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 Planning Board will hold a remote meeting on Tuesday, July 21, 2020, 4:30 p.m. This meeting will take place using Zoom.

Virtual meets are allowed using emergency legislation approved by LD 2167; 1 M.R.S. §403A, that authorizes cities and towns to conduct meetings online.

Allow your computer to install the free Zoom app to get the best meeting experience.

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

ZOOM MEETING INSTRUCTIONS

You are invited to a Zoom webinar.
When: Jul 21, 2020 04:30 PM Eastern Time (US and Canada)
Topic: Planning Board Workshop and Public Hearing 07/21/2020

Please click the link to join the webinar: https://us02web.zoom.us/j/84137016327

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Webinar ID: 841 3701 6327
International numbers available: https://us02web.zoom.us/u/kpCv4FtIq

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https://www.portlandmaine.gov/remotePUD

Public comments will be taken for each item on the agenda and written comments should be submitted to planningboard@portlandmaine.gov

WORKSHOP - 4:30 PM

i. Level III Site Plan and Subdivision; 337 Cumberland Avenue; Portland Housing Development Corporation, Applicant. (estimated time 4:30 - 5:45 p.m.) The Planning Board will hold a remote workshop on a proposal for a seven-story mixed-use building containing a ground-floor child care facility and upper-story residential units. The subject property is 19,592 square feet in size, is zoned B-3, and is located within the Downtown Entertainment Overlay Zone. The proposed project is subject to the City's Site Plan, Subdivision, and Inclusionary Zoning Conditional Use standards.

ii. Level III Site Plan and Subdivision; 126 and 128 North Street; Upright Properties, LLC., and Josh Wojcik, Co-Applicants. (estimated time 5:45 - 7:00 p.m.) The Planning Board will hold a remote workshop on a proposal to develop a three-story, six-unit apartment building at 126 North Street and a four-story, six-unit condominium building with ground floor parking at 128 North Street. Two work force housing units would be provided within the proposed development. The development site is located within an R-6 zone and the Munjoy Hill Neighborhood Conservation Overlay District.

PUBLIC HEARING - 7:00 PM

1. ROLL CALL AND DECLARATION OF QUORUM

2. COMMUNICATION AND REPORTS

3. REPORT OF ATTENDANCE AT THE MEETING HELD ON 7-14-2020

Afternoon Workshop
244 Preble Street: Chann, Dundon, Dunfey, Mazer, Silk, Smith and Stanley present.
83 Middle Street: Chass, Dundon, Dunfey, Mazer and Smith present; Silk and Stanley Recused.

Evening Hearing
879 Congress Street: Chann, Dundon, Dunfey, Mazer, Silk, Smith and Stanley present.

4. REPORTS OF DECISIONS AT THE MEETING HELD ON 7-14-2020

i. R-6 to B-2b Zoning Map Amendment; 879 Congress Street; 879 Congress, LLC., Applicant. Stanley moved and Silk seconded a motion to find the proposed R-6 to B-2b zoning map amendment consistent with the Comprehensive Plan for the City of Portland and recommended adoption of the zoning map amendment to the City Council. Vote 7-0.

5. NEW BUSINESS

i. Level III Site Plan and Subdivision; 844 Stevens Avenue; 844 Stevens Avenue, LLC., Applicant. (estimated time 7:00 p.m.) The Planning Board will hold a remote public hearing on a proposal for a new 16-unit multi-family building and the renovation of an existing building to create office space and four dwelling units. The subject property is 21,989 square feet in size and is zoned B-2.

Memorandum
Planning and Urban Development Department
Planning Division

To: Chair Mazer and Members of the Portland Planning Board

From: Caitlin Cameron, Urban Designer

Date: July 17, 2020

Re: **July 21st, 2020 Planning Board Workshop**
Level III Site Plan, Subdivision, IZ Conditional Use
337 Cumberland Ave (PL-001140-2020) - 60 affordable housing units/childcare
Portland Housing Development Corporation and Elysian Enterprises LLC, Applicant

I. INTRODUCTION

Portland Housing Development Corporation with Elysian Enterprises LLC. has submitted a Level III Site Plan, Subdivision, and Inclusionary Zoning Conditional Use application for a mixed-use affordable residential project and childcare facility on Preble Street between Cumberland and Portland streets in the Bayside neighborhood. The proposal is for a six/seven story new building of 60 affordable rental apartments and structured parking to be attached to an existing day care center located in an existing church building. The parking includes structured spaces on-site for 17 vehicles – one of those spaces is proposed to be a carshare, one space is ADA, and 10 are tandem spaces. The required six affordable units will be provided on-site. The project is located in the B-3 zone and within 100 feet of the Congress Street Historic District and received an Advisory Historic Review by staff.

This Workshop was noticed to 77 neighbors and interested parties, and the public notice appeared in the *Portland Press-Herald* on July 10th and 11th 2020. The applicant will hold a Neighborhood Meeting on July 29, 2020, with notes to be included for the public hearing report. As of the writing of this report the Planning Division had not received any public comment.

Applicant: Portland Housing Development Corporation and Elysian Enterprises LLC (represented by Matthew Peters)
Agent and Civil Engineer: Atlantic Resource Consultants (Andy Johnston)
Architect: Kaplan Thompson Architects (Richard Lo)

Figure 1 Project Location and Zoning

Required reviews and requested waivers:

Applicant's Proposal	Applicable Standards
New construction over 20,000 sf	Sec 14-526 Level III Site Plan Review, B-3 Design Review, HP Advisory
Subdivision (60 dwelling units)	Sec 14-497 Subdivision Review
Multi-family Residential >10 units	Sec 14-487 Inclusionary Zoning Conditional Use
Parking Requirement Reduction (27%)	Ch 14 Div. 20 Off-street Parking/B-3 Zone
Waivers	**Citation**
Parking Aisle Width	City of Portland Technical Manual 1.7.2.3 Driveway Design
Parking Stall Dimensions	City of Portland Technical Manual 1.14 Parking Space Design

II. PROJECT DATA

SUBJECT	*DATA*
Total area of the site	19,592 sq ft
Total Disturbed Area	16,400 sq ft
Existing Zoning	B-3
Existing Use	Commercial building, surface parking, Day Care
Proposed Use	Residential, Day Care
Impervious Surface Area --Existing --Proposed --Net Change	 16,280 sq ft 14,890 sq ft -1,390 sq ft
Building Footprint --Existing --Proposed --Net Change	 5,470 sq ft 15,445 sq ft +9,975 sq ft
Building Floor Area --Existing --Proposed -Net Change	 10,940 sq ft 71,950 sq ft +61,010 sq ft
Proposed Room Mix -Efficiencies -One-bedroom -Two-bedroom -Three-bedroom	 20 15 15 10
Parking Spaces	24 (17 spaces; 7 car share equivalents)
Bicycle parking Spaces	34 (none existing)

III. EXISTING CONDITIONS

This site is within the Bayside neighborhood downhill from downtown and has frontage on three streets – Cumberland Avenue, Preble and Portland street. The development site has been aggregated by combining the existing church with the adjacent property. The property is currently occupied by a historic church building used for day care, a one-story commercial building, and surface parking.

The immediate surroundings include a mix of building scales and uses including parking garages, mixed-use commercial buildings, homeless services, and the Preble Teen Center. The site is within B-3 Downtown zone and sits on the corner. The scale of buildings varies but being a block away from the high spine of Congress Street and the

downtown includes some of the taller buildings on the peninsula along Cumberland Avenue. The streets are fairly wide but the sidewalks and streetscape tends to be narrow. The City of Portland is undertaking several street improvement projects in this areas in 2020 including replacing some of the sidewalks at the site of this proposal.

The parcel is also within 100' of the Congress Street Historic District and the 100' rule does apply. The existing church is a historic structure with significance but has not been officially designated as a landmark or included in the historic district.

The site is not visually prominent from most directions. The most visible portion of the project is the existing church and yard at the corner. The treatment of this landscape and the surrounding streetscape edges of the project is considered the most important as it relates to fitting the project into the context and intent of the B-3 zone.

AERIAL VIEW FROM EAST

Figure 2 Project Context

IV. PROPOSED DEVELOPMENT

The proposed building is shown in the Plan set and described in the applicant's submittal. The new construction includes an expansion of the day care facilities on the basement and ground floors with affordable residential units above. The yard spaces are almost completely dedicated to day care use. This image (Plan P23) shows the overall project view from Cumberland Avenue at Preble Street.

Figure 3 Project Rendering from Cumberland Avenue

The proposal includes:

- 60 affordable apartments
    - Six workforce housing units are required by Inclusionary Zoning – provided on-site
- Parking for 19 vehicles (structured) including a proposed car-share space
- Day Care Facility (existing + expanded) – within the existing church and expanded into the new construction
- Outdoor play areas

The elevation below faces Cumberland Avenue and shows the connection from the existing church building and the residential building (Plan P20 – P22). This parcel in the B-3 has a 85' height maximum and a 35' minimum.

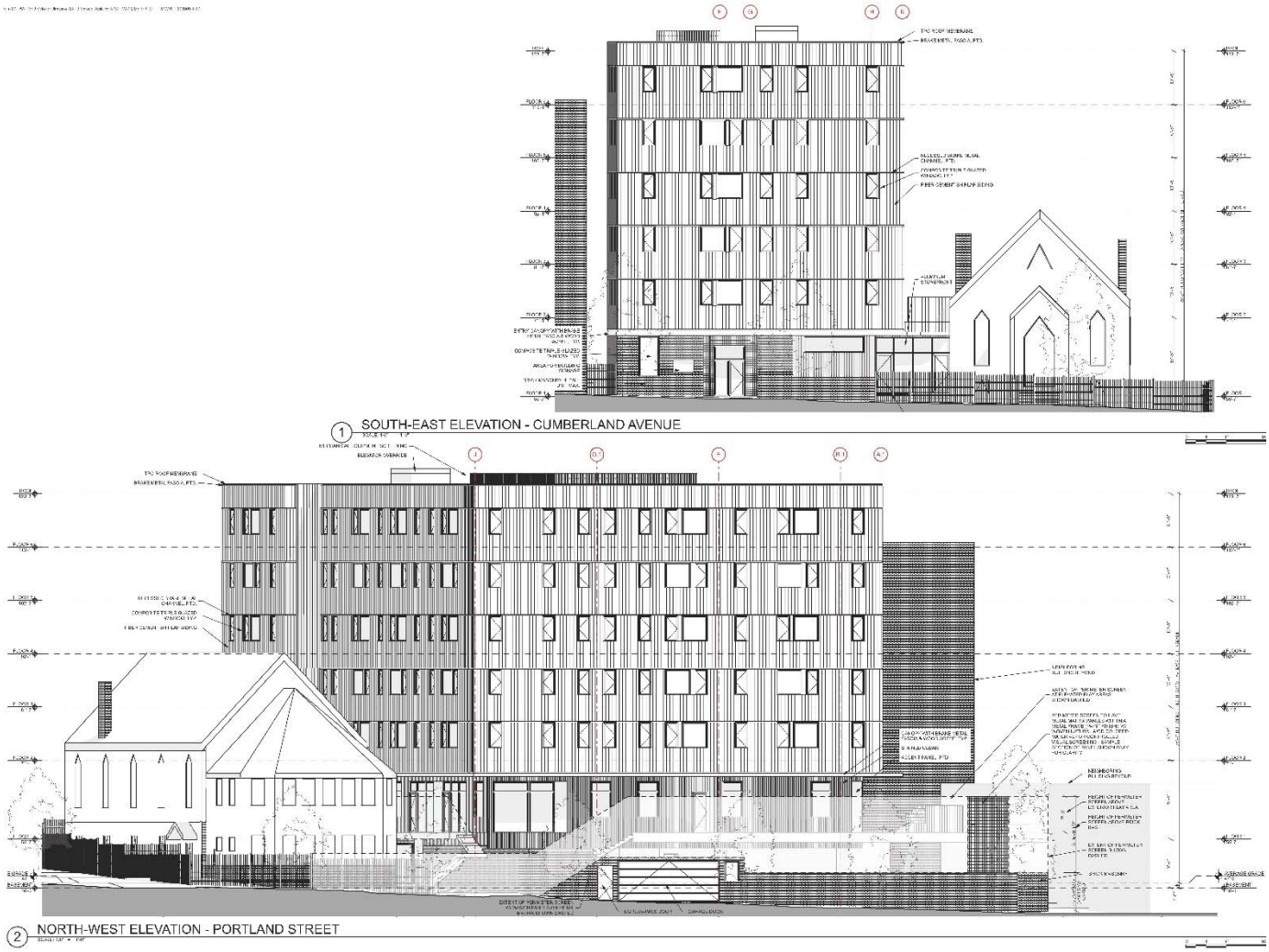

Figure 4 Elevations (Cumberland and Portland)

V. STAFF REVIEW

A. RIGHT, TITLE AND INTEREST

The applicant has submitted deeds for 331 and 337 Cumberland Avenue, an Option to Lease Agreement, and documentation showing name change from Trustees of the Portland Ministry at Large to Youth and Family Outreach (Attachment B).

B. ZONING ASSESSMENT

General Assessment: The proposed building is located in the B-3 zone and includes three street frontages. The project is not within the Pedestrian Activity District. The zoning dimensional requirements are permissive in this urban downtown zone – in most cases the requirements are intended to create dense, taller buildings that fill the site and maintain a street wall line. Regarding height, there is a minimum of 35' and for these blocks and 85' maximum (Downtown Height Overlay map). The project meets zoning except for the items noted below for Board discussion.

Height Minimum – the "connector" between the church and residential building is 24' tall to structure. More information is requested to understand the roof form of the connector. The zone allows for exemptions to the height minimum in certain circumstance. Staff propose the following exemption should apply to the connector allowing the design to remain as proposed with a supporting memorandum from Historic Preservation staff (Attachment 2)

> *. . . this provision shall not apply to:*
> *6. Additions to and/or relocation of designated historic structures or structures determined by the historic preservation committee to be eligible for such designation.*

Build-to Line – The project exceeds the build-to line at the location of the connector between the church and the residential tower. The front yard setback at that location is 26 feet and is only present for the width of the connector (15 feet). The B-3 zone allows for an increased setback with the following provision found in the Design Manual:

(1)d.2.Standards for increasing setback beyond street build-to line:

i. Provides substantial and viable publicly accessible open space or other amenity at the street level that supports and reinforces pedestrian activity and interest.
- The space is currently designed to include a walkway and entrance to the day care facility. Some of this area also includes fenced play yard. Staff suggest if this area were landscaped this would meet the requirement for public amenity.

ii. Does not substantially detract from the prevailing street wall character by introducing such additional setback at critical building locations such as prominent form-defining corners, or create a sense of discontinuity in particularly consistent or continuous settings;
- Staff do not find the street wall to be negatively impacted by this increased setback because the width of the deviation is limited, the street wall is maintained by the fenced yard and residential building line. The increased set back is mid-block rather than at the corner.

iii. Does not detract from existing publicly accessible open space by creating an excessive amount of open space in one (1) area or by diminishing the viability or liveliness of that existing open space;
- Not applicable

iv. The area of setback is of high quality and character of design and of acceptable orientation to solar access and wind impacts as to be attractive to pedestrian activity.
- Pedestrian activity is not negatively impacted by this increased setback either via shadow or wind.

v. Roof top appurtenances: All mechanical equipment, ventilating and air conditioning and other building systems, . . . or other rooftop elements not intended for human occupancy shall be fully enclosed in a manner consistent with the character, shape and materials of the principal building, as described and illustrated in the Downtown Urban Design Guidelines.
- Staff request more information about the roof form/design of the connector. However, this criteria appears to be met with regards to the small portion of the building that is seeking the exception.

Blank Wall Minimum – B-3 is intended to be an urban, active zone and includes limitations on the length of undifferentiated walls that may impact the ground floor experience and building interface with the public realm. Currently as proposed, the parking wall on Portland Street exceeds the 30' blank wall maximum with an undifferentiated, solid brick wall at the ground level and screen above. The Planning Board is asked to give guidance on how to better meet this standard and what changes are required for subsequent submissions.

Parking Requirement Reduction – The Applicant seeks Planning Board approval for a reduced parking requirement. 88 spaces (60 residential and 28 staff) are required by Division 20 Off-Street parking. The applicant has so far provided a Transportation Demand Management Plan, proposes a car share space, and parking space sharing. Staff,

however, request additional information to be able to make a recommendation. In addition, the B-3 zone allows for parking requirements to be met by a variety of methods – fee-in-lieu, off-site parking, car share. See comments below in the Site Plan review for additional staff comment.

	Required	**Proposed**
Lot Size (minimum)	none	19,592 sf
Street Frontage (minimum)	15'	122.82'; 110.84'; 175.16'
Build-to Line	5'	Met on all streets except for the connector on Cumberland*; Existing structure exempt
Lot Width (minimum)	0'	122.82'; 110.84; 175.16'
Blank Wall (maximum)	30'	58.5' on Portland
Height (min)	35'	24' at lowest point
Height (max)	85'	76.58'
Rear Setback	-	-
Side Setback	-	-
Side Setback	-	-
Lot coverage (max 100%)	19,592 sf (100%)	13,248 sf (68%)
Impervious	-	14,890 sf
Parking	60 + 28 = 88	16 + 8 = 24
Bike Parking	28	34

C. 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 1-5.*

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 provided evidence of capacity from the Portland Water District with conditions (Attachment E).

4. Soil Erosion

No unreasonable soil erosion or reduction in the capacity of the land to hold water is anticipated given the infill site. Site Plan (Plan P4) and Erosion Control Plan (Plan P7) provide information about stabilizing the site during and after construction.

5. Impacts on Existing or Proposed Highways and Public Roads

The applicant has provided a traffic and transportation analysis, Transportation Demand Management Plan, and Parking Management statement. Tom Errico, the city's consulting traffic engineer, does not have comments for this workshop regarding traffic impacts, but these will be provided for a future meeting.

6. Sanitary Sewer/Stormwater Disposal
A 6-inch sewer line is proposed to service the building and would outlet downhill to Portland Street. No grease trap is proposed – restaurant uses are not allowed as part of the building. The applicant received wastewater capacity letter from Department of Public Works (Attachment F). Storm drain also connects to existing Portland Street infrastructure. Of note is the current City of Portland work being conducted in the surrounding rights-of-way – moratorium repairs will be required in several locations.

7. Solid Waste
The applicant proposes a trash and recycling room in the basement level adjacent to the parking. The applicant is asked to provide more information about the disposal plan. The project is not anticipated to cause an unreasonable burden on the ability of the city to dispose of solid waste.

8. Scenic Beauty
This proposal is not deemed to have an adverse impact on the scenic beauty of the area. The project is within 100' of a historic landmark and includes a Historic Preservation Advisory Review at the staff level.

9. Comprehensive Plan
Portland's Plan 2030
The project is in keeping with the stated goals around affordability, equity, authenticity (preserving the historic building), and furthers the policy of creating complete neighborhoods. The project takes advantage of a central, downtown location near transit and walkable services.

Livable City: Housing – Local Goals met by this project
- 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.

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. Project has been reviewed for conformity with the zoning code – see staff analysis below.

D. SITE PLAN STANDARDS

14-526 Site Plan Standards

Traffic - Access, Circulation, Loading and Servicing
The current proposal keeps one curb cut onto Portland Street for a single entry/exit for all parking spaces. Staff request more information regarding pick-up/drop-off plan for the day care facility. Full staff analysis is pending.

Sidewalks – The surrounding sidewalks have recent or current sidewalk reconstruction projects that impact this site. Cumberland Avenue was reconstructed three years ago including decorative street lights – the applicant is requested to limit as much as possible disturbance to the sidewalk and moratorium repairs will be required (water connection is currently shown to Cumberland Avenue but could be relocated to Portland Street to avoid the extent of disruption). Preble Street is currently under construction and the sidewalk there will be reconstructed (without street lights) prior to the construction of this proposal – staff do not expect this project to affect that sidewalk. Regarding the Portland Street sidewalk design and reconstruction, staff have several revisions requested for the sidewalk design to meet the *City of Portland Technical Manual* standards especially regarding curb alignment, pedestrian crossings ramp, street trees, material transition – Portland Street is a concrete sidewalk designation that must transition to brick on Preble Street (Attachment 3). Staff will work with the applicant on further revising these designs and coordinating with City infrastructure projects. The Department of Public Works Senior Engineer had these additional comments (Attachment 3):

- *Curb replacement will not be easy along the existing street trees to be retained on the west side of the site. It appears they are replacing the curb a foot or so into the street, which creates a bit of a kink in the curb line. If this is indeed what is proposed, this may not be acceptable to DPW as it has potential ripple effects to street parking and winter maintenance. Will want more clarity on whether the ramp at Portland/Preble will be reconstructed; it's possible they aren't touching this at all and only doing the sidewalks along their construction frontage.*
- *The Applicant should show the grading, including spot grades at key inflection points, of the proposed sidewalk and driveway apron on Portland Street. Grades should meet ADA requirements. The driveway should ramp up to meet the sidewalk elevation, maintaining an ADA-compliant walkway through the driveway. It is possible that elevations may be an issue entering the basement level garage.*
- *The proposed street trees are likely too close to the driveway. The tree locations would likely be an issue for sight distance, and would possibly be located along tipdowns if a raised driveway apron is not feasible.*

Lauren Swett, civil engineering peer review, added this comment (Attachment 4):

- *The tree east of the driveway entrance conflicts with the proposed CB#1. This CB is also very close to the radius curb/tipdown in this area. The grading in this area around the driveway entrance should be shown in more detail with spot grades to show drainage intent.*

Public Transit Access - No transit shelter is required. The project is within a quarter mile of several existing bus stops.

Parking – The zoning requires 60 parking spaces for the residential project and parking for day care staff (28 employees according to the applicant's submittal) – yielding a total requirement of 88 parking spaces. 17 spaces are proposed (1 ADA) to be shared between the day care and residential users. The car share space would bring the equivalent total parking to 24 spaces. The parking is provided in a combination of structured, covered, and surface spaces (Plan P6). The B-3 zone allows for several options to meet the parking requirement including off-site parking, fee-in-lieu, carshare equivalent (8 spaces). Staff request backup data to support the parking demand of 42 spaces stated in the TDM plan as well as the proposed delivery of car share. In addition, staff made the following requests (Attachment 3):

- *The parking garage shows point locations for columns. Columns should be shown as large as their actual footprint. Columns generally should not be located within any parking space; spaces should be re-sized or*

re-oriented as needed. Minor encroachment can be acceptable as long as they do not hinder doors opening or vehicle maneuvers.

- *The parking lot orientation is irregular, with tandem spaces. Vehicle maneuvers should be provided showing vehicles entering a sample of parking spaces, assuming the adjacent space(s) are occupied.*
- *The majority of parking spaces provided are tandem spaces. This limits the utility of the parking provided. Any tandem spaces must be assigned to a specific use (daycare, or a singular unit in the residential space) or managed by a 24/7 valet. The Applicant should clarify the intended use of the parking spaces.*

Staff need more information in order to fully evaluate the requested waivers, parking reduction, and overall parking design. Board feedback is requested regarding request for reduced parking.

Snow Storage – None shown – there are no exposed paved areas associated with this project.

Transportation Demand Management – A TDM plan is included in the submission though not required for approval. Staff request additional information related to parking before providing comment.

Landscape Preservation / Site Landscaping and Screening – There are no significant landscape or natural features to preserve. The applicant shows fence screening for the majority of the site to provide protection/enclosure for the play areas. The majority of the open space is paved, hardscape rather than landscape.

Landscape Plan – The project does not include much in the way of landscaped area – most surface area is used for children's play. The City Arborist will need to evaluate whether the existing trees can remain as indicated.

- On Portland Street, the tree pits pinch the sidewalk down to 4 feet. As such, grates are preferred by DPW, but defer to City Arborist.
- Sixty (60) trees are required, ten (10) are provided = 50 trees x $400 = **$20,000 contribution to the Street Tree Fund**

Water quality, Stormwater Management and Erosion Control - Staff raised some questions related to oil/water separator and requested more information to conclude review. A Stormwater Maintenance Agreement will be required. See additional comments from Civil Engineer (Attachment 4).

- *The project is required to comply with Maine DEP Chapter 500 and City of Portland Technical Manual Section 5 requirements for stormwater management,*
- *They are constructing pervious pavement roof filters, and a rain garden on their site*
- *An oil water separator with a connection to the sewer will be required for the covered parking areas*

Public Safety - 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 final submission will be evaluated for the lighting and safety. The majority of the property has a fence or building at the property line.

- *An alley off of Portland Street includes a gate to control access - Who will have access to this alley and how is the neighboring property affected?*
- *The primary door to the Day Care is recessed with a canopy – What is the lighting and security plan for this space?*

Fire Prevention and Public Utilities – Applicant has provided the letter from the Water District and Department of Public Works showing capacity to serve (Attachment E, F). There are no additional comments or concerns from

the Fire Department at this time. Lauren Swett, civil engineering peer review, (Attachment 4) raises the following questions/concerns related to vaults:

- *. . . confirm that this size [vault] is adequate to ensure it can fit in the area shown, and that it can be installed by the necessary equipment in the relative close proximity to the remaining overhead lines.*
- *There is no separate vault shown for communication service, so they should confirm that they are not proposing to provide an underground service for communications into the building.*

Massing, Ventilation and Wind Impact and Shadows: Generally addressed in the Design Review. The project is not adjacent to any public park or open space. The height of the structure is comparable to surrounding buildings and will cast some afternoon shadow onto Portland Street behind.

Historic Resources – The project is within 100' of the Congress Street historic district and included an Advisory Historic Preservation Review as part of the design review (E. Design Standards).

Exterior Lighting incl Street Lighting – Staff will evaluate the photometric plan and building lighting when it is submitted. Street lights are not required in this case – already existing on Cumberland Avenue and Portland Street. Sidewalk on Preble will be reconstructed by City.

Noise and Vibration – The final submissions should clarify where the HVAC will be located and how it will be screened from the public ROW and neighboring residential properties even if the exact specifications are submitted later.

Construction Management Plan – Staff provided preliminary comment (Attachment 3).

E. DESIGN STANDARDS

The site is located within B-3 Zone with Downtown Design Guidelines and within 100' of the Congress Street Historic District.

Figure 5 View from Portland Street

Staff Analysis: Preliminary design review concluded that the building design generally meets overall intent of the zone with a few outstanding points regarding materials, façade design, screening wall and undifferentiated wall. For full comments, please see Attachment 1.

The surrounding built context includes a variety of building types, eras, and uses. City policy and the B-3 design standards are supportive of infill development with urban character that strengthens the street wall, increases density of uses, creates active frontages. It is appropriate to place taller buildings in this location. The existing church building provides a challenge – the design successfully attaches to this historic, low-rise structure with the use of a connector "hyphen" that provides physical connection of the uses but also keeps the two architectural expressions separate, giving breathing room to the church. The contemporary, simple expression of the residential building is an appropriate foil to the historic church architecture with its more elaborate roof forms and historic character. Applicant is asked to clarify the roof form of the connector.

The scale and massing of the new residential building is appropriate for the downtown setting and keeps the established street walls created on Cumberland Avenue and Portland Street. Staff point out that buildings on these downtown streets typically have a clear, directional face. For the Planning Board discussion - should the Cumberland Avenue block be revised in façade composition to create a stronger orientation/directionality for the building?

Staff raised concern about ground level façade design on Cumberland Avenue at the residential building entrance – the level of transparency and material placement should be reconsidered to create a more active and welcoming ground floor interface with the public realm (the renderings indicate an alternative design that would be more well-received).

The Portland Street façade is primarily structured parking and yard areas – the zoning maximum for inactive façade is exceeded here. More information is requested regarding the proposed screen and material detailing for what is over two stories of inactive façade. In addition, there are several entrances to the day care facility – provide more clarification or hierarchy to indicate which is the main entrance and who accesses the facility from what points.

Regarding materials, staff would like to understand the rationale for the selection of clapboard for a large-scale multifamily building –were alternatives considered? Red brick at the ground floor creates a grounded base for the building and relates somewhat to the materials of the surrounding street. However, the ground floor areas on both streets is solid and lacking active transparency and engagement with the pedestrian realm – brick as a material may be exacerbating this "blankness." Generally, staff support the choice to make this building clearly different from the church/day care and finds the contemporary design and grey palate to successfully fit into the existing streetscape. The simple and consistent material placement, dark grey/neutral color are also found to be an appropriate choice in this context. More information about the level of articulation and detail is requested to understand the level of visual interest, shadow lines created. For the Planning Board discussion - The lack of terminating element at the roofline of the building differs from traditional design – should this cornice line be better defined?

Additional images, samples, or renderings may be helpful to understand some of the questions raised above.

Staff request Board feedback on:

- Material selection appropriate to building scale and location – red brick base, clapboard upper
- Ground floor façade design – Cumberland Avenue
- Criteria to exceed build-to line on Cumberland Avenue
- Character and details of screening at Portland Street – Blank wall maximum is exceeded
- Building orientation and directionality
- Cornice line treatment

VI. INCLUSIONARY ZONING CONDITIONAL USE

The applicant is required by Division 30, Section 14-487 to provide six workforce housing units (on-site or off-site) or pay the fee-in-lieu. The applicant has proposed to provide all of these units on-site and meet the requirements. The Housing Program Manager has the following comments (Attachment 5):

- *The applicant has elected to provide forty-eight (48) units of low-income housing. Of those units, thirty-six (36) are targeted towards households earning at or below 50% AMI, and twelve (12) units target households earning at or below 60% AMI. Twelve (12) out of the 60 units will remain unrestricted.*
- *Based on the requirements outlined in Section 14-487, the development is required to provide a minimum of six (6) units with a total of 8 bedrooms for households earning at or below 100% AMI. As the applicant has elected to provide 80% of its units affordable at 50-60% AMI, they are providing a greater percentage of affordable units (80% versus the IZ requirement of 10%) at lower income targets (50-60% AMI versus the IZ requirement of 100% AMI) than required by the Ensuring Workforce Housing Ordinance. As such, the project has met the minimum requirements set forth in Section 14-487.*
- *Staff recommends the Board approve this Conditional Use provided the Applicant maintains a minimum of six units of housing at or below 100% AMI for a minimum of twenty years. Should the applicant fail to maintain these minimum housing guidelines then the Applicant and the City should enter into an agreed upon Affordable Housing Agreement (AHA).*

VII. NEXT STEPS

The final submission will need to fully address the Site Plan, Subdivision, Design Manual, and Technical Manual standards, including the following:

- Transportation:
    - A. Parking – evidence for parking demand
    - B. Information for Traffic Engineer review – vehicle management for tandem parking, revised turning templates
- Site Design:
    - A. Work with staff for sidewalks/ROW design and materials and street tree layouts
    - B. What is the status of the neighboring alley and how will access be impacted by this development?
- Safety: What is the lighting and security plan for the main entrance to the Day Care?
- Lighting: Provide Photometrics Plan, Lighting cut sheets
- Subdivision: Provide Plat, solid waste plan for review
- Stormwater/Civil: Revise drawings according to staff comment; Provide Stormwater Maintenance Agreement
- Zoning: Resolve outstanding staff questions – minimum height
- Design:
    - A. More information – screen wall, connector roof form, location/screening of HVAC, material transitions
    - B. Renderings with more information/views
- Utilities: Determine water access, moratorium street repairs and coordination
- Any other issues raised by the Planning Board

ATTACHMENTS:

Attachments to Memorandum

1. Design Memorandum
2. Memorandum from Historic Preservation – Minimum Height
3. Department of Public Works
4. Civil and Stormwater

5. IZ Conditional Use

Public Comment

None

Applicant's Submittal

A. Project Description
B. Right, Title and Interest
C. Technical & Financial Capacity
D. Consistency with City Master Plans
E. Utilities
F. Wastewater Capacity Letter
G. Stormwater Management Plan
H. Design Standards Review
I. Zoning Assessment
J. Traffic Assessment
K. Parking Management Plan + TDM
L. Construction Management Plan

Plans

P1 Cover Sheet
P2 Boundary Survey
P3 C-100 Existing Conditions + Demolition Plan
P4 C-101 Site Plan
P5 C-101A Utility Plan
P6 C102 Basement Parking Plan
P7 C-300 Erosion Control Notes + Details
P8 C-301 Civil Details I
P9 C-302 Civil Details II
P10 C-303 Civil Details III
P11 C-304 Civil Details IV
P12 ESC Notes
P13 Utility Plan
P14 A0.0 Context Images
P15 A1.1 Basement Plan
P16 A1.2 1st Floor Plan
P17 A1.3 Typical Floor Plan
P18 A1.4 Roof Plan
P19 A2.1 Elevations
P20 A2.2 Elevations
P21 A2.3 Elevation
P22 A2.4 Elevation
P23 Renderings
P24 Turning Templates
P25 Construction Management Plan

Planning and Urban Development Department
Planning Division

Subject: Design Review – 337 Cumberland Avenue
Written by: Caitlin Cameron, Urban Designer
Date of Review: Tuesday, July 14, 2020

The proposed development for the residential and day care development at 337 Cumberland Avenue was reviewed against the B3 Downtown Business Zone design standards. The preliminary review was conducted by Caitlin Cameron, Urban Designer, Andrew Tufts, Planner, and Deb Andrews, Historic Preservation Program Manager. The project is not within the Pedestrian Activities District or Encouragement areas.

Staff Comment – Preliminary
The following comments are meant to bring to the Board's attention the topics discussed and areas of concern.

The surrounding built context includes a variety of building types, eras, and uses. City policy and the B-3 design standards are supportive of infill development with urban character that strengthens the street wall, increases density of uses, creates active frontages.

(1)a.1. Relationship to the pedestrian environment: . . .within the first 35 feet of height shall enhance the character, attractiveness, comfort, security, and usability of the street level pedestrian environment. Factors to be considered: 1) storefronts and building facades 2) building entrances 3) blank facades 4) special features

Storefront/Facades: Staff raised concern about ground level façade design on Cumberland Avenue at the residential building entrance – the level of transparency and material placement should be reconsidered to create a more active and welcoming ground floor interface with the public realm (the renderings indicate an alternative design that would be more well-received).

Entrances: The primary residential entrance is oriented and directly accessible to the street. More emphasis and transparency could be introduced. There are several entrances to the day care facility – provide more clarification or hierarchy to indicate which is the main entrance and who accesses the facility from what points.

Blank Facades: The Portland Street façade is primarily structured parking and yard areas – the zoning maximum for inactive façade is exceeded here. The façade as designed on Portland Street is a solid, blank brick wall. More information is requested regarding the screen material. Although the use at this location is parking structure – the zoning requirement is not met for 30' maximum undifferentiated façade. Staff would like to hear from the Planning Board on whether the screen element might be considered to meet this requirement.

(1)d. Sidewalk areas and open space: The design of publicly accessible sidewalk areas and open space shall complement the general pattern of the downtown pedestrian environment, . . . enhance the attractiveness, comfort, security, and usability of the pedestrian environment. Factors to be considered include design, placement, character, durability, and quality of the following: sidewalk materials, landscape, lighting, pedestrian amenities, relationship to existing development.

The sidewalks and streetscapes will be developed according to the Technical Manual standards and Sidewalk Material policy.

The most visible and active edges of the property are faced by fencing around the day care facilities. Although this provides an active and visible interface, there is little amenity for the pedestrian experience. Staff appreciate that the fence allows for passers-by to see the church architecture which is still visible in this design.

More landscaping, especially at the Cumberland Avenue entrance might be more appropriate to meet the increase setback requirements.

(1)d.1. General: Proposed development shall respect, enhance, and be integrated with the existing character of the general pattern of development in the downtown, surrounding built environment and streetscape.

It is appropriate to place taller buildings in this location. There is considerable grade change throughout these two blocks contributing to some of the design decisions. The existing church building provides a challenge – the design successfully attaches to this historic, low-rise structure with the use of a connector "hyphen" that provides physical connection of the uses but also keeps the two architectural expressions separate, giving breathing room to the church. The contemporary, simple expression of the residential building is an appropriate foil to the historic church architecture with its more elaborate roof forms and historic character. Applicant is asked to clarify the roof form of the connector.

The scale and massing of the new residential building is appropriate for the downtown setting and keeps the established street walls created on Cumberland Avenue and Portland Street.

Staff point out that buildings on these downtown streets typically have a clear, directional face. Staff raise the question whether the façade composition should be revised to create a stronger orientation/directionality for the building?

Regarding materials and character, staff would like to understand the rationale for the selection of clapboard for a large-scale multifamily building – were alternatives considered?

Red brick at the ground floor creates a grounded base for the building and relates somewhat to the materials of the surrounding street. However, the ground floor areas on both streets is solid and lacking active transparency and engagement with the pedestrian realm – brick as a material may be exacerbating this "blankness."

Generally, staff support the choice to make this building clearly different from the church/day care and finds the contemporary design and grey palate to successfully fit into the existing streetscape. The simple and consistent material placement, dark grey/neutral color are also found to be an appropriate choice in this context. More information about the level of articulation and detail is requested to understand the level of visual interest, shadow lines created. For the Planning Board discussion - The lack of terminating element at the roofline of the building differs from traditional design – should this cornice line be better defined?

(1)d.2.Standards for increasing setback beyond street build-to line: This is covered in the zoning section of the Planning Board memorandum for July 21, 2020.

(1)f. Shadow impact on open space: Not applicable - the project is not adjacent to any public plazas, parks, or other publicly accessible open space. The project may cast some afternoon shadow on the private open space at Portland and Preble.

(1)g. Wind impacts: Significant wind impacts are not anticipated for a 6-7 story building on a street with buildings of similar height.

(1)h. Setbacks from existing structures: The proposal attaches to an existing historic church building and will be in close proximity to the neighboring building. The new addition was designed to provide a respectful "hyphen" between the smaller scale church and the taller residential mid-rise. Staff find the transition to be appropriate in scale and meets the intent of the standard to not create detrimental impact on that building. The new addition will replace an existing, one-story building with a party wall condition to the neighbor. The new residential building will keep a minimum 5' setback from the neighboring building so as to not block the windows or impact the structural integrity.

(1)i. Building tops: Not applicable – the project does not exceed 150 feet in height.

Additional images, samples, or renderings may be helpful to understand some of the questions raised.

Staff request Board feedback on:

- Material selection appropriate to building scale and location – red brick base, clapboard upper
- Ground floor façade design – Cumberland Avenue
- Criteria to exceed build-to line on Cumberland Avenue
- Character and details of screening at Portland Street – Blank wall maximum is exceeded
- Building orientation and directionality
- Cornice line treatment

Memorandum
Department of Planning and Development
Historic Preservation Program

To: Caitlin Cameron, Urban Designer
From: Deb Andrews, Historic Preservation Program Manager
Date: July 15, 2020
Re: Preble Chapel, 331 Cumberland

This memo is in response to your request for additional information about Preble Chapel, which is to be annexed as part of Portland Housing's proposed new development at 337 Cumberland. You have also asked for input as regards the applicant's request for a waiver of the minimum height requirement in this zone as it would apply to the connector proposed to link the existing chapel and new building immediately west of it.

The Preble Chapel was designed by John Kirby in 1899 and occupies the site of an earlier Unitarian chapel built in 1851. The land and funds were donated by Mary Deering Preble. In the mid-19th century, a desire for education on the part of many adults who had been denied an early education led to Portland's first adult education classes being held in the basement of the Preble Chapel. It closed as a chapel in 1977.

While not listed in the National Register or designated under Portland's historic preservation ordinance, the building is historically and architecturally significant and likely eligible for individual designation under Portland's historic preservation ordinance. Had the Congress Street Historic District included the north side of Cumberland (the district extends to include portions of the south side of Cumberland only), the Preble Chapel

would have been classified as a contributing structure in the district. Notwithstanding the fact that the building lacks formal designation, historic preservation staff has reviewed several CDBG-funded exterior alteration projects in recent years to ensure that the building's historic character was preserved.

With respect to the connector proposed to link the Chapel and the new construction at 337 Cumberland, staff finds that the proposed design treatment is compatible with the historic structure in terms of reading as a neutral "hyphen" between the two buildings. The height of the connector and its relationship to the height of the Chapel is important to the success of the proposal. Historic Preservation staff supports the applicant's request for a waiver of the 35' height minimum in order to maintain an appropriate height relationship.

337 Cumberland Avenue
Planning Board Workshop – comments
July 21, 2020

Mike Tremblay – Department of Public Works

- Moratorium streets: Cumberland and Preble streets are set to be paved this summer (not next week as I indicated previously). I sent a separate email suggesting that the Applicant work with PWD to get water stubs in on Cumberland Avenue. However, an alternate solution may be necessary as I understand it is unlikely that the Applicant has funding to do at-risk work ahead of approval.

It is extremely unlikely they'll be able to get utility stubs in on either of these streets before they are paved. As such, we encourage all utility connections to be made into Portland Street. Moratorium repair costs will be hefty, particularly on Cumberland Avenue as DOT is doing the paving, which means a larger repair. Moratorium excavation is also subject to approval of the DPW Director, and we are very hesitant to allow excavation of brand new pavement.

Tree pits: On Portland Street, the tree pits pinch the sidewalk down to 4 feet. As such, grates are preferred by DPW, but we refer to Jeff's expertise.

Sidewalk replacement: It would appear that new granite curb is proposed along the entire frontage on Portland Street. I would assume this also means new sidewalks, but we should verify. Curb replacement will not be easy along the existing street trees to be retained on the west side of the site. It appears they are replacing the curb a foot or so into the street, which creates a bit of a kink in the curb line. If this is indeed what is proposed, this may not be acceptable to DPW as it has potential ripple effects to street parking and winter maintenance. Will want more clarity on whether the ramp at Portland/Preble will be reconstructed; it's possible they aren't touching this at all and only doing the sidewalks along their construction frontage.

- It is unlikely that the Applicant will be able to tie stormwater into Preble Street before Preble Street is paved this summer. They will need to propose an alternative.

- The Applicant should show the grading, including spot grades at key inflection points, of the proposed sidewalk and driveway apron on Portland Street. Grades should meet ADA requirements. The driveway should ramp up to meet the sidewalk elevation, maintaining an ADA-compliant walkway through the driveway. It is possible that elevations may be an issue entering the basement level garage.

- The proposed street trees are likely too close to the driveway. The tree locations would likely be an issue for sight distance, and would possibly be located along tipdowns if a raised driveway apron is not feasible.

- The Applicant proposes new concrete sidewalks and granite curb along Portland Street. It is unlikely that new curb would be able to be installed along existing trees without harming these trees. The Applicant should coordinate this with Jeff Tarling.

- It appears that the applicant is proposing to narrow the roadway by about 1 foot. to accommodate the sidewalk and street trees on Portland Street. Please confirm. Portland Street is the subject of a long-term plan by the City and any changes to its cross-section should comply with this plan.

- The parking garage shows point locations for columns. Columns should be shown as large as their actual footprint. Columns generally should not be located within any parking space; spaces should be re-sized or re-oriented as needed. Minor encroachment can be acceptable as long as they do not hinder doors opening or vehicle maneuvers.

337 Cumberland Avenue
Planning Board Workshop – comments
July 21, 2020

- The parking lot orientation is irregular, with tandem spaces. Vehicle maneuvers should be provided showing vehicles entering a sample of parking spaces, assuming the adjacent space(s) are occupied.

- The majority of parking spaces provided are tandem spaces. This limits the utility of the parking provided. Any tandem spaces must be assigned to a specific use (daycare, or a singular unit in the residential space) or managed by a 24/7 valet. The Applicant should clarify the intended use of the parking spaces.

CM plan:

- A more detailed CM plan should be submitted, with more detail on trailer locations, site driveways, solid waste storage, erosion and sedimentation controls, etc.
- The current plan appears to call for long-term closure of parking lanes and possibly vehicle travel lanes. It shows fencing extending into both Cumberland Avenue and Portland Street. If closures that affect vehicle traffic are proposed, a detailed traffic management plan must be submitted and approved.
- The CM plan proposes full closure of sidewalks on both Portland Street and Cumberland Avenue. ADA-compliant pedestrian detours must be provided, using MUTCD-compliant signage,
- The CM plan narrative should include a dewatering plan. The Applicant should refer to the more recent CM plan template saved
here: https://www.portlandmaine.gov/DocumentCenter/View/18030/General-Construction-Management-Template

337 Cumberland - missing items?

Lauren Swett <lswett@woodardcurran.com> Thu, Jul 16, 2020 at 6:28 AM
To: Caitlin Cameron <ccameron@portlandmaine.gov>
Cc: "thomas.errico@tylin.com" <thomas.errico@tylin.com>, "Tarling, Jeff" <jst@portlandmaine.gov>, Mike Tremblay <mtremblay@portlandmaine.gov>

Hi Caitlin,

I have the following comments on 337 Cumberland:

First, a question for Mike: Should the paving being done at the apron to the alleyway west of the site be concrete to match the sidewalk? It's identified as "ownership unknown" so I am assuming this would be like a driveway.

- The project is required to comply with Maine DEP Chapter 500 and City of Portland Technical Manual Section 5 requirements for stormwater management, looking at the Basic, General/Redevelopment, and Flooding Standards. They are constructing pervious pavement roof filters, and a rain garden on their site.
    - Basic Standards – They've provided details and general notes for erosion and sedimentation controls, but I don't see their ESC features (construction entrance and catch basin protection) shown on any of the plans.
    - General/Redevelopment Standards – They have spoken about compliance in general terms, but have not provided specific numbers. They should identify if there is new impervious surface being created, and how much non-roof redeveloped area is being created for the record. I believe they are more than meeting the standard. They will need to provide a stormwater maintenance agreement for the proposed stormwater treatment systems.
    - Flooding Standards – They are not increasing stormwater flow from the site.
- They have received ability to serve from some of their utilities, but I believe they are still waiting for sewer.
- They are showing a relatively small vault for their electric service – based on my own recent experience they should confirm that this size is adequate to ensure it can fit in the area shown, and that it can be installed by the necessary equipment in the relative close proximity to the remaining overhead lines.
- There is no separate vault shown for communication service, so they should confirm that they are not proposing to provide an underground service for communications into the building.
- All stormdrain and sewer connections to a City of Portland system require a manhole for connections of 8" or greater. They are proposing a 10" stormdrain line in the Portland Street to connect to the existing main in Preble Street. A manhole will be required in Preble. They are proposing an 8" connection from their site to this new line in Portland Street, and a manhole will be required here as well. There is also a roof drain connection shown in Portland Street, but no pipe size has been provided.
- No drainage structures or piping is shown in the pervious play area west of the building. This has been modeled connecting to the stormdrain as part of the stormwater management plan, so they should confirm drainage intent here.
- Mike has commented on some sidewalk constraints relative to the proposed tree grates. I will add that the tree east of the driveway entrance conflicts with the proposed CB #1. This CB is also very close to the radius curb/tipdown in this area. The grading in this area around the driveway entrance should be shown in more detail with spot grades to show drainage intent.
- An oil water separator with a connection to the sewer will be required for the covered parking areas.

Please let me know if you have any questions.

Thanks!

Lauren

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On Thu, Jul 9, 2020 at 2:33 PM Mike Tremblay <mtremblay@portlandmaine.gov> wrote:

Caitlin,

These are non-exhaustive comments; I haven't had a chance to dive deep into this with Keith yet, which is scheduled for tomorrow. Once I do I'll send a full comment list.

Moratorium Streets: Cumberland Avenue is being milled this week and will likely be paved next week. Preble Street is ongoing and will likely be paved in the next few weeks. It is extremely unlikely they'll be able to get utility stubs in on either of these streets before they are paved. As such, we encourage all utility connections to be made into Portland Street. Moratorium repair costs will be hefty, particularly on Cumberland Avenue as DOT is doing the paving, which means a larger repair. Moratorium excavation is also subject to approval of the DPW Director, and we are very hesitant to allow excavation of brand new pavement.

Utility plan: They show utilities on the site plan, but a separate plan is preferred so that review of the site plan is easier.

Tree pits: On Portland Street, the tree pits pinch the sidewalk down to 4 feet. As such, grates are preferred by DPW, but we refer to Jeff's expertise.

Sidewalk replacement: It would appear that new granite curb is proposed along the entire frontage on Portland Street. I would assume this also means new sidewalks, but we shoudl verify. Curb replacement will not be easy along the existing street trees to be retained on the west side of the site. It appears they are replacing the curb a foot or so into the street, which creates a bit of a kink in the curb line. If this is indeed what is proposed, this may not be acceptable to DPW as it has potential ripple effects to street parking and winter maintenance. Will want more clarity on whether the ramp at Portland/Preble will be reconstructed; it's possible they arent' touching this at all and only doing the sidewalks along their construction frontage.

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

On Thu, Jul 9, 2020 at 11:17 AM Caitlin Cameron <ccameron@portlandmaine.gov> wrote:

> For now, I would like to make a list of questions and missing items needed to complete review of the project. PB workshop on 7/21 will highlight unresolved items and discussion of parking, design, sidewalk design.
>
> So far I have the following:
>
> Missing items:
>
> - plat
>
> - utility plan
>
> - parking analysis
>
> - parking management/allocations
>
> Outstanding questions:
>
> - sidewalk replacement extent
>
> - street tree treatment (grates or raised granite?)
>
> - sidewalk material transitions
>
> - status of moratorium streets
>
> Anything else?
>
> --
>
> Caitlin Cameron, AICP, Associate AIA, LEED AP
> Urban Designer
> Planning & Urban Development Department
> 389 Congress Street
> Portland, ME 04101
> phone: (207) 874-8901
> email: ccameron@portlandmaine.gov

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.

CITY OF PORTLAND, MAINE

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

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

Date: July 8, 2020

Subject: 337 Cumberland Avenue- Inclusionary Zoning

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 337 Cumberland Avenue proposes the creation of 60 dwelling units of rental housing consisting of nineteen (19) studio, sixteen (16) one-bedroom, fifteen (15) two-bedroom, and ten (10) three-bedroom units. The applicant has elected to provide forty-eight (48) units of low-income housing. Of those units, thirty-six (36) are targeted towards households earning at or below 50% AMI, and twelve (12) units target households earning at or below 60% AMI. Twelve (12) out of the 60 units will remain unrestricted. Based on the requirements outlined in Section 14-487, the development is required to provide a minimum of six (6) units with a total of 8 bedrooms for households earning at or below 100% AMI. As the applicant has elected to provide 80% of its units affordable at 50-60% AMI, they are providing a greater percentage of affordable units (80% versus the IZ requirement of 10%) at lower income targets (50-60% AMI versus the IZ requirement of 100% AMI) than required by the Ensuring Workforce Housing Ordinance. As such, the project has met the minimum requirements set forth in Section 14-487.

In addition to the above information, the applicant is in the process of requesting approval by the City Council for Housing Trust funds and an Affordable Housing TIF. As the recipient of housing subsidies, the applicant would be required to maintain an on-going affordability term

of 30 years for the development project. Comparatively, Division 30, Section 14-487 (e) 7 sets the minimum term of affordability at 20 years for projects in which at least 50% of the units would be affordable to rental households earning at or below 100% AMI. As such, the project would meet the minimum requirements set forth in Section 14-487.

Staff recommends the Board Approve this Conditional Use provided the Applicant maintains a minimum of six units of housing at or below 100% AMI for a minimum of twenty years. Should the Applicant fail to maintain these minimum housing guidelines then the Applicant and the City should enter into an agreed upon Affordable Housing Agreement (AHA). The Affordable Housing Agreement would outline the details of the affordability restrictions placed on six (6) Workforce Units and would be filed as covenant to the property's deed with the Cumberland County Registry of Deeds.

Sincerely,

Victoria Volent
Housing Program Manager

102 Exchange Street Portland, ME 04101 | (207) 842-2888 | kaplanthompson.com

June 01, 2020

Att. A

NEW MIXED USE BUILDING
337 CUMBERLAND AVENUE, PORTLAND ME
FOR THE PORTLAND HOUSING DEVELOPMENT CORPORATION

The following outlines how the proposed project has been designed to meet the applicable standards of the City of Portland associated with Level III: Site Plan review.

GENERAL DOCUMENTS - PROJECT DESCRIPTION

The site of the proposed new 7-story building is at 337 Cumberland Avenue (formerly Maria's Restaurant), immediately next door to the existing Youth and Family Outreach child-care "chapel" building at 331 Cumberland Avenue. The project developer is the Portland Housing Development Corporation, the real estate development arm of the Portland Housing Authority.

The new building will include residential units for the Portland Housing Authority (PHA) above provide much-needed expanded childcare space on the ground floor for Youth and Family Outreach (YFO). A connection at ground floor on Cumberland Avenue and basement level will link the existing "chapel" building to the new building. Covered parking for approximately 21 cars plus building support spaces and facilities will be at Basement level with at grade access from Portland Street.

- The building will have 6 stories on the Cumberland Avenue side and 7 stories on the Portland Street side, due to the slope of ground across the site.
- Total floor area of the new building is +/- 65, 570 sf (gross enclosed space, incl garage).
- Total floor area of the existing chapel is +/- 6,380 sf (gross enclosed space).
- The upper five floors will include a total of 60 new residential apartments with a mixture of unit sizes including twenty (20) studio apartments, fifteen (15) 1 BR, fifteen (15) 2 BR, and ten (10) 3 BR apartments.
- 80% of the apartments will be permanently Affordable and 20% will be Market Rate with no differentiation of apartment size or interior finishes.
- The Youth and Family Outreach and Portland Housing portions of the building will each have a separate entrance off Cumberland Avenue.
- Vehicle access to the garage will be off Portland Street.
- Exterior space around both the existing chapel and the new building will offer a variety of exterior play environments and landscaped areas for the childcare facility.
- There will be landscaped areas surrounding the existing chapel at grade plus new elevated outdoor play spaces, including above the parking garage. The elevated outdoor spaces will have several planting areas but will primarily have artificial turf or pavers.

The project also includes significant alterations to the interior of the existing chapel building, while the exterior is expected to remain largely unchanged in appearance.

The project seeks to increase the number of children and staff to at least 107 children and 28 Full Time Equivalent staff in the combined existing and new spaces.

102 Exchange Street Portland, ME 04101 | (207) 842-2888 | kaplanthompson.com

June 01, 2020

Att. B

NEW MIXED USE BUILDING
337 CUMBERLAND AVENUE, PORTLAND ME
FOR THE PORTLAND HOUSING DEVELOPMENT CORPORATION

The following outlines how the proposed project has been designed to meet the applicable standards of the City of Portland associated with Level III: Site Plan review.

GENERAL DOCUMENTS – RIGHT, TITLE, AND INTEREST

The site of both the proposed new building and the existing "chapel" building, at 337 and 331 Cumberland respectively, are owned by Youth and Family Outreach.

- 337 Cumberland Avenue, LP has an Option to Lease Agreement with Youth and Family Outreach.
- Portland Housing Development Corporation is acting as Development Agent for the redevelopment.
- 331 Cumberland was initially acquired by YFO in 1850. Their name at that time was Trustees of the Portland Ministry at Large. In 2009thename was changed to Youth and Family Outreach.
- 337 Cumberland initially acquired by YFO in 2018.

Enclosed documents:

- Deeds of 331 and 337 Cumberland.
- Option to Lease Agreement
- Documentation showing name change from Trustees of the Portland Ministry at Large to Youth and Family Outreach.

Kaplan Thompson Architects

350

KNOW ALL MEN BY THESE PRESENTS, THAT

I Mary Preble of Portland in the County of Cumberland, Widow

in consideration of ~~the sum of~~ one Dollar to me paid by the Trustees of the Portland Ministry at Large a corporation established by the laws of Maine, and of my desire to promote the objects of their association ~~the receipt whereof~~ ~~do hereby acknowledge~~, do hereby give, grant, ~~bargain~~, sell and convey unto the said Trustees, their successors ~~heirs~~ and assigns forever, the following described parcel of land situated in said Portland, viz: beginning at the corner made by the Southwesterly side of Preble Street, & the Northwesterly side of Cumberland Street, thence Northwesterly by Preble Street to Portland Street, thence by Portland Street as said Street runs sixty eight feet to land owned by me, & now occupied by Miss Mains, thence Southeasterly by said land as the fence now stands to Cumberland Street, thence by Cumberland Street sixty eight feet to the first bounds.

Provided however, and this deed is upon the express conditions, viz. That said Trustees shall, within two years from this date erect on said land a chapel for the benefit of the Poor under the charge of said Ministry at large, and further, that the land hereby conveyed shall be used for no other purpose, than that mentioned above, and provided further that said building when erected shall be placed at least as far back from Cumberland Street as the house on the adjoining lot owned by me, and shall also be placed at least ten feet Northeasterly from the fence, which now divides this lot from the one before mentioned occupied by Miss Haines, and upon the violation of any of the conditions mentioned said land shall revert back to said Mary Preble or her heirs.

To Have and to Hold the aforegranted ~~and bargained~~ premises, ~~with all the privileges and appurtenances thereof~~ to the said Trustees of the Portland Ministry at Large their successors ~~heirs~~ and assigns, ~~to their use and behoof~~ forever, for the purpose & upon the conditions aforesaid

And I do covenant with the said Trustees ~~heirs and assigns,~~ that I am lawfully seized in fee of the premises; that they are free of all incumbrances; that I have good right to sell and convey the same ~~to the said~~ ~~to hold~~ as aforesaid: and that I and my heirs ~~shall and~~ will warrant and defend the same to the said Trustees their Successors and ~~heirs and~~ assigns forever, against the lawful claims ~~and demands~~ of all persons.

See Book 170 Page 73

In Witness Whereof, I the said Mary Preble have hereunto set my hand and seal this Seventeenth day of September in the year of our Lord, one thousand eight hundred and fifty.

Signed, Sealed and Delivered in presence of

Mary Preble (L.S.)

1001940052854

QUITCLAIM DEED WITH COVENANT

KNOW ALL PERSONS BY THESE PRESENTS, that, **ANTHONY M. NAPOLITANO, GREGORY J. NAPOLITANO** and **FRANCIS W. NAPOLITANO**, each of Portland, Maine, for consideration paid, grant to **YOUTH AND FAMILY OUTREACH**, a Maine nonprofit corporation with a mailing address of 331 Cumberland Avenue, Portland, Maine 04101, with QUITCLAIM COVENANT, certain real property, together with any improvements thereon, located in the City of Portland, County of Cumberland and State of Maine, and being more particularly described as follows:

Parcel One (14 Portland Street):

A certain lot or parcel of land with the buildings thereon, situated in the City of Portland, County of Cumberland and State of Maine, on the southerly side of Portland Street and numbered 16 on said street, bounded as follows:

COMMENCING at the westerly corner of said side of said street of land now or formerly belonging to the heirs of the late George Worcester; thence running on said street westerly thirty-four (34) feet and seven (7) inches to a stake and to land now or formerly belonging to the heirs of the late James Bedlow; thence South 33 degrees East, eighty-six (86) feet to a cross fence and to land now or formerly belonging to the heirs of the late Major Sweetser; thence easterly by line of said Sweetser land thirty (30) feet and two (2) inches to said Worcester land; thence North 33 degrees West, seventy-three and one-half (73 ½) feet by line of said Worcester land to point of commencing, together with the privilege of passing and repassing through a lane laid by Elijah Kellogg adjoining the westerly side of said premises, twelve (12) feet in width and extending from said street to said Sweetser land, said lane to be kept open and unencumbered forever for the benefit of all who are or may be interested in the property adjoining said premises being the homestead of the late John Dain, at the time of his decease, for a further description of which reference may be had to the deed of Charles Staples to said John Damn dated September 1, 1837, recorded in the Cumberland County Registry of Deeds in Book 155, Page 290.

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

BEGINNING on the southerly side of Portland Street at a point thirty-six and twenty-nine hundredths (36.29) feet westerly from the northwesterly corner of Chapel lot; thence running westerly by said Portland Street thirty-six and twenty-nine hundredths (36.29) feet to the lot now or formerly of John Darin; thence southeasterly at an included angle 62 degrees 57' by the easterly sideline of said Dain land to a post eighty (80) feet distant by said sideline from the southerly sideline of Portland Street; thence northeasterly at an included angle of 93 degrees 47' thirty and forty-three hundredths (30.43) feet to other

MAINE REAL ESTATE TAX PAID

land formerly of George Worcester; thence northwesterly on a straight course sixty-four and ninety-eight hundredths (64.98) feet to the point begun at.

TOGETHER with a right of way six (6) feet wide over and across the lot or land adjoining the lot hereby conveyed on its easterly side and subject to a right of way two (2) feet along the easterly side of the lot hereby conveyed, creating a passageway of eight (8) feet wide, which is forever to be kept open for the benefit of both of said lots and extending from Portland Street southerly to a point not less than twenty-five (25) feet from the rear line of said lots which is to be used in common by the owners and occupants of said lots, all as more fully described in a deed from Josephine L. Dalton to the Elm Realty Co., dated July 20, 1938 and recorded in the Cumberland County Registry of Deeds in Book 1556, Page 239, to which deed and the record thereof reference is hereby made for a more particular description of said right of way.

A certain lot or parcel of land with the buildings thereon, situated in the City of Portland, County of Cumberland and State of Maine, on the south side of Portland Street, bounded as follows: Beginning on the line of said Portland Street at the Northwesterly corner of the Preble Chapel Lot; thence running Southeasterly by the Westerly side line of the said Chapel Lot, fifty (50) feet to a stake; thence Southwesterly at an angle with the last named course, ninety degrees, one minute (90 degrees 1') thirty and forty-three hundredths (30.43) feet to a stake; thence Northeasterly at an angle of ninety-two degrees nineteen minutes (92 degrees 19') with the last course, sixty-four and ninety-eight hundredths (64.98) feet to said Portland Street; thence Easterly at an angle of sixty-three degrees twenty-five minutes (63 degrees 25') with the last named course, by the South side line of said Street, thirty-six and twenty-nine hundredths(36.29) feet to the point begun at, containing eighteen hundred and eighty-two (1882) square feet, more or less.

Being the same premises conveyed to Anthony M. Napolitano, Gregory J. Napolitano and Francis W. Napolitano in the following instruments: (a) Deed of Distribution by Anthony M. Napolitano, Personal Representation of the Estate of Madeline A. Napolitano, dated November 1, 2018 and recorded in the Cumberland County Registry of Deeds in Book 35266, Page 280; and (b) Deed of Distribution by Anthony M. Napolitano, Personal Representation of the Estate of Anthony J. Napolitano, dated November 1, 2018 and recorded in the Cumberland County Registry of Deeds in Book 35266, Page 282.

Parcel Two (337 Cumberland Avenue):

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

Beginning on the northerly side of Cumberland Avenue at the southwesterly corner of the Preble Chapel lot; thence running westerly by said Cumberland Avenue to land formerly of M. H. Sweetser; thence northerly by said Sweetser land to land formerly of George

Worcester; thence easterly by said Worcester land to said Preble Chapel lot; thence southerly by said Preble Chapel lot to said Cumberland Avenue at the point of beginning.

Being the same premises conveyed to Anthony M. Napolitano, Gregory J. Napolitano and Francis W. Napolitano in the following instruments: (a) Deed of Distribution by Anthony M. Napolitano, Personal Representation of the Estate of Madeline A. Napolitano, dated November 1, 2018 and recorded in the Cumberland County Registry of Deeds in Book 35266, Page 284; and (b) Deed of Distribution by Anthony M. Napolitano, Personal Representation of the Estate of Anthony J. Napolitano, dated November 1, 2018 and recorded in the Cumberland County Registry of Deeds in Book 35266, Page 285.

IN WITNESS WHEREOF, Anthony M. Napolitano, Gregory J. Napolitano, and Francis W. Napolitano, have set their hands and seals this 21st day of March, 2019.

Witness: to all

Anthony M. Napolitano

Witness:

Gregory J. Napolitano

Witness:

Francis W. Napolitano

STATE OF MAINE
COUNTY OF CUMBERLAND, ss.

March 21, 2019

Then personally before me appeared the above named Anthony M. Napolitano, Gregory J. Napolitano, and Francis W. Napolitano, and acknowledged the foregoing instrument to be their free acts and deeds.

~~Notary Public~~/Attorney at Law

Nicholas T. Ulmer

Received
Recorded Register of Deeds
Mar 21,2019 03:33:00P
Cumberland County
Nancy A. Lane

OPTION TO LEASE AGREEMENT

THIS OPTION TO LEASE AGREEMENT dated as of the 30th day of April, 2020 (the "Agreement"), is entered into by and between **YOUTH AND FAMILY OUTREACH**, a Maine non-profit corporation with a mailing address at 331 Cumberland Avenue, Portland, Maine 04101 ("Landlord"), and **337 CUMBERLAND AVENUE, LP**, a Maine limited partnership with a mailing address at 14 Baxter Boulevard, Portland, Maine 04101 ("Tenant").

RECITALS

WHEREAS, Landlord is the owner of a certain parcel of land with the improvements thereon located at 331 Cumberland Avenue, Portland, Maine, described in a deed recorded in the Cumberland County Registry of Deeds in Book 225, Page 350 (the "Church Property") and is the owner of a certain parcel of land with the improvements thereon located at 337 Cumberland Avenue and in Portland, Maine described in a deed recorded in said Registry of Deeds in Book 35530, Page 234 (the "337 Cumberland Property") (the Church Property and the 337 Cumberland Property are referred to herein collectively as the "Premises"); and

WHEREAS, the Landlord and Portland Housing Development Corporation ("PHDC") have entered into a Joint Development Agreement for the renovation of the Church Property and the development and construction of a new affordable housing project on the 337 Cumberland Property (collectively the "Project"); and

WHEREAS, PHDC and Landlord each owns a 50% interest in the general partner of the Tenant, which shall develop the Project; and

WHEREAS, Landlord wishes to grant to Tenant, and Tenant wishes to accept, an option to enter into a long term ground lease for the land comprising the Premises (the "Ground Lease"), and provided that the Tenant exercises its option and the Ground Lease is executed, Landlord has agreed to simultaneously convey to Tenant, and Tenant has agreed to accept from Landlord, a bill of sale or other suitable instrument of conveyance conveying the buildings located on the Premises (the "Buildings"), all subject to the terms set forth in this Agreement.

NOW, THEREFORE, in consideration of one dollar ($1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Grant of the Option; Option Period; Extension; Exercise of Option. The Landlord hereby grants to the Tenant the exclusive right and option to lease the Premises, or a portion thereof (the "Option") for a period extending through December 31, 2023 (the "Option Period"). The Ground Lease shall have a term of ninety (90) years, or such shorter or longer term as may be required by the lenders and investors of the Tenant and total rent shall be $1.00 for the term of the Ground Lease, together with the payment of all operating expenses for the Premises by the Tenant. The Ground Lease shall contain such other commercially reasonable terms as the parties may mutually agree upon. Tenant may

exercise the Option at any time during the Option Period by giving written notice to Landlord of its intent to exercise the Option (the "Option Notice"). Notice delivered to Landlord or sent to Landlord by certified mail, return receipt requested, at the above address shall be sufficient.

2. Closing. If Tenant exercises the Option, the parties shall enter into the Ground Lease consistent with the terms of this Agreement within ninety (90) days after the date of the Option Notice.

3. Conveyance of the Buildings to the Tenant. If Tenant exercises its Option, Landlord hereby agrees that simultaneously with the execution of the Ground Lease, Landlord shall transfer to Tenant the Buildings, by good and sufficient [Bill of Sale] or other transfer instrument satisfactory to Tenant, conveying good and clear title to the Buildings, so that the Tenant will own the buildings on the leased land, subject to the terms of the Lease. It is the intent of the parties that the Tenant be treated as the owner of the buildings for federal income tax purposes. The purchase price for the Buildings shall be One Dollar ($1.00).

4. Title Matters; Subordination of Landlord's Fee Interest to Tenant's Financing. Landlord agrees to convey good and marketable leasehold title to the Premises to Tenant, free and clear of liens and encumbrances, other than existing covenants, conditions and easements of record that will not adversely affect the development and financing of the Project by Tenant. Landlord also agrees that there shall be no liens or encumbrances on the underlying fee title, and agrees, if requested by Tenant, to subordinate the Landlord's fee interest in the Premises to Tenant's construction and permanent leasehold mortgage financing, including any extensions, renewals, or replacements thereof.

5. Representations. Landlord represents, covenants and warrants to and agrees with Tenant as follows:

a. Landlord has the legal right, power and authority to enter into this Agreement and to perform all of its obligations hereunder, and the execution and delivery of this Agreement and the performance by Landlord of the obligations hereunder will not conflict with, or result in breach of any regulation, order, judgment, injunction or decree of any court or governmental authority or any agreement or instrument to which Landlord is a party or by which Landlord is bound.

b. There are no agreements or contracts affecting the Premises or any use of the Premises that would not be terminable at will by Tenant without penalty from and after the execution of the Lease.

c. Tenant represents, covenants and warrants to Landlord that Tenant has the legal right, power and authority to enter into this Agreement and to perform all of its obligations hereunder, and the execution and delivery of this Agreement and the performance by Tenant of its obligations hereunder: (i)

have been duly authorized by all requisite action; and (ii) will not conflict with, or result in a breach of, any of the terms, covenants and provisions of the by-laws or articles of organization of Tenant or any law or any regulation, order, judgment, writ, injunction or decree of any court or governmental authority, or any agreement or instrument to which Tenant is a party or by which it is bound.

6. Notices. Whenever notice is given or required to be given by either of the parties hereto to the other, it shall be deemed to have been given if in writing and mailed by certified or registered mail, return receipt requested, postage prepaid, or hand delivered, addressed to the parties at the address set forth in the first paragraph above or to such other address(es) as either party shall have last designated by like notice in writing. All notices shall be effective upon hand delivery or mailing, whichever first occurs. All notices to Landlord shall be also sent to its counsel, Cito Selinger, Curtis Thaxter, One Canal Plaza, Portland, Maine 04101. All notices to Landlord shall be also sent to its counsel, Gary Vogel, Drummond Woodsum, 84 Marginal Way, Portland, Maine 04101.

7. Further Assurances. The parties agree that up to and after the date of closing, they shall do such things and execute, acknowledge and deliver any and all additional instruments, documents and materials as either party may reasonably request to fully effectuate the purposes of this Agreement.

8. Memorandum of Option. The parties hereto agree that this Option to Lease shall not be recorded, but that a memorandum of this option containing a description of the Premises, the names of the parties and the term of the Option may be recorded in the Cumberland County Registry of Deeds upon the request of either Landlord or Tenant.

9. Tenant's Access and Insurance. Tenant and others whom Tenant may designate shall have the right, at all reasonable times, upon reasonable notice to Landlord, at Tenant's sole cost and expense, risk and hazard, and without unreasonable disruption to Landlord's activities on or about the Premises, to enter upon the Premises to examine and/or show the same and make, or cause to be made, engineering studies with respect thereto, including, without limitation, surveying, conducting test borings in order to determine sub-soil conditions, and in general conducting all other tests, analysis and studies of the Premises which Tenant deems prudent in connection with Tenant's intended development or use of the Premises. Any contractors performing any inspections, tests shall carry appropriate liability insurance. Tenant shall restore or shall cause the Premises to be restored following any testing as reasonably as possible to its pre-existing condition, unless otherwise agreed by Landlord, and Tenant shall indemnify, defend and hold Landlord harmless from and against all claims, suits and demands for personal injury (including death) and property damage suffered or incurred by Landlord as a result of Tenant's exercise of its rights under this Section. Tenant's indemnification obligation shall be deemed satisfied to the extent that an insurance carrier, providing coverage to Tenant or to any contractor performing any such inspection, has assumed the defense and agreed to provide coverage for any such claim. Prior to entering the Premises, and thereafter through the term of this Option, Tenant

shall provide to Landlord evidence of Tenant's liability insurance, which may be in the form of Tenant being named as an additional insured under PHDC's general liability policy of insurance. Tenant shall provide Landlord with a certificate of insurance with Landlord named as a certificate holder, evidencing such insurance coverage.

10. Construction of Agreement. This instrument, executed in duplicate, is to be construed as a Maine contract, is to take effect as a sealed instrument, sets forth the entire contract between the parties, is binding upon and inures to the benefit of the parties hereto and their respective heirs, devisees, executors, administrators, successors and assigns, and may be canceled, modified or amended only by a written instrument executed by both the Landlord and Tenant. The captions are used only as a matter of convenience and are not to be considered a part of this Agreement or to be used in determining the intent of the parties to it. Time is of the essence with respect to all dates set forth in this Agreement.

11. Risk of Loss. The risk of loss shall remain on Landlord at all times until closing.

12. Assignment. Tenant may assign this Agreement to any party affiliated with Tenant or in which Tenant or an affiliate of Tenant has an interest upon the written consent of Landlord, which shall not be unreasonably withheld.

[signatures on following pages]

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

LANDLORD: YOUTH AND FAMILY OUTREACH

By: _____
Camelia Babson-Haley
Its Executive Director

[Additional signatures on following page]

CBH

TENANT:

337 CUMBERLAND AVENUE, LP
By: YFO PHDC Development LLC,
its General Partner

By: _____ 6/1/2020
Cheryl Sessions
Its President

Part II

APPROVED

MAR 20 '79

BY GOVERNOR

CHAPTER

10

P & S LAW

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED SEVENTY-NINE

H. P. 253 — L. D. 298

AN ACT to Allow the Trustees of the Portland Ministry at Large to Seek Changes in its Articles of Incorporation.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, Trustees of the Portland Ministry at Large located at Portland, Maine, is a corporation created by the Private and Special Laws of Maine, 1850, chapter 341; and

Whereas, the Maine Revised Statutes, Title 13-B, section 1104, subsection 1, paragraph D, as amended, permits the corporate charter to contain specific provisions for the distribution of assets upon dissolution; and

Whereas, the Private and Special Laws of 1850, chapter 341, does not include such provisions; and

Whereas, it is advisable to make certain other changes in the governing instrument; and

Whereas, it is desirable to affect these changes prior to the end of the fiscal year of the corporation; and

Whereas, these changes are necessary to permit all required filings with the Internal Revenue Service in the most expeditious manner; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. P&SL 1850, c. 341, §§ 2 and 3, are repealed and the following enacted in their place:

Sec. 2. Property; how applied. The corporation may take and hold real and personal estate by donation or otherwise. And the estate thereof shall be faithfully applied to promote religious and charitable improvement and condition of the greater Portland community by such modes of relief and ministration as they may judge best suited to the object, all in support of and in furtherance of the purposes of the First Parish Society of Portland, Maine.

Sec. 3. Trustees; officers. The members of the present board of trustees shall resign at the request of the members of the First Parish Society of Portland, Maine. The board of trustees shall consist of 7 persons, 4 of whom shall constitute

a quorum; and they shall be such persons as are from time to time elected by the members of the First Parish Society of Portland, Maine; and, unless otherwise determined by the members, all trustees shall be elected for a term of 7 years or until their successors are elected, except that at the initial election, one trustee shall be elected to serve for a term of 7 years, one for 6 years, one for 5 years, one for 4 years, one for 3 years, one for 2 years and one for one year. The board of trustees shall have power to enact bylaws not inconsistent with this charter and to elect a president, treasurer and such other officers as they may think necessary, who shall hold their offices until others are chosen in their stead. The minister of the First Parish in Portland may be elected to be a trustee, but if not so elected, shall "ex officio" belong to the board.

Sec. 2. P&SL 1850, c. 341, § 6, is enacted to read:

Sec. 6. Dissolution. In the event of the dissolution of the corporation, the real and personal estate of the corporation remaining after the payment of all of its debts shall be distributed to such religious or charitable organizations as the trustees may determine or, in the absence of the determination, to the First Parish Society of Portland, Maine.

Sec. 3. Validation. All prior acts and doings of the trustees of the Portland Ministry at large are ratified, made valid, binding and of full force.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

IN HOUSE OF REPRESENTATIVES, ... 1979

Read twice and passed to be enacted.

.....Speaker

IN SENATE, ...1979

Read twice and passed to be enacted.

..... President

Approved..... 1979

.....Governor

Filing Fee $5.00

For Use By The Secretary of State

File No. .....

Fee Paid .....

C.B. .....

Date .....

NONPROFIT CORPORATION

STATE OF MAINE

File No. 18500000ND Pages 1
Fee Paid $ 5.00
DCN 1941601500047 ANME
FILED
06/07/1994

Deputy Secretary of State

A True Copy When Attested By Signature

Deputy Secretary of State

STATEMENT OF INTENTION TO CARRY ON ACTIVITIES UNDER AN ASSUMED NAME

Pursuant to 13-B MRSA §308, the undersigned, a corporation, (incorporated under the laws of the State of Maine), (incorporated under the laws of the State of Maine, and authorized to carry on activities in Maine), gives notice of its intention to carry on activities in this State under an assumed name.

FIRST: The name of the corporation is

Trustees of the Portland Ministry at Large

SECOND: The address of the registered office of the corporation in the State of Maine is

P.O. Box 370 Dts., 38 High Street, Portland, ME 04104
(street, city, state and zip code)

THIRD: The corporation intends to carry on activities under the assumed name of

Youth and Family Outreach

COMPLETE THE FOLLOWING IF APPLICABLE

FOURTH: If such assumed name is to be used at fewer than all of the corporation's places of activity in this State, the location(s) where it will be used is (are):

Dated: May 10, 1994

By Roy Wilson
(signature)

Roy Wilson, President-Board of Trustees
(type or print name and capacity)

By William Webster
(signature)

William Webster, Treasurer / Second Certifying Officer
(type or print name and capacity)

's document *MUST* be signed by (1) the Clerk *OR* Secretary OR (2) the President or a vice-president *AND* the Secretary or an assistant 'ary, or such other officer as the bylaws may designate as a 2nd certifying officer *OR* (3) if no such officers, then a majority of the 's or such directors designated by a majority of directors then in office *OR* (4) if no directors, then the members or such of them d by the members at a lawful meeting.

SUBMIT COMPLETED FORMS TO: Secretary of State, Station 101, Augusta, Maine 04333

DME

Amended and Restated by the Board of Trustees, September 21, 2015

Amended and Restated Bylaws

Of

Youth and Family Outreach

ARTICLE I
NAME, HISTORY AND SEAL

This corporation is named "Youth and Family Outreach" (hereinafter, the "Corporation") and was founded in 1844 as an outreach affiliate of the First Parish Society. It was originally incorporated in 1850 as "Trustees of the Portland Ministry at Large." In 1979, the Corporation was granted independent status as a community outreach of the First Parish. In 1984, the Portland Ministry at Large began to focus its resources on social services for inner city youth. Since 1994, the Corporation has done business as "Youth and Family Outreach" and in 2009 it changed its legal name to "Youth and Family Outreach."

ARTICLE II
PURPOSE AND POWERS

The Corporation has been organized and is incorporated as a public benefit corporation under the Maine Nonprofit Corporation Act (Title 13-B, Sections 101 *et seq.* M.R.S.A., hereinafter the "Act") and shall be operated exclusively for charitable, religious, educational or scientific purposes within the meaning of § 501(c)(3) of the Internal Revenue Code of 1986, as amended, or corresponding provisions of any subsequent federal tax laws (the "Code"). Within these general purposes and without limiting the generality of the foregoing, the specific purposes of the Corporation shall be to promote the social well-being of the greater Portland community by such modes of relief and administration as the Trustees may judge best suited to the object, all in support of the principles and traditions of the Unitarian Universalist Association and The First Parish in Portland, Maine Unitarian Universalist (hereinafter, the "First Parish"). This Corporation does not promote any religious belief system.

In carrying out the foregoing purposes, the Corporation shall have all the powers granted to nonprofit corporations under the Act, including but not limited to the following activities:

(a) To hire, lease, buy, inherit or otherwise acquire and hold land, buildings, equipment or other real or personal property and to build, construct, operate and manage the said property for the purposes of the Corporation; to rent, lease, mortgage or sell all or any part of such real or personal property acquired by said Corporation as authorized by law; to take and hold by purchase, gift, devise or bequest, personal property or real estate and to use and dispose thereof only for the purposes for which the Corporation is organized.

(b) All property received by the Corporation, whether by gift, bequest, devise or otherwise, shall be exclusively to promote, carry on and further the activities,

objectives and purposes set forth in the Corporation's Articles of Incorporation (hereinafter, the "Articles") and these Bylaws.

(c) The Corporation shall be empowered to do everything necessary, proper, advisable or convenient for the accomplishment of the foregoing purposes, and to do all other things incidental to them, or connected with them, that are not forbidden by law, the Articles, or these Bylaws; provided, however, that the Corporation shall not engage in any transaction, or do or permit any act or omission, which shall operate to deprive it of its tax-exempt status as, or which is not permitted to be conducted or carried on by, a corporation described in § 501(c)(3) of the Code and the applicable regulations as they now exist or as they may hereafter be amended.

No substantial part of the activities of the Corporation shall consist of the carrying on of propaganda, or otherwise attempting to influence legislation or participating or intervening in any political campaign on behalf of any candidate for public office.

ARTICLE III
DEDICATION OF ASSETS

No part of the net earnings or assets of the Corporation, on dissolution or otherwise, shall inure to the benefit of any private individual, including any director, trustee, or officer of the Corporation. On liquidation or dissolution of the Corporation, after payment of the necessary expenses and obligations thereof, all its assets shall be distributed and paid over to such organization or organizations as the Board of Trustees may select and as are dedicated to purposes compatible with those of the Corporation, which organization or organizations shall have been recognized by the Internal Revenue Service as an organization described in Section 501(c)(3) of the Code.

ARTICLE IV
TRUSTEES

Section 1. Number of Trustees. The Board of Trustees of the Corporation (the "Board of Trustees" or the "Board") shall consist of not less than five members, and not more than nineteen members. The Minister of the First Parish may be elected a trustee but, if not so elected, shall "ex officio" belong to the board.

Section 2. Powers of the Board. The Board shall oversee the business, property and affairs of the Corporation.

Section 3. Qualifications of Trustees. The members of the Board (individually, a "Trustee" and, collectively, the "Trustees") shall be elected by the current members of the Board of Trustees (as set forth in Article IV, Section 5 below) and selected as persons most qualified by skills, training and experience to assist the Corporation to fulfill its stated missions. In recognition of the Corporation's long standing relationship by history and tradition with the Portland area Unitarian Universalist churches, the Trustees shall encourage qualified members or friends of these churches to apply to participate on the Board of Trustees.

Section 4. Financially Interested Persons. Notwithstanding any other provision of these Bylaws, as contemplated by Section 713-A of the Act, no more than 49% of the Trustees may be "financially interested persons," which term means:

(a) an individual who has received or is entitled to receive compensation from the Corporation for personal services rendered to the Corporation by that individual within the preceding 12 months, whether as a full-time or part-time employee, independent contractor, consultant or otherwise, excluding any reasonable payments made to Trustees for serving as Trustees. An individual is considered to receive compensation for services rendered to the Corporation by that individual if the individual is entitled to receive, other than as a shareholder of a publicly held corporation, a portion of the net income of a corporate or other business entity that provides, for compensation, personal services to the Corporation; or

(b) a spouse, brother, sister, parent or child of the individual described in subsection (a).

The failure to comply with this Article IV, Section 4 shall not, however, affect the validity or enforceability of any transaction entered into by the Corporation.

Section 5. Election and Terms of Office of Trustees. Qualified applicants are approved by majority vote of the Board of Trustees and then confirmed at the annual meeting of the First Parish. Trustees shall hold office for three years following the annual meeting when their election was confirmed and until such Trustee's successor shall have been elected and qualified, or until their earlier resignation or removal. Trustees may be re-elected to successive terms if it is in the best interest to meet the Corporation's mission. However, new members should be considered to maintain long-term stability and development of experience on the Board. Attempts should be made to stagger terms so that no more than one quarter of the Board membership is up for election in a given year.

The Trustees shall make reasonable efforts to ensure that a majority of the elected Trustees shall be members or friends of the First Parish or another Unitarian Universalist Church in the greater Portland community. If at any time there ceases to be a majority of Trustees who are such members or friends, the Board shall take reasonable steps to elect new Trustees who are such members or friends so that such members or friends again constitute a majority of elected Trustees, provided, however, that in no event shall a failure to maintain a majority of elected Trustees that are such members or friends affect the validity or enforceability of any transaction entered into by the Corporation or any action or decision of the Board with respect thereto.

Section 6. Vacancies, Resignation, and Removal. Any vacancy in the Board, including newly created trusteeships created by an increase in the number of Trustees, shall be filled at the time such vacancy arises or at any time thereafter by the Board at any meeting thereof. Any Trustee may resign from office by delivering a written resignation to the President or the Secretary. Any Trustee may be removed from office, with or without cause, upon the vote of two-thirds of the other Trustees then in office.

ARTICLE V
OFFICERS AND EXECUTIVE DIRECTOR

Section 1. Identity and Election. The officers of the Board shall be a President, Vice-President, Secretary, Treasurer and such other officers as may be elected by the Board of Trustees. All officers shall be elected from the membership of the Board of Trustees and shall be elected in such manner and perform such duties as prescribed

by these Bylaws. In addition, the Board shall select and hire an Executive Director, or person performing a similar function, which Executive Director shall perform such duties as prescribed in these Bylaws or as otherwise determined by the Board.

Section 2. Duties of Officers of the Board.

Section 2.1. President. The President of the Corporation shall preside at all times at the meetings of the Board of Trustees and appoint all standing committees, shall be responsible for giving proper notice to the full Board and Executive Committee of their meetings as well as compiling agendas for these meetings, and transact other such business as may of right pertain to the office. He/she shall be an ex officio member of all committees of the Board of Trustees and shall coordinate and monitor the performance of the committees.

Section 2.2. Vice-President. The Vice-President may be assigned by the President to perform the duties of the President during the President's absence.

Section 2.3. Secretary. The Secretary shall be responsible for recording the minutes and other records of the full Board and Executive Committee and shall perform all other duties normally pertaining to the office of secretary. The Secretary shall keep, in books for that purpose, all minutes and records of the full Board, the Executive Committee and all other duly authorized committees and subcommittees of the Board of Trustees, and shall assure that all Board members have access to these minutes and records. The Secretary shall have custody of and be entrusted with all legal documents and permanent records of the Corporation and shall keep them in a secure place, which may be at the Corporation's principal offices.

Section 2.4. Treasurer. The Treasurer shall have responsibility for the monies of the Corporation and shall make disbursements and perform such other duties with respect to finances as may be prescribed by the Board of Trustees or their designated authority (including the Finance Committee). He/she shall supervise the opening and management of a checking account for the monies of the Corporation as designated by the Board of Trustees and supervise the payment of obligation of the Corporation therewith. For unbudgeted expenditures of over $500, the Treasurer must first follow procedures as outlined by the Board or the Finance Committee. He/she shall annually be responsible for assisting the Executive Director with arranging the preparation and presentation to the Board of Trustees an accountant's audit report reflecting the financial affairs of the Corporation on an annual basis and as such other times as the Board may require. The Treasurer shall monitor the financial operations of the organization on a weekly basis by reviewing bank deposits, check signing, journal entries, and other similar functions performed by the bookkeeper of the Corporation or person performing similar functions. The Treasurer shall have custody of all stocks, bonds, and other securities belonging to the Corporation and shall have the power to buy, sell, or transfer any securities for the account of the Corporation when authorized to do so by the Finance Committee.

Section 2.5. Other Duties. All officers of the Board shall also assume all other duties as assigned by the President or the full Board.

Section 3. Duties of the Executive Director. The Executive Director shall serve as the chief executive officer of the Corporation, shall have charge of the general and day-to-day management of the business of the Corporation, and shall see that all orders and resolutions of the Board are carried into effect. The Executive Director shall also

perform such other duties and may exercise such other powers as from time to time may be assigned to him or her by these Bylaws or by the Board. During any period when the Corporation has no Executive Director for any reason, the Board shall appoint a person to exercise the authority of the Executive Director (or some portion thereof, as determined by the Board) until a successor is selected by the Board.

Section 4. Execution of Documents. Unless the Board of Trustees otherwise generally or in any specific instance provides:

A. Any contract, lease or other instrument shall be executed or endorsed on behalf of the Corporation by the President or Treasurer.

B. Any normal expenditure or receipt of Corporation funds may be managed and endorsed by the Treasurer of the Board of Trustees or Executive Director acting under guidelines established by the Finance Committee and approved by the Board of Trustees.

Section 5. Procedure for Election of Officers. The President, Vice-President, Secretary and Treasurer shall be elected by the Board of Trustees at the Annual Meeting of the Board of Trustees and shall serve for a term of one year and until their successors have been elected and qualified, or until their earlier resignation or removal. It shall require a majority of votes of the members of the Board of Trustees present and constituting a quorum at such Annual Meeting to elect officers.

Section 6. Vacancies, Resignation, and Removal. Any vacancy occurring in any office of the Corporation shall be filled at the time such vacancy arises or at any time thereafter by the Board at any meeting thereof. Any officer of the Board may resign from office by delivering a written resignation to the President or the Secretary. Any officer may be removed from office by the Board, with or without cause, upon the vote of a majority of the other Trustees then in office.

Section 7. Termination Procedure. At the expiration of the term of office, by termination or otherwise, of any officer or member of the Board of Trustees, or standing or special committee members, he/she shall turn over to his/her successor all money, property, papers, records and books of the Corporation that may be in his/her possession.

ARTICLE VI
COMMITTEES

Section 1. Committee Membership Appointment. The President of the Board (at the first meeting following his/her election) shall appoint all voting members of standing committees, which members shall include no less than two Board members in addition to other interested individuals on each committee. Board members shall comprise at least 50% of the voting membership of each committee.

Section 2. Committee Chairpersons. The President may appoint the chairperson of standing committees, or he/she may defer that appointment to the committees themselves.

Section 3. Voting in Committees. All committee decisions must be by majority vote.

Section 4. Committee Meetings. So far as practicable, the provisions of these Bylaws relating to the convening and conduct of meetings of the Board of Trustees shall govern the convening and conduct of meetings of each committee appointed hereunder.

Section 5. Authority of Committees. The committees are vested with the powers and duties described herein or as may be determined by the Board. However, the full Board of Trustees or the Executive Committee may overrule committee decisions.

Section 6. Joint Decisions Among Committees. If a decision is the responsibility of more than one committee, both committees must agree on the final decision. If, however, there is a disagreement, the issue must first be brought to the Executive Committee. If a consensus cannot be reached at this level, then the issue shall be brought to the full Board.

Section 7. Role in Decision-Making. If the Executive Director or any Trustee disagrees with the decision of a committee or committees, the issue must first be brought to the Executive Committee. If a consensus cannot be reached at this level, then the issue shall be brought to the full Board.

Section 8. Special Committees. Special committees shall be appointed by the President, the Executive Committee, or the Board as needed.

Section 9. New Standing Committees. The President of the Board, with the approval of the Executive Committee, may appoint new standing committees at any time.

Section 10. Supervision of Committees. The Board of Trustees shall supervise and coordinate the activities of the standing and special committees.

Section 11. List of Committees. The standing committees may include Executive, Finance, Development, Program, and Governance, or such other committees as may be appointed pursuant to the terms hereof.

Section 12. Ex-Officio Members. The Board President and Executive Director are ex-officio members of all committees.

ARTICLE VII
DUTIES OF COMMITTEES

Section 1. Executive Committee. The Executive Committee consists of the President, Vice-President, Secretary, and Treasurer. This committee shall function for the Board of Trustees between meetings of the Trustees and shall have full Board decision-making powers, subject to being overridden by a two-thirds vote of the full Board. This committee shall meet as deemed necessary by the President or Executive Director. Specific duties of the Executive Committee shall include:

(a) Select an Executive Director as needed.

(b) Conduct a written evaluation of the Executive Director not less than once every two years to be reviewed by the Trustees.

(c) Conduct an annual salary review of the Executive Director to be submitted to the Trustees for a final decision. In conjunction with this annual review, review progress on goals identified in written evaluation of Executive Director.

(d) Monitor program evaluation efforts, and when appropriate, review findings with the Trustees.

(e) Take action on any organizational issues of the Corporation requiring immediate attention between Board meetings.

Section 2. Finance Committee. The Finance Committee shall meet on a quarterly basis or as otherwise needed. The committee shall consist of the Treasurer, Executive Director, and at least one other Board member. The committee is responsible for overall direction and control of the assets of the Corporation and such other duties as may be delegated by the Board. Specific duties of the Finance Committee include:

(a) Arrange for and assist the Executive Director in the preparation of a yearly budget for final approval by the Trustees.

(b) Arrange for the preparation of quarterly (or monthly) reports on financial matters (e.g. the incoming source of funds or expenditures) for review by the Trustees.

(c) Assist the Executive Director with the compilation of information required for the annual audit of the financial operations of the organization by the Corporation's external auditor, and arrange for the external auditor to present the results of the annual audit to the Trustees.

(d) Recommend to the Board the investment or deposition of funds and report to the Board on a regular basis the condition of such investments.

(e) Assist the Executive Director in developing a capital improvement plan for all properties owned or leased by the Corporation to be approved by the Trustees.

(f) Report to the Board on such other financial matters as deemed appropriate by the Trustees.

Section 3. Development Committee. The Development Committee shall meet on a monthly basis, or otherwise as needed. The Development Committee is responsible for the development and implementation of the annual fundraising plan of the organization and such other duties as may be delegated by the Board. Specific duties of the Development Committee include:

(a) Review on an annual basis the sources of the Corporation's funding in conjunction with preparation of the budget by the Finance Committee.

(b) Plan, conduct and evaluate community fundraising events to benefit the Corporation.

(c) As requested by the Board, prepare contingency plans for meeting agency fundraising shortfalls if and when needed.

(d) Act as ambassador for the Corporation in developing community contacts, marketing, donations, volunteers, and so forth.

(e) Report to the Trustees on fundraising matters as deemed appropriate.

Section 4. Program Committee. The Program Committee shall meet on a monthly basis, or otherwise as needed. The Program Committee is responsible for the oversight of the programs implemented by the organization and such other duties as may be delegated by the Board. Agenda items will be determined by the Program Committee in consultation with the Executive Director to include program quality, human resources matters, budget items as they relate to the Corporation's programs, and program structure. Specific duties of the Program Committee include:

(a) Oversee and assist the Executive Director in performing program evaluations and use of quality metrics, to include at a minimum Maine State licensing and national accreditation, as applicable.

(b) Regular reporting to the full Board regarding professional development patterns and needs for staff.

(c) Prepare and review policies and procedures with respect to the programs implemented by the organization, including personnel policies.

(d) Report to the Trustees on the ongoing efficacy of the programs of the organization and any identified deficiencies with respect thereto.

Section 5. Governance Committee. The Governance Committee shall meet on a monthly basis, or otherwise as needed. The Governance Committee shall be responsible for the general governance processes of the Corporation and such other duties as may be delegated by the Board. Specific duties of the Governance Committee include:

(a) Review and draft amendments, as needed, to organizational policy documents (including conflict of interest policies), the Articles, and these Bylaws.

(b) Oversee Board recruitment efforts and make recommendations to the Board regarding the same.

(c) Maintaining, in conjunction with the Executive Director, Board member orientation and education materials.

(d) Organizing Board self-evaluation efforts and retreats or other programs designed for that purpose.

ARTICLE VIII
MEETINGS

Section 1. Annual Meeting. There shall be an Annual Meeting of the Board of Trustees in May each year or as soon thereafter as possible. The Annual Meeting may be extended to subsequent meetings if necessary.

Section 2. Regular and Special Meetings. The Board shall establish a schedule for regular meetings of the Board, which may be held without formal notice at such times and places as may be fixed by the Board. Special meetings of the Board of Trustees may be called by the President of the Board, Executive Director or any five members of the Board.

Section 3. Quorum and Manner of Acting. At any meeting of the Board, a majority of the current Trustees shall constitute a quorum for the conduct of business of the Board of Trustees. Not less than two Trustees shall constitute a quorum for the conduct of business of standing committees. The vote of a majority of Trustees at a meeting at which a quorum is or has been present shall be the act of the Board of Trustees unless the vote of a greater number is required elsewhere in these Bylaws or by law.

Section 4. Participation through Electronic Means. Trustees may participate in a meeting of the Board by means of a conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear one another at the same time, and participation by such means shall constitute presence in person at a meeting.

Section 5. Action by Consent. Any action required or permitted to be taken at a meeting of the Board, or of a committee of the Board, may be taken without a meeting if all of the Trustees, or all of the members of the committee, as the case may be, sign written consents setting forth the action taken or to be taken, at any time before or after the intended effective date of such action. Such consents shall be filed with the minutes of the Board meetings or committee meetings, as the case may be, and shall have, and may be stated by any officer of the Corporation to have, the same effect as a unanimous vote or resolution of the Board of Trustees or such committee at a duly convened meeting hereof. Any such action taken by unanimous written consents may, but need not be, set forth in such consents in the form of resolutions or votes.

Section 6. Notice. Notice of special meetings of the Board may be given by any shall be given by any usual means of communication, including hand delivery, courier, telephone, facsimile transmission or electronic mail at least five (5) business days prior to the time of the holding of the meeting, provided that in the event of an emergency or extraordinary circumstances, notice may be given only to such of the Trustees as it may be feasible to contact at the time and by such means as may be feasible at the time, and notice to any Trustee actually received by him or her at least 24 hours before the meeting shall be deemed sufficient, notwithstanding the method or means of communication selected or the time when sent. For the purposes of this Section, a "business day" is any day other than a Saturday, Sunday or legal holiday in Maine.

Section 7. Attendance as Waiver of Notice. Attendance of a Trustee at any meeting shall constitute a waiver of notice of such meeting, except if a Trustee attends for the express purpose, stated at the commencement of the meeting, of objecting to the transaction of any business because the meeting has not been lawfully convened.

ARTICLE IX

FINANCIAL MATTERS

Section 1. Deposit of Funds. All funds of the Corporation not otherwise employed shall be deposited in such banks or trust companies or with such bankers or other depositaries as the Board of Trustees or the Finance Committee may from time to time determine.

Section 2. Checks. Unless otherwise authorized by the Board, all checks greater than $2,500 that are drawn upon the account of the Corporation shall be signed by the Executive Director and the Treasurer (or, upon the approval of the Treasurer in circumstances where the Treasurer is unable to sign, the President).

Section 3. Fiscal Year. The fiscal year of the Corporation shall be October 1 through September 30.

Section 4. Audit. There shall be an annual audit of the books of the Corporation by qualified individuals as the Board of Trustees or Finance Committee may designate.

ARTICLE X
INDEMNIFICATION OF OFFICERS AND DIRECTORS

Section 1. Right to Indemnification.

(a) The Corporation shall in all cases indemnify, to the maximum extent permitted and in the manner provided by law (including the Act), any person who was or is a member of the Board of Trustees or officer of the Corporation, and may (subject to subsection (b) of this Section 1) indemnify any other person, who is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceedings, whether civil, criminal, administrative or investigative, by reason of, connected with or arising out of such person's service as a member of the Board of Trustees, officer, employee, or agent of the Corporation, against expenses, including attorneys' fees, judgments, penalties, fines and amounts paid in settlement actually and reasonably incurred by such person in connection with such action, suit or proceeding; provided, however, that no indemnification shall be provided for any person with respect to any matter as to which such person shall have been finally adjudicated not to have acted in good faith and in the reasonable belief that such person's action or failure to act was in the best interests of the Corporation or, with respect to any criminal action or proceeding, as to which such person had reasonable cause to believe that such person's conduct was unlawful.

(b) Any indemnification described in subsection (a) of this Section 1, unless ordered by a court or required by these Bylaws, shall be made by the Corporation only as authorized in the specific case upon a determination that indemnification is proper under the circumstances and in the best interests of the Corporation, provided that no such determination shall be required with respect to any person who is or was a member of the Board of Trustees or officer of the Corporation. Subject to subsection (a) of this Section 1, indemnification of any member of the Board of Trustees or officer of the Corporation shall be required in all cases regardless of the capacity in which such person is or was made or threatened to be made a party to the action, suit or proceeding. The determination as to whether any person acted in good faith

and that indemnification is proper shall be made by the Board by a majority vote of a quorum consisting of Trustees who are not parties to such action, suit or proceeding, or if such a quorum is not obtainable, or even if obtainable, if a quorum of disinterested directors so directs, by independent legal counsel in a written opinion. Such a determination once made may not be revoked and, upon the making of that determination, the person being indemnified may enforce the indemnification against the Corporation by a separate action notwithstanding any attempted or actual subsequent action by the Board.

(c) Except in the case of any person who is or was a member of the Board of Trustees or officer of the Corporation, expenses incurred in defending a civil or criminal action, suit or proceeding shall be paid by the Corporation in advance of the final disposition thereof as authorized by the Board in the manner provided in subsection (b) upon receipt by the Corporation of an undertaking by or on behalf of the person to repay that amount unless it shall ultimately be determined that that person is entitled to be indemnified by the Corporation. Such undertaking shall be an unlimited general obligation of the person seeking the advance, but need not be secured and may be accepted without reference to financial ability to make the repayment. With respect to any person who is or was a member of the Board of Trustees or officer of the Corporation, such expenses shall in all cases be advanced by the Corporation, as reasonably requested from time to time, upon receipt by the Corporation, at the time of the initial advance, of such an undertaking.

(d) The foregoing rights of indemnification shall not be deemed exclusive of any other rights to which any person seeking indemnification under this Section may be entitled pursuant to any agreement, vote of disinterested Trustees, the Act or otherwise, and shall continue as to any such person who has ceased to be a member of the Board of Trustees or officer and shall inure to the benefit of the heirs, executors and administrators of such a person.

(e) Notwithstanding the foregoing provisions of this Section 1 or any other provision of these Bylaws, the Corporation shall not, by granting any indemnity or otherwise, engage in any conduct which permits the inurement to any private individual (within the meaning of Section 501(c)(3) of the Code) of any part of the net earnings of the Corporation.

(f) For purposes of this section, "good faith" means honesty in fact in the conduct or transaction concerned.

Section 2. Insurance. The Corporation may purchase and maintain insurance on behalf of any person who is or was a member of the Board of Trustees or officer of the Corporation against any liability asserted against such person and connected with or arising out of such person's service as a member of the Board of Trustees or officer of the Corporation.

ARTICLE XI
CONFLICT OF INTEREST POLICY

Section 1. Purpose. The purpose of the conflict of interest policy is to protect this Corporation's interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of a member of the Board of

Trustees or officer of the Corporation or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

Section 2. Definitions.

(a) Interested Person. Any Trustee, officer, or member of a committee with executive committee delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person.

(b) Financial Interest. A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:

(i) An ownership or investment interest in any entity with which the Corporation has a transaction or arrangement,

(ii) A compensation arrangement with the Corporation or with any entity or individual with which the Corporation has a transaction or arrangement, or

(iii) A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Corporation is negotiating a transaction or arrangement. Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

A financial interest is not necessarily a conflict of interest. Under Section 3, Subsection (b), a person who has a financial interest may have a conflict of interest only if the Board or the appropriate committee decides that a conflict of interest exists.

Section 3. Procedures.

(a) Duty to Disclose. In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the Board and members of committees with executive committee delegated powers considering the proposed transaction or arrangement.

(b) Determining Whether a Conflict of Interest Exists. After disclosure of the financial interest and all material facts, and after any discussion with the interested person, such interested person shall leave the Board, executive or other committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining Board or committee members shall decide if a conflict of interest exists.

(c) Procedures for Addressing the Conflict of Interest

(i) An interested person may make a presentation at the Board, executive or other committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote

on, the transaction or arrangement involving the possible conflict of interest.

(ii) The chairperson of the Board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.

(iii) After exercising due diligence, the Board or committee shall determine whether the Corporation can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.

(iv) If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the Board or committee shall determine by a majority vote of the disinterested Trustees whether the transaction or arrangement is in the Corporation's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.

(d) Violations of the Conflicts of Interest Policy

(i) If the Board, executive or other committee has reasonable cause to believe an interested person has failed to disclose actual or possible conflicts of interest, it shall inform such person of the basis for such belief and afford the person an opportunity to explain the alleged failure to disclose.

(ii) If, after hearing the person's response and after making further investigation as warranted by the circumstances, the Board, executive or other committee determines the person has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

Section 4. Records of Proceedings. The minutes of the Board, Executive Committee and all committees with executive committee delegated powers shall contain:

(a) The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the Board, executive or other committee's decision as to whether a conflict of interest in fact existed.

(b) The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

Section 5. Compensation.

(a) A voting member of the Board who receives compensation, directly or indirectly, from the Corporation for services is precluded from voting on matters pertaining to that member's compensation.

(b) A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Corporation for services is precluded from voting on matters pertaining to that member's compensation.

(c) No voting member of the Board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Corporation, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

Section 6. Annual Statements. Each member of the Board of Trustees shall annually sign a statement which affirms such person:

(a) Has received a copy of the conflicts of interest policy,

(b) Has read and understands the policy,

(c) Has agreed to comply with the policy, and

(d) Understands the Corporation is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

ARTICLE XII
AMENDMENTS

These Bylaws may be amended by a two-thirds majority of the Board of Trustees present at any meeting of the Board of Trustees, provided that any proposed amendment shall be furnished in writing to the Board of Trustees at least two weeks in advance of the meeting.

Att. C

Gorham SAVINGS BANK
Banking is believing℠

May 4, 2020

City of Portland
ATTN: Planning Board
389 Congress Street
Portland, ME 04101

RE: 337 Cumberland Avenue, LP

To Whom It May Concern:

I am pleased to provide this letter in support of 337 Cumberland Avenue, LP. We believe they have the ability, cash, and financing resources available to successfully complete the construction-renovation project located at 337 Cumberland Avenue, Portland, Maine.

I welcome this opportunity to work with them on this project. Please feel free to contact me with any questions.

Sincerely,

Matthew W. Early
Senior Vice President

MWE/ckb

Firm Profile

Development Experience

Established in 1983, Portland Housing Development Corporation (PHDC) is the real estate development arm of the Portland Housing Authority (PHA). PHDC is a 501(c)(4) non-profit organization that provides real estate development services for the preservation and expansion of affordable housing opportunities in Portland, Maine. PHDC creates permanently affordable housing for households in need and ensures the agency's portfolio remains viable for the long-term. It is governed by a seven-member volunteer board of directors.

PHDC staff have over 20 years of experience in real estate development, sustainable design, community planning, finance and construction. They have collectively developed nearly 2,000 affordable homes in their careers. PHDC utilizes private and public financing to renovate PHA's aging multifamily housing stock and create new units of attractive, affordable and workforce housing for Portland residents. Our in-house development staff are practiced in environmentally responsible building techniques, smart growth planning and community revitalization. PHDC staff are skilled in securing and assembling project financing from a broad range of local, state and federal sources. With a strong track record of on-time and on-budget projects, PHDC has the ability to reasonably project hard, soft and operating costs onto an array of project types.

PHDC's new construction and preservation projects provide residents with quality, energy-efficient homes in growing Portland neighborhoods and areas of opportunity. These projects help foster sustainable and diverse and vibrant communities near transit, schools, services, and jobs. PHDC's efforts, in concert with public and private partnerships, encourage community revitalization, create essential affordable housing opportunities, and contribute to a better built environment for future generations.

Development Approach

As a non-profit affordable housing developer, PHDC is guided by the following principals:

- Provide high-quality, safe, healthy and energy-efficient homes to residents.

- Provide attractive, desirable and marketable homes that instill a sense of pride in residents and neighbors.
- Provide homes that integrate with and add value and amenities to the surrounding neighborhood.

PHDC projects offer a continuum of permanent housing types and sizes to meet identified community needs. These include rental housing projects for families, seniors and persons with disabilities; supportive housing with services; and homeownership opportunities. PHDC also strives to accommodate economic diversity and mixed-incomes within our properties. Our portfolio accommodates a range of incomes groups – from extremely low-income families to middle-income households, and everything in between.

Our approach to multifamily design and development focus on achieving superior sustainability, livability, and community engagement in all our projects. We accomplish this through:

- Engaging residents, neighborhood and other local stakeholders to identify user values, community needs, project goals, constraints and opportunities.
- Completing master planning and a site analysis to determine a property's best use and complements the surrounding community character.
- Promoting smart growth principals, including concentrating on infill, low-impact and compact projects.
- Incorporating Passive House, green building practices and sustainable material usage to reduce energy and water utilization, conserve resources, minimize operating costs, and improve tenant health and wellbeing.
- Analyzing the 'first costs' and long-term lifecycle costs of each design decision to optimize a property's financial and environmental sustainability.
- Value engineering projects to maximize building performance and control costs.
- Including accessibility and universal design features that improve property visitability and adaptation to the changing needs and lifestyles of residents.
- Encouraging use of mass transit and alternative transportation options while minimizing land used for parking.
- Connecting residents to nature and open space through creative design.
- Utilizing placemaking principals that provide better health, food security, arts and community connectivity.

Property Management and Voucher Services

In addition to development activities, our agency manages long-term rental housing and rental assistance to more 6,500 residents, nearly 10% of the City's population. Through Low-Income Public Housing (LIPH) and the Housing Choice Voucher (HCV) programs, PHA and its affiliates serve low-income families, seniors, persons with disabilities and many more. This includes property management of nearly 1,000 units of LIPH and market-rate apartments, as well as the administration of 1,800 housing vouchers. PHA believes that providing safe, quality, affordable housing offers its residents the stability they need and the opportunity for success they deserve.

PHA employs an experienced Property Management and Compliance team with extensive training in programs including the Low Income Housing Tax Credit (LIHTC), LIPH, HCV, and Project-Based Section 8 subsidies. Our agency has a proven track record of compliance with HUD and annual audits.

On-site Property Management staff communicate with the Director of Property Management on a regular basis to formally review the status and condition of the project, to review outstanding issues and provide detailed reports on continuing operations of the property. Property Management personnel have experience preparing and monitoring annual budgets; resolving resident complaints; marketing and leasing vacant units; reviewing and approving reasonable accommodations requests; implementing risk management and crime preventative safety measures; performing site and unit inspections; coordinating maintenance activities and unit turnover work; and ensuring compliance with all federal, state and local regulations. PHA's Maintenance department provides 24-hour maintenance services, including routine, emergency, and preventative maintenance repairs and replacement.

Resident Services

Our agency's commitment to meeting resident needs led to the creation of the Resident Services department. Resident Services has a direct role in assessing community and resident needs and organizing to address those needs. Resident Services staff process referrals and connect residents with services and resources. They develop and operate programs that enable residents to gain educational, financial and self-sufficiency skills. Resident Services build collaborative relationships with area providers and solicit resources. Our long-term community partners include Shalom House, Opportunity Alliance, Head Start, Greater Portland Health, Sweetser, Good Shepard Food Bank, USM Nursing Program, and Boys & Girls Club. The Resident Services department also encourages and facilitates tenant organizations at our properties.

Development Awards and Recognition

- Bayside Anchor - 2018 PHIUS Award for Best Affordable Housing from Passive House Institute US (PHIUS)
- Bayside Anchor - 2017 Citation Award for Design from AIA Maine
- Portland Housing Authority - 2016 Mike Yandell Award from Avesta Housing
- Bayside Anchor – 2013 Lowering The Cost Of Housing Award from Enterprise Communities and Deutche Bank

Jay Waterman, LEED AP BD+C/HOMES

Director of Real Estate Development, Portland Housing Authority

Education

- B.A. History, Tufts University 1987
- M.A. Community and Regional Planning, University of New Mexico 1997
- M.A. Latin American Studies, University of New Mexico 1997

Professional Experience

Jay joined the staff of the Portland Housing Authority in January 2015 as the Director of Real Estate Development. Jay is responsible for all aspects of real estate development for the Housing Authority and its affiliate, Portland Housing Development Corporation. Jay has worked in the development of multi-family affordable housing for 20 years and has helped provide over 1,550 units of housing to low-income households. Jay has secured over $100 million of financing for numerous housing developments including LIHTC equity, State and Federal HOME funds, CDGB funds, private grant funds, energy efficiency grants, Federal Home Loan Bank AHP funds as well as tax-exempt bond and other amortizing and non-amortizing debt. Jay is formerly the Development Director for Avesta Housing, Maine's largest not-for-profit affordable housing developer. While at Avesta, Jay developed seven LIHTC projects and other affordable housing. Jay was also a Senior Associate at Thornton Tomasetti, a green building consulting and engineering firm based in New York, from 2008-2014.

Jay recently completed the development of Bayside Anchor, a mixed-income, mixed-use, 45-unit LIHTC affordable apartment community in Portland, Maine that is poised to receive Passive House certification as an extremely energy efficient building.

Professional Accreditation

- LEED for Homes Certified Green Rater (expired)
- LEED Accredited Professional - Building Design and Construction & HOMES

Professional Organizations

- Maine Affordable Housing Coalition - Member: 2004 to present
- Passivhaus Maine – Founding Member
- Northeast Sustainable Energy Association (NESEA) - Member

Affiliations

- Bayside Adapts - Climate Change Adaptation Task Force, City of Portland – 2016-2017
- East Bayside (Portland) EPA Brownfields Planning Steering Committee – 2016-2017
- Shalom House, President, Board of Directors 2015-2017; Housing Committee Chair – 2011-2015
- Town of Yarmouth Parks and Lands Committee Chair – 2017-2018

Portland Housing Development Corporation

PHDC was established by the Portland Housing Authority in 1983 as the non-profit affiliate responsible for financing and development of new affordable housing projects. Over the years it has helped to finance several small projects developed by local community organizations. In recent years, PHDC has become an integral part of Portland Housing Authority's 20 Year Strategic Plan to redevelop its 40+ year old Public Housing stock and develop new housing to help alleviate the severe housing shortage in Maine's largest City.

Matthew Peters

Member, Elysian Enterprises LLC

Matthew Peters will be providing project management services to Portland Housing Development Corporation in support of developing 337 Cumberland Ave.

Matthew Peters founded Elysian Enterprises LLC in 2018. He consults for Housing Authorities, housing non-profits, and Community Development Finance Institutions in Maine supporting these organizations in acquisition, ground-up development, and underwriting of affordable housing properties. Grounding principles for this work are creating equitable communities; complementing walkable neighborhoods; building healthy buildings; and celebrating beauty, art, and the natural environment.

Matt also is the Executive Director of Freeport Housing Trust based in Freeport, Maine. Prior to that Matt worked at Avesta Housing, one of the largest non-profit housing developers and owners in Northern New England for 7.5 years in roles ranging from project managing affordable housing developments, building out and overseeing the Asset Management department, and ending in an executive role overseeing the entire development and acquisitions pipeline for 3.5 years as Vice President of Real Estate Services.

During that time Matt was responsible for the project management of 6 transactions and worked on many other related aspects of developments including lead generation, underwriting, and applications. Matt was involved in the completion of over 20 new construction, major rehab, or acquisition deals. He has developed strong working relationships with MaineHousing, Rural Development, lenders, tax credit syndicators, and other professionals in the design and construction field.

Matt holds a Masters in Urban Planning from the University of Washington and graduated from Bowdoin College. He has received certifications such as Spectrum's C3P and Rural Development STAR trainings and LEED Accredited Professional and has attended LIHTC, HUD, and housing conferences and trainings around the country.

Proposal Submission

PORTLAND HOUSING AUTHORITY
MAINE

outh & Family
Outreach

Kaplan
Thompson
Architects

January 21, 2020

Matt Peters
Development Officer
Portland Housing Authority
Portland, ME 04101

Dear Matt,

We are pleased to be invited to submit our Proposal to design the new building and adjacent renovation for the **Portland Housing Authority** in partnership with **Youth and Family Outreach** at 331-337 Cumberland Ave in Portland. The site is only a few blocks from our office, and this an amazing opportunity to improve the heart of City of Portland through affordable housing and expanding access to early care and family support.

We understand your partnership is looking for an architecture firm to design and provide construction administration for a proposed program which includes lightly renovating the Chapel at the corner of Preble and Cumberland Streets, and constructing a new seven story building with at least one level of parking below.

In our portfolio, you won't find only one kind of project. What you will find is a history of best fit. We take on only projects with strong environmental goals and distinct personality. If it's a multifamily building like this, you will find a core bent towards sustainability, and a striving for something that enhances the culture of the place residents love and brings people together. Our mission is to responsibly design buildings that inspire meaningful connections, put people and the environment first, and make the world a better place. The addition to this program of a Childcare center adds an educational element that not only is within our realm of experience but also speaks to the heart of our firm's community-centered mission.

Our aim would be to reflect the organization's mission throughout the entire design process. That is why we are proposing:

• To help create a project that honors the unique requirements of a joint **Portland Housing Authority** and **Youth & Family Outreach** project. The process will be integrated and collaborative. The result will be an outstanding project that meets the goals of both PHA and YFO with an eye on the common good; a place to improve the relationships between residents, children in the program, staff, and the larger Portland community.

• To staff the project team with those who understand the pragmatic and regionally appropriate aspects of excellent and forward-thinking design in New England, as experts who have proven experience developing LEED Platinum, Net Zero Energy, Passive House, and Living Building Challenge projects that meet Architecture 2030 goals.

Thank you again for giving us the opportunity to present our proposal. We are excited about your project and its possibilities and welcome the opportunity to have a deeper dialogue. In the meantime, if you have any questions or require further information, please do not hesitate to contact any of us at (207) 842-2888.

Best regards,

Phil Kaplan and Jesse Thompson
Principals
Kaplan Thompson Architects

Kaplan
Thompson
Architects

Firm Description

Kaplan
Thompson
Architects

Firm Profile

Philosophy

Kaplan Thompson Architects is dedicated to helping interesting people bring their challenging projects to life. Our company mission is to responsibly design buildings that inspire meaningful connections, put people and the environment first, and make the world a better place. We hope it is visible in all the work that we help create, with a wide range of budgets, project types and locations, and an opportunity for creative solutions.

We work on a wide range of project types: new homes, renovations, multi-family buildings of all scales, restaurants, and schools. We pride ourselves in the technical practice of planning buildings and are dedicated to high quality in all aspects of design. Our dedication to high-performance building enclosures is one of the factors that has led to our reputation as one of the leading green architecture studios in the northeast.

We believe in "The Not So Big Ego," a departure from architect as sole, independent creator of another's space. This attitude is fostered by close collaboration with our clients to craft a design process where we together discover the wants, needs, and personalities of both the building site and the client. This insight from all members of the design team allows everyone to work together one step at a time and to ensure that client goals are met.

Our style is to carefully listen to, assimilate, and interpret our clients' comments, and then to build ideas and concepts from that process, revealing a building both innovative and familiar. This process depends on frequent communication and early teamwork, often with builders at the table, and assures the best chance of meeting budgets. Designing a new space, or renovating an existing one should be a fulfilling experience.

Studio

Our studio is located on the top floor of an historic brick warehouse at the top of Portland's Old Port. We have brought as much of the natural Maine landscape into our workspace as possible, from beach rocks within translucent walls, to a rippling galvanized steel ribbon tack space covered in our sketches.

We move easily between hand sketching and digital tools and have the capacity to create 3D printed models, animated walkthroughs, and sophisticated renderings. We commonly work remotely with clients using web meeting software, which allows full immersion in your building from any web browser regardless of location.

We work in a collaborative manner, sharing conversation, technical innovations, and design ideas in a free-flowing, energetic, and creative environment. Our careful drawings and accurate construction documents build on this atmosphere to bring your project to life.

Firm Details

Kaplan Thompson Architects was established by Phil Kaplan and Jesse Thompson as an LLC partnership in Maine in 2007. The company currently has twelve employees and was the first in Maine to acquire a JUST Label to demonstrate our commitment to social equity.

Awards and Press

Our work has been featured in the New York Times, Washington Post, Boston Globe, USA Today, NPR, France 24, HGTV, and MPBN as well as books, countless websites, and national, New England and Maine based publications.

Phil Kaplan

Principal, AIA, LEED AP

Phil was raised in a household of designers and creative thinkers, and he remembers being transfixed by a set of wooden blocks he received from his parents as a child. Since then, he's been dreaming in three dimensions, and his ideas draw from background in psychology, physics, geography, music, language, math, and literature. Phil talks fast and thinks even faster, and he gets his energy from asking questions, especially "what if?" He's a natural extrovert, and his passion is for designing spaces that truly match the needs, goals, and real lives of our clients.

Born and raised in Baltimore, Phil attended Boston University, received his B.Arch. (with a Psychology Minor) from Carnegie Mellon University in Pittsburgh in 1991, and moved to Maine in 1997. He is a Maine, Massachusetts, and New Hampshire Licensed Architect, a member of the AIA, and a LEED Accredited Professional. He's given talks about his firm's work and sustainability efforts throughout the Northeast and has served as an exhibition juror, guest critic, and Adjunct Professor. He was a founder, in 2006, of The Portland Society for Architecture (PSA), a local design advocacy group. He has served as Board Chair of the Northeast Sustainable Energy Association, which helps high-performance and energy efficiency professionals improve their practices through collaboration and learning throughout New England and beyond, and has served on local boards in his current hometown of Falmouth, Maine as well. His podcast, Green Architects' Lounge, is featured on the Green Building Advisor website.

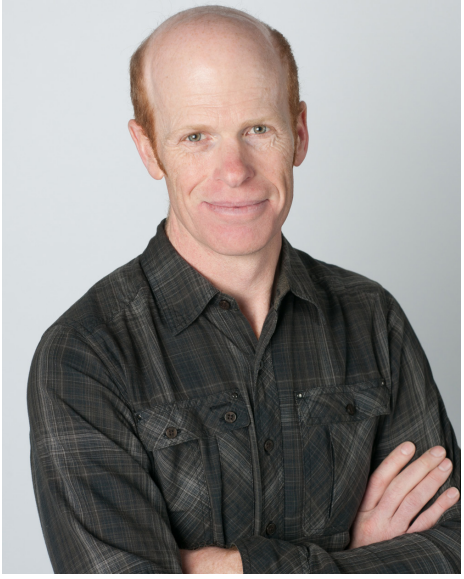
He has been lead designer on multiple AIA, PSA, and LEED Award winning projects since 2003.

Phil is a big believer in a foundational concept at Kaplan Thompson Architects: the "Not So Big Ego." His work in the community seeks to demystify the process of working with architects and to make great design accessible and attainable for more people, including the PSA's "10-Minute Architect" program, which provides free services to the community.

He lives with his wife, Masey, his 2 sons, Owen and Satchel, and niece, Lee.

RELEVANT PROJECTS:
Project Architect - Friends School of Portland
Project Architect - Maine Coast Waldorf School

Jesse Thompson



Principal, AIA, LEED AP, CPHC

Effecting social change both through his work and through community outreach, Jesse has become a national leader in building science and green design. Jesse is increasingly seen as an award-winning architect who is knowledgeable not just in the craft and details of the profession but who also has a deep holistic understanding of construction on the macro and micro level.

Jesse Thompson received his B.Arch from the University of Oregon in 1996. He is a Maine Licensed Architect (NCARB), a member of the AIA (The American Institute of Architects), a LEED (Leadership in Energy and Environmental Design) Accredited Professional and the first architect in northern New England to become a Certified Passive House Consultant. He also holds registrations in Virginia & Maryland. He was lead designer on three Maine AIA Award winning projects in 2012 and was recognized by MaineToday Media as one of its Forty Under 40 award recipients in 2011. Jesse was honored when his project, Flying Point, was selected as Fine Homebuilding's 2013 "Energy Smart Home of the Year." and by the USGBC for their LEED for Homes Best Single Family Home of 2014.

Jesse serves as President of the Maine Chapter of the American Institute of Architects and Co-chairs the Advocacy Committee of the Portland Society of Architects (PSA). He recently served on the steering committee for the PSA Symposium, "Rising Tides," a critical look at how the issues of climate change and rising sea levels will affect the city of Portland, which brought local and national experts on this topic together with concerned citizens in Maine.

Jesse's portfolio straddles the residential and commercial worlds, and has a deep knowledge of modern construction types and project planning. These projects have ranged from designing intimate residential additions to managing multi-million dollar construction projects. Jesse is Kaplan Thompson's director of technical and digital practices, maintaining our leadership in energy efficient construction techniques, software adoption, and digital construction management.

Jesse grew up in the Northeast Kingdom of Vermont, and lives in the Deering Center neighborhood of Portland with his family.

RELEVANT PROJECTS:
Project Architect - Bayside Anchor
Project Architect - West End Apartments
Project Architect - Blackstone Senior Living

Experience

Kaplan
Thompson
Architects

Bayside Anchor

Location: Portland, Maine

Completion Date: December 2016

Size: 37,815 sf

Program: 45 efficiency, 1-bedroom, and 2- bedroom apartments; 36 affordable units; 9 market rate units; Passive House Certification; Net Zero energy goal

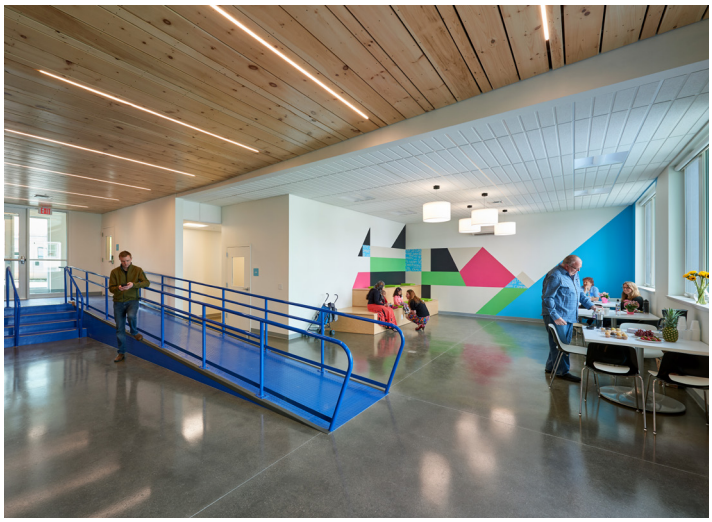
Construction Cost: $142 / SF

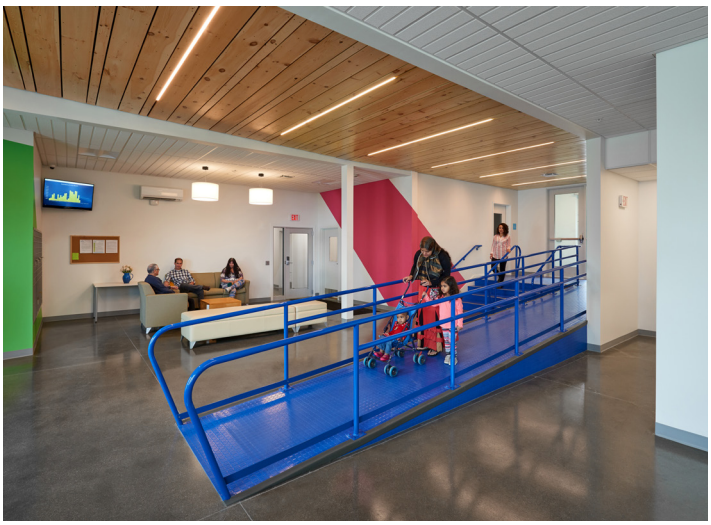
Recognition:

Lowering the Cost of Housing Competition Winner
AIA New England Citation Award

References:

Jay Waterman, Development Director
Portland Housing Authority
(207) 221-8009
jwaterman@porthouse.org
https://www.porthouse.org





Description:

The challenge: Bring 45 new affordable homes to Portland, Maine at a time when high rents and 1% vacancy rates have created a city-wide housing crisis. The building must be a best-in-class housing development that models sustainability, guarantees attainability for low-income residents, and serves as a community hub.

In 2013, Kaplan Thompson Architects partnered with the Portland Housing Authority, Avesta Housing, & Wright-Ryan Construction to win the national Lowering the Cost of Housing design competition, sponsored by Deutsche Bank and Enterprise Community Partners. The team was the only national winner, awarded for design innovation that prioritized energy efficiency, cost effective building technologies, & equitable urban development.

Bayside Anchor is a deeply sustainable, socially and technically innovative project located in urban Portland. The ambitious model project is the first new Portland Housing Authority building to be constructed in 40 years.

The project was built to the PHIUS+ Passive House standard for only $142 per square foot in 2016, well under the average cost for similar construction in Portland. The owner can count on minimal heating bills in Maine's cold winters for the life of the building, thanks to careful integration of a continuously-operating fresh air ventilation system and a meticulously air-sealed building enclosure that will meet the most stringent global standard available (0.05 CFM50 or 0.37 ACH50!). The building will meet or exceed Passive House standards thanks to detailed planning for its insulation, airtightness, high performance windows and doors, and solar gains.

Perhaps most importantly, Bayside Anchor is a vital social catalyst for the neighborhood, a place that is as beautiful in design as it is sustainable and affordable. The building includes artist-commissioned murals, a community police station, Housing Authority offices, and a Head Start Classroom on the ground floor, serving as a true anchor to the community.

Blackstone Senior Living

Location: Falmouth, Maine

Completion Date: February 2018

Size: 15,000 square feet new

Program: 19 units new, 1-bedroom, and 2- bedroom apartments to Passive House performance levels; plus significant rehabilitation of 20 existing units

Cost: $185 / sf

Scope: New Construction and rehabilitation

Reference:

Catherine Elliott
Avesta Housing
(207) 553-7780
CElliott@avestahousing.org

Description:

This new building of affordable housing for seniors is highly insulated with a fresh air ventilation system that captures heat leaving the building and continues to circulate fresh air throughout.

Care was taken to install features that would support them - handrails in the hallways, windows that help residents orient themselves, calming colors on walls, and bright and open floor plans.

We designed a classic New England shape with white clapboard sides and a high-pitched gable roof with a large, sheltering front porch for residents.

High-quality, durable, and affordable construction materials were used to provide longevity and meet accessibility standards today and tomorrow.

In addition a new Community Room was designed, and an all existing units on site were upgraded dramatically.

Parris Terraces

Location: Portland, Maine

Completion Date: June 2019

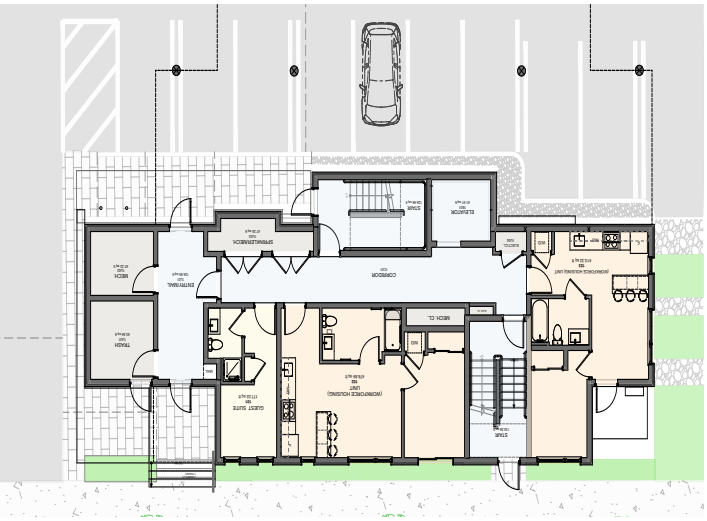
Size: 13,700 sf

Program: 23 efficiency, 1-bedroom, and 2- bedroom apartments; 36 affordable units; 9 market rate units; Passive House Certification; Net Zero energy goal

Cost: $220 / sq ft

Reference:

Jack Soley
Developer
(207) 808-4714
jsoley@eastbrowncow.com



Description:

Parris Terraces is a unique effort to create affordable homeownership in the City of Portland for people making up to 120% of median income without any subsidies, either local, state, or federal. The homes sold for less than $225,000 in a market where no other home or condominium is available for purchase for less than $275,000.

Each of the 23 units is designed to maximize fresh air and natural light with oversized windows and a full balcony with direct open-air access; three units on the fourth floor have sloped, extra high ceilings and larger windows.

Exterior finishes are vertical Maine white cedar at the first level and at the balconies, with painted fiber cement clapboard applied in a creative pattern of varying widths.

The Ecology School

Location: Saco, Maine

Completion Date: Phase 1 -September 2020

Size: Phase 1 - 16,000 sf

Program:

Phase 1 - Large 80 bed Dorm & Commons

Phase 2 - Small 40 bed Dorm, Staff Housing, Farmhouse Renovations & Barn

Est. Construction Cost:

Phase 1 - $11,412,725

Sustainability Goals:

Full Living Building Challenge and Living Community Challenge Certification, first in Maine

Reference:

Drew Dumsch, Executive Director

(207) 283-9951

drew@theecologyschool.org

http://www.theecologyschool.org

Description:

The Ecology School has a goal of becoming one of the nation's most sustainable residential environmental learning centers and building Maine's greenest buildings. The School's mission statement includes this hopeful sentence: "We accentuate the magic, mystery and wonder of nature so that students can better understand and care for the environment." The School brings students from schools across New England, from all walks of life, into the natural environment through overnights, field trips, school programs, and lessons that teach young people about environmental stewardship, sustainability, and the simple joy of getting outdoors. We knew that working with them on a brand new campus would be a labor of love, and we couldn't wait to get to to work.

The site is also almost entirely situated within a conservation easement, meaning that 90 percent of the land is under strict environmental protection rules that limit the kind of construction allowed.

After years of renting a site, The Ecology School set out to find a new home where they could truly set down roots. Their goals for the new spot are ambitious and important, committed to adhere to the Living Community Challenge guidelines: "the most advanced measure of sustainability in the built environment today." Kaplan Thompson owns the Living Building process for the project.

The new site is located at River Bend Farm, along the mighty Saco river just before it reaches the ocean. This is a permanent home for The Ecology School, and it will allow for year-round programming, longer residential programs, and adult and family programs. It includes a 105-acre organic farm with produce, livestock, and orchards, which will anchor lessons in sustainable agriculture and food systems.

In addition to attempting to meet rigorous Living Community Challenge guidelines, The Ecology School has the goal of making all their new buildings meet Net Zero Energy standards for electricity and water, including making sure that all the water used onsite could be reclaimed.

Kaplan Thompson leads a four-firm team that includes Scott Simons Architects, Briburn, and Richardson & Associates to understand the site's potential and the School's goals for improving every inch of its diverse riverfront property and educating everyone who comes on site. Each year, elementary and middle schools from across New England will be able to visit this new home and explore its ponds, river, and woods while learning about how to care for the natural world.

Will any of The Ecology School's students grow up to be green architects one day? We can hope so.

West End Apartments

Location: South Portland, Maine

Completion Date: 2020

Size: 58,000 sf; 5 stories

Program: 64 units: efficiency, 1-bedroom, 2- bedroom apartments, and 3- bedroom apartments; Passive House performance; Net Zero energy goal

Est. Construction Cost Phase 1: $185 / sf

Reference:

Tyler Norod
Avesta Housing
(207) 245-3344
TNorod@avestahousing.org

Description:

The site was designed to begin the process of creating a new downtown for South Portland's West End neighborhood, with numerous streetscape improvements including new street lights, street trees, a new bus stop, on-street car parking, and comfortable and safe pedestrian movement.

The 64-apartment mixed-use development utilizes a truss roof system in order to create a "solar mountain" roof, angled for maximum solar gain while also adding variation at the roof line.

Because this project would essentially be setting the precedent of what a downtown building should be in the West End, we wanted to be sure we were creating an active street level that engages with the street/sidewalk and scaling the building appropriately to promote densification and activity in the neighborhood, rather than the sprawl that exists.

Fitting in the parking requirements on-site was a challenge, as well as designing with a "kink" in the property line. We were able to incorporate the required parking by having several spaces tucked underneath the Upper Level's overhangs and landing columns appropriately to fit parking spaces.

Kaplan Thompson is currently working on a Phase II expansion for 2020 (see images to the right), comprised of an additional 40 units.

References

Multifamily & Community References

Avesta Housing
Portland ME
Rebecca Hatfield, VP of Real Estate Development & Management
Tyler Norod, Development Officer
Catherine Elliott, Development Officer
Todd Rothstein, Director of Construction Services
(207) 553-7777

Preble Street
Portland, ME
Mark Swann
Donna Yellen
mswann@preblestreet.org
dyellen@preblestreet.org
(207) 775-0026

Essex North Development
Topsham, MA
Ara Aftandilian, President
ara@essex-north.com (978) 887-3640

Dakota Partners
Waltham MA
Evan Fink, Development Design Director
efink@dakotapartners.net (781) 899-4002;191

The Ecology School
Saco, ME
Drew Dumsch
drew@theecologyschool.org (207) 283-9951

Friends School of Portland
Cumberland, ME
Jenny Rowe
jenny@friendsschoolportland.org (207) 558-6212

Sustainability

Kaplan
Thompson
Architects

Commitment to Sustainability

Our team's commitment to sustainability should be measured first by our results. We designed one of the first LEED Platinum Net-Zero buildings in New England and were early leaders in adoption of the Passive House energy standard, including the design of one of the first Passive House schools in the country. We have also received multiple LEED for Homes National Awards from the USGBC for our sustainable projects.

We know that buildings consume around 40% of our country's resources, and in New England especially, surrounded by centuries-old buildings, we have proof that the decisions we make today we will live with for a very long time. Our dream is to build and enhance buildings that actually improve the air, water, and world around us. However, as we work toward this goal, the first rule shall be to do no harm. So to start, we encourage building smarter and smaller, and carefully re-using the buildings that our ancestors built with their enormous effort and energy.

We strive to allow natural light to wash over every space in the building, eliminating expensive, hot, and energy-wasting artificial lighting.

We endeavor to take full advantage of local human ingenuity and craftsmanship. We in New England are blessed with a quality of construction that is fading in the rest of the country. Sustainable buildings must also build a sustainable, local economy.

We believe strongly in designing for our local environment and ecosystem. This dedication becomes visible through the use of local and natural materials found in our area - materials like white cedar, tamarack, knotty pine, maple, oak, poplar, and granite. We try to find ways to use materials we can sustainably harvest from New England whenever possible, instead of shipping tropical hardwoods across the globe. This in turn ensures that we specify the lowest embodied materials and products available and reasonable.

For building systems, our design intentions follow a common thread. Focus attention and resources on the building enclosure, and spend less money and effort on complicated mechanical systems. Insulation never breaks down and has a lifespan longer than any piece of machinery. We test assumptions constantly, and learn from the most current building science.

We develop energy models of all our projects to allow us to make cost-benefit ratio decisions when evaluating building envelope options and mechanical systems.

And lastly, we find over and over that resource-saving choices actually have a positive impact on the construction and operating budget. Low water use fixtures are now no more expensive than standard fixtures, no-VOC paint is the same price as high-VOC paint, advanced wood framing uses less wood than standard framing without compromising structural performance. We have the tools in hand to reshape our built environment, and we need to make the smart choices that make smart buildings.

Atlantic Resource Consultants
Engineering Strategies and Solutions

541 US Route 1, Suite 21
Freeport, Maine 04032
Tel: 207.869.9050
www.arc-maine.com

FIRM PROFILE

Atlantic Resource Consultants is a recently formed Maine based company providing high value professional engineering services to clients throughout New England. The founding principals have over 100 years of combined experience in site analysis, land planning, civil engineering design and permitting on a wide variety of complex and challenging land development and infrastructure improvement projects.

Our forward thinking, strategic approach to design produces practical solutions that enhance projects and create value for our clients.

KEY SERVICES

Site Analysis and Selection

Feasibility Studies & Land Planning

Site/Civil Engineering Design

Stormwater Management

Land Use Permitting

Water Resource Planning

Resiliency and Sea Level Rise Planning

Construction Inspection & Administration

Data Gathering & Pre-Construction Services

MARKET SECTORS

Residential Development

Commercial Development

Municipal Infrastructure

Healthcare

Education

Athletic Facilities

Corrections and Public Safety

Resorts

Golf Course Development

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www.arc-maine.com

PRINCIPALS

Andrew Johnston, PE, LEED AP, CEng, CEnv, CWEM, MCIWEM

Andy graduated with a Bachelor's Degree in Civil Engineering from Brighton Polytechnic University in England in 1991. He also holds a Master's Degree in Coastal Zone Management from the University of Ulster. Through the 1990's he worked on design and construction of large-scale public works projects to improve surface water quality throughout the south of England. In 1998 he moved to the US and worked for an engineering company in Rhode Island, first as a design engineer and later as head of the Site/Civil Department. His major projects included leading design, permitting and construction oversight of residential, commercial, golf course and resort community developments.

Since moving to Maine in 2004, his work has included planning, design and permitting of major healthcare, infrastructure, assisted living and retirement communities, commercial, residential, retail and industrial facilities. He has taken an active role in development of new State and local stormwater and planning ordinances through participation in technical committees and focus groups. His experience and expertise have led to several opportunities to present his work at seminars and conferences throughout the region. Andy has an active interest in coastal resiliency planning and has published on this topic in a peer reviewed scientific journal.

He is a registered professional engineer in the States of Maine, New Hampshire, New York, Connecticut, Massachusetts and Rhode Island and a Chartered Professional Engineer, Chartered Water and Environmental Manager, Chartered Environmentalist and Member of the Chartered Institution of Water and Environmental Management in the United Kingdom. He is also LEED certified.

Jason Vafiades, PE, LEED AP

Jason graduated with a Bachelor's Degree in Civil and Environmental Engineering, University of Maine, Orono in 2005. He also holds a Master's of Fine Art's Degree in Creative Writing from the University of Maine, Orono in 2001 and a Bachelor's Degree in English Literature and Classical Studies from the University of Maine, Orono in 1999.

Jason has over 12 years' experience in civil engineering, hydrologic and hydraulic modeling, permitting, and project management in the States of Maine and Washington. He has provided design engineering, project management and construction administration services to a variety of projects, including residential, commercial, municipal and institutional components. He relies on his strong communication skills to manage project outcomes and realize successful delivery of project goals. He is a registered professional engineer in Maine and is LEED certified.

Atlantic Resource Consultants
Engineering Strategies and Solutions

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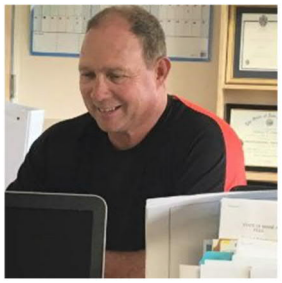
Freeport, Maine 04032
Tel: 207.869.9050
www.arc-maine.com

KEY PERSONNEL

Michael Vachon – Senior Designer/CAD Manager

Mike's has over 20 years' experience in the construction industry as a materials testing technician, survey crewman and designer and draftsman, and has worked for consulting engineering companies in Maine and New Hampshire. His expertise includes in-depth knowledge of Autodesk Civil3D, survey software and equipment, and site design. In addition to managing all drafting tasks at ARC, Mike undertakes site designs, preparation of permit submissions, and is responsible for file management.



Gordon "Gordie" Smith – Director of Construction Services

Gordie has over forty years of experience in Construction Administration and Inspections. He has worked on major infrastructure and private development projects throughout Maine and northern New England, including several multi-million dollar projects at the Portland International Jetport. His other experience includes construction administration on municipal roadway projects, wastewater collection and treatment projects and marine and port facilities. As Director of Construction Services, Gordie's duties at ARC include pre-construction data gathering, constructability reviews, and construction cost estimates in addition to construction administration.

Keegan Smith – Civil Engineering Technician

Keegan has worked for civil engineering firms for over ten years, performing construction inspection, estimating, surveying, and drafting. He has undertaken inspection work on major infrastructure projects at the Portland International Jetport including runway resurfacing and extensions. His other experience includes construction inspections for Portland Water District and the Town of Scarborough. Keegan's duties at ARC include pre-construction information gathering, processing and formatting, assisting with construction cost estimates, construction inspections and drafting.

Tony Panciocco, PE – Senior Civil Engineer

Tony graduated with a B.A in Economics from Tufts University in 1990 and a B.S. in Civil Engineering from Northeastern University in Boston in 2000. He has over twenty years of engineering experience on a variety of projects throughout New England including residential, commercial, and institutional projects. Tony is a licensed Civil Engineer in Maine, New Hampshire, Vermont and Connecticut and is a member of the American Society of Civil Engineers. At ARC Tony heads up our in office design and permitting team.

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541 US Route 1, Suite 21
Freeport, Maine 04032
Tel: 207.869.9050
www.arc-maine.com

Charlie Burnham, PE - Senior Civil Engineer

Charlie graduated with a B.S in Civil and Environmental Engineering from Clemson University in 2010. He has almost ten years of engineering experience on a variety of projects in Maine including wastewater treatment plant upgrades, pump stations, landfill improvements, residential subdivisions, and commercial development projects. Charlie is a licensed Civil Engineer in Maine, and is a member of the American Society of Civil Engineers. At ARC Charlie splits his time between design and permitting work and construction inspections.

Tori Wilson – Junior Civil Engineer

Victoria (Tori) Wilson graduated with a B.S. in Civil and Environmental Engineering from The University of Maine Orono and has been working with her family on a large project that consists of a Winery and Vineyard. Tori joined ARC in 2018 and assists with engineering designs, permit applications, hydrologic modeling, project administration and project management.

Andrew Johnston

PE, LEED AP, CEng, CEnv, MCIWEM

PRINCIPAL

Atlantic Resource Consultants
Engineering Strategies and Solutions

Andy has over 20 years' experience in site analysis, master planning, civil engineering design, permitting, and project management in the United States and the United Kingdom. He is adept at managing all stages of projects from concept to implementation. He has a proven record of accomplishment, both forming and managing teams of in-house staff and external consultants to ensure successful delivery of public and private projects across a wide range of market sectors. Recent work includes design, permitting and construction oversight for major resort, institutional, healthcare and athletic projects throughout New England.

EDUCATION

M.S., Coastal Zone Management, University of Ulster, Coleraine, N. Ireland, 2013

B.S., Civil Engineering, Brighton Polytechnic University, Brighton, England, 1991

REGISTRATIONS

Professional Engineer Registrations:

- State of Connecticut
- Commonwealth of Massachusetts
- State of Maine
- State of New Hampshire
- State of New York
- State of Rhode Island
- Chartered Engineer, United Kingdom Engineering Council
- Chartered Water and Environmental Manager, United Kingdom Chartered Institution of Water and Environmental Management
- Chartered Environmentalist, United Kingdom Society for the Environment
- LEED Accredited Professional, USGBC
- Maine DOT LPA Certification

MEMBERSHIPS

Member, Water Environment Federation
Member Chartered Institution of Water and Environmental Management

PUBLICATIONS

Johnston, A, Slovinsky, P, Yates, K., Assessing the vulnerability of coastal infrastructure to sea level rise using multi-criteria analysis in Scarborough, ME. Ocean and Coastal Management 95, 176-188, 2014.

RECENT PROJECT EXPERIENCE

Brunswick Elementary School at Jordan Acres
Site/civil design and permitting for a new 90,000sf elementary school at the site of the former Jordan Acres Elementary.

Hospice of Southern Maine, Hospice Center Scarborough, Maine
Site analysis, site planning, design and permitting for a new administrative and educational center for HSM.

Waldo County General Hospital Addition and Site Improvements, Belfast, Maine
Site/civil design and permitting for an emergency room addition and 40,000sf parking lot expansion at an existing medical center.

Tri-Town Track and Field, Freeport, Maine
Site/civil design and permitting for a major redevelopment of the athletic facilities, including a new track, artificial turf field, spectator seating, sports lighting and utility infrastructure.

Winslow High School Addition, Winslow, Maine
Site/civil design and permitting for major additions to the Winslow High School.

Maine Yankee ISFS Facility Improvements, Wiscasset, Maine
Design of site/civil infrastructure improvements that will facilitate operations and maintenance activities at the site and improve personnel safety.

Camp Keyes Reutilization Master Plan
Site/civil design for security improvements and reorganization of the MEARNG Camp Keyes Base, Augusta.

MSSPA facility Improvements, Windham, Maine
Site/civil design and permitting for major improvements to the MSSPA facility.

ARLGP Expansion, Westbrook Maine
Site/civil design and permitting for major expansion of the Animal Refuge League of Greater Portland facility.

OTHER SELECTED PROJECTS

Maine Correctional Center Feasibility Study, Windham, Maine
Feasibility study considering three site options for a major $190M consolidation of statewide correctional facilities.

MaineGeneral Alfond Center for Health, Augusta, Maine
Site/civil engineering and permitting for a new 600,000sf regional hospital in Augusta, Maine, including infrastructure and utility extensions to the site.

Maine Veterans' Homes New Skilled Nursing Facilities, Augusta and Scarborough, Maine
Site analysis, site/civil engineering design and permitting for two new 150,000sf residential nursing care facilities.

Pleasant Hill Road Improvements, Scarborough, Maine
Design of major road re-construction including improvements to horizontal and vertical geometry, road section, drainage and roadside protection.

Biddeford Savings Bank/ Starbucks, Scarborough, Maine
Site/civil engineering design and permitting for a bank and retail development on US Route 1.

Bellavita at Scarborough, Scarborough, Maine
Site/civil engineering design and permitting for a new 81-bed assisted living facility.

MaineHealth Professional Park, Scarborough, Maine
Site/civil engineering and permitting for a new 100,000sf professional medical office facility in a former retail center.

MaineGeneral Thayer Center for Health, Waterville, Maine
Site/civil engineering and permitting for a major redevelopment of Thayer Hospital in Waterville, Maine, including reconfiguration and addition of parking, circulation and entries.

Eastern Maine Medical Center Medical Office Building Bangor, Maine
Site/civil engineering design and permitting for a new 60,000sf medical office building opposite the airport.

Bangor International Airport Stormwater Improvements, Bangor, Maine
Design of stormwater improvements to treat residual deicing fluids and other airport related contaminants. Solutions included mechanical and wind-powered aeration, subsurface flow grave wetlands and bioretention.

Capehart Brook Watershed Management Plan, Bangor, Maine
Assisted the City of Bangor with development of the technical sections and solution options for the Capehart Brook watershed.

MaineGeneral Medical Office Building Vassalboro, Maine
Site/civil engineering and permitting for redevelopment of an existing building to provide a new medical office building.

MaineCoast Memorial Hospital Addition and Site Improvements, Ellsworth, Maine
Site/civil engineering and permitting for an emergency department addition and major site improvements.

Kennebec Valley Community College Classroom Building, Fairfield, Maine
Site/civil engineering design and permitting for a new classroom building, access, circulation, parking and utilities infrastructure at the KVCC Fairfield campus.

Massabesic High School Athletic Facility Improvements, Waterboro, Maine
Site/civil design and permitting for a major redevelopment of the athletic facilities, including a new track, artificial turf field, spectator seating, sports lighting and utility infrastructure.

Freeport High School Improvements, Freeport, Maine
Site/civil engineering design and permitting for a major new addition, circulation, parking and athletic field improvements.

Century Plaza Retail Center, Portland, Maine
Site/civil engineering and permitting for a new retail plaza on Marginal Way.

Somerset County Jail, Madison, Maine
Site/civil engineering design and permitting for a new 200 bed jail facility and Sheriff's Department.

Two Bridges County Jail, Wiscasset, Maine
Post-construction inspection, analysis and recommendation of solutions for settlement issues at a new jail facility.

Anthony P. Panciocco, Jr., PE.

SENIOR ENGINEER

Atlantic Resource Consultants
Engineering Strategies and Solutions

Tony has over 20 years' experience in civil engineering, hydrologic and hydraulic modelling, permitting, and project management in the Northeast. He has provided design engineering, permitting, project management and construction administration services to a variety of projects, including residential, commercial, municipal, industrial and institutional.

EDUCATION

B.S., Civil Engineering, Northeastern University, Boston MA, 2000

B.A., Economics, Tufts University, Medford, MA 1990

REGISTRATIONS

Professional Engineer Registrations:

- State of Maine
- State of New Hampshire
- State of Vermont
- State of Connecticut

MEMBERSHIPS

American Society of Civil Engineers

PROJECT EXPERIENCE

Carrier Woods Apartments, Scarborough, Maine
Site/civil design and permitting for an 84-unit apartment complex.

Dollar General Stores, Northern Maine
Site/civil design, permitting and construction administration for numerous Dollar General stores located throughout northern Maine.

Capisic Meadows Subdivision, Portland ME
Site/civil design and permitting for a 7-lot residential subdivision located in Portland Maine.

Big Babe's Tavern, South Portland ME
Site/civil design permitting and utility coordination for a new tavern and motel.

Homewood Park Subdivision, Old Orchard Beech ME
Roadway and stormwater design for a previously approved subdivision.

Maine Department of Correction, Women's Re-Entry Facility, Windham Maine
Site/civil design, permitting, and construction administration for an 80-bed, pre-release facility.

Waldo County General Hospital Medical Office Building, Belfast, Maine
Site/*civil design and permitting for a new Medical Office building on the campus of Waldo County Hospital.*

Unity College – Unity, ME
Site/civil infrastructure for a new residence hall for Unity College. The project included a two-story residence hall with a floor area of approximately 9,500 SF.

OTHER SELECTED PROJECTS

L.L. Bean Hunt/Fish Retail Store – Freeport, ME
Site/civil design and permitting for the Hunt/Fish Retail store.

Enterprise Business Park, Windham, ME
Site/civil design and permitting for a 12-lot commercial subdivision, including phosphorus removal calculations for a lake watershed.

Hilton Garden Inn Expansion, Portland/South Portland Maine
Site/civil design and permitting for a 7,500 square foot hotel expansion located in two municipalities.

Central Maine Medical Center ED/Lab Expansion – Lewiston, ME
Site/civil design for an Emergency Department and lab expansion project.

Maine General Alfond Center for Health Augusta, Maine
Site/civil engineering and permitting for a new 600,000sf regional hospital in Augusta, Maine, including infrastructure and utility extensions to the site.

102 Exchange Street Portland, ME 04101 | (207) 842-2888 | kaplanthompson.com

June 01, 2020

Att. D

NEW MIXED USE BUILDING
337 CUMBERLAND AVENUE, PORTLAND ME
FOR THE PORTLAND HOUSING DEVELOPMENT CORPORATION

The following outlines how the proposed project has been designed to meet the applicable standards of the City of Portland associated with Level III: Site Plan review.

CONSITENCY WITH CITY MASTER PLAN

The Housing component of the City's Comprehensive Plan includes the following points and policies:

- "Portland is in the midst of a housing shortage. Rents and purchase prices are escalating. Residents are struggling with their housing costs and many households have chosen or been forced to move to other municipalities."

- "When seeking solutions to Portland's housing needs and issues, the City will strive for innovation and creativity in the areas of urban design, expenditure of its financial resources, and the use and reuse of land and buildings to ensure that residential development fits within Portland's unique living environment."

- Policy #1: "Ensure that an adequate supply of housing is available to meet the needs, preferences, and financial capabilities of all Portland households, now and in the future."

- Policy #5: Portland's Comprehensive Plan encourages a manageable level of growth that will sustain the City as a healthy urban center in which to live and work and to achieve a shared vision for Portland. Portland should encourage sustainable development patterns and opportunities within the City by promoting efficient land use, conservation of natural resources, and easy access to public transportation, services, and public amenities.

Portland continues to struggle with an inadequate supply of apartments serving all incomes.

The proposed 337 Cumberland Avenue will increase the supply of rental housing at rents serving a wide range of residents, with an emphasis in families. The inclusion of a daycare facility enhances the Downtown area as healthy urban center in which to live and work. The incorporation of the former Preble Chapel ensures a piece of Portland's rich architectural fabric is preserved and continues in it's original purpose serving the community by providing much-needed social services.

337 Cumberland Avenue is consistent with the City's Comprehensive Plan.

Kaplan Thompson Architects

Att. E

Portland Water District

FROM SEBAGO LAKE TO CASCO BAY

May 27, 2020

Andrew D. Johnston, PE, LEED AP
Atlantic Resource Consultants
541 US-1, Suite 21
Freeport, ME 04032

Re: 337 and 331 Cumberland Avenue, Portland
Ability to Serve with PWD Water

Dear Mr. Johnston:

The Portland Water District has received your request for an Ability to Serve Determination for the noted site submitted on April 30, 2020. Based on the information provided per plans dated May 27, 2020, we can confirm that the District will be able to serve the proposed project as further described in this letter. **Please note that this letter constitutes approval of the water system as currently designed and is valid for eighteen (18) months after the date of issue. Any changes affecting the approved water system will require further review and approval by PWD.**

Conditions of Service

The following conditions of service apply:

- For the property at 337 Cumberland Avenue, a new 6-inch fire service and a new 4-inch domestic water service, with a 1.5-inch meter, may be installed from the water main in Cumberland Avenue. The services should enter through the properties frontage on Cumberland Avenue at least 10-feet from any side property lines. The existing ¾-inch water service line with 5/8-inch meter is undersized for the intended use and must be retired per PWD standards, which includes shutting and cutting the service at the main and removing the service box and rod at street line.
- For the property at 331 Cumberland Avenue, a new 1.5-inch service, with a 1-inch meter, may be installed from the water main in Cumberland Avenue. The service should enter through the properties frontage on Cumberland Avenue at least 10-feet from any side property lines. The existing 1-inch service line with 5/8-inch meter is undersized for the intended use and must be retired per PWD standards, which includes shutting and cutting the service at the main and removing the service box and rod at street line. The existing 4-inch fire service may be reused as long as the fire sprinkler designer determines that the service line is sized appropriately.
- 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.
- An approved backflow prevention device must be installed on the service line directly after the meter and before the fire sprinkler riser prior to service activation. Please refer to the PWD website for more information on cross-connection control policies.

225 DOUGLASS STREET P.O. BOX 3553 PORTLAND, MAINE 04104-3553
PHONE: 207.774.5961 FAX: 207.761.8307 WEB: WWW.PWD.ORG

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. Please refer to the "Conditions of Service" section of this letter for requirements related to the use of these services.

