning 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 18.2.3.2.1, all first story floors shall be located not more than 450 feet from a Fire Department access road.



City of Portland Technical Manual – Section 3 Public Safety

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

Response: Not applicable

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

Response: As depicted on the site plan, the proposed building layout provides a minimum of two paved access points to the structure: from Morning Street directly and one from the driveway.

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 Morning 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 except for the first floor parking area.

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

Response: The elevators will be sized to accommodate an 80 x 24 stretcher, per the Architect's designs.

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

Response: The applicant will work with the City's Public Works Division to assign street addresses and numbering to meet City Standards.



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

Sincerely,

A handwritten signature in black ink, appearing to read 'Will Savage'.

William H. Savage, P.E.
Principal
Acorn Engineering, Inc.





130 MORNING STREET CODE SUMMARY

BUILDING AREA

Building Footprint:

R-2 Gross:

Parking Gross:

Building Gross:

IBC 2015 CODE OVERVIEW

Use & Occupancy: Mixed Use- R-2 (Apartments), S-2 Enclosed Parking Garage

Construction Type: VA

Sprinkler: Yes

NFPA 2009 CODE OVERVIEW

Use & Occupancy: Mixed Use- New Apartment Building, Storage- Enclosed Parking Garage

Construction: Type V

Sprinkler: Yes

IECC 2009 DETAILED CODE OVERVIEW- See Chapter 13 of IBC 2015 detailed code Overview

IBC 2015 DETAILED CODE OVERVIEW- Comply with all chapters in their entirety as applicable

Ch. 3. Use & Occupancy Classification

310.4. Residential Group R-2 (Apartments)

311.3. Low-Hazard Storage Group S-2 (Parking Garages, open or closed)

Ch. 4. Special Detailed Requirements Based on Use and Occupancy

406. Motor-Vehicle Related Occupancies

406.6 Enclosed Parking Garages

406.6.1. Height and Areas: See Sections 504, 506 and 507

406.6.2. Ventilation: A Mechanical Ventilation System shall be provided in Accordance with the International Mechanical Code

406.6.3 Automatic Sprinkler System: An Enclosed Parking Garage shall be Equipped with an Automatic Sprinkler System in Accordance with Section 903.2.10.

420.2 Separation Walls shall be constructed as fire partitions in accordance with section 708.

420.3 Horizontal Separation shall be constructed as Horizontal assemblies in accordance with section 711.

420.5 Automatic Sprinkler System Group R occupancies shall be equipped with an automatic sprinkler system in accordance with section 903.2.8. Quick response or residential automatic sprinklers shall be installed in accordance with section 903.3.2.

420.6 Fire Alarm systems and smoke alarms shall be provided in Group R occupancies in accordance with sections 907.2.6, 907.2.8, 907.2.9 and 907.2.10 respectively. Single or multiple station smoke alarms shall be provided in group r occupancies in accordance with section 907.2.11.

Ch. 5 General Building Height and Areas

Table 504.3 Building Height: R S13R VA 60'-0"

Table 504.4. Number of Stories:: R-2 S13R VA 4 Stories above Grade

Table 506.2 Building Area: R-2 S13R VA 12,000 s.f per floor

Section 507- N/A

Table 508.4. Mixed Use Occupancy- Required Separation of Occupancies R-2/ S-2- 1 hour

508.4.4.1. 1 hour Separation in Sprinklered Building by Fire Barriers (section 707) and/ or Horizontal Assemblies (section 711)

Ch. 6. Types of Construction

Table 601. Type VA, Primary Structural Frame- 1 hour

Bearing Walls Exterior- 1 hour

Bearing Walls Interior- 1 hour

Non-bearing Walls and Partitions, Exterior- TBD

Floor Construction and Associated Secondary Members- 1 hour

Roof Construction and Associated Secondary Members- 1 hour

Table 602. Fire Resistance Rating for Exterior Walls based on Fire Separation Distance

X less than 5'-0" - 1 hour

X greater than or equal to 5'-0" and Less than 10'-0" - 1 hour

X greater than or equal to 10'-0" and Less than 30'-0" - 1 hour, if greater than 10'-0" then rating is from interior only.

Ch.7. Fire and Smoke Protection Features

705.2.2. Projections (including Balconies) may be of any material.

705.5 Fire Resistance Rating of Exterior Walls with a Fire separation distance of less than or Equal to 10'-0" shall be Rated for Exposure to Fire from Both Sides. Proposed Distance equals 10'-2" Min.- Exterior Wall Rating= 1 hour from exterior side only.

Table 705.8. 10'-0" to less than 15'-0" Unprotected, Sprinklered- Max. Area of Exterior Wall Openings= 45% 15'-0" to less than 20'-0" Unprotected, Sprinklered- Max. Area of Exterior Wall Openings= 75%

707 Fire Barriers

707.3 Fire-Resistance Rating

707.3.1 Shaft Enclosures- Comply with Section 713.4.

707.3.2 Interior exit Stairway and ramp construction- Comply with section 1023.1.

707.3.3 Enclosures for Exit Access Stairways- Comply with section 713.4.

707.3.4 Exit Passageway- Comply with section 1024.3

707.3.5 Horizontal Exit- Comply with section 1026.1

707.3.7 Incidental Spaces- Comply with Table 509

707.3.9 Separated Occupancies- Comply with Table 508.4 based on the occupancies being separated. R/ S-2= 2 Hour

707.3.10 Fire Areas- Separating Fire Areas of different occupancies shall comply with Table 707.3.10. R/ S-2= 2 hours.

707.4 Exterior Walls- Where exterior walls serve as part of a required fire resistance-rated shaft of stairway enclosure or separation comply with section 705 for exterior walls.

707.5 Continuity- Fire barriers shall extend from the top of the foundation or floor/ceiling assembly below to the underside of the floor or roof sheathing, slab or deck above and shall be securely attached hereto.

Such fire barriers shall be continuous through concealed spaces, such as the space above suspended ceilings. Joints and voids at intersections shall comply with sections 707.8 and 707.9.

707.5.1 Supporting Construction- Supporting construction of fire barriers shall be protected to afford the required fire-resistance rating of the fire barrier supported. Hollow vertical spaces within the fire barrier shall be fireblocked the full height of the support structure in accordance with section 718.2 at every floor and at the roof.

707.7 Penetrations- Comply with section 714.

707.7.1 Prohibited Penetrations- Penetrations into exit access stairways, interior exit stairways and exit passageways shall be allowed only where permitted by section 1019, 1023.5 and 1024.6 respectively.

707.8 Joints comply with section 715.

707.9 Voids at intersections- All voids intersections of fire-resistance rated assemblies shall be filled with an approved material or system.

708 Fire Partitions

708.1 General

1. Separation Walls as required by section 420.2
2. Corridor walls as required by section 1020.1
3. Elevator Lobby separation as required by section 3006.2.

708.3 Fire-Resistance Rating Fire partitions shall have a fire -resistance rating of not less than 1 hour.

Exceptions: 1. Corridor walls permitted to have a ½ hour fire-resistance rating by Table 1020.1. Occupancy R, Occupant load load served by corridor with sprinkler system= 0.5 hours.

708.4 Continuity- Fire barriers shall extend from the top of the foundation or floor/ceiling assembly below to the underside of the floor or roof sheathing, slab or deck above and shall be securely attached hereto.

708.7 Penetrations- Comply with section 714.

708.8 Joints comply with section 715.

708.9 Ducts and air transfer openings- Penetrations in a fire partition by ducts and air transfer openings shall comply with section 717.

709 Smoke Barriers

709.3 Fire-Resistance Rating. A 1-hour fire-resistance rating is required for smoke barriers.

709.4 Continuity- Fire barriers shall extend from the top of the foundation or floor/ceiling assembly below to the underside of the floor or roof sheathing, slab or deck above and shall be securely attached hereto.

709.4.2 Smoke-Barrier walls enclosing Elevator Lobbies Comply with 3007.6.2- 1 hour rating required.

711 Floor and Roof Assemblies

711.2 Horizontal Assemblies

711.2.3 Supporting Construction- Match fire-resistance rating of horizontal assembly being supported.

711.2.4.1 Separating Mixed Occupancies- Comply with section 508.4 based on the occupancies being separated.

711.2.4.3 Dwelling Units and Sleeping Units- Horizontal assemblies serving as dwelling unit or sleeping unit separations shall not be less than 1-hour.

712 Vertical Openings

712.1.12 Exit Access Stairways and Ramps- Comply with section 1019.

713 Shaft Enclosures

713.4 Fire-Resistance Rating- Shaft enclosures shall have a fire-resistance rating of not less than 2-hours where connecting four or more stories.

713.5 Continuity- Shaft enclosures shall be constructed as fire barriers in accordance with section 707 or horizontal assemblies constructed in accordance with section 711 or both and shall have continuity in accordance with section 707.5 for fire barriers or section 711.2.2 for horizontal assemblies, as applicable

713.6 Exterior Walls- Comply with section 705.

713.8 Penetrations- Comply with section 714.

713.9 Joints- comply with section 715.

713.10 Ducts and air transfer openings- Penetrations in a fire partition by ducts and air transfer openings shall comply with section 717.

714 Penetrations

714.1 Scope- Comply with entire section 714 to protect through penetrations and membrane penetrations of horizontal assemblies and fire-resistance rated wall assemblies.

715 Fire Resistant Joint Systems

715.1 General- Comply with entire section 715.

716 Opening Protectives

716.5.3 Door Assemblies in Corridors and Smoke Barriers shall comply with entire section 716.

Table 716.5 Opening Fire Protection Assemblies

Type of Assembly- Enclosures for Shafts, interior exit stairways, Wall rating 2 hours, Min. Fire Door Rating- 1 ½ hour, Door Vision panel size= 100 sq. in. max.

Type of Assembly-Fire Partitions: Corridor Walls, Wall rating 0.5 hours, Min. Fire Door Rating- 1/3 hour, Door Vision panel size= max. Size tested.

Type of Assembly- Exterior Walls, Wall rating 1 hours, Min Fire Door Rating- 3/4 hour, Door Vision panel size= 100 sq. in. max.

Type of Assembly- Smoke Barrier, Wall rating 1 hour, Min Fire Door Rating- 1/3 hour, Door Vision panel size= max. Size tested.

716.5.9 Door Closing- Fire doors shall be latching and self-or automatic closing in accordance with this section.

717 Ducts and Air Transfer Openings- Comply with entire section 717

718 Concealed Spaces- Comply with entire section 718

718.2 Fireblocking- In combustible construction, fireblocking shall be installed to cut off concealed draft openings (both vertical and horizontal) and shall form an effective barrier between floors, between a top story and a roof or attic space, fireblocking shall be installed in the locations specified in sections 718.2.2 through 718.2.7

720 Thermal and Sound-Insulating Materials- Comply with entire section 720.

Ch.8. Interior Finishes- Comply with Entire Chapter

Ch.9. Fire Protection Systems - Comply with Entire Chapter

901 General

901.6.1 Automatic Sprinkler System- Automatic Sprinkler Systems shall be monitored by an approved supervising station.

901.6.2 Fire Alarm System- Fire Alarm Systems required by the provisions of section 907.2 and sections 907.2 and 907.9 of the International Fire Code shall be monitored by an approved supervising station in accordance with section 907.6.6.

903.2.8 Group R- An automatic sprinkler system installed in accordance with section 903.3 shall be installed throughout buildings with a Group R fire area

903.2.10 Group S-2 enclosed parking garages- An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with section 406.6 where either of the following conditions exists:

2. Where the enclosed parking garage is located beneath other groups.

903.3.1.2 NFPA 13R Sprinkler Systems- Allowed in Group R occupancies up to and including 4-stories in height and do not exceed 60 feet in height above the grade plane.

903.3.1.2.1 Balconies and Decks: Sprinkler protection shall be provided for Balconies, Decks and ground floor patios of Dwelling Units and Sleeping Units of Type V construction.

903.3.2 Quick Response and Residential sprinklers- Required in Dwelling units and sleeping units in R occupancies.

906 Portable Fire Extinguishers- Comply with entire section 906

907 Fire Alarm and Detection Systems- Comply with entire section 907

907.1.1 Construction Documents- Provide documents that meets all the requirements of this section.

907.1.2 Fire Alarm Shop Drawings- Shop drawings for fire alarm systems shall be submitted for review and approval prior to system installation.

907.2.9 Group R-2 Fire Alarm systems and smoke alarms shall be installed in group R-2 occupancies as required in sections 907.2.9.1 through 907.2.9.3

907.2.9.1 Manual Fire Alarm System- Required where a dwelling unit or sleeping unit is located three or more stories above the lowest level of exit discharge.

907.2.11 Single and Multiple-station smoke alarms- Comply with UL 217 and install in accordance with section 907.2.11.2

907.2.11.2 Group R-2 Provide Single or Multiple-station smoke alarms at all the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of the bedrooms
2. In each room used for sleeping purposes.
3. In each story within a dwelling unit.

907 2.11.3 Installation near cooking appliances

907.2.11.4 Installation near Bathrooms

912 Fire Department Connections- Fire Department Connections shall be installed in accordance with the NFPA standard applicable to the system design and shall comply with sections 912.2 through 912.6.

914 Emergency Responder Safety Features- Comply with entire section 914

915 Carbon Monoxide Detection- Comply with entire section 915

Ch.10. Means of Egress

1004 Occupant Load

Function of Space- Residential, Occupant Load Factor- 200 Gross Sq. Ft.

1006 Number of Exits and Exit access doorways

1006.3 Egress from stories or occupied roofs.

Table 1006.3.1 Minimum number of exits or access to exits per story,
Occupant load per story: 1-500, Minimum number of exits or access to
exits from story: 2.

1007 Exit or exit access doorway configuration- Comply with entire section 1007

1008 Means of egress illumination- Comply with entire section 1008

1010 Doors, Gates and Turnstiles- Comply with entire section 1010.

1011 Stairways- Comply with entire section 1011

1011.2 Width and Capacity-

Exception 1. Occupant load is 9,600 s.f./ 200 gross sq. ft.= 48, Width of
Stair = 36"

1011.3 Headroom- Minimum headroom clearance of 80 inches required.

1011.5 Stair Treads and risers- Maximum Riser height shall be 7" and minimum
riser height shall be 4", Minimum rectangular tread depth shall be 11" from riser
to nosing.

1011.6 Stairway landings- Width of landing shall be not less than the width of the
stairways served.

1011.11 Handrails- Required on both sides of stair and shall comply with section
1014

1013 Exit Signs- Comply with entire section 1013

1014 Handrails- Comply with entire section 1014

1015 Guards- Comply with entire section 1015

1017 Exit Access Travel Distance

Table 1017.2 Exit Access Travel Distance- Occupancy R, With Sprinkler
System= 250'-0" where building equipped throughout with an automatic sprinkler
system.

1020 Corridors

Table 1020.1 Corridor Fire-Resistance Rating- Occupancy: R, Occupant Load
Greater than 10, With Sprinkler System= 0.5 Hrs

Table 1020.2 Minimum Corridor Width- Occupancy: R, Min. Width w/ Occupant
load less than 50 (total= 48)= 36"

1022 Exits- Comply with entire section 1022

1023 Interior Exit Stairways and Ramps- Comply with entire section 1023

1030 Emergency Escape and Rescue- Comply with entire section 1030

Sleeping rooms below the fourth storey above grade plane shall have at least
one emergency escape and rescue opening in accordance with this section

Ch.11. Accessibility

1104 Accessible Entrances

1104.1 Site Arrival points- Accessible route impractical due to vertical difference between Entry elevation at sidewalk (110'-0") and Finish First floor level (113.2'). First Floor Level is set by Enclosed Parking area at rear of First floor and Exterior parking area utilizing the same driveway, but provides parking for 22 Turner Street and 30, 30R Turner Street.

1104.4 Multistory building and facilities

Exception1: An Accessible route is not required to stories that have an aggregate area of not more than 3,000 sq. ft. and are located above an accessible story.

1105 Accessible Entrances

1105.1 Parking Garage entrance from exterior and from within Garage to buildings Main entry shall be accessible.

1106 Parking and Passenger Loading Facilities

Table 1106.1 Accessible parking spaces

Total Parking Spaces- 1-25, Required minimum number of accessible spaces= 1

1107 Dwelling Units and Sleeping Units

1107.2 Design- Dwelling Units and Sleeping Units that are required to be accessible units, type A units shall comply with the applicable portions of chapter 10 of ICC A117.1

1107.3 Accessible spaces- Habitable spaces available to the general public or the accessible units shall be accessible.

1111 Signage- Comply with entire section 111.

Chapter 12 Interior Environment- Comply with entire Chapter 12

Chapter 13 Energy Efficiency

1301 General- Buildings shall be designed and constructed in accordance with the International Energy Conservation Code 2009.

IECC 2009

Chapter 3 General Requirements

301 Climate Zones

Table 301.1 Climate Zones, Main, Cumberland County, 6A

Chapter 5 Commercial Energy Efficiency- Comply with entire Chapter 5

501.1 Scope

Commercial buildings shall meet either the requirements of ANSI/ASHRAE/IESNA Standard 90.1, Energy Standard for Buildings, Except for Low Rise Residential Buildings, or the requirements contained in this chapter.

502 Building Envelope Requirements

502.1.1 Insulation and Fenestration criteria. The building thermal envelope shall meet the requirements of tables 502.2 (1) and 502.3 based on climate zone 6A.

Table 502.2 (1)- Building Envelope Requirements- Opaque Assemblies

Climate Zone- 6A

Roofs- Attic and Other- Group R, R-38

Walls Above Grade- Wood Framed and Other- Group R, R-13 + R-7.5 ci.

Walls Below Grade- Below Grade Wall- Group R, R-7.5 ci.

Floors- Joist/ Framing (Steel/ Wood)- Group R, R-30

Slab-on-Grade- Unheated Slabs- Group R, R-15 for 24" Below

Opaque Doors- Swinging, Roll-up or Sliding- Group R, U-0.50.

Table 502.3 Building Envelope Requirements: Fenestration

Vertical Fenestration (40% Maximum of above-grade wall)- Proposed = 25.7%

Climate Zone- 6A

Framing Materials other than metal- U-Factor = 0.35

SHGC all Frame types: PF less than 0.25= 0.40

NFPA 2009 DETAILED CODE OVERVIEW-Comply with all chapters in their entirety as applicable.

Chapter 6 Classification of Occupancy and Hazard of Contents

6.1 Classification of Occupancy

6.1.8.1.5 New Apartment Building

6.1.13 Storage- Enclosed Parking Garage

6.1.14.3 Separated Occupancies

Table 6.1.14.4.1 (b)- Apartment Buildings, Storage= 2 Hours, 1 hour allowable reduction where building is protected throughout by an approved automatic sprinkler system in accordance with 9.7.1.1 (1) and supervised in accordance with 9.7.2.

6.2 Hazard of Contents

6.2.2 Classification of Hazard of Contents

6.2.2.2 Low Hazards Contents

Chapter 7 Means of Egress

7.1.3.1 Exit Access Corridors- Corridors used as an exit access and serving an occupant load exceeding 30 shall be separated by walls having not less than a 1- Hour fire-resistance rating in accordance with Section 8.3

7.1.3.2 Exits- Comply with section 8.2 and the following: 2, Minimum 2-hour fire resistance rating where the exit connects four or more stories, unless one of the following conditions exists: (c) Minimum 1 hour enclosures in accordance w/ 30.2.2.1.2 shall be permitted as an alternative to the requirement of 7.1.3.2.1

7.2.2 Stairs

7.2.2.2.1.2 Minimum New Stair Width where the total occupant load of all stories served is less than 50, the minimum width clear of all obstructions, except obstructions 4 ½" at or below handrail height on each side, shall be 36".

Table 7.2.2.2.1.1 (a) New Stairs

Minimum Width- 36"

Max. Ht. of Risers- 7"

Minimum Ht. of Risers- 4"

Minimum Tread Depth- 11"

Minimum headroom- 6'-8"

Maximum ht. Between landings- 12 ft.

Landing- 7.2.1.4.3.1 Door Leaf Encroachment- During door swing, any door leaf in a means of egress shall leave not less than one-half of the required width of a landing unobstructed and shall project not more than 7" into the required width of the landing, when fully open.

7.2.2.4.4 Handrail Details- New handrails on stairs shall be not less than 34" and no more than 38" measured vertically from the leading edge of the tread.

7.2.2.5.4.1 Stairway Identification- New enclosed stairs three or more stories shall comply with A-M for signage.

7.2.2.5.4.3 Stairway Tread and Landing markings

7.2.12 Area of Refuge

7.2.13 Elevators

7.3.1.2 Occupant Load Factor, Use Apartment, 200 Sq. Ft- 9,600 s.f/ 200 sq. ft. per person = 48 total occupants

7.3.3 Egress Capacity

Table 7.3.3.1 Capacity Factor, Stairways, width per person - 0.3 inch width per person x 48 =14.4" width required. Level Components, width per person- 0.2 inch width person x 48 =9.6" width required.

7.3.4 Minimum Width- The minimum width of any means of egress shall be not less than 36".

7.4 Number of Means of Egress- Not less than 2 from any story

7.4.1.6 Elevator Landing and Lobby Exit Access- Each elevator landing and lobby shall have access to at least one exit.

7.5 Arrangement of Means of Egress

7.5.1.3.3 In buildings protected throughout by an approved , supervised automatic sprinkler system in accordance with section 9.7, the minimum separation distance between two exits or exit accesses, or exit discharges shall be not less than one-third the length of the maximum overall diagonal dimension of the building or area being served.

Chapter 8 Features of Fire Protection

Table 8.3.4.2 Minimum Fire Protection ratings for Opening Protectives

Elevator Hoistways - Walls= 2 hours, Fire Door Assemblies= 1 ½ hours,

Vertical Shafts (Stairways) - Walls= 2 hours, Fire Door Assemblies= 1 ½ hours.

Exit Access Corridors - Walls= 1 hour, Fire Door Assemblies= 1/3 hours, Fire Window Assemblies= ¾.

Smoke Barriers - Walls= 1 hour, Fire Door Assemblies= 1/3 hours, Fire Window Assemblies= ¾.

Chapter 9 Building Service and Fire Protection Equipment - Comply with entire Chapter 9

Chapter 10 Interior Finish, Contents and Furnishings- Comply with entire Chapter 10

Chapter 30 New Apartment Buildings- Comply with entire Chapter 30

30.2.2.12 Areas of Refuge- Areas of Refuge are not required in Buildings protected throughout by an approved supervised automatic sprinkler system in accordance with 30.3.5.

30.2.5 Arrangement of Means of Egress

30.2.5.3.2 No common path of travel shall exceed 50 ft. in Buildings protected throughout by an approved, supervised automatic sprinkler system installed in accordance with 30.3.5.

30.2.6 Travel Distance to Exits

30.2.6.2 Travel Distance within a dwelling unit to a corridor shall not exceed 125 ft. in Buildings protected throughout by an approved supervised automatic sprinkler system.

30.2.6.3.2 In Buildings protected throughout by an approved automatic sprinkler system installed in accordance with 30.3.5, the travel distance from a dwelling unit entrance door to the nearest exit.

30.2.6.4 The travel distance, from areas other than those within living units, to the exit, shall not exceed 250'-0" in Buildings protected throughout by an approved supervised automatic sprinkler system.

30.2.8 Illumination of Means of Egress- Comply with section 7.8

30.2.9 Emergency Lighting- Comply with section 7.9.

30.3.2 Protection from Hazards

Table 30.2.3.1.1 Hazardous Area Protection

Storage Rooms outside of Dwelling Units- 1-hour and sprinklers.

Trash Collection Rooms- 1-hour and sprinklers.

30.3.3 Interior Finishes- Comply with entire section

30.3.4 Detection, Alarm and Communication Systems- Comply with entire section.

30.3.5 Extinguisher requirements- Comply with entire section

30.3.6 Corridors- Comply with entire section

30.3.6.2 Doors- Comply with entire section

CITY OF PORTLAND WASTEWATER CAPACITY APPLICATION

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



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

Date: 7/11/2019

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

Site Address: 130 Morning Street Portland, ME 04101

Chart Block Lot Number: 14 - K - 7

Proposed Use: Multi-Family Residential

Previous Use: Surface Parking

Existing Sanitary Flows: 0 GPD

Existing Process Flows: 0 GPD

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

10" Main in Morning Street, near road center line.

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

X

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

2. Please, Submit Contact Information.

City Planner's Name: Shukria Wiar Phone: 207-874-8719

Owner/Developer Name: Northeast Turner, LLC

Owner/Developer Address: 72 Pine Street #16 Portland, ME 04102

Phone: 207-775-9085 Fax: _____ E-mail: mchestnutt@cornerstonebr.com

Engineering Consultant Name: Acorn Engineering

Engineering Consultant Address: 65 Hanover Portland, ME 04101

Phone: 207-317-1884 Fax: _____ E-mail: wsavage@acorn-engineering.com

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

3. Please, Submit Domestic Wastewater Design Flow Calculations.

Estimated Domestic Wastewater Flow Generated: 1,620 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: N/A
Size of External Grease Interceptor: _____
Retention Time: _____
Peaking Factor/ Peak Times: _____

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

5. Please, Submit Industrial Process Wastewater Flow Calculations

Estimated Industrial Process Wastewater Flows Generated: 0 GPD
Do you currently hold Federal or State discharge permits? Yes ☐ No ☐
Is the process wastewater termed categorical under CFR 40? Yes ☐ No ☐
OSHA Standard Industrial Code (SIC): _____
(<http://www.osha.gov/oshstats/sicser.html>)
Peaking Factor/Peak Process Times: _____

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

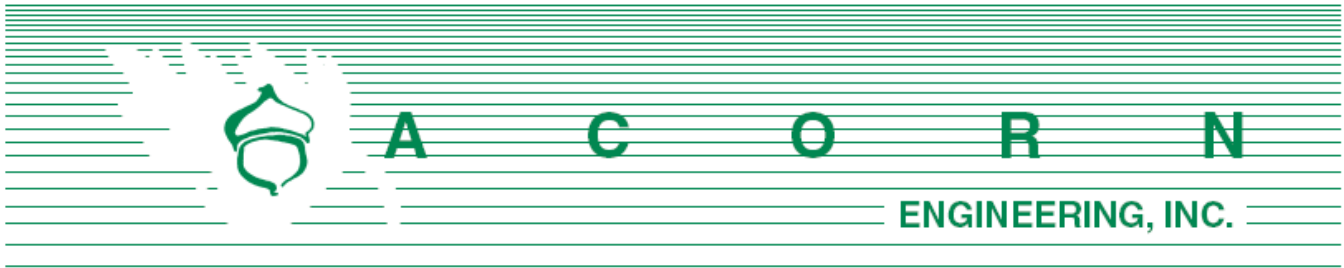
Note: Please submit detailed calculations showing the derivation of your design flows, either in the space provided, or attached, as a separate sheet.

M. Calculation of Wastewater Flowrate for 130 Morning Street Redevelopment

The proposed project will include the development of four stories with 9 residential units and on-site parking. Based upon the Section 4 of the Maine Subsurface Wastewater Disposal Rules, the project anticipates the following daily flows:

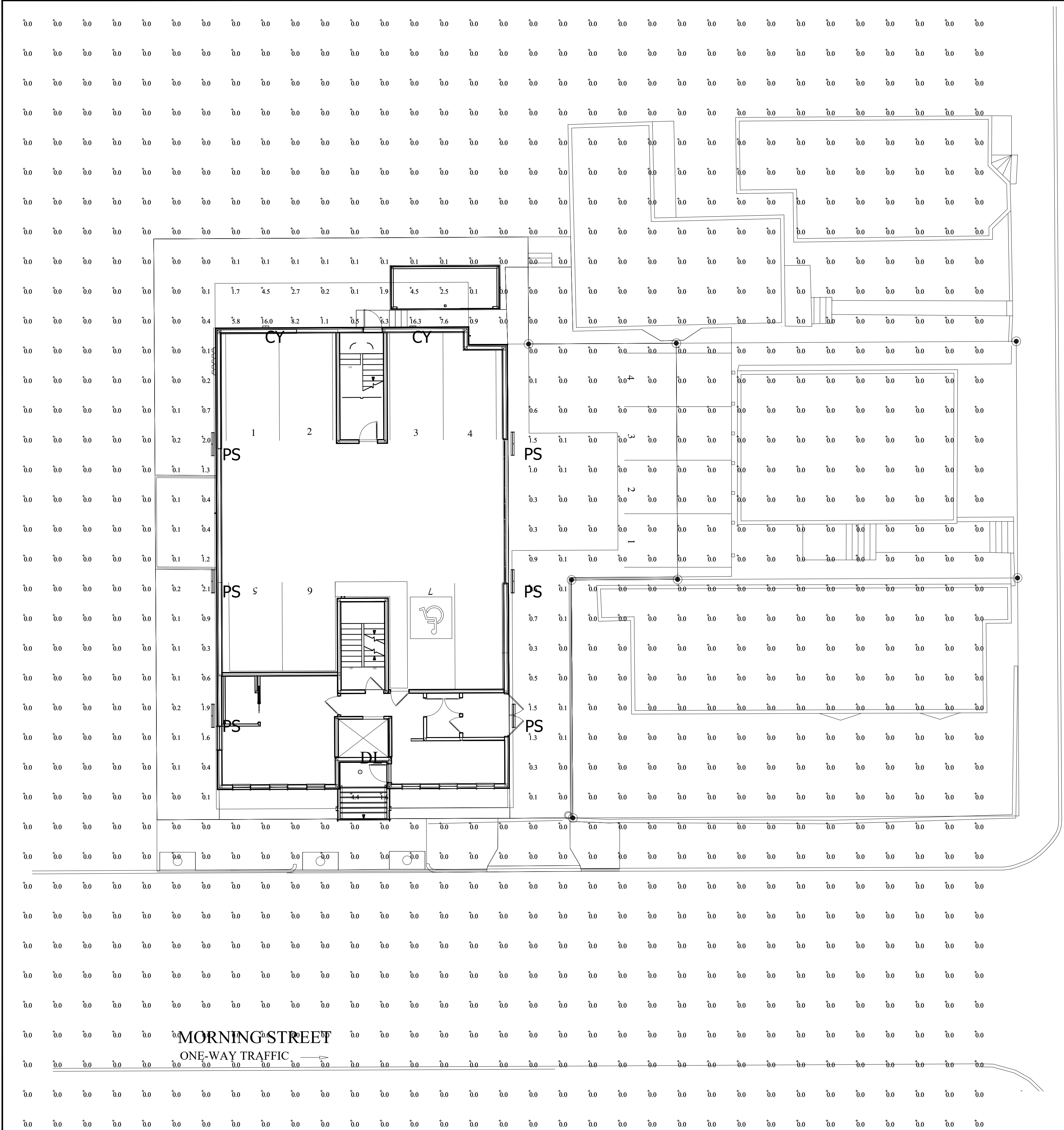
Estimate of Anticipated Daily Flows				
Development	Unit Size	Number of Units	Gallons per Day per Unit	Total Gallons per Day
Existing Flow				
Parking Lot	N/A	0	0	0
Total Gallons per Day (Existing)				0
Proposed Flow				
Residential Units	1-Bedroom	3	120	360
Residential Units	2-Bedroom	4	180	720
Residential Units	3-Bedroom	2	270	540
Total Gallons per Day (Proposed)				1,620
Net Change				+1,620 GPD
*Values based on STATE OF MAINE: SUBSURFACE WASTEWATER DISPOSAL RULES, most recent edition				





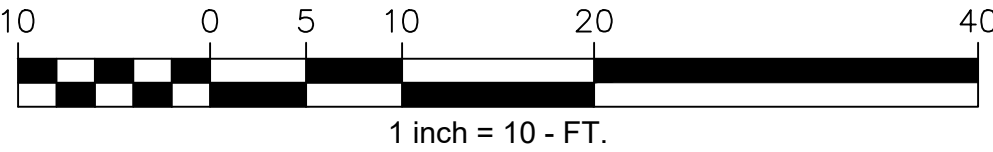
N. Lighting

Please find attached the proposed photometric plan and cut sheets.



Luminaire Schedule							
Symbol	Qty	Label	Mounting Height	LLF	Lum. Lumens	Lum. Watts	Description
	2	CY	8' - 0" AFG	0.900	1970	15	CY1-15-4K7-1-WG-WHT-R
	1	DL	8' - 0" AFG	0.850	785	8	LTR-4RD-H-SL06L-DM1_LTR-4RD-T-
	6	PS	8' - 0" AFG	0.900	1164	13	RN-D-2-5-3K8-WW-CL

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
Overall Area	Illuminance	Fc	0.10	16.3	0.0	N.A.	N.A.
Overall Area	Illuminance	Fc	0.10	16.3	0.0	N.A.	N.A.



1. THIS LIGHTING DESIGN IS BASED ON LIMITED INFORMATION SUPPLIED BY OTHERS TO HUBBELL LIGHTING. 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: 130 MORNING STREET DEVELOPMENT PORTLAND, ME SITE PHOTOMETRIC PLAN			REVISED FROM DRAWING NUMBER(S): R1: 09/11/19 R2: 09/18/19		
 Hubbell Lighting, Inc. 701 MILLENNIUM BLVD. GREENVILLE, SC 29607			DN BY: DHK REV BY: DHK QUOTE: N/A	DATE: 09/09/19 DATE: 09/19/19	CHK BY: N/A SCALE: AS NOTED
			DRAWING / DESIGN NO.: 1924919R2		



Date: Sep 19, 2019

Swaney Lighting
PO Box 1597
Scarborough ME 04070
Phone: (207) 883-7100
Fax: (207) 885-9606

Job Name
130 MORNING ST. DEVELOPMENT
SLA19-43225
PORTLAND ME

Bid Date
Sep 19, 2019

Submittal Date
Sep 19, 2019



Transmittal

Swaney Lighting

PO Box 1597

Scarborough ME 04070

Phone: (207) 883-7100

From: Therese "TC" Freeman X-103

Project 130 MORNING ST. DEVELOPMENT**Quote#** SLA19-43225**Location** PORTLAND ME

To SWANEY LIGHTING
 15 PLEASANT HILL ROAD
 SCARBOROUGH ME 04074
 Contact: WANDA RICHARD

ATTACHED WE ARE SENDING YOU 1 COPY OF THE FOLLOWING ITEM:

- | | | |
|-----------------------------------|--|--------|
| ☐ Drawings | ☐ Specifications | Other: |
| ☐ Prints | ☐ Information | |
| ☐ Plans | ☒ Submittals | |

THESE ARE TRANSMITTED FOR:

- | | | |
|--|---|---------------------------------|
| ☐ Prior Approval | ☐ Resubmittal for Approval | ☐ Record |
| ☒ Approval | ☐ Corrections | Bids due on: |
| ☐ Approval as Submitted | ☐ Your Use | Other: |
| ☐ Approval as Noted | ☐ Review and Comment | |

Type	MFG	Part
CY	Architectural Area Lighting	CY1-15-4K7-1-WG-UNV-WH-R
DL	PRESCOLITE	LTR-4RD-H-SL06L-DM1
DL	PRESCOLITE	LTR-4RD-T-SL40K8MD-S
PS	Architectural Area Lighting	RN-D-2-5-3K8--WW-CL-UNV-A6-WH

Item Note: TILTED INWARD 30 DEGREES



Cypher™ – CY1 Accent Scale

TYPE

FEATURES

- Integral Battery Backup Option
- 360° Light Distribution
- RGBW or Static White Luminous Front Option
- IES Type I, II, III & IV Distributions
- Wall Graze, Spot and Pencil Distributions
- Multiple Fascia Options and Finishes
- 0-10V dimming
- IP-66 Housing & Optical System
- 120-277V
- 3000K, 4000K & 5000K CCT
- 10kA Surge Protection
- Fascia Forms F, E and T are ADA compliant for use in low mounting height applications (80 inches or less)
- IDA approved, downlight only, 3000K and warmer CCTs



Downlight only, 3000K and warmer CCTs



ORDERING CODE

1	2	3	4	5	6	7	8	9	10	11	12
Series-Output	CCT/CRI	Model	Main Distribution	Secondary Distribution	Voltage	Housing Finish	Fascia Form	Luminous Front	Fascia Panel	Control Options	Options

SERIES-OUTPUT (Base)

CY1-15	15w, 1500 nominal lumens
CY1-25	25w, 2500 nominal lumens

CCT-CRI

27K8	2700K, 80CRI
3K7	3000K, 70CRI
3K8	3000K, 80CRI
4K7	4000K, 70CRI
4K8	4000K, 80CRI
5K7	5000K, 70CRI

MODEL (Light Engine)

1	DownLight Only
2	50/50 Down/Up, Down/Up distributions must match
3	90/10 Down/Up
4	25/25/25/25 Split, Down/Up/Side distributions must match
5	70/10/10/10 Split, Top/Side distributions must match

Contact factory for custom distributions,
See Distribution Matrix on page 2 for restrictions.

MAIN DISTRIBUTION (Down)

1	IES Type I
2	IES Type II
3	IES Type III
4	IES Type IV
SP	15° Spot/Column
WG	60° Wall Graze
1D	Type 1 Diffused
2D	Type 2 Diffused
3D	Type 3 Diffused
4D	Type 4 Diffused

SECONDARY DISTRIBUTION (Up, Sides)

1	IES Type I
2	IES Type II
3	IES Type III
4	IES Type IV
SP	15° Spot/Column
WG	60° Wall Graze
PB*	Pencil Beam
1D	Type 1 Diffused
2D	Type 2 Diffused
3D	Type 3 Diffused
4D	Type 4 Diffused

* PB distribution is available for 90/10 and 70/10/10/10 models only. Not all combinations are recommended.
See Distribution Matrix on page 2 for restrictions.

VOLTAGE

UNV	120-277V
-----	----------

BASE HOUSING FINISH

Standard Colors

AGN	Antique Green
BL	Black
BLT	Matte Black
CRT	Corten
DB	Dark Bronze
DGN	Dark Green
GT	Graphite
LG	Light Grey
MAL	Matte Aluminum
MDB	Metallic Bronze
MG	Medium Grey
TT	Titanium
VBU	Verde Blue
WDB	Weathered Bronze
WH	Arctic White

Premium Colors

SFM	Seafoam
SHK	Shamrock
SPP	Salt and Pepper
WCP	Weathered Copper
RAL	Provide a RAL 4 digit color number
CUSTOM COLOR	Please provide color chip for matching

FASCIA FORM

F	Flat
R	Radius/Curved
T	Triangle/Wedge
E	Rounded Edge
C	Circle/Curved
CB	Cylinder Balanced
CT	Cylinder Tall
CBM	Custom Building Material Mount Ghost Fascia

LUMINOUS FRONT

BLANK	Standard None
RGBW	RGBW Luminous Front
LFSW	Static White Luminous Front

RGBW and LFSW luminous fronts are only available with open, four square and perforated fascia panels

FASCIA PANEL

FPP	Full Panel Painted
FPS	Full Panel Stainless Steel
FPC	Full Panel Copper
OPP	Open Panel Painted
OPS	Open Panel Stainless Steel
OPC	Open Panel Copper
4PP	4-Square Panel Painted
4PS	4-Square Panel Stainless Steel
4PC	4-Square Panel Copper
PPP	Perforated Panel Painted
PPS	Perforated Panel Stainless Steel
PPC	Perforated Panel Copper

Flat and Radius Fascia forms only. Painted panels by default match base housing finish/color. Consult factory for custom panel finishes.

CONTROL OPTIONS

PCU	Universal Button Photocell (120-277V)
-----	---------------------------------------

OPTIONS

EM	Battery Backup Unit -20°C
SF	Single Fuse (120, 277)
DF	Double Fuse (208, 240)

Battery Backup not available with Triangle and Rounded Edge Fascia Forms.



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JOB

TYPE

NOTES



Cypher™ – CY1 Accent Scale

TYPE

Distribution Matrix

FASCIA	DISTRIBUTION				
	1 Down Only	2 50 Down/50 Up	3 90 Down/10 Up	4 25/25/25/25 Split	5 70 Down 10/10/10 Split
Window/Options Flat* F	I, II, III, IV, SP, WG	I, II, III, IV, SP, WG	I, II, III, IV, SP, WG	SP/WG SP/WG	SP/WG/PB SP/WG/PB
Window/Options Radius Curve R	SP/WG	SP/WG	SP/WG/PB SP/WG	SP/WG SP/WG	SP/WG/PB SP/WG/PB
Cylinder Balanced CB	SP/WG	SP/WG	SP/WG/PB SP/WG	SP/WG SP/WG	SP/WG/PB SP/WG/PB
Cylinder Tall CT	I, II, III, IV, SP, WG	SP/WG	SP/WG/PB SP/WG	SP/WG SP/WG	SP/WG/PB SP/WG/PB
Triangle Wedge* T	I, II, III, IV, SP, WG	I, II, III, IV, SP, WG	SP/WG/PB I, II, III, IV, SP, WG	SP/WG SP/WG	SP/WG/PB I, II, III, IV, SP, WG
Rounded Edge* E	I, II, III, IV, SP, WG	I, II, III, IV, SP, WG	SP/WG/PB I, II, III, IV, SP, WG	SP/WG SP/WG	SP/WG/PB SP/WG/PB
Circle/ Curved C	SP/WG	SP/WG	SP/WG/PB SP/WG	SP/WG SP/WG	SP/WG/PB SP/WG/PB
Ghost	I, II, III, IV, SP, WG	I, II, III, IV, SP, WG	SP/WG/PB I, II, III, IV, SP, WG	SP/WG SP/WG	SP/WG/PB I, II, III, IV, SP, WG

* ADA compliant for use in low mounting height applications (80 inches or less)
 2 Down/Up distributions must match
 4 Down/Up/Side distributions must match
 5 Top/Side distributions must match
 Contact factory for custom distributions



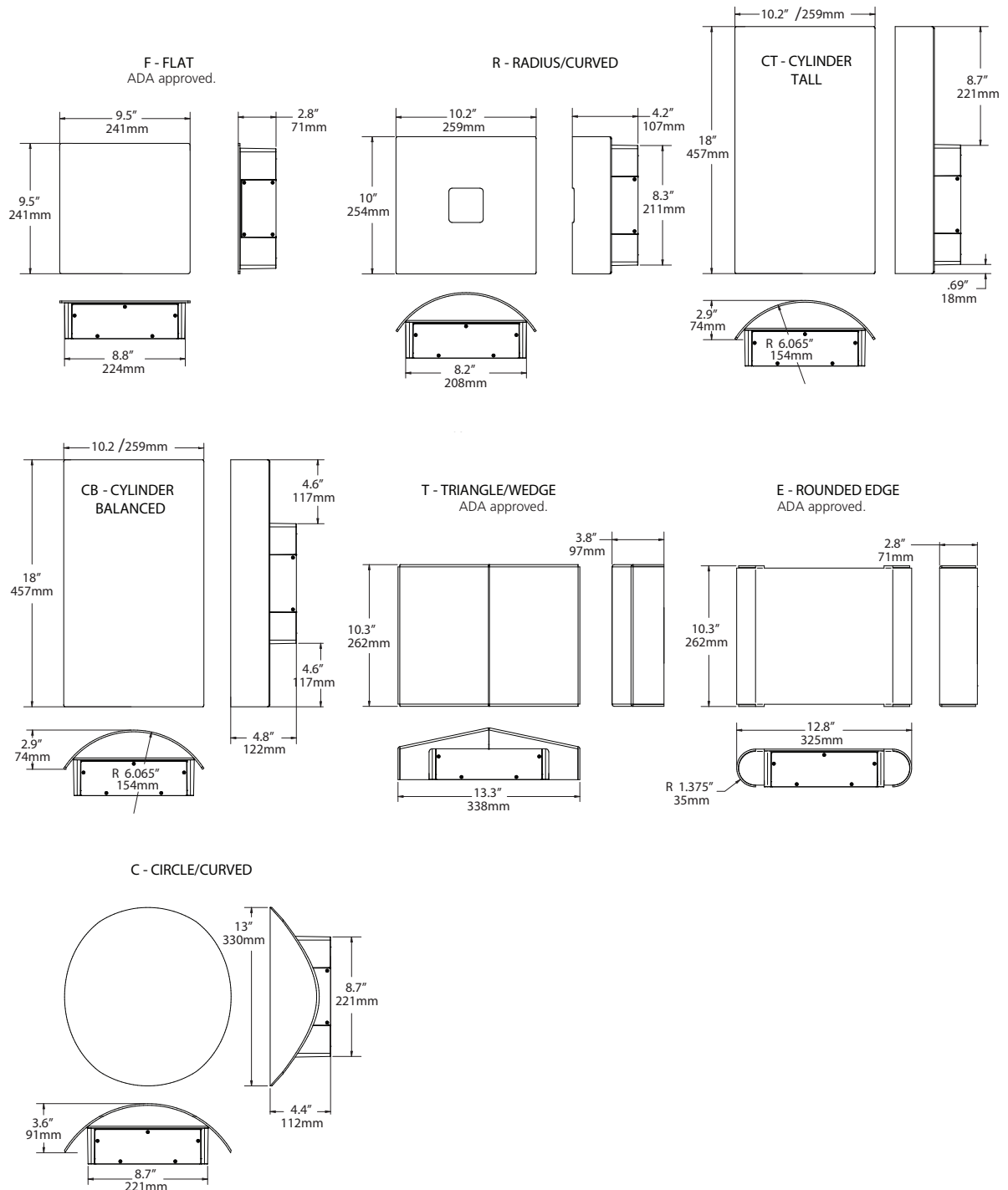
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JOB _____
 TYPE _____
 NOTES _____

Cypher™ – CY1 Accent Scale

TYPE

Drawings



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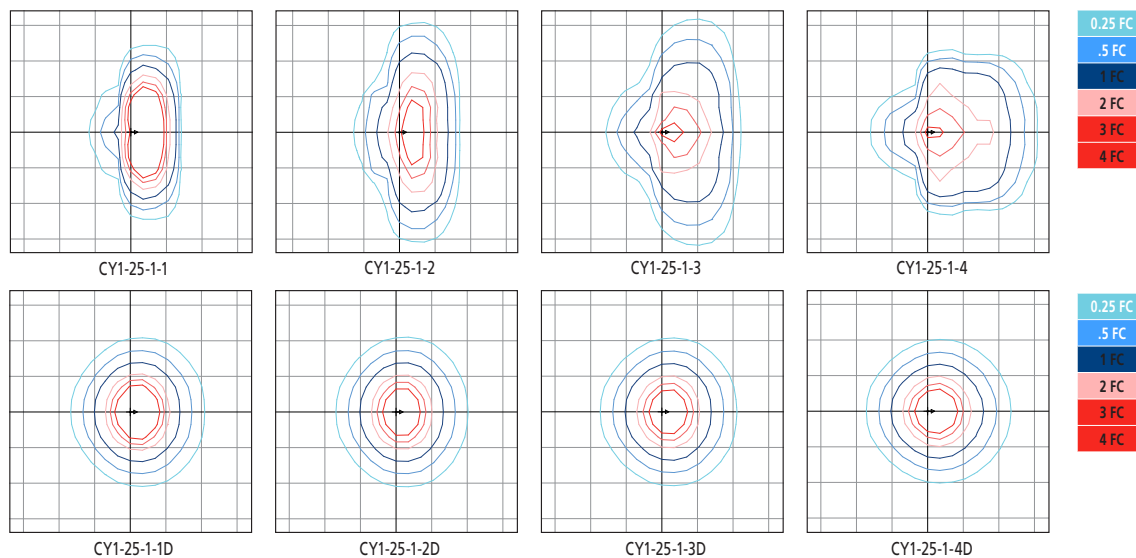
Cypher™ – CY1 Accent Scale

TYPE

LUMINAIRE PERFORMANCE

Downlight only			Configuration														
Nominal Output (Lm)	Average System Wattage	Distribution	Bright White (5000K)					Neutral White (4000K)					Warm White (3000K)				
			Delivered Lumens	Efficacy (Lm/W)	BUG Rating			Delivered Lumens	Efficacy (Lm/W)	BUG Rating			Delivered Lumens	Efficacy (Lm/W)	BUG Rating		
			5000K 70 CRI					4000K 70 CRI					3000K 70 CRI				
1,500	17	Type 1	1923	113	0	0	0	1928	113	0	0	0	1825	107	0	0	0
		Type 2	1726	102	0	0	0	1730	102	0	0	0	1638	96	0	0	0
		Type 3	1750	100	0	0	1	1755	103	0	0	1	1661	98	0	0	1
		Type 4	1757	103	0	0	0	1762	104	0	0	0	1668	98	0	0	0
		Wall Graze	1971	114	1	0	0	1976	116	1	0	0	1871	110	1	0	0
		Spot/Column	1792	103	2	0	0	1797	106	2	0	0	1701	100	2	0	0
		Type 1 Diffused	1629	96	1	0	0	1634	96	1	0	0	1547	91	1	0	0
		Type 2 Diffused	1573	93	1	0	1	1577	93	1	0	0	1493	88	1	0	0
		Type 3 Diffused	1425	84	1	0	0	1429	84	1	0	0	1353	80	1	0	0
		Type 4 Diffused	1602	94	1	0	1	1607	95	1	0	0	1521	89	1	0	0
			5000K 70 CRI					4000K 70 CRI					3000K 70 CRI				
2,500	26	Type 1	2517	96	0	0	0	2524	97	0	0	0	2390	92	0	0	0
		Type 2	2233	85	1	0	1	2239	86	1	0	1	2120	82	1	0	1
		Type 3	2229	85	1	0	1	2236	85	1	0	1	2117	80	1	0	1
		Type 4	2319	88	1	0	1	2325	89	1	0	1	2201	85	1	0	1
		Wall Graze	2744	104	2	0	0	2752	106	2	0	0	2605	100	2	0	0
		Spot/Column	2471	94	2	0	0	2478	95	2	0	0	2346	90	2	0	0
		Type 1 Diffused	2344	89	1	0	1	2350	90	1	0	1	2225	86	1	0	1
		Type 2 Diffused	2062	79	1	0	1	2068	80	1	0	1	1958	75	1	0	1
		Type 3 Diffused	2050	78	1	0	1	2056	79	1	0	1	1946	75	1	0	1
		Type 4 Diffused	2123	80	1	0	1	2129	82	1	0	1	2016	78	1	0	1

ISOLINE TEMPLATES 10' Mounting Height, 10' Grid Spacing



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JOB _____
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Job Name:
130 MORNING ST. DEVELOPMENT

Catalog Number:
CY1-15-4K7-1-WG-UNV-WH-R

Notes:

Type:

CY

SLA19-43225

Cypher™ – CY1 Accent Scale

TYPE

ELECTRICAL CHARACTERISTICS

Lumen Package	System Wattage (W)	Line Voltage		Input				Min. Power Factor	Max THD (%)	Dimming Range	Source/Sink Current (mA)		Absolute voltage range on 0-10v (+) Purple	
		VAC	Hz	120	277	347	480				Min.	Max.	Min.	Max.
1,500	17	120	50/60	0.1	0.1	0.0	0.0	>0.9	20	10% to 100%	0 mA	1 mA	0V	10V
2,500	26			0.2	0.1	0.1	0.1							

TM-21 LIFETIME CALCULATION (500mA)

Lumen Package	Ambient Environment °C	Projected Lumen Maintenance (Khrs)						Reported L70
		15	25	50	60 (TM-21)	100		
2,500	25	98%	97%	94%	92%	87%		>60Khrs.
	40	95%	93%	89%	87%	80%		



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JOB _____
TYPE _____
NOTES _____

Submitted by Swaney Lighting	Job Name: 130 MORNING ST. DEVELOPMENT	Catalog Number: CY1-15-4K7-1-WG-UNV-WH-R	Type: CY
		Notes:	SLA19-43225

Cypher™ – CY1 Accent Scale

TYPE

SPECIFICATIONS

HOUSING

- Main housing shroud shall be of fabricated 5052-H32 aluminum alloy
- Housing mounting interface shall have a stamped silicone gasket.
- Luminaire housing shall be free of any visible heat fins, hardware or fasteners.
- Bracketry and hardware shall be stainless steel.

OPTICAL ARRAY

- LEDs shall be mounted to a metal printed circuit board assembly (MCPCB) with a uniform conformal coating over the panel surface and electrical features.
- Optical lenses shall be clear injection molded PMMA acrylic.
- Optical array shall be recessed in order to shield each LED optic across the length of the aperture.
- Optical array shall be sealed for IP66 rating.
- Secondary lens is impact resistant 5/32" tempered glass.

ELECTRICAL

- Drivers shall be in direct contact with the die-cast aluminum housing across the entire surface area of the widest face for maximum thermal transfer.
- "Thermal Shield", primary side, thermister provides protection for the sustainable life of LED module and electronic components.
- Drivers shall have greater than a 0.9 power factor, less than 20% harmonic distortion, and be suitable for operation in -40°C to 40°C ambient environments
- Luminaires shall have integral surge protection that shall be U.L. recognized and have a surge current rating of 10,000 Amps using the industry standard 8/20uSec wave and surge rating of 372J. Surge protection device shall be wired in series.
- Drivers shall be U.L. recognized.
- Drivers shall not be compatible with current sourcing dimmers, consult factory for current list of known compatible dimming systems approved dimmers include Lutron Diva AVTV, Lutron Nova NDTV and NTFTV.
- Integral battery backup provides emergency path of egress lighting for the required 90 minutes for -20°C ambient environments.

SPECIFICATIONS

- Luminaire shall be capable of operating at 100% brightness in a 40°C environment. Both driver and optical array shall have integral thermal protection that will dim the luminaire upon detection of temperatures in excess of 85°C.
- Luminaires not configured with a control system shall be provided with 0-10 purple and gray dimming leads.



CONTROLS

- Button photocontrol for dusk to dawn energy savings
- PC12 for 120V, PC20 for 208V, PC24 for 240V, PC27 for 277V
- Photocell is factory installed inside the housing with a fully gasketed sensor on the side wall. For multiple fixture mountings, one fixture is supplied with a photocell to operate the others.

BLUETOOTH®

- RGBW option includes integral Bluetooth module, built into driver, that permits the adjustment of luminous front color when paired with Hubbell Remote App via cellular/tablet device.
- Bluetooth Low Energy (BLE) or Bluetooth Smart compatible for both iOS (iOS8 and forward) and Android (Gingerbread and forward) handheld software applications. Compatible with phones and tablets.
- Free Bluetooth Apps are available for Apple iOS and Google Android mobile devices and are downloadable via the internet at Apple App Store or Google Play.

MOUNTING AND INSTALLATION

- JUNCTION BOX: Standard with zinc-plated, quick-mount junction box plate that mounts directly to 4" J-Box
- Mounting plate features a one-piece EPDM gasket on back side of plate to firmly seal fixture to wall surface, forbidding entry of moisture and particulates.
- Fixture attaches by two Allen-head hidden fasteners for tamper resistance.
- Optional mounting arrangements utilize a die-cast mounting adaptor to allow for surface conduit and through branch wiring.

SERVICING

- Housing shall be able to hang freely in an open service position for inspection of internal wire connections. Once in service position, the housing shall be able to be removed for service by lifting the assembly up off the rear mounting plate and disconnecting the wiring plugs.
- Driver assembly shall be mounted to a prewired internal tray with quick disconnects for removal.

FINISH

- Luminaire finish shall consist of a five stage pretreatment regimen with a polymer primer sealer, oven dry off, and top coated with a thermoset super TGIC polyester powder coat finish.
- Luminaire finish shall meet the AAMA 605.2 performance specification which includes passing a 3000 hour salt spray test for corrosion resistance.

CERTIFICATION

- Luminaire shall be listed with UL for outdoor, wet location use, UL1598, UL 8750 and Canadian CSA Std. C22.2 no.250.
- IP66 rated assembly
- IDA approved, 3000K and warmer CCTs only.
- DesignLights Consortium® (DLC) qualified. Please refer to the DLC website for specific product qualifications at www.designlights.org.
- ANSI C136.31-2010 4G Vibration tested and compliant.
- Complies with "Americans with Disabilities Act" or "ADA" on select versions for low mounting height applications (fixtures extend maximum of 4 inches from wall for mounting heights of 80 inches or less).

WARRANTY / TERMS AND CONDITIONS OF SALE

Download:

[Five year limited warranty \(for more information visit: http://www.hubbellighting.com/resources/warranty/\)](http://www.hubbellighting.com/resources/warranty/)

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JOB _____
TYPE _____
NOTES _____

| 6 |



Job Name:
130 MORNING ST. DEVELOPMENT

Catalog Number:
LTR-4RD-H-SL06L-DM1

Notes:

Type:

DL

SLA19-43225



LTR-4RD

LITEISTRY 4" ROUND DOWNLIGHT

FEATURES

- 4" architectural LED downlight delivering 600 – 4000 lm
- Four beam distributions from 0.4 to 1.2 Spacing Criteria
- Quiet reflector appearance with superior 50° optical cutoff
- 2700K – 5000K, 80+ and 90+ CRI options
- Available for New Construction (non-IC), Retrofit (non-IC), IC and Chicago Plenum applications
- Variety of dimming protocol options including 0–10V, DALI, DMX, Lutron Forward Phase and EcoSystem
- NX Distributed Intelligence™ wired and wireless controls capability available



CONTROL TECHNOLOGY



SPECIFICATIONS

CONSTRUCTION

- Standard Non-IC, Chicago Plenum, IC and Retrofit options
- New Construction: Painted black durable steel platform with pre-installed bar hangers
- Retrofit: Die cast aluminum mounting ring with 5-axis adjustable junction box
- Retrofit housing allows below ceiling installation without removing existing fixture
- Pre-wired junction box with snap-on covers for easy access
- Snap-in connection from driver compartment allows easy installation

OPTICS

- Visually pleasing 50° cutoff to source and source image
- The light distribution is free of distracting bright spots or pixelation and the perimeter has a smooth transition
- Optical grade silicone lens integral to light engine
- High purity spun aluminum reflector, self-flanged
- Flush Mount flange option with mud-in ring available
- Large selection of anodized finishes and colors
- Painted cones and flange options available

ELECTRICAL

- Chip-on-board LED with 2 SDCM
- Multiple CCTs, 80+ or 90+ CRI
- Long life L90 at 55,000 hours (TM-21)
- Universal voltage 120V–277V driver, 347V optional
- UL Class 2, inherent short circuit and overload protection, RoHS compliant
- Flicker free 0-10V dimming with 1% or <1% performance
- DALI, DMX, and Lutron Forward Phase and EcoSystem options
- Integral and remote emergency controller and battery pack options available
- NX or Lutron Vive control options available
- Refer to additional spec sheets for information on SpectraSync™ Tunable White or Dim-to-Warm or PowerHUBB™ PoE enabled solutions

INSTALLATION

- Accommodates ceiling thickness up to 2"
- Universal adjustable mounting brackets also accept ½" EMT conduit or 1½" or ¾" lathing channel (by others) or Prescolite accessory bar hangers (B24 or B6)
- Light Engine/Driver fully serviceable from above or below the ceiling

LITEISTRY™



RELATED PRODUCTS

Ø 3" LITEISTRY Family

Ø 4" LITEISTRY Family

Ø 6" LITEISTRY Family

CERTIFICATIONS

- cCSAus certified to UL 1598
- Suitable for wet locations, covered ceiling
- EM/EMR: Certified under UL924 standard for emergency lighting and power equipment
- Approved for 8 (4in/4out) No. 12AWG conductors rated for 90°C through wiring

WARRANTY

- 5 year warranty
- See [HLI Standard Warranty](#) for additional information

KEY DATA

KEY DATA	
Lumen Range	600-4000
Wattage Range	8-52
Efficacy Range (LPW)	90-99
Reported Life (Hours)	55,000
Input Current (Amps)	0.065-0.43 (120V)



Submitted by Swaney Lighting	Job Name: 130 MORNING ST. DEVELOPMENT	Catalog Number: LTR-4RD-H-SL06L-DM1	Type: DL
		Notes:	SLA19-43225



LTR-4RD

LITEISTRY 4" ROUND DOWNLIGHT

DATE:	LOCATION:
TYPE:	PROJECT:
CATALOG #:	

ORDERING GUIDE

Example: LTR-4RD-H-SL10L-DM1-LTR-4RD-T-SL35K8MDS

CATALOG #

HOUSING

LTR-4RD-H						
Aperture/Shape/Function	Lumen Package ²	Lumen Output	Driver Options ³	Control Options	Voltage	Housing Options ¹¹
LTR-4RD-H 4" Round Downlight New Construction Housing	SL Standard Lumen	06L 600	DM1 0-10V Dimming to 1%	NXE NX Enabled, Dual SmartPorts ⁴	Standard 120-277V	CP Chicago Plenum ⁹
		10L 1000	DM01 0-10V Dimming to < 1%			IC IC rated ¹⁰
		15L 1500	DMX DMX with RDM dimming to < 0.1% ³	NXWE NX Wireless Enabled ⁴	34 347V ⁶	EM Emergency Battery Pack with integral test switch and indicator light
	ML Medium Lumen	20L 2000	DALI DALI Dimming to 1%	NXWD NX Wireless Enabled, Dual SmartPorts ⁴		
LTR-4RD-RFH 4" Round Downlight Retrofit Housing ¹⁷		25L 2500	2DM Lutron Hi-Lume 2-wire Dimming to 1% (120V Forward Phase only) ³	LV Lutron Vive Enabled, 0-10V (requires 0-10V driver)		EMR Emergency Battery Pack with remote test switch and indicator light
		30L 3000				
LTR-4RD-RFW 4" Round Downlight Retrofit Housing (for Wide Diameter) ¹⁷	HL High Lumen	35L 3500	EDM Lutron Hi-Lume EcoSystem Dimming to 1% ³	LVE Lutron Vive Enabled, EcoSystem, (requires EDM)		DTS Device Transfer Switch
		40L 4000				GTD Generator Transfer Device

TRIM

LTR-4RD-T					
Aperture/Shape/Function	Lumen Package	CCT	CRI	Distribution	
LTR-4RD-T 4" Round Downlight Light Engine/Trim Assembly	SL Standard Lumen	27K 2700K	8 80+CRI	NR Narrow (0.4 SC)	
	ML Medium Lumen	30K 3000K	9 90+CRI	MD Medium (0.7 SC)	
	HL High Lumen	35K 3000K		WD Wide (0.9 SC)	
		40K 4000K		XW Extra Wide (1.2 SC)	
		50K 5000K ²			

TRIM CONTINUED

Reflector Finish	Reflector Color	Flange Color Options	Lower Trim Options	Reflector Options
S Specular	<i>Standard Clear</i>	<i>Standard matches reflector color</i>	EM Pre-punched reflector for EM integral test switch and indicator	AM Antimicrobial Coating ⁶
SS Semi-Specular	CG Champagne Gold	WT White Flange ⁵		
MFC American Matte™	BL Black	BT Black Flange ⁵	FM Flush Mount Mud-In Ring ¹²	
VS Softglow®	LW Light Wheat		WF Wide Flange	
VSS SoftSheen™	PW Pewter			
	WC Painted White Cone and Flange			
	BC Painted Black Cone and Flange			

Accessories

- ☐ **B24** Set of two (2) 24" bar hangers for T-bar ceilings
- ☐ **B6** Set of two bar hangers for ceiling joist up to 24" centers
- ☐ **FMR4-R** Flush Mount Mud-In Ring Accessory, 4" Round
- ☐ **LiteGear** LiteGear® Inverter, 125VA-250VA
- ☐ **LPS Series** LightPower Micro-Inverter, 20VA-55VA

Notes:

- 1 RFH and RFWH available up to 30L; not available with Controls or Housing options.
- 2 5000K available in 80+ CRI only.
- 3 2DM, EDM, DMX available in 10L-35L.
- 4 NX requires DM1 driver option.
- 5 WT not needed for WC, BT not needed for BC.
- 6 Clear reflector or WC only, consult factory for other colors.
- 7 See line art for compatibility with existing aperture diameters.
- 8 347V requires DM1 driver option; not available in 06L or with DTS, GTD, EM, EMR.
- 9 CP available up to 20L; not available with DMX, Controls, or EM/EMR options.
- 10 IC available up to 20L; not available with Controls options.
- 11 Housing options not available in combination.
- 12 Flush Mount Flange (FM) requires FMR accessory (sold separately).



LTR-4RD

LITEISTRY 4" ROUND DOWNLIGHT

DATE: _____ LOCATION: _____
 TYPE: _____ PROJECT: _____
 CATALOG #: _____

CONTROLS

NX Distributed Intelligence™ Lighting Controls:

Supports both indoor and outdoor applications in a variety of deployment options- wired, wireless, hybrid.
 Integrates with and enables a wide array of luminaires including those with SpectraSync Color Tuning Technology.



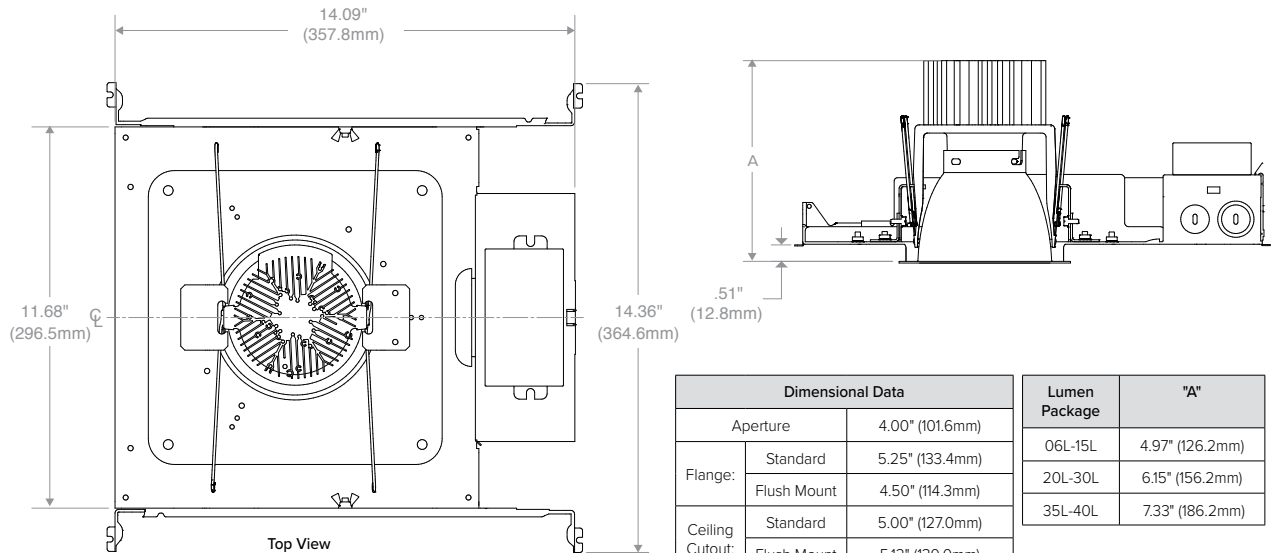
NX INTEGRATED CONTROLS REFERENCE								
NX Option	Sensor	Networkable	Scheduling	Occupancy	Daylight Harvesting	0-10V Dimming	On/off Control	Bluetooth® App Programming
NX Networked – Wired								
NXE	N/A	Yes	Yes	No	No	Yes	Yes	Requires NXBTC/R ¹
NX Networked – Wireless								
NXWE ²	N/A	Yes	Yes	No	No	Yes	Yes	No ³
NX Networked – Wired/Wireless								
NXWD	N/A	Yes	Yes	No	No	Yes	Yes	Requires NXBTC/R ^{1,3}

¹ NXBTC/R needs to be plugged into an available NX SmartPort™ on the fixture network

² Programming via App requires factory assistance

³ To program NXWE option, need to consult factory. If connected to an area controller, programming can be done from that

DIMENSIONS



LTR-4RD-H New Construction



Job Name:
130 MORNING ST. DEVELOPMENT

Catalog Number:
LTR-4RD-H-SL06L-DM1

Notes:

Type:

DL

SLA19-43225



LTR-4RD

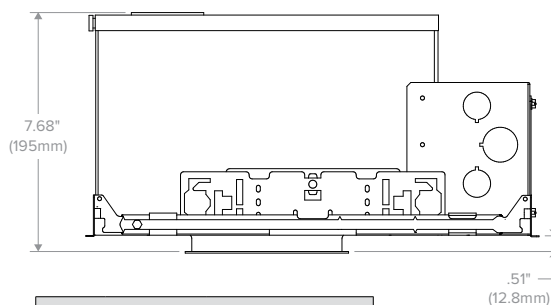
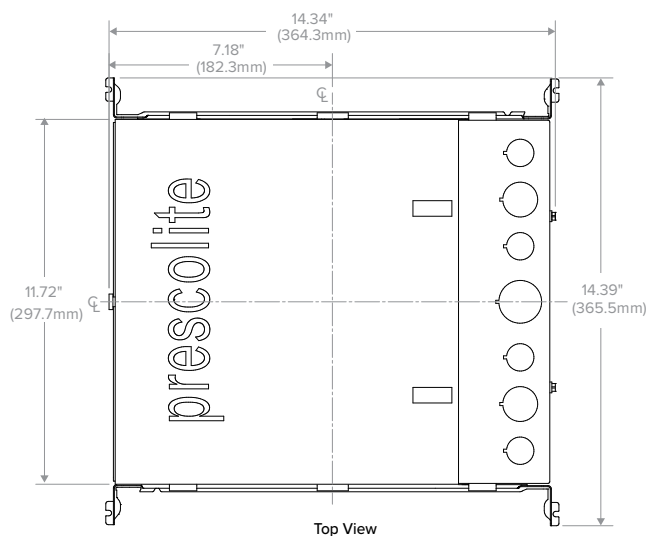
LITEISTRY 4" ROUND DOWNLIGHT

DATE: _____ LOCATION: _____

TYPE: _____ PROJECT: _____

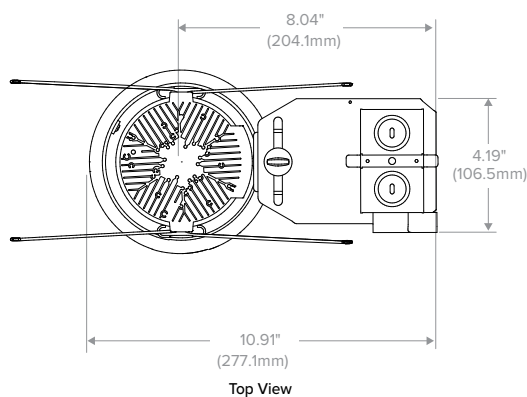
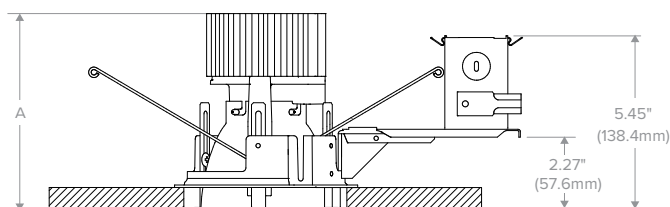
CATALOG #: _____

DIMENSIONS CONTINUED



Dimensional Data		
Aperture		4.00" (101.6mm)
Flange:	Standard	5.25" (133.4mm)
	Flush Mount	4.50" (114.3mm)
Ceiling Cutout:	Standard	5.00" (127.0mm)
	Flush Mount	5.12" (130.0mm)
Ceiling Thickness:		0.50" to 2.00" (12.7mm to 50.8mm)

LTR-4RD-H IC/CP



Housing Compatibility Guide			
Existing Frame Opening**		Use Housing	Use Flange Option
MIN	MAX		
4.75" (120.7mm)	5.00" (127.0mm)	-RFH	(Standard)
5.00" (127.0mm)	5.50" (139.7mm)	-RFHW	WF

**Measure the existing plaster frame opening at its narrowest point

Dimensional Data		
Aperture		4.00" (101.6mm)
Flange:	Standard	5.25" (133.4mm)
	Flush Mount	4.50" (114.3mm)
Ceiling Cutout:	Standard	5.00" (127.0mm)
	Flush Mount	5.12" (130.0mm)
Ceiling Thickness:		0.50" to 2.00" (12.7mm to 50.8mm)

Lumen Package	"A"
06L-15L	4.97" (126.2mm)
20L-30L	6.15" (156.2mm)
35L-40L	7.33" (186.2mm)

LTR-4RD-RFH/-RFHW



HUBBELL
Lighting



LTR-4RD

LITEISTRY 4" ROUND DOWNLIGHT

DATE: LOCATION:

TYPE: PROJECT:

CATALOG #:

PHOTOMETRY

LTR-4RD-H-ML20L-DM1 / LTR-4RD-T-ML35K8NRS

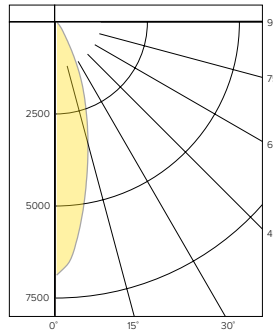
LUMINAIRE DATA

Test No.	19.00532
Description	2000 lm, Narrow, 3500K, 80 CRI
Delivered Lumens	2238
Watts	22.5W
Efficacy	99.3
Mounting	Recessed
Spacing Criterion	0.4
Beam Angle (FWHM)	29

ZONAL LUMEN SUMMARY

Zone	Lumens	% Luminaire
0-40	2208	98.6
0-60	2237	99.9
0-90	2238	100.0
0-180	2238	100.0

POLAR GRAPH



CANDELA DISTRIBUTION

Degree	Candela
0	6877
5	6035
15	3284
25	1313
35	260
45	26
55	3
65	1
75	0
85	0
90	0

LUMINANCE DATA*

Vertical Angle	Average
45°	4535
55°	645
65°	292
75°	0
85°	0

*Candela/Square Meter

LTR-4RD-H-ML20L-DM1 / LTR-4RD-T-ML35K8MDS

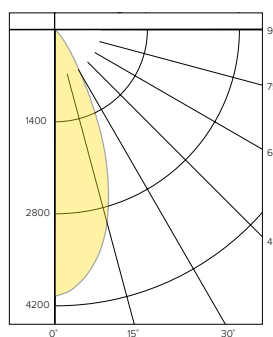
LUMINAIRE DATA

Test No.	19.00533
Description	2000 lm, Medium, 3500K, 80 CRI
Delivered Lumens	2152
Watts	22.5W
Efficacy	95.6
Mounting	Recessed
Spacing Criterion	0.7
Beam Angle (FWHM)	44

ZONAL LUMEN SUMMARY

Zone	Lumens	% Luminaire
0-40	2113	98.2
0-60	2151	99.9
0-90	2152	100.0
0-180	2152	100.0

POLAR GRAPH



CANDELA DISTRIBUTION

Degree	Candela
0	4053
5	3893
15	3037
25	1493
35	366
45	34
55	3
65	1
75	0
85	0
90	0

LUMINANCE DATA*

Vertical Angle	Average
45°	5931
55°	645
65°	292
75°	0
85°	0

*Candela/Square Meter

LTR-4RD-H-ML20L-DM1 / LTR-4RD-T-ML35K8WDS

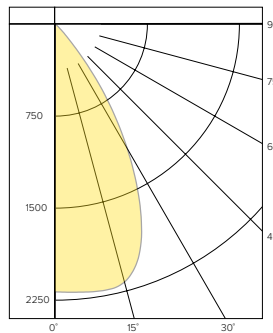
LUMINAIRE DATA

Test No.	19.00534
Description	2000 lm, Wide, 3500K, 80 CRI
Delivered Lumens	2059
Watts	22.5W
Efficacy	91.6
Mounting	Recessed
Spacing Criterion	0.9
Beam Angle (FWHM)	61

ZONAL LUMEN SUMMARY

Zone	Lumens	% Luminaire
0-40	1983	96.3
0-60	2056	99.8
0-90	2059	100.0
0-180	2059	100.0

POLAR GRAPH



CANDELA DISTRIBUTION

Degree	Candela
0	2201
5	2210
15	2051
25	1504
35	692
45	169
55	10
65	3
75	1
85	0
90	0

LUMINANCE DATA*

Vertical Angle	Average
45°	11338
55°	1075
65°	584
75°	477
85°	0

*Candela/Square Meter



Job Name:
130 MORNING ST. DEVELOPMENT

Catalog Number:
LTR-4RD-H-SL06L-DM1

Notes:

Type:

DL

SLA19-43225

**LTR-4RD**

LITEISTRY 4" ROUND DOWNLIGHT

DATE: LOCATION:

TYPE: PROJECT:

CATALOG #:

PHOTOMETRY CONTINUED

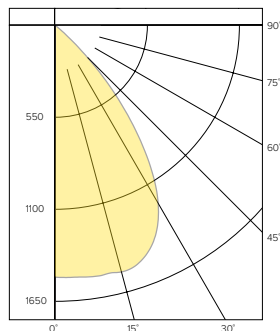
LTR-4RD-H-ML20L-DM1 / LTR-4RD-T-ML35K8XWS

LUMINAIRE DATA

Test No.	19.00535
Description	2000 lm, Extra Wide, 3500K, 80 CRI
Delivered Lumens	2028
Watts	22.5W
Efficacy	90.2
Mounting	Recessed
Spacing Criterion	1.2
Beam Angle (FWHM)	78

ZONAL LUMEN SUMMARY

Zone	Lumens	% Luminaire
0-40	1794	88.5
0-60	2025	99.8
0-90	2028	100.0
0-180	2028	100.0

POLAR GRAPH**CANDELA DISTRIBUTION**

Degree	Candela
0	1235
5	1252
15	1392
25	1454
35	1010
45	256
55	6
65	2
75	1
85	0
90	0

LUMINANCE DATA*

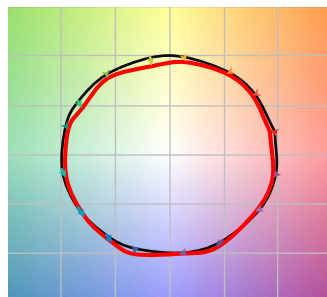
Vertical Angle	Average
45°	44656
55°	1290
65°	584
75°	231
85°	477

*Candela/Square Meter

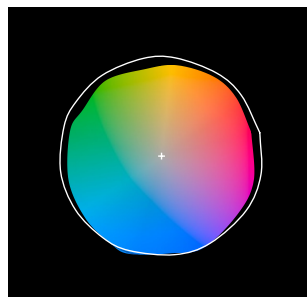
LUMEN MULTIPLIER

Option	27K8	30K8	35K8	40K8	50K8	27K9	30K9	35K9	40K9
Multiplier	0.94	0.98	1.00	1.01	1.02	0.81	0.84	0.85	0.85

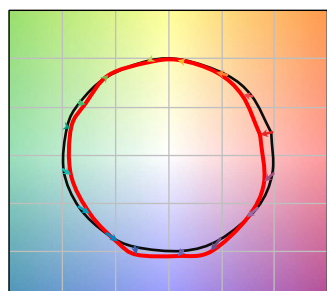
Photometrics are published below at a nominal 3500 Kelvin, 80+ CRI. This table may be used to approximate the lumen values at different Kelvin temperatures. Power consumption would stay the same.

