

CITY OF PORTLAND, MAINE

PLANNING BOARD



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

AGENDA PORTLAND PLANNING BOARD MEETING

The Portland Planning Board will hold a meeting on Tuesday, March 10, 2020, 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.**

AFTERNOON PUBLIC HEARING - 4:30 PM

- i. Level III Subdivision; 7 India Street; EssexNorth Portland, LLC., Applicant. (estimated time 4:30 - 5:15 p.m.) The Planning Board will hold a public hearing to consider the development of a four-story, 20,325 square foot mixed-use building with 24 residential units and ground-floor commercial uses at 7 India Street. The subject property is 7,196 square feet in size, is located in the India Street Form-Based Code Zone, and is subject to the City's Subdivision, Inclusionary Zoning Conditional Use, and Traffic Movement Permit standards.
- ii. Level III Site Plan and Subdivision; 32 Pleasant Street; 32 Pleasant Street, LLC., Applicant. (estimated time 5:15 - 5:45 p.m.) The Planning Board will hold a public hearing to consider interior renovations to create three new dwelling units at 32 Pleasant Street. The subject property is 4,486 square feet in size and is zoned B-3.

EVENING PUBLIC HEARING - 6:15 PM

1. **ROLL CALL AND DECLARATION OF QUORUM**
2. **COMMUNICATION AND REPORTS**
3. **REPORT OF ATTENDANCE AT THE MEETING HELD ON FEBRUARY 25, 2020**

Afternoon Workshop

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

113 W. Commercial St.: Dunfey, Eaton, Mazer, Silk, Smith and Stanley present; Dundon absent.

100 Andover Rd.: Dunfey, Eaton, Mazer, Silk, Smith, and Stanley present; Dundon absent.

4. **REPORTS OF DECISIONS AT THE MEETING HELD ON FEBRUARY 25, 2020**

- i. Level III Site Plan; 175 Fore River Parkway; Northern Light Mercy Hospital, Applicant. Stanley moved and Eaton seconded a motion to waive the Technical Manual standard requiring that all Level III site plans comply with Maine DEP Chapter 500's Flooding Standard to allow direct discharge of stormwater runoff into the Fore River. Vote 6-0, Dundon absent. Stanley moved and Eaton seconded a motion to waive the Site Plan standard requiring that development provide sidewalks and curbing along all frontages in order to allow the applicant to not construct sidewalk and curbing along the property's Fore River Parkway frontage. Vote 6-0, Dundon absent. Stanley moved and Eaton seconded a motion to approve the site plan with seven conditions of approval. Vote 6-0, Dundon absent.

5. NEW BUSINESS

- i. Level III Site Plan and Subdivision; 6 White Birch Lane; King Weinstein, Representing Birchlane, LLC., Applicant. (estimated time 6:15 - 6:45 p.m.) The Planning Board will hold a public hearing to consider a new three unit, three story building with associated parking and stormwater improvements within the existing Planned residential Development at 6 White Birch Lane. The property is within the R-5 zone and the overall development is in both the R-5 and R-3 zones.
- ii. Consideration of Potential Munjoy Hill Historic District and Individual Landmark Designations. (estimated time 6:45 p.m.) The Planning Board will hold a public hearing to consider the Historic Preservation Board's recommendation to designate an area within the Munjoy Hill neighborhood as a local historic district under the provisions of Portland's historic preservation ordinance. The Historic Preservation Board is also recommending that the following structures outside the proposed district boundary be individually designated as local landmarks: 101-107 Congress, 7 Lafayette Street, 8-12 Montreal Street, 51 Monument Street, 21 Sheridan Street and 28 Waterville Street.



PLANNING BOARD REPORT PORTLAND, MAINE

5-7 India Street
Level III Subdivision; IZ Conditional Use; Traffic Movement Permit
PL-000678-2019 and PL-000720-2019
EssexNorth, Portland, LLC., Applicant

Submitted to: Portland Planning Board Public Hearing Date: March 10, 2020	Prepared by: Caitlin Cameron, Urban Designer Date: March 6, 2020
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I. INTRODUCTION

EssexNorth Portland, LLC. has submitted Level III Subdivision and Inclusionary Conditional Use applications for a residential project on India Street between Thames and Fore streets in the India Street neighborhood. In addition, the Traffic Movement Permit for the group of developments in this block is also being considered as part of this application and public hearing. The proposal is for a single four-story building with 24 market-rate apartments on floors two through four with 2,500 square feet of ground floor retail space. The required parking is provided off-site through a lease with the Ocean Gateway Garage. All of the required 3 affordable units will be provided on-site. The project is located in the India Street Form-Based Code (IS-FBC) zone (Urban Active subdistrict) and is within the Old Port Historic District and thus subject to Historic Preservation Certificate of Appropriateness. As the project is located in the IS-FBC zone, an accompanying Level II Site Plan application was reviewed and approved by the Planning Authority on March 6, 2020.

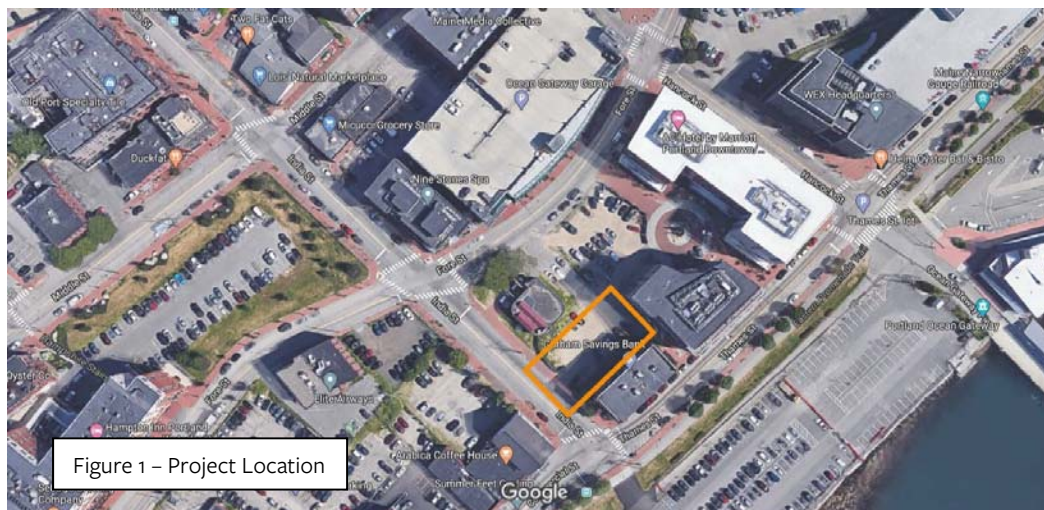


Figure 1 Project Location

Applicant: EssexNorth
Portland, LLC.

(represented by Ara Aftandilian, Lucas Malone)

Agent and Engineer: Ransom Consulting Engineers (Maureen McGlone)

Architect: Kaplan Thompson Architects (Jesse Thompson)

II. REQUIRED REVIEWS

Review Type	Applicable Standards
New construction under 50,000 sf	Level II Site Plan Review and ISFBC UA Design Review
India Street Historic District	Certificate of Appropriateness – Historic Preservation
Subdivision (24 dwelling units)	Level III Subdivision Review
Multi-Family Residential >10 units	Inclusionary Zoning Conditional Use
Traffic Movement Permit (>100 trips)	Delegated Review Authority for Common Scheme of Development for projects generating >100 trips

III. PROJECT DATA

<i>SUBJECT</i>	<i>DATA</i>
Total area of the site	7,196 sf
Total Disturbed Area	7,196 sf
Existing Zoning	ISFBC (UA)
Existing Use	Vacant
Proposed Use	Residential, retail
Impervious Surface Area	
--Existing	7,196 sf
--Proposed	5,500 sf
--Net Change	-1,696 sf
Building Footprint	
--Existing	0 sf
--Proposed	5,093 sf
--Net Change	+5,093 sf
Building Floor Area	
--Existing	0 sf
--Proposed	20,325 sf
-Net Change	+20,325 sf
Proposed Room Mix	
-Efficiency	3
-One-bedroom	21
-Two-bedroom	0
Parking Spaces	48 (Ocean Gateway Garage; 27 required)
Bicycle parking Spaces	28 (none existing)
Estimated Cost of the project:	unknown

IV. EXISTING CONDITIONS

The subject property is within the India Street neighborhood and has frontage on India Street. The property is currently vacant between the Water District pump station and the recently renovated Grand Trunk office building. Several new buildings have recently been completed or are under construction around this site as part of a common scheme of development – 20 Thames Street, the AC Hotel, and the future 170 Fore Street.

The site is within the India Street Form-based Code (IS-FBC) zone and near a prominent, gateway corner of Thames and India streets. India Street is designated as Urban Active (UA) zoning subdistrict which emphasizes active frontage.

India Street is considered the main street of the neighborhood and includes two historic districts; this proposal is within the Old Port Historic District due to its proximity to and visibility from Commercial Street. On India Street, one important consideration is maintaining the views down the street to the water.

Parking is limited in this neighborhood of dense development. Many new projects in this area rely on the Ocean Gateway Garage to provide off-site, proximate parking (for which the garage was initially built). This allows the new development to have a good relationship to the street wall and maximize the lot for active uses.

The proposal is within an established, built-up neighborhood. As an infill project, the impacts are limited.

V. PROPOSED DEVELOPMENT

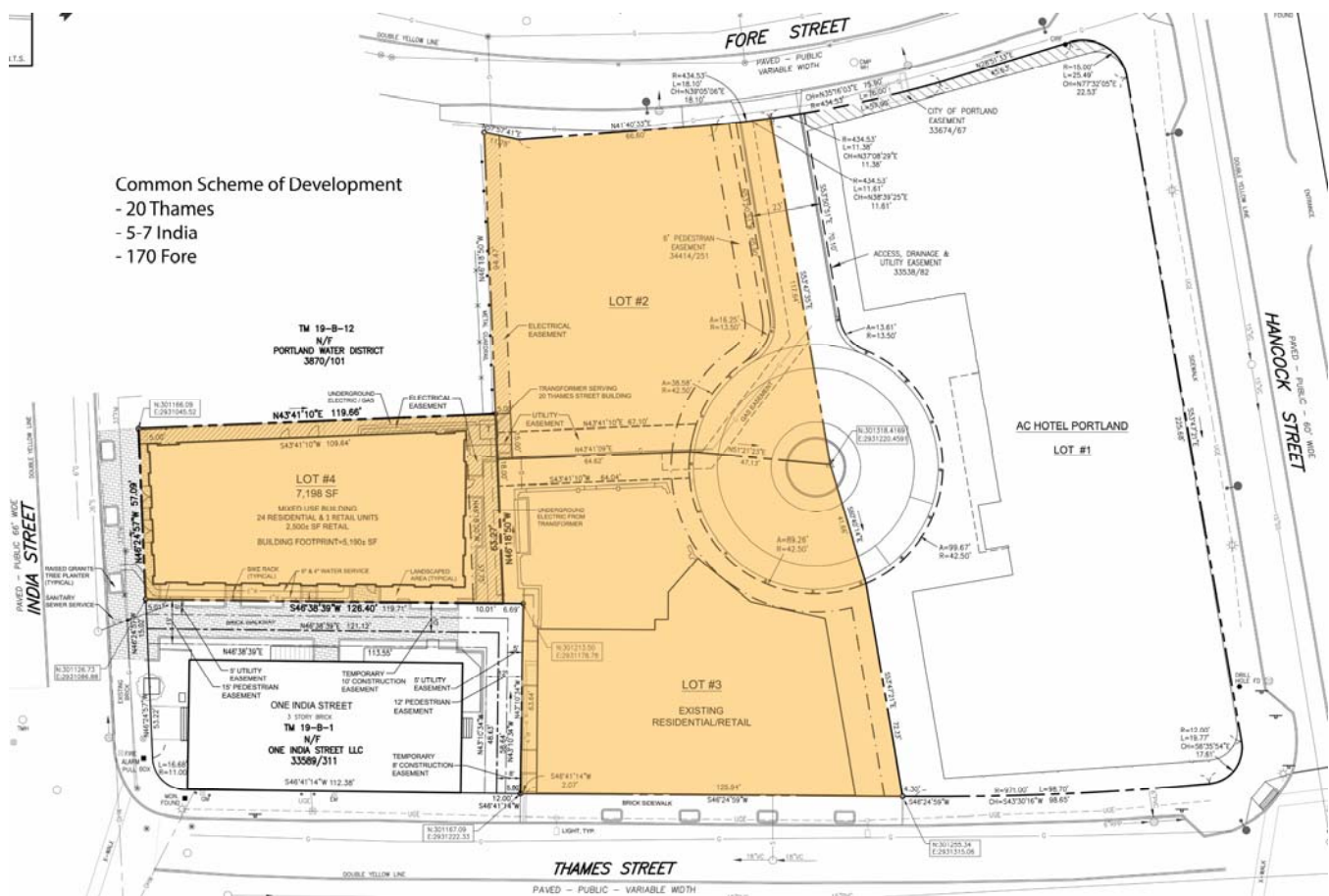


Figure 2 Common Scheme of Development

The proposed building is shown in the plan set and described in the applicant's submittal. This image shows the overall project viewed from India and Thames streets. The design review was conducted by the Historic Preservation Board and the project received a Certificate of Appropriateness on March 6, 2019.



Figure 3 View of Project from Commercial St

The proposal includes:

- 24 market-rate apartments (3 efficiencies and 21 one-bedrooms)
 - Among these are 3 workforce housing units as required by Inclusionary Zoning – one (1) provided off-site, two (2) fee-in-lieu
- Exercise Room, Bike Storage
- Parking for 48 vehicles (provided off-site at the Ocean Gateway Garage)
- 1 to 2 retail spaces (approximately 2,500 sf)
- Mid-block connections to neighboring sites/streets

VI. ZONING ASSESSMENT

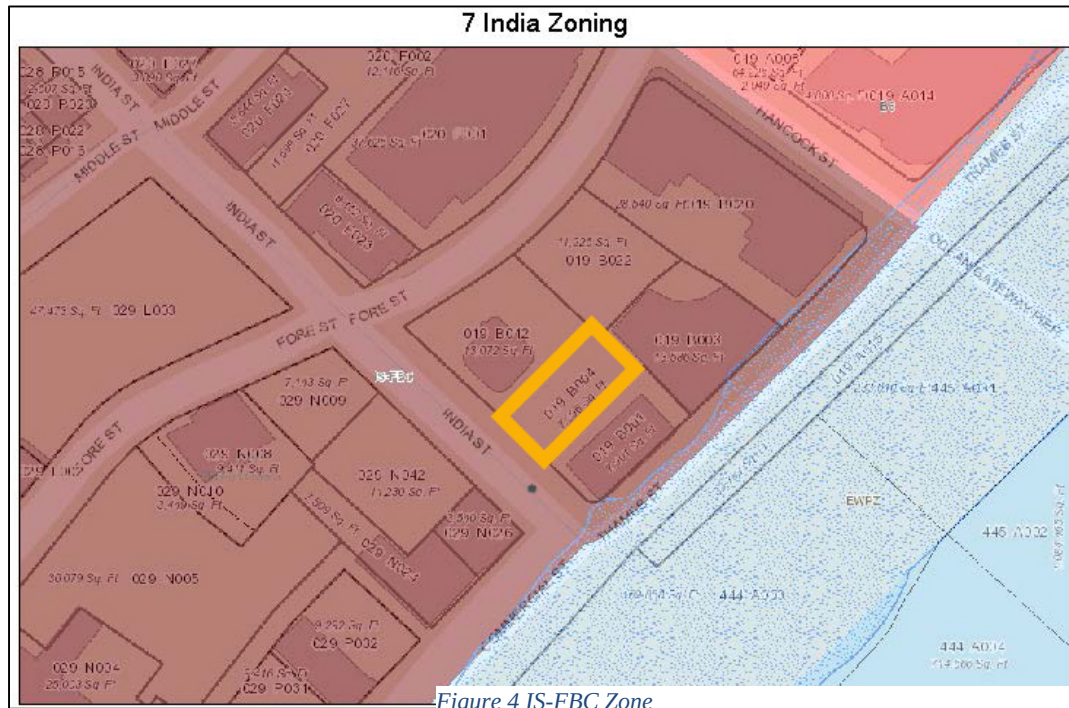


Figure 5 Project Zoning

The project is located within the India Street Form-based Code zone with one frontage on India Street which is an Urban Active Subdistrict. Under the Level II Site Plan application, the project was reviewed for compliance with the zoning and dimensional standards. The applicant did have one waiver request regarding the fenestration requirement on the ground floor – this partial waiver was granted to allow less than 60% fenestration.

The project otherwise meets all dimensional and use requirements including lot coverage, setbacks, height, building width, and frequency of entries. The IS-FBC zone does not include density requirements and has very permissive allowed uses.

VII. PUBLIC COMMENT

This Hearing was noticed to 228 neighbors and interested parties and the public notice appeared in the *Portland Press-Herald* on February 29th and March 1st 2020. The applicant held a Neighborhood Meeting on February 6th, 2020 with eight (8) attendees and the notes are included in Attachment R. One public comment was received from Mike Curran (Attachment PC1) regarding parking and traffic concerns and management in the neighborhood.

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

The applicant provided evidence of Right, Title, and Interest in the form of a deed (Attachment B). The applicant also included two easements that convey the ability to access and/or make improvements on the neighboring properties (Attachment E). There is a letter from the abutter, Gorham Savings Bank, (Attachment F) granting permission to make the site improvements that cross into the easement area as part of this Site Plan application. The easement from the Portland Water District allows access onto the property for construction and staging.

VIII. DEVELOPMENT REVIEW

A. SUBDIVISION STANDARDS

(14-497(a). Review Criteria)

The proposed development has been reviewed by staff for conformance with the relevant review standards of the City of Portland's subdivision ordinance. Staff comments are below and in *Attachments 1-3*.

1. Water, Air Pollution

The project is not anticipated to result in undue air or water pollution.

2 & 3. Adequacy of Water Supply

The applicant **has not provided** evidence of capacity from the Portland Water District. This will be a condition of approval.

4. Soil Erosion

No unreasonable soil erosion or reduction in the capacity of the land to hold water is anticipated. The Site Plan (Plan P4) and Erosion Control Plan (Plan P5) provide information about stabilizing the site during and after construction. The applicant also provided a Geotechnical Report (Attachment O).

5. Impacts on Existing or Proposed Highways and Public Roads

The applicant has provided a traffic and transportation analysis as part of a Traffic Movement Permit for the common scheme of development. Tom Errico, the city's consulting traffic engineer, has made the following comments on impacts to surrounding roads (Attachment 1).

- *It should be noted that the Study did identify that two intersections (India/Fore and Fore/Hancock) that will have long vehicle delays. At this time, the City has not identified improvements that would be feasible and thus mitigation is not recommended. The TMP regulations permit substandard level of service conditions in urban constrained locations.*

6. Sanitary Sewer/Stormwater Disposal

A 6-inch sewer line is proposed to service the building and would outlet to India Street. No grease trap is proposed. The applicant received Wastewater Capacity Authorization from the Department of Public Works with conditions in order to meet the *City of Portland Technical Manual's* standards. The Department of Public Works Capacity Letter includes this condition (Attachment S):

- *The invert of the manhole you are intending to tap into is approximately 3.1 feet. As your intended connection is at approximately 10.0 feet you will be required to install an inside drop to bring sewer to the bottom of the manhole. The City's Technical Standards does not allow sewer drops more than 2 feet. Please review section 2.3 Manholes and provide details with the submittals.*

7. Solid Waste

The applicant has proposed a trash and recycling room located within the building to be disposed of with an independent waste contractor from a shared driveway. The project is not anticipated to cause an unreasonable burden on the ability of the City to dispose of solid waste (Attachments M).

8. Scenic Beauty

This proposal is not deemed to have an adverse impact on the scenic beauty of the area. The project is within the Old Port Historic District and received review and a Certificate of Appropriateness from the Historic Preservation Board. (Attachment K)

9. Comprehensive Plan

India Street Sustainable Neighborhood Plan

The adopted neighborhood plan includes the following goals and principles met by this proposal (Attachment I):

Goal – Vitality – the project adds 24 new units bringing more people to the neighborhood

Goal – Diversity of building types and residents – The project targets a different demographic for the neighborhood.

Principle 7: Guided Growth – the project provides dense residential development in one of the areas identified as potential growth and infill development sites.

Principle 8: Form of Development – High residential density, maintaining the pedestrian-scale blocks, continuous sidewalks, and street-oriented buildings – these concepts are all included in the project.

Incentives for Affordable Housing and Housing – Sustaining Portland’s Future

The City believes that it is in the public interest to promote an adequate supply of affordable housing for its residents. The proposed project is required under the newly adopted Division 30, Section 14-487, Ensuring Workforce Housing to provide at least 10% workforce housing units. As described below and in (Attachment 2), the project proposes to provide three on-site rental units. Housing stock is placed in a multi-modal neighborhood with good connections to several neighborhoods, offices, and services.

10. Financial and Technical Capacity

As noted above, the applicant has provided evidence of financial and technical capacity (Attachment C).

11. Wetland/Water Body Impacts

Project is not located within a watershed of any pond or lake or within 250 feet of any wetland, great pond or river.

12. Groundwater Impacts

There are no anticipated impacts to groundwater supplies.

13. Flood-Prone Area

Per the FEMA flood maps, the site is not located in a flood zone.

14. Wetland/Water Body Impacts

No potential wetlands within the proposed subdivision.

15. Wetland/Water Body Impacts

No river, stream or brook within or abutting the proposed subdivision.

(14-497(c) Conformity with Code) Any proposed subdivision shall be in conformity with all relevant provisions of this Code. This project has been reviewed for conformity with the zoning code and Site Plan Ordinance, with Planning Authority approval for the associated Level II Site Plan granted on March 6, 2020. A zoning checklist and waiver request is included (Attachment J).

B. TRAFFIC MOVEMENT PERMIT

17-229 Department of Transportation Traffic Engineering Division

Chapter 305 Rules and Regulations pertaining to traffic movement permits

Developments generating 100 or more PCE trips during its peak hour of traffic generation

The proposal at 5-7 India Street is part of a common scheme of development that triggers a Maine DOT Traffic Movement Permit (TMP). The City has delegated review authority to evaluate the TMP, with the Planning Board as

the approving authority. The review and approval of this TMP shall apply to the projects at 20 Thames Street, 5-7 India Street, and 170 Fore Street and subsequent Site Plan applications within the common scheme.

Staff recommend approval with no mitigation. The Traffic Engineering Reviewer has also noted the following (Attachment 1):

- *Based upon the review of the Section 7 Report, the following Off-Site Mitigation Condition is required. It should be noted that the Study did identify that two intersections (India/Fore and Fore/Hancock) that will have long vehicle delays. At this time, the City has not identified improvements that would be feasible and thus mitigation is not recommended. The TMP regulations permit substandard level of service conditions in urban constrained locations.*
- *Impact Fees: The applicant shall pay the City of Portland an impact fee towards future transportation infrastructure improvements to address capacity concerns given the additional volumes generated by the facilities. The impact fee schedule is based on either the net proposed increase in development square footage and the City of Portland's Transportation Fee unit price for the land use, or the increase in PM trip ends. Overall trip generation shall reflect approved "shared use" and "other modes transportation" reductions as described in the Traffic Movement Permit Application, Section 1*

IX. INCLUSIONARY ZONING CONDITIONAL USE

The applicant is required by Division 30, Section 14-487 to provide 3 workforce housing units (on-site or off-site) or pay the fee-in-lieu. The applicant has proposed to provide three (3) of these units on-site as one-bedroom units. The Housing Program Manager has the following comments (Attachment 2):

- *[The Applicant] confirmed they intend to comply with Division 30, Section 14-487 regarding affordable housing by creating three (3) one-bedroom workforce units.*
- *The creation of three (3) one-bedroom workforce units will satisfy the IZ Conditional Use requirements for this project.*

X. STAFF RECOMMENDATIONS

Subject to the proposed motions and conditions of approval listed below, Planning Division staff recommends that the Planning Board approve the proposed Subdivision, IZ Conditional Use, and Traffic Movement Permit associated with this proposal.

XI. PROPOSED MOTIONS

A. INCLUSIONARY ZONING

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 March 10, 2020 for application PL-000678-2019 relevant to the Conditional Use as authorized by Division 30 Section 14-487 Ensuring Workforce Housing; and the testimony presented at the Planning Board hearing, the Planning Board finds that the proposed conditional use **is/is not** in conformance with Section 14-487 standards of the Land Use Code and **approves/does not approve** the application, subject to the following conditions:

PRIOR TO ISSUANCE OF A BUILDING PERMIT

1. That the Applicant and the City enter into an Affordable Housing Agreement (AHA) for three (3) one-bedroom workforce units and according to the staff memo (Attachment 2);

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

2. That the Affordable Housing Agreement (AHA) be filed as a covenant to the property's deed with the Cumberland County Registry of Deeds;

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 March 10, 2020 for application PL-000720-2019 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 and **approves/does not approve** the application, subject to the following conditions:

1. The applicant shall provide evidence from the Water District of ability to serve the water needs of the project.
2. The applicant shall revise civil details to meet the *City of Portland Technical Manual* as outlined in the conditions of the Wastewater Capacity Authorization letter.

PRIOR TO ISSUANCE OF A BUILDING PERMIT

3. **Subdivision Plat:** That the Subdivision Plat shall be finalized to the satisfaction of the Planning Authority, Department of Public Works, and Corporation Counsel prior to signature by the Planning Board, to include references residential unit counts; on and off-site parking requirements, stormwater requirements, waste collection, and other relevant conditions and information.
4. **Easements and Licenses:** That any easement and licenses shall be finalized to the satisfaction of the Planning Authority, Department of Public Works, and Corporation Counsel prior to the Planning Board signature of the subdivision plat.

C. TRAFFIC MOVEMENT PERMIT

On the basis of the City of Portland's Delegated Review Authority, the Planning Board **approves/does not approve** the Traffic Movement Permit application associated with application PL-000678-2019, as submitted.

ATTACHMENTS:

Attachments to Memorandum

1. Traffic Engineering – Traffic Movement Permit
2. IZ Conditional Use
3. Zoning Checklist

Public Comments

PC1 Mike Curran 10.21.19

Applicant's Submittal

- A. Application
- B. Right, title and Interest
- C. Technical & Financial Capacity
- D. State & Federal Permits
- E. Easements
- F. Abutter Letter
- G. Natural Features
- H. Stormwater Management
- I. Consistency with Master Plans
- J. Zoning Checklist + Waiver Request

- K. Historic Preservation Certificate of Appropriateness
- L. Utilities
- M. Solid Waste
- N. Fire Safety
- O. Geotechnical Report
- P. Lighting Cut Sheets
- Q. Construction Management Plan
- R. Neighborhood Meeting Package
- S. Wastewater Capacity
- T. Parking Leases
- U. Traffic Movement Permit application

Plans

- P1 Cover Sheet
- P2 Recording Plat (Amended August 2019)
- P3 Co.1 Existing Conditions Survey
- P4 C2.0 Site Plan
- P5 C1.2 Grading Drainage, and Erosion Plan
- P6 C1.1 Utility Plan
- P7 C2.0 Construction Details and Notes
- P8 C2.1 Construction Details
- P9 C2.2 Construction Details
- P10 C2.3 Construction Details
- P11 L1.0 Landscape and Lighting Plan
- P12 L2.0 Landscape Details
- P13 L2.1 Landscape Details
- P14 Photometrics Plan
- P15 A1.1 1st Floor Plan
- P16 A1.2 Typical Floor Plan
- P17 A2.1 Elevations
- P18 A2.2 Elevations
- P19 A2.3 Elevations

The following is a status update of the Traffic Movement Permit review following the receipt of a revised Section 7 Traffic Study transmitted to the City on March 3, 2020.

- At the scoping meeting held on August 23, 2019 the City requested that the applicant conduct a calibration of the Synchro/SimTraffic model according to field conditions. It does not appear that this has been performed.

Status: The updated Section 7 discusses the traffic modeling and comparison of the results to other studies, particularly the model results from the Eastern Waterfront TMP. The Applicant conducted some general field observations as part of model calibration. While this is not the preferred method for calibrating the model, the results seem reasonable given other sources of information. I have no further comment.

- The applicant shall either confirm that the model has been calibrated with documentation or a meeting shall be scheduled to discuss next steps.

Status: See prior comment. I have no further comment.

- The Section 7 Study shall summarize level of service, delay, queue length and volume-to-capacity ratios by lane group.

Status: The report has been revised and I have no further comment.

- As noted above model calibration is required. I would note that the model conclusions are inconsistent with the EWTMP Traffic Study. It is very important from a documentation perspective that model conclusions are similar. The applicant shall ensure that traffic volumes and traffic operating conclusions are reasonably consistent.

Status: The report has been revised to address this comment and I have no further comment.

- The applicant was requested to investigate pedestrian crashes in the study area and whether nighttime illumination is a factor. That analysis has been conducted and I have no further comment.

Status: I have no further comment.

- The City has communicated with Steve Landry, PE, State Traffic Engineer regarding the inclusion of the AC Hotel trips in the determination of study area. Steve has noted that the project has performed their due diligence and the trips do not need to be included. No further action is required of the applicant.

Status: I have no further comment.

- Following receipt of a revised Section 7 Study (the applicant shall submit a full document and not a response to comments letter), the City will make a determination on mitigation requirements.

Status: Based upon the review of the Section 7 Report the following Off-Site Mitigation Condition is required. It should be noted that the Study did identify that two intersections (India/Fore and Fore/Hancock) that will have long vehicle delays. At this time, the City has not identified improvements that would be feasible and thus mitigation is not recommended. The TMP regulations permit substandard level of service conditions in urban constrained locations.

Impact Fees: The applicant shall pay the City of Portland an impact fee towards future transportation infrastructure improvements to address capacity concerns given the additional volumes generated by the facilities. The impact fee schedule is based on either the net proposed increase in development square footage and the City of Portland's Transportation Fee unit price for the land use, or the increase in PM trip ends. Overall trip generation shall reflect approved "shared use" and "other modes transportation" reductions as described in the Traffic Movement Permit Application, Section 1.

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, PE
Senior Associate
Traffic Engineering Director

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To: Caitlin Cameron Urban Designer, Planning & Urban Development Department

From: Victoria Volent, Housing Program Manager, Housing & Community Development Division

Date: March 2, 2020

Subject: 5-7 India Street – Inclusionary Zoning Conditional Use

All developments of ten (10) units or more are conditional uses subject to Planning Board review on the condition that they comply with the requirements set forth in Division 30, Section 14-487 of the Zoning Ordinance.

Division 30, Section 14-487, Ensuring Workforce Housing, requires at least ten percent (10%) of the dwelling units in the development shall meet the definition of Workforce Housing units for sale or for rent. The ordinance under Section 14-487 e 3 also requires the number of bedrooms in the units shall be 10% of the total number of bedrooms in the development.

The development located at 5-7 India Street proposes the creation of 24 dwelling units of rental housing consisting of twenty-four (24) one-bedroom units. As dwelling units for rent, the designated Workforce Units will be restricted to households earning up to 100% of Area Median Income (AMI). Based on the requirements outlined in Section 14-487, the development is required to provide; a minimum of three (3) one-bedroom workforce units; or two (2) one-bedroom workforce units and pay a proportional fee-in-lieu of \$43,514.40; or one (1) one-bedroom workforce unit and pay a proportional fee-in-lieu of \$152,300.40; or pay a fee-in-lieu of \$261,086.40. The Applicant has elected to provide three (3) one-bedroom Workforce Units, on-site, to satisfy the ordinance's minimum requirements. As such, the project has met the minimum requirements set forth in Section 14-487.

Staff recommends the Planning Board Approve this Conditional Use provided the Applicant and the City enter into an agreed upon Affordable Housing Agreement (AHA) for three (3) one-bedroom workforce units 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.

Sincerely,

Victoria Volent
Housing Program Manager

Development Review Checklist

IS-FBC

Level I / **Level II** / Level III / Master Plan
 Project Name: _____
 Address: __5-7 India Street_____
 Description: Alteration / Addition / **New Construction**
 Date Received: __1/20/20____ Prelim / **Final**
 Planner: __Caitlin Cameron____

Subdistrict UN / UT / **UA**

	Complies	More Info	Does Not Comply	N/A	Comments
PURPOSE					
General Guiding Principles	☒	☐	☐	☐	
Subdistrict Intent	☒	☐	☐	☐	UA India
GENERAL DEV. STANDARDS					
(a) Prohibited Uses	☒	☐	☐	☐	Residential/retail
(b) Siting Standards					
Mid-Block Permeability	☐	☐	☐	☒	
Frontage Req. – Additional Building Length	☐	☐	☐	☒	UA = 50'
Setbacks	☒	☐	☐	☐	No special conditions; 5' setbacks
Small Lot < 35'	☐	☐	☐	☒	
Side Yard less than 5'	☐	☐	☐	☒	
Special corner treatment	☐	☐	☐	☒	
Attached Buildings	☐	☐	☐	☒	
Landscaping & Screening					
Surface Parking	☐	☐	☐	x	
1 st Lot Layer - Height	☐	☒	☐	☐	6' max height
1 st Lot Layer – Perm.	☐	☒	☐	☐	Visual permeability required above 2' – clarify if chain link fence and guardrail are to remain
Other Lot Layer - Height	☐	☒	☐	☐	Fences in side and rear not to exceed 8' – fences above 6' require building permit

	Complies	More Info	Does Not Comply	N/A	Comments
(c) Height Standards					
Height Bonus - Eligible?	☐	☐	☐	☒	UA on India – no bonus
Height Bonus – Conditions Green Roof + Pervious = 50% lot	☐	☐	☐	☒	Staff are still reviewing green roof details, area calculations – 9,953sf (50% lot area) pervious proposed (does not include bay overhangs). See Civil comments for further info.
(d) Parking Standards	☒	☒	☐	☐	27 spaces required, 48 spaces provided – parking assessment required
SUBDISTRICT DIMS REQ.					
Siting Standards					
Orientation	☒	☐	☐	☐	UA orientation to India
Corner Condition	☐	☐	☐	☒	
Lot Coverage	☒	☐	☐	☐	90% max; proposed is 71%
Frontage Requirements					
Building Length	☒	☐	☐	☐	50' max; proposed is 47'
Additional Bldg Length	☐	☐	☐	☒	Franklin and Federal complies; Hampshire Street not seeking additional building length
Fenestration Req. (UA)	☐	☐	☒	☐	60-90% ground floor façade area above 2' from sidewalk grade required; project is at approx. 50% fenestration – waiver needed
Setbacks					
Principal Building					
Front Yard	☒	☐	☐	☐	5' max = < than 5' provided
Side Yard	☒	☐	☐	☐	At least 5' on all side yards
Side Yard	☒	☐	☐	☐	
Exceptions?	☐	☐	☐	☒	
Rear Yard	☒	☐	☐	☐	At least 10' on rear yard

	Complies	More Info	Does Not Comply	N/A	Comments
Building Entries					
Frequency	☒	☐	☐	☐	India Street: 2 required = 2 provided
Principal Entry Orientation	☒	☐	☐	☐	Principal entries facing UA street
Principal Entry Elevation	☒	☐	☐	☐	All entries at grade
Height Standards					
Principal Building					
Height	☒	☐	☐	☐	50' max – 47'
Stories	☒	☐	☐	☐	4 stories on India
Stepbacks (UT, bonus)	☐	☐	☐	☒	
Accessory Building(s)	☐	☐	☐	☒	
Parking Standards					
Surface Parking Location	☐	☐	☐	☒	
Garage Door Setback	☐	☐	☐	☒	
Garage Door Opening	☐	☐	☐	☒	

Five India Residential Rental Building



Level 2 Site Plan

April 19, 2019

Submitted To:
City of Portland Planning Department

Prepared by Applicant/Developer:
EssexNorth Portland LLC
P.O. Box 394
Topsfield MA 01983

Ransom Consulting Engineers and Scientists
400 Commercial Street, Portland ME 04101

Kaplan Thompson Architects
102 Exchange Street, Portland ME 04101



May 20, 2019

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

Re: Five India Street Residential Building (Lot 19-B-4)
Portland, Maine

Dear Barbara:

We are pleased to submit this Level II – Final Site Plan application together with supporting materials relating to the new residential building to be located at Five India Street in Portland.

The subject property, that is Lot #4 within the Fore/Hancock/Thames/India Streets block project, is located within the India Street Form Based Code Zoning District (IS-FBC). It is a brownfield lot and approximately 0.165 acres (7,197 SF) of vacant land. The development proposal is a four story building with retail and/or commercial uses on the ground floor and one bedroom rental units on floors 2 through 4.

The subject property is considered impervious due to past development activities. The lot is primarily flat with a minor slope from the south to the north and east. Most recently the lot was used for construction staging for the AC Hotel and the Twenty Thames Condominium projects. The lot is bound to the east by the vacant 170 Fore Street lot and recently completed Twenty Thames Condominium building, to the north by the Portland Water District pump station lot, to the west by India Street and to the south by the One India Street/Grand Trunk building. Surrounding land uses include hotel, retail/commercial, office and residential. Parking will be provided in the Ocean Gateway Garage.

The proposed building will include retail or commercial spaces on the ground floor fronting India Street, as well as the residential lobby, building services/amenities and mechanical rooms. The upper floors are 24 one bedroom residential rental units ranging in size from 343 to 566 square feet.

The Five India Street building is the third of the planned four buildings within this master planned project. Vehicular access, utilities, stormwater management, landscaping and pedestrian movements have been carefully designed under this master planned approach.

We look forward to working with you and Planning Staff in the review of this project. Please let me know if you have any questions or require additional information.

Sincerely,

Ara Aftandilian

Ara Aftandilian
President/Managing Member



LEVEL II and LEVEL III APPLICATION SUBMISSION CHECKLIST

Submit each Tab as one PDF file and bookmark the items as noted below

Please confirm by electronically checking the boxes to the left

Tab 1 – 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 <u>Level II (In IS-FBC, under 50K SF, and no subdivision)</u>
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.

Submit each Tab as one PDF file and bookmark the items as noted below

Tab 2 - 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

Tab 3 - 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
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
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)
Yes NA Plan ☐ ☒ ☐	Parking Lot Landscaping (14-526 (b) 2 b ii), if applicable • Landscaped islands within parking areas (Technical Manual, Section 4)
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

Tab 4 - 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

Tab 5 - 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
☒	☐	☒	
Tab 6 - 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
Tab 7 - Construction Management Plan	
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	
☒	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
☐	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

Property Deed

(SPACE ABOVE THIS LINE RESERVED FOR REGISTRY OF DEEDS USE)

QUITCLAIM DEED WITH COVENANT

Portland Norwich Acquisition LLC, a Delaware limited liability company ("GRANTOR"), for consideration paid, hereby grants to EssexNorth Portland LLC, a Maine limited liability company ("GRANTEE"), having a mailing address of 462 Boston Street, Ste. 2-2 Topsfield, MA 01983, with **QUITCLAIM COVENANT**, the following premises in the City of Portland, Cumberland County, Maine:

A certain parcel of land with the buildings and improvements thereon, more particularly described as Lot 2, with total of 32,102 SF, as shown on the plan recorded in Plan Book 216 at Page 185 on June 6, 2016 with the Registry of Deeds ("Registry") in Cumberland County, Maine.

The above Lot 2 premises are conveyed subject to and together with the following matters, to the extent they may affect said premises:

1. Such state of facts disclosed on the plan entitled "Recording Plat, 158 Fore Street, 158 Fore Street, Portland, Maine, Made for record owner, Portland Norwich Group LLC" by Owen Haskell, Inc. dated March 11, 2016, signed June 2, 2016, recorded in the Cumberland County Registry of Deeds in Plan Book 216, Page 185.
2. Rights, easements, covenants and other matters as set forth in an Access, Drainage and Utility Easement Agreement between Portland Norwich Group LLC and Portland Norwich Acquisition LLC dated September 26, 2016, recorded in said Registry in Book 33538, Page 82.
3. Declaration of Restrictive Covenant between Portland Norwich Group LLC and Norwich Acquisition LLC, dated October 25, 2016, recorded in Book 33586 Page 202.
4. Easements and related rights described in the deed from Canadian National Railroad Company to the City of Portland, Maine dated August 30, 1993 and recorded in the Cumberland County Registry of Deeds in Book 10924, Page 84; as affected by the deed from LRAR LLC to the City of Portland dated December 27, 2006, and recorded in said Registry in Book 24709, Page 332, to the extent the foregoing may still affect the premises.
5. Declaration of Covenants and Restrictions by and between Canadian National Railway Company and One India Street Associates acknowledged June 6, 1996 and recorded in the Cumberland County Registry of Deeds in Book 12565, Page 32, as affected by Declaration of One India Street Associates dated September 10, 1998 and recorded in said Registry in Book 14151, Page 258, as affected by a certain Declaration of Environmental Covenant granted by LRAR LLC to the Maine Department of

MAINE REAL ESTATE TAX PAID

Environmental Protection and joined in by GSB Corporation and Canadian National Railway Company dated August 21, 2015 and recorded in said Registry in Book 32544, Page 238.

6. Memorandum of Understanding by and between One India Street LLC and the City of Portland dated April 16, 2005 and recorded in the Cumberland County Registry of Deeds in Book 22673, Page 155, as affected by the deed from LRAR LLC to the City of Portland dated December 27, 2006 and recorded in said Registry in Book 24709, Page 332.
7. Rights and easements excepted and reserved in the deed from LRAR LLC to the City of Portland dated December 27, 2006 and recorded in said Registry in Book 24709, Page 332.
8. Easement Agreement granted by the City of Portland to LRAR LLC dated January 31, 2007 and recorded in said Registry of Deeds in Book 24811, Page 268.
9. Easement Deed from the Portland Water District to LRAR LLC dated May 2, 2007 and recorded in said Registry in Book 25072, Page 79.
10. Easement Deed from the Portland Water District to LRAR LLC dated May 2, 2007 and recorded in said Registry in Book 25072, Page 83.
11. Commissioner's Certification of Completion of Remedial Actions under a Voluntary Response Action Plan dated July 16, 2015, and recorded in said Registry in Book 32544, Page 229.
12. Declaration of Environmental Covenant granted by LRAR LLC to the Maine Department of Environmental Protection and joined in by GSB Corporation and Canadian National Railway Company dated August 21, 2015, and recorded in said Registry in Book 32544, Page 238.

For source of title, reference is hereby made to a Deed from Portland Norwich Group LLC to the Grantor herein dated June 6, 2016, recorded with the Registry at Book 33254, Page 337.

(Signature pages to follow)

IN WITNESS WHEREOF, Portland Norwich Acquisition LLC has executed,
acknowledged and delivered this instrument this 26 day of June, 2017.

**PORTLAND NORWICH
ACQUISITION LLC**

Hali E. Cummings
Witness

By:

[Signature]

David Leatherwood, duly authorized
representative

STATE OF Vermont :
: ss.
COUNTY OF Windsor :

On this the 26 day of June, 2017, personally appeared, David Leatherwood, proved to me through satisfactory evidence of identification, which was personally known, to be the person whose name is signed on the foregoing instrument and who acknowledged himself to be the duly authorized representative of Portland Norwich Acquisition LLC, and who acknowledged that as such he subscribed the foregoing for the purposes therein contained, as his free act and deed, and the free act and deed of said Portland Norwich Acquisition LLC, before me.

[AFFIX SEAL]



Hollie Conway
Hollie Conway

Print name:

Notary Public

My Commission Expires: 2/10/2019

Received
Recorded Register of Deeds
Jun 30, 2017 08:29:30A
Cumberland County
Nancy A. Lane

Parking Lease

SECOND AMENDMENT TO PARKING LEASE

(Ocean Gateway Garage)

This **Second Amendment to Parking Lease** is dated as of February 14, 2018, by and between **167 Fore Street LLC** ("Owner") and **EssexNorth Portland, LLC** and **EssexNorth 170 Fore LLC** (collectively, pursuant to this Second Amendment, "Tenants") with respect to that certain Parking Lease originally made by and between Owner and Portland Norwich Group LLC, having an Effective Date of November 20, 2015, as amended by a First Amendment dated October 31, 2016 (as so amended, the "Parking Lease"), which rights of said original Tenant under the Parking Lease were assigned and assumed by Essex North Portland, LLC, and approved by Owner, as evidenced by the Amended and Restated Memorandum of Parking Lease dated June 14, 2017, recorded in the Cumberland County Registry of Deeds in Book 34122, Page 218.

WHEREAS, the Parking Lease provides rights to Tenants upon the terms contained in the Parking Lease to lease from the Owner up to 300 parking spaces, subject to the terms contained in the Parking Lease; and

WHEREAS, as of the date hereof, Owner and EssexNorth 20 Thames LLC, are entering into a separate and independent parking lease (the "20 Thames Parking Parking Lease") for the use of up to 66 parking spaces with respect to the premises at 20 Thames Street, Portland, Maine, which premises are a portion of the Development Parcel, as defined and described in such 20 Thames Parking Lease being "Lot #3" on the Plan referred to in "Amended Exhibit B" (defined herein), a Memorandum of Lease for such lease is to be recorded in said Registry.

WHEREAS, as of the date hereof, EssexNorth Portland, LLC owns the portion of the Development Parcel located at 5 India Street, Portland, Maine, described as "Lot #2" in Amended Exhibit B (defined herein), and EssexNorth 170 Fore LLC owns the portion of the Development Parcel located at 170 Fore Street, Portland, Maine described as "Lot #4" in Amended Exhibit B (defined herein).

WHEREAS, the Owner and the Tenants wish to amend the Parking Lease (i) to reduce the number of parking spaces which the Tenants have the right to use under the Parking Lease from 300 spaces to 234 parking spaces, (ii) to confirm the addition of **EssexNorth 170 Fore LLC** as a Tenant under the Lease, and (iii) to amend the Parking Lease in other respects as set forth herein.

NOW, THEREFORE, the Owner and the Tenant hereby agree that the provisions of the Parking Lease are hereby amended as of the date hereof as follows:

1. The "Tenant" under the Parking Lease shall hereafter mean and refer to be **EssexNorth Portland, LLC**, a Maine limited liability company, and **EssexNorth 170 Fore LLC**, a Maine limited liability company. EssexNorth 170 Fore LLC hereby agrees to be bound by and to assume obligations as Tenant under the Parking Lease, together with EssexNorth Portland, LLC.

2. The term "Development Parcel" as defined in the Parking Lease and described on "Exhibit B" thereto shall hereafter mean and refer to the premises described on "**Amended Exhibit B**", attached hereto. (For information, Amended Exhibit B describes the remainder of the original Development Parcel owned by the Tenants, exclusive of the portion owned by said EssexNorth 20

estates in the land of Owner, but Owner shall take commercially reasonable steps necessary to ensure that Tenant's leasing rights are respected by any successor owner or mortgagee of the Garage.

(e) For a Tenant to draw down Parking Spaces as contemplated in Section 1(a)(i) of this Parking Lease, the Tenant owning a portion of the Development Parcel shall give Owner not less than one (1) year's prior written notice of its intention to draw down a specific number of Parking Spaces, such number of Parking Spaces drawn down to be subject to the maximum number of Parking Spaces specified in this Parking Lease; provided that the first such draw down notice by a Tenant must be consented to by the second Tenant which is not exercising such right in order for the notice to be valid and effective. A Tenant's written draw down notice to Owner for the Parking Spaces ("Tenant's Draw Down Notice") shall specify a date when such Tenant shall take possession of the Parking Spaces specified in Tenant's Draw Down Notice, which possession date shall be no later than ten (10) years following the Effective Date; accordingly, each Tenant's right to draw down the allowable number of Parking Spaces must be exercised with respect to this Parking Lease within eight (8) years of the Effective Date, such final exercise date being **November 20, 2023**. The right to give a Tenant's Draw Down Notice hereunder may be exercised by the Tenant which owns the Development Parcel, or such portion thereof described in Amended Exhibit B. Further, upon the request of the first Tenant which has given a Tenant's Draw Down Notice, the Owner and Tenants agree to enter into an amendment of this Lease to reflect the number of Parking Spaces which is the subject of the first such Tenant's Draw Down Notice and which will create a separate parking lease for such Tenant, all on the same terms and conditions set forth in this Lease, having the same priority in and rights to use the Garage as this Lease does (except that such first Tenant shall no longer have the right to draw down additional Parking Spaces), and releasing such first Tenant as a party to this Lease. Following the first Tenant's Draw Down Notice, this Parking Lease shall continue in effect, in accordance with its terms, with the second or remaining Tenant still entitled to exercise its right to give a Tenant's Draw Down Notice. No exercise by one Tenant shall affect the right of the other Tenant to exercise its right to give a Tenant's Draw Down Notice. Notwithstanding the foregoing, no single Tenant may exercise its right to give a Tenant's Draw Down Notice more than once (the consent of the non-exercising Tenant for the first Tenant's Draw Down Notice shall not be considered an exercise of such right to drawn down spaces).

(f) Notwithstanding anything to the contrary set forth herein, a Tenant shall have the right to discontinue the use of some or all of its drawn down Parking Spaces (the "Discontinued Spaces") upon written notice to Owner to be given not less than one hundred eighty (180) days prior to such discontinuance, in which case Tenant shall no longer be required to pay rent as to said Discontinued Spaces. Such Tenant shall have no right to draw down any of the Parking Spaces as to which it has exercised its discontinuance right under this Section 1(f), and the Discontinued Spaces shall be no longer be available to Tenant under this Parking Lease. Notwithstanding the foregoing, however, in the event that Tenant is not in need of all of its then currently drawn down Parking Spaces but does not wish to permanently discontinue the use thereof, such Tenant shall have the right to permit the use of such Parking Spaces by third parties so long as such Tenant (i) provides prior notice thereof to Owner and Owner does not advise Tenant, within thirty (30) days following such notice, that Owner intends to use said Parking Spaces during the period of Tenant's non-use thereof, (ii) provides Owner with the names, license plate numbers and contact information for such temporary users, and (iii) any payments to Tenant by said third party users do not exceed the rent for such Parking Spaces paid by Tenant to Owner. In the event that Owner elects to use said Parking Spaces during a Tenant's period of non-use thereof (x) a Tenant's obligation to pay rent for said Parking Spaces hereunder shall be suspended while said Parking

Thames, LLC.) EssexNorth Portland, LLC owns a portion of the Development Parcel described as Lot #4 in Amended Exhibit B and EssexNorth 170 Fore LLC owns a portion of the Development Parcel described as Lot #2 in Amended Exhibit B. All references to Exhibit B in the Parking Lease shall hereafter refer to and mean "Amended Exhibit B."

3. Section 1 of the Parking Lease is hereby amended and restated to read as follows:

"1. Use of Parking Spaces.

(a) Commencing as of the Rent Commencement Date arising from the development of Lot #2 or Lot #4, as defined in Section 3 of this Parking Lease, Owner hereby leases to Tenants the right to use up to 234 parking spaces in the Garage subject to and limited by the following terms and conditions: (i) The parking spaces must be drawn down by a Tenant in accordance with a Tenant's Draw Down Notice, as defined in Section 1(e) of this Parking Lease, and (ii) the maximum number of parking spaces subject to being drawn down by a Tenant's Draw Down Notice shall be the lesser of (x) 234 parking spaces (as reduced by the first Tenant's Draw Down Notice given hereunder), and (y) one more than the minimum number of parking spaces required by the City of Portland for the Tenant's development approved by the City's Planning Authority for that portion of the Development Parcel comprising one of the Lots identified on Amended Exhibit B, in accordance with such permitted zoning and land use ordinances and regulations for such portion of the Development Parcel (as so drawn down by a Tenant's Draw Down Notice, the "Parking Spaces"). All such parking in the Garage shall be in accordance with and subject to the terms and conditions below and such reasonable rules and regulations established from time to time by Owner governing the leasing and use of parking spaces by parkers generally in the Garage. Tenant understands and agrees that, in accordance with customary garage operations and management practices, specific parking spaces are not reserved or dedicated for Tenant or the Qualified Parkers, and the availability of any specific parking space is not guaranteed. The Parking Spaces are intended for use for automobile, motorcycle, van and SUV parking by the Qualified Parkers only, not for the parking of any large commercial trucks or other commercial vehicles or recreational vehicles, nor are the Parking Spaces to be used for vehicle storage.

(b) Owner shall make available to a Tenant one (1) parking access card for each space designated in such Tenant's Draw Down Notice, or, in lieu of parking access cards, such parking codes or other "keys" or means of convenient 24-hour access as shall be available from time to time, which shall in turn be made available to a Tenant's Qualified Parkers using the Parking Spaces.

(c) It is understood and agreed that these spaces shall be for Tenant's Qualified Parkers only. The Parking Spaces may not be sublet or their use assigned, transferred or loaned to any person or entity who is not a Qualified Parker.

(d) The Parking Spaces shall be solely for the benefit of the Development Parcel, or any portions thereof, and no other properties. This Parking Lease shall be not be further assignable without Landlord's consent, in whole or in part, except in connection with the sale of the Development Parcel or in connection with the sale of any portion thereof, including Lot #4 or Lot #2 on Amended Exhibit B. Following the first Tenant's Draw Down Notice, this Parking Lease shall continue in effect as to all remaining parking spaces which have not then been drawn down, in accordance with its terms, and the second Tenant shall remain and continue to be entitled to exercise its rights to give a Tenant's Draw Down Notice in connection with the development of such Tenant's Lot. The Parking Spaces do not constitute

Spaces are used by Owner, and (y) a Tenant may commence reuse of said Parking Spaces upon not less than thirty (30) days' notice to Owner.

(g) A Tenant shall have the right, upon not less than one (1) year's written notice to Owner, to terminate its rights under this Parking Lease, in which case all related rights and obligations of Owner and such Tenant hereunder shall cease and shall be of no further force and effect except for such obligations as shall by their express terms, survive termination of this Parking Lease. The right of termination must be exercised by all Tenants if there are not then separate parking leases as described hereinabove.

4. A new section 1.A. is added to the Lease, immediately following section 1, to read as follows:

"1.A. In the event a Tenant has given the first Draw Down Notice, then Owner and Tenants agree to enter into an amendment of this Lease to reflect the number of Parking Spaces which is the subject of such Draw Down Notice, and which will create a separate parking lease for such Tenant on the same terms and conditions set forth in this Lease, except that such Tenant shall have no further right to draw down additional Parking Spaces. The new parking space lease must be documented and put of record in the Registry of Deeds for Cumberland County, Maine, such that it shall have the same priority and effect as this Parking Lease has in its record of priority in the Registry."

In all other respects the terms of the Parking Lease are hereby ratified and affirmed.

IN WITNESS WHEREOF, the undersigned have caused this Amendment to Parking Lease to be executed by their duly authorized representatives as of the date and year first above written.

WITNESS

Sue Milligan

OWNER:

167 FORE STREET LLC

By:

[Signature]
Jonathan Cohen, its Manager

TENANT:

ESSEXNORTH 170 FORE LLC

By: **ESSEXNORTH PORTLAND LLC, its
sole manager**

Sue Milligan

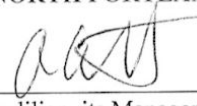
By:

[Signature]
Ara Aftandilian, its Manager

Sue Milligan

TENANT:

ESSEXNORTH PORTLAND LLC

By: 

Ara Aftandilian, its Manager

Technical Capacity

The applicant has assembled a highly qualified team of professionals for the preparation of this project. All members of the team have significant experience with this type of project and many have worked together on similar projects. The project is being designed by a multidisciplinary team of design professionals. All members of the design team have proven experience working on projects located in the city of Portland.

The applicant is the same developer as the Twenty Thames Condominium project, the AC Hotel and the Residence Inn by Marriott on Fore Street.



May 29, 2018

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

RE: Five India Street

To Whom it May Concern,

Gorham Savings Bank is currently working with Ara Aftandilian of EssexNorth Portland, LLC on financing for the planned development of Five India Street. Ara is an experienced and reputable developer and I look forward to working with him on this project.

Please feel free to contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to be "M. Early", written over a light blue horizontal line.

Matthew W. Early
Senior Vice President

MWE/ckb

State and/or Federal Permits

No state or federal stormwater permits are anticipated as part of this development due to the City's delegated review authority over the stormwater component and that the stormwater system for the entire project buildout was permitted and installed as part of the AC Hotel. See attached exhibit #16 Stormwater Narrative and Plans.

A Maine Department of Transportation (ME DOT) Traffic Movement Permit is not required due to the number of trips being generated by the development. Please see attached exhibit #14 Traffic Narrative.

ACCESS AND UTILITY EASEMENT AGREEMENT

This Access and Utility Easement Agreement (the "Agreement") is made and entered into as of April 27, 2018 (the "Effective Date") by and between ESSEXNORTH PORTLAND LLC, a Maine limited liability company ("EssexNorth") and ESSEXNORTH 20 THAMES LLC, a Maine limited liability company ("Thames") (collectively, EssexNorth and Thames are herein called "Essex") ("Essex"), and ONE INDIA STREET, LLC, a Maine limited liability company ("One India Street"). EssexNorth, Thames, and One India Street are sometimes each individually referred to herein as a "Party" and are sometimes collectively referred to herein as the "Parties".

Recitals

Essex is the owner of two certain parcels of land in Portland, Maine, both of which are shown on a plan entitled "Amended Recording Plat, 158 Fore Street, 20 Thames Street, Portland, Maine", prepared by Owen Haskell, Inc., dated February 24, 2017, filed with the Cumberland County Registry of Deeds in Plan Book 217, Page 239 (the "**Lot Plan**"), one being "Lot #3" on the Lot Plan and known as 20 Thames Street, Portland, Maine ("**20 Thames**", owned by Thames) by virtue of a Deed from EssexNorth Portland LLC dated June 28, 2017, and recorded in the Cumberland County Registry of Deeds in Book 34122, Page 222, and one being "Lot #4" on the Lot Plan and known as 5 India Street ("**5 India**", owned by EssexNorth), by virtue of a Deed from Portland Norwich Acquisition dated June 28, 2017, and recorded in the Cumberland County Registry of Deeds in Book 34122, Page 209; and

One India Street is the owner of Unit 1 and Unit 2, being all of the Units in a condominium known as The Longfellow, a Condominium, located in Portland, Maine shown on the Lot Plan as "One India Street, T/M 19-B-1 N/F One India Street LLC 33589/311", together with one hundred percent (100%) of the Common Elements within said Condominium, by virtue of a Deed from GSB Corporation dated November 7, 2016, and recorded in the Cumberland County Registry of Deeds in Book 33589, Page 311 ("**1 India**"); and

Essex and One India Street are desirous of entering into this Agreement for the purpose of establishing certain access and utility easements in the Easement Area shown on the plan attached hereto as **Exhibit A** entitled "Easement Plan, 20 Thames St., Portland, Maine", dated April, 2017, by Owen Haskell, Inc. (the "**Easement Plan**"), and for making provisions for the undertaking by Essex to construct and install certain improvements in the Easement Area shown on the Easement Plan and with respect to sidewalk improvements in India Street adjacent to the 1 India property.

The metes and bounds of the Easement Area, including the 5' Utility Easement and the Temporary Construction Easement, are set forth on **Exhibit A-1**, attached hereto.

Grant of Easements and Agreement

NOW, THEREFORE, in consideration of the mutual covenants herein contained and other valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged, the parties hereby grant and agree as follows:

1. Grant by One India Street to Essex. One India Street hereby grants and conveys to Essex, as appurtenant to the 20 Thames and 5 India properties, the following rights and easements, in common with others entitled thereto, including, but not limited to, One India Street, for the purposes set forth herein and subject to the terms and conditions set forth herein:

(a) Temporary Construction Easement. The right and easement to enter upon and use the following portion of One India's property, as follows: that certain area denominated or labeled as "Temporary Construction Easement" on the Easement Plan, such area being a continuous strip of land 10' in width extending northeasterly from India Street along and adjacent to Lot #4 and a small portion of Lot #2, and then turning southeasterly on a right angle along and adjacent to Lot #3, having a width of 8 feet and extending to the northwesterly sideline of Thames Street. The rights granted herein are the right to use such Temporary Construction Easement area for purposes of staging and use for enabling the construction and, following completion, maintenance and repair, of buildings and improvements on the adjacent Lot #4 and Lot #3. In the exercise of such rights, Essex shall take all reasonable precautions to separate or segregate such Temporary Construction Easement area from the users of One India in a manner designed to protect such users and the One India property from damage, harm or unreasonable interference with the use and operation of such property. Not less than 60 days prior to any entry or use of the Temporary Construction Easement area, Essex will notify One India of its intention and provide a proposed construction management plan for the construction activities to be undertaken (the "CMP"). One India and Essex will cooperate in reaching agreement on the terms of the CMP. The CMP will include, without limitation, (i) a time for commencement and completion of the specific construction, repair or maintenance activities and (ii) commercially reasonable provisions for insurance and indemnification from and against any claims arising as a result of the construction activities. The rights under this construction easement may be exercised from time to time, but in each case the specific undertaking and activity shall have a stated duration.

(b) Access Easement. The non-exclusive, perpetual right and easement for pedestrian ingress, egress and passage to and from 20 Thames and 5 India upon, over, and across the entire Easement Area (whether labeled as "15' Pedestrian Easement," "12' Pedestrian Easement", or "5' Utility Easement") extending from the northeasterly sideline of India Street to the southwesterly sideline of 20 Thames and in a southeasterly direction along 20 Thames to Thames Street. The Easement Area is described on Exhibit A-1, attached hereto. The rights granted herein include the right to construct, install, maintain, repair and to replace improvements in the Easement Area as provided in the provisions of this Agreement.

(c) Electrical and Communications Utility Easement. The non-exclusive, perpetual right and easement to construct, install, inspect, repair, replace, reconstruct, maintain and operate underground utility lines, conduits and appurtenances and equipment relating thereto, within the portion of the Easement Area labeled "5' Utility Easement" extending from the northwesterly sideline of Thames Street in a northwesterly and southwesterly direction to the northeasterly sideline of India Street, including, without limitation, the non-exclusive, perpetual right and easement to pass and repass over, across, and upon the Easement Area to construct, install, inspect, repair, replace, remove, reconstruct, maintain, operate, and otherwise service the utilities. The utilities, including all appurtenances and equipment relating thereto, shall be located entirely below the surface of the ground. The 5' Utility Easement is described on Exhibit A-1, attached hereto.

(d) Water Line Easement. The non-exclusive, perpetual right and easement to construct, install, inspect, repair, replace, reconstruct, maintain and operate a pipe and related facilities, conduits and appurtenances relating thereto, for providing public water service to 20 Thames Street, within the portion of the Easement Area labeled "5' Utility Easement" extending from the northeasterly sideline of India Street in a northeasterly direction to the southwesterly sideline of 20 Thames, including, without limitation, the non-exclusive, perpetual right and easement to pass and repass over, across, and upon the Easement Area to construct, install, inspect, repair, replace, remove, reconstruct, maintain, operate, and otherwise service the pipe and facilities. The utilities, including all appurtenances and equipment relating thereto, shall be located entirely below the surface of the ground and within such area.

2. Reserved Rights of One India Street. One India Street reserves all rights over, under, above, and within the Easement Area, including without limitation the right to use the surface and subsurface of, and the air space above, the Easement Area, in all cases to the extent not inconsistent with the provisions of this Agreement, and otherwise in compliance with any required governmental approvals and all applicable laws. Essex covenants and agrees that it shall not use, or allow any other person or entity to use, the Easement Area in any way that would unreasonably interfere with the reserved rights of One India Street under this Agreement.

3. Covenant by Essex Regarding Landscape. Essex hereby covenants and agrees with One India Street that Essex will maintain, repair and replace, and shall maintain in a suitable condition, the planters and landscape elements to be located adjacent to the proposed building to be developed on the 20 Thames Street parcel, and shown on the Lot Plan.

4. Conditions to Grants of Easements. A Party exercising its right to access the Easement Area to perform any work or other activity under this Agreement (other than routine or customary use, maintenance or care or in the case of an emergency) shall be obligated to comply with the requirements set forth in this Section.

(i) The Party and/or its authorized personnel shall (a) provide not less than five (5) business days' prior written notice to the other owner of any proposed entry onto the Easement Area, which notice shall contain a description of the work to be performed therein, the names of the authorized personnel who will be working within the Easement Area, and (b) deliver to the other owner a certificate of insurance evidencing that the Party has the insurance required to be carried under this Agreement. Except in the event of an emergency, all access to the Easement Area for such work shall be limited to weekdays, other than holidays observed in the State of Maine, between the hours of 7:00 a.m. and 7:00 p.m.

(ii) Only authorized personnel may access the Easement Area on behalf of the Party undertaking work. For purposes of this Section, "authorized personnel" shall mean only authorized employees, engineers, technicians, or properly authorized contractors of such Party or persons under their direct supervision.

(iii) The Party undertaking the work shall take reasonable measures to ensure that access to any portion of the Easement Area by the such Party and/or its authorized personnel (i) shall not disturb any employees, tenants, licensees, guests, or other occupants of the property of the other Party and (ii) shall not cause material interference with the use and operation of the property of the other Party.

(iv) Any excavations by or on behalf of a Party permitted by this Agreement within the Easement Area shall be properly backfilled and the surface of the land included within the Easement Area shall be restored by such Party to as reasonably good condition as said surface was in immediately prior to such excavations.

(v) Access by the Party performing work pursuant to the rights created by this Agreement shall be at the sole cost and risk of such Party.

5. Construction of Pedestrian Walkway. Essex, at its sole cost and expense, shall be responsible for the construction of the initial improvements for a pedestrian walkway within the Easement Area in accordance with the **Easement Plan**. Essex will perform such work in conformity with an agreed upon set of construction plans, copies of which will be initiated by the Parties prior to the commencement of such work, as the same may be revised or amended. As part of its work, Essex will remove the existing asphalt sidewalk in India Street fronting 1 India, and replace such sidewalk with City-standard

brick paver and re-landscape and relocate four existing bollard lights to the edge of the new pedestrian walkway and otherwise provide adequate lighting as required for such public sidewalk area. Essex shall commence to undertake the initial construction and improvements herein not later than 2 years from the Effective Date of this Agreement. Once commenced, Essex will undertake to complete the Easement Area and India Street sidewalk improvements in a diligent manner and within a reasonable time given all of the circumstances existing at such time. Upon completion, One India Street will confirm in writing with Essex that such work has been performed in accordance with this Agreement.

6. Maintenance and Repair.

(i) Upon the completion of construction described in the immediately preceding Section 5, One India Street, at its sole cost and expense (subject to reimbursement as provided herein in subsection (ii)), shall be responsible for the maintenance and repair of the Easement Area in conformity with all applicable laws and as otherwise may be necessary to preserve the Easement Area, which shall also include landscaping and removal of snow, ice and water, to a minimum 5 foot width, and resurfacing when and where necessary. All repairs and maintenance of the Easement Area shall be performed and in a good workmanlike manner as expeditiously as possible in order to avoid any unnecessary interruption of any service or inconvenience to the Parties or other parties benefitted by the Easement Area. All vendors and contractors engaged to perform any work required for the maintenance and repair of the Easement Area shall be engaged by One India Street, as One India Street shall reasonably determine, and all such costs and expenses shall be subject to reimbursement as hereafter provided by Essex. Notwithstanding anything to the contrary set forth in this Agreement, however, it is specifically understood and acknowledged that each of the respective owner(s) of 20 Thames, 5 India or 1 India shall be solely responsible for the maintenance, repair and/or replacement of any utilities installed in the Easement Area, and all costs thereof, which solely benefit the respective 20 Thames, 5 India or 1 India property.

(ii) EssexNorth and Thames each agree to reimburse One India Street for 37.5% of all reasonable costs and expenses incurred by One India Street with respect to the repair, re-construction, replacement, and maintenance of the pedestrian walkway facilities located within the Easement Area such that the combined reimbursement for such costs and expenses by EssexNorth and Thames to One India Street shall be 75% of the total thereof. EssexNorth and Thames shall make payments of the amounts specified in any invoices for any such costs or expenses delivered to them by One India Street within thirty (30) days following Essex's receipt of the same. Any amount due and not paid within such thirty (30) days period shall bear interest at a rate equal to two percent (2%) in excess of the "Prime Rate" as published in the Wall Street Journal (or a similar publication if such publication is no longer made) until paid.

(iii) In the event that One India Street fails to perform any such repair, re-construction, replacement, and maintenance within a reasonable period of time following its receipt of written notice from the other Parties specifying such failure (provided such failure was due to the neglect of One India), then such other Parties may perform such repair, re-construction, replacement, and maintenance as are reasonably necessary upon at least ten (10) days advance written notice to One India Street. One India Street shall, provided the costs are as a result of the failure of One India Street to comply with its obligations hereunder, reimburse such other Parties for the reasonable costs incurred in performing such maintenance and/or repairs within thirty (30) days following the other Parties' written request for payment, which written request shall include copies of the invoice(s) for any such costs. Any amount due and not paid within such thirty (30) days period shall bear interest at a rate equal to two percent (2%) in excess of the "Prime Rate" as published in the Wall Street Journal (or a similar publication if such publication is no longer made) until paid.

7. Compliance with Laws. In exercising their rights hereunder, and in making use of the easements granted hereunder, Essex and One India Street shall comply with all laws, statutes, ordinances, regulations, rules and orders of all governmental bodies having jurisdiction and shall secure all permits.

8. Indemnification. Except to the extent caused by the gross negligence or willful misconduct of a Party, each Party ("Indemnifying Party") agrees to indemnify, defend, and hold harmless the other Parties, and their officers, members, managers, shareholders, employees, agents, and representatives, from and against all liability, damages, costs, claims, and/or demands of any kind or character whatsoever which may be made against such other Parties as a result of, or arising out of, the death or bodily injury of any individual or any damage to property caused by the negligence or willful misconduct of the Indemnifying Party, its employees, contractors, agents, representatives, tenants, or licensees, or its guests or invitees, in connection with the exercise of the easement rights granted under this Agreement. The provisions of this Section shall survive the termination of this Agreement.

9. Insurance. Each Party shall maintain at its own expense a policy of comprehensive general liability insurance in which each other Party shall be named as an additional insured in connection with the exercise of the rights granted hereunder to Essex. The minimum limits of liability of such insurance shall be an aggregate combined single limit of \$1,000,000.00 for personal injury or property damage, or such higher limits as may reasonably be requested in writing and which would be customarily maintained for similar coverages. A certificate evidencing that such insurance is in place shall be provided prior to any work being commenced (effective upon the exercise of the easement rights granted hereunder) and such additional certificate shall be provided at least twenty (20) days prior to the expiration of the then existing policy. Each such certificate shall provide that the other Parties shall be named as an additional insured thereunder.

10. Benefit. The easements and rights granted herein to EssexNorth, Thames and One India Street shall be for the benefit of the owners and mortgagees from time to time of all or any portion of 20 Thames, 5 India and 1 India, respectively, and their respective successors and assigns, and for the tenants, lessees, licensees and lawful occupants of the respective properties to which such rights are granted.

11. Successors. As used herein, the terms "Essex," "EssexNorth," "Thames" and "One India Street" shall include their respective successors and assigns, and successors in title where the context so permits, and the agreements contained herein shall be covenants running with the land and shall be binding upon and inure to the benefit of the parties hereto and those claiming title to or interest in any of 20 Thames, 5 India or 1 India by, through or under any of them.

12. No Liability. If any owner of all of any portion of 20 Thames, 5 India or 1 India is an individual, corporation, trust or partnership, no such individual, no shareholder, officer or director of any such corporation, no partner, general or limited, of any such partnership, and no trustee or beneficiary or shareholder of any such trust shall have any personal liability under this Agreement. Each such party (including mortgagees) shall be liable only during their respective periods of ownership.

13. No Merger. There shall be no merger of the rights, limitations or obligations created hereby with the fee title to any of the properties, notwithstanding that the properties are or may be owned or leased by the same person or persons or entities benefitted or burdened hereby.

14. No Waiver. Any failure by any Party to insist upon strict performance by any other Party of any of the obligations hereunder shall not be deemed to be a waiver of any of the obligations hereunder, and such Party shall have the right at any time thereafter to insist upon strict performance by the other Party of any and all such obligations. The failure of any Party to exercise any right or remedy

hereunder shall in no event be construed as a waiver or release thereof, nor shall the choice of one remedy be deemed an election of remedies to the exclusion of other remedies.

15. Severability. In case any one or more of the provisions of this Agreement shall be invalid, illegal or unenforceable in any respect, the validity of this Agreement and the remaining provisions thereof shall be in no way affected, prejudiced or disturbed thereby.

16. Modifications. This Agreement and the terms hereof may not be changed, waived, discharged or terminated orally, but only by an instrument or instruments in writing signed by the party against which enforcement of the change, waiver, discharge or termination is asserted.

17. Applicable Law. This Agreement shall be governed by and construed according to the laws of the State of Maine, and this Agreement is executed as a sealed instrument under Maine law.

Executed as a sealed instrument as of the Effective Date.

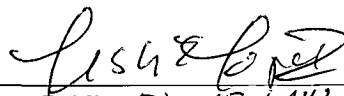
[Signature pages follow.]

ESSEXNORTH PORTLAND LLC

By: 
Name: Ara S. Aftandilian
Its: Manager

STATE OF MAINE
Cumberland County

On MAY 10, 2018, before me, the undersigned notary public, personally appeared Ara S. Aftandilian, Manager of EssexNorth Portland LLC, and acknowledged to me that he signed it voluntarily for its stated purpose and as the free act and deed of said EssexNorth Portland LLC and in his stated capacity for said EssexNorth Portland LLC.

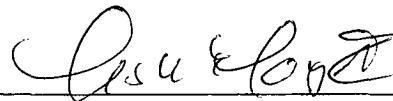

Notary Public ANY AT LAW
Print name: LESLIE E. LEARY
Seal: ME BAR # 2799

ESSEXNORTH 20 THAMES LLC
By: ESSEXNORTH PORTLAND LLC, its manager

By: 
Name: Ara S. Aftandilian
Its: Manager

STATE OF MAINE
Cumberland County

On May 10, 2018, before me, the undersigned notary public, personally appeared Ara S. Aftandilian, Manager of EssexNorth Portland LLC, in its capacity as Manager of EssexNorth 20 Thames LLC, and acknowledged to me that he signed it voluntarily for its stated purpose and as the free act and deed of said EssexNorth Portland LLC, as Manager of EssexNorth 20 Thames LLC, and in his stated capacity for said EssexNorth Portland LLC.


Notary Public ANY AT LAW
Print name: LESLIE E. LEARY
Seal: ME BAR # 2799

ONE INDIA STREET LLC

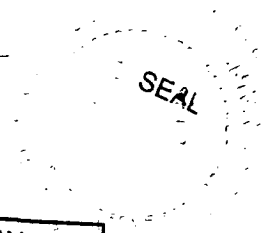
By: GSB CORPORATION, its Managing Member

By: Christopher W Emmons
Name: Christopher W. Emmons
Its: President

STATE OF MAINE
Cumberland County

On May 4, 2018, before me, the undersigned notary public, personally appeared Christopher W. Emmons, the President of GSB Corporation, in its capacity as Managing Member of One India Street LLC, and acknowledged to me that he signed it voluntarily for its stated purpose and as the free act and deed of said GSB Corporation, as Managing Member of One India Street LLC, and in his stated capacity for said GSB Corporation.

Heather Connolly
Notary Public
Print name:
Seal:



HEATHER CONNOLLY
Notary Public, State of Maine
My Commission Expires June 27, 2019

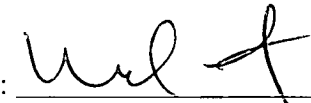
MORTGAGEE'S JOINDER

CAMDEN NATIONAL BANK, holder of a MORTGAGE, SECURITY AGREEMENT AND FIXTURE FILING made as of February 14, 2018, by EssexNorth 20 Thames LLC for the benefit of CAMDEN NATIONAL BANK, recorded on February 15, 2018, in the Cumberland County Registry of Deeds in Book 34658, Page 179 (the "Mortgage") and an ASSIGNMENT OF LEASES AND RENTALS made as of February 14, 2018, by EssexNorth 20 Thames LLC for the benefit of CAMDEN NATIONAL BANK, recorded on February 15, 2018, in the Cumberland County Registry of Deeds in Book 34658, Page 204 (the "Assignment") hereby joins in this Access and Utility Easement Agreement for the purpose of agreeing that in the exercise of its rights under the Mortgage and Assignment it will recognize and agree to be bound by the terms and provisions hereof.

WITNESS:


Dawn H. Ham

CAMDEN NATIONAL BANK

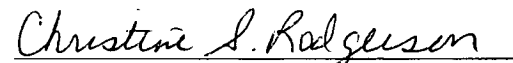
By: 
Mark V. Stasium
Its Senior Vice President

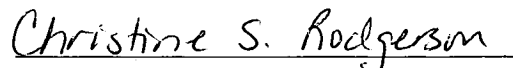
STATE OF MAINE
COUNTY OF CUMBERLAND, ss.

April 30, 2018

Personally appeared the above named Mark V. Stasium, Senior Vice President of Camden National Bank, and acknowledged the foregoing instrument to be his/her free act deed in his/her said capacity and the free act and deed of said bank.

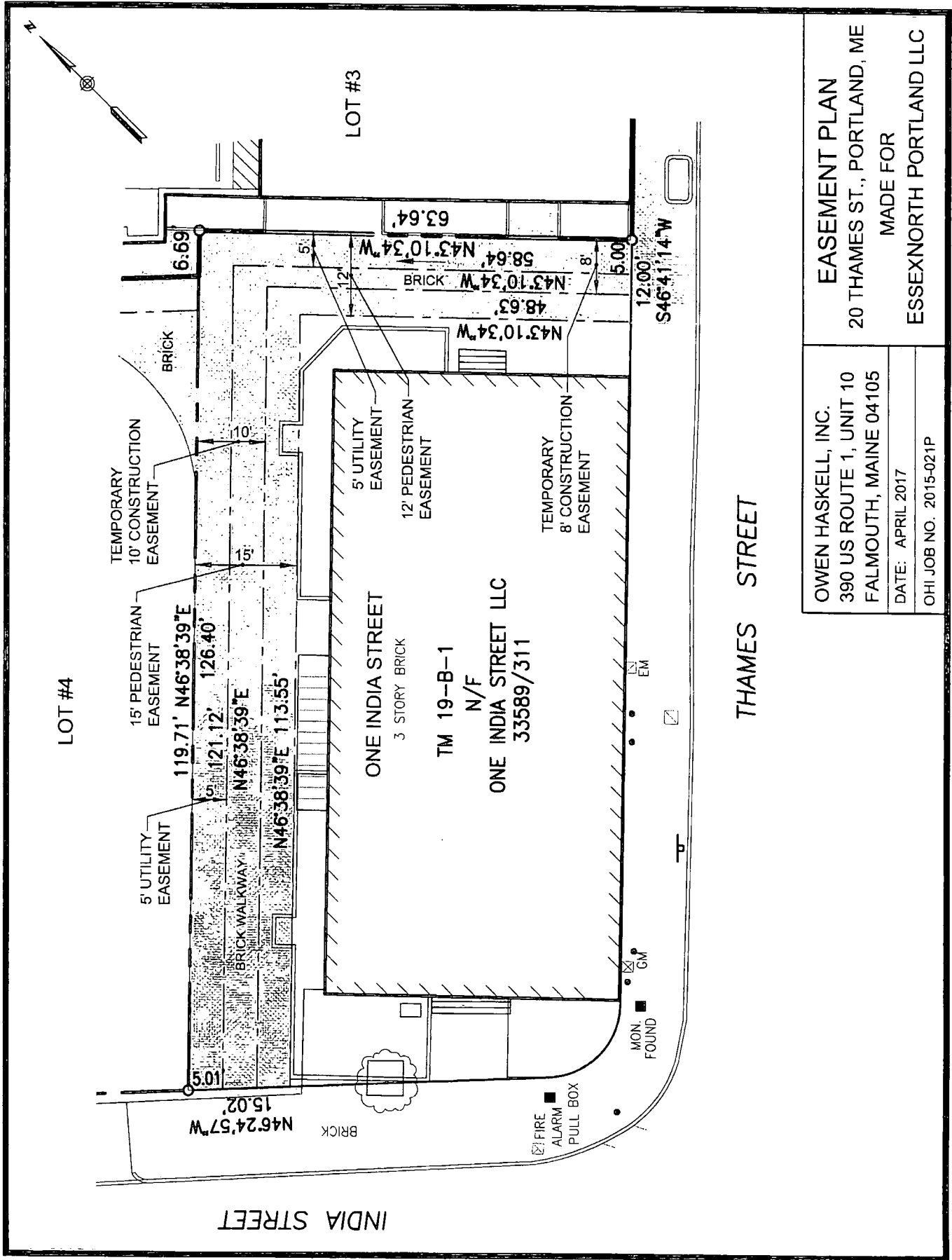
Before me,


Notary Public/Maine Attorney at Law


Print name

My commission expires: September 1, 2021

SEAL



OWEN HASKELL, INC. 390 US ROUTE 1, UNIT 10 FALMOUTH, MAINE 04105	EASEMENT PLAN 20 THAMES ST., PORTLAND, ME MADE FOR ESSEXNORTH PORTLAND LLC
DATE: APRIL 2017	OHI JOB NO. 2015-021P

EXHIBIT A-1

Description of Easement Area

A certain parcel of land situated on the northerly side of India Street and the westerly side of Thames Street in the City of Portland, County of Cumberland and State of Maine bounded and described as follows:

Beginning at a point on the northerly sideline of India Street at the southwesterly corner of land now or formerly of One India Street, LLC as described in deed book 33589 page 311;
Thence, N 46°38'39"E along the westerly line of said One India Street, LLC and land now or formerly of Portland Acquisition LLC as described in deed book 33254 page 357 a distance of 126.40 feet;
Thence, S43°10'34"E along land of said Portland Acquisition LLC 63.64 feet to the westerly sideline of Thames Street;
Thence, S46°41'14"W along the westerly sideline of said Thames Street 12.00 feet;
Thence, N43°10'34"W across land of said One India Street, LLC 48.63 feet;
Thence, S46°38'39"W across land of said One India Street, LLC 113.55 feet to the northerly sideline of India Street;
Thence, N46°24'57"W along the northerly sideline of said India Street 15.02 feet to land of said Portland Acquisition LLC and the point of beginning.

The parcel of land is 15 feet wide in some portions and 12 feet wide in other portions and is shown on the Easement Plan.

5' Wide Utility Easement

A certain parcel of land situated on the northerly side of India Street and the westerly side of Thames Street in the City of Portland, County of Cumberland and State of Maine bounded and described as follows:

Beginning at a point on the northerly sideline of India Street at the southwesterly corner of land now or formerly of One India Street, LLC as described in deed book 33589 page 311;
Thence, N 46° 38'39"E along the westerly line of said One India Street, LLC and land now or formerly of Portland Acquisition LLC as described in deed book 33254 page 357 a distance of 126.40 feet;
Thence, S43°10'34"E along land of said Portland Acquisition LLC 63.64 feet to the westerly sideline of Thames Street;
Thence, S46°41'14"W along the westerly sideline of said Thames Street 5.00 feet;
Thence, N43°10'34"W across land of said One India Street, LLC 58.64 feet;
Thence, S46°38'39"W across land of said One India Street, LLC 121.12 feet to the northerly sideline of India Street;
Thence, N46°24'57"W along the northerly sideline of said India Street 5.02 feet to land of said Portland Acquisition LLC and the point of beginning.

Meaning and intending to describe a 5 foot wide strip of land along the common boundary line of One India Street LLC property, Lot#3 and Lot#4, and being shown on the Easement Plan.

Received
Recorded Register of Deeds
Jun 25, 2018 01:25:45P
Cumberland County
Nancy A. Lane

EASEMENT DEED

Portland Water District, a quasi-municipal corporation with a place of business in Portland, Maine, ("District") for consideration paid, hereby grants to LRAR LLC, a Maine limited liability company with a place of business in Portland, Maine ("Grantee"), an appurtenant easement burdening property of the District in the City of Portland, Cumberland County, Maine, more particularly described in Schedule A (hereinafter "Property"), attached hereto and incorporated herein by reference.

Grantee shall have the following permanent easement rights in the easement area described in Schedule A:

The right to install, maintain, replace and repair landscaping, piling caps and other subsurface structures in connection with the construction of a mixed use and residential structure on Grantee's property which is adjacent to the Property; and

The right to enter with persons, machinery and equipment for the purposes of constructing and maintaining said piling caps and other subsurface structures; and

The right to install and maintain all of the foregoing are granted upon the following conditions:

A. The pilings and/or other substructures and the landscaping of the Grantee shall not interfere with the operations of the District, and shall not pose a health or safety hazard, or otherwise disturb the use of the Property by the District. The District agrees that any pilings, piling caps and subsurface structures that do not encroach more than twenty-four (24) inches onto the District's Property shall be deemed not to interfere with the District's Operations and deemed not to otherwise disturb the use of the Property by the District. Pilings and other subsurface structures for the so-called townhouse wing of the mixed use and residential development, and immediately to the south of the District's Property, shall be designed and installed in such a way as to secure the subsurface area for future force main replacement, maintenance and repair to the pump station owned and operated by the District on the Property. The Pilings must be designed such that if the District does excavation/repair work to its force main, the mixed use and residential development shall not be affected by the work.

B. Landscaping shall be installed as designed by the Grantee's architect and designers and shall be approved in writing by the District prior to installation. All installation and maintenance costs of the Landscaping shall be borne by Grantee.

C. The easement is intended to be appurtenant to and benefit adjacent land of Grantee described on Schedule B attached hereto shall be used solely for Grantee's, its successors' and assigns' purposes.

D. Grantee covenants and agrees by acceptance of this easement to comply with any and all applicable laws, ordinances and regulations in connection with the exercise of its rights hereunder.

E. The Grantee agrees to indemnify and hold harmless the District for and against any and all claims, loss, cost, damage or expense, including reasonable attorney's fees that may arise from a breach of the Grantee's covenants herein or from the exercise by the Grantee of its easement rights under this easement.

It is understood that the land described in Schedule B (the "Benefited Property") either has been or will be subjected to a condominium under the Maine Condominium Act. Upon the turnover of governance of the Condominium on the Benefited Property to the Condominium Association ("Association"), the Association shall have the rights and obligations described in this Easement as successor to the Grantee, with notice to the District, and with no consent required by the District.

This Agreement shall be governed by and interpreted under the laws of the State of Maine. In the event that it becomes necessary for either party to enforce the terms of this Agreement by legal or administrative action, the prevailing party shall be entitled to a reimbursement from the other party for its reasonable attorney's fees thereby incurred.

IN WITNESS WHEREOF, the parties have caused this instrument to be signed by their duly authorized representatives this 2 day of May, 2007.

WITNESS:

Donna M. Kateraficas
Witness

PORTLAND WATER DISTRICT

By: Ronald Miller
Ronald Miller
Its General Manager

State of Maine
Cumberland, ss

May 2, 2007

Ronald Miller, as General Manager of the Portland Water District, personally appeared and acknowledged that his signature on this document was his free act and deed on behalf of the Portland Water District.

Before Me,

Donna M. Kateraficas
Notary Public/Attorney at Law
Donna M. KATERAFICAS
Print Name

WITNESS:

LRAR LLC

By: Riverwalk, LLC, Its Manager

Tabatha J. St. Pierre

By: [Signature]

Drew E. Swenson, Its Manager

State of Maine
Cumberland, ss

May 2, 2007

Personally appeared Drew E. Swenson, Manager of Riverwalk, LLC, Manager of LRAR LLC, who acknowledged that his signature on this document was his free act and deed in his capacity and the free act and deed of LRAR LLC and Riverwalk, LLC.

Before Me,

Tabatha J. St. Pierre
Notary Public/Attorney at Law

Tabatha J. St. Pierre
Print Name

TABATHA J. ST. PIERRE
Notary Public, Maine
My Commission Expires January 14 2011

SEAL

SCHEDULE A

Land of Portland Water District described in deed dated June 7, 1976, and recorded in the Cumberland County Registry of Deeds in Book 3870, Page 101.

SCHEDULE B

Certain real property located in the City of Portland, County of Cumberland and State of Maine, at the intersection of India Street and Commercial Street and more particularly described in the following deeds, which descriptions are hereby incorporated by reference:

1. Quitclaim Deed Without Covenant from the City of Portland to LRAR LLC dated July 19, 2006 and recorded in the Cumberland County Registry of Deeds in Book 24191, Page 218.
2. Quitclaim Deed With Covenant from India Street Station, LLC to LRAR LLC dated September 27, 2006 and recorded in the Cumberland County Registry of Deeds in Book 24419, Page 118.
3. Quitclaim Deed With Covenant from Grand Trunk Ventures, LLC to LRAR LLC dated September 27, 2006 and recorded in the Cumberland County Registry of Deeds in Book 24419, Page 114.

Received
Recorded Register of Deeds
May 03, 2007 03:12:04P
Cumberland County
Pamela E. Lovley



Luke Malone
EssexNorth Portland LLC
59 Middle Street Portland ME 04101

Gorham Savings Bank hereby accepts the modifications to the landscaping on the 1 India Street site adjacent to the 5 India Street apartment building being developed by EssexNorth Portland LLC. We have reviewed L1.0 landscaping and lighting plan by Carol Associates Landscaping Architects, last revised on 12/13/2019, and find the improvements to the 1 India Street property acceptable.

Per the description in the easement, Gorham Savings Bank hereby approves the changes put forth by Essex North LLC."

Sincerely,

A handwritten signature in blue ink that reads "Alden Joy". The signature is fluid and cursive, with the first name "Alden" and last name "Joy" clearly visible.

Alden Joy
Security Officer/Facilities Director
Gorham Savings Bank
10 Wentworth Drive
Gorham, ME 04038
Office: 207.222.1436
Mobile: 207.595.1128
*Banking is Believing*SM

Significant Natural Features

The project site is a vacant, previously developed (former industrial rail yard) urban site that largely consists of a gravel surface over fill material and marine clay. Much of the site was previously covered with weedy type growth but now consists of a construction laydown area. There are no significant plant species, communities or species within the site. There are no significant natural features.

Stormwater

The existing site has been vacant for some time, but prior to development of surrounding buildings, it existed as a gravel site with various concrete pads. The site has since been staging for various construction projects. The site is relatively flat with general grade sloping from south to north. Surface stormwater currently sheds off the property and enters into the separated storm drain system within Hancock and Thames Street. This system discharges to the ocean adjacent to the Ocean Gateway terminal building. While Chapter 500 redevelopment standards would indicate that new development of the site would not specifically require treatment of stormwater, the developer has chosen to provide permeable pavers with a filter system within the driveway and drop-off area of the Twenty Thames Condominium project and the proposed 170 Fore Street Office project. Storage of the stormwater from the 5 India site would be provided in the same RTank system under the filter system below this driveway. The stormwater management was considered for the entirety of the block and was included and approved with the application of the AC Hotel.

AC Hotel, Twenty Thames St., Five India St., 170 Fore St. Development Project Stormwater Management Narrative

Date: September 28, 2015; Revised 3/15/16; Revised 5/20/19
To: City of Portland
From: Maureen P. McGlone, P.E.
Peer Review: Stephen J. Bradstreet, P.E.
Location: Hancock and Fore Streets, Portland, Maine



List of Appendices:

Appendix A: Pre-and Post-Development Stormwater Plans
Appendix B: Pre Development Hydro CAD Calculations
Appendix C: Post Development Hydro CAD Calculations
Appendix D: Water Quality Calculations
Appendix E: Stormwater Inspection and Maintenance Report

Existing Conditions:

The original site was a 60,654 SF (1.39 acres) acre parcel that is bordered by Fore Street, Hancock Street, Thames Street and India Street, which has since been subdivided into four development lots. The site's original topography was generally flat and sloped from the northeast to the southwest with runoff going into catch basins on Fore Street, Hancock Street and Thames Street. The parcel was vacant prior to development, but had historical use as a rail yard for shipping and was being utilized as a staging area for several construction projects completed in the surrounding area. The entire parcel is considered impervious with concrete pads or gravel surfaces.

Stormwater runoff from the original parcel (Sub-catchment 1) flows in two directions. A portion flows toward the intersection of Fore Street and Hancock Street to a closed drainage system. The remaining area appears to flow to the intersection of Thames Street and Hancock Street to the same closed drainage system. The closed drainage system discharges to the ocean adjacent to the Ocean Gateway terminal building after first going through a Downstream Defender treatment system, which primarily removes suspended solids from the stormwater.

Proposed Development:

The applicant, EssexNorth Portland, LLC proposes to construct a 4 story residential condominium/retail building on Lot 4 (5 India Street) and a 7-story office building on Lot 2 (170 Fore Street) in addition to the recently constructed 6-story AC Hotel and 6-story residential condominium/retail building. The proposed mixed-use building will have residential common areas as well as the retail space on the first floor. The second through fourth floors will house 24 one-bedroom apartments. The office building will have common areas and retail on the first floor. Floors two through seven will be office space. These are the last two buildings that were designated as “future development” in the initial stormwater report for the site. Landscaped areas and walking paths complete the development. With the addition of landscaped areas in all four phases of the project (proposed and existing), the proposed development decreases the site’s overall impervious area.

Stormwater Management – Basic Standards:

Erosion and sedimentation control measures are detailed within the design plans. Good housekeeping practices will be in accordance with Maine DEP Best Management Practices. A post construction stormwater management plan is provided in Appendix A. Stormwater BMP inspection and maintenance requirements are provided in Appendix B.

Stormwater Management - Quality:

The existing site is currently all gravel and basically an impervious site. Per Chapter 500, there is no requirement for treatment for a redevelopment project on this parcel. However, the applicant has chosen to provide permeable pavers with a filter system for the treatment of surface runoff in the driveway and dropoff area. The discharge from the filter system will be collected in subsurface storage tanks (R-tank system currently proposed) which will subsequently enter the closed storm drainage system in Thames Street.

The site’s impervious area will be reduced with the addition of landscaped areas, however with the proposed surface water treatment the stormwater quality would improve greatly over the existing condition. It is anticipated that this additional treatment provided will be used to provide water quality credits to offset the City’s new stormwater fee.

Stormwater Management - Quantity:

The pervious paver filter system proposed included subsurface storage of treated surface water runoff. Additionally, it is anticipated that the roof drains from the proposed structures will be connected to the subsurface system to provide additional detention prior to discharge to the storm drain system within Thames Street. It is anticipated that this additional treatment provided will be used to provide water quantity credits to offset the City’s new stormwater fee.

Hydraulic Analysis:

Stormwater runoff calculations for quantity were made using the HydroCAD 10.0 computer program, which is based on the Soil Conservation Service's TR-20 methodology. Runoff hydrographs are generated based on a standard Type III 24 hour storm.

Five storm events were modeled as follows:

1. 1" storm: The 1" storm event was analyzed to simulate a heavy weather event that would typically happen multiple times over a given year and may impact the CSO frequency and volume.
2. 1.6" storm: The 1.6" storm event was analyzed to simulate a heavy weather event that would typically happen multiple times over a given year and may impact the CSO frequency and volume.
3. 2-year frequency flood event: 3.1" rainfall
4. 10-year frequency flood event: 4.6" rainfall
5. 25-year frequency flood event: 5.8" rainfall
6. 100-year frequency flood event: 8.1" rainfall

Runoff Curve numbers were determined based on land coverage and soil type based on a geotechnical report generated by Haley and Aldrich in May, 2007. Soils were typically urban fill underlain by organic material, sand and soft clays to rock. Due to the size of the lot and the land coverage, a minimum time of concentration (Tc) of 6 minutes was set in the HydroCAD model.

Peak runoff flow rates and runoff volumes are provided for a single analysis point, which represents the discharge to the closed system and are identified on the Pre and Post-Development plans. The analysis point shows a significant reduction in runoff rates with the same volume.

Peak runoff rates and runoff volumes for the above analysis points and storm events are tabulated in the following tables. Pre- and Post-Development plans (SWP1.0 and SWP2.0) can be found in [Appendix A](#). HydroCAD calculations can be found in [Appendices B & C](#). Water quality calculations can be found in [Appendix D](#) and the Inspection and Maintenance Report can be found in [Appendix E](#).

Storm Event	PRE-Development Peak Runoff RATES cubic feet per second (CFS)
1" Storm	1.00
1.6" Storm	1.85
2 Year Frequency Storm	3.94
10 Year Frequency Storm	6.00
25 Year Frequency Storm	7.63
100 Year Frequency Storm	10.74

Storm Event	POST-Development Peak Runoff RATES cubic feet per second (CFS)
1" Storm	0.51
1.6" Storm	0.98
2 Year Frequency Storm	2.24
10 Year Frequency Storm	3.07
25 Year Frequency Storm	3.65
100 Year Frequency Storm	5.02

Storm Event	PRE-Development Peak Runoff VOLUME acre feet (AF) volume of water 1'deep over one acre
1" Storm	.07
1.6" Storm	0.13
2 Year Frequency Storm	0.29
10 Year Frequency Storm	0.45
25 Year Frequency Storm	0.58
100 Year Frequency Storm	0.82

Storm Event	POST-Development Peak Runoff VOLUME acre feet (AF) volume of water 1'deep over one acre)
1" Storm	0.08
1.6" Storm	0.14
2 Year Frequency Storm	0.31
10 Year Frequency Storm	0.48

City of Portland

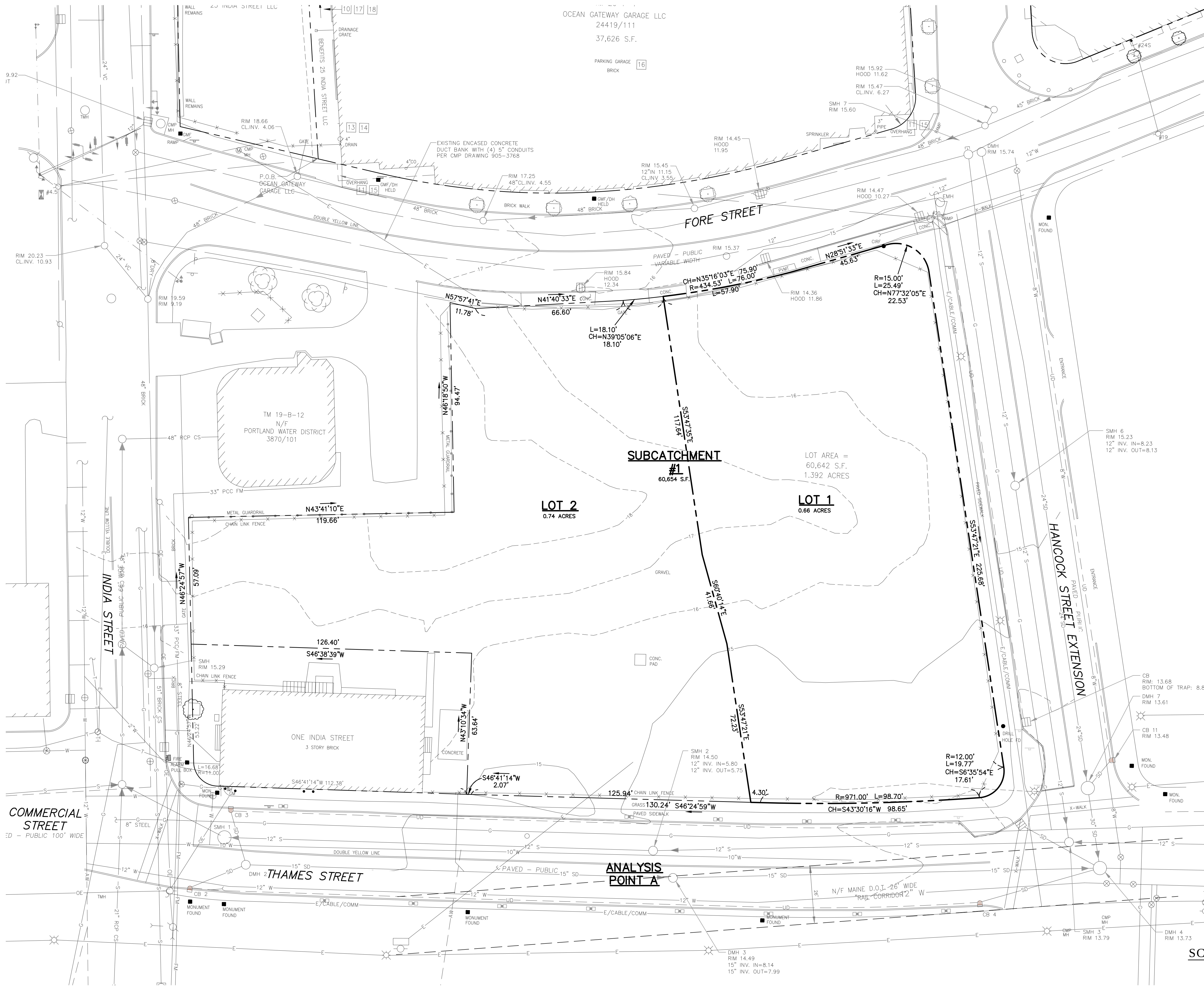
25 Year Frequency Storm	0.62
100 Year Frequency Storm	0.88

APPENDIX A

Pre- and Post- Development Stormwater Plans

City of Portland
Hancock/Thames/Fore Street
Portland, Maine

Ransom Consulting, Inc.
Project 151.06094



SCALE

Site:

☐ RO ☐ OSE AC ☐ OTEL

FORE STREET ☐

ANCOC ☐ STREET ☐

T ☐ AMES STREET

ORTLAND, MAINE

Prepared for:

☐ ORTLAND NOR ☐ C ☐

☐ RO ☐ LLC

2 ☐ O ☐ ALM R D ☐ E ROAD

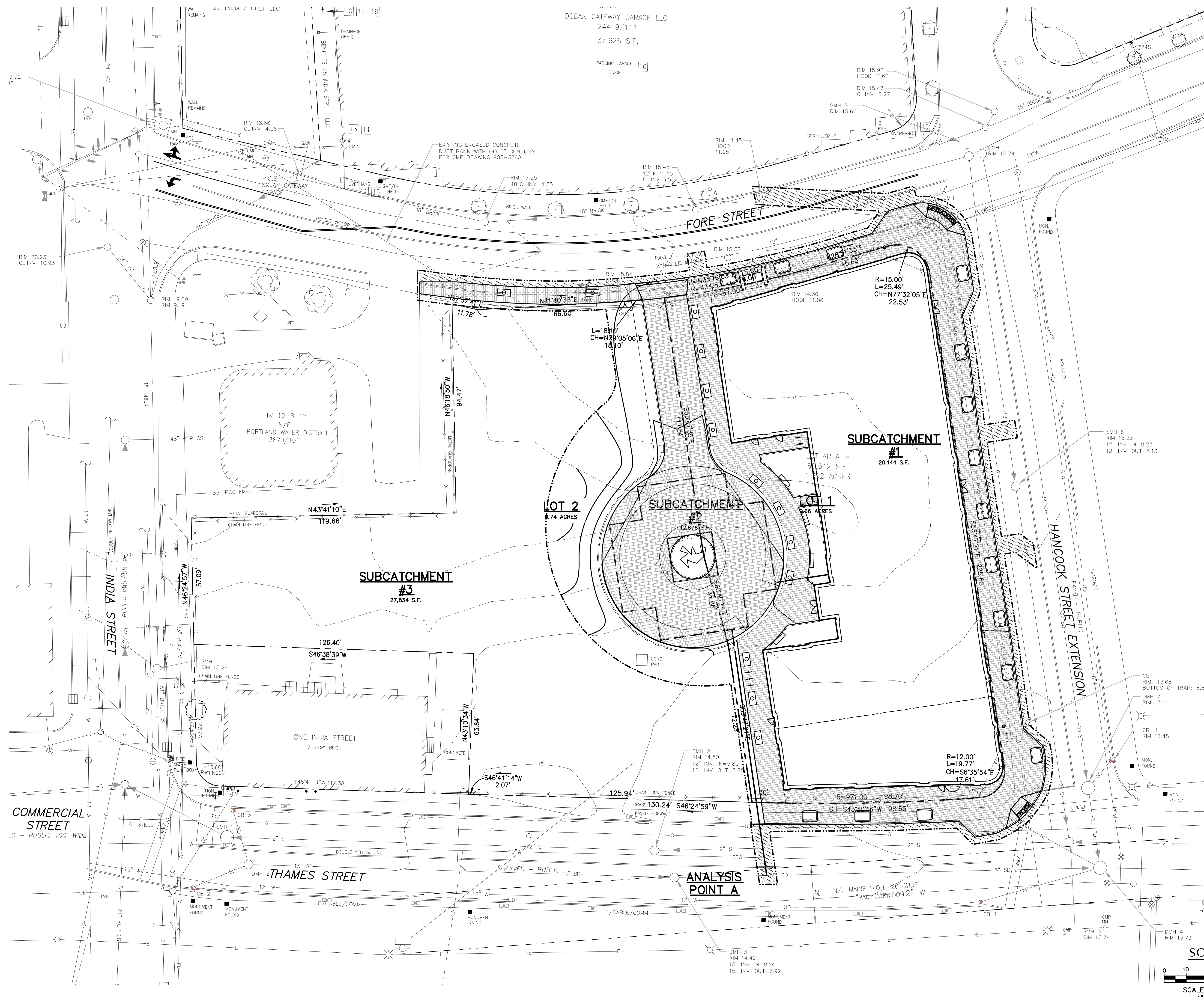
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SAN ☐ EL ☐ FL ☐ 95 ☐

400 Commercial Street, Suite 404
Portland, ME 04101
Tel. (207) 772-2891
Fax (207) 772-3248
www.ransomenv.com

☐ RE-DE ☐ ELO ☐ MENT

☐ LAN



ite:

ROSED AC OTEL

FORE STREET
ANCOC STREET
TAMES STREET
ORTLAND MAINE

repared for:

ORTLAND NOR C
RO LLC
20 ALM RD E ROAD
05
SANTEL FL 95



400 Commercial Street, Suite 404
Portland, ME 04101
Tel. (207) 772-2891
Fax (207) 772-3248
www.ransomenv.com

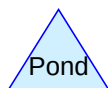
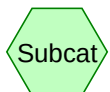
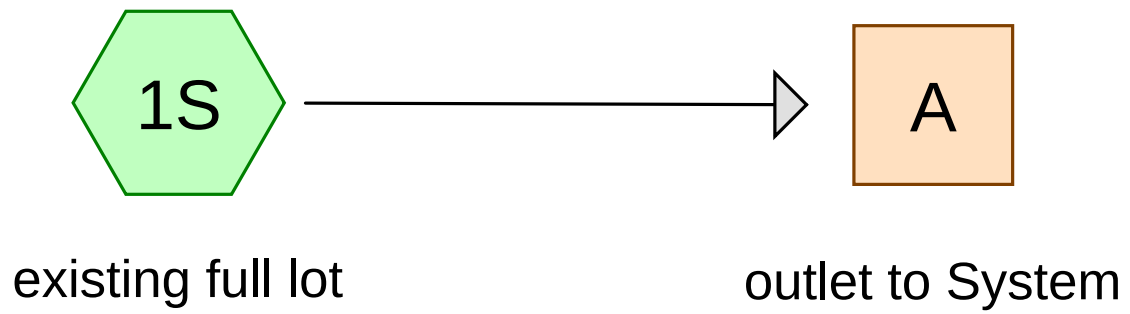
OST-DEVELOPMENT PLAN

B	FINAL SUBMISSION	03/15/16
A	PRELIMINARY SUBMISSION	09/29/15
No.	Revision/Issue	Date
Design by:	Checked by:	
MPM	SJB	
Drawn by:	Approved by:	
JAR	SJB	
Project:	Date:	
150.06094	AUGUST 2015	
Sheet No:		
   		
Sheet 2 of 2		

APPENDIX B

Pre Development Hydro CAD Calculations

City of Portland
Hancock/Thames/Fore Street
Portland, Maine



existing site

Prepared by Ransom Consulting

Printed 3/16/2016

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Page 2

Area Listing (all nodes)

Area (acres)	CN	Description (subcatchment-numbers)
1.392	96	Gravel parking, HSG B (1S)
1.392	96	TOTAL AREA

existing site

Prepared by Ransom Consulting

Printed 3/16/2016

HydroCAD® 10.00-12 s/n 05121 © 2014 HydroCAD Software Solutions LLC

Page 3

Soil Listing (all nodes)

Area (acres)	Soil Group	Subcatchment Numbers
0.000	HSG A	
1.392	HSG B	1S
0.000	HSG C	
0.000	HSG D	
0.000	Other	
1.392		TOTAL AREA

existing site

Prepared by Ransom Consulting

Printed 3/16/2016

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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
0.000	1.392	0.000	0.000	0.000	1.392	Gravel parking	1S
0.000	1.392	0.000	0.000	0.000	1.392	TOTAL AREA	

existing site

Prepared by Ransom Consulting

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AC Hotel Portland
Type III 24-hr 1-inch Rainfall=1.00"

Printed 3/16/2016

Page 5

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

Subcatchment1S: existing full lot

Runoff Area=60,654 sf 0.00% Impervious Runoff Depth>0.59"
Tc=6.0 min CN=96 Runoff=1.00 cfs 0.069 af

Reach A: outlet to System

Inflow=1.00 cfs 0.069 af
Outflow=1.00 cfs 0.069 af

Total Runoff Area = 1.392 ac Runoff Volume = 0.069 af Average Runoff Depth = 0.59"
100.00% Pervious = 1.392 ac 0.00% Impervious = 0.000 ac

existing site

Prepared by Ransom Consulting

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AC Hotel Portland

Type III 24-hr 1-inch Rainfall=1.00"

Printed 3/16/2016

Page 6

Summary for Subcatchment 1S: existing full lot

Runoff = 1.00 cfs @ 12.09 hrs, Volume= 0.069 af, Depth> 0.59"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr 1-inch Rainfall=1.00"

	Area (sf)	CN	Description
*	60,654	96	Gravel parking, HSG B
	60,654		100.00% Pervious Area

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

Summary for Reach A: outlet to System

Inflow Area = 1.392 ac, 0.00% Impervious, Inflow Depth > 0.59" for 1-inch event

Inflow = 1.00 cfs @ 12.09 hrs, Volume= 0.069 af

Outflow = 1.00 cfs @ 12.09 hrs, Volume= 0.069 af, Atten= 0%, Lag= 0.0 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

existing site

Prepared by Ransom Consulting

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AC Hotel Portland
Type III 24-hr 1.6-inch Rainfall=1.60"

Printed 3/16/2016

Page 7

Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment1S: existing full lot

Runoff Area=60,654 sf 0.00% Impervious Runoff Depth>1.12"

Tc=6.0 min CN=96 Runoff=1.85 cfs 0.130 af

Reach A: outlet to System

Inflow=1.85 cfs 0.130 af

Outflow=1.85 cfs 0.130 af

Total Runoff Area = 1.392 ac Runoff Volume = 0.130 af Average Runoff Depth = 1.12"

100.00% Pervious = 1.392 ac 0.00% Impervious = 0.000 ac

existing site

Prepared by Ransom Consulting

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AC Hotel Portland

Type III 24-hr 1.6-inch Rainfall=1.60"

Printed 3/16/2016

Page 8

Summary for Subcatchment 1S: existing full lot

Runoff = 1.85 cfs @ 12.09 hrs, Volume= 0.130 af, Depth> 1.12"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr 1.6-inch Rainfall=1.60"

	Area (sf)	CN	Description
*	60,654	96	Gravel parking, HSG B
	60,654		100.00% Pervious Area

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

Summary for Reach A: outlet to System

Inflow Area = 1.392 ac, 0.00% Impervious, Inflow Depth > 1.12" for 1.6-inch event

Inflow = 1.85 cfs @ 12.09 hrs, Volume= 0.130 af

Outflow = 1.85 cfs @ 12.09 hrs, Volume= 0.130 af, Atten= 0%, Lag= 0.0 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

existing site

Prepared by Ransom Consulting

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AC Hotel Portland
Type III 24-hr 2-year Rainfall=3.10"

Printed 3/16/2016

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

Subcatchment1S: existing full lot

Runoff Area=60,654 sf 0.00% Impervious Runoff Depth>2.50"
Tc=6.0 min CN=96 Runoff=3.94 cfs 0.290 af

Reach A: outlet to System

Inflow=3.94 cfs 0.290 af
Outflow=3.94 cfs 0.290 af

Total Runoff Area = 1.392 ac Runoff Volume = 0.290 af Average Runoff Depth = 2.50"
100.00% Pervious = 1.392 ac 0.00% Impervious = 0.000 ac

existing site

Prepared by Ransom Consulting

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AC Hotel Portland

Type III 24-hr 2-year Rainfall=3.10"

Printed 3/16/2016

Page 10

Summary for Subcatchment 1S: existing full lot

Runoff = 3.94 cfs @ 12.09 hrs, Volume= 0.290 af, Depth> 2.50"

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

	Area (sf)	CN	Description
*	60,654	96	Gravel parking, HSG B
	60,654		100.00% Pervious Area

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

Summary for Reach A: outlet to System

Inflow Area = 1.392 ac, 0.00% Impervious, Inflow Depth > 2.50" for 2-year event

Inflow = 3.94 cfs @ 12.09 hrs, Volume= 0.290 af

Outflow = 3.94 cfs @ 12.09 hrs, Volume= 0.290 af, Atten= 0%, Lag= 0.0 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

existing site

Prepared by Ransom Consulting

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AC Hotel Portland

Type III 24-hr 10-year Rainfall=4.60"

Printed 3/16/2016

Page 11

Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment1S: existing full lot

Runoff Area=60,654 sf 0.00% Impervious Runoff Depth>3.89"

Tc=6.0 min CN=96 Runoff=6.00 cfs 0.451 af

Reach A: outlet to System

Inflow=6.00 cfs 0.451 af

Outflow=6.00 cfs 0.451 af

Total Runoff Area = 1.392 ac Runoff Volume = 0.451 af Average Runoff Depth = 3.89"

100.00% Pervious = 1.392 ac 0.00% Impervious = 0.000 ac

existing site

Prepared by Ransom Consulting

HydroCAD® 10.00-12 s/n 05121 © 2014 HydroCAD Software Solutions LLC

AC Hotel Portland

Type III 24-hr 10-year Rainfall=4.60"

Printed 3/16/2016

Page 12

Summary for Subcatchment 1S: existing full lot

Runoff = 6.00 cfs @ 12.09 hrs, Volume= 0.451 af, Depth> 3.89"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr 10-year Rainfall=4.60"

	Area (sf)	CN	Description
*	60,654	96	Gravel parking, HSG B
	60,654		100.00% Pervious Area

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

Summary for Reach A: outlet to System

Inflow Area = 1.392 ac, 0.00% Impervious, Inflow Depth > 3.89" for 10-year event

Inflow = 6.00 cfs @ 12.09 hrs, Volume= 0.451 af

Outflow = 6.00 cfs @ 12.09 hrs, Volume= 0.451 af, Atten= 0%, Lag= 0.0 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

existing site

Prepared by Ransom Consulting

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AC Hotel Portland

Type III 24-hr 25-year Rainfall=5.80"

Printed 3/16/2016

Page 13

Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment1S: existing full lot

Runoff Area=60,654 sf 0.00% Impervious Runoff Depth>4.99"

Tc=6.0 min CN=96 Runoff=7.63 cfs 0.579 af

Reach A: outlet to System

Inflow=7.63 cfs 0.579 af

Outflow=7.63 cfs 0.579 af

Total Runoff Area = 1.392 ac Runoff Volume = 0.579 af Average Runoff Depth = 4.99"

100.00% Pervious = 1.392 ac 0.00% Impervious = 0.000 ac

existing site

Prepared by Ransom Consulting

HydroCAD® 10.00-12 s/n 05121 © 2014 HydroCAD Software Solutions LLC

AC Hotel Portland

Type III 24-hr 25-year Rainfall=5.80"

Printed 3/16/2016

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Summary for Subcatchment 1S: existing full lot

Runoff = 7.63 cfs @ 12.09 hrs, Volume= 0.579 af, Depth> 4.99"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr 25-year Rainfall=5.80"

	Area (sf)	CN	Description
*	60,654	96	Gravel parking, HSG B
	60,654		100.00% Pervious Area

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

Summary for Reach A: outlet to System

Inflow Area = 1.392 ac, 0.00% Impervious, Inflow Depth > 4.99" for 25-year event

Inflow = 7.63 cfs @ 12.09 hrs, Volume= 0.579 af

Outflow = 7.63 cfs @ 12.09 hrs, Volume= 0.579 af, Atten= 0%, Lag= 0.0 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

existing site

Prepared by Ransom Consulting

HydroCAD® 10.00-12 s/n 05121 © 2014 HydroCAD Software Solutions LLC

AC Hotel Portland
Type III 24-hr 100-year Rainfall=8.10"

Printed 3/16/2016

Page 15

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

Subcatchment1S: existing full lot

Runoff Area=60,654 sf 0.00% Impervious Runoff Depth>7.10"
Tc=6.0 min CN=96 Runoff=10.74 cfs 0.824 af

Reach A: outlet to System

Inflow=10.74 cfs 0.824 af
Outflow=10.74 cfs 0.824 af

Total Runoff Area = 1.392 ac Runoff Volume = 0.824 af Average Runoff Depth = 7.10"
100.00% Pervious = 1.392 ac 0.00% Impervious = 0.000 ac

existing site

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AC Hotel Portland

Type III 24-hr 100-year Rainfall=8.10"

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Summary for Subcatchment 1S: existing full lot

Runoff = 10.74 cfs @ 12.09 hrs, Volume= 0.824 af, Depth> 7.10"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr 100-year Rainfall=8.10"

	Area (sf)	CN	Description
*	60,654	96	Gravel parking, HSG B
	60,654		100.00% Pervious Area

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

Summary for Reach A: outlet to System

Inflow Area = 1.392 ac, 0.00% Impervious, Inflow Depth > 7.10" for 100-year event

Inflow = 10.74 cfs @ 12.09 hrs, Volume= 0.824 af

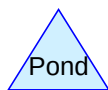
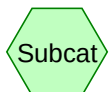
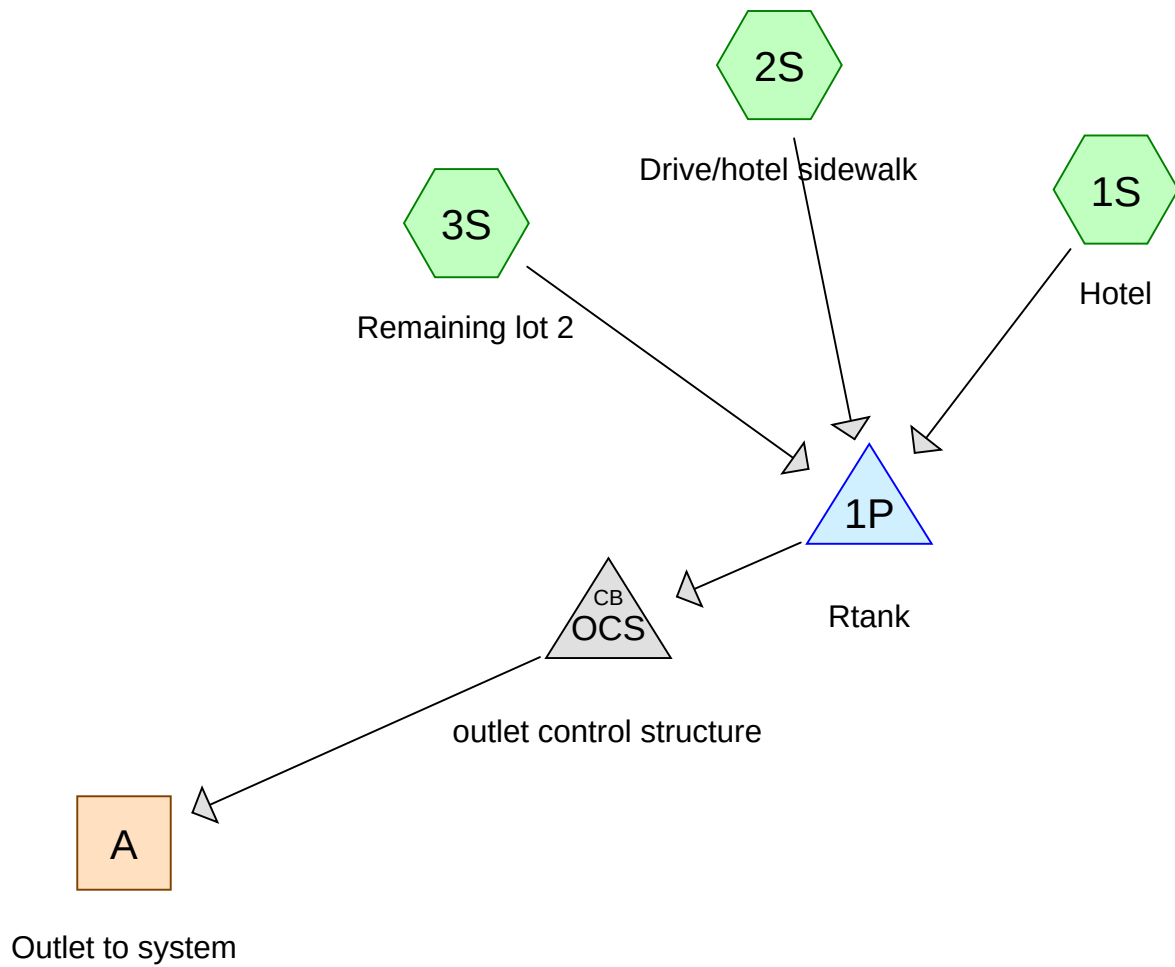
Outflow = 10.74 cfs @ 12.09 hrs, Volume= 0.824 af, Atten= 0%, Lag= 0.0 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

APPENDIX C

Post Development Hydro CAD Calculations

City of Portland
Hancock/Thames/Fore Street
Portland, Maine



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Area Listing (all nodes)

Area (acres)	CN	Description (subcatchment-numbers)
0.264	98	(2S)
0.639	96	(3S)
0.027	61	landscaped beds (2S)
0.462	98	roof (1S)
1.392	96	TOTAL AREA

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Soil Listing (all nodes)

Area (acres)	Soil Group	Subcatchment Numbers
0.000	HSG A	
0.000	HSG B	
0.000	HSG C	
0.000	HSG D	
1.392	Other	1S, 2S, 3S
1.392		TOTAL AREA

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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
0.000	0.000	0.000	0.000	0.903	0.903		2S, 3S
0.000	0.000	0.000	0.000	0.027	0.027	landscaped beds	2S
0.000	0.000	0.000	0.000	0.462	0.462	roof	1S
0.000	0.000	0.000	0.000	1.392	1.392	TOTAL AREA	

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Pipe Listing (all nodes)

Line#	Node Number	In-Invert (feet)	Out-Invert (feet)	Length (feet)	Slope (ft/ft)	n	Diam/Width (inches)	Height (inches)	Inside-Fill (inches)
1	1P	9.75	9.65	10.0	0.0100	0.010	12.0	0.0	0.0

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AC Hotel Portland
Type III 24-hr 1-inch Rainfall=1.00"

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Time span=0.50-24.00 hrs, dt=0.05 hrs, 471 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind method - Pond routing by Stor-Ind method

Subcatchment1S: Hotel Runoff Area=20,144 sf 100.00% Impervious Runoff Depth>0.79"
Tc=6.0 min CN=98 Runoff=0.40 cfs 0.030 af

Subcatchment2S: Drive/hotel sidewalk Runoff Area=12,676 sf 90.68% Impervious Runoff Depth>0.56"
Tc=6.0 min CN=95 Runoff=0.19 cfs 0.014 af

Subcatchment3S: Remaining lot 2 Runoff Area=27,834 sf 0.00% Impervious Runoff Depth>0.63"
Tc=6.0 min CN=96 Runoff=0.46 cfs 0.034 af

Reach A: Outlet to system Inflow=0.51 cfs 0.076 af
Outflow=0.51 cfs 0.076 af

Pond 1P: Rtank Peak Elev=10.16' Storage=761 cf Inflow=1.05 cfs 0.078 af
12.0" Round Culvert n=0.010 L=10.0' S=0.0100 ' Outflow=0.51 cfs 0.076 af

Pond OCS: outlet control structure Peak Elev=11.83' Inflow=0.51 cfs 0.076 af
Outflow=0.51 cfs 0.076 af

Total Runoff Area = 1.392 ac Runoff Volume = 0.078 af Average Runoff Depth = 0.67"
47.84% Pervious = 0.666 ac 52.16% Impervious = 0.726 ac

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AC Hotel Portland
Type III 24-hr 1-inch Rainfall=1.00"

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Summary for Subcatchment 1S: Hotel

Runoff = 0.40 cfs @ 12.09 hrs, Volume= 0.030 af, Depth> 0.79"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs
Type III 24-hr 1-inch Rainfall=1.00"

	Area (sf)	CN	Description
*	20,144	98	roof
	20,144		100.00% Impervious Area

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

Summary for Subcatchment 2S: Drive/hotel sidewalk

Runoff = 0.19 cfs @ 12.09 hrs, Volume= 0.014 af, Depth> 0.56"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs
Type III 24-hr 1-inch Rainfall=1.00"

	Area (sf)	CN	Description
*	11,494	98	
*	1,182	61	landscaped beds
	12,676	95	Weighted Average
	1,182		9.32% Pervious Area
	11,494		90.68% Impervious Area

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

Summary for Subcatchment 3S: Remaining lot 2

Runoff = 0.46 cfs @ 12.09 hrs, Volume= 0.034 af, Depth> 0.63"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs
Type III 24-hr 1-inch Rainfall=1.00"

	Area (sf)	CN	Description
*	27,834	96	
	27,834		100.00% Pervious Area

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

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AC Hotel Portland
Type III 24-hr 1-inch Rainfall=1.00"

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Summary for Reach A: Outlet to system

Inflow Area = 1.392 ac, 52.16% Impervious, Inflow Depth > 0.65" for 1-inch event
 Inflow = 0.51 cfs @ 12.26 hrs, Volume= 0.076 af
 Outflow = 0.51 cfs @ 12.26 hrs, Volume= 0.076 af, Atten= 0%, Lag= 0.0 min

Routing by Stor-Ind method, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs

Summary for Pond 1P: Rtank

Inflow Area = 1.392 ac, 52.16% Impervious, Inflow Depth > 0.67" for 1-inch event
 Inflow = 1.05 cfs @ 12.09 hrs, Volume= 0.078 af
 Outflow = 0.51 cfs @ 12.26 hrs, Volume= 0.076 af, Atten= 52%, Lag= 10.3 min
 Primary = 0.51 cfs @ 12.26 hrs, Volume= 0.076 af

Routing by Stor-Ind method, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs
 Peak Elev= 10.16' @ 12.26 hrs Surf.Area= 3,124 sf Storage= 761 cf

Plug-Flow detention time= 40.8 min calculated for 0.076 af (98% of inflow)
 Center-of-Mass det. time= 28.4 min (833.4 - 805.1)

Volume	Invert	Avail.Storage	Storage Description
#1A	9.75'	1,948 cf	43.37'W x 72.03'L x 3.42'H Field A 10,669 cf Overall - 5,799 cf Embedded = 4,870 cf x 40.0% Voids
#2A	10.00'	5,509 cf	ACF R-Tank HD 1.5 x 870 Inside #1 Inside= 15.7"W x 26.0"H => 2.70 sf x 2.35'L = 6.3 cf Outside= 15.7"W x 26.0"H => 2.84 sf x 2.35'L = 6.7 cf 30 Rows of 29 Chambers
		7,457 cf	Total Available Storage

Storage Group A created with Chamber Wizard

Device	Routing	Invert	Outlet Devices
#1	Primary	9.75'	12.0" Round Culvert L= 10.0' CPP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 9.75' / 9.65' S= 0.0100 '/ Cc= 0.900 n= 0.010 PVC, smooth interior, Flow Area= 0.79 sf

Primary OutFlow Max=0.51 cfs @ 12.26 hrs HW=10.16' (Free Discharge)↑ **1=Culvert** (Barrel Controls 0.51 cfs @ 2.44 fps)**Summary for Pond OCS: outlet control structure**

Inflow Area = 1.392 ac, 52.16% Impervious, Inflow Depth > 0.65" for 1-inch event
 Inflow = 0.51 cfs @ 12.26 hrs, Volume= 0.076 af
 Outflow = 0.51 cfs @ 12.26 hrs, Volume= 0.076 af, Atten= 0%, Lag= 0.0 min
 Primary = 0.51 cfs @ 12.26 hrs, Volume= 0.076 af

Routing by Stor-Ind method, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs

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AC Hotel Portland

Type III 24-hr 1-inch Rainfall=1.00"

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Peak Elev= 11.83' @ 12.26 hrs

Flood Elev= 100.00'

Device	Routing	Invert	Outlet Devices
#1	Primary	12.25'	4.0' long Sharp-Crested Rectangular Weir 2 End Contraction(s)
#2	Primary	11.75'	12.0" W x 6.0" H Vert. Orifice/Grate C= 0.600
#3	Primary	11.50'	6.0" W x 3.0" H Vert. Orifice/Grate C= 0.600
#4	Primary	9.75'	1.0" Vert. Orifice/Grate X 2.00 C= 0.600

Primary OutFlow Max=0.42 cfs @ 12.26 hrs HW=11.83' (Free Discharge)

- 1=Sharp-Crested Rectangular Weir(Controls 0.00 cfs)
- 2=Orifice/Grate (Orifice Controls 0.08 cfs @ 0.92 fps)
- 3=Orifice/Grate (Orifice Controls 0.27 cfs @ 2.16 fps)
- 4=Orifice/Grate (Orifice Controls 0.08 cfs @ 6.88 fps)

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AC Hotel Portland
Type III 24-hr 1.6-inch Rainfall=1.60"

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Time span=0.50-24.00 hrs, dt=0.05 hrs, 471 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind method - Pond routing by Stor-Ind method

Subcatchment1S: Hotel Runoff Area=20,144 sf 100.00% Impervious Runoff Depth>1.38"
Tc=6.0 min CN=98 Runoff=0.68 cfs 0.053 af

Subcatchment2S: Drive/hotel sidewalk Runoff Area=12,676 sf 90.68% Impervious Runoff Depth>1.10"
Tc=6.0 min CN=95 Runoff=0.36 cfs 0.027 af

Subcatchment3S: Remaining lot 2 Runoff Area=27,834 sf 0.00% Impervious Runoff Depth>1.19"
Tc=6.0 min CN=96 Runoff=0.85 cfs 0.063 af

Reach A: Outlet to system Inflow=0.98 cfs 0.141 af
Outflow=0.98 cfs 0.141 af

Pond 1P: Rtank Peak Elev=10.36' Storage=1,300 cf Inflow=1.89 cfs 0.143 af
12.0" Round Culvert n=0.010 L=10.0' S=0.0100 ' Outflow=0.98 cfs 0.141 af

Pond OCS: outlet control structure Peak Elev=12.00' Inflow=0.98 cfs 0.141 af
Outflow=0.98 cfs 0.141 af

Total Runoff Area = 1.392 ac Runoff Volume = 0.143 af Average Runoff Depth = 1.23"
47.84% Pervious = 0.666 ac 52.16% Impervious = 0.726 ac

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Type III 24-hr 1.6-inch Rainfall=1.60"

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Summary for Subcatchment 1S: Hotel

Runoff = 0.68 cfs @ 12.09 hrs, Volume= 0.053 af, Depth> 1.38"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs
Type III 24-hr 1.6-inch Rainfall=1.60"

	Area (sf)	CN	Description
*	20,144	98	roof
	20,144		100.00% Impervious Area

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

Summary for Subcatchment 2S: Drive/hotel sidewalk

Runoff = 0.36 cfs @ 12.09 hrs, Volume= 0.027 af, Depth> 1.10"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs
Type III 24-hr 1.6-inch Rainfall=1.60"

	Area (sf)	CN	Description
*	11,494	98	
*	1,182	61	landscaped beds
	12,676	95	Weighted Average
	1,182		9.32% Pervious Area
	11,494		90.68% Impervious Area

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

Summary for Subcatchment 3S: Remaining lot 2

Runoff = 0.85 cfs @ 12.09 hrs, Volume= 0.063 af, Depth> 1.19"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs
Type III 24-hr 1.6-inch Rainfall=1.60"

	Area (sf)	CN	Description
*	27,834	96	
	27,834		100.00% Pervious Area

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

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Type III 24-hr 1.6-inch Rainfall=1.60"

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Summary for Reach A: Outlet to system

Inflow Area = 1.392 ac, 52.16% Impervious, Inflow Depth > 1.22" for 1.6-inch event
 Inflow = 0.98 cfs @ 12.24 hrs, Volume= 0.141 af
 Outflow = 0.98 cfs @ 12.24 hrs, Volume= 0.141 af, Atten= 0%, Lag= 0.0 min

Routing by Stor-Ind method, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs

Summary for Pond 1P: Rtank

Inflow Area = 1.392 ac, 52.16% Impervious, Inflow Depth > 1.23" for 1.6-inch event
 Inflow = 1.89 cfs @ 12.09 hrs, Volume= 0.143 af
 Outflow = 0.98 cfs @ 12.24 hrs, Volume= 0.141 af, Atten= 48%, Lag= 8.8 min
 Primary = 0.98 cfs @ 12.24 hrs, Volume= 0.141 af

Routing by Stor-Ind method, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs

Peak Elev= 10.36' @ 12.24 hrs Surf.Area= 3,124 sf Storage= 1,300 cf

Plug-Flow detention time= 33.9 min calculated for 0.141 af (98% of inflow)

Center-of-Mass det. time= 24.8 min (813.8 - 788.9)

Volume	Invert	Avail.Storage	Storage Description
#1A	9.75'	1,948 cf	43.37'W x 72.03'L x 3.42'H Field A 10,669 cf Overall - 5,799 cf Embedded = 4,870 cf x 40.0% Voids
#2A	10.00'	5,509 cf	ACF R-Tank HD 1.5 x 870 Inside #1 Inside= 15.7"W x 26.0"H => 2.70 sf x 2.35'L = 6.3 cf Outside= 15.7"W x 26.0"H => 2.84 sf x 2.35'L = 6.7 cf 30 Rows of 29 Chambers
		7,457 cf	Total Available Storage

Storage Group A created with Chamber Wizard

Device	Routing	Invert	Outlet Devices
#1	Primary	9.75'	12.0" Round Culvert L= 10.0' CPP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 9.75' / 9.65' S= 0.0100 ' /' Cc= 0.900 n= 0.010 PVC, smooth interior, Flow Area= 0.79 sf

Primary OutFlow Max=0.98 cfs @ 12.24 hrs HW=10.36' (Free Discharge)↑**1=Culvert** (Barrel Controls 0.98 cfs @ 2.78 fps)**Summary for Pond OCS: outlet control structure**

Inflow Area = 1.392 ac, 52.16% Impervious, Inflow Depth > 1.22" for 1.6-inch event
 Inflow = 0.98 cfs @ 12.24 hrs, Volume= 0.141 af
 Outflow = 0.98 cfs @ 12.24 hrs, Volume= 0.141 af, Atten= 0%, Lag= 0.0 min
 Primary = 0.98 cfs @ 12.24 hrs, Volume= 0.141 af

Routing by Stor-Ind method, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs

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Type III 24-hr 1.6-inch Rainfall=1.60"

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Peak Elev= 12.00' @ 12.24 hrs

Flood Elev= 100.00'

Device	Routing	Invert	Outlet Devices
#1	Primary	12.25'	4.0' long Sharp-Crested Rectangular Weir 2 End Contraction(s)
#2	Primary	11.75'	12.0" W x 6.0" H Vert. Orifice/Grate C= 0.600
#3	Primary	11.50'	6.0" W x 3.0" H Vert. Orifice/Grate C= 0.600
#4	Primary	9.75'	1.0" Vert. Orifice/Grate X 2.00 C= 0.600

Primary OutFlow Max=0.84 cfs @ 12.24 hrs HW=12.00' (Free Discharge)

- ↑ **1=Sharp-Crested Rectangular Weir**(Controls 0.00 cfs)
- **2=Orifice/Grate** (Orifice Controls 0.40 cfs @ 1.60 fps)
- **3=Orifice/Grate** (Orifice Controls 0.37 cfs @ 2.93 fps)
- **4=Orifice/Grate** (Orifice Controls 0.08 cfs @ 7.15 fps)

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Type III 24-hr 2-year Rainfall=3.10"

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Time span=0.50-24.00 hrs, dt=0.05 hrs, 471 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind method - Pond routing by Stor-Ind method

Subcatchment1S: Hotel Runoff Area=20,144 sf 100.00% Impervious Runoff Depth>2.87"
Tc=6.0 min CN=98 Runoff=1.36 cfs 0.110 af

Subcatchment2S: Drive/hotel sidewalk Runoff Area=12,676 sf 90.68% Impervious Runoff Depth>2.55"
Tc=6.0 min CN=95 Runoff=0.80 cfs 0.062 af

Subcatchment3S: Remaining lot 2 Runoff Area=27,834 sf 0.00% Impervious Runoff Depth>2.65"
Tc=6.0 min CN=96 Runoff=1.81 cfs 0.141 af

Reach A: Outlet to system Inflow=2.24 cfs 0.310 af
Outflow=2.24 cfs 0.310 af

Pond 1P: Rtank Peak Elev=10.81' Storage=2,528 cf Inflow=3.97 cfs 0.313 af
12.0" Round Culvert n=0.010 L=10.0' S=0.0100 ' Outflow=2.24 cfs 0.310 af

Pond OCS: outlet control structure Peak Elev=12.31' Inflow=2.24 cfs 0.310 af
Outflow=2.24 cfs 0.310 af

Total Runoff Area = 1.392 ac Runoff Volume = 0.313 af Average Runoff Depth = 2.70"
47.84% Pervious = 0.666 ac 52.16% Impervious = 0.726 ac

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Type III 24-hr 2-year Rainfall=3.10"

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Summary for Subcatchment 1S: Hotel

Runoff = 1.36 cfs @ 12.09 hrs, Volume= 0.110 af, Depth> 2.87"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs
Type III 24-hr 2-year Rainfall=3.10"

	Area (sf)	CN	Description
*	20,144	98	roof
	20,144		100.00% Impervious Area

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

Summary for Subcatchment 2S: Drive/hotel sidewalk

Runoff = 0.80 cfs @ 12.09 hrs, Volume= 0.062 af, Depth> 2.55"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs
Type III 24-hr 2-year Rainfall=3.10"

	Area (sf)	CN	Description
*	11,494	98	
*	1,182	61	landscaped beds
	12,676	95	Weighted Average
	1,182		9.32% Pervious Area
	11,494		90.68% Impervious Area

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

Summary for Subcatchment 3S: Remaining lot 2

Runoff = 1.81 cfs @ 12.09 hrs, Volume= 0.141 af, Depth> 2.65"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs
Type III 24-hr 2-year Rainfall=3.10"

	Area (sf)	CN	Description
*	27,834	96	
	27,834		100.00% Pervious Area

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

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AC Hotel Portland
Type III 24-hr 2-year Rainfall=3.10"

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Summary for Reach A: Outlet to system

Inflow Area = 1.392 ac, 52.16% Impervious, Inflow Depth > 2.67" for 2-year event
 Inflow = 2.24 cfs @ 12.21 hrs, Volume= 0.310 af
 Outflow = 2.24 cfs @ 12.21 hrs, Volume= 0.310 af, Atten= 0%, Lag= 0.0 min

Routing by Stor-Ind method, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs

Summary for Pond 1P: Rtank

Inflow Area = 1.392 ac, 52.16% Impervious, Inflow Depth > 2.70" for 2-year event
 Inflow = 3.97 cfs @ 12.09 hrs, Volume= 0.313 af
 Outflow = 2.24 cfs @ 12.21 hrs, Volume= 0.310 af, Atten= 44%, Lag= 7.6 min
 Primary = 2.24 cfs @ 12.21 hrs, Volume= 0.310 af

Routing by Stor-Ind method, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs
 Peak Elev= 10.81' @ 12.21 hrs Surf.Area= 3,124 sf Storage= 2,528 cf

Plug-Flow detention time= 27.2 min calculated for 0.310 af (99% of inflow)
 Center-of-Mass det. time= 21.0 min (790.6 - 769.6)

Volume	Invert	Avail.Storage	Storage Description
#1A	9.75'	1,948 cf	43.37'W x 72.03'L x 3.42'H Field A 10,669 cf Overall - 5,799 cf Embedded = 4,870 cf x 40.0% Voids
#2A	10.00'	5,509 cf	ACF R-Tank HD 1.5 x 870 Inside #1 Inside= 15.7"W x 26.0"H => 2.70 sf x 2.35'L = 6.3 cf Outside= 15.7"W x 26.0"H => 2.84 sf x 2.35'L = 6.7 cf 30 Rows of 29 Chambers
		7,457 cf	Total Available Storage

Storage Group A created with Chamber Wizard

Device	Routing	Invert	Outlet Devices
#1	Primary	9.75'	12.0" Round Culvert L= 10.0' CPP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 9.75' / 9.65' S= 0.0100 '/ Cc= 0.900 n= 0.010 PVC, smooth interior, Flow Area= 0.79 sf

Primary OutFlow Max=2.23 cfs @ 12.21 hrs HW=10.81' (Free Discharge)↑**1=Culvert** (Inlet Controls 2.23 cfs @ 2.84 fps)**Summary for Pond OCS: outlet control structure**

Inflow Area = 1.392 ac, 52.16% Impervious, Inflow Depth > 2.67" for 2-year event
 Inflow = 2.24 cfs @ 12.21 hrs, Volume= 0.310 af
 Outflow = 2.24 cfs @ 12.21 hrs, Volume= 0.310 af, Atten= 0%, Lag= 0.0 min
 Primary = 2.24 cfs @ 12.21 hrs, Volume= 0.310 af

Routing by Stor-Ind method, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs

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Type III 24-hr 2-year Rainfall=3.10"

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Peak Elev= 12.31' @ 12.21 hrs

Flood Elev= 100.00'

Device	Routing	Invert	Outlet Devices
#1	Primary	12.25'	4.0' long Sharp-Crested Rectangular Weir 2 End Contraction(s)
#2	Primary	11.75'	12.0" W x 6.0" H Vert. Orifice/Grate C= 0.600
#3	Primary	11.50'	6.0" W x 3.0" H Vert. Orifice/Grate C= 0.600
#4	Primary	9.75'	1.0" Vert. Orifice/Grate X 2.00 C= 0.600

Primary OutFlow Max=2.10 cfs @ 12.21 hrs HW=12.31' (Free Discharge)

- 1=Sharp-Crested Rectangular Weir(Weir Controls 0.21 cfs @ 0.82 fps)
- 2=Orifice/Grate (Orifice Controls 1.31 cfs @ 2.61 fps)
- 3=Orifice/Grate (Orifice Controls 0.50 cfs @ 3.99 fps)
- 4=Orifice/Grate (Orifice Controls 0.08 cfs @ 7.65 fps)

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Type III 24-hr 10-year Rainfall=4.60"

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Time span=0.50-24.00 hrs, dt=0.05 hrs, 471 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind method - Pond routing by Stor-Ind method

Subcatchment1S: Hotel Runoff Area=20,144 sf 100.00% Impervious Runoff Depth>4.36"
Tc=6.0 min CN=98 Runoff=2.03 cfs 0.168 af

Subcatchment2S: Drive/hotel sidewalk Runoff Area=12,676 sf 90.68% Impervious Runoff Depth>4.02"
Tc=6.0 min CN=95 Runoff=1.24 cfs 0.098 af

Subcatchment3S: Remaining lot 2 Runoff Area=27,834 sf 0.00% Impervious Runoff Depth>4.13"
Tc=6.0 min CN=96 Runoff=2.75 cfs 0.220 af

Reach A: Outlet to system Inflow=3.07 cfs 0.482 af
Outflow=3.07 cfs 0.482 af

Pond 1P: Rtank Peak Elev=11.31' Storage=3,874 cf Inflow=6.02 cfs 0.486 af
12.0" Round Culvert n=0.010 L=10.0' S=0.0100 ' Outflow=3.07 cfs 0.482 af

Pond OCS: outlet control structure Peak Elev=12.41' Inflow=3.07 cfs 0.482 af
Outflow=3.07 cfs 0.482 af

Total Runoff Area = 1.392 ac Runoff Volume = 0.486 af Average Runoff Depth = 4.19"
47.84% Pervious = 0.666 ac 52.16% Impervious = 0.726 ac

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Type III 24-hr 10-year Rainfall=4.60"

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Summary for Subcatchment 1S: Hotel

Runoff = 2.03 cfs @ 12.09 hrs, Volume= 0.168 af, Depth> 4.36"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs
Type III 24-hr 10-year Rainfall=4.60"

	Area (sf)	CN	Description
*	20,144	98	roof
	20,144		100.00% Impervious Area

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

Summary for Subcatchment 2S: Drive/hotel sidewalk

Runoff = 1.24 cfs @ 12.09 hrs, Volume= 0.098 af, Depth> 4.02"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs
Type III 24-hr 10-year Rainfall=4.60"

	Area (sf)	CN	Description
*	11,494	98	
*	1,182	61	landscaped beds
	12,676	95	Weighted Average
	1,182		9.32% Pervious Area
	11,494		90.68% Impervious Area

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

Summary for Subcatchment 3S: Remaining lot 2

Runoff = 2.75 cfs @ 12.09 hrs, Volume= 0.220 af, Depth> 4.13"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs
Type III 24-hr 10-year Rainfall=4.60"

	Area (sf)	CN	Description
*	27,834	96	
	27,834		100.00% Pervious Area

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

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Type III 24-hr 10-year Rainfall=4.60"

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Summary for Reach A: Outlet to system

Inflow Area = 1.392 ac, 52.16% Impervious, Inflow Depth > 4.15" for 10-year event
 Inflow = 3.07 cfs @ 12.23 hrs, Volume= 0.482 af
 Outflow = 3.07 cfs @ 12.23 hrs, Volume= 0.482 af, Atten= 0%, Lag= 0.0 min

Routing by Stor-Ind method, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs

Summary for Pond 1P: Rtank

Inflow Area = 1.392 ac, 52.16% Impervious, Inflow Depth > 4.19" for 10-year event
 Inflow = 6.02 cfs @ 12.09 hrs, Volume= 0.486 af
 Outflow = 3.07 cfs @ 12.23 hrs, Volume= 0.482 af, Atten= 49%, Lag= 8.8 min
 Primary = 3.07 cfs @ 12.23 hrs, Volume= 0.482 af

Routing by Stor-Ind method, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs
 Peak Elev= 11.31' @ 12.23 hrs Surf.Area= 3,124 sf Storage= 3,874 cf

Plug-Flow detention time= 25.2 min calculated for 0.482 af (99% of inflow)
 Center-of-Mass det. time= 20.2 min (780.3 - 760.0)

Volume	Invert	Avail.Storage	Storage Description
#1A	9.75'	1,948 cf	43.37'W x 72.03'L x 3.42'H Field A 10,669 cf Overall - 5,799 cf Embedded = 4,870 cf x 40.0% Voids
#2A	10.00'	5,509 cf	ACF R-Tank HD 1.5 x 870 Inside #1 Inside= 15.7"W x 26.0"H => 2.70 sf x 2.35'L = 6.3 cf Outside= 15.7"W x 26.0"H => 2.84 sf x 2.35'L = 6.7 cf 30 Rows of 29 Chambers
		7,457 cf	Total Available Storage

Storage Group A created with Chamber Wizard

Device	Routing	Invert	Outlet Devices
#1	Primary	9.75'	12.0" Round Culvert L= 10.0' CPP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 9.75' / 9.65' S= 0.0100 '/ Cc= 0.900 n= 0.010 PVC, smooth interior, Flow Area= 0.79 sf

Primary OutFlow Max=3.07 cfs @ 12.23 hrs HW=11.30' (Free Discharge)↑**1=Culvert** (Inlet Controls 3.07 cfs @ 3.90 fps)**Summary for Pond OCS: outlet control structure**

Inflow Area = 1.392 ac, 52.16% Impervious, Inflow Depth > 4.15" for 10-year event
 Inflow = 3.07 cfs @ 12.23 hrs, Volume= 0.482 af
 Outflow = 3.07 cfs @ 12.23 hrs, Volume= 0.482 af, Atten= 0%, Lag= 0.0 min
 Primary = 3.07 cfs @ 12.23 hrs, Volume= 0.482 af

Routing by Stor-Ind method, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs

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Type III 24-hr 10-year Rainfall=4.60"

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Peak Elev= 12.41' @ 12.23 hrs

Flood Elev= 100.00'

Device	Routing	Invert	Outlet Devices
#1	Primary	12.25'	4.0' long Sharp-Crested Rectangular Weir 2 End Contraction(s)
#2	Primary	11.75'	12.0" W x 6.0" H Vert. Orifice/Grate C= 0.600
#3	Primary	11.50'	6.0" W x 3.0" H Vert. Orifice/Grate C= 0.600
#4	Primary	9.75'	1.0" Vert. Orifice/Grate X 2.00 C= 0.600

Primary OutFlow Max=2.97 cfs @ 12.23 hrs HW=12.41' (Free Discharge)

↑ **1=Sharp-Crested Rectangular Weir**(Weir Controls 0.84 cfs @ 1.31 fps)

— **2=Orifice/Grate** (Orifice Controls 1.52 cfs @ 3.03 fps)

— **3=Orifice/Grate** (Orifice Controls 0.53 cfs @ 4.26 fps)

— **4=Orifice/Grate** (Orifice Controls 0.09 cfs @ 7.79 fps)

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Type III 24-hr 25-year Rainfall=5.80"

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Time span=0.50-24.00 hrs, dt=0.05 hrs, 471 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind method - Pond routing by Stor-Ind method

Subcatchment1S: Hotel Runoff Area=20,144 sf 100.00% Impervious Runoff Depth>5.56"
Tc=6.0 min CN=98 Runoff=2.57 cfs 0.214 af

Subcatchment2S: Drive/hotel sidewalk Runoff Area=12,676 sf 90.68% Impervious Runoff Depth>5.21"
Tc=6.0 min CN=95 Runoff=1.58 cfs 0.126 af

Subcatchment3S: Remaining lot 2 Runoff Area=27,834 sf 0.00% Impervious Runoff Depth>5.32"
Tc=6.0 min CN=96 Runoff=3.50 cfs 0.284 af

Reach A: Outlet to system Inflow=3.65 cfs 0.620 af
Outflow=3.65 cfs 0.620 af

Pond 1P: Rtank Peak Elev=11.74' Storage=5,056 cf Inflow=7.65 cfs 0.624 af
12.0" Round Culvert n=0.010 L=10.0' S=0.0100 ' Outflow=3.65 cfs 0.620 af

Pond OCS: outlet control structure Peak Elev=12.47' Inflow=3.65 cfs 0.620 af
Outflow=3.65 cfs 0.620 af

Total Runoff Area = 1.392 ac Runoff Volume = 0.624 af Average Runoff Depth = 5.38"
47.84% Pervious = 0.666 ac 52.16% Impervious = 0.726 ac

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Type III 24-hr 25-year Rainfall=5.80"

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Summary for Subcatchment 1S: Hotel

Runoff = 2.57 cfs @ 12.09 hrs, Volume= 0.214 af, Depth> 5.56"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs
Type III 24-hr 25-year Rainfall=5.80"

	Area (sf)	CN	Description
*	20,144	98	roof
	20,144		100.00% Impervious Area

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

Summary for Subcatchment 2S: Drive/hotel sidewalk

Runoff = 1.58 cfs @ 12.09 hrs, Volume= 0.126 af, Depth> 5.21"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs
Type III 24-hr 25-year Rainfall=5.80"

	Area (sf)	CN	Description
*	11,494	98	
*	1,182	61	landscaped beds
	12,676	95	Weighted Average
	1,182		9.32% Pervious Area
	11,494		90.68% Impervious Area

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

Summary for Subcatchment 3S: Remaining lot 2

Runoff = 3.50 cfs @ 12.09 hrs, Volume= 0.284 af, Depth> 5.32"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs
Type III 24-hr 25-year Rainfall=5.80"

	Area (sf)	CN	Description
*	27,834	96	
	27,834		100.00% Pervious Area

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

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Type III 24-hr 25-year Rainfall=5.80"

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Summary for Reach A: Outlet to system

Inflow Area = 1.392 ac, 52.16% Impervious, Inflow Depth > 5.34" for 25-year event
 Inflow = 3.65 cfs @ 12.25 hrs, Volume= 0.620 af
 Outflow = 3.65 cfs @ 12.25 hrs, Volume= 0.620 af, Atten= 0%, Lag= 0.0 min

Routing by Stor-Ind method, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs

Summary for Pond 1P: Rtank

Inflow Area = 1.392 ac, 52.16% Impervious, Inflow Depth > 5.38" for 25-year event
 Inflow = 7.65 cfs @ 12.09 hrs, Volume= 0.624 af
 Outflow = 3.65 cfs @ 12.25 hrs, Volume= 0.620 af, Atten= 52%, Lag= 9.9 min
 Primary = 3.65 cfs @ 12.25 hrs, Volume= 0.620 af

Routing by Stor-Ind method, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs
 Peak Elev= 11.74' @ 12.25 hrs Surf.Area= 3,124 sf Storage= 5,056 cf

Plug-Flow detention time= 24.7 min calculated for 0.619 af (99% of inflow)
 Center-of-Mass det. time= 20.3 min (775.4 - 755.1)

Volume	Invert	Avail.Storage	Storage Description
#1A	9.75'	1,948 cf	43.37'W x 72.03'L x 3.42'H Field A 10,669 cf Overall - 5,799 cf Embedded = 4,870 cf x 40.0% Voids
#2A	10.00'	5,509 cf	ACF R-Tank HD 1.5 x 870 Inside #1 Inside= 15.7"W x 26.0"H => 2.70 sf x 2.35'L = 6.3 cf Outside= 15.7"W x 26.0"H => 2.84 sf x 2.35'L = 6.7 cf 30 Rows of 29 Chambers
		7,457 cf	Total Available Storage

Storage Group A created with Chamber Wizard

Device	Routing	Invert	Outlet Devices
#1	Primary	9.75'	12.0" Round Culvert L= 10.0' CPP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 9.75' / 9.65' S= 0.0100 ' / ' Cc= 0.900 n= 0.010 PVC, smooth interior, Flow Area= 0.79 sf

Primary OutFlow Max=3.65 cfs @ 12.25 hrs HW=11.74' (Free Discharge)↑**1=Culvert** (Inlet Controls 3.65 cfs @ 4.64 fps)**Summary for Pond OCS: outlet control structure**

Inflow Area = 1.392 ac, 52.16% Impervious, Inflow Depth > 5.34" for 25-year event
 Inflow = 3.65 cfs @ 12.25 hrs, Volume= 0.620 af
 Outflow = 3.65 cfs @ 12.25 hrs, Volume= 0.620 af, Atten= 0%, Lag= 0.0 min
 Primary = 3.65 cfs @ 12.25 hrs, Volume= 0.620 af

Routing by Stor-Ind method, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs

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Type III 24-hr 25-year Rainfall=5.80"

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Peak Elev= 12.47' @ 12.25 hrs

Flood Elev= 100.00'

Device	Routing	Invert	Outlet Devices
#1	Primary	12.25'	4.0' long Sharp-Crested Rectangular Weir 2 End Contraction(s)
#2	Primary	11.75'	12.0" W x 6.0" H Vert. Orifice/Grate C= 0.600
#3	Primary	11.50'	6.0" W x 3.0" H Vert. Orifice/Grate C= 0.600
#4	Primary	9.75'	1.0" Vert. Orifice/Grate X 2.00 C= 0.600

Primary OutFlow Max=3.59 cfs @ 12.25 hrs HW=12.47' (Free Discharge)

- 1=Sharp-Crested Rectangular Weir(Weir Controls 1.32 cfs @ 1.53 fps)
- 2=Orifice/Grate (Orifice Controls 1.63 cfs @ 3.25 fps)
- 3=Orifice/Grate (Orifice Controls 0.55 cfs @ 4.42 fps)
- 4=Orifice/Grate (Orifice Controls 0.09 cfs @ 7.88 fps)

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Type III 24-hr 100 year Rainfall=8.10"

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Time span=0.50-24.00 hrs, dt=0.05 hrs, 471 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind method - Pond routing by Stor-Ind method

Subcatchment1S: Hotel Runoff Area=20,144 sf 100.00% Impervious Runoff Depth>7.86"
Tc=6.0 min CN=98 Runoff=3.59 cfs 0.303 af

Subcatchment2S: Drive/hotel sidewalk Runoff Area=12,676 sf 90.68% Impervious Runoff Depth>7.50"
Tc=6.0 min CN=95 Runoff=2.23 cfs 0.182 af

Subcatchment3S: Remaining lot 2 Runoff Area=27,834 sf 0.00% Impervious Runoff Depth>7.62"
Tc=6.0 min CN=96 Runoff=4.93 cfs 0.406 af

Reach A: Outlet to system Inflow=5.02 cfs 0.885 af
Outflow=5.02 cfs 0.885 af

Pond 1P: Rtank Peak Elev=13.08' Storage=7,353 cf Inflow=10.75 cfs 0.890 af
12.0" Round Culvert n=0.010 L=10.0' S=0.0100 ' Outflow=5.02 cfs 0.885 af

Pond OCS: outlet control structure Peak Elev=12.55' Inflow=5.02 cfs 0.885 af
Outflow=5.02 cfs 0.885 af

Total Runoff Area = 1.392 ac Runoff Volume = 0.890 af Average Runoff Depth = 7.67"
47.84% Pervious = 0.666 ac 52.16% Impervious = 0.726 ac

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Type III 24-hr 100 year Rainfall=8.10"

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Summary for Subcatchment 1S: Hotel

Runoff = 3.59 cfs @ 12.09 hrs, Volume= 0.303 af, Depth> 7.86"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs
Type III 24-hr 100 year Rainfall=8.10"

	Area (sf)	CN	Description
*	20,144	98	roof
	20,144		100.00% Impervious Area

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

Summary for Subcatchment 2S: Drive/hotel sidewalk

Runoff = 2.23 cfs @ 12.09 hrs, Volume= 0.182 af, Depth> 7.50"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs
Type III 24-hr 100 year Rainfall=8.10"

	Area (sf)	CN	Description
*	11,494	98	
*	1,182	61	landscaped beds
	12,676	95	Weighted Average
	1,182		9.32% Pervious Area
	11,494		90.68% Impervious Area

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

Summary for Subcatchment 3S: Remaining lot 2

Runoff = 4.93 cfs @ 12.09 hrs, Volume= 0.406 af, Depth> 7.62"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs
Type III 24-hr 100 year Rainfall=8.10"

	Area (sf)	CN	Description
*	27,834	96	
	27,834		100.00% Pervious Area

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

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Type III 24-hr 100 year Rainfall=8.10"

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Summary for Reach A: Outlet to system

Inflow Area = 1.392 ac, 52.16% Impervious, Inflow Depth > 7.63" for 100 year event
 Inflow = 5.02 cfs @ 12.26 hrs, Volume= 0.885 af
 Outflow = 5.02 cfs @ 12.26 hrs, Volume= 0.885 af, Atten= 0%, Lag= 0.0 min

Routing by Stor-Ind method, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs

Summary for Pond 1P: Rtank

Inflow Area = 1.392 ac, 52.16% Impervious, Inflow Depth > 7.67" for 100 year event
 Inflow = 10.75 cfs @ 12.09 hrs, Volume= 0.890 af
 Outflow = 5.02 cfs @ 12.26 hrs, Volume= 0.885 af, Atten= 53%, Lag= 10.3 min
 Primary = 5.02 cfs @ 12.26 hrs, Volume= 0.885 af

Routing by Stor-Ind method, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs
 Peak Elev= 13.08' @ 12.26 hrs Surf.Area= 3,124 sf Storage= 7,353 cf

Plug-Flow detention time= 24.3 min calculated for 0.885 af (99% of inflow)
 Center-of-Mass det. time= 20.5 min (769.4 - 748.9)

Volume	Invert	Avail.Storage	Storage Description
#1A	9.75'	1,948 cf	43.37'W x 72.03'L x 3.42'H Field A 10,669 cf Overall - 5,799 cf Embedded = 4,870 cf x 40.0% Voids
#2A	10.00'	5,509 cf	ACF R-Tank HD 1.5 x 870 Inside #1 Inside= 15.7"W x 26.0"H => 2.70 sf x 2.35'L = 6.3 cf Outside= 15.7"W x 26.0"H => 2.84 sf x 2.35'L = 6.7 cf 30 Rows of 29 Chambers
		7,457 cf	Total Available Storage

Storage Group A created with Chamber Wizard

Device	Routing	Invert	Outlet Devices
#1	Primary	9.75'	12.0" Round Culvert L= 10.0' CPP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 9.75' / 9.65' S= 0.0100 '/ Cc= 0.900 n= 0.010 PVC, smooth interior, Flow Area= 0.79 sf

Primary OutFlow Max=5.02 cfs @ 12.26 hrs HW=13.07' (Free Discharge)↑**1=Culvert** (Inlet Controls 5.02 cfs @ 6.39 fps)**Summary for Pond OCS: outlet control structure**

Inflow Area = 1.392 ac, 52.16% Impervious, Inflow Depth > 7.63" for 100 year event
 Inflow = 5.02 cfs @ 12.26 hrs, Volume= 0.885 af
 Outflow = 5.02 cfs @ 12.26 hrs, Volume= 0.885 af, Atten= 0%, Lag= 0.0 min
 Primary = 5.02 cfs @ 12.26 hrs, Volume= 0.885 af

Routing by Stor-Ind method, Time Span= 0.50-24.00 hrs, dt= 0.05 hrs

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AC Hotel Portland

Type III 24-hr 100 year Rainfall=8.10"

Printed 3/16/2016

Page 29

Peak Elev= 12.55' @ 12.26 hrs

Flood Elev= 100.00'

Device	Routing	Invert	Outlet Devices
#1	Primary	12.25'	4.0' long Sharp-Crested Rectangular Weir 2 End Contraction(s)
#2	Primary	11.75'	12.0" W x 6.0" H Vert. Orifice/Grate C= 0.600
#3	Primary	11.50'	6.0" W x 3.0" H Vert. Orifice/Grate C= 0.600
#4	Primary	9.75'	1.0" Vert. Orifice/Grate X 2.00 C= 0.600

Primary OutFlow Max=4.59 cfs @ 12.26 hrs HW=12.55' (Free Discharge)

- 1=Sharp-Crested Rectangular Weir(Weir Controls 2.15 cfs @ 1.80 fps)
- 2=Orifice/Grate (Orifice Controls 1.77 cfs @ 3.55 fps)
- 3=Orifice/Grate (Orifice Controls 0.58 cfs @ 4.63 fps)
- 4=Orifice/Grate (Orifice Controls 0.09 cfs @ 8.00 fps)

APPENDIX D

Water Quality Calculations

City of Portland
Hancock/Thames/Fore Street
Portland, Maine

Objective: Determine Water Quality Treatment

Existing site is entirely gravel based on past practices and aerial photography with a few concrete pads scattered around the site. Considered impervious

Existing site = 60,654 sf. (lots 1 & 2)

Since existing site is currently impervious, there are no additional treatment requirements; however a treatment system will be used beneath the pervious pavers w/in the Driveway/turnaround.

Assume these are B soils based on H: A report

Pervious pavers and a filter system are being used within the driveway and turnaround at building

Currently the hotel building Roof Runoff will not be treated, but will discharge directly to the R-tank storage system.

The remaining impervious area is assumed to discharge to the pervious paver system. Note that in the future, Roofs of proposed structures will discharge directly to the R-Tank system.

Additionally, the landscaped areas adjacent to the hotel building are within a raised bed, this area is assumed to be left untreated.

Area of pavers required for full treatment of runoff = 20% of area

After Phase 1 construction:

Total (pre-existing):	60,654 sf	
- building untreated	- 20,144 sf	(subcatch 1)
- landscaped untreated	- 1,182 sf	(subcatch 2)
	<u>39,328 sf</u>	remaining w/in sub 2 & sub 3

$39,328 \text{ sf} \times 0.2 = 7,866 \text{ sf}$ of pavers required for full treatment of remaining impervious.

Area of pervious pavers/filter = 2896.6 sf

Area of pervious pavers (drive) = 1603.4 sf

$4500 \text{ sf} / 0.2 = 22,500 \text{ sf}$

possible treatment

$22,500 / 60,654 = 37\%$ of site being treated vs. 0%

$22,500 / 39,328 = 57\%$ of site remain after Ph. 1

Byfield, Massachusetts
Providence, Rhode Island
Portsmouth, New Hampshire
Portland, Maine
Hamilton, New Jersey

978-465-1822
401-433-2160
603-436-1490
207-772-2891
609-584-0090

PROJECT NO. 151.06094 SITE Ac Hotel
SHEET NO. 3 OF 3
CALCULATED BY MPM DATE 3/15/10
CHECKED BY _____ DATE _____
SCALE N/A

Proposed Development of Lot 2 includes
3 buildings totalling approximately 20595sf.
Assuming the Roof runoff from each will be
Piped directly to the R-tank system

$39,328 - 20595 \text{ sf} = 18733 \text{ sf}$ of area will
drain to pervious pavers.