Water System Characteristics

According to District records, there is an 12-inch diameter cast iron and a 12" diameter ductile iron water main in Cumberland Avenue and a public fire hydrant located approximately 50 feet from the site. The most recent static pressure reading was 88 psi.

Public Fire Protection

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

Domestic Water Needs

The data noted above indicates there should be adequate pressure and volume of water to serve the domestic water needs of your proposed project. Based on the high water pressure in this area, we recommend that you consider the installation of pressure reducing devices that comply with state plumbing codes.

Private Fire Protection Water Needs

You have indicated that this project will require water service to provide private fire protection to the site. Please note that the District does not guarantee any quantity of water or pressure through a fire protection service. Please share these results with your sprinkler system designer so that they can design the fire protection system to best fit the noted conditions. If the data is out of date or insufficient for their needs, please contact MEANS to request a hydrant flow test and we will work with you to get more complete data.

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

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

Sincerely,
Portland Water District

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

Andy Johnston

From:	Cough, Jamie <Jamie.Cough@cmpco.com>
Sent:	Thursday, May 21, 2020 9:53 AM
To:	Andy Johnston
Subject:	New Development Project - 331-337 Cumberland Avenue, Portland, Maine CMP Ability to Serve Request and Three Phase Service Process
Attachments:	Easement_Information_Worksheet.doc; Standard Easement Sample.pdf; Jan 3.1 2020 EDET.XLSX

Atlantic Resource Consultants
541 US-1, Suite 21,Freeport, ME 04032
Andrew Johnston, PE, LEED AP, CEng, CEnv, MCIWEM
Principal

Project Description:

The project consists of construction of a new seven story building at 337 Cumberland Avenue, at the location of the current Marias Restaurant. The building will accommodate an expanded Youth and Family Outreach daycare facility on the first floor and sixty affordable apartment units on the upper floors. A building connector will be constructed between the new building and the former chapel building at 331 Cumberland Avenue, which will be lightly renovated and will continue to house the current daycare function.

Request for Ability to Serve Letter

CMP has the ability to serve the proposed project in accordance with our CMP Handbook (web link below). We can provide you the desired pad or pole mounted transformers per your request and city approval, in accordance with our CMP Handbook of Standard Requirements. If you have any questions on the process, or need help in completion of the documents, please contact me at 207-629-1489.

Here is our typical process for getting your three phase or CT rated single phase service installed. If you have any questions, please let me know. The underlined links will redirect you to the appropriate site for additional information. If this is a single phase service with all self-contained metering, the process is simplified, but still begins with a call to CMP.

Service Milestones for Three Phase Services and CT Rated Single Phase Services. Please refer to CMP Installation Checklists for other installations.

- Call 800-750-4000 option 4 to establish a new account (if needed) and an SAP work order. Please provide both of these to me.
- Submit Load information. Please complete the attached EDET (excel file) using load information. Please complete this and email back to me. If the loads are over 500 kw, more in depth load studies may be required with our Distribution Planning and Transmission Planning Departments. Be advised that these will involve more detailed load information, a load study agreement (signed contract), as well as other items. This additional study process may add up to two additional months to completion of the job.
- Submit the easement information worksheet. Please complete this form and either email or fax back to me.
- Submit any electronic drawings (PDF (preferred) or DWG files) of the site layout and proposed electrical connections if you have them.

- Preliminary meetings with CMP Advisor and Engineer to determine details of job (I will need to schedule with your electrician/contractor-please let me know who this is)
- Field planner design appointment to cost out job and develop CMP Invoice. The invoice is typically generated 5-6 weeks after the design appointment. This expires after 90 days from the invoice date.
- CMP submits invoice to the customer for payment (typically via email). Payment received from customer.
- Easements (based on easement information worksheet) sent out, signed and originals returned to CMP.
- Job scheduled for completion after the electrical inspection has been received.

This process can take several months, depending upon several factors including transformer or materials delivery, return of completed paperwork, and other jobs in the system that may be ahead of yours. In addition, contact with the other utilities, including telephone and cable, should be commenced as soon as practical. They may have additional work or charges in addition to the CMP work required to bring your project on line.

Please complete the attached forms (the specific instructions are on each form) and email them back to me at your earliest convenience.

For your convenience, here is a link to the CMP Website which contains our Handbook with details on most service requirements: CMP Handbook of Standard Requirements

You will be responsible for installing the customer connections, conduits, and metering in accordance with the CMP Handbook of Standard Requirements. The transformer will be sized based on your submitted load sheets.

Your deposit amount will be typically based on an estimated two month bill, calculated from your completed load sheet unless otherwise determined by CMP.

Metering:

All metering (including locations) must be preapproved by CMP.

Chapter 324 Interconnections:

Please be advised that if you plan to install solar/wind/hydro generation, you must complete an application under the MPUC mandated Chapter 324 Interconnection Standards. If you go to Chapter 324 Interconnection Standards and follow the instructions for the Small Generator Interconnection Procedures, CMP can do this work in parallel to your service request that will be handled by me. If you project is under 660 KW You will be able to have a Customer Net Energy Billing contract. Information concerning Customer Net Energy Billing can be accessed thru the Chapter 324 website or by clicking here: Net Energy Billing

Reallocation/Line Extensions:

Recently, changes were made to the three-phase construction policy, which require CMP to reallocate construction costs paid by customers. If applicable, those projects identified as “developments” do not qualify for reallocation of funds. Please see this document at our website for details about the reallocation conditions. Any reallocation charges will be specifically denoted on your invoice. The website address for this is: PolyphaseLineExtension .

This line extension will be part of Central Maine Power’s distribution system. In the event the property served under this Agreement is sold or otherwise conveyed, all rights and obligations of the Agreement shall stay with the property. Please note that if you rent or lease this property to another and you want to receive the reimbursement payments, you must make special arrangements with the Central Maine Power Company. Otherwise, any reimbursement payments will be sent to the “Customer” taking service at the service location.

Electricity Supplier Information:

Central Maine Power Company (CMP) will provide your facility with electric delivery service. If you don't already have a provider, you will need to make arrangements with a competitive electricity provider in order to receive electricity supply for your facility. In the event you fail to choose a competitive electricity provider, you will receive Standard Offer service arranged by the Maine Public Utilities Commission. If you wish to be served by a competitive electricity provider immediately upon establishment of delivery service, you must arrange for this service directly through your chosen competitive electricity provider, who must enroll your account no later than 5 PM on the business day prior initiation of delivery service by CMP. An up-to-date list of competitive suppliers can be found at the:

1) Maine Public Utilities Commission (MPUC) web site- Maine PUC
2) By calling the MPUC at (207) 287-3831

Attachments:

Excel Load Sheet (EDET)
Easement Worksheet and Sample Standard Easement

Regards,

Jamie

Jamie Cough
Energy Services Advisor
Central Maine Power Company
162 Canco Road
Portland, ME 04103
207-629-1489 office

CENTRAL MAINE POWER

==========

Please consider the environment before printing this email.

If you have received this message in error, please notify the sender and immediately delete this message and any attachment hereto and/or copy hereof, as such message contains confidential information intended solely for the individual or entity to whom it is addressed. The use or disclosure of such information to third parties is prohibited by law and may give rise to civil or criminal liability.

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CITY OF PORTLAND WASTEWATER CAPACITY APPLICATION

Portland Dept. of Public Works -
Water Resources
212 Canco Road
Portland, Maine 04103

Date: 05-27-2020

Bradley Roland, P.E.
Water Resources Division
Department of Public Works
212 Canco Road
Portland, ME 04103

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

Site Address: 331-337 CUMBERLAND AVENUE

Chart Block Lot Number: 33-K-5,6,7,9,10

Proposed Use: RESIDENTIAL / DAYCARE
Previous Use: RESTAURANT/DAYCARE
Existing Sanitary Flows: 1,582 GPD
Existing Process Flows: N/A GPD
Description and location of City sewer that is to receive the proposed building sewer lateral.

PORTLAND STREET

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

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

2. Please, Submit Contact Information.

City Planner's Name: NOT YET ASSIGNED Phone: _____
Owner/Developer Name: PORTLAND HOUSING AUTHORITY
Owner/Developer Address: 14 BAXTER BOULEVARD, PORTLAND, MAINE 04101
Phone: 207-415-3870 Fax: _____ E-mail: matt@elysiancommunities.com
Engineering Consultant Name: ATLANTIC RESOURCE CONSULTANTS
Engineering Consultant Address: 541 US ROUTE ONE, SUITE #21, FREEPORT, ME 04032
Phone: 207-869-9050 Fax: _____ E-mail: ANDYJ@ARC-MAINE.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: 11,541 GPD
Peaking Factor/ Peak Times: 5.75 / 07:00-08:00
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)*
MAINE SUBSURFACE WASTEWATER DISPOSAL REGULATION (FLOWS), TR-16 (PEAKING FACTOR)

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

4. Please, Submit External Grease Interceptor Calculations.

Total Drainage Fixture Unit (DFU) Values: 13

Size of External Grease Interceptor: SCHIER GB-75 DYNAMIC SEPARATOR UNIT

Retention Time: see attached calculations

Peaking Factor/ Peak Times: _____

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

5. Please, Submit Industrial Process Wastewater Flow Calculations

Estimated Industrial Process Wastewater Flows Generated: N/A GPD

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

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

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

Peaking Factor/Peak Process Times: _____

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

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

GREASE INTERCEPTOR CALCULATIONS

Reference No. 18603 Project Name: 337 Cumberland Avenue

Step 1: Flow rate to grease interceptor

Fixture flow rate: (cu in / 231) = gal x 0.75 / 2 min = 2 min flow rate

NAME	TYPE	DIMENSIONS	QTY	CU IN	FLOW RATE
Food Prep Sink	Prep Sink Two Bowls	21" x 21" x 14" (2)	1	12,348	20 GPM
Hand Wash Sink	2 Compartment Sink	21" x 21" x 14" (2)	1	12,348	20 GPM
Kitchen Dishwasher	Door Type (Dishwasher)	N/A	1	2,310	5 GPM
Mop Sink	Mop Basin	24" x 24" x 10"	1	5,760	9.35 GPM
Total					**54.35 GPM**

Step 2: Grease Production

Servings per day x Grease production value x Days between pump-outs = Grease output

Number of meals served per day: 120
Grease production value: 0.0455 lbs per serving (Cafeteria - Full Serve: High / Flatware)
Days between pump-outs: 90 days

120 x 0.0455 x 90 = 491.4 lbs of FOG

SCHIER MODEL	
GB-75	**Description:** Polyethylene Grease Interceptor **Dimensions:** Length: 46", Width: 32", Height: 38.5" **Flow Rates/Grease Capacities:** 75 GPM / 653.0 lbs **Liquid Capacity:** 125 gal

Att. F

CITY OF PORTLAND
Department of Public Works
Christopher C. Branch, P.E., Director

Date: May 19, 2020 Revised July 7, 2020

Re: Wastewater Capacity Authorization

Address: 331-337 Cumberland Avenue
Applicant: Portland Housing Authority

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				
Day Care Facilities Serving Meals	# Children	58	15 GPD	-870
Day Care Facilities Serving Meals	# Adults	16	12 GPD	-192
Eating Place – 1 Meal/Day	# Seat	40	10 GPD	-400
Eating Place – 1 Meal/Day	# Employees	10	12 GPD	-120
Proposed flow				
Day Care Facilities Serving Meals	# Children	107	15 GPD	1605
Day Care Facilities Serving Meals	# Adults	28	12 GPD	336
Multiple Family Dwelling Units	Studio	20	120	2400
Multiple Family Dwelling Units	1-Bedroom	15	120	1800
Multiple Family Dwelling Units	2-Bedroom	15	180	2700
Multiple Family Dwelling Units	3-Bedroom	10	270	2700
			Net Change	**+ 9,959**
*Values based on STATE OF MAINE: SUBSURFACE WASTEWATER DISPOSAL RULES, most recent edition				

212 Canco Road, Ste B · Portland, ME 04103 · 207-874-8801
cbranch@portlandmaine.gov · www.portlandmaine.gov

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

Att. G

PHA – CUMBERLAND AVENUE

STORMWATER MANAGEMENT REPORT

Prepared for:
Portland Housing Authority
Portland, Maine

Prepared by:

Atlantic Resource Consultants
Engineering Strategies and Solutions

June 2020

STATE OF MAINE
ANDREW D. JOHNSTON
NO. 9994
6-1-20
LICENSED
PROFESSIONAL ENGINEER

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INTRODUCTION AND BACKGROUND

Atlantic Resource Consultants (ARC) has prepared the following abbreviated stormwater management report for re-development of a site located at 331-337 Cumberland Avenue in Portland, Maine. The property is located at the corner of Portland Street, Preble Street and Cumberland Avenue and is fully developed with a former chapel building that currently houses the Youth Outreach and Daycare Center and the associated artificial turf outdoor play area, a brick restaurant building and an adjacent paved surface parking lot. The project includes renovation of the chapel building, demolition of the existing restaurant building and construction of a new multi-storey building to include an expanded daycare program on the first floor and apartments on the upper floors. Surface level exterior spaces will be renovated to provide updated exterior play areas for the daycare facility.

The project site is described as Parcel ID Numbers 33-K-6, 33-K-7, 33-K-9 and 33-K-10 and is located on the northern side of Cumberland Avenue, the west side of Preble Street and the north side of Portland Street in Portland, Maine. Access to the site is provided via a driveway off Portland Street, with pedestrian access from Preble Street and Cumberland Avenue.

The property is currently fully developed and almost entirely impervious, the exceptions being the artificial turf surface around the south and east sides of the former chapel and a very small planted area on the north side of the same building. Runoff from the developed area drains directly to the City of Portland storm drain system in Portland Street and hence to Back Cove.

The project largely consists of demolition of the existing restaurant building and construction of a new multi-story building with expanded daycare facilities on the first floor and apartments on the floors above. The former chapel building will remain and will be renovated, with a new connector proposed between the two buildings. Parking will be provided beneath the new building, which will cover the current surface parking lot. The exterior play areas will be renovated to better serve the daycare function. Neither the developed area, nor the impervious area of the site will be increased. The project will disturb approximately 19,500sf of area.

EXISTING CONDITIONS

The majority of the project site is currently developed with a former chapel building, a restaurant building and the associated site access, parking, and exterior play areas.

Cover conditions include the existing building roofs, parking areas, patios, stoops and walkways, artificial turf outdoor play areas and small, unmaintained grass areas on Portland Street. The topography of the site slopes steeply from Cumberland Avenue, downwards along Preble Street to Portland Street. The grade differential between the Cumberland Avenue and Portland Street sides of the site is approximately twelve feet. All runoff from the site discharges to the City of Portland storm drain system in the abutting streets. This system discharges to Back Cove. There are currently no stormwater treatment or detention Best Management Practices (BMPs) at the site.

Predominant surface soil types on the project site are identified by the Natural Resource Conservation Service (NRCS) Web Soil Survey as Hinckley series loamy sands. The site-specific geotechnical investigations encountered urban granular fill overlying clay, silty sand and bedrock.

RECEIVING WATERS

The developed area of the site drains to the City of Portland storm drain system in the streets abutting the property. The system discharges to Back Cove.

HISTORICAL FLOODING

The site is not located with a within a Flood Zone as indicated on the FEMA Flood Insurance Rate Map for the City of Portland (Community Panel Number 230051 0013 B), dated July 17, 1986.

ALTERATIONS TO NATURAL DRAINAGEWAYS

The project will not result in alteration of any natural drainageways.

PROJECT DESCRIPTION

The project consists of renovations to the former chapel building and associated site amenities, demolition of the restaurant building and associated parking lot, and construction of a new multi-story building and a new connector between the new building and the former chapel at the project site. Parking will be provided under the new building, on the Portland Street side of the site.

Stormwater management will be provided through several new Low Impact Development (LID) Best Management Practices (BMPs) at the site. Play areas will be constructed of pervious materials including pervious pavers, artificial turf, sand and planters. The base materials are designed for storage and treatment of contributing surface drainage, before allowing discharge, both to the underlying soils and the street drainage system via perforated underdrain pipes. The pervious areas have been designed to provide treatment for rainfall landing directly on the surfaces and runoff entering from adjacent roofs, in accordance with State of Maine Chapter 500 Stormwater Law standards, as described below:

An outdoor play area will be constructed over the parking deck on the west side of the building, with access from the first-floor level. The play area will be construction of pervious surfaces to allow capture and treatment of rainfall landing on this portion of the site.

The exterior play areas to the south and east side of the former chapel building will be re-constructed of pervious materials that will provide capture and treatment of runoff from these surfaces and adjacent contributing roof areas.

A smaller play area will be constructed in the alcove between the buildings. This area will also be constructed of pervious materials. A small rain garden feature is included adjacent to Portland Street and this will serve to provide shade and accommodate a structure that combines the incoming underdrains and from the site and the new roof drain, before discharging to the city drainage system.

There is no increase in impervious area at the site and no increase in the developed area that will be graded and not re-vegetated. Runoff and routing calculations demonstrate that the project will not result in any increase in runoff from the site under any storm conditions.

METHODOLOGY AND MODELING ASSUMPTIONS

Runoff and routing calculations have been performed for the watershed areas affected by the proposed development under pre-development and post-development conditions scenarios. Time of concentration and runoff curve number calculations have been performed using the method described in Natural Resource Conservation Service (NRCS) Technical Release 55 (TR-55) – Urban Hydrology for Small Watersheds. The TR-20 based HydroCAD modeling software has been utilized to perform the more complex runoff and routing calculations, some of which are beyond the scope of the TR-55 method. Time of concentration calculations have been amended where the value given by the TR-55 method is less than six minutes (0.1hr). In these cases, a standard minimum value of six minutes has been used to keep this parameter within the acceptable working range of the model and prevent computational errors.

Design rainfall events have been modeled using the SCS Type III Hydrograph for 24-hour duration storms. The rainfall depth for each return period is taken from Maine Department of environmental Protection Chapter 500 Stormwater Management, Appendix H (Cumberland County). The rainfall depth values for standard design storm frequencies are shown in the table below.

TABLE 1 - 24-Hr Rainfall Depths for Cumberland County at Design Storm Frequencies				
Maine Chapter 500: Stormwater Management, Appendix H				
Frequency	2-Year	10-Year	25-Year	100-Year
Rainfall Depth	3.1 in	4.6 in	5.8 in	8.1 in

Soil types in the area of the site have been identified using the Natural Resource Conservation Service (NRCS) Web Soil Survey. The only mapped soil unit at the site in Hinckley, which is classified as Hydrologic Group A. The existing topography of the site was determined by field survey and the existing vegetative cover was identified by site inspection. The following table includes a list of the surficial soil types that were identified on the project site, along with their associated Hydrologic Soil Group (HSG).

TABLE 2 – SOIL TYPES	
Soil Type	**Hydrologic Soil Group**
Hinckley	A

Under the pre-development conditions scenario, the site is represented by a single subcatchment area. Subcatchment 101 drains to Design Point 1, located at the City drainage system in Portland Street. It should be noted that the existing artificial turf play areas on the site were constructed on a shallow bed of sand over existing soil. This material will act in a hydrologically similar manner to a grass surface on Type A soils and has been modeled in this way.

Under the post-development conditions scenario, the site is divided into several smaller areas to model the impact of localized storage within the system. The overall routing configuration remains unchanged with all drainage routed to

Design Point 1, at the Portland Street drainage system. In this way, a direct comparison can be made of pre-development and post-development runoff values at the Design Point.

NRCS Code 378, the Stormwater Management for Maine: Best Management Practices (MEDEP, 2016) and the Maine Erosion And Sediment Control Best Management Practices (BMPs) Manual for Designers and Engineers (October 2016) have been used as guidelines in the design of the stormwater system.

PROPOSED BMPS

New LID Stormwater Best Management Practices (BMPs) have been designed to effectively capture, detain and treat runoff from the new impervious area associated with the new development at the site, before allowing it to discharge in a non-erosive manner to downstream areas.

The new BMPs proposed for this project are as follows:

- Pervious Pavement and Non-Paved Pervious Surfaces – Pervious pavement and unpaved pervious surfaces have been designed to capture and treat runoff by providing detention storage in an open-graded reservoir stone layer beneath the surface. Filtration occurs through a filter sand layer located beneath the reservoir stone. The system drains by infiltration to the underlying soils or through a perforated underdrain pipe located at the base of the section.

- Roof Drain Filtration Unit – The project is proposing to utilize a proprietary roof downspout filtration unit as manufactured by Cleanway Environmental Partners, Inc. The unit consist of a metal box which accepts downspouts from the building. Inside the box is a metal strainer and a filter unit which removes pollutants from roof runoff. The unit has the capacity to provide treatment from the new building roof area for a 1-inch storm. A bypass is incorporated into the unit to pass the larger storms without backing up the roof drain system.

- Rain Garden – A rain garden is incorporated into the play area between the buildings. The rain garden is a planted area with a filtering loamy sand soil layer, which will provides treatment of runoff by filtration and nutrient uptake in the root zone, before allowing it to infiltrate into the underlying soil, or drain through a perforated underdrain pipe located at the base of the soil section. In this application, the rain garden serves more as an aesthetic feature to provide shade and a location for the drainage structure that combines incoming pipes before discharging to the City drainage system. The Rain Garden is surrounded by pervious pavement and thus is not required for stormwater treatment or detention purposes. It has, therefore been omitted from the model.

Pre-development Conditions

The overall model for the site is represented by a single subcatchment. A summary of the subcatchment characteristics is given in the table below.

Additional details of the pre-development cover conditions are described in detail in the supporting HydroCAD documentation included in Attachment A of this report. A Predevelopment Conditions Watershed Plan is included in Attachment A of this report.

PRE-DEVELOPMENT WATERSHED CHARACTERISTICS			
SUBCATCHMENT	AREA (sf)	CN	Tc (mins)
101	19,214	89	6

Post-Development Conditions

A full listing of the post-development areas in the model is shown in the following table. Full details of the post-development subcatchment areas, cover conditions and time of concentration flow paths are described in detail in the supporting HydroCAD documentation included in Attachment C of this report. A Post-Development Conditions Watershed Plan is included in Attachment A of this report.

POST-DEVELOPMENT WATERSHED CHARACTERISTICS			
SUBCATCHMENT	AREA (sf)	CN	Tc (mins)
201	9,651	94	6
202	2,237	98	6
203	5,148	98	6
204	2,178	98	6
TOTAL AREA	**19,214**		

Water Quantity Analysis Summary

The table below summarizes the peak runoff values for predevelopment and post-development conditions during each of the analyzed design storm events.

SUMMARY OF PEAK RUNOFF VALUES (CFS)		
	Design Point 1	
Storm Event	**Pre-Development**	**Post-Development**
2-Year	1.00	**0.80**
10-Year	1.67	**1.32**
25-Year	2.21	**1.76**

STORMWATER QUALITY ANALYSIS

Water Quality Treatment Measures

The project has been designed in accordance with the City of Portland Technical Manual Standards, which require water quality treatment for at least 50% of re-developed non-roof impervious areas. The project will actually provide treatment for runoff from the entire site, with the exception of the grass gardening area at the northeast corner of the property (590sf), the northeast corner of the chapel roof (500sf), and the small paved alleyway on the west side of the new building (827sf).

The project will utilize a selection of LID BMPs, designed in accordance with the latest version of the Maine Department of Environmental Protection BMPs Technical Design Manual, to capture, treat and detain stormwater runoff from the newly proposed developed areas.

SOIL EROSION AND SEDIMENT CONTROL

Soil Erosion and Sediment Control (SESC) Best Management Practices (BMPs) have been designed to avoid and minimize potential impacts associated with the proposed construction activities at the site. These are shown on the SESC Plan, Details and Notes sheets of the accompanying drawing set.

The SESC drawings outline required construction measures and techniques that will reduce potential degradation of the water quality at downstream locations. Temporary erosion control measures will be incorporated during construction, and long-term surface stabilization practices have been designed as part of the site development to minimizing the potential for soil erosion and sediment transport. The proposed SESC BMPs include perimeter erosion controls to protect downstream receiving waters and natural resource areas, stabilized stormwater outlets, erosion control blankets, temporary and permanent seeding and other vegetative stabilization measures. Detailed information on the specific erosion and sedimentation control practices that are to be used on the site are provided on the drawings that accompany this submission.

STORMWATER MAINTENANCE PLAN

The effectiveness of water quality management provisions and other components of the stormwater management system are dependent on their design, upkeep, and maintenance to assure they meet their intended function over an extended period of time.

Portland Housing Authority will own and maintain the entire stormwater system on the site and will maintain the constructed BMPs, in accordance with State and local ordinance requirements. A Stormwater Management Inspection and Maintenance Manual has been prepared specifically for the project.

CONCLUSIONS

The stormwater management system has been designed to capture, detain and treat runoff from the new development in accordance with standard engineering practices to meet current local, State and Federal regulations. As a result of the

proposed BMPs described in this report, the new development will have no significant detrimental impact on the municipal stormwater drainage system, or downstream receiving waters.

Limitations

This report has been produced using the information available from published sources, site surveys and observations.

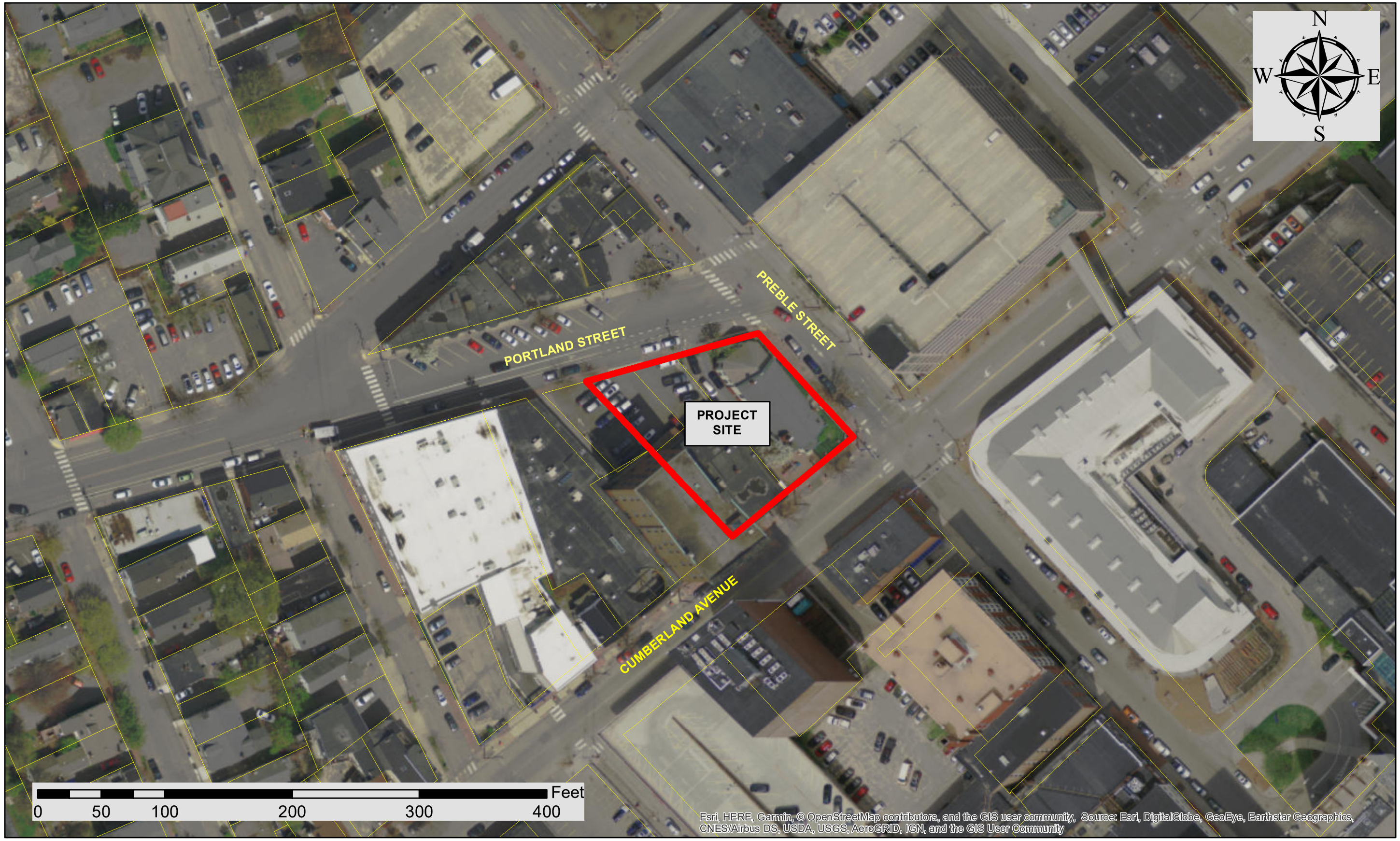
References

1. NRCS Web Soil Survey
2. Maine Stormwater Management Design Manual (May 2016)
3. Maine Erosion and Sedimentation Control Best Management Practices, Manual for Designers and Engineers (October 2016)

FIGURES AND ATTACHMENTS

Figure 1	USGS Location Map
Figure 2	Aerial Photograph
Figure 3	NRCS Web Soil Survey Soils Map
Attachment A	Water Quality Calculations
Attachment B	HydroCAD output
Attachment C	Pre and Post-Development Watershed Plans

FIGURES


N
W
E
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PORTLAND STREET
PREBLE STREET
CUMBERLAND AVENUE
PROJECT SITE
Feet
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50
100
200
300
400
Esri, HERE, Garmin, © OpenStreetMap contributors, and the GIS user community, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Custom Soil Resource Report
Soil Map (PHA Cumberland Avenue)

Map Scale: 1:1,880 if printed on A landscape (11" x 8.5") sheet.

N

Meters: 0 25 50 100 150

Feet: 0 50 100 200 300

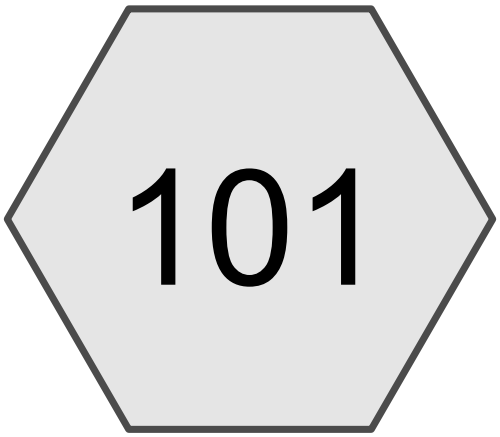
Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 19N WGS84

ATTACHMENT A

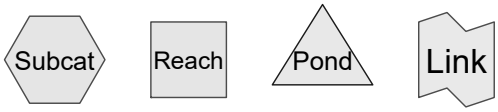
PHACumberland Avenue

Subcatchment Area	Impervious Area	Landscaped Area	Developed Area	BMP
TREATED AREAS				
201	7733	0	7733	Roof Filter
202	2237	0	2237	LID BMP
203	2293	2855	5148	LID BMP
204	0	2178	2178	LID BMP
TOTAL TREATED	**12263**	**5033**	**17296**	
UNTREATED AREAS				
201	1328	590	1918	None
			0	
TOTAL UNTREATED	**1328**	**590**	**1918**	
% TREATED	**90%**		**90%**	

ATTACHMENT B



EX-COND



Routing Diagram for 20-010 PHA Cumberland Avenue-EX
Prepared by ARC (18-045), Printed 6/1/2020
HydroCAD® 10.00-22 s/n 08018 © 2018 HydroCAD Software Solutions LLC

Summary for Subcatchment 101: EX-COND

Runoff = 1.00 cfs @ 12.09 hrs, Volume= 0.069 af, Depth> 1.87"

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-Yr Storm Rainfall=3.10"

	Area (sf)	CN	Description
*	7,914	98	Roof Areas
*	8,366	98	Pavement
	1,583	39	>75% Grass cover, Good, HSG A
	739	39	>75% Grass cover, Good, HSG A
	612	39	>75% Grass cover, Good, HSG A
	19,214	89	Weighted Average
	2,934		15.27% Pervious Area
	16,280		84.73% Impervious Area

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

Summary for Subcatchment 101: EX-COND

Runoff = 1.67 cfs @ 12.09 hrs, Volume= 0.118 af, Depth> 3.20"

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-Yr Storm Rainfall=4.60"

	Area (sf)	CN	Description
*	7,914	98	Roof Areas
*	8,366	98	Pavement
	1,583	39	>75% Grass cover, Good, HSG A
	739	39	>75% Grass cover, Good, HSG A
	612	39	>75% Grass cover, Good, HSG A
	19,214	89	Weighted Average
	2,934		15.27% Pervious Area
	16,280		84.73% Impervious Area

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

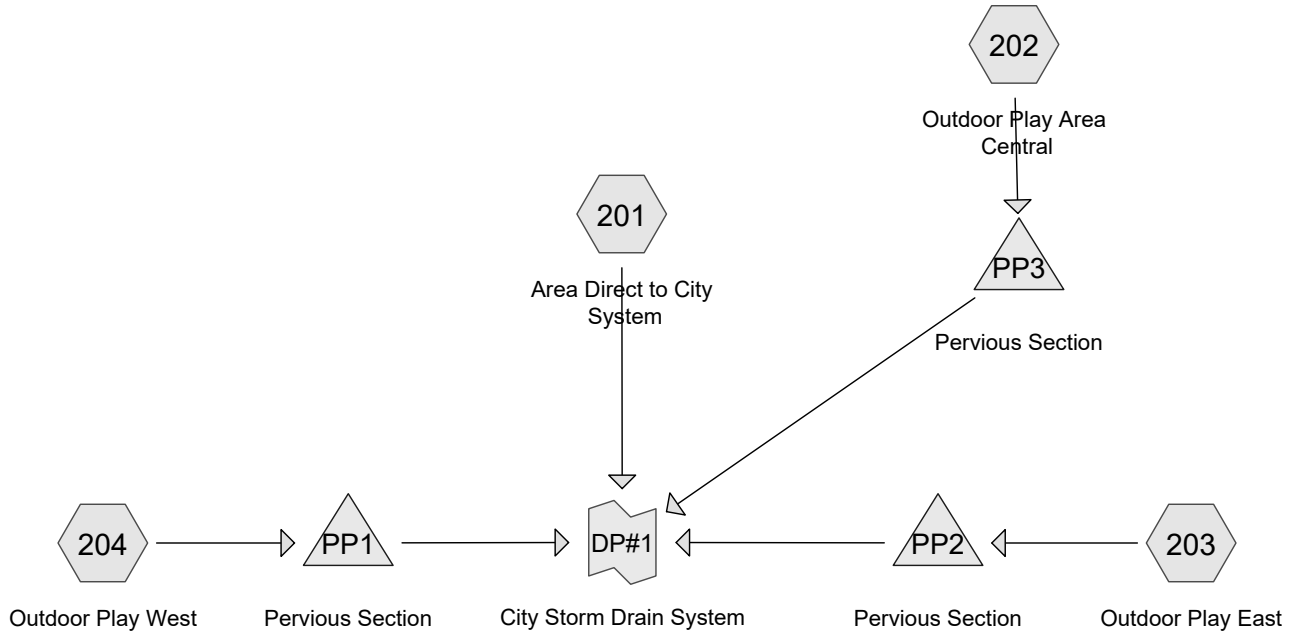
Summary for Subcatchment 101: EX-COND

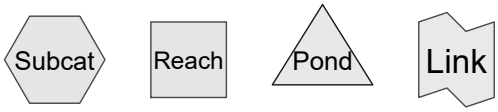
Runoff = 2.21 cfs @ 12.09 hrs, Volume= 0.158 af, Depth> 4.29"

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-Yr Storm Rainfall=5.80"

	Area (sf)	CN	Description
*	7,914	98	Roof Areas
*	8,366	98	Pavement
	1,583	39	>75% Grass cover, Good, HSG A
	739	39	>75% Grass cover, Good, HSG A
	612	39	>75% Grass cover, Good, HSG A
	19,214	89	Weighted Average
	2,934		15.27% Pervious Area
	16,280		84.73% Impervious Area

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





Routing Diagram for 20-010 PHA Cumberland Avenue
Prepared by ARC (18-045), Printed 6/1/2020
HydroCAD® 10.00-22 s/n 08018 © 2018 HydroCAD Software Solutions LLC

Summary for Subcatchment 201: Area Direct to City System

Runoff = 0.61 cfs @ 12.08 hrs, Volume= 1,968 cf, Depth= 2.45"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-40.00 hrs, dt= 0.02 hrs
Type III 24-hr 2-Yr Storm Rainfall=3.10"

	Area (sf)	CN	Description
*	8,233	98	Roof Areas
*	828	98	Paved Areas
	590	39	>75% Grass cover, Good, HSG A
	9,651	94	Weighted Average
	590		6.11% Pervious Area
	9,061		93.89% Impervious Area

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

Summary for Subcatchment 202: Outdoor Play Area Central

Runoff = 0.15 cfs @ 12.08 hrs, Volume= 535 cf, Depth= 2.87"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-40.00 hrs, dt= 0.02 hrs
Type III 24-hr 2-Yr Storm Rainfall=3.10"

	Area (sf)	CN	Description
	1,004	98	Roofs, HSG A
*	1,233	98	Paved sidewalks HSG A
	2,237	98	Weighted Average
	2,237		100.00% Impervious Area

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

Summary for Subcatchment 203: Outdoor Play East

Runoff = 0.35 cfs @ 12.08 hrs, Volume= 1,230 cf, Depth= 2.87"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-40.00 hrs, dt= 0.02 hrs
Type III 24-hr 2-Yr Storm Rainfall=3.10"

	Area (sf)	CN	Description
*	2,855	98	Pervious Surface, 0% imp, HSG A
	1,979	98	Roofs, HSG A
*	314	98	Concrete ramp
	5,148	98	Weighted Average
	2,855		55.46% Pervious Area
	2,293		44.54% Impervious Area

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

Summary for Subcatchment 204: Outdoor Play West

Runoff = 0.15 cfs @ 12.08 hrs, Volume= 521 cf, Depth= 2.87"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-40.00 hrs, dt= 0.02 hrs
Type III 24-hr 2-Yr Storm Rainfall=3.10"

	Area (sf)	CN	Description
*	2,178	98	Play Surface, 0% imp, HSG A
	2,178		100.00% Pervious Area

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

Summary for Pond PP1: Pervious Section

Inflow Area = 2,178 sf, 0.00% Impervious, Inflow Depth = 2.87" for 2-Yr Storm event
Inflow = 0.15 cfs @ 12.08 hrs, Volume= 521 cf
Outflow = 0.15 cfs @ 12.09 hrs, Volume= 521 cf, Atten= 1%, Lag= 0.6 min
Primary = 0.15 cfs @ 12.09 hrs, Volume= 521 cf

Routing by Stor-Ind method, Time Span= 0.00-40.00 hrs, dt= 0.02 hrs
Peak Elev= 98.01' @ 12.09 hrs Surf.Area= 2,204 sf Storage= 5 cf

Plug-Flow detention time= 0.6 min calculated for 520 cf (100% of inflow)
Center-of-Mass det. time= 0.6 min (757.7 - 757.1)

Volume	Invert	Avail.Storage	Storage Description
#1	98.00'	1,460 cf	**Custom Stage Data (Prismatic)** Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Voids (%)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
98.00	2,204	0.0	0	0
98.41	2,204	40.0	361	361
98.91	2,204	30.0	331	692
99.58	2,204	40.0	591	1,283
99.75	2,204	40.0	150	1,433
100.00	2,204	5.0	28	1,460

Device	Routing	Invert	Outlet Devices
#1	Primary	97.50'	**6.0" Vert. Orifice/Grate** C= 0.600

Primary OutFlow Max=0.48 cfs @ 12.09 hrs HW=98.01' (Free Discharge)
└**1=Orifice/Grate** (Orifice Controls 0.48 cfs @ 2.44 fps)

Summary for Pond PP2: Pervious Section

Inflow Area = 5,148 sf, 44.54% Impervious, Inflow Depth = 2.87" for 2-Yr Storm event
Inflow = 0.35 cfs @ 12.08 hrs, Volume= 1,230 cf
Outflow = 0.18 cfs @ 12.23 hrs, Volume= 1,230 cf, Atten= 50%, Lag= 8.6 min
Discarded = 0.12 cfs @ 11.92 hrs, Volume= 1,133 cf
Primary = 0.06 cfs @ 12.23 hrs, Volume= 98 cf

Routing by Stor-Ind method, Time Span= 0.00-40.00 hrs, dt= 0.02 hrs
Peak Elev= 97.64' @ 12.23 hrs Surf.Area= 2,588 sf Storage= 144 cf

Plug-Flow detention time= 6.0 min calculated for 1,230 cf (100% of inflow)
Center-of-Mass det. time= 6.0 min (763.1 - 757.1)

Volume	Invert	Avail.Storage	Storage Description
#1	97.50'	2,232 cf	**Custom Stage Data (Prismatic)**Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Voids (%)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
97.50	2,588	0.0	0	0
97.83	2,588	40.0	342	342
98.33	2,588	30.0	388	730
99.58	2,588	40.0	1,294	2,024
99.75	2,588	40.0	176	2,200
100.00	2,588	5.0	32	2,232

Device	Routing	Invert	Outlet Devices
#1	Primary	97.50'	**6.0" Vert. Orifice/Grate** C= 0.600
#2	Discarded	97.50'	**2.000 in/hr Exfiltration over Surface area**

Discarded OutFlow Max=0.12 cfs @ 11.92 hrs HW=97.53' (Free Discharge)
└**2=Exfiltration** (Exfiltration Controls 0.12 cfs)

Primary OutFlow Max=0.06 cfs @ 12.23 hrs HW=97.64' (Free Discharge)
└**1=Orifice/Grate** (Orifice Controls 0.06 cfs @ 1.27 fps)

Summary for Pond PP3: Pervious Section

Inflow Area = 2,237 sf,100.00% Impervious, Inflow Depth = 2.87" for 2-Yr Storm event
Inflow = 0.15 cfs @ 12.08 hrs, Volume= 535 cf
Outflow = 0.09 cfs @ 12.19 hrs, Volume= 535 cf, Atten= 42%, Lag= 6.5 min
Discarded = 0.06 cfs @ 11.96 hrs, Volume= 484 cf
Primary = 0.03 cfs @ 12.19 hrs, Volume= 50 cf

Routing by Stor-Ind method, Time Span= 0.00-40.00 hrs, dt= 0.02 hrs
Peak Elev= 97.60' @ 12.19 hrs Surf.Area= 1,257 sf Storage= 52 cf

Plug-Flow detention time= 4.8 min calculated for 534 cf (100% of inflow)
Center-of-Mass det. time= 4.8 min (761.9 - 757.1)

Volume	Invert	Avail.Storage	Storage Description
#1	97.50'	1,084 cf	**Custom Stage Data (Prismatic)** Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Voids (%)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
97.50	1,257	0.0	0	0
97.83	1,257	40.0	166	166
98.33	1,257	30.0	189	354
99.58	1,257	40.0	629	983
99.75	1,257	40.0	85	1,068
100.00	1,257	5.0	16	1,084

Device	Routing	Invert	Outlet Devices
#1	Primary	97.50'	**6.0" Vert. Orifice/Grate** C= 0.600
#2	Discarded	97.50'	**2.000 in/hr Exfiltration over Surface area**

Discarded OutFlow Max=0.06 cfs @ 11.96 hrs HW=97.53' (Free Discharge)
└─**2=Exfiltration** (Exfiltration Controls 0.06 cfs)

Primary OutFlow Max=0.03 cfs @ 12.19 hrs HW=97.60' (Free Discharge)
└─**1=Orifice/Grate** (Orifice Controls 0.03 cfs @ 1.09 fps)

Summary for Link DP#1: City Storm Drain System

Inflow Area = 19,214 sf, 70.73% Impervious, Inflow Depth = 1.65" for 2-Yr Storm event
Inflow = 0.80 cfs @ 12.09 hrs, Volume= 2,636 cf
Primary = 0.80 cfs @ 12.09 hrs, Volume= 2,636 cf, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 0.00-40.00 hrs, dt= 0.02 hrs

Summary for Subcatchment 201: Area Direct to City System

Runoff = 0.95 cfs @ 12.08 hrs, Volume= 3,148 cf, Depth= 3.91"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-40.00 hrs, dt= 0.02 hrs
Type III 24-hr 10-Yr Storm Rainfall=4.60"

	Area (sf)	CN	Description
*	8,233	98	Roof Areas
*	828	98	Paved Areas
	590	39	>75% Grass cover, Good, HSG A
	9,651	94	Weighted Average
	590		6.11% Pervious Area
	9,061		93.89% Impervious Area

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

Summary for Subcatchment 202: Outdoor Play Area Central

Runoff = 0.23 cfs @ 12.08 hrs, Volume= 813 cf, Depth= 4.36"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-40.00 hrs, dt= 0.02 hrs
Type III 24-hr 10-Yr Storm Rainfall=4.60"

	Area (sf)	CN	Description
	1,004	98	Roofs, HSG A
*	1,233	98	Paved sidewalks HSG A
	2,237	98	Weighted Average
	2,237		100.00% Impervious Area

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

Summary for Subcatchment 203: Outdoor Play East

Runoff = 0.53 cfs @ 12.08 hrs, Volume= 1,872 cf, Depth= 4.36"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-40.00 hrs, dt= 0.02 hrs
Type III 24-hr 10-Yr Storm Rainfall=4.60"

	Area (sf)	CN	Description
*	2,855	98	Pervious Surface, 0% imp, HSG A
	1,979	98	Roofs, HSG A
*	314	98	Concrete ramp
	5,148	98	Weighted Average
	2,855		55.46% Pervious Area
	2,293		44.54% Impervious Area

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

Summary for Subcatchment 204: Outdoor Play West

Runoff = 0.22 cfs @ 12.08 hrs, Volume= 792 cf, Depth= 4.36"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-40.00 hrs, dt= 0.02 hrs
Type III 24-hr 10-Yr Storm Rainfall=4.60"

	Area (sf)	CN	Description
*	2,178	98	Play Surface, 0% imp, HSG A
	2,178		100.00% Pervious Area

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

Summary for Pond PP1: Pervious Section

Inflow Area = 2,178 sf, 0.00% Impervious, Inflow Depth = 4.36" for 10-Yr Storm event
Inflow = 0.22 cfs @ 12.08 hrs, Volume= 792 cf
Outflow = 0.22 cfs @ 12.09 hrs, Volume= 792 cf, Atten= 1%, Lag= 0.6 min
Primary = 0.22 cfs @ 12.09 hrs, Volume= 792 cf

Routing by Stor-Ind method, Time Span= 0.00-40.00 hrs, dt= 0.02 hrs
Peak Elev= 98.01' @ 12.09 hrs Surf.Area= 2,204 sf Storage= 8 cf

Plug-Flow detention time= 0.6 min calculated for 792 cf (100% of inflow)
Center-of-Mass det. time= 0.6 min (750.0 - 749.4)

Volume	Invert	Avail.Storage	Storage Description
#1	98.00'	1,460 cf	**Custom Stage Data (Prismatic)** Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Voids (%)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
98.00	2,204	0.0	0	0
98.41	2,204	40.0	361	361
98.91	2,204	30.0	331	692
99.58	2,204	40.0	591	1,283
99.75	2,204	40.0	150	1,433
100.00	2,204	5.0	28	1,460

Device	Routing	Invert	Outlet Devices
#1	Primary	97.50'	**6.0" Vert. Orifice/Grate** C= 0.600

Primary OutFlow Max=0.48 cfs @ 12.09 hrs HW=98.01' (Free Discharge)
└**1=Orifice/Grate** (Orifice Controls 0.48 cfs @ 2.45 fps)

Summary for Pond PP2: Pervious Section

Inflow Area = 5,148 sf, 44.54% Impervious, Inflow Depth = 4.36" for 10-Yr Storm event
Inflow = 0.53 cfs @ 12.08 hrs, Volume= 1,872 cf
Outflow = 0.28 cfs @ 12.21 hrs, Volume= 1,872 cf, Atten= 48%, Lag= 7.8 min
Discarded = 0.12 cfs @ 11.78 hrs, Volume= 1,579 cf
Primary = 0.16 cfs @ 12.21 hrs, Volume= 293 cf

Routing by Stor-Ind method, Time Span= 0.00-40.00 hrs, dt= 0.02 hrs
Peak Elev= 97.74' @ 12.21 hrs Surf.Area= 2,588 sf Storage= 251 cf

Plug-Flow detention time= 7.3 min calculated for 1,871 cf (100% of inflow)
Center-of-Mass det. time= 7.3 min (756.7 - 749.4)

Volume	Invert	Avail.Storage	Storage Description
#1	97.50'	2,232 cf	**Custom Stage Data (Prismatic)**Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Voids (%)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
97.50	2,588	0.0	0	0
97.83	2,588	40.0	342	342
98.33	2,588	30.0	388	730
99.58	2,588	40.0	1,294	2,024
99.75	2,588	40.0	176	2,200
100.00	2,588	5.0	32	2,232

Device	Routing	Invert	Outlet Devices
#1	Primary	97.50'	**6.0" Vert. Orifice/Grate** C= 0.600
#2	Discarded	97.50'	**2.000 in/hr Exfiltration over Surface area**

Discarded OutFlow Max=0.12 cfs @ 11.78 hrs HW=97.53' (Free Discharge)
└**2=Exfiltration** (Exfiltration Controls 0.12 cfs)

Primary OutFlow Max=0.16 cfs @ 12.21 hrs HW=97.74' (Free Discharge)
└**1=Orifice/Grate** (Orifice Controls 0.16 cfs @ 1.68 fps)

Summary for Pond PP3: Pervious Section

Inflow Area = 2,237 sf,100.00% Impervious, Inflow Depth = 4.36" for 10-Yr Storm event
Inflow = 0.23 cfs @ 12.08 hrs, Volume= 813 cf
Outflow = 0.15 cfs @ 12.18 hrs, Volume= 813 cf, Atten= 37%, Lag= 5.8 min
Discarded = 0.06 cfs @ 11.82 hrs, Volume= 676 cf
Primary = 0.09 cfs @ 12.18 hrs, Volume= 137 cf

Routing by Stor-Ind method, Time Span= 0.00-40.00 hrs, dt= 0.02 hrs
Peak Elev= 97.67' @ 12.18 hrs Surf.Area= 1,257 sf Storage= 88 cf

Plug-Flow detention time= 5.6 min calculated for 813 cf (100% of inflow)
Center-of-Mass det. time= 5.6 min (755.0 - 749.4)

Volume	Invert	Avail.Storage	Storage Description
#1	97.50'	1,084 cf	**Custom Stage Data (Prismatic)** Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Voids (%)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
97.50	1,257	0.0	0	0
97.83	1,257	40.0	166	166
98.33	1,257	30.0	189	354
99.58	1,257	40.0	629	983
99.75	1,257	40.0	85	1,068
100.00	1,257	5.0	16	1,084

Device	Routing	Invert	Outlet Devices
#1	Primary	97.50'	**6.0" Vert. Orifice/Grate** C= 0.600
#2	Discarded	97.50'	**2.000 in/hr Exfiltration over Surface area**

Discarded OutFlow Max=0.06 cfs @ 11.82 hrs HW=97.53' (Free Discharge)
└─**2=Exfiltration** (Exfiltration Controls 0.06 cfs)

Primary OutFlow Max=0.09 cfs @ 12.18 hrs HW=97.67' (Free Discharge)
└─**1=Orifice/Grate** (Orifice Controls 0.09 cfs @ 1.42 fps)

Summary for Link DP#1: City Storm Drain System

Inflow Area = 19,214 sf, 70.73% Impervious, Inflow Depth = 2.73" for 10-Yr Storm event
Inflow = 1.32 cfs @ 12.10 hrs, Volume= 4,370 cf
Primary = 1.32 cfs @ 12.10 hrs, Volume= 4,370 cf, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 0.00-40.00 hrs, dt= 0.02 hrs

Summary for Subcatchment 201: Area Direct to City System

Runoff = 1.22 cfs @ 12.08 hrs, Volume= 4,101 cf, Depth= 5.10"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-40.00 hrs, dt= 0.02 hrs
Type III 24-hr 25-Yr Storm Rainfall=5.80"

	Area (sf)	CN	Description
*	8,233	98	Roof Areas
*	828	98	Paved Areas
	590	39	>75% Grass cover, Good, HSG A
	9,651	94	Weighted Average
	590		6.11% Pervious Area
	9,061		93.89% Impervious Area

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

Summary for Subcatchment 202: Outdoor Play Area Central

Runoff = 0.29 cfs @ 12.08 hrs, Volume= 1,037 cf, Depth= 5.56"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-40.00 hrs, dt= 0.02 hrs
Type III 24-hr 25-Yr Storm Rainfall=5.80"

	Area (sf)	CN	Description
	1,004	98	Roofs, HSG A
*	1,233	98	Paved sidewalks HSG A
	2,237	98	Weighted Average
	2,237		100.00% Impervious Area

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

Summary for Subcatchment 203: Outdoor Play East

Runoff = 0.67 cfs @ 12.08 hrs, Volume= 2,386 cf, Depth= 5.56"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-40.00 hrs, dt= 0.02 hrs
Type III 24-hr 25-Yr Storm Rainfall=5.80"

	Area (sf)	CN	Description
*	2,855	98	Pervious Surface, 0% imp, HSG A
	1,979	98	Roofs, HSG A
*	314	98	Concrete ramp
	5,148	98	Weighted Average
	2,855		55.46% Pervious Area
	2,293		44.54% Impervious Area

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

Summary for Subcatchment 204: Outdoor Play West

Runoff = 0.28 cfs @ 12.08 hrs, Volume= 1,010 cf, Depth= 5.56"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-40.00 hrs, dt= 0.02 hrs
Type III 24-hr 25-Yr Storm Rainfall=5.80"

	Area (sf)	CN	Description
*	2,178	98	Play Surface, 0% imp, HSG A
	2,178		100.00% Pervious Area

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

Summary for Pond PP1: Pervious Section

Inflow Area = 2,178 sf, 0.00% Impervious, Inflow Depth = 5.56" for 25-Yr Storm event
Inflow = 0.28 cfs @ 12.08 hrs, Volume= 1,010 cf
Outflow = 0.28 cfs @ 12.09 hrs, Volume= 1,010 cf, Atten= 1%, Lag= 0.6 min
Primary = 0.28 cfs @ 12.09 hrs, Volume= 1,010 cf

Routing by Stor-Ind method, Time Span= 0.00-40.00 hrs, dt= 0.02 hrs
Peak Elev= 98.01' @ 12.09 hrs Surf.Area= 2,204 sf Storage= 10 cf

Plug-Flow detention time= 0.6 min calculated for 1,009 cf (100% of inflow)
Center-of-Mass det. time= 0.6 min (746.3 - 745.7)

Volume	Invert	Avail.Storage	Storage Description
#1	98.00'	1,460 cf	**Custom Stage Data (Prismatic)** Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Voids (%)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
98.00	2,204	0.0	0	0
98.41	2,204	40.0	361	361
98.91	2,204	30.0	331	692
99.58	2,204	40.0	591	1,283
99.75	2,204	40.0	150	1,433
100.00	2,204	5.0	28	1,460

Device	Routing	Invert	Outlet Devices
#1	Primary	97.50'	**6.0" Vert. Orifice/Grate** C= 0.600

Primary OutFlow Max=0.48 cfs @ 12.09 hrs HW=98.01' (Free Discharge)
└**1=Orifice/Grate** (Orifice Controls 0.48 cfs @ 2.46 fps)

Summary for Pond PP2: Pervious Section

Inflow Area = 5,148 sf, 44.54% Impervious, Inflow Depth = 5.56" for 25-Yr Storm event
Inflow = 0.67 cfs @ 12.08 hrs, Volume= 2,386 cf
Outflow = 0.37 cfs @ 12.20 hrs, Volume= 2,386 cf, Atten= 44%, Lag= 7.1 min
Discarded = 0.12 cfs @ 11.72 hrs, Volume= 1,900 cf
Primary = 0.25 cfs @ 12.20 hrs, Volume= 486 cf

Routing by Stor-Ind method, Time Span= 0.00-40.00 hrs, dt= 0.02 hrs
Peak Elev= 97.82' @ 12.20 hrs Surf.Area= 2,588 sf Storage= 329 cf

Plug-Flow detention time= 7.8 min calculated for 2,385 cf (100% of inflow)
Center-of-Mass det. time= 7.8 min (753.4 - 745.7)

Volume	Invert	Avail.Storage	Storage Description
#1	97.50'	2,232 cf	**Custom Stage Data (Prismatic)**Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Voids (%)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
97.50	2,588	0.0	0	0
97.83	2,588	40.0	342	342
98.33	2,588	30.0	388	730
99.58	2,588	40.0	1,294	2,024
99.75	2,588	40.0	176	2,200
100.00	2,588	5.0	32	2,232

Device	Routing	Invert	Outlet Devices
#1	Primary	97.50'	**6.0" Vert. Orifice/Grate** C= 0.600
#2	Discarded	97.50'	**2.000 in/hr Exfiltration over Surface area**

Discarded OutFlow Max=0.12 cfs @ 11.72 hrs HW=97.53' (Free Discharge)
└**2=Exfiltration** (Exfiltration Controls 0.12 cfs)

Primary OutFlow Max=0.25 cfs @ 12.20 hrs HW=97.82' (Free Discharge)
└**1=Orifice/Grate** (Orifice Controls 0.25 cfs @ 1.92 fps)

Summary for Pond PP3: Pervious Section

Inflow Area = 2,237 sf,100.00% Impervious, Inflow Depth = 5.56" for 25-Yr Storm event
Inflow = 0.29 cfs @ 12.08 hrs, Volume= 1,037 cf
Outflow = 0.20 cfs @ 12.17 hrs, Volume= 1,037 cf, Atten= 32%, Lag= 5.1 min
Discarded = 0.06 cfs @ 11.74 hrs, Volume= 816 cf
Primary = 0.14 cfs @ 12.17 hrs, Volume= 221 cf

Routing by Stor-Ind method, Time Span= 0.00-40.00 hrs, dt= 0.02 hrs
Peak Elev= 97.73' @ 12.17 hrs Surf.Area= 1,257 sf Storage= 113 cf

Plug-Flow detention time= 5.8 min calculated for 1,036 cf (100% of inflow)
Center-of-Mass det. time= 5.8 min (751.4 - 745.7)

Volume	Invert	Avail.Storage	Storage Description
#1	97.50'	1,084 cf	**Custom Stage Data (Prismatic)** Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Voids (%)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
97.50	1,257	0.0	0	0
97.83	1,257	40.0	166	166
98.33	1,257	30.0	189	354
99.58	1,257	40.0	629	983
99.75	1,257	40.0	85	1,068
100.00	1,257	5.0	16	1,084

Device	Routing	Invert	Outlet Devices
#1	Primary	97.50'	**6.0" Vert. Orifice/Grate** C= 0.600
#2	Discarded	97.50'	**2.000 in/hr Exfiltration over Surface area**

Discarded OutFlow Max=0.06 cfs @ 11.74 hrs HW=97.53' (Free Discharge)
└─**2=Exfiltration** (Exfiltration Controls 0.06 cfs)

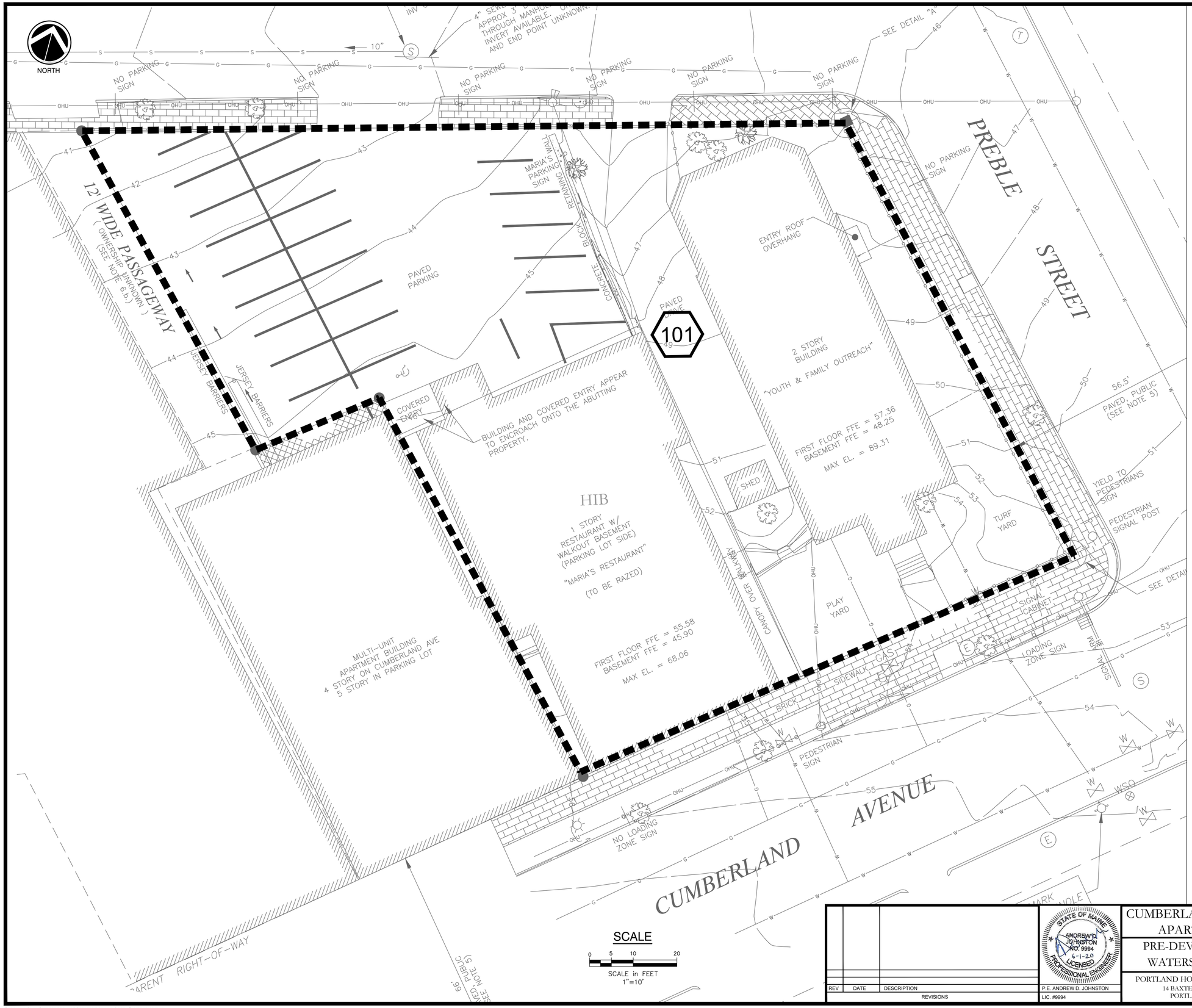
Primary OutFlow Max=0.14 cfs @ 12.17 hrs HW=97.72' (Free Discharge)
└─**1=Orifice/Grate** (Orifice Controls 0.14 cfs @ 1.61 fps)

Summary for Link DP#1: City Storm Drain System

Inflow Area = 19,214 sf, 70.73% Impervious, Inflow Depth = 3.63" for 25-Yr Storm event
Inflow = 1.76 cfs @ 12.10 hrs, Volume= 5,817 cf
Primary = 1.76 cfs @ 12.10 hrs, Volume= 5,817 cf, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 0.00-40.00 hrs, dt= 0.02 hrs

ATTACHMENT C



SOILS LEGEND

MAP UNIT SYMBOL	MAP UNIT NAME	HSG
HIB	Hinckley Loamy Sand 3-8 percent slopes	A

PRE-DEVELOPMENT WATERSHED CHARACTERISTICS

SUBCATCHMENT	AREA (sf)	CN	Tc (mins)
101	19,214	89	6

SUMMARY OF PEAK RUNOFF VALUES (CFS)

	Design Point 1	
Storm Event	**Pre-Development**	**Post-Development**
2-Year	1.00	**0.80**
10-Year	1.67	**1.32**
25-Year	2.21	**1.76**

WATERSHED LEGEND

	SOIL BOUNDRY
	WATERSHED BOUNDARY
	WATERSHED FLOW PATH (TC)
999	SUBCATCHMENT
999	REACH
SF	SHEET FLOW
SCF	SHALLOW CONCENTRATED FLOW
CF	CHANNEL FLOW
CC	CIRCULAR CHANNEL
DP	DESIGN POINT
1P	POND

REV	DATE	DESCRIPTION

REVISIONS

STATE OF MAINE
ANDREW D. JOHNSTON
NO. 9994
6-1-20
LICENSED
PROFESSIONAL ENGINEER

P.E. ANDREW D. JOHNSTON
LIC. #9994

CUMBERLAND AVENUE APARTMENTS

PRE-DEVELOPMENT WATERSHED PLAN

PORTLAND HOUSING AUTHORITY
14 BAXTER BOULEVARD
PORTLAND, MAINE

Atlantic Resource Consultants
541 US Route One
Freeport, ME 04032
Tel: 207.869.9050

DRAWN:	DATE: APRIL 2020
DESIGNED: AJ	SCALE: 1"=10'
CHECKED:	JOB NO.
FILE NAME:	
SHEET: D-100	

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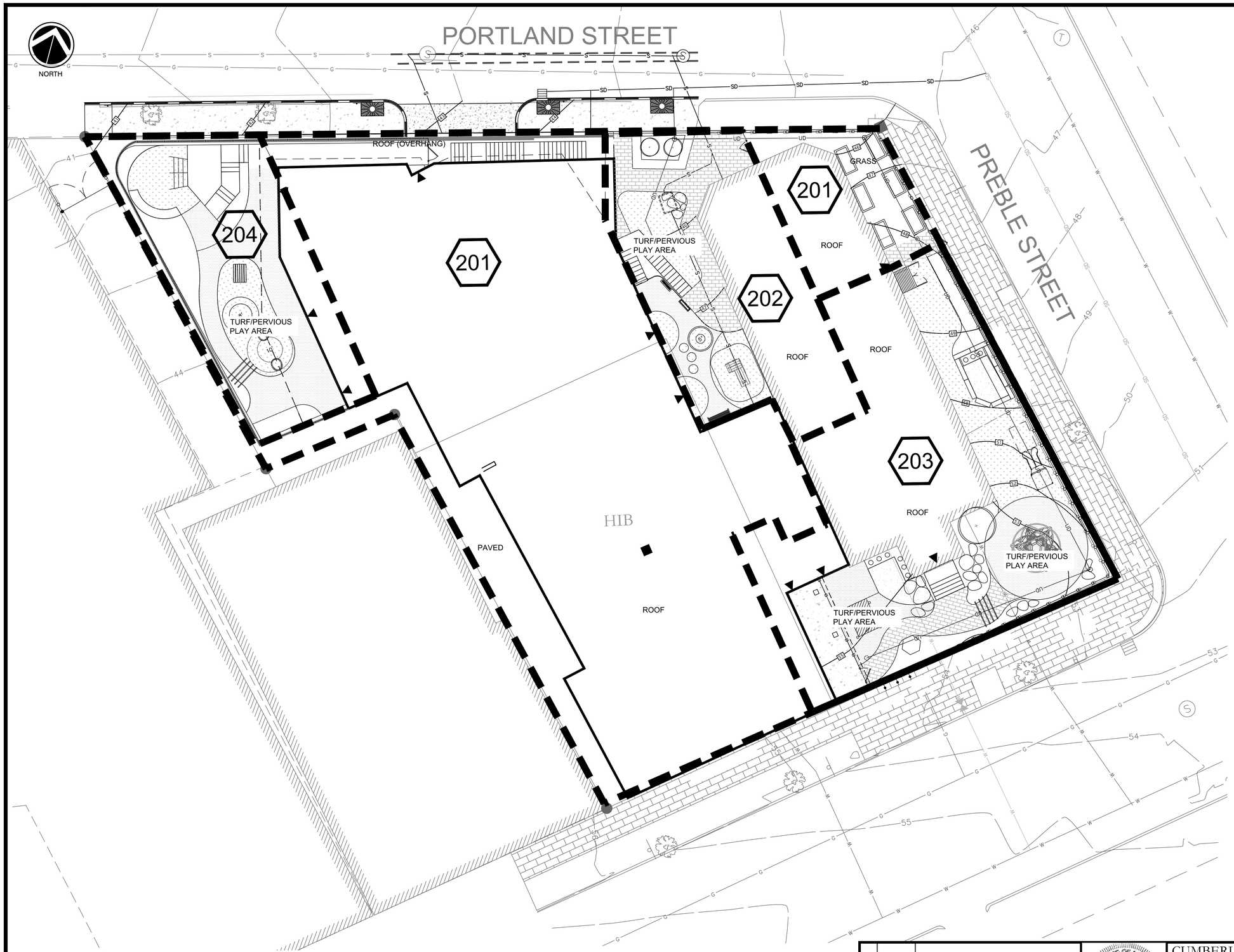

SOILS LEGEND		
MAP UNIT SYMBOL	MAP UNIT NAME	HSG
HIB	Hinckley Loamy Sand 3-8 percent slopes	A

POST-DEVELOPMENT WATERSHED CHARACTERISTICS

SUBCATCHMENT	AREA (sf)	CN	Tc (mins)
201	9,651	94	6
202	2,237	98	6
203	5,148	98	6
204	2,178	98	6
TOTAL AREA	**19,214**		

SUMMARY OF PEAK RUNOFF VALUES (CFS)

	Design Point 1	
Storm Event	**Pre-Development**	**Post-Development**
2-Year	1.00	**0.80**
10-Year	1.67	**1.32**
25-Year	2.21	**1.76**

WATERSHED LEGEND

- SOIL BOUNDRY
- WATERSHED BOUNDARY
- WATERSHED FLOW PATH (TC)
- 999 — SUBCATCHMENT
- 999 — REACH
- SF — SHEET FLOW
- SCF — SHALLOW CONCENTRATED FLOW
- CF — CHANNEL FLOW
- CC — CIRCULAR CHANNEL
- DP — DESIGN POINT
- 1P — POND

REV	DATE	DESCRIPTION
A	6/1/2020	SITE PLAN REVIEW

REVISIONS

STATE OF MAINE — ANDREW D. JOHNSTON — NO. 9994 — 6-1-20 — LICENSED — PROFESSIONAL ENGINEER

P.E. ANDREW D. JOHNSTON
LIC. #9994

CUMBERLAND AVENUE APARTMENTS

POST-DEVELOPMENT WATERSHED PLAN

PORTLAND HOUSING AUTHORITY
14 BAXTER BOULEVARD
PORTLAND, MAINE

Atlantic Resource Consultants
541 US Route One
Freeport, ME 04032
Tel: 207.869.9050

DRAWN:	DATE: APRIL 2020
DESIGNED: AJ	SCALE: 1"=10'
CHECKED:	JOB NO.
FILE NAME:	
SHEET: D-101	

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PORTLAND HOUSING AUTHORITY
331-337 CUMBERLAND AVENUE
STORMWATER MAINTENANCE PLAN

Prepared for: Portland Housing Authority
14 Baxter Boulevard
Portland, Maine 04101
Prepared by:

Atlantic Resource Consultants
Engineering Strategies and Solutions

541 US Route One, Suite 21
Freeport, Maine 04032

June 2020

PORTLAND HOUSING AUTHORITY
331-337 CUMBERLAND AVENUE
STORMWATER MAINTENANCE PLAN

Maintenance Responsibilities

During construction activities, the maintenance of all stormwater measures will be the direct responsibility of the Contractor. After acceptance by the Owner, the inspection and maintenance of all stormwater management facilities, the establishment of any contract services required to implement the program, and the keeping of records and maintenance log book will be the responsibility of Portland Housing Authority. The current contact for facilities operation matters at Portland Housing Authority is:

Richard Biggs
Director of Maintenance
117 Anderson Street
Portland, ME 04101
Office: 207.221.8098
Email: rbiggs@porthouse.org

Notwithstanding any other schedule noted below, general inspections should be conducted quarterly. All post-construction inspections shall be undertaken by a person with. Post construction inspection and maintenance documents shall be retained and made available for review by City of Portland upon request.

Drainage Pipes and Culverts

Culverts and piped drainage systems shall be inspected on an annual basis to remove any obstructions to flow; remove accumulated sediments and debris at the inlet, at the outlet, and within the conduit; and to repair any erosion damage at the pipe inlet and outlet. Sediment should be removed when its level exceeds 20% of the pipe diameter. This may be accomplished by hydraulic flushing or any mechanical means; however, care should be taken to contain the sediment at the pipe outlet, and not flush the sediments into the downstream receiving system.

Driveways, Walkways and Parking Lots

Accumulations of winter sand along paved surfaces shall be cleared at least once a year, preferably in the spring, to minimize transportation of sediment during rainfall events. Accumulations on pavement may be removed by pavement sweeping.

Catch Basins

Catch basins shall be inspected on an annual basis to check the level of accumulated sediments in the sumps. Sediment should be removed when its level exceeds 50% of the sump depth, or twelve inches deep, whichever is the lesser. This may be accomplished by hydraulic flushing or any mechanical means; however, care should be taken to contain the sediment at the pipe outlet, and not flush the sediments downstream, as this could impede the function of downstream treatment BMPs. Catch basins should also be checked for structural integrity, with particular attention to the frame and grate and riser brick or grade ring courses.

Pervious Pavement and Turf Surfaces

During construction, vehicles with muddy wheels should be prevented from accessing onto areas intended for pervious pavement or other pervious surfaces. Frequent inspections should be undertaken during the first few

months following construction of the pervious pavers and pervious turf surfaces to ensure that they are functioning correctly. Inspections shall be made after significant storm events to check for surface ponding that could indicate failure due to clogging. After the initial period, the system shall be inspected routinely on an annual basis. Measure should be taken to prevent sedimentation of the surface due to the erosion of areas upgradient the pervious pavement structures. The pervious paver area should be swept, vacuumed and/or pressure washed twice annually at a minimum. Limit salt use for deicing, and do not use sand. Leaves and organic debris shall be removed from the surface in the spring and fall. Measures should be taken to ensure that an area designed to be porous does not receive a future overlay of conventional non-porous paving. Non-routine maintenance may require reconstruction of the surface treatment, and possibly the filter and reservoir layers, to relieve major clogging.

Rain Garden

Inspections of the rain garden shall be conducted on a semi-annual basis and following significant rainfall events. Delayed or poor maintenance practices can result in loss of treatment capacity. Records should be kept of all maintenance operations to help plan future work and identify problem areas.

The basin embankments should be maintained to preserve their integrity including, but not limited to, vegetation maintenance (mowing, control of woody vegetation), rodent control, erosion control and repair, and outlet control structure maintenance and repair.

Basin plantings, and vegetation should be maintained on a quarterly basis. Regular maintenance activities should include cutting back shrub plantings where necessary to prevent excessive woody growth, removal of dead vegetation and re-planting to maintain good cover and root spread. Shrub or grass clippings should be removed to minimize the amount of organic material accumulation in the basin.

Sediment and debris should be removed from the sediment forebay at least annually, where applicable.

Rain gardens should not be used for snow storage area. Snow storage should be sited so that snow melt flows to a pretreatment BMP before reaching the infiltration area.

Vehicular equipment should not be used to maintain or rehabilitate the rain garden, as this would compact the soil surface and reduce infiltration. The proposed garden is small enough for maintenance activities to be undertaken by hand.

The surface of the basins may clog with fine sediments over time. Maintenance of good plant or grass cover should minimize this; however, if ponded runoff does not infiltrate within 48 hours, rototilling the top of the soil bed may be required to reestablish the soils infiltration capacity.

June 01, 2020

Att. H

NEW MIXED USE BUILDING
337 CUMBERLAND AVENUE, PORTLAND ME

The following outlines how the proposed project has been designed to meet the applicable standards of the City of Portland associated with Level III: Site Plan review.

ZONE RELATED DESIGN STANDARDS

1.0 Neighborhood Context.

The project is located at the edge of the Downtown district, in the center of a remarkably varied group of buildings around the intersections of Cumberland Avenue, Preble Street, and Portland Street. Notable structures nearby include the former Preble Chapel (1850, now occupied by YFO), an 8-storey brick and concrete former warehouse storage building (pre-1915, at 340 Cumberland Avenue, now a data center), the former Pythian Temple Association Lodge Hall (pre-1917, at 341 Cumberland Avenue, now apartments), the Preble Street Resource Center (1981), a 7-storey parking building ("Public Market Parking"), and the former Public Market building (2006, now occupied by Power Pay), to name a few.

Beyond this the immediate area but still within a 2-block radius are single family houses, terraced row housing, offices, restaurants, bars, community and social service facilities, plus a number of surface parking lots.

The proposed building will join an eclectic group of existing structures with a wide variety of heights, age, footprint size, floor area size, function, architectural style and materials.

Kaplan Thompson Architects

2.0 Historic Preservation.
The site is outside the downtown Historic District but within 100 feet of it. Although the existing chapel is not subject to Historic Preservation Design review, the project team recognizes it is widely considered to be a much-loved structure. Further more it is prominently visible from vehicles traveling up Preble Street towards the Downtown Historic Zone.

As noted in the General Description the visual appearance of the exterior of the existing chapel is expected to remain largely unaltered, including the exterior stucco cladding, windows, roof, and brick chimneys. Exterior long-term maintenance and repair work is anticipated as part of this project as needed to maintain these elements in their proper state.

3.0 Applicable Design Standards (Code of Ordinances, Chapter 14, Division 12).

- **Street Wall Build-To Line To Be Within 5' Of The Street Lot Line.**
  The new building holds both the Cumberland Avenue and Portland Street lot lines with zero set back. The existing chapel occupies the side towards Preble Street.

- **New Construction Building Height To Be ≥ 35' Within 50' Of Any Street Frontage.**
  The new "connector" link between the existing chapel and the new 7-storey building is within 50' of Cumberland Avenue and is ±24' high above average grade (and ±15' above the Cumberland sidewalk level). The ordinances include an exception that applies to this portion of the new building, as the area of the connector further than 50' from the Cumberland street lot line is <10% of the footprint of the existing chapel to which it is added.

- **Length Of Undifferentiated Blank Wall Along A Public Street To Be 30' Maximum.**
  The Portland Street elevation includes a length of wall enclosing the parking garage. The overall length of the wall is ±95', but it is broken into sections by a vehicle entry and pedestrian entry door. The longest undifferentiated length of wall is ±55', which is mitigated by the inclusion of a ±10'rounded corner transition at the western end. In addition the area immediately above the wall comprises the outdoor play area for "Toddler" children and is expected to be a highly animated space at times, especially during mornings and early afternoon.

  A tree is proposed for the corner of the site, above the rounded corner, that will provide a play space amenity, reflect the signature logo for YFO, and be a focal point of the Portland Street side of the building (see rendered view from Portland Street).

4.0 Off Street Parking.

- The current site includes a surface car parking lot, with space for 23 cars. The proposed project replaces this with enclosed and covered parking of a similar size, but within a secure garage. The new covered garage will have parking space for seventeen (17) cars, including one (1) accessible van space. The parking will be for the use of YFO staff and building residents. Visitor parking is not being provided.

  Bike storage and parking will also be included in the garage.

5.0 Downtown Urban Design Guidelines.

- **Distinguish The Lower 35' of The Building.**
  Standard: *"The exterior design of portions of buildings within the first thirty-five (35) feet of height shall enhance the character, attractiveness, comfort, security, and usability of the street level pedestrian environment . . ."*

- **Building Facades.**
  The ground floor of the proposed building is distinguished from the floors above with a change in material to signal the change in use between the floors. Brick masonry will be the primary exterior material used at street level. This will provide durability and will reflect the dominant material in the immediate Cumberland Avenue context, including the base of the existing chapel building.

  The ground floor on Cumberland Avenue includes active occupied spaces (a lobby seating area and small office for the PHDC portion, and a Pre-K classroom for the YFO portion. Windows sizes and arrangements are chosen to reflect the function of their respective spaces while offering "eyes on the street" visibility.

  Signage for YFO is planned to be placed on the side-wall of the YFO entry, easily visible when seen from the Preble street corner with the exterior play space in the foreground, but more discrete when seen traveling east along Cumberland Avenue.

  The upper residential floors are identified with fiber-cement cladding, with rhythm and scale provided through the use of vertical cladding boards and horizontal trim banding at each floor level.

- **Building Entrances.**
  Two entrances are provided off Cumberland Avenue, one for each of the primary uses of the building: PHDC and YFO. This allows for greater animation of the street elevation and encourages increased street-level pedestrian activity while providing needed security and isolation for each building tenant.

  The entrance to the new apartments is marked with a change of exterior material and a slight recess to form a clear "portal" to the residential portion of the building. These architectural features signal the presence of the entrance when viewed from either an oblique angle from the sidewalk or directly from the street in a manner traditional to the patterns of Portland's history.

  The entrance to the YFO daycare facility is located further off the sidewalk, allowing the residential apartment entrance to be "read" as the primary entrance to the building and the YFO entrance as secondary. The YFO entrance also provides a sheltered space for families with strollers and young children to gather and organize themselves on arrival and departure off of the sidewalk and public way.

  A canopy roof provides covered sidewalk shelter at both entrances and offers opportunity for suitable but discrete full cut off lighting of the building exterior at street level.

  Barrier free access is provided at both entrances.

- **Integrate With, Respect And Enhance.**
  Standard: *"Proposed development shall respect, enhance, and be integrated with the existing character of the general pattern of development in the Downtown, surrounding building environment and streetscape."*

- **Street Walls.**
  The proposed new building meets the street lot line on both Cumberland Avenue and Portland Street. This helps reinforce the spatial definition of the street by extending the existing street wall.

- **Open Space.**
  The Downtown Zone is characterized with continuous street walls, punctuated by well-defined open spaces. The proposed project continues this pattern by more clearly defining the open space around the existing chapel building, while not overwhelming the space as the chapel sits between the exterior space and the new larger building.

- **Building Form, Scale, Massing.**
  The form, scale, and massing of the new building are similar to the immediate surroundings.

  Compared to the proposed new building the existing 8-floor building on the opposite side of the street (at 340 Cumberland Avenue) is 2-floors higher, and the existing 5-floor apartment building to the immediate west (at 341 Cumberland Avenue) is 1-floor lower. There is also an existing 3-floor building that contains Preble Street's offices and Teen Shelter at the corner of Cumberland Avenue and Preble Street, which sits directly opposite the chapel building. Across the street from the chapel is the 7-story Public Market Parking Garage. The project sits within the dense, urban, downtown heart of Portland.

- **Structure of the City.**
  The prevailing pattern of multiple, relatively narrow and discreet building facades is continued on Cumberland Avenue, the part of the site closest to the Downtown Historic Zone. The new building façade on Cumberland Avenue is ±60' long, almost identical to the existing building immediately adjacent, at 341 Cumberland Avenue.

  On Portland Street the new building façade for the upper residential floors is ±80' long, compared to the existing Bayside Learning Community building, at 28 Portland Street, which is ±110'long at the street edge.

- **Skyline.**
  The skyline of the building maintains a similar rhythm to the existing theme of essentially flat-topped building of varying heights. The new building height of 76'-7" above average site grade is significantly taller than the existing chapel building it is well below the allowable B3 zone maximum height of 85' above grade.

- **Massing.**
  The overall massing of the proposed building is articulated so as to lessen the appearance of excessive bulk.

  The building presents a narrow profile for the primary façade on Cumberland Avenue, and uses varied exterior wall planes, recess, and changes in direction on the longer east and north sides of the building. A number of gently curved corner transitions soften the overall outline of the building.

  The eastern side is noticeably prominent when seen from the corner of Cumberland and Preble Street (see rendered view). The varied wall planes offer a stepped and faceted backdrop to the foreground chapel building, like that of the chapel itself, rather than a large undifferentiated mass.

  The taller Portland Street façade includes a distinct base with the upper floors articulated to read as being divided into distinct massing elements. The base level at Child Care area is recessed from the face of the apartments above and differentiated with natural wood siding creating a magical "children's wonderland" safely raised above the sidewalk level of Portland Street.

  A glazed lobby connects the existing chapel to the new building is expressed as a secondary volume between the 2 primary buildings, with a relatively low height and setback walls. This connector also allows the mass of the much taller new building to be pulled back from the existing chapel, allowing the iconic gabled form of the chapel to remain visible and on display.

- **Building Façade Proportion and Composition.**
  The proportion of each building façade relates to the immediate context. On Cumberland Avenue the façade is tall and narrow, very much like the adjacent buildings. Parallel to Preble Street the façade is much longer, reflecting the long low proportion of the adjacent chapel. The building presents a wider face towards Portland Street, where the context includes the broad side façades of the buildings on Preble Street.

  The proposed building façades are arranged with a "base, middle, top" composition. The base uses brick as a signature element; the middle includes a "field" of vertical cladding boards; the top is a subtle cornice band about 5' high above the top row of windows defined by horizontal trim bands (see renderings).

  The middle portion of the façade has horizontally composed regular window openings with distinctive bay spacing that repeat from floor to floor. A horizontal metal trim "string course" will be aligned with the window heads on each floor to give a human scale to the building and help define the middle part of the composition.

- **Materials, Finishes, and Color.**
  The brick base is expected to be of a type and color similar to the existing brickwork in the immediate neighborhood.

  Upper floors will have vertical fiber-cement boards of varying widths, arranged in horizontal bands with a warm mid-tone grey color.

  Windows and doors will have dark frames.

  The fascia of the projecting canopy on Cumberland Avenue will be a dark grey. Color accents are envisioned for the narrow horizontal metal trim strips that are aligned with the window heads on each floor and at a limited number of window mullions.

  A natural wood finish is proposed for the canopy soffit, and for accent panels at the YFO street entry and next to some of the YFO windows on the 1st floor.

  Elevated exterior play areas on the Portland Street side of the building will have a perimeter screen where protection from falling and containment of outdoor play equipment (balls etc.) is needed. Panels of metal matrix within a metal frame are proposed with strips of material woven though the matrix to provide controlled visual screening to and from the play areas (see elevations and rendering). A dark paint color is expected for the metal frames and matrix, while the woven strips may be a mixture of natural and/or colored material.

  YFO are interested in combining the desire for visual screening of the play areas with an opportunity to make sections of the metal matrix available for a curated art and community engagement program. The notion of woven panels with patterns designed by members of the YFO "family", or selected to reflect their broad cultural backgrounds and of the wider community in general has rich possibilities.

- **Parking Garages.**
  The height of the garage along Portland Street is sufficient to allow for future conversion to more active pedestrian uses. The street wall of the garage is articulated with a brick base that will screen direct view of the cars within, although vision openings are also anticipated to allow for suitable visual security for people using the garage.

- **Roof-Top Appurtenances.**
  Standard: *"All mechanical equipment, ventilating and air conditioning and other building systems, elevators, stairways, radio or television masts or equipment, or other roof top elements not intended for human occupancy shall be fully enclosed in a manner consistent with the character, shape and materials of the principal building."*

  Roof-top mechanical equipment is set back from the principal facades. Enclosing screens and a perimeter parapet conceal direct view of the equipment. Especially from street level.

- **Shadow Impact.**
  Standard: "The location, massing and orientation of portions of buildings in excess of sixty-five (65) feet in height shall be such that substantial shadow impacts on public plazas, parks, and other publicly accessible open space are avoided."

  The proposed building is above 65' high above average site grade, but there are no public plazas, parks, or other publically accessible open spaces nearby. The existing exterior play spaces are not expected to be significantly more shaded due to the new building than they are currently by existing buildings.

- **Wind Impacts.**
  ***Standard**: "The location, massing, orientation and architectural design of a new building or a building addition shall be such that no significant adverse wind impacts are created."*

  The new building is not significantly different in height than existing building in the immediate neighborhood, nor will it be the tallest structure. The perimeter outline of the building is greatly varied, with recesses, setbacks and changes in wall alignment. A protective canopy is proposed for the Cumberland Avenue side of the building, the street expected to have the most pedestrian activity. Together these features avoid a monolithic building form and mitigate the likely wind impact at street level.

- **Downtown Gateway Entrances.**
  Preble Street and Portland Street are considered "Gateway" entrance to the Downtown area. The proposed building will help to define both entry corridors, and will replace the surface car parking and anonymous blank undifferentiated facades of the existing former "Marias" building. From Portland Street the new building will offer the animated activity and noise of a children's playground.

- **Signage Awnings and Canopies.**
  A projecting canopy is proposed for the 2 entrances off Cumberland Avenue. The slight curved profile reflects the subtle curves that are a feature of the building façades.

  Signage identifying the YFO daycare facility and signaling the front entrance will be wall mounted within the exterior covered main entrance, just off Cumberland Avenue sidewalk, as shown on the exterior building elevations. Signage lighting will be located on the underside of the canopy.

- **Snow and Ice Loading.**
  The building design minimizes the likelihood of snow and ice falling onto adjacent properties or public ways. The roof of the new building has a perimeter parapet at all edges, within which the roof slopes to internal roof drains (see roof plan).

Portland, Maine — Yes. Life's good here.

Planning & Urban Development Department

ZONING ANALYSIS Relevant Zone(s) B3

All Projects:

	Required	Proposed
Lot Size	No minimum	19,592 sf
Area Per Dwelling Unit		326.5 sf
Minimum Street Frontage	15 feet	400.9 feet
Front Yard Minimum	No min. required	Nil
Front Yard Maximum	5' max.	Nil
Rear Yard	No min. required	N/A
Yard Right	No min. required	N/A
Yard Left	No min. required	N/A
Side Street Setback	None	N/A
Step Back		N/A
Maximum Lot Coverage	100% allowed	72.37%
Minimum Lot Coverage		
Maximum Height	35' min. /85' max.	76'-7"
Open Space	Nil	Nil
Maximum Impervious Area		76.0%
Pavement Setback		Nil
Floor Area Ratio		N/A
Off Street Parking Spaces		17
Loading Bays		N/A
Other 1		
Other 2		
Other 3		

Planned Residential Unit Developments (PRUD) Requirements

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

Affordable Housing Density Bonuses (if applicable)

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

Att. J

Traffic Solutions
William J. Bray, P.E.
17 Mountview Drive
Gorham, ME 04038
(207) 400-6890
trafficsolutions@maine.rr.com

June 24, 2020

Traffic Assessment

Proposed

337 Cumberland Avenue Development

Portland, Maine

INTRODUCTION

Youth and Family Outreach, in partnership with Portland Housing Development Corporation, are proposing construction of a seven-story building on the former Maria's Restaurant site at 337 Cumberland Avenue. The development plan also includes the existing Chapel site on the adjoining property at 331 Cumberland Avenue. The proposed program includes light renovations to the existing Chapel building and construction of a new seven-story building with at least one level of parking. The first floor of the new building will primarily be used for expanded childcare with an estimated total of 60 apartment units on the upper floors of the new building. The building design also incorporates a covered connector ramp between the new building and the existing Chapel.

The present development plan provides the following site uses:

60 affordable apartment units with
- 20 efficiency units
- 15 one-bedroom units
- 15 two-bedroom units
- 10 three-bedroom units

106 student daycare with 28 projected staff members.

Access to the proposed new building is offered through a secured entry from Portland Street.

The existing properties located at 331 and 337 Cumberland Avenue include the existing Chapel building and the former Maria's restaurant building. The Chapel building presently provides daycare services to a total of 58 students, who are included in the 106 proposed student daycare total presented above. The former Maria's restaurant, which relocated to outer Congress Street during the last 12 to 18-months, had a seating capacity of 40 persons.

This document provides peak hour site trip generation estimates for the proposed development program and examines current roadway safety trends in the general vicinity of the proposed project site.

SITE TRAFFIC

Site Trip Generation: Peak hour trip generation was determined for the proposed project based upon trip tables presented in the tenth edition of the Institute of Transportation Engineers (ITE) "**TRIP GENERATION**" handbook. The ITE publication provides numerous land-use categories and the average volume of trips generated by each category.

The following trip rates were used to calculate trip generation for the proposed project:

Land-Use #221 – Multi-Family Housing (60 Proposed Apartment Units)

AM Peak Hour (Street)	= 0.20 trips per unit
PM Peak Hour (Street)	= 0.18 trips per unit
AM Peak Hour (Generator)	= 0.15 trips per unit
PM Peak Hour (Generator)	= 0.18 trips per unit

Accordingly, the proposed 60 apartment units can be expected to generate a total of 12 trips in the weekday morning peak hour of the street; 11 trips in the weekday evening peak hour of the street; and 9 and 11 trips, respectively, in the morning and afternoon peak hours of the site.

Land-Use #565 – Day Care Center (106 student capacity)

AM Peak Hour (Street)	= 0.78 trips per student
PM Peak Hour (Street)	= 0.79 trips per student
AM Peak Hour (Generator)	= 0.79 trips per student
PM Peak Hour (Generator)	= 0.81 trips per student

The proposed 106 student daycare facility, which includes 58 existing daycare students in the Chapel building, generate a total 83 trips in the morning peak hour of the street, 84 trips in the afternoon peak hour of the street and 84 trips and 86 trips, respectively, during the AM and PM peak hours of the site.

Combined, the proposed project is expected to generate the following peak hour trip totals:

AM Peak Hour of Adjacent Street	= 95 trips
PM Peak Hour of Adjacent Street	= 95 trips
AM Peak Hour of Generator	= 93 trips
PM Peak Hour of Generator	= 97 trips

The existing 58 student daycare located in the Chapel building accounts for a significant portion of the projected volume of site trips generated by the proposed development site. Applying the same peak hour trip rates highlighted above for a daycare center, the existing 58 student daycare center located in the Chapel building generates the following peak hour trip totals:

AM Peak Hour of Adjacent Street	= 45 trips
PM Peak Hour of Adjacent Street	= 46 trips
AM Peak Hour of Generator	= 46 trips
PM Peak Hour of Generator	= 47 trips

The "net" increases in peak hour traffic circulating on the adjacent roadway system is estimated at 50 or fewer "new" vehicle trips during each of the identified peak hour time periods.

EXISTING SAFETY CONDITIONS

The Maine Department of Transportation's (MaineDOT) Accident Records Section provided the latest three-year (2017 through 2019) crash data for the sections of Cumberland Avenue between Preble Street and Brown Street, Portland Street, Alder Street to Preble Street, Preble Street, Kennebec Street to Cumberland Avenue and Alder Street, Cumberland Avenue to Kennebec Street, a combined distance of approximately 0.51 miles. Their report is presented as follows:

2017 -2019 Traffic Accident Summary

Location	Total Crashes	Critical Rate Factor
1. Cumberland Avenue @ Alder Street	2	0.59
2. Cumberland Avenue @ Brown Street	1	0.27
3. Cumberland Avenue @ Preble Street	10	0.47
4. Portland Street, Alder Street, Oxford Street	1	0.49
5. Preble Street @ Kennebec Street	6	2.32
6. Preble Street @ Lancaster Street	4	1.45
7. Preble Street @ Oxford Street	3	0.85
8. Preble Street @ Portland Street	6	1.55
9. Preble Street btw. Kennebec Street and Lancaster Street	1	0.44
10. Preble Street btw. Lancaster Street and Oxford Street	3	1.03
11. Preble Street btw. Oxford Street and Portland Street	1	0.59
12. Preble Street btw. Portland Street and Cumberland Avenue	1	0.50
13. Cumberland Avenue btw. Brown Street and Preble Street	10	3.57
14. Alder Street btw. Lancaster Street and Portland Street	5	4.61

The MaineDOT considers any roadway intersection or segment a high crash location if both of the following criteria are met:

- ***8 or more accidents***
- ***A Critical Rate Factor greater than 1.00***

As the data presented in the table shows, the section of Cumberland Avenue between Brown Street and Preble Street meets MaineDOT's criterion as a high crash location. A total of 10 crashes and a Critical Rate Factor (CRF) of 3.57 were reported by MaineDOT for the noted street section.

MaineDOT's Crash Records Section provided a vehicle collision diagram for the identified section of Cumberland Avenue, which details each of the reported 10 vehicle crashes. A copy of the crash diagram is attached for reference.

Location #13 Cumberland Avenue Between Brown Street and Preble Street: The crash summary diagram for the section of Cumberland Avenue only identifies one common crash pattern. Four (4) of the reported crashes involve a moving vehicle striking a parked vehicle located on the north side of Cumberland Avenue. The remaining six vehicle crashes were singular random events occurring in varying locations throughout the section of Cumberland Avenue.

SUMMARY

- The proposed redevelopment project, includes construction of a new seven-story building on the former Maria's Restaurant site and minor renovations to the adjoining Chapel building site located at 331 Cumberland Avenue. The project program creates 60 affordable apartment units in the proposed multi-story building and an expanded area for the existing childcare center, increasing the day care capacity to 106 students. The proposed project is expected to generate approximately 50 "*new*" vehicle trips during each of the primary weekday peak hour time periods.

- MaineDOT's most recent three-year road safety report (2017 through 2019) for the sections of Preble Street between Kennebec Street and Cumberland Avenue, Cumberland Avenue between Preble Street and Alder Street, Portland Street between Preble Street and Alder Street and, finally, Alder Street, between Cumberland Avenue and Kennebec Street. MaineDOT's road safety data identifies the section of Cumberland Avenue between Brown Street and Preble Street as a high crash location with a total of 10 crashes and a corresponding critical rate factor of 3.57. A detailed vehicle collision diagram prepared by the MaineDOT's safety office shows a single crash pattern occurring within the short (0.7-mile) segment of Cumberland Avenue. Four (4) of the reported 10 vehicle crashes involved a moving vehicle either traveling west on Cumberland Avenue or attempting to parallel park, striking a second unattended parked vehicle. This report does not suggest any possible mitigation measures; except, to continue monitoring updated crash data and if the crash pattern continues to degrade, evaluate whether it is prudent to eliminate on-street parking in this section.

Search...
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KENNEBEC ST
LANCASTER ST
HALL CT
CEDAR ST
OXFORD ST
ELM ST
CUMBERLAND AVE
PREBLE ST
ARBEN ST
HANOVER ST
PARRIS ST
BRATTLE ST
LANCASTER ST W
PORTLAND ST
MECHANIC ST
MECHANIC PL
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Scale: 1:2250

Maine Department Of Transportation - Traffic Engineering, Crash Records Section

Crash Summary Report

Report Selections and Input Parameters

REPORT SELECTIONS

☑ Crash Summary I ☐ Section Detail ☑ Crash Summary II ☐ 1320 Public ☐ 1320 Private ☐ 1320 Summary

REPORT DESCRIPTION

Portland: Cumberland Ave from Alder St (node 19035) to Preble St (node 19037)

REPORT PARAMETERS

Year 2017, Start Month 1 through Year 2019 End Month: 12

Route: **0561238**	Start Node: **19035**	Start Offset: **0**	☐ **Exclude First Node**
	End Node: **19037**	End Offset: **0**	☐ **Exclude Last Node**

Crash Summary I

Nodes

Node	Route - MP	Node Description	U/R	Total Crashes	Injury Crashes K	A	B	C	PD	Percent Injury	Annual M Ent-Veh	Crash Rate	Critical Rate	CRF
19035	0561238 - 0.32	Int of ALDER ST CUMBERLAND AV	2	2	0	0	1	1	0	100.0	2.576	0.26	0.44	0.00
												Statewide Crash Rate:	0.15	
19036	0561238 - 0.34	Int of BROWN ST CUMBERLAND AV	2	1	0	0	0	0	1	0.0	2.715	0.12	0.44	0.00
												Statewide Crash Rate:	0.15	
19037	0561238 - 0.41	Int of CUMBERLAND AV PREBLE ST	9	10	0	0	1	5	4	60.0	5.662	0.59	1.26	0.00
												Statewide Crash Rate:	0.75	
Study Years:	3.00	**NODE TOTALS:**		13	0	0	2	6	5	61.5	10.953	0.40	0.75	0.53

Crash Summary I

Sections

Start Node	End Node	Element	Offset Begin - End	Route - MP	Section Length	U/R	Total Crashes	Injury Crashes K	A	B	C	PD	Percent Injury	Annual HMVM	Crash Rate	Critical Rate	CRF
19035	19036	3122300	0 - 0.02	0561238 - 0.32	0.02	2	0	0	0	0	0	0	0.0	0.00050	0.00	728.95	0.00
Int of ALDER ST CUMBERLAND AV				RD INV 05 61238											Statewide Crash Rate: 176.83		
19036	19037	3106839	0 - 0.07	0561238 - 0.34	0.07	2	10	0	0	0	1	9	10.0	0.00166	2007.13	561.77	3.57
Int of BROWN ST CUMBERLAND AV				RD INV 05 61238											Statewide Crash Rate: 176.83		
Study Years:	3.00			**Section Totals:**	0.09		10	0	0	0	1	9	10.0	0.00216	1545.93	525.44	2.94
				Grand Totals:	0.09		23	0	0	2	7	14	39.1	0.00216	3555.64	766.97	4.64

Maine Department Of Transportation - Traffic Engineering, Crash Records Section

Crash Summary Report

Report Selections and Input Parameters

REPORT SELECTIONS

☑ Crash Summary I ☐ Section Detail ☑ Crash Summary II ☐ 1320 Public ☐ 1320 Private ☐ 1320 Summary

REPORT DESCRIPTION

Portland: Alder St from Kennebec St (node 69141) to Cumberland Ave (node 19035)

REPORT PARAMETERS

Year 2017, Start Month 1 through Year 2019 End Month: 12

Route: **0560008**	Start Node: **69141**	Start Offset: **0**	☐ **Exclude First Node**
	End Node: **19035**	End Offset: **0**	☐ **Exclude Last Node**

Crash Summary I

Nodes

Node	Route - MP	Node Description	U/R	Total Crashes	Injury Crashes K	A	B	C	PD	Percent Injury	Annual M Ent-Veh	Crash Rate	Critical Rate	CRF
69141	0560008 - 0	Int of ALDER ST KENNEBEC ST	2	0	0	0	0	0	0	0.0	0.412	0.00	0.68	0.00
												Statewide Crash Rate:	0.16	
19017	0560008 - 0.06	Int of ALDER ST LANCASTER ST	2	0	0	0	0	0	0	0.0	0.384	0.00	0.69	0.00
												Statewide Crash Rate:	0.16	
19021	0560008 - 0.16	Int of ALDER ST, OXFORD ST, PORTLAND ST	2	1	0	0	0	1	0	100.0	1.266	0.26	0.53	0.00
												Statewide Crash Rate:	0.15	
19035	0560008 - 0.22	Int of ALDER ST CUMBERLAND AV	2	2	0	0	1	1	0	100.0	2.576	0.26	0.44	0.00
												Statewide Crash Rate:	0.15	
Study Years:	3.00	**NODE TOTALS:**		3	0	0	1	2	0	100.0	4.638	0.22	0.38	0.56

Crash Summary I

Sections																	
Start Node	End Node	Element	Offset Begin - End	Route - MP	Section Length	U/R	Total Crashes	Injury Crashes K	A	B	C	PD	Percent Injury	Annual HMVM	Crash Rate	Critical Rate	CRF
69141	19017	3525695	0 - 0.06	0560008 - 0	0.06	2	0	0	0	0	0	0	0.0	0.00013	0.00	1822.40	0.00
Int of ALDER ST KENNEBEC ST				RD INV 05 60008											Statewide Crash Rate: 422.60		
19017	19021	194719	0 - 0.10	0560008 - 0.06	0.10	2	5	0	0	0	0	5	0.0	0.00021	8039.10	1742.08	4.61
Int of ALDER ST LANCASTER ST				RD INV 05 60008											Statewide Crash Rate: 422.60		
19021	19035	194725	0 - 0.06	0560008 - 0.16	0.06	2	0	0	0	0	0	0	0.0	0.00005	0.00	1416.58	0.00
Int of ALDER ST, OXFORD ST, PORTLAND ST				RD INV 05 60008											Statewide Crash Rate: 422.60		
Study Years: 3.00				**Section Totals:**	0.22		5	0	0	0	0	5	0.0	0.00039	4310.19	1546.29	2.79
				Grand Totals:	0.22		8	0	0	1	2	5	37.5	0.00039	6896.30	1858.11	3.71

Maine Department Of Transportation - Traffic Engineering, Crash Records Section

Crash Summary Report

Report Selections and Input Parameters

REPORT SELECTIONS

☑ Crash Summary I ☐ Section Detail ☑ Crash Summary II ☐ 1320 Public ☐ 1320 Private ☐ 1320 Summary

REPORT DESCRIPTION

Portland: Preble St from intersection with Kennebec St/Alder St (node 19010) to intersection with Cumberland Ave (node 19037)

REPORT PARAMETERS

Year 2017, Start Month 1 through Year 2019 End Month: 12

Route: **0560597**	Start Node: **19010**	Start Offset: **0**	☐ **Exclude First Node**
	End Node: **19037**	End Offset: **0**	☐ **Exclude Last Node**

Crash Summary I

Nodes

Node	Route - MP	Node Description	U/R	Total Crashes	Injury Crashes K	A	B	C	PD	Percent Injury	Annual M Ent-Veh	Crash Rate	Critical Rate	CRF
19010	0560597 - 0.13	Int of KENNEBEC ST PREBLE ST	2	6	0	0	0	3	3	50.0	1.647	1.21	0.52	2.32
												Statewide Crash Rate:	0.16	
19016	0560597 - 0.19	Int of LANCASTER ST PREBLE ST	2	4	0	0	0	2	2	50.0	1.797	0.74	0.51	1.45
												Statewide Crash Rate:	0.16	
19022	0560597 - 0.26	Int of OXFORD ST PREBLE ST	2	3	0	0	0	0	3	0.0	2.498	0.40	0.47	0.00
												Statewide Crash Rate:	0.16	
19043	0560597 - 0.30	Int of PORTLAND ST PREBLE ST	2	6	0	0	1	1	4	33.3	2.851	0.70	0.45	1.55
												Statewide Crash Rate:	0.16	
19037	0560597 - 0.33	Int of CUMBERLAND AV PREBLE ST	9	10	0	0	1	5	4	60.0	5.662	0.59	1.26	0.00
												Statewide Crash Rate:	0.75	
Study Years:	3.00	**NODE TOTALS:**		29	0	0	2	11	16	44.8	14.455	0.67	0.62	1.07

Crash Summary I

Sections

Start Node	End Node	Element	Offset Begin - End	Route - MP	Section Length	U/R	Total Crashes	Injury Crashes K	A	B	C	PD	Percent Injury	Annual HMVM	Crash Rate	Critical Rate	CRF
19010	19016	3106835	0 - 0.06	0560597 - 0.13	0.06	2	1	0	0	0	0	0	0.0	0.00101	328.46	749.65	0.00
Int of KENNEBEC ST PREBLE ST				RD INV 05 60597											Statewide Crash Rate: 220.55		
19016	19022	3106836	0 - 0.07	0560597 - 0.19	0.07	2	3	0	0	0	1	1	50.0	0.00140	714.08	691.76	1.03
Int of LANCASTER ST PREBLE ST				RD INV 05 60597											Statewide Crash Rate: 220.55		
19022	19043	3117969	0 - 0.04	0560597 - 0.26	0.04	2	1	0	0	0	0	1	0.0	0.00069	481.67	819.32	0.00
Int of OXFORD ST PREBLE ST				RD INV 05 60597											Statewide Crash Rate: 220.55		
19037	19043	3124005	0 - 0.03	0560597 - 0.30	0.03	2	1	0	0	0	0	1	0.0	0.00086	389.77	780.94	0.00
Int of CUMBERLAND AV PREBLE ST				RD INV 05 60597											Statewide Crash Rate: 220.55		
Study Years: 3.00				**Section Totals:**	0.20		6	0	0	0	1	3	16.7	0.00396	504.73	529.36	0.95
				Grand Totals:	0.20		35	0	0	2	12	19	40.0	0.00396	2944.29	714.68	4.12

H. C. L.
CRASH COLLISION DIAGRAM
DATA PACKAGE

COUNTY: **CUMBERLAND** TOWN: **PORTLAND**

LOW NODE: **19036** HIGH NODE: **19037** REGION: **1** U/R: **URBAN**

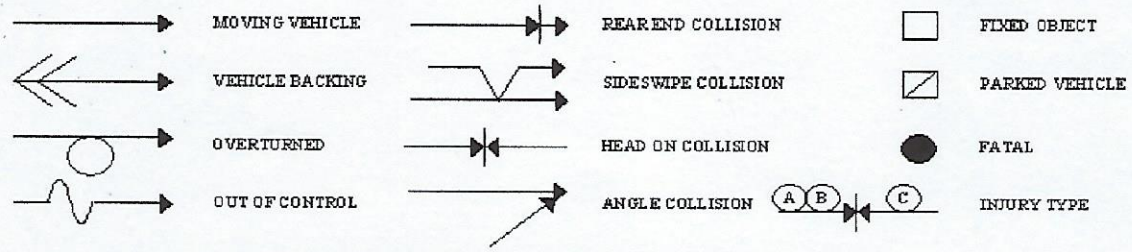
DESCRIPTION: **Cumberland Ave from Brown St to Preble St**

RTE # / RD #: **0561238** DATE DRAWN: **4/23/2020** DRAWN BY: **Michelle**

STUDY FROM: **1/1/2017** STUDY TO: **12/31/2019**

CRASH RATE: **2007.13** CRF: **3.57** % INJURY: **10** TOTAL CRASHES: **10**

LEGEND



- - - - - - - **PATH OF**: P PEDESTRIAN B BICYCLE A ANIMAL S SLED

PAVEMENT: D - DRY, I - ICY, W - WET, S - SNOW

WEATHER: C - CLEAR, F - FOG, R - RAIN, SL - SLEET, S - SNOW, CL - CLOUDY

TIME: A - AM, P - PM

Portland

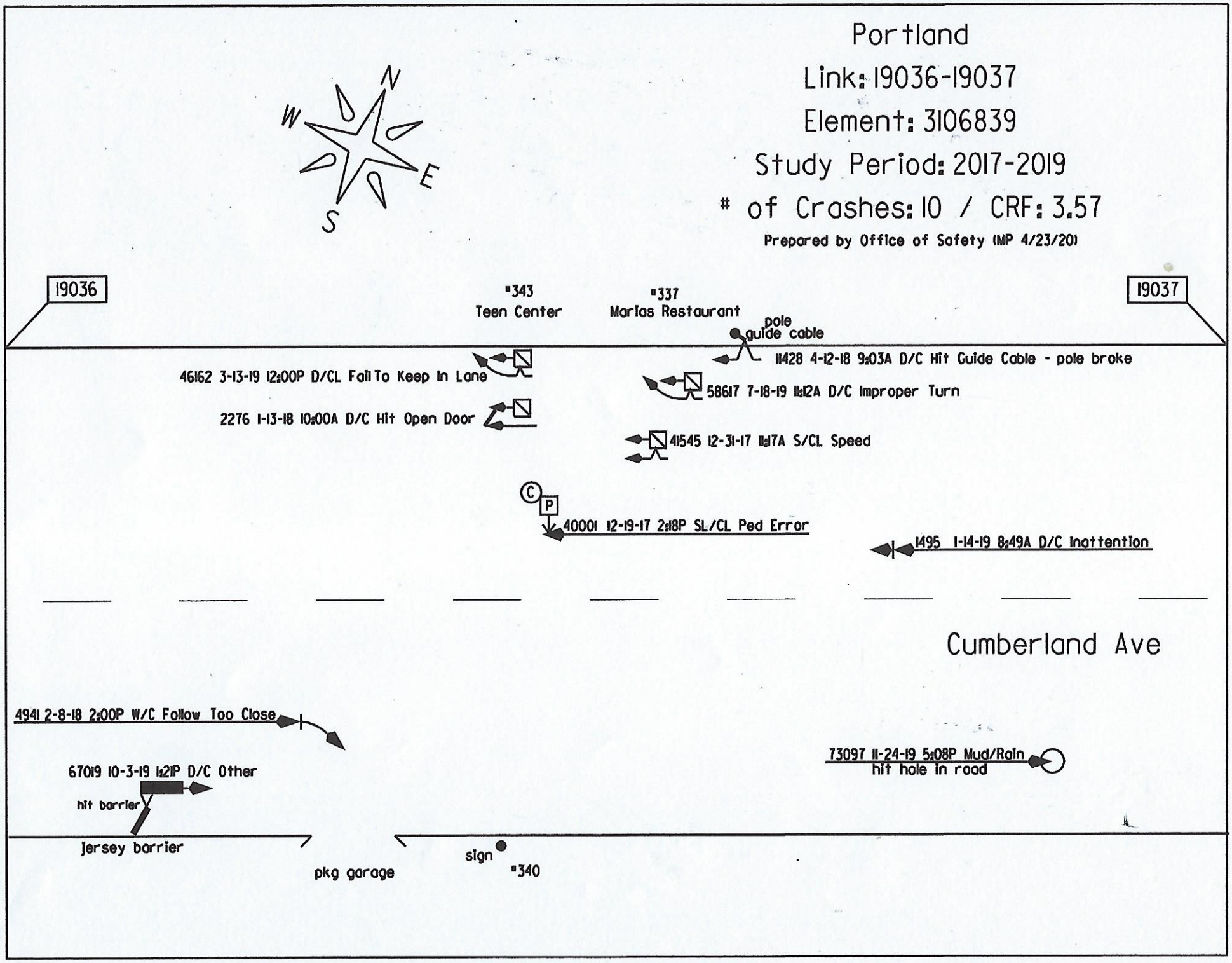
Link: 19036-19037

Element: 3106839

Study Period: 2017-2019

# of Crashes: 10 / CRF: 3.57

Prepared by Office of Safety (MP 4/23/20)



337 Cumberland Ave

Parking Use and Management

The new construction building at 337 Cumberland Ave will contain a total of 17 spaces. One of the spaces will be designated for use by a car share program.

During weekdays (Monday through Friday from 630am to 530pm), the remaining 16 spaces will be available for use by Youth and Family Outreach. In the evening, the 16 spaces will be available to residents of the apartments. Residents who wish to have access to a parking space will tell the property management company and will be provided a spot if one is available. If none are available, they will be placed on a waiting list for the next available spot. If the resident lives in one of the twelve market rate apartments, there will be a parking fee based on a comparable market rate cost of parking. If the resident occupies an income restricted apartment, they will not be charged a monthly fee for a parking spot.

337 Cumberland Avenue

Transportation Demand Management (TDM) Plan

June 2, 2020

Summary

Portland Housing Development Corporation (PHDC) provides this Transportation Demand Management (TDM) Plan for 337 Cumberland Avenue, located at the corner of Cumberland Avenue and Preble Street in the B3 zone of Portland's downtown. The proposal is for a 6-story mixed-use building with 60 mixed-income residential apartments, expansion of the adjacent Youth & Family Outreach (YFO) program on the first floor, and a ground floor interior parking lot accessed from Portland Street. The site is pursuing Core Green Building Certification.

This is a key opportunity for urban infill redevelopment, new housing for local workers and families, and alternate transportation and reverse commuting for residents. The 337 Cumberland Avenue TDM Plan intends to reduce parking demand and drive-alone vehicle trips to and from the site and benefit the local transportation system through marketing the housing to downtown employees and student families, charging for parking for market-rate tenants, providing on-site amenities, and offering strong support of transportation alternatives such as walking, bicycling and public transportation.

The plan sets the following TDM targets for 3 years after 337 Cumberland Avenue is fully occupied. These targets should be reassessed after the first full year of occupancy of all tenant spaces:

- *5% reduction in peak hour resident, employee and family vehicle trips and an anticipated 5% reduction in parking demand for the site*
- *65% resident and employee multimodal rate*

COVID-19 NOTE: Site occupancy is forecast for Winter of 2022-2023 and with an anticipated vaccine for the COVID-19 virus available within approximately the next 18 months, transportation alternatives that are currently less viable - such as transit and carpooling – are anticipated to make significant recoveries by that time. TDM efforts will also likely be supported by a long-term increase in telework and walkable access to the largest number of jobs in the state.

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C. Trip Generation & Parking Demand Projections & Targets 12
D. Trip and Parking Reduction Strategies 14
E. Plan for Monitoring, Data Collection and Reporting 18

337 Cumberland Avenue Site

- 1.27 acre 6-story mixed-use urban infill site in downtown Portland's Downtown Portland
- Residential: 60 mixed-income dwelling units; ~50,000 sq.; an estimated 132 residents; includes:
  - 20% market-rate units
  - 80% at 50-60% Area Median Income, including 15 units for Section 8
  - common areas with work space
- Youth & Family Outreach early childhood education tenant, 1st Floor: ~8,000 sq.; 107 students and 28 staff members
- Ground level covered parking with access from Portland Street: 17 spaces, including an accessible van space

TDM Targets

- ***Trip & parking reduction targets:*** a 5% reduction in resident vehicle trips and parking demand within 3 years after full occupancy - resulting from TDM program; i.e., a reduction of 5 weekday morning peak trips, 5 weekday evening peak trips; and 2 parking spaces
- ***Multi-modal target:*** 65% of resident and employee trips will be via transit, carpooling, by bicycle, on foot or telecommuting within 3 years after full occupancy
- Will reassess targets at end of year one of full occupancy at 337 Cumberland

TDM Coordinator

Initial Coordinator: Jay Waterman, PHDC, jwaterman@porthouse.org, (207) 221-8009

Eventual Coordinator: Property Manager (to be determined)

Cushman Transportation Consulting, LLC, 94 Beckett Street, 2nd Floor, Portland, ME 04101
Tel: (207) 200-1910 E-mail: sarah@sarahcushman.com www.sarahcushman.com

A. Property Description & Transportation Context

Site Characteristics & Occupant Demographics

337 Cumberland Avenue is an .45-acre parcel located at the corner of Cumberland Avenue and Preble Street in downtown Portland's B3 zone, Downtown Entertainment Overlay Zone, and Bayside Neighborhood. The property is also directly across the street from the adjacent Portland Downtown District, Pedestrian Encouragement Zone and Congress Street Historic District. These are all land uses that benefit from and support this important infill redevelopment of what was, since the mid-1970s, a one-story family-owned restaurant. (Maria's Ristorante has relocated to the former Espo's building on Outer Congress Street.) Infill development of any kind contributes to drive alone vehicle trip reduction.

Youth and Family Outreach (1st Floor Use)

The first floor of 337 Cumberland will house the approximately 8,000 square foot expansion space of Youth and Family Outreach (YFO). This is the non-profit neighborhood organization that currently provides early childhood care and education to a total of 58 students, ages 6 weeks to five years, at the adjacent historical 1852 Chapel building at 331 Cumberland Avenue. The program is the outgrowth of a 175-year mission to welcome and serve the needs of low-income members of the community. The organization is the site owner of 337 Cumberland and will lease it for 90 years to 337 Cumberland Avenue, LP, who will be the development owner. The first-floor space in the new building will allow YFO to support 49 additional children, for a total of 107 students.

Youth and Family Outreach employs 18 staff, which will grow to 28 with the expansion. At present, 66% of staff use alternate transportation to get to work; five staff members walk, four take the bus, and one bicycles. Only eight staff members currently drive alone to the site and generally because they have been priced out of housing in the city of Portland. The program is hopeful that some of their employees may be able to live at 337 Cumberland in order to live and work nearby.

Youth and Family Outreach prioritizes 60% of its student slots for low-income families and 95% of adult family members are working or in school. A parent or guardian of each student enrolled in the program's Public Pre-K class receives a monthly bus pass to be able to bring the child to and from school. Currently, 9% of student families reach the site by bus, 9% walk, 3.5% ride bikes and 78.5% arrive by passenger car or truck. YFO plans to give preference to residents of 337 Cumberland for admittance to Youth and Family Outreach, which would reduce vehicle drop-off and pick-up trips.

Residential Housing at 337 Cumberland (2nd-6th Floor Uses)

In-town mixed-income housing, which is the primary use proposed for 337 Cumberland, will contribute significantly to reducing drive alone trips to and from the site. When people move from one residence to another it provides a key opportunity and critical juncture at which to educate them about their transportation choices and the benefits of alternate transportation. Individuals are more receptive to this information as their daily living and commute patterns have changed with relocation.

...One of the more interesting studies found in reviewing the literature was a 2003 German social science experiment conducted by three researchers (Bamberg, Rolle and Weber) where an individualized marketing intervention was used at a time of what they called a "changed decision" context, meaning immediately after relocation. The research found that if, when in a new situation, people received personally relevant and persuasive information, they were more likely to use it for making new behavioral decisions.

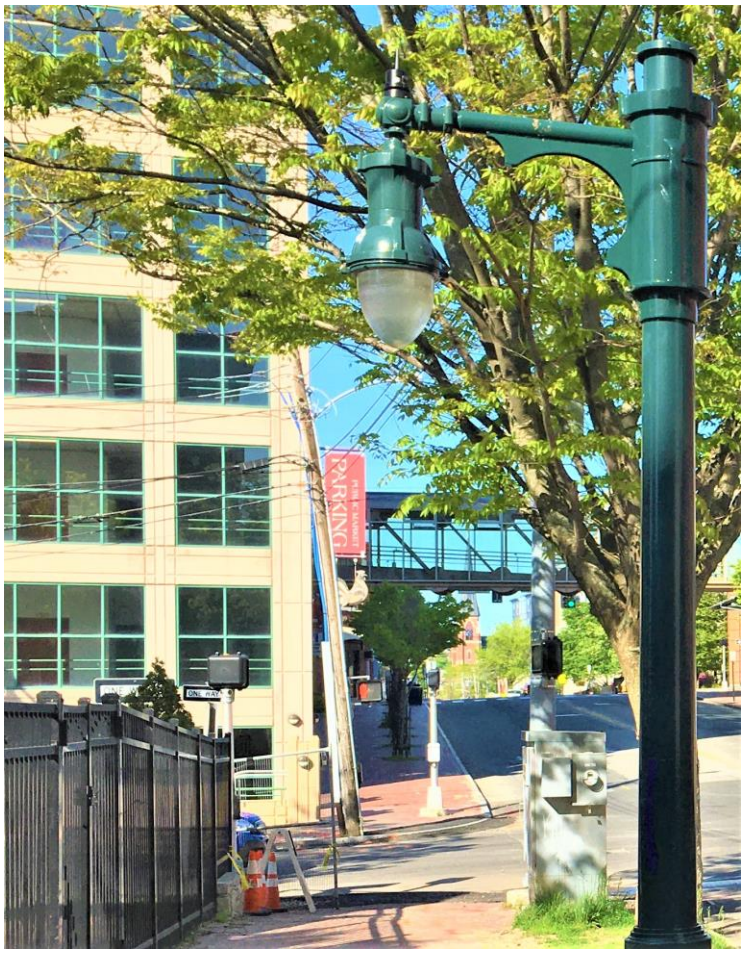
Portland Oregon SmartTrips Welcome Program, Tools of Change Landmark Case Study, 2012

Single-occupancy vehicle trips are also influenced by income and car ownership rates. The Portland Housing Development Corporation (PHDC) will develop the second through sixth floors of 337 Cumberland, approximately 50,000 square feet, for 60 residential units. These will consist of 20 studios, 15 one-bedroom, 15 two-bedroom and 10 three-bedroom rental apartments.

Twenty percent of the units will be market-rate rentals and 80% will be for tenants making 50-60% of Area Median Income. Fifteen units will have project-based Section 8 vouchers, with six apartments set aside for families experiencing homelessness and residing in a Portland shelter. There will be no differentiation in apartment size or interior finishes between the market-rate and affordable housing units. Portland Housing Development Corporation will retain a long-term lease of the building from Youth and Family Outreach and the Portland Housing Authority will manage the property.

People in residential settings often perceive they are dependent upon driving alone because of the number of errands and activities they must carry out in different locations. 337 Cumberland will reduce this dependence through building facilities and proximity to services close to the site. Site features that encourage alternate transportation and discourage drive alone vehicle trips include: an indoor bicycle/stroller/carseat/handcart storage area, package delivery and storage location, free wireless internet throughout the building, and communal space that can be used to do telework. New curbside drop-off and pick-up areas will be developed and designated on the street frontages of Cumberland and Preble Streets, providing ADA access and opportunities for residents, families, employees and visitors to more easily share rides.

Per the site development agreement, 337 Cumberland will build and maintain 17 covered parking spaces on the Portland Street ground level of the building, including an accessible van space. In strong support of site TDM efforts, market-rate residential leasing will be exclusive of parking. In addition, Youth and Family Outreach will have a parking agreement for 16 parking spaces for daytime use, unbundled and in a separate agreement from the organization's 1st Floor use of the building. These spaces will be shared-use, with residential tenants accessing them for overnight use – therefore, doubling the efficiency of the spaces.



Under the affordable housing financing regulations, low-income tenants are not permitted to be charged for on-site parking. Regardless, all tenants will be connected with nearby parking resources off-site for other remote parking options. For example, the Public Market, Monument Square and the Arts District Garages are all across the street from the site. Initial outreach to these garages has been limited by the lack of personnel access on-site (due to COVID-19); however one garage was able to share it can accommodate a number of additional monthly customers. Parking that is unsubsidized for market-rate tenants and off-site for other parking needs, is of tremendous benefit and a linchpin strategy to discourage drive alone trips and encourage the use of alternate transportation.

Tables 9 and 10 on the next page, from the 2017 *City of Portland Parking Study for the Eastern Waterfront & Downtown* census data analysis, show that workers who live in the Downtown and Eastern Waterfront study area (which is directly adjacent to 337 Cumberland) and commute to all jobs – including anywhere in the region:

- Own far fewer vehicles: .7 per household - vs. 1.34 in the city and 1.79 in the region;
- Drive alone considerably less: 40.6% in the study area - vs. 67.4% in the city and 78.3% in the region;
- Use alternate modes of transportation and/or telecommute significantly more: 59.4% in the study area vs. 32.8% in the city and 21.9% in the region.

…The data shows significantly lower shares of drive alone commuting for workers who live in the study area or on the Peninsula as compared to the City and MSA [Portland-South Portland-Biddeford Metropolitan Statistical Area].

The share of workers who walk to work is very high in the study area at 43 percent in 2015, implying that those who live in the study area tend to work within a walkable distance from home…

… Carpooling decreased everywhere [between 2000 and 2015] except with residents of the study area where the carpool mode to work rose by nearly 7 percent…

2017 *City of Portland Parking Study for the Eastern Waterfront & Downtown*

Table 9: Commute Mode Share Trends by Home Origin

	Commuter Home Origin	Drive Alone	Carpool	Transit	Bicycle	Walked	Work from Home & Other
2015	Portland-South Portland-Biddeford MSA	78.3%	9.3%	1.1%	0.6%	3.9%	7.0%
	City of Portland	67.4%	8.6%	3.1%	1.6%	12.2%	7.3%
	On the Peninsula	49.2%	6.9%	4.7%	2.8%	28.6%	7.9%
	Within the Study Area	40.6%	10.2%	3.5%	0%	42.5%	3.2%

Table 10: Auto Ownership 2000-2015

	Home Location	Vehicles	Occupied Households	Veh/HH
2015	Total U.S.	205,767,452	116,926,305	1.76
	Portland-South Portland-Biddeford MSA	383,798	214,667	1.79
	City of Portland	40,495	30,119	1.34
	On the Peninsula	11,611	11,917	0.97
	Within the Study Area	1,206	1,729	0.70

For residents who are attending school, local high school and college opportunities such as Portland Adult Education, Southern Maine Community College and the University of Southern Maine are readily accessible from the site via public transportation. Further reducing the need for tenants to make drive alone trips, downtown Portland is the largest employment center in the state and 337 Cumberland has a Job Access Score of 9.4 out of 10. This scoring is based on employment location and a variety of employment types, provided through the Housing + Transportation Affordability Index using U.S. Census data. According to the Downtown parking study, 12% of people live and also work in the study area. In *Portland's Plan 2030* (2017), analysis showed the number of people both living and working in the city decreased between 2002 and 2014. Residential sites like 337 Cumberland provide real opportunity for local population growth.

The developer anticipates 337 Cumberland will most likely attract households interested in a highly-walkable, low-car use lifestyle, which will further lower their housing and transportation cost burden. This will include people working downtown or in nearby neighborhoods, older individuals on pensions or social security who do not own a car, and families were at least one family member works downtown so as to avoid the increased highway traffic coming into the City. In general, and as shown in the Downtown parking study, vehicle ownership rates are lower for people who live in urban centers and also for those with lower incomes.

Various residents are likely to be Millenials; Youth and Family Outreach also employs a number of Millenial-age staff and the majority of families fall in this age bracket. Per U.S. Census data, Millennials have been shown to prefer urban environments; they also tend to be more comfortable using modes other than the single-occupancy automobile for transportation. These multimodal habits were heavily influenced by the Great Recession and driving by Millennials has increased slowly as the economy has improved. However, from a behavior change perspective, this familiarity with different ways of getting around will greatly facilitate these tenants, employees and families' participation in the 337 Cumberland Street TDM program.

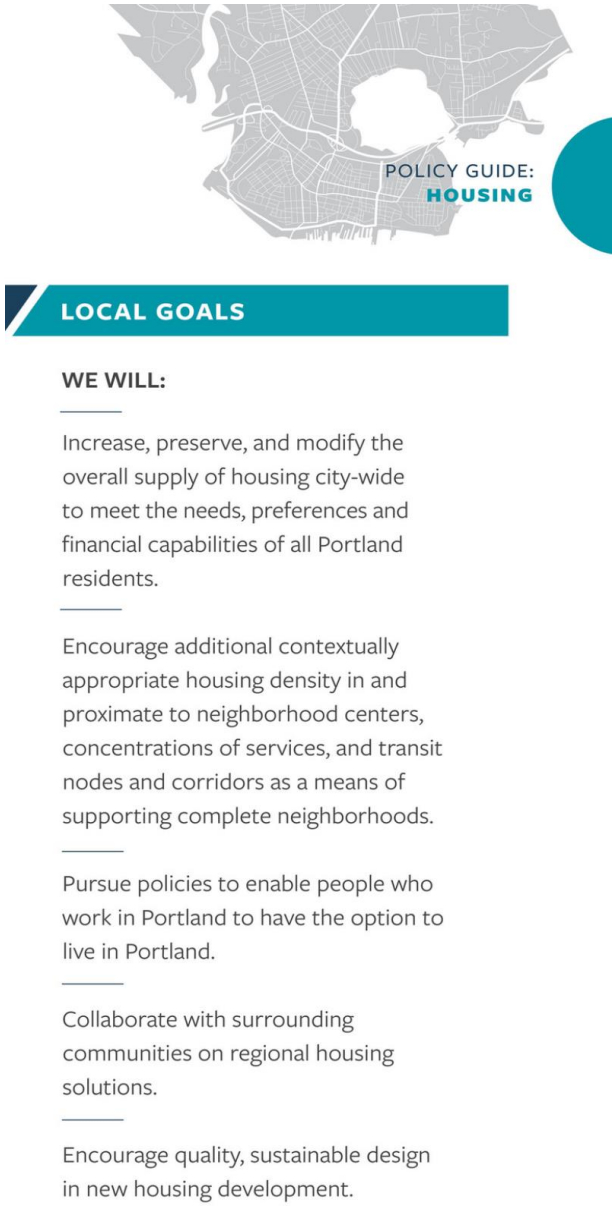
Regarding vehicle travel and senior resident demographics, the percentage of the population that drives plateaus for the general public through the ages of 30-55 - and then starts declining after the age of 55 for women and after age 60 for men. Similarly, vehicle miles and person miles traveled per capita both fall precipitously starting at the age of 55. Car ownership has had a slight rebound since the Great Recession. However, between 2015 and 2016, the one increase in car-free living (above the margin of error) was among householders age 65 or older who rent. (Source: American Community Survey of the U.S. Census).

Larger Transportation Setting

The 337 Cumberland Street project brings to fruition a number of the mixed-use, downtown neighborhood, housing, urban form, and transportation demand management goals of several recent and historically important Portland studies and plans. Included among them are:

- the original *Downtown Vision* plan (1991)
- *A Time of Change: Portland Transportation Plan* (1993)
- *Housing, Sustaining Portland's Future* (2002)
- *Peninsula Transit Study* (2008)
- *Sustainable Portland* (2009)
- *City of Portland Parking Study for the Eastern Waterfront & Downtown* (2017)
- the Comprehensive Plan, *Portland's Plan 2030* (2017)

For example, redevelopment of this site in the center of Portland addresses the land use diversity, housing, and downtown-strengthening outlined in *Portland's Plan* (Comprehensive Plan, 2017) – described further as Complete Neighborhoods and Reinforce the Center.



Portland's Plan 2030 (2017 Comprehensive Plan)

In addition, 337 Cumberland Street and its TDM initiatives align well with other observations from the 2017 Parking Study. For example, "If future residential development in the study area were to attract a higher percentage of residents who also work in the study area, and do not use their vehicle to commute to work, this would raise the internal capture rate for office parking demand. An internally captured office trip does not need an additional office parking space because the resident employee leaves their vehicle at home. In this way, a single parking space would serve either a residential purpose or an office purpose depending on the time of day. It would help lower parking demand to promote or incentivize the occupancy of new residential development with employees (of any kind) who also work in the study area."

For downtown residents working off the Peninsula, who may commute by single occupancy vehicle, there is also a reverse commute phenomenon. This change in the directionality of trips creates a more balanced inbound-outbound flow of vehicular traffic during the morning and evening peak travel hours.

Bicycle & Pedestrian Access

From a pedestrian and bicycling perspective, 337 Cumberland is very friendly, located within the strong sidewalk network and lower-speed street grid of the Portland peninsula. From the perspective of residents with any mobility concerns, sidewalks in most of the area are well-maintained year-round by the Portland Downtown district, including the removal of snow and ice during the winter months.

The building is located on the Portland Street bike lane and just a 2-minute bike ride from the Bayside Trail, the Forest Avenue bike lane network and the Park Avenue protected bicycle lane - all pivotal links in Portland's alternate transportation system. In addition, the site is only 5 blocks from the Marginal Way bicycle lane and a 4-minute bike ride to the Back Cove Trail.

Residential tenants working anywhere on the Peninsula will be within comfortable walking distance of their home; similarly, for Youth and Family Outreach employees and families who live on the East End, West End or downtown. Those residents whose employers are located within a five-mile commute distance can also easily bike to work, especially as bicycle networks in Portland, South Portland and Falmouth continue to improve. For example, 337 Cumberland tenants will be in close proximity to planned pedestrian and bicycle network improvements on Preble and Elm Streets and the Bayside Trail extension.

Significant near-site amenities also provide people with a full-service living and working environment. Amenities within easy walking distance of 337 Cumberland Avenue abound for residential tenants, YFO employees and families, and other site visitors. These include food and entertainment venues, grocery stores such as Trader Joe's, and home product suppliers such as Reny's. These and other downtown offerings also provide an attractive dual-purpose trip for YFO employees and site visitors who do end up driving downtown. For example, walking to run errands at neighboring businesses or meeting up with family and friends for after-hours events downtown. In addition, these internally captured trips represent no net new trip generation or parking demand beyond the original trip to the site.

Public Transportation Access

In terms of transit service, 337 Cumberland Avenue is ideally located just off the Congress Street bus corridor and only one block from the hub of all of Greater Portland's public transportation options at the Elm Street Pulse and Monument Square. 337 Cumberland Avenue itself is served by METRO Route #8 stops at the Preble Street Resource Center and across from the former Public Market House on Preble (the route is now under review as part of METRO's Peninsula Loop Reboot task force).

At the METRO Pulse, services include ticket sales, a staffed indoor waiting room, outdoor seating and the:

- METRO Breez with service to Yarmouth, Freeport and Brunswick
- METRO Husky Line with service to Westbrook and Gorham
- METRO local Routes 2, 4, 5, 7, 8, 9A, 9B serving the significant transportation corridors of Outer Congress Street and Forest, Brighton, Washington, Stevens and Allen Avenues
- RTP Lakes Region Explorer with Route 302 service to Westbrook, Windham, Raymond, Casco, Naples and Bridgton

At Monument Square, most of the above local METRO routes are accessible, along with all South Portland Bus routes, and the ZOOM Turnpike Express with service to Saco and Biddeford. Three blocks away at City Hall, one can catch METRO Routes 1, 7, 8, 9A and 9B and the intercity Shuttlebus, with service to Scarborough, Old Orchard Beach, Saco and Biddeford.

There is shelter from the elements for riders at the Pulse and at the Monument Square stop at Center Street. METRO, South Portland Bus and Casco Bay Ferry Lines all provide real-time arrival information for riders, through the Southern Maine Transit Tracker website and smartphone apps such as Google Maps, Transit and Moovit. All local and express buses are also equipped with bicycle racks with space for 2-3 bikes. In addition, most METRO buses offer Wi-Fi access and some provide in-seat USB ports.

Shared Mobility Access

With the end of UhaulCarshare service in Portland in February 2020, Portland Housing Development Corporation will explore other carshare possibilities for 337 Cumberland and if an option is found feasible, will offer a discount for resident carshare vehicle use for the first year of residency.

Over the past several years, the City has been working on an agreement with JUMP Bikes (by Uber) to set up a dockless electric bikeshare system in Portland. If and when the system is launched, the developer will provide monthly bikeshare memberships for tenants.

B. 337 Cumberland's TDM Coordination

The Portland Housing Development Corporation has a long history of in-fill development projects and encouraging and supporting residents' mobility, for example with bus pass subsidies and multi-use parking and TDM implementation at sites like the Bayside Anchor project.

PHDC sees this TDM program as part of its larger sustainability and neighborhood development mission and is pursuing Core Green Building Certification for this site. The organization's Strategic Vision Plan sets an intention to "Establish better connections to neighborhoods and breaking down physical and social isolation." It also recognized its Bayside neighborhood properties and the Bayside area specifically as "an area of focus for the city in general due to its prime location near two major arterial roads and close to downtown and the waterfront. Currently, the area features a significant amount of public and private planning and development efforts. Given these efforts as well as its proximity to shopping and open space amenities, the Bayside area is a key opportunity area for expanded development."

Highly successful TDM programs share three vital characteristics – they are:

1. Dynamic - piloting strategies, assessing impacts, and modifying tactics as needed;
2. Rigorously supported and monitored by local governing bodies, in this case, the City of Portland
3. Managed by committed and enthusiastic staff who are responsible for overseeing, promoting and sustaining the program

PHDC is committed to a building TDM program to reduce drive alone resident and Youth and Family Outreach automobile trips, improve multimodal safety, and ease traffic congestion and area parking demand near 337 Cumberland Avenue. Jay Waterman, PHDC Director of Real Estate Development, will serve as the interim TDM Coordinator until the development determines the site's property manager. His contact information is:

Jay Waterman
Director of Real Estate Development
Portland Housing Development Corporation
14 Baxter Boulevard
Portland, ME 04101
Email: jwaterman@porthouse.org
Phone: (207) 221-8009

Jay Waterman and the future property manager are charged with coordinating the 337 Cumberland TDM plan implementation and monitoring and making any needed changes.

PHDC will provide the TDM Coordinator with remuneration to support the work of leading the site's ongoing TDM efforts. Acknowledging that roles and responsibilities change over time in any position, PHDC and the site property manager will use the

The 337 Cumberland TDM Coordinator is responsible for:

- Coordinating tenant TDM policies and incentives
- Connecting tenants with nearby transportation & parking resources
- Encouraging greater use of preferred modes – walking, bicycling, carpooling, taking bus or rail transit - through transportation kiosk and site-wide promotion
- Overseeing/conducting surveying of tenants
- Filing annual reports and updating the plan with the City
- Exploration of additional TDM strategies, as needed

first few months of TDM implementation to enumerate the TDM Coordinator's responsibilities in detail for any other staff to uphold the responsibility of the position.

Day-to-day operations and monitoring of the TDM plan will be conducted in-house by the property manager long-term and PHDC will retain the services of a TDM consultant to review initiatives, problem-solve and develop new strategies if and when necessary.

C. Trip Generation & Parking Demand Projections & Targets

Portland Housing Development Corporation has hired Cushman Transportation Consulting, LLC (CTC) to assist with its transportation demand management process. CTC specializes in TDM efforts locally and connects with TDM research and programs across North America – including aspects of setting and managing TDM targets. This all informs the following trip reduction, parking reduction and multimodal goals.

A complication for setting ambitious targets for this particular site is the existing high multimodal rate of individuals who live downtown. That is, when a multimodal rate is already extraordinary, mode change is much more incremental and moderate than if the rate has significant room for growth.

In addition, as referenced in City's Land Use Code, "The planning board may establish a parking requirement that is less than the normally required number of spaces upon a finding of unique conditions that result in a lesser parking demand, such as housing for persons who cannot drive, housing that participates in a travel demand management program, [and] availability of transit…" as well as "[t]he planning board may establish a parking requirement for affordable housing units for rent or sale within an eligible project that is less than one (1) parking space per affordable housing unit, regardless of the size of the structure."

Projections & Targets

The TDM Plan sets the following targets:

- ***Trip & parking reduction target:*** a 5% reduction in resident, employee and family vehicle trips and resident and employee parking demand within 3 years after full occupancy - resulting from TDM program; i.e., 5 weekday morning peak trips, 5 weekday evening peak trips, 2 spaces
- ***Multi-modal target:*** 65% of resident and employee trips will be via transit, carpooling, by bicycle, on foot or telecommuting within 3 years after full occupancy
- Will reassess targets after the first full year of 337 Cumberland occupancy

Projected Trip Generation & Parking Demand

PHDC hired Traffic Solutions to produce Institute for Transportation Engineers (ITE) trip generation and parking demand projections to assess the potential impact of 337 Cumberland Avenue's redevelopment. This has included utilizing the most recent data in the 10th edition ITE *Trip Generation Manual* and the 5th edition ITE *Parking Generation Manual*, with distinctions for the multimodal context of the site.

According to the traffic analysis, the net increase in peak hour trips for the combined 337 Cumberland and Youth and Family Outreach Chapel site is estimated at 51 or fewer "new" vehicle trips. This is because the existing Youth and Family Outreach program located in the Chapel building already generates 47 peak hour trips. Accordingly, the new joint development can be expected to generate approximately 94 total trips in the AM peak hour and 98 total trips during the PM peak hour. Per the parking demand projection analysis, the average peak hour demand for parking at the site is expected to be 42 spaces.

Trip Reduction Target

Given the multimodal accessibility of the site, the high existing rate of alternate transportation use by those living downtown, and the transportation demographics of existing YFO employees, the building's TDM efforts should enable a further 5% reduction in resident drive alone vehicle trips by the end of 3-5 years. That is, 7 weekday morning peak trips and 9 weekday evening peak trips. The TDM team plans to revisit this reduction target after the first year of full occupancy at 337 Cumberland.

Parking Reduction Target

With the lower vehicle ownership rate of low-income households, the strong strategy of unsubsidized parking for market rate tenants, and the implementation of TDM incentives, it is anticipated that a further achievable parking demand reduction is 5% by the end of 3 years; i.e., 2 spaces. The parking demand target will also be revisited after 337 Cumberland is occupied for the first year.

Multimodal Target

337 Cumberland is setting an initial target of 65% of residents and YFO employees making multimodal trips to and from the site, by 3 years after full occupancy. This includes transit, carpooling or vanpooling, bicycle, pedestrian and telecommute trips or some combination of these modes. The target is different from the trip and parking reduction targets above because, with the diversity of residents and YFO employees at 337 Cumberland and the timing of work schedules or retiree tenant activities, a number of these trips are likely to be outside of the morning and evening peak periods.

This is a complex target to set because of both the above mentioned current high multimodal rate and also the range of potential tenants and tenant occupations. For example, according to census data, when retired from day-to-day work, an individual's vehicle miles traveled decreases overall. 337 Cumberland plans to closely monitor existing trends to attain a reasonable mode-shift goal over time.

It is most useful for 337 Cumberland's TDM efforts to address the specific needs of transit users, carpoolers, bicyclists, walkers and telecommuters and set an overarching multimodal trip target for the site – versus targets for each mode. From other TDM experiments across the globe, it is clear that individuals' use of various alternate modes shift over time as different residents come and go and/or their needs change. For example, a tenant who uses transit might move to another location or a different tenant who walks might switch primarily to bicycling. In another instance, a tenant who was able to drive may lose the ability to do so and switch to using transit or carpooling for errands.

D. Trip and Parking Reduction Strategies

In the table beginning on the following page, Portland Housing Development Corporation proposes a number of best-practice and sensible parking and trip reduction strategies for 337 Cumberland's TDM Plan. These are based on the development team's understanding of the site's transportation context, likely residents and the usefulness of various TDM efforts. For example, unsubsidized off-site parking will produce the strongest results for decreasing single-occupancy vehicle trips to and from the site. In addition, the team acknowledges the various needs of different multimodal commuters. For instance, tenants who use transit, walk or bicycle are more able to do so if they have on-site, secure storage for larger commuting gear like strollers, bicycle trailers and shopping handcarts.

Another critical component for the success of 337 Cumberland's TDM Plan is a carefully thought-out marketing plan that engages tenants from when they first move in regarding preferred modes of transportation and provides easily accessible information and subsidies. As shared by Portland Oregon's SmartTrips Welcome program, a residential move is a unique and powerful opportunity for mode

…When a person changes residence, everything changes: the way to the store, the way to work, even the steps to the fridge.

This time of change offers a unique opportunity to create new neural pathways or reinforce old ones that haven't been used for a while and make these stronger than habitual pathways.

Andrew Pelsma, SmartTrips Program Specialist, Portland, Oregon

…To us, this represents a significant number of people with an immediate gap in knowledge about their local travel options.

Linda Ginenthal, SmartTrips Program Manager

experimentation and change. This marketing also builds the site's TDM culture and the sense of multimodal travel as the social norm. As 337 Cumberland is developed and under construction, the team will design a promotion strategy that complements other area Portland TDM work to encourage walking, bicycling, telework and teleservices, carpooling and the use of public transit.

Finally, the City of Portland has been reexamining the need for an area Transportation Management Association (TMA) to benefit downtown sites like 337 Cumberland. TMAs are generally public-private entities that assist sites with TDM implementation, outreach and monitoring; advocate for improved transit and act as brokers for services such as shuttles. PHDC plans to support the development of a TMA, if found to be feasible, and have 337 Cumberland Avenue participate as a member.

Infrastructure	
Remote Parking/Reduced Parking/Shared Parking/Fee in Lieu of Parking	*Reduced parking:* 337 Cumberland is limiting parking supply by providing fewer spaces than required by the City's zoning ordinance. Parking for residents and employees will be limited to 21 spots on-site.
	Remote, shared-use parking: Additional parking for site residents and employees will be available for rent through shared-use parking at the Portland Public Market, Arts District, and Monument Square Garages, within 1500 feet of the site. Residential overnight parking works well with high day-use commuter parking locations such as these. In addition, parking offsite makes car ownership less convenient for residents and further encourages the use of alternate modes.
Affordable Housing	Far beyond the current City standard for workforce housing, 80% of 337 Cumberland's dwelling units will be considered affordable housing, with total household income not exceeding 60% percent of Area Median Income (AMI). Affordable housing units at a lower rate of AMI generate fewer vehicle trips and less parking demand than higher AMI or market-rate housing units.
Transit & Other TDM Access	Real Time Transit & TDM monitor display in main lobby with looping slides regarding: live-time transit service information for routes near the site (available through Southern Maine Transit Tracker); multimodal map with nearby transit routes, bicycle routes and trails, and walk and bike distances/times; listing of bicycle facilities on site; carshare locations and membership information; information on GO MAINE ride-matching, rewards and Emergency Ride Home benefit for all alternate modes of transportation; all TDM benefits available for residents; contact information for TDM Coordinator.
Pedestrian, Bicycle and Carpool Access	*Sidewalks:* Reconstruction of any/all street sidewalk segments abutting development?
	ADA-accessible pedestrian amenities: barrier-free ramp improvements
	Crosswalks: Striping improvements, as required, for existing or proposed crosswalks
	Lighting: Street and building lighting improvements to improve sidewalk illumination
	Other pedestrian amenities: weather awning protection on Cumberland Avenue street frontage
	On-street bicycle parking: 12 on-street bicycle parking spaces

	Indoor, secure bicycle/stroller/handcart parking: in the on-site covered parking area there will be 15 hanging bike spaces, plus 600 SF of open storage for other items such as electric bikes, cargo bikes or trailers, handcarts and strollers. In the Youth and Family Outreach space there will be 200 SF of stroller storage for use by commuting families.
	Electric bicycle charging: Provide charging station/outlets for resident electric bikes in storage room
	Possible bicycle corral or other parking: depending on demand, explore with City whether to install seasonal on-street bike corral for summer and shoulder seasons; Alternately, committed to meeting a higher demand for on-street bike parking if needed.
Shared Mobility	*Site drop-off/pick-up curb area* for resident, employee and family carpoolers
	Car seat storage space: To facilitate child carseat storage, for those commuting by carpool, in the on-site covered parking area there will be 600 SF of open storage for car seats, in addition to bicycle and pedestrian gear. In the Youth and Family Outreach space there will be 200 SF of storage for commuting families' car seats, also in addition to any family pedestrian or bicycle gear.
	Carshare possibilities: With the end of UhaulCarshare service in Portland in February 2020, site owner will explore other carshare possibilities for 337 Cumberland. If an option is found feasible, the TDM Coordinator will offer a discount for resident carshare vehicle use for the first year of residency. Possibilities to explore include: • Existing service: Uhaul Truck Share, available 24/7 (8' pick-up is smallest vehicle; $19.95 per day, plus $0.69/mile); located a 22 minute walk from site at two alternate locations: U-Haul Moving & Storage, 411 Marginal Way and Blaises Euro Pro Shop, 211 Valley St (or 16 mins via transit on METRO Routes 1, 9A or 5) • Existing service: TURO peer-to-peer rental vehicle - e.g., one is currently available within 7 minute walk • Explore possible carshare or institution rate with Enterprise, located within a 9 minute walk, which offers carshare services in other cities • Explore on-site Portland Housing-owned carshare vehicle offered through Turo for daily rentals
Electric Vehicle Charging Station	Provide 1 electric car charging station
On-Site Amenities	*Co-working/community space:* work area and meeting space for tenants' use to encourage community-building and telecommuting
	On-site childcare: Preference will be given to residents of 337 Cumberland for admittance to Youth and Family Outreach. The non-profit organization serves Greater Portland families with children 6 weeks to five years of age and prioritizes 60% of slots for low-income families. YFO is accredited by the National Association for the Education of Young Children, a level 4 on Maine's Quality Rating System, and state licensed. This on-site childcare facility removes the need for commuting to and from childcare in addition to places of employment.
	Broadband access: hardwired infrastructure for broadband and WiFi
Delivery Supportive Amenities	Facilitate delivery services by providing an area for temporary storage for packages and other deliveries

Incentives

Parking Pricing/Incentives	*Unbundled parking:* Market rate tenants will be charged for parking via a separate lease from the unit rental. Parking provided to YFO will be unbundled from the property lease and rented via a separate agreement.
Transit Subsidies	*Transit passes:* Partial transit subsidy for residents and YFO employees to use transit. Site will also explore whether reduced cost is possible through METRO for affordable housing tenants.
	Transit pass reduced payments and processing: Explore new DiriGo TouchPass system to simplify management of transit subsidy for individual resident and employee trips (expected in 2020 from METRO, City of South Portland Bus Service and Biddeford Saco Old Orchard Beach Transit - but delayed with the COVID-19 crisis)
Pedestrian/Bicycling Subsidies	*Bicycle safety courses*: Reimburse residents, YFO employees and property management staff for bicycle safety courses
	Bicycle Benefits: Explore Bicycle Benefits memberships ($5) for residents, YFO employees, and property management staff who bicycle
	Bicycle maintenance: explore offering subsidy for one bicycle maintenance class at the Portland Gear Hub - for residents and YFO employees who bicycle
TDM Coordinator	Designation of TDM Coordinator for 337 Cumberland is required - for plan implementation, monitoring and reporting to City. Should provide stipend/remuneration to support the work of this position.
Information	
Education for Travel Choice	*TDM orientation packets:* new residents and YFO employees will be provided with orientation packets regarding the site's TDM program and access to site by various travel modes. Includes: (1) Map of the area, showing the destination, major streets, nearby landmarks and time to walk/bike to them, the closest bus stops and walking times, recommended cycling and walking routes, carshare locations, etc. (2) Information about transit service frequency, fares, first and last runs, and schedules if possible; plus phone numbers and web addresses for transit service providers and taxi companies. (3) How to reach the site from major transportation terminals (bus and train stations, airport, ferry terminal, etc.) (4) Access arrangements for people with disabilities; (5) Availability of bicycle facilities, including secure bike parking and bikeshare, if available; (6) Bicycle Benefits membership and bicycle safety courses; (7) Encouraging residents to become members of GO MAINE and access rewards system, carpool matching and Emergency Ride Home Benefit; (8) carshare information and automobile parking availability and price; (9) Information regarding building TDM program and contacting the TDM Coordinator.
	New Resident & Employee TDM Engagement & Acknowledgement: TDM Coordinator will engage with each new resident to share about the TDM program as part of the building's sustainability initiatives. All new rental tenants and YFO employees will be provided with the site's TDM program overview goals. They will be asked to sign an acknowledgement of the goals of the project and a commitment to participate in the annual resident and employee commute surveys.
	Commute coaching: One-on-one transportation consultations will be available for residents upon lease of dwelling units and for YFO employees, to explore individual transportation options. Thereafter, offered at least once annually.
	Ongoing TDM program education: 1 or more times per year, TDM Coordinator will email all residents (new and existing, including subletters) and YFO employees the same information as is in the TDM orientation packets.

	Transportation fairs/tabling: Explore hosting morning or late afternoon tabling event in lobby 2-4 times per year, to engage residents and YFO employees in conversation about their transportation choices as they head out or come home. Consider offering light refreshments.
	Experiment with walking tour of multi-modal options: offer a hands-on walking tour of all the transportation options near the property. For example, a visit to the METRO Pulse on Elm Street, including how to ride the bus and practice putting a bicycle on the bus.
	Experiment with offering on-site bicycle safety class: as residents and YFO employees show interest, host a bicycle safety/information class or bicycle repair event for residents and YFO employees.
	Explore Turo peer-to-peer car rental service and consider encouraging residents with private vehicles to experiment with rental hosting of their vehicles to expand local vehicle rental offerings and reduce the vehicle ownership needs of others.
	TDM surveying: Required resident, employee and visitor transportation surveys and reporting to City will also serve as education tool
Promotion of Alternate Modes	*Co-promotion with City and downtown agencies:* Work with Portland Downtown and City of Portland's Drive Less, Do More marketing campaign to promote alternatives with residents
	Social media and social proof: Explore the efficacy of using property management and YFO social media to build social proof of others doing the desired TDM actions (with posts from residents, YFO employees, YFO families and property employees taking action – e.g., posting a photo of taking the bus to work or the morning carpool) - vs. just likes or retweets of the idea of using preferred alternate modes
	Resident and YFO employee recognition: 1-2 times per year, explore the efficacy of recognizing individual residents and YFO employees (and possibly YFO families) who reduce the traffic impact of the site through property management and YFO social media, door posters, newsletter, email or other announcements.

E. Plan for Monitoring, Data Collection and Reporting

Recognizing that the implementation of a TDM Plan is a dynamic process, the 337 Cumberland Avenue TDM Coordinator will work with the City to monitor the effectiveness of the site's TDM Plan components - and to assess whether the site is achieving the trip and parking reduction and multimodal targets listed above. 337 Cumberland will work with tenants to evaluate on and off-site parking use and incentives for preferred modes and make improvements. Another important piece will be to determine the flexibility of tenants, employees and student families to utilize various travel modes.

Tenant Surveys

The TDM Coordinator will conduct annual tenant surveys that provide quantitative data (e.g., trip, parking and mode split) and qualitative data (e.g., perception of alternate transportation, area parking and the site's TDM programming). The site will carry out these surveys once annually for the first three years of full occupancy and then every two years thereafter, with at least 50% tenant participation.
The survey will be developed in consultation with the city's TDM manager and conform to overall city TDM modeling and planning. Survey questions will include:

- Number of people in household
- Resident mode of travel to and from work and/or for other trips away from the site – plus frequency of use of those modes
- Employee or student family mode of travel to YFO
- If parking personal vehicle(s), where parked
- Whether the resident, employee or student family drives during morning or afternoon peak periods
- Use of/participation in:
    - On-site bicycle parking, stroller, hand cart storage
    - And use of off-site carshare and future Portland bikeshare
    - Any site TDM incentives or other benefits or programming
    - GO MAINE membership and program participation
- TDM marketing effectiveness
- Preferences, barriers or concerns with modes of travel and likelihood of changing travel behavior given specific incentives or disincentives
- Rating knowledge of walking, bicycling and using the bus in the community
- Space to add suggestions and comments

Resident Transportation Survey - 7 Maple Street at 321 Commercial Street Site

Thank you for taking this survey!

Dear residents of 7 Maple Street:

Thanks very much for completing this survey regarding your daily travel! It should take you 5-10 minutes to complete. **Please have each licensed driver in your household complete the survey, if possible.**

This survey is required by the City of Portland to help monitor and update the work of 321 Commercial Street's Transportation Demand Management (TDM) Plan - of which 7 Maple Street is a part. The TDM plan is a requirement for most developments of our size under the City's Land Use Code and Ordinance and was required when we were first approved by the City in 2013.

TDM plans and their implementation help reduce the impact of drive-alone car trips on local traffic, parking supply, the environment, and the quality of life of our community.

We look forward to sharing more with you about the results of this survey and also ways that 321 Commercial can support how you get around - thanks again!