TM-30 DATA**COLOR VECTOR GRAPHIC**
3500K, 90 CRI

— Reference Illuminant — Test Source

COLOR DISTORTION GRAPHIC
3500K, 90 CRI

TEST RESULTS - 3500K		
Value	80+ CRI	90+ CRI
R _f	84	88
R _g	95	95
CCT (K)	3411	3419
D _{uv}	0.0015	0.0042
x	0.4120	0.4147
y	0.3974	0.4052
CIE R _a	84	93
CIE R _g	11	62

COLOR VECTOR GRAPHIC
3500K, 80 CRI

— Reference Illuminant — Test Source

COLOR DISTORTION GRAPHIC
3500K, 80 CRI



Job Name:
130 MORNING ST. DEVELOPMENT

Catalog Number:
LTR-4RD-H-SL06L-DM1

Notes:

Type:

DL

SLA19-43225



LTR-4RD

LITEISTRY 4" ROUND DOWNLIGHT

DATE: _____ LOCATION: _____

TYPE: _____ PROJECT: _____

CATALOG #: _____

ELECTRICAL DATA

DRIVER DATA		
Input Voltage	120-277 V	347 V
Input Frequency	50/60 Hz	50/60 Hz
Power Factor	≥0.90	≥0.90
THD	<20%	<20%
EMI Filtering (FCC 47 CFR Part 15)	Class A	Class A

* Values for DM1 option shown, values for other dimming options may vary.

WATTAGE DATA		
Lumen Output	Nominal Lumens	Wattage
06L	600	8
10L	1000	12
15L	1500	19
20L	2000	23
25L	2500	28
30L	3000	35
35L	3500	43
40L	4000	52

* Wattage may vary based on configuration and options selected

ADDITIONAL INFORMATION

DIMMING COMPATIBILITY CHART		
Dimming Ballast	Manufacturer	Web Link
DM1 /DM01	Lutron DDTV	http://bit.ly/1fjSvZg
DM1	Leviton AWRMG-7xx, AWSMG-7xx, AWSMT-7xx	http://bit.ly/1BJn2R9
EDM	Lutron	http://bit.ly/1vtjHAi
2DM	Lutron	http://bit.ly/1S4WjXK

DMX

See instruction sheet on www.prescolite.com for connection & installation information.

Central Inverters

For full fixture output in back-up mode, we recommend you visit www.dual-lite.com for your Central Lighting Inverter options. Please contact your local Hubbell representative for any assistance with proper sizing and loading of your inverter selection. Central lighting inverters must be ordered separately.

LiteGear: www.dual-lite.com/products/litegear_lg_series

LPS Series: www.dual-lite.com/products/lps

Submitted by Swaney Lighting		Catalog Number: LTR-4RD-H-SL06L-DM1	Type: DL
	Job Name: 130 MORNING ST. DEVELOPMENT	Notes:	SLA19-43225



LTR-4RD

LITEISTRY 4" ROUND DOWNLIGHT

FEATURES

- 4" architectural LED downlight delivering 600 – 4000 lm
- Four beam distributions from 0.4 to 1.2 Spacing Criteria
- Quiet reflector appearance with superior 50° optical cutoff
- 2700K – 5000K, 80+ and 90+ CRI options
- Available for New Construction (non-IC), Retrofit (non-IC), IC and Chicago Plenum applications
- Variety of dimming protocol options including 0–10V, DALI, DMX, Lutron Forward Phase and EcoSystem
- NX Distributed Intelligence™ wired and wireless controls capability available



CONTROL TECHNOLOGY



SPECIFICATIONS

CONSTRUCTION

- Standard Non-IC, Chicago Plenum, IC and Retrofit options
- New Construction: Painted black durable steel platform with pre-installed bar hangers
- Retrofit: Die cast aluminum mounting ring with 5-axis adjustable junction box
- Retrofit housing allows below ceiling installation without removing existing fixture
- Pre-wired junction box with snap-on covers for easy access
- Snap-in connection from driver compartment allows easy installation

OPTICS

- Visually pleasing 50° cutoff to source and source image
- The light distribution is free of distracting bright spots or pixelation and the perimeter has a smooth transition
- Optical grade silicone lens integral to light engine
- High purity spun aluminum reflector, self-flanged
- Flush Mount flange option with mud-in ring available
- Large selection of anodized finishes and colors
- Painted cones and flange options available

ELECTRICAL

- Chip-on-board LED with 2 SDCM
- Multiple CCTs, 80+ or 90+ CRI
- Long life L90 at 55,000 hours (TM-21)
- Universal voltage 120V–277V driver, 347V optional
- UL Class 2, inherent short circuit and overload protection, RoHS compliant
- Flicker free 0-10V dimming with 1% or <1% performance
- DALI, DMX, and Lutron Forward Phase and EcoSystem options
- Integral and remote emergency controller and battery pack options available
- NX or Lutron Vive control options available
- Refer to additional spec sheets for information on SpectraSync™ Tunable White or Dim-to-Warm or PowerHUBB™ PoE enabled solutions

INSTALLATION

- Accommodates ceiling thickness up to 2"
- Universal adjustable mounting brackets also accept ½" EMT conduit or 1½" or ¾" lathing channel (by others) or Prescolite accessory bar hangers (B24 or B6)
- Light Engine/Driver fully serviceable from above or below the ceiling

LITEISTRY™



RELATED PRODUCTS

[Ø 3" LITEISTRY Family](#)
[Ø 4" LITEISTRY Family](#)
[Ø 6" LITEISTRY Family](#)

CERTIFICATIONS

- cCSAus certified to UL 1598
- Suitable for wet locations, covered ceiling
- EM/EMR: Certified under UL924 standard for emergency lighting and power equipment
- Approved for 8 (4in/4out) No. 12AWG conductors rated for 90°C through wiring

WARRANTY

- 5 year warranty
- See [HLI Standard Warranty](#) for additional information

KEY DATA

KEY DATA	
Lumen Range	600-4000
Wattage Range	8-52
Efficacy Range (LPW)	90-99
Reported Life (Hours)	55,000
Input Current (Amps)	0.065-0.43 (120V)

Submitted by Swaney Lighting	Job Name: 130 MORNING ST. DEVELOPMENT	Catalog Number: LTR-4RD-T-SL40K8MD-S	Type: DL
		Notes:	SLA19-43225



LTR-4RD

LITEISTRY 4" ROUND DOWNLIGHT

DATE:	LOCATION:
TYPE:	PROJECT:
CATALOG #:	

ORDERING GUIDE

Example: LTR-4RD-H-SL10L-DM1-LTR-4RD-T-SL35K8MDS

CATALOG #

HOUSING

LTR-4RD-H						
Aperture/Shape/Function	Lumen Package ²	Lumen Output	Driver Options ³	Control Options	Voltage	Housing Options ¹¹
LTR-4RD-H 4" Round Downlight New Construction Housing	SL Standard Lumen	06L 600 10L 1000 15L 1500	DM1 0-10V Dimming to 1% DM01 0-10V Dimming to < 1% DMX DMX with RDM dimming to < 0.1% ³	NXE NX Enabled, Dual SmartPorts ⁴ NXWE NX Wireless Enabled ⁴ NXWD NX Wireless Enabled, Dual SmartPorts ⁴	Standard 120-277V 34 347V ⁶	CP Chicago Plenum ⁹ IC IC rated ¹⁰ EM Emergency Battery Pack with integral test switch and indicator light
LTR-4RD-RFH 4" Round Downlight Retrofit Housing ¹⁷	ML Medium Lumen	20L 2000 25L 2500 30L 3000	DALI DALI Dimming to 1% 2DM Lutron Hi-Lume 2-wire Dimming to 1% (120V Forward Phase only) ³	LV Lutron Vive Enabled, 0-10V (requires 0-10V driver)		EMR Emergency Battery Pack with remote test switch and indicator light
LTR-4RD-RFHW 4" Round Downlight Retrofit Housing (for Wide Diameter) ¹⁷	HL High Lumen	35L 3500 40L 4000	EDM Lutron Hi-Lume EcoSystem Dimming to 1% ³	LVE Lutron Vive Enabled, EcoSystem, (requires EDM)		DTS Device Transfer Switch GTD Generator Transfer Device

TRIM

LTR-4RD-T					
Aperture/Shape/Function	Lumen Package	CCT	CRI	Distribution	
LTR-4RD-T 4" Round Downlight Light Engine/Trim Assembly	SL Standard Lumen	27K 2700K	8 80+CRI	NR Narrow (0.4 SC)	
	ML Medium Lumen	30K 3000K	9 90+CRI	MD Medium (0.7 SC)	
	HL High Lumen	35K 3000K		WD Wide (0.9 SC)	
		40K 4000K		XW Extra Wide (1.2 SC)	
		50K 5000K ²			

TRIM CONTINUED

Reflector Finish	Reflector Color	Flange Color Options	Lower Trim Options	Reflector Options
S Specular	Standard Clear	Standard matches reflector color	EM Pre-punched reflector for EM integral test switch and indicator	AM Antimicrobial Coating ⁶
SS Semi-Specular	CG Champagne Gold	WT White Flange ⁵	FM Flush Mount Mud-In Ring ¹²	
MFC American Matte™	BL Black	BT Black Flange ⁵	WF Wide Flange	
VS Softglow®	LW Light Wheat			
VSS SoftSheen™	PW Pewter			
	WC Painted White Cone and Flange			
	BC Painted Black Cone and Flange			

Accessories

- ☐ B24 Set of two (2) 24" bar hangers for T-bar ceilings
- ☐ B6 Set of two bar hangers for ceiling joist up to 24" centers
- ☐ FMR4-R Flush Mount Mud-In Ring Accessory, 4" Round
- ☐ LiteGear LiteGear® Inverter, 125VA-250VA
- ☐ LPS Series LightPower Micro-Inverter, 20VA-55VA

Notes:

- RFH and RFHW available up to 30L; not available with Controls or Housing options.
- 5000K available in 80+ CRI only.
- 2DM, EDM, DMX available in 10L-35L.
- NX requires DM1 driver option.
- WT not needed for WC, BT not needed for BC.
- Clear reflector or WC only, consult factory for other colors.
- See line art for compatibility with existing aperture diameters.
- 347V requires DM1 driver option; not available in 06L or with DTS, GTD, EM, EMR.
- CP available up to 20L; not available with DMX, Controls, or EM/EMR options.
- IC available up to 20L; not available with Controls options.
- Housing options not available in combination.
- Flush Mount Flange (FM) requires FMR accessory (sold separately).



LTR-4RD

LITEISTRY 4" ROUND DOWNLIGHT

DATE: _____ LOCATION: _____
 TYPE: _____ PROJECT: _____
 CATALOG #: _____

CONTROLS

NX Distributed Intelligence™ Lighting Controls:

Supports both indoor and outdoor applications in a variety of deployment options- wired, wireless, hybrid.
 Integrates with and enables a wide array of luminaires including those with SpectraSync Color Tuning Technology.



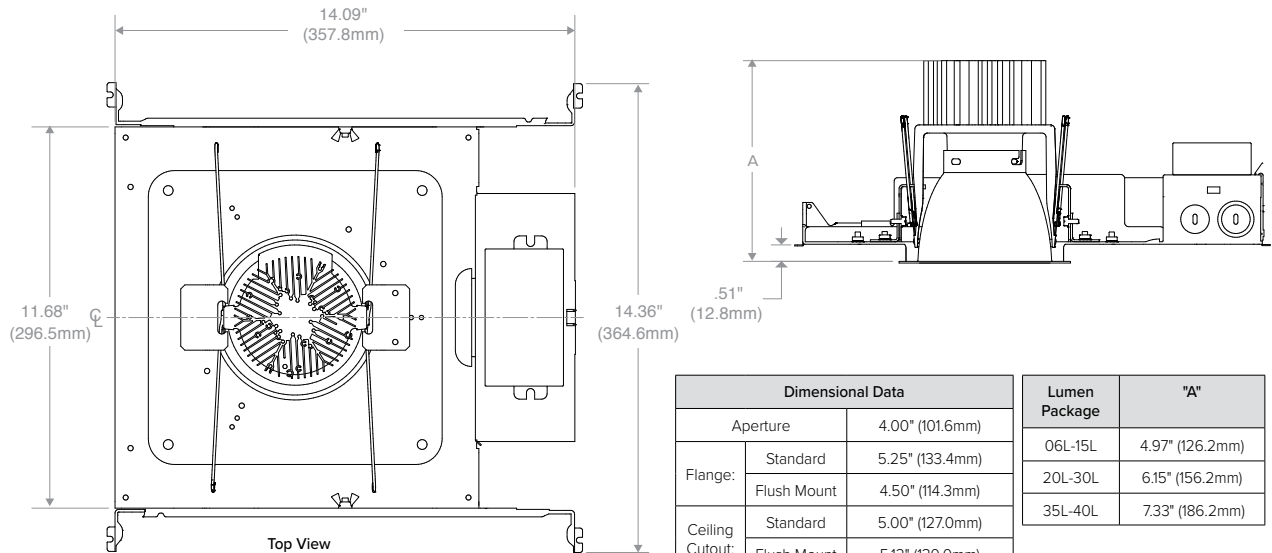
NX INTEGRATED CONTROLS REFERENCE								
NX Option	Sensor	Networkable	Scheduling	Occupancy	Daylight Harvesting	0-10V Dimming	On/off Control	Bluetooth® App Programming
NX Networked – Wired								
NXE	N/A	Yes	Yes	No	No	Yes	Yes	Requires NXBTC/R ¹
NX Networked – Wireless								
NXWE ²	N/A	Yes	Yes	No	No	Yes	Yes	No ³
NX Networked – Wired/Wireless								
NXWD	N/A	Yes	Yes	No	No	Yes	Yes	Requires NXBTC/R ^{1,3}

¹ NXBTC/R needs to be plugged into an available NX SmartPort™ on the fixture network

² Programming via App requires factory assistance

³ To program NXWE option, need to consult factory. If connected to an area controller, programming can be done from that

DIMENSIONS



LTR-4RD-H New Construction



Job Name:
130 MORNING ST. DEVELOPMENT

Catalog Number:
LTR-4RD-T-SL40K8MD-S

Notes:

Type:

DL

SLA19-43225



LTR-4RD

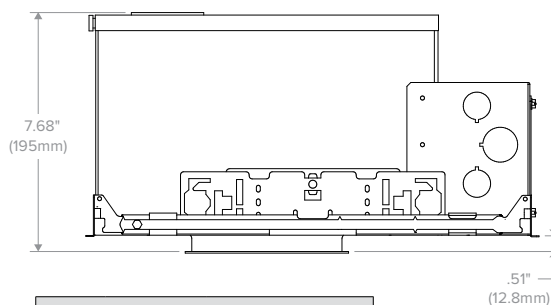
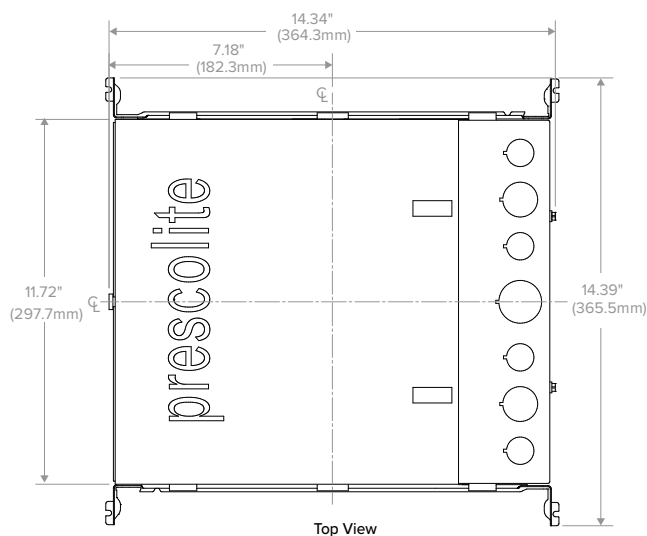
LITEISTRY 4" ROUND DOWNLIGHT

DATE: _____ LOCATION: _____

TYPE: _____ PROJECT: _____

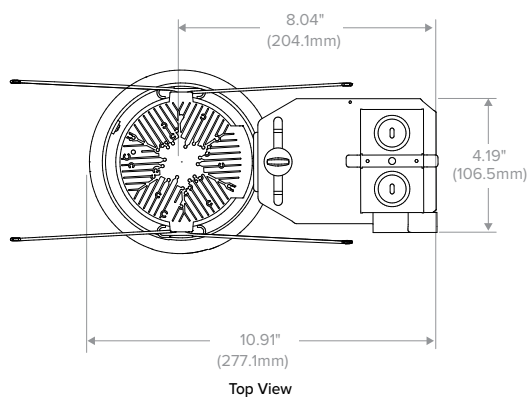
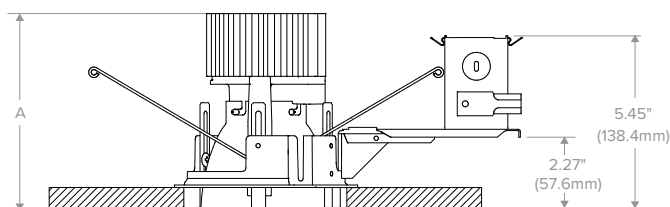
CATALOG #: _____

DIMENSIONS CONTINUED



Dimensional Data		
Aperture		4.00" (101.6mm)
Flange:	Standard	5.25" (133.4mm)
	Flush Mount	4.50" (114.3mm)
Ceiling Cutout:	Standard	5.00" (127.0mm)
	Flush Mount	5.12" (130.0mm)
Ceiling Thickness:		0.50" to 2.00" (12.7mm to 50.8mm)

LTR-4RD-H IC/CP



Housing Compatibility Guide			
Existing Frame Opening**		Use Housing	Use Flange Option
MIN	MAX		
4.75" (120.7mm)	5.00" (127.0mm)	-RFH	(Standard)
5.00" (127.0mm)	5.50" (139.7mm)	-RFHW	WF

**Measure the existing plaster frame opening at its narrowest point

Dimensional Data		
Aperture		4.00" (101.6mm)
Flange:	Standard	5.25" (133.4mm)
	Flush Mount	4.50" (114.3mm)
Ceiling Cutout:	Standard	5.00" (127.0mm)
	Flush Mount	5.12" (130.0mm)
Ceiling Thickness:		0.50" to 2.00" (12.7mm to 50.8mm)

Lumen Package	"A"
06L-15L	4.97" (126.2mm)
20L-30L	6.15" (156.2mm)
35L-40L	7.33" (186.2mm)

LTR-4RD-RFH/-RFHW



HUBBELL
Lighting



LTR-4RD

LITEISTRY 4" ROUND DOWNLIGHT

DATE: _____ LOCATION: _____

TYPE: _____ PROJECT: _____

CATALOG #: _____

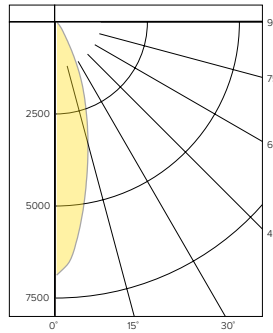
PHOTOMETRY

LTR-4RD-H-ML20L-DM1 / LTR-4RD-T-ML35K8NRS

LUMINAIRE DATA

Test No.	19.00532
Description	2000 lm, Narrow, 3500K, 80 CRI
Delivered Lumens	2238
Watts	22.5W
Efficacy	99.3
Mounting	Recessed
Spacing Criterion	0.4
Beam Angle (FWHM)	29

POLAR GRAPH



CANDELA DISTRIBUTION

Degree	Candela
0	6877
5	6035
15	3284
25	1313
35	260
45	26
55	3
65	1
75	0
85	0
90	0

LUMINANCE DATA*

Vertical Angle	Average
45°	4535
55°	645
65°	292
75°	0
85°	0

*Candela/Square Meter

ZONAL LUMEN SUMMARY

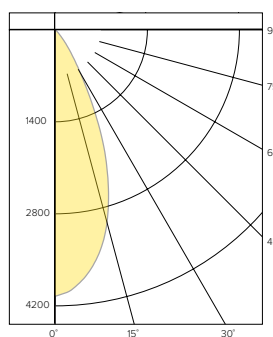
Zone	Lumens	% Luminaire
0-40	2208	98.6
0-60	2237	99.9
0-90	2238	100.0
0-180	2238	100.0

LTR-4RD-H-ML20L-DM1 / LTR-4RD-T-ML35K8MDS

LUMINAIRE DATA

Test No.	19.00533
Description	2000 lm, Medium, 3500K, 80 CRI
Delivered Lumens	2152
Watts	22.5W
Efficacy	95.6
Mounting	Recessed
Spacing Criterion	0.7
Beam Angle (FWHM)	44

POLAR GRAPH



CANDELA DISTRIBUTION

Degree	Candela
0	4053
5	3893
15	3037
25	1493
35	366
45	34
55	3
65	1
75	0
85	0
90	0

LUMINANCE DATA*

Vertical Angle	Average
45°	5931
55°	645
65°	292
75°	0
85°	0

*Candela/Square Meter

ZONAL LUMEN SUMMARY

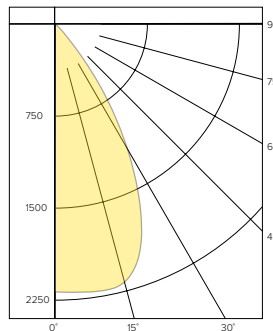
Zone	Lumens	% Luminaire
0-40	2113	98.2
0-60	2151	99.9
0-90	2152	100.0
0-180	2152	100.0

LTR-4RD-H-ML20L-DM1 / LTR-4RD-T-ML35K8WDS

LUMINAIRE DATA

Test No.	19.00534
Description	2000 lm, Wide, 3500K, 80 CRI
Delivered Lumens	2059
Watts	22.5W
Efficacy	91.6
Mounting	Recessed
Spacing Criterion	0.9
Beam Angle (FWHM)	61

POLAR GRAPH



CANDELA DISTRIBUTION

Degree	Candela
0	2201
5	2210
15	2051
25	1504
35	692
45	169
55	10
65	3
75	1
85	0
90	0

LUMINANCE DATA*

Vertical Angle	Average
45°	11338
55°	1075
65°	584
75°	477
85°	0

*Candela/Square Meter

ZONAL LUMEN SUMMARY

Zone	Lumens	% Luminaire
0-40	1983	96.3
0-60	2056	99.8
0-90	2059	100.0
0-180	2059	100.0



Job Name:
130 MORNING ST. DEVELOPMENT

Catalog Number:
LTR-4RD-T-SL40K8MD-S

Notes:

Type:

DL

SLA19-43225



LTR-4RD

LITEISTRY 4" ROUND DOWNLIGHT

DATE: LOCATION:

TYPE: PROJECT:

CATALOG #:

PHOTOMETRY CONTINUED

LTR-4RD-H-ML20L-DM1 / LTR-4RD-T-ML35K8XWS

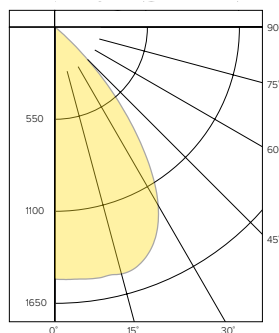
LUMINAIRE DATA

Test No.	19.00535
Description	2000 lm, Extra Wide, 3500K, 80 CRI
Delivered Lumens	2028
Watts	22.5W
Efficacy	90.2
Mounting	Recessed
Spacing Criterion	1.2
Beam Angle (FWHM)	78

ZONAL LUMEN SUMMARY

Zone	Lumens	% Luminaire
0-40	1794	88.5
0-60	2025	99.8
0-90	2028	100.0
0-180	2028	100.0

POLAR GRAPH



CANDELA DISTRIBUTION

Degree	Candela
0	1235
5	1252
15	1392
25	1454
35	1010
45	256
55	6
65	2
75	1
85	0
90	0

LUMINANCE DATA*

Vertical Angle	Average
45°	44656
55°	1290
65°	584
75°	231
85°	477

*Candela/Square Meter

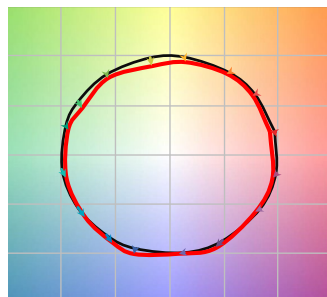
LUMEN MULTIPLIER

Option	27K8	30K8	35K8	40K8	50K8	27K9	30K9	35K9	40K9
Multiplier	0.94	0.98	1.00	1.01	1.02	0.81	0.84	0.85	0.85

Photometrics are published below at a nominal 3500 Kelvin, 80+ CRI. This table may be used to approximate the lumen values at different Kelvin temperatures. Power consumption would stay the same.

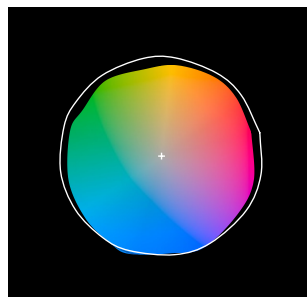
TM-30 DATA

COLOR VECTOR GRAPHIC 3500K, 90 CRI



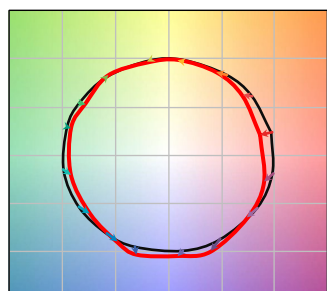
— Reference Illuminant — Test Source

COLOR DISTORTION GRAPHIC 3500K, 90 CRI



TEST RESULTS - 3500K		
Value	80+ CRI	90+ CRI
R _f	84	88
R _g	95	95
CCT (K)	3411	3419
D _{uv}	0.0015	0.0042
x	0.4120	0.4147
y	0.3974	0.4052
CIE R _a	84	93
CIE R _g	11	62

COLOR VECTOR GRAPHIC 3500K, 80 CRI



— Reference Illuminant — Test Source

COLOR DISTORTION GRAPHIC 3500K, 80 CRI



Submitted by Swaney Lighting		Catalog Number: LTR-4RD-T-SL40K8MD-S	Type: DL
	Job Name: 130 MORNING ST. DEVELOPMENT	Notes:	SLA19-43225



LTR-4RD

LITEISTRY 4" ROUND DOWNLIGHT

DATE:	LOCATION:
TYPE:	PROJECT:
CATALOG #:	

ELECTRICAL DATA

DRIVER DATA		
Input Voltage	120-277 V	347 V
Input Frequency	50/60 Hz	50/60 Hz
Power Factor	≥0.90	≥0.90
THD	<20%	<20%
EMI Filtering (FCC 47 CFR Part 15)	Class A	Class A

* Values for DM1 option shown, values for other dimming options may vary.

WATTAGE DATA		
Lumen Output	Nominal Lumens	Wattage
06L	600	8
10L	1000	12
15L	1500	19
20L	2000	23
25L	2500	28
30L	3000	35
35L	3500	43
40L	4000	52

* Wattage may vary based on configuration and options selected

ADDITIONAL INFORMATION

DIMMING COMPATIBILITY CHART		
Dimming Ballast	Manufacturer	Web Link
DM1 /DM01	Lutron DDTV	http://bit.ly/1tjSvZg
DM1	Leviton AWRMG-7xx, AWSMG-7xx, AWSMT-7xx	http://bit.ly/1BJn2R9
EDM	Lutron	http://bit.ly/1vtjHAi
2DM	Lutron	http://bit.ly/1S4WjXK

DMX

See instruction sheet on www.prescolite.com for connection & installation information.

Central Inverters

For full fixture output in back-up mode, we recommend you visit www.dual-lite.com for your Central Lighting Inverter options. Please contact your local Hubbell representative for any assistance with proper sizing and loading of your inverter selection. Central lighting inverters must be ordered separately.

LiteGear: www.dual-lite.com/products/litegear_lg_series

LPS Series: www.dual-lite.com/products/lps

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Submitted by Swaney Lighting		Catalog Number: LTR-4RD-T-SL40K8MD-S	Type: DL
	Job Name: 130 MORNING ST. DEVELOPMENT	Notes:	SLA19-43225



Job Name:
130 MORNING ST. DEVELOPMENT

Catalog Number:
RN-D-2-5-3K8--WW-CL-UNV-A6-WH

Notes: TILTED INWARD 30 DEGREES

Type:

PS

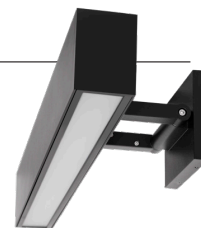
SLA19-43225

Pursuit™ – Direct (Down)

TYPE

FEATURES

- 2', 3', 4', 6' & 8' housing lengths
- Sections can be joined for runs up to 150' with seamless lens
- IP66 Rated
- Light engine is independently rated IP67
- Electrical connections IP68 rated
- Symmetric, asymmetric, wall graze & wall wash distributions
- "L", "T" & "X" illuminated connectors for custom shapes
- NX Distributed Intelligence & SiteSync enabled for wireless control
- Output up to 1,500 lm/ft
- Surface, fixed arm, adjustable arm, pendant, mullion & wall mounting options



ORDERING CODE

1	2	3	4	5	6	7	8	9	10	11	12
RN	D										
Model	Light Engine	Row Length	Max Section Length	Output	Color Temp	Down Distribution	Shielding	Voltage	Mounting	Options	Finish

1. MODEL

RN Pursuit

2. LIGHT ENGINE

D Direct (Down)

3. ROW LENGTH

Manual input (150' Max length. round up to nearest whole foot)

4. MAXIMUM FIXTURE SECTION LENGTH

2 2' Fixture
3 3' Fixture
4 4' Fixture
6 6' Fixture
8 8' Fixture

5. OUTPUT

5 500 lumens/ft
7 750 lumens/ft
10 1000 lumens/ft
15 1500 lumens/ft

6. COLOR TEMPERATURE

3K8 3000K, 80 CRI
3K9 3000K, 90 CRI
4K8 4000K, 80 CRI
4K9 4000K, 90 CRI
5K8 5000K, 80 CRI

Consult factory for additional CCT options.

7. DISTRIBUTIONS

SM Symmetrical
AS Asymmetrical
WG Wall graze
WW Wall wash

8. SHIELDING

DL Diffuse lens
CL Clear lens

9. VOLTAGE

UNV 120-277V
347 347V
480 480V

10. MOUNTING

W Wall
A3 3" Adjustable arm
A6 6" Adjustable arm
A12 12" Adjustable arm
F3 3" Fixed arm
F6 6" Fixed arm
F12 12" Fixed arm
M Mullion
S Surface
PSW12 12" Pendant
PSW24 24" Pendant
PSW36 36" Pendant

11. OPTIONS

EMF1 End Power Feed at one end
EMF2 End Power Feed at both ends

Photocell Options

PC Button photocell ⁽¹⁾

Control Options - Not available with PC ⁽¹⁾

SCP Dimming Occupancy Sensor
SWP SiteSync Wireless
SWPM SiteSync Wireless with SCP
NXWE NX Wireless Enabled
NXOSW NX Wireless, PIR Occupancy Sensor, Dimming Daylight Harvesting

Emergency Battery Option

EM Battery Backup Unit (-20°C) ⁽²⁾

12. FIXTURE FINISH

Standard Color

BL Black
BLT Matte Black
DB Dark Bronze
GT Graphite
MG Medium Grey
TT Titanium
WH White

CUSTOM Custom Color

Note:

⁽¹⁾ Requires auxiliary housing. Fixture length will increase.

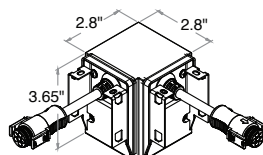
⁽²⁾ Integral battery backup for 3, 4, 6 and 8 foot versions only. Not available on 2' housing.

ACCESSORIES

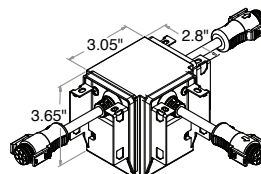
Non Illuminated Connectors - Enable
Custom Shapes (see separate spec sheet)

ORDERING PREFIX

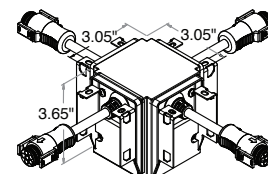
RNLTX-L-D L shape
RNLTX-T-D T shape
RNLTX-X-D X shape



L Shape



T Shape



X Shape



ARCHITECTURAL AREA LIGHTING
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JOB _____
TYPE _____
NOTES _____



Job Name:
130 MORNING ST. DEVELOPMENT

Catalog Number:
RN-D-2-5-3K8--WW-CL-UNV-A6-WH

Notes: TILTED INWARD 30 DEGREES

Type:

PS

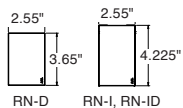
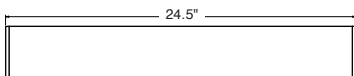
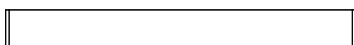
SLA19-43225

Pursuit™ – Direct (Down)

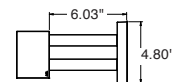
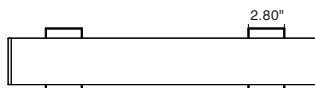
TYPE

DIMENSIONS

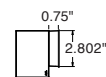
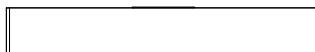
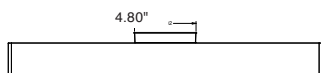
FIXTURE



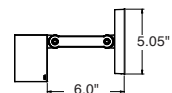
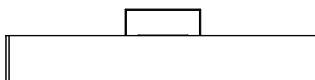
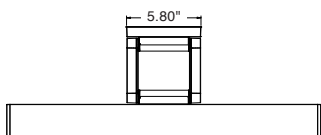
FIXED ARM



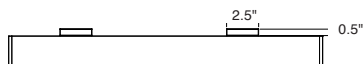
WALL



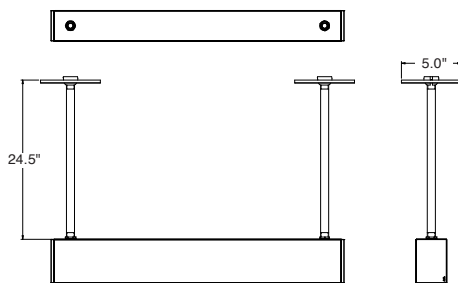
ADJUSTABLE ARM



MULLION



PENDANT



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JOB
TYPE
NOTES

| 2 |

Pursuit™ – Direct (Down)

TYPE

LUMINAIRE PERFORMANCE-DIRECT (DOWN)

Section Length	Lumens/ft	Nominal Lumen Package	System Watts	Distributions Type	Shielding	5K8		4K9		4K8		3K9		3K8	
						(5000K nominal, 80CRI)		(4000K nominal, 90CRI)		(4000K nominal, 80CRI)		(3000K nominal, 90CRI)		(3000K nominal, 80CRI)	
						Lumens	LPW ¹	Lumens	LPW ¹	Lumens	LPW ¹	Lumens	LPW ¹	Lumens	LPW ¹
2FT	500	1,000	13	SM	Diffuse	1225	94	957	73	1181	90	922	70	1138	87
					Clear	1372	105	1071	82	1323	101	1033	79	1275	97
				AS	Diffuse	1093	83	854	65	1054	81	823	63	1016	78
					Clear	1234	94	973	74	1201	92	943	72	1164	89
				WG	Diffuse	1289	98	1007	77	1243	95	970	74	1198	92
					Clear	1430	109	1117	85	1379	105	1076	82	1329	102
				WW	Diffuse	1093	83	854	65	1054	81	823	63	1016	78
					Clear	1234	94	973	74	1201	92	943	72	1164	89
	750	1,500	19	SM	Diffuse	1771	92	1383	72	1708	88	1333	69	1646	85
					Clear	1970	102	1538	80	1899	98	1483	77	1831	95
				AS	Diffuse	1580	82	1234	64	1524	79	1190	62	1469	76
					Clear	1784	92	1393	72	1720	89	1343	69	1658	86
				WG	Diffuse	1864	96	1455	75	1797	93	1403	73	1732	90
					Clear	2067	107	1615	84	1993	103	1556	81	1921	99
				WW	Diffuse	1580	82	1234	64	1524	79	1190	62	1469	76
					Clear	1784	92	1393	72	1720	89	1343	69	1658	86
	1,000	2,000	26	SM	Diffuse	2265	89	1769	69	2184	86	1705	67	2105	83
					Clear	2523	99	1970	77	2432	95	1899	74	2345	92
				AS	Diffuse	2021	79	1578	62	1949	76	1521	60	1878	74
					Clear	2282	89	1782	70	2200	86	1718	67	2121	83
				WG	Diffuse	2384	93	1861	73	2298	90	1794	70	2215	87
					Clear	2644	104	2065	81	2550	100	1991	78	2457	96
				WW	Diffuse	2021	79	1578	62	1949	76	1521	60	1878	74
					Clear	2282	89	1782	70	2200	86	1718	67	2121	83
	1500	3000	41	SM	Diffuse	3048	74	2380	58	2939	72	2294	56	2832	69
					Clear	3414	83	2666	65	3291	80	2570	63	3172	77
				AS	Diffuse	2720	66	2124	52	2622	64	2047	50	2527	62
					Clear	3070	75	2398	58	2960	72	2311	56	2853	70
				WG	Diffuse	3207	78	2505	61	3092	75	2414	59	2980	73
					Clear	3558	87	2779	68	3430	84	2678	65	3306	81
				WW	Diffuse	2720	66	2124	52	2622	64	2047	50	2527	62
					Clear	3070	75	2398	58	2960	72	2311	56	2853	70



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JOB _____
TYPE _____
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Job Name:
130 MORNING ST. DEVELOPMENT

Catalog Number:
RN-D-2-5-3K8--WW-CL-UNV-A6-WH

Notes: TILTED INWARD 30 DEGREES

Type:**PS**

SLA19-43225

Pursuit™ – Direct (Down)

TYPE

LUMINAIRE PERFORMANCE–DIRECT (DOWN) CONT'D

Section Length	Lumens/ft	Nominal Lumen Package	System Watts	Distributions Type	Shielding	5K8 (5000K nominal, 80CRI)		4K9 (4000K nominal, 90CRI)		4K8 (4000K nominal, 80CRI)		3K9 (3000K nominal, 90CRI)		3K8 (3000K nominal, 80CRI)	
						Lumens	LPW ¹	Lumens	LPW ¹	Lumens	LPW ¹	Lumens	LPW ¹	Lumens	LPW ¹
3FT	500	1,500	19	SM	Diffuse	1838	97	1435	76	1772	94	1383	73	1708	90
					Clear	2058	109	1607	85	1984	105	1549	82	1912	101
				AS	Diffuse	1640	87	1280	68	1581	84	1234	65	1524	81
					Clear	1851	98	1445	76	1785	94	1393	74	1720	91
				WG	Diffuse	1934	102	1510	80	1864	99	1455	77	1797	95
					Clear	2145	113	1675	89	2068	109	1615	85	1993	105
				WW	Diffuse	1640	87	1280	68	1581	84	1234	65	1524	81
					Clear	1851	98	1445	76	1785	94	1393	74	1720	91
	750	2,250	28	SM	Diffuse	2657	94	2075	73	2561	90	2000	70	2469	87
					Clear	2955	104	2308	81	2849	100	2224	78	2746	97
				AS	Diffuse	2370	83	1851	65	2285	80	1784	63	2203	78
					Clear	2676	94	2090	74	2580	91	2014	71	2487	88
				WG	Diffuse	2795	98	2183	77	2695	95	2104	74	2598	91
					Clear	3101	109	2422	85	2990	105	2334	82	2882	101
				WW	Diffuse	2370	83	1851	65	2285	80	1784	63	2203	78
					Clear	2676	94	2090	74	2580	91	2014	71	2487	88
	1,000	3,000	38	SM	Diffuse	3398	89	2654	69	3276	86	2558	67	3158	83
					Clear	3785	99	2955	77	3649	96	2849	75	3517	92
				AS	Diffuse	3032	79	2368	62	2923	77	2282	60	2817	74
					Clear	3423	90	2673	70	3300	86	2577	67	3181	83
				WG	Diffuse	3576	94	2792	73	3447	90	2691	70	3323	87
					Clear	3967	104	3098	81	3824	100	2986	78	3686	96
				WW	Diffuse	3032	79	2368	62	2923	77	2282	60	2817	74
					Clear	3423	90	2673	70	3300	86	2577	67	3181	83
	1,500	4,500	58	SM	Diffuse	4572	79	3570	62	4408	76	3441	59	4249	73
					Clear	5121	88	3999	69	4937	85	3854	66	4759	82
				AS	Diffuse	4079	70	3186	55	3933	68	3071	53	3791	65
					Clear	4606	79	3597	62	4440	77	3467	60	4280	74
				WG	Diffuse	4811	83	3757	65	4638	80	3621	62	4471	77
					Clear	5337	92	4168	72	5146	89	4017	69	4960	86
				WW	Diffuse	4079	70	3186	55	3933	68	3071	53	3791	65
					Clear	4606	79	3597	62	4440	77	3467	60	4280	74



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Pursuit™ – Direct (Down)

TYPE

LUMINAIRE PERFORMANCE–DIRECT (DOWN) CONT'D

Section Length	Lumens/ft	Nominal Lumen Package	System Watts	Distributions Type	Shielding	5K8		4K9		4K8		3K9		3K8	
						(5000K nominal, 80CRI)		(4000K nominal, 90CRI)		(4000K nominal, 80CRI)		(3000K nominal, 90CRI)		(3000K nominal, 80CRI)	
						Lumens	LPW	Lumens	LPW	Lumens	LPW	Lumens	LPW	Lumens	LPW
4FT	500	2000	25	SM	Diffuse	2450	98	1913	77	2362	95	1844	74	2277	91
					Clear	2744	110	2143	86	2645	106	2065	83	2550	102
				AS	Diffuse	2186	88	1707	69	2108	85	1645	66	2031	82
					Clear	2468	99	1927	77	2379	96	1858	75	2293	92
				WG	Diffuse	2578	104	2013	81	2485	100	1941	78	2396	96
					Clear	2860	115	2233	90	2757	111	2153	86	2658	107
				WW	Diffuse	2186	88	1707	69	2108	85	1645	66	2031	82
					Clear	2468	99	1927	77	2379	96	1858	75	2293	92
	750	3,000	38	SM	Diffuse	3542	94	2766	73	3415	91	2666	71	3292	87
					Clear	3940	105	3077	82	3799	101	2966	79	3661	97
				AS	Diffuse	3161	84	2468	65	3047	81	2379	63	2937	78
					Clear	3568	95	2787	74	3440	91	2686	71	3316	88
				WG	Diffuse	3727	99	2911	77	3593	95	2806	74	3464	92
					Clear	4135	110	3229	86	3987	106	3113	83	3843	102
				WW	Diffuse	3161	84	2468	65	3047	81	2379	63	2937	78
					Clear	3568	95	2787	74	3440	91	2686	71	3316	88
	1,000	4,000	52	SM	Diffuse	4531	88	3538	69	4368	85	3410	66	4210	82
					Clear	5046	98	3941	76	4865	94	3798	74	4689	91
				AS	Diffuse	4042	78	3157	61	3897	76	3043	59	3757	73
					Clear	4564	88	3564	69	4400	85	3435	67	4241	82
				WG	Diffuse	4767	92	3723	72	4596	89	3589	70	4430	86
					Clear	5289	102	4130	80	5099	99	3981	77	4915	95
				WW	Diffuse	4042	78	3157	61	3897	76	3043	59	3757	73
					Clear	4564	88	3564	69	4400	85	3435	67	4241	82
	1,500	6,000	82	SM	Diffuse	6096	74	4760	58	5877	72	4589	56	5665	69
					Clear	6828	83	5332	65	6582	80	5139	63	6345	77
				AS	Diffuse	5439	66	4248	52	5244	64	4094	50	5055	62
					Clear	6141	75	4795	58	5920	72	4622	56	5707	70
				WG	Diffuse	6414	78	5009	61	6184	75	4828	59	5961	73
					Clear	7116	87	5557	68	6861	84	5357	65	6613	81
				WW	Diffuse	5439	66	4248	52	5244	64	4094	50	5055	62
					Clear	6141	75	4795	58	5920	72	4622	56	5707	70



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Job Name:
130 MORNING ST. DEVELOPMENT

Catalog Number:
RN-D-2-5-3K8--WW-CL-UNV-A6-WH

Notes: TILTED INWARD 30 DEGREES

Type:**PS**

SLA19-43225

Pursuit™ – Direct (Down)

TYPE

LUMINAIRE PERFORMANCE–DIRECT (DOWN) CONT'D

Section Length	Lumens/ft	Nominal Lumen Package	System Watts	Distributions Type	Shielding	5K8		4K9		4K8		3K9		3K8	
						(5000K nominal, 80CRI)		(4000K nominal, 90CRI)		(4000K nominal, 80CRI)		(3000K nominal, 90CRI)		(3000K nominal, 80CRI)	
						Lumens	LPW	Lumens	LPW	Lumens	LPW	Lumens	LPW	Lumens	LPW
6FT	500	3,000	37	SM	Diffuse	3675	100	2870	78	3543	96	2766	75	3415	93
					Clear	4116	112	3214	87	3968	108	3098	84	3825	104
				AS	Diffuse	3279	89	2561	69	3161	86	2468	67	3047	83
					Clear	3702	100	2891	78	3569	97	2787	76	3440	93
				WG	Diffuse	3867	105	3020	82	3728	101	2911	79	3594	97
					Clear	4290	116	3350	91	4136	112	3229	88	3987	108
				WW	Diffuse	3279	89	2561	69	3161	86	2468	67	3047	83
					Clear	3702	100	2891	78	3569	97	2787	76	3440	93
	750	4,500	56	SM	Diffuse	5313	95	4149	74	5123	91	3999	71	4938	88
					Clear	5910	105	4615	82	5698	101	4449	79	5492	98
				AS	Diffuse	4741	84	3702	66	4571	81	3569	63	4406	78
					Clear	5352	95	4180	74	5160	92	4029	72	4974	89
				WG	Diffuse	5591	99	4366	78	5390	96	4208	75	5196	92
					Clear	6202	110	4844	86	5980	106	4669	83	5764	103
				WW	Diffuse	4741	84	3702	66	4571	81	3569	63	4406	78
					Clear	5352	95	4180	74	5160	92	4029	72	4974	89
	1,000	6,000	76	SM	Diffuse	6796	89	5307	70	6552	86	5116	67	6316	83
					Clear	7569	99	5911	77	7297	96	5697	75	7034	92
				AS	Diffuse	6064	79	4735	62	5846	77	4564	60	5635	74
					Clear	6846	90	5346	70	6600	87	5153	68	6362	83
				WG	Diffuse	7151	94	5584	73	6894	90	5383	71	6645	87
					Clear	7933	104	6195	81	7649	100	5972	78	7372	97
				WW	Diffuse	6064	79	4735	62	5846	77	4564	60	5635	74
					Clear	6846	90	5346	70	6600	87	5153	68	6362	83
	1,500	9,000	124	SM	Diffuse	9144	74	7141	58	8816	71	6883	56	8497	69
					Clear	10241	83	7998	64	9874	80	7709	62	9517	77
				AS	Diffuse	8159	66	6371	51	7866	63	6141	50	7582	61
					Clear	9211	74	7193	58	8880	72	6934	56	8560	69
				WG	Diffuse	9622	78	7514	61	9276	75	7243	58	8941	72
					Clear	10674	86	8336	67	10291	83	8035	65	9919	80
				WW	Diffuse	8159	66	6371	51	7866	63	6141	50	7582	61
					Clear	9211	74	7193	58	8880	72	6934	56	8560	69


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Pursuit™ – Direct (Down)

TYPE

LUMINAIRE PERFORMANCE-DOWN CONT'D

Section Length	Lumens/ft	Nominal Lumen Package	System Watts	Distributions Type	Shielding	5K8		4K9		4K8		3K9		3K8	
						(5000K nominal, 80CRI)		(4000K nominal, 90CRI)		(4000K nominal, 80CRI)		(3000K nominal, 90CRI)		(3000K nominal, 80CRI)	
						Lumens	LPW	Lumens	LPW	Lumens	LPW	Lumens	LPW	Lumens	LPW
8FT	500	4,000	50	SM	Diffuse	4900	98	3827	77	4724	95	3688	74	4554	91
					Clear	5488	110	4286	86	5291	106	4131	83	5100	102
				AS	Diffuse	4372	88	3414	69	4215	85	3291	66	4063	82
					Clear	4936	99	3855	77	4759	96	3715	75	4587	92
				WG	Diffuse	5156	104	4026	81	4971	100	3881	78	4791	96
					Clear	5720	115	4467	90	5515	111	4306	86	5316	107
				WW	Diffuse	4372	88	3414	69	4215	85	3291	66	4063	82
					Clear	4936	99	3855	77	4759	96	3715	75	4587	92
	750	6,000	75	SM	Diffuse	7084	94	5532	74	6830	91	5333	71	6583	88
					Clear	7880	105	6154	82	7597	101	5931	79	7323	97
				AS	Diffuse	6321	84	4936	66	6094	81	4758	63	5874	78
					Clear	7136	95	5573	74	6880	91	5372	71	6632	88
				WG	Diffuse	7455	99	5821	77	7187	96	5611	75	6927	92
					Clear	8270	110	6458	86	7973	106	6225	83	7685	102
				WW	Diffuse	6321	84	4936	66	6094	81	4758	63	5874	78
					Clear	7136	95	5573	74	6880	91	5372	71	6632	88
	1,000	8,000	103	SM	Diffuse	9061	88	7076	68	8736	84	6821	66	8421	81
					Clear	10092	98	7881	76	9730	94	7597	73	9378	91
				AS	Diffuse	8085	78	6314	61	7795	75	6086	59	7513	73
					Clear	9128	88	7128	69	8800	85	6871	66	8483	82
				WG	Diffuse	9535	92	7446	72	9192	89	7177	69	8861	86
					Clear	10578	102	8260	80	10198	99	7962	77	9830	95
				WW	Diffuse	8085	78	6314	61	7795	75	6086	59	7513	73
					Clear	9128	88	7128	69	8800	85	6871	66	8483	82
	1,500	12,000	175	SM	Diffuse	12192	70	9521	54	11754	67	9177	52	11330	65
					Clear	13655	78	10664	61	13165	75	10279	59	12690	73
				AS	Diffuse	10878	62	8495	49	10488	60	8188	47	10109	58
					Clear	12282	70	9591	55	11841	68	9245	53	11413	65
				WG	Diffuse	12829	73	10018	57	12368	71	9657	55	11922	68
					Clear	14232	81	11114	64	13721	78	10713	61	13226	76
				WW	Diffuse	10878	62	8495	49	10488	60	8188	47	10109	58
					Clear	12282	70	9591	55	11841	68	9245	53	11413	65



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Job Name:
130 MORNING ST. DEVELOPMENT

Catalog Number:
RN-D-2-5-3K8--WW-CL-UNV-A6-WH

Notes: TILTED INWARD 30 DEGREES

Type:

PS

SLA19-43225

Pursuit™ – Direct (Down)

TYPE

ELECTRICAL CHARACTERISTICS – INDIRECT (UP)

Section Length	Lumen Power Level (LM)	Load (A)	System Power (W)	Max Mated Units	Total Feet
2FT	1500	0.357	41.1	28	56
	1000	0.226	26.0	44	88
	750	0.171	19.6	58	116
	500	0.114	13.1	88	150
3FT	1500	0.54	61.2	19	57
	1000	0.335	38.4	30	90
	750	0.25	28.6	40	120
	500	0.166	19.1	60	150
4FT	1500	0.724	81.8	14	56
	1000	0.456	51.8	22	88
	750	0.329	37.8	30	120
	500	0.219	25.0	46	150
6FT	1500	1.097	124.0	9	54
	1000	0.674	76.0	15	90
	750	0.494	56.0	20	120
	500	0.327	37.2	31	150
8FT	1500	1.44	163.1	7	56
	1000	0.901	103.6	11	88
	750	0.656	74.8	15	120
	500	0.432	49.7	23	150

Note: 10A Max Amperage



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Submitted by Swaney Lighting	Job Name: 130 MORNING ST. DEVELOPMENT	Catalog Number: RN-D-2-5-3K8--WW-CL-UNV-A6-WH Notes: TILTED INWARD 30 DEGREES	Type: PS SLA19-43225
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Pursuit™ – Direct (Down)

TYPE

SPECIFICATIONS

HOUSING

- Low copper extruded 6063 aluminum
- Silicone and EPDM gasketing provides comprehensive sealing and ingress protection.
- Luminaire housing shall be free of any visible heat fins, hardware or fasteners.
- Bracketry and hardware shall be stainless steel.

OPTICAL ARRAY

- LEDs shall be mounted to a FR4 printed circuit board assembly.
- Optical lenses shall be clear extruded PMMA acrylic.
- Optical array shall be recessed in order to shield each LED optic across the length of the aperture.
- Light engine is independently IP67 rated to enable luminaire rating of IP65.
- Secondary external lens is 1/16" diffuse acrylic.

ELECTRICAL

- Drivers shall be in direct contact with the extruded aluminum housing across the entire surface area of the widest face for maximum thermal transfer.
- "Thermal Shield", thermistor provides protection for the sustainable life of the LED driver(s) and electronic components.
- Drivers shall have greater than a 0.9 power factor, less than 20% harmonic distortion, and be suitable for operation in -40°C to 40°C ambient environments
- Luminaires shall have integral surge protection that shall be U.L. recognized and have a surge current rating of 10,000 Amps using the industry standard 8/20uSec wave and surge rating of 372J. Surge protection device shall be wired in parallel.
- Drivers shall be U.L. recognized.
- Integral battery backup provides emergency path of egress lighting for the required 90 minutes for -20°C ambient environments, excluding 2' fixture
- Electrical connections IP68
- Housing designed to IP65 standard

END CAPS

- Die-cast, low copper aluminum alloy 360

SPECIFICATIONS

- Luminaire shall be capable of operating at 100% brightness in a 25°C environment. Both driver and optical array shall have integral thermal protection that will dim the luminaire upon detection of temperatures in excess of 85°C.
- Luminaires not configured with a control system shall be provided with 0-10 purple and gray dimming leads.

CONTROLS

- Button photo control for dusk to dawn energy savings
- Photocell is factory installed in accessory housing. For multiple/continuous row applications, one fixture is supplied with a photocell to operate multiple luminaires.
- Dimming Occupancy Sensor-SCP
- SiteSync™ wireless control system for reduction in energy and maintenance cost while optimizing light quality 24/7. See ordering information of visit www.hubbellighting.com/products/sitesync for more details.
- SiteSync Lighting Control delivers flexible control strategies for reducing power consumption and minimizing maintenance costs while delivering the right light levels with a simple and affordable wireless solution.
- Hubbell Control Solutions' NX Distributed Intelligence™ lighting control platform utilizes a Distributed Network Architecture (DNA) that connects intelligent devices including luminaires, controllers, panels, occupancy sensors, photocells, wall switches and dimmers, creating a system with an unmatched level of reliability, scalability and simplicity

FINISH

- Luminaire finish shall consist of a five stage pretreatment regimen with a polymer primer sealer, oven dry off, and top coated with a thermoset super TGIC polyester powder coat finish.
- Luminaire finish shall meet the AAMA 605.2 performance specification which includes passing a 3000 hour salt spray test for corrosion resistance.

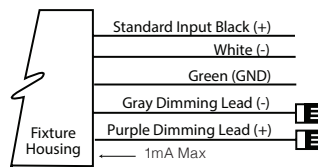
CERTIFICATION

- Luminaire shall be listed with UL for outdoor, wet location use, UL1598, UL 8750 and Canadian CSA Std. C22.2 no.250.
- IP66 rated
- DesignLights Consortium® (DLC) qualified. Please refer to the DLC website for specific product qualifications at www.designlights.org.

WARRANTY / TERMS AND CONDITIONS OF SALE

Download:

Five year limited warranty (for more information visit: <http://www.hubbellighting.com/resources/warranty/>)



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Submitted by Swaney Lighting		Catalog Number: RN-D-2-5-3K8--WW-CL-UNV-A6-WH	Type: PS
	Job Name: 130 MORNING ST. DEVELOPMENT	Notes: TILTED INWARD 30 DEGREES	SLA19-43225

O. Architectural Design Narrative

Please find attached the design narrative completed by Cornerstone Building & Restoration.





June 25, 2019

City of Portland
Historic Preservation Board
Planning and Development
389 Congress Street
Portland, ME 04101

RE: Level 3 Site Plan Review- Alternative Design Review Certificate submission for 130 Morning Street, Northeast Morning LLC.

To Whom it may concern:

Northeast Morning LLC is submitting the attached application and associated materials for review by the Historic Preservation Board and staff for the purpose of issuing a Certificate of Approval for the project to proceed under the Alternative Design Review process under the Munjoy Hill Neighborhood Conservation District overlay zone.

Existing Conditions-

The block of Morning street where the property is located on a one-way street between Congress and Turner streets. The Eastern Promenade is one block to the northeast and Emerson Street is one block to the southwest. The existing property is situated at the southwest side of Morning Street and one lot away from Turner Street. There is an existing surface level parking lot with no buildings on the property. The lot is sloped from front to rear with a low point at the front right of the property to a high point at the back left of the property.

Context-

The existing building context within the block of this property is sparse due to the lack of buildings facing Morning street on the proposed building site side. The majority of this side of Morning is a parking lot owned by Avesta housing, which serves Munjoy Commons apartments at 13 Emerson Street, in the renovated Emerson school. Munjoy Commons Apartments are within a three-story brick building w/ a fourth floor tucked into the tall hipped roof. This building is a dominate landmark to the left and uphill from the proposed building and is accessed from Emerson Street.

Across the street from the proposed property are several residences of varying sizes. Directly across the street consists of 3-4 story, single width residences with full height bay windows on one side of the front façade and a raised covered entry on the other side of the front façade (See sheet PD-2 for photos of 133-125 Morning St). Another property on the opposite side of the street and toward Congress street (See sheet PD-2 a photo of 119 Morning Street) consists of a double width triple decker multi-family residence, with a central entry that has a flat roof. The only 2- story residence is on the corner of Morning and Congress and faces Congress street (See sheet PD-2 for photo3 of 35 Congress). To complete this block's existing homes are

2- 2 ½ story residences that are the same side of the street as the proposed building. One is located at the corner of Congress and Morning Street and faces Congress street (39 Congress). The other is directly to the right of the proposed building site and is on the corner of Turner and Congress Streets (20 Turner)

The exterior materials typically used in the area are painted wood clapboards or shingles. The base of each building is usually a brick material and roofs are either gabled with the gable end facing the street or flat.

The existing building placement within the block of the proposed building in relationship to the street is typically from 1'-0" – 3'-0" from the sidewalk. See sheet DP-12.

The existing building context in a 2-block area has more variety in their heights, widths and front façade articulation than the block the project is within. Buildings range from 1 1/2-4 stories tall with bays, covered entries, ½ width to full width decks, central and offset entries and single and double width buildings. See sheets DP-1 through DP-12.

The predominate character-defining architectural features of the neighborhood are exposed brick bases below Clapboard or shingle siding w/ one to two bay windows facing the street (depending on building width), which extend vertically from the ground to the roof. Adjacent to or between the bays are typically raised entry porches that are either capped with a roof or the "porches" extend up through the building creating outdoor covered living spaces at each level. The sides of buildings are typically dotted with window opens that are usually aligned horizontally and vertically. There are typically 2-4+ different window sizes depending on the size of the home or apartment building and how custom the home was at the time it was built.

Proposed Building

The building will replace an existing surface parking lot and is on one of three contiguous properties that were purchased together in the summer of 2018. The intention was to join the three properties into one lot and remove the three existing homes on the two properties facing Turner Street in order to build a new multi-family housing building on the joined lot.

Tom Landry, is a representative of Northeast Morning LLC, the developer of the property. He is also the Owner of Benchmark Real Estate at 100 Congress Street and has had his business on Munjoy Hill for over 14 years. Tom is very active and dedicated to Munjoy Hill and was very active in the meetings regarding the moratorium this past summer. Due to the outcry from the Munjoy Hill community Mr. Landry decided not to pursue the removal of the three homes on Turner street in order to create a smaller scaled project.

The proposed multi-family building will be a beautiful building that will contribute to the diversity of Munjoy Hill's current housing options and it is our hope that the building will become a landmark and will last well over 100 years.

The proposed building is a 9-unit condominium, including one work force housing unit and will be 4- stories high. It is meant to compliment the existing immediate context and the 2-block surrounding area by creating a scale and massing that is similar in width and 1-story taller than the double triple decker building across the street, toward Congress Street (See sheet PD-2 a photo of 119 Morning Street). Also, the building design is meant to provide a different typology that respects the past and reinterprets the predominate character-defining architectural features of the neighborhood without directly copying those features. We are setting the proposed building at a 1'-9" setback from the front property line, which is more than half the average of the

building setbacks across the street and at the corner of Congress street and Morning Street (39 Congress Street), to be more in keeping with its immediate context (See sheet DP-12).

The front of the building is inspired by the double triple decker's in the area that are linked with a central entry (see DP-9 – DP-11). The center of the building is recessed to further accentuate the building as two distinct and separate sections creating two square bays at the first-floor level along the sidewalk. Above these bays on each side of the recessed entry are three levels of cantilevered covered decks that carry the bay concept up through the building and is "capped" by cantilevered roof sections to provide cover for the upper decks. This cantilevered "cap" at the front is a nod to the extreme overhangs that exist in the area. The "cap" along the sides is reduced to a more practical depth for the side walls, which each have a parapet to conceal a low slope roof that extends from front to back.

The first floor along the sidewalk is composed of a lobby, mail area, recycling area and other amenities at the right side with a studio apartment at the left side providing an active space adjacent to the sidewalk. The three upper floors are meant to introduce exterior living along, but above, the sidewalk to create an active street during the many months of beautiful weather.

The main façade behind the 6- 7'-0" deep decks consists of full width and 8'-0"-9'-0" high, triple, lift and slide glass doors to open the inside to the outside directly adjacent to the decks. Although the full width and tall glass doors are atypical for Portland it reinterprets the triple-window bay window to create outdoor living opportunities where people can experience the urban streetscape and the view of Casco Bay for as long as possible during the year (See sheets DP-10 & DP-11 for Neighborhood precedents of large decks/ Multi-height decks). Affectively the bay window with its almost 180-degree view of the surrounding area is replaced with a cantilevered squared-off deck "bay" and a large triple slider of glass to gain as much view as possible. The cantilevered decks were created to provide a clean, calm look and to emphasize the façade with horizontal elements instead of providing corner support columns, like so many other nearby buildings, which would accentuate the vertical. We felt the vertical columns at four stories high would feel overbearing and busy.

The lower portion of the building uses fiber-cement panels with open joints (3/16") and an exposed fastener system that creates a base below a more traditional, 8" to the weather, painted clapboard wall finish for the upper sections of the facades. The base is accentuated to help ground the building to the site as the exposed brick bases did in the past and give visual relief to a four-story façade on all sides. Cantilevered rear decks activate the rear façade and provide additional exterior living in a less public area of the site.

The remaining facades of the building are simple with aligned punched openings, similar to traditional buildings in the area, but the window openings have protruding trim to actively respond to the sun throughout the day.

The roof will have condensers for the HVAC system in the center (some condensers will be on the rear wall) and a PV panel Farm that will be owned by the condominium owners. Both roof top condensers and PV panels will be setback from the edge and will not be visible from the street.

The building will incorporate sustainable building practices, such as decreased thermal bridging of wall framing materials, provide airtight construction, install triple pane low-e windows, create balanced ventilation and decrease sizes of the mechanical systems due to the previous conditions. This includes a 30-40 R-Value for the exterior walls and R50-R70 Roof. Interior materials and finishes will have low or zero VOC's.

DESIGN PRINCIPLES AND STANDARDS

PRINCIPLE A: Overall Context

A building design shall contribute to and be compatible with the predominate character-defining architectural features of the neighborhood. Special attention shall be given to the existing building forms, existing facades and streetscape on both sides of the street within the block of the proposed property.

The new building contributes to and is compatible with the neighborhood by providing a welcoming central recessed entry flanked by two vertical articulated bay forms reminiscent of the double triple decker buildings in the immediate area. The upper three floors of these two forms have recessed facades behind large decks that provide seamless indoor/ outdoor living that was inspired by existing full width decks elsewhere on the Eastern Promenade (See sheets DP-10 & DP-11). The proposed building is only one block from the Promenade and is in a perfect location to introduce this sought-after precedent to Morning Street to take advantage of the locations views and more importantly to activate a streetscape that mostly has non-active front porches or stoops. Creating variety within this block, which lacks any buildings to the left side of the proposed building and lacks decks along the street side of the existing buildings is important to this or any street.

Standard A-1 Scale and Form: Height, Massing, Proportion of Principle Facade, Roof Shapes and scale of the architectural features of the structure.

The scale, form and proportion of the building use the zoning setback and height limits to help create the overall building form and scale and the principle facade is a reinterpretation of the predominate character-defining architectural features of the neighborhood and continues the tradition of a flat roof design on multi-family buildings.

Standard A-2 Composition of Principle Facade.

The principle façade is setback from the sidewalk to soften the effect of the first floor adjacent to the sidewalk. The central full height recessed entry with a covered entry porch creates two distinct bay portions of the building to help break-up what could have been a wide façade and welcomes anyone who wants to enter. Interrupting the width of the façade is typically done on existing double wide triple decker buildings through the use of vertical bay windows extending the full height of the building, This approach in conjunction with full width decks on other double wide buildings was the inspiration for the upper recessed cantilevered decks in the proposed project. Although this is unusual for the area, the cantilevered decks, help the composition by creating a relief in the front façade as it extends to four floors above the sidewalk. Also, the cantilevered decks eliminate corner columns, creating a cleaner look to the front of the building with less visual noise, while the more articulated guardrail system around each deck help relate these elements to the immediate neighborhood and create visual interest with their multiple component design.

Standard A-3 Relationship to the Street- See A-2 above

PRINCIPLE B: Massing

The massing of the building reflects and reinforces the traditional building character of the neighborhood through a well composed form, shape and volume.

Standard B-1 Massing

The building is composed of a double width building with 4-stories of living on the left side and a first-floor entry w/ owner amenities and 3- stories of living above the entry on the right side. The two side portions of the building opposite the central entry are delineated further to make a less imposing façade at the sidewalk. The two side portions of the building step back from the 2nd – 4th floors to provide a covered deck at each unit facing the street and allow for the street facade above the ground level to be setback helping diminish the overall volume. See sheets DP-10 and DP-11 for existing buildings with full and partial width decks on multiple levels. The living area walls adjacent to the decks on the 3-stories above grade are setback 7'-0" to provide an outdoor covered deck. The flat roof cantilevers out over the 4th floor decks and creates a "top" to the two volumes. These distinct volumes are accentuated by recessing the roof at the center area above the entry, interrupting the decks at the center and providing a recessed entry stair and entry porch area at the first floor and sidewalk. A thin porch roof keeps the entry covered and further designates the recess as the main entry.

Standard B-2 Roof Forms

The entire main roof is flat, which continues toward the street as a cantilever at the two areas above the 4th floor decks. The roof is notched out between the 4th floor decks to correspond to the recessed entry below and to help further separate the two sides of the building as discussed in B-1. Stormwater is captured by a continuous gutter and downspout system at the rear of the roof and connects to the on-site foundation drainage system.

Standard B-3 Main Roofs and Subsidiary Roofs-

See B-2 above. There are no subsidiary roofs, but we anticipate providing a PV panel farm on the roof to offset energy usage in the building. The panels have a 10-degree slope and are setback from all edges of the roof so they will not be seen from any side.

Standard B-4 Roof Pitch- Flat roof- ¼" per 12" pitch.

Standard B-5 Facade Articulation

The main façade along the street at the first-floor level has 3 windows per "side" within the façade that are centered on the three glass doors above creating a rhythm along the street. The recessed entry in the center of this façade has one door on the left side leading into the building lobby. The remaining three floors along the street are articulated with voids created by the cantilevered decks and roof while the street façade on these levels are recessed back 7'-0" and have a triple lift and slide door system that spans the entire width of the units interior living area and extends from the floor to 8'-0" or 9'-0" high. Surrounding three sides of the decks are metal guardrails that have a design that articulates individual pieces in a similar way as traditional guardrails. The tops of the guardrails are wood.

Standard B-6 Garages

The garage is on the first floor and accessed through a driveway on the right side of the building that extends to a side overhead door. There are eight spaces for parking inside. The driveway is also used by three residences on two lots (22 and 30, 30R) that are located on Turner Street. The driveway for 130 Morning street extends behind the 22 Turner street home and provides four spaces. Two spaces are deeded for use by 22 Turner Street and one space each is deeded to 30 and 30R Turner Street. The parking ordinance for 130 Morning street requires six spaces. The proposed driveway and combined covered and uncovered parking spaces is a net positive of six spaces that will keep an additional six cars off the streets (2-for the Condominium and 4 for 22 & 30/ 30R Turner Street).

PRINCIPLE C: Orientation on the Street

The building's facade shall reinforce a sense of the public realm of the sidewalk while providing a sense of transition into the private realm of the home.

Standard C-1 Entrances

The recessed entry centered in the façade and the stairs ending at the sidewalk reinforces the public realm of the sidewalk.

Standard C-2 Visual Privacy

The solid walls at the first-floor level of the two main halves of the building with window sills that are 1'-0" off the floor creates visual privacy, without creating an unwelcome feel.

Standard C-3 Transitional Spaces

Setting the building off the sidewalk and providing landscaping within these areas and the recessed center entry creates a pleasant transitional space between the public and private realms of the sidewalk and the building.

PRINCIPLE D: Proportion and Scale

Building proportions must be harmonious and individual building elements shall be human scaled.

Standard D-1 Windows

Most windows are proportioned vertically to reflect the scale of the neighborhood on three sides of the building with several double width units in bedrooms or dining rooms to provide more light. The size of the units and placement reflect the type of use in the space behind the windows.

Standard D-2 Fenestration

The total fenestration along the principle façade is greater than 12% of the total façade square footage.

Standard D-3 Porches

The first-floor porch is set at a height similar to the other houses along the street and the porch roof is set at a height that is a reasonable scale for people entering and exiting the building.

PRINCIPLE E: Balance

Then building's façade elements must create a sense of balance by employing local or overall symmetry and by appropriate alignment of building forms, features and elements

Standard E-1 Window and Door Heights: Alignment at Horizontal Datum

All windows and doors align at their horizontal datum on three sides, except the deck doors off the rear of the building which step down to a traditional door height.

Standard E-2 Window and Door Alignment: Majority of windows shall align vertically

The majority of windows and doors align vertically on all facades.

Standard E-3 Symmetricality

The window and deck door composition of the primary façade is arranged symmetrically around the overall building facades' centerline and the centerline of each "side".

PRINCIPLE F: Articulation

The design of the building is articulated to create a visually interesting and well composed residential facade

Standard F-1 Articulation

The articulation of the primary façade is accomplished with the use of a central vertical recess creating the main entry and breaking up the main façade by creating two "sides" of the building. Further articulation occurs at the base of the building, which on the first-floor street side produces a solid wall experience with punched openings to create some privacy and also some transparency along the sidewalk with eyes on the street provided at the left first floor side of the building. The bases material and detail are further articulated with medium sized panels in a running bond pattern with exposed fasteners and continues around the building on all sides to provide relief on the sides of the building, which are 4-stories high. The upper three stories on all sides has a wall material that is an, 8" to the weather, painted horizontal clapboard to relate to the existing street and the neighborhoods building materials. Windows and doors on the upper three floors are articulated with trim, but the trim protrudes out from the face of the building 2 ½" deeper than traditional trim achieving a constant play of shadows throughout the day.

Standard F-2 Window Types

There are four window types, which are arranged in different configurations that reflect their unique location within the building's interior.

Standard F-3 Visual Cohesion

Visual cohesion is mainly achieved through a simple overall rectangular form with an articulated primary façade with upper decks relieving the mass at the street side. The cantilevered roof over the two sides of the building complete each “side” and complete the overall composition of the primary façade.

Standard F-4 Delineation between floors

The delineation between floors is accomplished by the alignment of the multiple windows along each floor level and not through the addition of horizontal trim at the floor levels.

Standard F-5 Porches, etc.

Upper decks on the primary façade provides “eyes on the street” at all levels and activates the street at night.

Standard F-6 Main Entries

The main entry is used to call attention to and create an obvious entry into the building and is also used as an organizer for the primary façade.

Standard F-7 Not Used

Standard F-8 Articulation

1. The Flat roof “eaves” on three sides are 8'-6" at the front cantilever and 1'-3" at the sides.
2. Exterior trim dimensions are 1 ½" wide and protrude 2 ½" from the siding to create a continuous active shadow throughout the day. The narrow width is meant to diminish the profile around the opening to call less attention to the “frame”.
3. The recessed entry at the front is 7'-4".
4. The flat roof edge and cantilevered deck edges are pronounced at 1'-0" tall.

PRINCIPLE G: Balance

Building proportions must be harmonious and individual building elements shall be human scaled.

Standard G-1 Materials

The materials used reflect the existing neighborhood and are 8", to the weather, smart siding without corner boards. On the upper three floors. The first floor and base below will have a larger exposed fastener fiber cement panel rainscreen system with open joints. The base is meant to differentiate the lower portion of the building from the upper portion to help ground it to the site, breakup a 4-story façade at each side of the building and to reinterpret the brick bases used throughout the two-block area.

Standard G-2 Material and Facade Design

The façade materials are used to reduce the visual impact of the building instead of providing one material and color around the entire building. The single material and color for the three-story portion of the building works well but would be overbearing on a 4- story building.

Standard G-3 Chimneys- N/A

Standard G-4 Window Types

The majority of windows are of two types with additional sizes used sparingly to address the interior living environment.

Standard G-5 Patios and Plazas

The first-floor patio at the left side of the building will be used by the owners of the condominiums and potentially by the general public. The material will be either brick, stone paver or concrete.

Sincerely,
Michael Chestnutt, AIA, LEED AP
Senior Architect
Cornerstone Building & Restoration

P. Utilities

The proposed project will include installation of multiple utility services to the new building. The utility installations have been approved as an administrative authorization due to the City's Morning Street Overlay Project which will begin a moratorium. The approved utility summaries are as follows:

Water:

It is proposed to tap a 6" service line off the water main within Morning Street. The 6" line will serve as the sprinkler line with a 2" child connection for domestic services. There is no existing line to the site.

Sewer:

There is currently no sewer infrastructure on site. A new 6" lateral is proposed to accept the wastewater from each unit, the elevator sump, and the garage sewer after draining from the oil-water separator. The garage and elevator sump will be routed to meet with the wastewater lines from the living levels before being fed via gravity to the sewer main within Morning Street.

Stormwater:

There is currently no drainage infrastructure on site. The proposed stormwater measures include generous vegetation, foundation drains, and catch basins, and a field inlet. These systems will connect to a 6" storm drain line that ties in to the existing combined 10" sewer main within Morning Street. Please see the Stormwater Management Report for more information.

UGE/T/C:

The site is not currently served by any aerial or underground services. These services are proposed to be routed underground from the existing utility pole on Turner Street. The lines will be routed in between 22 Turner and 30 Turner. The Owner maintains ownership of both 22 Turner and 130 Morning and has a recorded easement showing rights for utility installation over the land of 22 Turner to benefit 130 Morning.

Gas:

There is currently no natural gas servicing the property. It is proposed to install a gas service off of the gas main within Morning Street as seen on the Utility Plan, Sheet C-20.

Ability to serve letters were sent out and approvals received in accordance with the City of Portland Code of Ordinances Chapter 14 Land Use, Section 14-527(g)(7). Responses from the utility companies can be found attached to this section.