APPENDIX E

Stormwater Inspection and Maintenance Report

City of Portland
Hancock/Thames/Fore Street
Portland, Maine

Ransom Consulting, Inc.
Project 151.06094

AC Hotel Stormwater System Inspection and Maintenance Report

Inspection and Maintenance Contract:

Long-term inspection and maintenance by a DEP approved stormwater maintenance inspector shall be regularly provided under a five-year binding inspection and maintenance contract that must be renewed prior to contract expiration. A legal agreement shall be established with responsibility for inspection and maintenance and should list specific maintenance responsibilities (including timetables) as well as provide for funding for the long-term inspection and maintenance. Debris and sediment buildup shall be removed from the paver system as needed.

Inspection schedule:

During the first year of operation, filtration BMPs shall be inspected twice annually and following major storm events. Thereafter, the filter should be inspected every six months to ensure that it is draining within 48 hours following a 1-inch storm. Additionally, a storm that fills the system to overflow should be monitored to confirm it drains in no less than 36 hours and within 60 hours.

R-Tank Stormwater Detention:

Inspection and Maintenance of the R-Tank shall be in accordance with the manufacturer's recommended practices to provide the performance required by the design. The R-Tank system includes inspection ports and maintenance ports, each of which has a cover at the surface. A visual inspection of all ports should be used to determine the depth of sediments deposited in the R-Tank system. The system should be back-flushed once the sediment accumulation has reached the manufacturer's limits. Once removed, sediment-laden water must be disposed of properly.

Manmade Pervious Surfaces:

Long-term inspection and maintenance by a DEP approved stormwater maintenance inspector shall be regularly provided under a five-year binding inspection and maintenance contract that must be renewed prior to contract expiration. Maintenance criteria for manmade pervious surfaces are as follows:

- Debris and sediment buildup shall be removed from the paver system using a vac truck as needed and shall be disposed properly.
- Remove sediment when the surface infiltration rates of more than 75% of the surface area fall below 10% of the post-installation verified surface infiltration rate.
- Remove sediment when surface ponding remains for more than 24 hours after the storm event in an area larger than 10 square feet.
- Restrain vehicles with muddy wheels from accessing pervious pavement areas.
- Limit salt use for deicing and do not use sand.
- Remove leaves and organic debris in the fall.
- Sweep, vacuum and/or pressure wash pavement twice annually at a minimum.

City Master Plan

All portions of the proposed plans have, to the best of our knowledge, been designed so to be consistent/ compliant with City approved Master Plans including:

- **Master plan for Redevelopment of the Eastern Waterfront**
- **Comprehensive Plan: Portland's Plan 2030**

Master Plan for Redevelopment of the Eastern Waterfront

IV. Statement of Principles for Redevelopment of the Eastern Waterfront

Character and Impact of Development

Development within the eastern waterfront will be compatible with the surrounding areas, neighborhoods natural environments and maritime uses.

Response: The proposed building is compatible with the surroundings. The height, massing, materials and textures of 5 India were designed with surround buildings in mind.

Mixed Used

Development within the eastern waterfront will create a vital and active mixed use urban area that generate life and use every day of the year and all hours of the day.

Response: The proposed building has the potential for mixed use on the ground floor. The ground floor space along India Street are designed for retail with the upper floors designed for residential use. This current building is one of four designed for the site. Currently the AC Hotel Portland and Twenty Thames Condominium offer residential, retail, hotel, and bar/lounge use. The fourth (future) building is planned to be office and retail (170 Fore Street). Both the currently proposed building along with the entire complex offer mixed uses that will have activity all times of the day, year-round. The full build out offers significant vitality to the eastern waterfront area.

Economically Responsible Development

Development within the eastern waterfront will provide a significant benefit to the City and regional economy.

Response: The proposed building along with the others on the site will offer many opportunities to the City including: new office, new residential, new retail, new service, new hotel/meeting rooms, along with new tax revenue. Also, a benefit to the City and public is the mid-block permeability (pedestrian ways) through the site from Fore, India, and Thames.

Portland's Plan 2030

Historic Resources: Local Goals

1. Stabilize and enhance historic areas of the city by ensuring quality investment in existing structures and compatible infill development.

Response: The proposed building fits into the current growth pattern for the eastern waterfront with the potential for mixed used: ground floor retail and residential on the upper floors. Mixed use buildings are a historic development pattern in the immediate area. The building is compatible with adjacent structures; both new and historic with a mix of brick, metal, slate and glass. The proposed building is an important infill step to revitalizing the area which has been vacant for many years.

2. Ensure an appropriate balance of continuity and change as Portland grows and evolves.

Response: The proposed building continues the pattern of residential/retail in the downtown. As the City continues to grow and becomes a highly desirable location the attraction of companies, big and small, it provides a need for modern living spaces for an expanding workforce. The proposed location, close to downtown and the waterfront, provide two highly sought after amenities. The project is intended to fill that role.

Economy: Local Goals

1. Create economic prosperity by growing Portland's tax and employment base.

Response: The proposed building will help to create additional economic prosperity for the City through higher tax revenue (over vacant land) and provide significant opportunities for increasing the housing stock which will in turn trickle down to benefit the other local businesses. The addition of premium retail space is also economically beneficial to the growing neighborhood.

2. Reinforce the waterfront as a key component of Portland's economic health, balancing traditional and emerging industries with tourism and recreation.

Response: The proposed building and uses will help to reinforce the waterfront as being a key component to Portland's economic health. The building will be located in a highly desirable, revitalized area which will help to attract increased foot traffic along with premium retail space.

3. Invest in, attract, and retain human capital to support a growing economy.

Response: A new modern residential building in a highly desirable location is an investment in the future growth of the City. It will help to attract or retain renters that will benefit the local economy.

Portland, Maine



Yes. Life's good here.

Planning & Urban Development Department

ZONING ANALYSIS Relevant Zone(s) IS-FBC (UA)

All Projects:

	Required	Proposed
Lot Size		7,198
Area Per Dwelling Unit	435	510.65
Minimum Street Frontage	30'	46'-7"
Front Yard Minimum	0'	3'-0"
Front Yard Maximum	5' (10'-0" ADA)	3'-0"
Rear Yard	10' min	≤10'-0" (varies)
Yard Right	5' min	≤ 5'-0" (varies)
Yard Left	5' min	≤ 5'-0" (varies)
Side Street Setback	n/a	n/a
Step Back	15' min	n/a
Maximum Lot Coverage	90%	70%
Minimum Lot Coverage		
Maximum Height	50' / 4 stories	47'-0"
Open Space		
Maximum Impervious Area	100	100
Pavement Setback		
Floor Area Ratio		2.82
Off Street Parking Spaces	48	48
Loading Bays		
Bicycle Parking Spaces	9.6	10
Other 2		
Other 3		

Planned Residential Unit Developments (PRUD) Requirements

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

Affordable Housing Density Bonuses (if applicable)

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

**5 India Street
Portland, Maine**

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

March 3, 2020

Partial waiver request for approval of Sec. 14-275.2(b)3. Fenestration, ground floor façade area.

We feel that the proposed design for 5 India St deserves a waiver from the requirement for a minimum 60% glazing ratio for the following factors:

1. Approval of a Certificate of Appropriateness from the City of Portland Historic Preservation Board attesting to the design quality of the proposed building.
2. Close proximity to the Landmark Grand Trunk Railroad building, which has glazing ratios much lower than the mandated 60% minimum glazing ratio for the UA subdistrict.
3. This particular site allows for corner glazing opportunities unlike the typical buildings within the UA subdistrict due to the unique setback conditions of the neighboring buildings of the Portland Water District pumping station and Grand Trunk Railroad building. This corner glazing adds more transparency than a typical façade that does not have a corner condition available. We feel that the user's experience at street level fulfills the intent of the urban active subdistrict because the ground floor will feel more engaged with the sidewalk due to the sightlines created through the glazed corners.
4. The building's facades have been carefully organized to reflect the rhythm of the upper fenestration pattern both vertically and horizontally. Maintaining a clear vertical structural path throughout the building keeps the massing and the overall feel of the building quiet and sophisticated. The ground floor windows have been pulled in from the corners to express a strong corner condition.
5. To achieve the minimum 60% glazing on this facade the windows would have to be increased in width by 3'-5" each. This would leave only 9" between the windows and the doors, which detracts from the balance of the solid structural path from the floors above that keeps the vertical solid band aligned from foundation to roof.

Thank you for your consideration,



Jesse Thompson, Principal
Maine Licensed Architect
Principal, AIA, LEED AP, CHPC

CITY OF PORTLAND, MAINE

HISTORIC PRESERVATION BOARD

Julia Sheridan, Chair
Bruce Wood, Vice Chair
Ian Jacob
Robert O'Brien
Penny Pollard
Julia Tate
John Turk

April 16, 2019

Ara Afandilian
Essex North LLC

Re: New Construction, 5 India Street

Dear Mr. Afandilian:

On March 6, 2019, the City of Portland's Historic Preservation Board voted 5-0 to approve your application for a Certificate of Appropriateness for new construction at 5 India Street. Approval was made on the basis of plans and specifications submitted on your behalf by Kaplan Thompson Architects for the 3/6/19 public hearing

Approval was made subject to the following conditions:

- Final plans and specifications for the following outstanding details to be submitted to historic preservation staff for review and approval prior to filing a building permit:
 - o Final site plan and specifications for alley, including placement of trees and raised planting beds
 - o Signage plan
 - o Final specifications for patterned decorative panels (
 - o Drainage provisions for canopy
 - o Exterior lighting

Construction to be carried out as shown on the plans and specifications submitted for the --- public hearing and/or as described above. Changes to the approved plans and specifications and any additional work that may be undertaken must be reviewed and approved by this office prior to construction, alteration, or demolition. If, during the course of completing the approved work, conditions are encountered which prevent completing the approved work, or which require additional or alternative work, you must apply for and receive a Certificate of Appropriateness or Non-Applicability PRIOR to undertaking additional or alternative work.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Deborah Andrews". The signature is written in a cursive, flowing style.

Deborah Andrews
Historic Preservation Program Manager

Cc: Kaplan Thompson Architects

18. Utility Capacity to Serve Letters

Utilities for the Five India project have already been brought onto the development site as part of the master planned project within the Fore/Hancock/Thames/India Streets block.

Water	Portland Water District	Domestic and fire lines have been extended onto the project site from India Street, this work was completed when PWD was doing water line replacement work in 2017.
Sewer	City of Portland	00" line in India Street.
Power	Central Maine Power	The transformer installed for the Twenty Thames Condominium building is located to the rear of the planned Five India building, and will also provide service for Five India.
Telephone	Consolidated	There is a pull box located to the rear of the planned Five India building with Consolidated copper lines.
Cable/Data	Spectrum	There is a pull box located to the rear of the planned Five India building with Spectrum fiber lines.
Gas	Unitil	A gas main was installed in the vehicular access drive off Fore Street, that extends in between the Twenty Thames Condominium building and the 170 Fore Street lot, that will also provide service for Five India.

Solid Waste

All retail and residential waste will be stored in appropriate trash/recycling containers located internally in a trash room located on the south side of the building. These containers will be serviced by an independent solid waste contractor, on a regular basis, from the shared driveway.

All waste generated from the site preparation and general site work will be collected and sorted/separated on-site in containers and disposed of properly, off-site, by a private contractor, see exhibit # 13 Construction Management Plan.

All construction waste will be collected and sorted/separated on-site in containers and managed by the general contractor, see exhibit # 13 Construction Management Plan.

Fire Safety Plan and Code Summary

As discussed with Planning Staff during the permitting of the AC Hotel / Twenty Thames Condominium and similarly proposed for this project, a Fire Safety / Life Safety Plan will be better addressed when a contractor is involved and building plans are further developed. It is requested that this item be a Condition of Approval and submitted for City review prior to the issuance of a building permit or in advance of site work approvals.

A Code Summary will be submitted as part of the Building Permit.

The key to success starts with a solid foundation.
ENGINEERING | EXPLORATION | EXPERIENCE

Geotechnical Report

*Proposed Residential and Retail Building
5 India Street, Portland, Maine*



Client
Essexnorth Portland, LLC
PO Box 394
Topsfield, MA 01983

Project #: 16300.4
Date: 5/17/19

May 17, 2019
Summit #16300.4

Essexnorth Portland, LLC
Attn: Ara Aftandilian
PO Box 394
Topsfield, MA 01983

Reference: Geotechnical Engineering Report – Proposed Retail/Residential Building
5 India Street, Portland, Maine

Dear Ara;

Summit Geoengineering Services, Inc. (SGS) has completed a geotechnical investigation for the proposed mixed use building at the site referenced above. Our scope of services included the interpretation of geotechnical borings performed by Haley and Aldrich (H&A) and preparing this geotechnical report summarizing our findings and providing geotechnical recommendations. SGS will require subgrade inspections during construction of the foundation to verify site conditions are consistent with the assumptions and interpretations made for this report.

Our scope of services for this project did not include an environmental site assessment or further investigation for the presence or absence of hazardous or toxic material on, below, or around the site. Any statements in this report, or on the soil boring logs, regarding odors or unusual and suspicious conditions observed are for informational purposes and are not intended to constitute an environmental assessment.

1.0 Project and Site Description

We understand that the project consists of the construction of a new 4 story building at 5 India Street in Portland, Maine. We further understand that the new building will have a footprint of approximately 5,400 ft², will be a steel-framed structure, and will be a mixture of retail space and residential units. We anticipate that the first floor elevation will be at or near elevation 17 feet.

Based on the Site Grading Plan prepared by Ransom Consulting Engineers (C1.2 dated 2/8/19), the existing grade within the site is relatively flat, ranging from approximately elevation 16 feet to 18 feet. A pump station for the Portland Water District (PWD) bounds the site directly to the northwest. Based on plans provided by you and discussions with the project team, we

understand that there is a 33" diameter water main extending from the PWD pump station and along two sides of the subject property – the side adjacent to the pump station and the side adjacent to India Street. We further understand that PWD requires permanent access to their water main in the event of repair or replacement.

Anticipated structural loads were provided to us by Structural Integrity, Inc. (SI) for the proposed building. Based on these loads and a preliminary foundation plan prepared by SI, we understand that maximum loads (dead + live load) for isolated footings and strip footings will be 130 kips and 5 kips per liner foot, respectively.

2.0 Subsurface Explorations and Laboratory Testing

2.1 Subsurface Explorations – Haley and Aldrich (1975, 2005, and 2007)

SGS was provided a geotechnical report, containing boring and rock core logs, prepared by Haley and Aldrich (H&A) entitled "Report on Subsurface Explorations and Geotechnical Engineering Recommendations – The Watermark, Portland, Maine" dated May 16, 2007. Based on the information contained within this report, H&A performed a total of 6 borings within and surrounding the proposed development area in May of 1975, September/October of 2005 and March of 2007. These borings included the following (bedrock depths are provided next to the boring title):

B5-21, 21A – *Bedrock @ **9.0 ft.**
HA05-17 (OW) – *Bedrock @ **7.3 ft.**
HA05-18 – *Bedrock @ **6.6 ft.**
HA07-102C – Bedrock @ **7.5 ft.**
HA07-103 – Bedrock @ **7.8 ft.**
HA07-104 – Bedrock @ **14.5 ft.**
* = Bedrock Core Collected

Based on the information contained in the geotechnical report referenced above, the 1975 borings were drilled by Northern New England Test Boring Company and the 2005/2007 borings were drilled by Maine Test Borings.

Note that all borings listed above were advanced to refusal and rock cores were collected at B5-21, HA05-17 (OW), and HA05-18. Based on the information provided within the H&A logs, the borings were performed using 3" to 4" steel casing with roller bit or with 2.5" inside diameter hollow stem augers. Split spoon sampling was performed continuously for the borings, except for HA07-102C and HA07-104, where no samples were collected.

2.2 Laboratory Testing

Laboratory testing, consisting of two Grain Size Analyses (*ASTM D422*), was performed by H&A on fill soil specimens collected from split spoon samples obtained during Boring HA05-19 and HA05-21 at depths 0.5' to 4.5' and 2.0' to 6.0', respectively. These explorations were performed at 20 Thames Street, the property directly east of the subject property. A summary of the results are presented below. Detailed results can be found in Appendix C.

GRAIN SIZE ANALYSIS RESULTS – FILL						
Boring	Sample	Depth (ft.)	Composition			USCS
			Gravel	Sand	Silt/Clay	
HA05-19	S-1 & S-2	0.5 to 4.5	15.0%	76.0%	9.0%	SW-SM
HA05-21	S-2 & S-3	2.0 to 6.0	16.0%	72.0%	12.0%	SP-SM

USCS = Unified Soil Classification System, SM-SC = Silty Sand/Clayey Sand

3.0 Subsurface Conditions

3.1 Soil

The soil conditions within the proposed building area consist of fill overlying bedrock. Bedrock ranges in depth from 6.6 to 14.5 feet below existing ground surface.

Fill. In general, the fill soil consists of gray to dark brown fine to coarse sand with varying amounts of gravel, silt, and clay with frequent brick pieces and occasional ash. Standard Penetration Number (SPT-N) of the fill ranges from 9 to 96 with an average of 32 blows per foot (bpf). The fill is loose to very dense, dry to moist (generally increasing moisture with depth) and classifies as SW-SM or SP-SM in accordance with the Unified Soil Classification System. Based on grain sizes performed on collected samples, the gravel content of the fill ranges from 15% to 16%, the sand content ranges from 72% to 76%, and the silt content ranges from 9% to 12%.

Summit Geoengineering Services (SGS) prepared a geotechnical report dated 7/13/17 and subsequent subgrade inspections during construction of the building at 20 Thames Street, directly east of the subject property. During the geotechnical investigation and subgrade inspections, frequent buried brick foundation elements and piles of bricks were encountered in the foundation excavations in the fill soil. We anticipate that these are associated with structures for the Grand Trunk Railway System, which previously occupied the site and will likely be encountered during the construction of the proposed foundations at 5 India Street.



Photo 1: Brick Pile encountered at 20 Thames project

3.2 Bedrock

Bedrock was encountered within the proposed building footprint ranging from 6.6 feet to 14.5 feet below existing ground surface (approximate elevation 3.3 feet to 10.5 feet). In general, the bedrock surface appears to be sloping downward in a northeast direction towards the Portland Water District pump station.

Rock cores were performed during two of the Haley & Aldrich (H&A) borings at the refusal depths encountered during drilling. Rock core depths ranged from 8.2 feet to 15.0 feet below the bedrock surface. Rock Quality Designation (RQD) of the collected rock core samples, measured as the percentage of recovered rock in lengths greater than or equal to 4 inches, ranged from 47 to 100 with an average of 78. RQD was not recorded for Boring B5-21. In general, the deeper the recovered core sample was, the higher the resulting RQD. H&A classified the rock as the following: "...hard to moderately hard, fresh to slightly weathered SCHIST."

The following table presents the bedrock depths and corresponding elevations encountered in the H&A borings. All ground surface elevations and bedrock depths for the H&A borings were obtained from the H&A report and boring logs.

Bedrock Depths and Elevations			
¹ Exploration	² Ground Surface Elevation (ft.)	Depth to Bedrock (ft.)	Bedrock Elevation (ft.)
B5-21, 21A	17.6 ft. +/-	9.0 ft.	8.6 ft. +/-
HA05-17 (OW)	17.8 ft. +/-	7.3 ft.	10.5 ft. +/-
HA05-18	16.5 ft. +/-	6.6 ft.	9.9 ft. +/-
HA07-102C	17.0 ft. +/-	7.5 ft.	9.5 ft. +/-
HA07-103	17.8 ft. +/-	7.8 ft.	10.0 ft. +/-
HA07-104	17.8 ft. +/-	14.5 ft.	3.3 ft. +/-

¹**Note:** Borings performed by H&A in 1975/2005/2007. All data shown from borings was taken from the H&A report and logs.

²**Note:** Ground surface elevation taken from H&A Boring Logs.

3.3 Groundwater

H&A installed 1 monitoring well during their explorations at the site in boring HA05-17 (OW) within the building footprint. Groundwater was measured to vary between elevations 4.3 feet to 5.3 feet.

4.0 Geotechnical Evaluation

Based on the geotechnical information collected at the site and the structural loads and footing depth/locations provided to us by Structural Integrity (SI), we believe that the new building foundation can be constructed using conventional spread footings on frost wall with a slab-on-grade. We have identified the following geotechnical considerations in regard to the construction of the proposed foundation:

- Potential future excavation adjacent to the exterior footings for maintenance or repair of the existing 33" diameter water main
- Potential for excessive settlements of footings constructed on existing fill with a significant presence of man-made debris.
- Potential for differential settlements between adjacent footings constructed on soil and footings constructed on bedrock.

We understand that permanent access is being required by the Portland Water District (PWD) for their 33" diameter water main abutting the northwest and southwest property boundaries. We evaluated multiple foundation construction options to accommodate for the potential future excavation adjacent to the footings, which included:

- Construct footing at standard frost depth (4 feet) with contingency for being involved in temporary shoring design in the event of PWD excavation.
- Construct footing at standard frost depth (4 feet) and install permanent sheeting on outside of sheeting to protect the undermining of footing.
- Construct footing at a deeper depth to allow for excavation against footing without undermining or destabilization of footing.

Upon analysis of the proposed options and discussions with the client, Summit Geoengineering Services (SGS) proceeded with the last option listed above to construct the footing deeper than frost depth in these areas to allow for future excavations against the footings. We have provided a recommended bottom of footing elevation along the two exterior footing lines adjacent to the water main (see recommendations in Section 5.1 and BOF elevations in the Exploration Location Plan in Appendix A). If these recommendations are followed, future excavations should be able to be performed without undermining or destabilizing the constructed footings.

Based on the description of the fill samples recovered in the H&A borings, subgrade inspections made by SGS at the adjacent 20 Thames site, we anticipate that some man-made material (brick, ash, coal) may be present within the existing fill. While this material does not pose an issue in small amounts, larger amounts of these soils beneath footings may pose a settlement risk. We recommend that significant amounts of these materials, if encountered, be removed from beneath proposed footings, as outlined in Section 5. We also recommend that SGS be retained to perform footing subgrade inspections in order to verify that the subgrade is suitable for footing support.

A transition will need to be constructed or footings supported partially on bedrock and partially on existing fill soil. We have provided recommendations and a figure for the construction of these transition zones.

5.0 Geotechnical Recommendations

5.1 Foundation Bearing Pressure

Based on the proposed footing depths, we anticipate that existing fill soil or bedrock will be exposed beneath footings for the building. Assuming that the recommendations below are followed, we recommend an allowable bearing pressure of 2,000 psf be used to proportion the footings for the new building. If the recommendations provided below are followed, we anticipate that post construction total settlement will be less than 1 inch and differential settlement within the building will be less than 0.5 inches between adjacent column footings:

- Prior to footing excavations, the entire building footprint should be proofrolled with a minimum of 12 passes (6 north/south and 6 east/west) with a 10 ton minimum operating weight vibratory roller.
- All footings exposed to freezing temperatures are constructed at the recommended frost protection depth of 3.0 feet below exterior finish grade, constructed on a minimum of 12" of ¾" crushed stone overlying a non-woven geotextile fabric such as Mirafi 180N (for a total frost-protected depth of 4.0 feet). Interior footings should be constructed at a minimum depth of 1.5 feet below FFE and constructed on a minimum of 12" of ¾" crushed stone overlying a non-woven geotextile fabric such as Mirafi 180N. If bedrock is exposed at the bottom of footing elevation, geotextile fabric is not necessary.
- Exterior strip footings along Building Line 1 (adjacent to the pump station) should be constructed at a minimum bottom of footing elevation of 6.0 feet or on bedrock, whichever is encountered first. Exterior strip footings along Building Line A (adjacent to India Street) should be constructed on bedrock.
- If soft or unsuitable fill is encountered at the bottom of the excavation, it should be removed and replaced with ¾" crushed stone prior to proofrolling. If a significant amount of soft/unsuitable soils are encountered, SGS should be notified. Unsuitable soils should be removed from beneath footings at a 2V:1H taper beyond all edges of the footing.
- Exposed soil at the bottom of footing trenches is proofrolled with a minimum of 6 passes with a large (minimum 10 tons) vibratory roller. Proofrolling should be performed on dry, unfrozen soils. Any loose or soft areas identified during the proofrolling process should be removed and replaced with ¾" crushed stone.
- If bedrock is exposed in the footing excavation, any loose or weathered rock is removed from beneath the footing area to expose a hard, competent bedrock surface. Any large gaps or voids created by removing loose pieces of bedrock are filled with ¾" crushed stone, flowable fill, or lean concrete.
- All placed fill within the building footprint consists of Structural Fill (SF, see Section 5.6 for gradation and compaction requirement) or ¾" crushed stone.
- Transition zones for footings spanning bedrock to existing fill are constructed in accordance with the Bedrock Transition Zone Construction Detail provided in Appendix A.

Summit Geoengineering Services (SGS) should be retained to perform a subgrade inspection of the exposed footing subgrade soil prior to placing the 12" of crushed stone on top of the subgrade.

5.2 Frost Protection

The design air freezing index for the Portland area is approximately 1,200 degree F days (10 year, 90% probability). Based on this, a total of 4.0 feet of frost protection should be provided for the exterior footings and interior footings exposed to freezing temperatures. Interior footings constructed in continuously heated areas can be constructed at a depth of 2.0 feet below interior grade. Since the footings will be constructed on a minimum of 12 inches of drained crushed stone, the bottom of exterior and interior footings may be constructed at a minimum depth of 3.0 feet and 1.0 feet, respectively.

We recommend that the exterior of all foundation elements exposed to freezing temperatures be backfilled with Foundation Backfill (FB). The portion of FB passing the 3" sieve size should meet the following gradation requirements:

FOUNDATION BACKFILL	
Sieve Size	Percent Finer
3 inch	100
¾ inch	25 to 100
No. 40	0 to 50
No. 200	0 to 10*

Reference: MDOT Specification 703.06, Type E (2014)

*Modified from 7% to 10% from Type E Standard

Maximum particle size should be limited to 6 inches. Foundation backfill should be placed in 6 to 12 inch lifts and compacted to a minimum of 95% of its optimum dry density determined in accordance with ASTM D1557. The compaction requirement can be reduced to a minimum of 90% beneath landscaped areas.

5.3 Seismic Design

Based on the summary of field results we recommend Site Class C be used in accordance with ASCE 7-10. The following seismic site coefficients should be used:

SUBGRADE SITE SEISMIC DESIGN COEFFICIENTS - IBC	
Seismic Coefficient	Site Class C
Short period spectral response (S_S)	0.240
1 second spectral response (S_1)	0.078
Maximum short period spectral response (S_{MS})	0.288
Maximum 1 second spectral response (S_{M1})	0.133
Design short period spectral response (S_{DS})	0.192
Design 1 second spectral response (S_{D1})	0.088

Subgrade conditions are not considered susceptible to liquefaction during seismic events.

5.4 Groundwater Control

Based on observed groundwater levels, groundwater is anticipated to be below the bottom of footing elevation for the proposed exterior and interior footings; therefore, perimeter underdrains are not strictly necessary for the proposed foundations. If included, perimeter underdrains should consist of 6 inch rigid perforated PVC placed adjacent to the exterior footings and surrounded by a minimum of 12 inches of crushed stone wrapped in filter fabric to prevent clogging from the migration of the fine soil particles in the foundation backfill soils. The underdrain pipe should outlet to a location where it will be free flowing. Where exposed at the ground surface, the ends of pipes should be screened or otherwise protected from entry and nesting of wildlife, which could cause clogging.

5.5 Slab-on-Grade

We recommend that the slab for the new building be constructed on a minimum of 12" of Structural Fill (SF, see table below) or ¾" crushed stone. All exposed soil should be proofrolled with a minimum of 2 passes in each of two perpendicular directions with a 10 ton minimum (operating weight) vibratory roller. Any exposed rubble, debris, or other non-soil materials should be removed and replaced with SF or ¾" crushed stone.

The portion of SF passing the 3" sieve shall meet the following gradation requirements:

STRUCTURAL FILL (SF)	
Sieve Size	Percent finer
3 inch	100
½ inch	35 to 80
¼ inch	25 to 65
No. 40	0 to 30
No. 200	0 to 7

Reference: MDOT Specification 703.06, Type D

The maximum SF particle size should be limited to 6 inches. Structural Fill should be placed in 6 to 12 inch lifts and should be compacted to a minimum of 95 percent of its maximum dry density, determined in accordance with ASTM D1557. If ¾" crushed stone is used, it should be placed in 12" lifts and be compacted with a minimum of 4 passes in each of two perpendicular directions with a vibratory roller. For the conditions described above, the slab can be designed using a subgrade modulus value of 150 pci.

For exterior slabs or slabs for building entryways, we recommend that the slab be constructed on a full frost wall with spread footings. Alternatively, the slab-on-grade subgrade thickness should be increased to 24" and the slab should be constructed on 2.0" of rigid insulation. Alternatively, the subgrade soil thickness could be increased to 48" (including the slab) if rigid insulation is not used to provide adequate frost heave protection.

6.0 Pavement

The mean annual freezing index for the Portland area is estimated at 900 degree days. Based on the subgrade and mean annual freezing index, the anticipated mean annual frost penetration depth is 36 inches.

We recommend a minimum total section thickness of 18 inches for pavement in unheated areas. The Subbase soil (Type D) thickness can be reduced to 6" if the area is continuously heated. We further recommend that the pavement section consist of the following materials:

MATERIAL	THICKNESS (in)	SPECIFICATION
Asphalt Surface Course	1	MDOT 703.09 Type 9.5 mm or Type 12.5 mm
Asphalt Binder Course	2	MDOT 703.09 Type 19 mm
Base Soil	3	MDOT 703.06 Type A
Subbase Soil	12	MDOT 703.06 Type D

For portions of the pavement subjected to light traffic loads of cars and light trucks we recommend MDOT Type 9.5mm surface course. The following specifications are for MDOT base and subbase gravel:

SIEVE SIZE	Percent Passing a 3-inch Sieve	
	MDOT Type A (Base)	MDOT Type D (Subbase)
3 Inch	100	100
2 Inch	100	--
½ Inch	45 – 70	35 – 80
¼ Inch	30 – 55	25 – 65
No. 40	0 – 20	0 – 30
No. 200	0 – 6	0 – 7

Reference: MDOT Specification 703.06, Aggregate for Base and Subbase (2014)

7.0 Earthwork Considerations

The table below summarizes the OSHA general excavation guidelines for occupied excavations for the soils encountered in our geotechnical explorations. All permissible slopes below apply to soil above groundwater table:

OSHA Excavation Slopes		
Soil	OSHA Classification	Permissible Slope
Existing Fill	Type C	1.5H:1V

The proofrolling recommendations provided in Section 5.1 and 5.5 are critical for the successful performance of the new foundation. All proofrolling should be performed with a vibratory roller with a minimum operating weight of 10 tons, and should be conducted in accordance with the minimum number of passes described in the sections above. Any soft or unsuitable soil is identified during the proofrolling, it should be removed and replaced with ¾" crushed stone.

Summit Geoengineering Services (SGS) should be notified prior to the proofrolling of the footings so that we can perform a subgrade inspection and observe the proofrolling.

We anticipate that bedrock removal will be minimal and that standard breaker/hoe ram equipment will be adequate to remove bedrock where necessary.

It is possible that the existing soil may meet the gradation requirements for Foundation Backfill (FB). It also may meet the requirement for Structural Fill (SF) if blended with $\frac{3}{4}$ " or $1\frac{1}{2}$ " crushed stone. We recommend that if reuse or blending occurs that a representative sample of the blend is tested for its accordance with the FB and SF requirements.

Surface water should be redirected from excavation areas. Where softened, we recommend the subgrade at the base of the excavation be over-excavated and replaced with a minimum of 12 inches of Crushed Stone. Crushed Stone should be should be tamped to lock the stone structure together. Crushed Stone should meet the following gradation specification:

CRUSHED STONE $\frac{3}{4}$ INCH	
Sieve Size	Percent finer
1 inch	100
$\frac{3}{4}$ inch	90 to 100
$\frac{1}{2}$ inch	20 to 55
$\frac{3}{8}$ inch	0 to 15
No. 4	0 to 5

Reference: MDOT Specification 703.13, Crushed Stone $\frac{3}{4}$ -Inch (2014)

In general, we anticipate that groundwater may enter the excavations for Building Line 1. If groundwater is encountered in the excavation, dewatering may consist of shallow sumps at the base of the excavation. Diversion and control of surface water should be performed to prevent water flow from rain or snowmelt from entering the excavations.

To the extent possible, construction should occur during periods of dry weather to minimize disturbance to excavated subgrade areas. If excavations and construction occur during wet periods, the contractor should employ the necessary measures to eliminate disturbance to the subgrade from heavy rainfall, surface water runoff, freeze/thaw softening, or any other potential weather-related cause of subgrade disturbance.

We recommend that a qualified geotechnical consultant be retained to monitor and test soil materials used during construction and confirm that soil conditions and construction methods are consistent with this report.

8.0 Closure

Our recommendations are based on professional judgment and generally accepted principles of geotechnical engineering and project information provided by others. Some changes in subsurface conditions from those presented in this report may occur. Should these conditions or the proposed development differ from those described in this report, SGS should be notified so that we can re-evaluate our recommendations.

It is important that SGS be consulted during construction of the foundation in order to provide guidance on the suitability of exposed soil and to select the appropriate subgrade improvement measures.

It is recommended that this report be made available in its entirety to contractors for informational purposes and be incorporated in the construction Contract Documents. We recommend that SGS be retained to review final construction documents relevant to the recommendations in this report.

We appreciate the opportunity to serve you during this phase of your project. If there are any questions or additional information is required, please do not hesitate to call.

Sincerely,

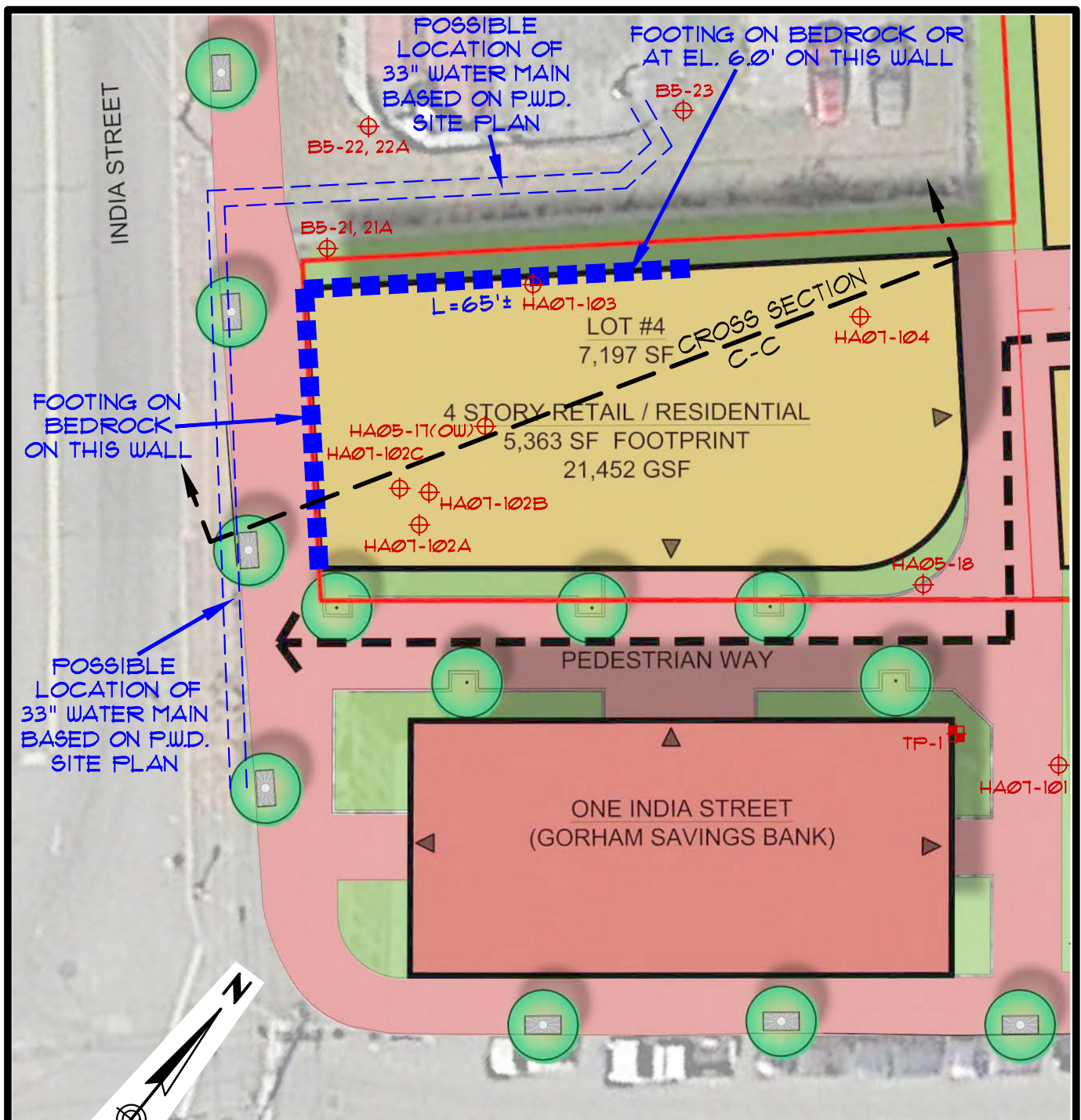
Summit Geoengineering Services, Inc.



Mathew Hardison, PE
Senior Geotechnical Engineer



APPENDIX A
FIGURES



PLAN REFERENCE

"MASTER PLAN", PORTLAND GATEWAY PROJECT", REVISION DATED NOVEMBER 8, 2016, PREPARED BY RANDOM CONSULTING ENGINEERS & SCIENTISTS.

LEGEND

- ⊕ HA05-# HALEY & ALDRICH TEST BORING (OCTOBER 2005)
- ⊕ HA07-# HALEY & ALDRICH TEST BORING (MARCH 2007)

EXPLORATION LOCATION PLAN PORTLAND GATEWAY - LOT 4

THAMES STREET - PORTLAND, MAINE

PREPARED FOR

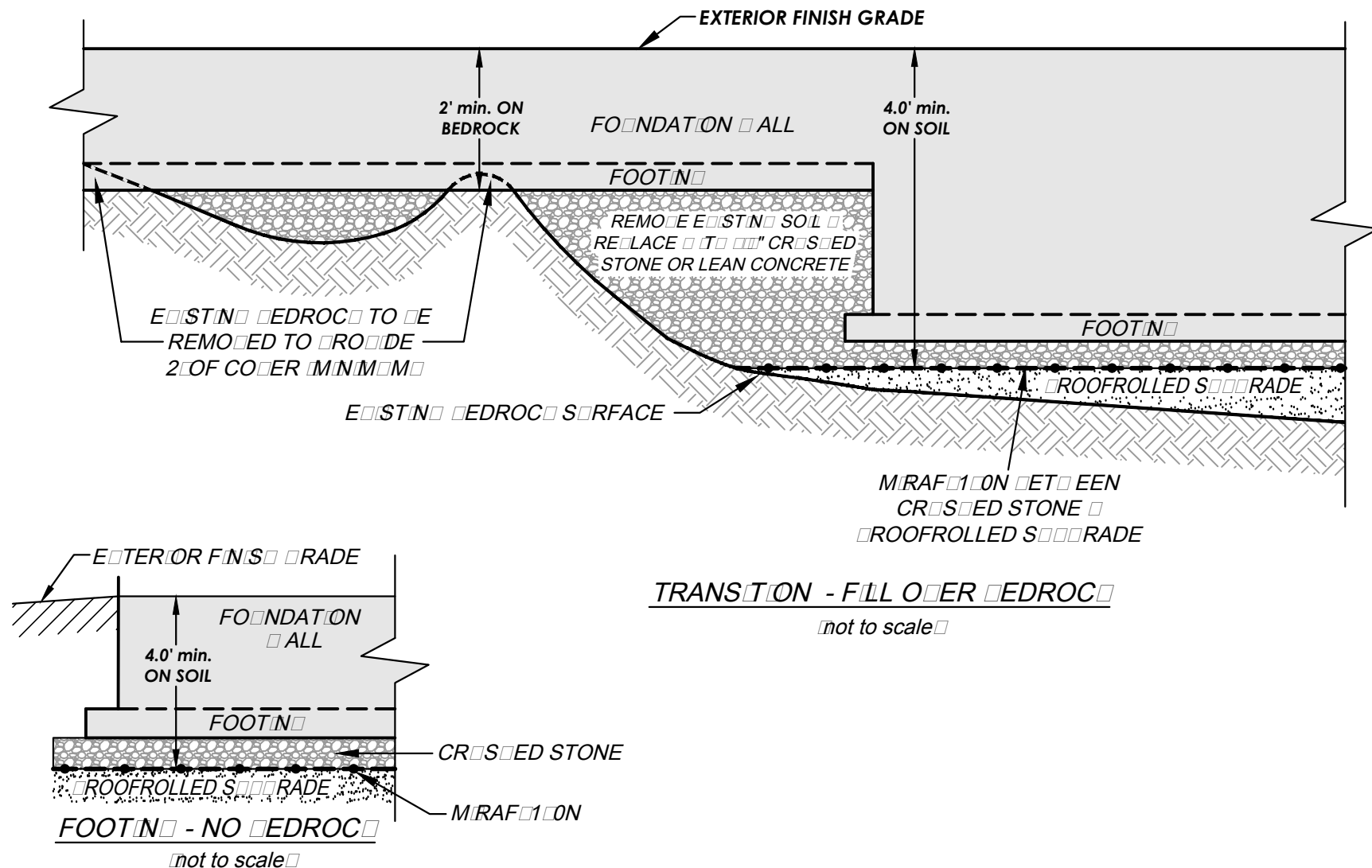
ESSEXNORTH PORTLAND, LLC

DATE: 5-16-2019	DRAWN BY: KRF	CHECKED BY: WMP
JOB: 16300.4	SCALE: 1" = 20'	FILE: 16300 SKT

145 LISBON ST. - SUITE 101
LEWISTON, ME 04240
Tel.: (207) 576-3313

173 PLEASANT STREET
ROCKLAND, ME 04841
Tel.: (207) 318-1161

SUMMIT
GEOENGINEERING SERVICES
www.summitgeoeng.com



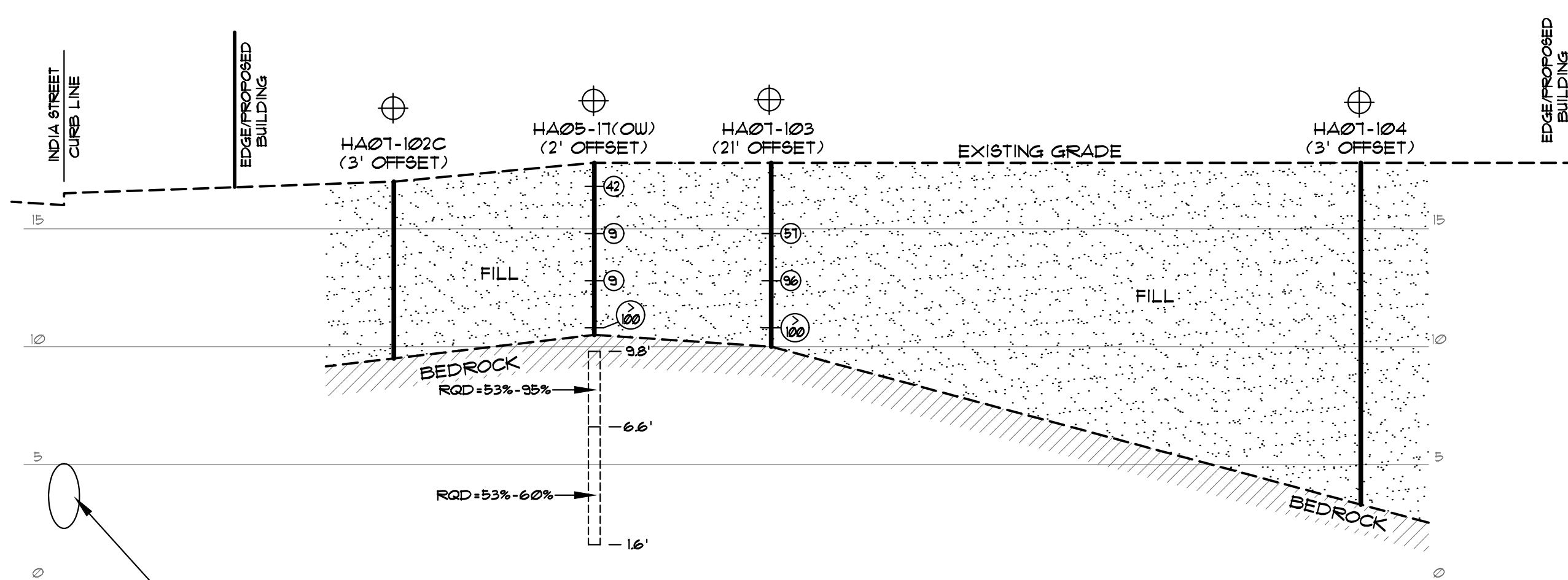
DATE: MAY 17, 2019
 JOB: 16300.4
 FILE: 16300 BEDTRAN
 DRAWN BY: KRF
 CHECKED BY: MAH
 NOT TO SCALE

145 LISBON ST. - SUITE 101
 LEWISTON, ME 04240
 Tel.: (207) 576-3313

SUMMIT
 GEOENGINEERING SERVICES
www.summitgeoeng.com

173 PLEASANT STREET
 ROCKLAND, ME 04841
 Tel.: (207) 318-7761

PORTLAND GATEWAY - LOT 4
 INDIA STREET - PORTLAND, MAINE
 PREPARED FOR
ESSEXNORTH PORTLAND, LLC

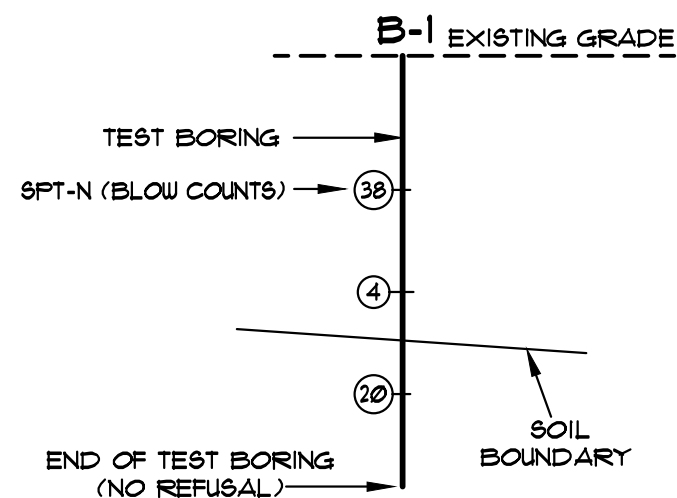


POSSIBLE ELEVATION/LOCATION OF WATER MAIN
BASED ON P.W.D. SITE PLAN

CROSS SECTION C-C

SCALE: HORIZ. - 1" = 10'
VERT. - 1" = 5'

LEGEND



GEOTECHNICAL LEGEND

- HA05-# HALEY & ALDRICH TEST BORING (OCTOBER 2005)
- HA07-# HALEY & ALDRICH TEST BORING (MARCH 2007)
- (26) SPT-N BLOW COUNT
- RQD ROCK QUALITY DESIGNATION

PROJECT:	PORTLAND GATEWAY	
	FORE, HANCOCK COMMERCIAL & INDIA STREETS - PORTLAND, ME	
	CLIENT: ESSEXNORTH PORTLAND, LLC	
TITLE:	CROSS SECTION C-C	
	SCALE: 1" = 40'	DRAWN BY: KRF
	DATE: MAY 17, 2019	APPR BY: WMP
145 LISBON ST. - SUITE 601 LEWISTON, ME 04240 Tel: (207) 576-3313		
173 PLEASANT STREET ROCKLAND, ME 04841 Tel: (207) 318-7161		
 GEOENGINEERING SERVICES		
PROJ. #: 16300.4		
FIGURE: 1		

APPENDIX B
HALEY & ALDRICH BORING LOGS

142 HIGH STREET - ROOM 430 - PORTLAND, MAINE 04101

DATE _____

LINE & STA

OFFSET 27 61 11

SURF. ELEV. 17.61 +/-

ADDRESS	Cambridge, Mass.
LOCATION	Portland, Maine
PROJ. NO.	2882
OUR JOB NO.	55714

LOCATION OF BORING: Moved 1' from B5-21

GROUND SURFACE TO 9' USED BW "CASING: THEN

Proportions Used	
trace	0 to 10%
little	10 to 20%
some	20 to 35%
and	35 to 50%

140lb Wt. x 30" fall on 2" O.D. Sampler	
Cohesionless- Density	Cohesive Consistency
0-10 Loose	0-4 Soft 30 + Hard
10-30 Med. Dense	4-8 M/Stiff
30-50 Dense	8-15 Stiff
50 + Very Dense	15-30 V-Stiff

SUMMARY:

Earth Boring	9'
Rock Coring	15'
Samples	2

HOLE NO 35-21A

Project THE WATERMARK Portland, ME
Client Riverwalk, LLC.
Contractor Maine Test Borings, Inc.

File No. 30322-000
Sheet No. 1 of 1
Start 6 October 2005
Finish 6 October 2005
Driller B. Enos

	Casing	Sampler	Barrel	Drilling Equipment and Procedures
Type	NW	SS	NQ	Rig Make & Model: Mobile Drill B-53 Truck
Inside Diameter (in.)	3.0	1 3/8	2.0	Bit Type: Roller Bit
Hammer Weight (lb.)	300	140	-	Drill Mud: None
Hammer Fall (in.)	30	30	-	Casing: Driven
				Hoist/Hammer: Winch/ Safety Hammer

H&A Rep.	B. Steinert
Elevation	17.8 +/-
Datum	Portland City
Location	See Plan

[illegible]

Water Level Data						Sample Identification		Well Diagram		Summary	
Date	Time	Elapsed Time (hr.)	Depth (ft.) to:			O Open End Rod		Riser Pipe	Overburden (lin. ft.)	8	
			Bottom of Casing	Bottom of Hole	Water						T Thin Wall Tube
						U Undisturbed Sample		Filter Sand	Cuttings	Samples	4S
						S Split Spoon		Grout	Concrete	Boring No. HA05-17(OW)	
						G Geoprobe		Bentonite Seal			
Field Tests:		Dilatancy: R-Rapid, S-Slow, N-None				Plasticity: N-Nonplastic, L-Low, M-Medium, H-High					
		Toughness: L-Low, M-Medium, H-High				Dry Strength: N-None, L-Low, M-Medium, H-High, V-Very High					
1 SPT = Sampler blows per 6 in.		2 Maximum particle size is determined by direct observation within the limitations of sampler size.									
Note: Soil identification based on visual-manual methods of the USCS as practiced by Haley & Aldrich, Inc.											



CORE BORING REPORT

Boring No. HA05-17(OW)

File No. 30322-000

Sheet No. 1 of 1

Depth (ft)	Drilling Rate Min./ft	Run No.	Depth (ft)	Recovery/RQD		Weath- ering	Well Dia- gram	Elev./ Depth (ft)	Visual Description and Remarks
				in.	%				
5									SEE TEST BORING REPORT FOR OVERBURDEN DETAILS
									NOTE: Bedrock encountered at 7.3 ft. Advance roller bit to 8.0 ft. Begin NQ rock core at 8.0 ft.
	2	C1	8.0 11.2	36/19	95/53			8.0	Moderately hard, fresh to slightly weathered, gray, aphanitic SCHIST, primary joint sets dipping at moderate to vertical angles, extremely close to close, planar to undulating, occasional moderately weathered joint, calcite veins, stepped rough, fresh to discolored.
	2								
10	2								
	1								
		C2	11.2 16.2	60/53	100/88				Moderately hard, fresh to slightly weathered, gray, aphanitic SCHIST, primary joint sets dipping at horizontal to moderate angles, moderate to wide, planar to undulating, occasional moderately weathered joint, calcite veins, stepped, rough, fresh to discolored.
	2								
	1								
	2								
15	1								
	2								
								16.2	-BOTTOM OF EXPLORATION-
									NOTE: Installed observation well in completed borehole. See Well Installation Report HA05-17(OW) for details.

TEST BORING REPORT

Boring No. HA05-18

Project THE WATERMARK Portland, ME
 Client Riverwalk, LLC.
 Contractor Maine Test Borings, Inc.

File No. 30322-000
 Sheet No. 1 of 1
 Start 4 October 2005
 Finish 4 October 2005
 Driller B. Enos

	Casing	Sampler	Barrel	Drilling Equipment and Procedures
Type	NW	SS	NQ	Rig Make & Model: Mobile Drill B-53 Truck
Inside Diameter (in.)	4.0	1 3/8	2.0	Bit Type: Roller Bit
Hammer Weight (lb.)	300	140	-	Drill Mud: None
Hammer Fall (in.)	30	30	-	Casing: Driven
				Hoist/Hammer: Winch/ Safety Hammer

H&A Rep. K. Stone
 Elevation 16.5 +/-
 Datum Portland City
 Location See Plan

Depth (ft.)	SPT ¹	Sample No. & Rec. (in.)	Sample Depth (ft.)	Well Diagram	Elev./Depth (ft.)	USCS Symbol	Visual-Manual Identification and Description (Density/consistency, color, GROUP NAME, max. particle size ² , structure, odor, moisture, optional descriptions, geologic interpretation)	Gravel		Sand		Field Test			
								% Coarse	% Fine	% Coarse	% Fine	% Fines	Dilatancy	Toughness	Plasticity
0	18 11 10 12	S1 15	0.0 2.0	NO WELL INSTALLED	5.9	SM	Medium dense, dark-brown, silty SAND (SM), mps 0.43 mm., black staining present, no odor, dry. -FILL-					60	40		
5	9 75(0.4ft)	S2	5.0 5.9			GM	Very dense, dark-brown, silty GRAVEL with sand (GM), mps 1.0 in., no odor, dry. -FILL- NOTE: Split spoon refusal at 5.9 ft. Advance roller bit to 6.6 ft. Begin NQ rock core at 6.6 ft. See Core Boring Report HA05-18 for details.	50	10	50	35				

Water Level Data						Sample Identification		Well Diagram		Summary	
Date	Time	Elapsed Time (hr.)	Depth (ft.) to:			O Open End Rod	T Thin Wall Tube	U Undisturbed Sample	S Split Spoon	G Geoprobe	



CORE BORING REPORT

Boring No. HA05-18

File No. 30322-000

Sheet No. 1 of 1

Depth (ft)	Drilling Rate Min./ft	Run No.	Depth (ft)	Recovery/RQD		Weath- ering	Well Dia- gram	Elev./ Depth (ft)	Visual Description and Remarks
				in.	%				
0									SEE TEST BORING REPORT FOR OVERBURDEN DETAILS
5									NOTE: Bedrock encountered at 5.9 ft. Advanced roller bit to 6.6 ft. Begin NQ rock core at 6.6 ft.
		C1	6.6 11.0	48/23	91/47			5.9	Hard, fresh, gray, aphanitic to fine grained SCHIST. Primary joints dipping at moderate to high angles, very close to close, planar, smooth, tight to partly open, occasional calcite veins.
10		C2	11.0 15.6	57/30	100/52				Hard, fresh, gray, aphanitic to fine grained SCHIST. Primary joints dipping at moderate to high angles, close to moderate, planar, smooth, tight to partly open, occasional calcite veins.
15								15.6	-BOTTOM OF EXPLORATION-

NO WELL INSTALLED

TEST BORING REPORT

Boring No. HA07-102C

Project THE WATERMARK Portland, Maine
 Client Riverwalk, LLC
 Contractor Maine Test Borings, Inc.

File No. 30322-000
 Sheet No. 1 of 1
 Start 6 March 2007
 Finish 6 March 2007
 Driller D. McKeen

	Casing	Sampler	Barrel	Drilling Equipment and Procedures
Type	SSA	-	-	Rig Make & Model: Mobile Drill B-53 Bombardier
Inside Diameter (in.)	-	-	-	Bit Type: Cutting Head
Hammer Weight (lb.)	-	-	-	Drill Mud: None
Hammer Fall (in.)	-	-	-	Casing: 2.5 in. SSA 15.5 ft.
				Hoist/Hammer: - -

H&A Rep. E. Beirne
 Elevation 17.0 +/-
 Datum Portland City
 Location See plan

Depth (ft.)	SPT ¹	Sample No. & Rec. (in.)	Sample Depth (ft.)	Well Diagram	Elev./Depth (ft.)	USCS Symbol	Visual-Manual Identification and Description (Density/consistency, color, GROUP NAME, max. particle size ² , structure, odor, moisture, optional descriptions, geologic interpretation)	Gravel		Sand			Field Test				
								% Coarse	% Fine	% Coarse	% Medium	% Fine	% Fines	Dilatancy	Toughness	Plasticity	Strength
0				NO WELL INSTALLED			Note: HA07-102A refusal on obstruction at 3.0 ft. Relocate hole to HA07-102B and redrill. Refusal on probable obstruction at 5.0 ft. Relocate hole to HA07-102C and redrill.										
		S1	3.5 4.5		SM	Gray, silty SAND with gravel (SM), mps 1.5 in., no odor, dry to moist, some brick fragments. -FILL-	5	10	15	20	25	25					
5					SM	Gray, silty SAND (SM), mps 1.5 in., no odor, dry to moist. -FILL-	5	5	15	10	30	35					
		S2	6.0 7.5														
					7.5	BR	Note: Auger refusal on probable bedrock.										

Water Level Data						Sample Identification		Well Diagram		Summary	
Date	Time	Elapsed Time (hr.)	Depth (ft.) to:			O Open End Rod T Thin Wall Tube U Undisturbed Sample S Split Spoon G Geoprobe		Riser Pipe Screen Filter Sand Cuttings Grout Concrete Bentonite Seal	Overburden (lin. ft.) 7.5 Rock Cored (lin. ft.) - Samples 2S	Boring No. HA07-102C	
			Bottom of Casing	Bottom of Hole	Water						
Field Tests:			Dilatancy: R-Rapid, S-Slow, N-None Toughness: L-Low, M-Medium, H-High			Plasticity: N-Nonplastic, L-Low, M-Medium, H-High Dry Strength: N-None, L-Low, M-Medium, H-High, V-Very High					
¹ SPT = Sampler blows per 6 in.			² Maximum particle size is determined by direct observation within the limitations of sampler size.								
Note: Soil identification based on visual-manual methods of the USCS as practiced by Haley & Aldrich, Inc.											

Project THE WATERMARK Portland, Maine
Client Riverwalk, LLC
Contractor Maine Test Borings, Inc.

File No. 30322-000
Sheet No. 1 of 1
Start 7 March 2007
Finish 7 March 2007
Driller D. McKeen

	Casing	Sampler	Barrel	Drilling Equipment and Procedures
Type	HSA	S	-	Rig Make & Model: Mobile Drill B-53 Bombardier
Inside Diameter (in.)	2.5	1 3/8	-	Bit Type: Cutting Head
Hammer Weight (lb.)	-	140	-	Drill Mud: None
Hammer Fall (in.)	-	30	-	Casing: 2.5 in. HSA 7.8 ft
				Hoist/Hammer: Winch Safety Hammer

H&A Rep.	E. Beirne
Elevation	17.8 +/-
Datum	Portland City
Location	See plan

[illegible]

Water Level Data						Sample Identification		Well Diagram		Summary	
Date	Time	Elapsed Time (hr.)	Depth (ft.) to:								
			Bottom of Casing	Bottom of Hole	Water						
						O	Open End Rod		Riser Pipe		Overburden (lin. ft.) 7.8
						T	Thin Wall Tube		Screen		Rock Cored (lin. ft.) -
						U	Undisturbed Sample		Filter Sand		Samples 4S
						S	Split Spoon		Cuttings		
						G	Geoprobe		Grout		
									Concrete		
									Bentonite Seal		
										Boring No.	HA07-103

Field Tests:	Dilatancy: R-Rapid, S-Slow, N-None Touchness: L-Low, M-Medium, H-High	Plasticity: N-Nonplastic, L-Low, M-Medium, H-High Dry Strength: N-None, L-Low, M-Medium, H-High, V-Very High
--------------	--	---

¹SPT = Sampler blows per 6 in.

²Maximum particle size is determined by direct observation within the limitations of sampler size.

Note: Soil identification based on visual-manual methods of the USCS as practiced by Haley & Aldrich, Inc.



TEST BORING REPORT

Boring No. HA07-104

Project THE WATERMARK Portland, Maine
Client Riverwalk, LLC
Contractor Maine Test Borings, Inc.

File No. 30322-000
Sheet No. 1 of 1
Start 7 March 2007
Finish 7 March 2007

Driller D. McKeen
H&A Rep. E. Beirne
Elevation 17.8 +/-
Datum Portland City
Location See plan

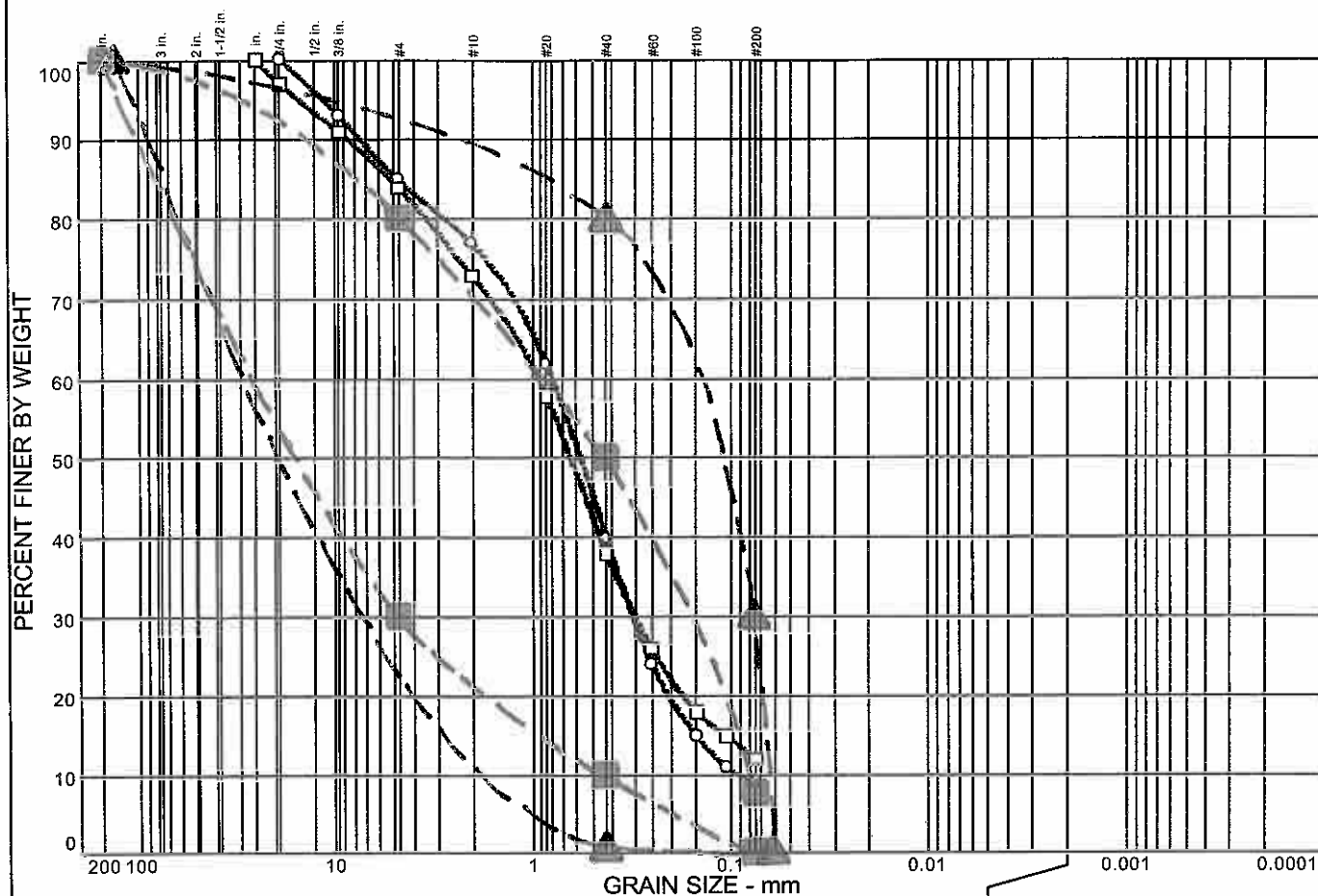
	Casing	Sampler	Barrel	Drilling Equipment and Procedures
Type	SSA	-	-	Rig Make & Model: Mobile Drill B-53 Bombardier
Inside Diameter (in.)	-	-	-	Bit Type: Cutting Head
Hammer Weight (lb.)	-	-	-	Drill Mud: None
Hammer Fall (in.)	-	-	-	Casing: 2.5 in. SSA 14.5 ft
				Hoist/Hammer: - -

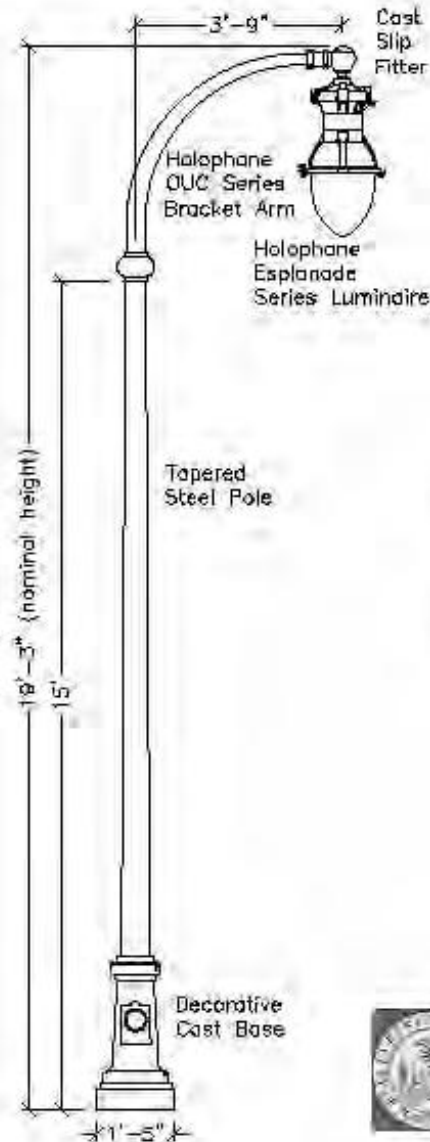
Depth (ft.)	SPT ¹	Sample No. & Rec. (in.)	Sample Depth (ft.)	Well Diagram	Elev./Depth (ft.)	USCS Symbol	Visual-Manual Identification and Description (Density/consistency, color, GROUP NAME, max. particle size ² , structure, odor, moisture, optional descriptions, geologic interpretation)	Gravel		Sand				Field Test					
								% Coarse	% Fine	% Coarse	% Medium	% Fine	% Fines	Dilatancy	Toughness	Plasticity	Strength		
0		S1	0.0 2.0	NO WELL INSTALLED		SM	Gray-brown to red, silty SAND (SM), mps 3/4 in., no odor, moist, largely brick fragments, sand and clay fill. -FILL-	5	5	10	25	30	25						
		S2	2.0 5.0		2.5	CL	Gray-brown, lean CLAY (CL), mps < 1mm, no odor, moist. -FILL-					10	90						
5					5.0	CL	Black, sandy lean CLAY (CL) with ash. -FILL-												
10					14.5		Note: Auger refusal on probable bedrock.												

Water Level Data						Sample Identification		Well Diagram			Summary		
Date	Time	Elapsed Time (hr.)	Depth (ft.) to:			O Open End Rod	T Thin Wall Tube	U Undisturbed Sample	S Split Spoon	G Geoprobe	 Riser Pipe	 Screen	Overburden (lin. ft.) 14.5
			Bottom of Casing	Bottom of Hole	Water								
3/7/2007	9:00	0.2	-	14.5	13.4								Samples 2S
											Boring No. HA07-104		
Field Tests:		Dilatancy: R-Rapid, S-Slow, N-None				Plasticity: N-Nonplastic, L-Low, M-Medium, H-High							
		Toughness: L-Low, M-Medium, H-High				Dry Strength: N-None, L-Low, M-Medium, H-High, V-Very High							
SPT = Sampler blows per 6 in.		Maximum particle size is determined by direct observation within the limitations of sampler size.											
Note: Soil identification based on visual-manual methods of the USCS as practiced by Haley & Aldrich, Inc.													

APPENDIX C
HALEY & ALDRICH LABORATORY TEST RESULTS

U.S. STANDARD SIEVE SIZE



**LUMINAIRE**

Holophane Lighting model ESU175MH12A4-R
Luminaire shall be furnished and installed by The Central Maine Power Company under the municipal lease agreement for street lighting.

Luminaires shall be manufacturer's standard black color.

LAMP

Holophane Lighting model S-M175/U 64471
Vertical mounted, 175 watt mogul base clear metal halide lamp.

BRACKET ARM

Holophane Lighting model OUC 6063-T8
Aluminum crossarm with a post-top fitting for a 3-1/2" by 8" tenon.
Bracket arm shall be manufacturer's standard black color.

SLIP FITTER

Holophane Lighting model BHLF200-50A/4S (Boston Harbor Series)
2-3/8" O.D. with swivel cast fitter.
Slip fitter shall be manufacturer's standard black color.

LIGHTING POLE

Tapered steel pole shaft rated for a 90mph wind load with a 1.3 gust factor. Provide four hot-dipped galvanized steel L-type anchor bolts.

Lighting pole shall be manufacturer's standard black color.

DECORATIVE POLE BASE

Holophane Lighting model Cambridge Series
Decorative clamshell cast aluminum base.
Hardware shall be stainless steel.
Decorative pole base shall be manufacturer's standard black color.

APPLICATION

Street/Sidewalk lighting for two-way streets with parking on one side, or one-way streets.

Suggested layout:

- 80-100 ft on center (one side only)
- 150-200 ft on center (staggered pattern both sides)

City of Portland, Maine

Street & Sidewalk Lighting WATERFRONT COMMERCIAL DISTRICT Medium Scale Lighting Pole

08/25/07



DATE:
AUGUST 2009

CITY OF PORTLAND, MAINE
TECHNICAL STANDARDS MANUAL

**MUNICIPAL STREET
LIGHTING STANDARDS
SECTION X**

FIGURE:

REVISED:

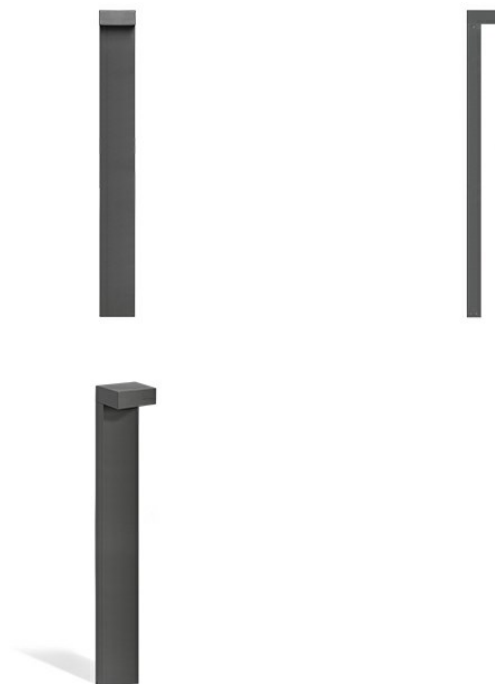
**EASTERN WATERFRONT DISTRICT MEDIUM
SCALE LIGHTING POLE**

X-5C

MIMIK 10 BOLLARD 1000



Part number	071812
Lampholder:	LED
Wattage:	11 W
Finish:	AN-96 / Iron gray / Textured
Degree of protection:	IP65
CRI:	70
Kelvin:	3000
Luminaire lumen output:	744 lm
L:	L80
B:	B10
Lifetime:	60000 h
cULus:	✓
Voltage:	120-277 V



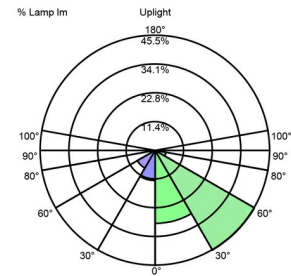
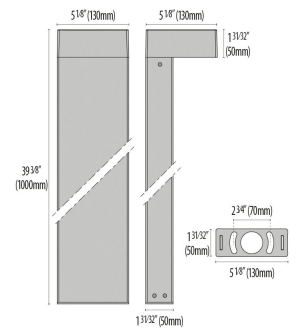
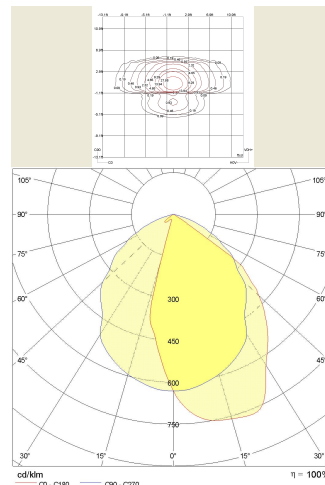
Description

Photometric data

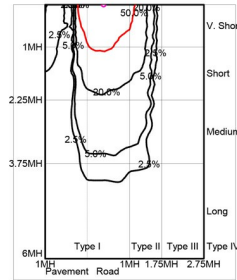
Technical drawings

Pathway bollard series. Fixtures consist of:

- Multi-step powder-coat painting process, optimized against UV rays and corrosion.
- Copper-free precision die-cast aluminum housing and ring/faceplate.
- Copper-free aluminum extruded post.
- Extra-clear, flat, tempered silk-screened soda-lime glass diffuser.
- Custom molded, anti-aging gasket(s).
- Stainless steel external hardware.
- Custom MCPCB utilized to maximize heat dissipation and promote a long LED life.
- IESNA Type II light distribution.
- Input voltage: 120-277 V (50 / 60 Hz), integral driver.
- Pre-wired factory sealed cable for external electrical connection included.
- Steel ground base plate included for bollards.
- Consult factory for dimming options, custom finishes (please specify RAL color), and non-cataloged CCT (Kelvin) options.
- Consult factory for custom post height options.
- Consult factory for custom pre-wired factory sealed cable length options.
- Product meets Buy American Act requirements within ARRA.
- 5-year warranty.



BUG B0 U0 G0 Type II Very Short Asymmetrical
US ROAD STANDARDS



BUG B0 U0 G0 Type II Very Short Asymmetrical

Fixture Type: _____

Catalog Number: _____

Project: _____

Location: _____

Mod

6" Outdoor Wall Sconce 3000K

Model & Size	Color Temp & CRI	Watt	Voltage	LED Lumens	Delivered Lumens	Finish
○ WS-W65607 7"	3000K 90	16.5W	120-277 VAC	1165	850	BK Black BZ Bronze GH Graphite ○ WT White

Example: **WS-W65607-BK**

DESCRIPTION

Expertly crafted from die-cast aluminum. The Mod family features a smooth curved modern shape. ADA Compliant and Dark Sky friendly. Ideal for exterior residential, hospitality and commercial applications.

FEATURES

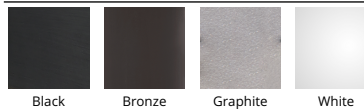
- Weather resistant powder coat finish
- Low profile with effective path illumination
- Light engine is factory sealed for maximum protection from the elements
- Driver concealed within the fixture
- 5 year warranty

SPECIFICATIONS

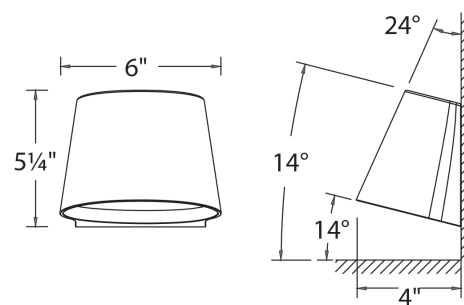
Color Temp:	3000K
Input:	120-277 VAC, 50/60Hz
CRI:	90
Dimming:	ELV: 100 - 10%
Rated Life:	70000 Hours
Mounting:	Can be mounted on wall in all orientations
Standards:	ETL, cETL, IP65, Title 24 JA8-2016 Compliant Wet Location Listed
Construction:	Aluminum hardware with glass diffuser



FINISHES



LINE DRAWING



WS-W65607

ARCHITECTURAL WALL SCONCE

Trac Wall Mount Slope (TWS) is a combination of security, beauty and vandal resistance that blends beautifully into any architectural environment.

TWS is constructed of extruded aluminum, the most durable long-lasting light solution. Using silicone Micro Optics, TWS distributes light uniformly as its LEDs are recessed and hidden; Full Cut-off design.

Available from 10 to 56 watts with three different Kelvin temperatures—3000 (warm), 4000 (neutral) and 5000 (cool). IES distributions T2, T3, T4.

TWS conforms to strictest Made in America Standards. Designed, tooled, fabricated and assembled in the USA.


MICRO OPTIC SYSTEM

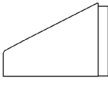
Our new cell-inclosed, micro optic silicone modules produce high clarity and outstanding performance.

LED WATTAGE CHART

	16L
175 milliamps	10w
350 milliamps	18w
530 milliamps	26w
700 milliamps	35w
1050 milliamps	56w

Project Name

Type:

Cat #	Light Dist	No. of LEDs	Milliamps	Kelvin	Volts	Mounting	Color	Options
 Trac Wall Mount Slope (TWS)	Type 2 (T2)	16 (16L)	175 (175)	3000K (30K)	120-277 (UNV)	Wall Mount (WM)	Bronze (BRZ)	Marine Grade Finish (MGF)
	Type 3 (T3)		350 (35)	4000K (40K)			White (WHT)	Photocell (PC) *Universal Voltage 120-277
	Type 4 (T4)		530 (53)	5000K (50K)			Silver (SVR)	Surge Protector (10K)
			700 (7)				Black (BLK)	Emergency Battery Pack (EBP) *Up to 700mA Only
			1050 (1)				Graphite (GPH)	Internal Microwave Motion Sensor (IMMS)
							Grey (GRY)	
							Custom (CS)	

PRODUCT SPECIFICATIONS

Housing: Aluminum Extruded and Die Formed

LED: Lumileds Luxeon MX. CRI 70

Optics: Micro Optics Types 2, 3 and 4

Watts: 10-56

L70 Depreciation: 483,000 Hours (@77°F/ 25°C)

Listings: Conforms to UL 1598 Standards, Fixture IP65 Rated



Driver: 0-10V Dimming driver as standard by Philips Advance
THD @ Max Load < 15%

Power Factor @ Max Load < 0.95

Kelvin: 3000, 4000, or 5000

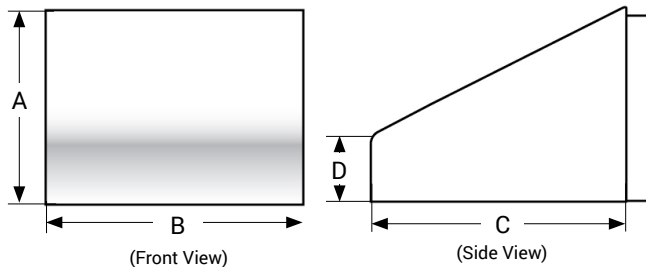
Finish: 3-5 mils Powder Coat

Warranty: Standard Warranty is 5 years for Driver and LEDs

PRODUCT DIMENSIONS

TRAC WALL MOUNT - LUMEN DATA CHART

PART NUMBER	T2 OPTIC	Lm/W	T3 OPTIC	Lm/W	T4 OPTIC	Lm/W	WATTS
TWX-16L-175-30K	990	99	972	97	1017	102	10
TWX-16L-175-40K	1071	107	1053	105	1098	110	10
TWX-16L-175-50K	1152	115	1134	113	1233	123	10
TWX-16L-35-30K	1980	110	1944	108	2034	113	18
TWX-16L-35-40K	2142	119	2106	117	2196	122	18
TWX-16L-35-50K	2304	128	2268	126	2466	137	18
TWX-16L-53-30K	3080	110	3024	108	3164	113	28
TWX-16L-53-40K	3220	115	3276	117	3416	122	28
TWX-16L-53-50K	3584	128	3528	126	3836	137	28
TWX-16L-7-30K	3960	110	3888	108	4068	113	36
TWX-16L-7-40K	4140	115	4212	117	4392	122	36
TWX-16L-7-50K	4608	128	4536	126	4932	137	36
TWX-16L-1-30K	6160	110	6048	108	6328	113	56
TWX-16L-1-40K	6440	115	6552	117	6832	122	56
TWX-16L-1-50K	7168	128	7056	126	7672	137	56



DIMENSION	TWS
A	6 in
B	8 in
C	8 in
D	2 in
WEIGHT	7.13 lbs





Construction Management Plan

Hebert Construction – 5 India Street, Portland, ME

The following is the construction management plan for the 5 India Street mixed use, residential and retail building located at 5 India Street, Portland, ME 04101. This will be a new 4 Story building consisting of a retail space on the street level with apartments on all remaining floors. The building will have underground power and be hooked up to city water and sanitary services.

Construction Management Plans shall depict the overall planning, coordination, and control of a construction site, including phases as applicable, from beginning to completion. The City's goal for a construction management plan is to support a safe construction site and protect the public safety, accessibility (including preserving accessible pedestrian, bicycle, and vehicular modes of transport throughout the city), and welfare during construction. In addition, the construction management plan shall minimize construction impacts in their duration and magnitude to the surrounding area and develop an effective communication process for resolving concerns and conflicts.

A. Construction Management Principles

The following narrative provides an overview of the construction management principles that Hebert Construction has identified to minimize impacts from the construction, such as noise, vibrations, ground movement, truck traffic, and other construction related factors to the surrounding building and communities.

B. Development Review of Construction Management Plan

Hebert Construction shall submit a construction management plan that provides a comprehensive Logistics and safety program for the construction project, which will be reviewed and approved as part of the site plan review process. Minimizing impacts to areas surrounding the building/construction site will be primary considerations in the process.

Planning authority in the department of public works have the right to seek revisions to an approved construction management plan or require a condition of approval that states an applicant shall coordinate a project construction schedule is the timing of nearby construction activities, in order to avoid cumulative impact on a neighborhood. Such a condition may involve a delay in the commencement of construction, if necessary.

The following details define the intended approach to a successful management of the project construction and the construction management plan will address the general conditions contained below

C. Performance guarantees, inspection fees, preconstruction meeting, and permits

1. Street Opening and Street Occupancy Permits:

- a. All street work will be performed in accordance with the city of Portland requirements for patching and repairing pavement.

2. Blasting:

- a. None required



3. Building Code:

- a. Hebert Construction will employ the best practices, as applicable, of Chapter 33 Safeguards During Construction, from IBC 2009.

D. Construction Administration and Communication

1. 24 Hour Contacts
 - o Project Manager: Timothy Hebert – 207-212-2176
2. Construction Signage posted on the site with Contact Information for Contractor will be posted on the site security fencing along with the safety information upon project start.
3. Communication strategies
 - o Hebert Construction will be sending out correspondence to abutters prior to the start of construction to let them know what date we will be starting, time of day for work and what to expect during the construction process. We will also provide a number to call to report any complaints or concerns during construction.
 - o Hebert Construction will provide a communication board on our site fencing that will be updated from time to time to provide the neighborhood with a general sense of what will be happening on the site if it has anything to do with noise or major deliveries from construction vehicular traffic.
4. All construction site signage is temporary and shall be removed at project completion.

E. Construction Schedule

1. Construction Schedule Timeline
 - a. To be determined 4/1/2020 - 4/20/21
2. Hours of Construction. Construction may occur during the daytime hours as defined in Section 17-18. Construction Activities for Building permit and Section 25-129. Noise, dust and debris.
 - a. Typical hours of operation for the job site will be 7:00am – 6:00pm. From time to time there will be off hours work to maintain schedule or due to items like utility work. This work is intended to be minimal throughout the project.
3. Extended Hours or Night Work: Pursuant to Section 17-18, this section not apply to emergency utility work or “Situations where the public works authority or the office of building inspections determines that the construction activity is of a unique character which cannot reasonably be completed or performed during the permitted hours and which is not of a recurring nature, provided that prior to engaging in such activity the contractor or his representatives gives notice of the time and scope of such proposed activity, the notice to be given in a manner approved by the public works authority.”
4. Material Deliveries: Schedule and designated location for delivery of materials and boxed goods.
 - a. Material deliveries will be scheduled always through Hebert Construction. Trucks will be directed onsite through the security fencing and to the job trailer. The site



will have designated storage container for delivered materials or be brought up into the building immediately.

F. Security & Public Safety

1. The Construction Management Plan will depict all proposed fencing or other barriers and access gates (with Knox locking devices) with the intent of separating pedestrian and vehicle circulation from the construction site. *See attached site security and staging plan for details.*
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. An overall construction or demolition fire safety program shall be developed. Essential items to be emphasized include the following:
 - Good Housekeeping
 - On-site security
 - Installation of new fire protection systems as construction progresses
 - Preservation of existing systems during demolition
 - Organization and training of an on-site fire brigade
 - Development of a pre-fire plan with the local fire department
 - Rapid communication
 - Consideration of special hazards resulting from previous occupancies
 - Protection of existing structures and equipment from exposure fires resulting from construction, alteration, and demolition operations
4. Blasting, if required, shall conform with all measures of Article VIII. Regulation of Explosives in the Land Use Code and Section 3.7 Standards for Blasting and Regulation of Explosives in Portland's Technical Manual.
5. Any proposed temporary security lighting shall be shown on CMP 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 is controlled by Chapter 25 Article VII of the City Code of Ordinances. Required licenses and permits, restrictions on activity, and fees & area are outlined in that Chapter. Rules and Regulations for Excavation Activity are available through the Street Opening Clerk at the Department of Public Works. At no time can construction activity including delivery vehicles 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 water 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.
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

HEBERT

CONSTRUCTION

modes of the traveling public. Projects are required to submit a satisfactory ‘maintenance of traffic’ (MOT) plan prior to any site plan, subdivision, or street opening permit approval. MOT plans may be required for projects that have impacts on local streets.

Maintenance of Traffic (MOT) plans shall provide for the safe passage of the public through or along the construction work zone. On a case-by-case basis, applicants may be allowed to close a street and/or detour a mode of traffic when absolutely necessary for safety. 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 are an obstruction to bicycles or pedestrians.
- In some situations, flaggers may be required.
- Police details may be required at lighted intersections and may be requested by the City's transportation engineer or his designee.

All existing modes of travel in 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 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 of 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 shall be maintained.
- **Maintain 16' clear in roadway between fencing or any barricades to permit the passage of fire trucks and other emergency vehicles.**

Use of public parking spaces or 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

The final Construction Management Plan will address maintaining the site in a safe condition and will include the following:

1. Regular trash and debris removal

HEBERT

CONSTRUCTION

- i. The site will be supplied at all times with a 30yd dumpster for debris. All materials will be removed from the building to provide a safe working environment and the dumpster will be maintained throughout the life of the project.
2. Street cleaning and damage controls
 - i. Maintain broom clean site throughout. No F.O.D will be allowed outside the construction site and all fencing and surrounding areas of the site will be checked and cleaned daily.
3. Dust controls- The construction shall comply with Portland's requirements under Section 25-129 on Noise, dust and debris.
 - i. In order to control dust in the neighborhood, Hebert Construction's plan is to perform the Sitework and bring the parking lot grade up to binder pavement prior to the start of vertical construction. By doing so we will provide for a cleaner safer site to work within as well as maintaining dust control throughout the project.
 - ii. Hebert Construction's policy is to maintain sweeping compound onsite to mitigate dust generation during sweeping and cleaning of the job site.
 - iii. Additionally, Hebert Construction plans to bring all sitework up to pavement binder prior to starting vertical construction to provide a clean and manageable site.
4. Noise: The construction shall comply with Portland's requirements under Section 17-18 of the City Code and Section 25-129 on Noise, dust and debris.
5. Rodent Control will be provided, if applicable, by a professional exterminator and consistent with Chapter 22 of the City Code.
6. Snow Removal: Pursuant to Section 25-173 Contractors to ensure a safe means of travel within the work zone.
 - 1) Snow/ice removal or commence automatically from (1" of snow and up) or Ice
 - 2) Remove snow as needed within the work zone, including parking spaces & not to block any driveways or sight lines with the piles of snow.
 - 3) Clear all walks & ramps with the work zone
 - 4) Sand or Salt as needed
 - 5) Clear all basin or drainage to help snow melt
 - 6) This would include Monday-Friday Sat/Sunday/Holidays

I. Erosion Control and Preservation of Trees

1. Hebert Construction shall install all erosion and sedimentation controls as depicted on the approved erosion and sedimentation control plan 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 significant storm events, and maintain any installed temporary or permanent stormwater management systems in 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 or the U.S. Environmental Protection Agency upon request.
2. Hebert Construction shall maintain all tree and landscaping preservation measures as depicted on the landscaping plan (Exhibit) within the area of construction.
3. The storage of materials shall be identified and avoid being located under/near trees.

J. Construction Staging Area

HEBERT

CONSTRUCTION

1. The Construction Management Plan shall depict location of the material staging areas, the location on onsite temporary construction trailers, the location on onsite truck delivery holding areas, the location onsite truck washing stations, masonry mixing stations, the general location of the construction security fence and the general location of temporary construction dumpsters. An open storage area shall be shown on the plan.
2. Delivery Truck Holding Areas On-Site: The delivery holding area shall be shown on the plan and shall not be blocked during construction. 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 the 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 queueing on public streets.
3. Delivery Truck Holding Areas Off-Site: In the event that adequate on-site area for holding of trucks is not available, an off-site marshalling area will be utilized for trucking. The designated off-site location will be identified in the construction management plan.

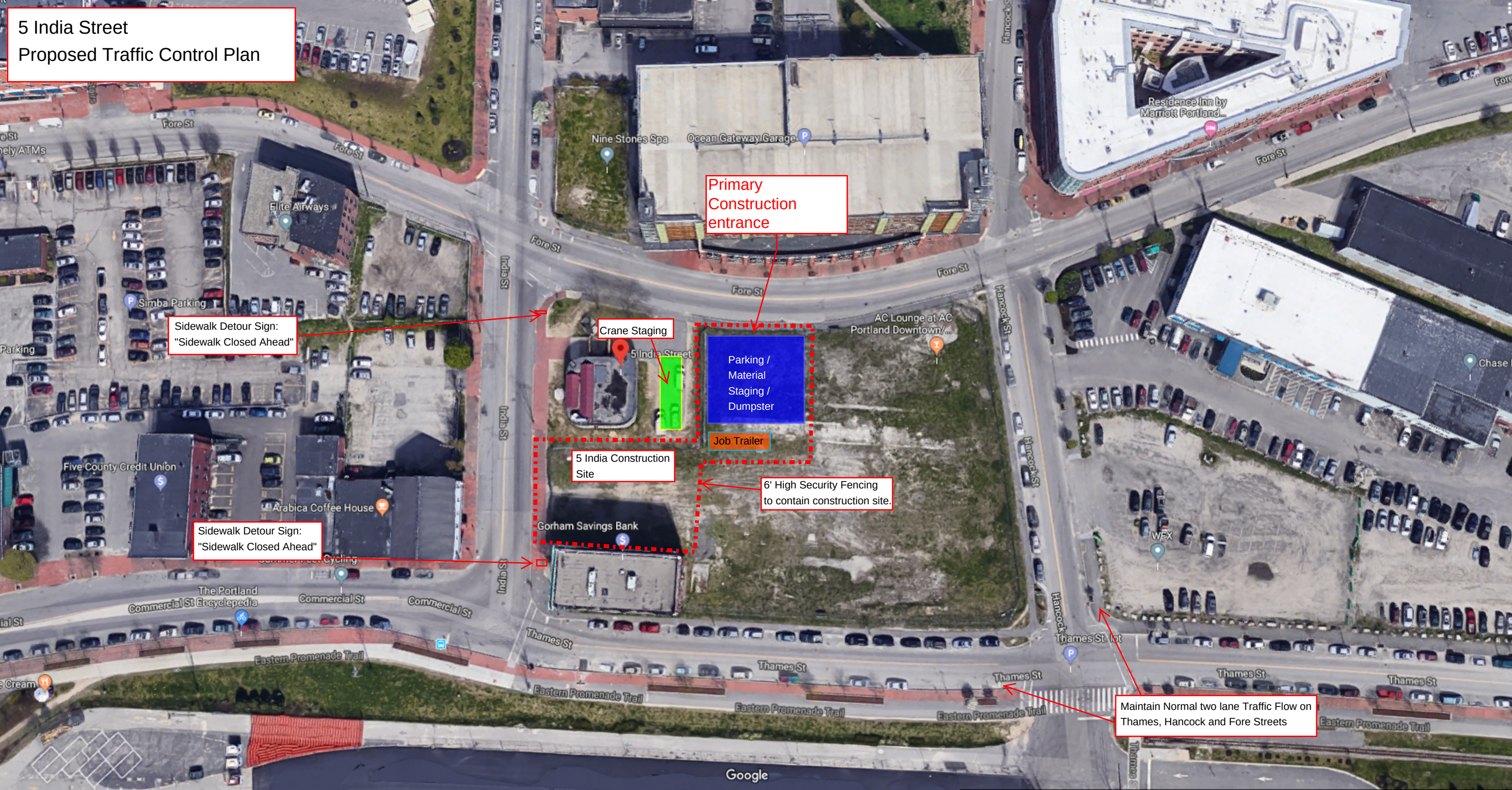
K. Parking During Construction

1. Construction Parking: Adequate parking for construction workers shall be provided on site or arrangements for off-street parking at an off-site location shall be provided. The parking arrangements shall be included in the construction management plan. *See attached site security plan for details.*
2. Parking: Where existing facilities are remaining in operation during construction, the construction management plan shall identify how the parking for employees and others shall be managed.
3. Truck Routes and Volumes: The Construction Management Plan shall address the designated truck routes and expected truck volumes.

L. Special Measures as Necessary

None.

5 India Street
Proposed Traffic Control Plan



Primary
Construction
entrance

Sidewalk Detour Sign:
"Sidewalk Closed Ahead"

Crane Staging

Parking /
Material
Staging /
Dumpster

Job Trailer

5 India Construction
Site

6' High Security Fencing
to contain construction site.

Sidewalk Detour Sign:
"Sidewalk Closed Ahead"

Maintain Normal two lane Traffic Flow on
Thames, Hancock and Fore Streets



Primary
Construction
Entrance

5 India Street
Proposed Traffic Control Plan

FORE STREET

Sidewalk Detour Sign:
"Sidewalk Closed Ahead"

Crane Staging
Temporary

Parking /
Material
Staging

LOT 2
EXISTING OFFICE
BUILDING

Job Trailer

INDIA STREET

5 India Construction
Site

6' High Security Fencing
to contain construction site.

LOT 1
EXISTING HOTEL

HANCOCK STREET EXTENSION

Sidewalk Detour Sign:
"Sidewalk Closed Ahead"

LOT 3
EXISTING CONDOMINIUMS

THAMES STREET

Maintain Normal two lane Traffic Flow on
Thames, Hancock and Fore Streets

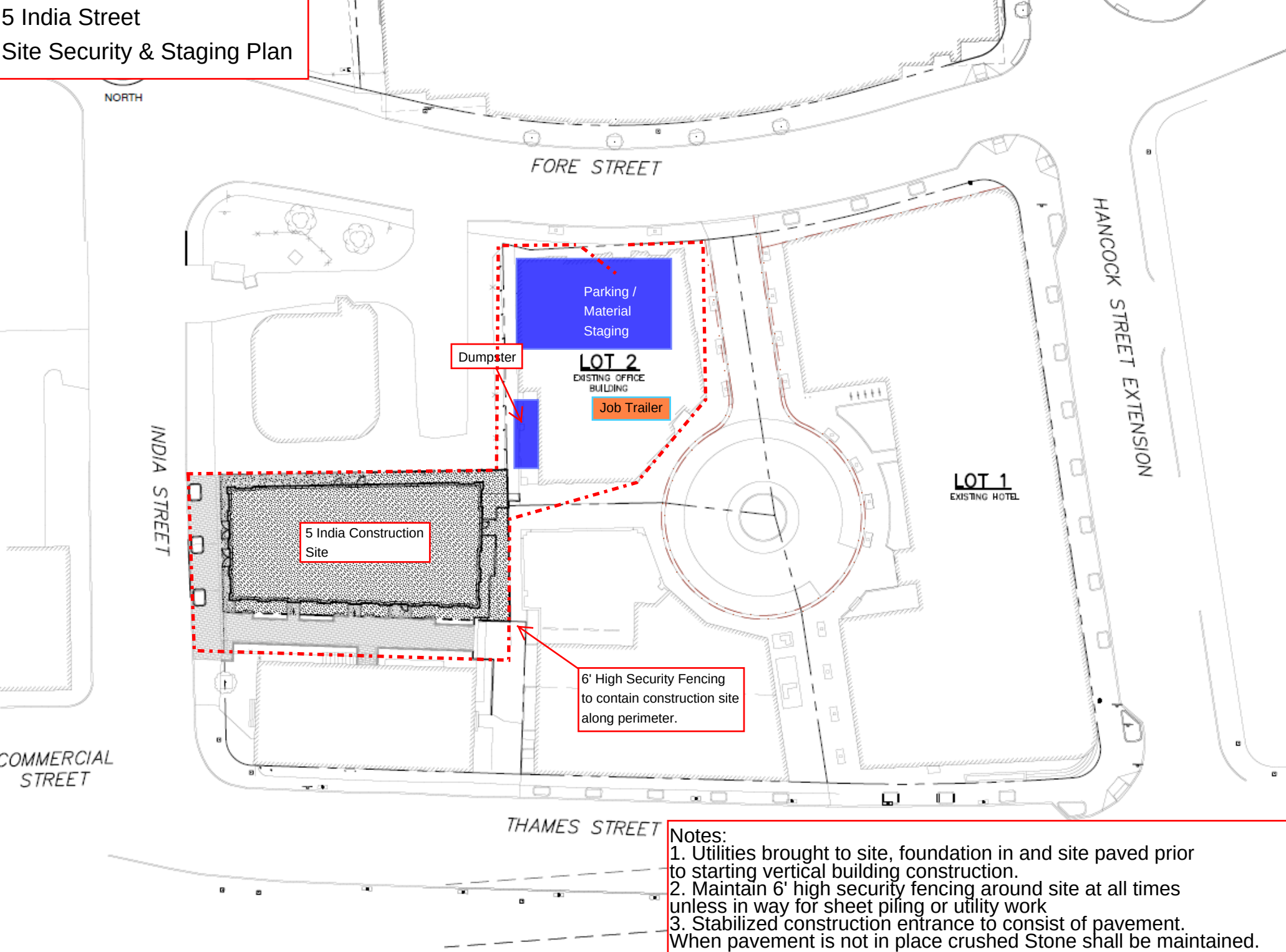
COMMERCIAL
STREET

5 India Street
Site Security & Staging Plan



- Notes:
- 1. Utilities brought to site, foundation in and site paved prior to starting vertical building construction.
 - 2. Maintain 6' high security fencing around site at all times unless in way for sheet piling or utility work
 - 3. Stabilized construction entrance to consist of pavement. When pavement is not in place crushed Stone shall be maintained.

5 India Street
Site Security & Staging Plan



- Notes:
1. Utilities brought to site, foundation in and site paved prior to starting vertical building construction.
 2. Maintain 6' high security fencing around site at all times unless in way for sheet piling or utility work
 3. Stabilized construction entrance to consist of pavement. When pavement is not in place crushed Stone shall be maintained.

Existing Conditions of
5 India St. City Block

5 India Construction
Site



Neighborhood Meeting Invitation

January 17, 2020

Dear Neighbor:

Please join us for a neighborhood meeting to discuss our plans for a **proposed residential rental and retail building to be located at 5 India Street.**

Meeting Location: AC Hotel, 1st Floor Meeting Room
158 Fore Street, Portland

Meeting Date: Wednesday February 5th

Meeting Time: 6 pm

(The City code requires that property owners within 500 feet (1000 feet for proposed industrial subdivisions and industrial zone changes) 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, please call EssexNorth Portland LLC at 207.536.7040.

Note:

Under Section 14-32(C) and 14-524(a)d of the City Code of Ordinances, an applicant for a Level III development, subdivision of over five lots/units, or zone change is required to hold a neighborhood meeting within 30 days of submitting a preliminary application or 21 days of submitting a final site plan application, if a preliminary plans was not submitted. The neighborhood meeting must be held at least seven days prior to the Planning Board public hearing on the proposal. Should you wish to offer additional comments on this proposed development, you may contact the Planning Division at 874-8721 or send written correspondence to the Planning and Urban Development Department, Planning Division 4th Floor, 389 Congress Street, Portland, ME 04101, or by email to jmy@portlandmaine.gov.

Wed. February 6th 2020 at 6pm
AC Hotel Conference Room
Neighborhood Meeting Minutes

Attendees:

Christiane and Steve Cooney – 166 Fore St unit 64
Peter Gordon- 185 Fore St
Mike Curran- 22 Hancock St Unit 206
Dan and Suzy Desires- 185 Fore St
Mary Jane Schotte- 166 Fore St unit 62
Paula Foley- Stelmack- 207 Fore St Unit 1

Questions:

Q- What does “Site Plan Approval” mean?

R- The city is reviewing our project to give us the “OK” to move forward.

Q- Is there traffic planning linked to the project?

R- Yes. The master plan for the entire block has been reviewed for traffic impacts.

Q- Will the building overshadow the Grand Trunk building or obstruct the view of the Grand Trunk building looking down India Street?

R- The height and positioning of the 5 India Project has been approved by Historic Preservation.

Q- What is going to happen to the old benkay building across the street?

R- We do not know as it is not our property.

Q What will the rental rates be?

R- Rates start around 1600.00 per month.



CITY OF PORTLAND
Department of Public Works
Christopher C. Branch, P.E., Director

Date: March 4, 2020

Re: Wastewater Capacity Authorization

Address: 5-7 India Street

Applicant: Essex North Portland, LLC

Planner: Caitlin Cameron

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				
Employees at place of employment with no showers	# Employees	5	12 GPD/Employee	60
Multiple Family Dwelling Units	2-Bedroom	24	180	4320
Net Change				+ 4380
*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.

However, the invert of the manhole you are intending to tap into is approximately 3.1 feet. As your intended connection is at approximately 10.0 feet you will be required to install an inside drop to bring sewer to the bottom of the manhole. The City's Technical Standards does not allow sewer drops more than 2 feet. Please review section 2.3 Manholes and provide details with the submittals.

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,

A handwritten signature in dark ink, reading "Bradley A. Roland". The signature is written in a cursive style with a large, stylized 'B' and 'R'.

Bradley A. Roland, P.E.
Senior Project Engineer

SECOND AMENDMENT TO PARKING LEASE**(Ocean Gateway Garage)**

This **Second Amendment to Parking Lease** is dated as of February 14, 2018, by and between **167 Fore Street LLC** ("Owner") and **EssexNorth Portland, LLC** and **EssexNorth 170 Fore LLC** (collectively, pursuant to this Second Amendment, "Tenants") with respect to that certain Parking Lease originally made by and between Owner and Portland Norwich Group LLC, having an Effective Date of November 20, 2015, as amended by a First Amendment dated October 31, 2016 (as so amended, the "Parking Lease"), which rights of said original Tenant under the Parking Lease were assigned and assumed by Essex North Portland, LLC, and approved by Owner, as evidenced by the Amended and Restated Memorandum of Parking Lease dated June 14, 2017, recorded in the Cumberland County Registry of Deeds in Book 34122, Page 218.

WHEREAS, the Parking Lease provides rights to Tenants upon the terms contained in the Parking Lease to lease from the Owner up to 300 parking spaces, subject to the terms contained in the Parking Lease; and

WHEREAS, as of the date hereof, Owner and EssexNorth 20 Thames LLC, are entering into a separate and independent parking lease (the "20 Thames Parking Parking Lease") for the use of up to 66 parking spaces with respect to the premises at 20 Thames Street, Portland, Maine, which premises are a portion of the Development Parcel, as defined and described in such 20 Thames Parking Lease being "Lot #3" on the Plan referred to in "Amended Exhibit B" (defined herein), a Memorandum of Lease for such lease is to be recorded in said Registry.

WHEREAS, as of the date hereof, EssexNorth Portland, LLC owns the portion of the Development Parcel located at 5 India Street, Portland, Maine, described as "Lot #2" in Amended Exhibit B (defined herein), and EssexNorth 170 Fore LLC owns the portion of the Development Parcel located at 170 Fore Street, Portland, Maine described as "Lot #4" in Amended Exhibit B (defined herein).

WHEREAS, the Owner and the Tenants wish to amend the Parking Lease (i) to reduce the number of parking spaces which the Tenants have the right to use under the Parking Lease from 300 spaces to 234 parking spaces, (ii) to confirm the addition of **EssexNorth 170 Fore LLC** as a Tenant under the Lease, and (iii) to amend the Parking Lease in other respects as set forth herein.

NOW, THEREFORE, the Owner and the Tenant hereby agree that the provisions of the Parking Lease are hereby amended as of the date hereof as follows:

1. The "Tenant" under the Parking Lease shall hereafter mean and refer to be **EssexNorth Portland, LLC**, a Maine limited liability company, and **EssexNorth 170 Fore LLC**, a Maine limited liability company. EssexNorth 170 Fore LLC hereby agrees to be bound by and to assume obligations as Tenant under the Parking Lease, together with EssexNorth Portland, LLC.

2. The term "Development Parcel" as defined in the Parking Lease and described on "Exhibit B" thereto shall hereafter mean and refer to the premises described on "**Amended Exhibit B**", attached hereto. (For information, Amended Exhibit B describes the remainder of the original Development Parcel owned by the Tenants, exclusive of the portion owned by said EssexNorth 20

Thames, LLC.) EssexNorth Portland, LLC owns a portion of the Development Parcel described as Lot #4 in Amended Exhibit B and EssexNorth 170 Fore LLC owns a portion of the Development Parcel described as Lot #2 in Amended Exhibit B. All references to Exhibit B in the Parking Lease shall hereafter refer to and mean "Amended Exhibit B."

3. Section 1 of the Parking Lease is hereby amended and restated to read as follows:

"1. Use of Parking Spaces.

(a) Commencing as of the Rent Commencement Date arising from the development of Lot #2 or Lot #4, as defined in Section 3 of this Parking Lease, Owner hereby leases to Tenants the right to use up to 234 parking spaces in the Garage subject to and limited by the following terms and conditions: (i) The parking spaces must be drawn down by a Tenant in accordance with a Tenant's Draw Down Notice, as defined in Section 1(e) of this Parking Lease, and (ii) the maximum number of parking spaces subject to being drawn down by a Tenant's Draw Down Notice shall be the lesser of (x) 234 parking spaces (as reduced by the first Tenant's Draw Down Notice given hereunder), and (y) one more than the minimum number of parking spaces required by the City of Portland for the Tenant's development approved by the City's Planning Authority for that portion of the Development Parcel comprising one of the Lots identified on Amended Exhibit B, in accordance with such permitted zoning and land use ordinances and regulations for such portion of the Development Parcel (as so drawn down by a Tenant's Draw Down Notice, the "Parking Spaces"). All such parking in the Garage shall be in accordance with and subject to the terms and conditions below and such reasonable rules and regulations established from time to time by Owner governing the leasing and use of parking spaces by parkers generally in the Garage. Tenant understands and agrees that, in accordance with customary garage operations and management practices, specific parking spaces are not reserved or dedicated for Tenant or the Qualified Parkers, and the availability of any specific parking space is not guaranteed. The Parking Spaces are intended for use for automobile, motorcycle, van and SUV parking by the Qualified Parkers only, not for the parking of any large commercial trucks or other commercial vehicles or recreational vehicles, nor are the Parking Spaces to be used for vehicle storage.

(b) Owner shall make available to a Tenant one (1) parking access card for each space designated in such Tenant's Draw Down Notice, or, in lieu of parking access cards, such parking codes or other "keys" or means of convenient 24-hour access as shall be available from time to time, which shall in turn be made available to a Tenant's Qualified Parkers using the Parking Spaces.

(c) It is understood and agreed that these spaces shall be for Tenant's Qualified Parkers only. The Parking Spaces may not be sublet or their use assigned, transferred or loaned to any person or entity who is not a Qualified Parker.

(d) The Parking Spaces shall be solely for the benefit of the Development Parcel, or any portions thereof, and no other properties. This Parking Lease shall be not be further assignable without Landlord's consent, in whole or in part, except in connection with the sale of the Development Parcel or in connection with the sale of any portion thereof, including Lot #4 or Lot #2 on Amended Exhibit B. Following the first Tenant's Draw Down Notice, this Parking Lease shall continue in effect as to all remaining parking spaces which have not then been drawn down, in accordance with its terms, and the second Tenant shall remain and continue to be entitled to exercise its rights to give a Tenant's Draw Down Notice in connection with the development of such Tenant's Lot. The Parking Spaces do not constitute

estates in the land of Owner, but Owner shall take commercially reasonable steps necessary to ensure that Tenant's leasing rights are respected by any successor owner or mortgagee of the Garage.

(e) For a Tenant to draw down Parking Spaces as contemplated in Section 1(a)(i) of this Parking Lease, the Tenant owning a portion of the Development Parcel shall give Owner not less than one (1) year's prior written notice of its intention to draw down a specific number of Parking Spaces, such number of Parking Spaces drawn down to be subject to the maximum number of Parking Spaces specified in this Parking Lease; provided that the first such draw down notice by a Tenant must be consented to by the second Tenant which is not exercising such right in order for the notice to be valid and effective. A Tenant's written draw down notice to Owner for the Parking Spaces ("Tenant's Draw Down Notice") shall specify a date when such Tenant shall take possession of the Parking Spaces specified in Tenant's Draw Down Notice, which possession date shall be no later than ten (10) years following the Effective Date; accordingly, each Tenant's right to draw down the allowable number of Parking Spaces must be exercised with respect to this Parking Lease within eight (8) years of the Effective Date, such final exercise date being **November 20, 2023**. The right to give a Tenant's Draw Down Notice hereunder may be exercised by the Tenant which owns the Development Parcel, or such portion thereof described in Amended Exhibit B. Further, upon the request of the first Tenant which has given a Tenant's Draw Down Notice, the Owner and Tenants agree to enter into an amendment of this Lease to reflect the number of Parking Spaces which is the subject of the first such Tenant's Draw Down Notice and which will create a separate parking lease for such Tenant, all on the same terms and conditions set forth in this Lease, having the same priority in and rights to use the Garage as this Lease does (except that such first Tenant shall no longer have the right to draw down additional Parking Spaces), and releasing such first Tenant as a party to this Lease. Following the first Tenant's Draw Down Notice, this Parking Lease shall continue in effect, in accordance with its terms, with the second or remaining Tenant still entitled to exercise its right to give a Tenant's Draw Down Notice. No exercise by one Tenant shall affect the right of the other Tenant to exercise its right to give a Tenant's Draw Down Notice. Notwithstanding the foregoing, no single Tenant may exercise its right to give a Tenant's Draw Down Notice more than once (the consent of the non-exercising Tenant for the first Tenant's Draw Down Notice shall not be considered an exercise of such right to drawn down spaces).

(f) Notwithstanding anything to the contrary set forth herein, a Tenant shall have the right to discontinue the use of some or all of its drawn down Parking Spaces (the "Discontinued Spaces") upon written notice to Owner to be given not less than one hundred eighty (180) days prior to such discontinuance, in which case Tenant shall no longer be required to pay rent as to said Discontinued Spaces. Such Tenant shall have no right to draw down any of the Parking Spaces as to which it has exercised its discontinuance right under this Section 1(f), and the Discontinued Spaces shall be no longer be available to Tenant under this Parking Lease. Notwithstanding the foregoing, however, in the event that Tenant is not in need of all of its then currently drawn down Parking Spaces but does not wish to permanently discontinue the use thereof, such Tenant shall have the right to permit the use of such Parking Spaces by third parties so long as such Tenant (i) provides prior notice thereof to Owner and Owner does not advise Tenant, within thirty (30) days following such notice, that Owner intends to use said Parking Spaces during the period of Tenant's non-use thereof, (ii) provides Owner with the names, license plate numbers and contact information for such temporary users, and (iii) any payments to Tenant by said third party users do not exceed the rent for such Parking Spaces paid by Tenant to Owner. In the event that Owner elects to use said Parking Spaces during a Tenant's period of non-use thereof (x) a Tenant's obligation to pay rent for said Parking Spaces hereunder shall be suspended while said Parking

Spaces are used by Owner, and (y) a Tenant may commence reuse of said Parking Spaces upon not less than thirty (30) days' notice to Owner.

(g) A Tenant shall have the right, upon not less than one (1) year's written notice to Owner, to terminate its rights under this Parking Lease, in which case all related rights and obligations of Owner and such Tenant hereunder shall cease and shall be of no further force and effect except for such obligations as shall by their express terms, survive termination of this Parking Lease. The right of termination must be exercised by all Tenants if there are not then separate parking leases as described hereinabove.

4. A new section 1.A. is added to the Lease, immediately following section 1, to read as follows:

"1.A. In the event a Tenant has given the first Draw Down Notice, then Owner and Tenants agree to enter into an amendment of this Lease to reflect the number of Parking Spaces which is the subject of such Draw Down Notice, and which will create a separate parking lease for such Tenant on the same terms and conditions set forth in this Lease, except that such Tenant shall have no further right to draw down additional Parking Spaces. The new parking space lease must be documented and put of record in the Registry of Deeds for Cumberland County, Maine, such that it shall have the same priority and effect as this Parking Lease has in its record of priority in the Registry."

In all other respects the terms of the Parking Lease are hereby ratified and affirmed.

IN WITNESS WHEREOF, the undersigned have caused this Amendment to Parking Lease to be executed by their duly authorized representatives as of the date and year first above written.

WITNESS

Sue Milligan

OWNER:

167 FORE STREET LLC

By: 
Jonathan Cohen, its Manager

TENANT:

ESSEXNORTH 170 FORE LLC

By: **ESSEXNORTH PORTLAND LLC, its
sole manager**

Sue Milligan

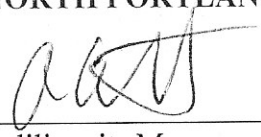
By: 
Ara Aftandilian, its Manager

TENANT:

ESSEXNORTH PORTLAND LLC

Sue Milligan

By:



Ara Aftandilian, its Manager

Relationships.
Responsiveness.
Results.



Revised
Traffic Impact Study
Portland Gateway
Development
Portland, Maine

PREPARED FOR:
Ara Aftandilian
EssexNorth Portland, LLC
PO Box 394
Topsfield, MA 01983

March 2020

SUBMITTED BY:
Gorrill Palmer
707 Sable Oaks Drive
Suite 30
So. Portland, ME 04106
207.772.2515

**Revised Section 7
Traffic Impact Study
Portland Gateway Development
Portland, Maine
March 2020**

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Attachment 7A

Site Location Map
Turning Movement Figures

Attachment 7B

Capacity and Queue Analysis Results

Attachment 7C

Node Map
Crash Data
Pedestrian Collisions

I. Introduction

This study is provided as a revised Section 7 to supplement the previously submitted Sections 1-6 of the TMP application as well as a previously submitted Section 7, and reflects comments received at the project Scoping Meeting that was held on August 23, 2019 as well as additional comments received from the City and Peer Review on the previously submitted Section 7.

The existing and proposed site uses, as well as the proposed site accesses, are discussed in more detail in Section I of the previously submitted MaineDOT Traffic Movement Permit (TMP) application. The site location is shown on Figure 1 in Attachment 7A.

II. Existing Traffic Volumes

Turning movement counts were completed at the following intersections from 7:00 AM to 9:00 AM and 4:00 PM to 6:00 PM.

- Fore Street / India Street: September 26, 2018 (AM and PM)
- Fore Street / Hancock Street: August 28, 2019 (AM) and August 29, 2019 (PM)
- Middle Street / India Street: September 6, 2018 (PM) and September 7, 2018 (AM)
- Middle Street / Hancock Street: August 27, 2019 (AM and PM)

The results of the counts are shown on the attached Figure 2 in Attachment 7A. In addition to vehicles, pedestrians were also counted and are shown on Figure 3 in Attachment 7A.

III. Adjusted Volumes

Traffic volumes are typically seasonally adjusted to approximate the 30th highest hour of the year using the weekly group mean factors published by the MaineDOT. The factors are specific to the classification of the roadway; urban, arterial, recreational, or a mixture of the three. The counts require the following seasonal adjustment at each intersection:

- Fore Street / India Street: 3.6%
- Fore Street / Hancock Street: 1.2%
- Middle Street / India Street: 0.0%
- Middle Street / Hancock Street: 1.2%

In addition to seasonally adjusting the traffic volumes, they are also increased by a yearly growth to approximate the build out year of the project. The proposed project is anticipated to be occupied in 2021 and an annual adjustment of 0.5% per year was applied. This is consistent with other projects in the vicinity of the site.

The 2021 seasonally and annually adjusted volumes are shown on Figure 4 in Attachment 7A.

IV. Other Developments in the Vicinity of the Site

Approved projects that are not yet open as well as projects for which applications have been filed ahead of this project are required to be included in the predevelopment traffic volumes for this project. Based on conversations with City of Portland Staff, there are several projects in the vicinity of the site that should be considered. The trip distribution and assignment for the following projects are included in background traffic for this project:

- 58 Fore Street Mixed-Use Development
- Eastern Waterfront Transportation District (EWTD)
- 208 Fore Street
- 58 Hampshire Street

The traffic generated by these developments that is anticipated to impact the project study area is shown on the attached Figure 5 in Attachment 7A.

V. Predevelopment Traffic Volumes

The Adjusted Volumes shown on Figure 4 have been combined with the Other Development volumes on Figure 5 to yield the 2021 Predevelopment Design Hour Volumes (DHV) on the attached Figure 6 in Attachment 7A.

VI. Trip Generation

The trip generation for the site was calculated using the Institute of Transportation Engineers' (ITE) publication, *Trip Generation*, Seventh Edition. More recent editions of ITE are available, however, the Seventh Edition is the most recent edition accepted by MaineDOT. In addition to ITE, the National Cooperative Highway Research Program (NCHRP) Report 684 was used to estimate a shared use reduction. The trip generation for the proposed site has been based on the following uses and sizes:

- 20 Thames Street
 - o 1,800 sf retail
 - o 1,807 sf retail
 - o 28 condominium units
- 170 Fore Street
 - o 5,000 sf retail
 - o 42,000 sf office
- 5 India Street
 - o 4,000 sf retail
 - o 24 apartment units

The following summarizes the ITE Land Use Codes (LUCs) used to calculate the trip generation for the proposed site:

- LUC 220 – Apartment
- LUC 230 – Residential Condominium/Townhouse
- LUC 710 – General Office Building
- LUC 814 – Specialty Retail

The trip generation calculations are included in Attachment IC in Section I of the TMP application. The following tables summarize the ITE trip generation for the proposed site:

ITE Trip Generation Summary

Building	ITE Trip Generation				
	AM Adj St	PM Adj St	AM Gen	PM Gen	Sat Gen
20 Thames Street					
1,800 sf Retail	1	5	12	9	7
1,807 sf Retail	1	5	12	9	7
28 Condos	12	15	12	15	13
Total	14	25	36	33	27
170 Fore Street					
5,000 sf Retail	4	14	34	25	19
42,000 sf Office	94	90	94	90	25
Total	98	104	128	115	44
5 India Street					
4,000 sf Retail	3	11	27	20	15
24 Apartments	12	15	13	16	12
Total	15	26	40	36	27
ITE Trip Generation Total	127	155	204	184	98

As shown in the tables, the site is forecast to generate 127 trip ends during the AM peak hour of adjacent street traffic and 155 trip ends during the PM peak hour of adjacent street traffic. A trip end is a trip into or out of the site, thus a round trip is equal to two trip ends.

Shared Use Reduction

Since the project is a mixed-use development with complementary uses, a shared use reduction can be applied to the site trip generation. The shared use reduction has been calculated using the National Cooperative Highway Research Program (NCHRP) 684 Internal Capture Estimation Tool to estimate the traffic that will visit more than one destination without leaving the site. The NCHRP 684 spreadsheet uses the ITE forecast trip generation for each type of land use (residential, retail, restaurant, hotel and other) and estimates the trips that will travel between two uses without leaving the site. This yields an internal trip capture percentage, which is the percentage of trip ends that will travel between two uses.

The AC Hotel, located on the site and sharing the same Full-Movement access driveway to Fore Street, is already built and therefore does not need to be included into the trips that this project will include. Although, where the hotel shares a driveway, the trips created by the hotel were included in the NCHRP Shared Use Internal Capture Estimation Tool. The trips from the hotel used in the NCHRP table were not added to the trip assignment though, where these volumes are already included in the existing site trip volumes. The following table summarizes the trip generation into the categories used by NCHRP.

ITE Trip Generation Summary Building Use Breakdown

Building Use	Size	ITE Trip Generation				
		AM Adj St	PM Adj St	AM Gen	PM Gen	Sat Gen
Office	42,000 SF	94	90	94	90	25
Retail	12,607 SF	9	35	85	63	48
Residential	52 Units	24	30	25	31	25
Hotel	180 Rooms	104	112	101	103	-
Site Total		231	267	305	287	98

The following tables summarize the AM and PM peak hour internal trip capture percentages for the proposed site:

AM Peak Hour Adjacent Street NCHRP 684 Internal Trip Capture

Land Use	ITE Trip Generation		Internal Capture %		Internal Capture Trip Ends		
	Enter	Exit	Enter	Exit	Enter	Exit	Total
Office	85	9	1%	22%	1	2	3
Retail	6	3	33%	33%	2	1	3
Residential	4	20	0%	0%	0	0	0
Total	95	32	3%	9%	3	3	6

*These values are taken directly from the NCHRP spreadsheets (Attachment 1C), which may not match exact calculations due to rounding in the spreadsheet.

PM Peak Hour Adjacent Street NCHRP 684 Internal Trip Capture

Land Use	ITE Trip Generation		Internal Capture %		Internal Capture Trip Ends		
	Enter	Exit	Enter	Exit	Enter	Exit	Total
Office	14	76	0%	3%	0	2	2
Retail	15	20	20%	25%	3	5	8
Residential	20	10	30%	20%	6	2	8
Total	49	106	18%	8%	9	9	18

*These values are taken directly from the NCHRP spreadsheets (Attachment 1C), which may not match exact calculations due to rounding in the spreadsheet.

AM Peak Hour Generator NCHRP 684 Internal Trip Capture

Land Use	ITE Trip Generation		Internal Capture %		Internal Capture Trip Ends		
	Enter	Exit	Enter	Exit	Enter	Exit	Total
Office	85	9	4%	33%	3	3	6
Retail	43	42	7%	7%	3	3	6
Residential	6	19	0%	0%	0	0	0
Total	134	70	4%	9%	6	6	12

*These values are taken directly from the NCHRP spreadsheets (Attachment 1C), which may not match exact calculations due to rounding in the spreadsheet.

PM Peak Hour Generator NCHRP 684 Internal Trip Capture

Land Use	ITE Trip Generation		Internal Capture %		Internal Capture Trip Ends		
	Enter	Exit	Enter	Exit	Enter	Exit	Total
Office	14	76	7%	5%	1	4	5
Retail	35	28	20%	29%	7	8	15
Residential	20	11	40%	36%	8	4	12
Total	69	115	23%	14%	16	16	32

*These values are taken directly from the NCHRP spreadsheets (Attachment 1C), which may not match exact calculations due to rounding in the spreadsheet.

The NCHRP 684 spreadsheet does not have information for the Saturday peak hour of the generator. To estimate a reduction for a Saturday, the AM and PM trip capture percentages were averaged and applied to the Saturday peak hour of the generator. This resulted in a Saturday internal trip capture of approximately 11% of total trips which results in a reduction of 11 trip ends.

Other Modes of Transportation

It can be expected for a site in a downtown area that other modes of transportation will be used to go to and from the site. These other modes could include things such as transit, rideshare, bicycle, or walking. This site is adjacent to an existing bus route, as well as located on a pedestrian and bicycle path.

The other modes reduction for the residential uses on the site has been based on information from the 2009-2013 American Community Survey (ACS) Five-Year Estimate by Census Tract for the City of Portland. Rick Harbison, Planner and GIS Specialist for the Greater Portland Council of Governments, used this data to create maps (Attachments 1B) that show the estimated percentage of workers living in each Portland Census Tract that use each mode of transportation to travel to work. The site is located on the east side of Census Tract 3, which is predominantly commercial area. Census Tract 2 and 5 are in close proximity to the site and consist of primarily residential areas, with some commercial development. Since the site is proposed to have residential units as well as commercial space, the data from the combination of the three tracts is expected to be more representative of the actual conditions on the site than the data from the individual tracts for the residential uses in the proposed development. The reduction was calculated by dividing the estimated combination of people walking, bicycling, or taking the bus to work in the three Census Tracts, by the estimated total number of working people in the same three Census Tracts. This calculation yields a reduction of approximately **36% for residential uses**, which appears reasonable for this area.

The other modes reduction for the non-residential uses was based on 2016 ACS data, as suggested by the City of Portland for the 58 Fore Street mixed-use development. This reduction was calculated by determining the estimated ratio of cars to workers based on the workplace data for Tract 3 (Attachment 1B), which is approximately 77%. This indicates that approximately 23% of the workforce in Tract 3 does not utilize a car to commute to work and instead uses other modes such as transit, walking, or biking. For this reason, a **non-residential other modes reduction of 23%** has been applied to the trip generation.

The following table summarizes the reduced trip generation for the proposed site due to shared use trips and other modes of transportation:

Adjusted Trip Generation Summary Breakdown

Trip Generation	ITE Trip Generation				
	AM Adj St	PM Adj St	AM Gen	PM Gen	Sat Gen
ITE Trip Generation	127	155	204	184	98
Shared Use Adjustment	6	18	12	32	9
Other Modes Adjustment	30	34	47	38	23
Site Total	91	103	145	114	66

As shown in the table, the proposed site with the shared use reduction is forecast to generate 91 trip ends and 103 trip ends during the AM and PM peak hours of the adjacent street, respectively.

VII. Trip Distribution

Based on ITE's *Trip Generation*, the NCHRP 684 Internal Capture, and the other modes reduction, the following trip distribution is anticipated:

- AM Peak Hour Adjacent Street: 71 in / 20 out
- PM Peak Hour Adjacent Street: 29 in / 74 out
- AM Peak Hour Generator: 98 in / 47 out
- PM Peak Hour Generator: 40 in / 74 out
- Saturday Peak Hour Generator: 35 in / 31 out

VIII. Trip Composition and Assignment

To be conservative, it has been assumed that all trips are primary in nature and made for the sole purpose of going to and from the site. The trip assignment has been based on traffic counts completed at the study area intersections and the location of the Ocean Gateway Garage access points. The trip assignment figure can be seen on Figure 7 in Attachment 7A.

IX. Postdevelopment Traffic Volumes

The 2021 Predevelopment DHV shown in Figure 6 have been combined with the Trip Assignment shown on Figure 7 to yield the 2020 Postdevelopment DHV shown on the attached Figure 8 in Attachment 7A.

X. Capacity and Queue Analyses

Capacity analyses have been completed for the study area intersections using Synchro/SimTraffic computer analysis software (Version 10). The results are based on the average of five SimTraffic runs. The analyses were completed using the existing intersection geometry, peak hour factors, pedestrian volumes, and truck percentages.

Calibration

After the Scoping Meeting was held, per request of the City and Peer Review, informal field observations were made of the study area intersections. Based on the observations, the results of the model appeared to be reasonable and as such the model was not adjusted for the base condition.

Capacity and Queue Analyses Results

For capacity analysis, level of service rankings are similar to the academic ranking system where an 'A' is good with little control delay and an 'F' represents poor traffic conditions. If the level of service falls below a 'D', an evaluation should be made to determine if mitigation is warranted.

It is critical in evaluating the impact of a proposed development within a downtown to understand what the expectations are for level of service. The MaineDOT understands the physical limitations of being within the downtown, coupled with the lower expectation from drivers and their realistic expectation for congestion. Drivers within the downtown do not expect the same high level of service and less congestion than they would experience in a rural or suburban location. For those reasons, the Rules and Regulations for the TMP considers lower levels of service within a downtown to be acceptable. The following are from the TMP Rules and Regulations (17-229 Chapter 305 page 22) for reasons to accept a low or failing level of service:

- “(3)The Department finds that improvements cannot reasonably be made because the road or intersection is located in a business district or because implementation of the improvements will adversely affect a historic site as defined in 06-096 CMR 375(11) (Preservation of Historic Sites) and transportation demand management techniques will be implemented to the fullest extent practical.
- (4) The development is located in a designated growth area, or in the compact area of an urban compact municipality in which case the applicant shall be entitled to an exception from the level of service mitigation requirements set forth under the General Standards in this Section. This exception applies even if part or all of the traffic impacts of the proposed development will occur outside the boundaries of the designated growth area. This exception does not exempt the development from meeting safety standards, and greater mitigation measures may be required than otherwise provided in this subsection if needed to address safety issues. The required improvements are limited only to those necessary to mitigate the impacts of the

project (which means the applicant is only responsible for returning all approaches to an intersection or piece of a roadway to the current Level of Service).

- (5) In the case of unsignalized intersections, if traffic with the development in place would not meet the warrant criteria for signalization or auxiliary turning lanes, as set forth in the edition of Federal Highway Administration's "Manual on Uniform Traffic Control Devices" shown on MDOT's Fact Sheets and as set forth in HRR #211 - "Volume Warrants for Left Turn Lanes at Unsignalized Intersections", (Right Turn lanes are covered in the edition of the Highway Design Guide referenced on the MDOT Fact Sheet) then the Department may reduce the mitigation requirement for those measures so long as the resulting traffic conditions provide for safe traffic movement."

The following tables summarize the relationship between control delay per vehicle and level of service:

Level of Service Criteria for Unsignalized Intersections

Level of Service	Control Delay per Vehicle (s)
A	Less than 10.0
B	10.1 to 15.0
C	15.1 to 25.0
D	25.1 to 35.0
E	35.1 to 50.0
F	Greater than 50.0

A conventional queue analysis was completed using the same Synchro/SimTraffic computer analysis software that was used for the capacity analysis. The queue analysis involves comparing the postdevelopment 95th percentile queue lengths of the approaches to the intersections and available storage lengths. The detailed reports are included in Attachment 7B.

Capacity and Queue Analyses Summary

Approach	2021 AM Pre				2021 AM Post				2021 PM Pre				2021 PM Post			
	V/C	Delay	LOS	95 th %ile Queue	V/C	Delay	LOS	95 th %ile Queue	V/C	Delay	LOS	95 th %ile Queue	V/C	Delay	LOS	95 th %ile Queue
Middle St / India St																
India SE LTR	0.50	9.5	A	130	0.53	9.7	A	135	0.31	9.9	A	85	0.37	11.6	B	85
India NW LTR	0.20	7.7	A	60	0.21	7.5	A	60	0.53	14.3	B	120	0.60	15.6	C	115
Middle NE LTR	0.49	10.2	B	95	0.50	10.6	B	95	0.42	12.0	A	90	0.47	14.4	B	110
Middle SW LTR	0.13	7.4	A	50	0.12	7.2	A	50	0.55	16.2	C	150	0.83	28.2	D	220
Fore St / India St																
Fore EB LTR	0.74	9.6	A	125	0.77	12.2	B	165	0.76	97.7	F	565	0.79	123.9	F	845
Fore WB LTR	0.62	7.6	A	65	0.66	7.3	A	70	0.87	51.8	F	360	0.94	75.4	F	400
India SE LTR	0.49	7.8	A	80	0.51	8.0	A	75	0.40	15.8	C	90	0.42	18.3	C	100
India NW LTR	0.34	5.9	A	70	0.40	7.2	A	85	0.47	20.2	C	120	0.51	23.8	C	130
Hancock St / Fore St																
Fore EB LTR	0.55	17.2	C	195	0.56	22.1	C	260	0.86	65.7	F	385	0.93	63.8	F	385
Fore WB LTR	0.71	24.8	C	300	0.79	64.8	F	750	0.70	101.1	F	765	0.73	113.5	F	770
Hancock SE LTR	0.09	8.8	A	40	0.09	9.5	A	45	0.25	15.0	B	75	0.26	17.4	C	85
Hancock NW LTR	0.14	9.1	A	50	0.15	9.3	A	45	0.31	16.3	C	100	0.32	14.7	B	80
Hancock St / Middle St																
Hancock SE TR	--*	0.2	A	10	--*	0.2	A	10	--*	0.3	A	15	--*	0.4	A	15
Hancock NW LT	--*	1.5	A	2	--*	1.6	A	25	--*	1.7	A	25	--*	1.6	A	15
Middle NE LR	--*	3.0	A	45	--*	3.0	A	45	--*	5.8	A	50	--*	6.4	A	55

*The V/C ratio for this intersection was not provided in the results due to the "sign configuration" that is unsupported by the Highway Capacity Manual analysis.

As shown in the table, all approaches are forecast to operate at acceptable levels of service during both the predevelopment and postdevelopment conditions at the intersection of Hancock Street with Middle Street. The intersection of India Street with Middle Street is forecast to operate at acceptable levels of service during both the predevelopment and postdevelopment conditions. The intersection of Fore Street with India Street is forecast to operate at acceptable levels of service during the AM peak hour and failing levels of service on Fore Street during the PM peak hour. The intersection of Hancock Street and Fore Street is forecast to operate at acceptable levels of service during the AM peak hour predevelopment condition, but the Fore Street westbound approach is forecast to fail during the AM postdevelopment condition and the PM predevelopment and postdevelopment conditions.

It should be noted that these results are similar to those that were obtained in the Eastern Waterfront Transportation District (EWTD) study.

As shown in the table, the 95th percentile queue lengths are forecast to increase by anywhere from 1 to 18 vehicles at the same locations that are forecast to experience a decrease in operation, assuming one vehicle and the associated space between vehicles is 25 feet. Additionally, it should be noted that in the SimTraffic model vehicles were observed queuing between intersections, specifically on Fore Street between India Street and Hancock Street.

This applicant is required to pay the City's traffic impact fee which presumably will be combined with other project's traffic impact fees and allocated toward improvements in the immediate area to address known traffic issues.

XI. Pedestrian Collisions

GP completed a review of the pedestrian collisions in the vicinity of the site using the MaineDOT Public Crash Query Tool. Based on the review, there were seven collisions involving pedestrians during 2016-2018, as shown on the attached Figure. Although limited information is available for the collisions, it can be determined that three of the seven collisions likely occurred after dark; one at the intersection of Commercial Street with Franklin Street, one at the intersection of Fore Street with India Street, and one on Franklin Street, just north of Commercial Street. Additional intersection lighting may be beneficial at these locations.

XII. Findings

The following is a summary of the study's Findings:

1. The proposed development is forecast to generate 91 trip ends during the AM peak hour of the adjacent street and 103 trip ends during the PM peak hour of the adjacent street. This level of trip generation requires a MaineDOT traffic movement permit.
2. The capacity analysis results indicate that the proposed development is not forecast to significantly impact the study area intersections during the AM and PM peak hours, with the exception of the westbound Fore Street approach at Hancock Street during the AM peak hour. During the PM peak hour all Fore Street approaches are forecast to operate at failing levels of service during both the predevelopment and postdevelopment conditions.
3. The overall queue analysis indicates the 95th percentile queue lengths are forecast to increase by anywhere from 1 to 18 vehicles from the predevelopment conditions to the postdevelopment conditions, primarily on the Fore Street approaches. Additionally, the 95th percentile queue lengths are forecast to extend to adjacent intersections during the predevelopment or postdevelopment conditions.
4. There were seven collisions within the study area between 2016-2018 that involved pedestrians. Additional intersection lighting may be beneficial, as many of the collisions occurred at night.
5. This applicant is required to pay the City's traffic impact fee which presumably will be combined with other project's traffic impact fees and allocated toward improvements in the immediate area to address known traffic issues.

Attachment 7A

Figure 1 – Location Map

Figure 2 – Raw Volumes

Figure 3 – Pedestrian Volumes

Figure 4 – 2021 Adjusted Volumes

Figure 5 – Other Development

Figure 6 – 2021 Predevelopment

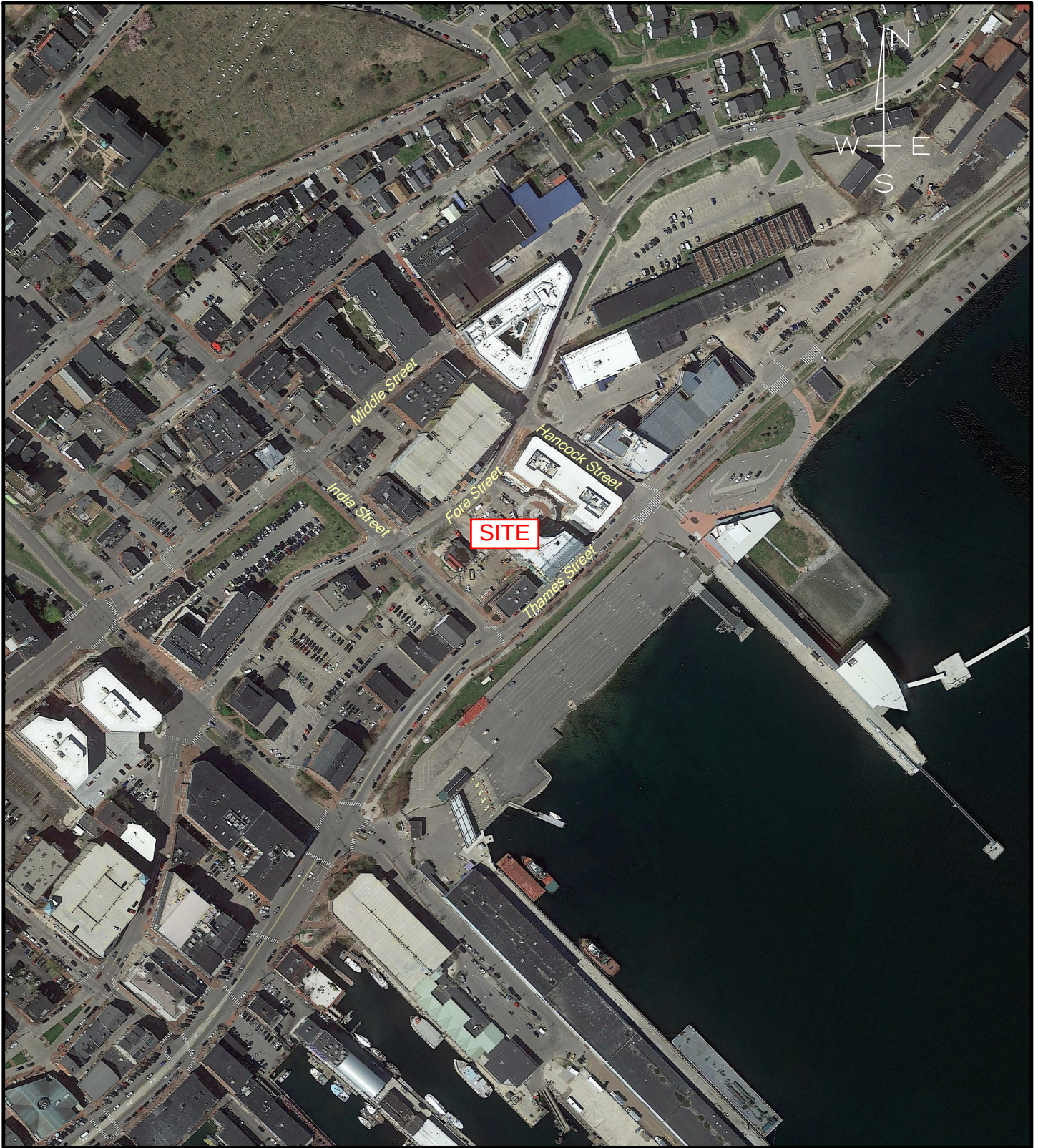
Figure 7 – Trip Assignment

Figure 8 – 2021 Postdevelopment

Location Map

Figure No.

1



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Draft: NONE
Checked: TPG
Scale: NONE
Date: MARCH 2020
File Name:



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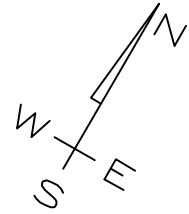
Raw Volumes

Figure No.

2

Turning Movement Count Dates By Intersection:

1. Sep. 6, 2018 (PM)
Sep. 7, 2018 (AM)
2. Aug. 27, 2019 (AM/PM)
3. Sep. 26, 2018 (AM/PM)
4. Aug. 28, 2019 (AM)
Aug. 29, 2019 (PM)



Middle Street

PEAK HOURS:

8:00 AM - 9:00 AM
4:30 PM - 5:30 PM

1

(105) 27
(39) 104
(49) 21

Fore Street

PEAK HOURS:

7:45 AM - 8:45 AM
5:00 PM - 6:00 PM

3

(58) 45
(181) 115
(12) 10

Hancock Street

PEAK HOURS:

8:00 AM - 9:00 AM
4:45 PM - 5:45 PM

2

(47) 21
(41) 22

(9) 14
(14) 13
(7) 33

25 (20)
196 (137)
86 (45)

Fore Street

PEAK HOURS:

8:00 AM - 9:00 AM
5:00 PM - 6:00 PM

4

(19) 8
(240) 114
(21) 30

(26) 21
(29) 14
(88) 34

SITE

XX = AM PEAK HOUR
(XX) = PM PEAK HOUR

PORTLAND GATEWAY DEVELOPMENT PORTLAND, MAINE

Design: EAL Scale: NONE
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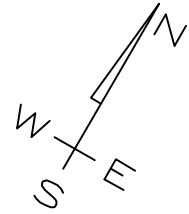
Pedestrian Volumes

Figure No.

3

Turning Movement Count Dates By Intersection:

1. Sep. 6, 2018 (PM)
Sep. 7, 2018 (AM)
2. Aug. 27, 2019 (AM/PM)
3. Sep. 26, 2018 (AM/PM)
4. Aug. 28, 2019 (AM)
Aug. 29, 2019 (PM)



Middle Street

PEAK HOURS:

8:00 AM - 9:00 AM
4:30 PM - 5:30 PM

1

35 (73)
34 (52)
78 (78)
33 (75)

Hancock Street

12 (24)
33 (34)
41 (33)

PEAK HOURS:

8:00 AM - 9:00 AM
4:45 PM - 5:45 PM

2

Fore Street

PEAK HOURS:

8:00 AM - 9:00 AM
4:45 PM - 5:45 PM

3

27 (49)
142 (95)
31 (96)
62 (128)

142 (142)
93 (132)
52 (71)
70 (87)

Fore Street

PEAK HOURS:

8:00 AM - 9:00 AM
5:00 PM - 6:00 PM

4

SITE

XX = AM PEAK HOUR
(XX) = PM PEAK HOUR

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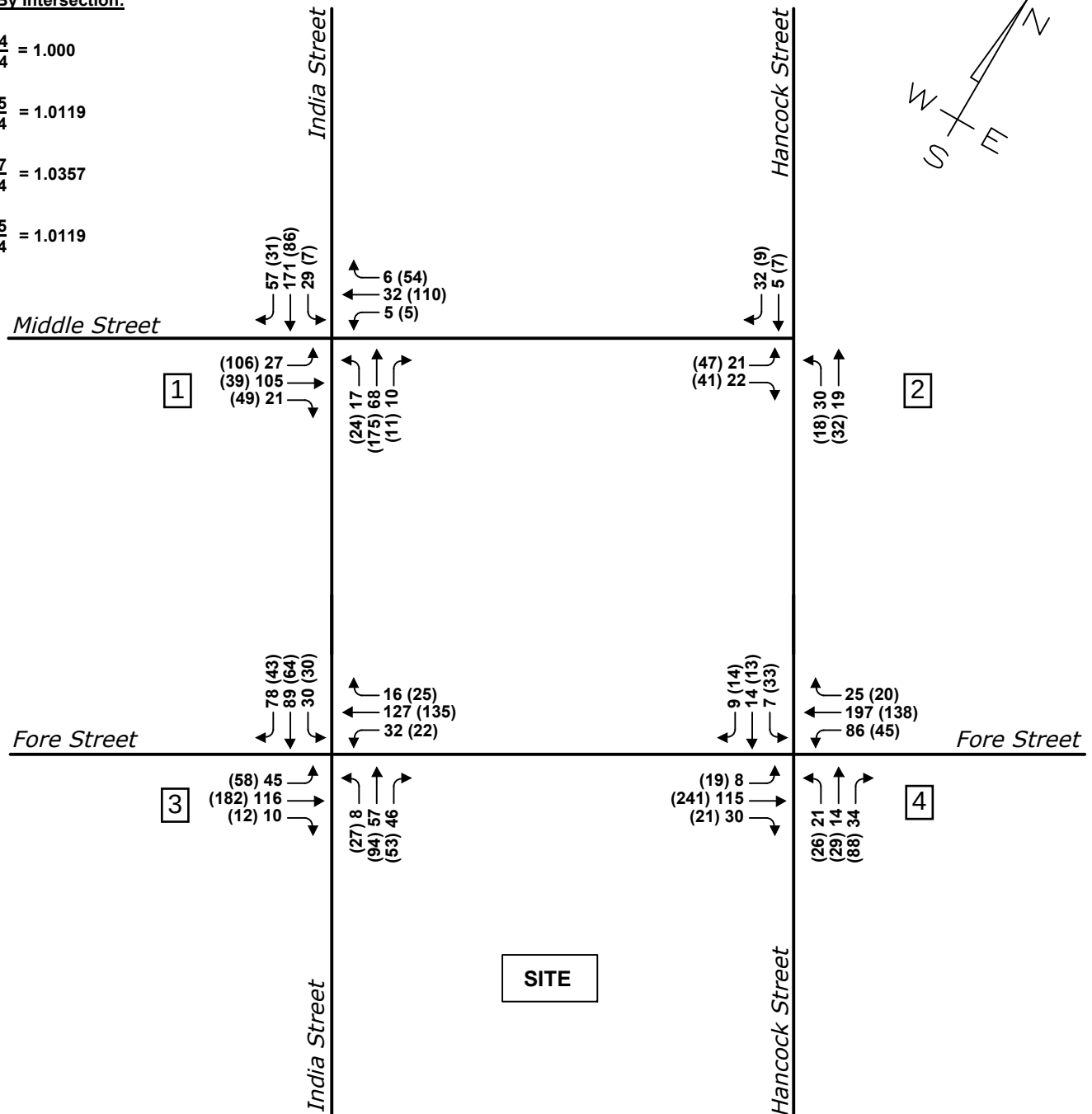
2021 Adjusted Volumes

Figure No.

4

Seasonal Adjustments By Intersection:

1. $\frac{0.84}{0.84} = 1.000$
2. $\frac{0.85}{0.84} = 1.0119$
3. $\frac{0.87}{0.84} = 1.0357$
4. $\frac{0.85}{0.84} = 1.0119$



Annual Adjustment: 0.5% Per Year

XX = AM PEAK HOUR

(XX) = PM PEAK HOUR

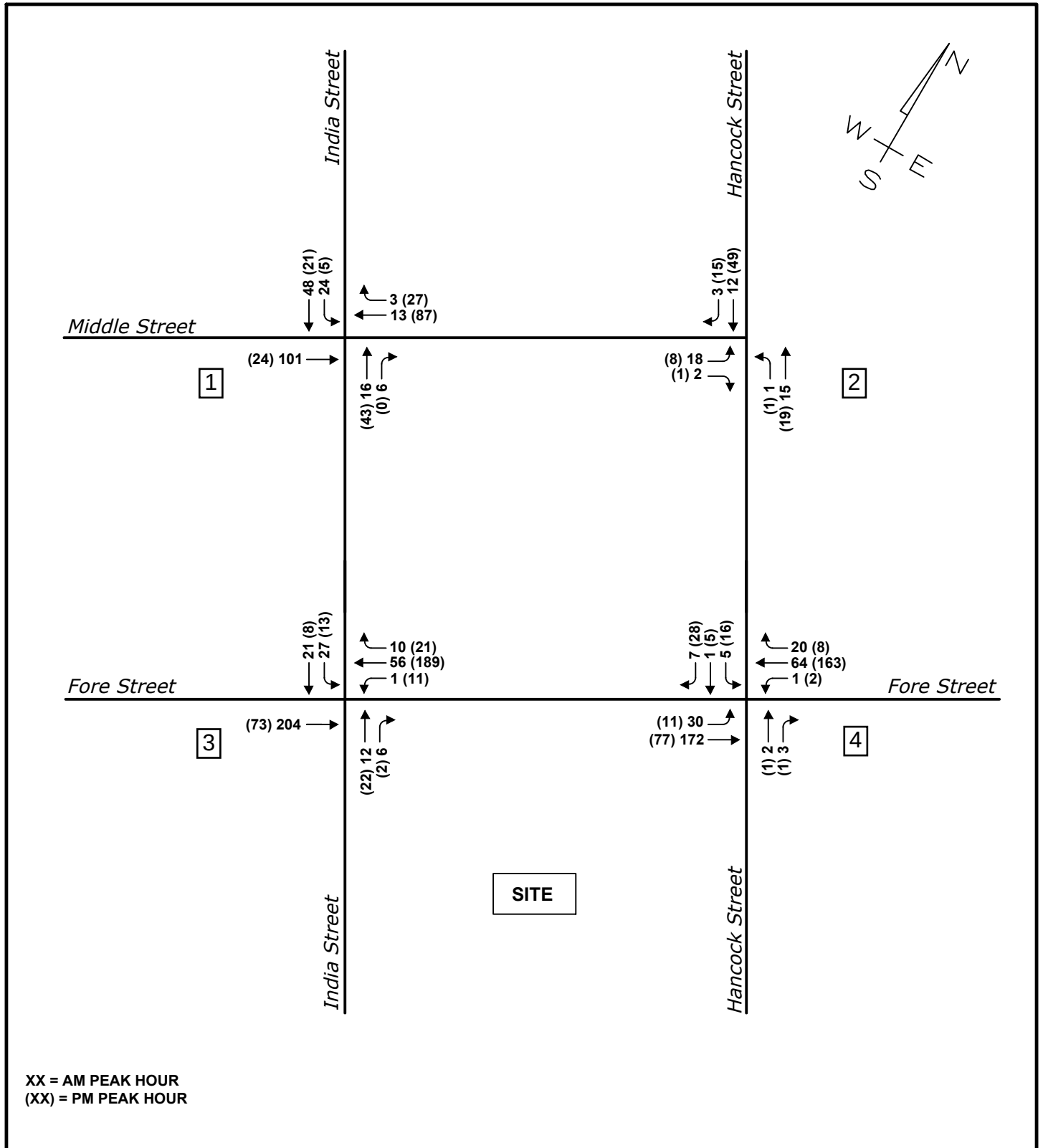
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Date: MARCH 2020
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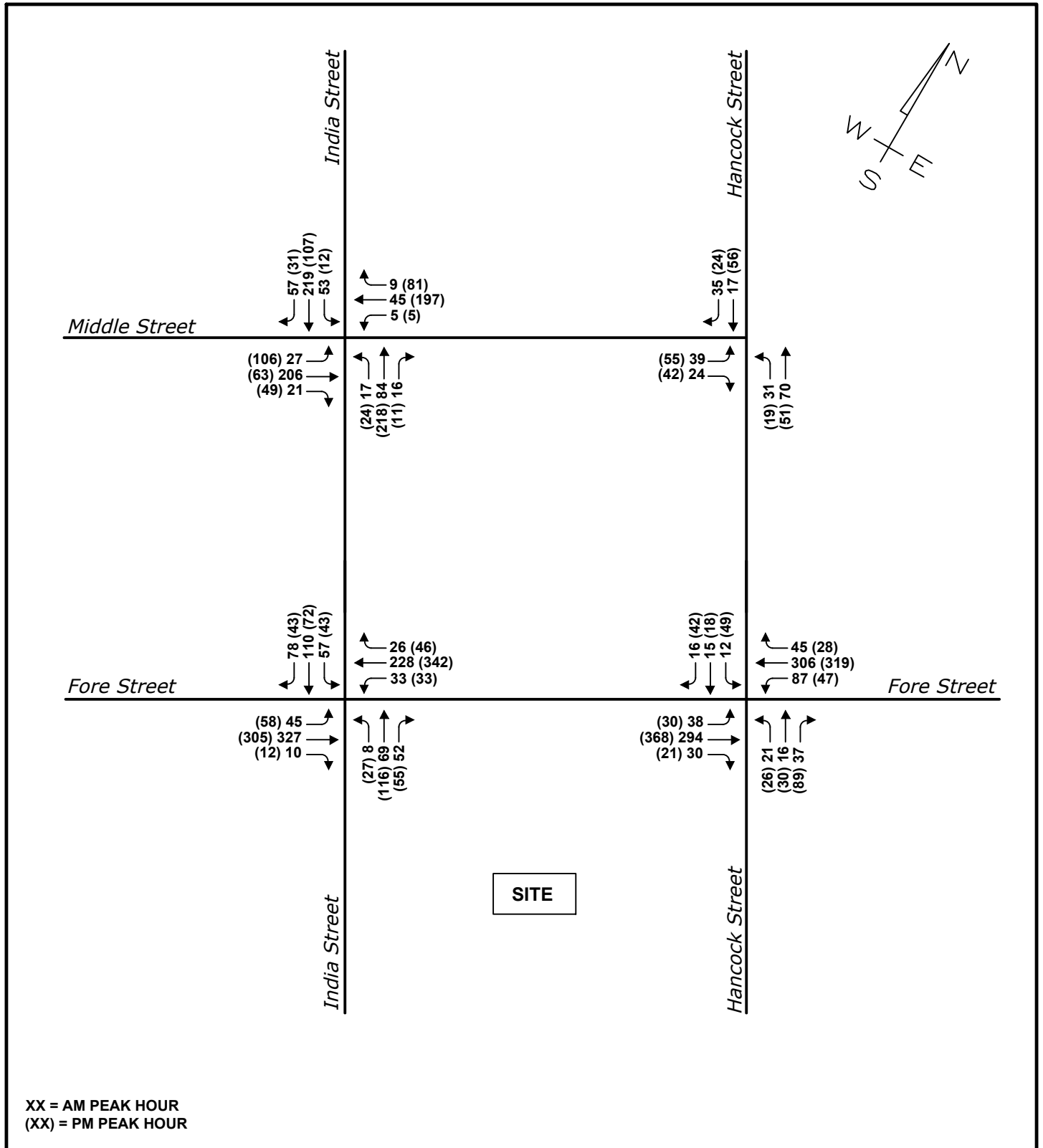


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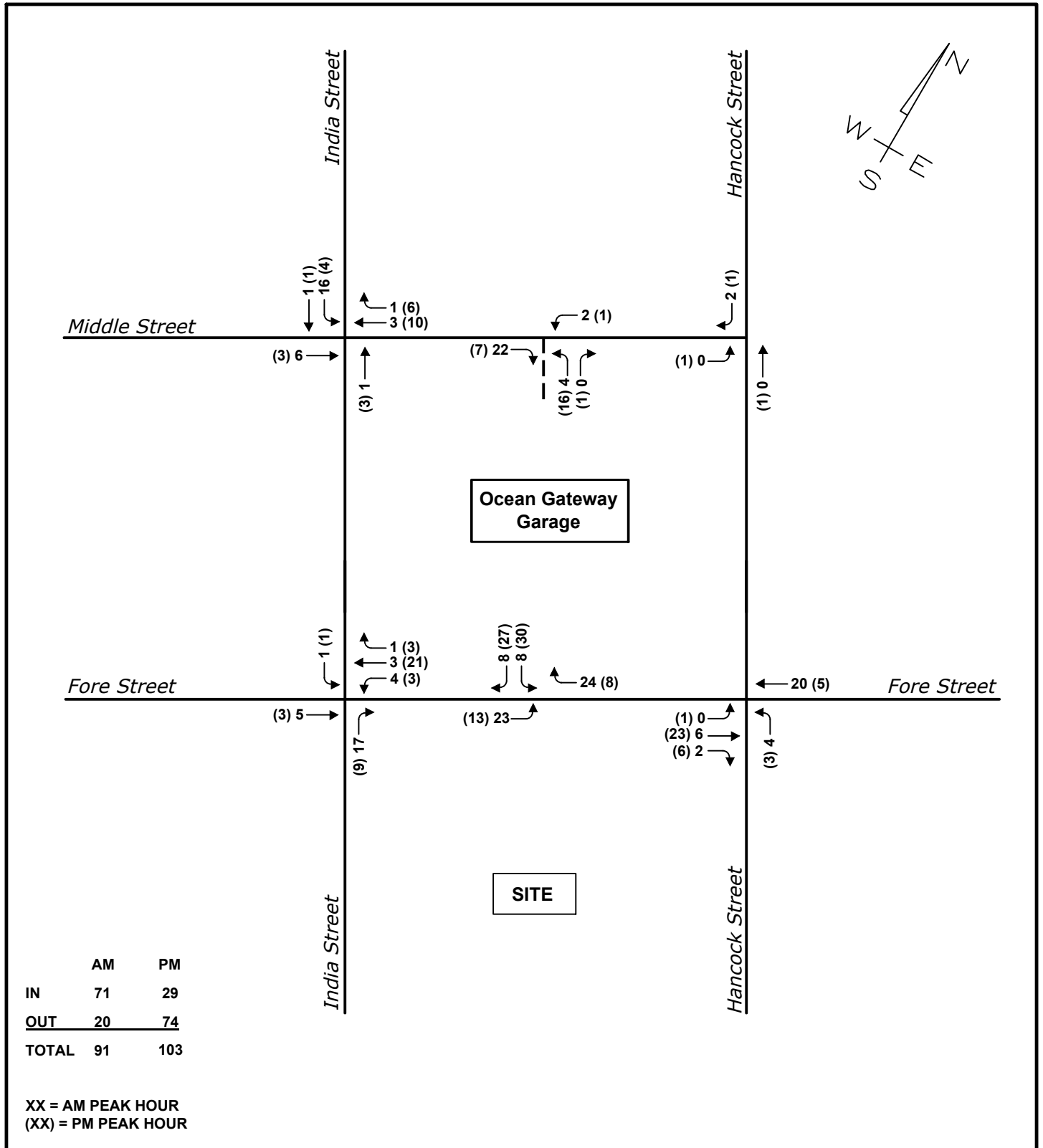


PORTLAND GATEWAY DEVELOPMENT PORTLAND, MAINE

Trip Assignment

Figure No.

7



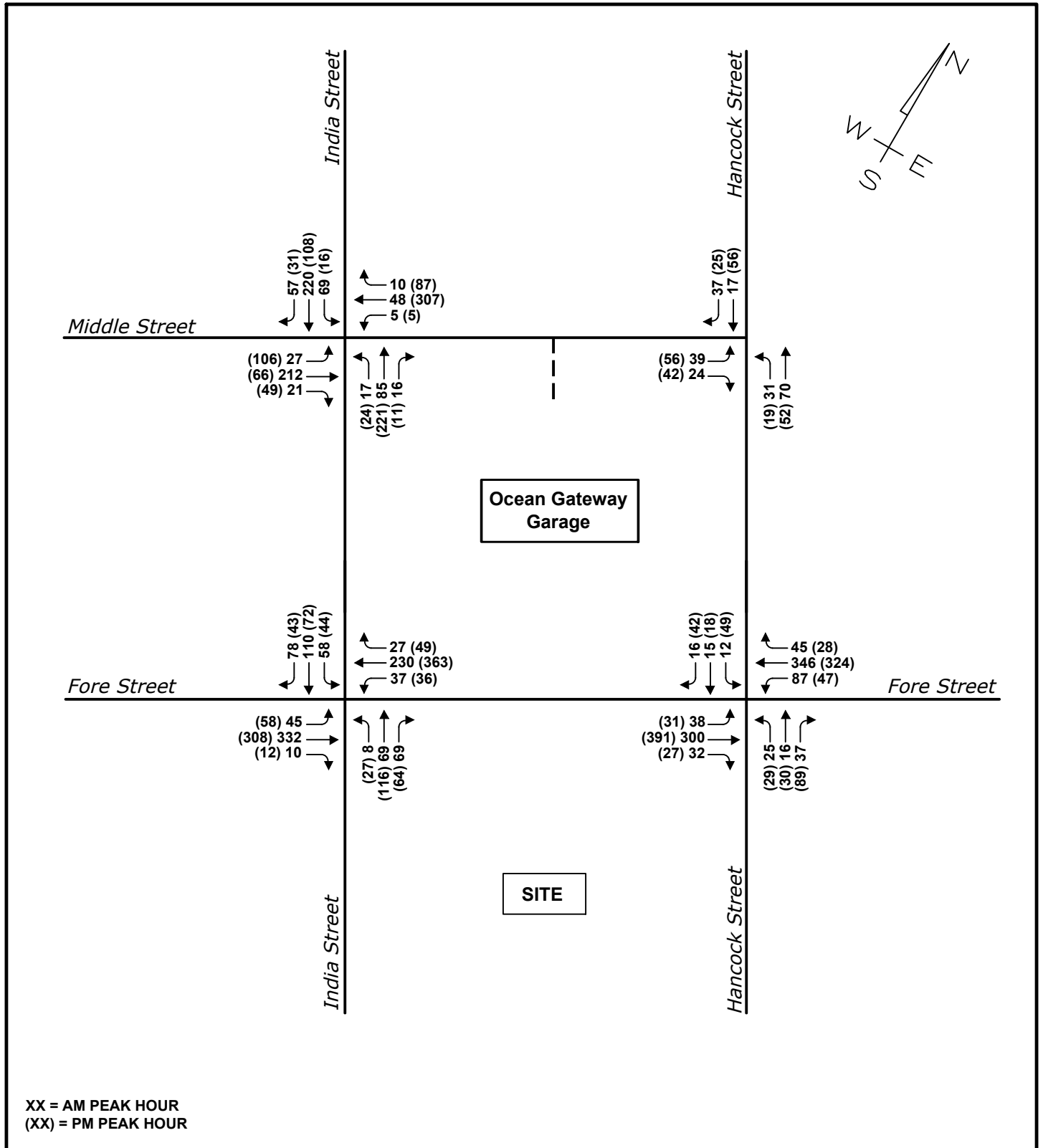
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PORTLAND GATEWAY DEVELOPMENT PORTLAND, MAINE

Attachment 7B

Capacity and Queuing Analysis Results

Lanes, Volumes, Timings
1: Middle Street & Hancock Street

2021 AM Pre
03/03/2020

						
Lane Group	SET	SER	NWL	NWT	NEL	NER
Lane Configurations						
Traffic Volume (vph)	17	35	31	70	39	24
Future Volume (vph)	17	35	31	70	39	24
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor						
Frt	0.909				0.949	
Flt Protected				0.985	0.970	
Satd. Flow (prot)	1727	0	0	1809	1749	0
Flt Permitted				0.985	0.970	
Satd. Flow (perm)	1727	0	0	1809	1749	0
Link Speed (mph)	25			30	30	
Link Distance (ft)	200			202	391	
Travel Time (s)	5.5			4.6	8.9	
Confl. Peds. (#/hr)		33	33		12	41
Peak Hour Factor	0.54	0.54	0.70	0.70	0.80	0.80
Heavy Vehicles (%)	0%	0%	0%	5%	0%	0%
Adj. Flow (vph)	31	65	44	100	49	30
Shared Lane Traffic (%)						
Lane Group Flow (vph)	96	0	0	144	79	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	0			0	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane						
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)		9	15		15	9
Sign Control	Free			Free	Stop	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	29.9%			ICU Level of Service A		
Analysis Period (min)	15					

Intersection Sign configuration not allowed in HCM analysis.