OK

Note: the use of these survey tools will also assist 337 Cumberland with its TDM education efforts. That is, the questions themselves help people think differently about their transportation behavior. The surveys will also provide a reminder of the TDM lobby monitor and the TDM Coordinator as resources for more information about options.

Annual Report

The TDM Coordinator will then produce an annual TDM Report to meet the City's monitoring requirements. The report will include:

a. the above survey data and percent of units occupied;
b. how the data directly relates to the plan's reduction targets;
c. details of that year's TDM operations – including management, strategies, marketing, number of contact points with residents, and any new infrastructure development;
d. lessons learned and any changes in the TDM plan during the year;
e. plans for the following year.

Construction Management Plan
337 Cumberland Avenue

The following is the Construction Management Plan for the 337 Cumberland Avenue building located at 337 Cumberland Avenue, Portland, ME 04101. This building will be a new 60 unit low income housing building with a childcare facility on the first floor. This building will have all of its utilities (gas, electric, water, sewer, stormwater) underground. Construction of this building is scheduled to start in July-September 2021 with a duration of roughly 16 months.

A. Construction Management Principles

The proposed Construction Management Plan is configured to lessen the impact of construction activities on Cumberland Avenue, Preble Street, Portland Street, abutters, and the surrounding neighborhood. Below is a list of control measures being taken:

- A temporary construction site fence will be used to control pedestrian access to the site for the safety of pedestrians and workers alike. The temporary fence will remain during all phases of construction management. Signage will be utilized to inform pedestrians to cross the street as the sidewalk will be closed during the construction of this building.
    - The contractor will secure parallel parking spaces on Portland Street for the duration of construction.
- This project requires many hookups to utilities in the street. Traffic control during these activities will be as follows:
    - During working hours, all open excavations will be marked off with signage and traffic barrels.
    - Flaggers will be present to direct traffic around the site and control any one-way vehicle movement around the open excavation.
    - If any excavation is to be left open overnight, the excavation will be covered with steel plates, and traffic barrels will be moved to the side of the road to allow for traffic to flow normally.

B. Development Review of Construction Management Plan

The Construction Manager will submit this construction management plan which outlines the logistics and safety measures being taken to protect the city and its residents as well as the workers during construction of this building.

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

1. **Street Opening Permit:** Street opening permits will be needed for tying in new utilities to existing city utilities in Cumberland Avenue and Portland Street. We will need permits for the hook up of gas, water, sewer, and stormwater.
2. **Street Occupancy Permit:** A street occupancy permit will be needed during a portion of this project to allow for hookups of utilities in Cumberland Avenue and Portland Street. These occupancies will mostly be a 1-lane occupancy.
3. **Blasting:** Blasting will not be required for this project.

D. Construction Administration and Communication

The Construction Manager will work diligently to ensure communication with all parties impacted by the work. We intend to assist the developer in conversations with abutters before and during construction to inform them of the work that is happening and make sure that they

are being affected as little as possible during the construction of this building. We will also provide construction signage with the contact information of our company so we can be contacted should any issues arise. For city use, the Project Manager and Project Superintendent will be the primary points of contact.

E. Construction Schedule

1. The preliminary timeline for this project is as follows:
   a. Proposed Construction Start: July 15, 2021
   b. Proposed Final Completion: November 15, 2022
2. Hours of construction are currently foreseen as being limited to 7:00am to 5:00pm, Monday-Friday.
3. Extended hours or night work are not foreseen at this time, but the city will be notified if these are required at any point during construction.
4. Material will be delivered to the site through the site entrance on Portland Street.

F. Security & Public Safety

1. The construction management plan drawings show where temporary construction fences will be located during all phases of construction. These fences will both secure the site as well as protect pedestrians from the construction equipment and work.
2. This construction project will be operated in accordance with all OSHA regulations.
3. A Fire Safety Program will be developed and adhered to during construction of this building.

G. Construction Permitting and Traffic Control Plans

1. Construction Activity in Public Streets: Construction activity in public streets will have traffic control in place during working hours. This includes for any open excavations or construction equipment/vehicles temporarily parked on the side of the road. If open excavations will be left overnight, these excavations will be covered with steel plates and signage will alert drivers and pedestrians of the work.

2. Sewer: Sewer will need to be hooked up to city services for this project. Applicable street opening and work permits will be pulled prior to the start of this work.

3. Traffic Control Plans: Traffic control will be limited to times when there is construction work happening in or directly adjacent to the right-of-way. This will include signage to alert vehicles and pedestrians to the work and flaggers during working hours when needed.

H. Site Management and Controls

This construction site will have dumpsters stored behind the proposed building and will be picked up and replaced on a regular basis.

Noise will be confined to normal work hours. This noise will consist of normal vehicle traffic, pile driving operations, a crane for erecting the building, and normal construction noises such as banging and the sounds of power tools. This should not disturb the surrounding neighborhood.

The Construction Manager will expect that the City of Portland will maintain all areas outside of the construction fence during construction of the building. If there is a need to shut down a lane of Cumberland Avenue or Portland Street to install utilities, snow will be cleared during this period only. The site will be maintained by the Construction Manager.

I. Erosion Control and Preservation of Trees

1. Sediment control measures to prevent dirt and dust from the site from flowing into storm drains during inclement weather or melting.

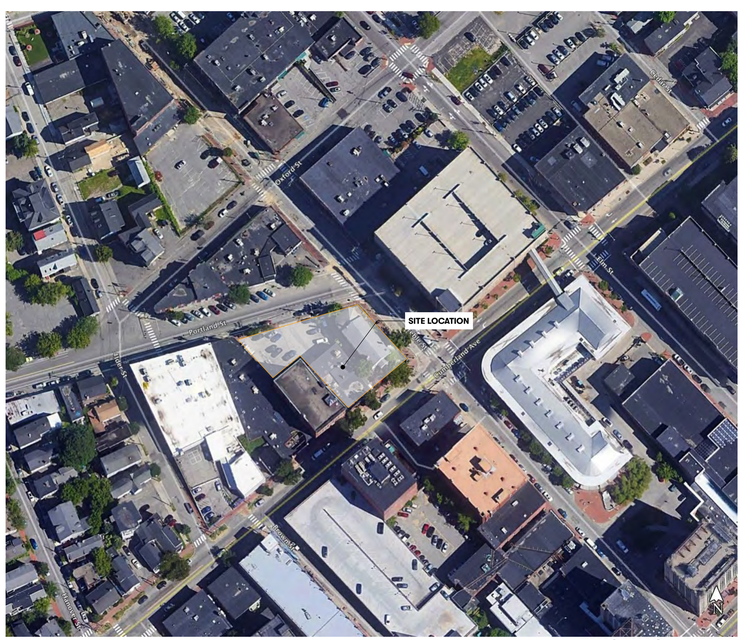
J. Construction Staging Area

There will be space for the staging of vehicles if needed. This will be in the "Access and Delivery Area" shown on the plans.

K. Parking During Construction

1. Construction Parking: Parking will be available for construction vehicles off site.
2. Truck Routes and Volumes: The expected truck route will be up Portland Street. The volume of trucks will vary greatly during construction based on the work being performed at that time. The truck volume at any time should not interfere with normal traffic flow on any of the adjacent streets.

3D VIEW



EXISTING AERIAL

N
TRUE

DRAWING INDEX

GENERAL		
		COVER SHEET
CIVIL		
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	C-101	SITE PLAN
	C-102	BASEMENT PARKING PLAN
	C-300	EROSION CONTROL NOTES & DETAILS
	C-301	CIVIL DETAILS I
	C-302	CIVIL DETAILS II
	C-303	CIVIL DETAILS III
	C-304	CIVIL DETAILS IV
ARCHITECTURAL		
	A-0.0	CONTEXT IMAGES
	A-1.1	BASEMENT PLAN
	A-1.2	1ST FLOOR PLAN
	A-1.3	TYPICAL FLOOR PLAN: FLOORS 2-6
	A-1.4	ROOF PLAN
	A-2.1	ENLARGED ELEVATION CUMBERLAND AVENUE
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	A-9.1	PERSPECTIVE
	A-9.2	PERSPECTIVE

337 CUMBERLAND

Project Information

CLIENTS	Portland Housing Development Corporation
ARCHITECT	Kaplan Thompson Architects
CONTRACTOR	TBD
PROJECT ADDRESS	337 Cumberland Avenue Portland, ME

Proposed Structure

PROPOSED OCCUPANCY:	Childcare, Multi-family Housing & Community Services
PROPOSED BUILDING HEIGHT:	7-Story 76'-7" Above Average Site Grade See Elevations
GROSS ENCLOSED PROPOSED NEW FLOOR AREA:	58,705 SF
GROSS ENCLOSED EXISTING CHAPEL FLOOR AREA:	6,380 SF
GROSS ENCLOSED GARAGE FLOOR AREA:	6,865 SF
TOTAL GROSS ENCLOSED FLOOR AREA:	71,950 SF
STRUCTURAL FOOTPRINT (INCLUDES BUILDINGS, ELEVATED DECKS, STAIRS & CANOPIES):	15,443 SF

Kaplan Thompson Architects
102 Exchange Street
Portland, ME 04101
(207) 842-2888
kaplanthompson.com

PROJECT
337 CUMBERLAND

CHILDCARE, MULTI-FAMILY HOUSING, & COMMUNITY SERVICES

337 Cumberland Avenue
Portland, ME 04101

CLIENT PARTNER
PORTLAND HOUSING DEVELOPMENT CORPORATION
14 Baxter Boulevard
Portland, ME 04101
p: (207) 221-8009

CIVIL & LANDSCAPING
ATLANTIC RESOURCE CONSULTANTS
541 US-1, Suite 21
Freeport, ME 04032
p: (207) 869-9050

EARLY CHILDCARE EDUCATION
STUDIO MLA ARCHITECTS
320 Washington Street
Brookline, MA 02445
p: (617) 608-1551

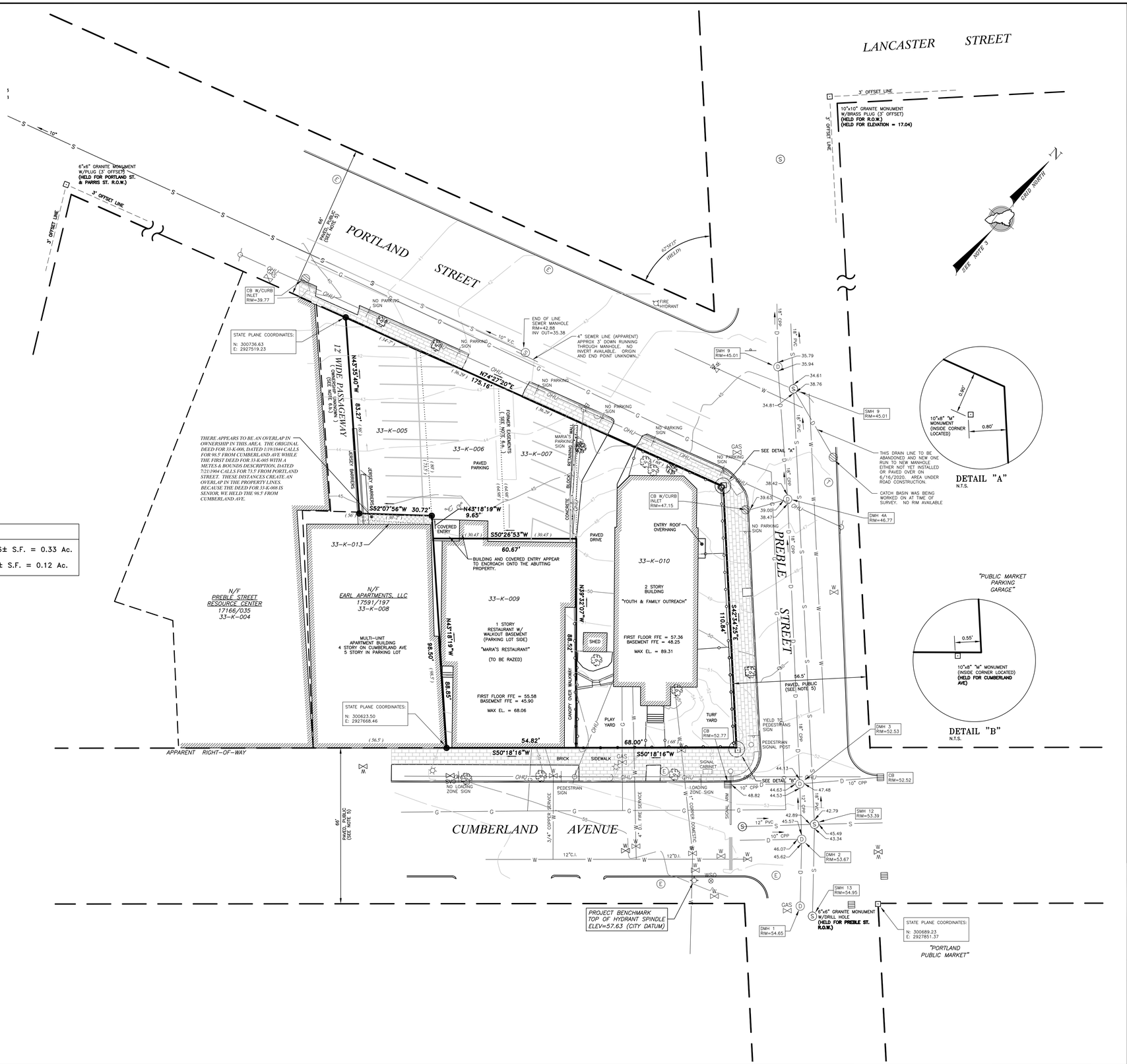
LICENSED ARCHITECT
JAMES JESSE THOMPSON
No. 3275
STATE OF MAINE

NOT FOR CONSTRUCTION

PROJECT	YFP
DATE	06/01/2020
DRAWN BY	RL/CB
PHASE	SITE PLAN REVIEW

COVER SHEET

VICINITY MAP
N.T.S.



LOT AREA CHART	
PARCEL 33-K-009	14,476± S.F. = 0.33 Ac.
PARCELS 33-K-5, 6, 7, 10, 13	5,116± S.F. = 0.12 Ac.

DETAIL "A"
N.T.S.

DETAIL "B"
N.T.S.

LEGEND

●	#5 REBAR WITH PLASTIC CAP (PROPOSED)
□	FOUND MONUMENT (SIZE & TYPE AS NOTED)
	UTILITY POLE (NUMBER AS NOTED)
	GUY WIRE ANCHOR
	FOUND DECIDUOUS TREE (SIZE & TYPE AS NOTED)
	FOUND CONIFEROUS TREE (SIZE & TYPE AS NOTED)
	BOUNDARY LINE
	EASEMENT LINE
	EDGE OF PAVEMENT
	RIGHT-OF-WAY LINE
	ABUTTER LINE
	BUILDING SETBACK
OHU	OVERHEAD UTILITY
W	WATER LINE
G	GAS LINE
	FORMER DEED LINES
N/F	NOW OR FORMERLY OWNED BY
1234/567	DEED BOOK AND PAGE
12-34	TAX MAP-LOT
(123.45')	PARENTHESIS DENOTE RECORD DATA

NOTES

1. RECORD OWNER OF PARCEL 33-K-10 IS YOUTH & FAMILY OUTREACH (f/k/a PORTLAND MINISTRY AT LARGE) AS DESCRIBED IN A DEED FROM MARY PREBLE, DATED SEPTEMBER 17, 1850 AND RECORDED IN BOOK 225, PAGE 350 IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS.

   RECORD OWNER OF PARCELS 33-K-5, 6, 7 & 9 IS YOUTH AND FAMILY OUTREACH AS DESCRIBED IN A DEED FROM ANTHONY M. NAPOLITANO, GREGORY J. NAPOLITANO AND FRANCIS W. NAPOLITANO, DATED MARCH 4, 2019 AND RECORDED IN BOOK 35530, PAGE 234 IN SAID REGISTRY.

2. THE PARCEL SURVEYED IS IDENTIFIED ON THE CITY OF PORTLAND TAX ASSESSOR'S MAP 33, BLOCK K, PARCELS 5, 6, 7, 9 & 10.

3. THE BEARINGS SHOWN ON THIS PLAN ARE BASED ON MAINE COORDINATE SYSTEM OF 1983, WEST ZONE, GRID NORTH.

4. REFERENCE IS MADE TO THE FOLLOWING PLANS:
   a. CITY OF PORTLAND VALUATION MAP VOLUME #33, DATED 1882, PROVIDED BY CITY OF PORTLAND PUBLIC WORKS.

5. THE WIDTH OF CUMBERLAND AVENUE IS 66' BASED ON CITY RECORDS. THE WIDTH OF PREBLE STREET IS 56.5' BASED ON CITY RECORDS. THE WIDTH OF PORTLAND STREET IS 66' BASED ON CITY RECORDS. THE LAYOUT OF THE RIGHT-OF-WAY LIMITS ARE BASED ON CITY STREET LINE SHEETS PROVIDED BY PUBLIC WORKS AND MONUMENTATION FOUND.

6. REFERENCE IS MADE TO THE FOLLOWING EASEMENTS OF RECORD:
   a. CROSS EASEMENTS BETWEEN 33-K-006 AND 33-K-007 APPEAR TO HAVE BEEN EXTINGUISHED BY MERGER OF TITLE AS THE EASEMENTS DO NOT BENEFIT ANY OTHER PARCELS AND BOTH PARCELS ARE IN THE SAME OWNERSHIP.

   b. PARCELS 33-K-004, 33-K-005 AND 33-K-008 ALL APPEAR TO HAVE RIGHTS IN THIS 12' WIDE PASSAGEWAY. THE FEE OWNERSHIP APPEARS TO LIE WITH A PARTY OTHER THAN THE ABOVE MENTIONED PARCELS.

7. AS OF THE ORIGINAL DATE OF THIS PLAN, THE PARCEL SURVEYED IS LOCATED IN THE B-3 ZONE. PORTIONS OF BULK & SPACE REQUIREMENTS ARE AS FOLLOWS:
   MINIMUM LOT AREA = NONE
   MINIMUM FRONTAGE = 15'
   SETBACKS:
   FRONT = 5' MAXIMUM
   SIDE = NONE
   REAR = NONE

   OTHER MUNICIPAL AND STATE OVERLAY ZONES MAY EXIST AND APPLY. BEFORE PROCEEDING ON ANY PROJECT WE RECOMMEND VERIFYING CURRENT ZONE AND ALL APPLICABLE SETBACKS AND RESTRICTIONS WITH THE APPROPRIATE AGENCIES.

8. ELEVATIONS AND CONTOURS ARE BASED ON CITY OF PORTLAND DATUM USING THE 3' OFFSET MONUMENT AT PREBLE & LANCASTER STREETS (ELEV 17.04) PROVIDED BY PUBLIC WORKS. SEE PLAN FOR TBM DESCRIPTION.

9. THE UTILITIES SHOWN ON THIS PLAN WERE MARKED BY DIG SMART OF MAINE ON 8/07/2018 AND THEIR LOCATIONS ARE TO BE CONSIDERED APPROXIMATE. THERE MAY BE OTHER UTILITIES EXISTING THAT ARE NOT SHOWN. CONTRACTOR TO CONTACT DIG-SAFE (888)DIG-SAFE PRIOR TO ANY EXCAVATION WORK.

Revision:	By:	Date:	Change:
1	JAP	6/22/2020	ADD INVERTS AND STATE PLANE COORDINATES
1	JAP	5/13/2020	REVISE OWNER OF RECORD FOR 33-K-5, 6, 7 & 9

PROJECT: 41694	DRAWING NAME: 41694.dwg	
ISSUED: AUGUST 15, 2018	SCALE: 1"= 20' FB # 449B	DRAWN BY: JAP
FIELDED BY: DPH / ASF	FIELD DATE: 8/08/2018	CHECKED BY: DMM / TFM

Drawing Name and Location:

BOUNDARY & TOPOGRAPHIC SURVEY
331 & 337 CUMBERLAND AVENUE, PORTLAND, MAINE

Owner:

YOUTH & FAMILY OUTREACH
331 CUMBERLAND AVENUE, PORTLAND, MAINE 04101

Prepared For:

YOUTH & FAMILY OUTREACH

SURVEYING • ENGINEERING • LAND PLANNING
Northeast Civil Solutions
INCORPORATED
381 PAYNE ROAD, SCARBOROUGH, MAINE 04074
tel 207.883.1000 fax 207.883.1001
e-mail / website info@northeastcivilsolutions.com www.northeastcivilsolutions.com

0 20' 40' 80'

STAMP AND SIGNATURE

7/02/2020
TROY F. McDONALD
MAINE PROFESSIONAL LAND SURVEYOR No. 2080
DATE

STATE OF MAINE
TROY F. McDONALD
#2080
PROFESSIONAL LAND SURVEYOR

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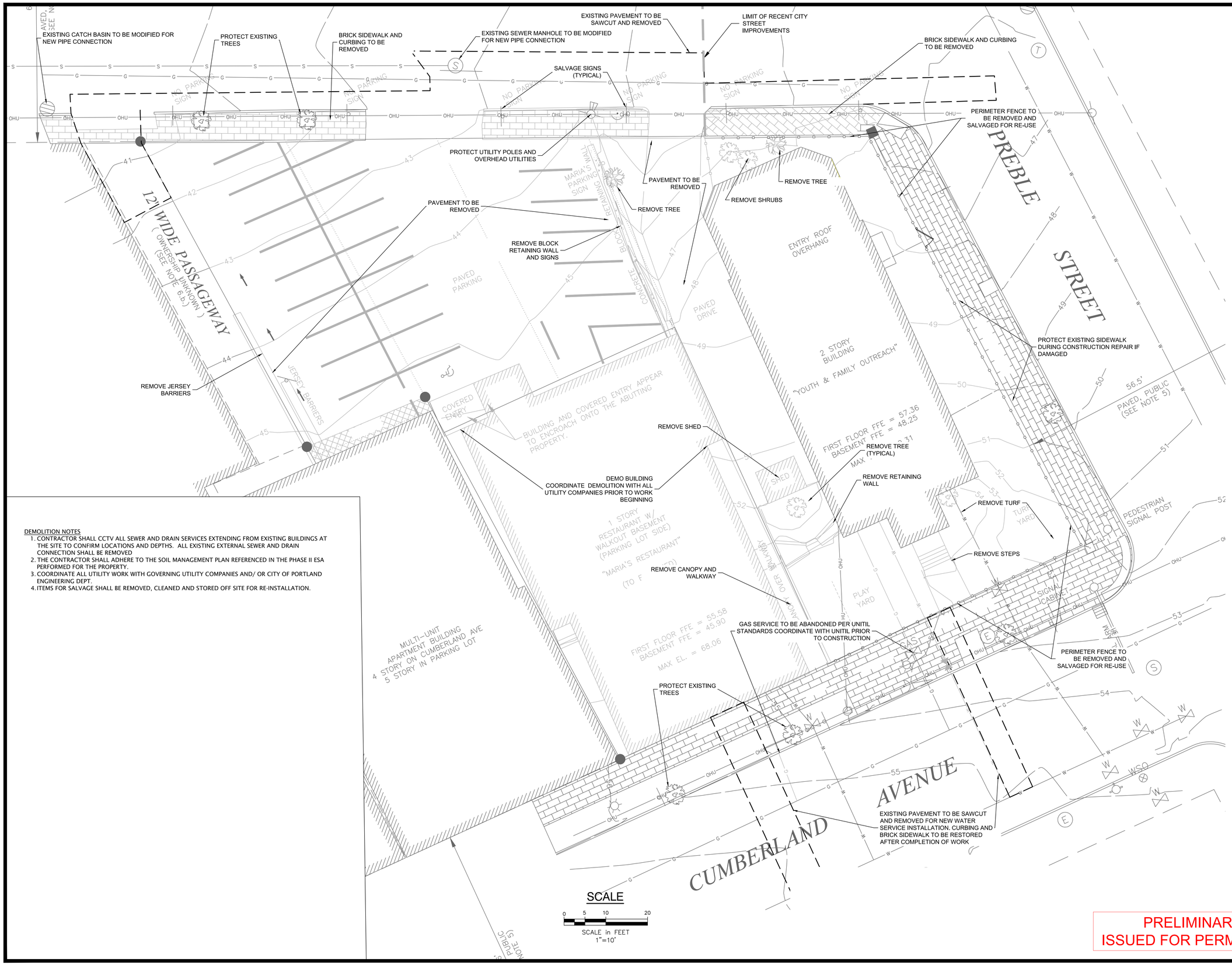

DEMOLITION NOTES

1. CONTRACTOR SHALL CCTV ALL SEWER AND DRAIN SERVICES EXTENDING FROM EXISTING BUILDINGS AT THE SITE TO CONFIRM LOCATIONS AND DEPTHS. ALL EXISTING EXTERNAL SEWER AND DRAIN CONNECTION SHALL BE REMOVED
2. THE CONTRACTOR SHALL ADHERE TO THE SOIL MANAGEMENT PLAN REFERENCED IN THE PHASE II ESA PERFORMED FOR THE PROPERTY.
3. COORDINATE ALL UTILITY WORK WITH GOVERNING UTILITY COMPANIES AND/ OR CITY OF PORTLAND ENGINEERING DEPT.
4. ITEMS FOR SALVAGE SHALL BE REMOVED, CLEANED AND STORED OFF SITE FOR RE-INSTALLATION.

PRELIMINARY
ISSUED FOR PERMITTING

Kaplan Thompson Architects

PROJECT
337 Cumberland

CHILDCARE, MULTI-FAMILY HOUSING, & COMMUNITY SERVICES

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STATE OF MAINE
ANDREW D. JOHNSTON
NO. 9994
6-1-20
LICENSED
PROFESSIONAL ENGINEER

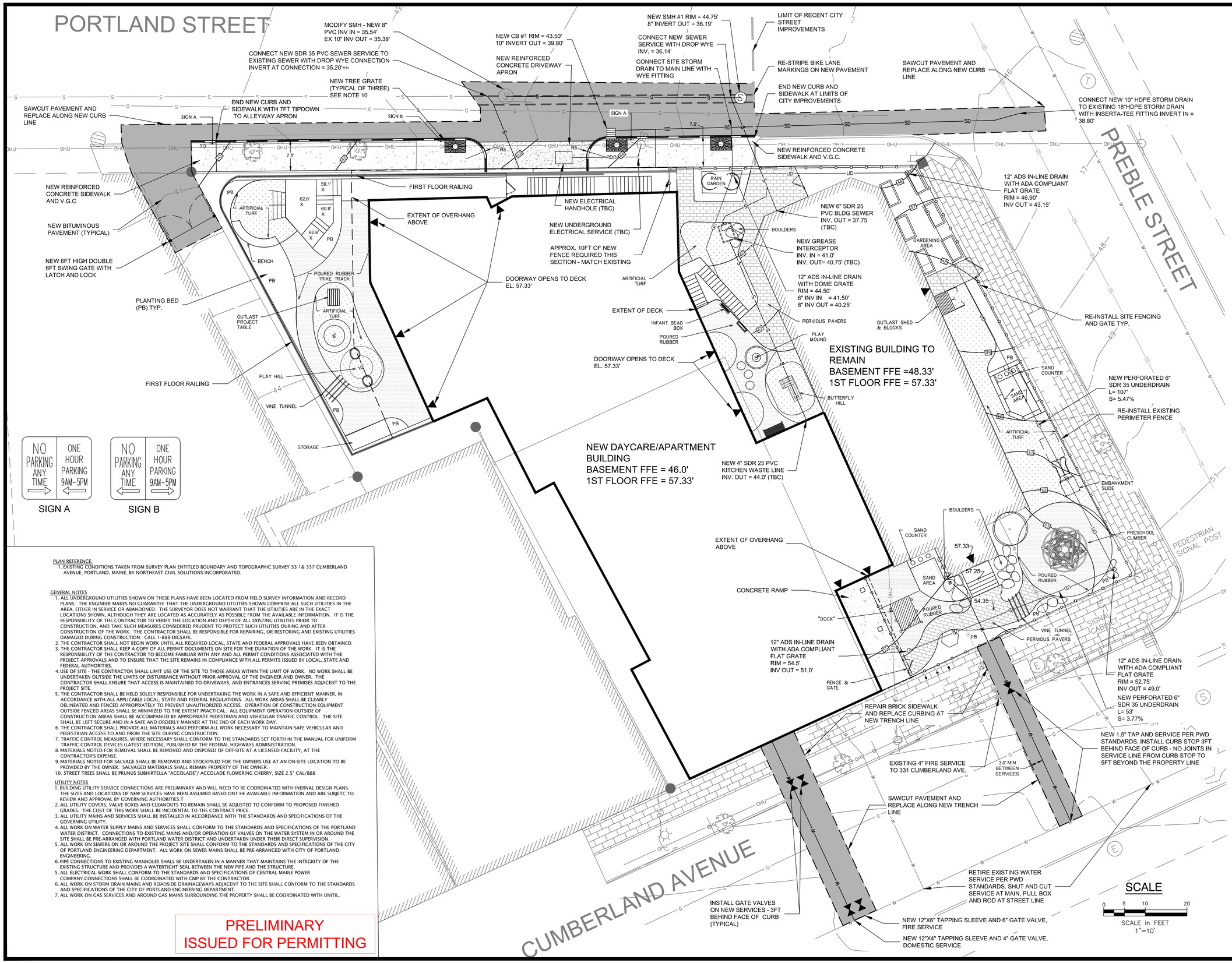
ISSUE NO.	DESCRIPTION	CH ID	CHANGE NAME	DATE

NOT FOR CONSTRUCTION

PROJECT	YFP
DATE	06/01/2020
REVISED 1	
REVISED 2	
DRAWN BY	
PHASE	SITE PLAN REVIEW

EXISTING CONDITIONS & DEMOLITION PLAN

C-100



PLAN REFERENCE:

1. EXISTING CONDITIONS TAKEN FROM SURVEY PLAN ENTITLED BOUNDARY AND TOPOGRAPHIC SURVEY 33 1& 337 CUMBERLAND AVENUE, PORTLAND, MAINE, BY NORTHEAST CIVIL SOLUTIONS INCORPORATED.

GENERAL NOTES

1. ALL UNDERGROUND UTILITIES SHOWN ON THESE PLANS HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND RECORD PLANS. THE ENGINEER MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR DOES NOT WARRANT THAT THE UTILITIES ARE IN THE EXACT LOCATIONS SHOWN, ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE AVAILABLE INFORMATION. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE LOCATION AND DEPTH OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION, AND TAKE SUCH MEASURES CONSIDERED PRUDENT TO PROTECT SUCH UTILITIES DURING AND AFTER CONSTRUCTION OF THE WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING, OR RESTORING AND EXISTING UTILITIES DAMAGED DURING CONSTRUCTION. CALL 1-888-DIGSAFE.
2. THE CONTRACTOR SHALL NOT BEGIN WORK UNTIL ALL REQUIRED LOCAL, STATE AND FEDERAL APPROVALS HAVE BEEN OBTAINED.
3. THE CONTRACTOR SHALL KEEP A COPY OF ALL PERMIT DOCUMENTS ON SITE FOR THE DURATION OF THE WORK. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO BECOME FAMILIAR WITH ANY AND ALL PERMIT CONDITIONS ASSOCIATED WITH THE PROJECT APPROVALS AND TO ENSURE THAT THE SITE REMAINS IN COMPLIANCE WITH ALL PERMITS ISSUED BY LOCAL, STATE AND FEDERAL AUTHORITIES.
4. USE OF SITE - THE CONTRACTOR SHALL LIMIT USE OF THE SITE TO THOSE AREAS WITHIN THE LIMIT OF WORK. NO WORK SHALL BE UNDERTAKEN OUTSIDE THE LIMITS OF DISTURBANCE WITHOUT PRIOR APPROVAL OF THE ENGINEER AND OWNER. THE CONTRACTOR SHALL ENSURE THAT ACCESS IS MAINTAINED TO DRIVEWAYS, AND ENTRANCES SERVING PREMISES ADJACENT TO THE PROJECT SITE.
5. THE CONTRACTOR SHALL BE HELD SOLELY RESPONSIBLE FOR UNDERTAKING THE WORK IN A SAFE AND EFFICIENT MANNER, IN ACCORDANCE WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL REGULATIONS. ALL WORK AREAS SHALL BE CLEARLY DELINEATED AND FENCED APPROPRIATELY TO PREVENT UNAUTHORIZED ACCESS. OPERATION OF CONSTRUCTION EQUIPMENT OUTSIDE FENCED AREAS SHALL BE MINIMIZED TO THE EXTENT PRACTICAL. ALL EQUIPMENT OPERATION OUTSIDE OF CONSTRUCTION AREAS SHALL BE ACCOMPANIED BY APPROPRIATE PEDESTRIAN AND VEHICULAR TRAFFIC CONTROL. THE SITE SHALL BE LEFT SECURE AND IN A SAFE AND ORDERLY MANNER AT THE END OF EACH WORK DAY.
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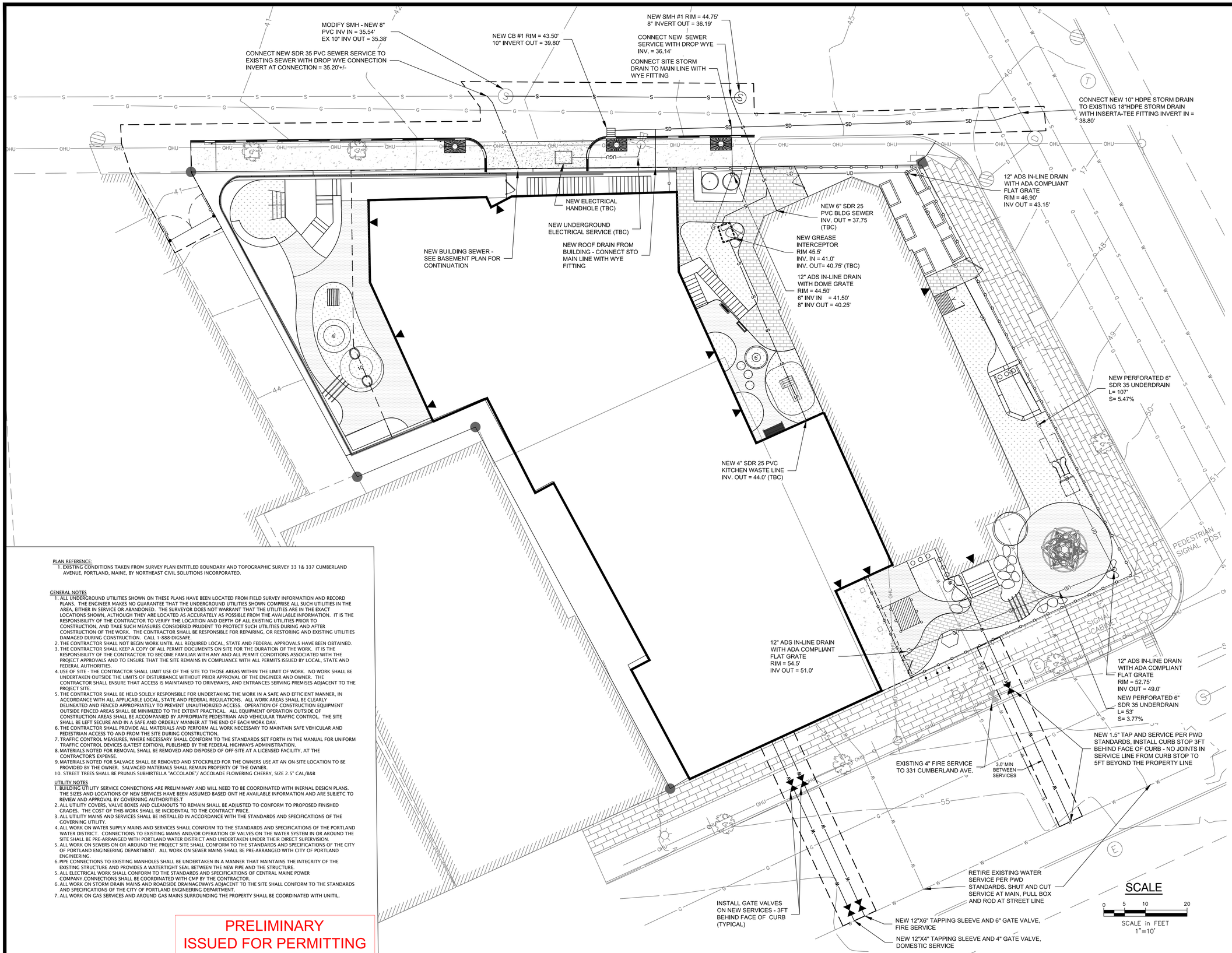
PROJECT	YFP
DATE	06/01/2020
REVISED 1	
REVISED 2	
DRAWN BY	
PHASE	SITE PLAN REVIEW

SITE PLAN

C-101



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PROJECT	YFP
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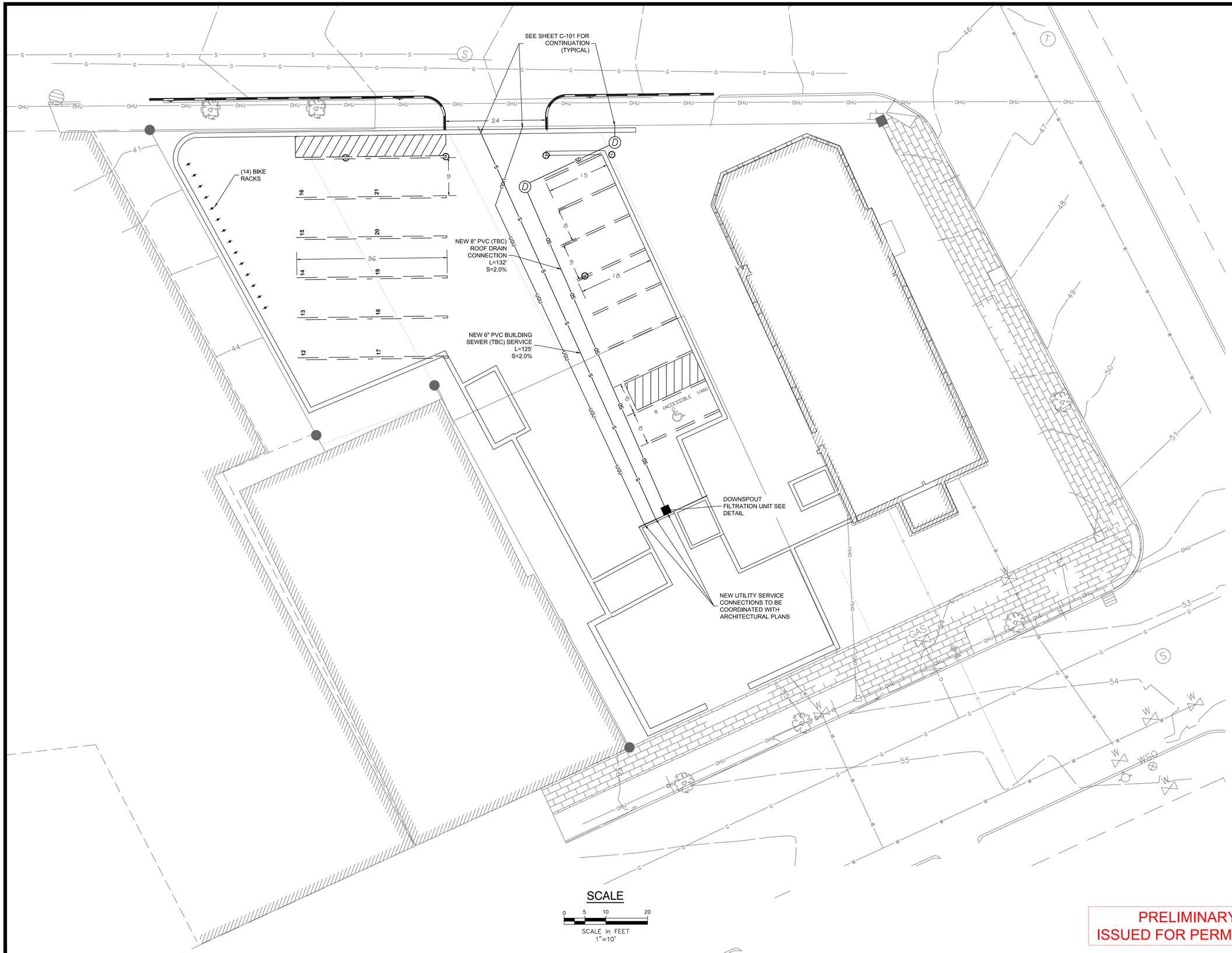
REVISED 1	
REVISED 2	
DRAWN BY	
PHASE	SITE PLAN REVIEW

UTILITY PLAN

C-101A



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PHASE	SITE PLAN REVIEW

BASEMENT PARKING PLAN

C-102

A. SOIL EROSION AND SEDIMENT CONTROL NOTES

TEMPORARY EROSION AND SEDIMENTATION CONTROL MEASURES INCLUDE THE USE OF STABILIZED CONSTRUCTION ENTRANCES, SILTATION FENCE, CATCH BASIN SEDIMENT COLLECTION BAGS, AND TEMPORARY SEEDING AND MULCHING AS REQUIRED.

A. GENERAL

1. IT IS ANTICIPATED THAT CONSTRUCTION MAY BEGIN AS SOON AS POSSIBLE FOLLOWING RECEIPT OF NECESSARY PERMITS.

2. ALL SOIL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE MAINE EROSION & SEDIMENT CONTROL BMPS - MANUAL FOR DESIGNERS AND ENGINEERS (2016), OR AS CURRENTLY REVISED OR U.S. ENVIRONMENTAL PROTECTION AGENCY PUBLICATION 832/R-92-005 (SEPTEMBER, 1992) STORM WATER MANAGEMENT FOR CONSTRUCTION, CHAPTER 3, WHICHEVER IS MORE STRINGENT.

3. ANY ADDITIONAL EROSION AND SEDIMENTATION CONTROL DEEMED NECESSARY BY THE OWNER'S REPRESENTATIVE, DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) PERSONNEL AND/OR MUNICIPAL OFFICIALS SHALL BE INSTALLED BY THE CONTRACTOR.

4. THE CONTRACTOR IS RESPONSIBLE FOR ALL FINES RESULTING FROM EROSION OR SEDIMENTATION FROM THE SITE TO SURROUNDING PROPERTIES, WATER BODIES, OR WETLANDS AS A RESULT OF THIS PROJECT.

5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSPECTION, REPAIR/ REPLACEMENT/ MAINTENANCE OF ALL EROSION CONTROL MEASURES UNTIL ALL DISTURBED AREAS ARE STABILIZED TO THE SATISFACTION OF THE ABOVE PERSONNEL. DESCRIPTIONS OF ACCEPTABLE PERMANENT STABILIZATION FOR VARIOUS COVER TYPES FOLLOWS:
   a.a. FOR SEEDED AREAS, PERMANENT STABILIZATION MEANS A 90% COVER OF THE DISTURBED AREA WITH MATURE, HEALTHY PLANTS WITH NO EVIDENCE OF WASHING OR RILLING OF THE TOPSOIL.
   a.b. PAVED AREAS: FOR PAVED AREAS, PERMANENT STABILIZATION MEANS THE PLACEMENT OF THE COMPACTED GRAVEL SUBBASE IS COMPLETED.

B. EROSION AND SEDIMENTATION CONTROL MEASURES

1. PRIOR TO THE BEGINNING OF CONSTRUCTION, THE TEMPORARY SILT FENCE SHALL BE INSTALLED AS SHOWN ON THE PLANS OR AS DIRECTED BY THE OWNER'S REPRESENTATIVE, OR ENGINEER. SILT FENCE SHALL BE INSTALLED ALONG THE DOWNGRADIENT SIDE OF CONSTRUCTION WORK AREAS, WITH LOCATIONS BEING ADJUSTED ALONG WITH THE CONSTRUCTION PHASING AREAS. THE CONTRACTOR MAY USE EROSION MIX IN PLACE OF SINGLE SILT FENCE BARRIER.

2. THE SILT FENCE SHALL BE INSTALLED PER THE DETAIL PROVIDED IN THE PLAN SET AND INSPECTED IMMEDIATELY AFTER EACH RAINFALL, AND AT LEAST WEEKLY IN THE ABSENCE OF SIGNIFICANT RAINFALL. ANY REQUIRED REPAIRS WILL BE MADE IMMEDIATELY. SEDIMENT DEPOSITS SHALL BE PERIODICALLY REMOVED FROM THE UPSTREAM SIDE OF THE SILT BARRIERS. THE CONTRACTOR SHALL MAKE REPAIRS IMMEDIATELY IF THERE ARE ANY SIGNS OF EROSION OR SEDIMENTATION BELOW THE FENCE LINE. IF SUCH EROSION IS OBSERVED, THE CONTRACTOR SHALL TAKE PROACTIVE ACTION TO IDENTIFY THE CAUSE OF THE EROSION AND TAKE ACTION TO AVOID ITS REOCCURRENCE. PROPER PLACEMENT OF STAKES AND KEYING THE BOTTOM OF THE FABRIC INTO THE GROUND IS CRITICAL TO THE FENCE'S EFFECTIVENESS. IF THERE ARE SIGNS OF UNDERCUTTING AT THE CENTER OR THE EDGES, OR IMPOUNDING OF LARGE VOLUMES OF WATER BEHIND THE FENCE, THE BARRIER SHALL BE REPLACED WITH A STONE CHECK DAM AND MEASURES TAKEN TO AVOID THE CONCENTRATION OF FLOWS NOT INTENDED TO BE DIRECTED TO THE SILT FENCE. SILT FENCE SHALL BE REPLACED AS NECESSARY TO PROVIDE PROPER FILTERING ACTION.

3. A CONSTRUCTION ENTRANCE WILL BE CONSTRUCTED AT ALL ACCESS POINTS ONTO THE SITE TO PREVENT TRACKING OF SOIL ONTO ADJACENT LOCAL ROADS AND STREETS.

4. SILTSACKS ™ WILL BE UTILIZED IN CATCH BASINS IN OR NEAR WORK AREAS AT RISK FROM RECEIVING TRANSPORTED SEDIMENT.

5. ALL CATCH BASINS AND FIELD INLETS, NEW OR EXISTING, THAT MAY RECEIVE RUNOFF FROM DISTURBED AREAS MUST BE PROTECTED DURING CONSTRUCTION.

6. PERMANENT SEEDING SPECIFICATION. IF A LANDSCAPE PLAN HAS BEEN PREPARED FOR THE PROJECT, SOIL PREPARATION AND SEED SPECIFICATIONS OF THAT PLAN SHALL SUPERSEDE THESE GENERAL PERMANENT SEEDING REQUIREMENTS. IT IS RECOMMENDED THAT PERMANENT SEEDING BE COMPLETED BETWEEN APRIL 1 AND JUNE 15 OF EACH YEAR. LATE SEASON SEEDING MAY BE DONE BETWEEN AUGUST 15 AND SEPTEMBER 15. AREAS NOT SEEDED OR WHICH DO NOT OBTAIN A SATISFACTORY GROWTH BY OCTOBER 1SHALL BE SEEDED WITH AROOSTOOK RYE OR MULCHED AT RATES PREVIOUSLY SPECIFIED. SEE WINTER CONDITIONS NOTES FOR SEEDING STABILIZATION AFTER NOVEMBER 1.
   a. APPLY TOPSOIL TO A MINIMUM DEPTH OF 4 INCHES. MIX TOPSOIL WITH THE SUBSOIL TO A MINIMUM DEPTH OF 6 INCHES.
   b. APPLY LIMESTONE AND FERTILIZER ACCORDING TO SOIL TESTS. IN LIEU OF SOIL TESTS, APPLY GROUND LIMESTONE AT A RATE OF 3 TONS PER ACRE (138 LB. PER 1,000 SQUARE FEET) AND GRANULAR, COMMERCIAL-GRADE, 10-10-10 (N-P2O5-K2O) FERTILIZER AT A RATE OF 800 LBS PER ACRE (18.4 LBS PER1,000 SQUARE FEET).
   c. UNIFORMLY APPLY SEED MIXTURE AT THE RECOMMENDED SEEDING RATES AND DATES, APPLY HAY OR STRAW MULCH AT A RATE OF 2 TONS PER ACRES, AND ANCHOR AS NECESSARY.
   d. THE SEED MIXTURE FOR LAWN AREAS SHALL CONSIST OF SEEDS PROPORTIONED BY WEIGHT AS FOLLOWS:
      30% CREEPING RED FESCUE
      50% KENTUCKY BLUEGRASS
      20% ITALIAN/PERENNIAL RYE GRASS
   NOTE: SEED MIXTURE SHALL CONSIST OF AT LEAST TWO VARIETIES OF EACH TYPE OF GRASS. WHEN USED IN A FILTER BASIN, STORMWATER SHALL NOT BE DIRECTED TO THE BASIN UNTIL THE GRASS IS ESTABLISHED.

7. MULCH ALL AREAS SEEDED SO THAT SOIL IS NOT VISIBLE THROUGH THE MULCH REGARDLESS OF THE APPLICATION RATE.

8. TEMPORARY CONTROL MEASURES, SUCH AS SILT FENCE, SHALL BE REMOVED WITHIN 30 DAYS AFTER PERMANENT STABILIZATION IS ATTAINED.

C. SPECIAL MEASURES FOR SUMMER CONSTRUCTION

DURING DRY SUMMER CONDITIONS, THE CONTRACTOR SHALL:
9. IMPLEMENT A PROGRAM TO APPLY DUST CONTROL MEASURES ON A DAILY BASIS EXCEPT THOSE DAYS WHERE PRECIPITATION IS SUFFICIENT TO SUPPRESS DUST FORMATION. THIS PROGRAM SHALL EXTEND TO AND INCLUDE SWEEPING OF ADJACENT STREETS.
10. TAKE ADDITIONAL STEPS NEEDED, INCLUDING WATERING, OR COVERING EXCAVATED MATERIALS TO CONTROL FUGITIVE DUST EMISSIONS TO MINIMIZE REDUCTIONS IN VISIBILITY AND THE AIRBORNE DISBURSEMENT OF FINE-GRAINED SOILS. THIS IS PARTICULARLY IMPORTANT GIVEN THE POTENTIAL PRESENCE OF SOIL CONTAMINANTS, AND THEIR PROXIMITY ALONG THE ADJACENT STREETS AND PROPERTIES.
11. THESE MEASURES MAY ALSO BE REQUIRED IN THE SPRING AND FALL DURING THE DRIER PERIODS OF THESE SEASONS.

D. WINTER CONDITIONS

1. "WINTER CONSTRUCTION" IS CONSTRUCTION ACTIVITY PERFORMED DURING THE PERIOD FROM NOVEMBER 1ST THROUGH APRIL 15TH. IF AREAS WITHIN THE CONSTRUCTION ACTIVITY ARE NOT STABILIZED WITH TEMPORARY OR PERMANENT MEASURES OUTLINED ABOVE BY NOVEMBER 15TH, THEN THE SITE MUST BE PROTECTED WITH ADDITIONAL STABILIZATION MEASURES THAT ARE SPECIFIC TO WINTER CONDITIONS. NO MORE THAN ONE ACRE OF THE SITE MAY BE WITHOUT STABILIZATION AT ONE TIME.
2. SILT FENCE: IN LIEU OF PROVIDING THE 6" X 6" TRENCH, FOR FROZEN GROUND, STONY SOIL, THE PRESENCE OF LARGE ROOTS, OR OTHER PROHIBITIVE CONDITIONS, THE BOTTOM 8" TO 12" OF THE FABRIC MAY BE LAID ON EXISTING GRADE AND BACK FILLED WITH STONE ANCHORING MATERIAL, AS SHOWN ON THE DRAWINGS.

E. HOUSEKEEPING
1. SPILL PREVENTION. CONTROLS MUST BE USED TO PREVENT POLLUTANTS FROM CONSTRUCTION AND WASTE MATERIALS STORED ON-SITE, INCLUDING STORAGE PRACTICES TO MINIMIZE EXPOSURE OF THE MATERIALS TO STORM WATER, AND APPROPRIATE SPILL PREVENTION, CONTAINMENT, AND RESPONSE PLANNING AND IMPLEMENTATION.

2. GROUNDWATER PROTECTION. DURING CONSTRUCTION, LIQUID PETROLEUM PRODUCTS AND OTHER HAZARDOUS MATERIALS WITH THE POTENTIAL TO CONTAMINATE GROUNDWATER MAY NOT BE STORED OR HANDLED IN AREAS OF THE SITE DRAINING TO AN INFILTRATION AREA. AN INFILTRATION AREA" IS ANY AREA OF THE SITE THAT BY DESIGN OR AS A RESULT OF SOILS, TOPOGRAPHY AND OTHER RELEVANT FACTORS, ACCUMULATES RUNOFF THAT INFILTRATES INTO THE SOIL. DIKES, BERMS, SUMPS, AND OTHER FORMS OF SECONDARY CONTAINMENT THAT PREVENT DISCHARGE TO GROUNDWATER MAY BE USED TO ISOLATE PORTIONS OF THE SITE FOR THE PURPOSES OF STORAGE AND HANDLING OF THESE MATERIALS.

3. AUTHORIZED NON-STORMWATER DISCHARGES. IDENTIFY AND PREVENT CONTAMINATION BY NON-STORMWATER DISCHARGES. WHERE ALLOWED NON-STORMWATER DISCHARGES EXIST, THEY MUST BE IDENTIFIED AND STEPS SHOULD BE TAKEN TO ENSURE THE IMPLEMENTATION OF APPROPRIATE POLLUTION PREVENTION MEASURES FOR THE NON-STORMWATER COMPONENT(S) OF THE DISCHARGE. AUTHORIZED NON-STORMWATER DISCHARGES ARE:
- DISCHARGES FROM FIREFIGHTING ACTIVITY;
- FIRE HYDRANT FLUSHINGS;
- VEHICLE WASHWATER IF DETERGENTS ARE NOT USED AND WASHING IS LIMITED TO THE EXTERIOR OF VEHICLES (ENGINE, UNDERCARRIAGE AND TRANSMISSION WASHING IS PROHIBITED);
- DUST CONTROL RUNOFF IN ACCORDANCE WITH PERMIT CONDITIONS AND APPENDIX (C)(3);
- ROUTINE EXTERNAL BUILDING WASHDOWN, NOT INCLUDING SURFACE PAINT REMOVAL, THAT DOES NOT INVOLVE DETERGENTS;
- PAVEMENT WASHWATER (WHERE SPILLS/LEAKS OF TOXIC OR HAZARDOUS MATERIALS HAVE NOT OCCURRED, UNLESS ALL SPILLED MATERIAL HAD BEEN REMOVED) IF DETERGENTS ARE NOT USED;
- UNCONTAMINATED AIR CONDITIONING OR COMPRESSOR CONDENSATE;
- UNCONTAMINATED GROUNDWATER OR SPRING WATER;
- FOUNDATION OR FOOTER DRAIN-WATER WHERE FLOWS ARE NOT CONTAMINATED; UNCONTAMINATED EXCAVATION DEWATERING (SEE REQUIREMENTS IN APPENDIX C(5));
- POTABLE WATER SOURCES INCLUDING WATERLINE FLUSHINGS; AND LANDSCAPE IRRIGATION.

4. UNAUTHORIZED NON-STORMWATER DISCHARGES. THE DEPARTMENT'S APPROVAL UNDER THIS CHAPTER DOES NOT AUTHORIZE A DISCHARGE THAT IS MIXED WITH A SOURCE OF NON_STORMWATER, OTHER THAN THOSE DISCHARGES IN COMPLIANCE WITH APPENDIX C (6). SPECIFICALLY, THE DEPARTMENT'S APPROVAL DOES NOT AUTHORIZE DISCHARGES OF THE FOLLOWING:
- WASTEWATER FROM THE WASHOUT OR CLEANOUT OF CONCRETE, STUCCO, PAINT, FORM RELEASE OILS, CURING COMPOUNDS OR OTHER CONSTRUCTION MATERIALS;
- FUELS, OILS OR OTHER POLLUTANTS USED IN VEHICLE AND EQUIPMENT OPERATION AND MAINTENANCE;
- SOAPS, SOLVENTS, OR DETERGENTS USED IN VEHICLE AND EQUIPMENT WASHING; AND TOXIC OR HAZARDOUS SUBSTANCES FROM A SPILL OR OTHER RELEASE.

5. 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.

6. DEBRIS AND OTHER MATERIAL. LITTER, CONSTRUCTION DEBRIS, AND CONSTRUCTION CHEMICALS EXPOSED TO STORM WATER, MUST BE PREVENTED FROM BECOMING A POLLUTANT SOURCE.

7. COMPLY WITH THE REQUIREMENTS OF SPECIFICATION SECTION 024116, STRUCTURE DEMOLITION MANAGEMENT, FOR REMOVAL AND DISPOSAL OF CONSTRUCTION DEBRIS AND WASTE.

8. TRENCH OR FOUNDATION DE-WATERING. THE COLLECTED WATER REMOVED FROM THE PONDED AREA, EITHER THROUGH GRAVITY OR PUMPING, MUST BE SPREAD THROUGH NATURAL WOODED BUFFERS OR REMOVED AREAS THAT ARE SPECIFICALLY DESIGNATED TO COLLECT THE MAXIMUM AMOUNT OF SEDIMENT POSSIBLE, LIKE A COFFER DAM SEDIMENTATION BASIN. AVOID ALLOWING THE WATER TO FLOW OVER DISTURBED AREAS OF THE SITE.

F. INSPECTION AND MAINTENANCE

1. INSPECT DISTURBED AND IMPERVIOUS AREAS, EROSION AND STORM WATER CONTROL MEASURES, AREAS USED FOR STORAGE THAT ARE EXPOSED TO PRECIPITATION, AND LOCATIONS WHERE VEHICLES ENTER OR EXIT THE SITE AT LEAST ONCE A WEEK AND BEFORE AND AFTER A STORM EVENT, PRIOR TO COMPLETION OF PERMANENT STABILIZATION. A PERSON WITH KNOWLEDGE OF EROSION AND STORM WATER CONTROLS, INCLUDING THE STANDARDS IN THE MAINE CONSTRUCTION GENERAL PERMIT AND ANY DEP OR MUNICIPAL COMPANION DOCUMENTS, MUST CONDUCT THE INSPECTION. THIS PERSON MUST BE IDENTIFIED IN THE INSPECTION LOG. IF BEST MANAGEMENT PRACTICES (BMPS) NEED TO BE MODIFIED OF IF ADDITIONAL BMPS ARE NECESSARY, IMPLEMENTATION MUST BE COMPLETED WITHIN 7 CALENDAR DAYS AND PRIOR TO ANY STORM EVENT (0.5IN OR GREATER IN 24-HOUR PERIOD). ALL MEASURES MUST BE MAINTAINED IN EFFECTIVE OPERATING CONDITION UNTIL AREAS ARE PERMANENTLY STABILIZED.

2. AN INSPECTION AND MAINTENANCE LOG MUST BE KEPT SUMMARIZING THE SCOPE OF THE INSPECTION, NAME AND QUALIFICATIONS OF THE PERSON PERFORMING THE INSPECTION, DATE, AND MAJOR OBSERVATIONS RELATING TO OPERATION OF EROSION AND SEDIMENTATION CONTROLS AND POLLUTION PREVENTION MEASURES.

3. INSPECTION OF THE PROJECT WORK SITE SHALL INCLUDE:
   a. IDENTIFICATION OF PROPER EROSION CONTROL MEASURE INSTALLATION IN ACCORDANCE WITH THE EROSION CONTROL DETAIL SHEET.
   b. DETERMINE WHETHER EACH EROSION CONTROL MEASURE IS PROPERLY OPERATING. IF NOT, IDENTIFY DAMAGE TO THE CONTROL DEVICE AND DETERMINE REMEDIAL MEASURES.
   c. IDENTIFY AREAS WHICH APPEAR VULNERABLE TO EROSION AND DETERMINE ADDITIONAL EROSION CONTROL MEASURES WHICH SHOULD BE USED TO IMPROVE CONDITIONS.

4. IF INSPECTION OF THE SITE INDICATES A CHANGE SHOULD BE MADE TO THE EROSION CONTROL PLAN, TO EITHER IMPROVE EFFECTIVENESS OR CORRECT A SITE-SPECIFIC DEFICIENCY, THE INSPECTOR SHALL IMMEDIATELY IMPLEMENT THE CORRECTIVE MEASURE AND NOTIFY THE OWNER OF THE CHANGE.

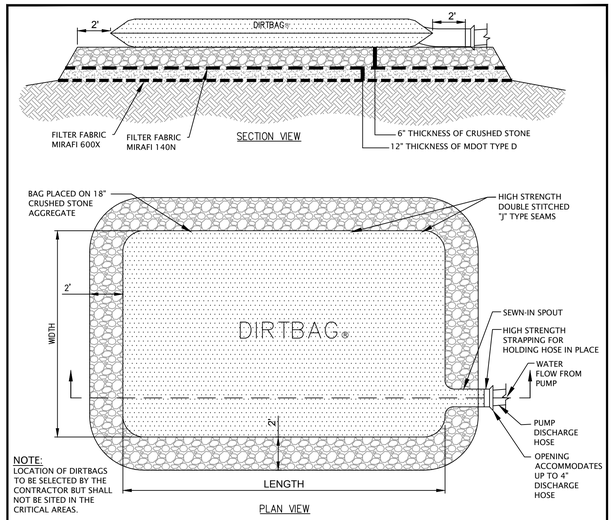
5. ALL CERTIFICATIONS, INSPECTION FORMS, AND WRITTEN REPORTS PREPARED BY THE INSPECTOR(S) SHALL BE FILED WITH THE OWNER, AND THE PERMIT FILE CONTAINED ON THE PROJECT SITE. ALL WRITTEN CERTIFICATIONS, INSPECTION FORMS, AND WRITTEN REPORTS MUST BE FILED WITHIN ONE (1) WEEK OF THE INSPECTION DATE AND RECORDS MUST BE RETAINED FOR THREE YEARS FROM THE TIME PERMANENT STABILIZATION IS ACHIEVED.

6. THE CONTRACTOR HAS SOLE RESPONSIBILITY FOR COMPLYING WITH THE EROSION/SEDIMENT CONTROL REPORT, INCLUDING CONTROL OF FUGITIVE DUST, AND SHALL BE RESPONSIBLE FOR ANY MONETARY PENALTIES RESULTING FROM FAILURE TO COMPLY WITH THESE STANDARDS.

G. CONSTRUCTION SCHEDULE & SEQUENCE (TIMELINES ARE APPROXIMATE AND WILL BE DEPENDENT ON WEATHER AND SITE CONDITIONS).

1. PRE-CONSTRUCTION CONFERENCE: PRIOR TO ANY CONSTRUCTION AT THE SITE, REPRESENTATIVES OF THE CONTRACTOR, THE ARCHITECT, THE OWNER, AND THE SITE DESIGN ENGINEER SHALL MEET TO DISCUSS THE SCHEDULING OF THE SITE CONSTRUCTION AND THE DESIGNATION OF THE RESPONSIBLE PARTIES FOR IMPLEMENTING THE PLAN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR SCHEDULING THE MEETING. PRIOR TO THE MEETING, THE CONTRACTOR WILL PREPARE A DETAILED SCHEDULE AND A MARKED-UP SITE PLAN INDICATING AREAS AND COMPONENTS OF THE WORK AND KEY DATES SHOWING DATE OF DISTURBANCE AND COMPLETION OF THE WORK. THE CONTRACTOR SHALL CONDUCT A MEETING WITH EMPLOYEES AND SUB-CONTRACTORS TO REVIEW THE EROSION CONTROL PLAN, THE CONSTRUCTION TECHNIQUES WHICH WILL BE EMPLOYED TO IMPLEMENT THE PLAN, AND PROVIDE A LIST OF ATTENDEES AND ITEMS DISCUSSED AT THE MEETING TO THE OWNER. THREE COPIES OF THE SCHEDULE, THE CONTRACTOR'S MEETING MINUTES, AND MARKED-UP SITE PLAN SHALL BE PROVIDED TO THE OWNER.

2. THE FOLLOWING CONSTRUCTION SEQUENCE SHALL BE REQUIRED TO INSURE THE EFFECTIVENESS OF THE EROSION AND SEDIMENTATION CONTROL MEASURES IS OPTIMIZED.
   a. INSTALL SAFETY AND CONSTRUCTION FENCE TO SECURE THE SITE FOR CONSTRUCTION.
   b. INSTALL ALL PERIMETER SILTATION FENCE AND EROSION CONTROL BARRIERS.
   c. INSTALL CONSTRUCTION ENTRANCES.
   d. INSTALL UTILITIES AND CONSTRUCT STABILIZED PAD FOR FOUNDATION AND BUILDING CONSTRUCTION.
   e. FINE GRADE THE SITE .
   f. INSTALL AND COMPACT NEW PAVEMENT BASE GRAVEL MATERIALS AND INSTALL BINDER PAVEMENT.
   g. LANDSCAPE (LOAM AND SEED).
   h. INSTALL STRIPING, SIGNAGE, AND MISCELLANEOUS SITE IMPROVEMENTS.
   i. REVIEW SITEWORK WITH ENGINEER AND OWNER AND COMPLETE ANY PUNCH LIST ITEMS.
   j. REMOVE ANY TEMPORARY EROSION CONTROL MEASURES.



(A) DIRTBAG / SPECIFICATIONS FOR DEWATERING DETAIL
N.T.S.

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Kaplan Thompson Architects

PROJECT
337 Cumberland
CHILDCARE, MULTI-FAMILY HOUSING, & COMMUNITY SERVICES

337 Cumberland Avenue
Portland, ME 04101

CLIENT PARTNER
PORTLAND HOUSING DEVELOPMENT CORPORATION
14 Baxter Boulevard
Portland, ME 04101
p: (207) 221-8009

CIVIL & LANDSCAPING
ATLANTIC RESOURCE CONSULTANTS
541 US-1, Suite 21
Freeport, ME 04032
p: (207) 865890050

EARLY CHILDCARE EDUCATION
STUDIO MLA ARCHITECTS
320 Washington Street
Brookline, MA 02445
p: (617) 608-1551

STATE OF MAINE
ANDREW D. JOHNSTON
NO. 9994
6-1-20
LICENSED
PROFESSIONAL ENGINEER

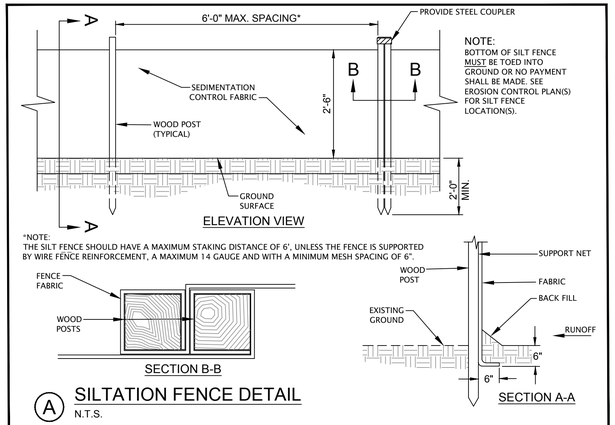
ISSUE NO.	DESCRIPTION	CH ID	CHANGE NAME	DATE

NOT FOR CONSTRUCTION

PROJECT	YFP
DATE	06/01/2020
REVISED 1	
REVISED 2	
DRAWN BY	
PHASE	SITE PLAN REVIEW

EROSION CONTROL NOTES & DETAILS

C-300



A SILTATION FENCE DETAIL
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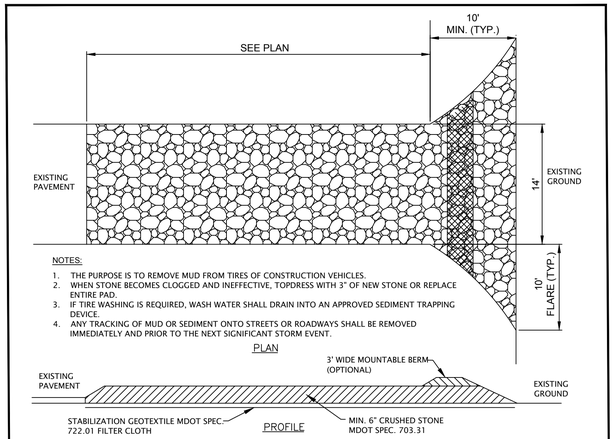

B STABILIZED CONSTRUCTION ENTRANCE DETAIL
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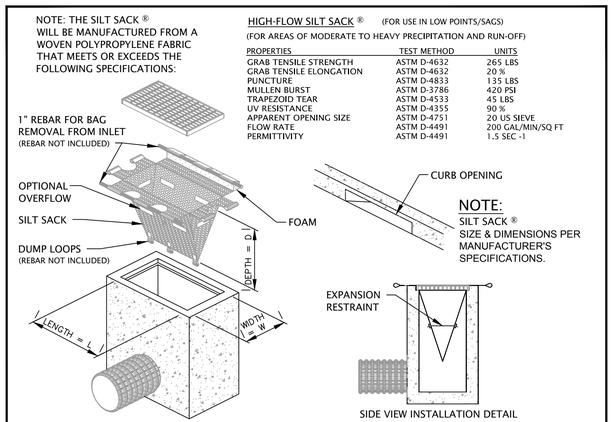

C SILT SACK® DETAIL & SPECIFICATIONS
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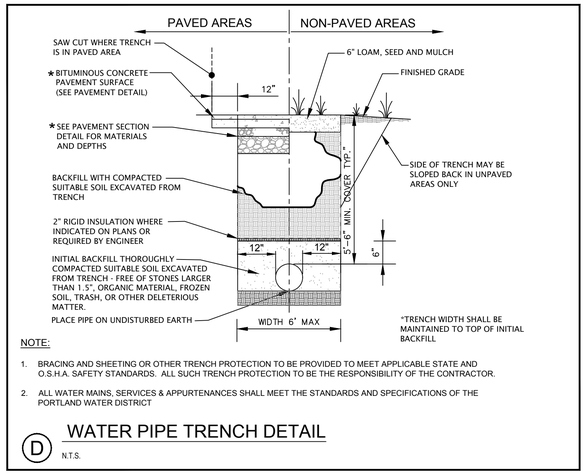


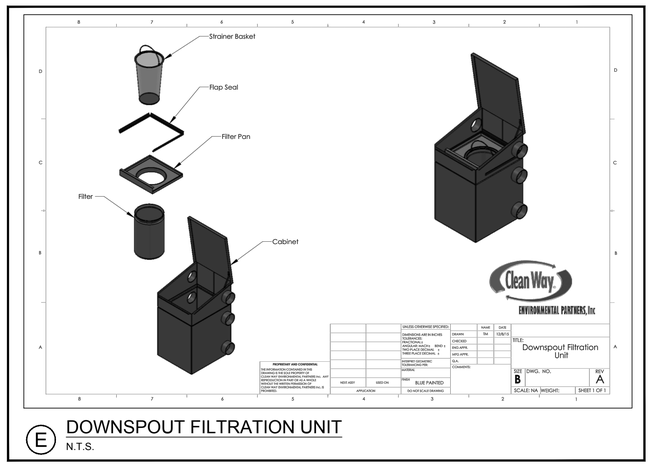
NOTE:

1. BRACING AND SHEETING OR OTHER TRENCH PROTECTION TO BE PROVIDED TO MEET APPLICABLE STATE AND O.S.H.A. SAFETY STANDARDS. ALL SUCH TRENCH PROTECTION TO BE THE RESPONSIBILITY OF THE CONTRACTOR.
2. ALL WATER MAINS, SERVICES & APPURTENANCES SHALL MEET THE STANDARDS AND SPECIFICATIONS OF THE PORTLAND WATER DISTRICT

D WATER PIPE TRENCH DETAIL
N.T.S.

WATER DISTRIBUTION NOTES

1. ALL WATER SYSTEM COMPONENTS WITHIN THE PUBLIC R.O.W. SHALL MEET PORTLAND WATER DISTRICT STANDARDS AND SPECIFICATIONS.
2. ALL PVC WATER MAIN PIPING SHALL MEET AWWA C900, DR-18, DETECTABLE WARNING TAPE SHALL BE INSTALLED ALONG TOP ALL PLASTIC PIPING.
3. ALL FITTINGS SHALL BE CLASS 52 DUCTILE IRON "COMPACT" MECHANICAL JOINT FITTINGS TO ANSI/AWWA C153/A21.53.06.
4. VALVES SHALL BE AMERICAN FLOW CONTROL MODEL 2500 RESILIENT WEDGE GATE VALVES UNLESS OTHERWISE APPROVED BY PWD.
5. HYDRANT BRANCHES SHALL BE CONSTRUCTED USING CLASS 52 DUCTILE IRON TO AWWA C-151/A21.51.96, JOINTS TO AWWA C-111.
6. RETAINER GLANDS FOR USE ON PVC PIPE SHALL BE UNI-FLANGE SERIES 1500. RETAINER GLANDS FOR USE ON DUCTILE IRON PIPE SHALL BE UNI-FLANGE SERIES 1400.
7. ALL PIPING SHALL BE INSTALLED WITH A MINIMUM SEPARATION OF TWO FEET (2.0').



E DOWNSPOUT FILTRATION UNIT
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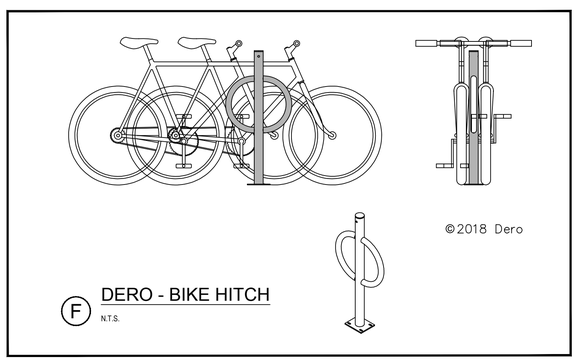
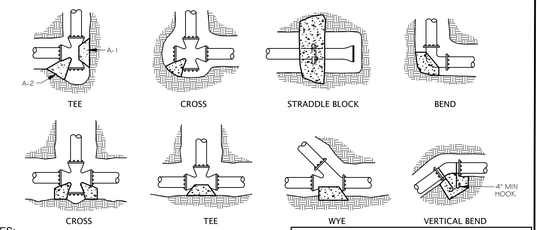


F DERO - BIKE HITCH
N.T.S.

(HORIZONTAL) BEARING AREA OF THRUST BLOCKS IN SQUARE FEET									(VERTICAL) VOLUME OF THRUST BLOCK IN CUBIC YARDS			
FITTING SIZE	TEE, WYE, DEAD END AND HYDRANT	STRADDLE BLOCK	90D BEND PLUGGED CROSS	TEE PLUGGED ON RUN		45D BEND	22-1/2D BEND	11-1/4D BEND	90D BEND	45D BEND	22-1/2D BEND	11-1/4D BEND
				A-1	A-2							
4	1.0	1.6	1.4	1.9	1.4	1.0	---	---	---	---	---	---
6	2.1	3.7	3.0	4.3	3.0	1.6	1.0	---	1.3	---	---	---
8	3.8	6.5	5.3	7.6	5.4	2.9	1.5	1.0	2.3	1.1	---	---

NOTES:

1. ABOVE BEARING AREAS BASED ON TEST PRESSURE OF 150 PSI AND AN ALLOWABLE SOIL BEARING STRESS OF 2000 POUNDS PER SQUARE FOOT. TO COMPUTE BEARING AREAS FOR DIFFERENT TEST PRESSURES AND SOIL BEARING STRESSES, USE THE FOLLOWING EQUATION:
   BEARING AREA = (TEST PRESSURE / 150) x (2000 / SOIL BEARING STRESS) x (TABLE VALUE)
2. ABOVE VOLUMES BASED ON TEST PRESSURE OF 150 PSI AND THE WEIGHT OF CONCRETE = 4050 POUNDS PER CUBIC YARD. TO COMPUTE FOR DIFFERENT TEST PRESSURES, USE THE FOLLOWING EQUATION:
   VOLUME = (TEST PRESSURE / 150) x (TABLE VALUE)

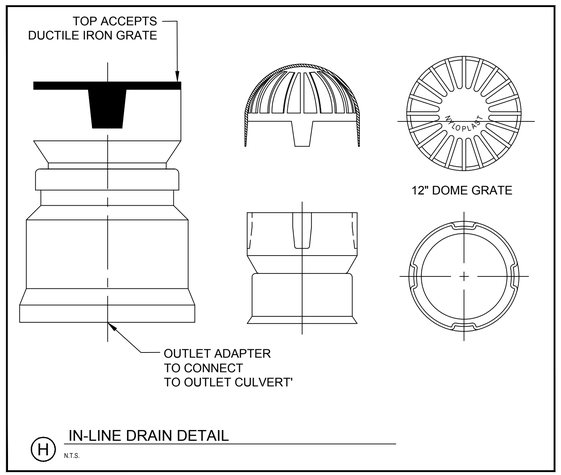


NOTES:

1. CONCRETE BLOCKING TO BE POURED AGAINST UNDISTURBED EARTH.
2. ALL CONCRETE TO BE CLASS 2400 MINIMUM.
3. INSTALL ISOLATION MATERIAL BETWEEN PIPE AND/OR FITTINGS BEFORE POURING CONCRETE BLOCKING.
4. CONCRETE SHALL BE KEPT CLEAR OF ALL JOINTS AND ACCESSORIES.
5. TIE RODS SHALL BE DEFORMED GALVANIZED COLD ROLLED STEEL, 40000 PSI TENSILE STRENGTH.

RODS FOR VERTICAL BENDS		
FITTING SIZE	ROD SIZE	EMBEDMENT
12" AND LESS	#6	30"
14"-16"	#8	36"

G THRUST BLOCKING DETAIL
N.T.S.



H IN-LINE DRAIN DETAIL
N.T.S.

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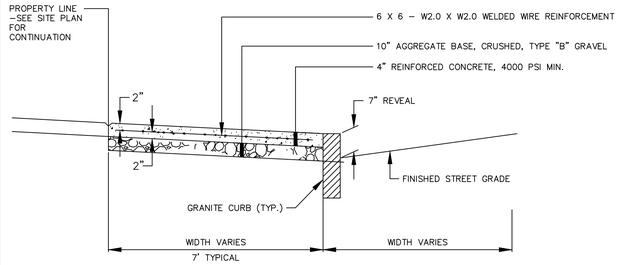
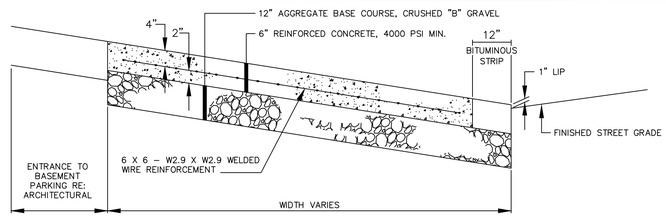
C-301



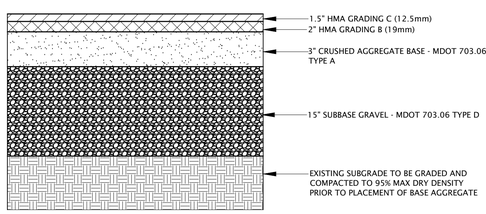
(A) REINFORCED CONCRETE SIDEWALK

N.T.S.



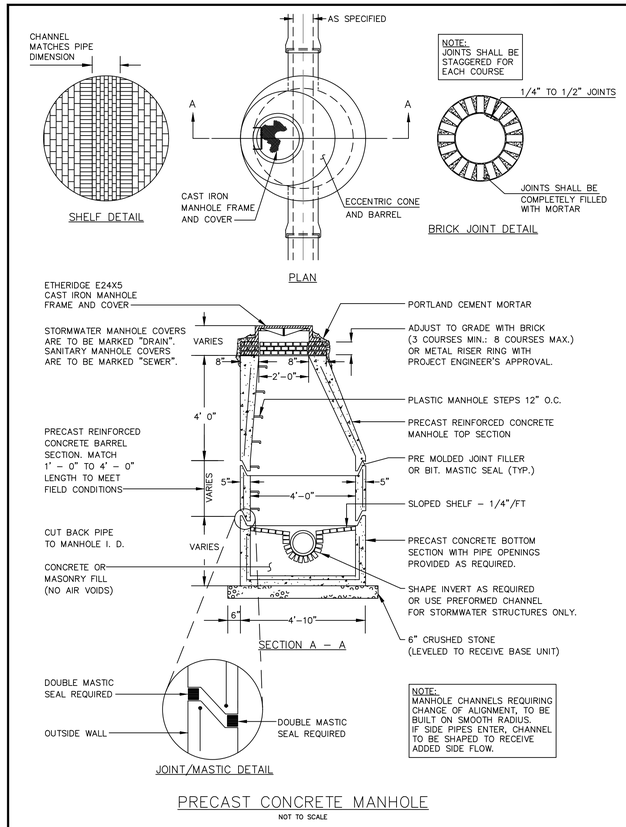
(B) REINFORCED CONCRETE DRIVEWAY APRON

N.T.S.



(C) BITUMINOUS PAVEMENT DETAIL

APPLIES TO STREET REPAIR SECTIONS

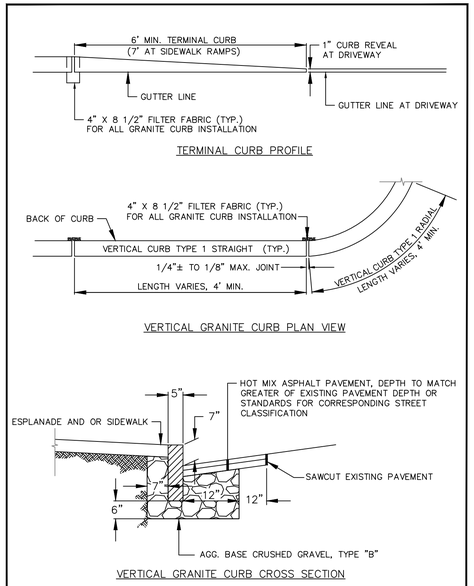


PRECAST CONCRETE MANHOLE

NOT TO SCALE

(E) PRECAST SEWER MANHOLE

N.T.S.



(G) VERTICAL GRANITE CURB INSTALLATION IN EXISTING STREETS

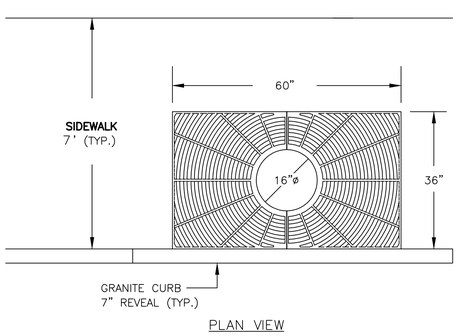
N.T.S.

NOTES:

16"ø EXPANDABLE TREE OPENING. 0.25" SLOT OPENINGS.

SIDEWALK MATERIAL PER CITY SIDEWALK MATERIAL POLICY.

WHEN THE TREE GRATE IS INSTALLED IN A CONCRETE SIDEWALK, A NOTCH MUST BE INSTALLED ALONG THE EDGE TO HOLD THE GRATE, WHEN INSTALLED IN A BRICK SIDEWALK IT REQUIRES A FRAME TO BE INSTALLED TO HOLD THE GRATE IN PLACE.

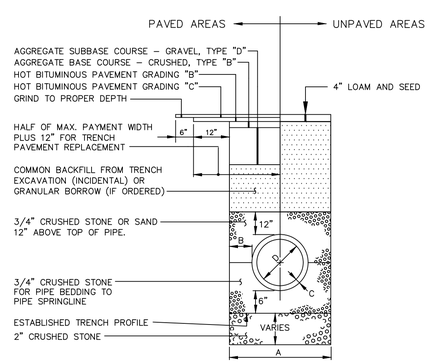


(D) EXPANDABLE TREE GRATE NEENAH MODEL R-8810

N.T.S.

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

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



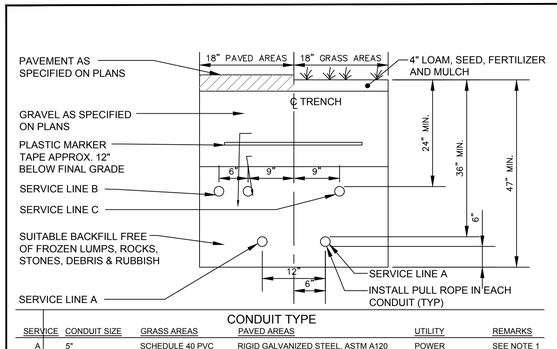
NOTES

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

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

(F) TYPICAL PIPE TRENCH INSTALLATION AND NOTES

N.T.S.



CONDUIT TYPE

SERVICE	CONDUIT SIZE	GRASS AREAS	PAVED AREAS	UTILITY	REMARKS
A	5"	SCHEDULE 40 PVC ELECTRICAL GRADE	RIGID GALVANIZED STEEL, ASTM A120	POWER	SEE NOTE 1
B	4"	SCHEDULE 40 PVC	RIGID GALVANIZED STEEL, ASTM A120	TELEPHONE	SEE NOTE 1
C	2"	SCHEDULE 40 PVC	RIGID GALVANIZED STEEL, ASTM A120	COMMUNICATION	

NOTES:
1. ONE CONDUIT CAPPED FOR SPARE. PROVIDE GALVANIZED STEEL LONG SWEEP AT RISER POLE AND EXTEND GALVANIZED CONDUIT TO 10' ABOVE GRADE AT POLE WITH STAND-OFF BRACKETS.
2. SEE SITE ELECTRICAL PLAN FOR LOCATION AND NUMBER OF CONDUITS.

(H) COMBINED UTILITY TRENCH DETAIL

N.T.S.

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STATE OF MAINE
ANDREW D. JOHNSTON
NO. 9994
6-1-20
LICENSED
PROFESSIONAL ENGINEER

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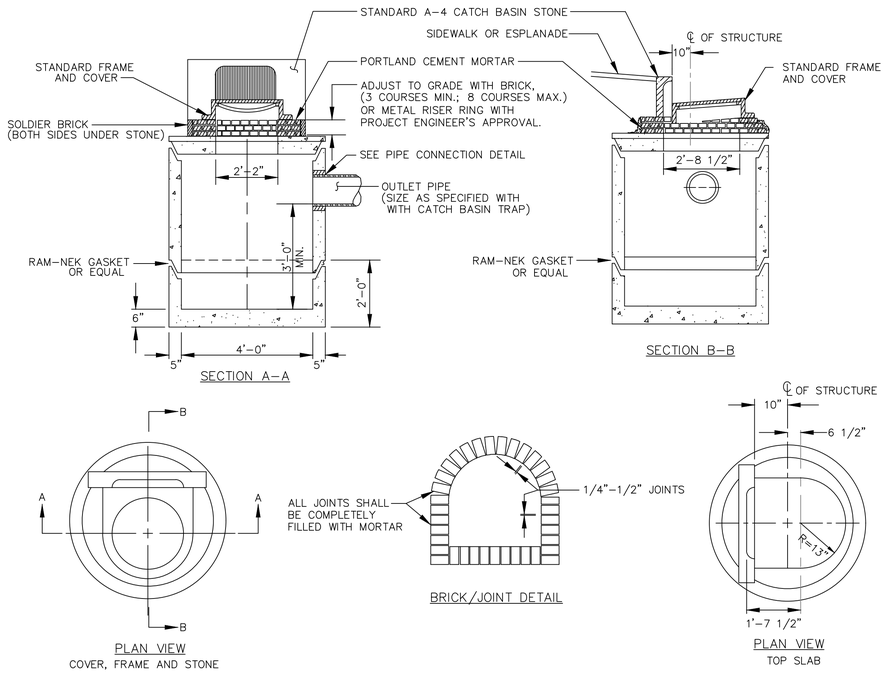
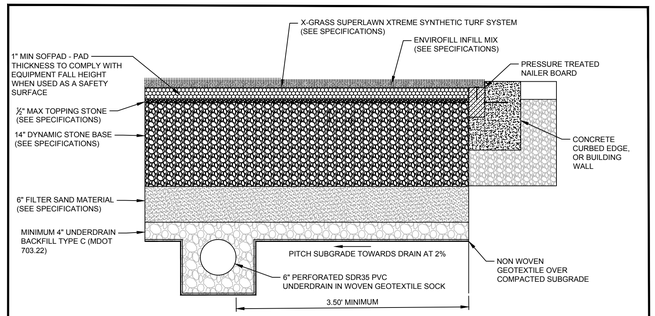
CIVIL DETAILS II

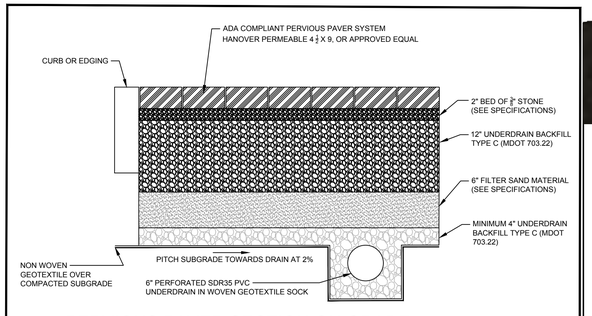
C-302



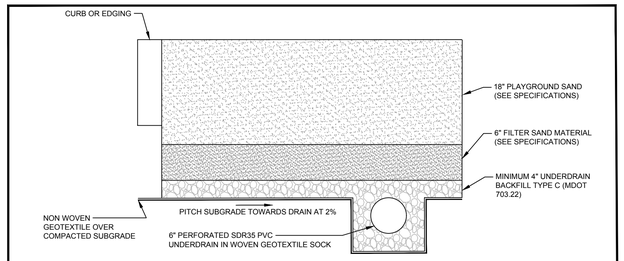
A PRECAST CONCRETE CATCH BASIN - TYPE "E"
N.T.S.



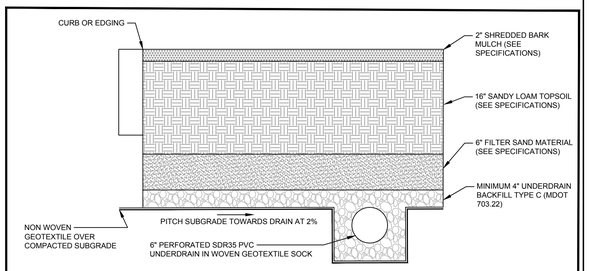
D ARTIFICIAL TURF ON GRADE
N.T.S.



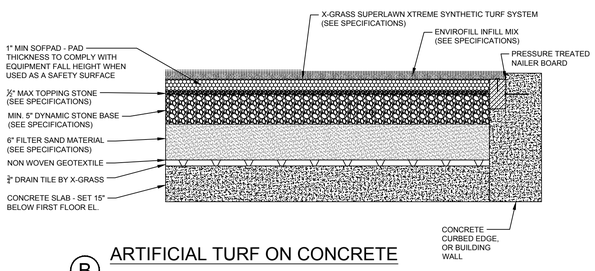
H PERVIOUS PAVER SECTION ON GRADE
N.T.S.



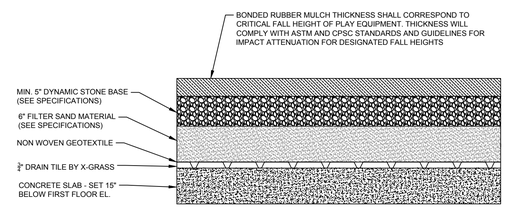
E SAND PLAY AREA ON GRADE
N.T.S.



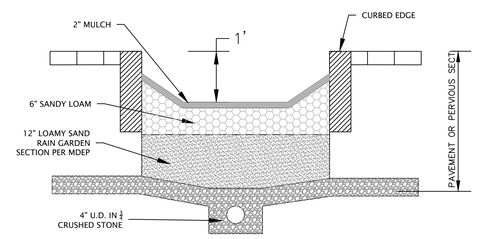
I PLANTING BED ON GRADE
N.T.S.



B ARTIFICIAL TURF ON CONCRETE
N.T.S.



F BONDED RUBBER MULCH ON CONCRETE
N.T.S.



J RAIN GARDEN SECTION
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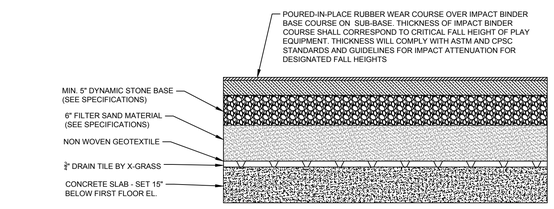
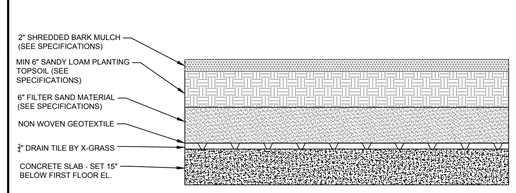


C POURED IN PLACE RUBBER ON CONCRETE
N.T.S.



G PLANTING BED ON CONCRETE CONCRETE
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PROJECT	YFP
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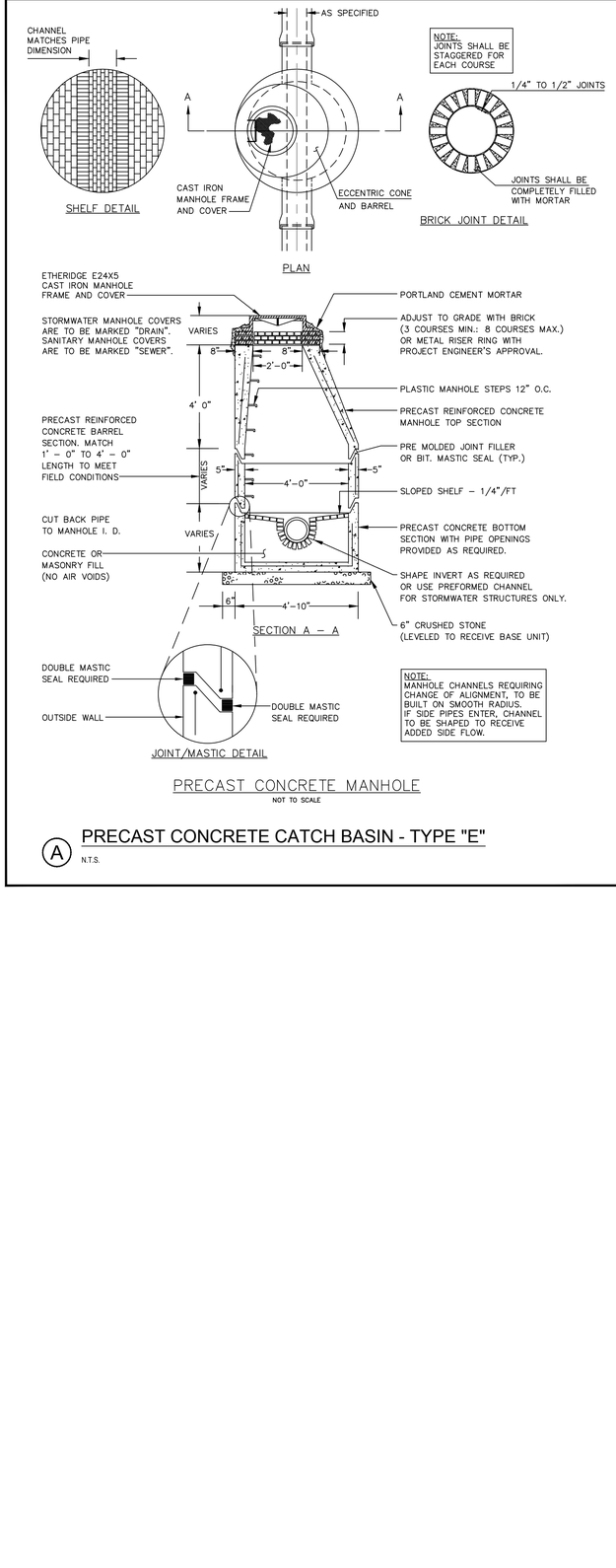
CIVIL DETAILS III

C-303

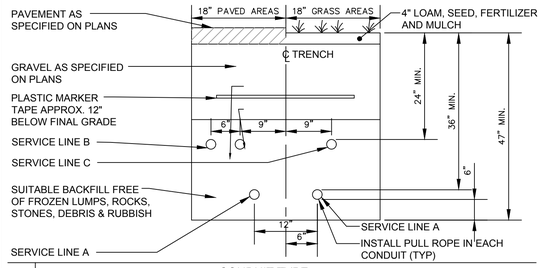


PRECAST CONCRETE MANHOLE

NOT TO SCALE

(A) PRECAST CONCRETE CATCH BASIN - TYPE "E"

N.T.S.



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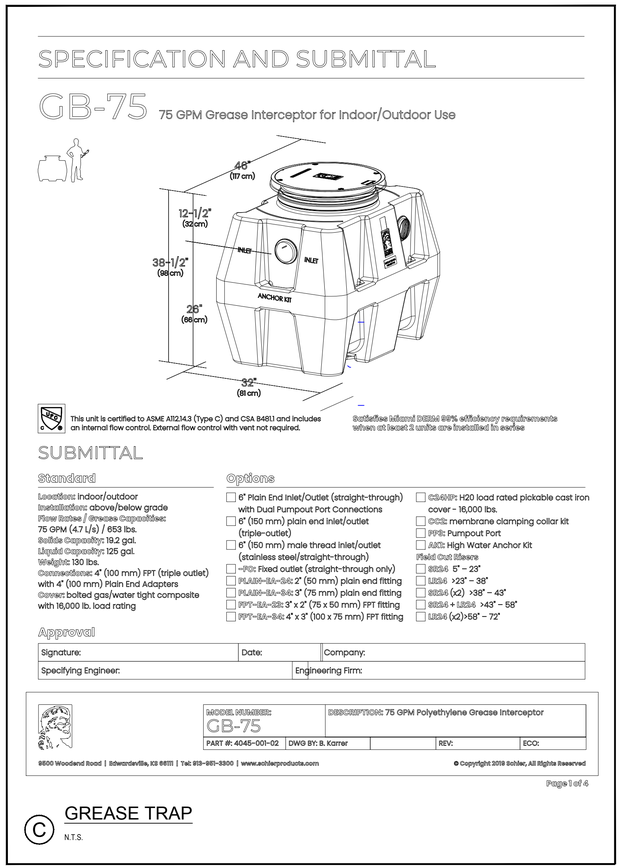
(B) COMBINED UTILITY TRENCH DETAIL

N.T.S.



(C) GREASE TRAP

N.T.S.

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CIVIL DETAILS IV

C-304

AERIAL PLAN

AERIAL VIEW FROM WEST

AERIAL VIEW FROM EAST

AERIAL VIEW FROM NORTH

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JAMES JESSE THOMPSON
No. 3275
STATE OF MAINE

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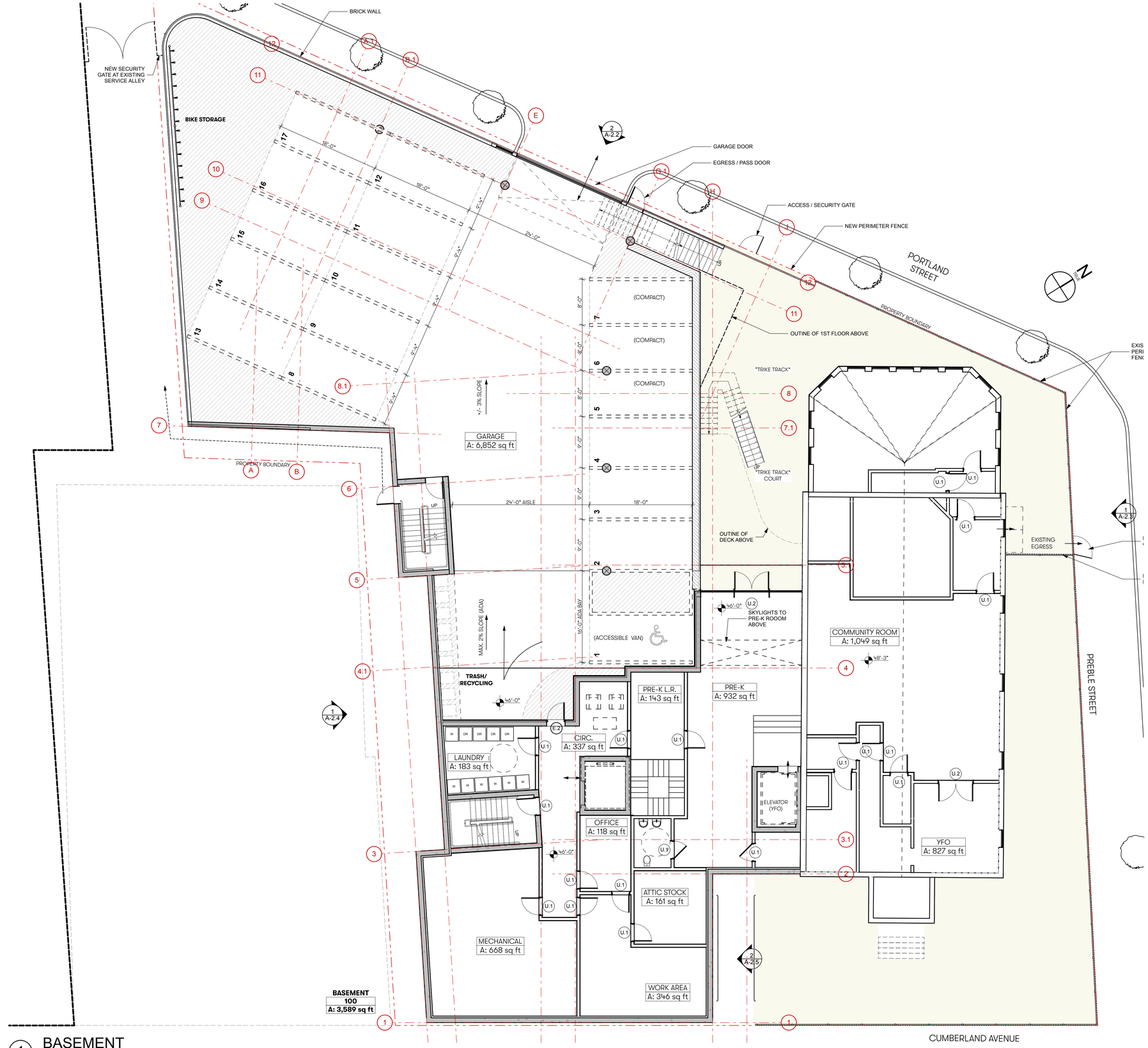
CONTEXT IMAGES
A-0.0



1 BASEMENT
SCALE: 1/8" = 1'-0"

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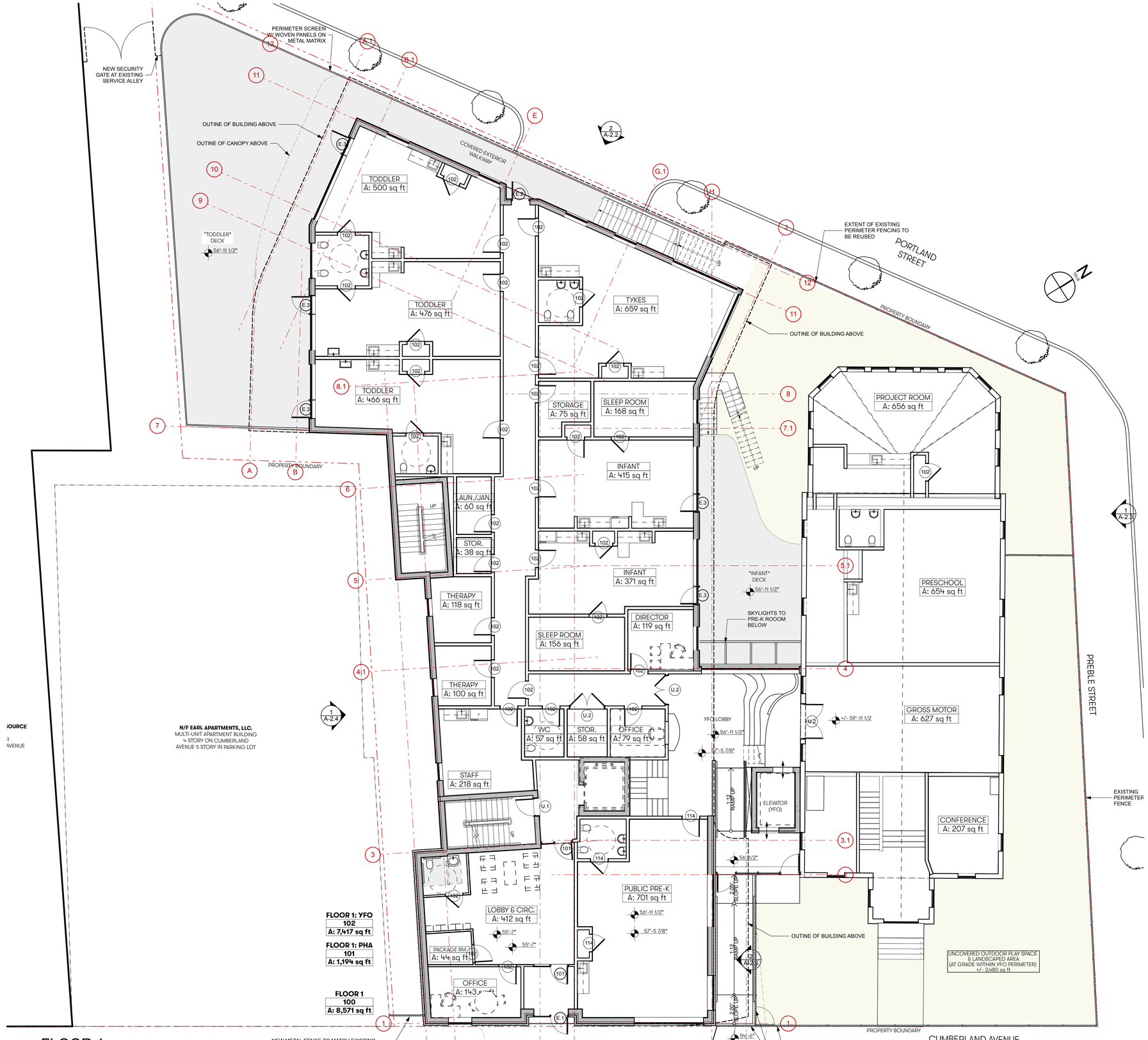
BASEMENT PLAN
A-1.1



1 FLOOR 1
SCALE: 1/8" = 1'-0"

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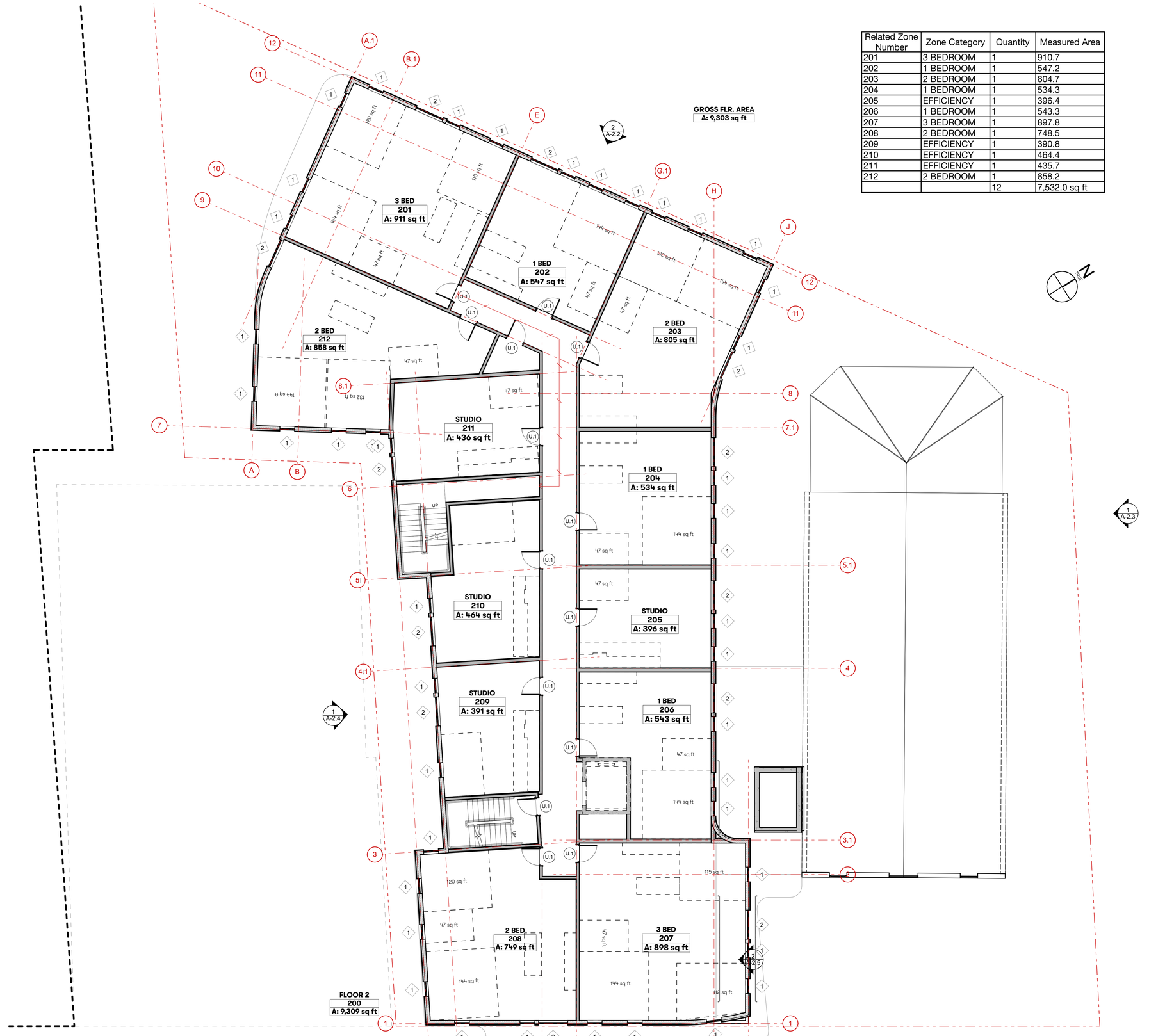
1ST FLOOR PLAN
A-1.2



Related Zone Number	Zone Category	Quantity	Measured Area
201	3 BEDROOM	1	910.7
202	1 BEDROOM	1	547.2
203	2 BEDROOM	1	804.7
204	1 BEDROOM	1	534.3
205	EFFICIENCY	1	396.4
206	1 BEDROOM	1	543.3
207	3 BEDROOM	1	897.8
208	2 BEDROOM	1	748.5
209	EFFICIENCY	1	390.8
210	EFFICIENCY	1	464.4
211	EFFICIENCY	1	435.7
212	2 BEDROOM	1	858.2
		12	7,532.0 sq ft

1 TYPICAL FLOOR PLAN: FLOORS 2-6

SCALE: 1/8" = 1'-0"

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No. 3275
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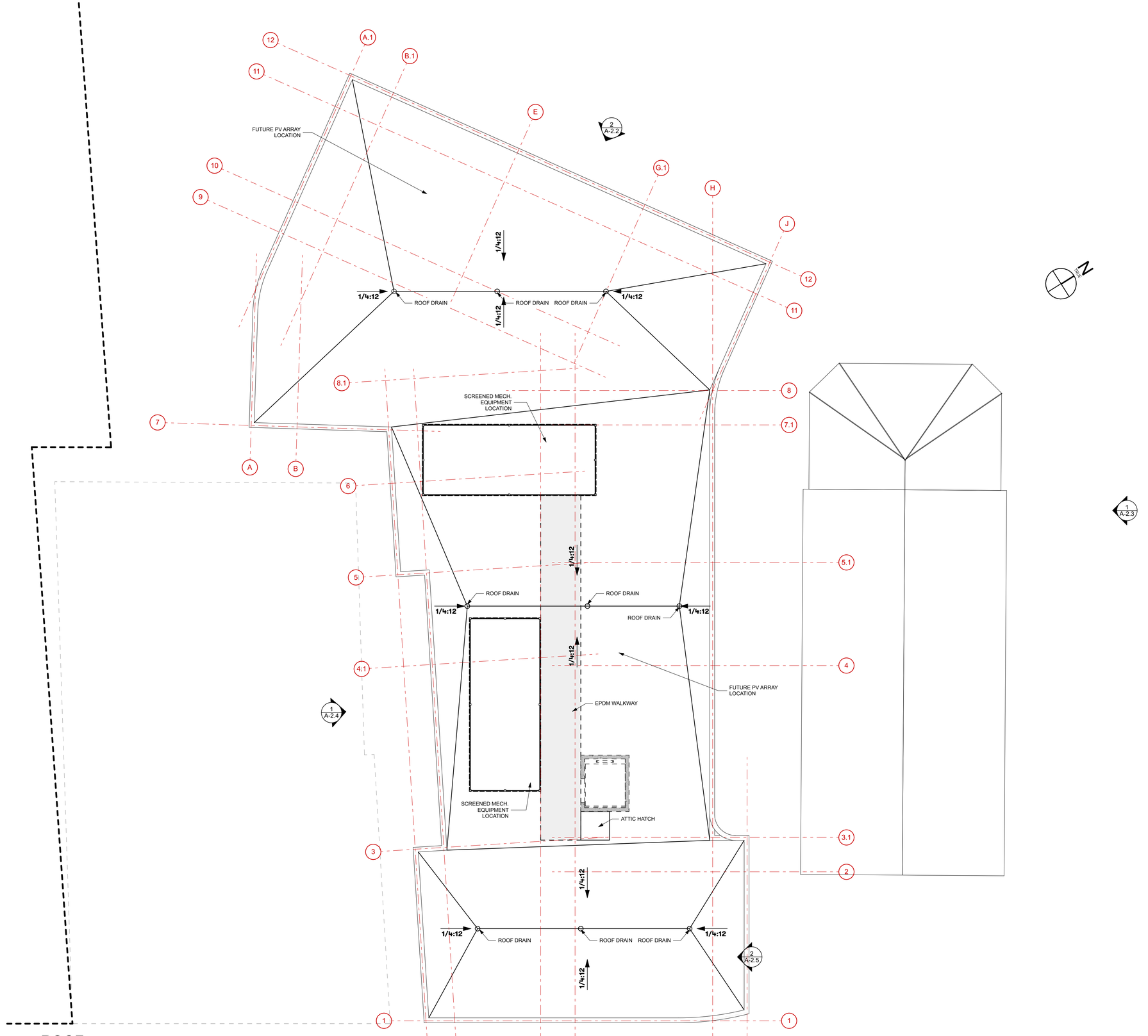
TYPICAL FLOOR PLAN: FLOORS 2-6
A-1.3



1 ROOF
SCALE: 1/8" = 1'-0"

0 4' 8' 16'

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No. 3275
STATE OF MAINE

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PHASE	SITE PLAN REVIEW

ROOF PLAN
A-1.4

1 ENLARGED ELEVATION - CUMBERLAND AVENUE

SCALE: 1/4" = 1'-0"

0 2' 4' 8'

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DATE	06/01/2020
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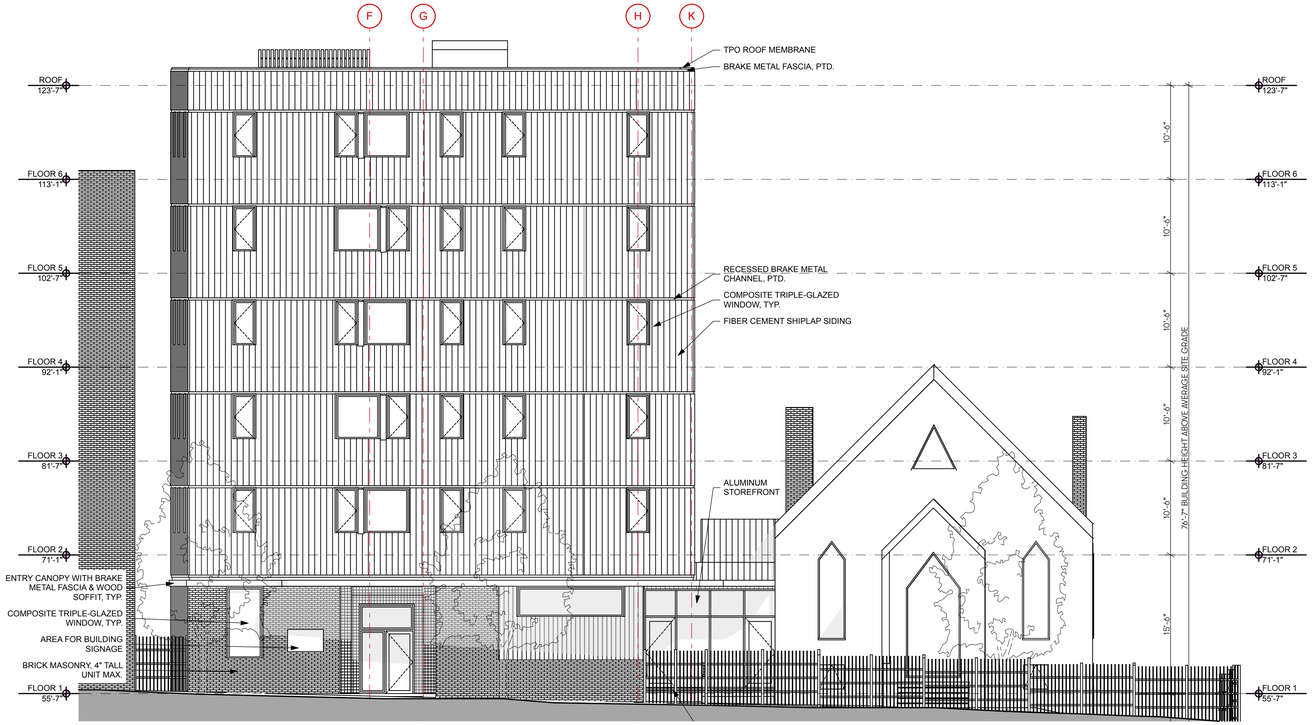
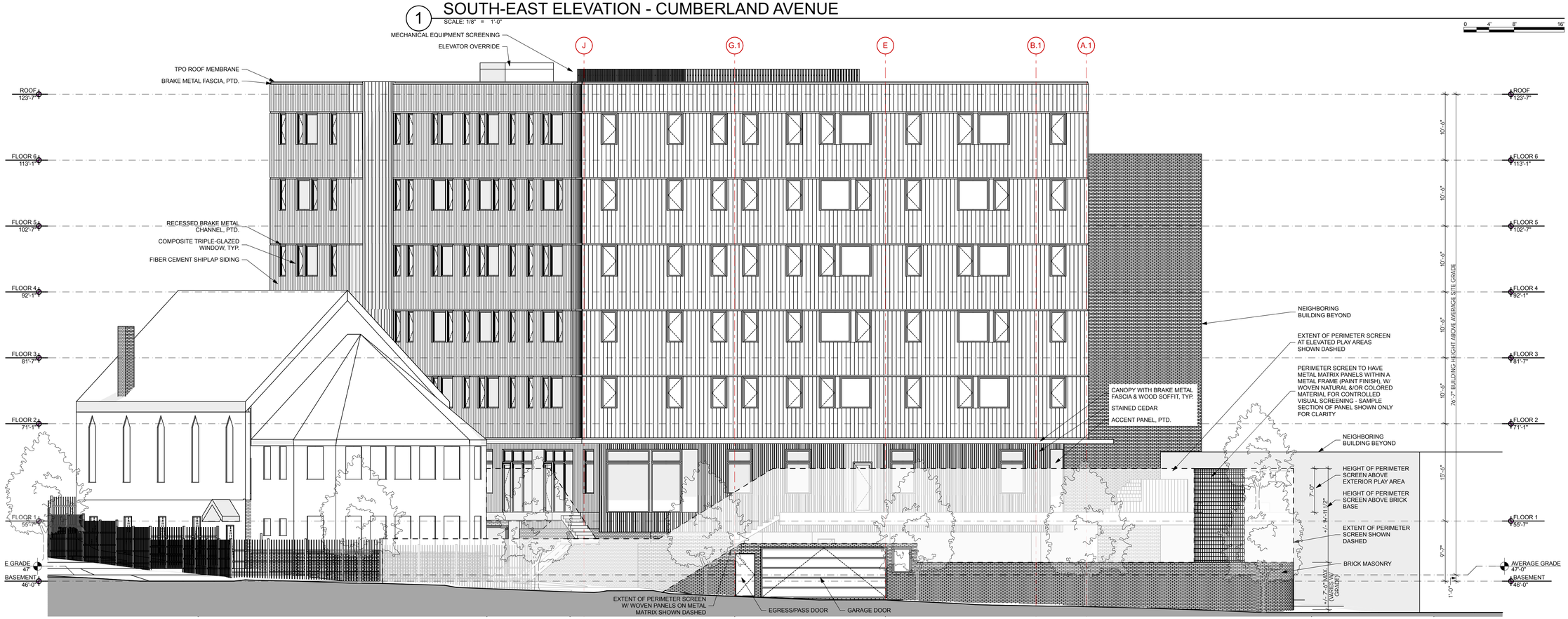
PHASE	SITE PLAN REVIEW

ENLARGED ELEVATION CUMBERLAND AVENUE
A-2.1



1 SOUTH-EAST ELEVATION - CUMBERLAND AVENUE

SCALE: 1/8" = 1'-0"



2 NORTH-WEST ELEVATION - PORTLAND STREET

SCALE: 1/8" = 1'-0"

Kaplan Thompson Architects
102 Exchange Street
Portland, ME 04101
(207) 842-2888
kaplanthompson.com

PROJECT
337 CUMBERLAND

CHILDCARE, MULTI-FAMILY HOUSING, & COMMUNITY SERVICES

337 Cumberland Avenue
Portland, ME 04101

CLIENT PARTNER
PORTLAND HOUSING DEVELOPMENT CORPORATION
14 Baxter Boulevard
Portland, ME 04101
p: (207) 221-8009

CIVIL & LANDSCAPING
ATLANTIC RESOURCE CONSULTANTS
541 US-1, Suite 21
Freeport, ME 04032
p: (207) 869-9050

EARLY CHILDCARE EDUCATION
STUDIO MLA ARCHITECTS
320 Washington Street
Brookline, MA 02445
p: (617) 608-1551

LICENSED ARCHITECT JAMES JESSE THOMPSON No. 3275 STATE OF MAINE

NOT FOR CONSTRUCTION

PROJECT	YFP
DATE	06/01/2020
DRAWN BY	RL/CB
PHASE	SITE PLAN REVIEW

CUMBERLAND AVENUE (SE) & PORTLAND STREET (NW) ELEVATIONS

A-2.2

1 NORTH-EAST ELEVATION - PREBLE STREET

SCALE: 1/8" = 1'-0"

0 4' 8' 16'

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102 Exchange Street
Portland, ME 04101
(207) 842-2888
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PROJECT

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p: (207) 869-9050

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320 Washington Street
Brookline, MA 02445
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JAMES JESSE THOMPSON
No. 3275
STATE OF MAINE

NOT FOR CONSTRUCTION

PROJECT	YFP
DATE	06/01/2020
DRAWN BY	RL/CB
PHASE	SITE PLAN REVIEW

PREBLE STREET (NE) ELEVATION

A-2.3

1 SOUTH-WEST ELEVATION

SCALE: 1/8" = 1'-0"

0 4' 8' 16'

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PROJECT

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337 Cumberland Avenue
Portland, ME 04101

CLIENT PARTNER

PORTLAND HOUSING DEVELOPMENT CORPORATION

14 Baxter Boulevard
Portland, ME 04101
p: (207) 221-8009

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541 US-1, Suite 21
Freeport, ME 04032
p: (207) 869-9050

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Brookline, MA 02445
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LICENSED ARCHITECT
JAMES JESSE THOMPSON
No. 3275
STATE OF MAINE

ISSUE NO.	DESCRIPTION	CH ID	CHANGE NAME	DATE
A	Pricing Set			5/15/20

NOT FOR CONSTRUCTION

PROJECT	YFP
DATE	06/01/2020
DRAWN BY	RL/CB
PHASE	SITE PLAN REVIEW

SOUTH-WEST ELEVATION

A-2.4

VIEW FROM CUMBERLAND AVENUE

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Portland, ME 04101

CLIENT PARTNER
PORTLAND HOUSING DEVELOPMENT CORPORATION
14 Baxter Boulevard
Portland, ME 04101
p: (207) 221-8009

CIVIL & LANDSCAPING
ATLANTIC RESOURCE CONSULTANTS
541 US-1, Suite 21
Freeport, ME 04032
p: (207) 869-9050

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STUDIO MLA ARCHITECTS
320 Washington Street
Brookline, MA 02445
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LICENSED ARCHITECT
JAMES JESSE THOMPSON
No. 3275
STATE OF MAINE

NOT FOR CONSTRUCTION

PROJECT	YFP
DATE	06/01/2020
DRAWN BY	RL/CB
PHASE	SITE PLAN REVIEW

PERSPECTIVE
A-9.1

VIEW FROM PORTLAND STREET

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Portland, ME 04101
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PROJECT
337 CUMBERLAND

CHILDCARE, MULTI-FAMILY HOUSING, & COMMUNITY SERVICES

337 Cumberland Avenue
Portland, ME 04101

CLIENT PARTNER
PORTLAND HOUSING DEVELOPMENT CORPORATION
14 Baxter Boulevard
Portland, ME 04101
p: (207) 221-8009

CIVIL & LANDSCAPING
ATLANTIC RESOURCE CONSULTANTS
541 US-1, Suite 21
Freeport, ME 04032
p: (207) 869-9050

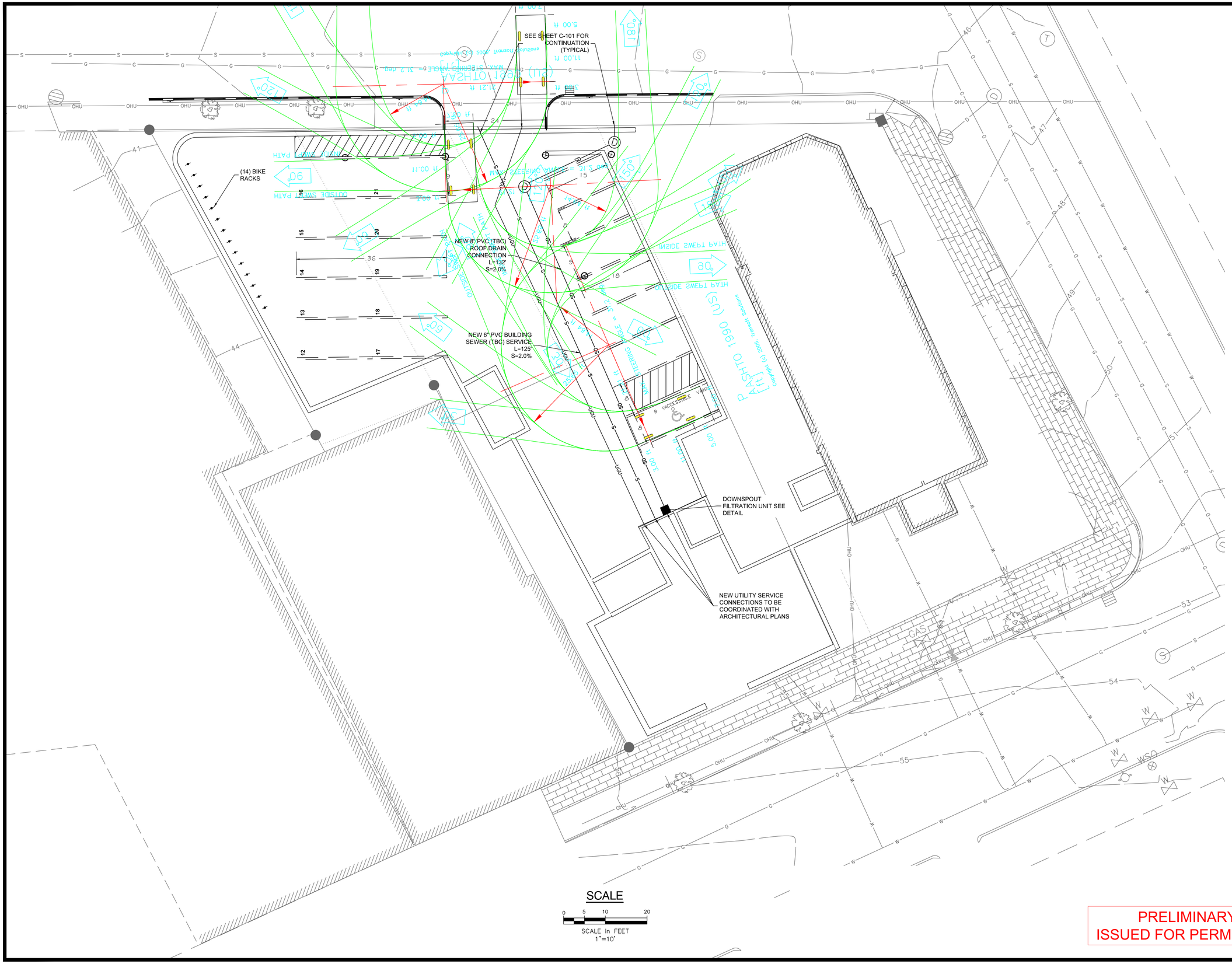
EARLY CHILDCARE EDUCATION
STUDIO MLA ARCHITECTS
320 Washington Street
Brookline, MA 02445
p: (617) 608-1551

LICENSED ARCHITECT
JAMES JESSE THOMPSON
No. 3275
STATE OF MAINE

NOT FOR CONSTRUCTION

PROJECT	YFP
DATE	06/01/2020
DRAWN BY	RL/CB
PHASE	SITE PLAN REVIEW

PERSPECTIVE
A-9.2



PRELIMINARY
ISSUED FOR PERMITTING

Kaplan Thompson Architects

PROJECT
337 Cumberland

CHILDCARE, MULTI-FAMILY HOUSING, & COMMUNITY SERVICES

337 Cumberland Avenue
Portland, ME 04101

CLIENT PARTNER
PORTLAND HOUSING DEVELOPMENT CORPORATION
14 Baxter Boulevard
Portland, ME 04101
p: (207) 221-8009

CIVIL & LANDSCAPING
ATLANTIC RESOURCE CONSULTANTS
541 US-1, Suite 21
Freeport, ME 04032
p: (207) 8659050

EARLY CHILDCARE EDUCATION
STUDIO MLA ARCHITECTS
320 Washington Street
Brookline, MA 02445
p: (617) 608-1551

STATE OF MAINE
ANDREW D. JOHNSTON
NO. 9994
6-1-20
LICENSED
PROFESSIONAL ENGINEER

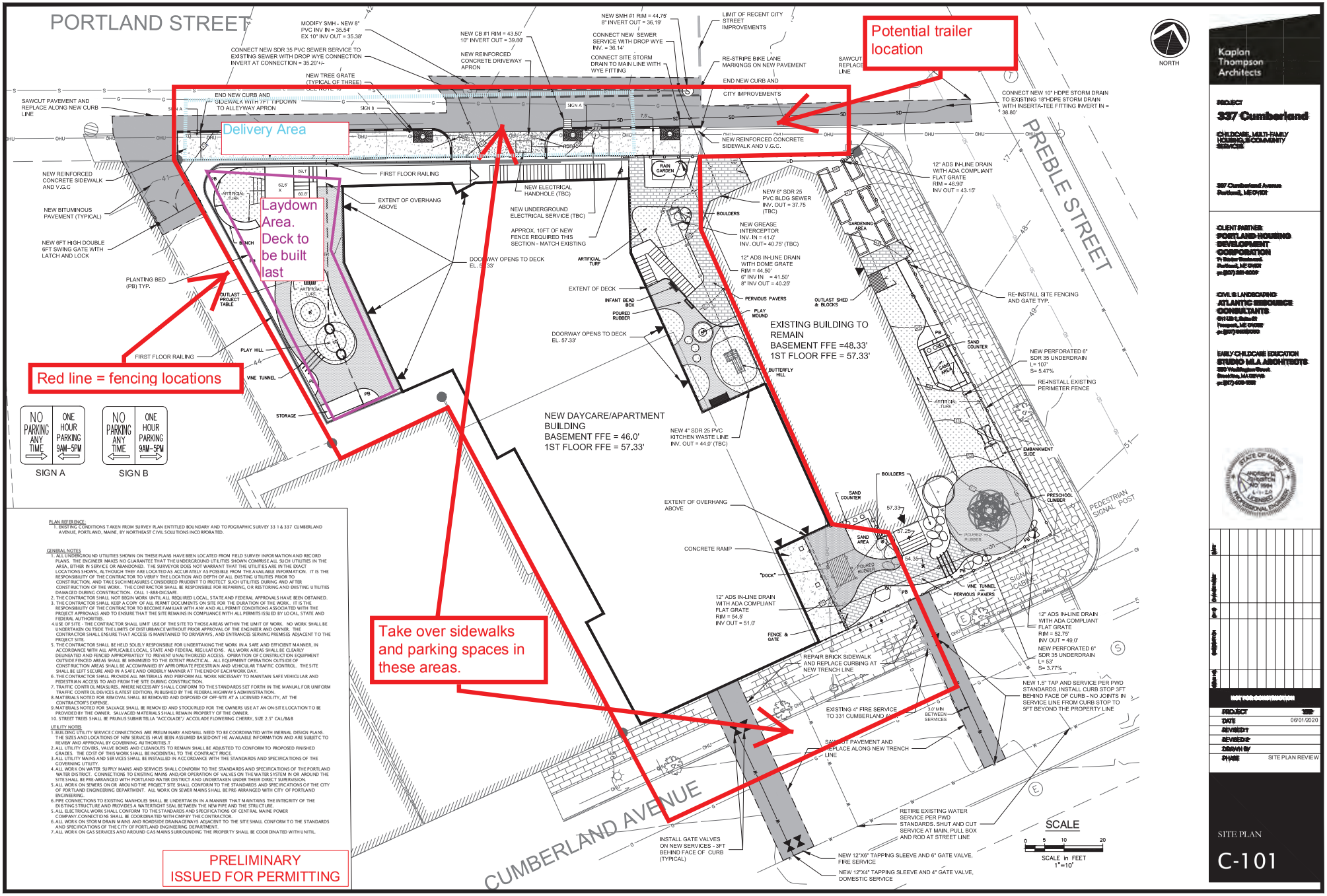
ISSUE NO.	DESCRIPTION	CH ID	CHANGE NAME	DATE

NOT FOR CONSTRUCTION

PROJECT	YFP
DATE	06/01/2020
REVISED 1	
REVISED 2	
DRAWN BY	
PHASE	SITE PLAN REVIEW

BASEMENT PARKING PLAN

C-102


PORTLAND STREET
PREBLE STREET
CUMBERLAND AVENUE
NORTH
Potential trailer location
Delivery Area
Laydown Area. Deck to be built last
Red line = fencing locations
Take over sidewalks and parking spaces in these areas.
PRELIMINARY ISSUED FOR PERMITTING
EXISTING BUILDING TO REMAIN
BASEMENT FFE =48.33'
1ST FLOOR FFE = 57.33'
NEW DAYCARE/APARTMENT BUILDING
BASEMENT FFE = 46.0'
1ST FLOOR FFE = 57.33'
NO PARKING ANY TIME
ONE HOUR PARKING 9AM–5PM
SIGN A
SIGN B
SCALE
SCALE in FEET 1"=10'
Kaplan Thompson Architects
PROJECT
337 Cumberland
337 Cumberland Avenue
Portland, ME 04101
CLIENT PARTNER:
PORTLAND HOUSING DEVELOPMENT CORPORATION
CIVIL & LANDSCAPING:
ATLANTIC RESOURCE CONSULTANTS
EARLY CHILDCARE EDUCATION
STUDIO M.A ARCHITECTS
DATE 06/01/2020
SITE PLAN REVIEW
SITE PLAN
C-101

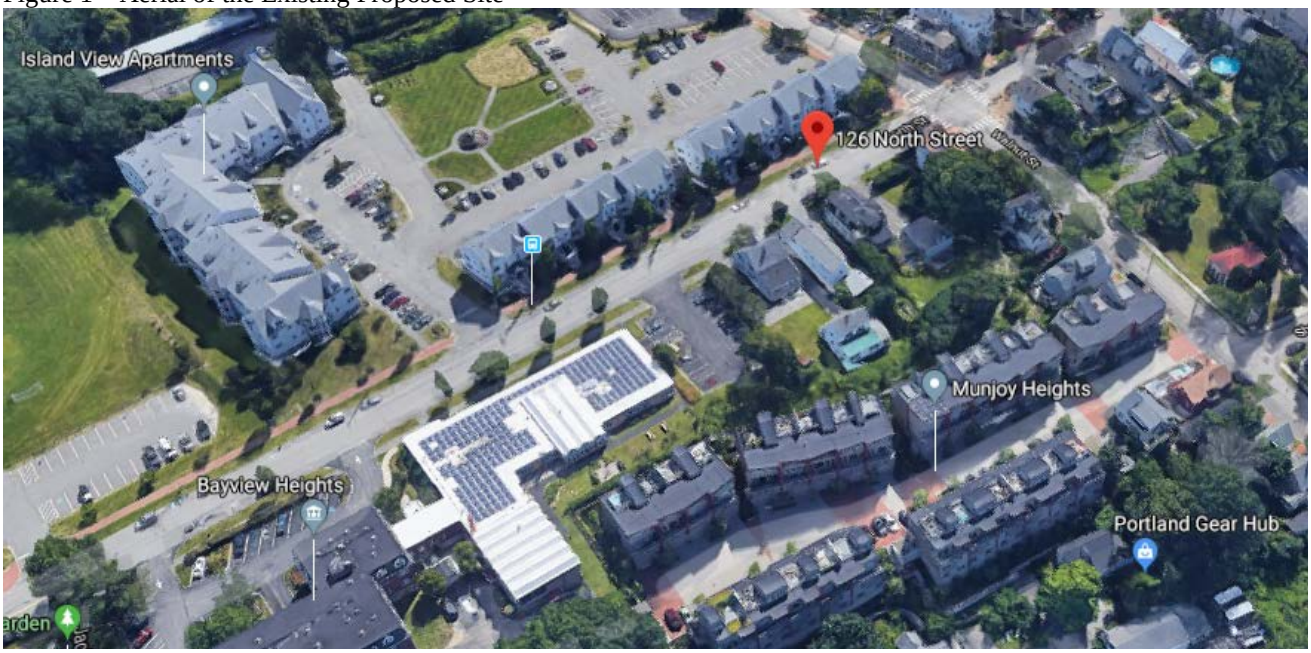
Memorandum
Planning and Urban Development Department
Planning Division

To: Brandon Mazer, Chair and Members of the Portland Planning Board
From: Shukria Wiar, Planner
Date: July 17, 2020
Re: 126 and 128R North Street, Upright Properties, LLC and Josh Wojcik
Project #: PL-000791-2019 CBL: 012 H009 and 012 H014
Meeting Date: July 21, 2020

I. INTRODUCTION

This is the third workshop for the Upright Properties, LLC application for a three-story, six-unit residential building at 126 North Street and a four-story, six-unit condominium building at 128R North Street, for a total of twelve residential units. The project site is located in the R-6 zone and is within the Munjoy Hill Neighborhood Conservation Overlay. This redevelopment project includes the demolition of the existing structures on the sites and construction of two structures with a six-unit condominium and a six-unit rental, both with on-site parking – a mix of surface and structured. The project will house six parking spaces at 128R and two spaces at 126 North Street. The project is proposed to be a phased development; Phase One is the structure at 128R North Street and Phase Two is the building at 126 North Street.

Figure 1 – Aerial of the Existing Proposed Site



The 128R building will contain condominiums and will be owner-occupied. It includes a first-floor workforce housing unit, in order to get a height bonus, and all of the units will be FHA compliant. The 126 residential building will house six apartments for rent. No roof top decks are proposed and none of the roof-mounted condensers will be visible from the street.

This is the third workshop for the applicant; the first one was held on January 28, 2020 and the second was held on May 26, 2020. In addition to the July 21st workshop providing an opportunity to review updates prior to a public hearing, there was an error in the mailing of the abutter notices for the May 26th workshop, which lent further support for a third workshop. The July 21st workshop is not a required step for approval of the project, but the application has been scheduled for additional review in order that the public have ample opportunity to contribute in the public process for the project. The Planning Board will review the application for compliance with the site plan

and subdivision standards, and since the last workshop, the applicant has made design revisions in response to Board comments. As the project is over ten units, it will be required to meet the standards of the Inclusionary Zoning ordinance. The applicant is proposing an affordable unit at 126 North Street.

Applicant: Upright Properties, LLC
Consultants: Will Savage, PE, Acorn Engineering, Inc.
Tracie Reed, Architect, Dextrous Creative

II. REQUIRED REVIEWS

Waiver Requests	Applicable Standards
Request: To reduce the parking stall 18′ dimension to 16.5′	Technical Manual, *Section 1.14,* requiring that standard parking space to be 9 feet wide by 18 feet long
Review	**Applicable Standards**
Site Plan	Section 14-526
Subdivision	Section 14-497
Inclusionary Zoning (IZ)	Section 14-474, Section 14-487
Other Potential Reviews	
Munjoy Hill Neighborhood Conservation Overlay District	Sec. 14-140.5
R-6 Small Infill Development Design Principles & Standards	Appendix 7 of the Design Manual

III. PROJECT DATA

Existing Zoning	Residential R-6, MHNC overlay	
Existing Use	Residential	
Proposed Use	Residential	
- Bedroom Mix	126 – Five 2-BR, one 1-BR	128R – Three 1-BR; Two 2-BR; One 4-BR
Parcel Size	126 - 3,645 SF	128R - 6,142 SF

	Existing		Proposed		Net Change	
	126	**128R**	**126**	**128R**	**126**	**128R**
Building Footprint	1,885 SF	1,404 SF	1,670 SF	3,380 SF	-215 SF	+1,976 SF
Building Floor Area	4,360 SF	0 SF	4,820 SF	11,441 SF	+460 SF	+11,441 SF
Impervious Surface Area	82.4%	27.5%	80%	60%	-2.4%	+52.5%
Parking Spaces	3	0	2	6	-1	+6
Bicycle Parking Spaces	0	0	2	2	2	+2
Estimated Cost of Project	$3,000,000					

I. EXISTING CONDITIONS and BACKGROUND

The proposed project site is located at 126 and 128R North Street. The two lots are under related, but separate ownership and will remain separate lots. 126 North Street has frontage on North Street, whereas 128R North Street is a rear lot immediately adjacent to Bayview Heights senior apartments and across the street from the Island View Apartment complex. The existing buildings on both lots will be demolition - the 126 North Street parcel currently contains a four-unit residential building and the rear lot, 128R, previously housed a single-family home and is now vacant. Both properties are currently accessed by bituminous driveways off North Street.

The 128R site currently shares a driveway with the neighboring property under different ownership. To the west, the parcel abuts Munjoy Heights Condominiums, where the site slopes down significantly and runs towards a concrete block retaining wall constructed as part of a condominium project from 2015. There is a 10′ maintenance easement along the rear property line which would provide future access for the Munjoy Heights property to repair or replace the wall when necessary.

The building at 126 North Street was determined to be “preferably preserved” according to the MHNC overlay demolition criteria. In that circumstance, the applicant may either go through design review of 126 North Street with

Figure 2 - Existing 126 and 128R (at rear) North Street

the Historic Preservation Board according to the R-6 Alternative Design Review criteria, or wait for a demolition delay of one year to expire before receiving building permits for 126 North Street. In the latter option, which this application has pursued, the building design must meet the R-6 MHNC zoning and the R-6 Design Standards as determined by the Planning Board in the course of their application review. The project application includes two phases:

- Phase One includes the new six-unit condominium building at 128R, the new widened 16' driveway access using the existing curb cut, and demolition of the building at 126 North Street in order to create the 16' driveway. The existing single-family home has already been demolished.

- Phase Two includes the redevelopment of 126 into a three-story building with six rental units and two surface parking spaces using a separate driveway. This phase will take place at least one year after the November 2019 determination of a demolition delay.

The overall phased project will have a net increase of seven dwelling units. Additionally, 126 would grant 128R a five-foot-wide easement to provide a 16-foot-wide access way, providing greater emergency access for three properties.

As part of the development, a single-family home was demolished last year at 128R and five additional units will be demolished at 126 North Street. This triggers the City's Housing Preservation and Replacement ordinance and the guaranty must be paid prior to issuance of a demo permit, as stated in the standard below:

> *Section 14-483 (j). Performance Guaranty/Letter of Credit. Owners or affiliates must post a performance guaranty in the form of a letter of credit, or other security acceptable to the city attorney, in the amount equivalent to the amount the applicant would have been required to contribute to the City's Housing Trust Fund if the applicant had chosen that option pursuant to sub-section g. Such a performance guaranty shall be valid for no more than three years, after which the full amount due shall be provided to the City's Housing Trust Fund if replacement units satisfying the conditions of this Division 29 do not have Certificates of Occupancy.*

All units are counted cumulatively across buildings being demolished for one site plan application.

At the January 28, 2020 workshop, the Board members had concerns regarding the setbacks, shared-driveway, housing replacement requirements, and the design of the rear building. Since the workshop, staff and the applicant met to address the concerns of the Planning Board. The following are changes made following the May 26th workshop and reflected in the current design iteration:

a. 128R North
- Screening at rear of garage illustrated in perspectives and elevations
- New rendering from interior of Munjoy Heights unit
- Section from Washington Avenue to North Street illustrating sight-lines
- Review of all setbacks for compliance with zoning administrator complete, and building updated:
  - Upper decks now meet 10'-0" maintenance easement at rear
  - Upper deck at rear corner pulled in to eliminate side-setback intrusion
- Screening of head lights provided by fencing/lattice at rear and sides of garage
- One workforce housing unit (one-bedroom unit)
- HOA Docs limiting vehicle idling and prohibiting short-term rentals
- Estimated Project Schedule

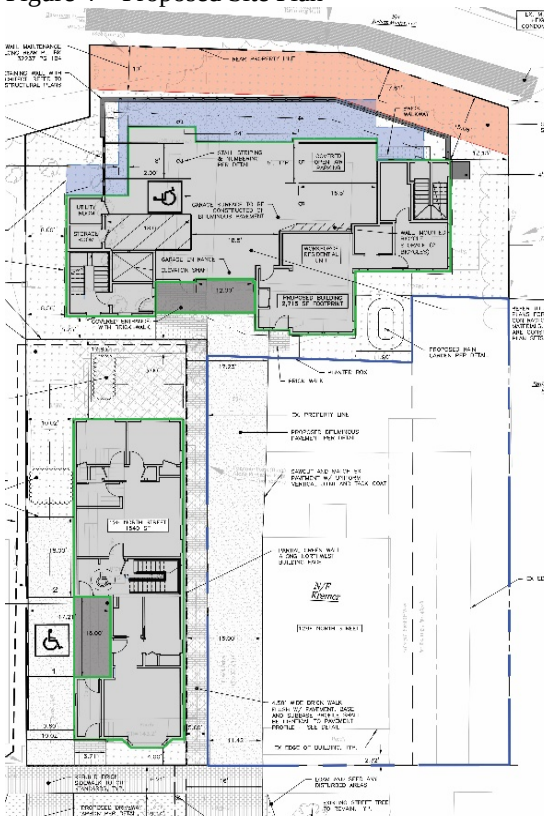
b. 126 North

- Entry from building shifted to at-grade porch. Entry is now visible from street
- First floor windows translucent on lower sash to provide visual privacy below 48"
- Two first-floor units are FHA compliant and both entries are compliant
- Under-building parking replaced with additional unit per Section 14-488 (g) 25 & density bonus.
- Tandem parking along-side building allows for ADA-aisle under porch. This design-solution has been vetted with IBC and access-design specialists for compliance.
- Building features (1) one-bedroom unit, and (5) two-bedroom units, including a 2-bedroom workforce housing unit.

II. **PROPOSED DEVELOPMENT** The development is a three-story, six-unit residential building at 126 North Street and a four-story, six-unit condominium building at 128R North Street. The three-story building will have five two-bedroom apartments, one one-bedroom accessible unit, and two off-street, tandem parking spaces. The condominium building will have six units; one is a workforce housing unit on the ground floor and five units serviced via an elevator on upper floors and six parking spaces. A workforce housing unit is proposed in order to obtain the height bonus for the 128R North Street building. The existing curb cuts/driveways will continue to provide access for the two buildings.

Figure 5 - Rendering of 128R North Street

Figure 4 – Proposed Site Plan



The applicant is proposing a phased development, with the construction of the rear building at 128R as the first phase and the front building at 126 as the second phase. Approval of the project will need to ensure proper sequencing of these phases to allow for adequate access to the rear development site. The new building at 126 will now be directly accessed by pedestrians from the sidewalk rather than using the shared driveway. The applicant states that this new driveway to 128R will "*improve access for vehicles and increases visibility for pedestrians and cyclists visiting 128R and 126 via a brick walkway leading from North Street*".

Figure 6 – Elevation of 126 North Street in the front and 128R at the Rear

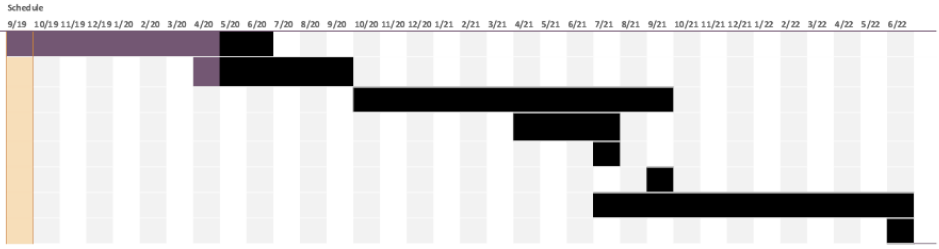
During the first workshop, Board members had questions about the development schedule. The applicant has provided a timeline of the project from the site plan and subdivision application to the final certificate of occupancy, included below:

128R & 126 North St

Schedule of Major Phases of Project Approval Processes (updated 5/5/20)

Plan Duration | Actual Start | % Complete | Actual (beyond plan) | % Complete (beyond plan)

ACTIVITY	PLAN START	PLAN DURATION	ACTUAL START	ACTUAL DURATION	PERCENT COMPLETE
Site Plan Approval	1	10	1	9	90%
Building Permit Approval - 128R	8	6	8	1	15%
Construct 128R	14	12	0	0	0%
Building Permit Approval - 126	20	4	0	0	0%
Demolish 126	23	1	0	0	0%
CO 128R	25	1	0	0	0%
Construct 126	23	12	0	0	0%
CO 126	34	1	0	0	0%



NOTE: This schedule is for planning purposes only. This schedules carries with it the same inherent uncertainties involved in any project schedule relying on multiple parties and spanning 34 months. Factors including (but not limited to) the following ma
Timings of City approvals and inspections; Availabilities of sub-contractors and materials; Labor shortages; Weather - specifically the severity of winter, which varies widely in Portland from year to year.

III. PUBLIC COMMENT AND NEIGHBORHOOD MEETING

A legal ad for the Board workshop was posted on the City's web page and appeared in the *Portland Press Herald* on June 12th and 13th, 2020. Notices were also sent to 215 property owners within 500 feet of the site and to the interested citizen list.

The project team held two neighborhood meetings to introduce the proposed buildings to the neighbors on September 18, 2019 and January 16, 2020. Nineteen attendees signed in at the meeting. Questions generally focused on the design of the building, vehicular parking, and emergency vehicles access (see Attachment U - DD for the Neighborhood Meeting minutes). Fourteen additional public comments have been received since the May second workshop (Attachment PC1- PC43). Neighbors reiterated concerns about the building design and scale.

IV. RIGHT, TITLE, & INTEREST AND FINANCIAL & TECHNICAL CAPACITY

The owner of the property for 126 North Street is Joshua Wojcik, and the owner for 128R North Street is Upright Properties, LLC. The applicant has provided a copy of a quitclaim deed, recorded at the Cumberland County Registry of Deeds (Book 34890 Page 304), which demonstrates their right, title and interest in the property. The estimated cost of the development is $3,000,000. The applicant has submitted a letter from Bangor Savings Bank, dated June 25, 2019, for 128R and a second letter, dated October 22, 2019, for 126 as a demonstration of their financial capacity to complete the proposed development.

V. ZONING ANALYSIS

A. DIMENSIONAL AND USE REQUIREMENTS

Prior to 1977, the parcel at 128R North Street had frontage on Sheridan Street; this frontage was lost when the portion of Sheridan Street north of Walnut Street was vacated by the City in the 90s, rendering it a legally non-conforming lot. The existence of the lot and of the non-conformity was documented on the subdivision plan for the Munjoy Heights project, approved in December 17, 2013. Additionally, the single-family home previously located on the parcel constituted a lawfully non-conforming structure (with respect to road frontage). That structure was demolished in November 2019. Section 14-385 (d) of the Portland City Code, relating to nonconforming uses and nonconforming buildings permits the reconstruction of nonconforming structures when reconstruction is necessitated by decay. The applicant is relying on this section to support its application. Ann Machado, the City's Zoning Administrator, has confirmed that Section 14-385(d) applies to this proposal because there will be no change in the existing non-conformity with respect to road frontage. Therefore, as long as the new building meets all the other dimensional requirements of the current R-6 Residential zone and the Munjoy HIll Neighborhood Conservation Overlay District requirements, the lot can be redeveloped without having the required twenty feet of street frontage. For ease of reference, Section 14-385(d) provides: *Restoration or reconstruction necessitated by decay must be completed within one (1) year of the demolition of the building or the commencement of the restoration or reconstruction, whichever occurs first.*

The proposed twelve (12) residential units are a permitted use in the Residential R-6 zone, which allows multi-family dwellings. Ann Machado, Zoning Administrator, has reviewed the development for zoning requirements and states all of the dimensional requirements (other than street frontage) are being met under the R-6 zone:

Based on the Plan C-10 Revised 3/17/20, the proposed building at 128 R North St. meets the dimensional requirements of the R-6 Zone and the MHNCOD. The height of the elevator overrun will need to be confirmed when the shell of the building is built to ensure that it does not go above 45 feet since it scales at approximately 44′.

The table below contains the relevant dimensional standards for the project.

	Required	Proposed	
		126	128R
Lot Size	2,000 SF	3,645 SF	6,142 SF
Area Per Dwelling Unit	725 SF	6 units	6 Units
Minimum Street Frontage	20’	38’	n/a
Front Yard Minimum	5’ ^	4’ (average)	5.25’
Rear Yard	10’; Buildings more than 35’: 15’	17.82’	15.08’
Yard Right	5’; Buildings more than 35’: 10’	10’	12.14’
Yard Left	5’; Buildings more than 35’: 10’	5’	10.10’
Maximum Lot Coverage	60%	47%	57%
Maximum Height	35’ *	33.32’	44.61 *
Open Space	20%	20%	40%
Off-Street Parking	1 space/unit after first 3 units = 3	2	6

*** Height bonus for 128R North Street -** 45’ for developments of 3 units or more on lots over 2000 sf. that include at least one “workforce housing unit for rent” or “workforce housing unit for sale”. Applicant is providing a workforce housing unit.
^or the average of the depth of adjacent front yards

A 10′ maintenance easement runs along the rear property line a concrete block retaining wall constructed as part of the Munjoy Heights project in 2015, which provide future access for the Munjoy Heights Homeowner′s Association to repair or replace the retaining wall when necessary. Review of all setbacks for compliance with Ann Machado, Zoning Administrator, is complete, and building has been updated to show upper decks now meet 10’-0” maintenance easement at rear and upper deck at rear corner pulled in to eliminate side-setback intrusion. Ann Machado also reviewed the easement in regard to setbacks and states:

The existing ten-foot maintenance easement along the rear of the lot for the abutting property is being maintained…. Where it serves as a foundation, the minimum 7.5′ setback for rear decks and porches is being met.

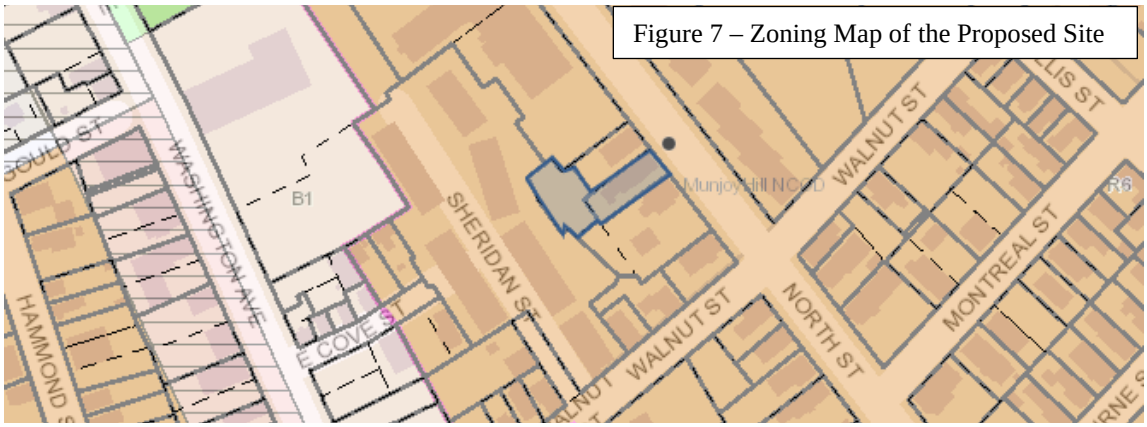


Figure 7 – Zoning Map of the Proposed Site

B. CONDITIONAL USE – INCLUSIONARY ZONING

As required by the City’s Inclusionary Zoning Ordinance, residential developments with ten (10) or more units are required to provide a minimum of ten percent (10%) of the dwelling units as Workforce Housing units, and the units themselves must contain in total, ten percent (10%) of the total bedroom count for the entire development. The City’s Housing Program Manager, Victoria Volent, has reviewed the application and offers the following comments (Attachment 5):

The development located at 126 and 128R North Street proposes to demolition the existing rental unit at 126 North and has already demolished the single-family dwelling unit at 128R North Street and will replace 126

North with a six (6) unit rental building and will replace 128R North with a six (6) condominium unit building. As the construction of 128R North is conditioned upon the demolition of 126 North Street, this project is determined to be one development project. According to Section 14-487 e 1, "projects shall not be segmented or phased to avoid compliance with these provisions."