Portland Water District

FROM SEBAGO LAKE TO CASCO BAY

June 3, 2019

Sam Lebel
Acorn Engineering
PO Box 3372
Portland, ME 04104

Re: 130 Morning Street, PO
Ability to Serve with PWD Water

Dear Mr. Lebel:

The Portland Water District has received your request for an Ability to Serve Determination for the noted site submitted on May 15, 2019. Based on the information provided per plans dated May 30, 2019, we can confirm that the District will be able to serve the proposed project as further described in this letter. **Please note that this letter constitutes approval of the water system as currently designed. Any changes affecting the approved water system will require further review and approval by PWD.**

Conditions of Service

The following conditions of service apply:

- A new 6-inch fire service (parent) and 2-inch domestic service (child) with a 1.5-inch meter may be installed from the water main in Morning Street. The services should enter through the properties frontage on Morning Street at least 10-feet from any side property lines. An approved backflow prevention device must be installed on each service line directly after the meter/entrance to the building prior to service activation. Please note that only one meter and one bill will be associated to each domestic service line. This one master meter would be located in a common space that all tenants could gain access to if necessary.
- The Portland Water District does not have record of any other existing infrastructure in public roads and recommends a survey and test pitting be performed by the development team prior to construction. Any conflicts that arise during construction are at the risk of the developer and may result in job shutdown until new plans are submitted by the developer and reviewed and approved by PWD.

Prior to construction, the owner or contractor will need to make an appointment to complete a service application form and pay all necessary fees. The appointment shall be requested through MEANS@pwd.org or by calling 207-774-5961 ext. 3199. Please allow (3) business days to process the service application paperwork. PWD will guide the applicant through the new development process during the appointment.

Existing Site Service

According to District records, the project site does not currently have existing water service.



Water System Characteristics

According to District records, there is a 6-inch diameter ductile iron water main in Morning Street and a public fire hydrant located approximately 350 feet from the site. The most recent static pressure reading was 60 psi on June 8, 2018.

Public Fire Protection

The installation of new public hydrants to be accepted into the District water system will most likely not be required. It is your responsibility to contact the City of Portland Fire Department to ensure that this project is adequately served by existing and/or proposed hydrants.

Domestic Water Needs

The data noted above indicates there should be adequate pressure and volume of water to serve the domestic water needs of your proposed project.

Private Fire Protection Water Needs

You have indicated that this project will require water service to provide private fire protection to the site. Please note that the District does not guarantee any quantity of water or pressure through a fire protection service. Please share these results with your sprinkler system designer so that they can design the fire protection system to best fit the noted conditions. If the data is out of date or insufficient for their needs, please contact MEANS to request a hydrant flow test and we will work with you to get more complete data.

Should you disagree with this determination, you may request a review by the District's Internal Review Team. Your request for review must be in writing and state the reason for your disagreement with the determination. The request must be sent to MEANS@PWD.org or mailed to 225 Douglass Street, Portland Maine, 04104 c/o MEANS. The Internal Review Team will undertake review as requested within 2 weeks of receipt of a request for review.

If the District can be of further assistance in this matter, please let us know.

Sincerely,
Portland Water District

A handwritten signature in black ink, appearing to read 'Robert A. Bartels', written in a cursive style.

Robert A. Bartels, P.E.
Senior Project Engineer

Q. Construction Management Plan

Project Address: 130 Morning Street

Project Description:

The proposed project includes the development of a 4-story building with 9 units of residential housing and on-site parking.

Project Team Summary:

Owner:	Northeast Turner, LLC
General Contractor:	Cornerstone Building & Restoration
Civil Engineer:	Acorn Engineering, Inc.
Architect:	Cornerstone Building & Restoration
Structural Engineer:	Structural Integrity Consulting Engineers, Inc.

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. Refer to the Civil/Site Plan Set, Sheet C-03 Construction Management Plan for visual representation of the measures 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 the Morning Street frontage. Additional signage necessary for communication shall be provided, but will be temporary and removed upon completion of the project. The contract information for the project personnel is:

Lance Baker
Cornerstone Building & Restoration
(207) 446-4406

GC and Subcontractor information will be posted along the Morning 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:

<u>Project Start Date:</u>	Fall 2019
<u>Project End Date:</u>	Fall 2020

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

F. Security

1. The Construction Management Plan, Sheet C-03, depicts all proposed 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:
 - o Good Housekeeping
 - o On-site security
 - o Installation of new fire protection systems as construction progresses
 - o Preservation of existing systems during demolition
 - o Organization and training of an on-site fire brigade
 - o Development of a pre-fire plan with the local fire department
 - o Rapid communication
 - o Consideration of special hazards resulting from previous occupancies
 - o 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 Morning 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 Morning 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 Morning 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 Morning 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 & Sedimentation Control

1. The Contractor shall install all erosion and sedimentation controls as depicted on the approved Construction Management Plan, C-03, 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 – 330 CY Earthwork subcontractor(s) pit to project site.
 - Hot Mix Asphalt – 40 tons. Paving subcontractor(s) pit to project site.

L. Special Measures as Necessary

No special measures are necessary for the proposed reconstruction.

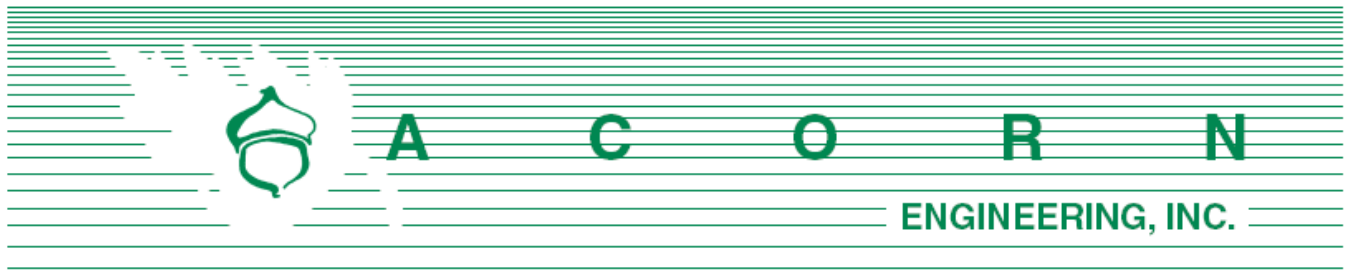


R. Solid Waste Disposal

The property management company or Owner shall be responsible for locating the solid waste and recyclable material to the space allocated for solid waste storage as noted on the Site Plan (C-10) and within the architectural plans.

The solid waste containers will be fully enclosed and screened from the public view.

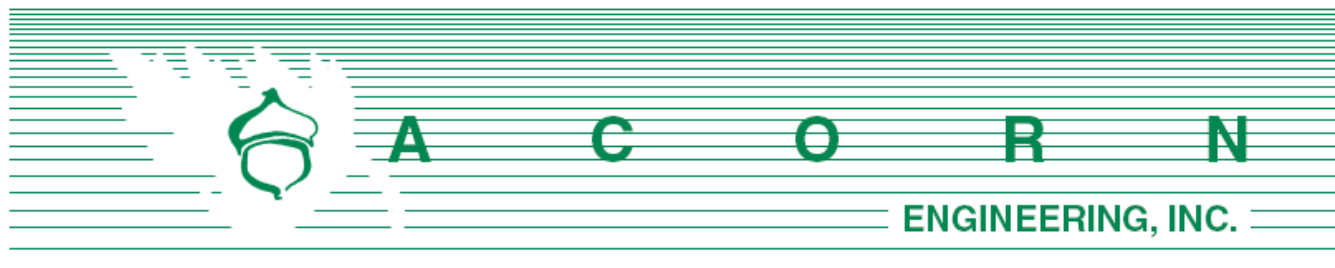




S. Parking Analysis

The proposed project at 130 Morning Street proposes to close the existing 24-foot curb cut, build nine residential units where a surface parking lot currently exists, and provide one low-profile driveway which provides access to two parking areas. This proposal accomplishes a public policy goal of the City in that the proposed driveway will allow off-street parking for the new development as well as existing neighboring properties.

The 11 parking spaces exceed the required 6 by more than 10%; however, only 7 of the parking spaces will be deeded to the proposed 9-unit condominium at 130 Morning Street, meaning only one additional space is proposed vs the requirement. We see this as an advantage for the neighborhood which is seeing an increase in development activity. The industry standard for condominium units is to provide a 1:1 ratio for parking, which is a common occurrence in the R-6. This project proposed a ratio of 0.78:1 spaces to units.



T. Turner St. Zoning Information

Please find attached the sketched provided by the architect



130 MORNING STREET CODE SUMMARY

BUILDING AREA

Building Footprint:

R-2 Gross:

Parking Gross:

Building Gross:

IBC 2015 CODE OVERVIEW

Use & Occupancy: Mixed Use- R-2 (Apartments), S-2 Enclosed Parking Garage

Construction Type: VA

Sprinkler: Yes

NFPA 2009 CODE OVERVIEW

Use & Occupancy: Mixed Use- New Apartment Building, Storage- Enclosed Parking Garage

Construction: Type V

Sprinkler: Yes

IECC 2009 DETAILED CODE OVERVIEW- See Chapter 13 of IBC 2015 detailed code Overview

IBC 2015 DETAILED CODE OVERVIEW- Comply with all chapters in their entirety as applicable

Ch. 3. Use & Occupancy Classification

310.4. Residential Group R-2 (Apartments)

311.3. Low-Hazard Storage Group S-2 (Parking Garages, open or closed)

Ch. 4. Special Detailed Requirements Based on Use and Occupancy

406. Motor-Vehicle Related Occupancies

406.6 Enclosed Parking Garages

406.6.1. Height and Areas: See Sections 504, 506 and 507

406.6.2. Ventilation: A Mechanical Ventilation System shall be provided in Accordance with the International Mechanical Code

406.6.3 Automatic Sprinkler System: An Enclosed Parking Garage shall be Equipped with an Automatic Sprinkler System in Accordance with Section 903.2.10.

420.2 Separation Walls shall be constructed as fire partitions in accordance with section 708.

420.3 Horizontal Separation shall be constructed as Horizontal assemblies in accordance with section 711.

420.5 Automatic Sprinkler System Group R occupancies shall be equipped with an automatic sprinkler system in accordance with section 903.2.8. Quick response or residential automatic sprinklers shall be installed in accordance with section 903.3.2.

420.6 Fire Alarm systems and smoke alarms shall be provided in Group R occupancies in accordance with sections 907.2.6, 907.2.8, 907.2.9 and 907.2.10 respectively. Single or multiple station smoke alarms shall be provided in group r occupancies in accordance with section 907.2.11.

Ch. 5 General Building Height and Areas

Table 504.3 Building Height: R S13R VA 60'-0"

Table 504.4. Number of Stories:: R-2 S13R VA 4 Stories above Grade

Table 506.2 Building Area: R-2 S13R VA 12,000 s.f per floor

Section 507- N/A

Table 508.4. Mixed Use Occupancy- Required Separation of Occupancies R-2/ S-2- 1 hour

508.4.4.1. 1 hour Separation in Sprinklered Building by Fire Barriers (section 707) and/ or Horizontal Assemblies (section 711)

Ch. 6. Types of Construction

Table 601. Type VA, Primary Structural Frame- 1 hour

Bearing Walls Exterior- 1 hour

Bearing Walls Interior- 1 hour

Non-bearing Walls and Partitions, Exterior- TBD

Floor Construction and Associated Secondary Members- 1 hour

Roof Construction and Associated Secondary Members- 1 hour

Table 602. Fire Resistance Rating for Exterior Walls based on Fire Separation Distance

X less than 5'-0" - 1 hour

X greater than or equal to 5'-0" and Less than 10'-0" - 1 hour

X greater than or equal to 10'-0" and Less than 30'-0" - 1 hour, if greater than 10'-0" then rating is from interior only.

Ch.7. Fire and Smoke Protection Features

705.2.2. Projections (including Balconies) may be of any material.

705.5 Fire Resistance Rating of Exterior Walls with a Fire separation distance of less than or Equal to 10'-0" shall be Rated for Exposure to Fire from Both Sides. Proposed Distance equals 10'-2" Min.- Exterior Wall Rating= 1 hour from exterior side only.

Table 705.8. 10'-0" to less than 15'-0" Unprotected, Sprinklered- Max. Area of Exterior Wall Openings= 45% 15'-0" to less than 20'-0" Unprotected, Sprinklered- Max. Area of Exterior Wall Openings= 75%

707 Fire Barriers

707.3 Fire-Resistance Rating

707.3.1 Shaft Enclosures- Comply with Section 713.4.

707.3.2 Interior exit Stairway and ramp construction- Comply with section 1023.1.

707.3.3 Enclosures for Exit Access Stairways- Comply with section 713.4.

707.3.4 Exit Passageway- Comply with section 1024.3

707.3.5 Horizontal Exit- Comply with section 1026.1

707.3.7 Incidental Spaces- Comply with Table 509

707.3.9 Separated Occupancies- Comply with Table 508.4 based on the occupancies being separated. R/ S-2= 2 Hour

707.3.10 Fire Areas- Separating Fire Areas of different occupancies shall comply with Table 707.3.10. R/ S-2= 2 hours.

707.4 Exterior Walls- Where exterior walls serve as part of a required fire resistance-rated shaft of stairway enclosure or separation comply with section 705 for exterior walls.

707.5 Continuity- Fire barriers shall extend from the top of the foundation or floor/ceiling assembly below to the underside of the floor or roof sheathing, slab or deck above and shall be securely attached hereto.

Such fire barriers shall be continuous through concealed spaces, such as the space above suspended ceilings. Joints and voids at intersections shall comply with sections 707.8 and 707.9.

707.5.1 Supporting Construction- Supporting construction of fire barriers shall be protected to afford the required fire-resistance rating of the fire barrier supported. Hollow vertical spaces within the fire barrier shall be fireblocked the full height of the support structure in accordance with section 718.2 at every floor and at the roof.

707.7 Penetrations- Comply with section 714.

707.7.1 Prohibited Penetrations- Penetrations into exit access stairways, interior exit stairways and exit passageways shall be allowed only where permitted by section 1019, 1023.5 and 1024.6 respectively.

707.8 Joints comply with section 715.

707.9 Voids at intersections- All voids intersections of fire-resistance rated assemblies shall be filled with an approved material or system.

708 Fire Partitions

708.1 General

1. Separation Walls as required by section 420.2
2. Corridor walls as required by section 1020.1
3. Elevator Lobby separation as required by section 3006.2.

708.3 Fire-Resistance Rating Fire partitions shall have a fire -resistance rating of not less than 1 hour.

Exceptions: 1. Corridor walls permitted to have a ½ hour fire-resistance rating by Table 1020.1. Occupancy R, Occupant load load served by corridor with sprinkler system= 0.5 hours.

708.4 Continuity- Fire barriers shall extend from the top of the foundation or floor/ceiling assembly below to the underside of the floor or roof sheathing, slab or deck above and shall be securely attached hereto.

708.7 Penetrations- Comply with section 714.

708.8 Joints comply with section 715.

708.9 Ducts and air transfer openings- Penetrations in a fire partition by ducts and air transfer openings shall comply with section 717.

709 Smoke Barriers

709.3 Fire-Resistance Rating. A 1-hour fire-resistance rating is required for smoke barriers.

709.4 Continuity- Fire barriers shall extend from the top of the foundation or floor/ceiling assembly below to the underside of the floor or roof sheathing, slab or deck above and shall be securely attached hereto.

709.4.2 Smoke-Barrier walls enclosing Elevator Lobbies Comply with 3007.6.2- 1 hour rating required.

711 Floor and Roof Assemblies

711.2 Horizontal Assemblies

711.2.3 Supporting Construction- Match fire-resistance rating of horizontal assembly being supported.

711.2.4.1 Separating Mixed Occupancies- Comply with section 508.4 based on the occupancies being separated.

711.2.4.3 Dwelling Units and Sleeping Units- Horizontal assemblies serving as dwelling unit or sleeping unit separations shall not be less than 1-hour.

712 Vertical Openings

712.1.12 Exit Access Stairways and Ramps- Comply with section 1019.

713 Shaft Enclosures

713.4 Fire-Resistance Rating- Shaft enclosures shall have a fire-resistance rating of not less than 2-hours where connecting four or more stories.

713.5 Continuity- Shaft enclosures shall be constructed as fire barriers in accordance with section 707 or horizontal assemblies constructed in accordance with section 711 or both and shall have continuity in accordance with section 707.5 for fire barriers or section 711.2.2 for horizontal assemblies, as applicable

713.6 Exterior Walls- Comply with section 705.

713.8 Penetrations- Comply with section 714.

713.9 Joints- comply with section 715.

713.10 Ducts and air transfer openings- Penetrations in a fire partition by ducts and air transfer openings shall comply with section 717.

714 Penetrations

714.1 Scope- Comply with entire section 714 to protect through penetrations and membrane penetrations of horizontal assemblies and fire-resistance rated wall assemblies.

715 Fire Resistant Joint Systems

715.1 General- Comply with entire section 715.

716 Opening Protectives

716.5.3 Door Assemblies in Corridors and Smoke Barriers shall comply with entire section 716.

Table 716.5 Opening Fire Protection Assemblies

Type of Assembly- Enclosures for Shafts, interior exit stairways, Wall rating 2 hours, Min. Fire Door Rating- 1 ½ hour, Door Vision panel size= 100 sq. in. max.

Type of Assembly-Fire Partitions: Corridor Walls, Wall rating 0.5 hours, Min. Fire Door Rating- 1/3 hour, Door Vision panel size= max. Size tested.

Type of Assembly- Exterior Walls, Wall rating 1 hours, Min Fire Door Rating- 3/4 hour, Door Vision panel size= 100 sq. in. max.

Type of Assembly- Smoke Barrier, Wall rating 1 hour, Min Fire Door Rating- 1/3 hour, Door Vision panel size= max. Size tested.

716.5.9 Door Closing- Fire doors shall be latching and self-or automatic closing in accordance with this section.

717 Ducts and Air Transfer Openings- Comply with entire section 717

718 Concealed Spaces- Comply with entire section 718

718.2 Fireblocking- In combustible construction, fireblocking shall be installed to cut off concealed draft openings (both vertical and horizontal) and shall form an effective barrier between floors, between a top story and a roof or attic space, fireblocking shall be installed in the locations specified in sections 718.2.2 through 718.2.7

720 Thermal and Sound-Insulating Materials- Comply with entire section 720.

Ch.8. Interior Finishes- Comply with Entire Chapter

Ch.9. Fire Protection Systems - Comply with Entire Chapter

901 General

901.6.1 Automatic Sprinkler System- Automatic Sprinkler Systems shall be monitored by an approved supervising station.

901.6.2 Fire Alarm System- Fire Alarm Systems required by the provisions of section 907.2 and sections 907.2 and 907.9 of the International Fire Code shall be monitored by an approved supervising station in accordance with section 907.6.6.

903.2.8 Group R- An automatic sprinkler system installed in accordance with section 903.3 shall be installed throughout buildings with a Group R fire area

903.2.10 Group S-2 enclosed parking garages- An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with section 406.6 where either of the following conditions exists:

2. Where the enclosed parking garage is located beneath other groups.

903.3.1.2 NFPA 13R Sprinkler Systems- Allowed in Group R occupancies up to and including 4-stories in height and do not exceed 60 feet in height above the grade plane.

903.3.1.2.1 Balconies and Decks: Sprinkler protection shall be provided for Balconies, Decks and ground floor patios of Dwelling Units and Sleeping Units of Type V construction.

903.3.2 Quick Response and Residential sprinklers- Required in Dwelling units and sleeping units in R occupancies.

906 Portable Fire Extinguishers- Comply with entire section 906

907 Fire Alarm and Detection Systems- Comply with entire section 907

907.1.1 Construction Documents- Provide documents that meets all the requirements of this section.

907.1.2 Fire Alarm Shop Drawings- Shop drawings for fire alarm systems shall be submitted for review and approval prior to system installation.

907.2.9 Group R-2 Fire Alarm systems and smoke alarms shall be installed in group R-2 occupancies as required in sections 907.2.9.1 through 907.2.9.3

907.2.9.1 Manual Fire Alarm System- Required where a dwelling unit or sleeping unit is located three or more stories above the lowest level of exit discharge.

907.2.11 Single and Multiple-station smoke alarms- Comply with UL 217 and install in accordance with section 907.2.11.2

907.2.11.2 Group R-2 Provide Single or Multiple-station smoke alarms at all the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of the bedrooms
2. In each room used for sleeping purposes.
3. In each story within a dwelling unit.

907.2.11.3 Installation near cooking appliances

907.2.11.4 Installation near Bathrooms

912 Fire Department Connections- Fire Department Connections shall be installed in accordance with the NFPA standard applicable to the system design and shall comply with sections 912.2 through 912.6.

914 Emergency Responder Safety Features- Comply with entire section 914

915 Carbon Monoxide Detection- Comply with entire section 915

Ch.10. Means of Egress

1004 Occupant Load

Function of Space- Residential, Occupant Load Factor- 200 Gross Sq. Ft.

1006 Number of Exits and Exit access doorways

1006.3 Egress from stories or occupied roofs.

Table 1006.3.1 Minimum number of exits or access to exits per story,
Occupant load per story: 1-500, Minimum number of exits or access to
exits from story: 2.

1007 Exit or exit access doorway configuration- Comply with entire section 1007

1008 Means of egress illumination- Comply with entire section 1008

1010 Doors, Gates and Turnstiles- Comply with entire section 1010.

1011 Stairways- Comply with entire section 1011

1011.2 Width and Capacity-

Exception 1. Occupant load is 9,600 s.f./ 200 gross sq. ft.= 48, Width of
Stair = 36"

1011.3 Headroom- Minimum headroom clearance of 80 inches required.

1011.5 Stair Treads and risers- Maximum Riser height shall be 7" and minimum
riser height shall be 4", Minimum rectangular tread depth shall be 11" from riser
to nosing.

1011.6 Stairway landings- Width of landing shall be not less than the width of the
stairways served.

1011.11 Handrails- Required on both sides of stair and shall comply with section
1014

1013 Exit Signs- Comply with entire section 1013

1014 Handrails- Comply with entire section 1014

1015 Guards- Comply with entire section 1015

1017 Exit Access Travel Distance

Table 1017.2 Exit Access Travel Distance- Occupancy R, With Sprinkler
System= 250'-0" where building equipped throughout with an automatic sprinkler
system.

1020 Corridors

Table 1020.1 Corridor Fire-Resistance Rating- Occupancy: R, Occupant Load
Greater than 10, With Sprinkler System= 0.5 Hrs

Table 1020.2 Minimum Corridor Width- Occupancy: R, Min. Width w/ Occupant
load less than 50 (total= 48)= 36"

1022 Exits- Comply with entire section 1022

1023 Interior Exit Stairways and Ramps- Comply with entire section 1023

1030 Emergency Escape and Rescue- Comply with entire section 1030

Sleeping rooms below the fourth storey above grade plane shall have at least
one emergency escape and rescue opening in accordance with this section

Ch.11. Accessibility

1104 Accessible Entrances

1104.1 Site Arrival points- Accessible route impractical due to vertical difference between Entry elevation at sidewalk (110'-0") and Finish First floor level (113.2'). First Floor Level is set by Enclosed Parking area at rear of First floor and Exterior parking area utilizing the same driveway, but provides parking for 22 Turner Street and 30, 30R Turner Street.

1104.4 Multistory building and facilities

Exception1: An Accessible route is not required to stories that have an aggregate area of not more than 3,000 sq. ft. and are located above an accessible story.

1105 Accessible Entrances

1105.1 Parking Garage entrance from exterior and from within Garage to buildings Main entry shall be accessible.

1106 Parking and Passenger Loading Facilities

Table 1106.1 Accessible parking spaces

Total Parking Spaces- 1-25, Required minimum number of accessible spaces= 1

1107 Dwelling Units and Sleeping Units

1107.2 Design- Dwelling Units and Sleeping Units that are required to be accessible units, type A units shall comply with the applicable portions of chapter 10 of ICC A117.1

1107.3 Accessible spaces- Habitable spaces available to the general public or the accessible units shall be accessible.

1111 Signage- Comply with entire section 111.

Chapter 12 Interior Environment- Comply with entire Chapter 12

Chapter 13 Energy Efficiency

1301 General- Buildings shall be designed and constructed in accordance with the International Energy Conservation Code 2009.

IECC 2009

Chapter 3 General Requirements

301 Climate Zones

Table 301.1 Climate Zones, Main, Cumberland County, 6A

Chapter 5 Commercial Energy Efficiency- Comply with entire Chapter 5

501.1 Scope

Commercial buildings shall meet either the requirements of ANSI/ASHRAE/IESNA Standard 90.1, Energy Standard for Buildings, Except for Low Rise Residential Buildings, or the requirements contained in this chapter.

502 Building Envelope Requirements

502.1.1 Insulation and Fenestration criteria. The building thermal envelope shall meet the requirements of tables 502.2 (1) and 502.3 based on climate zone 6A.

Table 502.2 (1)- Building Envelope Requirements- Opaque Assemblies

Climate Zone- 6A

Roofs- Attic and Other- Group R, R-38

Walls Above Grade- Wood Framed and Other- Group R, R-13 + R-7.5 ci.

Walls Below Grade- Below Grade Wall- Group R, R-7.5 ci.

Floors- Joist/ Framing (Steel/ Wood)- Group R, R-30

Slab-on-Grade- Unheated Slabs- Group R, R-15 for 24" Below

Opaque Doors- Swinging, Roll-up or Sliding- Group R, U-0.50.

Table 502.3 Building Envelope Requirements: Fenestration

Vertical Fenestration (40% Maximum of above-grade wall)- Proposed = 25.7%

Climate Zone- 6A

Framing Materials other than metal- U-Factor = 0.35

SHGC all Frame types: PF less than 0.25= 0.40

NFPA 2009 DETAILED CODE OVERVIEW-Comply with all chapters in their entirety as applicable.

Chapter 6 Classification of Occupancy and Hazard of Contents

6.1 Classification of Occupancy

6.1.8.1.5 New Apartment Building

6.1.13 Storage- Enclosed Parking Garage

6.1.14.3 Separated Occupancies

Table 6.1.14.4.1 (b)- Apartment Buildings, Storage= 2 Hours, 1 hour allowable reduction where building is protected throughout by an approved automatic sprinkler system in accordance with 9.7.1.1 (1) and supervised in accordance with 9.7.2.

6.2 Hazard of Contents

6.2.2 Classification of Hazard of Contents

6.2.2.2 Low Hazards Contents

Chapter 7 Means of Egress

7.1.3.1 Exit Access Corridors- Corridors used as an exit access and serving an occupant load exceeding 30 shall be separated by walls having not less than a 1- Hour fire-resistance rating in accordance with Section 8.3

7.1.3.2 Exits- Comply with section 8.2 and the following: 2, Minimum 2-hour fire resistance rating where the exit connects four or more stories, unless one of the following conditions exists: (c) Minimum 1 hour enclosures in accordance w/ 30.2.2.1.2 shall be permitted as an alternative to the requirement of 7.1.3.2.1

7.2.2 Stairs

7.2.2.2.1.2 Minimum New Stair Width where the total occupant load of all stories served is less than 50, the minimum width clear of all obstructions, except obstructions 4 ½" at or below handrail height on each side, shall be 36".

Table 7.2.2.2.1.1 (a) New Stairs

Minimum Width- 36"

Max. Ht. of Risers- 7"

Minimum Ht. of Risers- 4"

Minimum Tread Depth- 11"

Minimum headroom- 6'-8"

Maximum ht. Between landings- 12 ft.

Landing- 7.2.1.4.3.1 Door Leaf Encroachment- During door swing, any door leaf in a means of egress shall leave not less than one-half of the required width of a landing unobstructed and shall project not more than 7" into the required width of the landing, when fully open.

7.2.2.4.4 Handrail Details- New handrails on stairs shall be not less than 34" and no more than 38" measured vertically from the leading edge of the tread.

7.2.2.5.4.1 Stairway Identification- New enclosed stairs three or more stories shall comply with A-M for signage.

7.2.2.5.4.3 Stairway Tread and Landing markings

7.2.12 Area of Refuge

7.2.13 Elevators

7.3.1.2 Occupant Load Factor, Use Apartment, 200 Sq. Ft- 9,600 s.f/ 200 sq. ft. per person = 48 total occupants

7.3.3 Egress Capacity

Table 7.3.3.1 Capacity Factor, Stairways, width per person - 0.3 inch width per person x 48 =14.4" width required. Level Components, width per person- 0.2 inch width person x 48 =9.6" width required.

7.3.4 Minimum Width- The minimum width of any means of egress shall be not less than 36".

7.4 Number of Means of Egress- Not less than 2 from any story

7.4.1.6 Elevator Landing and Lobby Exit Access- Each elevator landing and lobby shall have access to at least one exit.

7.5 Arrangement of Means of Egress

7.5.1.3.3 In buildings protected throughout by an approved , supervised automatic sprinkler system in accordance with section 9.7, the minimum separation distance between two exits or exit accesses, or exit discharges shall be not less than one-third the length of the maximum overall diagonal dimension of the building or area being served.

Chapter 8 Features of Fire Protection

Table 8.3.4.2 Minimum Fire Protection ratings for Opening Protectives

Elevator Hoistways - Walls= 2 hours, Fire Door Assemblies= 1 ½ hours,

Vertical Shafts (Stairways) - Walls= 2 hours, Fire Door Assemblies= 1 ½ hours.

Exit Access Corridors - Walls= 1 hour, Fire Door Assemblies= 1/3 hours, Fire Window Assemblies= ¾.

Smoke Barriers - Walls= 1 hour, Fire Door Assemblies= 1/3 hours, Fire Window Assemblies= ¾.

Chapter 9 Building Service and Fire Protection Equipment - Comply with entire Chapter 9

Chapter 10 Interior Finish, Contents and Furnishings- Comply with entire Chapter 10

Chapter 30 New Apartment Buildings- Comply with entire Chapter 30

30.2.2.12 Areas of Refuge- Areas of Refuge are not required in Buildings protected throughout by an approved supervised automatic sprinkler system in accordance with 30.3.5.

30.2.5 Arrangement of Means of Egress

30.2.5.3.2 No common path of travel shall exceed 50 ft. in Buildings protected throughout by an approved, supervised automatic sprinkler system installed in accordance with 30.3.5.

30.2.6 Travel Distance to Exits

30.2.6.2 Travel Distance within a dwelling unit to a corridor shall not exceed 125 ft. in Buildings protected throughout by an approved supervised automatic sprinkler system.

30.2.6.3.2 In Buildings protected throughout by an approved automatic sprinkler system installed in accordance with 30.3.5, the travel distance from a dwelling unit entrance door to the nearest exit.

30.2.6.4 The travel distance, from areas other than those within living units, to the exit, shall not exceed 250'-0" in Buildings protected throughout by an approved supervised automatic sprinkler system.

30.2.8 Illumination of Means of Egress- Comply with section 7.8

30.2.9 Emergency Lighting- Comply with section 7.9.

30.3.2 Protection from Hazards

Table 30.2.3.1.1 Hazardous Area Protection

Storage Rooms outside of Dwelling Units- 1-hour and sprinklers.

Trash Collection Rooms- 1-hour and sprinklers.

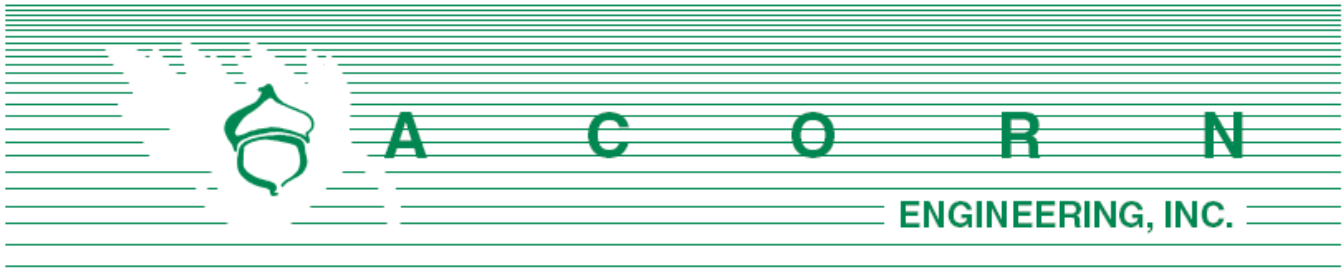
30.3.3 Interior Finishes- Comply with entire section

30.3.4 Detection, Alarm and Communication Systems- Comply with entire section.

30.3.5 Extinguisher requirements- Comply with entire section

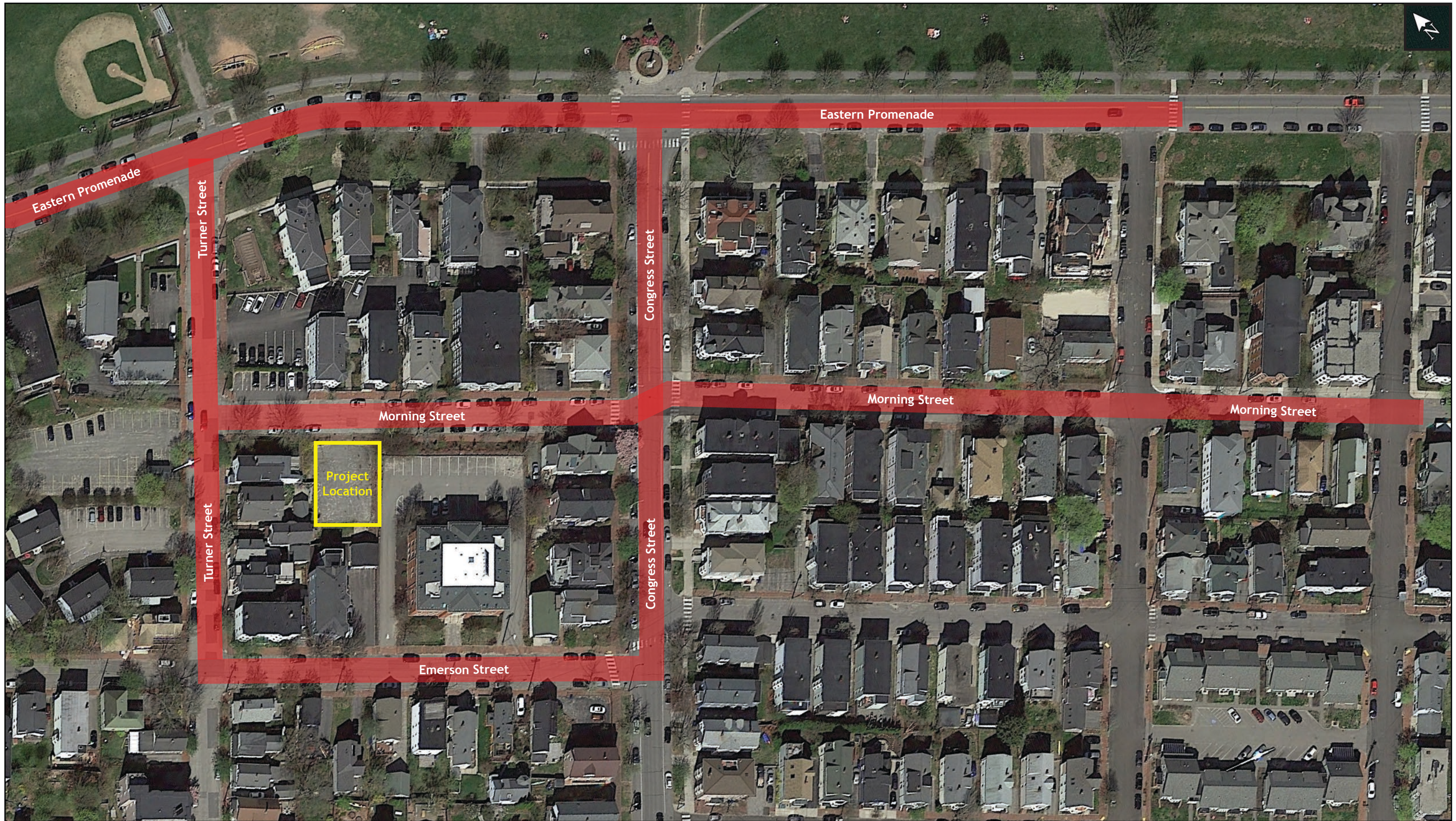
30.3.6 Corridors- Comply with entire section

30.3.6.2 Doors- Comply with entire section

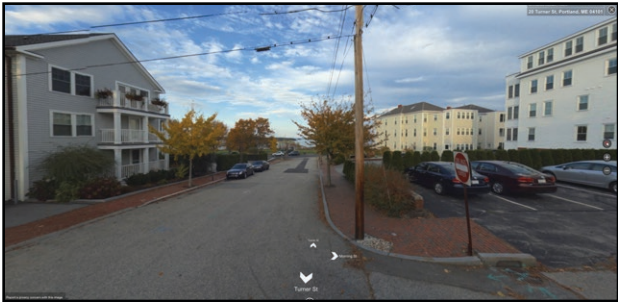


U. Photographic Documentation of Neighborhood

Please find attached photograchic documentation of the neighborhood.



Morning Street Looking Northeast



Turner Street



133 Morning Parking



133 Morning



129 Morning



125 Morning



119 Morning



35 Congress



Congress Street Looking West



34 Congress



95 Morning



93 Morning



89 Morning



83 Morning



81 Morning



79 Morning



79 Morning Parking



11 Moody



Moody Street

Morning Street Looking Northeast



63 Morning



55 Morning



49 Morning



Wilson Street



60 Morning



62 Morning



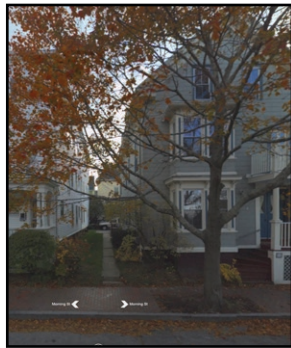
66 Morning



70 Morning



Wilson Street



Moody Street



76 Morning



80 Morning



86 Morning



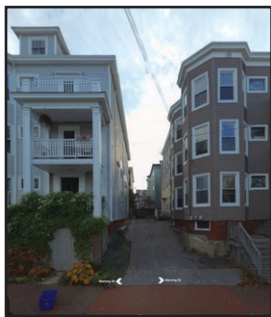
90 Morning



72 Morning



Morning Street Looking Southwest



94 Morning



96 Morning



102 Morning



Congress Street



39 Congress



130 Morning Lot



20 Turner



Turner Street

Turner Street Looking Southeast



Eastern Promenade



Morning Street



20 Turner



22 Turner



30 Turner



32 Turner



29 Emerson



Emerson Street

Turner Street Looking Northwest



Emerson Street



33 Turner



250 Eastern Promenade Development



250 Eastern Promenade Development



234 Eastern Promenade

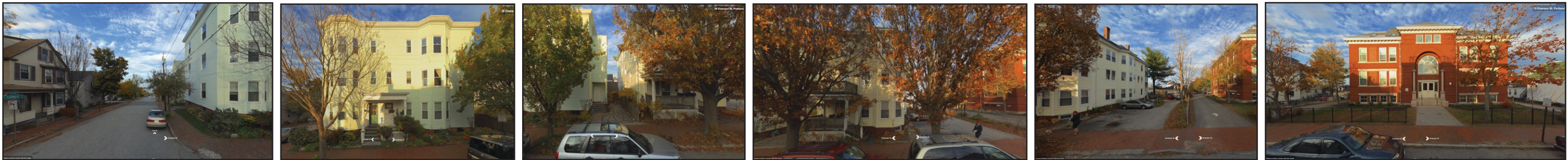


234 Eastern Promenade



Eastern Promenade

Emerson Street Looking Northeast



Turner Street 29 Emerson 23 Emerson 13 Emerson



51 Congress Congress Street

Emerson Street Looking Southwest

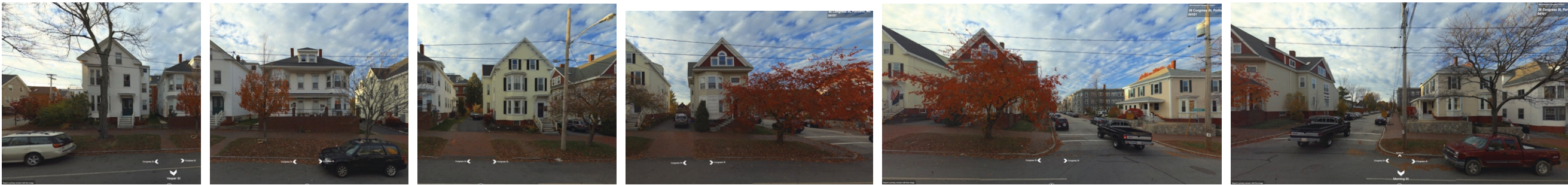


Congress Street 8 Emerson 10 Emerson 14 Emerson 16 Emerson

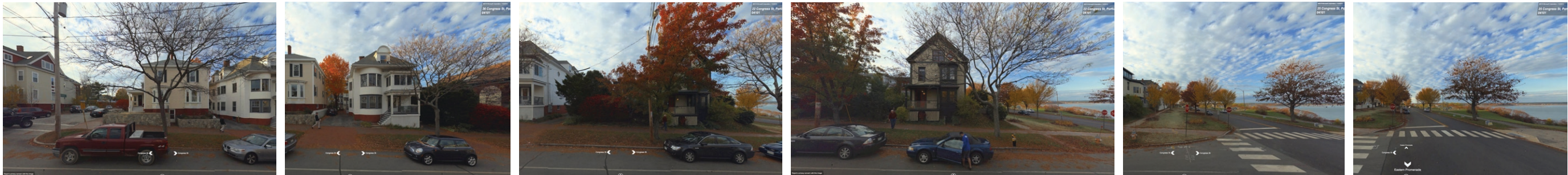


16 Emerson 20 Emerson 22 Emerson 24 Emerson 38 Turner Turner Street

Congress Street Looking Northeast



Emerson Street 51 Congress 45 Congress 43 Congress 39 Congress Morning Street 35 Congress



35 Congress 33 Congress 25 Congress Eastern Promenade

Congress Street Looking Southwest



Eastern Promenade 184 Eastern Prom 32 Congress 34 Congress Morning Street



Morning Street 102 Morning 44 Congress 46 Congress 48 Congress Vesper Street

Eastern Promenade Looking Northwest



150 E Prom Moody Street 152 E Prom 164 E Prom 166 E Prom 172 E Prom 176 E Prom 182 E Prom 184-188 E Prom 184-188 E Prom



184-188 E Prom Congress Street 25 Congress 25 Congress 208 E Prom 214 E Prom 218 E Prom 222 E Prom



222 E Prom Turner Street 246 E Prom 346 E Prom

Neighborhood Precedents



119 Morning



55 Morning



49 Morning



102 Morning



29 Emerson



13 Emerson

Neighborhood Precedents



152 Eastern Promenade



176 Eastern Promenade



184-188 Eastern Promenade



208 Eastern Promenade



214 Eastern Promenade



222 Eastern Promenade

Neighborhood Precedents



236 Eastern Promenade



270 Eastern Promenade



288 Eastern Promenade

Neighborhood Precedents



133 Morning



129 Morning



125 Morning



119 Morning



39 Congress



133 Morning



129 Morning



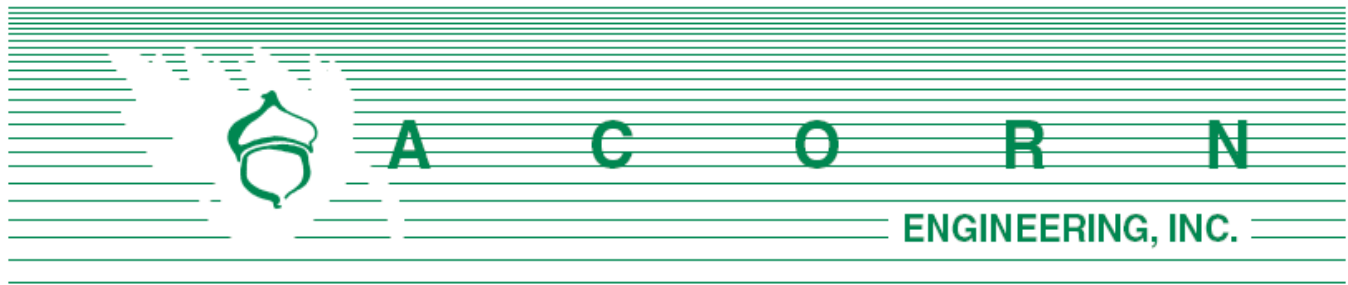
125 Morning



119 Morning



39 Congress (Southeast corner of Morning)



July 19, 2019

Dear Neighbor:

On behalf of Northeast Turner, LLC, we are pleased to invite you to a neighborhood meeting to discuss our plans for the proposed project at 130 Morning Street within the R-6 zoning district and Munjoy Hill Conservation Overlay District. The project includes the redevelopment of an existing parking lot into a 4-story, 9-unit residential building with one workforce unit. A shared side vehicle entrance to the first-floor parking level will be implemented allowing for seven parking spaces with an additional four parking spaces for abutting properties. The street frontage along Morning will be improved by reducing the existing curb cut, rebuilding the sidewalk to City standards, planting three street trees, and providing an active frontage.

Meeting Location: The Root Cellar – 94 Washington Ave., Portland, ME 04101

Meeting Date: Monday, July 29, 2019

Meeting Time: 5:30 p.m.

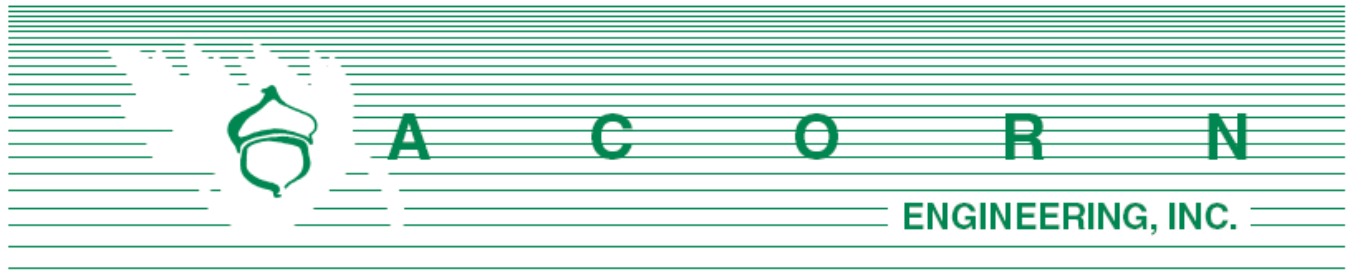
The City code requires that property owners within 500 feet of the proposed development and residents on an “interested parties list” be invited to participate in a neighborhood meeting. A sign-in sheet will be circulated and minutes of the meeting will be taken. Both the sign-in sheet and minutes will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

If you have any questions regarding the neighborhood meeting, please don’t hesitate to call me at 775-2655. We look forward to seeing you at the meeting.

Sincerely,

A handwritten signature in black ink, appearing to read 'Will Savage'.

William H. Savage, P.E.
Acorn Engineering, Inc.



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

August 1, 2019

Subject: Morning Street Development Neighborhood Meeting

I, Sam Lebel, hereby certify that a neighborhood meeting was held on July 29, 2019 at the Root Cellar located at 94 Washington Ave at 5:30 pm.

I also certify that on July 19, 2019, 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.

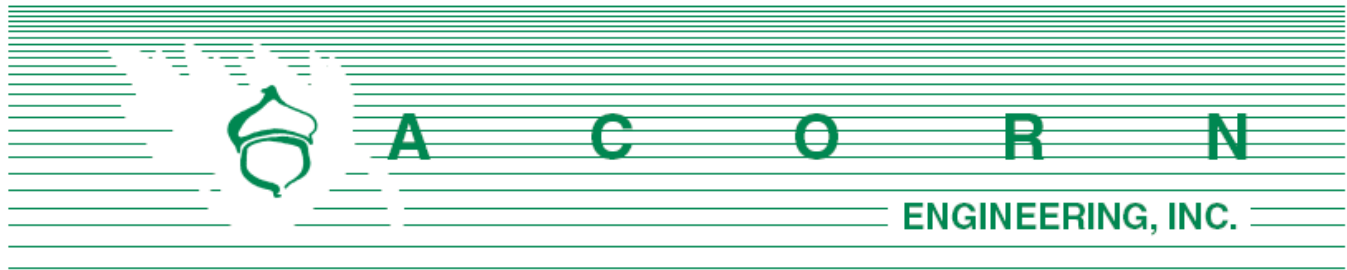
Sincerely,

Dated 8/1/19

Samuel Lebel, E.I.
Project Engineer
Acorn Engineering, Inc.

Included with this certification are:

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



130 Morning Street Development Level III Site Plan/Subdivision Application

Neighborhood Meeting Minutes

July 29, 2019 / 5:30 pm

Root Cellar

94 Washington Ave Portland, ME 04101

Project Team Attendees:

Kara Wilbur (KW): Urban Designer & Planner/Presenter (Principle)

Sam Lebel (SL): Civil Engineer/Presenter (Acorn Engineering)

Tom Landry (TL): Developer/Presenter (Cornerstone)

Michael Chestnutt (MC): Architect/Presenter (Cornerstone)

Darel Bridges (DB): Architect (Cornerstone)

Meeting started at approximately 5:40 pm.

Presentation:

Kara Wilbur:

Introduction:

- Bio
- Share your name, home address, and how long you've lived in Portland when you ask a question.
- We are here to discuss 130 Morning Street, the 4-story 9-unit condo building
- We will discuss the proposed site plan, massing, and how it will fit into the neighborhood
- We will talk about the Architecture and design of the building.
- City zoning is an ongoing policy process at a higher, city level and should not be the focal point of tonight's discussions.

Tom Landry:

- Bio
- Overview of nearby properties along Turner and Morning Street.

- 130 Morning street is used as a parking lot, to our knowledge there has not been any significant building on this lot.
- As you can see nearby properties don't all have onsite parking.
- There will be additional meetings held for those interested in the property
- Overview of the design team

Sam Lebel:

- Neighborhood Meeting is a City requirement for a Level III Application. Next step is a Planning Board Workshop which you can be notified about on the City's News Flash website
- City planner for this project is Christian Roadman
- Introduced existing site conditions at 130 Morning Street
 - o The site is in the R-6 and Munjoy Hill Conservation Overlay District and is bounded by these districts on all sides.
 - o Overview of vicinity of site to existing street network and landmarks
 - o Existing site is currently a parking lot that slopes up to rear at approximately 10%.
 - o Based on the size of the parcel, 10 units are allowed.
- Introduced scope of proposed work
 - o The proposed site is a 4-story, 9-unit condominium with one-unit meeting workforce requirements.
 - o The height of building is below the maximum of 45' and the footprint conforms to the 10' side yard and 15' rear yard setbacks.
 - o The existing curb cut would be reduced in overall width and relocated to the right side of the lot.
 - o This project will have a shared driveway – a public policy goal of the City – where neighbors share infrastructure which means less impervious area and more active street frontages.
 - o We are providing 7 internal parking spaces for the new building and 4 external parking spaces for the adjacent properties.
 - o The left side of the site will feature a small patio with generous planting to buffer the site. The green space is currently over the required minimum of 20%
 - o Along the driveway we are proposing a curb and cedar fence in between the properties to help delineate the boundary.
 - o The brick sidewalk will be replaced to City standards and we anticipate planting 3 street trees as part of the project.
 - o Underground utilities have been pre-installed at this site so when Morning street is repaved -which is planned for later this year- no disturbances to the new pavement would need to occur.
 - o 2 field inlets, a catch basin, and roof drain system will effectively capture the majority of the stormwater runoff. Additional green space and better stormwater management on site will result in an improved condition compared to the existing site.
 - o Overall, a great opportunity to increase the City's housing stock in place of a surface parking lot.

Michael Chestnutt:

- Design Strategy from an architectural standpoint



- Design something of its time while being respectful of the neighborhood
 - We are not copying what is existing
- Six architectural features in the neighborhood
- Compared footprint sizes of all nearby structures
 - The scaling of the building
 - The orientation and massing of the structure
 - How the building sits on the ground
 - Exterior materials
 - The sides of the projects
 - The roof forms of the neighboring buildings
- Video of 3D rendering of building
 - Triple decks in the front of the building with a gap in the center above entrance
 - Below the 45' building height maximum
 - Top of the building is below the former school and adjacent structure on Emerson Street
 - Decks in the back of the structure as well
 - ADA access is inside the garage from the driveway. There is an elevator.
 - Studio apartment on first floor, along with parking.
 - Three apartments each on second and third floors
 - Two apartments on fourth floor.

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: Will you have a scale model?

MC: We'll have a video and 3d renderings.

Q: Will this be an apartment building or condos?

MC: Condominiums.

Q: How far do the decks project? Do they project over the sidewalk?

MC: The upper stories are set back so the decks do not protrude onto the sidewalk.

Q: What's the base elevation?

MC: Approximately elevation 109 at the sidewalk

SL: And approximately elevation 113 at the finished floor. Average grade is very close to the finished floor because the grades in the back are so high.

Q: Do you have decks in the back?



MC: Yes we do

Q: Are the trees shown existing or proposed

MC: Some are existing and some are proposed.

Q: Are there any trees being removed as part of the project?

MC: No.

Q: What will be on the first floor?

MC: This space will contain one apartment with parking.

Q: Where are the other units?

MC: There is one on the first floor, three units on the second and third floors, and two units on the fourth floor.

Q: What is the main visual impact?

MC: That would be in the back of the structure. There are decks in the back.

Q: Where will the heat pump units go?

MC: The heat pumps will go in the center of the roof. The roof is 48' wide. There will be room on each side so you will not be able to see them from the street. Unless your uphill, we cannot prevent that.

Q: Won't the solar panels and heat pumps add to the profile?

MC: It will be hard to see the heat pumps because they will be located centrally. The solar panels will not have much of a tilt so they will not notably add to the profile either.

C: We see all the HVAC units on these new buildings. Your slide is not an accurate representation.

MC: As you go up in elevation towards Emerson Street you will be able to see them from certain angles, but from lower angles, you will not see them.

C: We will see them from anywhere.

MC: Next meeting we can revisit this, and I can show that you will not see them from all locations.

Q: Can a screen even occur?

MC: We will investigate this; a screen may block solar panels.

C: The higher the structure the more view will be blocked.



MC: The city purposefully allowed the solar and HVAC units to be on top the building past the height limit of 45'.

DB: Here is a better representation of what the heat pumps will look like on top of the building.

Q: What about from the back view?

MC: We will place them the most efficiently we can to reduce obstruction.

MC: We have 84 solar panels up there. We don't necessarily want to put screening that's going to block the sun from the panels or even eliminate some of the solar panels.

C: The building could be greener. Older buildings are the most green because they don't have AC units.

Q: As someone who walks by in the morning, how does the noise from the HVAC units compare to the window units?

MC: The roof units will be quieter than traditional window units.

Q: When you talked about scoping, you never used a view to the south. Why did you use only certain examples of other buildings on the street and block? The city would not of approved the project if you combined lots and built a large building.

MC: We used examples of many buildings around the block and neighborhood.

Q: Does this video show any views from the back?

MC: The video does not.

C: The buildings on the front aren't impacted as much, we are behind the building and are the ones that are concerned.

Q: When will construction start?

TL: Likely the fall of 2019

Q: When will this be finished?

TL: Likely the summer of 2020

Q: How can we mitigate the noise of construction?

TL: The loud part will last about a month or so while all work is outside. Construction will be quieter once the shell is built and work moves inside.

DB: The siding is composite wood, with fiber cement at the base.

C: How is this design compatible with the nearby structures? This building doesn't seem

compatible.

MC: We are reinterpreting and playing off features from nearby structures.

C: Balconies are a good thing.

Meeting concluded at approximately 6:45 pm.

The abovementioned material is meant to represent discussions about the specific project. It is as interpreted and is not verbatim. Please note and relay any discrepancies or disputed information in the recorded minutes to the Applicant so that they can be reviewed, revised, and resubmitted as necessary.



SIGN-IN SHEET

Date: July 29, 2019
Location: The Root Cellar, 94 Washington Avenue
Meeting: Redevelopment of 130 Morning Street

Members of the Public in Attendance:

Name:

Email Address:

1. *James Bann* *RAEJA_976@msn.com*
2. _____
3. *SEE NEXT PAGE*
4. _____
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SIGN-IN SHEET

Members of the Public in Attendance: (continued)

	Name:	Email Address:
2	27. Steven Cohen	SV Cohen @ msn.com
3	28. Shih Jia	-
4	29. Lisa Morris	
5	30. Betsy Elliman	betsyelliman@msn.com
6	31. Rae Barnes	raejim_976@msn.com
7	32. K. Hyde	
8	33. [unclear]	
9	34. Karen Harrison	karen.harrisonme@gmail.com
10	35. Johnny Robinson	johnrobinsonrr@gmail.com
11	36. Larry Greenwood	Sailing @ GWI, INC
12	37. STELLAN NEELAN	STELLAN@MAINE.KR.COM
13	38. KATE HOWE	KATEJHOWE@GMAIL.COM
14	39. Bm Elliman	telliman x@yahoo.com
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SIGN-IN SHEET

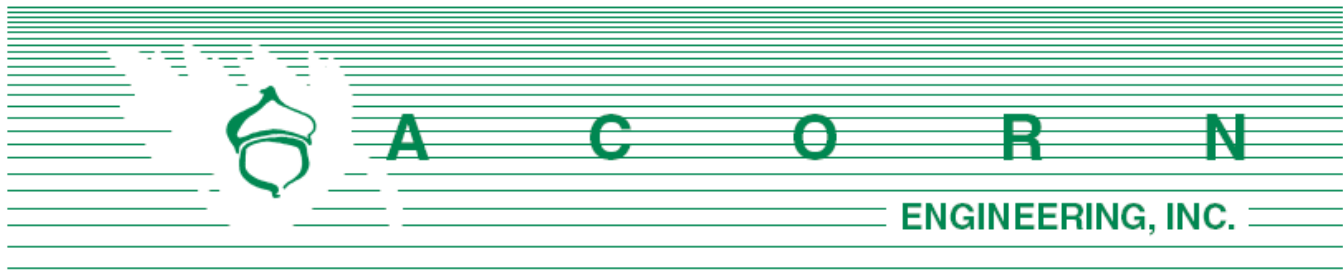
Date: July 29, 2019
Location: The Root Cellar, 94 Washington Avenue
Meeting: Redevelopment of 130 Morning Street

Developer and Consultant Team in Attendance:

Name:

Email Address:

1. SAM LEBEL (ACORN) sllebel@acorn-engineering.com
2. ERIN LARSON eLarson@benchmarkmaine.com
3. Darel Bridges darel.gabriel.bridges@me.com
4. Shannon Noyes shoyes@benchmarkmaine.com
5. Mary Morin mmorin@benchmarkmaine.com
6. Tom Landry tomlandry@benchmarkmaine.com
7. Kara Wilbur kara@principle.us
8. Michael Chestnut MCHESTNUT@CORNERSTONEBR.COM
9. _____
10. _____
11. _____
12. _____



Christian Roadman – City Planner
Planning Division, City of Portland
389 Congress Street
Portland, ME 04101

August 30, 2019

Subject: Comment Response Letter
130 Morning Street Redevelopment – Portland, Maine

On behalf of Northeast Turner, LLC we are pleased to respond to the comments that we've received thus far.

Planning

Comment – *The required 5' front yard zoning setback is not met. Please revise. (Staff confirmed with zoning that average front yard measurements across the street / down the road cannot be applied, and the 5' setback is the appropriate measure here).*

Response – The building design has been revised to accommodate a 5' front yard setback.

Comment – *Application documents specify that decks are not included in impervious surface calculations. Please clarify expected interaction between decks and pervious surfaces below (material, spacing, etc.)*

Response – The decks were included as building coverage, but not as impervious area. This is due to the conventional plank style decking which will allow water to permeate through the decks and into the pervious landscaping below.

Comment – *Site plan / detail should call out design / logistics / product used for interior bicycle storage.*

Response – Please refer to the revised Site Plan which now dedicates an accessory structure to bicycle storage.

Comment – *Per Technical Manual Section 12.6 please provide a photometric plan.*

Response – The photometric plan will be forthcoming.

Comment – *Workforce housing documentation / agreement should be coordinated with and reviewed by the housing program manager.*

Response – The Applicant is currently working on progressing these details with the housing

program manager.

Comment – *Please mark compact spaces on site plan.*

Response – The compact spaces have been labeled.

Comment – *Please clarify decision not to include a parapet screening on the southwest elevation. If PV panels are the reason, please investigate if low parapet could reduce exposure only insignificantly.*

Response – Please refer to the revised architectural drawings. The Architect has added a rear parapet to shield the PV panels and condensers on the roof from view from the far side of Emerson street at street level. See sheet R5.

Comment – *Per neighborhood meeting minutes and public comment, rendering(s) showing the context / visibility from farther up the Hill (Emerson Street) are requested.*

Response – A rendering from this perspective has been included within the application material and Planning Board presentation. See sheet SP3

Comment – *The driveway width crossing the sidewalk is larger than the driveway width next to the building. Is this intentional?*

Response – Due to the Morning St. paving project that occurred earlier this summer, the Applicant completed utility and curbing work prior to the moratorium. Because the project was still in its planning phases and it needed to account for unexpected changes, the driveway was built at 12' wide so as not to limit the driveway. At this time a driveway just over 10' is proposed.

Fire

Comment – *The street address shall be verified by the City of Portland E911 addressing officer.*

Response – Please let us know when this information is confirmed.

Comment – *The street address shall be attached to the front of the building and approved by the Fire Department.*

Response – The address will be presented on the front of the building.

Department of Public Works

Comment – *The Applicant installed utility stubs, installed the proposed site driveway, and closed the previously existing site driveway in July 2019, ahead of the City's planned repaving of Morning Street in summer/fall 2019. Any changes to these installations required by site plan review, or proposed by the applicant, immediately proceeding or at any time following (up to 5 years) paving of Morning Street shall be subject to moratorium repair, as outlined in the City's Rules and Regulations for Excavation Activity. DPW does not anticipate that any such changes will be required at this time, but this may change as the site plan approval process moves forward. Right-*



of-way work including sidewalk and streetscape improvements that do not affect curb placement or street excavations will still be required.

Response – No response.

Comment – *The Applicant is utilizing adjacent properties for their exterior parking spaces, vehicle turnaround, and underground utility. The Applicant shows right, title, and interest to these parcels via easements in their documentation. All easements should be clearly shown in the site plan with a brief descriptor.*

Response – These easements have been added to the site and subdivision plat.

Comment – *The site driveway measures only 10.5 feet wide. The parking area it serves is 11 total spaces. The driveway width will require a waiver from the City's technical manual, section 1.7.2.3, as the minimum width for a 2-way driveway serving 10 or more parking spaces is 20 feet. The driveway is close to the minimum width for a driveway serving 9 or fewer spaces. The full driveway width shall stay clear of obstruction so that the effective width is not reduced below 10.0 feet.*

Response – The driveway maintains over 10 feet of width.

Comment – *The four exterior spaces are shown as serving neighboring properties. Specific properties should be identified, and pedestrian access route(s) should be identified. It is not recommended that the site driveway double as a pedestrian access route, given the steep slope (12%) and narrow width that will not allow a vehicle to drive past a pedestrian.*

Response – There is pedestrian access provided directly from the Turner Street properties. Walkways and alleys run up each property to the parking area. It will not be necessary to use the proposed driveway for pedestrian use. A general note has been added to clarify the owners of each space.

Comment – *The drive aisle serving the exterior parking spaces is 19.9 feet. This width will require a waiver of the City's technical manual, section 1.14. The effective drive aisle width serving spaces 3, 4 and 7 is only 21.84'. This should be labeled. The waiver for this drive aisle can be included under the same waiver as the exterior spaces. The standard width for a drive aisle serving perpendicular spaces is 90 degrees. [It should be noted that, while this language isn't reflected in the technical manual, substandard drive aisles may cause the (standard size) parking spaces served by the drive aisle to be de facto compact spaces, since a 20-foot aisle serving 18-foot spaces is quite the same as a 23-foot aisle serving 15-foot spaces. 64% of spaces on site are served by drive aisles of less than 22 feet.]*

Response – The effective width of the internal drive aisle is 23.84', consistent for all spaces. Only four of the eleven spaces are served by a drive aisle less than 22 feet. The effective width for the internal is 41.84 feet and the effective width for the external is 37.9 feet.

Comment – *Three of the 11 total spaces are compact spaces (excluding the four exterior spaces served by a substandard drive aisle). This represents a compact space ratio of 27%. This will require a waiver from the City's technical manual, Section 1.14.*



Response – These spaces have been labeled on the site plan in addition to their dimensioning.

Comment – *Please relabel the parking spaces 1-11, rather than using 1-4 twice.*

Response – The Applicant would prefer to keep separate numbering systems due to the different condominium associations that have rights to the spaces.

Comment – *The site plan should clarify whether the interior parking spaces will be accessed via a garage door and, if so, the placement and width of this door. The current site plan appears to depict a door or opening that is the full width of the interior drive aisle (~24 feet). The size and placement of the garage door or opening may affect turning maneuvers into some of the interior spaces.*

Response – A dimension of 24 feet has been added to the Site Plan for the garage door.

Comment – *Given the presumed request for a waiver for the outdoor spaces, turn templates are requested for each of these four spaces.*

Response – Please find as part of this response letter, Document AA which demonstrates that the typical design vehicle can navigate these spaces.

Comment – *Some of the interior parking spaces appear to be challenging to enter or exit based on placement and proximity to walls. Turn templates are requested for interior spaces 1, 4, 5, and 7.*

Response – Please see Document AA.

Comment – *It appears the easiest way to access the accessible space (interior space #7) will be to back into this space; however, HP spaces should be accessible by pulling in or backing in. A space oriented like Space 7 should prioritize the ability to pull into the space, since the passenger's side is the side most likely to need the adjacent clear area. DPW suggests that the HP space be switched with the adjacent clear area, so that Space 7 is located adjacent to the stairwell and the clear area is located closer to the garage door; this will make it easier to pull into this space while continuing to facilitate backing into the space. We recognize that this may affect the layout of the solid waste storage area. Note that the HP space and clear zone are both wider than necessary (8 feet required), which may give additional "wiggle room" in terms of the placement of the HP space between the stairwell and garage door.*

Response – The ADA space and striped area have been switched per request.

Comment – *Snow storage area is not specified.*

Response – Given the site constraints, snow will likely need to be transported off site during substantial storms. The HOA or property manager will be responsible for this.

Comment – *The site plan should delineate a 5-foot minimum, 2% maximum cross-slope sidewalk section running through the driveway. This is not clearly noted in the site plan or grading/drainage plan.*

Response – In addition to the detail on C-40, spot grades on C-30 are shown to demonstrate the



max 2% cross slope. An additional note on C-10 has been added to reiterate this.

Comment – *The front of the building runs up to within 2 feet of the property line. It is unlikely that an exiting vehicle will be able to see an oncoming vehicle or pedestrian coming from the east until they are partially blocking the sidewalk. This represents a hazard to pedestrians.*

Response – The building has been moved back over three feet.

Grading and Drainage Plan

Comment – *Field inlets are provided serving the back yard and easterly side yard, and a catch basin serves the exterior parking area. The Applicant should explore whether infiltration areas are possible in the back or side yard in order to improve groundwater recharge and reduce the burden on the storm sewer. DPW acknowledges that the grading of the site may make this difficult.*

Response – Given the footprint of the proposed foundation and the grading challenges, infiltration is not proposed. Overall the stormwater management will be improving both from a quality and quantity perspective.

Utility Plan

Comment – *As noted above, utility stubs have been installed.*

Response – No response.

Comment – *Underground electric and telecommunications to be installed via an easement from an existing utility pole on Turner Street. No additional excavation on Morning Street is expected.*

Response – No response.

Construction Management Plan

Comment – *Plan notes "Min. 4' sidewalk to remain clear and functional during construction when feasible. The Applicant should provide approximate durations during which keeping this sidewalk open may not be feasible (during sidewalk construction only? Or longer?)*

Response – It's anticipated that a portion of the building construction will require the sidewalk detour. Durations would need to be provided by the builder and earthwork contractor once those companies are contracted with.

Comment – *A temporary crosswalk and ADA ramps are shown just east of the project frontage for use when the sidewalk is closed. Note that parking should also be restricted within 10 feet of the temporary crosswalk while the crosswalk is painted on the roadway.*

Response – This has been added to the crosswalk note on C-03.

Comment – *Verify that the lone construction entrance for vehicles will be at the driveway shown. Note states "construction fence with access gate along property lines".*



Response – This will be the sole construction entrance. The note has been clarified.

Comment – *Applicant shall verify that construction vehicles can turn into and out of the site without restrictions to street parking. Parking occupancy permits shall be sought if these movements cannot be made without heavy vehicles backing up to make 3-point turns into the driveway.*

Response – Given the one-way street and 16 foot curb cut, construction vehicles are able to make this maneuver without a 3 point turn. See Document AA.

Civil Engineering Peer Review

Comment – *The Applicant should clarify their electrical service. A capped stub from the adjacent property is shown, but the location of the service connection to the proposed building is not shown.*

Response – The connection area has been shown on C-20.

Comment – *I suggest the applicant evaluate the impact of sending site drainage into their foundation drain system. The field inlet to the east of the building will collect stormwater from that side of the building and is connected to the foundation drain pipe. The Applicant should verify that there will be adequate slope on the pipe to an outlet point and/or that there will be sufficient infiltration such that stormwater doesn't sit around the foundation.*

Response – The two field inlets to the left of the building are now being shown tying into the 6" solid storm drain given the building has moved back over three feet.

Comment – *Confirm the location of the connection of the roof drain at the western corner of the building. It is unclear where the connection to a main pipe is located; this may just be due to a line-type issue.*

Response – The roof leader line has been extended all the way to the 6" storm drain.

Comment – *The Applicant should verify that the 6-inch pipe from the site will be adequate to manage all of the site's stormwater. The slope of the stormdrain pipe connection into the City's sewer is relatively steep at 8%. The Applicant should also confirm that additional protection (i.e. clay dams, or scour protection) due to this slope and anticipated flow is not necessary at the connection to the existing 10-inch vitrified clay pipe.*

Response – The surface covers have been inputted to HydroCAD with a 5 minute time of concentration. The result is a 25 year storm peak flowrate that's lower than the capacity of a 6" pipe at 8%. Furthermore, Manning's equation results in a velocity of 8.7 feet per second which is below the industry standard maximum velocity of 12-15 feet per second. Therefore, capacity and scour are not anticipated to present an issue.

Comment – *I suggest adding a few more spot grades or flow arrows to the space in front of the garage entrance to ensure the area is graded away from the doorway.*



Response – Additional spot grades have been implemented to Sheet C-30.

Comment – *On the Construction management plan, it appears that the construction fence note is incorrectly pointing to the silt fence. Also, it appears that along the eastern and part of the western boundary, the construction fence will be installed off of the property. Please clarify if this is the case, show construction easements as required, and provide for restoration of those impacted off-site areas as necessary following construction.*

Response – The note and location of the fence have been clarified. There are no construction easements anticipated.

Please let us know if you have any additional questions or comments.

Sincerely,

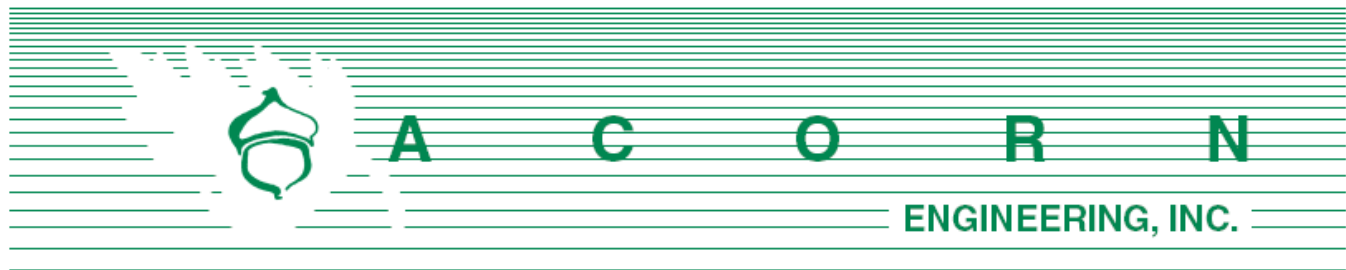


William H. Savage, P.E.
Principal - Project Manager
Acorn Engineering, Inc.



Samuel J. Lebel, E.I.
Project Engineer
Acorn Engineering, Inc.





Christian Roadman – City Planner
Planning Division, City of Portland
389 Congress Street
Portland, ME 04101

September 24, 2019

Subject: Comment Response Letter 2
130 Morning Street Redevelopment – Portland, Maine

On behalf of Northeast Turner, LLC we are pleased to respond to the second round of comments that we've received thus far.

Christian Roadman, Planning

Comment – *The proposed plan partially conforms to zoning requirements, with some potential required modifications. Rooftop appurtenances, including the parapet, appear to exceed the 45' required maximum height in provided elevations (attachment P15). An updated landscape plan is required and should be used to calculate the landscaped open space requirements. The applicant's current calculation of the open space requirement is unclear given a reference to further calculations on the site plan (attachment P5).*

Response – The building design – specifically the parapet – has been redesigned such that the height is below 45 feet. A revised Site and Landscape Plan has also been included within this submission which meets the minimum 20% open space requirement. In the cases where green space is proposed below a deck (specifically the back-left and front of the building), this was counted towards the 20% requirement because the decks will allow for water to fall through.

Comment – *The applicant submitted a draft recording plat requires revision to conform to the City of Portland's City Code (including appropriate stamps / signatures and specification of housing units)*

Response – Please refer to the revised subdivision plat included within this submission.

Comment – *Will Provide for Adequate Sanitary Sewer and Stormwater Disposal (Section 14-497 (a) 6), and Will Not Cause an Unreasonable Burden on Municipal Solid Waste and Sewage (Section 14-497 (a) 7) The applicant provided an application for wastewater capacity confirmation (attachment M). Confirmation of such by the Department of Public Works will be required.*

Response – In response to potential concerns about the existing sewer system's capacity to handle the proposed sanitary flows – please refer to the revised stormwater management plan which compares the existing and proposed conditions during a 1" rain event. Due to the increase in pervious area on site as well as the soil amendments, the reduction in stormwater discharge from

the site for a 1" 24-hour storm will be nearly 1,000 gallons which will help compensate for the proposed increase in sanitary flows (1,620 gallons per day – please see the revised Document M. Wastewater Capacity Letter).

For rain events 2" and greater, the post condition will actually contribute less total combined flow than the pre condition thus decreasing the site's overall impact on combined sewer overflows (CSO's). Furthermore, because the site will provide a storm drain lateral that's separated from the sewer, when Morning Street becomes separated in the future, the site will no longer be contributing to the dilution of sanitary wastewater nor CSO's in any capacity.

Comment – *The applicant's waiver table should be updated to address the required waivers cited above, per comments by the Department of Public Works reviewing engineer (attachment 2)*

Response – The waiver table has been updated.

Comment – *The landscape plan provided (attachment P6) is out of date due to site plan revisions and should be resubmitted for review and approval by the City's arborist.*

Response – The Landscape Plan has been revised and uploaded.

Comment – *The City's third-party civil engineering consultant reviewed the plans, and a previous round of comments were adequately addressed by the applicant. However, the most recent site plan raised questions regarding the proposed patio area adjacent to the building. The applicant should review and address the comments regarding this area (attachment 4).*

Response – This area has been redesigned.

Comment – *The proposed plans were reviewed by the Fire Department (attachment 5). Planning staff seek additional confirmation from the Fire Department that the building provides adequate emergency department access given the narrow site driveway.*

Response – No response.

Comment – *While the applicant provided cut sheets for full cutoff lights (attachment N), a photometric plan is still required.*

Response – Document N has been revised to include a photometric plan.

Tom Errico - Traffic

Comment – *The Applicant has provided a vehicle turning template for one of the exterior parking spaces. The turning template graphic illustrates the far easternmost space is accessible although multiple maneuvers will be required. Similar turning template graphics shall be provided for all four parking spaces as requested by Mike.*

Response – Document AA has been revised to include the remainder of the turning movements.

Comment – *The Applicant has provided vehicle turning templates for the interior parking spaces*



that are the most challenging from an accessibility perspective. As illustrated parking space accessibility seem reasonable. I would note that the Applicant has noted that the parking aisle width is 23.84' and nearly meets City standards.

Response – No response.

Comment – *The Applicant should specify sight distance measurements (to both pedestrians on the sidewalk and vehicles on Morning Street) for vehicles exiting the site given the building location adjustment. The Applicant should also consider changes to the 6-foot fence impacting sight lines to the south.*

Response – The sight distance for pedestrians is approximately 80 feet (to the beginning of the sidewalk at the Morning/Turner intersection) and over 150 feet looking towards Congress Street. The vehicle site distance is approximately 100 feet to the intersection of Morning/Turner and approximately 170 feet. Please note Morning Street is a one-way street northwest bound towards Turner Street. The fence location has been pushed back 7' off the right-of-way to facilitate sight distance – please see the revised Site Plan.