Lanes, Volumes, Timings
5: Fore Street & Hancock Street

2021 AM Pre
03/03/2020

												
Lane Group	NBL	NBT	NBR	SBL	SBT	SBR	SEL	SET	SER	NWL	NWT	NWR
Lane Configurations												
Traffic Volume (vph)	45	294	30	87	306	45	12	15	16	21	16	37
Future Volume (vph)	45	294	30	87	306	45	12	15	16	21	16	37
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	11	11	11	11	11	11	11	11	11	11	11	11
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor												
Frt		0.989			0.986			0.950			0.932	
Flt Protected		0.994			0.990			0.986			0.986	
Satd. Flow (prot)	0	1777	0	0	1698	0	0	1679	0	0	1688	0
Flt Permitted		0.994			0.990			0.986			0.986	
Satd. Flow (perm)	0	1777	0	0	1698	0	0	1679	0	0	1688	0
Link Speed (mph)		25			25			25			25	
Link Distance (ft)		420			423			202			645	
Travel Time (s)		11.5			11.5			5.5			17.6	
Confl. Peds. (#/hr)	93		70	70		93	52		142	142		52
Peak Hour Factor	0.94	0.94	0.94	0.84	0.84	0.84	0.85	0.85	0.85	0.87	0.87	0.87
Heavy Vehicles (%)	0%	2%	0%	0%	8%	0%	0%	7%	0%	0%	0%	0%
Adj. Flow (vph)	48	313	32	104	364	54	14	18	19	24	18	43
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	393	0	0	522	0	0	51	0	0	85	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			0			0	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04
Turning Speed (mph)	15		9	15		9	15		9	15		9
Sign Control		Stop			Stop			Stop			Stop	
Intersection Summary												
Area Type:	Other											
Control Type:	Unsignalized											
Intersection Capacity Utilization	58.3%											
Analysis Period (min)	15											
	ICU Level of Service B											

HCM Unsignalized Intersection Capacity Analysis

5: Fore Street & Hancock Street

2021 AM Pre
03/03/2020

												
Movement	NBL	NBT	NBR	SBL	SBT	SBR	SEL	SET	SER	NWL	NWT	NWR
Lane Configurations												
Sign Control		Stop			Stop			Stop			Stop	
Traffic Volume (vph)	45	294	30	87	306	45	12	15	16	21	16	37
Future Volume (vph)	45	294	30	87	306	45	12	15	16	21	16	37
Peak Hour Factor	0.94	0.94	0.94	0.84	0.84	0.84	0.85	0.85	0.85	0.87	0.87	0.87
Hourly flow rate (vph)	48	313	32	104	364	54	14	18	19	24	18	43
Direction, Lane #	NB 1	SB 1	SE 1	NW 1								
Volume Total (vph)	393	522	51	85								
Volume Left (vph)	48	104	14	24								
Volume Right (vph)	32	54	19	43								
Hadj (s)	0.00	0.07	-0.13	-0.25								
Departure Headway (s)	5.0	4.9	6.2	6.0								
Degree Utilization, x	0.55	0.71	0.09	0.14								
Capacity (veh/h)	698	717	502	524								
Control Delay (s)	13.8	19.1	9.8	10.0								
Approach Delay (s)	13.8	19.1	9.8	10.0								
Approach LOS	B	C	A	A								
Intersection Summary												
Delay				16.0								
Level of Service				C								
Intersection Capacity Utilization				58.3%	ICU Level of Service	B						
Analysis Period (min)				15								

Lanes, Volumes, Timings
6: Middle Street & India Street

2021 AM Pre
03/03/2020

												
Lane Group	SEL	SET	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations												
Traffic Volume (vph)	53	219	57	17	84	16	27	206	21	5	54	9
Future Volume (vph)	53	219	57	17	84	16	27	206	21	5	54	9
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor												
Frt		0.977			0.981			0.989			0.983	
Flt Protected		0.992			0.993			0.995			0.996	
Satd. Flow (prot)	0	1841	0	0	1851	0	0	1870	0	0	1860	0
Flt Permitted		0.992			0.993			0.995			0.996	
Satd. Flow (perm)	0	1841	0	0	1851	0	0	1870	0	0	1860	0
Link Speed (mph)		25			30			30			30	
Link Distance (ft)		202			250			351			391	
Travel Time (s)		5.5			5.7			8.0			8.9	
Confl. Peds. (#/hr)	78		35	35		78	34		33	33		34
Peak Hour Factor	0.95	0.95	0.95	0.89	0.89	0.89	0.77	0.77	0.77	0.86	0.86	0.86
Heavy Vehicles (%)	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Adj. Flow (vph)	56	231	60	19	94	18	35	268	27	6	63	10
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	347	0	0	131	0	0	330	0	0	79	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			0			0	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Sign Control		Stop			Stop			Stop			Stop	
Intersection Summary												
Area Type:	Other											
Control Type:	Unsignalized											
Intersection Capacity Utilization	51.8%											
Analysis Period (min)	15											
ICU Level of Service A												

HCM Unsignalized Intersection Capacity Analysis

6: Middle Street & India Street

2021 AM Pre
03/03/2020

												
Movement	SEL	SET	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations												
Sign Control		Stop			Stop			Stop			Stop	
Traffic Volume (vph)	53	219	57	17	84	16	27	206	21	5	54	9
Future Volume (vph)	53	219	57	17	84	16	27	206	21	5	54	9
Peak Hour Factor	0.95	0.95	0.95	0.89	0.89	0.89	0.77	0.77	0.77	0.86	0.86	0.86
Hourly flow rate (vph)	56	231	60	19	94	18	35	268	27	6	63	10
Direction, Lane #	SE 1	NW 1	NE 1	SW 1								
Volume Total (vph)	347	131	330	79								
Volume Left (vph)	56	19	35	6								
Volume Right (vph)	60	18	27	10								
Hadj (s)	-0.07	-0.05	-0.03	-0.06								
Departure Headway (s)	5.2	5.6	5.3	5.7								
Degree Utilization, x	0.50	0.20	0.49	0.13								
Capacity (veh/h)	653	576	637	548								
Control Delay (s)	13.3	10.0	13.3	9.5								
Approach Delay (s)	13.3	10.0	13.3	9.5								
Approach LOS	B	A	B	A								
Intersection Summary												
Delay				12.5								
Level of Service				B								
Intersection Capacity Utilization				51.8%	ICU Level of Service	A						
Analysis Period (min)				15								

Lanes, Volumes, Timings
9: India Street & Fore Street

2021 AM Pre
03/03/2020

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	SEL	SET	SER	NWL	NWT	NWR
Lane Configurations												
Traffic Volume (vph)	45	327	10	33	228	26	57	110	78	8	69	52
Future Volume (vph)	45	327	10	33	228	26	57	110	78	8	69	52
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	11	11	11	11	11	11	11	11	11	11	11	11
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.996			0.988			0.957			0.946	
Flt Protected		0.994			0.994			0.989			0.997	
Satd. Flow (prot)	0	1787	0	0	1794	0	0	1730	0	0	1675	0
Flt Permitted		0.994			0.994			0.989			0.997	
Satd. Flow (perm)	0	1787	0	0	1794	0	0	1730	0	0	1675	0
Link Speed (mph)		25			25			25			25	
Link Distance (ft)		540			420			250			161	
Travel Time (s)		14.7			11.5			6.8			4.4	
Peak Hour Factor	0.90	0.90	0.90	0.82	0.82	0.82	0.93	0.93	0.93	0.73	0.73	0.73
Heavy Vehicles (%)	0%	2%	2%	3%	0%	2%	2%	0%	0%	1%	1%	7%
Adj. Flow (vph)	50	363	11	40	278	32	61	118	84	11	95	71
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	424	0	0	350	0	0	263	0	0	177	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			0			0	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04
Turning Speed (mph)	15		9	15		9	15		9	15		9
Sign Control		Stop			Stop			Stop			Stop	
Intersection Summary												
Area Type:	Other											
Control Type:	Unsignalized											
Intersection Capacity Utilization	58.1%											
Analysis Period (min)	15											
	ICU Level of Service B											

HCM Unsignalized Intersection Capacity Analysis

9: India Street & Fore Street

2021 AM Pre
03/03/2020

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	SEL	SET	SER	NWL	NWT	NWR
Lane Configurations												
Sign Control		Stop			Stop			Stop			Stop	
Traffic Volume (vph)	45	327	10	33	228	26	57	110	78	8	69	52
Future Volume (vph)	45	327	10	33	228	26	57	110	78	8	69	52
Peak Hour Factor	0.90	0.90	0.90	0.82	0.82	0.82	0.93	0.93	0.93	0.73	0.73	0.73
Hourly flow rate (vph)	50	363	11	40	278	32	61	118	84	11	95	71
Direction, Lane #	EB 1	WB 1	SE 1	NW 1								
Volume Total (vph)	424	350	263	177								
Volume Left (vph)	50	40	61	11								
Volume Right (vph)	11	32	84	71								
Hadj (s)	0.04	-0.02	-0.14	-0.17								
Departure Headway (s)	6.2	6.3	6.7	6.9								
Degree Utilization, x	0.74	0.62	0.49	0.34								
Capacity (veh/h)	542	526	475	434								
Control Delay (s)	24.6	19.0	15.9	13.4								
Approach Delay (s)	24.6	19.0	15.9	13.4								
Approach LOS	C	C	C	B								
Intersection Summary												
Delay				19.5								
Level of Service				C								
Intersection Capacity Utilization				58.1%	ICU Level of Service	B						
Analysis Period (min)				15								

Summary of All Intervals

Run Number	1	2	3	4	5	Avg
Start Time	6:57	6:57	6:57	6:57	6:57	6:57
End Time	8:00	8:00	8:00	8:00	8:00	8:00
Total Time (min)	63	63	63	63	63	63
Time Recorded (min)	60	60	60	60	60	60
# of Intervals	2	2	2	2	2	2
# of Recorded Intervals	1	1	1	1	1	1
Vehs Entered	1686	1724	1646	1677	1620	1670
Vehs Exited	1679	1715	1641	1688	1624	1671
Starting Vehs	23	20	19	26	24	20
Ending Vehs	30	29	24	15	20	20
Travel Distance (mi)	312	319	307	314	305	312
Travel Time (hr)	24.7	24.4	22.6	25.0	22.4	23.8
Total Delay (hr)	11.9	11.3	9.9	12.0	9.8	11.0
Total Stops	2827	2891	2748	2817	2750	2805
Fuel Used (gal)	17.1	17.3	16.2	17.1	16.2	16.8

Interval #0 Information Seeding

Start Time	6:57
End Time	7:00
Total Time (min)	3
Volumes adjusted by Growth Factors.	
No data recorded this interval.	

Interval #1 Information Recording

Start Time	7:00					
End Time	8:00					
Total Time (min)	60					
Volumes adjusted by Growth Factors.						
Run Number	1	2	3	4	5	Avg
Vehs Entered	1686	1724	1646	1677	1620	1670
Vehs Exited	1679	1715	1641	1688	1624	1671
Starting Vehs	23	20	19	26	24	20
Ending Vehs	30	29	24	15	20	20
Travel Distance (mi)	312	319	307	314	305	312
Travel Time (hr)	24.7	24.4	22.6	25.0	22.4	23.8
Total Delay (hr)	11.9	11.3	9.9	12.0	9.8	11.0
Total Stops	2827	2891	2748	2817	2750	2805
Fuel Used (gal)	17.1	17.3	16.2	17.1	16.2	16.8

1: Middle Street & Hancock Street Performance by lane

Lane	SE	NW	NE	All
Movements Served	TR	LT	LR	
Denied Del/Veh (s)				0.0
Total Del/Veh (s)	0.2	1.5	3.0	2.3

5: Fore Street & Hancock Street Performance by lane

Lane	NB	SB	SE	NW	All
Movements Served	LTR	LTR	LTR	LTR	
Denied Del/Veh (s)					0.2
Total Del/Veh (s)	17.2	24.8	8.8	9.1	19.6

6: Middle Street & India Street Performance by lane

Lane	SE	NW	NE	SW	All
Movements Served	LTR	LTR	LTR	LTR	
Denied Del/Veh (s)					0.3
Total Del/Veh (s)	9.5	7.7	10.2	7.4	9.3

9: India Street & Fore Street Performance by lane

Lane	EB	WB	SE	NW	All
Movements Served	LTR	LTR	LTR	LTR	
Denied Del/Veh (s)					0.1
Total Del/Veh (s)	9.6	7.6	7.8	5.9	8.2

Total Network Performance

Denied Del/Veh (s)	0.4
Total Del/Veh (s)	23.0

Intersection: 1: Middle Street & Hancock Street

Movement	SE	NW	NE
Directions Served	TR	LT	LR
Maximum Queue (ft)	12	39	44
Average Queue (ft)	0	5	24
95th Queue (ft)	6	25	41
Link Distance (ft)	162	142	326
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 5: Fore Street & Hancock Street

Movement	NB	SB	SE	NW
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	226	358	48	71
Average Queue (ft)	102	152	18	20
95th Queue (ft)	195	296	40	46
Link Distance (ft)	317	382	142	593
Upstream Blk Time (%)	0	1		
Queuing Penalty (veh)	1	0		
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 6: Middle Street & India Street

Movement	SE	NW	NE	SW
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	161	69	123	54
Average Queue (ft)	78	37	56	28
95th Queue (ft)	130	59	94	47
Link Distance (ft)	167	183	316	326
Upstream Blk Time (%)	0			
Queuing Penalty (veh)	0			
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 9: India Street & Fore Street

Movement	EB	WB	SE	NW
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	152	76	100	87
Average Queue (ft)	73	36	48	42
95th Queue (ft)	123	64	78	70
Link Distance (ft)	505	317	183	114
Upstream Blk Time (%)				0
Queuing Penalty (veh)				0
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Network Summary

Network wide Queuing Penalty: 1

Lanes, Volumes, Timings
1: Middle Street & Hancock Street

2021 AM Post
03/03/2020

						
Lane Group	SET	SER	NWL	NWT	NEL	NER
Lane Configurations						
Traffic Volume (vph)	17	37	31	70	39	24
Future Volume (vph)	17	37	31	70	39	24
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor						
Frt	0.907				0.949	
Flt Protected				0.985	0.970	
Satd. Flow (prot)	1723	0	0	1809	1749	0
Flt Permitted				0.985	0.970	
Satd. Flow (perm)	1723	0	0	1809	1749	0
Link Speed (mph)	25			30	30	
Link Distance (ft)	200			202	391	
Travel Time (s)	5.5			4.6	8.9	
Confl. Peds. (#/hr)		33	33		12	41
Peak Hour Factor	0.54	0.54	0.70	0.70	0.80	0.80
Heavy Vehicles (%)	0%	0%	0%	5%	0%	0%
Adj. Flow (vph)	31	69	44	100	49	30
Shared Lane Traffic (%)						
Lane Group Flow (vph)	100	0	0	144	79	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	0			0	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane						
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)		9	15		15	9
Sign Control	Free			Free	Stop	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	29.9%			ICU Level of Service A		
Analysis Period (min)	15					

Intersection Sign configuration not allowed in HCM analysis.

Lanes, Volumes, Timings
5: Fore Street & Hancock Street

2021 AM Post
03/03/2020

												
Lane Group	NBL	NBT	NBR	SBL	SBT	SBR	SEL	SET	SER	NWL	NWT	NWR
Lane Configurations												
Traffic Volume (vph)	38	300	32	87	346	45	12	15	16	25	16	37
Future Volume (vph)	38	300	32	87	346	45	12	15	16	25	16	37
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	11	11	11	11	11	11	11	11	11	11	11	11
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor												
Frt		0.988			0.987			0.950			0.935	
Flt Protected		0.995			0.991			0.986			0.984	
Satd. Flow (prot)	0	1777	0	0	1698	0	0	1679	0	0	1690	0
Flt Permitted		0.995			0.991			0.986			0.984	
Satd. Flow (perm)	0	1777	0	0	1698	0	0	1679	0	0	1690	0
Link Speed (mph)		25			25			25			25	
Link Distance (ft)		420			1073			202			645	
Travel Time (s)		11.5			29.3			5.5			17.6	
Confl. Peds. (#/hr)	93		70	70		93	52		142	142		52
Peak Hour Factor	0.94	0.94	0.94	0.84	0.84	0.84	0.85	0.85	0.85	0.87	0.87	0.87
Heavy Vehicles (%)	0%	2%	0%	0%	8%	0%	0%	7%	0%	0%	0%	0%
Adj. Flow (vph)	40	319	34	104	412	54	14	18	19	29	18	43
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	393	0	0	570	0	0	51	0	0	90	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			0			0	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04
Turning Speed (mph)	15		9	15		9	15		9	15		9
Sign Control		Stop			Stop			Stop			Stop	
Intersection Summary												
Area Type:	Other											
Control Type:	Unsignalized											
Intersection Capacity Utilization	62.5%											
Analysis Period (min)	15											
	ICU Level of Service B											

HCM Unsignalized Intersection Capacity Analysis

5: Fore Street & Hancock Street

2021 AM Post
03/03/2020

												
Movement	NBL	NBT	NBR	SBL	SBT	SBR	SEL	SET	SER	NWL	NWT	NWR
Lane Configurations												
Sign Control		Stop			Stop			Stop			Stop	
Traffic Volume (vph)	38	300	32	87	346	45	12	15	16	25	16	37
Future Volume (vph)	38	300	32	87	346	45	12	15	16	25	16	37
Peak Hour Factor	0.94	0.94	0.94	0.84	0.84	0.84	0.85	0.85	0.85	0.87	0.87	0.87
Hourly flow rate (vph)	40	319	34	104	412	54	14	18	19	29	18	43
Direction, Lane #	NB 1	SB 1	SE 1	NW 1								
Volume Total (vph)	393	570	51	90								
Volume Left (vph)	40	104	14	29								
Volume Right (vph)	34	54	19	43								
Hadj (s)	0.00	0.08	-0.13	-0.22								
Departure Headway (s)	5.1	5.0	6.4	6.1								
Degree Utilization, x	0.56	0.79	0.09	0.15								
Capacity (veh/h)	676	714	500	520								
Control Delay (s)	14.3	23.6	10.0	10.3								
Approach Delay (s)	14.3	23.6	10.0	10.3								
Approach LOS	B	C	A	B								
Intersection Summary												
Delay			18.6									
Level of Service			C									
Intersection Capacity Utilization			62.5%	ICU Level of Service					B			
Analysis Period (min)			15									

Lanes, Volumes, Timings
6: Middle Street & India Street

2021 AM Post
03/03/2020

												
Lane Group	SEL	SET	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations												
Traffic Volume (vph)	69	220	57	17	85	16	27	212	21	5	48	10
Future Volume (vph)	69	220	57	17	85	16	27	212	21	5	48	10
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor												
Frt		0.978			0.982			0.989			0.978	
Flt Protected		0.990			0.993			0.995			0.996	
Satd. Flow (prot)	0	1840	0	0	1853	0	0	1870	0	0	1851	0
Flt Permitted		0.990			0.993			0.995			0.996	
Satd. Flow (perm)	0	1840	0	0	1853	0	0	1870	0	0	1851	0
Link Speed (mph)		25			30			30			30	
Link Distance (ft)		202			250			351			391	
Travel Time (s)		5.5			5.7			8.0			8.9	
Confl. Peds. (#/hr)	78		35	35		78	34		33	33		34
Peak Hour Factor	0.95	0.95	0.95	0.89	0.89	0.89	0.77	0.77	0.77	0.86	0.86	0.86
Heavy Vehicles (%)	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Adj. Flow (vph)	73	232	60	19	96	18	35	275	27	6	56	12
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	365	0	0	133	0	0	337	0	0	74	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			0			0	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Sign Control		Stop			Stop			Stop			Stop	
Intersection Summary												
Area Type:	Other											
Control Type:	Unsignalized											
Intersection Capacity Utilization	52.6%				ICU Level of Service A							
Analysis Period (min)	15											

HCM Unsignalized Intersection Capacity Analysis 6: Middle Street & India Street

2021 AM Post
03/03/2020

												
Movement	SEL	SET	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations												
Sign Control		Stop			Stop			Stop			Stop	
Traffic Volume (vph)	69	220	57	17	85	16	27	212	21	5	48	10
Future Volume (vph)	69	220	57	17	85	16	27	212	21	5	48	10
Peak Hour Factor	0.95	0.95	0.95	0.89	0.89	0.89	0.77	0.77	0.77	0.86	0.86	0.86
Hourly flow rate (vph)	73	232	60	19	96	18	35	275	27	6	56	12
Direction, Lane #	SE 1	NW 1	NE 1	SW 1								
Volume Total (vph)	365	133	337	74								
Volume Left (vph)	73	19	35	6								
Volume Right (vph)	60	18	27	12								
Hadj (s)	-0.06	-0.05	-0.03	-0.08								
Departure Headway (s)	5.2	5.6	5.4	5.8								
Degree Utilization, x	0.53	0.21	0.50	0.12								
Capacity (veh/h)	651	569	631	537								
Control Delay (s)	14.0	10.1	13.7	9.6								
Approach Delay (s)	14.0	10.1	13.7	9.6								
Approach LOS	B	B	B	A								
Intersection Summary												
Delay				12.9								
Level of Service				B								
Intersection Capacity Utilization				52.6%	ICU Level of Service	A						
Analysis Period (min)				15								

Lanes, Volumes, Timings
9: India Street & Fore Street

2021 AM Post
03/03/2020

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	SEL	SET	SER	NWL	NWT	NWR
Lane Configurations												
Traffic Volume (vph)	45	332	10	37	230	27	58	110	78	8	69	69
Future Volume (vph)	45	332	10	37	230	27	58	110	78	8	69	69
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	11	11	11	11	11	11	11	11	11	11	11	11
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.997			0.988			0.957			0.936	
Flt Protected		0.994			0.994			0.988			0.997	
Satd. Flow (prot)	0	1789	0	0	1794	0	0	1728	0	0	1651	0
Flt Permitted		0.994			0.994			0.988			0.997	
Satd. Flow (perm)	0	1789	0	0	1794	0	0	1728	0	0	1651	0
Link Speed (mph)		25			25			25			25	
Link Distance (ft)		540			420			250			161	
Travel Time (s)		14.7			11.5			6.8			4.4	
Peak Hour Factor	0.90	0.90	0.90	0.82	0.82	0.82	0.93	0.93	0.93	0.73	0.73	0.73
Heavy Vehicles (%)	0%	2%	2%	3%	0%	2%	2%	0%	0%	1%	1%	7%
Adj. Flow (vph)	50	369	11	45	280	33	62	118	84	11	95	95
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	430	0	0	358	0	0	264	0	0	201	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			0			0	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04
Turning Speed (mph)	15		9	15		9	15		9	15		9
Sign Control		Stop			Stop			Stop			Stop	
Intersection Summary												
Area Type:	Other											
Control Type:	Unsignalized											
Intersection Capacity Utilization 58.9%	ICU Level of Service B											
Analysis Period (min) 15												

HCM Unsignalized Intersection Capacity Analysis 9: India Street & Fore Street

2021 AM Post
03/03/2020

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	SEL	SET	SER	NWL	NWT	NWR
Lane Configurations												
Sign Control		Stop			Stop			Stop			Stop	
Traffic Volume (vph)	45	332	10	37	230	27	58	110	78	8	69	69
Future Volume (vph)	45	332	10	37	230	27	58	110	78	8	69	69
Peak Hour Factor	0.90	0.90	0.90	0.82	0.82	0.82	0.93	0.93	0.93	0.73	0.73	0.73
Hourly flow rate (vph)	50	369	11	45	280	33	62	118	84	11	95	95
Direction, Lane #	EB 1	WB 1	SE 1	NW 1								
Volume Total (vph)	430	358	264	201								
Volume Left (vph)	50	45	62	11								
Volume Right (vph)	11	33	84	95								
Hadj (s)	0.04	-0.02	-0.14	-0.21								
Departure Headway (s)	6.5	6.6	6.9	7.1								
Degree Utilization, x	0.77	0.66	0.51	0.40								
Capacity (veh/h)	430	505	457	431								
Control Delay (s)	28.2	21.2	16.9	14.7								
Approach Delay (s)	28.2	21.2	16.9	14.7								
Approach LOS	D	C	C	B								
Intersection Summary												
Delay			21.7									
Level of Service			C									
Intersection Capacity Utilization			58.9%	ICU Level of Service		B						
Analysis Period (min)			15									

Summary of All Intervals

Run Number	1	2	3	4	5	Avg
Start Time	6:57	6:57	6:57	6:57	6:57	6:57
End Time	8:00	8:00	8:00	8:00	8:00	8:00
Total Time (min)	63	63	63	63	63	63
Time Recorded (min)	60	60	60	60	60	60
# of Intervals	2	2	2	2	2	2
# of Recorded Intervals	1	1	1	1	1	1
Vehs Entered	1737	1782	1744	1765	1769	1760
Vehs Exited	1734	1777	1723	1744	1746	1746
Starting Vehs	25	35	32	25	24	26
Ending Vehs	28	40	53	46	47	44
Travel Distance (mi)	417	419	416	423	429	421
Travel Time (hr)	28.8	37.7	39.1	34.8	34.8	35.0
Total Delay (hr)	11.9	20.8	22.2	17.7	17.4	18.0
Total Stops	2886	2907	2851	2933	2962	2908
Fuel Used (gal)	19.8	21.9	21.8	21.4	21.5	21.3

Interval #0 Information Seeding

Start Time	6:57
End Time	7:00
Total Time (min)	3
Volumes adjusted by Growth Factors.	
No data recorded this interval.	

Interval #1 Information Recording

Start Time	7:00
End Time	8:00
Total Time (min)	60
Volumes adjusted by Growth Factors.	

Run Number	1	2	3	4	5	Avg
Vehs Entered	1737	1782	1744	1765	1769	1760
Vehs Exited	1734	1777	1723	1744	1746	1746
Starting Vehs	25	35	32	25	24	26
Ending Vehs	28	40	53	46	47	44
Travel Distance (mi)	417	419	416	423	429	421
Travel Time (hr)	28.8	37.7	39.1	34.8	34.8	35.0
Total Delay (hr)	11.9	20.8	22.2	17.7	17.4	18.0
Total Stops	2886	2907	2851	2933	2962	2908
Fuel Used (gal)	19.8	21.9	21.8	21.4	21.5	21.3

1: Middle Street & Hancock Street Performance by lane

Lane	SE	NW	NE	All
Movements Served	TR	LT	LR	
Denied Del/Veh (s)				0.0
Total Del/Veh (s)	0.2	1.6	3.0	2.3

5: Fore Street & Hancock Street Performance by lane

Lane	NB	SB	SE	NW	All
Movements Served	LTR	LTR	LTR	LTR	
Denied Del/Veh (s)					0.3
Total Del/Veh (s)	22.1	64.8	9.5	9.3	39.5

6: Middle Street & India Street Performance by lane

Lane	SE	NW	NE	SW	All
Movements Served	LTR	LTR	LTR	LTR	
Denied Del/Veh (s)					0.2
Total Del/Veh (s)	9.7	7.5	10.6	7.2	9.4

9: India Street & Fore Street Performance by lane

Lane	EB	WB	SE	NW	All
Movements Served	LTR	LTR	LTR	LTR	
Denied Del/Veh (s)					0.2
Total Del/Veh (s)	12.2	7.3	8.0	7.2	9.0

Total Network Performance

Denied Del/Veh (s)			0.4	
Total Del/Veh (s)			35.8	

Intersection: 1: Middle Street & Hancock Street

Movement	SE	NW	NE
Directions Served	TR	LT	LR
Maximum Queue (ft)	12	40	45
Average Queue (ft)	1	4	25
95th Queue (ft)	8	23	41
Link Distance (ft)	162	143	326
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 5: Fore Street & Hancock Street

Movement	NB	SB	SE	NW
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	305	755	54	55
Average Queue (ft)	121	317	21	22
95th Queue (ft)	258	746	43	44
Link Distance (ft)	317	1034	143	593
Upstream Blk Time (%)	2	1		
Queuing Penalty (veh)	7	0		
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 6: Middle Street & India Street

Movement	SE	NW	NE	SW
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	166	64	113	55
Average Queue (ft)	79	37	55	28
95th Queue (ft)	134	58	94	48
Link Distance (ft)	167	183	316	326
Upstream Blk Time (%)	1			
Queuing Penalty (veh)	0			
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 9: India Street & Fore Street

Movement	EB	WB	SE	NW
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	189	83	97	104
Average Queue (ft)	83	37	45	47
95th Queue (ft)	164	66	74	85
Link Distance (ft)	505	317	183	114
Upstream Blk Time (%)				1
Queuing Penalty (veh)				0
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Network Summary

Network wide Queuing Penalty: 7

Lanes, Volumes, Timings
1: Hancock Street

2021 PM Pre
03/03/2020

						
Lane Group	SET	SER	NWL	NWT	NEL	NER
Lane Configurations						
Traffic Volume (vph)	56	24	19	51	55	42
Future Volume (vph)	56	24	19	51	55	42
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor						
Frt	0.960				0.942	
Flt Protected				0.986	0.972	
Satd. Flow (prot)	1788	0	0	1837	1706	0
Flt Permitted				0.986	0.972	
Satd. Flow (perm)	1788	0	0	1837	1706	0
Link Speed (mph)	25			30	30	
Link Distance (ft)	200			202	391	
Travel Time (s)	5.5			4.6	8.9	
Confl. Peds. (#/hr)		34	34		24	33
Peak Hour Factor	0.77	0.77	0.69	0.69	0.82	0.82
Adj. Flow (vph)	73	31	28	74	67	51
Shared Lane Traffic (%)						
Lane Group Flow (vph)	104	0	0	102	118	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	0			0	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane						
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)		9	15		15	9
Sign Control	Free			Free	Stop	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	28.6%			ICU Level of Service A		
Analysis Period (min)	15					

Intersection Sign configuration not allowed in HCM analysis.

Lanes, Volumes, Timings
5: Fore Street & Hancock Street

2021 PM Pre
03/03/2020

												
Lane Group	NBL	NBT	NBR	SBL	SBT	SBR	SEL	SET	SER	NWL	NWT	NWR
Lane Configurations												
Traffic Volume (vph)	30	368	21	47	319	28	49	18	42	26	30	89
Future Volume (vph)	30	368	21	47	319	28	49	18	42	26	30	89
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	11	11	11	11	11	11	11	11	11	11	11	11
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor												
Frt		0.993			0.991			0.948			0.917	
Flt Protected		0.996			0.994			0.978			0.991	
Satd. Flow (prot)	0	1781	0	0	1774	0	0	1669	0	0	1636	0
Flt Permitted		0.996			0.994			0.978			0.991	
Satd. Flow (perm)	0	1781	0	0	1774	0	0	1669	0	0	1636	0
Link Speed (mph)		25			25			25			25	
Link Distance (ft)		420			986			202			645	
Travel Time (s)		11.5			26.9			5.5			17.6	
Confl. Peds. (#/hr)	132		87	87		132	71		142	142		71
Peak Hour Factor	0.78	0.78	0.78	0.92	0.92	0.92	0.86	0.86	0.86	0.88	0.88	0.88
Adj. Flow (vph)	38	472	27	51	347	30	57	21	49	30	34	101
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	537	0	0	428	0	0	127	0	0	165	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			0			0	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04
Turning Speed (mph)	15		9	15		9	15		9	15		9
Sign Control		Stop			Stop			Stop			Stop	
Intersection Summary												
Area Type:	Other											
Control Type:	Unsignalized											
Intersection Capacity Utilization	54.9%											
Analysis Period (min)	15											
ICU Level of Service A												

HCM Unsignalized Intersection Capacity Analysis

5: Fore Street & Hancock Street

2021 PM Pre
03/03/2020

																				
Movement	NBL	NBT	NBR	SBL	SBT	SBR	SEL	SET	SER	NWL	NWT	NWR								
Lane Configurations																				
Sign Control		Stop			Stop			Stop			Stop									
Traffic Volume (vph)	30	368	21	47	319	28	49	18	42	26	30	89								
Future Volume (vph)	30	368	21	47	319	28	49	18	42	26	30	89								
Peak Hour Factor	0.78	0.78	0.78	0.92	0.92	0.92	0.86	0.86	0.86	0.88	0.88	0.88								
Hourly flow rate (vph)	38	472	27	51	347	30	57	21	49	30	34	101								
Direction, Lane #	NB 1	SB 1	SE 1	NW 1																
Volume Total (vph)	537	428	127	165																
Volume Left (vph)	38	51	57	30																
Volume Right (vph)	27	30	49	101																
Hadj (s)	0.02	0.02	-0.11	-0.30																
Departure Headway (s)	5.7	5.9	7.0	6.7																
Degree Utilization, x	0.86	0.70	0.25	0.31																
Capacity (veh/h)	616	583	445	482																
Control Delay (s)	33.4	21.7	12.3	12.7																
Approach Delay (s)	33.4	21.7	12.3	12.7																
Approach LOS	D	C	B	B																
Intersection Summary																				
Delay			24.6																	
Level of Service			C																	
Intersection Capacity Utilization			54.9%	ICU Level of Service		A														
Analysis Period (min)			15																	

Lanes, Volumes, Timings
6: India Street

2021 PM Pre
03/03/2020

												
Lane Group	SEL	SET	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations												
Traffic Volume (vph)	12	107	31	24	218	11	106	63	49	5	197	81
Future Volume (vph)	12	107	31	24	218	11	106	63	49	5	197	81
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor												
Frt		0.972			0.994			0.970			0.961	
Flt Protected		0.996			0.995			0.976			0.999	
Satd. Flow (prot)	0	1839	0	0	1879	0	0	1799	0	0	1824	0
Flt Permitted		0.996			0.995			0.976			0.999	
Satd. Flow (perm)	0	1839	0	0	1879	0	0	1799	0	0	1824	0
Link Speed (mph)		25			30			30			30	
Link Distance (ft)		202			250			351			391	
Travel Time (s)		5.5			5.7			8.0			8.9	
Confl. Peds. (#/hr)	78		73	73		78	52		75	75		52
Peak Hour Factor	0.83	0.83	0.83	0.80	0.80	0.80	0.89	0.89	0.89	0.83	0.83	0.83
Heavy Vehicles (%)	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Adj. Flow (vph)	14	129	37	30	273	14	119	71	55	6	237	98
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	180	0	0	317	0	0	245	0	0	341	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			0			0	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Sign Control		Stop			Stop			Stop			Stop	
Intersection Summary												
Area Type:	Other											
Control Type:	Unsignalized											
Intersection Capacity Utilization	58.8%				ICU Level of Service B							
Analysis Period (min)	15											

HCM Unsignalized Intersection Capacity Analysis

6: India Street

2021 PM Pre
03/03/2020

												
Movement	SEL	SET	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations												
Sign Control		Stop			Stop			Stop			Stop	
Traffic Volume (vph)	12	107	31	24	218	11	106	63	49	5	197	81
Future Volume (vph)	12	107	31	24	218	11	106	63	49	5	197	81
Peak Hour Factor	0.83	0.83	0.83	0.80	0.80	0.80	0.89	0.89	0.89	0.83	0.83	0.83
Hourly flow rate (vph)	14	129	37	30	273	14	119	71	55	6	237	98
Direction, Lane #	SE 1	NW 1	NE 1	SW 1								
Volume Total (vph)	180	317	245	341								
Volume Left (vph)	14	30	119	6								
Volume Right (vph)	37	14	55	98								
Hadj (s)	-0.11	-0.01	-0.04	-0.17								
Departure Headway (s)	6.3	6.1	6.1	5.8								
Degree Utilization, x	0.31	0.53	0.42	0.55								
Capacity (veh/h)	493	547	530	576								
Control Delay (s)	12.2	15.8	13.5	15.7								
Approach Delay (s)	12.2	15.8	13.5	15.7								
Approach LOS	B	C	B	C								
Intersection Summary												
Delay				14.6								
Level of Service				B								
Intersection Capacity Utilization				58.8%	ICU Level of Service	B						
Analysis Period (min)				15								

Lanes, Volumes, Timings
9: India Street & Fore Street

2021 PM Pre
03/03/2020

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	SEL	SET	SER	NWL	NWT	NWR
Lane Configurations												
Traffic Volume (vph)	58	305	12	33	342	46	43	72	43	27	116	55
Future Volume (vph)	58	305	12	33	342	46	43	72	43	27	116	55
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	11	11	11	11	11	11	11	11	11	11	11	11
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor												
Frt		0.996			0.985			0.963			0.962	
Flt Protected		0.992			0.996			0.987			0.993	
Satd. Flow (prot)	0	1800	0	0	1802	0	0	1746	0	0	1752	0
Flt Permitted		0.992			0.996			0.987			0.993	
Satd. Flow (perm)	0	1800	0	0	1802	0	0	1746	0	0	1752	0
Link Speed (mph)		25			25			25			25	
Link Distance (ft)		540			420			250			161	
Travel Time (s)		14.7			11.5			6.8			4.4	
Confl. Peds. (#/hr)	95		128	128		95	96		49	49		96
Peak Hour Factor	0.92	0.92	0.92	0.87	0.87	0.87	0.83	0.83	0.83	0.85	0.85	0.85
Heavy Vehicles (%)	0%	1%	0%	0%	0%	0%	0%	0%	0%	1%	0%	0%
Adj. Flow (vph)	63	332	13	38	393	53	52	87	52	32	136	65
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	408	0	0	484	0	0	191	0	0	233	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			0			0	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04
Turning Speed (mph)	15		9	15		9	15		9	15		9
Sign Control		Stop			Stop			Stop			Stop	
Intersection Summary												
Area Type:	Other											
Control Type:	Unsignalized											
Intersection Capacity Utilization	56.9%											
Analysis Period (min)	15											
	ICU Level of Service B											

HCM Unsignalized Intersection Capacity Analysis

9: India Street & Fore Street

2021 PM Pre
03/03/2020

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	SEL	SET	SER	NWL	NWT	NWR
Lane Configurations												
Sign Control		Stop			Stop			Stop			Stop	
Traffic Volume (vph)	58	305	12	33	342	46	43	72	43	27	116	55
Future Volume (vph)	58	305	12	33	342	46	43	72	43	27	116	55
Peak Hour Factor	0.92	0.92	0.92	0.87	0.87	0.87	0.83	0.83	0.83	0.85	0.85	0.85
Hourly flow rate (vph)	63	332	13	38	393	53	52	87	52	32	136	65
Direction, Lane #	EB 1	WB 1	SE 1	NW 1								
Volume Total (vph)	408	484	191	233								
Volume Left (vph)	63	38	52	32								
Volume Right (vph)	13	53	52	65								
Hadj (s)	0.03	-0.05	-0.11	-0.14								
Departure Headway (s)	6.7	6.5	7.5	7.3								
Degree Utilization, x	0.76	0.87	0.40	0.47								
Capacity (veh/h)	408	545	429	447								
Control Delay (s)	27.6	38.0	15.4	16.7								
Approach Delay (s)	27.6	38.0	15.4	16.7								
Approach LOS	D	E	C	C								
Intersection Summary												
Delay				27.7								
Level of Service				D								
Intersection Capacity Utilization				56.9%	ICU Level of Service				B			
Analysis Period (min)				15								

Summary of All Intervals

Run Number	1	2	3	4	5	Avg
Start Time	6:57	6:57	6:57	6:57	6:57	6:57
End Time	8:00	8:00	8:00	8:00	8:00	8:00
Total Time (min)	63	63	63	63	63	63
Time Recorded (min)	60	60	60	60	60	60
# of Intervals	2	2	2	2	2	2
# of Recorded Intervals	1	1	1	1	1	1
Vehs Entered	1892	1846	1887	1834	1909	1873
Vehs Exited	1859	1820	1862	1819	1880	1848
Starting Vehs	31	31	36	25	33	29
Ending Vehs	64	57	61	40	62	55
Travel Distance (mi)	440	435	445	435	449	441
Travel Time (hr)	55.0	62.3	76.3	45.5	75.6	62.9
Total Delay (hr)	37.3	44.9	58.3	28.1	57.6	45.2
Total Stops	3054	2969	2996	2998	3082	3023
Fuel Used (gal)	26.9	28.1	31.4	24.5	31.5	28.5

Interval #0 Information Seeding

Start Time	6:57
End Time	7:00
Total Time (min)	3
Volumes adjusted by Growth Factors.	
No data recorded this interval.	

Interval #1 Information Recording

Start Time	7:00					
End Time	8:00					
Total Time (min)	60					
Volumes adjusted by Growth Factors.						
Run Number	1	2	3	4	5	Avg
Vehs Entered	1892	1846	1887	1834	1909	1873
Vehs Exited	1859	1820	1862	1819	1880	1848
Starting Vehs	31	31	36	25	33	29
Ending Vehs	64	57	61	40	62	55
Travel Distance (mi)	440	435	445	435	449	441
Travel Time (hr)	55.0	62.3	76.3	45.5	75.6	62.9
Total Delay (hr)	37.3	44.9	58.3	28.1	57.6	45.2
Total Stops	3054	2969	2996	2998	3082	3023
Fuel Used (gal)	26.9	28.1	31.4	24.5	31.5	28.5

1: Hancock Street Performance by lane

Lane	SE	NW	NE	All
Movements Served	TR	LT	LR	
Denied Del/Veh (s)				0.1
Total Del/Veh (s)	0.3	1.7	5.8	2.7

5: Fore Street & Hancock Street Performance by lane

Lane	NB	SB	SE	NW	All
Movements Served	LTR	LTR	LTR	LTR	
Denied Del/Veh (s)					3.5
Total Del/Veh (s)	65.7	101.1	15.0	16.3	67.4

6: India Street Performance by lane

Lane	SE	NW	NE	SW	All
Movements Served	LTR	LTR	LTR	LTR	
Denied Del/Veh (s)					0.3
Total Del/Veh (s)	9.9	14.3	12.0	16.2	13.6

9: India Street & Fore Street Performance by lane

Lane	EB	WB	SE	NW	All
Movements Served	LTR	LTR	LTR	LTR	
Denied Del/Veh (s)					5.3
Total Del/Veh (s)	97.7	51.8	15.8	20.2	57.0

Total Network Performance

Denied Del/Veh (s)			5.4	
Total Del/Veh (s)			80.3	

Intersection: 1: Hancock Street

Movement	SE	NW	NE
Directions Served	TR	LT	LR
Maximum Queue (ft)	25	35	61
Average Queue (ft)	2	4	30
95th Queue (ft)	12	22	47
Link Distance (ft)	162	142	326
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 5: Fore Street & Hancock Street

Movement	NB	SB	SE	NW
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	330	679	92	130
Average Queue (ft)	239	361	38	47
95th Queue (ft)	382	765	73	96
Link Distance (ft)	317	945	142	593
Upstream Blk Time (%)	7			
Queuing Penalty (veh)	28			
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 6: India Street

Movement	SE	NW	NE	SW
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	103	145	107	171
Average Queue (ft)	46	65	54	85
95th Queue (ft)	81	117	90	147
Link Distance (ft)	167	183	316	326
Upstream Blk Time (%)		0		
Queuing Penalty (veh)		1		
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 9: India Street & Fore Street

Movement	EB	WB	SE	NW
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	518	342	108	129
Average Queue (ft)	311	197	52	66
95th Queue (ft)	564	358	87	120
Link Distance (ft)	505	317	183	114
Upstream Blk Time (%)	11	6		5
Queuing Penalty (veh)	0	24		0
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Network Summary

Network wide Queuing Penalty: 53

Lanes, Volumes, Timings
1: Hancock Street

2021 PM Post
03/03/2020

						
Lane Group	SET	SER	NWL	NWT	NEL	NER
Lane Configurations						
Traffic Volume (vph)	56	25	19	52	56	42
Future Volume (vph)	56	25	19	52	56	42
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor						
Frt	0.959				0.942	
Flt Protected				0.987	0.972	
Satd. Flow (prot)	1786	0	0	1839	1706	0
Flt Permitted				0.987	0.972	
Satd. Flow (perm)	1786	0	0	1839	1706	0
Link Speed (mph)	25			30	30	
Link Distance (ft)	200			202	391	
Travel Time (s)	5.5			4.6	8.9	
Confl. Peds. (#/hr)		34	34		24	33
Peak Hour Factor	0.77	0.77	0.69	0.69	0.82	0.82
Adj. Flow (vph)	73	32	28	75	68	51
Shared Lane Traffic (%)						
Lane Group Flow (vph)	105	0	0	103	119	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	0			0	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane						
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)		9	15		15	9
Sign Control	Free			Free	Stop	
Intersection Summary						
Area Type:	Other					
Control Type:	Unsignalized					
Intersection Capacity Utilization	28.6%			ICU Level of Service A		
Analysis Period (min)	15					

Intersection Sign configuration not allowed in HCM analysis.

Lanes, Volumes, Timings
5: Fore Street & Hancock Street

2021 PM Post
03/03/2020

												
Lane Group	NBL	NBT	NBR	SBL	SBT	SBR	SEL	SET	SER	NWL	NWT	NWR
Lane Configurations												
Traffic Volume (vph)	31	391	27	47	324	28	49	18	42	29	30	89
Future Volume (vph)	31	391	27	47	324	28	49	18	42	29	30	89
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	11	11	11	11	11	11	11	11	11	11	11	11
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor												
Frt		0.992			0.991			0.948			0.919	
Flt Protected		0.997			0.994			0.978			0.990	
Satd. Flow (prot)	0	1781	0	0	1774	0	0	1669	0	0	1638	0
Flt Permitted		0.997			0.994			0.978			0.990	
Satd. Flow (perm)	0	1781	0	0	1774	0	0	1669	0	0	1638	0
Link Speed (mph)		25			25			25			25	
Link Distance (ft)		420			1060			202			645	
Travel Time (s)		11.5			28.9			5.5			17.6	
Confl. Peds. (#/hr)	132		87	87		132	71		142	142		71
Peak Hour Factor	0.78	0.78	0.78	0.92	0.92	0.92	0.86	0.86	0.86	0.88	0.88	0.88
Adj. Flow (vph)	40	501	35	51	352	30	57	21	49	33	34	101
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	576	0	0	433	0	0	127	0	0	168	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			0			0	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04
Turning Speed (mph)	15		9	15		9	15		9	15		9
Sign Control		Stop			Stop			Stop			Stop	
Intersection Summary												
Area Type:	Other											
Control Type:	Unsignalized											
Intersection Capacity Utilization	55.2%						ICU Level of Service B					
Analysis Period (min)	15											

HCM Unsignalized Intersection Capacity Analysis

5: Fore Street & Hancock Street

2021 PM Post
03/03/2020

												
Movement	NBL	NBT	NBR	SBL	SBT	SBR	SEL	SET	SER	NWL	NWT	NWR
Lane Configurations												
Sign Control		Stop			Stop			Stop			Stop	
Traffic Volume (vph)	31	391	27	47	324	28	49	18	42	29	30	89
Future Volume (vph)	31	391	27	47	324	28	49	18	42	29	30	89
Peak Hour Factor	0.78	0.78	0.78	0.92	0.92	0.92	0.86	0.86	0.86	0.88	0.88	0.88
Hourly flow rate (vph)	40	501	35	51	352	30	57	21	49	33	34	101
Direction, Lane #	NB 1	SB 1	SE 1	NW 1								
Volume Total (vph)	576	433	127	168								
Volume Left (vph)	40	51	57	33								
Volume Right (vph)	35	30	49	101								
Hadj (s)	0.01	0.02	-0.11	-0.29								
Departure Headway (s)	5.8	6.0	7.2	6.9								
Degree Utilization, x	0.93	0.73	0.26	0.32								
Capacity (veh/h)	609	571	452	480								
Control Delay (s)	44.6	23.4	12.7	13.2								
Approach Delay (s)	44.6	23.4	12.7	13.2								
Approach LOS	E	C	B	B								
Intersection Summary												
Delay			30.4									
Level of Service			D									
Intersection Capacity Utilization			55.2%	ICU Level of Service		B						
Analysis Period (min)			15									

Lanes, Volumes, Timings
6: India Street

2021 PM Post
03/03/2020

												
Lane Group	SEL	SET	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations												
Traffic Volume (vph)	16	108	31	24	221	11	106	66	49	5	307	87
Future Volume (vph)	16	108	31	24	221	11	106	66	49	5	307	87
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor												
Frt		0.973			0.994			0.970			0.971	
Flt Protected		0.995			0.995			0.977			0.999	
Satd. Flow (prot)	0	1839	0	0	1879	0	0	1801	0	0	1843	0
Flt Permitted		0.995			0.995			0.977			0.999	
Satd. Flow (perm)	0	1839	0	0	1879	0	0	1801	0	0	1843	0
Link Speed (mph)		25			30			30			30	
Link Distance (ft)		202			250			351			391	
Travel Time (s)		5.5			5.7			8.0			8.9	
Confl. Peds. (#/hr)	78		73	73		78	52		75	75		52
Peak Hour Factor	0.83	0.83	0.83	0.80	0.80	0.80	0.89	0.89	0.89	0.83	0.83	0.83
Heavy Vehicles (%)	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Adj. Flow (vph)	19	130	37	30	276	14	119	74	55	6	370	105
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	186	0	0	320	0	0	248	0	0	481	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			0			0	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Sign Control		Stop			Stop			Stop			Stop	
Intersection Summary												
Area Type:	Other											
Control Type:	Unsignalized											
Intersection Capacity Utilization	63.9%				ICU Level of Service B							
Analysis Period (min)	15											

HCM Unsignalized Intersection Capacity Analysis

6: India Street

2021 PM Post
03/03/2020

												
Movement	SEL	SET	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations												
Sign Control		Stop			Stop			Stop			Stop	
Traffic Volume (vph)	16	108	31	24	221	11	106	66	49	5	307	87
Future Volume (vph)	16	108	31	24	221	11	106	66	49	5	307	87
Peak Hour Factor	0.83	0.83	0.83	0.80	0.80	0.80	0.89	0.89	0.89	0.83	0.83	0.83
Hourly flow rate (vph)	19	130	37	30	276	14	119	74	55	6	370	105
Direction, Lane #	SE 1	NW 1	NE 1	SW 1								
Volume Total (vph)	186	320	248	481								
Volume Left (vph)	19	30	119	6								
Volume Right (vph)	37	14	55	105								
Hadj (s)	-0.10	-0.01	-0.04	-0.13								
Departure Headway (s)	7.1	6.8	6.8	6.2								
Degree Utilization, x	0.37	0.60	0.47	0.83								
Capacity (veh/h)	449	488	467	481								
Control Delay (s)	14.2	19.5	15.6	31.9								
Approach Delay (s)	14.2	19.5	15.6	31.9								
Approach LOS	B	C	C	D								
Intersection Summary												
Delay				22.7								
Level of Service				C								
Intersection Capacity Utilization				63.9%	ICU Level of Service	B						
Analysis Period (min)				15								

Lanes, Volumes, Timings
9: India Street & Fore Street

2021 PM Post
03/03/2020

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	SEL	SET	SER	NWL	NWT	NWR
Lane Configurations												
Traffic Volume (vph)	58	308	12	36	363	49	44	72	43	27	116	64
Future Volume (vph)	58	308	12	36	363	49	44	72	43	27	116	64
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	11	11	11	11	11	11	11	11	11	11	11	11
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor												
Frt		0.996			0.985			0.963			0.958	
Flt Protected		0.992			0.996			0.986			0.993	
Satd. Flow (prot)	0	1800	0	0	1802	0	0	1744	0	0	1745	0
Flt Permitted		0.992			0.996			0.986			0.993	
Satd. Flow (perm)	0	1800	0	0	1802	0	0	1744	0	0	1745	0
Link Speed (mph)		25			25			25			25	
Link Distance (ft)		1529			420			250			161	
Travel Time (s)		41.7			11.5			6.8			4.4	
Confl. Peds. (#/hr)	95		128	128		95	96		49	49		96
Peak Hour Factor	0.92	0.92	0.92	0.87	0.87	0.87	0.83	0.83	0.83	0.85	0.85	0.85
Heavy Vehicles (%)	0%	1%	0%	0%	0%	0%	0%	0%	0%	1%	0%	0%
Adj. Flow (vph)	63	335	13	41	417	56	53	87	52	32	136	75
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	411	0	0	514	0	0	192	0	0	243	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			0			0	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04	1.04
Turning Speed (mph)	15		9	15		9	15		9	15		9
Sign Control		Stop			Stop			Stop			Stop	
Intersection Summary												
Area Type:	Other											
Control Type:	Unsignalized											
Intersection Capacity Utilization	57.3%											
Analysis Period (min)	15											
	ICU Level of Service B											

HCM Unsignalized Intersection Capacity Analysis 9: India Street & Fore Street

2021 PM Post
03/03/2020

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	SEL	SET	SER	NWL	NWT	NWR
Lane Configurations												
Sign Control		Stop			Stop			Stop			Stop	
Traffic Volume (vph)	58	308	12	36	363	49	44	72	43	27	116	64
Future Volume (vph)	58	308	12	36	363	49	44	72	43	27	116	64
Peak Hour Factor	0.92	0.92	0.92	0.87	0.87	0.87	0.83	0.83	0.83	0.85	0.85	0.85
Hourly flow rate (vph)	63	335	13	41	417	56	53	87	52	32	136	75
Direction, Lane #	EB 1	WB 1	SE 1	NW 1								
Volume Total (vph)	411	514	192	243								
Volume Left (vph)	63	41	53	32								
Volume Right (vph)	13	56	52	75								
Hadj (s)	0.03	-0.05	-0.11	-0.16								
Departure Headway (s)	6.9	6.6	7.8	7.5								
Degree Utilization, x	0.79	0.94	0.42	0.51								
Capacity (veh/h)	411	529	415	446								
Control Delay (s)	31.0	51.4	16.2	18.1								
Approach Delay (s)	31.0	51.4	16.2	18.1								
Approach LOS	D	F	C	C								
Intersection Summary												
Delay				34.3								
Level of Service				D								
Intersection Capacity Utilization				57.3%	ICU Level of Service	B						
Analysis Period (min)				15								

Summary of All Intervals

Run Number	1	2	3	4	5	Avg
Start Time	6:57	6:57	6:57	6:57	6:57	6:57
End Time	8:00	8:00	8:00	8:00	8:00	8:00
Total Time (min)	63	63	63	63	63	63
Time Recorded (min)	60	60	60	60	60	60
# of Intervals	2	2	2	2	2	2
# of Recorded Intervals	1	1	1	1	1	1
Vehs Entered	2047	2060	1986	2003	2020	2025
Vehs Exited	1951	2006	1915	1970	1981	1964
Starting Vehs	36	31	39	45	35	37
Ending Vehs	132	85	110	78	74	92
Travel Distance (mi)	606	621	605	601	613	609
Travel Time (hr)	107.3	70.4	87.5	78.4	89.1	86.5
Total Delay (hr)	83.5	46.2	63.7	54.8	65.0	62.6
Total Stops	3039	3097	3111	3110	3170	3107
Fuel Used (gal)	41.8	34.3	37.3	35.6	38.0	37.4

Interval #0 Information Seeding

Start Time	6:57
End Time	7:00
Total Time (min)	3
Volumes adjusted by Growth Factors.	
No data recorded this interval.	

Interval #1 Information Recording

Start Time	7:00
End Time	8:00
Total Time (min)	60
Volumes adjusted by Growth Factors.	

Run Number	1	2	3	4	5	Avg
Vehs Entered	2047	2060	1986	2003	2020	2025
Vehs Exited	1951	2006	1915	1970	1981	1964
Starting Vehs	36	31	39	45	35	37
Ending Vehs	132	85	110	78	74	92
Travel Distance (mi)	606	621	605	601	613	609
Travel Time (hr)	107.3	70.4	87.5	78.4	89.1	86.5
Total Delay (hr)	83.5	46.2	63.7	54.8	65.0	62.6
Total Stops	3039	3097	3111	3110	3170	3107
Fuel Used (gal)	41.8	34.3	37.3	35.6	38.0	37.4

1: Hancock Street Performance by lane

Lane	SE	NW	NE	All
Movements Served	TR	LT	LR	
Denied Del/Veh (s)				0.0
Total Del/Veh (s)	0.4	1.6	6.4	3.0

5: Fore Street & Hancock Street Performance by lane

Lane	NB	SB	SE	NW	All
Movements Served	LTR	LTR	LTR	LTR	
Denied Del/Veh (s)					10.8
Total Del/Veh (s)	63.8	113.5	17.4	14.7	72.1

6: India Street Performance by lane

Lane	SE	NW	NE	SW	All
Movements Served	LTR	LTR	LTR	LTR	
Denied Del/Veh (s)					2.2
Total Del/Veh (s)	11.6	15.6	14.4	28.2	19.7

9: India Street & Fore Street Performance by lane

Lane	EB	WB	SE	NW	All
Movements Served	LTR	LTR	LTR	LTR	
Denied Del/Veh (s)					20.8
Total Del/Veh (s)	123.9	75.4	18.3	23.8	73.6

Total Network Performance

Denied Del/Veh (s)	18.6
Total Del/Veh (s)	91.2

Intersection: 1: Hancock Street

Movement	SE	NW	NE
Directions Served	TR	LT	LR
Maximum Queue (ft)	22	25	67
Average Queue (ft)	1	2	30
95th Queue (ft)	11	13	53
Link Distance (ft)	162	142	326
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 5: Fore Street & Hancock Street

Movement	NB	SB	SE	NW
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	319	798	102	97
Average Queue (ft)	234	403	39	40
95th Queue (ft)	382	766	82	79
Link Distance (ft)	317	1019	142	593
Upstream Blk Time (%)	8		0	
Queuing Penalty (veh)	31		0	
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 6: India Street

Movement	SE	NW	NE	SW
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	110	142	128	209
Average Queue (ft)	49	67	61	133
95th Queue (ft)	84	114	108	216
Link Distance (ft)	167	183	316	326
Upstream Blk Time (%)	0	0		
Queuing Penalty (veh)	0	0		
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 9: India Street & Fore Street

Movement	EB	WB	SE	NW
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	698	343	108	129
Average Queue (ft)	367	271	57	75
95th Queue (ft)	844	396	96	128
Link Distance (ft)	1494	317	183	114
Upstream Blk Time (%)		13		8
Queuing Penalty (veh)		51		0
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Network Summary

Network wide Queuing Penalty: 83

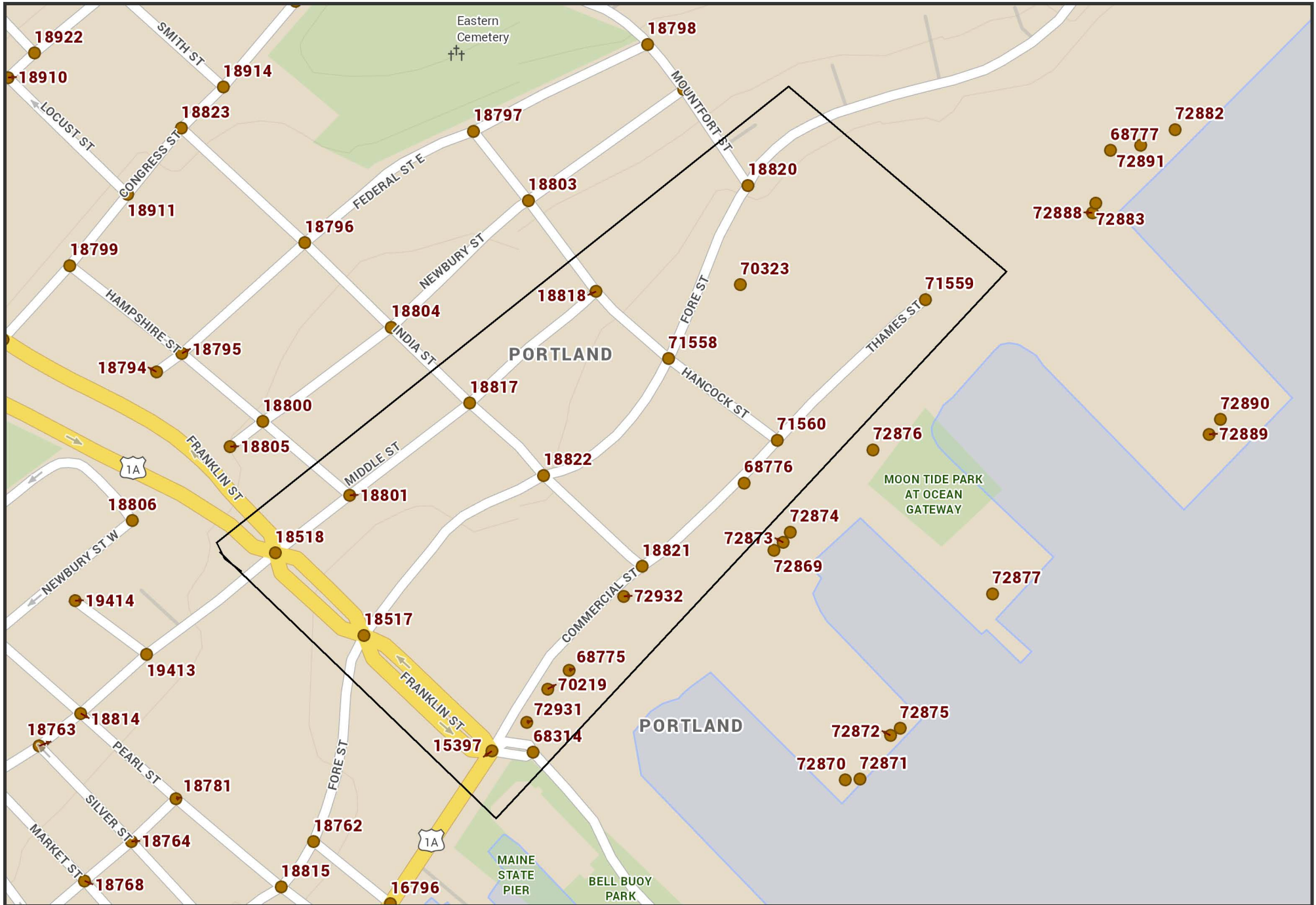
Attachment 7C

Node Map

Crash Data

Pedestrian Collisions

PORTLAND NODE MAP



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

0.1
Miles
1 inch = 0.08 miles

Date: 5/21/2019
Time: 11:42:12 AM

Crash Summary Report

Report Selections and Input Parameters

REPORT SELECTIONS

☒ Crash Summary I
 ☐ Section Detail
 ☒ Crash Summary II
 ☐ 1320 Public
 ☐ 1320 Private
 ☐ 1320 Summary

REPORT DESCRIPTION

Portland: Franklin St, Commercial St, Middle St

REPORT PARAMETERS

Year 2016, Start Month 1 through Year 2018 End Month: 12

Route: 0001A	Start Node: 15397 End Node: 18518	Start Offset: 0 End Offset: 0	☐ Exclude First Node ☐ Exclude Last Node
Route: 001AS	Start Node: 18518 End Node: 18517	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node
Route: 001AS	Start Node: 18517 End Node: 15397	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node
Route: 0560505	Start Node: 18518 End Node: 18817	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☐ Exclude Last Node
Route: 0560286	Start Node: 18820 End Node: 18517	Start Offset: 0 End Offset: 0	☐ Exclude First Node ☒ Exclude Last Node
Route: 0561001	Start Node: 15397 End Node: 18821	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☐ Exclude Last Node
Route: 3210303	Start Node: 18821 End Node: 71559	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☐ Exclude Last Node
Route: 0560344	Start Node: 18818 End Node: 71558	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node
Route: 0560344	Start Node: 71558 End Node: 71560	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node
Route: 0561000	Start Node: 18817 End Node: 18822	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node
Route: 0561000	Start Node: 18822	Start Offset: 0	☒ Exclude First Node

Crash Summary Report

Report Selections and Input Parameters

REPORT SELECTIONS

☒ Crash Summary I ☐ Section Detail ☒ Crash Summary II ☐ 1320 Public ☐ 1320 Private ☐ 1320 Summary

REPORT DESCRIPTION

Portland: Franklin St, Commercial St, Middle St

REPORT PARAMETERS

Year 2016, Start Month 1 through Year 2018 End Month: 12

End Node: 18821

End Offset: 0

☒ Exclude Last Node

Route: 0560676

Start Node: 15397

Start Offset: 0

☒ Exclude First Node

End Node: 68314

End Offset: 0

☐ Exclude Last Node

Route: 3209818

Start Node: 68314

Start Offset: 0

☒ Exclude First Node

End Node: 15397

End Offset: 0

☒ Exclude Last Node

Crash Summary I

Nodes																
Node	Route - MP	Node Description			U/R	Total Crashes	K	Injury A	Crashes B	Crashes C	PD	Percent Injury	Annual M Ent-Veh	Crash Rate	Critical Rate	CRF
15397	0001A - 11.79	Int of COMMERCIAL ST	FRANKLIN ST	MAINE STATE PIER	9	13	0	1	0	3	9	30.8	4.946	0.88	1.27	0.00
														Statewide Crash Rate: 0.73		
18518	0001A - 11.93	Int of FRANKLIN ST	MIDDLE ST		9	15	0	0	3	3	9	40.0	5.343	0.94	1.25	0.00
														Statewide Crash Rate: 0.73		
18517	0001A - 11.87	Int of FORE ST	FRANKLIN ST		9	10	0	0	1	1	8	20.0	4.955	0.67	1.27	0.00
														Statewide Crash Rate: 0.73		
18801	0560505 - 0.33	0509221 POR,MIDDLE,HAMPSHIRE ST			2	1	0	0	0	0	1	0.0	1.011	0.33	0.56	0.00
														Statewide Crash Rate: 0.15		
18817	0560505 - 0.39	Int of INDIA ST	MIDDLE ST		2	3	0	0	0	0	3	0.0	2.586	0.39	0.44	0.00
														Statewide Crash Rate: 0.15		
18820	0560286 - 0.28	Int of FORE ST	MOUNTFORT ST		2	0	0	0	0	0	0	0.0	2.205	0.00	0.46	0.00
														Statewide Crash Rate: 0.15		
18822	0560286 - 0.45	Int of FORE ST	INDIA ST		2	2	0	0	0	1	1	50.0	4.407	0.15	0.39	0.00
														Statewide Crash Rate: 0.15		
71558	0560286 - 0.37	Int of FORE ST	HANCOCK ST		2	4	0	0	0	1	3	25.0	1.676	0.80	0.50	1.61
														Statewide Crash Rate: 0.15		
18821	0561001 - 0.11	Int of COMMERCIAL ST	INDIA ST	THAMES ST	2	1	0	0	1	0	0	100.0	2.962	0.11	0.43	0.00
														Statewide Crash Rate: 0.15		
71560	3210303 - 0.08	Int of HANCOCK ST	THAMES ST		2	1	0	0	0	1	0	100.0	1.245	0.27	0.53	0.00
														Statewide Crash Rate: 0.15		
71559	3210303 - 0.17	End of THAMES ST			2	0	0	0	0	0	0	0.0	0.311	0.00	0.65	0.00
														Statewide Crash Rate: 0.15		
68314	0560676 - 0.02	Non Int MAINE STATE PIER			2	0	0	0	0	0	0	0.0	0.783	0.00	0.59	0.00
														Statewide Crash Rate: 0.15		
Study Years:	3.00	NODE TOTALS:				50	0	1	5	10	34	32.0	32.430	0.51	0.59	0.88

Crash Summary I

Sections																	
Start Node	End Node	Element	Offset Begin - End	Route - MP	Section Length	U/R	Total Crashes	K	Injury A	Crashes B	Crashes C	PD	Percent Injury	Annual HMVM	Crash Rate	Critical Rate	CRF
15397	18517	3123025	0 - 0.08	0001A - 11.79 US 1A	0.08	2	0	0	0	0	0	0	0.0	0.00092	0.00	757.34	0.00
Int of COMMERCIAL ST FRANKLIN ST MAINE STATE PIER															Statewide Crash Rate: 216.34		
18517	18518	3118954	0 - 0.06	0001A - 11.87 US 1A	0.06	2	2	0	0	0	0	2	0.0	0.00104	638.18	733.61	0.00
Int of FORE ST FRANKLIN ST															Statewide Crash Rate: 216.34		
18517	18518	3118912	0 - 0.06	001AS - 2.08 US 1AS	0.06	2	0	0	0	0	0	0	0.0	0.00104	0.00	734.10	0.00
Int of FORE ST FRANKLIN ST															Statewide Crash Rate: 216.34		
15397	18517	3100256	0 - 0.08	001AS - 2.14 US 1AS	0.08	2	2	0	1	0	0	1	50.0	0.00106	629.82	731.25	0.00
Int of COMMERCIAL ST FRANKLIN ST MAINE STATE PIER															Statewide Crash Rate: 216.34		
18518	18801	194025	0 - 0.06	0560505 - 0.27 RD INV 05 60505	0.06	2	2	0	0	0	1	1	50.0	0.00077	868.76	1268.50	0.00
Int of FRANKLIN ST MIDDLE ST															Statewide Crash Rate: 405.10		
18801	18817	194399	0 - 0.06	0560505 - 0.33 RD INV 05 60505	0.06	2	1	0	0	0	0	0	0.0	0.00022	1537.44	1669.33	0.00
0509221 POR,MIDDLE,HAMPSHIRE ST															Statewide Crash Rate: 405.10		
18820	71558	4047688	0 - 0.09	0560286 - 0.28 RD INV 05 60286	0.09	2	2	0	0	0	0	2	0.0	0.00191	349.48	541.36	0.00
Int of FORE ST MOUNTFORT ST															Statewide Crash Rate: 176.43		
71558	18822	4047689	0 - 0.08	0560286 - 0.37 RD INV 05 60286	0.08	2	1	0	0	0	0	1	0.0	0.00170	196.58	557.88	0.00
Int of FORE ST HANCOCK ST															Statewide Crash Rate: 176.43		
18517	18822	3106667	0 - 0.11	0560286 - 0.45 RD INV 05 60286	0.11	2	5	0	0	0	0	5	0.0	0.00229	727.75	516.45	1.41
Int of FORE ST FRANKLIN ST															Statewide Crash Rate: 176.43		
15397	18821	3106035	0 - 0.11	0561001 - 0 RD INV 05 61001	0.11	2	6	0	0	0	0	6	0.0	0.00270	740.39	575.53	1.29
Int of COMMERCIAL ST FRANKLIN ST MAINE STATE PIER															Statewide Crash Rate: 216.34		
18821	71560	4047707	0 - 0.08	3210303 - 0 RD INV 3210303	0.08	2	3	0	0	0	0	2	0.0	0.00087	1148.06	1228.01	0.00
Int of COMMERCIAL ST INDIA ST THAMES ST															Statewide Crash Rate: 405.10		
71560	71559	4047708	0 - 0.09	3210303 - 0.08 RD INV 3210303	0.09	2	0	0	0	0	0	0	0.0	0.00056	0.00	1372.37	0.00
Int of HANCOCK ST THAMES ST															Statewide Crash Rate: 405.10		
71558	18818	4047715	0 - 0.04	0560344 - 0.09 RD INV 05 60344	0.04	2	2	0	0	0	0	2	0.0	0.00018	3670.59	1708.61	2.15
Int of FORE ST HANCOCK ST															Statewide Crash Rate: 405.10		
71560	71558	4047714	0 - 0.06	0560344 - 0.13 RD INV 05 60344	0.06	2	0	0	0	0	0	0	0.0	0.00047	0.00	1433.31	0.00
Int of HANCOCK ST THAMES ST															Statewide Crash Rate: 405.10		
18817	18822	3106813	0 - 0.05	0561000 - 0.18 RD INV 05 61000	0.05	2	2	0	0	0	0	1	0.0	0.00112	596.79	721.64	0.00
Int of INDIA ST MIDDLE ST															Statewide Crash Rate: 216.34		
18821	18822	3106816	0 - 0.06	0561000 - 0.23 RD INV 05 61000	0.06	2	0	0	0	0	0	0	0.0	0.00143	0.00	678.60	0.00
Int of COMMERCIAL ST INDIA ST THAMES ST															Statewide Crash Rate: 216.34		
15397	68314	3502998	0 - 0.02	0560676 - 0 RD INV 05 60676	0.02	2	0	0	0	0	0	0	0.0	0.00008	0.00	1659.57	0.00
Int of COMMERCIAL ST FRANKLIN ST MAINE STATE PIER															Statewide Crash Rate: 405.10		
68314	15397	3503061	0 - 0.02	3209818 - 0 RD INV 3209818	0.02	2	1	0	0	0	0	1	0.0	0.00008	4255.55	1659.57	2.56
Non Int MAINE STATE PIER															Statewide Crash Rate: 405.10		
Study Years:		3.00	Section Totals:		1.21		29	0	1	0	1	24	6.9	0.01842	524.80	396.08	1.32

Crash Summary I

Sections

Start Node	End Node	Element	Offset Begin - End	Route - MP	Section U/R Length	Total Crashes	K	Injury Crashes				Percent Injury	Annual HMVM	Crash Rate	Critical Rate	CRF
								A	B	C	PD					
Grand Totals:					1.21	79	0	2	5	11	58	22.8	0.01842	1429.62	541.65	2.64

Crash Summary

Section Details

Start Node	End Node	Element	Offset Begin - End	Route - MP	Total Crashes	K	Injury Crashes				Crash Report	Crash Date	Crash Mile Point	Injury Degree
A	B	C	PD											
15397	18517	3123025	0 - 0.08	0001A - 11.79	0	0	0	0	0	0				
18517	18518	3118954	0 - 0.06	0001A - 11.87	2	0	0	0	0	2	2018-25671	09/08/2018	11.90	PD
											2016-37260	12/16/2016	11.92	PD
18517	18518	3118912	0 - 0.06	001AS - 2.08	0	0	0	0	0	0				
15397	18517	3100256	0 - 0.08	001AS - 2.14	2	0	1	0	0	1	2017-17481	06/10/2017	2.18	PD
											2018-31160	10/29/2018	2.20	A
18518	18801	194025	0 - 0.06	0560505 - 0.27	2	0	0	0	1	1	2016-4794	02/10/2016	0.28	C
											2017-28765	09/23/2017	0.32	PD
18801	18817	194399	0 - 0.06	0560505 - 0.33	1	0	0	0	0	0	2018-5414	02/11/2018	0.34	
18820	71558	4047688	0 - 0.09	0560286 - 0.28	2	0	0	0	0	2	2017-20946	07/15/2017	0.30	PD
											2018-9128	03/08/2018	0.36	PD
71558	18822	4047689	0 - 0.08	0560286 - 0.37	1	0	0	0	0	1	2016-28993	10/12/2016	0.42	PD
18517	18822	3106667	0 - 0.11	0560286 - 0.45	5	0	0	0	0	5	2016-19483	07/08/2016	0.51	PD
											2017-10015	03/24/2017	0.51	PD
											2016-19046	06/24/2016	0.51	PD
											2018-25095	09/01/2018	0.54	PD
											2016-7109	03/03/2016	0.55	PD
15397	18821	3106035	0 - 0.11	0561001 - 0	6	0	0	0	0	6	2018-17487	06/24/2018	0.03	PD
											2018-17802	06/24/2018	0.04	PD
											2016-28022	10/02/2016	0.08	PD
											2016-21615	07/26/2016	0.09	PD
											2017-26766	09/06/2017	0.09	PD
											2017-38957	12/13/2017	0.10	PD
18821	71560	4047707	0 - 0.08	3210303 - 0	3	0	0	0	0	2	2018-16582	06/14/2018	0.02	PD
											2018-1841	01/16/2018	0.04	
											2018-29404	10/15/2018	0.07	PD
71560	71559	4047708	0 - 0.09	3210303 - 0.08	0	0	0	0	0	0				
71558	18818	4047715	0 - 0.04	0560344 - 0.09	2	0	0	0	0	2	2018-27215	09/26/2018	0.10	PD
											2017-34122	11/08/2017	0.10	PD
71560	71558	4047714	0 - 0.06	0560344 - 0.13	0	0	0	0	0	0				
18817	18822	3106813	0 - 0.05	0561000 - 0.18	2	0	0	0	0	1	2018-23499	08/16/2018	0.19	
											2018-29158	10/13/2018	0.20	PD
18821	18822	3106816	0 - 0.06	0561000 - 0.23	0	0	0	0	0	0				
15397	68314	3502998	0 - 0.02	0560676 - 0	0	0	0	0	0	0				

Crash Summary

Section Details

Start Node	End Node	Element	Offset Begin - End	Route - MP	Total Crashes	K	Injury Crashes				Crash Report	Crash Date	Crash Mile Point	Injury Degree
							A	B	C	PD				
68314	15397	3503061	0 - 0.02	3209818 - 0	1	0	0	0	0	1	2016-3441	01/29/2016	0.01	PD
Totals:					29	0	1	0	1	24				

Crash Summary II - Characteristics

Crashes by Day and Hour

Day Of Week	AM												PM												Un	Tot
	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11		
SUNDAY	0	1	0	0	0	0	0	0	0	0	1	0	2	0	0	2	0	0	2	1	0	0	0	1	0	10
MONDAY	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1	1	0	1	0	0	0	0	4
TUESDAY	1	0	0	0	0	0	0	0	1	0	0	0	4	1	2	0	0	0	2	0	0	0	0	0	0	11
WEDNESDAY	0	1	0	0	0	0	0	0	1	1	2	2	4	2	2	0	1	1	0	0	0	0	0	0	0	17
THURSDAY	0	0	0	0	0	0	0	0	0	1	1	0	1	1	1	1	1	2	0	0	0	0	0	1	0	10
FRIDAY	0	0	0	0	0	0	1	2	1	0	0	0	1	3	0	1	1	1	1	0	0	1	0	0	0	13
SATURDAY	1	0	0	0	0	0	0	0	2	0	1	0	0	0	2	2	1	3	1	0	0	0	1	0	0	14
Totals	2	2	0	0	0	0	1	2	6	2	5	2	12	7	7	6	4	8	7	1	1	1	1	2	0	79

Vehicle Counts by Type

Unit Type	Total	Unit Type	Total
1-Passenger Car	78	23-Bicyclist	0
2-(Sport) Utility Vehicle	29	24-Witness	20
3-Passenger Van	4	25-Other	6
4-Cargo Van (10K lbs or Less)	1	26-Construction	0
5-Pickup	17	27-Farm Vehicle	0
6-Motor Home	0	Total	180
7-School Bus	1		
8-Transit Bus	0		
9-Motor Coach	0		
10-Other Bus	1		
11-Motorcycle	1		
12-Moped	0		
13-Low Speed Vehicle	0		
14-Autocycle	0		
15-Experimental	0		
16-Other Light Trucks (10,000 lbs or Less)	0		
17-Medium/Heavy Trucks (More than 10,000 lbs)	12		
18-ATV - (4 wheel)	0		
20-ATV - (2 wheel)	0		
21-Snowmobile	0		
22-Pedestrian	10		

Crash Summary II - Characteristics

Crashes by Driver Action at Time of Crash

Driver Action at Time of Crash	Dr 1	Dr 2	Dr 3	Dr 4	Dr 5	Other	Total
No Contributing Action	19	42	1	0	0	0	62
Ran Off Roadway	1	0	0	0	0	0	1
Failed to Yield Right-of-Way	19	3	0	0	0	0	22
Ran Red Light	3	0	0	0	0	0	3
Ran Stop Sign	2	0	0	0	0	0	2
Disregarded Other Traffic Sign	0	0	0	0	0	0	0
Disregarded Other Road Markings	0	0	0	0	0	0	0
Exceeded Posted Speed Limit	0	0	0	0	0	0	0
Drove Too Fast For Conditions	2	0	1	0	0	0	3
Improper Turn	3	0	0	0	0	0	3
Improper Backing	2	3	0	0	0	0	5
Improper Passing	1	3	0	0	0	0	4
Wrong Way	0	0	0	0	0	0	0
Followed Too Closely	9	2	0	0	0	0	11
Failed to Keep in Proper Lane	5	3	0	0	0	0	8
Operated Motor Vehicle in Erratic, Reckless, Careless, Negligent or Aggressive Manner	0	0	0	0	0	0	0
Swerved or Avoided Due to Wind, Slippery Surface, Motor Vehicle, Object, Non-Motorist in Roadway	0	1	0	0	0	0	1
Over-Correcting/Over-Steering	0	1	0	0	0	0	1
Other Contributing Action	4	3	0	0	0	0	7
Unknown	1	1	0	0	0	0	2
Total	71	62	2	0	0	0	135

Crashes by Apparent Physical Condition And Driver

Apparent Physical Condition	Dr 1	Dr 2	Dr 3	Dr 4	Dr 5	Other	Total
Apparently Normal	67	60	2	0	0	8	137
Physically Impaired or Handicapped	0	0	0	0	0	0	0
Emotional(Depressed, Angry, Disturbed, etc.)	0	0	0	0	0	0	0
Ill (Sick)	0	0	0	0	0	0	0
Asleep or Fatigued	0	0	0	0	0	0	0
Under the Influence of Medications/Drugs/Alcohol	2	0	0	0	0	2	4
Other	0	1	0	0	0	0	1
Total	69	61	2	0	0	10	142

Driver Age by Unit Type

Age	Driver	Bicycle	SnowMobile	Pedestrian	ATV	Total
09-Under	0	0	0	0	0	0
10-14	0	0	0	0	0	0
15-19	7	0	0	0	0	7
20-24	12	0	0	0	0	12
25-29	17	0	0	0	0	17
30-39	27	0	0	0	0	27
40-49	17	0	0	0	0	17
50-59	31	0	0	0	0	31
60-69	16	0	0	0	0	16
70-79	10	0	0	0	0	10
80-Over	4	0	0	0	0	4
Unknown	9	0	0	10	0	19
Total	150	0	0	10	0	160

Crash Summary II - Characteristics

Most Harmful Event			
Most Harmful Event	Total	Most Harmful Event	Total
1-Overturn / Rollover	0	38-Other Fixed Object (wall, building, tunnel, etc.)	0
2-Fire / Explosion	0	39-Unknown	0
3-Immersion	0	40-Gate or Cable	0
4-Jackknife	0	41-Pressure Ridge	0
5-Cargo / Equipment Loss Or Shift	0	Total	147
6-Fell / Jumped from Motor Vehicle	0		
7-Thrown or Falling Object	0		
8-Other Non-Collision	0		
9-Pedestrian	4		
10-Pedalcycle	0		
11-Railway Vehicle - Train, Engine	0		
12-Animal	0		
13-Motor Vehicle in Transport	127		
14-Parked Motor Vehicle	14		
15-Struck by Falling, Shifting Cargo or Anything Set in Motion by Motor Vehicle	0		
16-Work Zone / Maintenance Equipment	0		
17-Other Non-Fixed Object	1		
18-Impact Attenuator / Crash Cushion	0		
19-Bridge Overhead Structure	0		
20-Bridge Pier or Support	0		
21-Bridge Rail	0		
22-Cable Barrier	0		
23-Culvert	0		
24-Curb	0		
25-Ditch	0		
26-Embankment	0		
27-Guardrail Face	0		
28-Guardrail End	0		
29-Concrete Traffic Barrier	0		
30-Other Traffic Barrier	0		
31-Tree (Standing)	0		
32-Utility Pole / Light Support	0		
33-Traffic Sign Support	0		
34-Traffic Signal Support	1		
35-Fence	0		
36-Mailbox	0		
37-Other Post Pole or Support	0		

Traffic Control Devices		
Traffic Control Device	Total	
1-Traffic Signals (Stop & Go)	43	
2-Traffic Signals (Flashing)	0	
3-Advisory/Warning Sign	0	
4-Stop Signs - All Approaches	9	
5-Stop Signs - Other	6	
6-Yield Sign	0	
7-Curve Warning Sign	0	
8-Officer, Flagman, School Patrol	0	
9-School Bus Stop Arm	0	
10-School Zone Sign	0	
11-R.R. Crossing Device	0	
12-No Passing Zone	0	
13-None	21	
14-Other	0	
Total	79	

Injury Data		
Severity Code	Injury Crashes	Number Of Injuries
K	0	0
A	2	2
B	5	7
C	11	13
PD	58	0
Total	76	22

Road Character	
Road Grade	Total
1-Level	53
2-On Grade	24
3-Top of Hill	0
4-Bottom of Hill	2
5-Other	0
Total	79

Light	
Light Condition	Total
1-Daylight	60
2-Dawn	0
3-Dusk	1
4-Dark - Lighted	15
5-Dark - Not Lighted	3
6-Dark - Unknown Lighting	0
7-Unknown	0
Total	79

Crash Summary II - Characteristics

Crashes by Year and Month

Month	2016	2017	2018	Total
JANUARY	3	2	1	6
FEBRUARY	2	0	2	4
MARCH	2	1	2	5
APRIL	0	2	0	2
MAY	0	0	1	1
JUNE	3	3	5	11
JULY	4	2	3	9
AUGUST	2	3	2	7
SEPTEMBER	0	5	7	12
OCTOBER	3	3	4	10
NOVEMBER	0	1	4	5
DECEMBER	2	4	1	7
Total	21	26	32	79

Report is limited to the last 10 years of data.

Crash Summary II - Characteristics

Crashes by Crash Type and Type of Location

Crash Type	Straight Road	Curved Road	Three Leg Intersection	Four Leg Intersection	Five or More Leg Intersection	Driveways	Bridges	Interchanges	Other	Parking Lot	Private Way	Cross Over	Railroad Crossing	Traffic Circle-Roundabout	Total
Object in Road	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rear End - Sideswipe	18	0	1	20	0	4	0	0	0	0	0	0	0	0	43
Head-on - Sideswipe	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Intersection Movement	0	0	2	19	0	3	0	0	0	0	0	0	0	0	24
Pedestrians	1	0	1	4	0	0	0	0	0	0	0	0	0	0	6
Train	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Went Off Road	1	0	0	2	0	0	0	0	0	0	0	0	0	0	3
All Other Animal	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Bicycle	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1
Jackknife	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rollover	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fire	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Submersion	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Thrown or Falling Object	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Bear	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Deer	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Moose	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Turkey	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	20	0	4	46	0	7	0	0	0	0	0	0	0	0	77

Crash Summary II - Characteristics

Crashes by Weather, Light Condition and Road Surface

Weather Light	Dry	Ice/Frost	Mud, Dirt, Gravel	Oil	Other	Sand	Slush	Snow	Unknown	Water (Standing, Moving)	Wet	Total
Blowing Sand, Soil, Dirt												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Blowing Snow												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Clear												
Dark - Lighted	5	1	0	0	0	0	0	0	0	0	2	8
Dark - Not Lighted	1	0	0	0	0	0	0	0	0	0	0	1
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	37	1	0	0	0	0	0	0	0	0	3	41
Dusk	1	0	0	0	0	0	0	0	0	0	0	1
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Cloudy												
Dark - Lighted	2	1	0	0	0	0	0	0	0	0	0	3
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	15	0	0	0	0	0	0	0	0	0	0	15
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0

Crash Summary II - Characteristics

Crashes by Weather, Light Condition and Road Surface

Weather Light	Dry	Ice/Frost	Mud, Dirt, Gravel	Oil	Other	Sand	Slush	Snow	Unknown	Water (Standing, Moving)	Wet	Total
Fog, Smog, Smoke												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Other												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Rain												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	1	1
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	2	2
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	1	1
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Severe Crosswinds												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0

Crash Summary II - Characteristics

Crashes by Weather, Light Condition and Road Surface

Weather Light	Dry	Ice/Frost	Mud, Dirt, Gravel	Oil	Other	Sand	Slush	Snow	Unknown	Water (Standing, Moving)	Wet	Total
Sleet, Hail (Freezing Rain or Drizzle)												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Snow												
Dark - Lighted	0	0	0	0	0	0	0	2	0	0	1	3
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	3	0	0	0	3
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	61	3	0	0	0	0	0	5	0	0	10	79

Pedestrian Collisions

Figure No.

1



PORTLAND GATEWAY DEVELOPMENT PORTLAND, MAINE

Design: TPG
Draft: NONE
Checked: MC
Date: OCTOBER 2019
File Name: 3271.01-TMP



**GORRILL
PALMER**

Relationships. Responsiveness. Results.
www.gorrillpalmer.com
207.772.2515



Caitlin Cameron <ccameron@portlandmaine.gov>

7 India St development

Mike Curran <mwcurren@gmail.com>

Mon, Oct 21, 2019 at 3:46 PM

To: Caitlin Cameron <ccameron@portlandmaine.gov>

Caitlin, good afternoon.

-Is a garage planned with 7 India St?

-City has yet to redefine traffic plans after WEX opened and Covvetrus (maybe?) and Sun Life are in early stages of development.

-Upon opening consider + 2000 cars daily in/out.

-Developers benefit greatly then leave the mess for us to figure out.

-Strongly suggest in addition to affordable housing levies do same for transportation infrastructure.

-I am not opposed to growth except when there is no plan in place to manage the aftermath. Thank you.

--

Mike Curran

22 Hancock St. #206

Portland, ME 04101

207 747 9639

FIVE INDIA STREET BUILDING

5 INDIA STREET
PORTLAND, MAINE

OWNER:
ESSEXNORTH PORTLAND LLC
P.O. BOX 394
TOPSFIELD, MA 01983

APPLICANT:
ESSEXNORTH PORTLAND LLC
P.O. BOX 394
TOPSFIELD, MA 01983

ARCHITECT:



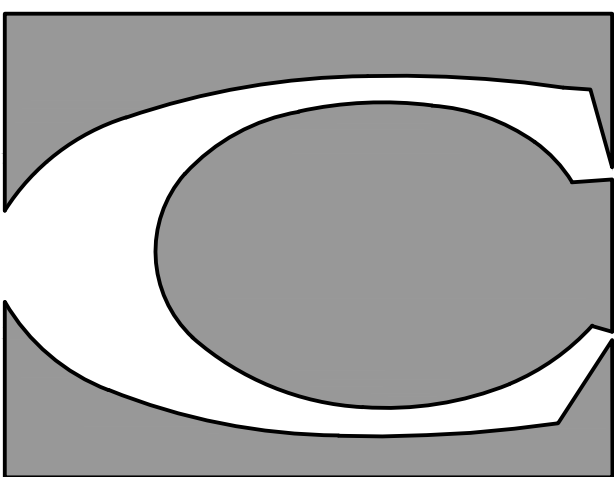
Kaplan Thompson Architects
102 Exchange Street, Second Floor
Portland, ME 04101
P 207 842 2888

ENGINEER:



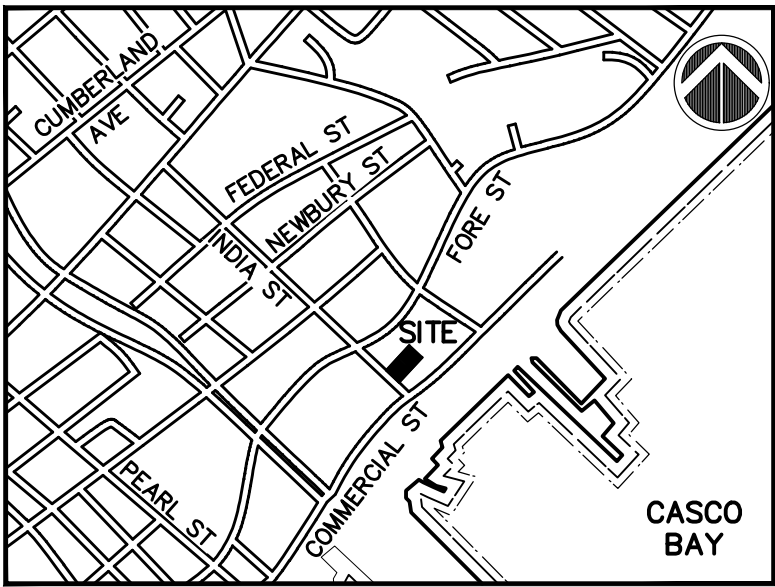
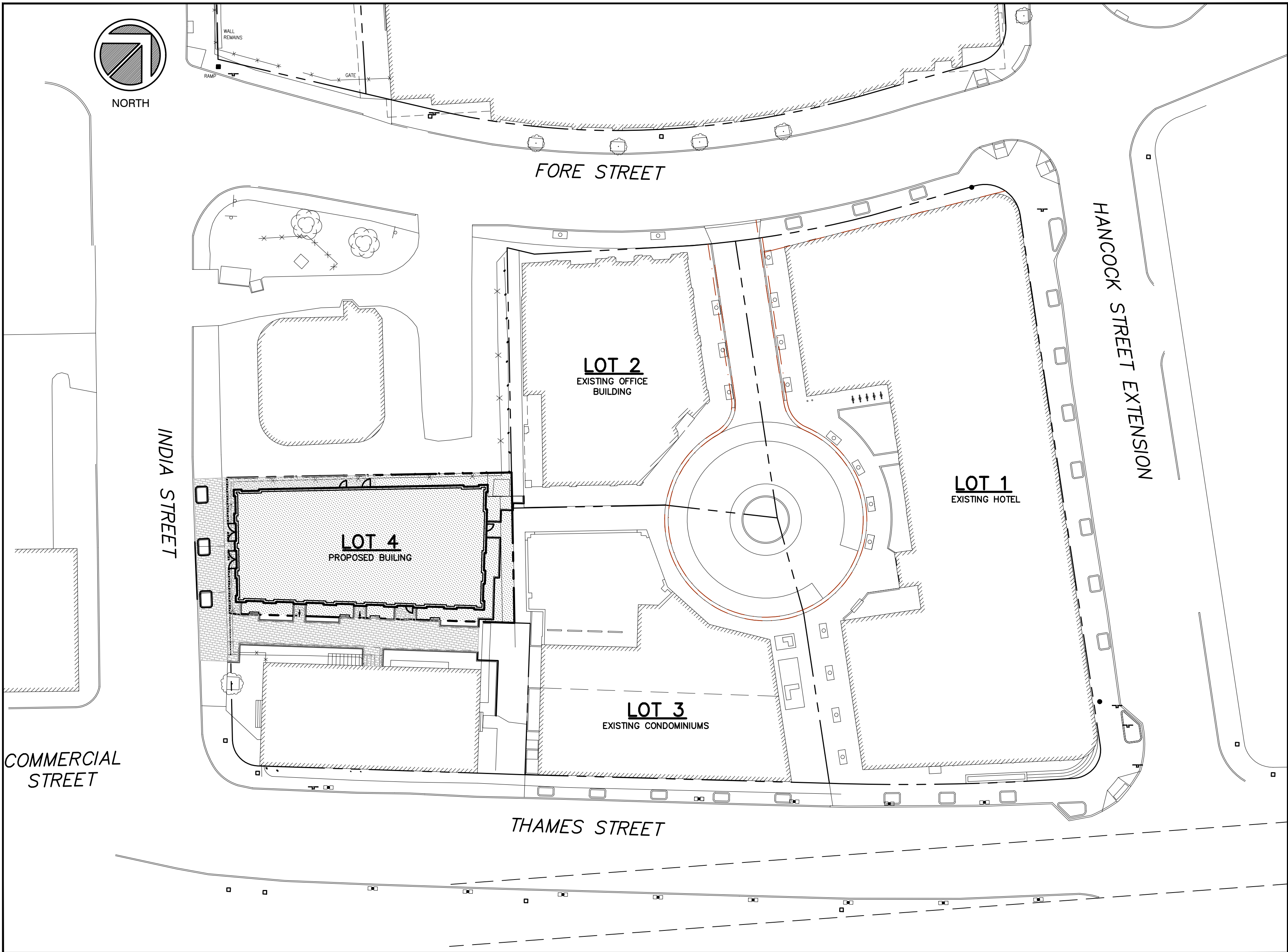
400 Commercial Street, Suite 404
Portland, ME 04101
Tel. (207) 772-2891
Fax (207) 772-3248
www.ransomenv.com

LANDSCAPE ARCHITECT:



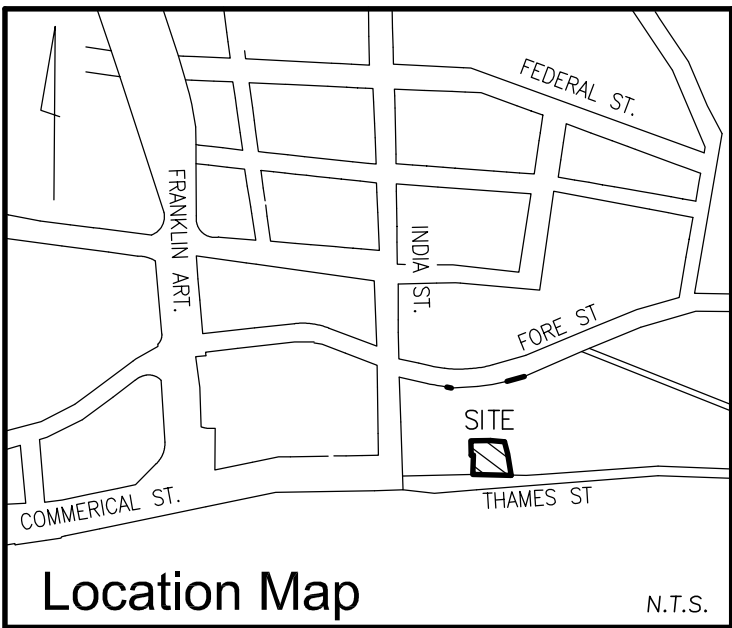
CARROLL ASSOCIATES
LANDSCAPE ARCHITECTS

217 COMMERCIAL STREET, STE 200
PORTLAND, MAINE 04101
207.772.1552



SHEET INDEX:

PAGE	SHEET	DESCRIPTION
1	-	COVER SHEET
2	1	AMENDED RECORDING PLAT
3	C0.1	EXISTING CONDITIONS PLAN
4	C1.0	SITE PLAN
5	C1.1	UTILITY PLAN
6	C1.2	GRADING, DRAINAGE AND EROSION CONTROL PLAN
7	C2.0	CONSTRUCTION DETAILS AND NOTES
8	C2.1	CONSTRUCTION DETAILS
9	C2.2	CONSTRUCTION DETAILS
10	C2.3	CONSTRUCTION DETAILS
11	L1.0	LANDSCAPE AND LIGHTING PLAN
12	L2.0	LANDSCAPE DETAILS
13	L2.1	LANDSCAPE DETAILS



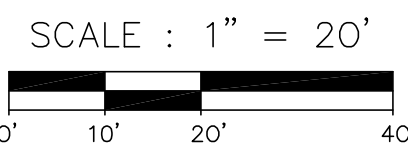
Legend:

- IRON PIPE OR ROD FND
- CAPPED IRON ROD SET
- GRANITE MONUMENT FND
- ⊗ WATER VALVE
- ⊗ GAS VALVE
- ⊗ HYDRANT
- ⊗ UTILITY POLE
- ⊗ MANHOLE
- ⊗ CATCH BASIN
- ⊗ LIGHT POLE
- ⊗ ELEC. OR GAS METER
- CURB
- OHW
- UGE
- G
- W
- SS
- ⚠ SIGN
- △ PROPERTY MARKER TO BE SET

COMMERCIAL ST.
PAVED - PUBLIC 100' WIDE

Flood Zone Note:

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE C OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 230051 00014B, WHICH BEARS AN EFFECTIVE DATE OF JULY 17, 1986 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.



Zoning Information:

THE PROPERTY LIES IN THE CITY OF PORTLAND'S INDIA STREET FORM-BASED CODE ZONE (IS-FBC) SEE CITY OF PORTLAND'S LAND USE ORDINANCE DIVISION 15.2 SECTION 14-275.1

Utility Note:

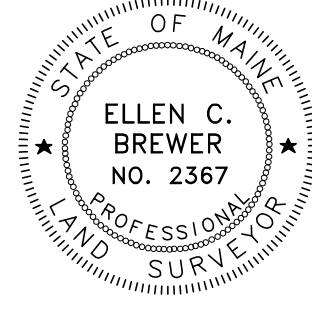
THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. CALL 1-888-DIGSAFE AT LEAST THREE BUSINESS DAYS BEFORE PERFORMING ANY CONSTRUCTION.

Certificate:

OWEN HASKELL, INC. CERTIFIES THAT THIS PLAN IS BASED ON, AND THE RESULT OF, AN ON THE GROUND FIELD SURVEY AND THAT TO THE BEST OF OUR KNOWLEDGE, INFORMATION AND BELIEF, IT CONFORMS TO THE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS CURRENT STANDARDS OF PRACTICE, WITH THE EXCEPTION OF MARKERS NOT SET AT ALL CORNERS.

8/08/2019
DATE

ELLEN C. BREWER, PLS #2367



Plan References:

1. RECORDING PLAT, OCEAN GATEWAY, COMMERCIAL STREET AND FORE STREET, PORTLAND, MAINE MADE FOR CITY OF PORTLAND AND STATE OF MAINE DATED AUGUST 4, 2004 BY OWEN HASKELL, INC. RECORDED IN PLAN BOOK 204 PAGE 622.
2. LAND TITLE SURVEY AND SUBDIVISION PLAN IN PORTLAND, MAINE, USA MADE FOR THE TRUST FOR PUBLIC LAND, THE CITY OF PORTLAND, THE MAINE DEPARTMENT OF TRANSPORTATION, THE CANADIAN NATIONAL RAILWAY COMPANY DATED FEBRUARY 19, 1993 REVISED THROUGH 10-20-94 BY OWEN HASKELL, INC. RECORDED IN PLAN BOOK 193 PAGE 187.
3. SUBDIVISION RECORDING PLAT ON ONE INDIA STREET, PORTLAND, MAINE MADE FOR RIVERWALK LLC, 25 INDIA STREET LLC, HANCOCK & MIDDLE, LLC, AND OCEAN GATEWAY LLC DATED MARCH 22, 2006 REVISED 04-13-06 BY OWEN HASKELL, INC. RECORDED IN PLAN BOOK 207 PAGE 54.
4. CONDOMINIUM PLAT "THE LONGFELLOW A CONDOMINIUM" ONE INDIA STREET, PORTLAND, MAINE MADE FOR LRAR LLC, THE DECLARANT AND OWNER OF RECORD, DATED SEPT. 20, 2006 REVISED 9-26-09 BY OWEN HASKELL, INC. RECORDED IN PLAN BOOK 206 PAGE 618.
5. RECORDING PLAT, 158 FORE STREET, 158 FORE STREET, PORTLAND, MAINE MADE FOR RECORD OWNER PORTLAND NORWICH GROUP LLC DATED MARCH 11, 2016 BY OWEN HASKELL, INC. RECORDED IN PLAN BOOK 216 PAGE 185.
5. RECORDING PLAT, 158 FORE STREET, 158 FORE STREET, PORTLAND, MAINE MADE FOR RECORD OWNER PORTLAND NORWICH GROUP LLC DATED JANUARY 12, 2017 BY OWEN HASKELL, INC.

Notes:

1. OWNER OF RECORD:
LOT 1: PORTLAND NORWICH GROUP LLC, 2330 PALM RIDGE ROAD #305, SAUNTEL, FL, CUMBERLAND COUNTY REGISTRY OF DEEDS BOOK 32746 PAGE 289
LOT 2: ESSEXNORTH 170 FORE LLC, P.O. BOX 394, TOPSFIELD, MA CUMBERLAND COUNTY REGISTRY OF DEEDS BOOK 34122 PAGE 225
LOT 3: ESSEXNORTH 20 THAMES LLC, P.O. BOX 394, TOPSFIELD, MA CUMBERLAND COUNTY REGISTRY OF DEEDS BOOK 34122 PAGE 222
LOT 4: ESSEXNORTH PORTLAND LLC, P.O. BOX 394, TOPSFIELD, MA CUMBERLAND COUNTY REGISTRY OF DEEDS BOOK 34122 PAGE 209
2. PARCEL IS SHOWN AS A PORTION OF LOT 22, BLOCK B, ON THE CITY OF PORTLAND ASSESSORS MAP 19.
3. BEARINGS ARE GRID NORTH PER PLAN REFERENCE 1.
4. THERE IS A 6 FOOT PEDESTRIAN EASEMENT FROM FORE STREET TO THAMES STREET IN SATISFACTION OF THE PUBLIC ACCESS REQUIREMENT OF MID-BLOCK PERMEABILITY BONUS HEIGHT PROVISION IN SECTION 11-275.6(B)(1)(C) OF THE PORTLAND LAND USE CODE. SEE PEDESTRIAN EASEMENT RECORDED IN BOOK 34414, PAGE 251.

APPROVED BY THE
CITY OF PORTLAND PLANNING BOARD

DATE _____

STATE OF MAINE, CUMBERLAND, ss
REGISTRY OF DEEDS
RECEIVED _____
AT _____ hr. _____ min. _____ m AND RECORDED
IN PLAN BOOK _____, PAGE _____
ATTEST: _____
REGISTER

APPLICANT:
ESSEXNORTH PORTLAND LLC

SUBDIVISION PLAN

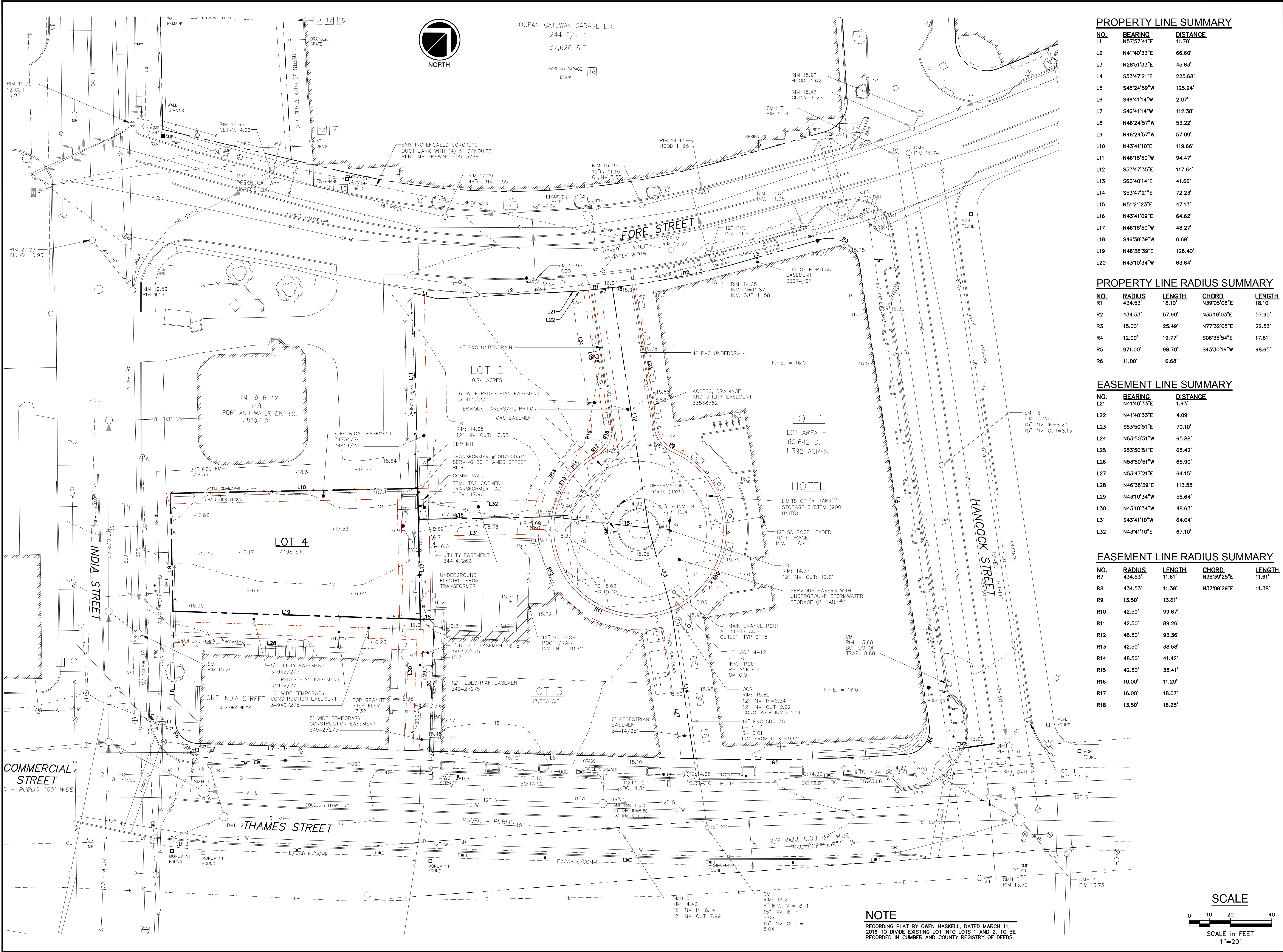
5 INDIA STREET, PORTLAND, MAINE
MADE FOR RECORD OWNER
ESSEXNORTH PORTLAND LLC
P.O. BOX 394, TOPSFIELD, MA 01983



OWEN HASKELL, INC.

390 U.S. ROUTE ONE, PALMOUTH, ME 04105 (207) 774-0424
PROFESSIONAL LAND SURVEYORS

Drwn By	RS	Date	Job No.
Trace By	JLW	AUGUST 8, 2019	2015-021P
Check By	JWS/ECB	Scale	Drwg. No.
Book No.	1099	1" = 20'	SUB-L4



PROPERTY LINE SUMMARY

NO.	BEARING	DISTANCE
L1	N57°57'41"E	11.78'
L2	N41°40'33"E	66.60'
L3	N28°51'33"E	45.63'
L4	S53°47'21"E	225.68'
L5	S46°24'59"W	125.94'
L6	S46°41'14"W	2.07'
L7	S46°41'14"W	112.38'
L8	N46°24'57"W	53.22'
L9	N46°24'57"W	57.09'
L10	N43°41'10"E	119.66'
L11	N46°18'50"W	94.47'
L12	S53°47'35"E	117.64'
L13	S60°40'14"E	41.66'
L14	S53°47'21"E	72.23'
L15	N51°21'23"E	47.13'
L16	N43°41'09"E	64.62'
L17	N46°18'50"W	48.27'
L18	S46°38'39"W	6.69'
L19	N46°38'39"E	126.40'
L20	N43°10'34"W	63.64'

PROPERTY LINE RADIUS SUMMARY

NO.	RADIUS	LENGTH	CHORD	LENGTH
R1	434.53'	18.10'	N39°05'06"E	18.10'
R2	434.53'	57.90'	N35°16'03"E	57.90'
R3	15.00'	25.49'	N77°32'05"E	22.53'
R4	12.00'	19.77'	S06°35'54"E	17.61'
R5	971.00'	98.70'	S43°30'16"W	98.65'
R6	11.00'	16.68'		

EASEMENT LINE SUMMARY

NO.	BEARING	DISTANCE
L21	N41°40'33"E	1.93'
L22	N41°40'33"E	4.09'
L23	S53°50'51"E	70.10'
L24	N53°50'51"W	65.88'
L25	S53°50'51"E	65.42'
L26	N53°50'51"W	65.90'
L27	N53°47'21"E	64.15'
L28	N46°38'39"E	113.55'
L29	N43°10'34"W	58.64'
L30	N43°10'34"W	48.63'
L31	S43°41'10"W	64.04'
L32	N43°41'10"E	67.10'

EASEMENT LINE RADIUS SUMMARY

NO.	RADIUS	LENGTH	CHORD	LENGTH
R7	434.53'	11.61'	N38°39'25"E	11.61'
R8	434.53'	11.38'	N37°08'29"E	11.38'
R9	13.50'	13.61'		
R10	42.50'	99.67'		
R11	42.50'	89.26'		
R12	48.50'	93.36'		
R13	42.50'	38.58'		
R14	48.50'	41.42'		
R15	42.50'	35.41'		
R16	10.00'	11.29'		
R17	16.00'	18.07'		
R18	13.50'	16.25'		

FIVE INDIA STREET BUILDING

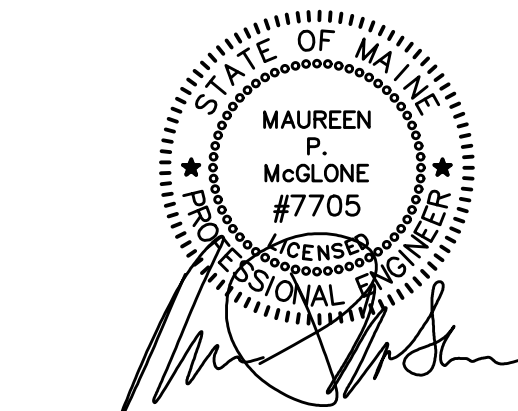
5 INDIA STREET
PORTLAND, MAINE

Owner:

ESSEXNORTH
PORTLAND LLC
P.O. BOX 394
TOPSFIELD, MA 01983

Applicant:

ESSEXNORTH
PORTLAND LLC
P.O. BOX 394
TOPSFIELD, MA 01983



CIVIL ENGINEER:

MAUREEN P. MCGLONE, PE #7705
400 COMMERCIAL STREET, SUITE 404
PORTLAND, ME 04101
207-772-2891



400 Commercial Street, Suite 404
Portland, ME 04101
Tel. (207) 772-2891
Fax (207) 772-3248
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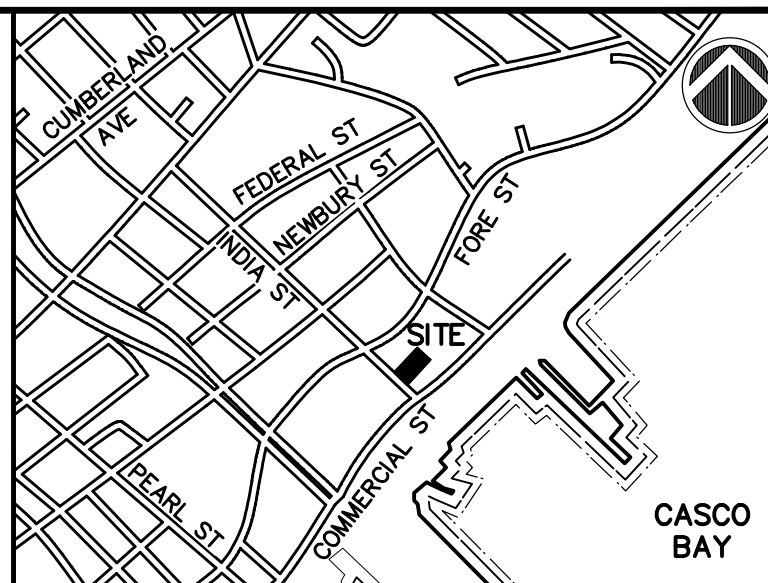
EXISTING CONDITIONS PLAN

A	CITY SUBMISSION/PRICING	05/20/19
No.	Revision/Issue	Date
Design by:	MPM	Checked by: SJB
Drawn by:	JAR	Approved by: SJB
Project:	150.06094	Date: MARCH 2019
Sheet No:	C0.1	
	Sheet 3 of 11	



TM 19-B-12
N/F
PORTLAND WATER DISTRICT
3870/101

PERVIOUS PAVERS/FILTRATION



Project:

FIVE INDIA STREET BUILDING
5 INDIA STREET
PORTLAND, MAINE

Owner:

ESSEXNORTH PORTLAND LLC
P.O. BOX 394
TOPSFIELD, MA 01983

Applicant:

ESSEXNORTH PORTLAND LLC
P.O. BOX 394
TOPSFIELD, MA 01983

CIVIL ENGINEER:

MAUREEN P. McGLONE, PE #7705
400 COMMERCIAL STREET, SUITE 404
PORTLAND, ME 04101
207-772-2891

PRELIMINARY
NOT FOR CONSTRUCTION

RANSOM
Consulting Engineers and Scientists
400 Commercial Street, Suite 404
Portland, ME 04101
Tel. (207) 772-2891
Fax (207) 772-3248
www.ransomenv.com

SITE PLAN

A	CITY SUBMISSION/PRICING	05/20/19
No.	Revision/Issue	Date
Design by:	Checked by:	
MPM	SJB	
Drawn by:	Approved by:	
JAR	SJB	
Project:	Date:	
150.06094	MARCH 2019	
Sheet No:		
C1.1		
Sheet	5	of 11

REMOVE AND RESET
EXISTING GRANITE
CURB AS
NECESSARY TO
MEET GRADING AND
COMPLY WITH ADA.

INSTALL NEW
VERTICAL GRANITE
CURB TO MATCH
EXISTING.

INDIA STREET

RAISED GRANITE
TREE PLANTER, TYP.

PHASE 3 – LIMITS
OF CONSTRUCTION

NEW BRICK
SIDEWALK, TYP.

METAL GUARDRAIL
CHAIN LINK FENCE

PROPOSED
MIXED USE BUILDING
5,093 S.F.

LOT 4
7,198 S.F.

LANDSCAPED
AREA, TYP.

PROPOSED
BIKE RACK,
TYP.

BRICK WALKWAY TO
MATCH EXISTING

TOP GRANITE
STEP ELEV.
17.32

EXISTING BRICK
SIDEWALK TO
REMAIN

PHASE 3 – LIMITS
OF CONSTRUCTION

EXISTING
RESIDENTIAL/RETAIL

LOT 3
13,580 S.F.

4" & 6" WATER
SERVICE

DOUBLE YELLOW LINE

THAMES STREET

PAVED – PUBLIC

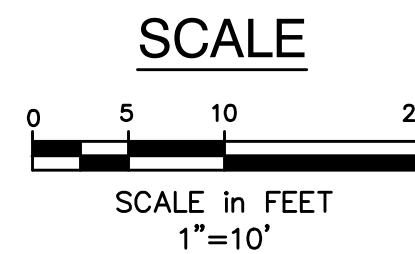
SPACE AND BULK STANDARDS

	REQUIRED	PROPOSED
ZONE: IS-FBC/HISTORICAL DISTRICT		
MINIMUM LOT SIZE	0 S.F.	7,198 S.F.
ROAD FRONTAGE	0'	128'
BUILDING SETBACKS		
FRONT	10' MAX.	0
SIDE	10' MIN.	>20' CUMULATIVE (20' MIN. CUM.)
REAR	10' MIN.	>10'
BUILDING HEIGHT	65	<65' (4 FLOORS)
PARKING (RESIDENTIAL/RETAIL)	48/11	48/11

GENERAL NOTES

- ALL NEW (OR RESET) GRANITE CURB WITHIN THE RIGHT-OF-WAY SHALL BE RADIUS CURBING WHEN USED IN AREAS SUBJECT TO PLOWING. CURB LENGTH SHALL BE A MINIMUM OF 4 FEET.
- SLOPED GRANITE CURBING INSTALLED DURING PHASE 1 TO BE REMOVED AND REPLACED DURING FUTURE PHASES OF CONSTRUCTION AS REQUIRED.
- SNOW SHALL BE REMOVED AS NECESSARY TO MAINTAIN ACCESS BY A CONTRACTED HAULER.

-----	PHASE 3 – LIMIT OF CONSTRUCTION
-----	PROPERTY LINE
[Pattern]	COBBLE STONE PAVERS
[Pattern]	BRICK SIDEWALK PAVERS
[Pattern]	NEW BITUMINOUS PAVEMENT





TM 19-B-12
N/F
PORTLAND WATER DISTRICT
3870/101

12" ROOF LEADER.
CONNECT TO EXISTING
12" HDPE STORM.

PERVIOUS PAVERS/FILTRATION

CB
RIM: 14.68
12" INV. OUT: 10.03

INSTALL 24"
NYLOPLAST DRAIN
BASIN, CONNECT
12" HDPE

EXISTING 12"
HDPE

OBSERVATION
PORTS (TYP.)

PROPOSED
MIXED USE BUILDING
5,093 S.F.

LOT 4

7,198 S.F.

12" HDPE STORM
DRAIN. CONNECT
TO EXISTING.

INSTALL SILT
SACK IN EXISTING
CB

INSTALL SILT
SACK IN EXISTING
CB

12" SD FROM
ROOF DRAIN
INV. IN = 10.72

EXISTING
RESIDENTIAL/RETAIL

LOT 3

13,580 S.F.

INSTALL NEW CB
RIM=15.73
12" INV=12.0

TOP GRANITE
STEP ELEV.
17.32

ONE INDIA STREET
3 STORY BRICK

INSTALL SILT
SACK IN EXISTING
CB

MON.
FOUND

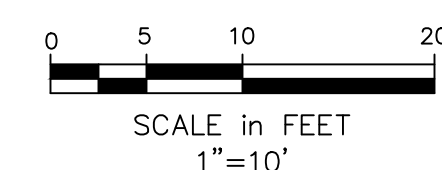
4L

WIDE

GENERAL NOTES

- EXISTING CATCH BASIN STRUCTURES ALONG THE RECONSTRUCTED CURB LINE AT FORE, HANCOCK AND THAMES STREETS SHALL BE RECONSTRUCTED AS NECESSARY.
- EXISTING CATCH BASINS WITHIN THE RIGHT-OF-WAY, ADJACENT TO THE LIMITS OF CONSTRUCTION SHALL BE FITTED WITH A SILT SACK FOR THE DURATION OF CONSTRUCTION.
- LOAM AND SEED DISTURBED AREAS OF LOTS 1 & 2 FOR EROSION PROTECTION. INCLUDE GEOTEXTILE MARKER LAYER PER WRAP SOIL MANAGEMENT PLAN.
- CONTRACTOR SHALL PROVIDE FREQUENT STREET SWEEPING WITHIN ROW DURING CONSTRUCTION TO MINIMIZE SEDIMENT BUILDUP IN ROADWAY.
- COORDINATE INSTALLATION OF NEW CATCH BASIN ON FORE STREET WITH CITY DPW AND FUTURE STORM SEPARATION PLAN.

SCALE

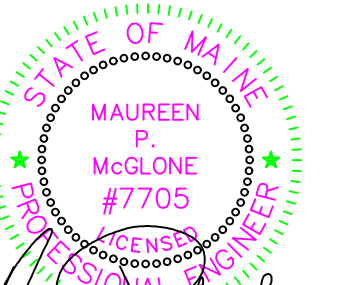


FIVE INDIA STREET BUILDING

5 INDIA STREET
PORTLAND, MAINE

ESSEXNORTH
PORTLAND LLC
P.O. BOX 394
TOPSFIELD, MA 01983

ESSEXNORTH
PORTLAND LLC
P.O. BOX 394
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CIVIL ENGINEER:
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400 COMMERCIAL STREET, SUITE 404
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207-772-2891

PRELIMINARY
NOT FOR CONSTRUCTION

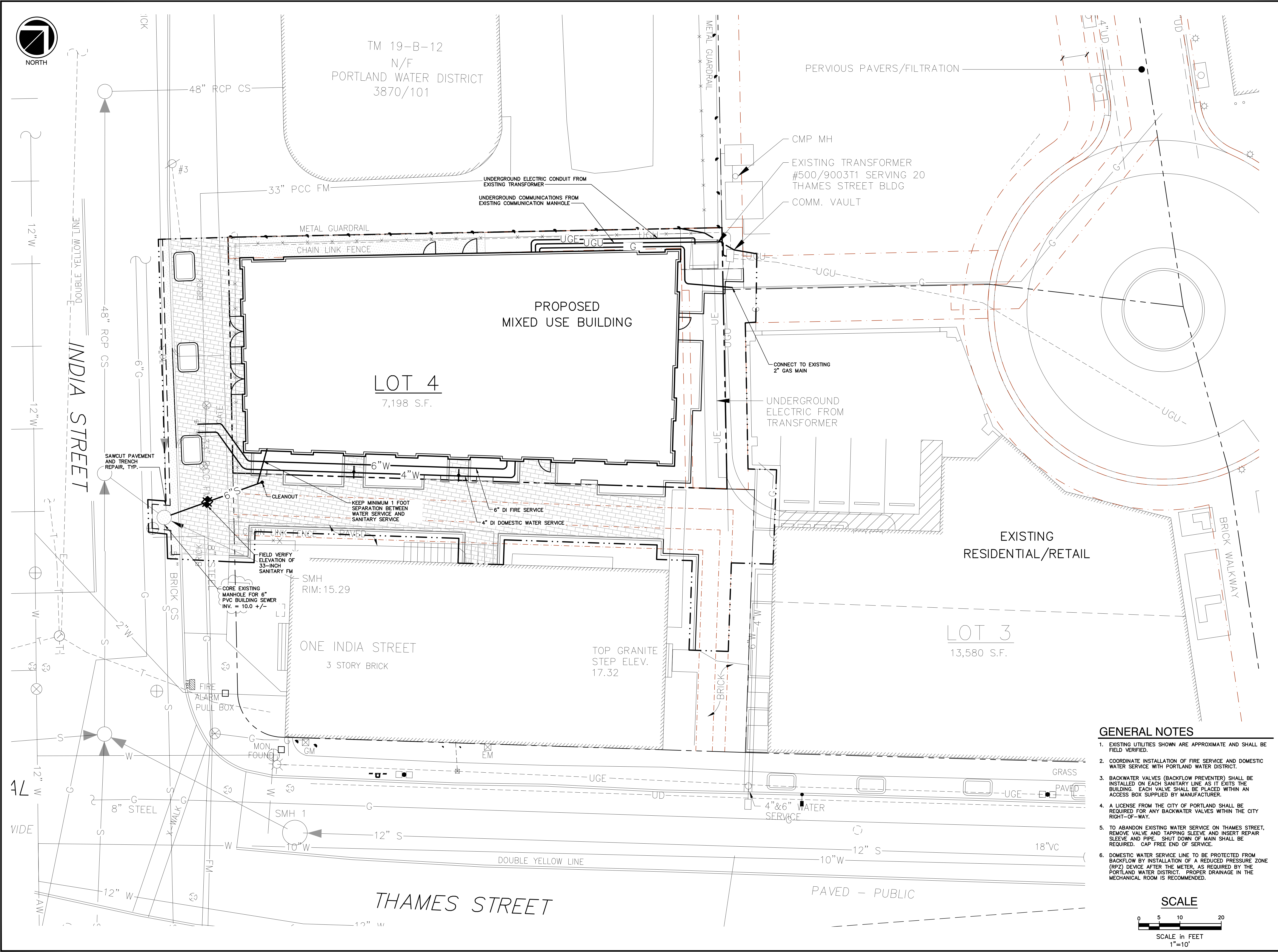
RANSOM
Consulting
Engineers
and Scientists

400 Commercial Street, Suite 404
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GRADING, DRAINAGE AND EROSION CONTROL PLAN

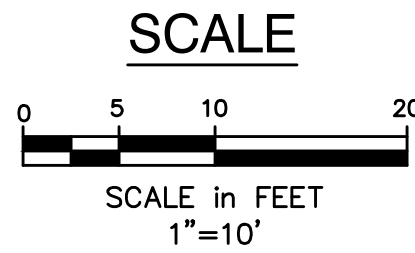
B	90% PRICING DOCUMENTS	12/13/19
A	CITY SUBMISSION/PRICING	05/20/19
No.	Revision/Issue	Date
Design by:	MPM	Checked by: SJB
Drawn by:	JAR	Approved by: SJB
Project:	150.06094	Date: MARCH 2019
Sheet No:	C1.3	
Sheet 7 of 11		

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GENERAL NOTES

- EXISTING UTILITIES SHOWN ARE APPROXIMATE AND SHALL BE FIELD VERIFIED.
- COORDINATE INSTALLATION OF FIRE SERVICE AND DOMESTIC WATER SERVICE WITH PORTLAND WATER DISTRICT.
- BACKWATER VALVES (BACKFLOW PREVENTER) SHALL BE INSTALLED ON EACH SANITARY LINE AS IT EXITS THE BUILDING. EACH VALVE SHALL BE PLACED WITHIN AN ACCESS BOX SUPPLIED BY MANUFACTURER.
- A LICENSE FROM THE CITY OF PORTLAND SHALL BE REQUIRED FOR ANY BACKWATER VALVES WITHIN THE CITY RIGHT-OF-WAY.
- TO ABANDON EXISTING WATER SERVICE ON THAMES STREET, REMOVE VALVE AND TAPPING SLEEVE AND INSERT REPAIR SLEEVE AND PIPE. SHUT DOWN OF MAIN SHALL BE REQUIRED. CAP FREE END OF SERVICE.
- DOMESTIC WATER SERVICE LINE TO BE PROTECTED FROM BACKFLOW BY INSTALLATION OF A REDUCED PRESSURE ZONE (RPZ) DEVICE AFTER THE METER, AS REQUIRED BY THE PORTLAND WATER DISTRICT. PROPER DRAINAGE IN THE MECHANICAL ROOM IS RECOMMENDED.



Project:

FIVE INDIA STREET BUILDING
5 INDIA STREET
PORTLAND, MAINE

Owner:

ESSEXNORTH PORTLAND LLC
P.O. BOX 394
TOPSFIELD, MA 01983

Applicant:

ESSEXNORTH PORTLAND LLC
P.O. BOX 394
TOPSFIELD, MA 01983

CIVIL ENGINEER:
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NOT FOR CONSTRUCTION**

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UTILITY PLAN

No.	Revision/Issue	Date
A	CITY SUBMISSION/PRICING	05/20/19

Design by:	MPM	Checked by:	SJB
Drawn by:	JAR	Approved by:	SJB

Project:	150.06094	Date:	MARCH 2019
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Sheet No:

C1.2

Sheet 6 of 11

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EROSION CONTROL NOTES

EXISTING EROSION PROBLEMS

RANSOM CONSULTING, INC. IS NOT AWARE OF ANY EXISTING EROSION PROBLEMS ON SITE.

PROTECTED NATURAL RESOURCES

THERE ARE NO WETLANDS ON-SITE THAT HAVE BEEN OBSERVED OR DELINEATED.

EROSION CONTROL MEASURES AND SITE STABILIZATION

THE PRIMARY EMPHASIS OF THE EROSION & SEDIMENT CONTROL PLAN IS AS FOLLOWS:

- RAPID VEGETATION OF EXPOSED AREAS TO MINIMIZE THE PERIOD OF SOIL EXPOSURE.
- RAPID STABILIZATION OF DRAINAGE PATHS TO AVOID CHANNEL EROSION.
- THE USE OF ON-SITE MEASURES TO CAPTURE SEDIMENT (HAY BALE DAM, EROSION CONTROL BERM).
- DEVELOPMENT OF A CAREFUL CONSTRUCTION SEQUENCE.

THE FOLLOWING TEMPORARY AND PERMANENT EROSION AND SEDIMENT CONTROL DEVICES WILL BE IMPLEMENTED AS PART OF THE SITE DEVELOPMENT. THESE DEVICES SHALL BE INSTALLED AS INDICATED ON THE PLANS OR AS DESCRIBED WITHIN THIS REPORT. FOR FURTHER REFERENCE, SEE THE MAINE EROSION AND SEDIMENT CONTROL BMPs (MOST RECENT REVISION).

TEMPORARY EROSION CONTROL MEASURES

THE FOLLOWING MEASURES ARE PLANNED AS TEMPORARY EROSION & SEDIMENTATION CONTROL MEASURES DURING CONSTRUCTION. THESE TEMPORARY EROSION CONTROL MEASURES SHOULD BE REMOVED WITHIN 30 DAYS AFTER PERMANENT STABILIZATION HAS BEEN ESTABLISHED.

1. CRUSHED STONE--STABILIZED CONSTRUCTION ENTRANCES SHALL BE PLACED AT SITE ENTRANCES.
2. WOOD WASTE COMPOST BERMS (EROSION CONTROL BERM) SHALL BE INSTALLED DOWNSTREAM OF ANY DISTURBED AREAS TO TRAP RUNOFF BORNE SEDIMENTS UNTIL THE TRIBUTARY AREAS ARE VEGETATED. THE EROSION CONTROL BERMS SHALL BE INSTALLED PER THE DETAILS PROVIDED AND INSPECTED REGULARLY, INCLUDING BEFORE AND AFTER A STORM EVENT OF 0.5 INCHES OR GREATER. REPAIRS SHALL BE MADE IF THERE ARE ANY SIGNS OF EROSION OR SEDIMENTATION BELOW THE FENCE OR BERM LINE. IF THERE ARE SIGNS OF UNDERCUTTING AT THE CENTER OR THE EDGES, OR IMPOUNDING OF LARGE VOLUMES OF WATER BEHIND BERM, THE BARRIER SHALL BE REPLACED WITH A STONE CHECK DAM.
3. STRAW, HAY MULCH AND HYDROSEEDING IS INTENDED TO PROVIDE COVER FOR BARE OR SEEDED AREAS UNTIL VEGETATION IS ESTABLISHED AND SHOULD BE APPLIED WITHIN 7 DAYS AT A RATE OF 115 POUNDS PER 1000 SQUARE FEET. MULCH PLACED BETWEEN APRIL 15TH AND OCTOBER 15TH (ON SLOPES OF LESS THAN 15 PERCENT) SHALL BE COVERED BY FABRIC NETTING AND ANCHORED WITH STAPLES IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATION. SLOPES STEEPER THAN 3:1 SHALL RECEIVE EROSION CONTROL BLANKETS OR RIPRAP.
4. TEMPORARY STOCKPILES OF STUMPS, GRUBBINGS, OR COMMON EXCAVATION WILL BE PROTECTED AS FOLLOWS:
 - STOCKPILES SHALL BE STABILIZED WITHIN SEVEN DAYS BY EITHER TEMPORARILY SEEDING THE STOCKPILE BY A HYDROSEED METHOD CONTAINING AN EMULSIFIED MULCH TACKIFIER OR BY COVERING THE STOCKPILE WITH MULCH, SUCH AS SHREDDED HAY, STRAW, OR EROSION CONTROL MIX.
 - STOCKPILES SHALL BE SURROUNDED BY SEDIMENTATION BARRIER AT THE TIME OF FORMATION.
5. ALL DISTURBED AREAS THAT ARE WITHIN 75 FEET OF AN UNDISTURBED WETLAND SHALL RECEIVE MULCH OR EROSION CONTROL MESH FABRIC WITHIN 48 HOURS OF INITIAL DISTURBANCE OF SOIL. ALL AREAS WITHIN 75 FEET OF AN UNDISTURBED WETLAND SHALL BE MULCHED PRIOR TO ANY PREDICTED RAIN EVENT REGARDLESS OF THE 48 HOUR WINDOW. IN OTHER AREAS, THE TIME PERIOD MAY BE EXTENDED TO 7 DAYS.
6. STATE AND LOCAL ROADS SHALL BE SWEEPED TO CONTROL MUD AND DUST AS NECESSARY. ADDITIONAL STONE SHALL BE ADDED TO THE STABILIZED CONSTRUCTION ENTRANCE TO MINIMIZE THE TRACKING OF MATERIAL OFF THE SITE ONTO THE SURROUNDING ROADWAYS.
7. STORMDRAIN CATCH BASIN INLET PROTECTION SHALL BE PROVIDED THROUGH THE USE OF STONE SEDIMENT BARRIERS OR APPROVED SEDIMENT BAGS (SUCH AS SILT SACK). INSTALLATION DETAILS ARE PROVIDED IN THE PLAN SET. THE BARRIERS SHALL BE INSPECTED AFTER EACH RAINFALL AND REPAIRS MADE AS NECESSARY. SEDIMENT SHALL BE REMOVED AND THE BARRIER RESTORED TO ITS ORIGINAL DIMENSIONS WHEN THE SEDIMENT HAS ACCUMULATED TO HALF THE DESIGN DEPTH OF THE BARRIER. THE BARRIER SHALL BE REMOVED WHEN THE TRIBUTARY DRAINAGE AREA HAS BEEN STABILIZED.
8. WATER AND/OR CALCIUM CHLORIDE SHALL BE FURNISHED AND APPLIED IN ACCORDANCE WITH MDOT SPECIFICATIONS--SECTION 637--DUST CONTROL.
9. LOAM AND SEED IS INTENDED TO SERVE AS THE PRIMARY PERMANENT VEGETATIVE MEASURE FOR ALL BARE AREAS NOT PROVIDED WITH OTHER EROSION CONTROL MEASURES, SUCH AS RIPRAP.
10. WATER FROM CONSTRUCTION TRENCH DEWATERING OR TEMPORARY STREAM DIVERSION SHALL PASS THROUGH A FILTER BAG OR SECONDARY CONTAINMENT STRUCTURE (e.g. HAY BALE LINED POOL) PRIOR TO DISCHARGE, THE DISCHARGE SITE SHALL BE SELECTED TO AVOID FLOODING, ICING, AND SEDIMENT DISCHARGES TO A PROTECTED RESOURCE. IN NO CASE SHALL THE FILTER BAG OR CONTAINMENT STRUCTURE BE LOCATED WITHIN 75 FEET OF A PROTECTED NATURAL RESOURCE.

PERMANENT EROSION CONTROL MEASURES

THE FOLLOWING PERMANENT EROSION CONTROL MEASURES HAVE BEEN DESIGNED AS PART OF THE EROSION/SEDIMENTATION CONTROL PLAN:

1. ALL AREAS DISTURBED DURING CONSTRUCTION, BUT NOT SUBJECT TO OTHER RESTORATION (PAVING, RIPRAP, ETC.) WILL BE LOAMED, LIMBED, FERTILIZED, MULCHED, AND SEEDED. FABRIC NETTING, ANCHORED WITH STAPLES, SHALL BE PLACED OVER THE MULCH IN AREAS AS NOTED. ALL AREAS WITHIN 75 FEET OF AN UNDISTURBED WETLAND SHALL BE MULCHED PRIOR TO ANY PREDICTED RAIN EVENT REGARDLESS OF THE 48 HOUR WINDOW. NATIVE TOPSOIL SHALL BE STOCKPILED AND REUSED FOR FINAL RESTORATION WHEN IT IS OF SUFFICIENT QUALITY.
2. ALL STORMDRAIN PIPE OUTLETS SHALL HAVE RIPRAP APRONS AT THEIR OUTLET TO PROTECT THE OUTLET AND RECEIVING CHANNEL FROM SCOUR AND DETEIORATION. INSTALLATION DETAILS ARE PROVIDED IN THE PLAN SET. THE APRONS AND FLUNGE POOLS SHALL BE INSTALLED AND STABILIZED TO THE EXTENT PRACTICABLE PRIOR TO DIRECTING RUNOFF TO THE TRIBUTARY PIPE OR CULVERT.
3. CATCH BASINS SHALL BE PROVIDED WITH SEDIMENT SUMPS AND INLET HOODS FOR ALL OUTLET PIPES THAT ARE 18" IN DIAMETER OR LESS.

IMPLEMENTATION SCHEDULE

THE FOLLOWING CONSTRUCTION SEQUENCE SHALL BE REQUIRED TO INSURE THE EFFECTIVENESS OF THE EROSION AND SEDIMENTATION CONTROL MEASURES ARE OPTIMIZED:

NOTE: FOR ALL GRADING ACTIVITIES, THE CONTRACTOR SHALL EXERCISE EXTREME CAUTION NOT TO OVEREXPOSE THE SITE BY LIMITING THE DISTURBED AREA. THE CONSTRUCTION OF BMPs SHOULD EITHER BE PERFORMED AFTER THE TRIBUTARY AREA IS STABILIZED OR TEMPORARY EROSION CONTROL MEASURES NEED TO BE IMPLEMENTED TO PROTECT THE BMPs FROM BEING CLOGGED WITH CONSTRUCTION SEDIMENT.

1. INSTALL CRUSHED STONE TO STABILIZED CONSTRUCTION ENTRANCES.
2. INSTALL PERIMETER EROSION CONTROL BERM.
3. CLEAR AND GRUB SITE WITHIN THE SPECIFIED CLEARING LIMITS.
4. COMMENCE INSTALLATION OF DRAINAGE INFRASTRUCTURE.

5. COMMENCE EARTHWORK AND GRADING TO SUBGRADE.
6. COMMENCE CONSTRUCTION OF BUILDING FOUNDATION.
7. CONTINUE EARTHWORK AND GRADING TO SUBGRADE AS NECESSARY FOR CONSTRUCTION.
8. COMPLETE REMAINING EARTHWORK OPERATIONS.
9. COMPLETE INSTALLATION OF DRAINAGE INFRASTRUCTURE.
10. INSTALL SUBBASE AND BASE GRAVEL WITHIN PROPOSED EXPANSION AND PARKING.
11. LOAM, LIME, FERTILIZE, SEED AND MULCH DISTURBED AREAS.
12. INSTALL SURFACE COURSE PAVING FOR DRIVEWAY AND PARKING AREAS.
13. ONCE THE SITE IS ESTABLISHED AND A 90% CATCH OF VEGETATION HAS BEEN OBTAINED, REMOVE ALL TEMPORARY EROSION CONTROL MEASURES.
14. TOUCH UP LOAM AND SEED.

NOTE: ALL BARE AREA ARE NOT SUBJECT TO FINAL PAVING, RIPRAP, OR GRAVEL; SHALL BE VEGETATED.

PRIOR TO CONSTRUCTION OF THE PROJECT, THE CONTRACTOR SHALL SUBMIT TO THE OWNER A SCHEDULE FOR THE COMPLETION OF THE WORK, WHICH WILL SATISFY THE ABOVE CONSTRUCTION SEQUENCE IN THE SPECIFIED ORDER. HOWEVER, SEVERAL SEPARATE ITEMS MAY BE CONSTRUCTED SIMULTANEOUSLY. WORK MUST ALSO BE SCHEDULED OR PHASED TO REDUCE THE EXTENT OF THE EXPOSED AREAS AS SPECIFIED BELOW. THE INTENT OF THIS SEQUENCE IS TO PROVIDE FOR EROSION CONTROL AND TO HAVE STRUCTURAL MEASURES SUCH AS EROSION CONTROL AND CONSTRUCTION ENTRANCES IN PLACE BEFORE LARGE AREAS OF LAND ARE STRIPPED.

THE WORK SHALL BE CONDUCTED IN SECTIONS WHICH SHALL:

- LIMIT THE AMOUNT OF EXPOSED AREA TO THOSE AREAS IN WHICH WORK IS EXPECTED TO BE UNDERTAKEN DURING THE PRECEDING 30 DAYS.
- VEGETATE THE DISTURBED AREAS AS RAPIDLY AS POSSIBLE. ALL AREAS SHALL BE PERMANENTLY STABILIZED WITHIN SEVEN DAYS OF FINAL GRADING OR BEFORE A STORM EVENT; OR TEMPORARILY STABILIZED WITHIN 48 HOURS OF INITIAL EXPOSURE OF SOIL FOR AREAS WITHIN 75 FEET OF AN UNDISTURBED WETLAND AND 7 DAYS FOR ALL OTHER AREAS.
- INCORPORATE PLANNED INLET AND DRAINAGE SYSTEM AS EARLY AS POSSIBLE INTO THE CONSTRUCTION PHASE. THE DITCHED SHALL BE IMMEDIATELY LINED OR VEGETATED AS SOON AS THEIR INSTALLATION IS COMPLETE.

WINTER STABILIZATION PLAN

THE WINTER CONSTRUCTION PERIOD IS FROM NOVEMBER 1st THROUGH APRIL 15th. IF THE CONSTRUCTION SIRE IS NOT STABILIZED WITH PAVEMENT, A ROAD GRAVEL BASE, 75% MATURE VEGETATION COVER OR RIPRAP BY NOVEMBER 15th, THEN THE SITE SHALL BE PROTECTED WITH OVER-WINTER STABILIZATION.

WINTER EXCAVATION AND EARTHWORK SHALL BE COMPLETED SUCH THAT ANY AREA LEFT EXPOSED CAN BE CONTROLLED BY THE CONTRACTOR. THOSE AREAS SHALL BE LIMITED TO THOSE AREAS IN WHICH WORK IS EXPECTED TO COMMENCE AND COMPLETE IN THE NEXT FIFTEEN (15) DAYS AND THAT CAN BE MULCHED ONE DAY PRIOR TO ANY SNOW EVENT.

ALL AREAS SHALL BE CONSIDERED TO BE BARE UNTIL THE SUBBASE GRAVEL IS INSTALLED WITHIN PAVEMENT/BUILDING AREAS OR THE AREAS HAVE BEEN LOAMED, SEEDED AND MULCHED. HAY STRAW MULCH RATE SHALL BE A MINIMUM OF 150 POUNDS PER 1,000 SQUARE FEET (3 TONS/ACRE) AND SHALL BE PROPERLY ANCHORED.

THE CONTROLLER SHALL 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 SURFACES OF THE AREA BEING DISTURBED ARE STABILIZED, IN ORDER TO MINIMIZE AREAS WITHOUT EROSION CONTROL PROTECTION.

1. SOIL STOCKPILES: STOCKPILES OF SOIL OR SUBSOIL SHALL 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/ACRE) OR WITH A FOUR-INCH LAYER OF WOODWASTE EROSION CONTROL MIX. THIS SHALL BE DONE WITHIN 24 HOURS OF STOCKING AND RE-ESTABLISHED PRIOR TO ANY RAINFALL OR SNOWFALL. ANY SOIL STOCKPILE SHALL NOT BE PLACED (EVEN COVERED WITH HAY OR STRAW) WITHIN 100 FEET FROM ANY NATURAL RESOURCE.
2. SEDIMENT BARRIERS: DURING FROZEN CONDITIONS, SEDIMENT BARRIERS SHALL CONSIST OF WOODWASTE FILTER BERMS AS FROZEN SOIL PREVENTS THE PROPER INSTALLATION OF HAY BALES AND SEDIMENT SILT FENCES.
3. MULCHING: AN AREA SHALL BE CONSIDERED BARE UNTIL AREAS OF FUTURE LOAM AND SEED HAVE BEEN LOAMED, SEEDED, AND MULCHED. HAY AND STRAW MULCH SHALL BE APPLIED AT A RATE OF 150 LBS/1,000 S.F. 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 INSTALLED. 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 WITH STRAW OR HAY AT A RATE OF 150 LBS/1,000 S.F. (3 TONS/ACRE) AND ADEQUATELY ANCHORED THAT GROUND SURFACE IS NOT VISIBLE THROUGH THE MULCH.

BETWEEN THE DATES OF NOVEMBER 1ST AND APRIL 15TH ALL MULCH SHALL BE ANCHORED BY PEG LINE, MULCH NETTING, TRACKING, OR WOOD CELLULOSE FIBER. WHEN GROUND SURFACE IS NOT VISIBLE THROUGH 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 WORKDAY.

4. 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 GREATER THAN 8%. EROSION CONTROL MIX CAN BE USED TO SUBSTITUTE EROSION CONTROL BLANKETS ON ALL SLOPES EXCEPT DITCHES.

5. SEEDING: BETWEEN THE DATES OF OCTOBER 15TH AND APRIL 1ST, LOAM AND 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 THREE TIMES HIGHER THAN SPECIFIED FOR PERMANENT SEED AND THEN MULCHED. DORMANT SEEDING MAY BE SELECTED TO BE PLACED PRIOR TO THE PLACEMENT OF MULCH AND FABRIC NETTING ANCHORED WITH STAPLES. IF DORMANT SEEDING IS USED FOR THE SITE, ALL DISTURBED AREAS SHALL RECEIVE 4" OF LOAM AND SEED AT AN APPLICATION RATE OF 5 LBS/1,000 S.F.

ALL AREAS SEEDED DURING THE WINTER SHALL BE INSPECTED IN THE SPRING FOR ADEQUATE CATCH. ALL AREAS INSUFFICIENTLY VEGETATED (LESS THAN 90% 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.

6. DEWATERING: WATER FROM CONSTRUCTION TRENCH DEWATERING OR TEMPORARY STREAM DIVERSION SHALL PASS FIRST THROUGH A FILTER BAG OR SECONDARY CONTAINMENT STRUCTURE (e.g. HAY BALE LINED POOL) PRIOR TO DISCHARGE. THE DISCHARGE SITE SHALL BE SELECTED TO AVOID FLOODING, ICING, AND SEDIMENT DISCHARGES TO A PROTECTED RESOURCE.

7. INSPECTION AND MONITORING: MAINTENANCE MEASURES SHALL BE APPLIED AS NEEDED DURING THE ENTIRE CONSTRUCTION SEASON. AFTER EACH RAINFALL, SNOW STORM OR PERIOD OF THAWING AND RUNOFF, THE SITE CONTRACTOR SHALL PERFORM A VISUAL INSPECTION OF ALL INSTALLED EROSION CONTROL MEASURES AND PERFORM REPAIRS AS NEEDED TO INSURE THEIR CONTINUOUS FUNCTION. FOLLOWING THE TEMPORARY AND/OR FINAL SEEDING AND MULCHING, THE CONTRACTOR SHALL IN THE SPRING INSPECT AND REPAIR ANY DAMAGES AND/OR UNESTABLISHED SPOTS. ESTABLISHED VEGETATIVE COVER MEANS A MINIMUM OF 85% TO 90% OF AREAS VEGETATED WITH VIGOROUS GROWTH.

STANDARDS FOR TIMELY STABILIZATION OF CONSTRUCTION SITES DURING WINTER

STANDARD FOR THE TIMELY STABILIZATION OF DISTURBED SOILS:

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

STABILIZE THE SOIL WITH TEMPORARY VEGETATION--BY OCTOBER 1ST THE APPLICANT SHALL SEED THE DISTURBED SOIL WITH WINTER RYE AT A SEEDING RATE OF 3 LBS/1,000 S.F., LIGHTLY MULCH THE SEEDED SOIL WITH HAY OR STRAW AT 75 LBS/1,000 S.F. AND ANCHOR THE MULCH WITH PLASTIC NETTING. THE APPLICANT SHALL 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 15TH, THEN THE APPLICANT SHALL MULCH THE AREA FOR OVER-WINTER PROTECTION AS DESCRIBED ABOVE.

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

STABILIZE THE SOIL WITH MULCH--BY NOVEMBER 15TH THE APPLICANT SHALL MULCH THE DISTURBED SOIL BY SPREADING HAY OR STRAW AT A RATE OF AT LEAST 150 LBS/1,000 S.F. ON THE AREA SO THAT NO SOIL IS VISIBLE THROUGH THE MULCH. PRIOR TO APPLYING THE MULCH, THE APPLICANT SHALL 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.

CONSTRUCTION NOTES

SUBGRADE PREPARATION

1. SUBGRADE PREPARATION IN SHOULD BE IN ACCORDANCE WITH GEOTECHNICAL ENGINEER RECOMMENDATIONS FOUND IN THE GEOTECHNICAL REPORT BY HALEY AND ALDRICH, INC. DATED MAY 16, 2007.
2. EXCAVATE THE FULL THICKNESS OF FILL MATERIALS BELOW THE BUILDING FOOTPRINT (AND FOUNDATION BEARING ZONES) AND REPLACE WITH COMPACTED GRANULAR FILL. SUITABLE FOUNDATION SUBGRADES INCLUDE UNDISTURBED NATIVE SOILS OR COMPACTED GRANULAR FILL PLACED ABOVE UNDISTURBED NATIVE SOILS. IN GENERAL, REMOVAL OF UNSUITABLE SOILS FROM THE PROPOSED BUILDING FOOTPRINT AND FOUNDATION BEARING ZONES SHOULD BE ANTICIPATED TO DEPTHS OF APPROXIMATELY 1 TO 3 FEET. GREATER DEPTHS OF OVER-EXCAVATION MAY BE REQUIRED IN LOCALIZED AREAS TO COMPLETELY REMOVE UNSUITABLE SOILS FROM THESE AREAS. REMOVAL OF UNSUITABLE SOILS SHOULD BE OBSERVED BY THE PROJECT GEOTECHNICAL ENGINEER PRIOR TO BACKFILLING WITH COMPACTED STRUCTURAL FILL.
3. ALL TOPSOIL, PAVEMENTS, DEBRIS, FROZEN SOILS, AND LOOSE OR DISTURBED SOILS SHOULD BE REMOVED FROM AREAS RECEIVING NEW CONSTRUCTION.
4. EXISTING FOUNDATIONS, SLABS, AND/OR UTILITIES ASSOCIATED WITH FORMER SITE BUILDINGS AND ANY PAST USES, IF ENCOUNTERED, SHOULD BE REMOVED FROM BELOW THE PROPOSED BUILDING FOOTPRINT. THESE MATERIALS SHOULD BE COMPLETELY REMOVED FROM FOUNDATION BEARING ZONES AND REPLACED WITH COMPACTED GRANULAR FILL.
5. UNDERGROUND STRUCTURES AND UNDERGROUND PIPING, LOCATED BENEATH THE PROPOSED PAVEMENTS OR LANDSCAPED AREAS SHOULD BE REMOVED TO AT LEAST 2 FEET BELOW PROPOSED FINISHED GRADE.
6. THE ENDS OF UNDERGROUND PIPES AND UTILITY CONDUITS TO BE ABANDONED IN-PLACE SHOULD BE CAPPED AND/OR FILLED WITH CONCRETE OR GROUTED.
7. ANY UNSTABLE AREAS IDENTIFIED SHOULD BE UNDERCUT AT LEAST 12 INCHES, OR TO COMPETENT SOIL, AND REPLACED WITH COMPACTED STRUCTURAL FILL, CRUSHED STONE, OR COMMON FILL. THE DEPTH OF UNDERCUTTING AND TYPE OF BACKFILL MATERIAL SHOULD BE SELECTED WITH CONSIDERATION OF PROPOSED USE (I.E., BUILDING OR PAVEMENT) AND SOIL AND WEATHER CONDITIONS ENCOUNTERED DURING CONSTRUCTION.
8. FINAL FOUNDATION AND FLOOR SLAB SUBGRADE PREPARATION SHOULD INCLUDE RE-COMPACTION OF BEARING SURFACES. CARE SHOULD BE TAKEN TO LIMIT DISTURBANCE TO BEARING SURFACES PRIOR TO PLACEMENT OF CONCRETE. ANY LOOSE, SOFTENED, OR DISTURBED MATERIAL SHOULD BE REMOVED AND REPLACED WITH COMPACTED STRUCTURAL FILL PRIOR TO PLACEMENT OF CONCRETE. EXCAVATED SUBGRADES SHOULD NOT BE LEFT EXPOSED OVERNIGHT UNLESS THE FORECAST CALLS FOR ABOVE-FREEZING, CLEAR CONDITIONS.

DEWATERING

1. STATIC GROUNDWATER AT THE SITE IS ANTICIPATED TO RANGE BETWEEN 9 AND 12 FEET BGS ACROSS THE SITE (ELEVATION 4 TO 7 MSL). GROUNDWATER LEVELS AT THE SITE ARE ANTICIPATED TO CHANGE SEASONALLY AND AS A RESULT OF THE PROPOSED CONSTRUCTION. WE DO NOT ANTICIPATE THAT GROUNDWATER WILL BE ENCOUNTERED IN FOUNDATION AND UTILITY EXCAVATIONS.
2. IF A SILT DEWATERING BAG IS USED, HAY BALES SHALL BE PLACED DOWNSTREAM TO PREVENT EROSION. DUE TO THE NATURE OF THE SITE SOILS, TEMPORARY DETENTION PONDS, TRENCHES, DITCHES, AND DEWATERING SUMPS SHOULD NOT BE USED FOR DEWATERING DURING CONSTRUCTION.
3. EXCAVATION, FILLING, FOUNDATION AND FLOOR SLAB CONSTRUCTION, AND UTILITY INSTALLATION AND BACKFILLING SHOULD BE COMPLETED IN DRY CONDITIONS. SUBGRADE SOILS THAT BECOME UNSTABLE SHOULD BE UNDERCUT AND REPLACED WITH STRUCTURAL FILL OR CRUSHED STONE, AS NECESSARY. EXCAVATION SIDE SLOPES SHOULD BE MONITORED FOR POTENTIAL SEEPAGE AND MAINTAINED TO PROMOTE STABILITY, ACCORDINGLY.
4. SURFACE WATER RUNOFF SHOULD BE DIRECTED AWAY FROM EXCAVATIONS TO REDUCE DEWATERING EFFORTS AND TO PROTECT SUBGRADES FROM BECOMING SOFT AND UNSTABLE.

BACKFILL AND COMPACTION

1. COMPACTED GRANULAR FILL (CGF)SHOULD BE USED FOR ENGINEERED FILLS BELOW BUILDING FOOTPRINT AREAS AND IN FOUNDATION BEARING ZONES. CGF SHALL COMPLY WITH THE FOLLOWING GRADATION:

SIEVE SIZE	% PASSING
6"	100
NO. 40	30 - 80
NO. 40	10 - 50
NO. 200	0 - 8

IN OPEN AREAS, CGF SHOULD BE PLACED IN LIFT THICKNESSES NOT EXCEEDING 12 INCHES LOOSE MEASURE (PRIOR TO COMPACTION) AND COMPACTED USING SELF PROPELLED VIBRATORY ROLLERS SUCH AS A BOMAG BW-80S. IN CONFINED AREAS, CGF SHOULD BE PLACED IN LIFT THICKNESS NOT EXCEEDING 9 INCHES AND COMPACTED USING A LARGE VIBRATORY PLATE COMPACTOR OR EQUIVALENT. A MINIMUM OF FOUR SYSTEMATIC PASSES OF THE COMPACTION EQUIPMENT SHOULD BE USED TO COMPACT EACH LIFT.

2. COMMON FILL SHOULD BE USED FOR ENGINEERED FILLS BELOW ROADWAY, PARKING, AND OTHER NON-STRUCTURAL AREAS. COMMON FILL SHALL COMPLY WITH THE FOLLOWING GRADATION:

SIEVE SIZE	% PASSING
6"	100
NO. 40	0-80
NO. 200	0 - 30

COMMON FILL SHOULD BE PLACED IN MAXIMUM 12-INCH THICK LOOSE LIFTS USING COMPACTION EQUIPMENT AS DESCRIBED ABOVE FOR CGF.

3. AGGREGATE BASE FOR PAVEMENTS SHOULD BE USED AS THE BASE COURSE LAYER BELOW THE ASPHALT PAVEMENTS. AGGREGATE BASE SHALL COMPLY WITH THE FOLLOWING GRADATION:

SIEVE SIZE	% PASSING
2" (50 MM)	100
½" (12.5 MM)	45 - 70
¾" (6.3 MM)	30 - 55
NO. 40 (425 MM)	0 - 20
NO. 200 (75 MM)	0 - 5

4. WHERE SUBGRADES BECOME SATURATED, UNSTABLE, AND/OR DIFFICULT TO COMPACT, CRUSHED STONE SHOULD BE PLACED AND COMPACTED IN LIEU OF CGF OR COMMON FILL. CRUSHED STONE, WHEN USED, SHOULD BE WRAPPED IN A GEOTEXTILE FILTER FABRIC, SUCH AS MIRAFI 140N OR EQUAL. AT NO TIME SHOULD CGF OR COMMON FILL BE PLACED OVER CRUSHED STONE THAT HAS NOT BEEN WRAPPED IN A GEOTEXTILE FILTER FABRIC.
5. BEDDING PLACED BELOW UTILITIES SHOULD BE IN ACCORDANCE WITH THE UTILITY AND MANUFACTURER REQUIREMENTS. IN GENERAL, UTILITIES MAY BE SUPPORTED DIRECTLY ON A MINIMUM 6-INCH-THICK LAYER OF COMPACTED STRUCTURAL FILL, CRUSHED STONE, OR OTHER SUITABLE PIPE BEDDING MATERIALS. FILL PLACED AS BACKFILL FOR UTILITIES BELOW BUILDING FLOOR SLABS SHOULD CONSIST OF COMPACTED STRUCTURAL FILL OR CRUSHED STONE. ELSEWHERE, FILL PLACED AS BACKFILL FOR UTILITIES SHOULD CONSIST OF COMPACTED COMMON FILL.
6. RE-USE OF ON-SITE BORROW SOILS IS PERMITTED AS LONG AS THOSE SOILS MEET THE GRADATION REQUIREMENTS IDENTIFIED ABOVE. THE EXISTING FILL MATERIALS WILL LIKELY MEET THE GRADATION SPECIFICATION FOR COMMON FILL. THESE SOILS COULD BE USED AS COMMON FILL BELOW PAVEMENT SUBBASE AREAS AND BELOW BUILDING SLAB--ON-GRADE AREAS TO SLAB SUBGRADE ELEVATIONS, PROVIDED THAT THE MOISTURE IS CONTROLLED AND COMPACTION IS ACHIEVED.
7. THE ON-SITE SOILS COULD BE USED AS CGF ADJACENT TO PILE CAPS AND GRADE BEAMS, BENEATH SIDEWALKS OR ADJACENT TO ANY FOUNDATION WALLS AS LONG AS THOSE SOILS MEET THE GRADATION REQUIREMENTS IDENTIFIED ABOVE.
8. GLACIOMARINE SAND AND CLAY SOILS EXCAVATED DURING CONSTRUCTION ARE NOT CONSIDERED SUITABLE FOR REUSE AS CGF. THESE MATERIALS MAY BE USED AS COMMON FILL IN LANDSCAPED AREAS IF THEY CAN BE PLACED AND COMPACTED ADEQUATELY AS STATED HEREIN.
9. THE DURABLE COMPONENTS OF ANY EXISTING STRUCTURES REMOVED DURING DEMOLITION COULD BE CRUSHED AND BLENDED ON-SITE TO PRODUCE A SUITABLE STRUCTURAL OR COMMON FILL. THE CONCRETE (FROM FLOOR SLABS AND FOUNDATION ELEMENTS), AND CONCRETE BLOCK COULD POTENTIALLY BE INCORPORATED INTO STRUCTURAL OR COMMON FILLS.
10. RECLAIMED MATERIALS SHOULD BE FREE OF DELETERIOUS MATERIALS (STRUCTURAL STEEL, WOOD, GLASS, METALS). SAMPLES OF ALL SITE MATERIALS PROPOSED FOR ON-SITE RE-USE SHOULD BE TESTED FOR CONFORMANCE TO THE GRADATION SPECIFICATIONS, MOISTURE-DENSITY RELATIONSHIPS (MODIFIED PROCTOR TESTING), AND ABRASION RESISTANCE (ASTM C 131, THE I.A. ABRASION TEST). PROPOSED RECLAIMED MATERIALS SHOULD HAVE AN ABRASION LOSS OF LESS THAN 50 PERCENT.

CONSTRUCTION WITHIN RIGHT-OF-WAY (R.O.W.)