The six (6) dwelling units of rental housing at 126 North Street would consist of five (5) two-bedroom units and one (1) one-bedroom unit. The six (6) condominium units at 128R North Street would consist of three (3) one-bedroom units, two (2) two-bedroom units, and one (1) four-bedroom unit. The applicant may determine the location of the workforce unit (126 or 128R North Street). The unit must be a minimum of two-bedrooms. Per my conversation with the applicant, the workforce unit would be located 126 North Street. As a dwelling unit for rent, the designated Workforce Unit will be restricted to a household earning up to 100% of Area Median Income (AMI). Based on the requirements outlined in Section 14-487, the applicant is required to either; provide a minimum of one (1) workforce unit consisting of a total of two (2) bedrooms and pay a fractional fee-in-lieu of $21,757 (.2 X $108,757) or, pay a fee-in-lieu for 1.2 units (or $130,543). The Applicant has elected to provide one (1) two-bedroom workforce unit on-site, and pay a fractional fee-in-lieu of $21,757 to satisfy the ordinance's minimum requirements. As such, the project has met the minimum requirements set forth in Section 14-487.
Section 14-140.5 c,

Section 14-140.5 c, Munjoy Hill Neighborhood Conservation Overlay District- height bonus, requires developments of three or more units on lots over 2000 sf, with a building height of greater than 35' to a maximum of 45' in height, include at least one workforce housing unit for rent or for sale. The Workforce unit shall be no smaller than 50% of the average size of the other units in the development and only be sold or rented to a household at or below the applicable income levels. The workforce unit shall be deed restricted for affordability for the longest term possible under the state and federal law.

The development at 128R North Street proposes the creation of a building that allows the maximum height within the Munjoy Hill Neighborhood Conservation Overlay District. Based on the requirements outlined in Section 14-140.5 c, the Applicant is required to create a housing unit that is no smaller than 50% of the average size of the other units (or 672 sf). The Applicant has elected to provide the first-floor unit, a one (1) one-bedroom unit that is 672 sf. As such, the project has met the minimum requirements set forth in Section 14-140.5.

As mentioned above, the applicant has provided a workforce housing unit provided at 128R in order to get a height bonus. They are also providing an affordable unit onsite within 126 North Street as well to meet the requirement of Inclusionary Zoning Ordinance. Therefore, the project is eligible for the 25% density increase per Section 14-488 (g) that states:

(g) Projects under 14-487. Projects that are subject to 14-487 that choose to provide the required workforce housing units on site are eligible for a 25% increase in total permitted units. If an eligible project is also subject to 14- 487, the applicant shall have the option of utilizing either this bonus or any bonuses they are eligible for under 14-488.1 but not both.

VI. DEVELOPMENT REVIEW

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

The applicant has submitted recording plats for the two phases of the development. The final review of the plat details is pending and any changes required before filing will be coordinated between staff and the applicant.

B. SUBDIVISION (Section 14-496)

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)
   Lauren Swett, P.E. with Woodard and Curran Engineering, has reviewed the erosion and sediment control plan and states the applicant has provided plans, notes, and details have been that erosion and sediment control requirements and inspection and maintenance requirements.

2. Sufficient Water Available (Section 14-497 (a) 2 and 3)
The project will be served by new water service located in North Street. Confirmation of ability to serve sewer from Portland Water District should be forwarded to the Planning Authority upon receipt.

3. Will Not Cause Unreasonable Traffic Congestion (Section 14-497 (a) 5)
The site will be accessed by an existing curb cut on North Street. The proposed project is not anticipated to cause unreasonable traffic congestion. Mike Tremblay, Senior Engineer at Department of Public Works, reviewed the proposal's details including the access, parking, and vehicle circulation, below are his comments (Attachment 1):

- Space 5 in the 128R North Street parking lot is not a sufficient size to be considered a legal parking space under the city's zoning. Its dimensions are below what the city considers to be a compact space (8x15'). While the space is about 16.7 feet long, it narrows to less than 8.0 feet after about 10 feet. As requested previously, this space should not be shown as a marked parking space.

- The 11x20' turnaround provided in the site plan is required for vehicles to turn around and exit the site facing forward. As such, this area may not be used as parking or for extensive snow storage and this will need to be noted on the final plan set.

- The drive aisle accessing 128R North Street is sufficient. DPW defers to FPD with regard to drive aisle clear width within the Technical Manual's standards. The drive aisle plus 5-foot walkway combine to a 16-foot clear area sufficient for emergency vehicles. The full width of this area should remain clear of obstructions.

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)
There is an existing sewer lateral in North Street that will be serve the new project. Ms. Swett has reviewed the plans and finds the plans acceptable.

5. Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat (Section 14-497 (a) 8)
The proposal site is not within an historic district. It is in an urban neighborhood surrounded by a variety of residential building types. The proposed building does not impact the natural beauty of the area or adversely affect any significant wildlife habitat, rare or irreplaceable natural areas, or any public access to the shoreline. The staff finds the proposal in conformance with this standard.

6. Comprehensive Plan (Section 14-497 (a) 9)
The staff has identified the following goals and policies which are relevant to the proposed housing development and finds the proposal in conformance with the Comprehensive Plan.

The central vision of Portland's Plan 2030 is represented by the Venn diagram demonstrating the integral interrelation of the community's core belief that Portland is equitable, sustainable, connected, dynamic, authentic and secure. The vision conveys the message of the City's need to balance many competing needs to assure the advance of the vision as a unified concept. In this instance, that the City's goals for job growth and transforming Portland through orderly growth and development be balanced with needs for connectivity of the street grid, sustainability of infrastructure and the ability to maintain that infrastructure, and security in the sense of public safety.

In addition, Portland's Plan Housing Policy section includes specific, applicable housing goals and strategies, included below.

Housing: A Livable City
State Goals: To encourage and promote affordable decent, housing opportunities for all Maine citizens
Local Goals:
- Increase, preserve, and modify the overall supply of housing City-wide to meet the needs, preferences and financial capabilities of all Portland households.

- Encourage additional contextually-appropriate housing density in and proximate to neighborhood centers, concentrations of services, and transit nodes and corridors as a means of supporting complete neighborhoods.
- Pursue policies to enable people who work in Portland to have the option to live in Portland.
- Encourage quality, sustainable design in new housing development.

From Future Strategies:
9. Adopt Affordable Housing

- Pursue new opportunities for increased energy efficiency, increased densities, mixed incomes, and greater connectivity to surrounding neighborhoods.

7. Adequate financial and technical capacity (Section 14-497 (a) 10)
The estimated cost of the development is $3,000,000. The applicant has submitted a letter from Bangor Savings Bank, dated June 25, 2019, as a demonstration of their financial capacity to complete the proposed development. The Applicant has also provided a financial capacity letter for 126 North Street dated October 22, 2019.

B. SITE PLAN STANDARDS (Section 14-526)

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

a) Transportation Standards

1. Impact on Surrounding Street Systems and Access and Circulation
See Subdivision, Paragraph IX (B) (3), above.

a. Sidewalks
The applicant is proposing to install new brick sidewalk along their frontage on North Street, as well as internal walkway for pedestrian access to 128R North Street.

b. Parking
Division 20 of the land use ordinance requires one parking space/unit for residential development located on the peninsula (*Section 14-332(a)3*) and Section 14-332.1 (k) states "for residential development on the peninsula and in the R-6 and R-6A Zones, including new construction, the parking requirement is one space per dwelling unit, the first three units are exempt from providing parking". Therefore, applicant is proposing six parking spaces at 128R and two surface parking spaces. Ann Machado, Zoning Administrator, has reviewed the parking requirement and states:

The building at 126 North Street only has two parking spaces, where the 128R is providing six (maybe 5 if one is removed). They have to provide one more parking space for 126 North Street. 126 North Street could utilize one of the spaces in 128R North Street but at the workshop, the applicant stated that 126 North Street does not have rights in the access easement for 128R North Street.

The Planning Board may establish a parking ratio that is less than one per unit as part of the final review. Section 14-332.2 (b) of Division 20, Incentives for affordable housing- parking reductions allow the Planning Board to determine the number of parking spaces for affordable housing:

> *For each low-income or workforce housing unit for rent or sale within an eligible project under the Affordable Housing Ordinance established in Division 30 of this article, no more than one (1) parking space shall be required. The planning board may establish a parking requirement for affordable housing units for rent or sale within an eligible project that is less than one (1) parking space per affordable housing unit, regardless of the size of the structure.*

Mr. Tremblay has reviewed the parking on site and his comments are stated in Subdivision, Paragraph IX (B) (3), above.

c. Bicycle Parking
The development proposes interior bicycle storage room in each building. This will allow a minimum of two bicycles on each site to be parked in a secure location, with the potential for additional storage within each owner's individual unit.

b) Environmental Quality Standards

1. Preservation of Significant Natural Features
There are no known significant natural features on the site.

2. Landscaping and Landscape Preservation
The site will have a green wall along the sides of the building at 126 North Street as well landscaping at the front and rear of the building. Trellises and screens are proposed to enhance visual interest along the pedestrian walkway. The 128R North Street will have a rain garden, trees and shrubs, and a fence at the westerly side of the property that will have English ivy planted on it.

The street tree requirement would be one tree per unit, or twelve street trees, in or near the ROW. There are two existing street trees on North Street that is proposed to remain. Due to the limited frontage for both parcels, the Applicant will pay a contribution to the Portland Tree Fund will be made per City requirement.

Jeff Tarling, City Arborist, has reviewed the landscaping plan and offers the following recommendation:

> *The North Street project should include some type of landscape treatment, after looking at the site they may want to consider smaller scale trees / shrubs like Amelanchier, which can be a small tree or shrub depending on the cultivar selected. Lilacs or viburnums could also work. Plantings can be in groves or along the property line. We can suggest types, sizes and spacing.*

Finalization of the landscaping plan will be pursued with the applicant prior to the public hearing.

3. Water Quality, Storm Water Management and Erosion Control
Under Section 5 of the City of Portland Technical Manual, a Level III development project is required to submit a stormwater management plan pursuant to the regulations of MaineDEP Chapter 500 Stormwater Management Rules, including conformance with the Basic, General, and Flooding Standards. A rain garden at the northerly corner of the site will catch stormwater from the roof drains, gutters, and a downspout, the entirety of the roof and deck runoff (which is essentially the extent of the 128R parking). The runoff generated by the building and driveway at 126 will be routed to a catch basin and storm drain lateral directed to the sewer main.
Lauren Swett, P.E. with Woodard and Curran Engineering, has reviewed the drainage plan and stormwater report, and states that the "applicant has addressed all of my prior comments on erosion control and stormwater management and I have no additional comments".

c) Public Infrastructure and Community Safety Standards

1. Consistency with City Master Plans
See Subdivision, Paragraph IX (B) (6), above.

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

Jason Grant, Life Safety CEO/ Plan Reviewer, reviewed the plans on behalf of the Fire Department, and stated:

> The Fire Department approves the site plan for 128 North Street with the following condition: *The construction of the rear unit may begin and be completed with the existing site access. However, before the Certificate of Occupancy for the rear unit is issued, the existing unit shall be demolished and the proposed access lane (driveway) for the rear unit shall be completed.*

3. Availability and Adequate Capacity of Public Utilities
The project will be served by the Portland Water District, City Department of Public Works, and underground power/cable/communications. The applicant shall submit an ability to serve letter from the Department of Public Works and Portland Water District to the Planning Authority upon receipt.

Ms. Swett reviewed the utility plans and states that "*Consideration should be made for landscaping conflicts with utilities. In particular, consider the oak and blue point juniper proposed to the southeast of the southern building. These trees are located over a bank of proposed subsurface utility lines*".

d) Site Design Standards

1. Snow and Ice Loading
Snow storage areas are shown on the site plan. Additional snow removal measures will likely need to be taken after heavy storms. Proposed snow storage areas will be on the green spaces around the buildings.

2. 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.

3. Historic Resources
The site is not in a historic district or within 100 feet of a historic district; therefore, the project does not have to be reviewed by Historic Preservation.

4. Exterior Lighting
The applicant has submitted a lighting and photometric plan that shows all the proposed lighting fixtures and photometrics on site. Catalog cuts of the proposed lighting fixtures were submitted and reviewed by staff and meets standards.

5. 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.

6. Signage and Wayfinding
No signage or wayfinding is proposed.

7. Zoning Related Design Standards
A design review according to the *City of Portland Design Manual* Standards was performed for the new construction of multi-family dwellings at 126 and 128R North Street. The review was performed by Caitlin Cameron, Urban Designer, Shukria Wiar, Planner, and Deb Andrews, Historic Preservation Program Manager. The project was reviewed against the *R-6 Small Infill Development Design Principles & Standards* (Appendix 7 of the Design Manual).

At the second workshop, there was discussion regarding the emphasis of the main entrance at 126 North Street. In response, the design has been iterated, and more emphasis is now provided with different treatment of the support posts, material change, building number, lighting. The proposed designs meet the criteria of the R-6 Design Standards, refer to comments below.

- The predominant characteristics of the neighborhood include simple forms, material selection and placement, and limited window types and articulation methods used consistently throughout the building with regular rhythm of patterns. Multi-family buildings typically have a vertically proportioned façade with a flat roof line.
- This project sits at grade with living space and entries directly accessible from grade.
- The final submission addresses Board comment with regards to the privacy of the street-facing, ground floor living space as well as the emphasis for the primary entrance.

VII. NEXT STEPS

- Board feedback on the proposed revisions
- Address any additional information requested by the Planning Board
- Schedule a public hearing

XIII. ATTACHMENTS

PLANNING BOARD REPORT ATTACHMENTS

1. DPW Engineer Review 3.13.2020
2. Civic Engineer Review 05.20.2020
3. City Arborist Review 01.21.2020
4. Fire Department Review 05.20.2020
5. Urban Designer Comments - 128 North R-6 Design Review (Final)
    a. 126 North R-6 Design Review (Preliminary)

6. 126 and 128 North Street IZ memo for PB

PUBLIC COMMENT

PC1 Betty Lorber 9-16-19
PC2 Eldon Mayer 9-22-19
PC3 Ann Casady and Peter Pitegoff 9-22-19
PC4 Richard Marino 9-23-19
PC5 Leslie Hart 9-26-19
PC6 Kevin Schochat 9-26-19
PC7 Liz Hays 9-27-18
PC8 Sue Robins 9-30-19
PC9 Deborah Cole 10-4-19
PC10 Nancy Machesney 10-9-19
PC11 Annette and Steven Frye 10-16-19
PC12 Pete Roehrig 10-31-19
PC13 Elizabeth Helming 10-30-19
PC14 Frances Savage
PC15 Katharine Wojcik 10-31-19
PC16 Meagan Sway & Sage Friedman
PC17 Lindsay Mann 9-10-19
PC18 Deborah Cole 1-22-20
PC19 Ann Casady & Peter Pitegoff 1-23-20
PC20 Vana Carmona 1-24-20
PC21 Lindsay Mann 1-24-20
PC22 Leslie Hart 1-24-20
PC23 Kevin Schochat 1-24-20
PC24 Tracy Davis & Michael Kennedy 1-24-20
PC25 David Machesney 1-24-20
PC26 Richard Marino 1-28-20
PC27 Tom Federle 2-10-2020
PC28 George Rheault 5-26-2020
PC29Travis Davis 5-28-2020
PC30 Leslie Hart 5-28-2020
PC31 Marianna Pratt 5-28-2020
PC32 Nancy Machesney 5-30-2020
PC33 Lindsay Mann 5-31-2020
PC34 Deborah Cole 6-1-2020
PC35 Linda Englert 6-1-2020
PC36 Betts Mayer 6-3-2020
PC36 Sue Robins 6-3-2020
PC37 Eldon Mayer 6-3-2020
PC38 Mary Morse 6-3-2020
PC39 Vana Carmona 6-7-2020
PC40Michael and Linda Englert 6-17-2020
PC41 Liz Hays 6-22-2020
PC42 Ann Casady 7-16-2020 DUPLICATE OF TOM'S BELOW
PC43 Tom Federle Memorandum to City 06.18.2020

APPLICANT'S SUBMITTALS

A. Cover Letter
B. Application Form
C. Right, Title & Interest
D. Zoning Assessment
E. Easements
F. Waivers
G. Financial Capacity
H. Technical Capacity
I. Conformity with Land Use Ordinance
J. Stormwater Management Report
K. Erosion and Sedimentation Control Report
L. Fire Department Letter
M. Wastewater Capacity
N. Lighting
O. Architectural Design Narrative
P. Utility Cover
Q. Construction Management Report
R. Solid Waste Disposal
S. Parking Analysis
T. Neighborhood Study & Project Renderings
U. Neighborhood Meeting Invitation
V. Certification Letter
W. Neighborhood Meeting Minutes
X. Sign-in Sheet
Y. Neighborhood Presentation
Z. Comment Response Letter
AA. Neighborhood Invitation 2
BB. Certification Letter 2
CC. Meeting Minutes 2
DD. Sign-In Sheet 2
EE. Comment Response Letter II
FF. Draft Condo Docs
GG. Project Schedule
HH. Comment Response Letter III

PLANS

Plan 1. Cover Sheet
Plan 2. General Notes

Plan 3. Survey
Plan 4. Construction Management Plan
Plan 5. Site Plan
Plan 6. Landscape Plan
Plan 7. Utility Plan
Plan 8. Grading & Drainage Plan
Plan 9. Site Details I
Plan 10. Site Details II
Plan 11. Landscape Details
Plan 12. Utility Details I
Plan 13. Utility Details II
Plan 14. Drainage Details
Plan 15. Focal Point Rain Garden Details
Plan 16. Erosion & Sedimentation Control Notes
Plan 17. Basement Plan
Plan 18. First Floor Plan
Plan 19. Second and Third Floor Plan
Plan 20. Fourth Floor Plan
Plan 21. Roof Plan
Plan 22. Basement Plan
Plan 23. Front and Back Elevations – A
Plan 24. Front and Back Elevations – B
Plan 25. Side Elevations – A
Plan 26. Side Elevations – B
Plan 27. Perspectives – A
Plan 28. Perspectives – B
Plan 29. Subdivision Plat
Plan 30. Subdivision Plat - Phase 2
Plan 31. Phase 2 Plans
Plan 32. Phase 2 Perspectives – A
Plan 33. Phase 2 Perspectives – B
Plan 34. Front and Back Elevations - Phase 2
Plan 35. Side Elevations - Phase 2
Plan 36. Site Section
Plan 37. Color Site Plan
Plan 38. Civil 2-13-20-Color - Site

Portland Maine Yes. Google's good here.

Shukria Wiar <shukriaw@portlandmaine.gov>

128 North Street

Mike Tremblay <mtremblay@portlandmaine.gov> Fri, Mar 13, 2020 at 2:25 PM
To: Shukria Wiar <shukriaw@portlandmaine.gov>

Shukria,

Here are my comments on 126 + 128 North Street:

- Space 5 in the 128R North Street is not a sufficient size to be considered a legal parking space under the city's zoning. Its dimensions are below what the city considers to be a compact space (8x15'). While the space is about 16.7 feet long, it narrows to less than 8.0 feet after about 10 feet. As requested previously, this space should not be shown as a marked parking space.

- The newest proposed site plan has 6 units in each of the two buildings, for a total of 12 units. Seven sufficiently-sized parking spaces are required. As a whole, the project's parking supply is sufficient on the assumption that each building (not the lot as a whole) is exempt from providing the first three parking spaces, with a 1:1 ratio required thereafter. However, the lopsidedness in the parking supply may not be acceptable based on the easements with the adjacent property. The Applicant has previously stated that vehicles associated with 126 North Street may not be permitted to use the access easement associated with 128R North Street. If this is the case, then only two parking spaces are being provided for 126 North Street, possibly in violation of zoning. Zoning should review determine whether a conflict exists, and if so, the applicant should revisit the site plan, providing the correct number of parking spaces at each address.

- The 11x20' turnaround provided in the site plan is required for vehicles to turn around and exit the site facing forward. As such, this area may not be used as parking or for extensive snow storage.

- The drive aisle accessing 128R North Street is sufficient. DPW defers to FPD with regard to drive aisle clear width within the Technical Manual's standards. The drive aisle plus 5-foot walkway combine to a 16-foot clear area sufficient for emergency vehicles. The full width of this clear area should remain clear of obstructions.

- Snow storage areas are shown on the site plan. Additional snow removal measures will likely need to be taken after heavy storms.

Thank you,
Mike

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

[Quoted text hidden]

Att. 2

Portland Maine Yes. Google's good here.

Shukria Wiar <shukriaw@portlandmaine.gov>

126 and 128R North Street

Lauren Swett <lswett@woodardcurran.com> Wed, May 20, 2020 at 8:36 AM
To: Shukria Wiar <shukriaw@portlandmaine.gov>

Good morning Shukria.

The Applicant has addressed all of my prior comments on erosion control and stormwater management and I have no additional comments.

Thanks!

Lauren

[Quoted text hidden]

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

Portland Maine Yes. Google's good here.

Shukria Wiar <shukriaw@portlandmaine.gov>

North Street

Jeff Tarling <jst@portlandmaine.gov> Tue, Jan 21, 2020 at 7:10 PM
To: Shukria Wiar <shukriaw@portlandmaine.gov>

Hi Shukria -

The North Street project should include some type of landscape treatment, after looking at the site they may want to consider smaller scale trees / shrubs like Amelanchier, which can be a small tree or shrub depending on the cultivar selected. Lilacs or viburnums could also work. Plantings can be in groves or along the property line.

We can suggest types, sizes and spacing.

Thanks

Jeff
Jeff Tarling
City Arborist - City of Portland Maine
Parks, Recreation & Facilities Department
Forestry & Horticulture
212 Canco Road
Portland, ME. 04103
(207) 808-5446
jst@portlandmaine.gov

Att. 4

Portland Maine Yes. Google's good here.

Shukria Wiar <shukriaw@portlandmaine.gov>

128 North Street PL-000791-2019

Jason Grant <jgrant@portlandmaine.gov> Wed, May 20, 2020 at 1:08 PM
To: Shukria Wiar <shukriaw@portlandmaine.gov>

The Fire Department approves the site plan for 128 North Street with the following condition. The construction of the rear unit may begin and be completed with the existing site access. However before the Certificate of Occupancy for the rear unit is issued, the existing unit shall be demolished and the proposed access lane (driveway) for the rear unit shall be completed.

Jason Grant CFI-2, CFPE
Life Safety CEO / Plan Reviewer
Permitting and Inspections Department
City of Portland
389 Congress Street Rm 315
Portland, Maine 04101
Phone:(207) 756-8187

Planning and Urban Development Department
Planning Division

Subject: R-6 Small Infill/Multi-family Design Review – 128R North Street

Written by: Caitlin Cameron, Urban Designer

Date of Review: Wednesday, December 4, 2019

A design review according to the *City of Portland Design Manual* Standards was performed for the revised proposal for new construction of a multi-family dwelling at 128 North Street. The review was performed by Caitlin Cameron, Urban Designer, Shukria Wiar, Planner, and Deb Andrews, Historic Preservation Program Manager. The project was reviewed against the *R-6 Small Infill Development Design Principles & Standards* (Appendix 7 of the Design Manual).

Findings of the Design Review:
The proposed design **passes** all of the criteria of the R6 Design Standards.

- The predominant characteristics of the neighborhood include simple forms, material selection and placement, and limited window types and articulation methods used consistently throughout the building with regular rhythm of patterns. Multi-family buildings typically have a vertically proportioned façade with a flat roof line, massing variation with bay windows or stacked porches integrated into the form.
- This project has massing that is more complex and larger in footprint and scale that the neighborhood context and especially as it relates the adjacent residential buildings. Therefore, in order to be contextual, massing variation, scale, and other design elements must break the building into proportions and scales that relate to the multi-family context nearby.
- The building should be treated like one building with attention to being consistent, cohesive, but also recessive.
- Because the building is a rear lot, the relationship to the street and neighboring buildings is evaluated differently given the anomalous and less visible context.

Design Review Comments *(red text denotes principles or standards that are not met):*
Appendix 7: R-6 Infill Development
Principle A Overall Context –Met – see below.

- *A-1 Scale and Form:* The context is predominantly single and two-family buildings with simple forms, one and a half to two and half stories in height, vertical proportions, and masonry bases with clapboard siding. Larger multi-family buildings typically are 3 stories, use balconies or bay windows, flat roofs, and vertical proportions. In those rare instances where a larger scale, wider building has been built, the scale is mitigated by keeping setbacks as a buffer and through massing variation with elements such as bay windows and porches, and scaling elements such as canopies, material variation, and balconies. The overall building scale and form is larger and more complex than those found in the context. Some scale mitigation has been achieved by varying the massing at the front, maintaining a flat roof, and varying materials. The design creates façade

compositions reminiscent of triple-deckers at the corners of the building to create a relatable scale and form. In this situation, a building is found to meet the standard because the massing is manipulated to relate to the context buildings and create perceived massing and scale that relate. Staff find that the current iteration of massing relationships and proportions are now related enough to the context buildings to mitigate the scale and complexity. This is especially the case given the rear lot relationship to the street and the mitigation of scale and width being set back from the street and behind other residential buildings.

- *A-2 Composition of Principal Facades:* The façade composition in some ways relates to those in context – staff find it appropriate as a large, rear lot building, to be quiet, recessive and simple in the façade composition. The facade is treated with a consistent language but with color and massing variation to create positive scale and proportional relationships. The fenestration patterns, roof lines, materials are consistent throughout with a cohesive façade with a single roof line, consistent window type and placement, integration of balconies, and simple material placement. Predominantly, traditional façade compositions include vertical proportions and narrower buildings – the massing variation and façade composition were revised to better reflect these patterns. The façade composition is also impacted by placement of circulation at the front façade and the overall width of the building, which is much wider than the buildings with which it shares the streetscape.
- *A-3 Relationship to the Street:* The project has an anomalous relationship with the street as a rear lot and is not expected to directly relate to the street in the same way as a project with frontage. The building orients to the street and has visible entrances.

Principle B Massing – Met – The building is larger in scale than what is found in the context in both height and width of the building. In that situation, projects must use massing variation to elicit references to the proportions, forms, and massing found in traditional multi-family buildings and to mitigate the scale impact of this larger building adjacent to small, single family buildings. In this case, the building massing results in perceived masses that relate to the context in the scale, proportion, and relationships found in the triple-decker buildings.

- *B-1 Massing:* The proposed massing is complex in a context where buildings have simple form and massing. The scale and massing of this new project is taller, wider and more complex than the residential context – in order to be considered to meet the standard to be harmonious with the massing of existing buildings, the proposed massing variation breaks down the perceived scale and relates in proportion. In this case, the balconies, three-story flat roof, massing variations define portions of the building into smaller, vertical proportions that are harmonious with the massing of the existing buildings.
- *B-2 Roof Forms:* The proposed flat roof form is in keeping with the traditional multi-family building types found in the context. This form is emphasized with a strong, overhanging cornice line.
- *B-3 Main Roofs and Subsidiary Roofs:* The roof was revised to have one main roof form.
- *B-4 Roof Pitch:* The roof is flat.
- *B-5 Façade Articulation:* The project employs a covered entry, balconies.
- *B-6 Garages:* The garage is attached with living space above, door is recessed from facade.

Principle C Orientation to the Street – Met – This project has an anomalous relationship to the street as a rear lot. The building is oriented towards the street with street-oriented entrances

though the building is set back from the street and the lot does not have a direct relationship with the sidewalk.

- *C-1 Entrances:* The main entries are oriented towards the street and are emphasized by special materials, canopy. The hierarchy of the entrances was addressed by bringing more emphasis to the "main" entrance and down-playing the single unit entrance.
- *C-2 Visual Privacy:* Visual privacy is adequately addressed; all living spaces are elevated or set back from the street.
- *C-3 Transition Spaces:* The transition from the sidewalk to the building entrance is significant given the rear lot placement of the building.

Principle D Proportion and Scale – Met – The proportion and massing of the front façade was revised to feel more cohesive and consistent with proportions that reference the traditional multi-family buildings in the context. The individual building elements are human-scaled.

- *D-1 Windows:* The majority of windows are rectangular and have a vertical proportion. The proportional relationship of the fenestration to the façade is appropriate to the context.
- *D-2 Fenestration:* The project appears to meet the 12% fenestration requirement and appropriately scaled to the massing of the building. Appropriately scaled openings are provided on all sides of the building.
- *D-3 Porches:* The balconies meet the size requirement.

Principle E Balance – Met – The façade uses local symmetry and alignment as described in the standards below, the overall project with an overall sense of balance with the massing, façade proportions, and fenestration patterns. As a rear lot, the front façade is not viewed from the front and is best treated to be recessive.

- *E-1 Window and Door Height:* The majority of window and door head heights align along a common horizontal datum.
- *E-2 Window and Door Alignment:* The majority of windows shall stack so that centerlines of windows are in vertical alignment.
- *E-3 Symmetricality:* Primary window compositions are arranged symmetrically around discernable vertical axes.

Principle F Articulation –

- *F-1 Articulation:* The design uses balconies, a strong roof line, and the texture of the material to provide surface articulation and visual interest.
- *F-2 Window Types:* Two window types are used with consistency with the window types, rhythm, and placement.
- *F-3 Visual Cohesion:* The visual cohesion of the façade was improved with simple materials, limited window types, consistent roofline. The massing variation and proportions were revised to be referential to the triple-decker proportions, massing relationships, and stacked balcony treatment. The project, though a different footprint and scale than the traditional triple-deckers, creates visual cohesion – material selection, placement, consistent details and window patterns throughout.
- *F-4 Delineation between Floors:* The balconies provide the most apparent floor delineation. The entry canopy also makes this distinction.
- *F-5 Porches, etc.:* The entrances were revised to integrate into the overall design. The articulation methods used – change in material, canopy, landscape wall – signify the entrances while keeping within the language of the overall building. The balconies now

have a more appropriate railing and the stacked porches are better integrated into the overall façade design and use the railings as an opportunity to introduce articulation detail.

- *F-6 Main Entries:* There are many entries – legibility of the entrances was improved. The main entry is visible from the street approach, emphasized with a canopy, material change, landscape wall, glazing. The single unit entry is now down-played as secondary but still includes planters and a canopy to signify the entrance.
- *F-7 Articulation Elements:* The rake of the roof meets the 6" requirement; no trim; offsets in the principal façade are at least 12", cornice line is pronounced.

Principle G Materials – Met – The material choice of clapboard is contextual and fine-grained. Material variation is appropriate at the entrances to assist with legibility and emphasis. Otherwise, material placement should be simple and consistent throughout the building.

- *G-1 Materials:* The residential context is predominantly clapboards with occasional shingle or brick. The clapboard is a fine-grain materials in keeping with the context. The residential entry is differentiated appropriately with an accent material.
- *G-2 Material and Façade Design:* The materials are appropriately placed according to their nature.
- *G-3 Chimneys:* Not applicable.
- *G-4 Window Types:* Two window types are used on the front façade. Where the building is predominantly circulation space, the windows could be a recessive but consistent pattern similar to the side elevations of neighborhood multi-family buildings. Detailing is consistent throughout.
- *G-5 Patios and Plazas:* n/a

Planning and Urban Development Department
Planning Division

Subject: R-6 Small Infill/Multi-family Design Review – 126 North Street
Written by: Caitlin Cameron, Urban Designer

Date of Review: Friday, July 16, 2020

A design review according to the *City of Portland Design Manual* Standards was performed for the new construction of a multi-family dwelling at 126 North Street. The review was performed by Caitlin Cameron, Urban Designer, Shukria Wiar, Planner, and Deb Andrews, Historic Preservation Program Manager. The project was reviewed against the *R-6 Small Infill Development Design Principles & Standards* (Appendix 7 of the Design Manual).

Findings of the Design Review:
The proposed design **passes** all of the criteria of the R6 Design Standards – please refer to comments below.

- The predominant characteristics of the neighborhood include simple forms, material selection and placement, and limited window types and articulation methods used consistently throughout the building with regular rhythm of patterns. Multi-family buildings typically have a vertically proportioned façade with a flat roof line.
- This project sits at grade with living space and entries directly accessible from grade.
- The final submission addresses Board comment with regards to the privacy of the street-facing, ground floor living space as well as the emphasis for the primary entrance.

Design Review Comments *(red text denotes principles or standards that are not met):*
Appendix 7: R-6 Infill Development
Principle A Overall Context –Met – see below.

- *A-1 Scale and Form:* The context is predominantly single and two-family buildings with simple forms, one and a half to two and half stories in height, vertical proportions, and masonry bases with clapboard siding. Larger multi-family buildings typically are 3 stories, use balconies or bay windows, flat roofs, and vertical proportions The design uses a form and proportions that relate to the neighborhood context. The scale is a story taller than typical multi-family buildings but staff find one story to be within an acceptable tolerance to meet the standard. The building uses a front-end gable rather than a flat roof which reduces the perceived scale. The building sits at grade which also minimizes the overall scale of the building.
- *A-2 Composition of Principal Facades:* The façade composition closely relates to those in context with a two-bay composition with a multi-story bay window. There is overall and local symmetry and vertical proportioned elements.
- *A-3 Relationship to the Street:* The project is slightly set back from the street, more so than the neighboring buildings – staff suggest that the applicant use the average of the two setbacks to establish the setback line and bring the building more in alignment with the neighboring facades.

Principle B Massing – Met – The building is one story taller than the typical multi-family triple-decker building – staff find this scale difference to be compatible and harmonious with the surrounding scale especially given the contextual proportions and roof form with the massing variation provided by the bay window. The front-end gable roof, vertical proportions, and bay window reinforce the traditional building character of the neighborhood.

- *B-1 Massing:* The proposed massing is simple and reflects the forms, building width, footprint, and proportions found in the context to which this building relates.
- *B-2 Roof Forms:* The proposed front-end gable roof form meets the zoning standard and if referential to traditional, simple roof forms.
- *B-3 Main Roofs and Subsidiary Roofs:* There is a clear primary roof form.
- *B-4 Roof Pitch:* Roof pitch on the elevations meets zoning requirements.
- *B-5 Façade Articulation:* The project employs a covered entry porch, bay window.
- *B-6 Garages:* The garage is attached but to the side and not visible from the street.

Principle C Orientation to the Street – Met – The building is oriented towards the street with one street-oriented entrance. However, the building is at grade which is anomalous with the traditional residential building relationship to the street – this might be considered to meet the principle if more is done to create a transition and relationship to the street similar to context (transition at the entry, visual privacy).

- *C-1 Entrances:* The main entry was revised to include a porch-like entrance oriented towards the street. This approach unifies the entry point and makes more legible the building entrances from the street. **More emphasis is now provided with different treatment of the support posts, material change, building number, lighting.**
- *C-2 Visual Privacy:* The ground floor living spaces are at grade and the windows are not raised at least 48" above grade. **The applicant proposes to meet this standard through small front-yard setback and landscape according to Planning Board direction.**
- *C-3 Transition Spaces:* There is a transition from the sidewalk to the building entrance through the front-yard setback/landscape buffer. The revised entry creates transition to the entrances from the at-grade entry point with a porch extending to the side entries.

Principle D Proportion and Scale – Met – The proportion and massing of the front façade is harmonious. The individual building elements are human-scaled.

- *D-1 Windows:* The majority of windows are rectangular and have a vertical proportion. The proportional relationship of the fenestration to the façade is appropriate to the context.
- *D-2 Fenestration:* The project appears to meet the 12% fenestration requirement and appropriately scaled to the massing of the building. Appropriately scaled openings are provided on all sides of the building.
- *D-3 Porches:* Currently no porches – however, a porch may resolve some of the concerns raised in other standards about the prominence and integration of the main entrance.

Principle E Balance – Met – The façade uses local symmetry and alignment as described in the standards below. The overall project creates a sense of balance with the massing, façade proportions, and fenestration patterns – the result is cohesion and balance to the overall project composition similar to the traditional buildings nearby.

- *E-1 Window and Door Height:* The majority of window and door head heights align along a common horizontal datum.
- *E-2 Window and Door Alignment:* The majority of windows shall stack so that centerlines of windows are in vertical alignment.
- *E-3 Symmetricality:* Primary window compositions are arranged symmetrically around discernable vertical axes.

Principle F Articulation – Met

- *F-1 Articulation:* The design uses a bay window, a strong roof line, and the texture of the material to provide surface articulation and visual interest.
- *F-2 Window Types:* Two window types are used with consistent placement, rhythm.
- *F-3 Visual Cohesion:* The visual cohesion of the façade is good with simple design.
- *F-4 Delineation between Floors:* The window alignment provide the most apparent floor delineation. The entry canopy also makes this distinction.
- *F-5 Porches, etc.:* The entrance was revised to be more integrated with the overall design and provide common entry point accessible from the street. A covered entry "porch" was introduced extending to the street and accessing the side-facing entries.
- *F-6 Main Entries:* The entrance is adequately integrated into the overall design. Whereas in the context, the entry is raised above the grade and includes a stoop or porch that visually relates to the elements of the façade. This project differs from the traditional buildings in that the ground floor is not elevated above grade. This creates an entry condition that is slightly anomalous from what is nearby. The "porch" extends to the street-facing façade providing a common entry point. **Since the entry is not indicated with steps to an elevated porch, more emphasis to this entry was achieved by differentiating the columns/supports, providing some kind of material or color differentiation, building numbers, lighting.**
- *F-7 Articulation Elements:* The rake of the roof meets the 6" requirement; trim must be at least 4"; offsets in the principal façade are at least 12", cornice line is pronounced.

Principle G Materials – Met – The material choice of clapboard is contextual and fine-grained. Material variation is appropriate at the entrances to assist with legibility and emphasis. Otherwise, material placement should be simple and consistent throughout the building.

- *G-1 Materials:* The residential context is predominantly clapboards with occasional shingle or brick. The clapboard is a fine-grain materials in keeping with the context.
- *G-2 Material and Façade Design:* The materials are appropriately placed according to their nature.
- *G-3 Chimneys:* Not applicable.
- *G-4 Window Types:* Two window types are used on the front façade. Detailing is consistent throughout.
- *G-5 Patios and Plazas:* n/a

Portland, Maine | Yes. Life's good here.

Planning & Urban Development Department

To: Shukria Wiar, Planner, Planning & Urban Development Department

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

Date: May 19, 2020

Subject: 126 and 128R North Street– Inclusionary Zoning Conditional Use and Munjoy Hill Neighborhood Conservation Overlay District

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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

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. A fractional fee-in-lieu would result when the calculation of a project's inclusionary obligation results in a fractional unit. The fractional unit obligation will be provided in the form of a proportional fee-in-lieu. The in-lieu fee shall be calculated and paid into the Housing Trust Fund as defined in Sec. 14-489, on or before the date upon which a certificate of occupancy is issued. The ordinance under Section 14-487 e 3 also requires the number of bedrooms in the Workforce units shall be at least 10% of the total number of bedrooms made available as part of the development.

The development located at 126 and 128R North Street proposes to demolish the existing rental unit at 126 North and has already demolished the single family dwelling unit at 128R North Street and will replace 126 North with a six (6) unit rental building and will replace 128R North with a six (6) condominium unit building. As the construction of 128R North is conditioned upon the demolition of 126 North Street, this project is determined to be one development project. According to Section 14-487 e 1, "projects shall not be segmented or phased to avoid compliance with these provisions."

The six (6) dwelling units of rental housing at 126 North Street would consist of five (5) two-bedroom units and one (1) one-bedroom unit. The six (6) condominium units at 128R North Street would consist of three (3) one-bedroom units, two (2) two-bedroom units, and one (1) four-bedroom unit. The applicant may determine the location of the workforce unit (126 or 128R North Street). The unit must be a minimum of two-bedrooms. Per my conversation with the applicant, the workforce unit would be located 126 North Street. As a dwelling unit for rent,

the designated Workforce Unit will be restricted to a household earning up to 100% of Area Median Income (AMI). Based on the requirements outlined in Section 14-487, the applicant is required to either; provide a minimum of one (1) workforce unit consisting of a total of two (2) bedrooms and pay a fractional fee-in-lieu of $21,757 (.2 X $108,757) or, pay a fee-in-lieu for 1.2 units (or $130,543). The Applicant has elected to provide one (1) two-bedroom workforce unit on-site, and pay a fractional fee-in-lieu of $21,757 to satisfy the ordinance's minimum requirements. As such, the project has met the minimum requirements set forth in Section 14-487.

Section 14-140.5 c,

Section 14-140.5 c, Munjoy Hill Neighborhood Conservation Overlay District- height bonus, requires developments of three or more units on lots over 2000 sf, with a building height of greater than 35' to a maximum of 45' in height, include at least one workforce housing unit for rent or for sale. The Workforce unit shall be no smaller than 50% of the average size of the other units in the development and only be sold or rented to a household at or below the applicable income levels. The workforce unit shall be deed restricted for affordability for the longest term possible under the state and federal law.

The development at 128R North Street proposes the creation of a building that triggers the maximum height requirement within the Munjoy Hill Neighborhood Conservation Overlay District. Based on the requirements outlined in Section 14-140.5 c, the Applicant is required to create a housing unit that is no smaller than 50% of the average size of the other units (or 672 sf). The Applicant has elected to provide the first floor unit, a one (1) one-bedroom unit that is 672 sf. As such, the project has met the minimum requirements set forth in Section 14-140.5.

Staff Recommendation

Staff recommends the Board Approve the Inclusionary Zoning Conditional Use (Division 30, Section 14-487) provided the Applicant and the City enter into an Affordable Housing Agreement (AHA) for a two-bedroom workforce unit located at 126 North Street before a Building Permit may be issued.

Staff recommends, should the Board Approve the Munjoy Hill Neighborhood Conservation Overlay District height density bonus, the Board require the Applicant and the City to enter into an Affordable Housing Agreement (AHA) for the first floor unit located at 128R North Street before a Building Permit may be issued.

The Affordable Housing Agreement(s) will outline the details of the affordability restrictions placed on the workforce units and will be filed as a covenant to the 126 and 128R North Street property deeds with the Cumberland County Registry of Deeds before a certificate of occupancy may be issued.

Staff recommends the agreed upon fee-in-lieu of $21,757 be paid into the City's Housing Trust Fund prior to issuance of the certificate of occupancy for 126 North Street.

Sincerely,

Victoria Volent
Housing Program Manager

ACORN ENGINEERING, INC.

Planning Division
Attn: Shukria Wiar
City of Portland, Maine
389 Congress Street, 4th Floor
Portland, ME 04101

August 2, 2019
Rev. October 29, 2019

Subject: Level III Final Site Plan/Subdivision Application – 126/128 North Street

Dear Shukria Wiar:

On behalf of Upright Properties, LLC, we are pleased to submit the accompanying package of submission materials related to the proposed redevelopment at 126 and 128R North Street. Based upon the discussions at the September 27th, 2019 meeting with you, Chief Thompson, the Applicant and design team the project was updated to include the future plans for 126 North St. As such the proposal has been updated as a phased project where Phase 1 would include the redevelopment of 128R into a four-story building with six condominiums and covered parking on the ground level. Phase 2 would include the redevelopment of 126 into a three-story building with five rental units. Overall, the phased project will result in a net increase of six dwelling units. The project site is located within the City's R-6 Zoning District as well as the Munjoy Hill Conservation Overlay District. This application package is intended to meet the City's Submission Requirements as outlined in the Level III Site Plan/Subdivision Application procedures.

The 128R site currently shares a driveway with the abutting 128F North Street property, achieving a public policy goal of the City's. Additionally, 126 would grant 128R an access easement to provide a 16'-wide access way, providing greater emergency access for three properties. We are pleased to submit this application which will increase the available housing stock by six units including one workforce unit on site and will also improve the area's stormwater management by implementing a high-flow rain garden and storm infrastructure resulting in a reduction in runoff.

The 128R infill lot is largely hidden from the public right-of-way; however, the building design has incorporated strategies to help the structure blend in with the surrounding character of the neighborhood. Prior to this formal application, the project architect has held extensive conversations with the City's Urban Planner to strategize on ways the building can fit into the neighborhood and provide an active front façade. Furthermore, the proposed 126 building features a three-story gable roof structure which compliments the neighboring 128F multi-family building.

If you have any questions regarding these materials or the completeness of the application materials, please contact us within the next five (5) days.

Sincerely,

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

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

Documents:

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

Drawings:

- Civil Site Plan Set, Dated 10/29/19
- Architectural Plan Set, Dated 10/29/19

Dear Neighbor: January 3, 2020

On behalf Upright Properties LLC and the families who will live in the residences, we are pleased to invite you to a second neighborhood meeting to discuss our revised plans for the proposed project at 128R and 126 North Street, which are located within the R-6 zoning (Munjoy Hill Overlay) district. The project includes a phased approach with first phase the redevelopment of the 128R lot into a 6 unit, 4-story residential building and the second phase the reconstruction of the 126 lot into a 3-story, 5 unit rental property. Ground-level parking at both locations will allow us to reduce the amount of parking spaces used on the street and storage space for bicycle parking will be provided as well. Both buildings will include modern fire/life safety systems and will exceed the state's energy efficiency requirements. Both buildings are designed to fair housing accessibility standards, providing 7 fully adaptable housing units. In addition to providing improved housing, the sidewalk will be rebuilt to City technical standards.

Meeting Location:	The Root Cellar – 94 Washington Ave., Portland, ME 04101
Meeting Date:	Thursday, January 16, 2020
Meeting Time:	5:30 p.m.

This notification supersedes the postcard dated December 27, 2019. There is no longer a meeting on January 9, 2020.This notification is being sent to all residents within 500 feet of the proposed development as well as those residents on the "interested parties list." A sign-in sheet will be circulated and minutes of the meeting will be taken. Both the sign-in sheet and minutes will be submitted to the Planning Board. If you have any questions regarding the neighborhood meeting, please don't hesitate to call me at 207-749-9656.

Sincerely,

Joshua Wojcik
Project Builder and Future Resident of 128R North St.

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
Yes NA Plan ✔	COMPLETED CHECKLIST – LEVEL III APPLICATION
Yes NA Plan ✔	RIGHT, TITLE AND INTEREST • Deeds, leases, or purchase and sales agreements
Yes NA Plan ✔	EVIDENCE OF STATE OR FEDERAL APPROVALS, if applicable • Permits or letters of non-jurisdiction, if applicable
Yes NA Plan ✔	ZONING ASSESSMENT • Table listing required and proposed uses and dimensional standards Zoning Assessment Table
Yes NA Plan ✔	EXISTING &/OR PROPOSED EASEMENTS OR COVENANTS, if applicable • Evidence of existing easements and any proposed easements
Yes NA Plan ✔	WAIVER REQUESTS • Written request for waiver describing request and reason. Waiver Table
Yes NA Plan ✔	FINANCIAL CAPABILITY • Letter or evidence from a financial institution or third party verifying financial capacity to undertake project
Yes NA Plan ✔	TECHNICAL CAPABILITY • Evidence of technical capability of applicant and consultants – resumes and/or examples of past projects

LEVEL II AND LEVEL III SITE PLAN STANDARDS AND SUBMISSION CHECKLIST

Provide assessment of compliance with standards and include supplemental documentation, as applicable.

Please submit each document as a separate PDF file.

TRANSPORTATION

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

ENVIRONMENTAL AND LANDSCAPE FEATURES	
Check list	Assess/Provide/Document:
Yes NA Plan ☐ ✔ ☐	Preservation of Significant Natural Features (14-526 (b) 1), if applicable • Trees, plants, habitats listed on State or Federal list of endangered or threatened • High and moderate value waterfowl and wading habitat • Aquifers on Casco Bay Islands • Waterbodies (including wetlands, watercourses, significant vernal pools and floodplains) • Proposed preservation areas and protection measures • Documentation from environmental consultants, determinations from applicable state agencies
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
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

PUBLIC INFRASTRUCTURE AND SAFETY	
Check list	Assess/Provide/Document:
Yes NA Plan ✔	Consistency with City Master Plans (14-526 (c) 1) • Identify consistency with master plans • Proposed easements, rights and improvements to connect or continue off-premises public infrastructure, as applicable
Yes NA Plan ✔	Public Safety and Fire Prevention (14-526 (c)) • Address Crime Prevention through Environmental Design (CPTED) (Technical Manual, Section 3) • Emergency vehicle access • Address consistency with public safety standards (Technical Manual, Section 3) • Submit a code summary referring NFPA 1 and all Fire Department standards (Technical Manual, Section 3) – Fire Checklist
Yes NA Plan ✔	Availability and Adequacy of Public Utilities (14-526 (c) 3) (Technical Manual, Sections 2 & 9) • Electrical services, including providing underground services • Identify existing and proposed connections for public utilities and required public utility upgrades • Sewer line connections are required, if there is a main within 200 feet • Proposed solid waste management facilities on-site and management for the site • Written evidence of the ability to serve from utility companies, as applicable

SITE DESIGN	
Check list	Assess/Provide/Document:
Yes NA Plan ✔	Massing, Ventilations and Wind Impact (14-526 (d) 1) • Wind and ventilation impacts on adjoining structures and/or adjacent public spaces. Wind study, if applicable • Bulk, location or height impacts on adjoining structures • Identify and locate HVAC equipment and venting away from public spaces and residential properties • Identify screening and manufacturing specifications for noise, if applicable
Yes NA Plan ✔	Shadows (14-526 (d) 2), if applicable • Shadow analysis of impacts on publicly accessible open space (Technical Manual, Section 11)
Yes NA Plan ✔	Snow and Ice Loading (14-526 (d) 3) • Building design to prevent snow and ice from loading or falling onto adjacent properties or public ways
Yes NA Plan ✔	View Corridors (14-526 (d) 4), if applicable • Protection of designated view corridors (Portland Design Manual, Appendix 1)

Yes	NA	Plan	
	✔		Historic Resources (14-526 (d) 5), if applicable • Identify developments within Historic Districts or affecting Designated Landmarks • Certificate of Appropriateness or other evidence • Identify Developments within 100 feet of Historic Districts or affecting Designated Landmarks. Advisory HP review may be required • Address preservation and documentation of Archaeological Resources
✔			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)
	✔		Noise and Vibration (14-526 (d) 7) • Evidence of noise levels for equipment, such as equipment specifications, to demonstrate consistency with zoning requirements
	✔		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
✔			Zone Related Design Standards (14-526 (d) 5) • Address Historic Preservation Design Review, if applicable • Address any applicable design review standards by zone • Address submission requirements from Design Manual, page 1, addressing neighborhood context • Description of exterior materials, color, finish, and samples

Construction Management Plan

Check list			
Yes	NA	Plan	Construction Management Plan • Construction Management Document and Plan
✔			

Level II and Level III Site Plan Checklist

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

☒ RECENT BOUNDARY SURVEY (stamped by Maine Licensed Surveyor)

Must be in compliance with Technical Manual, Section 13

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

☒ Existing Conditions

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

☒ Proposed Site Plan

- Ground floor area, and grade elevations for all buildings

☒ Access, Circulation, and Parking

- Streets and intersections adjacent to site , any proposed geometric modifications
- Location, dimensions and materials of all existing and proposed driveways, vehicle, bicycle, & pedestrian access ways with corresponding curb lines
- Engineered specifications/ cross-sections for proposed driveways, sidewalks & paved areas
- Location and dimensions of proposed loading areas
- Existing and proposed transit infrastructure with dimensions/ engineering specifications
- Location of vehicle and bicycle parking with dimensions and engineering specifications

☒ Site Considerations

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

☒ UTILITY PLAN including:

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

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

Att. BB

ACORN ENGINEERING, INC.

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

January 16, 2020

Subject: 126/128R North Street Neighborhood Meeting #2

I, Will Savage, hereby certify that a neighborhood meeting was held on January 16, 2020 at the Root Cellar at 5:30 pm.

I also certify that on January 6, 2020, invitations were mailed to the following:

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

2. Residents on the "interested parties" list.

Sincerely,

Date: 1/16/20

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

Included with this certification are:

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

Section C

Right, Title, Interest

MAINE REAL ESTATE TAX PAID

QUITCLAIM DEED WITH COVENANT

MARY ROY, of Portland, County of Cumberland and State of Maine, for consideration paid, grants to UPRIGHT PROPERTIES, LLC, a Maine limited liability company with its principal place of business in Portland, County of Cumberland and State of Maine and having a mailing address of P.O. Box 833, Wilton, Maine 04294, WITH QUITCLAIM COVENANT, a certain lot or parcel of land situated southwesterly of, but not adjacent to, the southwesterly sideline of North Street, in the City of Portland, County of Cumberland, and State of Maine, being more particularly bounded and described as follows:

Beginning at the northerly corner of the herein described parcel on the southwesterly line of land described in a deed from Gregory D. Kesich and Gail D. Kesich to Raymond T. Wojcik, Zetta A. Wojcik, and Joshua T. Wojcik, dated August 24, 2007 and recorded at the Cumberland County Registry of Deeds (CCRD) in Book 25418, Page 226, being S35°14'21"E along said land of Wojcik, a distance of twenty-four and fifty-six hundredths (24.56') feet from the westerly corner of said land of Wojcik;

Thence S52°38'46"W along land described in a deed from Redfern Munjoy, LLC to Upright Properties, LLC, dated January 31, 2014, recorded in CCRD Book 31318, Page 270, a distance of thirty-seven and eighty hundredths (37.80') feet to the westerly corner of the herein described parcel at land described in a deed from Raymond C. Maxwell to Redfern Munjoy, LLC, dated January 31, 2014, recorded in CCRD Book 31317, Page 116;

Thence S53°48'37"E along said land of Redfern Munjoy, LLC, a distance of fourteen (14') feet, more or less, to the southwesterly extension of the southeasterly sideline of said land of Wojcik;

Thence N52°38'46"E along remaining land of the herein grantor on the southwesterly extension of the southeasterly sideline of said land of Wojcik, a distance of thirty-three (33') feet, more or less, to the southerly corner of said land of Wojcik, and the westerly corner of land described in a deed from Hazel Brenerman to Peter J. DeTroy, III and Mary Roy (the herein grantor), dated November 21, 2003 and recorded in CCRD Book 20592, Page 111;

Thence N35°14'21"W along said land of Wojcik, a distance of thirteen and a half (13 1/2') feet, more or less, to the point of beginning.

Total area of the herein described parcel equals 480 square feet, more or less. The bearings in this description are based on Grid North, MSPC NAD83, 1802 (West Zone).

The herein described property is depicted on "*Exhibit Sketch For Proposed Conveyance*", prepared by Nadeau Land Surveys, Job #2181902, dated May 29, 2018, attached to and made part of this deed. Meaning and intending to convey a portion of land described in a deed from Redfern Munjoy, LLC to Peter J. DeTroy, III and Mary Roy, dated January 31, 2014, recorded at the Cumberland County Registry of Deeds in Book 31318, Page 267.

Mary Roy derived her sole title to this property by being the surviving joint tenant of her late spouse, Peter J. DeTroy, III. Peter J. DeTroy, III died on May 28, 2016, a resident of Portland, Cumberland County, Maine. Reference is made to a Certificate and Abstract N-121, dated June 16, 2016 and recorded at the Cumberland County Registry of Deeds in Book 33213, Page 100.

Witness my hand and seal this 5 day of June, 2018.

Witness

Darya I. Zappia

Mary Roy

STATE OF MAINE
Cumberland, ss.

June 5, 2018

Personally appeared the above-named MARY ROY and acknowledged the foregoing instrument to be her free act and deed. Before me,

~~Notary Public~~/Attorney-at-law
Printed Name: DARYA I ZAPPIA
~~My Commission Exp.:~~ Bar No 4717

Nadeau Land Surveys

Professional Land Surveyors
Certified Floodplain Managers

Exhibit Sketch For Proposed Conveyance

Mary Roy to Upright Properties, LLC
Between Sheridan Street & North Street, Portland, Maine
1" = 20' May 29, 2018 Job #2181902

Boundary lines based on "Exhibit Sketch For Proposed Conveyance", dated November 27, 2013, recorded in CCRD Book 31318, Page 267, and "Condominium Plat, Munjoy Heights, A Condominium, Sheridan Street, East Cove Street, And Walnut Street, Portland, Maine", dated April 21, 2015 by Nadeau Land Surveys, Portland, Maine, recorded in CCRD Plan Book 215, Page 143.

STATE OF MAINE
JAMES D. NADEAU
2124
PROFESSIONAL LAND SURVEYOR

5-29-18

Received
Recorded Register of Deeds
Jun 05,2018 03:05:59P
Cumberland County
Nancy A. Lane

918 Brighton Avenue
Portland, Maine 04102

www.nadeaulandsurveys.com

Phone (207) 878-7870
Fax (207) 878-7871

Know all Men by these Presents, That

I, Elmore W. Ramsdell of Portland in the County of Cumberland and State of Maine,

in consideration of one dollar and other valuable considerations, paid by Claire Bowden of said Portland,

the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said Claire Bowden, her heirs and assigns forever, a certain lot or parcel of land on the easterly side of Sheridan Street, beginning at a point on said easterly side of Sheridan Street which point marks the southwesterly corner of land conveyed by A. J. Bernstein to Elmore W. Ramsdell by deed dated May 28, 1923, and recorded in Cuberland County Registry of Deeds in Book 1133, Page 466; thence running northerly by said easterly side line of Sheridan Street sixty-three and five tenths (63.5) feet, more or less, to the northwesterly corner of said land conveyed to Ramsdell as aforesaid; thence running easterly along the northerly line of said land one hundred and four and sixty-two one hundredths (104.62) feet to the northwest corner of land conveyed by said A. J. Bernstein to Joseph R. Murphy by deed dated May 28, 1923, recorded in Cumberland County Registry of Deeds, Book 1133, Page 465; thence running southerly by the westerly line of said Murphy land twenty and thirty-one one hundredths (20.31) feet to the southwesterly corner of said Murphy land; thence running easterly along the southerly line of said Murphy land fifteen (15) feet to a point; thence southerly in a line parallel with and fifteen (15) feet distant easterly from said westerly side line of said Murphy land extended southerly, about forty-three (43) feet to the southerly line of land first above mentioned as conveyed by Bernstein to Ramsdell, at a point ninety-one and ninety-three one hundredths (91.93) feet westerly from the westerly side line of North Street; thence running westerly by said southerly side line of said Ramsdell land about one hundred twenty-one and ninety-five one hundredths (121.95) feet to Sheridan Street and the point of beginning.

Being a part of land conveyed by Abraham J. Bernstein to me by deed dated May 28, 1923, recorded in Cumberland County Registry of Deeds, Book 1133, Page 466.

Together with a right of way across my land from the lot hereby conveyed to North Street.

Twelve words blotted out before signing. D.W.P.

U.S.I.R.
$2.00
E.W.R.
7/25/23

To Have and to Hold the aforegranted and bargained premises, with all the privileges and appurtenances thereof to the said Claire Bowden, her heirs and assigns, to her and their use and behoof forever. And I do covenant with the said Grantee, her heirs and assigns, that I am lawfully seized in fee of the premises; that they are free of all incumbrances; except as aforesaid;

that I have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that I and my heirs, shall and will warrant and defend the same to the said Grantee, her heirs and assigns forever, against the lawful claims and demands of all persons. except as aforesaid.

In Witness Whereof, I, the said Elmore W. Ramsdell, and I, Amy S. Ramsdell, wife of the said Elmore W. Ramsdell, joining in this deed as Grantor, and relinquishing and conveying my right by descent and all other rights in the above described premises

my hand- and seal -this 25th, day of July have hereunto set in the year of our Lord one thousand nine hundred and twenty-three.

Signed, Sealed and Delivered in presence of

D. W. Philbrick — Elmore W. Ramsdell — Seal

Everett W. Fowler — Amy S. Ramsdell — Seal

State of Maine, CUMBERLAND, ss. July 25, 192 3. Personally appeared the above named Elmore W. Ramsdell and acknowledged the above instrument to be his free act and deed.

Before me, Donald W. Philbrick *Justice of the Peace.*

Received July 27, 192 3, at 9 o'clock 40 m. A. M., and recorded according to the original.

EXHIBIT A

RELEASE AND EASEMENT AGREEMENT

This Release and Easement Agreement (the "Agreement") is by and between **REDFERN MUNJOY, LLC**, a Maine limited liability company ("Redfern"), with a place of business in Portland, Maine and a mailing address of PO Box 8816, Portland, Maine 04104, owner of premises (the "Redfern Land") described in deeds recorded in the Cumberland County Registry of Deeds set forth on Exhibit A attached hereto and made a part hereof, and **UPRIGHT PROPERTIES, LLC** ("Upright"), a Maine limited liability company with a mailing address of PO Box 833, Wilton, Maine 04294, owner of premises (the "Upright Parcel") conveyed by corrective deed from Redfern dated January 31, 2014 and recorded in said Registry in Book 31318, Page 270 (the "Upright Deed").

Whereas, in the Upright Deed, Redfern reserved Easement Rights in the Easement Area, all as defined and more fully described therein, which Easement Rights are for the benefit of portions of the Redfern Land that Redfern is developing as residential condominium/subdivision ("Munjoy Heights").

Whereas, the conditions of the Easement Area requires modifications that were not anticipated at the time the Upright Deed was delivered.

Whereas, Upright and Redfern desire to amend the Easement Rights and reduce the square footage of the Easement Area and to clarify their respective ownership rights and easement rights.

Now Therefore, Redfern and Upright, for one dollar and other sufficient consideration paid and received including the grants and covenants hereinafter set forth, do hereby make the following grants of real property interests and agreements, which agreements are intended to run with the land that is Munjoy Heights and the Upright Parcel:

{W4856287.4}

1. Redfern releases to Upright all interest in the easterly portion of the Easement Area, being a strip of land ten (10) feet wide more particularly bounded and described as follows:

   Commencing at a #5 steel rebar with survey cap #2124 to be set at the southerly corner of the Upright Parcel;

   Thence N 52° 38' 46" E along the Redfern Land, a distance of ten and one one-hundredth (10.01) feet to the southerly corner of the land to be released from the Easement Area and the Point of Beginning;

   Thence from said Point of Beginning N 52° 38' 46" E along the Redfern Land and land conveyed to Peter J. DeTroy, III and Mary Roy by corrective deed dated January 31, 2014 and recorded in the Cumberland County Registry of Deeds in Book 31318, Page 267, a distance of ten and one hundredth (10.01) feet;

   Thence N 35° 18' 27" W through the Upright Parcel, a distance of forty-nine and sixty-nine hundredths (49.69) feet;

   Thence N 17° 29' 52" W continuing through the Upright Parcel, a distance of forty and sixty-one hundredths (40.61) feet to the northwesterly line of the Upright Parcel at the Redfern Land;

   Thence S 52° 38' 46" W along the Redfern Land a distance of ten and sixty-three hundredths (10.63) feet;

   Thence S 17° 29' 52" E a distance of thirty-eight and fifty-seven hundredths (38.57) feet;

   Thence S 35° 18' 27" E a distance of fifty-one and sixty-two hundredths (51.62) feet to the Point of Beginning.

   Total area of the herein described parcel equals 902 square feet (0.02 acre). The bearings in this description are based on Grid North, MSPC NAD83, 1802 (West Zone).

2. The Revised Easement Area is a strip of land ten (10) feet wide, being more particularly bounded and described over the following portion of the property:

   Beginning at a #5 steel rebar with survey cap #2124 to be set at the southerly corner of the Upright Parcel;

   Thence N 52° 38' 46" E along the Redfern Land a distance of ten and one hundredth (10.01) feet to the southerly corner of the land to be released from the Easement Area;

   Thence N 35° 18' 27" W along a line ten (10) feet easterly of the Redfern Land, a distance of fifty-one and sixty-two hundredths (51.62) feet;

{W4856287.4}

Thence N 17° 29' 52" W along a line ten (10) feet easterly of the Redfern Land, a distance of thirty-eight and fifty-seven hundredths (38.57) feet to the northwesterly line of the Upright Parcel at the Redfern Land;

Thence S 52° 38' 46" W along the Redfern Land, a distance of ten and sixty-three hundredths (10.63) feet to a #5 steel rebar with survey cap #2124 to be set at the westerly corner of the Upright Parcel;

Thence S 17° 29' 52" E continuing along the Redfern Land, a distance of thirty-six and fifty-three hundredths (36.53) feet to a #5 steel rebar with survey cap #2124 to be set;

Thence S 35° 18' 27" E continuing along the Redfern Land, a distance of fifty-three and fifty-four hundredths (53.54') feet to the point of beginning.

Total area of the herein described parcel equals 901 square feet (0.02 acre). The bearings in this description are based on Grid North, MSPC NAD83, 1802 (West Zone).

3. The Easement Rights are hereby amended as follows and the description of the rights and obligations herein supersede and replace the Easement Rights reserved in the Upright Deed:

   Upright grants to Redfern, its successors and assigns, the right and easement to enter upon the Revised Easement Area with at least 120 days of advance notice (except in the case of emergency) to the Grantee, its successors and assigns, with men and equipment, including heavy equipment, to maintain, repair, shore-up and replace a retaining wall between the adjacent properties of the Grantor and the Grantee (the "Revised Easement Rights"), provided that in the exercise of the Revised Easement Rights Grantor, its successor and assigns, shall (a) ensure all work is done properly and promptly; (b) ensure that no vehicles or construction equipment whatsoever are left overnight or otherwise stored within the Easement Area except when easement work is underway; (c) exercise best efforts to limit any inconvenience to the Grantee, its successors and assigns, or to any other lawful occupier of the Upright Parcel; (d) promptly and reasonably restore the Revised Easement Area to its former condition before the exercise of the Revised Easement Rights; and (e) defend and indemnify the Grantee, its successors and assign, of and from all losses, damages and expenses arising from the exercise of the Revised Easement Rights, including all losses, damages and expenses (including death) arising from the exercise of the Revised Easement Rights for which any third parties seek to hold the Grantee, its successors and assigns, liable.

4. The terms of this Agreement, including all obligations and rights of the parties hereto, are intended to run with ownership of the Upright Parcel and the Redfern Land (the "Affected Lands"). The acceptance of a deed or mortgage to any portion of the Affected Lands, or the entering into a lease or other occupancy of any such portion shall constitute an agreement that the covenants and restrictions set forth in this Agreement are accepted and ratified by such grantee, mortgagee, tenant, or occupant. All of such provisions shall be covenants running with the land and shall bind any persons having at any time any

{W4856287.4}

interest or estate in the Affected Lands or any portion thereof as though such provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease thereof.

5. Each owner of all or any portion of the Affected Lands and its heirs, successors and assigns shall be liable for the performance of all covenants, obligations and undertakings set forth in this Agreement, but only to the extent such covenants, obligations or undertakings accrue during the period in which such party owns the affected lands or any portion thereof.

6. Invalidation of any of the provisions contained in this Agreement, or of the application thereof to any person by judgment or court order shall in no way affect any of the other provisions hereof or the application thereof to any other person and the same shall remain in full force and effect.

(Signature Pages follow this page)

{W4856287.4}

IN WITNESS WHEREOF, the said Redfern Munjoy, LLC has caused this instrument to be executed by Jonathan Culley, its Manager, hereunto duly authorized, as of the 30th day of April, 2015.

Redfern Munjoy, LLC, a Maine limited liability company

Witness: Mary Lea Clifford

By: _____
Jonathan Culley
Its Manager

STATE OF MAINE
COUNTY OF CUMBERLAND

4/30, 2015

Then personally appeared Jonathan Culley, Manager of Redfern Munjoy, LLC, and acknowledged the foregoing instrument to be his free act in his said capacity and the free act and deed of the limited liability company.

Before me,

Mary Lea Clifford
Notary Public/~~Attorney at Law~~

SEAL

MARY LEA CLIFFORD
Notary Public, Maine
My Commission Expires February 5, 2016

{W4856287.4}

IN WITNESS WHEREOF, the said Upright Properties, LLC has caused this instrument to be executed by Joshua Wojcik, its Manager, hereunto duly authorized, as of the 30 day of April, 2015.

Upright Properties, LLC, a Maine limited liability company

Witness : Cliff Ruprecht

By: Joshua Wojcik
Its Manager

STATE OF MAINE
COUNTY OF CUMBERLAND

April 30, 2015

Then personally appeared Joshua Wojcik, Manager of Upright Properties, LLC, and acknowledged the foregoing instrument to be his free act in his said capacity and the free act and deed of the limited liability company.

Before me,

Brittany Handcock
Notary Public/~~Attorney at Law~~

SEAL

BRITTANY HANDCOCK
NOTARY PUBLIC
CUMBERLAND COUNTY
MAINE
MY COMMISSION EXPIRES FEBRUARY 21, 2021

{W4856287.4}

Exhibit A
Source Deeds for Redfern Munjoy LLC
The Redfern Land

1. Deed from Four Sills LLC to Redfern Munjoy, LLC dated December 4, 2013 and recorded in the Cumberland County Registry of Deeds in Book 31207, Page 48.

2. Deed from Francis O'Connor and Nelson Nadeau to Redfern Munjoy, LLC dated December 4, 2013 and recorded in the Cumberland County Registry of Deeds in Book 31207, Page 50.

3. Deed from Craig G. Coffin, Trustee of the North Street Realty Trust to Redfern Munjoy, LLC dated December 11, 2013 and recorded in the Cumberland County Registry of Deeds in Book 31222, Page 224.

4. Deed from Katherine P. Richman and Nikki Lee Green to Redfern Munjoy, LLC dated December 30, 2013 and recorded in the Cumberland County Registry of Deeds in Book 31262, Page 266.

5. Deed from Dennis E. Lovejoy and Gladys A. Lovejoy to Redfern Munjoy, LLC dated January 10, 2014 and recorded in the Cumberland County Registry of Deeds in Book 31281, Page 281.

6. Deed from Raymond C. Maxwell to Redfern Munjoy, LLC dated January 31, 2014 and recorded in the Cumberland County Registry of Deeds in Book 31317, Page 116.

7. Deed from Raymond H. Waterhouse and Alina Waterhouse to Redfern Munjoy, LLC dated January 23, 2014 and recorded in the Cumberland County Registry of Deeds in Book 31302, Page 177.

Received
Recorded Register of Deeds
Apr 30,2015 01:41:03P
Cumberland County
Nancy A. Lane

{W4856287.4}

MEMORANDUM

OF

UNDERSTANDING

Redevelopment of 126 & 128R North Street

This Memorandum of Understanding ("MOU") is entered into as of October 21, 2019 by Joshua T. Wojcik, an individual residing in Portland, Maine ("Wojcik"), and Upright Properties, LLC, a Maine limited liability Company ("Upright").

WHEREAS, Wojcik is the owner of record of 126 North Street, Portland, Maine ("126 North"); and

WHEREAS, Upright is the owner of record of 128R North Street, Portland, Maine ("128R North"); and

WHEREAS, Upright and Wojcik are submitting a joint application to the Planning and Urban Development Department of the City of Portland proposing the redevelopment of 126 North and 128R North.

IT IS THEREFORE UNDERSTOOD AND AGREED that:

A. Wojcik shall, upon the request of Upright, and provided all appropriate permits have been issued by all relevant State and City authorities, reconstruct the existing building located at 126 North prior to the substantial completion of the building to be built at 128R North.

B. Wojcik shall situate any structure at 126 North such that a sixteen foot (16') access corridor is available to accommodate pedestrian and vehicular traffic between 128R North and the nearest public way (North Street).

C. Wojcik shall execute and deliver to Upright, prior to the commencement of any reconstruction at 126 North or earlier upon the request of Upright, a deed implementing the terms of this MOU as an easement appurtenant and delineating the pedestrian and vehicular access rights to be provided in perpetuity to 128R North as the dominant estate.

IN WITNESS WHEREOF, Joshua T. Wojcik and Upright Properties, LLC, have executed this MOU and thereby bind themselves to the conditions set forth within this MOU on the day and year first above written.

UPRIGHT PROPERTIES, LLC

Joshua T. Wojcik
126 North Street
Portland, Maine

By: _____
Joshua T. Wojcik
Its Manager
128R North Street
Portland, Maine

128R & 126 North St Neighborhood Meeting Notes (Second Meeting) 1/16/2020 5:30pm at the Root Cellar on Washington Ave, Portland, ME.

Applicant Joshua Wojcik thanked everyone for attending, introduced the two development projects and the design team including civil engineer Will Savage from Acorn Engineering and architect Tracie Reed from Dextrous Creative.

Will Savage's Presentation covered the following:

- Notification that the planning board workshop for the two projects had been tentatively set for January 28th, 2020. All attendees were encouraged to go to the workshop;
- The purpose of the second meeting was to cover the various changes to the plan;
- The reason two development projects were being submitted under one application was to provide transparency to all parties and to avoid confusion;
- The zoning context of the project is R-6, Munjoy Hill Overlay;
- Site plan for both properties was presented;
- Site is fairly flat, with 126 sloping slightly towards the street and 128R sloping towards Munjoy Heights;
- Parking plan: 6 covered spaces at 128R; 2 covered parking spaces at 126. Each includes an ADA space and access lane;
- The plan for plantings;
- The plan for underground utilities;
- The storm water plan, including collection and storage systems and highlighted the point that less storm water will runoff towards Munjoy Heights as a result of this project;
- Clarified that the same engineering team (civil, geotechnical and structural) was being used for these projects as was used for the Munjoy Heights development project in order to ensure continuity of analysis and approach to make sure the retaining wall was fully understood and protected during all phases of the project.

Tracie Reed's Presentation covered the following:

- A description of the neighborhood;
- A discussion of the changes that were made to the rear building;
- A discussion of the changes that are being proposed for the 126 property;
- Presentation of revised renderings showing 128R as well as new renderings showing 126;
- Discussion of locations of compressors for heating/cooling systems;
- Described size and width and heights of both buildings;

Questions and Comments from the Public Attendees:

Questions about the timelines for both projects were raised. It was explained that each project will take approximately 12+ months to substantial completion and that 128R will be first. It was noted that 126 will be demolished after 128R is substantially completed, but before the CO for 128R is issued. It was explained that the order of the project was for several reasons, including that two of the prospective owners at 128R are currently residents of 126 North but also from a construction management perspective that it makes the most sense to "build your way out of a job site."

Questions were raised several times about how it was possible the storm water runoff towards Munjoy Heights would be reduced. The storm water plan was explained in greater detail, including how both the proposed development and Munjoy Heights stormwater system had been designed for a 100 year storm event. The snow removal and storage plan for both properties was also described.

Questions were raised about whether the garage could be enclosed to protect the residents of Munjoy Heights from having to look at parked cars and to shield them from the fumes that may result from the parking garage. It was explained that the zoning ordinance requires parking to be located in the rear of all properties to provide for an activated frontage. Difference in the zoning setbacks for buildings vs parking areas vs. decks meant that fully enclosing the garage was not possible. Examples of extruded metal screen that will be used at the rear of the garage to support vine growth was requested and the design team agreed to bring images to the planning board workshop. It was also questioned whether additional plantings could be installed between the garage and Munjoy Heights. The team noted that the root structure of plantings in the 10' strip between the garage and the property line could jeopardize the integrity of the retaining wall. It was questioned whether anything else could be done to reduce the potential for idling of vehicles within the garage that residents of Munjoy Heights believe would impact them. The design team agreed to explore ideas.

The idea of an underground parking garage was proposed by an attendee. It was explained that this would conflict with fair housing accessibility requirements and that it would present numerous engineering problems both to the retaining wall and to surrounding buildings.

A rendering from Sheridan Street taken at a small opening of the Munjoy Heights buildings looking up towards the retaining wall was requested. The team noted that renderings take significant time and resources to complete and a view from this area would not be possible before the workshop.

A question was raised about what would happen if the owner of 126 decided to not re-develop his property once the building was demo'd. It was explained that he would have to pay a significant fine to cover the elimination of housing units. It was emphasized that the owners of

both properties are very much interested in helping the City address its housing crisis by adding units. It was questioned what the rental prices will be for the units at 126 North St. It was explained that these units would be relatively affordable (rental prices from $1850 - $2,000) compared to other two bedroom units in the market, since the units were modest in size. Attendees didn't feel like those were affordable prices. It was explained that the current price of a two bedroom Work Force unit was about $1,860. An attendee commented that she thought that number was unaffordable.

Concerns was raised that emergency vehicles wouldn't be able to reach the rear property. The team noted that the building would have a 16' wide fire lane for emergency vehicles in addition to the sprinkler and fire alarm system.

Questions were raised about the front, side and rear setbacks. Several attendees commented that they felt like the zoning setbacks were too small. The neighbors who live next to the proposed projects feel like the side setback is too small. The neighbors who live in Munjoy Heights feel like the rear setbacks are too small.

It was asked whether a shadow / shading analysis was done by a Munjoy Heights resident. The team confirmed this is not required for the application but noted that Munjoy Heights is to the south and west of the property, which means the building will have a minimal impact on the amount of sun shining on Munjoy Heights.

It was asked whether this would be the tallest building visible from I-295. It was explained that Promenade East Condominiums will remain visibly taller.

It was clarified that 126 North St does not have a 4th floor. The window above the third floor is an attic window. It was further explained that the stairwell inside will not reach the attic.

A few attendees commented that the building is too large.

One attendee commented that he believed the project would reduce property values.

With no further questions raised or comments offered, the team thanked attendees for their time and thoughtful comments and the meeting was closed at 7pm.

Meeting minutes by Joshua Wojcik & Reviewed by Will Savage and Tracie Reed.

Section D

Zoning Assessment

ZONING ANALYSIS Relevant Zone: R-6

All Projects:

	Required	Proposed – 128R
Lot Size	2,000 sf	6,142 sf
Area Per Dwelling Unit	725 sf	1,024 sf
Minimum Street Frontage	20'	N/A
Front Yard Minimum	5'	5.25'
Front Yard Maximum	N/A	N/A
Rear Yard	15'	15.11'
Yard Right	5'	11.90'
Yard Left	5'	8.56'
Side Street Setback	N/A	N/A
Step Back	10' @ 35'	> 10'
Maximum Lot Coverage	60%	57%
Minimum Lot Coverage	N/A	N/A
Maximum Height	45'	44.6'
Open Space	20%	40%
Maximum Impervious Area	80%	60%
Pavement Setback	N/A	N/A
Floor Area Ratio	N/A	N/A
Off Street Parking Spaces	3	6
Loading Bays		
Other 1		
Other 2		
Other 3		

	Required	Proposed – 126
Lot Size	2,000 sf	3,645 sf
Area Per Dwelling Unit	725 sf*	607 sf*
Minimum Street Frontage	20'	38’
Front Yard Minimum	3.7’	4’
Front Yard Maximum	N/A	N/A
Rear Yard	15'	16.49’
Yard Right	5'	5 '
Yard Left	5'	9.76’
Side Street Setback	N/A	N/A
Step Back	10' @ 35'	> 10'
Maximum Lot Coverage	60%	47%
Minimum Lot Coverage	N/A	N/A
Maximum Height	45'	33.3’
Open Space	20%	20%
Maximum Impervious Area	80%	80%
Pavement Setback	N/A	N/A
Floor Area Ratio	N/A	N/A
Off Street Parking Spaces	2	2
Loading Bays		
Other 1		
*25% density bonus allowed per Section 14-488		

Att. DD

126 & 128R North Street

Neighborhood Meeting
January 16, 2020

Name	Organization	Address	Phone	Email
Bud Pollak		225 Sheridan St	203-984-1833	BPOLLAK64@yahoo.com
Susan & Lindsay Mann		122 North St	610-613-8322	lindsaymann@gmail.com
Betts + Elton Mayer		211 Sheridan ST	207-253-1838	bettsgmayer@gmail.com
A. NAQVI		203 Sheridan St	207-838-8740	Ali.Naqvi@yahoo.com
James Trainor		204 Sheridan St	646 346-4938	jamesmtrainor@gmail.
YAEL REINHARZ		204 Sheridan St	646 327 4158	yaelreinharz.com
Tom Federle		254 Commercial Street	899-0155	tom@federlelawmaine.com

126 & 128R North Street

Neighborhood Meeting
January 16, 2020

Name	Organization	Address	Phone	Email
Liz Hays		107 North St.		lizchays@gmail.com
ANN CASADY		205 Sheridan		anncasady@yahoo.com
Peter Pitegoff		205 Sheridan		ppitegoff@gmail.com
Betty Lorber		225 Sheridan St		betty.lorber@gmail
Pam Kaufman		137 North St.		
Andrew Kaufman		137 NORTH ST		kaufmanandrew1@gmail.com
Leslie Hart		215 Sheridan		blesliehart@gmail.com
Kevin Schochet		215 Sheridan		kevin@kevinschochet.com
Sue Robins		206 Sheridan		suerobins@twc.com
Richard MARINO		226 SHERIDAN		rmarino04102@yahoo
Tracey J Reed	Dept. Counsel	77 Newbury		———
Joshua Wojcik	Upright Properties	PO Box 833 Wilton, ME		JWojcik@UprightFrameworks.com
Will Savage	Acorn Engineering	65 Hanover St. Portland, ME		WSAVAGE@Acorn-engineering.com

E. Summary of Written Easements

Existing

There are two easements as identified by the Surveyor:

- Permanent right-of-way with 128F North Street (includes the rights to use the corridor for utilities). Reference CCRD Bk 1143, Pg 307.
- Permanent retaining wall maintenance easement with Munjoy Heights. Reference CCRD Bk 32237, Page 104.

Proposed

There is currently one proposed easement.

- Access/Utility easement from 126 to 128R (includes rights to use the 4.58' brick walkway for access/utilities and the turnaround)

ACORN ENGINEERING, INC.

Shukria Wiar – City Planner
Planning Division, City of Portland
389 Congress Street
Portland, ME 04101

February 24, 2020

Subject: Comment Response Letter 2
126/128R North Street Redevelopment – Portland, Maine

Shukria:

In response to the Planning Board workshop held on January 28th, a meeting between the development team and Planning Department held on February 4th, and the City Staff comments within the planning memo, we have developed this response letter which also outlines the notable changes within the application, which include:

- Removal of the 126 North Street covered parking area and addition of a 6th unit to the building as allowed within Section 14-488 (g) of the City's ordinance for a density bonus based upon on-site workforce housing.
- Addition of project renderings including new perspectives, clarification of the screening at the back of the site, and a section view between Washington Avenue and North Street to illustrate the topography and spatial relationships between neighboring properties.
- Addition of documents such as the draft condo docs and an approximate overall project schedule.

Please see below for responses to the second round of comments. Also included within this submission is the architectural response letter from Dextrous Creative.

Mike Tremblay, DPW

Comment – *The Applicant did not implement the suggested shared driveway treatment between the two properties. One of the stated reasons is that no easement currently exists for 126 North Street to access and use the driveway. It should be noted that such an easement could be created if desired, as the two properties are currently under common ownership.*

Response – The two properties are not under common ownership. The owner of 128F North St., who is unaffiliated with this project, owns the existing driveway and is not willing to grant an access easement to 126 North St. 128R has an existing access and utility easement over the driveway, making it the only parcel that has rights to use the driveway (besides 128F).

Comment – *The Applicant does not have a standard width driveway accessing the parking spaces at 126 North Street. They have alleviated this by providing a wider-than-required parking space so*

that vehicles can more easily maneuver into the parking space. However, AutoTURN runs provided show that it is still very difficult for a vehicle to exit this space, coming very close to the wall of the building, the wall along the edge of the driveway, and the adjacent handicap parking space. This configuration likely requires that vehicles back into the driveway; it does not look possible for a vehicle to pull into the driveway and eventually exit head-out. While this configuration may be suitable assuming the occupants of 126 North Street do not have overly large vehicles, always back into the driveway, and have the skill and acuity to maneuver a vehicle into and out of the parking spaces. This may not always be the case however. This configuration requires a waiver for parking area drive aisle.

Response – The 126 North covered parking area has been eliminated and the driveway revised to accommodate tandem parking for two vehicles (including one for an ADA van space) as encouraged within the Munjoy Hill Overlay District.

Comment – *The handicap space in 126 North Street does not need to be marked as such, as it is located in a parking area with 4 spaces or less. The space must be accessible (as designed), but anyone can park there. The applicant may choose to keep it marked as a handicap space if they choose.*

Response – Signage is not proposed in the new scheme, but the ADA compliance has remained part of the plan.

Comment – *Space 4 in 128 North Street does not appear to meet the dimensional requirements for a compact space (8x15), and therefore should not be counted as a parking space for the purposes of meeting zoning requirements. Since only 3 spaces are required per zoning, this is acceptable; however, this space should not be shown as a parking space in the site plan.*

Response – Based upon our AutoTurn analysis and associated dimensional limitations set forth in the Site Plan and condominium docs, Space #4 is functional for the defined vehicle. Given that this space will be deeded to a homeowner within the condo association, the familiarity with the parking space paired with the vehicle size restrictions will result in a usable parking space, despite the fact that the length is less than 15' for a portion of the space. We would also note the drive aisle is 24 ft wide adjacent to all spaces including Space #4.

Comment – *Space 2, Space 5, and Space 6 in 128 North Street are compact spaces. The Applicant requires a waiver for the proportion of parking spaces (67%, assuming Space 4 is retained as an allowable compact space, vs 20% allowed).*

Response – As is customary in small residential infill projects such as this, we are requesting a waiver to provide over 20% compact spaces. Vehicle limitations have been set for maximum wheelbase, turning radius, etc. and homeowners will be accustomed to the maneuvering in and out of the parking area. We have updated the waiver table within this submission to reflect this request. We would also note the drive aisle is 24 ft wide adjacent to all the spaces within 128R.

<u>Lauren Swett, 3rd Party Civil Engineering Review</u>

Comment – *The Applicant has provided erosion and sedimentation control locations, details, and a written plan in accordance with the Basic Standards. The erosion and sedimentation control*

measures have been shown on the Construction Management Plan. It is suggested that perimeter erosion controls also be shown on the grading and drainage plan, for clarity during construction on this very tight site.

Response – We have added the erosion control barrier to the Grading & Drainage Plan.

Comment – *The Applicant is proposing a Focal Point rain garden system to provide treatment in accordance with the General Standards. Focal Point details have been provided. The actual Focal Point system components should be drawn on the grading plan, including the R-tanks. It is not clear on the plan as shown what the extent of the subsurface system will be. The system is in close proximity to the property line as well as the proposed building, so clear extents should be provided to ensure that the system can be constructed properly.*

Response – Please refer to the grading and drainage plan, sheet C-30. Within the inset, the extents of the stone perimeter are shown. We have since added an offset to represent the chambers within the stone for clarity.

Comment – *The Applicant has noted that flows will not be increasing, in accordance with the Flooding Standard. It is noted, however, that the project will be redirecting flows, and stormwater flow to the rear of the site will be reduced, but stormwater flow to the combined sewer in North Street will be increasing in the 10-year and 25-year storm events. The acceptability of this increase to the combined sewer will need to be verified by the Department of Public Works.*

Response – A 3.25" orifice has been added to the plans and hydrocad model such that the peak 10 and 25 year flowrates to North Street will remain the same down to the hundredth of a cubic foot per second. The overall runoff leaving the site will be notably lower than the existing conditions.

Comment – *Additional information should be provided on snow storage. The snow storage area currently shown overlaps with a landscaped area. Snow storage should be considered for both driveways.*

Response – The existing driveway currently functions in a similar manner as the proposed condition. Landscaped areas are generally acceptable locations for snow storage as long a stormwater system does not existing within this space. During large or prolonged storms without any thaw, snow may need to be removed from the site as is customary on tight urban projects such as this.

Comment – *Consideration should be made for landscaping conflicts with utilities. In particular, consider the oak and blue point juniper proposed to the southeast of the southern building. These trees are located over a bank of proposed subsurface utility lines.*

Response – We have removed the proposed woody vegetation from the utility areas and relocated less root-intensive shrubs on the property line to maintain a buffer.

<u>Jeff Tarling, City Arborist</u>

Comment – *The North Street project should include some type of landscape treatment, after looking at the site they may want to consider smaller scale trees / shrubs like Amelanchier, which*

can be a small tree or shrub depending on the cultivar selected. Lilacs or viburnums could also work. Plantings can be in groves or along the property line.

Response – We have added an Amelanchier to the proposed Landscape Plan. In general, the project has aimed to provide as much landscaping as possible. Certain site conditions such as utility lines and the existing retaining wall maintenance area have restricted areas from otherwise being fully landscaped.

Bill Scott, Chief Surveyor

Comment – *Various comments on the subdivision plat, utility plan, and grading & drainage plan per 2/12/2020 list of comments.*

Response – All comments have been resolved/revised within the plan set. Please note that two subdivision plats were created because of the phased approach. The properties are under distinct ownership (128R will result in a Homeowner's Association and 126 will result in multifamily rentals); however, the project is being reviewed/designed as one to create a cohesive and well-planned project.

Please let us know if you have any additional questions or comments.

Sincerely,

Samuel J. Lebel, E.I.
Project Engineer
Acorn Engineering, Inc.

William H. Savage, P.E.
Principal
Acorn Engineering, Inc.

February 20, 2019

Caitlin Cameron, AICP, Associate AIA, LEED AP
Urban Designer
Planning & Urban Development Department
389 Congress Street
Portland, ME 04101

Re: 128R and 126 North Street

Caitlin, Attached, please find revised submission materials as a result of feedback from neighbors, board members and staff at the planning workshop last month.

The following is a summary of changes made to our designs and their intent:

- As the result of feedback from neighbors, the board and staff concerning the location of 126's primary entrance we revised our floorplan to create an entrance directly off North Street. We have maintained the existing drive, providing two tandem off-street parking spots for the building, including an accessible space with recessed access aisle integrated under our structure.

- The new recessed access aisle, level with the driveway also functions as a covered entry for the building's central stair. We have confirmed with technical experts at the International Code Council and Access Design that this solution is an acceptable means of providing a parking aisle for the building.

- On sheet A-1.6 you will note that we have added another housing unit, bringing the total for 126 North to six units. The new two-bedroom rear unit allows us to help alleviate Portland's housing crisis and better-meet section 14-487. As a result of the new front hall and access aisle the front unit on the building's first floor will become a one-bedroom unit.

- 126 North been brought closer to North Street to better meet A-3 'Relationship to the Street'. The building's roof pitch (B-4) does meet zoning requirements.

- In reworking the first floor plan of 126 North we have sought to improve upon the design as it relates to elements in 'Section C, orientation to the street.' Our building now has its principal entrance along North Street (C-1), with a small canopy. The building's windows have been switched to double-hung windows. This allows us to meet (C-2), the visual privacy design guidelines on the first floor by frosting the lower sash while maintaining the building's accessibility.

- Changing the building's entrance also helps the building better meet Section F 'Articulation'. Note that our trim detail is greater than 4" (F-7) and we have sought to

Dextrous Creative
dextrouscreative.com
tracierreed@dextrouscreative.com
Portland, ME 04101

provide a transition space at the front of the building utilizing vegetation and brick pavers while maintaining the accessibility of the entrance as required by ICC Chapter 11 and Fair Housing.

- The floor plan of 128R North remains unchanged. However, the lattice previously mentioned in the planning board workshop is now included in the model as is the wheel stop in the first-floor parking area. This wall has been raised to provide screening of car headlights. Screening is also provided via the extruded metal lattice. On the building sides a similar lattice would be utilized taking the form of fencing to continue the pattern and provide screening along the sides of the parking area.

- The parking area at 128R North is required per ASHRAE standards to be mechanically ventilated. Exhaust from the garage would be directed mechanically up through the roof of the building in accordance with best engineering practices. The mechanical components of the system is equivalent in size to a heat pump compressor, likely to be roof-mounted.

- Also included in our packet is a new sheet, A-3.2 Site Section. As requested by the board, this section spans approximately 610'-0" in length from North Street to Washington Avenue. The site section was developed with spot elevations along Washington Avenue taken from ongoing construction projects, our site survey, Portland's GIS system, the Assessor's database (which provides rough widths of building's), and Google Street view. The section is cut facing the back of buildings at East Cove Street. Our project features many of the same design professionals as the Munjoy Heights project along Sheridan Street, who provided a site section of their project. Based on the spot elevations along Washington Avenue and the elevation of our site, taken from our survey, the building is minimally visible when viewed at the far sidewalk of Washington Avenue.

  This vantage is 435'-0" to our site and in areas without vegetation may render the top 9'-4" of our building visible. This said, based on my photos of the site there are treetops along East Cove Street which may obscure the building. The same is true further down Washington Avenue near Northern Burner Supply where trees planted between Washington and Munjoy Heights extend above their project's roofline. The Northern Burner Supply photo is included on page 26 of my neighborhood survey submitted in August 2019 and a view from Cove Street was included in my slides at the planning board workshop in January.

- While the distance between the back of 128R and Munjoy Heights varies the narrowest gap between the structures is 25'-0" to 32'-0" from the face of their building to the outermost part of the back deck. As noted on the drawing the distance between the buildings at the location of the section from face-to-face is 28'-0".

- On sheet A-5.2 you will note a new perspective line drawing. This drawing illustrates the view of an individual inside a private unit within the Munjoy Heights complex looking

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dextrouscreative.com
traciereed@dextrouscreative.com
Portland, ME 04101

towards 128R North. Clearly, providing renderings from within private dwelling units is not required and the voluntary inclusion of one does give me pause especially considering the value of those units. Do we let those with significant resources make demands otherwise not required of applicants? None-the-less we have included the perspective to clarify concerns and comments, understanding the unease of having construction nearby. Note that we chose to provide a rendering from the building's fourth floor window because the complex's third floor window views our project through a chain-link fence owned by their association and the second-floor windows look out directly onto their retaining wall.

Thank you, Shukria and Deb for your thoughtful and thorough design review. We look forward to presenting our revised plans to you and the board at another workshop soon.

Regards,

Tracie J. Reed, Maine Licensed Architect, LEED AP, NCARB
Principal

CC: William Savage, P.E, and Sam Lebel, Acorn Engineering
Josh Wojcik, Upright Properties

Dextrous Creative
dextrouscreative.com
traciereed@dextrouscreative.com
Portland, ME 04101

Section F

Request For Waivers

Standard to be Waived: Cite Ordinance or Technical Manual Standard	**Cite Standard Language:** Cite specific language of applicable Ordinance or Technical Manual Standard	**Waiver Being Sought:** Describe waiver being sought. Ex. – We are requesting a two-way parking lot drive aisle width of 20' feet.	**Justification for Waiver:** Address specific waiver criteria, if applicable, and document reasons for the waiver request.
Technical Manual 1.14	20% Compact Space allowance	We are requesting that 50% of the proposed 8 parking space be compact.	Due to the constrained space on site and the nature of residential ownership, the parking spaces have been tailored to site with set dimensional vehicle limitations. All spaces are functional and will be familiar low turnover spaces.
Technical Manual I-27	Standard parking = 18' in length	To reduce the 18' dimension to 16.5'	Given the site constraints, the waiver is necessary to facilitate parking.

BY-LAWS

RIFUGIO CONDOMINIUM OWNERS ASSOCIATION

DRAFT

BY-LAWS
RIFUGIO CONDOMINIUM OWNERS ASSOCIATION

ARTICLE I
Introductory Provisions

1.1. Unit Ownership. The land located at 128R North Street, Portland, Cumberland County, Maine known or to be known as Rifugio, a Condominium, together with all improvements constructed thereon, as described in the Declaration of Rifugio, a Condominium (the "Declaration") dated _____ ____, 2020 and recorded in the Cumberland County Registry of Deeds in Book _____, Page ___, has been submitted to the provisions of the Maine Condominium Act, Chapter 31 of Title 33 of the Maine Revised Statutes of 1964, as amended (the "Act"), by said Declaration and declared as a condominium to be known as Rifugio, a Condominium (the "Condominium"). These By-Laws have been adopted as required by Section 1603-106 of the Act to govern the Unit Owner's Association of the Condominium (the "Association").

1.2. Name. The name of this Association is RIFUGIO CONDOMINIUM OWNERS ASSOCIATION.

1.3. Applicability of By-Laws. The provisions of these By-Laws are applicable to the Association and the Condominium and to the use and occupancy thereof. All present and future Unit owners, Mortgagees, lessees and occupants of the Units and their employees and any other persons who may use the facilities of the Condominium in any manner are subject to these By-Laws, the Declaration and to the Rules and Regulations established by the Executive Board as hereinafter set forth.

1.4. Office. The principal office of the Association and the Executive Board shall be located at 128R North Street, Portland, ME 04101, or at such other location as the Executive Board may designate from time to time.

1.5. Corporation Law. Except as otherwise expressly provided herein, in the Declaration, or in the Act, the Association shall be governed by the provisions of the Maine Nonprofit Corporation Act, Title 13-B of the Maine Revised Statutes of 1964, as amended (the "Nonprofit Corporation Act").

1.6. Nonprofit Status. The Association is not organized for profit and no property or profit thereof shall inure to the benefit of any person except in furtherance of the nonprofit-making purposes of the Association or in the course of acquiring, constructing or providing management, maintenance or care of the Condominium.

1.7. Declaration Controlling. The Declaration shall control and govern these By-Laws. In the event of any conflict or discrepancy between these By-Laws and the Declaration, the provisions of the Declaration shall control and govern.

1.8. Definitions. Capitalized terms used herein without definition shall have the meanings specified for such terms in said Declaration to which these By-Laws pertain or, if not defined therein, the meanings specified or used for such terms in the Act.

ARTICLE II
The Association

2.1. Composition. The Association has been organized prior to the date hereof as a nonprofit corporation pursuant to the Nonprofit Corporation Act. The Association shall consist of all of the Unit Owners acting as a group in accordance with the Act, the Declaration and these By-Laws. The membership of the Association shall consist of all the Unit Owners of the Condominium or, following any termination of the Condominium as provided in Section 1602-118 of the Act, of all former Unit Owners entitled to distributions of proceeds under said Section 1602-118, or their heirs, successors or assigns, but shall not include persons having an interest in a Unit solely as security for an obligation. The terms "member" and "Unit Owner" appearing in these By-Laws are interchangeable.

2.2. Nontransferability of Interests. Except as provided herein or in the Declaration, membership shall not be transferable. The membership of each Unit Owner shall terminate upon a sale, transfer or other disposition, other than by mortgage, of the ownership interest of such Unit Owner in the Property, accomplished in accordance with the provisions of the Declaration, and thereupon the membership and any interest in the Reserve and Capital Funds, as hereinafter defined, and other common funds shall automatically transfer to and be vested in the next Owner or Owner succeeding to such ownership interest.

2.3. Powers and Duties. Subject to the Declaration, the Association shall have the purposes, duties and powers to: (a) adopt and amend By-Laws and Rules and Regulations for the operation of the Association and Condominium, provided that the initial Executive Board shall have the power to adopt these By-Laws; (b) adopt and amend budgets for revenues, expenditures and reserves and collect assessments for Common Expenses from Unit owners; (c) hire and terminate managing agents and other employees, agents and independent contractors; (d) institute, defend or intervene in litigation or administrative proceedings in its own name on behalf of itself or two or more Unit Owners on matters affecting the Condominium; (e) make contracts and incur liabilities relating to the

purposes of the Association stated in these By-Laws and the Declaration; (f) regulate the use, maintenance, repair, replacement and modification of the Common Elements; (g) cause additional improvements to be made as a part of the Common Elements; (h) acquire, hold, encumber and convey in its own name any right, title or interest to real or personal property, provided that Common Elements may be conveyed or subjected to a security interest only pursuant to Section 1603-112 of the Act; (i) grant easements, leases, licenses and concessions through or over the Common Elements; (j) impose and receive any payments, fees or charges for the use, rental or operation of the Common Elements (other than Limited Common Elements) and for services provided to Unit Owners; (k) impose charges for late payment of assessments and, after notice and an opportunity to be heard, levy reasonable fines for violations of the Declaration and of these By-Laws and Rules and Regulations of the Association; (l) impose reasonable charges for the preparation and recordation of amendments to the Declaration, resale certificates required by Section 1604-108 and statements of unpaid assessments; (m) provide for the indemnification of its officers and Executive Board and maintain directors' and officers' liability insurance; (n) assign its right to future income; (o) lease as lessee any real or personal property, accept assignments of leases of real or personal property, cause improvements to be made as a part of such leased property, regulate the use, maintenance and repair of such leased property, and impose and receive any payments, fees or charges for the use, rental or operation of such leased property; (p) exercise any other powers conferred to it by the Declaration; (q) exercise all other powers that may be exercised in the State of Maine by corporations organized pursuant to the Nonprofit Corporation Act, as the same or its equivalent may be amended or modified from time to time; and (r) exercise any other powers necessary and proper for the governance and operation of the Condominium by the Association.

The foregoing responsibilities shall be performed by the Executive Board or managing agent as more particularly set forth in these By-Laws.

2.4. Meeting of Members. Meetings of the membership shall be held at the principal office of the Association or at such other place as may be specified in the notice of the meeting.

2.5. Annual Meetings. The annual meetings of the members shall be held each year on a date no later than thirty (30) days, and no earlier than sixty (60) days, before the beginning of each fiscal year. In the event that the day for which an annual meeting is scheduled is a legal holiday, then the meeting shall be held on the first day thereafter which is not a legal holiday. At such meetings there shall be elected by ballot of the members an Executive Board in accordance with the provisions of Article III. The members shall also transact such other business as may properly come before them.

2.6. Special Meetings. The Secretary shall call a special meeting of the Association if so directed by resolution of the Executive Board or upon a petition signed and presented to the Secretary by Unit Owners of the Units to which are allocated not less than thirty percent (30%) of the Votes in the Association. The notice of any special meeting shall state the time, place and purpose thereof. Such meeting shall be held no earlier than ten (10) days and no later than forty-five (45) days after receipt by the President of said resolution or petition; provided, however, if the purpose includes the approval and ratification of a budget or further assessment pursuant to subparagraph 5.2.2. or Paragraphs 5.6. or 5.8., such meeting must be held within the time frames provided in subparagraph 5.2.2. for an annual budget and in Paragraph 5.8. for a revised budget or further assessment. No business shall be transacted at a special meeting, except as stated in the said notice, unless with the consent of no less than sixty-five (65%) percent of the Votes in the Association, subject, however, to the provisions of paragraph 2.12 hereof.

2.7. Notice of Meeting. It shall be the duty of the Secretary, or upon his or her failure or neglect then of any other officer, to give notice of each annual or special meeting, the time and place of the meeting, and the items on the agenda for that meeting, including the general nature of any proposed amendment to the Declaration or these By-Laws, any budget changes and any proposal to remove a member of the Executive Board or officer, to each member of record and to each Eligible Mortgage Holder as long as it is the record holder of a first Mortgage of a Unit. With respect to any annual or special meeting such notice shall be so mailed at least ten (10) days but no more than forty-five (45) days prior to the date so set for the meeting.

2.8. Quorum. The presence, either in person or by proxy, of the Owners of the Units to which are allocated at least sixty-six percent (66%) of the Votes in the Association shall be requisite for and shall constitute a quorum for the transaction of business at all meetings of members.

2.9. Adjournment of Meetings. If at any meeting of members a quorum shall not be in attendance, those members who are present may adjourn the meeting to a time not less than forty-eight (48) hours from the time at which the original meeting was called.

2.10. Votes in Association. The Votes in the Association allocated to each Unit are listed in Schedule B to the Declaration. The voting right of each member is equivalent to the Votes allocated to his Unit.

2.11. Voting. The Votes in the Association allocated to a Unit can only be cast as a unit and cannot be split. If a Unit is owned of record by one person, that Unit owner's right to cast all the Votes allocated to that Unit shall be established by the record title to

the Unit, provided, however, that such person's spouse may cast the Votes allocated to such Unit if authorized to do so in a certificate executed by the Unit Owner and filed with the Secretary of the Association, which certificate shall be valid until revoked by a subsequent certificate similarly executed and filed with the Secretary of the Association. If ownership of a Unit is in more than one person, the person who shall be entitled to cast all the Votes allocated to that Unit shall be the person named in a certificate executed by all of the Owners of such Unit and filed with the Secretary of the Association. If ownership of a Unit is in a corporation, partnership, limited liability company, limited liability partnership, trust or estate, the officer or employee of that corporation, general partner of that partnership, member of that limited liability company, or partner of that limited liability partnership, trustee of that trust, or agent of that estate, entitled to cast for the corporation, partnership, limited liability company, limited liability partnership, trust or estate the Votes allocated to such Unit shall be designated in a certificate for that purpose executed by the president or a vice president of that corporation, and attested to by the secretary, assistant secretary or clerk of that corporation, executed by all the general partners of that partnership, executed by all the managing members or members with sufficient authority of that limited liability company, executed by the managing partner or partners with sufficient authority of that limited liability partnership, executed by all the trustees of that trust, or executed by either all the devises of that estate or by order of the probate court and filed with the Secretary of the Association. Such certificates of multiple owners, corporations, partnerships, limited liability companies, limited liability partnerships, trusts or estates shall be valid until revoked by a subsequent certificate similarly executed and filed with the Secretary of the Association. Wherever the vote, approval or disapproval of a Unit Owner is required by this Declaration or the Act, such vote, approval or disapproval shall be made only by the person who would be entitled pursuant to such certificate to cast at any meeting of the Association the Votes allocated to such Unit. If the person named or designated in said certificate for a particular Unit shall be absent from a meeting of the Association, no person may cast the Votes allocated to that Unit at the meeting although the presence at the meeting of a non-named or non-designated co-Owner or member, officer, employee, agent or designee of such Owner shall be counted in determining whether a quorum is present. If a multiple Owner of a Unit that is not a corporation, partnership, limited liability company, limited liability partnership, trust or estate has failed to file said certificate with the Secretary of the Association and only one of the multiple Owners is present at a meeting of the Association, he shall be entitled to cast at the meeting all the Votes allocated to that Unit without establishing the concurrence of the absent Owners just as though that person were the sole Owner of the Unit. If a multiple Owner of a Unit that is not a corporation, partnership, limited liability company, limited liability partnership, trust or estate has failed to file said certificate with the Secretary and if more than one Owner of that Unit is present at the meeting, the Votes allocated to that Unit may be cast only in accordance with the agreement of a majority of the multiple Owners present at the meeting. Such

majority agreement shall be conclusively presumed if any one of those multiple Owners shall cast the Votes allocated to the Unit without protest being promptly made to the person presiding over the meeting by any other Owners of that Unit. No Votes allocated to a Unit owned by the Association may be cast.

2.12. Vote Required. Unless by express provisions of the Act, these By-Laws or the Declaration a different vote is required, each question presented at a meeting of the Association shall be determined by the affirmative vote of Owners of Units to which are allocated no less than sixty-six percent (66%) of the Votes in the Association. Provided, however, that notwithstanding any provision to the contrary contained in these By-Laws or the Declaration, the affirmative vote of one hundred percent (100%) of all of the Unit Owners shall be required for the Association to act on any of the following matters: Termination of the Condominium pursuant to Section 1602-118 of the Act; merger or consolidation of the Condominium with another condominium; conveyance or subjection to a security interest of any portion of the Common Elements; use of any proceeds of insurance required to be maintained by the Association pursuant to the Declaration or any eminent domain awards or proceeds for purposes other than repair and restoration of the damaged Property in accordance with the Condominium Documents, the original elevation thereof and the original building plans and specifications therefor; and amendments to the Condominium Documents which govern or regulate (a) voting, (b) assessments, assessment liens or subordination of such liens, (c) reserves for replacement, repair and replacement of the Common Elements or Units, if applicable, (d) insurance or fidelity bonds, (e) responsibility for maintenance and repair of the Common Elements and the Units, (f) leasing of Units, (g) imposition of any right of first refusal or similar restriction on the right of a Unit Owner to sell, transfer, or otherwise convey or lease an owner's Unit.

2.13. Informal Action. Subject to the Declaration, any action required or permitted to be taken at any meeting of the members may be taken without a meeting if a written consent thereto is signed by all the members. The Secretary shall file such written consent with the records of the meetings of the members and such consent shall be treated as a unanimous vote of members for all purposes.

2.14. Proxies. A vote may be cast in person or by proxy. If a Unit is owned by more than one person, each Owner of the Unit may vote or register protest to the casting of Votes by the other Owners of the Unit through a duly executed proxy. Proxies shall be duly executed in writing and must be filed with the Secretary before the appointed time of the meeting. Such proxy shall be deemed revoked only upon actual receipt by the person presiding over the meeting of written notice of revocation from the grantor(s) of the proxy. No proxy shall be valid for a period in excess of eleven (11) months after the

execution thereof unless it specifies a shorter term. A proxy is void if it is not dated or purports to be revocable without notice.

2.15. Order of Business. The order of business at all meetings of the members shall be as follows:

(a) Roll call;
(b) Proof of notice of meeting;
(c) Reading of minutes of preceding meeting for approval of same;
(d) Reports of Executive Board or of officers or of the manager or managing agent;
(e) Reports of committees, if any;
(f) Fix number of members of Executive Board (when so required);
(g) Election of inspectors of election (when so required);
(h) Election of members of the Executive Board (when so required);
(i) Unfinished business;
(j) New business.

At all meetings of the Association or of the Executive Board, Robert's Rules of Order, as then amended, shall be followed, except in the event of conflict in which these By-Laws or the Declaration, as the case may be, shall prevail.

ARTICLE III
Executive Board

3.1. Number and Qualification. The affairs of the Association shall be governed by an Executive Board composed of three (3) natural persons, all of whom shall be Unit owners or spouses of Unit Owners or in the case of a Unit Owner which is a corporation, partnership, limited liability company, trust or estate, a designated agent thereof. The initial Executive Board shall be elected by the incorporator of the Association and shall serve until the earlier of (i) at least two (2) units have been sold, or (ii) the third annual meeting.

3.2. Election and Term of Office. Except as provided in Paragraph 3.1. regarding election of the initial Executive Board, the members of the Executive Board shall be elected as follows:

3.2.1. At the annual meetings of the Association the election of members of the Executive Board shall be held. The term of office of any Executive Board member to be elected (except as set forth in Paragraphs 3.6. and 3.7.) shall be fixed at three (3) years. The members of the Executive Board shall hold office until the

earlier to occur of the election of their respective successors or their death, adjudication of incompetency, removal or resignation. Any Executive Board member may serve an unlimited number of terms to succeed himself or herself.

3.2.2. Persons qualified to be members of the Executive Board may be nominated for election only as follows:

3.2.2.1. Any Unit Owner may submit to the Secretary at least three (3) days before the meeting at which the election is to be held a nominating petition signed by that Unit Owner and a statement that the person nominated is willing to serve on the Executive Board. The Secretary shall mail or hand deliver the submitted items to every Unit owner along with the notice of such meeting;

3.2.2.2. Nominations may be submitted from the floor at the meeting at which the election is held for each vacancy on the Executive Board.

3.3. Vote Required for Election to Executive Board. No person shall be elected to the Executive Board who does not receive the affirmative vote of Unit Owners holding in the aggregate no less than fifty percent (50%) of the Votes in the Association.

3.4. Powers and Duties. Subject to the provisions of the Declaration, the Executive Board shall have the powers and duties necessary for the administration of the affairs of the Association and shall have all powers and duties referred to in the Declaration and the statutes of the State of Maine pertaining to corporations without capital stock, as amended from time to time, and may do all such other acts and things provided from time to time by the Act to be done by an Executive Board or by the Unit Owners collectively except such acts or things as are by law or by these By-Laws or by the Declaration directed to be exercised and done by the Unit Owners individually. Subject to the provisions of the Declaration, the powers and duties of the Executive Board shall include but not be limited to the following:

3.4.1. The power and duty to determine the Common Expenses of the Condominium and the assessments to each Unit for the Common Expenses.

3.4.2. The power and duty to make assessments against Unit Owners to defray the costs and expenses of the Condominium, establish the means and methods of collecting such assessments from the Unit Owners and establish the period of the installment payment of annual assessments for Common Expenses.

3.4.3. The power and duty to provide for the operation, care, upkeep, maintenance and repair (structural or otherwise) of all of the Common Elements and the other Property and services of the Condominium.

3.4.4. The power and duty to designate, hire and dismiss the personnel necessary for the maintenance, operation, repair and replacement of the Common Elements and provide services for the Property and, where appropriate, provide for the compensation of such personnel and for the purchase of equipment, supplies and material to be used by such personnel in the performance of their duties.

3.4.5. The power and duty to collect the assessments for Common Expenses against the Unit Owners, deposit the proceeds thereof in any bank depositories or money market funds designated by the Executive Board and use the proceeds to carry out the administration of the Property.

3.4.6. The power to make and amend Rules and Regulations covering the details of the operation and use of the Property.

3.4.7. The power to open bank accounts on behalf of the Association and designate the signatories thereon.

3.4.8. The power and duty to make, or contract for the making of, repairs, additions and improvements to or alterations of the Property, and repairs to and restoration of the Property, in accordance with the Declaration, after damage or destruction by fire or other casualty, or as a result of condemnation or eminent domain proceedings.

3.4.9. The power to enforce by legal means the provisions of the Declaration, these By-Laws and the Rules and Regulations and duty and power to act on behalf of the Unit owners with respect to all matters arising out of any eminent domain proceeding.

3.4.10. The power and duty to obtain and carry insurance against casualties and liabilities, as provided in the Declaration, pay the premiums therefor and adjust and settle any claims thereunder.

3.4.11. The power and duty to pay the cost of all authorized services rendered to the Association and not billed to Unit Owners of individual Units.

3.4.12. The power to notify an Eligible Mortgage Holder of any default hereunder or under the Declaration by the Unit owner of the Unit subject to the

Mortgage of such Holder, in the event such default continues for a period exceeding sixty (60) days.

3.4.13. The power to borrow money on behalf of the Condominium when required in connection with any one instance relating to the operation, care, upkeep, maintenance and repair (structural or otherwise) of the Common Elements.

3.4.14. The power to acquire, hold and dispose of Units and mortgage the same on behalf of the Unit Owners.

3.4.15. The power and duty to furnish statements as required by Section 1603-116(h) of the Act and certificates as required by Section 1604-108(b) of the Act.

3.4.16. The power to invest and reinvest funds of the Association and to take all actions necessary and proper in connection therewith, and for any year in which the Executive Board exercises this power to invest and reinvest funds of the Association, the Executive Board shall have the duty to invest the funds of the Association subject to any investment policy that the Executive Board may adopt which reflects the basic investment objectives of safety, liquidity and income return. At least annually, the Executive Board shall disclose to the members a listing on an itemized basis as to amount, type and rate of return, of the instruments, funds, money market accounts, investments and accounts in which the funds of the Association are invested or deposited.

3.4.17. The power to do such other things and acts not inconsistent with the Act or the Declaration which the Executive Board may be authorized to do by a resolution of the Association.

3.5. Delegation of Powers: Managing Agent. The Executive Board may employ for the Condominium a "Managing Agent" or "Manager" at a compensation established by the Executive Board. The Managing Agent shall perform such duties and services as the Executive Board shall delegate or authorize the Managing Agent to perform, including, but not limited to, all of the duties of the Executive Board and officers of the Association listed in the Act, the Declaration and these By-Laws; provided, however, where a Managing Agent does not have the power to act under the Act, the Declaration or these By-Laws, such duties shall be performed as advisory to the Executive Board. The Executive Board may delegate to the Managing Agent all of the powers granted to the Executive Board by the Act, the Declaration and these By-Laws other than the powers: (a) to adopt the annual budget and any amendment thereto or to

assess any Common Expenses; (b) to adopt, repeal or amend Rules and Regulations of the Association; (c) to designate signatories on Association bank accounts; (d) to borrow money on behalf of the Association; (e) to invest and reinvest funds of the Association; (f) to acquire and mortgage Units.

Any employment contract between the Managing Agent and the Association must provide that it may be terminated with cause on no more than thirty (30) days' written notice and without cause on no more than ninety (90) days' written notice.

3.6. Removal or Resignation of Members of the Executive Board. At any regular or special meeting of the Association duly called, any one or more of the members of the Executive Board may be removed with or without cause by Unit Owners entitled to cast at least sixty-six percent (66%) of all the Votes in the Association and a successor may then and there be elected to fill the vacancy thus created. Any Unit Owner proposing removal of a Board member shall give notice thereof to the Secretary. Any member whose removal has been proposed by a Unit Owner shall be given at least ten (10) days' notice by the Secretary of the time, place and purpose of the meeting and shall be given an opportunity to be heard at the meeting. A member of the Executive Board may resign at any time and shall be deemed to have resigned upon transfer of title to his Unit.

3.7. Vacancies. Vacancies in the Executive Board caused by any reason other than the removal of a member by a vote of the Unit Owners shall be filled by a vote of a majority of the remaining members at a special meeting of the Executive Board held for such purpose promptly after the occurrence of any such vacancy, even though the members present at such meeting may constitute less than a quorum. Each person so elected shall be a member of the Executive Board for the remainder of the term of the member being replaced and until a successor shall be elected at the next annual meeting of the Association at which such seat is to be filled upon expiration of the term of his predecessor. In the case of multiple vacancies, the member receiving the greatest number of Votes shall be elected for the longest term.

3.8. Organizational Meeting. The first meeting of the Executive Board following each annual meeting of the Association shall be held within ten (10) days thereafter at such time and place as shall be fixed by the President (even if he is the outgoing President) at the meeting at which such Executive Board shall have been elected, and no notice shall be necessary to the newly elected members of the Executive Board in order legally to constitute such meeting, if a majority of the Executive Board members shall be Present at such meeting.

3.9. Regular Meetings. Regular meetings of the Executive Board may be held at such time and place as shall be determined from time to time by a majority of the

members, but such meeting shall be held at least twice each fiscal year. Notice of regular meetings of the Executive Board shall be given to each member by the Secretary in the manner provided in the Declaration for service of notice upon Unit Owners, at least ten (10) business days prior to the day named for such meeting.

3.10. Special Meetings. Special meetings of the Executive Board may be called by the President on at least three (3) business days' notice by the Secretary to each member and Eligible Mortgage Holder, given by mail, telegraph or hand delivery, securing a receipt therefor, which notice shall state the time, place and purpose of the meeting. Special meetings of the Executive Board shall be called by the President or Secretary in like manner and on like notice on the written request of at least two (2) members of the Executive Board.

3.11. Waiver of Notice. Any member may at any time, in writing, waive notice of any meeting of the Executive Board, and such waiver shall be deemed equivalent to the giving of such notice. Attendance by a member of any meeting of the Executive Board shall constitute a waiver of notice by him of the time, place and purpose of such meeting unless the sole purpose of the member's attendance is to protest the holding of the meeting. If all members are present at any meeting of the Executive Board, no notice shall be required and any business may be transacted at such meeting.

3.12. Quorum of the Executive Board. At all meetings of the Executive Board, a majority of the members present shall constitute a quorum for the transaction of business, and the vote of a majority of the members present at the meeting at which a quorum is present shall constitute the decision of the Executive Board. If at any meeting of the Executive Board there shall be less than a quorum present, a majority of those present may adjourn the meeting from time to time. At any such adjourned meeting at which a quorum is present, any business, which might have been transacted at the meeting originally called, may be transacted without further notice. One or more members of the Executive Board may participate in and be counted for quorum purposes at any meeting by means of conference telephone or similar communication equipment by means of which all persons participating in the meeting can hear each other.

3.13. Compensation. No member of the Executive Board shall receive any compensation from the Association for acting as such, but may be reimbursed for any expenses incurred in the performance of his duties.

3.14. Conduct of Meetings. The President shall preside over all meetings of the Executive Board and the Secretary shall keep a minute book of the Executive Board meetings, recording therein all resolutions adopted by the Executive Board and a record of all transactions and proceedings occurring at such meetings. The then current edition

of Robert's Rules of Order shall govern the conduct of the meetings of the Executive Board if and to the extent not in conflict with the Declaration, these By-Laws or the Act.

3.15. Voting. The act of a majority of the members of the Executive Board present at a meeting at which a quorum is present shall be deemed the act of the Executive Board.

3.16. Action Without Meeting. Any action by the Executive Board required or permitted to be taken at any meeting may be taken without a meeting if all of the members of the Executive Board shall individually or collectively consent in writing to such action. Any such written consent shall be filed with the minutes of the proceedings of the Executive Board.

3.17. Validity of Contracts with Interested Executive Board Members. No contract or other transaction between the Association and one or more of its Board of Director members or between the Association and any corporation, firm or association in which one or more of the Board of Director members are directors or officers, or are financially interested, shall be void or voidable because such Executive Board member or members are present at any meeting of the Executive Board which authorized or approved the contract or transaction or because his or their votes are counted, if the circumstances specified in either of the following subparagraphs exists:

3.17.1. The fact that a Board of Director member is also such a director or officer or has such financial interest is disclosed or known to the Executive Board and is noted in the minutes thereof, and the Executive Board authorizes, approves or ratifies the contract or transaction in good faith by a vote sufficient for the purpose without counting the vote or votes of such Executive Board member or members;

3.17.2. The contract or transaction is made in good faith and is not unconscionable to the Association at the time it is authorized, approved or ratified.

3.18. Inclusion of Interested Executive Board Members in the Quorum. Any Executive Board member holding such director or officer position or having such financial interest in another corporation, firm or association may be counted in determining the presence of a quorum at a meeting of the Executive Board or a committee thereof which authorizes, approves or ratifies a contract or transaction of the type described in Paragraph 3.17.

ARTICLE IV
Officers

4.1. Designation. The principal officers of the Association shall be the President, the Secretary and the Treasurer, all of whom shall be elected by the Executive Board. The President shall be a Unit Owner and a member of the Executive Board. Any other officers may, but need not, be Unit Owners or members of the Executive Board. An officer other than the President may hold more than one office.

4.2. Election of Officers. The officers of the Association shall be elected annually by the Executive Board at the annual meeting of the Board and shall hold office at the pleasure of the Executive Board.

4.3. Removal and Replacement of Officers. Upon the affirmative vote of a majority of all members of the Executive Board, any officer may be removed, either with or without cause, and a successor may be elected at any meeting of the Executive Board called for such purpose.

4.4. President. The President shall be the chief executive officer of the Association, preside at all meetings of the Association and of the Executive Board and have all of the general powers and duties which are incident to the office of president of a nonprofit corporation organized under the laws of the State of Maine including without limitation the power to appoint committees from among the Unit Owners from time to time as the President may in his discretion decide is appropriate to assist in the conduct of the affairs of the Association. The President shall cease holding such office at such time a. he ceases to be a member of the Executive Board.

4.5. Secretary. The Secretary shall keep the minutes of all meetings of the Association and of the Executive Board, have charge of such books and papers as the Executive Board may direct, maintain a register setting forth the place to which all notices to Unit Owners and Eligible Mortgage Holders hereunder and pursuant to this Declaration shall be delivered and, in general, perform all the duties incident to the office of secretary of a nonprofit corporation organized under the laws of the State of Maine. The Secretary shall, within ten (10) days after receipt of request, provide any person, or cause to be provided to any person, entitled thereto at the expense of the person requesting the same a written statement or certification of the information required to be provided by the Association pursuant to Sections 1603-116(h) and 1604-108(b) of the Act.

4.6. Treasurer. The Treasurer shall have the responsibility for the safekeeping of Association funds and securities, be responsible for keeping full and accurate financial records and books of account showing all receipts and disbursements, and for the preparation of all required financial data, be responsible for providing to the Secretary the financial and budgetary information necessary for the Secretary to provide the

certifications required by Paragraph 4.5. and be responsible for the deposit of all monies in the name of the Executive Board, the Association or the Managing Agent, in such depositories as may from time to time be designated by the Executive Board and, in general, perform all the duties incident to the office of treasurer of a nonprofit corporation organized under the laws of the State of Maine.

4.7. Execution of Documents. Except as provided in Paragraph 8.6., all agreements, contracts, deeds, leases, checks and other instruments of the Association for expenditures or obligations not in excess of, or authorized pursuant to, the budget approved by the members may be executed by any one officer of the Association or such other person or employee as the Executive Board may designate in writing.

4.8 Compensation of Officers. No officer who is also a member of the Executive Board shall receive any compensation from the Association for acting as such officer, but may be reimbursed for any out-of-pocket expenses incurred in performing his duties; provided, however, the Secretary and Treasurer may be compensated for their services if the Executive Board determines such compensation to be appropriate.

ARTICLE V
Operation of the Property

5.1. Fiscal Year. The fiscal year of the Association shall begin on such date as shall be established by the Executive Board, except for the first fiscal year of the Association, which shall begin at the date of incorporation of the Association. The commencement date of the fiscal year so established shall be subject to change by the Executive Board.

5.2. Preparation and Approval of Budget:

5.2.1. On or before ninety days (90) before the beginning of the fiscal year for which a Common Expense assessment is made, the Executive Board shall adopt an annual budget for the Association containing an estimate of the total amount of the Common Expenses considered necessary to pay the cost of maintenance, management, operation, repair and replacement of the Common Elements and those parts of the Units as to which it is the responsibility of the Association to maintain, repair and replace, and the cost of wages, materials, insurance premiums, services, supplies and other expenses that may be declared to be Common Expenses by the Act, the Condominium Documents or a resolution of the Association and which will be required during the ensuing fiscal year for the administration, operation, maintenance and repair of the Property and the rendering to the Unit Owners of all related services. The budget shall include such

amounts as the Executive Board shall consider necessary to provide working capital, a general operating reserve fund for current Common Expenses, and a reserve fund for contingencies, replacements, capital improvements, and other items which cannot be expected to occur on a regular basis. The budget shall also reflect the separate assessment of Limited Common Expenses.

5.2.2. On or before the thirtieth (30) day after the adoption of an annual budget as provided in subparagraph 5.2.1. the Executive Board shall make such budget available for inspection during business hours by any Unit Owner or Mortgagee at the office of the Association and the Manager or Managing Agent, if any, and the Secretary shall provide to the Unit Owners and Eligible Mortgage Holders a summary of that budget in reasonably itemized form setting forth the separate amounts of the Common Expenses and Limited Common Expenses and shall set a date for a special meeting of the Unit Owners and Eligible Mortgage Holders to consider approval and ratification of such budget no lest than fourteen (14) days nor more than thirty (30) days after mailing of such summary of budget accompanied by notice of the meeting to each Unit Owner and Eligible Mortgage Holder. The Executive Board shall endeavor to schedule the date for consideration of the budget to coincide with the date of the annual meeting of the Association. Unless at the meeting sixty-six percent (66%) in voting interest of all of the Unit Owners approve and ratify the proposed budget, that budget is rejected. In the event such budget shall be rejected at the meeting, the budget last ratified with respect to the period covered by the proposed budget shall be continued as the budget for the Condominium until such time as the Unit Owners approve and ratify a subsequent budget proposed by the Executive Board upon the same conditions as are provided in this subparagraph with respect to the original budget.

5.2.3. Subject to subparagraph 5.2.2., the budget adopted pursuant to this Paragraph shall constitute the basis for determining each Unit Owner's assessments for Common Expenses and Limited Common Expenses and shall automatically take effect at the beginning of the fiscal year for which it is adopted.

5.3. Assessment of Common Expenses. The total amount of the estimated funds for Common Expenses required from assessments for the operation of the Property as described in subparagraph 5.2.1. and set forth in the budget adopted by the Executive Board shall be assessed on an annual basis against each Unit Owner in proportion to his respective Common Expense Liability as provided in subparagraph 8.1.1. and Schedule B of the Declaration, except for Limited Common Expenses which shall be assessed against each Unit benefited as provided in subparagraph 8.1.2. of the Declaration.

5.4. End of Fiscal Year. Within ninety (90) days after the end of each fiscal year for which a Common Expense assessment was made, the Executive Board shall prepare and deliver to all Unit Owners and Eligible Mortgage Holders, and to each Mortgagee requesting in writing the same, an itemized accounting of the Common Expenses for such fiscal year actually incurred and paid, together with a tabulation of the amounts collected pursuant to the budget adopted by the Executive Board for such fiscal year, and showing the net amount over or short of the actual expenditures plus reserves. Any net shortage with regard to Common Expenses that are not Limited Common Expenses, after application of such reserves as the Executive Board may determine, shall be assessed promptly against the Unit Owners in accordance with their Common Expense Liabilities and shall be payable either (i) in full with payment of the next monthly assessment due, or (ii) in one or more monthly assessments, as the Executive Board may determine. Any net shortage with regard to Limited Common Expenses, after application of such reserve as the Executive Board may determine, shall be assessed promptly against the Unit Owners obligated to pay those Limited Common Expenses and if those Limited Common Expenses benefit more than a single Unit that Limited Common Expenses shall be assessed against the Owners of the Units benefited in accordance with their relative Common Expense Liabilities as between themselves, any and all of which Limited Common Expenses shall be payable either (i) in full with payment of the next monthly assessment or (ii) in one or more monthly assessments, as the Executive Board may determine.

5.5. Reserves. The Executive Board shall build up and maintain reasonable reserves for working capital including a general operating reserve fund for current Common Expenses (the "Working Capital Fund") and a reserve fund for contingencies, replacements, capital improvements, expenses of repair and replacement in the amount of the applicable deductible on property insurance carried by the Association, and other items which cannot be expected to occur on a regular basis (the "Reserve Fund"). However, nothing contained herein shall limit, preclude or impair the establishment of additional funds by the Association so long as the amounts credited to, and debited from any such additional funds are earmarked for specified purposes authorized by the Condominium Documents. The Working Capital Fund, Reserve Fund and such other funds shall be conclusively deemed to be common funds of the Association and shall be deposited in a special account with a lending institution, the accounts of which are insured by an agency of the United States of America unless otherwise invested pursuant to subparagraphs 3.4.5. or 3.4.16. Neither the Executive Board nor the Treasurer shall commingle in the books and records of the Association any amounts deposited into the Reserve Fund, the Working Capital Fund or such other funds. Extraordinary expenditures not originally included in the annual budget, which may become necessary during the year shall be charged first against such reserves. If the reserves are deemed by the Executive Board to be inadequate for any reason, including nonpayment of any Unit Owner's

assessment, the Executive Board may at any time levy a further assessment which, depending on whether the reserve is for the benefit of all the Units or fewer than all the Units, shall be assessed against all the Unit owners according to their respective Common Expense Liabilities or only against the Unit owners benefited according to their respective Common Expense Liabilities as between themselves, and which may be payable in a lump sum or in installments as the Board may determine.

5.6. Further Assessments. Subject to Paragraph 5.8., the Executive Board shall give notice to all Unit Owners and Eligible Mortgage Holders of any further assessments on Unit Owners for Common Expenses or Limited Common Expenses accompanied by a statement in writing giving the amount and reasons therefor, and such further assessment shall, unless otherwise specified in a notice, and subject to Paragraph 5.8., become effective, as provided in Paragraph 5.13., on the first day of the next month which begins more than ten (10) days after the delivery of such notice of further assessment. All Unit Owners so notified shall be obligated to pay the adjusted monthly amount at the times provided for in Paragraph 5.11. Such assessment shall be a lien as set forth in Paragraph 5.13.

5.7. Effect of Failure to Prepare or Adopt Budget. The failure or delay of the Executive Board to prepare or adopt a budget for any fiscal year shall not constitute a waiver or release in any manner of a Unit Owner's obligation to pay his allocable share of the Common Expenses as herein provided whenever the same shall be determined and, in the absence of any annual budget or adjusted budget, each Unit Owner shall continue to pay each monthly installment at the monthly rate established for the previous fiscal year until the new annual or adjusted budget shall have been adopted.

5.8. Rejection of Budget: Limitation on Expenditures. Subject to Paragraph 5.9., but anything else herein to the contrary notwithstanding, within thirty (30) days after adoption by the Executive Board of any revised budget for the Condominium (or adoption of a further assessment pursuant to Paragraph 5.6.) the Executive Board shall provide a summary of that revised budget in a reasonably itemized form or, if appropriate, the notice of any further assessment pursuant to Paragraph 5.6., to each Unit Owner and Eligible Mortgage Holder. The Executive Board shall set a date for a meeting of the Unit Owners and Eligible Mortgage Holders to consider approval and ratification of such revised budget, or further assessment, no less than fourteen (14) days nor more than thirty (30) days after the mailing of said summary of budget or notice. Unless at that meeting sixty-six percent (66%) in voting interest of all of the Unit Owners approve and ratify the revised budget, or further assessment, that budget or assessment is rejected. In the event such revised budget or assessment shall be rejected at the meeting, the budget last ratified with respect to the period covered by the proposed budget or revised budget, or further assessment shall be continued as the budget for the Condominium until such time as the

Unit Owners approve and ratify a subsequent revised budget, or further assessment, proposed by the Executive Board upon the conditions as are provided with respect to the original review of the budget or further assessment.

5.9. Limitations on Borrowing; Emergency Expenditures. The power of the Executive Board to borrow money on behalf of the Association is subject to the requirement that the consent of the Owners of Units to which are allocated at least sixty-six percent (66%) of the Votes in the Association shall be required to borrow in any fiscal year any sum in excess of fifteen percent (15%) of the current annual operating budget. Any provision of limitation on expenditures contained in these By-Laws to the contrary notwithstanding, the Executive Board or the Manager may, on behalf of the Association and the Owners without prior notice or consent, expend any amount, or incur a contractual obligation in any amount, required to deal with emergency conditions which may involve a danger to life or property or may threaten the safety of the Condominium or the owners or occupants of Units or may threaten the suspension of any necessary service to the Condominium or may involve the immediate damage to or destruction of the Common Elements. Where such action was taken to respond to a situation created by the negligence, wrongful action, or omission of a Unit Owner (or its employees, agents, clients, visitors or guests) the expenditure, contractual obligation and expenses shall be charged as a Limited Common Expense to such Unit Owner.

5.10. Accounts: Audits. All sums collected by the Executive Board with respect to assessments against the Unit Owners or from any other source may be commingled in a single fund or held for each Unit Owner in accordance with his respective Common Expense Liability notwithstanding that the Reserve Fund, Working Capital Fund, and such other funds shall not and may not be commingled in the books and records of the Association and that unless otherwise invested pursuant to subparagraphs 3.4.5. or 3.4.16. such funds must be deposited with a lending institution, the accounts of which are insured by an agency of the United States of America. All books and records of the Association shall be kept under the direction of the Treasurer or the Manager and in accordance with customary accounting principles and practices. Any Eligible Mortgage Holder shall have the right to give written notice to the Association and cause the records and books of the Association to be audited and have an audited financial statement of the financial position of the Association prepared each at the expense of such Eligible Mortgage Holder.

5.11. Payment Obligations. Each Unit Owner shall pay to the Association or its authorized representative (1) on the first day of each month, or on such other date that the Association may determine in writing, one-twelfth (l/12th) of the Common Expenses including Limited Common Expenses, and revised Common Expenses including revised Limited Common Expenses, assessed on an annual basis against his Unit in the proportions required in Paragraph 8.1. of the Declaration and (2) all special assessments,

any other sums duly levied against the Unit pursuant to the Declaration, these By-Laws or the Act, including Limited Common Expenses assessed against Unit Owners for maintenance, repair or replacement of a Limited Common Element pursuant to Paragraph 8.4. of the Declaration, all interest thereon and charges for late payment thereof and legal fees and other costs of collection thereof, and fines, penalties and fees as provided by the Declaration, these By-Laws or the Act, on the first day of the next month which begins more than ten (10) days after delivery to the Unit Owner of notice of such special assessment or levy. If for any reason the Association shall revise the annual budget of the Association in accordance with these By-Laws, whereby the Common Expenses or any component thereof may be increased, and subject to Paragraph 5.8., then commencing on the first day of the first month subsequent to the adoption of such revised budget each Unit Owner shall pay to the Association or its authorized representative such revised annual Common Expenses including Limited Common Expenses assessed against his Unit in the proportions required in Paragraph 8.1. of the Declaration.

5.12. Interest: Acceleration. In the event of a default by an Unit Owner in paying any sum assessed against his Unit which continues for a period in excess of thirty (30) days, interest shall be imposed on the principal amount unpaid from the date when due until paid at a rate of interest to be established annually by the Executive Board which shall not exceed the lower of the maximum interest rate allowed by law which may be charged by the Association at such time or eighteen percent (18%) per annum. If the Executive Board shall fail to set such rate, it shall be deemed to have been set at the rate of eighteen percent (18%) per annum. The Association shall have the right to establish and impose charges for late payment of assessments. In any case where an assessment against a Unit Owner is payable in installments, upon a default by such Unit Owner in the timely payment of any two consecutive installments, the maturity of the remaining total of the unpaid installments of such assessments may be accelerated at the option of the Executive Board, and the entire balance of the assessment may be declared due and payable in full by the service of notice to such effect upon the defaulting Unit Owner by the Executive Board or its representative.

5.13. Lien for Assessments. The total annual assessment levied against each Unit for Common Expenses including Limited Common Expenses, revised Common Expenses including revised Limited Common Expenses, or any special assessment, and any other sums duly levied against the Unit pursuant to the Declaration, these By-Laws or the Act, including Limited Common Expenses assessed against Unit Owners for maintenance, repair or replacement of a Limited Common Element pursuant to Paragraph 8.4.of the Declaration, all interest thereon and charges for late payment thereof and legal fees and other costs of collection thereof, and fines, penalties and fees as provided in the Declaration or these By-Laws shall, until fully paid, constitute a lien against the Unit in favor of the Association as provided in Section 1603-116 of the Act. Such lien shall, with

respect to annual assessments and revised annual assessments, be effective on the first day of each fiscal year of the Association as to the full amount of the annual assessment or revised annual assessments, and, as to special assessments and other sums duly levied including Limited Common Expenses assessed against Unit Owners for maintenance, repair or replacement of a Limited Common Element pursuant to Paragraph 8.4. of the Declaration, interest, charges for late payments, legal fees, costs of collection, fines, penalties and fees as described in Paragraph 5.12., on the first day of the next month which begins more than ten (10) days after delivery to the Unit Owner of notice of such special assessment or levy. Such lien is prior to all other liens and encumbrances on a Unit except (a) liens and encumbrances recorded before the recordation of this Declaration, (b) a first Mortgage recorded before or after the date which the assessment sought to be enforced becomes delinquent, and (c) liens for real estate taxes and other governmental assessments or charges against the Units; provided, however, that such lien is not subject to the provisions of 14 M.R.S.A. Section 4651 and 18-A M.R.S.A. Section 201, et seq., as they or their equivalents may be amended or modified from time to time.

5.14. Enforcement. The lien for assessments described in Paragraph 5.13. may be enforced and foreclosed by the Association in like manner as a mortgage on real estate as provided in Section 1603-116(a) of the Act or by any other means presently or hereafter provided by law or in equity. A suit to recover a money judgment for unpaid assessments, interest, penalties, and costs of collection may be maintained against the Unit Owner personally without foreclosing or waiving the lien securing such assessments and a foreclosure may be maintained notwithstanding the pendency of any suit to recover a money judgment. During the pendency of any such suit, the Unit Owner shall be required to pay a reasonable rental for the unit for any period prior to sale pursuant to any judgment or order of any Court having jurisdiction over such sale.

5.15. Exemption From Expenses by Waiver of Use of Common Elements or Unit Elements. Subject to Paragraph 15.5. of the Declaration, no Unit Owner may exempt himself from Common Expense Liability with respect to the payment of assessments for Common Expenses by waiver of the enjoyment of the right to use any of the Common Elements or by abandonment of his Unit or otherwise. Subject to Paragraph 15.5.of the Declaration, the obligation to pay assessments for Common Expenses is absolute and unconditional and shall not be subject to set-offs or counterclaims.

5.16. Collection of Assessments. The Executive Board or the Managing Agent, at the request of the Executive Board, shall take prompt action to collect any assessment for Common Expenses due from any Unit Owner which remains unpaid for more than thirty (30) days from the due date for payment thereof together with any interest thereon and charges for late payment as provided in Paragraphs 5.11.and 5.12.

5.17. Statement of Common Expense. The Association shall promptly provide to any Unit Owner, contract purchaser or Mortgagee so requesting the same in writing with a statement setting forth the amount of unpaid assessments currently levied against the Unit of such Unit Owner as provided in Section 1603-116(h) of the Act. The Association shall also promptly provided to any Unit Owner or contract purchaser so requesting the same with a certificate containing the information described in Section 1604-108(a) of the Act enabling such Unit Owner to comply with the provisions of Section 1604-108 of the Act. The Association shall have the right to impose a reasonable charge for the preparation of such statement or information to cover the costs of preparation thereof against the Unit Owner requesting the same.

5.18. Reallocation of Allocated Interests. If Common Expense Liabilities are reallocated for any reason, assessments for Common Expenses and any installments thereof not yet due shall be recalculated in accordance with the reallocation Common Expense Liabilities. Within thirty (30) days after the reallocation of the Common Expense Liabilities, the Executive Board shall revise the budget to reflect changes in Common Expenses and Limited Common Expenses resulting from such reallocation of Common Expense Liabilities to reflect the proportionate liability of all the Units for such Common Expenses and Limited Common Expenses for the remainder of the fiscal year in which such events occur. The amount of assessments attributable to each Unit thereafter shall be the amount specified in the adjusted budget, until a new budget shall have been adopted by the Executive Board subject to the Condominium Documents.

5.19. Taxation.

5.19.1 Separate Taxation. If there is any Unit Owner other than the Declarant, each Unit and its Allocated Interests shall be deemed to be a separate tax parcel and shall be separately taxed and assessed by the City of Portland. Neither the Building, the Property nor any of the Common Elements shall be deemed to be or assessed as a separate tax parcel.

5.19.2. Units Not Yet Separately Assessed. In the event that for any year real estate taxes assessed by the City of Portland are not separately taxed and assessed to each separate Unit Owner but are taxed on the Property as a whole, then each Unit Owner shall pay his proportionate share thereof in accordance with his respective Common Expense Liabilities.

ARTICLE VI
Repair and Reconstruction After Fire or Other Casualty

6.1. When Repair and Reconstruction are Required. In the event of damage to or destruction of all or any part of the Property as a result of fire, other casualty or the exercise of the power of eminent domain, the Executive Board on behalf of the Association shall promptly arrange for and supervise the prompt repair, replacement and restoration thereof, including any damaged Units (including the unfinished floor slab or basement floor, as the case may be, roof and roof rafters, wall studs, joists, columns, studs or beams, and all exterior windows and doors; but not including the plaster or sheetrock forming the perimeter walls of the Units, any floorcovering (such as tile; wood flooring and carpeting) and any wallcovering (such as paint, wallpaper, paneling or tiles), furniture, fixtures (such as cabinets, built-in closets or bookshelves, vanities, lamps and chandeliers) furnishings, appliances or other personal property owned by Unit Owners) (the "Unit Owner Property") substantially in accordance with the Declaration, the Plat and Plans, these By-Laws, the original elevation thereof and the original plans and specifications therefor unless, subject to Paragraph 9.3. of the Declaration, (a) the Condominium is terminated, or (b) repair, replacement or restoration would be illegal under any state or local health, safety, land-use or environmental statute, code or ordinance, or (c) one hundred percent (100%) of the Unit Owners and at least sixty percent (60%) of the Eligible Mortgage Holders vote not to repair, restore or replace the damaged or destroyed Property, and such decision is approved by every Owner of a Unit or assigned or allocated Limited Common Element, which will not be repaired, replaced or restored, and by all Eligible Mortgage Holders of all Mortgages thereon. Each Unit owner shall supervise the repair, replacement and restoration of its Unit Owner Property.

6.2. Procedure for Reconstruction and Repair. Subject to Paragraph 9.3. of the Declaration, if repair, replacement or restoration (of non-Unit Owner Property) shall be required pursuant to Paragraph 6.1.:

6.2.1. Cost Estimates. The Executive Board shall promptly obtain reliable and detailed estimates of the cost of repairing and restoring such portion including any damaged Units (and the fixtures, service machinery and other apparatus, but not including any Unit Owner Property in the Unit) substantially in accordance with this Declaration, the Plat and Plans, the original elevation thereof and original building plans and specifications therefor unless other action is approved by one hundred percent (100%) in voting interest of the Unit Owners and at least sixty percent (60%) of the Eligible Mortgage Holders. Such costs may also include professional fees and premiums for such bonds as the Insurance Trustee may determine to be necessary.

6.2.2. Assessments. If the net proceeds of insurance, eminent domain awards, and any appropriate reserve for replacement funds, if any, are not sufficient to defray such estimated costs of reconstruction, repair, and replacement,

or if upon completion of reconstruction and repair the funds for the payment of the costs thereof are insufficient, any such costs in excess of insurance proceeds, any eminent domain awards, and reserves shall be deemed a Common Expense and a special assessment therefor shall be levied by the Association.

6.2.3. Construction Fund and Disbursement. The proceeds of insurance collected on account of the casualty, any eminent domain awards, and any appropriate reserve for replacement funds, and the sums received by the Association from collections of assessments against Unit Owners pursuant to subparagraph 6.2.2. on account of any such casualty or taking, shall constitute a construction fund which shall be held in trust by the Insurance Trustee or Association as provided in Paragraph 14.3. of the Declaration and disbursed in payment of the costs of reconstruction and repair in the following manner:

6.2.3.1. If the estimated cost of reconstruction and repair is less than Fifty-Thousand Dollars ($50,000), then the construction fund shall be disbursed in appropriate progress payments, or payment of such costs upon order of the Executive Board; provided, however, that upon request of sixty percent (60%) of the Eligible Mortgage Holders, such funds shall be disbursed pursuant to subparagraph 6.2.3.2.

6.2.3.2. If the estimated cost of reconstruction and repair is Fifty Thousand Dollars ($50,000.00) or more, then the construction fund shall be disbursed in payment of such costs upon approval of an architect qualified to practice in the State of Maine employed by the Association or Insurance Trustee or of such other qualified person acceptable to no less than sixty percent (60%) of the Eligible Mortgage Holders and to the Owners of the Units to which are allocated no less than sixty-six percent (66%) of the Votes in the Association (generically, the "Architect"), to supervise such work, payment to be made from time to time as the work progresses. The Architect shall be required to furnish a certificate giving a brief description of the services and materials furnished by various contractors, subcontractors, materialmen, the Architect and other persons who have rendered services or furnished materials in connection with the work stating that: (a) the sums requested by them in payment are justly due and owing and that such sums do not exceed the value of the services and materials furnished; (b) there is no other outstanding indebtedness known to the Architect for the services and materials described; and (c) the cost as estimated by the Architect for the work remaining to be done subsequent to the date of such certificate does not exceed the amount of the construction fund remaining after payment of the sum so requested.

6.2.3.3. Common Elements. When the damage is to both Common Elements and Units, the insurance proceeds or eminent domain proceeds shall be applied first to the cost of repairing those portions of the Common Elements which enclose and service the Unit, then to the costs of repairing the other Common Elements and then to the costs of repairing the Units.

6.2.3.4. Distribution After Payment. The first monies disbursed in payment of the cost of reconstruction and repair shall be from any insurance proceeds or eminent domain awards and, if there is a balance in the construction fund after the payment of all of the costs of the reconstruction and repair for which the fund is established, such balance shall be distributed among all Unit Owners, Mortgage holders and lien holders, as their respective interests may appear, in proportion to their respective Common Element Interests or the Common Element Interests of the Units to which their respective Mortgages or liens are subject.

6.3. Damage or Destruction: No Repair or Replacement. If the entire Condominium is not repaired or replaced:

6.3.1. The insurance proceeds and any eminent domain awards attributable to the damaged Common Elements shall be used to restore the damaged area to a condition compatible with the remainder of the condominium as determined by the Executive Board or Architect;

6.3.2. The insurance proceeds and any eminent domain awards attributable to Units and Limited Common Elements which are not rebuilt shall be distributed to the Owners and Mortgagees of those Units as their insurable interests may appear and the Owners and Mortgagees of the Units to which those Limited Common Elements were assigned or allocated, as their insurable interests may appear; and

6.3.3. The remainder of the insurance proceeds and any eminent domain awards shall be distributed to all the Unit Owners and Mortgagees, as their insurable interest may appear, in proportion to their respective Common Element Interests or the Common Element Interests subject to their respective Mortgages.

6.3.4. If the Unit Owners and their Mortgagees vote not to rebuild any Unit, that Unit's entire Allocated Interests shall be automatically reallocated upon said vote as if the Unit had been condemned under Section 1601-107(a) of the Act and the Association shall prepare, execute and record an amendment to the

Declaration reflecting the reallocations. Notwithstanding any provision of this Article VI to the contrary, Section 1602-118 of the Act governs the distribution of insurance proceeds and any eminent domain awards if the Condominium is terminated.

6.4. Mortgagee Priority. No provision of the Condominium Documents shall be deemed or construed to give a Unit Owner, or any other person, priority over the rights of any Eligible Mortgage Holder pursuant to its Mortgage in the case of a distribution to Unit Owners of insurance proceeds or eminent domain awards for losses to or a taking of Units, Common Elements, or both.

ARTICLE VII
Records of Information

7.1. Title. Every Unit Owner shall promptly cause to be duly recorded the deed, assignment, or other conveyance to him of his Unit or other evidence of his title thereto and file such evidence of his title with the Executive Board through the Secretary or Manager. The Secretary shall maintain such information in the record of ownership of the Association.

7.2. Availability of Information. The Association shall make available to Unit owners, lenders and the holders, insurers and guarantors of the first Mortgage on any Unit, for inspection at the office of the Association or the Manager, if any, current copies of the Declaration, these By-Laws and the Rules and Regulations governing the Property and other books, records and financial statements of the Association. The Association shall also make available to Eligible Mortgage Holders, Unit Owners and prospective purchasers at the cost of the person requesting the same current copies of the Declaration, these By-Laws and the Rules and Regulations governing the Property. "Available" means available for inspection or receipt upon request, during normal business hours or under other reasonable circumstances.

ARTICLE VIII
Amendments

Subject to the provisions of Article XII of the Declaration governing the amendment of the Declaration, and subject also to Article XI of the Declaration governing the rights of Mortgagees, and subject to the other provisions of the Declaration including, but not limited to, Paragraphs 9.3. thereof, these By-Laws and of the Act, these By-Laws may be amended as follows:

8.1. Notice. Notice of the subject matter of a proposed amendment shall be included in the notice of any meeting of the Executive Board or Association in which a proposed amendment is considered, and shall be served upon all Unit Owners and Eligible Mortgage Holders.

8.2. Resolution. An amendment may be proposed by either the Executive Board or by Unit Owners holding in the aggregate no less than thirty percent (30%) of the Votes in the Association. No resolution of the Executive Board adopting a proposed amendment or the proposed amendment itself shall be effective unless it has been adopted at a meeting of the Association duly called and held in accordance with these By-Laws by the affirmative vote of at least sixty-six percent (66%) in voting interest of all of the Unit Owners and then executed as Provided in Paragraph 8.5.

8.3. Agreement. In the alternative, an amendment may be made by an agreement signed by the record Owners of Units to which are allocated at least one hundred percent (100%) of the Votes in the Association, in which case such amendment shall become effective when signed by such Unit Owners.

8.4. Proviso. Provided, however, that except as otherwise permitted by the Act and provided in the Declaration, no amendment may increase the number of Units or change the boundaries of any Unit, the Allocated Interests allocated to a Unit, or the uses to which any Unit is restricted without the unanimous consent of the Unit owners and the consent of at least Sixty Percent (60%) of the Eligible Mortgage Holders.

8.5. Execution. A copy of each amendment shall be attached to or included with a certificate, certifying that the amendment was duly adopted, which certificate shall be executed by the President or Treasurer and attested by the Secretary. The amendment shall be effective when such certificate and copy of the amendment are executed and certified.

8.6. Amendments to Declaration; Designation of Officers. In accordance with § 12.2.5 of the Declaration, either the President or Treasurer may be designated to prepare, execute and record, and the Secretary shall certify on behalf of the Association any amendments to the Declaration which have been approved under Article XII of the Declaration.

ARTICLE IX
Standards and Control of Condominium

9.1. Establishment of Rules and Regulations. The Executive Board shall have the power to adopt, amend and enforce compliance with such reasonable Rules and

Regulations relative to the operation, use and occupancy of the Units and the Common Elements consistent with the provisions of the Condominium Documents and the Act and the enactment and enforcement of such enforcement procedures and penalties for violations as they shall deem appropriate. Any such Rules and Regulations shall be adopted or amended from time to time by means of appropriate resolutions duly approved by the Executive Board in accordance with these By-Laws and the Declaration. The Executive Board shall have the right to establish various rules and procedures governing the operation and administration of the appeal and hearing process and the enforcement of the Condominium Documents and Rules and Regulations. A copy of all such policy guidelines, rules, procedures and regulations and copies of any amendments thereto shall be delivered or mailed to each Owner or occupant of a Unit promptly after the adoption thereof and shall become binding upon all Owners, their successors in title and assigns, and occupants.

9.2. Additions, Alterations or Improvements by the Executive Board. Whenever in the judgment of the Executive Board the Common Elements shall require additions, alterations or improvements costing in excess of Ten Thousand Dollars ($10,000.00) which are not included within the approved budget for the fiscal year(s) in which the additions, alterations or improvements will be made, the making of such additions, alterations or improvements requires a vote of one hundred percent (100%) of the Unit Owners, and the Executive Board shall assess all Unit Owners benefited for the cost thereof as a Common Expense (or Limited Common Expense). Any additions, alterations or improvements costing less than Ten Thousand Dollars ($10,000.00) may be made by the Executive Board without approval of the Unit Owners and the cost thereof shall constitute a Common Expense or Limited Common Expense, depending on the nature of the additions, alterations or improvements. Notwithstanding the foregoing, if, in the opinion of no less than two-thirds (2/3) of the members of the Executive Board, such additions, alterations or improvements are exclusively or substantially exclusively for the benefit of the Unit Owners requesting the same, such requesting Unit Owners shall be assessed therefor as a Limited Common Expense in such proportion as they jointly approve or, if they are unable to agree thereon, in such proportion as may be determined by the members of the Executive Board.

9.3. Additions, Alterations or Improvements by the Unit Owners. Subject to any applicable provisions of the Declaration, these By-Laws or rules or regulations of the Association, a Unit Owner may make nonstructural improvements and alterations to the interior of his Unit but no Unit Owner may make any improvements or alterations or do any work whatsoever which would impair the structural integrity or mechanical systems of the Building or of a Unit owned by another Unit Owner, lessen the support of any portion of the Condominium, or jeopardize the soundness or safety of the Property, or reduce the fire rating of any walls or violate any building fire codes. No Unit Owner shall

alter any of the Common Element, or paint or otherwise change the appearance of the Common Elements (including the Limited Common Elements) or paint or otherwise change the exterior appearance of his Unit (including, but not limited to, the exterior surface of doors) or any other portion of the Condominium without the prior written approval of the Executive Board.

9.4. Residential Restriction; Prohibition on Short Term Rentals. All Units are restricted to residential use, which shall not preclude leasing or rental, subject, however, to the requirement that rentals or leases of any nature (including, without limitation, any rentals facilitated through any third-party/online services such as Airbnb, Homeaway.com or VRBO) shall comply with the provisions of these By-Laws, the Declaration, and the Rules & Regulations of the Association.

ARTICLE X
Corporate Seal

10.1. Seal. The Association shall have a seal in circular form having within its circumference the words:

RIFUGIO
CONDOMINIUM
OWNERS
ASSOCIATION
2020
MAINE

ARTICLE XI
Third Parties Protected

11.1. Protection of Third Parties. With respect to a third person dealing with a member of the Executive Board, an officer of the Association or the Managing Agent employed by the Executive Board pursuant to Paragraph 3.5. (each hereinafter collectively referred to as a "Representative") acting on behalf of the Executive Board of the Association, the third person is not bound to inquire whether the Representative has power to act in its purported capacity or is properly exercising the powers granted to the Representative. Such third person, without actual knowledge that the Representative is exceeding or improperly exercising its powers, is fully protected in dealing with the Representative as if it possessed and properly exercised the powers it purports to exercise.

ARTICLE XII
Miscellaneous

12.1. Remedies Cumulative. All rights, remedies and privileges granted to the Executive Board or a Unit Owner pursuant to any terms, provisions, covenants or conditions of the Condominium Documents shall be deemed to be cumulative, and the exercise of any one or more shall not be deemed to constitute an election of remedies nor shall it preclude the party thus exercising the same from exercising such other and additional rights, remedies, or privileges as may be granted to such party hereunder or by any instruments or documents incorporated herein by reference or at law or in equity.

12.2. Captions. The headings in these By-Laws are for purposes of reference only and shall not limit or otherwise affect the meaning hereof. Any tables of contents or indices attached to these By-Laws are for purposes of reference and convenience only and shall neither limit nor otherwise affect the meaning hereof nor be deemed as part of these By-Laws. References in these By-Laws to Articles, Paragraphs, subparagraphs and Schedules without references to the document in which they are contained are references to these By-Laws. Any Exhibits are attached to these By-Laws for purposes of identification only and shall not be deemed as part of these ByLaws.