Lauren Swett – 3rd Party Civil Engineering

Comment – *The patio space is shown overlapping the existing wall – I'm assuming that it will be installed butting up against the wall, as well as butting up against the proposed building*

Response – This area has been redesigned.

Comment – *The 115 and 116 contours are missing from this area on the plan. The building elevation shows a terraced approach to the space between the building and the property line. The grading should be clarified.*

Response – The contours tend to occur on risers in both the old and new landscape programs which is why they do not show up.

Comment – *I am assuming that the structure proposed just before the patio is a field inlet, and the curbing will be provided such that it prevents the upstream swale from draining across the patio. Please confirm drainage intent in the area.*

Response – Please see the revised grading plan for field inlet information.

Comment – *With the proposed curbing around the patio, does this pose any issues for access to the electric and gas meters located at the back of the building.*

Response – There is adequate access to any meters which may be located at the back of the building.

Mike Tremblay - DPW

Comment – *The rim just south of the newly added patio appears to have an elevation that is*



slightly higher than the base of curb at the corner of the patio. This appears to create potential for pooling of water at the base of the patio. The rim elevation should be adjusted to ensure positive drainage.

Response – This area has been revised.

Comment – *DPW continues to be concerned about the driveway width. While the driveway width is technically sufficient for driveways serving 9 or fewer parking spaces, this driveway serves 11 spaces, and the driveway width itself will functionally be less than 10 feet as motorists will shy away from the solid edges (unlike a driveway with lawn on both sides, for example). The steep grade and narrow width may present difficulty to drivers, particularly if snow, ice, leaves, etc. are in the driveway. DPW strongly prefers a wider driveway at this location, and suggests shifting the building somewhat east to provide a driveway width of 12 feet. We are sensitive to the potential challenges this may cause from a zoning perspective.*

Response – We have slightly adjusted the building location to the southeast. The width from curb to building is now 10.40' which is the maximum distance while still maintaining a 10' side yard setback. Given the short driveway distance and low turnover/volume of motorists, we are confident the driveway will serve the development adequately as proposed.

Comment – *DPW supports providing ADA access via the front of the building, as discussed in a 9/17/2019 meeting with Planning staff and the Applicant. This would allow all residents to access Morning Street without using the narrow and steep vehicle driveway.*

Response – The building design has been revised to incorporate an ADA accessible route from the sidewalk to a side entry. Inside, a mechanical lift will provide users with a grade change of 2'-4" to get to the main level of the building. The grade differential is necessary to blend in the grades with the 20, 22, and 30 Turner Street properties as well as the 23 Emerson Street property.

Please let us know if you have any additional questions or comments.

Sincerely,



Samuel J. Lebel, E.I.
Project Engineer
Acorn Engineering, Inc.



William H. Savage, P.E.
Principal
Acorn Engineering, Inc.





September 24, 2019

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

RE: Level 3 Site Plan Review- Additional City and Planning Board Comments and Responses for 130 Morning Street, Northeast Morning LLC.

To Whom it may concern:

Below are Northeast Morning LLC's responses to the city's and Planning Boards comments for the R-6 Small Infill Design Review.

Northeast Morning LLC respectfully requests that this project be allowed to proceed to a Planning Board hearing instead of a second workshop. We have met with the city planning personnel since the September 10th PB workshop and feel that we can satisfy all the requirements under the design standards without a second workshop.

Thank You for this consideration,

Comments

PRINCIPLE A: Overall Context- Partially Met

Standard A-1 Scale and Form

City- Modification still necessary to relate stacked porches to overall massing and façade plane.

Northeast Morning LLC- Minimal central upper level wall offset at the elevator was increased to align with the first-floor façade plane and widened to visually "rest on the walls below the recessed entry.

Standard A-2 Composition of Principle Facade.

City- Front Façade still not well defined- Integrate porches physically and visually into overall composition to create stronger façade. Scale and proportion of the windows and the solid- to-void ratio of the front facade still do not relate to the

composition of the context. The foundation or water table and the siding above should be extended higher to relate better with the overall scale of the building

Northeast Morning LLC - See response to A-1 above. The scale and proportion of the windows and the solid-to-void ratio of the front façade were revised to meet these recommendations. The height of the foundation wall and siding above was increased as recommended.

Standard A-3 Relationship to the Street-

PRINCIPLE B: Massing- Met

Standard B-1 Massing

City- See A-1 and A-2 comments

Northeast Morning LLC - See A-1 and A-2 comments

Standard B-2 Roof Forms

City- Rooftop appurtenances should be minimized, integrated, screened and otherwise made recessive.

Northeast Morning LLC – added screens to 4- sides of the roof top condenser units to continue their recessive characteristics since they are still close to the middle of the building. The height of the screens matches the height of the condenser units.

Standard B-3 Main Roofs and Subsidiary Roofs

Standard B-4 Roof Pitch

Standard B-5 Facade Articulation

Standard B-6 Garages

PRINCIPLE C: Orientation on the Street- Met

Standard C-1 Entrances

PB- Front door not directly facing street.

Northeast Morning LLC – Kept door on the side of the recessed entry. The extension of the entry stairs and cantilevered canopy provide an entry sequence that provides as much presence as the context.

PB- Important to provide an accessible front entry.

Northeast Morning LLC- Although not directly at the recessed front entry an accessible entry is provided at the left side of the building. The accessible entry is adjacent to the

landscaped south side and close to the corner along the sidewalk. The entrance will provide access to the lobby opposite the recessed entry door.

Standard C-2 Visual Privacy

Standard C-3 Transitional Spaces

PRINCIPLE D: Proportion and Scale- Partially Met

Standard D-1 Windows

City- Window proportions and sizes are still in need of adjustment.

Northeast Morning LLC - The scale and proportion of the windows and the solid-to-void ratio of the front façade were revised to meet these recommendations.

Standard D-2 Fenestration

City- Window proportions and sizes meet 12% of front façade. However, the ratio of solid to void on the front facade is different from the predominant patterns of the context – reduce the area of openings.

Northeast Morning LLC - The solid-to-void ratio of the front façade were revised to meet these recommendations.

Standard D-3 Porches

PRINCIPLE E: Balance- Met

Standard E-1 Window and Door Heights

Standard E-2 Window and Door Alignment

Standard E-3 Symmetricality

PRINCIPLE F: Articulation- Partially Met

Standard F-1 Articulation

Standard F-2 Window Types

Standard F-3 Visual Cohesion

Standard F-4 Delineation between floors

Standard F-5 Porches, etc.

City- The stacked balconies are a dominant architectural feature but are not visually integrated into the front façade.

Northeast Morning LLC- See response to A-1 above. The balconies are now supported by the new central volume increase and connected to each side of this volume by a band that continues the horizontal band of the balconies.

Standard F-6 Main Entries

PB- More should be done to highlight the entrance which is side facing.

Northeast Morning LLC – Front door location has not been modified- The recessed central entry with stairs and entry canopy extending from the building to the sidewalk highlights an entry sequence to the side door at the landing without the need for an entrance door that is more prominent from the street.

Standard F-7 Articulation

PRINCIPLE G: Balance- Partially Met

Standard G-1 Materials

Standard G-2 Material and Facade Design

City- The foundation or water table and the siding above should be extended higher to relate better with the overall scale of the building

Northeast Morning LLC - The height of the foundation wall and siding above was increased as recommended.

Standard G-3 Chimneys- N/A

Standard G-4 Window Types

Standard G-5 Patios and Plazas

Additional Concerns:

Rear decks at the second and fourth floors are considered un-neighborly.

City- Not concerned if the deck meets the city zoning ordinance.

Northeast Morning LLC – The MHNCDDB allows rear decks to be setback 7'-6" from the rear property line. This project proposes rear decks that are 7'-6" from the rear property line.

Building Color with dark windows and trim seemed to harsh and entry could be differentiated more from the rest of the building.

City- PB mentioned color is not their jurisdiction but expressed concern. City recommended using one to two colors for the body of the building and using the same

material as the wood ceilings of the balconies for the recessed entry walls, if the material did not turn gray, so the recessed entry stands out from the adjacent walls.

Northeast Morning LLC- The elevations were updated with a more realistic depiction of the gray tones and agrees with the use of the ceiling material as the material for the recessed entry with the understanding that the material and finish choice will not turn gray.

Interior floor landings at elevator and the upper corridors do not appear to allow for a stretcher to maneuver.

PB mentioned that could become an issue during the building permit process.
Northeast Morning LLC- Currently working with the fire department to verify the stretchers ability to maneuver at the elevator landing and corridors.

Sincerely,
Michael Chestnutt, AIA, LEED AP
Senior Architect
Cornerstone Building & Restoration



August 30, 2019

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

RE: Level 3 Site Plan Review- City Design Review Responses for 130 Morning Street,
Northeast Morning LLC.

To Whom it may concern:

Below are Northeast Morning LLC's responses to the city's comments for the R-6 Small Infill
Design Review.

DESIGN PRINCIPLES AND STANDARDS

PRINCIPLE A: Overall Context- Partially Met

Standard A-1 Scale and Form

City- Modification necessary to relate stacked porches to overall massing and façade
plane.

Northeast Morning LLC- A modification to relate the stacked porches to the overall
massing and façade plane was incorporated into the revised design. Columns were
added at two corners of each upper, previously, cantilevered Porch and Roof.

Standard A-2 Composition of Principle Facade.

City- Front Façade not well defined- Integrate porches physically and visually into
overall composition to create stronger façade. Scale and proportion of the
windows and the solid- to-void ratio of the front facade do not relate to the
composition of the context.

Northeast Morning LLC - See response to A-1 above. The scale and proportion of the
windows and the solid-to-void ratio of the front façade were revised to meet these
recommendations.

Standard A-3 Relationship to the Street-

Northeast Morning LLC- Front Building setback was increased to 5'-0.

PRINCIPLE B: Massing- Met

Standard B-1 Massing

City- See A-1 and A-2 comments

Northeast Morning LLC - See A-1 and A-2 comments

Standard B-2 Roof Forms

City- Rooftop appurtenances should not add complexity to contextual form.

Northeast Morning LLC - Roof Edge cornices were thickened with a Parapet to help hide roof top PV panels and centrally located condenser appurtenances. See sheet R1-R5.

Standard B-3 Main Roofs and Subsidiary Roofs

Standard B-4 Roof Pitch

Standard B-5 Facade Articulation

Standard B-6 Garages

PRINCIPLE C: Orientation on the Street- Met

Standard C-1 Entrances

City- Entrance Canopy is undersized compared to scale of façade.

Northeast Morning LLC - Increased depth of entry canopy.

Standard C-2 Visual Privacy

Standard C-3 Transitional Spaces

PRINCIPLE D: Proportion and Scale- Partially Met

Standard D-1 Windows

City- Window proportions and sizes are not found in context.

Northeast Morning LLC - The scale and proportion of the windows and the solid-to-void ratio of the front façade were revised to meet these recommendations.

Standard D-2 Fenestration

City- Window proportions and sizes meet 12% of front façade. However, the ratio of solid to void on the front facade is different from the predominant patterns of the context – reduce the area of openings.

Northeast Morning LLC - The solid-to-void ratio of the front façade were revised to meet these recommendations.

Standard D-3 Porches

PRINCIPLE E: Balance- Met

Standard E-1 Window and Door Heights

Standard E-2 Window and Door Alignment

Standard E-3 Symmetricality

PRINCIPLE F: Articulation- Partially Met

Standard F-1 Articulation

Standard F-2 Window Types

Standard F-3 Visual Cohesion

City- The visual cohesion of the facade is disrupted by the material/color change at the ground floor.

Northeast Morning LLC – Façade Material at the base has been revised to a shiplap board with the same color as the upper clapboards.

Standard F-4 Delineation between floors

Standard F-5 Porches, etc.

City- The stacked balconies are a dominant architectural feature but are floating and not visually integrated into the front façade.

Northeast Morning LLC- A modification to relate the stacked porches to the overall massing and façade plane was incorporated into the revised design. Columns were added at two corners of each upper, previously, cantilevered Porch and Roof.

Standard F-6 Main Entries

City-

1. The canopy is undersized for the scale of the building
2. More should be done to highlight the entrance which is side facing.

Northeast Morning LLC –

1. Increased depth of entry canopy.

2. Front door location has not been modified- The recessed central entry with stairs and entry canopy extending from the building to the sidewalk highlights an entry sequence to the side door at the landing without the need for an entrance door that is more prominent from the street.

Standard F-7 Articulation

City- The cornice line is thin compared with the overall building proportion and could be increased in scale.

Northeast Morning LLC - Roof Edge cornices were thickened to be more in proportion with the building.

PRINCIPLE G: Balance- Partially Met

Standard G-1 Materials

City- Panel in this scale and placement is not typical for the neighborhood, nor is it typical to delineate the ground floor living space differently from the floors above. The use of panel as ground floor building material accentuates the lack of a strong front façade plane and visually divides the building horizontally. Staff suggest the ground floor material choice be adjusted to better meet the standard to be harmonious with the neighborhood palette – this could be shiplap or clapboard with a larger reveal, perhaps in the same color as the upper floors to tie the massing and overall building together in a way that is typical of vernacular residential architecture in this neighborhood.

Northeast Morning LLC – Façade Material at the base has been revised to a shiplap board with the same color as the upper clapboards. The horizontal band between the ground floor and upper floors now acts as a water table that creates a transition between the two materials.

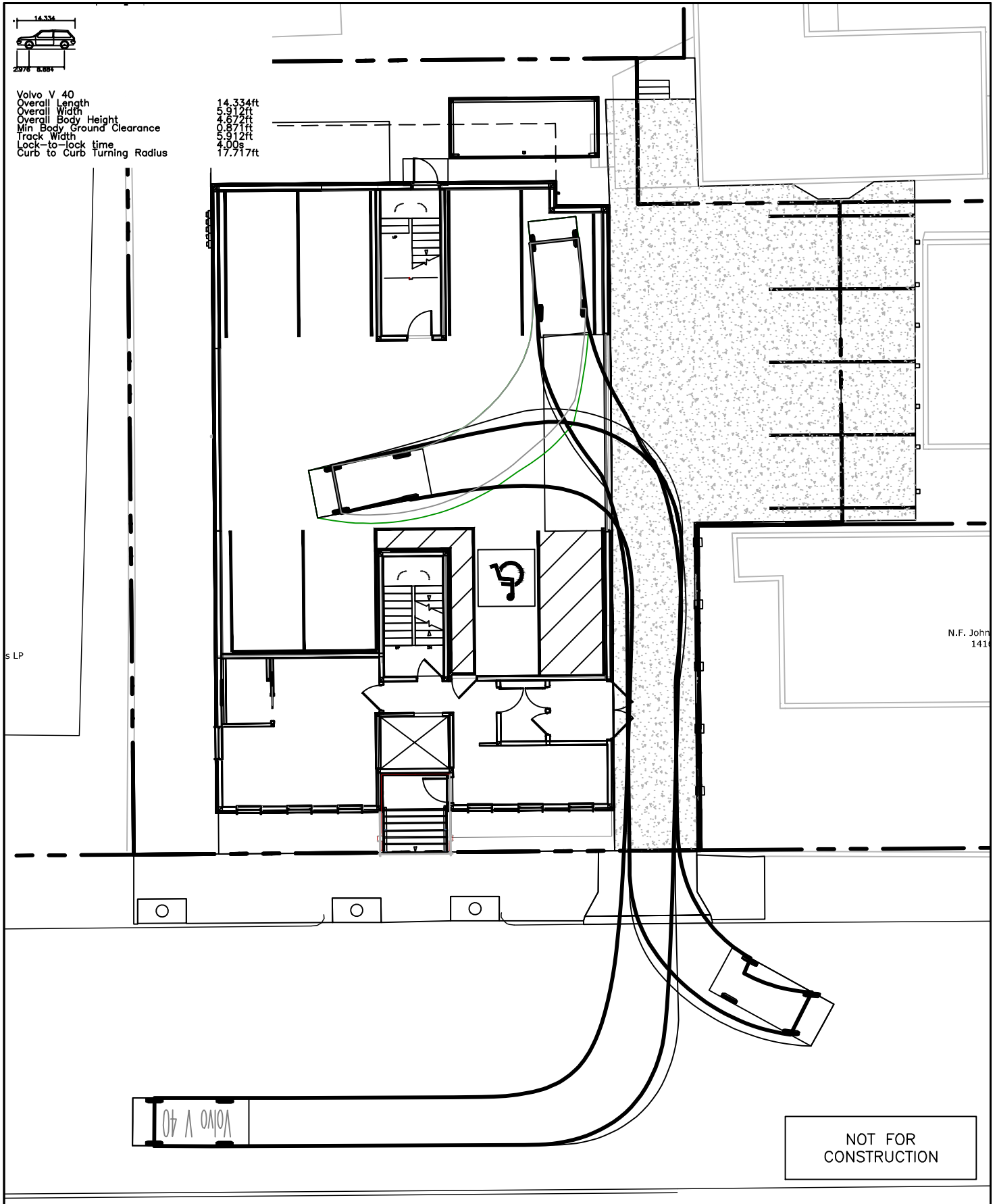
Standard G-2 Material and Facade Design

Standard G-3 Chimneys- N/A

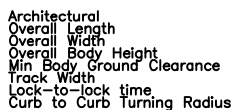
Standard G-4 Window Types

Standard G-5 Patios and Plazas

Sincerely,
Michael Chestnutt, AIA, LEED AP
Senior Architect
Cornerstone Building & Restoration



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LP

N.F. Johnson
1416

Architectural

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DRAWING NAME:
INTERNAL PARKING EXHIBIT - 2

PROJECT NAME:	130 MORNING ST. REDEVELOPMENT
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CLIENT:
NORTHEAST TURNER, LLC
72 PINE ST, PORTLAND, MAINE

ISSUED FOR	BY
COMMENT	DATE
RESPONSE	WHS
	8/30/19
	REV
	DATE



Volvo V 40
Overall Length
Overall Width
Overall Body Height
Min Body Ground Clearance
Track Width
Lock-to-lock time
Curb to Curb Turning Radius

14.334ft
5.912ft
4.672ft
0.871ft
5.912ft
4.09
17.717ft

S LP

N.F. John
141

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CONSTRUCTION

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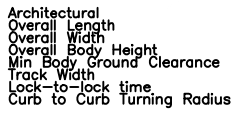
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130 MORNING ST.
REDEVELOPMENT

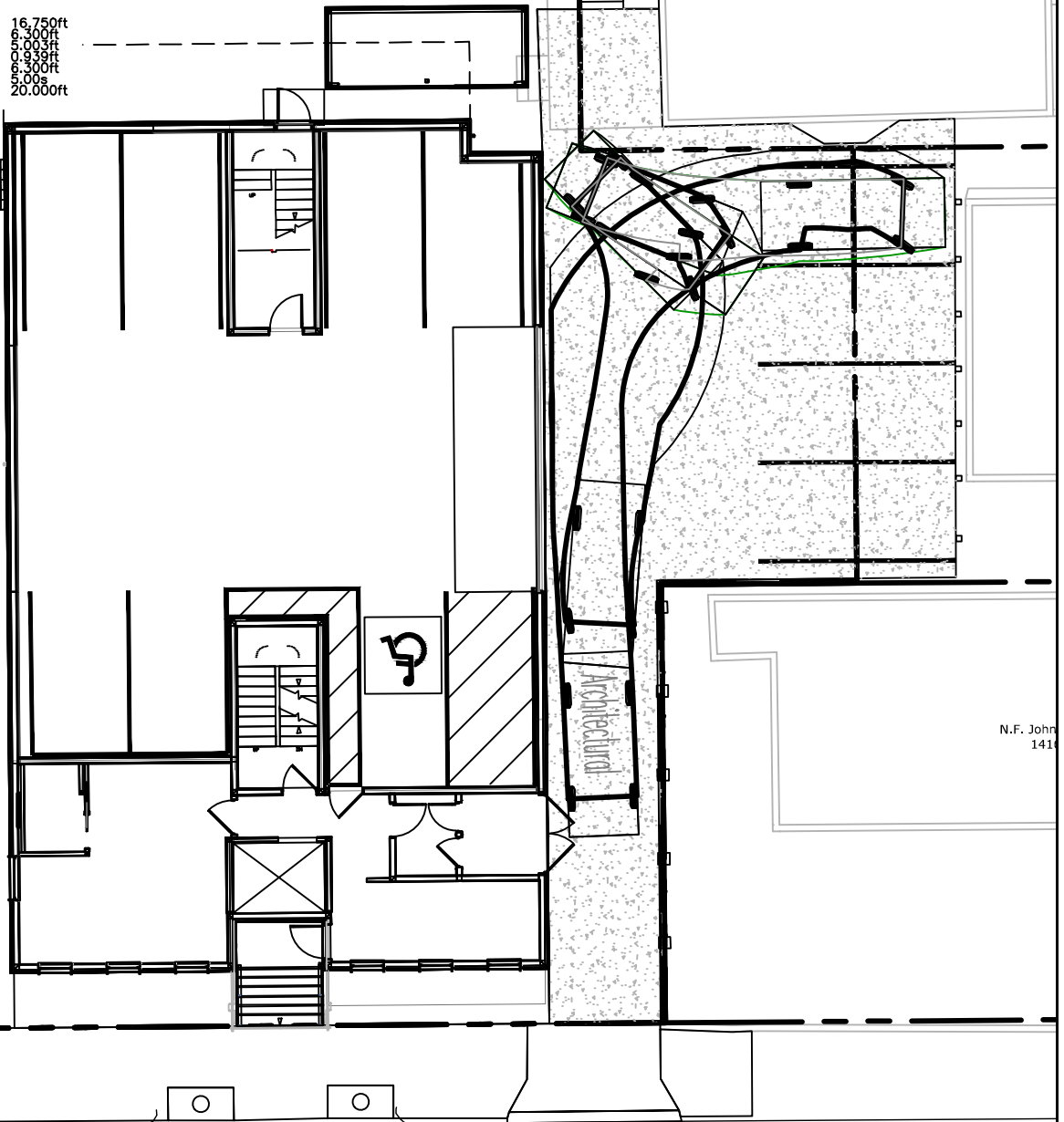
CLIENT:
NORTHEAST TURNER, LLC
72 PINE ST, PORTLAND, MAINE

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COMMENT RESPONSE	DATE WHS 8/30/19
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N.F. Johnson
1416

NOT FOR
CONSTRUCTION

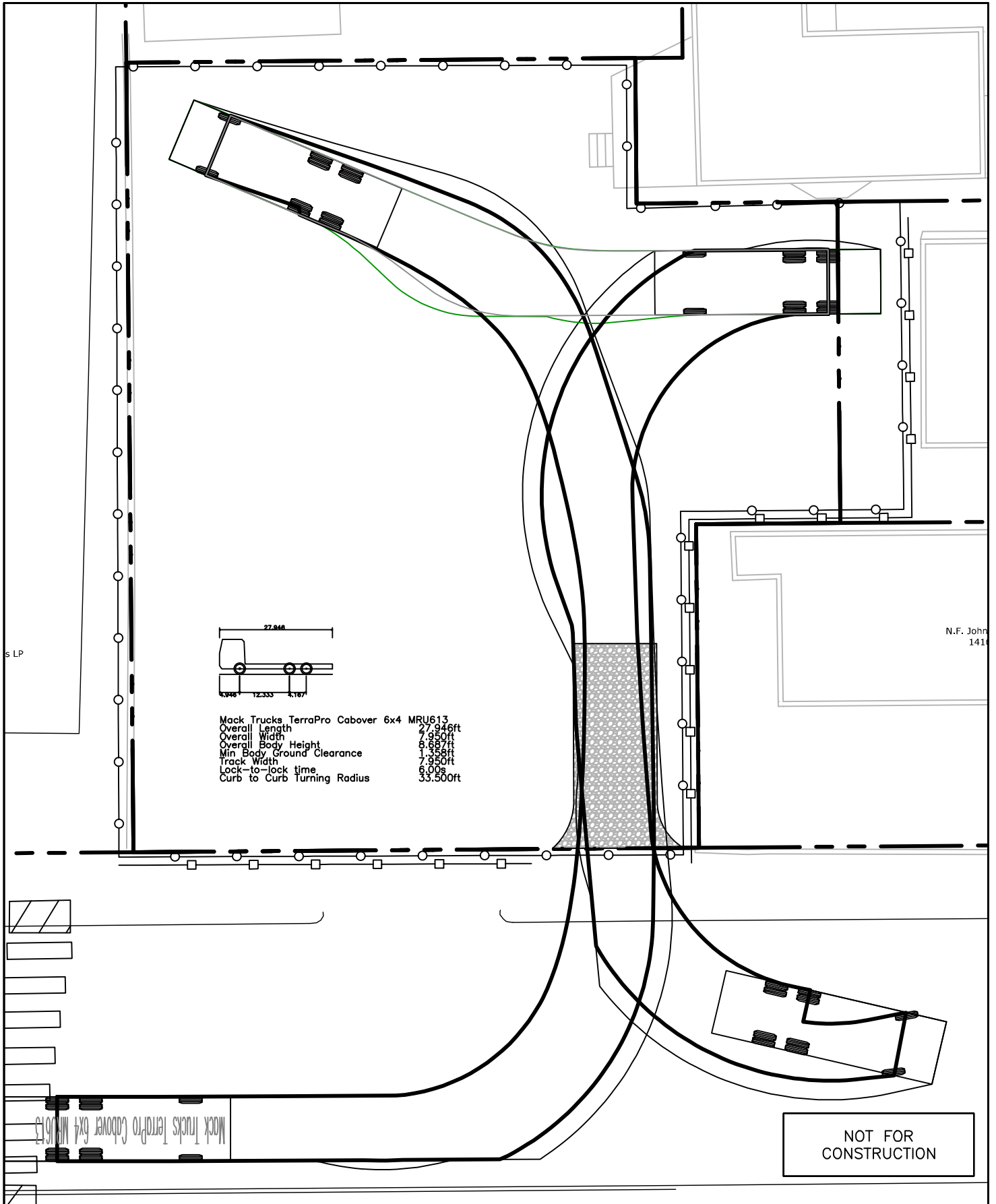
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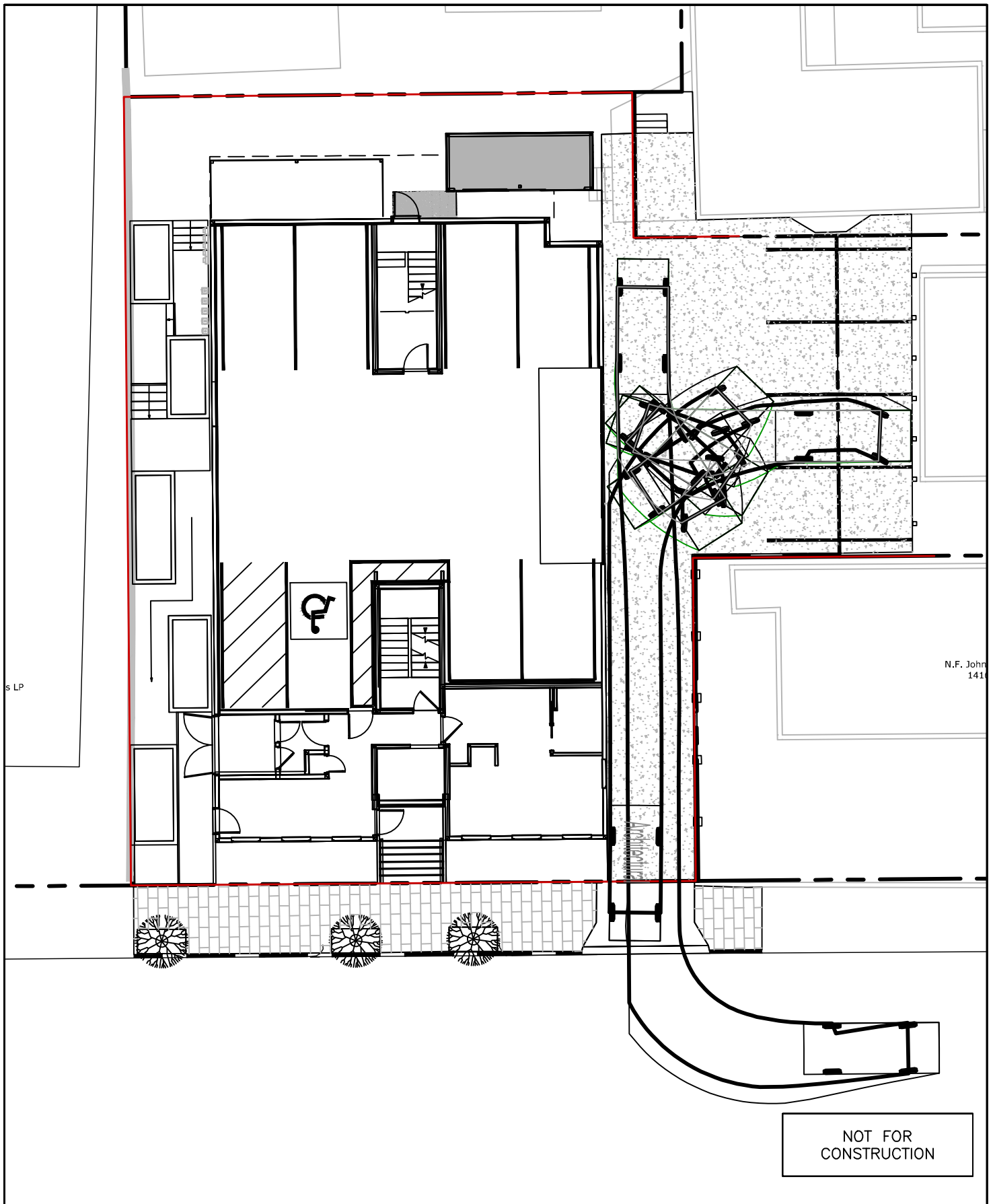
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CLIENT:
NORTHEAST TURNER, LLC
72 PINE ST, PORTLAND, MAINE

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COMMENT	DATE
RESPONSE	WHS
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	DATE: 8/30/19			COMMENT RESPONSE	DATE
DRAWING NO. EX-5	JN: 1109	DESIGN BY: SJL DRAWN BY: KRB CHECKED BY: WHS	PROJECT NAME: 130 MORNING ST. REDEVELOPMENT		8/30/19
	SCALE: AS NOTED				REV. DATE
			CLIENT: NORTHEAST TURNER, LLC 72 PINE ST, PORTLAND, MAINE		



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					REV. DATE

DRAWING NO.
EX-8

AFTER RECORDING RETURN TO:

Charles Katz-Leavy, Esq.
Jensen Baird Gardner & Henry
P.O. Box 4510
Portland, Maine 04112-4510

DRAFT (SUBJECT TO CHANGE)

**DECLARATION OF CONDOMINIUM
OF
MORNING STREET CONDOMINIUM**

Portland, Maine

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**DECLARATION OF CONDOMINIUM
OF
MORNING STREET CONDOMINIUM**

This Declaration of Condominium (the "Declaration") is made by **NORTH EAST MORNING, LLC**, a Maine limited liability company ("Declarant") with a principal place of business in Portland, Maine, as the owner in fee simple of the real estate described herein.

1. Description of the Condominium Property. Declarant hereby submits the real estate situated at Morning Street 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, together with the buildings and improvements thereon (the "Condominium") to the provisions of the Maine Condominium Act, Chapter 31 of Title 33 of the Maine Revised Statutes Annotated, as it may be amended (the "Act"). The Condominium is subject to and shall have the benefit of all easements, rights of way and matters affecting title described or referred to in Exhibit A or in the surveys/plans to which reference is made below. The name of the Condominium is **MORNING STREET CONDOMINIUM**.

The plat of the land submitted to the provisions of the Act (the "Plat") is entitled " " prepared by , dated and last revised on and recorded in Cumberland County Registry of Deeds in Plan Book , Page , attached hereto as **Exhibit D.** The floor plans for the Condominium (collectively, the "Plan") are entitled " " prepared by , dated , and recorded in Cumberland County Registry of Deeds in Plan Book , Pages , attached hereto as **Exhibit D.**

2. Defined Terms.

(a) As provided in section 1601-103 of the Act, capitalized terms not otherwise defined in this Declaration or on the Plat and Plan shall have the same meanings as specified in the Act.

(b) "Common Expenses" means all common expenses for the Condominium. Common Expenses include, but are not limited to (i) the cost of maintenance, management, operation, repair, renovation, restoration and replacement of the Common Elements; (ii) the cost of all insurance premiums on all policies of insurance required to be or that have been obtained by the Board of Directors pursuant to the provisions of this Declaration and the fees and disbursements of the Insurance Trustee (as defined in the Bylaws), if any; (iii) such amounts as the Board of Directors may deem necessary to provide for general operating reserve funds, reserve funds for replacements and contingencies, and such other reserve funds as may be required by the Bylaws or as the Board of Directors may deem necessary to compensate for any deficits in receipts over expenses for the previous fiscal year; and (iv) such other costs and expenses that may be declared by the Act, this Declaration, the Bylaws or resolution or agreement by the Board of Directors or Unit owners to be Common Elements of the administration, operation, maintenance and repair of the Condominium and the rendering to Unit owners of all related services.

(c) "Common Expense Liability" means the allocation to each Unit of the respective liability for Common Expenses as set forth in paragraph 7 below.

(d) "Limited Common Expenses means the Common Expenses associated with the maintenance, repair or replacement of a Limited Common Element, which shall be assessed against the Unit to which that Limited Common Element is assigned.

(e) "Condominium Documents" mean this Declaration, the Plat and Plan, the Bylaws and the Rules and Regulations adopted by the Board of Directors and all amendments thereto.

In the event of any conflict or discrepancy between this Declaration, the Plat and Plans, the Bylaws, and the Rules and Regulations, the foregoing documents shall control in accordance with the order of priority in which they are listed. If any provision of this Declaration, the Plat and Plans, the Bylaws or the Rules and Regulations conflicts with any applicable laws, including, but not limited to, the Act, then the Act shall be deemed controlling. In the event of any such conflict, the validity of the remainder of this Declaration, the Plat and Plans, the Bylaws and Rules and Regulations, and the application of any such provision, section, clause, phrase, or word in other circumstances shall not be affected thereby.

(f) "Eligible Mortgage Holder" means the holder of record of a recorded first Mortgage encumbering a Unit (a "Mortgage") which has delivered written notice to the Association, by prepaid United States Mail, return receipt requested, or by delivery in hand securing a receipt therefore, stating: (1) the name and address of the holder of the Mortgage, (2) the name and address of the owner of the Unit encumbered by such Mortgage, (3) the identifying number of such Unit, and (4) containing a statement that such Mortgage is a recorded first mortgage. The Secretary or manager of the Association shall maintain such information.

3. Creation of Units; Units Subject to Eligibility Restrictions. Declarant hereby creates nine (9) units, being Units 1A, 2A, 2B, 2C, 3A, 3B, 3C-WF, 4A, and 4B (individually, a "Unit" and collectively, the "Units"). The location, boundaries and identifying number of the Units are shown on the Plat and Plan. Reduced copies of the Plat and Plan are attached hereto as Exhibit D. In accordance with the City of Portland's Inclusionary Zoning Ordinance, the ownership and occupancy of Unit 3C-WF (the "Restricted Unit") must be used as primary residences of the occupants and the occupancy is restricted as set forth and referenced Exhibit F. All occupants and owners of the Restricted Unit must comply with such requirements, which shall constitute a covenant running with the land which may be enforced by the City of Portland may enforce Compliance.

4. Unit Boundaries.

(a) Upper and Lower Boundaries: The upper and lower boundaries of a Unit shall be the following boundaries extended to an intersection with the vertical boundaries:

- (i) Upper Boundary: The upper boundary of each Unit is the plane of the underside of the ceiling joists or bottom members of trusses or, if there are no ceiling joists or trusses, such plane as would exist if joists or trusses were installed directly above the studs in the perimeter walls, the Unit to include the finish ceiling material attached to the underside of the ceiling joists.
- (ii) Lower Boundary: The lower boundary of each Unit is the horizontal plane of the top surface of the subfloor or, if there is no subfloor, then the plane of the upper side of the floor joists, the Unit to include the finish floor material attached to the upper side of the subfloor or the floor joists.

(b) Vertical Boundaries: The vertical boundaries of each Unit shall be the planes formed by the interior surfaces of the studs located in the perimeter walls bounding the Unit extended to intersections with each other and with the upper and lower boundaries, the Unit to include the drywall and finish wall material.

A Unit generally does not include the exterior walls, unfinished attic areas, the roof, rafters, studs and other structural components of load-bearing walls, insulation, foundation walls and footings, land, and related components if any, the windows and exterior doors, their glass, frames, sills, flashing, thresholds, storm doors, and skylights, if any, and any pipes, wires, conduits, meters, flues, ducts, or other utility lines running through a Unit which serve more than one Unit or which serve the Common Elements.

(c) If walls and floors or ceilings are designated as boundaries of a Unit, all lath, furring, wallboard, plasterboard, plaster, paneling, tiles, wallpaper, paint, finished flooring and any other materials constituting any part of the finished surfaces thereof are a part of the Unit, with all other portions of the walls, floors or ceilings being a part of the Common Elements.

(d) If any chute, flue, duct, wire, conduit, bearing wall, bearing column or any other fixture lies partially within and partially outside the designated boundaries of a Unit, any portion thereof serving only that Unit is a Limited Common Element (as herein defined) allocated solely to that Unit, and any portion thereof serving more than one Unit or any portion of the Common Elements is a part of the Common Elements (as herein defined).

(e) Subject to the provisions of paragraph (d) of this paragraph 4, all spaces, interior partitions and other fixtures and improvements within the boundaries of a Unit are a part of the Unit.

(f) Any shutters, awnings, window boxes, doorsteps, stoops, porches, balconies, decks, patios and all exterior doors and windows or other fixtures designated to serve a single Unit, but located outside the Unit's boundaries, are Limited Common Elements allocated exclusively to that Unit.

5. Common Elements. Each Unit will be conveyed together with its respective undivided interest in the Common Elements as hereinafter set forth and will have the benefit of the right to use the Common Elements in common with others entitled thereto as provided by the Bylaws (the "Bylaws") adopted by the **MORNING STREET CONDOMINIUM OWNERS ASSOCIATION** (the "Association") and any rules and regulations adopted by the Association (the "Rules and Regulations"). A copy of the Bylaws initially adopted by the Association is attached hereto as Exhibit C.

The "Common Elements" consist of all portions of the Condominium other than the Units. Common Elements shall also include those parts of the Condominium described in the Act or the Plat and Plan as being Common Elements. Common Elements shall include, but not be limited to, Limited Common Elements. Common Elements include, but are not limited to (i) all land comprising the Property; (ii) the exterior walls; (iii) the roof, (iv) the studs and other structural components of load-bearing walls, (v) insulation, (vi) foundation walls and footings, (vii) entrance ways leading to the outdoors and all common hallways and staircases; (viii) exterior doors, their glass, frames, sills, flashing, thresholds, storm doors, (ix) any pipes, wires, conduits, meters, flues, ducts, or other utility lines running through a Unit which serve more than one Unit or the Common

Elements; (x) the garage, (xi) elevators, (xii) lobby area, (xiii) outdoor grill and patio area, (xiv) solar photovoltaic (PV) system, (xv) storage shed and (xvi) the recreational equipment rack.

The solar power generated by the PV system shall be directly transmitted to the power grid maintained by Central Maine Power ("CMP") or its successor. CMP shall monitor the amount of power generated by the PV system and calculate a monthly credit (the "Credit") that shall be allocated to the monthly electric bill generated by each Unit. The amount of the total Credit allocated to each Unit shall be based upon a percentage which shall be equal to the total square feet contained of each Unit divided by the total square feet contained in all Units.

No Unit owner shall alter any of the Common Elements or paint or otherwise change the appearance of the Common Elements (including without limitation the Limited Common Elements) or paint or otherwise change the exterior appearance of the Unit (including, but not limited to, the exterior surfaces of doors or windows leading to a Common Element or a Limited Common Element) or any other portion of the Condominium, without the prior written approval of the Board of Directors of the Association in its discretion. Portions of any Unit window treatments visible from the outside of the Condominium and/or affecting the exterior appearance of the building shall be subject to the reasonable Rules and Regulations promulgated from time to time by the Board of Directors, including but not limited to rules relating to the color, brand, and style of such treatments.

6. Limited Common Elements. "Limited Common Elements" mean those portions of the Common Elements where the exclusive use is reserved to one of the Units as allocated by this Declaration and/or as shown on the Plat or Plan. The Limited Common Elements include but are not limited to the following:

(a) The exterior parking spaces and exterior garden beds shown as Limited Common Elements on the Plat and Plans as now or hereafter assigned or allocated for the exclusive use and benefit of a Unit. Generally certain parking spaces and garden beds now or hereafter designated on the Plans and/or Plat labeled "LCE" followed by an alphabetical letter designation [not by a Unit number] are subject to the Declarant's right to assign such spaces and garden beds to a specific Unit pursuant to an amendment to this Declaration, a deed conveying a Unit, or an instrument executed in the same manner as a deed assigning such parking space or garden bed, following which such parking space or garden bed may be reassigned by such Unit Owner to a different Unit pursuant to a recorded instrument, a copy of which shall be provided to the Association. Limited Common Elements shall also include any connectors, wires or cables that a Unit owner installs in the separated metered electric charging stations that are stubbed out for each parking space as depicted on the Plats and Plans.

(b) Any exterior patios, porches, balconies, decks, steps and the land underneath them, now or hereafter shown and assigned as Limited Common Elements on the Plat and Plans;

(c) The exterior doors, screen and storm doors, exterior windows and their screens and frames, glass, tracks, hardware, locks, screens, flanges, sills and all other components of prefabricated doors and windows;

(d) Any other patios, porches, balconies, decks, steps, movable shutters, exterior stairs and steps, stoops, thresholds, chimney if any, and any other fixture designed to serve a single Unit but located outside its Unit boundary, either as presently or hereafter built in accordance with

this Declaration or shown on the Plans adjacent to a Unit and which is not defined as a part of the Unit as set forth above; and

(e) The portions of the Condominium now or hereafter shown on the Condominium Plat and Plans or as described as Limited Common Elements pursuant to Section 1602-102(2) and (4) of the Act.

The Declarant reserves the right to create and assign additional Limited Common Elements within Common Elements to a specific Unit pursuant to an amendment to this Declaration, a deed conveying a Unit, or an instrument executed in the same manner as a deed. The allocation of Limited Common Elements may not be altered except in compliance with the Act, and with the written consent of the Owners and Mortgagees of record of the Units affected by the reallocation of Limited Common Elements. The power to create and initially assign Limited Common Elements is exclusively held by the Declarant.

The Association shall be solely responsible for all maintenance, repair and upkeep thereof in good condition, as provided in paragraphs 15 and 17 below, but the associated expenses shall be specially assessed to the owner of the Unit to which the Limited Common Element is appurtenant. The initial Limited Common Elements include the gas furnace and related facilities serving each Unit and the internal plumbing for the Unit. Limited Common Elements shall also include those parts of the Condominium described in the Act or the Plat and Plan as being Limited Common Elements. A Unit owner shall have no maintenance responsibility with respect to the Limited Common Elements reserved to another Unit. The Association shall not be liable for the maintenance, repair or upkeep of a Unit. If a Unit owner utilizes the electric charging station appurtenant to that Unit's designated parking space, the associated expenses, including maintenance, repair, and electricity, shall be specially assessed to the owner of the Unit to which the Limited Common Element electric charging station is appurtenant.

A limited common element parking space, including the parking spaces which are designed to meet accessibility needs, may be reassigned by an amendment to the Declaration in accordance with section 1602-108(b) of the Act. Any owner wishing to reassign a limited common element parking space shall submit to the Board of Directors the language of a proposed amendment and such additional details as the Board of Directors may reasonably require. If approved by the Board, the proposed amendment must also be approved by vote or agreement of the owner of each unit particularly affected, and the owners of the units to which 75% of the votes of the association are allocated. If approved by unit owners, the amendment shall be recorded in the registry of deeds. The Board shall determine which unit or units are "particularly affected". Unit owners seeking approval under this paragraph shall pay a fee of \$500 and all costs incurred by the Association in connection with the application, including preparation of the amendment, recording costs and attorney's fees. The Board shall approve any amendment submitted to reassign a van accessible parking space from a person without a physical disability to a person with a condition or impairment that substantially limits his or her mobility.

7. Fraction of Common Element Interests, Voting Rights and Common Expense Liabilities. The percentage of undivided interests in the Common Elements, the percentage of voting rights and the Common Expense Liability allocated to each Unit is set forth on Exhibit B. No percentage of undivided interest allocated to any Unit shall be altered except upon the unanimous vote of all Unit owners and their first mortgagees.

8. Encroachments. If any portion of the Common Elements, or if any other Unit encroaches at any time upon any Unit or upon any portion of the Common Elements, as a result of minor variations or relocation during construction, settling of the building, alteration or repair to the Common Elements made by or with the consent of the Board of Directors of the Association (the "Board of Directors"), repair or restoration of a Unit or the building after damages by fire or other casualty, or as a result of condemnation or other eminent domain proceedings, an easement shall exist for the encroachment and for its maintenance so long as the building stands.

9. Easements and Declarant Rights.

(a) The Units and Common Elements (including the Limited Common Elements) shall be, and hereby are, made subject to perpetual easements in favor of the utility and service companies, cable television companies and governmental agencies or authorities for such utility and service lines and equipment as may be necessary or desirable to serve any portion of the Condominium including the Units. The easements created by this paragraph 9(a) shall include, without limitation, rights to install, lay, maintain, repair, relocate and replace gas lines, pipes and conduits, water mains and pipes, sewer and drain lines, drainage ditches and pump stations, telephone poles, wires and equipment, television equipment and facilities (cable or otherwise), poles, wires, conduits and equipment in ducts and vents over, under, through, along and on the Units, Limited Common Elements and Common Elements. With respect to any utility lines or equipment serving only the Condominium and located upon the Common Elements (including any Limited Common Elements), the Board of Directors shall have the right and power to dedicate and convey an easement to any private or public utility company. The Board of Directors shall also have the right and power to convey permits, licenses and easements over the Common Elements for the installation, maintenance, repair and replacement of utility poles, lines, wires and other equipment to any private or public utility company. In addition, the Board of Directors shall have the right to grant permits, licenses and easements over the Common Elements (including any Limited Common Element) for purposes necessary for the proper operation of the Condominium.

(b) The Common Elements (including any Limited Common Element) are subject to an easement in favor of the Association and the agents and employees of the Association for access, egress and ingress over, through and across each portion thereof for the operation of the Condominium, pursuant to such requirements and subject to such charges as the Board of Directors may from time to time prescribe. Every Unit owner shall have an unrestricted right of access to such owner's Unit.

(c) The Common Elements (including any Limited Common Element allocated to any one Unit) shall be, and hereby are made, subject to an easement in favor of the Association and the agents, employees and independent contractors thereof for the purpose of the inspection, upkeep, maintenance, repair and replacement of the Common Elements. The Association may in its sole discretion grant easements to a Unit owner for the erection of improvements in Limited Common Elements appurtenant to the Unit owned by that owner.

(d) Each Unit and its Limited Common Elements are subject to the following easements in favor of all other Units: (i) for installation, inspection, repair, maintenance, use, removal or replacement of pipes, ducts, heating and air conditioning systems, electrical, telephone, telegraph or other communication systems, wiring and cables and all of the utility lines and conduits that are a part of or exclusively serve any Unit and that pass across or through a portion of such Unit and/or its Limited Common Element or the Common Elements; and (ii) for the maintenance or the encroachment of any lighting devices, outlets, medicine cabinets, exhaust fans, ventilation ducts, registers, grilles and similar fixtures that serve only one Unit but encroach into any part of such

Unit, and/or its Limited Common Element or the Common Elements on the date that this Declaration is recorded or any amendment thereof is recorded.

(e) To the extent necessary, each Unit shall have an easement for structural support of the Unit in the building and the Limited Common Elements appurtenant to the Units in the building, and the Common Elements shall be subject to an easement for structural support in favor of the Units and the Limited Common Elements.

(f) The Units and the Limited Common Elements are hereby made subject to an easement in favor of the Association and its agents, employees and independent contractors for: (i) inspection of the Units and Limited Common Elements in order to verify the performance by Unit owners of all items of maintenance and repair for which they are responsible; (ii) installation, inspection, maintenance, repair, and replacement of the Common Elements situated in or accessible from such Units or Limited Common Elements or both; (iii) correction of emergency conditions in one or more Units or Limited Common Elements, or both, or casualties to the Common Elements, the Limited Common Elements and/or the Units; and (iv) any purposes set forth in paragraph 9(g) below.

(g) If construction, reconstruction, repair, shifting, settlement or other movement of any portion of the Condominium results in either the Common Elements encroaching on a Unit, or in a Unit encroaching on the Common Elements or on another Unit, a valid easement shall exist during the period of the encroachment for the encroachment and for the maintenance thereof.

(h) All easements, rights and restrictions described and mentioned in this Declaration are easements appurtenant, running with the land and the Condominium, and (except as expressly may be otherwise provided herein or in the instrument creating the same) shall continue in full force and effect until the termination of this Declaration.

(i) Declarant reserves a Special Declarant Right and easement to enter upon the Condominium for the purposes of construction, reconstruction, maintenance, repair, renovation, replacement or correction of the Units, Common Elements or Limited Common Elements or other improvements of the Condominium. This easement shall include, without limitation, the right of vehicular and pedestrian access, the right to park motor vehicles and to engage in construction activities, including the movement and storage of building materials and equipment. This easement also expressly includes the right to cut and remove any trees, bushes or shrubbery, to grade and remove the soil, to install and remove any temporary siltation fence or to take any other action reasonably necessary to achieve this purpose. Declarant further reserves an easement in the Units, Common Elements and Limited Common Elements pursuant to section 1602-116 of the Act for the purpose of discharging Declarant's obligations and exercising the Special Declarant Rights reserved pursuant to this Declaration or on the Plat and Plan.

(j) Declarant reserves an easement on, over and under those portions of the Common Elements and Limited Common Elements not located within the building for the purpose of maintaining and correcting drainage of surface water in order to maintain reasonable standards of health, safety and appearance. The reservation of this right does not and shall not create any obligation on the part of Declarant to perform any such work.

(k) Declarant further reserves an easement to connect with and to make use of utility lines, wires, pipes and conduits located on the Condominium for construction purposes (Declarant shall be responsible for the cost of any services), and to use the Common Elements for access and

construction activities, and for the storage of construction materials and equipment used in the completion of the Units, Limited Common Elements and Common Elements.

(l) Declarant shall have the right, until Declarant has conveyed all of the Units in the Condominium, to grant and reserve easements and rights-of-way through, under, over and across the Condominium for construction purposes, and for the installation, maintenance and inspection of the lines and appurtenances for public water, sewer, drainage, gas, electricity, telephone and other utilities.

(m) Declarant shall have the right, until Declarant has conveyed all of the Units in the Condominium, to grant and reserve easements and rights-of-way through, under, over and across the Condominium for the purpose of obtaining or providing access, parking, utilities, and drainage to neighboring properties.

(n) Declarant reserves the right, for the marketing of its Units, to use the Common Elements and Limited Common Elements for access for itself, its agents and prospective purchasers of Units. Declarant also reserves the right to use any Units owned by the Declarant as models, management offices, sales offices for this project or customer service offices, and the right to relocate the same from time to time within the Condominium. The Declarant further reserves the right to maintain on the Condominium such advertising signs as may comply with applicable governmental regulations, which may be placed in any location on at the Condominium and may be relocated or removed, all at the sole discretion of the Declarant.

(o) The easements reserved by Declarant in paragraphs 9(i), (j), (k), (l), (m) and (n) shall continue until Declarant has conveyed all of the Units in the Condominium. These provisions shall not be amended without the written consent of Declarant.

10. Eminent Domain.

(a) If a Unit is acquired by eminent domain, or if a part of a Unit is acquired by eminent domain leaving the Unit owner with a remnant that may not practically or lawfully be used for any purpose permitted by this Declaration, any award therefor shall be paid to the Unit owner as compensation for such Unit and its percentage interest, whether or not any percentage of undivided interest is acquired. Upon acquisition, unless the decree otherwise provides, that Unit's entire percentage of undivided interest, votes in the Association and Common Expense Liability shall be reallocated to the remaining Units in proportion to the relative interests, votes and liabilities of those Units before the taking, and the Association shall promptly prepare, execute and record an amendment to this Declaration reflecting the allocations. Any remnant of a Unit remaining after part of a Unit is taken, as determined under this paragraph 10(a), shall be thereafter a Limited Common Element, subject to the provisions of paragraphs 5 and 6 above.

(b) Except as provided in paragraph 10(a) above, if part of a Unit is acquired by eminent domain, any award therefore shall be paid to the Unit owner as compensation for the reduction in value of the Unit. That Unit's allocation of Common Element interests and Common Expense Liability and voting rights shall remain unchanged.

(c) If a part of the Common Elements is acquired by eminent domain, the Association shall represent the Unit owners in any condemnation proceedings or in negotiations, settlements and agreements with the condemning authority, and the award shall be paid to the Association for the use and benefit of the Unit owners and their mortgagees as their interests may appear. The Association shall divide any portion of the award not used for any restoration or repair of the

remaining Common Elements among the Unit owners in proportions to their relative percentages of undivided interests before the taking, but the portion of the award attributable to the acquisition of a Limited Common Element must be paid to the owner of the Unit to which that Limited Common Element was allocated at the time of acquisition.

(d) A court decree regarding any such taking shall be recorded in the Cumberland Country Registry of Deeds.

(e) Nothing in this Declaration, the Bylaws or the Rules or Regulations adopted by the Board of Directors shall be deemed to give the Unit owner or any other party priority over any rights of a first mortgagee of a Unit pursuant to its mortgage documents in the case of a distribution to such Unit owner of condemnation awards for the taking of Units and/or Common Elements.

11. Restrictions on Use and Occupancy.

(a) The Units are restricted to private residential use, including residential activities engaged in by Unit owners, members of the Unit owners, immediate family and the guests and other authorized occupants, licensees and visitors of the Unit owners. The Units may also be used for home office use, provided that such office use does not include the display of signage or meetings with customers or third parties. The Board of Directors may from time to time adopt and amend reasonable Rules and Regulations governing home office use of a Unit, including but not limited to any rules regarding noise, deliveries, and visitors, all as determined by the Board of Directors in its discretion. The Units may not be used for any other commercial, industrial or manufacturing purposes, or primarily for storage. Nothing in this Declaration or the Bylaws shall be construed to prohibit the Declarant from exercising any easements and Special Declarant Rights and Development reserved by the Declarant, including without limitation promotional, marketing, sales office or display purposes, sales of Units and for customer service purposes, or from leasing Units owned by Declarant as provided in this Declaration.

(b) The maximum number of occupants shall not exceed two (2) per bedroom, except that the maximum may be exceeded for short visits of not more than ten (10) nights to accommodate guests. The Board of Directors may from time to time adopt and amend Rules and Regulations further governing the maximum number of persons who may occupy a Unit.

(c) No more than two (2) vehicles per Unit may be kept on the Condominium property; provided, however, that with written approval from the Board of Directors more than two (2) automobiles per Unit may be kept on the Property, which approval shall be governed by the then available space for parking within the premises in the Board of Directors' discretion. Only passenger vehicles and trucks with a gross vehicle weight of less than 8,000 pounds and length of less than fifteen (15) feet may be kept or stored on the Property. Vehicles must be in operable condition and fully licensed and inspected for operation on public highways. Certain Limited Common Element parking spaces depicted on the Plat and Plans are reserved for compact vehicles. No motorized vehicles shall be used on the Property, except within parking areas and on the streets as shown on the Condominium Plat.

(d) No Unit owner may carry on any practice, or permit any practice to be carried on, that unreasonably interferes with the quiet enjoyment of the occupants of any other Unit. Each Unit owner shall maintain its Unit and the appurtenant Limited Common Elements in a clean and sanitary condition.

(e) No Unit shall be used, occupied or kept in a manner that in any way would be deemed hazardous and/or result in an increase in the fire insurance premiums for a Unit beyond the standard rates for a dwelling in a multi-family structure, without the prior written permission of the Board of Directors.

(f) No owner of a Unit may erect any sign on or in a Unit or any Limited Common Element or Common Element that is visible from outside such Unit, without in each instance having obtained the prior written permission of the Board of Directors. This limitation shall not apply to the Declarant placing signs used to advertise a Unit for sale.

(g) Except for household pets permitted below, the maintenance, keeping, boarding and/or raising of animals, including without limitation livestock, poultry or reptiles of any kind, regardless of number, is prohibited within any Unit or upon the Common Elements. Dogs, cats and other ordinary household pets may be kept in a Unit, subject to such reasonable Rules and Regulations as established from time to time by the Board of Directors, and to local and state ordinance, statutes and regulations, and ordinances. In any event all pets and animals shall be restrained so as not to become noisome, bothersome a nuisance or offensive to other persons, as determined by the Board of Directors. No dogs shall be permitted outside of a Unit except on a leash attended by a responsible person or except in "off-leash" area(s), if any, that may be designed from time to time by the Board of Directors. Pet owners shall promptly clean up the droppings left by their pets which shall be disposed of in such manner as may be prescribed in Rules and Regulations. The Association shall have the power to further regulate and restrict the keeping of pets and animals under Rules and Regulations of the Association as promulgated or amended from time to time, including the number of pets that may be kept by a Unit owner. In the event of repeated, significant violations of the Condominium Documents by a pet or animal that interfere with the safety and quiet enjoyment of the Property notwithstanding prior notices thereof, to the Unit owner upon notice and opportunity to be heard, the Board of Directors may expel any offending pets and animals from the Property. A Unit owner shall be liable to the other Unit owners for any damage to personal property caused by any pets or animals kept at the Condominium by such Unit owner.

(h) A Unit owner shall be responsible for the cleanliness of any Limited Common Element serving such Unit, at the expense of such Unit owner.

(i) Each Unit owner shall comply strictly with the Bylaws and with the Rules and Regulations adopted and amended from time to time by the Board of Directors and with the covenants, conditions and restrictions set forth in this Declaration or in the deed to a Unit. Failure to so comply shall be grounds for an action to recover damages or for injunctive relief or both maintainable by the Association or any aggrieved Unit owner.

12. Interior Alterations by Unit owner. Subject to this Declaration, the Bylaws and the Rules and Regulations of the Association as amended from time to time, a Unit owner may make nonstructural improvements and alterations within the interior of the Unit in compliance with all applicable governmental requirements and permits and in a good and workmanlike manner. However, no Unit owner may make any improvements or alterations or do any work whatsoever which would impair the structural integrity or mechanical systems or the walls separating units or life safety systems of a Building, lessen the support of any portion of the Condominium, or jeopardize the soundness or safety of the Property. At all times the Unit owner: shall preserve and maintain the structural integrity and architectural style, the mechanical and utility systems, and the support of all portions of the Property; and shall strictly comply with all fire, building code and other governmental laws, ordinances and requirements.

All Unit owner work shall be completed promptly and in a good and workmanlike manner and shall be performed in such a manner that no mechanics, materialmen or other similar liens shall attach to the Property. No Unit owner shall permit, suffer or authorize any such liens or other claims to be asserted against the Association, other Units, or the Common Elements. At the completion of all work each Unit owner shall obtain waivers of mechanics and materialmen's liens from all persons performing work on or furnishing material and upon request provide the Association with copies thereof. The Unit owner shall provide the Association with evidence that all contractors have general liability and automobile insurance, and worker's compensation if applicable, in an amount satisfactory to and naming the Association as an additional insured.

The Unit owner shall indemnify and hold the Association harmless from any mechanic's or materialman's liens and to perform all work hereunder at the sole cost and expense of Unit owner in a good and workmanlike manner and so as to minimize any inconvenience to other Unit owners.

No Unit owner shall make any structural addition, alteration or improvement in or to his or her Unit without the prior written consent thereto of the Board of Directors. Unit owner shall pay such expenses as may be determined by the Association in reviewing any application under and enforcing this Section, including any expenses and legal costs incurred by the Association in correcting any defective work or in enforcing compliance with this Agreement. The Board of Directors, in its discretion, may retain its own licensed architect or engineer, at the expense of the Unit owner applying for such permission, to review the application and advise the Board of Directors. Any application to any department or to any other governmental authority for a permit to make such an addition, alteration or improvement shall be at the Unit owner's expense. The consent of the Board of Directors shall not be unreasonably withheld so long as such addition, alteration or improvement shall be in keeping with the integrity of the Condominium and shall not adversely affect the structural or mechanical systems of the Unit as certified by a licensed architect or engineer, retained by the Unit owner at his or her cost.

During construction the Unit owner shall provide builder's risk insurance at the cost of the Owner and shall name the Association as an additional insured.

The owners of the Unit, their successors and assigns, shall be strictly liable for any defective construction and any resulting damage for failure to comply with the foregoing standards, including without limitation subsequent rot and water damage to the Unit and other Common Elements.

Notwithstanding any other provision of this Declaration, any improvements which have been made at any time by current or prior Owner in the basement or other below grade areas are at the sole risk of the Owner; the Association shall have no responsibility for the insurance, maintenance and repair of such improvements or for mold, water intrusion or damage to such improvements.

13. Leasing and Renting.

(a) No Unit may be leased or rented more than two (2) times per calendar year or leased or rented for a term of less than three (3) months unless the Board of Directors approves a shorter

rental period in its discretion if it determines that it is necessary to avoid undue hardship unique to that owner and which could not otherwise be remedied, all subject to periodic review by the Board. No portion of any Unit (other than the entire Unit) shall be leased for any period.

In addition, all prospective lessees must submit to a criminal records check initiated by the Association's management company at the expense of the Unit owner prior to the beginning of the lease period. Except by approval of the Board as described below, no person may lease to a tenant or associated occupant who has a criminal history that includes a sex offence, a felony conviction, or a pattern of violent or drug-related activity within the past ten years.

No Unit owner shall rent or lease a Unit other than in accordance with a written form of lease which contains the following provisions, which shall automatically be incorporated into every lease, rental, license and every other form of rights to occupy a Unit (collectively sometimes referred to herein as "Lease"):

- (i) The tenants and all other guests and occupants of each Unit shall comply with the Declaration, the Bylaws, and the Rules and Regulations of the Association, and a failure to comply constitutes a default under the Lease and any other rights to occupy a unit;
- (ii) The Board of Directors has the power to terminate the Lease and/or to bring summary proceedings to evict all tenants, guests or other occupants in the name of the Unit owner after thirty (30) days prior written notice to the Unit owner in the event of an uncured default by any tenant, guest or other occupant of a Unit in the performance of the Lease or this subsection, but that no notice period need be given in the event of a threat to personal safety or property and without need to give prior notice, may terminate the rights to use of the Common Elements (other than for physical access to the Unit) until all fees and other amounts due to the Association are paid in full; and
- (iii) In the event that the payment of Common Expenses, Assessments, and/or other amounts due to the Association becomes more than ninety (90) days past due, the Association may require the tenant or other occupant to pay directly to the Association the rent on the Unit in an amount of up to the balance of current and delinquent Common Expenses and other unpaid amounts outstanding, subject to the rights of any recorded first mortgage or Eligible Mortgage Holder which has exercised an assignment of rents. The Association's notice to the tenant or other occupant shall be conclusive and binding on the tenant and occupants as to the obligation to pay the rent directly to the Association and as to the amount of Common Expenses and other amounts due. The Unit owner shall have ten (10) days after such notice is sent to file an objection with the Board of Directors, which objection must be in writing and signed under oath under the pains and penalties of perjury, must contain a short and plain statement of any alleged errors by the Association, and shall include copies of cancelled checks or other written evidence of objection or miscalculation of the amounts due. The Unit owner must state what amounts, if any, which the Unit owner admits is owed to the Association.

Every Lease shall be in writing. The foregoing provisions shall be deemed to be automatically incorporated into every Lease and the terms of any tenancy or other agreement for the occupancy of a Unit.

Each Unit owner of a Unit shall, promptly following the execution of any written lease of a Unit, forward a true copy thereof to the management company for the Association.

The foregoing provisions of this Subsection shall not apply to an institutional lender in possession of a Unit as a result of foreclosure, judicial sale or a proceeding in lieu of foreclosure.

(b) If a tenant, guest or other occupant of a Unit fails to comply with the provisions of this Declaration, the Bylaws, the Rules and Regulations or the Lease and tenancy, then, in addition to all other remedies which it may have, the Association may notify the Unit owner of such violation(s) and demand that the same be remedied through the Unit owner's efforts within a reasonable time after such notice in the judgment of the Board of Directors, recognizing that no notice period need be given in the event of a threat to personal safety or property. If such violation(s) is(are) not remedied within said period if applicable, then the Unit owner shall at his or her own cost and expense immediately institute and diligently evict all tenants, guests or other occupants of the Unit on account of such violation(s). In the event the Unit owner fails to so act promptly, then the Board of Directors shall have the right, but not the duty, to institute and prosecute such eviction as attorney-in-fact for the Unit owners and at the Unit owner's sole cost and expense, including all legal fees and costs incurred. Said costs and expenses shall be due and payable upon demand by the Association and shall be deemed to constitute a lien on the particular Unit involved, and collection thereof may be enforced by the Board of Directors in the same manner as the Board of Directors is entitled to enforce collection of Common Expenses and all other amounts due to the Association.

14. Smoking in Units and Common Elements.

(a) Prohibition. Smoking is prohibited (i) within each Unit, (ii) within the Common Elements of the building, including without limitation the lobby, hallways, balconies, elevators, stairs, and recreational facilities, (iii) within 30 feet of the building's perimeter and common entrances, and (iv) if so provided by the Rules and Regulations, such other portions of the Common Elements as may be designated from time to time as areas in which Smoking is prohibited. No owner or any other person shall Smoke or permit Smoking by any occupant, agent, tenant, guest, friend, invitee, or family member in violation of this Section or the Rules and Regulations.

(b) Definition of Smoking. The term "Smoking" shall include carrying, burning, vaporizing, or otherwise handling or controlling any lit or smoldering product containing (i) tobacco, cloves or similar products, or containing (ii) Cannabis products (also known as [marijuana](#)) or derivatives thereof unless legally prescribed by a health care professional, including but not limited to cigarettes, cigars, pipes and devices which simulate any of the foregoing, sometimes known as electronic nicotine delivery systems or "e-cigarettes". The term "Smoke" shall include all the products and residue of Smoking.

(c) Disposal of Smoking Products. All lighted and/or unlighted Smoking products shall be disposed of properly in the proper waste receptacles. They shall not be thrown from balcony or patio areas. Smoking products shall not be deposited on the Common Elements, including outdoor walkways, parking lots, drives, and lawn areas. Neither lighted nor unlighted tobacco

products shall be left unattended in any manner. These provisions shall not be deemed to allow Smoking in any areas in which Smoking is otherwise prohibited.

(d) Rules. The Board may adopt Rules and Regulations in order to (i) add additional areas of the Common Elements subject to the prohibition on Smoking and to (ii) implement or clarify the provisions of this Section.

(e) Enforcement. Any person complaining of a Smoking violation shall provide a written statement of the particulars of the violation to the managing agent designated by the Board. When so advised to a possible violation of these provisions, the Unit owner and if appropriate the tenant or other occupants shall be sent a written notice and advised as to whether a hearing will be held by the Board to consider the violation. If the alleged violator is a tenant or other occupant, a copy of the notice will be sent to the Unit owner. At the hearing if the Board receives testimony that it deems creditable that smoke is emanating from a Unit, then the burden of proving that Smoking did not occur in the Unit shall shift to the Unit owner and its occupants. If, at the conclusion of the hearing, the Board determines in its discretion that a material Smoking violation has occurred, the then Board may impose a charge of up to \$50.00 for each single occurrence, in addition to all other rights and remedies of the Association. Upon a second Smoking violation, the charge for each incident constituting a violation shall increase to \$250 per occurrence in addition to all other rights and remedies of the Association including the recovery of its legal expenses. Such charges and expenses and the costs of abating the transmission of Smoke will become the personal liability of the Unit owner and a lien on the Unit, together with interest and costs of collection and enforcement. Any Smoking abatement devices located in the Common Elements shall be subject to the approval of the Board. All such devices shall be installed at the Owner's expense and shall be removed when the Owner vacates the Unit.

The Board may exercise its judgment in deciding whether or not to hold a hearing or to pursue an alleged violation of this Section. If the Board declines to take action, then upon 30 days' written notice to the Board a Unit owner shall then have the option to sue the Unit owner or occupant alleged to be violating this Section in order to seek specific performance of the provisions of this Section, including the costs of abating the transmission of Smoke but such person shall not be entitled to recover legal expenses or to a lien on the Unit under this Section; provided, however, that any decision of or settlement entered into by the Board with respect to Smoking shall be binding on all Owners.

15. Common Expenses. Each Unit owner shall pay to the Association or its authorized representative, on a monthly basis, its proportionate share of the Common Expenses. Each Unit's proportionate share of Common Expenses is set forth in paragraph 7 above. Limited Common Expenses shall be assessed against the Unit(s) to which the associated Limited Common Elements are appurtenant. Any Limited Common Expenses applicable to fewer than all of the Units shall be allocated pro-rata to the affected Units and shall be assessed to the affected Units as such expenses are incurred. With that exception, payment of Common Expenses shall be in equal monthly amounts and subject to annual review and adjustment. In the event a Unit owner fails to pay such proportionate share of its Common Expenses (or any assessed Limited Common Expenses) when due, the amount thereof together with interest at the rate of eighteen percent (18%) per annum or such other rate as may be established by the Association shall be added to, and accrue upon, such unpaid assessments.

In order to fund significant improvement, repair or renovation projects and associated costs as the Board of Directors may approve, the Association may make special assessments for such

Common Expenses or Limited Common Expenses payable either in a single installment or payable in installments over a period of months and/or years, all on such further terms and conditions and such interest rate as may be approved by the Board of Directors ("Special Assessments"). If any portion of the Special Assessments is due after the end of the Association's current budget year, then the affirmative approval of a majority in interest of all the Unit owners shall be required. If the Special Assessments due in full prior to the end of the Association's current budget year, the normally applicable Unit owners' budget ratification requirements shall apply, except as otherwise provided below. If the amount of a proposed Special Assessment does not exceed two (2) months regular common charges and the Board determines that the Special Assessment is necessary to meet an emergency, the Board of Directors may make the Special Assessment immediately in accordance with the terms of the Board's vote, without need for budget ratification by the Unit owners.

All unpaid assessments, interest, such late fees as may be established by the Association, costs and reasonable attorneys' fees shall constitute a lien on the interest of such Unit owner, as provided by the Act; provided, however, that such lien shall be subordinate to the lien of any recorded first mortgage on the interest of such Unit owner, and the foreclosure of such mortgage, sale or transfer pursuant to foreclosure or transfer to the first mortgagee in lieu of foreclosure shall extinguish a subordinate lien for common charges. The entire unpaid share of the Common Expenses, including any applicable Limited Common Expenses or other assessments by the Association chargeable to such Unit, that become due prior to the foreclosure shall become Common Expenses and shall be assessed to all Unit owners. Such foreclosure shall not release the delinquent Unit owners from personal liability to the Association for unpaid Common Expenses, including Limited Common Expenses.

In any action to foreclose the lien for Common Expense assessments, Limited Common Expense assessments, Special Assessments, late charges, penalties, interest, costs of collection, foreclosure and enforcement, including reasonable attorneys' fees, and other sums duly levied against the Unit pursuant to this Declaration, the Bylaws, the Rules and Regulations, or the Act, the Association may act through its manager or Board of Directors in the same manner as any mortgagee of real property. The manager or Board of Directors acting on behalf of the Unit owners shall have the power to bid and acquire such Unit at a foreclosure sale and to lease, mortgage, convey, or otherwise deal with the Unit. Suit to recover a money judgment for unpaid Common Expense assessments, Special Assessments, user fees, fines, penalties and all other amounts due to the Association, with interest and all costs and reasonable attorneys' fees, may be maintained without foreclosing upon or waiving the lien securing the same.

If payments of Common Expenses, Limited Common Expenses or any other charges or amounts owed to the Association are not received within ninety (90) days after they become due, the Board shall have the power to exercise and enforce any and all rights and remedies provided in the Act, this Declaration or these Bylaws or otherwise available at law or in equity for the collection of all unpaid amounts and, if available, all possessory remedies against the delinquent owner's Unit under the Forcible Entry and Detainer Laws of Maine, as amended from time to time; in such event the Association may suspend any right or privilege appurtenant to the Unit including without limitation parking and voting rights and the prohibition of the use of the Common Elements, but the Association may not deny all means of access to the Unit or withhold services provided to a unit or a Unit owner by the Association if the effect of withholding the service would be to endanger the health, safety or property of any person.

16. Resale Certificate. Multiple owners of a Unit shall each be jointly and severally liable for all Common Expenses, Limited Common Expenses, Special Assessments, interest, fees, penalties and costs of collection. In the transfer of a Unit, the grantee(s) of such Unit shall be jointly and severally liable with the grantor for all unpaid common charges, assessments, penalties, fees, interest and costs of collection outstanding at the time of the grantor's transfer, without prejudice to the grantee's right to recover from the grantor the amounts paid by the grantee therefore. A grantee receiving a conveyance of a Unit shall not be prevented from exercising any right to recover from the grantor such amounts paid for those Common Expense assessments, etc. arising prior to the conveyance. A grantee or proposed purchaser for a Unit under a purchase and sale contract may obtain a statement from the Association setting forth the amount of the then outstanding unpaid common charges, assessments, late fees, interest and costs of collection against the Unit and such other items required by the Act, upon payment of such fee as may be established from time to time by the Board of Directors. The Association has no obligation to subsequently update the information contained in such statement. The grantee shall not be liable for, and the Unit conveyed shall not be subject to a lien for any unpaid amounts due from the grantor before the statement date in excess of the amount set forth in the statement as of its effective date except interest, late fees and costs of collection accruing thereafter.

17. Maintenance. Each Unit owner shall furnish and be responsible for, at such owner's expense, all the maintenance, repairs and replacements within and upon such owner's Unit. Each Unit owner shall keep and maintain his or her Unit and its equipment, appliances and appurtenances in good order, condition and repair and in a neat, clean and sanitary condition. Each Unit owner shall maintain, repair and replace the exterior lights and light bulbs controlled from inside the Units, the door bells, and the vents and ducts which serve their Unit exclusively.

The Association shall be responsible for maintenance, repairs and replacements of the Common Elements, including the Limited Common Elements. Notwithstanding the foregoing, in case of any such work that is required with respect to a Limited Common Element appurtenant to a Unit, the Association may delegate any such work to the owner of that Unit. The Association shall have the power to regulate, under Rules and Regulations of the Association as promulgated or amended from time to time, the snow removal from the upper Limited Common Element decks as depicted on the Plats and Plans to ensure that snow is pushed to the side of the Condominium and not on the front walk. The Board of Directors shall ensure that the exterior portions of each Unit are maintained in a compatible and harmonious manner, so that the building as a whole is attractive and well maintained, including, without limitation, the right to regulate colors, siding and roof materials, window alteration and the like. If repair or replacement of the Common Elements shall be necessitated by the negligence, neglect or misconduct of fewer than all of the Unit owners, the resulting costs shall be assessed to the Unit owners responsible, but this shall not impair the waiver of rights of subrogation under insurance carried by the Association.

Generally the Association shall maintain, repair and replace the Limited Common Elements as determined by the Board of Directors; provided, however, that each Unit shall be responsible for providing ordinary maintenance and repair of any windows, doors, sliding patio doors, screens, storm windows and doors, and their components consisting of window and door locks, glass, slides, hinges, tracks, knobs, automatic openers, and hardware, together with the painting of the interior surfaces of the exterior windows and doors, the washing of interior and exterior glass surfaces, and maintaining the sewer line leading from the Unit to the point where it connects to the common line, but the Association may elect to provide ordinary maintenance and repair services for such components, assessing the Units therefore as a Limited Common Expense assessment or as a part of the general Common Expense assessments. Each Unit owner shall provide the ordinary cleaning

of the interior and exterior glass surfaces of door and window glass, the repair of broken glass and screens, and the removal of snow and ice from any patio, porch and deck Limited Common Elements appurtenant to the Unit, but the Association may elect to provide such services and assess the Units therefore as Limited Common Expense or as a part of the general common charges. The Association shall be responsible for the painting of the exterior finishes of exterior doors, windows (excluding window glass), gutters, downspouts, exterior window and door caulking, and chimney flashing, and shall be responsible for carrying out the replacement of the entire window and door assemblies. The Association may assess the costs of maintenance, repair and replacement of the doors, windows and other Limited Common Expenses applicable to the particular Unit(s) to which they are appurtenant if the item giving rise to the expense shall be disproportionately for the benefit of such Unit(s) only, as may be determined from time to time by the Board of Directors in its discretion. If such repair or replacement of the Limited Common Elements shall be necessitated by the acts, omissions, negligence, neglect or misconduct of fewer than all of the Unit owners, in which case such cost shall be assessed to the Unit owners responsible, as determined by the Board of Directors.

18. Association of Unit owners. The Association shall be the governing body for the Unit owners with respect to the administration of the Condominium as provided by the Act, this Declaration and the Bylaws. The Association shall elect officers as provided in the Bylaws.