1. ALL CONSTRUCTION WITHIN THE RIGHT-OF-WAY SHALL CONFORM TO THE STANDARDS OF CITY OF PORTLAND TECHNICAL MANUAL.

Project:

FIVE INDIA STREET BUILDING

5 INDIA STREET
PORTLAND, MAINE

Owner:

ESSEXNORTH
PORTLAND LLC
P.O. BOX 394
TOPSFIELD, MA 01983

Applicant:

ESSEXNORTH
PORTLAND LLC
P.O. BOX 394
TOPSFIELD, MA 01983

STATE OF MAINE
MAUREEN P. MCGLONE
#7705
REGISTERED PROFESSIONAL ENGINEER

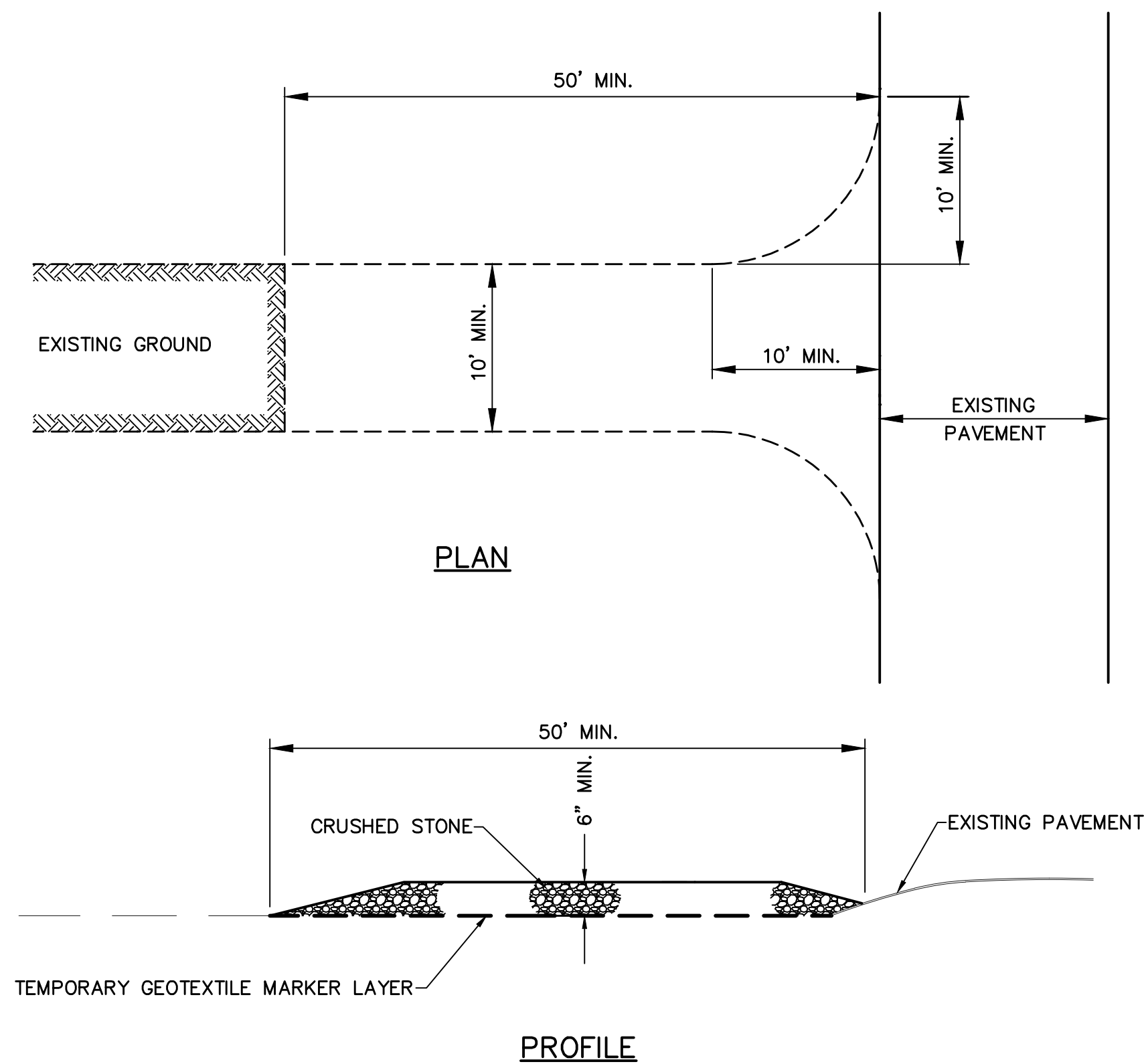
CIVIL ENGINEER:
MAUREEN P. MCGLONE, PE #7705
400 COMMERCIAL STREET, SUITE 404
PORTLAND, ME 04101
207-772-2891

RANSOM Consulting Engineers and Scientists

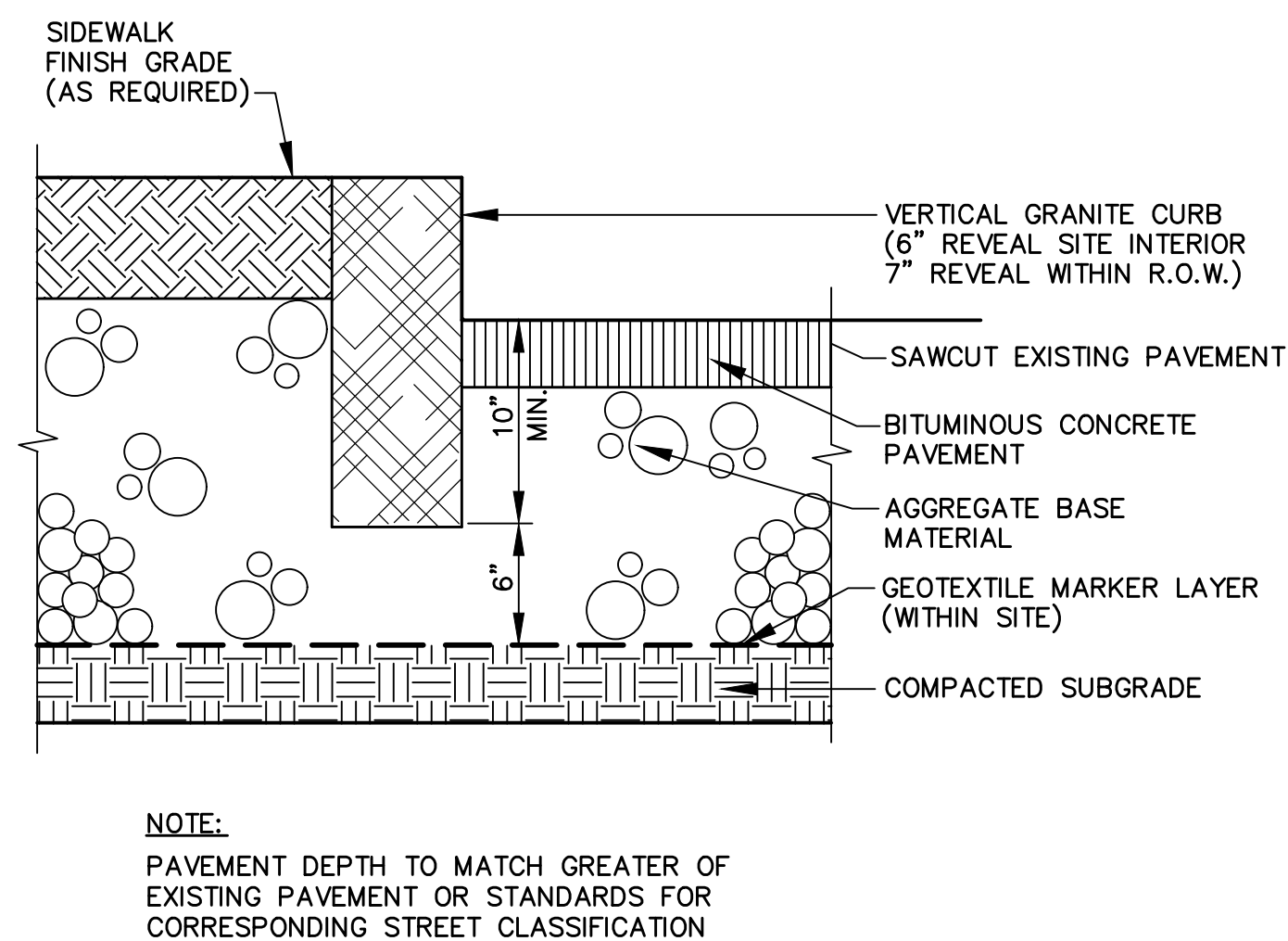
400 Commercial Street, Suite 404
Portland, ME 04101
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Fax (207) 772-3248
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CONSTRUCTION DETAILS AND NOTES

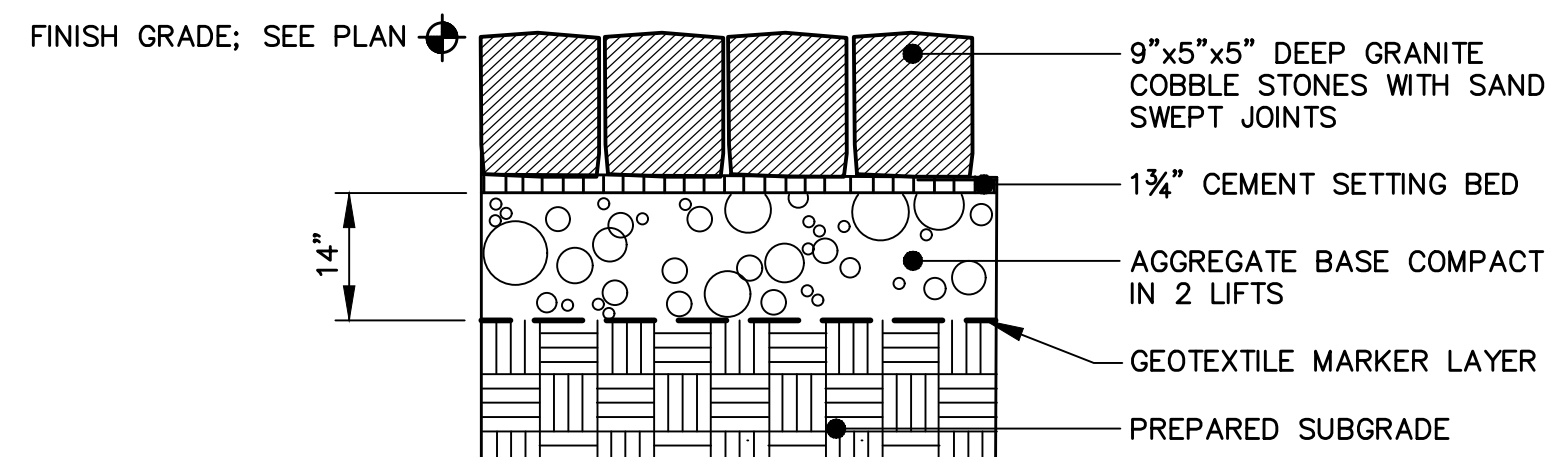
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No.	Revision/Issue	Date
Design by:	MPM	Checked by: SUB
Drawn by:	JAR	Approved by: SUB
Project:	150.06094	Date: MARCH 2019
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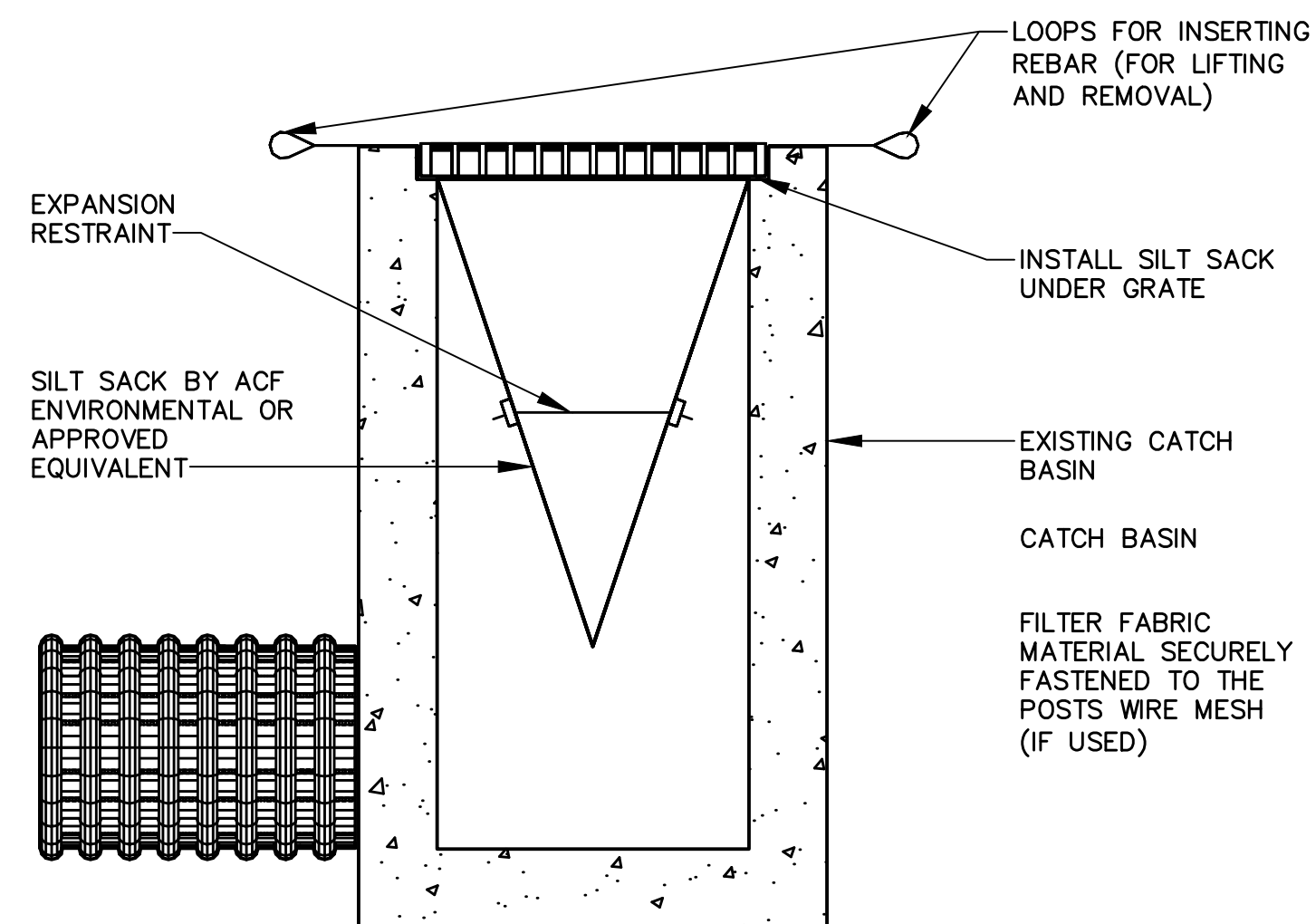
1 STABILIZED CONSTRUCTION ENTRANCE
NOT TO SCALE



4 VERTICAL GRANITE CURBING
NOT TO SCALE

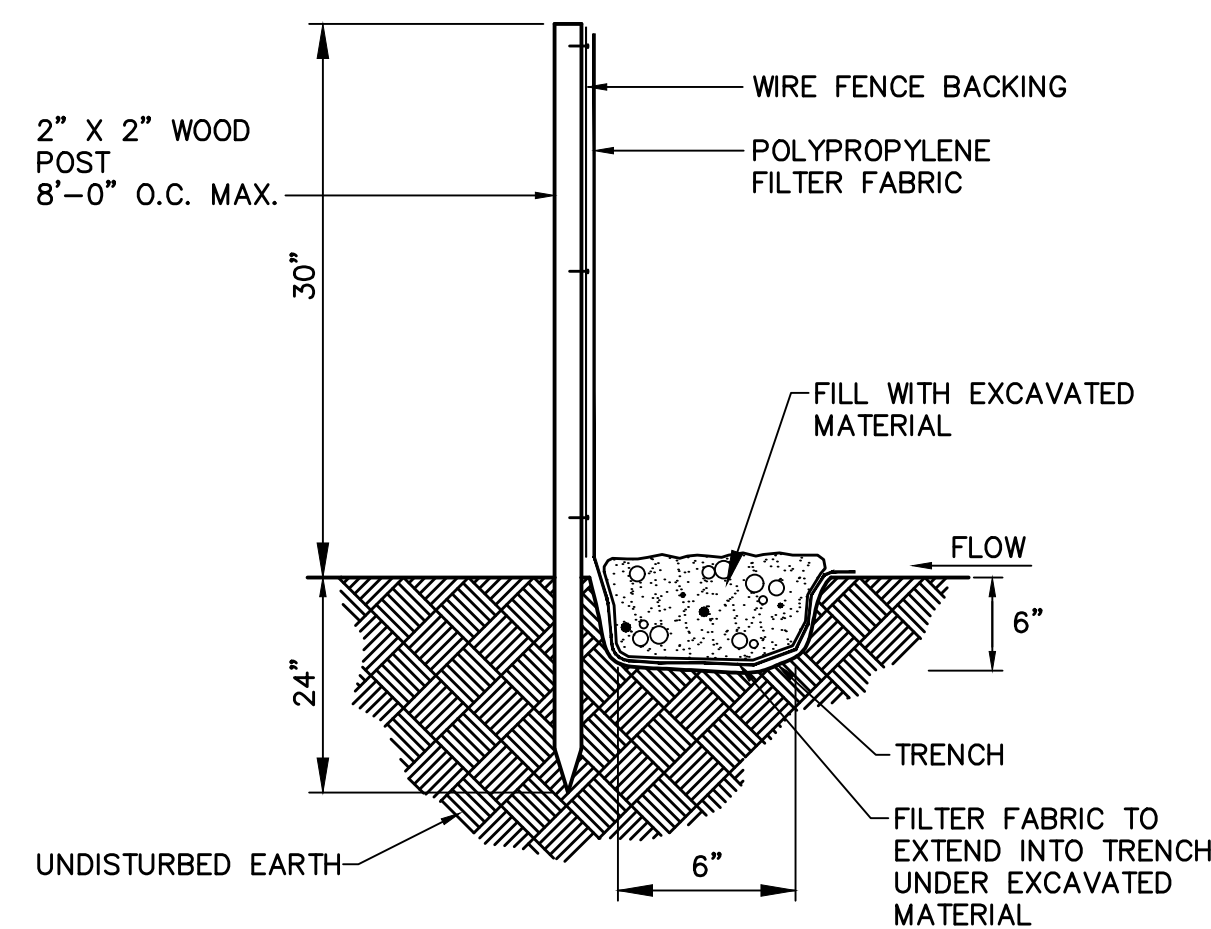


7 GRANITE COBBLE STONE PAVING
NOT TO SCALE

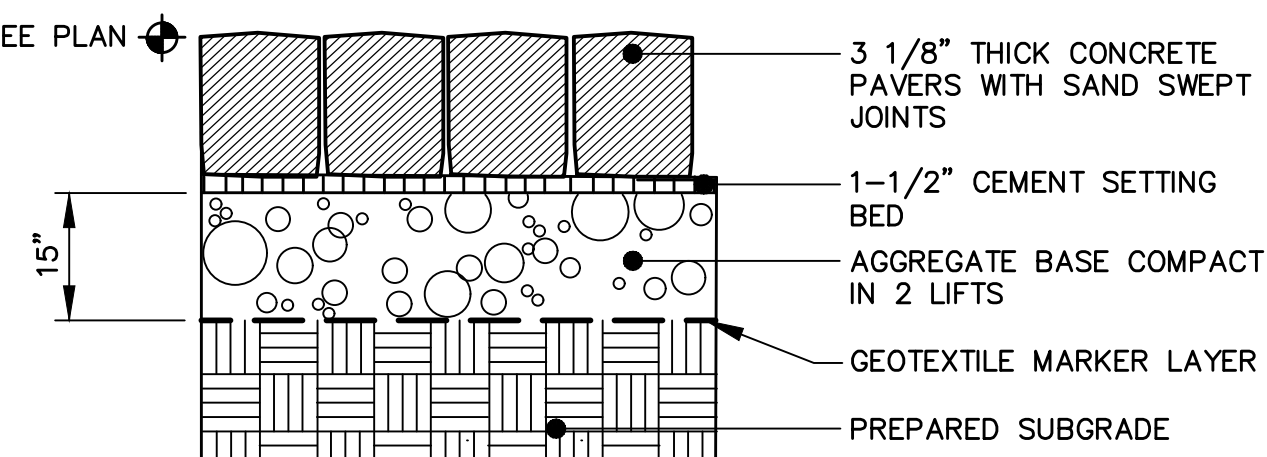


- NOTES:**
1. INSTALL SILTSACK PER MANUFACTURER'S RECOMMENDATIONS.
 2. SILTSACKS SHALL BE CHECKED FOR SEDIMENT LEVEL AND OVERALL CONDITION IMMEDIATELY AFTER EVERY RAIN EVENT AND AT LEAST EVERY DAY DURING PROLONGED RAINFALL.
 3. SEDIMENT SHALL BE REMOVED WHEN THE SEDIMENT HAS ACCUMULATED TO 1/2 THE DESIGN DEPTH OF THE SILTSACK. REMOVED SEDIMENT SHALL BE DEPOSITED IN A SUITABLE AREA AND IN SUCH A MANNER THAT WILL NOT ERODE.
 4. SEDIMENT SHALL ONLY BE REMOVED BY REMOVING THE SILTSACKS FROM THE CATCH BASINS ACCORDING TO MANUFACTURER RECOMMENDATIONS.
 5. CARE SHALL BE TAKEN TO AVOID SPILLING SEDIMENT WHILE REMOVING THE SILTSACK.
 6. ANY DAMAGED SILTSACK SHALL BE REPLACED WITH A NEW SILTSACK.

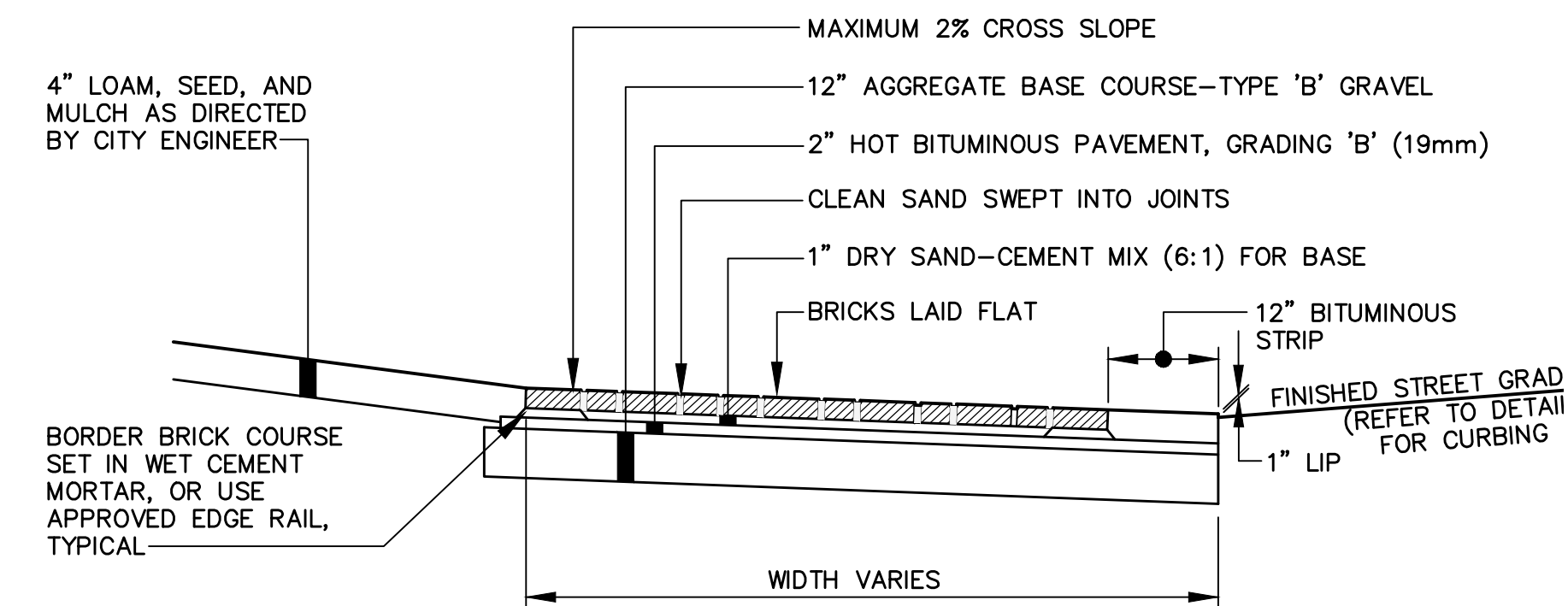
2 INLET PROTECTION - SILT SACK
NOT TO SCALE



5 EROSION CONTROL FENCE DETAIL
NOT TO SCALE

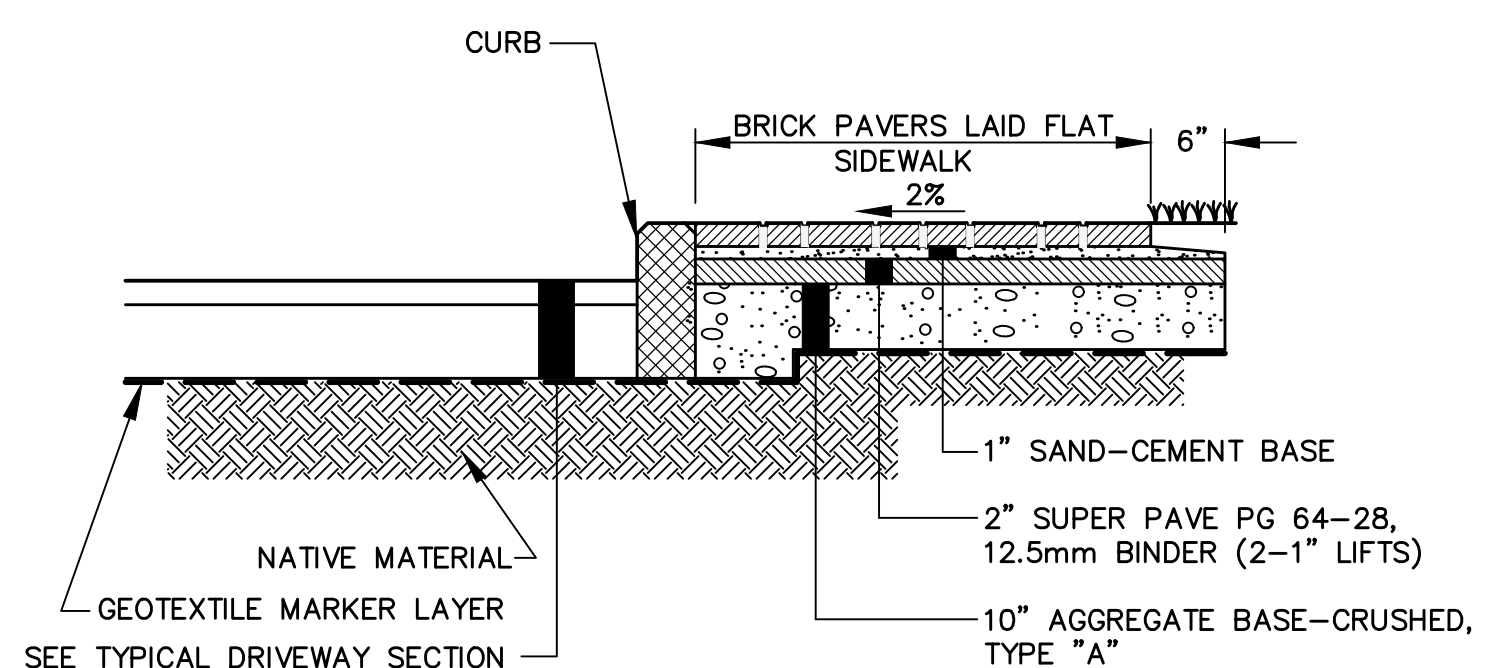


8 CONCRETE PAVER DETAIL
NOT TO SCALE

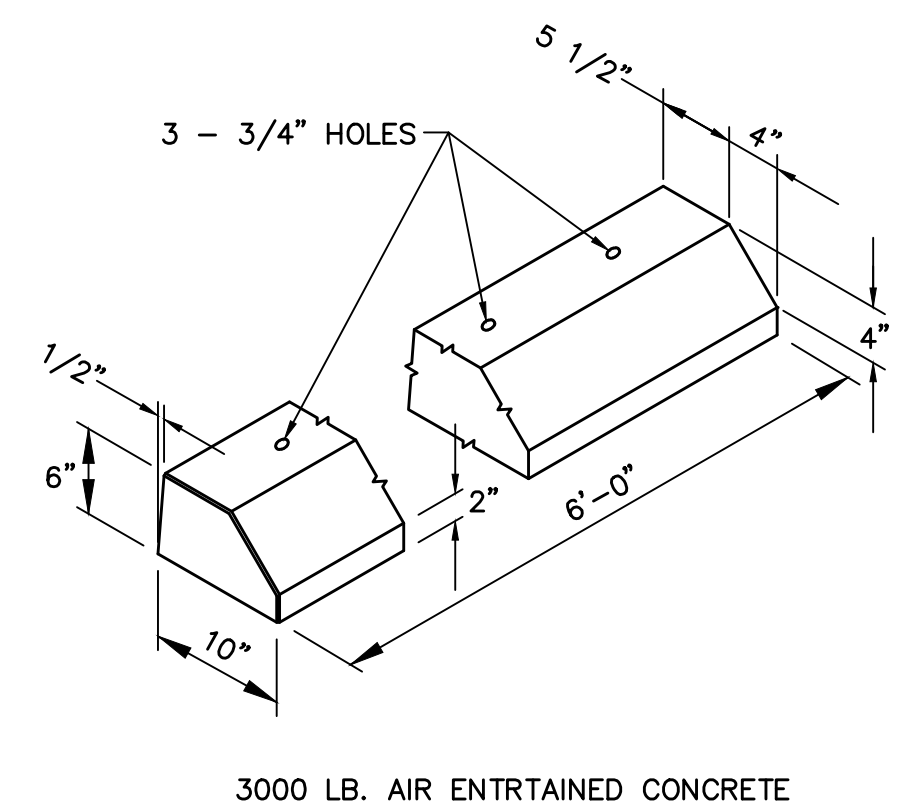


- BRICKS TO BE USED:**
- NEW CONSTRUCTION:**
4"x8" PINE HALL PATHWAY PAVER BRICK MANUFACTURED BY PINE HALL BRICK CO., MADISON, NORTH CAROLINA. LACHANCE ITEM # 193623, PINE HALL PATHWAY BRICK.
- REPAIR/MAINTENANCE TO EXISTING BRICK SIDEWALKS:**
VERMONT PAVER SUPPLIED BY GAGNE AND SONS. SPECIFICATION # VERMONT BACKER BRICK, ITEM # VBBB.

3 CITY OF PORTLAND BRICK SIDEWALK WITH BITUMINOUS BASE (TYPICAL WITHIN CITY RIGHT-OF-WAY)
NOT TO SCALE



6 BRICK PAVER SIDEWALK SECTION (TYPICAL WITHIN SITE)
NOT TO SCALE



9 PRECAST CONC. WHEELSTOP
NOT TO SCALE

Project:

FIVE INDIA STREET BUILDING
5 INDIA STREET
PORTLAND, MAINE

Owner:

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P.O. BOX 394
TOPSFIELD, MA 01983

Applicant:

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CIVIL ENGINEER:

MAUREEN P. MCGLONE, PE #7705
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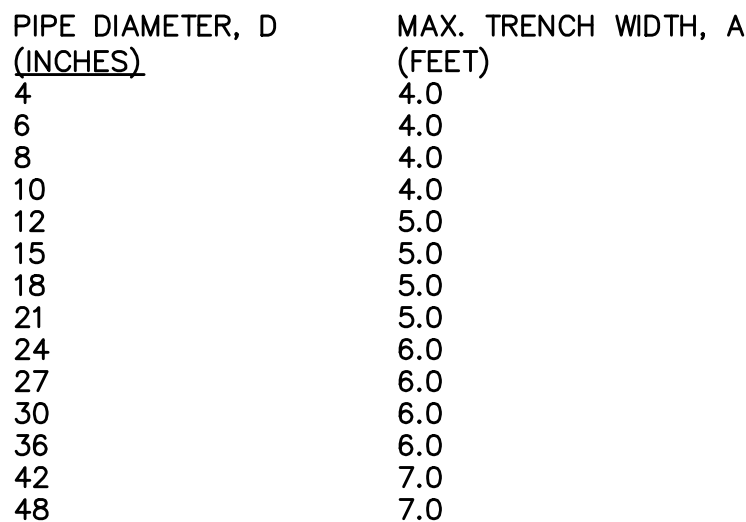
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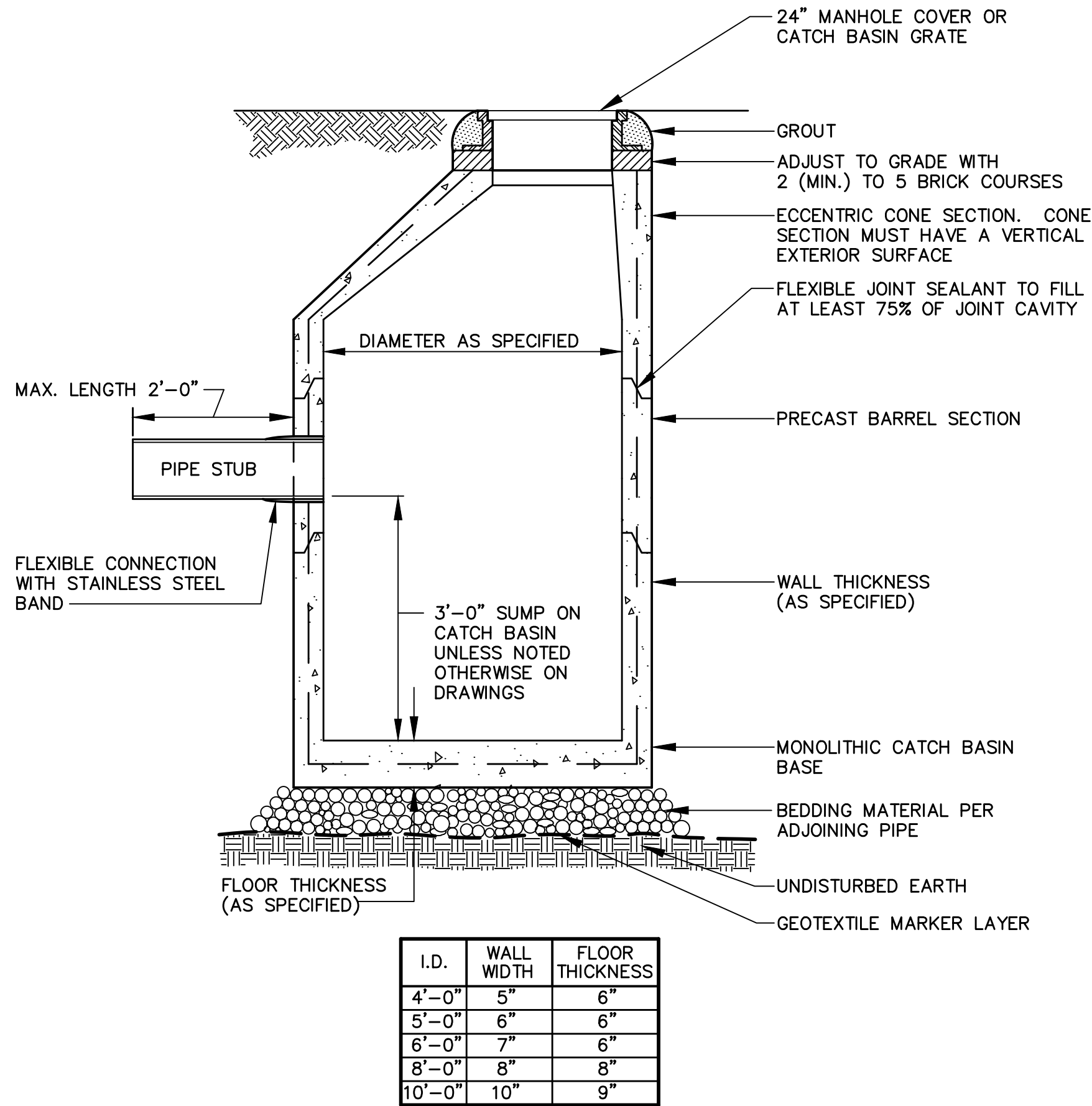
CONSTRUCTION DETAILS

No.	Revision/Issue	Date
B	90% PRICING DOCUMENTS	12/13/19
A	CITY SUBMISSION/PRICING	05/20/19

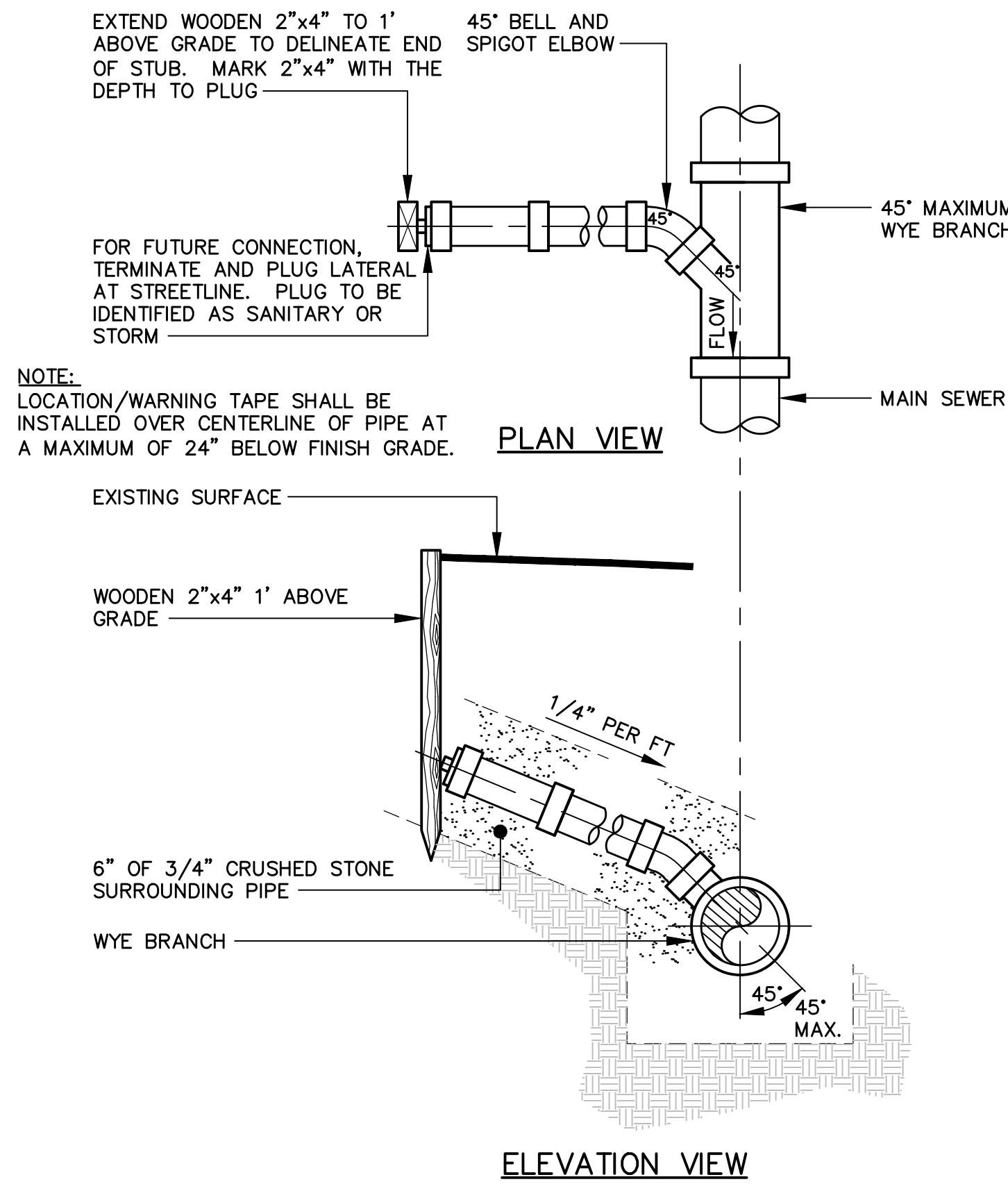
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Drawn by:	Approved by:
JAR	SJB
Project:	Date:
150.06094	MARCH 2019

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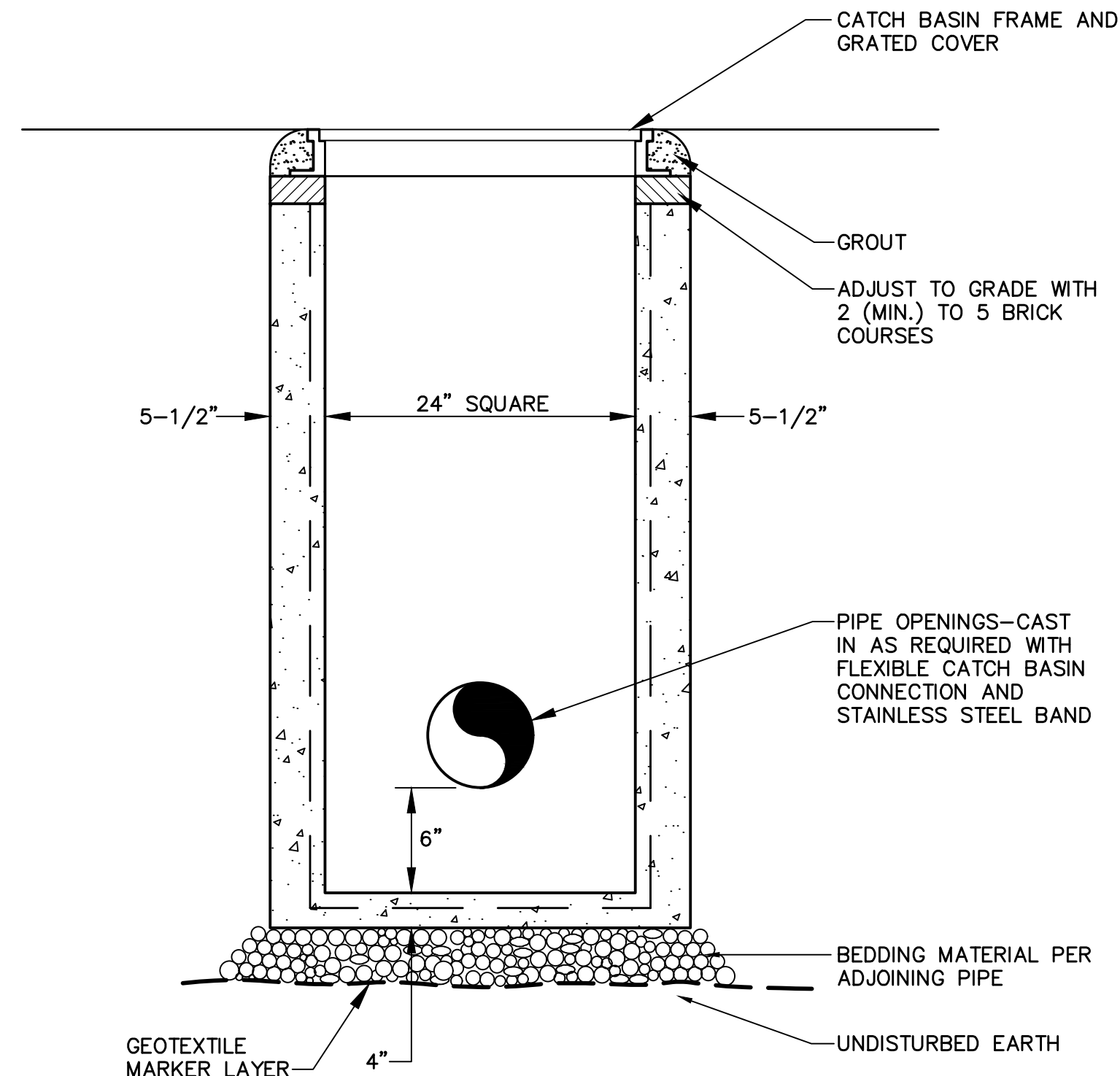




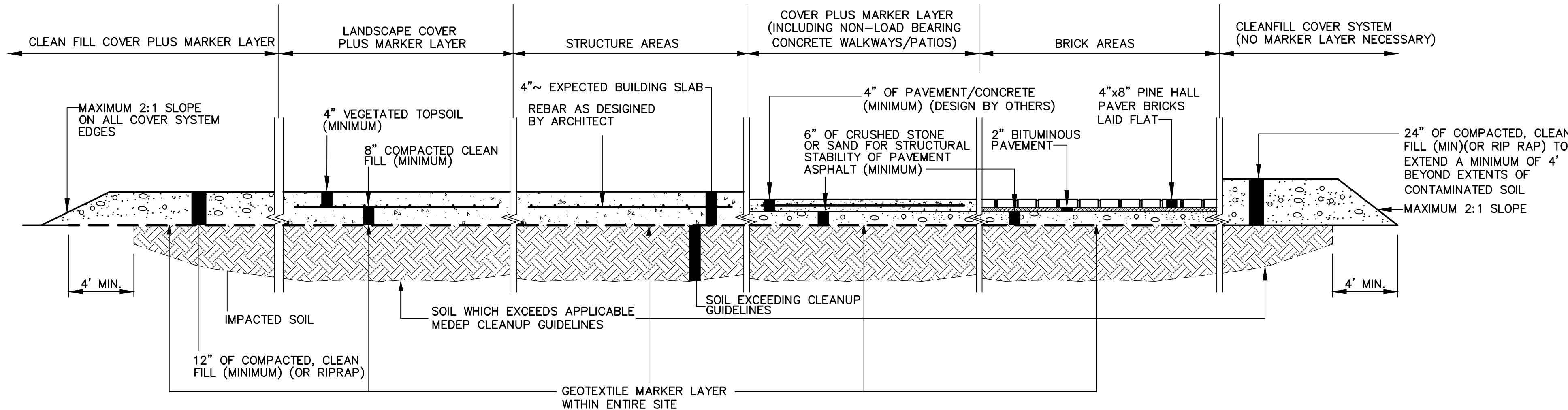
1 PRECAST CONCRETE MANHOLE
NOT TO SCALE



2 TYPICAL HOUSE LATERAL TEE/WYE CONNECTION
NOT TO SCALE

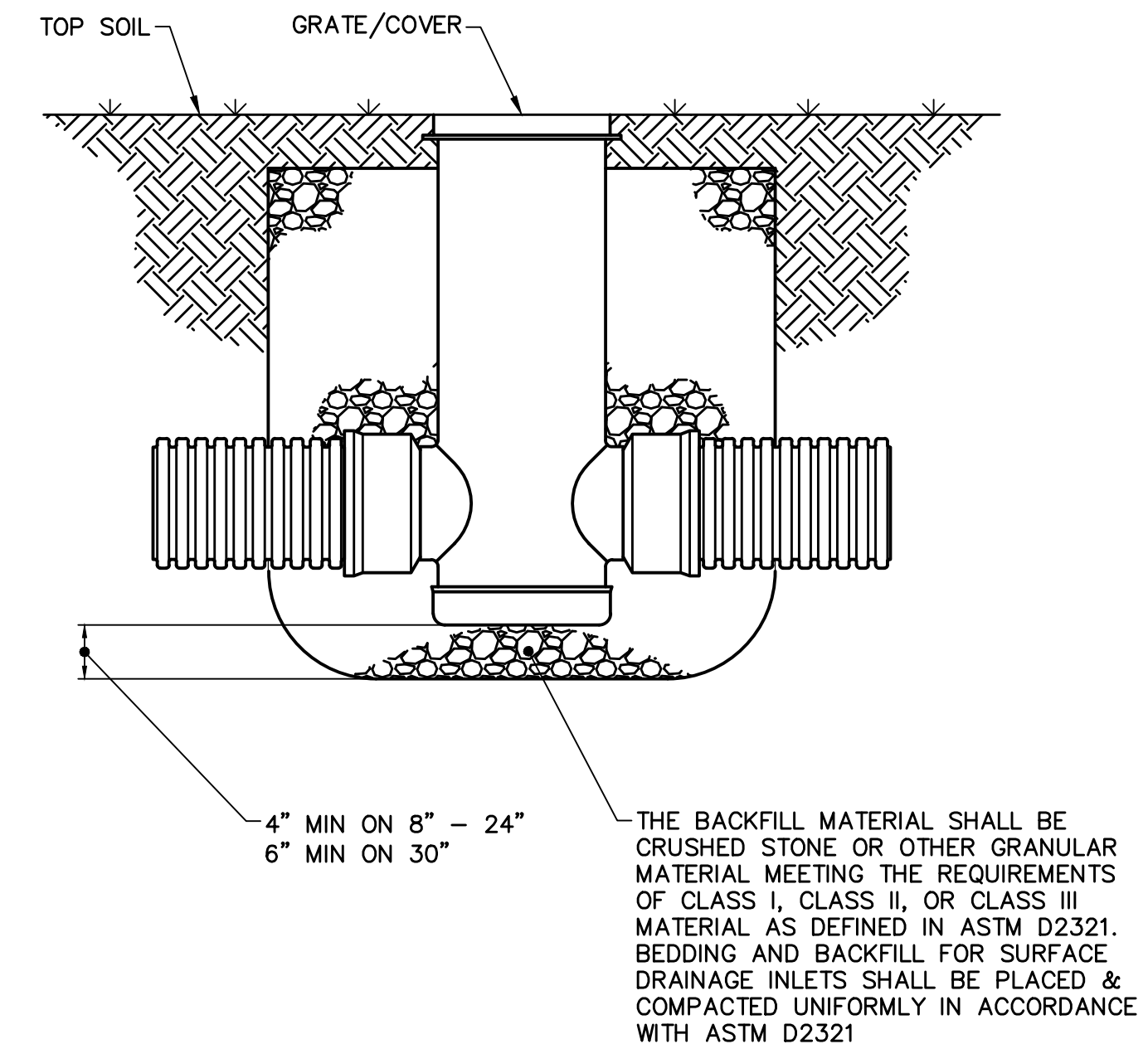


3 PRECAST CONCRETE CATCH BASIN-TYPE "F"
NOT TO SCALE



NOTE:
THE QUANTITIES IDENTIFIED ARE MINIMUM REQUIREMENTS FOR COVERING OF THE IDENTIFIED CONTAMINATED SOILS. ADDITIONAL SUB-BASE MATERIALS MAY BE REQUIRED IN AREAS PROPOSED FOR ASPHALT PAVING, BUILDINGS AND/OR CONCRETE SIDEWALKS/PATIOS, AS NECESSARY, TO MAINTAIN STRUCTURAL INTEGRITY OF THESE MATERIALS. THE SITE DESIGN ENGINEER IS REQUIRED TO MAKE THE DETERMINATION OF STRUCTURAL SUITABILITY.

4 SOIL COVER SYSTEM (WITHIN LIMITS OF SITE)
NOT TO SCALE



DRAIN BASIN
24" NYLOPLAST DRAIN BASIN DETAIL
NOT TO SCALE

Project:

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5 INDIA STREET
PORTLAND, MAINE

Owner:

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Applicant:

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Civil Engineer:

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150.06094	MARCH 2019

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1. CONTRACTOR SHALL BEGIN MAINTENANCE IMMEDIATELY AFTER PLANTING AND SHALL CONTINUE UNTIL FINAL ACCEPTANCE. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL MEANS AND METHODS OF WATERING AND MAINTENANCE.
2. CONTRACTOR SHALL SUPPLY PLANTS IN QUANTITIES SUFFICIENT TO COMPLETE WORK SHOWN ON THE PLAN. ANY DISCREPANCY BETWEEN THE QUANTITIES SHOWN IN THE PLANT SCHEDULE AND THOSE REQUIRED ON THE PLAN SHALL NOT ENTITLE THE CONTRACTOR TO ADDITIONAL REMUNERATION. ANY DISCREPANCIES SHALL BE CLARIFIED WITH THE LANDSCAPE ARCHITECT PRIOR TO ORDERING PLANT MATERIAL.
3. ALL MATERIALS SHALL CONFORM TO SPECIFICATIONS OF THE AMERICAN STANDARDS FOR NURSERY STOCK (LATEST EDITION) AS SET FORTH BY THE AMERICAN ASSOCIATION OF NURSERYMEN.
4. ALL PLANTS SHALL BEAR THE SAME RELATIONSHIP TO FINISH GRADE AS THE ORIGINAL GRADES BEFORE DIGGING.
5. THE LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL PLANT MATERIALS FOR ONE (1) FULL YEAR FROM DATE OF SUBSTANTIAL COMPLETION.
6. ALL PLANT MATERIALS ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT AT THE NURSERY AND AT THE SITE.
7. ALL PLANT BEDS SHALL MEET MINIMUM TOPSOIL REQUIREMENTS (SEE SPECIFICATIONS).
8. NO PLANT MATERIAL SHALL BE INSTALLED UNTIL GRUBBING, BED PREPARATION, AND FINISH GRADING HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
9. ALL PLANT BEDS AND TREE WELLS SHALL HAVE A MINIMUM OF 3" OF UNIFORMLY DISTRIBUTED, DARK, SHREDED BARK MULCH.
10. CONTRACTOR SHALL SUBMIT SOIL SAMPLE AND TEST OF TOPSOIL TO LANDSCAPE ARCHITECT PRIOR TO INSTALLATION. SOIL ADMIXTURE SHALL BE ADDED TO EXISTING SOIL (BY CONTRACTOR) IF DEEMED NECESSARY BY SOIL TEST RESULTS.
11. ROUGH GRADING AND BED PREPARATION SHALL BE APPROVED BY LANDSCAPE ARCHITECT PRIOR TO PLANT INSTALLATION. CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT 48 HOURS PRIOR TO REQUIRED SITE VISIT.
12. ALL PLANTS SHALL BE BALLED AND WRAPPED OR CONTAINER GROWN AS SPECIFIED. ALL ROOT WRAPPING AND CONTAINER MATERIAL MADE OF SYNTHETICS OR PLASTICS SHALL BE REMOVED AT THE TIME OF PLANTING.
13. ALL BROAD LEAF EVERGREEN PLANTS SHALL BE SPRAYED WITH AN ANTI-DESSICANT AT THE BEGINNING OF THEIR FIRST WINTER.
14. ALL PLANTS SHALL BE INSTALLED AS PER DETAILS AND THE CONTRACT SPECIFICATIONS. THE LANDSCAPE CONTRACTOR SHALL REFER TO THE CONTRACT SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS.
15. CONTRACTOR SHALL STAKE TREES IF DEEMED NECESSARY BY LANDSCAPE ARCHITECT.
16. THE LANDSCAPE CONTRACTOR SHALL PROVIDE LOAM FILL AS PER THE CONTRACT SPECIFICATIONS.
17. ALL PLANTS SHALL BE WATERED BY THE CONTRACTOR, AS NECESSARY TO INSURE HEALTH UNTIL FINAL ACCEPTANCE.
18. THE LANDSCAPE CONTRACTOR SHALL REFER TO THE PLANT LIST AND PLANTING SPECIFICATIONS FOR SEASONAL REQUIREMENTS AND OTHER RESTRICTIONS RELATED TO THE TIME AND SEASON OF PLANTING.

EX. COBRA HEAD STREET LIGHT
TO BE REMOVED AND RETURNED
TO CITY STOCKPILE

DECORATIVE STREET LIGHT
PENINSULA MEDIUM STREET
LIGHT X-7B (1), TYP. (THIS SYMBOL
COLOR TO BE BLACK,
CENTER ON ADJACENT TREE
PLANTER, SEE DETAIL 10 / L2.0

AC
3

VERTICAL GRANITE CURB—
SEE CIVIL DETAILS

BRICK SIDEWALK TO CITY
STANDARDS ALONG
INDIA STREET
SEE CIVIL DETAILS + 4 / L2.0 + L1.1

5'X7' GRANITE TREE PLANTER
W/ 3" CURB REVEAL, TYP. (3)
CENTER ON SOLID WALL SECTION
BETWEEN WINDOWS / DOORS,
SEE DTLS 1+6 / L2.0

BENCH (3), TYP.
ALIGN WITH CORNER OF
LANDSCAPE EDGING
SEE DTL 1+2 / L2.1

PENINSULA MEDIUM DECORATIVE
STREET LIGHTS (2)
APPROX. 66' O.C.
NO WAIVER NEEDED AS LIGHTS ARE
LESS THAN 100' O.C.

7'-6"

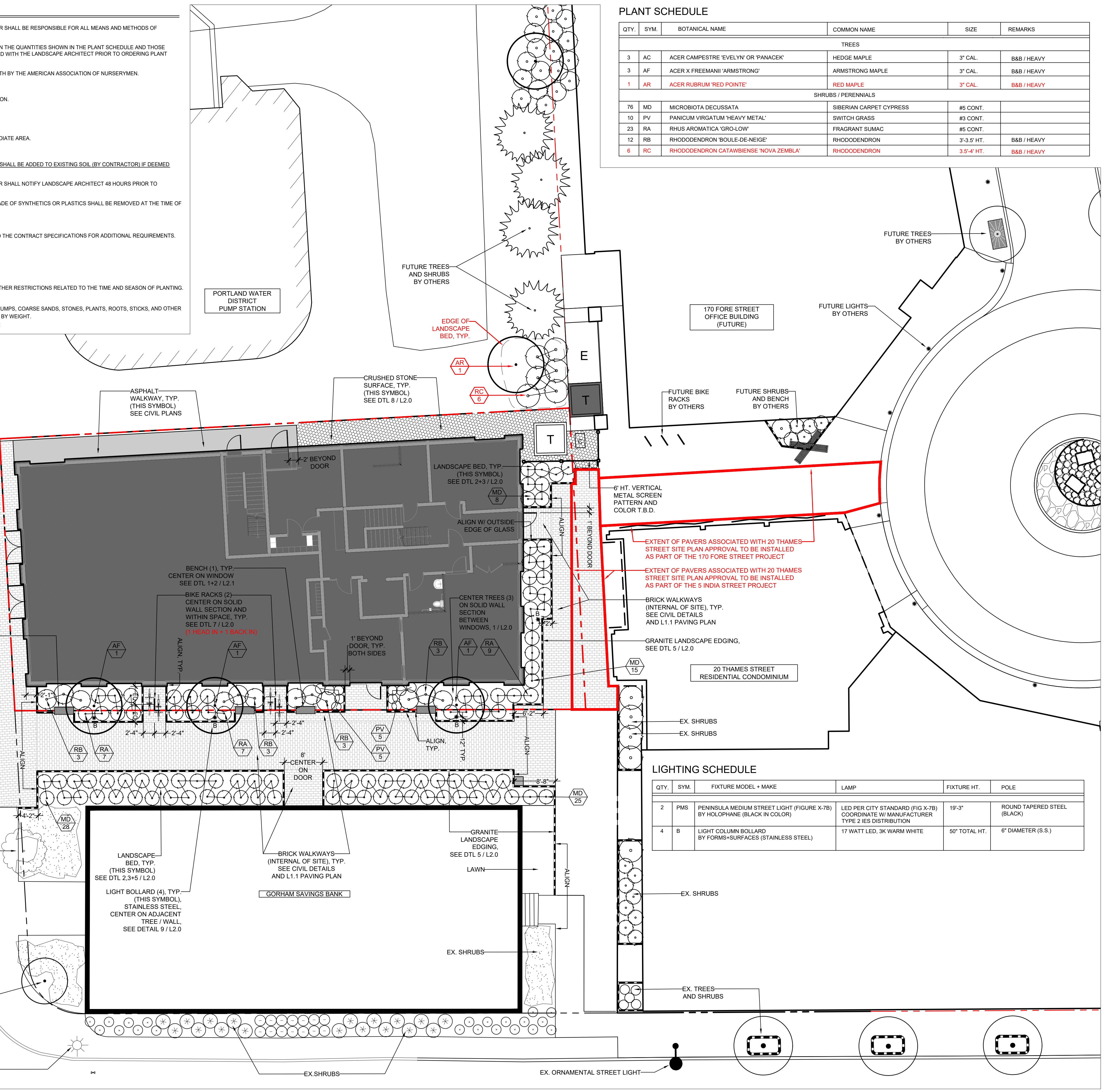
66'-0"

7'-6"

DECORATIVE STREET LIGHT
PENINSULA MEDIUM STREET LIGHT X-7B (1), TYP.
(THIS SYMBOL), COLOR TO BE BLACK,
CENTER ON ADJACENT TREE PLANTER, SEE
DETAIL 10 / L2.0



QTY.	SYM.	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
TREES					
3	AC	ACER CAMPESTRE 'EVELYN' OR 'PANACEK'	HEDGE MAPLE	3" CAL.	B&B / HEAVY
3	AF	ACER X FREEMANII 'ARMSTRONG'	ARMSTRONG MAPLE	3" CAL.	B&B / HEAVY
1	AR	ACER RUBRUM 'RED POINTE'	RED MAPLE	3" CAL.	B&B / HEAVY
SHRUBS / PERENNIALS					
76	MD	MICROBIOTA DECUSSATA	SIBERIAN CARPET CYPRESS	#5 CONT.	
10	PV	PANICUM VIRGATUM 'HEAVY METAL'	SWITCH GRASS	#3 CONT.	
23	RA	RHUS AROMATICA 'GRO-LOW'	FRAGRANT SUMAC	#5 CONT.	
12	RB	RHODODENDRON 'BOULE-DE-NEIGE'	RHODODENDRON	3'-3.5' HT.	B&B / HEAVY
6	RC	RHODODENDRON CATAWBIENSE 'NOVA ZEMBLA'	RHODODENDRON	3.5'-4' HT.	B&B / HEAVY



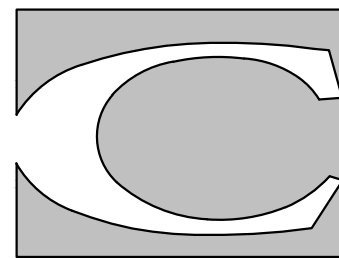
5 INDIA STREET
PORTLAND, MAINE

Owner

ESSEXNORTH PORTLAND LLC
P.O. BOX 394
TOPSFIELD, MA 01983

Applicant

ESSEXNORTH PORTLAND LLC
P.O. BOX 394
TOPSFIELD, MA 01983



CARROLL ASSOCIATES
LANDSCAPE ARCHITECTS
217 COMMERCIAL STREET, STE 200
PORTLAND, MAINE 04101
207.772.1552



400 Commercial Street, Suite 404
Portland, ME 04101
Tel. (207) 772-2891
Fax (207) 772-3248
www.ransomenv.com

LANDSCAPE AND LIGHTING PLAN

3	REVS PER CITY COMMENTS	02.26.20	
2	90% PRICING DOCUMENTS	12.13.19	
1	CITY SUBMISSION / PRICING	05.20.19	
No.	Revision/Issue	Date	
Design by: MAP/PC		Checked by: PC	
Drawn by: MAP		Approved by: PC	
Project:		Date: MARCH 2018	
Sheet No:			
L1.0 Sheet of			



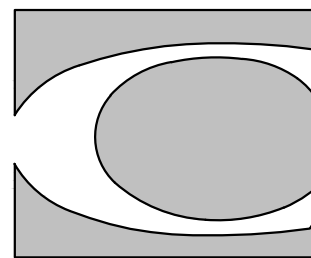
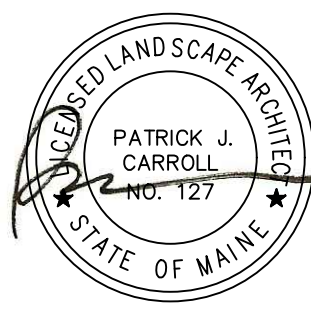
5 INDIA STREET
PORTLAND, MAINE

Owner:

ESSEXNORTH PORTLAND LLC
P.O. BOX 394
TOPSFIELD, MA 01983

Applicant

ESSEXNORTH PORTLAND LLO
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LANDSCAPE DETAILS

1	CITY SUBMISSION / PRICING	05.20.19
No.	Revision/Issue	Date

Design by: MAP/PC	Checked by: PC
Drawn by: MAP	Approved by: PC

Project:	Date: MARCH 2018
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Sheet No.

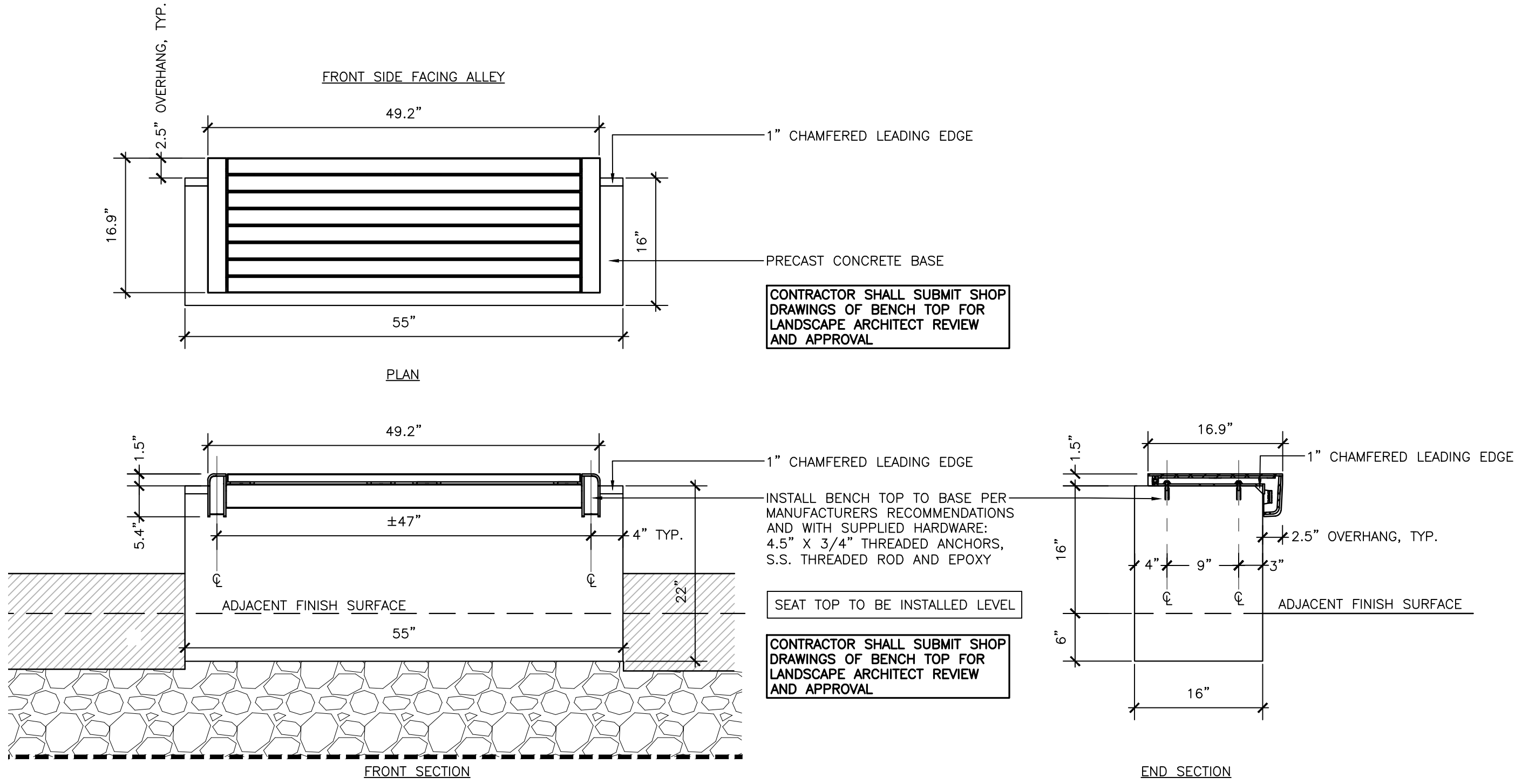
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Sheet 11 of 22

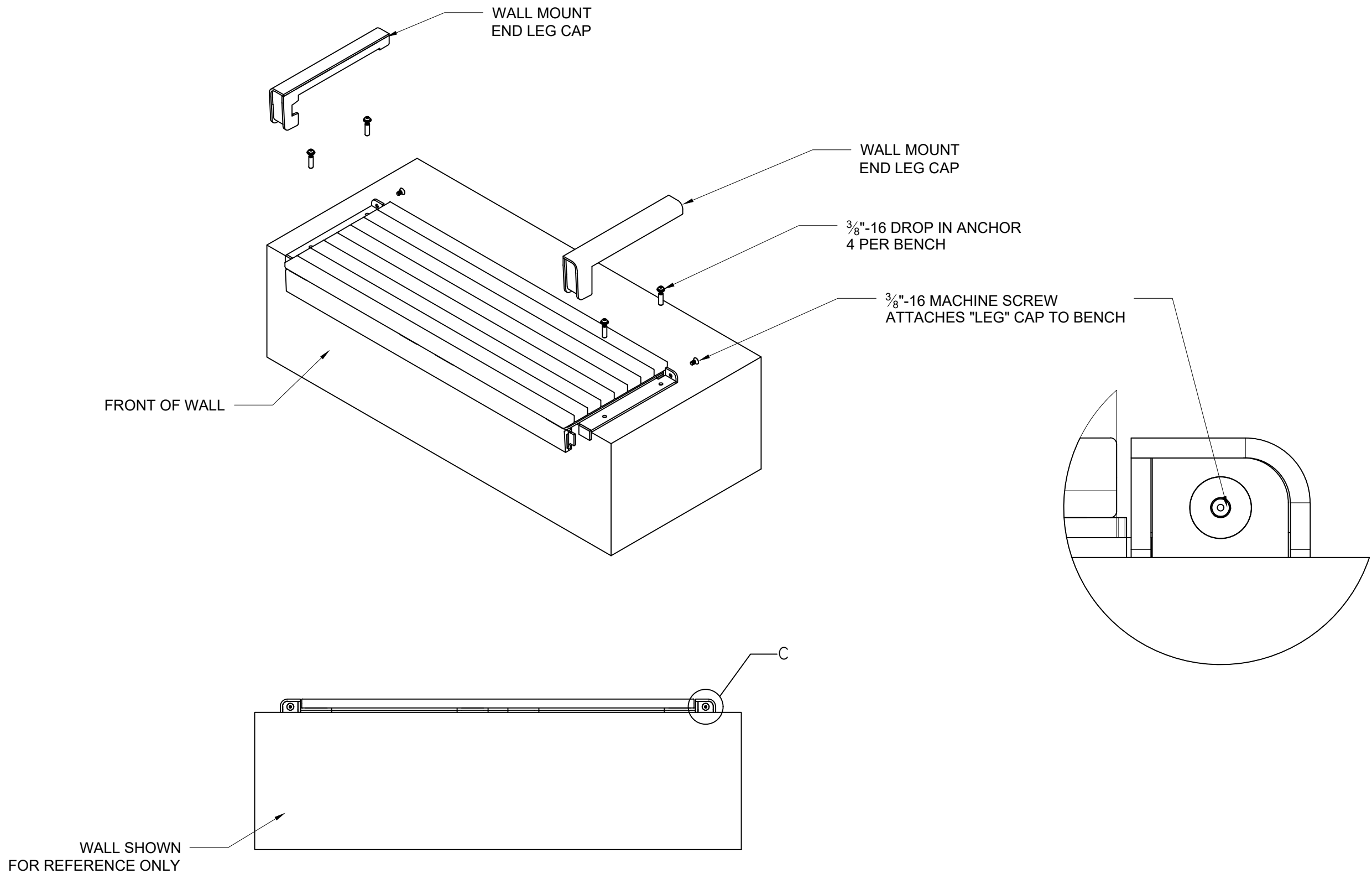
BENCH SPEC

SALES REPRESENTATIVE: DAN DELONGCHAMP
DIRECT NUMBER: 617-780-4134
EMAIL: DANIEL.DELONGCHAMP@FORMS-SURFACES.COM

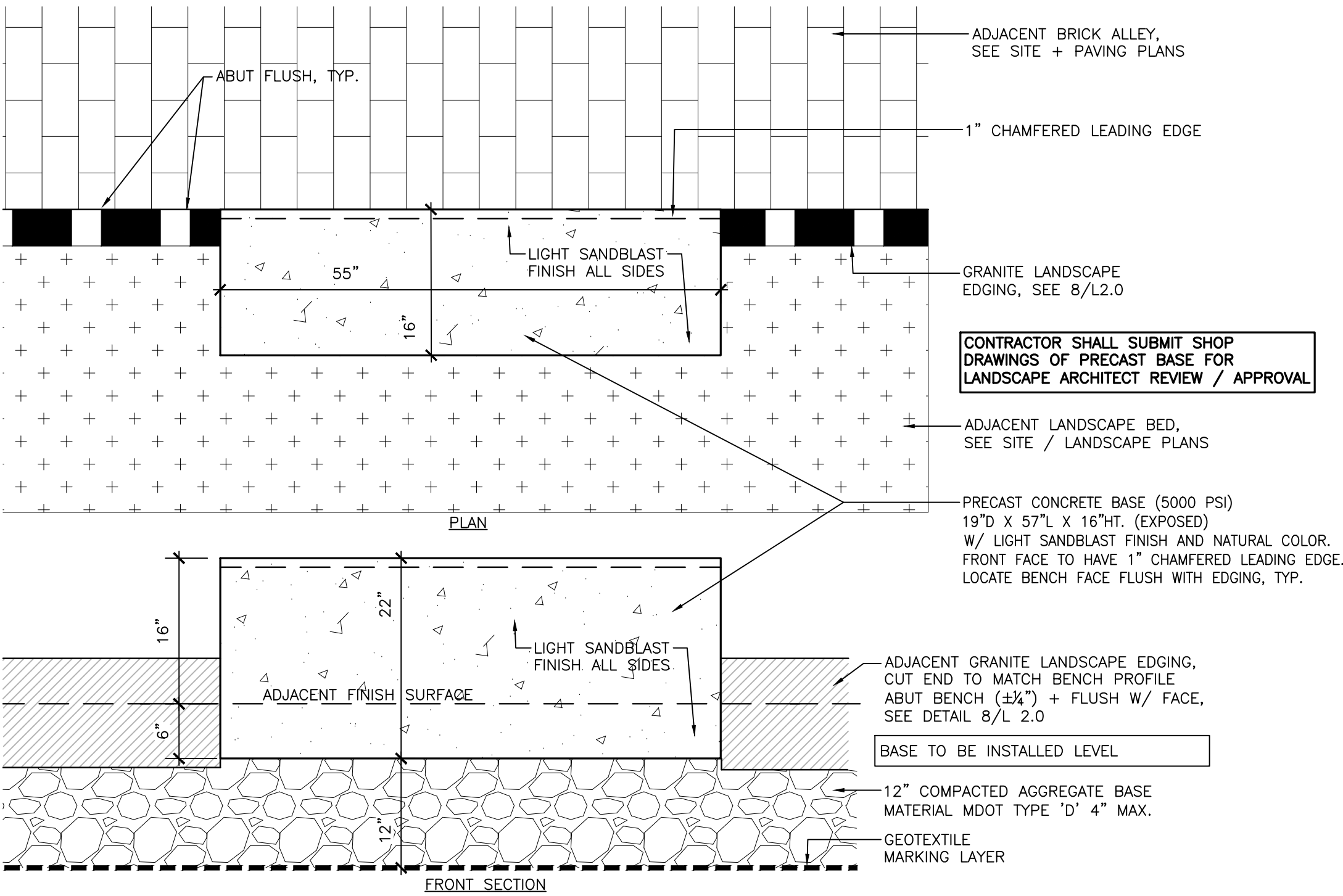
- "VECTOR SEATING SYSTEM" BENCH :
4' WALL TOP MOUNT W/ NO BACK REST;
BY FORMS+SURFACES, 30 PINE STREET, PITTSBURGH, PA15223
- BENCH FRAME: SHALL BE POWDER COATED ALUMINUM, COLOR TO BE SLATE.
- BENCH TOP: SHALL BE FSC 100% JATOBA HARDWOOD SLATS WITH PENOFIN HARDWOOD FORMULA "TRANSPARENT NATURAL". NO SEAT BACK, ARM RESTS, OR SEAT DIVIDERS.
- BENCH SHALL BE SURFACE MOUNTED PER MANUFACTURER'S RECOMMENDATIONS WITH MANUFACTURER SUPPLIED HARDWARE TO CONCRETE BASE.
- CONTRACTOR SHALL SUBMIT SHOP DRAWINGS OF BENCH AND ATTACHMENT FOR APPROVAL.



1 BENCH



UNLESS OTHERWISE SPECIFIED, DIMENSIONS ARE IN INCHES		TOLERANCES (UNLESS OTHERWISE SPECIFIED)		FRACTIONAL 1/32"		DECIMAL .003		THREE PLACE DECIMAL .000	
NAME	DATE	DESCRIPTION:							
DWN	MGJ	03/15/2017							
CHK	AKS	03/15/2017							
MATERIAL: JATOBA/WAL									
FINISH: OILED /PC									
WEIGHT: -									
SOURCE: -									
SCALE: N.T.S									



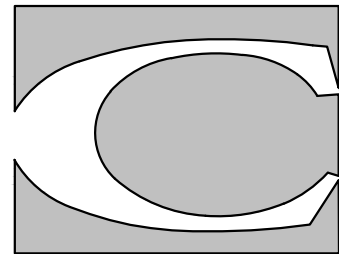
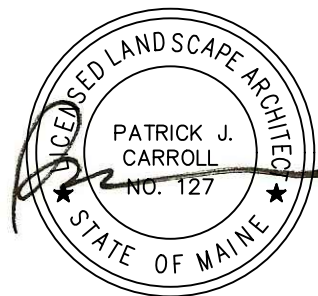
2 PRECAST CONCRETE BENCH BASE

Project: FIVE INDIA STREET BUILDING

5 INDIA STREET
PORTLAND, MAINE

Owner: ESSEXNORTH PORTLAND LLC
P.O. BOX 394
TOPSFIELD, MA 01983

Applicant: ESSEXNORTH PORTLAND LLC
P.O. BOX 394
TOPSFIELD, MA 01983



CARROLL ASSOCIATES
LANDSCAPE ARCHITECTS
217 COMMERCIAL STREET, SUITE 200
PORTLAND, MAINE 04101
207.772.1552

RANSOM
Consulting
Engineers
and Scientists

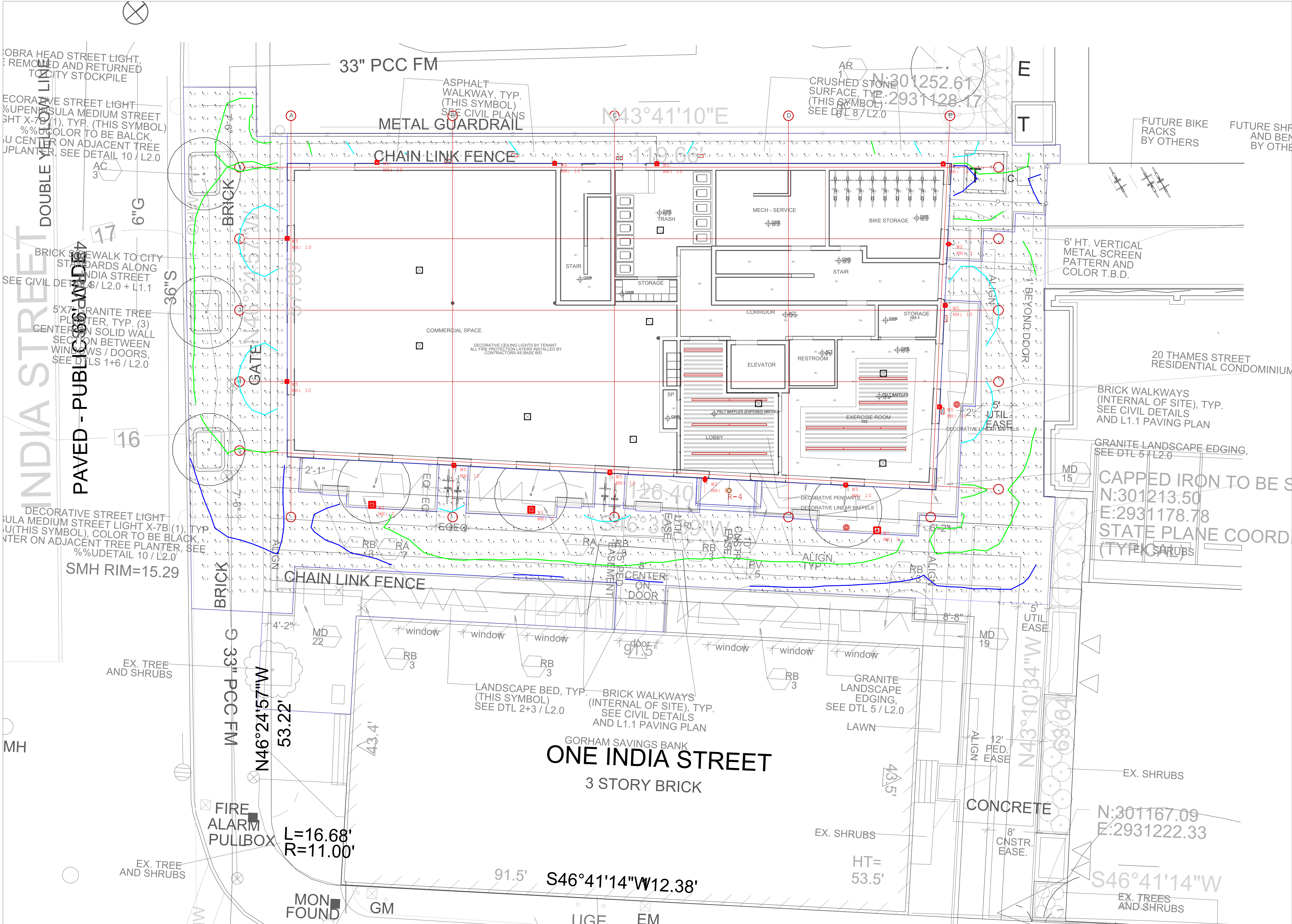
400 Commercial Street, Suite 404
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LANDSCAPE DETAILS

1	CITY SUBMISSION / PRICING	05.20.19
No.	Revision/Issue	Date
Design by:	MAP/PC	Checked by: PC
Drawn by:	MAP	Approved by: PC
Project:		Date: MARCH 2018
Sheet No:		

L2.1

Sheet 11 of 22



Luminaire Schedule					
Symbol	Label	Lum. Lumens	Lum. Watts	Description	Qty
	B1	744	11	071812	3
	W2	849	17	WS-W65607 A121715	2
	W5	1944	18	TWM-T3-16L-35-30K-UNV	11
				[MANUFAC]	
				Performance in Lighting USA	
				WAC Lighting	
				NLS Lighting LLC	

Calculation Summary					
Label	CalcType	Units	Avg	Max	Min
Back Alley_Planar	Illuminance	Fc	1.78	4.4	0.4
Roadway_Planar	Illuminance	Fc	1.24	4.1	0.2



REFLEXLIGHTING
7100 SE Boston, WA 98220

Revisions		Comments
#	Date	Comments
X	XX/XX	XXXXXXXXXX

5 India Project

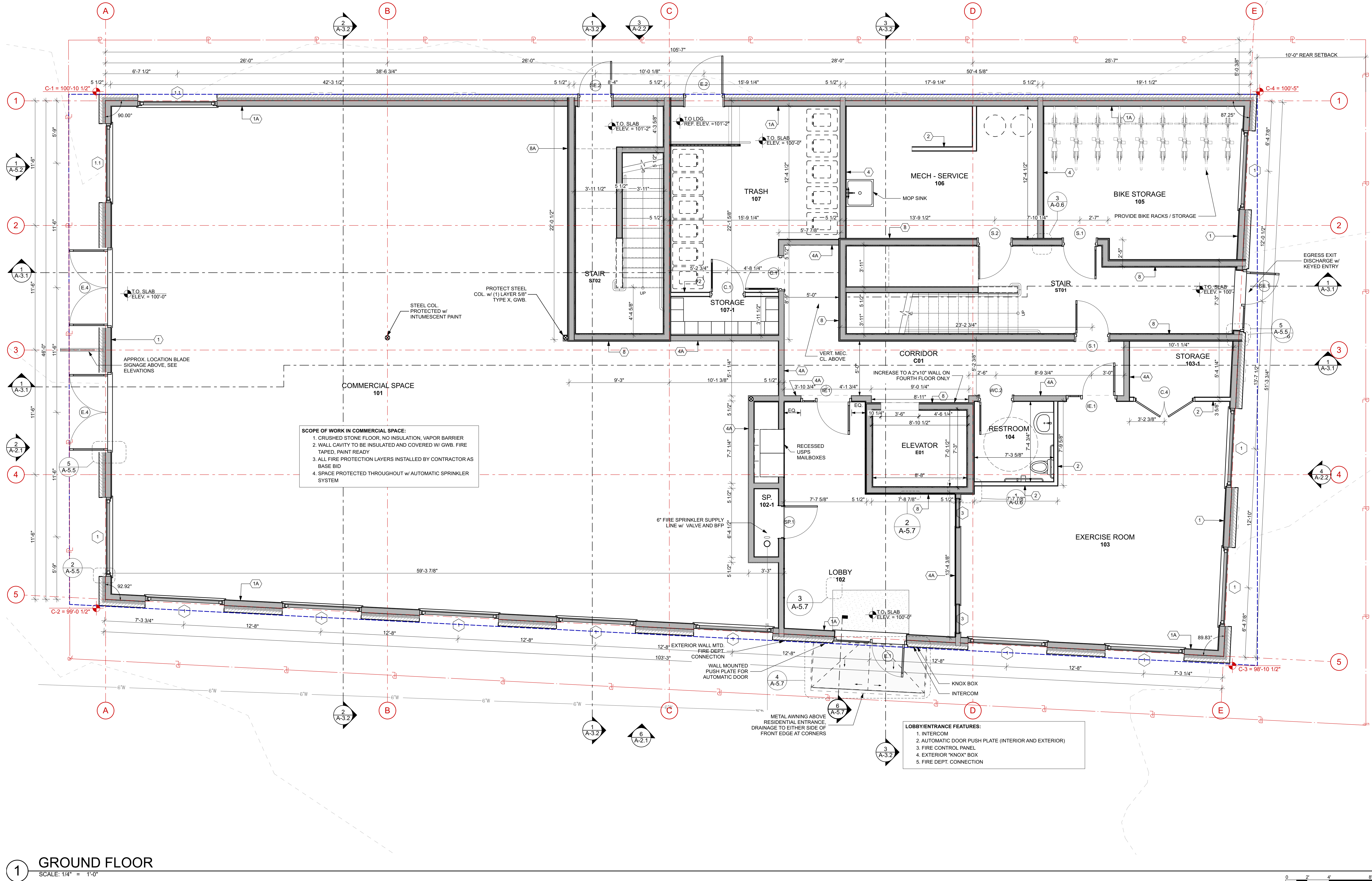
Portland, ME

Page 1 of 1

NOTE: REFER TO A-1.6.1 THROUGH A-1.7.4 FOR INTERIOR WALL DIMENSIONS

GROSS SF			
Room #	NAME	QTY.	Area: sf
1G	1ST FL. GROSS	1	5,093.3
2G	2ND FLOOR	1	5,077.4
2G	3RD FLOOR	1	5,077.4
2G	4TH FLOOR	1	5,077.4
		4	20,325.5 sq ft

NOTE: DIMENSION STYLE
TO FACE OF FIN. WALL
TO FACE OF FRAMING



Kaplan Thompson Architects
102 Exchange Street
Portland, ME 04101
(207) 842-3888
kaplanthompson.com

PROJECT 5 INDIA ST

5 INDIA ST
PORTLAND, ME 04101

STRUCTURAL Structural Integrity

46 Forrest Avenue
Portland, ME 04101
p: 207-774-4614
f: 207-793-7835

CIVIL Ransom Consulting Engineers and Scientists

400 Commercial St, Suite 404
Portland, ME 04101
p: 207-772-2891

LANDSCAPE Carroll Assoc. Landscape

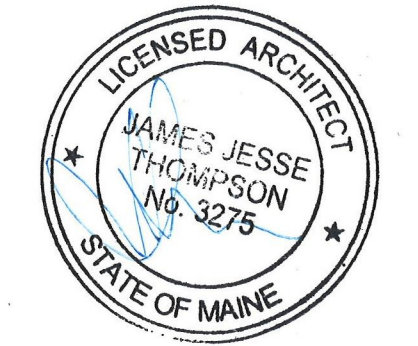
217 Commercial St. #200
Portland, ME 04101
p: 207-772-1552

MECHANICAL Nason Mechanical Systems

104 Merrow Road
Auburn, ME 04210
p: 207-782-0727

ELECTRICAL Swiftcurrent Engineering

10 Forrest Falls Dr # 8B
Yarmouth, ME 04096
p: 207-847-9280



DATE	1/15/19	2/20/19	3/8/19	4/28/19	12/13/19	1/7/20			
CHANGE NAME									
CH ID									
DESCRIPTION	SD-01	HP-02-SUBMISSION	SD-03	SD-04-CLOSEOUT	CD-05-SET	A-06-PRICING SET	B-07-ADDENDUM-01		

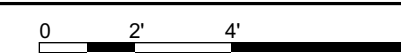
NOT FOR CONSTRUCTION

PROJECT 5IN
DATE 1/7/20

DRAWN BY JT/AW/BB/RR
PHASE: ADDENDUM - 01

GROUND FLOOR PLAN

A-1.1



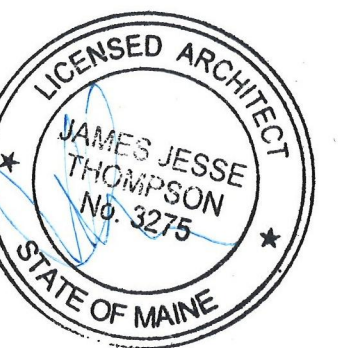
5 INDIA ST
PORTLAND, ME 04101

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p: 207 782-0727

ELECTRICAL
Swiftcurrent Engineering
10 Forrest Falls Dr # 8B
Yarmouth, ME 04096
p: 207 847-9280

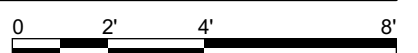
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PROJECT	5IN
DATE	1/7/20

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PHASE:	ADDENDUM - 01

SECOND FLOOR PLAN

A-1.2



5 INDIA ST
PORTLAND, ME 04101

STRUCTURAL
Structural Integrity
46 Forrest Avenue
Portland, ME 04101
p: 207-774-4614
f: 207-793-7835

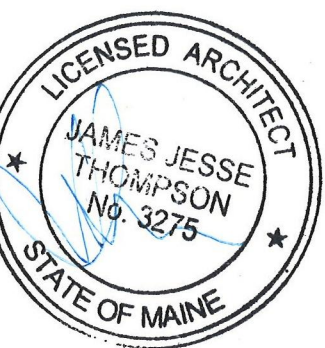
CIVIL
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Engineers and Scientists**
400 Commercial St, Suite 404
Portland, ME 04101
p: 207-772-2891

LANDSCAPE
**Carroll Assoc.
Landscape**

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Auburn, ME 04210
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ELECTRICAL
Swiftcurrent Engineering
10 Forrest Falls Dr # 8B
Yarmouth, ME 04096
p: 207 847-9280

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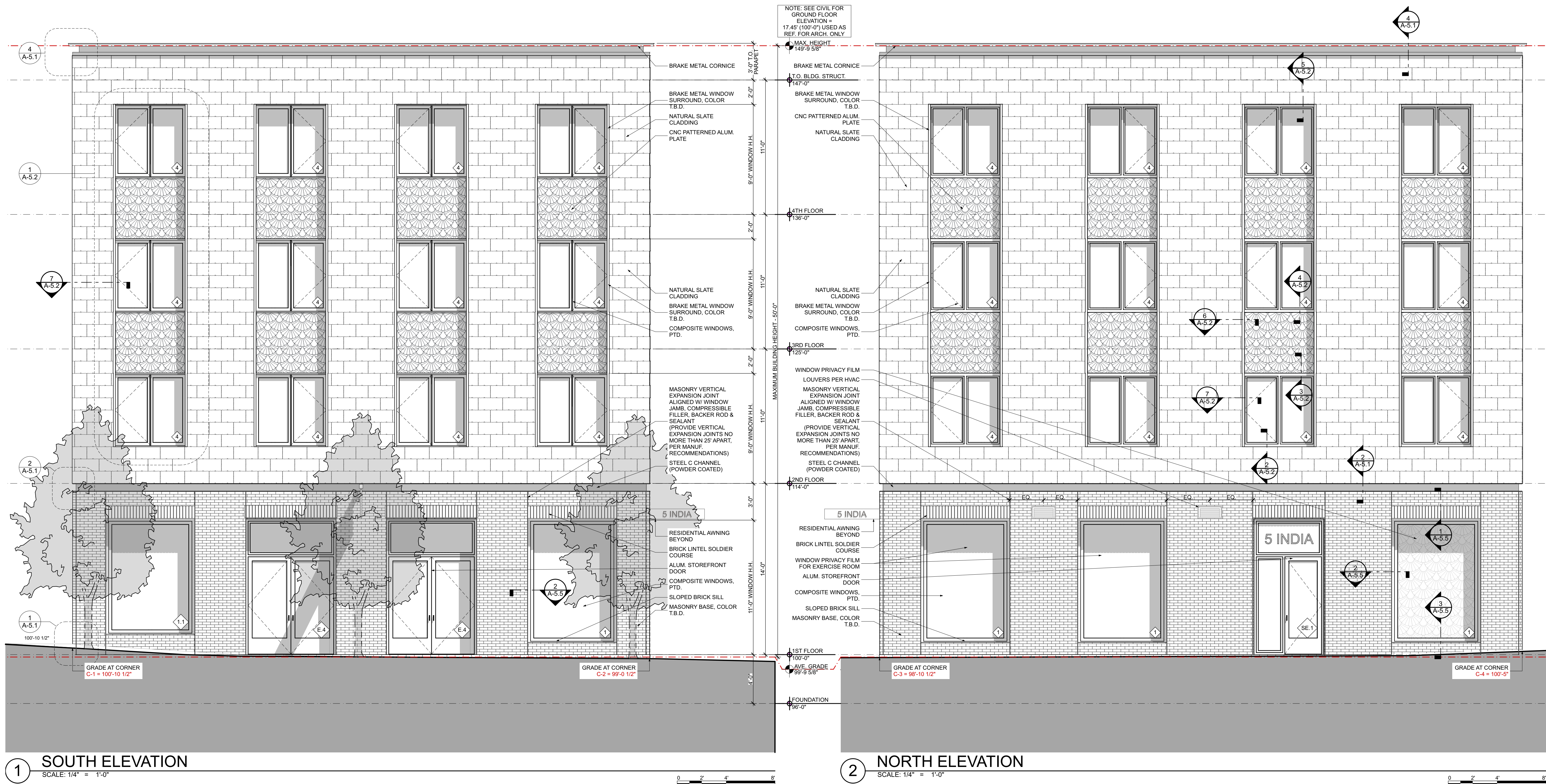
NOT FOR CONSTRUCTION

PROJECT	5IN
DATE	12/13/19

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PHASE 5% PRICING DOCUMENT

INDIA STREET AND NORTH ELEVATION

A-2.1



5 INDIA ST
PORTLAND, ME 04101

STRUCTURAL
Structural Integrity
46 Forrest Avenue
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p: 207-774-4614
f: 207-793-7835

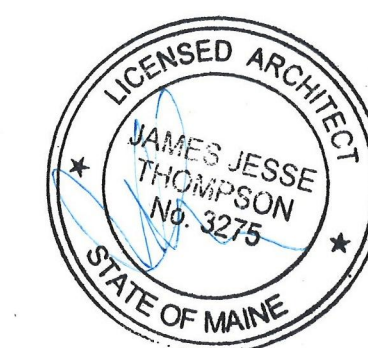
CIVIL
**Ransom Consulting
Engineers and Scientists**
400 Commercial St, Suite 404
Portland, ME 04101
p: 207-772-2891

LANDSCAPE
Carroll Assoc.
Landscape

217 Commercial St. #200
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p: 207-772-1552

MECHANICAL
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Auburn, ME 04210
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ELECTRICAL
Swiftcurrent Engineering
10 Forrest Falls Dr # 8B
Yarmouth, ME 04096
p: 207 847-9280

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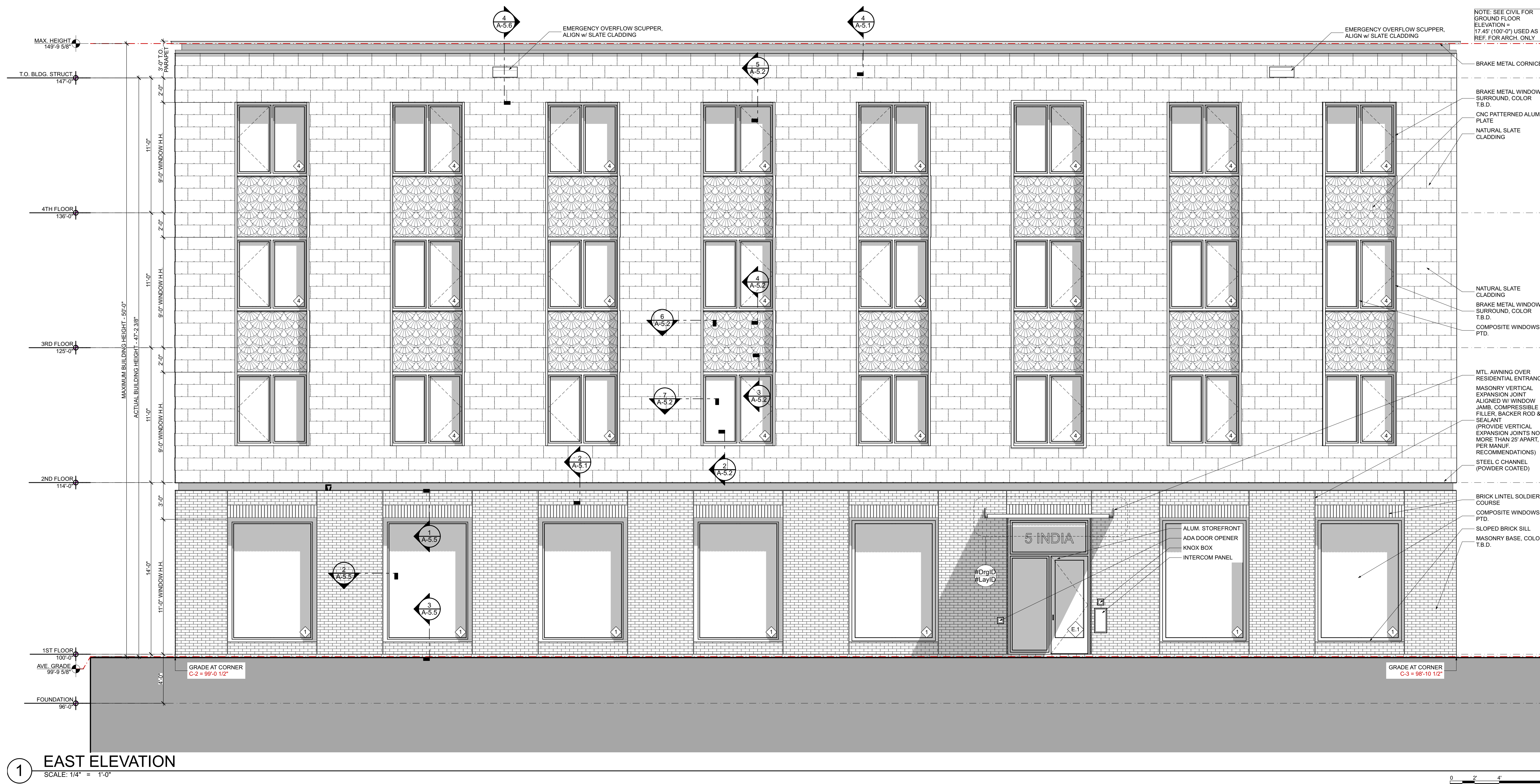
NOT FOR CONSTRUCTION

PROJECT	5IN
DATE	12/13/19

DRAWN BY	JT/AW/BB/RR
PHASE	% PRICING DOCUMENT

EAST ELEVATION

A-2.2



5 INDIA ST
PORTLAND, ME 04101

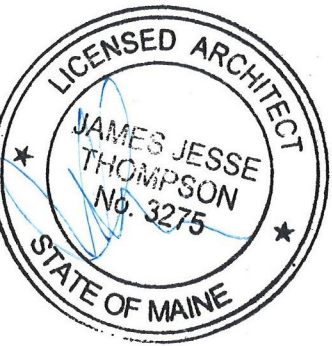
STRUCTURAL
Structural Integrity
46 Forrest Avenue
Portland, ME 04101
p: 207-774-4614
f: 207-793-7835

CIVIL
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Engineers and Scientists**
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Portland, ME 04101
p: 207-772-2891

LANDSCAPE
**Carroll Assoc.
Landscape**
217 Commercial St. #200
Portland, ME 04101
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Yarmouth, ME 04096
p: 207 847-9280

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NOT FOR CONSTRUCTION

PROJECT	5IN
DATE	12/13/19

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PHASE 5% PRICING DOCUMENT

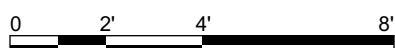
WEST ELEVATION

A-2.3



WEST ELEVATION

SCALE: 1/4" = 1'-0"



Memorandum
Planning and Urban Development Department
Planning Division



To: Brandon Mazer, Chair and Members of the Portland Planning Board
From: James Dealaman, Planner
Date: March 6, 2020
Re: Level III Site Plan and Subdivision, 32 Pleasant Street,
32 Pleasant Street, LLC, Applicant
Project #: PL-000932-2019 CBL: 040-B-008
Meeting Date: March 10, 2020

I. INTRODUCTION

32 Pleasant Street, LLC is requesting a public hearing for approval of a Level III Site Plan and Subdivision application at 32 Pleasant Street. The applicant is proposing interior renovations to convert an existing portion of the duplex building previously used as commercial office space into three (3) residential condominium units to be located on the first (Unit 1),



Figure 1 – Development Site

second (Unit 2), and third and fourth floors (Unit 3), thus requiring site plan and subdivision approval. The subject property is located within the B-3 Downtown Business Zone and is also a contributing structure within the How Houses Historic District. Utility work in connection with the project is proposed within the public sidewalk and street right-of-way, and there are no proposed changes to the building exterior.

One Hundred and eight (108) notices were sent to area residents. A notice also appeared in the February 29th and March 1st editions of the *Portland Press Herald*.

Applicant: 32 Pleasant Street, LLC (David Perkins, Owner)

Consultants: Mark Mueller Architects (Matt Provencal, Architectural Designer)

II. REQUIRED REVIEWS

Review	Applicable Standards
Subdivision	Section 14-497
Site Plan	Section 14-526

III. PROJECT DATA*

Existing Zoning	B-3 Downtown Business Zone
Existing Use	Commercial Office
Proposed Use	Residential Condominium
Parcel Size	2,487 SF

	Existing	Proposed	Net Change
Building Footprint	1,076 SF	1,076 SF	No Change
Building Floor Area	4,486 SF	4,486 SF	No Change
Parking Spaces	2	2	No Change

*Note – data is specific to the 32 Pleasant Street portion of the 30-32 Pleasant Street duplex only.

IV. PROJECT DESCRIPTION

The 4-story brick duplex building at 30-32 Pleasant Street is currently made up of three existing residential condominiums at 30 Pleasant Street and commercial office space (previously a patent/trademark office and the owner's law firm) in a portion of the building at 32 Pleasant Street.

The applicant is proposing interior renovations at 32 Pleasant Street, renovating the first and second floors and fully converting the 32 Pleasant Street portion of the building into three (3) residential condominium units. The interior renovation work involves installing a kitchen and shower (with enclosed wall) into the first floor and second floor units, and relocating the entry door that goes to each unit to accommodate the layout of the kitchens. Units 1 and 2 are each proposed to be 1,076 square feet in size, while Unit 3 will be 1,264



Figure 2 – Project Location (Aerial Photo)

square feet in size; all units are one-bedroom. Please see the floor plan for a breakdown of all units on different floors, both existing and proposed (Attachment, Plan 1). The units are accessed by a common central corridor and stair that leads to unit entries, as well as a stair access located at the rear that is accessible to Units 2 and 3. There will be no exterior modifications to the building.

The project is exempt from off-street parking requirements under the B-3 change of use provisions (Section 14-332.1 (e)). However, the applicant intends to provide two (2) parking spaces in an existing area onsite accessible to Unit 3, and to extend an existing parking lease agreement (Attachment E) with J.B. Brown & Sons to provide two (2) parking spaces (one each for Unit 1 and Unit 2) at a nearby parking lot at 58 Pleasant Street, for a total of four (4) parking spaces provided.

The applicant has submitted a draft of the Declaration of Condominium Agreement and associated documents. Corporation Counsel is currently reviewing these materials and the declaration agreement is subject to their approval as per a condition that will be added to the plat. The applicant intends to sell two of the units and retain ownership of one of the units.

V. NEIGHBORHOOD MEETING AND PUBLIC COMMENT

The applicant held a required neighborhood meeting on February 18, 2020 at and has provided required documentation (Attachment G).

As of the writing of this report only one (1) public comment has been received (Attachment, PC1). The public comment submitted by an abutter had concerns about construction vehicles entering the adjacent parking lot at 38 Pleasant Street. The owner has responded to these concerns saying this information will be shared with any contractors.

VI. RIGHT, TITLE AND INTEREST & FINANCIAL CAPACITY

The owner of the property is 32 Pleasant Street, LLC. The applicant has provided a copy of the warranty deed (Attachment C), which demonstrates their right, title and interest in the property. The estimated cost of the project is \$130,000. The applicant has submitted a letter from Robert Nadeau of Bangor Savings Bank that indicates 32 Pleasant Street, LLC has the financial capacity and to pay the costs of the proposed work.

VII. ZONING ASSESSMENT

The proposed project is located in the B-3 Downtown Business Zone and has been reviewed under all zoning requirements. The project proposes creating 3 new dwelling units, which are a permitted use in this zone per Section 14-217(1)(a). There is no minimum lot area per dwelling unit requirement. The only anticipated exterior work is sidewalk and below grade street work which does not trigger any setback requirements.

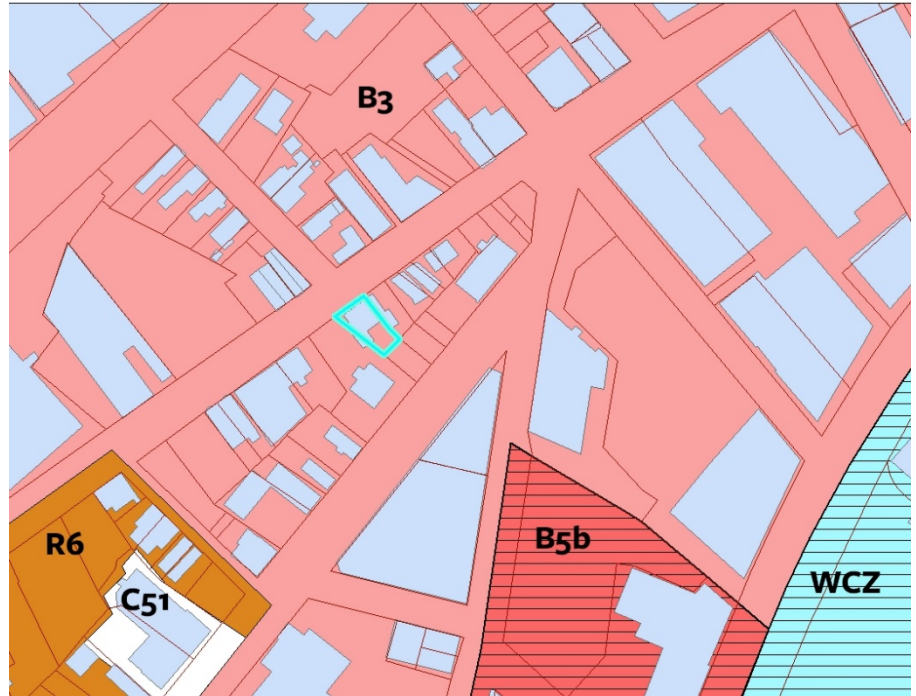


Figure 3 – Zoning Map

Further, there is no off-street parking requirement for changes of use in B-3 zone per Section 14-332.1 (e). The applicant intends to provide 4 parking spaces (2 existing spaces onsite, and 2 by way of parking lease agreement); there are no restrictions on providing parking spaces in the B-3 zone.

VIII. 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, Plan 4). The plat was reviewed by City staff, and feedback from staff has been provided to the applicant and revision is expected. Staff recommend that the following condition of approval be required:

- 1.) A resubmitted final subdivision plat must be revised to reflect any waivers and conditions of approval that relates to the subdivision application. The final plat must be reviewed and found acceptable to the Department of Public Works City Surveyor prior to being signed by the Planning Board. Any waivers granted must be recorded at the Cumberland County Registry of Deeds within two years of a Planning Board decision.

All other requirements applicable to the project have been met.

IX. SUBDIVISION REVIEW (Section 14-497)

The proposed development has been reviewed by staff for conformance with the relevant review

standards of Portland's Subdivision Ordinance and applicable regulations. Staff comments are listed below.

1. Will Not Result in Undue Water and Air Pollution (Section 14-497 (a) 1), and Will Not Result in Undue Soil Erosion (Section 14-497 (a) 4)

Staff finds the proposed project does not result in undue water or air pollution and is in conformance with this standard.

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

- a) The applicant has presented a capacity letter from the Portland Water District (Attachment F) demonstrating that there is adequate water capacity and have indicated that the proposed water/sprinkler lines may be installed. Mike Tremblay, Senior Engineer at the Department of Public Works has also reviewed the submitted utility plan and has no comments other than asking that the water service connection be coordinated with the Portland Water District. Staff recommend this as a condition of any future utility work.
- b) In order to meet both the subdivision standard (14-497(2)) requiring the proposed subdivision to have sufficient water available for the reasonably foreseeable needs of the subdivision as well as Public Safety and Fire Prevention site plan standard (14-526(c)2.c), which requires the site plan to *"be consistent with City public safety standards, Section 3 of the City of Portland Technical Manual, including but not limited to availability and adequacy of water supply"* staff is providing comments and conditions below.

Due to a street opening moratorium put in place in 2019, the below-grade utility work associated with water utility provision will not be able to occur until the moratorium is expired in July 2024. The applicant has indicated that a temporary water tank system – to be located in the basement – will be provide a temporary water supply for a sprinkler system until the below-grade utility work can take place. The applicant has been in communication with Permitting Division staff and will confirm that the water capacity to be provided. Following site plan and subdivision approval by the Planning Board, the applicant must demonstrate that the sprinkler system will contain adequate water supply to meet life safety and NFPA fire code requirements during the permitting process.

Planning staff recommend that the Planning Board require a condition of approval to ensure that the project will provide a sprinkler system with adequate water to meet the needs of the subdivision. The condition will ensure adequate water supply based on the standards described above.

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

Please see Site Plan, Paragraph C1 below for the Consulting Traffic Engineer comments that address this standard.

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 Department of Public Works has advised that all utility work associated with the provision of water should be coordinated with the Portland Water District. DPW's Water Resources division found there was adequate capacity for Sanitary Sewer Compliance. No further concerns were raised.

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

The project is consistent with Portland Plan 2030's goal of:

"Increase, preserve, and modify the overall supply of housing city-wide to meet the needs, preferences and financial capabilities of all Portland residents."

C. SITE PLAN REVIEW (Section 14-526)

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

1. Transportation Standards

- a. Impact on Surrounding Street Systems
- b. Access and Circulation
- c. Public Transit Access
- d. Parking
- e. Transportation Demand Management (TDM)

The proposed project is not anticipated to have any significant adverse effect on traffic in area. The applicant anticipates less overall foot traffic and parking than the existing condition from the proposed new use (three 1- bedroom units). Although there is no off-street parking requirement for changes of use in the B-3 zone (Section 14-332.1 (e)) the applicant is providing for two existing onsite parking spots adjacent to the building, as shown on site plan (Attachment Plan 3) for Unit 3, and is continuing a long term arrangement of leasing 5 spaces (two of which will be used for 32 Pleasant street) at 58 Pleasant Street. Unit 1 and 2 will each access 1 parking space from that lot. There is also metered on-street parking is also available near the project's front entry.

Consulting Traffic Engineer Tom Errico, PE of T.Y. Lin, has no additional comments to add to the above summary.

2. Environmental Quality Standards

- a. Preservation of Significant Natural Features
- b. Landscaping and Landscape Preservation
- c. Water Quality, Storm Water Management and Erosion Control

The scope of work does not involve any removal of vegetation, or include any landscaping improvements to the site.

Under the standards of the subdivision ordinance, all subdivisions are required to provide one (1) street tree per lot or unit. The subject application is for three (3) units and is thus subject to providing three (3) street trees. Within the frontage of the property there are currently 2 existing street trees which contribute toward meeting the street tree requirement, and therefore the applicant must either contribute one (1) street tree or request a waiver and provide an in-lieu fee in the amount of \$400.

Due to site constraints present at the site, the applicant has requested to pay into the City's street tree fund in lieu of providing the required street tree. The City Arborist has reviewed the project, and as the site is located in a fully developed urban environment, supports the contribution of a fee of \$400 in-lieu of providing the one (1) required street tree. The City Arborist noted a location in the vicinity on Park Street that can leverage the funds to plant a street tree.

3. Public Infrastructure and Community Safety Standards

- a. Consistency with Master Plans
- b. Public Safety and Fire Prevention
- c. Availability and Adequate Capacity of Public Utilities

The project is consistent with Portland Plan 2030's goal of:

"Increase, preserve, and modify the overall supply of housing city-wide to meet the needs, preferences and financial capabilities of all Portland residents."

Chief Thompson of the Fire Department has reviewed the project and has no comments on the site plan (Attachment 1).

As reviewed under subdivision standards, the applicant has also presented a letter of adequate water capacity from the Portland Water District (Attachment F).

Please also refer to Subdivision, Paragraph XI (2) (b) above for staff comments and recommended condition to meet 14-526 (c) (2) (c).

4. Site Design Standards

- a. Massing, Ventilation and Wind Impact
- b. Shadows
- c. Snow and Ice Loading
- d. View Corridors
- e. Historic Resources
- f. Exterior Lighting
- g. Noise and Vibration
- h. Signage and Wayfinding
- i. Zoning Related Design Standards

The building is an existing structure and no exterior modifications are proposed. Staff have confirmed with the Historic Preservation Program Manager that further review is not required based on the proposed scope of work.

X. STAFF RECOMMENDATION

Subject to the proposed motions and conditions of approval listed below, staff recommend that the Planning Board approve the proposed development with the conditions below.

XI. PROPOSED MOTIONS

A. SUBDIVISION 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 application PL-000932-2019 relevant to the Subdivision, and other regulations, and the testimony presented at the Planning Board hearing, the Planning Board finds the plan **[is or is not]** in conformance with the Subdivision standards of the Land Use Code, subject to the following conditions:

PRIOR TO ISSUANCE OF A BUILDING PERMIT

1. A final subdivision plat must be revised to reflect any waivers and conditions of approval that relates to the subdivision application. The final plat shall be submitted by the applicant and must be reviewed and found acceptable to the Department of Public Works City Surveyor prior to being signed by the Planning Board. Any waivers granted must be recorded at the Registry of Deeds within two years of a Planning Board decision.
2. The final plat approved by the City Surveyor shall contain the following conditions:

- a) The owner/s and any future Condominium Association shall connect the fire suppression system to the public water main as shown on the Utility Plan dated August 13, 2019, within one year of the expiration of the moratorium on street paving on Pleasant Street. The moratorium on street paving on Pleasant Street expires on July 1, 2024. This condition shall be completed no later than July 31, 2025.
- b) The fire suppression system must be reviewed and approved by the City's Department of Permitting & Inspections and the Maine State Fire Marshal's Office and must comply with Maine Life Safety Standards as well as all applicable City of Portland life safety standards.

PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY

- 3). The owner shall submit condominium documents for review and approval by Corporation Counsel. The Condominium Documents shall clearly indicate that the fire suppression constitutes a "common element" for which the Declarant or Condominium Association shall remain responsible and, further, that:
 - a. The Declarant and/or Condominium Association shall be responsible for connecting the fire suppression system to the public water main in accordance with the Utility Plan dated August 13, 2019 by no later than July 31, 2025.

C. SITE PLAN

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report for application PL-000932-2019 relevant to the Site Plan and other regulations, and the testimony presented at the Planning Board hearing, the Planning Board finds the plan **[is or is not]** in conformance with the Site Plan standards of the Land Use Code, subject to the following conditions:

PRIOR TO ISSUANCE OF BUILDING PERMIT

1. Prior to starting utility work, the water service connection shall be coordinated with the Portland Water District.
2. The fire suppression system must be reviewed and approved by the City's Department of Permitting & Inspections and Maine State Fire Marshal's Office and must comply with Maine Life Safety Standards as well as all applicable City of Portland life safety standards.

3. The owner/s and/or any future Condominium Association shall be responsible for connecting the fire suppression system to the public water main in accordance with the Utility Plan dated August 13, 2019 by no later than July 31, 2025.

PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY

1. The applicant shall pay \$400 for one street tree not provided in accordance with the City's Technical Manual.

XII. ATTACHMENTS

PLANNING BOARD MEMORANDUM ATTACHMENTS

Staff Review Comments:

1. Fire Chief Review Comments
2. Traffic Engineering Reviewer Review Comments
3. DPW Review Comments
4. Wastewater Capacity Authorization

APPLICANT'S SUBMITTALS

- A. Application Cover Letter (Provided by Owner)
- B. Description of Project (Provided by Architect)
- C. Evidence of Right, Title, and Interest
- D. Letter of Financial Capacity
- E. Parking Lease Agreement
- F. Water Resources - Ability to Serve Determination
- G. Neighborhood Meeting Material

PLANS

- Plan 1. Floor Plan and 1st and 2nd Floor Layout
Plan 2. Utility Plan
Plan 3. Site Plan
Plan 4. Draft of Plat

PUBLIC COMMENT

- PC1. Donna Schwartz 1-16-20



PLAN CORRECTIONS REPORT PL-000932-2019 FOR CITY OF PORTLAND

PLAN ADDRESS:	32 Pleasant St Portland, ME 04101	PARCEL:	040 B008001
APPLICATION DATE:	11/21/2019	SQUARE FEET:	0.00
EXPIRATION DATE:		VALUATION:	\$0.00
		DESCRIPTION:	Project involves creating three residential units, with no exterior work on the property.

CONTACTS	Name	Company	Address
Agent/Representative	David Perkins	30 PLEASANT STREET LLC	32 Pleasant St Portland, ME 04112

Comments & Corrections Required

Fire Robert Thompson

Comment(s)/ Recommendation(s):

The Fire Dept has no comments from a site plan perspective.

Conditions Required



James Dealaman <jdealaman@portlandmaine.gov>

32 Pleasant - Any final Comments?

Tom Errico <thomas.errico@tylin.com>

Tue, Mar 3, 2020 at 8:15 AM

To: James Dealaman <jdealaman@portlandmaine.gov>

Hi James – I have no comments and what you note is fine. Thanks

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

From: James Dealaman <jdealaman@portlandmaine.gov>**Sent:** Monday, March 2, 2020 8:12 PM**To:** Tom Errico <thomas.errico@tylin.com>**Subject:** 32 Pleasant - Any final Comments?

This message was sent securely using Zix®

[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.

This message was secured by Zix®.



James Dealaman <jdealaman@portlandmaine.gov>

32 Pleasant Street

Mike Tremblay <mtremblay@portlandmaine.gov>
To: James Dealaman <jdealaman@portlandmaine.gov>

Thu, Mar 5, 2020 at 8:36 AM

Jimmy,

No comments on 32 Pleasant, except to say that water service connection shall be coordinated with Portland Water District.

Why is this going to Planning Board?

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





CITY OF PORTLAND
Department of Public Works
Christopher C. Branch, P.E., Director

Date: March 6, 2020

Re: Wastewater Capacity Authorization

Address: 32 Pleasant Street
 Applicant: 32 Pleasant Street, LLC

Planner: James Dealaman

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				
Employees at place of employment with no showers	PWD Records		Approximately 40 GPD	(40)
Proposed flow				
Multiple Family Dwelling Units	1-Bedroom	3	120	360
Net Change				+ 320
*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

PERKINS LAW, P.A.

ATTORNEYS AT LAW

<http://www.perkinspa.com>

32 Pleasant Street
Portland, Maine 04101

(207) 871-7159
FAX (207) 871-0521
David J. Perkins
Email: dperkins@perkinspa.com

November 21, 2019

City of Portland
Planning & Urban Development
Portland, Maine
Attention: James Rather

Re: Level III Site Plan and Subdivision Approval

Dear City of Portland Planning Department and Planning Board:

I am requesting site plan and subdivision approval for 32 Pleasant Street, LLC's three (3) unit residential condominium project located at 32 Pleasant Street, Portland, Maine (the "Property").

The property is a four-story, brick building that I have owned, through 32 Pleasant Street, LLC, since September 14, 2010. I am the sole member and manager of 32 Pleasant Street, LLC. The property has been used as a commercial building for my law firm since 2010. In the past, the property was used as a residence by Paul Stevens and others.

With this project, the Property will be converted to three (3) residential condominium units. The first floor is one unit, the second floor is a second unit, and the third and fourth floor are the 3rd unit.

The site plan and subdivision approvals are required due to the fact that three residential dwellings are being created.

The project does not involve any work or alterations on the exterior of the building. The project only involves interior renovations to the first and second floors.

The interior renovation work involves installing a kitchen and shower (with enclosed wall) into the first floor and second floor units, and relocating the entry door that goes into each unit to accommodate the layout of the kitchens. The third and fourth floor unit is not being renovated and already has a kitchen and bathroom with shower, that was approved during renovations in 2010.

The plans for the renovations relating to the first floor and second floor residential condominiums have been filed by my architect, Mark Mueller Architects, with the Planning Department. We initially filed for a permit to renovate only the first floor and received a building permit for that work. We later filed for a permit to renovate the 2nd floor in connection with

November 21, 2019

Page 2

converting the entire building to three residential units. We expect the building permit for the second-floor unit renovations soon. All required permits and approvals have been filed with the City of Portland. Those filings are attached.

As shown on the plans, the Property has 4,486 gross square feet.

My architect has also submitted the Standard Boundary Survey for the Property, which shows the location of the 32 Pleasant Street Property. A copy of the Survey is attached.

The 3rd and 4th floor unit will have rights to the parking space that is currently located on the Property. The 1st and 2nd floor units will each have parking at the JB Brown parking lot on Pleasant Street where 32 Pleasant Street, LLC currently leases parking spaces.

No waivers are being requested.

The zoning assessment table is enclosed. The residential use is an allowed use for the Property. The abutting properties on each side are residential properties.

The cost of the renovation project is \$130,000 which I will fund with funds on hand.

The project has the technical capacity for completing the project in a satisfactory manner. The layout and architectural renderings of the renovations have been done by Mark Mueller Architects. The renovations will be done by Shanholtz Construction. In 2010-2011, I did the initial renovations of the Property utilizing Shanholtz Construction and Mark Mueller Architects. Those renovations were much more extensive than the current project. In 2017, I did very similar renovations to the 1st floor of the abutting property at 30 Pleasant Street, installing a kitchen and shower in that space, again using Shanholtz Construction and Mark Mueller Architects for the renovations. I am also installing a fire sprinkler system into the Property using High Tech Fire Protection for that work. That work is being reviewed and approved by the City staff as part of the applications filed by Mark Mueller Architects.

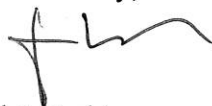
The project has no impact on transportation, traffic, loading and servicing, sidewalks, public transit, off-street parking, bicycle parking, snow storage. With its current use, the property has been used more intensively, with up to 9 office workers working from the space. With the renovations, the use will involve three residential units, each having one bedroom.

In summary, the renovations for this project are modest and involve the installation of the kitchen and shower into the 1st and 2nd floor units, with a sprinkler system being installed in each floor. The project does not involve any exterior changes or other impacts that will affect the City or the public.

Thank you for your assistance with these required approvals.

November 21, 2019
Page 3

Yours sincerely,

A handwritten signature in black ink, appearing to be 'DJP' with a stylized flourish.

David J. Perkins

DJP/



Date: November 25, 2019

Project Description

RE: 32 Pleasant Street
Portland, Maine

The scope of work for this project is to renovate and change the use of the first and second floors, from office to residential. In addition to this work, a change of use for the third and fourth floor is included (no work at this area however). An application has been submitted to convert this property into three condominiums. Within the four floors there would be three units; one at the first floor, one at the second floor and one at the third and fourth floors (3 & 4 are contiguous). As part of this work a sprinkler system meeting NFPA 13R would be installed along with updated/ upgraded life safety system as required to meet NFPA 72 and the City of Portland requirements. Additionally an application for subdivision has been submitted to the City for approval.

Sincerely,

Matthew Provencal, Assoc. AIA
Architectural Designer
Mark Mueller Architects

Cc: David Perkins, Owner

WARRANTY DEED

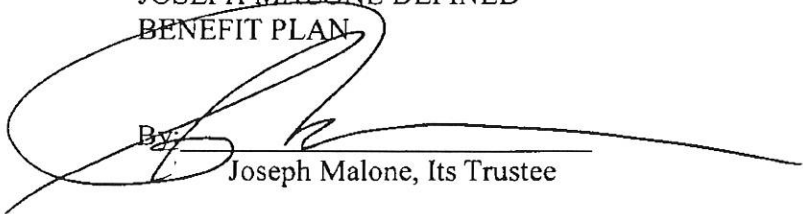
KNOW ALL MEN BY THESE PRESENTS THAT, JOSEPH MALONE, as TRUSTEE OF THE JOSEPH MALONE DEFINED BENEFIT PLAN, a trust formed under the laws of the State of Maine with a business address at Five Moulton Street, Portland, Maine 04101 (the "Grantor") in consideration of One Dollar (\$1.00) and other good and valuable considerations paid by 32 PLEASANT STREET, LLC, a Maine limited liability company with a place of business at 32 Pleasant Street, Portland, Maine (the "Grantee") the receipt whereof Grantor hereby acknowledges, does hereby give, grant, bargain, sell and convey unto the said Grantee, its successors and assigns forever, the property located at 32 Pleasant Street, City of Portland, County of Cumberland, State of Maine, as more particularly described in Exhibit A attached hereto.

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

AND said Grantor does covenant with the said Grantee, its successors and assigns, that it is lawfully seized in fee of the premises, that they are free of all encumbrances; that Grantor has good right to sell and convey the same to the said Grantee to hold as aforesaid, and that Grantor and his successors shall and will WARRANT AND DEFEND the same to the said Grantee, its successors and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the said JOSEPH MALONE as TRUSTEE OF THE JOSEPH MALONE DEFINED BENEFIT PLAN has executed this instrument this 14th day of September, 2010.

JOSEPH MALONE DEFINED
BENEFIT PLAN

By: 

Joseph Malone, Its Trustee

MAINE REAL ESTATE TAX PAID

STATE OF MAINE
CUMBERLAND ss.

September 14, 2010

Then personally appeared the above-named Joseph Malone, in his capacity as Trustee of the Joseph Malone Defined Benefit Plan, and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of the Joseph Malone Defined Benefit Plan.

Before me,

Rebecca J. Morton
Notary Public/Attorney at Law

REBECCA J. MORTON
Notary Public, Maine
My Commission Expires October 4, 2011

SEAL

EXHIBIT A - LEGAL DESCRIPTION

A certain lot or parcel of land situated on the southerly side of Pleasant Street, so called, in the City of Portland, County of Cumberland, State of Maine and being more particularly bounded and described as follows:

Beginning at a point being set 3/8 inch drill hole, on the southerly sideline of Pleasant Street, said point of being opposite the center of the partition wall of the duplex dwelling;

Thence S 21°38' 05" E along said center of the partition wall, and an extension thereof, sixty-five and forty-one hundredths (65.41) feet to a set 5/8 inch rebar with aluminum cap stamped "SMRT RLS 1314" on the northerly line of land now or formerly owned by Robert F. Leonard and Rodney L. Talbot and described in a deed dated April 13, 1978 and recorded in the Cumberland County Registry of Deeds in Book 4198, Page 265;

Thence S 67° 05' 29" W along land of said Leonard and Talbot, twenty-three and ninety hundredths (23.90) feet to a set 5/8 inch rebar with aluminum cap stamped "SMRT RLS 1314" at an angle in the easterly line of land now or formerly owned by Herbert R. Schwartz and described in a deed recorded in the Cumberland County Registry of Deeds in Book 3178, Page 353;

Thence N 38° 52' 00" W along lands of said Schwartz, sixty-eight and seventy-five hundredths (68.75) feet to a found 5/8 inch iron pipe on the southerly side of Pleasant Street;

Thence N 68° 00' 00" E along the southerly sideline of Pleasant Street, forty-four and twenty-six hundredths (44.26) feet to the point of beginning;

Containing 2237 square feet, more or less.

The basis of bearing for this description is the southerly sideline of Pleasant Street. Said bearing is N 68° W as shown in a deed dated May 31, 1980 to Mary O'Donnell, formerly Mary Curran, recorded in said Registry in Book 568, Page 462.

This description is based from a Standard Boundary Survey for Paul Stevens, dated August 3, 1988 by Stevens, Morton, Rose and Thompson.

AND

This conveyance is made subject to and with the benefit of an easement granted by Doris J. Stevens by deed recorded in said Registry in Book 8456, Page 152 as follows: a certain easement for an electrical service, including conduit and a so-called "disconnect switch", in the basement and foundation area of the real property now or formerly of Doris J. Stevens located at 30 Pleasant Street adjacent to the Premises (the "Adjacent Property") for the benefit of the Premises only, such easement to be for the express use, maintenance and repair of the electrical system within the Adjacent Property which serves the Premises, as it is currently used and as it may be upgraded within the existing conduit, from time to time; together with an easement to maintain and service a certain electrical meter on the northeasterly side of the building currently located upon the Adjacent Property; together with an easement to install, maintain and service a certain disconnect switch on the exterior of the northeasterly side of the building located upon the Adjacent Property; subject to a reserved easement to enter upon that portion of the Adjacent Property described above, for the express purposes of installing, maintaining and repairing the electrical system on the Adjacent Property which serves or will serve the Premises, at all times; together with an easement to enter the building upon the Adjacent Property for the express purposes of upgrading, maintaining or repairing the electrical system on the Adjacent Property which serves the Premises as follows: 1) at any time in the case of an emergency if electrical service to the Premises has been interrupted, or 2) for upgrading or non-emergency maintenance and repair, upon reasonable written notice (of at least forty-eight (48) hours) delivered to Doris J. Stevens at the above address, or to such other address as Doris J. Stevens, or her heirs and assigns may designate in writing.

Received
Recorded Register of Deeds
Sep 15, 2010 03:40:59P
Cumberland County
Pamela E. Lovley



November 21, 2019

City of Portland
Planning & Urban Development
Portland, Maine
Attention: James Rather

Re: Level III Site Plan and Subdivision Approval/32 Pleasant Street, LLC

Dear City of Portland Planning Department and Planning Board:

David Perkins and 32 Pleasant Street, LLC have the financial capacity to pay the costs of the proposed renovations work on the 1st and 2nd floors of 32 Pleasant Street, Portland, Maine at a budgeted cost of \$130,000.

Yours sincerely,

A handwritten signature in black ink, appearing to read "R. Nadeau", is written over a light blue horizontal line.

Robert Nadeau
Vice President, Commercial Lender

cc: file

Att. E

J.B. Brown & Sons

86 Danforth Street
P.O. Box 207
Portland, ME 04112-0207
207-774-5908 (phone) 207-774-0898 (fax)

August 13, 2014

Perkins, Olson, P.A.
Attention David Perkins
P.O. Box 449
Portland, Maine 04112-0446

Phone #: (207) - 871-0521
Account #: 32-perkolsnpk
e-mail: dperkins@perkinsolson.com

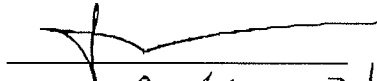
Parking Lease Agreement

This document, when seen and agreed to by both parties, shall constitute a lease agreement between **J. B. Brown & Sons** (Landlord) and **Perkins, Olson, P.A.** (Tenant):

- Parking Rights:** Tenant shall have the right to park up to **Ten (10)** authorized vehicles at the **58 Pleasant Street**, Portland, Maine parking lot. Authorized vehicles are those whose year, make, model, color and license plate number have been provided to J.B. Brown & Son for inclusion on the attached parking list.
- Lease Terms:** The parking agreement shall commence on or before **September 1st, 2014** and it shall terminate on **August 31, 2015**. The monthly rent is **Eighty-five dollars (\$ 85.00)** per parking space per month. Rent shall be paid in advance to Unified Parking Partners at 496 Congress Street, Portland, ME 04101 without notice, on the first day of each month. Parking spaces are available Monday through Friday from 8:00 AM to 6:00 PM and on an as available basis at other times. **Overnight parking from November through April is prohibited and subject to towing at vehicle owner's expense.**
during snow days & p
- Tenant Responsibilities:** It is the owner's responsibility to notify Unified Parking Partners of car make, year, color and registration number or any changes of that information. **Any car parked in the lot that is not on the attached list or is not clearly displaying a valid parking tag is subject to being towed at the owner's expense. All authorized vehicles MUST be operational and duly registered.**
- Landlord's Responsibilities:** J. B. Brown & Sons is responsible for snow removal but cannot guarantee consistent sanding and ice control. Parkers and guests acknowledge they park, walk, and drive in and around the lot at their own risk.
- Hold Harmless Clause:** Tenant shall hold J. B. Brown & Sons harmless for all losses or damages arising out of the use of the parking lot. J. B. Brown & Sons does not assume responsibility for Tenant's vehicle(s) nor any personal belongings.
- Termination:** Landlord and/or Tenant may cancel this parking agreement at any time by providing written notification thirty (30) days prior to the effective date of termination.

If the terms are satisfactory, please sign both documents and kindly return the one agreement to our office by **August 15, 2014**.

SEEN & AGREED TO BY:


Name: Perkins Olson PA
By David J. Perkins
ITS President

J. B. Brown & Sons

Vincent Veroneau, President



Portland Water District
FROM SEBAGO LAKE TO CASCO BAY

August 23, 2019

Sam Lebel, E.I.
Acorn Engineering, Inc.
PO Box 3372
Portland, ME 04104

Re: 32 Pleasant 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 August 15, 2019. Based on the information provided, we can confirm that the District will be able to serve the proposed project as further described in this letter. **Please note that this letter constitutes approval of the water system as currently designed. 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 4-inch fire service (parent) and 1-inch domestic service (child) with a 5/8-inch meter may be installed from the water main in Pleasant Street. The services should enter through the properties frontage on Pleasant 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 existing building is currently served with a 3/4-inch domestic water service; the size of this service is undersized for the proposed use. This service must be terminated by shutting the corporation valve and cutting the pipe from the water main.
- 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 currently have existing water service. A 3/4-inch diameter copper 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 cast iron water main in Pleasant Street and a public fire hydrant located approximately 10 feet from the site. The most recent static pressure reading was 99 psi on August 7, 2019.

Public Fire Protection

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

Domestic Water Needs

The data noted above indicates there should be adequate pressure and volume of water to serve the domestic water needs of your proposed project. Based on the high water pressure in this area, we recommend that you consider the installation of pressure reducing devices that comply with state plumbing codes.

Private Fire Protection Water Needs

You have indicated that this project will require water service to provide private fire protection to the site. Please note that the District does not guarantee any quantity of water or pressure through a fire protection service. Please share these results with your sprinkler system designer so that they can design the fire protection system to best fit the noted conditions. If the data is out of date or insufficient for their needs, please contact MEANS to request a hydrant flow test and we will work with you to get more complete data.

Should you disagree with this determination, you may request a review by the District's Internal Review Team. Your request for review must be in writing and state the reason for your disagreement with the determination. The request must be sent to MEANS@PWD.org 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".

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

32 Pleasant Street, LLC

32 Pleasant Street, Portland, Maine

I, David J. Perkins, hereby certify that a neighborhood meeting was held on February 18, 2020 at the Portland Public Library, Meeting Room 4, at 7pm for the proposed 3 residential condominium project located at 32 Pleasant Street, Portland, Maine which has been proposed by 32 Pleasant Street, LLC.

I also certify that invitations to the meeting were mailed to the following:

1. All addresses on the mailing provided by the Planning Division which includes property owners within 500 feet of the proposed development or within 1,000 feet of a subdivision within an industrial zone or industrial zone change.
2. Residents on the "interested parties" list.

Signed:



David J. Perkins,

In my capacity as member and manager of 32 Pleasant Street, LLC.

Attached to the Certification are:

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

PERKINS LAW, P.A.

ATTORNEYS AT LAW
<http://www.perkinspa.com>

32 Pleasant Street
Portland, Maine 04101

(207) 871-7159
FAX (207) 871-0521
David J. Perkins
Email: dperkins@perkinspa.com

February 3, 2020

Dear Neighbor:

Please join us for a neighborhood meeting to discuss 32 Pleasant Street, LLC's plans to renovate and convert existing office space into (3) residential condominium dwelling units at 32 Pleasant Street, Portland, Maine. This proposal requires a level III site plan and subdivision approval from the City of Portland Planning Board.

Meeting Location: Portland Public Library, Meeting Room 4, 5 Monument Square,
Portland, Maine.

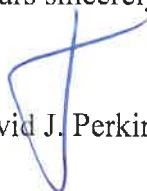
Meeting Date: February 18, 2020

Meeting Time: 6pm

(The City code requires that property owners within 500 feet (1000 feet for proposed industrial subdivisions and industrial zone changes) 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, please do not hesitate to call me at (207) 415-0680.

Yours sincerely,


David J. Perkins

February 3, 2020

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Note: Under Section 14-32(C) and 14-524(a)d of the City Code of Ordinances, an applicant for a Level III development, subdivision of over five lots/units, or zone change is required to hold a neighborhood meeting within 30 days of submitting a preliminary application or 21 days of submitting a final site plan application, if a preliminary plan was not submitted. The neighborhood meeting must be held at least seven days prior to the Planning Board public hearing on the proposal. Should you wish to offer additional comments on this proposed development, you may contact the Planning Division at 874-8718 or send written correspondence to the Planning and Urban Development Department, Planning Division, 4th Floor, 389 Congress Street Portland, ME 04101 or by email: to jdealaman@portlandmaine.gov

18 PLEASANT STREET ASSOCIATES
18 PLEASANT ST
PORTLAND ME 04101

19 SOUTH STREET DEVELOPMENT LLC
PO BOX 491
PORTLAND ME 04112

32 PLEASANT STREET LLC
32 PLEASANT ST
PORTLAND ME 04101

35 PLEASANT ST LLC
6 SOUTH ST
PORTLAND ME 04101

44 PLEASANT STREET LLC
7 STEPHENSON ST
CAPE ELIZABETH ME 04107

53 DANFORTH STREET LP
482 CONGRESS ST STE 203
PORTLAND ME 04101

70 CENTER STREET BASEMENT LLC
175 HOLMES RD
SCARBOROUGH ME 04074

7-19 PLEASANT STREET LLC
PO BOX 7225
PORTLAND ME 04112

ADLER BRENT
PO BOX 15372
PORTLAND ME 04112

ALDER RUN DEVELOPMENT COMPANY LLC
70 CENTER ST #401
PORTLAND ME 04101

AMORY JONATHAN & JOSHUA B BRODER
56 SPRUCE ST # 2
PORTLAND ME 04102

ANADILYA PROPERTIES LLC
470 FOREST AVE STE 203
PORTLAND ME 04101

APPLE REAL ESTATE HOLDING LLC
70 CENTER ST
PORTLAND ME 04101

AXE CAP LLC
100 COMMERCIAL ST
PORTLAND ME 04101

BAKERY LIMITED LIABILITY CO
61 PLEASANT ST
PORTLAND ME 04101

BARTHELMAN TIMOTHY
S19 TORREY HILL RANGE RD
FREEPORT ME 04032

BAXTER PLACE LLC
723 RIVERSIDE ST OFFICE
PORTLAND ME 04103

BRIGHAM JORDAN & KATHRYN BRIGHAM JTS
50 BOW ST # 11
SOMERVILLE MA 02143

BRIGHAM JORDAN & KATHRYN BRIGHAM JTS
50 BOW ST # 11
BROOKLINE MA 02146

BROWN J B & SONS
PO BOX 207
PORTLAND ME 04112

CASCO VIEW HOLDINGS III LLC
261 COMMERCIAL ST
PORTLAND ME 04101

CASCO VIEW HOLDINGS III LLC
PO BOX 1137
PORTLAND ME 04101

CASCO VIEW HOLDINGS III LLC
PO BOX 1137
PORTLAND ME 04104

CASTINE 53 LLC
152 COMMERCIAL ST
SUNNYVALE CA 94086

CIGRI & DENG PROPERTIES LLC
45 DANFORTH ST
PORTLAND ME 04101

CLANCY PAUL
30 WHITEHEAD ST
PEAKS ISLAND ME 04108

COMEAU PETER W & LINDA J KELLY JTS
103 WEBSTER ST
WHITMAN MA 02382

CUMBERLAND COUNTY MAINE
142 FEDERAL ST
PORTLAND ME 04101

DERMER HARRY & MARY P DERMER JTS
12300 S W SILVERWOOD AVE
PORT SAINT LUCIE FL 34987

EAST COAST CONSTRUCTION AND CONSULTING LLC
PO BOX 4902
PORTLAND ME 04112

F & H REALTY PARTNERSHIP
PO BOX 4177
PORTLAND ME 04101

FATHOM CC LLC
80 EXCHANGE ST STE 400
PORTLAND ME 04101

FIVE SOUTH STREET LLC
5 SOUTH ST
PORTLAND ME 04101

FOLEY RONALD G VN VET
37 PLEASANT ST # 4
PORTLAND ME 04101

FOX STEPHEN
H20 SCHOOL ST # 4
PORTLAND ME 04102

GIOBBI ARCHIE S & MATILDA M JTS
1184 WASHINGTON AVE
PORTLAND ME 04103

GIOBBI CARLO A JR & STOJA PETROVIC
14 PLEASANT ST 2ND FLOOR
PORTLAND ME 04101

GRIMM KRISTY & TODD GRIMM JTS
38 WOODLEY AVEWEST
ROXBURY MA 02132

HAAS JOHN E & JILL E HAAS JTS
37 PLEASANT ST # 6
PORTLAND ME 04101

HANSON ANJA-BRITT & DEREK S PIERCE JTS
9 SOUTH ST
PORTLAND ME 04101

HANSON JUNE ANDREA
30 Pleasant Street
Portland, ME 04101

HIGONNET CAMILLE
7 MAPLE ST # 602
PORTLAND ME 04101

HOUCK THOMAS K & KIMBERLY A HOUCK JTS
7 MAPLE ST # 12
PORTLAND ME 04101

HOULE RONALD J & ANN M FOSTER JTS
2 MIDDLE ST
AMHERST NH 03031

JBB HOSPITALITY I LLC
15 MAIN ST STE 210
FREEPORT ME 04032

JR SAPPERSTEIN HOLDINGS LLC
PO BOX 652
YARMOUTH ME 04096

JR SEELY COMPANY LLC
24 CHRISTOPHER TOPPI DR
SOUTH PORTLAND ME 04106

KROON THOMAS J & MARIANNE M KROON TRUSTEES
7 MAPLE ST # 9
PORTLAND ME 04101

KRUITHOFF CATHERINE H & WAYNE A KRUITOFF TRUSTEE
7 MAPLE ST # 7
PORTLAND ME 04101

LAFAYETTE PORTLAND LLC
155 LITTLEFIELD AVE
BANGOR ME 04401

LEVANDOWSKI THERESE M
2100 VALENTINE RD
RICHMOND VA 23228

LEVINE ROBERT A & VILEAN A TAGGERSELL JTS
31 WILDWOOD BLVD
CUMBERLAND FORESIDE ME 04110

LEVIN-MARTIN MINDY F & ROGER L MARTIN JTS
7 MAPLE ST # 604
PORTLAND ME 04101

LEWIS CLARENCE MICHAEL & MARY L HART JTS
18 SOUTH ST
PORTLAND ME 04101

LOMBARDI BRIAN D
22 SOUTH ST
PORTLAND ME 04101

LOMBARDI DEBRA & BRIAN LOMBARDI JTS
22 SOUTH ST
PORTLAND ME 04101

MAINE BUSINESS SERVICES INC
70 CENTER ST UNIT GO8
PORTLAND ME 04101

MCKERSIE FAMILY LLC
PO BOX 7489
PORTLAND ME 04112

MCLAUGHLIN KATHERINE A TRUSTEE
14 SOUTH ST
PORTLAND ME 04101

MITCHELL JOHN D THE STAPLES SCHOOL
70 CENTER ST
PORTLAND ME 04101

NORTH RIVER IV LLC
224 12TH AVE
NEW YORK NY 10001

PICTURE ISLAND INC
PO BOX 15148
PORTLAND ME 04112

PRESTIGE WORLD-WIDE PARTNERS LLC
17 SOUTH ST 3RD FLOOR
PORTLAND ME 04101

REITER LAUREN J & NEIL A REITER JTS
6 SOUTH ST
PORTLAND ME 04101

RSP PLEASANT LLC
44 VINE ST
SOUTH BERWICK ME 03908

RUNNING SALLY
56 PLEASANT ST # 3
PORTLAND ME 04101

SCHAIR-CARDONA ERICA & IVAN DARIO CARDONA JTS
PO BOX 7235
PORTLAND ME 04112

SCHMIDT REMINGTON
PO BOX 6 DTS
PORTLAND ME 04112

SCHWARTZ DONNA L
85 CLINTON ST
PORTLAND ME 04103

SERAICHICK SUSAN & PETER J SERAICHICK JTS
4133 N 35TH ST
PHOENIX AZ 85018

SIMARK ACQUISITIONS LLC
600 N FAIRBANKS CT # 2803
CHICAGO IL 60611

SOUTH STREET PARTNERS 2 LLC
17 SOUTH ST
PORTLAND ME 04101

SPERRY ELISABETH & THADDEUS SHATTUCK JTS
40 PLEASANT ST
PORTLAND ME 04101

SPRAGUE ERIC T
56 PLEASANT ST # 1
PORTLAND ME 04101

STEELE DANIEL L
PO BOX 15148
PORTLAND ME 04112

TAYLOR-CHIARELLO ROBIN
PO BOX 216
CENTER LOVELL ME 04016

TIQA LEGACY LLC
327 COMMERCIAL ST
PORTLAND ME 04101

TOBEY LINDA W
37 DANFORTH ST
PORTLAND ME 04101

UNITY COLLEGE
90 QUAKER HILL RD
UNITY ME 04988

WATSON MICHAEL P & SHARON S WATSON TRUSTEES
236 CUSHING RD
NEWMARKET NH 03857

WEATHERFORD CLAUDINE & TIMOTHY S WYANT TRUSTEES
130 CENTRAL AVE
PEAKS ISLAND ME 04108

WOODS MARY A & STEPHEN R WOODS TRUSTEES
10 ARBORSIDE DR
FALMOUTH ME 04105

WRIGHT-RYAN REAL ESTATE LLC
10 DANFORTH ST
PORTLAND ME 04101

Anthony Donovan
27 Riverview Street
Portland, ME 04102

Barbara Wood
125 Emery Street
Portland, ME 04102

Chris Castelsky
Fairpoint Communications
521 East Morehead Street
Charlotte, NC 28202

David Nowlin
215 Oxford Street
Portland, ME 04102

Deb Keenan
28 Dorothy Street
Portland, ME 04103

Devon Platte
26 North Street, #3
Portland, ME 04101

Edward Suslovic
District 3
46 Kenwood Street
Portland, ME 04103

Greater Portland Council of Governments
970 Baxter Blvd., 2nd Floor
Portland, ME 04103

Janice Carpenter
9 W. Commonwealth Drive
Portland, ME 04103

Jennifer Munson
City of Portland
389 Congress Street
Portland, ME 04101

Jesse Thompson
Kaplan Thompson Architects
100 Exchange Street
Portland, ME 04103

Len Anderson
543 Allen Avenue
Portland, ME 04103

Lynn Clarkson
145 Marlborough Road
Portland, ME 04103

Mary Griffity
6 E. Prom, Unit #2
Portland, ME 04103

Vahan Tufankijan
Seaside Healthcare
850 Baxter Boulevard
Portland, ME 04103

Nancy Bartlett
PO Box 7965
Portland, ME 04112

Pam Burnside
64 Lester Drive
Portland, ME 04103

Paul Dubois
1915 Congress Street
Portland, ME 04102

Peggy Morin
66 Farnham Street
Portland, ME 04101

Philip Haughey
1660 Soldiers Field Road
Boston, MA 02135

Priscilla LaVallee
190 US Route 1, Unit 2
Falmouth, ME 04105

Rebecca Halla
Waste Management of Maine
2000 Forest Avenue
Portland, ME 04103

REP BenjaminDudley III
District 30
9 Ponce Street
Portland, ME 04101

REP Glenn Cummings
District 37
24 Nevens Street
Portland, ME 04103

Robert Hains
250 Holm Avenue
Portland, ME 04102-1208

Sign In sheet

32 Pleasant Street, LLC

Neighborhood meeting

February 18, 2020 6 pm

Portland Public Library, Meeting Rm #4

Persons Attending:

<u>Name</u>	<u>Address</u>	<u>Phone #</u>	<u>Email</u>
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Terri Hevanowski	30 Pleasant St. #1 Portland, ME 04101		
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Minutes of Meeting

The meeting started at 7pm.

There was one neighbor, Terri Levandoski, attending. Terri resides in the other side of the building at 30 Pleasant Street. She attended to inquire about purchasing a unit at 32 Pleasant Street. She also asked about whether unit owners at 32 Pleasant Street would have use of the back yard. The response was "yes" as the two condo associations each owned approximately $\frac{1}{2}$ of the yard. The condo declarations for both associations have rules regarding the back yard.

DECLARATION OF CONDOMINIUM

32 Pleasant Street Condominium (A Residential Condominium)

32 Pleasant Street, Portland, Maine

ARTICLE 1 SUBMISSION

Section 1.1. Submission of Property. **32 Pleasant Street, LLC**, a Maine limited liability company with a place of business in Portland, Maine (the "**Declarant**"), owner in fee simple of the land described in **Exhibit A** annexed hereto, located within the City of Portland, Cumberland County, Maine (the "**Land**"), hereby submits the Land, together with all improvements, easements, rights and appurtenances thereunto belonging (the "**Property**") to the provisions of Chapter 31 of Title 33 of the Maine Revised Statutes Annotated, as amended, known as the Maine Condominium Act ("**Condominium Act**" or "**Act**") and hereby creates with respect to the Property a condominium, to be known as "**32 Pleasant Street Condominium**" (the "**Condominium**"). The Property is also shown on the following plats and plans: (i) the plan recorded on _____ 2020, in the Cumberland County Registry of Deeds in Plan Book _____, Page _____, identified as follows: "Condominium Plat, 32 Pleasant Street Condominium (A-3.0)," dated July 2020 (the "**Plat**"); (ii) the plan recorded on _____, 2020, in the Cumberland County Registry of Deeds in Plan Book _____, Page _____, identified as follows: "Horizontal Boundaries, 32 Pleasant Street Condominium, (A-2.0)," dated _____; (iii) the plan recorded on _____ 2020, in the Cumberland County Registry of Deeds in Plan Book _____, Page _____, identified as follows: "Vertical Boundaries, 32 Pleasant Street Condominium, (A-1.0)," dated July 2020; and (iv) the plan recorded in the Cumberland County Registry of Deeds in Plan Book _____, Page _____, identified as follows: "Vertical Boundaries, 32 Pleasant Street Condominium, (A-1.1)," dated July 2020 ((ii)-(iv) collectively the "**Plan**") ((i)-(iv) collectively the "**Plans**" or "**Plats and Plans**").

Section 1.2. Name and Address of Condominium. The name of the Condominium shall be "32 Pleasant Street Condominium." The address of the Condominium is 32 Pleasant Street, Portland, Maine. The name of the unit owners' association is the "**32 Pleasant Street Condominium Association**" (the "**Association**") and its address is 32 Pleasant Street, Portland, Maine.

Section 1.3 Description of Condominium Development. The Condominium initially consists of the Land described in the attached **Exhibit A** and the condominium building containing three (3) residential Units identified as **Unit 1, Unit 2** and **Unit 3** as shown on the Plats and Plans (collectively the "**Units**").

ARTICLE 2 DEFINITIONS

Section 2.1. Terms Defined in the Act. Capitalized terms are defined herein or in the Plats and Plans, otherwise they shall have the meanings specified or used in the Condominium Act. In the case of conflict between the meanings specified or used in the Act, those meanings specified or used in the Condominium Act shall control.

Section 2.2. Terms Specifically Defined in this Declaration. In addition to the terms hereinabove defined, the following terms shall have the following meanings in this Declaration, the Bylaws, and Plats and Plans:

(a) "Additional Units" means the Units, if any, which may be added by the Declarant to the Condominium in accordance with Section 10.2 of this Declaration.

(b) "Assessment" means the Owner's share of the anticipated Common Expenses, allocated by Percentage Interest, for the Association's fiscal year as reflected in the budget adopted by the Executive Board for such year.

(c) "Association" means the Unit Owners Association of the Condominium, which is known as the **32 Pleasant Street Condominium Association**.

(d) "Buildings" (or in the singular, a "Building") means any residential, service or recreational structure or other improvement now or hereafter constructed on the Property.

(e) "Bylaws" means the document having that name and providing for the governance of the Association, pursuant to Section 1603-106 of the Condominium Act, as such document may be amended from time to time.

(f) "Common Elements" (or in the singular, a "Common Element") means those parts of the Property other than the Units as described either in the Condominium Act as being Common Elements or described herein as being Common Elements.

(g) "Common Expenses" means expenditures made by or financial liabilities of the Association together with any allocations to reserves.

(h) "Condominium" means the Condominium described in Section 1.1 above.

(i) "Condominium Documents" means the Declaration, Plats and Plans, Bylaws and Rules and Regulations.

(j) "Declarant" means **32 Pleasant Street, LLC**, a Maine limited liability company, its successors and assigns.

(k) "Declaration" means this document, as the same may be amended from time to time.

(l) "Development Rights" means those rights defined in Section 1601-103(11) of the Condominium Act, as it may be amended from time to time, including, but not limited to, those rights which the Declarant has reserved to itself, if any, to add real estate to the Condominium, to create Units, Common Elements or Limited Common Elements within the Condominium, to subdivide Units or, convert Units into Common Elements, or to withdraw any Real Estate, Units, or Property from the Condominium.

(m) "Eligible Mortgage Holder" means the holder of a recorded first mortgage on a Unit, or the holder of a recorded or unrecorded Land Installment Contract, which has delivered written notice to the association by prepaid United States mail, return receipt requested, or by delivery in hand securing a receipt therefor, which notice shall state the mortgagee's name and address, the Unit Owner's name and address, and the identifying number of the Unit, and shall state that the mortgage is a recorded first mortgage. Such notice shall be deemed to have been given reasonably prior to the proposed actions described in Section 15.2 if sent at the time notice thereof is given to the Unit Owners.

(n) "Executive Board" means the Executive Board of the Association. The terms Executive Board and Board of Directors shall be interchangeable.

(o) "Insurance Trust Agreement" means that certain agreement, if any, between the Association and the Insurance Trustee providing for the management and disbursement of insurance proceeds in accordance with Section 16.3 hereof.

(p) "Insurance Trustee" means the entity responsible for the management and disbursement of insurance proceeds pursuant to the Insurance Trust Agreement, if any.

(q) "Land Installment Contract" means a contract under which the Declarant or an Owner agrees to sell or otherwise convey a Unit or other real property interest in a Unit or any portion thereof to a buyer and that buyer agrees to pay the purchase price in subsequent payments and the Declarant or

Owner retains title to the Unit as security for the buyer's obligation under the Contract. The Declarant or Owner may assign its rights under the Contract to any third party.

(s) "Limited Common Elements" (or in the singular, a "Limited Common Element") means those parts of the Common Elements allocated for the exclusive use of one or more but fewer than all of the Units, as described either in the Condominium Act as being Limited Common Elements or described herein or in the Condominium Documents as being Limited Common Elements. In the event of any discrepancy between the Condominium Act and Condominium Documents, the terms of the Condominium Documents shall control with respect to Limited Common Elements.

(t) "Limited Common Expenses" mean: (a) the Common Expenses associated with the maintenance, repair or replacement of a Limited Common Element which may be assessed in accordance with Section 14.2, or as otherwise provided, against the Unit(s) to which that Limited Common Element is assigned, as more particularly set forth in Section 14.2; and (b) the Common Expenses benefiting fewer than all the Units, including without limitation expenses for services benefitting fewer than all the Units, which may be assessed exclusively against the Unit(s) benefited as permitted by to Section 1603-115(c) of the Condominium Act and as more particularly set forth in Section 14.2.

(u) "Manager" or "Managing Agent" means the agent of the management company appointed by the Association to manage the Condominium.

(v) "Mortgagee" means the holder of any recorded mortgage encumbering one or more of the Units or the holder of a recorded or unrecorded Land Installment Contract.

(w) "Owner" means the record owner or owners of a Unit but does not include a person or entity having an interest in a Unit solely as security for an obligation.

(x) "Percentage Interest" means the undivided interest in the Common Elements appurtenant to a Unit, as set forth on Exhibit B attached hereto, as the same may be amended from time to time.

(y) "Property" means the Property described in Section 1.1 above.

(z) "Plats and Plans" means the Plat and Plans as defined in Section 1.1 above, which are recorded in the Cumberland County Registry of Deeds, and as such may be amended from time to time.

(aa) "Record" means to record in the Cumberland County Registry of Deeds.

(bb) "Rules and Regulations" means such rules and regulations as are promulgated by the Declarant or the Executive Board from time to time with respect to the use of all or any portion of the Property.

(cc) "Special Assessment" means an Owner's share of any assessment made by the Executive Board in addition to the Assessment.

(dd) "Special Declarant Rights" means those rights defined in Section 1601-103 (25) of the Condominium Act, as it may be amended from time to time, including, but not limited to, those rights the Declarant has reserved to itself to complete improvements, to maintain sales offices, to use easements through Common Elements for the purpose of making improvements within the Condominium, and to appoint or remove any officer of the Association during any period of Declarant control.

(ee) "Unit" means a physical portion of the Condominium created by this Declaration or any amendment thereto and designated for separate ownership or occupancy, the boundaries of which are described in Article 3.

(ff) **Section 2.3. Provisions of the Condominium Act.** The provisions of the Condominium Act shall apply to and govern the operation and governance of the Condominium, except to the extent that contrary provisions, not prohibited by the Act, are contained in one or more of the Condominium Documents.

ARTICLE 3

UNIT BOUNDARIES

Section 3.1. Units. This Declaration creates three (3) residential Units identified as **Units 1, 2, and 3** as shown on the Plats and Plans (the “Units”). The maximum number of Units is three (3), subject to the terms of Section 10.2(a). The condominium building contains all three (3) condominium Units, as shown on the Plats and Plans. Attached as **Exhibit B** hereto is a list of all Units, their identifying numbers, common element interest, common expense liability and vote appurtenant to each Unit.

Section 3.2. Unit Boundaries. The boundary lines of each Unit are as shown on the Plats and Plans and shall conform with Unit boundaries as described in the Act to the extent not described herein.

(a) The upper and lower (horizontal) boundaries of each level of each Unit shall be the following boundaries extended to the intersection with the vertical (perimeter) boundaries: (i) Upper Boundary: the plane of the ceiling of each level of the Unit; (ii) Lower Boundary: the horizontal plane of the top surface of the undecorated floor or undecorated concrete floor slab of each level, as applicable.

(b) The vertical (perimeter) boundaries of each Unit shall be the walls bounding the Unit and adjacent to either an adjoining Unit or the exterior walls of the Building extended to the intersections with each other and with the upper and lower boundaries.

(c) Boundary lines shall also be the Unit-side surface of the walls and partitions of the Buildings which enclose such Unit and separate it from adjoining Units, if any, or Common Elements, including the thickness of the finish material such as plaster or drywall, and the interior surface of doors, windows and storm windows, and glass walls, and their frames, sills and thresholds.

(d) Each Unit's identifying number is shown on the Plats and Plans and on **Exhibit B**.

Section 3.3. Relocation of Unit Boundaries. Relocation of boundaries between Units will be permitted subject to compliance with the provisions therefor in Section 1602-112 of the Condominium Act and subject to compliance with any conditions, restrictions or requirements imposed by the Executive Board. The cost for preparation and recordation of any documents required for the relocation of boundaries between Units shall be chargeable to the Units involved as a Special Assessment. Subdivision of Units is not permitted.

ARTICLE 4

DESCRIPTION AND ALLOCATION OF COMMON ELEMENTS, LIMITED COMMON ELEMENTS AND LIMITED COMMON PROPERTY

Section 4.1. Description of Common Elements. Common Elements shall consist of all of the Property except the individual Units, and shall include the land, buildings, foundations, roofs, outside walls, pipes, ducts, electrical wiring and conduits, heating, ventilation and air conditioning system (“HVAC”), the compressor for the HVAC, public and private utility lines, floors and ceilings (other than the portion of the floors and ceilings which constitute a part of the Units in accordance with Section 1602-102(1) of the Condominium Act), perimeter walls of Units (other than the portion of walls which constitute a part of the Units in accordance with Section 1602-102(1) of the Condominium Act), structural parts of the buildings, including structural columns, girders, beams and supports, and any easements as set forth in **Exhibit A** for parking, access, and utilities; and in addition, all other parts of the Property necessary and convenient to its existence, maintenance and safety, normally in common use as defined in the Condominium Act, except such parts of the Property as may be specifically excepted or reserved herein or in any exhibit attached hereto. As provided in Section 1602-102(2) of the Condominium Act, any wires, ducts, pipes, or other fixtures located within a Unit but serving another Unit or Units are part of the Common Elements. Each Owner shall have the right to use the Common Elements in common with all other Owners, as may be required for the purposes of ingress and egress to and use, occupancy and enjoyment of the respective Owners and guests, tenants, and other authorized occupants, licensees, and visitors of the Owner. The use of the Common Elements and the rights of the Owners with respect thereto

shall be subject to and governed by the provisions of the Act and Condominium Documents. Without limitation, the Common Elements shall specifically include the following:

- (a) Grounds. The land, lawns, trees, any forested areas, signage, any common paved areas, walkways, or driveways as identified on the Plats and Plans, and any common facilities or storage buildings;
- (b) Systems & Utilities. Sewer Pump Station and Sanitary sewer to each Unit, if any, electric distribution to each Unit meter, water distribution to each Unit master valve, storm and Unit drainage system, water lines servicing more than one Unit (in foundation, basement, and exterior walls), sewer lines up to Unit outlet (in foundation, basement, and exterior walls), electrical wiring from meter and serving more than one Unit (in foundation and exterior walls), master electrical panel, laundry piping and valves, life safety equipment (excluding smoke detectors);
- (c) Interior Structure & Fixtures. Interior sub flooring (sub floor sheathing and wood, and sub floor concrete); and
- (d) Exterior Structure & Fixtures. Roofing (all roof framing and covering), chimneys and flues, exterior walls (framing, insulation, sheathing, and clapboards, including Unit party walls), studs, joists, any load bearing portions of the buildings, shutters, attic structural elements (framing, floor, and insulation), foundation walls, all floor slabs, garage slab floors, if any, exterior foundation drains, interior foundation drains, front and rear steps and railings, sun rooms (roofing, walls, foundation, if any), and dormers (roofing and walls, if any, but excluding new dormer construction).
- (e) Other. All other parts of the property necessary or convenient to its existence, maintenance and safety or normally in common use, except as otherwise expressly provided.
- (f) HVAC Components. All of the components of the heating, ventilation, and air conditioning system, if any, including but not limited to all furnaces, blowers, compressors, ducts, and vents (the “**HVAC Components**”) shall be Common Elements.

Section 4.2. Description of Limited Common Elements. Limited Common Elements shall mean those portions of the Buildings defined as such pursuant to Sections 1602-102(2) and (4) of the Condominium Act or as identified and designated as Limited Common Elements on the Plats and Plans, or by Section 4.3 hereof. Those portions of the Limited Common Elements serving only the Unit above, below or adjacent to such Limited Common Element, as the case may be, are Limited Common Elements allocated only to the Unit that they serve.

Section 4.3. Specified Limited Common Elements. Without limitation, the following portions of the Buildings or the Property are hereby designated as Limited Common Elements: shutters, awnings, window boxes, any individual Unit mailboxes, doorsteps, stoops, steps, porches, balconies, patios, decks, basement storage areas, any garage areas, attic spaces, flues and all exterior doors and garage doors, and windows or other fixtures designed to serve a single Unit but located outside a Unit’s boundaries are limited common elements allocated exclusively to that Unit. Additionally, certain specified Limited Common Elements are allocated to particular Units as designated on the Plats and Plans, which specified Limited Common Elements expressly include without limitation the following:

- (a) Parking Spaces. Subject to Sections 4.7 and 8.3, there is one (1) parking space allocated as Limited Common Elements to Unit 3, as shown on the Plats and Plans or as otherwise designated by the Association. Units 2 and 3 shall initially have access to leased parking on Pleasant Street, with the costs of the parking space to be paid by the unit owner.
- (b) Basement Storage Areas. Each Unit shall have a basement storage area allocated as a Limited Common Element, as shown on the Plats and Plans or as otherwise designated by the

Association.

Section 4.4. Locations of Common and Limited Common Elements. The locations of the Common Elements and Limited Common Elements are shown on the Plats and Plans. Pursuant to Section 1602-102(4) of the Condominium Act, a shutter, awning, window box, doorstep, stoop, balcony, porch, deck, or patio, if any, shown adjacent to a Unit is a Limited Common Element appurtenant to that Unit.

Section 4.5. Reserved Common Elements. The Executive Board shall have the power in its discretion from time to time to grant revocable licenses in designated Common Elements to the Association or to any Owners and to establish a reasonable charge to such Owners for the use and maintenance thereof. Such designation by the Executive Board shall not be construed as a sale or disposition of the Common Elements.

Section 4.6. Alteration of Common Elements by the Declarant. The Declarant reserves the right to modify, alter, remove or improve portions of the Common Elements, including without limitation, any equipment, fixtures and appurtenances, when in the Declarant's judgment it is necessary or desirable to do so, until the expiration of the applicable warranty period.

Section 4.7. Parking. Parking of motor vehicles by the Unit 3 Owner, and its tenants, guests, visitors, and invitees shall be only in the Limited Common Element parking space appurtenant to such Unit. Units 2 and 3 shall be initially be offered leased parking spaces on Pleasant Street by the Declarant.

ARTICLE 5

MAINTENANCE RESPONSIBILITIES

Section 5.1. Maintenance Responsibilities. Notwithstanding the ownership of the various portions of the Common Elements and the Units by virtue of the foregoing boundary descriptions, the Units and Common Elements shall be maintained and repaired by each Unit Owner and by the Association in accordance with the provisions of Section 1603-107 of the Act, except as expressly set forth to the contrary herein.

Section 5.2. Maintenance of Limited Common Elements. The maintenance, repair and replacement of Limited Common Elements created, if any, shall be the responsibility of and at the expense of the Association, except as otherwise noted in the Condominium Documents. Notwithstanding the foregoing, the Executive Board of the Association may adopt rules and regulations to authorize the revocable delegation the responsibility to perform and, in accordance with Article 14, the expense to maintain, repair, and replace particular Limited Common Elements that serve only one Unit to the Unit they serve. Any expenses incurred by the Association relating to the Limited Common Elements may be assessed to the Unit owner(s) benefited by such Limited Common Elements in accordance with Section 14.2.

Section 5.3. Maintenance of Common Elements. The Association, or the Managing Agent of the Association in accordance with Article 7, shall be responsible for the maintenance, repair and replacement (unless, if in the opinion of the Board of Directors such expense was necessitated by the negligence, misuse or neglect of a Unit Owner) of all of the Common Elements whether located inside or outside of the Units, the cost of which shall be charged to the Unit Owners as a Common Expense except as otherwise provided herein with regard to Limited Common Elements. The maintenance, repair and replacement of Common Elements located within a Unit, for which the Unit Owner is not responsible, to the extent required for the functioning of or for connecting utilities to the Property and Units, shall be furnished by the Association as part of the Common Expenses.