12.3. Gender; Number; Etc. The use of the singular number in these By-Laws shall be deemed to include the plural, the plural the singular, and the use of any one gender shall be deemed applicable to all gender.

12.4. Severability. The invalidity of any provisions of these By-Laws shall not be deemed to impair or affect in any manner the validity, enforceability or effect of the remainder of these By-Laws, and in such event, all of the other provisions of these By-Laws shall continue in full force and effect as if such invalid provision had never been included herein.

-END-

DECLARATION OF CONDOMINIUM

of

RIFUGIO, A CONDOMINIUM
Portland, Maine

Upright Properties, LLC
Portland, Maine
Declarant

DRAFT

Recorded: Cumberland County Registry of Deeds

Book _____, Page ____ - Date: _____, 2020

DECLARATION
RIFUGIO, A CONDOMINIUM

THIS DECLARATION (the "Declaration") is executed by Upright Properties, LLC (the "Declarant"), pursuant to the Maine Condominium Act, Chapter 31 of Title 33 of the Maine Revised Statutes, as amended (the "Act").

ARTICLE I
CREATION OF CONDOMINIUM; DEFINED TERMS

1.1. Declaration of Property. The Declarant, owner of that certain lot or parcel of land situated at 128R North Street, Portland, Cumberland County, Maine, more particularly described in Schedule A, and of all buildings and improvements constructed thereon and all easements, rights, privileges and appurtenances related thereto (collectively the "Property") hereby submits the Property to the provisions of the Act and creates with respect to the Property a condominium under the Act (the "Condominium"). The name of the Condominium is Rifugio, a Condominium, and its address is 128R North Street, Portland, Maine 04101. The name of the Association is Rifugio Condominium Owners Association and its address is 128R North Street, Portland, Maine 04101.

The Property is depicted on a plat of said land entitled "Condominium Plat, Rifugio, a Condominium," dated _____, by _____, and on floor plans of such buildings and improvements constructed thereon, entitled "Horizontal & Vertical Boundaries, Rifugio, a Condominium," dated _____, by _____, (collectively, the "Plans" or "Plats and Plans"), which Plans are recorded in the Cumberland County Registry of Deeds, Plan Book ___, Pages ____ through ____.

1.2. Defined Terms. As provided in Section 1601-103 of the Act, capitalized terms not otherwise defined in this Declaration, as it may be amended from time to time, or on the Plat and Plans, shall have the same meanings as specified in the Act. The following terms which are not otherwise defined in this Declaration shall have the following specific meanings in this Declaration.

1.2.1. "Allocated Interests" mean (a) the Common Element Interest, and (b) the Common Expense Liability, allocated to each Unit pursuant to this Declaration.

1.2.2. "Association" means the association of the Unit Owners of the Condominium organized pursuant to Section 1603-101 of the Act as a nonprofit corporation under the Maine Non Profit Corporation Act. The name of the Association is Rifugio Condominium Owners Association.

DRAFT

1.2.3. "Building" means the building erected on the Property shown on the Plat and Plans containing four (4) levels (including the parking level) and six (6) units. Unit 1 occupies the first floor of the Building, except for parking area, common entrances, halls, elevator and stairs as shown on the Plans. Unit 2 and Unit 3 occupy the second floor of the Building, except for the common halls, elevator and stairs as shown on the Plans. Unit 4 and Unit 5 occupy the third floor of the Building, except for the common halls, elevator and stairs as shown on the Plans. Unit 6 occupies the fourth floor of the Building, except for the common halls, elevator and stairs as shown on the Plans. The travel lanes of the parking area and bike storage on the first floor, as shown on the Plans, is a Common Element. The decks located off of Units 2, 3, 4, 5, and 6 are allocated to such units as Limited Common Elements.

1.2.4. "By-Laws" means such governing regulations for the Association as are adopted pursuant to the Act and this Declaration for the regulation and management of the Condominium, including such amendments thereof as may be adopted from time to time.

1.2.5. "Common Elements" mean all portions of the Condominium other than the Units and shall further include, without limitation, the outside walls and roof of the Building, the land, walkways, chimneys, elevator, other common facilities or equipment, common porches, stairways or hallways, landscaping, pipes, wires, conduits, foundation, columns, girders, beams, concrete joists, supports, exterior walls, and any central installations and equipment for power, light, air conditioning, heating, ventilation, elevator, door bells and electronic door opener/intercom system (if any), and other service and utility lines which are not defined as a part of the Units. The Common Elements are sometimes referred to as the "Common Areas".

1.2.6. "Common Element Interest" means the percentage of undivided interest in the Common Elements appurtenant to each Unit.

1.2.7. "Common Expenses" mean and include, but are not limited to, (a) the cost of maintenance, management, operation, repair, renovation, restoration and replacement of the Common Elements and such Limited Common Elements and such parts of the Units as to which pursuant to this Declaration it is the responsibility of the Association to maintain, repair and replace; (b) the cost of all insurance premiums on all policies of insurance required to be or which have been obtained by the Executive Board pursuant to the provisions of this Declaration; (c) such amounts as the Executive Board may deem necessary to provide for general operating reserve funds, reserve funds for replacements and contingencies, reserve funds in the amount of the applicable deductibles on property insurance policies carried by the Association, and such other reserve funds as may be required by the By-Laws or as the Executive Board may periodically establish; (d) sums that the Executive Board may deem necessary to compensate for any deficits in

receipts over expenses for the previous fiscal year; (e) the charges and fees for energy, electricity, heat, water, gas and sewer services, and all other utilities furnished to the Condominium to the extent not separately metered to individual Units and charged to individual Unit Owners; (f) costs and fees for legal and accounting services for the Condominium procured by the Association; and (g) such other costs and expenses that may be declared by the Act, this Declaration, the By-Laws, or resolution or agreement by the Executive Board, to be Common Expenses of the administration, operation, maintenance and repair of the Condominium and Property and the rendering to Unit Owners of all related services.

1.2.8. "Common Expense Liability" means the allocation to each Unit of the respective liability for Common Expenses. The Common Expense Liability allocated to the Unit is a percentage equal to the Common Element Interest appurtenant to the respective Unit.

1.2.9. "Condominium Documents" mean this Declaration, the Plans, the By-Laws and any Rules and Regulations adopted pursuant thereto by the Executive Board, and all amendments to each of the same.

1.2.10. "Eligible Mortgage Holder" means the holder of record of a recorded first Mortgage encumbering a Unit in the Condominium 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, stating the name and address of the said holder of the Mortgage, the name and address of the Owner of the Unit encumbered by such Mortgage, the identifying number of such Unit, and containing a statement that such Mortgage is a recorded first Mortgage.

1.2.11. "Limited Common Elements" mean those portions of the Common Elements the exclusive use of which is reserved as an appurtenance to one or more, but fewer than all, of the Units as indicated and allocated pursuant to this Declaration.

1.2.12. "Limited Common Expenses" include (a) the Common Expenses associated with the maintenance, repair or replacement of a Limited Common Element which shall be assessed exclusively against the Units to which that Limited common Element is assigned in proportion to the relative Common Expense Liabilities of such Units as between themselves, as the Executive Board may periodically determine, and (b) the Common Expenses for services benefiting fewer than all the Units, which are assessed exclusively against the Units benefited in accordance with the use of such services as permitted by Section 1603-115(c) of the Act.

1.2.13. "Mortgage" means a recorded mortgage or deed of trust encumbering a Unit in the Condominium held by a Mortgagee or an Eligible Mortgage Holder.

1.2.14. "Mortgagee" means the holder of a Mortgage.

1.2.15. "Recorded" means that an instrument has been duly entered of record in the Registry of Deeds in and for Cumberland County, Maine.

1.2.16. "Rules and Regulations" mean such Rules and Regulations as may be adopted by the Executive Board pursuant to Article 9.1 of the By-Laws.

1.2.17."Unit" means a part of the Property designated for any type of separate ownership or occupancy, which has a direct exit to a public street or way, or to a Common Element or Common Elements leading to a public street or way, the boundaries of which Unit are established in Article III.

1.2.18. "Votes" mean the Votes in the Association allocated to the Units set forth in Schedule B.

1.3. Interpretation. In the event of any conflict or discrepancy between this Declaration, the By-Laws, and the Plans, the provisions of this Declaration shall govern the By-Laws and the Plans.

ARTICLE II
DESCRIPTION OF PROPERTY

2.1. Description of the property. A legally sufficient description of the Property included in the Condominium is set forth in Schedule A and the location and dimensions of the Property included in the Condominium are depicted on the Plans referred to in Paragraph 1.1. All easements, licenses, rights or encumbrances, if any, to which the Condominium shall be subject to are described in Exhibit A.

2.2. Location and Dimensions of Building. The location and dimensions of the Building and improvements erected on the Property, and of the Common Elements, are depicted on the Plans.

2.3 Driveways. The Building is served by a driveway from North Street approaching from the northeasterly side of the Building, which serves the parking area. The driveway is a Common Element, and the Unit Owner's share of the cost of maintenance (including snow removal), repair and replacement of the driveway is a Common Expense.

2.4 Stormwater Maintenance System. The Stormwater Maintenance System shall include the culverts, drains, pipes, focal point gardens, and other systems necessary to meet the drainage and stormwater management needs of the Condominium as documented in the Stormwater Maintenance Agreement, dated _____, 2020, and attached hereto as Exhibit B.

ARTICLE III
DESCRIPTION OF UNITS, ETC.

3.1. Number of Units. The Declarant has created pursuant to this Declaration the six (6) Units identified in Schedule B.

3.2. Creation of Units. Reference is made to Schedule B for the identifying number of each Unit created by this Declaration and to the Plans for a description of each Unit created by this Declaration including each Unit's identifying number, the locations and dimensions of the vertical boundaries and horizontal boundaries of each Unit, the Common Elements to which the Unit has direct access, the Limited Common Elements which serve each Unit, and any other information necessary to identify the Unit.

3.2.1 Unit Subject to Eligibility Restrictions. In accordance with Division 30 of Chapter 14 of the City of Portland's Code of Ordinances, Unit 1 (the "Workforce Unit") shall be designated as Workforce Housing Unit for Sale, as that term is defined at Section 14-485. Therefore, the Workforce Unit shall be (i) sold at a purchase price which is affordable to a household earning 120% or less of average median income ("AMI") for greater Portland; (ii) sold only to a household earning 120% or less of AMI; and (iii) these restrictions shall be recorded in the deed from Declarant conveying the Workforce Unit and/or in other legally binding agreements, as may be required by the City of Portland, including the Affordable Housing Agreement, dated _____, 2020. Declarant and the Association shall cooperate with the City of Portland's verification processes, and shall, together with any prospective buyer, provide the City with sufficient information to determine any prospective buyer's eligibility, as well as meet any additional requirements as put forth in the Affordable Housing Agreement.

3.3. Unit Boundaries. The boundaries of each Unit created pursuant to this Declaration are situated as shown on the Plans and shall consist of:

3.3.1. Upper and Lower (horizontal) Boundaries: The upper and lower boundaries of each Unit shall be the following boundaries extended to an intersection with the vertical (perimetric) boundaries:

3.3.1.1. Upper Boundary: The planes formed by the bottom side of the ceiling rafter stud line.

3.3.1.2. Lower Boundary: The horizontal plane of the top surface of the structural flooring of the Unit.

3.3.2. Vertical (perimetric) Boundaries: The vertical boundaries of each Unit are the vertical planes, extended to intersections with each other and with the Unit's upper and lower boundaries, of the inner or Unit side surface of the studs which support the dry wall, plaster, wallboard or other materials forming the perimeter walls bounding the Unit. Boundary lines shall also be the exterior surfaces of doors, windows and glass walls, and their frames, sills and thresholds, where applicable.

3.3.3. The Unit shall include the following items exclusively serving the Unit, whether or not located within the boundaries of the Unit: heating, hot water, solar panels, gas lines, telecommunications wiring and components, electrical and air conditioning components and apparatus, and all partitions which are wholly contained within the Unit including interior doors, door frames, hardware, electrical outlets and wiring, and devices in such partitions serving only the Unit.

3.3.4. The Unit shall include all lath, furring, wallboard, wall materials, plasterboard, plaster, paneling, tiles, wallpaper, paint, finished flooring and any other materials constituting any part of the finished surfaces thereon located within the boundaries of the Unit.

3.3.5. Subject to the provisions of subparagraphs 3.3.3 and 3.3.4 above, if any chute, flue, duct, wire, conduit, bearing wall, bearing column, stairway, or any other fixture lies partially within and partially outside the designated boundaries of a Unit, any portion thereof serving only that Unit is a Limited Common Element allocated solely to that Unit, and any portion thereof serving more than one Unit or any portion of the Common Elements is a part of the Common Elements.

3.3.6. Subject to the provisions of subparagraphs 3.3.3, 3.3.4 and 3.3.5 above, all spaces, interior partitions and other fixtures and improvements within the boundaries of a Unit are a part of the Unit.

3.4. Allocated Interests. The Allocated Interests allocated to each Unit are listed and allocated to the Units in Schedule B.

3.5. Relocation of Unit Boundaries. Subject to applicable provisions of this Declaration and the By-Laws, and deed restrictions affecting the Property, and of law and environmental and land-use ordinances and regulations, the subdivision of Units

horizontally or vertically and the relocation of horizontal and vertical boundaries between Units will be permitted at the expense of the Unit Owners of the Unit or Units to be so subdivided and the boundaries of which are to be so relocated, subject to compliance with the provisions therefor stated in Section 1602-112 and Section 1602-113 of the Act.

3.6. Alteration of Partitions. Subject to applicable provisions of this Declaration and the By-Laws, and any deed restrictions affecting the Property, and of law, ordinances and land-use regulations, a Unit Owner may, after acquiring a vertically or horizontally adjoining Unit or adjoining part of a vertically or horizontally adjoining Unit, remove or alter any intervening partition or create apertures therein, even if the partition in whole or in part is a Common Element, if such acts do not impair the structural integrity or mechanical systems of the Building or lessen the support of any portion of the Property. Removal of partitions or creation of apertures under this subparagraph is not alteration of boundaries.

3.7. Alterations by Unit Owner. Subject to any applicable provisions of this Declaration, the By-Laws or Rules and Regulations of the Association, a Unit owner may make nonstructural improvements and alterations to the interior of such owner's Unit but no Unit Owner may make any improvements or alterations or do any work whatsoever which would impair the structural integrity or mechanical systems of the Building or of a Unit owned by another Unit Owner, lessen the support of any portion of the Condominium, jeopardize the soundness or safety of the Property, or reduce the fire rating of any walls or violate any building or fire codes. Except as provided in this Declaration, no Unit Owner shall alter any of the Common Elements or paint or otherwise change the appearance of the Common Elements (including Limited Common Elements) or paint or otherwise change the exterior appearance of such owner's Unit (including, but not limited to, the exterior surface of doors) or any other portion of the Condominium without the prior written approval of the Executive Board.

3.8 Utilities. The utilities serving the Units and Common Areas of the Condominium are as follows:

3.8.1 Each Unit is separately metered for electricity.

3.8.2 Each Unit is served by its own separately metered natural gas line, and each unit owner is responsible for any cost related to the use thereof.

3.8.3 Each Unit shall be served by one or more heating or heating and cooling systems. Each unit owner is responsible for their own heating costs, including operating costs, repair, maintenance and replacement costs, if necessary, of heating and cooling systems serving such unit owner's Unit.

3.8.4 Each Unit shall be served by a heat-recovery ventilation system. Each unit owner is responsible for their own use of the heat-recovery ventilation system including operating costs, repair, maintenance and replacement costs, if necessary.

3.8.5 There is a separate electric meter for all Common Area lighting and other common area electric usage, including any central heating or ventilation systems.

3.8.6 There is a single shared water meter for the condominium. Water and sewer charges shall be shared by the Units based on the allocations of shared expenses defined in Schedule B.

ARTICLE IV
COMMON ELEMENTS, LIMITED COMMON ELEMENTS AND APPLICABLE PROVISIONS

4.1. Common Elements. The Common Elements are shown on the Plans.

4.2. Allocation of Limited Common Elements. The location and dimensions of the Limited Common Elements, except for the portions of the Property described as Limited Common Elements pursuant to Sections 1602-102(2) and (4) of the Act, and the identification of the Unit or Units to which the Limited Common Elements are hereby allocated, are described in this Paragraph 4.2, and on the Plat and Plans. The allocation of Limited Common Elements to the Units cannot be altered except in compliance with Section 1602-108(b) of the Act at the expense of the Owners of the Units involved and with the written consent of the Owners and Eligible Mortgage Holders of record of the Units affected by the reallocation of Limited Common Elements. The following portions of the Common Elements serving fewer than all the Units, but located outside those Units' boundaries, are each allocated as a Limited Common Element to the Unit or Units which it serves:

4.2.1. The storage area depicted on the Plans as Limited Common Elements to the respective Unit served.

4.2.2. Any hallways, stairways, landings and doorways, waiting areas or reception areas, storage spaces, porches and decks depicted on the Plat and Plans as Limited Common Elements to the respective Unit served.

4.2.3. Doors leading from the Unit to the Common Elements or Limited Common Elements and any associated door paneling, frames, glassware, buck, trim, sills and hardware including lock, hinges and closure but not including the interior surface of the doors, which are part of the Unit.

4.2.4. Windows and any shutters, awnings, decorative grating and window boxes designed to serve the Unit.

4.3. Common Elements to Remain Undivided. The Common Element Interest of a Unit shall be inseparable from each Unit, and any conveyance, lease, devise or other disposition or mortgage or other encumbrance of any Unit shall extend to and include the Common Element Interest, whether or not expressly referred to in the instrument effecting such transfer. The Common Elements shall remain undivided and no action for partition or division of any part thereof shall be permitted, unless otherwise provided by law and permitted by this Declaration.

4.4. Use of Common Elements. Except as their use may otherwise be limited by this Declaration or the By-Laws or otherwise by the Executive Board pursuant to its powers, each Unit Owner, tenant and occupant of a Unit, and the guests, customers, clients, agents and employees of such Unit Owner, tenant and occupant, may use the Common Elements in common with all other Unit Owners and tenants or occupants of other Units, and their respective guests, customers, clients, agents and employees, in accordance with the purposes for which they are intended, without hindering or encroaching upon the lawful rights of the other Unit Owners, upon the following terms:

4.4.1. No signs 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.

4.4.2. No Unit Owner shall obstruct any of the Common Elements nor shall any Unit Owner place or cause anything to be placed on or in any of the Common Elements (except those areas designated for such storage by the Condominium Documents or the Executive Board) without the approval of the Executive Board.

4.4.3. The Executive Board, the Association and any Unit Owner shall not be considered a bailee of any personal property stored on the Common Elements, whether or not exclusive possession of the particular area is given to a Unit Owner, and shall not be responsible for the security of such personal property or for any loss or damage thereto, whether or not due to negligence, except to the extent covered by insurance in excess of any applicable deductible.

4.5 Stormwater Maintenance System. Notwithstanding anything else in this Declaration the individual components of the Stormwater Maintenance System are a Common Element.

ARTICLE V
EASEMENTS; RIGHTS OF WAY AND LICENSES; PARKING; STORMWATER MAINTENANCE

5.1. Recorded Easements and Licenses. The Condominium benefits from the following recorded easements and licenses:

5.1.1 A right of way and utility easement across 128 North Street granted by Elmore W. Ramsdell to Claire Bowden, dated July 25, 1923, and recorded in the Cumberland County Registry of Deeds at Book 1143, Page 307.

5.1.2 A right of way easement across 126 North Street granted by Joshua T. Wojcik to the Declarant, dated _____, and recorded in the Cumberland County Registry of Deeds at Book ___, Page ___.

5.2 Parking; ADA Compliant Parking. The Condominium includes six (6) parking spaces for Unit Owners with one space assigned to Units 2-5, and two spaces assigned to Unit 6 as a Limited Common Element. "On-street" parking may also be available on the public streets nearby in accordance with the City of Portland ordinances, rules and regulations.

A limited common element parking space, including the parking spaces which are designed to meet accessibility needs under the American's with Disabilities Act, may be reassigned by an amendment to this Declaration in accordance with section 1602-108(b) of the Act. Any owner wishing to reassign a limited common element parking space shall submit to the Association the language of a proposed amendment and such additional details as the Association may reasonably require. The proposed amendment must be approved by vote or agreement of the owner of each unit particularly affected, and the owners of the units to which 70% of the votes of the association are allocated. If approved by unit owners, the amendment shall be recorded in the registry of deeds. The Association shall determine which unit or units are "particularly affected". Unit owners seeking approval under this paragraph shall pay a fee of $500 and all costs incurred by the Association in connection with the application, including preparation of the amendment, recording costs and attorney's fees. The Association shall approve any amendment submitted to reassign a van accessible, ADA compliant, parking space from a person without a physical disability to a person with a condition or impairment that substantially limits his or her mobility who requires such an ADA compliant space. No fee shall be charged under such circumstances, but legal fees and other expenses shall be the responsibility of the applicant.

5.2.1 Parking Space Assignment; Vehicle Restrictions. The parking spaces are subject to the following restrictions and assigned to the following Units as limited common elements:

	Maximum Vehicle Characteristics				
#	Wheel Base	Length	Width	Unit	Notes
1	9.3’	16.5’	6.5’	6	ADA Compliant
2	8.6’	15.8’	6’	2	Mid-Size
3	8.5’	15.8’	6’	4	Mid-Size
4	8.5’	14.5	5.8’	6	Compact
5	9.3’	16.5’	6.5’	3	Full-Size/SUV
6	9.3’	16.5’	6.5’	5	Full-Size/SUV

5.3 Stormwater Maintenance Agreement. The Association shall maintain the Stormwater Maintenance System and shall undertake as common expenses all costs necessary to meet the obligations of the Stormwater Maintenance Agreement, dated _____, 2020, and attached hereto as Exhibit B.

ARTICLE VI
NOTICES TO UNIT OWNERS BY ASSOCIATION, ETC.

6.1. To Unit Owners. All notices, demands, bills, statements or other communications affecting the Condominium given to Unit Owners by the Association shall be in writing and shall be deemed to have been duly given if delivered personally securing a receipt therefor or sent by United States mail, postage prepaid, or if such notification is of a default or lien, sent by registered or certified United States mail, return receipt requested, postage prepaid, addressed to the Unit Owner at the address which the Unit Owner shall designate in writing and file with the Secretary of the Association or managing agent, or if no such address is so designated, the address of the Unit of such Unit Owner who is the record owner thereof.

6.2. To the Association. All notices, demands, statements or other communications affecting the Condominium given by the Unit Owners to the Association shall be in writing and shall be deemed to have been duly given to the Association if delivered personally securing a receipt therefor, or sent by United States mail, postage prepaid, return receipt requested, addressed to the Association at the principal office of the managing agent, or if there shall be no managing agent, then to the Secretary of the Association at the address of the Unit of which the Secretary is the record Unit Owner.

6.3. To Eligible Mortgage Holder. All notices, demands, statements or other communications affecting the Condominium given by the Association to any Eligible

Mortgage Holder shall be in writing and shall be deemed to have been duly given by the Association if delivered personally securing a receipt therefor, or sent by United States mail, postage prepaid, addressed to the Eligible Mortgage Holder at the address identified pursuant to subparagraph 1.2.10 by virtue of which it became an Eligible Mortgage Holder.

ARTICLE VII
EASEMENTS

The following easements and rights are hereby granted or reserved:

7.1. Utilities, Pipes and Conduits. Each Unit Owner shall have an easement in common with all other Unit Owners to use all pipes, wires, ducts, cables, conduits, public utility lines and other Common Elements serving such owner's Unit and located in any of the other Units. Each Unit shall be subject to an easement in favor of all other Unit Owners to use the pipes, ducts, cables, wires, conduits, public utility lines and other Common Elements serving such other Units and located in such Unit. The Association acting through its Executive Board shall have the right to grant to third parties additional permits, licenses and easements over and through the Common Elements for utilities, and other purposes reasonably necessary or useful for the proper maintenance and operation of the Condominium.

7.2. Ingress and Egress. Each Unit Owner, and the partners, guests, employees, tenants, sub-tenants, invitees, agents, contractors and licensees of the Unit Owner, shall have an easement, subject to the provisions of the Declaration and any Rules and Regulations established by the Executive Board, in common with all other Unit Owners, to use the entrances, exits, Common Element corridors, elevator, and hallways, Common Element stairways and other Common Elements as a means of ingress and egress to and from the Property and the adjoining public streets.

7.3. Condominium Association and Executive Board Access. The Association and its Executive Board, officers, agents and employees, and the managing agent and every other person authorized by the Executive Board shall have the irrevocable right and easement to have access to each Unit as provided in Section 1603-107(a) of the Act as may be necessary for the inspection, maintenance, repair or replacement of any of the Common Elements and Limited Common Elements therein or accessible therefrom for the making of any additions or improvements thereto, or to make repairs to any Unit, Common Elements or the Limited Common Elements if such repairs are reasonably necessary for public safety or to prevent damage to any other Unit or Units, the Common Elements or Limited Common Elements, or to abate any violation of law, orders, rules or regulations of the Association or of any governmental authorities having jurisdiction

thereof. In case of an emergency, such right of entry shall be immediate whether or not the Unit Owner is present at that time.

7.4. Encroachments. Each Unit shall have an easement to the extent necessary for structural and subjacent support over every other Unit and over the Common Elements, and each Unit and the Common Elements shall be subject to an easement for structural and lateral support in favor of every other Unit. If any portion of the Common Elements or Limited Common Elements hereafter encroaches upon any Unit, or if any Unit hereafter encroaches upon any other Unit or upon any portion of the Common Elements or Limited Common Elements, as a result of settling or shifting of the Building or otherwise than as a result of the purposeful or negligent act or omission of the Owner of the encroaching Unit, or of the Association in the case of encroachments by the common Elements or Limited Common Elements, a valid easement appurtenant to the encroaching Units, Common Elements or Limited Common Elements for the encroachment and for the maintenance of the same shall exist for so long as the encroachment shall exist. In the event that the Building shall be partially destroyed as a result of fire or other casualty or as a result of a taking by the power of, or in the nature of, eminent domain or by an action or deed in lieu of condemnation, and then is rebuilt, encroachments of a portion or portions of the Common Elements or Limited Common Elements upon any Unit or of any Unit upon any other Unit or upon any portion of the Common Elements or Limited Common Elements, due to such rebuilding, shall be permitted, and valid easements appurtenant to the encroaching Units, Common Elements or Limited Common Elements for such encroachments and the maintenance thereof shall exist so long as the Building as so rebuilt shall stand.

7.5. Common Elements Easement in Favor of Unit Owners.

The Common Elements (including, but not limited to, the Limited Common Elements) shall be and are hereby made subject to the following easements in favor of the Units benefited:

7.5.1. For the installation, repair, maintenance, use, removal and/or replacement of pipes, ducts, heating and air conditioning systems, electrical, telephone and other wiring and cables for communication, intelligence, information storage, retrieval or processing, computer operations, and word processing and all other utility lines and conduits which are a part of or serve any Unit and which pass across or through a portion of the Common Elements.

7.5.2. For the installation, repair, maintenance, use, removal and/or replacement of lighting fixtures, electrical receptacles, panel boards and other electrical installations which are a part of or serve any Unit but which encroach into a part of the Common Elements adjacent to such Unit; provided that the installation, repair

maintenance, use, removal or replacement of any such item does not unreasonably interfere with the common use of any part of the Common Elements, adversely affect either the thermal or acoustical character of the Building or impair or structurally weaken the Building.

7.5.3. For driving and removing nails, screws, bolts and other attachment devices into the Unit side surface of the studs which support the dry wall or other perimeter walls bounding the Unit, the bottom surface of floor joists above the Unit and the top surface of the floor joists below the Unit to the extent such nails, screws, bolts and other attachment devices may encroach into a part of the Common Elements adjacent to such Unit; provided that any such action will not unreasonably interfere with the common use of any part of the Common Elements, adversely affect either the thermal, aesthetic or acoustical character of the Building or impair or structurally weaken the Building.

ARTICLE VIII
ASSESSMENTS FOR COMMON EXPENSES AND MAINTENANCE OF PROPERTY

8.1. Allocation and payment of Assessments of Common Expenses. The total amount of Common Expenses shall be assessed against the Units in the following proportions:

8.1.1. The Common Expenses that are not assessed as Limited Common Expenses shall be assessed against all the Units in proportion to the relative Common Expense Liabilities of all the Units.

8.1.2. (a) If a Limited Common Expense benefits more than a single Unit, that Limited Common Expense shall be assessed solely against all the Units benefited in proportion to the relative Common Expense Liabilities of such Units as between themselves, as the Executive Board shall periodically determine, (b) 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 shall periodically determine, (c) to the extent that utilities are not separately metered to the Units and notwithstanding anything to the contrary contained herein or in the By-Laws, the costs of utilities may be assessed against the Units in proportion to usage as the Executive Board may periodically determine, and (d) any additional costs of insurance shall be assessed against Units as a Limited Common Expense on the basis of any additional premiums charged due to the contents, characteristics or features of a particular Unit as more particularly provided in Paragraph 14.2., which additional costs the Executive Board shall periodically determine on the basis of the advice of the insurance company described in Paragraph 14.2., provided, however, (e) if a Limited Common Expense is associated with

the maintenance, repair or replacement of a Limited Common Element, that Limited Common Expense shall be assessed solely against all the Units to which that Limited Common Element is allocated in proportion to the relative Common Expense Liabilities of such Units as between themselves, as the Executive Board shall determine.

8.1.3. The cost of utilities serving the Condominium not individually metered to a Unit shall be Common Expenses or Limited Common Expenses assessed pursuant to subparagraphs 8.1.1. and 8.1.2.

8.2. Payment of and Lien for Assessments.

8.2.1. Commencing no later than sixty (60) days after the first unit is conveyed, each unit owner, including the Declarant, shall pay to the Association or its authorized representative (1) on the first day of each month, or on such other date that the Association may determine in writing, one-twelfth (l/12th) of the Common Expenses including Limited Common Expenses, and revised Common Expenses including revised Limited Common Expenses, assessed on an annual basis against such owner's Unit in the proportions required in Paragraph 8.1. and (2) all special assessments, any other sum duly levied against the Unit pursuant to this Declaration, the By-Laws or the Act, including Limited Common Expenses assessed against Unit Owners for maintenance, repair or replacement of a Limited Common Element pursuant to Paragraph 8.4., all interest thereon and charges for late payment thereof and legal fees and other costs of collection thereof, and fines, penalties and fees as provided by this Declaration, the By-Laws or the Act, on the first day of the next month which begins more than ten (10) days after delivery to the Unit Owner of notice of such special assessment or levy or on such other date that the Association may determine in writing. If for any reason the Association shall revise the annual budget of the Association whereby the Common Expenses or any component thereof may be increased, then commencing on the first day of the first month subsequent to the adoption of such revised budget each Unit Owner shall pay to the Association or its authorized representative such revised annual Common Expenses including Limited Common Expenses assessed against his Unit in the proportions required in Paragraph 8.1.

8.2.2. The total annual assessment levied against each Unit for Common Expenses including Limited Common Expenses, revised Common Expenses including revised Limited Common Expenses, or any special assessment, and any other sums duly levied against the Unit pursuant to this Declaration, the By-Laws, or the Act, including Limited Common Expenses assessed against Units for maintenance, repair or replacement of a Limited Common Element pursuant to Paragraph 8.4., all interest thereon and charges for late payment thereof, legal fees and other costs of collection thereof, and fines, penalties and fees as provided in this Declaration or the By-Laws shall constitute the personal liability of the Owner of the Unit so assessed and also shall, until fully paid,

constitute a lien against the Unit in favor of the Association as provided in Section 1603-116 of the Act. Such lien shall, with respect to annual assessments and revised annual assessments, be effective on the first day of each fiscal year of the Association as to the full amount of the annual assessment or revised annual assessment, and, as to special assessments and other sums duly levied including Limited Common Expenses assessed against a Unit Owner for maintenance, repair or replacement of a Limited Common Element pursuant to Paragraph 8.4., interest, charges for late payment, legal fees, costs of collection, fines, penalties and fees as described in subparagraph 8.2.1., on the first day of the next month which begins more than ten (10) days after delivery to the Unit Owner of notice of such special assessment or levy. In any case where an assessment against a Unit Owner is payable in installments, upon a default by such Unit Owner in the timely payment of any two consecutive installments, the maturity of the remaining total of the unpaid installments of such assessments may be accelerated at the option of the Executive Board, and the entire balance of the assessment may be declared due and payable in full by the service of notice to such effect upon the defaulting Unit Owner by the Executive Board or its representative. Such lien is prior to all other liens and encumbrances on a Unit except (a) liens and encumbrances recorded before the recordation of this Declaration, (b) a first Mortgage recorded before or after the date which the assessment sought to be enforced becomes delinquent, and (c) liens for real estate taxes and other governmental assessments or charges against the Units; provided, however, that such lien is not subject to the provisions of 14 M.R.S.A. Section 4651 or 4651-A and 18-A M.R.S.A. Section 2-201, et seq., as they or their equivalents may be amended or modified from time to time.

8.2.3. The lien for assessments described in subparagraph 8.2.2. may be enforced and foreclosed by the Association in like manner as a mortgage on real estate as provided in Section 1603-116(a) of the Act or by any other means presently or hereafter provided by law or in equity. A suit to recover a money judgment for unpaid assessments, interest, penalties, and costs of collection may be maintained against the Unit Owner personally without foreclosing or waiving the lien securing such assessments and a foreclosure may be maintained notwithstanding the pendency of any suit to recover a money judgment. During the pendency of any such suit, the Unit Owner shall be required to pay a reasonable rental for the Unit for any period prior to sale pursuant to any judgment or order of any court having jurisdiction over such sale.

8.2.4 In addition to the regular monthly payments of Common Expenses as set forth herein, each purchaser of a Unit from the Declarant shall pay to the Association a special assessment at the time of closing equal to two (2) times the estimated monthly assessment to provide a working capital reserve fund for the Association.

8.3. Reduction of Expenses and Surplus Funds. All receipts from payments, fees or charges for the use, rental or operation of any and all Common Elements shall be

applied first to reduce the Common Expense relating to the use of that Common Element giving rise to such Common Expense and any excess thereof shall be applied to Common Expenses generally; and all receipts from any assessments for Limited Common Expenses shall be applied first to reduce the Limited Common Expense relating to the service afforded to the Unit benefited and any excess shall then be applied to reduce until exhausted the subsequent monthly installments of Common Expenses assessed against the Unit benefited. Any amounts accumulated from assessments for Common Expenses, income from interest on reserves, and income from the operation of the Common Elements to which such Common Expenses pertain in excess of the amount required for actual Common Expenses and provision for Common Expenses and any payment of reserves shall be credited to each Unit Owner in proportion to their respective Common Expense Liabilities to reduce until exhausted the next monthly installments due from Unit Owners.

8.4. Limited Common Elements, Maintenance. Each Unit Owner shall be solely responsible for the maintenance and repair of the portion of the Building allocated to such Unit Owner's Unit as a Limited Common Element, including without limitation the respective portions of the basement, storage areas and garage. Notwithstanding the foregoing, the Association may maintain, repair and replace any Limited Common Elements if the Association determines such repair and replacement is necessary to maintain the safety, integrity and value of the Building and the Units. In such event, the Association shall assess as a Limited Common Expense expenses associated with the maintenance, repair or replacement of such Limited Common Element against the Units to which the Limited Common Element is assigned or appurtenant in proportion to the relative Common Expense Liabilities of such Units as between themselves, provided that the Association shall also have the right to assess an individual Unit for Limited Common Expenses associated with said purposes applicable to such Unit if the Limited Common Expense shall be incurred due to the negligence, neglect or misconduct of the Owner of such Unit or if the item giving rise to the expense shall be for the benefit of that Unit only.

8.5. Maintenance of Common Elements. The Association shall be responsible for the maintenance, repair and replacement (unless, if in the opinion of the Executive Board such expense was necessitated by the negligence, misuse or neglect of a Unit Owner) of all of the Common Elements (subject to Paragraph 8.4. regarding the Limited 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 in Paragraph 8.4. with regards to Limited Common Elements. The maintenance, repair and replacement of Common Elements located within a Unit, or for which the Unit Owner is otherwise 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 or, if fewer than all of the Units are benefited, the Limited Common

Expenses. Any Unit Owner permitted by the Executive Board to use a specific portion of the Common Elements for storage is responsible for the maintenance and care of such portion and shall use the same in a safe and sanitary manner.

8.6. Maintenance of Unit. Each Unit Owner shall keep and maintain such unit owner's Unit and the Limited Common Elements allocated to each Unit Owner's Unit, if any, and its 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 nonstructural, 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 the Unit or such Limited Common Element, provided, however, no Unit Owner shall change the appearance of the exterior of the Building without the prior written consent of the Executive Board. The Unit Owner shall maintain the interior surfaces of windows in the Units including periodic washing. No Unit Owner shall sweep or throw, or permit to be swept or thrown, from the 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 such owner's failure or negligence to make any of the repairs required by this Article. Each Unit Owner shall perform such owner's 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.

8.7. Liability of Owner. Each Unit Owner shall be liable, and the Association shall have a lien against such Owner's Unit for, the expense of maintenance, repair or replacement of any damage to the Common Elements including Limited Common Elements or of another Unit caused by such Unit Owner's act, neglect or carelessness or by that of such Unit Owner's guests, employees, agents, or lessees which the Association shall have the right to cure, correct, maintain, repair or replace. 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.

8.8. Maintenance Responsibilities. Notwithstanding the ownership of the various portions of the Common Elements and the Units by virtue of the descriptions of the boundaries of Units provided in this Declaration, the Units and Common Elements shall be maintained and repaired by each Unit Owner and the Association in accordance with the provisions of Section 1603-107(a) of the Act, except as expressly set forth to the contrary in this Declaration.

ARTICLE IX
ASSOCIATION OF UNIT OWNERS; VOTING

9.1. The Association, Powers. The membership of the Association at all times shall consist exclusively of all Unit Owners, or, following any termination of the Condominium as provided in Section 1602-118 of the Act, of all former Unit Owners entitled to distributions of proceeds under said Section 1602-118, or their heirs, successors or assigns, but shall not include persons having an interest in a Unit solely as security for an obligation. Each Unit Owner shall automatically become and be a member of the Association as long as such owner continues as a Unit Owner and upon the termination of the interest of the Unit Owner in the Condominium such owner's membership and any interest in the common funds of the Association shall thereupon automatically terminate and transfer and inure to the next Unit Owner or Owners succeeding in interest. Except as otherwise provided in Section 1603-103(b) of the Act, the Association shall have all the powers granted pursuant to Section 1603-102 of the Act.

9.2. Executive Board. The affairs of the Association shall be governed by an Executive Board composed of three (3) natural persons, all of whom shall be Unit owners or spouses of Unit Owners or in the case of a Unit Owner which is a corporation, partnership, limited liability company, trust or estate, a designated agent thereof. The initial Executive Board shall be elected by the incorporator of the Association and shall serve until the earlier of (i) at least two (2) units have been sold, or (ii) the third annual meeting.

9.3. Votes. The Votes in the Association allocated to each Unit are stated in Schedule B. Unless by express provisions of the Act, the By-Laws or this Declaration a different vote is required, each question presented at a meeting of the Association shall be determined by the affirmative vote of Owners of Units to which are allocated no less than sixty-six percent (66%) of the Votes in the Association. Provided, however, that notwithstanding any provision to the contrary contained in the By-Laws or this Declaration, the affirmative vote of one hundred percent (100%) of all of the Unit Owners shall be required for the Association to act on any of the following matters: termination of the Condominium pursuant to Section 1602-118 of the Act; merger or consolidation of the Condominium with another condominium; conveyance or subjection to a security interest of any portion of the Common Elements; use of any proceeds of insurance required to be maintained by the Association pursuant this Declaration or any eminent domain awards or proceeds for purposes other than repair and restoration of the damaged Property in accordance with the Condominium Documents, the original elevation thereof and the original building plans and specifications therefor; and amendments to the Condominium Documents which govern or regulate (a) voting, (b) assessments, assessment liens or subordination of such liens, (c) reserves for replacement,

repair and replacement of the Common Elements or Units, if applicable, (d) insurance or fidelity bonds, (e) responsibility for maintenance and repair of the Common Elements and the Units, (f) leasing of Units, or (g) imposition of any right of first refusal or similar restriction on the right of a Unit Owner to sell, transfer, or otherwise convey or lease an owner's Unit.

9.4. Voting. The Votes in the Association allocated to a Unit can only be cast as a unit and cannot be split. If a Unit is owned of record by one person, that Unit owner's right to cast all the Votes allocated to that Unit shall be established by the record title to the Unit, provided, however, that such person's spouse or designated agent may cast the Votes allocated to such Unit if authorized to do so in a certificate executed by the Unit Owner and filed with the Secretary of the Association, which certificate shall be valid until revoked by a subsequent certificate similarly executed and filed with the Secretary of the Association. If ownership of a Unit is in more than one person, the person who shall be entitled to cast all the Votes allocated to that Unit shall be the person named in a certificate executed by all of the Owners of such Unit and filed with the Secretary of the Association. If ownership of a Unit is in a corporation, partnership, limited liability company, limited liability partnership, trust or estate, the officer or employee of that corporation, general partner of that partnership, member of that limited liability company, or partner of that limited liability partnership, trustee of that trust, or agent of that estate, entitled to cast for the corporation, partnership, limited liability company, limited liability partnership, trust or estate the Votes allocated to such Unit shall be designated in a certificate for that purpose executed by the president or a vice president of that corporation, and attested to by the secretary, assistant secretary or clerk of that corporation, executed by all the general partners of that partnership, executed by all the managing members or members with sufficient authority of that limited liability company, executed by the managing partner or partners with sufficient authority of that limited liability partnership, executed by all the trustees of that trust, or executed by either all the devises of that estate or by order of the probate court and filed with the Secretary of the Association. Such certificates of multiple owners, corporations, partnerships, limited liability companies, limited liability partnerships, trusts or estates shall be valid until revoked by a subsequent certificate similarly executed and filed with the Secretary of the Association. Wherever the vote, approval or disapproval of a Unit Owner is required by this Declaration or the Act, such vote, approval or disapproval shall be made only by the person who would be entitled pursuant to such certificate to cast at any meeting of the Association the Votes allocated to such Unit. If the person named or designated in said certificate for a particular Unit shall be absent from a meeting of the Association, no person may cast the Votes allocated to that Unit at the meeting although the presence at the meeting of a non-named or non-designated co-Owner or member, officer, employee, agent or designee of such Owner shall be counted in determining whether a quorum is present. If a multiple Owner of a Unit that is not a corporation, partnership, limited liability company, limited liability partnership, trust or estate has failed to file said

certificate with the Secretary of the Association and only one of the multiple Owners is present at a meeting of the Association, he shall be entitled to cast at the meeting all the Votes allocated to that Unit without establishing the concurrence of the absent Owners just as though that person were the sole Owner of the Unit. If a multiple Owner of a Unit that is not a corporation, partnership, limited liability company, limited liability partnership, trust or estate has failed to file said certificate with the Secretary and if more than one Owner of that Unit is present at the meeting, the Votes allocated to that Unit may be cast only in accordance with the agreement of a majority of the multiple Owners present at the meeting. Such majority agreement shall be conclusively presumed if any one of those multiple Owners shall cast the Votes allocated to the Unit without protest being promptly made to the person presiding over the meeting by any other Owners of that Unit. No Votes allocated to a Unit owned by the Association may be cast.

ARTICLE X
RESTRICTIONS ON USE, OCCUPANCY AND ALIENATION OF UNITS

10.1. Use and Occupancy Restrictions on Units. Each Unit shall be occupied and used subject to the following restrictions:

10.1.1. All Units are restricted to residential use, which shall not preclude leasing or rental, subject, however, to the requirement that rentals or leases of any nature (including, without limitation, any rentals facilitated through any third-party/online services such as Airbnb, Homeaway.com or VRBO) shall comply with the restrictions contained in this Declaration, the By-Laws of the Association, and any Rules & Regulations promulgated by the Association in accordance with its By-Laws.

10.1.2. Nothing shall be done or kept in any Unit or in the Common Elements which will increase the rate of insurance for the Property or any part thereof without the prior written consent of the Executive Board. No Unit Owner shall permit anything to be done or kept in such Owner's Unit or in the Common Elements which will result in the cancellation of insurance on the Property or any part thereof or which would be in violation of any law, regulation or administrative ruling. No waste will be committed on the Common Elements.

10.1.3. No Unit shall be used so as to create a nuisance or an unreasonable interference with the peaceful possession and occupation or proper use of any other Unit or the Common Elements.

10.1.4. No Owner or occupant of any Unit shall carry on, or permit to be carried on, any practice which unreasonably interferes with the quiet enjoyment and proper use of another Unit or the Common Elements by the Owner or occupant of any other Unit, or which creates or results in a hazard or nuisance on the Property.

10.1.5. The Association shall have the power to regulate the keeping of pets and animals in such manner as may be prescribed from time to time in any Rules and Regulations established by the Executive Board.

10.1.6. No Unit Owner shall remove any of the acoustical, sound-deadening, or fire-resistant material from the walls, floors or ceilings of such owner's Unit without replacing the same with acoustical, sound-deadening, or fire resistant materials of equal or greater sound-deadening or fire-resistant ratings or qualities. No Unit Owner shall remove any of the acoustical, sound-deadening, or fire-resistant materials from the Common Elements surrounding such owner's Unit without the prior written consent of the Executive Board.

10.1.7. Trash, garbage and other waste shall be kept only in sanitary containers and shall be disposed of in such manner as may be prescribed from time to time in any Rules and Regulations established by the Executive Board.

10.1.8. No Unit Owner shall overload the electrical wiring in the Building or operate any machinery, appliances, accessories or equipment in such a manner as to cause, in the reasonable judgment of the Executive Board, any unreasonable disturbance or make any alterations, repairs or modifications to or connections with the electrical or plumbing systems without the prior written consent of the Executive Board.

10.1.9. Each Unit Owner shall maintain sufficient heat inside his Unit to prevent the pipes running through the Unit from freezing or cracking from the effects of cold weather. The Unit Owner shall be liable to the Association for the costs and expenses of repairing all damage inflicted on another Unit or the Common Elements due to freezing, breaking, or cracking of pipes caused by the Unit Owner's failure to comply with the requirements of this subparagraph.

10.2. Leasing Restrictions. No Unit Owner shall lease a Unit other than on written form of lease requiring the lessee to comply with the Condominium Documents. The Owner of a Unit shall, promptly following the execution of any lease of that Unit, notify the Association in writing of the name of the tenant and the term of the lease and any options in the lease to renew extend or purchase.

10.3. Voluntary Resale of Units. The following provisions apply to the sales of Units:

10.3.1. No Unit Owner shall be liable for the payment of any part of the Common Expenses assessed against such owner's Unit subsequent to the date of recordation of a conveyance in fee of such Unit by the Owner. In a voluntary transfer of a

Unit, the grantee of the Unit shall be jointly and severally liable with the grantor for all unpaid assessments and special assessments for Common Expenses made by the Executive Board against the latter up to the time of the recordation of grantor's transfer, without prejudice to the grantee's right to recover from the grantor the amounts paid by the grantee therefor. However, any person who shall have entered into an agreement to purchase a Unit from a Unit Owner shall be entitled to a certificate from the Executive Board as provided by Section 1604-108(b) of the Act prepared at the expense of the person so requesting the same, and the grantee shall not be liable for, nor shall the Unit conveyed be subject to a lien for, any assessments or unpaid special assessments made by the Executive Board against the grantor for Common Expenses in excess of those disclosed on such certificate. A voluntary transfer for the purpose of this subparagraph 10.3.1. shall be considered any sale, lease, gift, testate or intestate distribution, or the transfer of ownership of a corporation owning a Unit.

10.3.1. In contemplating and executing any voluntary resale or transfer of the Workforce Unit (Unit 1), the owner of the Workforce Unit and the Association will cooperate with the City of Portland to ensure compliance with the eligibility restrictions imposed on the Workforce Unit, as well as to comply with the City's implementing regulation for income verification and any additional terms contained in the Affordable Housing Agreement between the City and the Declarant dated _____, 2020.

ARTICLE XI
MORTGAGES OF UNITS; RIGHTS OF MORTGAGEES

11.1. Right to Mortgage. Each Unit Owner shall have the right to mortgage or encumber such owner's Unit together with its appurtenant Allocated Interests. Except as otherwise permitted by Section 1603-112 of the Act and subject to this Declaration, no Unit Owner shall have the right or authority to mortgage or otherwise encumber in any manner whatsoever the Common Elements or any part thereof.

11.2. Identification of Mortgagee. A Unit Owner who mortgages his Unit shall notify the Executive Board in writing of the name and address of such owner's Mortgagee(s). Failure to provide such notice, however, shall not affect in any way any Mortgage or the validity or enforceability thereof.

11.3. Mortgage Foreclosure. Any Mortgagee holding a recorded first Mortgage on a Unit that obtains title to the Unit pursuant to the remedies provided in the Mortgage, or through a completed foreclosure of the Mortgage, or through deed (or assignment) in lieu of foreclosure, shall take the Unit with the Allocated Interests appurtenant thereto free of any claims or liens for unpaid assessments for Common Expenses, interest and costs levied against such Unit which accrue prior to the acquisition of title to such Unit by

the Mortgagee, other than the proportionate share of the Common Expenses which become due and payable from and after the date on which the Mortgagee shall acquire title to the Unit through a completed foreclosure or deed (or assignment) in lieu of foreclosure.

11.4. Notices to Eligible Mortgage Holder. The Association shall send reasonable prior written notice by prepaid United States mail to each Eligible Mortgage Holder of the following proposed actions or events either within a reasonable period prior to the taking of any of such proposed actions or at the time that notice thereof is given to the Unit Owner or Owners:

11.4.1. The termination of the Condominium pursuant to Section 1602-118 of the Act.

11.4.2. A change in the Allocated Interests of a Unit, or a change in the boundaries of a Unit or a subdivision of a Unit;

11.4.3. The merger or consolidation of the Condominium with another condominium;

11.4.4. The conveyance or subjection to a security interest of any portion of the Common Elements;

11.4.5. The proposed use of any proceeds of hazard insurance required to be maintained by the Association pursuant to the Declaration or the By-Laws for purposes other than the repair or restoration of the damaged property;

11.4.6. Any default in the performance or payment by a Unit Owner of any obligations under the Declaration or By-Laws, including, without limitation, default in the payment of Common Expense Liability, which default continues for a period exceeding sixty (60) days;

11.4.7. Any condemnation or casualty loss that affects either a material portion of the Condominium or the Unit securing the Mortgage;

11.4.8. A lapse, cancellation or material modification of any insurance policy or fidelity bond maintained by the Association, and

11.4.9. Any proposed action that requires the consent of a specified percentage of the Eligible Mortgage Holders as specified in Paragraph 11.5.

In the event of any proposed actions described in subparagraphs 1, 2, 3, 4, or 5 above, an Eligible Mortgage Holder shall have the right, but not the obligation, in place of the Unit Owner, to cast the Votes allocated to that Unit or give or withhold any consent required of the Unit Owner for such action by delivering written notice to the Association with a copy to the Unit 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 Unit Owner from exercising such right. In the event of any default described in subparagraph 6 above, the Eligible Mortgage Holder shall have the right, but not the obligation, to cure such default.

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 subparagraphs 1 through 5 above.

11.5. Mortgagee Approva1 Rights. Except as may be otherwise set forth in this Declaration or in the By-Laws, where approval by a specified percentage of Eligible Mortgage Holders is required, such approval shall be based upon one (1) vote for each Unit on which a Mortgage is held.

11.5.1. The prior written approval of sixty (60%) percent of the Eligible Mortgage Holders shall be required to: (a) terminate or abandon the Condominium for reasons other than substantial destruction or condemnation of the Condominium and (b) abandon, partition, subdivide, encumber, sell or transfer any of the Common Elements (except for granting easements for utilities or other public purposes consistent with the intended use of the Common Elements) by act or omission.

11.5.2. The prior written approval of at least sixty (60%) percent of the Eligible Mortgage Holders shall be required for the termination or abandonment of the Condominium as a result of condemnation or substantial loss to the Units, Common Elements, or both.

11.5.3. The prior written approval of at least sixty (60%) percent of the Eligible Mortgage Holders shall be required to use property insurance and eminent domain proceeds for losses to any Condominium Property (whether to Units or to Common Elements) for other than the repair, replacement restoration of the Property substantially in accordance with this Declaration, the By-Laws, the Plat and Plans, and the original elevation thereof and the original building plans and specifications.

11.5.4. The prior written approval of at least sixty percent (60%) of the Eligible Mortgage Holders shall be required to add or amend any material provisions of

the Declaration or the By-Laws which establish, provide for, govern or regulate any of the following:

(a) Voting rights;

(b) Assessments, assessment liens or the priority of assessment liens;

(c) Reserves for maintenance, repair and replacement of Common Elements;

(d) Responsibility for maintenance and repairs;

(e) Reallocation of interests in the Common Elements or Limited Common Elements, or rights to their use;

(f) Redefinition of any Unit boundaries;

(g) Convertibility of Units into Common Elements or common Elements into Units;

(h) Expansion or contraction of the Condominium, or the addition, annexation or withdrawal of property to or from the Condominium;

(i) Insurance or fidelity bonds;

(j) Leasing of Units;

(k) Imposition of any restrictions on a Unit Owner's right to sell or transfer his Unit;

(1) A decision by the Association to establish self-management when professional management had been required previously by the Declaration or the By-laws;

(m) Restoration or repair of the Condominium (after a hazard damage or partial condemnation) in a manner other than as specified in the Declaration or the By-laws;

(n) Any action to terminate the legal status of the Condominium after substantial destruction or condemnation occurs; or

(o) Any provisions that expressly benefit Eligible Mortgage Holders.

An addition or amendment to the Declaration or the by-laws shall not be considered material if it is for the purpose of correcting technical errors.

An Eligible Mortgage Holder who receives a written request to approve additions or amendments to the Declaration or the By-Laws who does not deliver to the requesting party a negative response within thirty (30) days after the giving of notice shall be deemed to have approved such request in writing provided written notice of this provision is included in any such request.

11.6. Rights of First Refusal. Notwithstanding anything to the contrary elsewhere contained in this Declaration, the By-Laws or any Rules and Regulations of the Association, in the event that this Declaration or the By-Laws contain, or the Unit owners in the future amend the Condominium Documents to adopt any right of first refusal in the case of the sale of any Unit, such right of first refusal shall not impair the right of any Mortgagee to: (a) foreclose or take title to the Unit pursuant to the remedies provided in the Mortgage; (b) accept a deed (or assignment) in lieu of foreclosure in the event of a default by a mortgagor; or (c) sell or lease a Unit acquired by the procedures hereinabove set forth.

11.7. Mortgagee Priority. No provision of the Condominium Documents shall be deemed or construed to give a Unit owner, or any other person, priority over the rights of any Eligible Mortgage Holder pursuant to its Mortgage in the case of a distribution to Unit Owners of insurance proceeds or condemnation awards for losses to or a taking of Units, Common Elements, or both.

11.8. Books and Records. The Association shall maintain current copies of the Condominium Documents as well as its books, records and financial statements available during normal business hours for inspection and copying by Eligible Mortgage Holders upon reasonable prior written request and payment by such Eligible Mortgage Holder of any costs associated therewith. The Association, upon reasonable prior written request of any Eligible Mortgage Holder, shall furnish such Eligible Mortgage Holder with a financial statement of the Association for the preceding fiscal year, provided that any costs associated with the preparation and furnishing of such statement shall be paid by such Eligible Mortgage Holder.

ARTICLE XII
AMENDMENTS

Except in cases of amendments to this Declaration that may be unilaterally executed and recorded by the Association as described in Sections 1601-107, Eminent

Domain, 1602-108(c), Allocation of Limited Common Elements, Section 1602-112(a), Relocation of Boundaries Between Adjoining Units, Section 1602-113, Subdivision of Units, and 1602-117(a), Amendment of Declaration, of the Act and cases of amendments to this Declaration by certain Unit Owners, as described in Sections 1602-108(b), Reallocation of Limited Common Elements, Section 1602-112(a), Relocation of Boundaries Between Adjoining Units, Section 1602-113, Subdivision of Units, or 1602-118(b), Termination of Condominium, and subject to the other provisions of this Declaration including, but not limited to, Paragraph 9.3, and of the Act, this Declaration and the Plat and Plans may be amended as follows:

12.1. Before Any Conveyance. Prior to the conveyance of any Unit by the Declarant to a Unit Owner other than as security for an obligation, the Declarant shall have the right to amend and reamend this Declaration in any manner that the Declarant may deem appropriate.

12.2. After First Conveyance. After the first conveyance of a Unit by a Declarant as contemplated in the preceding Paragraph, the terms of the following subparagraphs shall apply to the amendment of this Declaration:

12.2.1. Notice. Notice of the subject matter of a proposed amendment shall be included in the notice of any meeting of the Executive Board or Association in which a proposed amendment is considered, and shall be served upon all Unit Owners and upon all Eligible Mortgage Holders.

12.2.2. Resolution. An amendment may be proposed by either the Executive Board or by Unit Owners holding in the aggregate no less than thirty percent (30%) of the Votes in the Association. No resolution of the Executive Board adopting a proposed amendment or the proposed amendment itself shall be effective unless it has been adopted at a meeting of the Association duly called and held in accordance with the By-Laws by the affirmative vote of at least sixty-six percent (66%) in voting interest of all of the Unit Owners and then executed and recorded as provided in subparagraph 12.2.5.

12.2.3. Agreement. In the alternative, an amendment may be made by an agreement signed by the record Owners of Units to which are allocated one hundred percent (100%) of the Votes in the Association in the manner required for the execution of a deed and acknowledged by at least one of them, and such amendment shall be effective when certified and recorded as provided in subparagraph 12.2.5.

12.2.4. Proviso. Provided, however, that except as otherwise permitted by the Act and provided in this Declaration, no amendment may increase the number of Units or change the boundaries of any Unit, the Allocated Interests allocated to a Unit, or

the uses to which any Unit is restricted without the unanimous consent of the Unit Owners and the consent of at least sixty percent (60%) of the Eligible Mortgage Holders.

12.2.5. Execution and Recording. A copy of each amendment shall be attached to or included with a certificate, certifying that the amendment was duly adopted, which certificate shall be executed and acknowledged by such officer or officers of the Association and/or member or members of the Executive Board designated for that purpose by the By-Laws. The amendment shall be effective when such certificate and copy of the amendment are recorded.

12.2.6. Notice and Challenge. No action to challenge the validity of an amendment to this Declaration adopted by the Association pursuant to this Article may be brought more than one year after such amendment is recorded. After each amendment to this Declaration adopted pursuant to this Article has been recorded, notice thereof shall be sent to all Unit Owners and to all Eligible Mortgage Holders at the address last furnished to the Executive Board, but failure to send such notices shall not affect the validity of such amendment.

ARTICLE XIII
TERMINATION OF CONDOMINIUM

13.1. Termination. The Condominium shall not be terminated except as provided in, and subject to, Section 1602-118 of the Act, by agreement of Unit Owners of Units to which one hundred percent (100%) of the Votes in the Association are allocated and of the percentage of Eligible Mortgage Holders provided in Paragraph 11.5. Termination provided for in Section 1602-118 of the Act shall not bar the subsequent re-creation of the Condominium or another condominium with respect to the Property.

ARTICLE XIV
INSURANCE

14.1. Policies. Commencing no later than the time of the first conveyance of a Unit other than as security for an obligation to a person other than the Declarant, the Executive Board on behalf of the Association shall obtain, or cause to be obtained, and shall maintain as a Common Expense, the policies of insurance described in Paragraphs 14.2., 14.4. and 14.5. to the extent such policies shall be reasonably available from reputable insurance companies. To the extent that said insurance described in Paragraphs 14.2., 14.4. and 14.5. is not reasonably available as described in the preceding sentence, the Executive Board on behalf of the Association shall give written notice of that fact to the Unit Owners and the Eligible Mortgage Holders of Mortgages of their Units by hand delivery securing a receipt therefor, or by prepaid United States mail, return receipt requested. To the extent that any of the insurance described in Paragraphs 14.2., 14.4. and

14.5. shall become in the future no longer available, the Association shall obtain in substitution therefor such comparable insurance as shall then be available. The Executive Board is hereby irrevocably appointed as attorney-in-fact for each Unit Owner and for each Mortgagee and Eligible Mortgage Holder and for each owner of any other interest in the Property for the purpose of purchasing and maintaining the insurance described in Paragraphs 14.2., 14.4. and 14.5., the collection and appropriate disposition of the proceeds thereof as trustee for all Unit Owners and their Mortgagees as their respective interests may appear to hold any insurance proceeds in trust for disbursement as provided in Paragraph 14.3. and subparagraphs 14.2.4., the By-Laws and Section 1603-113(e) of the Act, the negotiation of losses and execution of releases of liability, and the execution of all documents, and the performance of all other acts necessary to accomplish such purposes.

14.2. Property Insurance. The Executive Board shall obtain and maintain as a Common Expense a blanket-type or master standard form of "all-risk" fire insurance policy with extended coverage, vandalism, malicious mischief, windstorm, sprinkler leakage (if applicable), debris removal, cost of demolition endorsements in a reasonable amount and a water damage endorsement issued by an insurance company authorized to do business in the State of Maine insuring as a single entity the entire Property (exclusive of land, foundations, excavations, and other similar items customarily excluded from property insurance policies), including the Units (including the unfinished floor slab or basement floor, as the case may be, roof and roof rafters, wall studs, joists, columns, studs or beams, and all exterior windows and doors; but not including the sheetrock forming the perimeter walls of the Units, any floorcovering (such as tile; wood flooring and carpeting) and any wallcovering (such as paint, wallpaper, paneling or tiles), furniture, fixtures (such as cabinets, built-in closets or bookshelves, vanities, lamps and chandeliers) furnishings, appliances or other personal property owned by Unit Owners), Limited Common Elements and other Common Elements together with all service equipment and machinery contained in the Property and the fixtures, supplies and common personal property belonging to the Association and covering the interests of and naming as named insured, the Association, the Executive Board and all Unit Owners and their Mortgagees and their Mortgagees' successors and assigns, as their insurable interests may appear. Such blanket or master policy shall be in an amount equal to one hundred percent (100%) of the then current full replacement cost of the Property (exclusive of the land, excavations, foundations and other similar items customarily excluded from such coverage), without deduction for depreciation (such amount to be predetermined annually by the Executive Board with the assistance of the insurance company affording such coverage) and shall contain a standard Maine Mortgage Clause in favor of each Mortgagee of a Unit whether or not named therein with provisions that the proceeds of loss, if any, shall first be payable to each Mortgagee, its successors and assigns, as its insurable interest may appear, subject, however, to the loss payment and adjustment provisions in favor of the Association contained in Paragraph 14.3., subparagraph 14.2.3, the By-Laws and Section

1603-113(e) of the Act. Since subparagraph 8.1.2., clause (d), requires that additional costs of insurance shall be assessed against each Unit as a Limited Common Expense in an amount equivalent to the additional premiums charged due to the particular contents, characteristics or features of that Unit which are insured pursuant to this Paragraph, the Executive Board shall obtain annually from the insurance company affording such coverage its opinion as to the monetary amounts by which the costs of insuring that Unit pursuant to this Paragraph are higher than the costs of insuring a Unit of comparable "size" which does not contain or have those particular contents, characteristics or features and the identification of those contents; characteristics or features and the identification of those contents, characteristics and features. The Executive Board shall use this opinion as the basis for its computation of Limited Common Expense assessments against the Unit for additional costs of insurance. This blanket or master hazard insurance policy may, at the option of the Executive Board, contain such "deductible" as the Executive Board shall reasonably deem appropriate, but not exceeding the lesser of Ten Thousand Dollars ($10,000.00) or one percent (1%) of the face amount of the policy, and shall also contain the following provisions:

14.2.1. The following endorsements (or their equivalent): (a) "no control" (to the effect that coverage shall not be prejudiced by any act or neglect of any occupant or Unit Owner or their agents when such act or neglect is not within the control of the insured, or the Unit Owners collectively; nor by any failure of the insured, or the Unit Owners collectively, to comply with any warranty or condition with regard to any portion of the Condominium over which the insured, or the Unit Owners collectively, have no control); (b) "Construction Code Endorsement", "increased cost of construction", (c) "agreed amount" or "limitation of co-insurance clause"; and

14.2.2. That any "no other insurance" clause expressly exclude individual Unit Owners' policies from its operation so that the physical damage policy purchased by the Executive Board shall be deemed primary coverage and any individual Unit Owners' policies shall be deemed excess coverage, and in no event shall the insurance coverage obtained and maintained by the Executive Board hereunder provide for or be brought into contribution with insurance purchased by individual Unit Owners or their Mortgagees.

14.3. Losses; Adjustment and Payment. Any loss covered by the insurance policy described in Paragraph 14.2. shall be adjusted with the Association by its Executive Board, and the insurance proceeds for said loss shall be payable to the Association, and not to any Mortgagee. The Association shall hold any insurance proceeds in trust for Unit Owners, Mortgagees and other lien holders as their interests may appear. Subject to the Provisions of this Paragraph, the By-Laws and Section 1603 113(e) of the Act, the proceeds shall be disbursed first for the repair or restoration of the damage to the Property, and Unit Owners, Mortgagees and other lien holders are not entitled to receive payment of any portion of the proceeds unless there is a surplus of proceeds after the

damaged Common Elements and Units have been repaired or restored, the decision has been made not to repair or restore the damage as provided in Section 1603-113(h) of the Act, or the Condominium is terminated.

14.4. Liability Insurance. The Executive Board shall obtain and maintain as a Common Expense comprehensive general public liability insurance (including medical payments insurance) and property damage insurance in such limits as the Board may from time to time determine, insuring each Executive Board member, the managing agent, and each Unit Owner against any liability to the public or to the Unit Owners (and their invitees, agents and employees) covering all occurrences commonly insured against for death, bodily injury or property damage arising out of, or incident to, the maintenance, ownership or use of the Common Elements and/or relating to any legal liability resulting from suits or actions related to employment contracts to which the Association is a party. Such insurance shall be issued on a comprehensive liability basis and shall contain: (a) a cross liability endorsement under which the rights of a named insured under the policy shall not be prejudiced with respect to his action against another named insured; (b) a "Severability of interest" endorsement which shall preclude the insurer from denying liability to a Unit Owner because of negligent acts of the Association or of another Unit Owner. The Executive Board shall review such limits once each year, but in no event shall such insurance be less than one million dollars ($1,000,000.00) covering all claims for bodily injury or property damage arising out of one occurrence.

14.5. Other Insurance. The Executive Board shall obtain and maintain as a Common Expense:

14.5.1. Workmen's compensation insurance if and to the extent necessary to meet the requirements of law;

14.5.2. Adequate fidelity coverage to protect against dishonest acts on the part of officers, members of the Executive Board, trustees and employees of the Association, and all others who handle, or are responsible for handling, funds of the Association, including the managing agent. Such fidelity bonds shall: (a) name the Association as an obligee; (b) be written in an amount not less than the greater of (i) one-quarter of the total annual assessments for Common Expenses plus the Association's reserve funds for the fiscal year or (ii) the maximum funds in the custody of such persons handling the funds of the Association; and (c) contain waivers of any defense based upon the exclusion of persons who serve without compensation from the definition of "employee" or similar expression; and

14.5.3. Such other insurance as the Executive Board may determine or as may be requested from time to time by a Unit Owners holding in the aggregate no less than sixty-six percent (66%) voting interest in the Association including, to the extent

available, directors' and officers' liability insurance to satisfy indemnification obligations of the Association provided in Paragraph 17.2.

14.6. Memoranda; Cancellation; Additional Required Provisions. All insurers that shall issue an insurance policy or policies under this Article shall issue certificates or memoranda of insurance to the Association, and, upon request, to any Unit owner or Mortgagee. All such insurers issuing the policy may not cancel (including cancellation for non-payment of premium), substantially modify or refuse to renew such policy or policies until twenty (20) days after notice of the proposed cancellation or non-renewal has been mailed to the Association, the managing agent, each Unit Owner and each Mortgagee to whom a certificate or memorandum of insurance has been issued at their respective last known addresses. All policies under Paragraph 14.2 and 14.4 shall in addition contain the following Provisions or features:

14.6.1. The insurer waives any right to claim by way of subrogation against the Declarant, the Association, the Executive Board, the managing agent or the Unit Owners, and their respective agents, employees, guests and, in the case of the Unit Owners, the members of their households;

14.6.2. Each Unit Owner is an insured person under the policy with respect to liability arising out of his ownership of an undivided interest in the Common Elements or membership in the Association;

14.6.3. The insurer waives its right to subrogation under the policy against any Unit Owner of the Condominium;

14.6.4. No act or omission by any Unit owner, unless acting within the scope of his authority on behalf of the Association, will void the policy or be a condition to recovery under the policy; and

14.6.5. If, at the time of a loss under the policy, there is other insurance in the name of a Unit Owner covering the same risk covered by the policy, the Association's policy Provides primary insurance.

14.7. Separate Insurance. Each Unit Owner shall have the right, at the owner's own expense, to obtain insurance for the owner's Unit and for the owner's own benefit and to obtain insurance coverage upon the owner's personal property and for the owner's personal liability as well as upon any improvements made by the owner's to the owner's Unit under coverage normally called "improvements and betterment's coverage" and for such other risks as are normally insured against, provided, however, that no Unit Owner shall be entitled to exercise its right to acquire or maintain such insurance coverage so as to decrease the amount which the Executive Board, on behalf of all Unit Owners, may

realize under any insurance policy maintained by the Board or to cause any insurance coverage maintained by the Board to be brought into contribution with insurance coverage obtained by a Unit Owner. All such policies shall contain waivers of subrogation. Any Unit Owner which obtains an individual insurance policy covering any portion of the Condominium, other than improvements and betterment's made by such Owner at its expense and personal property belonging to such Owner, shall file a copy of such individual policy or policies with the Executive Board within thirty (30) days after the purchase of such insurance. Such Unit Owner shall also promptly notify the Executive Board in writing in the event such policy is canceled. Each Unit owner shall notify the Executive Board in writing of all structural improvements made by the Unit Owner to the owner's Unit; provided, however, that this sentence shall not be construed as an authorization to Unit Owners to make structural improvements to Units otherwise than in accordance with this Declaration, the By-Laws and Rules and Regulations promulgated by the Executive Board. Any premium increase caused by such improvements may be assessed to the Owner of the improved Unit.

ARTICLE XV
APPLICABILITY: COMPLIANCE AND DEFAULT; ARBITRATION; EMINENT DOMAIN; SELF HELP

15.1. Applicability. This Declaration shall be applicable to the Condominium. All present and future Owners and tenants, their guests, licensees, servants, agents, employees and any other person or persons that shall be permitted to use the Common Elements shall be subject to this Declaration, the By-Laws and to such Rules and Regulations as may be issued by the Executive Board from time to time to govern the conduct of its members and the use and occupancy of the Property. Ownership, rental or occupancy of any of the Units in the Condominium shall be conclusively deemed to mean that said Owner, tenant or occupant has accepted and ratified this Declaration, the By-Laws and the rules and regulations of the Association and will comply with them. The acceptance of a deed or conveyance (other than as security) or the entering into of a lease or the entering into of occupancy of any Unit (other than possession by a Mortgagee prior to either of the completion of foreclosure or the acceptance of a deed to the Unit subject to the Mortgage held by such Mortgagee) shall signify that the provisions of this Declaration and the by-laws, the Rules and Regulations of the Association and the decisions of the Executive Board are accepted and ratified by such Owner, tenant or occupant, and all of such provisions shall be deemed and taken to 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 or conveyance or lease thereof.

15.2. Compliance and Governance:

15.2.1. Each Unit Owner shall be governed by and shall comply strictly with the terms, covenants, conditions and restrictions of this Declaration, the By-Laws and the Rules and Regulations adopted pursuant thereto, and the same as they may be amended from time to time.

15.2.2. The Executive Board shall have the power to adopt, amend and enforce compliance with, such reasonable Rules and Regulations relative to the operation, use and occupancy of the Units and the Common Elements consistent with the provisions of this Declaration and the Act, including, but not limited to the appointment of such committees and the enactment and enforcement of such enforcement procedures and penalties for violations as the Executive Board shall deem appropriate. Any such Rules and Regulations shall be adopted or amended, from time to time, by means of appropriate resolutions duly approved by the Executive Board in accordance with this Declaration and the By-Laws. A copy of such Rules and Regulations and copies of any amendments thereto shall be delivered or mailed to each Owner or occupant of a Unit promptly after the adoption thereof and shall become binding upon all Owners, their successors in title and assigns, and occupants.

15.2.3. The failure of the Declarant, or the Executive Board, or any Unit Owner to enforce any covenant, restriction or other provision of the Act, the Condominium Documents or the Rules and Regulations adopted pursuant thereto, shall not constitute a waiver of the right to do so thereafter.

15.3. Arbitration:

15.3.1. All claims, disputes, controversies and other matters in question between the Association or any Unit Owners, on one hand, and a Unit Owner, on the other hand, arising out of or relating to the Condominium, the Condominium Documents or the deed to any Unit, shall be decided and settled by private arbitration in Portland, Maine, in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association then obtaining unless the parties mutually agree otherwise. This agreement to arbitrate shall be specifically enforceable under the prevailing arbitration law.

15.3.2. A party requesting arbitration shall do so by written notice to the other party. The arbitration shall be conducted by a private three person arbitration panel chosen as follows: each party shall designate an arbitrator and the two designated arbitrators shall select a third arbitrator. The decision shall then be rendered by a majority vote of the panel. Any dispute brought to arbitration must be decided by the arbitrators within ninety (90) days from the date of notice from one party to the other party

requesting the arbitration and the decision of the panel shall be final and binding and judgment may be entered upon it in accordance with applicable law in any court having jurisdiction thereof.

15.3.3. Each party shall be responsible for the cost of its own arbitrator and for one-half (1/2) of the cost of the jointly selected arbitrator, unless the arbitration panel rules to the contrary.

15.3.4. Notwithstanding anything in Sections 15.3.1., 15.3.2. and 15.3.3. to the contrary, in the event that the Unit owners and/or Association either (i) are unable to agree upon the expenses, budget or the performance of the maintenance, repair and replacement of the common elements in accordance with the standards specified herein, which deadlock continues for 30 days after a Unit Owner and/or Director of the Association sends written notice to the other parties in interest indicating the decisions and dispute, or (ii) are so divided with respect to maintenance and upkeep of the Property that the Property is suffering or will suffer irreparable injury, in either such event, the Association shall elect in accordance with the provisions of the Bylaws an independent professional property manager to handle such duties in dispute. If the Association is unable to agree on the selection of such a property manager, the issue on selection of a professional manager shall be referred to, decided and settled by private arbitration as set forth in Paragraphs 15.3.1, 15.3.2. and 15.3.3. above.

15.4. Eminent Domain. If all or part of the Common Elements shall be taken or condemned by any authority having the power of eminent domain, the Association shall notify the Owners and Eligible Mortgage Holders of the Units affected and shall represent the Unit Owners in any condemnation proceedings or in negotiations, settlements and agreements with the condemning authority, and the award shall be paid to the Association for the use and benefit of the Unit Owners and their Mortgagees as their interests may appear. The Association shall divide any portion of the award not used for any restoration or repair among the Unit Owners and their Mortgagees, as their interests may appear, in proportion to their Allocated 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 and their Mortgagees, as their interests may appear. Each Unit Owner appoints the Association as attorney-in-fact for the purposes described in this paragraph. Notwithstanding anything to the contrary in this Paragraph 15.4., 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.

15.5. Self Help. If the Association shall default in its obligations to maintain, repair, and replace the portions of the Limited Common Elements or Common Elements

appurtenant to or serving any Unit, or the portions of any Unit as to which pursuant to this Declaration it is the responsibility of the Association to maintain, repair and replace, and such failure or default is not cured within thirty (30) days after notice from the Owner of that Unit to the Association specifying the default, or the Association shall not within said period commence to cure the default and thereafter prosecute the curing of such default to completion with due diligence, the owner of said Unit may, at the owner's option, without waiving any claims for breach, at any time thereafter cure such default for the account of the Association and shall be entitled to set off against subsequent assessments for Common Expenses the amounts paid and expenses or contractual liabilities incurred in an amount that shall not exceed two (2) months' installments of assessments against that Unit for Common Expenses; provided, however, that such Unit Owner may cure any such defaults as aforesaid prior to the expiration of said waiting period after notice to the Association if it is necessary to protect his Unit or its appurtenant Limited Common Elements or other interests, or to prevent injury or damage to persons or property. The Unit Owner that cures such default shall have the benefit of the rights and easements reserved to the Association pursuant to Paragraph 7.3. to enable it to cure the defaults. The rights provided Unit Owners in this Paragraph 11.5. shall extend to Eligible Mortgage Holders.

ARTICLE XVI
LIMITATION OF LIABILITY

16.1. Limited Liability of the Executive Board. The Executive Board, and its members in their capacity as members, officers and employees:

16.1.1. 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 Unit 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;

16.1.2. Shall not be liable to the Unit Owners as a result of the performance of the Executive Board members' duties for any mistake of judgment, negligence or otherwise, except for the Executive Board members' own willful misconduct or gross negligence;

16.1.3. Shall have no personal liability in contract to a Unit Owner or any other person or entity under any agreement, check, contract, deed, lease, mortgage, instru-

ment or transaction entered into by them on behalf of the Executive Board or the Association in the performance of the Executive Board members' duties;

16.1.4. Shall not be liable to a Unit Owner, or such Unit Owner's tenants, employees, agents, customers or guests, for loss or damage caused by theft of or damage to personal property left by such Unit Owner or his 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;

16.1.5. Shall have no personal liability in tort to a Unit Owner or any other person or entity, direct or imputed, by virtue of acts performed by or for them, except for the Executive Board members' own willful misconduct or gross negligence in the performance of their duties; and

16.1.6. Shall have no personal liability arising out of the use, misuse or condition of the Building, 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.

16.2. Indemnification. Each member of the Executive Board, in his or her capacity as an Executive Board member, officer or both, shall be indemnified by the Association against all expenses and liabilities, including attorney's fees, reasonably incurred by or imposed upon him or her in connection with any proceeding in which he or she may become involved by reason of being or having been a member and/or officer of the Executive Board, or any settlement of any such proceeding, whether or not he or she 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 duties; provided that indemnification hereunder with respect to any criminal action or proceeding is permitted only if such Executive Board member and/or officer had no reasonable cause to believe his or her conduct was unlawful. The indemnification by the Unit Owners set forth in this Paragraph shall be paid by the Association on behalf of the Unit Owners and shall constitute a Common Expense and shall be assessed and collectible as such. Such right of indemnification shall not be deemed exclusive of any other rights to which such Executive Board member and/or officer may be entitled as a matter of law or agreement or by vote of the Unit Owners or otherwise.

16.3. Defense of Claims. Complaints brought against the Association, the Executive Board or the officers, employees or agents thereof in 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 Unit Owners and the

Eligible Mortgage Holders, and such complaints shall be defended by the Association. The Unit Owners shall have no right to participate in such defense other than through the Association.

ARTICLE XVII
GENERAL PROVISIONS

17.1. Captions. The headings in this Declaration are for purposes of reference only and shall not limit or otherwise affect the meaning hereof. Any tables of contents or indices attached to this Declaration are for purposes of reference and convenience only and shall neither limit nor otherwise affect the meaning hereof nor be deemed as part of this Declaration. References in this Declaration to Articles, Paragraphs, subparagraphs and Schedules without references to the document in which they are contained are references to this Declaration. Schedules are attached to and incorporated by reference into this Declaration and are an integral part of this Declaration.

17.2. Gender Number. Etc. The use of the singular number in this Declaration shall be deemed to include the plural, the plural the singular, and the use of any one gender shall be deemed applicable to all gender.

17.3. Severability. The invalidity of any provisions of this Declaration shall not be deemed to impair or affect in any manner the validity, enforceability or effect of the remainder of this Declaration, and in such event, all of the other provisions of this Declaration shall continue in full force and effect as if such invalid Provision had never been included herein.

{Remainder of page intentionally left blank. Signatures follow.}

IN WITNESS WHEREOF, Declarant has caused this Declaration to be executed this ____ day of _____, 2020.

UPRIGHT PROPERTIES, LLC

By:_____
Joshua Wojcik, Manager

STATE OF MAINE
CUMBERLAND, SS. _____ ____, 2020

Personally appeared the above-named, Joshua Wojcik, who acknowledged the foregoing instrument to be his free act and deed.

Before me,

_____
Notary Public/Attorney at Law

_____
Print Name

SCHEDULE A
TO
DECLARATION OF CONDOMINIUM
OF
RIFUGIO, A CONDOMINIUM

PROPERTY DESCRIPTION

[METES AND BOUNDS DESCRIPTION TO BE INSERTED]

DRAFT

SCHEDULE B
TO
DECLARATION OF CONDOMINIUM
FOR
RIFUGIO, A CONDOMINIUM

Unit Number	Share of Common Expense Interest and Common Expense Liability	Votes in Association
Unit 1 (Workforce, 1 bedroom)	8.00%	1
Unit 2 (1 bedroom)	12.00%	1
Unit 3 (2 bedroom)	17.00%	2
Unit 4 (1 bedroom)	13.00%	1
Unit 5 (2 bedroom)	18.00%	2
Unit 6 (3 bedroom)	32.00%	3
	1 (100%)	10

EXHIBIT A
TO
DECLARATION OF CONDOMINIUM
FOR
RIFUGIO, A CONDOMINIUM

EASEMENTS

[EASEMENT INFORMATION TO BE INSERTED]

EXHIBIT B
TO
DECLARATION OF CONDOMINIUM
FOR
RIFUGIO, A CONDOMINIUM

STORMWATER MAINTENANCE AGREEMENT

[ATTACH STORMWATER MAINTENANCE AGREEMENT]

RIFUGIO, A CONDOMINIUM
RULES AND REGULATIONS

General

It should be understood by all unit owners that the exteriors of the buildings and all the land area and facilities outside the individual units are common property. Certain parts of the common property, including decks and parking areas, are "limited common areas" reserved for the exclusive use of the associated unit owners. The maintenance, alteration, improvement, general appearance and use of the common property, including the limited common areas, are under the control of the Association through its Executive Board. Attention is called to the Declaration of Rifugio, a Condominium (the "Declaration") and to the By-Laws of the Rifguio Condominium Owners Association (the "By-Laws") for specific definition of the common property and for the general responsibilities of unit owners with respect to the common property and to their units.

As provided in the Declaration and the By-Laws, in order to assure the peaceful and orderly use and enjoyment of the buildings and common area and facilities, the following Rules and Regulations have been adopted.

Use and Occupancy

A) COMMON AREAS

Use, maintenance and operation of common areas shall not be obstructed, damaged or subject to interference by any unit owner.

B) UNIT USE AND MAINTENANCE

1. Each owner shall maintain his or her unit in good condition, good order and repair at their own expense as specified in the Declaration.

2. No noxious or offensive activity shall be carried on in any Unit or on the Common Elements, nor shall anything be done therein which may be or become an annoyance or nuisance to the other Unit owners and occupants. No Unit owner shall make or permit any disturbing noises in the building or do or permit anything which will interfere with the rights, comforts or convenience of other Unit owners. All Unit owners shall keep the volume of any radio, television or musical instrument in their Units sufficiently limited at all times so as not to disturb other Unit owners.

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3. Commercial Activity - No commercial activity of any nature shall be permitted in or about any unit. Notwithstanding the foregoing, a home office is allowed provided such home office use does not create a nuisance or an unreasonable interference with the peaceful possession and occupation or proper use of any other Unit or the Common Elements.

4. Parking; Snow Removal - The parking areas consist of six covered spaces which are Limited Common Elements to be used only by the assigned Unit Owners. The parking areas are for licensed and fully operable vehicles only. Motor homes, boats and trailers shall not be left in the parking area. Members, their family, lessees and guests shall cooperate, as directed by the Association or its chosen snow removal contractor/vendor, to move their cars from the parking spaces to facilitate timely snow removal. Vehicles in violation of these provisions are subject to towing at the owner's expense.

5. Decks; Snow Removal – Unit owners shall maintain their decks in good condition and shall avoid using their decks for unsightly storage. If owners remove snow from their decks they shall do so in a manner that avoids pushing the snow onto any other owner's decks, and any snow removed shall be shoveled delicately towards the sides of Rifugio's property, not towards Munjoy Heights or its retaining wall.

6. Garbage, Trash and Recycling - Trash, garbage and other waste shall be kept only in sanitary covered containers as provided by the Association or the City of Portland. All trash left for pick up on the appropriate day must be properly divided between the container provided for recyclable materials and all other trash must be placed in mandated City of Portland Trash Bags.

7. Personal Property - Articles of personal property belonging to any unit owner or his/her guest may be stored in the unit's designated storage area. All personal property placed in any portion of the building or any place appurtenant thereto, including, but without limitation, the storage areas, shall be at the sole risk of the unit owners, and the Association shall in no event be liable for the loss, destruction, theft or damage to such property.

8. Hazardous Materials - No gasoline or other flammable substances, explosives, or toxic material may be kept in any unit or any storage area designated to any unit.

9. No Smoking in Common Areas - Smoking of tobacco, cannabis, or any other consumable flammable material is not permitted within the common interior areas of the Condominium.

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C) ALTERATIONS OR IMPROVEMENTS

1. General - Alterations or modifications in the limited common areas, which involve structural change, additions or painting shall not be undertaken by the unit owner, and such alterations or modifications shall be done by the Association, unless otherwise approved in writing. This includes walls, driveways, porches, etc. Permanently installed play equipment is not permitted without the written consent of all the owners.

2. Screen and Storm Windows - Only those types approved by the Board are allowed. Approval for each installation shall be requested in writing and must receive prior written Board approval.

3. Unit Integrity - No unit owner shall do or have done any work which may jeopardize the soundness or safety of the property, reduce the value thereof or impair any easement, rights, appurtenances or other hereditament consisting of common elements without the unanimous written consent of all other unit owners.

4. Propane Storage Tanks - No propane tanks shall be allowed at the property, except small propane tanks for exterior gas grills which must be used and stored in accordance to the applicable section of the City of Portland, Maine, Code of Ordinances.

D) LANDSCAPING

1. Approval and Responsibility - Any change or addition to plantings (shrubs and bushes) must receive written Board approval, and shall be subject to City of Portland approval, if applicable. Care and maintenance thereafter is the responsibility of the Association.

2. Special Restrictions - Landscaping must not impede mowing or the placement of snow removed from driveways and walks.

E) PETS

1. Pets are either dogs or cats. Any other species must receive written approval of the Board. Pets over forty-five (45) pounds in weight must receive written approval of the Board.

2. Total Number of Indoor/Outdoor Pets - Not more than two pets per unit.

3. Small Indoor Pets such as caged birds, hamsters, turtles, fish, etc., will not count as part of the pet quota.

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4. Dogs are not allowed outside of their unit except on a leash or under control of a responsible person. Pet owners are responsible for any property damage, injury or disturbance their pets may cause or inflict. No animal shall be permitted to bark, howl, or make other loud noises for such time as disturbs neighbors' rest or peaceful enjoyment of their unit and adjacent common areas. No breeding of animals is allowed. Pet owners are responsible for the removal and proper disposal of animal wastes in all areas – both limited and common.

F) MISCELLANEOUS

1. Garage Sales - No unit owner shall hold a garage sale or any other type of outside sale without the prior written consent of the Board.

2. Clotheslines – Clotheslines are allowed in designated areas, as provided by the Board.

3. Exterior Lights - No additional spotlights or floodlights are permitted on the exterior of any unit.

4. Leasing - Members who lease must obtain a signed, written lease agreement from their tenant including provisions requiring the tenant to abide by all restrictions and obligations contained in the Condominium's Declaration, the Association's By-Laws, and all Rules & Regulations adopted by the Board. Such agreement must provide for termination of the lease on fourteen (14) days notice from the Board for failure to comply. A copy of the lease also must be filed with the Board within seven (7) days of its execution. A lease or other rental, including, without limitation, any rentals facilitated through any third-party/online services such as Airbnb, Homeaway.com or VRBO, shall be for a minimum of three (3) months.

5. Occupancy - A unit may be occupied by any number of individuals related by blood, marriage, adoption or domestic partnership. Unless the occupancy is governed by a written lease, a unit may be occupied by no more than two non-family members as roommates of the unit owner, provided that the unit owner is one of the other adult occupants. All occupants of the units shall be subject to the restrictions and obligations contained in the Condominium's Declaration, the Association's By-Laws, and all Rules & Regulations adopted by the Board, and shall execute a written agreement to such effect to be filed with the Board.

7. Periods of Absence – Members shall be responsible for ensuring that their units, and all equipment serving their unit, function properly during any extended period of absence, especially during winter months, to reduce the possibility of damage to any other units or common areas of the building. Members shall arrange for their

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units to be checked regularly during their absence, and shall provide emergency contact information to the Board.

8. Vehicle Idling – Members, their tenants and invitees, shall take reasonable care to limit vehicle idling in the parking area. Signage shall be provided in the parking area to discourage idling.

G) COMPLAINTS, REMEDIES & CONCLUSION

1. All Complaints or Suggestions regarding maintenance, nuisances or general welfare must be submitted in writing to the Executive Board together with, if desired, a request for a hearing. If the matter is too urgent for this procedure to be practical, a member of the Board should be advised by telephone. Any group of unit owners wishing to make a complaint or suggestion may follow the above procedure nominating one or two spokespersons to represent it.

Rifugio, a Condominium, Fines Schedule & Policy

Goal of Rules and Fines -The goal of rules and fines is to promote the quality of life in the Condominium. Rules and fines should help to encourage harmony among Unit Owners and Board Members.

Unit Owners' Rights Regarding Fines -With the exception of monthly assessments, unit owners will be given oral notice of a violation. The owner has ten (10) days in which to request a hearing. If the infraction persists, written notice will be sent. The unit owner will be provided an opportunity to be heard at a specific time and place if he/she requests it. The owner's defense and any mitigating circumstances will be given a fair hearing by the Board.

Unit Owners' Grace Period - A fine will not be imposed until after a minimum of ten (10) days from the time of a hearing if one is scheduled. If no hearing is requested, the fine shall be imposed only after ten (10) days from postmark date of written notice.

Legal Status of Fines - Under the Maine Condominium Act, any fines imposed by the Board of Directors represent a lien on the unit owner's property. By law, the Board shall establish the fine schedule and impose fines for any new rules.

Schedule of Fines

1. General - A fine of $50.00 will be levied for violations of all Rules from A through F, and $5.00 per diem is added until the infraction is corrected.

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2. Monthly Assessments - A charge of $20.00 will be levied if the monthly assessment is not postmarked by the tenth (10th) day of the month in which it is due.

If the monthly assessment remains unpaid, interest at the rate of eighteen (18%) percent per annum will accrue on the unpaid amount.

Any money received on delinquent accounts will be applied to the oldest unpaid assessment.

There will be a $25.00 charge for a returned check.

After 60 days of unpaid assessments, a lien will be placed on the property.

Other Types of Penalties - When necessary and appropriate, the Board of Directors may choose another type of penalty (such as removal of an obstacle), as provided in the Declaration.

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G. Financial Capacity

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

06/25/2019

The proposed terms and conditions are provided for discussion purposes only and do not constitute an offer, agreement, or commitment to lend. The actual terms and conditions upon which the Bank might extend credit to the Borrower are subject to the satisfactory completion of due diligence, formal credit approval, satisfactory review of documentation and such other terms and conditions as are determined by the Bank.

This Term Sheet (including summary and terms) and the contents hereof and thereof are confidential and, except for disclosure hereof or thereof on a confidential basis to your accountants, attorneys, City of Portland Planning Board or any individual directly involved in the review process, and other professional advisors retained by you in connection with this loan or as otherwise required by law, may not be disclosed in whole or in part to any person or entity without our prior written consent.

Borrower: Upright Properties, LLC

Guarantors: [redacted]

Loan Facility: Commercial Construction Loan

Amount: [redacted]

[redacted]

Purpose: To provide a construction line of credit for the development of a new, 6-unit residential building located at 128R North Street, Portland, ME.

Term: Twenty-four (24) months

Rate: Wall Street Journal Prime Rate [redacted] plus 0.50%, adjusting monthly.

Repayment: The Loan shall be repayable in monthly payments of accrued interest with principal payments due upon the sale of each unit. Principal payments shall be equal to the net proceeds received from the sale of each unit. Any remaining principal and interest at loan maturity shall be due and payable at the loan maturity date.

Late Charge: [redacted]

Default Rate: [redacted]

Advances: Advances under the construction loan will be made monthly in accordance with standard construction documentation requirements including requisition forms, lien waivers and engineer's certificates (as applicable) from an engineer acceptable to the Bank.

Collateral: Collateral will consist of the following:

1. First mortgage on property located at 128R North Street, Portland, ME.
2. Assignment of leases and rents at 128R North Street, Portland, ME.
3. First priority security interest in all construction materials, supplies and equipment owned by Borrower and used in connection with the construction of the subject property.
4. Assignment of all contracts including, but not limited to, property management agreements.
5. Assignment of architectural, construction, and engineering contracts, as well as any permits, approvals, surveys, plans and specs.

Loan Fee: [redacted]

Discharge Fee: Bank shall be paid a release fee of [redacted] as units are sold until such time as the Bank loan is paid in full.

Financial Reporting: The Bank will require the following financial reporting:

[redacted]

Appraisal: [redacted]

Other Conditions: [redacted]

Notice: The Federal Equal Credit Opportunity Act prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status, age (provided the applicant has the capacity to enter into a binding contract); because all or part of the applicant's income derives from any public assistance program; or because the applicant has in good faith exercised any right under the Consumer Credit Protection Act. The Federal agency that administers compliance with this law concerning this creditor is FDIC Consumer Response Center, 1100 Walnut Street, Box#11, Kansas City, MO 64106.

Borrower shall comply with all normal construction guidelines as required by the Bank and outlined in a Construction Loan Agreement to be executed by Borrower and Bank

Project shall be subject to satisfactory review of project plans, specifications, and construction contract by an independent construction professional selected and engaged by the Bank along with monthly inspection and disbursement review during construction.
The Borrower shall provide Bank with the following prior to any loan disbursements:

[redacted]

Environmental: [redacted]

Insurance Requirements: Borrower will maintain hazard, liability and flood insurances (if applicable) with financially sound and reputable insurers in such amounts and for such coverages satisfactory in all respects to Bank.

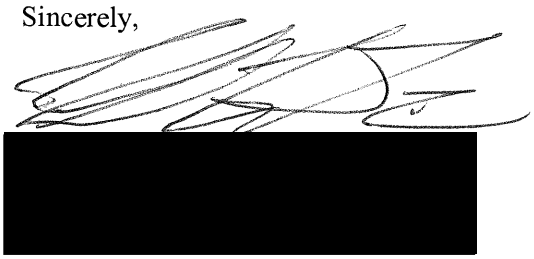
[redacted]

Upon Bangor Savings Bank providing the Borrower with a formal written commitment letter which is accepted by the Borrower, the Borrower shall be responsible for all fees, including but not limited to legal, appraisal, and environmental fees associated with this transaction.

Notice: The Federal Equal Credit Opportunity Act prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status, age (provided the applicant has the capacity to enter into a binding contract); because all or part of the applicant's income derives from any public assistance program; or because the applicant has in good faith exercised any right under the Consumer Credit Protection Act. The Federal agency that administers compliance with this law concerning this creditor is FDIC Consumer Response Center, 1100 Walnut Street, Box#11, Kansas City, MO 64106.

I look forward to discussing this proposal with you further, and again appreciate the opportunity to review your financing request.

Sincerely,



ACKNOWLEDGED AND AGREED TO BY:

By signing below, I am duly authorized to execute and enter into this application for the Borrower and authorize the Bank to initiate formal underwriting of this loan request. I agree to repay the Bank for any expenses incurred during the underwriting process including but not limited to appraisal and legal fees, whether or not the transaction is approved or closed.

BORROWER:

Upright Properties, LLC

Notice: The Federal Equal Credit Opportunity Act prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status, age (provided the applicant has the capacity to enter into a binding contract); because all or part of the applicant's income derives from any public assistance program; or because the applicant has in good faith exercised any right under the Consumer Credit Protection Act. The Federal agency that administers compliance with this law concerning this creditor is FDIC Consumer Response Center, 1100 Walnut Street, Box#11, Kansas City, MO 64106.

Bangor
Savings Bank

You matter more.

October 22, 2019

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

RE: 126 North St.

To Whom It May Concern:

Josh Wojcik, Upright Properties and its affiliates are well known to Bangor Savings Bank. We have worked with Josh for over 10 years and have been directly involved in the financing of numerous successful projects. All accounts have been handled as agreed.

Bangor Savings Bank is providing financing for 128 R North St. The Bank is interested in entertaining financing for 126 North St. Josh has the financial capacity to successfully complete the proposed project. We are looking forward to more substantive conversations as this project materializes.

Please feel free to contact me should you need any additional information. I can be reached at (207) 974-4154; rick.fournier@bangor.com.

Sincerely,

Richard L. Fournier, II
Vice President

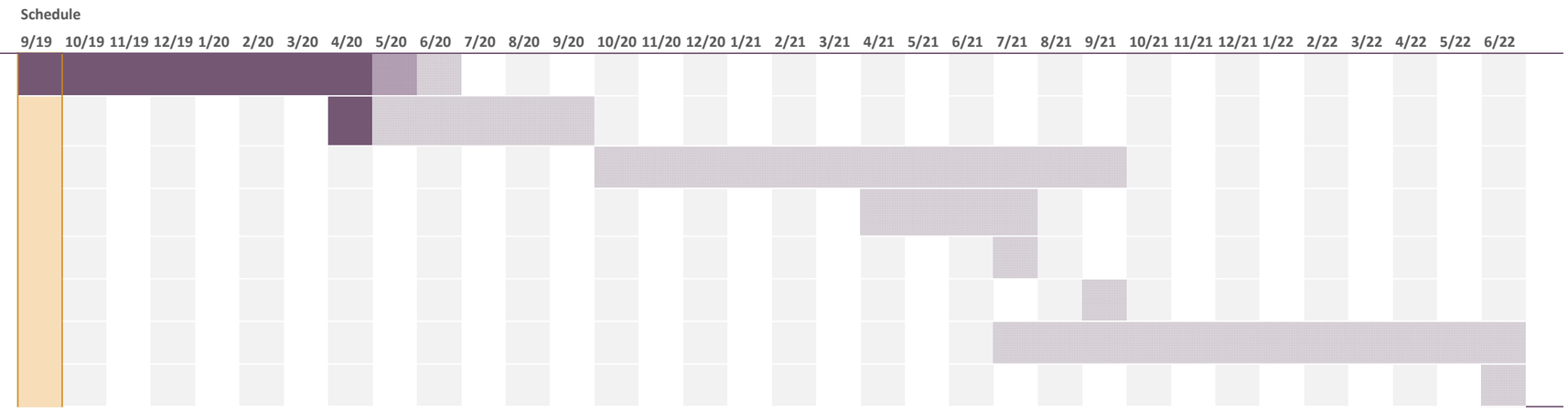
ATT. GG

128R & 126 North St

Schedule of Major Phases of Project Approval Processes (updated 5/5/2o)

Plan Duration | Actual Start | % Complete | Actual (beyond plan) | % Complete (beyond plan)

ACTIVITY	PLAN START	PLAN DURATION	ACTUAL START	ACTUAL DURATION	PERCENT COMPLETE
Site Plan Approval	1	10	1	9	90%
Building Permit Approval - 128R	8	6	8	1	15%
Construct 128R	14	12	0	0	0%
Building Permit Approval - 126	20	4	0	0	0%
Demolish 126	23	1	0	0	0%
CO 128R	25	1	0	0	0%
Construct 126	23	12	0	0	0%
CO 126	34	1	0	0	0%



NOTE: This schedule is for planning purposes only. This schedules carries with it the same inherent uncertainties involved in any project schedule relying on multiple parties and spanning 34 months. Factors including (but not limited to) the following may impact the actual timeline: Timings of City approvals and inspections; Availabilities of sub-contractors and materials; Labor shortages; Weather - specifically the severity of winter, which varies widely in Portland from year to year.

Section H

Technical Capacity

H. Technical Capacity

Acorn Engineering, Inc. has successfully permitted and engineered over 15 level II/III projects in Portland in the past 5 years, many of which have been constructed. Some examples include:

- Eldredge Lumber Expansion
- 127 York Street – Harborview Townhomes
- Munjoy Heights
- 89 Anderson St. – East Bayside Lofts
- 667 Congress St – The Hiawatha
- 121 Washington Ave Redevelopment
- 31 Fore Street Condominiums

Additionally, the rest of the design team is outlined below.

- Dextrous Creative (Architect – Tracie Reed) – Tracie Reed is a Maine Licensed, LEED AP and NCARB certified architect based in Portland. Her work encompasses a wide variety of commercial, residential and construction builds. In addition, she performs field work for High Performance Building Model Assessments in accordance with ASHRAE Level 2 Energy Audits guidelines, with the aim of reducing energy and water consumption. Tracie has received awards from the American Institute of Architects and has appeared in publications for the Journal of Green Building and Young Architect Forum Connection.

Att. HH

March 10, 2020

Caitlin Cameron, AICP, Associate AIA, LEED AP
Urban Designer
Planning & Urban Development Department
389 Congress Street
Portland, ME 04101

Re: 128R North Street Deck

Caitlin, Yesterday Civil Engineer Will Savage, our client Joshua Wojcik and I met with Shukria Wiar and Ann Machado. At the meeting we discussed Ann's zoning analysis of the site plan with a new color-coded site plan that makes the dimensioned setbacks easier to read.

To summarize our discussion:

- Based on our December 2018 pre-application meeting with city staff, our team was told that our project is required to meet all of the same conditions as front lots because the current overlay language does not distinguish between front and rear lots. It is for this reason that we revised our plans to comply with the 50% active street front provisions at that time. This is also why we have proposed offset side setbacks, which are largely prevalent in the neighborhood. It is this built-pattern flexibility that we seek to keep the back-deck side setback in this 4'-7'' area at 8'-6''. This still maintains the cumulative 20'-0'' setback required in zoning. It also allows us to align the decks with the edge of our building, maintaining more traditional massing than offsetting the deck from the edge of the building by 2'-0''. The area in question is bubbled on sheet A/A-1.1 to clarify.
- While our client's attorney notes that the maintenance easement does not address air rights we agreed to align upper decks with the 10'-0" maintenance easement with Munjoy Heights.
- In keeping with the built pattern at the street we pushed the circulation tower (stair/elevator) at the front of 128R North so it aligns with 126 North. The building was pushed 1.64' East which now makes the side setback in that area 10.2'
- Ann agreed that the 2'-0" eave at the second level is allowable under zoning to extend into the side setback. During the meeting she noted our team had been measuring the side setback along the diagonal to the face of our building incorrectly. She noted that we should have taken the measurement to the side of our building in a perpendicular line which means the face of our building as drawn is more than 10'-0" from the property line. The only area that is under 10'-0" (drawn at a 8.5' setback) is at the rear deck where the site narrows. This condition exists for approximately 4'-7".
- Note that elevations have been renamed in the attached set.
- We also shared the site section that was submitted as part of our revised packet.

Dextrous Creative
dextrouscreative.com
traciereed@dextrouscreative.com
Portland, ME 04101

We look forward to discussing the deck side setback with you and sharing our design revisions with the Planning Board on April 14th.

Regards,

Tracie J. Reed, Maine Licensed Architect, LEED AP, NCARB
Principal

CC: William Savage, P.E, and Sam Lebel, Acorn Engineering
Josh Wojcik, Upright Properties
Ann Machado, Zoning Administrator
Shukria Wair, Planner

Dextrous Creative
dextrouscreative.com
traciereed@dextrouscreative.com
Portland, ME 04101

Att. I

I. Conformity with Land Use Ordinance

The following outline is made in accordance with the City of Portland Code of Ordinances, Chapter 14 Land Use, Article V Section 14-526.

OVERVIEW

The proposed project includes a two-phase approach where Phase 1 would include the redevelopment of 128R into a four-story building with six condominiums and covered parking on the ground level. Phase 2 would include the redevelopment of 126 into a three-story building with six rental units. The demolition of 126 would occur prior to occupancy of 128R to allow for 16' wide of vehicular access to 128R as requested by the Fire Department.

(a) Transportation Standards

1. Impact on Surrounding Street Systems:

   The site is located at 126 and 128R North Street. North Street is classified as a local street and currently supports a low traffic volume. A negligible traffic increase along North Street is expected for this project due to the low turnover of the proposed land use.

2. Access and Circulation:

   a. Site Access and Circulation:

      (i) The development will provide safe access and internal circulation for both pedestrians and vehicles as seen on the Site Plan.

      (ii) The proposed driveways will be in the same location as the existing driveways. Turning movements and traffic flows will not be conflicted.

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

   b. Loading and Servicing:

      (i) There are no anticipated loading and servicing needs.

   c. Sidewalks:

      (i) An existing bituminous sidewalk exists on the westerly side of North Street.

      (ii) The small portion of sidewalk along the driveway will be rebuilt per the City's latest detail and specifications on driveway aprons and sidewalks.

      (iii) An internal sidewalk from the public ROW to the proposed site of 128R North Street will be constructed as seen on the Site Plan. The sidewalk would be subject o an access easement, providing pedestrian access for both sites.

3. Public Transit Access:

   a. Not applicable.

b. Not applicable.

c. Not applicable.

4. Parking:

a. Location and Required Number of Vehicle Parking Spaces:

(i) The proposed project on 126 & 128R North Street will provide 2 & 6 parking spaces respectively, which meets the requirement.

(ii) A parking study is not required.

(iii) The amount of parking exceeds the minimum requirement by more than 10% on 128R North Street. The proposed 6 spaces exceed the requirement by 3 spaces. This is to provide one space per unit which is the industry standard for condominiums. Given the recent development boom and an overall higher demand for on-street parking, decreasing the demand for on-street parking will benefit the end users as well as the entire neighborhood. For more information, please refer to section S. Parking Analysis.

(iv) A waiver has been requested to reduce the required stall length of 18' to 16.5' on 128R North Street.

(v) The driveways and parking areas will be constructed with bituminous pavement which will drain water without eroding.

b. Location and Required Number of Bicycle Parking Spaces:

(i) The site plan includes interior bicycle storage room. This will allow for the minimum storage of 2 bicycles on each site to be parked in a secure location, with the potential for additional storage within each owner's individual unit.

c. Motorcycles and Scooter Parking:

(i) There are no areas designated for motorcycles or scooters at this time; however, adequate room exists for the storage of these motor vehicles should an owner decided to use his/her deeded space for motorcycles or scooters.

d. Snow Storage:

(i) Given the parking areas will be covered in their entirety, snow removal is not required. In general, snow will be stored in green space. Snow storage for 126 North Street will be located on the southeast edge of the lot. See site plan C-10.

(ii) The snow storage has not been located where it will adversely impact the functionality of any part of the site.

5. Transportation Demand Management (TDM):

a. A TDM plan is not required for this project.
b. A TDM plan is not required for this project.
c. A TDM plan is not required for this project.

(b) Environmental Quality Standards

1. Preservation of Significant Natural Features:

   a. Not applicable.

   b. Not applicable.

2. Landscaping and Landscaping Preservation:

   a. Landscape Preservation.

      (i) The disturbance of trees and vegetation that are not proposed to be removed as part of the project will be limited as much as possible – namely along the side and rear property lines.

      (ii) There are no trees 10 inches DBH or greater identified by the Surveyor within the setbacks.

      (iii) It is not anticipated that the project will necessitate any tree protection.

      (iv) A waiver is not requested.

      (v) Not applicable.

   b. Site Landscaping.

      (i) Landscaped Buffers:

         a. Solid waste will be handled internally and out of site from the public ROW.

         b. The project at 128R has 0 linear feet of frontage along North Street; however, a multitude of plantings will be provided on site as outlined on the Landscape Plan. The 126 site also meets the landscaping requirement based on its minimal street frontage.

         c. Not applicable.

         d. Screening has been provided as outlined in the Landscape Plan.

      (ii) Parking Lot Landscaping:

         a. Not applicable – all parking is covered.

         b. There is no proposed area with greater than 40 parking spaces without interrupted pavement.

         c. Not applicable.

         d. Not applicable.

         e. Not applicable.

         f. Not applicable.

(iii) Street Trees:

a. The two existing street trees are proposed to remain. Given the minimal street frontage and existing trees, the Applicant will pay into the tree fund for the net deficit of nine street trees.

b. Not applicable.

3. Water Quality, Stormwater Management and Erosion Control:

a. Stormwater:

(i) The site drainage will not be directed to flow or pond onto adjacent lots. The drainage patterns will be altered to intercept the roof runoff as well as the driveway runoff, with the addition of stormwater best management practices to attenuate the flows.

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

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

(iv) Not applicable.

b. A site-specific Stormwater Management Plan has been developed for the project to show compliance with Section 5 of the Technical Manual, including the basic standards of MEDEP Chapter 500. Please refer to sections J and K, the Stormwater Management and Erosion & Sedimentation Control Plans, respectively, for more information.

c. The project is not located in a watershed of an urban impaired stream as listed by the MEDEP.

d. Not applicable.

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

f. The development will provide for adequate and sanitary disposal of sewage in accordance with Section 2 of the Technical Manual.

(c) Public Infrastructure and Community Safety Standards

1. Consistency with City Master Plans:

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

b. Not applicable.

2. Public Safety and Fire Prevention:

a. The site has been designed to promote safe and inviting public access.

b. Access is available to both buildings via the proposed 16' entrance to 128R North Street which will be constructed in Phase 1. The building will be sprinkled with a full NFPA 13 system.

c. A fire hydrant is located about 215' away located on 146 North street in front of the Island View Apartments. Another fire hydrant is located approximately 175' away on the corner of Walnut Street and North Street.

3. Availability and Adequate Capacity of Public Utilities:

a. Public utilities in the vicinity of the site have capacity to serve the project. Ability to Serve letters have been sent to the respective companies. Responses have been included in the submission and any remaining responses will be submitted upon receipt.

b. The electrical service will be wired underground.

c. The new sewer and stormwater infrastructure will meet the provisions of the Technical Manual.

d. The projects will be served by connection to the public sewer system within North Street.

e. The sanitary sewer collection system meets all applicable sections of the Technical Manual. The stormwater management system is designed to meet the standards of Chapter 500.

f. Although not required, the project anticipates providing internal solid waste storage with private hauling of the waste.

(d) Site Design Standards

1. Massing, Ventilation and Wind Impact:

a. Not applicable.

b. Not applicable.

c. Not applicable.

2. Shadows:

a. The shadows created by the building will not influence public open spaces.

3. Snow and Ice Loading:

a. The structures will not distribute snow and ice onto adjacent properties.

4. View Corridors:

a. The project site is located outside the Downtown Vision View Corridor Protection Plan.

5. Historic Resources:

a. The development is not located in a historic district, historic landscape district or City designated landmark.

b. The development is not located adjacent to designated landmarks, historic district, or historic

landscape district. The pending Munjoy Hill historic district may abut the project in the future.

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

6. Exterior Lighting:

a. Site Lighting.

(i) Exterior lighting will be designed to meet the requirements of Section 12 of the Technical Manual. A photometric plan has been included with this submission.

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

b. Architectural and Specialty Lighting.

(i) No architectural or specialty lighting is proposed.

(ii) No up-lighting is proposed.

c. Street Lighting.

(i) No new street lights are proposed.

7. Noise and Vibration:

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

8. Signage and Wayfinding:

a. All street and wayfinding signage shall meet the requirements of the Manual on Uniform Traffic Devices (MUTCD) and Division 22 of the City Code.

(i) The project is not located in a historic district or subject to Article IX.

(ii) Not applicable.

(iii) All street and wayfinding signage shall meet the requirements of the Manual on Uniform Traffic Devices (MUTCD) and Division 22 of the City Code.

9. Zoning Related Design Standards:

a. The project has been designed to meet the standards set forth in the R-6 zone. Please refer to the Site Plan for more information on the Space & Bulk Standards.

Att. J

A C O R N
ENGINEERING, INC.

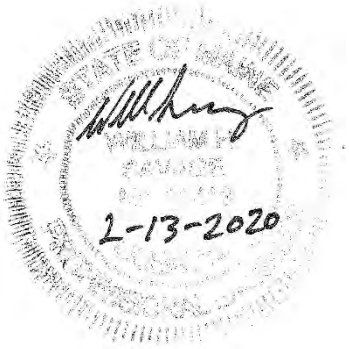
STORMWATER MANAGEMENT REPORT

Prepared For:

Upright Properties, LLC

Prepared By:

Acorn Engineering, Inc.
P.O. Box 3372
65 Hanover Street Portland, Maine 04101



December 2019
Rev. October 2019
Rev. February 2020

INTRODUCTION

Acorn Engineering, Inc., has been retained by Upright Properties, LLC to provide civil engineering services for the proposed development at 126 and 128R North Street. The existing structures would be demolished and replaced with a six-unit condominium and a six-unit rental. The project will increase the site's impervious area by greater than 1,000 square feet and as such is subject to water quality standards.

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

- City of Portland Land Use Ordinance Chapter 14, Article V. Site Plan Section 14-523. Required Approvals and Applicability (F) Level III Site Plan Review.
- City of Portland Technical Manual – Section 5 – Portland Stormwater Management Standards and Maine DEP Chapter 500 Stormwater Management.

EXISTING CONDITIONS

The proposed project site is located at 126/128R North Street. A boundary plan has been prepared by Nadeau Land Surveys from Portland, Maine dated August 22, 2018. All abutting uses are residential.

Both properties are currently accessed by bituminous driveways off North Street. The majority of the subject parcel's impervious area is attributed to the main structure and the driveway. Smaller areas are made up of walkways and a shed. The site slopes down significantly towards the southwest. The steep slope runs towards a concrete block retaining wall constructed as part of the Munjoy Heights project in 2015. A 10' maintenance easement runs along the rear property line which would provide future access for the Munjoy Heights Homeowner's Association to repair or replace the wall when necessary. Approximately half of the single-family's roof runoff is directed toward this wall and site.

The project team is not aware of the presence of any existing significant natural features located on the site. Given the urban setting, existing free-draining soils and steep slopes a field inventory of significant natural feature was not undertaken. The project is not located within a watershed classified as an Urban Impaired Stream.

PROPOSED DEVELOPMENT

The proposed redevelopment includes the demolition of the existing structures and construction of two structures, both with open-air/covered parking. A series of impermeable decks supported by columns will protrude from the rear of the structure. The columns on 128R will be placed on piers set below the angle of influence to the downgradient retaining wall. Furthermore, a proposed cast-in-place retaining wall up to 5' is proposed on the subject parcel to facilitate the parking. The wall will be designed and constructed in conjunction with the main structure's foundation as well as the supporting columns.

Through a series of roof drains, gutters, and a downspout, the entirety of the roof and deck runoff (which is essentially the extent of the 128R parking) are proposed to be routed to a

proprietary high-flow media rain garden at the northerly corner of the site. The design is based off a Focal Point system manufactured by ACF Environmental. The footprint of the filter media is 21 square feet and has an infiltration rate of 100 inches per hour. Below the media, 48 maintenance modules will sit above crushed stone to provide storage of the filtered water before being collected by the underdrain and piped to the street. To provide further attenuation and reduce peak flowrates to North Street, a 3.25" orifice will be provided on the outlet of the 4" underdrain.

Above the media, the garden will allow for 6 inches of ponding before overflowing into an overflow beehive grate which bypasses the filter media. The runoff generated by the building and driveway at 126 will be routed to a catch basin and storm drain lateral directed to the sewer main.

The development will be served by the Portland Water District, underground power/cable/communications, natural gas and the municipal sewer system. The project anticipates incorporating Maine DEP approved stormwater Best Management Practices (BMP) to meet the General and Flooding Standards.

GENERAL STANDARDS - WATER QUALITY

The development shall provide water quality treatment for no less than 95% of the new impervious area and 80% of the developed area. The project includes the redevelopment of existing impervious area including rooftops, asphalt driveways, and walkways. Water quality treatment shall be provided through the use of a proprietary high-flow filter media rain garden. The proposed system is a Focal Point rain garden with maintenance modules. This system is manufactured by ACF Environmental.

The system was sized to meet or exceed the requirements set forth within the MDEP Volume III: BMPs Technical Design Manual Section 7. Filtration BMPs have been shown to be very effective at removing a wide range of pollutants from stormwater runoff. Stormwater runoff from the roofs and decks will be collected by roof drains and gutters before being piped to the rain garden. A downspout will outlet onto a splash stone before entering the BMP.

The treatment of the impervious surface is as follows:

Table 1 – Impervious Treatment Area Table

Existing Impervious Area (SF)	Total Proposed Impervious Area (SF)	New Impervious Area (SF)	Proposed Impervious Area with Treatment (SF)	Overall New Imp. Area Treated
5,705*	7,713*	2,008	3,558	177%

*Areas include shared driveway

As shown above, the project anticipates meeting and exceeding the required treatment for new impervious surfaces and developed area.

Furthermore, the minimum 80% treatment of new developed area is exceeded as ample stormwater treatment is being provided while the proposed development footprint is negligibly larger than the existing development footprint.

Regarding the water quality volume, this requirement is met by sizing the system to store 1 inch of runoff from the impervious tributary area and 0.4 inches of runoff from the landscaped tributary area.

Table 2 – Water Quality Volume			
Tributary Impervious Area (SF)	Tributary Pervious Area (SF)	Water Quality Volume Required (CF)	System Storage Volume Provided (CF)
3,558	223	304	319

Furthermore, the system is able to pass a 0.95" rainfall without overflowing into the beehive bypass drain as required by Chapter 7 Appendix B.

FLOODING STANDARD – WATER QUANTITY

The proposed project was modeled using HydroCAD to verify that the post-development conditions do not exceed the pre-development conditions. A 24-hour SCS Type III storm distribution for the 2, 10, and 25-year storm events were used. The corresponding rainfall amounts for these storms are 3.10", 4.60", and 5.80" respectively.

Due to the numerous variables, and inherent inaccuracies with the modeling program used to calculate stormwater runoff it is custom at Acorn Engineering, Inc. to round to the nearest whole number. However due to the small size of the project and the minimal existing flows, the stormwater runoff shall be rounded to the nearest tenth of a cubic feet per second (cfs).

Time of Concentration (T_c)

Within the pre-development, calculating a Tc using site specific flow paths yielded less than 5 minutes. A consistent time of concentration (T_c) of 5 minutes was applied to each subcatchment for both the pre and post-development conditions.

Pre-development Calculations

The pre-development model was broken into two separate subcatchments.

- Subcatchment 1 – This tributary includes the front half of the 128R pitched roof, a portion of the concrete walk, the driveway between the existing house and North St., and green space., 126 North structure and driveway.
- Subcatchment 2 – This tributary includes the rear half of the pitched roof, the shed, a portion of the concrete walk, and the embankment upgradient of the Munjoy Heights retaining wall.

A pre-development watershed map developed for this project can be viewed in Attachment A and a copy of the HydroCAD calculations is included within Attachment C, of this report.

Peak flow rates for the storm events are as follows:

Table 3 – Pre-Development Peak Stormwater Flows			
Drainage Area	**2 – Year Storm Event (cfs)**	**10 – Year Storm Event (cfs)**	**25 – Year Storm Event (cfs)**
Total Runoff	0.5	0.9	1.2

Post-development Calculations:

The post-development model was broken into three separate subcatchments.

- Subcatchment 1.1 – This tributary includes the entirety of the 128 R roof, the decks, and a small amount of green space all flowing to the high-flow rain garden.
- Subcatchment 1 – This tributary includes green space on both properties flowing to field inlets and a catch basin, the brick walkways, the proposed 126 structure, and the two driveways.
- Subcatchment 2 – This tributary includes a portion of the proposed retaining wall as well as green space and the embankment upgradient of the existing retaining wall on the Munjoy Heights site.

A post-development Watershed Map developed for this project can be viewed in Attachment B and a copy of the HydroCAD calculations is included within Attachment C, of this report.

It should be noted that the existing driveway was modeled in both the pre and post conditions. Despite the property lines, it is functionally part of the site and tributary to North Street along with a portion of the subject parcel. Therefore, its hydrology and contribution to stormwater runoff was included within both models.

The post-development calculations include changes to the land use, and the compensation provided by the stormwater BMP. The following table represents comparison of pre-development and post-development condition peak runoff rates for the proposed development and tributary area.

Table 4 – Comparison of Peak Flows						
Drainage Area	**2 – Year Storm Event (cfs)**		**10 – Year Storm Event (cfs)**		**25 – Year Storm Event (cfs)**	
Total Runoff	**Pre**	**Post**	**Pre**	**Post**	**Pre**	**Post**
	0.5	0.4	0.9	0.6	1.2	0.8

As shown in Table 4 the net impact of the post development peak flows will remain at or below the predevelopment levels. A post-development watershed map developed for this project can be viewed in Attachment B, and a copy of the HydroCAD calculations is included within Attachment C of this report.

<u>SOILS</u>

Onsite soil information includes the following:

- Soil Conservation Service Medium Intensity Soil Survey for Cumberland County

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

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

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

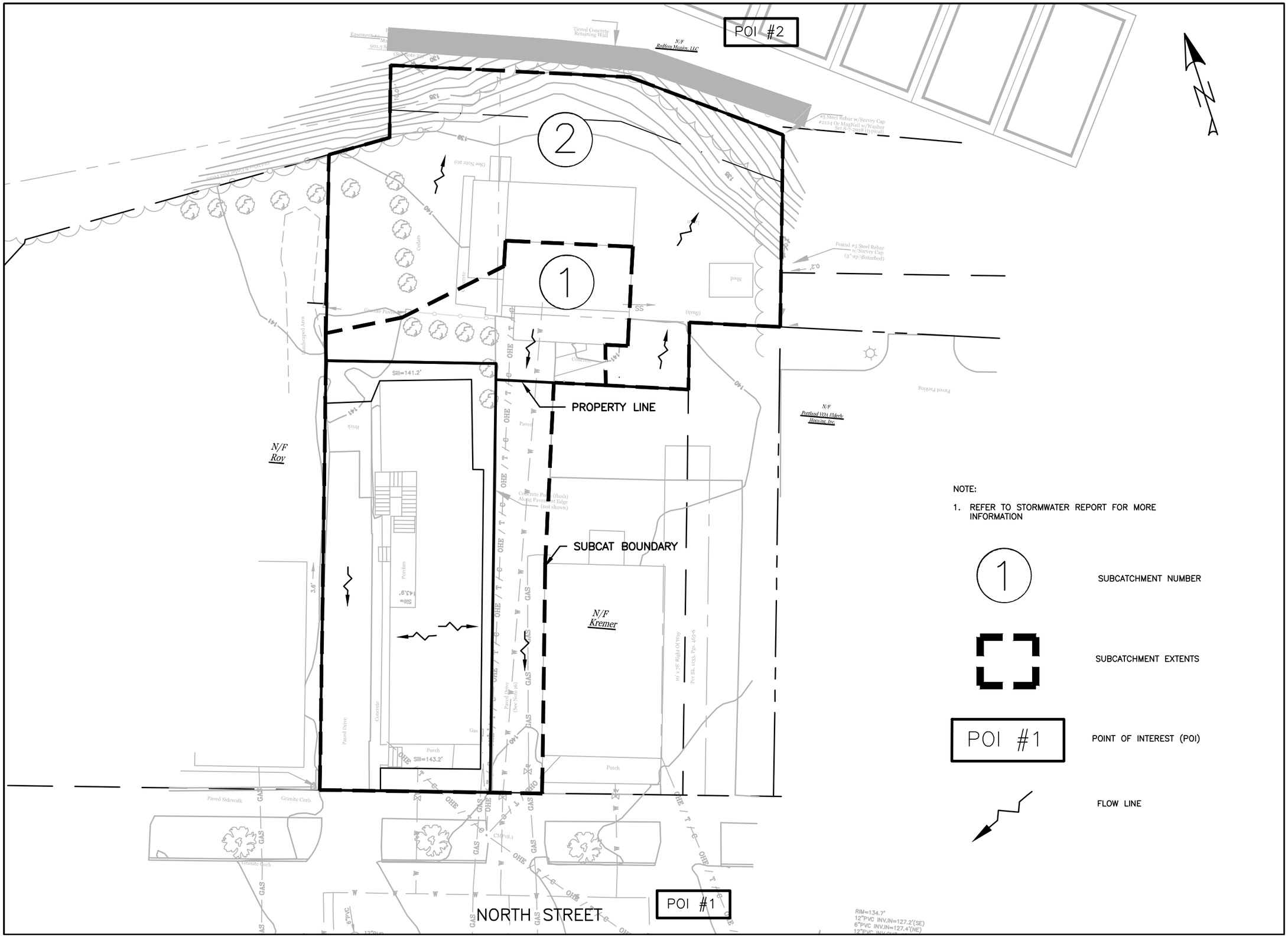
The soil "K" values for the soils, listed above, show a low susceptibility to erosion. The site's susceptibility to erosion is from the Soil Conservation Service Medium Intensity Soil Survey for Cumberland County. Although soil "K" values for the soils show a low susceptibility to erosion, implementation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

Conclusion

The proposed development was designed to meet the requirements implemented by the MDEP under the Stormwater Management Statute (38 M.R.S.A. § 420-D) as well as the City of Portland Technical Manual – Section 5 – Portland Stormwater Management Standards. As a result, the design of the proposed development and stormwater system, the project does not anticipate to create erosion, drainage or runoff problems either in the development or with respect to adjoining properties. The existing flows will be maintained, but redirected to the stormwater system through LID techniques rather than the abutting property.

Attachments

Attachment A: Pre Development Watershed Map
Attachment B: Post Development Watershed Map
Attachment C: HydroCAD Calculations



NOTE:

1. REFER TO STORMWATER REPORT FOR MORE INFORMATION

1 — SUBCATCHMENT NUMBER

SUBCATCHMENT EXTENTS

POI #1 — POINT OF INTEREST (POI)

FLOW LINE

ISSUED FOR	BY / DATE
FINAL APP.	WHS 6/7/19
PHASE II UPDATE	WHS 10/29/19

REVISION	REV. DATE

DRAWING NAME: PRE-DEVELOPMENT WATERSHED MAP

PROJECT NAME: 128R NORTH STREET

CLIENT: UPRIGHT FRAMEWORKS, LLC PORTLAND, ME

ACORN ENGINEERING, INC

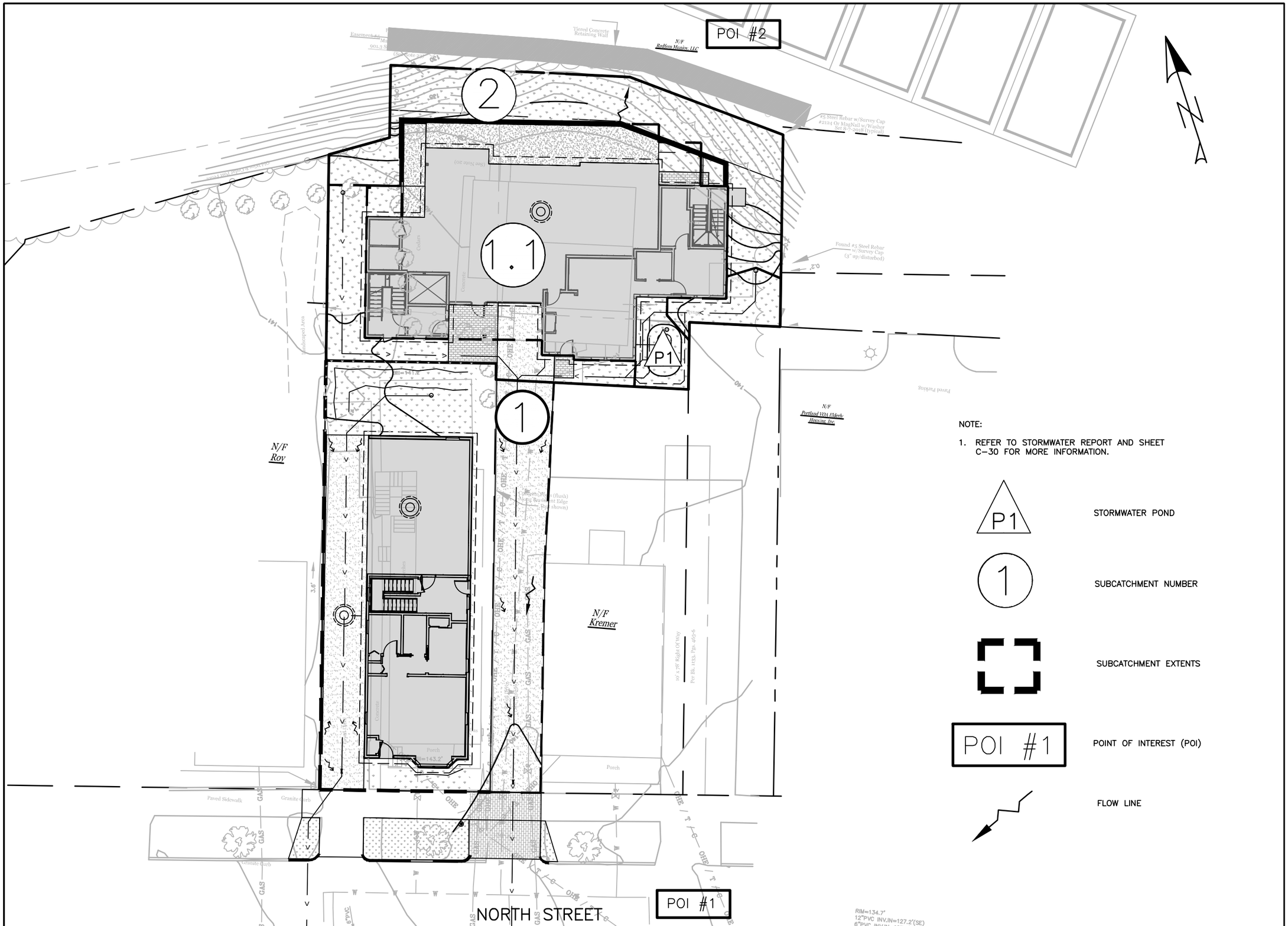
65 HANOVER ST PORTLAND, MAINE 04101
(207) 775-2655

FILE:	1116_CIVIL
JN:	1116
SCALE:	1"=20'
DESIGN BY:	SJL
DRAWN BY:	SJL
CHECKED BY:	WHS

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

DRAWING NO.

PRE



NOTE:

1. REFER TO STORMWATER REPORT AND SHEET C-30 FOR MORE INFORMATION.

P1 — STORMWATER POND

1 — SUBCATCHMENT NUMBER

SUBCATCHMENT EXTENTS

POI #1 — POINT OF INTEREST (POI)

FLOW LINE

ISSUED FOR	BY / DATE
FINAL APP.	WHS 6/7/19
PHASE II UPDATE	WHS 10/29/19

REVISION	REV. DATE

DRAWING NAME: POST-DEVELOPMENT WATERSHED MAP

PROJECT NAME: 128R NORTH STREET

CLIENT: UPRIGHT FRAMEWORKS, LLC
PORTLAND, ME

ACORN ENGINEERING, INC
65 HANOVER ST PORTLAND, MAINE 04101
(207) 775-2655

FILE:	1116_CIVIL
JN:	1116
SCALE:	1"=20'
DESIGN BY:	SJL
DRAWN BY:	SJL
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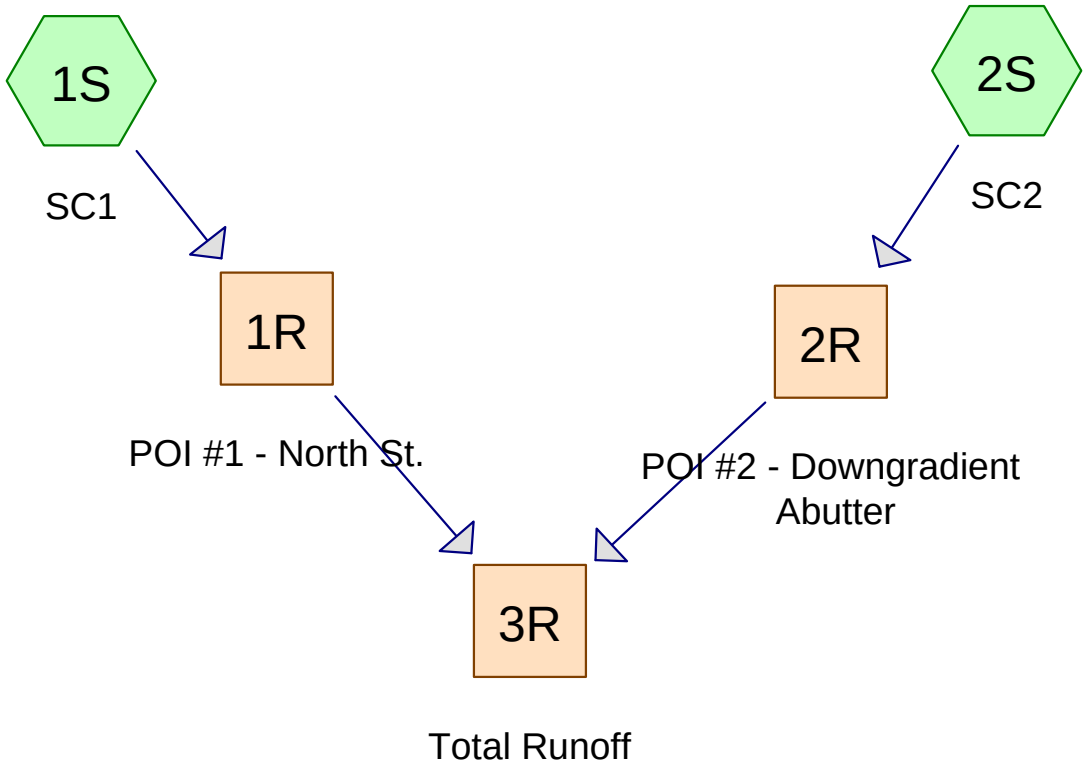
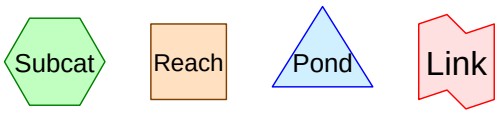
DRAWING NO.
POST





Routing Diagram for Pre Development 10-29
Prepared by Acorn Eng, Printed 10/29/2019
HydroCAD® 10.00-24 s/n 00620 © 2018 HydroCAD Software Solutions LLC

Area Listing (all nodes)

Area (acres)	CN	Description (subcatchment-numbers)
0.016	98	(2S)
0.118	74	>75% Grass cover, Good, HSG C (1S, 2S)
0.090	98	Pavement, roof, concrete (1S)
0.025	98	shared driveway (1S)
0.249	**87**	**TOTAL AREA**

Soil Listing (all nodes)

Area (acres)	Soil Group	Subcatchment Numbers
0.000	HSG A	
0.000	HSG B	
0.118	HSG C	1S, 2S
0.000	HSG D	
0.131	Other	1S, 2S
0.249		**TOTAL AREA**

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	0.016	0.016		2S
0.000	0.000	0.118	0.000	0.000	0.118	>75% Grass cover, Good	1S, 2S
0.000	0.000	0.000	0.000	0.090	0.090	Pavement, roof, concrete	1S
0.000	0.000	0.000	0.000	0.025	0.025	shared driveway	1S
0.000	**0.000**	**0.118**	**0.000**	**0.131**	**0.249**	**TOTAL AREA**	

Time span=1.00-36.00 hrs, dt=0.01 hrs, 3501 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1S: SC1 Runoff Area=6,051 sf 82.73% Impervious Runoff Depth=2.45"
Tc=5.0 min CN=94 Runoff=0.40 cfs 0.028 af

Subcatchment 2S: SC2 Runoff Area=4,811 sf 14.53% Impervious Runoff Depth=1.14"
Tc=5.0 min CN=77 Runoff=0.15 cfs 0.011 af

Reach 1R: POI #1 - North St. Inflow=0.40 cfs 0.028 af
Outflow=0.40 cfs 0.028 af

Reach 2R: POI #2 - Downgradient Abutter Inflow=0.15 cfs 0.011 af
Outflow=0.15 cfs 0.011 af

Reach 3R: Total Runoff Inflow=0.54 cfs 0.039 af
Outflow=0.54 cfs 0.039 af

Total Runoff Area = 0.249 ac Runoff Volume = 0.039 af Average Runoff Depth = 1.87"
47.48% Pervious = 0.118 ac 52.52% Impervious = 0.131 ac

Summary for Subcatchment 1S: SC1

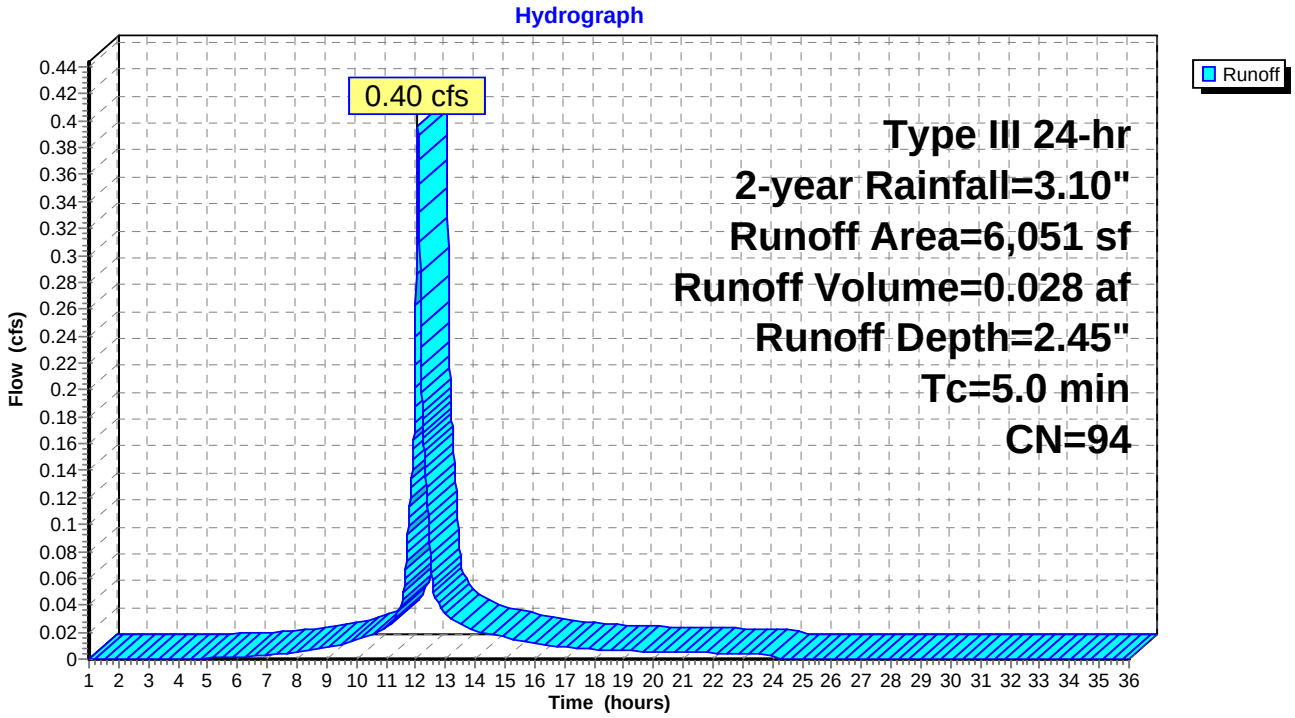
Runoff = 0.40 cfs @ 12.07 hrs, Volume= 0.028 af, Depth= 2.45"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-36.00 hrs, dt= 0.01 hrs
Type III 24-hr 2-year Rainfall=3.10"

	Area (sf)	CN	Description
	1,045	74	>75% Grass cover, Good, HSG C
*	3,929	98	Pavement, roof, concrete
*	1,077	98	shared driveway
	6,051	94	Weighted Average
	1,045		17.27% Pervious Area
	5,006		82.73% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					**Direct Entry, Direct Urban Environment**

Subcatchment 1S: SC1



Summary for Subcatchment 2S: SC2

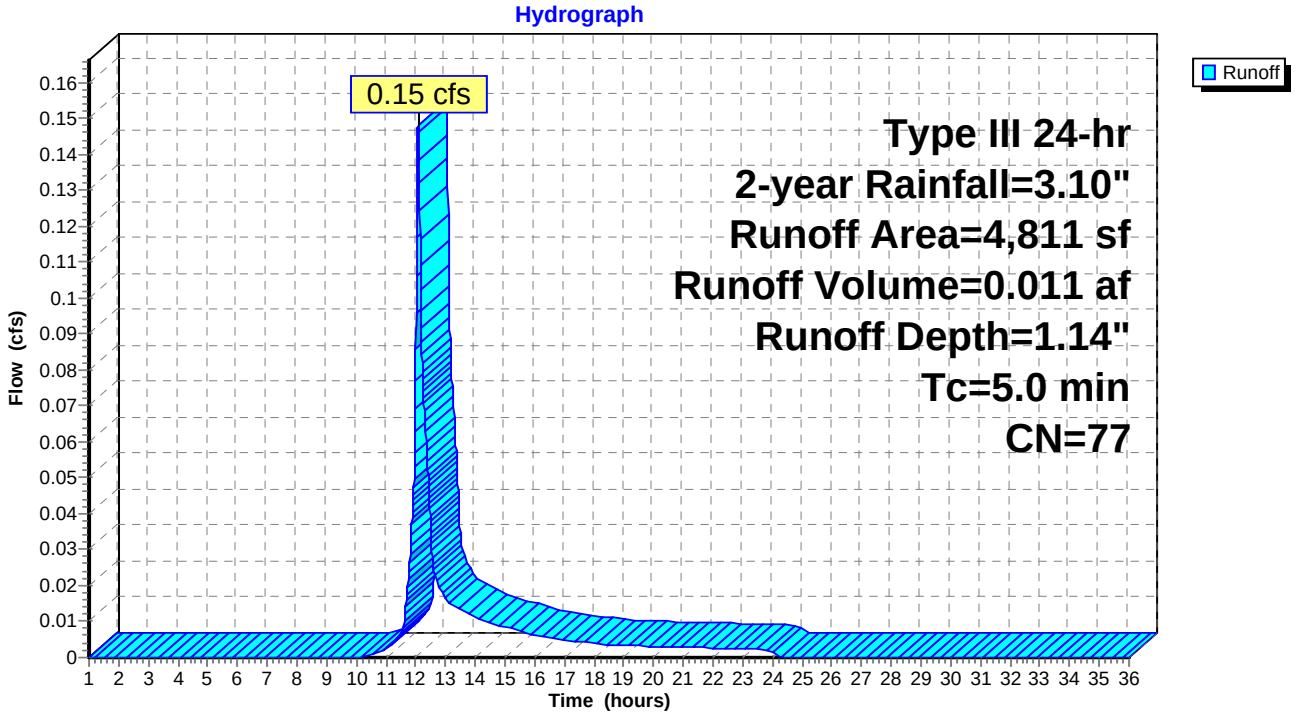
Runoff = 0.15 cfs @ 12.08 hrs, Volume= 0.011 af, Depth= 1.14"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-36.00 hrs, dt= 0.01 hrs
Type III 24-hr 2-year Rainfall=3.10"

	Area (sf)	CN	Description
*	699	98	
	4,112	74	>75% Grass cover, Good, HSG C
	4,811	77	Weighted Average
	4,112		85.47% Pervious Area
	699		14.53% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					**Direct Entry, Direct Urban Environment**

Subcatchment 2S: SC2

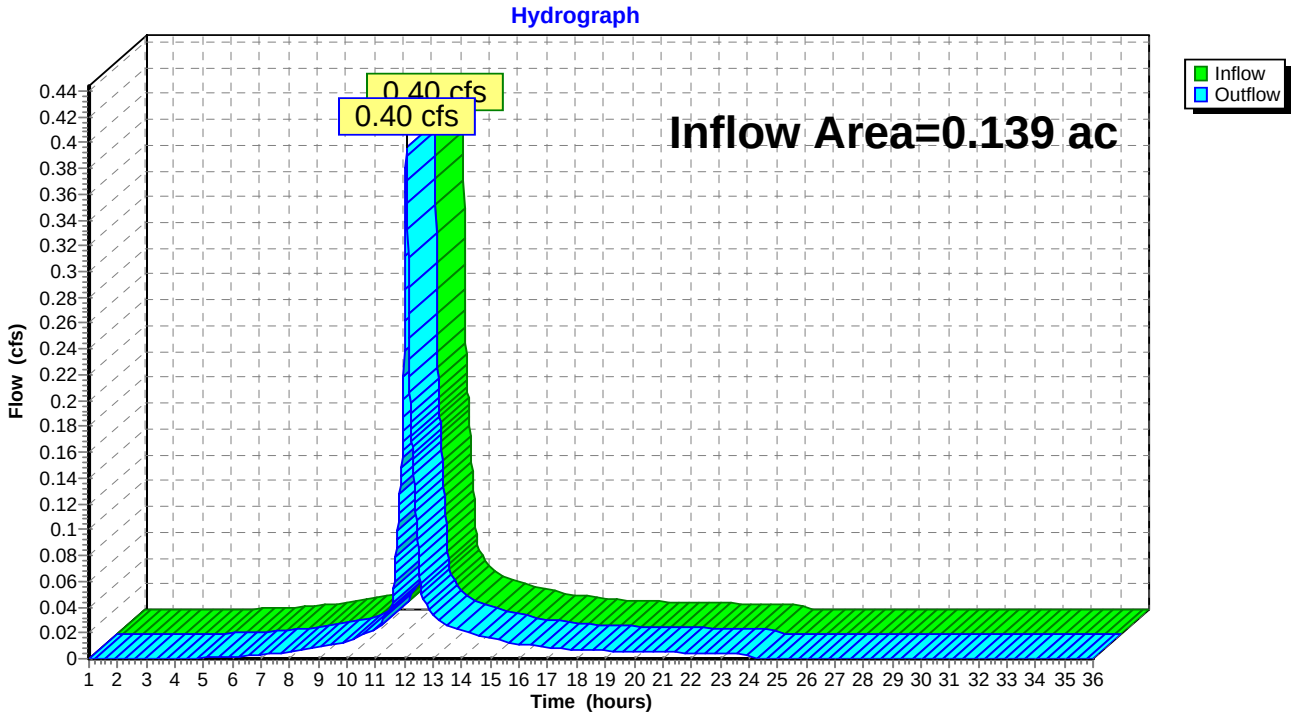


Summary for Reach 1R: POI #1 - North St.

Inflow Area = 0.139 ac, 82.73% Impervious, Inflow Depth = 2.45" for 2-year event
Inflow = 0.40 cfs @ 12.07 hrs, Volume= 0.028 af
Outflow = 0.40 cfs @ 12.07 hrs, Volume= 0.028 af, Atten= 0%, Lag= 0.0 min

Routing by Dyn-Stor-Ind method, Time Span= 1.00-36.00 hrs, dt= 0.01 hrs

Reach 1R: POI #1 - North St.

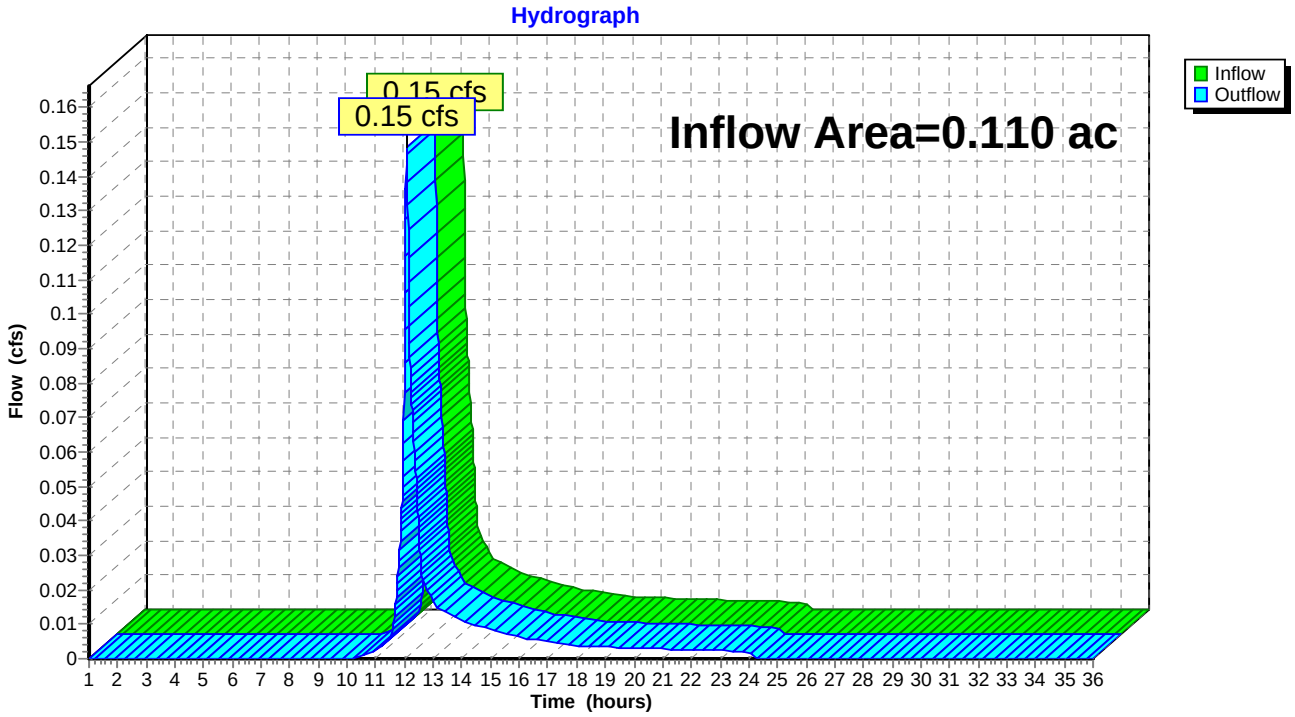


Summary for Reach 2R: POI #2 - Downgradient Abutter

Inflow Area = 0.110 ac, 14.53% Impervious, Inflow Depth = 1.14" for 2-year event
Inflow = 0.15 cfs @ 12.08 hrs, Volume= 0.011 af
Outflow = 0.15 cfs @ 12.08 hrs, Volume= 0.011 af, Atten= 0%, Lag= 0.0 min

Routing by Dyn-Stor-Ind method, Time Span= 1.00-36.00 hrs, dt= 0.01 hrs

Reach 2R: POI #2 - Downgradient Abutter

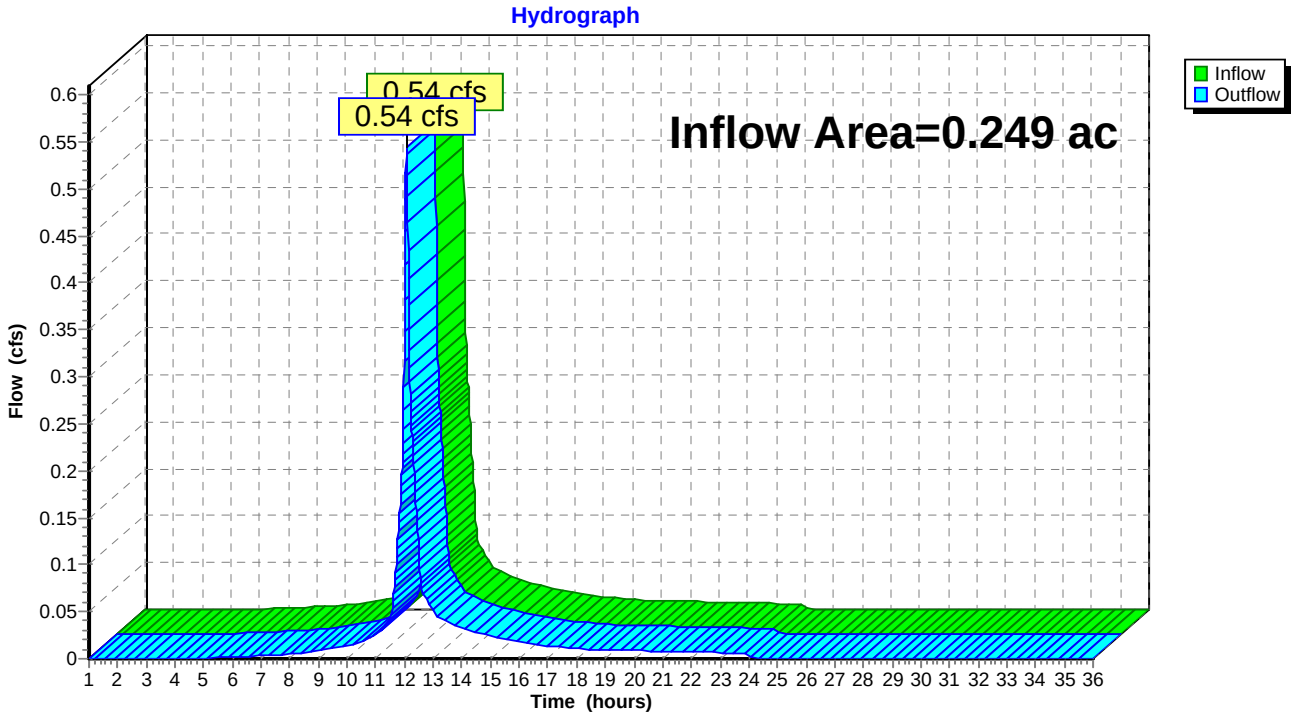


Summary for Reach 3R: Total Runoff

Inflow Area = 0.249 ac, 52.52% Impervious, Inflow Depth = 1.87" for 2-year event
Inflow = 0.54 cfs @ 12.07 hrs, Volume= 0.039 af
Outflow = 0.54 cfs @ 12.07 hrs, Volume= 0.039 af, Atten= 0%, Lag= 0.0 min

Routing by Dyn-Stor-Ind method, Time Span= 1.00-36.00 hrs, dt= 0.01 hrs

Reach 3R: Total Runoff



Time span=1.00-36.00 hrs, dt=0.01 hrs, 3501 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1S: SC1 Runoff Area=6,051 sf 82.73% Impervious Runoff Depth=3.91"
Tc=5.0 min CN=94 Runoff=0.62 cfs 0.045 af

Subcatchment 2S: SC2 Runoff Area=4,811 sf 14.53% Impervious Runoff Depth=2.29"
Tc=5.0 min CN=77 Runoff=0.31 cfs 0.021 af

Reach 1R: POI #1 - North St. Inflow=0.62 cfs 0.045 af
Outflow=0.62 cfs 0.045 af

Reach 2R: POI #2 - Downgradient Abutter Inflow=0.31 cfs 0.021 af
Outflow=0.31 cfs 0.021 af

Reach 3R: Total Runoff Inflow=0.92 cfs 0.066 af
Outflow=0.92 cfs 0.066 af

Total Runoff Area = 0.249 ac Runoff Volume = 0.066 af Average Runoff Depth = 3.20"
47.48% Pervious = 0.118 ac 52.52% Impervious = 0.131 ac

Summary for Subcatchment 1S: SC1

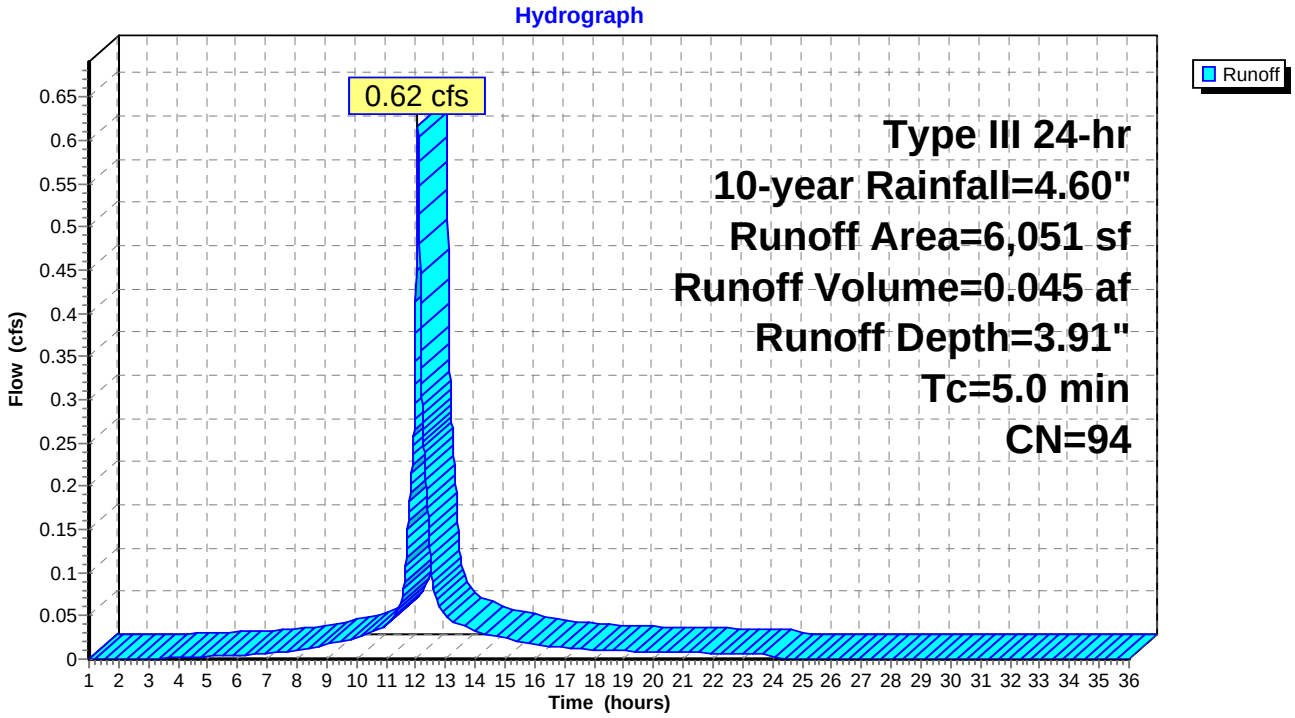
Runoff = 0.62 cfs @ 12.07 hrs, Volume= 0.045 af, Depth= 3.91"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-36.00 hrs, dt= 0.01 hrs
Type III 24-hr 10-year Rainfall=4.60"

	Area (sf)	CN	Description
	1,045	74	>75% Grass cover, Good, HSG C
*	3,929	98	Pavement, roof, concrete
*	1,077	98	shared driveway
	6,051	94	Weighted Average
	1,045		17.27% Pervious Area
	5,006		82.73% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					**Direct Entry, Direct Urban Environment**

Subcatchment 1S: SC1



Summary for Subcatchment 2S: SC2

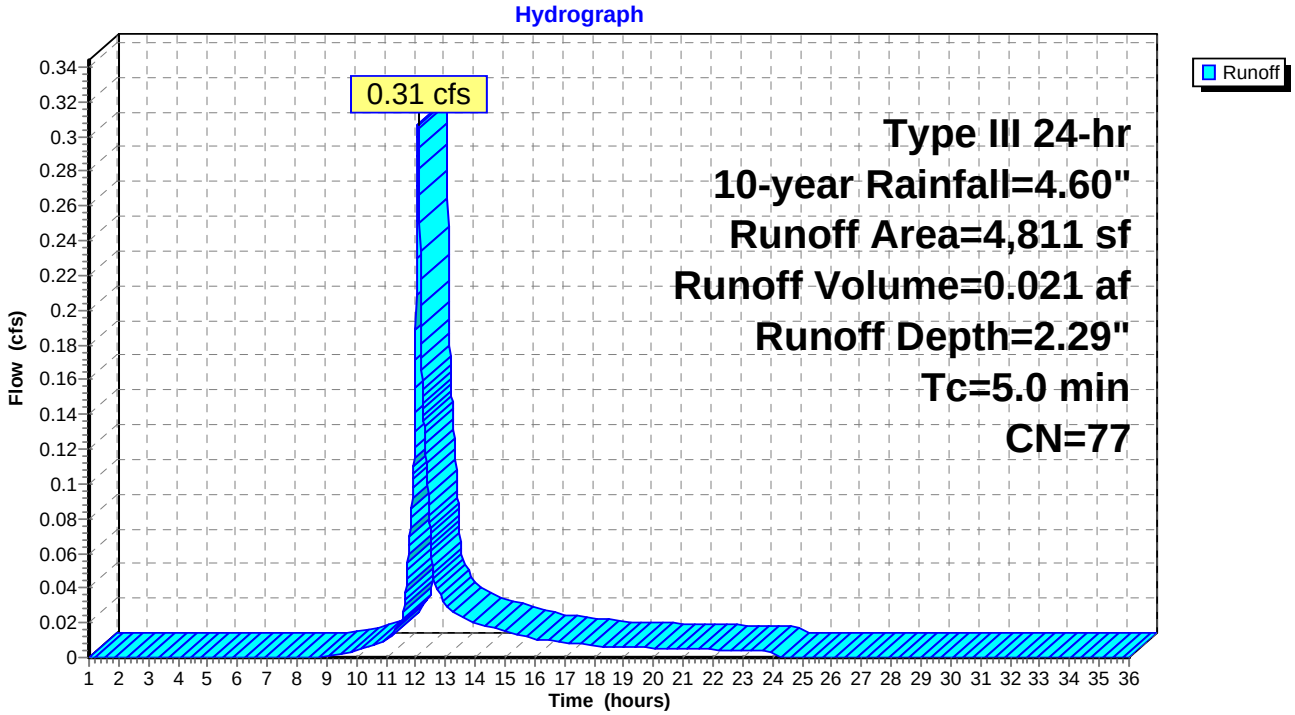
Runoff = 0.31 cfs @ 12.08 hrs, Volume= 0.021 af, Depth= 2.29"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-36.00 hrs, dt= 0.01 hrs
Type III 24-hr 10-year Rainfall=4.60"

	Area (sf)	CN	Description
*	699	98	
	4,112	74	>75% Grass cover, Good, HSG C
	4,811	77	Weighted Average
	4,112		85.47% Pervious Area
	699		14.53% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					**Direct Entry, Direct Urban Environment**

Subcatchment 2S: SC2

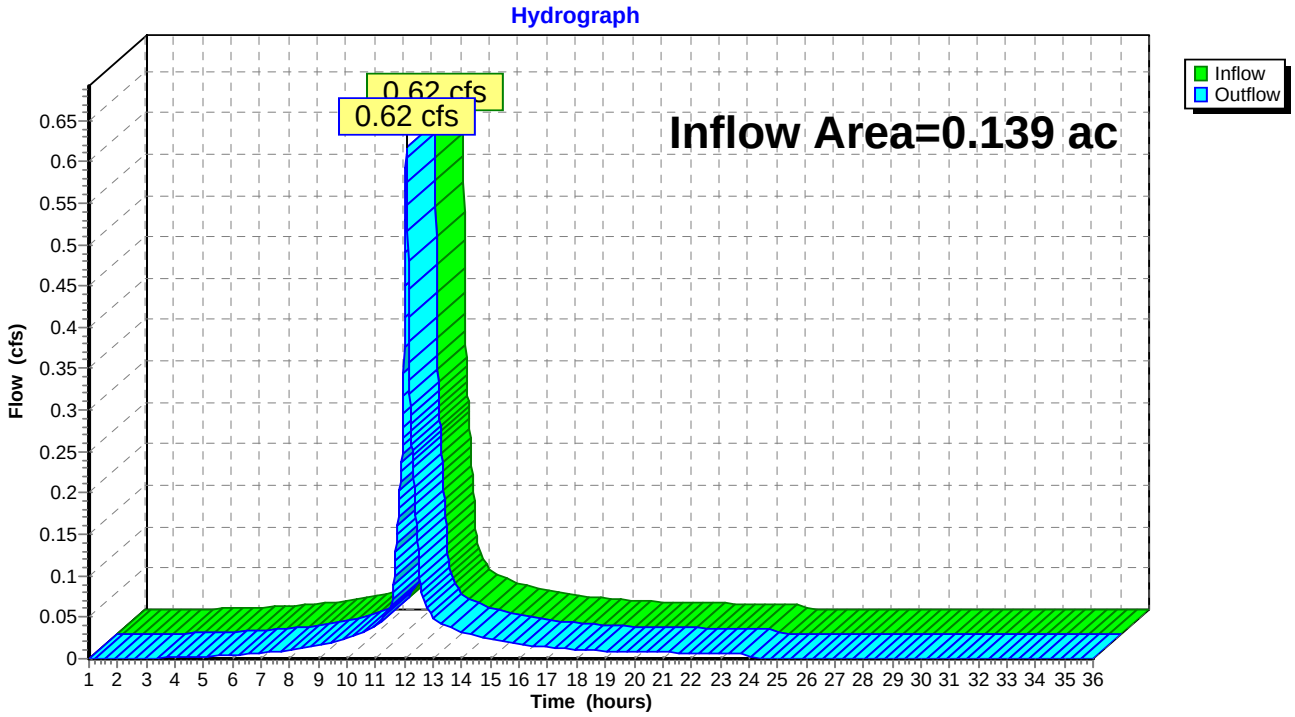


Summary for Reach 1R: POI #1 - North St.