Each Unit owner and/or owners shall be a member of the Association. Membership shall be appurtenant to the Units, and the transfer of title to a Unit shall automatically transfer the regular membership appurtenant to that Unit to the transferee or transferees. A transfer pursuant to a mortgage, however, shall not transfer membership until foreclosure or a transfer to a mortgagee in lieu of foreclosure.

The provisions of this Declaration and the Bylaws and the rights and obligations established thereby shall be deemed to be covenants running with the land, so long as the Condominium remains subject to the provisions of the Act and shall inure to the benefit of and be binding upon each and all of the Unit owners and their respective heirs, representatives, successors, assigns, purchasers, lessees, grantees and mortgagees. By the recording or the acceptance of a deed conveying a Unit or any interest therein, or any ownership interest in the Condominium whatsoever, the person to whom such Unit or interest is conveyed shall be deemed to accept and agree to be bound by and subject to all of the provisions of the Act, this Declaration, the Bylaws, and the Rules Regulations of the Association.

In any voluntary conveyance of a Unit, it shall be the duty of the seller to furnish the buyer with a copy of this Declaration, the Association Bylaws and the Rules and Regulations as they may from time to time be amended. The Declarant or the Association shall make available to Unit owners, prospective purchasers, lenders and the holders, insurers and guarantors of the first mortgage on any Unit, current copies of the Declaration, Bylaws and the Rules and Regulations governing the Condominium, and other books, records and financial statements of the Association. This requirement may be satisfied by making the documents available for inspection upon request during normal business hours or under other reasonable circumstances. If copies are requested, the Declarant or Association may, but shall not be obligated to, make them available at a reasonable charge.

19. Board of Directors. Except as otherwise provided in section 1603-103(b) of the Act, the Board of Directors may act on behalf of the Association and shall have all of the powers necessary to administer the affairs of the Association. A Board of Directors composed of three (3)

natural persons shall govern the affairs of the Association. Prior to the transition election provided for by paragraph (a) below, the Board of Directors shall be composed of three (3) natural persons. "Declarant Control Period" means the entire time period that extends from the date of the recording of this Declaration until the earlier of (i) five (5) years following the conveyance of the first Unit to a purchaser or (ii) sixty (60) days after the conveyance to purchasers of seventy-five percent (75%) of the Units. The Declarant shall have the right during the Declarant Control Period to appoint, remove and replace from time to time any and all members of the Board of Directors and officers of the Association, without the necessity of obtaining resignations. The appointees of the Declarant need not be Unit owners. After the transition election, at least a majority of the members of the Board of Directors shall be Unit owners or spouses of Unit owners, or in the case of a Unit owner that is a corporation, partnership, limited liability company, trust or estate, a designated agent thereof. The transition from Declarant-appointed members of the Board of Directors to Unit owners other than the Declarant shall occur as follows:

(a) No later than the earlier of (i) sixty (60) days after the conveyance of seventy-five percent (75%) of the Units to purchasers, or (ii) five (5) years following conveyance of the first Unit to a purchaser, or at such earlier date as the Declarant in its sole discretion shall specify, a transition meeting of the Association and transition election shall be held at which all of the members of the Board of Directors and officers of the Association appointed by the Declarant shall resign, and the Unit owners, including the Declarant if the Declarant owns one or more Units, shall thereupon elect three (3) successor members of the Board of Directors to act in the place and stead of those resigning.

(b) The Declarant may voluntarily surrender the right to appoint and remove officers and members of the Board of Directors before termination of the Declarant Control Period, but in that event, it may require, for the duration of the Declarant Control Period, that specified actions of the Association or Board of Directors, as described in a recorded instrument executed by the Declarant, be approved by the Declarant before such actions can become effective.

The Board of Directors and its members, in their capacity as members, officers and employees, shall have limited liability. Specifically, a member of the Board of Directors: (i) shall not be personally liable for the failure of any service to be obtained by the Board of Directors and paid for by the Association, or for any injury or damage to persons or property caused by the elements or by another Unit owner or person on the Condominium; (ii) shall not be personally liable to the Unit owners, as a result of the performance of the Board of Directors member's duties, for any mistake of judgment, negligence or otherwise, except for the Board of Directors member's own willful misconduct, bad faith, or gross negligence; (iii) shall have no personal liability in contract to a Unit owner or any other person or entity, under any agreement, check, contract, deed, lease, mortgage, instrument or transaction entered into by him or her on behalf of the Board of Directors or the Association, in the performance of the Board of Directors member's duties; (iv) shall not be liable to a Unit owner, or such Unit owner's tenants, employees, agents, customers or guests, for loss or damage caused by theft of or damage to personal property left by such Unit owner or his or her tenants, employees, agents, customers or guests in a Unit, or in or on the Common Elements or Limited Common Elements, except for the Board of Directors member's own willful misconduct, bad faith or gross negligence; (v) shall have no personal liability in tort, to a Unit owner or any other person or entity, direct or imputed, by virtue of acts performed by or for him or her, except for the Board of Directors member's, own willful misconduct, bad faith or gross negligence in the performance of his or her duties.

The Association shall indemnify each member of the Board of Directors, in his or her capacity as a member of the Board of Directors, an officer or both (each, an "Indemnatee") against

all expenses and liabilities, including attorney's fees, that the Indemnitee reasonably incurs in connection with any proceeding in which he or she may become involved by reason of his or her being or having been a member and/or officer of the Board of Directors, or any settlement of any such proceeding, whether or not he or she is an Board of Directors member, officer or both at the time such expenses are incurred, except in such cases wherein such Board of Directors member and/or officer is adjudged guilty of willful misconduct, bad faith or gross negligence in the performance of his or her duties; provided that the indemnification with respect to any criminal action or proceeding is permitted only if the Indemnitee had no reasonable cause to believe his or her conduct was unlawful. The indemnification by the Unit owners set forth in this paragraph shall be paid by the Association on behalf of the Unit owners and shall constitute a Common Expense and shall be assessed and collectible as such. Such right of indemnification shall not be deemed exclusive of any other rights to which such Board of Directors member and/or officer may be entitled as a matter of law or agreement or by vote of the Unit owners or otherwise.

Complaints brought against the Association, the Board of Directors or the officers, employees or agents of them or the Condominium as a whole, shall be directed to the Board of Directors, which shall promptly give written notice thereof to the Unit owners and the Eligible Mortgage Holders and the mortgagees of Units, and such complaints shall be defended by the Association. The Unit owners shall have no right to participate in such defense other than through the Association.

20. Rules and Regulations. The Board of Directors shall have the power from time to time to adopt, amend and enforce Rules and Regulations relative to the operation, use and occupancy of the Units and the Common Elements, consistent with the provisions of this Declaration, Bylaws and the Act including, but not limited to, the establishment of quiet hours, mandatory floor coverings to mitigate noise transference, the use of heaters and other appliances, the use and appearance of the Common Elements and Limited Common Elements, including but not limited to parking spaces, garden beds, storage sheds, equipment racks, and any portions of the Units which can be seen from outside the building or from any Common or Limited Common Elements, requirements for smoke and carbon monoxide detectors, mandatory water heater replacements, washing machine hoses, smoking and the use of tobacco on the Common Element areas, and the appointment of such committees and the enactment and enforcement of such enforcement procedures and penalties for violations as the Board of Directors shall deem appropriate. Any such Rules and Regulations shall be adopted or amended, by means of appropriate resolutions duly approved by the Board of Directors. Notice of such Rules and Regulations and any amendment thereto shall be sent to each Unit owner or occupant of a Unit promptly after the adoption thereof, and they shall bind all Unit owners, their heirs and assigns, any all tenants, invitees, guests and other persons entering upon the Property. Any Rule and Regulation adopted by the Board of Directors may be amended or revoked and new Rules and Regulations may be adopted at a duly called meeting of the members of the Association by vote of a majority in percentage interest of all Unit owners, which vote shall be binding on the Association and the Board of Directors.

21. Borrowing and Pledge. The Board of Directors shall have power to borrow and to pledge, assign and grant a security interest covering all Association revenues and assets including Assessments for Common Expenses, Limited Common Expenses, and Special Assessments in order to raise funds for repairs, renovations, improvements and associated costs and expenses with respect to the Common Elements and related charges. The exercise of such power is subject to the approval of a majority in interest vote of the Unit owners as required by the Act.

22. Notice. The Secretary or Clerk of the Association shall cause notice of all meetings of members and of all proposed actions requiring vote or approval of a specified percentage of Unit owners and/or mortgagees to be sent in writing by U.S. Mail, postage prepaid, or to be personally delivered to all Unit owners and all eligible mortgage holders (as defined in section 1602-119(b) of the Act) at the address filed with the Secretary or Clerk by said owners and eligible mortgage holders, or if the Unit owner consents by electronic mail, not less than five (5) days and not more than twenty-five (25) days prior to the proposed meeting or action. Regular monthly common dues statements may be electronically mailed and do not need to be sent by United States mail. If such notification is of a default or lien, then it shall be sent by registered or certified United States mail, return receipt requested, postage prepaid, addressed to the Unit owner at the address which the Unit owner shall designate in writing and filed with the Secretary of the Association, or if no such address is so designated, the address of the Unit of such Unit owner who is the record owner thereof. Such notice shall be deemed to be given when so delivered in person or on the second business day following such mailing. Such notice may, however, set a later deadline for any proposed action, if such longer period of time is deemed necessary to obtain the required number of written approvals. Notice of meetings shall state the time and place of the meeting and the items on the agenda, including the general nature of any proposed amendment to the Declaration and the Bylaws, any budget changes and any proposal to remove a director or officer.

23. Separate Taxation and Utilities. It is understood that real estate taxes are to be separately taxed to each Unit owner for such owner's Unit and the corresponding percentage of ownership in the Common Elements, as provided in the Act. If for any year such taxes are not separately taxed to each Unit owner but are taxed on the Condominium as a whole, then each Unit owner shall pay a proportionate share thereof in accordance with such owner's relative percentage of ownership interest in the Common Elements.

Each Unit owner shall pay for such owner's telephone, electricity and other utilities that are separately metered or billed to each user by the respective utility company. Except as may otherwise be provided herein, utilities that are not separately metered or billed shall be treated as part of the Common Expense and Unit owners shall take reasonable steps to conserve such utilities.

24. Insurance.

(a) General: The Association shall obtain and maintain as a Common Expense the policies of insurance described below to the extent such policies shall be reasonably available as determined by the Board of Directors. If such insurance is not maintained, then the Association shall give written notice thereof to the Unit owners and the Eligible Mortgage Holders, if any. To the extent that such insurance subsequently becomes unavailable, the Association shall obtain such comparable insurance as may be reasonably available. The Board of Directors is hereby irrevocably appointed as attorney-in-fact for each Unit owner and for each Mortgagee and Eligible Mortgage Holder and for each owner of any other interest in the Property, for purchasing and maintaining the insurance, for the collection and disposition of any insurance, including distribution pursuant to Section 1603-113(c) of the Act, for the negotiation of losses and execution of releases of liability, and for the execution of all documents, and performance of all other acts necessary to accomplish these purposes.

(b) Property and Casualty Insurance Coverage, Deductible and Exclusions: The Association shall obtain and maintain in effect a broad "special form" fire and casualty insurance policy covering the Property with extended coverage, vandalism, malicious mischief, windstorm,

debris removal, cost of demolition and water damage endorsements, subject to the exclusions and limitations as may be set forth in such policies, issued by an insurance company authorized to do business in the State of Maine (which company shall also meet the ratings requirements of the Federal National Mortgage Association), insuring as a single entity the entire Property including the Common Elements, the Limited Common Elements, the Units, and the fixtures, supplies and common personal property belonging to the Association, excepting the land, foundations, excavations, and other similar items customarily excluded from property insurance policies and also excepting furniture, furnishings or other personal property supplied or installed by Unit owners. The policy shall cover the interests of and name as insureds the Association, the Board of Directors, and all Unit owners and their Mortgagees as their insurable interests may appear.

Such blanket or master insurance policy shall be in an amount equal to one hundred percent (100%) of the then current full replacement cost of the insured Property (exclusive of the land, excavations, foundations and other similar items and perils customarily excluded from such coverage), without deduction for depreciation, but subject to such exclusions and limitations as may be set forth therein. Such insurance policy may, at the option of the Board of Directors, contain such deductible as the Board of Directors shall reasonably deem appropriate but not to exceed the lesser of \$10,000 or one (1) percent of the policy's face amount unless approved by a majority vote of the Unit owners.

Unless otherwise established under Rules and Regulations adopted by the Board of Directors from time to time, a Unit owner shall be responsible for the expense of repair of damage to his or her Unit in the amount of the Association's insurance deductible. The Association shall not be responsible for the costs of repair of uninsured damage to the Unit in the amount of the insurance deductible or due to exclusions and limitations in the Association's insurance coverage unless otherwise required by the Act. The Board of Directors in its discretion may allocate responsibility for the insurance deductible among the Common Elements and Unit(s) in the event that multiple portions of the Condominium Property are affected by an insured casualty. In addition anything to the contrary herein notwithstanding, if the Board of Directors determines that the acts or omissions of the owner or occupant of another Unit is responsible for the damage, then the Board may assess such Unit for the deductible after giving the responsible Unit notice and opportunity to be heard.

Such property and casualty insurance policy shall also include the following provisions:

- (i) The following endorsements or their equivalent: (a) "no control," meaning that coverage shall not be prejudiced by any act or neglect of any occupant or Unit owner or their agents, when such act or neglect is not within the control of the Association or the Unit owners collectively, nor by any failure of the Association or the Unit owners collectively, to comply with any warranty or condition with regard to any portion of the Condominium over which the Association or the Unit owners collectively, have no control; (b) "Construction Code Endorsement" or "increased cost of construction," (c) "agreed amount" or elimination of co-insurance clause; and (d) "inflation guard," when it can be readily obtained.
- (ii) That any "no other insurance" clause shall expressly exclude individual Unit owners' policies from its operation, so that the physical damage policy

purchased by the Board of Directors shall be deemed primary coverage and any individual Unit owners' policies shall be deemed excess coverage and/or deductible and excluded perils coverage, and in no event shall the insurance coverage obtained and maintained by the Board of Directors hereunder provide for or be brought into contribution with insurance purchased by individual Unit owners or their Mortgagees;

- (iii) The recognition of any Insurance Trust Agreement whereby the Board of Directors may designate in writing an Insurance Trustee to hold any insurance proceeds in trust for disbursement, as provided below; and
- (iv) A standard "mortgagee clause" which shall: (a) provide that any reference to a mortgagee in such policy shall mean and include all holders of mortgages of any Unit, in their respective order and preference, whether or not named therein; (b) provide that such insurance as to the interest of any mortgagee shall not be invalidated by any act or neglect of the Unit owners or any persons acting under any of them; and (c) waive any provision invalidating such mortgagee clauses by reason of the failure of any mortgagee to notify the insurer of any hazardous use or vacancy.

Subject to the foregoing, the Association's insurance coverage will include betterments and improvements to a Unit installed after the original construction, but Unit owners who arrange for the newly installed improvements should report betterments and improvements to the Association so that it may maintain adequate insurance and the Board of Directors may elect to assess the increased property insurance premiums resulting from such improvements to the Owners of such Units and Limited Common Elements.

(c) Casualty Losses, Adjustment and Payment; Insurance Trustee: Any loss covered by the insurance policy maintained by the Association shall be adjusted with the Association acting through its Board of Directors, but the insurance proceeds shall be payable to the Insurance Trustee designated for that purpose, if any, as provided in the Act and otherwise to the Association, and not to any Mortgagee. Any affected Unit owner shall have ten (10) business days after receiving notice of the Association's proposed settlement with an insurance carrier in which to dispute the amount and terms of settlement with respect to his or her Unit; if the Unit owner objects then the Association may elect to assign such Unit damage claim to the objecting Unit owner and its mortgagee without further liability to the Unit owner so that the Association may settle the balance of the claim and fund repairs for the benefit of the non-objecting Unit owners.

The Insurance Trustee or the Association as applicable shall hold any insurance proceeds in trust for Unit owners, Mortgagees and other lien holders as their interests may appear. The Board of Directors shall cause the Association's fidelity insurance coverage is at least equal to one hundred percent (100%) of the amount of the insurance proceeds for the faithful performance of the duties as insurance trustee before it shall be entitled to receive such proceeds. Subject to the provisions of this Article, the Bylaws and Section 1603-113(e) of the Act, the proceeds shall be disbursed first for the repair or restoration of the damage to the Common Elements and then to the Units forming a part of the Property. If only Units are affected by the insured casualty or if the insurance proceeds are insufficient to cover all damages to the Units, then the available insurance proceeds shall be divided in proportion to the total loss among the affected Units. Unit owners,

Mortgagees and other lien holders are not entitled to receive payment of any portion of the proceeds, unless either (i) there is a surplus of proceeds after the damaged Common Elements and Units have been repaired or restored, or (ii) the decision has been made not to repair or restore the damage as provided in Section 1603-113(h) of the Act, or (iii) the Condominium is terminated in whole or part.

(d) **Liability Insurance:** The Board of Directors shall obtain and maintain, as a Common Expense, comprehensive general public liability insurance (including medical payments insurance) and property damage insurance in such limits as the Board may from time to time determine, insuring each Board of Directors member, the managing agent, and each Unit owner against any liability to the public or to the Unit owners (and their invitees, agents and employees) covering all occurrences commonly insured against for death, bodily injury or property damage, arising out of the maintenance, ownership or use of the Common Elements, and for any legal liability resulting from suits or actions related to employment contracts to which the Association is a party. Such insurance shall be issued on a comprehensive liability basis and shall contain: (i) a cross liability endorsement, under which the rights of a named insured under the policy shall not be prejudiced with respect to his or her action against another named insured; (ii) hired and non-owned vehicle coverage; (iii) a "severability of interest" endorsement, which shall preclude the insurer from denying liability to a Unit owner because of negligent acts of the Association or of another Unit owner; and (iv) a broad form liability extension endorsement including "personal injury," contractual liability, and other coverage commonly included in such broad form endorsement. The Board of Directors shall review such limits once each year, but in no event shall such insurance be less than two million dollars (\$2,000,000.00) covering all claims for bodily injury or property damage arising out of one occurrence.

(e) **Additional Required Provisions:** All insurance policies required to be carried by the Association under this Article shall in addition contain the following provisions or features:

- i. The insurer waives any right to claim by way of subrogation against the Association, the Board of Directors, the managing agent or the Unit owners, and their respective agents, employees, guests and, in the case of the Unit owners, the members of their households;
- ii. Each Unit owner is an insured person under the policy with respect to liability arising out of the ownership of an undivided interest in the Common Elements or membership in the Association;
- iii. The insurer waives its right to subrogation under the policy against any Unit owner or members of his or her household;
- iv. No act or omission by any Unit owner, unless acting within the scope of his or her authority on behalf of the Association, will void the policy or be a condition to recovery under the policy; and
- v. If at the time of a loss under the Association's policy, there is other insurance in the name of a Unit owner covering the same risk covered by the policy, the Association's policy provides primary insurance except with respect to any applicable deductible or excluded perils and special coverage limitations.

(f) Other Insurance: The Board of Directors shall obtain and maintain as a Common Expense:

- (i) To the extent reasonably available, “directors and officers” liability insurance, to satisfy the indemnification obligations of the Association;
- (ii) Workers' compensation insurance, if and to the extent necessary to meet the requirements of law;
- (iii) Flood insurance if any or all of the Property is located in a special flood hazard area in an amount equal to the greater of 100% of the insurable value of the Property or the maximum coverage available under the appropriate national flood insurance Administration program. The Board of Directors may elect to purchase additional excess flood insurance coverage; and
- (iv) A blanket or master policy shall be obtained which includes a maximum deductible of one percent (1.00%) of the policy face amount but not to exceed \$10,000 unless approved by the Unit owners; and
- (v) Fidelity insurance covering those employees of the Board of Directors and those agents and employees hired by the Board of Directors who handle Condominium funds, in amounts as determined by the Board of Directors.
- (vi) Such other insurance as the Board of Directors may determine, or as may be requested by a majority of the Unit owners or as may be required by Federal National Mortgage Association guidelines or any similar replacement national secondary mortgage market guidelines (including, without limitation, fidelity bond coverage).

(g) Memoranda and Cancellation: All insurers that shall issue an insurance policy or policies under this Article shall issue certificates or memoranda of insurance to the Association, and, upon request, to any Unit owner or Mortgagee. All such insurers issuing the policy may not cancel, substantially modify, or refuse to renew such policy or policies until thirty (30) days, and in the case of non-payment ten (10) business days, after notice of the proposed cancellation of non-renewal has been mailed to the Association, the managing agent, each Unit owner and each Mortgagee to whom a certificate or memorandum of insurance has been issued at their respective last known addresses.

(h) Owner's Separate Insurance: Each Unit owner should investigate and obtain at his or her own expense, a personal condominium insurance policy (for example, form type HO-6 as established by Insurance Services Office, Inc.) for damage to his or her Unit and personal property in the Unit for his or her own benefit including without limitation coverage for such portion of the deductible of the Association's deductible as the Owner may desire, for any special loss assessments made by the Association and for his or her personal liability. Each Unit owner should also consider obtaining at his or her own expense coverage for loss of use and/or lost rental income; provided, however, that no Unit owner shall be entitled to exercise his or her right to acquire or maintain such insurance coverage which would decrease the amount which the Association on behalf of all Unit owners may realize under any insurance policy maintained by the Association, or to cause any

insurance coverage maintained by the Association to be brought into contribution with insurance coverage obtained by a Unit owner. All such Unit owner's policies shall contain waivers of subrogation in favor of the Association.

Each Unit owner shall notify the Board of Directors in writing of all betterments, upgrades, and improvements made by the Unit owner to his or her Unit; provided, however, that this sentence shall not be construed as an authorization to Unit owners to make structural improvements to Units otherwise than in accordance with this Declaration, the Bylaws and Rules and Regulations promulgated by the Board of Directors. Any premium increase caused by such improvements may be assessed to the Owner of the improved Unit.

Neither the Association nor its officers, directors, agents and managers shall have responsibility for ascertaining whether or not the Unit owner maintains such personal insurance in effect, or whether all betterments, upgrades and improvements have been properly reported.

25. Mortgage Provisions.

(a) The Board of Directors, whenever so requested in writing by a mortgagee of a Unit, shall promptly report to it any then unpaid common charges due from, or any other default by, the owner of the mortgaged Unit.

(b) The Board of Directors, when giving notice to a Unit owner of a default in paying common charges or other violation of the provisions of this Declaration, the Bylaws or the Rules and Regulations, shall, upon the written request of the holder of a mortgage, send a copy of such notice within thirty (30) days after the occurrence of such default to each holder of a mortgage covering such Unit whose name and address has previously been furnished to the Board of Directors.

(c) Each mortgagee of a Unit shall be permitted to examine the books, accounts and records of the Association at reasonable times on business days and to require annual reports and other financial data of the Association. If no audited financial statement is available, any holder of a mortgage on any Unit shall be allowed to have an audited statement prepared at its own expense.

(d) Notwithstanding anything to the contrary elsewhere contained in this Declaration or the Bylaws, the following provisions shall govern:

- (i) Any first mortgagee of a Unit in the Condominium will, upon request, be entitled to inspect the books and records of the Association during normal business hours.
- (ii) No provision of this Declaration or of the Bylaws shall be deemed or construed to give a Unit owner, or any other party, priority over any rights of first mortgagees of Units pursuant to their mortgages in the case of a distribution to Unit owners of insurance proceeds or condemnation awards for losses to or a taking of Units and/or Common Elements.
- (iii) A first mortgagee of a Unit shall, upon written request of such first mortgagee, be entitled to prompt written notification from the Board of Directors of (A) any default by the mortgagor of such Unit in the performance of such mortgagor's obligations under this Declaration and/or

the Bylaws that is not cured within thirty (30) days; (B) any event of substantial destruction to, or condemnation or governmental taking of, such Unit or any portion of the Common Elements appurtenant thereto; (C) any lapse or modification of insurance or fidelity bond coverages; (D) any proposed amendment under paragraph 26 of this Declaration; and (E) any proposed action that entitles an eligible mortgage holder to notice under section 1602-119(b) of the Act.

(e) Any first mortgagee of a Unit who obtains title to the Unit pursuant to the remedies provided in the mortgage, or through foreclosure of the mortgage, or through deed (or assignment) in lieu of foreclosure, shall take the property free of any claims for unpaid assessments or charges against such Unit that accrue prior to the acquisition of title to such Unit by the mortgagees, other than the proportionate share of Common Expenses that become due and payable from and after the date on which said mortgagee acquires the Unit through a completed foreclosure or through deed (or assignment) in lieu of foreclosure.

26. Method of Amending Declaration. Except to the extent expressly permitted or required by the Act, this Declaration may be amended by a vote or by written approval of the owners of Units to which at least seventy-five percent (75%) of the votes in the Association are allocated and written approval from eligible mortgage holders, as defined in the Act, representing at least seventy-five percent (75%) of the votes allocated to Units that are subject to eligible first mortgages. No action to challenge the validity of an amendment to this Declaration adopted by the Association may be brought more than one (1) year after such amendment is recorded.

27. Termination. In accordance with the Act, the Condominium may be terminated in whole or part with the agreement of the Unit owners to which at least eighty percent (80%) in interest of the Votes in the Association are allocated, and that percentage of Eligible Mortgage Holders required herein and the Act. Termination shall not bar the subsequent resubmission of the Property to the Act. Upon removal of the Property from the Act, the Unit owners shall hold the Property and any proceeds thereof as tenants in common in accordance with the Act and subject to the Act with any mortgages or liens affecting a Unit to attach in order of priority against the resulting interest.

28. Name and Address. The name of the Condominium is Morning Street Condominium, and the Condominium is located at Morning Street in the City of Portland, County of Cumberland and State of Maine.

29. Applicable Law; Interpretation; Severability. This Declaration shall be governed by and construed in accordance with the laws of the State of Maine. In the event of any conflict or discrepancy between this Declaration, the Bylaws and the Plat and Plan, this Declaration shall govern. If any provision of this Declaration, the Bylaws or the Rules and Regulations are in conflict with any applicable laws, including the Act, then such laws shall govern and such invalid provision shall be of no force and effect, but the validity of the remainder of this Declaration, the Bylaws and the Rules and Regulations shall not be affected thereby and shall remain in full force and effect as if such invalid provision had not been included.

The captions herein are inserted for convenience and reference and do not limit, alter or define the terms of this Declaration. All exhibits attached to this Declaration are hereby made a part hereof.

30. Remedies; Waiver. All rights, remedies and privileges granted to the Declarant, the Association or a Unit owner pursuant to the terms of this Declaration, the Bylaws and the Rules and Regulations shall be deemed to be cumulative to any other right or remedy under said documents or afforded by law or equity and may be exercised concurrently, independently or successively. Any forbearance in exercising any right or remedy hereunder or otherwise available by applicable law shall not be a waiver of or preclude the exercise of any such right or remedy.

31. Effective Date. This Declaration shall become effective when it and the Plat and Plan have been recorded in the Cumberland County Registry of Deeds.

(signatures on following page)

IN WITNESS WHEREOF, the Declarant has caused this instrument to be executed this ____ day of _____, 2019.

SIGNED, SEALED and DELIVERED
in presence of:

North East Morning, LLC

By: _____
Thomas Landry
Its: Manager

STATE OF MAINE

COUNTY OF CUMBERLAND, ss.

_____, 2019

Personally appeared the above named Thomas Landry, Manager of North East Morning, LLC and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of North East Morning, LLC.

Before me,

Charles Katz-Leavy, Attorney at Law

EXHIBIT A

A certain lot or parcel of land located on the southerly side of Morning Street in the City of Portland, Cumberland County, and State of Maine and being more particularly described as follows:

Beginning at a 5/8" rebar set with cap on the southerly side of Morning Street at the northeast corner of land now or formerly of Johnny Robinson as described in Book 14167, Page 67 of the Cumberland County Registry of Deeds, and being S48°-27'-17"E seventy five and zero hundredths 75.00 feet from the intersection of the east bound of Turner Street and the south bound of Morning Street;

- 1) Thence S48°-27'-17"E sixty nine and ninety three hundredths 69.93 feet along the southerly side of Morning Street to a 5/8" rebar found with cap at the northwest corner of land now or formerly of Avesta Munjoy Commons LP as described in deed recorded in said Registry in Book 27558, Page 185.
- 2) Thence S41°-28'-43"W ninety seven and sixty three hundredths 97.63 feet along the westerly sideline of said Avesta Munjoy Commons LP to a bolt found on a concrete wall at the northeast corner of land now or formerly of Emerson East Condominium as shown on Plat recorded in said Registry in Plan Book 216 Page 146.
- 3) Thence N48°-31'-02"W sixty two and ninety three hundredths 62.93 feet along the northerly sideline of said Emerson East Condominium to a 5/8" rebar set with cap on the easterly sideline of land of Good Morning Turner, LLC described therein as 26-30 Turner Street and recorded in said Registry in Book 34967 Page 245.
- 4) Thence N41°-28'-43"E eighteen and zero hundredths 18.00 feet along the easterly boundary of said 26-30 Turner Street lot to a 5/8" rebar set with cap at the northeast corner of said 26-30 Turner Street lot and being the southeast corner of the lot described as 20-24 Turner Street in said Book 34967 Page 245.
- 5) Thence N48°-31'-05"W twenty four and eighty four hundredths 24.84 feet along the northerly boundary of said 26-30 Turner Street lot to a 5/8" rebar set with cap.
- 6) Thence N41°-28'-43"E thirty nine and seventy two hundredths 39.72 feet across a portion of land of said 20-24 Turner Street lot to a 5/8" rebar set with cap on the south bounds of land of said Johnny Robinson.
- 7) Thence S48°-27'-17"E seventeen and eighty four hundredths 17.84 feet along the southerly boundary of said Johnny Robinson to a 5/8" rebar set with cap at the southeast corner of said Johnny Robinson.

- 8) Thence N41°-28'-43"E forty and zero hundredths 40.00 feet along the westerly boundary of said Johnny Robinson to the point of beginning.

Containing approximately 7,412 Square Feet (0.17 Acres).

Reference is made to a plan entitled "Boundary Survey For Good Morning Turner, LLC" for Land Located at 22, 30, & 30R Turner Street, 130 & 134 Morning Street, Portland, Maine, Owned by Good Morning Turner LLC, prepared R.W. Eaton Associates dated August 18, 2018 and recorded in the Cumberland County Registry of Deeds in Plan Book 219, Page 84.

Being a portion of the premises conveyed to Good Morning Turner, LLC by Warranty Deed dated July 2, 2018 and recorded in the Cumberland County Registry of Deeds Book 34967, Page 245, including all of the 130-132 Morning Street parcel and a portion of the 22-24 Turner Street parcel described in said deed.

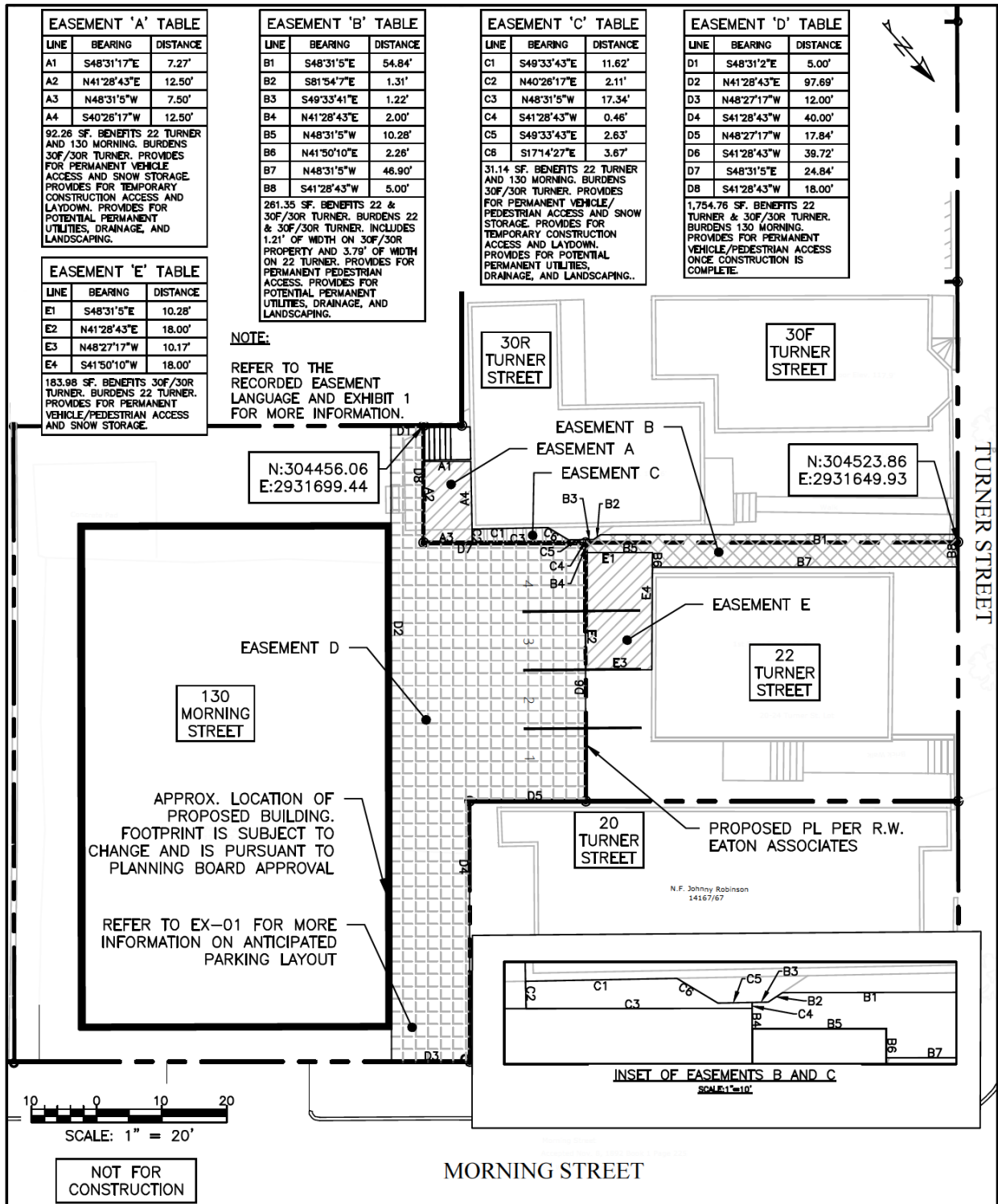
The above-described premises (the "Premises") is conveyed SUBJECT TO the following appurtenant easements:

1. An appurtenant exclusive easement for parking one noncommercial, compact vehicle in each of the two parking spaces identified as Space #3 and Space #4 on the Premises as shown on the Plan, as hereinafter defined, to benefit the adjacent parcel of land owned by Turner Gardens, LLC described in a deed from Good Morning Turner, LLC dated February 14, 2019 and recorded in Book 35463, Page 65 of the Cumberland County Registry of Deeds (the "TG Parcel"), which is commonly known as 30 Turner Street, and an appurtenant exclusive easement for parking one noncommercial, compact vehicle in each of the two parking spaces identified as Space #1 and Space #2 on the Premises as shown on the Plan to benefit the adjacent parcel of land owned by Good Morning Turner, LLC, which is commonly known as 22 Turner, and which is a portion of the property described in a deed to Good Morning Turner, LLC dated July 2, 2018 and recorded in the Cumberland County Registry of Deeds in Book 34967, Page 245, shown as "22 Turner Street" on a plan entitled "Easement & Parking Plan, 22 Turner, 30 Turner and 130 Morning Street" dated December 7, 2018, as revised through January 8, 2019, prepared by Acorn Engineering, Inc. (the "Plan"), which Plan is attached hereto as Schedule A-1 and incorporated herein. Grantor, its successors and assigns, reserves have the right to temporarily relocate, limit or prohibit use of the parking spaces during periods of construction on the Premises; provided, however, that the right to prohibit the use of the parking spaces shall automatically terminate on January 1, 2021.

The above-described Premises are further conveyed SUBJECT TO and TOGETHER WITH the benefits, burdens, obligations, and covenants set forth in that certain deed for the TG Parcel dated February 14, 2019 and recorded in Book 35463, Page 65 of the Cumberland County Registry of Deeds, excepting for the easement rights to the pedestrian walkway shown as Easement Area B on the Plan. Such benefits, burdens, obligations, and covenants shall include, but not be limited to, those indemnification obligations contained in said deed.

The above-described Premises are further conveyed SUBJECT TO and TOGETHER WITH the benefits, burdens, obligations, and covenants set forth in that certain Road Maintenance Agreement by and among Good Morning Turner, LLC, North East Morning, LLC, and Turner Gardens, LLC dated February 14, 2019 and recorded in the Cumberland County Registry of Deeds in Book 35463, Page 76.

Subject to a Stormwater Drainage System Maintenance Agreement dated _____ and recorded in the Cumberland County Registry of Deeds in Book _____, Page ____.



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.	FILE: 1109_CVIL DATE: 12/7/18 JN: 1109 SCALE: 1"=20' DESIGN BY: SJL DRAWN BY: SJL CHECKED BY: WHS	 ACORN ENGINEERING, INC. P.O. BOX 3372 PORTLAND, MAINE 04104 (207) 775-2655	DRAWING NAME: EASEMENT & PARKING PLAN FOR 22 TURNER, 30 TURNER, AND 130 MORNING ST. (2 OF 2)	ISSUED FOR ATTORNEY REVIEW PURPOSES FINAL	BY DATE 12/7/18 12/7/18 12/7/18 12/7/18 12/7/18
	PROJECT NAME: TURNER ST. CONDOMINIUMS		CLIENT: CORNERSTONE BUILDING & RESTORATION	DATE 12/7/18	
	DRAWING NO. EX-02				
	DATE 12/7/18				

EXHIBIT B

Morning Street Condominium

Percentage of Common Element Ownership Interests, Common Expense Liability and Vote.

	Common Interest and Liability	Vote
Unit 1A	___%	1
Unit 2A	___%	1
Unit 2B	___%	1
Unit 2C	___%	1
Unit 3A	___%	1
Unit 3B	___%	1
Unit 3C-WF	___%	1
Unit 4A	___%	1
Unit 4B	___%	1
	100%	9

EXHIBIT C
BYLAWS
MORNING STREET CONDOMINIUM OWNERS ASSOCIATION

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BYLAWS
MORNING STREET CONDOMINIUM OWNERS ASSOCIATION

ARTICLE I
INTRODUCTORY PROVISIONS

1.1. Name. The name of the Association is Morning Street Condominium Owners Association (the "Association"). The address of the Association is Morning Street, Portland, Maine. These Bylaws (the "Bylaws") have been adopted as required by section 1603-106 of the Maine Condominium Act to govern the Association. The Association is the association of Unit owners of the Morning Street Condominium (the "Condominium").

1.2. Applicability of Bylaws. The provisions of these Bylaws are applicable to the Condominium and to the use and occupancy thereof.

1.3. Office. The principal office of the Association and the Board of Directors (as herein defined) shall be located at _____, Portland, Maine, or at such other location as the Board of Directors may designate from time to time.

1.4. Corporation Law. Except as otherwise expressly provided herein, in the Declaration or in the Act, the Association shall be governed by the provisions of the Maine Nonprofit Corporation Act, Title 13-B of the Maine Revised Statutes of 1964, as amended.

1.5. Definitions. Capitalized terms used in these Bylaws without definition shall have the meanings specified for such terms in the Declaration of Condominium for the Condominium or, if not defined there, the meanings specified or used for such terms in the Act. The following terms shall have the following specific meanings in these Bylaws:

1.5.1. "Common Element Interest" means the percentage of undivided interest in the Common Elements appurtenant to each Unit as set forth in paragraph 7 of the Declaration.

1.5.2. "Common Expense Liability" means the allocation to each Unit of the respective liability for Common Expenses other than Limited Common Expenses. The Common Expense Liability allocated to the Unit is a percentage equal to the Common Element Interest appurtenant to the respective Unit.

1.5.3. "Condominium Documents" mean the Declaration, the Plat and Plans, the Bylaws and the Rules and Regulations adopted pursuant thereto by the Board of Directors or a committee designated by the Board of Directors, and all amendments to each of the same.

1.5.4. "Eligible Mortgage Holder" means the holder of record of a recorded first Mortgage encumbering a Unit in the Condominium that has delivered written notice to the Association by prepaid United States Mail, return receipt requested, or by delivery in hand securing a receipt therefor, stating its name and address, the name and address of the owner of the Unit encumbered by such Mortgage, the identifying number of such Unit, and containing a statement that such Mortgage is a recorded first Mortgage.

1.5.5. "Limited Common Expenses" means the Common Expenses associated with the maintenance, repair or replacement of a Limited Common Element. Pursuant to paragraph 6 of the Declaration, Limited Common Expenses shall be assessed against the Unit to which the relevant Limited Common Element is assigned.

1.5.6. "Mortgage" means a recorded mortgage or deed of trust encumbering a Unit in the Condominium held by a Mortgagee or an Eligible Mortgage Holder. "Mortgagee" means the holder of a Mortgage.

ARTICLE II THE ASSOCIATION

2.1. Composition, Powers and Duties. The composition, powers and duties of the Association are as set forth in paragraphs 17 and 18 of the Declaration.

2.2. Nontransferability of Interests. Except as provided in these Bylaws or in the Declaration, membership shall not be transferable. The membership of each Unit owner shall terminate upon a sale, transfer other disposition, other than by mortgage, of the ownership interest of such Unit owner, accomplished in accordance with the provisions of the Declaration, and thereupon the membership and any interest in the Reserve Fund (as defined in paragraph 5.5 below) and other common funds shall automatically transfer to and be vested in the next Unit owner or owners succeeding to such ownership interest.

2.3. Meetings of Members. Meetings of the members shall be held at the principal office of the Association or at such other place as may be specified in the notice of the meeting.

2.4. Annual Meetings. The annual meeting of the members shall be held each year on or about the last Tuesday of the month of October. In the event that the day for which an annual meeting is scheduled is a legal holiday, then the meeting shall be held on the first day thereafter that is not a legal holiday. At such meetings, there shall be elected by ballot of the members a Board of Directors in accordance with the provisions of Article III of these Bylaws. The members shall also transact such other business as may properly come before them.

2.5. Special Meetings. The President shall call a special meeting of the Association if so directed by resolution of the Board of Directors or upon the written request of two (2) Unit owners presented to the Secretary. The notice of any special meeting shall state the time, the place and purpose thereof. Such meetings shall be held within thirty (30) days after receipt by the President of said resolution or written request.

2.6. Notice of Meeting. It shall be the duty of the Secretary, or upon his failure or neglect then of any other, officer, to give notice of each annual or special meeting, the time and place of the meeting, and the items on the agenda for that meeting, including the general nature of any proposed amendment to the Declaration or these Bylaws, any budget changes and any proposal to remove a member of the Board of Directors or officer, to each member of record, including the Declarant as long as it is the owner of record of a Unit, and to each Eligible Mortgage Holder. With respect to any annual or special meeting, such notice shall be so mailed at least ten (10) days but no more than forty-five (45) days prior to the date so set for the meeting.

2.7. Quorum. The presence, either in person or by proxy, of the owners of the Units to which are allocated at least one-half of the votes in the Association shall be a requisite for and shall constitute a quorum for the transaction of business at all meetings of members.

2.8. Adjournment of Meetings. If at any meeting of members a quorum shall not be in attendance, those members who are present may adjourn the meeting to a time not less than forty-eight (48) hours from the time at which the original meeting was called.

2.9. Votes in Association. Each Unit shall be entitled to one (1) vote in the Association.

2.10. Voting. Voting shall be in accordance with section 1603-110 of the Act (including, but not limited to, section 1603-110(b) of the Act) and paragraph 7 of the Declaration. If the Declarant owns or holds title to one or more Units, the Declarant shall have the right at any meeting of the members to cast the votes allocated to such Unit or Units.

2.11. Electronic Voting. The Board of Directors shall have the authority, in its discretion, to allow the casting of votes by electronic transmission at meetings of Owners and/or at meetings of the Board of Directors. Any vote that is cast by electronic means shall be exercised in the manner provided by these Bylaws and in any additional rules or policies as may be adopted from time to time by the Board of Directors. A vote conducted by electronic transmission must be filed with the minutes of members' meetings and has the same effect as an in-person vote or a vote by proxy. An electronic vote shall not in and of itself be counted for establishing a quorum, which requirements are set forth in Section 2.7 of these Bylaws.

2.12. Majority Vote Required. Unless a different vote is required by express provisions of the Act, these Bylaws or the Declaration, each question presented at a meeting shall be determined by a vote of a majority of Unit owners. As used in these Bylaws, the term "majority of Unit owners" shall mean the Unit owners of those Units to which are allocated more than fifty percent (50%) of the total authorized votes that are present in person or by proxy and voting in any meeting of the Association at which a quorum is present as determined in accordance with paragraph 2.7.

2.13. Informal Action. Any action required or permitted to be taken at any meeting of the members may be taken without a meeting if a written consent thereto is signed by all the members. The Secretary shall file such written consent with the records of the meetings of the members and such consent shall be treated as a unanimous vote of members for all purposes.

2.14. Order of Business. The order of business at all meetings of the members shall be as follows:

- (a) Roll call.
- (b) Proof of notice of meeting.
- (c) Reading of minutes of preceding meeting for approval of same.
- (d) Reports of Board of Directors or of officers or of the manager.
- (e) Reports of committees, if any.
- (f) Election of inspectors of elections (when so required).
- (g) Election of members of the Board of Directors (when so required).
- (h) Unfinished business.
- (i) New business.

At all meetings of the Association or of the Board of Directors, Robert's Rules of Order, as then amended, shall be followed, except in the event of conflict, in which case these Bylaws or the Declaration, as the case may be, shall prevail.

ARTICLE III BOARD OF DIRECTORS

3.1. Number and Qualification. The affairs of the Association shall be governed by a Board of Directors. During the Declarant Control Period, as defined in paragraph 19 of the Declaration, the Board of Directors shall be composed of three (3) natural persons who shall be appointed, removed and replaced from time to time by the Declarant without the necessity of obtaining resignations. The appointees of the Declarant need not be Unit owners. After the end of the Declarant Control Period, the Board of Directors shall be composed of three (3) persons, as the Board of Directors may determine from time to time. Each member of the Board of Directors shall be a Unit owner (or spouse of a Unit owner), or in the case of a Unit owner that is a corporation, partnership, limited liability company, trust or estate, a designated agent who is a shareholder, partner, member, manager or beneficiary thereof, as the case maybe. A Unit owner must be current in the payment of all condominium fees to be elected (or have its agent elected) to the Board of Directors.

3.2. Election and Term of Office. The members of the Board of Directors shall be elected as follows:

3.2.1. At the first meeting of the Association after the end of the Declarant Control Period, the election of members of the Board of Directors shall be held. At the first election, one member shall be elected for a three (3) year term, one member shall be elected for a two (2) year term, and one member shall be elected for a one (1) year term. At all subsequent annual meetings of the Association, the election of members of the Board of Directors shall be held. The term of office of each Director after the initial Board of Directors shall be fixed at three (3) years so that after the Declarant Control Period ends, one-third (1/3) of the Board of Directors may be replaced at each annual meeting. Each Director shall hold office until the earlier to occur of the election of his or her respective successor, or his or her death, adjudication of incompetency, removal or resignation. Any Directors may be elected to succeed himself or herself for an unlimited number of terms.

3.2.2. Persons qualified to be members of the Board of Directors may be nominated for election only as follows:

- (a) Any Unit owner may submit to the Secretary at least thirty (30) days before the meeting at which the election is to be held a nomination petition signed by Unit owners owning at least two (2) Units and a statement that the person nominated is willing to serve on the Board of Directors. The Secretary shall mail or hand deliver the submitted items to every Unit owner along with the notice of such meeting.
- (b) Nominations may be submitted from the floor at the meeting at which the election is held for each vacancy on the Board of Directors for which no more than one (1) person has been nominated by petition.

3.3. Powers and Duties. The Board of Directors shall have the powers and duties necessary for the administration of the affairs of the Association and shall have all powers and duties referred to in the Declaration and the Act.

3.4. Delegation of Powers: Managing Agent. The Board of Directors may employ for the Condominium a "Managing Agent" or "Manager" at a compensation established by the Board of Directors. The Managing Agent shall perform such duties and services as the Board of Directors shall authorize, including, but not limited to, all of the duties listed in the Act, the Declaration and these Bylaws; provided, however, where a Managing Agent does not have the power to act under the Act, the Declaration or these Bylaws, such duties shall be performed as advisory to the Board of Directors. The Board of Directors may delegate to the Managing Agent all of the powers granted to the Board of Directors by the Act, the Declaration and these Bylaws other than the following powers:

- (a) To adopt the annual budget and any amendment thereto or to assess any Common Expenses.
- (b) To adopt, repeal or amend rules and regulations of the Association.
- (c) To designate signatories on Association bank accounts.
- (d) To borrow money on behalf of the Association.
- (e) To acquire and mortgage Units.
- (f) To allocate Limited Common Elements.

Any employment contract between the Managing Agent and the Association must provide that it may be terminated with cause on no more than thirty (30) days' written notice and without cause on no more than ninety (90) days' written notice.

3.5. Removal and Resignation of Members of the Board of Directors. Except with respect to members designated by the Declarant during the Declarant Control Period, at any regular or special meeting of the Association duly called, any one or more of the members of the Board of Directors may be removed with or without cause by Unit owners entitled to cast at least two-thirds (2/3) of all the votes in the Association, and a successor may then and there be elected to fill the vacancy thus created. A Director may be removed by vote of a majority of the other Directors if said Director is not current in the payment of condominium fees. Any Unit owner proposing removal of a Director shall give notice thereof to the Secretary. Any member whose removal has been proposed by a Unit owner shall be given at least ten (10) days' notice by the Secretary of the time, place and purpose of the meeting and shall be given an opportunity to be heard at the meeting. A Director may resign by submitting his or her resignation in writing to the President or the Secretary of the Board of Directors.

3.6. Vacancies. Except as set forth in paragraph 3.1 hereof with respect to members appointed by the Declarant, vacancies in the Board of Directors caused by reason other than the removal of a member by a vote of the Unit owners shall be filled by a vote of a majority of the remaining Directors at a special meeting of the Board of Directors held for such purpose promptly after the occurrence of any such vacancy, even though the members present at such meeting may constitute less than a quorum. Each person so elected shall be a member of the Board of Directors for the remainder of the term of the member being replaced and until a successor shall be elected at the next annual meeting of the Association at which such seat is to be filled upon expiration of the term of his predecessor. In the case of multiple vacancies, the member receiving the greatest number of votes shall be elected for the longest term.

3.7. Organizational Meeting. The first meeting of the Board of Directors following each annual meeting of the Association shall be held within ten (10) days thereafter at such time and place as shall be fixed by the President (even if he is the outgoing President) at the meeting at which such Board of Directors shall have been elected, and no notice shall be necessary to the newly elected members of the Board of Directors in order legally to constitute such meeting, if a majority of the Board of Directors members shall be present at such meeting. The Secretary shall give notice of such meeting to each Eligible Mortgage Holder in the manner provided in the Declaration for service of notice upon Eligible Mortgage Holders at least five (5) days before such meeting.

3.8. Regular Meetings. Regular meetings of the Board of Directors may be held at such time and place as shall be determined from time to time by a majority of the members, but such meetings shall be held at least once every six (6) months during each fiscal year. Notice of regular meetings of the Board of Directors shall be given to each member and Eligible Mortgage Holder by the Secretary in the manner provided in the Declaration for service of notice upon Unit owners and Eligible Mortgage Holders, at least ten (10) business days prior to the day named for such meeting.

3.9. Special Meetings. Special meetings of the Board of Directors may be called by the President on at least three (3) business days' notice by the Secretary to each member and Eligible Mortgage Holder, given by mail, telegraph or hand delivery, securing a receipt therefore, which notice shall state the time, place and purpose of the meeting. Special meetings of the Board of Directors shall be called by the President or the Secretary in like manner and on like notice on the written request of at least two (2) members of the Board of Directors.

3.10. Waiver of Notice. Any member may at any time, in writing, waive notice of any meeting of the Board of Directors, and such waiver shall be deemed equivalent to the giving of such notice. Attendance by a member at any meeting of the Board of Directors shall constitute a waiver of notice by him of the time, place and purpose of such meeting unless the sole purpose of the member's attendance is to protest the holding of the meeting. If all members are present at any meeting of the Board of Directors, no notice shall be required and any business may be transacted at such meeting.

3.11. Quorum of the Board of Directors. At all meetings of the Board of Directors, one-half (50%) of the members of the Board shall constitute a quorum for the transaction of business, and upon the affirmative vote of a majority of the members of the Board present at a meeting at which a quorum is present, any business that might have been transacted at the meeting originally called may be transacted without further notice. One or more members of the Board of Directors may participate in and be counted for quorum purposes at any meeting by means of conference telephone call or similar communication equipment by means of which all persons participating in the meeting can hear and speak to each other.

3.12. Compensation. No member of the Board of Directors shall receive any compensation from the Association for acting as such, but may be reimbursed for any expenses incurred in the performance of his duties.

3.13. Conduct of Meetings. The President shall preside at all meetings of the Board of Directors, and the Secretary shall keep a minute book of the Board of Directors meetings, recording therein all resolutions adopted by the Board of Directors and recording all transactions and proceedings occurring at such meetings. The then current edition of Robert's Rules of Order shall

govern the conduct of the meetings of the Board of Directors if and to the extent not in conflict with the Declaration, these Bylaws or the Act.

3.14. Action Without Meeting. Any action by the Board of Directors required or permitted to be taken at any meeting may be taken without a meeting if all of the members of the Board of Directors shall individually or collectively consent in writing to such action. Any such persons' written consents shall be filed with the minutes of the proceedings of the Board of Directors.

3.15. Validity of Contracts with Interested Board of Directors Members. No contract or other transaction between the Association and one or more of its Directors or between the Association and any corporation, firm or association in which one or more of the Directors are directors or officers, or are financially interested, shall be void or voidable because such Director(s) are present at any meeting of the Board of Directors that authorized or approved the contract or transaction or because his or their votes are counted, if the circumstances specified in either of the following subparagraphs exists:

3.15.1. The fact that a Director is also such a director, officer or has a financial interest is disclosed or known to the Board of Directors and is noted in the minutes thereof, and the Board of Directors authorizes, approves or ratifies the contract or transaction in good faith by a vote sufficient for the purpose without counting the vote or votes of such Director(s), OR

3.15.2. The contract or transaction is made in good faith and is not unconscionable to the Association at the time it is authorized, approved or ratified.

3.16. Inclusion of Interested Directors in a Quorum. Any Director holding such director or officer position or having such financial interest in another corporation, firm or association may be counted in determining the presence of a quorum at a meeting of the Board of Directors or a committee thereof that authorizes, approves or ratifies a contract or transaction of the type described in paragraph 3.15 above.

ARTICLE IV OFFICERS

4.1. Designation and Election. The principal officers of the Association shall be the President, the Secretary and the Treasurer, all of whom shall be elected by the Board of Directors at the annual meeting of such Board. The Board of Directors may appoint an Assistant Treasurer, an Assistant Secretary and such other officers as in its judgment may be necessary. The President shall be a Unit owner and a member of the Board of Directors. Any other officers may, but need not, be Unit owners or members of the Board of Directors. An officer other than the President may hold more than one office.

4.2. Removal of Officers. Upon the affirmative vote of a majority of all members of the Board of Directors, any officer may be removed, either with or without cause, and a successor may be elected at any meeting of the Board of Directors called for such purpose.

4.3. President. The President shall be the chief executive officer of the Association, preside at all meetings of the Association and of the Board of Directors and have all of the general powers and duties that are incident to the office of President of a nonprofit corporation organized under the laws of the State of Maine, including, without limitation, the power to appoint

committees from among the Unit owners from time to time as the President may in his discretion decide is appropriate to assist in the conduct of the affairs of the Association. The President shall cease holding such office at such time as he ceases to be a member of the Board of Directors.

4.4. Secretary. The Secretary shall keep the minutes of all meetings of the Association and of the Board of Directors, have charge of such books and papers as the Board of Directors may direct, maintain a register setting forth the place to which all notices to Unit owners and Eligible Mortgage Holders, hereunder and pursuant to the Declaration, shall be delivered and, in general, perform all the duties incident to the office of Secretary of a nonprofit corporation organized under the laws of the State of Maine. The Secretary shall, within ten (10) days after receipt of request, provide any person, or cause to be provided to any person, entitled thereto at the expense of the person requesting it a written statement or certification of the information that the Association is required to provide pursuant to sections 1603-116(h) and 1604-108(b) of the Act and subparagraph 5.2.2 of these Bylaws.

4.5. Treasurer. The Treasurer shall have the responsibility for the safekeeping of Association funds and securities; keeping full and accurate financial records and books of account showing all receipts and disbursements; the preparation of all required financial data; providing to the Secretary the financial and budgetary information necessary for the Secretary to provide the certifications required by paragraph 4.4 hereof; the deposit of all monies in the name of the Board of Directors, the Association or the Managing Agent, in such depositories as may from time to time be designated by the Board of Directors; and, in general, all the duties incident to the office of Treasurer of a nonprofit corporation organized under the laws of the State of Maine.

4.6. Execution of Documents. All agreements, contracts, deeds, leases, checks and other instruments of the Association for expenditures or obligations in excess of one thousand dollars (\$1,000.00) shall be executed by the President or the Secretary and the Treasurer of the Association. All such instruments for expenditures or obligations of one thousand dollars (\$1,000.00) or less may be executed by any one officer of the Association or such other person or employee as the Board of Directors may designate in writing.

4.7. Compensation of Officers. No officer who is also a member of the Board of Directors shall receive any compensation from the Association for acting as such officer, but may be reimbursed for any out-of-pocket expenses incurred in performing his duties; provided, however, the Secretary and the Treasurer may be compensated for their services if the Board of Directors determines such compensation to be appropriate.

ARTICLE V OPERATION OF THE CONDOMINIUM

5.1. Fiscal Year. The fiscal year of the Association shall begin on such date as shall be established by the Board of Directors, except for the first fiscal year of the Association, which shall begin at the date of incorporation of the Association. The commencement date of the fiscal year so established shall be subject to change by the Board of Directors.

5.2. Preparation and Approval of Budget.

5.2.1. On or before ninety (90) days before the beginning of the fiscal year for which a Common Expense assessment is made, the Board of Directors shall adopt an annual budget for the Association containing an estimate for the total amount considered necessary to pay the

cost of maintenance, management, operation, repair and replacement of the Common Elements and those parts of the Units as to which it is the responsibility of the Association to maintain, repair and replace, and the cost of wages, materials, insurance premiums, services, supplies and other expenses that may be declared to be Common Expenses by the Act, the Condominium Documents or a resolution of the Association and that will be required during the ensuing fiscal year for the administration, operation, maintenance and repair of the Condominium and the rendering to the Unit owners of all related services. The budget shall include such amounts as the Board of Directors shall consider necessary to provide working capital, a general operating reserve fund for replacements, capital improvements and other items that cannot be expected to occur on a regular basis. The budget shall also reflect the separate assessment of Limited Common Expenses.

5.2.2. On or before sixty (60) days before the beginning of the fiscal year for which a Common Expense assessment is made, the Board of Directors shall make such budget available for inspection during business hours by any Unit owner or Mortgagee at the Condominium and the Secretary shall provide to the Unit owners and Eligible Mortgage Holders a summary of that budget in reasonably itemized form setting forth the separate amount of the Common Expenses and Limited Common Expenses and shall set a date for a special meeting of the Unit owners and Eligible Mortgage Holders to consider ratification of such budget not less than fourteen (14) days nor more than thirty (30) days after the mailing of such summary of budget accompanied by notice of the special meeting to each Unit owner and Eligible Mortgage Holder. Unless at the meeting a majority in voting interest of all the Unit owners rejects the proposed budget or revised budget, that budget is ratified irrespective of whether a quorum is present at said meeting. In the event such budget shall be rejected at the meeting, the budget last ratified with respect to the period covered by the proposed budget shall be continued as the budget for the Condominium until such time as the Unit owners ratify a subsequent budget proposed by the Board of Directors upon the same conditions as are provided in this paragraph 5.2 with respect to the original budget.

5.2.3. Subject to subparagraph 5.2.2, the budget adopted pursuant to this paragraph 5.2 shall constitute the basis for determining each Unit owner's assessments for Common Expenses and Limited Common Expenses and shall automatically take effect at the beginning of the fiscal year for which it is adopted.

5.3. Assessment of Common Expenses. Assessments shall be made no later than thirty (30) days after the budget is adopted except that the first assessment shall be made no later than sixty (60) days after the first conveyance of a Unit to a purchaser.

5.4. End of Fiscal Year. Within ninety (90) days after the end of each fiscal year for which a Common Expense assessment was made, the Board of Directors shall prepare and deliver to all Unit owners and Eligible Mortgage Holders, and to each Mortgagee requesting in writing the same, an itemized accounting of the Common Expenses for such fiscal year actually incurred and paid, together with a tabulation of the amount collected pursuant to the budget adopted by the Board of Directors for such fiscal year.

5.5. Reserves. The Board of Directors shall build up and maintain reasonable reserves for working capital, including a general operating reserve fund for current Common Expenses (the "Working Capital Fund") and a reserve fund for contingencies, replacements, capital improvements and other items that cannot be expected to occur on a regular basis (the "Reserve Fund"). However, nothing contained herein shall limit, preclude or impair the establishment of additional funds by the Association so long as the amount credited to, and debited from, any such additional funds are designated for specified purposes authorized by the Condominium

Documents. The Working Capital Fund, Reserve Fund and such other funds shall be conclusively deemed to be common funds of the Association and shall be deposited in a special account with a lending institution, the accounts of which are insured by an agency of the United States of America. Neither the Board of Directors nor the Treasurer shall commingle in the books and records of the Association any amounts deposited into the Reserve Fund, the Working Capital Fund or such other funds. Extraordinary expenditures not originally included in the annual budget that may become necessary during the year shall be charged first against such reserves. If the reserves are deemed by the Board of Directors to be inadequate for any reason, including nonpayment of any Unit owner's assessment, the Board of Directors may at anytime levy a further assessment, which, depending on whether the reserve is for the benefit of all the Units or fewer than all the Units, shall be assessed against all the Unit owners according to their respective Common Expense Liabilities or only against the Unit owners benefitted according to their respective Common Expense Liabilities as between themselves, and which may be payable in a lump sum or in installments as the Board of Directors may determine.

5.6. Further Assessments. Subject to paragraph 5.10 hereof, the Board of Directors shall give notice to all Unit owners and Eligible Mortgage Holders of any further assessments on Unit owners for Common Expenses or Limited Common Expenses accompanied by a statement in writing giving the amount and reasons therefor, and such further assessment shall, unless otherwise specified in the notice, and subject to paragraph 5.9, become effective with the next monthly payment that is due after the delivery of such notice of further assessment. All Unit owners so notified shall be obligated to pay the adjusted monthly amount or, if such further assessment is not payable in installments, the amount of such assessment.

In addition, the Association shall have the right to levy reasonable fines for violations of the Declaration, these Bylaws and the Rules and Regulations of the Association, and may charge a Unit owner legal fees and costs related to the enforcement of the provisions of the Declaration, Bylaws and the Rules and Regulations.

5.7. Initial Capital Payment. Declarant, as the agent of the Board of Directors, will collect from each initial purchaser of a Unit at the time of settlement an "initial capital payment" (and not as a credit against the purchaser's liability for Common Expenses) equivalent to twice the estimated monthly assessment for Common Expenses and Limited Common Expenses, if any, for such purchaser's Unit. The Declarant will deliver the funds so collected to the Board of Directors for deposit into the Working Capital Fund unless the Declarant has previously made the "initial capital payment" with respect to said Unit, in which case, the initial capital payment shall be used to reimburse the Declarant for its initial capital payment to the Association. The Declarant must pay the "initial capital payment" to the Association for unsold Units of the Condominium no later than one hundred twenty (120) days after the first Unit of the Condominium shall be conveyed to a purchaser so that the "initial capital payment" shall be made for every Unit within one hundred twenty (120) days after the first Unit is conveyed to a purchaser.

5.8. Move-In Fee. Each subsequent purchaser(s) of a Unit (following the initial purchaser of a Unit), and any lessee or sublessee of a Unit, shall be subject to a \$250 move-in fee payable to the Association. Such funds so collected shall be deposited into the Working Capital Fund, and may be used, from time to time, to repair and maintain any damage or wear and tear to the Common Elements directly attributable to Unit owners' and/or lessee or sublessee's moving in and/or out of the Condominiums.

5.9 Effect of Failure to Prepare or Adopt Budget. The failure or delay of the Board of Directors to prepare or adopt a budget for any fiscal year shall not constitute a waiver or release in any manner of a Unit owner's obligation to pay his allocable share of the Common Expenses as herein provided whenever it shall be determined and, in the absence of any annual budget or adjusted budget, each Unit owner shall continue to pay each monthly installment at the monthly rate established for the previous fiscal year until the new annual or adjusted budget shall have been adopted.

5.10 Rejection of Budget. If the members reject a proposed budget, the Board of Directors shall prepare a revised budget, which shall be subject to the same procedures as set forth above for the originally proposed budget.

5.11. Limitations on Expenditures. The power of the Board of Directors to expend funds, incur expenses or borrow money on behalf of the Association is subject to the requirement that the consent of the owners of Units to which are allocated at least two-thirds (2/3) of the votes in the Association shall be required to borrow any sum in excess of One Thousand Dollars (\$1,000.00) and to expend funds or incur expenses that it is reasonably anticipated will cause the aggregate amount of all expenses in the budget (including reserves) to be exceeded by more than ten percent (10%) of such aggregate amount after taking into account any projected increases in income.

5.12. Accounts; Audits. All sums collected by the Board of Directors with respect to assessments against the Unit owners or from any other source may be commingled in a single fund or held for each Unit owner in accordance with his respective Common Expense Liability subject to the provisions of paragraph 5.5. All books and records of the Association shall be kept under the direction of the Treasurer or the Manager and in accordance with customary accounting principles and practices.

5.13. Payment Obligations. Each Unit owner shall pay to the Association or its authorized representative on the first day of each month, or on such other date that the Association may determine in writing, (a) one-twelfth (1/12) of the Common Expenses, assessed on an annual basis against his or her Unit in the proportions required in paragraph 7 of the Declaration, plus all Limited Common Expenses assessed against his or her Unit, and (b) all special assessments, any other sums duly levied against the Unit pursuant to the Declaration, these Bylaws or the Act. If for any reason the Association shall revise the annual budget of the Association in accordance with these Bylaws, and subject to paragraph 5.10 above, whereby the Common Expenses or any component thereof may be increased, then commencing on the first day of the first month subsequent to the adoption of such revised budget each Unit owner shall pay to the Association or its authorized representative one twelfth (1/12) of any such revised annual Common Expenses assessed against his or her Unit in the proportions required in paragraph 7 of the Declaration, plus Limited Common Expenses assessed against his or her Unit.

5.14. Interest; Acceleration. If any assessment is not paid within ten (10) days after payment is due, the Unit owner shall pay a late fee of the greater of ten dollars (\$10.00) or four percent (4%) of the amount due. Interest shall be imposed after the 10th day of the month on the principal amount unpaid from the date when due until paid at a rate of eighteen percent (18%) per annum. If any Unit owner is more than fifteen (15) days delinquent, a letter shall be sent to that Unit owner giving said Unit owner ten (10) days' notice prior to the institution of any collection proceedings or other legal proceedings.

5.15. Liens for Assessments. The total annual assessment levied against each Unit for Common Expenses, including Limited Common Expenses, special assessments and any other sums duly levied against the Unit pursuant to the Declaration, these Bylaws or the Act, including all interest thereon and charges for late payment thereof and legal fees and other costs of collection thereof, and fines, penalties and fees as provided in the Declaration or these Bylaws shall, until fully paid, constitute a lien against the Unit in favor of the Association as provided in section 1603-116 of the Act. Such lien shall, with respect to annual assessments and revised annual assessments, be effective on the first day of each fiscal year of the Association with respect to the full amount of the annual assessments or revised annual assessments. With respect to special assessments and other sums duly levied, including interest, charges for late payments, legal fees, costs of collection, fines, penalties and fees, such lien shall be effective on the first day of the next month that begins more than ten (10) days after delivery to the Unit owner of notice of such special assessment or levy. Such lien is prior to all other liens and encumbrances on a Unit except (a) liens and encumbrances recorded before the recordation of the Declaration, (b) a first mortgage recorded before or after the date which the assessment sought to be enforced becomes delinquent, and (c) liens for real estate taxes and other governmental assessments or charges against the Units; provided, however, that such lien is not subject to the provisions of 14 M.R.S.A. § 4651-A and 18-A M.R.S.A. § 2-201, et seq., as they or their equivalents may be amended or modified from time to time.

ARTICLE VI INSURANCE

6.1. Policies. The Association shall maintain insurance in accordance with section 1603-113 of the Act and paragraph 24 of the Declaration. The Board of Directors may also obtain and maintain as a Common Expense: (1) to the extent available at reasonable cost, "directors and officers" liability insurance to satisfy indemnification obligations of the Association provided in the Declaration; (ii) workmen's compensation insurance, if and to the extent necessary to meet the requirements of law; and (iii) other insurance that the Board of Directors may determine is necessary or as may be requested by a majority of the Unit owners.

It shall be the responsibility of each Unit owner to procure adequate insurance covering the contents of his or her Unit and any deductible for damage to the Unit interior, and any appliances, fixtures, betterments or improvements thereto installed by the Unit owner unless insured through the Association's policy, all as further appears in and subject to the Declaration.

ARTICLE VII REPAIR AND RECONSTRUCTION AFTER FIRE OR OTHER CASUALTY

7.1. When Repair and Reconstruction are Required. In the event of damage to or destruction of all or any part of the Condominium as a result of fire, other casualty or the exercise of the power of eminent domain, the Board of Directors on behalf of the Association shall promptly arrange for and supervise the prompt repair, replacement and restoration thereof. Such repair or restoration shall be substantially in accordance with the Declaration, the Plat and Plan and the original plans and specifications therefore unless (a) the Condominium is terminated, or (b) repair, replacement or restoration would be illegal under any state or local health, safety, land-use or environmental statute, code or ordinance, or (c) eighty percent (80%) of the Unit owners and the Eligible Mortgage Holders holding mortgages on Units to which are allocated at least fifty-one percent (51%) of the Votes in the Association vote not to repair, restore or replace the damaged or destroyed Condominium, and such decision is approved by every owner of a Unit or assigned or

allocated Limited Common Element that will not be repaired, replaced or restored and by all Eligible Mortgage Holders of Mortgages thereon.

7.2. Procedure for Reconstruction and Repair. If repair, replacement or restoration shall be required pursuant to paragraph 7.1 hereof.

7.2.1. Cost Estimates. The Board of Directors shall promptly obtain reliable and detailed estimates of the cost of repairing and restoring such portion substantially in accordance with the Declaration, the Plat and Plan and the original building plans and specifications therefor unless other action is approved by at least sixty-seven percent (67%) in voting interest of the Unit owners and the Eligible Mortgage Holders holding mortgages on Units to which are allocated at least fifty-one percent (51%) of voting interest in the Association. Such costs may also include professional fees and premiums for such bonds as the Insurance Trustee may determine to be necessary.

7.2.2. Assessments. If the net proceeds of insurance, if any, are not sufficient to defray such estimated costs of reconstruction, repair, replacement and reconstruction, or if upon completion of reconstruction and repair the funds for the payment of the costs thereof are insufficient, the amount necessary to complete such reconstruction and repair may be obtained from the appropriate reserve for replacement funds and any such excess costs shall be deemed a common expense, and a special assessment therefor shall be levied by the Association.

7.2.3. Construction Fund and Disbursement. The proceeds of insurance collected on account of the casualty and the sums received by the Association from collections of assessments against Unit owners pursuant to subparagraph 7.2.2 on account of such casualty or taking shall constitute a construction fund, which shall be held in trust by the Insurance Trustee or the Association as provided in the Declaration and disbursed in payment of the costs of reconstruction and repair in a manner that would normally be used by any prudent financial institution advancing construction funds. Any holder of a first mortgage shall have the right to inspect building plans, construction schedules and contractors.

7.3. Damage or Destruction; No Repair or Replacement. If the entire Condominium is not repaired or replaced:

7.3.1. The insurance proceeds attributable to the damaged Common Elements shall be used to restore the damaged area to a condition compatible with the remainder of the Condominium as determined by the Board of Directors or its architect.

7.3.2. The insurance proceeds attributable to Units and Limited Common Elements that are not rebuilt shall be distributed to the owners and Mortgagees of those Units, as their insurable interests may appear, and the owners and Mortgagees of the Units to which those Limited Common Elements were assigned or allocated, as their insurable interests may appear.

7.3.3. The remainder of the proceeds shall be distributed to all the Unit owners and Mortgagees as their insurable interests may appear, in proportion to their respective Common Element Interests or the Common Expense Liability and subject to their respective mortgages.

7.3.4. If the Unit owners and their Mortgagees vote not to rebuild any Unit, that Unit's entire Allocated Interest shall be automatically reallocated upon said vote as if the Unit had been condemned, and the Association shall prepare, execute and record an amendment to the

Declaration reflecting the reallocations. Notwithstanding any provision of this Article VII to the contrary, section 1602-118 of the Act governs the distribution of insurance proceeds if the Condominium is terminated.

7.4. Mortgagee Priority. No provision of the Condominium Documents shall be deemed or construed to give a Unit owner, or any other person, priority over the rights of any Eligible Mortgage Holder pursuant to its mortgage in the case of a distribution to Unit owners of insurance proceeds or condemnation awards for losses to or a taking of Units, Common Elements or both.

ARTICLE VIII RECORDS OF INFORMATION

8.1. Title. Every Unit owner shall promptly cause to be duly recorded the deed, lease, assignment or other conveyance to him or her of his or her Unit or other evidence of his title thereto and file such evidence of his title with the Board of Directors through the Secretary or Manager. The Secretary shall maintain such information in the record of ownership of the Association.

8.2. Availability of Information. The Association shall make available at its principal offices, for inspection by Unit owners, lenders and the holders, insurers and guarantors of the first mortgage on any Unit, current copies of the Declaration, these Bylaws and the Rules and Regulations governing the Condominium and other books, records and financial statements of the Association. The Association shall also make available to Eligible Mortgage Holders, eligible insurers, Unit owners and prospective purchasers at the cost of the person requesting the same current copies of the Declaration, these Bylaws and the Rules and Regulations governing the Condominium.

ARTICLE IX AMENDMENTS

9.1. General Requirements; Consent of Declarant or Holders of Mortgages: Curative Amendments to Bylaws. Except as otherwise provided in any one or more of these Bylaws, the Declaration or the Act, these Bylaws may be amended by the approval of seventy-five percent (75%) of the aggregate votes in the Association, cast by Unit owners in person or by proxy at a duly convened meeting at which a quorum is present; provided, however, that no amendment seeking (i) to abandon, partition, subdivide, encumber, sell or transfer any portion of the Common Elements, or (ii) to abandon or terminate the condominium form of ownership of the Condominium, except as otherwise provided in the Declaration, shall be effective without the prior written approval of all Eligible Mortgage Holders. Notwithstanding the foregoing, amendments of a material nature must be approved by Unit owners entitled to cast at least seventy-five percent (75%) of the aggregate votes in the Association and by Eligible Mortgage Holders representing at least seventy-five percent (75%) of the votes of Units subject to mortgages held by Eligible Mortgage Holders, unless the Declaration or Act require a higher percentage. A change of any of the following would be considered material:

- (a) Voting rights.
- (b) Assessments, assessment liens or subordination of assessment liens.
- (c) Reserves for maintenance, repair and replacement of Common Elements.
- (d) Responsibility for maintenance and repairs.
- (e) Reallocation of interests in the Common or Limited Common Elements, or rights to their use.
- (f) Boundaries of any Unit.

- (g) Convertibility of Units into Common Elements or vice versa.
- (h) Expansion or contraction of the Condominium, or the addition, annexation or withdrawal of property to or from the Condominium.
- (i) Insurance or fidelity bonds.
- (j) Leasing of Units.
- (k) Restriction of a Unit owners' right to sell or transfer the owner's Unit;
- (l) Restoration or repair of the Condominium (after a hazard damage or partial condemnation) in a manner other than that specified in the Condominium Documents.
- (m) Any action to terminate the legal status of the Condominium after substantial destruction or condemnation occurs.
- (n) Any provisions that expressly benefit mortgage holders, insurers, or guarantors.

Additionally, if any amendment is of a non-material nature, or in the judgment of the Board of Directors is necessary to cure any ambiguity or to correct or supplement any provision of these Bylaws that is defective, missing or inconsistent with any other provision herein, or with the Act or the Declaration, the approval of an Eligible Mortgage Holder may be assumed when such a mortgage holder fails to submit a written response to any written proposal for an amendment within thirty (30) days after the proposal is made, and the Board of Directors, acting through the President, may effect an appropriate amendment without the approval of the Unit owners.

9.2. Amendments to the Declaration. The Declaration may be amended pursuant to the provisions of the Act and the Declaration. The President is empowered to prepare and execute any amendments to the Declaration on behalf of the Association, and the Clerk is empowered to attest, seal with the Association's corporate seal and record any such amendments on behalf of the Association.