Section 5.4. Maintenance of Unit. Each Unit Owner shall keep and maintain his Unit including the building, equipment, appliances and appurtenances in good order, condition and repair and in a clean and sanitary condition, whether such maintenance and repair shall be structural or non-structural, ordinary or extraordinary, and shall do all redecorating, painting and varnishing which may at any time be necessary to maintain the good appearance and condition of his Unit. No Unit Owner shall sweep or throw, or

permit to be swept or thrown, from his Unit any dirt, debris or other substance. In addition, each Unit Owner shall be responsible for all damage to any other Units or to the Common Elements resulting from his failure or neglect to make any of the repairs required by this Article. Each Unit Owner shall perform his responsibility in such manner as shall not unreasonably disturb or interfere with the other Unit Owners. Each Unit Owner shall promptly report to the Executive Board or the managing agent any defect or need for repairs for which the Association is responsible. No Unit Owner shall change the exterior color of his or her Unit nor alter the exterior materials or structure without the written approval of the Board of Directors. All exterior maintenance shall be undertaken so as to maintain the general character and quality of the condominium. No work shall be undertaken without all necessary State and local permits and approvals, and copies of all such permits and approvals shall be given to the Association.

Section 5.5. Liability of Owner. Each Unit Owner shall be liable for, and the Association shall have a lien against his Unit for, the expense of maintenance, repair or replacement of any portion of another Unit or the Common Elements, including Limited Common Elements, of another Unit caused by such Unit Owner's act, neglect or carelessness or by that of any member of such Unit Owner's family, or such Unit Owner's guests, employees, agents, lessees, or their pets, and the Association shall have the right to cure, correct, maintain, repair or replace any damage or disrepair resulting from such act of neglect or carelessness. The Association shall also have the right to perform maintenance required of a Unit Owner under Section 5.4, but not performed by the Unit Owner and the Unit Owner shall be liable for and the Association shall have a lien against the Unit for the expense of such maintenance. Such liability shall include any increase in fire insurance rates occasioned by use, misuse, occupancy, or abandonment of any Unit or its appurtenances. Nothing herein contained, however, shall be construed so as to modify any waiver by insurance companies of rights of subrogation against such Unit Owner.

ARTICLE 6

ALLOCATION OF PERCENTAGE INTERESTS, COMMON EXPENSES AND VOTING RIGHTS

Section 6.1. Percentage Interests. Attached as **Exhibit B** hereto is a list of all Units by their identifying number and the Percentage Interest appurtenant to each Unit within each such Unit.

Section 6.2. Common Expenses. The liability of each Unit for the Common Expenses of the Condominium shall be the same percentage share as the Percentage Interest set forth on **Exhibit B**, and as such shall be determined by the same formula by which the Percentage Interest is determined.

Section 6.3. Allocation of Owners' Voting Rights. Each Owner of a Unit shall be entitled to vote as described on **Exhibit B**. If a Unit is owned by more than one person or entity, the voting interest shall not be divided and the vote for the Unit shall be cast by only one of the Owners as determined by a majority of the Owners of such Unit.

ARTICLE 7

MANAGEMENT

Section 7.1. Managing Agent. The Association shall have the right to employ a professional experienced property management firm to act as Managing Agent to oversee the daily operation of the Condominium in accordance with the provisions of the Act and the Declaration; provided, however, that no agreement for such professional management of the Condominium may exceed a term of three (3) years but may be renewed upon consent of the Association. Such agreement shall be cancelable by either party without cause and without a termination fee upon not less than sixty (60) days nor more than ninety (90) days written notice and shall be cancelable by the Executive Board with cause upon not less than thirty (30) days written notice. Any agreement for professional management negotiated by the Declarant shall meet the requirements of this Article 7 for such agreements negotiated by the Association and shall not exceed one (1) year but may be renewed upon consent of the Association.

Section 7.2. Maintenance Responsibilities. The Managing Agent, or the Association through the Executive Board in the absence of a Managing Agent, shall be responsible for maintenance, repair and

replacement of the Common Elements and Common Property including, but not limited to, the Limited Common Elements. The cost of the provision of such services shall be a Common Expense.

ARTICLE 8

EASEMENTS

Section 8.1. Additional Easements. In addition to the easements provided for by the Act, the following easements are hereby created:

(a) All Units shall be subject to an easement in favor of the Declarant pursuant to Section 1602-115 of the Condominium Act. The Declarant reserves the right to use any Units owned or leased by the Declarant and any Common Element as models, management offices, sales offices for this and other projects or customer service offices; and the Declarant reserves the right to relocate the same from time to time within the Property; upon relocation, the furnishings thereof may be removed. The Declarant further reserves the right to maintain on the Property such advertising signs as may comply with applicable governmental regulations, which may be placed in any location on the Property and may be relocated or removed, all at the sole discretion of the Declarant. Prior to assignment as Limited Common Elements, the Declarant shall have the right to restrict the use of certain Common Element parking areas for sales purposes and to use such areas for sales purposes. Further, the Declarant shall have the right to erect temporary offices on any Common Element parking areas for models, sales, management, customer service and similar purposes. This easement shall continue until the Declarant has conveyed all Units in the Condominium to Owners other than the Declarant.

(b) The Units and Common Elements shall be, and hereby are, made subject to easements in favor of the Declarant, other Owners, appropriate 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 Property. The easements created by this Section 8.1(b) shall include, without limitation, rights of the Declarant, any Owner or the providing utility or service company, or governmental agency or authority 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 wires and equipment, television equipment and facilities (cable or otherwise), electrical wires, conduits, and equipment and ducts and vents over, under, through along and on the Units and Common Elements. Notwithstanding the foregoing provisions of this Section 8.1(b), any such easement through a Unit shall be located either in, substantially the same location as such facilities or similar, facilities existed at the time of first conveyance of a Unit in the Unit by the Declarant or so as not to materially or unreasonably interfere with the use, occupancy, or quiet enjoyment of the Unit by its occupants. With respect to any utility lines or equipment serving only the Condominium and located upon the Common Elements, the Executive Board shall have the right and power to dedicate and convey title to the same to any private or public utility company. The Executive Board 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 Executive Board shall have the right to grant permits, licenses and easements over the Common Elements for the building and, maintenance of roads, for the protection of the natural, scenic and open space values of the Property, and for other purposes necessary for the proper operation the Condominium.

(c) The Declarant reserves for as long as it is entitled to exercise any Development Right an easement on, over and under those portions of the Common Elements not located within a Building for the purpose of maintaining and/or correcting drainage of surface water in order to maintain reasonable standards of health, safety and appearance. The easement created by this Section 8.1(c) expressly includes the right to cut any trees, bushes, or shrubbery, to grade the soil, or to take any other action reasonably determined to be necessary. The Declarant or the Association, as the case may be, shall restore the affected property as closely to its original condition as is practicable.

(d) The Common Elements (other than the Limited Common Elements) shall be, and hereby are made, subject to an easement in favor of the Owners and their invitees, employees, tenants and servants, the Association and the agents and employees of the Association for access, egress and ingress over, through and across each portion thereof, pursuant to such requirements and subject to such charges as the Executive Board may from time to time prescribe; provided that nothing contained herein shall create any access easement in favor of Owners with respect to such portions of the Common Elements which are not needed in order to gain access to one or more Units and as to which the Executive Board may from time to time determine it to be necessary or desirable to limit or control access by Owners or the occupants of Units, or both, including, by way of illustration and not limitation, machinery and equipment rooms, and any management agent's office, provided, however, that every Owner shall have an unrestricted right of ingress and egress to his Unit for his specified Period of Use. Until the Declarant conveys the last Unit to an Owner other than Declarant, the Declarant shall have the right to restrict access by Owners to management and sales offices and areas located on or in any Common Element.

(e) The Common Elements (including, but not limited to, the Limited Common Elements) and Units are subject to an easement in favor of the Declarant for the purposes of construction, reconstruction, maintenance, repair, renovation, replacement or correction of the Units or Common Elements.

(f) The Common Elements (including, but not limited to, the Limited Common Elements) 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, and Property (including, but not limited to the Limited Common Elements and Property).

(g) The Common Elements (including, but not limited to, the Limited Common Elements) shall be and hereby are made subject to the following easements in favor of the Units benefited:

(1) For the installation, repair, maintenance, use, removal and/or replacement of pipes, ducts, heating and air conditioning systems, electrical, telephone and other communication wiring and cables and all other utility lines and conduits which are part of or exclusively serve a single Unit and which pass across or through a portion of the Common Elements;

(2) For the installation, repair, maintenance, use, removal and/or replacement of overhead lighting fixtures, electrical receptacles and the like which are located in a portion of the ceiling, wall or floor adjacent to a Unit which is a part of the Common Elements; provided that the installation, repair, maintenance, use, removal or replacement of such fixtures, receptacles and the like does not unreasonably interfere with the common use of any part of the Common Elements or impair or structurally weaken the Buildings;

(3) For driving and removing nails, screws, bolts and the like into the Unit-side surface of walls, ceilings and floors which are part of the Common Elements; provided that such action will, not unreasonably interfere with the common use of any part of the Common Elements or impair or structurally weaken the Buildings; and

(4) For the maintenance or the encroachment of any lighting devices, outlets, medicine cabinets, exhaust fans, ventilation ducts, registers, grilles and similar fixtures which serve only one Unit but which encroach into any part of any Common Element or Limited Common Element on the date this Declaration is recorded or any amendment hereof is recorded.

(h) To the extent necessary, each Unit shall have an easement for structural support over every other Unit in the Building in which it is located, the Common Elements and the Limited Common Elements, and each Unit and the Common Elements shall be subject to an easement for structural support in favor of every other Unit in that particular Building, the Common Elements and the Limited Common Elements, if any.

(i) The Units and the Limited Common Elements are hereby made subject to the following easements:

(1) In favor of the Association and its agents, employees and independent contractors, (i) for inspection of the Units and Limited Common Elements in order to verify the performance by Owners of all items of maintenance and repair for which they are responsible, (ii) for inspection, maintenance, repair and replacement of the Common Elements and Property or the Limited Common Elements and Property situated in or accessible from such Units or Limited Common Elements or both, (iii) for correction of emergency conditions in one or more Units or Limited Common Elements, or both, or casualties to the Common Elements and Property, the Limited Common Elements and Property and/or the Units, and (iv) to do any other work reasonably necessary for the proper maintenance of the Condominium, it being understood and agreed that the Association and its agents, employees and independent contractors shall take reasonable steps to minimize any interference with an Owner's use of his Unit resulting from the Association's exercise of any rights it may have pursuant to this Section 8.1(i)(1) and the following Section 8.1(i)(2) or both;

(2) In favor of the Owner benefited thereby and the Association and its agents, employees and independent contractors, for the installation, repair, maintenance, use, removal and/or replacement of pipes, ducts, electrical, telephone, telegraph or other communication systems and all other utility lines and conduits which are part of the Common Elements and which pass across or through a portion of one or more Units.

(j) If construction, reconstruction, repair, shifting, settlement or other movement of any portion of the Condominium results either in the Common Elements encroaching on any Unit, or in any Unit encroaching on the Common Elements or on any other Unit, a valid easement shall exist during the period of the encroachment for the encroachment and for the maintenance thereof.

(k) All easements, rights and restrictions described and mentioned in this Declaration are easements appurtenant, running with the land and the Property, including by way of illustration but not limitation the Units and the Common Elements, 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.

Section 8.2. Reservation of Easement Rights. Until the construction, marketing and sale of all Units is completed, the Declarant reserves the right to grant to any third party any license or easement in, on, over or through the Property, in addition to and not in limitation of those set forth above, which license or easement is determined by the Declarant, in its reasonable judgment, to be necessary for the development or improvement of the Property. Any such license or easement granted hereunder may be recorded by the Declarant at its sole cost and expense. The Association, at the request of the Declarant, shall execute and deliver in recordable form any instrument or document necessary or appropriate to confirm the grant of such license or easement.

Section 8.3. Additional Easements, Covenants, Restrictions. The Property is also subject to any easements and restrictions as shown on the Plats and Plans or otherwise referenced on the attached Exhibit A. Without limiting the foregoing, the Property is subject to the following specified easements and restrictions:

(a) Declaration of Party Wall Easements, Covenants, and Restrictions. The Property is subject to a certain Declaration of Party Wall Easements, Covenants, and Restrictions, recoded in the Cumberland County Registry of Deeds in Book ___, Page ___, which sets forth the terms for performing certain maintenance for the Condominium Building and sharing related costs with the adjoining property at 30 Pleasant Street which shares a party wall with the Condominium Building, all as more particularly described therein.

ARTICLE 9
RESTRICTIONS ON USE, SALE AND LEASE OF
UNITS AND/OR UNITS

Section 9.1. The following restrictions shall apply to the use of the Condominium:

(a) Residential. The Units are restricted to residential use. The Units may not be used for any other purposes by the Owner or any future Owner. No present or future owner of any Unit shall permit his or her Unit to be used or occupied for any purpose other than as a single-family residence. Notwithstanding any of the foregoing, an Owner may use a Unit for the purpose of a home office, provided, however, that any such use complies with all applicable state and local laws and ordinances, and that such use is otherwise consistent with the Condominium Documents.

(b) Obstruction of Common Elements. No Owner may obstruct the Common Elements in any way. No Owner may store anything in or on the Common Elements without the prior written consent of the Executive Board.

(c) Quiet Enjoyment. No Owner may carry on any practice, or permit any practice to be carried on, which unreasonably interferes with the quiet enjoyment of the occupants of any other Unit. The Property is to be maintained in a clean and sanitary condition, and no Owner may place any garbage, trash or rubbish anywhere in the Property other than in his own Unit and in or on such parts of the Common Elements as may be designated for such purpose by the Executive Board.

(d) Fire Hazards. No Unit shall be used, occupied or kept in a manner that in any way increases the fire insurance premiums for the property without the prior written permission of the Executive Board.

(e) Signs. (i) General Restrictions. Except as otherwise allowed herein, no sign of any character shall be erected, posted, or displayed upon, in, from or about any Unit or Common Element, without the prior written approval of the Executive Board or a committee designated by the Executive Board, which approval shall not be unreasonably withheld, except for such signs as may be posted by the Declarant for promotional or marketing purposes herein described, or signs allowed by any rules promulgated in writing by the Association. Once approval has been granted, the Unit owner seeking the sign shall have the authority to erect the approved sign. The Executive Board may also erect one or more publicly displayed, adequately sized, directional and identifying sign with the name and location of each occupant of the Units. Any signs shall be in compliance with applicable zoning ordinances; all costs to design, fabricate, install, maintain, repair and replace such signage shall be the responsibility of the Unit owner installing the sign or of the Residential Unit owners if the sign is intended to benefit the Condominium as a whole.

(f) Pets and Animals.

(1) No animals, except as common household pets in accordance with the Rules and Regulations, shall be kept or maintained on the property, nor shall common household pets be kept, bred or maintained for Residential purposes on the Property. Owners are responsible for immediate clean-up of pet waste. Unless otherwise permitted by the Board, authorized pets shall not be permitted outside of Units unless they are accompanied by an adult person and carried or leashed. The Board of Directors may make further provisions in the Rules for the control and regulation of household pets in the Condominium. The owner of a Unit where a pet is kept or maintained shall be responsible and may be assessed by the Board of Directors for all damages to the Property resulting from the maintenance or conduct of said pet, and any costs incurred by the Association in enforcing the Rules prescribed or to be

prescribed by the Board of Directors for the control and regulation of pets in the Condominium and each such Owner shall be deemed to indemnify and hold the Board harmless against such loss or liability resulting from said pet.

(2) Notwithstanding anything herein to the contrary, the following aggressive dog breeds are prohibited: Akita; American Staffordshire Terrier (a.k.a. Pit Bull); Bernese Mountain Dog (a.k.a. Bernese Cattle Dog); Canario (a.k.a. Pressa Canario); Chow Chow (a.k.a. Chow); Doberman Pinscher; German Shepherd; Grate Dane; Huskies (including American, Eskimo, and Greenland Huskies but not including Siberian Huskies); Karelian Bear Dog (a.k.a. Laika); Malamute (a.k.a. Alaskan Malamute); Mastif; Rhodesian Ridgeback; Rottweiler; Saint Bernard; and Staffordshire Bull Terrier (a.k.a. Pit Bull); provided however, that service dogs are exempt from the foregoing prohibition regardless of breed. The Association may further regulate or exclude from the Condominium additional specific breeds or species of dogs or other pets as determined by the Board to be necessary for the safety and quiet enjoyment of the Condominium and as necessary to conform with any insurance requirements relating to the Condominium.

(g) Rules and Regulations. The Executive Board shall promulgate reasonable Rules and Regulations, not in conflict with the provisions of this Declaration, concerning the use and enjoyment of the Property. Copies of the then current Rules and Regulations and any amendments thereto shall be furnished to all Owners by the Association promptly after the adoption of such Rules and Regulations and any amendments thereto. Notwithstanding the foregoing, no rule or regulation that limits or restricts the uses of the Residential Units as permitted in this Declaration, including without limitation any rule or regulation relating to hours of operation, signage, Residential uses allowed, the nature of goods, equipment, or materials that may be stored, kept, displayed, used, or sold, or any other matter affecting the business operation of the Residential Units, shall be effective without the consent of all Residential Unit Owners.

(h) Alterations to Units.

(1) Interior Unit Alterations: Except as otherwise provided herein, no Unit shall be substantially altered, remodeled or renovated without the prior written approval of the Executive Board of the Association or a committee appointed by the Board pursuant to the By-Laws. Substantial alteration includes but is not limited to alterations that may impair the structural integrity or mechanical systems of the Building, lessen the support of any portion of the Condominium, or jeopardize the soundness or safety of the Property. Prior written approval shall not be required for minor interior alterations or renovations that do not affect the structural integrity of any Common Elements. For purposes of this paragraph, the term "minor alterations or renovations" shall specifically include, without limitation, the following: interior painting or wallpaper installation; carpet or flooring installation; refinishing, replacement, or repair of interior cabinetry, built-in storage or display cases; installation or replacement of lighting fixtures or bathroom or kitchen fixtures; removal or construction of non-load-bearing walls and partitions, and remodeling projects that do not affect the structural integrity of any Common Elements.

(2) Exterior Unit Alterations: No Unit Owner shall alter the exterior appearance of a Unit (including, but not limited to, the exterior surfaces of roofs, walls, windows, or doors) without the prior written approval of the Executive Board of the Association or a committee appointed by the Board pursuant to the By-Laws.

(3) Common Elements: Owners shall not erect fences, signs, canopies, clotheslines or other structures, plant or remove trees or shrubs, materially alter the grading or landscaping, or do any other thing which affects the appearance from the exterior of the Units or grounds, including Limited Common Elements, except with the written permission of the Executive Board or a Committee established by the Board

(i) Connection of Adjoining Units and Limited Common Areas. If the record Owners of the subject Unit(s) affirmatively elect, with the written approval of the Board of Directors of the Association

based on each Owner's compliance with the standards set forth hereinafter, all to be evidenced by a recorded instrument duly executed and acknowledged, that portion of the Common Elements located between the boundary lines of adjoining Units or located between a Unit and an adjoining Limited Common Element (with the consent of any other Units sharing the same), may be thereby subjected to an easement in favor of each such Unit respectively running to the midpoint of the space between each Unit or to the Limited Common Element for the removal and alteration of any intervening partition and the creation of apertures therein for passage back and forth between the two Units or to the limited common element, and for the installation of stairs, doors, windows and frames appurtenant thereto. The participating Owners shall be strictly liable for any resulting damage. At all times after such election each 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 Common Elements; and shall strictly comply with all fire, building code and other governmental laws, ordinances and requirements. Any such Unit Owner or his respective heirs, mortgagees or assigns, may at any time revoke such election by instrument duly executed and acknowledged served on the other such Owners and duly recorded, and thereafter may seal up passageways and/or remove the stairs, doors and their frames, and/or install a permanent wall, floor ceiling or other partitions, at all times preserving the structural integrity, the mechanical and utility systems and support of all portions of the Property. Nothing contained herein shall be deemed to merge or otherwise affect the separate identity, configuration or the boundaries of said Units.

(j) Labor, Mechanic's Liens. No Owner shall cause any material to be furnished to his Unit or any labor to be performed therein or thereon except in the manner set forth in subparagraph (h) and (i) above. Each Owner shall indemnify and hold the other Owners of his Unit harmless against any loss, damage or claim arising out of his breach of the provisions of this Section 9.1, including but not limited to the costs of removing any unauthorized improvements, any repairing and restoring the Unit to substantially its condition prior to such alteration, remodeling, renovation or repair and the cost of removing, bonding, defending or paying any mechanic's or materialmen's liens.

(k) Trash and Storage. Trash, garbage and other waste shall be kept only in sanitary containers and shall be disposed of in accordance with rules and regulations established by the Executive Board. No articles of personal property belonging to any Unit Owner shall be stored in any portion of the Common Elements except in a storage area specifically designated by the Executive Board or the managing agent, if any.

(l) Vehicles, Parking. The LCE parking space for Unit 3 is provided for the parking of motor vehicles, provided, however, that the parking space shall not be used for the parking of Residential vehicles (except in the ordinary course of business relating to the Residential Units, and in connection with the exercise of any Development Rights or the construction, repair and replacement of any Units, Limited Common Elements or Common Elements), trailers, or motor homes, except with the prior written approval of the Executive Board. Parking of permitted motor vehicles by a Unit Owner, business invitees and guests shall be only in the designated as spaces for such parking. The parking area shall at all times be kept free of unreasonable accumulations of debris or rubbish of any kind and no junk or derelict vehicle or other vehicle on which current registration plates are not displayed shall be kept upon any of the Common Elements. Vehicle repairs other than ordinary light maintenance are not permitted on the Property.

(m) Unit 3 Right to Maintain Roof Deck. The record Owner of Unit 3 shall have the perpetual right to the exclusive use of the existing roof deck located on that portion of the Common Elements located between said Unit 3 and the roof area above the rear of Unit 2 identified on the Plans as "L.C.E. #3 (Roof Rights)" (the "**Roof Rights Area**") and such area shall be subjected to an easement in favor of such Unit 3 running from the Unit to the Roof Rights Area, for: (1) the removal and alteration of any intervening partition and the creation of an aperture therein for passage back and forth between the two areas; (2) ingress and egress through said aperture for the purpose of access between the two areas; and

(3) the use, maintenance, and/or replacement of the decking surface over the Roof Rights Area, which shall be a Limited Common Element of such Unit, together with any stairs or related improvements appurtenant thereto; subject, however, to the following: (i) The Owner of such Unit shall be strictly liable for any resulting damage to the Unit, other Units, the Common Elements, any Limited Common Elements, or the Property; (ii) the 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 Common Elements, as may be reasonably required by the Board; (iii) the Owner shall strictly comply with all fire, historic district, building code and other governmental laws, ordinances and requirements; (iv) the Association, in its discretion, may require the Unit 3 owner to reimburse the Association for any material increase in the premium amount for the Association's master liability insurance policy that is caused by the installation of the roof deck authorized herein; and (v) in accordance with Sections 7.2 and 14.2 of the Declaration, the Association shall be responsible for the performance of maintenance and repair for the Roof Rights Area and related improvements, unless such duties are otherwise delegated to the Unit 3 Owner by written approval of the Board, and additionally the Unit 3 Owner shall be liable for all such maintenance and repair expenses relating specifically to the Roof Rights Area and improvements and accordingly all such expenses shall be billed to the Unit 3 Owner as a Limited Common Expense. The Unit 3 Owner and the Owner's respective heirs, mortgagees or assigns, may at any time revoke such election by written notice to the Board, and thereafter may seal up the aperture and/or remove the improvements, at all times preserving the structural integrity, the mechanical and utility systems and support of all portions of the Common Elements. Nothing contained herein shall be deemed to merge or otherwise affect the separate identity, configuration or the boundaries of said Unit area.

(n) Unit 3 Rights to Construct Dormers, Skylights. If the record Owner of Unit 3 elects by written notification to the Board, but without the approval of the Board except as otherwise set forth herein, that portion of the Common Elements located between said Unit 3 and the roof or attic area of the building may be thereby subjected to an easement in favor of such Unit 3, for the removal and alteration of any intervening partition and the creation of one or more apertures therein for the construction of not more than two (2) dormers and not more than three (3) skylights, together with any related improvements appurtenant thereto; subject, however, to the following: (i) The Owner of such Unit shall be strictly liable for any resulting damage to the Unit, other Units, the Common Elements, any Limited Common Elements, or the Property; (ii) the 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 Common Elements, as may be reasonably required by the Board; (iii) the Owner shall strictly comply with all fire, historic district, building code and other governmental laws, ordinances and requirements; (iv) the Association, in its discretion, may require the Unit 3 owner to reimburse the Association for any material increase in the premium amount for the Association's master liability insurance policy that is caused by the installation of the improvements authorized herein; and (v) in accordance with Sections 7.2 and 14.2 of the Declaration, the Association shall be responsible for the performance of maintenance and repair for the improvements described herein, unless such duties are otherwise delegated to the Unit 3 Owner by written approval of the Board, and additionally the Unit 3 Owner shall be liable for all such maintenance and repair expenses relating specifically to such improvements and accordingly all such expenses shall be billed to the Unit 3 Owner as a Limited Common Expense. The Unit 3 Owner and the Owner's respective heirs, mortgagees or assigns, may at any time revoke such election by written notice to the Board, and thereafter may seal up the aperture and/or remove the improvements, at all times preserving the structural integrity, the mechanical and utility systems and support of all portions of the Common Elements. Nothing contained herein shall be deemed to merge or otherwise affect the separate identity, configuration or the boundaries of said Unit area.

(o) Right to Install, Maintain Air Compressor and HVAC. Unit 1, Unit 2 and Unit 3 shall each have joint rights to use the existing Air Compressor and HVAC system and the electrical panel and

electrical systems that serves all three units and shall have the right and easement, which is hereby allocated to such Unit as a Limited Common Element, to install, maintain, and/or improve (i) the air compressor on the grounds of the Property (Common Elements), together with any related improvements for service to each Unit ; (ii) HVAC improvements in the basement of the Building, and (iii) the electrical service for the electrical system in the building, subject, however to the following: (1) the costs of operating, maintaining and/or improving the HVAC including fuel costs and the electrical system shall be paid by each Unit owner based on their Percentage Interests.

Section 9.2. Sale and Lease of Units.

(a) Leasing By Declarant. The Declarant shall have the right to operate any Units owned by the Declarant as residential rental units. The Declarant may establish and maintain in the Units and Common Elements, all offices, signs and other accoutrements normally used in the operation of, such rental properties in the sole discretion of the Declarant. Such operation shall be for the benefit of the Declarant and neither the Association nor any Owner (other than the Declarant) shall have any right or interest in the profits or losses thereof.

(b) Leasing by Unit Owners Other Than Declarant. A Unit Owner other than the Declarant may lease his or her unit, however the Executive Board may prescribe by resolution a form of lease or specific provisions to be included in any lease of a Residential Unit owned by a party other than the Declarant, and thereafter no Residential Unit Owner other than the Declarant shall execute a lease of his Residential Unit that is not in compliance with such resolution. Each tenant and lease shall be subject to the covenants, restrictions and conditions set forth in the Declaration, including but not limited to the restriction on number of adult occupants of a Unit as set forth in Section 9.1(a)(1)(ii). Any residential lease with a term of less than ninety (90) days is prohibited.

(c) This Section 9.2 shall not be deemed or construed to impair a Mortgagee's right to foreclose, accept a deed in lieu of foreclosure or sell or lease a Unit so acquired by the Mortgagee.

Section 9.3. Time Share Ownership Prohibited. No ownership interest in any Unit shall or may be subdivided to permit "time sharing" or any other devices to effect interval ownership. For the purposes of this subsection, such devices shall be deemed to include, without limitation, the use of corporations, partnerships and tenancies in common in which four or more persons not members of a single household have acquired by means other than inheritance, devise or operation of law, a direct or indirect, equitable or legal, right to occupy or arrangement, formal or informal regarding occupancy of the same Unit.

ARTICLE 10
DEVELOPMENT RIGHTS AND SPECIAL DECLARANT RIGHTS

Section 10.1. General Development Rights. In addition to the easement rights reserved in Article 8, the Declarant reserves to itself and for the benefit of its successors and assigns the following rights:

(a) Until the construction, marketing and sale of all Units is completed, to connect with and make use of utility lines, wires, pipes and conduits located on the Property for construction and sales purposes, provided that the Declarant shall be responsible for the cost of services so used;

(b) Until the construction, marketing and sale of all Units is completed, to use the Common Elements for ingress and egress, for the repair and construction of Units and Common Elements including the movement and temporary storage of construction materials and equipment, and for the installation of signs and lighting for sales and promotional purposes;

(c) Until the construction, marketing and sale of all Units is completed, including any future Units which may be created under this Declaration, to subdivide or convert Units into Common Elements, to withdraw Units or real estate from the Condominium and any and all other Development Rights as are

now allowed or in the future may be allowed by the Condominium Act. The locations and dimensions of the land subject to withdrawal are shown on the Plats and Plans. No land may be withdrawn from the Condominium if a Unit has been legally located on such land unless the Owner and any Eligible Mortgage Holder of the Unit have consented. No easement rights may be withdrawn in connection with such withdrawn land across any existing Unit unless the Owner and any Eligible Mortgage Holder of the Unit have consented. Once such land and associated easements have been withdrawn, they shall no longer be subject to the terms of this Declaration or any of the covenants and restrictions set forth herein. Any withdrawal of land must be structured so that the balance of the Condominium complies with applicable zoning and subdivision ordinance requirements. Declarant reserves the right to withdraw portions of said land at different times and in separate portions with boundaries other than those depicted on the Plats and Plans and in such order as it deems appropriate, provided, however, that land other than that depicted on the Plats and Plans shall not be withdrawn. Otherwise no consent of the Association, any Unit owners or the Association is required. Once such land has been withdrawn it shall be released from all terms, covenants and restrictions set forth in this Declaration, and it may be developed and used in any manner permitted by local land use ordinances and regulations as they may vary; and

(d) Until the construction, marketing and sale of all Units is completed, to complete all improvements shown on the Plats and Plans, to relocate any improvements shown on the Plats and Plans, construct additional Common Element improvements on any part of the Property, to exercise the Development Rights set forth herein, to maintain models and sales offices and to exercise the easements as set forth in Article 8 hereof, to add real estate to the Condominium, including the adjoining real estate located at 32 Pleasant Street, Portland, Maine (the "Additional Real Estate"), in the event that the owner(s) of such Additional Real Estate agree to join such entire property to the Condominium, to make the Condominium part of a larger condominium, to make the Condominium subject to a master association, to appoint or remove any officer or Executive Board member during any period of Declarant control of the Association and any and all other Special Declarant Rights as are now allowed or in the future may be allowed by the Condominium Act. The real estate subject to these Development Rights and Special Declarant Rights is all of the Property, except those portions lying within the boundaries of declared Units and upon which declared Units are located.

(e) Appoint and remove members of the Board of Directors and Officers of the Association in accordance with Section 12.1.

Section 10.2. Additional Units. In accordance with and subject to the Condominium Act, the Declarant reserves the right, but not the obligation, until the construction, marketing and sale of all Units is completed, including any future Units which may be created under this Declaration:

(a) To create up to three (3) additional Units for a maximum total of (6) Units, which right shall be conditioned upon the agreement of owner(s) of the adjoining Additional Real Estate to join such entire property to the Condominium. The creation of any additional Units or Unit may occur in any number of stages and in such order as the Declarant determines, or not at all, and shall be fully integrated into the Condominium as if this Declaration had been originally executed and recorded containing the additional Units. The Percentage Interest, Common Expense liability and votes of all Units shall be reallocated in accordance with the formulas set forth in Article 6 and Section 10.2(b) of this Declaration and as more particularly set forth in the amendment to the declaration adding said Units. All such future Units and Limited Common Elements shall be consistent with the initial Units in terms of the quality of construction, general architectural style and principal materials, provided that the Declarant may substitute construction materials and techniques of equal or better quality. All restrictions in or created by authority of this Declaration affecting the use, quality or alienation of Units shall apply to such additional Units and Buildings. Declarant need not add said Additional Real Estate, said additional Units, or said limited common elements to the Condominium and hence said buildings, real estate, units and limited

common elements NEED NOT BE BUILT. Notwithstanding anything herein to the contrary, after the construction, marketing and sale of all Units by the Declarant is completed, the right to create additional units and to add the related Additional Real Estate to the Condominium as described herein may be exercised by the Association upon the unanimous consent of the Unit Owners.

(b) Upon the addition of such Units to the Condominium, the Percentage Interest and Common Expense liability of all Units shall be reallocated in accordance with the formula set forth in Exhibit B. Each Unit shall have one (1) vote in the Association to permit equality among Units. The effective date for the reallocation of the Percentage Interest and Common Expense liability for and of the assignment of Common Expense Assessments, and of a vote to such additional Unit shall be the date of the recording in the Cumberland County Registry of Deeds by the Declarant of the amendment to this Declaration creating such Units.

Section 10.3. Exercise of Rights. The exercise of the Development Rights and Special Declarant Rights reserved herein shall be in accordance with and governed by the provisions of the Condominium Act, including without limitation Section 1602-110 of the Act. To exercise the Development Rights reserved in Section 10.2 of this Declaration, the Declarant will prepare, execute and record an amendment to this Declaration indicating that the Residential Unit may be used for residential use. A copy of all amendments to this Declaration prepared by Declarant shall be forwarded to Eligible Mortgage Holders upon request. Further, in accordance with Section 1602-109(f) of the Condominium Act, the Declarant will either record new Plats and Plans or record an affidavit that the Plats and Plans previously recorded conform to the requirements of the Act.

Section 10.4. Amendment. This Article 10 shall not be amended without the written consent of the Declarant duly recorded in the Cumberland County Registry of Deeds.

ARTICLE 11

UNITS SUBJECT TO CONDOMINIUM DOCUMENTS,

EMINENT DOMAIN

Section 11.1. Applicability of Condominium Documents. Each present and future Owner, tenant, occupant and Mortgagee of a Unit therein shall be subject to and shall comply with the provisions of the Act, and with the covenants, conditions and restrictions as set forth in the Condominium Documents and the deed to such Unit; provided that nothing contained herein shall impose upon any tenant of a Unit or Mortgagee any obligation which the Act or one or more of such documents, or both, make applicable only to Owners (including, without limitation, the obligation to pay assessments for Common Expenses). The acceptance of a deed or mortgage to any Unit therein, or the entering into of a lease or the entering into occupancy of any Unit therein shall constitute an agreement that the provisions of the Act and the covenants, conditions and restrictions set forth in the Condominium Documents and the deed to such Unit therein are accepted and ratified by such grantee, Mortgagee or tenant. All of such provisions shall be covenants running with the land and shall bind any person having at any time any interest or estate in such Unit, as though such provisions were recited and stipulated at length in each and every deed, conveyance, mortgage, contract or lease thereof. The Association and any aggrieved Owner shall have a right of action against Owners who fail to comply with the provisions of the Condominium Documents, the Act, or with decisions made by the Association or the Executive Board. Aggrieved Owners shall have similar rights of action against the Association.

Section 11.2. Eminent Domain.

(a) **Entire Unit.** If any Unit shall be taken or condemned by any authority having the power of eminent domain, or if part of a Unit is taken or condemned by any authority having the power of eminent domain leaving the Unit Owner with a remnant which may not practically or lawfully be used for any purpose permitted by this Declaration, the award for such taking or condemnation shall be paid to the

Unit Owner as compensation for his Unit and its Allocated Interest in the Common Elements, whether or not any Common Elements are taken or condemned. Upon such taking or condemnation, unless the decree provides otherwise, that Unit's entire Allocated Interests shall be automatically reallocated to the remaining Units in proportion to the respective Allocated Interests of those Units prior to the taking or condemnation, and the Association shall promptly prepare, execute and record as a Common Expense an amendment to this Declaration reflecting such reallocation. Any remnant of a Unit remaining after part of a Unit is taken or condemned under this Section 11.2 shall thereafter be a Common Element.

(b) Part of Unit. Except as otherwise provided in Section 11.2(a), if part of a Unit is taken or condemned by any authority having the power of eminent domain, any award therefor shall be paid to the Owner of such Unit as compensation for the reduction in value of the Unit and its Allocated Interest in the Common Elements, whether or not any Common Elements are taken or condemned. After such part of a Unit is taken or condemned: (1) That Unit's Allocated Interests shall be reduced in proportion to the reduction in relative square footage of floor area of the Units as determined by the Executive Board; and (2) The portion of the Allocated Interests, Common Element Interest, Votes and Common Expense Liability which has been divested by virtue of the taking or condemnation from the partially-acquired Unit shall be automatically reallocated to such Unit and the remaining Units in proportion to the respective Allocated Interests appurtenant to each of the Units before the taking or condemnation, and the Association shall promptly prepare, execute and record as a Common Expense an amendment to this Declaration reflecting such reallocation, with the partially taken or condemned Unit participating in the reallocation on the basis of its reduced Allocated Interests.

(c) Common Elements. If part of the Common Elements shall be taken or condemned by any authority having the power of 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 portion of the award attributable to the Common Elements taken shall be paid to the Association for the use and benefit of the Unit Owners and their Mortgagees as their interests may appear. Each Unit Owner appoints the Association as attorney-in-fact for this purpose. The Association shall divide any portion of remaining Common Elements among the Unit Owners and their Mortgagees, in proportion to their respective interests in the Common Elements prior to such taking or condemnation, but the portion of the award attributable to the acquisition of any Limited Common Element shall be equally divided among the Owners of the Units to which such Limited Common Element was allocated at the time of such taking or condemnation. The Association shall promptly prepare, execute and record as a Common Expense an amendment to this Declaration reflecting such reallocation.

(d) Decree, Prior Liens. The court decree shall be recorded. Notwithstanding anything to the contrary in this Article, lien holders on any Unit, Common Element or Limited Common Element, shall have a lien on any such awards in order of priority of their respective liens.

ARTICLE 12

EXECUTIVE BOARD OF THE ASSOCIATION

Section 12.1. Members.

(a) The initial Executive Board shall consist of three (3) members. One (1) member of the Executive Board shall be: (i) the Residential Unit Owner, or (ii) an officer, member, shareholder or partner of the Residential Unit Owner, as applicable, or (iii) an agent or representative of the Residential Unit Owner that is a corporate entity or partnership, provided that such agent or representative is duly authorized in writing by such Owner. The Residential Unit Owner may waive this right and allow a Residential Unit Owner to fill the Residential Unit Owner's spot on the Executive Board. The other Executive Board members shall be Owners of a Residential Unit. The members of the initial Executive Board shall be appointed, removed and replaced from time to time by the Declarant without the necessity

of obtaining resignations. The Declarant-appointed members of the Executive Board, which may include the Declarant, shall be replaced in accordance with the provisions of paragraph (b) of this Section 12.1.

(b) Not later than the earlier of (i) sixty (60) days after the conveyance of 75% of the Units to Owners other than the Declarant or (ii) seven (7) years following conveyance of the first Unit to an Owner other than the Declarant (the “**Period of Declarant Control**”), all members of the Executive Board appointed by the Declarant shall resign and the Owners (including the Declarant to the extent of any Units owned by the Declarant at that time) shall elect new members of the Executive Board in accordance with the Bylaws.

(c) The Executive Board shall possess all of the duties and powers granted to the Executive Board by the Act.

Section 12.2. Disputes.

(a) Regarding Owners, Condominium, and Condominium Documents. Subject to Section 12.2(b), in the event of any dispute or disagreement between any Owners relating to the Property, or any questions of interpretation or application of the provisions of the Condominium Documents, the determination thereof by the Executive Board shall be final and binding on each and all such Owners. Notwithstanding the foregoing, any deadlock among the Owners or Executive Board that relates to the budget or any of the material matters set forth in Article 18 shall be submitted to binding arbitration, or alternatively to mediation if all the parties agree thereto, in accordance with the rules of the American Arbitration Association, which shall take place in Portland, Maine. The Executive Board shall have the authority to seek a declaratory judgment or other appropriate judicial relief in order to assist it in carrying out its responsibilities under this Section 12.2. All costs of obtaining such a judgment shall be borne by the disputants, or in the absence of disputants, by the Association as a Common Expense.

(b) Disputes with Declarant. In any dispute between one or more Unit Owners and the Declarant regarding the Common Elements, the Board of Directors shall act for the Unit Owners, and any agreement with respect thereto by the Board shall be conclusive and binding upon the Unit Owners. All claims, disputes and other matters in question between the Declarant, on the one hand, and the Association or any Unit Owners on the other hand, arising out of or relating to, a Unit, the Common Elements, the Limited Common Elements, this Declaration, the Bylaws, or the deed to any Unit or the breach thereof, or the course of dealing between any Unit Owner, the Association and the Declarant, except for claims which have been waived by the acceptance of a deed, shall be decided by binding arbitration in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association then obtaining unless the parties mutually agree otherwise in writing. The Arbitration shall take place in Portland, Maine, unless the parties mutually to another location. This agreement to arbitrate shall be specifically enforceable under the prevailing arbitration law. The award rendered by the arbitrators shall be final, and judgment may be entered upon it in accordance with applicable law in any court having jurisdiction thereof. Notice of the demand for arbitration shall be filed in writing with the other parties and with the American Arbitration Association. The demand for arbitration shall be made within a reasonable time after the claim, dispute or other matter in question has arisen, and in no event shall it be made after the date when institution of legal or equitable proceedings based on such claim, dispute or other matter in question would be barred by the applicable statute of limitations or other principals of law and equity.

Section 12.3. Abating and Enjoining Violations by Owners. The violation of any Rules and Regulations adopted by the Executive Board, the breach of any provision contained in the Bylaws or the breach of any provision of this Declaration or the Act by any Owner or tenant of such Owner, shall give the Executive Board the right, in addition to any other rights to which it may be entitled, to enjoin, abate or remedy by appropriate legal proceedings, either by law or in equity, the continuance of any such breach, and such rights and remedies shall additionally include, without limiting the foregoing, the right to impose reasonable fines, late fees and interest, as applicable, to the extent allowed by the

Condominium Act, and to suspend any right or privilege of an Owner that fails to pay any assessment to the Association as required under this Declaration, to the extent allowed by Section 1603-102(a)(18) of the Condominium Act.

ARTICLE 13 **LIMITATION OF LIABILITY**

Section 13.1. Limited Liability of the Executive Board. The Executive Board, and its members in their capacity as members, officers and employees:

(a) Shall not be liable for the failure of any service to be obtained by the Executive Board and paid for by the Association, or for injury or damage to persons or property caused by the elements or by another Owner or person on the Property, or resulting from electricity, gas, water, rain, dust or sand which may leak or flow from the outside or from any part of the Buildings, or from any of its pipes, drains, conduits, appliances, or equipment, or from any other place unless in each such instance such injury or damage has been caused by the willful misconduct or gross negligence of the Association or the Executive Board;

(b) Shall not be liable to the Owners or any Mortgagees as a result of the performance of the Executive Board members' duties for any mistakes of judgment, negligence or otherwise, except for the Executive Board members' own willful misconduct or gross negligence;

(c) Shall have no personal liability in contract to an Owner, any Mortgagee, or any other person or entity under any agreement, check, contract, deed, lease, mortgage, instrument or transaction entered into by them on behalf of the Executive Board or the Association in the performance of the Executive Board members' duties;

(d) Shall not be liable to an Owner, or such Owner's tenants, employees, agents, customers or guests, for loss or damage caused by theft of or damage to personal property left by such Owner or his tenants, employees, agents, customers or guests in a Unit, or in or on the Common Elements or Limited Common Elements, except for the Executive Board members' own willful misconduct or gross negligence;

(e) Shall have no personal liability in tort to an Owner, any mortgagee, or any other person or entity, direct or imputed, by virtue of acts performed by or for them, except for the Executive Board members' own willful misconduct or gross negligence in the performance of their duties; and

(f) Shall have no personal liability arising out of the use, misuse or condition of the Buildings, or which might in any other way be assessed against or imputed to the Executive Board members as a result of or by virtue of their performance of their duties, except for the Executive Board members' own willful misconduct or gross negligence.

Section 13.2. Indemnification. Each member of the Executive Board in his capacity as an Executive Board member, officer or both, shall be indemnified by the Association against all expenses and liabilities, including attorneys' fees, reasonably incurred by or imposed upon him in connection with any proceeding in which he may become involved by reason of his being or having been a member and/or officer of the Executive Board, or any settlement of any such proceeding, whether or not he is an Executive Board member, officer or both at the time such expenses are incurred, except in such cases wherein such Executive Board member and/or officer is adjudged guilty of willful misconduct or gross negligence in the performance of his duties or any other standard imposed by the Condominium Act; provided that, in the event of a settlement, this indemnification shall apply only if and when the Executive Board (with the affected member abstaining if he is then an Executive Board member) approves such settlement and reimbursement as being in the best interests of the Association. The indemnification by the Owners set forth in this Section 13.2 shall be paid by the Association on behalf of the 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 Executive Board member and/or officer may be entitled as a matter of law or agreement or by vote of the Owners or otherwise.

Section 13.3. Joint and Several Liability of Owners and Lessees. Each Owner shall be jointly and severally liable with any tenants of the Unit owned by such Owner for all liabilities arising out of the ownership, occupancy, use, misuse, or condition of any Unit or any portion of the Common Elements or Limited Common Elements.

Section 13.4. Defense of Claims. Complaints filed in any State or Federal court brought against the Association, the Executive Board or the officers, employees or agents thereof their respective capacities as such, or the Condominium as a whole, shall be directed to the Executive Board of the Association, which shall promptly give written notice thereof to the Owners and the holders of any mortgages and such complaints shall be defended by the Association. The Owners and the holders of mortgages shall have no right to participate other than through the Association in such defense. Complaints of a nature specified in Section 13.3 hereof against one or more but less than all Owners shall be defended by such Owners who are defendants themselves and such Owners shall promptly give written notice of the institution of any such suit to the Association and to the holders of any mortgages encumbering such Units.

ARTICLE 14

ASSESSMENTS: LIABILITY OF OWNERS

Section 14.1. Power to Assess. The Association, acting through the Executive Board in accordance with the Bylaws, shall have the power to fix and determine, from time to time, the sums necessary and adequate to provide for the Common Expenses, including, but not limited to such amounts as are necessary for the maintenance, repair and replacement of the Common Elements and Limited Common Elements as set forth in Section 7.2 hereof, such amounts as are necessary for uncollectible Assessments, budget deficits; such expenses as are necessary for the Association's share of any common expenses for any master association which the Association may now or hereafter be a member of; such reserves as are hereinafter described and such additional reserves as the Executive Board shall deem necessary or prudent, and such other expenses as are specifically provided for in the Condominium Act, this Declaration or the Bylaws. The Association shall establish an adequate reserve fund for maintenance, repair and replacement of those Common Elements, Limited Common Elements and Limited Common Property for which the Association is responsible which are anticipated to require replacement, repair or maintenance on a periodic basis, and to cover any deductible amount for insurance policies maintained by the Association. The reserve fund shall be funded as a part of the Common Expenses. As determined by the Association, (i) the Common Expenses that benefit and relate to only the Residential Units as determined by the Association shall be designated as "Residential Common Expenses" and shall be assessed to the Owners of the Residential Units and related Fractional Ownerships, (ii) Common Expenses that benefit and relate to only the Residential Units as determined by the Association shall be designated as "Residential Common Expenses" and shall be assessed to the Residential Unit Owners, and (iii) Common Expenses that benefit and relate to all Units shall be assessed to all Owners as Common Expenses as provided herein; except as otherwise expressly indicted herein, any general reference to the Common Expenses in this Declaration shall be deemed to include reference to Residential Common Expenses and Residential Common Expenses, as applicable.

Section 14.2. Allocated Assessments for Limited Common Expenses, Common Expenses. The Association, acting through the Executive Board in accordance with the Bylaws and in accordance with Section 1603-115(c) of the Condominium Act, may assess Limited Common Expenses and Common Expenses as follows: (i) Limited Common Expenses Benefitting Single Unit: If a Limited Common Expense only benefits a single Unit, that Limited Common Expense shall be assessed solely against the Unit benefited, as the Executive Board may determine; (ii) Limited Common Expenses Benefitting Multiple Units: If a Limited Common Expense benefits more than a single Unit but fewer than all the Units, that Limited Common Expense may be assessed exclusively against the Units benefited in equal proportion between such Units, or, at the election of the Executive Board, in proportion to the relative

Common Expense liabilities of such Units as between themselves, as the Executive Board may periodically determine; (iii) Common Expenses Benefitting Single Unit: If a Common Expense only benefits a single Unit, including without limitation any Common Expenses for services benefitting a single Unit, that Common Expense may be assessed solely against the Unit benefited, as the Executive Board may determine; and (iv) Common Expenses Benefitting Multiple Units: If a Common Expense benefits more than a single Unit but fewer than all the Units, including without limitation any Common Expenses for services benefitting more than a single Unit but fewer than all the Units, that Common Expense may be assessed exclusively against the Units benefited in equal proportion between such Units, or, at the election of the Executive Board, in proportion to the relative Common Expense liabilities of such Units as between themselves, as the Executive Board may periodically determine.

Section 14.3. Special Assessments. If the cash requirement estimated at the beginning of any fiscal year shall prove to be insufficient to cover the actual Common Expenses for such fiscal year for any reason (including by way of illustration and not limitation, any Owner's non-payment of his Assessment or municipal assessments not yet assessed), the Executive Board shall have the power, at any time it deems necessary and proper, to levy one or more Special Assessments against each Owner. Special Assessments shall be due and payable in the manner and on the date set forth in the notice thereof. Special Assessments shall be approved by the Association in accordance with Section 1603-103(g) of the Act and shall be due and payable in the manner and on the date set forth in the notice thereof.

Section 14.4. Payment of Assessments. Each Owner, including the Declarant to the extent it is the owner of any unsold Units, shall pay all Assessments levied by the Association. Liability for such assessments shall be determined in accordance with the formula set forth in Exhibit B hereto. Penalties and default interest for delinquent assessments may be levied by the Association to the maximum extent allowed by the Condominium Act and by Maine law, including without limitation the application of default interest at a rate of up to eighteen percent (18%) per annum. Notwithstanding anything herein to the contrary, and with respect to any assessments levied by the Association against Units owned by the Declarant, the Declarant in its discretion may elect: (a) in lieu of paying any monthly or other periodic assessments, to make an annual contribution to the Association on or before the last day of each calendar year in an amount equal to the value of services actually received by Declarant as a part of the Common Expenses or Limited Common Expenses for such year; or (b) to offset against such assessments the value of either (i) amounts paid directly by the Declarant for any expenses relating to the Common Expenses or Limited Common Expenses of the Condominium, or (ii) the value of any services provided by the Declarant for the benefit of the Association that would otherwise constitute a Common Expense or Limited Common Expense of the Condominium.

Section 14.5. Failure to Fix New Assessments. If the Executive Board shall fail to fix new Assessments for Common Expenses for the subsequent fiscal year before the expiration of any fiscal year, the Owners shall continue to pay the same sums they were paying for such Assessments during the fiscal year just ended and such sum shall be deemed to be the new Assessments for the succeeding fiscal year. If the Executive Board shall change the Assessment at a later date, the difference between the new Assessment, if greater, and the previous year's Assessment up to the effective date of the new Assessment shall be treated as if it were a Special Assessment under Section 14.2 hereof; thereafter each Owner shall pay the new Assessment. In the event the new Assessment is less than the previous year's Assessment, in the sole discretion of the Executive Board, the excess either shall be refunded to the Owners, credited against future Assessments or retained by the Association for reserves.

Section 14.6. Exemption by Waiver. No Owner may exempt himself from liability for the Common Expenses by waiver of the enjoyment of the right to use any of the Common Elements or by the abandonment of his Unit or otherwise.

Section 14.7. Personal Liability of Owners. All sums assessed by the Association as an Assessment, Special Assessment or Assessment for Limited Common Expenses shall constitute the personal liability of the Owner of the Unit so assessed and also, until fully paid, shall constitute a lien against such Unit

pursuant to Section 1603-116 of the Condominium Act. The Association shall take action for failure to pay any assessment or other charges pursuant to Section 1603-116 of the Condominium Act, as determined by the Executive Board. The delinquent Owner shall be obligated to pay (a) all expenses of the Executive Board, including reasonable attorneys' fees and costs, incurred in the collection of the delinquent assessment by legal proceedings or otherwise, (b) interest on any delinquent amounts owed, which interest may be assessed by the Executive Board at a rate of up to eighteen percent (18%) per annum, as determined by the Executive Board, and (c) any amounts paid by the Executive Board for taxes or on account of superior liens or otherwise to protect its lien, which expenses and amounts, together with accrued interest, shall be deemed to constitute part of the delinquent assessment and shall be collectible as such.

Section 14.8. Liability of Purchaser of Unit for Unpaid Assessments. Upon the voluntary sale, conveyance or any other voluntary transfer of a Unit or any interest therein, the grantee thereof shall not be personally liable with the grantor thereof for all unpaid Assessments for Common Expenses, special assessments, Limited Common Expenses, which are a charge against the Unit as of the date of consummation of the sale, conveyance or transfer, unless such grantee agrees to assume the obligation therefor. A lien against the Unit so purchased for Assessments imposed pursuant to this Declaration or the Condominium Act shall not be affected by such sale, conveyance or other transfer, however.

Section 14.9. Subordination of Certain Charges. Any Assessments or any fees, charges, late charges, fines and interest that may be levied by the Association pursuant to Section 1603-102 of the Condominium Act or otherwise shall be subordinate to any first mortgage lien recorded before the due date of the Assessment or the due date of the first installment payable on the Assessment.

Section 14.10. Surplus. The Budget of the Association shall set forth general Common Expenses. Any amounts accumulated from assessments for Common Expenses in excess of the amount required for actual Common Expenses and reserves for future Common Expenses, unless otherwise directed by the Executive Board, in its sole discretion, shall be credited to each Owner, such credit to be applied to the next Assessments of Common Expenses due from said Owners under the current fiscal year's budget, and thereafter until exhausted, or retained by the Association for reserves.

Section 14.11. Ratification of Budget. The Executive Board shall set and notice a date for a meeting of the Owners to consider ratification of a budget each year in accordance with the Bylaws of the Association. Unless at that meeting a majority of all the Owners of all Units reject such budget, such budget is deemed ratified, whether or not a quorum is present. In the event such proposed budget is rejected, the budget last ratified by the Owners shall be continued until such time as the Owners ratify a subsequent budget proposed by the Executive Board.

ARTICLE 15

RIGHTS OF MORTGAGEES, CONTRACT HOLDERS,

INSURERS AND GUARANTORS

Section 15.1. Subject to Declaration. Whether or not it expressly so states, any mortgage which constitutes a lien against a Unit and an obligation secured thereby shall provide generally that the mortgage and the rights and obligations of the parties thereto shall be subject to the terms and conditions of the Act, the Declaration, the Plats and Plans and any Rules and Regulations.

Section 15.2. Rights of Eligible Mortgage Holders.

(a) The Association shall send reasonable prior written notice by prepaid United States mail to Eligible Mortgage Holders of the consideration by the Association of the following proposed actions:

(1) The termination of the Condominium pursuant to Section 1602-118 of the Condominium Act;

(2) A change in the allocated interest of a Unit or a change in the boundaries of a Unit or a subdivision of a Unit;

(3) The merger or consolidation of the Condominium with another condominium;

(4) The conveyance or subjection to a security interest of any portion of the Common Elements;

(5) The proposed use of any proceeds of hazard insurance required to be maintained by the Association under Section 1603-113(a) of the Condominium Act, or of any condemnation proceeds, for purposes other than the repair or restoration of the damaged property;

(6) The adoption of any proposed budget by the Executive Board and of the date of the scheduled Owners' meeting to consider ratification thereof. A summary of the proposed budget shall accompany this notice;

(7) Any default in the performance or payment by an Owner of any obligations under the Declaration, including, without limitation, default in the payment of Common Expense liabilities;

(b) In the event of any proposed actions described in subsection (a), paragraphs (1), (2), (3), (4), or (5) hereinabove, an Eligible Mortgage Holder shall have the right, but not the obligation, in place of the Owner to cast the votes allocated to that Unit or give or withhold any consent required of the Owner for such action by delivering written notice to the Association with a copy to the Owner prior to or at the time of the taking of the proposed action, which notice shall be sent by prepaid United States mail, return receipt requested, or by delivery in hand. Failure of the Eligible Mortgage Holder to so exercise such rights shall constitute a waiver thereof and shall not preclude the Owner from exercising such right. In the event of any default described in subsection (a), paragraph (7), the Eligible, Mortgage Holder shall have the right, but not the obligation, to cure such default.

(c) In addition, an Eligible Mortgage Holder or its representative shall have the right to attend Association and Executive Board meetings for the purposes of discussing the matters described in subsection (a), paragraphs (1) through (6).

Section 15.3. Liability for Use and Charges. Any Mortgagee who obtains title to a Unit pursuant to the remedies provided in a mortgage for foreclosure of such mortgage or a deed in lieu of foreclosure shall not be liable for such Owner's unpaid assessments or charges which accrue prior to the acquisition of title to such Unit by the Mortgagee, except to the extent otherwise provided for in either of the Act and except to the extent that such Mortgagee is liable as an Owner for the payment of such unpaid assessment or charge that is assessed against the Mortgagee as a result of all Owners being reassessed for the aggregate amount of such deficiency.

Section 15.4. Condemnation Rights. No provision of this Declaration shall give an Owner, or any other party, priority over any rights of the Mortgagee of a Unit pursuant to its mortgage in the case of a distribution to such Owner of insurance proceeds or condemnation award for loss to or a taking of one or more Units and/or Common Elements.

Section 15.5. Books and Records. Any Mortgagee shall have the right exercisable by written notice to the Executive Board, to examine the books and records of the Association and to require that it be provided with a copy of each annual report of the Association and other financial data of the Association reasonably requested by such Mortgagee.

ARTICLE 16

INSURANCE

Section 16.1. Types and Amounts. The Association shall maintain as a Common Expense and to the extent reasonably available, the following types and amounts of insurance:

(a) Property insurance insuring against all risks of direct physical loss normally covered by the standard extended coverage endorsement and commonly insured against, including those covered by

the standard "all risk" endorsement, or such other fire and casualty insurance as the Executive Board may determine provides equal or greater protection for the Owners and their Mortgagees, if any, in each case complying with the applicable requirements of Section 16.2 hereof. The insurance maintained by the Association shall cover the Property, including, but not limited to, all Common Elements and Property and Limited Common Elements and Property, the Units, to the extent required by Section 1603-113 of the Condominium Act, and all improvements, fixtures and appliances contained within the Unit and building service equipment and common equipment, fixtures, personal property and supplies owned by the Association, but excluding any improvements or appliances subsequently added by an Owner and all other personal property of the Owner. The amount of any such hazard insurance obtained pursuant to this paragraph (a) shall be equal to one hundred percent (100%) of the current replacement cost of the Condominium, including the individual Units, at the time the insurance is purchased and at each renewal date without deduction for depreciation, exclusive of land, foundations, excavation and other items normally excluded from coverage. Such hazard insurance policy may, at the option of the Association, contain a "deductible" provision in an amount not to exceed five percent (5%) of the policy face amount. Funds to cover this deductible amount shall be included in the Association's reserve fund. The named insured under the policy shall be "**32 Pleasant Street Condominium Association**," for the use and benefit of the individual owners, or a specified authorized representative of the Association, including but not limited to any Insurance Trustee, and the Association or its representative, as the case may be, shall be designated to represent the Owners in any proceedings, negotiations or settlements under such policy. The "loss payable" clause of such policy shall show the Association or the Insurance Trustee, if any, as a trustee for each Owner and each Mortgagee of a Unit. Such policy shall also contain a standard mortgage clause naming separately the Mortgagees of the Units, their successors and assigns. If the Executive Board fails within sixty (60) days after the date of an insured loss to initiate a claim for damages recoverable under the policy or policies obtained pursuant to this paragraph (a), any Mortgagee may initiate such a claim on behalf of the Association.

(b) Comprehensive Liability Insurance, including medical payments insurance, complying with the requirements of Section 16.2 hereof, insuring the Owners, in their capacity as Owners and Association members and any managing agent retained by the Association, against any liability to the public or to other Owners, their tenants or invitees, relating in any way to the ownership and/or use of the Common Elements, Limited Common Elements, and any other areas under the supervision of the Association and any part thereof. Such insurance policy shall contain a "severability of interest endorsement" or equivalent, coverage which precludes the insurer from denying the claim of an Owner because of the negligent acts of the Association or another Owner. Such insurance shall include coverage for bodily injury and property damage that results from the operation, maintenance or use of the Common Elements and Limited Common Elements, any liability resulting from lawsuits related to employment contracts in which the Association is a party, water damage liability, liability for non-owned and hired automobiles, liability for property of others, and such other risks as are customarily covered in similar projects. The amount of such liability insurance shall be at least \$1,000,000.00 for bodily injury and property damage for any single occurrence. The scope and amount of coverage of all liability insurance policies shall be reviewed at least once each year by the Executive Board and may be changed in its discretion provided that such policies shall continue to comply with the requirements of this Section and Section 16.2 hereof. To the extent reasonably available, Mortgagees shall be named, upon their written request, as additional insureds under the Association's liability policy or policies.

(c) Such worker's compensation insurance as applicable laws may require.

(d) Insurance to satisfy the indemnification obligation of the Association and all Owners set out in Section 13.2 hereof if and to the extent available, including but not limited to insurance coverage commonly referred to as "Directors and Officers Insurance."

(e) If at any time it is determined that all or any part of the project's improvements are within a special flood hazard area, a master or blanket policy of flood insurance covering the Property,

including but not limited to, all Common Elements and Limited Common Elements and property, the Units and all improvements, fixtures and appliances contained within the Unit or the value thereof, and building service equipment and common equipment, fixtures, personal property and supplies owned by the Association, but excluding any improvements or appliances subsequently added by a Owner and all other personal property of the Owner. The amount of any such flood insurance obtained pursuant to this paragraph (e) shall be equal to the lesser of one hundred percent (100%) of the insurable value of the property insured or the maximum coverage available under the appropriate National Flood Insurance Administration program. Such flood insurance policy may, at the option of the Association, contain a "deductible" provision in an amount not to exceed \$25,000.00. Funds to cover this amount shall be included in the Association reserve fund.

Section 16.2. Required Provisions. Insurance obtained by the Association shall be in accordance with the following provisions:

(a) All policies shall be written with a company authorized to do business in the State of Maine and, for the hazard insurance policy described in Section 16.1(a) hereof, such company must hold a general policy holder's rating of at least "A" by Best's Insurance Reports, or by an equivalent rating bureau should Best's Insurance Reports cease to be issued.

(b) Exclusive authority to adjust losses under policies hereafter in force on the Property shall be vested in the Executive Board or its authorized representative.

(c) Each Owner may obtain additional insurance at his own expense; provided, however, that: (1) such policies shall not be invalidated by the waivers of subrogation required to be contained in policies required by this Declaration; and (2) no Owner shall be entitled to exercise his right to maintain insurance coverage in such a way as to decrease the amount which the Association may realize under any insurance policy which the Association may have in force on the Property at any particular time.

(d) Any Owner who obtains individual insurance policies covering any portion of the Property other than personal property belonging to such owner shall be required to file a copy of such individual policy or policies with the Association within thirty (30) days after purchase of such insurance.

(e) With respect to the insurance policies described in subsection (a) and (b) of Section 16.1 issued to the Association, and covering all or any part of the Property, the Association shall cause such policies to provide that: (1) Each Owner is an insured person under such policies with respect to liability arising out of his ownership of an undivided interest in the Common Elements or membership in the Association; (2) The insurer waives its right to subrogation under the policy against any Owner or members of his household; (3) No act or omission by any Owner, unless acting within the scope of his authority on behalf of the Association will void such policies or be a condition to recovery under such policies or prejudice the coverage under such policies in any way; (4) If at the time of a loss under such policies there is other insurance in the name of a Owner covering the same risk covered by the policy, the Association's policy provides primary insurance; (5) The liability of the insurer shall not be affected by, and the insurer shall not claim, any right of set-off, counterclaim, apportionment, proration, or contribution by reason of any other insurance obtained by or for any Owner; (6) The insurer shall be relieved from no liability for loss occurring while the hazard to the Property is increased, whether or not within the knowledge or control of the Executive Board, or because of any breach of warranty or condition or any other act or neglect by the Executive Board or any Owner or any other person under either of them; (7) Such policies may not be cancelled nor may coverage thereunder be substantially changed (whether or not requested by the Executive Board) except by the insurer giving at least thirty (30) days prior written notice thereof to the Executive Board, the Insurance Trustee, if any, Owners, and every other party in interest who shall have requested such notice of the insurer; and (8) The insurer will recognize any Insurance Trust Agreement entered into by the Association.

Section 16.3. Insurance Trustee and Power of Attorney. Notwithstanding any of the provisions and requirements of this Article relating to property or liability insurance, the Executive Board may designate

as an insured, on behalf of the Association, the Association's authorized representative, including any trustee with whom the Association may enter into any Insurance Trust Agreement or any successor to such trustee (hereinafter referred to as the "Insurance Trustee"), who shall have the exclusive authority to negotiate losses under any policy, providing such property or liability insurance.

Section 16.4. Repair of Damage or Destruction to Condominium. The repair or replacement of any damaged or destroyed portion of the Condominium shall be done in accordance with and governed by the provisions of Sections 1603-113(e) and (h) of the Condominium Act.

Section 16.5. Additional Insurance. Nothing in this Declaration shall be construed to limit the authority of the Executive Board to obtain additional insurance that it deems advisable.

ARTICLE 17

ASSIGNABILITY OF DECLARANT'S RIGHTS

The Declarant may assign any or all of its rights or privileges reserved or established by this Declaration or the Act in accordance with the provisions of the applicable Act.

ARTICLE 18

AMENDMENT OF DECLARATION

Pursuant to Section 1602-117 of the Condominium Act and except as provided herein for amendments which may be executed by the Declarant, the Association or certain Owners, this Declaration may be amended only by vote or agreement of owners of Units to which at least sixty-seven percent (67%) of the votes in the Association are allocated. In addition, approval of amendments of a material nature must be obtained from Eligible Mortgage Holders representing at least 51% of the votes of Units that are subject to mortgages held by Eligible Mortgage Holders. A change to any of the following, except where such change may be affected by the Declarant, would be considered as material:

- (a) reallocation of interests in the Common or Limited Common Elements, or rights to their use;
- (b) boundaries of any Unit;
- (c) restoration or repair of the Condominium (after a hazard damage or partial condemnation) in a manner other than that specified in the Condominium Documents; or
- (d) any action to terminate the legal status of the Condominium after substantial destruction or condemnation occurs.

If the amendment is not of such a material nature, such as the correction of a technical error or the clarification of a statement, the approval of an Eligible Mortgage Holder may be assumed when that eligible Mortgage Holder has failed to submit response to any written proposal for an amendment within thirty (30) days after the proposal is made.

ARTICLE 20

TERMINATION

The Condominium may be terminated only by agreement of the Owners of Units to which eighty percent (80%) of the votes in the Association are allocated; provided, however, that if the Condominium is being terminated for reasons other than substantial destruction or condemnation of the Condominium, the termination of the Condominium must also be approved by Eligible Mortgage Holders of Units to which at least sixty-seven percent (67%) of the votes of Units subject to mortgages held by Eligible Mortgage Holders are allocated. Termination of the Condominium will be governed by the provisions of Section 1602-118 of the Condominium Act.

ARTICLE 20

ATTORNEY IN FACT

Each Owner by his acceptance of the deed or other conveyance vesting in him a Unit does hereby constitute and appoint the Managing Agent acting from time to time with full power of substitution, as his true and lawful attorney in his name, place and stead to enter into all agreements which the Managing Agent is authorized to enter into pursuant to the terms of this Declaration and which the Managing Agent in its discretion may believe are necessary and proper to carry out the agent's responsibilities and duties. Each Owner stipulates and agrees that the Power of Attorney created by this Article 20 is coupled with an interest. The action of the Managing Agent in settling any claim for damage to any personal property shall be binding upon each Owner in the absence of fraud or clear mistake.

ARTICLE 21

GENERAL PROVISIONS

Section 21.1. Headings. The headings used in this Declaration and the table of contents are inserted solely as a matter of convenience for the readers of this Declaration and shall not be relied upon or used in construing the effect or meaning of any of the provisions of this Declaration.

Section 21.2. Severability. The provisions of this Declaration shall be deemed independent and severable, and the invalidity or unenforceability of any provision or portion thereof shall not affect the validity or enforceability of any other provision or portion hereof unless such deletions shall destroy the uniform plan of development and operation of the Condominium which this Declaration is intended to create.

Section 21.3. Applicable Law. This Declaration shall be governed and construed according to the laws of the State of Maine.

Section 21.4. Interpretation. The provisions of this Declaration shall be liberally construed in order to effect Declarant's desire to create a uniform plan for development and operation of the Condominium.

Section 21.5. Effective Date. This Declaration shall become effective when it and the Plats and Plans have been recorded.

Section 21.6. Notices. Unless otherwise provided by the Condominium Documents, all notices and other communications required or permitted to be given under or in connection with this Declaration shall be in writing and shall be deemed given when delivered in person or on the third business day after the day on which mailed by regular U.S. mail, postage prepaid, addressed to the address maintained in the register of current addresses established by the Association.

Section 21.7. Exhibits. All exhibits attached to this Declaration are hereby made a part of this Declaration.

Section 21.8. Pronouns. Wherever used, the singular number shall include the plural, the plural the singular and the use of any gender shall include all genders.

Section 21.9. Disclaimers Regarding Residential Units. The Residential Units of the Condominium are subject to the following waivers and disclaimers, which are deemed acknowledged and agreed to by any future Residential Unit Owner by virtue of such Owner's acceptance of a deed conveying ownership of any such Residential Unit:

(a) **Waiver of Provisions, Rights and Remedies.** All Residential Units of the Condominium are to be used for nonresidential purposes. In accordance with Section 1604-101 of the Act, each Residential Unit Owner, his heirs, successors and assigns, by acceptance of a deed to his Unit, and each tenant and their respective invitees, guests, licensees, servants, agents, employees and any other person or persons who shall be permitted to use such Unit, the Common Elements, or both, by virtue of ownership, rental or occupancy of such Unit, the Common Elements, or both, waive and relinquish the application of the provisions, rights, and remedies provided in Article 4 of the Act, except as applied in Sections 21.9 (b) and (c) hereunder.

(b) **Disclaimer of Implied Warranties.** Declarant hereby expressly disclaims and excludes

any and all implied warranties with respect to the Residential Units and any Common Elements or Limited Common Elements relating thereto, including without limitation any implied warranties of quality as set forth in Section 1604-113 of the Act. All Residential Units are sold “as is” and “with all faults” in accordance with Section 1604-114 of the Act.

(c) Statute of Limitations. With respect to any express warranty or other warranty not hereby waived, each Residential Unit Owner, his heirs, successors and assigns, by acceptance of a deed to such Unit, and each tenant and their respective invitees, guests, licensees, servants, agents, employees and any other person or persons who shall be permitted to use such Unit, the Common Elements or both, agree to reduce the period during which a judicial proceeding for any breach must be commenced to two (2) years as permitted pursuant to Section 1604-115(a) of the Condominium Act.

ARTICLE 22

Sprinkler/Fire Suppression Connection to Public Water

The Condominium Association is required by the conditions of subdivision approval of the Portland Planning Board to connect the fire suppression system in the building to the public water main as shown on the Utility Plan dated August 13, 2019, within one year of the expiration of the moratorium on disturbing the street paving on Pleasant Street. The moratorium on Pleasant Street expires on July 2024. The utility work required by the terms of the Planning Board approval must be completed by July 31, 2025. The Declarant shall contribute \$40,000 to the Condominium Association for such utility work upon the first two Units selling. The Condominium Association shall be responsible for paying any costs in excess of the \$40,000 with respect to meeting the requirements described above.

IN WITNESS WHEREOF, 32 Pleasant Street, LLC, has caused this Declaration to be sealed with its corporate seal and signed in its corporate name by David J. Perkins, its Manager, thereunto duly authorized, this _____ day of the month of _____, 2020.

SIGNED, SEALED AND DELIVERED
In the presence of:

32 Pleasant Street, LLC

By _____
Name: David J. Perkins
Its: Manager

STATE OF MAINE
COUNTY OF _____

_____, 2020

Then personally appeared the above-named David J. Perkins, the Manager of 32 Pleasant Street, LLC, and acknowledged the foregoing to be his free act and deed in said capacity and the free act and deed of said company.

Before me,

Notary Public/Attorney at Law
Printed Name: _____
Commission Expires: _____

EXHIBIT A

DECLARATION OF CONDOMINIUM 32 Pleasant Street Condominium Portland, Maine

LEGAL DESCRIPTION

EXHIBIT B

DECLARATION OF CONDOMINIUM 32 Pleasant Street Condominium Portland, Maine

PERCENTAGE INTERESTS IN COMMON ELEMENTS AND PERCENTAGE OF COMMON EXPENSE LIABILITY

<u>UNIT #</u>	Unit Percentage <u>Interest</u>	<u>Vote</u>
Residential Unit 1	30 %	1
Residential Unit 2	30 %	1
Residential Unit 3	40 %	1



James Dealaman <jdealaman@portlandmaine.gov>

32 PLEASANT ST, PORTLAND, ME 04101

Donna Schwartz <dshrs@maine.rr.com>

Thu, Jan 16, 2020 at 3:58 PM

To: James Dealaman <jdealaman@portlandmaine.gov>

Dear Mr. Dealaman,

In regards to the above noted property,
I wld be most appreciative if you wld please make both a public comment and/or a written notice
that under NO circumstances will I allow any or all construction vehicles, etc accessing my ajoined parking lot @38 Pleasant
St nxt dr to 32 Pleasant St where construction is to take place.
Any and all vehicles illegally parked will be towed at owners expense and subject to a fine for parking in paid for spaces by
my tenants.

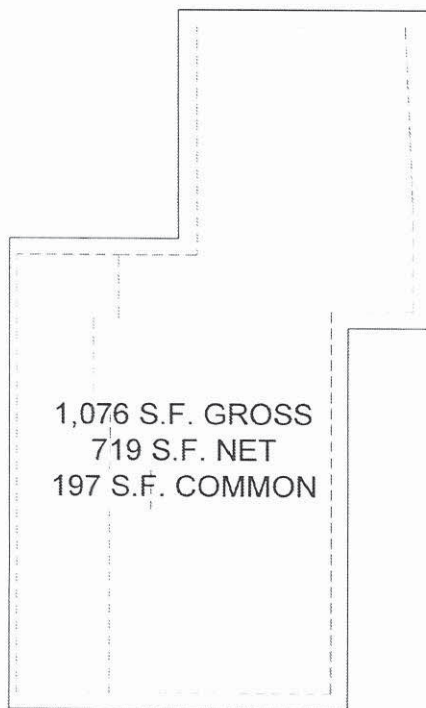
There has been a history of "entitlement" towards the useage of the parking lot that has only enough spaces for my paying
tenants!

There will NO construction easement whatsoever!

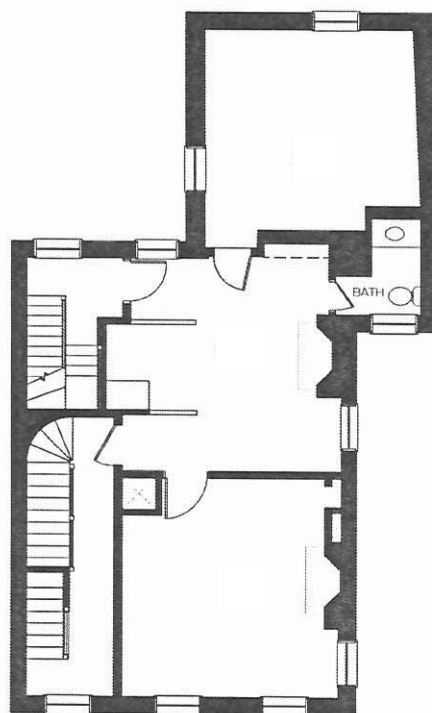
THANK YOU!

Sincerely,

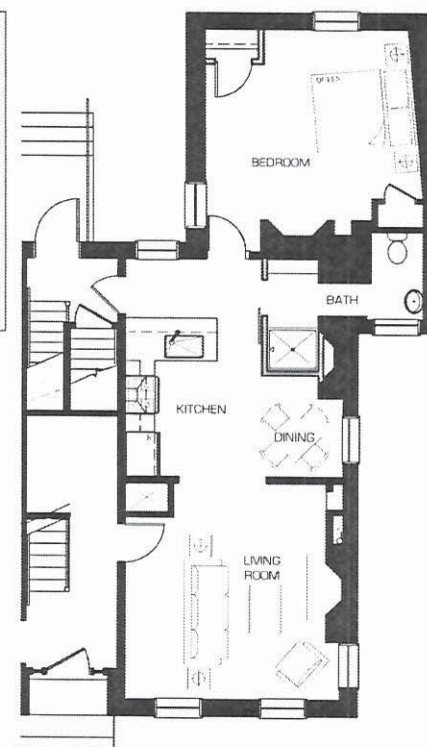
Donna L Schwartz
85 Clinton St
Portland, Me 04103
(207)775-3374



Unit 2 - 2nd Floor Plan
1,076 S.F. Gross (2nd Floor)
719 S.F. Useable
197 S.F. Common (2nd Floor)



Unit 1 - 1st Floor Plan
1,076 S.F. Gross (1st Floor)
704 S.F. Useable
196 S.F. Common (1st Floor)



1st Floor Plan - Residential

SCALE: 1/8"=1'-0"

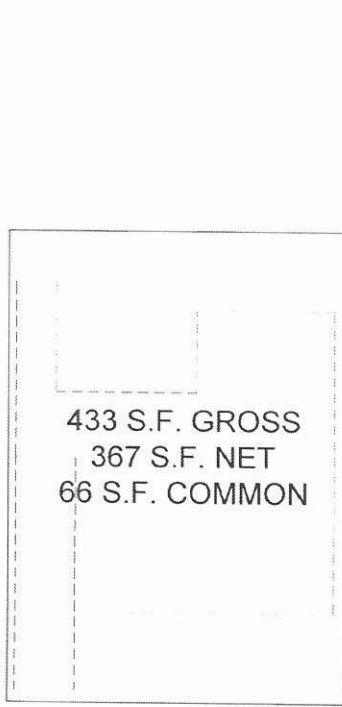
CONDOMINIUM AREA REVIEW SET: MAY 31, 2019

2nd Floor Plan - Residential

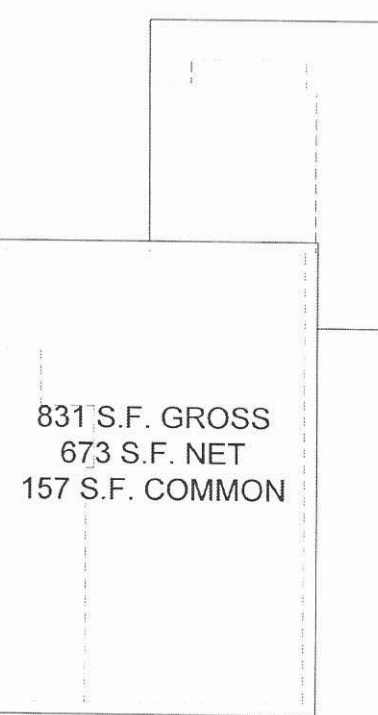
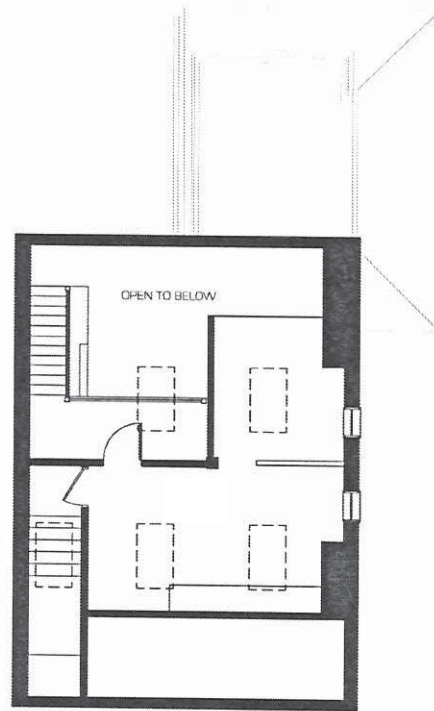
SCALE: 1/8"=1'-0"



32 PLEASANT STREET

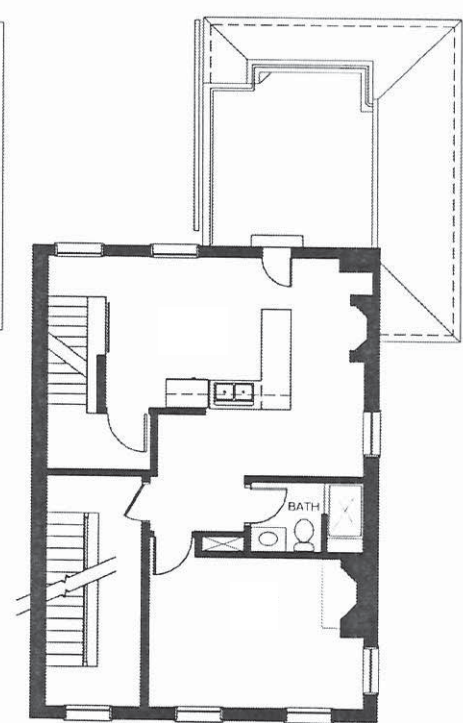


Unit 3 - 4th Floor Plan



Unit 3 - 3rd Floor Plan

1,264 S.F. Gross (3rd & 4th Floor)
1,040 S.F. Useable (3rd & 4th Floor)
223 S.F. Common (3rd & 4th Floor)



4th Floor Plan - Residential

SCALE: 1/8"=1'-0"

3rd Floor Plan - Residential

SCALE: 1/8"=1'-0"

CONDOMINIUM AREA REVIEW SET: MAY 31, 2019

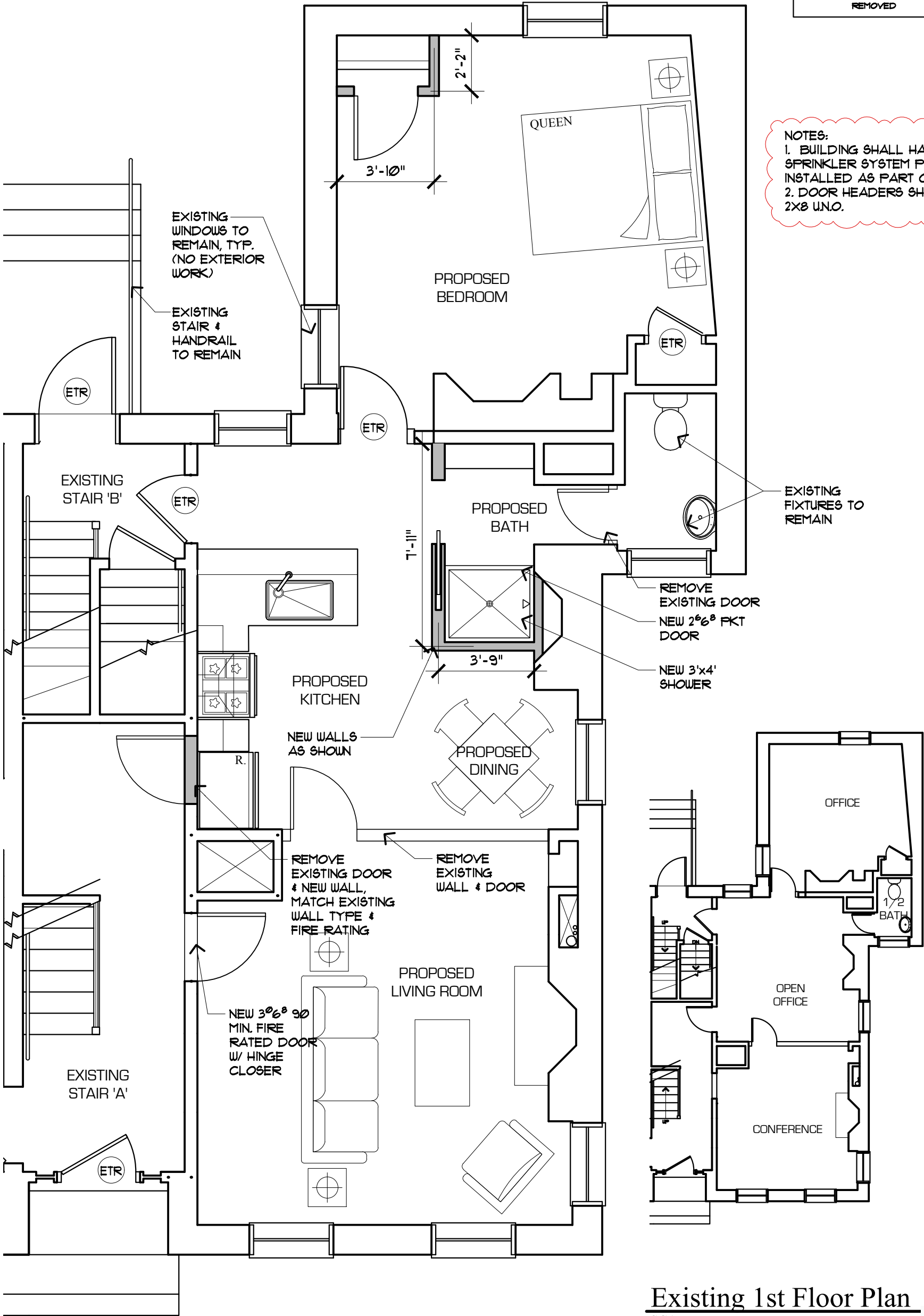
NOTE:

3RD AND 4TH FLOOR IS ONE CONTIGUOUS UNIT.

32 PLEASANT STREET

WALL LEGEND	
EXISTING WALL	=====
NEW WALL	=====
FIRE RATED WALL	=====
EXISTING WALL TO BE REMOVED	=====

NOTES:
 1. BUILDING SHALL HAVE A NEW SPRINKLER SYSTEM PER NFPA 13 INSTALLED AS PART OF THIS WORK
 2. DOOR HEADERS SHALL BE (2) 2X8 U.N.O.



1st Floor Proposed Plan
 SCALE: 1/4"=1'-0"

Existing 1st Floor Plan
 SCALE: 3/32"=1'-0"



MARK
 MUELLER
 ARCHITECTS
 A.I.A.

100 Commercial Street
 Suite 205
 Portland, Maine 04101
 Phone: 207.774.9057
 Fax: 207.773.3851
 Email: rfm@muellerarchitects.com

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REVISED: JULY 17, 2019
 JUNE 17, 2019

32 PLEASANT STREET

WALL LEGEND	
EXISTING WALL	=====
NEW WALL	=====
FIRE RATED WALL	=====
EXISTING WALL TO BE REMOVED	-----

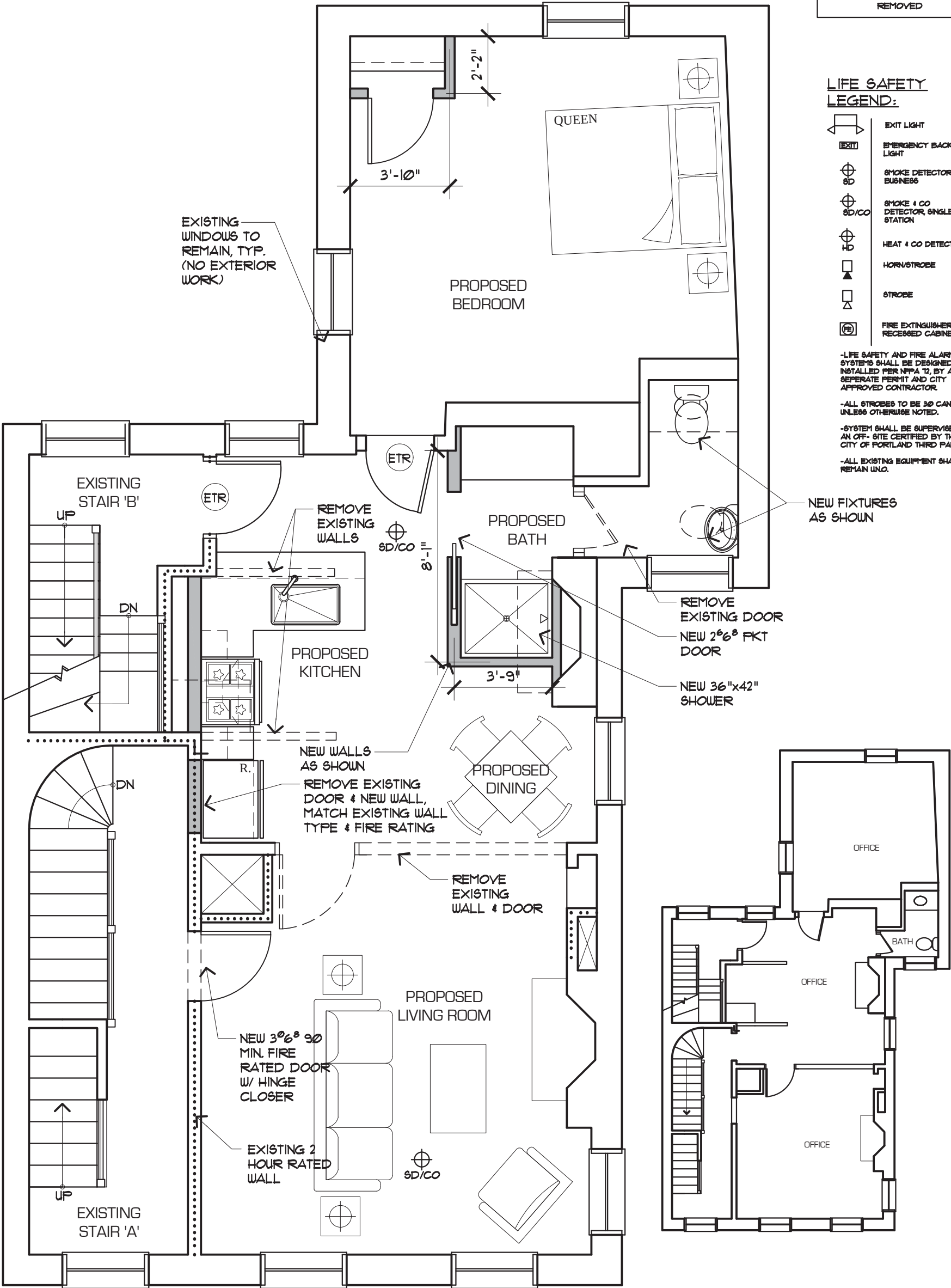
LIFE SAFETY LEGEND:	
	EXIT LIGHT
	EMERGENCY BACKUP LIGHT
	SMOKE DETECTOR, BUSINESS
	SMOKE & CO DETECTOR, SINGLE STATION
	HEAT & CO DETECTOR
	HORN/SSTROBE
	STROBE
	FIRE EXTINGUISHER IN RECESSED CABINET

-LIFE SAFETY AND FIRE ALARM SYSTEMS SHALL BE DESIGNED AND INSTALLED PER NFPA 72, BY A SEPERATE PERMIT AND CITY APPROVED CONTRACTOR.

-ALL STROBES TO BE 30 CANDELA UNLESS OTHERWISE NOTED.

-SYSTEM SHALL BE SUPERVISED BY AN OFF- SITE CERTIFIED BY THE CITY OF PORTLAND THIRD PARTY

-ALL EXISTING EQUIPMENT SHALL REMAIN UNO.



Existing 2nd Floor Plan
SCALE: 3/32"=1'-0"

2nd Floor Proposed Plan
SCALE: 1/4"=1'-0"



MARK
MUELLER
ARCHITECTS
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100 Commercial Street
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Portland, Maine 04101
Phone: 207.774.9057
Fax: 207.773.3851
Email: rfm@muellerarchitects.com

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OCTOBER 15, 2019

32 PLEASANT STREET

1. LOCATION OF PROPOSED CONNECTIONS ARE APPROXIMATE. CONTRACTOR TO CONTACT ENGINEER IF FIELD INFORMATION VARIES FROM INFORMATION ON PLANS.
2. CONTRACTOR IS TO BE CAUTIONED THAT CERTAIN LOCATIONS AND/OR ELEVATIONS OF EXISTING UTILITIES HAVE BEEN PROVIDED THROUGH UTILITY COORDINATION OR OTHER OBSERVATIONS. INFORMATION IS NOT TO BE RELIED UPON AS EXACT OR COMPLETE. CONTRACTOR TO FIELD VERIFY AND COORDINATE WITH UTILITY COMPANY AND DIG SAFE NO LESS THAN 72 HOURS PRIOR TO ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF ALL UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS INDICATED IN THE CONTRACT DOCUMENTS. CONTRACTOR TO NOTIFY ENGINEER OF ANY DIFFERENTIATIONS FROM EXISTING CONDITIONS, INCLUDING UTILITY INFORMATION, PRIOR TO ANY EXCAVATIONS.
3. FOR ALL UTILITIES, ACCORN ENGINEERING DESIGN LIMITS END AT EXTERIOR WALL OF BUILDING. METERING OF UTILITIES TO BE COMPLETED BY M.E.P. UNLESS SPECIFIED OTHERWISE.
4. CONTRACTOR TO COORDINATE WITH ARCHITECT ON FINAL UTILITY CONNECTIONS WITHIN THE BUILDING.
5. **SEWER UTILITIES:** CONTRACTOR TO COORDINATE WITH ARCHITECT FOR FINAL SERVICE CONNECTION. SEWER UTILITIES TO BE CONSTRUCTED IN ACCORDANCE WITH CITY OF PORTLAND TECHNICAL STANDARDS. VALVE FOR BACKFLOW PREVENTION SHALL BE INSTALLED WITHIN THE PROPERTY LINES FOR EACH CITY SEWER CONNECTION. CONTRACT ENGINEER IF INVERT FIELD CONDITIONS VARY FROM DESIGN.
6. **WATER UTILITIES:** FINAL PIPE SIZING PROVIDED BY M.E.P. ENGINEER AND FIRE PROTECTION DESIGNER. INTERNAL METERING, BACKFLOW PREVENTION, AND PRESSURE REDUCERS TO BE COMPLETED BY M.E.P. ENGINEER. DOMESTIC WATER PIPE SIZES WILL DETERMINE THE FINAL WATER METERING OPTIONS. METER MAY BE SMALLER THAN PROPOSED WATER MAIN. WATER METERING, PRESSURE REDUCER AND BACKFLOW PREVENTION TO BE IN ACCORDANCE WITH THE PORTLAND WATER DISTRICT STANDARDS. CONTRACTOR TO FOLLOW METERING GUIDELINES OF THE PORTLAND WATER DISTRICT AND CITY OF PORTLAND.
7. **GAS UTILITIES:** PROJECT GAS LOAD, GAS UTILITY DESIGN, AND FINAL GAS SERVICE LOCATION AND METERS TO BE DEFINED BY M.E.P. ENGINEER AND PORTLAND GAS UTILITY.
8. **ELECTRIC UTILITIES:** ELECTRIC DESIGN TO BE FINALIZED BY M.E.P. ENGINEER. ELECTRICAL LOAD TO BE DETERMINED BY M.E.P. ENGINEER. METER LOCATION AND TRANSFORMER SIZE, IF NECESSARY DEFINED BY M.E.P. M.E.P. TO FINALIZE SERVICE CONNECTION TO BUILDING. ALL ELECTRIC CONNECTION SHALL CONFORM TO CMP GUIDEBOOK OF STANDARD REQUIREMENTS, MOST RECENT EDITION. DESIGN SUBJECT TO FINAL APPROVAL FROM CMP.
9. **CHARACTER TELEPHONE UTILITIES:** METER AND METERING LOCATIONS TO BE DETERMINED BY CHARTER COMMUNICATIONS AND FAIRPOINT PRIOR TO CONSTRUCTION. CONTRACTOR TO COORDINATE INSTALLATION OF UNDERGROUND UTILITIES WITH ALL UTILITY COMPANIES INVOLVED.

UTILITY	UGE/T/C	WATER	SEWER	GAS	STORMWATER
UGE/T/C	—	6'	5'	4'	6'
WATER	6'	—	5*	6'	3'
SEWER	5'	5*	—	5'	10'
GAS	4'	6'	5'	—	3'
STORMWATER	6'	3'	10'	3'	—

*PERMISSIBLE ONLY IF SEWER IS LAID MIN. 18" BELOW WATER SERVICE; OTHERWISE, 10' OF HORIZONTAL SEPARATION MUST BE MAINTAINED.

[illegible]

DRAWING NAME:	UTILITY PLAN
PROJECT NAME:	32 PLEASANT STREET
CLIENT:	32 PLEASANT STREET, LLC PORTLAND, ME



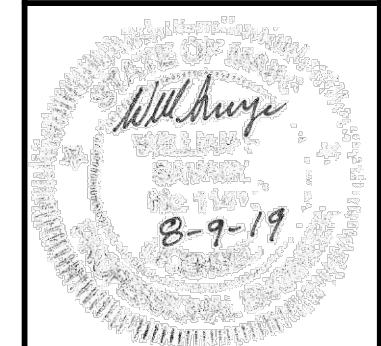
A C C O R N
ENGINEERING, INC.

THE PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACCOR ENGINEERING, INC. ANY ALTERATIONS AUTHORIZED BY THE ARCHITECT SHALL BE INDICATED BY A CIRCLE, RISK WITHOUT LIABILITY TO ACCOR ENGINEERING, INC.

ACCOR ENGINEERING, INC.
65 HANOVER ST., PORTLAND, MAINE 04101
(207) 775-2655

04101

FILE:	2.50_CIVIL
JN:	2.50
SCALE:	1"=10'
DESIGNED BY:	SJL
DRAWN BY:	ZMS
CHECKED BY:	WHS



DRAWING NO.
C-20

PROJECT NOTES:
THIS PROJECT IS TO CONVERT THREE OFFICE SUITES INTO THREE RESIDENTIAL CONDOMINIUMS WITH APPLICABLE BUILDING PERMITS AS REQUIRED. NO EXTERIOR OR HISTORIC PRESERVATION WORK IS PART OF THIS PROJECT.

UNIT TABULATION:

1ST FLOOR:
100 - 704 SF
2ND FLOOR:
200 - 719 SF
3RD & 4TH FLOOR:
300 - 1,040 SF

3 TOTAL UNITS

APPROVED: PORTLAND PLANNING BOARD

DATE: _____

CHAIR: _____

BOARD MEMBERS:



SITE PLAN

1"=40'-0"

SURVEY PROVIDED BY CURRENT OWNER WITH INFORMATION GATHERED FROM ORIGINAL SURVEY BY STEVENS, MORTON, ROSE & THOMPSON, INC. DATED 08.08.88. SEE BOUNDARY/ EXISTING CONDITIONS SURVEY FOR MORE INFORMATION. SURVEY & BOUNDARY INFORMATION NOT BY MARK MUELLER ARCHITECTS, SITE PLAN FOR PERMITTING AND GRAPHIC PURPOSES ONLY.

**M A R K
MUELLER
ARCHITECTS**
A.I.A.
100 Commercial Street
Suite 205
Portland, Maine 04101
Phone: 207.774.9057
Email: rf@muellerarchitects.com

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MUELLER ARCHITECTS, LLC

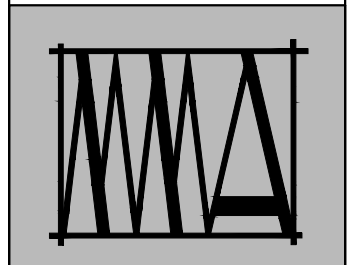
CONDOMINIUM DECLARATION:
32 PLEASANT STREET CONDOMINIUM
32 PLEASANT STREET
PORTLAND, MAINE

REVISIONS	DATE	PROJECT	DRAWN BY	CHECK BY
	JAN. 2020	HOW HOUSE 2	MRP	MLM

SITE PLAN

L-1.0

JANUARY 23, 2020



M A R K
MUELLER
ARCHITECTS
A.I.A.

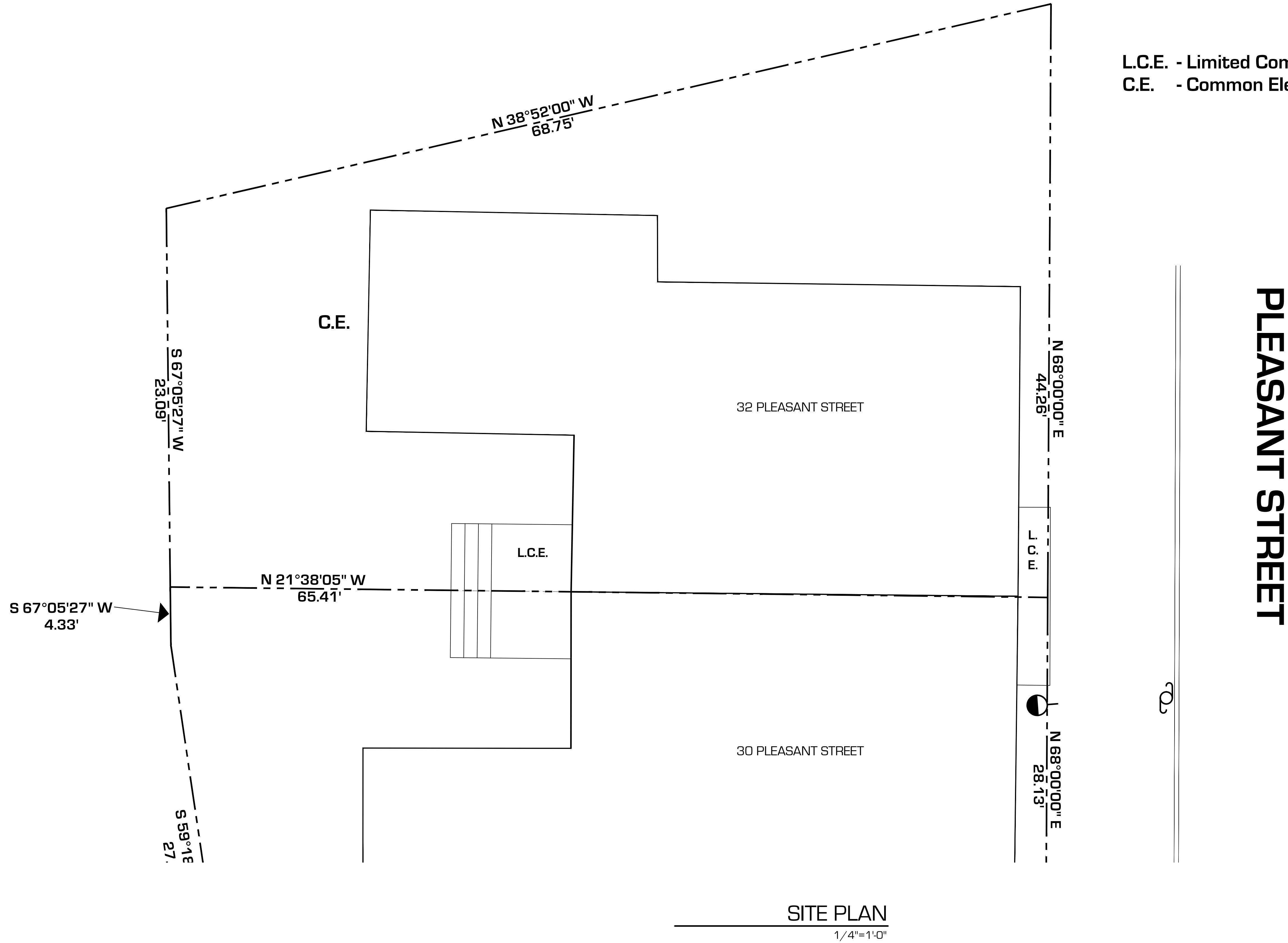
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MUELLER ARCHITECTS, LLC

CONDOMINIUM DECLARATION:
JOSEPH HOW HOUSE CONDOMINIUM
32 PLEASANT STREET
PORTLAND, MAINE

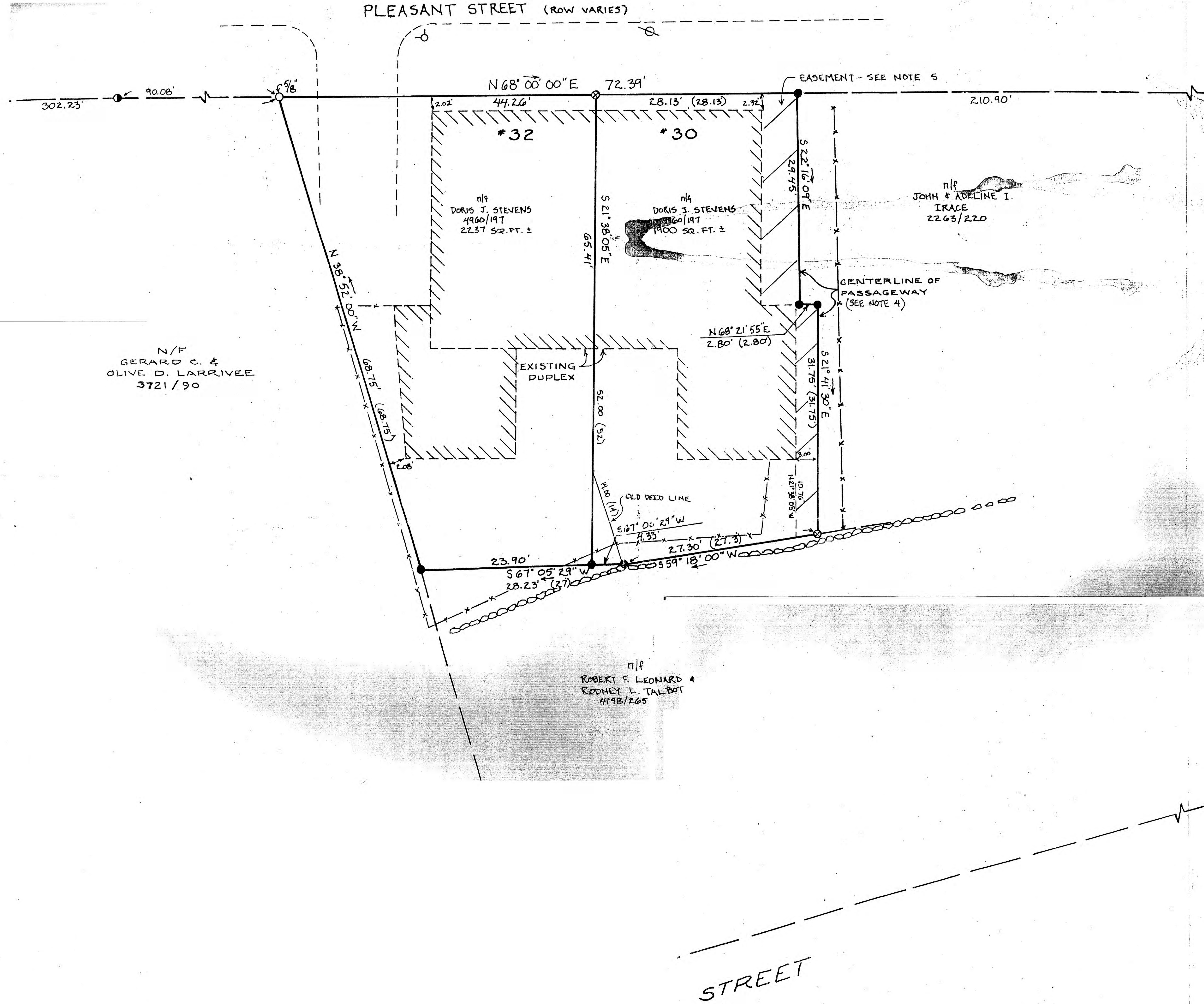
CONDOMINIUM PLAT			
REVISIONS	DATE	PROJECT	DRAWN BY
	JULY 2019	HOW HOUSE 2	MRP
			CHECK BY
			MLM

A-3.0



NOTES:

1. THE BASIS OF BEARING FOR THIS SURVEY IS THE SOUTHERLY SIDELINE OF PLEASANT STREET, SAID BEARING IS N68°E AS SHOWN IN A DEED DATED MAY 31, 1890 TO MARY O'DONNELL, FORMERLY, MARY CURRAN, RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 568, PAGE 462.
2. RECORD OWNERSHIP OF THE PARCEL SURVEYED CAN BE FOUND IN THE DEED FROM PAUL STEVENS TO DORIS J. STEVENS DATED MAY 20, 1982 AND RECORDED IN THE CCRD IN BOOK 4960, PAGE 197.
3. EXCEPTIONS TO THE MAINE STATE BOARD OF REGISTRATION FOR LAND SURVEYORS STANDARDS ARE AS FOLLOWS:
a) NO SURVEY REPORT WAS WRITTEN.
4. REFERENCE IS MADE TO A PLAN DATED NOVEMBER 14, 1874, BY E.C. JORDAN, RECORDED IN THE CCRD IN PLAN BOOK 3, PAGE 54.
5. REFERENCE IS MADE TO A FOOT TRAVEL EASEMENT GRANTED TO NATHAN AND BARBARA JANOFF AND JOSEPH AND GLORIA MELNICK, DATED AUGUST 5, 1988 BY S.M.R.T.
6. THE PARCEL SURVEYED DOES NOT FALL WITHIN THE 100 YEAR FLOOD PLAIN AS PER THE FLOOD INSURANCE RATE MAP PANEL NUMBER 13 OF 17.



STREET

STANDARD BOUNDARY SURVEY
FOR
PAUL STEVENS

OF LANDS
LYING WITHIN THE TOWN OF PORTLAND,
COUNTY OF CUMBERLAND, STATE OF MAINE

BY
STEVENS, MORTON, ROSE & THOMPSON, INC.
LIMERICK, MAINE

JULY 22, 1988

SCALE: 1" = 10'

THIS SURVEY CONFORMS TO THE MAINE STATE BOARD OF
REGISTRATION FOR LAND SURVEYORS STANDARDS,
CATEGORY NO. I, CONDITION NO. III, "STANDARD
BOUNDARY SURVEY". (FOR EXCEPTIONS SEE
NOTE 3.)

M. Johann Buisman
M. JOHANN BUISMAN
MAINE R.L.S. NO. 1314

08/08/1988
DATE





PLANNING BOARD REPORT PORTLAND, MAINE

Birch Meadow Apartments
6 White Birch Lane
Level III Site Plan and Subdivision
PL-000570-2019
Birchlane, LLC, Applicant

Submitted to: Portland Planning Board
Public Hearing Date: March 10, 2020

Prepared by: Shukria Wiar, Planner
Date: March 6, 2020

I. INTRODUCTION

6 White Birch Lane, LLC has submitted a Level III Subdivision and Site Plan application 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.

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. A Planning Board workshop for this project was held on October 22, 2019. At the meeting items raised, included finalizing the design of the building and addressing the staff comments on stormwater management. The applicant has worked with staff to address these concerns.



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

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)	Section 14-497

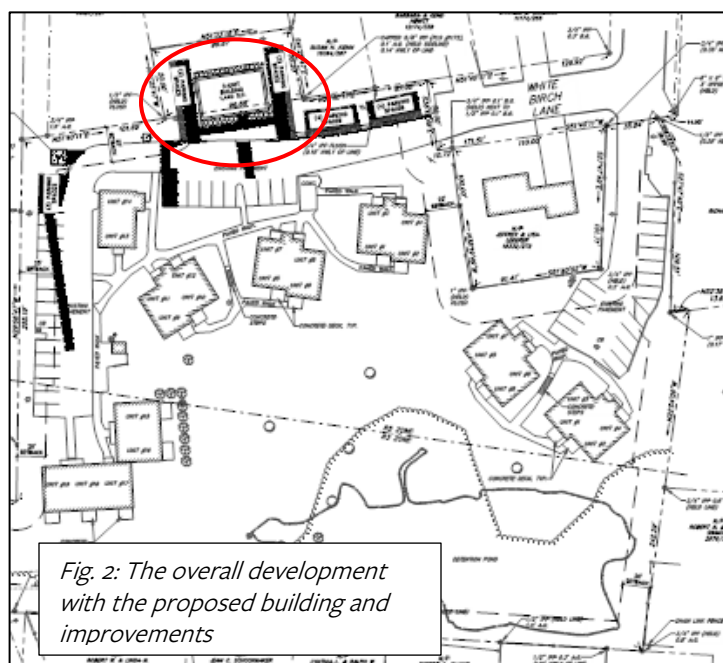
Design Review of PRUD	<i>Planned Residential Unit Developments (PRUDs) in the R-3, R-5, and R-5A Residential Zones and Manufactured Housing Parks in Any Zone.</i>
-----------------------	--

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 existing development of which the proposed project is part was constructed as a PRUD and is approximately 3.90 acres in size. The property has frontage along White Birch Lane. The applicant proposes to develop a 10,159 square foot portion of the site for an additional three Planned Residential Units. 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 with a screened enclosure. Six (6) new parking spaces will be provided to fulfill parking requirements. The road serving the PRUD development is a 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 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 March 2nd and 3rd, 2020, as well as being posted on the City's web page. No written public comments have been received by the Planning Office.

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 Residential zones with an area of Shoreland Zone 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 three dwelling units the proposed project meets this requirement.

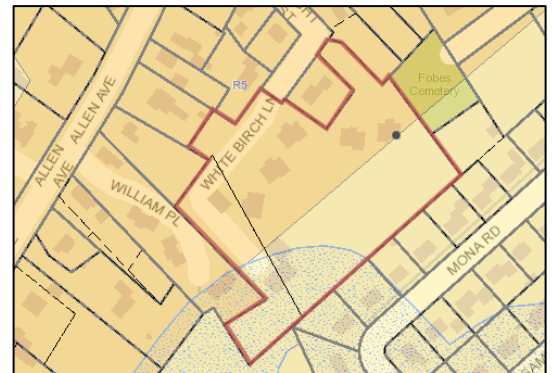


Fig 3: Zoning Map of Site

VIII. DEVELOPMENT REVIEW

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

The applicant has submitted a draft Subdivision Plat. Staff feedback has been provided to the applicant and revision is expected. A final subdivision plat must be revised to reflect any waivers and conditions of approval that relates to the subdivision application. The final plat will be reviewed and found acceptable to the Department of Public Works City Surveyor prior to being signed by the Planning Board.

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 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. A 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 and a report from Sebago Technics have 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 stormwater management best management practices (BMP) that the applicant proposes consists of two stone roof drip edges and porous pavement for water quality and quantity control. Lauren Swett, P.E., consultant civil engineer with Woodard and Curran, has reviewed the drainage plan and finds it acceptable.

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 the proposed design's relationship to the 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

Please see Section VIII, Development Review, Subsection (B), Subdivision, Paragraph (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 finds the plans meet these standards, Attachment 1.

3. *Public Infrastructure and Community Safety Standards*

a. Consistency with Master Plans

Please see Section VIII, Development Review, Subsection (B), Subdivision, Paragraph 5, 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 the City's Department of Public Works has not been 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 on the 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.

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. This 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

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 R-5 Residential Zones* (Section (h) of the Design Manual). The design of the proposed project meets the PRUD design standards. On the final elevations, the applicant will need to clarify material selection and finish.

IX. PROPOSED MOTIONS

A. 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 PL-000570-2019 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, subject to the following conditions of approval, which must be met prior to the signing of the plat:

1. A final subdivision plat must be revised to reflect any waivers and conditions of approval that relates to the subdivision application. The final plat will be reviewed and approved by the Department of Public Works City Surveyor prior to being signed by the Planning Board.

B. SITE PLAN REVIEW

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the Planning Board Report for PL-000570-2019 relevant to the site plan regulations; and the testimony presented at the Planning Board hearing, the Planning Board **[finds/ does not find]** that the plan is in conformance with the site plan standards of the Land Use code, subject to the following conditions of approval:

PRIOR TO ISSUANCE OF A BUILDING PERMIT

1. A confirmation letter for provision of sanitary sewer service shall be submitted.
2. An updated photometrics plan shall be provided demonstrating that all exterior site lighting, including lighting of building entrances, will be cutoff with no light emitted above the horizontal plane or spilled onto adjacent properties or streets.
3. The final elevations shall note the material selection and finish.
4. That the developer/contractor/subcontractor must comply with conditions of the construction stormwater management plan and sediment and erosion control plan based on City standards and state guidelines. The owner/operator of the approved stormwater management system, and all assigns. shall comply with the conditions of Chapter 32 Stormwater including Article III, Post Construction Stormwater Management, which specifies the annual inspections and reporting requirements. A maintenance agreement for the stormwater drainage system, as attached, or in substantially the same form, shall be submitted for review by Corporation Counsel. Once approved, the document shall be signed and recorded at the Cumberland County Registry of Deeds. Please submit final copies to both the Department of Planning and Urban Development and the Department of Public Works.

ATTACHMENTS:

Staff Review Comments and Background Information

1. Civil Engineer Peer Review, Lauren Swett, P.E., dated 03.05.2020
2. Urban Design Review, Caitlin Cameron, dated 01.06.2020

Applicant's Submittal

- A. 01.1-Response Ltr+Attachments_2019-07-18
- B. 01.2-PlanUpdateMemo 2019-12-28
- C. 01-Cover Letter_PB_18519
- D. 02-Lvl II III CHECKLIST+Sig Page
- E. 03-Right, Title, Interest
- F. 04-State.Federal Approvals
- G. 05-Zoning Assessment
- H. 06-Exist.Prop Easements
- I. 07-Waivers
- J. 08-Financial
- K. 09-Technical
- L. 10-Transportation Analysis-Traffic Impact
- M. 11-Access & Circulation
- N. 12-Loading+Servicing
- O. 13-Sidewalks
- P. 14-Public Transit
- Q. 15-Off-street Parking
- R. 16-Bicycle Parking
- S. 17-Snow Storage
- T. 18-Traffic Demand Mngmt
- U. 19-Pres of Sig Natural Features
- V. 20-Landscaping+Preservation
- W. 21-Site Landscaping
- X. 22-Parking Lot Landscaping
- Y. 23-Street Trees
- Z. 24-Wtr Qual, Stormwater, ESC
- AA. 25-Consistency with City MstrPlan
- BB. 26-Public Safety and Fire Prevention
- CC. 27-Avail+Adequacy Public Utilities
- DD. 28-Mass, Ventilation, Wind Impact
- EE. 29-Shadows
- FF. 30-Snow Ice Loading
- GG. 31-View Corridor
- HH. 32-Historic Resource
- II. 33-Exterior Lighting
- JJ. 34-Noise+Vibration
- KK. 35-Signage Wayfinding
- LL. 36-ZoneRelated Design Stds
- MM. 37-Construction Management Plan
- NN. A.18519 HVAC Manufacturer Verification
- OO. B.18519 Wastewater Capacity - 6 Birch Lane
- PP. C.18519 Wall-Mounted Light Cut Sheet
- QQ. D.18519 Ecoclean Invoice & Report
- RR. D.18519 video sewer WB lane Report
- SS. D.video sewer WB lane Report

TT. E.11x17.Existing Conditions Annotated for Sewer Inspection
UU. E.24x36.Existing Conditions Annotated for Sewer Inspection
VV. Incomplete Application, PL-000570-2019, 6 WHITE BIRCH LN
WW. 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-Front Elevation-White Birch Ln
Plan 16	Arch-Rear Elevation-White Birch Ln
Plan 17	Arch-Side Elevations-White Birch Ln



Shukria Wiar <shukriaw@portlandmaine.gov>

White Birch Lane

Lauren Swett <lswett@woodardcurran.com>
To: Shukria Wiar <shukriaw@portlandmaine.gov>

Thu, Mar 5, 2020 at 12:05 PM

Hi Shukria,

Sorry for the delay getting back to you. I have no additional comments on this project. They have adequately addressed stormwater and utility requirements.

You will need to include the standard condition for the Stormwater Maintenance Agreement for the stormwater systems they are proposing on the site.

I'm am mostly back in the office, getting caught up on things after being out most of the past week. Your Congress Street comments are on my list!

Thanks,
Lauren

Lauren Swett, P.E.*

Technical Manager

Woodard & Curran

[41 Hutchins Drive](#)

[Portland, Maine 04102](#)

Phone: (207)558-3763 (direct)

(207)219-3591 (cell)

(800)426-4262 (office)

Email: lswett@woodardcurran.com

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M.ASCE

Chair, Leader Training Committee

American Society of Civil Engineers

<http://regions.asce.org/leader-training-committee/>

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: Monday, January 6 2020

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).

- Clarify material selection and finish – label on elevations

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. **Proposed revisions 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. The windows were changed to a single type and double-hung to complement what is found in the existing development and have vertical and horizontal alignment and a consistent rhythm.
- Height, scale, and massing: This building is taller by one story than those around it. The roof was revised to a cross gable with a steeper pitch and dormer. The building massing and roof form do not replicate the existing buildings but is found to complement the single-family homes in its references.
- 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 with massing variation from the shed dormer and a cantilever of the front façade at the third floor. These particular architectural elements are not the same elements as found within the development, but do meet the letter of the 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. **In response to Planning Board comment, landscape buffers are introduced between the units and the paved areas and between the front of the building and the road.**
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 – **screens have been added to designate individual private areas for each unit.**



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.

$$\begin{aligned} 1,447 \text{ s.f. building} \times 4.39 \text{ lbs./s.f. waste} &= 6,338 \text{ lbs. of waste} \\ 6,338 \text{ lbs}/500 \text{ lbs./c.y.} &= 12.67 \text{ c.y. of waste} \end{aligned}$$

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 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.

1002 956 547



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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

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		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	
E-mail: office@ecoclean1.com	Web Site: www.ecoclean1.com		
Billing Information		Service Address	
King Real Estate Accounts Payable 198 Saco Avenue Old Orchard Beach, ME 04064		King Real Estate 10 White Birch Lane Portland, ME 04104	
Customer Contact: King Weinstein		Customer Alt. Contact: Dick	
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
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
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.	1	200.00	200.00
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.			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

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'

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

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

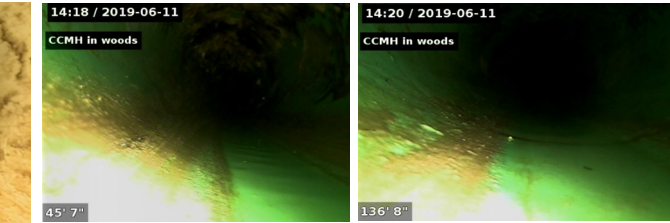
noted as good/clean no cross contamination at DMH 1
noted as good/clean no cross contamination at DMH 1

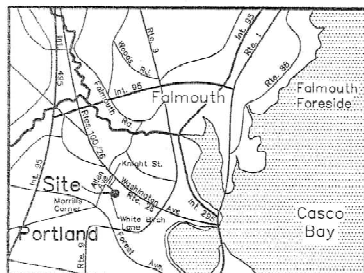
Video Link

<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

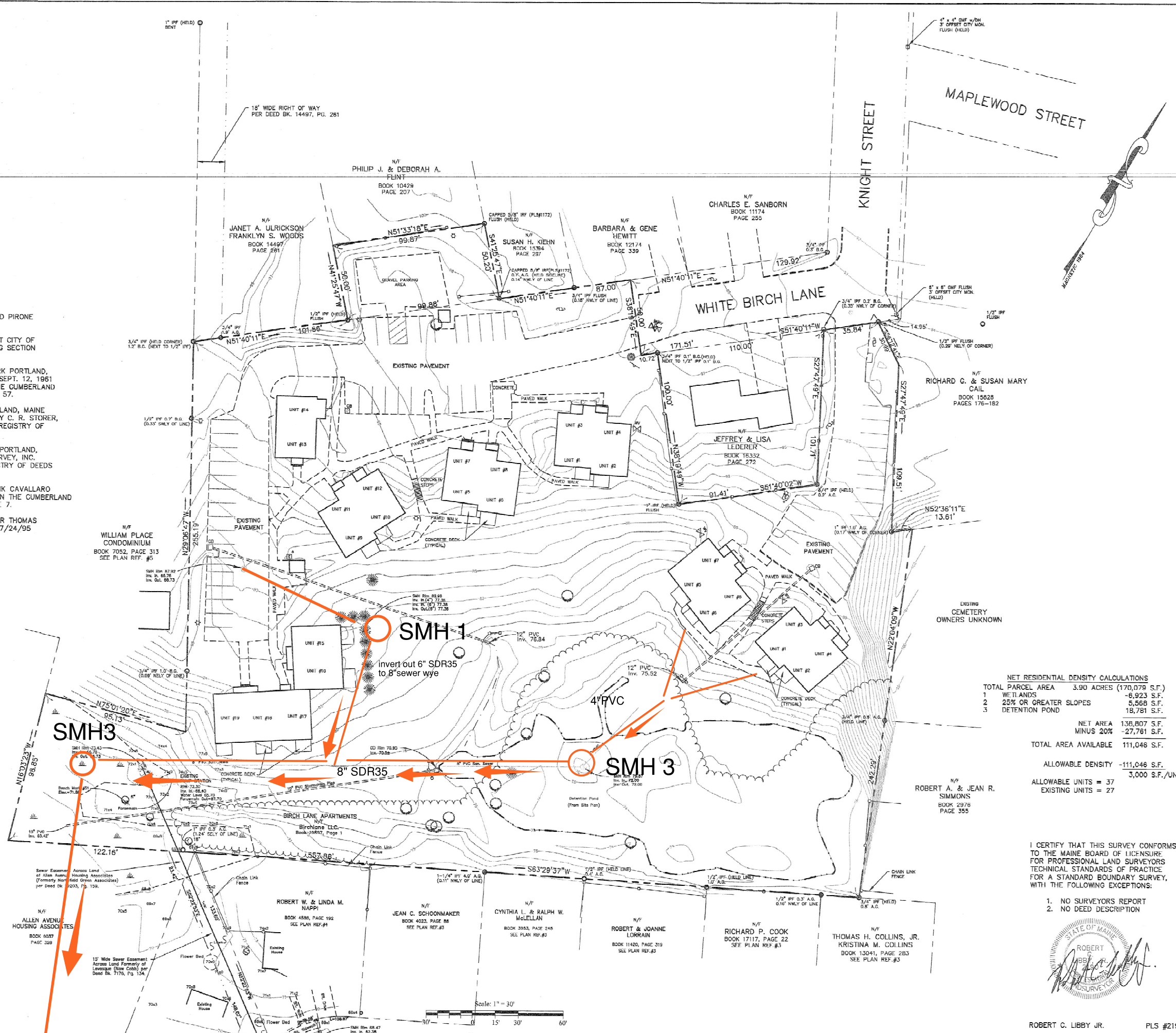
PLAN REFERENCES:

- PLAN OF PROPERTY IN PORTLAND, MAINE FOR DAVID PIRONE DATED APRIL 1984 BY SURVEY, INC.
- PLAN SHOWING NEW MONUMENTS ON KNIGHT STREET CITY OF PORTLAND PUBLIC WORKS DEPARTMENT ENGINEERING SECTION DATED APRIL 2002.
- 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.
- 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.
- 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.
- 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.
- 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:

- WETLAND MAPPING: MARK HAMPTON ASSOCIATES PORTLAND, MAINE

LEGEND	
SYMBOL	DESCRIPTION
□ G.M.T.	GRANITE MONUMENT FOUND
○ I.P.F./I.R.P.	IRON PIPE/IRON ROD FOUND
○ I.R.P.	5/8" IRON ROD W/ CAP TO BE SET
○ U.P.	UTILITY POLE
⊞	ELECTRIC TRANSFORMER
○	DECIDUOUS TREE
⊙	CONIFEROUS TREE
—	STOCKADE FENCE
---	PROPERTY LINE
- - -	EASEMENT LINE
- · - · -	EDGE PAVEMENT
⊙	LIGHT POST
⊙	SEWER MANHOLE
⊙	WATER VALVE
⊙	CATCH BASIN
AB	ABOVE GROUND
N/F	NOW OR FORMERLY
W	MAPPED WETLAND (MAY 2008)
S	SLOPES GREATER THAN 25%



NET RESIDENTIAL DENSITY CALCULATIONS	
TOTAL PARCEL AREA	3.90 ACRES (170,079 S.F.)
1. WEI II LANDS	-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./UNIT
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:

- NO SURVEYORS REPORT
- 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
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 04154

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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Memorandum

18519

To: Shukria Wiar
From: Craig A. Burgess, PE, Sebago Technics
Date: December 28, 2019
Subject: Architectural and Site Plan Changes

Architectural and Site Plans were revised in general conformance with comments made during the October 22nd Planning Board meeting. Architectural plans show massing and roof variation to better align with existing buildings in the Planned Residential Unit Development (PRUD). A 24-inch bump-out (60 square feet) at the front adds a projecting building element. The front doorway location adjusted as well to be centered on the structure and interior floor plans were slightly modified. As discussed during the meeting, the roofline pitch increased to 12/12 (from 5/12) and the building height adjusted to 32 feet, calculated from the ground floor elevation to a level midway between the level of the eaves and highest point of pitched roofs or hip roofs. The building will be constructed with vinyl siding that will match the “light brown” color of other buildings in the PRUD.

Revised civil/ site plans reflect the 60 square foot bump out at the front of building. A portion of the drip edge along the front was removed since the roof line changed. A gutter will be added to the side (right) to direct runoff from a section of roof to the rear drip edge. The total depth of stone in both drip edges (front and rear) was increased to 14-inches so that the proper amount of water quantity volume is still provided. Stockade fences were added to designate privacy areas for each unit. A crosswalk was added for connectivity into the existing PRUD walkway system. The new 3-unit building will have access to all green space in the PRUD.



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 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

Portland, Maine



Yes. Life's good here.

Planning & Urban Development Department

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	
Check list 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	

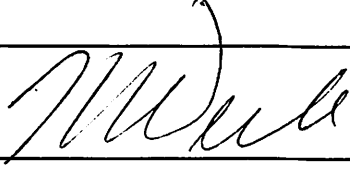
☒	GRADING and DRAINAGE PLAN including:
	• Existing grades and drainage • Proposed grades • Proposed stormwater management meeting Technical Manual (Section 5) standards • Location and proposed alteration of a water course • Preservation or alteration of wetlands
☒	EROSION CONTROL
	• Must be in compliance 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 MAING
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



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.

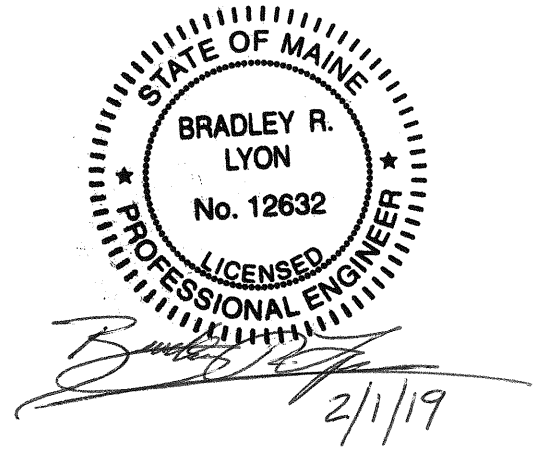
Traffic Impact Study (Technical Manual, Section 1), if applicable.

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

Letter to Stefanie Nichols, Sebago Technics
Comments RE: #18519, Birch Meadow Apartments, Portland
January 28, 2019
Page 2 of 2

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.

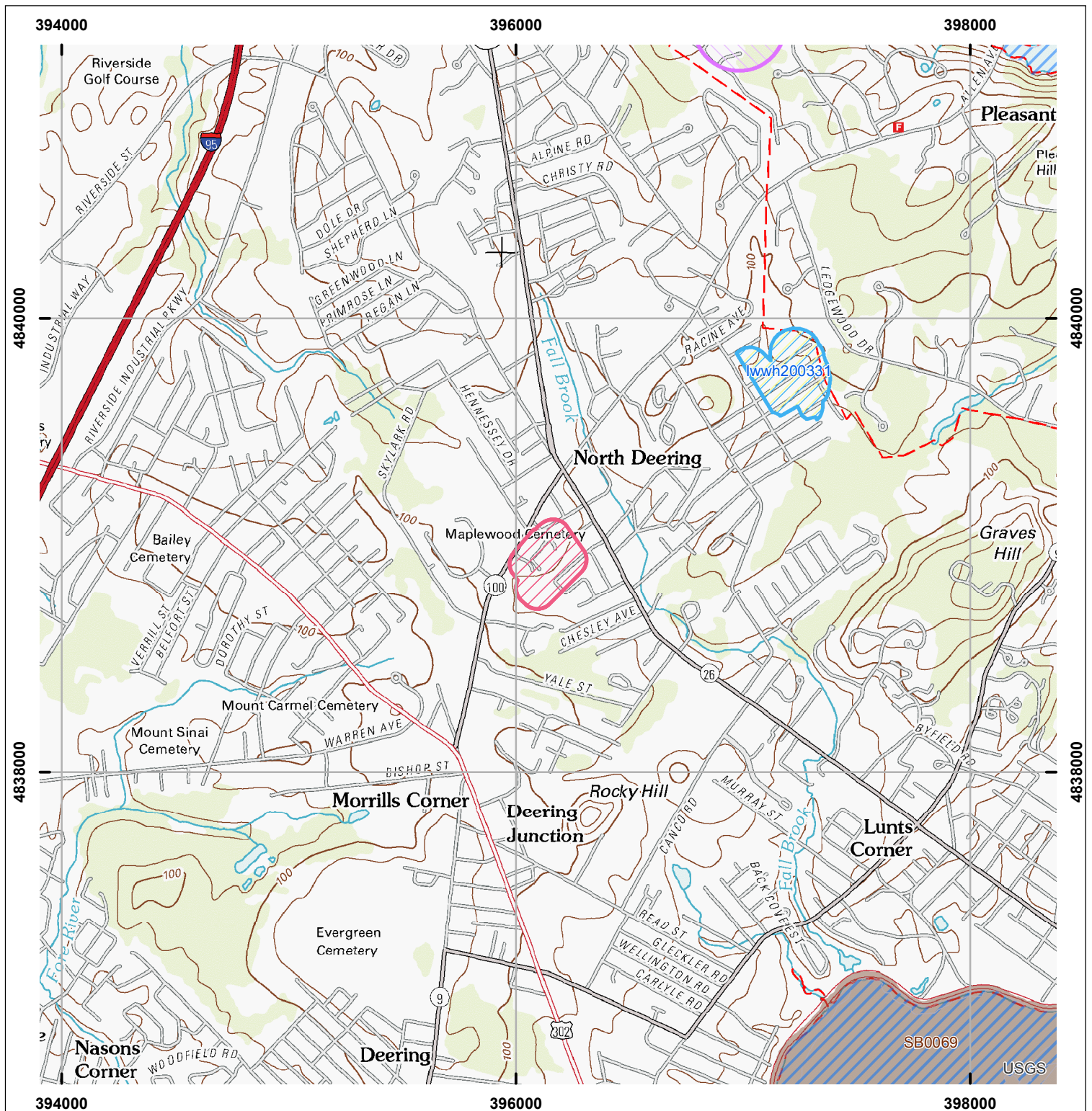
Our information indicates no locations of Endangered, Threatened, or Special Concern species within the project area that would be affected by your project. Additionally, our Department has not mapped any Essential or Significant Wildlife Habitats or fisheries habitats that would be directly affected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

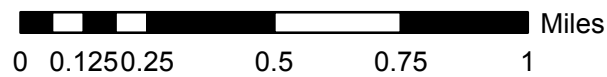
Project Name:

Portland, Birch Meadow Apartments

(Version 1)



Maine Department of
Inland Fisheries and Wildlife



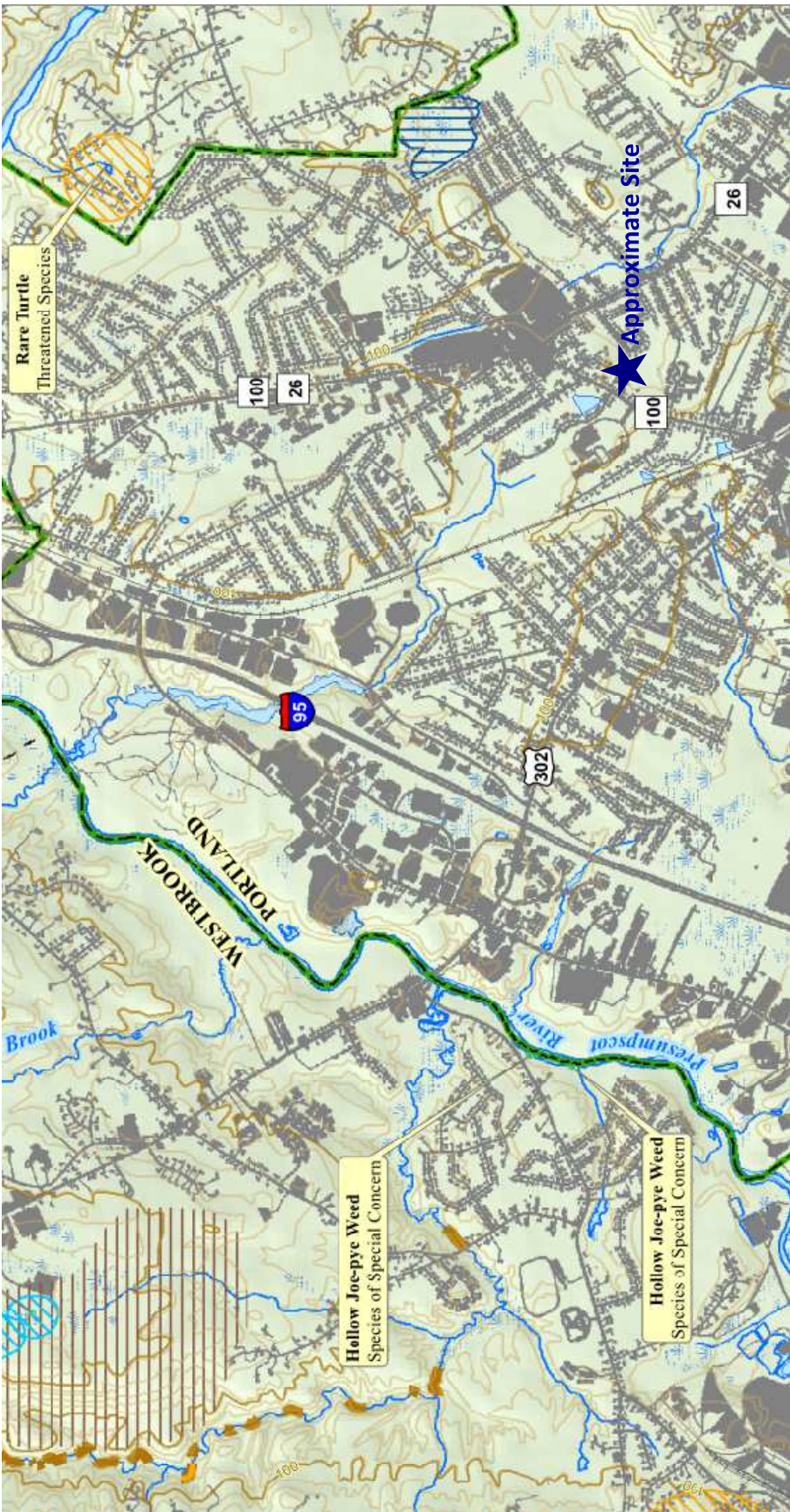
Projection: UTM, NAD83, Zone 19N

Date: 1/30/2019

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

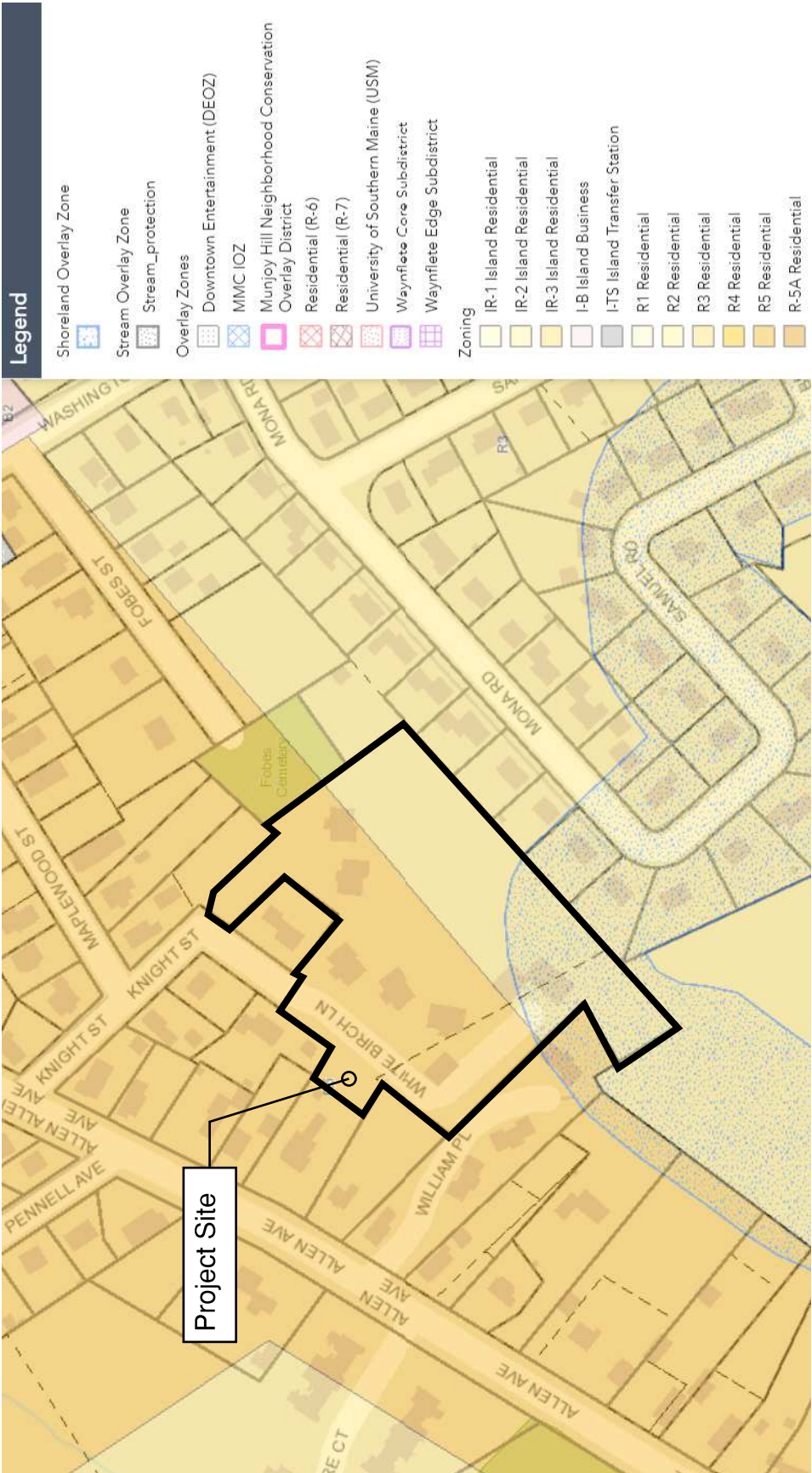


Reference: Excerpt from MDIFW Beginning with Habitat, Primary Map 2- High Value Animal & Plant Habitats Portland



HIGH VALUE PLANT & ANIMAL HABITATS

Reference: Online City of Portland Maine Parcel Viewer



ZONING MAP

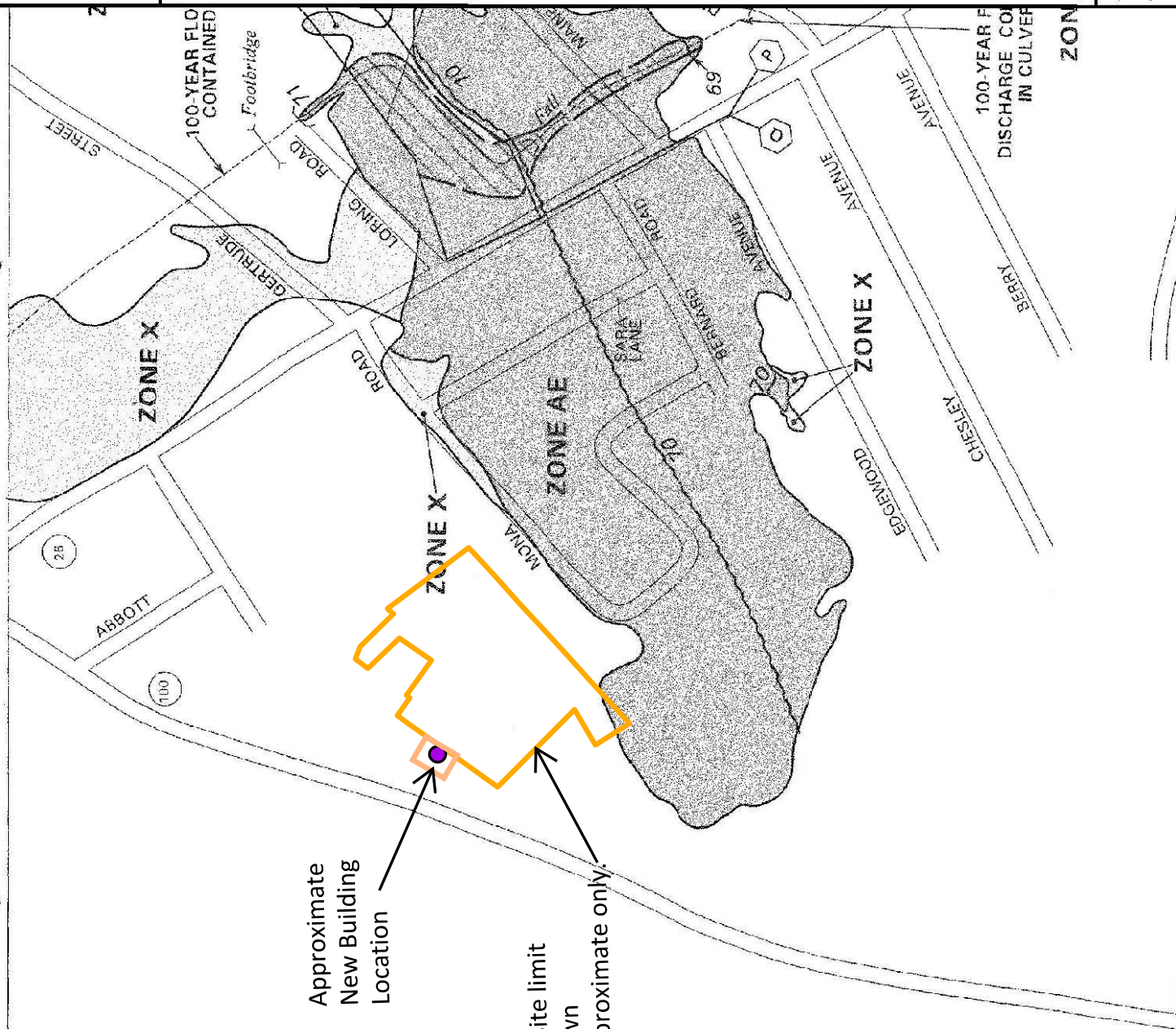


APPROXIMATE SCALE



Approximate
New Building
Location

Note: Site limit
as shown
are approximate only.



NATIONAL FLOOD INSURANCE PROGRAM

FIRM FLOOD INSURANCE RATE MAP

CITY OF
PORTLAND,
MAINE
CUMBERLAND COUNTY

PANEL 7 OF 17
(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER
230051 0007 C

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

Google Earth

© 2019 Google

9.40 ft



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



Soil Map may not be valid at this scale.

Map Scale: 1:1,580 if printed on A portrait (8.5" x 11") sheet.

0 20 40 80 120 Meters

0 50 100 200 300 Feet

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

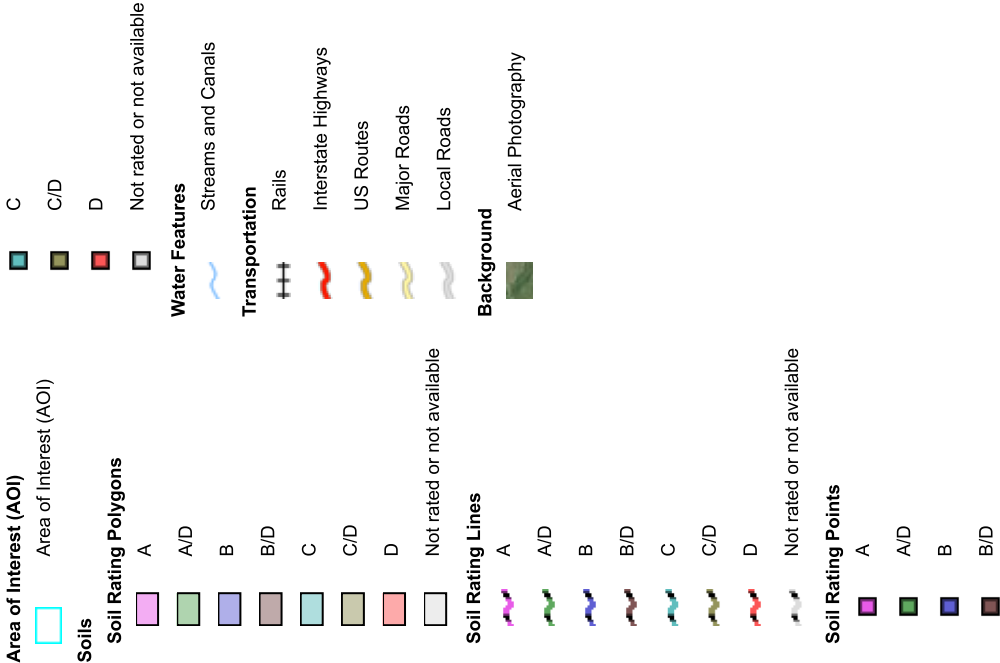


Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

1/23/2019
Page 1 of 4

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)

SEBAGO TECHNICS, INC.

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

JOB

18179

SHEET NO.

2

OF

3

CALCULATED BY

CRM

DATE

1/28/2019

FILE NAME

18519WQC

PRINT DATE

3/19/2019

MDEP Site Location of Development Submission

Note: Underdrained Soil Filters are sized in accordance with Chapter 7.5 of the Maine Department of Environmental Protection BMPs Technical Design Manual, latest revision

Treatment Calculations for Proposed Roof Drip Edge Filter #1 (DEF #1)*Subcatchments tributary to DEF-1 include 1S*Water Quality Volume Calculation

Total Impervious Area	1,447	sf	* does not include riprap stone
-----------------------	-------	----	---------------------------------

WQV Required = 1" x Impervious Area

WQV Required	120.6	cf
--------------	-------	----

Length of Trench	86.0	ft
------------------	------	----

Width of Trench	4.0	ft
-----------------	-----	----

Depth of Stone	12.0	in	40% porosity
----------------	------	----	--------------

WQV Provided = Area of Trench x Stone Depth x Stone Porosity

Total WQV Provided	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				
	Vuum 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 is 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.



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

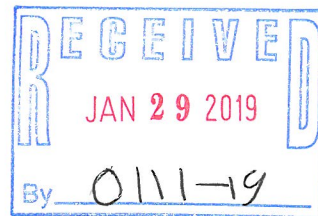
Address preservation and documentation of Archaeological Resources

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 Mohney
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. Mohney

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. Mohney,
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>



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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. PP



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

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3 Años de garantía



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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**

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 Specialists
207-310-8429

Emergency Service
Always Available

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		Due Date 6/11/2019	
				P.O. # 	
				W.O. # 	
				Rep MBL	
Customer Contact King Weinstein		Customer Alt. Contact Dick		Project 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 			

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Page 1 / 1

— 🔍 +

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

good
wye good
good

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

Line view at sewer wye



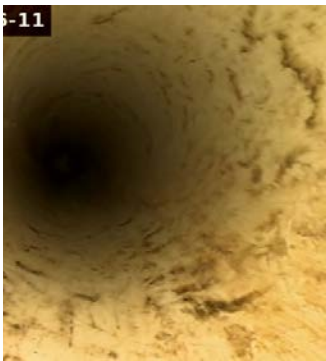
Trough condition

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

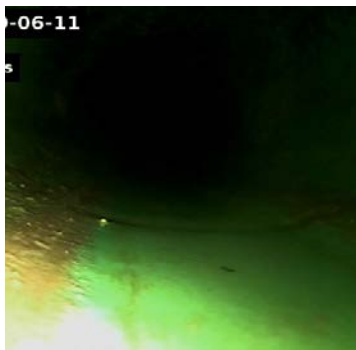
<https://youtu.be/iFwfQ-ceiDc>
<https://youtu.be/mPUFF0abme0>

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	
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Sewer Camera Observation

6/11/2019 White Birch Lane LLC

White Birch lane Portland, Maine

Purpose

Lateral televis Video Sewer for cross contamination

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'

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

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

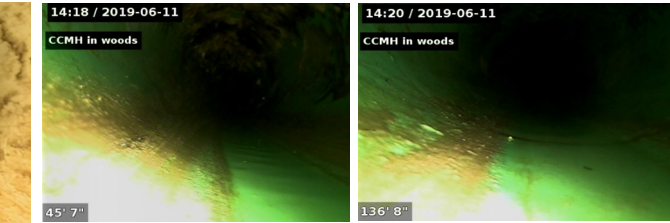
noted as good/clean no cross contamination at DMH 1
noted as good/clean no cross contamination at DMH 1

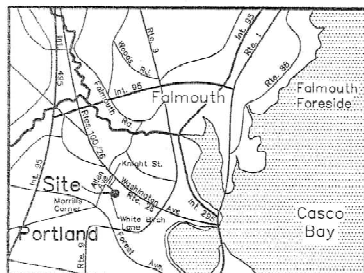
Video Link

<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

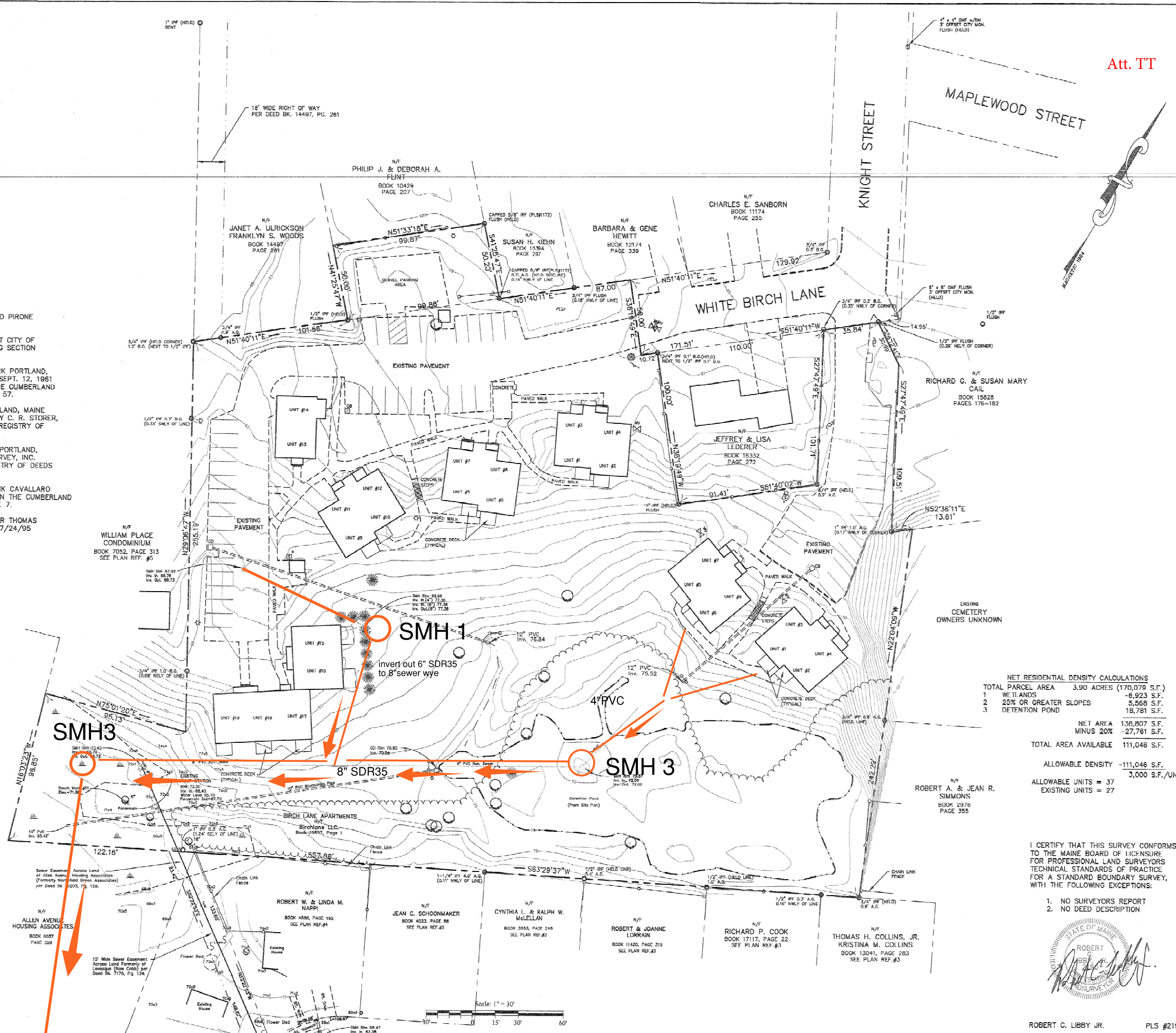
PLAN REFERENCES:

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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
□ G.M.T.	GRANITE MONUMENT FOUND
○ I.P.F./I.R.P.	IRON PIPE/IRON ROD FOUND
○ I.R.P.	5/8" IRON ROD W/ CAP TO BE SET
○ U.P.	UTILITY POLE
□ E	ELECTRIC TRANSFORMER
○	DECIDUOUS TREE
○	CONIFEROUS TREE
—	STOCKADE FENCE
—	PROPERTY LINE
—	EASEMENT LINE
—	EDGE PAVEMENT
○	LIGHT POST
○	SEWER MANHOLE
○	WATER VALVE
□	CATCH BASIN
AB	ABOVE GROUND
N/F	NOW OR FORMERLY
W	MAPPED WETLAND (MAY 2008)
S	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

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
28 State Street
Portland, Maine 04108
Tel: (207) 839-2771
Fax: (207) 839-8250

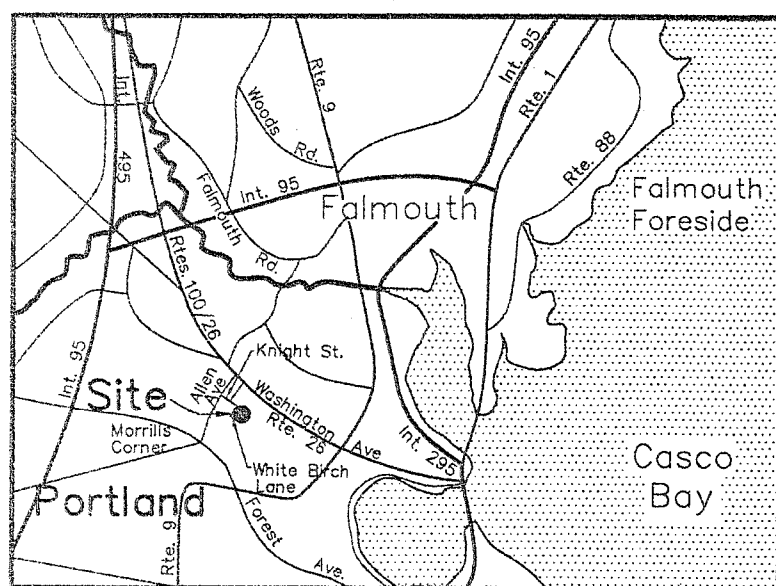
FOR
Birch Lane L.L.C.
198 Saco Avenue
Old Orchard Beach, Maine 04154

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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LOCATION MAP
SCALE: 1" = 2 MILES

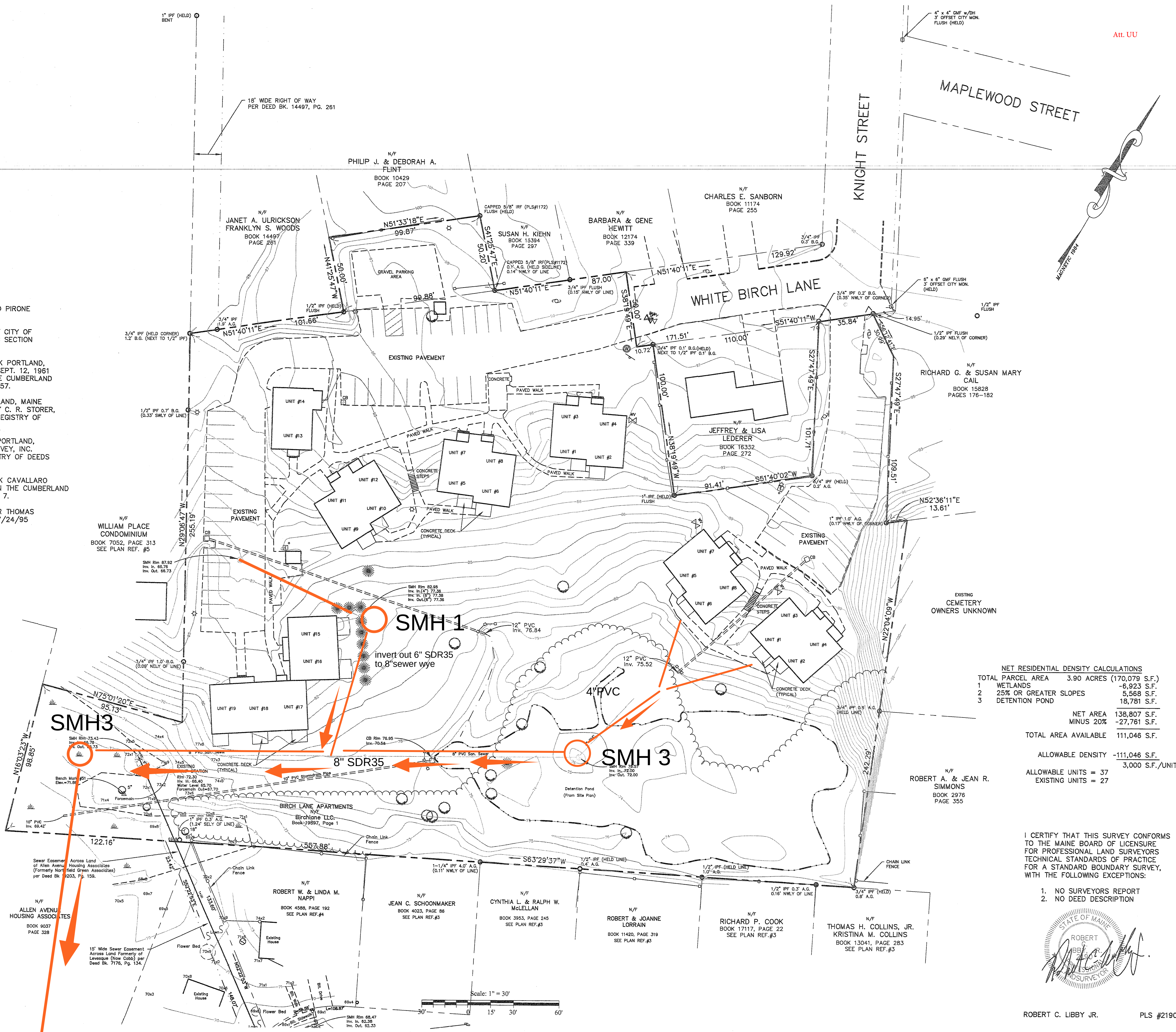
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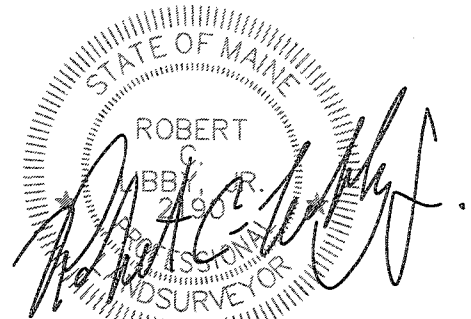
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ROBERT C. LIBBY JR.

PLS #2190

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BH2M
BERRY, HUFF, McDONALD, MILLIGAN, INC.
Engineers, Surveyors
Tel: (207) 839-2771
Fax: (207) 839-8550
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 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.