Inflow Area = 0.139 ac, 82.73% Impervious, Inflow Depth = 3.91" for 10-year event
Inflow = 0.62 cfs @ 12.07 hrs, Volume= 0.045 af
Outflow = 0.62 cfs @ 12.07 hrs, Volume= 0.045 af, Atten= 0%, Lag= 0.0 min

Routing by Dyn-Stor-Ind method, Time Span= 1.00-36.00 hrs, dt= 0.01 hrs

Reach 1R: POI #1 - North St.

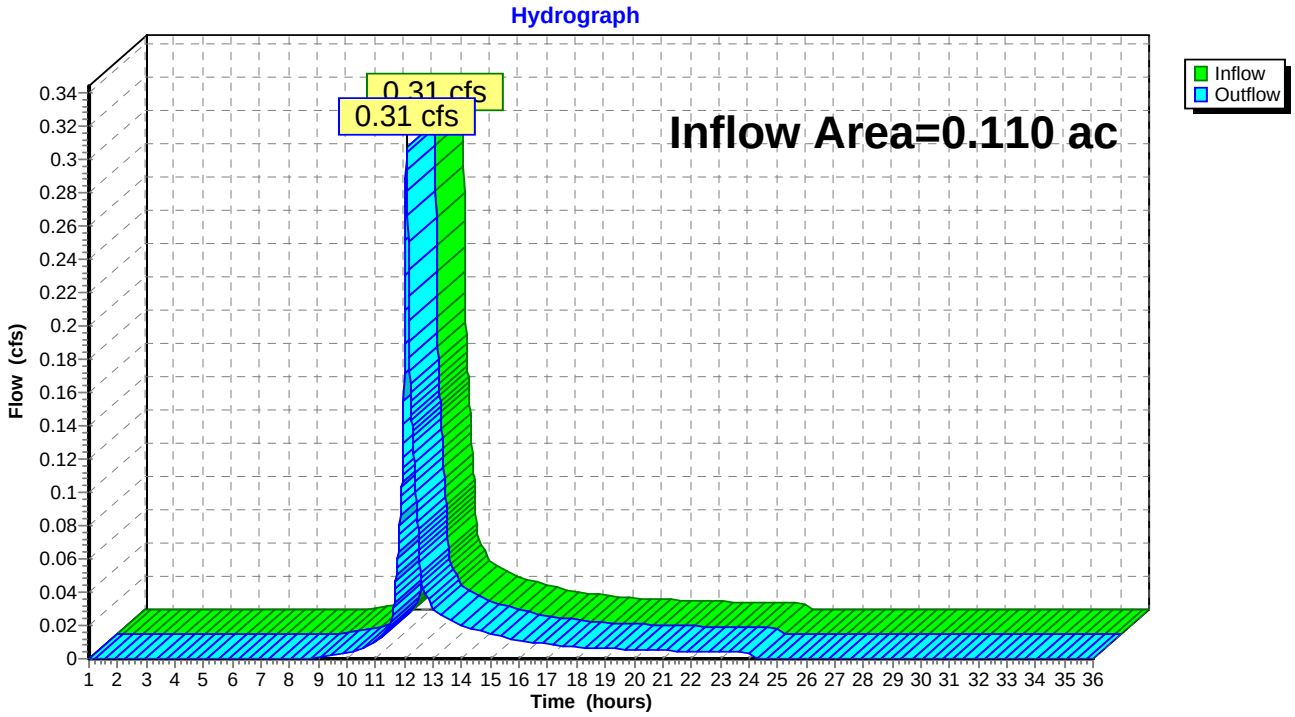


Summary for Reach 2R: POI #2 - Downgradient Abutter

Inflow Area = 0.110 ac, 14.53% Impervious, Inflow Depth = 2.29" for 10-year event
Inflow = 0.31 cfs @ 12.08 hrs, Volume= 0.021 af
Outflow = 0.31 cfs @ 12.08 hrs, Volume= 0.021 af, Atten= 0%, Lag= 0.0 min

Routing by Dyn-Stor-Ind method, Time Span= 1.00-36.00 hrs, dt= 0.01 hrs

Reach 2R: POI #2 - Downgradient Abutter

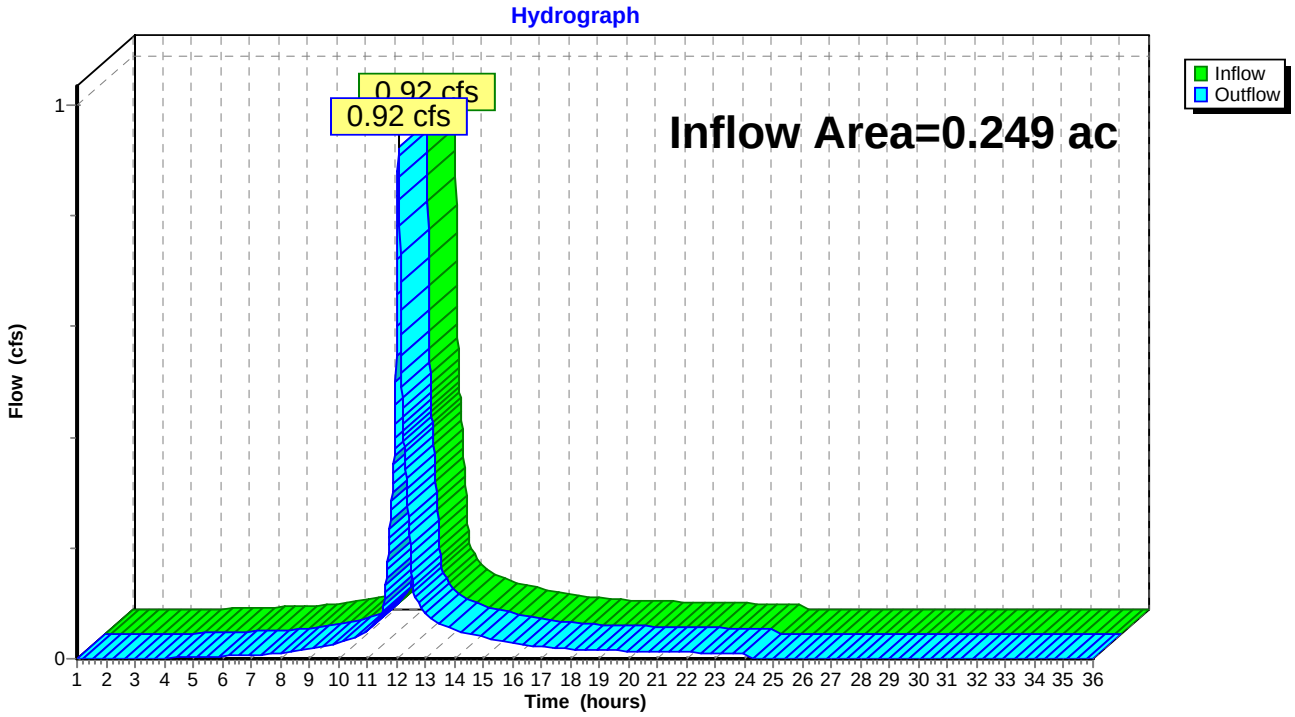


Summary for Reach 3R: Total Runoff

Inflow Area = 0.249 ac, 52.52% Impervious, Inflow Depth = 3.20" for 10-year event
Inflow = 0.92 cfs @ 12.07 hrs, Volume= 0.066 af
Outflow = 0.92 cfs @ 12.07 hrs, Volume= 0.066 af, Atten= 0%, Lag= 0.0 min

Routing by Dyn-Stor-Ind method, Time Span= 1.00-36.00 hrs, dt= 0.01 hrs

Reach 3R: Total Runoff



Time span=1.00-36.00 hrs, dt=0.01 hrs, 3501 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1S: SC1 Runoff Area=6,051 sf 82.73% Impervious Runoff Depth=5.10"
Tc=5.0 min CN=94 Runoff=0.79 cfs 0.059 af

Subcatchment 2S: SC2 Runoff Area=4,811 sf 14.53% Impervious Runoff Depth=3.31"
Tc=5.0 min CN=77 Runoff=0.44 cfs 0.030 af

Reach 1R: POI #1 - North St. Inflow=0.79 cfs 0.059 af
Outflow=0.79 cfs 0.059 af

Reach 2R: POI #2 - Downgradient Abutter Inflow=0.44 cfs 0.030 af
Outflow=0.44 cfs 0.030 af

Reach 3R: Total Runoff Inflow=1.24 cfs 0.089 af
Outflow=1.24 cfs 0.089 af

Total Runoff Area = 0.249 ac Runoff Volume = 0.089 af Average Runoff Depth = 4.30"
47.48% Pervious = 0.118 ac 52.52% Impervious = 0.131 ac

Summary for Subcatchment 1S: SC1

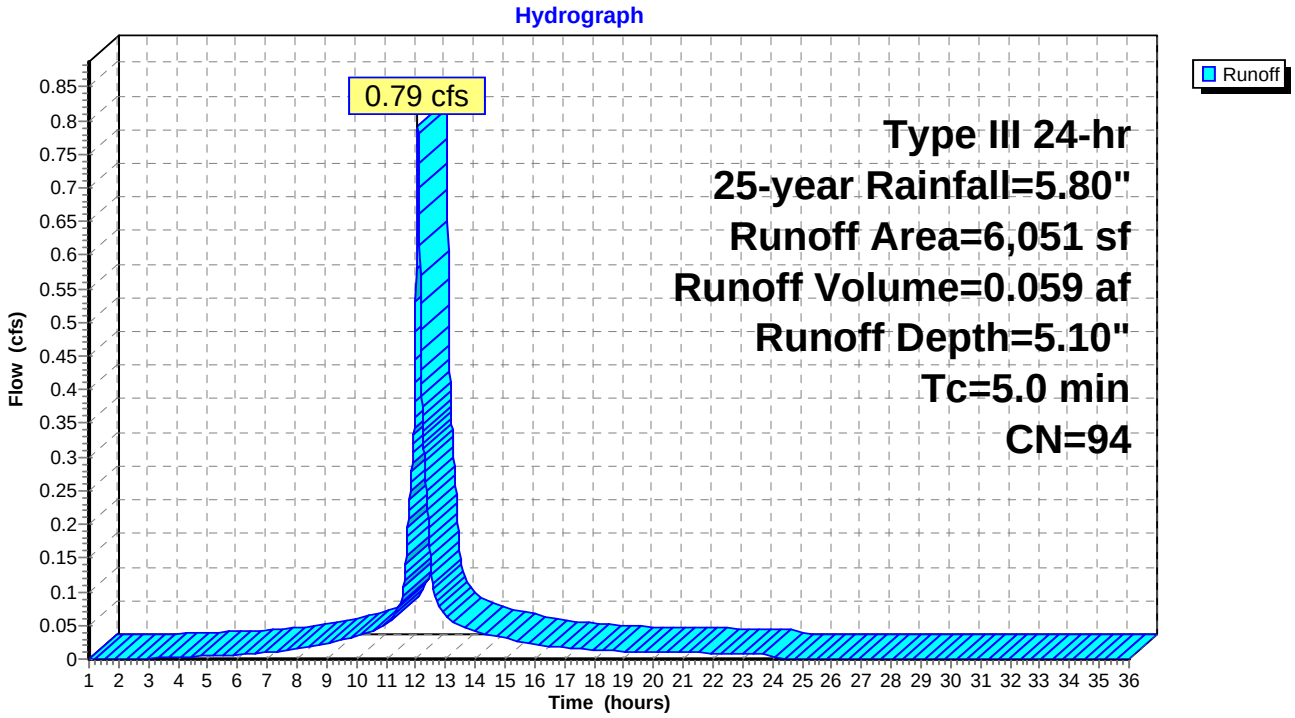
Runoff = 0.79 cfs @ 12.07 hrs, Volume= 0.059 af, Depth= 5.10"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-36.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-year Rainfall=5.80"

	Area (sf)	CN	Description
	1,045	74	>75% Grass cover, Good, HSG C
*	3,929	98	Pavement, roof, concrete
*	1,077	98	shared driveway
	6,051	94	Weighted Average
	1,045		17.27% Pervious Area
	5,006		82.73% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					**Direct Entry, Direct Urban Environment**

Subcatchment 1S: SC1



Summary for Subcatchment 2S: SC2

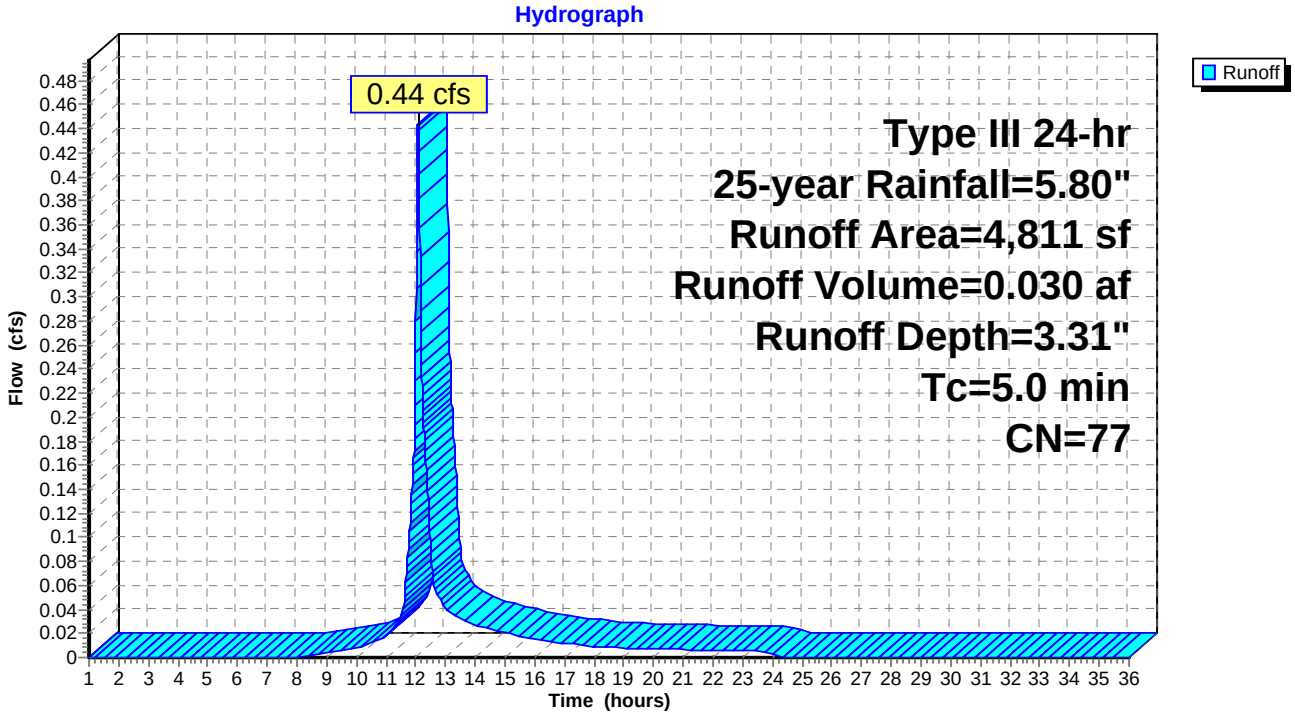
Runoff = 0.44 cfs @ 12.07 hrs, Volume= 0.030 af, Depth= 3.31"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-36.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-year Rainfall=5.80"

	Area (sf)	CN	Description
*	699	98	
	4,112	74	>75% Grass cover, Good, HSG C
	4,811	77	Weighted Average
	4,112		85.47% Pervious Area
	699		14.53% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					**Direct Entry, Direct Urban Environment**

Subcatchment 2S: SC2

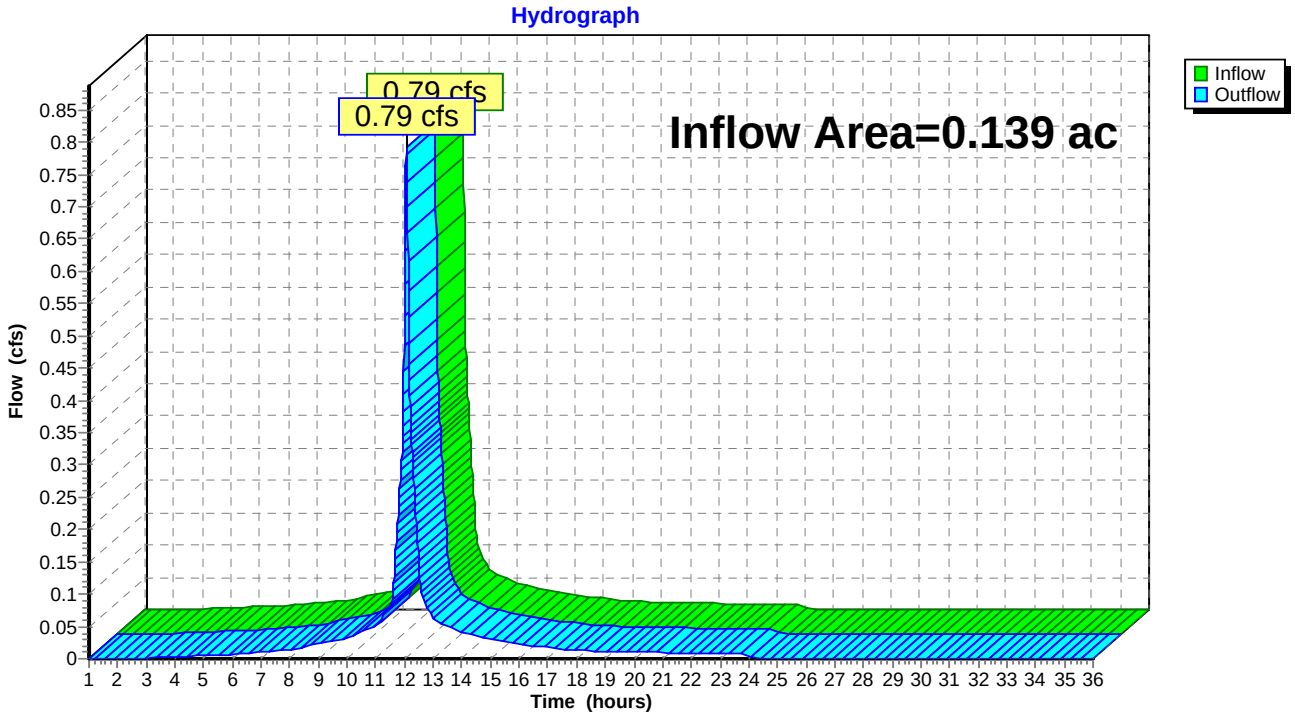


Summary for Reach 1R: POI #1 - North St.

Inflow Area = 0.139 ac, 82.73% Impervious, Inflow Depth = 5.10" for 25-year event
Inflow = 0.79 cfs @ 12.07 hrs, Volume= 0.059 af
Outflow = 0.79 cfs @ 12.07 hrs, Volume= 0.059 af, Atten= 0%, Lag= 0.0 min

Routing by Dyn-Stor-Ind method, Time Span= 1.00-36.00 hrs, dt= 0.01 hrs

Reach 1R: POI #1 - North St.

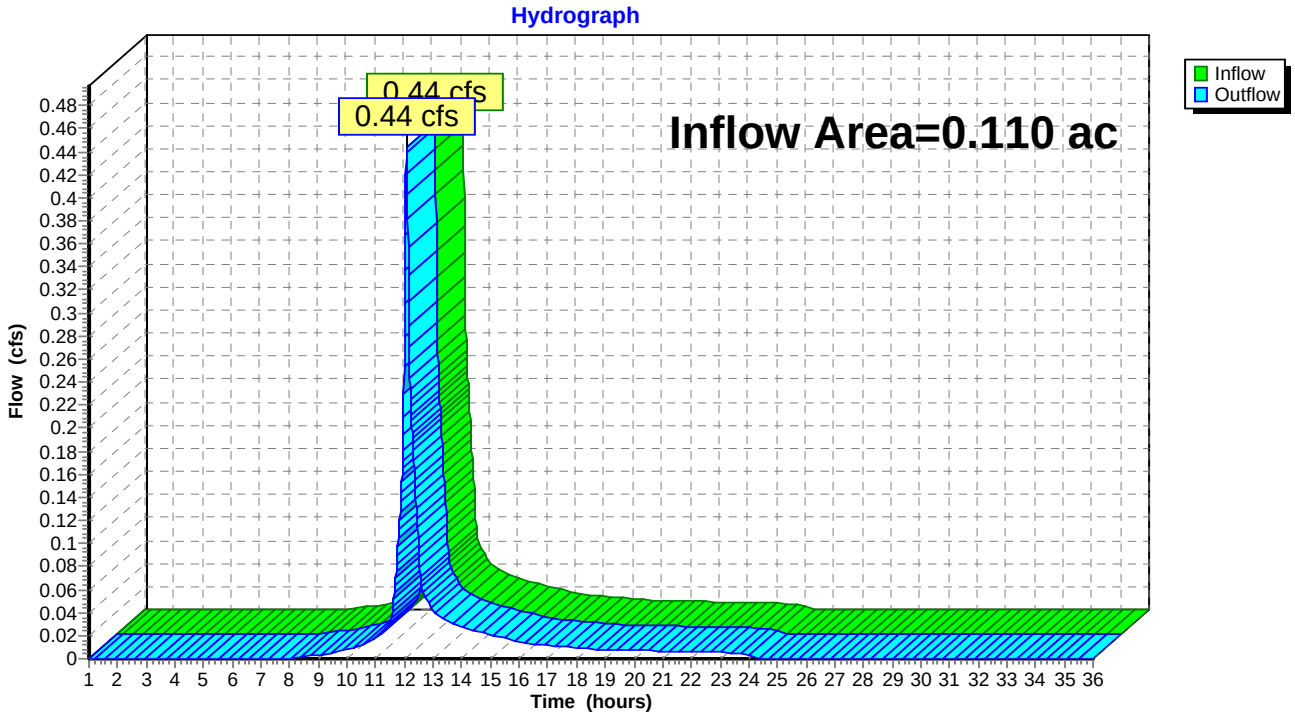


Summary for Reach 2R: POI #2 - Downgradient Abutter

Inflow Area = 0.110 ac, 14.53% Impervious, Inflow Depth = 3.31" for 25-year event
Inflow = 0.44 cfs @ 12.07 hrs, Volume= 0.030 af
Outflow = 0.44 cfs @ 12.07 hrs, Volume= 0.030 af, Atten= 0%, Lag= 0.0 min

Routing by Dyn-Stor-Ind method, Time Span= 1.00-36.00 hrs, dt= 0.01 hrs

Reach 2R: POI #2 - Downgradient Abutter

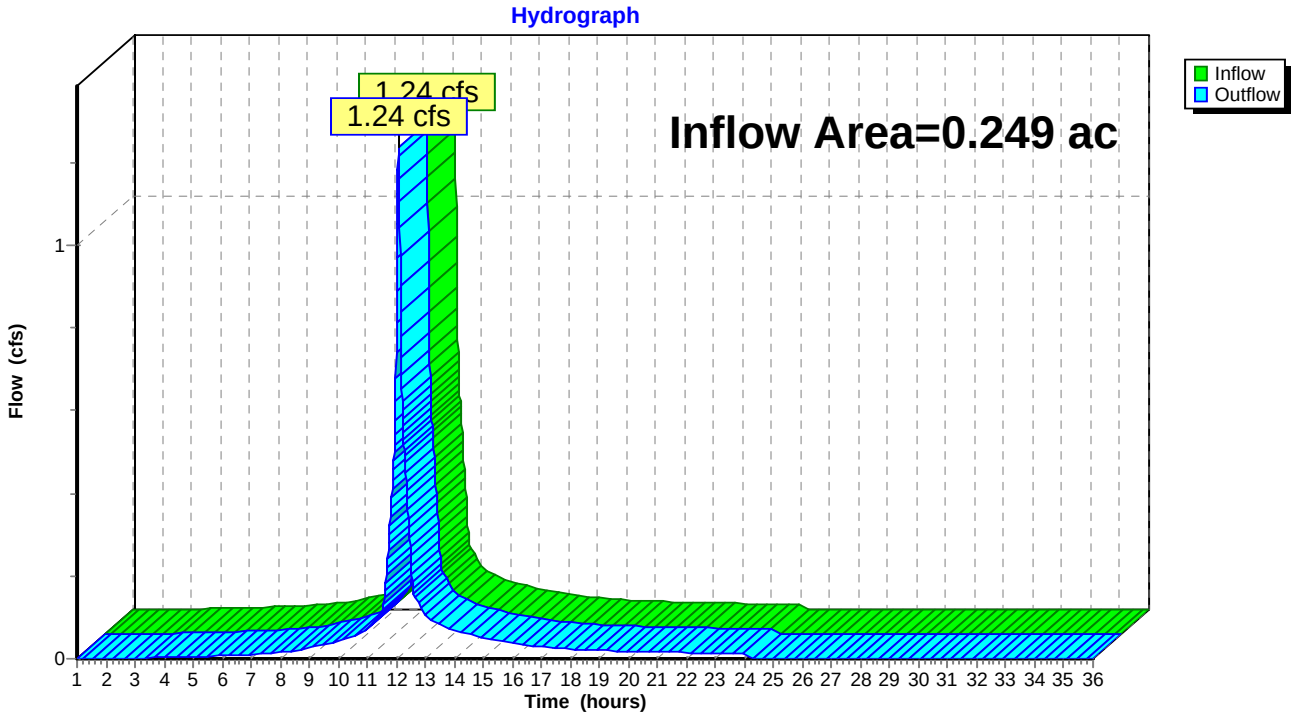


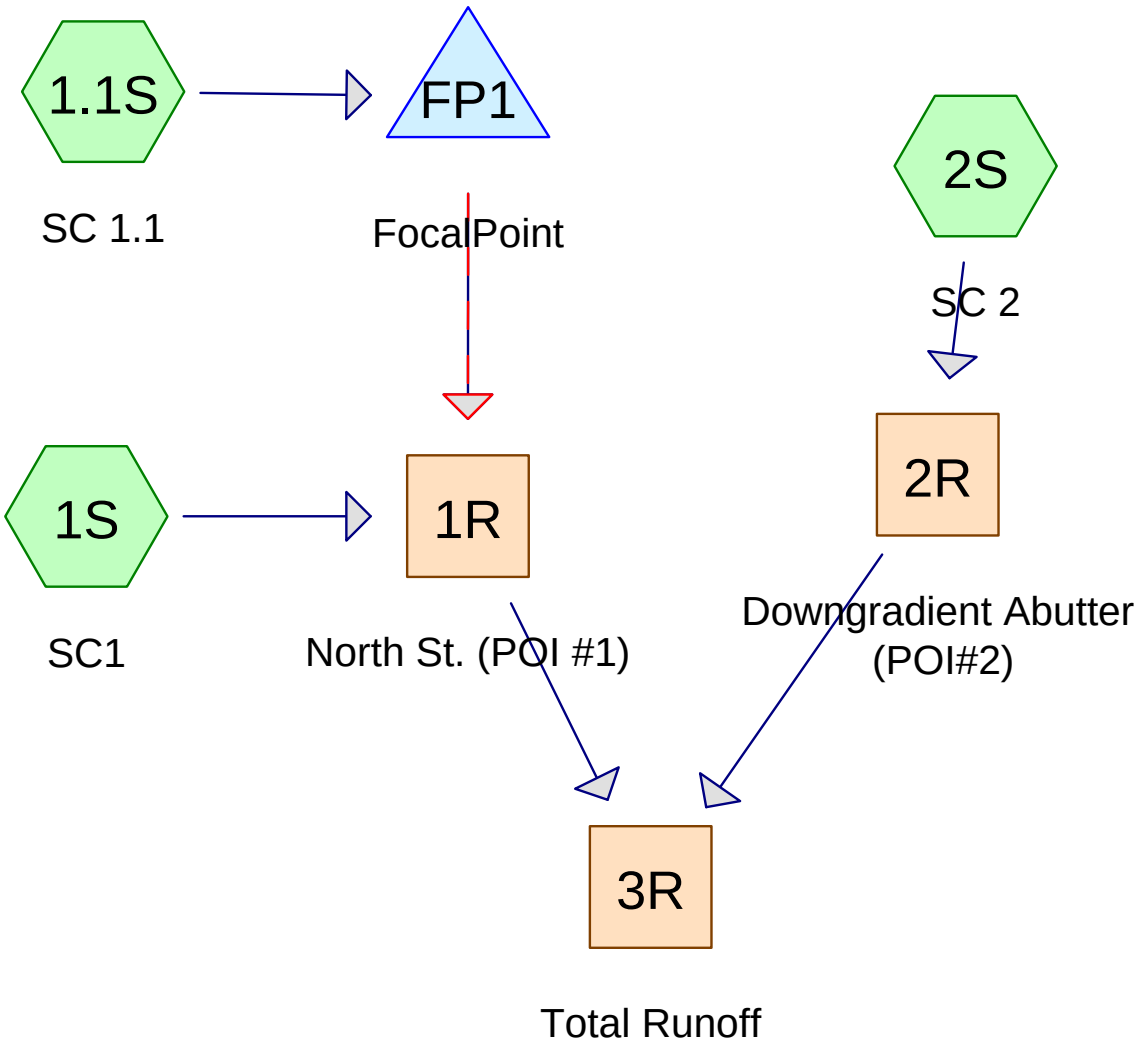
Summary for Reach 3R: Total Runoff

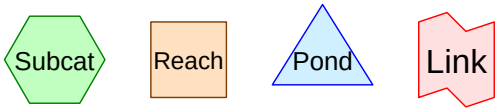
Inflow Area = 0.249 ac, 52.52% Impervious, Inflow Depth = 4.30" for 25-year event
Inflow = 1.24 cfs @ 12.07 hrs, Volume= 0.089 af
Outflow = 1.24 cfs @ 12.07 hrs, Volume= 0.089 af, Atten= 0%, Lag= 0.0 min

Routing by Dyn-Stor-Ind method, Time Span= 1.00-36.00 hrs, dt= 0.01 hrs

Reach 3R: Total Runoff







Routing Diagram for Post Development1-2-20
Prepared by Acorn Eng, Printed 2/24/2020
HydroCAD® 10.00-24 s/n 00620 © 2018 HydroCAD Software Solutions LLC

Area Listing (all nodes)

Area (acres)	CN	Description (subcatchment-numbers)
0.067	98	126 roof,walk,drive (1S)
0.003	98	128R walk/drive (1S)
0.037	39	>75% Grass cover, Good, HSG A (1.1S, 2S)
0.035	39	Field inlets trib/landscaping (1S)
0.001	98	Misc impervious (2S)
0.082	98	Roof, decks (1.1S)
0.025	98	shared drive (1S)
0.249	**81**	**TOTAL AREA**

Soil Listing (all nodes)

Area (acres)	Soil Group	Subcatchment Numbers
0.037	HSG A	1.1S, 2S
0.000	HSG B	
0.000	HSG C	
0.000	HSG D	
0.212	Other	1.1S, 1S, 2S
0.249		**TOTAL AREA**

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	0.067	0.067	126 roof,walk,drive	1S
0.000	0.000	0.000	0.000	0.003	0.003	128R walk/drive	1S
0.037	0.000	0.000	0.000	0.000	0.037	>75% Grass cover, Good	1.1S, 2S
0.000	0.000	0.000	0.000	0.035	0.035	Field inlets trib/landscaping	1S
0.000	0.000	0.000	0.000	0.001	0.001	Misc impervious	2S
0.000	0.000	0.000	0.000	0.082	0.082	Roof, decks	1.1S
0.000	0.000	0.000	0.000	0.025	0.025	shared drive	1S
0.037	**0.000**	**0.000**	**0.000**	**0.212**	**0.249**	**TOTAL AREA**	

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	FP1	133.70	132.70	150.0	0.0067	0.010	3.3	0.0	0.0

Time span=1.00-50.00 hrs, dt=0.01 hrs, 4901 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1.1S: SC 1.1 Runoff Area=3,781 sf 94.10% Impervious Runoff Depth=2.55"
Tc=5.0 min CN=95 Runoff=0.25 cfs 0.018 af

Subcatchment 1S: SC1 Runoff Area=5,648 sf 72.98% Impervious Runoff Depth=1.46"
Tc=5.0 min CN=82 Runoff=0.23 cfs 0.016 af

Subcatchment 2S: SC 2 Runoff Area=1,433 sf 2.30% Impervious Runoff Depth=0.00"
Tc=5.0 min CN=40 Runoff=0.00 cfs 0.000 af

Reach 1R: North St. (POI #1) Inflow=0.36 cfs 0.034 af
Outflow=0.36 cfs 0.034 af

Reach 2R: Downgradient Abutter (POI#2) Inflow=0.00 cfs 0.000 af
Outflow=0.00 cfs 0.000 af

Reach 3R: Total Runoff Inflow=0.36 cfs 0.034 af
Outflow=0.36 cfs 0.034 af

Pond FP1: FocalPoint Peak Elev=134.84' Storage=80 cf Inflow=0.25 cfs 0.018 af
Outflow=0.15 cfs 0.018 af

Total Runoff Area = 0.249 ac Runoff Volume = 0.034 af Average Runoff Depth = 1.64"
28.99% Pervious = 0.072 ac 71.01% Impervious = 0.177 ac

Summary for Subcatchment 1.1S: SC 1.1

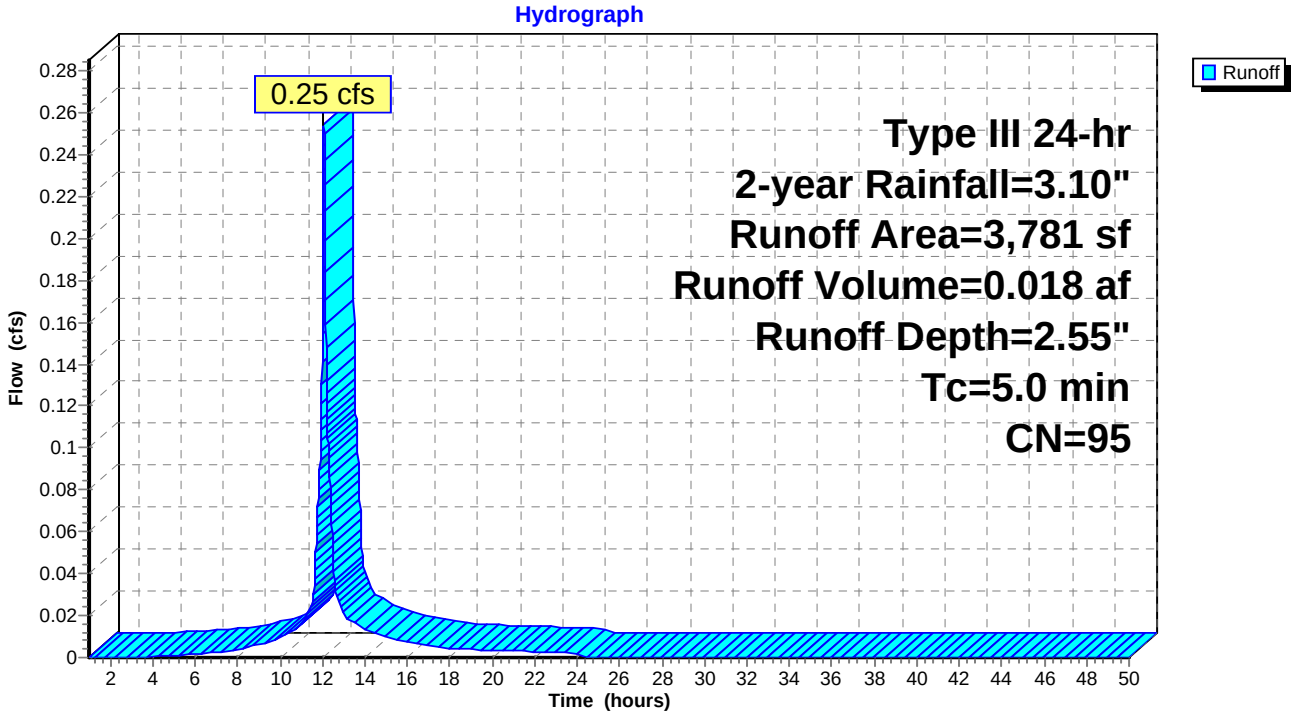
Runoff = 0.25 cfs @ 12.07 hrs, Volume= 0.018 af, Depth= 2.55"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs
Type III 24-hr 2-year Rainfall=3.10"

	Area (sf)	CN	Description
*	3,558	98	Roof, decks
	223	39	>75% Grass cover, Good, HSG A
	3,781	95	Weighted Average
	223		5.90% Pervious Area
	3,558		94.10% Impervious Area

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

Subcatchment 1.1S: SC 1.1



Summary for Subcatchment 1S: SC1

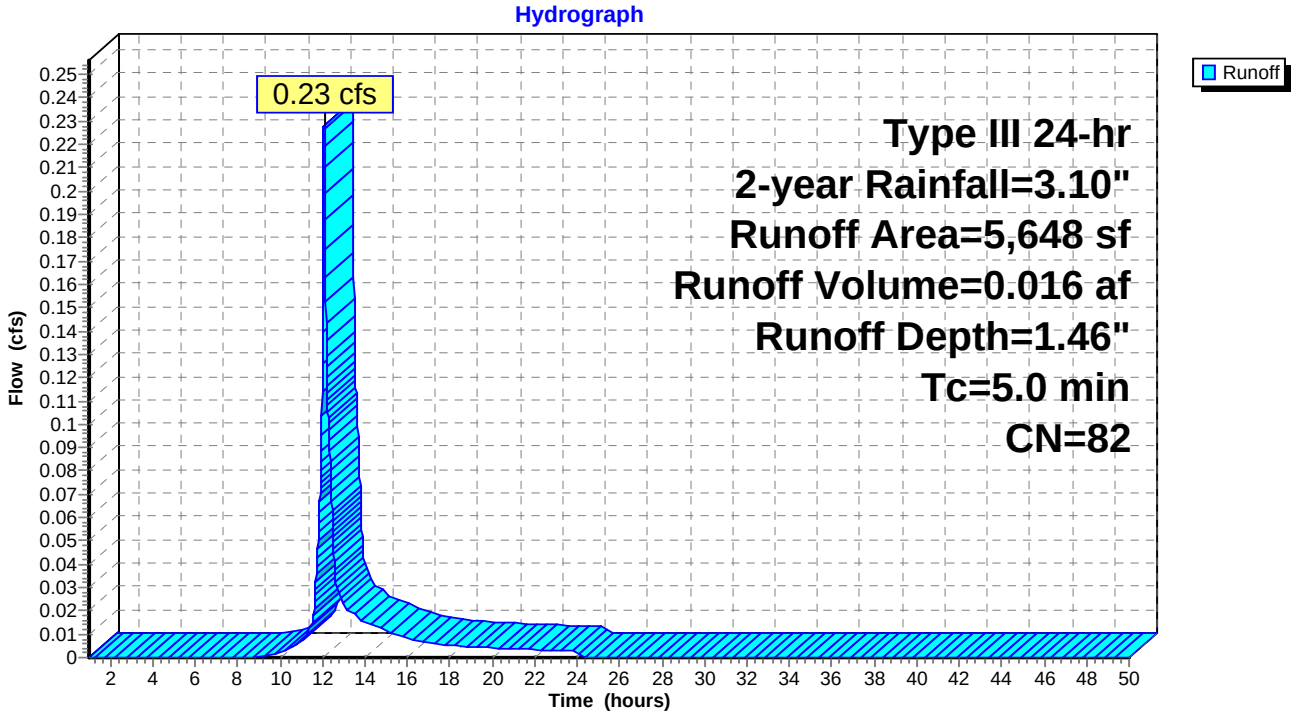
Runoff = 0.23 cfs @ 12.08 hrs, Volume= 0.016 af, Depth= 1.46"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs
Type III 24-hr 2-year Rainfall=3.10"

	Area (sf)	CN	Description
*	1,526	39	Field inlets trib/landscaping
*	122	98	128R walk/drive
*	1,077	98	shared drive
*	2,923	98	126 roof,walk,drive
	5,648	82	Weighted Average
	1,526		27.02% Pervious Area
	4,122		72.98% Impervious Area

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

Subcatchment 1S: SC1



Summary for Subcatchment 2S: SC 2

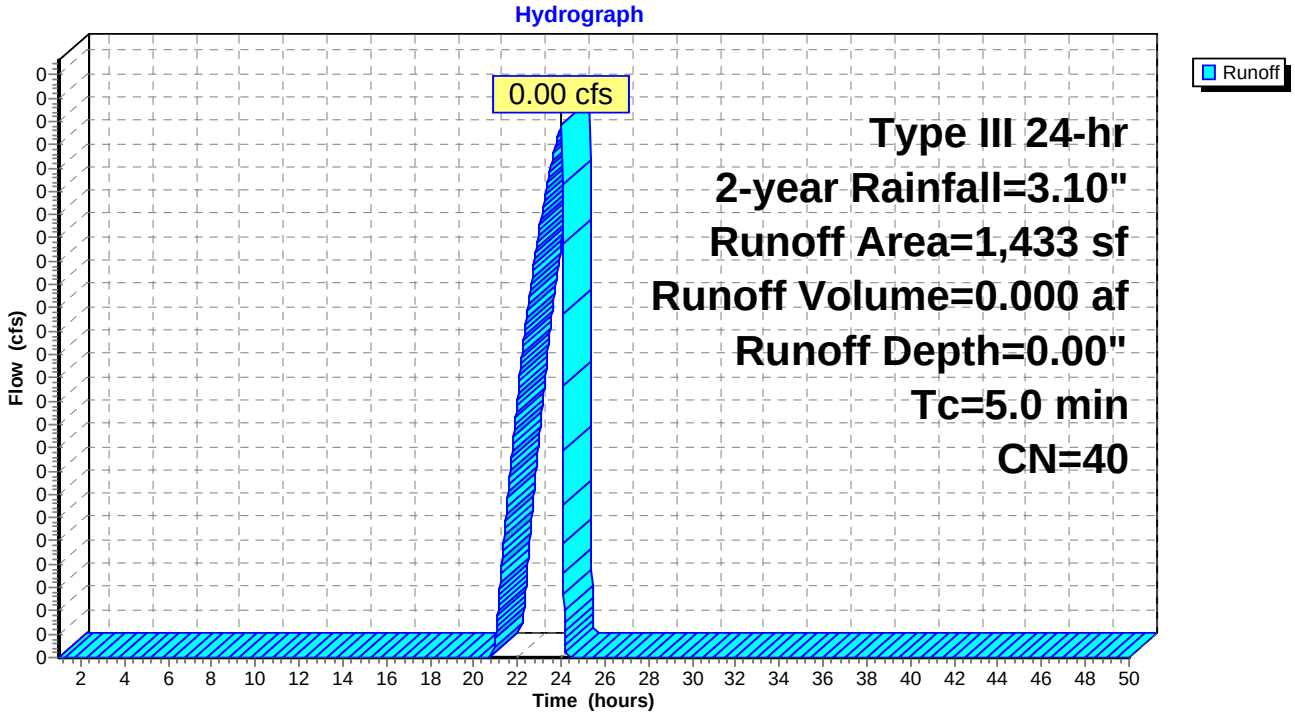
Runoff = 0.00 cfs @ 24.01 hrs, Volume= 0.000 af, Depth= 0.00"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs
Type III 24-hr 2-year Rainfall=3.10"

	Area (sf)	CN	Description
	1,400	39	>75% Grass cover, Good, HSG A
*	33	98	Misc impervious
	1,433	40	Weighted Average
	1,400		97.70% Pervious Area
	33		2.30% Impervious Area

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

Subcatchment 2S: SC 2

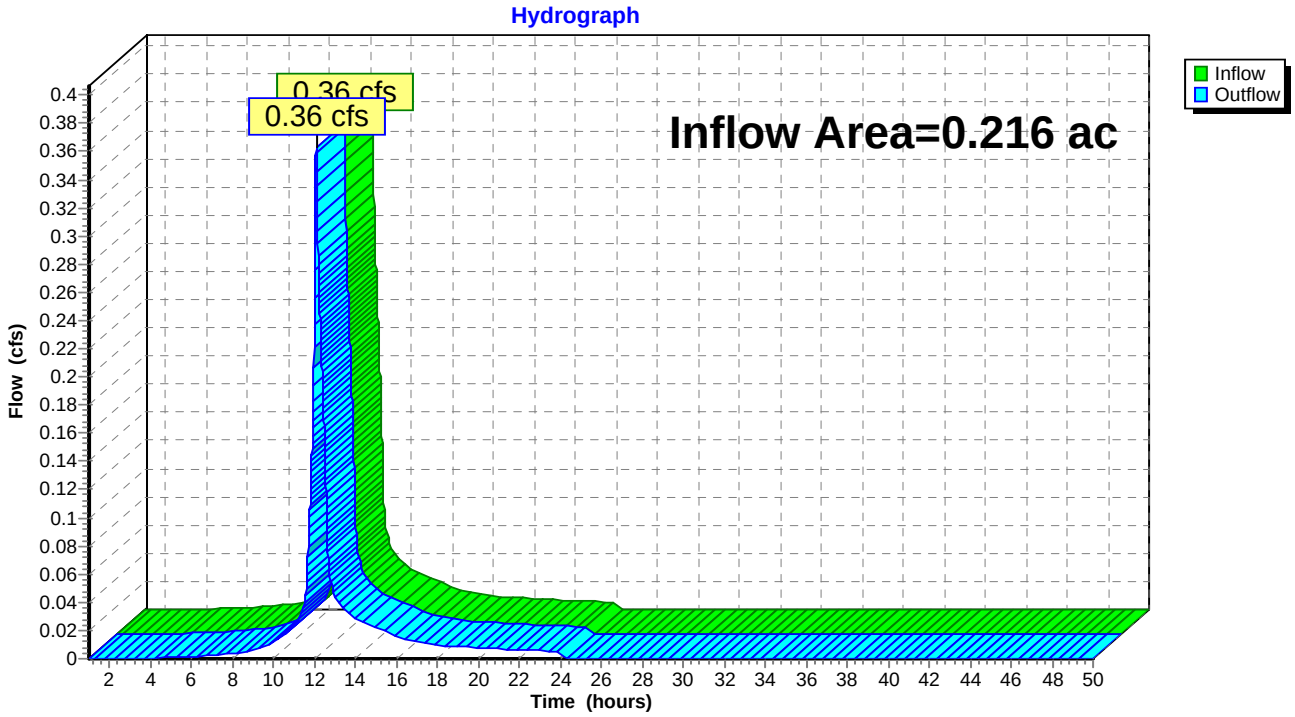


Summary for Reach 1R: North St. (POI #1)

Inflow Area = 0.216 ac, 81.45% Impervious, Inflow Depth = 1.89" for 2-year event
Inflow = 0.36 cfs @ 12.09 hrs, Volume= 0.034 af
Outflow = 0.36 cfs @ 12.09 hrs, Volume= 0.034 af, Atten= 0%, Lag= 0.0 min

Routing by Dyn-Stor-Ind method, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs

Reach 1R: North St. (POI #1)

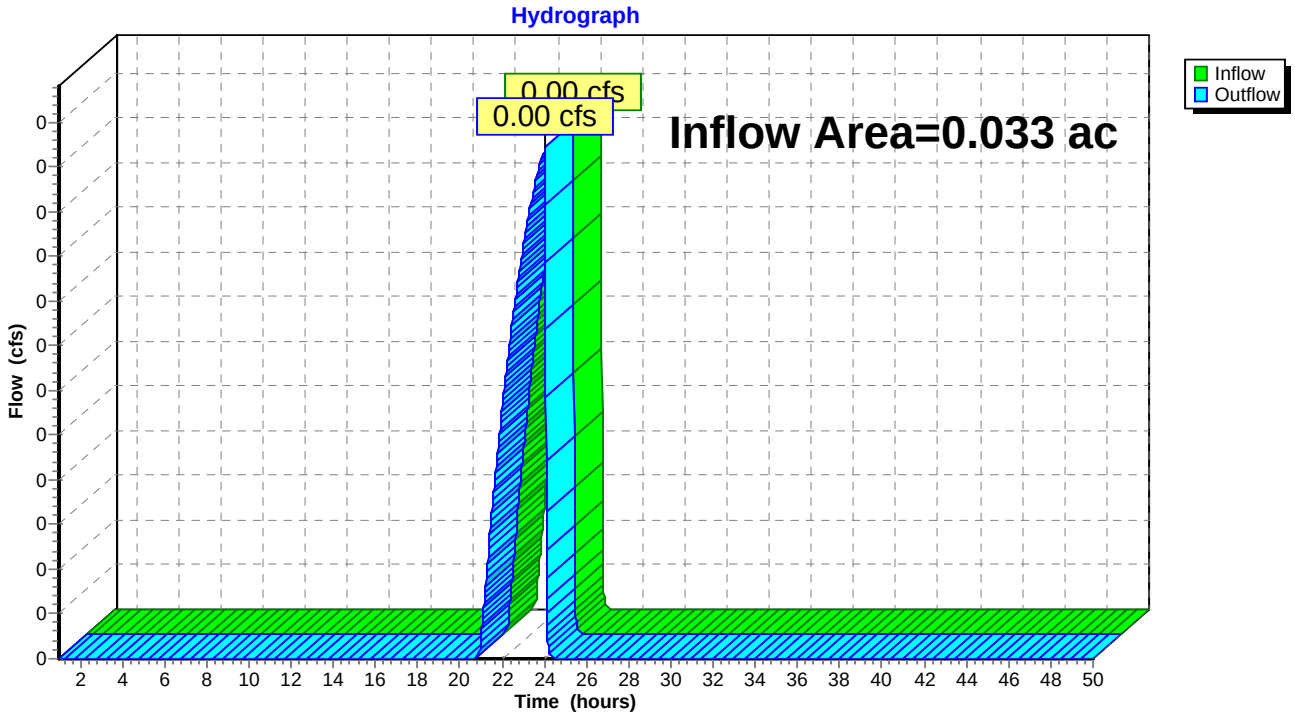


Summary for Reach 2R: Downgradient Abutter (POI#2)

Inflow Area = 0.033 ac, 2.30% Impervious, Inflow Depth = 0.00" for 2-year event
Inflow = 0.00 cfs @ 24.01 hrs, Volume= 0.000 af
Outflow = 0.00 cfs @ 24.01 hrs, Volume= 0.000 af, Atten= 0%, Lag= 0.0 min

Routing by Dyn-Stor-Ind method, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs

Reach 2R: Downgradient Abutter (POI#2)

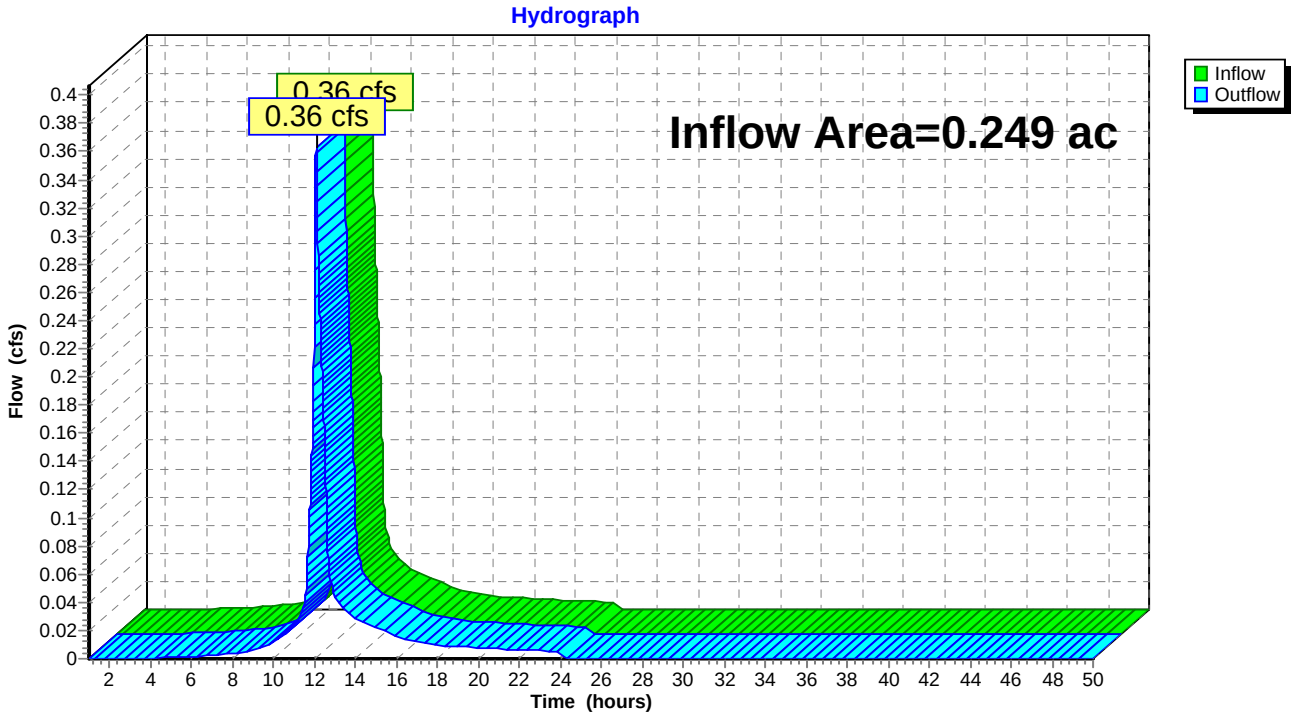


Summary for Reach 3R: Total Runoff

Inflow Area = 0.249 ac, 71.01% Impervious, Inflow Depth = 1.64" for 2-year event
Inflow = 0.36 cfs @ 12.09 hrs, Volume= 0.034 af
Outflow = 0.36 cfs @ 12.09 hrs, Volume= 0.034 af, Atten= 0%, Lag= 0.0 min

Routing by Dyn-Stor-Ind method, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs

Reach 3R: Total Runoff



Summary for Pond FP1: FocalPoint

Inflow Area = 0.087 ac, 94.10% Impervious, Inflow Depth = 2.55" for 2-year event
Inflow = 0.25 cfs @ 12.07 hrs, Volume= 0.018 af
Outflow = 0.15 cfs @ 12.17 hrs, Volume= 0.018 af, Atten= 41%, Lag= 5.8 min
Primary = 0.15 cfs @ 12.17 hrs, Volume= 0.018 af

Routing by Dyn-Stor-Ind method, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs
Peak Elev= 134.84' @ 12.17 hrs Surf.Area= 116 sf Storage= 80 cf

Plug-Flow detention time= 4.3 min calculated for 0.018 af (100% of inflow)
Center-of-Mass det. time= 4.3 min (785.3 - 781.0)

Volume	Invert	Avail.Storage	Storage Description
#1	133.75'	89 cf	**3/4 Stone (Prismatic)** Listed below (Recalc) 435 cf Overall - 213 cf Embedded = 222 cf x 40.0% Voids
#2	134.12'	202 cf	**1.31'W x 2.35'L x 2.88'H Tanks** x 24 Inside #1 213 cf Overall x 95.0% Voids
#3	137.00'	9 cf	**3.00'W x 7.00'L x 2.25'H FocalPoint** 47 cf Overall x 20.0% Voids
#4	139.25'	61 cf	**Custom Stage Data (Prismatic)** Listed below (Recalc) -Impervious
		362 cf	Total Available Storage

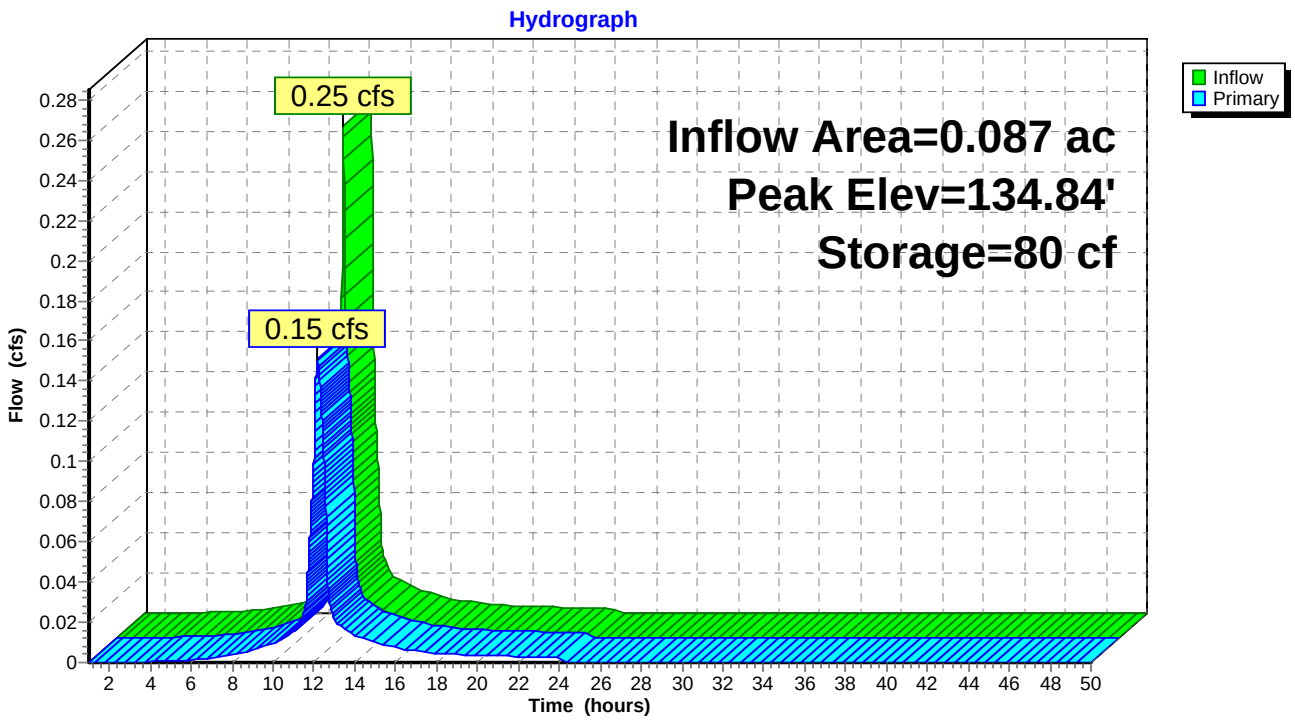
Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
133.75	116	0	0
137.50	116	435	435

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
139.25	21	0	0
139.50	37	7	7
139.75	55	12	19
140.00	85	18	36
140.25	115	25	61

Device	Routing	Invert	Outlet Devices
#1	Primary	133.70'	**3.3" Round 4" UD w/ orifice** L= 150.0' CMP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 133.70' / 132.70' S= 0.0067 '/' Cc= 0.600 n= 0.010 PVC, smooth interior, Flow Area= 0.06 sf
#2	Device 1	133.75'	**100.000 in/hr Exfiltration over Surface area** Phase-In= 0.10'
#3	Device 1	139.75'	**8.0" Horiz. Overflow Grate** C= 0.600 Limited to weir flow at low heads

Primary OutFlow Max=0.15 cfs @ 12.17 hrs HW=134.84' TW=0.00' (Dynamic Tailwater)
└─**1=4" UD w/ orifice** (Inlet Controls 0.15 cfs @ 2.54 fps)
  ├─**2=Exfiltration** (Passes 0.15 cfs of 0.27 cfs potential flow)
  └─**3=Overflow Grate** (Controls 0.00 cfs)

Pond FP1: FocalPoint



Time span=1.00-50.00 hrs, dt=0.01 hrs, 4901 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1.1S: SC 1.1 Runoff Area=3,781 sf 94.10% Impervious Runoff Depth=4.02"
Tc=5.0 min CN=95 Runoff=0.39 cfs 0.029 af

Subcatchment 1S: SC1 Runoff Area=5,648 sf 72.98% Impervious Runoff Depth=2.72"
Tc=5.0 min CN=82 Runoff=0.43 cfs 0.029 af

Subcatchment 2S: SC 2 Runoff Area=1,433 sf 2.30% Impervious Runoff Depth=0.15"
Tc=5.0 min CN=40 Runoff=0.00 cfs 0.000 af

Reach 1R: North St. (POI #1) Inflow=0.60 cfs 0.059 af
Outflow=0.60 cfs 0.059 af

Reach 2R: Downgradient Abutter (POI#2) Inflow=0.00 cfs 0.000 af
Outflow=0.00 cfs 0.000 af

Reach 3R: Total Runoff Inflow=0.60 cfs 0.059 af
Outflow=0.60 cfs 0.059 af

Pond FP1: FocalPoint Peak Elev=135.77' Storage=160 cf Inflow=0.39 cfs 0.029 af
Outflow=0.19 cfs 0.029 af

Total Runoff Area = 0.249 ac Runoff Volume = 0.059 af Average Runoff Depth = 2.84"
28.99% Pervious = 0.072 ac 71.01% Impervious = 0.177 ac

Summary for Subcatchment 1.1S: SC 1.1

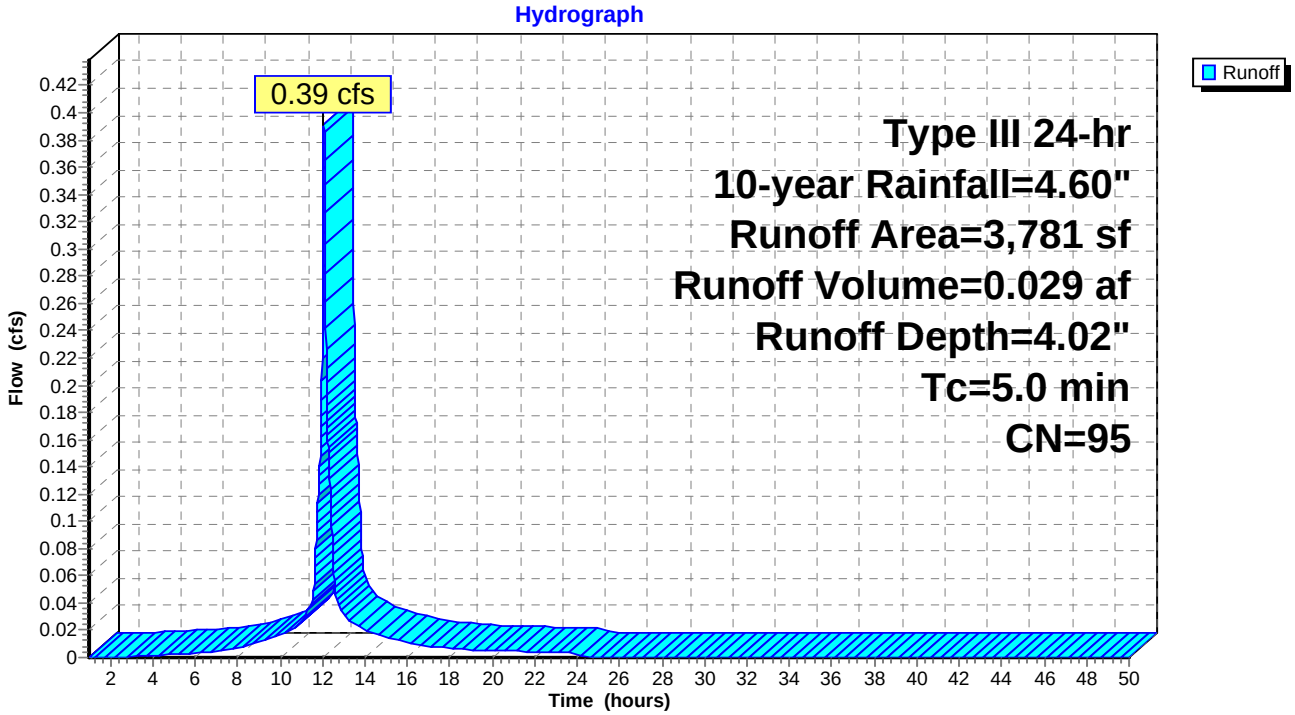
Runoff = 0.39 cfs @ 12.07 hrs, Volume= 0.029 af, Depth= 4.02"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs
Type III 24-hr 10-year Rainfall=4.60"

	Area (sf)	CN	Description
*	3,558	98	Roof, decks
	223	39	>75% Grass cover, Good, HSG A
	3,781	95	Weighted Average
	223		5.90% Pervious Area
	3,558		94.10% Impervious Area

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

Subcatchment 1.1S: SC 1.1



Summary for Subcatchment 1S: SC1

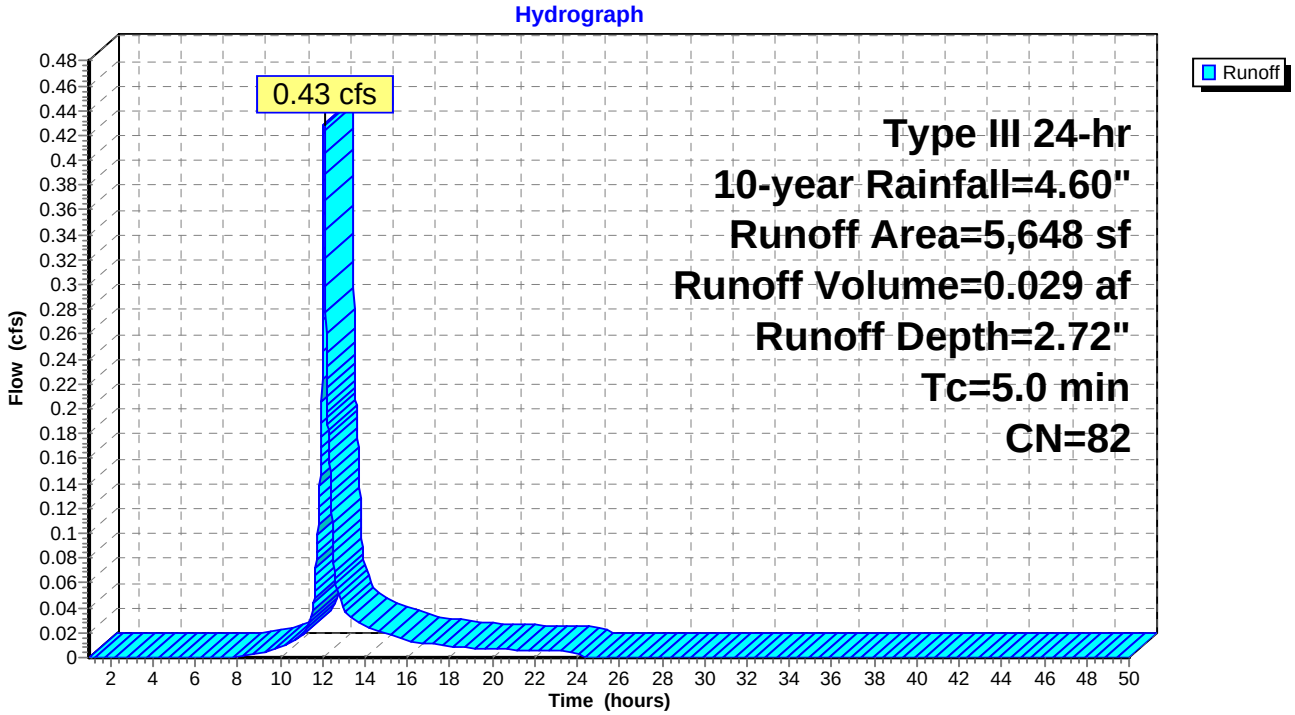
Runoff = 0.43 cfs @ 12.07 hrs, Volume= 0.029 af, Depth= 2.72"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs
Type III 24-hr 10-year Rainfall=4.60"

	Area (sf)	CN	Description
*	1,526	39	Field inlets trib/landscaping
*	122	98	128R walk/drive
*	1,077	98	shared drive
*	2,923	98	126 roof,walk,drive
	5,648	82	Weighted Average
	1,526		27.02% Pervious Area
	4,122		72.98% Impervious Area

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

Subcatchment 1S: SC1



Summary for Subcatchment 2S: SC 2

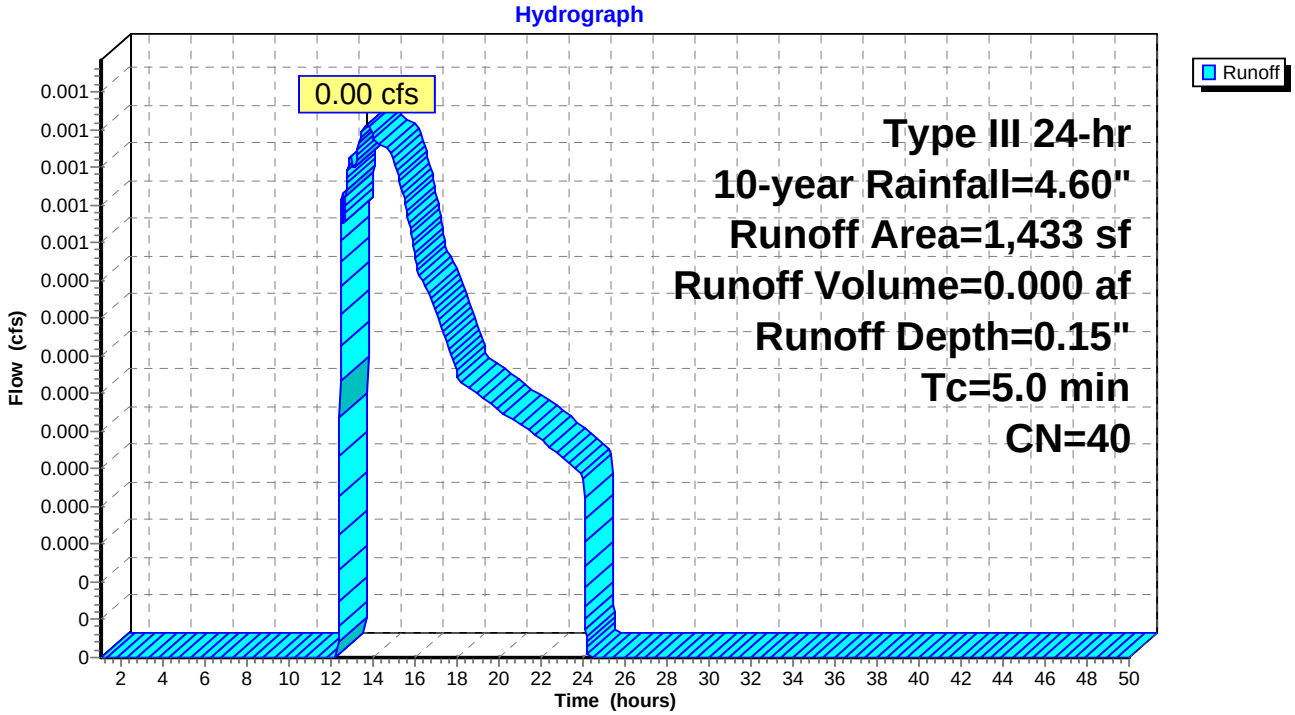
Runoff = 0.00 cfs @ 13.66 hrs, Volume= 0.000 af, Depth= 0.15"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs
Type III 24-hr 10-year Rainfall=4.60"

	Area (sf)	CN	Description
	1,400	39	>75% Grass cover, Good, HSG A
*	33	98	Misc impervious
	1,433	40	Weighted Average
	1,400		97.70% Pervious Area
	33		2.30% Impervious Area

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

Subcatchment 2S: SC 2

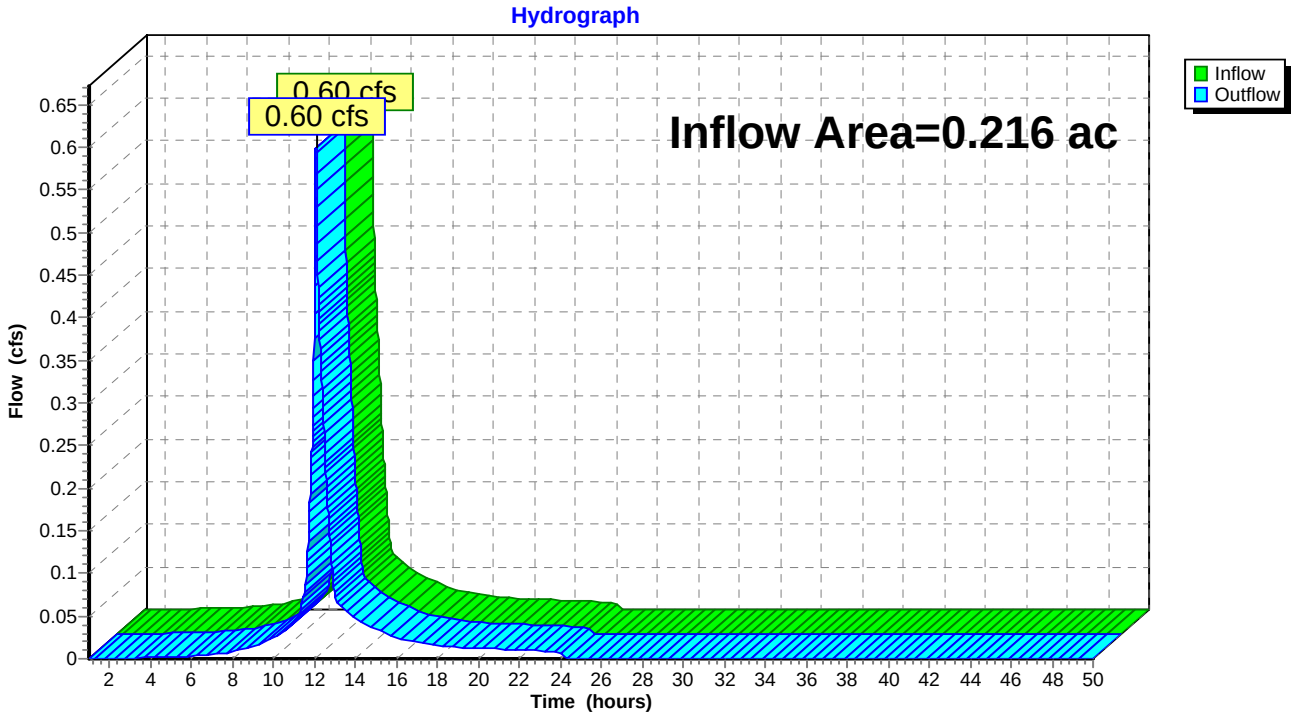


Summary for Reach 1R: North St. (POI #1)

Inflow Area = 0.216 ac, 81.45% Impervious, Inflow Depth = 3.25" for 10-year event
Inflow = 0.60 cfs @ 12.08 hrs, Volume= 0.059 af
Outflow = 0.60 cfs @ 12.08 hrs, Volume= 0.059 af, Atten= 0%, Lag= 0.0 min

Routing by Dyn-Stor-Ind method, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs

Reach 1R: North St. (POI #1)

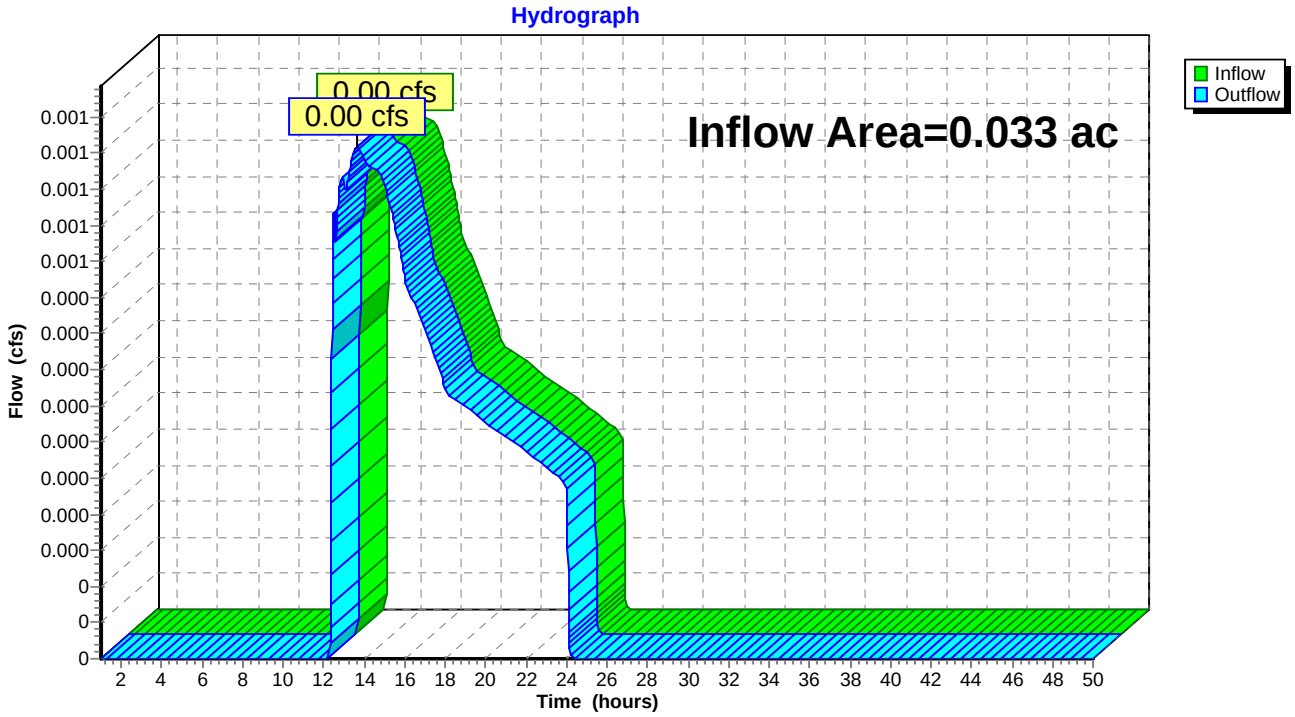


Summary for Reach 2R: Downgradient Abutter (POI#2)

Inflow Area = 0.033 ac, 2.30% Impervious, Inflow Depth = 0.15" for 10-year event
Inflow = 0.00 cfs @ 13.66 hrs, Volume= 0.000 af
Outflow = 0.00 cfs @ 13.66 hrs, Volume= 0.000 af, Atten= 0%, Lag= 0.0 min

Routing by Dyn-Stor-Ind method, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs

Reach 2R: Downgradient Abutter (POI#2)

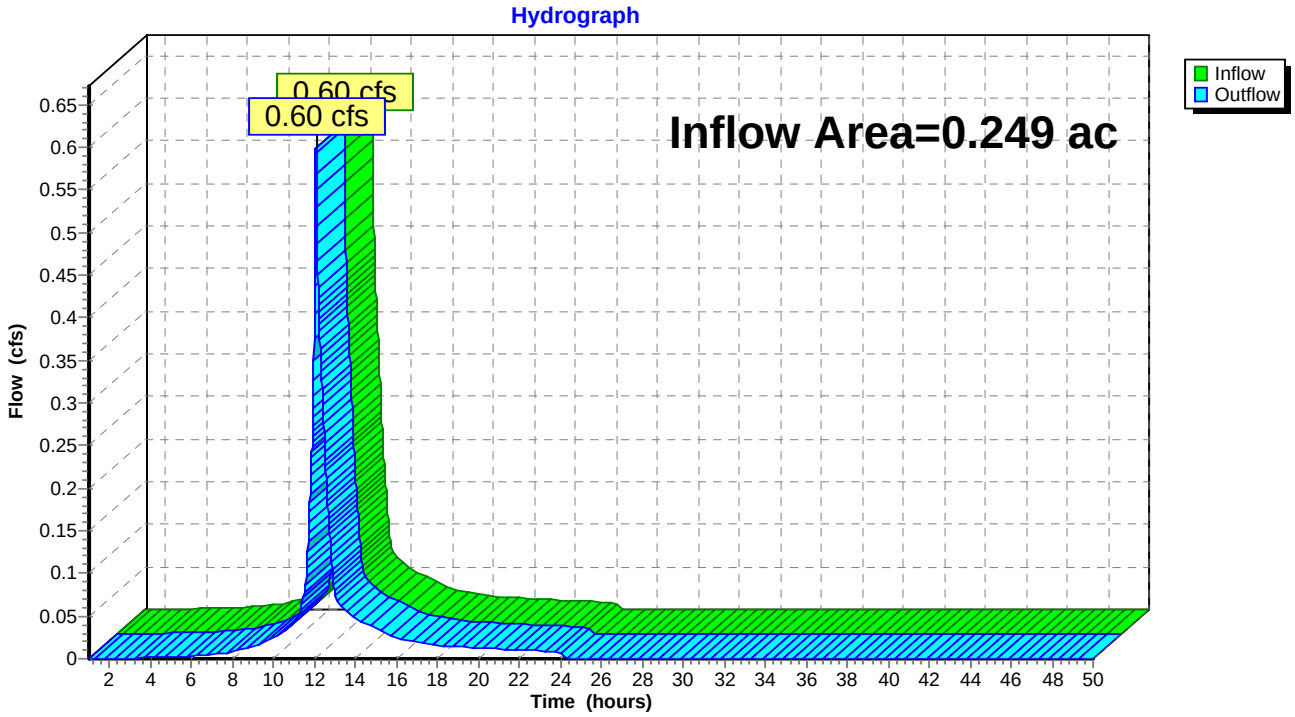


Summary for Reach 3R: Total Runoff

Inflow Area = 0.249 ac, 71.01% Impervious, Inflow Depth = 2.84" for 10-year event
Inflow = 0.60 cfs @ 12.08 hrs, Volume= 0.059 af
Outflow = 0.60 cfs @ 12.08 hrs, Volume= 0.059 af, Atten= 0%, Lag= 0.0 min

Routing by Dyn-Stor-Ind method, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs

Reach 3R: Total Runoff



Summary for Pond FP1: FocalPoint

Inflow Area = 0.087 ac, 94.10% Impervious, Inflow Depth = 4.02" for 10-year event
Inflow = 0.39 cfs @ 12.07 hrs, Volume= 0.029 af
Outflow = 0.19 cfs @ 12.20 hrs, Volume= 0.029 af, Atten= 51%, Lag= 8.0 min
Primary = 0.19 cfs @ 12.20 hrs, Volume= 0.029 af

Routing by Dyn-Stor-Ind method, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs
Peak Elev= 135.77' @ 12.20 hrs Surf.Area= 116 sf Storage= 160 cf

Plug-Flow detention time= 6.0 min calculated for 0.029 af (100% of inflow)
Center-of-Mass det. time= 6.0 min (775.6 - 769.5)

Volume	Invert	Avail.Storage	Storage Description
#1	133.75'	89 cf	**3/4 Stone (Prismatic)** Listed below (Recalc) 435 cf Overall - 213 cf Embedded = 222 cf x 40.0% Voids
#2	134.12'	202 cf	**1.31'W x 2.35'L x 2.88'H Tanks** x 24 Inside #1 213 cf Overall x 95.0% Voids
#3	137.00'	9 cf	**3.00'W x 7.00'L x 2.25'H FocalPoint** 47 cf Overall x 20.0% Voids
#4	139.25'	61 cf	**Custom Stage Data (Prismatic)** Listed below (Recalc) -Impervious
		362 cf	Total Available Storage

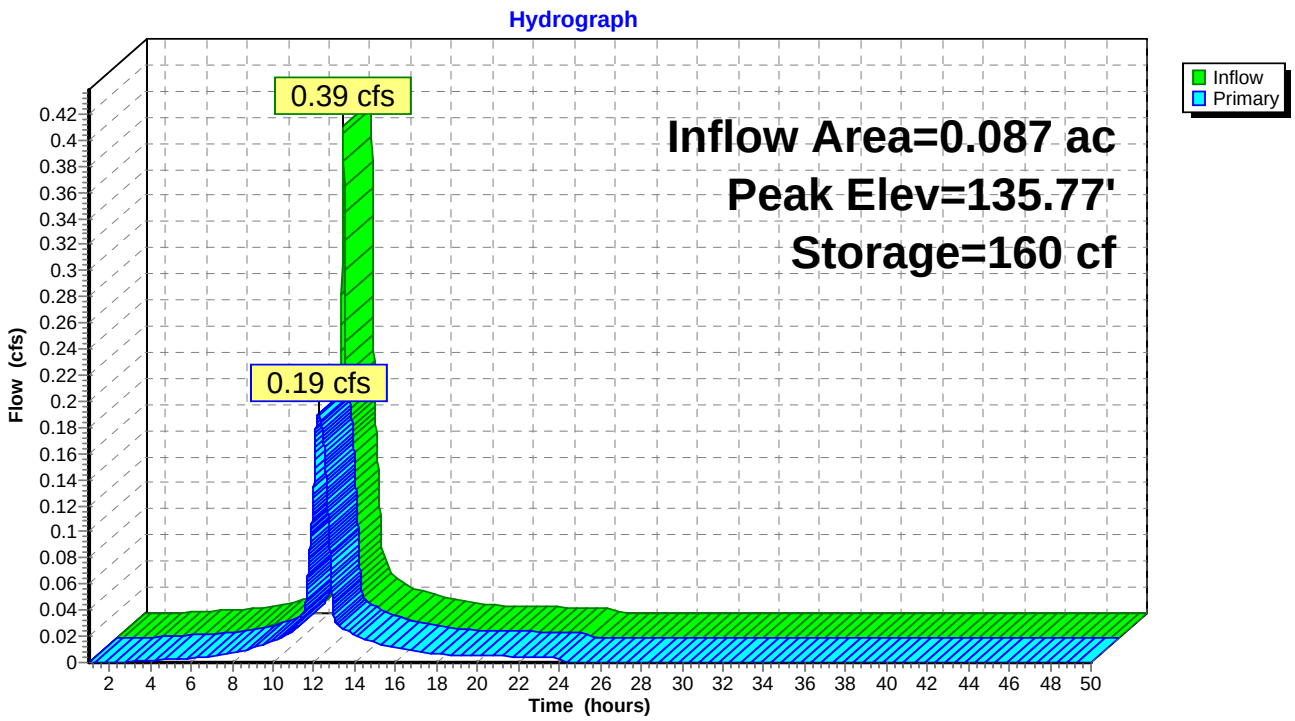
Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
133.75	116	0	0
137.50	116	435	435

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
139.25	21	0	0
139.50	37	7	7
139.75	55	12	19
140.00	85	18	36
140.25	115	25	61

Device	Routing	Invert	Outlet Devices
#1	Primary	133.70'	**3.3" Round 4" UD w/ orifice** L= 150.0' CMP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 133.70' / 132.70' S= 0.0067 '/' Cc= 0.600 n= 0.010 PVC, smooth interior, Flow Area= 0.06 sf
#2	Device 1	133.75'	**100.000 in/hr Exfiltration over Surface area** Phase-In= 0.10'
#3	Device 1	139.75'	**8.0" Horiz. Overflow Grate** C= 0.600 Limited to weir flow at low heads

Primary OutFlow Max=0.19 cfs @ 12.20 hrs HW=135.77' TW=0.00' (Dynamic Tailwater)
└─**1=4" UD w/ orifice** (Barrel Controls 0.19 cfs @ 3.21 fps)
  ├─**2=Exfiltration** (Passes 0.19 cfs of 0.27 cfs potential flow)
  └─**3=Overflow Grate** (Controls 0.00 cfs)

Pond FP1: FocalPoint



Time span=1.00-50.00 hrs, dt=0.01 hrs, 4901 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1.1S: SC 1.1 Runoff Area=3,781 sf 94.10% Impervious Runoff Depth=5.21"
Tc=5.0 min CN=95 Runoff=0.50 cfs 0.038 af

Subcatchment 1S: SC1 Runoff Area=5,648 sf 72.98% Impervious Runoff Depth=3.80"
Tc=5.0 min CN=82 Runoff=0.59 cfs 0.041 af

Subcatchment 2S: SC 2 Runoff Area=1,433 sf 2.30% Impervious Runoff Depth=0.44"
Tc=5.0 min CN=40 Runoff=0.01 cfs 0.001 af

Reach 1R: North St. (POI #1) Inflow=0.79 cfs 0.079 af
Outflow=0.79 cfs 0.079 af

Reach 2R: Downgradient Abutter (POI#2) Inflow=0.01 cfs 0.001 af
Outflow=0.01 cfs 0.001 af

Reach 3R: Total Runoff Inflow=0.79 cfs 0.080 af
Outflow=0.79 cfs 0.080 af

Pond FP1: FocalPoint Peak Elev=136.64' Storage=236 cf Inflow=0.50 cfs 0.038 af
Outflow=0.22 cfs 0.038 af

Total Runoff Area = 0.249 ac Runoff Volume = 0.080 af Average Runoff Depth = 3.85"
28.99% Pervious = 0.072 ac 71.01% Impervious = 0.177 ac

Summary for Subcatchment 1.1S: SC 1.1

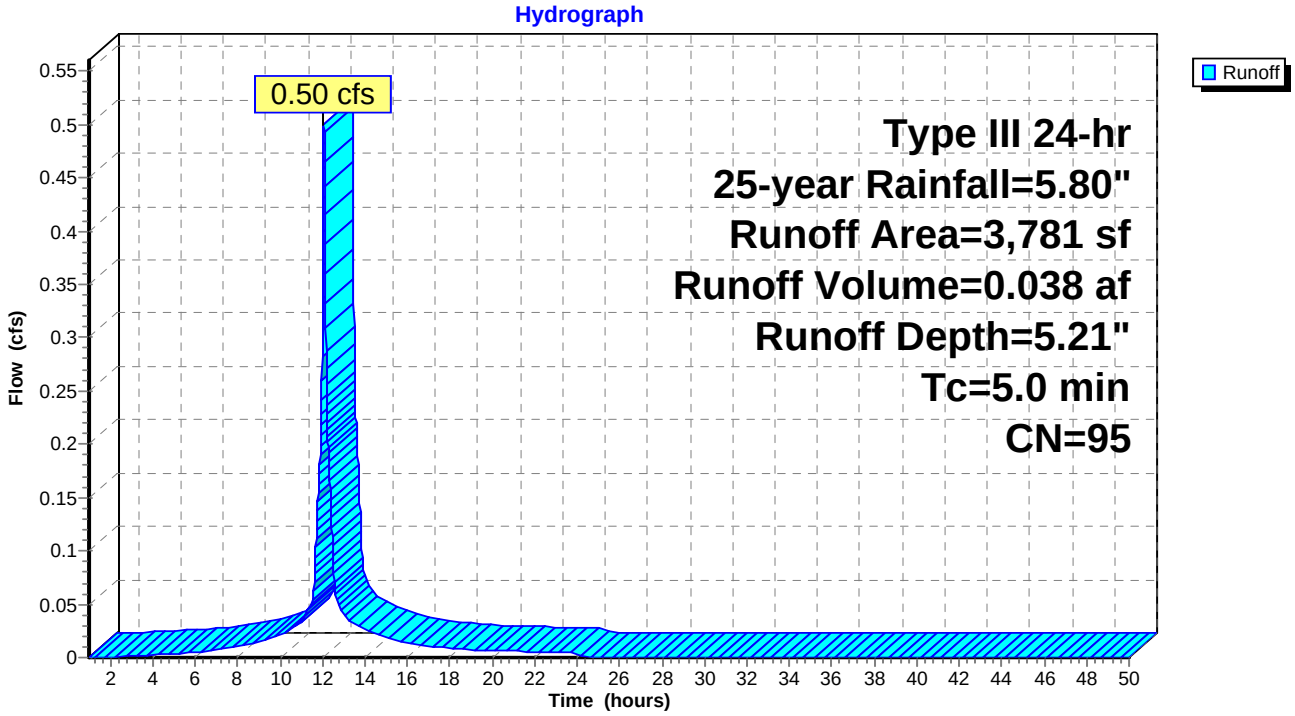
Runoff = 0.50 cfs @ 12.07 hrs, Volume= 0.038 af, Depth= 5.21"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-year Rainfall=5.80"

	Area (sf)	CN	Description
*	3,558	98	Roof, decks
	223	39	>75% Grass cover, Good, HSG A
	3,781	95	Weighted Average
	223		5.90% Pervious Area
	3,558		94.10% Impervious Area

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

Subcatchment 1.1S: SC 1.1



Summary for Subcatchment 1S: SC1

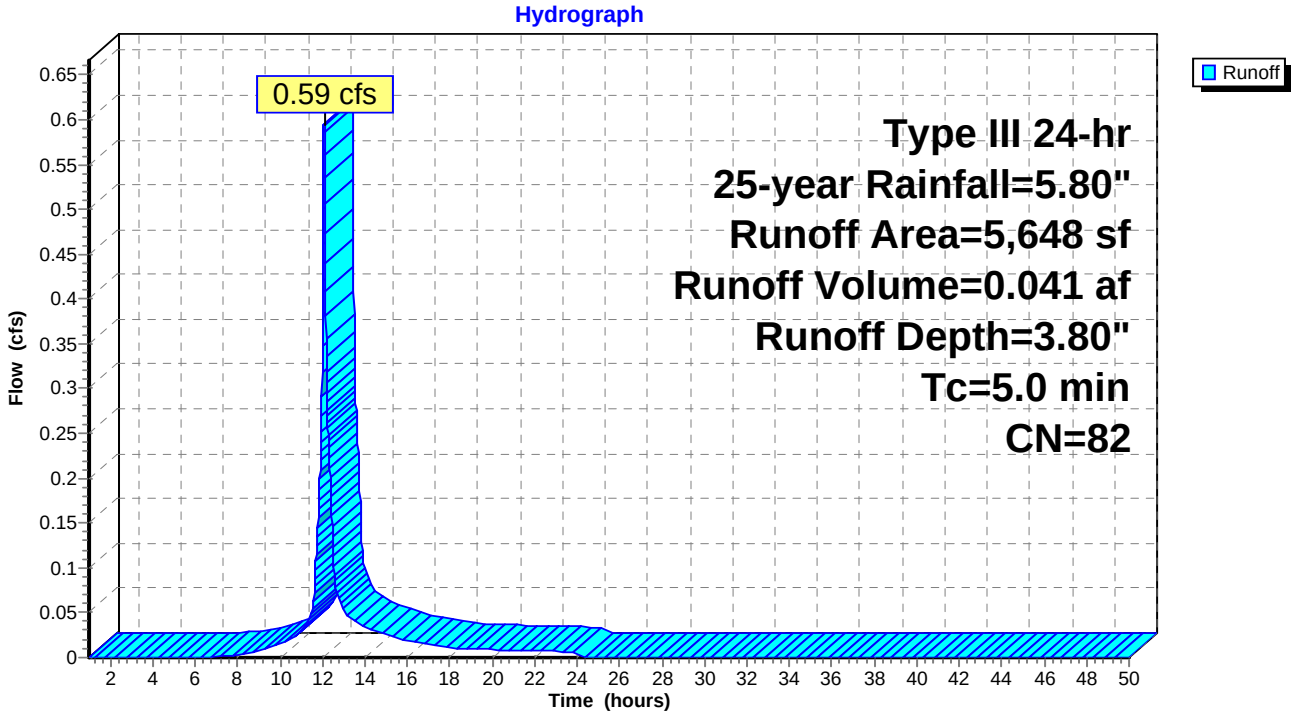
Runoff = 0.59 cfs @ 12.07 hrs, Volume= 0.041 af, Depth= 3.80"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-year Rainfall=5.80"

	Area (sf)	CN	Description
*	1,526	39	Field inlets trib/landscaping
*	122	98	128R walk/drive
*	1,077	98	shared drive
*	2,923	98	126 roof,walk,drive
	5,648	82	Weighted Average
	1,526		27.02% Pervious Area
	4,122		72.98% Impervious Area

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

Subcatchment 1S: SC1



Summary for Subcatchment 2S: SC 2

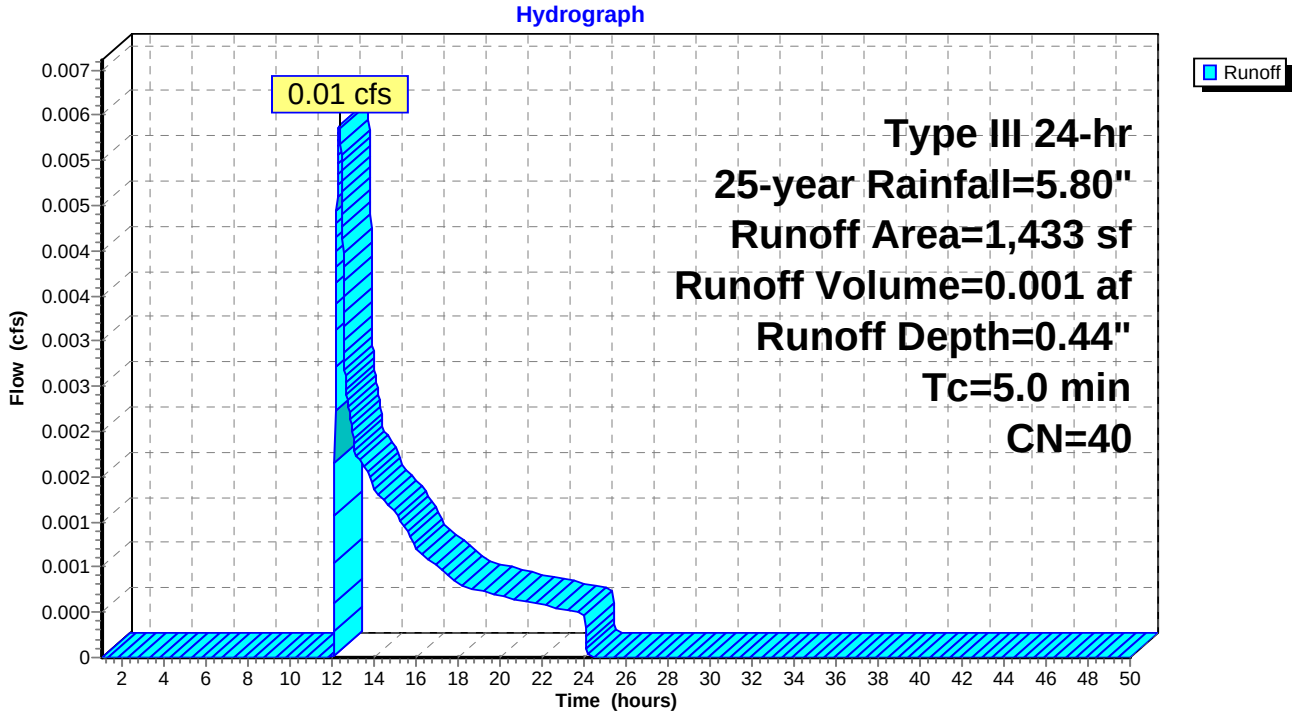
Runoff = 0.01 cfs @ 12.32 hrs, Volume= 0.001 af, Depth= 0.44"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-year Rainfall=5.80"

	Area (sf)	CN	Description
	1,400	39	>75% Grass cover, Good, HSG A
*	33	98	Misc impervious
	1,433	40	Weighted Average
	1,400		97.70% Pervious Area
	33		2.30% Impervious Area

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

Subcatchment 2S: SC 2

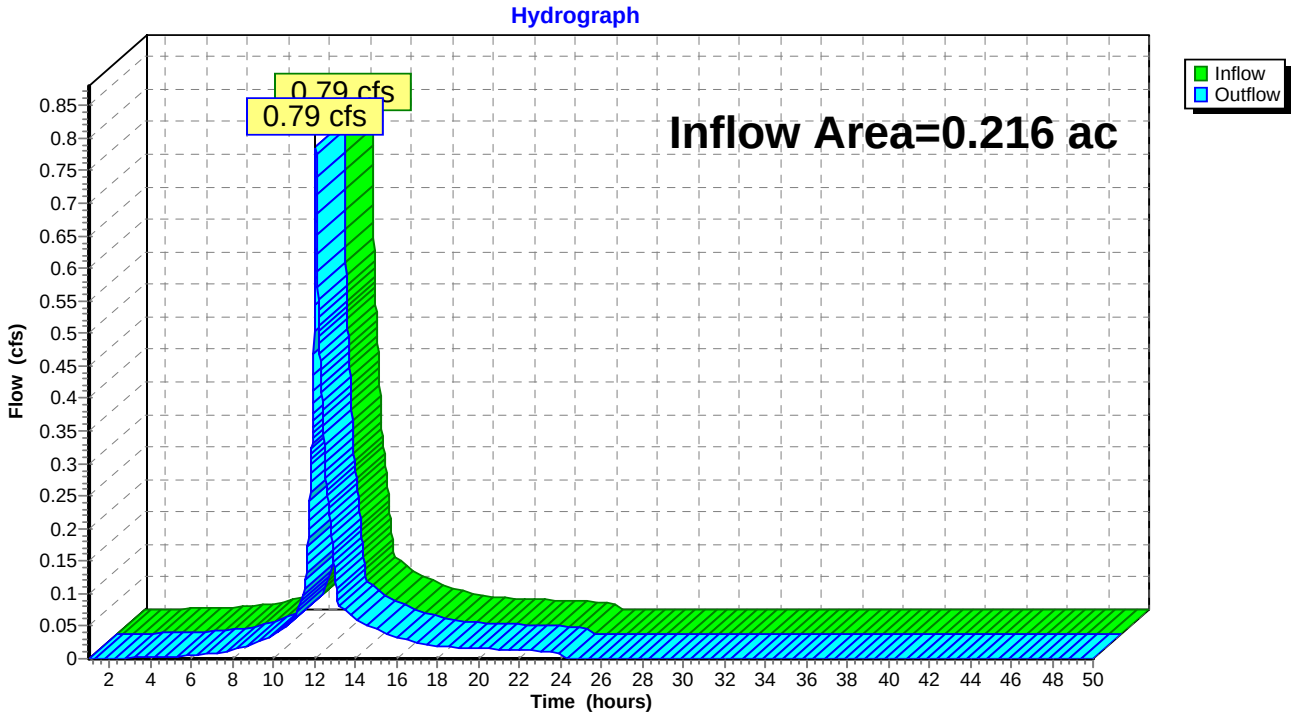


Summary for Reach 1R: North St. (POI #1)

Inflow Area = 0.216 ac, 81.45% Impervious, Inflow Depth = 4.37" for 25-year event
Inflow = 0.79 cfs @ 12.08 hrs, Volume= 0.079 af
Outflow = 0.79 cfs @ 12.08 hrs, Volume= 0.079 af, Atten= 0%, Lag= 0.0 min

Routing by Dyn-Stor-Ind method, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs

Reach 1R: North St. (POI #1)

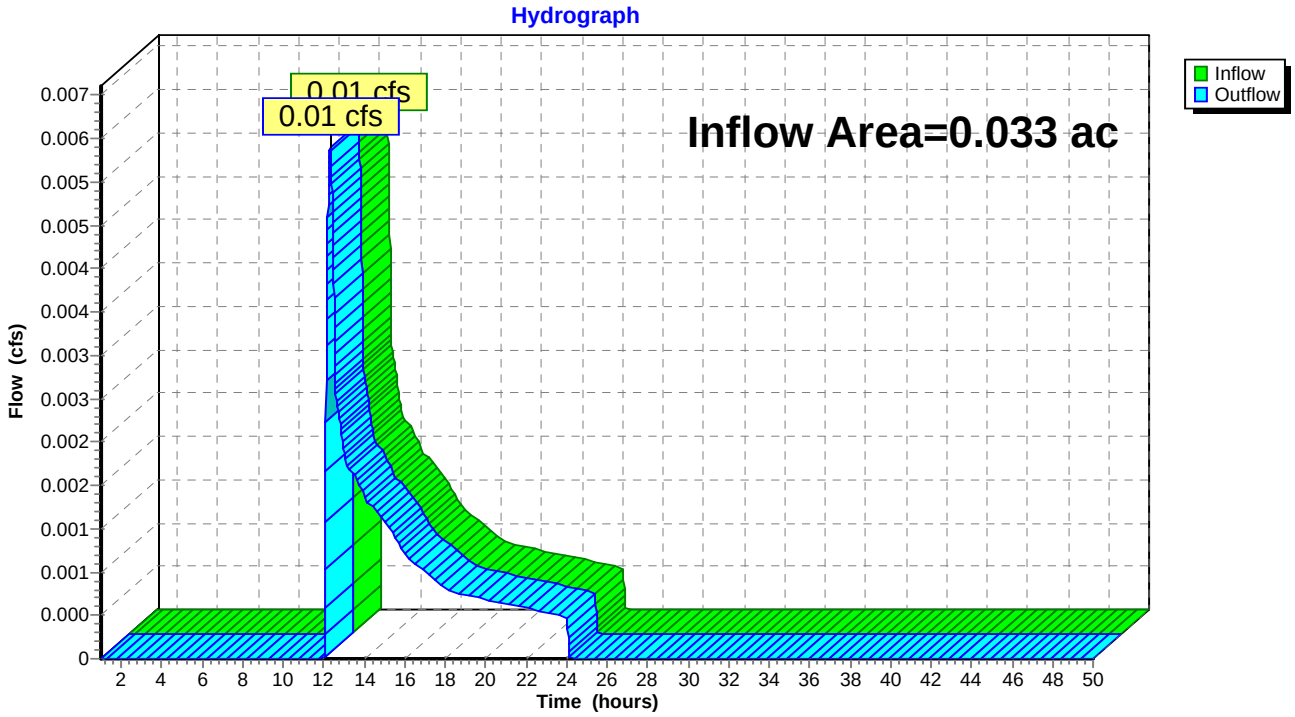


Summary for Reach 2R: Downgradient Abutter (POI#2)

Inflow Area = 0.033 ac, 2.30% Impervious, Inflow Depth = 0.44" for 25-year event
Inflow = 0.01 cfs @ 12.32 hrs, Volume= 0.001 af
Outflow = 0.01 cfs @ 12.32 hrs, Volume= 0.001 af, Atten= 0%, Lag= 0.0 min

Routing by Dyn-Stor-Ind method, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs

Reach 2R: Downgradient Abutter (POI#2)

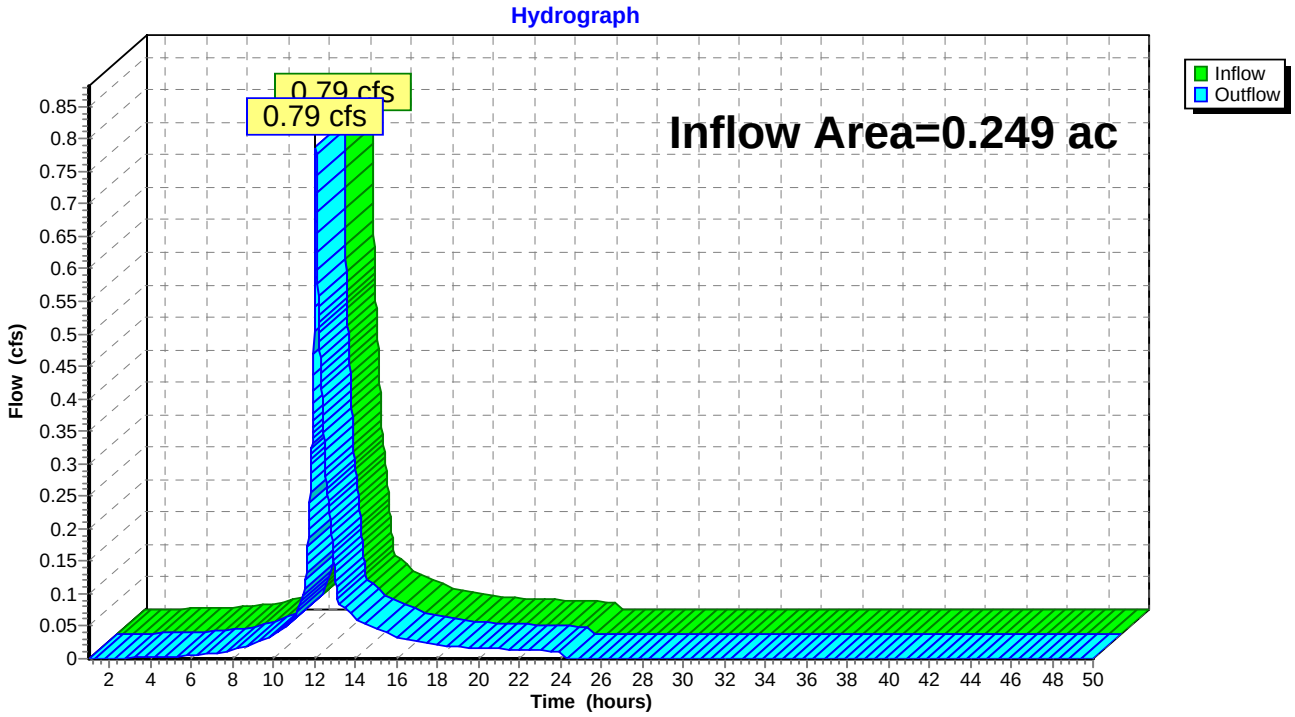


Summary for Reach 3R: Total Runoff

Inflow Area = 0.249 ac, 71.01% Impervious, Inflow Depth = 3.85" for 25-year event
Inflow = 0.79 cfs @ 12.08 hrs, Volume= 0.080 af
Outflow = 0.79 cfs @ 12.08 hrs, Volume= 0.080 af, Atten= 0%, Lag= 0.0 min

Routing by Dyn-Stor-Ind method, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs

Reach 3R: Total Runoff



Summary for Pond FP1: FocalPoint

Inflow Area = 0.087 ac, 94.10% Impervious, Inflow Depth = 5.21" for 25-year event
Inflow = 0.50 cfs @ 12.07 hrs, Volume= 0.038 af
Outflow = 0.22 cfs @ 12.23 hrs, Volume= 0.038 af, Atten= 56%, Lag= 9.8 min
Primary = 0.22 cfs @ 12.23 hrs, Volume= 0.038 af

Routing by Dyn-Stor-Ind method, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs
Peak Elev= 136.64' @ 12.23 hrs Surf.Area= 116 sf Storage= 236 cf

Plug-Flow detention time= 7.5 min calculated for 0.038 af (100% of inflow)
Center-of-Mass det. time= 7.5 min (771.0 - 763.5)

Volume	Invert	Avail.Storage	Storage Description
#1	133.75'	89 cf	**3/4 Stone (Prismatic)** Listed below (Recalc) 435 cf Overall - 213 cf Embedded = 222 cf x 40.0% Voids
#2	134.12'	202 cf	**1.31'W x 2.35'L x 2.88'H Tanks** x 24 Inside #1 213 cf Overall x 95.0% Voids
#3	137.00'	9 cf	**3.00'W x 7.00'L x 2.25'H FocalPoint** 47 cf Overall x 20.0% Voids
#4	139.25'	61 cf	**Custom Stage Data (Prismatic)** Listed below (Recalc) -Impervious
		362 cf	Total Available Storage

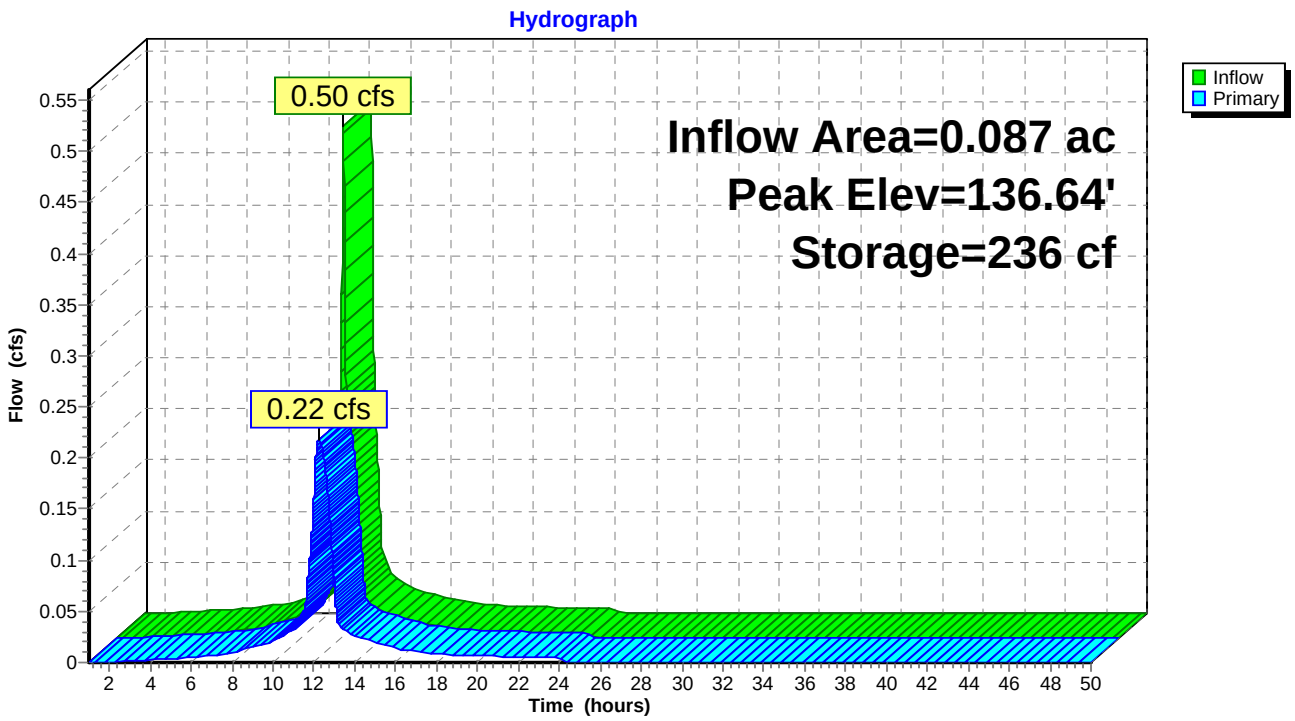
Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
133.75	116	0	0
137.50	116	435	435

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
139.25	21	0	0
139.50	37	7	7
139.75	55	12	19
140.00	85	18	36
140.25	115	25	61

Device	Routing	Invert	Outlet Devices
#1	Primary	133.70'	**3.3" Round 4" UD w/ orifice** L= 150.0' CMP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 133.70' / 132.70' S= 0.0067 '/' Cc= 0.600 n= 0.010 PVC, smooth interior, Flow Area= 0.06 sf
#2	Device 1	133.75'	**100.000 in/hr Exfiltration over Surface area** Phase-In= 0.10'
#3	Device 1	139.75'	**8.0" Horiz. Overflow Grate** C= 0.600 Limited to weir flow at low heads

Primary OutFlow Max=0.22 cfs @ 12.23 hrs HW=136.64' TW=0.00' (Dynamic Tailwater)
└─**1=4" UD w/ orifice** (Barrel Controls 0.22 cfs @ 3.67 fps)
  ├─**2=Exfiltration** (Passes 0.22 cfs of 0.27 cfs potential flow)
  └─**3=Overflow Grate** (Controls 0.00 cfs)

Pond FP1: FocalPoint



Time span=1.00-50.00 hrs, dt=0.01 hrs, 4901 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1.1S: SC 1.1 Runoff Area=3,781 sf 94.10% Impervious Runoff Depth=0.52"
Tc=5.0 min CN=95 Runoff=0.05 cfs 0.004 af

Subcatchment 1S: SC1 Runoff Area=5,648 sf 72.98% Impervious Runoff Depth=0.10"
Tc=5.0 min CN=82 Runoff=0.01 cfs 0.001 af

Subcatchment 2S: SC 2 Runoff Area=1,433 sf 2.30% Impervious Runoff Depth=0.00"
Tc=5.0 min CN=40 Runoff=0.00 cfs 0.000 af

Reach 1R: North St. (POI #1) Inflow=0.06 cfs 0.005 af
Outflow=0.06 cfs 0.005 af

Reach 2R: Downgradient Abutter (POI#2) Inflow=0.00 cfs 0.000 af
Outflow=0.00 cfs 0.000 af

Reach 3R: Total Runoff Inflow=0.06 cfs 0.005 af
Outflow=0.06 cfs 0.005 af

Pond FP1: FocalPoint Peak Elev=133.94' Storage=9 cf Inflow=0.05 cfs 0.004 af
Outflow=0.05 cfs 0.004 af

Total Runoff Area = 0.249 ac Runoff Volume = 0.005 af Average Runoff Depth = 0.23"
28.99% Pervious = 0.072 ac 71.01% Impervious = 0.177 ac

Summary for Subcatchment 1.1S: SC 1.1

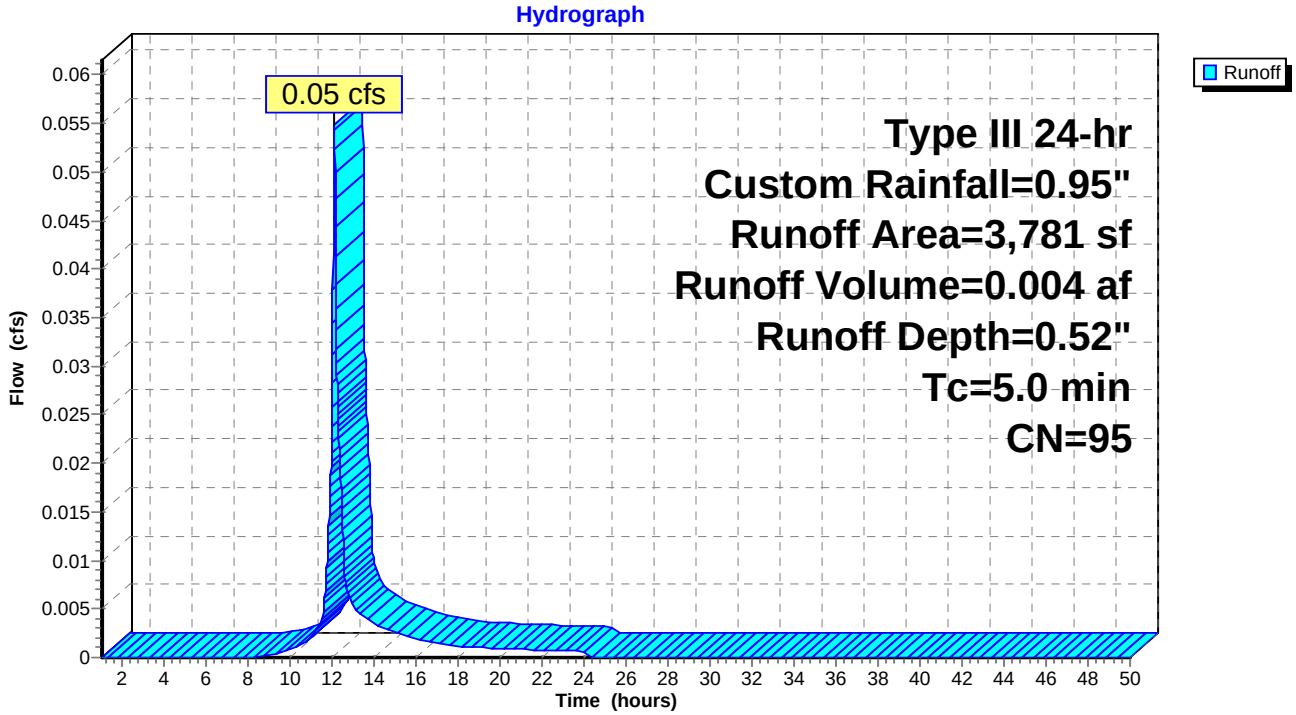
Runoff = 0.05 cfs @ 12.08 hrs, Volume= 0.004 af, Depth= 0.52"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs
Type III 24-hr Custom Rainfall=0.95"

	Area (sf)	CN	Description
*	3,558	98	Roof, decks
	223	39	>75% Grass cover, Good, HSG A
	3,781	95	Weighted Average
	223		5.90% Pervious Area
	3,558		94.10% Impervious Area

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

Subcatchment 1.1S: SC 1.1



Summary for Subcatchment 1S: SC1

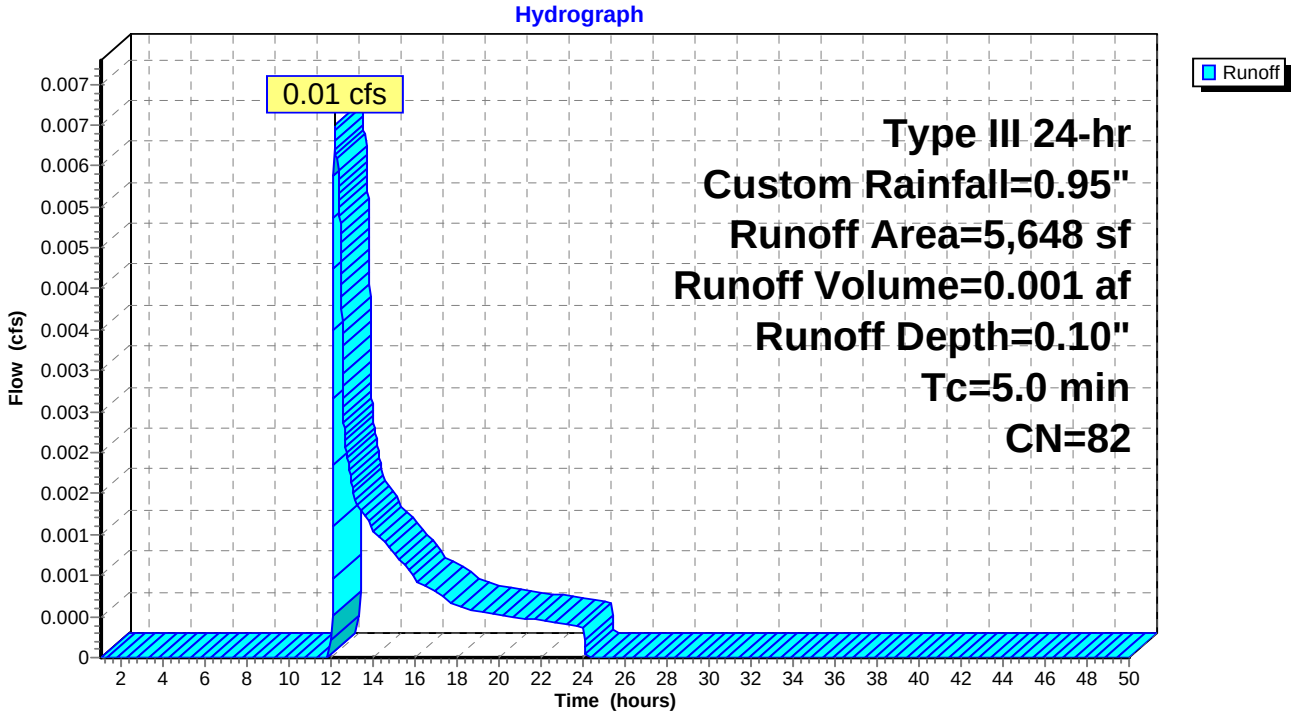
Runoff = 0.01 cfs @ 12.13 hrs, Volume= 0.001 af, Depth= 0.10"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs
Type III 24-hr Custom Rainfall=0.95"

	Area (sf)	CN	Description
*	1,526	39	Field inlets trib/landscaping
*	122	98	128R walk/drive
*	1,077	98	shared drive
*	2,923	98	126 roof,walk,drive
	5,648	82	Weighted Average
	1,526		27.02% Pervious Area
	4,122		72.98% Impervious Area

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

Subcatchment 1S: SC1



Summary for Subcatchment 2S: SC 2

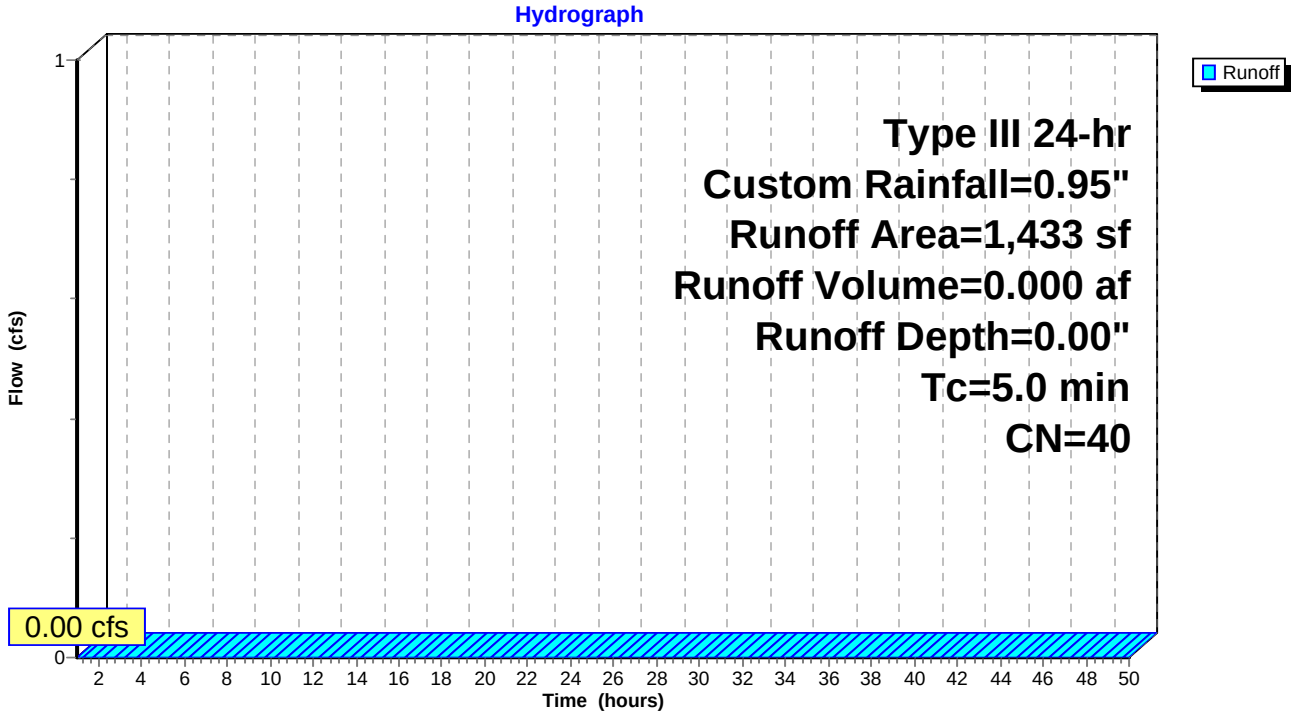
Runoff = 0.00 cfs @ 1.00 hrs, Volume= 0.000 af, Depth= 0.00"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs
Type III 24-hr Custom Rainfall=0.95"

	Area (sf)	CN	Description
	1,400	39	>75% Grass cover, Good, HSG A
*	33	98	Misc impervious
	1,433	40	Weighted Average
	1,400		97.70% Pervious Area
	33		2.30% Impervious Area

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

Subcatchment 2S: SC 2

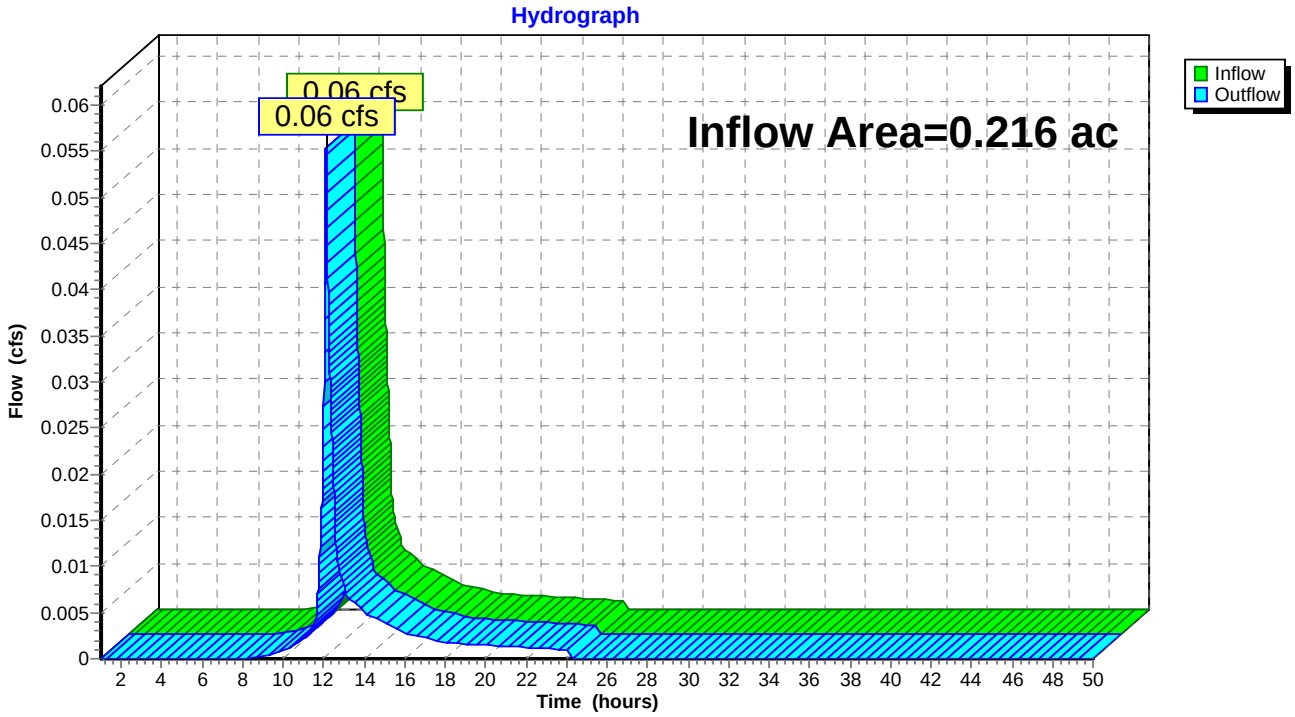


Summary for Reach 1R: North St. (POI #1)

Inflow Area = 0.216 ac, 81.45% Impervious, Inflow Depth = 0.27" for Custom event
Inflow = 0.06 cfs @ 12.12 hrs, Volume= 0.005 af
Outflow = 0.06 cfs @ 12.12 hrs, Volume= 0.005 af, Atten= 0%, Lag= 0.0 min

Routing by Dyn-Stor-Ind method, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs

Reach 1R: North St. (POI #1)

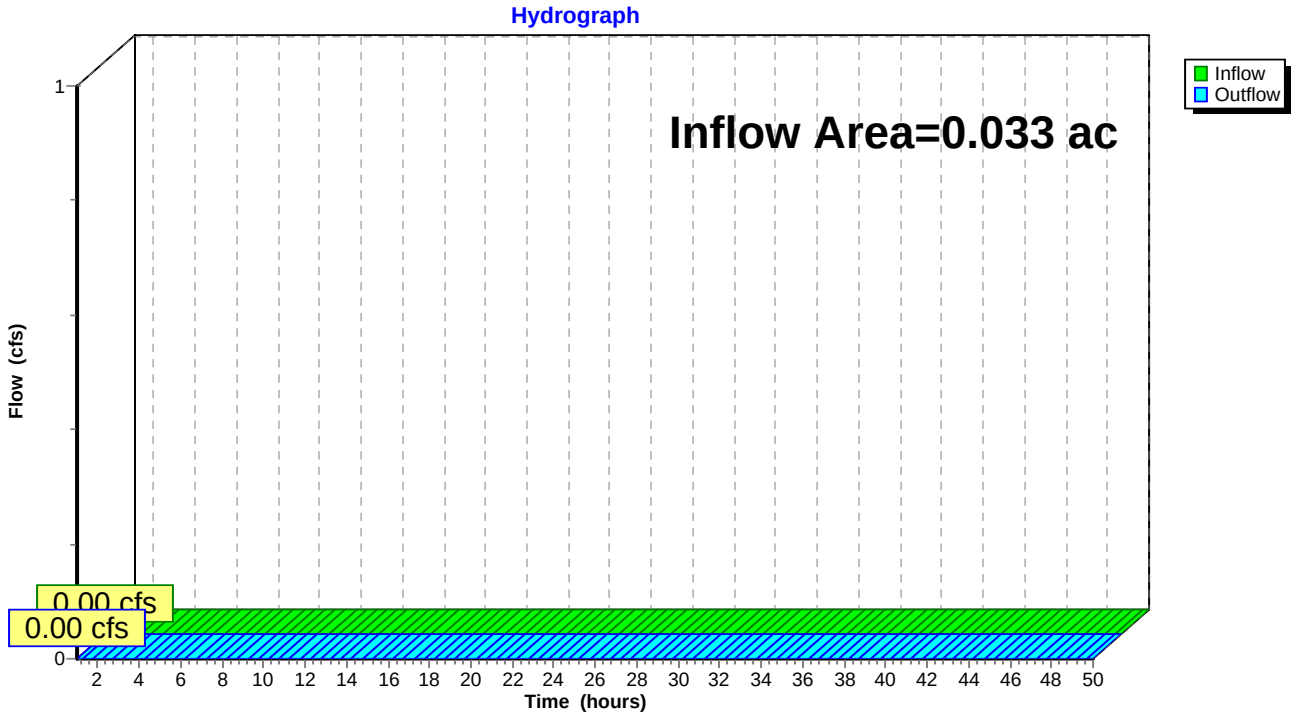


Summary for Reach 2R: Downgradient Abutter (POI#2)

Inflow Area = 0.033 ac, 2.30% Impervious, Inflow Depth = 0.00" for Custom event
Inflow = 0.00 cfs @ 1.00 hrs, Volume= 0.000 af
Outflow = 0.00 cfs @ 1.00 hrs, Volume= 0.000 af, Atten= 0%, Lag= 0.0 min

Routing by Dyn-Stor-Ind method, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs

Reach 2R: Downgradient Abutter (POI#2)

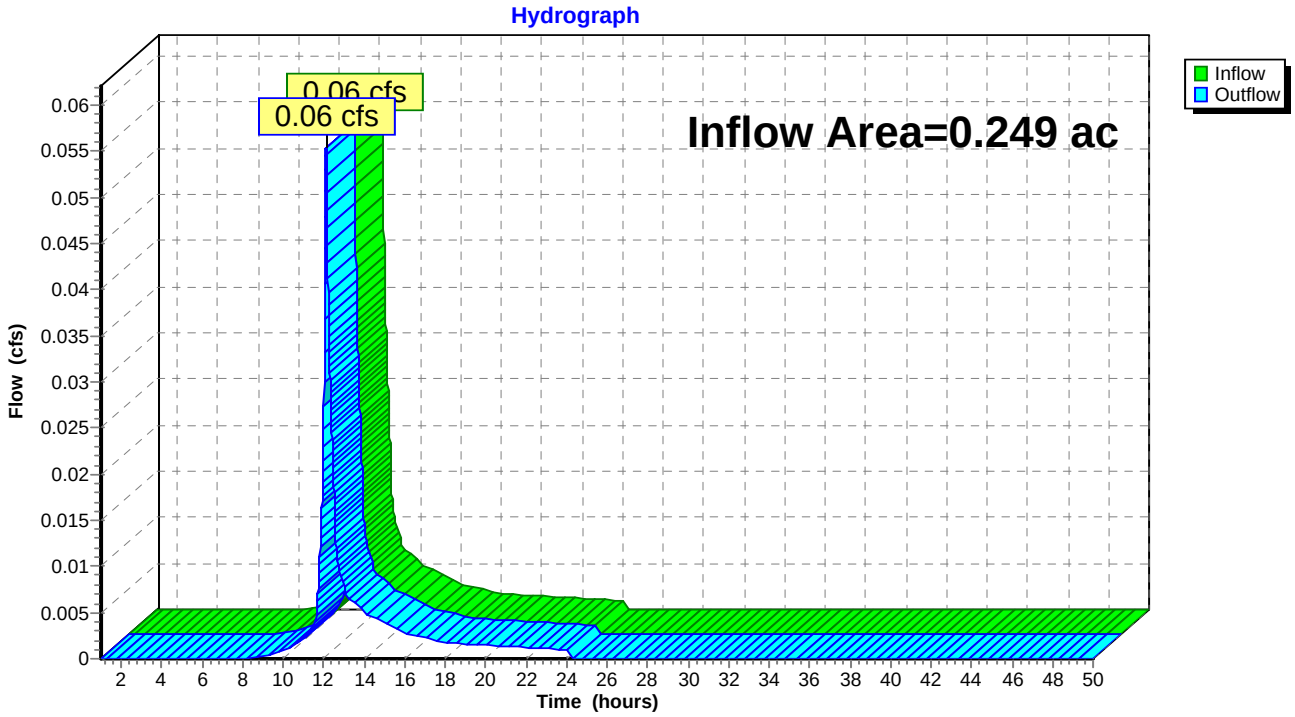


Summary for Reach 3R: Total Runoff

Inflow Area = 0.249 ac, 71.01% Impervious, Inflow Depth = 0.23" for Custom event
Inflow = 0.06 cfs @ 12.12 hrs, Volume= 0.005 af
Outflow = 0.06 cfs @ 12.12 hrs, Volume= 0.005 af, Atten= 0%, Lag= 0.0 min

Routing by Dyn-Stor-Ind method, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs

Reach 3R: Total Runoff



Summary for Pond FP1: FocalPoint

Inflow Area = 0.087 ac, 94.10% Impervious, Inflow Depth = 0.52" for Custom event
Inflow = 0.05 cfs @ 12.08 hrs, Volume= 0.004 af
Outflow = 0.05 cfs @ 12.11 hrs, Volume= 0.004 af, Atten= 11%, Lag= 2.3 min
Primary = 0.05 cfs @ 12.11 hrs, Volume= 0.004 af

Routing by Dyn-Stor-Ind method, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs
Peak Elev= 133.94' @ 12.11 hrs Surf.Area= 116 sf Storage= 9 cf

Plug-Flow detention time= 2.0 min calculated for 0.004 af (100% of inflow)
Center-of-Mass det. time= 2.0 min (827.4 - 825.4)

Volume	Invert	Avail.Storage	Storage Description
#1	133.75'	89 cf	**3/4 Stone (Prismatic)** Listed below (Recalc) 435 cf Overall - 213 cf Embedded = 222 cf x 40.0% Voids
#2	134.12'	202 cf	**1.31'W x 2.35'L x 2.88'H Tanks** x 24 Inside #1 213 cf Overall x 95.0% Voids
#3	137.00'	9 cf	**3.00'W x 7.00'L x 2.25'H FocalPoint** 47 cf Overall x 20.0% Voids
#4	139.25'	61 cf	**Custom Stage Data (Prismatic)** Listed below (Recalc) -Impervious
		362 cf	Total Available Storage

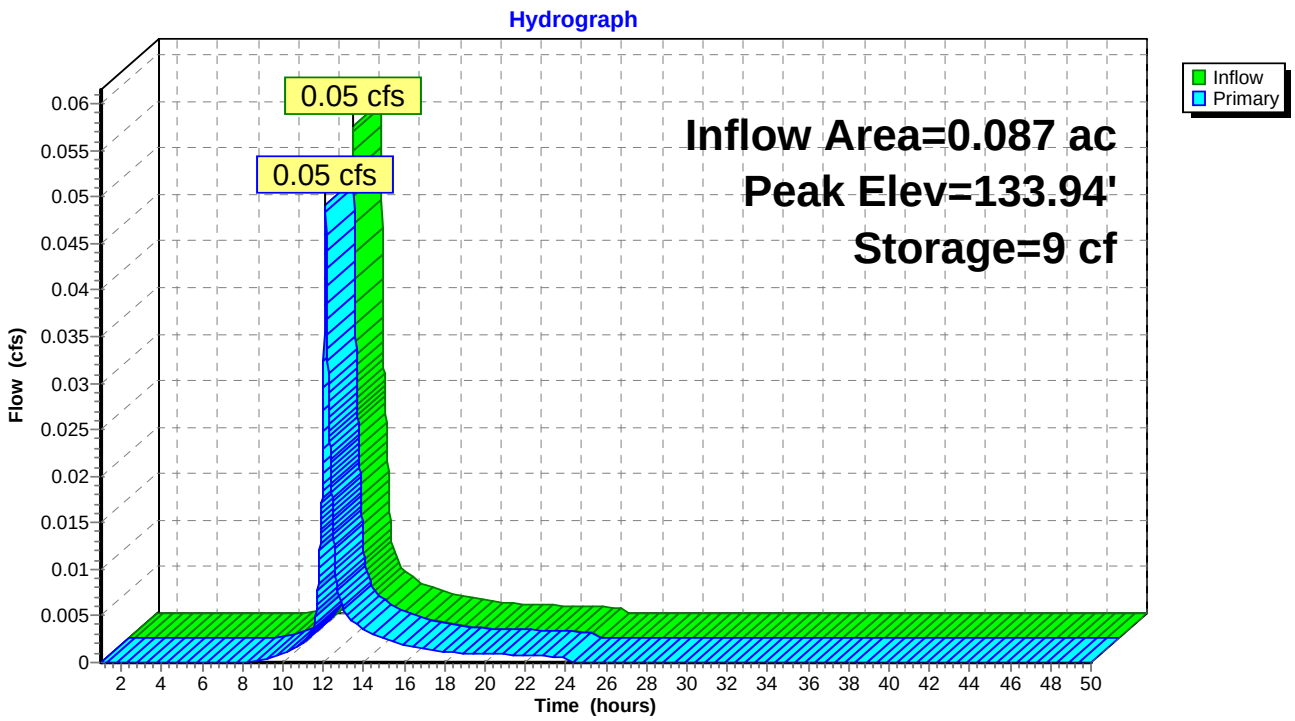
Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
133.75	116	0	0
137.50	116	435	435

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
139.25	21	0	0
139.50	37	7	7
139.75	55	12	19
140.00	85	18	36
140.25	115	25	61

Device	Routing	Invert	Outlet Devices
#1	Primary	133.70'	**3.3" Round 4" UD w/ orifice** L= 150.0' CMP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 133.70' / 132.70' S= 0.0067 '/' Cc= 0.600 n= 0.010 PVC, smooth interior, Flow Area= 0.06 sf
#2	Device 1	133.75'	**100.000 in/hr Exfiltration over Surface area** Phase-In= 0.10'
#3	Device 1	139.75'	**8.0" Horiz. Overflow Grate** C= 0.600 Limited to weir flow at low heads

Primary OutFlow Max=0.05 cfs @ 12.11 hrs HW=133.94' TW=0.00' (Dynamic Tailwater)
└─**1=4" UD w/ orifice** (Inlet Controls 0.05 cfs @ 0.88 fps)
  ├─**2=Exfiltration** (Passes 0.05 cfs of 0.27 cfs potential flow)
  └─**3=Overflow Grate** (Controls 0.00 cfs)

Pond FP1: FocalPoint



Time span=1.00-50.00 hrs, dt=0.01 hrs, 4901 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment1.1S: SC 1.1 Runoff Area=3,781 sf 94.10% Impervious Runoff Depth=0.56"
Tc=5.0 min CN=95 Runoff=0.06 cfs 0.004 af

Subcatchment1S: SC1 Runoff Area=5,648 sf 72.98% Impervious Runoff Depth=0.11"
Tc=5.0 min CN=82 Runoff=0.01 cfs 0.001 af

Subcatchment2S: SC 2 Runoff Area=1,433 sf 2.30% Impervious Runoff Depth=0.00"
Tc=5.0 min CN=40 Runoff=0.00 cfs 0.000 af

Reach 1R: North St. (POI #1) Inflow=0.06 cfs 0.005 af
Outflow=0.06 cfs 0.005 af

Reach 2R: Downgradient Abutter (POI#2) Inflow=0.00 cfs 0.000 af
Outflow=0.00 cfs 0.000 af

Reach 3R: Total Runoff Inflow=0.06 cfs 0.005 af
Outflow=0.06 cfs 0.005 af

Pond FP1: FocalPoint Peak Elev=133.96' Storage=10 cf Inflow=0.06 cfs 0.004 af
Outflow=0.05 cfs 0.004 af

Total Runoff Area = 0.249 ac Runoff Volume = 0.005 af Average Runoff Depth = 0.26"
28.99% Pervious = 0.072 ac 71.01% Impervious = 0.177 ac

Summary for Subcatchment 1.1S: SC 1.1

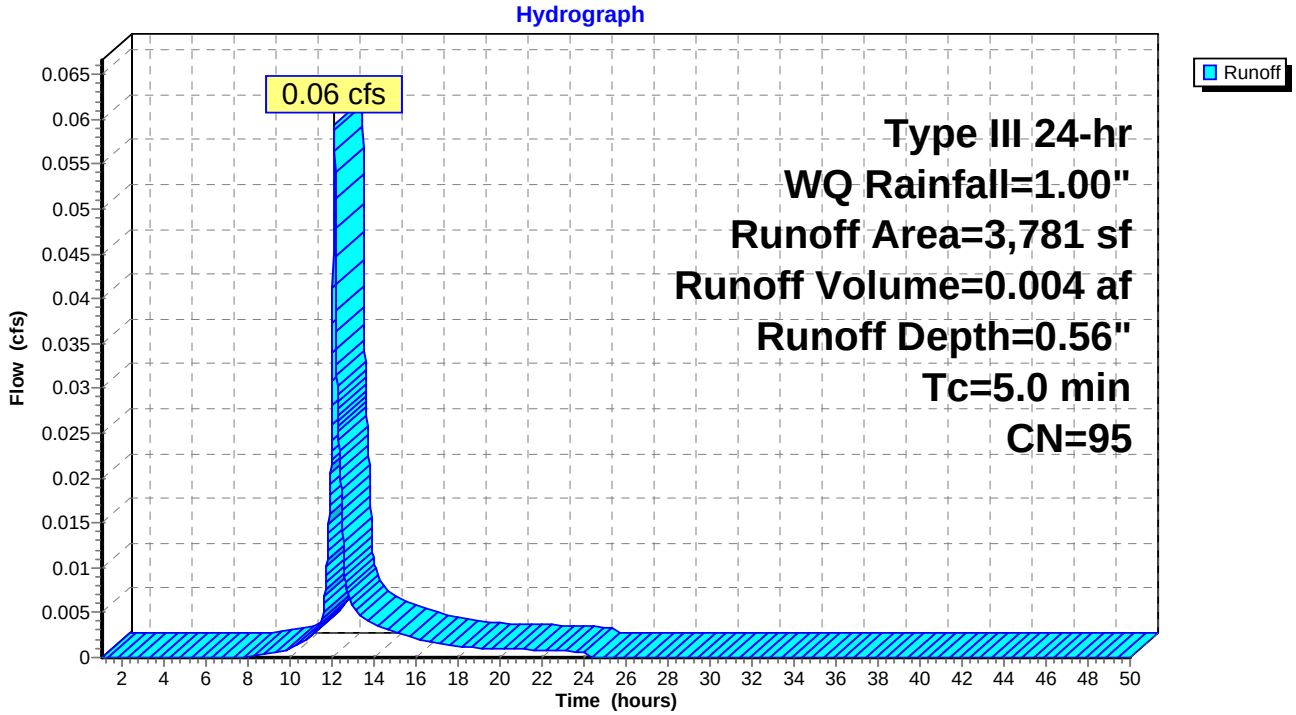
Runoff = 0.06 cfs @ 12.07 hrs, Volume= 0.004 af, Depth= 0.56"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs
Type III 24-hr WQ Rainfall=1.00"

	Area (sf)	CN	Description
*	3,558	98	Roof, decks
	223	39	>75% Grass cover, Good, HSG A
	3,781	95	Weighted Average
	223		5.90% Pervious Area
	3,558		94.10% Impervious Area

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

Subcatchment 1.1S: SC 1.1



Summary for Subcatchment 1S: SC1

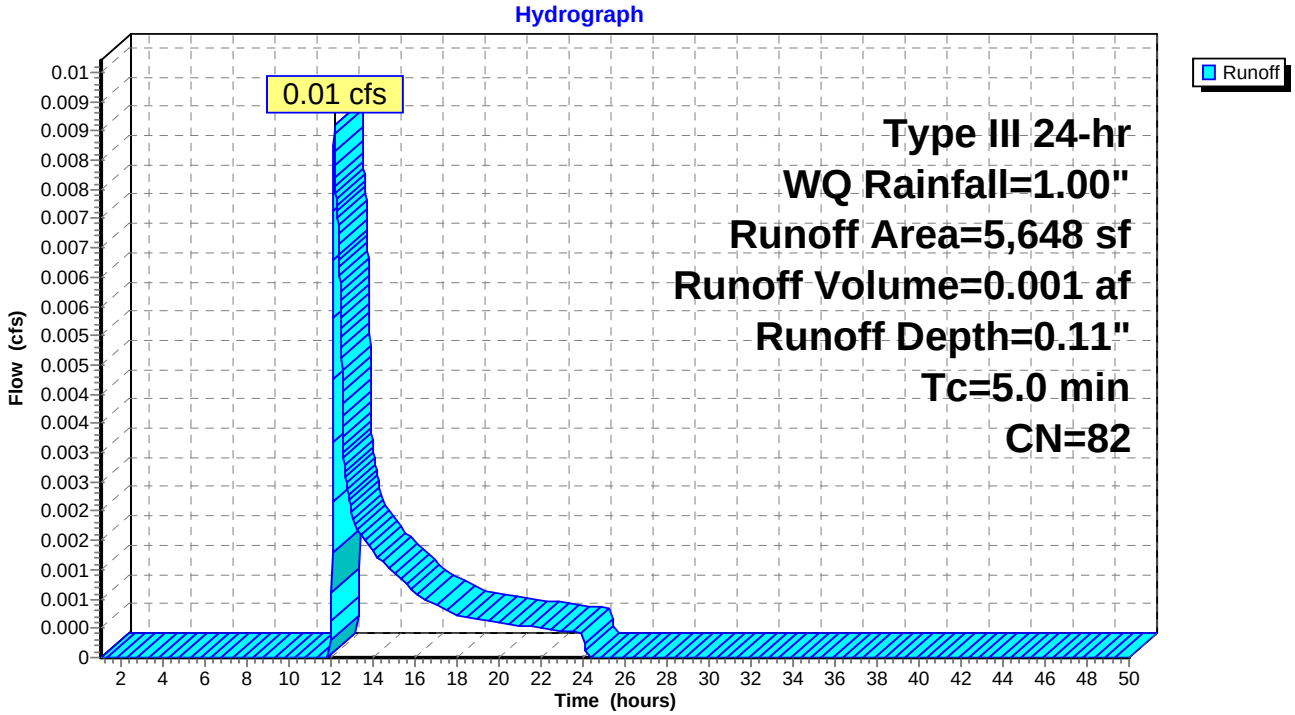
Runoff = 0.01 cfs @ 12.12 hrs, Volume= 0.001 af, Depth= 0.11"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs
Type III 24-hr WQ Rainfall=1.00"

	Area (sf)	CN	Description
*	1,526	39	Field inlets trib/landscaping
*	122	98	128R walk/drive
*	1,077	98	shared drive
*	2,923	98	126 roof,walk,drive
	5,648	82	Weighted Average
	1,526		27.02% Pervious Area
	4,122		72.98% Impervious Area

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

Subcatchment 1S: SC1



Summary for Subcatchment 2S: SC 2

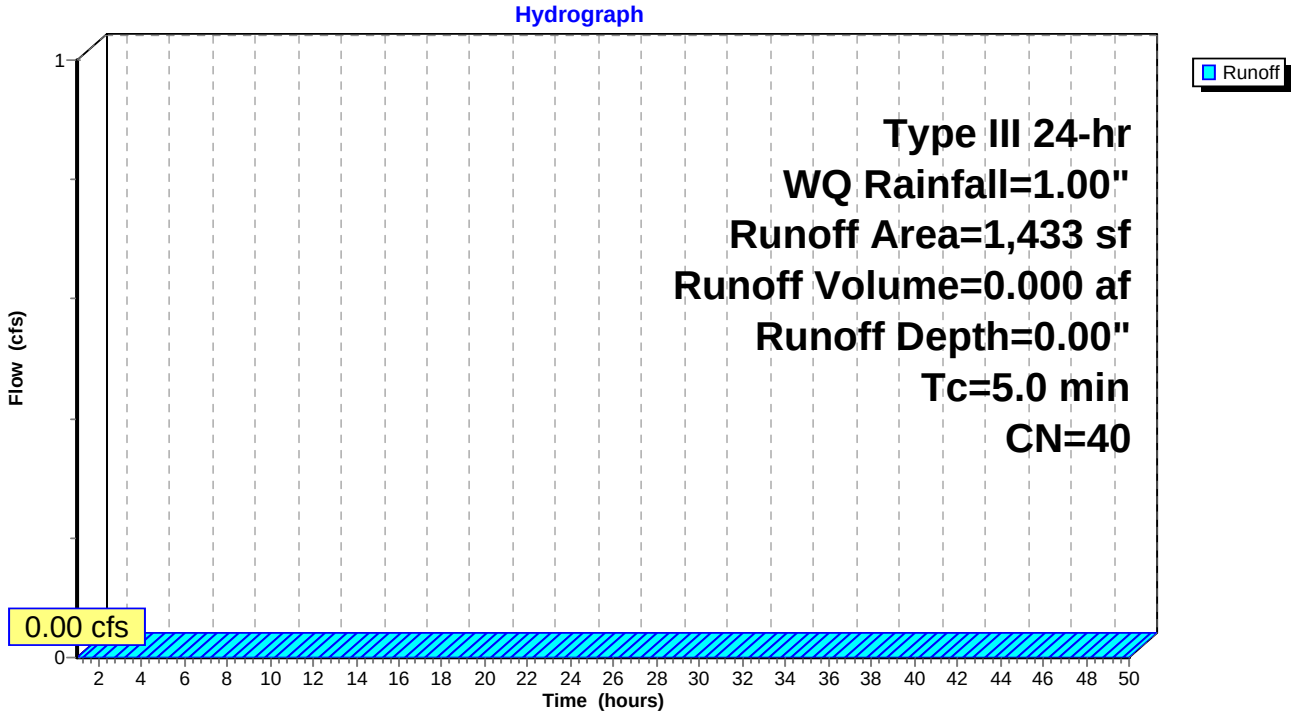
Runoff = 0.00 cfs @ 1.00 hrs, Volume= 0.000 af, Depth= 0.00"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs
Type III 24-hr WQ Rainfall=1.00"

	Area (sf)	CN	Description
	1,400	39	>75% Grass cover, Good, HSG A
*	33	98	Misc impervious
	1,433	40	Weighted Average
	1,400		97.70% Pervious Area
	33		2.30% Impervious Area

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

Subcatchment 2S: SC 2

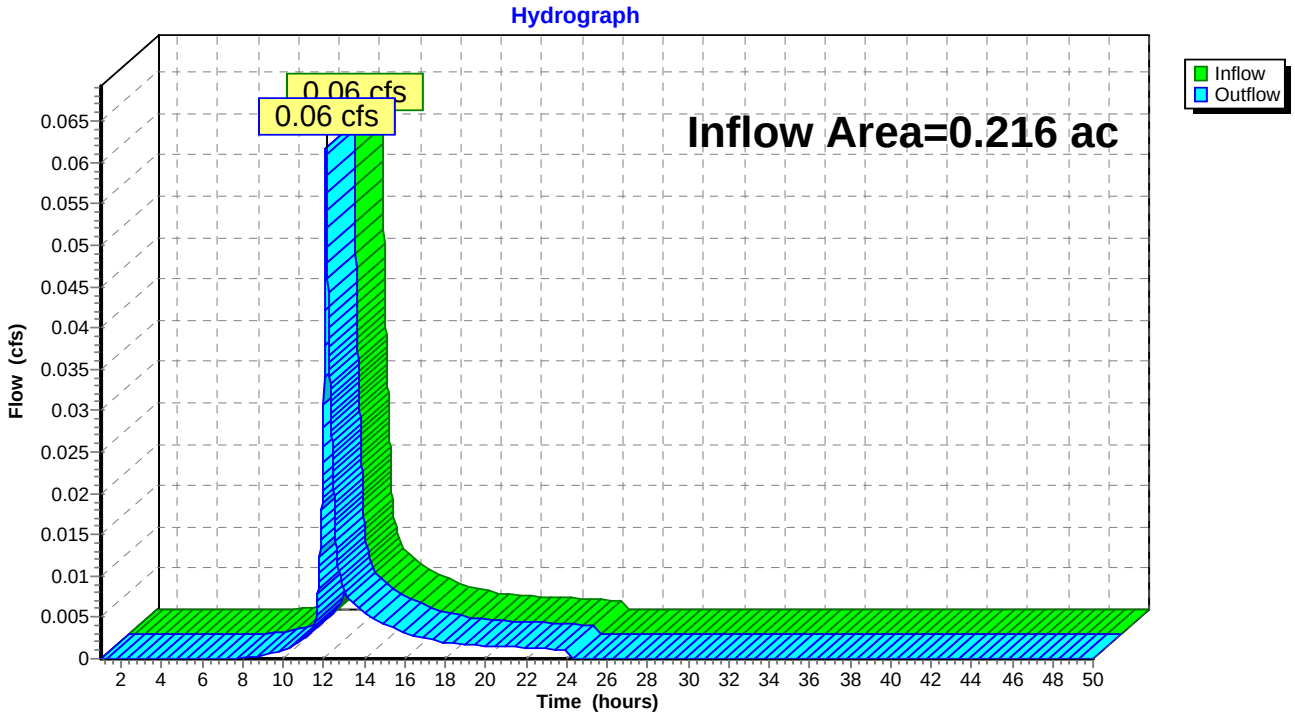


Summary for Reach 1R: North St. (POI #1)

Inflow Area = 0.216 ac, 81.45% Impervious, Inflow Depth = 0.29" for WQ event
Inflow = 0.06 cfs @ 12.12 hrs, Volume= 0.005 af
Outflow = 0.06 cfs @ 12.12 hrs, Volume= 0.005 af, Atten= 0%, Lag= 0.0 min

Routing by Dyn-Stor-Ind method, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs

Reach 1R: North St. (POI #1)

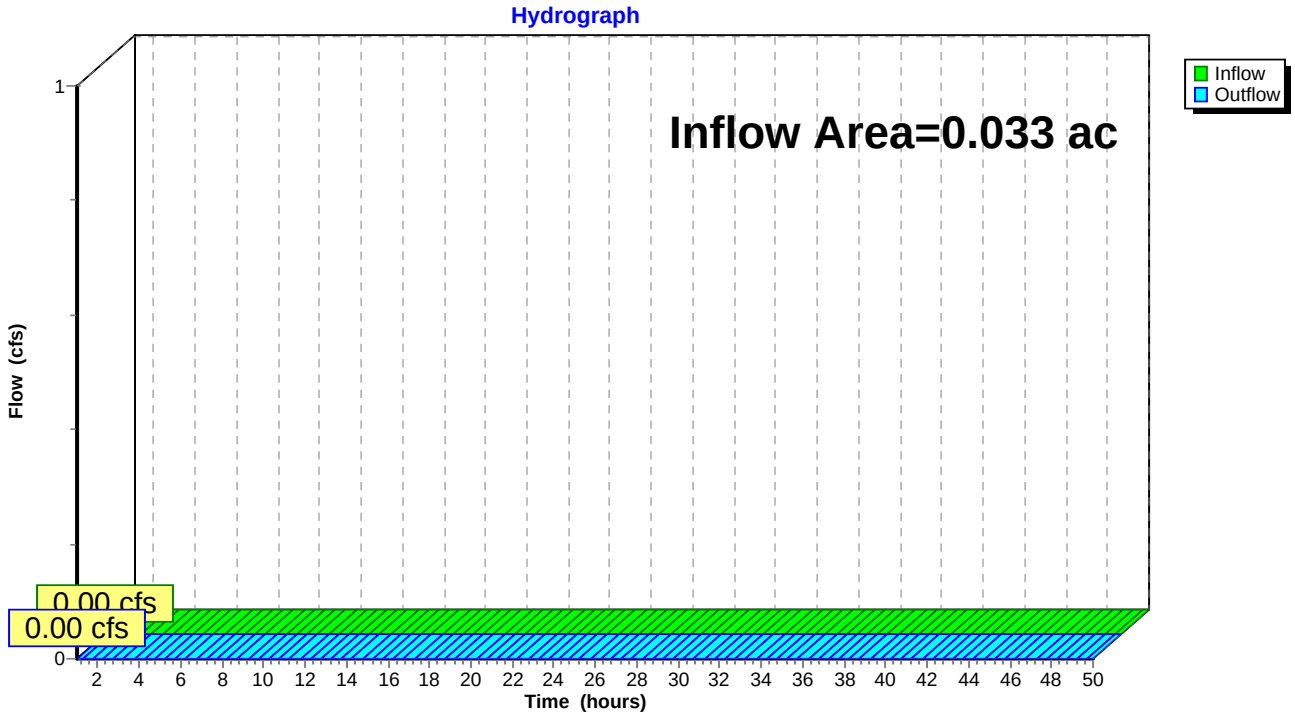


Summary for Reach 2R: Downgradient Abutter (POI#2)

Inflow Area = 0.033 ac, 2.30% Impervious, Inflow Depth = 0.00" for WQ event
Inflow = 0.00 cfs @ 1.00 hrs, Volume= 0.000 af
Outflow = 0.00 cfs @ 1.00 hrs, Volume= 0.000 af, Atten= 0%, Lag= 0.0 min

Routing by Dyn-Stor-Ind method, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs

Reach 2R: Downgradient Abutter (POI#2)

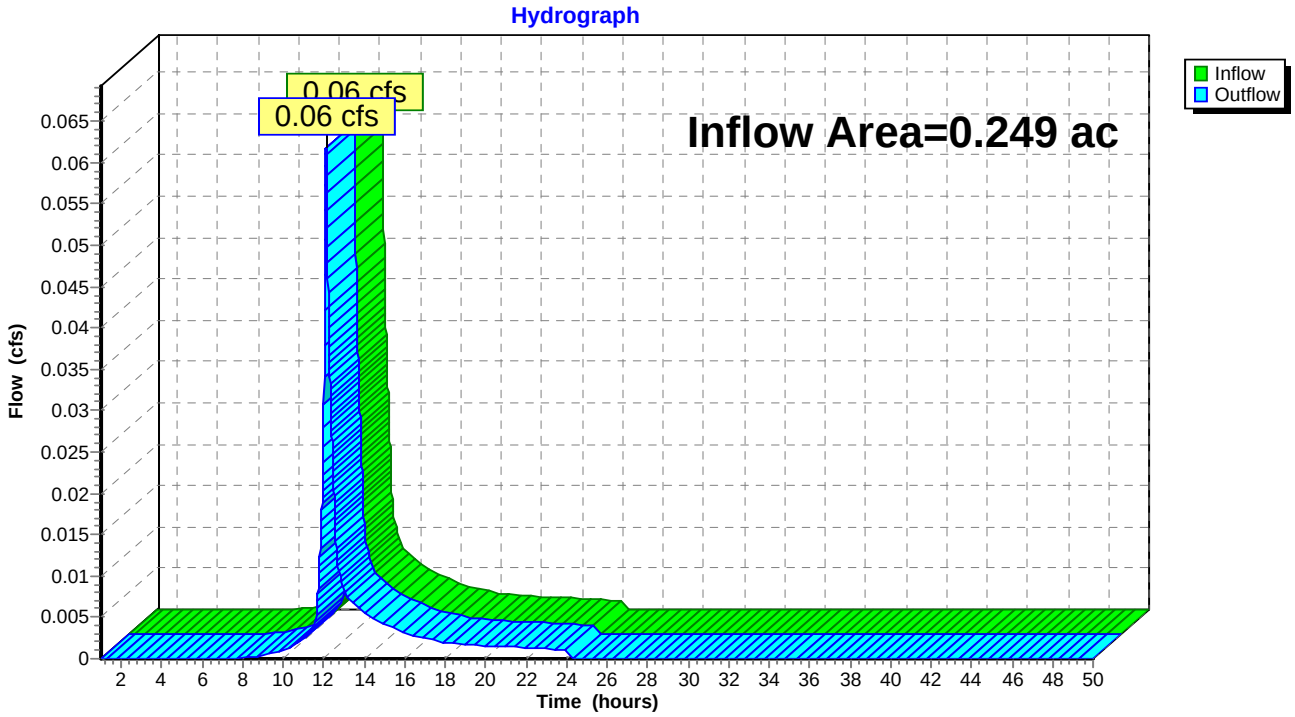


Summary for Reach 3R: Total Runoff

Inflow Area = 0.249 ac, 71.01% Impervious, Inflow Depth = 0.26" for WQ event
Inflow = 0.06 cfs @ 12.12 hrs, Volume= 0.005 af
Outflow = 0.06 cfs @ 12.12 hrs, Volume= 0.005 af, Atten= 0%, Lag= 0.0 min

Routing by Dyn-Stor-Ind method, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs

Reach 3R: Total Runoff



Summary for Pond FP1: FocalPoint

Inflow Area = 0.087 ac, 94.10% Impervious, Inflow Depth = 0.56" for WQ event
Inflow = 0.06 cfs @ 12.07 hrs, Volume= 0.004 af
Outflow = 0.05 cfs @ 12.11 hrs, Volume= 0.004 af, Atten= 11%, Lag= 2.4 min
Primary = 0.05 cfs @ 12.11 hrs, Volume= 0.004 af

Routing by Dyn-Stor-Ind method, Time Span= 1.00-50.00 hrs, dt= 0.01 hrs
Peak Elev= 133.96' @ 12.11 hrs Surf.Area= 116 sf Storage= 10 cf

Plug-Flow detention time= 2.1 min calculated for 0.004 af (100% of inflow)
Center-of-Mass det. time= 2.1 min (825.2 - 823.1)

Volume	Invert	Avail.Storage	Storage Description
#1	133.75'	89 cf	**3/4 Stone (Prismatic)** Listed below (Recalc) 435 cf Overall - 213 cf Embedded = 222 cf x 40.0% Voids
#2	134.12'	202 cf	**1.31'W x 2.35'L x 2.88'H Tanks** x 24 Inside #1 213 cf Overall x 95.0% Voids
#3	137.00'	9 cf	**3.00'W x 7.00'L x 2.25'H FocalPoint** 47 cf Overall x 20.0% Voids
#4	139.25'	61 cf	**Custom Stage Data (Prismatic)** Listed below (Recalc) -Impervious
		362 cf	Total Available Storage

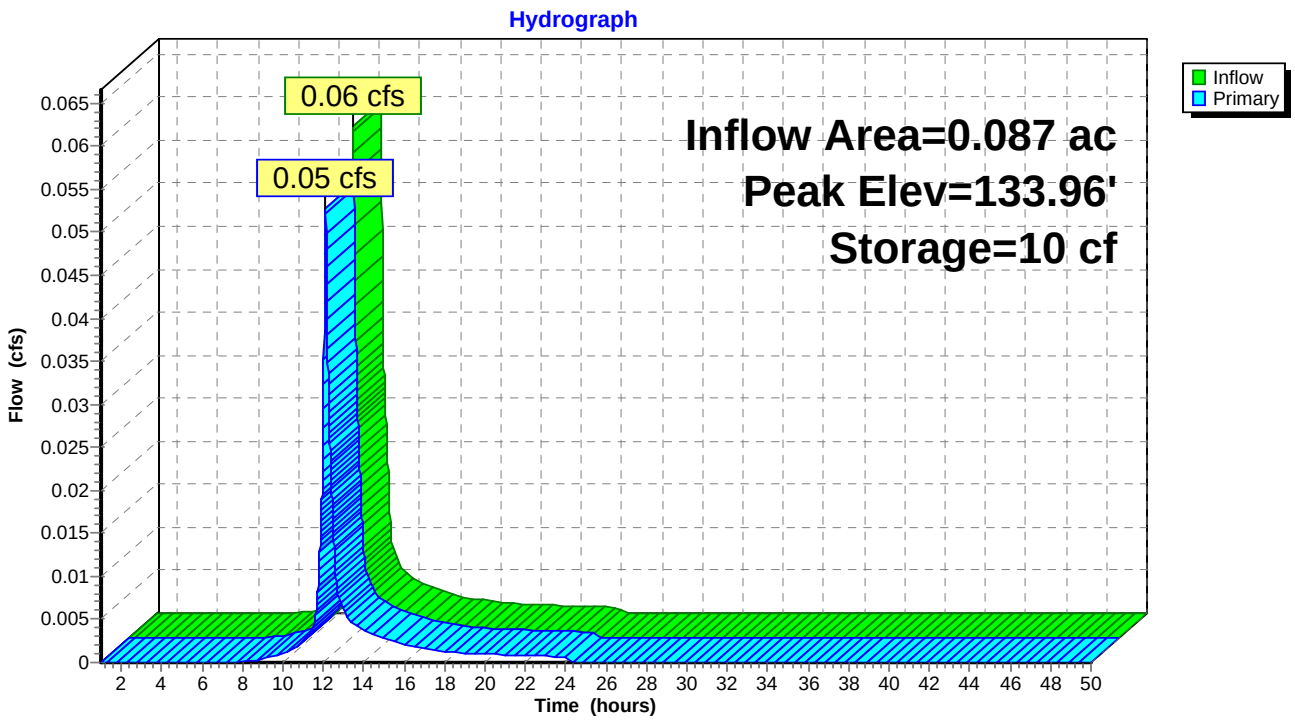
Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
133.75	116	0	0
137.50	116	435	435

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
139.25	21	0	0
139.50	37	7	7
139.75	55	12	19
140.00	85	18	36
140.25	115	25	61

Device	Routing	Invert	Outlet Devices
#1	Primary	133.70'	**3.3" Round 4" UD w/ orifice** L= 150.0' CMP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 133.70' / 132.70' S= 0.0067 '/' Cc= 0.600 n= 0.010 PVC, smooth interior, Flow Area= 0.06 sf
#2	Device 1	133.75'	**100.000 in/hr Exfiltration over Surface area** Phase-In= 0.10'
#3	Device 1	139.75'	**8.0" Horiz. Overflow Grate** C= 0.600 Limited to weir flow at low heads

Primary OutFlow Max=0.05 cfs @ 12.11 hrs HW=133.96' TW=0.00' (Dynamic Tailwater)
└─**1=4" UD w/ orifice** (Inlet Controls 0.05 cfs @ 0.91 fps)
  ├─**2=Exfiltration** (Passes 0.05 cfs of 0.27 cfs potential flow)
  └─**3=Overflow Grate** (Controls 0.00 cfs)

Pond FP1: FocalPoint



Att. K

K. EROSION & SEDIMENTATION CONTROL REPORT

Prepared For:

Upright Properties, LLC
Portland, ME 04101
PO Box 833 Wilton, ME 04294

Prepared By:

Acorn Engineering, Inc.
65 Hanover Street
Portland, Maine 04101

March 2019
Rev. October 2019

INTRODUCTION

Acorn Engineering, Inc. has been retained by Upright Properties, LLC to provide civil engineering services for the proposed redevelopment of 126 & 128R North Street. The proposed project includes a two-phase approach where Phase 1 would include the redevelopment of 128R into a four-story building with six condominiums and covered parking on the ground level. Phase 2 would include the redevelopment of 126 into a three-story building with five rental units.