ARTICLE X CORPORATE SEAL

10.1. Seal. The Association may have a seal in circular form having within its circumference the words:

MORNING STREET CONDOMINIUM OWNERS ASSOCIATION
PORTLAND, MAINE

ARTICLE XI

11.1. To Unit Owners. The Association shall give any notices, demands, bills, statements or other communications affecting the Condominium that it is required to give to a Unit owner in writing. The Association shall be deemed to have duly given any such notice if the notice is delivered personally securing a receipt therefor, or sent by United States Mail, postage prepaid, or if such notice is of a default or lien, sent by registered or certified mail, return receipt requested, postage prepaid, addressed to the Unit owner at the address that the Unit owner shall designate in writing and file with the Secretary of the Association, or if no such address is so designated, the address of the Unit of which such Unit owner is the record owner. Notice may be given by email if the Maine Nonprofit Act or the Maine Condominium Act permits email notices in the relevant circumstances and any conditions precedent are complied with. If notice is given pursuant to the

provisions of this section, the failure of any Unit owner to receive actual notice of the meeting shall not invalidate the meeting.

11.2. To the Association. All notices, demands, statements or other communications affecting the Condominium given by a Unit owner to the Association shall be in writing and shall be deemed to have been duly given to the Association if delivered personally securing a receipt therefor, or sent by United States Mail, postage prepaid, return receipt requested, addressed to the Association at the principal office of the Managing Agent, or if there shall be no Managing Agent, then to the Secretary of the Association at the address of the Unit of which the Secretary is the record Unit owner thereof. Notice may be given by email if the Maine Nonprofit Act or the Maine Condominium Act permits email notices in the relevant circumstances and any conditions precedent are complied with. If notice is given pursuant to the provisions of this section, the failure of any Unit owner to receive actual notice of the meeting shall not invalidate the meeting.

11.3. To Eligible Mortgage Holder, Etc. The Association shall give any notices, demands, statements or other communications affecting the Condominium that it is required to give to an Eligible mortgage Holder or eligible insurer in writing. The Association shall be deemed to have duly given any such notice if the notice is delivered personally securing a receipt therefor, or sent by United States Mail, postage prepaid, addressed to the Eligible Mortgage Holder at the address identified pursuant to paragraph 25 of the Declaration and to the eligible insurer at the address provided.

ARTICLE XII MISCELLANEOUS

12.1. Remedies Cumulative. All rights, remedies and privileges granted to the Board of Directors or a Unit owner pursuant to any terms, provisions, covenants or conditions of the Condominium documents shall be deemed to be cumulative, and the exercise of any one or more shall not be deemed to constitute an election of remedies nor shall it preclude the party thus exercising the same from exercising such other and additional rights, remedies or privileges as may be granted to such party hereunder or by any instruments or documents incorporated herein by reference or at law or in equity.

12.2. Captions. The headings in these Bylaws are for purposes of reference only and shall not limit or otherwise affect the meaning hereof. Any tables of contents or indices attached to these Bylaws are for purposes of reference and convenience only and shall neither limit nor otherwise affect the meaning hereof nor be deemed as part of these Bylaws. References in these Bylaws to articles, paragraphs, subparagraphs and schedules without references to the document in which they are contained are references to these Bylaws. Schedules are attached to and are an integral part of these Bylaws. Any Exhibits are attached to these Bylaws for purposes of identification only and shall not be deemed as part of these Bylaws.

12.3 Gender, Number, Etc. The use of the singular number in these Bylaws shall be deemed to include the plural, the plural the singular, and the use of any one gender shall be deemed applicable to all genders.

12.4. Severability. The invalidity of any provisions of these Bylaws shall not be deemed to impair or affect in any manner the validity, enforceability or effect of the remainder these Bylaws, and in such event, all of the other provisions of these Bylaws shall continue in full force and effect as if such invalid provisions had never been included herein.

EXHIBIT D

EXHIBIT E
City of Portland Inclusionary Zoning Requirements
[This Language is taken from the City's Ordinance]

In accordance with Division 30 of the City of Portland's Zoning Ordinance, Section 14-487, the rental of the Restricted Unit will be restricted to households at or below 100% of the area median income (AMI) who occupy the Unit as their primary residence and the Owner of the Restricted Units shall comply with and be responsible for compliance with the City's requirements, which may be directly enforced by the City. In addition, in accordance with Division 30 of the City of Portland's Zoning Ordinance, Section 14-487, the purchase price of the Restricted Unit must be affordable to a household at or below 120% of AMI, and the sale of the Restricted Unit will be restricted to households at or below 120% of the area median income (AMI) who occupy the Unit as their primary residence. The City shall have the final approval of whether or not a household meets the income or size requirements of each Workforce Unit prior to the signing of the sale or lease.

Eligible households may not qualify if at the time of application any member of the household owns residential real estate. The City has the right to investigate the income and assets of the occupants of the Unit to help determine a household's income. This may include making certain assumptions about the average returns that would be reasonable to expect from certain investments including stocks, bonds, annuities, mutual funds, dividends, trusts, money market accounts, certificates of deposit (CD's) or other financial instruments. The City may request documentation for the three most recent years to help determine a household's income.

Concerns over 130 Morning St E-plan Documentation

Karen Snyder <karsny@yahoo.com>

Tue, Jul 30, 2019 at 10:22 AM

To: "croadman@portlandmaine.gov" <croadman@portlandmaine.gov>

Hi Christian,

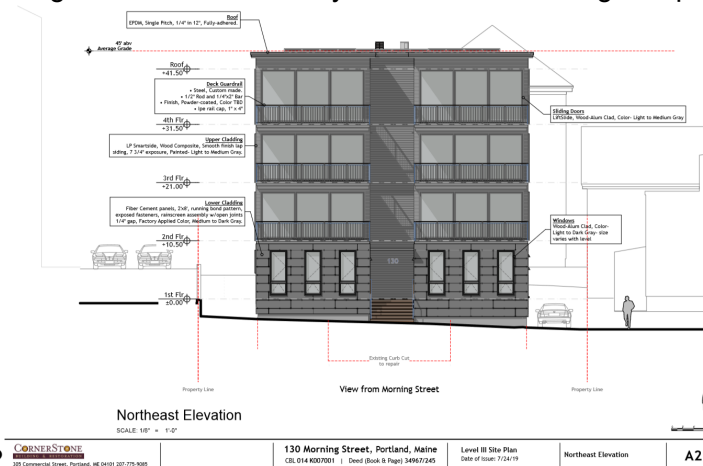
I am understanding you are the planner for 130 Morning St.

Yesterday, I attended the neighborhood meeting for 130 Morning st at the Root Cellar.

Several abutters on Emerson as well as Morning Street were questioning the below three documents since the presentation last night was incomplete due to the following missing documents.

- 1) The rendering of the streetscape of this building to the abutters on Morning St.
- 2) A rendering of what the building with all the appurtenances on the roof top from the street level from Morning and from Emerson St. since it will have 9 AC units and 84 panels. Per the Munjoy Hill Overland Ordinance, these appurtenances are to be shielded from view from street views whether from Morning or from Emerson.
- 3) A rendering of abutter Emerson Street buildings with this proposal in the background.

I also looked at the documents in E-plan and there is NOT one rendering of this building to the abutters on Emerson and Morning street. There is only a drawing, as shown below, where it is a standalone building. Therefore, how do you know this building complies with the neighborhood context and



streetscape if there is no documentation to prove such?

CORNERSTONE ARCHITECTS 130 Commercial Street, Portland, ME 04101 207-775-9005	130 Morning Street, Portland, Maine CEL 014-K007001 Deed (Book & Page) 3496/7245	Level III Site Plan Date of Issue: 7/24/19	Northeast Elevation	A2.1
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I would appreciate that you would ask the developer to provide the above documents.

Regards,
Karen Snyder
72 Waterville

Google Groups

Fwd: Plans for 130 Morning - it's too BIG!

Permitting and Inspections <buildinginspections@portlandmaine.gov>

Aug 8, 2019 12:41 PM

Posted in group: **Planning and Urban Development**

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

From: **Sadhbh Neilan** <sneilan@maine.rr.com>

Date: Thu, Aug 8, 2019 at 12:35 PM

Subject: Plans for 130 Morning - it's too BIG!

To: Deb Andrews <dga@portlandmaine.gov>, Belinda S. Ray <bsr@portlandmaine.gov>

Cc: <permitting@portlandmaine.gov>, Ethan Strimling, Mayor <estrimling@portlandmaine.gov>, Belinda S. Ray <bsr@portlandmaine.gov>, Justin Costa <jcosta@portlandmaine.gov>, Nick Mavadones <nmm@portlandmaine.gov>, Jill Duson <jduson@portlandmaine.gov>, Pious Ali <pali@portlandmaine.gov>, Brian E. Batson <bbatson@portlandmaine.gov>, Spencer Thibodeau <sthibodeau@portlandmaine.gov>, Kimberly Cook <kcook@portlandmaine.gov>

I'm writing to strenuously object to the building proposed for 130 Morning, it is out of scale with the neighborhood and out of scale with the street. I beg those of you in authority to drive down Morning Street and imagine the street-scape with this huge 4 story, nine unit building jammed unto a small lot, bounded on two sides by the proposed Munjoy Hill Historic Preservation area.

Sadly, no effort at all has been made to ease or accommodate the fears of abutting neighbors. The proposed building will entirely block the light and views of the 3-unit immediately behind the site at 23 Emerson St.

Immediately opposite the site are buildings with roof lines no higher than 40', yet the proposed building will tower over them with a roof line at 49', a height which will be increased by the screening of heat pumps, solar arrays, and A/C units planned for the roof. The peace of this relatively quiet neighborhood will be hugely diminished by the noise of these machines. Further, the massive size of the building will block the light and the summer southern breezes for those neighbors.

The inadequate parking - 7 spaces for a 9-unit building - will only add to the congestion of the street.

People on Munjoy Hill are not opposed to development - as long as it is right-sized and aesthetic. Surely that is not too much to ask? This building should be limited to 3 stories, and the number of apartments reduced to 6. The developers will still make a fortune - why is this not the plan?

Sincerely,

Sive

--
 Sadhbh ("Sive") Neilan
 (207) 838-7719
 29 Emerson Street,
 Portland, ME 04101

--
 Certified Permit Technician

Permitting & Inspections Department
389 Congress St Portland, ME 04101
Room 315
Hours of Operation:
Mon-Wed 8am-4:30pm
Thurs & Fri 9am-4:30pm

Re: 130 Middle Street - no., 130 Morning st.

1 message

Ejkoch Gmail <ejkoch@gmail.com>

Tue, Sep 3, 2019 at 1:02 PM

To: jmy <jmy@portlandmaine.gov>

That's odd. I absolutely misspoke that letter was related to [130 Morning St.](#)

Thanks for pointing it out.

In a room full of skunks no one smells anything□□□

On Sep 3, 2019, at 12:13 PM, jmy <jmy@portlandmaine.gov> wrote:

Good Morning,

I wanted to clarify if you are referring to the [121 Middle Street](#) hotel project or not? You reference 130 Middle Street but we do not have an application for that address. Thanks.

Jennifer Munson, Office Manager

Department of Planning and Urban Development

City Hall, 4th Floor, 389 Congress Street, Portland ME 04101

(207) 874-8719

planning@portlandmaine.gov

www.portlandmaine.gov

Office Hours are Monday - Friday 8:00 a.m. - 4:30 p.m.

On Friday, August 30, 2019 at 9:58:01 AM UTC-4, EJ Koch wrote:

Planning Board members -

This project is too big for the space the developers are proposing to cram it into. As they explained it to us, developers are building out to the absolute limits of the "box" they feel they are entitled to build to. This is creating a spate of ugly, overlarge, and BOXY buildings all designed to maximize developer profit, rather than fit into the neighborhood. Please Require application of Portland's design standards, massing, and SCALE provisions. This is vastly out of scale for the neighborhood. There are a couple large buildings nearby - this is not a goo justification to cram another huge building into a space that does not properly fit it, either in terms of affect on neighbors, or design standards.

Thank you.

Erna Koch
[81 Vesper St.](#)
[Portland, ME 04101](#)

Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.

Google Groups

PL-0007322019

james barnes <raejim_976@msn.com>

Sep 4, 2019 12:30 PM

Posted in group: **Planning Board**

I live at 23 Emerson St.#3 immediately south of this proposed project.

We very much object to the two top unit rear patios which are a complete invasion of privacy for my wife and myself. Both of those units have full front patios on Morning St, the back patios are within a stones throw of our living room. We can't believe the viability of the project would be harmed by removal of the extremely intrusive back patios which are right in our faces.

Please consider the impact of these units on our privacy.

James and Rae BARNES

Sent from my iPad

9/10/19 Planning Board Workshop Tonight-Concerns over 130 Morning St

Karen Snyder <karsny@yahoo.com>

Tue, Sep 10, 2019 at 11:34 AM

To: Planning Board <planningboard@portlandmaine.gov>

Cc: Christian Roadman <croadman@portlandmaine.gov>, Sadhbh Neilan <sneilan@maine.rr.com>, "grahamwendy@me.com" <grahamwendy@me.com>, "raejim_976@msn.com" <raejim_976@msn.com>, "italydirect@maine.rr.com" <italydirect@maine.rr.com>, "simonedavidhalstead@gmail.com" <simonedavidhalstead@gmail.com>, "shemaejones@yahoo.com" <shemaejones@yahoo.com>, "ppollar1@maine.rr.com" <ppollar1@maine.rr.com>, "johnnyrobinson1222@gmail.com" <johnnyrobinson1222@gmail.com>, "lisa.morris@maine.edu" <lisa.morris@maine.edu>, Planning and Urban Development <planning@portlandmaine.gov>

Dear Planning Board,

As I reviewed [130 Morning street](#), there are some concerns that need to be addressed by the Planning Board this evening's workshop. Please address the 3 concerns below.

Concern #1: This proposal is going through R6 Infill Design Standards and NOT the Alternate Design Standards which means it must follow Principle A and B of the R-6 Infill Design Standards of streetscape, scale and mass capability compatibility to the surrounding blocks.

- A scale and mass analysis was done on this proposal and this proposal is at least 200% larger than the average surrounding buildings and is 300% larger when you exclude the 13 Emerson (Emerson School).

- Please see below or the attached.

Scale and Massing Analysis of 130 Morning St to Abutters on Turner, Emerson, and Morning St.

Street Address	Land Use	Stories	Stories Height (ft)	Building Width (ft)	Building Length (ft)	Building Mass (Volume - ft3) Length x Width x Height
20 Turner	3 Unit	2.5	25	24	21	12,600
22 Turner	Single family	2.5	25	22	36	19,800
30 Turner	3 Unit	1.5	10	36	30	10,800
32 Turner	2 Unit	2.5	25	32	25	20,000
29 Emerson	3 Unit	3	30	28	55	46,200
23 Emerson	3 Unit	3	30	50	30	45,000
13 Emerson	21 Unit (School)	4.5	45	90	78	315,900
131 Morning	3 Unit	3.5	35	26	56	50,960
129 Morning	5-10 Unit	4	40	45	26	46,800
125 Morning	6 Unit	3	30			171,840
119 Morning	21 Unit	3	30	54	84	136,080
39 Congress	4 Unit	2.5	25	24	51	30,600
43 Congress	3 Unit	2.5	25	24	50	30,000
45 Congress	5-10 Unit	2	20	38	50	38,000
35 Congress	2 Unit	2	20	31	31	19,220

Abutters	Average	3 Stories	48,421 (Excluding Emerson School)
130 Morning	9 Unit	4	152,334 cubic ft (est)

Assumptions: Column headings starting with "City", building length and width was gathered from Portland Appraiser site for each building.
 Calculations: 1) It is assumed 10 feet per story but if it is gabled or half story, it is round.
 2) Massing is considered volume which the formula is Volume = Length X Width x Height

130 Morning Workshop Visual Planning Board Workshop: 09/10/2019



Conclusion:
 1) 130 Morning is almost 200% to 300% (Excluding Emerson School) larger SCALE and MASSING of surrounding proper
 2) 130 Morning Proposal has absolutely no compatible architecture to surrounding buildings.

Concern #2: This building directly abuts the proposed landmark of 13 Emerson St. (Emerson School). As such, it should be following recommendations from the Historic Preservation Board within the workshop as to compatible architecture and scale and massing to surrounding buildings.

Concern #3: Last year, Corporation Council specifically sent a memo to Director of Planning, Jeff Levine, stating that the design standards hold as much weight as the zoning standards. Why are the R6 Infill Design standards continually ignored by the Planning Board to allow such incompatible architecture, scale and massing buildings on Munjoy Hill? *Please see below email or attachment.*

TO: Jeff Levine, Director
Planning & Urban Development Department

FROM: Jennifer L. Thompson, Associate Corporation Counsel

DATE: May 31, 2018

RE: Questions regarding R-6 Overlay and interplay of site plan and design standards

I understand that, in connection with the proposed Munjoy Hill Neighborhood Conservation Overlay District (the "Overlay"), questions have arisen regarding the interplay of site plan review, zoning, and design standards. This memo will attempt to outline the general regulatory framework for land use development in the City and clarify the applicability of the City's various standards.

In order to orient the discussion, I start with a bit of background: Land use and development are subject to review by the City only as expressly required by our Code. Typically, review takes three major forms: subdivision, zoning and site plan. The questions that are circulating regarding the Overlay relate exclusively to zoning and site plan review, so I'll focus on those.

Under Chapter 14, there are 3 levels of site plan review that are required, depending on the size and scope of the proposed development. Level I site plan review is for relatively small projects, typically involving site alterations or 1 or 2 additional residential dwelling units on a site. The review for Level I projects is done administratively by staff who apply the guidelines set by the Council. Level II is for somewhat larger projects and is also typically reviewed administratively, though can be referred to the Planning Board as appropriate. Level III site plans are required for larger-scale projects and are approved exclusively by the Planning Board, also using standards articulated by the Council. The differing levels of review are outlined in Section 14-523 of the Code.

Currently, the "Design Standards" commonly referred to in your Munjoy Hill work consist of both the "Zoning Related Design Standards" (largely dimensional in nature) outlined in Section 14-526(a)(9) of the site plan review ordinance and the guidelines outlined in the City's "Design Manual" which is incorporated in Section (a)(9) of the site plan ordinance by reference. Both sets of design standards are expressly articulated as standards that apply to all levels of site plan review. The specific design standards that are applicable to a development depend on the zone in which it sits but for projects in, for example, the R-6, all residential developments are subject to the City's design standards if they are also subject to site plan review.

With respect to applications for site plan review and the extent to which conformance with design standards is required, the answer is, "yes." As noted above, meeting the design standards outlined in the design manual is its own requirement and applies to all residential development in the R-6 (see Section 14-526(a)(9)(a)(vi)(d)). Therefore, where a development meets dimensional

I would appreciate these 3 concerns being addressed in the workshop this evening.

*Regards,
Karen Snyder
Munjoy Hill Property Owner*

Attachments:

- 1) 130Morning_ScaleMassingAnalysis_20190910.pdf
- 2) CorporationCouncilMemo re R-6 Overlay_20180531.pdf

2 attachments



130Morning_ScaleMassingAnalysis_20190910.pdf
331K



CorporationCouncilMemo re R-6 Overlay_20180531.pdf
97K

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48,421 (Excluding Emerson School)

Abutters **Average** **3 Stories** **65,139 cubic ft** (est)

VS

VS

130 Morning **9 Unit** **4** **45** **80.6** **42** **152,334 cubic ft** (est)

(Building Scale)

(Building Massing)

Assumptions: Column headings starting with "City", building length and width was gathered from Portland Appraisor site for each building.

Calculations: 1) It is assumed 10 feet per story but if it is gabled or half story, it is round
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130 Morning Workshop Visual

Planning Board Workshop: 09/10/2019



Conclusion:

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MEMORANDUM

TO: Jeff Levine, Director
Planning & Urban Development Department

FROM: Jennifer L. Thompson, Associate Corporation Counsel

DATE: May 31, 2018

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I understand that, in connection with the proposed Munjoy Hill Neighborhood Conservation Overlay District (the "Overlay"), questions have arisen regarding the interplay of site plan review, zoning, and design standards. This memo will attempt to outline the general regulatory framework for land use development in the City and clarify the applicability of the City's various standards.

In order to orient the discussion, I start with a bit of background: Land use and development are subject to review by the City only as expressly required by our Code. Typically, review takes three major forms: subdivision, zoning and site plan. The questions that are circulating regarding the Overlay relate exclusively to zoning and site plan review, so I'll focus on those.

Under Chapter 14, there are 3 levels of site plan review that are required, depending on the size and scope of the proposed development. Level I site plan review is for relatively small projects, typically involving site alterations or 1 or 2 additional residential dwelling units on a site. The review for Level I projects is done administratively by staff who apply the guidelines set by the Council. Level II is for somewhat larger projects and is also typically reviewed administratively, though can be referred to the Planning Board as appropriate. Level III site plans are required for larger-scale projects and are approved exclusively by the Planning Board, also using standards articulated by the Council. The differing levels of review are outlined in Section 14-523 of the Code.

Currently, the "Design Standards" commonly referred to in your Munjoy Hill work consist of both the "Zoning Related Design Standards" (largely dimensional in nature) outlined in Section 14-526(a)(9) of the site plan review ordinance and the guidelines outlined in the City's "Design Manual" which is incorporated in Section (a)(9) of the site plan ordinance by reference. Both sets of design standards are expressly articulated as standards that apply to all levels of site plan review. The specific design standards that are applicable to a development depend on the zone in which it sits but for projects in, for example, the R-6, all residential developments are subject to the City's design standards if they are also subject to site plan review.

With respect to applications for site plan review and the extent to which conformance with design standards is required, the answer is, "yes." As noted above, meeting the design standards outlined in the design manual is its own requirement and applies to all residential development in the R-6 (see Section 14-526(a)(9)(a)(vi)(d)). Therefore, where a development meets dimensional

standards but does not meet other requirements in the design manual, a site plan application can be denied. So long as a residential development in the R-6 is subject to site plan review, it must meet both the dimensional requirements and the design standards.

Another question has arisen regarding the extent to which design standards are applicable to projects that are not subject to site plan review. Under the Code as it currently exists, the City's design standards are not generally applicable unless a project is subject to site plan review. As noted above, land uses and development only come under the City's review when the Council has expressly required it. That is, we can only apply our development standards, including design standards, when a development is required to be approved by the City. If something is not subject to site plan review (which is the context in which design standards are currently applied) then there is no basis or grounds for the City to require conformance with those standards. However, there are some cases where design standards are written directly into the zoning code, in the form of dimensional standards. In those cases, those standards would apply regardless, and be implemented as part of the regular review of a project for a building permit.

Proposed 130 Morning Street - my concerns

Sadhbh Neilan <sneilan@maine.rr.com>

Sep 10, 2019 4:21 PM

Posted in group: **Planning Board**

Dear Members of the Planning Board,

Here are my concerns regarding the building proposed for the lot on 130 Morning street:

1. A nine-unit, 4-storey building is entirely too big for the lot and for the immediate neighborhood which is composed almost entirely of 3-storey buildings (the exceptions being the Emerson School and one 4-storey apartment building two blocks away).
2. The building is too tall – at an elevation of 49 feet on Morning St - is too tall especially when you add the additional height of screening required to hide the heat pumps and solar arrays planned for the roof.
3. The design makes no attempt to fit in to the neighborhood, its virtually all glass NE elevation more closely resembles the new WEX building than anything on Munjoy Hill.
4. The driveway at a width of 10 feet will be too narrow for passage of cars in both directions, especially in winter.
5. The balconies planned for the top floor SW elevation, off the rear bedrooms, will be immensely intrusive for the neighbors on Emerson Street. Like--

Sadhbh ("Sive") Neilan
(207) 838-7719
23 Emerson Street

NORTHEAST TURNER, LLC
PORTLAND, MAINE

CALL BEFORE YOU DIG
1-888-DIG-SAFE
1-888-344-7233

PERMIT LEVEL
NOT ISSUED FOR
CONSTRUCTION

STRUCTURAL INTEGRITY CONSULTING ENGINEERS, INC
PORTLAND, MAINE
CONTACT: AARON JONES, P.E.
(207) 774-4614

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
DIP	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
GAL.	GALVANIZED
ID	INNER DIAMETER
IN.	INCH
INV.	INVERT
L	LENGTH
MAX.	MAXIMUM
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
SIM	SNOW AND ICE MELT
SMH	SEWER MANHOLE
SPEC.	SPECIFICATION
TC	TOP OF CURB
TW	TOP OF WALL
TYP.	TYPICAL
UD	UNDERDRAIN
UGE	UNDERGROUND ELECTRIC

[illegible]

NORTHEAST TURNER, LLC

CLIENT:

A C O R N ENGINEERING, INC.

11/11/2011 11:11 AM



C-01

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 AUTOCAD 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 EXISTING CONDITIONS SURVEY BY RW EATON ASSOCIATES, DATED 8/18/18.
8. SUBSURFACE DATA HAVE BEEN OBTAINED BY SUMMIT GEOENGINEERING SERVICES, INC. AND SHALL BE INCLUDED IN THE CONTRACT DOCUMENTS. THE CONTRACTOR SHALL ALSO REVIEW THE REPORT PRIOR TO SUBMITTING A BID.
9. THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING ACCESS TO THE SITE AND ALL ADJACENT PROPERTIES AT ALL TIMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TEMPORARY MARKINGS, SIGNAGE AND INCIDENTALS TO MAINTAIN A SAFE VEHICLE AND PEDESTRIAN ACCESS THROUGH THE LIFE OF THE PROJECT. THE CONTRACTOR SHALL NOTIFY THE PORTLAND PUBLIC SAFETY DIVISION ROUTINELY REGARDING TEMPORARY IMPACTS OR CHANGES TO SITE ACCESS CONDITIONS.
10. CONSTRUCTION MANAGEMENT PLAN NARRATIVE 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 FOR STRUCTURES ON ADJACENT PROPERTIES. DOCUMENT WITH PHOTOGRAPHS 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.

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 GENERAL 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 GENERAL CONTRACTOR IS RESPONSIBLE FOR THE COORDINATION OF ALL WORK, INCLUDING DIMENSION AND LAYOUT VERIFICATION, MATERIALS COORDINATION, SHOP DRAWING REVIEW, AND THE WORK OF ANY SUBCONTRACTORS.
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 BACKFILL,, PROVIDE CURING OF CONCRETE FOR 28 DAYS OR AS DIRECTED BY MATERIALS TESTING ENGINEER.
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.

1. ALL SITE SOILS--RELATED WORK AND FOOTING EXCAVATIONS PRIOR TO PLACING FORMS, SHALL BE REVIEWED BY THE PROJECT GEOTECHNICAL ENGINEER.
2. STORMWATER INSPECTIONS TO BE CONDUCTED BY SITE ENGINEER.
3. IF NOT APPLICABLE, THEN PROJECT ENGINEER WILL REVIEW.
4. NORMAL REVIEWS BY LOCAL BUILDING DEPARTMENT.
5. NOTIFY 48 HOURS PRIOR TO REQUIRED REVIEW.
6. REQUIRED SPECIAL INSPECTIONS PER I.B.C. SECTION 1705.6 BY AN APPROVED SPECIAL INSPECTOR RETAINED BY OWNER. CONTRACTOR TO COORDINATE SPECIAL INSPECTIONS.
7. 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.
8. 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.

1. 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.
 10. 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.
 11. SPECIAL INSPECTION FIRM SHALL BE EMPLOYED BY THE OWNER AND COORDINATED BY THE CONTRACTOR.
- ## LAYOUT NOTES:
8. 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 REGISTERED LAND SURVEYOR.
 9. 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.
 10. SIGNAGE, STRIPING, AND PAVEMENT MARKINGS SHALL BE IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).
 11. 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.
 12. 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.
 13. CONTRACTOR TO ENSURE THAT DRIVEWAYS AND MAILBOXES ADJACENT TO THE PROJECT REMAIN FUNCTIONAL AND IN USE AT ALL TIMES.

1. THIS PROJECT IS SUBJECT TO THE TERMS AND CONDITIONS OF SITE PLAN – LEVEL III AND SUBDIVISION PERMIT FROM THE CITY OF PORTLAND.
2. THE CONTRACTOR SHALL REVIEW THE ABOVE REFERENCED PERMITS PRIOR TO SUBMITTING A BID FOR THIS PROJECT, AND INCLUDE COSTS AS NECESSARY TO COMPLY WITH THE CONDITIONS OF THESE PERMITS.
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.

1. TOPSOIL STRIPPED FROM THE SITE THAT IS SUITABLE FOR REUSE AS LOAM (MEETS THE REQUIREMENTS WITHIN SECTION 615 OF THE MDT 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. 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 CONTRACTOR SHALL PROVIDE A FINISH PAVEMENT SURFACE FREE OF LOW SPOTS AND PONDING AREAS. THE MINIMUM SLOPE SHALL MEET OR EXCEED 0.5% IN ALL CASES. ALL SLOPES SHALL BE AWAY FROM BUILDINGS AND TOP OF PAVEMENT SHALL BE AT OR BELOW EXISTING FINISH FLOOR ELEVATIONS.
5. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST GEOTECHNICAL REPORT PREPARED BY THE PROJECT GEOTECHNICAL ENGINEER.
6. NO ADDITIONAL PAYMENT FOR UNSUITABLE MATERIALS.
7. ALL STORM DRAIN PIPE SHALL BE SMOOTH BORE INTERIOR PROVIDING A MANNINGS ROUGHNESS COEFFICIENT OF $N=0.012$ OR LESS.
8. ADJUST ALL MANHOLES, CATCH BASINS, CURB BOXES, ETC. WITHIN LIMITS OF WORK TO FINISH GRADE.
9. NATIVE SOILS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO LIMIT THE DISTURBANCE TO SUBGRADE SOILS. SHOULD THE SUBGRADE BECOME YIELDING OR DIFFICULT TO WORK, CONTACT ACORN. THE DISTURBED AREAS SHALL BE EXCAVATED AND BACKFILLED WITH COMPACTED SELECT FILL OR CRUSHED STONE AT NO ADDITIONAL EXPENSE TO THE OWNER. ALL SUBGRADE PREPARATION IS SUBJECT TO THE RECOMMENDATIONS OF THE PROJECT GEOTECHNICAL ENGINEER, IF APPLICABLE.

1. ALL ROUTINE MAINTENANCE ACTIVITIES SHALL BE CONDUCTED IN SUCH A WAY TO LIMIT THE AMOUNT OF DISTURBED AREA AT ONE TIME TO THE EXTENT PRACTICABLE.
2. PRIOR TO THE START OF ANY CLEARING/LAND DISTURBING ACTIVITIES, THE CONTRACTOR SHALL INSTALL APPLICABLE EROSION CONTROL DEVICES SUCH AS PERIMETER SILT FENCE, AND OTHER APPLICABLE MEASURES. IN THE EVENT THE CONTRACTOR IS NOT SURE A EROSION CONTROL MEASURE SHOULD BE IMPLEMENTED, THE CONTRACTOR SHALL CONTACT THE ENGINEER OF RECORD TO CONFIRM IMPLEMENTATION OF ANY EROSION CONTROL DEVICES.
3. ALL GROUND AREAS GRADED FOR CONSTRUCTION SHALL BE GRADED, LOAMED, SEEDED AND MULCH SHALL BE APPLIED AS SOON AS POSSIBLE WITHIN 7 DAYS FOLLOWING THE COMPLETION OF ANY SOIL DISTURBANCE, AND PRIOR TO ANY STORM EVENT.
4. EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE INSTALLED TO THE SATISFACTION OF THE CITY. THE CONTRACTOR SHALL REFERENCE THE APPROVED EROSION AND SEDIMENTATION CONTROL REPORT FOR TEMPORARY AND PERMANENT EROSION AND SEDIMENTATION CONTROL DEVICES IN ADDITION TO THE PLAN SET. THE CONTRACTOR SHALL ALSO REFER TO THE MAINE D.E.P.'S PERMIT CONDITIONS, FINDINGS OF FACT AND ORDER (IF ANY), AND THE CURRENT MAINE EROSION AND SEDIMENT CONTROL BMP MANUAL FOR ADDITIONAL INFORMATION.
5. PRIOR TO PAVING, THE CONTRACTOR SHALL REMOVE ALL SEDIMENT FROM STORM DRAINS, CATCH BASINS, AND APPURTENANCES.
6. REFER TO THE EROSION CONTROL DETAILS & NOTES FOR ADDITIONAL INFORMATION.

1. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND ELEVATION OF THE EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED UPON RECORDS OF VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THIS INFORMATION IS NOT TO BE RELIED UPON AS BEING EXACT OR COMPLETE. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO TEST PIT TO DETERMINE THE EXACT LOCATION AND ELEVATION OF UTILITIES TO COORDINATE WITH THE PROPOSED CONNECTIONS OR CROSSING. ANY DISCREPANCIES SHALL BE IMMEDIATELY REPORTED TO ACORN FOR FURTHER DIRECTIONS BEFORE ANY ADDITIONAL WORK PROCEEDS.

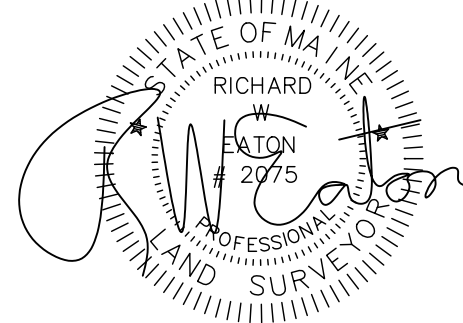
3. CONTRACTOR SHALL, AT NO ADDITIONAL COST TO THE OWNER, CONDUCT EXPLORATORY EXCAVATIONS AT LOCATIONS WHERE PROPOSED EXCAVATION WILL INTERSECT WITH EXISTING UTILITIES, PRIOR TO THE ORDERING OF STRUCTURES.
3. ALL NEW SANITARY MANHOLES SHALL BE VACUUM TESTED BEFORE BACKFILLING. TESTING SHALL BE COMPLETED 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.
4. SEWER MANHOLES SHALL BE 4' ID UNLESS OTHERWISE STATED ON THE PLANS.
5. CONTRACTOR TO PROVIDE 5' OF COVER FROM TOP OF PIPE TO FINISH GRADE FOR WATER MAINS.
6. THRUST BLOCKS SHALL BE USED FOR THRUST RESTRAIN ON WATER MAINS. DETAIL AND LIMITS FOR THRUST BLOCKS ARE SHOWN WITHIN THE PLAN SET.
7. WATER INFRASTRUCTURE SHALL BE TESTED IN ACCORDANCE WITH THE PORTLAND WATER DISTRICT DOCUMENT "WATER AND SEWER CONSTRUCTION SPECIFICATIONS AND PROCEDURE", MOST RECENT REVISION.
8. 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.
9. 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.
10. ALL WATER PIPE INSTALLATION SHALL CONFORM WITH THE PORTLAND WATER DISTRICT SPECIFICATIONS AND PROCEDURES, MOST RECENT EDITION.
11. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.
12. 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.
13. COORDINATE EXIT POINT FOR SECONDARY UTILITY SERVICES WITH THE ARCHITECT/ELECTRICAL ENGINEER. SECONDARY LINE LOCATIONS NOT PROVIDED BY ACORN WITHIN THE UTILITY PLAN.
14. 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.
15. 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.

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.

[illegible]

CERTIFICATION



RICHARD W. EATON P.L.S. # 2075

PLAN REFERENCE

- 1) Condominium Plat Emerson East Condominium Made For Emerson St LLC
By Owen Haskell, Dated April 1, 2016 and Recorded In Plan Book 216 Page 146
- 2) Portland Valuation Plan By William Goodwin Dated 1882 Number #14 Plan Book 5 Page 14
- 3) Street Line Sheets From Portland Engineering Office Dated Dec 1925 Number 137
Sept. 1925 Number 80
- 4) City Of Portland Maine, Turner Street Reconstruction As Built Dated 1-03-79
- 5) Morning Street Sewer Line Construction Plan Dated May 1896

Space & Bulk Standards:

Zone. R-6	Required
Minium Lot Size	2,000 S.F.
Minimum Frontage	20'
Minimum Yard Dimensions	
Front Yard	5'
	Or Avarage Depths of Adjacent Yards
Rear Yard	10'
Side Yard	5'
Dwelling Unit	725 Square Feet
Maximum Lot Coverage	60%
Minimun Lot Width	20'
Maximum Building Height	45'

General Notes:

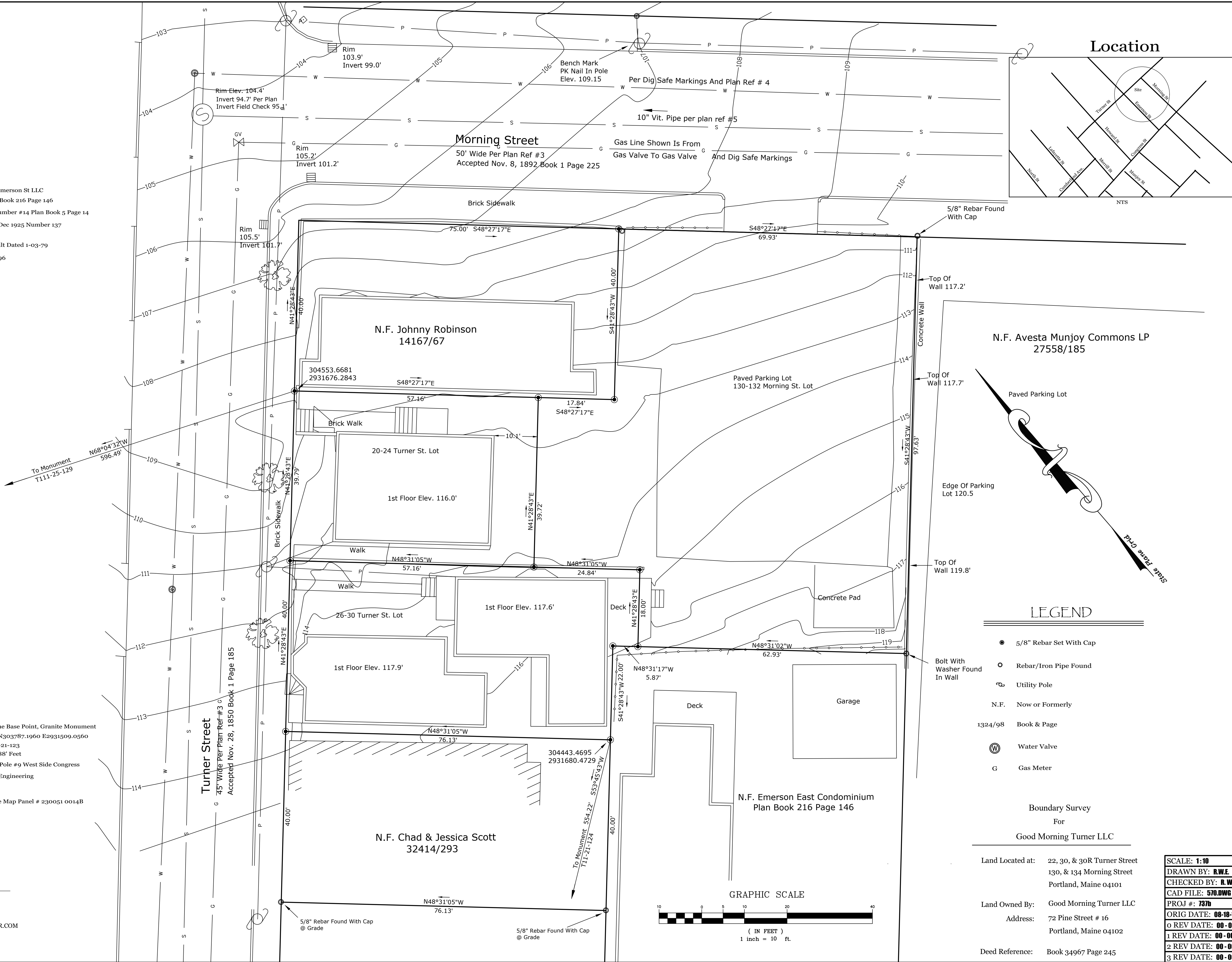
- 1) Area of Subject Parcels
20-24 Turner St. Lot 2,272 Square Feet or 0.05 Acres
26-30 Turner St. Lot 3,151 Square Feet or 0.07 Acres
130-132 Morning St Lot 7,412 Square Feet Or 0.17 Acres
- 2) Basis of Bearing, Maine State Plane NAD 1983 1802 West Zone Base Point, Granite Monument
With Bolt at Congress Street and Merrill Street T111-30-132, N303787.1960 E2931509.0560
Azimuth Point, Monument With DH on Washinton Ave. T111-21-123
N 304140.2327 E2930845.2163 Azimuth N61-59'-44"W 751.88' Feet
- 3) Vertical Datum is NGVD 1929 Benchmark is PK Nail on CMP Pole #9 West Side Congress
Elevation 139.79' Provided By City of Portland Public Works Engineering
- 4) Subject Tax Map 014 Block K Lot 003, 004, 013, & 007
- 5) Subject not in Special Flood Hazard Area per FEMA Flood Rate Map Panel # 230051 0014B
Dated July 17, 1986 Parcel in C Zone
- 6) Zone R-6

R. W. EATON ASSOCIATES
LAND SURVEYING & REAL ESTATE

58 PLEASANT STREET, WESTBROOK, MAINE 04092

PHONE: 207-854-2402 FAX: 856-7167 E-MAIL: RWEATON@MAINE.RR.COM

August 18th 2018



LEGEND

- 5/8" Rebar Set With Cap
- Rebar/Iron Pipe Found
- Utility Pole
- N.F. Now or Formerly
- 1324/98 Book & Page
- Water Valve
- Gas Meter

Boundary Survey
For
Good Morning Turner LLC

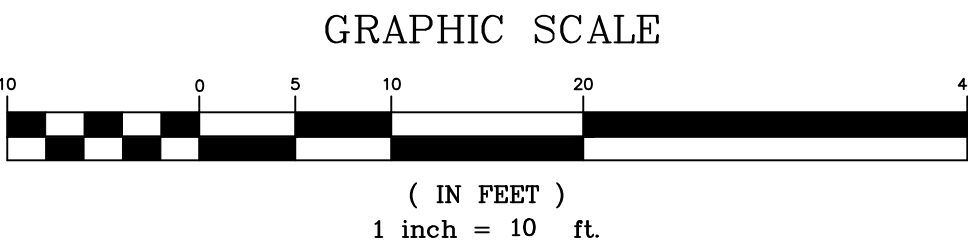
Land Located at: 22, 30, & 30R Turner Street
130, & 134 Morning Street
Portland, Maine 04101

Land Owned By: Good Morning Turner LLC

Address: 72 Pine Street # 16
Portland, Maine 04102

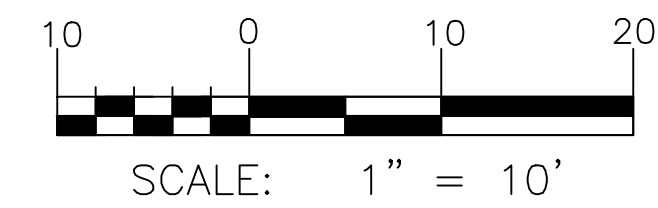
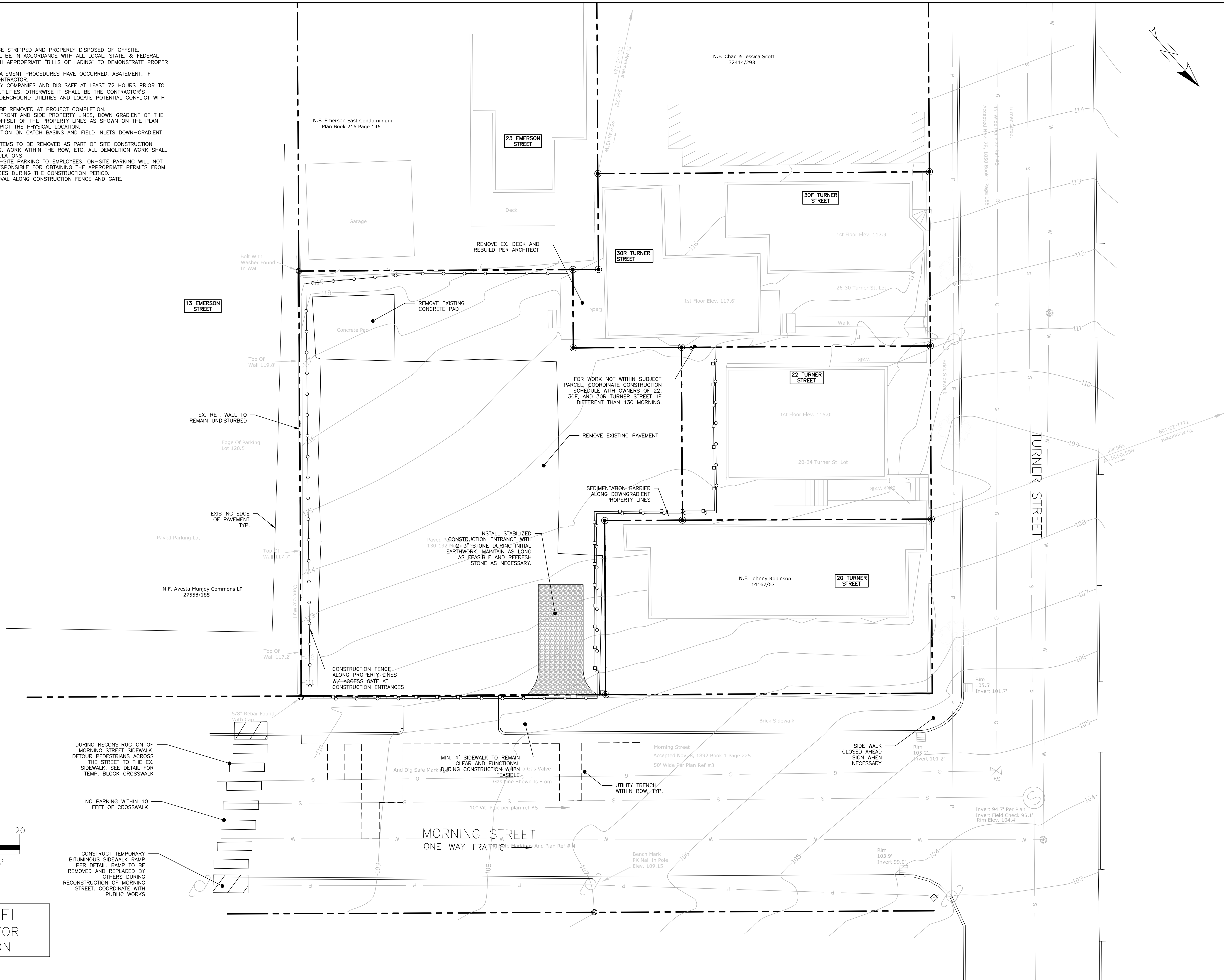
Deed Reference: Book 34967 Page 245

SCALE: 1:10
DRAWN BY: R.W.E.
CHECKED BY: R.W.E.
CAD FILE: 570.DWG
PROJ #: 737b
ORIG DATE: 08-10-10
0 REV DATE: 00-00-00
1 REV DATE: 00-00-00
2 REV DATE: 00-00-00
3 REV DATE: 00-00-00



GENERAL NOTES:

1. EXISTING ASPHALT PAVEMENT 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.
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.



PERMIT LEVEL
NOT ISSUED FOR
CONSTRUCTION

ISSUED FOR	BY
SITE PLAN	WHS
COMMENT RESPONSE	WHS
COMMENT RESPONSE II	WHS
CONSTRUCTION MANAGEMENT PLAN	
130 MORNING ST. REDEVELOPMENT	
NORTHEAST TURNER, LLC	
72 PINE STREET #16 PORTLAND, MAINE 04102	
DRAWING NO. C-03	

GENERAL NOTES:

- 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.
- EASEMENTS BENEFITING 22 TURNER, 30 TURNER, AND 130 MORNING RECORDED AT CUMBERLAND COUNTY REGISTRY OF DEEDS BK 35463 PG 121
- EXISTING CONDITIONS PROVIDED BY RW EATON ASSOCIATES INC. ON A PLAN ENTITLED BOUNDARY SURVEY & TOPOGRAPHY MAP WITH EXISTING CONDITIONS DATED AUGUST 18, 2018.
- REFER TO LANDSCAPE PLANS BY SOREN DENIORD DESIGN STUDIO.

SPACE AND BULK STANDARDS -130 MORNING STREET		
ZONE: R6/MHCO	REQUIRED	PROPOSED
MINIMUM LOT SIZE	2,000 SF	7,412 SF
MINIMUM STREET FRONTAGE	20'	69.93'
MINIMUM FRONT YARD SETBACK	5'	5.25'
MINIMUM SIDE YARD SETBACK	5'	10.21'
MINIMUM REAR YARD SETBACK	15'	15.39'
MAXIMUM LOT COVERAGE	60%	56%
DECK SETBACK	7.5'	7.52'
ACCESSORY BUILDING REAR SETBACK	5'	5'
ACCESSORY BUILDING SIDE SETBACK	5'	5.30'
MINIMUM LOT WIDTH	20'	63'
MAXIMUM BUILDING HEIGHT	45'	< 45'
MINIMUM LANDSCAPED OPEN AREA	20%	22%
MAXIMUM NUMBER OF DWELLING UNITS	725 SF/UNIT = 10	9
RESIDENTIAL PARKING	1 SPACE PER UNIT AFTER 3 UNITS = 6 SPACES	7
MINIMUM INTERNAL RESIDENT BICYCLE STORAGE SPACES	2 SPACES/5 D.U. = 3	> 3
*BASED UPON CONTEXTUAL OBSERVATIONS OF OTHER BUILDINGS ON THE STREET/BLOCK		
DECKS COUNTED AS BUILDING COVERAGE, BUT NOT AS IMPERVOUS AREA DUE TO THEIR PERMEABLE PROPERTIES		

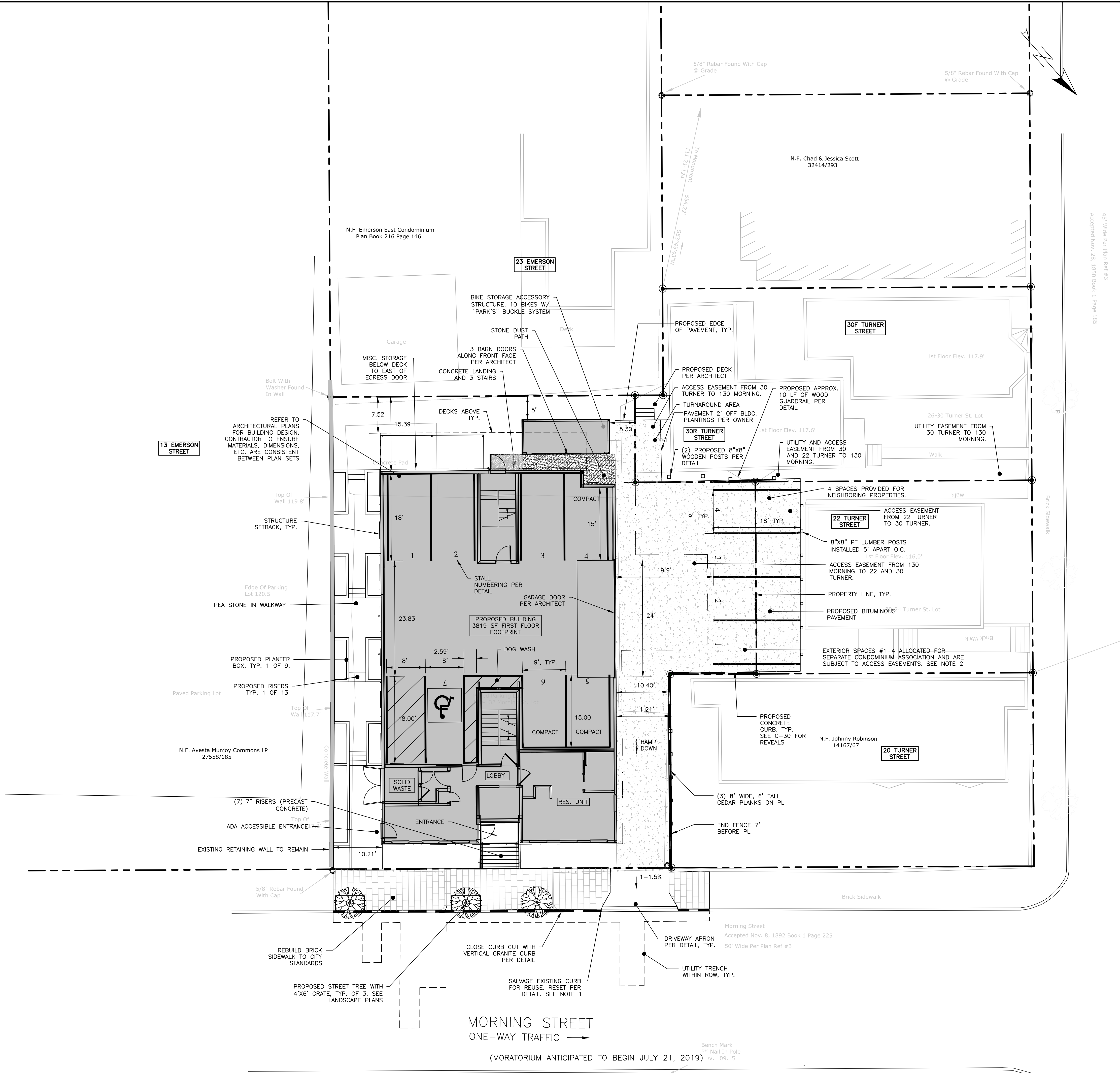
PARKING SUMMARY	
SIZE	# PARKING SPACES
9'X18'	7
9'X15'	3
8'X18' (ADA)	1
TOTAL	11*
*4 DESIGNATED FOR ABUTTING PROPERTIES.	

OPEN SPACE CALCS

LOT	OPEN SPACE
22 TURNER	24%
30 TURNER	25%
SEE DOC. U FOR MORE INFORMATION	



PERMIT LEVEL
NOT ISSUED FOR
CONSTRUCTION

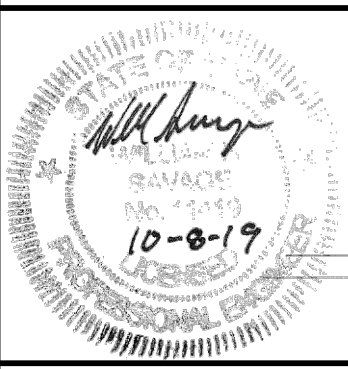


ISSUED FOR	BY
SITE PLAN	WHS
COMMENT RESPONSE	WHS
COMMENT RESPONSE II	WHS

DRAWING NAME:	SITE PLAN
PROJECT NAME:	130 MORNING ST. REDEVELOPMENT
CLIENT:	NORTHEAST TURNER, LLC 72 PINE STREET #16 PORTLAND, MAINE 04102

ACORN ENGINEERING, INC. 65 HANOVER ST. PORTLAND, MAINE 04101 (207) 775-2655		A C O R N									
		ENGINEERING, INC.									
FROM: P.O. BOX 376, NEWTON, MASS. 02459 ATTENTION: SALES DEPARTMENT PLEASE ADVISE US OF ANY CHANGES IN YOURS' SALES REPRESENTATIVE WITH OTHERS, TO PREVENT DELAYS AND MISUNDERSTANDING											

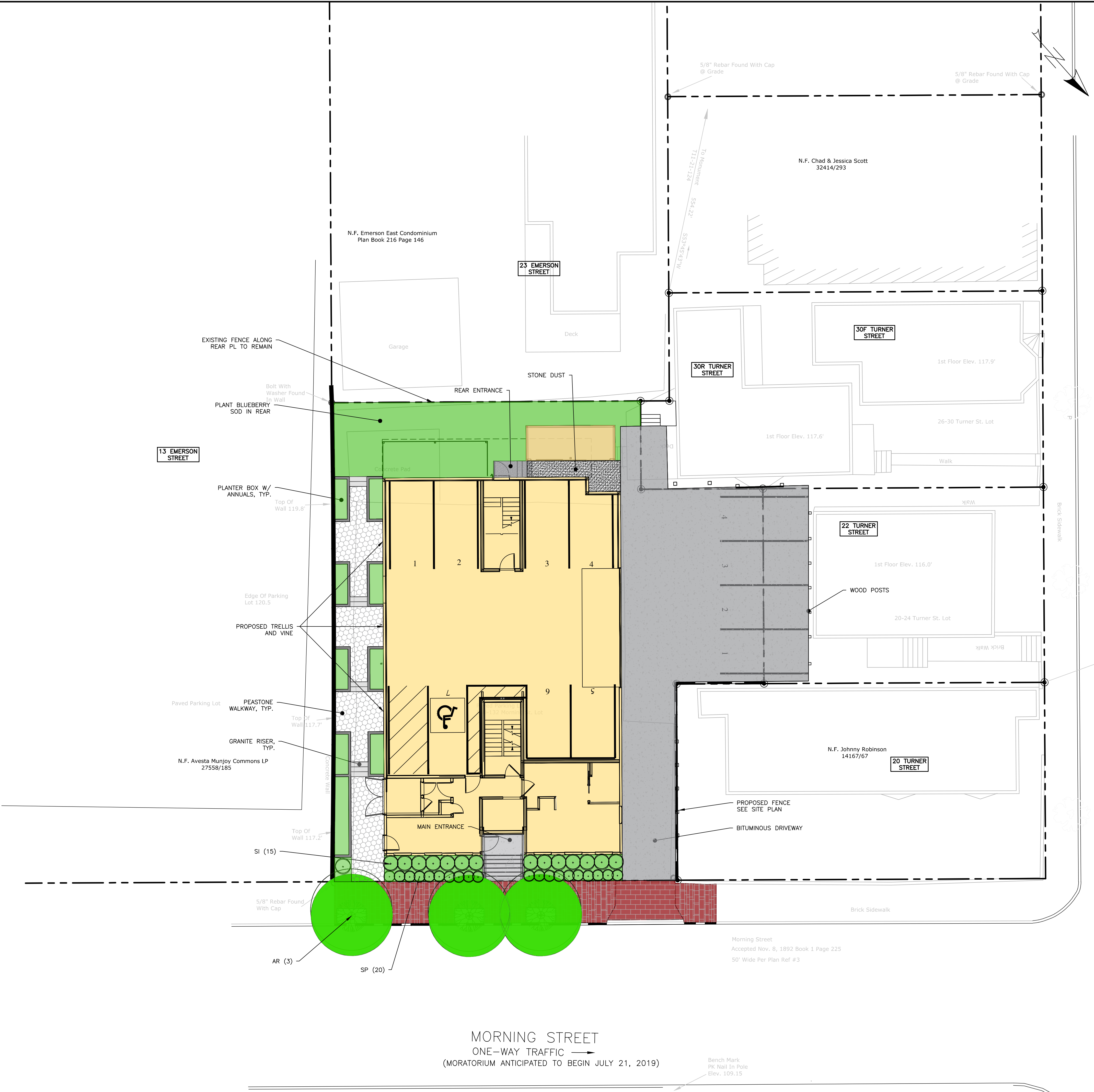
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JN:	1109
SCALE:	1"=10'
DESIGNED BY:	SJL
DRAWN BY:	ZMS
CHECKED BY:	WHS



DRAWING NO.
C-10

- GENERAL NOTES:
1. CONTRACTOR TO BE HELD RESPONSIBLE FOR THE WATERING AND MAINTENANCE OF ALL PLANT MATERIAL AND LANDSCAPING IMPROVEMENTS AS NECESSARY.
 2. CONTRACTOR TO MAINTAIN A ONE YEAR WARRANTY ON ALL PLANTINGS FOLLOWING INSTALLATION.
 3. NO PLANTING WILL BE INSTALLED UNTIL ALL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
 4. CONTRACTOR TO VERIFY ALL UTILITIES ON PROPERTY AND TO PROTECT ALL UTILITIES DURING EXCAVATION FOR PLANTS.
 5. ALL CONTAINER MATERIAL TO BE GROWN IN CONTAINER MINIMUM OF 6 MONTHS.
 6. ALL MATERIAL SHALL COMPLY WITH THE LATEST EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK, AMERICAN ASSOCIATION OF NURSERYMAN.
 7. CONTRACTOR SHALL REPAIR ALL DAMAGE TO PROPERTY FROM PLANTING OPERATIONS AT NO COST TO OWNER.
 8. THE ENGINEER MAY TAG ALL PLANTS AT THE NURSERY AND INSPECT THEM AFTER DELIVERY TO THE SITE; ALL PLANT MATERIALS SHALL BE INSPECTED BY THE ENGINEER ON SITE PRIOR TO INSTALLATION.
 9. SEE PERMANENT SEEDING TABLE ON SHEET C-47 FOR LAWN AREAS.

PLANT SCHEDULE				
ID	BOTANICAL NAME	COMMON NAME	QTY	SIZE
TREES				
AR	ACER RUBRUM	RED MAPLE	3	5"
SHRUBS				
SP	SALIX PURPUREA 'NANA'	PURPLE WILLOW	20	3 GAL.
SI	SALIX INTEGRA 'HAKURO NISHIKI'	DAPPLED WILLOW	15	3 GAL.



ISSUED FOR	BY
SITE PLAN	WHS
COMMENT RESPONSE	WHS
COMMENT RESPONSE II	WHS

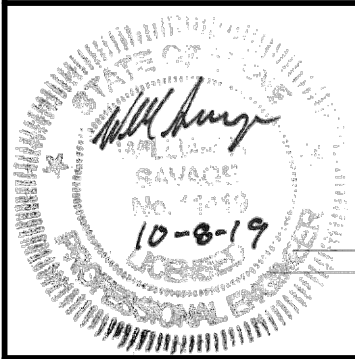
DRAWING NAME	LANDSCAPE PLAN
PROJECT NAME	130 MORNING ST. REDEVELOPMENT
CLIENT	NORTHEAST TURNER, LLC 72 PINE STREET #16 PORTLAND, MAINE 04102

ACORN ENGINEERING, INC. ENGINEERING, INC.

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. ANY ALTERATIONS, AUTHORIZED OR UNAUTHORIZED, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

ACORN ENGINEERING, INC.
65 HANOVER ST. PORTLAND MAINE 04101
(207) 775-2655

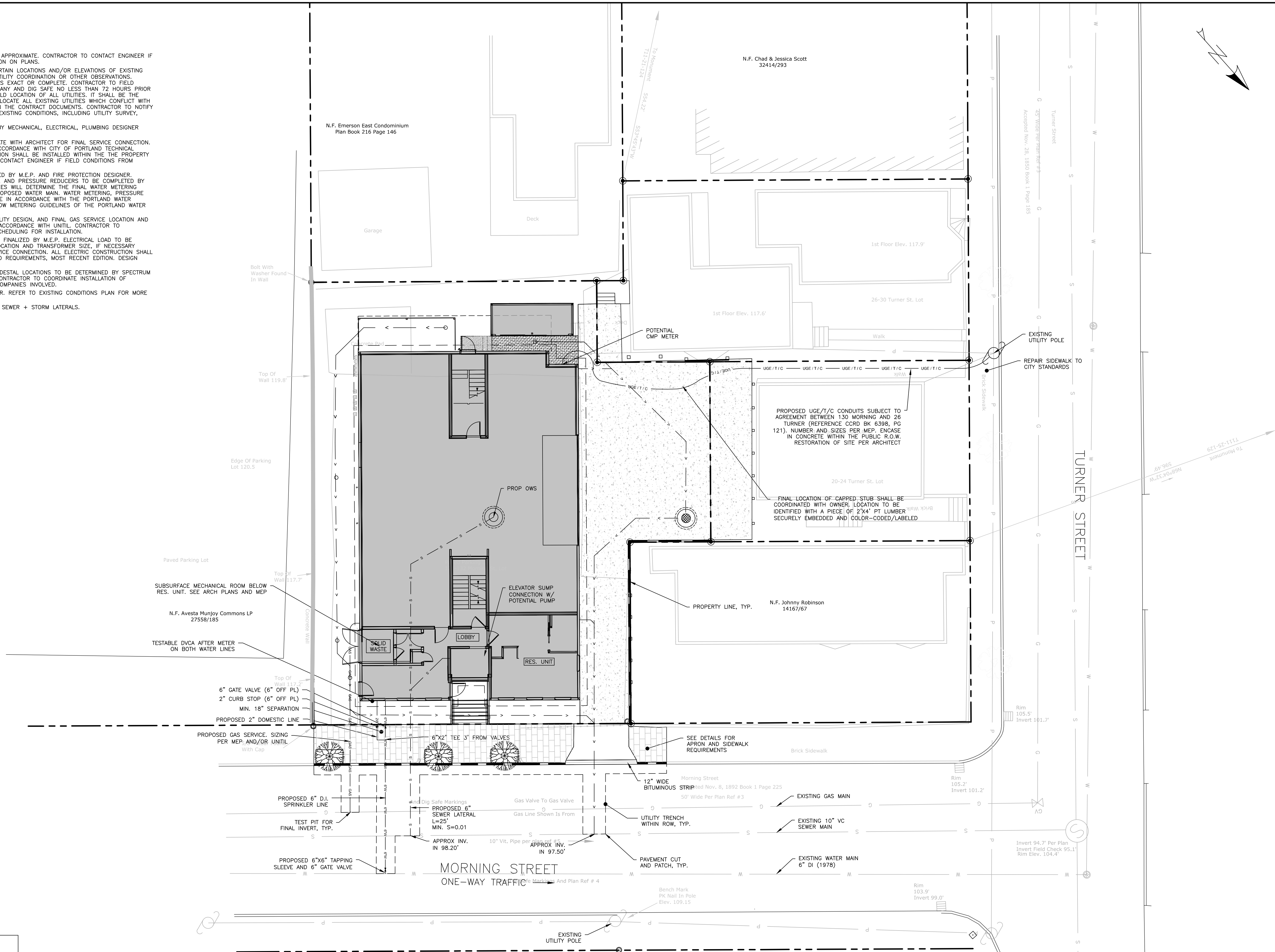
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JN:	1109
SCALE:	1"=10'
DESIGNED BY:	SJL
DRAWN BY:	ZMS
CHECKED BY:	WHS



DRAWING NO.	L-1
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GENERAL NOTES:

1. LOCATION OF PROPOSED CONNECTIONS ARE APPROXIMATE. CONTRACTOR TO CONTACT ENGINEER IF FIELD INFORMATION VARIES FROM INFORMATION ON PLANS.
2. CONTRACTOR IS TO BE CAUTIONED THAT CERTAIN LOCATIONS AND/OR ELEVATIONS OF EXISTING UTILITIES HAVE BEEN PROVIDED THROUGH UTILITY COORDINATION OR OTHER OBSERVATIONS. INFORMATION IS NOT TO BE RELIED UPON AS EXACT OR COMPLETE. CONTRACTOR TO FIELD VERIFY AND COORDINATE WITH UTILITY COMPANY AND DIG SAFE NO LESS THAN 72 HOURS PRIOR TO ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF ALL UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS INDICATED IN THE CONTRACT DOCUMENTS. CONTRACTOR TO NOTIFY ENGINEER OF ANY DIFFERENTIATIONS FROM EXISTING CONDITIONS, INCLUDING UTILITY SURVEY, PRIOR TO ANY CHANGES.
3. METERING OF UTILITIES TO BE COMPLETED BY MECHANICAL, ELECTRICAL, PLUMBING DESIGNER (M.E.P.) UNLESS SPECIFIED OTHERWISE.
4. SEWER UTILITIES: CONTRACTOR TO COORDINATE WITH ARCHITECT FOR FINAL SERVICE CONNECTION. SEWER UTILITIES TO BE CONSTRUCTED IN ACCORDANCE WITH CITY OF PORTLAND TECHNICAL STANDARDS. VALVE FOR BACKFLOW PREVENTION SHALL BE INSTALLED WITHIN THE PROPERTY LINES FOR EACH CITY SEWER CONNECTION. CONTACT ENGINEER IF FIELD CONDITIONS FROM INVERT VARY FROM DESIGN.
5. WATER UTILITIES: FINAL PIPE SIZING PROVIDED BY M.E.P. 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.
6. 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. CONTRACTOR TO COORDINATE WITH UNITIL AND NEUCO ON SCHEDULING FOR INSTALLATION.
7. ELECTRIC UTILITIES: ELECTRIC DESIGN TO BE FINALIZED BY M.E.P. 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. ALL ELECTRIC CONSTRUCTION SHALL CONFORM TO CMP GUIDEBOOK OF STANDARD REQUIREMENTS, MOST RECENT EDITION. DESIGN SUBJECT TO FINAL APPROVAL FROM CMP.
8. CABLE AND TELEPHONE PULLBOXES AND PEDESTAL LOCATIONS TO BE DETERMINED BY SPECTRUM AND FAIRPOINT PRIOR TO CONSTRUCTION. CONTRACTOR TO COORDINATE INSTALLATION OF UNDERGROUND UTILITIES WITH ALL UTILITY COMPANIES INVOLVED.
9. UTILITY INFORMATION PROVIDED BY SURVEYOR. REFER TO EXISTING CONDITIONS PLAN FOR MORE INFORMATION.
10. BACKFLOW VALVES SHALL BE INSTALLED ON SEWER + STORM LATERALS.



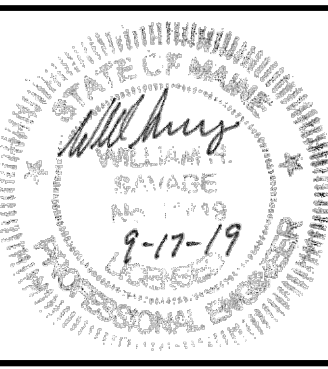
PERMIT LEVEL
NOT ISSUED FOR
CONSTRUCTION

ISSUED FOR	BY
STUB PLAN	WHS
COMMENT RESPONSE	WHS
PWD COMMENT	WHS
CONSTRUCTION	WHS
SITE PLAN	WHS
COMMENT RESPONSE II	WHS

UTILITY PLAN
PROJECT NAME:
130 MORNING ST. REDEVELOPMENT
CLIENT:
NORTHEAST TURNER, LLC
72 PINE STREET #16 PORTLAND, MAINE 04102

ACORN ENGINEERING, INC.
65 HANOVER ST. PORTLAND MAINE 04101
(207) 775-2655

FILE:	1109_CIVIL
JN:	1109
SCALE:	1"=10'
DESIGNED BY:	SJL
DRAWN BY:	ZMS
CHECKED BY:	WHS



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. REFER TO STRUCTURAL PLANS FOR FOUNDATION REQUIREMENTS. DESIGN OF ADDITIONAL TEMPORARY SOIL RESTRAINT MEASURES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR IF NECESSARY FOR CONSTRUCTION.
3. CONTRACTOR SHALL ENSURE THAT FOUNDATION DRAINS AND UNDERDRAINS ARE CONSTRUCTED WITH POSITIVE OUTLET TO PROPOSED CONNECTIONS.
4. INSTALL BACKFLOW PREVENTION WITHIN PROPERTY ON ANY CONNECTION TO THE COMBINED SEWER.
5. COORDINATE ROOF LEADERS, GUTTERS, DOWNSPOUTS, ETC. WITH THE ARCHITECT.
6. CLEANOUTS SHALL BE PROVIDED AT ALL 90-DEGREE BENDS IN FOUNDATION DRAIN.
7. ANY CURB PROPOSED WITH A REVEAL GREATER THAN 7" SHALL BE CONSTRUCTED WITH A GRANITE CUT OF 6"X24".
8. ANY GRADE SEPARATION GREATER THAN 12" SHALL BE ACHIEVED WITH A RETAINING WALL.
9. ANY SIGNIFICANT DISCREPANCIES SHALL BE REPORTED TO THE ENGINEER PRIOR TO CONSTRUCTION.

AVG GRADE CALCS

N:109.10'
E:111.00'
S:118.25'
W:114.20'

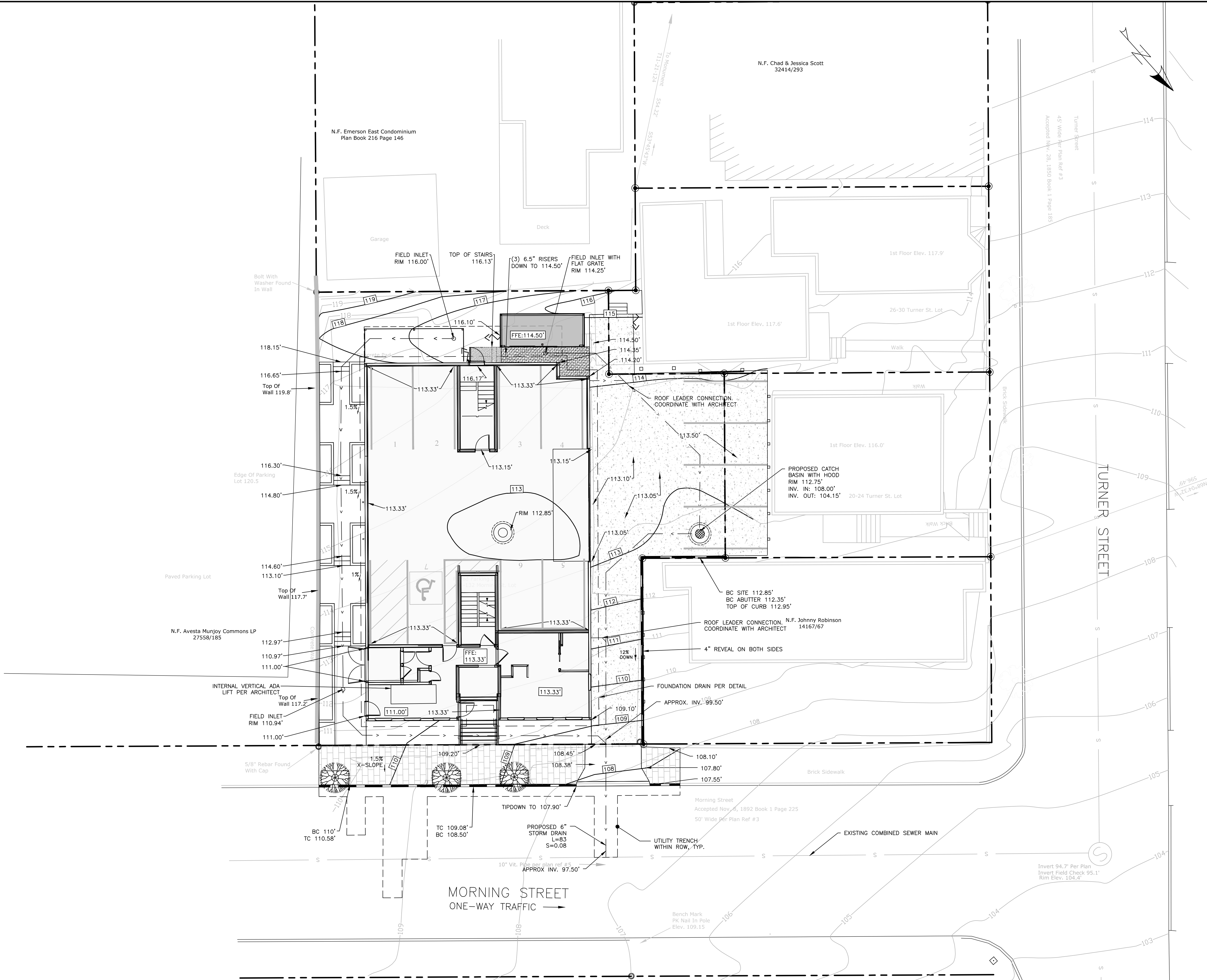
AVG:113.14'

ELEVATION AT TOP OF ROOF APPURTENANCES: 158.10'
BLDG HEIGHT: 44.96'



SCALE: 1" = 10'

PERMIT LEVEL
NOT ISSUED FOR
CONSTRUCTION



ISSUED FOR	BY
SITE PLAN	WHS
COMMENT RESPONSE	WHS
COMMENT RESPONSE II	WHS

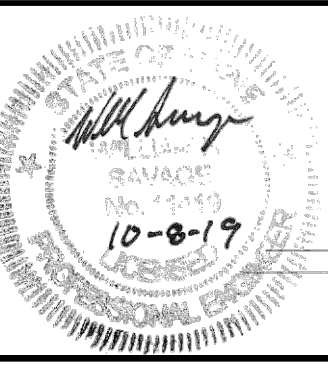
DRAWING NAME	PROJECT NAME	CLIENT
GRADING & DRAINAGE PLAN	130 MORNING ST. REDEVELOPMENT	NORTHEAST TURNER, LLC
		72 PINE STREET #16 PORTLAND, MAINE 04102

ACORN ENGINEERING, INC.