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



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](https://www.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

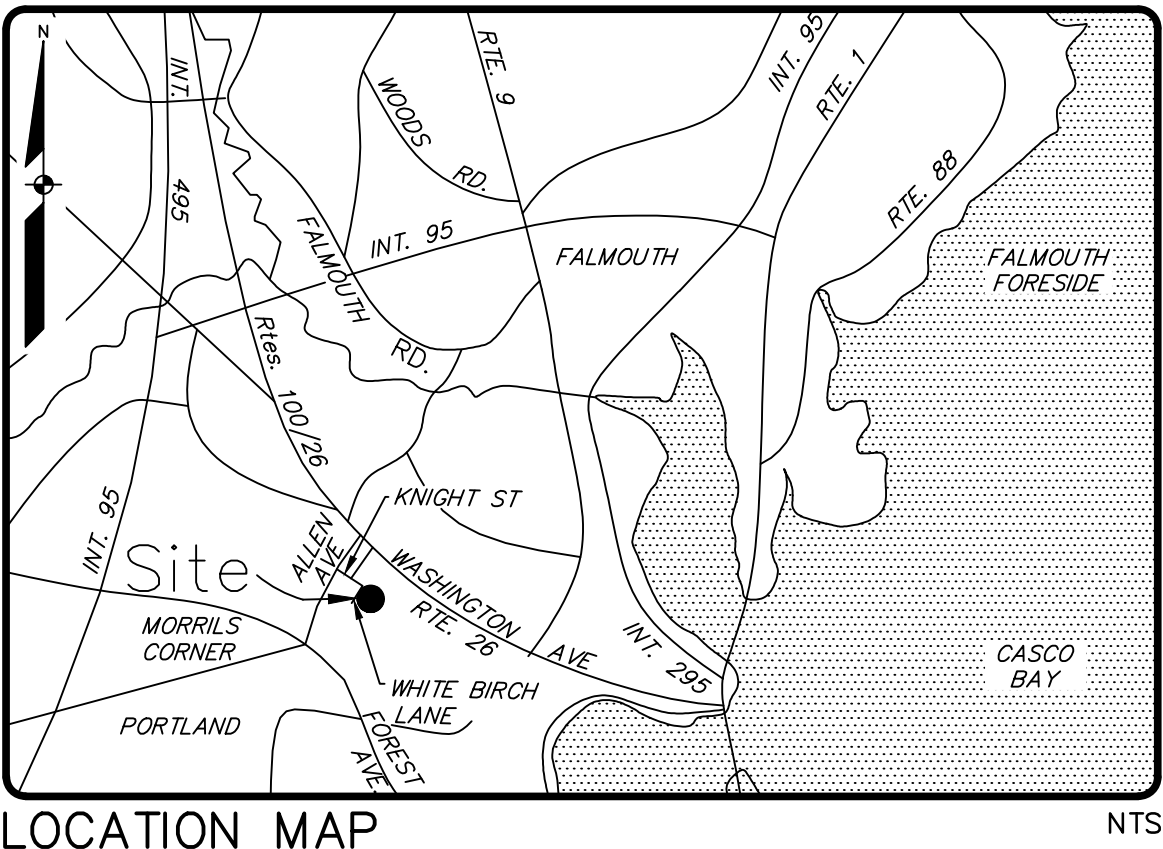
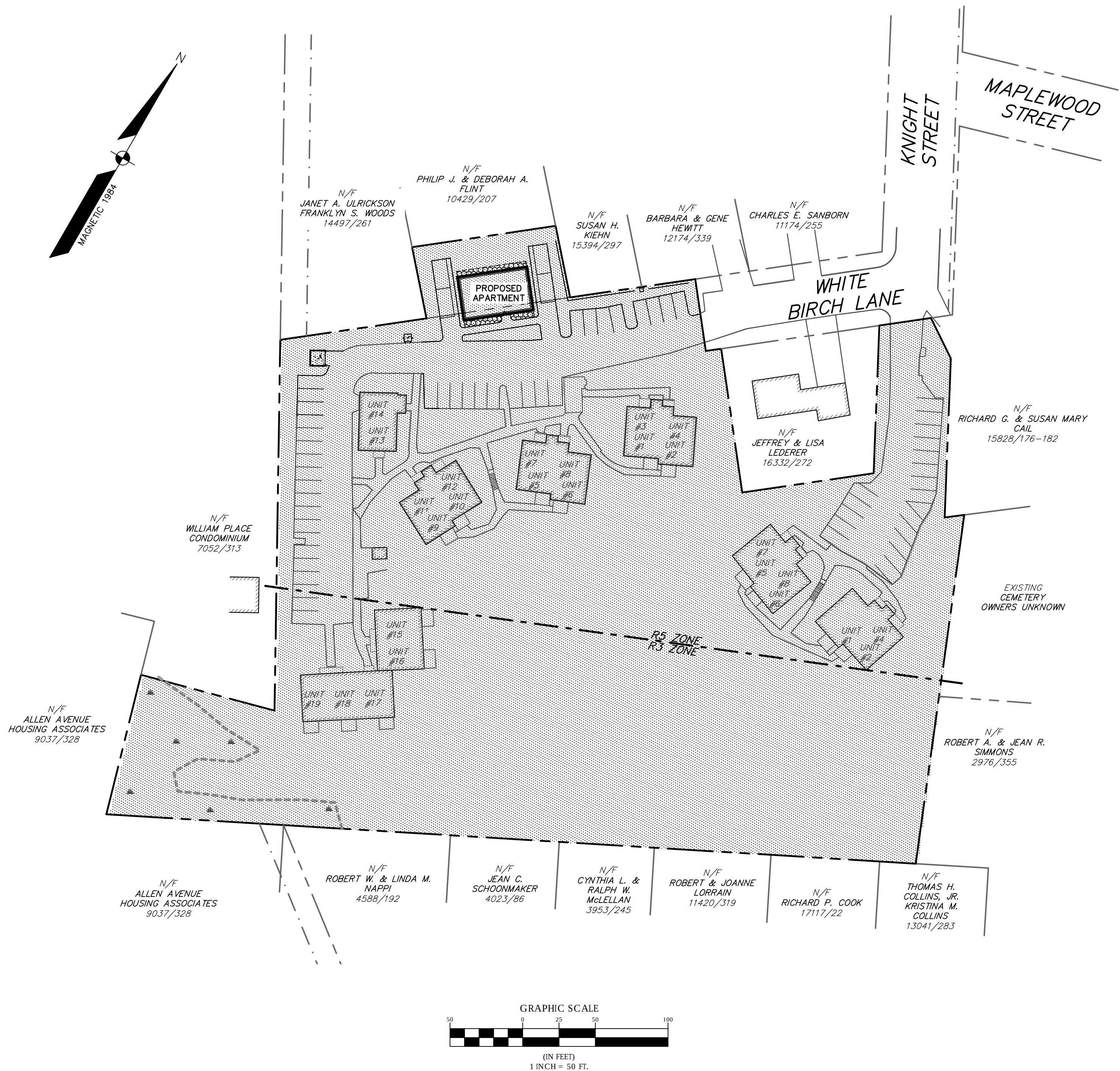
WHITE BIRCH LANE APARTMENT

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

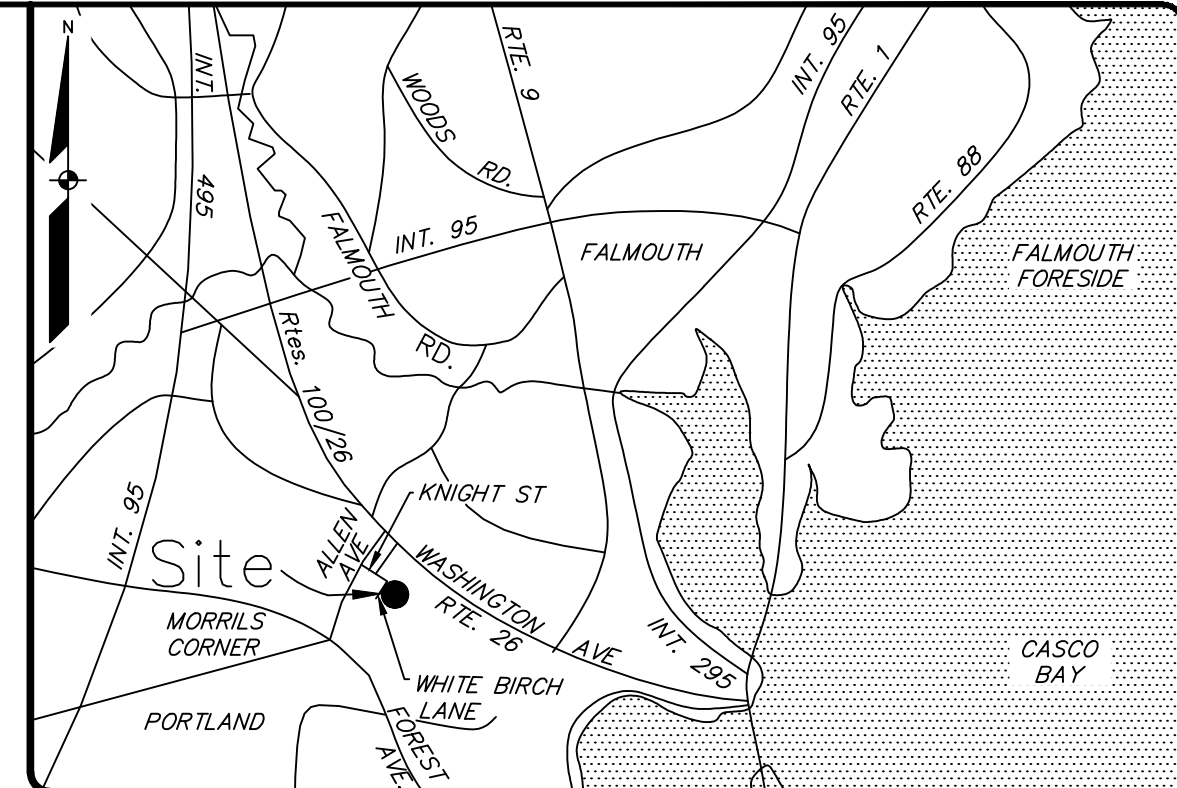


SHEET LIST TABLE

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



AND
TES)



LOCATION MAP

GENERAL NOTES:

1. THE RECORD OWNER OF THE PARCEL IS THE CITY OF PORTLAND BY DEED DATED JUNE 11, 1987 AND RECORDED AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS (CCRD) IN BOOK 19897, PAGE 001.
2. THE PROPERTY IS SHOWN AS LOT A046 ON THE CITY OF PORTLAND TAX MAP 437 AND IS LOCATED IN THE R-3 AND R-5 ZONES.
3. SPACE AND BULK CRITERIA FOR THE R-3 AND R-5 ZONES ARE AS FOLLOWS:
- | | R-3 | R-5 |
|----------------------------|--------------|-------------|
| MINIMUM LOT SIZE: | 6,500 SQ.FT. | 6,000 SQ.FT |
| MINIMUM STREET FRONTAGE: | 50' | 50' |
| MINIMUM FRONT YARD: | 25' | 20' |
| MINIMUM SIDE YARD: | 20' | 15' |
| MINIMUM REAR YARD: | 25' | 20' |
| MAXIMUM BUILDING HEIGHT: | 35' | 35' |
| MAXIMUM BUILDING COVERAGE: | 35% | 40% |
- * SEE ORDINANCE FOR MORE PARTICULAR INFORMATION RELATED TO PRUD. 20' MINIMUM BUILDING SETBACK IN R-5 ZONE AND 20' MINIMUM BUILDING SETBACK IN R-3 ZONE.
4. TOTAL AREA OF PARCEL IS APPROXIMATELY 3.90 ACRES.
5. BOUNDARY, TOPOGRAPHIC AND OTHER SITE INFORMATION SHOWN HEREON IS BASED UPON PLAN REFERENCE A.
6. PLAN REFERENCES:
- A. WHITE BIRCH LANE, PORTLAND, MAINE, CONDOMINIUM PLAN, BY BHMZ, DATED DECEMBER 2003," RECORDED IN THE CCRD IN PLAN BOOK 19897 PAGE 001.
7. PLAN ORIENTATION IS GRID NORTH, MAINE STATE PLANE COORDINATE SYSTEM, WEST ZONE 1802-NAD83, ELEVATIONS DEPICTED HEREON ARE NAVD88, BASED ON DUAL FREQUENCY GPS OBSERVATIONS.
8. UTILITY INFORMATION DEPICTED HEREON IS COMPILED USING PHYSICAL EVIDENCE LOCATED IN THE FIELD AND FROM CAD DATA FOR WHITE BIRCH LANE PROVIDED BY THE CITY OF PORTLAND. THE WATERMAIN AND FOREMAIN LOCATION WITHIN WHITE BIRCH LANE IS BASED UPON CAD DATA. THE GAS LINE LOCATION IS APPROXIMATE AND WAS MEASURED FROM THE EDGE OF PAVEMENT DURING A FIELD VISIT. UTILITIES DEPICTED HEREON MAY NOT NECESSARILY REPRESENT ALL EXISTING UTILITIES. CONTRACTORS AND/OR DESIGNERS NEED TO CONTACT DIG-SAFE SYSTEMS, INC. (1-888-DIG-SAFE) AND FIELD VERIFY EXISTING UTILITIES PRIOR TO CONSTRUCTION AND/OR EXCAVATION.
9. THE PROPOSED DEVELOPMENT WILL BE SERVED BY PUBLIC WATER, PUBLIC SEWER, GAS AND UNDERGROUND ELECTRIC AND TELECOMMUNICATION.
10. THE LOCUS PROPERTY AS DEPICTED HEREON DOES FALL WITHIN A SPECIAL FLOOD HAZARD AREA AS DELINEATED ON THE FLOOD INSURANCE RATE MAP FOR PORTLAND, MAINE, CUMBERLAND COUNTY, COMMUNITY-PANEL NUMBERS 0051 AND 0007B.
11. WETLAND INFORMATION SHOWN HEREON IS BASED ON PLAN REFERENCE A.
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL TREES AND SHRUBS ON THE PROJECT WHICH ARE NOT TO BE REMOVED. CLEAR TREES AS SHOWN ON THE PLANS HEREON.
13. AN APPROVED SET OF PLANS AND ALL APPLICABLE PERMITS MUST BE AVAILABLE AT THE CONSTRUCTION SITE. THE DEVELOPER, OR AN AUTHORIZED AGENT, MUST BE AVAILABLE AT ALL TIMES DURING CONSTRUCTION.
14. ALL EXISTING CATCH BASINS, MANHOLES, CONNECTIONS, CONDUIT AND PIPING SHALL BE CLEANED AND LEFT IN SATISFACTORY OPERATING CONDITION AFTER CONSTRUCTION HAS BEEN COMPLETED. NO SEPARATE PAYMENT WILL BE MADE FOR THIS WORK.
15. ALL LAWN AREAS, WALKWAYS, AND DRIVEWAYS OUTSIDE THE WORK AREA, DAMAGED BY THE CONTRACTOR, SHALL BE REPAIRED BY THE CONTRACTOR AT NO EXPENSE.
16. EXISTING PAVEMENT SHALL BE SAW CUT AND BUTTED TO THE NEW PAVEMENT. NO FEATHERING OF PAVEMENT WILL BE PERMITTED.
17. EXISTING DRAINAGE STRUCTURES SHALL NOT BE DISTURBED UNLESS OTHERWISE NOTED IN THE DRAWINGS OR APPROVED BY THE ENGINEER.
18. BEFORE CONNECTING NEW PIPES TO THE EXISTING FOREMAIN, THE CONTRACTOR SHALL NOTIFY THE PORTLAND WATER DISTRICT. NO WORK SHALL BE DONE WITHOUT THEIR APPROVAL.
19. THE CONTRACTOR IS REQUIRED TO PROVIDE A SECURE PROJECT WORK AREA. ALL PIPE TRENCH EXCAVATIONS SHALL BE BACKFILLED AND "CLOSED" DURING CONTRACTOR NON-WORKING HOURS INCLUDING NIGHTS, HOLIDAYS AND WEEKENDS. THE CONTRACTOR MAY REQUEST IN WRITING TO THE ENGINEER AND OWNER TO SECURE OPEN EXCAVATION IN LIEU OF BACKFILLED AND "CLOSED," NOT ALLOWING A SECURE OPEN EXCAVATION SHALL NOT BE A BASIS FOR CLAIMS AGAINST THE OWNER.
20. CONTRACTOR SHALL COMPLETE WORK SPECIFIED ON EACH PLAN AND SHALL COORDINATE WORK WITH ENTIRE PROJECT PLAN SET.
21. PARKING CALCULATION: SECTION 14-332 OF THE CITY OF PORTLAND CITY ORDINANCE, 2 PARKING SPACES FOR EACH DWELLING UNIT IS REQUIRED.
- | | |
|------------------|-----------|
| SPACES ADDED: | 15 SPACES |
| SPACES REMOVED: | 9 SPACES |
| SPACES REQUIRED: | 6 SPACES |
22. IMPERVIOUS CALCULATIONS
- | | |
|---------------------|------------|
| NEW IMPERVIOUS: | 5,607 S.F. |
| REMOVED IMPERVIOUS: | 1,796 S.F. |
| NET CHANGE: | 3,811 S.F. |

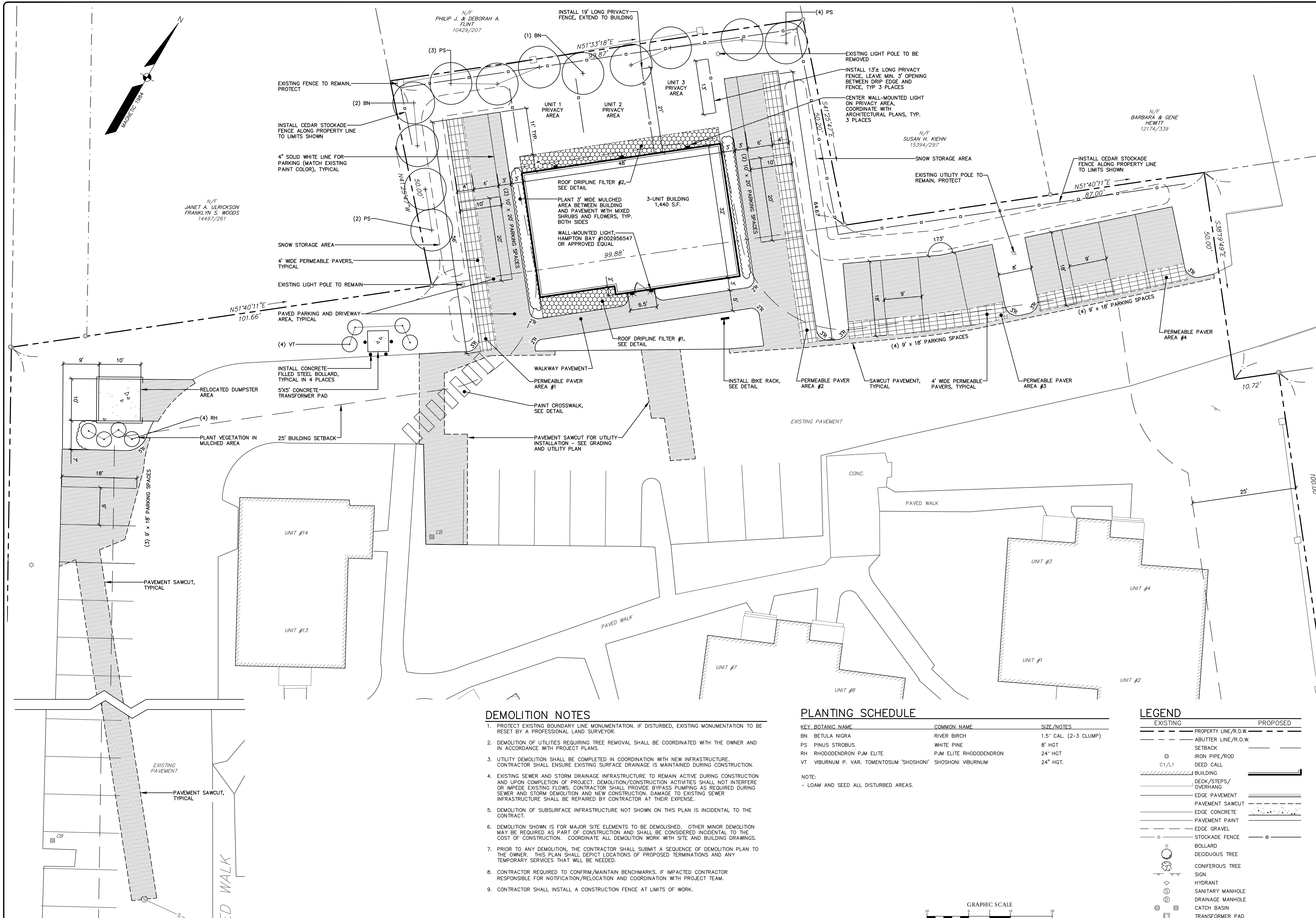
NET RESIDENTIAL DENSITY CALCULATIONS

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%



DEMOLITION NOTES

1. PROTECT EXISTING BOUNDARY LINE MONUMENTATION. IF DISTURBED, EXISTING MONUMENTATION TO BE RESET BY A PROFESSIONAL LAND SURVEYOR.
2. DEMOLITION OF UTILITIES REQUIRING TREE REMOVAL SHALL BE COORDINATED WITH THE OWNER AND IN ACCORDANCE WITH PROJECT PLANS.
3. UTILITY DEMOLITION SHALL BE COMPLETED IN COORDINATION WITH NEW INFRASTRUCTURE. CONTRACTOR SHALL ENSURE EXISTING SURFACE DRAINAGE IS MAINTAINED DURING CONSTRUCTION.
4. EXISTING SEWER AND STORM DRAINAGE INFRASTRUCTURE TO REMAIN ACTIVE DURING CONSTRUCTION AND UPON COMPLETION OF PROJECT. DEMOLITION/CONSTRUCTION ACTIVITIES SHALL NOT INTERFERE OR IMPEDE EXISTING FLOWS. CONTRACTOR SHALL PROVIDE BYPASS PUMPING AS REQUIRED DURING SEWER AND STORM DEMOLITION AND NEW CONSTRUCTION. DAMAGE TO EXISTING SEWER INFRASTRUCTURE SHALL BE REPAIRED BY CONTRACTOR AT THEIR EXPENSE.
5. DEMOLITION OF SUBSURFACE INFRASTRUCTURE NOT SHOWN ON THIS PLAN IS INCIDENTAL TO THE CONTRACT.
6. DEMOLITION SHOWN IS FOR MAJOR SITE ELEMENTS TO BE DEMOLISHED. OTHER MINOR DEMOLITION MAY BE REQUIRED AS PART OF CONSTRUCTION AND SHALL BE CONSIDERED INCIDENTAL TO THE COST OF CONSTRUCTION. COORDINATE ALL DEMOLITION WORK WITH SITE AND BUILDING DRAWINGS.
7. PRIOR TO ANY DEMOLITION, THE CONTRACTOR SHALL SUBMIT A SEQUENCE OF DEMOLITION PLAN TO THE OWNER. THIS PLAN SHALL DEPICT LOCATIONS OF PROPOSED TERMINATIONS AND ANY TEMPORARY SERVICES THAT WILL BE NEEDED.
8. CONTRACTOR REQUIRED TO CONFIRM/MAINTAIN BENCHMARKS. IF IMPACTED CONTRACTOR RESPONSIBLE FOR NOTIFICATION/RELOCATION AND COORDINATION WITH PROJECT TEAM.
9. CONTRACTOR SHALL INSTALL A CONSTRUCTION FENCE AT LIMITS OF WORK.

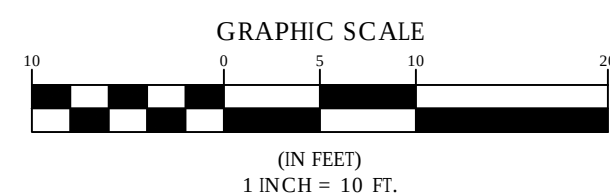
PLANTING SCHEDULE

KEY BOTANIC NAME	COMMON NAME	SIZE/NOTES
BN BETULA NIGRA	RIVER BIRCH	1.5" CAL. (2-3 CLUMP)
PS PINUS STROBUS	WHITE PINE	8' HGT
RH RHODODENDRON P.JM ELITE	P.JM ELITE RHODODENDRON	24" HGT
VT VIBURNUM P. VAR. TOMENTOSUM 'SHOSHONI'	SHOSHONI VIBURNUM	24" HGT.

NOTE:
- LOAM AND SEED ALL DISTURBED AREAS.

LEGEND

EXISTING	PROPOSED
---	PROPERTY LINE/R.O.W.
---	ABUTTER LINE/R.O.W.
---	SETBACK
⊙	IRON PIPE/ROD
C1/L1	DEED CALL
---	BUILDING
---	DECK/STEPS/OVERHANG
---	EDGE PAVEMENT
---	PAVEMENT SAWCUT
---	EDGE CONCRETE
---	PAVEMENT PAINT
---	EDGE GRAVEL
---	STOCKADE FENCE
⊙	BOLLARD
⊙	DECIDUOUS TREE
⊙	CONIFEROUS TREE
⊙	SIGN
⊙	HYDRANT
⊙	SANITARY MANHOLE
⊙	DRAINAGE MANHOLE
⊙	CATCH BASIN
⊙	TRANSFORMER PAD
⊙	LIGHT POLE
⊙	UTILITY POLE



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

PROJECT NO.	SCALE
18519	1"=10'

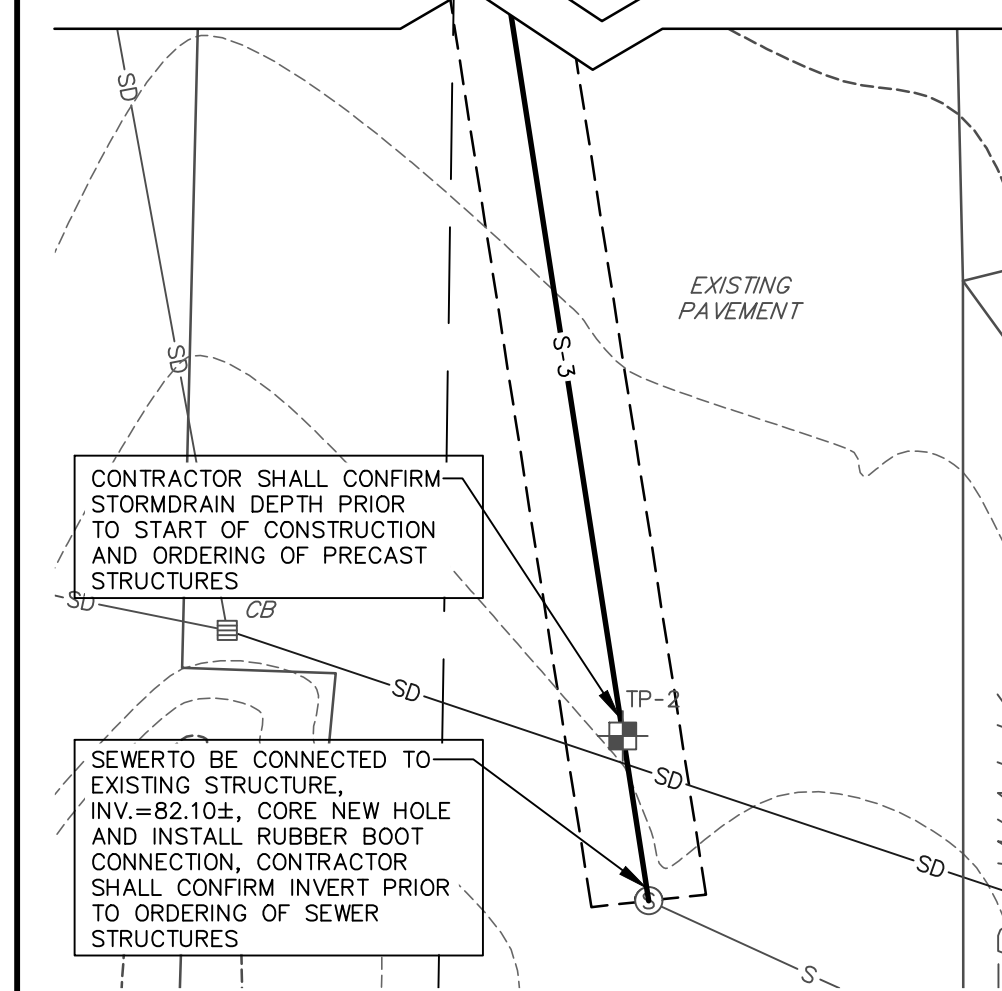
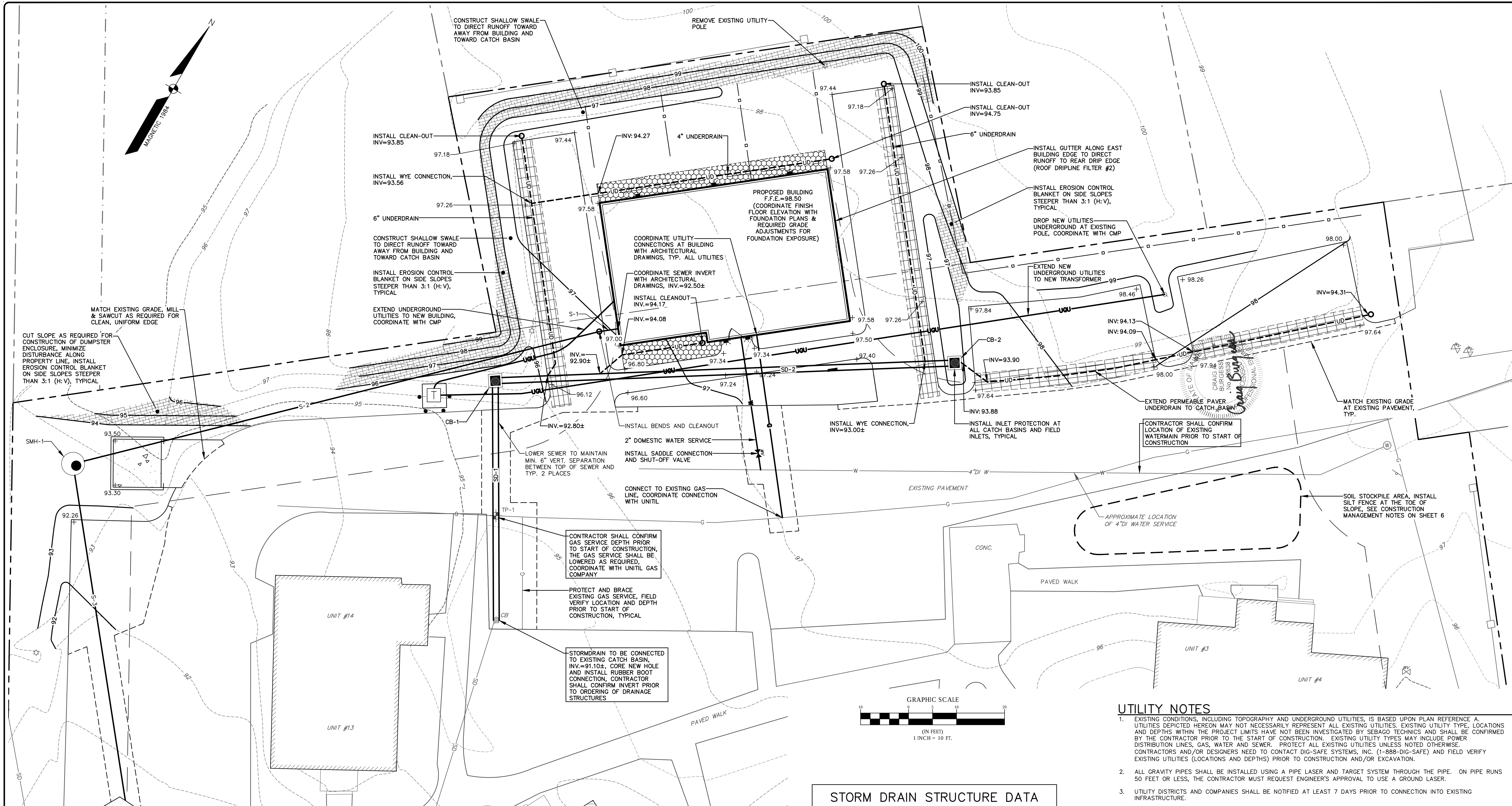
SHEET 3 OF 8

CRAIG A. BURGESS, PE 12638

STATE OF MAINE
CRAIG A. BURGESS
PE 12638
01-29-2020

DESIGNED	CHECKED
CRM	CAB
D CAB 01-29-20	ADDED ADDITIONAL FENCE PER CITY COMMENTS & REISSUED
C CAB 12-27-19	REVISED PER CITY COMMENTS & REISSUED
B CAB 07-18-19	REVISED PER CITY COMMENTS & REISSUED
A CAB 02-25-19	SUBMITTED FOR CITY REVIEW AND APPROVAL
REV BY:	DATE:
STATUS:	
NO SIGNATURES 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.	

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TECHNICS
WWW.SEAGOTECHNICS.COM
75 John Roberts Rd.
Suite 4A
South Portland, ME 04106
Tel. 207-229-2100



LEGEND			
EXISTING	PROPOSED	EXISTING	PROPOSED
--- PROPERTY LINE/R.O.W.	---	⚡ WATER GATE VALVE	⚡
--- ABUTTER LINE/R.O.W.	---	⚡ HYDRANT	⚡
--- SETBACK	---	⚡ WATER MANHOLE	⚡
--- EASEMENT	---	⚡ WELL	⚡
⊙ C1/L1	⊙	⚡ SANITARY SEWER	⚡
⊙ TP-1	⊙	⚡ SANITARY MANHOLE	⚡
▬ BUILDING	▬	⚡ SD	⚡
▬ DECK/STEPS/OVERHANG	▬	⚡ UNDER DRAIN	⚡
▬ EDGE PAVEMENT	▬	⚡ CATCH BASIN	⚡
▬ PAVEMENT SAWCUT	▬	⚡ UGU	⚡
▬ EDGE CONCRETE	▬	⚡ TRANSFORMER PAD	⚡
---+120---+118---	---+120---	⚡ LIGHT POLE	⚡
⊙ X120.00	⊙ 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.
 - STORMRAIN 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

C

CAB 12-27-19 REVISED PER CITY COMMENTS & RESUBMITTED

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:

CONTRACTOR SHALL CONFIRM LOCATION OF EXISTING WATERMAIN PRIOR TO START OF CONSTRUCTION

CONTRACTOR SHALL CONFIRM GAS SERVICE DEPTH PRIOR TO START OF CONSTRUCTION, THE GAS SERVICE SHALL BE LOWERED AS REQUIRED, COORDINATE WITH UNTIL GAS COMPANY

PROTECT AND BRACE EXISTING GAS SERVICE, FIELD VERIFY LOCATION AND DEPTH PRIOR TO START OF CONSTRUCTION, TYPICAL

STORMRAIN TO BE CONNECTED TO EXISTING CATCH BASIN, INV.=91.10±, CORE NEW HOLE AND INSTALL RUBBER BOOT CONNECTION, CONTRACTOR SHALL CONFIRM INVERT PRIOR TO ORDERING OF DRAINAGE STRUCTURES

SEBAGO TECHINCS

WWW.SEBAGOTECHINCS.COM

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

Tel: 207-202-2100

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.	SCALE
18519	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 THE WORK TO INCLUDE A PRE-CONSTRUCTION MEETING WITH THE MUNICIPAL STAFF, THREE COPIES OF THE SCHEDULE AND MARKED UP PLAN SHALL BE PROVIDED TO THE MUNICIPALITY THREE DAYS PRIOR TO THE SCHEDULED PRE-CONSTRUCTION MEETING. SPECIAL ATTENTION SHALL BE GIVEN TO THE 14 DAY LIMIT OF DISTURBANCE IN THE SCHEDULE ADDRESSING TEMPORARY AND PERMANENT VEGETATION MEASURES.

CONSTRUCTION AND POST-CONSTRUCTION PHASE

AREAS UNDERGOING ACTUAL CONSTRUCTION SHALL ONLY EXPOSE THAT AMOUNT OF MINERAL SOIL NECESSARY FOR PROGRESSIVE AND EFFICIENT CONSTRUCTION. AN AREA CONSIDERED OPEN IS ANY AREA NOT STABILIZED WITH PAVEMENT, VEGETATION, MULCHING, EROSION CONTROL MATS, RIPRAP OR GRAVEL BASE ON A ROAD, 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. REFER 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 UPSTREAM DISTURBED AREAS SHALL BE MULCHED IN A MANNER THAT WILL FACILITATE CLEAN-OUT AND DISPOSAL OF TRAPPED SEDIMENT. THE AREA MULCH 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 MULCH. EROSION CONTROL MIX SHALL BE APPLIED TO STOCKPILES OF SOIL OR SUBSOIL THAT ARE NOT GRADED WITHIN SEVEN (7) DAYS. 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. FAST GROWING 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 OBSCURABLE 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 EXCEPT ON CLAY OR SILTY SOILS OR COARSE SAND.

APPLICATION OF SEED:

A. SEEDING: SHALL BE CONDUCTED BETWEEN APRIL 1ST AND OCTOBER 1ST OF THE CONSTRUCTION YEAR. GENERALLY A SEED MIXTURE MAY BE APPLIED AS FOLLOWS: (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 A LAYER OF WOOD WASTE COMPOST AS DESCRIBED IN ITEM 2(C.) OF THIS STANDARD OR WITH STONE RIPRAP AS DESCRIBED IN ITEM 2(D.) OF THIS STANDARD.

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

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 1000 SQUARE FEET, LIGHTLY MULCH THE SEEDED SOIL WITH HAY OR STRAW AT 75 POUNDS PER 1000 SQUARE FEET, AND ANCHOR THE MULCH WITH PLASTIC NETTING. THE APPLICANT WILL MONITOR GROWTH OF THE RYE OVER THE NEXT 30 DAYS. IF THE RYE FAILS TO GROW AT LEAST THREE INCHES OR COVER AT LEAST 75% OF THE DISTURBED SOIL BEFORE NOVEMBER 15, THEN THE APPLICANT WILL MULCH THE AREA FOR OVER-WINTER PROTECTION AS DESCRIBED IN ITEM 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 1000 SQUARE FEET ON THE AREA SO THAT NO SOIL IS VISIBLE THROUGH THE MULCH. PRIOR TO APPLYING THE MULCH, THE APPLICANT WILL REMOVE ANY SNOW ACCUMULATION ON THE DISTURBED AREA. IMMEDIATELY AFTER APPLYING THE MULCH, THE APPLICANT WILL ANCHOR THE MULCH WITH PLASTIC NETTING TO PREVENT WIND FROM MOVING THE MULCH OFF THE DISTURBED SOIL.

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. INFILTRATION AREAS MAY BE USED TO STORE OILS, FUELS, OR OTHER HAZARDOUS MATERIALS. THE CONTRACTOR SHALL PROPOSE PROJECTING INFILTRATION OF STORMWATER MUST PROVIDE ADEQUATE PRE-TREATMENT OF STORMWATER PRIOR TO DISCHARGE OF STORMWATER TO THE INFILTRATION AREA, OR PROVIDE FOR TREATMENT WITHIN THE INFILTRATION AREA, IN ORDER TO PREVENT THE ACCUMULATION OF FINES, REDUCTION IN INFILTRATION RATE, AND CONSEQUENT FLOODING AND DESTABILIZATION.

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 EXTRACTED SOIL LOSS FROM THE SITE. IF OFFSITE TRACKING OF SOIL LOSS DOES NOT INVOLVE DETERGENTS;
- 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 LB. PER 1,000 SQUARE FEET OR 3 TONS/ACRE (TWICE THE NORMAL ACCEPTED RATE OF 75-LBS./1,000 S.F. OR 1.5 TONS/ACRE) AND SHALL BE PROPERLY ANCHORED. MULCH SHALL NOT BE SPREAD ON TOP OF SNOW. THE SNOW WILL BE REMOVED DOWN TO A ONE-INCH DEPTH OR LESS PRIOR TO APPLICATION. AFTER EACH DAY OF FINAL GRADING, THE AREA WILL BE PROPERLY STABILIZED WITH ANCHORED HAY OR STRAW OR EROSION CONTROL MATTING. AN AREA SHALL BE CONSIDERED TO HAVE BEEN STABILIZED WHEN EXPOSED SURFACES HAVE BEEN EITHER MULCHED WITH STRAW OR HAY AT A RATE OF 150 LB. PER 1,000 SQUARE FEET (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 LOOMED, 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 585/1000 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 IN THE SPRING. SEED TYPE SHALL BE WINTER RYE.

CONSTRUCTION MANAGEMENT NOTES

1. CONSTRUCTION MANAGEMENT PRINCIPLES: THE FOLLOWING PLAN PROVIDES AN OVERVIEW OF THE CONSTRUCTION MANAGEMENT PRINCIPLES THAT THE PORTLAND PUBLIC WORKS DEPARTMENT HAS IDENTIFIED TO MINIMIZE IMPACTS FROM THE CONSTRUCTION, SUCH AS NOISE, VIBRATIONS, GROUND MOVEMENT, TRUCK TRAFFIC, AND OTHER CONSTRUCTION RELATED FACTORS TO THE SURROUNDING BUILDING AND COMMUNITIES. THE FOLLOWING DETAILS DEFINE THE INTENDED APPROACH TO THE SUCCESSFUL MANAGEMENT OF THE PROJECT CONSTRUCTION AND THE CONSTRUCTION MANAGEMENT PLAN WILL ADDRESS THE GENERAL CONDITIONS CONTAINED BELOW.
2. PERFORMANCE GUARANTEES, INSPECTION FEES, PRECONSTRUCTION MEETING, AND PERMITS: PRIOR TO SCHEDULING A PRECONSTRUCTION MEETING AND THE ISSUANCE OF ANY CITY REQUIRED PERMITS, PORTLAND PUBLIC WORKS DEPARTMENT SHALL MEET ALL OF THE REQUIREMENTS CONTAINED IN SECTION 14-530. DEVELOPMENT REVIEW FEES AND POST APPROVAL REQUIREMENTS AND 14-532. GENERAL REQUIREMENTS AND ENFORCEMENT OF PORTLAND'S LAND USE CODE.
3. OTHER PERMITS, AS APPLICABLE, INCLUDE:
- A. STREET OPENING AND STREET OCCUPANCY PERMITS: CONSTRUCTION ACTIVITY IN THE PUBLIC RIGHT-OF-WAY ARE CONTROLLED BY CHAPTER 25 AND SEWER AND STORMWATER SYSTEM CONNECTIONS ARE CONTROLLED BY CHAPTERS 24 AND 32 OF THE LAND USE CODE. ALL REQUIRED PERMITS SHALL BE OBTAINED THROUGH THE DEPARTMENT OF PUBLIC WORKS AND THE REQUESTS SHALL CONFORM WITH THE APPROVED CONSTRUCTION MANAGEMENT PLAN.
- B. BLASTING: BLASTING, IF REQUIRED, SHALL CONFORM WITH ALL MEASURES OF ARTICLE VII. REGULATION OF EXPLOSIVES IN THE LAND USE CODE AND SECTION 3.7 STANDARDS FOR BLASTING AND REGULATION OF EXPLOSIVES IN PORTLAND'S TECHNICAL MANUAL.
4. CONSTRUCTION ADMINISTRATION AND COMMUNICATION: THE PORTLAND PUBLIC WORKS DEPARTMENT WILL WORK DILIGENTLY TO IMPLEMENT A COMMUNICATION STRATEGY AS OUTLINED BELOW. THE COMMUNICATION STRATEGY IS INTENDED TO ENSURE THAT ALL CONSTRUCTION OPERATIONS ARE PERFORMED IN ACCORDANCE WITH ALL AGREEMENTS, ORDINANCES AND SPECIAL PERMITS APPLICABLE TO THIS PROJECT. THE CONSTRUCTION MANAGER 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. THE FINAL CONSTRUCTION MANAGEMENT PLAN SHALL PROVIDE FOR THE FOLLOWING:
- A. CONTACT PERSON AND CONTACT INFORMATION FOR THE ACADIA LENDING GROUP AND WHO IS AVAILABLE 24 HOURS.
- B. CONSTRUCTION SIGNAGE POSTED ON THE SITE WITH CONTACT INFORMATION FOR CONTRACTOR
- C. DESCRIBE ANY ADDITIONAL COMMUNICATION STRATEGIES
- D. ALL CONSTRUCTION SITE SIGNAGE IS TEMPORARY AND SHALL BE REMOVED AT PROJECT COMPLETION.
5. CONSTRUCTION SCHEDULE:
- CONSTRUCTION SITE IMPROVEMENTS WILL MOST LIKELY BEGIN IN JULY/ AUGUST 2017, DEPENDING UPON FINAL PROJECT APPROVAL.
- A. HOURS OF CONSTRUCTION: CONSTRUCTION WILL OCCUR DURING THE DAYTIME HOURS AS DEFINED IN SECTION 17-18. CONSTRUCTION ACTIVITIES FOR BUILDING PERMIT AND SECTION 25-129, NOISE, DUST AND DEBRIS (ATTACHMENT 2).
- B. EXTENDED HOURS OR NIGHT WORK: PURSUANT TO SECTION 17-18, THIS SECTION NOT APPLY TO EMERGENCY UTILITY WORK OR 'SITUATIONS WHERE THE PUBLIC WORKS AUTHORITY OR THE OFFICE OF BUILDING INSPECTIONS DETERMINES THAT THE CONSTRUCTION ACTIVITY IS OF A UNIQUE CHARACTER WHICH CANNOT BE REASONABLY COMPLETED OR PERFORMED DURING THE PERMITTED HOURS AND WHICH IS NOT OF A RECURRING NATURE, PROVIDED THAT PRIOR TO ENGAGING IN SUCH ACTIVITY THE CONTRACTOR OR HIS REPRESENTATIVES GIVES NOTICE OF THE TIME AND SCOPE OF SUCH PROPOSED ACTIVITY, THE NOTICE TO BE GIVEN IN A MANNER APPROVED BY THE PUBLIC WORKS AUTHORITY.
- C. MATERIAL DELIVERIES: SCHEDULE AND DESIGNATED LOCATION FOR DELIVERY OF MATERIALS AND BOXED GOODS.
6. SECURITY AND PUBLIC SAFETY:
- A. THE CONSTRUCTION MANAGEMENT PLAN DEPICTS ALL PROPOSED FENCING OR OTHER BARRIERS AND ACCESS GATES WITH THE INTENT OF SEPARATING PEDESTRIAN AND VEHICLE CIRCULATION FROM THE CONSTRUCTION SITE.
- B. 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.
- C. FIRE SAFETY PROGRAM: AN OVERALL CONSTRUCTION OF DEMOLITION FIRE SAFETY PROGRAM SHALL BE DEVELOPED PRIOR TO CONSTRUCTION. ESSENTIAL ITEMS TO BE EMPHASIZED INCLUDE THE FOLLOWING:
- a. GOOD HOUSEKEEPING
- b. ON-SITE SECURITY
- c. INSTALLATION OF NEW FIRE PROTECTION SYSTEMS AS CONSTRUCTION PROGRESSES
- d. PRESERVATION OF EXISTING SYSTEMS DURING DEMOLITION
- e. ORGANIZATION AND TRAINING OF AN ON-SITE FIRE BRIGADE
- f. DEVELOPMENT OF A PRE-FIRE PLAN WITH THE LOCAL FIRE DEPARTMENT
- g. RAPID COMMUNICATION
- h. CONSIDERATION OF SPECIAL HAZARDS RESULTING FROM PREVIOUS OCCUPANCIES
- i. PROTECTION OF EXISTING STRUCTURES AND EQUIPMENT FROM EXPOSURE FIRES RESULTING FROM CONSTRUCTION, ALTERATION, AND DEMOLITION OPERATIONS
- D. BLASTING, IF REQUIRED, SHALL CONFORM WITH ALL MEASURES OF ARTICLE VII. REGULATION OF EXPLOSIVES IN THE LAND USE CODE AND SECTION 3.7 STANDARDS FOR BLASTING AND REGULATION OF EXPLOSIVES IN PORTLAND'S TECHNICAL MANUAL.
- E. ANY PROPOSED TEMPORARY SECURITY LIGHTING SHALL BE SHOWN ON CMP AND ALL FIXTURES SHALL BE FULL CUTOFFS.
7. CONSTRUCTION PERMITTING AND TRAFFIC CONTROL PLANS:
- A. CONSTRUCTION ACTIVITY IN PUBLIC STREETS: CONSTRUCTION ACTIVITY IN THE PUBLIC RIGHT-OF-WAY IS CONTROLLED BY CHAPTER 25 ARTICLE VI OF THE CITY CODE OF ORDINANCES. REQUIRED LICENSES AND PERMITS, RESTRICTIONS ON ACTIVITY, AND FEES & AREA ARE OUTLINED IN THAT CHAPTER. RULES AND REGULATIONS FOR EXCAVATION ACTIVITY ARE AVAILABLE THROUGH THE STREET OPENING CLERK AT THE DEPARTMENT OF PUBLIC WORKS. AT NO TIME CAN CONSTRUCTION ACTIVITY INCLUDING DELIVERY VEHICLES CLOSE OR BLOCK STREETS OR AFFECT PUBLIC SAFETY ACCESS WITHOUT PRIOR NOTICE AND APPROVAL OF THE DEPARTMENT OF PUBLIC WORKS.
- B. SEWER AND STORMWATER: SEWER AND STORMWATER WATER 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.
8. 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. PROJECTS THAT WILL OCCUP ARTERIAL AND OR COLLECTOR STREETS ARE REQUIRED TO SUBMIT A SATISFACTORY MAINTENANCE OF TRAFFIC (MOT) PLAN PRIOR TO ANY SITE PLAN, SUBDIVISION, OR STREET OPENING PERMIT APPROVAL. MOT PLANS MAY BE REQUIRED FOR PROJECTS THAT HAVE IMPACTS ON LOCAL STREETS.

MAINTENANCE OF TRAFFIC (MOT) PLANS SHALL PROVIDE FOR THE SAFE PASSAGE OF THE PUBLIC THROUGH OR ALONG THE CONSTRUCTION WORK ZONE. ON A CASE-BY-CASE BASIS, APPLICANTS MAY BE ALLOWED TO CLOSE A STREET AND/OR DETOUR A MODE OF TRAFFIC WHEN ABSOLUTELY NECESSARY FOR SAFETY. MOT PLANS SHALL EMPLOY THE APPROPRIATE TECHNIQUES AND DEVICES

AS CALLED FOR N THE LATEST EDITION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD). IN ADDITION:

A. CONSTRUCTION SPEED SIGNING MAY BE USED AS NEEDED TO SLOW TRAFFIC

B. TRAFFIC CONTROL SIGNS SHALL NOT BE PLACED WHERE THEY ARE AN OBSTRUCTION TO BICYCLES OR PEDESTRIANS.

C. IN EXTREME SITUATIONS, FLAGGERS MAY BE REQUIRED.

D. POLICE DETAIL IS REQUIRED AT LIGHTED INTERSECTIONS AND MAY BE REQUESTED BY THE CITY'S TRANSPORTATION ENGINEER OR HIS DESIGNEE.

ALL EXISTING MODES OF TRAVEL IN 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 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.

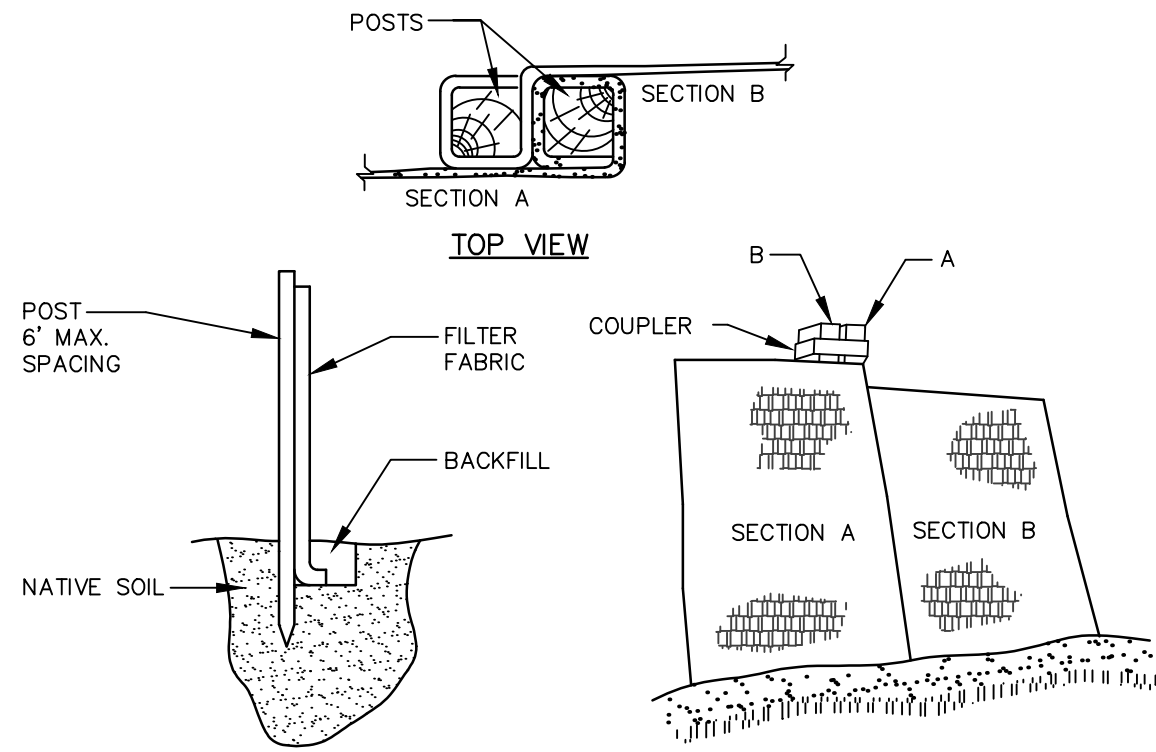
- A. TRAFFIC CONTROL BICYCLE AND PEDESTRIAN FACILITIES OR ROUTES THROUGH WORK ZONES SHALL BE MAINTAINED UNTIL THE BICYCLE AND PEDESTRIAN FACILITIES OR ROUTES ARE READY FOR SAFE OPERATION. TRAFFIC CONTROL WILL NOT BE REMOVED TO ALLOW AUTO TRAVEL AT THE EXPENSE OF BICYCLE AND PEDESTRIANS.
- B. BARRIER 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.
- C. ADA COMPLIANCE SHALL BE MAINTAINED.
- USE OF PUBLIC PARKING SPACES OR 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.

9. SITE MANAGEMENT AND CONTROLS: THE FINAL CONSTRUCTION MANAGEMENT PLAN WILL ADDRESS MAINTAINING THE SITE IN A SAFE CONDITION AND WILL INCLUDE THE FOLLOWING:
- A. REGULAR TRASH AND DEBRIS REMOVAL
- B. STREET CLEANING AND DAMAGE CONTROLS
- C. DUST CONTROLS- THE CONSTRUCTION SHALL COMPLY WITH PORTLAND'S REQUIREMENTS UNDER SECTION 25-129 ON NOISE, DUST AND DEBRIS (ATTACHMENT 2).
- D. NOISE: THE CONSTRUCTION SHALL COMPLY WITH PORTLAND'S REQUIREMENTS UNDER SECTION 17-18 OF THE CITY CODE (ATTACHMENT 1) AND SECTION 25-129 ON NOISE, DUST AND DEBRIS ATTACHMENT 2).
- E. RODENT CONTROL WILL BE PROVIDED, IF APPLICABLE, BY A PROFESSIONAL EXTERMINATOR AND CONSISTENT WITH CHAPTER 22 OF THE CITY CODE.
- F. SNOW REMOVAL: PURSUANT TO SECTION 25-173 CONTRACTORS TO ENSURE A SAFE MEANS OF TRAVEL WITHIN THE WORK ZONE.
- 1) SNOW/ICE REMOVAL OR COMMENCE AUTOMATICALLY FROM (1" OF SNOW AND UP) OR ICE
- 2) REMOVE SNOW AS NEEDED WITHIN THE WORK ZONE, INCLUDING PARKING SPACES & NOT TO BLOCK ANY DRIVEWAYS OR SITE LINES WITH THE PILES OF SNOW.
- 3) CLEAR ALL WALKS & RAMPS WITH THE WORK ZONE
- 4) SAND OR SALT AS NEEDED
- 5) CLEAR ALL BASIN OR DRAINAGE TO HELP SNOW MELT
- 6) THIS WOULD INCLUDE MONDAY-FRIDAY SAT/SUNDAY/HOLIDAYS

10. EROSION CONTROL AND PRESERVATION OF TREES:
- A. THE CONTRACTOR SHALL INSTALL ALL EROSION AND SEDIMENTATION CONTROLS AS DEPICTED ON THE APPROVED EROSION AND SEDIMENTATION CONTROL PLAN 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 SIGNIFICANT STORM EVENTS, AND MAINTAIN ANY INSTALLED TEMPORARY OR PERMANENT STORMWATER MANAGEMENT SYSTEMS IN 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 OR THE U.S. ENVIRONMENTAL PROTECTION AGENCY UPON REQUEST.
- B. THE CONTRACTOR SHALL MAINTAIN ALL TREE AND LANDSCAPING PRESERVATION MEASURES AS DEPICTED ON THE LANDSCAPING PLAN WITHIN THE AREA OF CONSTRUCTION.
- C. THE STORAGE OF MATERIALS SHALL BE IDENTIFIED AND AVOID BEING LOCATED UNDER/NEAR TREES.
11. CONSTRUCTION STAGING AREA:
- A. THE CONSTRUCTION MANAGEMENT PLAN SHOWS THE LOCATION OF THE MATERIAL STAGING AREAS, THE LOCATION ON SITE TEMPORARY CONSTRUCTION TRAILERS, THE LOCATION OF ON-SITE TRUCK DELIVERY HOLDING AREAS, THE LOCATION ON-SITE TRUCK WASHING STATIONS, MASONRY MIXING STATIONS, THE GENERAL LOCATION OF THE CONSTRUCTION SECURITY FENCE AND THE GENERAL LOCATION OF TEMPORARY CONSTRUCTION DUMPSTERS. AN OPEN STORAGE AREAS SHALL BE SHOWN ON THE PLAN.
- B. DELIVERY TRUCK HOLDING AREAS ON-SITE: THE DELIVERY HOLDING AREA SHALL BE SHOWN ON THE PLAN AND SHALL NOT BE BLOCKED DURING CONSTRUCTION. ON DAYS WHEN THE CONSTRUCTION ACTIVITIES REQUIRE MULTIPLE TRUCK DELIVERIES, THESE CARRIAGES SHALL BE SCHEDULED SO THAT THERE IS ALWAYS ADEQUATE ON-SITE AREA FOR THE HOLDING OF THE TRUCKS UNTIL THEY CAN BE UNLOADED. ONCE AT THE SITE ALL VEHICLES WELL BE BROUGHT WITHIN THE FENCE LINE AND WILL MAKE EVERY ATTEMPT TO AVOID QUEUEING ON PUBLIC STREETS.
- C. DELIVERY TRUCK HOLDING AREAS OFF-SITE: IN THE EVENT THAT ADEQUATE ON-SITE AREA FOR HOLDING OF TRUCKS IS NOT AVAILABLE, AN OFF-SITE MARSHALLING AREA WILL BE UTILIZED FOR TRUCKING. THE DESIGNATED OFF-SITE LOCATION WILL BE IDENTIFIED IN THE CONSTRUCTION MANAGEMENT PLAN.
13. SPECIAL MEASURES AS NECESSARY: FOR CONSTRUCTION WORK THAT WILL TAKE PLACE OVER A LONG PERIOD (E.G. 12 MONTHS OR MORE), INVOLVE MAJOR DEMOLITION / REPAIR / RECONSTRUCTION / PILING AND/OR SPECIAL CONSTRUCTION TECHNIQUES, OR ARE LOCATED NEAR SENSITIVE USES (E.G. MEDICAL CARE FACILITIES, SCHOOLS), THE CONSTRUCTION MANAGEMENT PLAN SHOULD PROVIDE DETAILS AND DEMONSTRATE THAT ALL APPROPRIATE SPECIAL MEASURES HAVE BEEN TAKEN TO AVOID, MINIMIZE, OR POSSIBLY COMPENSATE FOR POTENTIAL IMPACTS. THIS MAY INCLUDE TAKING BASELINE MEASUREMENTS BEFORE CONSTRUCTION, SUCH AS ARRANGING TO PHOTOGRAPH THE FOUNDATIONS OF NEARBY PROPERTIES UPON CONSENT OF THE OWNERS, IN ORDER TO ASSESS ANY FUTURE IMPACTS OF VIBRATION, NOISE, ETC.

CONSTRUCTION NOTES

1. ALL WORK SHALL CONFORM TO THE APPLICABLE CODES AND ORDINANCES.
2. CONTRACTOR SHALL VISIT THE SITE AND FAMILIARIZE HIM OR HERSELF WITH ALL CONDITIONS AFFECTING THE PROPOSED WORK AND SHALL MAKE PROVISIONS AS TO THE COST THEREOF. CONTRACTOR SHALL BE RESPONSIBLE FOR FAMILIARIZING HIM OR HERSELF WITH ALL CONTRACT DOCUMENTS, FIELD CONDITIONS AND DIMENSIONS AND CONFIRMING THAT THE WORK MAY BE ACCOMPLISHED AS SHOWN PRIOR TO PROCEEDING WITH CONSTRUCTION. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO THE COMMENCEMENT OF WORK.
3. CONTRACTOR SHALL NOTIFY ENGINEER OF ALL PRODUCTS OR ITEMS NOTED AS "EXISTING" WHICH ARE NOT FOUND IN THE FIELD.
4. INSTALL ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS AND OWNER'S REQUIREMENTS UNLESS SPECIFICALLY OTHERWISE INDICATED OR WHERE LOCAL CODES OR REGULATIONS TAKE PRECEDENCE.
5. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS IN THE FIELD PRIOR TO FABRICATION AND ERECTION OF ANY MATERIAL. ANY UNUSUAL CONDITIONS SHALL BE REPORTED TO THE ATTENTION OF THE ENGINEER.
6. CONTRACTOR SHALL CLEAN AND REMOVE DEBRIS AND SEDIMENT DEPOSITED ON PUBLIC STREETS, SIDEWALKS, ADJACENT AREAS, OR OTHER PUBLIC WAYS DUE TO CONSTRUCTION.
7. CONTRACTOR SHALL INCORPORATE PROVISIONS AS NECESSARY IN CONSTRUCTION TO PROTECT EXISTING STRUCTURES, PHYSICAL FEATURES, AND MAINTAIN SITE STABILITY DURING CONSTRUCTION. CONTRACTOR SHALL RESTORE ALL AREAS TO ORIGINAL CONDITION AND AS DIRECTED BY DESIGN DRAWINGS.
8. SITE CONTRACTOR SHALL OBTAIN ALL REQUIRED PERMITS PRIOR TO CONSTRUCTION.
9. 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.
10. THE CONTRACTOR IS HEREBY CAUTIONED THAT ALL SITE FEATURES SHOWN HEREON ARE BASED ON FIELD OBSERVATIONS BY THE SURVEYOR AND BY INFORMATION PROVIDED BY UTILITY COMPANIES. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR SHALL CONTACT DIG SAFE (811) AT LEAST THREE (3) BUT NOT MORE THAN THIRTY (30) DAYS PRIOR TO COMMENCEMENT OF EXCAVATION OR DEMOLITION TO VERIFY HORIZONTAL AND VERTICAL LOCATION OF ALL UTILITIES.
11. CONTRACTOR SHALL BE AWARE THAT DIG SAFE ONLY NOTIFIES ITS "MEMBER" UTILITIES ABOUT THE DIG. WHEN NOTIFIED, DIG SAFE WILL ADVISE CONTRACTOR OF MEMBER UTILITIES IN THE AREA. CONTRACTOR IS RESPONSIBLE FOR IDENTIFYING AND CONTACTING NON-MEMBER UTILITIES DIRECTLY. NON-MEMBER UTILITIES MAY INCLUDE TOWN OR CITY WATER AND SEWER DISTRICTS AND SMALL LOCAL UTILITIES, AS WELL AS USG PUBLIC WORKS SYSTEMS.
12. CONTRACTORS SHALL BE RESPONSIBLE FOR COMPLIANCE WITH THE REQUIREMENTS OF 23 MRSA 3360-A. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO COORDINATE WITH THE APPROPRIATE UTILITIES TO OBTAIN AUTHORIZATION PRIOR TO RELOCATION OF ANY EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THESE PLANS. IF A UTILITY CONFLICT ARISES, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER, THE MUNICIPALITY AND APPROPRIATE UTILITY COMPANY PRIOR TO PROCEEDING WITH ANY RELOCATION.
13. ALL PAVEMENT MARKINGS AND DIRECTIONAL SIGNAGE SHOWN ON THE PLAN SHALL CONFORM TO THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) STANDARDS. MATCH EXISTING PAINT COLOR.
14. ALL PAVEMENT JOINTS SHALL BE SAWCUT PRIOR TO PAVING TO PROVIDE A DURABLE AND UNIFORM JOINT.
15. NO HOLES, TRENCHES OR STRUCTURES SHALL BE LEFT OPEN OVERNIGHT IN ANY EXCAVATION ACCESSIBLE TO THE PUBLIC OR IN PUBLIC RIGHTS-OF-WAY.
16. ALL WORK WITHIN THE PUBLIC RIGHT-OF-WAY SHALL REQUIRE A M.D.O.T. PERMIT AS WELL AS PERMITS FROM THE CITY AS APPLICABLE.
17. THE PROPOSED LIMITS OF CLEARING SHOWN HEREON ARE APPROXIMATE BASED UPON THE PROPOSED LIMITS OF SITE GRADING. THE APPLICANT RESERVES THE RIGHT TO PERFORM NORMAL FOREST MANAGEMENT ACTIVITIES OUTSIDE OF THE CLEARING LIMIT AS SHOWN. TREE REMOVAL OUTSIDE OF THE LIMITS OF CLEARING MAY BE NECESSARY TO REMOVE DEAD OR DYING TREES OR TREE LIMBS. THIS REMOVAL IS DUE TO POTENTIAL SAFETY HAZARDS AND TO PROMOTE PROPER FOREST GROWTH.
18. IMMEDIATELY UPON COMPLETION OF CUTS/FILLS, THE CONTRACTOR SHALL STABILIZE DISTURBED AREAS IN ACCORDANCE WITH EROSION CONTROL NOTES AND AS SPECIFIED ON PLANS.
19. THE CONTRACTOR SHALL BE FULLY AND SOLELY RESPONSIBLE FOR THE REMOVAL, REPLACEMENT AND RECTIFICATION OF ALL DAMAGED AND DEFECTIVE MATERIAL AND WORKMANSHIP IN CONNECTION WITH THE CONTRACT WORK. THE CONTRACTOR SHALL REPLACE OR REPAIR AS DIRECTED BY THE OWNER ALL SUCH DAMAGED OR DEFECTIVE MATERIALS WHICH APPEAR WITHIN A PERIOD OF ONE YEAR FROM THE DATE OF SUBSTANTIAL COMPLETION.
20. ALL WORK PERFORMED BY THE GENERAL CONTRACTOR AND/OR TRADE SUBCONTRACTOR SHALL CONFORM TO THE REQUIREMENTS OF LOCAL, STATE OR FEDERAL LAWS, AS WELL AS ANY OTHER GOVERNING REQUIREMENTS, WHETHER OR NOT SPECIFIED ON THE DRAWINGS.
21. WHERE THE TERMS "APPROVED EQUAL", "OTHER APPROVED", "EQUAL TO", "ACCEPTABLE" OR OTHER GENERAL QUALIFYING TERMS ARE USED IN THESE NOTES, IT SHALL BE UNDERSTOOD THAT REFERENCE IS MADE TO THE RULING AND JUDGMENT OF THE OWNER.
22. THE GENERAL CONTRACTOR SHALL PROVIDE ALL NECESSARY PROTECTION FOR THE WORK UNTIL TURNED OVER TO THE OWNER.
23. THE GENERAL CONTRACTOR SHALL MAINTAIN A CURRENT AND COMPLETE SET OF CONSTRUCTION DRAWINGS ON SITE DURING ALL PHASES OF CONSTRUCTION FOR USE OF ALL TRADES.
24. THE CONTRACTOR SHALL TAKE FULL RESPONSIBILITY FOR ANY CHANGES AND DEVIATION OF APPROVED PLANS NOT AUTHORIZED BY THE ARCHITECT/ENGINEER AND/OR CLIENT/OWNER.
25. DETAILS ARE INTENDED TO SHOW END RESULT OF DESIGN. ANY MODIFICATION TO SUIT FIELD DIMENSION AND CONDITION SHALL BE SUBMITTED TO THE ENGINEER FOR REVIEW AND APPROVAL PRIOR TO ANY WORK.
26. BEFORE THE FINAL ACCEPTANCE OF THE PROJECT, THE CONTRACTOR SHALL REMOVE ALL EQUIPMENT AND MATERIALS, REPAIR OR REPLACE PRIVATE OR PUBLIC PROPERTY WHICH MAY HAVE BEEN DAMAGED OR DESTROYED DURING CONSTRUCTION, CLEAN THE AREAS WITHIN AND ADJACENT TO THE PROJECT WHICH HAVE BEEN OBSTRUCTED BY HIS/HER OPERATIONS, AND LEAVE THE PROJECT AREA NEAT AND PRESENTABLE.
27. ALL SUBSURFACE UTILITY LINES SHOWN HEREON ARE BASED SOLELY ON PLAN REFERENCE A AND AVAILABLE GIS DATA. THE CONTRACTOR SHALL PERFORM TEST PITS AS IDENTIFIED ON SHEET PRIOR TO ANY CONSTRUCTION, EXCAVATION, TEST BORING, DRILLING, ETC. DIG SAFE MUST BE NOTIFIED AND A SITE IDENTIFICATION NUMBER ALONG WITH A SAFE TO DIG DATE OBTAINED. THE SITE CONTRACTOR SHALL BE RESPONSIBLE FOR FIELD VERIFYING THE LOCATION, DEPTH AND MATERIAL OF ALL SUBSURFACE UTILITY LINES SHOWN HEREON AND ANY AND ALL OTHERS LOCATED ON SITE WITHIN THE CONSTRUCTION AREA.

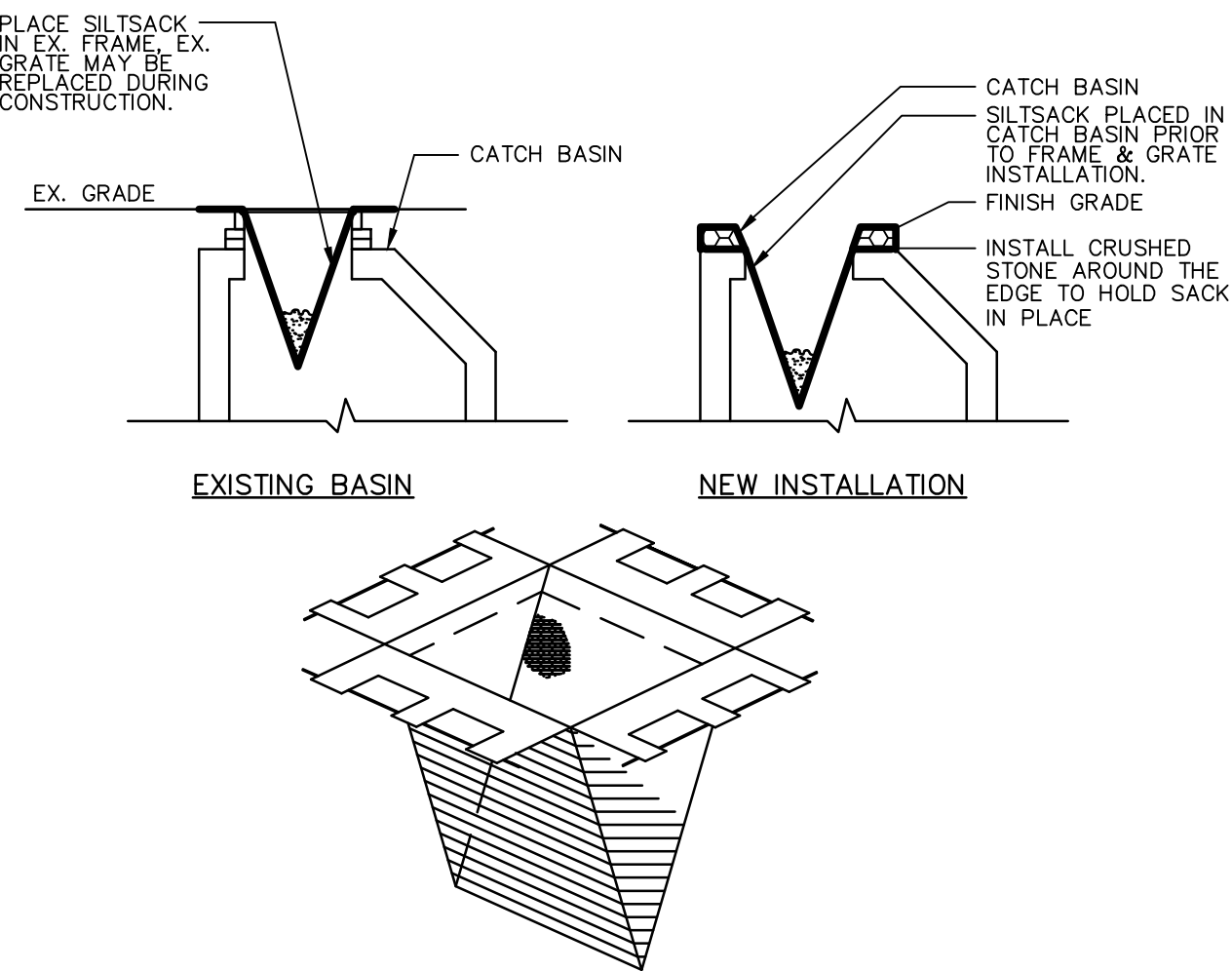


INSTALLATION NOTES:

1. EXCAVATE A 6"x 6" TRENCH ALONG THE LINE OF PLACEMENT FOR THE FILTER BARRIER.
2. UNROLL A SECTION AT A TIME AND POSITION THE POSTS AGAINST THE BACK (DOWNSTREAM) WALL OF THE TRENCH.
3. DRIVE POSTS INTO THE GROUND UNTIL APPROXIMATELY 2" OF FABRIC IS LYING ON THE TRENCH BOTTOM.
4. LAY THE TOE-IN FLAP OF FABRIC ONTO THE UNDISTURBED BOTTOM OF THE TRENCH, BACKFILL THE TRENCH AND TAMP THE SOIL. TOE-IN CAN ALSO BE ACCOMPLISHED BY LAYING THE FABRIC FLAP ON UNDISTURBED GROUND AND PILING AND TAMPING FILL AT THE BASE, BUT MUST BE ACCOMPANIED BY AN INTERCEPTION DITCH.
5. JOIN SECTION AS SHOWN ABOVE.
6. BARRIER SHALL BE MIRAFI SILT FENCE OR EQUAL.

FILTER BARRIER

NOT TO SCALE



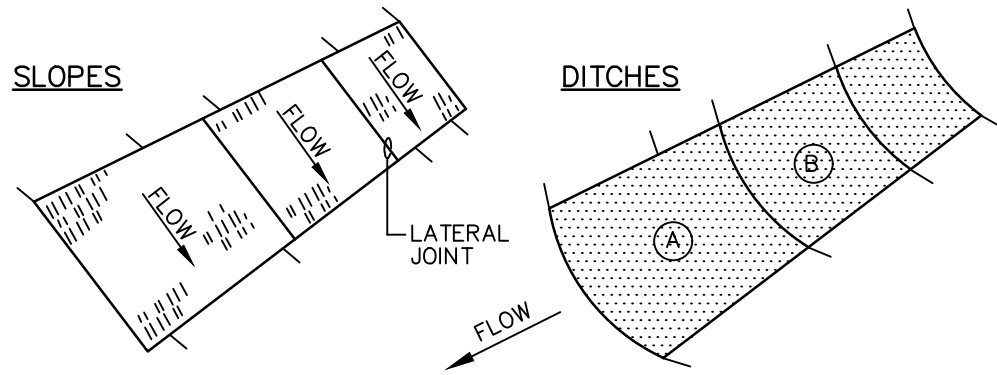
SILT SACK PROTECTION

NOTES:

PRIOR TO FINAL GRADING AND PAVING OPERATIONS BEGIN A CATCH BASIN INSERT (SUCH AS A SILT SACK OR A DANDY BAG. IT) MUST BE INSTALLED IN EACH BASIN PER MANUFACTURER'S INSTRUCTIONS. HAY BALES SHOULD BE REMOVED ONCE INSERTS ARE INSTALLED.

CATCH BASIN PROTECTION DETAIL (FOR PAVED AREAS)

NOT TO SCALE

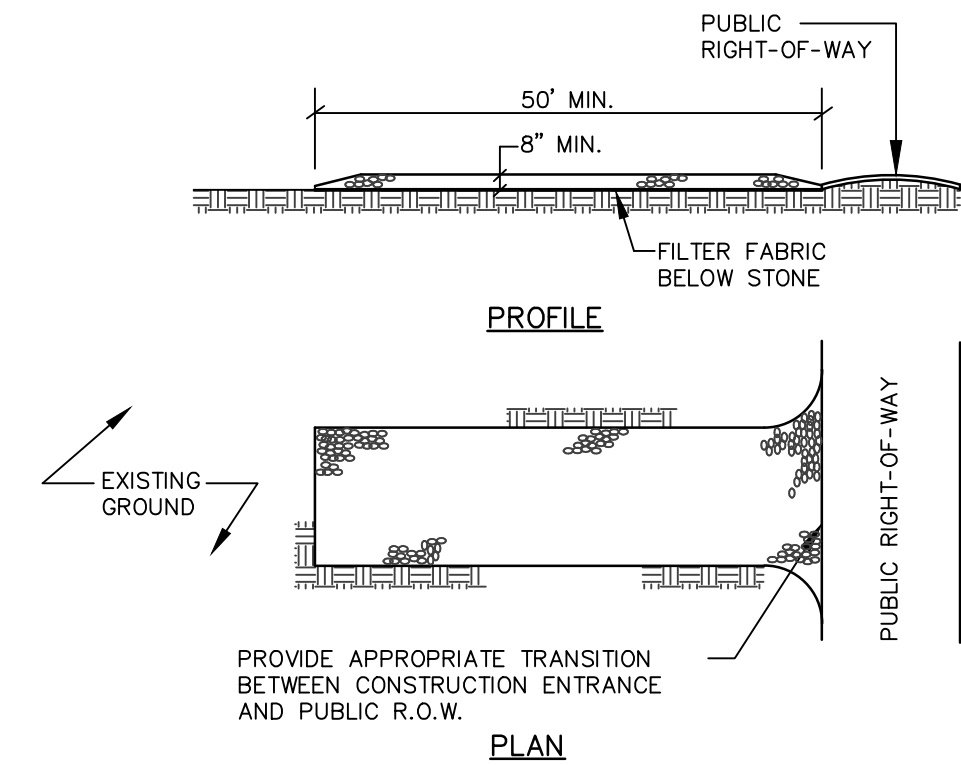


NOTES:

1. BURY THE TOP END OF THE MESH MATERIAL IN A 6" TRENCH AND BACKFILL AND TAMP TRENCHING SECURE END WITH STAPLES AT 6" SPACING, 4" DOWN FROM EXPOSED END.
2. FLOW DIRECTION JOINTS TO HAVE UPPER END OF LOWER STRIP BURIED WITH UPPER LAYERS OVERLAPPED 4" AND STAPLED. OVERLAP B OVER A.
3. LATERAL JOINTS TO HAVE 4" OVERLAP OF STRIPS. STAPLE 18" ON CENTER.
4. STAPLE OUTSIDE LATERAL EDGE 2' ON CENTER.
5. WIRE STAPLES TO BE MIN. OF # 11 WIRE 6" LONG AND 1-1/2" WIDE.
6. USE NORTH AMERICAN GREEN DS 150 OR APPROVED EQUAL.

EROSION CONTROL BLANKET

NOT TO SCALE

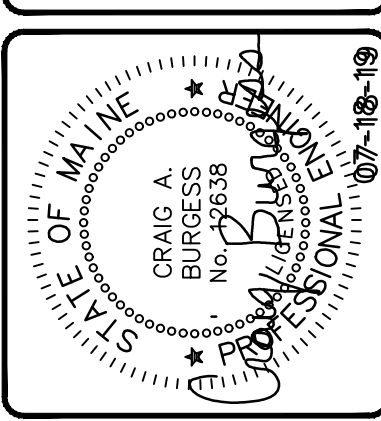
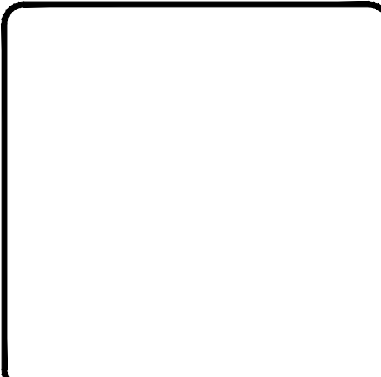


NOTES:

1. STONE SIZE- AASHTO DESIGNATION M43, SIZE NO. 2 (2 1/2" TO 1 1/2"). USE CRUSHED STONE.
2. LENGTH- AS SHOWN ON PLANS, MIN. 50 FEET.
3. THICKNESS- NOT LESS THAN EIGHT (8) INCHES.
4. WIDTH- NOT LESS THAN FULL WIDTH OF ALL POINT OF INGRESS OR EGRESS.
5. MAINTENANCE- THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS DEMAND AND REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHT-OF-WAY MUST BE REMOVED IMMEDIATELY.

STABILIZED CONSTRUCTION EXIT

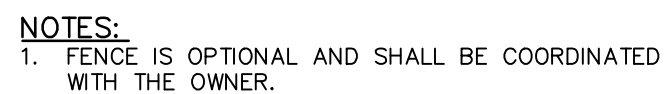
NOT TO SCALE



DESIGNED	CHECKED
CRM	CAB
B CAB 07-18-19 REVISED PER CITY COMMENTS & RESSUED	
A CAB 02-25-19 SUBMITTED FOR CITY REVIEW AND APPROVAL	
REVIEW BY: DATE: STATUS:	STATUS: DATE: STATUS:
WWW.SEAGOTECHNICS.COM	
75 John Roberts Rd.	
Suite 4A	
South Portland, ME 04106	
Tel: 207-220-2100	



DETAILS	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.	SCALE
18519	N.T.S.
SHEET 6 OF 8	



DUMPSTER ENCLOSURE DETAIL

NOT TO SCALE



1. REFER TO DETAILS FOR PAVEMENT AND CONCRETE.
2. PROVIDE FULL DEPTH EXCAVATION OF FROST SUSCEPTIBLE MATERIALS AND SUBSEQUENT REPLACEMENT WITH A NON-FROST SUSCEPTIBLE COMPACTED STRUCTURAL FILL. STRUCTURAL FILL DEPTH SHALL BE MIN. 4.5' FROM FINISHED GRADE.

PAVEMENT SECTION @ BUILDING

NOT TO SCALE



1. COMPACT GRAVEL SUBBASE AND BASE COURSES TO 95% OF MAXIMUM DENSITY USING HEAVY ROLLER COMPACTION.
2. HOT MIX ASPHALT SURFACE COARSE SHALL BE COMPACTED TO 95% OF ITS THEORETICAL MAXIMUM DENSITY (ASTM D-2041). BASE COARSE SHALL BE COMPACTED TO 95% $\pm$ 2.5% OF ITS THEORETICAL MAXIMUM DENSITY (ASTM D-2041).
3. APPLY TACK COAT BETWEEN SUCCESSIVE LAYS OF BITUMINOUS PAVEMENT.
4. CONTRACTOR SHALL SET GRADE STAKES MARKING SUBBASE AND FINISH GRADE ELEVATIONS FOR CONSTRUCTION REFERENCE.
5. PAVEMENT REPAIR AND/ OR REPLACEMENT SHALL MATCH EXISTING PAVEMENT AND GRAVEL AGGREGATE DEPTHS.
6. MILL AND OVERLAY PAVEMENT WHERE APPLICABLE.

TYPICAL PAVEMENT SECTION

NOT TO SCALE



1. COMPACT GRAVEL SUBBASE AND BASE COURSES TO 95% OF MAXIMUM DENSITY USING HEAVY ROLLER COMPACTION.
2. HOT MIX ASPHALT SURFACE COARSE SHALL BE COMPACTED TO 95% OF ITS THEORETICAL MAXIMUM DENSITY (ASTM D-2041). BASE COARSE SHALL BE COMPACTED TO 95% $\pm$ 2.5% OF ITS THEORETICAL MAXIMUM DENSITY (ASTM D-2041).
3. APPLY TACK COAT BETWEEN SUCCESSIVE LIFTS OF BITUMINOUS PAVEMENT.
4. CONTRACTOR SHALL SET GRADE STAKES MARKING SUBBASE AND FINISH GRADE ELEVATIONS FOR CONSTRUCTION REFERENCE.

PEDESTRIAN (WALKWAY) PAVING

NOT TO SCALE



1. BIKE RACK SHALL EQUAL DERO BIKE HITCH AS MANUFACTURED BY DERO BIKE RACKS. INSTALL BIKE RACKS AS RECOMMENDED BY THE MANUFACTURER.
2. INSTALL BIKE RACKS MINIMUM OF 36" FROM ANY BUILDING ENTRYWAY AND 24" FROM SIDE OF BUILDING.

BICYCLE RACK

NOT TO SCALE



- INSTALL STAKES AND GUYS TO TREES IF THE FOLLOWING APPLY:
1. THE TREE IS OF SUBSTANTIAL SIZE.
 2. THE PLANTING LOCATION IS EXTREMELY WINDY, AS ON OPEN UNDEVELOPED SITES.
 3. THE PLANTING LOCATION IS COMPRISED OF SAND OR OTHER LOOSE TEXTURED SOILS.
 4. IF STAKES AND GUYS ARE REQUIRED, REMOVE AFTER ONE YEAR TIME.

TREE PLANTING DETAIL

NOT TO SCALE



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 PRIOR TO ANY CONSTRUCTION OR GRADING OPERATIONS. THE LANDSCAPE CONTRACTOR SHALL REPLACE OR REPAIR UTILITIES, PAVING, WALKS, ETC. DURING ANY PERIOD OF CONSTRUCTION. THIS JOB AT NO ADDITIONAL COST TO THE OWNER. |
| 2. | SIZE AND GRADING STANDARDS OF PLANT MATERIAL SHALL CONFORM TO THE LATEST EDITION OF "U.S.A. STANDARD FOR NURSERY STOCK," BY THE AMERICAN ASSOCIATION OF NURSERYMEN, ETC. ALL PLANT MATERIAL SHALL BE FREE FROM INSECTS 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 CONTRACTOR SHALL OBTAIN A LOAN FOR ALL AREAS TO BE SODED OR SEEDED. PLANTING AREAS SHALL RECEIVE 12" ROUGH THICKNESS OF LOAM. THE LANDSCAPE CONTRACTOR SHALL FURNISH SUFFICIENT SUBSTRATE PREPARATION TO THE GENERAL CONTRACTOR PRIOR TO PLACING LOAM. ANY DEVIATION FROM THE LANDSCAPE PLANTING PLAN SHALL BE SUBJECT TO THE SIZE QUANTITY OR CONDITION SHALL BE REVIEWED AND APPROVED BY THE OWNER AND LANDSCAPE ARCHITECT (AND MUNICIPAL AUTHORITY, IF APPLICABLE) PRIOR TO INSTALLATION. |
| 4. | PLANTING SHALL INCLUDE ALL PLANT BED AND TREE PIT PREPARATION, PRUNING, STAKING OR GUYING, WRAPPING, SPRAYING, FERTILIZATION, PLANTING, AND MAINTENANCE UNTIL ACCEPTANCE BY THE OWNER. PLANT MATERIAL SHALL BE GUARANTEED FOR A PERIOD OF ONE YEAR BY THE CONTRACTOR AND A PERIOD OF TWO YEARS BY THE LANDSCAPE CONTRACTOR FROM DATE OF INSTALLATION. DURING THE ONE YEAR GUARANTEE PERIOD, DEAD PLANT MATERIAL SHALL BE REPLACED AT THE DISCRETION OF THE OWNER. AT THE END OF THE ONE YEAR PERIOD, THE CONTRACTOR SHALL OBTAIN FINAL ACCEPTANCE FROM THE OWNER. | 11. | WHERE INDICATED ON PLAN, PLANTING SOIL MIXTURE FOR PERENNIAL AND ANNUAL FLOWER BED AREAS SHALL CONSIST OF FOUR PARTS TOPSOIL, TWO PARTS SPHAGNUM MOSS, 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. |
| 5. | EXPOSED REEFS TO BE PRESERVED WILL BE PROTECTED DURING CONSTRUCTION AND SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR. | 12. | |

[illegible]

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Suite 4A
South Portland, ME 04106
Tel. 207-200-2100

DETAILS

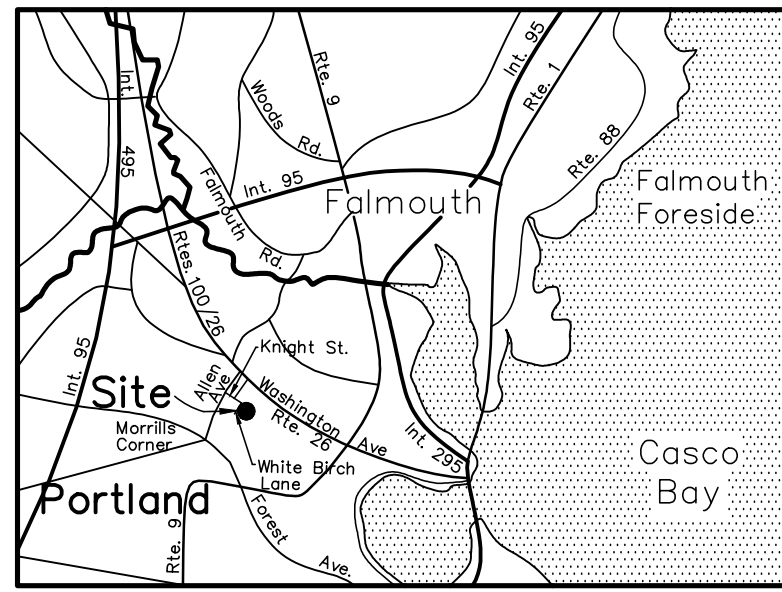
OF: WHITE BIRCH LANE APARTMENT
6 WHITE BIRCH LANE
PORTLAND, MAINE

FOR:
KING REAL ESTATE

198 SACO AVENUE
QID ORCHARD BEACH, MAINE 04064

PROJECT NO.	SCALE
18519	N.T.S.

SHEET 8 OF 8



LOCATION MAP
SCALE: 1" = 2 MILES

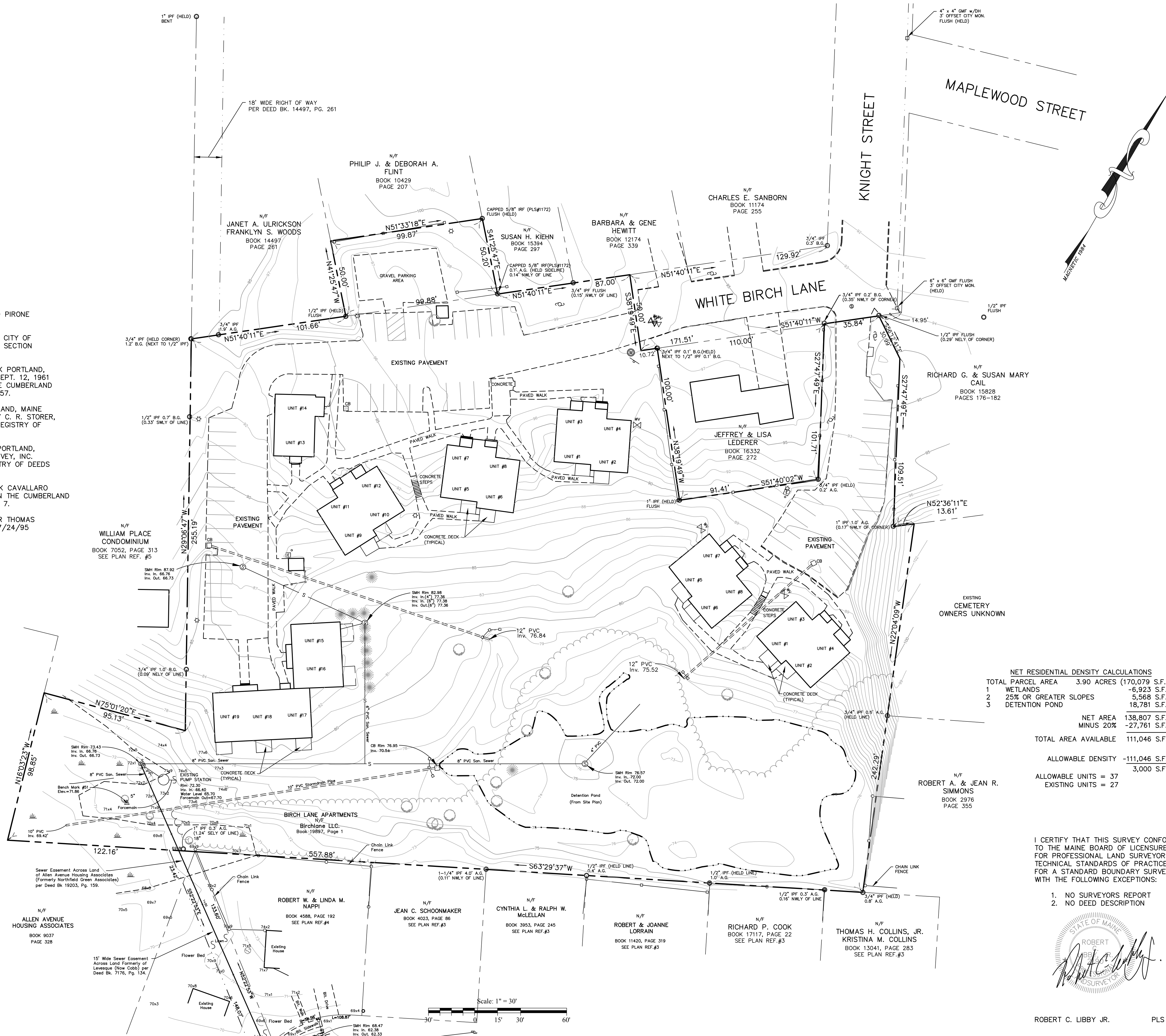
PLAN REFERENCES:

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	LEGEND	DESCRIPTION
GMF	GRANITE MONUMENT FOUND	
IPF/IRF	IRON PIPE/IRON ROD FOUND	
IRS	5/8" IRON ROD W/ CAP TO BE SET	
UTL	UTILITY POLE	
ET	ELECTRIC TRANSFORMER	
DT	DECIDUOUS TREE	
CT	CONIFEROUS TREE	
STOCKADE FENCE	STOCKADE FENCE	
PROPERTY LINE	PROPERTY LINE	
EASEMENT LINE	EASEMENT LINE	
EDGE PAVEMENT	EDGE PAVEMENT	
LP	LIGHT POST	
SM	SEWER MANHOLE	
WV	WATER VALVE	
CB	CATCH BASIN	
AB	ABOVE GROUND	
N/F	NOW OR FORMERLY	
MW	MAPPED WETLAND (MAY 2008)	
SLOPES GREATER THAN 25%	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

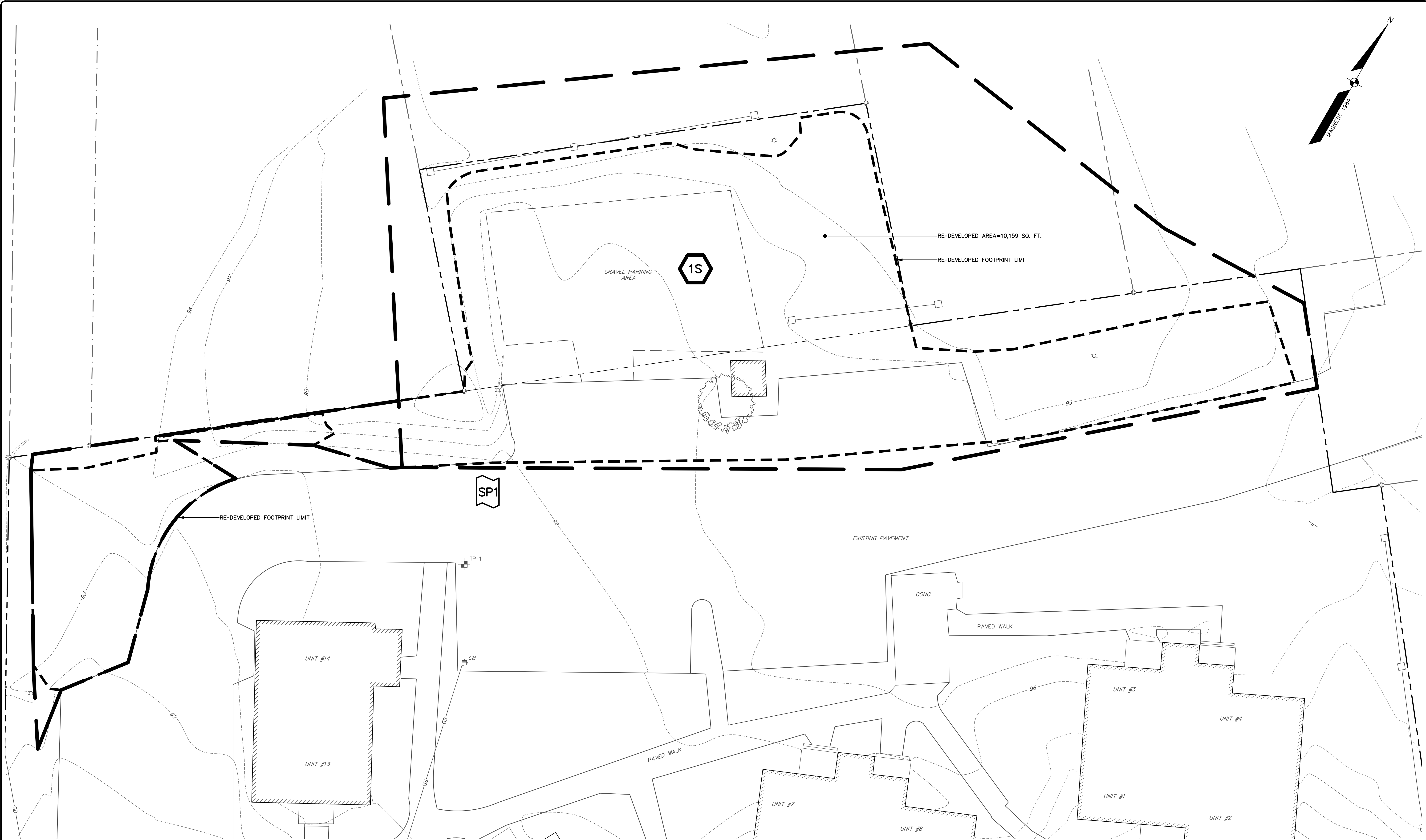
FOR
Birch Lane L.L.C.
198 Saco Avenue
Old Orchard Beach, Maine 04064

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

REPRODUCTION OR REUSE OF THIS DOCUMENT WITHOUT THE EXPRESSED WRITTEN CONSENT OF BH2M INC. IS PROHIBITED



LEGEND

B

C

WATERSHED BOUNDARY

TIME OF CONCENTRATION

REACH

1

WATERSHED LABEL

1

REACH

1

DETENTION POND

SOILS BOUNDARY

1

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 LAMOINE, HYDROLOGIC GROUP D SOIL TYPE AND BUXTON, HYDROLOGIC GROUP D SOIL TYPE.

CRAIG A. BURGESS, PE 12638

DESIGNED

CRM

CHECKED

CAB

REVISIONS

REV	BY	DATE	STATUS
B	CAB	07-18-19	REVISED PER CITY COMMENTS & REISSUED
A	CAB	02-25-19	SUBMITTED FOR CITY REVIEW AND APPROVAL

REVIEWED BY: DATE: STATUS: AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SEBAGO TECHINCS, INC.

SEBAGO

TECHNICS

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75 John Roberts Rd.
Suite 4A
South Portland, ME 04106
Tel: 207-220-2100

PRE-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.

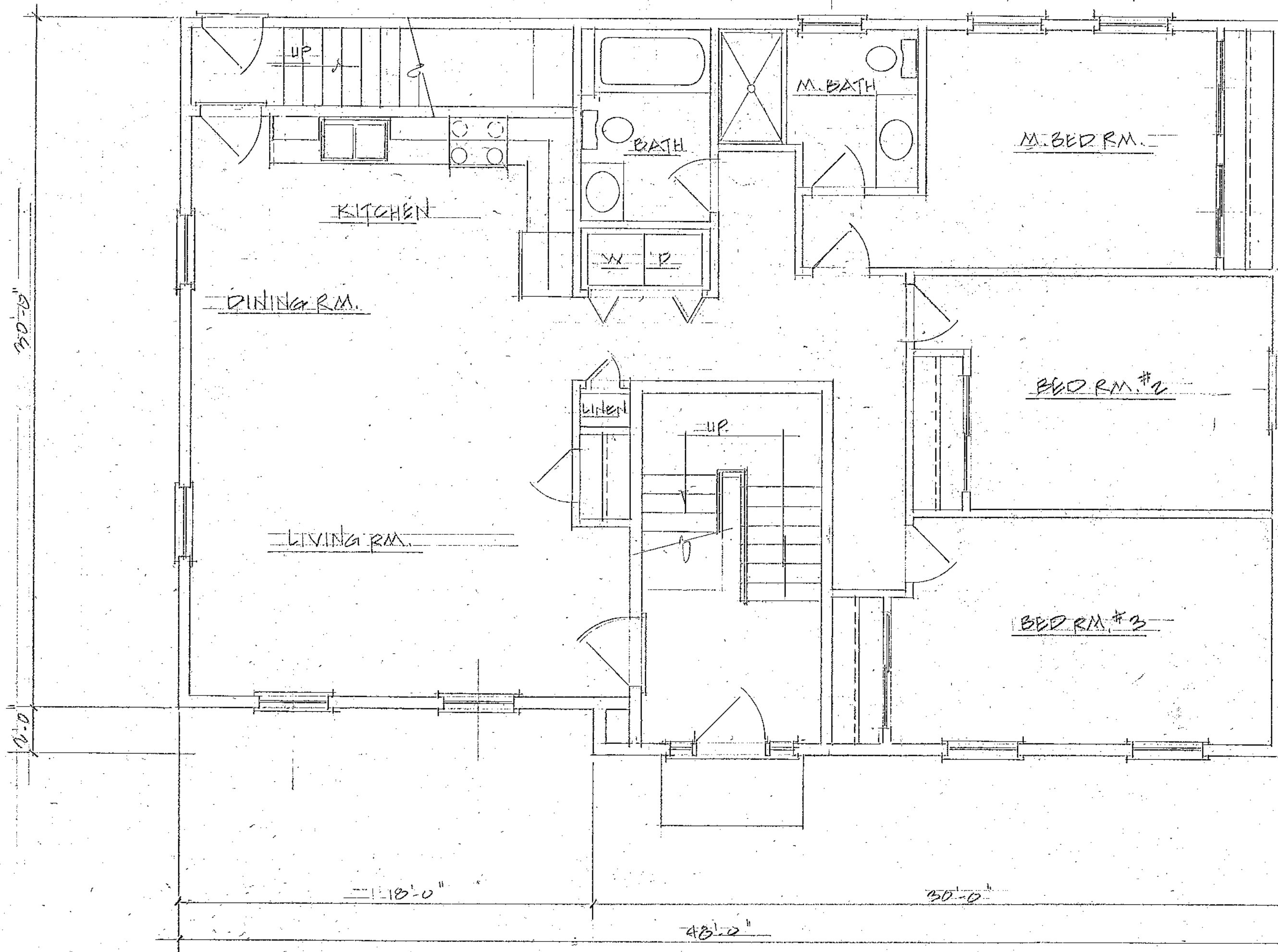
18519

SCALE

1"=10'

SHEET 1 OF 2

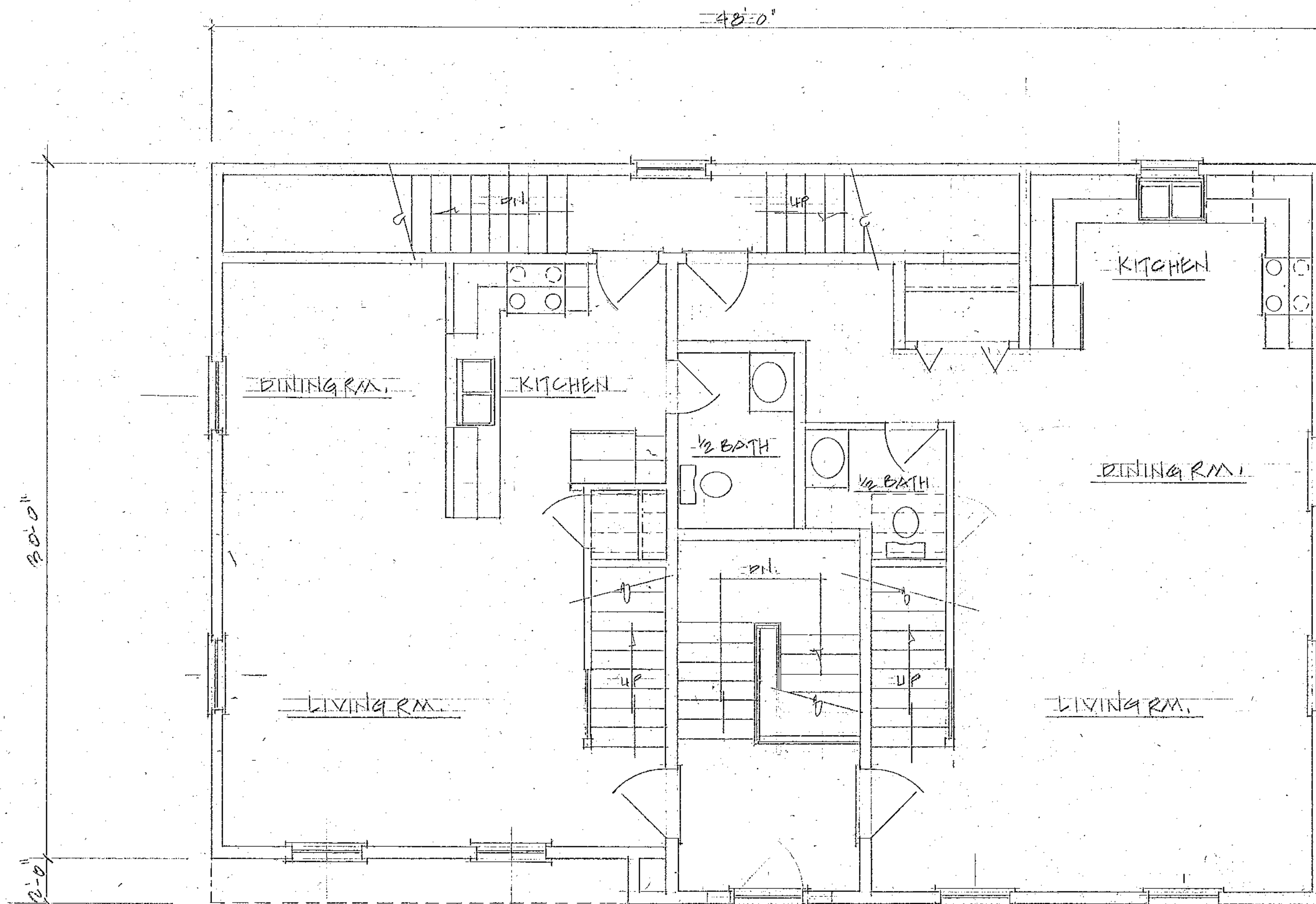
18519 SWP.dwg TAB:PRE



FIRST FL. PLAN

1/4" = 1'-0"

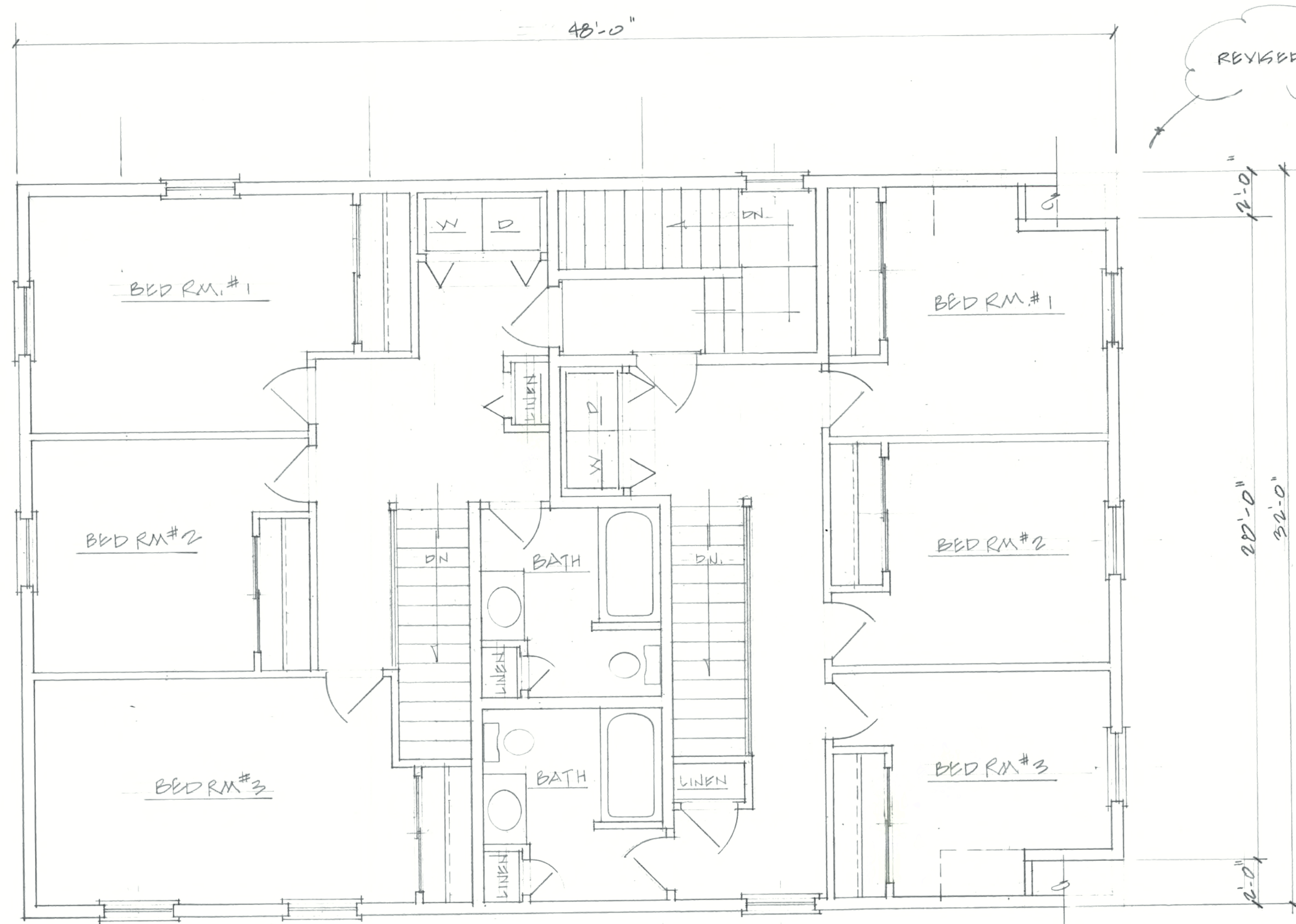
KING REAL ESTATE		
SCALE: 1/4" = 1'-0"	APPROVED BY:	DRAWN BY: RJP
DATE: 11-18-19		REVISED
WHITE BIRCH PORTLAND, ME		
FIRST FL. PLAN		DRAWING NUMBER 2 of 4



SECOND FL. PLAN

1/4" = 1'-0"

KING REAL ESTATE		
SCALE: 1/4" = 1'-0"	APPROVED BY:	DRAWN BY: RJP
DATE: 11-18-19		REVISED
WHITE BIRCH		
PORTLAND, ME.		
SECOND FL. PLAN		DRAWING NUMBER
		3 of 4



THIRD FL. PLAN
1/4" = 1'-0"

KING REAL ESTATE		
SCALE: 1/4" = 1'-0"	APPROVED BY:	DRAWN BY RIP
DATE: 11-10-19		REVISED
WHITE BIRCH PORTLAND ME.		
THIRD FL. PLAN		DRAWING NUMBER 4 of 4



KING REAL ESTATE		
SCALE: 1/4" = 1'-0"	APPROVED BY:	DRAWN BY RJP
DATE: 11-18-19		REVISED
WHITE BIRCH		
PORTLAND, ME.		
FRONT ELEVATION		DRAWING NUMBER
		1 of 4

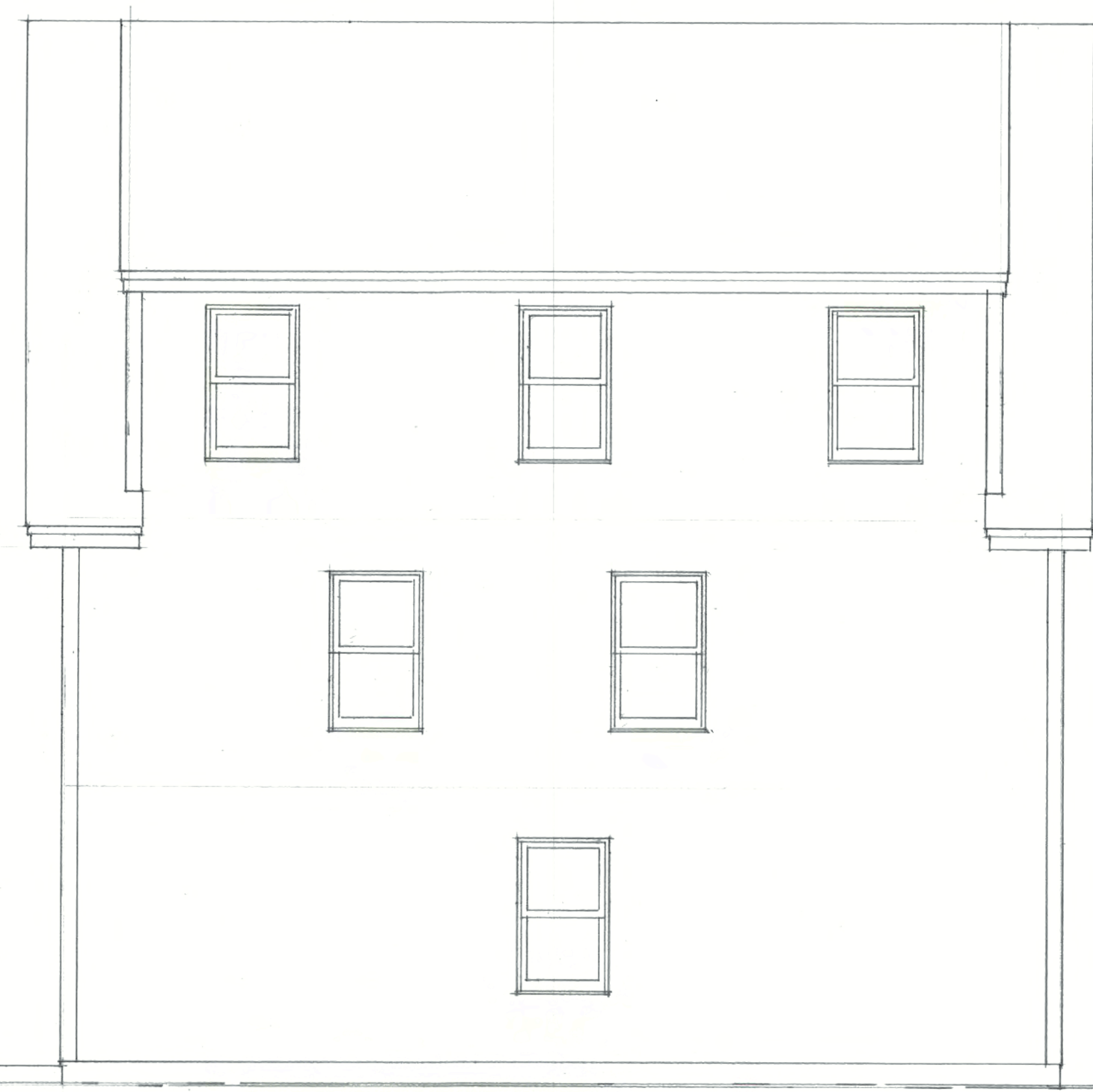


REAR ELEVATION

KING REAL ESTATE		
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DATE: 12-10-19		REVISED
WHITE BIRCH PORTLAND, ME.		
REAR ELEVATION		DRAWING NUMBER



LEFT SIDE ELEV.



RIGHT SIDE ELEV.

KING REAL ESTATE		
SCALE: 1/4" = 1'-0"	APPROVED BY:	DRAWN BY: RJP
DATE: 12-5-19		REVISED
WHITE BIRCH PORTLAND, ME		
L & R ELEVATIONS		DRAWING NUMBER



PLANNING BOARD REPORT PORTLAND, MAINE

Recommendation of Historic Preservation Board to Designate Munjoy Hill Historic District

Submitted to: Portland Planning Board Public Hearing Date: March 10, 2020	Prepared by: Deborah Andrews, Historic Preservation Program Mngr. Date: March 4, 2020
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I. INTRODUCTION

The Planning Board will hold a public hearing and final deliberations on a recommendation by the Historic Preservation Board to designate an area within the Munjoy Hill neighborhood (see map on following page) as a local historic district subject to the provisions of Article IX (Historic Preservation) of the Land Use Code. The Planning Board's role in this matter is to determine whether the nominated Munjoy Hill Historic District meets applicable designation criteria in Division 3 of the historic preservation ordinance, specifically the criteria identified in Sec. 14-610 (a) and (b). Additionally, the Planning Board shall consider the effect of such designation on other aspects of the Comprehensive Plan. Based on its findings, the Planning Board will vote on a recommendation to the City Council for a decision regarding the proposed designation.

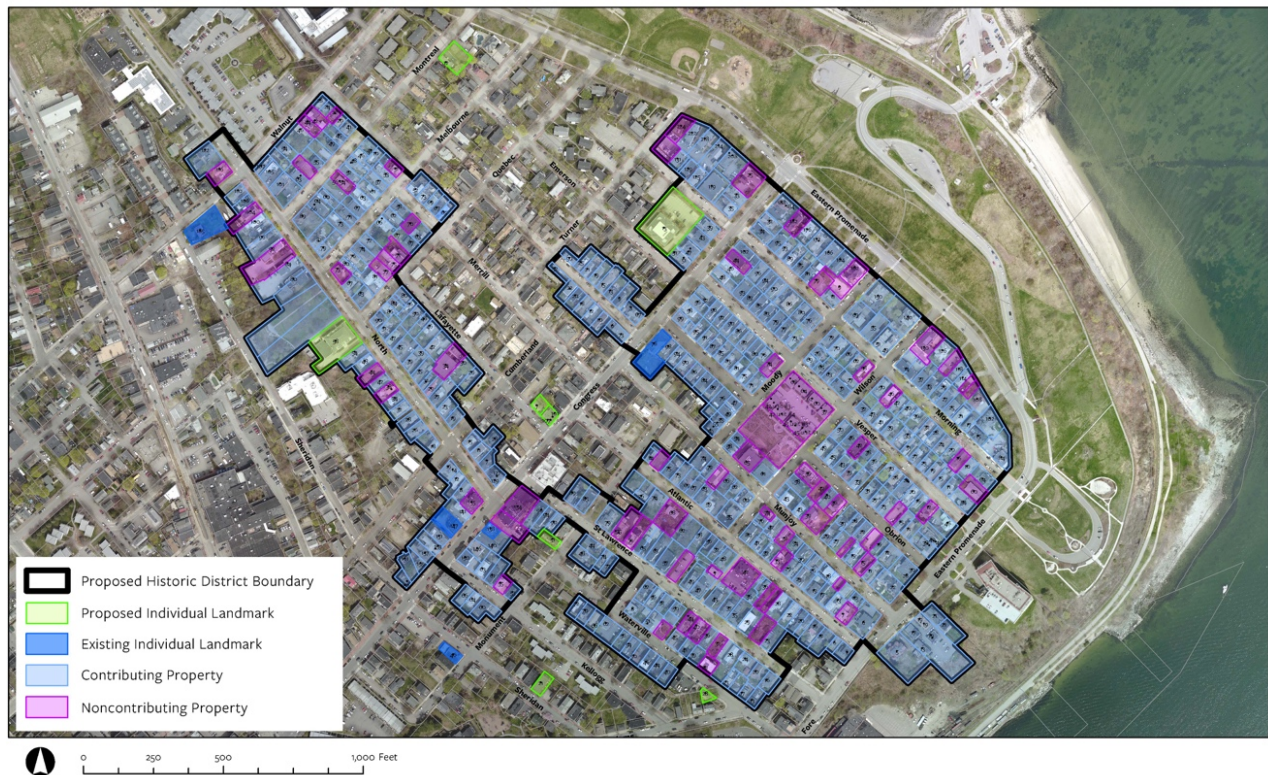
The Historic Preservation Board's formal historic district recommendation is accompanied by the following supporting documents, as required under Sec. 14-617 of the historic preservation ordinance:

- Historic Context Statement describing the development history of Munjoy Hill and its place in the history of Portland, the architectural and cultural significance of the proposed district, a description of predominant architectural styles and a description of the district's visual character. (ATTACHMENT 2)
- Map showing the proposed district boundary, with every property within it color-coded to indicate its preservation classification (Landmark, Contributing, Non-Contributing). (ATTACHMENT 1)
- List of every property within the proposed district, with its classification. (The proposed district encompasses 427 properties.) (ATTACHMENT 3)
- Historic Resources Inventory including a description of every structure in the proposed district together with its date of construction and assigned classification. Each inventory

form includes a current and 1924 view of the building (where available), an architectural description of the building and a summary of alterations since its documentation in 1924. (Sample inventory forms enclosed as ATTACHMENT 4. The full building inventory is available here: <https://www.portlandmaine.gov/2451/Munjoy-Hill-Historic-District>

Proposed Munjoy Hill Historic District and Individual Landmark Designations

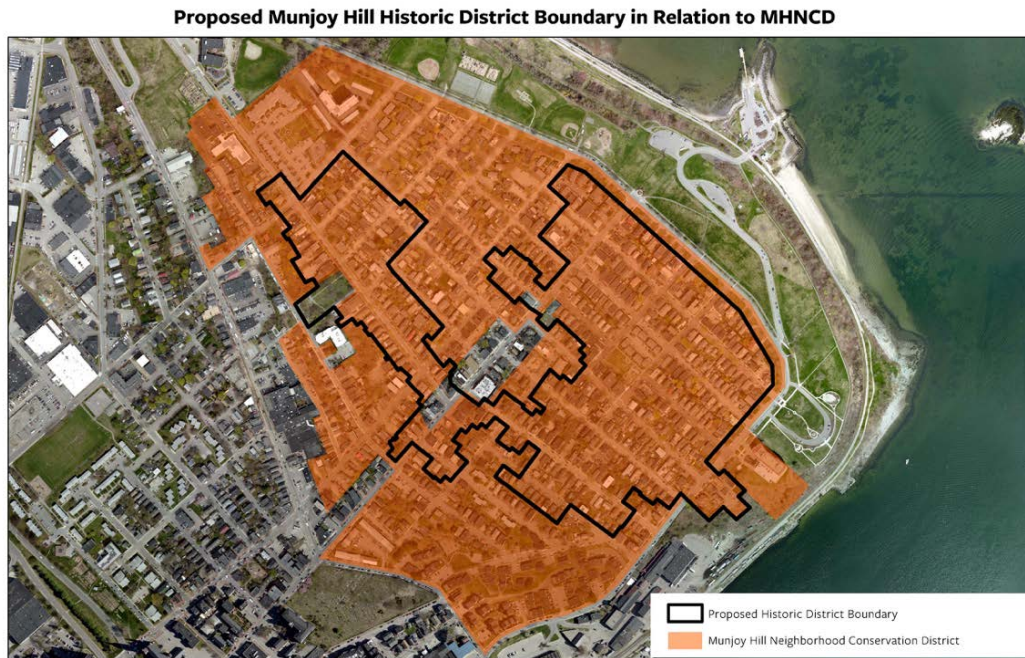
Per Historic Preservation Board Recommendation



The appearance of the final district map shown above differs somewhat from the maps provided for preliminary workshops, though substantively, the district boundary and major parcel classifications remain unchanged. Distinctions between types of noncontributing parcels have been consolidated into a *single category* of noncontributing. Previous versions of the map were presented during workshops to provide a more detailed breakdown of noncontributing properties: buildings of recent construction, buildings that had lost integrity due to extensive alteration, and undeveloped parcels. (See ATTACHMENT 5.) The final map reflects how parcels will be represented in final documentation. It should also be noted that some parcels within the district include more than one building. If the principal building on site is contributing, but a second building (typically a secondary structure) on the parcel is noncontributing, the parcel is classified as contributing and the noncontributing status of the second building is noted in the *Munjoy Hill Historic District Building Inventory*.

The proposed district is comprised of 427 parcels within the larger Munjoy Hill neighborhood, representing approximately 49% of the Hill's building stock. Most of the properties are located

within the R-6 residential zone, however the proposed district includes ten buildings within the neighborhood's B-1 or B-1b business zones. (Two of the ten buildings are previously-designated Landmarks.) Eighty-eight percent of the parcels (376) within the proposed district are classified as “contributing”, and twelve percent (51 parcels) are classified as “noncontributing”. Below is a map showing the boundaries of the proposed historic district in relation to the overall area of Munjoy Hill’s R-6 zone.



The Historic Preservation Board has also recommended that six historic structures outside the boundaries of the proposed district be designated as individual Landmarks under the provisions of the preservation ordinance. These include 103 Congress, 7 Lafayette, 12 Montreal, 51 Monument, 21 Sheridan and 28 Waterville Street and are identified on the district map. Unlike recommendations for district designations, however, recommendations for individual landmark designations are forwarded directly to the City Council for consideration, per the provisions of Portland’s historic preservation ordinance.

II. PLANNING BOARD PROCESS TO DATE

The Planning Board has held two preliminary workshops on the proposed historic district designation. On December 10th, Historic Preservation Board Chair Julia Sheridan presented the Historic Preservation Board’s formal recommendation, described the Board’s review process and the basis for their recommendation. Following Ms. Sheridan’s introduction, staff made a detailed presentation, summarizing information included in the staff report. Topics included:

- Role of the Planning Board in the review of historic district nominations
- Context of designation initiative—what prompted this evaluation?
- Requirements of historic preservation ordinance in considering a potential historic district

- Summary of documentation and preliminary analysis, including detailed architectural survey, research and documentation of Munjoy Hill's development history, identification of area's "period of significance", etc.
- Delineation of the district's boundary--factors considered, input from consultant
- Summary of Historic Preservation Board review process
- Explanation of the historic preservation ordinance's designation criteria
- Findings of the Historic Preservation Board and basis for district recommendation
- Analysis of proposed designation in relation to other Comprehensive Plan goals, including Housing and Sustainability
- Relationship of proposed historic district designation to existing MHNCD measures

For a detailed discussion on each of these topics, the December 10, 2019 staff report can be accessed here: <https://portlandme.civicclerk.com/Web/Player.aspx?id=571&key=-1&mod=-1&mk=-1&nov=0>

At the request of the Planning Board, a second workshop was held on February 11th to address questions raised by members of the Board and public during the initial review session and to provide additional information and data to aid in the Board's deliberations. As requested, staff reviewed all of the public comment received to date and attempted to address in the staff report the major themes and issues identified in the compilation of Board and public comment. A second analysis of the relationship of district designation to the goals of the Comprehensive Plan was prepared by Planning & Urban Development Director, Christine Grimando.

In addition to the Comp Plan analysis, the second workshop provided information on the following topics:

- Construction and demolition trends on Munjoy Hill. Data was provided for the period between adoption of R-6 zoning amendments in 2015 and the start of the Munjoy Hill moratorium and also from passage of the MHNCD to present.
- Reports, studies and articles consulted regarding the impact of historic districts on housing, property values, taxes, maintenance costs, etc.
- Comparison of existing MHNCD regulations and historic preservation ordinance regulations
- Interaction of the two sets of regulations, should a Munjoy Hill Historic District be established
- Interaction of historic preservation regulations with other code and life safety regulations
- Clarification regarding determination of a historic district's "period of significance". The period of significance for other historic districts in Portland was also provided.
- Availability of state and federal historic tax credits for the rehabilitation of income-producing properties
- Time implications for historic preservation review--in relation to building permit and site plan review

- Process for revisiting or amending historic districts once established
- Effect of site plan ordinance's "100-foot rule" on buildings outside the proposed district boundary
- Effect of historic district designation on opportunity to add additional dwelling units to existing contributing properties
- Impact of designation on existing tools for incentivizing affordable housing
- Effect of historic district designation on tax rate.
- Effect of historic designation on achieving sustainability goals
- Reiteration of purpose/intent of designating portion of Munjoy Hill as a historic district
- Case studies of recent new construction within existing historic districts

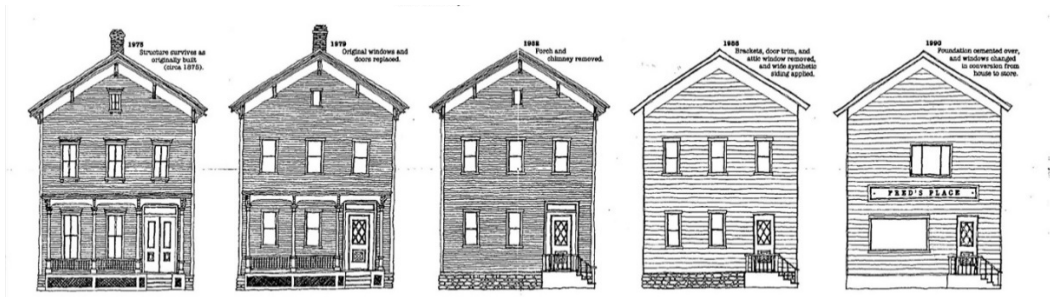
For a detailed discussion on each of these topics, the February 11, 2020 staff report can be accessed here: <https://portlandme.civicclerk.com/Web/Player.aspx?id=1207&key=-1&mod=-1&mk=-1&nov=0>

Staff presentations and other supporting materials for the full process can be found on the project webpage: <https://www.portlandmaine.gov/2451/Munjoy-Hill-Historic-District>

III. OUTSTANDING QUESTIONS

Previous memos and workshops have addressed questions presented in public comment, as well as questions raised by the Planning Board. Below is an overview of outstanding questions since the February workshop.

Given existing regulatory measures, why is designation of a Munjoy Hill historic district warranted? A question was raised as to why a historic district is necessary considering the zoning and design standards already in place, in particular the Munjoy Hill Neighborhood Conservation Overlay District (MHNCD). The existing MHNCD regulations, while appropriate and effective for portions of the Hill where the historic building fabric is more eclectic and/or fragmented, do not ensure that the 19th and early 20th century buildings that make up the neighborhood's identifiable historic character will be preserved over time. Under the MHNCD, demolition is delayed, but not prohibited and there is no review of alterations and additions to historic properties. There are numerous examples on Munjoy Hill and elsewhere where a major renovation project or addition has had the effect of dramatically altering or diminishing the character a historic building. Far less obvious, but of equal impact in the long run, are Incremental alterations that gradually rob a building. After a few rounds of such changes, it becomes difficult to see the value or potential of the structure. The image that follows, from a 1990 study *Vulnerable Vermont* that documented historic buildings in selected towns over a fifteen-year period, illustrates a common trend.



Historic district designation puts in place regulations that manage the full range of construction activities that affect the long-term stability and appeal of a traditional neighborhood—demolition, alterations, additions as well as new construction. Managing the full range of construction activities does not equate to preventing change. As was illustrated through a number of project case studies at the February 11 workshop, designation does not eliminate the possibility of creating new housing in a historic district, building to the maximum height allowed by zoning, increasing the number of units within existing structures, adding dormers and/or additions, introducing solar panels, building a clearly contemporary new structure, or any number of other changes to existing conditions. Designation puts in place a mechanism to review such changes to ensure that the overall historic character of the neighborhood is preserved and enhanced over time.

As noted elsewhere in this report, historic district designation has been proposed for a portion of Munjoy Hill, not the entire neighborhood. Historic designation is proposed only for the area exhibiting the strongest concentration of historic structures that retain a sufficient degree of integrity and therefore continue to convey the history of Munjoy Hill.

How is a district’s “period of significance” determined and why has the period 1850-1925 been selected as the proposed district’s period of significance?

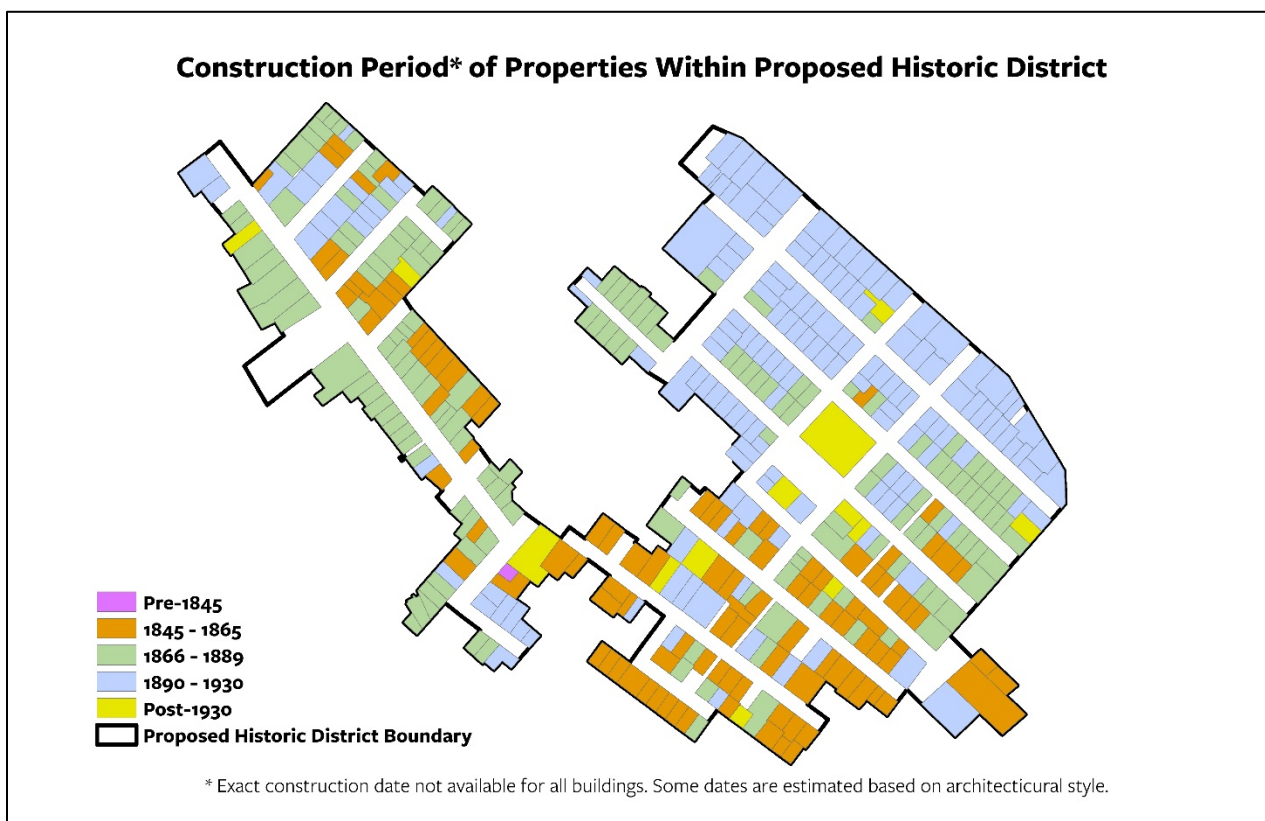
A historic district’s “period of significance” is identified by researching the buildings that populate a given area and determining the time frame within which the vast majority of extant buildings were constructed. In the case of Munjoy Hill, the neighborhood was largely developed between 1850 and 1925 to house middle-class and working-class residents and was spurred by a series of specific events and demographic trends. Until 1845, Munjoy Hill was largely undeveloped. It was the establishment of the Atlantic & St. Lawrence Railroad and related Portland Company at the base of Munjoy Hill that led to the first significant residential development on the south slope of the Hill. The founders of the railroad and Portland Company laid out several streets and city directories from 1850 into the twentieth century document that many of the residents of these streets and others on Munjoy Hill worked for one of these two entities.

While the Great Fire of 1866 barely reached the Hill, it greatly influenced the development of neighborhood, as 10,000 Portland residents were made homeless by the fire that destroyed the historic core of the city. Large areas of Munjoy Hill that had previously been open fields were

subdivided and built upon. Given the number of buildings constructed shortly after the Fire, the architectural character of the Hill is shaped in large part by the architectural styles that were popular during this particular period—the Italianate and Second Empire styles.

The next major impetus for development on the Hill was the influx of immigrants from southern and central Europe in the late nineteenth and early twentieth century. Triple deckers and apartment buildings were constructed in the areas not developed until this time period, such as Morning and Vesper streets. It was during this same period (1890-1920) that the larger, grander residential houses on the Eastern Promenade were built. Their late development reveals the fact that there was relatively little appreciation for scenic views prior to that period.

By 1925, the developed pattern of Munjoy Hill was in place and most of the neighborhood had been built out. Though there are buildings that represent other development periods, their numbers are relatively insignificant and they do not appear in sufficient concentration to affect the predominant character of the neighborhood.



As staff explained at the February 11 workshop, the period of significance varies widely from one district to another. In some districts, like Stroudwater or the Old Port, the period is relatively short because most of the extant buildings were constructed during a very finite period. The Congress Street Historic District, on the other hand, includes buildings from virtually every era of Portland's history.

Would it be possible to designate individual structures or create smaller districts in lieu of the current proposal?

Although it might be technically possible to limit historic designation on Munjoy Hill to a collection of individually-designated landmark structures, this approach was not pursued for a variety of reasons. First and foremost, Munjoy Hill derives its significance as a neighborhood, whose building fabric reflects not only key development periods in Portland's history but also a rich social/cultural history as a working-class neighborhood with strong associations to major Portland industries and events. Munjoy Hill is not noteworthy for individual structures that stand out as architectural or historical landmarks, but rather for its overall building fabric, scale, density, consistent pattern of development, and architectural/visual character. To select individual buildings for landmark designation would not capture what the proposed district seeks to preserve. On Munjoy Hill, as in most historic districts, the "whole is greater than the sum of its parts" and therefore designation of a contiguous area is considered the appropriate approach. The intent behind creating a historic district is to steward the area's building *fabric* and thereby preserve the neighborhood's overall sense of place.

Given the fact that there are few sharp transitions or visual breaks within the overall Munjoy Hill neighborhood that serve to distinguish one portion of the neighborhood from another, a reasonable argument could have been made for proposing a historic district that encompasses the entire Hill. That option was not pursued for a number of reasons. First and foremost, staff and consultants committed to delineating a historic district that was conservative, not overreaching and fully defensible under the criteria of the historic preservation ordinance. The blocks included within the proposed district represent the neighborhood's period of significance, are visually cohesive and include a high percentage of historic structures that retain their historic/architectural integrity. The blocks not included within the proposed district feature a more fractured development pattern or a higher percentage of buildings that have been significantly altered so as to lose their overall integrity. Notwithstanding the fact that a number of these blocks also include some well-preserved historic structures, the required "integrity test" was not met and they were not included in the district proposal. In staff's view, the provisions of the Munjoy Hill Neighborhood Conservation District are likely adequate and more appropriate for this portion of the Hill. As noted above, 51% of Munjoy Hill's building stock is outside the boundaries of the proposed historic district.

In the event the Planning Board were to favor designation of individual historic structures over historic district designation, the designation process would need to begin again. Selection criteria would need to be developed for choosing among a collection of very similar structures those to designate and a justification for individual designation over district designation made. Individual designations for the quantity of contributing structures in this area would also be administratively laborious, and ultimately not a more streamlined process. Also, individual local designation would

not guarantee owners of designated properties access to state or federal historic tax credits. Tax credits are available only to income-producing contributing properties within a certified local historic district or individual buildings listed in the National Register of Historic Places.

How does this initiative relate to the ReCode initiative?

ReCode will look at zoning requirements citywide, including dimensional standards, permitted uses, performance standards, and to design to the extent that design is addressed in Chapter 14 of the City's Code/the Land Use Code. Planning is also evaluating changes to the City's Design Manual, as a related initiative, but distinct from the changes that may be proposed to the Land Use Code. This is an incredibly important initiative with implications for all of Portland's built environment. However, zoning and preservation are not mutually exclusive tools - as is always the case with any historic designation, there is underlying zoning and other regulations that continue to influence the form and character of what can be built or redeveloped. The ReCode process doesn't supplant the appropriateness of some exceptional areas of the city being designated historic districts or landmarks.

IV. PUBLIC COMMENT

As of this writing, a total of 256 individuals have submitted written comment, provided public testimony and/or signed petitions related to the possible designation of a Munjoy Hill Historic District for and against the district, or wrote to ask questions and concerns (ATTACHMENTS 7 and 8). Responses to previously raised questions have been addressed in previous memos, and in III above. Comments received after the completion of this report are not reflected in the tabulation.

V. FINDINGS AND RECOMMENDATION OF THE HISTORIC PRESERVATION BOARD

In considering the designation of individual buildings as local landmarks and/or the designation of a contiguous area as a historic district, the Historic Preservation Board must find that the proposed landmark or district meets at least one of the six minimum criteria for designation outlined in the historic preservation ordinance (Article IX of the Land Use Code, Sec. 14. 610 a.). In the case of a nominated historic district, the Board must also find that the district meets the criterion for district designations as described in Sec. 14-610 b. Separate from the above criteria, which address the question of *significance*, the Board must also find that the nominated landmark and/or district exhibits sufficient *integrity* to warrant the building's or district's preservation (Sec. 14-611).

Following are the historic preservation ordinance's designation criteria:

Sec. 14-610. Minimum criteria for designation.

(a) The historic preservation board shall limit its consideration to the following criteria in making a determination on a proposed nomination of an area, site, structure or object for designation by ordinance as a landmark or district:

- 1. Its value as a significant example of the cultural, historic, architectural, archeological or related aspect of the heritage of the City of Portland, State of Maine, New England region, or the United States;*

2. *Its location as a site of a significant historic or prehistoric event or activity which may have taken place within or which involved the use of any existing structure on the property;*
3. *Its identification with a person or persons who significantly contributed to the cultural, historic, architectural, archeological or related aspect of the development of the City of Portland, State of Maine, New England region, or the United States;*
4. *Its exemplification of a significant architectural type, style or design distinguished by innovation, rarity, uniqueness or overall quality of design, detail, materials or craftsmanship;*
5. *Its identification as the work of an architect, designer, engineer or builder whose individual work is significant in the history or development of the City of Portland, the State of Maine, the New England region, or the United States; or*
6. *Its representation of a significant cultural, historic, architectural, archeological or related theme expressed through distinctive areas, sites, structures or objects that may or may not be contiguous.*

(b) In the case of a nominated historic district, the historic preservation board shall also determine whether a substantial number of the properties, sites, structures or objects have a high degree of cultural, historic, architectural or archeological significance and integrity, many of which may qualify as landmarks, and which may also have within its boundaries other properties, sites, structures or objects which, while not of such cultural, historic, architectural or archeological significance to qualify as landmarks, nevertheless contribute to the overall visual characteristics of the significant properties, sites, structures or objects located within it.

Sec. 14-611. Integrity of landmarks and historic districts.

Any area, structure or object that meets the criteria in section 14-610 must also have sufficient integrity of location, design, condition, materials and workmanship to make it worthy of preservation or restoration.

On November 20, 2019, the Historic Preservation Board held a public hearing on the historic district proposal and voted on a recommendation to be forwarded to the Planning Board and Council. Formal deliberations followed four preliminary workshops and two site walks, review of detailed documentation and analysis of the Munjoy Hill neighborhood's development history and significance, evaluation of the condition of the Hill's existing building stock, the recommendation of consultants and staff regarding boundary delineation, input from area property owners and residents, and consideration of the historic preservation ordinance's minimum criteria for designation.

Following the public hearing, the Historic Preservation Board found that the area delineated on the map shown on ATTACHMENT 1 meets Sec. 14-610 Minimum criteria for designation (a)¹ and (b) and Sec. 14-611 Integrity of Landmarks and Districts. Based on these findings, the Historic Preservation Board voted unanimously (Jacob absent) to recommend to the Planning Board and Council that the area shown on

ATTACHMENT 1 be designated a local historic district subject to the provisions of Article IX of the Land Use Code.

VI. PLANNING BOARD CONSIDERATIONS – COMPREHENSIVE PLAN GOALS

In addition to confirming that the Historic Preservation Board’s district recommendation is in conformance with the historic preservation ordinance’s designation Criteria (Division 3, Sec. 610 and 611), the Planning Board considers the proposed designation as it relates to the stated goals of the Comprehensive Plan, Portland’s Plan 2030. Consideration shall include not only the Plan’s historic preservation goals, but also other goals applicable to the Munjoy Hill neighborhood. Under Sec. 14-610 (d), “the Planning Board and Council...shall also consider the effect of such designation on other aspects of the comprehensive plan of the city.”

The Board has received two separate analyses of the proposed designation’s relationship to goals identified in Portland’s Plan 2030. Planning & Urban Development Director Christine Grimando provided the most recent analysis, which was included as part of the February 11, 2020 staff report. See ATTACHMENT 6.

VII. MOTION

Based upon the November 20, 2019 recommendation of the Historic Preservation Board; documentation and analysis prepared by staff and consultants; information included in staff reports for the 12/10/19, 2/11/20 and 3/10/20 meetings and public comment, the Planning Board

- A. Finds:
 - a. that the proposed Munjoy Hill Historic District **[meets/fails to meet]** the historic preservation ordinance’s minimum criteria for designation as set forth in Sec. 14-610 (a) (1) and (b), as well as the integrity criterion in Sec. 14-611; and
 - b. that designation of the Munjoy Hill Historic District **[is/is not]** consistent with other goals of Portland’s Plan 2030; and therefore
- B. **[Recommends/does not recommend]** to the City Council that the proposed Munjoy Hill Historic District be designated a local historic district subject to the provisions of Article IX of the Land Use Code.

ATTACHMENTS

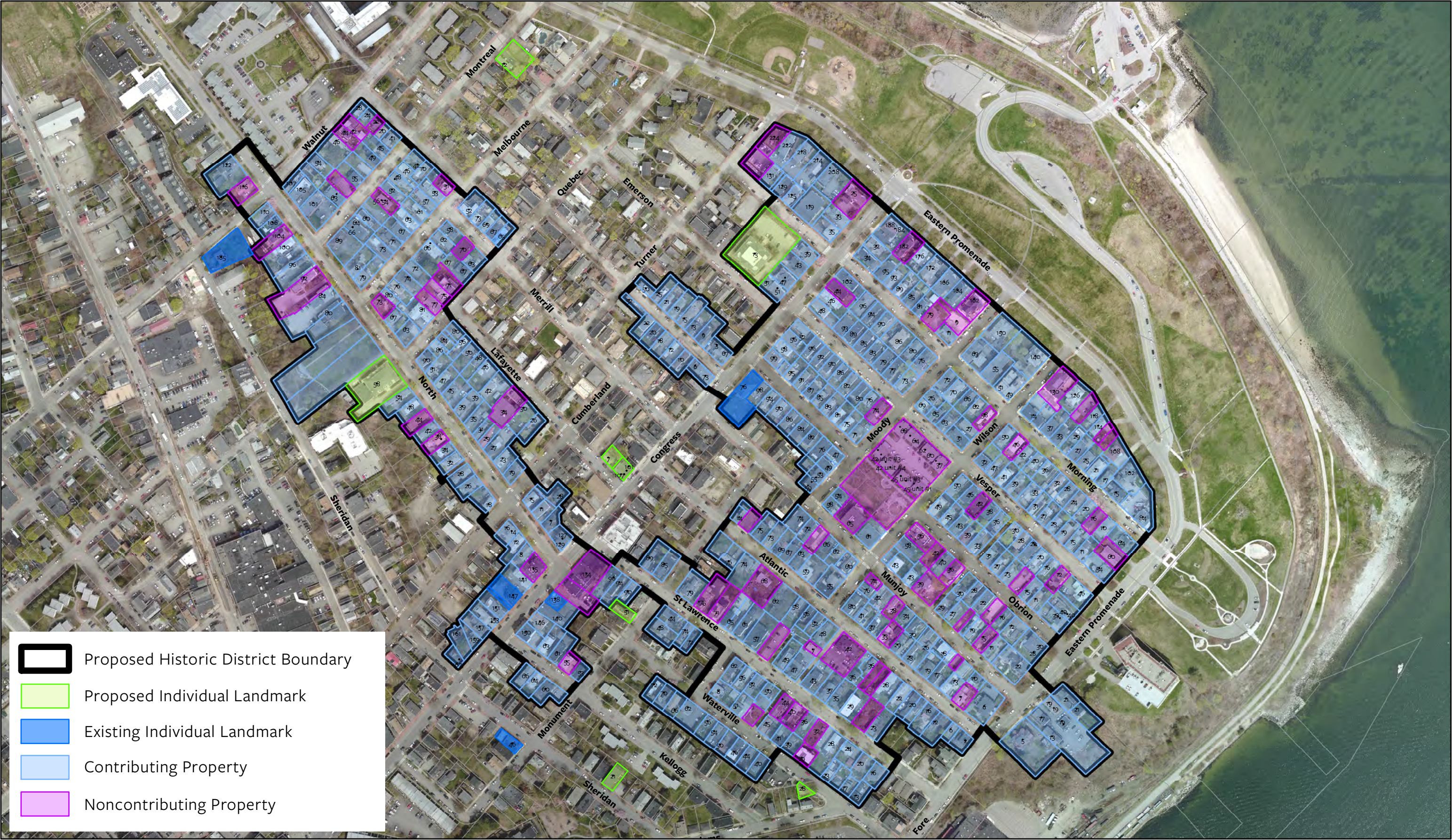
1. Map of Proposed Munjoy Hill Historic District
2. Historic Context Statement
3. List of properties within proposed district, with assigned classification
4. Sample building descriptions from *Munjoy Hill Historic Resources Inventory*
5. District map showing detailed breakdown of noncontributing properties
6. Analysis of district designation to Comprehensive Plan goals
7. Public comment received since February 11 workshop
8. Previous public comment

LINKS TO PREVIOUS REPORTS AND PRESENTATIONS

1. Link to 12/10/19 staff report, attachments and live-stream of meeting:
<https://portlandme.civicclerk.com/Web/Player.aspx?id=571&key=-1&mod=-1&mk=-1&nov=0>
2. Link to 2/11/20 staff report, attachments and live-stream of meeting:
<https://portlandme.civicclerk.com/Web/Player.aspx?id=1207&key=-1&mod=-1&mk=-1&nov=0>
3. Staff presentations and other supporting materials for the full process can be found on the project webpage: <https://www.portlandmaine.gov/2451/Munjoy-Hill-Historic-District>

Proposed Munjoy Hill Historic District and Individual Landmark Designations

Per Historic Preservation Board Recommendation



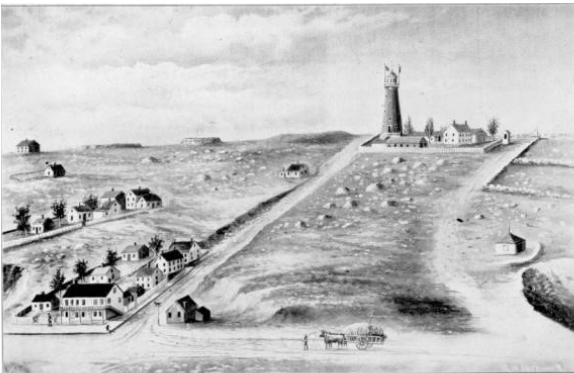
0 250 500 1,000 Feet

Munjoy Hill Architectural Development & Context Statement

April 2019



Development History: 1786-1866



Munjoy Hill in the Forties by Charles Goodhue
Collections of the Maine Historical Society, MMN 4144



Munjoy Hill in 1826 as drawn by Lemuel Moody
Collections of the Maine Historical Society, MMN 100727



Munjoy Hill in 1851 from the H.F. Walling *Map of Cumberland County*.

Munjoy Hill rises 161 feet above Casco Bay on the eastern end of the Portland peninsula. The Hill's namesake George Munjoy (c1626-1680) settled near present day Mountfort and Fore Streets in 1659. He fled Portland after an Indian attack in 1676 and never returned.

The center of activity on Munjoy Hill for many years was the Portland Observatory (1807) which served as a signal communications tower for merchant vessels. Adjacent to the Observatory was a bowling alley and the house of its founder and operator Lemuel Moody.

Although Munjoy Hill came to be the city's most densely populated and ethnically diverse neighborhood, it was one of the last neighborhoods on the peninsula to be developed. Its primary functions from the city's founding in the 1630s until the 1840s were as an occasional gathering place and a pasture for cows. Throughout the mid-18th century a group called the Munjoy Proprietors erected a system of stone walls on the hill, with a gate near the present-day intersection of Washington Avenue and Congress Street. The Munjoy Proprietors sold "cow rights" to locals for pasturing their cattle.

The cow pastures were also the site of large open-air events. The fields between the Observatory and Eastern Cemetery were popular for 4th of July celebrations, circuses, and militia musters.

Early structures on the hill in addition to the Observatory included a hospital for small pox victims, a gun house, and Fort Sumner. The fort was built in 1794 off North Street to protect the city from attacks from the west and Back Cove.

In 1796 Tukey's Bridge was built, connecting the peninsula to the mainland. Washington Avenue was laid out to connect the city to the bridge in anticipation of a residential building boom that didn't immediately materialize.

Instead, groups of structures were scattered across the hill, first near the gate to Munjoy Hill,

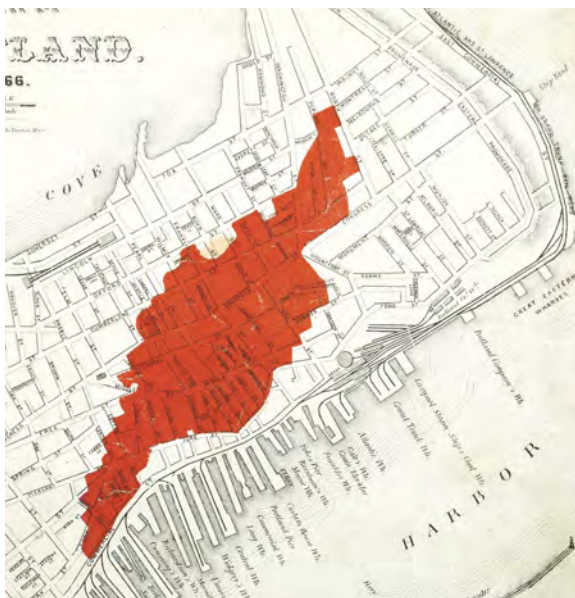
Development History: 1786-1866



Munjoy Hill in 1857 from the H.F. Walling *Map of Cumberland County*.



Congress Street on Munjoy Hill after the Fire of 1866
Greater Portland Landmarks



Extent of the Great Fire of 1866
Greater Portland Landmarks

then along Cumberland Avenue, Congress and Lafayette Streets.

As the Hill's population increased, in 1836 City officials bought up land along the shoreline, despite public outcry at the waste of public money. Much of this area is now the Eastern Promenade.

While the Eastern Promenade was preserved for future public use, on the opposite side of Munjoy Hill tons of gravel were removed to fill in Back Cove. Moses Gould, owner of 18 acres on the Hill, formed the Back Cove Land Co. to fill and develop the mud flats in what is now Bayside.

Expansion on the waterfront was precipitated by the founding by John A. Poor of the Atlantic and St. Lawrence Railroad. Chartered in 1845 and opened in 1853, the railroad connected Portland to Montreal, Quebec. Poor also helped found the Portland Company on Fore Street in 1847 to build locomotives for his new railroad. The upsurge in activity along Fore and India Streets in the 1840s and 1850s led to a residential boom on the Hill, attracting workers from the Portland Company and railroad. Many of these homes were built in the Greek Revival Style that predominated during this period.

On the western side of the Hill, the area between Washington Avenue and North Street developed a unsavory reputation in the early 19th century. In 1849 a riot broke out in a bawdy house. During the riots one man was killed and a dance hall was destroyed by fire. This area would be mostly destroyed in a few decades by a catastrophic fire with significant impact on the entire city.

The Great Fire of July 4th and 5th, 1866 spread from Commercial Street to North Street. It destroyed 1,500 buildings and left over 10,000 people homeless. The field below the Observatory was turned into a makeshift tent-city by the Army, then replaced by wooden dormitories until permanent housing could be built.

Several early homes on the east side of North Street survived the fire including the Benjamin Noble House (1856) at 65 North Street and the double house of Eliphalet Clark and Moses Gould at 79 North Street (c1847).

Development History: 1866-1917



Munjoy Hill from a *Bird's-Eye Map of Portland* Published by J. J. Stoner in 1876



The index of a map prepared by the city Tax Assessor 1882-1884 depicts the extent of development on Munjoy Hill.

Following the Great Fire, the city's need for housing drove development on Munjoy Hill. This development was largely middle-class homes, with a few high style residences in the Italianate and Second Empire styles. A few years earlier in 1863 the city's horse drawn street car line had reached Munjoy Hill helping to make the hillside areas attractive for development after the fire. Residential development spread out from existing residential areas eastward toward the Promenade on Turner, Quebec, Melbourne and Montreal Streets, which had been subdivided 1857 and 1858.

In 1874 the Deering family heirs subdivided their land along Congress, Sheridan and Kellogg Streets. A few years later in 1879 the family subdivided additional land along the east side of Munjoy Street and the north side of Congress Street from Howard Street to the Eastern Promenade.

By the 1880s, Munjoy, Atlantic and St. Lawrence Streets were largely built out. These long streets extended between Fore to Congress and were interconnected by short streets like Sherbrooke Street or small lanes like Gilbert's Lane. To the east, a pond initially blocked the extension of several streets westward to Congress Street. The pond was located in the area generally occupied in the 20th century by the Adams School (*image bottom left*). Within the next ten years the area would be drained and developed. One block within this formerly wet area would become one of four car barns for the Portland Railroad Co. after the street car line expanded its route on the Hill from Congress Street, down Morning Street to the Eastern Prom. It then wended its way back to Congress Street along Beckett, Wilson, and Atlantic Streets. The company's street cars lines were all electrified by 1896.

Development History: 1866-1917



Portland Railroad Company's car barn on Beckett Street.



Munjoy Hill Reservoir c1920.
Portland Water District, MMN 82239



Olmsted Brothers design for Eastern Promenade.



J.J. Nissen House, 286 Eastern Promenade in 1924.

In 1889 the Munjoy Hill reservoir was built at the corner of North and Walnut Streets by the Portland Water Company. The reservoir was built to better serve customers in the East End and had a capacity of 20,000,000 gallons. The reservoir burst a few years later in 1893, killing four people and destroying four homes off Walnut Street. The reservoir remained in operation until 1970 as a water supply; today the site is a parking lot above a large underground reservoir.

In the last decade of the 19th century, wealthy local families began to appreciate the Eastern Promenade's sweeping views and began erecting grand homes opposite the City-owned green space. The residential development followed efforts begun by the city in 1878 to improve the publically owned green space. In 1890 the City acquired Fort Allen to extend the city's park space. The park and perimeter roadway became key elements in the park and boulevard system envisioned by Mayor James Phinney Baxter and the Olmsted brothers landscape firm in 1905.

Twenty-one of the thirty-three single family homes on the Eastern Promenade were built between 1888-1912 in the Queen Anne and Colonial Revival styles. Samuel D. Plummer, a Portland real estate dealer, built his Queen Anne house at 140 Eastern Promenade in 1898. The Griffin Brothers, prominent fruit dealers on Portland's waterfront, built large homes on the Promenade. Lindsay B. Griffin first built a house at 182 Eastern Prom in 1897, then built a new Colonial Revival House at 188 Eastern Prom in 1908. His brother John built a similar home at 150 Eastern Prom in 1910. One of the prominent Colonial Revival homes on the northern end of the Promenade was the 1913 residence of John. J Nissen, founder of Nissen Bakery at 59 Washington Avenue.

Development History: 1866-1917



Samuel D. Plummer House, built 1898 at 140 Eastern Promenade.



Triple deckers on Munjoy Hill.



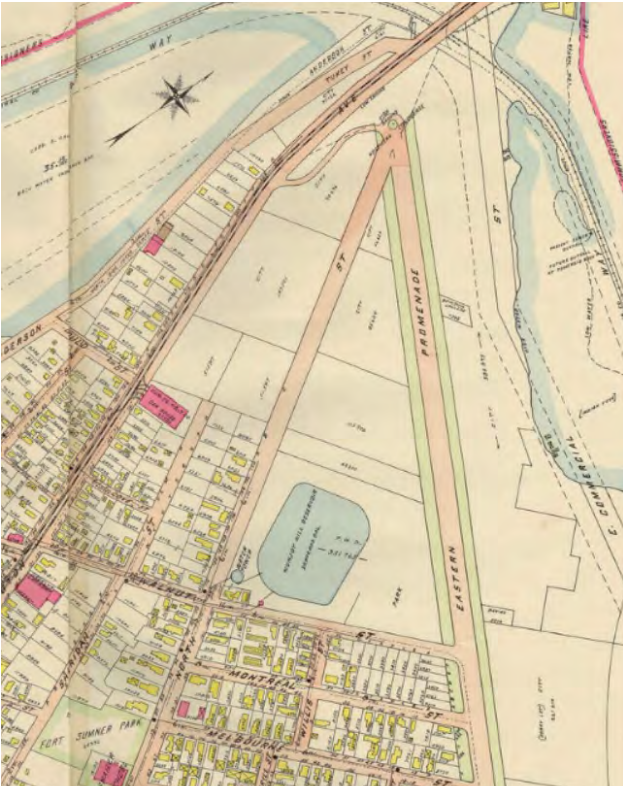
Triple deckers on Munjoy Hill.

Between 1895 and 1917 “triple deckers” or “flat houses” were built in large numbers on Munjoy Hill. They are particularly prevalent on Morning, Vesper and Beckett Streets, as well as Sheridan and Kellogg Streets. The land on Morning, Vesper and Beckett Streets was owned by the Deering and Fessenden families and was some of the last vacant land to be laid out on Munjoy Hill. The triple-deckers and the few apartment buildings built during this period were multi-family residential building types that housed the Hill’s increasing immigrant population from Italy and Northern and Eastern Europe.

Portland was a busy maritime port in the early 20th century and served as an immigrant port of entry. Portland’s primarily English population was joined by groups from Ireland, Canada, Portugal, Scandinavia, Italy, Eastern Europe, and Greece. Munjoy Hill’s close proximity to the downtown made it attractive to many immigrant families. Immigrant families settled on the Hill and often built neighborhood businesses like the Capozza brothers barber shop or Paul Blumenthal’s grocery store.

By World War I, most of the neighborhood’s residential lots were filled, however land to the west along North Street and the Eastern Promenade remained vacant.

Development History: 1917 – Present



Map of the northern end of Munjoy Hill depicting vacant land.
Richards Standard Atlas of the City of Portland, 1914.



View of the Munjoy Hill Reservoir and the Jack school beyond.
Portland Water District, MMN 94455.



View of Portland House in the distance.

By the late 1920s, although most of the neighborhood's residential lots had been developed, some lots remained vacant, particularly along North Street and the Eastern Promenade. During the 20th century infill development and construction of new institutional and educational buildings slowly filled the remaining land.

In 1929 the Jewish Home for the Aged was designed by architect Herbert Rhodes and built at 158 North Street.

Jack Junior High School was built on North Street near the Munjoy Hill Reservoir on land gifted to the city by the Portland Water District in 1943 for seventh and eighth grade students in the Munjoy Hill neighborhood. The school was later used as an elementary school. The building was closed in 2001 and replaced by the East End Community School built on the same site in 2006.

In 1947 the housing development at 304 Eastern Promenade was built on the site of homes destroyed in the reservoir flood. The development includes seven buildings on a 1.7-acre lot with parking along the perimeter of the development.

A few years later in 1950 at the corner of Eastern Promenade and Quebec Street, six multi-unit buildings were constructed on a one-acre lot. Like the other mid-twentieth century housing project on the Eastern Promenade, it is a low scale development and does not follow the traditional street pattern.

Today, the Munjoy Hill skyline is dominated by two large-scale residential buildings. The Portland House, overlooking the Fore River at 45 Eastern Promenade, was built in 1969 as an apartment building and today houses over 100 residential condominiums.

Promenade East, purportedly the first high rise condominium building in Maine, was built in 1975. The building is fourteen stories high and accommodates 80-units. Its interior has a unique layout with two floors sharing a single hallway.