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

1.0 EXISTING CONDITIONS

The proposed project site is located on North Street. A boundary plan has been prepared by Nadeau Land Surveys; Maine dated August 22, 2018.

Abutting Uses:

- North R-6 Zone Two-Unit Residential
- East R-6 Zone Multi Family Residential
- South R-6 Zone Multi Family Residential
- West R-6 Zone Multi Family Residential

The site is currently occupied by a two-story single-family house. The South side of the lot has slopes that range from 15 to 25 percent toward the abutting condominium associations of Munjoy Heights.

1.1 Existing Soils

Onsite soil information includes the following:

- Soil Conservation Service Medium Intensity Soil Survey for Cumberland County
- United States Department of Agriculture Web Soil Survey

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

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

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

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

1.2 Existing Erosion Problems

There are no signs of erosion.

1.3 Critical Areas

The south side of the 128R lot has slopes that can range from 15 to 25 percent.

1.4 Protected Natural Resource

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

1.5 Previous Construction Activity (5 years)

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

1.6 Timber Harvesting

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

2.0 EROSION CONTROL MEASURES AND SITE STABILIZATION

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

2.1 Temporary Erosion Control Measures

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

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

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

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

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

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

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

2.1.6 During demolition, clearing and grubbing operations, stone check dams shall be installed at any areas of concentrated flow. The maximum height of the check dam shall not exceed 2 feet. The center of the check dam shall be 6 inches below the outer edges of the dam. The contractor shall mulch the side slopes and install stone check dams for all newly excavated ditch lines within 24 hours of their creation.

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

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

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

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

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

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

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

2.2 Permanent Erosion Control Measures

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

2.2.1 All disturbed areas during construction, not subject to other proposed conditions, shall receive a minimum 4" of loam, limed, and mulched. Erosion

control blankets or mats shall be placed over the mulch in areas noted in paragraph 4.1 of this report.

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

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

3.0 EROSION AND SEDIMENTATION CONTROL PLAN

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

4.0 DETAILS AND SPECIFICATIONS

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

5.0 STABILIZATION PLAN FOR WINTER CONSTRUCTION

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

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

The following measures shall be implemented during winter construction periods:

5.1 Sediment Barriers

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

5.2 Mulching

All areas shall be considered to be denuded until seeded and mulched. Hay and straw mulch shall be applied at a rate of 150 lb. per 1,000 square feet or 3 tons/acre (twice the normal accepted rate of 75-lbs./1,000 s.f. or 1.5 tons/acre) and shall be properly anchored. Erosion control mix must be applied with a minimum 4-inch thickness. Mulch shall not be spread on top of snow. The snow shall be removed down to a one-inch depth or less prior to application. After each day of final grading, the area shall be properly stabilized with anchored hay or straw or erosion control

matting. An area shall be considered to have been stabilized when exposed surfaces have been either mulched or adequately anchored so that ground surface is not visible through the mulch. Between the dates of November 1 and April 15, all mulch shall be anchored by either mulch netting, tracking or wood cellulose fiber. The cover will be considered sufficient when the ground surface is not visible through the mulch. After November 1st, mulch and anchoring of all exposed soil shall occur at the end of each final grading workday.

5.3 Soil Stockpiling

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

5.4 Seeding

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

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

5.5 Over winter stabilization of disturbed soils

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

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

- Stabilize the soil with sod – Stabilize the disturbed soil with properly installed sod by October 1st. Proper installation includes pinning the sod onto the soil with

wire pins, rolling the sod to guarantee contact between the sod and underlying soil, and watering the sod to promote root growth into the disturbed soil.

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

5.6 Over winter stabilization of disturbed slopes

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

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

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

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

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

6.0 INSPECTION AND MAINTENANCE

A person with knowledge of erosion and stormwater control, including the standards and conditions in the permit, shall conduct periodic visual inspections of installed erosion control measures. The frequency of inspection shall occur at least once every two weeks, as well as after a "storm event". A "storm event" shall consist 0.5 inches of rain within a 24-

hour period. The following Erosion and Sediment Control - Best Management Practices (BMP's) shall inspected in the manner as described.

6.1 Sediment Barriers

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

6.2 Stabilized Stone Construction Entrances

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

6.3 Mulched Areas

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

6.4 Dust Control

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

6.5 Stormwater Appurtenances

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

6.6 Erosion and Sedimentation Control Inspections:

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

Contact: Will Savage, PE
Telephone: (207) 775-2655

Qualifications:

- Maine Professional Engineering License #11419
- Maine DEP - Certified in Maintenance & Inspection of Stormwater BMP's Cert #14
- Certified Erosion, Sediment and Storm Water Inspector (CESSWI) Cert #0293
- Certified Professional in Erosion and Sediment Control (CPESC) Cert. #4620

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

7.0 IMPLEMENTATION SCHEDULE

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

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

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

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

8.0 CONCLUSION

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

9.0 ATTACHMENTS

- Temporary Seeding Plan
- Permanent Seeding Plan

TEMPORARY SEEDING PLAN

Site Preparation

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

Seedbed Preparation

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

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

Seeding

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

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

Mulching

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

Conclusion

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

PERMANENT SEEDING PLAN

Site Preparation

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

Seedbed Preparation

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

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

Seeding

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

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

Mulching

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

Recommendations

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

Conclusion

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

Att. L

ACORN ENGINEERING, INC.

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

August 7, 2019
Rev. October 29, 2019

Subject: 126 & 128R North Street – Fire Department Checklist
Section L of Application

On behalf of Upright Properties, LLC, the design team is pleased to respond to the Portland Fire Department Site Review Checklist.

1. Name, address, telephone number of applicant

   Upright Properties, LLC
   PO Box 833
   Wilton, ME 04294
   207-749-9656

2. Name address, telephone number of architect

   Tracie Reed, Dextrous Creative Architecture
   traciereed@dextrouscreative.com
   Portland, Maine 04101
   207-409-0459

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

   NFPA: Apartments / IBC: R-6

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

Existing Building – 128 R		
Total	1,448	**sf**

Proposed Building		
Basement	700	sf
1st Floor	1,003	sf
2nd Floor	2,370	sf
3rd Floor	2,370	sf
4th Floor	2,593	sf
Total	9,036	**sf**

Existing Building – 126		
Total	2,510	**sf**

Proposed Building		
1st Floor	1,403	sf
2nd Floor	1,403	sf
3rd Floor	1,403	sf
Total	4,209	**sf**

5. Elevation of all structures

   Based upon the average grade plane defined by the IBC, the proposed building height for 126 & 128R are 33.3' and 44.6' respectively. The height of each building is below the allowable limit in the R-6 zone. Please refer to the building elevations provided by the Architect for additional information.

6. Proposed fire protection of all structures

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

7. Hydrant locations

   An existing hydrant is located approximately 175 ft southeast of the property at the corner of North Street and Walnut Street. Hydrant flow data from the Portland Water District once received may be made available to the Fire Department upon request.

8. Water main size and location

   The 128R redevelopment will be serviced by a new 6" sprinkler line and 1.5" domestic water line. The sprinkler line will be taped from an existing 12" ductile iron main within North Street. A 6" fire service line will extend from the water main to the building fire suppression system. The building is expected to have internal sprinkler risers and a Fire Department pump connection on the street side of the building.

   The 126 redevelopment will be serviced by a 4" sprinkler line off the 12" ductile iron main water main within North Street. A 1.5" domestic line is proposed to branch off the proposed sprinkler line.

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

   Access to the structure is provided directly on North Street. Additionally, Phase I of the project will implement a 16' drive aisle to 128R North Street which will provide access for fire/emergency vehicles. The drive aisle will be developed by demolishing the 126 building prior to the certificate of occupancy at 128R.

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

NFPA 1 – Chapter 18 Fire Department Access and Water Supply

18.2 Fire Department Access:

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

- North Street: 34 feet

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

City of Portland Technical Manual – Section 3 Public Safety

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

Response: Not applicable

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

Response: As depicted on the site plan, the proposed building layout provides a minimum of two paved access points to the structure: from North Street directly and one from the driveway.

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

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

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

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

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

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

Response: Site access and driveway is clear of vertical obstructions.

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

Response: The elevators will be sized to accommodate an 80 x 24 stretcher, per the Architect's designs.

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

Response: The applicant will work with the City's Public Works Division to assign street addresses and numbering to meet City Standards.

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

Sincerely,

William H. Savage, P.E.
Principal
Acorn Engineering, Inc.

CITY OF PORTLAND WASTEWATER CAPACITY APPLICATION

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

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

Date: 3/16/2020

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

Site Address: 128R & 126 North Street, Portland, ME 04101

Chart Block Lot Number: 12 - H - 9

Proposed Use: Multi-Family Residential
Previous Use: Single-Family Residential
Existing Sanitary Flows: 1,110 GPD
Existing Process Flows: 0 GPD
Description and location of City sewer that is to receive the proposed building sewer lateral.

Combined 12" sewer main in North Street

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

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

2. Please, Submit Contact Information.

City Planner's Name: TBD Phone: 207-874-8719
Owner/Developer Name: Upright Properties, LLC
Owner/Developer Address: PO Box 833 Wilton, ME 04294
Phone: 207-749-9656 Fax: E-mail: jwojcik@uprightframeworks.com
Engineering Consultant Name: Acorn Engineering
Engineering Consultant Address: 65 Hanover Portland, ME 04101
Phone: 207-317-1884 Fax: E-mail: wsavage@acorn-engineering.com

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

3. Please, Submit Domestic Wastewater Design Flow Calculations.

Estimated Domestic Wastewater Flow Generated: 2,100 GPD
Peaking Factor/ Peak Times: Diurnal
Specify the source of design guidelines: *(i.e.__"Handbook of Subsurface Wastewater Disposal in Maine,"* "*Plumbers and Pipe Fitters Calculation Manual,"* __ *Portland Water District Records,* __ *Other (specify)*
Handbook of Subsurface Wastewater Disposal in Maine

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

4. Please, Submit External Grease Interceptor Calculations.

Total Drainage Fixture Unit (DFU) Values: N/A

Size of External Grease Interceptor: _____

Retention Time: _____

Peaking Factor/ Peak Times: _____

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

5. Please, Submit Industrial Process Wastewater Flow Calculations

Estimated Industrial Process Wastewater Flows Generated: 0 GPD

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

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

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

Peaking Factor/Peak Process Times: _____

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

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

M. Calculation of Wastewater Flowrate for 126 & 128R North Street Redevelopment

The proposed project includes a two-phase approach where Phase 1 would include the redevelopment of 128R into a four-story building with six condominiums and covered parking on the ground level. Phase 2 would include the redevelopment of 126 into a three-story building with six rental units. Based upon the Section 4 of the Maine Subsurface Wastewater Disposal Rules, the project anticipates the following daily flows:

Estimate of Anticipated Daily Flows – 128R North Street				
Development	Unit Size	Number of Units	Gallons per Day per Unit	Total Gallons per Day
Existing Flow				
Single-Family Unit	3-Bedroom	1	270	270
Total Gallons per Day (Existing)				270
Proposed Flow				
Residential Units	1-Bedroom	3	120	360
Residential Units	2-Bedroom	2	180	360
Residential Units	4-Bedroom	1	360	360
Total Gallons per Day (Proposed)				1080
Net Change				**+810 GPD**
*Values based on STATE OF MAINE: SUBSURFACE WASTEWTAER DISPOSAL RULES, most recent edition				

Based upon the table above, the 128R site is anticipated to increase its wastewater flows by nearly 810 gallons per day.

Estimate of Anticipated Daily Flows – 126 North Street				
Development	Unit Size	Number of Units	Gallons per Day per Unit	Total Gallons per Day
Existing Flow				
Multifamily	2-Bedroom	4	180	720
Total Gallons per Day (Existing)				720
Proposed Flow				
Multifamily	2-Bedroom	5	180	900
Multifamily	1-Bedroom	1	120	120
Total Gallons per Day (Proposed)				1,020
Net Change				**+300 GPD**
*Values based on STATE OF MAINE: SUBSURFACE WASTEWTAER DISPOSAL RULES, most recent edition				

Based upon the table above, the 126 site is anticipated to increase its wastewater flows by nearly 300 gallons per day.

The total increase for the project's wastewater flows is 1,110 gallons per day. This will largely be offset during wet weather events, because the stormwater management on site will improve considerably and provide separate stubs for when the separated storm system extends to this part of North Street.

ACORN ENGINEERING, INC.

N. Lighting

Please find attached the photometric plans and cut sheets.

Date: Aug 19, 2019

Swaney Lighting
PO Box 1597
Scarborough ME 04070
Phone: (207) 883-7100
Fax: (207) 885-9606

Job Name
128R NORTH STREET
SLA19-42917
WILTON ME

Bid Date
Aug 19, 2019

Submittal Date
Aug 19, 2019

Distributor:
SWANEY LIGHTING
15 PLEASANT HILL ROAD
SCARBOROUGH ME 04074

Transmittal

Swaney Lighting
PO Box 1597
Scarborough ME 04070
Phone: (207) 883-7100
From: Therese "TC" Freeman X-103

Project **128R NORTH STREET**
Quote# SLA19-42917
Location WILTON ME
Contact:

ATTACHED WE ARE SENDING YOU 1 COPY OF THE FOLLOWING ITEM:

- ☐ Drawings
- ☐ Prints
- ☐ Plans
- ☐ Specifications
- ☐ Information
- ☒ Submittals

Other:

THESE ARE TRANSMITTED FOR:

- ☒ Prior Approval
- ☐ Approval
- ☐ Approval as Submitted
- ☐ Approval as Noted
- ☐ Resubmittal for Approval
- ☐ Corrections
- ☐ Your Use
- ☐ Review and Comment
- ☐ Record

Bids due on:
Other:

Type	MFG	Part
WP	BEACON PRODUCTS	TRV-D/24L-27/3K7/4/UNV/**
CY	Architectural Area Lighting	CY1-15-4K7-1-WG-UNV-**-R-FPP
CL	PRESCOLITE	LC6SL / 6LCSL18L35K8

Submitted by Swaney Lighting

Job Name:
128R NORTH STREET
Distributor: SWANEY LIGHTING (SCARBOROUGH)

Catalog Number:
TRV-D/24L-27/3K7/4/UNV/**

Notes:

Type:
WP

SLA19-42917

TRAVERSE SERIES

SURFACE/CEILING/GARAGE

Cat.#

Job

Type

BEACON design . performance . technology

Approvals

SPECIFICATIONS

Intended Use:
The Traverse luminaire is a wall surface mounted luminaire with a field replaceable LED light engine & optical bezel system. Internal components are totally enclosed in rain-tight and corrosion-resistant die cast aluminum housing. The TRV Luminaire is suitable for wet locations when ordered as a downlight.

Construction:
- Traverse luminaire consists of a die cast aluminum two-piece housing.
- Die cast main (thermal) housing provides direct heat exchange between the LED light engine and the cool outdoor
- LED drivers are thermally isolated from the main housing, mechanically attached and heat sinked to the rear housing.
- Shape of the main housing is designed to prevent debris accumulation and as a bird nesting deterrent. The back and main housings are designed to hinge open for easy mounting and easy access.

LED/Optics:
- Optical one piece cartridge system consisting of an LED engine, LED lamps, optics, gasket and stainless steel bezel.
- Cartridge is held together with internal brass standoffs soldered to the board so that it can be field replaced as a one piece optical system.
- A die cut silicone foam gasket ensures a weather-proof seal around each individual LED
- Optics are held in place without the use of adhesives
- Cartridge assembly is available in various lighting distributions using TIR designed acrylic optical lenses over each LED.

Electrical:
- 100V through 277V, 50 Hz to 60 Hz (UNV, 347/480V).
- Dimming drivers are standard, but must contact factory to request wiring leads for purpose of external dimming controls
- Component-to-component wiring within the luminaire may carry no more than 80% of rated load and is certified by UL for use at 600 VAC at 50°C or higher.
- Plug disconnects are certified by UL for use at 600 VAC, 13A or higher. 13A rating applies to primary (AC) side only.
- Surge protection - 20kA

Controls/Options:
- Traverse is available with an optional passive infrared (PIR) motion sensor capable of detecting motion 360° around the luminaire. When no motion is detected for the specified time, the Motion Response system reduces the wattage down to a factory preset level, reducing light level accordingly. When motion is detected, the luminaire returns to full wattage and full light output. Please contact Beacon Products if project requirements vary from the standard configurations
- Available with Energeni for optional set dimming, timed dimming with simple delay, or timed dimming based on time of night (see Energeni product page for more details www.beaconproducts.com/products/energeni).
- In addition, Traverse can be specified with SiteSync™ wireless control system for reduction in energy and maintenance cost while optimizing light quality 24/7. See ordering information or visit for more details: www.hubbell-automation.com/products/sitesync/

Installation:
- Rear housing (back plate) is designed with various bolt patterns for direct wall mounting or mounting to a recessed junction box.
- Rear housing has three integral 3/4" NPT power feed locations (bottom and each side) for surface mounted conduit applications.
- After mounting the rear housing to the wall or junction box, the main housing is designed to attach and hinge closed after connecting the male and female quick connectors.
- Mounting design permits a simple retrofit to existing wall luminaires that utilize or recessed junction boxes.

Finish:
- IFS polyester powder-coat electrostatically applied and thermocured.
- IFS finish consists of a five stage iron phosphate chemical pretreatment regimen with a polymer primer sealer, oven dry off, and top coated with a thermoset super TGIC polyester powder coat finish.
- The finish meets the AAMA 2604 performance specification which includes passing a 3000 hour salt spray test for corrosion resistance and resists cracking or loss of adhesion per ASTM D522 and resists surface impacts of up to 160 inch-pounds.

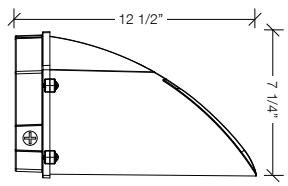
Listings:
- The luminaire shall bear a CSA label and be marked suitable for wet locations (standard).
- This product is approved by the Florida Fish and Wildlife Conservation Commission. Separate spec available at: http://www.beaconproducts.com/products/traverse

Warranty:
Five year limited warranty for more information visit: www.hubbellighting.com/resources/warranty

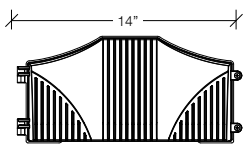
PRODUCT IMAGE(S)

Shown with SiteSync™

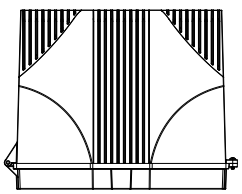
DIMENSIONS



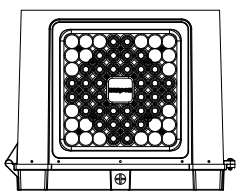
Side View



Front View



Top View



Bottom View

CERTIFICATIONS/LISTINGS

C US

*3000K and warmer CCTs only

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HUBBELL Lighting

ORDERING INFORMATION

ORDERING EXAMPLE: TRV-D/60L-136/5K7/5R/UNV/GENIXX/PEC-208/BL

SERIES

- **TRV-D** Traverse Down Light
- **TRV-U**[1] Traverse Up Light (lens req.)

ENGINE-WATTS

- **24L-27** 27 Watts - LED array
- **24L-55** 55 Watts - LED array
- **36L-80** 80 Watts - LED array
- **48L-110** 110 Watts - LED array
- **60L-136** 136 Watts - LED array

CCT/CRI[11]

- **3K7** 3000K,70 CRI
- **4K7** 4000K, 70 CRI
- **5K7** 5000K, 70 CRI

OPTICS

- **2** Type II
- **3** Type III
- **4** Type IV
- **5R** Type V, rectangular
- **2X2** Narrow spot flood
- **5X5** Medium flood

VOLTAGE

- **UNV** 120-277V
- **347** 347V
- **480** 480V

CONTROL OPTIONS

- **GENI-XX**[6] Energeni
- **SWP**[7,8] SiteSync Wireless Pre-Commission
- **SWPM**[7,8,9] SiteSync Wireless Pre-Commission w/ Occupancy Sensor

SENSOR OPTIONS

- **MOB**[3,5,7,9] Occupancy Sensor (33% or 50% dimming)

FINISH

- **BL** Black textured
- **DB** Dark bronze
- **GYS** Light gray smooth
- **PS** Platinum silver
- **WH** White textured
- Specify standard finish

ELECTRICAL OPTIONS

- **PEC-120** photocell, button 120V
- **PEC-208** photocell, button 208V
- **PEC-240** photocell, button 240V
- **PEC-277** photocell, button 277V
- **2PF**[2,3,10] Dual power feed
- **BPC**[4] Cold weather battery pack

[1] Indoor use only
[2] Not available on 24L-27
[3] Not available @ 347V or 480V input
[4] 36L-80 only, not available with SWP or SWPM control options
[5] Not available on 48L-110 or 60L-136
[6] When ordering Energeni, specify the routine setting code (example GENI-04). See Energeni brochure and instructions for setting table and options. Not available with sensor options.
[7] Not available with other control or sensor options. PEC is available with MOB.
[8] Specify group and zone. See **SiteSync** product page www.hubbell-automation.com/products/sitesync/ for more details.
[9] Specify time delay; dimming level and mounting height.
[10] Not available with SWP or SWPM control options.
[11] This product is approved by the Florida Fish and Wildlife Conservation Commission. Separate spec available at: http://cdn.beaconproducts.com/content/products/specs/specs_files/Traverse_LED_turtle_spec_sheet.pdf

Accessories and Services (Ordered Separately)

Catalog Number	Description
SWUSB*	SiteSync loaded on USB flash drive (Windows based only)
SWTAB*	SiteSync Windows Tablet
SWBRG+	SiteSync Wireless Bridge Node

*When ordering with SiteSync, one of the following interface options must be chosen and ordered separately. Each option contains the SiteSync License, GUI and Bridge Node.

+ If needed, an additional Bridge Node can be ordered.

PRECOMMISSIONED SITESYNC ORDERING INFORMATION: When ordering a fixture with the SiteSync lighting control option, additional information will be required to complete the order. The SiteSync Commissioning Form or alternate schedule information must be completed. This form includes Project location, Group information, and Operating schedules. For more detailed information please visit www.hubbelllighting.com/products/sitesync/ or contact Hubbell Lighting tech support at (800) 345-4928.

SiteSync fixtures with occupancy sensor (SWPM) require the mounting height of the fixture for selection of the lens.

Examples: TRV/24L-55/5K7/3/UNV/SWP/BL — SiteSync only
TRV/24L-55/5K7/3/UNV/SWPM-20F/BL — SiteSync with Occupancy Sensor

MOB ORDERING INFORMATION: When ordering a fixture with a dimming occupancy sensor option (MOB), please specify the appropriate information. These settings are specified in the ordering as shown in the example below.

TRV/24L-55/5K7/3/UNV/MOB - 1 to 30 min. - 33% or 50% - ?? / BL

High to Dim Delay — Low Level — Mounting Height (ft.)

SiteSync

SiteSync Lighting Control is available from our most popular brands in a broad range of award-winning product families.

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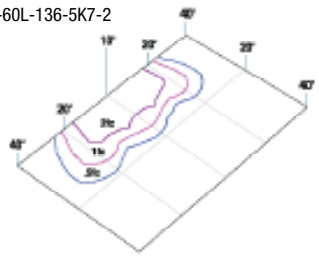
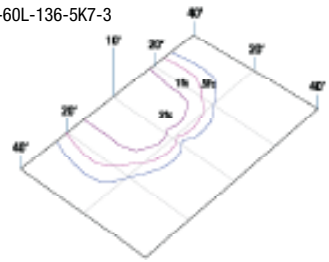
PHOTOMETRICS

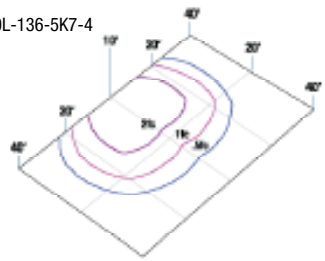
Type II
TRV-60L-136-5K7-2



Type III
TRV-60L-136-5K7-3



Type IV
TRV-60L-136-5K7-4



PERFORMANCE DATA

				5K (5000K nominal, 67 CRI)					4K (4000K nominal, 70 CRI)					3K (3000K nominal, 80 CRI)				
# LED'S	DRIVE CURRENT	SYSTEM WATTS 120-277V	DISTRIBUTION TYPE	LUMENS	LPW[1]	B	U	G	LUMENS	LPW[1]	B	U	G	LUMENS	LPW[1]	B	U	G
24	700mA	27W	2	3746	139	1	0	1	3783	142	1	0	1	3413	126	1	0	1
			3	3723	138	1	0	1	3760	141	1	0	1	3392	126	1	0	1
			4	3753	139	0	0	1	3791	142	0	0	1	2850	106	0	0	1
			4W	3689	137	1	0	1	3726	140	1	0	1	3360	124	1	0	1
			5R	3809	141	2	0	1	3847	144	2	0	2	3470	129	2	0	1
			5X5	3815	141	N/A	N/A	N/A	3854	144	N/A	N/A	N/A	3476	129	N/A	N/A	N/A
			2X2	4086	151	N/A	N/A	N/A	4127	155	N/A	N/A	N/A	3723	138	N/A	N/A	N/A
24	700mA	55W	2	6243	108	1	0	1	6306	109	1	0	2	5688	98	1	0	1
			3	6204	107	1	0	2	6267	108	1	0	2	5653	98	1	0	2
			4	6273	108	3	0	1	6336	109	3	0	1	5715	99	3	0	1
			4W	6148	106	1	0	2	6210	107	1	0	2	6501	97	1	0	2
			5R	6348	110	3	0	1	6412	111	3	0	1	5784	100	3	0	1
			5X5	6359	110	N/A	N/A	N/A	6423	111	N/A	N/A	N/A	5793	100	N/A	N/A	N/A
			2X2	6810	118	N/A	N/A	N/A	6879	119	N/A	N/A	N/A	6205	107	N/A	N/A	N/A
36	700mA	80W	2	9364	110	1	0	2	9458	111	1	0	2	8531	100	1	0	2
			3	9307	109	1	0	2	9401	110	1	0	3	8480	99	1	0	2
			4	9409	110	3	0	2	9504	111	3	0	2	8573	100	3	0	2
			4W	9221	108	1	0	2	9315	109	1	0	2	8402	98	1	0	2
			5R	9522	111	3	0	2	9618	113	3	0	2	8676	102	3	0	1
			5X5	9538	112	N/A	N/A	N/A	9635	113	N/A	N/A	N/A	8690	102	N/A	N/A	N/A
			2X2	10215	120	N/A	N/A	N/A	10319	121	N/A	N/A	N/A	9308	109	N/A	N/A	N/A
48	700mA	110W	2	12485	114	2	0	2	12611	115	2	0	2	11375	104	2	0	2
			3	12409	113	1	0	3	12534	114	1	0	3	11306	103	1	0	3
			4	12546	114	4	0	2	12672	116	4	0	2	11430	104	4	0	2
			4W	12295	112	2	0	3	12419	113	2	0	3	11202	102	1	0	3
			5R	12696	116	4	0	2	12824	117	4	0	2	11568	105	3	0	2
			5X5	12717	116	N/A	N/A	N/A	12846	117	N/A	N/A	N/A	11587	106	N/A	N/A	N/A
			2X2	13620	124	N/A	N/A	N/A	13758	125	N/A	N/A	N/A	12410	113	N/A	N/A	N/A
60	700mA	136W	2	15606	114	2	0	2	15764	116	2	0	2	14219	104	2	0	2
			3	15511	114	2	0	3	15668	115	2	0	3	14133	104	2	0	3
			4	15682	115	4	0	2	15840	116	4	0	2	14288	105	4	0	2
			4W	15369	113	2	0	3	15524	114	2	0	3	14003	103	2	0	3
			5R	15870	116	4	0	2	16030	117	4	0	2	14459	106	4	0	2
			5X5	15897	116	N/A	N/A	N/A	16058	118	N/A	N/A	N/A	14484	106	N/A	N/A	N/A
			2X2	17026	125	N/A	N/A	N/A	17198	126	N/A	N/A	N/A	15512	114	N/A	N/A	N/A

[1]Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown. Actual performance may differ as a result of end-user environment and application.

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PROJECTED LUMEN MAINTENANCE

AMBIENT TEMP.	0	25,000	50,000	[1]TM-21-11 60,000	100,000	Calculated L70 (HOURS)
25°C / 77°F	1.00	0.97	0.96	0.95	0.93	>560,000

[1] Projected per IESNA TM-21-11
Data references the extrapolated performance projections for the base model in a 40°C ambient, based on 10,000 hours of LED testing per IESNA LM-80-08.

ELECTRICAL DATA

# OF LEDS	NUMBER OF DRIVERS	DRIVE CURRENT (mA)	INPUT VOLTAGE (V)	OPER. CURRENT (Amps)	SYSTEM POWER (Watts)
24	1	(350mA)	120	0.27	27.0
			277	0.12	
24	2	(700mA)	120	0.55	55.0
			277	0.24	
36	1	(700mA)	120	0.80	80.0
			277	0.35	
48	1	(700mA)	120	1.10	110.0
			277	0.48	
60	1	(700mA)	120	1.36	136.0
			277	0.59	

AMBIENT TEMPERATURE		LUMEN MULTIPLIER
0°C	32°F	1.02
10°C	50°F	1.01
20°C	68°F	1.00
25°C	77°F	1.00
30°C	86°F	1.00
40°C	104°F	0.99
50°C	122°F	0.98

Use these factors to determine relative lumen output for average ambient temperatures from 0-50°C (32-122°F).

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Cypher™ – CY1 Accent Scale

TYPE

FEATURES

- Integral Battery Backup Option
- 360° Light Distribution
- RGBW or Static White Luminous Front Option
- IES Type I, II, III & IV Distributions
- Wall Graze, Spot and Pencil Distributions
- Multiple Fascia Options and Finishes
- 0-10V dimming
- IP-66 Housing & Optical System
- 120-277V
- 3000K, 4000K & 5000K CCT
- 10kA Surge Protection
- Fascia Forms F, E and T are ADA compliant for use in low mounting height applications (80 inches or less)
- IDA approved, downlight only, 3000K and warmer CCTs

Downlight only, 3000K and warmer CCTs

ORDERING CODE

1	2	3	4	5	6	7	8	9	10	11	12
Series-Output	CCT/CRI	Model	Main Distribution	Secondary Distribution	Voltage	Housing Finish	Fascia Form	Luminous Front	Fascia Panel	Control Options	Options

SERIES-OUTPUT (Base)

CY1-15	15w, 1500 nominal lumens
CY1-25	25w, 2500 nominal lumens

CCT-CRI

27K8	2700K, 80CRI
3K7	3000K, 70CRI
3K8	3000K, 80CRI
4K7	4000K, 70CRI
4K8	4000K, 80CRI
5K7	5000K, 70CRI

MODEL (Light Engine)

1	DownLight Only
2	50/50 Down/Up, **Down/Up distributions must match**
3	90/10 Down/Up
4	25/25/25/25 Split, **Down/Up/ Side distributions must match**
5	70/10/10/10 Split, **Top/Side distributions must match**

Contact factory for custom distributions,
See Distribution Matrix on page 2 for restrictions.

MAIN DISTRIBUTION (Down)

1	IES Type I
2	IES Type II
3	IES Type III
4	IES Type IV
SP	15° Spot/Column
WG	60° Wall Graze
1D	Type 1 Diffused
2D	Type 2 Diffused
3D	Type 3 Diffused
4D	Type 4 Diffused

SECONDARY DISTRIBUTION (Up, Sides)

1	IES Type I
2	IES Type II
3	IES Type III
4	IES Type IV
SP	15° Spot/Column
WG	60° Wall Graze
PB*	Pencil Beam
1D	Type 1 Diffused
2D	Type 2 Diffused
3D	Type 3 Diffused
4D	Type 4 Diffused

** PB distribution is available for 90/10 and 70/10/10/10 models only. Not all combinations are recommended. See Distribution Matrix on page 2 for restrictions.*

VOLTAGE

UNV	120-277V

BASE HOUSING FINISH

Standard Colors

AGN	Antique Green
BL	Black
BLT	Matte Black
CRT	Corten
DB	Dark Bronze
DGN	Dark Green
GT	Graphite
LG	Light Grey
MAL	Matte Aluminum
MDB	Metallic Bronze
MG	Medium Grey
TT	Titanium
VBU	Verde Blue
WDB	Weathered Bronze
WH	Arctic White

Specify standard finish

Premium Colors

SFM	Seafoam
SHK	Shamrock
SPP	Salt and Pepper
WCP	Weathered Copper
RAL	Provide a RAL 4 digit color number
CUSTOM COLOR	Please provide color chip for matching

FASCIA FORM

F	Flat
R	Radius/Curved
T	Triangle/Wedge
E	Rounded Edge
C	Circle/Curved
CB	Cylinder Balanced
CT	Cylinder Tall
CBM	Custom Building Material Mount Ghost Fascia

LUMINOUS FRONT

BLANK	Standard None
RGBW	RGBW Luminous Front
LFSW	Static White Luminous Front

RGBW and LFSW luminous fronts are only available with open, four square and perforated fascia panels

FASCIA PANEL

FPP	Full Panel Painted
FPS	Full Panel Stainless Steel
FPC	Full Panel Copper
OPP	Open Panel Painted
OPS	Open Panel Stainless Steel
OPC	Open Panel Copper
4PP	4-Square Panel Painted
4PS	4-Square Panel Stainless Steel
4PC	4-Square Panel Copper
PPP	Perforated Panel Painted
PPS	Perforated Panel Stainless Steel
PPC	Perforated Panel Copper

Flat and Radius Fascia forms only. Painted panels by default match base housing finish/color. Consult factory for custom panel finishes.

CONTROL OPTIONS

PCU	Universal Button Photocell (120-277V)

OPTIONS

EM	Battery Backup Unit -20°C
SF	Single Fuse (120, 277)
DF	Double Fuse (208, 240)

Battery Backup not available with Triangle and Rounded Edge Fascia Forms.

architectural area lighting
ARCHITECTURAL AREA LIGHTING
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JOB
TYPE
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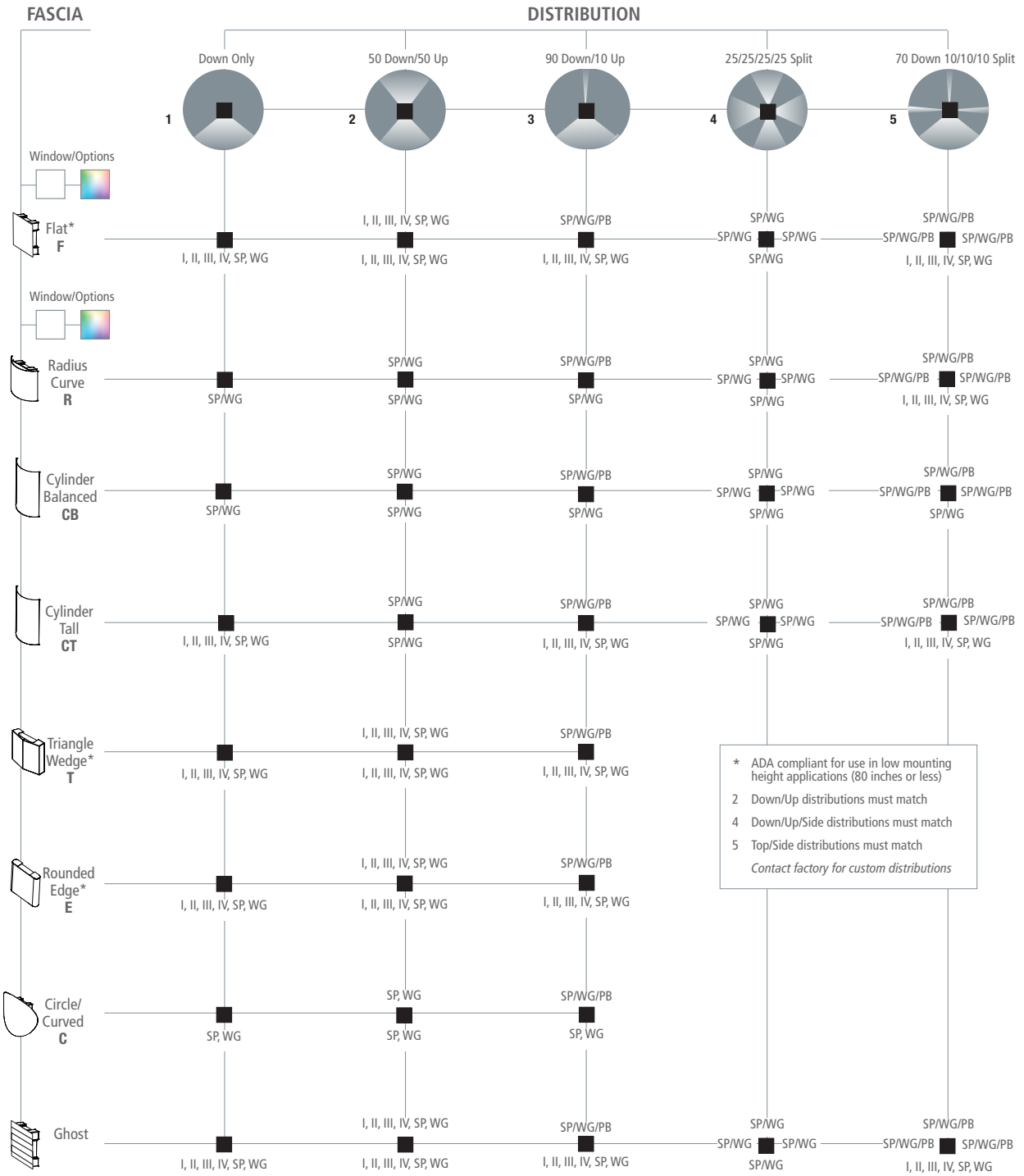
Cypher™ – CY1 Accent Scale

TYPE

Distribution Matrix



Cypher™ – CY1 Accent Scale

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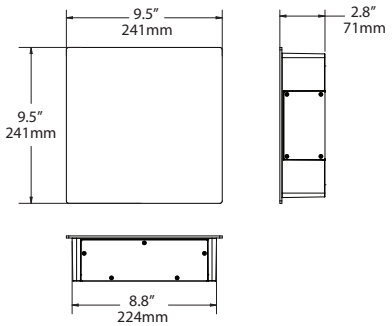
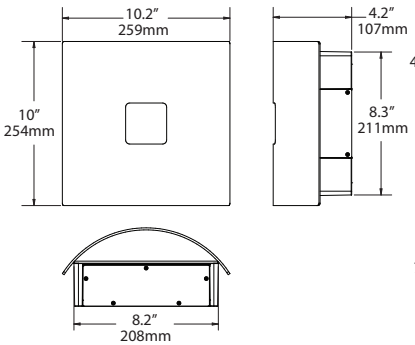
Drawings

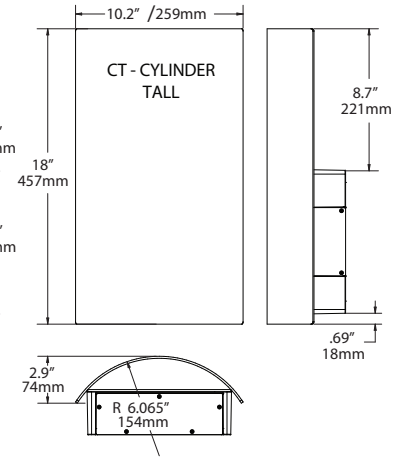
F - FLAT
ADA approved.



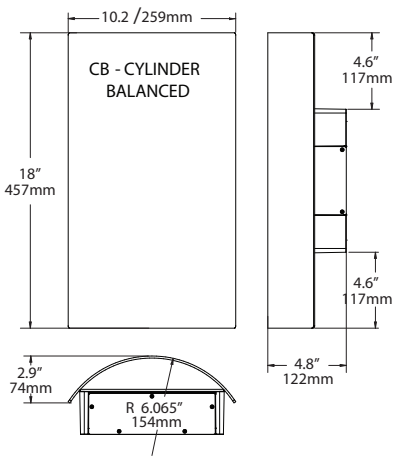
R - RADIUS/CURVED



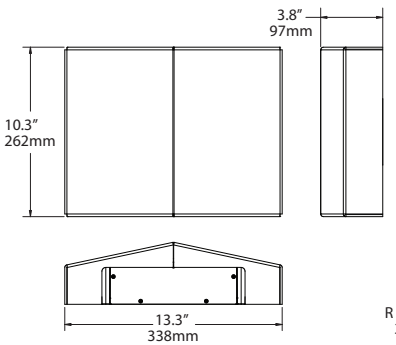
CT - CYLINDER TALL



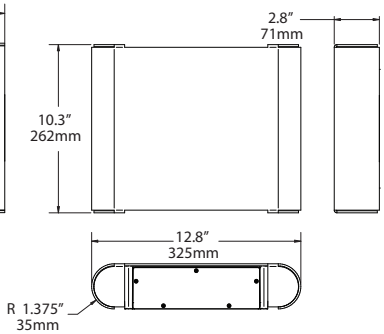
CB - CYLINDER BALANCED



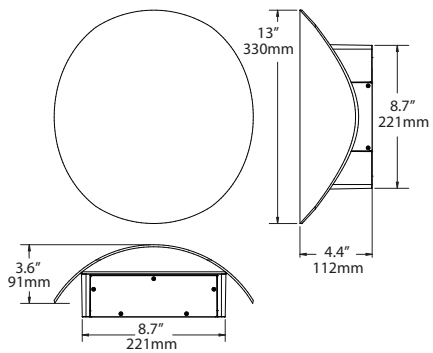
T - TRIANGLE/WEDGE
ADA approved.



E - ROUNDED EDGE
ADA approved.



C - CIRCLE/CURVED



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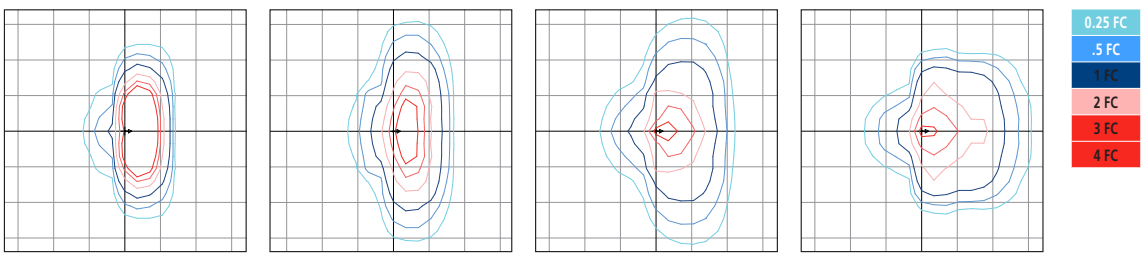
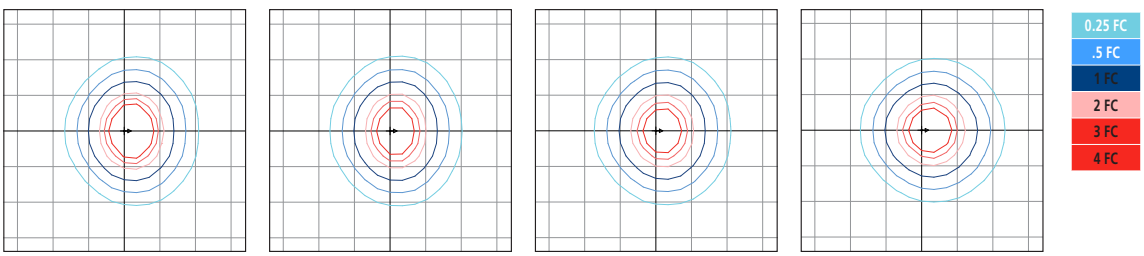
LUMINAIRE PERFORMANCE

Downlight only			Configuration														
			Bright White (5000K)					Neutral White (4000K)					Warm White (3000K)				
Nominal Output (Lm)	Average System Wattage	Distribution	Delivered Lumens	Efficacy (Lm/W)	BUG Rating B	BUG Rating U	BUG Rating G	Delivered Lumens	Efficacy (Lm/W)	BUG Rating B	BUG Rating U	BUG Rating G	Delivered Lumens	Efficacy (Lm/W)	BUG Rating B	BUG Rating U	BUG Rating G
			5000K 70 CRI					4000K 70 CRI					3000K 70 CRI				
1,500	17	Type 1	1923	113	0	0	0	1928	113	0	0	0	1825	107	0	0	0
		Type 2	1726	102	0	0	0	1730	102	0	0	0	1638	96	0	0	0
		Type 3	1750	100	0	0	1	1755	103	0	0	1	1661	98	0	0	1
		Type 4	1757	103	0	0	0	1762	104	0	0	0	1668	98	0	0	0
		Wall Graze	1971	114	1	0	0	1976	116	1	0	0	1871	110	1	0	0
		Spot/Column	1792	103	2	0	0	1797	106	2	0	0	1701	100	2	0	0
		Type 1 Diffused	1629	96	1	0	0	1634	96	1	0	0	1547	91	1	0	0
		Type 2 Diffused	1573	93	1	0	1	1577	93	1	0	0	1493	88	1	0	0
		Type 3 Diffused	1425	84	1	0	0	1429	84	1	0	0	1353	80	1	0	0
		Type 4 Diffused	1602	94	1	0	1	1607	95	1	0	0	1521	89	1	0	0
			5000K 70 CRI					4000K 70 CRI					3000K 70 CRI				
2,500	26	Type 1	2517	96	0	0	0	2524	97	0	0	0	2390	92	0	0	0
		Type 2	2233	85	1	0	1	2239	86	1	0	1	2120	82	1	0	1
		Type 3	2229	85	1	0	1	2236	85	1	0	1	2117	80	1	0	1
		Type 4	2319	88	1	0	1	2325	89	1	0	1	2201	85	1	0	1
		Wall Graze	2744	104	2	0	0	2752	106	2	0	0	2605	100	2	0	0
		Spot/Column	2471	94	2	0	0	2478	95	2	0	0	2346	90	2	0	0
		Type 1 Diffused	2344	89	1	0	1	2350	90	1	0	1	2225	86	1	0	1
		Type 2 Diffused	2062	79	1	0	1	2068	80	1	0	1	1958	75	1	0	1
		Type 3 Diffused	2050	78	1	0	1	2056	79	1	0	1	1946	75	1	0	1
		Type 4 Diffused	2123	80	1	0	1	2129	82	1	0	1	2016	78	1	0	1

ISOLINE TEMPLATES 10' Mounting Height, 10' Grid Spacing



CY1-25-1-1 CY1-25-1-2 CY1-25-1-3 CY1-25-1-4



CY1-25-1-1D CY1-25-1-2D CY1-25-1-3D CY1-25-1-4D

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Cypher™ – CY1 Accent Scale

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ELECTRICAL CHARACTERISTICS

Lumen Package	System Wattage (W)	Line Voltage		Input				Min. Power Factor	Max THD (%)	Dimming Range	Source/Sink Current (mA)		Abosolute voltage range on 0-10v (+) Purple	
		VAC	Hz	120	277	347	480				Min.	Max.	Min.	Max.
1,500	17	120	50/60	0.1	0.1	0.0	0.0	>0.9	20	10% to 100%	0 mA	1 mA	0V	10V
2,500	26			0.2	0.1	0.1	0.1							

TM-21 LIFETIME CALCULATION (500mA)

Lumen Package	Ambient Environment °C	Projected Lumen Maintenance (Khrs)					Reported L70
		15	25	50	60 (TM-21)	100	
2,500	**25**	98%	97%	94%	92%	87%	>60Khrs.
	40	95%	93%	89%	87%	80%	

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TYPE
NOTES

Cypher™ – CY1 Accent Scale

TYPE

SPECIFICATIONS

HOUSING

- Main housing shroud shall be of fabricated 5052-H32 aluminum alloy
- Housing mounting interface shall have a stamped silicone gasket.
- Luminaire housing shall be free of any visible heat fins, hardware or fasteners.
- Bracketry and hardware shall be stainless steel.

OPTICAL ARRAY

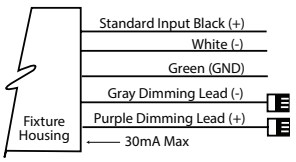
- LEDs shall be mounted to a metal printed circuit board assembly (MCPCB) with a uniform conformal coating over the panel surface and electrical features.
- Optical lenses shall be clear injection molded PMMA acrylic.
- Optical array shall be recessed in order to shield each LED optic across the length of the aperture.
- Optical array shall be sealed for IP66 rating.
- Secondary lens is impact resistant 5/32" tempered glass.

ELECTRICAL

- Drivers shall be in direct contact with the die-cast aluminum housing across the entire surface area of the widest face for maximum thermal transfer.
- "Thermal Shield", primary side, thermister provides protection for the sustainable life of LED module and electronic components.
- Drivers shall have greater than a 0.9 power factor, less than 20% harmonic distortion, and be suitable for operation in -40°C to 40°C ambient environments
- Luminaires shall have integral surge protection that shall be U.L. recognized and have a surge current rating of 10,000 Amps using the industry standard 8/20uSec wave and surge rating of 372J. Surge protection device shall be wired in series.
- Drivers shall be U.L recognized.
- Drivers shall not be compatible with current sourcing dimmers, consult factory for current list of known compatible dimming systems approved dimmers include Lutron Diva AVTV, Lutron Nova NFTV and NTFTV.
- Integral battery backup provides emergency path of egress lighting for the required 90 minutes for -20°C ambient environments.

SPECIFICATIONS

- Luminaire shall be capable of operating at 100% brightness in a 40°C environment. Both driver and optical array shall have integral thermal protection that will dim the luminaire upon detection of temperatures in excess of 85°C.
- Luminaires not configured with a control system shall be provided with 0-10 purple and gray dimming leads.



CONTROLS

- Button photocontrol for dusk to dawn energy savings
- PC12 for 120V, PC20 for 208V, PC24 for 240V, PC27 for 277V
- Photocell is factory installed inside the housing with a fully gasketed sensor on the side wall. For multiple fixture mountings, one fixture is supplied with a photocell to operate the others.

BLUETOOTH®

- RGBW option includes integral Bluetooth module, built into driver, that permits the adjustment of luminous front color when paired with Hubbell Remote App via cellular/ tablet device.
- Bluetooth Low Energy (BLE) or Bluetooth Smart compatible for both iOS (iOS8 and forward) and Android (Gingerbread and forward) handheld software applications. Compatible with phones and tablets.
- Free Bluetooth Apps are available for Apple iOS and Google Android mobile devices and are downloadable via the internet at Apple App Store or Google Play.

MOUNTING AND INSTALLATION

- JUNCTION BOX: Standard with zinc-plated, quick-mount junction box plate that mounts directly to 4" J-Box
- Mounting plate features a one-piece EPDM gasket on back side of plate to firmly seal fixture to wall surface, forbidding entry of moisture and particulates.
- Fixture attaches by two Allen-head hidden fasteners for tamper resistance.
- Optional mounting arrangements utilize a die-cast mounting adaptor to allow for surface conduit and through branch wiring.

SERVICING

- Housing shall be able to hang freely in an open service position for inspection of internal wire connections. Once in service position, the housing shall be able to be removed for service by lifting the assembly up off the rear mounting plate and disconnecting the wiring plugs.
- Driver assembly shall be mounted to a prewired internal tray with quick disconnects for removal.

FINISH

- Luminaire finish shall consist of a five stage pretreatment regimen with a polymer primer sealer, oven dry off, and top coated with a thermoset super TGIC polyester powder coat finish.
- Luminaire finish shall meet the AAMA 605.2 performance specification which includes passing a 3000 hour salt spray test for corrosion resistance.

CERTIFICATION

- Luminaire shall be listed with UL for outdoor, wet location use, UL1598, UL 8750 and Canadian CSA Std. C22.2 no.250.
- IP66 rated assembly
- IDA approved, 3000K and warmer CCTs only.
- DesignLights Consortium® (DLC) qualified. Please refer to the DLC website for specific product qualifications at www.designlights.org.
- ANSI C136.31-2010 4G Vibration tested and compliant.
- Complies with "Americans with Disabilities Act" or "ADA" on select versions for low mounting height applications (fixtures extend maximum of 4 inches from wall for mounting heights of 80 inches or less).

WARRANTY / TERMS AND CONDITIONS OF SALE

Download:
Five year limited warranty (for more information visit: http:// www.hubbelllighting.com/resources/ warranty/

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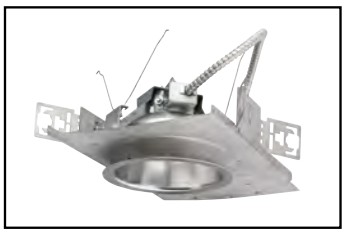


6" LED Downlight

LC6SL

1000/1400/1800 Lumens
120V-277V, 347V
0-10V Dimming

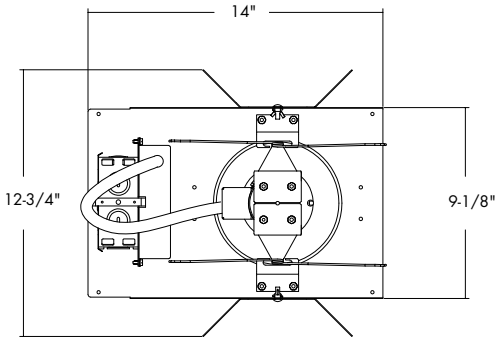
DATE: TYPE:

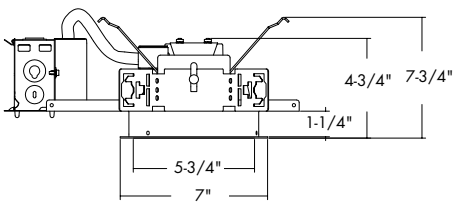
FIRM NAME:

PROJECT:

LiteFrame

Ceiling Cutout: 6¼"
Maximum Ceiling Thickness 1¼"
For conversion to millimeters, multiply inches by 25.4
Not to Scale





LC6SL 10L & 14L

***See page 4 for LC6SL 18L line art**
***See page 4 for LC6SL EM line art**
***See page 4 for LC6SL CP line art**
***See page 4 for LC6SL WWCP line art**

APPLICATIONS:

LiteFrame Commercial LC6SL is a 6" commercial grade LED downlight with available outputs between 1000-1800 lumens. This is suitable to replace most CFL downlighting applications, while realizing substantial energy and maintenance savings. Rated for a minimum of 50,000 hours life (70% lumen maintenance) with ambient plenum temperatures up to 35°C. Free Air Flow around the fixture is required for optimal life performance. This product is not recommended for use with 3rd party "FIREHAT" or insulation barriers.

HOUSING:

One-piece 22 gauge non-corrosive steel platform. Pre-wired J-box with snap-on cover for easy access. Snap-in connection from driver compartment allows easy installation of light engine/trim assembly and can be upgraded to accommodate technology improvements. Approved for 8 (4 in/4 out) No. 12 AWG conductors rated for 90°C through wiring.

REFLECTOR:

High purity aluminum, Alzak, iridescence suppressed, semi-diffuse reflector. Self-trim standard. Painted white self-trim (WT) available as option.

LED LIGHT ENGINE:

The LC6SL uses mid power Nichia LEDs, specifically mixed to provide a minimum of 80 CRI with 3 SDCM color consistency. The use of multiple mid power LEDs allows for optimal thermal management by effectively spreading the heat over a larger area and eliminating hot spots on the LEDs. A diffuse, yet highly transmissive lens obscures the view of the LEDs and creates a smooth, even look from below. The light engine is available in multiple Kelvin temperatures and the system is designed to provide optimal life and lumen maintenance (50,000 hours at 70% lumen maintenance). The reflector/light engine assembly is mechanically retained to the housing.

LED DRIVER:

The LC6SL utilizes a constant current LED driver. This same driver is capable of running all three different lumen outputs, resulting in a reduction of housing skus and simplified specification. The driver is UL8750, Class II compliant and universal 120V-277V.

DIMMING:

Comes standard with flicker-free 0-10V dimming to 10%. 0-10V to 1% dimming option is also available. See list of compatible dimmers on page (4). For the sizing of the control circuit, the dimming circuit may require up to 2mA of sink current.

INSTALLATION:

Light commercial bar hangers included (not with WWCP option). Universal adjustable mounting brackets also accept ½" EMT conduit or 1½" or ¾" lathing channel (by others) or Prescolite 24" bar hangers (B24 or B6). Wall wash orientation may be field adjusted in 90° increments to housing.

CERTIFICATIONS:

CSA certified to US and Canadian safety standards. Suitable for wet locations (EM, EMR and WW damp location). ENERGY STAR qualified.

WARRANTY:

5 year warranty. See www.prescolite.com for details.

Order housing, reflector, and accessories separately

CATALOG NUMBER: EXAMPLE: LC6SL-6LCSL14L35K9WT

HOUSING	DRIVER OPTIONS	VOLTAGE	HOUSING OPTIONS
❑ **LC6SL** Standard Lumen 0-10V Dimming to 10% 120V-277V	*Standard 0-10V 10% Dimming* ❑ **DM1** 0-10V 1% Dimming	*Standard 120V-277V* ❑ **347**[3,7,10] 347V	❑ **EM**[2,4,8] Integral Battery Pack ❑ **EMR**[4] Remote Battery Pack ❑ **CP**[3,6,8] Chicago Plenum ❑ **WWCP**[3,9] Wall Wash Chicago Plenum Housing

[1] See Central Inverter compatibility note and web links on page 4.
[2] EM must be selected on both the housing and the trim.
[3] Not compatible with EM or EMR
[4] Damp location only
[5] Compatible with EMR only
[6] CP must be selected on both the housing and the trim
[7] Not compatible with CP
[8] Not available with WW option
[9] WW must be selected on trim
[10] Not compatible with WWCP

TRIM APERTURE	OUTPUT	KELVIN	CRI	REF. FINISH/ COLOR OPTION	REFLECTOR OPTIONS
❑ **6LCSL** Standard Lumen Clear Alzak Reflector	❑ **10L** 1000 Lumen ❑ **14L** 1400 Lumen ❑ **18L** 1800 Lumen	❑ **27K** 2700 Kelvin ❑ **30K** 3000 Kelvin ❑ **35K** 3500 Kelvin ❑ **40K** 4000 Kelvin ❑ **50K** 5000 Kelvin	❑ **8** 80+ CRI ❑ **9** 90+ CRI	*Standard Semi-Diffuse Clear Alzak* ❑ **WH** Painted Matte White Reflector and Flange	❑ **WT** Painted White Flange Only ❑ **WF** Wide Flange ❑ **WW**[4,5,7] Wall Wash ❑ **EM**[2,4,8] Integral Battery Pack ❑ **CP**[3,6] Chicago Plenum

ACCESSORIES
❑ **B24** Set of two(2) 24" bar hangers for T-bar ceilings
❑ **B6** Set of two (2) bar hangers for ceiling joist up to 24" centers
❑ **SCA6D_** Sloped ceiling adapter (see note on page 4)
❑ **LiteGear**[1] Inverter, single phase central lighting, 125VA-250VA
❑ **LPS Series**[1] LitePower micro-inverter, 20VA-55VA

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In a continuing effort to offer the best product possible we reserve the right to change, without notice, specifications or materials that in our opinion will not alter the function of the product.
Web: **www.prescolite.com** • Tech Support: **(888) 777-4832**

LFR-LED-041

PHOTOMETRIC DATA

LiteFrame - 6" LC6SL Downlight

DRIVER DATA	6LCSL10Lxxx	6LCSL14Lxxx	6LCSL18Lxxx
Input Voltage	120-277V	120-277V	120-277V
Input Frequency	50/60 Hz	50/60 Hz	50/60 Hz
Input Current	0.111 (120v)	0.148 (120v)	0.185 (120v)
	0.048 (277v)	0.064 (277v)	0.080 (277v)
Input Power	13.4W	17.8W	22.2W
Constant Current Output	700mA	700mA	700mA
Power Factor	≥0.90	≥0.90	≥0.90
THD	<25%	<20%	<20%
EMI Filtering	FCC 47CFR	FCC 47CFR	FCC 47CFR
	Part 15, Class A	Part 15, Class A	Part 15, Class A
Operating Temperature	-30°C to +35°C	-30°C to +28°C	-30°C to +25°C
Dimming	0-10V	0-10V	0-10V

Over-voltage, over-current, short-circuit protected

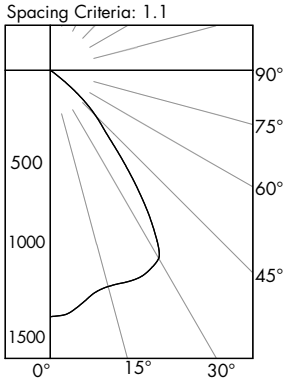
When operating in EM mode, the fixture will deliver approximately 30% of the published full lumen output.

Lumen Multiplier Table

Photometrics for the LC6SL are published below at a nominal 3500 Kelvin temperature. This table may be used to approximate the lumen values at different Kelvin temperatures. Power consumption would stay the same.

5000 Kelvin	1.09
4000 Kelvin	1.00
3500 Kelvin	1.00
3000 Kelvin	0.99
2700 Kelvin	0.96

LC6SL 6LCSL18L35K8
LED Light Engine: 3500K, 80+ CRI
System Wattage: 22.3W
Fixture Delivered Lumens: 1941
Fixture Efficacy: 87.0
Spacing Criteria: 1.1



CANDELA DISTRIBUTION

DEG	CANDELA
0	1368
5	1345
15	1243
25	1247
35	923
45	357
55	27
65	5
75	1
85	0
90	0

Test No. 16.03178
Tested at 25°C Ambient in accordance to IESNA LM-79-2008

ZONAL LUMEN SUMMARY

ZONE	LUMENS	%LUMINAIRE
0-60	1935	99.7
0-90	1941	100.0
90-180	0	0.0
0-180	1941	100.0

LUMINANCE DATA IN CANDELA/ SQ. METER

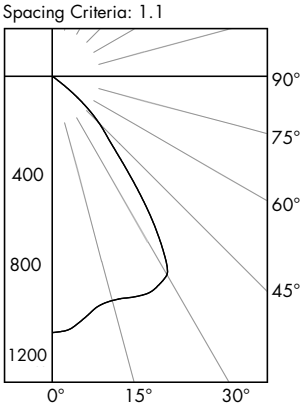
Angle in Vertical	Average
45°	27667
55°	2580
65°	648
75°	212
85°	0

COEFFICIENTS OF UTILIZATION Zonal Cavity Method

Room Cavity Ratio	% Effective Ceiling Cavity Reflectance																	
	80%				70%				50%			30%			10%			
	20% Effective Floor Cavity Reflectance																	
	% Wall Reflectance																	
	70	50	30	10	70	50	30	10	50	30	10	50	30	10	50	30	10
1	113	110	107	105	110	108	105	103	104	102	100	100	98	97	96	95	94
2	106	101	97	93	104	99	95	92	96	93	90	93	90	88	90	88	86
3	100	93	87	83	98	92	86	82	89	85	81	86	83	80	84	81	78
4	94	86	79	75	92	84	79	74	82	77	73	80	76	72	78	75	72
5	89	79	73	68	87	78	72	67	76	71	67	74	70	66	73	69	66
6	83	73	66	62	82	72	66	61	71	65	61	69	64	60	68	63	60
7	78	68	61	56	77	67	61	56	66	60	56	64	59	55	63	59	55
8	74	63	56	52	72	62	56	52	61	55	51	60	55	51	59	54	51
9	70	59	52	48	68	58	52	48	57	51	47	56	51	47	55	51	47
10	66	55	48	44	65	54	48	44	54	48	44	53	47	44	52	47	44

LC6SL 6LCSL18L35K8 Test No. 16.03178

LC6SL 6LCSL14L35K8
LED Light Engine: 3500K, 80+ CRI
System Wattage: 17.9W
Fixture Delivered Lumens: 1520
Fixture Efficacy: 84.9
Spacing Criteria: 1.1



CANDELA DISTRIBUTION

DEG	CANDELA
0	1072
5	1050
15	971
25	990
35	721
45	277
55	20
65	4
75	1
85	0
90	0

Test No. 16.03177
Tested at 25°C Ambient in accordance to IESNA LM-79-2008

ZONAL LUMEN SUMMARY

ZONE	LUMENS	%LUMINAIRE
0-60	1515	99.7
0-90	1520	100.0
90-180	0	0.0
0-180	1520	100.0

LUMINANCE DATA IN CANDELA/ SQ. METER

Angle in Vertical	Average
45°	21467
55°	1911
65°	519
75°	212
85°	0

COEFFICIENTS OF UTILIZATION Zonal Cavity Method

Room Cavity Ratio	% Effective Ceiling Cavity Reflectance																	
	80%				70%				50%			30%			10%			
	20% Effective Floor Cavity Reflectance																	
	% Wall Reflectance																	
	70	50	30	10	70	50	30	10	50	30	10	50	30	10	50	30	10
1	113	110	107	105	110	108	105	103	104	102	100	100	98	97	96	95	94
2	106	101	97	93	104	99	95	92	96	93	90	93	90	88	90	88	86
3	100	93	87	83	98	92	86	82	89	85	81	86	83	80	84	81	78
4	94	86	80	75	92	85	79	74	82	77	73	80	76	73	78	75	72
5	89	79	73	68	87	78	72	67	76	71	67	74	70	66	73	69	66
6	83	73	66	62	82	72	66	61	71	65	61	69	64	61	68	64	60
7	78	68	61	56	77	67	61	56	66	60	56	65	59	56	63	59	55
8	74	63	56	52	72	62	56	52	61	56	51	60	55	51	59	54	51
9	70	59	52	48	68	58	52	48	57	51	47	56	51	47	55	51	47
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LC6SL 6LCSL14L35K8 Test No. 16.03177

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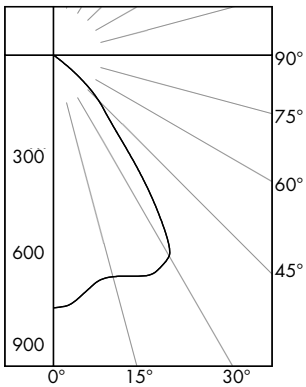
PHOTOMETRIC DATA

LiteFrame - 6" LC6SL Downlight

LC6SL 6LCSL10L35K8
LED Light Engine: 3500K, 80+ CRI
System Wattage: 13.5W
Fixture Delivered Lumens: 1106
Fixture Efficacy: 81.9
Spacing Criteria: 1.1



CANDELA DISTRIBUTION

DEG	CANDELA
0	780
5	762
15	708
25	740
35	518
45	196
55	15
65	3
75	1
85	0
90	0

ZONAL LUMEN SUMMARY

ZONE	LUMENS	%LUMINAIRE
0-60	1103	99.7
0-90	1106	100.0
90-180	0	0.0
0-180	1106	100.0

LUMINANCE DATA IN CANDELA/ SQ. METER

Angle in Vertical	Average
45°	15190
55°	1433
65°	389
75°	212
85°	0

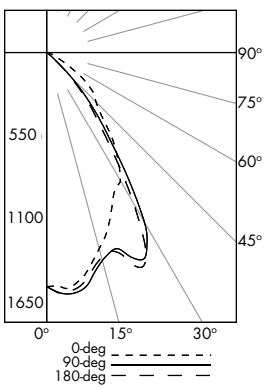
COEFFICIENTS OF UTILIZATION Zonal Cavity Method

Room Cavity Ratio	% Effective Ceiling Cavity Reflectance															
	80%				70%				50%				30%			10%
	20% Effective Floor Cavity Reflectance															
	% Wall Reflectance															
	70	50	30	10	70	50	30	10	50	30	10	50	30	10	50	30	10
1	113	110	107	105	110	108	105	103	104	102	100	100	98	97	96	95	94
2	107	101	97	93	104	99	95	92	96	93	90	93	90	88	90	88	86
3	100	93	88	83	98	92	87	82	89	85	81	86	83	80	84	81	79
4	94	86	80	75	92	85	79	74	82	77	74	80	76	73	78	75	72
5	89	79	73	68	87	78	72	68	76	71	67	75	70	66	73	69	66
6	83	73	67	62	82	73	66	62	71	65	61	69	65	61	68	64	60
7	78	68	61	57	77	67	61	56	66	60	56	65	60	56	64	59	55
8	74	63	57	52	73	63	56	52	61	56	52	60	55	61	59	55	51
9	70	59	52	48	69	58	52	48	57	52	48	57	51	47	56	51	47
10	66	55	49	44	65	55	48	44	54	48	44	53	48	44	52	47	44

LC6SL 6LCSL10L35K8 Test No. 16.03179

Test No. 16.03179
Tested at 25°C Ambient in accordance to IESNA LM-79-2008

LC6SL 6LCSL18L35K8 WW
LED Light Engine: 3500K, 80+ CRI
System Wattage: 22.2W
Fixture Delivered Lumens: 1938
Fixture Efficacy: 87.3



CANDELA DISTRIBUTION

DEG	0	90	180
0	1527	1527	1527
5	1545	1581	1565
15	1324	1404	1383
25	1030	1489	1517
35	792	780	670
45	454	219	189
55	273	8	8
65	64	2	2
75	9	1	1
85	0	0	0
90	0	0	0

LUMINANCE DATA IN CANDELA/SQ. METER

Angle in Vertical	0 DEG	90 DEG	180 DEG
45°	38311	18480	15949
55°	28400	832	832
65°	9036	282	282
75°	2075	231	231
85°	0	0	0

2' DISTANCE FIXTURE MOUNTED OUT FROM WALLS
FOOTCANDLE DISTRIBUTION ON WALL SURFACE (DIRECT ONLY)

DISTANCE FROM CEILING IN FEET	1'	2'	3'	4'		MULTIPLE UNITS: UNITS ON 3' CENTER			MULTIPLE UNITS: UNITS ON 4' CENTER		
1	15	11	6	2	1	15	5	15	15	1	15
2	40	36	26	13	5	41	27	41	40	10	40
3	36	35	28	18	11	41	36	41	36	22	36
4	22	22	22	19	13	33	39	33	25	27	25
5	14	14	14	14	13	27	30	27	20	25	20
6	10	10	9	9	9	24	22	24	16	19	16
7	7	7	6	6	6	19	18	19	14	14	14
8	5	5	5	4	4	15	15	15	12	11	12
9	4	4	3	3	3	12	13	12	10	9	10

LC6SL 6LCSL18L35K8 WW Test No. 16.03309

Test No. 16.03309
Tested at 25°C Ambient in accordance to IESNA LM-79-2008

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PHOTOMETRIC DATA

LiteFrame - 6" LC6SL Downlight

Dimming Compatibility Table

Dimming Ballast	Manufacturer	Web Link
DM/DM1	Lutron DVTV	http://bit.ly/11jSvZg
DM/DM1	Leviton AWRMG-7xx, AWSMG-7xx, AWSMT-7xx	http://bit.ly/1BJn2R9

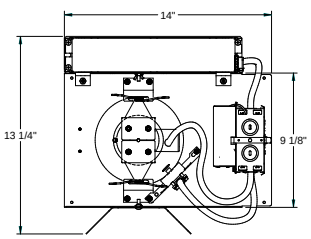
Central Inverters

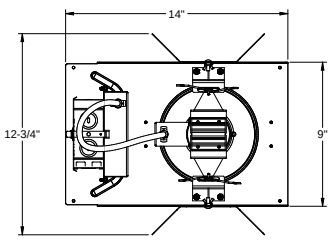
For full fixture output in back-up mode, we recommend you visit www.dual-lite.com for your Central Lighting Inverter options. Please contact your local Hubbell representative for any assistance with proper sizing and loading of your inverter selection. Central lighting inverters must be ordered separately.

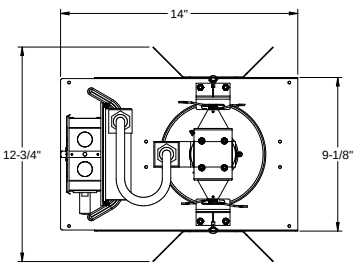
LiteGear: www.dual-lite.com/products/litegear_lg_series
LPS Series: www.dual-lite.com/products/lps

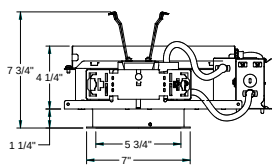
SCA6D

When ordering a sloped ceiling adapter, specify the degree of slope in 1° increments, maximum of 35°. For a more precise degree or wet ceiling applications, please contact factory. Sloped ceiling adapter and housing must be installed at the same time.

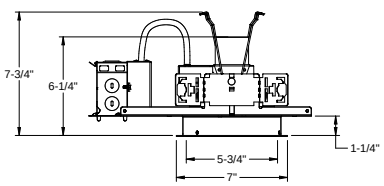








LC6SL EM



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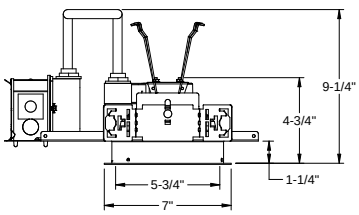
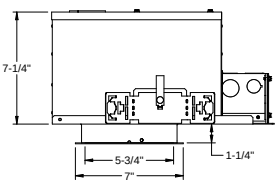
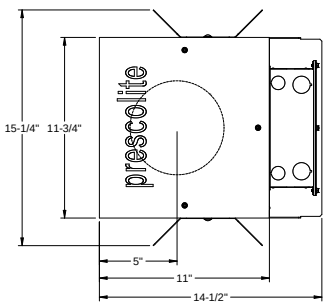


LC6SL CP





LC6SL WWCP

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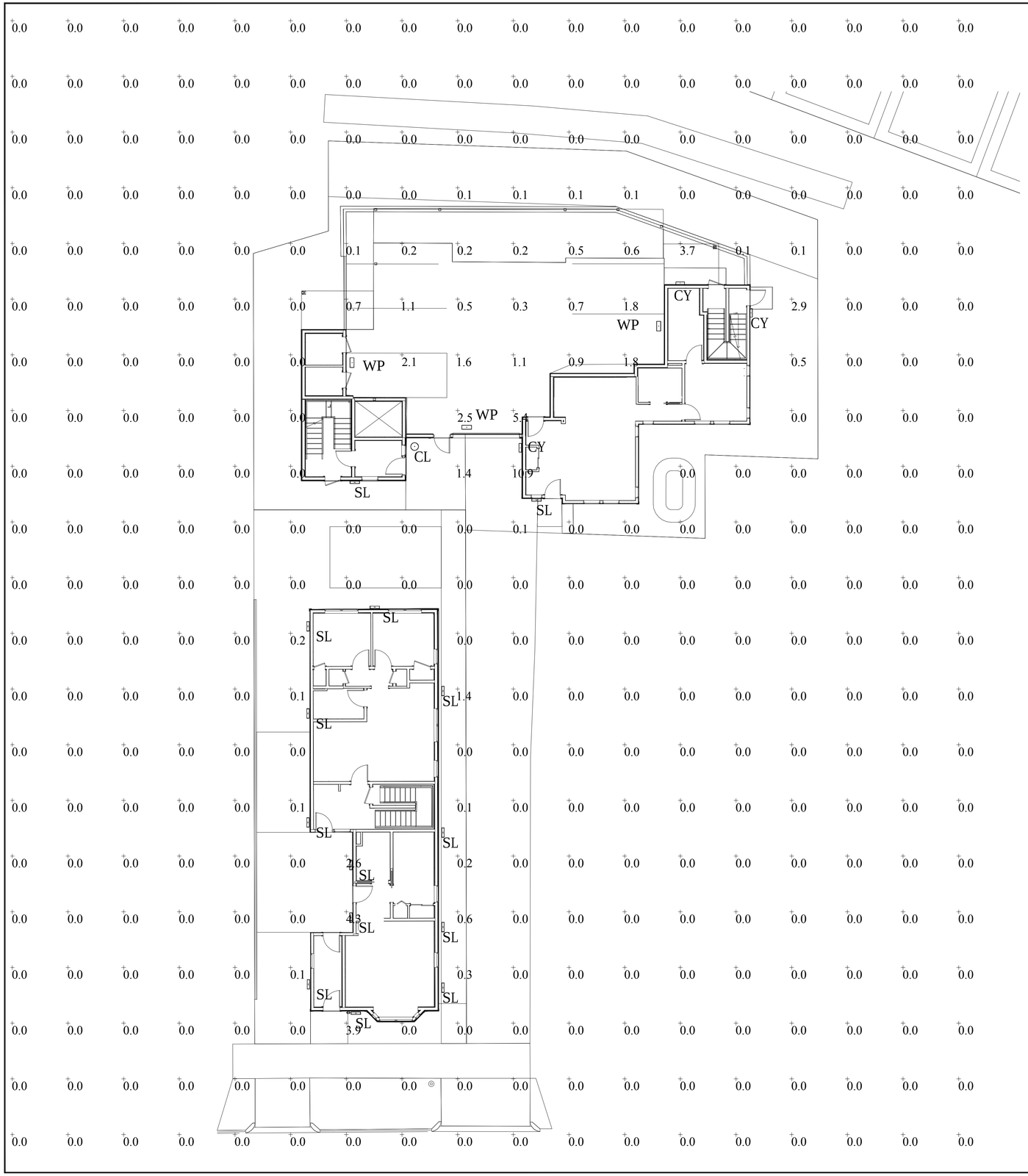

Luminaire Schedule							
Symbol	Qty	Label	Mounting Height	LLF	Lum. Lumens	Lum. Watts	Description
	3	WP	8' - 0" AFG	0.900	849	13	LNC-5LU-3K-4-X
	3	CY	8' - 0" AFG	0.900	1970	15	CY1-15-4K7-1-WG-WHT-R
	1	CL	9' - 0" AFG	0.900	1938	23	LC6SLPH-6LCSL18L35K8WW
	14	SL	2' - 0" AFG	0.900	64	5	EL807_3L3K_UNV

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
Overall Site	Illuminance	Fc	0.13	10.9	0.0	N.A.	N.A.
Property Line	Illuminance	Fc	0.01	0.1	0.0	N.A.	N.A.

10 0 5 10 20 40

1 inch = 10 - FT.

1. THIS LIGHTING DESIGN IS BASED ON LIMITED INFORMATION SUPPLIED BY OTHERS TO HUBBELL LIGHTING. SITE DETAILS PROVIDED HEREON ARE REPRODUCED ONLY AS A VISUALIZATION AID. FIELD DEVIATIONS MAY SIGNIFICANTLY AFFECT PREDICTED PERFORMANCE. PRIOR TO INSTALLATION, CRITICAL SITE INFORMATION (POLE LOCATIONS, ORIENTATION, MOUNTING HEIGHT, ETC.) SHOULD BE COORDINATED WITH THE CONTRACTOR AND/OR SPECIFIER RESPONSIBLE FOR THE PROJECT.
2. LUMINAIRE DATA IS TESTED TO INDUSTRY STANDARDS UNDER LABORATORY CONDITIONS. OPERATING VOLTAGE AND NORMAL MANUFACTURING TOLERANCES OF LAMP, BALLAST, AND LUMINAIRE MAY AFFECT FIELD RESULTS.
3. CONFORMANCE TO FACILITY CODE AND OTHER LOCAL REQUIREMENTS IS THE RESPONSIBILITY OF THE OWNER AND/OR THE OWNER'S REPRESENTATIVE.

TITLE:

128R NORTH STREET

WILTON, ME

PARKING AREA LIGHTING PLAN

REVISED FROM DRAWING NUMBER(S):	
R1: 08/13/19	R5: 08/22/19
R2: 08/16/19	R6: 10/31/19
R3: 08/20/19	R7: 11/04/19
R4: 08/21/19	R8: 02/28/20

HUBBELL®

Hubbell Lighting, Inc.
701 MILLENNIUM BLVD.
GREENVILLE, SC 29607

DN BY:	DATE:	CHK BY:
DHK	08/12/19	N/A
REV. BY: DHK	DATE: 02/28/20	SCALE: AS NOTED
QUOTE: N/A	DRAWING / DESIGN NO.: 1924759R9	

O. Architectural Design Narrative

Please find attached the design narrative completed by Dexterous Creative.

October 29, 2019

Shukria Wiar
Planner
City of Portland Maine
389 Congress Street
Portland, Maine 04101

Re: 128R and 126 North Street

In Summer 2018 our team submitted an application for a four-story, six-unit condominium building at 128R North Street. The project features a workforce housing unit on the ground floor, five-FHA compliant units serviced via an elevator on upper floors and six parking spaces. This rear lot, previously housed a single-family home. The site is immediately adjacent to Bayview Heights senior apartments and is across the street from the Island View Apartment complex. In September our team held a neighborhood meeting to introduce this building to neighbors.

As a result of neighborhood feedback and staff comments, our team elected to add a plan to develop the front lot, 126 North Street, in addition to 128R North. This three-story building features five, two-bedroom apartments and two off-street parking spaces. The first-floor unit will be FHA compliant.

Development will begin with construction of the rear building at 128R. Prior to substantial completion the existing four-unit building at 126 will be demolished to allow for widening of the walk and driveway to this lot. The new building at 126 will share a pedestrian entrance with 128R with vehicles entering via the existing curb cut at 126. This widened driveway to 128R improves access for vehicles and increases visibility for pedestrians and cyclists visiting 128R and 126 via a brick walkway leading from North Street (walkway to be flush with drive).

In addition to improving access to 128R North, the three-story form of 126 is used to mitigate massing of the four-story building at 128R North when viewed from the streetscape. The three-story building creates a gradual stepping of roof-lines between the two-story building at 122 North, the 1 1/2 story building at 128 North (front lot) and the proposed four-story building at 128R North.

The building at 128R is minimally visible from the public way due to the its position as a rear lot, 100’-0” from the street-front, and unique topography of the surrounding area, which includes a steep elevation change. This means that the four-story, six-unit building will only be visible from across the Bayview Heights parking lot, as viewed through a mature row of Pine Trees and at the driveway entrance to the site, viewed at a distance of 100’-0”. The impact of this elevation change on building visibility is best illustrated on Washington Avenue looking up at the Munjoy Heights complex. Due to the elevation change the rear buildings of that four-story complex are not visible, except at a gap between the buildings (see photo on page 26).

Neighboring Munjoy Heights represents a recent example of a dense, four-story inner/rear lot re-development that increases density within the city, via a new access driveway off Sheridin Street. The footprint of 128R North is smaller than one of the six, four-story buildings of the Munjoy Heights complex providing precedent such density

within the neighborhood. A prominent feature between the 128R and Munjoy Heights site is a retaining wall designed by our team. Sensitivity to that wall is a major reason the civil, geotechnical and structural engineering team from Munjoy Heights was retained for our project. Additionally, the Island View Apartment complex across North Street and Bayview Heights complexes represent much larger and more complex masses than the proposed building at 128R North.

To break up the width of the 128R facade, the siding color is changed at the central extrusion. Both 126 and 128R feature two window types along front facades in a consistent pattern and rhythm. A difference in color/cladding at the main entrances of both buildings is utilized to improve way-finding.

The architectural styles of buildings immediately adjacent to and in immediate blocks surrounding the project are diverse, in scale, materiality and massing. There is little continuity amongst the structures which range from single-story flat-roofed masonry buildings, gable-roof structures with horizontal siding (clapboard, vinyl, composite and aluminum) to four-story masonry buildings with mansard roofs.

Neither proposed building features rooftop deck. Roof-mounted condensers are not visible from the street at 128R North. Mechanicals in 126 will be housed in the basement or mounted to the rear facade of the building. The elevator overrun on 128R is minimally visible form the public way. To reduce complexity of the massing at 128R the roof eave is consistent except for this element. Deck rails at the front of the building at 128R have been modified from previously submitted editions to minimize their presence/bulk.

These two projects will result in a net increase of six much-needed housing units for the city, including a work-force unit, and seven FHA compliant units increasing housing options for prospective residents of all mobility levels, housing that is sorely needed in our city and aging state.

Regards,

Tracie J Reed

Tracie J. Reed, Maine Licensed Architect
Dextrous Creative, LLC

Dextrous Creative, LLC
Portland, Maine
traciereed@dextrouscreative.com
(207) 409-0459

P. Utilities

The proposed project will include installation of multiple utility services to the new buildings.

Water:

The existing 128R water service will be retired as part of this project. It is proposed to tap a 6" service line off the water main within North Street. The 6" line will serve as the sprinkler line with a 1.5" child connection for a domestic service.

For the project located at 126 North Street the existing water service will be retired as part of this project. It is proposed to tap a 4" service line off the water main within North Street. The 4" line will serve as the sprinkler line with a 1.5" child connection for a domestic service.

Sewer:

The existing sewer laterals are to be retired and plugged. A new 6" lateral for each site is proposed to accept the wastewater from each unit, and the garage sewer (after draining from the oil-water separator). The garage and elevator sump at 128R may be pumped internally to meet with the wastewater lines from the living levels before being fed via gravity to the sewer main within North Street.

Stormwater:

There is currently no drainage infrastructure on either site. The proposed measures to handle runoff include foundation drains and field inlets for both sites and a high-flow rain garden on 128R North Street. These systems will connect to a separated 6" storm drain line that ties in to the existing 12" combined sewer main within North Street. Please see the Stormwater Management Report for more information.

UGE/T/C:

The sites are currently served by aerial services. These services are proposed to be routed underground from a proposed utility pole on North Street which will convey 3-phase power from an existing utility pole across North Street east.

Gas:

It is proposed to retire the existing services install new taps off the existing main in North Street for each site as seen on the Utility Plan, Sheet C-20. The 128R service will be coordinated with 128F North Street such that a branch can be spliced off the proposed service and routed to the neighboring property.

Ability to serve letters were sent out to the respective utility companies on July 1, 2019 in accordance with the City of Portland Code of Ordinances Chapter 14 Land Use, Section 14-527(g)(7). Responses from the utility companies can be found attached to this section.

A C O R N
ENGINEERING, INC.

Charter Communications
Attn: Mr. Mark Pelletier
118 Johnson Road
Portland, Maine 04102

July 1, 2019

Subject: 128R North Street Redevelopment
Re: Ability to Serve

Dear Mr. Pelletier:

On behalf of Upright Properties, LLC, we are pleased to submit the following request for Charter's ability to serve the proposed development. The proposed project is located along 128R North Street, tax map 12-H-9 within the R-6 Residential Zoning District in Portland, Maine. The lot will be redeveloped into a four-story, six-unit residential building with an open-air ground level for parking. The site currently serves as two story single-family home.

It is proposed that a new underground conduit be dropped from the existing utility pole adjacent to the access drive off North Street.

On behalf of the client, we are requesting the following information:

1. Any additional information, such as utility mapping within North Street.
2. Any easements for overhead services currently crossing the proposed development.
3. Alternative connection locations from the property to the existing communication system.
4. Charter's proposed infrastructure improvements within the project vicinity.
5. Charter's ability to serve the project.

I have attached an existing conditions plan created by Nadeau Land Surveys from June 2018 as well as the proposed preliminary utility plan from our office to facilitate your review. Please do not hesitate to contact me or the office for any questions or clarifications.

Sincerely,

Sam Lebel

Sam Lebel, E.I.
Project Engineer
Acorn Engineering, Inc.

ACORN ENGINEERING, INC.

Portland Water District
Attn: MEANS Department
225 Douglass Street
Portland, Maine 04104

July 1, 2019

Subject: 128R North Street Redevelopment
Re: Ability to Serve

To Whom It May Concern:

On behalf of Upright Properties, LLC, we are pleased to submit the following request for Portland Water District's (PWD) ability to serve the proposed development. The proposed project is located along 128R North Street, tax map 12-H-9 within the R-6 Residential Zoning District in Portland, Maine. The existing single-family structure will be demolished and the lot will be redeveloped into a four-story, six-unit residential building with the ground level serving as an open-air parking space.

The existing water service will be removed as part of the redevelopment. It is proposed to tap a 6" sprinkler line off the water main within North Street. A 2" domestic line is proposed to branch off the sprinkler line. Based upon Section 4 of the Maine Subsurface Wastewater Disposal Rules, the project anticipates the following design flows:

Estimate of Anticipated Daily Flows				
Development	Unit Size	Number of Units	Gallons per Day per Unit	Total Gallons per Day
Existing Flow				
Single Family Dwelling	3-Bedroom	1	270	270
Total Gallons per Day (Existing)				270 GPD
Proposed Flow				
Residential Units	1-Bedroom	3	120	360
Residential Units	2-Bedroom	2	180	360
Residential Units	3-Bedroom	1	270	270
Total Gallons per Day (Proposed)				990 GPD

Net Change	+720 GPD
*Values based on STATE OF MAINE: SUBSURFACE WASTEWTAER DISPOSAL RULES, most recent edition	

The proposed project is anticipated to increase the net flow by approximately 720 gallons per day (GPD). It should be noted that these values were developed using conservative estimates from the State of Maine Subsurface Wastewater Disposal Rules.

On behalf of the client, we are requesting the following information:

1. Any additional information, such as utility mapping within North Street and confirmation of the location and size of the services to the existing property and the size and material of the water main.
2. Alternative connection locations from the property to the existing system.
3. PWD's proposed infrastructure improvements within the project vicinity.
4. Flow data for adjacent hydrant.
5. PWD's ability to serve the project.

I have attached a fixture count, an existing conditions plan created by Nadeau Land Surveys from June 2018, and the proposed preliminary utility plan from our office to facilitate your review. Please do not hesitate to contact me or the office for any questions or clarifications.

Sincerely,

Sam Lebel

Sam Lebel, E.I.
Project Engineer
Acorn Engineering, Inc.

Portland Water District

FROM SEBAGO LAKE TO CASCO BAY

November 27, 2019

Sam Lebel, E.I
Acorn Engineering, Inc.
PO Box 3372
Portland, ME 04104

Re: 128R North Street, PO
REVISED - 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 October 30, 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 6-inch fire service (parent) and 1.5-inch domestic service (child) with a 1-inch meter may be installed from the water main in North Street to serve **128R North Street**. The services should enter through the properties frontage on North 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.

- A new 4-inch fire service (parent) and 1.5-inch domestic service (child) with a 1-inch meter may be installed from the water main in North Street to serve **126 North Street**. The services should enter through the properties frontage on North Street at least 10-feet from any side property lines. An approved backflow prevention device must be installed on each service line directly after the meter/entrance to the building prior to service activation. Please note that only one meter and one bill will be associated to each domestic service line. This one master meter would be located in a common space that all tenants could gain access to if necessary.

- The Portland Water District does not have record of any other existing infrastructure in public roads and recommends a survey and test pitting be performed by the development team prior to construction. **Any conflicts that arise during construction are at the risk of the developer and may result in job shutdown until new plans are submitted by the developer and reviewed and approved by PWD.**

225 DOUGLASS STREET P.O. BOX 3553 PORTLAND, MAINE 04104-3553
PHONE: 207.774.5961 FAX: 207.761.8307 WEB: WWW.PWD.ORG

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 1-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 12-inch diameter ductile iron water main in North Street and a public fire hydrant located approximately 200 feet from the site. The most recent static pressure reading was 48 psi on August 5, 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.

Private Fire Protection Water Needs

You have indicated that this project will require water service to provide private fire protection to the site. Please note that the District does not guarantee any quantity of water or pressure through a fire protection service. Please share these results with your sprinkler system designer so that they can design the fire protection system to best fit the noted conditions. If the data is out of date or insufficient for their needs, please contact MEANS to request a hydrant flow test and we will work with you to get more complete data.

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

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

Sincerely,
Portland Water District

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

A C O R N
ENGINEERING, INC.

Unitil Service Corp.
Attn: Bridget Harmon
376 Riverside Industrial Parkway
Portland, Maine 04103

July 1, 2019

Subject: 128R North Street Redevelopment
Re: Ability to Serve

Dear Ms. Harmon:

On behalf of Upright Properties, LLC, we are pleased to submit the following request for Unitil's ability to serve the proposed development. The proposed project is located along 128R North Street, tax map 12-H-9 within the R-6 Residential Zoning District in Portland, Maine. The lot will be redeveloped into a four-story, six-unit residential building with the first level including a parking area. The site currently serves as two story single-family home.

We are not aware of any existing gas services to the property. The new gas line is proposed to tap off the main and run parallel to an abutting gas line. Modifications are proposed to the neighbor's gas line to facilitate the redevelopment. The Owner will be responsible for coordinating with the landowner of 128F North Street as well as Unitil and Neuco.

On behalf of the client, we are requesting the following information:

1. Any additional utility mapping such as gas lines within North Street.
2. Unitil's proposed infrastructure improvements within the project vicinity.
3. Unitil's ability to serve the project.

I have attached an existing conditions plan created by Nadeau Land Surveys from June 2018, and the proposed preliminary utility plan from our office to facilitate your review. Please do not hesitate to contact me or the office for any questions or clarifications.

Sincerely,

Sam Lebel

Sam Lebel, E.I.
Project Engineer
Acorn Engineering, Inc.

A C O R N
ENGINEERING, INC.

Central Maine Power Company
Attn: Mr. Paul DuPerre
162 Canco Road
Portland, Maine 04103

July 1, 2019

Subject: 128R North Street Redevelopment
Re: Ability to Serve

Mr. DuPerre:

On behalf of Upright Properties, LLC, we are pleased to submit the following request for Central Maine Power's (CMP) ability to serve the proposed development. The proposed project is located along 128R North Street, tax map 12-H-9 within the R-6 Residential Zoning District in Portland, Maine. The lot will be redeveloped into a four-story, six-unit residential building with the first level including a parking area. The site currently serves as two story single-family home.

It is proposed that a new underground conduit be dropped from the existing utility pole along North Street with the potential for a pole-mounted transformer to be installed on this pole. 3-phase power appears to be available from the pole across the street. I look forward to our July 10th on-site meeting to discuss options for serving this redevelopment.

On behalf of the client, we are also requesting the following information:

1. Any easements for overhead services currently crossing the proposed development.
2. Alternative connection locations from the development to the existing system.
3. CMP's proposed infrastructure improvements within the project vicinity.
4. CMP's ability to serve the project.
5. Access requirements to the CMP meters.

I have attached an existing conditions plan created by Nadeau Land Surveys from June 2018 as well as the proposed preliminary utility plan from our office to facilitate your review. Please do not hesitate to contact me or the office for any questions or clarifications.

Sincerely,

Sam Lebel

Sam Lebel, E.I.
Project Engineer
Acorn Engineering, Inc.

CENTRAL MAINE POWER

July 5, 2019

Acorn Engineering, Inc.
C/O Mr. Sam Lebel, E.I.
PO Box 3372
Portland, Maine 04104

RE: 128R North Street, Portland, Maine

Dear Mr. Lebel,

This letter is to advise you Central Maine Power has sufficient three phase electrical capacity in the area to serve the subject project.

Once the project is accepted by the City of Portland, the owner will need to call our Customer Service Center at 1-800-565-3181 to sign up for a New Account and a SAP Work Request Order so we may provide an actual cost.

If you have any questions please feel free to call me at 629-1487.

Sincerely,

Paul DuPerre

Paul DuPerre
Energy Service Specialist

162 Canco Road, Portland, ME 04103
Telephone 800.750.4000, Fax 207.791.1026
cmpco.com

IBERDROLA USA

An equal opportunity employer

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A C O R N
ENGINEERING, INC.

Charter Communications
Attn: Mr. Mark Pelletier
118 Johnson Road
Portland, Maine 04102

October 29, 2019

Subject: 126 North Street Redevelopment
Re: Ability to Serve

Dear Mr. Pelletier:

On behalf of Joshua Wojcik, we are pleased to submit the following request for Charter's ability to serve the proposed development. The proposed project is located along 126 North Street, tax map 12-H-14 within the R-6 Residential Zoning District in Portland, Maine. The existing four-unit structure will be demolished, and the lot will be redeveloped into a three-story, five-unit residential building with the ground level serving as an open-air parking space.

It is proposed that a new underground conduit be dropped from the utility pole adjacent to the access drive off North Street. The utility pole is proposed to be replaced as part of this project.

On behalf of the client, we are requesting the following information:

1. Any additional information, such as utility mapping within North Street.
2. Any easements for overhead services currently crossing the proposed development.
3. Alternative connection locations from the property to the existing communication system.
4. Charter's proposed infrastructure improvements within the project vicinity.
5. Charter's ability to serve the project.

I have attached an existing conditions plan created by Nadeau Land Surveys from June 2018 as well as the proposed preliminary utility plan from our office to facilitate your review. Please do not hesitate to contact me or the office for any questions or clarifications.

Sincerely,

Sam Lebel

Sam Lebel, E.I.
Project Engineer
Acorn Engineering, Inc.

ACORN ENGINEERING, INC.

Portland Water District
Attn: MEANS Department
225 Douglass Street
Portland, Maine 04104

October 21, 2019

Subject: 126 North Street Redevelopment
Re: Ability to Serve

To Whom It May Concern:

On behalf of Joshua Wojcik, we are pleased to submit the following request for Portland Water District's (PWD) ability to serve the proposed development. The proposed project is located along 126 North Street, tax map 12-H-14 within the R-6 Residential Zoning District in Portland, Maine. The existing four-family structure at 126 will be demolished to facilitate construction of the related project at 128R North Street. The 126 lot will thenbe redeveloped into a three-story, five-unit residential building.

The existing water service will be removed as part of the redevelopment. It is proposed to tap a 4" sprinkler line off the water main within North Street. A 1.5" domestic line is proposed to branch off the sprinkler line. Based upon Section 4 of the Maine Subsurface Wastewater Disposal Rules, the project anticipates the following design flows:

Estimate of Anticipated Daily Flows				
Development	Unit Size	Number of Units	Gallons per Day per Unit	Total Gallons per Day
Existing Flow				
Multifamily	2-Bedroom	4	180	720
Total Gallons per Day (Existing)				720 GPD
Proposed Flow				
Multifamily	2-Bedroom	5	180	900
Total Gallons per Day (Proposed)				900 GPD
Net Change				**+180 GPD**
*Values based on STATE OF MAINE: SUBSURFACE WASTEWTAER DISPOSAL RULES, most recent edition				

The proposed project is anticipated to increase the net flow by approximately 180 gallons per day (GPD). It should be noted that these values were developed using conservative estimates from the State of Maine Subsurface Wastewater Disposal Rules.

On behalf of the client, we are requesting the following information:

1. Any additional information, such as utility mapping within North Street and confirmation of the location and size of the services to the existing property and the size and material of the water main.
2. Alternative connection locations from the property to the existing system.
3. PWD's proposed infrastructure improvements within the project vicinity.
4. Flow data for adjacent hydrant.
5. PWD's ability to serve the project.

I have attached a fixture count, an existing conditions plan created by Nadeau Land Surveys from June 2018, and the proposed preliminary utility plan from our office to facilitate your review. Please do not hesitate to contact me or the office for any questions or clarifications.

Sincerely,

Sam Lebel

Sam Lebel, E.I.
Project Engineer
Acorn Engineering, Inc.

A C O R N
ENGINEERING, INC.

Unitil Service Corp.
Attn: Bridget Harmon
376 Riverside Industrial Parkway
Portland, Maine 04103

October 29, 2019

Subject: 126 North Street Redevelopment
Re: Ability to Serve

Dear Ms. Harmon:

On behalf of Joshua Wojcik, we are pleased to submit the following request for Unitil's ability to serve the proposed development. The proposed project is located along 126 North Street, tax map 12-H-14 within the R-6 Residential Zoning District in Portland, Maine. The existing four-unit structure will be demolished, and the lot will be redeveloped into a three-story, five-unit residential building with the ground level serving as an open-air parking space.

We are not aware of any existing gas services to the property. The new gas line is proposed to tap off the main and run underneath the proposed driveway of 126 North Street.

On behalf of the client, we are requesting the following information:

1. Any additional utility mapping such as gas lines within North Street.
2. Unitil's proposed infrastructure improvements within the project vicinity.
3. Unitil's ability to serve the project.

I have attached an existing conditions plan created by Nadeau Land Surveys from June 2018, and the proposed preliminary utility plan from our office to facilitate your review. Please do not hesitate to contact me or the office for any questions or clarifications.

Sincerely,

Sam Lebel

Sam Lebel, E.I.
Project Engineer
Acorn Engineering, Inc.

A C O R N
ENGINEERING, INC.

Central Maine Power Company
Attn: Mr. Paul DuPerre
162 Canco Road
Portland, Maine 04103

October 29, 2019

Subject: 126 North Street Redevelopment
Re: Ability to Serve

Mr. DuPerre:

On behalf of Joshua Wojcik, we are pleased to submit the following request for Central Maine Power's (CMP) ability to serve the proposed development. The proposed project is located along 126 North Street, tax map 12-H-14 within the R-6 Residential Zoning District in Portland, Maine. The existing four-unit structure will be demolished, and the lot will be redeveloped into a three-story, five-unit residential building with the ground level serving as an open-air parking space.

It is proposed that a new underground conduit be dropped from the utility pole that is proposed to be replaced in front of the existing 126 North Street structure. This pole would provide underground connections to both 126 and 128R.

On behalf of the client, we are also requesting the following information:

1. Any easements for overhead services currently crossing the proposed development.
2. Alternative connection locations from the development to the existing system.
3. CMP's proposed infrastructure improvements within the project vicinity.
4. CMP's ability to serve the project.
5. Access requirements to the CMP meters.

I have attached an existing conditions plan created by Nadeau Land Surveys from June 2018 as well as the proposed preliminary utility plan from our office to facilitate your review. Please do not hesitate to contact me or the office for any questions or clarifications.

Sincerely,

Sam Lebel

Sam Lebel, E.I.
Project Engineer
Acorn Engineering, Inc.

Q. Construction Management Plan

Att. Q

Project Address: 126 & 128R North Street

Project Description:

The proposed project includes a two-phase approach where Phase 1 would include the redevelopment of 128R into a four-story building with six condominiums and covered parking on the ground level. Phase 2 would include the redevelopment of 126 into a three-story building with six rental units. Phase 2 would include the demolition of 126 prior to the certificate of occupancy of 128R such that the proposed 16' driveway can be built.

Project Team Summary:

Owner:	Upright Properties, LLC
General Contractor:	TBD
Civil Engineer:	Acorn Engineering, Inc.
Architect:	Dextrous Creative
Structural Engineer:	Structural Integrity Consulting Engineers, Inc.

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

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

The GC shall review all permits and conditions associated with the project. Refer to the Civil/Site Plan Set, Sheet C-03 Construction Management Plan for visual representation of the measures to be taken during construction.

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

A. Construction Management Principles

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

B. Development Review of Construction Management Plan

Logistics and safety program shall be submitted at or prior to the preconstruction meeting by the GC with all pertinent information required by the Maine Department of

Transportation's Traffic Control Plan Standard Specification 652.3.3.

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

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

1. Street Opening and Street Occupancy Permits:

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

2. Blasting:

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

3. Building Code:

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

D. Construction Administration and Communication

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

Josh Wojcik
Upright Properties, LLC
(207)-749-9656

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

E. Construction Schedule

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

construction activity may continue until 8 pm. No construction activity shall begin before 8 am on a Saturday, Sunday, or legal holiday. Extended hours or night work may be requested for special circumstances and street utility work if needed. These requests will be subject to approval by the Public Works Authority.

Due to the limited space within the project parcel, deliveries will need to be stored in an alternate location or deliveries must be small enough to fit within the property. Deliveries will be scheduled between 7 am and 5 pm.

The estimated timeframe of the proposed project is outlined below:

128R Project Start:	Fall 2020
126 Project Start:	Summer 2021
Project End Date:	Summer 2022

A more detailed work schedule shall be provided by the GC at or before the pre-construction meeting with the City. In the interim, a more in depth of an approximate timeframe has been provided within the application materials by the Applicant.

F. Security

1. The Construction Management Plan, Sheet C-03, depicts all proposed fencing and other barriers, with the intent of separating pedestrian and vehicle circulation from the construction site. Construction entrances per detail shall be installed.

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

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

4. Blasting, if required, shall conform with all measures of Article VIII. Regulation of Explosives in the Land Use Code and Section 3.7 Standards for Blasting and Regulation of Explosives in Portland's Technical Manual.

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

G. Construction Permitting and Traffic Control Plans

1. Construction Activity in Public Streets

   Construction activity in the public right-of-way shall be compliant with Chapter 25 Article VII of the City Code. At no time will it be permissible for construction activity including delivery vehicle to close or block streets or affect public safety access without prior notice and approval of the Department of Public Works.

2. Sewer and Stormwater

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

3. Traffic Control Plans

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

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

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

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

   All existing modes of travel in the work zone area shall be accommodated if impacted by the activity. The safe passage of pedestrians, bicyclists, transit providers, and motorists are of equal importance when planning and laying out the work zone; no pre-existing travel mode may be eliminated without the express approval of the Department of Public Works. The MOT should also address on-street parking impacts, including deliveries and parking for adjoining businesses and property owners, analysis of

roadway capacity or diversion capacity if street closure or change to roadway capacity is required, and coordination with other on-going or future construction or utility projects in the vicinity.

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

The blockage of any portion of sidewalk for the purpose of construction activity shall require an occupancy permit and appropriate fee as assessed by the Department of Public Works.

H. Site Management and Controls

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

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

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

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

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

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

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

I. Erosion & Sedimentation Control

1. The Contractor shall install all erosion and sedimentation controls as depicted on the approved Construction Management Plan, C-03, and the approved erosion and sedimentation control report, prior to the pre-construction meeting for inspection by the City. The Contractor shall regularly inspect the control measures, no less than weekly

and after storm events (0.5" or more in 24 hours). Additionally, temporary or permanent stormwater management systems shall be inspected and maintained to ensure working order. The Contractor shall document all inspection activities and corrective actions and be prepared to provide these documents for inspection by the City, Maine Department of Environmental Protection (MDEP) or the U.S. Environmental Protection Agency (EPA) upon request.

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

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

J. Construction Staging Area

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

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

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

K. Parking During Construction

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

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

    - Gravel & Stone – 350 CY. Earthwork subcontractor(s) pit to project site.
    - Hot Mix Asphalt – 115 tons. Paving subcontractor(s) pit to project site.

L. Special Measures as Necessary

No special measures are necessary for the proposed reconstruction.

Att. R

R. Solid Waste Disposal

The property management company or Owner shall be responsible for locating the solid waste and recyclable material to the space allocated for solid waste storage determined by the Property Manager.

The solid waste containers will be fully enclosed and screened from the public view on both properties.

ACORN ENGINEERING, INC.

S. Parking Analysis

The proposed project at 128R North Street proposes to utilize the existing shared driveway, build 6 condominium units, and provide one open air parking space per unit on the ground level of the structure. This proposal accomplishes a public policy goal of the City in that the proposed driveway will allow off-street parking for the new development as well as existing neighboring properties.

The 6 parking spaces exceed the required 3 by more than 10%. We see off street parking as an advantage for the neighborhood which is experiencing an increase in development activity. The industry standard for condominium units is to provide a 1:1 ratio for parking, which is a common occurrence in the R-6. This project proposes a 1:1 ratio of spaces to units which will free up space on North Street and the surrounding street network for others to park on-street.

The proposed project at 126 North Street proposes to reutilize the existing driveway, build 6 rental units, and provide two surface parking spaces on the ground level which meets the City of Portland Land Use requirements. Furthermore, the tandem parking approach is "strongly preferred" within the Munjoy Hill Conservation Overlay District by the City of Portland.

Overall, 8 parking spaces will be provided for the 12 units. Of the 8 proposed parking spaces, 6 spaces will be constructed as part of the Phase 1 condominium (6 units) portion of the project at 128R. In Phase II, during the construction of the Phase 2 rental (6 units) portion of the project, 2 parking spaces will be constructed.

Att. T

December 23, 2019

Re: Side setback 128R North Street

Buildings in the vicinity of 126 and 128R North Street feature side setbacks that predominantly are shifted towards one side. The proposed building at 128R North features a setback that is 8.56’ on one side and 12.13’ on the opposite side providing the required 20’-0” cumulative setback required.

The pattern supports vehicular traffic and off-street parking, which our projects do as well. The wider setback was also positioned in our project to provide a larger buffer to the single-family houses on the South side or our project.

Neighborhood examples of this development pattern include:
1) 116 North Street: approximate 5’-0” setback on one side and 15’-0”* on the opposite (facing Walnut Street).
2) 104 North Street: approximately 4’-6” setback on one side and 12’-0” on the opposite
3) 91 Walnut Street: approximately 3’-0” setback on one side and 9’-0” on the opposite
4) 94 Walnut Street: approximately 13’-0” setback on one side and 17’-0” on the opposite

City of Portland GIS Map of Neighborhood (128R North is outlined in blue)

*Setbacks are estimated using the ‘measuring tape’ tool in the Portland GIS database with satellite image and parcel boundaries as underlays. For visual clarity the satellite image was not used on the map above.

1: Bayview Heights (60 units)
2: Island View Apartments (70 units)
3: Munjoy Heights (29 units)
4: Northern Burner Supply
5: Forage Market

North Street represents the high point on Munjoy Hill. Sheridin Street, below is approximately 30'-0" lower than North Street. Washington Avenue is approximately 50'-0" lower than North Street. As a result even the upper section of Munjoy Heights is not visible from Washington Avenue.

The only vantages the site is visible from are from the Bayview Heights parking lot to the North of the site and the end of the driveway leading to the rear lot. A row of mature pine trees acts as a buffer between the site and Bayview Heights parking lot.

128R North Street

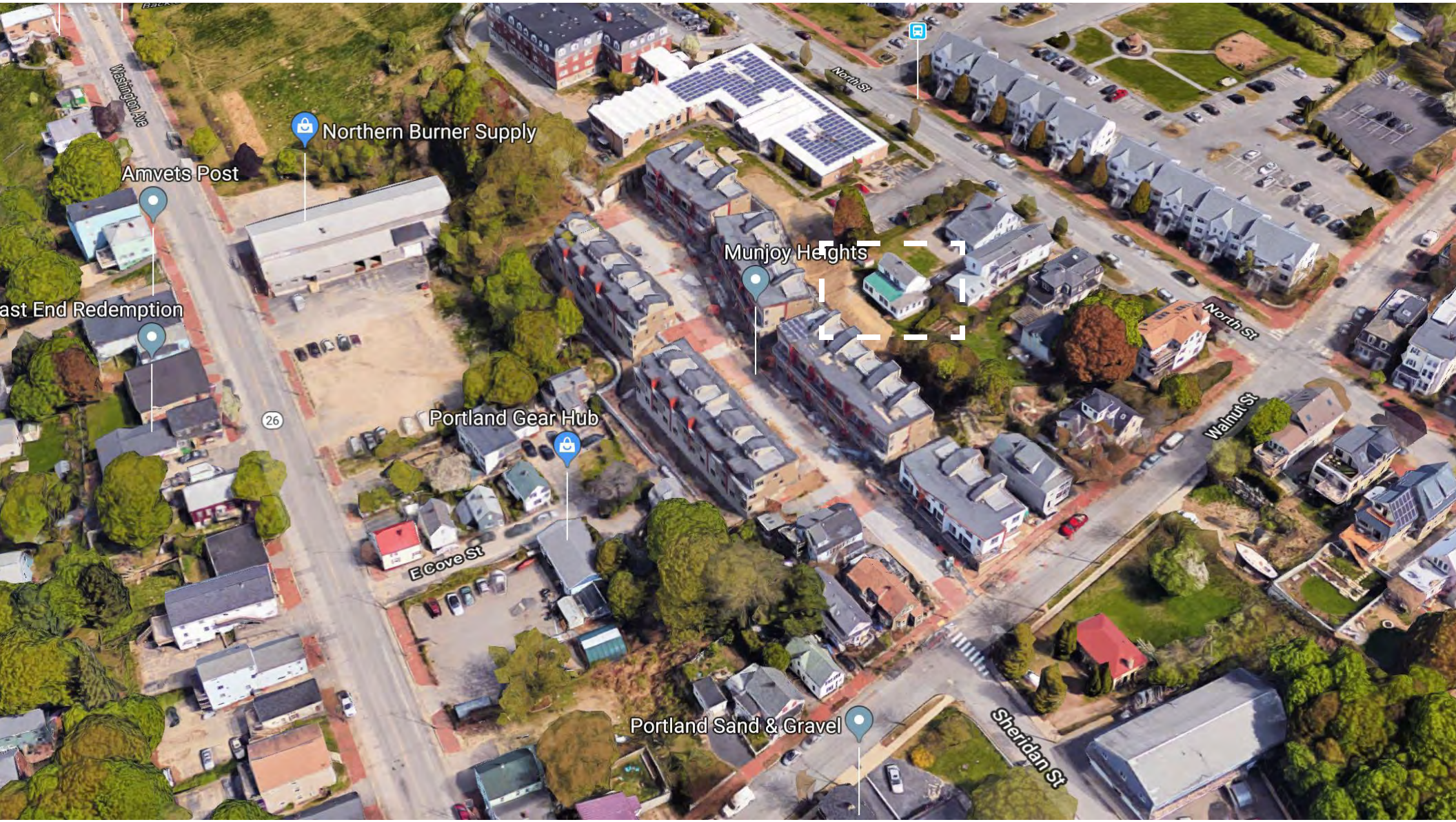
is a rear lot immediately adjacent to Bayview Heights senior apartments and across the street from the Island View Apartment complex. To the West the parcel is bounded by Munjoy Heights Condominium project.

The unique topography of the surrounding area, with steep elevation change means the proposed four-story, six-unit building will only be visible from across the Bayview Heights parking lot, as viewed through a mature row of Pine Trees and at the driveway entrance to the site, viewed at a distance of 100'-0".

The project will house six condominiums and six parking spaces. The building includes a first floor workforce housing unit. All units will be FHA compliant. The owner-occupied building has several pre-buyers (long-time friends) and Munjoy Hill residents who are looking forward to calling this building home.

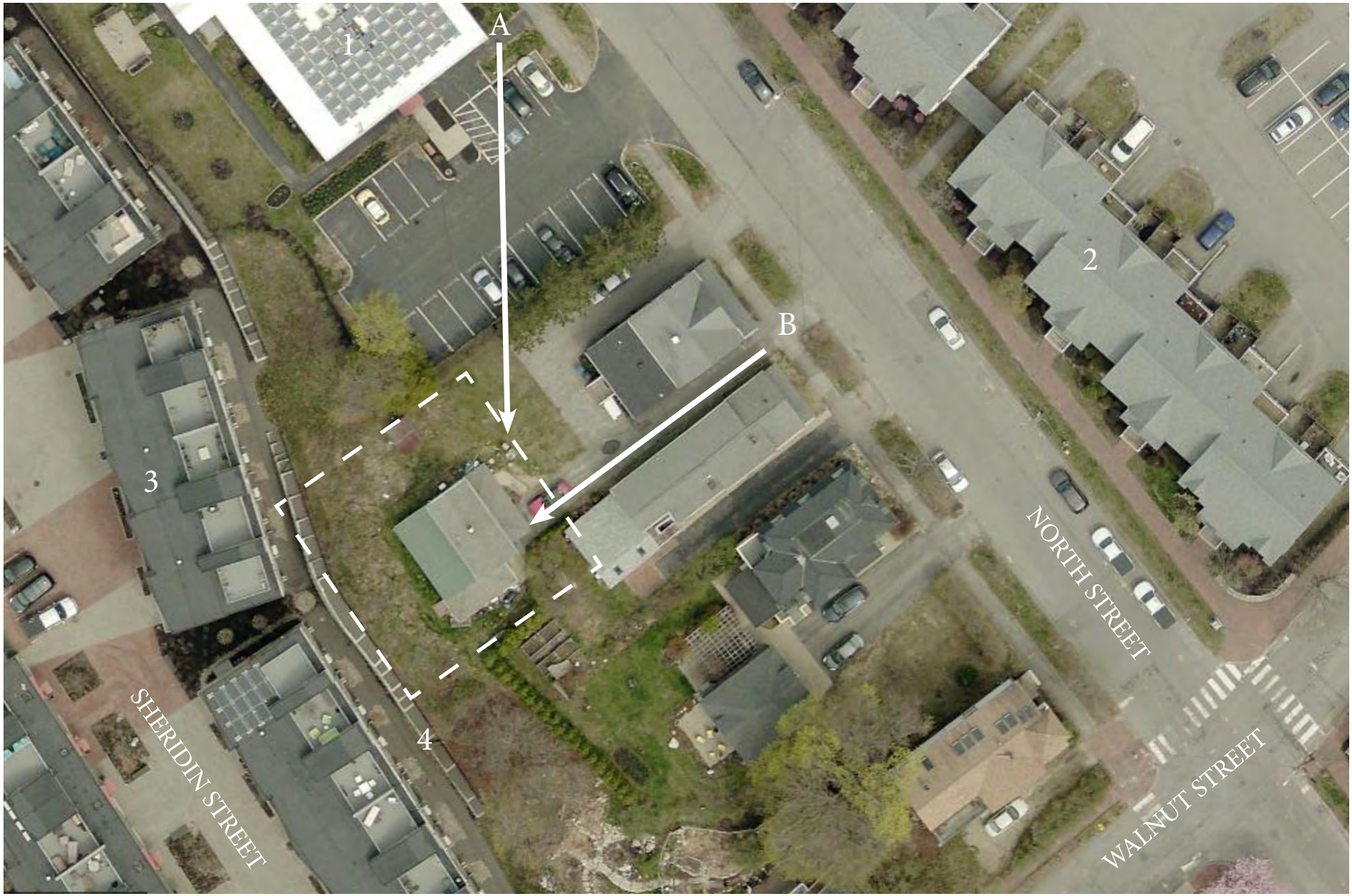
No rooftop decks are proposed and none of the roof-mounted condensers are visible from the street.

Bird's eye view of site looking towards Back Cove. Bayview Heights at right, Island View Apartments at bottom and Munjoy Heights at center.



Bird's eye view of site looking towards Falmouth. Munjoy Heights at Center, Bayview Heights at top and Island Avenue at top right.

Bird's eye view of site with Washington Avenue at bottom, Bayview Heights at top left, Island View Apartments at top center and Munjoy Heights at center.



A: Rendering location at sidewalk
B: Rendering location at driveway

1: Bayview Heights (60 units)
2: Island View Apartments (70 units)
3: Munjoy Heights (29 units)
4: Retaining Wall

126 North Street (left) also owned by applicant driveway at center to be utilized for accessing rear lot. Existing two-story building on rear parcel (128R North). 128 North at right.

Rendering Location B: 128R North parcel as viewed from existing/proposed driveway

Rendering Location A: sidewalk adjacent to Bayview Heights senior housing parking lot. Note existing Pine Tree buffer is not on applicants parcel.

128R North Street as viewed from within parking lot at Bayview Terrace. Note Munjoy Heights extending above the retaining wall past the smoking area at right.

Munjoy Heights as viewed from parcel

A section of Island View Apartments across the street. The complex has a mixture of single and mulled windows and is clad in clapboard-style lap siding. Parts of the complex are three stories high and some sections are four stories.

Bayview Heights Apartments, immediately adjacent to the site, features buildings that are four-stories high with a mansard roof and a one-story section adjacent to the parcel with a flat roof.

Two houses on the corner of North Street and Walnut showing the character of the neighborhood. The fascia and frieze board of the house, at right, inspired the design of our project.

The window trim, corner board, frieze and eave detail of the house on North Street (at left) were utilized as sources that inspired the trim details on our project. At right, the triple-decker on Walnut Street has a broad eave, flat roof and corner boards similar to that utilized in our project.

A three-story building with small punched openings on North Street and triple-decker with lap siding and flat roof, also along North Street.

Two adjacent buildings on Walnut Street, a triple decker with flat roof and clapboard lap siding and a two-story building with gable roof.

Elevated flat-roofed building at left and Munjoy Heights complex as seen from Walnut Street on right.

Munjoy Heights at Right at Sheridan Street entrance illustrating steep grade change

Munjoy Heights which borders the site to the West

New flat-roofed four-story building along Washington Avenue (at right) and new three story buidling along Walnut Street.

Looking towards site from corner of Walnut and North Street.

Looking up towards Munjoy Heights from Washington Avenue near the Northern Burner Supply parking lot. Houses along North Street are not visible due to the elevation change.

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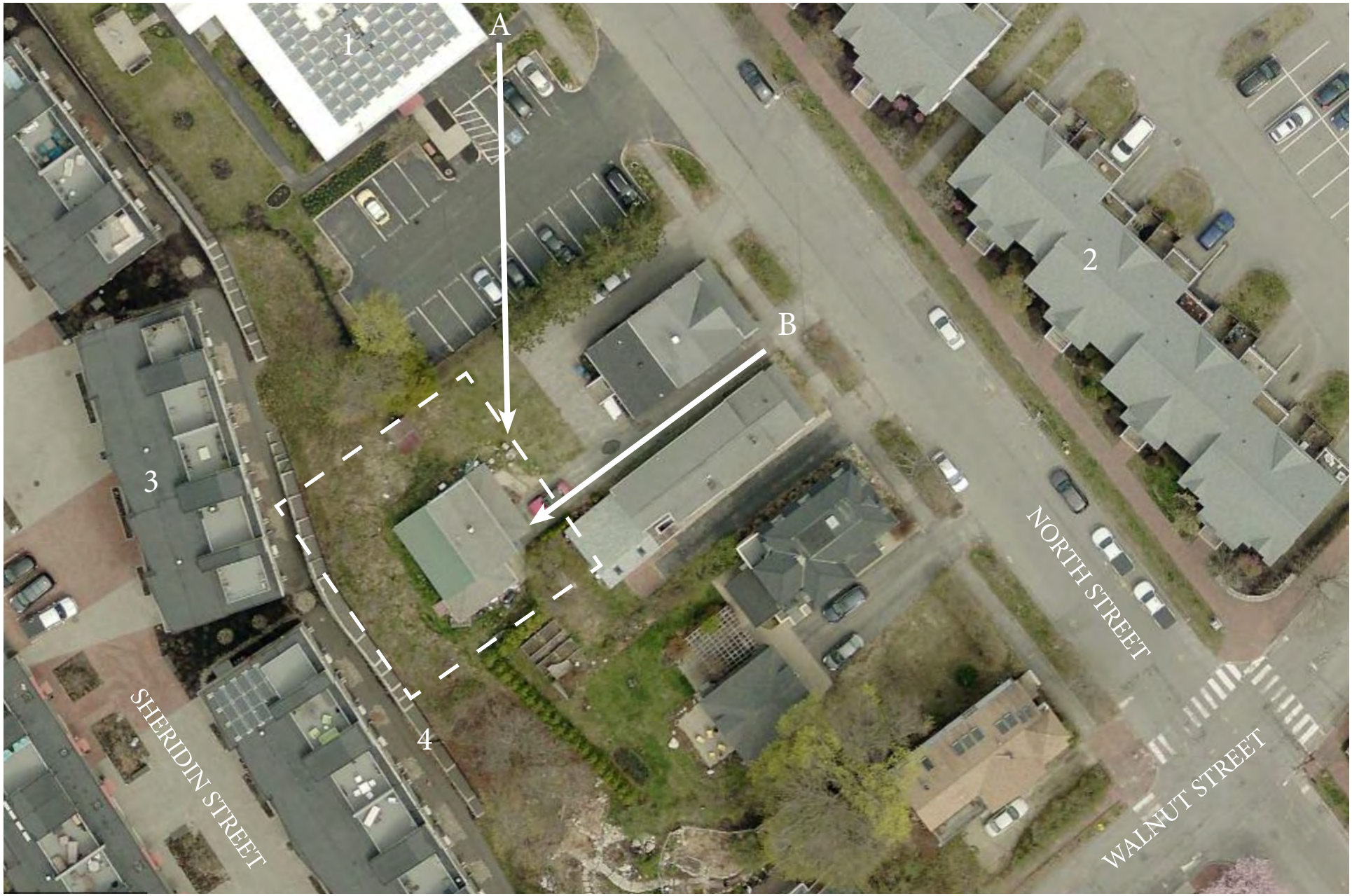


A: Rendering location at sidewalk
B: Rendering location at driveway

1: Bayview Heights (60 units)
2: Island View Apartments (70 units)
3: Munjoy Heights (29 units)
4: Retaining Wall

Rendering Location A - Existing

Rendering Location B - Proposed Dark Siding Option

Rendering Location A - Proposed Light Siding Option

Rendering Location A - Proposed Dark Siding Option

Dear Neighbor: September 7, 2019

On behalf of Upright Properties LLC and the families who will live in the residences, I am pleased to invite you to a neighborhood meeting to discuss our plans for the proposed project at 128R North Street within the R-6 zoning (Munjoy Hill Overlay) district. The project includes the redevelopment of this rear lot into a 4-story residential building. As this is primarily a project to provide housing for 5 known households, the Developer has elected to only build 6 units, instead of the allowable 8. Moreover, 90% of the building will be substantially shorter than the allowable maximum height and over 40% of the site will be dedicated to greenspace and gardens. A ground-level parking garage will allow for one parking space per unit with additional storage space for bicycle parking. Because the site sits about 100 feet from the street, the building will have a minimal impact on the streetscape but the entrance will be re-built, improving the sidewalk to City standards.

Meeting Location:	The Root Cellar – 94 Washington Ave., Portland, ME 04101
Meeting Date:	Wednesday, September 18, 2019
Meeting Time:	5:30 p.m.

The City code requires that property owners within 500 feet of the proposed development and residents on an "interested parties list" be invited to participate in a neighborhood meeting. A sign-in sheet will be circulated and minutes of the meeting will be taken. Both the sign-in sheet and minutes will be submitted to the Planning Board. If you have any questions regarding the neighborhood meeting, please don't hesitate to call me at 207-749-9656.

Sincerely,
Joshua Wojcik
Project Builder and (Future Resident of 128R North St)

Att. V

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

September 20, 2019

Subject: 128R North Street Neighborhood Meeting

I, Tracie Reed, hereby certify that a neighborhood meeting was held on September 18, 2019 at the Root Cellar at 5:30 p.m.

I also certify that on Friday, September 6th invitations were mailed to the following:

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

2. Residents on the "interested parties" list.

3. A digital copy of the notice was also provided to the Planning Division (jmy@portlandmaine.gov and ldobson@portlandmaine.gov) and the assigned planner to be forwarded to those on the interested citizen list who receive e-mail notices.

Sincerely,

Tracie J Reed

Tracie J. Reed, Maine Licensed Architect, NCARB
Project Architect
Dextrous Creative, LLC

Attached to this certification are:

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

Att. W

128R North Street
Neighborhood Meeting Minutes

Date: September 18, 2019
Time: 5:30-8:15 p.m.
Location: Root Cellar
Attachments: Presentation materials and attendance sign-in sheet

The Meeting started at approximately 5:35 p.m.

Applicant Josh Wojcik of Upright Properties welcomed neighbors and introduced his family and project architect, Tracie Reed. Josh provided an overview of the project for neighbors, introducing them to pre-sale buyers, a history of the site and project goals of pooling the family's resources together to develop an energy-efficient building in the neighborhood the applicants currently reside.

The presentation was frequently interrupted by neighbors who posed a variety of questions, expressed concerns about the specific project and general land use policies in the neighborhood.

-A neighbor on North Street expressed uncertainty with the boundary of the proposed historic preservation district and its implication on the project review.

-Neighbors asked for details regarding membership of the LLC which owns and will develop the property. Josh clarified that the LLC only owns 128R North Street. He declined to provide specific details as to the owners out of respect for their privacy. The LLC will build the properties, the five friends are pre-sale buyers who are prequalified to purchase the units. Architect Tracie Reed explained to neighbors that the planning board applicants are required to demonstrate financial capacity as part of their application.

-Neighbors expressed concerns the group may not be able to complete the project financially if unexpected expenses occur such as damage to the retaining wall during construction. Architect Tracie Reed explained that the project's design team included the geotechnical, civil and structural engineers who designed the wall. If the wall is damaged during excavation or construction the wall will be repaired. Reed explained that the city has a list of pre-qualified excavators who are able to do work in the city. The team has conducted geotechnical borings and analyzed bearing on the wall as part of the project's feasibility. Josh explained that the project budget includes contingency funds. Without them the bank would not have offered terms.

-Numerous participants expressed concerns over the height of the building. Several Munjoy Hill residents are concerned about views from their roof decks and kitchen windows. They expressed concerns that units may sell and the pre-sale buyers introduced may eventually move, leaving neighbors they may not like. Josh and Tracie explained that due to the recently passed Munjoy Hill Overlay the side setback is increased by 10'-0" overall which allows the fourth floor, and that the building includes a work force unit as required by the new regulations. The 13'-0" elevator overrun is the only section of the building that reaches the 45'-0" maximum in the zone.

-A North Street neighbor expressed disapproval that the existing building was being demolished. She recommended that the applicant instead renovate the front of 126 North St, a building owned by Wojcik, without altering the exterior and build a two-unit on the rear site. The neighbor also noted that she felt the building is too big for the site, that it is out of proportion with neighboring buildings and should be smaller with outside parking similar to that of other Munjoy Hill residents. She questioned whether the building received special variances due to being a rear lot to which the applicant clarified it still met and was required to meet all the requirements of front lots in the overlay including the 50% active

living space requirement added last year by the overlay language. Tracie clarified that if the building had surface parking it would be required to be at the back of the building facing Munjoy Heights and would be difficult to screen due to easement restrictions. Neighbors from Munjoy Heights expressed that they do not want to look out the rear of their building at parked cars.

-Several participants suggested the applicant consider underground parking so the building would appear to be three stories from the street.

-Josh clarified that a decorative screen to support climbing vegetation at the rear of the building is intended to screen vehicles parked under the building from Munjoy Heights. Josh showed a possible concept for screening the garage level and several of the participants from Munjoy Heights noted the screening improved the concept. Tracie clarified that the 10'-0" maintenance easement existing between Munjoy Heights and the property prohibits any structures or plantings like shrubs or trees with roots that may damage the retaining wall's integrity.

-Several neighbors were concerned that shrubs on the property will be removed as part of construction and are highly valued by Munjoy Heights residents who overlook that section of the property. Other neighbors pointed out that pointed out that most of the larger trees behind Munjoy Heights would not be impacted by the project, since the rear of the property is currently mostly clear of trees. Tracie explained that the project would be planting new trees as required by the city, and that our vegetation plan would be reviewed by the city's horticulturist as part of our application. She reminded residents that restrictions by the neighbors own easement prohibits many plant types in the rearmost 10'-0" of the property to protect the structural integrity of their retaining wall. Neighbors asked for a current satellite image of the site that would clearly delineate which shrubs would be removed. The satellite image underlay shows the Munjoy Heights complex nearing the end of construction and seeding has not occurred at this time. Josh reminded neighbors that any plants installed after construction would be quite young and should not be within the easement.

-Neighbors inquired about lot coverage. Josh explained that coverage is 57% leaving 43% open space, more than the 20% requirement in the zone.

-Some neighbors expressed disappointment that the application was not for a two-story home. Many had made the assumption when they first heard about the project that it was going to be a single-family residence and only realized the property was a six-family after receiving the postcard. Josh stated that he met with or repeatedly tried to schedule meetings with all adjacent individual homeowners and the Munjoy Heights Condo Association. Some neighbors declined the opportunity and some in Munjoy Heights neighbors were unable to attend the organized site walk with their Association. A neighbor clarified that, after receiving the demolition notification letter, he had called Josh and that Josh had been clear that the project was going to be possibly be a 5 or 6-unit building.

-Neighbors asked where trash would be stored. Josh clarified that it would be under the building and screened from view.

-Adjacent neighbors on North Street are concerned about windows overlooking their yard and asked how many in the stair/elevator tower would face their property. Josh explained that no windows in the stair tower face their yard and asked if they wanted any to face their yard. Their response was "no." Munjoy Heights residents expressed concerns over residents of the condo being able to look at their roof decks. Munjoy Heights neighbors expressed concern over not wanting to view a solar array if one was added in the future from their roof decks or property. Tracie explained that

they would not be able to see them from their buildings due to their proximity and OSHA requirements that that the panels be located 10'-0" from the roof edge (to avoid fall protection screening) if added at a future date.

-Munjoy Heights residents were interested in a comparison to the height of their roof decks relative to the building. Josh clarified that the roof decks of the Munjoy Heights complex will be approximately at the second-floor level of the proposed project. It was also explained that their buildings ground floor is 30 feet lower, due to the sloping topography.

-Residents challenged the architect's assertion that the building is minimally visible, if at all, from the corner of Walnut and North Street and not visible from Washington Avenue due to the long distances and elevation changes. She did note that it is likely visible from some points in Bayside or driving along I-295. She clarified that photos taken from Washington Avenue illustrated that the second tier of Munjoy Heights is not even visible and the photo was included in the planning packet. A photo of the Walnut Street intersection was also included.

-A new resident of Portland and Munjoy Heights was upset that a rear infill project of the scale is being proposed and asked the applicant to provide examples of this in the city. The architect said she had done a three-story, single-family home on a rear lot in the zone. Josh suggested that although he wasn't certain, Munjoy Heights was possibly the most recent infill project that was mostly sited in the rear of other properties. The Munjoy Heights neighbors did not agree that this was comparable.

-Several Munjoy Heights residents expressed concern that the building would completely shade their units and block sunlight. Other neighbor participants noted that minimal shading should occur based on the sun's path.

-Neighbors recognized that the meeting was emotional for all with Josh and his family excited about their project and neighbors concerned about changes to their neighborhood.

-Josh thanked everyone for taking the time to attend the meeting and for their feedback. He apologized for any confusion about the number of units.

Meeting concluded at approximately 8:15 pm.

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

Recorded by:

Tracie J. Reed, Maine Licensed Architect, NCARB
Project Architect
Dextrous Creative
traciereed@dextrouscreative.com

128R North Street

Neighborhood Meeting
September 18, 2019

Name	Organization	Address	Phone	Email
Terry Robins	Munjoy Heights	206 Sheridan	424-333-5443	trobins90230@gmail.com
Kevin Schochat	"	215 "	917.597.4154	kevin@kevinschochat.com
Leslie Hart	"	215 Sheridan	917 364 3682	blesliehart@gmail.com
Peter Bagg	"	199 SHERIDAN	207-318-0992	PETERBAGG1@GMAIL.COM
Martha Emerson		340 E.P.	207-871-8900	
Munira Naqui	"	203 Sheridan	207-838-1267	mo — -
Patricia Bagg	"	199 Sheridan	207.253.5156	PATBAGG@GMAIL.COM
A-NAQUI	"	203 Sheridan St.	207-838-8740	Ali.Naqi@yahoo
Vana Carmona		105 North	207 420-6962	vanacarmona@gmail.com
Betty Lorber	Munjoy Heights	225 Sheridan		betty.lorber@gmail
Bud Pollak	munjoyheights	225 Sheridan	203-984-1833	BPOLLAK64@Yahoo
Richard MARINO	munjoy H.	226		MARINO04102@Yahoo
TRACY A. DANS	MUNJOY HTS	201		TDANS@URBAN-OUTL.COM
Michael Kennedy	"	201	917-940-2509	michael.kennedyiii@outlook.com
MANN		122 North		lindsaymann@gmail.com
Sage Friedman MPM		47 Lafayette #2	207-233-5888	SFriedman@mpmhome.com
Travis Reed Dett. Carch)		77 Newbury		

Att. Y

128R

128R North Street

Once upon a time

there was a group of friends who wanted to figure out a way to **live an affordable life on Munjoy Hill.**

Some had known each other for **decades.**

Others were **more recent** additions.

Munjoy Hill had gotten so expensive

that this group quickly realized the only way to make their dream work was to pool their resources. By doing so, they could create a home together that would be enjoyable and that would have minimal, **predictable** operating costs.

This second part is especially important to those in the group who are on a **fixed income.**

To Buy or Build?