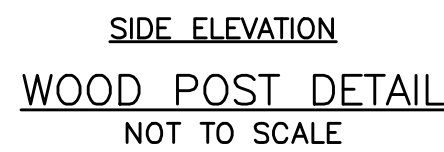
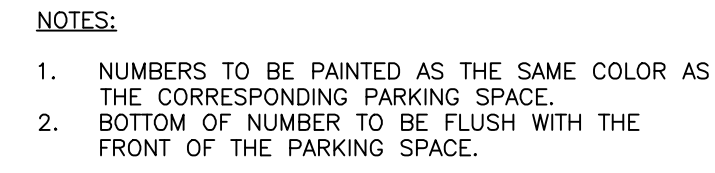
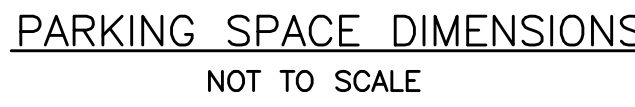
REGISTERED PROFESSIONAL ENGINEER
MAINE 04101
(207) 775-2655

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. ANY ALTERATIONS AUTHORIZED BY THE ENGINEER SHALL BE INDICATED BY A REVISION TABLE WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

FILE:	1109_CIVIL
JN:	1109
SCALE:	1"=10'
DESIGNED BY:	SJL
DRAWN BY:	ZMS
CHECKED BY:	WHS



DRAWING NO.
C-30



PERMIT LEVEL
NOT ISSUED FOR
CONSTRUCTION

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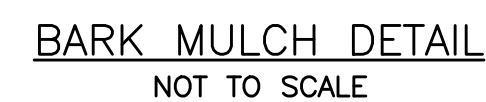
DRAWING NO.
C-41

1. ALL PLANT SELECTION AND INSTALLATION WILL BE IN COMPLIANCE WITH THE CITY OF PORTLAND TECHNICAL MANUAL (SECTION 4).
2. CONTRACTOR TO VERIFY ALL UTILITIES ON PROPERTY AND TO PROTECT ALL UTILITIES DURING EXCAVATION FOR PLANTS.
3. IF THERE IS A DISCREPANCY BETWEEN THE NUMBER OF PLANTS SHOWN ON THE PLAN AND THE NUMBER OF PLANTS SHOWN IN PLANT LIST (IF ANY), THE NUMBER OF PLANTS SHOWN ON PLAN WILL TAKE PRECEDENCE.
4. ALL MATERIAL SHALL COMPLY WITH THE LATEST EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK, AMERICAN ASSOCIATION OF NURSERYMAN.
5. ALL DISTURBED AREAS NOT TO BE PAVED OR PLANTED SHALL BE LOAMED AND SEEDED AS SHOWN. THE SEED MIX SPECIFICATIONS ARE AS FOLLOWS: LESCO FINE FESCUE LINKS BLEND OF 35% HARD FESCUE, 35% CREEPING RED FESCUE, 20% CHEWINGS FESCUE AND 10% SHEEP FESCUE. ADD 5% LITTLE BLUESTEM AND 5% NORTHEAST WILDFLOWER SEED MIXTURE BY WEIGHT TO THE LINKS BLEND.
6. FOR PRICING PURPOSES, PROVIDE A PER TREE UNIT COST FOR STAKING AND GUYING, IF STAKING AND GUYING IS REQUIRED, REMOVE TREE WRAP, STAKES, AND GUY WIRES AT END OF FIRST GROWING SEASON.
7. FOR TREE PLANTING IN LAWN AREAS, ANY DISTURBED LAWN SHALL BE LOAMED AND SEEDED AS NECESSARY.
8. NEW TREES TO BE INSTALLED WITH A SLOW RELEASE WATERING BAG.
9. CONTRACTOR TO BE HELD RESPONSIBLE FOR THE WATERING AND MAINTENANCE OF ALL PLANT MATERIAL AND LANDSCAPING IMPROVEMENTS FOR AT LEAST 30 DAYS FOLLOWING INSTALLATION. FOLLOWING THIS PERIOD, THE LANDOWNER OR PROPERTY MANAGEMENT SHALL BE RESPONSIBLE FOR CONTINUED WATERING AND MAINTENANCE. CONTRACTOR TO MAINTAIN A ONE YEAR WARRANTY ON ALL PLANTINGS FOLLOWING FINAL INSTALLATION.
10. ALL PROPOSED PLANTS SHALL BE LOCATED AS SHOWN ON THE PLANS. CONTRACTOR TO NOTIFY ENGINEER WHEN PLANTINGS HAVE BEEN MOBILIZED ON SITE. ENGINEER TO INSPECT AND ACCEPT OR REJECT ANY SPECIMENS ON THE BASIS OF APPARENT HEALTH, HARDINESS, AND CONFORMANCE WITH THE PLANTING SCHEDULE. REJECTED SPECIMENS ARE TO BE RE-PLACED BY THE CONTRACTOR AT NO ADDED COST TO THE OWNER. ACCEPTANCE DOES NOT WAIVE THE REQUIRED ONE YEAR PLANTING WARRANTY.

BACKFILL THE HOLE WITH TOPSOIL TO A DEPTH NOT TO EXCEED 8" THEN WATER SUFFICIENTLY TO SETTLE TOPSOIL. REPEAT SOIL BACKFILL, WATER, DRAIN. TOPSOIL SHALL BE TAMPED UNDER EDGES OF THE BALLED PLANTS. BACKFILL TO FINISH GRADE AND CREATE AN EARTHEN SAUCER. SOAK PLANTS TWICE WITHIN THE FIRST TWENTY-FOUR HOURS OF PLANTING.



1. 16" EXPANDABLE TREE OPENING; .25" SLOT OPENINGS.
2. SIDEWALK MATERIAL PER CITY SIDEWALK MATERIAL POLICY.
3. WHEN THE TREE GRATE IS INSTALLED IN A CONCRETE SIDEWALK A NOTCH MUST BE INSTALLED ALONG THE EDGE TO HOLD THE GRATE, WHEN INSTALLED IN A BRICK SIDEWALK IT REQUIRES A FRAME TO BE INSTALLED TO HOLD THE GRATE IN PLACE.

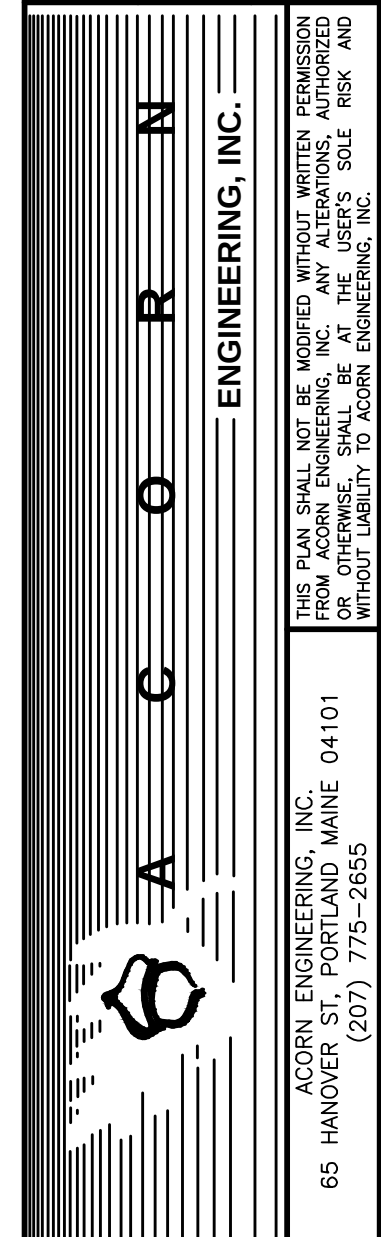


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NOT ISSUED FOR
CONSTRUCTION

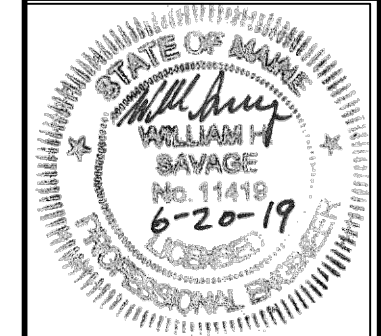
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NORTHEAST TURNER, LLC
72 PINE STREET #16 PORTLAND, MAINE 04101

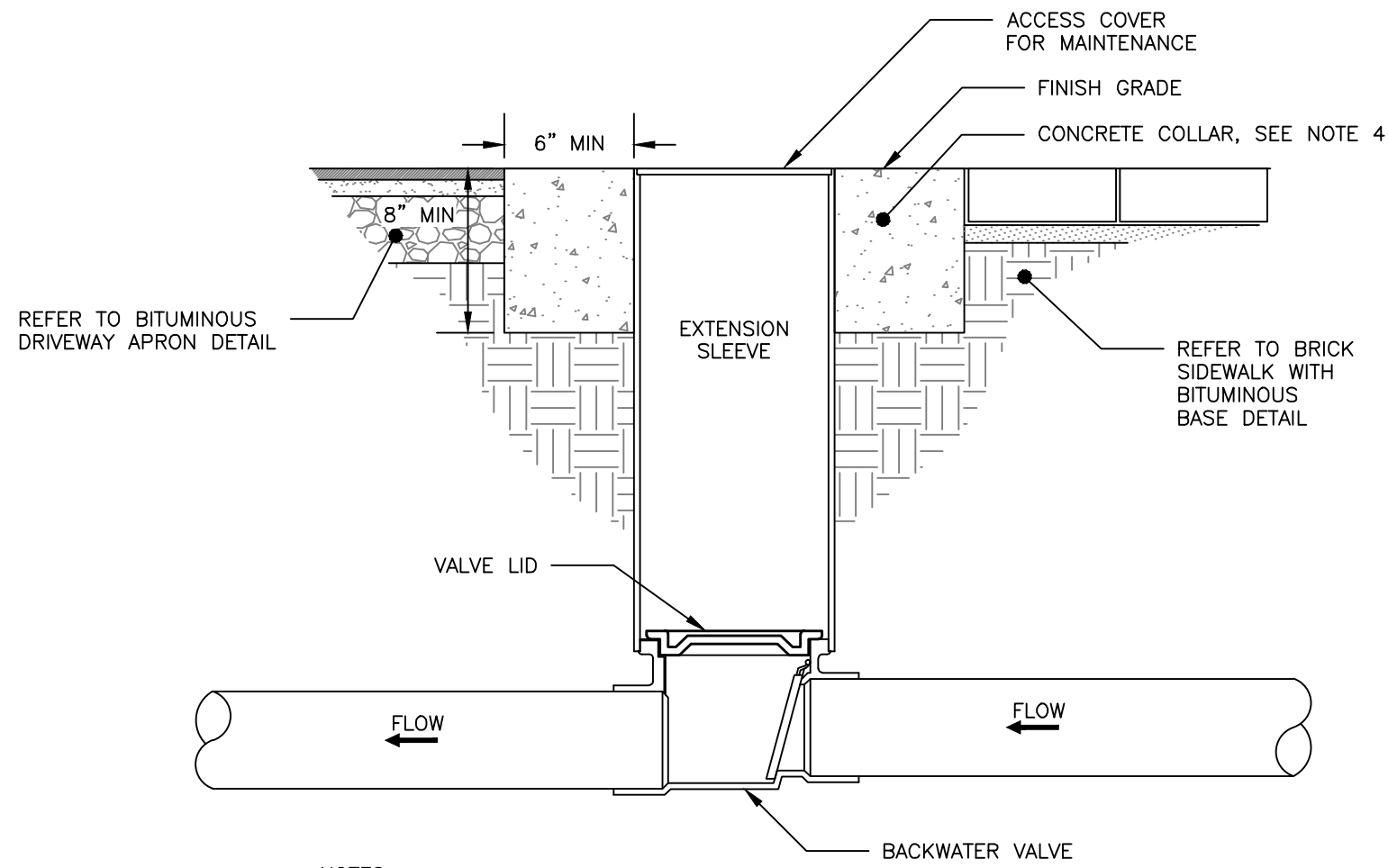
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CHECKED BY: WHS

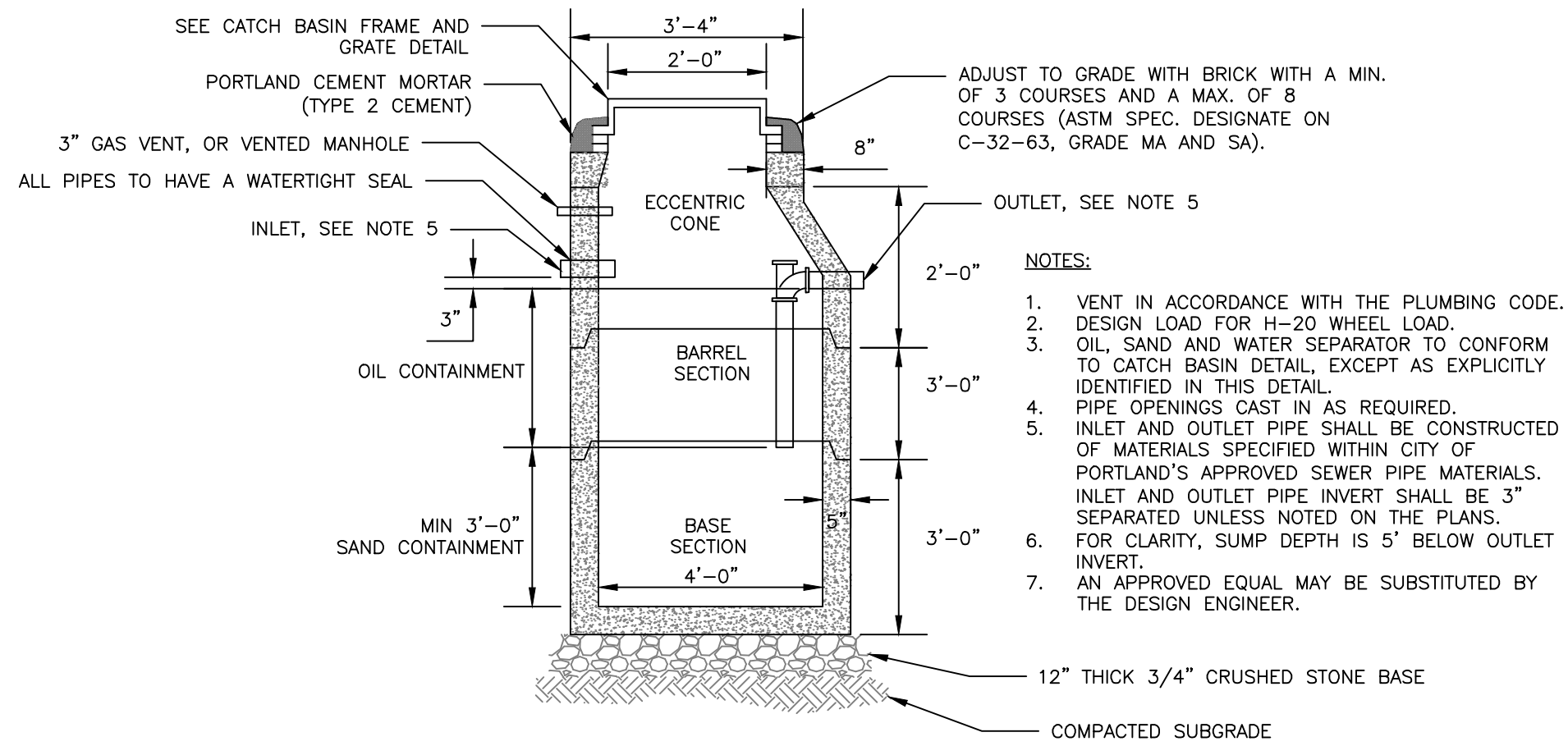


C-42

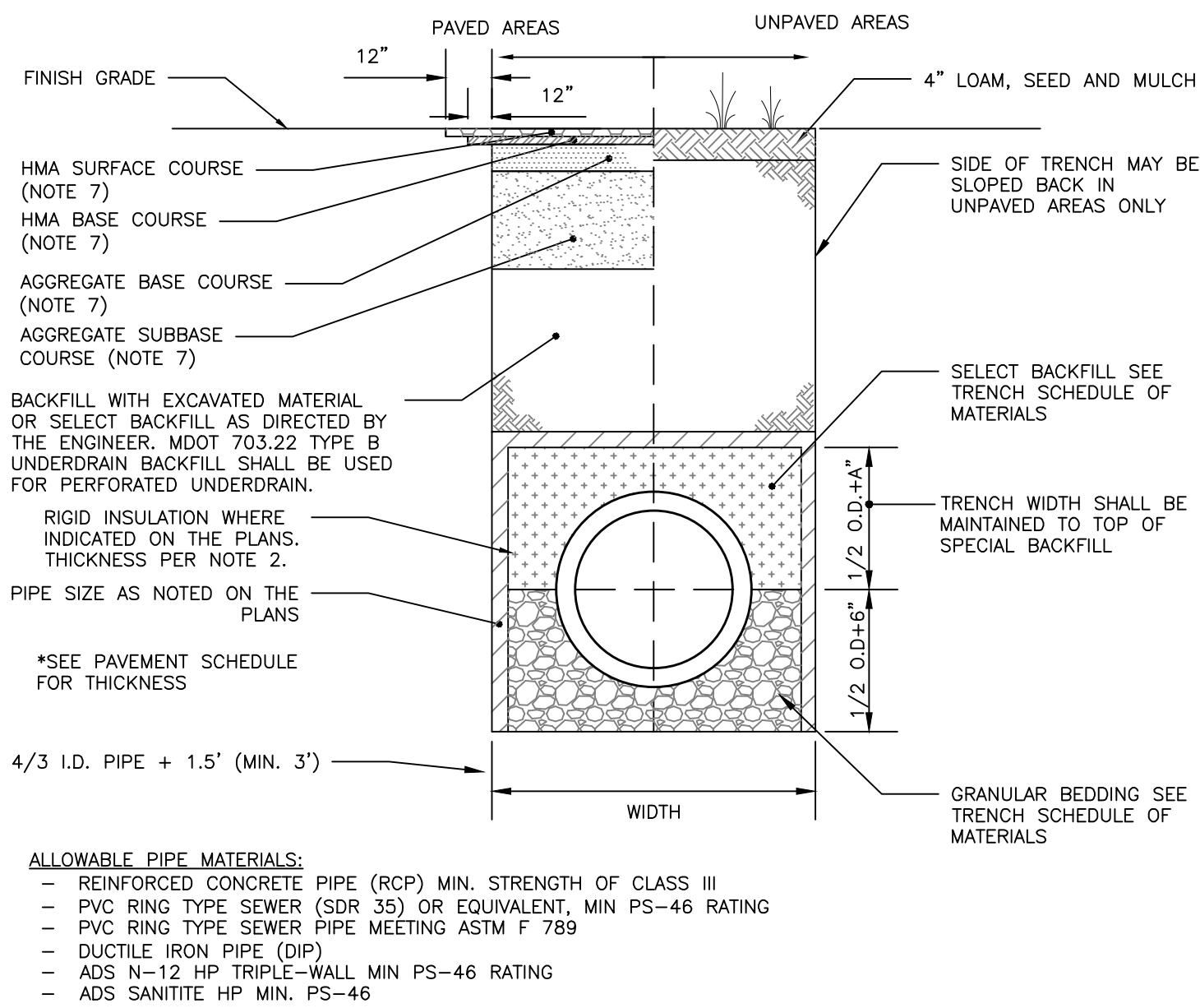


- NOTES:
1. BACKFLOW VALVE TO BE PROVIDED BY AGRI DRAIN CORPORATION OR AN APPROVED EQUAL.
 2. VALVE TO BE INSTALLED TO MANUFACTURER'S SPECIFICATIONS AND COMPLY WITH RULES AND REGULATIONS AS OUTLINED IN SECTION 2 OF THE CITY OF PORTLAND TECHNICAL MANUAL.
 3. VALVE SHALL BE INSTALLED WITH A VALVE BOX AND 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.

BACKFLOW VALVE ASSEMBLY
NOT TO SCALE



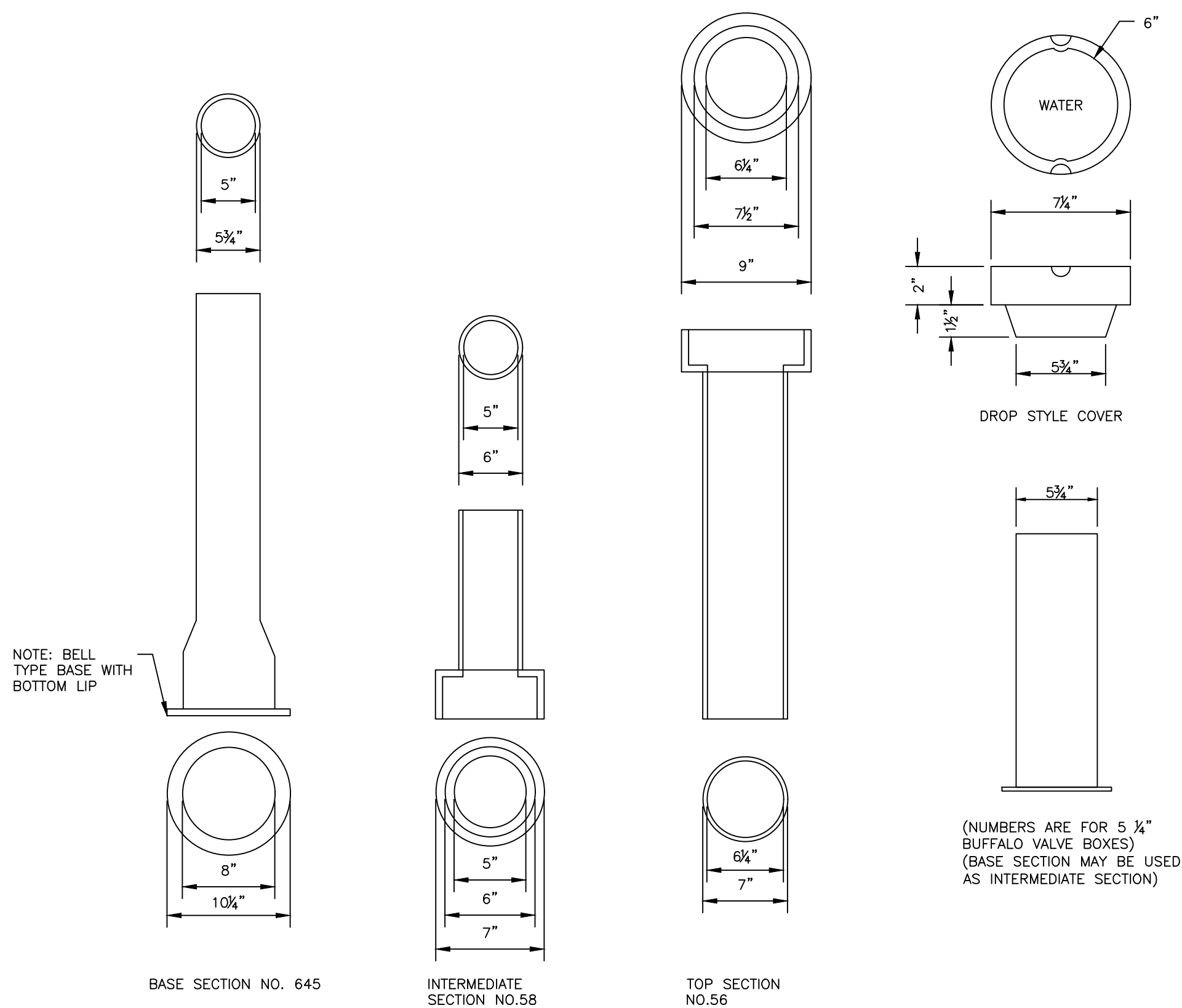
4'-0" DIAMETER PRECAST OIL AND WATER SEPARATOR
NOT TO SCALE



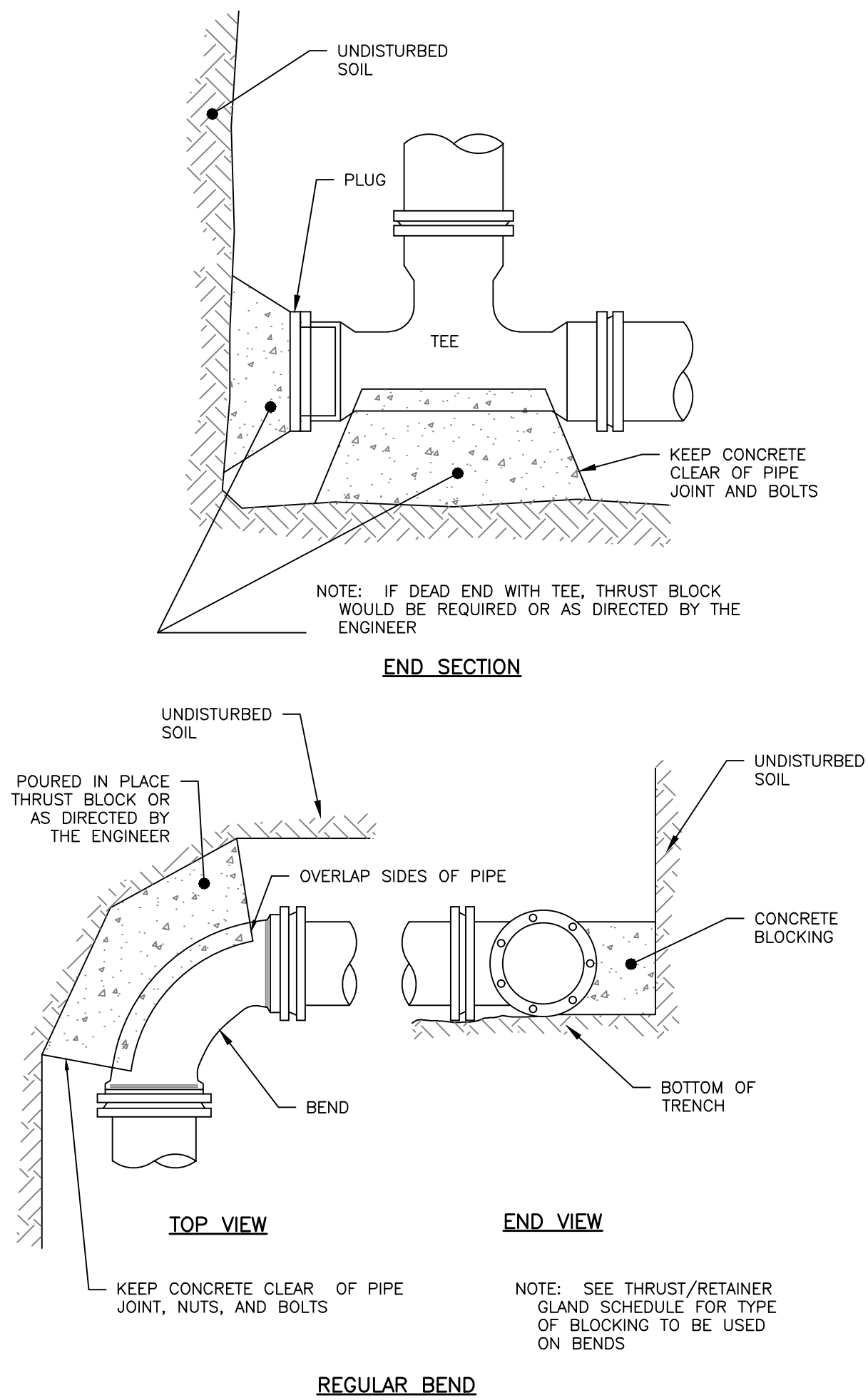
INTERNAL STORM DRAIN AND SEWER TYPICAL TRENCH SECTION
NOT TO SCALE

SCHEDULE OF MATERIALS		
TYPE OF PIPE	GRANULAR BEDDING	SELECT BACKFILL
CMP DUCTILE IRON RCP	MDOT 703.22 TYPE B UD BACKFILL	MDOT 703.22 TYPE B UD BACKFILL
PVC/HDPE	MDOT 703.22 TYPE C 3/4" CRUSHED STONE	MDOT 703.22 TYPE B UD BACKFILL
CMP	MDOT 703.22 TYPE C 3/4" CRUSHED STONE	MDOT 703.22 TYPE C 3/4" CRUSHED STONE

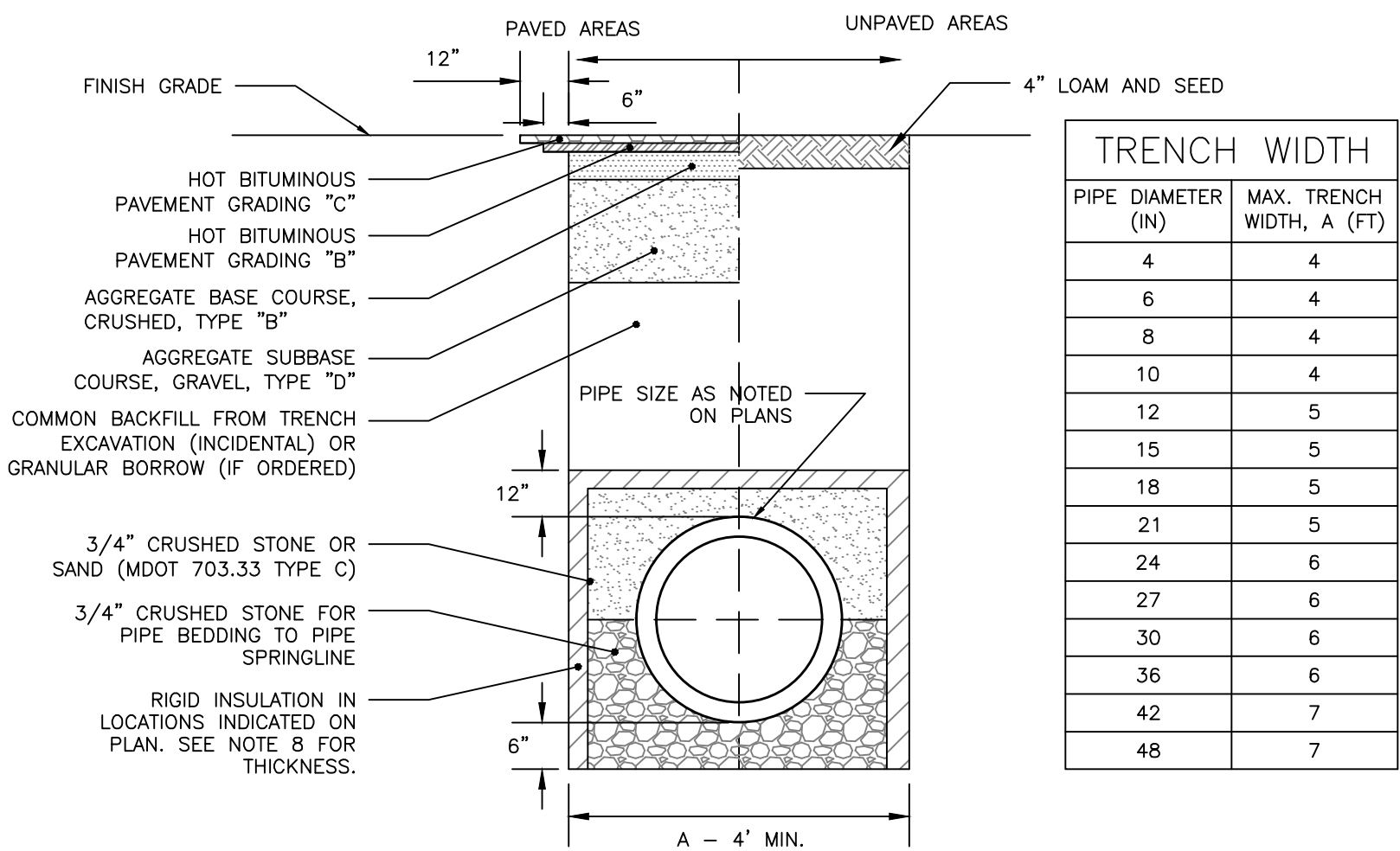
- NOTES:
1. BRACING AND SHEETING OR OTHER TRENCH PROTECTION TO BE PROVIDED TO MEET APPLICABLE STATE AND O.S.H.A. SAFETY STANDARDS. ALL SUCH TRENCH PROTECTION TO BE THE RESPONSIBILITY OF THE CONTRACTOR.
 2. STORM DRAIN COVER BETWEEN 2' AND 3' SHALL INCLUDE 4" OF RIGID INSULATION. COVER BETWEEN 3' AND 4' SHALL INCLUDE 2" RIGID INSULATION. OTHER UTILITIES: ADD 2" OF RIGID INSULATION FOR EACH FOOT ABOVE MINIMUM DEPTH.
 3. INSTALL WARNING TAPE DIRECTLY ABOVE UTILITIES AT THE TOP OF SUBGRADE.
 4. MINIMUM COVER
4.1. 2'-0" - STORM DRAIN
4.2. 5'-0" - SEWER
 5. NO TREES SHALL BE PLANTED WITHIN 5' OF A SEWER PIPE OR SERVICE
 6. THIS DETAIL SHALL BE APPLIED ONLY TO DRAINAGE PIPE TRENCHES OUTSIDE OF THE CITY OF PORTLAND ROW.
 7. THICKNESS AS NOTED BY SURFACE DETAILS



VALVE BOX & COVER
NOT TO SCALE



THRUST BLOCKING
NOT TO SCALE



CITY OF PORTLAND TYPICAL PIPE TRENCH DETAIL
NOT TO SCALE

TRENCH WIDTH	
PIPE DIAMETER (IN)	MAX. TRENCH WIDTH, A (FT)
4	4
6	4
8	4
10	4
12	5
15	5
18	5
21	5
24	6
27	6
30	6
36	6
42	7
48	7

PERMIT LEVEL
NOT ISSUED FOR
CONSTRUCTION

ISSUED FOR

BY

DATE

SITE PLAN

WHS

6/25/19

COMMENT RESPONSE

WHS

6/25/19

COMMENT RESPONSE II

WHS

6/24/19

UTILITY DETAILS -2

130 MORNING ST. REDEVELOPMENT

NORTHEAST TURNER, LLC

72 PINE STREET #16 PORTLAND, MAINE 04102

DRAWING NAME

PROJECT NAME

CLIENT

ACORN ENGINEERING, INC.

ENGINEERING, INC.

THE PLAN SHALL NOT BE MOVED, REPRODUCED, COPIED, OR ALTERED WITHOUT THE WRITTEN PERMISSION OF ACORN ENGINEERING, INC. ANY ALTERATIONS, AUTHORIZED OR UNAUTHORIZED, SHALL BE THE RESPONSIBILITY OF THE USER. WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

65 HANOVER ST. PORTLAND MAINE 04101

(207) 775-2655

FILE: 1109_DETAILS

JN: 1109.1

SCALE: NTS

DESIGNED BY: WHS

DRAWN BY: EKK

CHECKED BY: WHS

STATE OF MAINE

WILLIAM H. SAVAGE

No. 11418

6-20-19

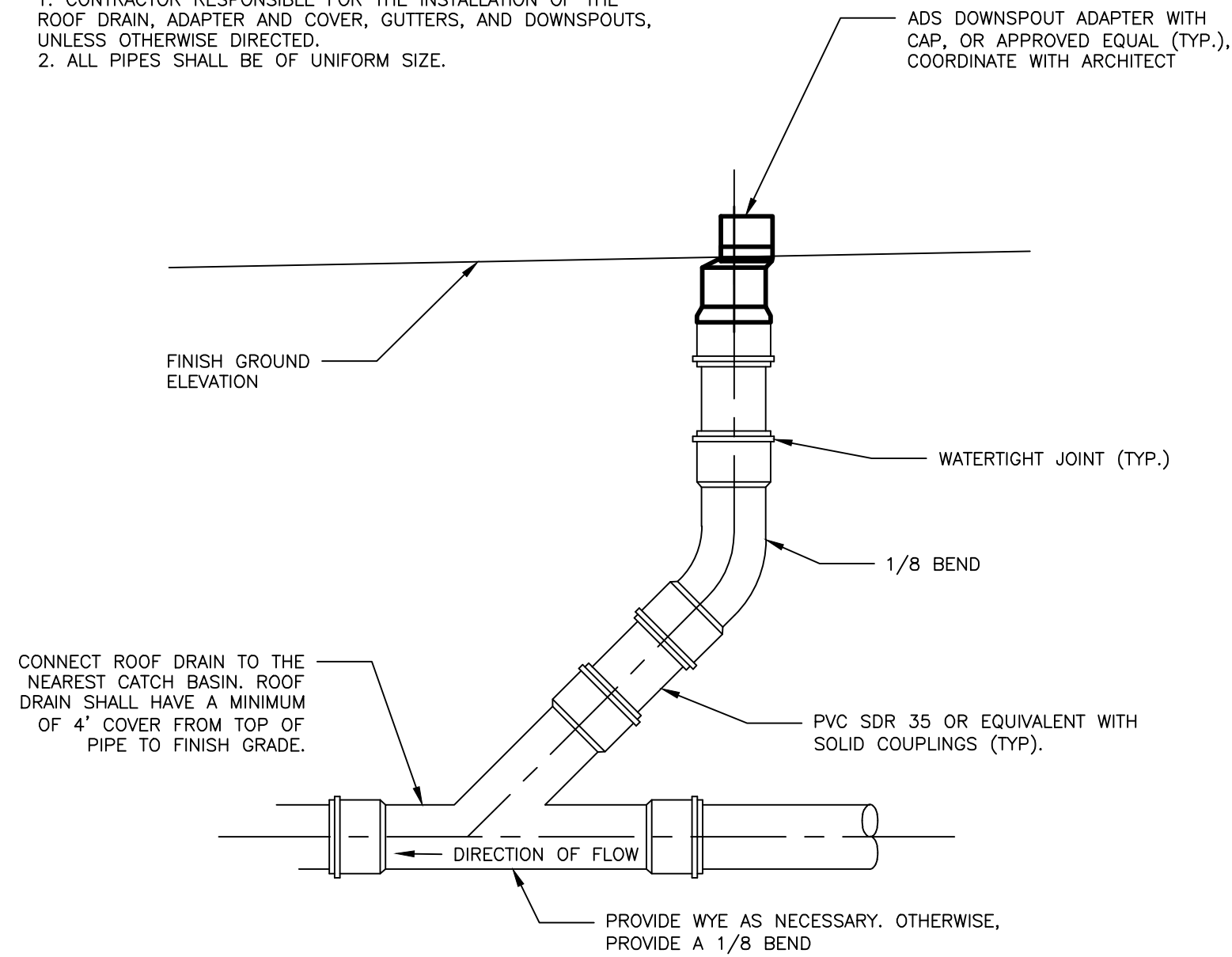
EXPIRATION DATE

DRAWING NO.

C-44

NOTES:

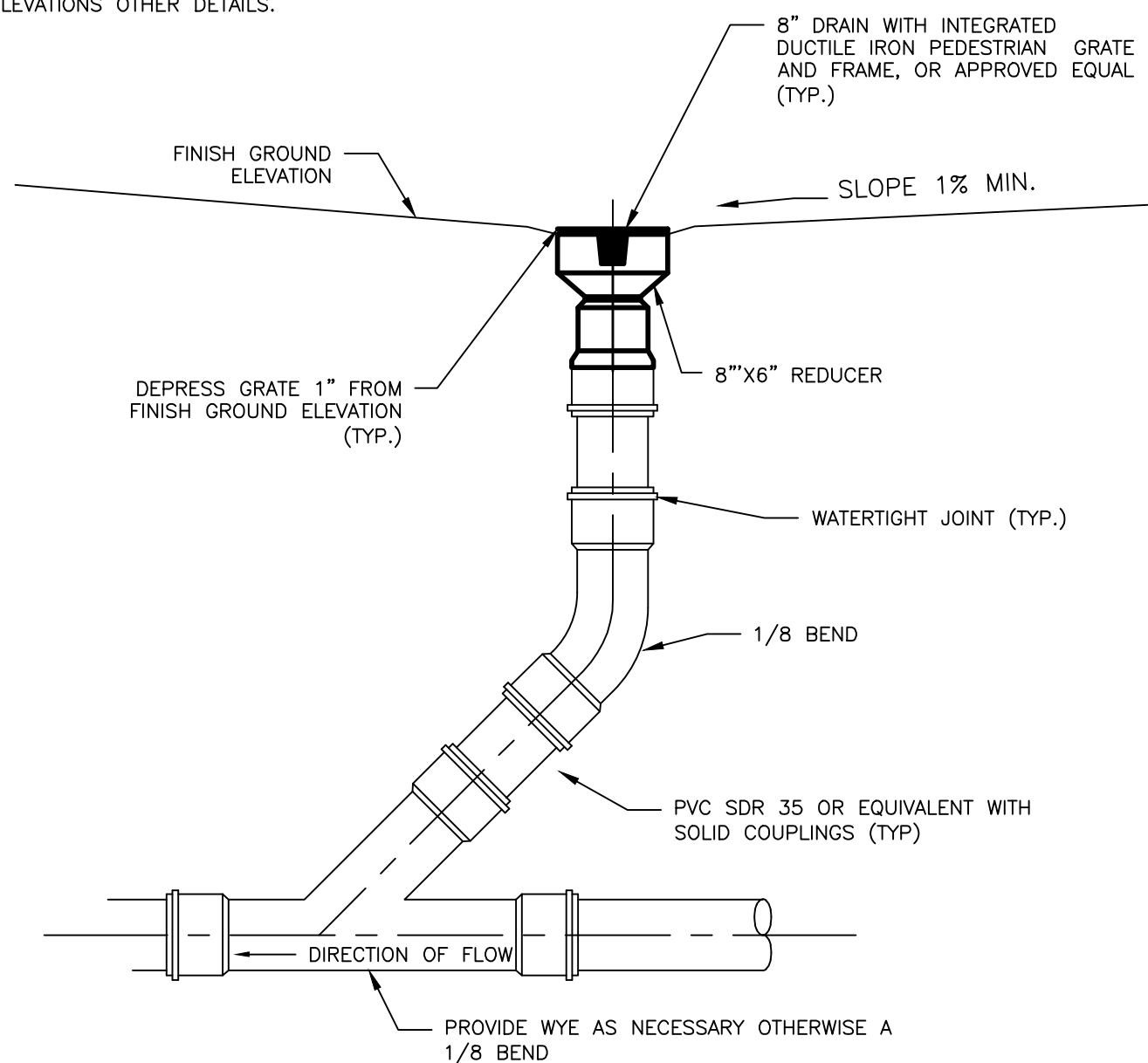
1. CONTRACTOR RESPONSIBLE FOR THE INSTALLATION OF THE ROOF DRAIN, ADAPTER AND COVER, GUTTERS, AND DOWNSPOUTS, UNLESS OTHERWISE DIRECTED.
2. ALL PIPES SHALL BE OF UNIFORM SIZE.



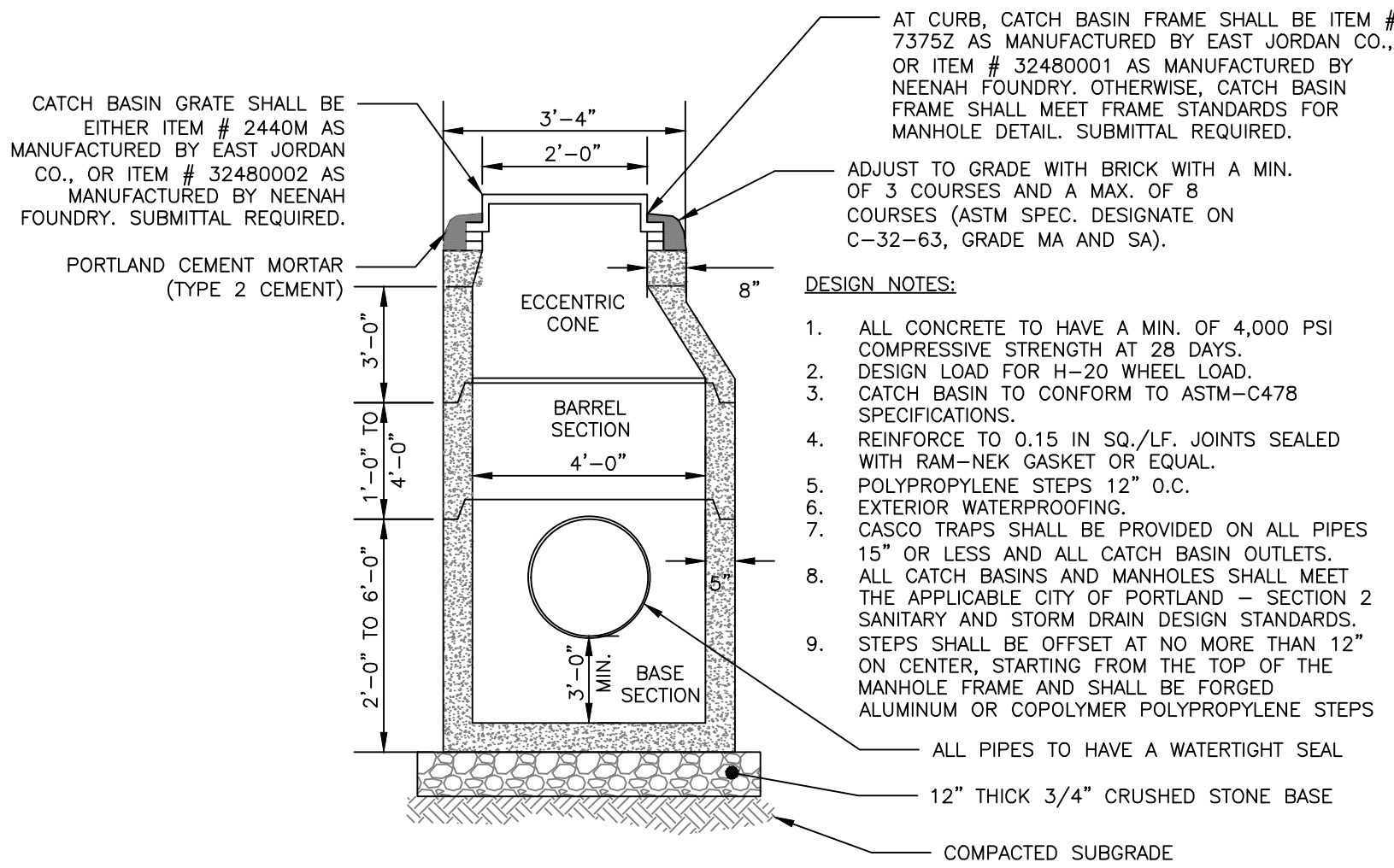
ROOF DRAIN DETAIL
NOT TO SCALE

NOTES:

1. REFER TO THE GRADING & DRAINAGE PLAN FOR LAYOUT, ELEVATIONS OTHER DETAILS.



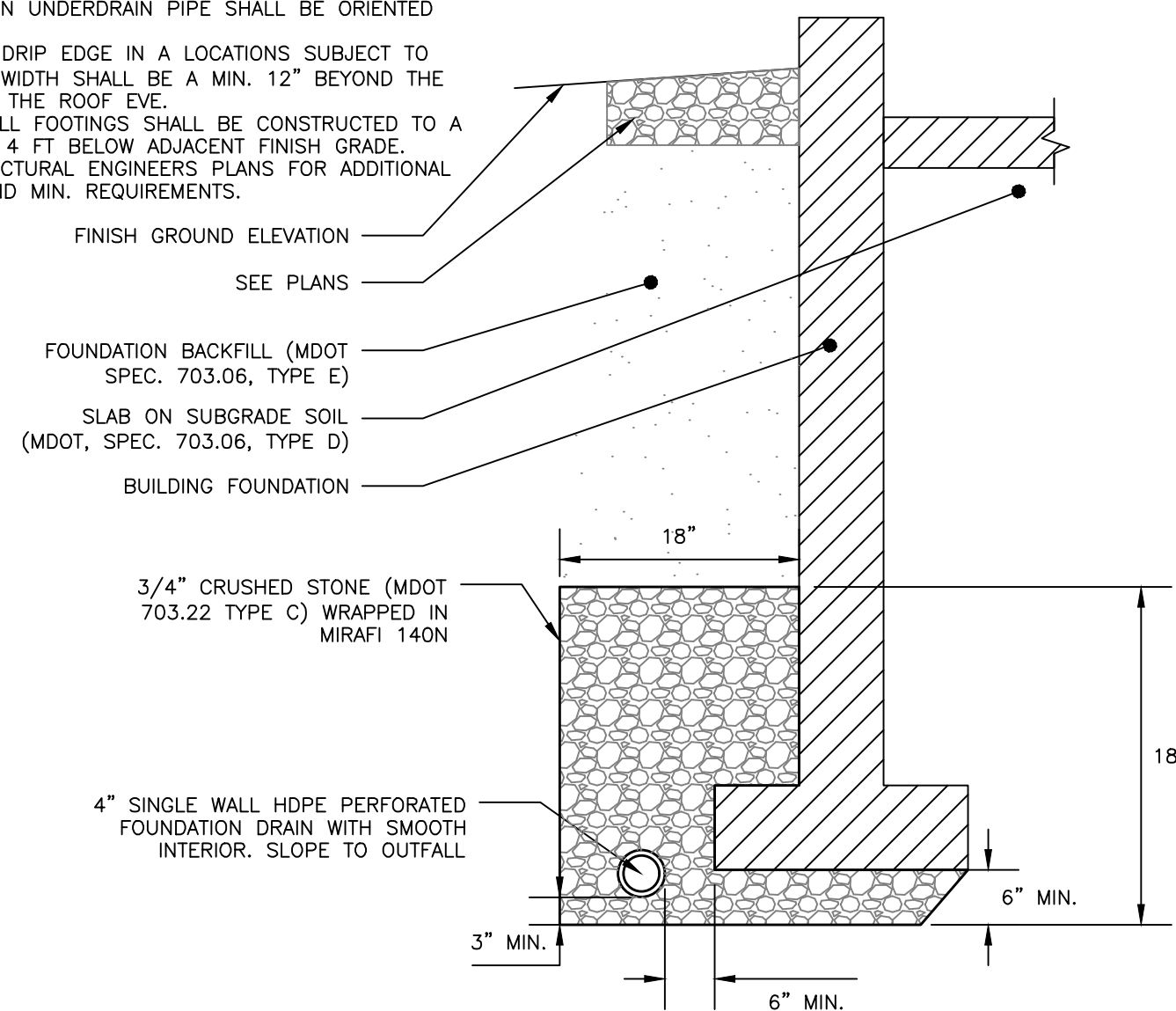
INLINE DRAIN DETAIL WITH GRATE
NOT TO SCALE



4'-0" DIAMETER PRECAST CATCH BASIN/MANHOLE
NOT TO SCALE

NOTES:

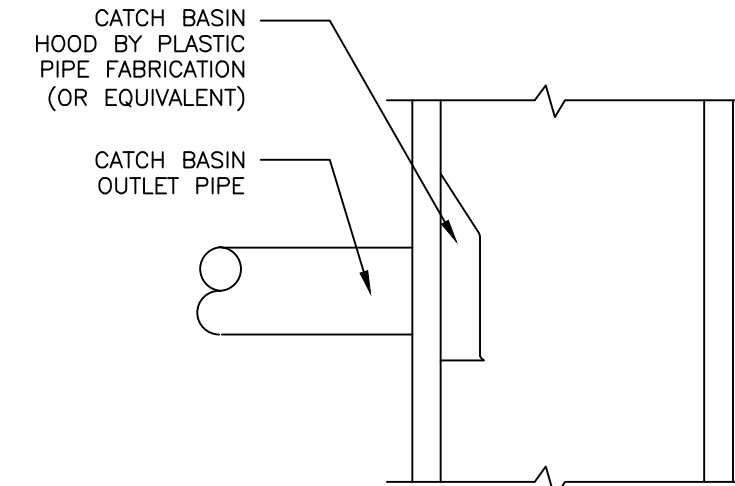
1. REFER TO THE BUILDING ARCHITECTS PLANS FOR THE BUILDING FOUNDATION, BACKFILL, ROOF DRAIN, SIDEWALK AND OTHER DETAILS.
2. PERFORATIONS IN UNDERDRAIN PIPE SHALL BE ORIENTED DOWN.
3. INSTALL STONE DRIP EDGE IN A LOCATIONS SUBJECT TO ROOF RUNOFF. WIDTH SHALL BE A MIN. 12" BEYOND THE PROJECTION OF THE ROOF EYE.
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.



FOUNDATION DRAIN DETAIL
NOT TO SCALE

NOTES:

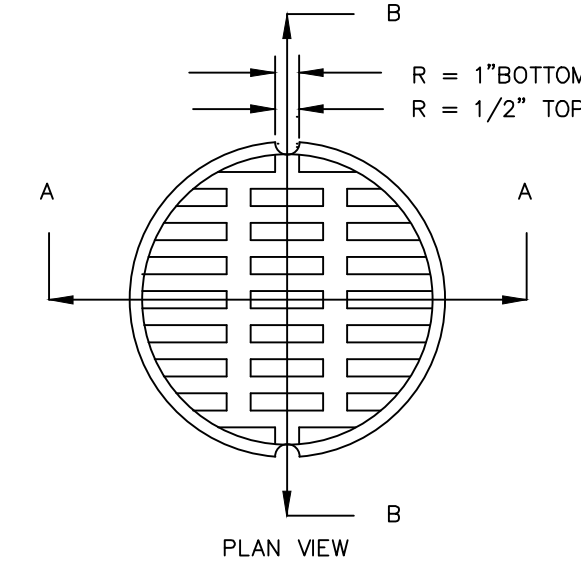
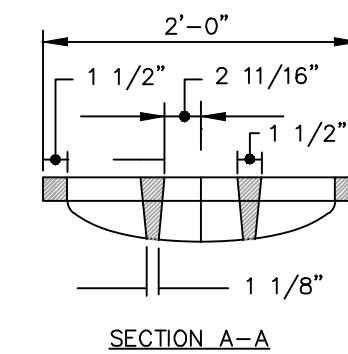
1. INSTALL CATCH BASIN HOODS IN ALL CATCH BASINS WITH A 12" OR 15" OUTLET PIPE.
2. PREFERRED STYLE DESIGNED TO ELIMINATE CEMENTING OF THE TRAP.
3. REFER TO MANUFACTURER'S RECOMMENDATIONS FOR INSTALLATION REQUIREMENTS



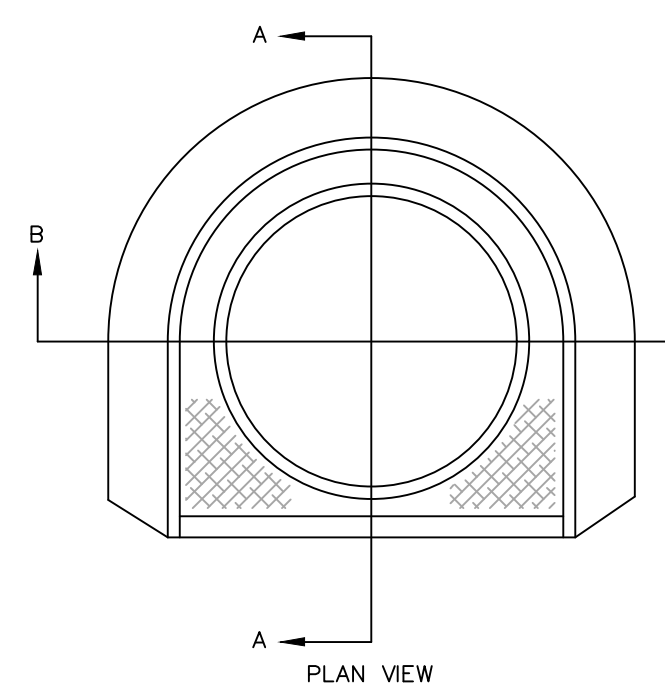
CATCH BASIN HOOD DETAIL
NOT TO SCALE

NOTES:

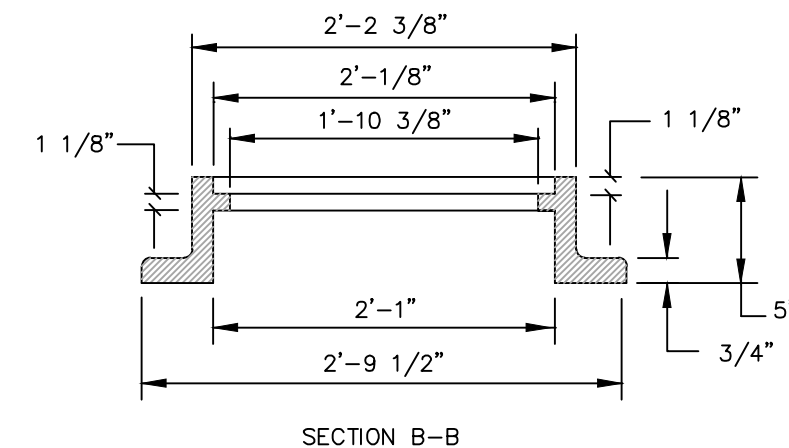
1. APPROVED CATCH BASIN FRAMES:
1.1. EAST JORDAN = 7375Z
1.2. NEENAH = R-3248
1.3. OR APPROVED EQUAL
2. APPROVED CATCH BASIN GRATES:
2.1. EAST JORDAN = 2440M
2.2. NEENAH = R-3248
2.3. OR APPROVED EQUAL



GRATE DETAIL



FRAME DETAIL



FRAME & GRATE
NOT TO SCALE

PERMIT LEVEL
NOT ISSUED FOR
CONSTRUCTION

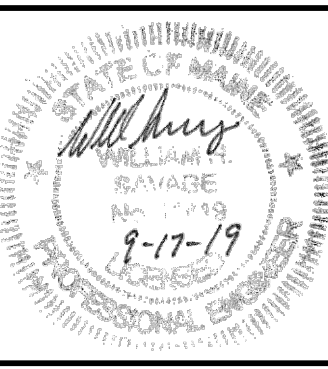
ISSUED FOR	BY
SITE PLAN	WHS
COMMENT RESPONSE	WHS
COMMENT RESPONSE II	WHS

DRAINAGE DETAILS -1
130 MORNING ST. REDEVELOPMENT
NORTHEAST TURNER, LLC
72 PINE STREET #16 PORTLAND, MAINE 04102

DRAWING NAME
PROJECT NAME
CLIENT

ACORN ENGINEERING, INC.
65 HANOVER ST. PORTLAND MAINE 04101
(207) 775-2655
THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. ANY ALTERATIONS, AUTHORIZED OR UNAUTHORIZED, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

FILE: 1109_DETAILS
JN: 1109.1
SCALE: NTS
DESIGNED BY: WHS
DRAWN BY: EKK
CHECKED BY: WHS



DRAWING NO.
C-45

1.0 EROSION CONTROL MEASURES AND SITE STABILIZATION

AS PART OF THE SITE DEVELOPMENT, THE FOLLOWING TEMPORARY AND PERMANENT EROSION AND SEDIMENTATION CONTROL DEVICES SHALL BE IMPLEMENTED. DEVICES SHALL BE INSTALLED AS DESCRIBED IN THIS REPORT OR WITHIN THE PLAN SET. SEE THE MAINE EROSION AND SEDIMENT CONTROL HANDBOOK FOR CONSTRUCTION BEST MANAGEMENT PRACTICES FOR FURTHER REFERENCE.

1.1 TEMPORARY EROSION CONTROL MEASURES

THE FOLLOWING TEMPORARY EROSION AND SEDIMENTATION CONTROL MEASURES ARE PLANNED FOR THE PROJECT'S CONSTRUCTION PERIOD:

- 1.1.1 CRUSHED STONE STABILIZED CONSTRUCTION ENTRANCES SHALL BE PLACED AT ALL ACCESS POINTS TO THE PROJECT SITE WHERE THERE ARE DISTURBED AREAS. THE FOLLOWING SPECIFICATIONS SHALL BE FOLLOWED AT A MINIMUM:
 - STONE SIZE SHALL BE 2-3 INCHES, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT.
 - THE THICKNESS OF THE STONE LAYER SHALL BE NO LESS THAN 6 INCHES.
 - THE ENTRANCE SHALL NOT BE LESS THAN 20 FEET WIDE, HOWEVER NOT LESS THAN THE FULL WIDTH OF POINTS WHERE INGRESS OR EGRESS OCCURS. THE LENGTH SHALL NOT BE LESS THAN 50 FEET IN LENGTH.
 - GEOTEXTILE FABRIC (WOVEN OR NON-WOVEN) SHALL BE PLACED OVER THE ENTIRE ENTRANCE AREA.
- 1.1.2 THE ENTRANCE/EXIT SHALL BE MAINTAINED TO THE EXTENT THAT IT WILL PREVENT THE TRACKING OF SEDIMENT ONTO PUBLIC ROADWAYS.
- 1.1.3 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.
- 1.1.4 HAY MULCH INCLUDING HYDRO SEEDING IS INTENDED TO PROVIDE COVER FOR DENuded OR SEEDD 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.
- 1.1.5 AT ANY TIME OF THE YEAR, ALL SLOPES GREATER THAN 3:1 SHALL BE STABILIZED WITH DOUBLE NET EROSION CONTROL BLANKET BIONET SC150BN BY NORTH AMERICAN GREEN OR APPROVED EQUAL, OR EROSION CONTROL MIX SLOPE PROTECTION AS DETAILED WITHIN THE PLANS.
- 1.1.6 MORNING STREET, TURNER STREET, AND CONGRESS STREET SHALL BE SWEEPED TO CONTROL MUD AND DUST FROM THE CONSTRUCTION SITE AS NECESSARY. ADD ADDITIONAL STREET TO THE STABILIZED CONSTRUCTION ENTRANCE TO MINIMIZE THE TRACKING OF MATERIAL OFF THE SITE AND ONTO THE SURROUNDING ROADWAYS.
- 1.1.7 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.
- 1.1.8 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.
- 1.1.9 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. BARRIERS SHALL BE INSPECTED AFTER EVERY RAINFALL EVENT AND REPAIRED AS NECESSARY. SEDIMENTS SHALL BE REMOVED WHEN ACCUMULATION HAS REACHED 1/2 THE DESIGN HEIGHT.
- 1.1.10 DUST CONTROL SHALL BE ACCOMPLISHED BY THE USE OF ANY OF THE FOLLOWING: WATER, CALCIUM CHLORIDE, STONE, OR AN APPROVED MDP PRODUCT. DUST CONTROL SHALL BE APPLIED AS NEEDED TO ACCOMPLISH DUST CONTROL.
- 1.1.11 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.
- 1.1.12 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. ANY SILT FENCE OR A WOOD WASTE COMPOST FILTER BERM SHALL BE PLACED DOWNHILL OF ANY SOIL STOCKPILE LOCATION.
- 1.1.13 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.
- 1.1.14 IT IS OF THE UTMOST IMPORTANCE THAT STORMWATER RUNOFF AND POTENTIAL SEDIMENT FROM THE CONSTRUCTION SITE BE DIVERTED AROUND THE PROPOSED UNDERDRAINS UNTIL THE TRENCH IS BACKFILLED.

1.2 PERMANENT EROSION CONTROL MEASURES

THE FOLLOWING PERMANENT EROSION CONTROL MEASURES ARE INTENDED FOR POST DISTURBANCE AREAS OF THE PROJECT.

- 1.2.1 ALL DISTURBED AREAS DURING CONSTRUCTION, NOT SUBJECT TO OTHER PROPOSED CONDITIONS, SHALL RECEIVE A MINIMUM 4" OF LOAM, LIMED, AND MULCHED. EROSION CONTROL BLANKETS OR MATS SHALL BE PLACED OVER THE MULCH IN AREAS NOTED IN PARAGRAPH 4.1 OF THIS REPORT.
- 1.2.2 ALL STORMWATER DEVICES SHALL BE INSTALLED AND TRIBUTARY AREAS STABILIZED PRIOR RECEIVING STORMWATER.
- 1.2.3 REFER TO THE MAINE EROSION AND SEDIMENT CONTROL BMP MANUAL FOR ADDITIONAL INFORMATION.

2.0 EROSION AND SEDIMENTATION CONTROL PLAN

- 2.1 THE EROSION AND SEDIMENTATION CONTROL PLAN IS INCLUDED WITHIN THE PLAN SET.

3.0 DETAILS AND SPECIFICATIONS

- 3.1 EROSION CONTROL DETAILS AND SPECIFICATIONS ARE INCLUDED IN THE PLAN SET.

4.0 STABILIZATION PLAN FOR WINTER CONSTRUCTION

WINTER CONSTRUCTION CONSISTS OF EARTHWORK DISTURBANCE BETWEEN THE DATES OF NOVEMBER 1 AND APRIL 15. IF A CONSTRUCTION SITE IS NOT STABILIZED WITH PAVEMENT, A ROAD GRAVEL BASE, 75% MATURE VEGETATION COVER OR RIPRAP BY NOVEMBER 15, THEN THE SITE SHALL BE PROTECTED WITH OVER-WINTER STABILIZATION. ANY AREA NOT STABILIZED WITH PAVEMENT, VEGETATION, MULCHING, EROSION CONTROL MIX, EROSION CONTROL MATS, RIPRAP, OR GRAVEL BASE ON A ROAD SHALL BE CONSIDERED OPEN.

THE CONTRACTOR SHALL LIMIT THE WORK AREA TO AREAS THAT WORK WILL OCCUR IN DURING THE SUBSEQUENT 15 DAYS AND SO THAT IT CAN BE MULCHED ONE DAY PRIOR TO A SNOW EVENT. THE CONTRACTOR SHALL STABILIZE WORK AREAS PRIOR TO OPENING ADDITIONAL WORK AREAS TO MINIMIZE AREAS WITHOUT EROSION CONTROL MEASURES.

THE FOLLOWING MEASURES SHALL BE IMPLEMENTED DURING WINTER CONSTRUCTION PERIODS:

4.1 SEDIMENT BARRIERS

DURING FROZEN CONDITIONS, SEDIMENT BARRIERS MAY CONSIST OF EROSION CONTROL MIX BERMS OR ANY OTHER RECOGNIZED SEDIMENT BARRIERS AS FROZEN SOIL PREVENTS THE PROPER INSTALLATION OF HAY BALES OR SILT FENCES.

4.2 MULCHING

ALL AREAS SHALL BE CONSIDERED TO BE DENuded UNTIL SEEDD 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 FINAL GRADING. THE AREA SHALL BE PROPERLY STABILIZED WITH ANCHORED HAY OR STRAW OR EROSION CONTROL MATING. AN AREA SHALL BE CONSIDERED TO HAVE BEEN STABILIZED WHEN EXPOSED SURFACES HAVE BEEN EITHER MULCHED OR ADEQUATELY ANCHORED SO THAT GROUND SURFACE IS NOT VISIBLE THROUGH THE MULCH. BETWEEN THE DATES OF NOVEMBER 1 AND APRIL 15, ALL MULCH SHALL BE ANCHORED BY EITHER MULCH NETTING, TRACKING OR WOOD CELLULOSE FIBER. THE COVER WILL BE CONSIDERED SUFFICIENT WHEN THE GROUND SURFACE IS NOT VISIBLE THROUGH THE MULCH. AFTER NOVEMBER 1ST, MULCH AND ANCHORING OF ALL EXPOSED SOIL SHALL OCCUR AT THE END OF EACH FINAL GRADING WORKDAY.

4.3 SOIL STOCKPILING

STOCKPILES OF SOIL OR SUBSOIL SHALL BE MULCHED FOR OVER WINTER PROTECTION WITH HAY OR STRAW AT TWICE THE NORMAL RATE OR WITH A FOUR-INCH LAYER OF EROSION CONTROL MIX. THIS SHALL BE DONE WITHIN 24 HOURS OF STOCKING AND RE-ESTABLISHED PRIOR TO ANY RAINFALL OR SNOWFALL.

4.4 SEEDING

BETWEEN THE DATES OF OCTOBER 15TH AND APRIL 1ST, LOAM OR SEED SHALL NOT BE REQUIRED. DURING PERIODS OF ABOVE FREEZING TEMPERATURES FINISHED AREAS SHALL BE FINE GRADED AND EITHER PROTECTED WITH MULCH OR TEMPORARILY SEEDD 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 SEEDD 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 SEEDD 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 SEEDD 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 SEEDD SOIL WITH HAY OR STRAW AT 75 LBS PER 1,000 S.F., AND ANCHOR THE MULCH WITH PLASTIC NETTING. MONITOR GROWTH OF THE RYE OVER THE NEXT 30 DAYS. IF THE RYE FAILS TO GROW AT LEAST THREE INCHES OR FAILS TO COVER AT LEAST 75% OF THE DISTURBED SOIL BEFORE NOVEMBER 1ST, THEN MULCH THE AREA FOR OVER-WINTER PROTECTION.
- STABILIZE THE SOIL WITH SOD - STABILIZE THE DISTURBED SOIL WITH PROPERLY INSTALLED SOD BY OCTOBER 1ST. PROPER INSTALLATION INCLUDES PINNING THE SOD ONTO THE SOIL WITH WIRE PINS, ROLLING THE SOD TO GUARANTEE CONTACT BETWEEN THE SOD AND UNDERLYING SOIL, AND WATERING THE SOD TO PROMOTE ROOT GROWTH INTO THE DISTURBED SOIL.
- STABILIZE THE SOIL WITH MULCH - BY NOVEMBER 15TH, MULCH THE DISTURBED SOIL BY SPREADING HAY OR STRAW AT A RATE OF AT LEAST 150 LBS PER 1,000 S.F. ON THE AREA SO THAT NO SOIL IS VISIBLE THROUGH THE MULCH. IMMEDIATELY AFTER APPLYING THE MULCH, ANCHOR THE MULCH WITH PLASTIC NETTING TO PREVENT WIND FROM MOVING THE MULCH OFF THE DISTURBED SOIL.

4.6 OVER WINTER STABILIZATION SLOPES

ALL STONE-COVERED SLOPES SHALL BE CONSTRUCTED AND STABILIZED BY NOVEMBER 15TH. ALL SLOPES TO BE VEGETATED SHALL BE SEEDD 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 SEEDD WITH WINTER RYE AT A SEEDING RATE OF 3 LBS PER 1,000 S.F. AND THEN INSTALL EROSION CONTROL MATS OR ANCHORED MULCH OVER THE SEEDING. IF THE RYE FAILS TO GROW AT LEAST THREE INCHES OR FAILS TO COVER AT LEAST 75% F THE SLOPE BY NOVEMBER 1ST, THEN THE CONTRACTOR SHALL COVER THE SLOPE WITH A LAYER OF EROSION CONTROL MIX OR WITH STONE RIPRAP.
- STABILIZE THE SOIL WITH SOD - THE DISTURBED SLOPE SHALL BE STABILIZED WITH PROPERLY INSTALLED SOD BY OCTOBER 1ST. PROPER INSTALLATION INCLUDES THE CONTRACTOR PINNING THE SOD ONTO THE 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 BE 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 SEEDD.

5.2 STABILIZED STONE CONSTRUCTION ENTRANCES

THE EXIT SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY. WHEN THE CONTROL PAD BECOMES INEFFECTIVE, THE STONE SHALL BE REMOVED ALONG WITH THE COLLECTED SOIL MATERIAL AND REDISTRIBUTED ON SITE IN A STABLE MANNER. THE ENTRANCE SHOULD THEN BE RECONSTRUCTED. THE CONTRACTOR SHALL SWEEP OR WASH PAVEMENT AT EXITS, WHICH HAVE EXPERIENCED MUD-TRACKING ON TO THE PAVEMENT OR TRAVELED WAY. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH AGGREGATE, WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE. ALL SEDIMENT SHALL BE PREVENTED FROM ENTERING STORM DRAINS, DITCHES, OR WATERWAYS.

5.3 MULCHED AREAS

ALL MULCHES MUST BE INSPECTED PERIODICALLY, IN PARTICULAR AFTER RAINSTORMS, TO CHECK FOR RILL EROSION. IF LESS THAN 90% OF THE SOIL SURFACE IS COVERED BY MULCH, ADDITIONAL MULCH SHALL BE IMMEDIATELY APPLIED. NETS MUST BE INSPECTED AFTER RAIN EVENTS FOR DISLOCATION OR FAILURE. IF WASHOUTS OR BREAKAGE OCCUR, RE-INSTALL THE NETS AS NECESSARY AFTER REPAIRING DAMAGE TO THE SLOPE. WHERE MULCH IS USED IN CONJUNCTION WITH ORNAMENTAL PLANTINGS, INSPECT PERIODICALLY THROUGHOUT THE YEAR TO DETERMINE IF MULCH IS MAINTAINING COVERAGE OF THE SOIL SURFACE. REPAIR AS NEEDED.

5.4 DUST CONTROL

WHEN TEMPORARY DUST CONTROL MEASURES ARE USED, REPETITIVE TREATMENT SHALL BE APPLIED AS NEEDED TO ACCOMPLISH CONTROL.

5.5 STORMWATER APPURTENANCES

ALL UNDERDRAINS, STORM DRAINS, AND CATCH BASINS NEED TO BE OPERATING EFFECTIVELY AND FREE OF DEBRIS.

5.6 EROSION AND SEDIMENTATION CONTROL INSPECTIONS:

ACORN ENGINEERING HAS PERSONNEL QUALIFIED TO CONDUCT EROSION AND SEDIMENTATION CONTROL INSPECTIONS. FOR FURTHER INFORMATION CONTACT:

CONTACT: WILL SAVAGE, PE
TELEPHONE: (207) 775-2655

QUALIFICATIONS:

- 0 MAINE PROFESSIONAL ENGINEERING LICENSE #11419
- 0 MAINE DEP - CERTIFIED IN MAINTENANCE & INSPECTION OF STORMWATER BMP'S CERT #14
- 0 CERTIFIED EROSION, SEDIMENT AND STORM WATER INSPECTOR (CESSWI) CERT #0293
- 0 CERTIFIED PROFESSIONAL IN EROSION AND SEDIMENT CONTROL (CPESC) CERT. #4620

THE CONTRACTOR HAS SOLE RESPONSIBILITY FOR COMPLYING WITH THE EROSION AND SEDIMENTATION REPORT/PLAN, INCLUDING CONTROL OF FUGITIVE DUST. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY MONETARY PENALTIES RESULTING FROM FAILURE TO COMPLY WITH THESE STANDARDS.

6.0 IMPLEMENTATION SCHEDULE

THE FOLLOWING IMPLEMENTATION SEQUENCE IS INTENDED TO MAXIMIZE THE EFFECTIVENESS OF THE ABOVE DESCRIBED EROSION CONTROL MEASURES. CONTRACTORS SHOULD AVOID OVEREXPOSING DISTURBED AREAS AND LIMIT THE AMOUNT OF STABILIZATION AREA.

1. INSTALL A STABILIZED CONSTRUCTION ENTRANCE IN ALL LOCATIONS WHERE CONSTRUCTION TRAFFIC WILL ENTER AND EXIT THE SITE.
2. INSTALL 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 RETAINING AND FOUNDATION WALLS TO CONTAIN RUNOFF WITHIN THE SITE WHILE PROVIDING AN ENGINEERED OUTLET WITH SILTATION BARRIER TO THE MUNICIPAL STORMWATER SYSTEM WITHIN MORNING 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 CURBS AND EARTHWORK.
13. LOAM, LIME, FERTILIZE, SEED AND MULCH DISTURBED AREAS AND COMPLETE ALL LANDSCAPING.
14. ONCE THE SITE IS STABILIZED, 90% CATCH OF GRASS HAS BEEN OBTAINED, OR MULCHING OF LANDSCAPE AREAS IS COMPLETE REMOVE ALL TEMPORARY EROSION CONTROL MEASURES.
15. TOUCH UP AREAS WITHOUT A VIGOROUS CATCH OF GRASS WITH LOAM AND SEED.
16. COMPLETE SITE SIGNAGE AND STRIPING.
17. EXECUTE PROPER MAINTENANCE OF ALL TEMPORARY AND PERMANENT EROSION CONTROL MEASURES THROUGHOUT THE PROJECT.

THE ABOVE IMPLEMENTATION SEQUENCE SHOULD BE GENERALLY FOLLOWED BY THE SITE CONTRACTOR. HOWEVER, THE CONTRACTOR MAY CONSTRUCT SEVERAL ITEMS SIMULTANEOUSLY. THE CONTRACTOR SHALL SUBMIT TO THE OWNER A SCHEDULE OF THE COMPLETION OF THE WORK. IF THE CONTRACTOR IS TO COMMENCE THE CONSTRUCTION OF MORE THAN ONE ITEM ABOVE, THEY SHALL LIMIT THE AMOUNT OF EXPOSED AREAS TO THOSE AREAS IN WHICH WORK IS EXPECTED TO BE UNDERTAKEN DURING THE FOLLOWING 30 DAYS.

THE CONTRACTOR SHALL RE-VEGETATE DISTURBED AREAS AS RAPIDLY AS POSSIBLE. ALL AREAS SHALL BE PERMANENTLY STABILIZED WITHIN 7 DAYS OF FINAL GRADING OR BEFORE A STORM EVENT. THE CONTRACTOR SHALL INCORPORATE PLANNED INLETS AND DRAINAGE SYSTEMS AS EARLY AS POSSIBLE INTO THE CONSTRUCTION PHASE.

7.0 CONCLUSION

THE ABOVE EROSION CONTROL NARRATIVE IS INTENDED TO MINIMIZE THE DEVELOPMENT IMPACT BY IMPLEMENTING TEMPORARY AND PERMANENT EROSION CONTROL MEASURES. THE CONTRACTOR SHALL ALSO REFER TO THE MAINE EROSION AND SEDIMENT CONTROL BMP MANUAL FOR ADDITIONAL INFORMATION.