Henry Homer House, 81 Congress Street (c1829) in 1924.



7 Lafayette Street (1849 - 1852) in a 1924 image.



7 Lafayette Street (1849—1852) in 2018.

Architectural styles of the Hill's residences provide useful clues to the development and history of the neighborhood. While few buildings from the Hill's early settlement remain, there are many buildings from the three major periods of construction: early subdivisions for housing for workers along the expanding waterfront (1847-1866), Post Fire development (1866-1890s) and housing for Portland's expanding immigrant population (1890s -1930). Research conducted by Greater Portland Landmarks in the early 1980s provided dates for many of the homes on Munjoy Hill.

A number of buildings on Munjoy Hill exhibit the characteristics of more than one style, either because they are transitional between stylistic periods or due to later additions. Some buildings, altered by the replacement of exterior siding and the removal of exterior features display no particular architectural style.

Early Settlement (1785-1845)

The few buildings that remain from the early settlement on Munjoy Hill are wood-framed, three-bay, side gable capes and are generally located near the crest of the hill. The Henry Homer House (c1829) at 81 Congress Street is a one-and-a-half story three bay cape that has been altered by a side addition. A slightly later example is the dwelling at 7 Lafayette Street (1849-1852).

Another altered example of an early house is located at 62 Munjoy Street. The first floor was a five-bay cape built c1790 in the Federal period. The cape was likely moved and a second floor added c1857 by builder William Hoit.

Early Subdivisions (1845-1866)

Two early subdivisions of land, one off North Street and the other off Fore Street include good examples of the Greek Revival style. These homes typically feature a strong post and lintel door surround. While most homes in this style on Munjoy Hill are wood framed, there are several brick Greek Revival homes in the neighborhood. The brick dwellings usually feature stone lintels over their windows.



Moses Gould and Eliphalet Clark at 79-81 North Street (1847).



Joseph Flower House at 87 St. Lawrence Street (c1852).

One of the best examples of a brick Greek Revival is the Robert Dresser House (1850-1851) at 2 Atlantic Street. The two-story building has stone lintels above the windows and a recessed entry door with sidelights. Another early example is the double house of Moses Gould and Eliphalet Clark at 79-81 North Street (1847). Like the Dresser House, the Gould-Clark House has recessed entries. The entry at 81 North Street retains its entry sidelight design. Altered by Italianate entry hoods, the Greek Revival style is evident in the building's strong gable-end pediments, the recessed brick window bays, and the stone lintels and sills at each window.

Additional brick dwellings are located at 16 Atlantic Street (1852-1853), 55 Atlantic Street (1855), 62 Waterville Street (1855) and 66 Waterville Street (1855-1857). A late example of a brick Greek Revival dwelling is the Gabriel Mark House at 74 St. Lawrence Street built in 1872.

St. Lawrence, Atlantic and Waterville Streets contain a high percentage of Greek Revival frame residences. There are thirteen examples of the Greek Revival style built between 1845 and 1855 on Atlantic Street. Nineteen Greek Revival frame dwellings built between 1847 and 1860 are located on St. Lawrence Street and nine built between 1846 and 1867 are located on Waterville Street.

The neighborhood contains examples of both gable front Greek Revival homes and side gable dwellings. Gable front dwellings are usually 2 1/2 stories, while one and two story examples of side gable dwellings are also present.

One of the most prevalent builders on Munjoy Hill in this period was William Hoit. Research indicates he was responsible for the construction of at least ten wood frame homes on Munjoy Hill in the 1850s. Most of these were Greek Revival homes, although two examples of his construction in the Italianate style are extant at 86 and 104 Congress Street.

Architecture



Ellen Moody York House, 140 Congress Street in 1924.



A Gothic Revival dwelling on North Street in 1924.



Tall narrow paired windows like these at 80 North Street are typical of the Italianate Style.

Another early 19th century architectural style is the Gothic Revival. There are few examples of the Gothic Revival style on Munjoy Hill. 140 Congress Street is the former home of Ellen Moody York, the granddaughter of Lemuel Moody and proprietress of the Portland Observatory until 1925. Her dwelling once featured ornate decorated vergeboards and drop mold window trim that characterized the Gothic Revival style. Many of the dwelling's details were lost when the dwelling was altered by the addition of a church sanctuary in the mid-20th century.

A second example of the style is located at the rear of 21 North Street. Less decorative than 140 Congress Street, the North Street dwelling features decorative verge board, steeply pitched gable wall dormers, and a projecting two story entry bay with a similarly steep gable roof and decorative verge boards.

Post-Fire Development (1866-1890s)

Most of the extant homes built in the aftermath of the Great Fire of 1866 were constructed in the Italianate and Second Empire styles that predominated during that period. Often similar in form to the gable fronted Greek Revivals homes, the typical Italianate house has more elaborate decoration and machine-made details. The details, such as brackets, were more readily available and affordable than earlier hand carved details due to new machinery technology.

Characteristic features of the Italianate style include tall paired windows, arched window openings, decorative door hoods, brackets below the roofline and bay windows.

The Italianate style predominates on Munjoy Hill. Projecting bays and door hoods are common features on both vernacular dwellings as well as more elaborately detailed homes on the Hill. The Italianate style is also found on commercial and civic buildings like the Shailer School (1880-1881) on North Street.

Architecture



Bay windows on gable front home are a typical feature on the Hill.



The Ann Freeman House on Congress Street is an early example of the Italianate Style. It is a designated local landmark.



While most Italianates style homes have a side hall plan, the Hill also has several examples of an L-plan house with a side entrance like this one at 56 St. Lawrence Street built c1860.

Brick examples of the style include the two-bay, two-story Ann Freeman House (1857) at 147 Congress Street and the three-story double house at 96 St. Lawrence Street. Both examples have hip roofs that formerly were capped by cupolas.

Early examples of the gable end form are the Benjamin Noble House at 63 North Street (1856) and the Jason H Davis House at 23 O'Brien Street (1866-7).

The three bay, one-and-a-half story Cushing House at 83 Munjoy Street (1878) is an unusual example of the Italianate style on Munjoy Hill. Unlike most of its neighbors, the dwelling is set far back on its lot and has an unusual central projecting entry tower form.

A third plan type is the L-shape plan. An example of the L-plan form with side entry, usually off a porch, is the Samuel Libby House at 30 Lafayette Street (late 1870s). Like many dwellings with this form, the Libby House has a narrow gable front form with a projecting bay window on the street façade.

Two of the most prevalent builders on Munjoy Hill in this period were William H. and John Weeks. Research indicates the Weeks family built several Italianate wood-frame houses on Vesper and O'Brien Streets in the last decades of the 19th century.



The Alfred Roberts House (1876) at 80 Quebec Street.



The Second Empire at 60 Kellogg Street retains its historic slate roof, window hoods, and corner boards.



39 and 45 North Street on Munjoy Hill in 1924

The Second Empire style shares many of the Italianate style's characteristics and was popular during the same time period. What distinguishes the Second Empire style, however, is its mansard roof form. It is another predominate style on Munjoy Hill.

Several good examples of small scale, one-and-a-half-story Second Empire dwellings are located on the Hill. The Alfred Roberts House (1876) at 80 Quebec Street and the John C. Main House (1876) at 52 Melbourne Street each have detailed woodwork over the dormers and elaborate brackets supporting the entry hood. The Mains House has a two-bay side hall plan, while the Roberts House has an unusual back hall plan and features bull's eye rosettes as a decorative exterior detail. Like the Mains and Roberts Houses, the Second Empire at 60 Kellogg Street has elaborate dormer and cornice details. It retains its historic slate roof, window hoods, and corner boards.

The late 19th century brought larger scale dwellings to the neighborhood, particularly on North, Congress and Merrill Streets. Larger two-and-a-half-story examples of the Second Empire style are present at 32, 39, 45, 96 North Street. The V.B. Fuller House (1884) at 45 North Street retains its double entry doors, bracketed entry hood, two-story projecting bays with narrow windows, cornice brackets, and dentil molding. The A.L.R. Huston House (1886) at 39 North Street retains its historic carriage house.



Swag detail on entry porch gable at 129 Morning Street.



William N. Taylor House (1895) at 64 Eastern Promenade.



Samuel D. Plummer House (1898) at 140 Eastern Promenade.

Housing a Growing Population (1890s-1930)

The extant homes built on Munjoy Hill at the turn of the century are constructed in the diverse styles that predominated during that period. The two most prevalent styles are Queen Anne and Colonial Revival.

While homes from this era located on the Eastern Promenade are often elaborate and large scale, on interior streets the Queen Anne and Colonial Revival style tend to be smaller scale and follow the same development pattern as earlier homes. Many Queen Anne homes are gable front with a side hall plan, like earlier Greek Revival, Italianate, and Second Empire style homes on the Hill. Only the stylistic details have changed. Similarly, Colonial Revival homes may also have a gable front or may have a hip roof.

The Queen Anne style features a variety of distinctive patterns of decorative detailing. Spindlework with delicate porch details and lace-like brackets is one common type of Queen Anne architectural embellishment found on Munjoy Hill. Another is the Free Classic, with classical columns and decorative details borrowed in part from the early 19th-century Federal period of architecture.

Towers are prominent feature in Queen Anne dwellings and towers are present on the R. Cutler Libby House (1895) at 34 Congress Street, the William N. Taylor House (1895) at 64 Eastern Promenade, the Robert D. Libby House (1901) at 84 Eastern Promenade, and the Samuel D. Plummer House (1898) at 140 Eastern Promenade.

The John E. Farr House (1893) at 39 Congress Street is a good example of a gable front Queen Anne dwelling. The gable front projects beyond the front wall and encompasses the two story projecting window. Typical of the Queen Anne style, the dwelling features a Palladian window, multiple window sizes and styles, panel work, patterned shingles, spindlework, dentil moldings, and gable ornament in the entry portico. A unique feature of the house is the different decorative pattern of the lintels on the first and second floor window trim.



Colonial Revival house at 188 Eastern Promenade.



Colonial Revival house at 150 Eastern Promenade.



Colonial Revival apartment house at 164 Eastern Promenade.

The Colonial Revival style on Munjoy Hill is represented in a wide range of residential building types: large-scale single-family homes, small-scale single-family homes, and on triple decker buildings.

Two excellent examples of the Colonial Revival style are the John W. Griffin House (1910) at 150 Eastern Promenade and the Lindsay B. Griffin House at 188 Eastern Promenade (1908). Both dwellings have a hipped roof with a barrel roof dormer, but one has a full width porch and the other has a central portico. Both have a symmetrical façade and entry door with flanking sidelights that is typical of the Colonial Revival style.

Enoch Richards (1854-1944) was one of the most prolific builders on Munjoy Hill. He built at least sixteen houses on the Eastern Promenade and Beckett, Vesper, and Moody Streets. He built single-family homes, two-units and triple decker apartment buildings in both the Queen Anne and Colonial Revival Styles.

The Colonial Revival Enoch C. Richards Apartment House (1903-1904) at 164 Eastern Promenade features a distinctive element Richards used on many of his buildings--large brackets to support an deep overhanging roofline. This detail is also present on his former home at 162 Eastern Promenade, his triple decker building at 45 Quebec Street and four triple decker buildings at 88-96 Vesper Street.

While most buildings from this turn-of-the-century period of construction are Queen Anne or Colonial Revival, there are other styles present on Munjoy Hill as well, including Folk Victorian, the Shingle Style and Beaux Arts Style.

Folk Victorian architecture has simple detailing inspired by Italianate and Queen Anne Styles. The small home at 100 North Street (1873) has a simple gable roof form, a jig saw cut balustrade, and brackets window hoods typical of the Folk Victorian style.



The Emma Fuller House (1892 at 50 Morning Street.



The Emerson School under construction in 1898, above. Collections of the Maine Historical Society, MMN 20355. The Emerson School today, below.



The Emma Fuller House (1892) at 50 Morning Street is a Queen Anne dwelling that exhibits some characteristics of the Shingle Style, including its strip of three windows in the front gable end, shingled pent roof, and shingle clad brackets supporting the projecting gable end.

The Henry F. Merrill House (1898) at 5 Eastern Promenade was designed by John C. Stevens and John H. Stevens. Colonial Revival in style, it also has elements found in the Shingle Style, including the recessed shingle window in the gable bay, the Palladian window, and the shingled exterior siding that unifies the irregular form of the house. Its porch with Ionic columns and decorative cornice detailing are typical Colonial Revival details.

Although not a dwelling, the Emerson School at 13 Emerson Street is an example of the Beaux Arts Style. Built 1897-1898, it was designed by Frederick Thompson in the Beaux Arts Style as an elementary school serving the Munjoy Hill neighborhood.

The Munjoy Hill neighborhood includes many triple decker apartment buildings. The triple decker is a residential building type that provided a greater number of units than early examples of multi-family housing on Munjoy Hill. It proved to be a critically important housing type to provide for Portland's growing population at the turn of the century. The building form is generally three stories high with one family unit on each floor, usually with a rear porch.

One street largely defined by its row of triple-deckers is Vesper Street. The land on Vesper Street wasn't developed until the late 1880s after being owned for many years by the Deering family. Enoch Richards, a prolific builder on Munjoy Hill, built five triple-deckers on the west side of Vesper Street 1896-1899.



An Italianate Triple Decker Building at 101 North Street



An example of the shingle bay form of triple decker buildings.



This apartment building on Morning Street has a similar form and features to a triple decker building, but has a single building entrance.

One of the most ornate triple-deckers on Munjoy Hill is located at 101 North Street. It was built in 1887 by Moses Gould, a prominent real estate developer who lived at 79 North Street. A similar triple-decker, but somewhat altered, is located at 98 Cumberland Avenue, near the Hill's only four-decker at 106 Cumberland Avenue and a brick triple-decker at 102 Cumberland Avenue.

The triple decker at 82 Beckett Street is a good example of a shingled bay style with a bracketed cornice and Italianate details. Particularly striking is its unusual curved brackets at the entry door. It was built in 1891 by Charles W. Cushing, a carpenter who lived at 87 Munjoy Street.

The Colonial Revival triple-decker at 129 Morning Street has a curved three-story bay, unusual on Munjoy Hill where most bays are segmented. The dwelling was built in 1908 for Edward L. Dame, who also owned the more traditional triple-decker next door at 125 Morning Street.

The triple decker is a more dense form of housing than early examples of multi-family housing that was built on Munjoy Hill. It was critical to house Portland's growing population at the turn of the century. In addition, the development of multi-family apartment buildings allowed for greater density in the neighborhood and accommodation for lower middle class residents. One example of a large apartment block is the building at 119 Morning Street, built circa 1926 for the Albert family and formerly known as the "Cleevesland".

The brick apartment building at 55-57 Morning Street, formerly known as the "Raymond Apartments" is an example of a housing type built to accommodate a greater number of units than the multi-family residences and triple deckers on Munjoy Hill. It was built c1912 for Samuel D Plummer and owned for many years by his family. Samuel D Plummer (1858-1917) was a real estate dealer who lived in a Queen Anne house at 140 Eastern Prom in 1898 on land he bought from the Deering heirs in 1897. He later built two apartment buildings at the rear of his house on Morning Street on the remainder of the land he purchased from the Deering family.

Visual Character of the Hill



Munjoy Hill is largely a neighborhood of wood framed dwellings.



Gables, bay windows, and raised stoops are common.



On many blocks, narrow lots contribute to a consistent streetscape.

Although Munjoy Hill exhibits a variety of architectural styles and residential building types, including single-family, multi-family, triple decker and the occasional apartment building, there are a number of shared building characteristics that serve to unify much of the neighborhood and give it its own identifiable visual character.

First and foremost, the neighborhood is distinguished by its dense development pattern. Buildings occupy narrow, deep lots and are closely spaced. With few exceptions, mostly on the Eastern Promenade, buildings are of modest scale, ranging from 1 ½ to 3 stories. Most dwellings are wood-frame construction with clapboard exteriors; the occasional brick building breaks this predominate material palette. Buildings generally have small footprints, with their narrow, usually gable, end facing the street. Most houses are two or three bays wide, often with a projecting one- or two-story front bay. Projecting front entry vestibules are also common.

Most houses sit above a high brick foundation, with a raised stoop and flight of exterior stairs leading to the main entry. Entries are typically located on the street façade and are generally shifted to one side, although there are examples of primary entrances on the side elevation. Most buildings are set back a short distance from the sidewalk, allowing for a shallow front yard. Driveways, where they exist, occupy much of the width of the lot's side yard.

Just as the scale of houses on Munjoy Hill is generally modest, so too is the architecture. Most of the houses, with the exception of those facing the Eastern Promenade, are vernacular expressions of the various architectural styles popular at the time of their construction. The very large number of Italianate buildings throughout the neighborhood, with their tall vertical expression, gable end facing the street, bracketed entry hood, and projecting bays, lends a certain consistency to the blocks.

Visual Character of the Hill



Unique porch details can differentiate a typical gable front dwelling from its neighbors.



Vernacular dwellings often feature a few character defining details, like a entry hood or tall narrow windows, that help identify these dwellings as Italianate.



Streetscapes like this on North Street, depict the typical rhythm created by vertically orientated facades .

Certainly, there are some blocks within the neighborhood (Moody Street, for example) that do not follow this typical development pattern. There are also houses that do not exhibit the common building characteristics described above. These are, however, exceptions rather than the rule on Munjoy Hill. That is why later developments such as MacArthur Gardens, which features several separate-but-related brick buildings set back from the street within a campus-like setting, do not feel sufficiently integrated with the neighborhood.

Munjoy Hill is often described as “friendly” and “approachable”. While there are no doubt many factors that contribute to this reputation, the neighborhood’s distinct visual character is key among them.

List of Properties within the Proposed Munjoy Hill Historic District

Property Address	Classification	Construction Date	circa date
2 Atlantic Street	Contributing	1851	Pre-1845
6 Atlantic Street	Contributing	1859	1845-1866
7 Atlantic Street	Non Contributing	1845	1866-1890
12 Atlantic Street	Contributing	1845	1890-1930
13 Atlantic Street	Contributing	1845	Recent
16 Atlantic Street	Contributing	1853	
17 Atlantic Street	Contributing	1845	
18-20 Atlantic Street	Contributing	1848	
19 Atlantic Street	Contributing	1879	
22 Atlantic Street	Contributing	1853	
23 Atlantic Street	Contributing	1846	
28 Atlantic Street	Contributing	1897	
29 Atlantic Street	Contributing	1846	
33 Atlantic Street	Non Contributing	1871	
34-36 Atlantic Street	Contributing	1846	
37 Atlantic Street	Contributing	1846	
41 Atlantic Street	Contributing	1855	
42 Atlantic Street	Non Contributing	1872	
48 Atlantic Street	Contributing	1851	
52 Atlantic Street	Contributing	1876	
55 Atlantic Street	Contributing	1855	
58 Atlantic Street	Contributing	1850	
62 Atlantic Street	Contributing	1850	
63 Atlantic Street	Contributing	1855	
67 Atlantic Street	Contributing	1910	
68 Atlantic Street	Non Contributing	1972	
69 Atlantic Street	Contributing	1862	
73 Atlantic Street	Contributing	1851	

74 Atlantic Street	Contributing	1890	
75 Atlantic Street	Contributing	1853	
76 Atlantic Street	Contributing	1872	
71 Beckett Street	Contributing	1888	
75 Beckett Street	Contributing	1889	
76 Beckett Street	Contributing	1902	
81 Beckett Street	Contributing	1890	
82 Beckett Street	Contributing	1891	
83 Beckett Street	Contributing	1888	
84 Beckett Street	Contributing	1891	
85 Beckett Street	Contributing	1887	
86 Beckett Street	Contributing	1893	
87 Beckett Street	Contributing	1887	
88 Beckett Street	Contributing	1893	
91 Beckett Street	Contributing	1888	
94 Beckett Street	Contributing	1892	
95 Beckett Street	Contributing	1887	
98 Beckett Street	Contributing	1892	
99 Beckett Street	Contributing	1899	
25 Congress Street	Non Contributing	1891	
32 Congress Street	Contributing	1892	
33 Congress Street	Contributing	1902	
34 Congress Street	Contributing	1895	
35 Congress Street	Contributing	1892	
39 Congress Street	Contributing	1893	
43 Congress Street	Contributing	1892	
44 Congress Street	Non Contributing	1925	
45-47 Congress Street	Contributing	1895	
46 Congress Street	Contributing	1903	
48 Congress Street	Contributing	1880	Y
51-53 Congress Street	Contributing	1886	
52 Congress Street	Contributing	1891	
56 Congress Street	Contributing	1895	

58 Congress Street	Contributing	1892	
67 Congress Street	Contributing	1887	
73 Congress Street	Contributing	1896	
76 Congress Street	Previously Designated Landmark	Not in book or web	
103 Congress Street	Individually Designated Landmark	1887	
127-129 Congress Street	Contributing	1866	
134 Congress Street	Non Contributing	1977	
135 Congress Street	Non Contributing	1867	
138 Congress Street	Previously Designated Landmark	1807	
140 Congress Street	Contributing (House at Rear)	1858	
	Non Contributing (Church)		
141 Congress Street	Contributing	1866	
146 Congress Street	Contributing	1890	Y
147 Congress Street	Previously Designated Landmark	1857	
150 Congress Street	Contributing	1900	Y
151-153 Congress Street	Contributing	1904	Y
155 Congress Street	Contributing	1875	Y
157 Congress Street	Contributing	1875	Y
159 Congress Street	Contributing	1880	Y
161 Congress Street	Contributing	1880	Y
165-167 Congress Street	Contributing	1883	
5 Eastern Prom	Contributing	1898	
6 Eastern Prom	Contributing	1904	
13 Rear Eastern Prom	Contributing	1853	
17 Eastern Prom	Contributing	1849	
19 Eastern Prom	Contributing	1884	
21 Eastern Prom	Contributing	1850	
22 Eastern Prom	Contributing	1888	
28-30 Eastern Prom	Contributing	1867	
38-40 Eastern Prom	Contributing	1867	
46 Eastern Prom	Contributing	1874	
54 Eastern Prom	Contributing	1867	
60 Eastern Prom	Non Contributing	1972	

64 Eastern Prom	Contributing	1895	
84 Eastern Prom	Contributing	1901	
102 Eastern Prom	Contributing	1900	
108 Eastern Prom	Contributing	1912	
114 Eastern Prom	Contributing	1906	
118 Eastern Prom	Contributing	1925	
126 Eastern Prom	Contributing	1910	
130 Eastern Prom	Non Contributing	1902	
140 Eastern Prom	Contributing	1898	
150 Eastern Prom	Contributing	1910	
158-162 Eastern Prom	Non Contributing	1904	
164 Eastern Prom	Contributing	1904	
166-168 Eastern Prom	Contributing	1912	
172-174 Eastern Prom	Contributing	1902	
176 Eastern Prom	Contributing	1912	
182 Eastern Prom	Non Contributing	1897	
188 Eastern Prom	Contributing	1908	
208 Eastern Prom	Contributing	1906	
214 Eastern Prom	Contributing	1895	
218 Eastern Prom	Contributing	1898	
222 Eastern Prom	Contributing	1900	
13 Emerson Street	Landmark	1898	
7 Gilbert Lane	Non Contributing	1850	
9 Howard Street	Contributing	1880	
10 Howard Street	Contributing	1882	
12 Howard Street	Contributing	1885	
13 Howard Street	Contributing	1885	
15 Howard Street	Contributing	1871	
18 Howard Street	Contributing	1882	
19 Howard Street	Contributing	1880	
20 Howard Street	Contributing	1882	
21 Howard Street	Contributing	1882	
22 Howard Street	Contributing	1882	

25 Howard Street	Contributing	1882	
51-53 Kellogg Street	Contributing	1895	
55-57 Kellogg Street	Non Contributing	1915	
60 Kellogg Street	Contributing	1899	
61 Kellogg Street	Contributing	1904	
63 Kellogg Street	Contributing	1899	
64 Kellogg Street	Contributing	1880	
66 Kellogg Street	Contributing	1880	
7 Lafayette Street	Individually Designated Landmark	1849	
26 Lafayette Street	Contributing	1850	
30 Lafayette Street	Contributing	1860	Y
34 Lafayette Street	Non Contributing	1889	
42 Lafayette Street	Contributing	1858	
46 Lafayette Street	Contributing	1850	
48 Lafayette Street	Contributing	1850	
50 Lafayette Street	Contributing	1850	
56 Lafayette Street	Contributing	1850	
51 Melbourne Street	Non Contributing	1905	
52 Melbourne Street	Contributing	1880	
53 Melbourne Street	Contributing	1900	
57 Melbourne Street	Contributing	1875	
58 Melbourne Street	Contributing	1867	
61 Melbourne Street	Contributing	1890	
62 Melbourne Street	Contributing	1869	
63 Melbourne Street	Contributing	1890	
64 Melbourne Street	Contributing	1880	
67 Melbourne Street	Contributing	1910	
71 Melbourne Street	Contributing	1878	
72 Melbourne Street	Contributing	1868	
73 Melbourne Street	Contributing	1866	
74 Melbourne Street	Contributing	1866	
76 Melbourne Street	Contributing	1861	
80 Melbourne Street	Contributing	1855	

65 Merrill Street	Contributing	1871	
67 Merrill Street	Contributing	1867	
69 Merrill Street	Contributing	1902	
70 Merrill Street	Contributing	1880	
73 Merrill Street	Contributing	1882	
8-12 Montreal Street	Individually Designated Landmark	1855	
41 Montreal Street	Contributing	1866	
42 Montreal Street	Contributing	1875	
45 Montreal Street	Contributing	1863	
46 Montreal Street	Contributing	1868	
48 Montreal Street	Contributing	1862	
49 Montreal Street	Contributing	1854	
52 Montreal Street	Contributing	1895	
54 Montreal Street	Non Contributing	1867	
55 Montreal Street	Contributing	1930	
60 Montreal Street	Contributing	1915	
63 Montreal Street	Contributing	1912	
64 Montreal Street	Contributing	1904	
44 Monument Street	Contributing	1856	
48 Monument Street	Contributing	1863	
51 Monument Street	Individually Designated Landmark	1874	
9 Moody Street	Non Contributing	2019	
53-55 and 57-59 Moody Street	Contributing	1912	
52-54 and 56-58 Moody Street	Contributing	1910	
10 Morning Street	Contributing	1897	
11-13 Morning Street	Contributing	1898	
16 Morning Street	Non Contributing	1872	
17 Morning Street	Contributing	1916	
19-21 Morning Street	Contributing	1903	
20 Morning Street	Contributing	1866	
24 Morning Street	Contributing	1873	
25 Morning Street	Contributing	1899	
27 Morning Street	Contributing	1899	

28 Morning Street	Contributing	1872	
29 Morning Street	Contributing	1909	
32 Morning Street	Contributing	1886	
33 Morning Street	Contributing	1899	
36 Morning Street	Contributing	1890	
37 Morning Street	Contributing	1900	
40 Morning Street	Contributing	1868	
42 Morning Street	Contributing	1895	
46-48 Morning Street	Non Contributing	1899	
49-51 Morning Street	Contributing	1897	
50 Morning Street	Contributing	1892	
55 Morning Street	Contributing	1910	
58 Morning Street	Non Contributing	1893	
62 Morning Street	Contributing	1893	
63-65 Morning Street	Contributing (Original Structure) Non Contributing (Addition)	1920	
64-66 Morning Street	Contributing	1892	
68-70 Morning Street	Contributing	1903	
72 Morning Street	Contributing	1892	
76 Morning Street	Contributing	1897	
79 Morning Street	Non Contributing	1893	
80 Morning Street	Contributing	1898	
81 Morning Street	Contributing	1895	
85 Morning Street	Contributing	1893	
86 Morning Street	Contributing	1895	
89 Morning Street	Contributing	1894	
90 Morning Street	Contributing	1910	
93 Morning Street	Contributing	1894	
94 Morning Street	Contributing	1912	
95 Morning Street	Contributing	1925	
96 Morning Street	Contributing	1924	
102 Morning Street	Contributing	1897	
119 Morning Street	Contributing	1925	

125 Morning Street	Contributing	1907	
129 Morning Street	Contributing	1908	
131 Morning Street	Contributing	1908	
10 Munjoy Street	Contributing	1859	
11 Munjoy Street	Contributing	1857	
14 Munjoy Street	Contributing	1884	
15 Munjoy Street	Non Contributing	1859	
18-20 Munjoy Street	Contributing	1858	
19 Munjoy Street	Contributing	1857	
26 Munjoy Street	Contributing	1858	
27 Munjoy Street	Contributing	1855	
29 Munjoy Street	Contributing	1862	
30 Munjoy Street	Contributing	1868	
34 Munjoy Street	Non Contributing	1993	
38 Munjoy Street	Non Contributing	1857	
39 Munjoy Street	Non Contributing	1855	
42 Munjoy Street	Contributing	1851	
43 Munjoy Street	Contributing	1886	
60 Munjoy Street	Contributing	1911	
62 Munjoy Street	Contributing	1857	
66 Munjoy Street	Contributing	1857	
72 Munjoy Street	Non Contributing	1916	
76 Munjoy Street	Contributing	1922	
7 North Street	Contributing	1879	
9 North Street/28 Cumberland Ave.	Contributing	1881	
11 North Street	Contributing	1881	
12 North Street	Contributing	1868	
15 North Street	Contributing	1878	
14-16 North Street	Contributing	1867	
18 North Street	Contributing	1860	
19 North Street	Contributing	1850	
23 North Street	Contributing	1875	
24-26 North Street	Contributing	1895	

27 North Street	Contributing	1877	
28 North Street	Contributing	1888	
29 North Street	Contributing	1869	
31 North Street	Contributing	1867	
32 North Street	Contributing	1879	
34 North Street	Contributing	1882	
35 North Street	Contributing	1850	
36 North Street	Non Contributing	1882	
39 North Street	Contributing	1886	
42 North Street	Contributing	1883	
44 North Street	Non Contributing	1884	
45 North Street	Contributing	1881	
47 North Street	Contributing	1879	
48 North Street	Contributing	1880	
51 North Street	Contributing	1886	
54 North Street	Contributing	mid to late 19th century	
56-60 North Street	Landmark	1882	
63 North Street	Contributing	1856	
67 North Street	Contributing	1888	
73 North Street	Non Contributing	1855	
79 North Street	Contributing	1847	
80 North Street	Contributing	1871	
84 North Street	Contributing	1877	
89 North Street	Contributing	1895	
92 North Street	Non Contributing	1876	
96 North Street	Contributing	1876	
100 North Street	Contributing	1873	
101 North Street	Contributing	1887	
103 North Street	Contributing		
104 North Street	Non Contributing	2013	
105 North Street	Contributing	1891	
106 North Street	Contributing	1878	
107 North Street	Contributing	1864	

110 North Street	Contributing	1867	
116 North Street	Non Contributing	1892	
122 North Street	Contributing	1890	
11 O'Brion Street	Contributing	1864	
12 O'Brion Street	Contributing	1870	
15 O'Brion Street	Contributing (Garage on Adjoining Lot Non Contributing)	1859	
16 O'Brion Street	Contributing	1870	
22 O'Brion Street	Contributing	1907	
27 O'Brion Street	Contributing	1872	
28 O'Brion Street	Contributing	1889	
30 O'Brion Street	contributing	1850	
31 O'Brion Street	Contributing (Outbuilding Non Contributing)	1870	
33 O'Brion Street	Contributing	1879	
36 O'Brion Street	Non Contributing	1868	
39 O'Brion Street	Contributing	1899	
40 O'Brion Street	contributing	1895	
42 O'Brion Street	Non Contributing	2019	
43 O'Brion Street	Contributing	1895	
45 O'Brion Street	Contributing	1894	
49 O'Brion Street	Contributing	1880	
65-67 Quebec Street	Contributing	1866	
71 Quebec Street	Non Contributing	2015	
75 Quebec Street	Non Contributing	1862	
77 Quebec Street	Non Contributing	1862	
80 Quebec Street	Contributing	1876	
81 Quebec Street	Contributing	1860	
84 Quebec Street	Contributing	1877	
86 Quebec Street	Contributing	1888	
90 Quebec Street	Contributing	1868	
8 Sherbrooke Street	Contributing	1856	
21 Sheridan Street	Landmark	1903	

46 Sheridan Street	Previously Designated Landmark	Not in book or web	
16 St. Lawrence Street	Contributing	1858	
20 St. Lawrence Street	Contributing	1855	
23 St. Lawrence Street	Contributing	1852	
24 St. Lawrence Street	Contributing	1851	
28 St. Lawrence Street	Contributing	1871	
29 St. Lawrence Street	Contributing	1898	
35 St. Lawrence Street	Contributing	1850	
36 St. Lawrence Street	Contributing	1855	
37 St. Lawrence Street	Contributing	1867	
40 St. Lawrence Street	Non Contributing	1858	
43 St. Lawrence Street	Contributing	1900	Y
46 St. Lawrence Street	Non Contributing	1860	
47 St. Lawrence Street	Contributing	1863	
49 St. Lawrence Street	Contributing	1858	
50 St. Lawrence Street	Contributing	1849	
52 St. Lawrence Street	Contributing	1871	
56 St. Lawrence Street	Contributing	1860	
57 St. Lawrence Street	Contributing	1898	
61 St. Lawrence Street	Contributing	1898	
62 St. Lawrence Street	Contributing	1896	
65 St. Lawrence Street	Contributing		
71 St. Lawrence Street	Non Contributing	2012	
72 St. Lawrence Street	Contributing	1896	
74 St. Lawrence Street	Contributing	1847	
75-77 St. Lawrence Street	Non Contributing	1861	
83 St. Lawrence Street	Contributing	1847	
87 St. Lawrence Street	Contributing	1852	
91 St. Lawrence Street	Contributing	1850	
94-96 St. Lawrence Street	Contributing	1855	
50 Turner Street	Contributing	late 19th century	
52 Turner Street	Contributing	late 19th century	
11 Vesper Street	Contributing	1867	

12 Vesper Street	Non Contributing	1876	
15 Vesper Street	Contributing	1868	
16 Vesper Street	Contributing	1869	
19 Vesper Street	Contributing	1868	
20 Vesper Street	Contributing	1889	
22 Vesper Street	Contributing	1900	
23 Vesper Street	Contributing	1867	
27 Vesper Street	Contributing	1867	
28 Vesper Street	Contributing	1867	
31 Vesper Street	Contributing	1867	
30-32 Vesper Street	Contributing	1854	
33 Vesper Street	Contributing	1874	
36 Vesper Street	Contributing	1875	
38 Vesper Street	Contributing	1897	
39 Vesper Street	Contributing	1884	
41 Vesper Street	Contributing	1910	
42 Vesper Street	Non Contributing	1913	
46 Vesper Street	Contributing	1904	
47 Vesper Street	Contributing	1888	
50 Vesper Street	Contributing	1889	
73 Vesper Street	Contributing	1897	
74 Vesper Street	Non Contributing	1889	
76 Vesper Street	Contributing	1889	
77 Vesper Street	Contributing	1912	
79 Vesper Street	Contributing	1911	
80 Vesper Street	Contributing	1897	
82 Vesper Street	Contributing	1896	
83 Vesper Street	Contributing	1895	
85 Vesper Street	Contributing	1921	
86 Vesper Street	Contributing	1893	
89 Vesper Street	Contributing	1916	
90 Vesper Street	Contributing	1898	
92 Vesper Street	Contributing	1899	

93 Vesper Street	Contributing	1905	
96 Vesper Street	Contributing	1899	
42 Walnut Street	Non Contributing	1888	
44 Walnut Street	Non Contributing	1866	
46 Walnut Street	Contributing	1869	
54 Walnut Street	Contributing	1880	
13 Waterville Street	Contributing	1856	
17 Waterville Street	Contributing	1859	
23-25 Waterville Street	Contributing	1846	
28 Waterville Street	Individually Designated Landmark	Not in book or web	
29 Waterville Street	Non Contributing	2010	
39 Waterville Street	Contributing	1848	
40 Waterville Street	Contributing	1885	
41 Waterville Street	Contributing	1906	
44 Waterville Street	Contributing	1859	
45 Waterville Street	Contributing	1867	
46 Waterville Street	Contributing	1854	
50 Waterville Street	Contributing	1855	
51 Waterville Street	Contributing	1867	
54 Waterville Street	Contributing	1855	
56 Waterville Street	Contributing	1855	
62 Waterville Street	Contributing	1855	
65 Waterville Street	Contributing	1924	
66 Waterville Street	Contributing	1857	
70 Waterville Street	Contributing	1855	
72 Waterville Street	Contributing	1865	
73 Waterville Street	Contributing	1848	
10 Willis Street	Contributing	1860	Y
20 Willis Street	Contributing	1892	Y
22 Willis Street	Non Contributing	1869	
24 Willis Street	Contributing	1884	Y
26 Willis Street	Contributing	1880	Y
14-16 Wilson Street	Contributing	1905	

27 Wilson Street	Contributing	1898	
29 Wilson Street	Contributing	1908	
32 Wilson Street	Contributing	1896	
56 Wilson Street	Non Contributing	2006	
58 Wilson Street	Contributing	1889	
61-65 Wilson Street	Contributing	1906	
74 Wilson Street	Non Contributing	1875	
76 Wilson Street	Contributing	1875	
80 Wilson Street	Contributing	1868	

Address: 21 Sheridan Street

Approximate/Documented Date of Building: 1903

Surveyed: 8/17/2018

Historic Name: John Ford boyhood home

Landmark, Contributing or Noncontributing: Landmark



Introduction

21-23 Sheridan Street was a boyhood home of John Ford. The noted movie director was born John Feeney at Cape Elizabeth. In 1897 the family moved to Portland and a series of rental accommodations, first at Danforth Street and then at 65 Monument. In 1905 the family moved to this triple decker on Sheridan and lived there until 1917. John was a football hero at Portland High School and in 1914 followed his brother Francis to Hollywood. The Feeney brothers changed their name to Ford and John went on to direct such classic films as "The Informer" (1936) "Stagecoach" (1939), "The Grapes of Wrath" (1940), and "The Searchers" (1956). The building's Landmark classification is based on its association with John Ford.

The building is a classic triple-decker built in 1903. Triple deckers were built in significant numbers on Munjoy Hill at the turn of the twentieth century and proved to be an important building type in providing affordable housing for Portland's growing population, especially immigrant population. Triple deckers allowed for higher density on a narrow building lot. While accommodating a greater number of units, the triple decker also offered numerous amenities such as a generous floor plan, projecting bays, large windows and, oftentimes, decks for each unit. (From the 1924 photo, it appears the 21-23 Sheridan did not include decks.)

21-23 Sheridan exhibits all the typical elements associated with this building type: a tall, narrow building form; a front porch supported by columns and positioned at the side of the façade; a large faceted bay window that extends the full height of the building; a deep overhanging cornice and generous-size windows. Given the fairly steep grade of Sheridan Street and the building's high foundation, the front porch is located well above the street and is accessed by winding steps.

Alterations and Additions since 1924

21-23 Sheridan remains in well-preserved condition. Although some architectural details are difficult to discern from the 1924 photo, it appears that many of the original details remain. These include the recessed panels at the base of the front bay, the pilasters flanking the bay windows, the front porch's square columns with recessed panels, and the denticulated cornice. Windows remain 2-over-one, however at least some of the windows are vinyl replacements.

Some changes are evident. For example, on the south elevation the single windows near the front corner of the building are now paired. More obvious is the addition of a three-level porch off the south elevation. Interestingly, the porch addition is consistent with what many triple-deckers featured as amenities when they were built. The changes are compatible with the original character of the building and do not diminish its historic integrity.

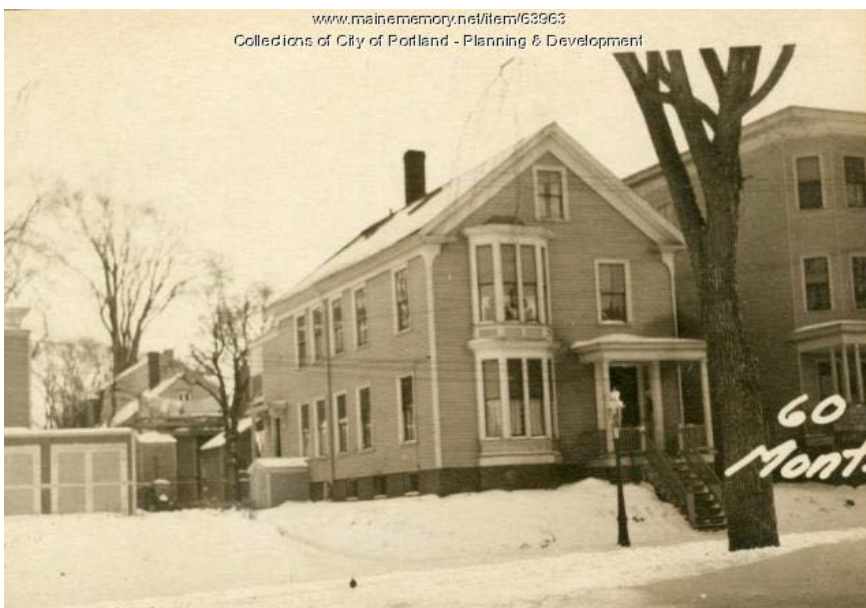
Address: 60 Montreal Street

Approximate/Documented Date of Building:

Surveyed: 8/17/2018

Historic Name:

Contributing or Noncontributing: Contributing



Introduction

60 Montreal Street is a vernacular Italianate dwelling, and is a good example of the many gable-front houses built on the narrow lots that typify Munjoy Hill's historic character. Distinguishing characteristics include eave returns, wide friezes, corner boards, and the façade's two-story canted bay window and recessed main entrance with partial porch.

The dwelling is two by five bays wide, with fewer bays on the southern elevation, and has vinyl siding and replacement 1/1 vinyl sash windows. The façade's bay window retains cornices on both stories. The entry porch in the second bay has tapered column supports and dentil moldings. The recessed, double-door main entry has a simple entablature with wooden paneling on the interior walls. The northern elevation has a secondary entrance in the first bay, which appears to have a bracketed hood, although it is partially obscured from the roadway by trees.

A shed dormer with three vinyl sliding windows runs the full width of the roof's northern slope. The gabled roof is asphalt and has one chimney adjacent to the interior ridge.

Alterations and Additions Since 1924

Changes since 1924 include loss of wood clapboard siding, the addition of 1/1 windows in place of 2/2 and 2/1 windows, replaced corner boards with some loss of detail, and the addition of the large shed dormer. Wooden paneling below the bay window lights has been replaced with vinyl clapboards. However, these changes do not diminish the dwelling's historic character, as it retains significant period details and its nineteenth-century form.

Address: 44 North

Approximate/Documented Date of Building: 1884

Surveyed: 8/17/2018

Historic Name: A. L. Johnson House

Contributing or Noncontributing: Noncontributing



Introduction

The multifamily residence at 44 North Street is a front-gable, two-and-a-half-story, wood-frame Italianate structure. The building is clad in natural wood clapboards with wood trim. Although the building's form and massing remain unchanged (at least near the street) and a few architectural details remain to convey its original Italianate style, the number and nature of alterations have effectively robbed the building of its historic integrity. The front entry has been altered with the replacement of the original canopy, front doors and entry porch. The prominent two-story bay has changed significantly in appearance with its windows being reduced in size and infill clapboard siding replacing the bay's decorative paneling and intermediate cornice. Other windows on the façade and side elevations have been reduced in size as well and a group of three single-lite casement windows have replaced a pair of taller windows in the front gable. A rear addition extends beyond the face of the south elevation.

While the building's form, scale and gable end-to-the-street orientation are consistent with North Street's prevailing development pattern, the degree of change has led to its classification as a noncontributing structure.

Proposed Munjoy Hill Historic District
and Individual Landmark Designations
per Historic Preservation Board
November 20, 2019 Recommendation

Att. 5

Property Classifications

- Designated Landmark
- Proposed Landmark
- Noncontributing based on date of construction
- Noncontributing based on extent of alteration
- Undeveloped parcel
- Historic District, Contributing Buildings

0 250 500 1,000 Feet

For more information about individual properties within the district, go to:
<https://www.portlandmaine.gov/munjoyhillhistoricdistrict>

Memorandum

Department of Planning & Urban Development Planning Division



To: Brandon Mazer, Chair, and Members of the Planning Board
 From: Christine Grimando, Director, Department of Planning & Urban Development
 Date: February 7, 2020
 Mtg Date: February 11, 2020
 RE: Comprehensive Plan Analysis

INTRODUCTION

The City's Historic Preservation Ordinance states that the Planning Board must consider whether a proposed designation meets the criteria for a district (Sec. 14-610. Minimum criteria for designation), as well as consider the effect of such designation on other aspects of the comprehensive plan of the city. The Historic Preservation Board extensively reviewed the criteria and provided supporting material documenting the basis of their recommendation. Below is analysis of *Portland's Plan 2030* consistency.

PORTLAND'S PLAN 2030

[*Portland's Plan 2030*](#) has eight Policy Guide chapters: Environment, Historic Resources, Waterfront, Economy, Housing, Recreation & Open Space, Facilities & Services, and Transportation. The Plan's structure is explicit that these are considered linked and mutually supportive, rather than competing goals. Stewardship of Portland's historic, cultural, and architectural assets has been an integral part of the City's planning strategy since the Historic Preservation program began in 1990, was widely supported in public feedback received during Portland's Plan creation, and is supported throughout the document.

Examples follow of policy support for preservation of historic resources in *Portland's Plan 2030*.

Executive Summary

- Our economy, housing, historic resources, transportation system, open space, environment, waterfront, and municipal facilities and services are all dependent on each other and inextricably linked.



Figure 1, Portland's Plan 2030 Vision graphic

Vision Statement

Sustainable:

- Portland has been built and rebuilt to endure; we will balance our historic fabric, sound infrastructure, and the best of new technology and design for the future.

Authentic:

- We will maintain our character through preservation, innovation, and excellence in design for the built environment.
- We will celebrate our city's incredible history.
- The uniqueness and integrity of our neighborhoods will be maintained and enhanced.

Historic Resources Policy Guide

- Identify, document, designate, and preserve Portland's historic resources, including individual structures, neighborhoods, parks, cemeteries, and archaeological resources.
- Educate and engage residents and visitors in appreciation of Portland's unique heritage.
- Promote historic preservation as a key economic, sustainability, and community development strategy.
- Stabilize and enhance historic areas of the city by ensuring quality investment in existing structures and compatible infill development.
- Ensure an appropriate balance of continuity and change as Portland grows and evolves.
- Based on survey findings and input from applicable stakeholders, document and designate resources of



ENVIRONMENTAL BENEFITS OF HISTORIC PRESERVATION

Recent research by the National Trust for Historic Preservation found that the re-use or rehabilitation of existing buildings offers significant environmental benefits over new construction. According to their report, *The Greenest Building*, each year approximately 1 billion square feet of buildings are demolished and replaced nationwide, resulting in significant environmental impacts associated with demolition and waste disposal, the production of new raw materials, and new construction. The study found that reusing an existing building can result in 4 to 46% less environmental impact than new construction, depending on the type of building, location, and level of energy efficiency. Even when new construction is designed for optimal energy efficiency, it can take 10 to 80 years for a new building to offset the negative environmental implications of its construction.

Figure 2, Portland's Plan 2030, environmental benefits of preservation

historic, architectural, and/or cultural significance to encourage thoughtful building rehabilitation, deter demolition, and support neighborhood revitalization.

Environment Policy Guide

- Encourage landowners and developers to incorporate sustainable design, materials, and practices in rehabilitation of historic resources and in new construction.
- Historic Resources: strategy Assess new construction techniques, products, and materials for compatibility with historic structures, and develop policies and guidelines for their use in historic rehabilitation projects.

Economy Policy Guide

- Respect that our unique quality of place is key to our current and future economic success.

Housing

- Increase, preserve, and modify the overall supply of housing city-wide to meet the needs, preferences and financial capabilities of all Portland residents.
- Encourage additional contextually appropriate housing density in and proximate to neighborhood centers, concentrations of services, and transit nodes and corridors as a means of supporting complete neighborhoods.
- Encourage energy efficiency in new construction and rehabilitation of Portland's housing stock.
- Encourage rehabilitation of existing historic buildings and materials.

From the first pages of *Portland's Plan 2030*, and consistently throughout the document, historic preservation is acknowledged as central to the City's vision, including not only existing local designations but potential future designations. It is also acknowledged as integral to Portland's economic development strategy, its sustainability goals, and to a multidimensional housing strategy.

Google Groups

Munjoy Hill Historic District

abby harvey <ybbarah@netscape.com>

Mar 2, 2020 5:56 PM

Posted in group: **Planning Board**

Hi All,

I, Abby Harvey @17 Waterville St, support the proposed Munjoy Hill Historic district intact!

Sincerely,
Abby

Historic District

Anne Manganello <aemanganello@gmail.com>

Feb 12, 2020 5:42 PM

Posted in group: **Planning Board**

I attended the more than three hour meeting last evening and have just read Carle Henry's letter of review. I can only add two more comments to this already inclusive and accurate analysis.

I have had an opportunity to speak with one or more builders who are trying to keep a low profile for "fear" of being "blacklisted". That is no avenue to community and diversity that we all propose to desire. I would also urge the planning board to thoroughly review and most importantly document their findings carefully before making a decision.

Comparing one historic district to another does not insure a similar outcome because, indeed, they are all not alike. The West End is staid old dame. There is some activity and complacent growth going on but the East End is a vibrant teenager full of life and ready for the race and burgeoning growth. We can not afford to stymie and constrict this pulsating spirit of creativity that is in play. We will do so to our own detriment.

Respectfully submitted,

Anne E. Manganello
84 Quebec St, Portland, ME 04101

Why Munjoy Hill should not become an Historic District

Anne Manganello <aemanganello@gmail.com>

Mar 2, 2020 2:44 PM

Posted in group: **Planning Board**

1. Portland has a housing shortage. Portland should not remove Munjoy Hill from helping to address this challenge.
2. Population on Munjoy Hill is at its lowest point in more than 80 years: it is becoming a place only for the affluent. A Historic District on Munjoy Hill will further that direction.
3. In 2018, the City introduced a Conservation Overlay District. There has only been one active project initiated on the Hill since the Overlay District went into place. The Hill has quickly gone from stimulating new housing to becoming stagnant.
4. A new Historic District will limit new property tax revenues hurting our schools and increasing the burden on current home owners.
5. Supporters can self designate their home thus creating a de facto district without negatively impacting neighbors and City goals.
6. Supporters mistakenly believe a Historic District will stop demolitions and prevent 'big boxy condos' from going up. It does neither. Zoning and Design Standards address the quality and aesthetics of new buildings.
7. The 2030 Master Plan has many goals re sustainability, climate change and growth. Putting a vibrant neighborhood under a glass dome runs counter to these goals.

These are the thoughts and concerns of many who live and want to live on Munjoy Hill.

Respectfully submitted

Anne Manganello

84 Quebec Street

Portland Maine 04101

Google Groups

Letter of Support for Munjoy Hill Historic District Designation

Audrey Puleio <APuleio@bnrg.ie>

Feb 28, 2020 9:56 AM

Posted in group: **Planning Board**

To whom it may concern,

Please view this email as a designation of support to the Planning Department for Munjoy Hill Historic District to be preserved as presented in the recent Preservation Alert. I am in support of the benefits of historic district outlined by other members in support of this designation from retaining units for affordable housing to the clear sustainability efforts that the historic district emphasizes.

I currently reside at 27 North Street.

Best,

Audrey

Audrey Puleio

Project Manager

She/Her/Hers

BNRG Renewables Ltd

Unit 1B, No. 3 Custom House Plaza,

Harbourmaster Place,

Dublin 1, IRELAND.

BNRG Dirigo

622 Congress Street, Suite 202

Portland, Maine, USA

e: apuleio@bnrg.ie **w:** www.bnrg.ie

m: 1-207-712-0126



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Support for designation of Munjoy Hill Historic District

Barbara Brown <brown.barbaras@yahoo.com>

Mar 4, 2020 11:03 AM

Posted in group: **Planning Board**

My name is Barbara Brown and I live at 156 Sheridan St #2C, on Munjoy Hill. I strongly support the creation of the Munjoy Hill Historic District.

We chose to buy our place a year and a half ago primarily because of the neighborhood character of Munjoy Hill. We specifically avoided the new condos down in the India and Newbury Streets area because we fell in love with the mixed use and mixed income nature of the Hill, and have been worried as we see more and more of the older buildings torn down and less affordable "white box" condos put up in place of them.

Continuation of this trend will destroy the character of the neighborhood, both architecturally and socially. I therefore urge the Planning Board to vote in favor of the historic district designation.

Thank you,
Barbara Brown

Historic Preservation of Munjoy His

BARTI BOURGAULT <bbourgault@me.com>

Feb 28, 2020 3:28 PM

Posted in group: **Planning Board**

Thank you for considering my comment.

I live in the proposed area. My husband (Richard Gold) and I own 49 & 51 Waterville Street.

While I am all for urban renewal, I am not for the removal of history for the sake of developer profit. I have seen quite a bit of cheap, quick and unsightly new development in the area - big boxes that look like they will be falling apart in 20 years. I have also seen some beautiful and quality new construction and renovations such as the new home on Moody Street. The former bothers me because it lacks vision or care for the community. It feels like the developer laughed all the way to the bank. The latter bothers me because the construction is not in keeping with the historic flavor of the neighborhood.

Designating the recommended areas of Munjoy Hill as historic will hopefully put in place enough restrictions to address both issues.

Please protect the future of the area where the homes are historic and the community is strong.

Barti Bourgault
bbourgault@me.com

Google Groups

Beth Snyder <snyderbes@gmail.com>

Mar 5, 2020 5:00 AM

Posted in group: **Planning Board**

Dear Planning Board,

I support the Munjoy Hill Historic District as recommended by the Historic Preservation Board in November and ask you to support it and recommend designation of the proposed historic district to the Portland City Council.

Thank you.

Respectfully,
Beth Snyder
81 North St, Portland, ME 04101

Munjoy Hill Historic District

Bruce Wood <brucesar@yahoo.com>

Mar 4, 2020 9:00 AM

Posted in group: **Planning Board**

Chair Mazer and members of the Planning Board:

I would like to express my support for approval of the Munjoy Hill Historic District as approved by the Historic Preservation Board in December 2019, which is before you on March 10, 2020.

This historic district is very much needed to preserve the character of that portion of Portland. The housing stock in this area is different from that in the other historic districts of the city and represents series of different populations from those elsewhere on the peninsula. This area was settled by working class immigrants of many different religious and cultural backgrounds, a history that has played a significant part in Portland's history. The housing stock in this neighborhood is unique in its massing and consistency of character from that of other parts of Portland.

Development that already has occurred in parts of Munjoy Hill has resulted in destruction of many structures representing the city's history, a representation that needs to be protected to fully exhibit the various aspects of our city's background.

While any single structure may not be important in its own right or by its own history, the fact that numerous examples remain on the streets included in this district makes the whole more important than its parts.

Another reason to protect this housing stock is to protect middle income housing on Munjoy Hill. The structures that have replaced several buildings on the Hill contain housing stock that is unaffordable to many who live and have lived on Munjoy Hill.

Creating this historic district benefits the city in at least two ways: protection of its history and protection of affordable housing.

I urge your vote in favor of the Munjoy Hill Historic District as presented to you.

Thank you for your time.

Bruce Wood
607 Chandler's Wharf
Portland, ME 04101

Google Groups

Proposed Munjoy Hill Historic District

Candace Myers <dulcemyers@gmail.com>

Mar 5, 2020 8:18 AM

Posted in group: **Planning Board**

Dear Deb Andrews,

I am condo owner at 45 Eastern Prom and am writing in support of the proposed historic district on Munjoy Hill. I have been out of state these past few months and wanted to relay my opinion to you as I was unable to attend any meetings.

Thank you for your time,

Candace Myers
45 E Prom unit B-G
Portland House Condominiums

Google Groups

RE Munjoy Hill HD

Carle Henry <cdhenry3@yahoo.com>

Feb 12, 2020 12:29 PM

Posted in group: **Planning Board**

Board,

Here is some feedback, including a new tool that I hope will help the Board move forward regarding the question of adding an HD to the Hill.

Thank you,

Carle Henry

Feb 12, 2020

City of Portland
Planning Board

Dear Board,

Last night's workshop on the question of adding a Historic District to Munjoy Hill was informative yet very disappointing. While Deb A did a nice job portraying the best-face-forward on this proposition, Christine added little and the board changed direction significantly from the previous workshop. Why? Why the sudden about face & abandoning of your role?

Here are the areas where I urge you to review as part of your role as Planning and items I wish you would steer away from

1. Dig into 'in kind'...Austin & Maggie asked some questions on this topic and seemed satisfied with staff's responses. Please do NOT settle for the best-face-forward responses and ask about the challenging cases. There are many from every district in this City. Just this week, a builder learning of HD on the Hill, increased their bid on certain line items over 2x on a proposed project just because of HD. These are real costs to real owners. This leads owners to not repair their homes, which is the opposite of the goal of restoring!
 - a. Maggie, at the end of the meeting, your comments re tweaking the Overlay were concerning. Adding more work to Staff is unnecessary when you have the Recode opportunity to address many of these overlapping topics (see #2.) Also, please see the attached doc produced by us with the help of Staff.
2. Recode is the answer to detangling the mess of a new R6, the failed Overlay District tweaking & the HD. Christine's answer as to why these are separate initiatives does not mean they cannot be addressed at one time and by the overarching Recode efforts. When Deb A states that 'alterations are not governed by the Recode', ask 'why not'? You're the Planning Board – you can make that happen. HD is not necessary to manage alterations/modifications. Look at other non-HD areas in our city: the Recode can do it!
3. David Silk was surprised that no one had raised the question of whether the Hill satisfies the requirements to consider a HD & the boundaries. Well, that's simply wrong: I've submitted on both topics, as have others. Please do not base your opinion on the public comment from one session. I cannot imagine the amount on all of your plates but there has been significant comment in the past months on both of these topics.

My letter submitted last month (and not included in your packet for some reason) did challenge the HD requirements . Here is an excerpt from my letter on this topic:

Note: re HD on the Hill, it is worth mentioning that the Historic Staff's memo presented in preparation for the December 10, 2019 Planning Board Workshop cites that criteria has been met for both 14-610 and 14-611. However, the memo does not explain how the criterion was met. Unless the memo is missing significant detail, the information provided does not adequately explain (thus satisfy) that the criterion has been met.

- *While the Hill does have historic value to our city (14-610), how is its 'value [a] significant example of cultural, historic, architectural, archeological or related aspect of the heritage? Couldn't this be said about any neighborhood in our City?*
- *Re 14-611, the Staff memo cites a number of individual buildings as justification for the criteria. If individual buildings, why does the City need a large district? Why not simply designate those or recommend voluntary national designation or landmark assignments? It seems a 'stretch' to cite a small number of buildings on various streets as justification to convert a neighborhood.*

As for the topic of boundaries, this has been raised many times by many on the Hill, including me. When Deb says neighbors requested their block be included, that is another ½ truth. Attending the workshops, there were many times when a hill resident would stand up, take the pointer and suggest adding streets or sections where they do not reside. Not only was this a waste of tax money and staff resource, the district has now increased 2 times due to people without standing, requesting expansion with NO input from those impacted. *It's odd that anyone can propose additions but people with standing cannot opt out! Why?*

4. David Eaton's contribution during deliberations should have been stopped. He spoke as a resident in an HD, not as a Planning Board member. We all know some folks like their experience in an HD. We also know some people don't. Board members are supposed to discuss this matter in a professional manner, considering Planning matters. This was very disappointing. Please consider recusing yourself David because you've tarnished any contribution you can offer at this point, due to your impartial testimony last night.
5. The 100-foot rule has become a tool for NIMBY neighbors to intervene in private citizen's lives. Part of the recent expansion of the proposed district is a way of allowing some of the most vocal activists to slow down and intimidate their neighbors. This is a club in our society today and serves no real purpose for the

City since it is only advisory. Why have a 100-foot rule if it only acts to create friction between neighbors? And anxiety to owners who do not understand?

6. Deb A cited 49 Saint Lawrence in her packet as a great example of cooperation between a homeowner and the HPB. While she is right that the HPB was largely supportive, they have recommended that proposed new window not be added to a living room (which the owner will live & she wants sunlight) even though this room will not be clearly visible from the street, once the neighbor completes his major rehab. Also, the HPB, unlike what they say in workshops like yours, asked multiple times for the owner to restore the front of the façade to more closely resemble 1924.

Please consider the following:

1. Building on the Hill has slowed down dramatically since the restrictive overlay has gone into place. Most, if not all, work being done today is a result of permits granted years ago. So, why rush to add a 12th HD now? How many pending permits are there now? (The sky is not falling on the hill – the new overlay is doing what people want – as for design, fix it with recode)
2. The overlay has in essence granted an HD across the entire Hill. It's more restrictive and problematic and has not been properly evaluated. Owners have had to build homes larger than they wanted. Hardship demos were removed from the Overlay area. There is a list of issues from both pro and anti HD people that warrant this Overlay to be redefined/redrafted.
3. The new R6 that Planning Staff presented recently is another attempt to satisfy the vocal Hillers. It was met with a very negative response from pro HDers.
4. Combine your efforts and resources to address the actual concerns from the City and the citizens by focusing on the recode.
5. Consider offering National Designation to the <100 of the contributing homes owners versus adding a District. This will protect the 'fabric', will allow you to focus on recode, R6 and overlay.
6. Public comment shows great confusion regarding the impacts of an HD. Most who support still believe HD will impact zoning (size of buildings specifically) and will stop demolitions (which an HD could increase demos for non contributing since it's a matter of right and requires no special approval.)
 - a. Citizens want to prevent large buildings from being built on side streets. That's really the issue. Can't you simply address that via the

various projects on your table without adversely impacting owners who are already preserving their buildings (remember 85% of the 408 buildings evaluated were deemed contributing – that shows that history is very much reflected today on the hill and has been for 100 years or so)

7. As a process matter, having the manager of HP answer the bulk of the questions is similar to asking a parent to talk about their baby. It's all sunshine and pride. There needs to be an objective, fully transparent resource reporting on facts. While George R exploded a bit last night, his primary message is correct. You're hearing partial answers & you need to push for full answers.
 - a. Last month, another citizen, Lori Rounds, and I met with Deb and Andrew Tufts from Planning to understand the differences between overlay and the proposed district. We learned more and pushed harder than your team did last night. Please see the attached draft doc that Deb and Andrew contributed to...we have asked for a subsequent meeting & hope to further collaborate with Staff to provide clarity on this topic
8. Brandon and Sean's questions & comments are 100% on point. Why 'designate' an 80-year period? Why juggle R6 revamp, Conservation Overlay modification, add an HD and work on the Recode work separately? Etc.
9. The upcoming Public Hearing will be more of the same. A large group of emotional, misinformed people will appeal to your hearts and minds while most citizens will not raise their voice for fear of retribution from certain neighbors or from the City. Planning staff will answer redundant questions with their 'best face forward' responses. Architects, Builders and homeowners have all expressed silent support against HD but are fearful (for real reasons) that standing up will cause them some harm. I encourage you to find other ways to gain feedback.
 - a. Originally, the Planning Staff committed to a city wide survey but never did it
 - b. Belinda Ray supported the initial commitment but never followed through
 - c. In early 2019, the MHNO openly discussed that Deb A and Landmarks reached out requesting that the MHNO do not survey the citizens (Jay Norris was President and reported this on multiple occasions during board meetings)
 - d. The new MHNO, led by a Historic Renovator, unanimously voted not to survey the citizens.

- i. The good news I did and I'm happy to share results with you, if you are interested separately

Finally, my house was built in 1849 and was radically altered in its first 50 years. Now, it's a keepsake. Frankly, it was classic when first built too. Can you imagine if my house could not be altered due to some arbitrary, unnecessary restriction? We spend many thousands of \$s each year on the exterior to maintain it and will again this year. Having to pay extra fees to do what is right is exactly why we did not purchase a home in an HD 7 years ago. **Added fees and time may make it impossible for us (and others) to continue making necessary repairs that will create the adverse affect where the building will fall into disrepair vs. restoring it (many examples of this in West End and in other HDs in our city!)**

Thank you again for your consideration and please do not take your foot off the gas when questioning the need for an HD and the bigger picture (housing crisis, sustainability, tenant impact, homeowner expense/hassle, etc.)

Carle Henry

PS This week, we discovered that a number of letters submitted against HD on the Hill were not included in packets. Jennifer confirmed the mix up when she was on PTO. Please confirm your receipt.

Munjoy Hill: Facts re the Current Overlay District and the Potential Historic District					
Developed by Lori Rounds & Carle Henry with input from Deb Andrews, Andrew Tufts & Christine Grimando of City of Portland Planning & UrbanDevelopment January 22, 2020					
Section 1: Topics where there is little material difference in protections &/or regulations when comparing the Overlay District to the proposed HD?					
ISSUE	OVERLAY DISTRICT		HISTORIC DISTRICT		
	YES / NO	COMMENTS	YES / NO	COMMENTS	
1 Will restrictions be imposed on home owners?	Y	Overlay District Rules Ch. 14-140.5 plus Building Permit rules	Y	Historic District Rules Ch. 14-601 plus Overlay District Rules Ch. 14-140.5 and Building Permit rules	
2 Are demolitions allowed?	Y	Overlay District Demolition Rules Ch. 14-140.5(e)	Y	Historic District demolition rules Ch. 14-645	
3 Is multi-unit building construction allowed?	Y	If within zoning guidelines, multi-unit buildings are allowed	Y	If within zoning guidelines, multi-unit buildings are allowed	
4 Will demolitions be restricted?	Y	Up to 12-month demolition delay required before Planning Dept. approval	Y	Non-contributing bldgs can be demo'd without HPD review; Overlay District demo delay DOES NOT APPLY. Contributing & Landmark buildings (or portions thereof) can be demo'd if reclassified by HPBoard as non-contributing, or if Hardship status is granted	
5 Is Condo development allowed?	Y	If within zoning requirements, condo development is allowed	Y	If within zoning requirements, condo development is allowed	
6 Is Affordable Housing construction allowed?	Y	If within Zoning/Overlay rules, affordable housing can be built	Y	If within Zoning/Overlay rules, affordable housing can be built	
7 Will rules dictate size (overall height, footprint, etc) of building to be built?	Y	Zoning/Overlay rules mandate maximum height, footprint, etc	Y	Zoning/Overlay rules apply, not HD rules	
8 Will rules dictate building setbacks from property lines?	Y	Zoning/Overlay rules mandate setbacks from property lines	Y	Zoning/Overlay rules mandate setbacks from property lines, not HD rules	
9 Will rules ensure that all new construction contains windows on street level?	Y	Zoning/Overlay rules mandate living space with windows on street level	Y	Zoning/Overlay rules mandate living space with windows on street level, HPD can influence the design	
10 Will rules dictate design of additions and new construction?	Y	Zoning/Overlay rules dictate design of additions & new construction, with oversight & approval of Planning Dept and/or Planning Board. OD provides for Alternative Design Review by HPBoard. Building Permit rules apply.	Y	Zoning/Overlay & Historic Preservation design rules apply to alterations, additions & new construction, with oversight & approval of HPD. Building Permit rules apply.	
11 Is permission needed to perform alterations to your house?	Y	Overlay/Zoning and City Building Permit rules apply	Y	Overlay/Zoning and City Building Permit rules apply	
12 Can you paint the exterior of your house without permission?	Y	No restrictions	Y	No restrictions	
13 Are solar panels allowed?	Y	Building Permit needed	Y	Building Permit plus HPD review and approval needed	
14 Will property Owners pay fees for City review & approval of alterations, additions & new construction?	Y	https://www.portlandmaine.gov/DocumentCenter/View/2300/Building-Permits-and-Inspections-Fee-Schedule	Y	https://www.portlandmaine.gov/DocumentCenter/View/2300/Building-Permits-and-Inspections-Fee-Schedule	
15 Do the rules impact the opportunity to provide affordable housing?	Y	Overlay/Zoning rules require construction of 3 or more units to include affordable unit(s)	Y	Overlay/Zoning rules require construction of 3 or more units to include affordable unit(s)	
16 Can Owners apply for Designated Historic Landmark status for a specific property?	Y	Historic Preservation rules apply; HPBoard determines status	Y	Historic Preservation rules apply; HPBoard determines status	

Section 2: Where the Conversation Overlay and the Historic Districts differ					
ISSUE		OVERLAY DISTRICT		HISTORIC DISTRICT	
		YES / NO	COMMENTS	YES / NO	COMMENTS
17	Is all of Munjoy Hill covered by the rules?	Y	Overlay District applies to 100% of Munjoy Hill	N	Historic District applies to a portion of Munjoy Hill; remaining area is subject to Overlay rules
18	Are permissions in addition to Zoning & Building Permits needed for alterations to your house?	N	No additional restrictions	Y	HPD Cert. of Appropriateness required for: exterior alteration or new construction requiring a Building Permit; certain roofing alterations; window & door replacement; masonry work; alteration of architectural details; other activities. See 14-634.
19	Do the rules specify the type of materials used for replacement of exterior roofing, gutters, siding, windows and trim?	N	Owners can choose materials that meet their aesthetic and budget needs	Y	HPD Cert. of Appropriateness required for replacement of exterior materials not "in kind". See 14-635(b). CoA NOT required for ordinary maintenance and/or restoration not otherwise restricted in 14-634 & 14-635
20	Is permission needed to paint the exterior masonry of your house?	N	No restrictions	Y	Permission required from HPD to ensure that masonry is not damaged by proposed cleaning and/or painting

March 4, 2019

Chairman Mazer, Members of the Planning Board,

I am a long time East End resident and homeowner who strongly supports the establishment of an historic district on Munjoy Hill. My 1855 home at 12 Montreal St. is one of the individual landmarks proposed.

This uniquely appealing section of Portland is not just special to those of us who live here, but to a much larger population of those who frequent and appreciate it wholeheartedly. The walking paths, bike trails, city beach, grassy parks, unimpeded water views and open spaces aren't all that draw people to this area. It is the unique collection of working class homes, triple deckers and historic structures that create neighborhood character and appeal. This is why people embrace The Hill. It holds a precious slice of architectural history and should be preserved.

Please do not be misguided by those who are opposed to the historic district. Contrary to the pitch made by opposition, owning, renting and living in an historic district does not impose severe restrictions or financial hardship.

New construction is open to modern architecture guided by the design standards and does not insist that it imitate historic styles, only that it be compatible within a 2 block radius.

Demolition in an historic district is **only** easier than in a non-designated district if the building is considered Non-Contributing.

Homeowners are not forced to make costly changes and can keep and replace (in kind) vinyl siding, aluminum windows etc.

Contrary to the critics, research shows that affordable housing is not diminished or reduced by establishing an historic district.

Please focus instead on stewardship, and the positive impact of preserving this historically important area. People love the hill because it has its own special character and can still boast a marvellous collection of original homes that serve as living history for all to enjoy. Please trust the judgement of the Historic Preservation Board and vote yes to endorse the Munjoy Hill Historic District including individually designated landmarks and the 100 ft. rule as proposed.

Respectfully,

Carol M. Connor
12 Montreal Street
Portland, ME 04101

Historic District Designation for Munjoy Hill -

Carol Mccracken <ca10cken@aol.com>

Mar 3, 2020 11:09 AM

Posted in group: **Planning Board**

To Whom it May Concern:

This email is to inform you that I am opposed to the designation of Munjoy Hill as a historic district. As a long-time renter on the Hill, rents are excessive and far exceed the incomes of so many. No one has adequately explained why this added tax will only make it more expensive for renters to live on the Hill.

Carol McCracken
North Street Resident
ca10cken@aol.com
munjoyhillnews.com

Re: Historic Districts Make Sense

carolyn swartz <carolynswartz@gmail.com>

Mar 3, 2020 9:50 AM

Posted in group: **Planning Board**

Chair Mazer et al,

As a homeowner on Merrill Street, I urge you to vote yes on the Historic District for Munjoy Hill. Our street is not within current boundaries. But I am as strongly in favor of the designation as I am appalled by twisted-logic specious arguments against. it

One of those arguments is that HD would place financial burdens on current homeowners who need make improvements and repairs to their homes. This is a complete fallacy - a scare-tactic red herring. Deb Andrews has stated repeatedly, also offering proof that her group stands ready to work with homeowners on viable and affordable solutions that work both for them and the neighborhood. And the reality of oversight applies only to visible-from-the-street (i.e. mostly front facade) portions of homes.

To the detriment of our neighborhood, we have witnessed the negative impact of no HD designation in an exodus of immigrants and working people as viable structures get torn down and replaced by luxury condo-boxes - like the hideously proportioned, out-of-place (and apparently uninhabitable) monstrosity at 5 Merrill.

No more of this. There is much to preserve and protect on Munjoy Hill.

Thank you.

Carolyn

Carolyn Swartz | Writer/Director | 917.714.5743 | [view my films here](#)

Google Groups

Historic District

Christopher Akerlind <chrisakerlind@gmail.com>

Mar 3, 2020 11:06 AM

Posted in group: **Planning Board**

To the Planning Board,
I cannot make the hearing on the MH Historic district on March 10, I'm support it wholeheartedly and hope that you will vote to advance it to the City Council.
Christopher Akerlind
44 Monument Street
Portland 04101

Google Groups

Munjoy Hill Historic District

Chris Stewart <stewart.christopher1@gmail.com>

Mar 5, 2020 4:59 AM

Posted in group: **Planning Board**

Dear Planning Board,
I live in my home on Munjoy Hill and I support the creation of the Munjoy Hill Historic District.
I hope that you will recommend designation to the Portland City Council.
Thank you for your consideration.

Sincerely,
Christopher Stewart
81 North Street
Portland, Maine 04101

Historical Munjoy Hill

claudia diller <claudiadiller64@gmail.com>

Mar 4, 2020 5:58 AM

Posted in group: **Planning Board**

You can't hold back progress, but you can direct it. Portland has already witnessed a big change. A lot of the Aspects that made the city's a appealing to so many of us included:

- Beautiful architecture
- Working waterfront
- Access to waterfront
- Walk to work convenience
- Affordable housing
- Unique shops
- Local artisans

I landed on Munjoy Hill because it was an affordable place to live for a working artist. I am being priced out. But a part of me is not as sad as I would have been a few years ago because the city is losing a special feel that drew me here. It used to be a colorful workingman's city. It has become a vacation destination for the retired and wealthy.

Munjoy Hill is allowing it's beautiful old buildings to be torn down and replaced by cheap, ugly boxes. I look around now and feel like I could be anywhere USA. So my appeal is to those who think that what makes Portland unique should stay. And part of that is the architecture. If you can't keep the locals at least keep their history.

Sent from my iPhone

Google Groups

Munjoy Hill Historic District

Cynthia PS <cynthiapsphoto@gmail.com>

Mar 4, 2020 11:20 AM

Posted in group: **Planning Board**

Hello,

As a long-time New Orleans resident (and now a thrilled homeowner of a Munjoy Hill condominium!), I have seen first-hand in New Orleans what a lack of historic districts can do to a neighborhood - and what a designation can do to save some architectural gems and maintain beautiful areas of a city.

While there are issues with the historic district designations, these can be resolved with rational thought and members on the Council who serve with integrity. I urge you to support this Historic District designation and recommend it to the Portland City Council.

Sincerely,
Cynthia Schmidt
21 Sheridan Street, #1

From: David Lloyd <lloyd@archetypepa.com>
Sent: Wednesday, March 4, 2020 8:34 AM
To: 'James Rather' <jrather@portlandmaine.gov>
Subject: Munjoy Hill district designation

PC76

Dear Planning board members

RE Munjoy Hill District

As a resident of Munjoy Hill and an architect that has presented to the board over many years, I do believe I have experience that can hopefully help inform the planning board in this important decision. I would like to list the following:

1 Historic designation clearly helps preserve the indigenous character of the neighborhood.

2 Design critiques by an informed design review board insure quality of material choice, form, scale and texture which insure integration of new architecture into existing neighborhoods.

3 I have been able to successfully design low income housing

Under the guidelines of an historic district.

4 The HP review process moves quickly and I have found that by weaving the HP reviews into the planning board schedule no time is lost in the approval process. Staff is especially helpful and typically available for consultation.

5 Successful design is not burdened or made less-creative by design critiques. Good design is promoted through successful critiques. My experience with the board has resulted in successful traditional architecture and modern architecture. Design type/style is basically controlled by context which the board considers and understands.

6 I personally believe that historic designation of a neighborhood insures real-estate value by insuring quality design and integration of new architecture. Basically preserving the architectural character of Portland which we all value.

Respectfully

David Lloyd

Archetype Architects

Cell 207 831 8627

Work 207 772 6022

David Lloyd, Architect

Archetype PA | 48 Union Wharf | Portland, Maine 04101 | tel. 207.772.6022 | cell. 207.831.8627

lloyd@archetypepa.com

www.archetype-architects.com

Google Groups

Munjoy Hill historic district

Deborah Cole <debcole1030@gmail.com>

Mar 3, 2020 3:18 PM

Posted in group: **Planning Board**

My name is Deborah Cole and I have lived at 71 Walnut st since 1980 when I purchased my home. I am strongly in favor of the historical district designation for sections of Munjoy Hill. If passed this will contribute to protecting Munjoy Hill's historical integrity. Please add my vote and voice to passing this initiative. Thank you,
Deborah Cole
71 Walnut St

Sent from my iPhone

Munjoy Hill

Denise Preisser <depreisser@hotmail.com>

Mar 3, 2020 5:54 PM

Posted in group: **Planning Board**

Dear Planning Board,

I am writing you to let you know I support the Historic Preservations recommendation to create a historic district on Munjoy Hill. The character of Munjoy Hill is special to Portland and just another example of how the planning board can preserve some of this history with a favorable recommendation to the city council. Do the right thing and preserve history on the hill.

Best Regards,
Denise Preisser
25 Fore #2

[Get Outlook for iOS](#)

Vote YES on Munjoy Hill Historic District

Liz Hays <lizchays@gmail.com>

Mar 3, 2020 4:06 PM

Posted in group: **Planning Board**

Dear City of Portland Planning Board

I am a home owner in the proposed Munjoy Hill historic district. I strongly support the Munjoy Hill historic district as recommended by the Historic Preservation Board in November 2019, in order to preserve the unique character of the neighborhood. I ask you to recommend designation of the proposed historic district to the Portland City Council.

Thank you considering my request.

Elizabeth Hays
107 North Street
Portland, ME 04101

Google Groups

Support of Munjoy Hill historic district

Gary Stern <gary@sterninternational.com>

Mar 4, 2020 3:09 PM

Posted in group: **Planning Board**

Dear Planning Board members,

I am writing to voice my support of the proposed Munjoy Hill historic district and urge you to recommend designation of such to the City Council. It is so important to maintain Portland's historic character and livability as an affordable community for all. Opportunities for growth and new development abound. Let's protect what can never be replaced.

Thank you for your service and for visionary support of what matters so much to so many of us.

Sincerely,

Gary J. Stern

Gary J. Stern, President

Stern Consulting International

65 Revere Street

Portland, Maine 04103

M: 612-600-9609

gary@sterninternational.com

Public Comment: 1 of 3 (Historical Info Redux from the R-6 Downzoning Debate)

George Rheault <george.rheault@gmail.com>

Mar 5, 2020 10:31 AM

Posted in group: **Planning Board**

Please include the information below as part of public comment regarding the proposed Munjoy Hill Historic District.

While the remarks and attachments below were raised as part of the 2017-2018 anti-housing R-6 debacle, they very much remain relevant to the historic district consideration.

That relevance includes:

1) Shining a light on the abuse in this process, to date, of the actual historical record of the physical, social and cultural evolution of Portland's East End.

2) Highlighting how the push behind a historic district designation is simply the latest stage (and perhaps its ultimate culmination) in a 100+ years exclusionary effort to depopulate, de-urbanize and gentrify the Portland peninsula.

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

From: **George Rheault** <george.rheault@gmail.com>

Date: Mon, Jun 4, 2018 at 4:33 PM

Subject: The Munjoy Hill R-6 Saga: Part 1 of 4 - The Fall of Portland's East End (a/k/a Portland's Shameful Past...)

To: Ethan Strimling <estrimling@portlandmaine.gov>, Nicholas Mavodones <nmm@portlandmaine.gov>, jduson <jduson@portlandmaine.gov>, Brian Batson <bbatson@portlandmaine.gov>, Pious Ali <pali@portlandmaine.gov>, Spencer Thibodeau <sthibodeau@portlandmaine.gov>, Kim Cook <kcook@portlandmaine.gov>, Councilor Belinda Ray <bsr@portlandmaine.gov>, Justin Costa <jcosta@portlandmaine.gov>

Cc: Jeff Levine <jlevine@portlandmaine.gov>, Tuck O'Brien <sgo@portlandmaine.gov>, Christine Grimando <cdg@portlandmaine.gov>, Caitlin Cameron <ccameron@portlandmaine.gov>

I urge the Portland Council to reject the raft of proposed "down-zoning" changes to the R-6 zoning code being considered tonight. Not only are the R-6 carve-outs specially crafted for Munjoy Hill a slap in the face to the rest of Portland's neighborhoods (both on and off the peninsula), but they are environmentally unsound and violate the sustainability commitments set forth in Portland's recently enacted Comprehensive Plan.

It is amazing, in a process rife with talk of historic preservation and "respect" for history, how little history has actually been entered into the record about how Munjoy Hill came to be a raw diamond waiting to be discovered by people with money. Things like depopulation, deindustrialization and devaluation are all taken for granted rather than reflected upon and assumed to be anonymous forces rather than deliberate choices to favor some and not others.

The Council should recognize the ACTUAL history of Munjoy Hill and why the fall of Munjoy Hill from the 1920s through the 1970s should be laid at the feet of its business and political elite and how the stagnation of Munjoy Hill (and the rest of Portland) was the direct result of selfish, self-interested behavior by incumbent interests that stymied the future of Portland for several generations and is threatening to repeat itself all over again.

Attachments:

- Excerpt (1) from "Closeness: Memories of Mrs. Munjoy's Hill" by Howard C. Reiche, Jr. (2002) - describing the smells of industry, sewage, garbage around the East End in the 1930s/1940s
- Excerpt (2) from "Closeness: Memories of Mrs. Munjoy's Hill" by Howard C. Reiche, Jr. (2002) - describing the hazards of East End swimming
- Excerpts from Portland Renewal Authority (circa 1960s)
- East End Dump Closing Announcement - June 19, 1959 Portland Evening Express

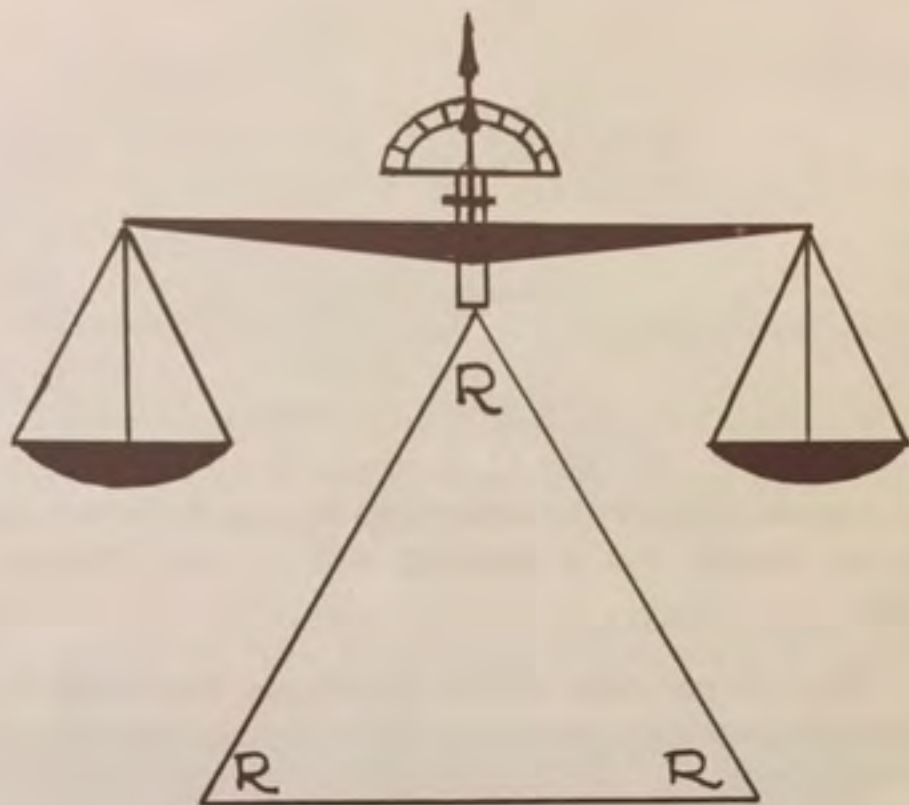
MUNJOY SOUTH, PROJECT NO. ME. R-2

In the Munjoy South Urban Renewal Project, bounded by Congress Street on the North, Mountfort Street on the West, Fore Street on the South and the Eastern Promenade, much has been accomplished to make this area, which is one of the most attractive in the City, a much improved one. Many fine old homes have been successfully rehabilitated, arresting the trend of gradual deterioration. In all, more than 300 dwelling units have been successfully rehabilitated.

Integrated with the old are new dwelling units, both private and HUD sponsored. The Munjoy South Townhouses, middle income units built under the 221-d-3 program, provided 140 new apartments at a time when they were most needed.

The Portland House, a luxury high-rise structure located on the Eastern Promenade overlooking Portland Harbor, is the first of its kind in this city. It opened in the summer of 1969.

One major reuse parcel, located on the corner of Congress and Mountfort Streets, remains to be developed for residential use. At the time of this report, prospects for more new middle income housing look bright. Mutual Projects, Inc. has been named as a redeveloper for this one and a half acre renewal site. It is hoped that thirty townhouse units will be built here, each with full basement, private entryway, refrigerator and range and three bedrooms. These units would be sold with a federal subsidy to reduce the cost to individual homeowners.



The Three **R**'s of Renewal:

Relocation

Rehabilitation

Redevelopment

For a balanced approach in the revitalization
of Portland

Briefly Stated...

New Dump To Open, East End One To Close On Monday

The city's new dump off outer Ocean Avenue will open and the troublesome and overloaded East End dump will shut down Monday. The new dump, which will be open seven days a week from 7 a.m. to 7 p.m., is for rubbish only. An entrance road leads from Ocean avenue near the Presumpscot street and Ocean avenue intersection.

The Smells of Munjoy Hill

It is odd how a smell can be remembered, just like the memory of something you saw. The East End Dump was located where the Portland Sewerage Treatment Plant is now. Because it was a burning dump the wind from the northwest would carry the smoke up over the Hill. It smelled just like you would imagine a burning dump would smell.

Burnam and Morrill's plant in East Deering used to can a lot of fish products then. In fact, fishing boats would tie up at their dock between Tukey's bridge and the Grand Trunk Railroad bridge and unload. The odors of fish processing and baking beans were obvious to everyone on the Hill with a northwest wind. This was the same wind that carried the dump smoke. The combination of all of the above was great!

Nissen's Bakery on Washington Avenue brought a whole new array of smells with a west wind—not unpleasant.

The trains below the Hill burned soft coal and produced a lot of black smoke with a very gaseous smell. When you were on the Prom or down near the tracks with an east wind, the smell of smoke mixed with the steam and abundant lubricating oil announced the trains.

The fish and sardine packing plants on Commercial Street had a distinctive smell of cooking steam, fish oil, and cooked fish when they were packing. The south wind handled all this. Also, when there were fish to cook and pack, people were called to work by the steam "work whistle." It didn't smell but it spoke of welcome work.

The waterfront, in general, smelled "fishy." The tarred nets, spoiled fish, fishing boats themselves, salted down barrels of bait for the trawlers, etc. Added to those, were the Portland sewers which emptied under the wharves

When the grain ships were being loaded at the grain

elevators, the dust and taste of the grain rolled over that part of the Hill with the south wind.

Thomas Laughlin Company, on Fore Street, had a drop forge stamping mill, a casting plant, and a galvanizing plant all rolled together. The smell of the hot metal and the steam drop forges was, again, a distinctive one. It was a "must" stop, when walking to or from the docks, to look in on the galvanizing operation which was right at the sidewalk and wide open to view and smell! On a warm spring night, the huge, drop forges could be heard and felt all over the Hill. They would take a large, red-hot, glowing bar of iron and shape it into huge turnbuckles, shackles, cleats, etc.

The trolley cars had a distinctive hot, dry, dusty, electrical taste and smell of their own.

Of all of these smells, the only one which drew consistent complaints was Back Bay at low tide with a West wind.

The East End Bathing Beach



Down below the Eastern Prom on Munjoy Hill is the unusual East End Bathing Beach. It has a good stretch of sand and a great place to swim in the salt water. Amazingly, it is right in the middle of Portland.

Back in the late 1930's and early 40's, it was the least expensive entertainment in town. All we had to do was walk down the hill and across the sets of railroad tracks. Sometimes you had to wait because they were switching rail cars, or you had to crawl under the rows of grain filled boxcars waiting to be emptied at the elevators.

There was a long row of about 25 bath houses between the beach and the tracks. You went in, changed, and then left your clothes in a pile on the beach.

From time to time there would be a controversy about the cleanliness of the water. The City of Portland emptied several sewer lines into Back Bay which flowed by the beach on the outgoing tide. Also, there was another one right beside the beach. Everyone kidded about the East End Breastroke where you pushed things out of the way as you swam. Every so often, there would be a polio scare and there would be a warning about swimming. However, no one really blamed the sewerage. The most commonly offered reason for the polio was, "You shouldn't dive into the cold water if you are too hot."

Public Comment: 2 of 3 (Historical Info Redux from the R-6 Downzoning Debate)

George Rheault <george.rheault@gmail.com>

Mar 5, 2020 10:32 AM

Posted in group: **Planning Board**

Please include the information below as part of public comment regarding the proposed Munjoy Hill Historic District.

While the remarks and attachments below were raised as part of the 2017-2018 anti-housing R-6 debacle, they very much remain relevant to the historic district consideration.

That relevance includes:

1) Shining a light on the abuse in this process, to date, of the actual historical record of the physical, social and cultural evolution of Portland's East End.

2) Highlighting how the push behind a historic district designation is simply the latest stage (and perhaps its ultimate culmination) in a 100+ years exclusionary effort to depopulate, de-urbanize and gentrify the Portland peninsula.

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

From: **George Rheault** <george.rheault@gmail.com>

Date: Mon, Jun 4, 2018 at 3:37 PM

Subject: The Munjoy Hill R-6 Saga: Part 2 of 4 - Gentrification Arrives in Portland's East End (a/k/a Government Incentives Set the Table for NIMBY Movement...)

To: Ethan Strimling <estrimling@portlandmaine.gov>, Nicholas Mavodones <nmm@portlandmaine.gov>, jduson <jduson@portlandmaine.gov>, Brian Batson <bbatson@portlandmaine.gov>, Pious Ali <pali@portlandmaine.gov>, Spencer Thibodeau <sthibodeau@portlandmaine.gov>, Kim Cook <kcook@portlandmaine.gov>, Councilor Belinda Ray <bsr@portlandmaine.gov>, Justin Costa <jcosta@portlandmaine.gov>

Cc: Jeff Levine <jlevine@portlandmaine.gov>, Tuck O'Brien <sgo@portlandmaine.gov>, Christine Grimando <cdg@portlandmaine.gov>, Caitlin Cameron <ccameron@portlandmaine.gov>

I urge the Portland Council to reject the raft of proposed "down-zoning" changes to the R-6 zoning code being considered tonight. Not only are the R-6 carve-outs specially crafted for Munjoy Hill a slap in the face to the rest of Portland's neighborhoods (both on and off the peninsula), but they are environmentally unsound and violate the sustainability commitments set forth in Portland's recently enacted Comprehensive Plan.

As part of its homework, the Council should examine critically the ACTUAL history of Munjoy Hill especially the last 100 years, which saw a confluence of national trends coalescing, beginning in the late 1970s and accelerating ever since, that set the stage for the gentrification and "revival" of Munjoy Hill.

Throughout this period, government (at all levels) played a key role in providing critical investment on and adjacent to the Hill that allowed private actors to take advantage of the cratered real estate values that 20+ years of stalled and slow motion urban renewal did to the neighborhood along with the larger impacts of our post-WWII society (environmental degradation, suburbanization, de-industrialization).

Attachments:

- Feb 16, 1979 Maine Times Article re: Yuppies Arrive on Munjoy Hill (profiling some real estate players that remain at the forefront of the Munjoy Hill saga including the proposed R-6 "reform" being pushed by Belinda Ray).

- January 17, 1997 Press Herald Article re: New Neighbors Loan Incentives Program for Munjoy Hill Buyers

- 4-26-2001 Maine Times Article re: Development Pressure on Munjoy Hill and rest of Portland (Waterfront, Bayside)

MUNJOY HILL

To the young professionals,
it may be Portland's finest neighborhood

MANY residents of Portland's densely populated Munjoy Hill area don't know yet that it's becoming the city's most desirable neighborhood. According to local wisdom, it is still the East End, home to low income and blue collar families trapped by economics.

Yet, it is the economics, specifically the low cost of housing, that is currently drawing Portland's young professionals to throw in their lot with Munjoy Hill's traditional residents.

Newcomers on the "hill," which rises 160 feet above sea level, extol the glory of having Casco Bay at the foot of almost every block. Says young lawyer Ned Chester, "The hill is the reason we moved to Portland. It seemed like a nice neighborhood we could afford. There's not another neighborhood in the country with its amenities: the ocean and accessibility to downtown."

The blue-gray shimmer of Casco Bay dominates any tour of the hill. Its presence is felt on the Eastern Promenade where the neighborhood's most imposing homes face out to sea, and on a modest street like Melbourne, where every front porch offers a glimpse of the bay.

The houses of Munjoy Hill are not, for the most part, the stately Victorian mansions or the 19th century brick homes of the Western Prom-

nade. With few exceptions they were built for the families of merchants, laborers, seamen, and tradesmen. In 1830, the bulk of Portland's population was clustered at the foot of Munjoy Hill. By the turn of the century, Italian, Irish, Polish and Jewish immigrants were settling their families on the hill.

This is not to say that the houses are not interesting and pleasing in form and design. Close examination reveals lattice work beveled glass, massive oak doors and detailed wrought iron porch railings. Many are three-family, triple-decked houses, slouching one over the other, the slats of each porch railing like so many grinning teeth. Of course, some porches sag and more than a few houses on Munjoy Hill need to be propped up and painted.

Yet, here and there, five or six houses in a row have new siding or are freshly painted with trim grounds. And the imagination of the new young residents can be seen in an occasional third floor roof with a pie-shaped wedge carved out for a deck and window . . . with a view of the ocean, naturally.

What is occurring is not precisely "gentrification," the term used to describe the middle class taking over the homes of the poor and driving

real estate prices up. But gentrification could happen on Munjoy Hill. Thus far, rentals and home prices have not escalated greatly because the immigration of young professionals is such a new phenomenon.

(According to a local real estate agent, a three-family wooden frame home which one could move into immediately would range from the high 20's to the high 40's. But the same home which was partially burned or which needed major repairs, could be bought for as little as \$10,000.)

The older residents of the hill tend to speak of the neighborhood with a mixture of pride and dismay. They are proud of the many well-kept homes, the beautiful views, the neighborliness which still prevails on many blocks. They are disgusted by what one called the "punks," a group of young street people who vandalize homes and harass small grocery store owners.

One long-time resident couldn't believe young professionals would choose his neighborhood. "Read the Portland paper," he said. "Look at the police reports . . . where are all the tires slashed, windows broken? Munjoy Hill."

Yet, an enthusiastic new resident countered that although the rate of malicious mischief may

L. TARDIF JEWELER
40 Main Street Waterville, Me.



est. 1925

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Architect Rick Goduti stands on the porch he built on the third floor of his triple-decked house. Goduti has a sweeping view of Casco Bay with Fort Gorges in the background.



The entrance to Rick Goduti's three-family house with the stairs up to the second floor apartment.



be high, there are virtually no violent crimes committed on the hill. Says lawyer Ned Chester, "It's important to say I'm not afraid to walk the streets."

Chester and his wife and law partner, Barbara Vestal, came from Kansas City and Iowa City respectively. They chose Portland because, "It's a medium sized city on the ocean," said Barbara Vestal.

Vestal and Chester have located their law office on Congress Street, part way up the hill, and are the only lawyers practicing in the neighborhood. Says Vestal, "We asked other lawyers about Munjoy Hill and they said, 'I wouldn't go there if I were you.' The two young lawyers draw some clients from Munjoy Hill but say most are from outside but with some family tie to the neighborhood."

Vestal says that after she and Chester graduated from law school in the South, "We came here with two cats and as much furniture as we could carry in two cars, looking for a furnished apartment." They were discouraged at first because all the moderately priced apartments they were shown looked "as if somebody had died in the furniture."

But they finally got settled, opened their office

and started looking for a home to buy. "We looked at houses with a great view of the bay . . . I guess it's because we're from the Midwest." They found a seven-apartment brick building on Fore Street with just the view they sought and bought it. One apartment will be their home.

Chester says they had to evict one tenant. Another moved out voluntarily but the rest will remain. "Our prime criterion," says Chester, "is that the tenants like the building as much as we do so that they take care of it."

Chester notes that the city is somewhat lax in providing services on Munjoy Hill. He says, "It's been a long tradition here, 20 years or more; that the hill is a terrible place."

Barbara Vestal adds, "The city just got around to snow removal . . ." suggesting that other areas of the city were plowed first.

The young couple has also purchased a building with two empty storefronts, hoping to lure some businesses to the neighborhood. Says

(Continued on pages 18 and 19)

(Continued from page 17)

Chester, "The only grocery stores on the hill are mostly pizza joints. There are no doctors on the hill — there is a family practice clinic on India Street [near the hill] where they rotate doctors, but people don't have their personal physician. Also there are no branch banks, no dentists and no restaurants. And yet, I estimate there's a \$20 million a year earned revenue on the hill."

Says Vestal, "We did have an art gallery . . . it closed after two months."

Vestal and Chester are active in the Munjoy Hill Neighborhood Association whose president is former Bates professor, Jim Price. Price gave up teaching Russian to sell real estate and live in Portland, after a brief detour at the law school. Price says the primary reason he chose Munjoy Hill was an economic one. "To live on the Western Prom you have to have made it."

But Price has another reason for settling on Munjoy Hill: He and his wife have an adopted child of mixed racial heritage and the majority of Portland's small black population lives there. Price feels that the neighborhood association will help bring stability to the area and some clout at City Hall. "There is a good mix of people, both old and new coming to the meetings . . . but we get most of our energy from new people."

Price is both realistic and optimistic about his neighborhood. His optimism is displayed by a bumper-sticker on his car which reads, "I'm high on Munjoy Hill." He is optimistic because a group of parents he helped organize got the city to reopen a neighborhood elementary school the city had closed down for economic reasons.

"The kids were bussed to another school. That really got us up in arms. What was really remarkable was we succeeded in getting it reopened."

Price's group is now trying to get a new comprehensive elementary school built in the neighborhood, one with a gymnasium and rooms for all the federally mandated programs. The group is also hoping to convince the city to retain the Munjoy Hill branch of the public library which has been threatened with closure.

The nucleus of the school group formed the neighborhood association which has received some grant money to hire what Price calls a "doorknocker." Mike Conley, a native of the hill, acts as a liaison between the neighborhood and the rest of the city, trying to solve problems, particularly in the area of juvenile crime.

Price says, "I feel there is an element of restraint on the part of the hangers out. They want to stay here . . . but there is some pretty heavy stuff going on in terms of intimidation of shopowners."

One person who does not fear the street kids although she is aggravated by the vandalism is Linda Holland, marketing specialist for the Greater Portland Transit District. Holland may be Munjoy Hill's biggest booster, and it's no wonder. "We have been there for 100 years. My great grandfather, my grandfather, my parents, all were raised there . . . I grew up on Montreal and Quebec Streets."

After leaving the state to live in Europe for a number of years, Holland returned to Portland and bought a house in her old neighborhood. Says Holland, "I recognize a lot of those kids hanging around as brothers and sisters of kids I knew. I have never been afraid to live there. When I came back from Greece I had reached a point in my life when I wanted to settle down and establish myself. I didn't drive so I wanted to live on the bus line. Property was cheap here and I had saved some money to invest." Holland bought a three-family house and is restoring the third floor apartment for herself with the help of a Neighborhood Conservation loan.

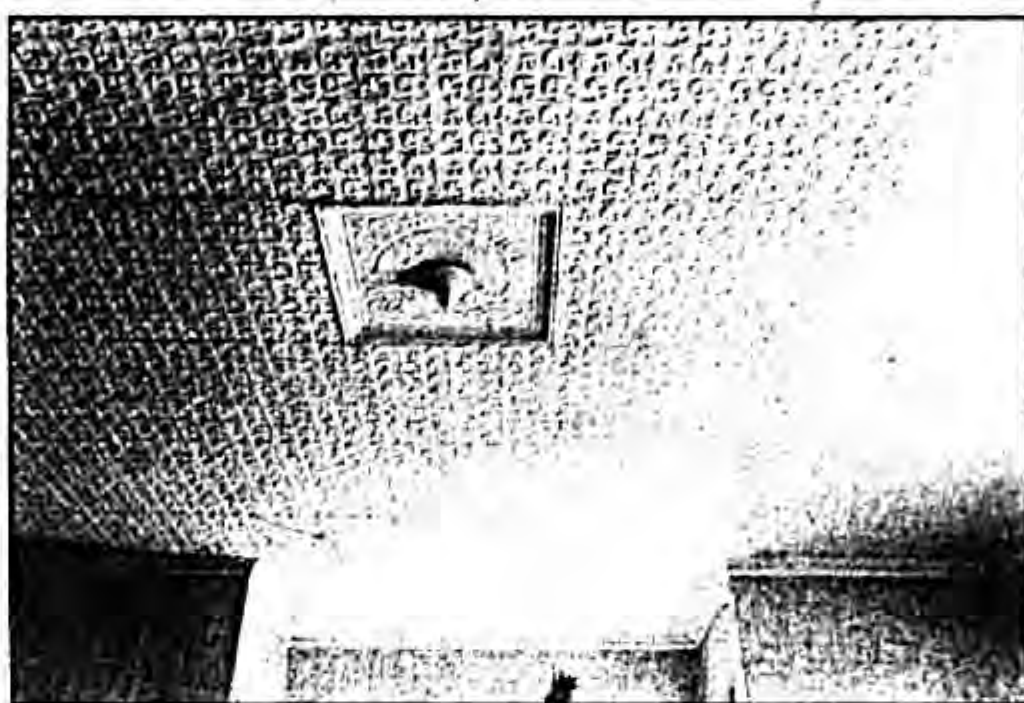
"I love Munjoy Hill . . . I live a block from Eastern Prom which is the most beautiful part of the whole city. I wouldn't have even considered moving on Western Prom. Look, I will never sell my house. You can print that."

Holland bristles at criticism of Munjoy Hill from those who have never lived there. "People like that make me mad. They say things about the neighborhood and they don't live up there. There are so many nice, caring people up there. Look, I know the hill is a controversial subject, that it has a bad reputation. I graduated from high school in 1969 and none of my old friends lives around there now."

"I think it was the drugs that changed it . . . but there were always guys hanging around the corner. When my father was in high school, they



Harriet Dowling in the living room of the house where she was born. She says vandalism makes living there less pleasant than her childhood in the Congress Street house.



The ceilings in two rooms of Harriet Dowling's house are of this decorative hammered tin. The Dowlings were told there are only a few remaining tin ceilings in as good shape as this one.



The variety store next to Harriet Dowling's house on Congress Street has been burned out twice.

MUNJOY HILL

all hung around the corner. The biggest problem is vandalism."

Holland worries about a big corporation coming in the neighborhood and buying up a whole block, boosting prices on houses out of the range of young working people. "There's no displacement yet," she says. "It is still possible to buy a piece of property to restore. I feel very secure there. I'd really like to see my old friends move back."

Robin and Robbie Whitten moved to Portland three years ago and took an apartment in town. Robin opened her fabric design store, Linekin Bay Fabrics, and Robbie joined an architectural firm, but both spent spare time househunting. "We were interested in seeing what living in the center of Portland offered," says Robin Whitten. "We looked for areas with architectural interest."

"We looked all over . . . we'd look at an interesting home no matter where it is. We had renovated an old house in Philadelphia. Living there gave us a sense of what living in a neigh-

borhood would be like. We were very attracted to the Eastern Prom area but very few houses came up for sale. People who live there love it. They are not trying to move out to the suburbs. They have a view of the ocean."

Finally, the careful search paid off and the Whittens bought a house on Munjoy Hill. "We found a house that was condemned. All the windows were broken; there was no front door and weeds were growing up all around. It is an absolutely beautiful house. It was built by a shipwright and is beautifully sited. In the condition that it was in, it was extremely reasonable. Of course, it needed a lot of work. There was no hot water, no heat. We managed to buy an extra lot next door."

Whitten says her block consists mostly of owner-occupied, triple-decked homes. "The butcher at the corner store lives across the street . . . we love the neighborhood."

Young architect Rick Goduti has some reservations about the neighborhood because of the



Munjoy Hill, the most densely populated neighborhood in Portland, has many streets like this one with multi-family homes.



Portland harbor is the view from the large windows of this Fore Street house.



The turrets and cupolas of these older Munjoy Hill houses are in sharp contrast to the squared off roof of a more recent housing project, Promenade East.

teenagers who loiter near his home which borders the Eastern Promenade. On the other hand, he says he got an interesting home with a terrific water view and two rental units for a price he can manage.

Goduti, who grew up in Falmouth, sees a great deal of potential in Munjoy Hill. "It is an interesting neighborhood. There are some patterns there that don't exist any other place in the city. You find there a less diversified neighborhood economically — Western Prom ranges from much higher to much lower. Consequently, on Munjoy Hill kids really grow up together going to all the same schools." On the Western Prom, some children would go to private schools.

Goduti says that the majority of residents take care of their homes within their economic means. "There are mostly wood frame homes. Many are not architecturally significant so I don't think you will see the dynamic urban renovation like in the Old Port. In keeping with pride in the neighborhood, working class people are proud of their

homes . . . they take care of them. You see a lot of vinyl siding going up."

Eighty-one-year-old Marjorie Rowe has lived on Munjoy Hill all her life. A retired school teacher, she thinks the media has not depicted her neighborhood fairly. She lives on Beckett Street which she says is quiet. "It's always been nice here . . . I think they talk too much about the hill being slums."

Down the block from Rowe, on Congress Street, Harriet and Walter Dowling live in the house Harriet was born in more than 60 years ago. But because Congress Street is the main gathering place for street juveniles, the Dowlings say things are far from quiet there. After living out of state for more than 30 years the Dowlings returned to find the empty store next door continually vandalized. Says Harriet, "I have to call the police two and three times a week. There have been two fires next door."

The Dowlings think that most of the young people doing the damage are not from the neigh-

borhood, but are transients. "They are the ones who cause all the trouble," says Walter.

The Munjoy Hill Neighborhood Association is working to bring the vandalism problem under control. Jim Price says that community worker Mike Conley has proved to be effective with some of the youth on the streets. And lawyers Vestal and Chester befriended some of loitering youngsters and put them to work when they renovated their law office. The Dowlings think the city could do a better job of policing Munjoy Hill.

Meanwhile, there is optimism, because young professionals are purchasing and renovating neighborhood homes. They come to Munjoy Hill with fresh views and high hopes. Ultimately they may be the designers of its future.

by Peggy Fisher

[This is the second of two articles.]

PHOTOGRAPHY BY STEPHEN B. NICHOLS

PROGRAM PUTS OWNERS INTO RENTAL PROPERTY THE MAINE STATE HOUSING AUTHORITY AND CITY OF PORTLAND COMBINE ON NEW NEIGHBORS, DESIGNED TO UPGRADE RENTAL NEIGHBORHOODS.

Publication info: Portland Press Herald ; Portland, Me. [Portland, Me]17 Jan 1997: 2.F.

[ProQuest document link](#)

ABSTRACT (ABSTRACT)

"It's absolutely fantastic. It's incredible," he says, describing the program that made it possible. New Neighbors, a home ownership program offered by the city of Portland and Maine State Housing Authority since August, assists people with low or moderate income in buying buildings with one-to-four units in Portland's rental neighborhoods.

Without the program [Howard] Sawyer says he couldn't have cleared the down payment hurdle. Typically a buyer must put down from 5 percent to 10 percent of the total price tag. On a \$100,000 home that's \$5,000-\$10,000. Through New Neighbors a qualified buyer needs \$750 to \$3,000, depending on the purchase price.

The goal is to increase the number of owner-occupied properties in neighborhoods dense with rental units owned by absentee landlords. Eligible neighborhoods in Portland include portions of East and West Bayside, Parkside, Munjoy Hill, the West End, Valley and Gilman Streets, Libbytown, East Deering and Oakdale.

FULL TEXT

Patti Lanigan Horvat is a free-lance writer who lives in Portland.

Howard Sawyer recently bought a 4-unit apartment building on Munjoy Hill with a \$750 down payment. He likes his third-floor apartment's architectural angles and the back deck's view of Casco Bay. Rental income pays most of his low-interest mortgage.

"It's absolutely fantastic. It's incredible," he says, describing the program that made it possible. New Neighbors, a home ownership program offered by the city of Portland and Maine State Housing Authority since August, assists people with low or moderate income in buying buildings with one-to-four units in Portland's rental neighborhoods.

Without the program Sawyer says he couldn't have cleared the down payment hurdle. Typically a buyer must put down from 5 percent to 10 percent of the total price tag. On a \$100,000 home that's \$5,000-\$10,000. Through New Neighbors a qualified buyer needs \$750 to \$3,000, depending on the purchase price.

"It allows people who otherwise would not have the opportunity to purchase a home to buy," explains Mark Adelson, director of Housing and Neighborhood Services in Portland. "People with a stake in the neighborhood become the keepers of the neighborhoods." Three sales in the program have closed since August.

The goal is to increase the number of owner-occupied properties in neighborhoods dense with rental units owned by absentee landlords. Eligible neighborhoods in Portland include portions of East and West Bayside, Parkside, Munjoy Hill, the West End, Valley and Gilman Streets, Libbytown, East Deering and Oakdale.

The MSHA has earmarked \$10 million for New Neighbors in Portland, Lewiston and Bangor, according to MSHA Director of Public Information Dan Simpson, who says there are plans to expand to other cities if the program succeeds.

"It should help the cities, the home buyers and the neighborhoods," he says. "A lot of studies have shown one of the things to improve neighborhoods is to have home ownership."

The money comes from tax-exempt bonds the state housing authority sells in the national bond market. It is loaned at low interest rates to first-time buyers and others mortgaging and rehabilitating buildings. Mortgage payments pay back the investors.

MSHA's involvement helps the city of Portland to work with more buyers than under Port/Lenders, a home ownership program begun in Portland in 1992.

"New Neighbors has higher than normal income guidelines and a higher purchase prices," says Adelson. "It will broaden the impact of what we can do in these areas."

Participating banks - Atlantic Bank and Peoples Heritage Bank so far - close on the loans and sell 60 percent to MSHA, he explains. Because the risk is shared by the bank and MSHA, mortgage insurance is not required, rental income is figured differently and lower down payments can be applied. Both mortgages amortize over a 30-year-term.

To qualify a household with one or two people may not earn more than \$53,280 a year, and the purchase price of a 1-unit in Portland must not exceed \$167,424, a 2-unit \$188,519, a 3-unit \$228,199, and a 4-unit \$265,367. The building must lie within the program's boundaries, and the owner must agree to live in the building.

A potential buyer must complete a free course in home buying offered by the city of Portland before applying to buy through New Neighbors. There is no exam, but a certificate is required by participating banks. The 10-hour course covers choosing, buying and managing property.

"The class makes you aware of a lot of the pitfalls," says Kris Clark, a music promoter and bicycle sales associate in the midst of the loan application process. "You can lose a lot of money and make a lot of mistakes if you don't know what you're doing."

After taking the class, Adelson and Housing Coordinator William Tracy suggest looking at houses and choosing one that fits the program's requirements. Tracy screens applicants before sending them to a bank for a loan.

Buyers must have a purchase and sale agreement for a specific property before applying. Having a good credit status, low debt and a steady source of income increase the chances of being approved by a participating lender.

"As part of the preapplication, two rehabilitation specialists look at every house to see that it meets minimal housing quality standards and city code," explains Tracy. "They factor the need for rehabilitation into the project."

Some funding for rehabilitation and closing costs may be borrowed from the city.

"A low income person gets a property that may be a blight on the neighborhood and can get help fixing it up," says Adelson. "Not only will the property shine, but it will have an owner-occupant. The worst rental properties the city has and has to confront are those with absentee landlords who don't maintain them. Those are the properties the police have to return to and the neighbors continually complain about."

Sawyer, a real estate agent, agrees. "I have shown dozens of apartment buildings. (In owner-occupied buildings) things tend to be kept up better. I think the tenants tend to behave better, and the property stays cleaner and neater."

He advises people thinking of buying more than a single-unit to consider the time and skills needed to maintain apartments.

"Three or four units means three or four times as many toilets and kitchens to take care of," he notes. It can also mean more concern for the neighborhood and landlord and tenants share.

"I love the Hill. I think this is one of the best places to live on the East coast - right here in this house," says Sawyer. His living room windows afford a view of the St. Lawrence Church, and he is working toward its restoration.

Clark hopes to close early this year on his West End building. He likes living in the city - close to coffee shops, movie theaters and clubs.

"I think New Neighbors is a really smart program from society's point of view," he says. "It's not that they just want to help people buy houses. They want to fix up transitional neighborhoods."

To register for the City of Portland's home buyer class, call 874-8730. The next session begins in March.

Illustration

PHOTO: b&w; Caption: Staff photo by Jack Milton Howard Sawyer stands on his third-floor deck overlooking Casco Bay. He bought the four-unit Munjoy Hill building through the New Neighbors program, designed to put owner-occupants into downtown buildings, with a \$750 down payment.

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There goes the neighborhood

Wendell, Mary Lou . Maine Times ; Portland, Me. [Portland, Me]26 Apr 2001 : 4.

[ProQuest document link](#)

FULL TEXT

While communities around Maine wrestle with sprawl and development, Portland is embroiled in a bitter battle over citizens' role in planning that could shape state policy.

The dispute has two faces one involving the city's severe affordable housing shortage, the other how to develop the waterfront. But both share a single theme. In each case, a number of residents are stomping mad over a cityblessed development proposal and charge that officials have turned a blind eye to their concerns. In both cases, residents have taken the matter into their own hands with unsettling results.

On May 1, Portland residents will go to the polls to vote on a controversial referendum that would temporarily ban housing projects of 20 units or more and give residents more influence over the planning process. Housing advocates, developers and city officials staunchly oppose the measure, saying it has served only to prevent sorely needed affordable housing projects from moving forward But proponents say the city needed a wake-up call to stop the destruction of their neighborhoods and the ongoing disenfranchisement of residents who want a say in local development.

"I think they don't want citizen involvement," said Janet Ham, one of the referendum's organizers. "I think they are afraid of it. They want citizen involvement on their terms."

he march toward the referendum began in earnest last October, soon after the Portland Planning Board approved construction of a 70-unit mixed-income housing complex on Munjoy Hill, a largely blue-collar residential neighborhood. Residents didn't like the size of the project and argued that its design attached side-by-side units covered with vinyl shingles didn't fit in with the mostly small, multi-unit apartment buildings around it.

They also felt left out of the planning process. While there were plenty of workshops and public hearings on the project, residents often were unaware of the meetings and felt they had no say in the final design, which was initiated by City Hall and its staff.

Neighbors who bitterly fought the project throughout the planning process began collecting signatures on a petition to force a citywide referendum, which would ban development projects in residential neighborhoods until a comprehensive plan for housing is in place. They made their referendum retroactive so it would include the Munjoy Hill project that got the referendum started, and gathered 2,800 signatures, nearly double the amount they needed. Those who signed, from throughout the city, were tired of being left out. The city council was forced to set a referendum date.

Meanwhile, another revolt was brewing, this time over a controversiol proposal to build a new ferry terminal on the waterfront. The project, to be financed in part with \$9 million in state transportation bond money, involves relocating the Scotia Prince cruise liner from the west end of the waterfront, where it shares a terminal with cargo operations and is out of the way beneath the bridge to South Portland. The ferry would move to a new terminal at the Maine State Pier on the East End, where Bath Iron Works is getting ready to leave. The new site a so includes a 16acre parcel of land owned by the city that would be primarily used for parking until the city can find the money to build a parking garage, which could be many years down the road.

The idea behind the waterfront proposal is to provide additional space for the burgeoning cargo port while consolidating passenger ship operations. The former BIW site would accommodate, in addition to the Scotia Prince, the rapidly increasing number of cruise ships calling on Portland.

The new terminal will have an enormous impact on Portland and the region. Thousands of tourists will be coming off ships and heading either straight downtown or getting on buses to go to Freeport or elsewhere. Thousands of cars, trucks and buses will be heading into the new terminal as well.

The problem is the Maine State Pier and its adjoining parcel abut the Munjoy Hill neighborhood and the Old Port, the city's thriving downtown. While Old Port businesses say they welcome the changes, nearby residents and others worry that increases in traffic, parking requirements and special security precautions needed for the international ferry would sever the community from the east end of the waterfront and harm the character of the neighborhood.

"The Scotia Prince requires a lot of parking and queuing space that displaces higher value uses up there," said John Carroll, former chairman of the city's planning board and a vocal opponent of the project. Also, since passengers must pass into a secure area for customs inspections, that means fencing for a "vertical separation." It "segregates the land and divides the flow of pedestrian traffic." Carroll said it would look similar to the ferry's facility in Yarmouth, Nova Scotia. There "it occupies a huge section of the waterfront that no one in the community can use. It's a big, isolated, sterile empty space."

It also doesn't help that the current proposal is based on a plan created three years ago, primarily by the major commercial players on the waterfront - the Scotia Prince, Casco Bay Lines, Bath Iron Works, the cargo terminal and the Longshoremens Union - and ,not residents.

This spring, as the city stepped into high gear to get the project started, and after a number of people felt their concerns continued to go unheeded, a small group created a Web site that provided residents with information on the issue. The Web site also provided contact information for each of Portland's city councilors, who, by some accounts, have been receiving daily e-mails, and phone calls from people opposed to the project ever since. Last May, after heated debate, the city council shifted gears and directed its Master Planning Committee to consider alternatives to its plan to move the Scotia Prince to the new terminal. Web site organizers credit their site for the change.

Opponents of the city's proposal to include the Scotia Prince in its plans to develop the BIW pier still have a long way to go, however. While city councilors OK'd taking a look into alternative sites for the cruise ship, most of them also said they could not envision a viable option.

Portland is now charged with tension as a result of these development battles. Countless newspaper stories, editorials, op-eds and community forums have helped create an atmosphere reminiscent of the last citywide vote on development 14 years ago.

On May 5, 1987, voters approved a referendum 2-to-1 that restricted development to marine-related uses on the city's waterfront. The vote came at a time when the economy was booming and development pressure was high. Along the waterfront's 17 mostly 100-year-old wharves, which had been home primarily to fishing boats, ferries, fish processors and other marine-related businesses, \$300,000 condominiums and restaurants had begun to pop up.

Residents worried about the scale of the projects. They worried that housing would be an incompatible use with the working waterfront and would eventually edge out marinerelated businesses. They also feared gentrification, increases to their property taxes and diminished public access to the waterfront. They tried to meet with the mayor at the time to discuss their concerns, but were rebuffed, according to news paper reports. They instead organized a petition drive.

"You'd have thought the city of Portland would have learned its lesson," said Sen. Anne Rand, a Munjoy Hill Democrat and one of the petitioners in favor of the current development referendum. She also actively supported the 1987 referendum and believes similar concerns about a lack of citizen input infect the current waterfront development plan. "I see a lot of similarities," she said, adding that she believes the city should have been ,more inclusive as far as citizen input when they were planning these large changes over development that have a direct impact on the community. I'm talking about things that have gone on for years. Portland has a bad reputation for citizen input. It comes after the decisions have already been made."

The 1987 referendum "was a direct result of the people of Portland waking up one morning and seeing condominiums on our working waterfront," Rand said. But, she said, "City Hall thought these things were great. When we said, 'What about public access? What about the fishing industry? Are these things compatible?' We were told, 'We will give you view corridors.' That meant that you could stand in the middle of the street and look down at the water. We were told that the waterfront was dead. ... There were a number of us who just couldn't accept that. So we went the initiative route. We took 28 out of 29 polling places."

Rand said referendum supporters were called NIMBYs, "not in my backyard-ers" the same term the current mayor and other vocal opponents have used to describe today's referendum supporters. But the '87 referendum "proved that people all over the city are concerned with the city as a whole," Rand said. "I think that's the same situation we have now."

City Hall does not support Rand's view. Mayor Cheryl Leeman, who is also opposed to changing the current plan for the waterfront, did not respond to a request for an interview. But another councilor, Jim Cloutier, said he thinks the city has been inclusive in its planning process.

"I think by and large the city council tries to be pretty careful of giving everybody a chance to speak," Cloutier said. "We understand that sometimes our technical procedures that we go through don't come to everybody's attention," he said referring to the 3-by-5 notices mailed to abutting neighbors on project proposals. "That's what they think on Munjoy Hill for sure." Cloutier added, "I suppose any process can improve."

That Portland can involve citizens in planning is exemplified by the city's response to a housing proposal in the downtown district known as Bayside [see sidebar]. But it didn't happen on Munjoy Hill.

There, the city relied on its usual process for public input, which involved cards to abutters about upcoming hearings and workshops on the project. But many complained later that they never received postcards.

The community felt shut out, in large part because they never saw the project coming. The request for proposal put out by the city wasn't requested by the Munjoy Hill neighborhood and could have resulted in a project anywhere in the city, unlike the Bayside request which was specific to that neighborhood.

A recent newspaper poll found 40 percent of the public supports the referendum, 24 percent are opposed, and 36 percent are undecided, though officials are almost unanimously critical. Evan Richert, director of the State Planning Office, said Portland has been working for years on its comprehensive plan and has had "extensive citizen involvement." As far as developing the rest of the components of its comprehensive plan, including the housing component, "in a city as large and complex as Portland, it is not something that you can do in one fell swoop," he said.

Richert also said that all too often residents don't get involved in setting planning and zoning rules because the concepts involved are too abstract. It's not until a specific project is on the table that they become interested and by then there is nothing city officials can do if a project meets the city's zoning ordinances. That was the case with the Munjoy Hill housing project, which did not require any zoning changes.

But Deb Keenan, a referendum supporter who lives in the Riverton section of Portland, said city officials just don't listen to what residents have to say. "Residents want to have a voice early on in the development process, but the city response seems to be, 'Just because you have your say doesn't mean you get your way,'" Keenan said.

"Residents want public participation to be more than a dog-and-pony show."

City officials have tried to head the referendum off at the pass by approving several measures included in the initiative. But Mark Swann fears that won't be enough. Swann runs the Preble Street Resource Center, a Bayside nonprofit organization that provides a range of services for homeless people. He is also cochairman of the committee formed in opposition to the referendum, Citizens Protecting Portland's Future, made up of developers, housing advocates, realtors and some residents. Swann said he has seen the number of homeless people increasing, mostly because they can't find an affordable place to live in the city. The vacancy rate in Portland is less than 2 percent, which has forced rents way up. After years of trying to get the city to do something about it, and then seeing some movement with the two affordable housing RFPs that went out, Swann was surprised and dismayed when the petitions for a referendum calling for a moratorium on housing development began circulating.

"Sitting in my mailbox one day was the language for their petition, and my stomach just keyed up," Swann said. "We all looked at that and said, 'What is the thinking here?'" As a result of the moratorium component of the referendum, a number of housing developers who were interested in Portland are no longer talking about doing projects in the city, Swann said.

Swann said he is sympathetic to the petitioners in many ways. "People have had bad experiences with City Hall in the past on process," he said. "They don't feel they have been listened to." Swann said that sentiment, which he has heard over and over on the campaign trail, is making his job of trying to convince people to vote against the referendum a lot harder. But he still feels strongly that "this is the wrong tool for increasing public participation." The frustrations among residents have been running just as high when it comes to the waterfront. At meetings, some have even joked about getting a referendum going to address the problems there as well. Holt, the city's urban designer, had organized a second major planning exercise for the city, only this time to address issues on the waterfront. It was held last January. Nearly 200 people attended. But the outcome of this was very different from Bayside's. Instead of making people feel good about public input, they eventually came to feel worse.

"Initially, I was very enthusiastic and surprised at the level of neighborhood input they did seek," said Dan Piltch, who lives on a boat in Portland's harbor and owns a marine computer business on the waterfront. "I very quickly became disenchanted after going to a couple of meetings because while, on the one hand, they were asking our opinions, it did seem like, on the other hand, they hadn't altered anything they were doing based on our opinions." Piltch and others who attended the charrette determined at the workshop that moving the Scotia Prince to the new ferry terminal created too many design problems. They concluded that alternatives to locating the ferry on the East End of the waterfront should be addressed. The problem was that the committee in charge of spending nearly \$1 million to come up with a design for the new terminal did not have anything to do with the design charrette. This small technical committee, again made up mostly of representatives of the major commercial interests on the waterfront, like the Scotia Prince, the cargo terminal and others, has been operating independently of the group responsible for the charrette and charged with coming up with a master plan for the waterfront.

So, while the larger planning group has been hosting public forum after public forum, at which hundreds of speakers have said they do not want their beloved waterfront turned into a sea of surface parking lots or to be closed off in any way to the public, the other so-called technical committee has signed off on a plan to build nearly 15 acres of surface parking and to fence off certain areas of the new terminal for security for the Scotia Prince. A much more complex plan to develop parking garages and a bridge over the secure areas to help improve public access are also part of plan approved by the technical committee, but funding is not available and won't be for years to come.

The backlash that has resulted came to a head at a recent city council meeting when one of the councilors who chairs the larger Master Planning Committee, Peter O'Donnell, forced the issue. He repeated a threat he had made public a few days prior to the meeting, which was that he would not continue attending his committee's meetings unless alternatives to relocating the Scotia Prince to the Maine State Pier were placed on the table. This was a result of pressure he was feeling from his constituents, he said. O'Donnell, who did not return repeated phone calls, represents Munjoy Hill.

"What they are saying to me and have been saying to me [is that] the Scotia Prince will not work on that site. We haven't looked at alternatives," O'Donnell told councilors. The other councilors, who had also been hearing from unhappy residents, yielded. Now the waterfront's future and public satisfaction with the process to design the new terminal hangs in the balance.

For his part, Holt has been renegotiating the contract for the design consultant for the Master Planning Committee, which will look into alternatives to moving the Scotia Prince to the East End. (He also has been quietly planning another charrette for Bayside.)

Carroll, the former Planning Board chairman who opposes the current plan, believes the city should look into buying the vacant land that's available just west of the bridge to South Portland. The city could look into moving

either the Scotia Prince or the cargo terminal there, he said.

Holt said this and other ideas that people come up with will now be researched. And if anything good turns up, it will quickly rise to the surface. "It absolutely makes sense to create a process that's as open as you can stand it to be," Holt said. "And if someone, regardless of their position, has a position that has strong merit, then they shouldn't be concerned because it's going to survive a good process. ... These kinds of things are messy. The will of the people is often a difficult thing to decipher with accuracy.

"In one way, it's much more efficient to have a small number of people making decisions," Holt said. "But certainly it's much more powerful to be as inclusive as possible in that process."

INVOLVING THE COMMUNITY BAYSIDE'S PLANNING CHARRETTE

Long neglected by the city, the Bayside neighborhood, just off the Back Bay, is the city's urban frontier. It is home to dozens of surface parking lots, a couple of scrap yards and other light industry, nonprofits including soup kitchens and homeless shelters, and homes that range from small, rundown multi-units to the exclusive Back Bay Tower apartment building on Cumberland Avenue.

To plan for new housing in the neighborhood, the city has been using an extremely inclusive process that begins with a community planning and design workshop known as a charrette. The charrette is a process that brings lay people and professional architects and designers together in workshops that can last from a few hours to several days. Its purpose is to give a community the opportunity to think about its needs and come up with a planning vision on its own. The approach relies heavily on community input at the outset of any development project, unlike the common approach to public participation used by Portland and cities and towns throughout Maine, which allows for input only after a project is fully formed and often most of the way through the planning process.

Proponents of the charrette process, which has been touted by the American Institute of Architects and is starting to take off nationally, argue that when communities have the chance to give meaningful input at the beginning of a development project, they are much less likely to fight it as it works its way through the permitting process. This has been true in Portland.

In anticipation of the development that is inevitable there, a charrette was organized last year by the city's urban designer, Alan Holt, a maverick in Portland city government who had introduced the process successfully in New Bedford, Mass. The Bayside community had just galvanized in opposition to a proposal, supported by the city and put forth by the late Betty Noyce's Libra Foundation, to build a massive sports arena smack in the middle of the neighborhood. After winning the arena battle, local residents welcomed the opportunity to have input into planning for their community. Holt said at the time that he wanted the chance to show the city what a meaningful participatory public process would look like.

One hundred fifty people attended the charrette. Among them were wealthy property owners, homeless people, architects, developers, planning students from the Muskle School of Public Service, renters and lawyers. One of the many common themes that surfaced was acknowledgment of the critical need for affordable housing. Out of this workshop and in order to address the growing need for housing throughout the city, a plan was formed by city officials to issue a request for proposals for affordable housing in Portland. That RFP resulted in a 32-unit project in Bayside using city-owned property and \$200,000 in city funding and tax credits. Richard Berman of Berman Associates, the developer who was awarded the project, then met several times with the local residents, who asked for and received things like porches and a community room. The residents even named the project Unity Village at Bayside. At the time Bayside Neighborhood Association president Sandy Elder said, "We had a potluck supper and everybody was thrilled that the bulldozers came. ... It's our housing project."

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Public Comment: 3 of 3 (Historical Info Redux from the R-6 Downzoning Debate)

George Rheault <george.rheault@gmail.com>

Mar 5, 2020 10:32 AM

Posted in group: **Planning Board**

Please include the information below as part of public comment regarding the proposed Munjoy Hill Historic District.

While the remarks and attachments below were raised as part of the 2017-2018 anti-housing R-6 debacle, they very much remain relevant to the historic district consideration.

That relevance includes:

1) Shining a light on the abuse in this process, to date, of the actual historical record of the physical, social and cultural evolution of Portland's East End.

2) Highlighting how the push behind a historic district designation is simply the latest stage (and perhaps its ultimate culmination) in a 100+ years exclusionary effort to depopulate, de-urbanize and gentrify the Portland peninsula.

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

From: **George Rheault** <george.rheault@gmail.com>

Date: Mon, Jun 4, 2018 at 9:35 AM

Subject: The Munjoy Hill R-6 Saga: Part 3 of 4 - Gentrification Picks Up Steam (a/k/a The Losing Battle Against Sprawl...)

To: Ethan Strimling <estrimling@portlandmaine.gov>, Nicholas Mavodones <nmm@portlandmaine.gov>, jduson <jduson@portlandmaine.gov>, Brian Batson <bbatson@portlandmaine.gov>, Pious Ali <pali@portlandmaine.gov>, Spencer Thibodeau <sthibodeau@portlandmaine.gov>, Kim Cook <kcook@portlandmaine.gov>, Councilor Belinda Ray <bsr@portlandmaine.gov>, Justin Costa <jcosta@portlandmaine.gov>

Cc: Jeff Levine <jlevine@portlandmaine.gov>, Tuck O'Brien <sgo@portlandmaine.gov>, Christine Grimando <cdg@portlandmaine.gov>, Caitlin Cameron <ccameron@portlandmaine.gov>

I urge the Portland Council to reject the raft of proposed "down-zoning" changes to the R-6 zoning code being considered tonight. Not only are the R-6 carve-outs specially crafted for Munjoy Hill a slap in the face to the rest of Portland's neighborhoods (both on and off the peninsula), but they are environmentally unsound and violate the sustainability commitments set forth in Portland's recently enacted Comprehensive Plan.

As part of its homework, the Council should pay particular attention to the May 2001 referendum that tried to kill the Island View Apartments complex that enabled dozens of families to be affordably housed on Munjoy Hill despite the protestations of the NIMBY crowd (many of whom later became vocal opponents of the 2015 R-6 zoning changes).

Attachments:

- May 3, 2001 Casco Bay Weekly Cover Story: Regional Sprawl and Munjoy Hill Disease
- Nov 4, 202 Press Herald Story: Happy Aftermath of 2001 Referendum on Island View Apartments

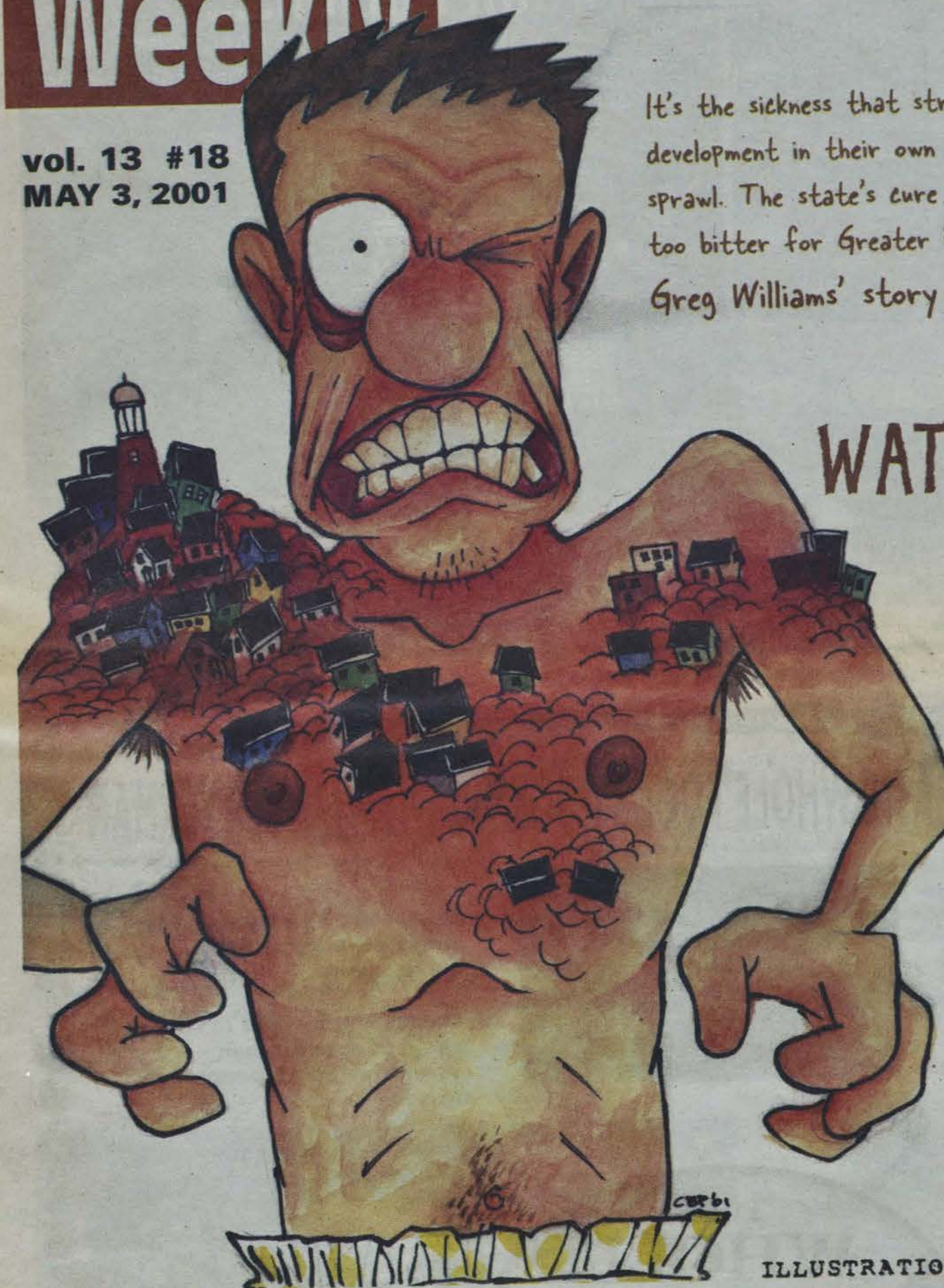
Casco Bay Weekly

greater portland's weekly journal of news, arts & opinion
cascobayweekly.com

FREE

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MAY 3, 2001

It's the sickness that strikes when neighbors oppose development in their own backyard and end up encouraging sprawl. The state's cure for this condition appears to be too bitter for Greater Portland residents to swallow. Greg Williams' story starts on page 12



WATCH OUT, it's ...

Munjoy Hill DISEASE!

ILLUSTRATION/COREY PANDOLPH

Portland cop has ties to towing company	page 8
Portland cops crack down on performance art	page 10
Exposing circus elephants' so-called lives	page 20

National Nurses Week Special Recruitment Section SEE PAGE 38

3 MAY 2001

Watch out, it's ...

It's the sickness that strikes when neighbors oppose development in their own backyard and end up encouraging sprawl. The state's cure for this condition appears to be too bitter for Greater Portland residents to swallow.



ILLUSTRATIONS/
COREY PANDOLPH

■ GREG WILLIAMS

A plague has infected Portland, and it's spreading like a nasty rash from its point of origin in the city's East End into neighborhoods in surrounding towns and beyond. It's called Munjoy Hill disease. It may be incurable.

The symptoms of this illness include a stubborn refusal to allow residential development to take place within the neighborhood's borders and the appearance of activists willing to go to extreme lengths to prevent such new construction.

The state of Maine is trying to stop the spread of Munjoy Hill disease because it exacerbates the unhealthy effects of another serious affliction: sprawl. Like a slow-moving, insidious bacteria, sprawl infects suburban and rural communities, gobbling up large tracts of farmland and scenic open space and leaving a haphazard pattern of single-family homes (often interspersed with strip malls and big-box stores) in its wake.

Sprawl's symptoms include increased traffic and higher taxes, as local governments try to cover the costs of extending sewer lines and building bigger schools in response to growth.

Meanwhile, sprawl literally sucks the life out of urban communities like Portland as it lures people away from the city. Among other problems, the corresponding drop in students attending public schools triggers a reaction in Augusta, where, following the school funding formula, lawmakers cut state education aid, forcing the city to raise taxes to make up the difference. In addition, the traffic that spreads like capillaries into the surrounding suburbs coalesces around Portland, particularly on weekday mornings, to create a frustrating condition: clogged arterials.

One of the ways to cure sprawl is to encourage denser development in urban and suburban centers, but with Munjoy Hill disease ravaging Portland and its symptoms showing up in nearby suburbs, this medicine is proving ineffective.

Nevertheless, State Planning Office director Evan Richert has been touting this idea, traveling around Maine trying to sell the public on his "smart growth" initiatives, which encourage municipalities to create self-contained neighborhoods with a high-density mix of residential and commercial development. But to Munjoy Hill residents like Nancy Guimond, it sounds like Richert is selling snake oil.

Munjoy

"I think we're crammed enough up here," said Guimond, who lives on Waterville Street.

Guimond's apartment sits next door to a vacant lot slated to become a five-story condominium complex with parking for 13 vehicles.

She opposes the project on grounds it is out of character with the rest of the neighborhood, will create a parking dilemma and will result in the loss of her harbor view and ocean breezes. "We'll be sucking fumes," she said.

Guimond recognizes the conflict between the state's vision of denser urban living and her neighborhood's resistance to it, but in her opinion, if the city is going to have more housing, it should be someplace not quite so crowded.

"It's a funny clash. I think [state planners] should use a little more common sense," she said. "They want to have us living like rats in a maze. It's crazy."

Such attitudes make it tough for state planners to combat the spread of sprawl. Jaimey Caron, chair of the Portland Planning Board, said it's difficult to convince people to give up something personal for the betterment of the whole. In Caron's opinion, Munjoy Hill disease is "about getting your own way, not what's best for the overall community."

An outbreak of the illness recently flared up in Freeport, where residents forced the Town Council to reject a \$50,000 grant from the state intended to create a kind of "smart growth" village — a compact neighborhood in which housing, schools and services would all be within walking distance. When the disease strikes the suburbs, it makes rural communities more susceptible to sprawl.

Though sprawl hasn't hit his community as hard as it has towns closer to Portland, Raymond Town Manager Don Willard said it's coming. According to Willard, taxes in Raymond are already going up, and the town's rural character is in jeopardy. Willard knows the consequences of unheeded sprawl. The dairy farm in Scarborough he grew up on has since been subdivided into house lots.

The latest census data bear witness to a dramatic population shift. From 1990 to 2000, Raymond grew nearly 30 percent. Scarborough and Falmouth saw population increases of over 35 percent. But Portland, with its housing shortage and outbreaks of Munjoy Hill disease, had no growth at all, actually losing a fraction of a percent.

In Windham, where the population grew by over 14 percent in the last decade, town planner George Dycio said the town is struggling to meet the increased demand for services such as police, fire, roads and schools, and is raising taxes as a result.

Dycio said Portland can help reduce the burden on towns like his by attracting more people, but he realizes that isn't happening due to the city's lack of affordable housing.

Anthony Dater, a consultant for the Greater Portland Council of Governments, said many neighborhood activists, who consider themselves progressive on development issues, are against sprawl — that is, until the solution falls in their backyard. "It's ironic," he said, "but it conforms to human nature."

Dater believes long-term education on the benefits of denser housing is the only way to fight Munjoy Hill disease.

It won't be an easy treatment to administer.

"People have it ingrained in them that spreading out is good," Richert said. "It's not all bad, but it has its costs."

Why should we care?

Strains of Munjoy Hill disease have appeared all over Portland. Residents of neighborhoods like Rosemont, Oakdale and Riverton have feuded with developers and city officials over building projects and mixed-use zoning in recent years.

Deb Keenan lives in Riverton, Portland's fastest growing neighborhood. Keenan doesn't think increasing the density of an already crowded city is a good idea. Furthermore, she won-

Hill DISEASE!

dered why Portlanders should even be concerned about growth in other towns. "What do we care about sprawl?" she asked.

Keenan said sprawl is an issue for the lesser-developed and faster-growing rural and suburban areas. Though she likes the idea of stacking apartments on top of businesses in areas like the Old Port, Keenan does not support the smart-growth cure in the more residential parts of the city.

"Is smart growth smart?" she said. "My belief is that it's not."

Keenan questioned the feasibility of the Unity Village project now under construction in Portland's Bayside neighborhood, which will create 33 units of affordable apartments on one small block. "It's a postage stamp piece of land," she said. "I wondered how they would fit so much housing there."

To Keenan, denser living translates into fire hazards, overcrowding and loss of open space. She wondered why city dwellers like herself, who value green space and

People are against sprawl, but equally against density. What are you gonna do?"

— Tom Kane, Portland city councilor

wildlife as much as those living in the country, should have to give that up to make life better in the suburbs.

Portland Mayor Cheryl Leeman has disagreed with Keenan on many issues, but they share some common ground in their suspicions about smart growth. Leeman called the state's efforts to stem sprawl "idealistic," and said greater density is not so great for the city. As she sees it, Portland already has traffic and parking problems, and for denser housing to be acceptable, major changes in societal behavior would have to be made. "People like their space," she said. "I am not sure the public is ready" for denser development.

City Councilor Tom Kane supports attracting more people to Portland by creating more housing within city limits, but realizes that in neighborhoods like Munjoy Hill, residents already feel crowded. Kane thinks once people move to a neighborhood, they like to keep it the way it is. "People are against sprawl, but equally against density," he said. "What are you gonna do?"

Big city life in Freeport

Munjoy Hill disease seems to be spread by people, who act as carriers of the disease when they move.

Sandy Campbell recently moved from Pownal — which, despite experiencing an 18 percent increase in population last decade, remains relatively rural — to West Freeport, a suburb of Portland she nevertheless refers to as "the city."

Her new apartment is near the rapidly developing area Freeport town planners had eyed for a smart-growth village — the dense, mixed-use project the state had offered Freeport grant money to develop, but which neighbors like Campbell opposed, ultimately forcing the town to turn down the cash. Campbell was against the project because of concerns about increased density and traffic, which predicted would cause a decline in her quality of life.

Though she understands the state's interest in creating affordable housing close to existing schools, stores and other services, Campbell couldn't help but feel "leery" about the development proposal. "People have a hard time dealing with change," she said. "People get angry because they're fearing the unknown These units are basically going to be in our backyards."



Regardless of the fears of residents, development will continue to take place. "We're not going to stop growing," said Freeport Town Councilor David Soley. "Doing nothing leads to uncontrolled growth."

In Soley's opinion, residents shouldn't oppose an idea without coming up with a better one. "We all need to chip in," he said, because sprawl "is a community-wide problem."

As Portland officials realized in the wake of the May 1 development referendum, residents need to be a part of the development process in order to accept changes in their neighborhoods.

Richard Berman, the developer of Unity Village, learned this the hard way when he tried to create a transportation/retail hub in Falmouth, near exit 10 of the Maine Turnpike, during the 1990s.

If developers don't design projects with the community's participation and support, they end up with "arrows in the ass," he said.

Town officials and residents subjected his plan to intense scrutiny, a process which ultimately resulted in a project that was less progressive than Berman envisioned. Gone from the final version was the housing (including units for elderly residents) and bus service to Portland.

"That is why developers don't do this shit," Berman said, referring to the arduous process he went through to get residents to accept his proposal. "I could have just done a Lowe's [big box store], but that makes me a sleazebag developer. I have to walk the talk."

Scarborough developers John and Elliott Chamberlain are trying to do just that, in hopes neighbors will approve of their plans for a smart-growth neighborhood in the town's Dunstan Corner area. They've held several public meetings on the project, including a day-long design workshop during which three teams of residents worked together to create visions of how the 150-acre lot should be developed.

The Chamberlains have built cookie-cutter subdivisions in the past, but want to try something different this time by including a variety of housing types, shops, a community center, biking trails

"We're not going to stop growing. Doing nothing leads to uncontrolled growth."
— David Soley, Freeport town councilor

and even a school in the development.

State planners like Richert are hoping their development will become Maine's first modern-day example of the cherished traditional neighborhood, similar to self-contained communities in Camden, Boothbay, Deering Center in Portland and Meetinghouse Hill in South Portland.

Ed Suslovic, a Portland real estate broker hired by the Chamberlains to head their neighborhood design project, said the state has been pushing the concept for the past four years, but, so far, has found no one to actually build such a neighborhood, let alone a community willing to accept it.

"We would like one truly smart-growth development in the ground," Suslovic said. Mark Maroon, chair of the Scarborough Town Council, said he is intrigued by the Chamberlains' proposal and the principles behind it. He finds it "refreshing that builders are bringing back old ways."

But "refreshing" may not be enough. While town officials have, in Maroon's words, "embraced the concepts" of the Chamberlains' proposal, they haven't yet decided whether to take a crucial step to make the project feasible: suspending Scarborough's zoning requirement that sets a two-acre minimum for house lots in that area of town.

And there's still Munjoy Hill disease to contend with. Maroon said nearby residents have given the proposal a "cautious analysis," and noted there are always going to be those against any and all development.

"This example is a great test of what the state is talking about," he said. "No matter what the result is, [the proposal] is, in essence, the first litmus test of the issue of sprawl" in Maine.

Think regionally, act locally

Attacking Munjoy Hill disease on a project-by-project basis can help make progressive, smart-growth development more palatable to wary neighbors, but many believe a more aggressive approach is necessary to deal effectively with sprawl. For state officials, that means working not just locally, but regionally to solve the problem. Historically, that's been a difficult, if not impossible, task.

"We don't take a regional view," Berman, the developer, said. "People need to see themselves as part of the whole, not as individuals. We're all in this together."

Mark Adelson, Portland's director of housing and neighborhood services, said regional planning among municipalities will be necessary to shape growth in Greater Portland and beyond. "Because there is no regional cooperation," he said, "it's kind of a free-for-all."

Most communities in the area are pushing for or have implemented growth limits, but such controls have the effect of forcing development into other, less-developed areas, thereby increasing sprawl. There is little indication that situation will be replaced by comprehensive planning anytime soon.

Windham's Dycio said regional zoning is a wonderful idea, but is unlikely, given many residents' wariness of any form of land control. And it may be too late. "It should've started in the 1940s or '50s," Dycio said. "It's hard to go back. I think there would be a revolt."

Dater of the Council of Governments agreed, saying planning for all of Greater Portland would be cheaper and more equitable, but it is not practical in Maine, where localism and individuality reign. Dater said the state has called on municipalities to implement regional planning, but has not pushed the issue because it's so "politically difficult." The Council of Governments does some regional planning, but focuses mainly on transportation issues.

Richard Farnsworth, a member of a 1998 state task force that studied centers of commercial activity and employment in Maine, is one of the few people who's optimistic about regional planning. As Farnsworth sees it, an effective regional governing body with representatives from each municipality makes sense.



"We don't take a regional view. People need to see themselves as part of the whole, not as individuals. We're all in this together."

— Richard Berman, developer

Given that Portland supports hospitals (which pay no property taxes) and serves as a cultural hub used by residents of surrounding towns, Farnsworth is in favor of a taxation system that would allow Portland to share the financial burden it shoulders by hosting such services. Leveling the tax burden across the region, Farnsworth said, would make moving to rural towns less financially enticing to city dwellers.

Not surprisingly, that idea isn't popular in less developed towns.

"That sounds like a bad idea," Willard, Raymond's town manager, said. "It would be a difficult idea to sell."

More difficult, apparently, than convincing urban residents to accept more development in their neighborhoods so those in the country can keep their fields and trees and brooks.

For those who fear sprawl, opposition to that idea isn't just wrong — it's sick. And the diagnosis is Munjoy Hill disease.

Greg Williams can be e-mailed at gwilliams@maine.rr.com.

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David Brooks Stone, Ryan, 1998, sculpture (wood, glass, silver paint, metal, fabric, 2000, oil on board, 2000, 1999, mixed media, Photo by Sarah Casati).

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document 1 of 1

The Hill softens on apartment complex ; Island View Apartments has proved to be a better neighbor than Munjoy Hill opponents expected.: [Final Edition]

TOM BELL Staff Writer. Portland Press Herald ; Portland, Me. [Portland, Me]04 Nov 2002: 1A.

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Abstract

Even before the complex was built, residents warned that the Island View Apartments would overwhelm the Munjoy Hill neighborhood, consuming on-street parking and creating traffic hazards.

In a city with a shortage of rental housing, Island View Apartments is the largest single project to be built in a decade. Located on three acres at the corner of Walnut and North streets, it has 29 units with government rent restrictions that will lease from \$575 to \$787 a month, including heat and hot water. They range from a one-bedroom apartment to three-bedroom townhouses with a garage. The 41 market rate units range from \$845 for a one-bedroom to \$1,450 for a townhouse.

He disagrees with [Ed Suslovic]'s contention that Silver Street didn't listen to residents. Some of the things people like about the project, he says, such as the way the townhouses face North Street, were put into place in response to residents' concerns. Originally, the townhouses faced inward, he says.

Full Text

"Maybe I was wrong. We'll see. It's certainly not as bad as I anticipated." William Gorham, the former leader, Munjoy Hill Neighborhood Organization

Correction published Thursday, November 7, 2002: A story on Page 1A Monday about Island View Apartments should have said police had responded to three calls, including a nonfatal drug overdose, since the complex opened July 27. Police provided inaccurate information about the overdose and number of incidents.

Even before the complex was built, residents warned that the Island View Apartments would overwhelm the Munjoy Hill neighborhood, consuming on-street parking and creating traffic hazards.

But today, with the complex built and almost fully occupied, even some of the project's harshest critics admit they may have overstated their case.

"Maybe I was wrong," said William Gorham, the former leader of the Munjoy Hill Neighborhood Organization, who had warned that "blood will be on City Hall's hands" should a child be killed in an accident. "We'll see. It's certainly not as bad as I anticipated."

The organization's current president, John Griffin, who was dead set against the "monster housing project," has also softened his views.

"I think people can live with this now," he said. "It's big, but it's not as bad as we portrayed it."

The vehement opposition - which some say was fueled by the developer's attitude - produced a lawsuit and a referendum that delayed the project for a year and brought development to a standstill.

Just a year and a half ago, the debate over the 70-unit complex dominated the city's election. In the end, voters rejected a referendum question aimed at increasing the opportunity for citizens to review - and even plan - development in their neighborhoods. The measure's opponents said it was antithetical to the interests of the city as a whole.

The project produced lessons for both residents and developers, says Ed Suslovic, who was a member of the city's comprehensive housing plan committee, which the city formed in response to the referendum.

Developers must work with neighbors right from the start to avoid a combative situation, he says. But residents must also learn to keep an open mind and realize that development sometimes can add to a neighborhood.

"Just because someone is going to change our neighborhood doesn't automatically mean it's going to be changed for the worse," he said.

In a city with a shortage of rental housing, Island View Apartments is the largest single project to be built in a decade. Located on three acres at the corner of Walnut and North streets, it has 29 units with government rent restrictions that will lease from \$575 to \$787 a month, including heat and hot water. They range from a one-bedroom apartment to three-bedroom townhouses with a garage. The 41 market rate units range from \$845 for a one-bedroom to \$1,450 for a townhouse.

Tenants began moving in on July 27, and there is currently one vacant unit.

Deborah Krichels, a Planning Board member who lives across the street from the project, says the complex replaced a desolate, empty lot and has brought new life and more diversity to the neighborhood.

"It's pleasant to see people of different backgrounds who haven't been part of the Hill before," she said, adding, "I certainly like the sound of children playing."

Krichels says that the developer, at the insistence of neighbors and the city's zoning rules, actually built too large a parking lot. It's never filled, she says.

Also, several tenants don't own cars, which has reduced the demand for parking.

The additional traffic has been offset by the closing of Jack Elementary School. That's why traffic has yet to become an issue, Gorham says. He says he's waiting to see what happens to traffic patterns should the school be rebuilt there.

City officials and several residents praised the high quality of the project's construction as well as its design, particularly the 16 townhouses on North Street. Following the style of the traditional development patterns on the Hill, the townhouses' porches are situated near the street edge.

The complex's residents have been relatively quiet, and police calls have been minimal, according to Vern Malloch, head of the community policing unit. There have been four calls since it opened, including calls for a hit-and-run accident, a domestic dispute and a fatal drug overdose.

"That's not bad considering the size of the complex," he said.

The complex is a model for future projects, says Mark Adelson, the city's director of housing and neighborhood services. The mixture of subsidized and market-rate apartments provides an incentive for the managers to maintain their property, he says.

The people who are going to pay \$1,450 a month for a townhouse, he says, are going to demand that the complex be well-maintained.

While some Munjoy Hill residents are still upset about the project, they are trying to accept the changes

"We lost the battle, and I just have to move on," said Joe Piergrossi, who was angered that the complex blocked his view of Back Cove. He says the complex still feels out of place when he walks by it. He says he hopes it will be profitable to the owners so they'll continue to maintain it.

Although some people doubted they could do it, the developers were able to get the rents they needed to meet their financial goals, says Chris Poulin, chief operating officer for Silver Street Development, the company that built it. He calls it "astounding" that the complex is almost filled after only three months.

He disagrees with Suslovic's contention that Silver Street didn't listen to residents. Some of the things people like about the project, he says, such as the way the townhouses face North Street, were put into place in response to residents' concerns. Originally, the townhouses faced inward, he says.

Poulin says the process was combative because the city awarded the project \$400,000 in federal funds without consulting the neighborhood. By the time Silver Street approached the residents, he says, they were already fired up.

Janet Ham, a resident who helped lead the referendum drive, says her opposition was more about the process than the actual buildings - although she still thinks the complex is too big.

Staff Writer Tom Bell can be reached at 791-6369 or at:

tbell@pressherald.com

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Google Groups

Re: Historic District on Munjoy Hill

Joe Walsh <jwalsh@greencleanmaine.com>

Mar 4, 2020 4:54 PM

Posted in group: **Planning Board**

To the Board,

I am writing to urge you to make a "no" recommendation on the proposed Historic District for Munjoy Hill.

I was a resident of Munjoy Hill for 7 years. During that time, I watched as larger condo developments went up, and old, dilapidated multi-family housing was replaced with new, modern building stock.

While on one hand I was sad to see the cheap rents disappearing, these were positive changes. As a renter I had lived in several of these old buildings - they are drafty, loaded with lead paint and pose numerous code and safety hazards. Many (most?) of them were never built to stand the test of time - they are old 2-4 unit multiplexes that have reached the end of their serviceable life. It's time for an update.

In replacing these old buildings, we have an opportunity to maximize density, increase safety and build the new housing this city so desperately needs. Designating Munjoy Hill as a historic district will restrict this positive change and put further regulatory burden on property owners and developers, increasing the cost of housing even more.

If there are any changes to be made on the hill, it should be to *increase density*, as this is already a walkable neighborhood and density can be increased with minimal impact on vehicle traffic.

Regarding affordability - there is a major affordability problem in our city, and while all this new building stock isn't cheap (for renters or buyers), creating a historic district will only exacerbate the issue, and limit the City's options when looking to find creative ways to reduce cost. As a city, we have to find a way to create housing that can be made affordable for the working class and working artists - otherwise we risk becoming a shell of a city - inhabited only by the wealthy with second homes or those in subsidized housing.

That would be a tragedy, as Portland has such a unique sense of place - in large part because it's a real living small city, where a wide range of people can live *and work*. A rarity in America, and I would argue a bigger draw for many than low taxes or a favorable regulatory environment, myself included. I started a business here precisely for this reason.

Please, allow Munjoy Hill to grow with the city, and allow property owners to do as they see fit to find the highest and best use of their property, while leaving the most options open for density and redevelopment.

Thank you for your consideration,

--

Joe Walsh
Founder & CEO

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Munjoy Hill Historic District Proposal

John Whitehouse <John.Whitehouse@lgcgroup.com>

Feb 12, 2020 10:41 AM

Posted in group: **Planning Board**

Hello Planning Board,

I want to oppose the Munjoy Hill proposal for a Historic District Designation. I attended last night's work shop and spent over three hours there. I waited for the commentary of the Board members and I want to specifically thank Brandon Mazer. He was the only one that looked at the matter critically and did not rely on platitudes and repeated claims of "benefits" to a historic district without specifics. I appreciate Brandon asking the questions about if we can look at alternatives, work with the existing overlay, reduce the map etc.etc. For something as permanent as a historic district designation, this needs not to be rushed or blankly accepted as is without discussion about its necessity or design. Another point Brandon made was one I had brought up during my public comment was the eighty year time period this proposal covers (1850-1930). That is excessive and should be looked at. From a code and safety and technology perspective.

I would also add that out of the several workshops I have attended, there are the same forty something people and the same commentary is made. There are over 300 buildings I believe in this proposed map, so I hope the Board does not consider the opinions and feelings of a select few as evidence of overwhelming support for this proposal, as one person tried to purport with a passed around spreadsheet. That is simply unverified and doubtful. In light of the revaluation where it was already admitted that Munjoy Hill will probably be hit the hardest with tax increases, why is now the time to add more layers or restrictions. One Board member mentioned along the lines that there are already layers almost to say what's one more. There are too many, and one more is a lot. One public comment rang true to me, if the city becomes so restrictive that landlords cannot keep up with the costs and taxes by expanding or adding on and rents hit a ceiling for the existing spaces, there will be a lot more condominiums on Munjoy Hill.

Please look at this critically and look for alternatives and compromises. This is so vague and general and already covered by existing measures. It just feels as a tax payer, if anyone proposes anything, it is always accepted and agreed upon and passed. This is permanent and restrictive. There are other places to develop in the area, and measures like these do not help. There is a reason Portland's population has remained unchanged in 20 years. It cannot afford a decline.

Thank you,

John



John Whitehouse

Senior Account Manager

Clinical Diagnostics Business Unit

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Google Groups

Support for the Munjoy Hill Historic District

Kathryn Yates <kyates1020@hotmail.com>

Mar 3, 2020 4:48 PM

Posted in group: **Planning Board**

I am writing to add my support to designating Munjoy Hill as an historic District.

Kathryn A Yates
Portland

Sent from myMail for iOS

Historic District Designation for Munjoy Hill

The Baileys <bailey100@gwi.net>

Mar 4, 2020 7:29 PM

Posted in group: **Planning Board**

We are writing to strongly recommend that you accept the unanimous recommendation of the Historic Preservation Board to designate Munjoy Hill an Historic District.

We live at the bottom of the hill and have watched the degradation of the neighborhood – tearing down homes, allowing incredibly ugly buildings that do not fit in at all with the surrounding area and the growing destruction of the economic diversity here.

Sadly nothing can bring much of that back. But you can at least give our neighborhood a chance to slow it down and manage change more effectively in a way that will help the city as a whole.

Please accept the recommendation of the Historic Preservation Board.

Thank you.

Kenneth and Janice Bailey

59 Mountfort Street

Munjoy Historic District

Kevin Schochat <kevin@kevinschochat.com>

Mar 2, 2020 4:45 PM

Posted in group: **Planning Board**

To Whom It May Concern,
As a resident of Portland I fully support the proposed Munjoy Hill Historic District.
Please vote in favor.
Best,
Kevin

Kevin Schochat
215 Sheridan Street
Portland, Maine 04101

T: 917.597.4154

kevin@kevinschochat.com
<http://facebook.com/kschochat>
[kevinschochat on Instagram](#)

Munjoy Hill Historic District

Leslie Hart <blesliehart@gmail.com>

Mar 2, 2020 9:14 PM

Posted in group: **Planning Board**

Dear Planning Board Members

I am writing to encourage you to recommend the historic district, as proposed, intact.

I believe it's significant that the Munjoy Hill Neighborhood Organization's board has unanimously voted in favor of the historic district. The organization has been representing the neighborhood interests for more than 40 years and I believe their position should be highly regarded on this issue.

The Historic District would not stop new housing from being built on the Hill. And it would not limit property tax revenues. Instead it would preserve the unique character of this neighborhood while at the same time permitting the growth that the city desires.

Thanking you in advance for your consideration.

Leslie Hart
215 Sheridan St.
Portland ME 04101
917.364.3682

Vote Yes on Munjoy Hill Historic District

Maggy W <mswnola@gmail.com>

Mar 3, 2020 10:09 AM

Posted in group: **Planning Board**

Dear members of the Planning Board,

I support the designation of Munjoy Hill as a Historic District for the following reasons:

- Preserve neighborhood character, consistent with the Comprehensive Plan
- Preserve Portland's brand as a vibrant historic city with a high quality of life - tourists and the wave of incoming young residents alike love the historic architecture - this is one of the defining characteristics of our city
- Preserve affordable housing by decreasing the incentive to tear-down existing multi-family rentals - with today's construction costs, the most affordable housing is the building that already exists
- environmental - experts estimate an 80-year timeframe for even the greenest new construction to offset the impact of construction: the greenest building is the one that already exists
- Preserve economic, age and ethnic diversity; slow the trend toward wealthy white retirees
- Encourage new development to respect the character and fabric of the surrounding buildings

Designating individual houses does NOT support these goals. Even one oversized building can disrupt the fabric and streetscape of the entire street.

Finally, if you are still in doubt, you can rely on the incredibly diligent and meticulous work of Deb Andrews and the planning Staff, who have spent over a year researching and preparing this recommendation, and you can respect the judicious oversight of the Historic Planning Board who walked the neighborhood more than once and then voted unanimously to approve this district. We have 11 Historic districts in the city, certainly Munjoy Hill is worthy of standing alongside these others!

Thank you,
Maggy Wolf
28 Saint Lawrence St.

Historic district on Munjoy Hill

martica sawin <martica.sawin@gmail.com>

Feb 22, 2020 11:34 AM

Posted in group: **Planning Board**

To: Members of the Planning Board, City of Portland

As the owner of a 150 year old 2 unit building on St. Lawrence Street, I strongly favor the designation of a historic district for that section of Munjoy Hill for the following reasons:

a) its gracious 19th century character will stand as a reminder of the city's history and a welcome relief from the relentless march of out of scale, obnoxiously designed buildings moving inward from the lost waterfront .

b) Without the protection of a historic designation, economic forces will result in unchecked demolition and construction, adding to the mountain of landfill to the west of the city and subjecting residents of the neighborhood to years of noise and air pollution, clogged streets, loss of views, and diminished sunlight--all for the sake of profits for a few.

c)The eastern end of Portland is one of the most beautiful sites on the entire eastern seaboard. Miraculously It has been kept free of over development and has a generous amount of open space that can be freely enjoyed by Portland residents and visitors. This is a treasure that deserves safeguarding.

Sincerely,

Martica Sawin
28 St. Lawrence Street
Portland 04101

Munjoy Hill Historic District

Nan Cumming <nancumming@gmail.com>

Mar 4, 2020 10:32 AM

Posted in group: **Planning Board**

Hello!