SEEDING PLAN

SITE PREPARATION

THE SEEDD AREAS SHALL BE FEASIBLY GRADED OUT TO PROVIDE THE USE OF EQUIPMENT FOR SEEDBED PREPARATION, SEEDING, MULCH APPLICATION, AND MULCH ANCHORING. IF NECESSARY, THE SITE MAY REQUIRE ADDITIONAL TEMPORARY EROSION CONTROL MEASURES OUTLINED IN THE EROSION CONTROL REPORT.

SEEDBED PREPARATION

FERTILIZER SHALL BE APPLIED TO THE SITE AT A RATE OF 13.8 POUNDS PER 1,000 SQUARE FEET. THE COMPOSITION OF THE FERTILIZER SHALL BE 10-10-10 (N-P205-K20) OR EQUIVALENT.

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:

TEMPORARY SEED APPLICATION RATES			
SEED	LBS / ACRE	RECOMMENDED SEEDING DATES	
WINTER RYE	2.57	8/15 TO 10/1	
OATS	1.84	4/1 TO 7/1 8/15 TO 9/15	
ANNUAL RYGRASS	0.92	4/1 TO 7/1	
SUDANGRASS	0.92	5/15 TO 8/15	
PERENNIAL	0.92	8/15 TO 9/15	
TOTAL	7.17 LBS/ACRE		

MULCHING

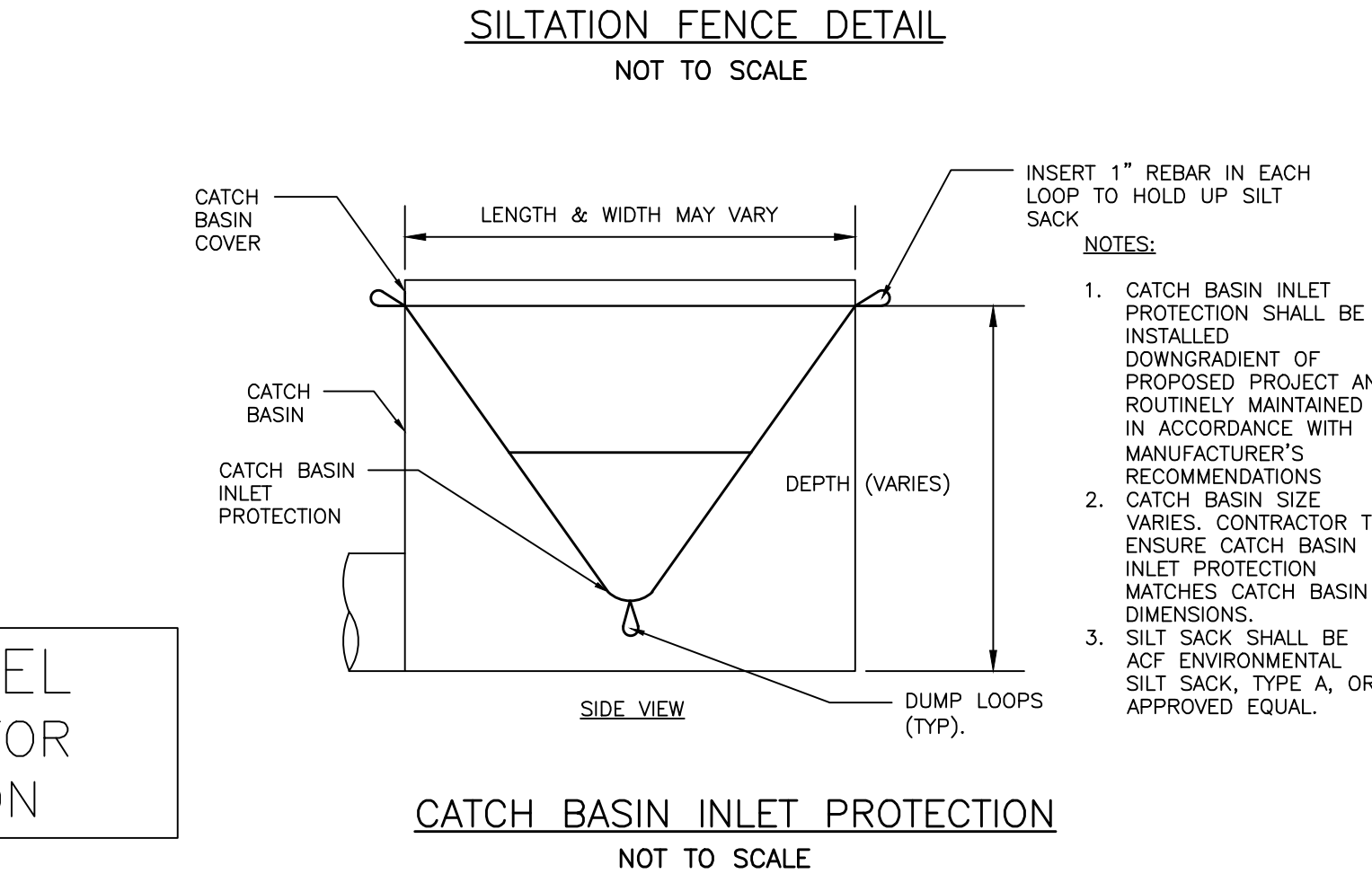
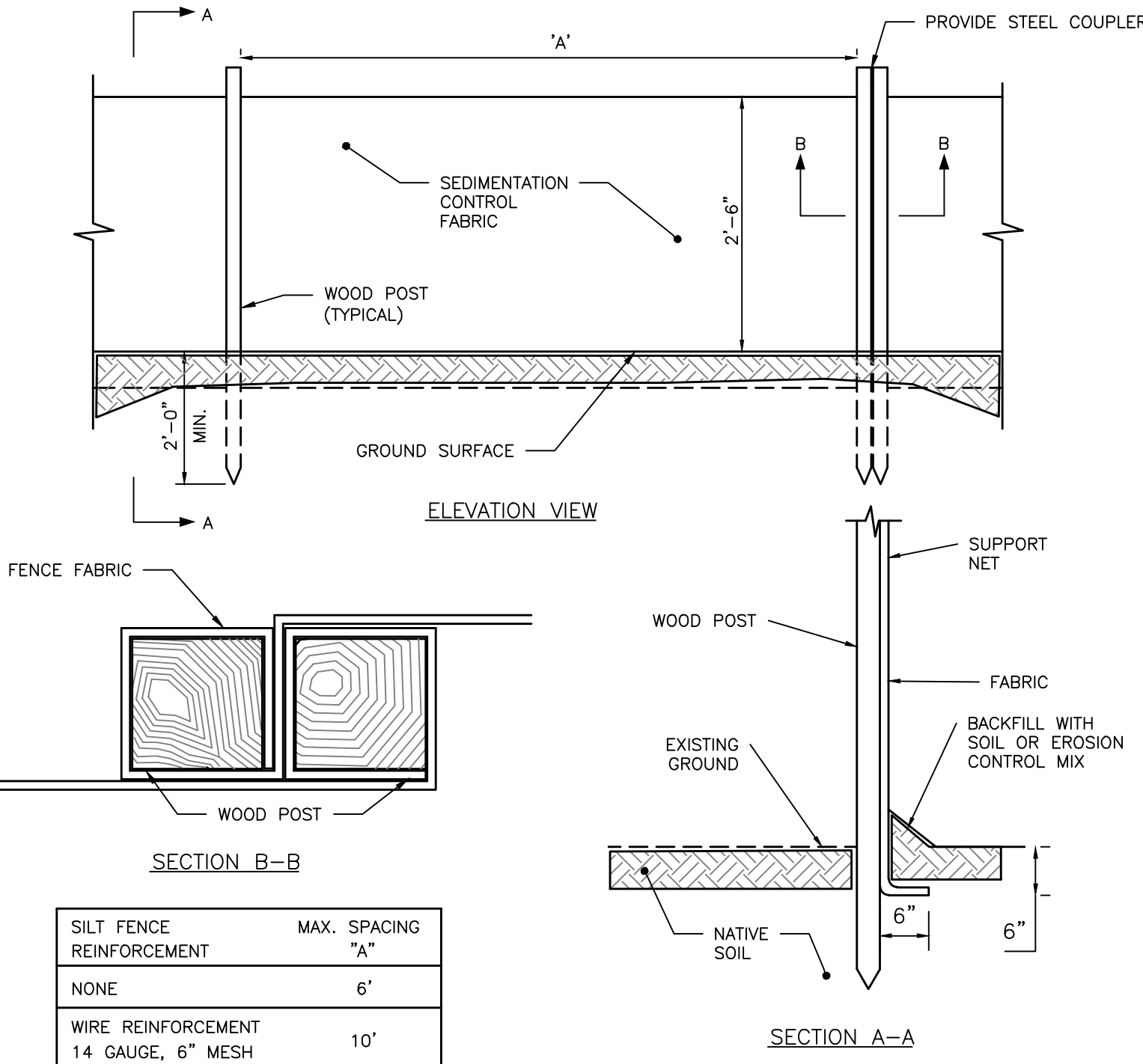
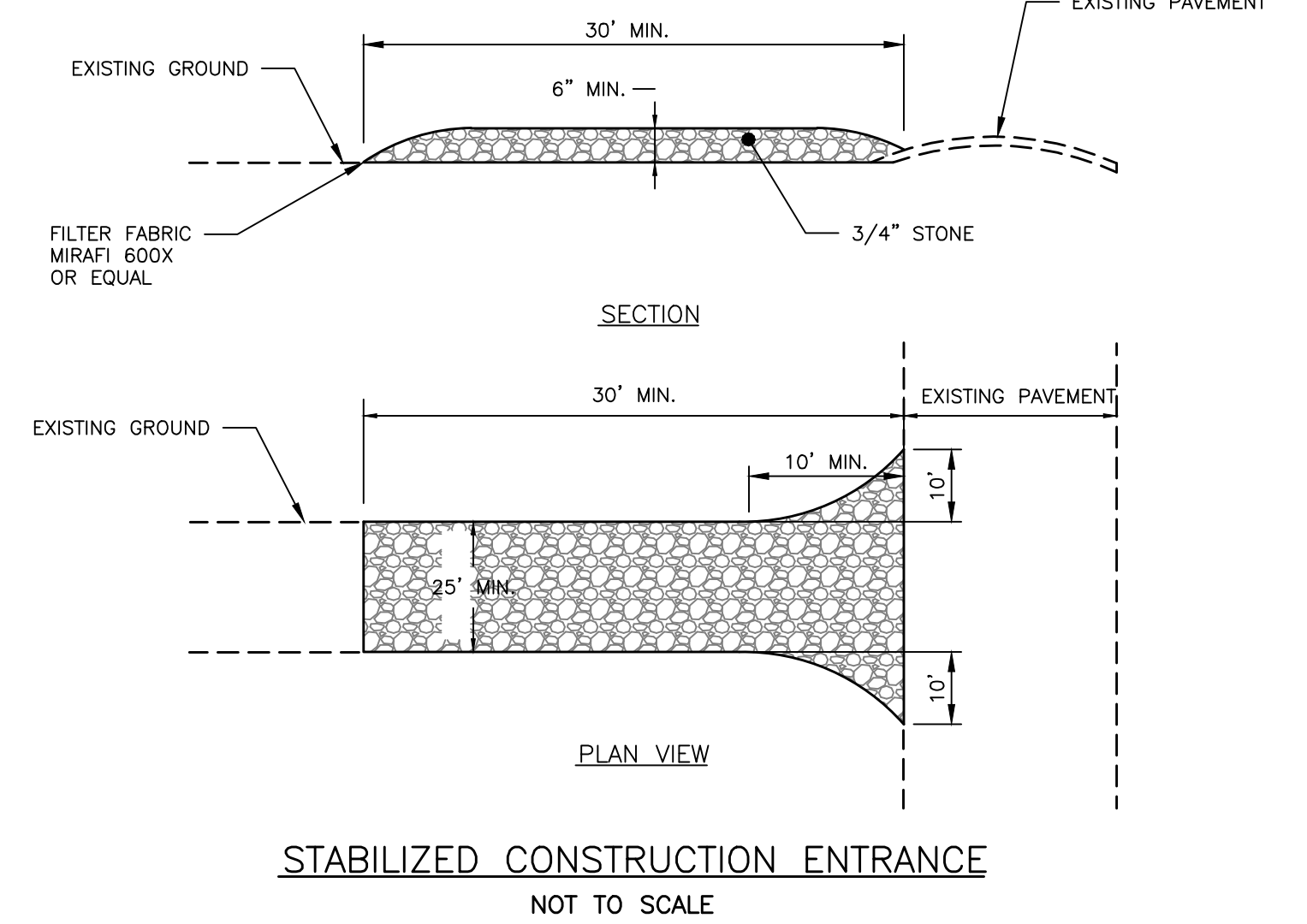
MULCH SHALL BE HARDWOOD AND APPLIED AT A RATE OF 70 LBS - 90 LBS PER 1,000 SQUARE FEET. THE MULCH SHALL BE INSTALLED AT A MINIMUM DEPTH OF 4 INCHES. THE SEEDD AREA SHALL BE MULCHED IMMEDIATELY AFTER SEED IS APPLIED. MULCHING DURING THE WINTER SEASON SHALL BE DOUBLE THE NORMAL AMOUNT. REFER TO DETAIL FOR MORE INFORMATION.

CONCLUSION

PLEASE REFER TO THE MAINE EROSION AND SEDIMENT CONTROL BMP MANUAL FOR ADDITIONAL INFORMATION PERTAINING TO TEMPORARY SEEDING AND MULCHING.

NOTE:

CONTRACTOR SHALL ADD STONE TO ENTRANCE AS MUD/SILT MATERIAL ACCUMULATES



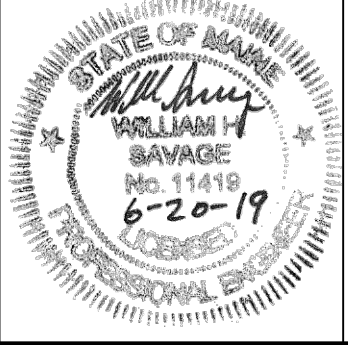
PERMIT LEVEL
NOT ISSUED FOR
CONSTRUCTION

ISSUED FOR	BY	DATE
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COMMENT RESPONSE	WHS	8/25/19
COMMENT RESPONSE II	WHS	8/24/19

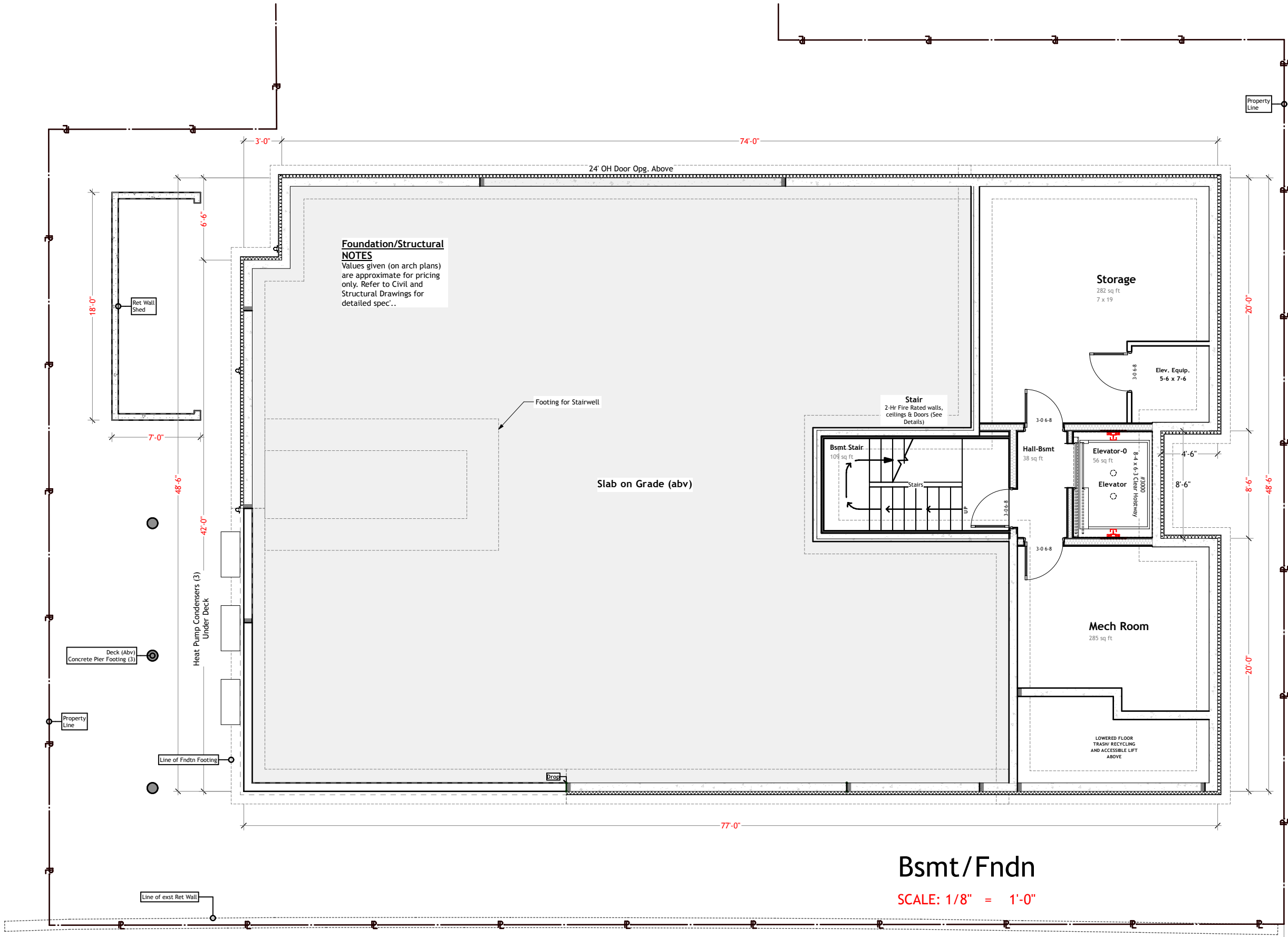
DRAWING NAME EROSION & SEDIMENTATION CONTROL DETAILS & NOTES		
PROJECT NAME 130 MORNING ST. REDEVELOPMENT		
CLIENT NORTHEAST TURNER, LLC 72 PINE STREET #16 PORTLAND, MAINE 04102		

ACORN ENGINEERING, INC. 65 HANOVER ST. PORTLAND, MAINE 04101 (207) 775-2655	ACORN ENGINEERING, INC. ENGINEERING, INC. No. 11419 6-20-19
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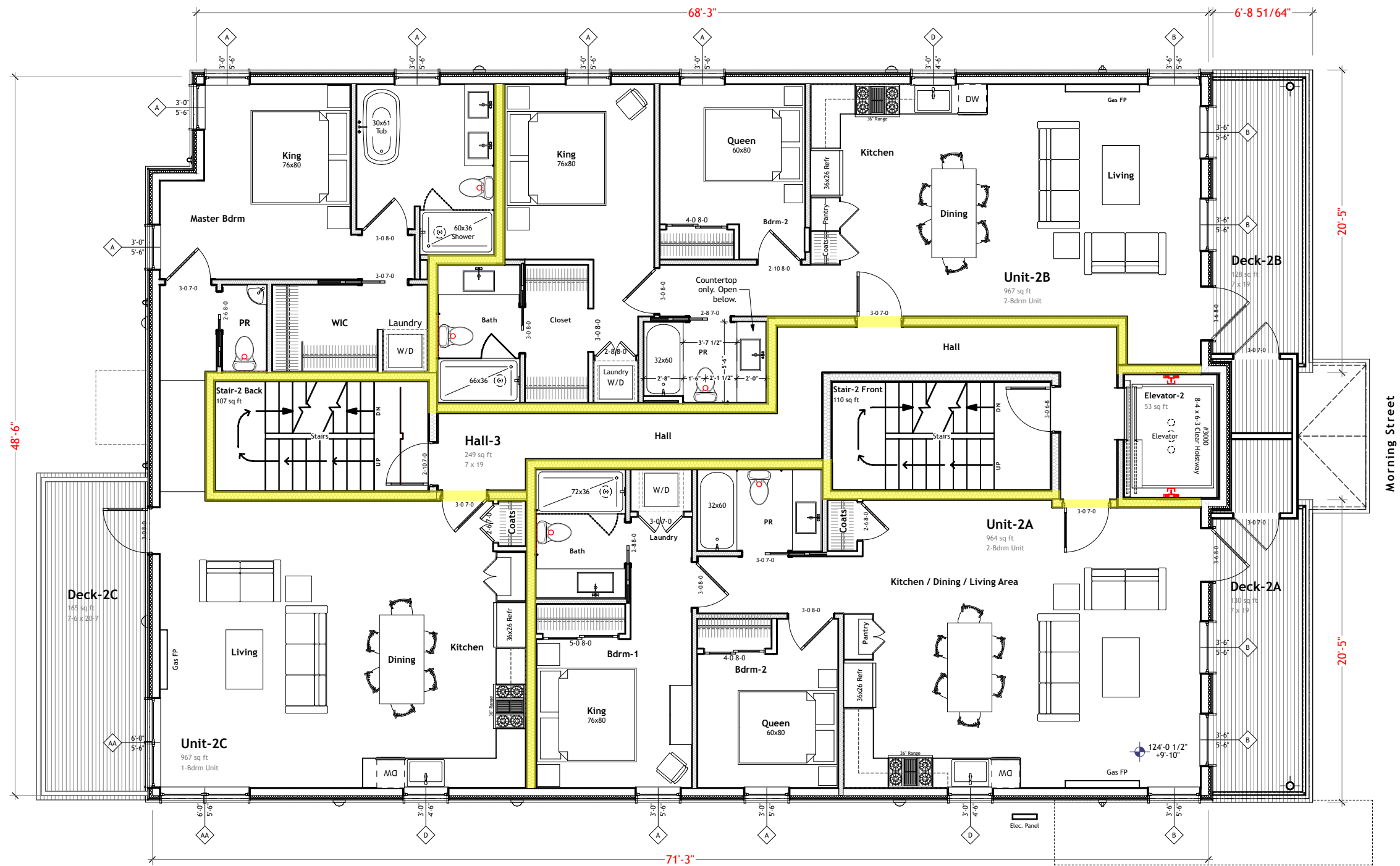
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DRAWN BY: EKK
CHECKED BY: WHS



DRAWING NO.
C-46

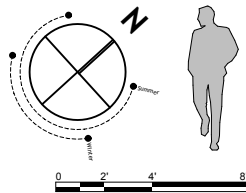


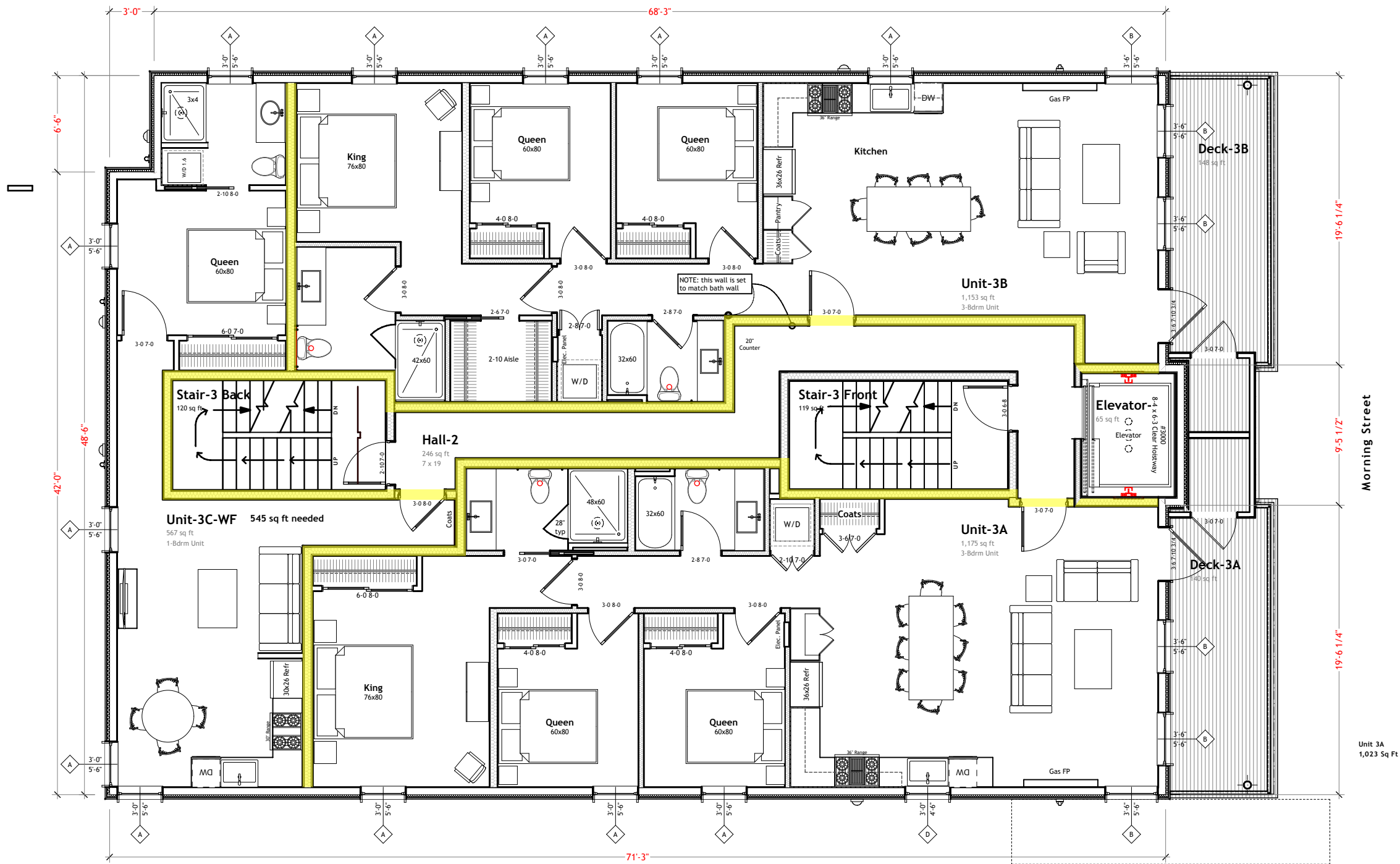
Morning Street



2nd Flr

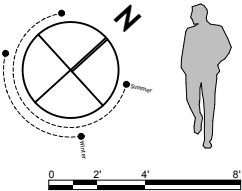
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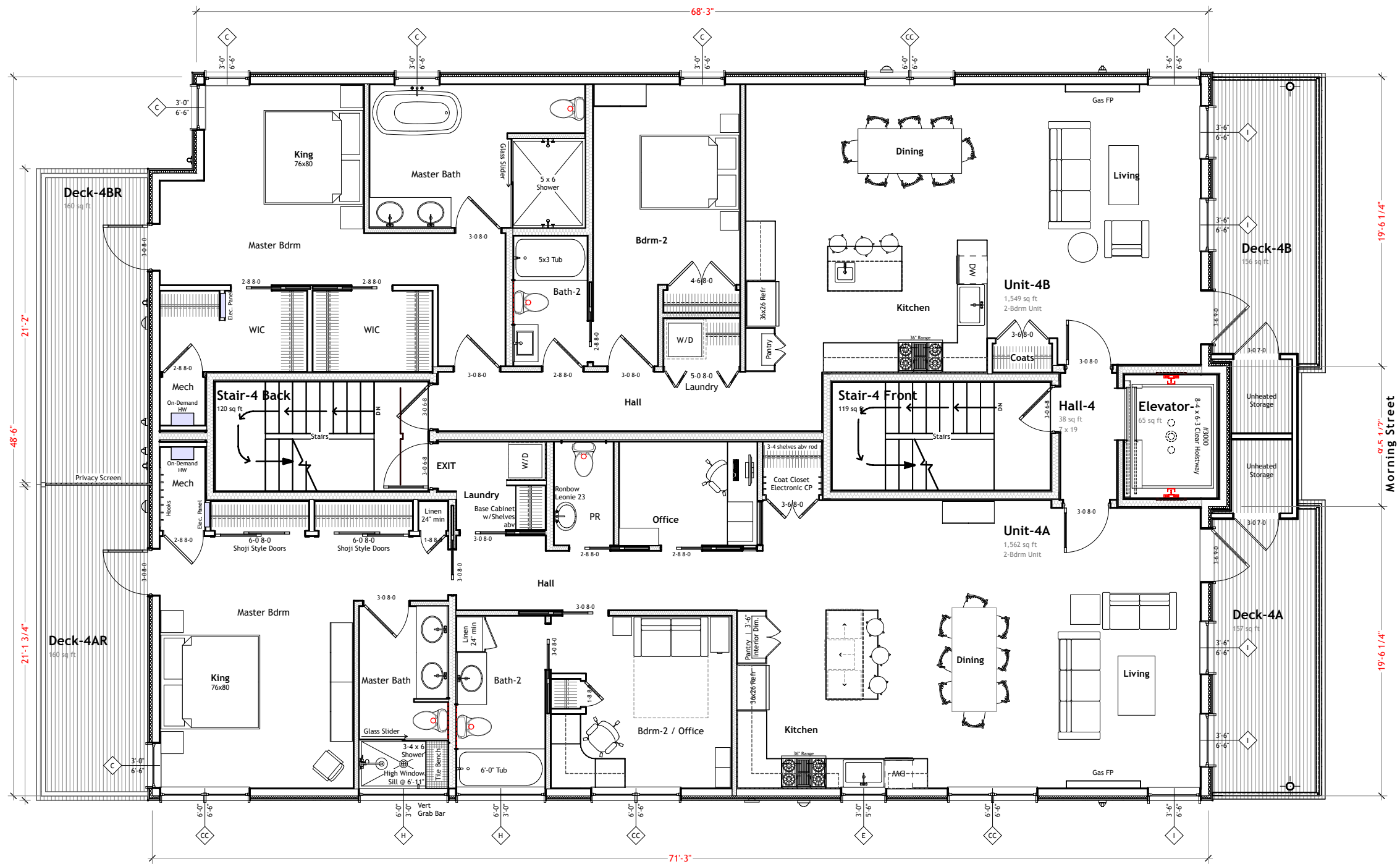




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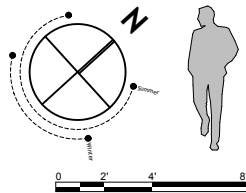
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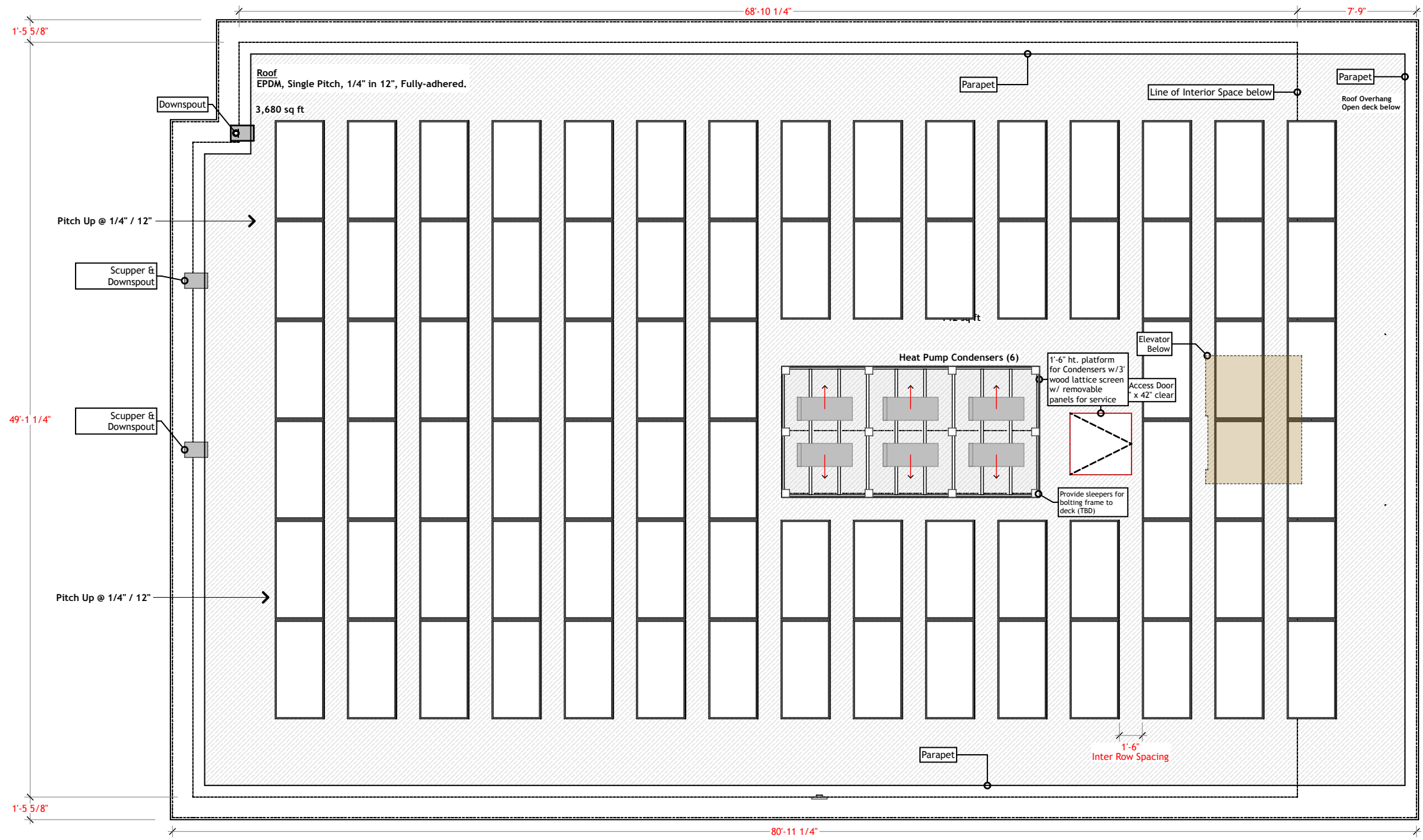




4th Flr

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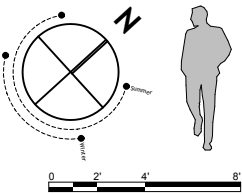


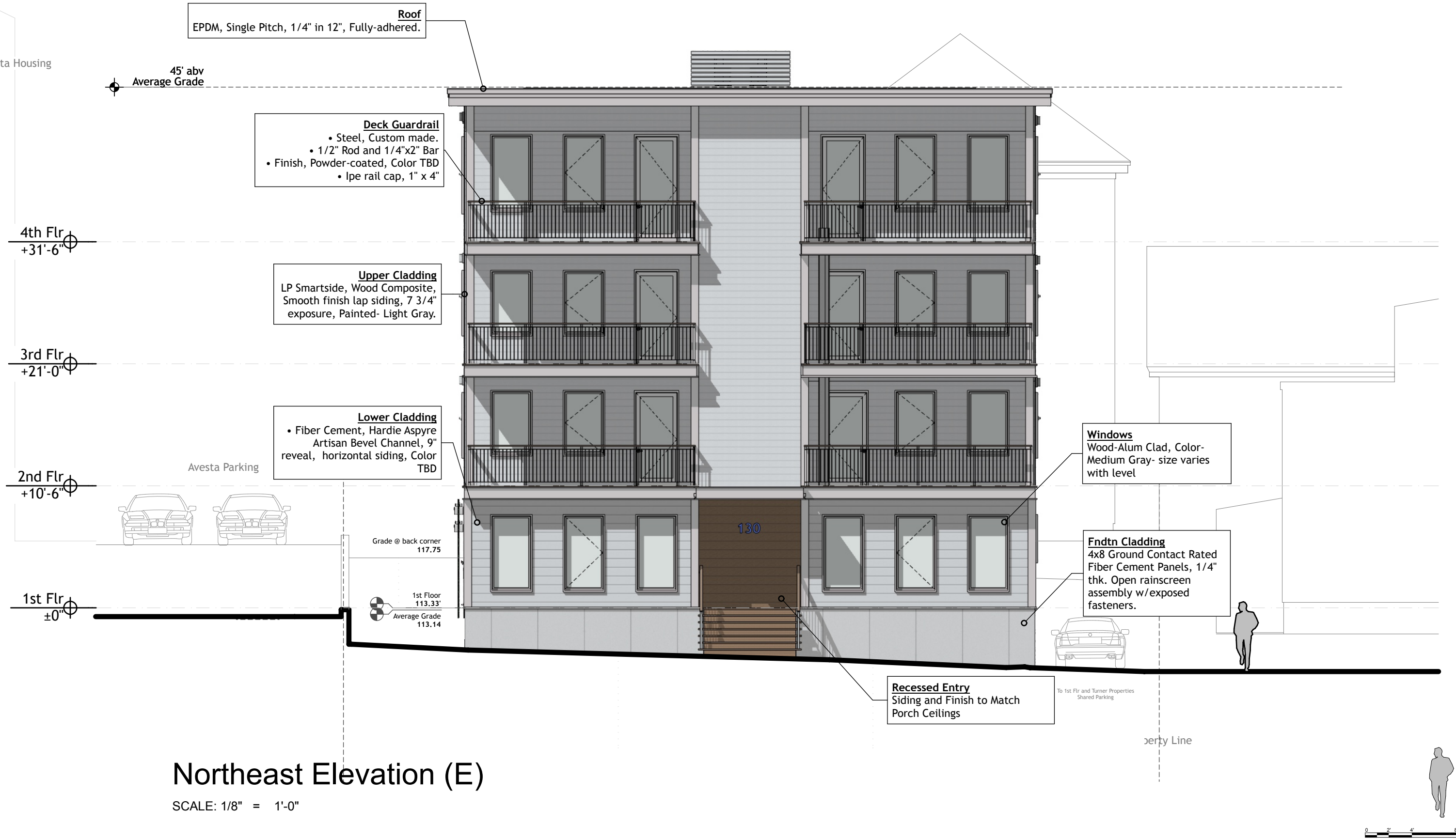
PV Panel Count
80

Roof Note:
PV Panels
Roof Hatch
"Provide walking pads from Roof hatch to condenser farm and between PV panels for servicing. Walking pad is to be EPDM Roof manufacturer recommended (1/4" rubber protection strip? adhesive applied?)

Roof

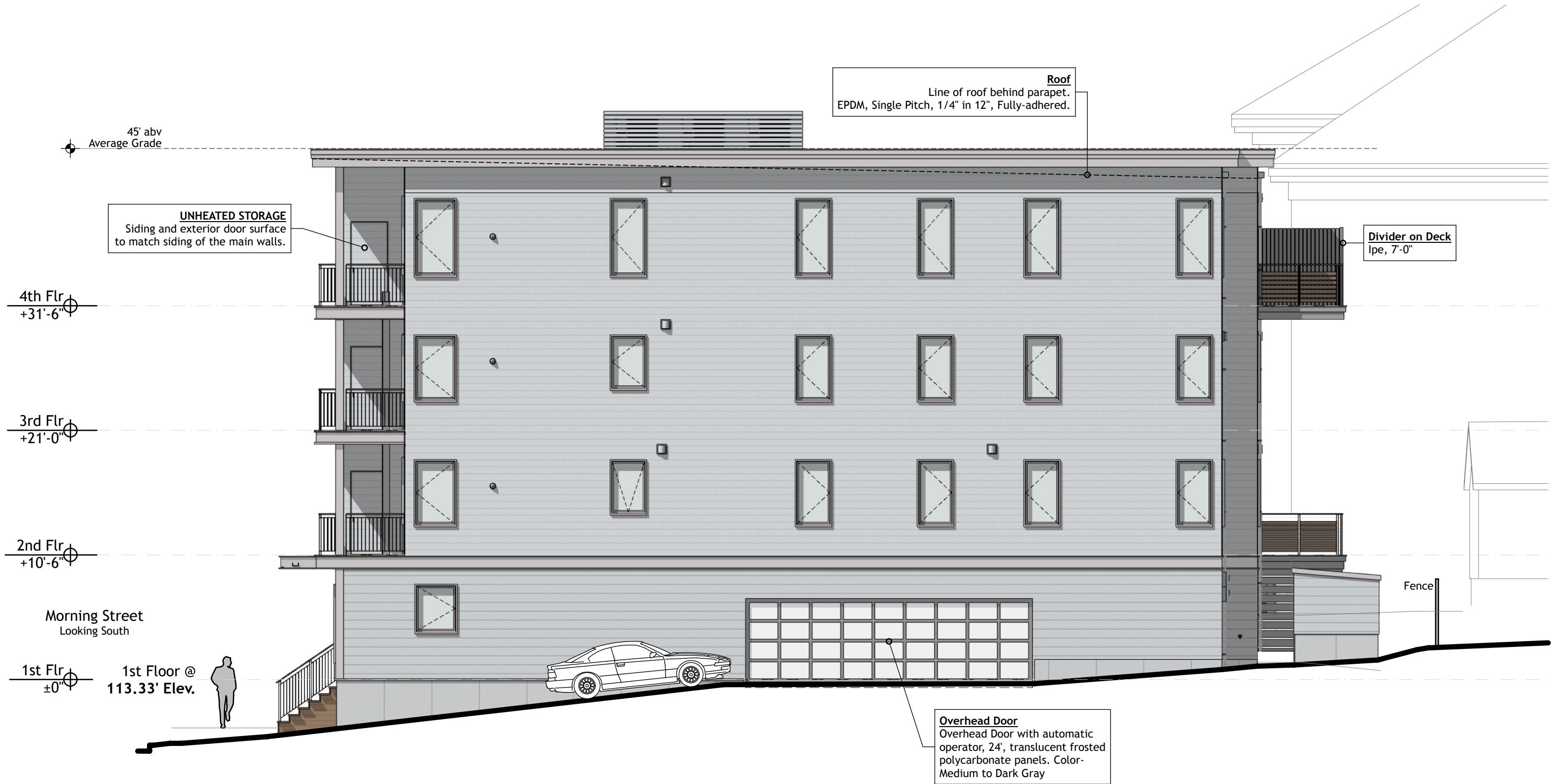
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Northeast Elevation (E)

SCALE: 1/8" = 1'-0"



Northwest Elevation (N)

SCALE: 1/8" = 1'-0"



Southwest Elevation (W)

SCALE: 1/8" = 1'-0"



Southeast Elevation (S)

SCALE: 1/8" = 1'-0"





1

Landscape Perspective Views

<u>OWNER:</u> NORTHEAST TURNER, LLC PORTLAND, MAINE CONTACT: TOM LANDRY 72 PINE STREET, #16, PORTLAND, ME 04102	LANDSCAPED AREAS 
	PAVED 
	CURB 
<u>CIVIL/SITE ENGINEER:</u>	PROPOSED BUILDING 
ACORN ENGINEERING, INC. PORTLAND, MAINE CONTACT: WILL SAVAGE, P.E. 65 HANOVER STREET, PORTLAND, ME 04101	PROPERTY LINE 
	STRIPING 
	GRANITE CURB 
	PROPERTY MARKER 
<u>SURVEYOR</u>	SETBACK LINE 
B.W. EATON ASSOCIATES	

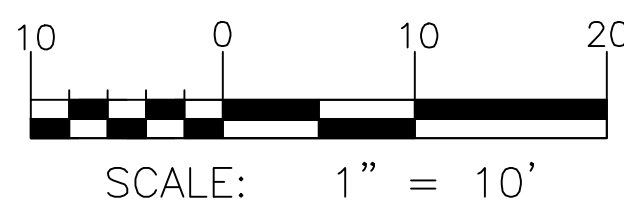
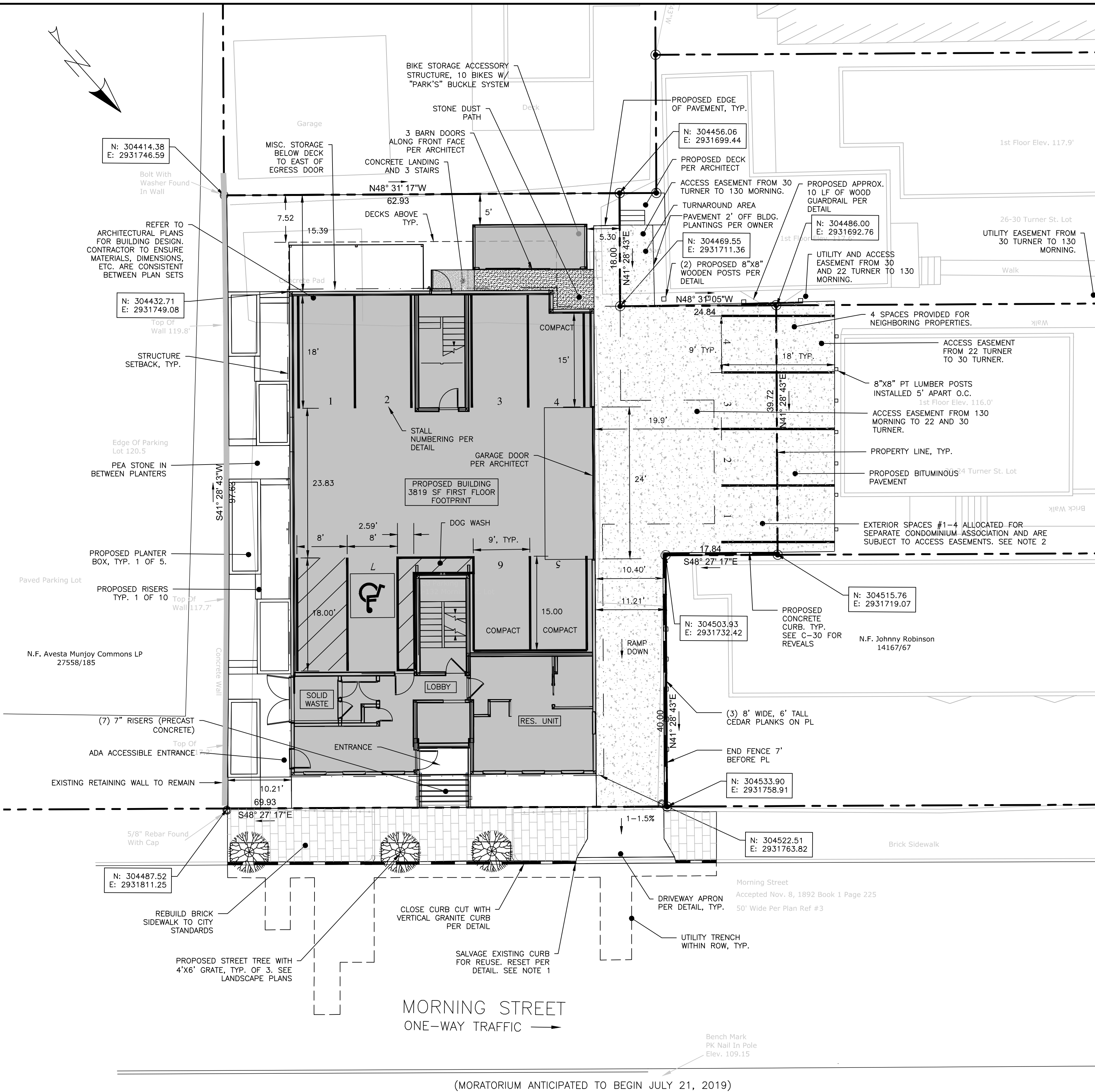
LANDSCAPED AREAS	
PAVED	
CURB	
PROPOSED BUILDING	
PROPERTY LINE	
STRIPING	
GRANITE CURB	
PROPERTY MARKER	
SETBACK LINE	

PARKING SUMMARY	
SIZE	# PARKING SPACES
9'x18'	7
9'x15'	3
8'x18' (ADA)	1
TOTAL	11*

*4 DESIGNATED FOR ABUTTING PROPERTIES.

UNIT TABULATION	
UNIT NUMBER	SIZE (SF)*
1A	380
2A	964
2B	967
2C	967
3A	1,175
3B	1,153
3C	567
4A	1,562
4B	1,549
*UNIT AREA MEASURED FROM OUTSIDE OF EXTERIOR WALLS TO THE CENTER OF SHARED WALLS	

OPEN SPACE CALCS		
LOT	OPEN SPACE	REQ
22 TURNER	24%	20%
30 TURNER	25%	20%



PERMIT LEVEL
NOT ISSUED FOR
CONSTRUCTION

GENERAL NOTES:

2. FOR INFORMATION REGARDING THE GARAGE LEVEL, REFER TO THE SITE PLAN, C-10, MOST RECENT VERSION.
3. FOR INFORMATION REGARDING PROPOSED UTILITIES, REFER TO THE UTILITY PLAN, SHEET C-20, MOST RECENT VERSION.
4. FOR INFORMATION REGARDING PROPOSED GRADING AND STORMWATER, REFER TO THE GRADING & DRAINAGE PLAN, SHEET C-30, MOST RECENT VERSION.
5. UTILITY TUNNELATION PROVIDED BY RYAN SEANOR ARCHITECTURE; REFER TO ARCHITECTURAL PLANS FOR FLOOR PLANS AND BUILDING HEIGHTS.
6. THIS PROJECT INCLUDES 0.17 ACRES (7,412 S.F.), R.O.W. WIDTH FOR MORNING STREET IS 50 FEET PER BOUNDARY SURVEY.
7. SURVEY & TOPOGRAPHICAL MAP WITH EXISTING CONDITIONS COMPLETED BY R.W. EATON ASSOCIATES DATED 8/18/2018 (PROJECT #7373B).
8. THE R-6 ZONES PER BOUNDARY SURVEY & TOPOGRAPHICAL MAP WITH EXISTING CONDITIONS COMPLETED BY R.W. EATON ASSOCIATES DATED 8/18/2018 (PROJECT #7373B) AND PROPERTY PINS TO BE SET BY R.W. EATON ASSOCIATES.
9. AS OF 5/7/2019, THE SITE IS BOUNDED BY THE R-6 ZONE ON EAST, SOUTH, AND NORTH SIDES OF THE PROPERTY AND BY THE R-6 ZONE ON THE WEST SIDE PER CITY OF PORTLAND GIS WEBSITE.
10. IT IS SHOWN ON THE CITY OF PORTLAND ASSESSORS MAP, LOT 7, CITY OF PORTLAND ASSESSORS MAP, LOT 7.
11. LOCUS PARCEL DOES NOT FALL IN A SPECIAL FLOOD HAZARD AREA PER FEMA FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NUMBER 2300510014B, INDEX DATED 7/17/1986.
12. ALL BUILDING, EXISTING AND PROPOSED, TO BE BOUNDARY LINES FROM THE BUILDING FOUNDATION, UNLESS OTHERWISE NOTED.
13. THIS SHEET IS THE SUBDIVISION PLAT OR SUBDIVISION OF THE NINE (9) DWELLING UNITS ON THE EXISTING SUBJECT PROPERTY, APPROVAL OF THIS PLAT DOES NOT CREATE ANY SUBDIVISION OF THE LAND ON THE SUBJECT PROPERTY.
14. THE CONDOMINIUM DOCUMENTS ARE TO OUTLINE THE MAINTENANCE AND MANAGEMENT OF DRIVEWAYS, SIDEWALKS, RETAINING WALLS, STORMWATER DEVICES, SITE LIGHTING, TRASH REMOVAL, AND SNOW REMOVAL AS THE RESPONSIBILITY OF THE OWNER.
15. THE OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND MANAGEMENT OF DRIVEWAYS, SIDEWALKS, STORMWATER DEVICES, SITE LIGHTING, TRASH REMOVAL, RETAINING WALLS, AND SNOW REMOVAL.
16. THE OWNER SHALL BE RESPONSIBLE FOR COMPLYING WITH THE CONDITIONS OF CHAPTER 32 STORMWATER INCLUDING ARTIFICIAL IMPROVEMENTS, POST CONSTRUCTION, AND INSPECTION REQUIREMENTS, ANNUAL INSPECTIONS AND REPORTING REQUIREMENTS AT A MINIMUM. IN ADDITION, THE OWNER SHALL BE RESPONSIBLE FOR COMPLYING WITH THE CONDITIONS OF THE SUBMITTED STORMWATER MANAGEMENT PLAN AND THE APPROVED PLANS, AND MEET CITY STANDARDS FOR THE STATE GUIDELINES.
17. THE CONDOMINIUM ASSOCIATION MUST COMPLY TO THE FOLLOWING AS APPROVED BY THE CITY:
 - 15.1. CONDOMINIUM DOCUMENTS: BOOK _____ PAGE _____
 16. EASEMENTS BENEFITTING: TURNER _____ 30 TURNER, AND 30 MORNING RECORDED AT CUMBERLAND COUNTY REGISTRY OF DEEDS BK 35463 PG 121.

SURVEY NOTES:

1. AREA OF SUBJECT PARCELS
2-24 TURNER ST. LOT 2,272 SQUARE FEET OR 0.05 ACES
B-30 TURNER ST. LOT 3,151 SQUARE FEET OR 0.07 ACES
130-132 MORRISON ST. 7,412 SQUARE FEET OR 0.17 ACES
2. BASIS OF BEARING, MAIN STATE PLANE NAD 1983 1802 WEST ZONE POINT, GRANITE MONUMENT WITH
CONCRETE CONSTRUCTION AND MERRILL PATRETT T111-30-132, N303877, 1980 E2081509 0560
AZIMUTH POINT, MONUMENT WITH DH ON WASHINGTON AVENUE T111-21-123, N504140.2327, E2530845.2163
AZIMUTH N61-59-44W 751.88' FEET.
3. VERTICAL DATUM IS NVD 1929 BENCHMARK IS PK NAL ON CMP POLE #9 WEST SIDE
ELEVATION = 159.78 FEET
4. SUBJECT TAX MAP 014 BLOCK 12 LOT 003, 004, 013, & 007.
5. SUBJECT NOT IN SPECIAL FLOOD HAZARD AREA PER FEMA RATE MAP PANEL # 230051 00148 DATED JULY
2006 R-6

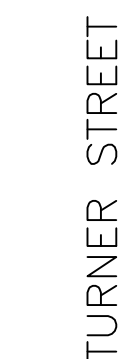
EASEMENTS:

- THERE ARE MULTIPLE EXISTING EASEMENTS WHICH WERE RECENTLY RECORDED AT THE CUMBERLAND COUNTY
REGISTRY OF DEEDS (CORD BOOK 35463 PG 121:
1. ACCESS EASEMENT:30F/30R TURNER TO 22 TURNER AND 130 MORNING (EASEMENT A)
 2. ACCESS AND UTILITY EASEMENT: MUTUAL BENEFIT AND BURDEN BETWEEN 30F/30R AND 22 TURNER (EASEMENT B)
 3. ACCESS AND UTILITY EASEMENT: 30F/30R TURNER TO 22 TURNER AND 130 MORNING (EASEMENT C)
 4. ACCESS EASEMENT: 130 MORNING TO 22,30F/30R TURNER (EASEMENT D)
 5. ACCESS EASEMENT: 22 TURNER TO 30F/30R TURNER (EASEMENT E)

THERE ARE NO PROPOSED EASEMENTS

WAIVERS & CONDITIONS OF APPROVAL:

TBD



VICINITY MAP
NOT TO SCALE

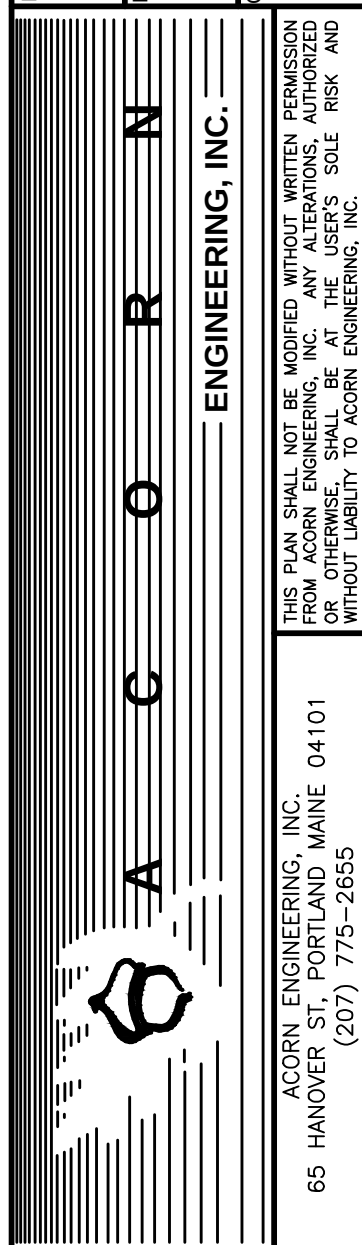
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SUBDIVISION PLAT - 130 MORNING STREET

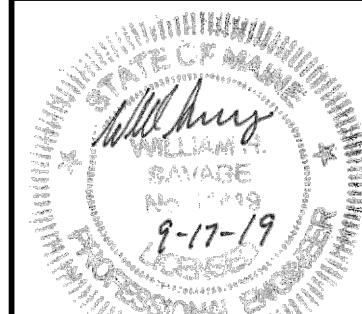
130 MORNING ST. REDEVELOPMENT

NORTHEAST TURNER, LLC

CLIENT:

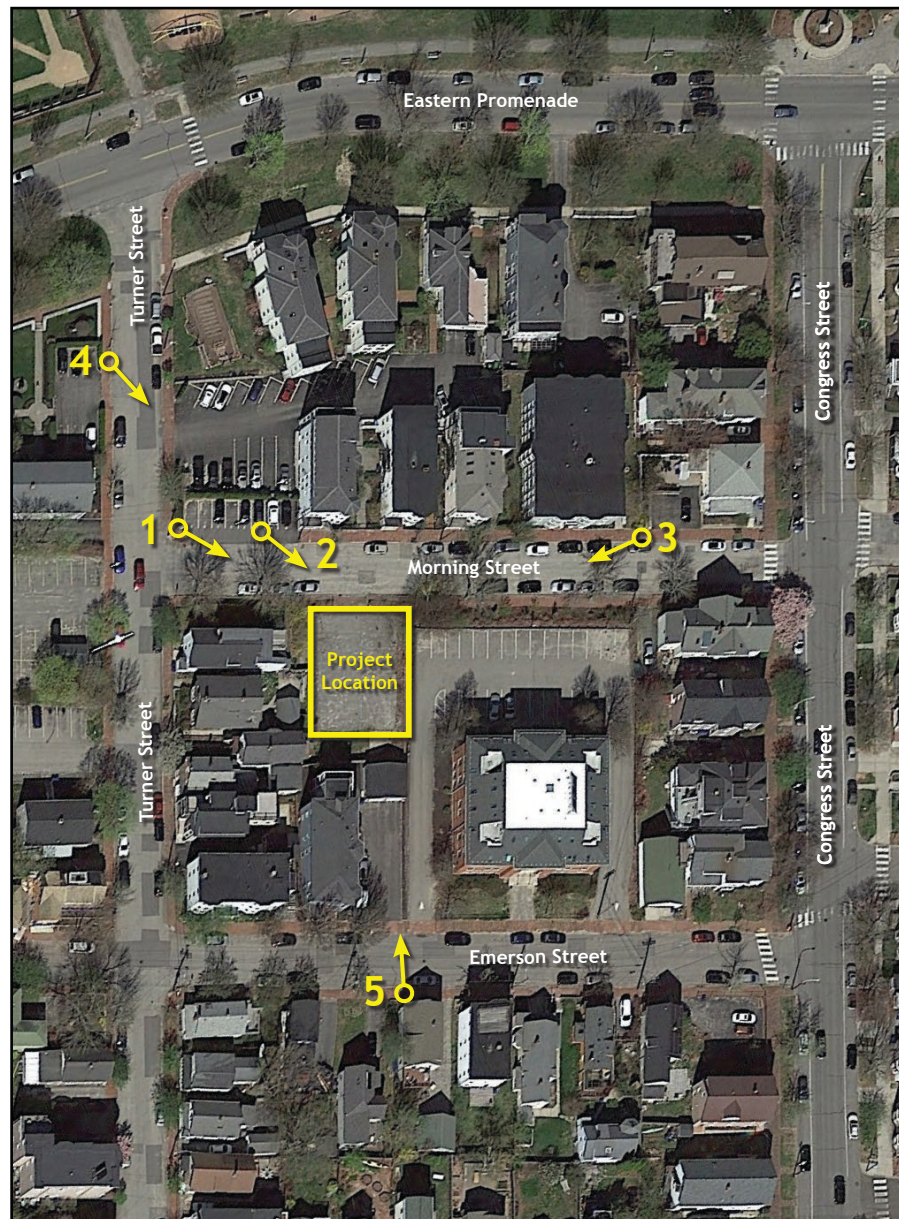


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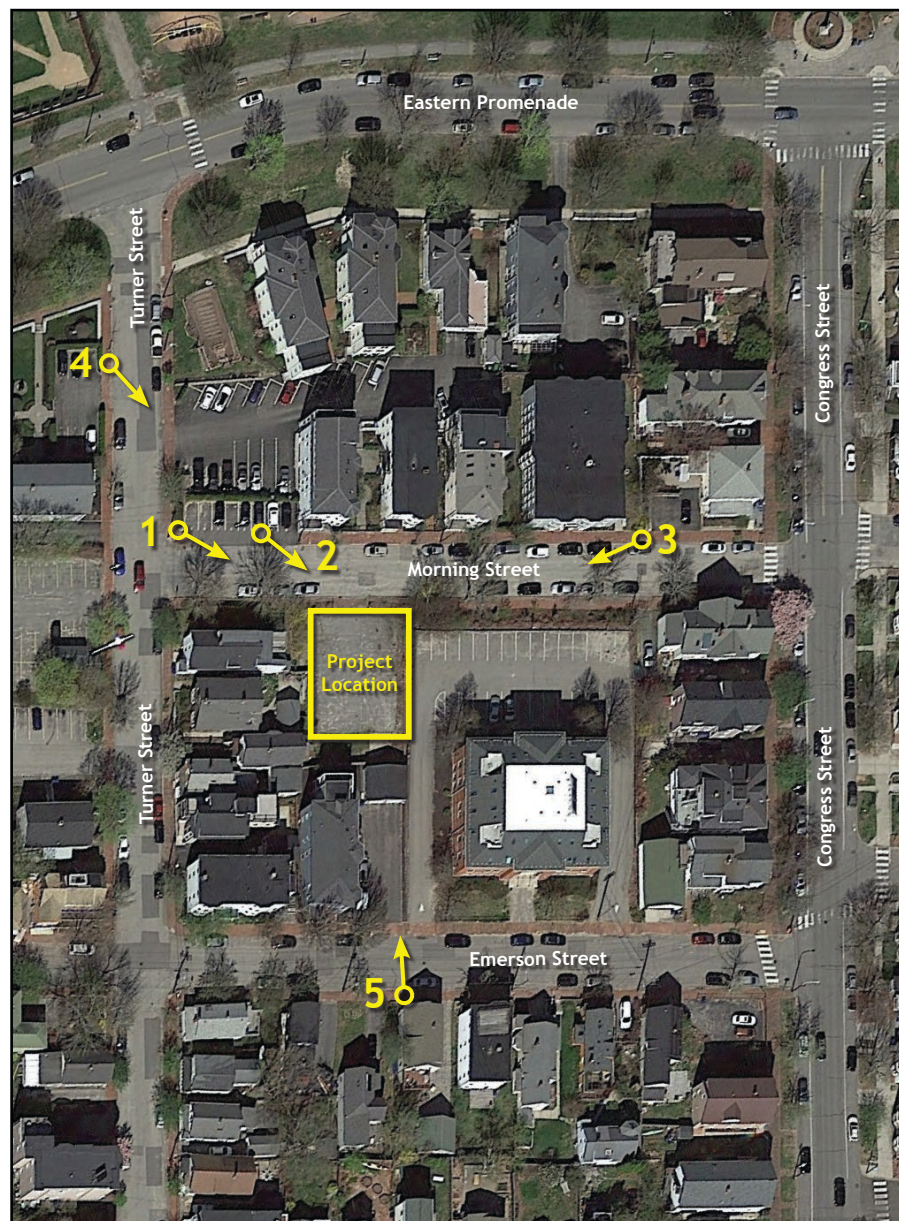
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PLAT



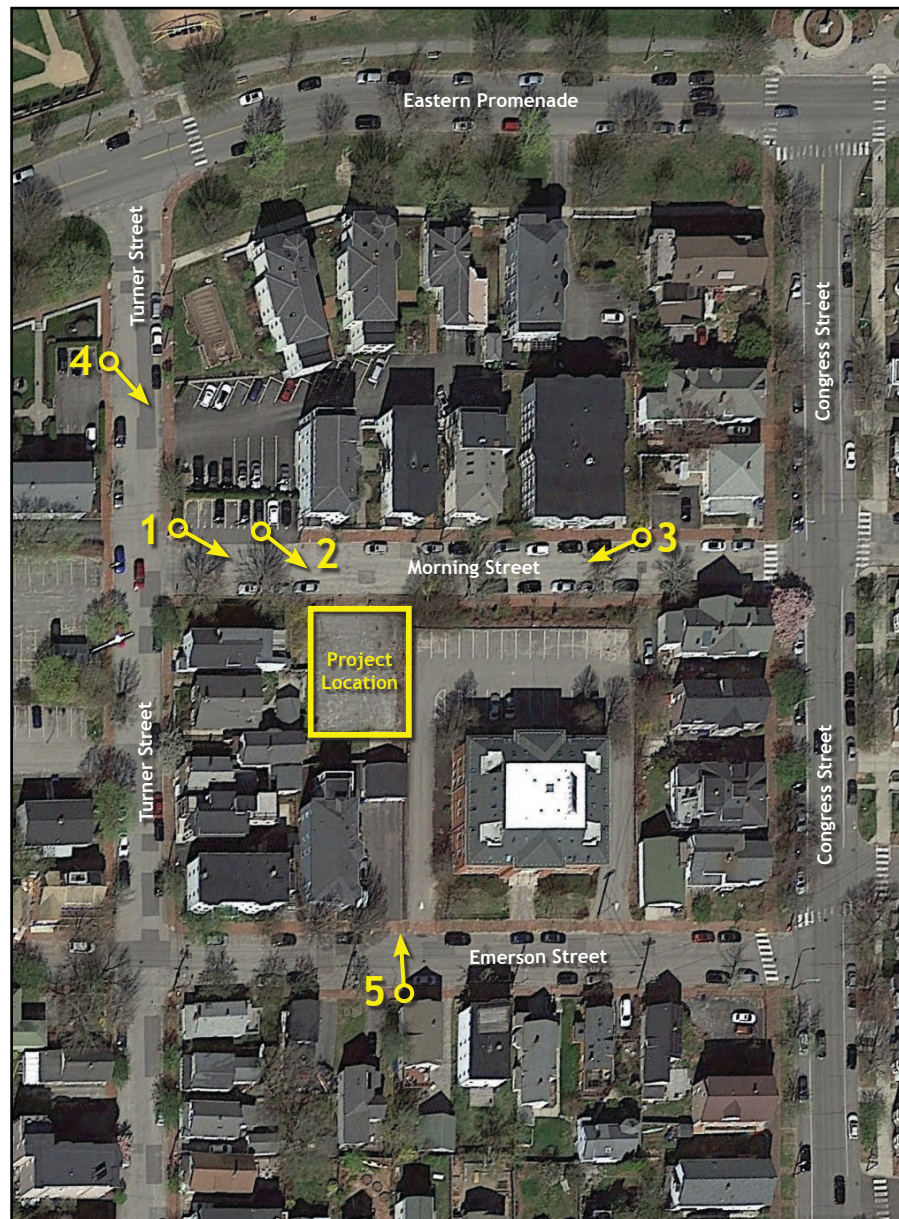
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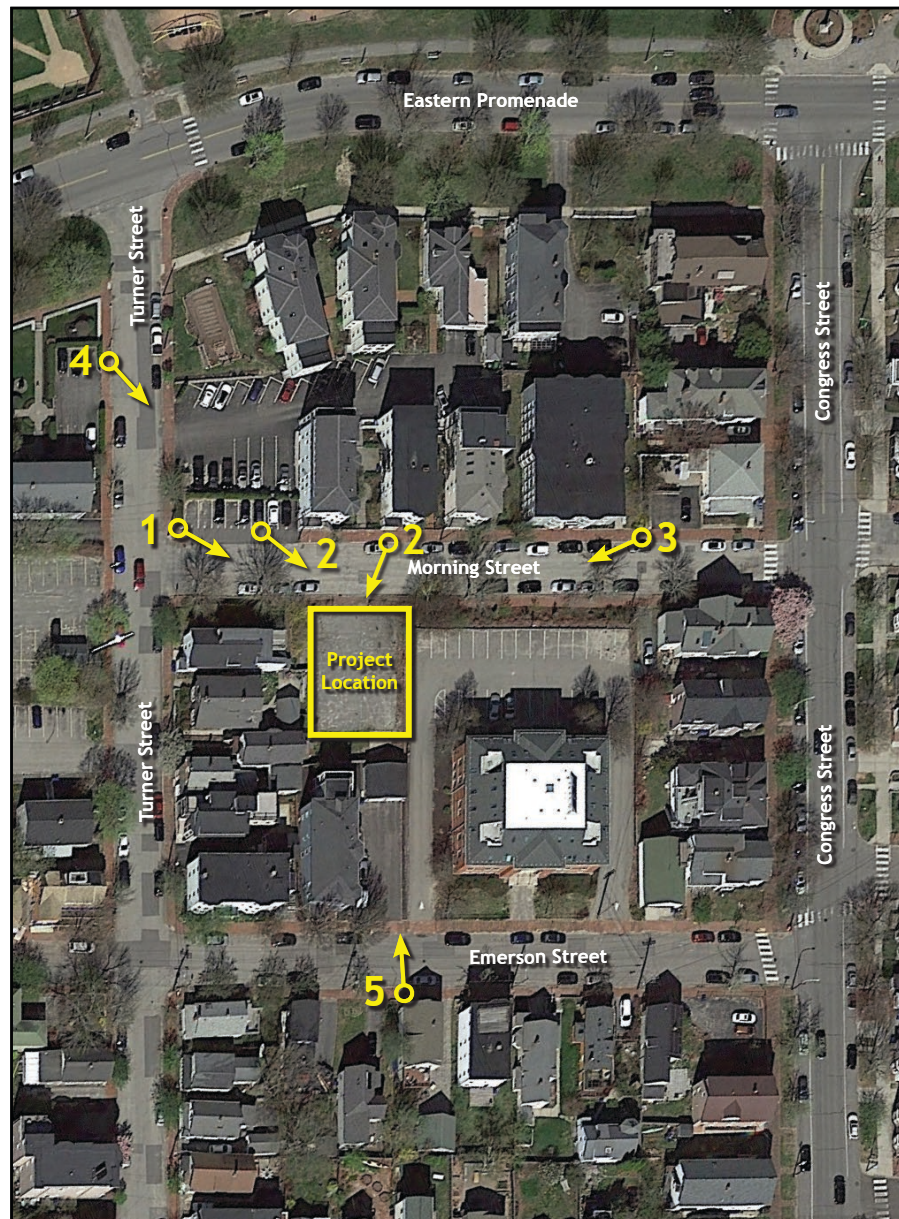
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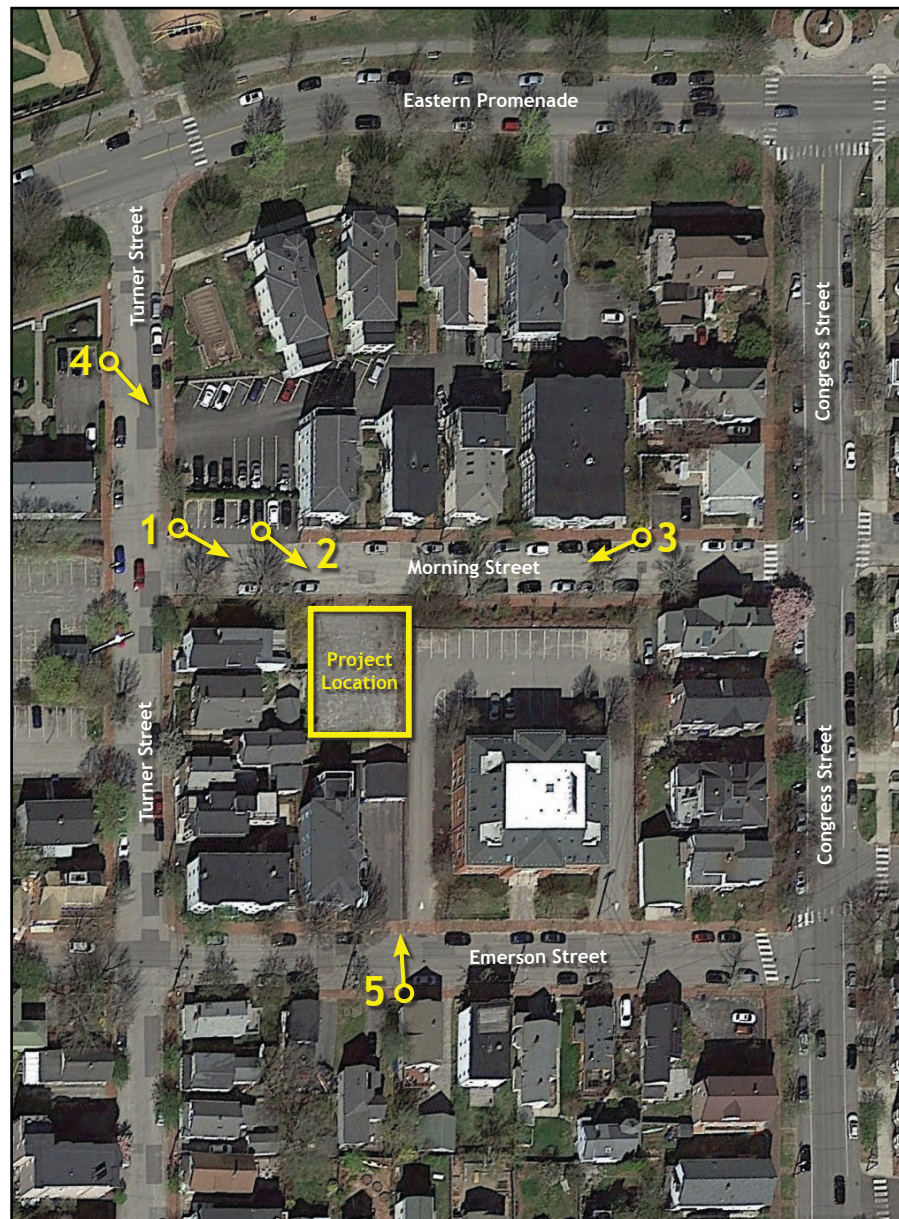
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4





5





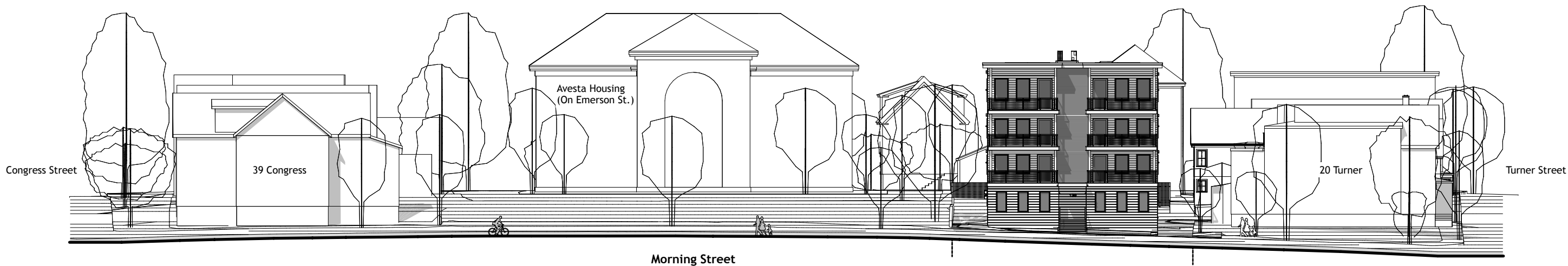
Google Earth

© 2018 Google

Data SIO, NOAA, U.S. Navy, NGA, GEBCO

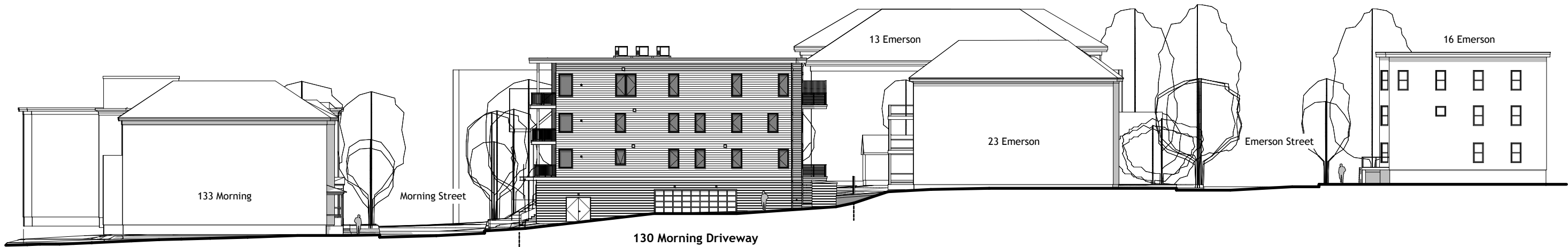
Image Landsat / Copernicus





Morning Street Section

SCALE: 1" = 30'



Driveway Section

SCALE: 1" = 30'