I am writing to express my support for the establishment of the Munjoy Hill Historic District. As a homeowner on Munjoy Hill since 1998, I have seen dramatic changes in my neighborhood--many for the better. I don't object to change and progress, but have become alarmed at the rate of new construction which dwarfs neighboring residences in favor of large developments which seem to make our neighborhood even less affordable. The new historic district designation seems to me a sensible way to preserve what we love about our neighborhood without stifling growth.

Please count me in favor.

Nan Cumming
87 Vesper Street
Portland, Maine

Historical District Proposal

Nancy Machesney <dmaches101@aol.com>

Mar 3, 2020 6:33 PM

Posted in group: **Planning Board**

This is to formally state that as a resident of Munjoy Hill, I strongly support the making a historical district on Munjoy Hill.

Developers need to be held to mindful standards that are respectful and do not change the beauty and the uniqueness of this area of the city. New structures scope and size should fit in with their historical neighbors and not change the vistas of this area. Topography needs to be looked at more seriously, and buildings need to fit in with the area and not squeezed into every square inch.

Respectfully,
Nancy Machesney

Munjoy Hill Historic District

Nancy Thayer <nancy.thayer1@gmail.com>

Mar 5, 2020 11:22 AM

Posted in group: **Planning Board**

Hello,

I just got back from Italy and need to stay away from the public for two weeks which is why I am emailing and not showing up to the meeting. I just wanted to say that I support the proposed Munjoy Hill Historic District intact and hope that it passes.

Thank you,

Nancy Thayer

7 Gilbert Lane

04101

Munjoy Hill Historic District recommendation

Edwin Chester <chester@chesterandvestal.com>

Mar 1, 2020 6:31 PM

Posted in group: **Planning Board**

Chairman Mazer and members of the Planning Board:

I write in support of the designation of a portion of Munjoy Hill neighborhood as an historic district as recommended by the Historic Preservation Board. It will serve our neighborhood and the City as a whole in a number of significant ways.

An historic district would preserve the architecture of an era 100-160 years ago when the greater part of Munjoy Hill was developed as housing for waves of immigrant workers in need of basic housing and access to the City and its waterfront. There are still streets on Munjoy Hill which are basically intact; you can walk down those streets and, except perhaps for the automobiles, get a sense of what our neighborhood was like those many years ago. That is a phenomenon to be treasured by the current residents of our neighborhood and the other neighborhoods in the City, and the thousands of visitors who come to Portland to feel that sense of history and culture.

Please do not be distracted by the suggestions that an historic district would limit the development of workforce or affordable housing. That is not supported by the research done on those effects in historic districts, and it flies in the face of what we know about the housing market on Munjoy Hill.

- Paradoxically, the people who claim to be most concerned about the impact of an historic district on affordable housing are the developers who have had an opportunity to develop or support low-income or affordable housing for years now. They are exactly the ones who have access to capital and the skills to develop that type of housing. They have made **no** attempts to develop or even propose or support that type of housing, except as it might be required by ordinance in the context of a luxury development. It is disingenuous for them to raise that issue at this point.
- In fact, the major threat to low-income and affordable housing on Munjoy Hill is precisely the type of projects that the developers have been creating. When they tear down a structure that was providing low-income and affordable homes and replace it with luxury condominiums, even if they build one affordable unit to get a height bonus, it is a net loss for workforce housing. Even worse, however, the increase in value of the property from a few hundred thousand to millions of dollars, creates pressure on the neighboring properties, whose valuation and taxes increase without any action on the neighbors' part. It makes it less viable for the neighbors to be able to provide reasonably priced housing for families.

The historic district designation might have a side benefit of making it more difficult for the developers to continue their efforts to reshape the neighborhood. It will protect our heritage and our residents's ability to remain in their homes. As the owner of two buildings within the proposed district and a proposed landmark building just outside the district, I urge you to support the designation.

Thank you for your consideration,

Ned Chester

Sent from Mail for Windows 10

Munjoy Hill Historic District

Paul Flaxman <pflax24@hotmail.com>

Mar 3, 2020 9:59 AM

Posted in group: **Planning Board**

Dear Planning Board,

Thank you for the me and effort that you commit to supporting the City of Portland and its residents.

I am writing to you to express my strong opposition to the Munjoy Hill Historic District. I would much prefer that the City give the current overlay approach more time and study before taking such a drastic approach to development on the hill. The current overlay approach requires a certain level of conformity that already does much to maintain the general character of the neighborhood. It does a good job of specifying building requirements in a manner that still allows a homeowner to renovate a home while receiving clear guidance from the City.

I'll expand on my reasons for my opposition to the Historic District, but first a brief bit of history.

My wife and I own and live at 7 Atlantic Street:

- Purchased in fall of 2017, the house is circa 1845, and was in tremendous disrepair, requiring all new systems, new roof, new windows, and extensive structural repairs.
- Two out of three contractors suggested it would be better (less expensive) to knock the house down.
- My wife is a romantic, fell in love with the house, and wanted to preserve its character and to renovate it.
- 23 months later we moved into our renovated home. Those 23 months were the most laborious, difficult, stressful, expensive years of our lives; we faced roughly 10 huge setbacks along the way (of which the City was only involved in 1!).
- We modeled the 3rd floor after the dormer that is in The Portland Company's large, historic brick building, which is just down the hill from us
- Please see before and after pictures attached. We recognize that the 3rd floor does not conform to 1845 or 1924 design standards, but we view architecture as a living, dynamic expression of mankind - and thus we have honored the original 1845 house and topped it with a circa 2018 3rd floor. My wife calls it an old lady with a new hat.

Since moving in, we have been repeatedly heartened by our neighbors and other strollers who express admiration for what we have accomplished and appreciation that we saved the house rather than knocked it down. The neighborhood approves!

There are two primary reasons for my opposition to the Historic District. First, as a general statement, placing more control in the hands of the government means that property owners have less control. While some might call this hyperbolic, I do see this as a confiscation of property (or property rights, in any case).

This brings me to my second reason for opposing the Munjoy Hill Historic District. In late 2019, I went to the Historic Preservation Board to confirm the designation of our home (the map was unclear and I wanted to confirm my understanding that it is designated non-contributing). The office person agreed that the map colors were unclear and confirmed that 7 Atlantic Street is non-contributing.

Deb Andrews came out of her office, engaged me in conversation, and asked me my address. When I told her, she said: "I hate what you did to that house." I did not know how to respond. I tried to engage her in a discussion. She proceeded to lecture me on all that was wrong with our project (please imagine my emotions, during this attack, based on the amount of effort and careful consideration we had put into the house). Upon my departure she said, "please don't tell your wife what I said."

Unprofessional? Certainly. Opinionated? Yes. Unfiltered? Yup. A servant of the people? I don't think so.

Unfortunately, a Munjoy Hill Historic District brings with it a Board that will now sit between a property owner and the

City's permitting process. Headed by a person who apparently is ready to guide decisions using her personal opinions rather than building guidelines.

I strongly support the continued use of the overlay district rules and I am strongly opposed to the establishment of a Historic District.

Please feel free to contact me if you have any questions. Two of Deb Andrews' colleagues were present if you need to confirm our very startling and very unproductive conversation.

With best regards,

Paul Flaxman
7 Atlantic Street





Support for the Munjoy Hill historic district

Bob and Jeanne Bull <dabulls@zwi.net>

Mar 4, 2020 12:54 PM

Posted in group: **Planning Board**

We are writing to express our support for the historic district as recommended by the Historic Preservation Board in November. Please recommend designation of the proposed historic district to the Portland City Council.

Thank you, Robert and Jeanne Bull, 68 Atlantic Street, Portland

Google Groups

Roof Deck - 51 Morning St., Munjoy Hill

Ryan FitzGerald <ryan.fitzgerald.17@gmail.com>

Mar 4, 2020 11:29 AM

Posted in group: **Planning Board**

Good Morning Portland Planning Board,

I am writing to you in regards to the Munjoy Hill Historic Overlay Zone, and the potential for amendments surrounding the building height and appurtenance limitation language. I've tried to keep this email brief; I hope you will take the time to read it and consider my situation.

I bought a fourth-floor condo at 51 Morning St. in 2013. I paid a premium for the condo because it included rights to build a roof deck, which was very exciting for me. I have been saving up to build a deck since. As you can see in the attached images, not only does the building already have a roof deck, the one I hope to build would be even less visible than my neighbor's. In my view, the addition of this deck would not change the character of the neighborhood.

My first contact with the town about my plans to build the deck dates back to the month I bought the condo - February 2013. Jeanie Bourke and I exchanged upwards of 50 emails in the following years as I developed the designs myself, and inquired about the various regulations surrounding it. I went as far as to have engineers stamp my plans, at considerable expense, in 2014, before realizing that I didn't yet have funds to build.

I scheduled a meeting with Anne Machado and Jeanie in the fall of 2018 to discuss next steps, as I intended to build the deck in the Spring of 2019. In this meeting, I learned that my roof deck plan was disallowed by the Munjoy Hill Historic Overlay Zone. I was devastated.

I have been in touch with City Councilor Belinda Ray, who spearheaded the overlay zone legislation, since discovering the problem. She agrees that I should be allowed to build the deck, and has been very helpful in keeping me apprised of the intended amendments to the overlay language. It had been her understanding that language that would allow for "grandfathered" situations like mine, was on the agenda for your February 18th meeting. Through conversations with former Planning Board member and family friend David Eaton, I gather that this language was not introduced or discussed at that meeting.

Can you tell me if this language is still likely to be considered by the Planning Board? And if so, do you know when it will be taken up?

I hope you will consider my situation. Respectfully, I hope it was not the intent of this legislation to limit cases like mine, where the existing property owner whose long-held legal plans would be refused and whose property value (to say nothing of the enjoyment of said property) would be severely diminished. I hope that you can offer me some guidance as to how to move forward.

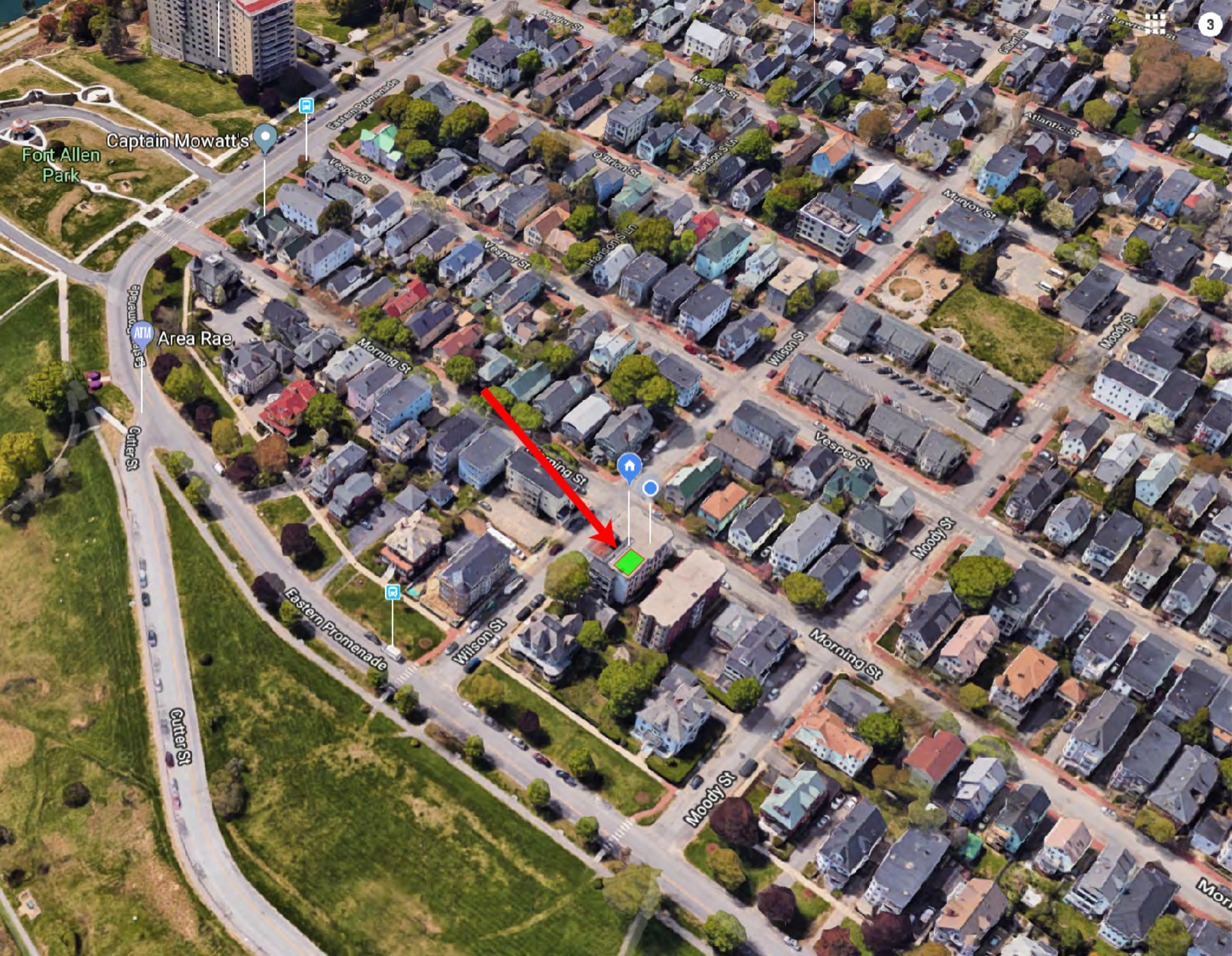
Best Regards,
Ryan FitzGerald

207-317-2354

Proposed language that was purported to be taken up on February 18, 2020:

"For buildings greater than 35' in height in existence as of December 4, 2017, 8' of clearance is allowed to accommodate the installation of the following items only: an elevator designed to make the building ADA compliant; railings for a roof deck; a fire code-compliant vestibule to allow roof access, provided that the vestibule is (a) out of view from public rights-of-way and integrated with the building design; (b) set back at least 5' from the building edge; and (c) no larger than necessary to meet fire code and provide adequate access to the rooftop."





Fort Allen
Park

Captain Mowatt's

Area Rae

ATM

Cutter St

Cutter St

Eastern Promenade

Wilson St

Morning St

Morning St

Vesper St

O'Brien St

Moody St

Morning St

Moody St

Vesper St

Wilson St

Murjoy St

Atlantic St

Moody St

Morning St

March 3, 2020

Dear Chair Mazer and members of the Planning Board,

I am writing to encourage you to support the designation of the proposed Munjoy Hill Historic District and to recommend its designation by Portland's City Council. The review and consideration given to this historic district designation has been lengthy and thorough.

There have been numerous public forums to answer questions, to respond to concerns and to hear and consider public comment. Staff and members of the Historic Preservation Board and the Planning Board have devoted significant effort, expertise and consideration to the merits of whether the proposed Historic District meets historic preservation criteria of the City's ordinance and is consistent with the goals of Portland's Plan 2030. Substantial documentation is in the record that supports the conclusion that the Munjoy Hill Historic District meets the required criteria, both for historic significance and integrity and for its clear capacity to meet goals of the Comprehensive Plan.

Public comment both written and oral at the Historic Preservation Board workshops and Public Hearing and the Planning Board's workshops has been extensive and has been overwhelmingly in favor of the historic district designation. **More than 75% of these comments have been in favor of the historic district designation.**

Designation of the Munjoy Hill Historic District will benefit both its residents and residents of all of Portland by managing change within the district's boundaries, while preserving the historic character and unique history of this area of the City. This designation will sustain current affordable housing and allow for further compatible housing development while also supporting the City's sustainability goals,

Thank you for considering my comments.

Sally Oldham
118 Congress Street
Munjoy Hill

March 5, 2020

Chair Mazer and members of the Planning Board,

As an architect and past member for 10 years of Portland's Historic Preservation Board, I would like to encourage you to support the designation of the Munjoy Hill Historic District. An historic district designation allows for alternations and additions to existing buildings within its boundaries and allows professional design review to ensure compatibility of new construction within and adjacent to district boundaries.

These review mechanisms, now with a 30-year track record, have proven to be good tools to manage change within historic districts while preserving the special historic character of these areas and the quality of the neighborhood for our children and grandchildren.

I urge you to support the findings of the Munjoy Hill Historic District designation report as presented and to recommend its designation by the City Council.

Sincerely,

Ted Oldham, Architect
118 Congress Street
Munjooy Hill

Google Groups

tica douglas <outlook_A47FC014D47358FB@outlook.com>

Mar 1, 2020 8:43 PM

Posted in group: **Planning Board**

Dear Chairman Mazer and Board Members:

Please approve the proposed historic district for a portion of Munjoy Hill as unanimously approved by the Historic Preservation Board.

I recently visited Amsterdam, a city which has treasured and protected its 17th century buildings and cityscape, and which is thriving, a magnet to both young and old. Amsterdam would not have this tremendous appeal had it not respected its architectural heritage.

Many people – both those who live here and those who visit- believe that Portland has lost a great deal of its character and uniqueness thanks to the generic development that has taken place along the waterfront and on the Hill. To reject or modify the proposed Historic District would be to invite further irreparable harm to the Hill, which is beloved by Portland natives, so many of whose families lived here one or two generations ago.

Munjoy Hill, studded with roofs and crowned by the Observatory, is what everyone sees when approaching the City from the water, Casco Bay Bridge ,and 295, or when viewing the City from South Portland, Falmouth, and even from arriving and departing planes. It is the most distinctive aspect of the cityscape, and its 19th century and early 20th century housing stock connects us to past generations of mostly working-class Portlanders. My house, for example, was built by a “ship’s joiner” in 1855.

Please vote in favor of the proposed District.

Tica Douglas

11 Munjoy St.

Re: Comments on the proposed Historic District AND proposed Individual Landmarks

RD <robert@robertdiamante.com>

Mar 2, 2020 3:20 PM

Posted in group: **Planning Board**

Another white guy asking for a hand out. Lol. Seriously it's very compelling and you make a unique and articulate argument. I would take out retired dentist. Being glib doesn't support however true it might be. Down-at-heel should be hyphenated.

Interesting!!! You've made me see that building differently. And it is true that as I glide down 295 in my Subaru my heart goes thump when I see it across the water.

Robert
207-712-9568

On Mar 2, 2020, at 3:09 PM, Tom Kennedy <tom.kennedy@sothebysrealty.com> wrote:

To Whom it May Concern at the Planning Board Portland, ME

I propose that 340 Eastern Promenade be considered for Individual Historic Landmark Status because of its unique aesthetic and cultural value.

Executed in a late Mid-Century Brutalist Style, the twin towers of 340 Eastern Promenade is historically significant in its construction in a neighborhood of working class housing consisting of three family "triple deckers" and more simple cape style vernacular homes seen commonly throughout Northern New England. It was a Revolution of Style in a down at heels district of the city.

340 Eastern Promenade when constructed was avant guard and unique to Monjoy Hill.

Many have commented over the years that its twin towers on the hill can almost be seen as a beacon for hope when approaching Portland from any compass point.

Culturally it is unique in that it is one of only two residential towers compelled to retroactively install sprinkler systems (Portland House is the other). Many Writers, Artists and Retired Dentists have called the towers home over the years.

Normally I am fundamentally opposed to an additional layer of regulation over Individual Property Rights.

But as the residents of 340 Eastern Promenade have their property taxes consistently increased due to gentrification, and we have been compelled to pay stormwater taxes (each condo the same amount without regard to square footage), and under pain of imprisonment, rental property fees, plus the arbitrary demand that 340 E Promenade install sprinklers- We would hope that you would provide this lovely building some relief and its owners special tax abatements to maintain these truly unique towers consistent with the building's cultural patrimony that it provides to the City!

Thank You for your Consideration

Tom
Tom Kennedy
340 E Promenade Unit 213
Portland, ME 04101

Re: Ignored public comments - East End Historic District

me <jmy@portlandmaine.gov>

Feb 11, 2020 10:57 AM

Posted in group: **Planning Board**

Good Morning,

I am sorry if you were unable to locate the public comment that you have previously submitted. I realize there are several documents to look through on the web for this item. I can assure you that your public comment is posted to the web and was provided to the Planning Board for the meeting today.

You can find your public comment within the following documents posted to the web. I have also included the page numbers.

within the pdf attachment named "att. 6.10" (page 4)
within the pdf attachment named "att. 6.11 (page 50)
within the pdf attachment named "att. 8" (page 50)

I hope this helps and if you have any questions at all regarding the public comment, please let me know.

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 Monday, February 10, 2020 at 4:53:45 PM UTC-5, Travis Agaman wrote:

I have e-mailed the planning board three separate times concerning the topic of the East End historic district question, on the dates November 4 2019, December 6 2019, and February 7 2020.

Upon reviewing the document about tonight's planning board meeting (provided at <https://portlandme.civicclerk.com/web/UserControls/DocPreview.aspx?p=1&aoid=748>), I see that none of my public comments have been included in the pdf file even though there are plenty of comments supporting the historic district included with dates back to July and August of last year.

How many other anti-historic district voices have been selectively ignored by the historic preservation board, planning board, and/or the city council? Is this how the Portland city government operates?

Travis Agaman
RESIDENT OF PORTLAND
8 Emerson Street, Portland Maine 04101

Proposed Munjoy Hill Historic District

Wendy Cherubini <wcherubini@gmail.com>

Feb 17, 2020 7:15 PM

Posted in group: **Planning Board**

Chair Mazer and Members of the Portland Planning Board,

I write urging you to not recommend a historic district on Munjoy Hill to the City Council. Creating a Munjoy Hill historic district would be an extreme over-reaction to neighborhood opposition to change. Creating a district is one tool in the City's tool-box, but it is an unwieldy one that is more restrictive on properties than needed to address the problems that concern the neighborhood. At a minimum, the proposed district area should be objectively analyzed and more narrowly defined with regard to both geographic area and historic time span covered.

According to the materials prepared by staff, this effort was initiated as one of several responses to concerns about the neighborhood changing and in particular a few demolitions of existing houses that were replaced with more modern designs.

I listened to and read testimony in favor of this district. What struck me was the strong desire to stop change in the form of new construction of housing that is perceived as ugly and demographic change or who is buying housing in the neighborhood. The first is a concern about design, the second is caused by larger economic forces. Certainly a new HD will help preserve the buildings that currently exist. However, a HD will do nothing, and in fact will hasten, the demographic change that has been going on for over 30 years. Many of those testifying have moved to the neighborhood fairly recently and are part of that change.

As a resident and owner in a HD, I have seen these demographic changes first hand. Over me, since the establishment of the HD that expanded an older West End HD, we have lost the vast majority of affordable rental units in small 1-4 unit buildings. Were it not for subsidized rental housing developments in my neighborhood, there would be almost no affordable rentals. Would this have happened whether or not there was a defined HD? I suspect the answer is yes, but it might have happened more slowly. Does the neighborhood look pretty much the same as it did 25 years ago? Yes, but do we really want to live in a museum with very high admission fees?

Several people noted the gerrymandered boundaries of the proposed district in testimony. While that is quite troubling, of larger concern is the time period covered: 1850's – 1930's. 80 years of Portland's history are deserving of a special district – Really? This is dangerous and seems the product of result-oriented reasoning rather than an impartial review of the ordinance's explicit criteria to determine what especially valuable historic properties merit the special preservation treatment of a district.

Portland is an urban center. It needs to evolve and grow to thrive economically, provide housing for more residents, remain urban vis a vis our much faster growing surrounding towns, and prepare for climate change by encouraging redevelopment citywide. Placing a virtual glass globe over a significant section, on high ground, of the peninsula will hurt the City.

In addition, we may be setting a bad precedent that comes back to haunt us. What is to prevent owners in any neighborhood with buildings over 50 years old where new developments are being built or proposed from seeking to become a historic district? New development replacing old is what cities must

do to remain vibrant. Change is difficult and jarring, but without it cities stagnate and die. I ask you to take a hard look at what is being designated on the Hill as historic and worth saving forever.

Portland needs housing and it needs a lot of it - much more than most people realize. Efforts to freeze large swaths of the city and prevent meaningful redevelopment will only hurt our ability to grow. Redeveloping on already developed land is sustainable, fights sprawl, supports transit and has a smaller carbon footprint. We all have to do our part and it is not going to be easy. Please don't make it harder than it already is.

Thank you for your service to the City.

Wendy Cherubini

33 May Street

wcherubini@gmail.com

Support for Munjoy Hill Historic District

William Cleaves <wcleaves3@gmail.com>

Feb 28, 2020 10:12 AM

Posted in group: **Planning Board**

Hello!

I'm writing to voice my support for the Munjoy Hill Historic District designation!

I see Historic Districts as helping to manage changes to buildings and neighborhoods as they are rehabilitated to meet 21st century needs, and it's certainly true here in Portland!

Thanks so much and I appreciate the work that the Planning Board does for the city!

William Cleaves
27 North Street, Apt 4.
Portland, ME 04101

Please oppose Munjoy Hill historic district

Megan Roberts <m.g.roberts90@gmail.com>

Mar 5, 2020 12:08 PM

Posted in group: **Planning Board**

Portland Planning Board,

My name is Megan Roberts, and I'm a (recent, but proud!) Portland resident. I'm writing to ask you to please vote against the establishment of a Munjoy Hill historic district in the upcoming March 10 public forum, and recommend that the City Council **does not** move forward establishing this historic district.

Portland has a housing shortage, and is quickly becoming too expensive for many working class Mainers. Establishing Munjoy Hill as a historic district will essentially remove that neighborhood as a locale for building new housing. We should not exempt certain neighborhoods from new housing considerations at a time when the city so badly needs new housing.

I understand that supporters of the proposed historic district are concerned about preserving neighborhood character, however this can be accomplished through the existing channels of Zoning and Design Standards.

Please vote against the Munjoy Hill historic district proposal on March 10.

Best,

Megan Roberts
Portland, ME (Woodfords neighborhood)

Google Groups

Munjoy Hill Historic District

Vana Carmona <vanacarmona@gmail.com>

Mar 5, 2020 1:13 PM

Posted in group: **Planning Board**

Attn. Planning Board

We are residents of Munjoy Hill, and want to stress again that we are in full support of the Munjoy Hill Historic District.

It is critical that we save the historic character of this neighborhood, especially since it has been the focus of demolitions and incompatible developments from a number of developers.

We are aware of an organized movement in the City (specifically YIMBY) that is determined to undermine our efforts to establish this much needed Historic District. We feel these organizers are distributing incorrect information in an effort to get the District turned down.

Frankly, we do not even understand why they are so opposed to it. We have Historic Districts all over the City and they are all working just fine. Those neighborhoods are thriving and they are not experiencing the demos and out-of-scale buildings that we are here on Munjoy Hill. Our neighborhood can be developed in an equally amicable way as a Historic District.

Please note that the vast majority of residents here are in favor of the District.

In addition, it is also critical that the new District have the 100-foot rule. Already that has been an issue. In a brief 3-week period last Fall, two houses were demolished that were directly on the border with the proposed new District.

We also want to add that the City must take steps to curtail the building of these massive condo complexes that are scheduled. They do not fit the landscape; they are not intended for Portland's working people; and they will drive up the property taxes for those who call this area home.

Unfortunately, we cannot be at the meeting on the 10th but please take our support into consideration.

Thank you.

Vana and Ralph Carmona
105 North St Apt 1
Portland ME 04101

Google Groups

Full support for current Proposed Historic Boundary

Martha Emerson (Gmail) <marthahhem@gmail.com>

Mar 5, 2020 2:04 PM

Posted in group: **Planning Board**

Dear Planning Board,

I approve the designated local historic district map mailed on Feb 27, 2020. Please vote to forward it to the City Council for approval.

Sincerely,

Martha Emerson

340 Eastern Promenade Unit 247

Portland, ME 04101

Supporting the Munjoy Hill Historic District

betts mayer <bettsgmayer@gmail.com>

Mar 5, 2020 4:16 PM

Posted in group: **Planning Board**

To The Portland, Maine, Planning Board:

As a resident of Munjoy Hill, I strongly support the proposed Munjoy Hill Historic District intact designation.

I believe there is historical evidence exemplifying that an Historic District like Munjoy Hill in the largest and particularly attractive city like Portland, Maine, stabilizes the community and preserves its history. History of community in Maine is extraordinarily important, especially its conservation of individual-living homes.

Thank you for considering my support.

Betts Mayer
211 Sheridan St,
Portland, ME 04101

bettsgmayer@gmail.com

Google Groups

Munjoy Hill Historic District

scannon@myfairpoint.net <scannon@myfairpoint.net>

Mar 5, 2020 5:01 PM

Posted in group: **Planning Board**

To the Planning Board:

We represent 30 homes at the foot of Munjoy Hill, and our homeowners and families are highly distressed at the aggressive building of ugly structures that now mar our beautiful city by the sea, and the crippling traffic that will surely follow.

One of our only defenses to mitigate the encroachment of yet more concrete towers--and to return some control back to the people who live here--is to protect Munjoy Hill as a historic district, which we fully support.

Why should only the West End be protected?

Thank you.

Gemma Cannon
Secretary, The WSHA Board of Directors

Google Groups

Munjoy Hill Historic District

Matt Thayer <mthayer777@gmail.com>

Mar 5, 2020 8:38 PM

Posted in group: **Planning Board**

Dear Planning Board --

I am writing in wholehearted support of the creation of the Munjoy Hill Historic District. As first renters and now property owners on Munjoy Hill for over 20 years now, my wife and I have been passionate all the way along about protecting the historic architecture of the Munjoy Hill neighborhood as a way to preserve the friendly walkable scale, the neighborhood feel, and the working class architectural heritage of Munjoy Hill.

We also believe that protection of the Munjoy Hill neighborhood through an historic district will help to preserve local affordable housing, as so many of the condos that have gone up when historic buildings in our neighborhood have been torn down or substantially altered have massive price tags attached to them, so they end up being out of reach for long time Munjoy Hill residents, and when they go up, they displace our long-time friends and neighbors on Munjoy Hill.

While we have not been active participants in the public process associated with the development of the proposed district, please don't mistake that for lack of passion for or interest in the creation of the district, as I doubt you could find anybody more supportive of -- or more convinced of the importance of -- the creation of the district than us, and if our schedules had permitted, we would have been at every meeting all the way along advocating for the creation of the district.

Please vote to advance the proposed Munjoy Hill Historic District to the City Council, as creation of the district is such an important step forward for protecting what helps to make the neighborhood and the city special for all.

Thank so much.

Matt

Matt Thayer
Owner, 62 Munjoy St.
Portland
m 207-899-5772

Munjoy Hill historic district

Uschi Carhart <uschicarhart@gmail.com>

Mar 6, 2020 8:33 AM

Posted in group: **Planning Board**

Dear Planning Board,

I strongly support the proposed historic district on Munjoy Hill. My husband and I have lived on the hill for 24 years and owned our house at 7 Lafayette Street for 20 years. The landscape of the hill changed over the last several years. House and apartment prices have reached levels that are no longer affordable to the people who once lived on the hill. And new construction, buildings that look like they are made of giant Lego blocks, does not fit with the historic landscape of the hill. One of my first jobs was that of a Downtown Guide and many visitors would always comment on the beautiful historic nature of Munjoy Hill.

A historic district will help to moderate the design of the new construction within the district, as it has done for years within the other historic districts in Portland. Please vote to recommend that the City Councilors approve the proposed historic district.

Sincerely

Uschi Carhart

To the Planning Board City of Portland
 From Mildred Bachrach RN, MN, MFA
 211-213 Brackett Street
 Portland, Maine

My experience with the employees of the City of Portland, Deb Andrews and Bob Weiner who represent the Historic Preservation Board on a day to day basis has been a negative one. The Board, through them, has not been reasonable about approving normal maintenance and energy upgrades that use modern materials that do not significantly impact the aesthetic appearance of a building.

This maintenance work included the installation of new windows, slate roof repair, an energy efficient heat pump system, the color, shape and size of patio bricks. Future projects will include using cement clapboard siding to reside the entire house and the replacement of a rusty chain link fence with 19th century cast iron fencing. Does the Historic Preservation Board take into consideration affordability, safety, and energy efficiency to its own concept of historical correctness when there is no or little change to ambiance of the building? In my case and from my neighbors the answer is a resounding no.

One only has to look at the outside of the houses in the West End versus the East End (where modern materials have been allowed) and the significant difference in property values between the East and West End in the last two years to see the negative effect. In the West End paint is peeling, vinyl siding is not being replaced, and slate roofs are rotting. Allowing only wood siding, copper drainage spouts, and replacement of slate with slate will keep the vinyl on the buildings and roofs rotting until the property changes hands. My partial new slate roof cost approximately ninety thousand dollars. And there is at least fifty thousand dollars more that needs to be done.

The Historical Preservation Board by not allowing modern materials and small changes which would not change the ambiance of the building but make it more energy and maintenance efficient drives people to sell. The inability to maintain property at a reasonable cost (which again does not affect the ambiance of the area) leads to the raising of rents and the development of condos which makes them less affordable housing. The Historical Preservation Board actions favors large developers and/or the extremely wealthy.

The rationalization given that the tourist industry needs the Historical Preservation Board to save the ambiance of the West End is a false one. Ninety- nine percent of that tourist could care less whether a window is vinyl versus wood or architectural. They really are not going to think about if a roof is slate verses a slate copy made of modern materials.

I ran an Airbnb for one year. People come for food, entertainment, and the sea coast. Guests did complain about the safety of the brick sidewalks which cause multiple injuries and are costly to maintain.

The Historical Preservation Board does not work with the average homeowner. It is a myth that it does. I found them irrational to deal with and would be glad to give specific examples if asked. The Board insists the homeowner/ landlord use materials that are extremely expensive to buy, install and maintain when other materials which (unless you could touch them) have the same visual ambiance. Thus, in no way using modern materials affect the ambiance ie economics of the area which is stated as the main reason the have an Historical Preservation Board.

I am asking that I be told the mechanism (petitions signature, special vote) to have the West End be declassified an Historic District and that the Planning Board not include Munjoy Hill or any of the East End as an Historic District.

I am also volunteering my services to do two research studies. One, a study of why tourists come to Portland and the other a study of does the use of modern man made materials that have the same ambiance as "historical correct" materials, at the distance of 12 inches or more, make any difference to tourists in the number of times they would come to the city, the amount of money they would spend and their enjoyment of the environment.

Sincerely,
Mildred K Bachrach RN, MN ,MFA

Chair Mazur and members of the Portland Planning Board:

I am writing to ask you to recommend to the city council the proposed Munjoy Hill Historic District. The residents of the Hill have worked long and hard for this district. No other neighborhood has had to work this hard for something so beneficial to residents that no current Historic District neighborhood has asked to be eliminated.

Historic District designation will help slow the transformation of the Hill from a traditionally developed neighborhood into a high end condo district, resulting in the displacement of moderate and lower income families. Of equal importance to a city whose economy is largely fueled by its unique charm is the opportunity to preserve of a critical piece of the city's history.

We are not against development. What we are against is the kind of history-numbing development that is occurring right now on Munjoy Hill. We want what the historic preservation process offers.

What you get with the protection of the current Munjoy Hill Conservation Overlay District, is this 14 unit building on Montreal St, with units selling for over a million dollars and none affordable. Affordable housing was demolished to build these units. It clearly does not respect the streetscape around it, which is primarily 1 1/2 story homes.



What you get within a historic district is this 20 unit building in the Deering St Historic District. This happens to be affordable housing—no affordable housing is being built under the predatory development occurring on Munjoy Hill today. It fits harmoniously in its streetscape.



The most affordable and sustainable housing for Munjoy Hill is the housing that is already there. Please help us preserve it and the rich and diverse social environment it has sheltered for over three centuries.

Respectfully,
Jean McManamy
10 Willis St.
March 4, 2020

**Comments from Munjoy Hill resident and affordable housing developer
Nathan Szanton at Feb. 11, 2020 Portland Planning Board meeting**

I am a resident of 22 Eastern Prom, Unit #3, which is within the proposed historic district. I'm also an affordable housing developer based here in Portland. I am very much in support of the proposed district. I think Munjoy Hill is a wonderful expression of what has happened here in Portland during the 19th and early 20th centuries; it's a great record of that and has great cultural significance.

I want to speak specifically to the affordable housing piece because I am an affordable housing developer and I've thought a lot about how affordable housing is impacted by historic districts. I think in this case there's three things to keep in mind:

One, if this passes we're not covering all of Munjoy Hill – we're not even covering most of Munjoy Hill – we're covering well under half. So, probably 2/3 of the hill would be left to do teardowns, and build new affordable housing, or housing of any kind.

Secondly, as Deb Andrews made clear in her presentation, if this does pass and is implemented, there's still many, many opportunities to build new housing in the historic district – new construction in the historic district. She showed many, many examples of new construction that's occurred in the West End and Parkside and other historic districts. I myself have done Casco Terrace, which is affordable housing at 41 State Street, which is in the last block before the bridge over to South Portland on the left-hand side. It was built on an existing one-story parking garage that we built a vertical addition on to in 2003. That was in an historic district and went through the historic district review process. I felt as though that process actually made the building better; I was very happy to go through to and it resulted in an improvement.

There are many, many examples of not only housing but affordable housing that has been built in districts: Elm Terrace, Oak Street Lofts, Carlton Street Apartments – I won't belabor that point.

The third point I'd like to make regarding affordability and the impact on affordable housing is this: were this to pass, developers and other small owners could still create more density within existing structures. For example, I live in a condominium that's got three units in it, ours is the carriage house that's connected to a large Victorian at the corner of Munjoy Street and Eastern Promenade. That's right now a single-family home but that could be subdivided into four condominium units or rental units and create a lot more density right there within ...

Time up.

Munjoy Hill Historic District

Mary Casale <dirtgirl1@aol.com>

Mar 6, 2020 9:10 AM

Posted in group: **Planning Board**

Members of the Portland Planning Board

The designation of The Munjoy Hill Historic District has been a long time coming with many obstacles to straddle along the way. I urge your vote for this designation .

I write to you as a 4 th generation Munjoy Hill Resident with a deep affection and connection to this neighborhood and the community of friends and families that live and lived here.

In 1989 Munjoy Hill was being considered for this designation along with the West End. It was not supported by the neighborhood.

What a mistake we made !

Our intent was to keep our neighborhood affordable and available to families and life long residents . We weren't interested in the best view , or the highest perch to place our new home upon. Clearly all that has changed . Let's learn from the error of Our ways and save what is left of this beautiful historical neighborhood of working class homes with stories inside the walls just waiting to be shared . We deserve it .

Thank you

Mary Westort Casale

Sent from my iPad

Google Groups

Munjoy Hill Local Historic District

Joel S. Harris <JSH@hmpayson.com>

Mar 6, 2020 9:18 AM

Posted in group: **Planning Board**

This message was sent securely using Zix®

Good morning –

I am writing in support of the Munjoy Hill Local Historic District as recommended by the Historic Preservation Board.

As we all know, Portland is enjoying an unprecedented wave of population growth and economic development. Its success is attributable in no small part to its rich history and appealing architectural character that make it such a welcoming place in which to live or work. I am a Cumberland resident but part owner of a business in Portland, and consider “Portland” my home. We should all welcome thoughtful economic development that preserves the character of this special city. I urge you to make a favorable recommendation to the City Council next Tuesday, and thank you for your consideration.

Sincerely,

Joel Harris

38 Blanchard Rd.

Cumberland

This message was secured by Zix®.

Peter L. Murray
 104 North Street
 Portland, Me 04101

March 6, 2019

Brandon Mazer, Chair
 Members of the Portland Planning Board
 City Hall
 Portland, Maine 04101

Re: Proposed Munjoy Hill Historic District

Dear Chair Mazer and Members of the Portland Planning Board:

This is submitted for your consideration as you deliberate the unanimous recommendation of the Portland Historic Preservation Board to establish a Historic District on Munjoy Hill.

You are already aware of my strong and continued support for this proposal. The remarkable collection of 19th and early 20th century wood-frame residential architecture on Munjoy Hill is a vital amenity of our beloved city. Even the relatively conservative proposal before you would help preserve this heritage for the enjoyment of Portland residents and visitors alike as well as future generations.

These comments are directed at a document that is being circulated by a group that styles itself YIMBY and that seeks to muster arguments against the establishment of the District. This group appears to consist of luxury real estate developers and others who share their desire for less regulation of development activities on the Hill and elsewhere in Portland. Only one or two of the persons identified with YIMBY live in the proposed district.

The text of YIMBY's broadside against the District is reproduced below, along with my comments and responses. For the reasons stated in italics, the YIMBY arguments simply do not hold water.

Hi YIMBYs,

Please make your voice heard and let the Planning Board and City Council know that Portland can't afford to move forward with the proposed Historic District on Munjoy Hill.

Where do we stand?

On March 10th, the Planning Board will vote up or down on the proposal for a historic district

on Munjoy Hill. No matter how the vote goes, this topic will move to the City Council for consideration and final vote. Let's work together to ensure the City Council receives a 'no' recommendation from the Planning Board and that the City Council ultimately votes down this proposal.

Why is the Historic District on Munjoy Hill a bad move for Portland?

There are a few key reasons:

- 1 Portland has a housing shortage. Portland should not remove Munjoy Hill from helping to address this challenge.

Portland does have a shortage, particularly of affordable and workforce housing. There are luxury homes in abundance, and more high-end condominiums are coming on the market every day. There is also no evidence whatsoever that establishment of a historic district adversely affects construction and maintenance of affordable homes. In recent years more affordable housing has been constructed in Portland's historic districts than in the entire balance of the City. Responsible developers are able to work within historic districts. It should also be kept in mind that the proposed Historic District includes less than half of Munjoy Hill, leaving more than half of the Hill available for redevelopment in accord with the zoning ordinances and design standards.

2. Population on Munjoy Hill is at its lowest point in more than 80 years: it is becoming a place only for the affluent. A Historic District on Munjoy Hill will further that direction.

Changes in population in Munjoy Hill and the City in general have nothing to do with the existence or non-existence of historic districts. Smaller families, high taxes, short term rental conversion and replacement of traditional residential housing stock by high-end condominiums all bear more plausible responsibility for declining in-town population than does historic district classification.

3. In 2018, the City introduced a Conservation Overlay District. There has only been one active project initiated on the Hill since the Overlay District went into place. The Hill has quickly gone from stimulating new housing to becoming stagnant.

This assertion is simply wrong. As the Planning Board's own agenda in recent months amply shows, the Overlay District has not served to dampen luxury residential development projects. Post-Overlay proposals at 130 Morning Street, 37 Montreal Street, 126-128 North Street, and 43 St. Lawrence Street would add more than forty high-end residences on the Hill, at the expense of a number of affordable dwelling units. There are several others in the pipeline. The Hill is far from "stagnant." There is no reason to believe that the Historic District will dampen compatible development.

4. A new Historic District will limit new property tax revenues hurting our schools and increasing the burden on current homeowners.

This is also a spurious allegation. There is no evidence whatsoever that the eleven existing historic

districts in Portland have limited tax revenues or the development of additional taxable valuation. The evidence nationwide is that historic districts tend to preserve and enhance property values and thereby support municipal finances.

5. Supporters can self designate their home thus creating a de facto district without negatively impacting neighbors and City goals.

This is also a fundamental misconception. While individual landmark designation can protect the designated building itself from demolition or adverse change, it does not affect the ambience of the neighborhood as a whole. The strength of the Munjoy Hill Historic District is the integrity of the architectural fabric of the neighborhood as a whole, not the architectural distinctiveness of individual structures.

6. Supporters mistakenly believe a Historic District will stop demolitions and prevent 'big boxy condos' from going up. It does neither. Zoning and Design Standards address the quality and aesthetics of new buildings.

While a Historic District will not prevent demolition of non-contributing buildings, those that qualify as contributing will receive some protection and new construction within the district will have to be compatible with the defining architectural features of the district. These requirements are in addition to the dimensional and design requirements of the zoning ordinance.

7. The 2030 Master Plan has many goals re sustainability, climate change and growth. Putting a vibrant neighborhood under a glass dome runs counter to these goals.

Preservation of the character and quality of Portland's architectural environment is a foundational element of Portland's current Master Plan as has been repeatedly cited in these proceedings. As has been shown in Portland's other Historic Districts, this goal is fully compatible with goals of sustainability, climate change and growth. To think of a historic district as a "glass dome" is ridiculous.

What can you do?

Send a message to Portland leaders to stop adding regulations and restrictions on neighborhoods that inhibit growth, without even evaluating recent regulations (i.e., the Conservation Overlay District).

Write the City Planning Board at planningboard@portlandmaine.gov and encourage them to vote against HD during their March 10th public forum.

Write the City Council and tell them not to push the housing crisis onto other neighborhoods. You can find their email addresses at: <https://www.portlandmaine.gov/Directory.aspx?did=11>

Who is YIMBY Portland?

We are a group of volunteers that advocate for a more prosperous, sustainable, livable, and walkable Portland.

It is clear that YIMBY Portland is more concerned with the ability of its real estate developer members to exploit the current popularity of in-town living in Portland than it is with the long term well-being of the City of Portland and its inhabitants. As was the case with the West End, the Portland Waterfront, and the nine other areas of Portland that have been designated as historic districts, the proposed Munjoy Hill Historic District will only add to the quality and amenity of our inner city and of the lives of the Portlanders who live there.

Please approve the Munjoy Hill Historic District as proposed and recommend its adoption by the City Council.

Thank you very much,

Sincerely,

A handwritten signature in black ink, appearing to read "Peter L. Murray". The signature is fluid and cursive, with the first name "Peter" and last name "Murray" clearly legible, and "L." as a middle initial.

Peter L. Murray

Historic District

Lindsay Steven Mann <lindsaymann@gmail.com>

Mar 6, 2020 9:34 AM

Posted in group: **Planning Board**

Planning Board Members -

We fully support the proposed historic district on Munjoy Hill, and encourage the implementation of the 100ft. rule in all scenarios.

While we feel the district's boundary line has been all too conveniently placed in order to allow the ridiculous and contradictory building being proposed at 126/128R North Street, we hope the city will come to its senses and consider the historical context of our house while reviewing that project. We are fully aware that the district would not prevent demolition and/or new construction, but the contradiction in design and scale between our house and this particular condo project is impossible for us to accept.

As relatively new and first-time homeowners, we are stuck in the middle while the city decides these two issues. We have been frustrated with the lack of communication from the city staff, and we hope that improves.

Thank you,

Lindsay & Susan Mann
122 North St.

Munjoy Hill Historic District

e w <eenebw@hotmail.com>

Mar 6, 2020 10:12 AM

Posted in group: **Planning Board**

Dear Portland Planning: As a very concerned Munjoy Hill resident, please review my comments below.

Unfortunately, I have to be part of an after hours work implementation and am hosting a family birthday party on Tuesday PM.

I am unsure if I can attend but if not the following is what I would like to relay:

Hi . My name is Enoch Wenstrom and my wife and I own two 3 units on Beckett street. 88 and 83

In the last 30 years.. I have seen a lot of changes happen on Munjoy Hill both good and bad.

The good is when people take pride in their old houses and restore them.

The bad is when people demolish their 1800 era building and replace it with an expensive cube or box or whatever you want to call it.

So, to promote the good, I fully support a Munjoy Hill historic district.

I believe a District will slow down the demolition of 1800 era buildings which ****are**** a reflection of our heritage.

These buildings are also a major source of affordable housing on Munjoy hill.

When affordable housing is torn down tenants are forced to move and can never afford to return.

This is because what replaces their apartment would be a near million dollar condo.

The anti-district crowd loves to dwell on the concept that supporters of a district are the few "elites" of the neighborhood.

First off trust me I am not elite and there are many of us supporting a district!!!

Second we don't have a district and the neighborhood ****is**** becoming a rich elitist area.

To me promoting a district is NOT about blocking progress, it is about retaining a piece of history that future generations can appreciate.

On the other hand, I do see how a district could curb a developer's dream of harvesting Munjoy hill for their profit.

But For the average person like me, I believe a district will encourage sensible renovation vs razing and rebuild and the gentrification that follows.

In summary the fore street complex will create many new "modern" high end dwelling units.

This makes it more important for us to protect historic Munjoy hill's Architecture from being destroyed.

Once this architecture is destroyed it can never be brought back. I also believe Munjoy Hill is Full. I don't understand the point of making it a more crowded congested area when there is a lot of open space in other parts of Portland.

With that said, I urge the planning board to move forward and advance the Munjoy hill district decision to the city council .

Thank you

Munjoy Hill Historic District

Barbara Vestal <vestal@chesterandvestal.com>

Mar 6, 2020 10:33 AM

Posted in group: **Planning Board**

Chair Mazer and Planning Board Members,

I write today to address the suggestion that the City should just designate multiple individual landmarks on the Hill rather than designating a cohesive district. That idea is flawed and would be detrimental to the City's historic preservation program as a whole.

Portland, along with 9 other municipalities, has been approved by Maine's Historic Preservation Commission (MHPC) as a "Certified Local Government" (CLG). To become a CLG, a program has to be approved by the State as having a local historic preservation program that is consistent with state and Federal historic preservation standards and guidelines. There are very detailed minimum guidelines.

One of the major benefits of being a CLG is that the municipality is eligible to apply for funds from the State office. Portland receives significant CLG funds each year from the State program. They are used to pay for a portion of the salaries of City historic preservation program staff.

I believe it would be inconsistent with accepted State and Federal designation criteria if the Planning Board were to opt for this highly unusual approach of only designating multiple individual landmarks rather than designating a cohesive Munjoy Hill Historic District as recommended by the Historic Preservation Board. It could jeopardize Portland's status as a CLG, and threaten its eligibility for funds that support a significant part of our City-wide historic preservation program.

For the record, I am in support of the designation of the proposed district and am an owner of 2 contributing buildings in the proposed district. I am also an owner of a building immediately outside of the district that is proposed to be individually designated as a landmark building. I also support that individual designation.

Regards,

Barbara Vestal

--

Barbara A. Vestal, Esq.
Chester & Vestal, PA
107 Congress Street
Portland, Maine 04101
(207) 772-7426 - phone
(207) 761-5822 - facsimile

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Google Groups

munjoy hill historic district

gail wenstrom <gailgaw@hotmail.com>

Mar 6, 2020 10:58 AM

Posted in group: **Planning Board**

As the co-owner of 88 and 83 Becket Street, I support a Historic District.

Thanks

Gail Wenstrom

88 Beckett Street

Sent from Mail for Windows 10



Jennifer Munson <jmy@portlandmaine.gov>

Majority of Portlanders Support the Proposed Munjoy Hill Historic District

1 message

Karen Snyder <karsny@yahoo.com>

Fri, Mar 6, 2020 at 11:27 AM

To: Planning Board <planningboard@portlandmaine.gov>

Cc: Belinda Ray <bsr@portlandmaine.gov>, Jennifer Munson <jmy@portlandmaine.gov>

Dear Planning Board members,

I support the proposed Munjoy Hill Historic District intact.

If one analyzes the last 3 meetings held on the proposed Munjoy Hill Historic District, no matter how you slice and dice it, the majority of Portlanders **consistently** support the proposed Munjoy Hill Historic District.

The last 3 meetings held on this topic were:

- Historic Preservation Board Nomination Meeting - 11/20/2019
- Planning Board Workshop #1 - 12/10/2019
- Planning Board Workshop #2 - 2/11/2020

The overall averages from the above 3 meetings are as follows:

	Support	Opposed
Overall Emails Sent	75.4%	24.6%
If a Munjoy Hill Resident	79.6%	20.4%
If in the Proposed Historic District	79.2%	20.8%

Below are the statistics broken down by meeting.

Evidence that Majority of Portland Supports the Proposed Munjoy Hill Historic District												
As of: Wednesday 2/28/2020		Email Sent to HPB or Planning Board					Public Comment at Meeting/Workshop					
#	Portland, ME Meeting/Works Shop Held	HD Yes	HD Yes %	HD No	HD No%	Total	HD Yes	HD Yes%	HD No	HD No%	Total	Comments:
1)	Historic Preservation Board Nomination - 11/20/2019	32	72.7%	12	27.3%	44	14	93.3%	1	6.7%	15	
	-If A Munjoy Hill Resident (Unique Person)	20	71.4%	8	28.6%	28						
	-If In the Proposed Munjoy Hill Historic District (Unique)	20	76.9%	6	23.1%	26						
2)	Planning Board Workshop #1 - 12/10/2019	99	76.7%	30	23.3%	129	23	74.2%	8	25.8%	31	
	-If A Munjoy Hill Resident (Unique Person)	62	79.5%	16	20.5%	78						
	-If In the Proposed Munjoy Hill Historic District (Unique)	48	78.7%	13	21.3%	61						
3)	Planning Board Workshop #2 - 2/11/2020	42	72.4%	16	27.6%	58	19	70.4%	8	29.6%	27	
	-If A Munjoy Hill Resident (Unique Person)	30	75.0%	10	25.0%	40						
	-If In the Proposed Munjoy Hill Historic District (Unique)	19	79.2%	5	20.8%	24						
	OVERALL TOTALS: Total All Emails Sent	141	75.4%	46	24.6%	187	56	76.7%	17	23.3%	73	
	-If A Munjoy Hill Resident (Unique Person)	82	79.6%	21	20.4%	103						
	-If In the Proposed Munjoy Hill Historic District (Unique)	61	79.2%	16	20.8%	77						

Source <https://portlandme.civicclerk.com/Web/Player.aspx?id=1207&key=-1&mod=-1&mk=-1&nov=0>

Regards,
Karen Snyder
Munjoy Hill Property Owner

Google Groups

Munjoy hill historic district

Gail Wenstrom <gailgaw@gmail.com>

Mar 6, 2020 11:10 AM

Posted in group: **Planning Board**

As a co-owner of 88 and 83 Beckett Street, I support a historic district.

Gail Wenstrom
88 Beckett st

Proposed Munjoy Hill Historic District

Pamela Day <pday2304@gmail.com>

Mar 6, 2020 11:55 AM

Posted in group: **Planning Board**

We strongly urge the Planning Board to approve the proposed Munjoy Hill Historic District.

As stated in our previous emails, we believe that the historic district will provide much needed protections to Munjoy Hill homes and neighborhoods while guiding changes to buildings within the neighborhood as they are rehabilitated to meet 21st century needs.

The HD will ensure the continuation of affordable housing. Many historic buildings include existing housing units rented at reasonable rates. Retaining these units, rather than replacing them with costly new condominiums, is an important means to meeting housing needs on Munjoy Hill. Historic preservation and affordable housing are compatible: more than 400 new housing units were approved or built in Portland's historic buildings and districts in the last 5 years, and nearly 75% of those units are affordable housing units for low-income residents and seniors.

Finally, the preservation or reuse of historic buildings helps to fulfill Portland's Comprehensive Plan goals to adopt sustainable building and land use policies.

Please approve the Munjoy Hill Historic District as proposed and recommend its adoption by the City Council.

Respectfully,

Pamela Day & Michael Petit

25 Waterville Street

Portland 04101

207-461-1461

Munjoy Hill Historic District

Betty Wuesthoff <jwuest@maine.rr.com>

Mar 6, 2020 11:38 AM

Posted in group: **Planning Board**

Mr. Chairman Mazer and Planning Board members:

The City of Portland not long ago spent over \$1,000,000.00, and Friends of the Eastern Promenade raised another 1/2 million, or so, to restore our historic Ft. Allen Park with its landscaping, bandstand, canons, benches, trails and lighting.

This refurbished gem sits atop a "string of pearls" along the Eastern Prom, pearls in the form of what preservation consultant, Scott Hanson, in his "Rationale for Delineation of Recommended Boundary" (Pg. 3, July 2018) has referred to as "...many of the most architecturally significant homes on Munjoy Hill ". Consultant Hanson's comment in relation to structures leading to The Portland Observatory when traveling up Munjoy Hill (Pg.1, July 2018) — that they "protect the historic context for the landmark tower" -- apply even more so to the Eastern Prom's historic homes relationship to Ft. Allen and the Eastern Promenade.

We urge you to adopt in full the Historic Preservation Boards recommendation to designate the proposed area within the Munjoy Hill neighborhood as a local historic district.

Thank you for your consideration.

Sincerely,

John and Betty Wuesthoff
11 Morning Street
Portland, Me.

Support the Munjoy Hill Historic District

Hilary Bassett <hilarydbassett@gmail.com>

Mar 6, 2020 12:01 PM

Posted in group: **Planning Board**

Dear Members of the Planning Board:

I write to ask you to support the proposed Munjoy Hill Historic District as recommended by the Historic Preservation Board.

I think it is the best land use tool for the continued evolution of the neighborhood. It allows for growth and change, while also retaining the scale and character of the building stock that gives the area its distinctive character.

The proposed district boundaries include portions of the neighborhood with the highest concentration of historic properties. They have been carefully researched and vetted with public input from neighborhood residents. As a 14-year resident of the Hill, I am aware of a strong base of neighborhood support for the proposed district.

Furthermore, the proposed district supports the City's comprehensive plan, particularly the goals for historic preservation, sustainability, and housing affordability. Historic districts encourage using and rehabilitating existing buildings, which is a highly sustainable practice. Historic districts support affordable housing and are among the most densely populated in the City. Half of all new affordable housing has been built in historic districts.

Most importantly, historic preservation is a proven tool that has helped Portland achieve a resurgence as a desirable place to live work and visit. The historic preservation review process does not "freeze" the neighborhood, in fact it encourages quality, compatible new construction and provides a more robust opportunity for public input in design review.

Thank you very much for your hard work for our City, and for your consideration.

Hilary Bassett

55 Morning St

Portland

Google Groups

Munjoy Hill Historic District

Carol De Tine <chstudio@maine.rr.com>

Mar 6, 2020 11:11 AM

Posted in group: **Planning Board**

Dear Chair Mazer and members of the Portland Planning Board,

I support the proposed Munjoy Hill Local Historic District as recommended by the Historic Preservation Board. I urge you to vote to recommend approval of the District to the City Council.

Thank you,

Carol De Tine
144 Vaughan St
Portland

Munjoy Hill Designation support!

Edmund Gardner <ed@gardnerregroup.com>

Mar 6, 2020 11:59 AM

Posted in group: **Planning Board**

Dear Portland Planning Board,

First I want to say I support the proposed designation of a historic district on Munjoy Hill. Second, I would like to thank city staff and their consultants for the enormous amount of work they undertook to prepare the nomination and the opportunities they have provided for members of the public to ask questions and learn more about what a historic district does and doesn't do.

As a real estate professional I see daily that people value Portland's rich social, cultural, and architectural character. This character is in part what attracts new residents and businesses to our city. As a property owner of several buildings in historic districts I know that historic preservation is not about freezing our neighborhoods in time. Rather historic preservation looks to conserve enough of the buildings that establish a neighborhood's sense of place while accommodating new development and the needs of modern life.

Through its commitment to historic preservation Portland has been successful at achieving a balance between old and new. Our city needs both to retain its current vitality and to grow through attracting new residents and businesses. The historic preservation board and staff have permitted alterations and new construction at a variety of scales in our local historic districts. Downtown historic buildings have been altered to provide new housing at 50 Monument Square and 443 Congress Street. New buildings in historic district like the Hiawatha Apartments, Peloton Labs, Mason Block have enhanced our city's streetscapes while accommodating new residential and commercial growth.

The buildings on Munjoy Hill proposed for designation are as worthy of protection as those I have owned in the West End, Congress Street, or India Street districts. I strongly believe that the proposed designations will allow the Hill to retain its sense of place, while accommodating future change. I ask you to support the proposed district on Munjoy Hill and recommend its designation to the city council.

Thank you.

Ed

Ed Gardner

Broker / Owner

Gardner Real Estate Group

511 Congress Street Lobby level

Portland, Me. 04101

207-415-4493 Cell

207-GARDNER Office

GardnerREGroup.com



Munjoy Hill Historic District

Francesca <cesca.gs@gmail.com>

Mar 6, 2020 1:11 PM

Posted in group: **Planning Board**

Dear Planning Board Members,

I urge you to vote in favor of making Munjoy Hill a Historic District. The Hill is a precious Portland gem and needs to be responsibly preserved for future generations and to maintain the wonderful "sense of place" that is Portland. Thank you!

Francesca Galluccio-Steele
22 Clifford St
Portland, ME 04102
cesca.gs@gmail.com

Google Groups

Munjoy Hill Historic District

Robert Derry <robertderry40@gmail.com>

Mar 6, 2020 12:24 PM

Posted in group: **Planning Board**

As a longtime owner and 'Hill' resident, I am deeply concerned about the apparently unchecked development in Portland. I believe it threatens to diminish the quality of life here.

For that reason I strongly support the type of building review outlined by this Historic District designation.

Regards -
Robert Derry
63 Melbourne St.

March 7, 2020

City of Portland
Planning Board

Dear Board,

After much discussion and evaluation, some board members are making their decision in part based upon apparent support or not from the public. While we could debate why the Planning Board is swayed by the public and not what's best for the City from a planning perspective, it is what it is.

As a reminder, the City committed to surveying in 2018-2019. They did not. The MHNO voted unanimously to not survey their own paying members or any resident but pretend to represent the hill. And, the previous MHNO President stated in many public meetings that City staff and Greater Portland Landmarks pressured him not to support surveying the hill, in early 2019.

Fortunately, some private citizens sponsored a survey anonymously in the summer of 2019. No sponsor was identified on the postcard invitation & it was sent to all residents of the Hill, protecting its objectivity. As a 30+ year business executive and lawyer-by-education, I have worked with surveying for years on a global scale and am considered an expert in this field.

Unlike a signed petition by the pro HD people, these survey results have integrity. Most people who signed a petition for the 12th district still believe HD on the Hill will stop big box condos or demos from occurring because those collecting signatures promoted misinformation (like the MHNO does) to create the appearance of broad support.

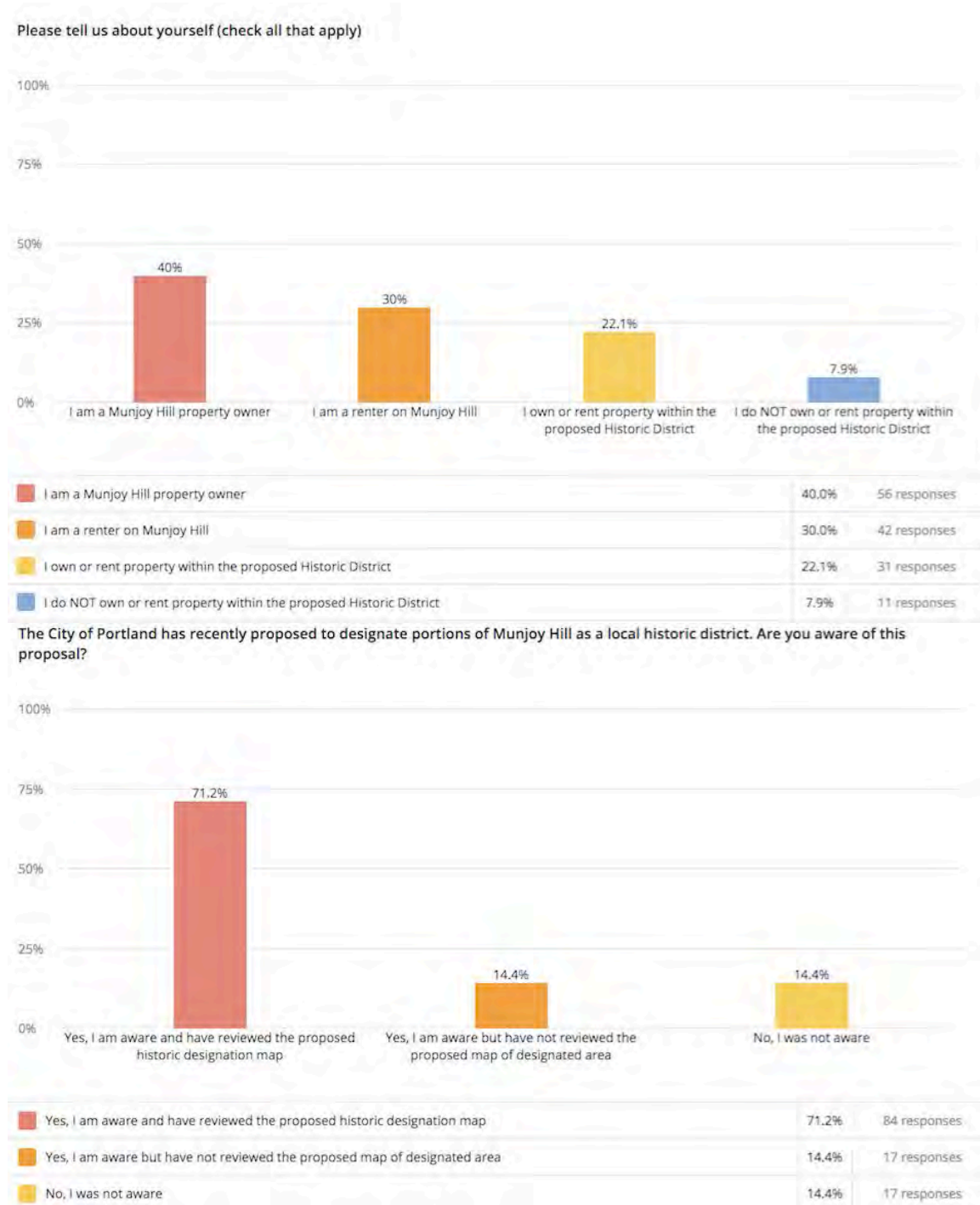
[Related, read the public comments for HD on the Hill. Approx 60-70% cite their support for HD because they believe incorrectly that HD will stop big box condos and will reduce demolitions. Please ignore those who advocate for HD based upon false information.]

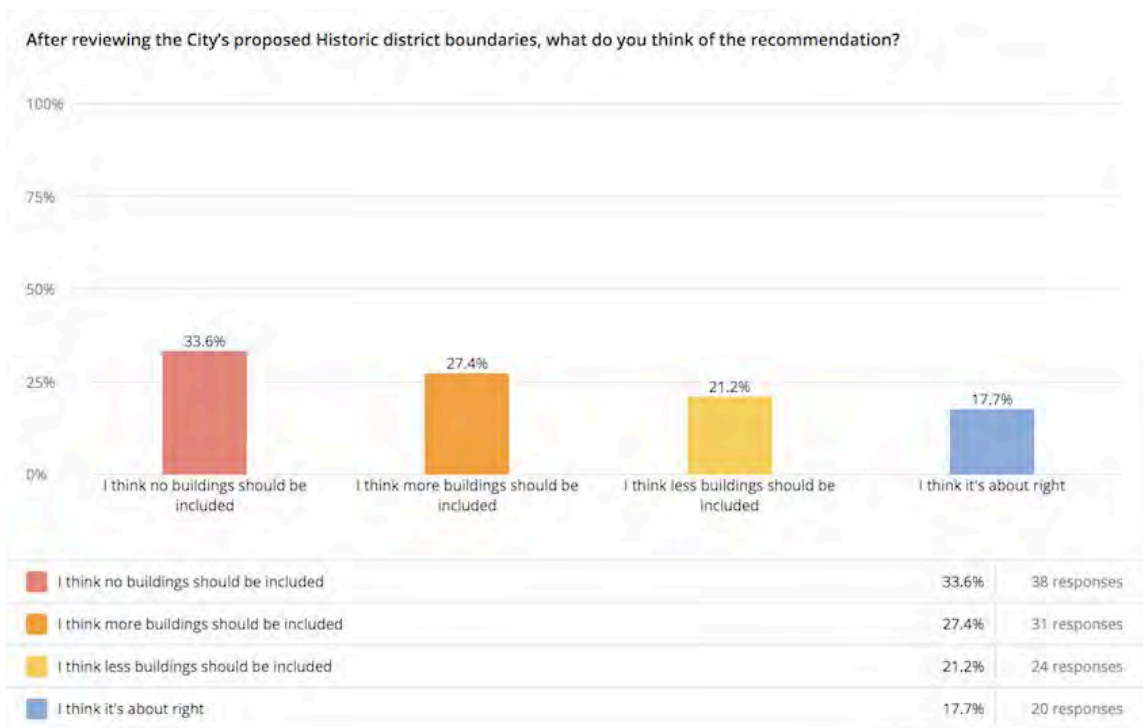
Keep in mind,

1. a blind survey worked well because many people would never speak publicly for many reasons (uncomfortable in a public format, fear of retribution by the City HD Staff or by some aggressive neighbors)
2. the survey was conducted prior to the 2-3 expansions of the proposed Historic District so the results asking for less buildings to be included is understated

Note: Additional survey results came in via an anonymous POBox in writing after the closing of the survey. These were overwhelmingly opposed to HD and are not reflected in the below numbers. Finally, some Pro HD respondents attempted to sabotage the

results by entering multiple times with fake names, etc. These are also reflected below which has the net result of inflating the pro HD responses. Here are the statistically significant results:





It is fair to interpret the results as follows

- At a minimum, 54.8% are opposed to the proposed district
 - o The largest group of respondents support 0 buildings to be included in the proposed District (33.6%)
 - o At least 21.2% of the people want less buildings included (probably higher since these results were derived prior to the 2-3 expansions by staff)
 - o Results received after the survey period closed were not included (approx. another 25 surveys where 18 of them responded with "I think no buildings should be included.")

Your answer is clear: vote NO on this proposal and work on recoding and use other tools to address what the City needs and what the Residents want; a prosperous City that maintains our character.

Thank you,

Carle Henry
Owner of an 1849 Home and a Preservationist

Dear Planning Board members,

I am writing to reiterate my support for the proposed Historic District on Munjoy Hill. In addition to the comments that I have made in my past letters to both the Historic Preservation Board and the Planning Board, I would like to make two further points.

Firstly, those against the district continue to imply that there is no evidence that a historic district will influence the architectural style of any new construction. I would like to point out that the Western part of the peninsula has long been sheltered from ultra-modern nonconforming architecture due to the influence and guidance of the Historic Preservation Board. The developers and architects who have over the years built new buildings in this district, have taken the board's recommendations into consideration and constructed structures that though clearly modern do not vividly stand out but blend with the surrounding street scape.

Secondly, it has been implied that a historic district will stymie development on the hill at a time when there is a housing shortage in the city. It is true that there is a housing shortage, but this is a shortage of affordable work force housing, not the expensive condos that are being built on Munjoy Hill. My employer is one of the largest employers in the city and most employees earn between about \$36,000 and \$62,000 a year depending on longevity of employment. Most of the younger employees do not live in the city because they cannot afford the rental prices and they have no hope of owning a property as the purchase prices are beyond their means. I only live on the hill because I bought a house 20 years ago when you could get a property for under \$70,000. How will building new condos, that will cost an average of \$795,000, elevate our affordable workforce housing problem?

Please vote to recommend that the Council adopt the proposed historic district on Munjoy Hill.

Best Regards

Dr. George Carhart
7 Lafayette St



6 March 2020

Chair Mazer and Members of the Planning Board,

Greater Portland Landmarks strongly believes that the proposed Munjoy Hill Local Historic District is the most effective way to conserve the character of the neighborhood and accommodate public participation in a transparent review process that has proven successful in the West End, Parkside, Old Port, and Congress Street historic districts for thirty years. The proposed Munjoy Hill Local Historic District has emerged from a lengthy and inclusive public process. It meets the designation criteria in the city historic preservation ordinance and is consistent with the City's comprehensive plan, which supports historic preservation as an integral part of the city's planning strategy.

We urge you to accept the historic preservation board's proposal and recommend its approval by the City Council for the following reasons:

1. **The Portland City Council tasked planning staff to pursue a historic district as part of a suite of land use strategies when it approved zoning changes in June of 2018.** The proposed district is meant to work in tandem with the conservation overlay district established at the end of the moratorium, much as the India Street Local Historic District and Form-Based code work together to manage growth and change at the foot of Munjoy Hill.
2. **The Munjoy Hill Local Historic District will not freeze the hill in time.** As we have seen in other historic districts, new construction and alterations allow neighborhoods to grow and change as needed to meet contemporary needs. Since November the Historic Preservation Board has approved alterations at 34-36 North Street and 49 St. Lawrence Street, an alteration that will add a housing unit to an existing multi-family dwelling. They have also conducted preliminary reviews for alterations and additions at 24 St. Lawrence Street and 9 Howard Street.
3. **Our historic neighborhoods are important city assets that should be maintained and enhanced.** Along with our food scene, the physical character of the Old Port, West End and Munjoy Hill contribute to Portland's appeal as a desirable place to live and visit. Portland's Plan 2030 supports the stewardship of Portland's historic, cultural, and architectural assets as integral to the City's planning strategy and was widely supported in public feedback received during the plan's creation. Design review for alterations and new construction within our historic neighborhoods ensures we will maintain the character that helps support our city's economic vitality.
4. **The preservation or reuse of historic buildings helps to fulfill the City's comprehensive plan goals to adopt sustainable building and land use policies.** Nationwide research studies have found that the re-use or rehabilitation of existing buildings offer significant environmental benefits over new construction. *"The greenest building is the one that is already built."* Carl Elefante, FAIA
5. **The historic district will preserve properties associated with underrepresented communities in Portland.** The sites and neighborhoods that represent the cultural and social history of Portland's minority communities deserve preservation. The proposed boundaries of the Munjoy Hill Local Historic District encompass properties that represent the social and cultural history of several underrepresented communities. Portland's immigrant story has been preserved in part



through the recent designations of House Island and India Street. But few properties associated with the city's African American history have been protected, with the exception of the Abyssinian Meeting House and the Green Memorial A.M.E. Zion Church on Munjoy Hill. Some of Munjoy Hill earliest residents were African Americans connected to Portland's maritime history. The neighborhood was later home to residents that came to Portland from the West Indies, Azores, and Cape Verde. Their homes, mostly centered around the northern end of Lafayette and Quebec Streets, deserve to be protected.

6. **The public record indicates significant support in the neighborhood for the proposed district.** Over 170 property owners, residents, and supporters have spoken out or written to the city in favor of the proposed district. Please see the attached list that summarizes the level of support for the historic district.
- 7.

Thank you for considering our views,

Julie Larry
Director of Advocacy
Greater Portland Landmarks
93 High Street, Portland, ME

MUNJOY HILL HISTORIC DISTRICT PUBLIC COMMENTS

TOTAL

178

52

Last Name	First Name	No.	Street	Yes	No
99fish	Matt				1
Barrett	Mary				1
Dignan	Jenny				1
Gemmill	William				1
Jones	Donna				1
Mills	Sarah				1
Wenstrom	Enoch		83 Beckett		1
Mitchell	Stacy		74 Atlantic		1
Wenstrom	Gail		88 Beckett		1
Waycott	Catherine		91 Beckett Street		1
Harrison	Priscilla		Cape Elizabeth		1
Poirer	Ben		Cape Elizabeth		1
Wood	Bruce		Chandler's Wharf		1
Clark	Elaine		Chebeague Island		1
Steele	Francesca		22 Clifford		1
Jacks	M.[Margaret]		51 Congress		1
Jacks	G.[Grant]		51 Congress		1
Whitaker	John		104 Congress		1
Whitaker	Kerry		104 Congress		1
Brain	Nancy		118 Congress		1
Nixon	Jill		118 Congress		1
Nixon	Henry		118 Congress		1
Oldham	Sally		118 Congress		1
Watson	John		118 Congress		1
Hubert	Robert		147 Congress		1
Hubert	Marianne		147 Congress Street		1
Blackstone	Peter		76 Cumberland		1
Larsdotter	Gunnel		46 Cumberland Avenue		1
Reed	Richard		46 Cumberland Avenue		1
Weatherbee	George		108 Dorset		1
Szanton	Nathan		22 Eastern Prom		1
Manter	Berry		46 Eastern Prom		1
Gardiner	Ed		84 Eastern Prom		1
Paine	Lincoln		150 Eastern Prom		1
Whitten	Robin		188 Eastern Prom		1
Weiss	Alison		292 Eastern Prom		1
Emerson	Martha		340 Eastern Prom		1
Glassberg	Andrews		340 Eastern Prom		1
Von Munkitz-Smith	Jeff		340 Eastern prom		1
Springborn	Janet		340 Eastern Prom Unit 145		1
Neilan	Sadhbh		29 Emerson Street		1
Gorham	Jaye		20 Essex Street		1
Brewer	Katy		former Munjoy Hill resident		1
Rollins	Dick		former Munjoy Hill resident		1
Wadleigh	Annie		74 Grant		1
Barter	Jim		23 Greenway Drive		1
Lyons	Susan		25 High Street		1
Greater Portland L.			93 High Street		1
Marsoco	Michael		9 Howard Street		1
Rogers	Allison		9 Howard Street		1
Brown [Bronn]	Greg		33 Howard Street		1
Barter	Lois		55 Kellogg		1
Carhardt	George		7 Lafayette		1
Carhardt	Uschi		7 Lafayette		1
Ringle	Gail		34 Lafayette		1
Wylie	Jonathan		34 Lafayette		1
Bahlkow	Gary		42 Lafayette		1
Green	Kimble		42 Lafayette		1
Savage	Lydia		19 Melbourne		1

Hoover	Michael		40 Melbourne	1
Derry	Robert		63 Melbourne	1
Stewart	Leslie		63 Melbourne	1
Masiolo	Kelly		71 Melbourne	1
Salon	Richard		71 Melbourne	1
Price	David		24 Mellen	1
Schwartz	Carolyn		27 Merrill	1
Valzania	Wayne		27 Merrill	1
Connor	Carol		12 Montreal	1
McGrath	Vanessa		22 Montreal	1
Johansen	Kevin		41 Montreal	1
Billings	Liane		42 Montreal	1
Cole	James		45 Montreal	1
Cartonio	Marguerite		46 Montreal	1
Woodward	Clarkson		48 Montreal	1
Grey	Alison		55 Montreal	1
Murray	Oliver		55 Montreal	1
Ryan	Patricia		60 Montreal	1
Akerlind	Christopher		44 Monument	1
Yandell	Sue		51 Monument	1
Hambly	James		61 Monument	1
Agopian	Paula		98 Monument	1
Chase	Ariel		4 Monument Street	1
Wuesthoff	John		15 Morning	1
Wuesthoff	Betty		15 Morning	1
Davison	Diane		29 Morning	1
Bassett	Hilary		55 Morning	1
Ciembrowicz	Julius		55 Morning	1
Kamar	Charles		55 Morning	1
Kamar	Norma		55 Morning	1
Reppenhagen	Marlies		55 Morning	1
Jordan	Nancy		Morning	1
Davison	Jeffrey		29 Morning Street	1
Goodman	Steven		59 Morning Street	1
Bayer	Jane		89 Morning Street	1
Jordan	Bob [Robert]		Morning Street	1
Douglas	Tika		11 Munjoy	1
Auld	Sarah		43 Munjoy	1
Brokish	Tom		43 Munjoy	1
Erikson	Patricia		Munjoy Hill	1
Gael	Stephen		Munjoy Hill	1
Burton/York	Diana		190 Munjoy South	1
Pringle	Anne		44 Neal	1
Bender	Kathleen		11 North	1
Carroll	Lorrayne		31 North	1
Cowie	J.D. [James]		32 North	1
Cowie	Annie		32 North	1
Dillingham	Linda		36 North	1
Denny	Justine		56 North	1
Emerson	Susan		56 North	1
Snyder	Beth		81 North	1
Stewart	Christopher		81 North	1
Murray	Peter		104 North	1
Murray	Deborah		104 North	1
Carmona	Vana		105 North	1
Carmona	Ralph		105 North	1
Hays	Liz		107 North	1
Prochaske	Janet		151 North	1
Chester	Ned	14-16	North	1
Booth	Steven		79 North Street	1
Vestal	Barbara		22 O'Brien, 101-107 Congress	1
Hall	Bill		Peaks Island	1
Keating	Tom		166 Pleasant	1

Hammen	Mike		Pleasant Street	1
Peavey	Elizabeth		Portland	1
Smith	K.E.		80 Quebec	1
Austin	Terry		3.5 Sherbrooke	1
Heffern	Margaret		8 Sherbrooke	1
Heffern	Richard		8 Sherbrooke	1
Englart	Michael		193 Sheridan	1
Englart	Linda		193 Sheridan	1
Cassidy	Ann		205 Sheridan	1
Pitegoff	Peter		205 Sheridan	1
Morse	Robert		208 Sheridan	1
Morse	Mary		208 Sheridan	1
Machesney	Nancy		213 Sheridan	1
Hart	Leslie		215 Sheridan	1
Schochat	Kevin		215 Sheridan	1
Pratt	Marianna		224 Sheridan	1
Lorber	Betty		225 Sheridan	1
Schmidt	Cynthia		21 Sheridan Street #1	1
Renschler	Rhonda		South Portland	1
Renschler	Daryl		South Portland	1
Hurley	Jayne		11 St. Lawrence	1
Whitten	Rob		23 St. Lawrence	1
Sawin	Martica		28 St. Lawrence	1
Wolf	Maggy		28 St. Lawrence	1
Holden	Mark		37 St. Lawrence	1
Tyler	Linda		52 St. Lawrence	1
Isaacson	James		71 St. Lawrence	1
DiMatteo	David		72 St. Lawrence	1
Smith	Charlton		33 Turner	1
DeTine	Carole		144 Vaughan	1
Ferrante	M.[Mike]		67 Vesper	1
Mooney	Edward		77 Vesper	1
Moser	Greg		80 Vesper	1
Moser	Catherine		80 Vesper	1
Koch	Erna		81 Vesper	1
Inman	Steven	81A	Vesper	1
Alward	Amy		12 Vesper St	1
McMillen	Abbie		Vesper Street	1
Goan	Sarah		54 Walnut	1
Smith	Debbie		523 Washington Avenue	1
Schiffman	Stephen		9 Waterville	1
Flanagan	Sandra		13 Waterville	1
Day	Pamela		25 Waterville	1
Petit	Michael		25 Waterville	1
Dowe	JoAnn		28 Waterville	1
Lloyd	David		29 Waterville	1
Brewer	Katy		39 Waterville	1
Casale	Mary		39 Waterville	1
Reiche	George		50 Waterville	1
Snyder	Karen		72 Waterville	1
Teel	Steven		76 Watson	1
Miller	Nina		76 Watson Street	1
Hillman	Margaret		9 Willis	1
McNanamy	Nini		10 Willis	1
McGovern	Frances		23 Willis	1
Shaw	Susan		28 Willis	1
Miller	Markos		17 Atlantic	1
Gelfand	Christoph		32 Atlantic	1
Kamar	Alison		73 Atlantic	1
Mahoney	John		73 Atlantic	1
Parker	Jamie		73 Atlantic	1
Cushman	Sarah		99 Beckett, 2nd floor	1
Rutkiewica	Jeremy		161 Congress	1

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Comment
PC 36
PB PC28
PC47
PC69
PB PC44
PC76
PC1
public testimony 9/20/2019
PC8
petition 9/28
PC80
PC86
PC70
public testimony 12/10
PC38
petition 9/28
petition 9/28
petition 9/28
petition 9/28
PC96
PC112
PC112
PC41
PB PC56 PC96
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public testimony 2/11
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PC68

PC1 - also 84 & 86 Beckett
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PB PC59
PC1
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petition 9/28
PC71
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PC62
PC 21
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PC1
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PC1
PC119
PB PC58

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This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slightly textured appearance and is set against a dark background.

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February 2, 2020

Planning Board,

In preparation for the workshop on Feb 11th, I would like to share the following.

1. A 12th Historic District on Munjoy Hill will do NOTHING to address the concerns from citizens about zoning matters such as building height or size.
2. A 12th Historic District on Munjoy Hill will do NOTHING to address the concerns from citizens about demolition. In fact, if a non-contributing building in the district, it would be easier to demo than it is today. And, a contributing status does not stop demolition either.

As you have heard during public comment, many who support a 12th district believe, mistakenly, that zoning changes will result by adding another historic district. They've been sold a lie by a small group of neighbors who want to kill diversity of architecture and diversity of people on the hill.

Also, and I know you are already aware, a 12th Historic District will do nothing positive to help the City attain its goals as it relates to addressing the housing crisis or as it relates to the 2030 goals of making our city more environmentally responsible.

Our neighborhood and the entire City need sensible pro-prosperity zoning for the future. Please focus your time on the Recode and cease entertaining discussions about revising the Hill's R6 again (lose the conservation overlay once and for all) or an unnecessary and unwanted Historic District.

Thank you,

Anne E. Manganello
84 Quebec Street
Portland, Maine 04101

December 10th Historical District Proposal

John Whitehouse <jtwh888@gmail.com>

Dec 14, 2019 11:14 AM

Posted in group: **Planning Board**

Dear Planning Board,

I attended the Workshop on December 10th concerning the Historical District Proposal on Munjoy Hill presented by Deb Andrews. I implore the Planning Board to reject this proposal unequivocally. I have attended two previous workshops moderated by Deb Andrews and I appreciate the questions asked by the Planning Board this past Tuesday, because it exposed this proposal as not thorough and disjointed at best. At worst, it is misleading the public and hiding the true cost and negative impact such a proposal would have on property owners like myself for years to come.

I find it misleading because each workshop I have attended is rife with a small sample of the property owners emotionally expressing their concerns with the demolition of old buildings to be replaced by high rise condos or some other development. On Tuesday one woman depicted this visually with a poster board illustration. Another woman cried. I left after two hours so I am not sure if anyone corrected the public but there is already an ordinance concerning new development and demolition on Munjoy Hill. This proposal has nothing to do with the repeatedly stated concerns of the property owners in attendance. Deb Andrews has heard these concerns at other workshops and sat silent to inform the public of the already existing ordinance. That to me is deliberately misleading done to create support for this proposal in order for it to pass. That is taking advantage.

In reality, this proposal will create extensive delays and obstacles in an already lengthy and convoluted system. The fact is the majority of the properties on the Hill including mine on North Street are old. They need work and repair, and that will invariably lead to new construction that can alter the appearance from the original structure. In addition, if I want to go up a floor or increase my square footage, that is my right as a private property owner and a tax payer providing the life blood to this City. Tastefully done new construction enhances a neighborhood, and a mix of old and new is attractive to an area. Plus there are enough existing measures and red tape to review any development, which is why there has not been many recent permits already. That is not good for a city, and another layer like this would make it far worse.

To create a panel, (that has not been talked about by Deb Andrews to the public) to subjectively make decisions on such things will trap the proposed district in a time warp of untouched buildings. Why would I improve my property if I am locked in the ridiculous restrictions of not one time period for decades, but several? The 19th century, early 20th century, and 1950s? What? That is unrealistic and unfair given life and safety concerns and codes, and the need for new development.

Finally, the holes in this proposal are glaring. They were exposed by one member of the planning board who politely said that his questions might be "unanswerable" when asking what data there was about the level of development after the existing ordinance was past. Or the proportion of properties in each time period, or the impact. They are answerable questions and I know at my company, my proposal would not be taken seriously if I had such a lack of information as Deb Andrews did. This proposal is terrible and unnecessary. Please reject it so the neighborhood can grow and thrive. Do not let it decay.

Regards,

John Whitehouse
18 North Street

Munjoy Hill Historic District

Markos Miller <markossmiller@hotmail.com>

Jan 31, 2020 10:33 AM

Posted in group: **Planning Board**

Planning Board Chair Sean Dundon and members of the Planning Board,

I'm writing to share my concerns about the proposed Munjoy Hill Historic District. This proposal does not adequately address the needs of Munjoy Hill or the City as a whole. Furthermore, the proposed historic district would exacerbate the housing crisis our city is experiencing, and would result in making it harder for the workers, families, and diverse demographics Portland needs to thrive.

I think it is important to step back at this time and recognize the historic district proposal has gained traction because of inadequate neighborhood planning in the past. As a former president of the Munjoy Hill Neighborhood Organization, I know that hill residents can take their neighborhood issues very seriously. I've found that a robust, transparent, and participatory planning process can build understanding, direction, and support for initiatives (Adams School, Franklin Street). Conversely, processes that are rushed or advanced by a subset of the community result in pre-determined 'solutions' prescribed to a symptom of a more complex problem, and/or resistance in the community. This is what is happening with the historic district proposal.

Proponents of the historic district are claiming that this 'solution' will address all sorts of challenges the neighborhood is experiencing: tear downs, condo-conversions, "ugly" buildings, lower-income residents being pushed out by wealthier newcomers, loss of rental units, etc. It's perceived as the silver bullet against further gentrification of the neighborhood. We know it is no that simple. HD could even accelerate gentrification. If this HD is instated, many of its current supporters will be back protesting the next time there is a tear down or "ugly" building proposed, blaming the system for selling out HD. It's not the fix-all people wish it would be.

There needs to be some analysis before any kit-of-tools is proposed, particularly with HD.

1. There has been no analysis of the effects of an historic district on Munjoy Hill on rents, home costs and values, repair and maintenance, etc. Advancing policy with no due-diligence is not responsible behavior.
2. The community has lumped all the challenges the neighborhood is experiencing into one without understanding the nature of each issue and their interconnectedness.
3. This is a larger planning issue that needs to be addressed holistically. The ReCode process presents one appropriate venue for the development of strategies to establish, maintain, and enhance the neighborhoods that will be desirable to current and future residents. A pro-active, neighborhood based-planning process based on data sharing and collaboration between residents and professionals would provide a transparent, participatory framework to establish a baseline support for neighborhood vision. This is how we should be approaching core issues about the livability of our neighborhoods.

Please vote to not recommend passage of the proposed Munjoy Hill Historic District to the City Council. Furthermore, express to the Council the flawed nature of this proposal and the need to address the underlying issues behind it through the ReCode process and community wide engagement of the neighborhood.

Thank you for your service,

Markos

Markos Miller

17 Atlantic St
Portland, ME
04101
(207) 807-2681

February 4, 2020

Dear Chair Dundon and members of the Planning Board,

I am writing to encourage you to support the designation of the proposed Munjoy Hill Historic District and to recommend its designation by Portland's City Council. The effort to research, document and develop this historic district nomination has been lengthy and thorough. City Council members "instructed staff to move forward with the necessary documentation" for a Munjoy Hill historic district(s) at the June 2018 Council meeting where they adopted zoning amendments including a Conservation District Overlay for the R6 zone on Munjoy Hill.

More than a year passed before the documentation was completed and 6 members of the Historic Preservation Board formally nominated the Munjoy Hill Historic District. The Historic Preservation Board held 4 workshops and 2 site walks over a number of months. City staff held 4 neighborhood meetings to provide information about what a historic district designation is and to answer questions from the public and also held numerous individual meetings with members of the public. The historic district nomination and 6 individual Landmarks were approved unanimously by the Historic Preservation Board.

The documentation for the Munjoy Hill Historic District is detailed and includes both a historic context statement addressing the several areas of significance represented in the district and property-by-property photographs with individual descriptions. All this information is available to the public online. The documentation clearly shows that the historic district meets the City's ordinance designation criteria found in Sec. 14-610 and the integrity criteria in Sec. 14-611.

In addition to confirming that the Historic Preservation Board's district recommendation is in conformance with the historic preservation ordinance's designation criteria, the Planning Board needs to consider the relationship of the proposed designation to the goals of the City's Comprehensive Plan. Without question, the historic district proposal meets the Historic Resources goals of the Plan as staff has ably demonstrated. To quote the plan: "Identifying and preserving historic resources stabilizes neighborhoods, makes economic sense and contributes to a distinct sense of place that helps make Portland such a desirable place in which to live, to visit, and to invest."

Additional relevant goals in considering how this historic district proposal meets Comp Plan goals include providing affordable housing and meeting sustainability goals. Munjoy Hill has historically provided a dense level of housing, much of it affordable housing. Maintaining these units through a historic district designation and increasing numbers of units through compatible renovations and additions is a much better strategy for retaining affordable housing than allowing buildings to be demolished and replaced by unaffordable units that is the current norm.

Regarding sustainability goals in the Comp Plan, retaining buildings rather than demolishing them is a far better "green" practice because it preserves the energy already

embodied in these buildings rather than expending additional energy for new construction. Historic buildings can be retrofitted to incorporate energy efficient systems and take advantage of new energy technologies such as solar power.

The Vision Statement of the Comprehensive Plan is based on six values including being Authentic. Not every part of Portland can achieve all of the values of this Vision Statement or all of the goals of the Plan equally well. Munjoy Hill is a unique section of our city that is rapidly changing. The areas included in the proposed boundaries tell the stories of the people who established and worked at the Atlantic & St. Lawrence Railroad and Portland Company in the mid-to-late 19th century, of residential development prompted by the Great Fire of 1866, of successive waves of immigrants and of early African American residents who contributed much to the development of our City.

Designating the area of Munjoy Hill within the proposed district boundaries can help maintain the Authentic quality of our City and is merited as a means to:

- "...celebrate our city's incredible history."
- Maintain and enhance "the uniqueness and integrity of our neighborhoods." and to
- "...maintain our character through preservation, innovation, and excellence in design for the built environment."*

Thank you for considering these comments.

Sally Oldham
118 Congress Street
Munjoy Hill

* These phrases are quoted from page 6 of "Portland's Plan 2030."

Munjoy Hill historic district being pushed for wrong reasons

Zack Barowitz <zbarowitz@gmail.com>

Dec 19, 2019 7:28 AM

Posted in group: **Planning Board**

Dear Chair Dundon:

At the recent Planning Board workshop I found it somewhat alarming that those who testified in favor of a Munjoy Hill historic district did so on the basis of preserving the social fabric of the neighborhood. It seems that no one even bothered to make the case for *historic* preservation but instead railed against a vague and nebulous concept of change and used the physical landscape as a synecdoche. While many of the pleas were impassioned, they would seem quite tertiary to the question of physical preservation on the basis of architectural, historical, or cultural significance.

And it was unfortunate that at least one of the testimonies evoked the term “people from away.” It stirred in my mind other histories of neighborhood discrimination; including a family story of how when my parents were first looking for a summer rental in the Portland area a realtor subtly but firmly steered us away from Prout’s Neck on the basis of it being an “exclusive area” which quaintly meant “no Jews.” We ended up on Peaks Island and I moved to Portland thirty years later.

While Munjoy Hill is undoubtedly a physically charming neighborhood, but the assertion of its architectural significance as the location of several booms of development of workforce housing is fairly hollow. As was the case of designating Forest Ave buildings of doubtful aesthetic and historic significance, a Munjoy Hill historic district would be a case of diluting the brand of Portland as a place of remarkable historical significance. An accumulation of gentrified 19th and early 20th century workforce housing doesn’t deserve special recognition any more than similar buildings that don’t happen to be on Munjoy Hill or other

examples of workforce development which makes up the majority of the city. Portland has a lot of old housing stock.

What we are seeing, and the proponents have been quite open about it, is historic districting is being used as a back door to over-rule zoning. We are getting to the point that anyone can make the case for anything being “historic.” Sagamore Village is historic WW2 housing, should that be preserved? My neighborhood has the first houses built when the city expanded into the swamp, should those be preserved? What about houses built during the ‘80s building boom, should we designate those before they fall apart and become lost forever?

It makes me wonder if during previous building booms whether people bemoaned the loss of pastoral character. Why is this the moment in history when the Hill is perfect and it must be set under glass? There is no imminent threat from a Robert Moses or Baron Haussmann. About 20 years ago there was a movement to preserve Levittown; so they found *one* house that had had minimal changes. They did not cast all 20 thousand homes in amber (much less seek to enforce deed restrictions on skin color).

Portland must adapt to the way we live now. And so we can also look at the matter as if it were in reverse: If an 8-unit \$500K per/ condo is torn down and replaced with a \$1.5 single family house would anyone call that progress? And who is to say that by enacting design restrictions are we not preemptively destroying some important future architecture? Let time be the judge.

A Historic District is being done for the wrong reasons and will make housing more expensive, not just on Munjoy Hill, but throughout Portland.

917-696-5649
ZacharyBarowitz.com

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Public Comment: Munjoy Hill Historic District - Planning Memo deficiencies

George Rheault <george.rheault@gmail.com>

Feb 5, 2020 11:52 AM

Posted in group: **Planning Board**

The Planning Board should absolutely reject the proposed Munjoy Hill Historic District.

It is outrageous that as Portland stagnates economically due in large part to its high cost of housing, within the last 4 years the City Council has decided to deploy a huge chunk of its planning department staff time to coddling and mollifying a small subset of property-owners sitting on top of some of the most valuable land/buildings within the city limits while leaving renters and other low-income residents to fend for themselves.

Various arguments for the historic district are set forth in a Deb Andrews staff memo, dated December 3, 2019 (submitted to the Board for the December 10, 2019 workshop on the proposed district) however this memo was full of unsubstantiated conclusory statements and omissions.

At a minimum, the Planning Board should demand that the planning department provide the necessary information to make sense of the various claims made by Ms. Andrews in her advocacy of this new proposed historic district.

Below is a non-exclusive list of the kinds of things that Ms. Andrews should place into the public record in order to ensure a proper and adequate review of the proposed policy actions.

1) Due to staff "error" no recording of the July 10, 2019 HPB workshop was made. Despite a number of requests in 2019 that a complete and accurate summary of that workshop be created for the public record (including a list of those who provided public comment), no such summary or meeting minutes have been provided. It is particularly unfortunate that no recording exists as this workshop set the entire tone for the remainder of the HPB's biased and myopic rubber-stamping review of the proposed historic district.

2) Ms. Andrews should provide a full listing of the various addresses/projects (including her unit counts) that she used to arrive at her "325 new units of affordable housing were built" calculation on page 9 of her memo (excerpt below). This is essential information to have to corroborate the clear implication that Ms. Andrews is attempting to convey, which is that historic district legislation has a neutral or even positive impact on affordable housing production. But it is impossible to test Ms. Andrews on this point because we have no ability to contextualize the projects she is pointing to as evidence for her supposition. One primary concern is whether she conflated planning "approvals" with "built" as well as, among other things, whether she conflated "new" with "pre-existing but expensively renovated" (for example in the case of the Butler School apartments). Every affordable housing project, due to the highly regulated nature of the affordable housing industry, has a unique story which is inevitably (without question) complicated by historic preservation requirements even if such requirements do not completely destroy their viability. So citing a large sum of "affordable housing" units without being able to evaluate the likely long and tortured journeys taken to complete "affordable housing" projects feels very much like a defensive effort to obscure rather than illuminate the impact of historic preservation on contemporary affordable housing production in Portland. Furthermore, the long list of additional housing types cited suggests there is possibly another considerable sum of uncounted affordable housing being created under these categories when in fact, planning staff are quite aware that virtually none of these categories have yielded "affordable" housing during the last five years since virtually all of these projects would trigger some level of planning staff review/oversight. I am quite sure that the 10 Exchange Street condo project, for example, while an excellent and welcome "conversion of upper floors of existing historic commercial housing units" did not result in much or ANY "affordable" housing.

"During the last five years, approximately 325 new units of affordable housing were built within Portland's historic districts. That figure does not include conversion of upper floors of existing historic commercial structures into housing units, the creation of additional units within existing residential structures, or the conversion of existing garages or carriage houses into residential units."

3) On page 11 of her memo (excerpt below), Ms. Andrews cites "numerous" instances of "solar panels, heat pumps or other alternative energy measures" being permitted (if not encouraged) in historic districts. It would be great to see a listing of these by address along with date of installation. In the case of solar panels, it is especially important to understand when the HPB or planning staff have EVER approved ANY solar panel installation that is visible from the public frontage on a structure designated as historic and what hurdles and hoops were required in order to conform that installation with the onerous and arbitrary "compatibility" ethos of our historic preservation ordinance. Perhaps many such solar panel installs have taken place, but if Ms. Andrews asks the public to take comfort in her claims, she should not hesitate to identify very clearly where this magnanimous toleration of 21st century energy efficiency measures has recently occurred so we can see for ourselves.

"Portland's historic preservation ordinance does not prohibit the installation of solar panels, heat pumps or other alternative energy measures, as evidenced by numerous installations in both residential and commercial historic districts."

4) On page 12 of her memo (excerpt below), Ms. Andrews informs the public that "a number" of buildings have had their classifications changed over the years. Again, she puts this out there to suggest a generous flexibility within the preservation regulatory regime. But it is impossible to judge her conclusion without (A) having the precise number (is it in the single-digits?) and (B) the specific project addresses used to arrive at the number. The public deserves to have the backup data here to better understand the context of Ms. Andrews claims which may very well turn out to be the exact OPPOSITE evidence of the vaunted flexibility that Ms. Andrews claims to wield under her expansive regulatory authority.

"Since the ordinance went into effect in 1990, a number of buildings in historic districts have had their classification changed."

Hello, Affordable housing is enough of a problem without taking, I presume, so many blocks out of possible housing development. Dave Kelly.

Kelly, David <david.c.kelly@uconn.edu>

Feb 5, 2020 6:07 PM

Posted in group: **Planning Board**

Google Groups

Against historic district on Munjoy Hill

Emily Liebling <eliebling@gmail.com>

Feb 5, 2020 7:34 PM

Posted in group: **Planning Board**

Planning Board:

I am opposed to the creation of a historic district on Munjoy Hill. I live in the West End, formerly in the historic district, and currently just outside of it.

The restrictions on building improvements are extremely cost-prohibitive in historic districts. I am a teacher on a tight budget. I care about the environment and my carbon footprint. I also care about affordable housing — both low-income housing and housing that is affordable to working class families.

For all of these reasons, I am against a historic district on Munjoy Hill.

Thank You,
Emily Liebling
54 Tyng St
Portland

Google Groups

Munjoy Hill Historic District

Francesca <cesca.gs@gmail.com>

Feb 5, 2020 3:57 PM

Posted in group: **Planning Board**

Dear Planning Board Members,

The Munjoy Hill Historic District proposal is a fabulous opportunity for our City. It will assure that the historic character of Portland will be preserved. Please vote in favor of it.

Francesca Galluccio-Steele
22 Clifford St
Portland, ME 04102
cesca.gs@gmail.com

Historic Districts are not the cause of "Affordable Housing"

Zack Barowitz <zbarowitz@gmail.com>

Feb 6, 2020 3:39 AM

Posted in group: **Planning Board**

Dear Chair Dundon and members of the Planning Board:

It is somewhat curious that those making the case for a Munjoy Hill Historic District are now focusing on affordable housing.

While there are some aspects (like tax credits) of historic districting and listing that are compatible with affordable housing the matter is far too complex on the whole to make the assertion based on the mere evidence of correlation. It is likewise confusing that our language does not provide a shorthand distinction between "Subsidized Affordable Housing" vs "housing that is inexpensive and affordable to those making 40%-80% of AMI but is market rate, or available on the open market, or at least an existing tenancy." Owning historic property is a luxury for those with the time and resources to comply with what is often a seemingly arbitrary and inconsistent set of guidelines. There is scant evidence to assert that Historic Districting causes housing prices to lower.

Ultimately, the production of both types of affordable housing have far more to do with what building types are available and what is allowable under the land use code. Munjoy Hill is already a ritzy neighborhood, a historic overlay will cover it with a silk stocking.

Sincerely,
Zack Barowitz

- Historic Districts help manage changes to buildings and neighborhoods as they are rehabilitated to meet 21st century needs. BUT in GOOD WAY?
- Historic preservation is a key part of the City's 2017 Comprehensive Plan, as is affordable housing. Many historic buildings include existing affordable housing units. Retaining these units, rather than replacing them with costly new condominiums, is an important means to meeting affordable housing needs on Munjoy Hill.
- Historic preservation and affordable housing are compatible: More than 400 new housing units were approved or built in Portland's historic buildings and districts in the last 5 years, and nearly 75% of those units are affordable housing units.
- The preservation or reuse of these buildings helps to fulfill City Comprehensive Plan goals to adopt sustainable building and land use policies.

--
207-838-6120
917-696-5649
ZacharyBarowitz.com

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February 5th, 2020

To the Planning Board;

Munjoy Hill does not need restrictive historic preservation. We need more creative, forward looking policies that address real issues in our neighborhood and city rather than restrictive policies that put aesthetics ahead of other community values. This is not something that the hill as a whole wants.

This plan elevates historic preservation over other values we ought to promote. For example, within this proposed ordinance there is no way to balance preservation against environmental sustainability. Sustainability is, of course, supported by not tearing down buildings for no good reason. But in certain cases sustainability may require this; in adopting policies that help drive up prices even further, we continue to force those who work in Portland further out into the suburbs and other towns. This brings more traffic congestion and pollution, which could be alleviated by smart planning of new housing on the peninsula. On Munjoy Hill we have many small single family houses providing shelter to 1 or 2 people that are occupying plots of land which could have 12-16 units built on them – or more, if we did not have such strict height restrictions in our zoning. This kind of concern needs to be taken into account when the city reviews the zoning; putting in a historic district now makes this kind of thoughtful review much more difficult if not impossible.

The proposed districting also effectively prohibit solar panels and solar hot water for most residents (they're allowed, but only if not visible from the street). This is a completely ridiculous restriction even if you are in favor of historic districting for aesthetic reasons. Solar hot water or panels hardly impact the historic aesthetics of a building – less certainly than having modern cars on the street or in our driveways, or modern lightbulbs in our streetlights and over our front doors. In requiring a particular aesthetic, we prevent smartly designed passive solar buildings as well. In a time of increased urgency to slow climate change we should not be adding restrictions on residents doing a small part for sustainability.

My partner and I plan to live on the hill for the next 30 years, at least. However, with the proposed district, **we may not be able to afford to maintain our property.** Also, we want the city to consider this plan in a longer term context than what a small number of residents want now, especially when many others will be here and impacted by this district much longer. **We also urge you to think about the way that Munjoy Hill can contribute to addressing the issues facing the city as a whole.** Munjoy Hill is lovely, and we love it here, but it is only one small part of a city that needs to be thought of as a whole in planning for the future.

Sincerely,

Lauren Ashwell
8 Emerson St, Portland

Munjoy Hill

PC12

Lori Rounds <lor

Posted in group: P

To the Planning

I am writing to

Proponents of the Historic District claim that an Historic District will solve multiple alleged problems on the Hill including demolitions; construction of big boxy condo buildings; loss of rental units and workforce housing; and loss of neighborhood character due to new construction designs not compatible with existing architecture. However, a comparison of existing Overlay District rules with Historic District rules shows that the primary concerns of proponents not be resolved via implementation of an Historic District:

- **Demolitions:** allowed in Overlay and Historic Districts, plus non-contributing structures in Historic Districts can be demolished “as of right” without the same demolition delays of the Overlay District
- **Building Height & Setbacks:** identical in Overlay and Historic Districts
- **Workforce Housing:** identical in Overlay and Historic Districts - construction of three or more dwelling units requires provision of workforce housing
- **New Construction Design:** Overlay District subject to Planning design criteria; Historic District subject to Historic Preservation criteria

Additionally, the Historic District will impose more restrictive and costly maintenance and renovation requirements on homeowners. For example, exterior materials must be replaced in kind (such as wood windows and siding replaced with wood products) rather than using less expensive vinyl or other products that meet homeowner’s budgetary needs. In addition to City-required Building Permits, homeowners in an Historic District must obtain approval from the Historic Preservation Dept. for replacement in-kind or for permission to substitute non-in-kind materials. Increased maintenance and repair costs will be borne by homeowners or passed along to renters in the Historic District. Alternatively, Historic District property owners may decide to delay or forego repairs and maintenance due to increased costs. Any homeowner is free to apply for Individual Historic Landmark status of their property, which allows them all perceived benefits of Landmark status while not imposing Historic District restrictions and costs on their neighbors.

The proposed Historic District on Munjoy Hill is a gerrymandered area superimposed on the existing Overlay District, and will not solve the alleged problems claimed by Historic District proponents. The majority of complaints are related to zoning, design and housing issues. Munjoy Hill and in fact the entire City of Portland is best served by a comprehensive review and analysis of issues, and implementation of a strategic solution. Fortunately, the City is undertaking the ReCode effort, which will provide much-needed analysis and Code changes that will address multiple zoning and planning issues and benefit all of Portland. Rather than imposing an additional set of rules on a portion of Munjoy Hill, I urge the Planning Board and City Councilors to reject the proposed Historic District for Munjoy Hill and instead support the recommendations that will result from the ReCode effort.

Regards,

2/6/2020

Munjoy Hill Proposed Historic District - Google Groups

Lori Rounds
47 Monument Street

February 5, 2020

To the Planning Board and Portland City Council;

Please vote **against** the proposed historic district on Munjoy Hill. The increased costs on building maintenance will drive up rents in the area, when rents are already well above what the average worker in Portland can afford. Those who purchased property on the hill before the recent boom will not be able to afford to meet the extra costs for siding, windows, and application fees. It is not appropriate to increase the costs for maintenance on properties by appealing to the history of an area that was working class! The city needs to consider ways to make housing more affordable, and this proposed historic district will work against that.

Sincerely,

A handwritten signature in black ink, appearing to read "Lynn M. Kuzma", with a stylized flourish at the end.

Lynn M. Kuzma
10 Emerson St. & 10 A Emerson St.
Portland ME, 04101

Google Groups

Munjoy Hill Historic District

w.valzania@munjoyhill.org <w.valzania@munjoyhill.org>

Feb 7, 2020 7:17 AM

Posted in group: **Planning Board**

Dear Chairman Mazer and Portland City Planning Board members,

I write to you as presiding President of the Munjoy Hill Neighborhood Organization in regard to the Historic District designation that is pending your approval. The MHNO Board of Directors has unanimously voted to support the proposed Munjoy Hill Historic District and the six individual landmarks as nominated by the Historic Preservation Board on November 20, 2019.

We urge the Planning Board to take into consideration the substantial documentation acquired and recorded by the City Planning Staff with the assistance of the Historic Preservation Board, favoring the adoption of the Munjoy Hill Historic District designation, including the six landmarks. We strongly feel that Munjoy Hill, having played an important role in the history and evolution of Portland, deserves to take its place with the other designated Historic Districts that have served our city well.

Thank you for the work that you do on behalf of the residents of Munjoy Hill, and the City of Portland.

Respectfully Submitted,

Wayne Valzania

Wayne Valzania, President

Munjoy Hill Neighborhood Organization

Celebrating 40 Years of Community Service

92 Congress Street

Portland, ME 04101

207-274-4918

Join Us !! www.MunjoyHill.org



Google Groups

Letter not posted in the records of the 12/10/2019 meeting

George Carhart <gscarhart@gmail.com>

Feb 6, 2020 6:34 PM

Posted in group: **Planning Board**

Dear Planning Board Members,

Multiple copies of this letter were handed to the Planning Board at the 12/10/2019 panning board meeting, however it has not been included in the online records of this meeting. I find this very disturbing and hope that this will be corrected.

Dr. George Carhart
7 Lafayette St
gscarhart@gmail.com

I am a historian and have worked in historic preservation both in the US and Europe.

I am a 23 year resident of the City of Portland. My wife and I have owned our home on Lafayette St for 20 years. Our house was built in 1849 and is one of the oldest houses still standing on Munjoy Hill.

I am in support of a historic district on the East End.

I would ask the council to consider a couple of points:

There are petitioners on both sides of the Historic District argument who would have us believe that it is all about affordable housing. Those in favor think that a historic district will bring back, or maintain, the few remaining affordable units on the hill. Those against would have council believe that the petition is only about stopping them from fulfilling their wish to build more units on the hill, and therefore fulfill the city's plan for affordable housing. This is a myth on both sides, the affordable housing of the late 1990's has long since gone away. Neither a push to increase density, nor a historic district is going to bring affordable housing back to the hill.

The historic district is not about affordable housing - it is about maintaining the historic landscape of the East End. The city has long since protected the upscale large brick houses of the West End and the buildings of the Old Port. In the past it has, however, continually avoided the idea that the vernacular architecture that is indicative of the hill has any true historic value. The history of architecture in Portland is not just that of upscale architecture, such as the plethora of John Calvin Stevens homes that populate the West End, but also the vernacular architecture that is found on Munjoy Hill.

Many of the houses on the East End predate the late 19th and early 20th century architectural baubles that are already protected by the city. We are lucky in that neither the slum removal of the 1950's and 60's, nor the urban renewal of the 80's, has had a large impact on this historic working class neighborhood. There are few New England cities that are so fortunate. Where the West End tells a story of the wealthy

businessmen of the city, the East End tells the story of the city's working class that underpinned the wealth of the city. This is a story worth preserving.

Lastly, The City of Portland is a thriving city today, not because of the industrial aspects of the city and harbor of the 19th century or modern tech industries, but because of its tourism draw – hence the large number of hotels and short term rentals. Tourists come to Portland for a glimpse into New England history through the quintessential architecture that the city still possesses. If we allow this historic architectural cityscape to be eroded, then our main economic draw will disappear, leaving us to become just another sad shadow of a onetime important harbor city.

Thank you for considering to my thoughts,

George Carhart

--

Dr. George S. Carhart, Ph.D
Historian of Cartography
and Early Modern Europe
Antiquarian Map Consultant
Historic Research Consultant

7 Lafayette Street
Portland
ME, 04101
USA
(207) 766-1517

Google Groups

Munjoy Hill Historic District

Wayne@redhookdesignalliance.com <Wayne@redhookdesignalliance.com>

Feb 7, 2020 7:37 AM

Posted in group: **Planning Board**

Dear Chair Mazer and Members of the Portland Planning Board,

My wife and I reside at 27 Merrill Street on Munjoy Hill. I am writing to express our support for the adoption of the proposed Historic District designation, including the additional six Landmark properties. I feel this designation is an important tool in responsible management of the inevitable growth that we are experiencing, not only on Munjoy Hill, but the City of Portland at large.

Thank you for the work that you do on our behalf and for your careful consideration of this issue,

Wayne Valzania

27 Merrill Street

Portland, ME 04101



Jennifer Munson <jmy@portlandmaine.gov>

Munjoy Hill Historic District

1 message

carolyn swartz <carolynswartz@gmail.com>

Fri, Feb 7, 2020 at 10:54 AM

To: planningboard@portlandmaine.gov

Cc: Belinda Ray <bsr@portlandmaine.gov>, Barbara Vestal <vestal@chesterandvestal.com>, Barbara Vestal <B.Vestal@munjoyhill.org>, Ben Thornton <benthorton21@gmail.com>, "Carol M. Connor" <Balsamique@live.com>, Maggy Wolf <MSWNola@gmail.com>, Mary Casale <dirtgirl1@aol.com>, Michael Brennan <Brennan.Michael100@gmail.com>, Michael Brennan <M.Brennan@munjoyhill.org>, Ned Chester <chester@chesterandvestal.com>, Ned Chester <Ned.Chester@munjoyhill.org>, Nina Schmir <ninasch75@gmail.com>, Peter Blackstone <Peterblackstone17@gmail.com>, Peter Murray <pmurray@gwi.net>, Wayne Valzania <Wayne@redhookdesignalliance.com>

To Chairman Mazer and members of the Portland City Planning Board.

I am writing to urge you to approve the Historic District designation proposed for Munjoy Hill.

The character and social fabric of Munjoy Hill have already been compromised and remain critically threatened by developers whose massive condo projects, designed without regard for visual harmony and blending, are at odds with the character of this 19th century working-class neighborhood.

Wanton demolition of viable homes, along with their replacement by luxury condos, is not only visually jarring. It's also environmentally unsound, and detrimental to the fabric of our mixed-income community.

Our simple wood-frame houses speak as eloquently to Portland's heritage as the brick townhouses of the West End. While less elegant, our neighborhood is equally worthy of protection.

Please vote to preserve the integrity of Munjoy Hill: adopt the proposal to designate Munjoy Hill a Historic District.

Sincerely,

Carolyn Swartz
27 Merrill Street

Carolyn Swartz | Writer/Director | 917.714.5743 | [view my films here](#)

Carolyn Swartz | Writer/Director | 917.714.5743 | [view my films here](#)

Google Groups

Please approve Munjoy hill historic district.

Ejkoch Gmail <ejkoch@gmail.com>

Feb 7, 2020 9:21 AM

Posted in group: **Planning and Urban Development**

To the Portland city planning board:

As a 40+ year resident of Munjoy hill, I implore you to approve the Munjoy Hill historic district this Monday. I believe passage of the proposal at this time is critical to the integrity of the city streetscape, and the functional health of our neighborhoods, as it has been on the west end.

Thank you for your attention to this proposal, and the work you do for the city.

Erna koch
81 vesper st
Portland

Meow, and the world meows with you.

Hiss and you hiss alone. 

Google Groups

proposed Munjoy Hill historic areas

Linda Tyler <ltyler8@gmail.com>

Feb 7, 2020 9:03 AM

Posted in group: **Planning Board**

Greetings.

I am not only in support of your adoption of the proposed Munjoy Hill historic districts and sites, I plead with you to adopt them!

We in this old neighborhood that we can still manage to love in spite of the so-far changes feel pretty desperate.

Please consider this neighborhood to be worthy of saving.

When I see tourists walk our streets with some puzzlement in their eyes as to why they were directed here to see new, box-shaped condominiums, or when they stop one of us to ask about the neighborhood, its likely further destruction becomes a sad probability.

I ask you not to go the way of some other towns and cities and destroy our character and our coastline—this is Maine. Thank your for your attention.

Sincerely,

Linda P. Tyler
52 Saint Lawrence Street
Portland, ME 04101

Google Groups

Munjoy Hill Historic District

Mark Holden <mark.k.holden@gmail.com>

Feb 7, 2020 10:16 AM

Posted in group: **Planning Board**

Please know that I fully support the creation of the Munjoy Hill Historic District.

Mark Holden
37 Saint Lawrence Street
Portland Maine
Sent from my iPhone

Google Groups

Munjoy Hill Historic District

Michael Englert <michaeljenglert@gmail.com>

Feb 7, 2020 10:18 AM

Posted in group: **Planning Board**

Dear Chairman Mazer and Members of the Portland City Planning Board:

We write in support of the designation of the Munjoy Hill Historic District and six individual landmarks nominated by the Historic Preservation Board.

Munjoy Hill deserves the protection of its historic and aesthetic resources, as enjoyed by the other historic districts in the City. Time and again, not only in Portland but in cities across the country, it has been demonstrated that the protection of a community's heritage enhances its quality of life and economic success. Munjoy Hill, in particular, embodies the character and evolution of Portland's diverse working citizenry, an authentic part of our history that we must preserve.

Sincerely,

Michael and Linda Englert
193 Sheridan Street
Portland, ME 04101

MichaelJEnglert@gmail.com
LinEnglert@gmail.com

Google Groups

Munjoy Hill Historic District

Richard Rollins <dicrollins@aol.com>

Feb 7, 2020 10:27 AM

Posted in group: **Planning Board**

Dear Chairman Mazer and Portland City Planning Board members,

I write to you as a former resident of Munjoy Hill concerning the Historic District designation currently pending your approval. Although I acknowledge my interest is now mainly nostalgic, - isn't that much of what history is? I lived on the Hill for 15 years in the 1940s and '50s, and attended Shailer, Emerson, and Jack Jr. High schools. My parents and my maternal grandparents lived on the Hill before them. We personally knew the Ferguson family (see the book: Munjoy Hill Portland's Scenic Peninsula, by Donald Ferguson.) I was a Hill kid. I support the proposed Munjoy Hill Historic District and the six individual landmarks as nominated by the Historic Preservation Board on November 20, 2019 - or an even expanded version that enhances and protects the area. Much has been lost already.

We urge the Planning Board to take into consideration the substantial documentation acquired and recorded by the City Planning Staff with the assistance of the Historic Preservation Board (favoring the adoption of the Munjoy Hill Historic District designation, including the six landmarks). I strongly believe that Munjoy Hill, having played an important role in the history and evolution of Portland, deserves it. It should take its place with the other designated (and protected Historic) Districts of the city. It will be a huge credit and benefit to the city.

Thank you for the work that you do on behalf of the residents of Munjoy Hill, and the City of Portland.

Dick Rollins

Google Groups

P
C
2
3

Fwd: Munjoy Heights Historic District

mary morse <mrs1359@outlook.com>

Feb 7, 2020 9:20 AM

Posted in group: **Planning Board**

Sent from my iPad

Begin forwarded message:

From: mary morse <mrs1359@outlook.com>
Date: February 7, 2020 at 09:14:32 EST
To: "dga@portlandmaine.gov" <dga@portlandmaine.gov>
Subject: Munjoy Heights Historic District

We live at 208 Sheridan St and fully support the Munjoy Heights Historic District proposal and hope we can count on your support for this. Thank you, Robert and Mary Morse
Sent from my iPad

Google Groups

Historic District designation --support for approval

Robin Whitten <robin@audiofilemagazine.com>

Feb 7, 2020 10:40 AM

Posted in group: **Planning Board**

To Belinda Ray, Jon Jennings, Deb Andrews, Brandon Mazur and Portland Planning Board members,

As a 44-year resident of Munjoy Hill, I urge you to **approve** the Historic District designation proposed by the Historic Preservation Board.

The city agencies, community members and organizations have done a lot of excellent work and are recommending a workable, progressive plan for the Munjoy Hill neighborhoods.

Please do not delay or dilute the proposal, but vote to approve.

With regards,
Robin Whitten

Munjoy Hill resident and property owner since 1976
23 Saint Lawrence St. Portland

Google Groups

Please vote against the proposed historic district on Munjoy Hill

Heather Sullivan <heathersull@gmail.com>

Feb 7, 2020 11:28 AM

Posted in group: **Planning Board**

February 7, 2020

To the Planning Board and Portland City Council;

Please vote **against** the proposed historic district on Munjoy Hill. The increased costs on building maintenance will drive up rents in the area, when rents are already well above what the average worker in Portland can afford.

Those who purchased property on the hill before the recent boom (which include several of my friends and colleagues) will not be able to afford to meet the extra costs for siding, windows, and application fees. It is not appropriate to increase the costs for maintenance on properties by appealing to the history of an area that was working class!

The city needs to consider ways to make housing more affordable, and this proposed historic district will work against that.

Sincerely,
Heather Sullivan
32 Verrill St.

Greater Portland Landmarks

93 High Street

Portland, ME 04101

207.774-.561

portlandlandmarks.org

7 February 2020

Dear Chair Mazer and members of the Planning Board:

As we have stated, Greater Portland Landmarks supports the proposed designation of the Munjoy Hill Historic District. Through this city's commitment to historic preservation we believe Portland has been successful at achieving a balance between old and new that is attractive to new businesses, residents, and tourists alike. The establishment of the Munjoy Hill Historic District will ensure that balance continues on the eastern end of the city that is as historically significant as other neighborhoods already designated as local historic districts.

We believe that after careful study and an eight-month public process the Historic Preservation Board correctly found that the recommended district meets the criteria for designation identified in Division 3 of the historic preservation ordinance. The proposed district meets more than the minimum criteria for designation required in Section 14-610. The proposed boundaries encompass buildings representing key periods of development activity as well as those that represent the cultural and social significance of the African American families and immigrant families that lived and worked on the hill for generations. The boundaries also reflect the areas that retain the level of integrity required in Section 14-611.

Portland's Plan 2030 sets out many goals, including protecting the city's authenticity, enhancing our sustainability, and growing the number of housing units. Historic preservation has helped to conserve our city's authentic feel, but it also contributes to the city's sustainability and housing goals.

The historic preservation ordinance has permitted alterations and new construction at a variety of scales in the city's local historic districts. These new additions within the various districts enhance our city's streetscapes and accommodate new residential and commercial growth. In the last several years new housing units have been approved or built in individually designated buildings and in the West End, Deering Street, India Street, and Congress Street Local Historic Districts including the following larger-scale projects:

Project	# Units	Designation
27 Carleton Street	37 Units	West End Historic District
62 India Street	29 Units	India Street Historic District
605 Stevens Avenue	88 Units	National Register Historic Places Landmark
1 Joy Place	12 Units	West End Local Historic District
66 State Street	70 Units	West End Local Historic District

510 Cumberland Ave.	75 Units	Deering Street Local Historic District (Parkside)
443 Congress Street	28 Units	Congress Street Local Historic District
667 Congress Street	139 Units	Congress Street Local Historic District

Greater Portland Landmarks was founded on the belief that Portland's future is brighter if it builds upon the rich social, cultural, and architectural character of its past. Historic Preservation is not about freezing any community in time. Rather, historic preservation is about keeping buildings alive, in active use and responsive to the needs of the community. Building additions, ADUs, and new construction are all ways that historic districts accommodate diverse housing options, without destroying the beauty and history of our city's neighborhoods.



Historic preservation is also one tool that helps our city be more sustainable. Preservation and reuse of historic buildings reduces resource and material consumption, puts less waste in landfills, and consumes less energy than demolishing buildings and constructing new ones. In addition, the city's historic preservation program has approved environmentally friendly building systems like heat pumps and solar panels, which help to achieve the city's sustainability goals. Heat pumps and solar panels have been approved in the West End and India Street historic districts in recent years. The Historic Preservation Board also recently approved solar panels and a green roof installation on Munjoy Hill in their role as design reviewers in the Conservation Overlay District. To the left is an example of solar panels installed on a Winter Street dwelling in the West End several years ago.

Please include the contributions Portland's historic districts make to our city's goals to preserve authenticity, create housing, and bolster sustainability as you consider the effect of the proposed Munjoy Hill Local Historic District on other aspects of the city's comprehensive plan.

Thank you for considering our views.

Julie Ann Larry
Director of Advocacy
Greater Portland Landmarks

Google Groups

Munjoy Hill Historic District

Kevin Schochat <kevin@kevinschochat.com>

Feb 7, 2020 11:22 AM

Posted in group: **Planning Board**

As a resident of Munjoy Hill I am writing to support the creation of an Historic District in this important and significant neighborhood.

Please do not weaken this proposal. The historic preservation board diligently identified the elements in the neighborhood that support the creation of an historic district and their report should be respected and accepted.

Thank you
Kevin Schochat
215 Sheridan Street

Sent from my iPhone

Google Groups

Munjoy Hill Historic District

mary barrett <jinspec@maine.rr.com>

Feb 7, 2020 11:33 AM

Posted in group: **Planning Board**

Dear Chairman Mazer and Portland City Planning Board members,

I write to you as a 22 year resident of Portland in regard to the Historic District designation that is pending your approval. I am aware that the MHNO Board of Directors has unanimously voted to support the proposed Munjoy Hill Historic District and the six individual landmarks as nominated by the Historic Preservation Board on November 20, 2019.

I urge the Planning Board to take into consideration the substantial documentation acquired and recorded by the City Planning Staff with the assistance of the Historic Preservation Board, favoring the adoption of the Munjoy Hill Historic District designation, including the six landmarks. We strongly feel that Munjoy Hill, having played an important role in the history and evolution of Portland, deserves to take its place with the other designated Historic Districts that have served our city well.

Thank you for the work that you do on behalf of the residents of Munjoy Hill, and ALL the City of Portland.

Respectfully Submitted,

Mary Barrett

Google Groups

Munjoy Hill Historical Designation

Nancy Machesney <dmaches101@aol.com>

Feb 7, 2020 11:20 AM

Posted in group: **Planning Board**

Dear Planning Board Members,

I am writing to urge you to the approve the Munjoy Hill Designation as it is written.

It is important that we have rules and regulations in place that are adhered to protect these fleeting treasures and protect the beauty and flavor of what is uniquely Munjoy Hill.

Thank you for your consideration of this most important matter.

Respectfully,
Nancy Machesney
213 Sheridan Street

Google Groups

East End

Steven Inman <kajaido@gmail.com>

Feb 7, 2020 11:17 AM

Posted in group: **Planning Board**

Hello;

I'm writing regarding the Historic District designation that is pending approval as the Munjoy Hill Historic District. I believe that cities are typically areas that develop faster than suburban/rural areas, and this is not only normal but needed to keep the economy strong and people housed and employed. Portland has seen a lot of growth, especially in the East End, with WEX and a number of other projects going on - which I agree with.

However, it's also important that a city be liveable and sustainable. Much of the projects for housing happening on Munjoy Hill tend to remove not just old houses, with their own style, but also remove yards, trees, green space and outdoor space, to fill them with blocks to maximize occupancy. It seems to be rampant as well, with developers hurrying to tear down and build before any designations are put in place...and the city is ten steps behind. As this issue is discussed and debated, more and more quality old structures and green spaces are being torn down and being replaced with monolithic towering places that destroy any sense of neighborhood.

When I walk through the streets, in many older places along Lafayette, Merrill, Kellogg or Sheridan, I see people walking, interacting, kids playing. The newer structures, with no outdoor space, tend to remove people and insulate them, and the streets become empty with no sense of neighborhood.

So I strongly urge you to support this Historic District. Portland needs development and business, and homes for workers...but these homes need to be in liveable neighborhoods, not lifeless blocks.

Thank you!

Steven Inman

81A Vesper Street

Google Groups

Munjoy Hill

Edward Fiske Mooney <efmooney@syr.edu>

Feb 7, 2020 11:37 AM

Posted in group: **Planning Board**

To The Planning Board:

I am a resident of Munjoy Hill and love the relaxed friendly pace of life up here. The declaration of the historic district would preserve what's best in the neighborhood. A continued proliferation of hi-rise apartments adds traffic, and casts shadows over existing structures. The feel of a small, slow-moving neighborhood good for old-folks and kids would be diminished, bit by bit. Munjoy Hill would cease to be Munjoy Hill.

Thank you for your consideration.

Edward F. Mooney

Professor Emeritus,

Departments of Religion and Philosophy, Syracuse University

77 Vesper Street, #1, Portland, ME 04101

207-776-4615

<https://syr.academia.edu/edwardmooney>

Whatever causes night in our souls may leave stars.

~ Victor Hugo

Whatever causes fright in our souls may leave scars

-- David Morin

Google Groups

Munjoy Hill Historic District

Susan Yandell <sueyandell@gmail.com>

Feb 7, 2020 11:42 AM

Posted in group: **Planning and Urban Development**

Support itPlease do something GOOD for Portland.....THERE IS STILL TIME BUT MAKE HASTE .
Sue Yandell.51 Monument St.

Google Groups

Munjoy Hill Historic District

Sarah Auld <sauld@gmail.com>

Feb 7, 2020 11:59 AM

Posted in group: **Planning Board**

February 6, 2020

Dear Chairman Mazer, Planning Board Members and City Officials,

We support the Historic Preservation Board's recommendation to designate areas within Munjoy Hill as a local historic district

under the provision of the city's historic preservation ordinance.

We are homeowners and longtime residents of Munjoy Hill. Our children have attended Portland Public Schools, both Marada Adams and East End School. As a homeowning family on Munjoy Hill our most valuable investment is our property. We have watched the neighborhood grow and develop, and while we are not against development, we do feel there is a lack of vision and long term planning in the recent development. We feel a historic district would improve these issues. We urge you to respect the families and homeowners of Munjoy Hill—please *approve* the Board's recommendation as is.

Thank you for your consideration and efforts on our behalf.

Sincerely,

Sarah Auld and Tom Brokish

Auld-Brokish

43 Munjoy Street

Portland, ME 04101

207 899 0284

sauld@maine.rr.com

Munjoy Hill Historic District

Carol Connor <balsamique@live.com>

Feb 7, 2020 12:05 PM

Posted in group: **Planning Board**

Dear Chair and Members of the Planning Board,

As a Munjoy Hill resident and homeowner on the East End, I have a vested interest in the establishment of The Munjoy Hill Historic District. I am also in favor of including individual buildings outside the designated district that are deemed appropriate as stand-alone local landmarks. In support of preservation, I have requested that my home at 12 Montreal Street be granted landmark status. Built in 1855, it is one of the earliest working class homes on this part of the hill.

I appreciate the scrutiny that you must impose on the viability of this proposal, and understand it is a big step for the city, however I am heartened by the robust questions asked by the planning board at the last workshop on this topic. Hopefully the answers relieved skepticism and shed a positive light on property owners' rights and responsibilities within the historic district.

The Historic Preservation Board has done extensive research and documentation in developing this district, and I applaud their efforts to present a fair and sound proposal.

I've followed the progress of this initiative over the years and have come to realize that the best hope for preserving the unique quality and character of Munjoy Hill is through the protections provided by establishing this district along with the individual landmarks.

My vision for our city is that it thrives by insightful planning, thoughtful development and preservation of the treasures that define its character. Please support the Historic Planning Board's recommendation and act to establish the Munjoy Hill Historic District and Individual Landmark Designations.

Regards,

Carol M. Connor
12 Montreal St
Portland, ME 04101
balsamique@live.com

Sent from my iPhone

In favor of the Munjoy Hill Historic District

Ann Casady <ann@casadydesign.com>

Feb 7, 2020 12:07 PM

Posted in group: **Planning Board**

To: Portland City Planning Board members

I am a resident of Munjoy Hill. Since moving to Munjoy Hill 5 years ago, I can see that the rapid development in Munjoy Hill has the ability to destroy the character and charm of Munjoy Hill. The Munjoy Hill Historic District designation, along with the six landmarks will preserve a neighborhood that has historic significance. Once it is gone it can never be restored. I value those characteristics.

I urge the Planning Board to take into consideration the Historic Preservation Board's recommendations for Munjoy Hill.

Thank you for your consideration and the work that you do on behalf of the residents of Munjoy Hill, and the City of Portland.

Sincerely,
Ann Casady
Munjoy Hill resident

Hunjoy Hill Historic District

George Carhart <gscarhart@gmail.com>

Feb 7, 2020 12:09 PM

Posted in group: **Planning Board**

Dr. George Carhart
7 Lafayette St
gscarhart@gmail.com

I am a historian and have worked in historic preservation both in the US and Europe.

My wife and I are 24 year residents of the City of Portland. We have owned our home at 7 Lafayette Street for 20 years. Our house was built in 1849 and is one of the oldest houses still standing on Munjoy Hill.

I am in strong support of a Historic District on the East End/Munjoy Hill.

I would ask the Planning Board to consider a couple of points:

The historic district is about maintaining the historic landscape of the East End. The city has long protected the upscale large brick houses of the West End and the buildings of the Old Port. However, in the past, it has avoided the idea that the vernacular architecture that is indicative of the hill has any true historic value (a view that is not shared by the Historic Preservation Board). The history of architecture in Portland is not just that of upscale architecture, such as the plethora of John Calvin Stevens homes that populate the West End, but also the vernacular architecture that is found on Munjoy Hill. Many of the houses on the East End/Munjoy Hill predate the predominantly late 19th and early 20th century architectural baubles on the Western Prom that were protected by the city under a 1990 historic district.

The housing stock on Munjoy Hill dates to an era of great prosperity in the city, one that would see a century of development of the hill into a landscape of vernacular architecture that defined Portland's working class history. Though some dwellings had already been built on the hill, the subdivision and development truly began with the chartering of John A. Poor's Atlantic and St. Lawrence Railroad in 1845 and his Portland Co. foundry in 1846. The terminus and wharf facilities of this railroad under the shadow of Munjoy Hill, connected Montreal and Portland and gave Canada an ice free winter harbor, which would drive Portland's prosperity for almost a century. The prosperity also created a demand for housing for the thousands of workers who worked in the harbor, which by the late 1900's had become the sixth largest rail sea hub in North America. By the 1870's, the harbor side of the hill was covered by houses, many of which we still see today. Having been spared for the most part the destruction of the great fire of 1866, the development of the hill continued, and by 1900 much of the remaining land was built on. Unfortunately, or perhaps fortunately for today, Munjoy Hill was considered a rough working class, and therefore undesirable neighborhood, a stereotype that would keep it depressed right up until the late 1990's. This is why there are still so many of the original houses still standing on the hill today. Indeed unlike some other neighborhoods in the city, Libby Town and East Bayside, we are lucky in that neither the slum removal of the 1950's and 60's, nor the urban renewal of the 80's, had a large impact on this historic working class neighborhood. There are few New England cities that are so fortunate as to have such a cohesive example of 19th century vernacular working class architecture.

Where the West End tells a story of the wealthy businessmen of the city, the East End tells the story of the city's working class who underpinned the wealth of the city. This is a story worth preserving. I ask the Planning Board not to miss this chance to protect and preserve this historic treasure.

In my 12/10/2019 letter to the Planning Board on this subject, I strongly emphasized that in my opinion, the subject here is not about affordable housing. However I find myself needing to address this issue as those against the historic district are making a large point of it. Those opposed to the historic district, would have us believe that the district will stymie the development of more housing and therefore by association affordable housing. Although the historic district may limit their ability to knock down older buildings containing fewer units than their new buildings could, they are not increasing the number of affordable units/ rental or for sale. Most of the existing buildings in the proposed historic district have three to four units many of which fall within or are close to what is considered today to be affordable. Most of the new construction can be seen to only have the one mandated affordable unit (priced at top end of the affordable market). The developers also claim that the district will adversely affect their ability to offer affordable housing within the 100 foot zone around the historic district. Conceding what the new "affordable" units are being priced at on the hill, I find this disingenuous. For example the workforce/affordable unit (#7) in the new 130 Morning street development is being listed at \$695,000, (affordable ?). Well if we consider the range of the other units - \$795,000 to 1,495,000 then that is affordable, but not for any of the workforce workers in the City of Portland, Maine! Where were the "socially

concerned” developers during the housing shortage in the late 1990’s, when a triple decker on the hill went for \$175,000, a single family on a small 2,500 foot lot went for \$69,500, and a large single family on the Eastern Prom went for \$350,000, not here, because there was no profit to be had. The developers are not interested in affordable housing that is why they pushed back against it in the R6 overlay. Please do not allow yourselves to be influenced against the proposed historic district by smoke and mirrors of the developers who are only interested in a profit.

Lastly, The City of Portland is a thriving city today in a great part because of its tourism draw – hence the large number of hotels and short term rentals. Tourists come to Portland for a glimpse into New England history through the quintessential architecture that the city still possesses. Indeed due to this interest in our quintessential New England city, many firms have moved here and brought with them workers who have bought houses on the hill to be part of this neighborhood. If we allow this historic architectural cityscape to be eroded, then one of our main economic draws will disappear, leaving us to become just another sad shadow of a onetime important harbor city.

Thank you for considering to my thoughts,

With Best Respects

Dr. George Carhart

--

Dr. George S. Carhart, Ph.D
Historian of Cartography
and Early Modern Europe
Antiquarian Map Consultant
Historic Research Consultant

7 Lafayette Street
Portland
ME, 04101
USA
(207) 766-1517

Munjoy Hill Historic District

Lincoln Paine <lincoln.paine@gmail.com>

Feb 7, 2020 12:17 PM

Posted in group: **Planning Board**

Dear Chairman Mazer and Portland City Planning Board members,

I am writing to urge your approval of the historic district designation for Munjoy Hill. As you know, this measure is strongly supported by residents of Munjoy Hill. This is most obvious from the fact that the Munjoy Hill Neighborhood Organization's board of directors voted unanimously in favor of the historic district and the six individual landmarks as nominated by the Historic Preservation Board last November.

I have a personal stake in this matter as I have been an owner/occupier of a contributing property for nearly a quarter century. I have seen what the lack of such a designation can result in. Directly across the street are two buildings that are not contributing properties. One could have been, but was gutted and capriciously transformed out of keeping with the neighborhood or Portland generally; the other is a dreary, outsized building that replaced an old triple-decker.

I am not against progress or modernism in any way. (My grandfather was a director of the Guggenheim Museum in New York, so I know a bit about this.) But neighborhoods that have emerged organically over time deserve to have their integrity preserved, especially a neighborhood as rich in history as Munjoy Hill.

A city's physical characteristics define it in many ways, and neighborhoods like Munjoy Hill are as vital as parks. It deserves this historic district designation.

Thank you for your attention to this matter.

Sincerely,

Lincoln

150 Eastern Promenade
Portland, ME 04101 USA
Lincoln.Paine@gmail.com
Cell: 1 207 653-4420
LincolnPaine.com

Trustee, [Maine Maritime Museum](#)

Author, [Down East: An Illustrated History of Maritime Maine](#)

Author, [The Sea and Civilization: A Maritime History of the World](#)

Historic district and City Council concerns

Travis Agaman <index207@gmail.com>

Feb 7, 2020 1:06 PM

Posted in group: **Planning Board**

Hello,

I am a resident of Munjoy Hill in Portland and I'm writing again to express my serious concerns about and opposition to the proposed historic district overlay being proposed in the East End. As someone living on the hill that isn't affluent and/or retired, I feel like my voice has basically been ignored by the small contingent of public persons that are trying to force this issue through the city government. I have written to the Planning Board and City Council before, so I will try not to restate the same concerns again, instead I will ask that a new concern be taken into record:

Discussing the topic with my neighbors I have been informed that some of the people bulldozing the topic through the city planning process have partial or total ownership in companies that do historic renovations and restorations; representative Belinda Ray being one of them, and Deb Andrews of the Historic Preservation Board being another. This is exactly the kind of conflict of interest that should have been brought to public's attention, and should immediately be the end of the proposed overlay. The citizens of Portland's East End do not live here just to fill the pockets of councilors and city hall employees.

The Portland Planning Board has the power to end this historic overlay nonsense immediately. I ask you all to please stop it in its tracks now before more harm is done to the non-affluent and working class residents that still call Munjoy Hill home. At the very least, someone at city hall needs to look into the above mentioned conflict of interest, make it public, and take it into account when considering who is supporting this overlay proposal and why.

Thank you again for your time,
Travis Agaman
8 Emerson Street

Google Groups

Munjoy Hill Historic District

Alward, Amy <AmyAlward@allstate.com>

Feb 7, 2020 2:49 PM

Posted in group: **Planning Board**

Dear Portland Planning Board, Belinda Ray, Jon Jennings, and Deb Andrews,

As a 29 year resident of Munjoy Hill, I have lived and visualized the total transformation of our beloved Eastern Prom.

Please vote yes to pass the Munjoy Hill Historic District, so that we may retain some of the character and charm that has written the history on the Eastern Prom of some of the architectural beauties that make up this landscape.

Much time and thought has been spent reviewing this long awaited historical significance to preserve these properties.

Thank you for all that you do and for reading this.

Amy Alward LUTCF ChFC Agency Owner T: 207-767-3334 F: 207-767-6514 95 Ocean Street South Portland, ME 04106

Amy Alward LUTCF ChFC

Agency Owner

T: 207-767-3334

F: 207-767-6514

95 Ocean Street

South Portland, ME 04106



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Munjoy Hill Historic District

Elizabeth Peavey <peavey@gwi.net>

Feb 7, 2020 3:59 PM

Posted in group: **Planning Board**

I am writing to voice my support for the establishment of the Munjoy Hill Historic District. Please don't let money crowd out the character of this unique area of our historic city.

Sincerely Yours,

Elizabeth Peavey
Portland, Maine

Google Groups

Opposed to Munjoy Hill Historic District proposal

nick@masomurray.com <nick@masomurray.com>

Feb 7, 2020 6:08 PM

Posted in group: **Planning Board**

Feb 7, 2020

Planning Board and Portland City Council:

Hello - I am a property owner in the proposed Historic district on Munjoy Hill:

- I oppose the Historic District designation.
- I ask you to vote against it.

Please vote against the historic district proposal. Please focus on the R6 Portland-wide rezoning project 3 effort. Munjoy Hill already has city zoning and a zoning overlay. The historic district adds a 3rd layer. If the city zoning ordinance is so flawed it requires two additional layers of regulations and review to fix then a revision of the existing zoning ordinance would be more fair and efficient fix.

Please vote to preserve and encourage the Diversity of Munjoy Hill:

- 3 aggregate layers of regulation and review biases home ownership on Munjoy Hill to those who can afford to navigate multiple bureaucracies, regulations and review periods.
- the historic district's pricing discrimination effect on housing ownership effectively rations housing stock on the hill to us older more affluent folks who have moved here from out of town (I'm from LA). The historic district designation represses and discourages existing legacy, younger, working persons and family ownership and the diversity of community on the Hill.

Please take the appearance of conflicts of interest into consideration as you evaluate the merits of the historic district proposal:

- I am concerned that my district councilor Belinda Ray's participation in the historic district process is biased by her employment with and interests in O'Brien Wood and Iron, a company that advertises "Historic Renovations". She is my representative and I appreciate her working waterfront policies. But her position and her company's financial and business interests presents a conflict of interest that appears unfairly to benefit her and does not benefit or reflect the view of the majority of her constituency.

Regards,

Nick Murray

40 St Lawrence St.

Historic district on Munjoy Hill

traveltrip622@gmail.com <traveltrip622@gmail.com>

Feb 9, 2020 3:31 PM

Posted in group: **Planning Board**

Dear Portland Planning Board,

I'm writing to urge you to vote against creating a historic district on Munjoy hill. This is an ill advised attempt to control development that will have lasting impact on the home owners and the whole of Portland. Any homes that are actually historic can be preserved by designating them individually. The correct way to control growth is to undergo a comprehensive zoning effort to decide what shape Portland will take. There is an affordable housing crisis in Portland and adding blanket restrictions that prevent development.

Thank you very much,

James Rohman

57 Elmwood St.

Portland , Me 04103

Munjoy Hill Workshop Feb 11

James Hambly <jphambly@hotmail.com>

Feb 9, 2020 5:32 PM

Posted in group: **Planning Board**

Dear Deb Andrews,

We would again like to express both our support for the Munjoy Hill Historic District and our thanks for the efforts of everyone involved to bring the designaon t o reality.

The Munjoy Hill neighborhood has a look and feel we both love and enjoy every day. Dramac changes to some of the properes o ver the last few years have, in our opinion, been detrimental to that look and feel. Change does need to take place and, going forward, we look forward to the Historic Preservaon Departmen t having guidance over that change.

We hope that there will not be any further delays implemenng the his toric district.

Thank you.

James Hambly and Jenny Dignan
61 Monument St.
Apt 4
Portland, ME 04101

Google Groups

Munjoy Hill

Donna Jones <donnaajones@zwi.net>

Feb 10, 2020 10:55 AM

Posted in group: **Planning Board**

Hello. I am writing to record my support for the proposed Munjoy Hill Historic District.

Thank you for your work and i truly hope the new historic district can become a reality.

best

--

Donna Jones
772 0266
Portland

Support from a property owner on Munjoy Hill

Abbie McMillen <abbiemcmillen@mac.com>

Feb 11, 2020 10:33 AM

Posted in group: **Planning Board**

My husband and I own a second home in the proposed historic district. I wholeheartedly support the creation of the district. Some of the recent condo structures are ugly and totally out of character with the neighborhood.

We have friends who grew up there. One of the favorite boyhood activities was pretending to be a squirrel, and traversing the neighborhood as far as possible without feet ever touching the ground. Sounds like great fun, but such activities are impossible with the increasing blight of expensive multi-story condos with ground floor garages and no porches.

Preserve our neighborhood! And while you are at it, someone please fix the potholes on Vesper Street! This was promised more than 2 years ago.

Sincerely,

Abbie McMillen

Proposed Munjoy Hill Historic District

Anne Pringle <oldmayor@maine.rr.com>

Feb 11, 2020 10:18 AM

Posted in group: **Planning Board**

I am again unable, due to a meeting conflict, to attend your workshop today on the proposed Historic District. I reiterate the following comments, with emphasis on those in red. To me, these three sentences capture why an Historic District is needed to preserve the essential character of Munjoy Hill. Zoning alone is not the answer.

And -- Remember the refrain from Joni Mitchell's "Big Yellow Taxi"... "That you don't know what you've got 'til it's gone"... Please vote in favor of the proposed Historic District designation.

Anne Pringle

I have lived in the West End for 46 years, both before and after the Historic Preservation Ordinance was adopted by the Council (in 1990, I think) and the Western Prom Historic District created. We have had numerous projects on our home reviewed by the Historic Preservation Board and/or staff. In addition, in connection with my service on our neighborhood association Board, I have attended many HPB meetings over the years on residential, commercial and historic landscape projects.

I have found both the Board and staff to be respectful of applicant's desires and collaborative in finding cost-efficient solutions that meet applicant's needs as well as the Ordinance's guidelines. While some express understandable fear of the review that will come with Historic District designation, I can say from experience that they will find that fear unfounded.

Some oppose the Historic District designation on the basis that "the City shouldn't tell me what I can do with my property". Unfortunately, in recent years, we have seen what that can mean on Munjoy Hill, as the R-6 changes of several years ago have resulted in many unforeseen consequences.

For example, friends of ours who have lived on the Hill for 40+ years and been wonderful stewards of their historic home, saw the potential tear-down of the frame two-family directly across the street. A late Greek revival house, it was built around 1860 and had side and rear setbacks. The scale was totally consistent with the development pattern of the neighborhood. The building provided affordable housing and was in good condition. But it was presented as "unsalvageable" by the owners, who planned to replace it with five high-end condo units in a box-like structure built to the maximums allowed by the revised R-6. If they had succeeded in being able to "do what they wanted" with the property, it would have had a significant impact on all of their neighbors -- as has been the case with numerous other redevelopment projects on the Hill. (There is no question in my mind that the proposal would have been allowed under the existing zoning review process: thankfully, it was withdrawn because of significant site issues.)

So, whose "rights" should prevail when there is a conflict of interests? Should any neighbor be able to so dramatically affect the property context and value of abutters? What is the responsible public policy role in balancing competing interests?

I have been to several of the public hearings on the proposed designation and have heard and weighed the perspectives offered. Based on my personal experience, I believe that the proposed Historic District will provide the protection needed to assure that Munjoy Hill's unique built environment is not transformed in a way from which it will never recover.

Remember the refrain from Joni Mitchell's "Big Yellow Taxi"... "That you don't know what you've got 'til it's gone"... Please vote in favor of the proposed Historic District designation.

Anne Pringle

Neal Street, Western Prom Historic District

Google Groups

Historic district

Daryl Renschler <darhem@msn.com>

Feb 10, 2020 8:37 PM

Posted in group: **Planning Board**

I support wholeheartedly the greater Portland landmarks initiative to preserve the character and neighborhoods in Munjoy Hill. Lose the uniqueness of Portland and you have nothing.

Sent from my Samsung Galaxy smartphone.

2/10/2020 - PB Workshop 2 - Support Proposed Munjoy Hill Historic District

Karen Snyder <karsny@yahoo.com>

Feb 10, 2020 11:50 AM

Posted in group: **Planning Board**

Dear Chair Mazer and Planning Board Members,

The opposition has been using the below arguments which are not based on validated sources or facts.

Opposition Reason #1: Rents will be More Expensive if in Historic District. (FALSE)

Apartment Guide just rated Portland, ME as the third (3rd) highest rents in the nation for 2019.
<https://www.newscentermaine.com/article/money/maine-has-the-3rd-highest-rent-increase-across-the-us-in-2019-a-new-report-shows/97-b38456a1-8e0b-45f9-9d33-2a54848b2ecd>

These high rent increases are happening because of the predator developer speculation going on especially on Munjoy Hill which is reducing the long term rental housing supply which is causing rents to increase by replacing long term housing with seasonal luxury condos and luxury single family homes.

-Note: Rents on Munjoy Hill which is NOT in a Historic District are seeing the same rent price increases as on the West End which is in Historic District.

Opposition Reason #2: Maintenance will be more Expensive if in Historic District (FALSE)

In the Portland Historic Districts,

- One doesn't have to make improvements if they don't want to.
- In kind replacements are allowed - If you have vinyl siding and windows, you can replace with vinyl.
- Paint colors are not regulated.
- Mailboxes and landscaping not regulated.
- It is not necessarily more expensive to repair or remodel a home in an historic district.

Note: The majority of the opposition are NOT even in the proposed Munjoy Hill Historic District so this doesn't even apply to them.

Opposition Reason #3: There is only a Handful of People that Want Historic District. (FALSE)

It has been proven over and over again in the multiple City meetings and workshops that the majority of people

and residents want the proposed Munjoy Hill Historic District. The documented public comments and emails sent to the Historic Preservation Board and now Planning Board supporting the proposed Munjoy Hill Historic District is proven below.

	Email Sent to HPB or Planning Board					Public Comment at Meeting/Workshop				
	HD Yes	HD Yes %	HD No	HD No%	Total	HD Yes	HD Yes%	HD No	HD No%	Total
Portland, ME Meeting/Works Shop Held										
Historic Preservation Board Nomination - 11/20/2019	32	72.7%	12	27.3%	44	15	93.8%	1	6.3%	16
Planning Board Workshop #1 - 12/10/2020	99	76.7%	30	23.3%	129	23	74.2%	8	25.8%	31
Planning Board Workshop #2 - 2/10/2020 as of 11:45am	20	62.5%	12	37.5%	32		#DIV/0!		#DIV/0!	
Overall Total	151	73.7%	54	26.3%	205	38	80.9%	9	19.1%	47

Opposition Reason #4: Affordable Housing Can Not Be Built in Historic Districts (FALSE)

- I believe Portland has shown in the last 5 years that indeed affordable housing can be built in Historic Districts.

- Below chart shows that 40% of the affordable housing has been built in Historic Districts which represent only 8% of Portland area.

- Therefore, this shows a higher probability that affordable housing can be built in Historic Districts versus non historic districts.

Affordable Housing Projects in Portland, ME in Last 5 Years (2015-2019)					
Updated: 02/06/2020					
Historic District?	Historic District	Building Address	Building Status	Affordable # of Units	Type
N	N/A	58 Boyd St.	Under construction as of 9/2018	44	Apt.
N	N/A	81 East Oxford St. (Bayside Anchor)	Completed 2017	36	Apt.
N	N/A	409 Cumberland Ave.	Completed 2015	57	Apt.
N	N/A	134 Washington Ave. (Thomas Heights)	Completed 2015	18	Apt.
N	N/A	548 St. John St.	Completed	4	Apt.
N	N/A	977 Brighton Ave.	Under construction as of 9/2018	34	Apt.
N	N/A	95 Front St.	Permit Approved on 7/23/2019	63	Apt.
N	N/A	140 Park St. (Rosa True School)	Completed 2016	8	Apt.
N	N/A	605 Stevens Ave. (Motherhouse)	Completed 2018	66	Apt.
N	N/A	65 Munjoy St.	Completed in 2017	8	Condo
N	N/A	178 Kennebec St	Under construction as of 9/2018	40	Apt.
N	N/A	409 Cumberland St.	Completed 2015	46	Apt.
N	N/A	83 Middle St.	Announced not yet permit	49	Apt.
			Affordable Unit Total	473	60.03%
Y	West End	77 Pine St. (Butler School and Payson)	Completed 2016	56	Apt.
Y	West End	27 Carlton St.	Completed 2018	37	Apt.
Y	Deering Oaks	510 Cumberland Ave.	Under construction as of 9/2018	75	Apt.
Y	West End	66 State St.	Permit Approved on 8/13/2019	30	Apt.
Y	West End	66 State St.	Permit Approved on 8/13/2019	38	Lodging
Y	West End	160-166 State St.	Announced not yet permit	39	Lodging
Y	West End	99 Winter St.	Announced not yet permit	40	Apt.
			Affordable Unit Total	315	39.97%
			Overall Affordable Unit Total	788	
Source: https://www.portlandmaine.gov/781/2000-2007-Projects					

Please don't be fooled by these unfounded arguments.

Regards,
Karen Snyder
Waterville St Property Owner

Google Groups

M.H. Historic District Proposal

kathleen bender <kabendr@yahoo.com>

Feb 11, 2020 9:17 AM

Posted in group: **Planning Board**

Good Morning,

Please recommend the Council approve the Proposal as it is written, with current individual structures outside of the designated area most recently included. Deb Andrews and staff have worked diligently with Historic Preservation Board. It is time for a final decision, once and for all.

Thank you for your attention to this,

Kathleen Bender
11 North St

Google Groups

Munjoy Hill Historic District

mreppenhagen@yahoo.com <mreppenhagen@yahoo.com>

Feb 11, 2020 10:58 AM

Posted in group: **Planning Board**

Dear Chair Mazer and Planning Board Members,

As a 23-year resident of Munjoy Hill, I would like to express my unwavering support of the proposed Historic District.

Historic preservation, along with affordable housing, was wisely included in the 2017 Comprehensive Plan for the city. A Munjoy Hill Historic District would achieve both goals. Many of the historic buildings in our area have affordable housing units, and assuring they remain part of "the Hill" is one step in addressing that particular goal of the Comprehensive Plan. Opponents have argued that historic preservation does not address the issue of affordable housing ; however, 75% of new housing units built in the last five years in historic districts are affordable housing units. In addition, 40% of the overall affordable housing units were built in historic districts which represent only 8% of the whole city.

I strongly urge you to support the Munjoy Historic District as previously proposed.

Regards,

Marlies Reppenhagen

55 Morning St. 2-2
Portland, ME 04101

Support for Historic Preservation District on Munjoy Hill

Pamela Day <pday2304@gmail.com>

Feb 10, 2020 3:35 PM

Posted in group: **Planning Board**

As homeowners on Munjoy Hill for 15 years, we are writing to voice our continued strong support for the establishment of an Historic Preservation District on Munjoy Hill. For the past several years we have been alarmed at the pace of development on the Hill, especially the demolition of older homes that provide affordable housing to be replaced by expensive condos that darken our streets, obscure the greenspace, and diminish the vitality of the neighborhood.

The current zoning has done nothing to prevent the continuation of this thoughtless approach to building on the hill. Historic preservation will provide important protections for homeowners as well as tools for thoughtful development.

We urge the Board's favorable consideration of this proposal.

Pamela Day & Michael Petit

25 Waterville Street
Portland
207-461-1461

Hearing on Munjoy Hill Historic District

njordan@long-island.lib.me.us <njordan@long-island.lib.me.us>

Feb 10, 2020 8:48 PM

Posted in group: **Planning Board**

As property owners on Morning St and Vesper St, we fully support creating a historic district on Munjoy Hill.

The character of the hill matters, and this is a way to preserve it, and to contribute to the specialness of Portland. Big box high end condos are ugly. More important, they cannot provide the more affordable housing that the small 2 and 3 family buildings do, the traditional housing of the hill.

Nancy Jordan
Robert Jordan

Portland Planning
Portland City Council

CC: City Council

January 22, 2020

Hello & Happy New Year,

After December's workshop on this same topic, I walked away seeing a possible path forward. Then, after watching last night's Planning Workshop on R6, next steps for our great City seem clear.

The Planning Board is faced with many intersecting topics in the same season. Revising the R6, reviewing the Conservation Overlay on Munjoy Hill, revamping design documents, finalizing the Recode appear, in total, overwhelming. Add the question of adding a Historic District to Munjoy Hill and the City has a very complex, sometimes overlapping and confusing series of topics on their plate.

The good news is **the Recode rules the day** and is the opportunity the City has to address all of the other needs (both Planning and Citizen based needs.) My advice: Clear your (planning staff's and city council's) plate clean of all distractions except the Recode work. This envelops all other topics & will give your team & Staff focus.

- R6 revamp was an 'olive branch' to the Hill to address the fallout of the poorly constructed (by the City Council) Conservation Overlay District. Clearly, the voices during last night's workshop will not accept this work from Planning staff. Live comments from most in attendance last night were proven incorrect and the belief that the first draft of the new R6 is a 'liberalization of the R6' is preposterous. *Planning Board members, please do NOT support this when it may change in a month or so after implementation due to the Recoding efforts.*
- The Hill Conservation Overlay imposed many unintended consequences and needs to be repealed and addressed via the Recode process. *Planning Board members, please make this part of the Recoding scope.*
- An R6 should be an R6 citywide. The Hill, or any other neighborhood in Portland, does not require its own set of regulations (e.g., overlay or otherwise.) While the Hill has a group of tenacious advocates, please keep in mind they do not represent the entire Hill or the City. The Hill simply does not require special accommodations when compared to other neighborhoods.

- The proposed Historic District is a confused mess of a recommendation that proponents on the Hill believe will address zoning issues like demolition, size of building, etc. It will not. HD on the Hill is a red herring promoted by NIMBYs who attempt to fool others into believing it will address zoning matters. When in reality, it will only increase prices further and push development/housing crisis to other areas of the City. *Planning Board members, please do not support this when adding a 12th district has little-to-nothing to do with the concerns of the citizens &, as documented earlier, has been a process filled with issues.*

Note: re HD on the Hil, it is worth mentioning that the Historic Staff's memo presented in preparation for the December 10, 2019 Planning Board Workshop cites that criteria has been met for both 14-610 and 14-611. However, the memo does not explain how the criterion was met. Unless the memo is missing significant detail, the information provided does not adequately explain (thus satisfy) that the criterion has been met.

- While the Hill does have historic value to our city (14-610), how is its 'value [a] significant example of cultural, historic, architectural, archeological or related aspect of the heritage? Couldn't this be said about any neighborhood in our City?
- Re 14-611, the Staff memo cites a number of individual buildings as justification for the criteria. If individual buildings, why does the City need a large district? Why not simply designate those or recommend voluntary national designation or landmark assignments? It seems a 'stretch' to cite a small number of buildings on various streets as justification to convert a neighborhood.

Finally, as this new year starts, I want to sincerely thank the Planning Board. Witnessing what your team manages in terms of volume of work and public involvement (borderline harassment) is truly mind-boggling. You all deserve awards from tolerating the avalanche of (sometimes misinformed) comments from the same 12 people on each and every topic before you.

Best,

Carle Henry

Please SUPPORT the Munjoy Hill Historic District

Carol J. De Tine AIA <carol@carriagehousestudio.com>

Feb 11, 2020 1:44 PM

Posted in group: **Planning Board**

Dear members of the Portland Planning Board,

Please support the Munjoy Hill Historic District.

I live in a condo at 144 Vaughan St., in the West End Historic District. Twenty years ago when our slate roof needed to be replaced, our condo association couldn't afford to replace with slate. We were pleasantly surprised when the Historic Preservation Board suggested that asphalt shingles would be acceptable. In my experience over several projects, complying with the ordinance is not onerous in terms of time or costs. The significant benefits of retaining, and responsibly modernizing, what remains of our historic neighborhoods is well-documented. Please protect our historic neighborhoods, including those on Munjoy Hill.

Thank you,

Carol De Tine
144 Vaughan Street

Munjoy Hill Historic District

Charlton Smith <charltonsmith@me.com>

Feb 11, 2020 2:23 PM

Posted in group: **Planning Board**

To the Members of the Planning Board:

My wife and I have lived on Munjoy Hill from time to time beginning with an apartment on Vesper Street in 1964 and for several years in the 1990s at the Portland House. We presently live at 33 Turner Street in an 1850s farm house that we recently restored (photo below).

We are very much in favor of reasonable protections for the historic character of the historically significant areas. We are also aware that many of the old houses, and even entire neighborhoods, consist of houses that were never very good architecturally and are not worth preserving if the present owners wish to sell their property to developers.

Limiting the historic district to the parts of Munjoy Hill that are architecturally and historically significant is very much in the City's interest. At the same time new buildings on Munjoy Hill that are not in the historically protected areas should be subject to appropriate design standards. The new buildings do not need to be replicas of historic buildings and they may be of substantial size and architecturally modern, but their designs should be reasonably compatible with the buildings in the historically protected areas.

Thank you for your consideration.

Charlton Smith



Google Groups

Munjoy Hill Historic District

jcwcip@icloud.com <jcwcip@icloud.com>

Feb 11, 2020 1:59 PM

Posted in group: **Planning Board**

We write in support of the designation of the proposed Munjoy Hill Historic District. We see this as an essential technique to manage the growth of the city, and at the same time to preserve Munjoy Hill's current housing stock which is so important to the continued vitality of the city. As former residents of the Western Prom Historic District, we can attest to the fact that the rules and regulations which apply to historic districts in the city are not onerous, and that the city's historic preservation staff are most responsive to the needs of residents who need to work on their properties. It seems to us the the proposed district would be a "win win" for the residents and for the City of Portland.

Very truly yours,

John Watson & Nancy Brain
118 Congress Street, #303
Portland, ME 04101

Portland Planning Board Meeting: Public comment re-Historic District

Justine Denny <pashun4peace@gmail.com>

Feb 11, 2020 2:47 PM

Posted in group: **Planning Board**

Dear Planning Board,

Please consider my voice **strongly in favor of voting for the Historic Preservation Board's recommendation to designate an area within the Munjoy Hill neighborhood as a local historic district.**

I attended the last workshop at City Hall in person and spoke up passionately and from my heart as a renter who's lived on Munjoy Hill since August of 2009 both at 81 Vesper (5 years) and currently at 56 North St, Apt 203 (since 2015).

Just as the West End has been preserved as a historic district to which tourists flock year-round, Munjoy Hill is also a precious and **irreplaceable** crown jewel of this city Portland we call home.

The beauty and structural integrity of the houses, the multi-layered history that tells their stories and the stories of the neighborhood as a whole are all part of a unique microcosm that make Portland special and a one-of-a-kind attractive destination for visitors from near and far as well as for residents of this city to enjoy when spending time in the neighborhood and on the Eastern Prom.

In addition, designating Munjoy Hill as a historic district will prevent further irreversible erosion of the neighborhood's unique beauty and prevent developers--whose eye only seems to be fixated on financial profit--from tearing down perfectly livable homes and replacing them with box-ey structures one can see anywhere. Please allow these homes to be lovingly cared for so they can be handed down through the generations for our children's children to enjoy.

This is your opportunity to leave a lasting legacy that you can be proud of in years to come.

Please protect Munjoy Hill by voting in favor of a local historic district for Munjoy Hill neighborhood.

Sincerely,
Justine Denny
56 North St, Apt 203
Portland, ME 04101
207-332-5057

Google Groups

Munjoy Hill Historic District

Tom Keating <tjkeat@comcast.net>

Feb 11, 2020 12:47 PM

Posted in group: **Planning Board**

I wish to voice my support for the establishment of a Munjoy Hill historic district.

Thomas Keating
166 Pleasant Ave unit #: 4
Portland

Sent from my iPad