Buy

Accomplishing **Net Zero** with a large existing structure would be **prohibitively expensive.**

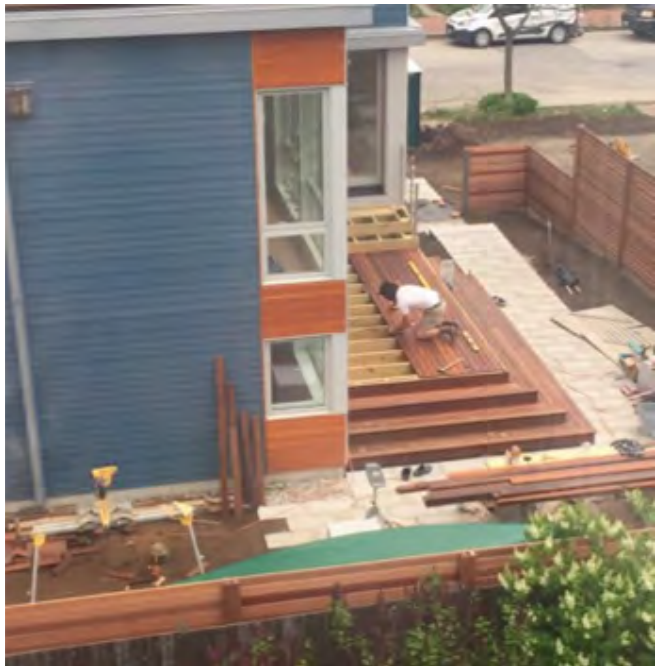
Build

Super Insulated Building
+ Energy Efficient Heating and Cooling
+ Space on Roof for PVs
= **Net Zero Capable Building**

Some place a high value on the aesthetic flourishes of the Victorian style; This group highly values **energy efficiency** and a **small carbon footprint**.

So they found

a property that was on the edge of the neighborhood, **away from the proposed historic district,** and which was set back far enough from the street that their building would be quite **hard to see** from most vantage points.



They were aware

that many in the neighborhood were tired of deep-pocketed developers changing the neighborhood and causing a racket.

And, having lived through the construction of such projects in their own back yards, **they understood these concerns only too well...**

And they came up with **a design that fits them all,** which is actually shorter than many of the existing homes on the street.

And given how far from the street it will sit, their new space **will appear smaller than most of the buildings on North Street.**

We hope you like it!

The Design

pulls **inspiration from the surrounding buildings** in the neighborhood.

The Design

features street-facing decks, which will help keep eyes on the street.

The Design

features on-site parking for each unit to help minimize congestion on the streets.

We are working with the City

to determine the most appropriate color scheme.

1

2

White clapboards are prevalent in the neighborhood.

But dark colors tend to make buildings look smaller.

We think both look attractive,

but we appreciate your input, too.

This is the only perspective

from which you can see most of the building from the street.

Att. Z

ACORN ENGINEERING, INC.

Shukria Wiar – City Planner
Planning Division, City of Portland
389 Congress Street
Portland, ME 04101

December 18, 2019

Subject: Comment Response Letter
126/128R North Street Redevelopment – Portland, Maine

On behalf of Upright Properties, LLC we are pleased to respond to the comments that we've received thus far.

Shukria Wiar, Planning Comments

Comment – *The applicant will need to submit a copy of the actual easements for the ones below to establish what restrictions (if any) as it impacts scope for site plan standards to be addressed:*

- *Permanent right-of-way with 128F North Street (includes the rights to use the corridor for utilities). Reference CCRD Bk 1143, Pg 307.*
- *Permanent retaining wall maintenance easement with Munjoy Heights. Reference CCRD Bk 32237, Page 104.*

Response – Please refer to Document C for this information.

Comment – *Evidence of utilities' capacity to serve the development.*

Response – Please refer to Document P for this information which includes the updated ability to serve letter from Portland Water District.

Comment – *Manufacturer's verification that HVAC and manufacturing equipment meets applicable state and federal emissions requirements - Show locations of HVAC and mechanical equipment.*

Response – The architect will provide this information once a model is selected. The selected model will comply with the applicable state and federal emissions requirements.

Comment – *Is the project utilizing heat pumps, and if so, where will you be locating the compressors?*

Response – Yes, the project will utilize heat pumps for the 128R building at a minimum. The compressors will be located on the roof (set back from the street towards the middle of the building) and under the rear decks.

Comment – *Provide cut sheets and photometric plan for all proposed exterior lights.*

Response – Please refer to Document N for this information that was included with the updated Site Plan submission.

Comment – *Minimum Side Yard Setback (8.59 on the easterly side of the property). Please document how it is being met: Buildings more than 35': 10' for all side yards, except that a side yard no less than 5' is permitted when used to continue a documented built pattern of the surrounding streetscape, in which case a proportional increase in another side yard must be provided.*

Response – The cumulative side setbacks are a minimum of 20' as required. One side setback is less than 10' due to the documented built pattern of the neighborhood. Please refer to the revised Document T. for further analysis.

Comment – *Condo Docs need to be submitted.*

Response – Because the condo docs are partially contingent on how the project progresses through the first workshop, the draft condo docs are anticipated to be submitted prior to the Final Hearing.

Chief Mike Thompson, Fire Department Comments/Recommendations

Comment – *A sixteen-foot (16') access road, capable of supporting fire apparatus, shall be required to provide emergency vehicle access to this building (See additional comment added 11/27/2019)*

Response – A sixteen-foot (16') access road, capable of supporting fire apparatus has been provided within the revised plan set.

Comment – *The Fire Department approves the site plan as shown in: Site Plan.pdf V3*

Response – Thank you for your review and approval.

Victoria Violent, Housing Program Manager

Comment – *It appears that both buildings will be greater than the maximum allowable height of 35', subsequently both buildings trigger Section 14-140.5 (c) Munjoy Hill Neighborhood Conservation District maximum height dimensional standards.*

Response – The proposed 126 North St. property is below the 35' height threshold. Please refer to sheet C-30 for these calculations which show the building height at 33.3'.

Comment – *Based on the floor plans provided for 128 R North, the workforce unit meets the requirements of Section 14-140.5 (c).*

Response – Thank you for your review.

Comment – *Has the applicant submitted floor plans for Phase II (126 North Street)? As a separate building, 126 North also needs to meet the requirements of Section 14-140.5 (c).*

Response – The 126 North Street building is not anticipated to provide a workforce unit given its height is below the 35' threshold and the unit count is less than 10'.

<u>Mike Tremblay, DPW</u>

Comment – *The driveway serving 126 North Street is unacceptably narrow in the vicinity of the parking spaces. There is only 14 feet of maneuvering room behind the parking spaces, which would likely require multiple maneuvers to enter and exit. The Applicant should explore providing access to these parking spaces via the driveway serving 128 North Street; turning this driveway into a shared driveway and allowing 16+ feet of maneuvering space for vehicles. This would allow the driveway serving 126 North Street to be closed, which is desirable. It may also allow additional options for the design of 126 North Street, including (but not necessarily limited to) shifting the building eastward, allowing for a wider shared driveway.*

Response – Please refer to the attached AutoTurn analyses. Because of the extra width provided for the parking spaces, the drive aisle is sufficient for the typical architectural design vehicle to cleanly pull in and out without the need for multi-point turns.

Comment – *While closure of the 126 North Street driveway is not required, as it exists today, the spacing between the 126 North Street and 128 North Street driveways are not optimal. As there is not enough separation to achieve a legal parking space, since parking is restricted within 5 feet of any driveway. Closure of the 126 North Street driveway could, therefore, add two additional legal on-street parking spaces.*

Response – The project as designed maintains the typical built pattern and rhythm along North Street of driveway, structure, driveway, structure while providing the requested 16'+ feet of emergency access width to the 128R building, therefore no change to the historical built pattern is proposed.

Furthermore, 126 North Street does not have an existing access easement across 128F North Street.

Comment – *The accessible parking space in the 126 North Street parking area should be designed as 11 feet wide with a 5-foot clear area, or 8 feet wide with an 8-foot clear area, in order to accommodate a van as required by ADA. As such, the accessible space should be shifted toward the back of the building at least 3 feet, in order to provide 8 feet of clear width adjacent to the main entrance.*

Response – We have revised the Site Plan to provide 16' of width for an accessible van space.

Comment – *There are a significant number of service connections. Trench repair for these services should be conducted as one. Storm drain, sewer, and water connections should be repaired as one, uniformly extending all the way to the centerline of the roadway. Gas service trenches should be repaired as one, extending for the full curb-to-curb width of the roadway. I have attached a rough sketch of this.*

Response – We have revised the proposed pavement cut to provide more continuity in the

patching; however, the separation of pavement cuts between phases has been maintained due to various utility companies' requirements, phasing requirements and existing utility easements.

Comment – *The Applicant proposes an overhead electric/telecom service across North Street from a proposed utility pole #17H, before converting to underground at an existing-to-be-replaced pole #18.1. While an underground service to the development sites is desirable, the Applicant should explore moving these utilities underground before crossing North Street, rather than proposing a new overhead crossing of North Street. Applicant should confirm whether the existing overhead connection will be removed.*

Response – We will explore this option with CMP; however certain horizontal separations may not be feasible. The existing overhead lines will be removed prior to demolition of each respective building.

Comment – *Confirm that the reconstructed sidewalk along the frontage is designed to a 1.5% cross slope (2% maximum). One set of spot grades appears to confirm that this is the case, but additional spot grades at the bottom and top of driveway and back of sidewalk may be helpful.*

Response – We have added additional spot grades to further illustrate the proposed cross slope of 1.5%.

Comment – *The electric meter for 126 North is proposed for the front of the house. This should be relocated to the side if at all possible.*

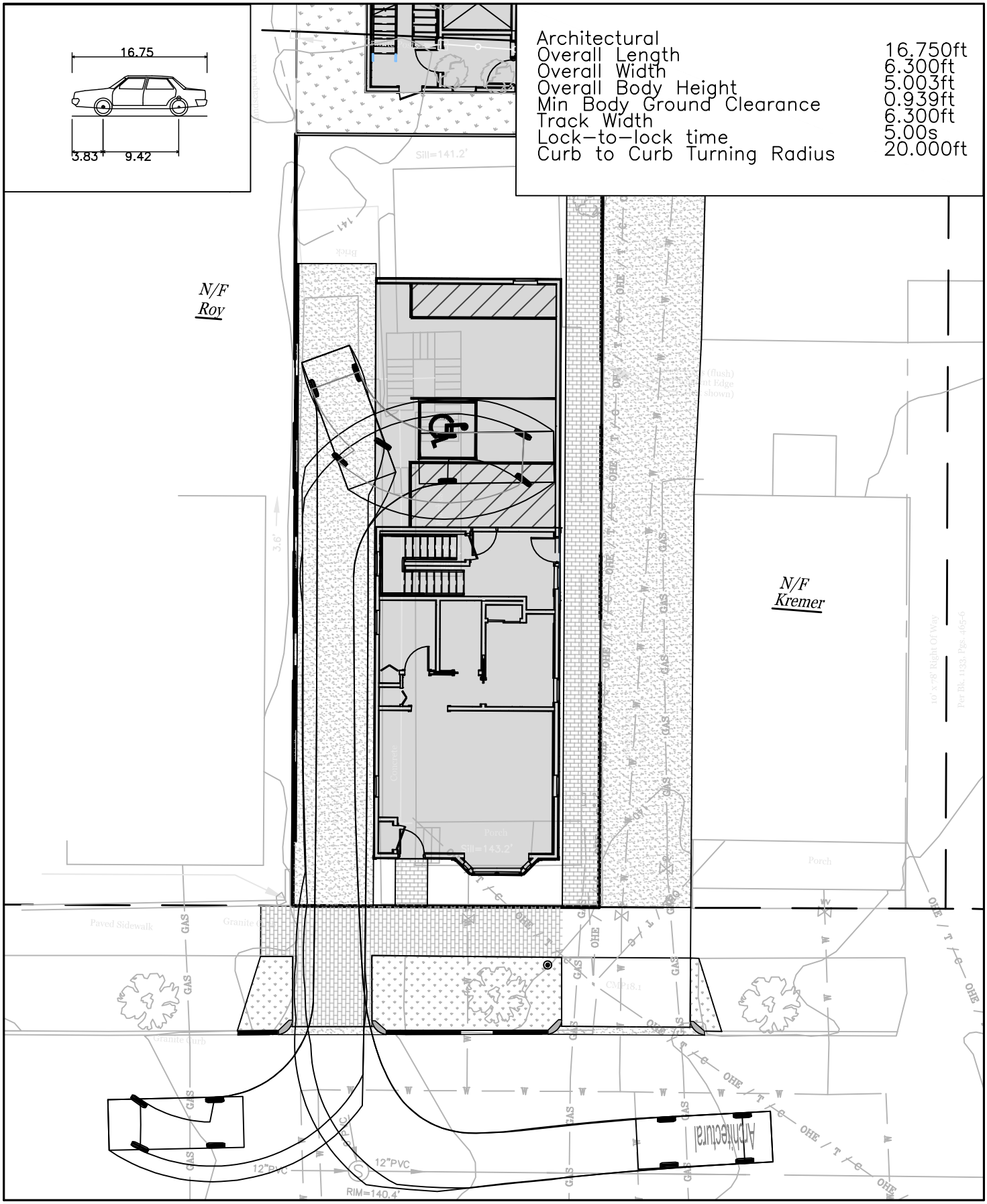
Response – The meters have been relocated to the side of the building.

Please let us know if you have any additional questions or comments.

Sincerely,

Samuel J. Lebel, E.I.
Project Engineer
Acorn Engineering, Inc.

William H. Savage, P.E.
Principal
Acorn Engineering, Inc.



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DRAWING NO.
EX

FILE:	1116_CIVIL
DATE:	12/17/19
JN:	1116
SCALE:	AS NOTED
DESIGN BY:	SJL
DRAWN BY:	ZMS
CHECKED BY:	WHS

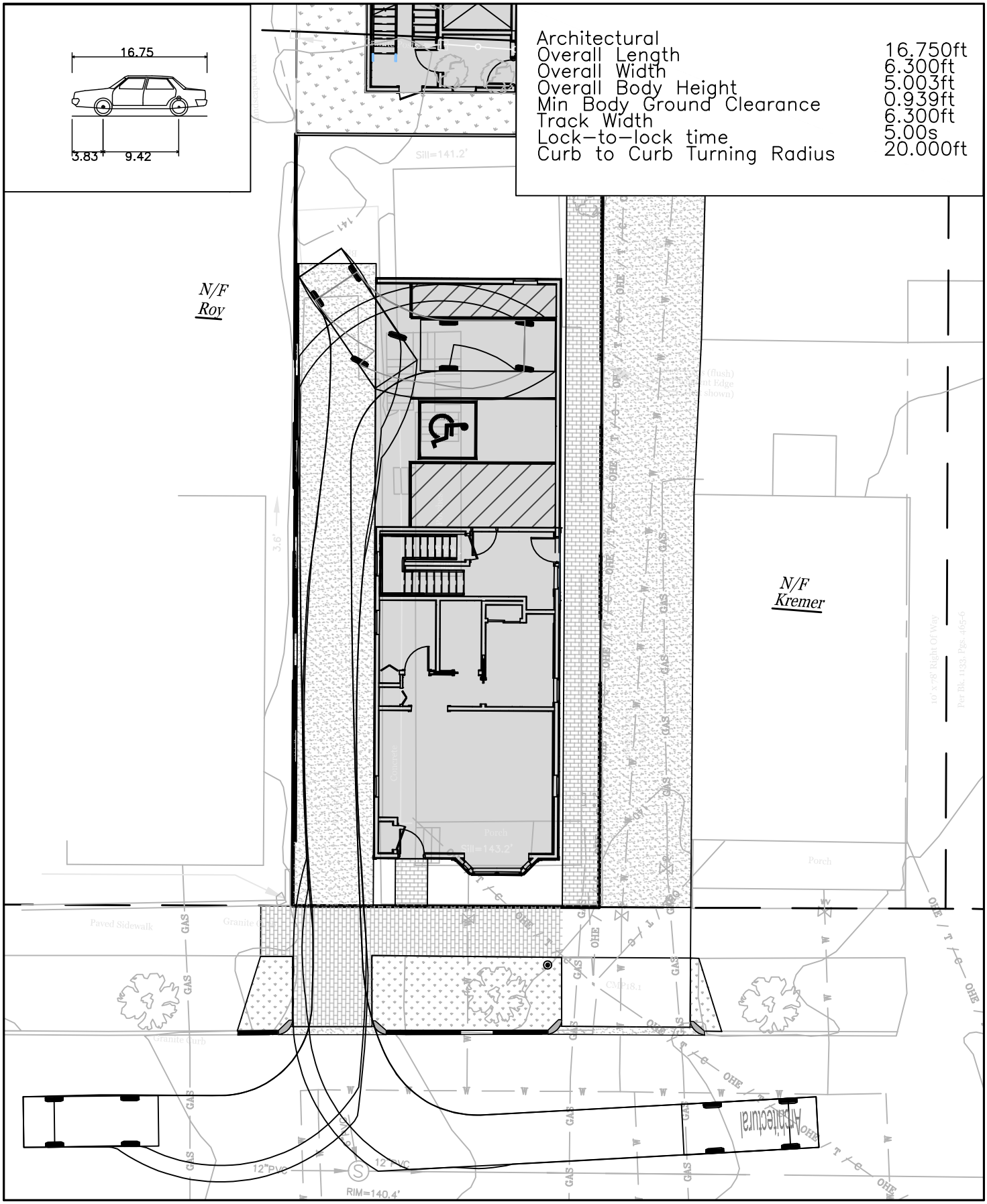
ACORN ENGINEERING, INC
ACORN ENGINEERING, INC. P.O. BOX 3372
PORTLAND, MAINE 04104 (207) 775-2655

DRAWING NAME:
INTERNAL PARKING EXHIBIT

PROJECT NAME:
126 NORTH STREET REDEVELOPMENT

CLIENT:
UPRIGHT FRAMEWORKS, LLC
PORTLAND, MAINE 04101

ISSUED FOR	BY DATE
COMMENT RESPONSE	WHS 11/26/19
	REV. DATE



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PORTLAND, MAINE 04101

ISSUED FOR	BY DATE
COMMENT RESPONSE	WHS 11/26/19

December 17, 2019

Caitlin Cameron, AICP, Associate AIA, LEED AP
Urban Designer
Planning & Urban Development Department
389 Congress Street
Portland, ME 04101

Re: 128R and 126 North Street

Caitlin,

Below please find comments in response to the design reviews dated December 4, 2019 for 128R North and December 16, 2019 for 126 North.

Many of the comments below relate to 126 North's entrance reflect a larger policy issue outlined in the city's Design Manual that suggest design principals in conflict with best practices for inclusive design. We understand these guidelines are beyond the purview of this review but wish to bring the issue to staff and the board's attention.

Guidelines in the city's manual for the R-6 zone, on page 109 under C-2, state suggested guidelines for creating visual privacy on first floors. A suggested means for creating this privacy includes elevating a building's first floor to at least 24" above grade, and articulating it with porches. This characteristic is also emphasized in the IS-FBC zone on page 120 of the manual.

Page 120 includes an illustrative illustration of an 'exemplary streetscape' designers should emulate. However, the illustration includes no visible curb-cuts and the multi-family residences depicted clearly do not meet both IBC 2015 Chapter 11 (accessibility) and Federal Fair Housing Standards which require accessible building entrances at the streetscape. Both buildings depicted show multiple steps, an impossible moat for someone using a rollator, wheelchair and even difficult for a young parent pushing a stroller. To further emphasize the barrier as acceptable; bullet three of this page states 'entry is emphasized with stair and canopy.'

Our team feels these images are contrary to the City's objectives in creating housing for all Portlanders, regardless of mobility impairments, and urge the City to address this issue. Violation of Fair Housing Standards and IBC puts clients, the city and designers at risk for discrimination suits and fails our most vulnerable residents.

Dextrous Creative
dextrouscreative.com
traciereed@dextrouscreative.com
Portland, ME 04101

128R Design Review Comments

Memo notes that the design passes all design standards. Thanks for your review.

126 Design Review Comments

A-3 Relationship to the Street: My client is happy to pull the building closer to the street using the average of the two adjacent side setbacks which, according to Acorn Engineering, will result in a 3.7' front setback. Acorn has suggested a revised site plan showing a 4'-0" setback to reflect this change.

B-4 Roof Pitch: The roof pitch meets the Portland Land Use Ordinance for the Munjoy Hill Overlay which articulates that a front-end gable pitch should be between 10:12 and 12:12 per 14-140.5(d). The proposed front-end gable roof is 11:12. The height of a building per the ordinance is measured from the mid-point of the gable roof which puts the height of the building at 33'-6" as measured on drawing A/A-2.3.

C-1 Entrances: Our building seeks to meet the active streetscape requirements of the Munjoy Hill Overlay as articulated in 14.140.5(h). The main entrance for our first-floor unit is located along North Street, satisfying this requirement. Our unique site has a sidewalk shared with 128R North Street along the length of the building. The entrance to upper units will be situated along this walkway providing an increased to the streetscape with the rear parcel,128R North.

C-2 Visual Privacy: The ground floor living spaces are at grade to satisfy IBC 2015 1104.1 'Site arrival points' which require the entrance of our Type B accessible unit to be accessible from the public sidewalk. This project is required to meet both IBC 2015 and Fair Housing requirements since it contains four-or-more units. Elevating the building would expose my client, the city and our design team to a housing discrimination suit. Relegating mobility-impaired residents or visitors to a secondary 'back door' entrance is considered discriminatory according to HUD[i]. Our team feels strongly that the city should take strides to create expanded housing opportunities for all Portlanders, including the elderly and those with mobility impairments who many-times have difficulty finding accessible housing. We believe the city should re-examine and revise the design standard C-2 to avoid such liability. It currently reads:

'Ensure the visual privacy of occupants of dwellings through such means as placing the window sill at least 48" above the adjoining sidewalk grade; providing the finished floor elevation of a residence at a minimum of 24" above the sidewalk elevation; incorporating porches along the front side of the building façade design; or other measures.'

On a narrow lot such as are predominant in-town fitting an approximately 34'-0" long ramp (including bottom and top landing) would be impracticable. Instead, our team will provide double-hung windows with first floor translucent glazing on the bottom pane, below 48". This will allow our team to meet the intensions of visual privacy without creating 34'-0" of icy ramps to traverse or exposing us all to a discrimination suit.

Dextrous Creative
dextrouscreative.com
traciereed@dextrouscreative.com
Portland, ME 04101

C-3 Transitional Spaces: See above response to C-2. Our project is required to meet both IBC chapter 11 and Fair Housing which requires our entrances form the sidewalk to be at grade. We have provided a covered entry at both entrances.

F-6 Porches, etc.: See response to C-2.

F-6 Main Entries: See response to C-2. Raising the porch above grade would put my client and the city at risk for a housing discrimination suit.

F-7 Articulation: The rake of the roof will be over 6" and the rake trim detail is over 9" in depth overall.

Sincerely,

Tracie J. Reed, Maine Licensed Architect, LEED AP, NCARB
Principal

CC: William Savage, P.E, Acorn Engineering
Sam Lebel, Acorn Engineering
Josh Wojcik, Upright Properties
Jill S. Johanning, AIA
Jeanie Bourke, Plan Review Team Leader, City of Portland Maine Building Inspections

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[i] HUD provided design commentary on its site arrival points standard, noting: "HUD requires that an accessible route not be hidden, remote, circuitous or require people with disabilities to travel long distances. It also requires that use of an accessible route not place requirements, like a special key, an attendant, or additional waiting periods, on people with disabilities. Providing an accessible route that has different and less favorable conditions for people with disabilities than for people without disabilities may violate the Fair Housing Act because it amounts to a difference in terms and conditions of housing based on disability." https://www.fairhousingfirst.org/faq/accessibleroutes.html

Dextrous Creative
dextrouscreative.com
traciereed@dextrouscreative.com
Portland, ME 04101

PC1

Google Groups

Proposal for building at 128R north St

Betty Lorber <betty.lorber@gmail.com>
Sep 15, 2019 12:03 PM
Posted in group: **Planning Board**

To the Planning Board of Portland Maine:

We are Portland residents. Our address is 225 Sheridan St. We live in the condo development known as Munjoy Heights, directly in front of the proposed building at 128R North Street. We have the following concerns about this plan:

1. Construction of the proposed building will eliminate precious green space behind Munjoy Heights. We have seen no plans for new landscaping and other measures that will screen the rear and sides of the building, nor have we received any assurance that trash cans, boats, bicycles, and other material will not be situated or stored behind the proposed building. Moreover, given the apparently tight budget and limited financing for the project, we fear that sufficient green space preservation and improvement might be "lost in the shuffle" and never be completed.

1. The proposed building will be only 15 feet from the fence behind Munjoy Heights. On the first story, it will include outdoor covered parking extending to the rear end of the building, potentially resulting in intrusive car noise, exhaust, and sight pollution affecting our units. We need further information and assurances regarding the installation and adequacy of fire suppression and warning systems.

   [Note: We understand that the Munjoy Heights property line extends five feet from the fence adjacent to the retaining wall, and an easement extends a further ten feet to allow for maintenance of our retaining wall. The rear of the proposed building thus extends as close to Munjoy Heights as permissible.]

1. The new building is about 4 times the size of the existing single family home, resulting potentially in additional stress on the retaining wall that is only 15 feet away. We need to see an engineering assessment of the proposed project and its impact on the integrity of the Munjoy Heights retaining wall, as well is its impact on drainage and stormwater flow.

1. The height of the proposed building and its proximity to Munjoy Heights, particularly with extensive outdoor balcony and deck space, will severely compromise the privacy of the roof decks and rear windows in multiple units at Munjoy Heights. It appears that the height of the building on the street side elevation is just below the 45-foot restriction (to be clarified by examination of the site plan).

1. The proposed building is a very large structure that is out of scale with nearby houses and that sits on a footprint substantially larger than the existing structure. It is likely that the proposed building will reduce sunlight exposure to surrounding neighbors. A daylighting study might "shed more light" on this issue. As a related matter, we are concerned about the negative impact of light pollution emitted by both the interior and exterior of such a large structure with six units.

1. From our perspective, the architectural design of the proposed building falls short of acceptable standards.

1. We are concerned about the ability of the developer to fully finance the project and have no assurance of his adequate access to capital for construction, inevitable delays and adjustments, zoning variances, landscaping, and ongoing maintenance of the property. We also should explore a mechanism to assure payment for any repairs or restoration of Munjoy Heights property as a result of the construction process. Josh repeatedly reminded us that he is a builder, and not an experienced developer.

We ask that you consider all of these concerns before issuing permits for this project.
We believe that our quality of life and the value of our property is at stake.

Thank you for your attention to this matter.

Betty Lorber
Bernard E Pollak
225 Sheridan St
Portland Maine

Google Groups

development at 128R North St.

Eldon Mayer <vixenskipper@gmail.com> Sep 22, 2019 8:41 AM

Posted in group: **Planning Board**

Our rear windows are so close to the proposed 6 condo building that we surely will be able to hear conversations and other noise taking place in that building (noise pollution) and fumes from the vehicles parked in the open air parking garage on the first floor of that building will contaminate the environment in our condo and those of our neighbors.. Also, utilizing the first floor of 128R as a parking garage causes the building to be four stories high, which would be unnecessary if an underrground garage were used for parking. A four story building is much higher than any other buildings on North Street, and in our condo and those of our neighbors, blocks our sunlight.

Another concern is that excavation of the project site will loosen the soil thereon, increasing the flow of gravity-fed stormwater down the sharp slope to our condo and those of our neighbors.

We thank you for paying attention to our concerns.

Eldon Mayer, 211 Sheridan Street

Google Groups

Plan Number PL-000791-2019 at 128R North Street

Peter Pitegoff <ppitegoff@gmail.com> Sep 22, 2019 3:02 PM
Posted in group: **Planning Board**

Dear Members of the Planning Board:

We have serious concerns about a proposal to demolish and remove the two-story house at 128R North Street on Munjoy Hill in Portland and to construct a four-story, six-unit condominium development in its place – Plan Number PL-000791-2019. We are homeowners living at 205 Sheridan Street (Munjoy Heights) immediately adjacent to the 128R North Street property. This email outlines some of the negative neighborhood impacts of this project, which is located within an R6 Zone and the Munjoy Hill Neighborhood Conservation Overlay District.

1. The proposed building is a large and boxy structure that is out of scale and character with nearby houses and that sits on a footprint substantially larger than the existing structure. The architectural design of the proposed building falls short of acceptable standards of quality and accountability for its North Street neighborhood on Munjoy Hill.

2. The proposed building is about four times the size of the existing single family home that it would replace. This will cause additional stress on the deep retaining wall that is only 15 feet away and will affect drainage and storm-water flow. With climate change and increasingly severe weather events, we fear erosion, mud slides, and compromise to the retaining wall.

3. The proposed driveway is 11.25 feet wide, substantially narrower than the standard requirement of a 20-foot width, and is squeezed between two houses in front of the proposed building. This has dangerous implications for limiting access by fire engines, ambulances, and other emergency vehicles and arguably is inadequate for daily use by cars entering and exiting the proposed building.

4. The proposed building, only 15 feet from the retaining wall behind Munjoy Heights, will extend over the steep slope between the two buildings. On the first story, it will include an open covered parking area for six cars, extending to the rear end of the building. As a result, we will suffer intrusive car noise and exhaust fumes immediately outside our kitchen window, with similarly negative impact on other neighbors as well.

5. There are no firm plans for new landscaping and other measures that will screen the rear and sides of the building. The new building dimensions bump up against and even exceed setback requirements, leaving little room for green space, and the project appears to avoid minimum required road frontage.

We strongly urge the Planning Board to consider these issues. We believe that any a new structure should be built ***within*** the footprint of the existing building. We also insist that any new building reflect a high degree of architectural integrity and compatibility with the surrounding neighborhood. Thank you for your consideration.

Ann Casady & Peter Pitegoff
205 Sheridan Street
Portland, Maine

ann@casadydesign.com
ppitegoff@gmail.com

Google Groups

128 North Street R

Richard Marino <marino04102@gmail.com> Sep 23, 2019 11:01 AM
Posted in group: **Planning Board**

I am writing to state my concerns about the planned six unit building at 128 North Street R. It seems like an overwhelming building to site in a rear lot with no street frontage. I am not sure what variances may be necessary. I would object to any that may be required.
Respectfully
Richard Marino
226 Sheridan St.
Portland 04101

Sent from my iPad

Google Groups

Plan Number PL-000791-2019 at 128R North St.

Leslie Hart <blesliehart@gmail.com> Sep 26, 2019 8:58 AM
Posted in group: **Planning Board**

Dear Planning Board members

I am an abutter who lives directly below the proposed project Plan Number PL-000791-2019 at 128R North St. and writing to urge the Board not to approve this project as proposed. It is too large and will negatively affect the neighborhood. Among my chief concerns are:

Safety hazard. City ordinance requires a minimum 20 ft. wide driveway, yet the developer is requesting for a waiver to maintain the existing width of only 11.25 feet. A narrow driveway would be a safety hazard, impeding access for fire trucks and ambulances. The board should not approve this waiver. The developer maintains that "Due to the existing conditions and low turnover of residential uses, the driveway is anticipated to be functional serving the proposed 6 spaces and existing 2-unit 128F property**."** However, the evidence is that there will not be a "low turnover of residential uses." The new condo could add as many as 12 cars, two per unit. Plus additional traffic from guests and deliveries.

Negative daylight impact. The proposed project would double the height of the structure now on the property from a small 2-story single family home to a massive 4-story, six-unit condo, and almost double the footprint of the building now on the lot. The large proposed structure will certainly block the daylight into my home for at least half the day. And it will do the same for at least 10 of my neighbors. The developer should be required to do a daylight impact study.

The proposed structure is too large, with an insufficient and dangerously narrow driveway, and should not be approved.

Thank you in advance for your consideration.

Leslie Hart
215 Sheridan St.
Portland ME 04101
917.364.3682

Google Groups

Plan Number PL-000791-2019 at 128R North St.

Kevin Schochat <kevin@kevinschochat.com> Sep 26, 2019 9:44 AM

Posted in group: **Planning Board**

Members of the Planning Board:

As a homeowner who lives directly below the proposed project Plan Number PL-000791-2019 at 128R North St. I strongly believe this project should not be approved.

I am very concerned about the damage to our Munjoy Heights retaining wall and property during construction and afterwards.

The developer is planning to remove 10 cedar trees on the site (per his Construction Management Plan). What's more, the proposed new structure slightly exceeds side yard setbacks, deck setbacks and rear yard setbacks. So the entire site will be torn up during construction with no vegetation to stop erosion, subjecting my own property and neighbors, plus the Munjoy Heights retaining wall, to damage from run off and mudslides. Especially in a era of increasingly severe weather events.

We have not seen a landscape plan for the proposed project. Or a timetable. Given how little vegetation will remain after construction, our property and the Munjoy Heights retaining wall will still be exposed to damage.

I am also very concerned about the visual impact and exposure to car exhaust from the open parking that will be visible from our house. The developer is asking for a waiver from the required 18' parking space to a smaller 16.5'. I believe he should have to meet the town's requirements and not compromise.

Thank you.

Kevin Schochat
215 Sheridan Street
Portland, Maine 04101

T: 917.597.4154

Google Groups

Oppose the Redevelopment Proposal at 128 North Street

Liz Hays <lizchays@gmail.com> Sep 27, 2019 8:43 PM
Posted in group: **Planning Board**

Dear Planning Board of the City of Portland

My name is Liz Hays and I own a home at 107 North Street.
I am writing you to oppose the existing redevelopment proposal at 128-R North Street, PL-000791-2019. My home is across the street and at a diagonal corner to the redevelopment project.

I feel the mass and height of the proposed building is significantly out of proportion to the abutting historic homes on the North Street side of the building. This mass and height will have a detrimental impact on the values to all the abutting properties to the project because there is no street frontage to the building.

I also concerned about the erosion impact this property will have during construction and after completion to the Munjoy Heights condominium properties due its very close, up hill proximity.

I am concerned about the safety and increase noise implications of 6 or more vehicles, of different sizes, passing between residences to access the building on a narrow driveway.

I feel this project is trying to over maximize its wealth potential to have six condominiums within a small, boxed in piece of property with no regards to the negative impact on its neighbors. There are surrounding properties in the neighborhood of both modern and historic design, but the intent of the R6 Zone Conservation Overlay District is to maintain the historic character of Munjoy Hill, which this building does not.

Thank you for considering my concerns.

Liz Hays
107 North Street
Portland
207-441-4653

Google Groups

128R North Street

Sue Robins <suerobins@twc.com> Sep 30, 2019 9:13 PM
Posted in group: **Planning Board**

Monday, September 30, 2019

Regarding Plan Number PL-000791-2019, 128R North St, Portland

Dear Portland Planning Board,

We write to you today to share my concern regarding plans to build an enormous condominium building at the top of Munjoy Hill. Our concerns are primarily in the areas of ground instability due to the proposed new construction and the significant negative visual impact to the hill community.

First, I understand that there has been a cursory geotechnical assessment, but our understanding is that this assessment does not consider the dramatic increases in rainfall that we know from climate scientists will occur in the near future. A structure of the magnitude proposed atop a hill being significantly impacted by dramatic increases in rain runoff is of great concern to those of us in homes below it.

Second, this is an enormous structure and, as I understand it, will equal the visual height of the Shailer School/Avesta building. They skyline we all see from the Old Port and Casco bay is already marred by the two tall apartment buildings on Eastern Promenade and Walnut Streets. Another enormous building at the top of the hill is a commitment to a significant change in the visual scape of the hill. With community concern for preservation of the culture of the neighborhood and our attraction as a vacation destination, I urge the planning board to be thoughtful about the impact that such an enormous structure at the top of Munjoy Hill would have on the skyline of the eastern part of the Peninsula.

Finally, we are also very concerned about the number of variances required to achieve approval of this project. Any project with this many code variances, pushing the limits of building codes in so many areas must be questioned further. Is it really a good idea to allow a project with a driveway well below code requirements, no plan for landscaping or erosion protection, significant impact on the sun exposure, and air quality of neighboring homes, and insufficient frontage and setbacks? Finally, while the project is just barely outside of the historic overlay, its enormity and proximity to homes that ARE within the overlay district, should give the committee pause.

I strongly urge the Planning Board NOT to approve this plan in its current state.

Sincerely,

Susanne and Terry Robins

206 Sheridan St.

Portland, ME 04101

Sent from Mail for Windows 10

To Portland City Planning Board: planningboard@portlandmaine.gov

Re: Plan number PL-000791-2019

From: Deborah Cole, Portland resident at 71 Walnut St

Date: October 2, 2019

To Portland City Planning Board members,

I have lived at 71 Walnut St for over 40 years. I purchased my home in 1980. I am in favor of infill housing on the peninsula and I did not oppose the major influx of 29 condominiums (Munjoy Heights) at Sheridan and Walnut which are two doors down from my home.

The view I see from my back windows and back yard, looking north towards the proposed development by Joshua Wojcik at 128R North Street, is of a single family two story white clapboard house, which was built long ago in the back lot of a four unit building at 124 North St, also owned by Joshua Wojcik. There is a house sized driveway which provides access to the back lot where the single family house is situated.

Because this is an odd placement of single family house on a back lot, I would recommend retaining a single family house footprint on that site to maintain integrity of scale and neighborhood character. The proposed condominium complex would be four times the size of the existing house, dwarfing the scale of the houses on the block.

Munjoy Hill has a well-earned reputation as a multi income; multi-use, multi-scale neighborhood which we are pleased to learn is being considered for historical districting on the peninsula.

This project is out of scale and character with the Hill. My additional concerns include the following:

- It is poorly designed and fails to meet the standards of quality and accountability in this vibrant and sought after neighborhood.
- Its planned location adjacent to a hill with poor drainage and poor retaining walls raises drainage, storm water and erosion concerns.
- The narrow single family driveway leading back to the site appear insufficient for regular cars, snow removal and emergency vehicle access.

Given the outlined concerns above, as well as those concerns expressed by other worried neighbors I recommend that the house lot in the back of 124 North Street retain its odd configuration and continue to provide a single family option on North St.

Thank you,

Deborah Cole

Home owner

71 Walnut St, Portland, Me 04101

207 754 3859

Google Groups

Fwd: Plan Number PL-000791-2019 At 128R North Street

Nancy Machesney <dmaches101@aol.com> Oct 8, 2019 4:36 PM
Posted in group: **Planning Board**

October 8, 2019

Nancy Machesney
213 Sheridan St.
Portland, ME 04101

Portland Planning Board
389 Congress Street
4th Floor
Portland, ME 04101

To Whom It May Concern:

I am writing to express my concerns regarding the proposed development at 128R North Street (PL 000791-2019). I believe the building as designed, is too massive in size and scope for its plot of land and will have negative consequences for neighboring properties, Munjoy Hill, and the city at large.

I live in Munjoy Heights directly below where this project is planned. There is currently a single-family residence on the site. The proposed construction potentially could be ten times the size of the existing structure and would effectively block all sunlight from any building downslope of it. It would loom three stories above the current home and vastly change the landscape of Munjoy Hill.

The planned structure would utilize almost every square inch of the property as presented, leading the developers to cut corners on the size of planned parking spaces, pave over existing green spaces, and impinge on the privacy of neighboring residents. They have requested to keep a 11.5 foot wide driveway when the City requires a minimum width of 20 feet for two way ingress and egress. I fear that this driveway will not be wide enough for fire trucks to reach the building in an emergency situation, posing danger to all buildings and people in the vicinity.

This building would be built atop a steep hill. A retaining wall currently exists at the base of the property. However, this retaining wall was not designed to accommodate a development of this size. The potential environmental impacts from this proposal during the building phase and then after development are alarming. Abutters, particularly those below, need assurances of how construction, water runoff, snow removal and soil erosion will be addressed. We need guarantees against long term impact and potential damage to our properties

I question given the plot of land if it is safe or prudent to build much more than currently exists. The topography is risky and what currently is proposed will significantly reduce all neighbors' privacy and sunlight and compromise safety. The developer is putting forth too large a proposal and requesting unsafe easements.

I urge you to not support this plan.

Sincerely,

Nancy Machesney

Google Groups

Project # PL-000791-2019 concerns

Annie Frye <fryenh@comcast.net> Oct 16, 2019 11:27 AM
Posted in group: **Planning and Urban Development**

shukriaw@portlandmaine.gov

amachado@portlandmaine.gov

Planning Board of Portland Maine

Re: Project # PL-000791-2019

128R North Street

Dear Ms. Wiar and Ms. Machado and members of the Planning Board-

We are abutters to the project PL-000791-2019 and would like to express our concerns about the proposed development. Our home is 217 Sheridan Street.

In reviewing the R-6 zoning requirements and the Munjoy Hill Conservation Overlay District we had concerns about the development and zoning violations.

- Lot 128 R is a small completely “land locked” parcel. It has no frontage of its own, it shares a driveway easement. R-6 requires 20 ‘of frontage. This lot has 0’ frontage. After speaking with Ms. Wiar, I understand that the zoning administrator decided that the frontage issue could be overlooked by deeming it a non conforming lot. We are concerned that this is not an appropriate measure. Among other issues, the emergency access to the proposed housing could be compromised.
- The Munjoy Hill Conservation Overlay requires the 1st floor of a multi-floor development must be living area. The drawing indicates parking at this level.
- As a rear abutter we are concerned about the retaining wall. The capacity for it to retain this 6 unit development is a question. Was it designed to accommodate such a load? We already experience substantial water running through our garage from the base of the wall. Engineering is a concern.
- I understand by providing the work force housing unit the development can maximize the height of the building to 45’, the R-6 zone is normally 35’ max height.

It seems this small, back lot on the edge of a huge slope has maximized its coverage and density using every loophole and exception. This doesn’t make sense. Zoning is established to protect the neighborhood and safety of community.

Please take these concerns into consideration when deciding on this development.

Thank you.

Annette and Steven Frye

217 Sheridan Street

Portland Maine

fryenh@comcast.net

Planning Board of the City of Portland Maine
C/O Shukria Wiar, Planner
Department of Planning and Urban Development
City Hall - 389 Congress St
Portland, ME 04101

10/31/2019

To the Honorable Members of the Portland Planning Board,

My name is Peter Roehrig and I am writing in support of the proposed development at 128R North Street.

I decided to move to Maine in September 2019 to live and work in large part thanks to the quality of life and affordability benefits of Portland. My career is in building energy efficient schools and public buildings, so it is an important priority for me as I look for a new home. However, finding an energy efficient and affordable place in Portland has been rather challenging, especially given the housing stock on peninsula.

I jumped at the opportunity to join a group of friends to buy a unit in the proposed 128R North Street property. The camaraderie we share will help to enhance the community-based contributions of this project. Upright Frameworks has an established track record of quality craftsmanship and customer satisfaction, utilizing modern technology, smart design and energy efficiency. Josh and his team build quality structures with high standards that will help to ensure long-term value and in harmony with the neighborhood.

Thank you for your consideration.

With warm regards,

Pete

Future Resident of 128R North St.

Planning Board of the City of Portland Maine
C/O Shukria Wiar, Planner
Department of Planning and Urban Development
City Hall - 389 Congress St
Portland, ME 04101

10/30/2019

To the Honorable Members of the Portland Planning Board,

My name is Elizabeth Helming and I am writing in support of the proposed development at 128R North St.

The project furthers the goals outlined in the "Portland's Plan 2030" document, but more importantly, the proposed building will be a home for me. I have lived on Munjoy Hill for the last five and a half years. As a retired teacher, living on a fixed income, one of the most difficult challenges for me is figuring out how to keep my costs from increasing every year. To manage my rising rents, I have tried everything from subletting a room to taking on a part-time job. The super energy efficient, work force unit I will be purchasing is going to help me keep these costs under control.

I love this neighborhood and I'm the kind of person who does her part to keep it sparkling. No matter where I've rented, I've always made a point of helping to keep the trash and recycling organized and I will confess that I'm also one of those people who will pick up a piece of trash on the sidewalk and find a trash can for it, if I'm out on a walk.

I intend to live in my unit full time. In addition to the predictable (and low) energy costs, I am excited about my new home for other reasons too. First – as I get older, it is increasingly difficult to shovel out my car after a snow storm and having a garage will be a game changer in that regard. The idea of being able to age in place is also super appealing and with a ground-level ADA accessible space, there are few scenarios in which I would not be comfortable in my new home. More than that, I genuinely like the other people who will live in the building. I do have family in the area, but knowing that I have neighbors in my actual building who I care about (and who care about me) is incredibly reassuring.

Finally – I know that when I move out of my current home, my apartment will be made available to others seeking an affordable, long term lease. And such space are extremely rare on the Hill.

Thank you for your consideration.

Regards,

Elizabeth H Helming

Elizabeth (Bets) Helming
Resident of 126 North St. & Future Resident of 128R North St

Planning Board of the City of Portland Maine
C/O Shukria Wiar, Planner
Department of Planning and Urban Development
City Hall
389 Congress St
Portland, ME 04101

To The Honorable Members of the Portland Planning Board,

I am pleased to offer my support for the Redevelopment Plan at 128R North Street. My husband and I will both soon retire and want to purchase our "final" forever home in Portland. We have been renting an apartment on Munjoy Hill for the past two years in order to get a "feel" for what life would be like as home owners in this dynamic, multi-cultural Portland neighborhood. From the very first days of living here, I felt that I had found my "place". For the past two years, thanks to my daily walks to the area's museums, shops, restaurants, music and art venues, parks, and trails, I've developed friendships and relationships with the great people who live, work, and visit this neighborhood. These connections play a big part in why I now KNOW I need to live in this part of Portland. Being witness to how the City Council's and Planning Board's recent housing development decisions are guided by the Portland 2030 plan (A great plan that syncs with my beliefs about the necessity to address issues of climate change, sustainability, community connectedness, and fiscal responsibility!) gives me hope that this project will soon be approved, and we can purchase a home on Munjoy Hill. That "home" waits for us, our children, grandchildren, and friends, and happily, it's just a few blocks away at 128R North Street! Please help us get there by approving the development plan you have before you.

My story of finding magic on Munjoy Hill continues because of Upright Properties. The building they are proposing to build is PERFECT for us. As a retired teacher, I pay close attention to my budget and idea of a super energy-efficient home with low operating costs is very appealing. My husband and I intend to live in our unit full time. We are excited about the energy efficiency of the space, but also excited to have a home that that will allow us to grow older in a comfortable space. The building's garage and elevator will allow us to get around, no matter what the conditions outdoors. The unit itself is laid out in a way that allows for a wheelchair if that ever becomes necessary. I do have family in the area, but even a short drive can be daunting in the winter, so knowing that we will be living in a building which also houses friends eases worries about becoming isolated. An added bonus is the fact that a Greater Portland Metro (I use it often!) stop is just steps away from the building, as is East End Community School, where I hope to volunteer. My retirement from teaching became official on July 1, 2019 and I am happy to say that the volunteering opportunities I've taken part in have added much joy to my life. Also, as a gardener, I am super excited to take advantage of all of the green space that our property at 128R North Street will include. I can't wait to welcome bees, birds, and my little family of visiting grandSavages to a home I know will be built to the highest of standards and will provide a safe haven for our family for the next 20+ years.

Finally, I know that my landlord only rents to long term tenants, so my current apartment will be available to someone else who wants to live (rather than vacation) in the neighborhood. (Hopefully that "somebody" will be my daughter who wants to return to Maine from Brooklyn to raise her family here, near her sister, nephews, and parents. A mother can dream.....) I foresee only positive outcomes for my family and the residents of Munjoy Hill due to the construction of this amazingly beautiful building. I hope you agree. Please contact me if you have further questions.

Thank you for your consideration.

Best Regards,

Mrs. Frances McCann Savage **(Current resident on Lafayette Street, Portland and hopeful future resident of 128R North Street, Portland)**

Planning Board of the City of Portland Maine
C/O Shukria Wiar, Planner
Department of Planning and Urban Development
City Hall - 389 Congress St
Portland, ME 04101

10/31/2019

To the Honorable Members of the Portland Planning Board,

Family. Community. Environmental Impact. These are my priorities as a new mother and a years-long resident of Portland, and they are the reasons I am writing to voice my support of the proposed development at 128R North St.

My name is Katharine Wojcik and I moved to Portland seven years ago to start a business and new life path more consistent with my personal values. In short time, I happily formed a network in the community and created a family of my own, and I continue to live in Portland as a working mother. With my design company, Adept Creative, I am able to offer work at lower costs to local nonprofits, and often provide pro bono work for a number of organizations in Portland. This work continues to be an important arm of my company; one that I am proud to offer to neighbors and friends in the city.

Portland was a gracious landing pad for me and I found this community to be open, collaborative and welcoming. As a business owner and community member I hope to extend this spirit through my work. I am disheartened to see this spirit diminished, by a vocal minority of my neighbors on the Hill who have chosen to spend their time attempting to block progressive building projects. I believe that everyone should have an opportunity to voice their opinion, but I do not agree with an ideology that seeks to halt forward progress. There is too much at stake.

As a mother, there is nothing more important to me than the safety and wellbeing of my child, future children - and every child for that matter. We need well-built homes that provide families with safe spaces free of lead, asbestos and fire hazards. We need buildings that offer affordable options for families of all income levels and that promote a communal atmosphere living side by side (this is a city, after all). We need, now more than ever, to prioritize cutting the energy waste, budgetary uncertainty and poor environmental impacts from older buildings.

This proposed building will be a year-round home for my family and a number of close friends who have become my "Maine family." Munjoy Hill is where I want to raise my children. My husband, Joshua Wojcik, and his project team have taken much time and measure to design a building that adheres to the City's building code and rules and is consistent with the City's 2030 Vision. We are not seeking to max out the number of allowable units of the amount of buildable space, but instead to build a home for our family and friends, <u>together</u>. We are maximizing the amount of green space on the property, doubling the 20% requirement to 40% green space. Our design is based on styles from surrounding neighborhood buildings and reflects our values of saving energy and conserving green space while maximizing the livable space on the property so as not to waste a large city lot.

I am looking forward to living in a building with a small carbon footprint, and my husband and I intend to teach our children what that will mean for the planet's future.

Thank you for your consideration.

Regards,

-Katharine Wojcik

Designer (and Future Resident) of 128R North St

Meagan Sway & Sage Friedman
47 Lafayette Street # 2
Portland, Maine 04101

Dear Portland Planning Board:

Our names are Sage Friedman and Meagan Sway, and we write in support of the proposed development at 128R North Street.

We are current residents of Munjoy Hill and have been renting there for most of the past decade. Sage is a new lawyer at a downtown law firm, and Meagan is a civil rights lawyer. Because of our life paths, owning a home on Munjoy Hill is nearly cost-prohibitive. The proposed development at 128R North Street, because it is an investment of pooled resources by a group of friends, is likely the only way we can afford to own a home in our neighborhood.

Living at 128R North would mean a great deal to us. We want to stay on Munjoy Hill. The building will be net-zero capable, which is increasingly important as we each try to do our part to keep climate change from getting worse. The property's location and under-building parking will enable us to reduce or even remove our impact on congested Hill parking.

Most importantly, it will enable us to stay close to our dear friends (Peter, Fran & Jim, and Bets) and our chosen family. Sage and Josh have known each other for 41 years. We babysit Josh and Katharine's daughter and have Sunday family dinners together most weeks. To us, this will not just be an attractive new building where we happen to have awesome neighbors, it will mean the solidification of deeply-rooted community.

We very much look forward to the next phase of our lives at 128R North Street and thank you for your time and consideration.

Sincerely,

Meagan Sway & Sage Friedman

PC17

Portland Maine Yes. Google's good here.

Caitlin Cameron <ccameron@portlandmaine.gov>

The Problem with 128 North Street

1 message

Lindsay Steven Mann <lindsaymann@gmail.com> Tue, Sep 10, 2019 at 12:19 PM
To: Lindsay Mann <lindsaymann@gmail.com>
Bcc: ccameron@portlandmaine.gov

Dear Council members,

My name is Lindsay Mann. My wife, Susan, and I bought 122 North Street on Munjoy Hill one year ago. We instantly fell in love with the old charm, the architectural details, and the back yard. We have two young children who will grow up here, attend the East End Community School, and be part of the fabric of this city.

We were notified in July that our house has been included in the Historical Preservation Board's recommended historic district. **However, we were also recently notified that a 4-story, 6-unit condo building will be built at 128 North Street, right in our back yard.**

We are surrounded on all four sides by construction that would not be included in the historic zone. We would literally be the only house on the block that is designated historical - an island of one house. I am opposed to the zone for myriad reasons, but it seems particularly unfair to cherry pick our house.

I am, however, **more** opposed to the scale and scope of the proposed condo building at 128 North Street. It's height and design is in stark contrast to the neighborhood aesthetic (especially my house, which the city deems historic). The developer claims the building "blends in with the surrounding character of the neighborhood" and is "hidden from the public right-of-way." This is completely false. The building will dwarf our house and others.

We are, quite literally, stuck in the middle. The city wants to control what I build on my property, what materials I use, and limit my options if I ever sell. Meanwhile, if they allow 128 North Street to go through as proposed, they are allowing a developer to demolish a late 1800's house (and part of the building next to it), block the sun with cheap modern materials, and add traffic to an overly busy school zone, all with complete disregard for the rich architectural design that makes Munjoy Hill unique.

You may have recently received an email from our neighbor, Josh Wojcik, the developer of 128 North Street (if not, I can forward it). In it, he claims: *"The district is unnecessary. Many who are pushing this are hoping that it will stop developers from buying and tearing down buildings to build giant condos for out of town buyers. This issue was already addressed by the Munjoy Hill overlay vote. The rules already put in place are more than adequate."* The fact is, **he is a developer. He is tearing down a building to build a giant condo.**

Wojcik misrepresents our overall feelings in that email. If it comes to this, we will have to choose the lesser of two evils and support a historic district. While I feel the historic district adversely effects those much less fortunate than my family, if the district (and it's 100 foot proximity rule) will prevent a monster 4-story building from blacking out what's left of the evening sky on North Street, then that's the position we will have to take.

Wojcik is right about one thing: we are not crazy. We are lovers of fine architecture. We are taxpaying citizens. We are young and energetic members of this diverse and vibrant community. We bought our house on North Street because it is the first place we ever felt at home. We plan to raise our kids here, cherish and preserve the beautiful architecture of the building, and never sell to a developer who would knock it down in order to build something new and awful. We are not opposed to progress. We are not opposed to new construction. We are opposed to being treated unfairly, and we are opposed to the scale and design of the proposed building at 128 North Street.

Please reach out to me if you are interested in hearing more.

Thank you for your time and consideration,

Lindsay & Susan Mann
122 North Street
(207) 613-4066

To Portland Planning Board
From Deborah Cole
Re: PL-000791-2019- Condo development proposal for 128R North St

I have been a resident of Walnut Street on Munjoy Hill for over 40 years and have seen major growth and change in our neighborhood. I purchased my home at 71 Walnut St in 1980 and am probably the longest living neighbor in the vicinity of this condo proposal. Our Munjoy Hill neighborhood has thrived and grown in popularity over the years with its unique character and vibrancy. Munjoy Hill is now the number one neighborhood in popularity city wide.

Our small triangle of Munjoy Hill, bordered by Walnut Street, North Street, the East End School, the community gardens and Mount Joy Orchard has already absorbed more than its fair share of infill housing including Island View Apartments developed by Roger Gendron and Munjoy Heights developed by Jonathan Culley.

This proposed project would be overkill. It is out of scale with the neighborhood and does not harmonize with the surrounding streetscape. It would monopolize an already non conforming backyard that originally housed a small cape cod style one family home.
We run the risk of destroying the very cache which Munjoy Hill now enjoys if the city allows infill development to run amuck. This project would be an unfortunate tipping point for our neighborhood and should not be built.

For me personally, when looking west from my home, from my garden, or from my orchard, I would only see “Wojcik Heights” squeezed in and towering above my single family home.
Please do not approve this project.

Thank you,
Deborah Cole
71 Walnut St
dcole1030@gmail.com
207 754 3859

PC19

Google Groups

PL-000791-2019

Peter Pitegoff <ppitegoff@gmail.com> Jan 23, 2020 5:13 PM
Posted in group: **Planning Board**

Dear Members of the Planning Board:

As Munjoy Hill residents, we express our continuing alarm regarding recent demolition of a single family home in a rear lot (128R North Street) adjacent to our home, with the developer's intention to replace it with a large 4-story, 6-unit condominium building. We are further troubled by the developer's plan to demolish a second building, an existing 4-unit building at 126 North Street (in front of 128R), and to construct a new 5-unit building in its place. The developer submitted the 126 North Street plan as a revision of a previous site plan at 128R North Street -- Plan Number PL-000791-2019. This letter presents several specific concerns that supplement questions we have raised previously.

The proposed building at 128R is very close to the 15 foot high retaining wall behind Munjoy Heights, with a steep slope between the new building, the retaining wall, and the Munjoy Heights buildings immediately to the rear of 128R. The Munjoy Heights Condominium Association holds a 10 foot wide sloped easement on the 128R property to enable access, with "...equipment, including heavy equipment, to maintain, repair, shore-up and replace a retaining wall between the adjacent properties....” It appears that the expanded and expansive footprint of the new structure would limit and possibly preclude such necessary access to the easement area for maintenance of the retaining wall.

We also learned at a recent neighborhood meeting with the developer that the proximity of the new building to the retaining wall precludes the planting of trees or plants with a deep root system behind the building, as they would compromise the integrity of the retaining wall. The first story of the new structure immediately behind Munjoy Heights will be an open covered parking area for six cars, extending to the rear end of the building. This will result in intrusive car exhaust fumes immediately outside our and our neighbors' kitchen, bathroom, and bedroom windows and is likely to invade our air circulation systems. The plan is to build a 2 1/2 foot high knee wall at the rear of the first-floor parking area, with some sort of mesh screen above the partial wall. We have urged the developer to enclose the parking area, or at least to build a higher rear wall, and to provide for landscaping behind the building. Aside from the possibility of vines above the partial wall, the developer suggested that landscaping in the back will consist only of grasses planted behind the building.

The developer's rationale for demolishing the 126 North Street building is in part to widen the narrow driveway to 128R North, now squeezed between two buildings, in order to meet fire code standards for a 16 foot wide driveway and enable access by emergency vehicles. We are troubled by the developer’s intention to begin construction of the rear building *before* widening the driveway, heightening risk to neighboring homes behind and adjacent to the proposed rear building during the construction period. The developer estimated that the construction period for the 128R structure will be roughly twelve months. Throughout that period, the current narrow 11 1/2 foot wide driveway will remain in place, as the 126 North Street building remains standing, which would impede access for fire engines if required on the construction site.

These properties are within the Munjoy Hill Neighborhood Conservation Overlay District and immediately adjacent to the prospective Munjoy Hill Historic District. As we and other neighbors have noted previously, these proposed developments are out of scale and character with nearby North Street homes and are ill-advised. The proposed building at 128R North Street expands way beyond the footprint of the demolished home on the site, it strains the setback requirements on all sides, and it towers four stories above the top of the 15-foot high retaining wall that sits behind it. We urge the Planning Board to

insist upon a new site plan that is smaller in scale and that reflects a high degree of architectural integrity and compatibility with the surrounding Munjoy Hill neighborhood.

Thank you for your consideration.

Ann Casady & Peter Pitegoff
205 Sheridan Street
Portland, Maine

PC20

Google Groups

128R and 126 North St

Vana Carmona <vanacarmona@gmail.com> Jan 24, 2020 9:46 AM

Posted in group: **Planning Board**

In addition to all the other demos taking place on Munjoy Hill, we are again concerned about yet another. This will be the third one within a block from our home in the last few months.

The house at 128R North was torn down in November. At about the same time, the neighbors received notices that 126 North was also going to be scheduled for demolition.

This was deemed necessary so that the 128R project could be completed.

As neighbors —who do not want any of these enormous mass-and-scale projects on the Hill—, we have to ask: why were the developers given permission to tear down a house for a project that was not even approved?

If the 128R depended on the destruction of 126, why was that plan not included and the demo halted?

I did attend a workshop at Root Cellar last fall about the 128R project and no mention was made at all about 126. Yet, the developers certainly knew at the time that they would have to address the issue of access and the building at 126.

That meeting, by the way, was attended by many abutters who were angry that the developers had not been clear with them about their intentions.

I suspected at the time that 126 was doomed and shared that thought with several people in the days following the workshop.

When we received the notification, we were surprised only that we were getting it sooner rather than later.

As you know from the recent workshops, the residents of the Hill are alarmed at these types of projects. You need to listen to us before it is too late.

The 128R project is designed as a multi-family 5 story condo, towering 8 feet from a (hopefully) future historic district. It is already too big for the neighborhood in general, and certainly too large for its location abutting much smaller residences.

I also want to point out that, after the workshop in the Fall and prior the demolition of 128R, I took the images of the proposed project showing how it would ultimately look form North St. I went to the locations and tried to compare these renderings to the buildings currently there. The mock-up were entirely misleading! The perspective that was used was incorrect and in reality, the new building will tower over the buildings along the street.

These projects are suffering from the same problems that are being created with many other projects on the Hill. They are just too big!!!

Please reconsider what you are planning to approve on these. Please encourage these developers of 128R and 126 to come up with a new plan that betters serves our neighborhood.

Thank you.
Vana Carmona

PC21

Google Groups

126/128R North Street

Lindsay Steven Mann <lindsaymann@gmail.com> Jan 24, 2020 11:22 AM
Posted in group: **Planning Board**

To the Planning Board Members concerning project PL-000791-2019.

My name is Lindsay Mann. My wife, Susan, and I bought 122 North Street on Munjoy Hill in July of 2018. We have two young children who will grow up here. Our daughter will attend the East End School in the fall.

We fell in love with the spirit of this house - the architecture, the character, the beautiful back yard. The yard looks onto the lot at 128R North, which is set back from the street and sandwiched in between many different buildings. It was previously home to a single family residence. It is simply too small to absorb a building of the size proposed. There is an easement between 126 and 128 North Street that allows access to the building at 128R. The driveway is not wide enough for a 6-unit building. There is an easement for the Munjoy Heights retaining wall on this property that allows maintenance for that wall. These are all signs that the proposed building is too large for the lot. The solution, however, is not to demolish another 4-unit apartment building (126) and replace it with a structure nearly equal in height to 128R. This does not hide the scale and massing of the rear building, it only adds to the enormity of the project.

Our 1890's house is one the city deems historic: "a remarkable example of the Second Empire style on Munjoy Hill, retaining a significant amount of defining ornamentation and stylistic features." If the city wants to protect the charm of Munjoy Hill that makes it a popular destination, then it should not allow new construction to dwarf and diminish that very charm. For the most historically significant building on the block, it is very noticeable how little our house has been included in the developer's drawings and documents. At the neighborhood meeting, we asked for renderings from our point of view - those were not provided. We asked if the building could be shifted towards Bayview Heights so the setback to a single family back yard was greater than it is to a parking lot - we were told that isn't possible due to the building's footprint. The developer has used renderings from very specific locations to claim the building will be hidden from the public way. This simply is not true. Overhead site plans and drawings are one thing, but the real impact on our neighborhood, our lives, and our back yard is impossible to overstate. In the attached PDF, you will find images that much more accurately reflect the sheer size of the building, they are temporary, but will give you a much more accurate sense of the scale of this building.

Density should not mean suffocation. We support smart growth, we support affordable housing, we support protection of open spaces, and preservation of this city's history and architecture. But we do not support this project. It is incompatible with the neighborhood and threatens to divide this community. The people surrounding this project have spoken clearly: this building does not belong.

Lindsay Mann
122 North Street

--

LINDSAY STEVEN MANN
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mobile: (207) 613-4066
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drone @ 45 ft
drone @ 38 ft.

PC22

Google Groups

128R and 126 North Street development proposal

Leslie Hart <blesliehart@gmail.com> Jan 24, 2020 10:22 AM

Posted in group: **Planning Board**

I am writing to express my concerns regarding these proposed developments. They are unacceptable under the R-6 Design Standards which require new construction to maintain the existing character of a neighborhood including scale.
The proposed developments are much too large and will overwhelm the neighborhood. They should be reduced in size, mass and scale.
Thank you

Leslie Hart
215 Sheridan Street

Sent from my iPhone

PC23

Google Groups

128R and 126 North Street Development Proposal

Kevin Schochat <kevin@kevinschochat.com> Jan 24, 2020 11:49 AM
Posted in group: **Planning Board**

To Whom It May Concern,
I am writing to let you know my concerns in regards to the above referenced proposed developments. They are totally unacceptable under the R-6 Design Standards which require new construction to maintain the existing character of a neighborhood including scale.
These proposed developments are much too large and will overwhelm the neighborhood. They should be reduced in size, mass and scale.
I hope you will do the right thing and what is best for all the citizens of Portland.
All the best,
Kevin Schochat

P.S. Please note that this email was submitted before 12:00 noon today - 1/24/2020

Kevin Schochat
215 Sheridan Street
Portland, Maine 04101

T: 917.597.4154

PC24

Google Groups

128R and 126 North Street-Opposite Letter

Tracy Davis <tdavis@urban-dwell.com> Jan 24, 2020 11:54 AM

Posted in group: **Planning Board**

To whom it may concern:

We, Tracy Davis and Michael Kennedy in residence at 201 Sheridan Street, are in staunch opposition to the proposed housing development suggested for 128R and 126 North Street.

Mr. Josh Wojcik, wholly and intentionally mislead neighbors when proposing that he was “building a home for his family”. What was presented was not a single family home but rather a monolithic four story multiplex box, inclusive of open, above ground open air parking. The proposed design of this property would tower over neighboring buildings, punctuate North Street from lower elevations and highway views, and will negatively impact the neighboring Historic Residence.

As residents of Munjoy Heights, our concerns are how this proposal negatively and physically impacts our property and neighborhood, our right to privacy, and the evolving Historic R7 District.

This development has already permitted the demolition and removal of a small single family home, a short of neighborhood inventory. Mr. Wojcik purposefully let the residence at 128R fall into ruin over a period of 12 months after evicting his tenants, turning off the heat, and opening the buildings windows inviting the mix of seasonal elements, only later to claim that the building was irreparable and condemned as a result. A strategic piece of his manipulation to deceive abutters as he ramped up to execute a plan that has now gone from “building a home for his family” to a multiplex, now doubled in size that occupies TWO existing lots, since he conducted the first neighborhood meeting.

Throughout the process, Mr. Wojcik has claimed that he does not have money to complete the project as illustrated in his first neighborhood meeting (a single multiplex). He has publicly stated, once the building was complete, landscape would happen as he could afford. Mr. Wojcik repeatedly commented that he did not have the funds for redesign.

Suddenly, Mr. Wojcik has fiscally committed not only to the redesign the original building but has added ANOTHER building to his proposal. This amended proposal will demolish a SECOND existing building, to affect and effect his goal of an income stream (to provide a college fund for his children-yes he actually said this). Adding this building also provided him the ability to add width between two buildings (126 which Mr. Wojcik currently owns and the neighboring residence that he does not own) for Emergency Equipment, but still falls short of what is required by current code.

Concerns/Impact:

1. Fiscally responsible to complete in whole
2. Air quality and impact

3. Snow removal
4. Proximity
5. Rainwater run off
6. Erosion of the retaining wall
7. Fire
8. Meeting requirements for emergency equipment
9. Greenspace
10. Light Pollution
11. Impact on R7
12. Parking requirements for additional units at 128

As the City of Portland evolves, Planners need to consider cause and effect. The need to preserve the character of our neighborhoods must be in collaboration with progress. The impact of change is a constant. We ask the board to consider our concerns as they process Mr. Wojcik's request to built an income producing multiplex in this small multicultural, mixed income neighborhood.

Respectfully submitted,

Tracy Davis and Michael Kennedy

TRACY DAVIS

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PC25

Google Groups

128R and 126 North Street Planning Board workshop

David Machesney <dmachesney@prattabbott.com> Jan 24, 2020 12:05 PM

Posted in group: **Planning Board**

To the Planning Board:

As an abutter to the proposed project I am concerned with the size and scope of this project. I feel the size and scope is not in line with the R-6 design standards and I am concerned with the scale and massing and architectural compatibility that is not compatible with the neighborhood.

Sincerely

David Machesney

213 Sheridan Street

Portland, Maine 04101

PC26

Google Groups

128 R and 126 North Street

Richard Marino <marino04102@yahoo.com> Jan 28, 2020 1:57 PM
Posted in group: **Planning Board**

Good Afternoon,
I am writing in support to my neighbors' opposition to the plans for the North Street project. I would stress that there should be no relaxation in the interpretation of zoning rules and design. The buildings overwhelm the site to the detriment of all abutters.
Respectfully
Richard Marino
226 Sheridan St.
Portland

Sent from my iPad

FEDERLE LAW

--Sent Electronically--

February 10, 2020

Ann Machado, Zoning Coordinator

Shukria Wair, Planning Staff

Brandon Mazer, Planning Board Chair

RE: Level III Site Plan/Subdivision Application

128R North Street/ 126 North Street

Dear Ann, Shukria and Brandon:

At the January 28, 2019 workshop on the above matter there were several questions raised about the proposed development. I am writing now on behalf of the owners of 122 North Street to outline for you several fundamental ways in which I believe that the project fails to comply with Portland's Land Use Ordinance. Some of the shortcomings are so fundamental, like failure to adhere to basic setback requirements, that they are fatal. Note that this letter does not include all arguments in opposition to this proposed project but outlines several of its more glaring failures.

I. The foundation of the proposed structure at 128R North Street encroaches into required Rear Yard setbacks.

The proposed Master Site Plan (**Drawing C-10 attached**) shows a proposed concrete wall located about 2' from the property line in the south rear corner of the site and 10' from the property line for most of the rest of it. The proposed First Floor Plan (**Drawing A-1.1 attached**) notes that the concrete wall is exposed a foot and a half above the asphalt parking area and shows six posts set in the concrete wall to support the structure above. The posts are also depicted in the attached rendering but are depicted as hovering off the ground instead of showing the concrete foundation wall supporting them (**Rendering A-5.2 labeled "Hovering Posts" attached).**

Portland's Land Use Ordinance defines a foundation as follows: "The supporting substructure of a building or other structure, excluding wooden sills and post supports, but including basements, slabs, frost walls, or other base consisting of concrete, block, brick or

similar material." **See LUO at §14-47.** What is being proposed is a supporting substructure wall made of concrete. Inarguably, a structure's concrete foundation wall is required to meet setback requirements.

The dimensional requirements of the R-6 Zone, as modified by the Munjoy Hill Neighborhood Conservation Overlay District, requires that a building over 35' in height must maintain a 15' Rear Yard Setback. See **LUO at §14-140.5**. That setback can be relaxed to 7.5' for "rear decks, porches, or similar unenclosed space." **LUO at §14-140.5**. The concrete foundation wall is not a "rear deck, porch, or similar unenclosed space." The foundation wall is itself a structure that needs to meet the 15' setback (as well as the 10' Sideyard Setback).

Planning Board member Sean Dundon asked the question at the Planning Board workshop "why not enclose the parking garage?" It is by leaving the parking garage unenclosed that the developer is trying to take advantage of the relaxation of the Rear Yard Setback requirement that is available for decks, porches or "similar unenclosed space." A parking garage is not similar to a deck or a porch and is not made similar by leaving it partially exposed. Had the City intended to allow parking garages to encroach into the setback, it would have said so. To cram a parking garage into a narrow exception that expressly refers only to decks and porches, would allow for the unreasonable exploitation of the zoning language that would be replicated by almost every developer in the Munjoy Hill Neighborhood Conservation District. Both the foundation wall and the parking garage are impermissibly encroaching into the required setback.

II. The proposed structure at 128R North Street encroaches into required Side Yard setbacks.

The proposed structure at 128R North Street is located 8.56' from the single family residential property to its south (122 North Street). A 10' Minimum Side Yard Setback is required in the R-6 Zone as modified by the Munjoy Hill Neighborhood Conservation Overlay for a building over 35'. This setback can be relaxed down to 5' "when used to continue a documented built pattern of the surrounding streetscape." 128R North Street is a rear lot not located on, nor contributing to, North Street or any other streetscape. There is no documented pattern of rear lot development that skews closer to one sideline versus the other.

In a one page summary at Section T of the developer's Site Plan/Subdivision application dated August 2, 2019 and revised October 29, 2019, the developer points to 4 street facing homes to argue for a relaxation of the side yard setback for a rear-lot development. No documentation of a rear lot built pattern was provided. Incorrectly, the summary states that "the wider setback was also positioned in our project to provide a larger buffer to the single-family houses on the South side of our project." (**Section T attached**). Just the opposite is true: the developer is proposing a narrower setback with the single family home

immediately to its South—it is this setback line that it is seeking to reduce from 10' to 8.56'. Importantly, the single family home to the South is a historic home that the City recently determined was so worthy of inclusion in the proposed Munjoy Hill Historic District that the proposed District was extended beyond Walnut Street for the purpose of capturing, and presumably protecting, this historic asset. It is from this very house that the developer is seeking to reduce the setback. In short, the proposed development fails to comply with the minimum side yard setback.

III. The proposed structure at 128R North Street encroaches into a maintenance easement owned by the residents of Munjoy Heights and no permission has been given to the developer to protrude into the easement.

The owners of the units at Munjoy Heights are the owners and beneficiaries of a 10' wide easement on the property located at 128R North Street. This easement right provides the Munjoy Heights owners with rights to enter upon the easement area "with men and equipment, including heavy equipment, to maintain, repair, shore up and replace a retaining wall between the adjacent properties of [Munjoy Heights and 128R North Street.] **See Easement Attached.** Upright Properties, LLC, the owner of 128R North Street did not retain or reserve any rights to construct a building that protrudes into the 10' wide easement area. Such right would need to be granted by the holders of the easement (the owners of the units at Munjoy Heights) and such request has neither been made nor granted.

Beginning at about 8' off the ground, the second, third, and fourth floor decks protrude into the maintenance easement such that it is narrowed down to 7.61' wide rather than the 10' wide as granted. **See the attached Drawing A-1.1 and Master Plan C-10 with area of protruding decks circled.** Given the size and the significance of the retaining wall separating 128R North Street and the Munjoy Heights development, Upright Properties, LLC does not have the right unilaterally to narrow the maintenance easement and thereby constrain the maneuverability of heavy equipment as contemplated by the easement. As such, the applicant is proposing a development that exceeds the developer's rights to the property.

IV. The proposed development does not meet dimensional requirements for a fire access lane (access lane needs to be sufficient during construction or surrounding properties are at risk).

There was much confusion at the Planning Board Workshop, and inconsistency in the Planning Staff Report, relating to the proposed phasing of the project generally and the timing of the proposed demolition of 126 North Street in particular. Without a condition

that demolition of 126 North Street must precede the issuance of a building permit for 128R North Street, there is a wholly inadequate fire access lane for response to a fire at 128R during construction.

Even if demolition of 126 North Street does occur, the proposed fire access is a vehicular lane serving 128R that is still only 11.42' wide. The developer is seeking a maximum waiver down to 16' and only getting to that if the City agrees to include in the 16' an almost 5' wide proposed pedestrian sidewalk. Only by combining the two can the developer achieve a width that, in turn, requires the Planning Board to grant an access lane width waiver to the greatest extent of the Planning Board's waiver authority.

V. The 128R parking garage cannot accommodate proposed parking.

Space #4 as presented fails to meet requirements even for compact car parking. Moreover, most spaces fail when the building is properly situated to comply with setback requirements. Finally, the developer is requesting an aggressive waiver allowing for 67% of the spaces to be designated as compact spaces vs. the 20% allowed.

VI. Drive aisle south of 126 is only 13.91 feet wide.

The City Engineer reported that the drive aisle proposed to serve two new parking spaces on 126 North Street struggles with "Auto-Turn runs" because of the narrow drive and tight turning radius to enter the garage. **See Comments of City Senior Engineer attached.** The City Engineer concluded that this would require driving into or out of the driveway and garage in reverse.

The developer would like for the Planning Board to assume that the tenants in 126 North Street will drive small vehicles when that assumption cannot be made. The developer suggested that condominium documents could address the size of vehicles allowed in the garage at 128R but there will be no condominium documents governing 126 North which is proposed as a for-rent apartment building.

The City Engineer concluded that even with small vehicles, pulling in and out of parking would be "very difficult." This does not form the basis for supporting the request for a waiver of the drive aisle width.

VII. The proposed project makes no real provision for snow removal.

What little snow storage is shown is insufficient for a Portland winter and the snow storage area overlaps with landscaped areas, which, in turn, overlaps with the proposed location of utilities.

VIII. The proposed project fails to comply with the Design Manual.

The design review analysis finds several standards not satisfied.

The design review analysis fails to take into consideration, or acknowledge, that this development abuts a proposed Historic District and recommended by the Historic Preservation Commission for approval.

The design review analysis fails to take into consideration, or acknowledge, that this project abuts a building deemed a contributing building to the character that warrants the establishment of the Historic District.

If this is one cohesive project, there should be one comprehensive design review, not two separate, distinct reviews. Notably, the Design Review Team concluded that the mass and scale of the building at 128R will be mitigated by keeping setbacks or a buffer. However, as proposed, the setbacks are not being kept.

Finally, the Design Review Team concluded that the building scale and form is larger and more complex than those found in the neighborhood context but concludes that it is "related enough to the context to mitigate scale and complexity.... especially given its....being behind other residential buildings." If this is not one project, then 128R must be reviewed as though 126 North Street never gets constructed. If 126 North Street does not get constructed then the majority of the mass of 128R will not be behind a residential building.

IX. The developer has not demonstrated the Financial Capacity to build an 11 unit project vs. the 6 unit as originally proposed.

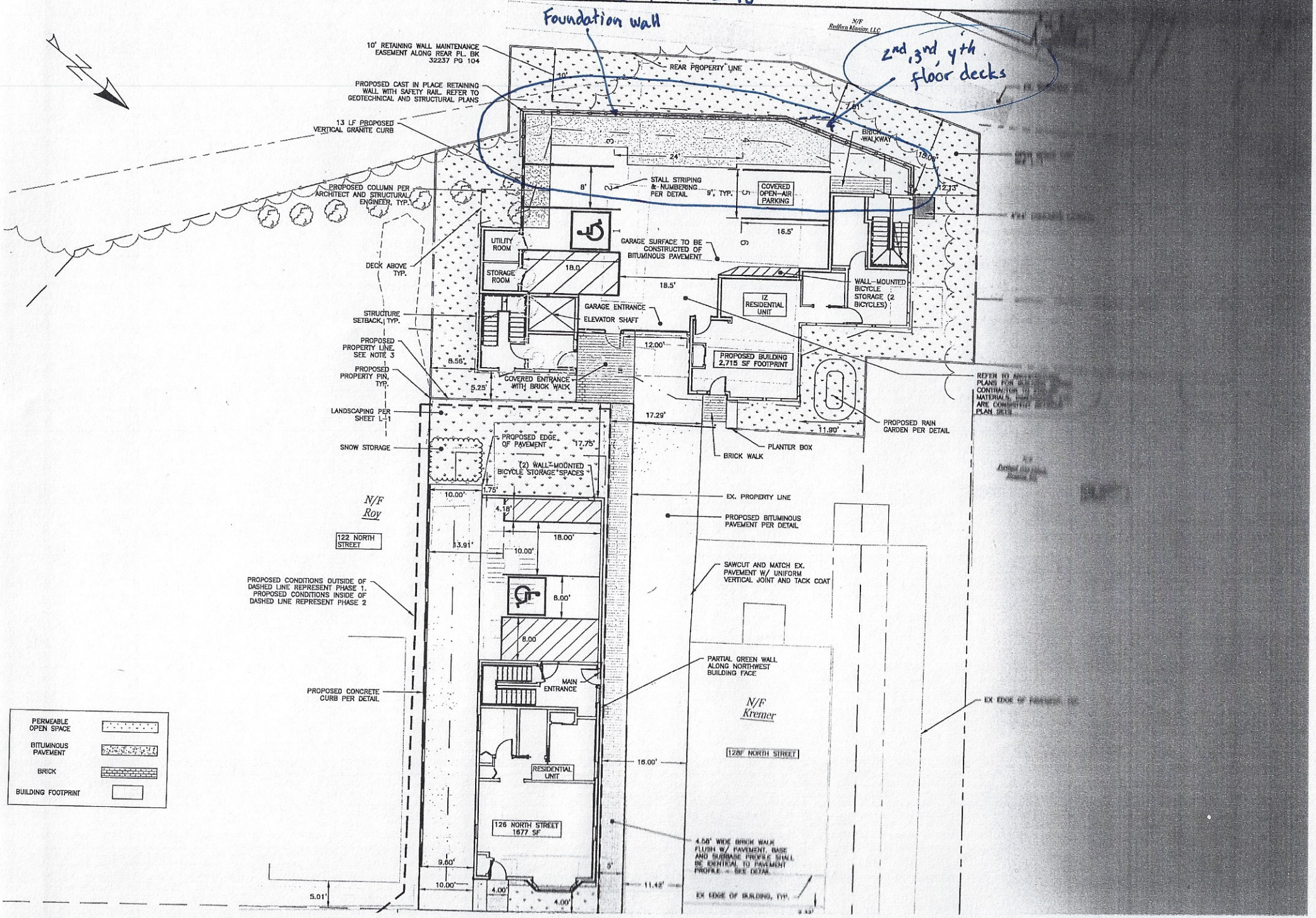
The developer's financial capacity letter submitted addresses only construction of the 6 unit project on 128R. A subsequent letter from Bangor Savings Bank suggests that the project at 126 North Street remains speculative. The bank concludes that "[w]e are looking forward to more substantive conversations as this project materializes." I guess, in closing, I would offer that so are we.

Thank you for your time in analyzing these zoning problems with the application before the City.

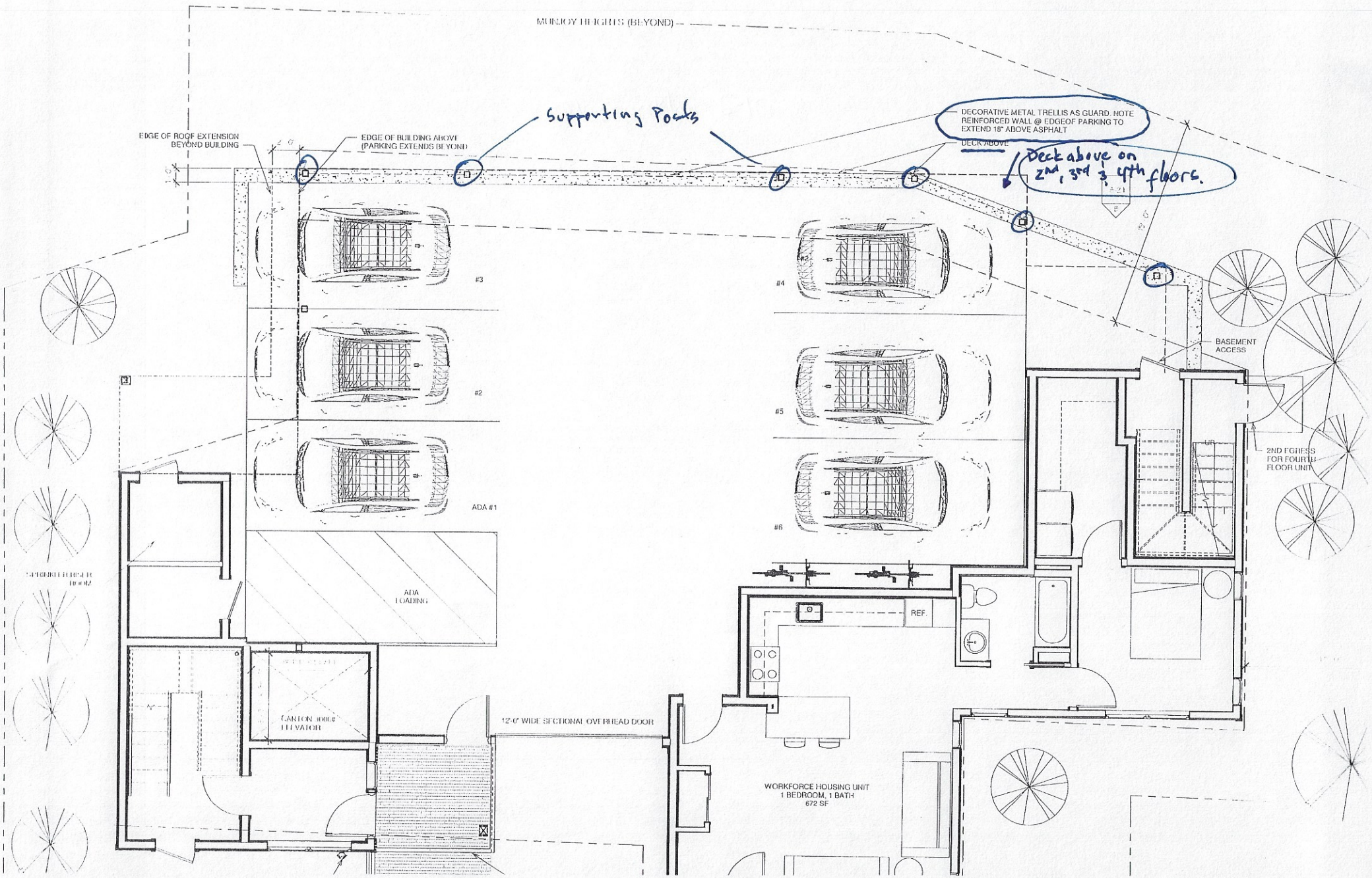
Best Regards,

Thomas B. Federle, Esq.

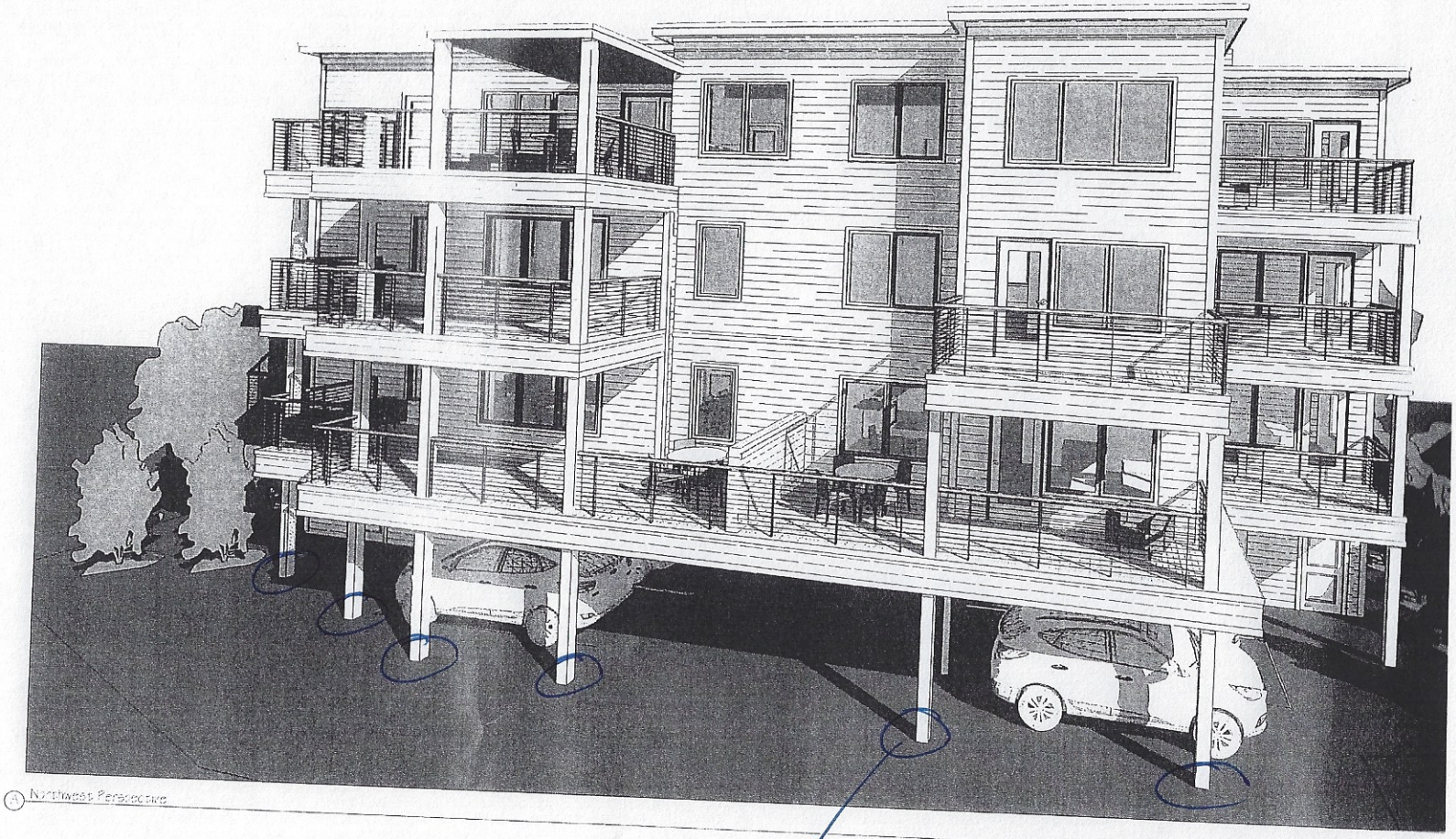
Master Plan C-10



Drawing A-1.1.


MUNROY HEIGHTS (BEYOND)
EDGE OF ROOF EXTENSION BEYOND BUILDING
EDGE OF BUILDING ABOVE (PARKING EXTENDS BEYOND)
Supporting Posts
DECORATIVE METAL TRELLIS AS GUARD. NOTE REINFORCED WALL @ EDGEOF PARKING TO EXTEND 18" ABOVE ASPHALT
DECK ABOVE
Deck above on 2nd, 3rd & 4th floors.
#3
#2
ADA #1
#4
#5
#6
ADA LOADING
BASEMENT ACCESS
UP
2ND EGRESS FOR FOURTH FLOOR UNIT
REF.
CARTON 8000# ELEVATOR
12'-0" WIDE SECTIONAL OVERHEAD DOOR
WORKFORCE HOUSING UNIT
1 BEDROOM, 1 BATH
672 SF

Hovering Posts



A Northwest Perspective

Foundation wall not shown

Site Plan App. 3T

December 23, 2019

Re: Side setback 128R North Street

Buildings in the vicinity of 126 and 128R North Street feature side setbacks that predominantly are shifted towards one side. The proposed building at 128R North features a setback that is 8.56' on one side and 12.13' on the opposite side providing the required 20'-0" cumulative setback required.

The pattern supports vehicular traffic and off-street parking, which our projects do as well. The wider setback was also positioned in our project to provide a larger buffer to the single-family houses on the South side or our project. (Moreover)

Neighborhood examples of this development pattern include:

1) 116 North Street: approximate 5'-0" setback on one side and 15'-0"* on the opposite (facing Walnut Street).
2) 104 North Street: approximately 4'-6" setback on one side and 12'-0" on the opposite
3) 91 Walnut Street: approximately 3'-0" setback on one side and 9'-0" on the opposite
4) 94 Walnut Street: approximately 13'-0" setback on one side and 17'-0" on the opposite

City of Portland GIS Map of Neighborhood (128R North is outlined in blue)

*Setbacks are estimated using the 'measuring tape' tool in the Portland GIS database with satellite image and parcel boundaries as underlays. For visual clarity the satellite image was not used on the map above.

EXHIBIT A

RELEASE AND EASEMENT AGREEMENT

This Release and Easement Agreement (the "Agreement") is by and between **REDFERN MUNJOY, LLC**, a Maine limited liability company ("Redfern"), with a place of business in Portland, Maine and a mailing address of PO Box 8816, Portland, Maine 04104, owner of premises (the "Redfern Land") described in deeds recorded in the Cumberland County Registry of Deeds set forth on Exhibit A attached hereto and made a part hereof, and **UPRIGHT PROPERTIES, LLC** ("Upright"), a Maine limited liability company with a mailing address of PO Box 833, Wilton, Maine 04294, owner of premises (the "Upright Parcel") conveyed by corrective deed from Redfern dated January 31, 2014 and recorded in said Registry in Book 31318, Page 270 (the "Upright Deed").

Whereas, in the Upright Deed, Redfern reserved Easement Rights in the Easement Area, all as defined and more fully described therein, which Easement Rights are for the benefit of portions of the Redfern Land that Redfern is developing as residential condominium/subdivision ("Munjoy Heights").

Whereas, the conditions of the Easement Area requires modifications that were not anticipated at the time the Upright Deed was delivered.

Whereas, Upright and Redfern desire to amend the Easement Rights and reduce the square footage of the Easement Area and to clarify their respective ownership rights and easement rights.

Now Therefore, Redfern and Upright, for one dollar and other sufficient consideration paid and received including the grants and covenants hereinafter set forth, do hereby make the following grants of real property interests and agreements, which agreements are intended to run with the land that is Munjoy Heights and the Upright Parcel:

{W4856287.4}

1. Redfern releases to Upright all interest in the easterly portion of the Easement Area, being a strip of land ten (10) feet wide more particularly bounded and described as follows:

   Commencing at a #5 steel rebar with survey cap #2124 to be set at the southerly corner of the Upright Parcel;

   Thence N 52° 38' 46" E along the Redfern Land, a distance of ten and one one-hundredth (10.01) feet to the southerly corner of the land to be released from the Easement Area and the Point of Beginning;

   Thence from said Point of Beginning N 52° 38' 46" E along the Redfern Land and land conveyed to Peter J. DeTroy, III and Mary Roy by corrective deed dated January 31, 2014 and recorded in the Cumberland County Registry of Deeds in Book 31318, Page 267, a distance of ten and one hundredth (10.01) feet;

   Thence N 35° 18' 27" W through the Upright Parcel, a distance of forty-nine and sixty-nine hundredths (49.69) feet;

   Thence N 17° 29' 52" W continuing through the Upright Parcel, a distance of forty and sixty-one hundredths (40.61) feet to the northwesterly line of the Upright Parcel at the Redfern Land;

   Thence S 52° 38' 46" W along the Redfern Land a distance of ten and sixty-three hundredths (10.63) feet;

   Thence S 17° 29' 52" E a distance of thirty-eight and fifty-seven hundredths (38.57) feet;

   Thence S 35° 18' 27" E a distance of fifty-one and sixty-two hundredths (51.62) feet to the Point of Beginning.

   Total area of the herein described parcel equals 902 square feet (0.02 acre). The bearings in this description are based on Grid North, MSPC NAD83, 1802 (West Zone).

2. The Revised Easement Area is a strip of land ten (10) feet wide, being more particularly bounded and described over the following portion of the property:

   Beginning at a #5 steel rebar with survey cap #2124 to be set at the southerly corner of the Upright Parcel;

   Thence N 52° 38' 46" E along the Redfern Land a distance of ten and one hundredth (10.01) feet to the southerly corner of the land to be released from the Easement Area;

   Thence N 35° 18' 27" W along a line ten (10) feet easterly of the Redfern Land, a distance of fifty-one and sixty-two hundredths (51.62) feet;

{W4856287.4}

Thence N 17° 29' 52" W along a line ten (10) feet easterly of the Redfern Land, a distance of thirty-eight and fifty-seven hundredths (38.57) feet to the northwesterly line of the Upright Parcel at the Redfern Land;

Thence S 52° 38' 46" W along the Redfern Land, a distance of ten and sixty-three hundredths (10.63) feet to a #5 steel rebar with survey cap #2124 to be set at the westerly corner of the Upright Parcel;

Thence S 17° 29' 52" E continuing along the Redfern Land, a distance of thirty-six and fifty-three hundredths (36.53) feet to a #5 steel rebar with survey cap #2124 to be set;

Thence S 35° 18' 27" E continuing along the Redfern Land, a distance of fifty-three and fifty-four hundredths (53.54') feet to the point of beginning.

Total area of the herein described parcel equals 901 square feet (0.02 acre). The bearings in this description are based on Grid North, MSPC NAD83, 1802 (West Zone).

3. The Easement Rights are hereby amended as follows and the description of the rights and obligations herein supersede and replace the Easement Rights reserved in the Upright Deed:

   Upright grants to Redfern, its successors and assigns, the right and easement to enter upon the Revised Easement Area with at least 120 days of advance notice (except in the case of emergency) to the Grantee, its successors and assigns, with men and equipment, including heavy equipment, to maintain, repair, shore-up and replace a retaining wall between the adjacent properties of the Grantor and the Grantee (the "Revised Easement Rights"), provided that in the exercise of the Revised Easement Rights Grantor, its successor and assigns, shall (a) ensure all work is done properly and promptly; (b) ensure that no vehicles or construction equipment whatsoever are left overnight or otherwise stored within the Easement Area except when easement work is underway; (c) exercise best efforts to limit any inconvenience to the Grantee, its successors and assigns, or to any other lawful occupier of the Upright Parcel; (d) promptly and reasonably restore the Revised Easement Area to its former condition before the exercise of the Revised Easement Rights; and (e) defend and indemnify the Grantee, its successors and assign, of and from all losses, damages and expenses arising from the exercise of the Revised Easement Rights, including all losses, damages and expenses (including death) arising from the exercise of the Revised Easement Rights for which any third parties seek to hold the Grantee, its successors and assigns, liable.

4. The terms of this Agreement, including all obligations and rights of the parties hereto, are intended to run with ownership of the Upright Parcel and the Redfern Land (the "Affected Lands"). The acceptance of a deed or mortgage to any portion of the Affected Lands, or the entering into a lease or other occupancy of any such portion shall constitute an agreement that the covenants and restrictions set forth in this Agreement are accepted and ratified by such grantee, mortgagee, tenant, or occupant. All of such provisions shall be covenants running with the land and shall bind any persons having at any time any

{W4856287.4}

interest or estate in the Affected Lands or any portion thereof as though such provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease thereof.

5. Each owner of all or any portion of the Affected Lands and its heirs, successors and assigns shall be liable for the performance of all covenants, obligations and undertakings set forth in this Agreement, but only to the extent such covenants, obligations or undertakings accrue during the period in which such party owns the affected lands or any portion thereof.

6. Invalidation of any of the provisions contained in this Agreement, or of the application thereof to any person by judgment or court order shall in no way affect any of the other provisions hereof or the application thereof to any other person and the same shall remain in full force and effect.

(Signature Pages follow this page)

{W4856287.4}

IN WITNESS WHEREOF, the said Redfern Munjoy, LLC has caused this instrument to be executed by Jonathan Culley, its Manager, hereunto duly authorized, as of the 30th day of April, 2015.

Redfern Munjoy, LLC, a Maine limited liability company

Witness : Mary Lea Clifford

By: _____
Jonathan Culley
Its Manager

STATE OF MAINE
COUNTY OF CUMBERLAND

4/30, 2015

Then personally appeared Jonathan Culley, Manager of Redfern Munjoy, LLC, and acknowledged the foregoing instrument to be his free act in his said capacity and the free act and deed of the limited liability company.

Before me,

Mary Lea Clifford
Notary Public/~~Attorney at Law~~

SEAL

MARY LEA CLIFFORD
Notary Public, Maine
My Commission Expires February 5, 2016

{W4856287.4}

IN WITNESS WHEREOF, the said Upright Properties, LLC has caused this instrument to be executed by Joshua Wojcik, its Manager, hereunto duly authorized, as of the 30 day of April, 2015.

Upright Properties, LLC, a Maine limited liability company

Witness : Cliff Ruprecht

By: Joshua Wojcik
Its Manager

STATE OF MAINE
COUNTY OF CUMBERLAND

April 30, 2015

Then personally appeared Joshua Wojcik, Manager of Upright Properties, LLC, and acknowledged the foregoing instrument to be his free act in his said capacity and the free act and deed of the limited liability company.

Before me,

Brittany Handcock
Notary Public/~~Attorney at Law~~

SEAL

BRITTANY HANDCOCK
NOTARY PUBLIC
CUMBERLAND COUNTY
MAINE
MY COMMISSION EXPIRES FEBRUARY 21, 2021

{W4856287.4}

Exhibit A
Source Deeds for Redfern Munjoy LLC
The Redfern Land

1. Deed from Four Sills LLC to Redfern Munjoy, LLC dated December 4, 2013 and recorded in the Cumberland County Registry of Deeds in Book 31207, Page 48.

2. Deed from Francis O'Connor and Nelson Nadeau to Redfern Munjoy, LLC dated December 4, 2013 and recorded in the Cumberland County Registry of Deeds in Book 31207, Page 50.

3. Deed from Craig G. Coffin, Trustee of the North Street Realty Trust to Redfern Munjoy, LLC dated December 11, 2013 and recorded in the Cumberland County Registry of Deeds in Book 31222, Page 224.

4. Deed from Katherine P. Richman and Nikki Lee Green to Redfern Munjoy, LLC dated December 30, 2013 and recorded in the Cumberland County Registry of Deeds in Book 31262, Page 266.

5. Deed from Dennis E. Lovejoy and Gladys A. Lovejoy to Redfern Munjoy, LLC dated January 10, 2014 and recorded in the Cumberland County Registry of Deeds in Book 31281, Page 281.

6. Deed from Raymond C. Maxwell to Redfern Munjoy, LLC dated January 31, 2014 and recorded in the Cumberland County Registry of Deeds in Book 31317, Page 116.

7. Deed from Raymond H. Waterhouse and Alina Waterhouse to Redfern Munjoy, LLC dated January 23, 2014 and recorded in the Cumberland County Registry of Deeds in Book 31302, Page 177.

Received
Recorded Register of Deeds
Apr 30,2015 01:41:03P
Cumberland County
Nancy A. Lane

{W4856287.4}

ATTACHMENT 1.

Portland Maine | Yes: Google's good here.

Shukria Wiar <shukriaw@portlandmaine.gov>

126-128 North Street comments

Comments of Senior Engineer

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

Wed, Jan 22, 2020 at 3:26 PM

Shukria,

Most of my comments have been addressed in Acorn's latest comment response letter. Some outstanding issues and necessary waivers:

- The Applicant did not implement the suggested shared driveway treatment between the two properties. One of the stated reasons is that no easement currently exists for 126 North Street to access and use the driveway. It should be noted that such an easement could be created if desired, as the two properties are currently under common ownership.

- The Applicant does not have a standard width driveway accessing the parking spaces at 126 North Street. They have alleviated this by providing a wider-than-required parking space so that vehicles can more easily maneuver into the parking space. However, AutoTURN runs provided show that it is still very difficult for a vehicle to exit this space, coming very close to the wall of the building, the wall along the edge of the driveway, and the adjacent handicap parking space. This configuration likely requires that vehicles back into the driveway; it does not look possible for a vehicle to pull into the driveway and eventually exit head-out. While this configuration may be suitable assuming the occupants of 126 North Street do not have overly large vehicles, always back into the driveway, and have the skill and acuity to maneuver a vehicle into and out of the parking spaces. This may not always be the case however. This configuration requires a waiver for parking area drive aisle.

- The handicap space in 126 North Street does not need to be marked as such, as it is located in a parking area with 4 spaces or less. The space must be accessible (as designed), but anyone can park there. The applicant may choose to keep it marked as a handicap space if they choose.

- Space 4 in 128 North Street does not appear to meet the dimensional requirements for a compact space (8x15), and therefore should not be counted as a parking space for the purposes of meeting zoning requirements. Since only 3 spaces are required per zoning, this is acceptable; however, this space should not be shown as a parking space in the site plan.

- Space 2, Space 5, and Space 6 in 128 North Street are compact spaces. The Applicant requires a waiver for the proportion of parking spaces (67%, assuming Space 4 is retained as an allowable compact space, vs 20% allowed).

Let me know if you need anything else.

-Mike

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

Google Groups

Public Comment - North Street Development: Portland Continues to Shrink Its Future and Deny Its Past

George Rheault <george.rheault@gmail.com> May 26, 2020 3:32 PM

Posted in group: **Planning Board**

I am generally in favor of the proposed project. It is profoundly embarrassing that a modest development like this must be dragged through incredible obstacles just to deliver fairly modest housing product in a high-opportunity, walkable peninsula neighborhood. But our politicians and the affluent NIMBYs they serve would have it no other way. Certainly our planning department has no choice but to go along with the charade that any part of this hum-drum project is deeply problematic and deserves the ridiculous skepticism and third-degree review it has received to date (contrast that with other recent projects that sailed through without much fuss like 104 Grant Street or the West Commercial Parking Project (with an attached medical clinic)).

What makes the timing of this workshop so perfect is last Thursday, the US Census Bureau released its latest city-level data for the 2018-2019 period and, as expected, Portland continues to SHRINK! According to the census figures, Portland had 190 fewer people on July 1, 2019 than it did on July 1, 2018.

So for the third straight year, Portland has LOST population. Now, again according to the Census Bureau, it has achieved statistically ZERO growth from its 2010 census baseline.

What little growth happening in Southern Maine right now is for the most part bubbling in the surrounding suburbs (very unsustainable from Mother Earth's POV).

Portland, despite having many advantages coming out of the Great Recession, continues to allow incumbent homeowner interests to trump newcomers and renters with predictable results: it is shedding renters and only affluent newcomers who can pay the NIMBY ransoms are allowed in. I spoke out about this almost one year ago and my points then remain as salient now (see attached). Of course if you subscribed to the Press Herald, you would hear a dramatically different but completely wrong analysis in silly NIMBY-coddling pieces like this: https://www.pressherald.com/2019/12/31/decade-of-dramatic-change-leaves-portland-facing-challenges/ (the whole piece deserves a good shellacking but that will have to happen under separate cover outside of this project application)

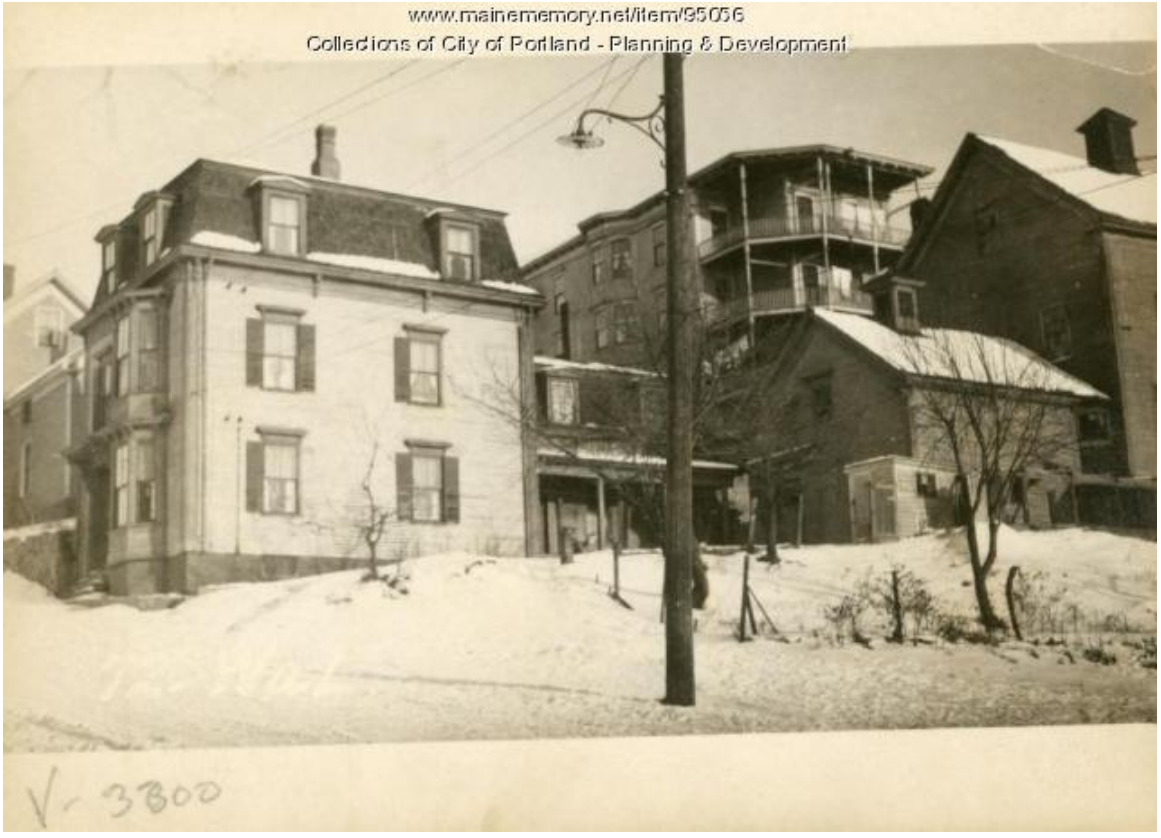
City tables with Portland data: https://www.census.gov/data/tables/time-series/demo/popest/2010s-total-cities-and-towns.html
See here for Census press release: https://www.census.gov/newsroom/press-releases/2020/south-west-fastest-growing.html

It does NOT have to be this way. Between the 1900 census (when the recently annexed Deering (1898) was fully incorporated into Portland's census totals) and the 1920 census, Portland grew its population by almost 20,000 people. Basically more than the entire population of present-day Falmouth, ME.

How did Portland do it? By building a LOT of housing (not enough but still a lot). Indeed, we actually have a great historical precedent right nearby of that process in real-time: 104 North Street and its neighbors

https://www.mainememory.net/artifact/65994

Here is what it looked from the Walnut Street side:
https://www.mainememory.net/artifact/82917



Earle Shettleworth Jr. in his "Portland" book co-written with Joyce Bibber describes the history of 104 North Street on page 83 (attached): "A long-time real estate agent, Ingram B. Wheelock, was first listed at this location at 104 North Street in

1882 in what appeared to be a two-family dwelling. In 1911, Wheelock decided to maximize the financial return on his narrow Munjoy Hill lot by constructing a four-story apartment house, with corner tower, where he lived along with his tenants until his death in 1923." [Not sure Mr. Shettleworth has enough proof of what was going on in Mr. Wheelock's head in 1911 but clearly a growing city needed more housing and rapidly redeveloping existing parcels with denser housing forms is a logical idea whether or not it was a financial success in Mr. Wheelock's case.]

The apartment house and its Walnut Street neighbor didn't make it to 2020. The automobile and the fact that raw sewage continued to swirl around Munjoy Hill's shores until the late 1970s marooned the neighborhood into isolation until it was rescued by the real estate mania of late-stage American capitalism (sorry poor people, time to move out!) and hundreds of millions of dollars in publicly-financed waste-water infrastructure (privatize the profits, socialize the costs!). I am sure if either housing complex had survived, they would be richly venerated today as part of "old Munjoy Hill" but not surprisingly, making room for more people on Munjoy Hill with denser housing LIKE WHAT WAS DONE IN 1911 is fiercely opposed now - doesn't matter if they are rich, poor or middle-class.

The biggest question for the Planning Board and City Council is why they permit this opposition to flourish and receive government support to artificially inflate property values for those who recently purchased new housing but now refuse to let others join the party - to the detriment of everyone who might make Portland a more dynamic and economically healthy place (if housing did not swallow up a hugely unfair percentage of one's income)?

Does the Planning Board have any other mission besides protecting the property values of their cocktail buddies? Does a shrinking Portland and no-growth economy (all made worse now by the pandemic) suggest to our city government it has to do anything differently before Portland stagnates further into a somnolent baby-boomer retirement home (which may not even be a viable option now that we have entered the COVID-19 era)?

Gmail

George Rheault <george.rheault@gmail.com>

The Plan is Working! Shrinking Portland...from US Census Bureau (7-1-17 to 7-1-18)

1 message

George Rheault <george.rheault@gmail.com> Tue, Jun 4, 2019 at 9:38 AM
To: jduson <jduson@portlandmaine.gov>, Nicholas Mavodones <nmm@portlandmaine.gov>, Councilor Belinda Ray <bsr@portlandmaine.gov>, Justin Costa <jcosta@portlandmaine.gov>, Brian Batson <bbatson@portlandmaine.gov>, Kim Cook <kcook@portlandmaine.gov>, Pious Ali <pali@portlandmaine.gov>, Spencer Thibodeau <sthibodeau@portlandmaine.gov>, Ethan Strimling <estrimling@portlandmaine.gov>
Cc: "Randy W. Billings" <rbillings@pressherald.com>, Gregory Kesich <gkesich@pressherald.com>, "J. Craig Anderson" <canderson@pressherald.com>, Christine Grimando <cdg@portlandmaine.gov>, Jeff Levine <jlevine@portlandmaine.gov>

The policy activism of the Cheryl Leeman School of Urban Planning continues to bear fruit! Who wants more people in a city anyway?

Out of 776 incorporated municipalities of 50,000 or more, Portland comes in pretty close to the bottom. The good news is we shrank more slowly than Flint, Michigan or Baltimore, Maryland. The bad news is we shrank faster than places like Detroit, Michigan or Hartford, Connecticut.

Annual Estimates of Resident Population Change for Incorporated Places of 50,000 or More in 2017, Ranked by Percent Change: July 1, 2017 to July 1, 2018 - United States -- Places of 50,000+ Population

682	Portland city, Maine	66,723	66,417	-306	-0.5

Source: cities ranked by growth rates
https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk

Data home page
https://www.census.gov/programs-surveys/popest/data/tables.html

Press Release
https://www.census.gov/newsroom/press-releases/2019/subcounty-population-estimates.html

I have been noting to the City Council for the last several years that Portland's population trajectory is downward and the 2020 census results will shock a lot of the people who continue to perpetuate the myth that Portland is experiencing any kind of explosive growth (it is NOT).

But we don't even have to wait that long to see what our policy legacy of long-term exclusionary zoning, recent full embrace of short-term rental greed, out-of-control historic preservation and rampant NIMBY politics is delivering (all of which are the direct drivers of of the gentrification/housing insecurity that is swallowing up Portland's recent past, present and future).

A longtime real estate agent, Ingram B. Wheelock was first listed in this location at 104 North Street in 1882 in what appears to have been a two-family dwelling. In 1911, Wheelock decided to maximize the financial return on his narrow Munjoy Hill lot by constructing a four-story apartment house, with corner tower, where he lived along with tenants until his death in 1923.

Elegant early-1900s, single-family homes lined the Western Promenade, including the brick Colonial Revival residence that Frederick A. Tompson designed for Adam P. Leighton in 1902. Leighton had managed Chisholm Brothers when it introduced postcards and was a partner in the firm that published this card. He was also a three-term mayor of Portland.

Google Groups

126/128R Development Plan Number: PL-000791-2019

Tracy Davis <tdavis@urban-dwell.com> May 28, 2020 2:58 PM
Posted in group: **Planning Board**

Shakria, Christine, Belinda, and members of the Portland Planning Board:

I am writing to extend my deep disappointment in the lack of proper notification of the required Planning Board Workshop that is to have taken place on May 26th. No notification was received or posted on website.

https://egweb.portlandmaine.gov/energovprod/selfservice#/plan/7b51007d-85ae-4449-90a8-76839068ebb4?tab=meetings

It is also to be noted here that there is a lack of accurate information regarding this project.

I would like to request, that protocol be followed to the "T" before moving this project forward in any manner. Please call a new Neighborhood Meeting, provide neighbors with proper notification and accurate project details.

Regards,

Tracy Davis and Michael Kennedy

DISCLAIMER:

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited

Google Groups

Failure to notify

Leslie Hart <blesliehart@gmail.com> May 28, 2020 4:44 PM
Posted in group: **Planning Board**

Dear members of the planning board

I'm writing to express my extreme concern and dismay that as an abutter, I was not notified in advance about the May 26 workshop regarding Plan Number: PL-000791-2019, the 126/128R development. We have a right to know about these meetings in a timely fashion.

I understand there were revised plans presented on May 26. However, these are not available on the website and so I have no idea what was presented.

It certainly appears as though I am intentionally being kept in the dark about issues that directly affect me.

I believe this workshop should be held again, with proper notification and with current information posted so that I and others who are affected can react.

Thank you

Leslie Hart
215 Sheridan St.
Portland ME 04101
917.364.3682

Google Groups

126/128R Development

Marianna Pratt <mariannapratt@hotmail.com> May 28, 2020 12:31 PM

Posted in group: **Planning Board**

Please be advised that I am an owner of condo 224 at Munjoy Heights and was not informed of the Planning Board Workshop held last Tuesday, May 26 for the 126/128R Development nor was there any notice posted for this meeting on the website. This was the meeting for Plan Number: PL-000791-2019.

Also, none of the new plans have been updated on the website so I have no way of looking at what was presented on Tuesday!

Marianna Pratt
Unit 224

Google Groups

Fwd: No notification of a Planning Board workshop on 126/128 North St. (PL-000791-2019)

Nancy Machesney <dmaches101@aol.com> Jun 9, 2020 10:30 PM

Posted in group: **Planning and Urban Development**

Dear Planning Board and Counselor Ray,
I wrote this original letter on 5/30/20 and wanted to make sure each of you had it for your records. There are too many issues with this project to date that have red flags.

Unfortunately, neighbors concerns have not been fairly addressed to date. We are not getting informed on workshops and meetings and approvals are happening without full and valid information. Please when analyzing this project walk the property, particularly looking up from Munjoy Heights. The gradient the developer wants to build on is unlike any other on Munjoy Hill. It is a severe and steep slope which cannot be depicted in drawings.
The developer claims the development won't be visual from North St but has not disclosed its significant impact from the south and west. This development will dramatically alter the vista from Bayside , 295 and the waterfront and loom over its neighbors behind the development. It is a project that is too big for the the lot and is not mindful of its abutters in terms of setbacks, scope, light, privacy, and easements.
Given the unique plot of land with its severe pitch , this property truly should not be allowed a structure much bigger than what was previously there.
Thank you for your thoughtful consideration,
Nancy Machesney
213 Sheridan St

Begin forwarded message:

From: Nancy Machesney <Dmaches101@aol.com>
Date: May 30, 2020 at 2:42:51 PM EDT
To: cdg@portlandmaine.gov
Subject: No notification of a Planning Board workshop on 126/128 North St. (PL-000791-2019)

Dear Director Grimando,

My husband and I are just now getting word from our neighbors that a Planning Board workshop was held on 5/26/20 on a property that directly abuts us. (PL 000791-2019 126/128 North St) How does this happen? There was absolutely no notice given. Isn't it the city's and the developer's responsibility to inform it's neighbors? I think it is only fair to have another workshop ,with proper notice, before this project is allowed to move forward.
There are some fundamental structural and legal issues that need to be brought up.
The Planning Board and the Planning Department should walk this site to get a full visualization of what the developer wants to do. Architectural drawings do not fully demonstrate how this project is too ambitious for its topography , especially given the pitch of the land.
Thank you for your consideration and assistance .

Respectfully ,

Nancy Machesney
213 Sheridan Street

Google Groups

Notification failure for Plan Number: PL-000791-2019

Lindsay Steven Mann <lindsaymann@gmail.com> May 31, 2020 10:29 AM
Posted in group: **Planning Board**

Members of the board,

Neither we nor our surrounding neighbors were notified by the city of the most recent planning board workshop involving the development at 126/128R North St. (Plan Number: PL-000791-2019) We only discovered this meeting one hour prior from a neighbor who was kind enough to tell us about it. We received nothing in the mail, and it was never posted on the city's website. Many of our neighbors spoke out against this project at the first workshop and they were not given the opportunity to have their voices heard on the 26th as they did not know about the meeting. The revised plans are still unavailable on the city's self service portal. The city planner in charge of this project has told me that the delay in plan revisions being posted is a "software issue," which is unacceptable.

For a developer who claims cooperation and transparency with neighbors, the process has been dishonest, contradictory, and obscure from the beginning. This project has changed multiple times: increasing unnecessary demolition, adding project phases, adding units, and other details that neighbors (after TWO neighborhood meetings) only learned during the workshop phase.

Our house is one that would be included in the potential Munjoy Hill historic district. As the planning board delayed a vote on the historic district, our hands are now tied until you make a decision. Meanwhile, you are advancing 126/128R North St. without transparency, without proper community notification, and without acknowledging this proposal's glaring excess. Our concerns are not with car exhaust, not with headlights, not with whether a window is frosted glass or not. That is ignoring the combined 12,000 square foot gorilla in the room. The proposed building at 128R North St. is simply too large for a tiny back lot. The team has done a fine job misleading you with regards to this building's visibility, but I invite you to our backyard to see it in person. Please contact me to setup a time to stop by, masks encouraged.

The proposal is claiming to create affordable units that are walkable to downtown Portland, yet they are squeezing more than the required amount of car parking into the ground floor. If anything, the ReCode suggests fewer parking spots for cars, though here they are requesting a waiver on parking space size in order to cram more in. If parking were minimized, this building could be smaller.

There are still significant unanswered legal questions about this building's setbacks, not to mention the legality of it being a buildable lot in the first place. In June of 2018, the previous owner of 122 North St. sold Upright Properties, LLC the 400 square foot section of land that makes construction of a building the size of 128R possible. The city code states that, "a lot may be considered a buildable lot of record if the lot existed in its current form as of June 5, 1957, and if the lot has at least 40 feet of road frontage." The lot in question not only lacks road frontage, but was altered on June 5th, 2018 when Mary Roy sold Upright Properties, LLC this piece of property. Wojcik combined lots in order to increase the size of the building.

The project phasing is opaque and open-ended. This project is one phase when it's convenient, and two phases when it is not. We are facing more than two years of construction. As the closest neighbor to this site, neighbors that have repeatedly tried in vain to obtain realistic renderings from our perspective, we ask that this project go back to a workshop to address the serious issues we've raised.

Lindsay & Susan Mann
122 North St.

PC34

Fwd: Joshua Wojcik condo proposal at 128R/126 North St planning board meeting

Shukria Wiar <shukriaw@portlandmaine.gov> Jun 1, 2020 7:54 PM
Posted in group: **Planning Board**

---------- Forwarded message ---------
From: **Deborah Cole** <debcole1030@gmail.com>
Date: Mon, Jun 1, 2020, 4:35 PM
Subject: Joshua Wojcik condo proposal at 128R/126 North St planning board meeting
To: <Shukriaw@portlandmaine.gov>

Hi Shukria Wiar,
I did not receive notification in the mail about the planning board meeting last week regarding the above condominium proposal.
I would like to request a rescheduling of this meeting so that a fair and equitable process including neighborhood in put may occur.
thank you,
Deborah Cole
71 Walnut St
754-3859

Google Groups

126 and 128R North Street,Plan Number PL-000791-2019

Linda Englert <linenglert@gmail.com> Jun 1, 2020 12:18 PM
Posted in group: **Planning Board**

Dear Chairman Mazer and members of the Planning Board, Ms. Grimando, and Ms. Ray,

Because there was no updated information available to the public and no notice given for the May 26 workshop regarding 126 & 128R North Street, we'd ask that the workshop be re-scheduled to allow for proper notice so that neighbors and interested parties can review the current proposal and express their concerns.

We'd also urge the Planning Board members to visit the site of these proposed buildings so that you have an opportunity to experience the magnitude of this development and the impact it would have on the nearby homes in the neighborhood.

Thank you.

Linda Englert
193 Sheridan Street, Portland

Google Groups

written comments and a complaint regarding proposed developement 126 and 128 North Street

betts mayer <bettsgmayer@gmail.com> Jun 3, 2020 6:40 PM

Posted in group: **Planning Board**

To the Portland Planning Board:

I would like to register a complaint about not receiving prior advanced notice of the second Workshop on May 26 regarding the proposed development at 126 and 128 North Street.

I am registering my continuing opposition to this project. This plan for the 126 and 128 North Street envisions a huge multi-unit development whose rear building site slopes down significantly to the concrete restraining wall built for the Munjoy Heights development. The rear of this unit is not within the regulated distance of the retaining wall and additionally it is too few feet away from Munjoy Height Condominiums. It is important to note that
the visual presentation the developer presented does not in any way show how totally out of scale and problematic this construction project is.

Other concerns of mine:

1.The limited access to the site for ambulances and especially for fire trucks. Allowing a building permit when there is not the required 20-ft-wide driveway access to the site creates a safety and emergency hazard. If a fire broke out in the rear building, the potential for fire spreading to the close proximity of Munjoy Heights is palpable. Alternative access through the VOA parking lot, as allowed by the fire chief, doesn't take into consideration that the VOA parking lot will be full often and no one knows when those times will be. This is a gamble, not legitimately factual.

2. The 18-inch "wheel stop" wall at the rear of the 126R building <u>is in fact a foundation wall supporting the balcony structures and the perimeter of the building.</u> It is a fact that the setback requirement for a foundation wall is 15 feet; the existing plan envisions only a 10 feet setback.

I encourage and welcome the members of the Planning Board and City Staff to visit the site in order to appreciate in person how severely out of place and intrusive this development is.

Please consider these serious comments. The project is not in line with this historic and beautiful and charming area of Portland.

Sincerely,
Betts Mayer
21I Sheridan Street
A Munjoy Heights Condominium owner

Google Groups

128R and 126 North Street

Sue Robins <suerobins@twc.com> Jun 3, 2020 6:35 PM

Posted in group: **Planning Board**

Dear Planning Board members,

I was so disappointed to hear that a workshop was scheduled regarding the development of these properties on May 26, but no notices were sent either by the developer or planning department staff. I certainly did want to speak about this development and would have attended, had I known. I hope this was a simple oversight, but given the way this project has been shown the green light in spite of a significant number of variances, its hard not to wonder if there was a desire to avoid hearing the opinions of neighbors. That said, I'll express my thoughts in this email.

First, I urge the planning board members to visit the site and look up at its location FROM the Munjoy Heights neighborhood. The developers only show their attempts to mask the massing of this behemoth from North Street. There have been no renderings or elevations shown regarding the enormity of it from below the structure on the hill. I urge you to look from Munjoy Heights, and then Washington Blvd. This building will be massive from that perspective and be the single largest structure noticeable on the hill from below, and most likely, from most points south. I remember the architect saying it was so much smaller than the Promenade East Condominiums, but I am certain that from the south, 128R will blot out that building.

Additionally, I urge you to question the array of variances required to build a structure that reaches and exceeds the boundaries in nearly every dimension and creates a situation such that automobiles are exhausting directly into neighbors windows.

Bottom line, this building does not belong in the BACK YARD of an existing home, on a very steep hill with no real plan for landscaping to control erosion, no real plan for snow removal and storage, and no consideration for the health of the very near neighbors. It is just not a realistic, neighborly plan.

Please, come and see.

Susanne Robins

206 Sheridan St.

Portland, ME 04101

310-529-7673

Sent from Mail for Windows 10

Google Groups

May 26 workshop

Eldon Mayer <vixenskipper@gmail.com> Jun 3, 2020 2:17 PM

Posted in group: **Planning Board**

We object strenuously to have not been provided notice of this meeting. We are immediate abutters to the proposed development, which is entirely inappropriate in size and style to this neighborhood. Had we been given notice of the meeting we and many of our neighbors would have participated. As we have mentioned in the past, we are all extremely opposed to this development, for many reasons.

Eldon and Betts Mayer
211 Sheridan St.
Portland ME 04101
Vixenskipper@gmail.com

Google Groups

126/128 R North St

mary morse <mrsm1359@outlook.com> Jun 3, 2020 2:24 PM

Posted in group: **Planning Board**

Portland Planning Board and Belinda Ray:
We would like to know why we were not given prior notice for the 5/26 workshop on this abutting property? Who is responsible to see that this happens? Is this not mandate? We hope no decisions will be made until all concerned parties are heard. We are distressed by the variances that seem to be so freely given out. We are opposed to the project not adhering to the 20 foot driveway and the rear 10 foot setback. We look forward to your response. Thank you, Robert and Mary Morse
.

Sent from my iPad

Google Groups

126 and 128R North St

Vana Carmona <vanacarmona@gmail.com> Jun 7, 2020 4:03 PM

Posted in group: **Planning Board**

As a resident living only a half block from the proposed developments of 126 and 128R North St., I want to put in writing some serious concerns I have.

First, as you are now all aware, very few people, if anyone, ever received the notice for the meeting on May 26th. Luckily, I heard about it only a few minutes before and was able to log in. This really is unacceptable for a project of this magnitude. Please be sure that this does not happen in the future as these buildings will impact us directly.

Another thing I noticed at the meeting was that this project already seems to be approved. Not officially, of course, because you still have many processes and procedures to execute. But clearly every member of the Board is absolutely in favor of this as it currently stands. This is alarming. Many of us are waiting to make our complaints and concerns heard in the workshops.

Workshops should not just be exercises one needs to perform. They should be genuine vehicles for the neighbors to voice their concerns and have them heard. The idea that everyone is in agreement before we speak is very unsettling.

As I pointed out in the Zoom meeting, many of the claims of the developers are inaccurate.

1. The rendering that were presented are misleading. They are not accurately showing the mass and scale. The 128R is a virtual wall across the back of the property and towers over the complex directly below it.
2. That this is a “benefit to Munjoy Hill” escapes me (and everyone else). There is no “benefit” of having this building constructed to anyone except the developers.
3. That there are many “who are eager” to see it built. No one that I know. In fact, to the contrary. No one is eager, except again, the developers.
4. That the “neighborhood has contributed to the plans." No, the developers still have not adequately addressed our concerns (mass, scale, set backs, parking, access, lighting, etc.)
5. That street parking is abundant. At times, yes, but there are times when it is particularly tricky, especially on days when school is open, special events are being held at the School, or street cleaning is being performed.

Yes, the people living directly below 128R have a clear right to be concerned. I know the are concerned about air quality. I know they are alarmed about such a large project being built on the steep grade behind them. There was also much discussion about a screen at the back of the parking area to alleviate headlights coming into their homes. There is also a “wheel wall”. But this wall also appears to be a foundation wall. Can a foundation wall be used as a wheel wall? That sounds dangerous. For one, a foundation wall needs a larger set back. That is not being property addressed.

Like many others here, we would like to see renderings (more accurate ones) that show the project from the Walnut St side. I have yet to see those.

As I have stressed in a number of meetings for a number of projects, once something is destroyed and these enormous projects are constructed, we cannot go back and make amends. What you are deciding is permanent.

Taking a closer look at the extended future impact is critical; and minds should stay open to the issues that we, as neighbors, are rightfully presenting. Major changes to this project need to be made.

Please take my comments into consideration.

Thank you.

Respectfully,
Vana Carmona
105 North St Apt 1
Portland ME 04101
207 420 6962

Google Groups

126 and 128R North Street, Plan Number PL-000791-2019

Michael Englert <michaeljenglert@gmail.com> Jun 17, 2020 12:14 PM
Posted in group: **Planning Board**

Dear Chairman Mazer and Members of the Planning Board,

Attached is our submission to the Planning Board regarding the impermissibility of the proposed project at 128R North Street because the site lacks street frontage in violation of the City of Portland Land Use Code.

Thank you for your consideration,

Michael Englert
123 Sheridan Street
Portland, ME 04101
MichaelJEnglert@gmail.com

cc: Christine Grimando, Director Planning and Urban Development
Ann Machado, Zoning Director
Shukria Wiar, Planner
Danielle West-Chuta, Corporation Counsel
Jen Thompson, Associate Corporation Counsel
Hon. Belinda Ray, City Councilwoman

MICHAEL & LINDA ENGLERT
193 SHERIDAN STREET
PORTLAND, ME 04101
TELEPHONE: (518) 527-1804

June 17, 2020

Via Email: planningboard@portlandmaine.gov

Planning Board of the City of Portland
Brandon Mazer, Chair
389 Congress Street, 4th Floor
Portland, ME 04101

RE: PL-000791-2019; 126 and 128R North Street, Josh Wojcik and Upright Properties, LLC

Dear Chairman Mazer and Members of the Portland Planning Board,

This application for review of a Level III Site Plan for a large building to be constructed on a "land-locked" parcel located at 128R North Street is neither in compliance with the City Land Use Code nor complete. Accordingly, the Planning Board must terminate its review of the application. *See* City of Portland Code of Ordinances [hereinafter "City Code"] § 14-524(a)3.a.(iv) (providing that such application shall contain all items required and shall comply with Article III (Zoning) of the Land Use Code, and that no review will be conducted until all items are determined to be complete and in compliance.)

In particular, the 128R property fails to comply with the City's requirement for the lot to have minimum street frontage of twenty feet. *See* City Code § 14-139(a) (applicable to lots located within the R-6 Zoning District.) Because the applicant Upright Properties, LLC [hereinafter "Upright"] acquired this lot on January 31, 2014 — which was newly-subdivided from three separate tax parcels — and merged it with another newly-subdivided parcel on June 5, 2018, applicant can make no claim for the so-called "grandfathering" of a non-conforming lot. The requirement of street frontage is embodied in the City Code as a matter of fundamental public policy, and only the City Council itself would be authorized to allow any variance from the requirement, but even then only if the lot existed in its current form as of June 5, 1957 (which it undoubtedly did not). But regardless of whether the applicant's lot would qualify as lawfully nonconforming, the Planning Board simply has no authority to set aside or waive the street frontage requirement. It therefore must reject Upright's application to develop a multi-unit residential project located on a lot formed as a result of two deed conveyances in 2014 and 2018.[1]

[1] This letter is limited to that aspect of the application pertaining to the lot of Upright Properties, LLC located at the address of 128R North Street and designated as tax parcel number 012 H009, and whether it is eligible for review because it lacks street frontage. The application is actually for two lots and includes a proposed building at 126 North Street owned separately by Josh Wojcik.

I. Factual History of Upright's Parcel: Two Separate "Lots of Record," Described in Deeds Filed February 3, 2014 and June 5, 2018, Form the Area of Land for the Proposed Project at 128R North Street.

Upright's first lot consisting of 5,202 square feet was acquired from Redfern Munjoy LLC by deed dated January 31, 2014, and filed in the Cumberland County Clerk's Office on February 3, 2014 in Book 31317 at Page 121 (corrective deed filed in Book 31318 at Page 270). *See* Exhibit A, Page 3, attached hereto. This first lot acquired by Upright was created from portions of three separate Tax Parcels: 012 H009, 012 H022, and 012 H013. Nevertheless, the resulting parcel created by this conglomeration was significantly smaller than the prior 128R lot, and no longer extended to Sheridan Street, thus losing all street frontage. The newly-configured lot contained an older single-family residential structure, which Upright demolished during November-December 2019.

Upright's second lot consisting of 480 square feet was acquired from Mary Roy by deed dated June 5, 2018, and filed in the Cumberland County Clerk's Office on June 5, 2018 in Book 34890 at Page 304. *See* Exhibit A, Page 4 attached hereto. This lot was carved out of Tax Parcel 012 H022. Neither of Upright's lots has any street frontage, and therefore does not meet the dimensional requirements for the R-6 zone. *See* City Code § 14-139. None of these divisions of property, all occurring within a five-year period, was reviewed or approved by the Planning Board. *See* Article IV of the City Code. §§ 14-493 and 504.

Finally, for the applicant's proposed building to fit on the property, applicant is apparently dependent upon further dividing property: now, from Tax Parcel 012 H014, which is the lot designated as 126 North Street owned by Josh Wojcik. The details of this proposed conveyance to Upright have not been disclosed (*see, e.g.*, Applicant's Submission, Drawings C-3 & C-10 (southeast corner of Upright Lot), noting "Proposed Property Line" and referencing incomplete Note 3). *See* Exhibit A, pages 5 & 7.

II. The City Code Offers No Basis for Claiming That the Requirement of Street Frontage in the R-6 Zone Can Be Ignored.

The flaw in the application began with the applicant's "Zoning Analysis" in Section D of the application, wherein the applicant noted in its table that the Minimum Street Frontage requirement is 20 feet, but inexplicably marked its proposed compliance as "N/A." During the course of two subsequent workshops, the Planning Division staff repeated the failing, noting on page 4 of the January 24, 2020 memo, and again on page 5 of the May 22, 2020 memo, that the required Minimum Street Frontage is 20 feet, but that the proposed frontage for 128R is "n/a." We assume that "n/a" in all of these cases means "not applicable," but neither the Planning Division staff nor the Planning Board itself has ever offered any explanation, reason or justification for proceeding with the review of this application in clear contravention of the City's requirement for street frontage. The Planning Board and staff have vaguely suggested that the lot may be "grandfathered," but have offered no explanation whatsoever as to such concept or cited any provision in the City Code authorizing such treatment.

A. *The Proposed Development Site Is Not a Buildable Lot of Record.*

The only apparent provisions within the Code allowing for the development of long-existing, non-conforming lots are § 14-433 pertaining to "Lots of Record," and §§ 14-382 and 14-385 of the ordinance governing the replacement of nonconforming structures. Section 14-433 states in relevant part:

> **Sec. 14-433. Lots of record and accessory structure setbacks for existing buildings.**
>
> (a) Lots of Record.
>
> Lots of record that meet the minimum standards provided below shall be considered buildable lots.
>
> 1. ***Lots of record as of June 5, 1957, may be considered a buildable lot in any residential zone provided the applicable yard dimensions can be met***; ***provided that a minimum street frontage of forty (40) feet can be met***, or to which a means of access has been previously approved by the city council as provided elsewhere in this article; and provided such lots have a minimum lot size of five thousand (5,000) square feet, ***or the applicable minimum*** lot size and ***frontage in that zone, whichever is less*** [emphasis added].
>
> 2. A lot in the R-1, R-2, R-3, R-4, R-5, R-5A or R-6 zones that was described in a subdivision plat approved by the Planning Board after June 5, 1981, or a lot of record that conformed to the applicable lot size requirement, lot width and street frontage as of June 5, 1984, shall be considered a buildable lot, provided that the applicable yard dimensions can be met.
>
> * * * * *

In the matter before the Planning Board, it is thus clear that the lot now known as 128R North Street and as described by the merging of land conveyed in the February 3, 2014 and June 5, 2018 deeds to applicant Upright *did not exist* as of June 5, 1957. *This lot only came into existence on February 3, 2014 (and as amended on June 5, 2018), and was not a "lot of record" as of June 5, 1957.* As the City of Portland's information sheet entitled "Zoning Frequently Asked Questions (FAQ)" explains, a lot may be considered a buildable "lot of record" only if it "*existed in its current form as of June 5, 1957, as demonstrated by a recorded deed or plan from prior to that date.*" (Emphasis added.) Here, there is simply no recorded deed or plan demonstrating that to be the case as of June 5, 1957. (Note also that despite the applicant's apparent intention of yet another conveyance in an effort to accommodate the proposed oversized structure, the lot will remain non-compliant with no street frontage.)

If this were a "lot of record" as of June 5, 1957, it would still not be buildable pursuant to § 14-433(1), which unequivocally requires the lesser of 40 feet of street frontage, or the minimum street frontage for the applicable zoning district – in this case, 20 feet for the R-6 zone. Section 14-433 thus provides *no basis for arguing that the Upright property is in any way "grandfathered"* such as to permit the development of a six-unit, four-story structure on this

modest back lot lacking frontage to a public street. The Planning Board thus lacks jurisdiction over this application.

B. *The Proposed Development Violates Restrictions Applicable to Legally Existing Non-Conforming Structures.*

Even if Upright's property consisting of a lot and structure had been "legally existing" when the zoning ordinance was adopted, and thus could be continued under § 14-381 of the City Code, the related provisions in the Code governing the replacement of nonconforming structures make it absolutely clear that Upright's lot would *not* be eligible for the proposed development subject of this application. Section 14-382(a), for instance, provides that "a lawful nonconforming residential structure" "may be maintained, repaired, or reconstructed in kind within a two (2) year period …, but no alterations, modifications or additions shall be made to it, except as provided in this division, and as permitted in 14-436, Building extensions." Sections 14-382 and 14-385 provide detailed guidance as to the replacement of nonconforming structures, and are summarized by the City's FAQ sheet as follows:

> Generally, if a legally existing, non-conforming structure is torn down, it can be replaced with building permit approval within one year of the demolition [or per 14-382(a) as set forth above, two years for a residential structure]. ***The replacement structure must be exactly the same as the previous structure, including footprint, height, and shell***. (Emphasis added.)

Subsection (e) of § 14-382 goes on to state that

> [n]othing within this section shall be construed to permit an increase in the number of nonconforming units in a building which is nonconforming as to the number of dwelling units or will become nonconforming as a result of such alteration, modification or addition.

And, specifically applicable to the R-6 zone, the code provides under § 14-385:

> (f) A nonconforming building located in the R-6 which is destroyed by fire, explosion, flood, riot, act of the enemy, or accident may be rebuilt under the small residential lot development provisions of the R-6 zone as if the lot were vacant as of January 1, 2005 and such reconstruction shall meet the setback requirements contained therein to the extent practicable; otherwise the building shall be reconstructed within the footprint of the previously existing building such that any nonconformity will not be enlarged.

Hence, and again, even if the single-family residence on the 128R lot that the applicant demolished during November-December 2019 were considered a legally existing, non-conforming structure predating June 5, 1957, there would be no basis for accepting Upright's application proposing the construction of a project hugely expanded into a towering multi-unit residential structure. Indeed, the Code specifically prohibits any "increase in the number of nonconforming units in a building which is nonconforming as to the number of dwelling units."

§ 14-382(e). Ironically, the lot and house "legally existing at the time of its creation and made nonconforming by the" ordinance did have street frontage to Sheridan Street, as described in the 1951 deed from Miller to Maxwell and shown on the Tax Assessor's Map dated April 1, 2012, *see* Exhibit A, pages 1 & 2 (notwithstanding that this portion of Sheridan may have only been plotted and not yet constructed). With the acquisition by Upright on January 31, 2014, a new lot lacking street frontage was created for the first time. In short, even if the single-family home formerly existing in the location of Upright's newly-created non-conforming lot could qualify for replacement pursuant to §§ 14-382 and 14-385 of the City Code, the Code is absolutely clear, as stated in the City's own FAQ sheet, that "***[t]he replacement structure must be exactly the same as the previous structure, including footprint, height, and shell***." (Emphasis added.)

C. *Portland's Public Policy Regarding the Requirement of Street Frontage Is Consistent With State Policy and Can Be Altered Only By the City Council.*

The requirement of street frontage set forth in the City Code is a matter of public policy legislatively established by the City Council. Notably, the City Council has not provided any authority to Planning Division staff nor the Planning Board itself to disregard or waive this fundamental requirement of street frontage for newly developed lots. Section § 14-433, pertaining to "lots of record" as of June 5, 1997, specifically allows variance from the frontage requirement *only* where a "means of access has been previously approved by the city council" itself. In this case, there has been no such approval, and neither City staff nor the Planning Board has the authority to disregard the frontage requirement.

Portland's policies regarding street frontage are consistent with generally recognized planning principles. Unregulated private ways raise many problems, including inaccessibility to emergency vehicles and large delivery trucks, and place public safety and private property at risk. There may be no provisions for maintenance of the private road or way, while the dominant and servient parcel owners may face uncertainties as to their rights and responsibilities. In this case much of the controversy thus far has pertained to exactly these concerns and the inadequacy of the vague, undescribed right-of-way that is physically limited to approximately 11 feet in width due to the location of the residential structure on the servient parcel at 128F North Street. *See* Ex. A, page 6 (Deed, Ramsdell to Bowden, July 25, 1923, filed in the Cumberland County Clerk's Office in Book 1143 at Page 307). Thus, as recommended to municipalities by the Maine State Planning Office, land use ordinances should provide that for non-conforming lots of record, if more than one residential dwelling unit is built, "the frontage requirements of the district shall be met." This is exactly the advice that the City of Portland has followed by unequivocally requiring that even with a non-conforming lot as of June 5, 1957, the applicable street frontage of the zone (or 40', whichever is less) shall be required. *See* HOW TO PREPARE A LAND USE ORDINANCE, A Manual for Local Officials, Maine State Planning Office, August 2011. (But in this case, of course, there is no lot of record as of June 5, 1957, as the lot in question derived from two deeds filed in 2014 and 2018, respectively.)

D. *The Proposed Project Would Block the Adjoining Owner's Legal Right of Access.*

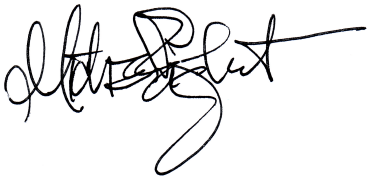
Finally, Upright's proposal is in derogation of the rights of the owner of the property (now known as Munjoy Heights), which was divided from the lot created and conveyed to Upright on January 31, 2014, and constituting the western portion of the property that was the

former tax parcel number 012 H009 and running to Sheridan Street. In such case, the easement from North Street benefitting the former entire dominant estate "passes with that estate regardless of whether the easement is expressly mentioned in later conveyances, and regardless of whether later conveyances divide the dominant estate." *Edwards v. Blackman*, 129 A.3d 971, 982, 2015 ME 165 (Sup. Jud. Ct. of Maine 2015) (citations omitted). Thus, the portion of 128R that is now encompassed in the Munjoy Heights development retains its right-of-way to North Street. As a matter necessity, protection of this right-of-way is especially important to accommodate the "Retaining Wall Maintenance Easement" included in the conveyance from Redfern Munjoy to Upright, attached hereto in Ex. A, page 3. The only access available for specified equipment to maintain the retaining wall would be over this right-of-way from North Street as recited in the 1923 deed from Ramsdell to Bowden. As shown in Ex. A, page 7, Upright's proposed multi-unit project subject of this application would completely block Munjoy Heights' rightful access to North Street.

Conclusion

Portland's City Code unequivocally requires a minimum of twenty feet street frontage for this Level III Site Plan Application to be accepted and reviewed by the Planning Board. This is true whether the proposed development lot is considered to be a nonconforming lot of record as of June 5, 1957, or a lot subsequently formed by deed conveyances on January 31, 2014 and June 5, 2018. In the first scenario hypothesized as a pre-existing lot of record, only the City Council would have the legislative authority to approve a means of access as an alternative to requiring street frontage. It is absolutely clear, however, that the proposed development lot did not exist in its current form until June 5, 2018. Regardless, in no case is the Planning Division nor the Planning Board authorized to ignore or waive the requirement for street frontage. For these reasons, the Planning Board must reject the application of Upright Properties, LLC to develop a multi-unit residential project located on the property described in two deeds dated January 31, 2014 and June 5, 2018.

Respectfully submitted,



Michael Englert

Exhibit A / page 1

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going instrument to be his free act and deed, and the free act and deed of said Corporation.

BEFORE ME,

Charles A. Holden

Notary Public, Notarial Seal.

Received September 28, 1951 at 10h 10m A. M., and recorded according to the original.

Miller to Maxwell & War.

See Book 2654 Page 29

KNOW ALL MEN BY THESE PRESENTS, THAT I, Chester L. Miller of Portland, in the County of Cumberland and State of Maine, in consideration of One Dollar and other valuable considerations paid by Earl Maxwell and Cecelia Maxwell, both of said Portland the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said Earl Maxwell and Cecelia Maxwell, as joint tenants, and not as tenants in common, to them and their assigns, and to the survivor, and the heirs and assigns of the survivor forever, the following described property:

A certain lot or parcel of land, with the buildings thereon, situated on the easterly side of Sheridan Street, in said City of Portland bounded and described as follows:

Beginning at a point on said easterly side of Sheridan Street which point marks the southwesterly corner of land conveyed by A. J. Bernstein to Elmore W. Ramsdell by deed dated May 28, 1923, and recorded in Cumberland County Registry of Deeds in Book 1133, Page 466; thence running northerly by said easterly side line of Sheridan Street sixty-three and five tenths (63.5) feet more or less to the northwesterly corner of said land conveyed to Ramsdell as aforesaid; thence running easterly along the northerly line of said land one hundred and four and sixty-two one hundredths (104.62) feet to the northwest corner of land conveyed by said A. J. Bernstein to Joseph R. Murphy by deed dated May 28, 1923, recorded in Cumberland County Registry of Deeds, Book 1133, Page 465; thence running southerly by the westerly line of said Murphy land twenty and thirty-one one hundredths (20.31) feet to the southwesterly corner of said Murphy land; thence running easterly along the southerly line of said Murphy land fifteen (15) feet to a point; thence southerly in a line parallel with and fifteen (15) feet distant easterly from said westerly side line of said Murphy land extending southerly, about forty-three (43) feet to the southerly line of land first above mentioned as conveyed by Bernstein to Ramsdell, at a point ninety-one and ninety-three one hundredths (91.93) feet westerly from the westerly side line of North Street; thence running westerly by said southerly side line of said Ramsdell land about one hundred twenty-one and ninety-five one hundredths (121.95) feet to Sheridan Street and the point of beginning.

Being the same premises conveyed to me by Merrill E. Miller et als. by deeds dated December 27, 1944 and recorded in Cumberland County Registry of Deeds Book 1768 Page 19 together with a right of way across my land from lot hereby conveyed to North Street.

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Also a certain lot or parcel of rear land lying Easterly of Sheridan Street, in said City of Portland, in the County of Cumberland and State of Maine, and bounded and described as follows:

Beginning at a point on the Northerly side of lot #23 as shown on Division of Little, Weeks and Moody Land as recorded in Cumberland County Registry of Deeds in Book 36, Page 247, said point being distant fifty-seven (57) feet Easterly of the Easterly side line of Sheridan Street; thence Easterly by said Northerly side line of lot #23 as shown on said plan and by land of C. L. Miller forty-nine and eight tenths (49.8) feet, more or less, to the Division line between lots #23 and #33; thence southerly by the Westerly line of lots #33 and #32; one hundred twenty-six and seventy-two hundredths (126.72) feet, more or less, to the Northeasterly corner of lot #21; thence Westerly by the Northerly side line of lot #21; eighteen and eighty-five hundredths (18.85) feet, more or less, to a point which is ninety-two and fifty-seven hundredths (92.57) feet Easterly of the Easterly side line of Sheridan Street, measured on the Northerly side line of lot #21; thence Northwesterly in a straight line and by land of said Grantor one hundred twenty-nine and thirty-five hundredths (129.35) feet to land of said Miller and the point of beginning.

Being the same premises conveyed to me by H. Raymond Harris by deed dated October 3, 1946 and recorded in Cumberland County Registry of Deeds, Book 1841, Page 293.

TO HAVE AND TO HOLD the aforegranted and bargained premises with all privileges and appurtenances thereof to the said Earl Maxwell and Cecelia E. Maxwell, as joint tenants, and not as tenants in common, to them and their assigns, and to the survivor and the heirs and assigns of the survivor forever.

U.S.I.R. $5.50 C.L.M. 9/26/51

AND I do COVENANT with the said Grantees, their Heirs and Assigns, that we are lawfully seized in fee of the premises; that they are free of all incumbrances; that I have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that we and our Heirs, shall and will Warrant and Defend the same to the said Grantees, their Heirs and Assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, I the said Chester L. Miller being unmarried, have hereunto set my hand and seal this twenty-sixth day of September in the year of our Lord one thousand nine hundred and fifty-one.

Signed, Sealed and Delivered
in presence of

H. Edwin Gee
Earl Maxwell

Chester his mark L Miller Seal

STATE OF MAINE
Cumberland ss.

September 26, 1951

The 1951 Deed, which for the first time conveyed tax parcels H009 and H022 together as a single conveyance. The deed clarifies that the H022 land was acquired by the Grantor in 1946.

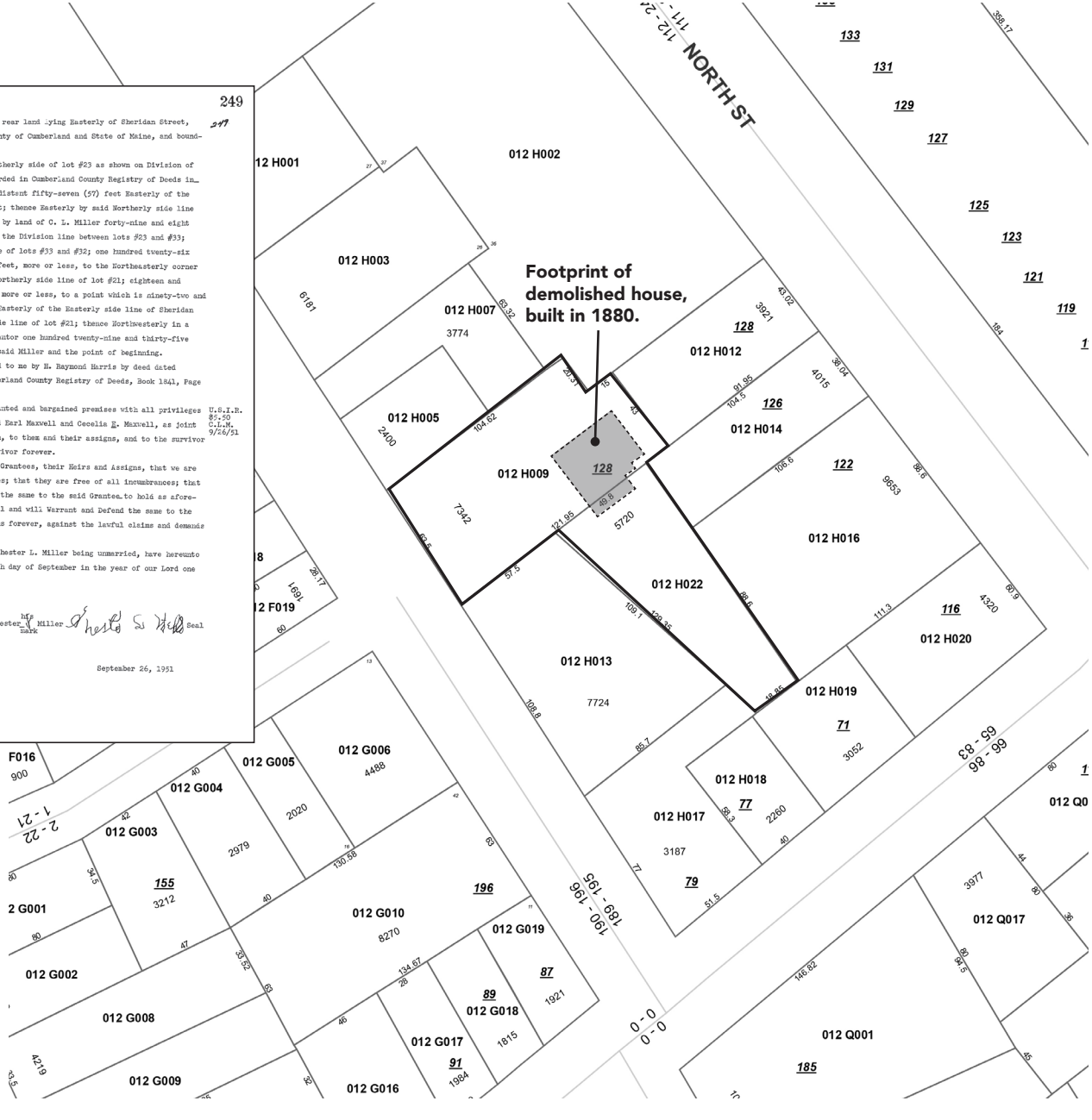

Exhibit A / page 2

April 1, 2012 fy 2013
Portland, Maine Tax
Assessors Map

Outlined property:
Property 012 H009 and H022,
128 R North Street.

Properties purchased
by Redfern to build
Munjoy Heights

Doc#: 4586 Bk:31317 Pg: 117

SCHEDULE A
Estate of Earl Maxwell to Raymond C. Maxwell

A certain lot or parcel of land, with the buildings thereon, situated on the easterly side of Sheridan Street, in the City of Portland, County of Cumberland, and State of Maine and more particularly described as follows:

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ALSO a certain lot or parcel of rear land lying Easterly of Sheridan Street, in said City of Portland, County of Cumberland, and State of Maine, and bounded and described as follows:

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The above described premises are conveyed together with any and all easements, rights, or restrictions of record.

Being the same premises conveyed to Earl Maxwell and Cecelia Maxwell by deed of Chester L. Miller dated September 26, 1951. Earl Maxwell was the surviving joint tenant, as Cecelia Maxwell died on December 14, 1974.

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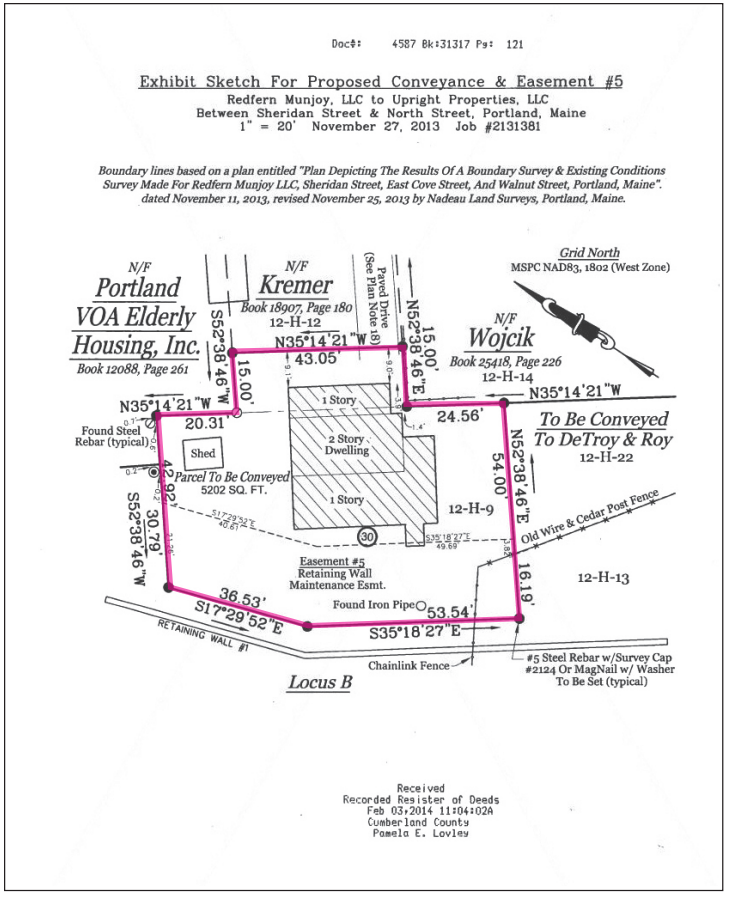
Exhibit A / page 3

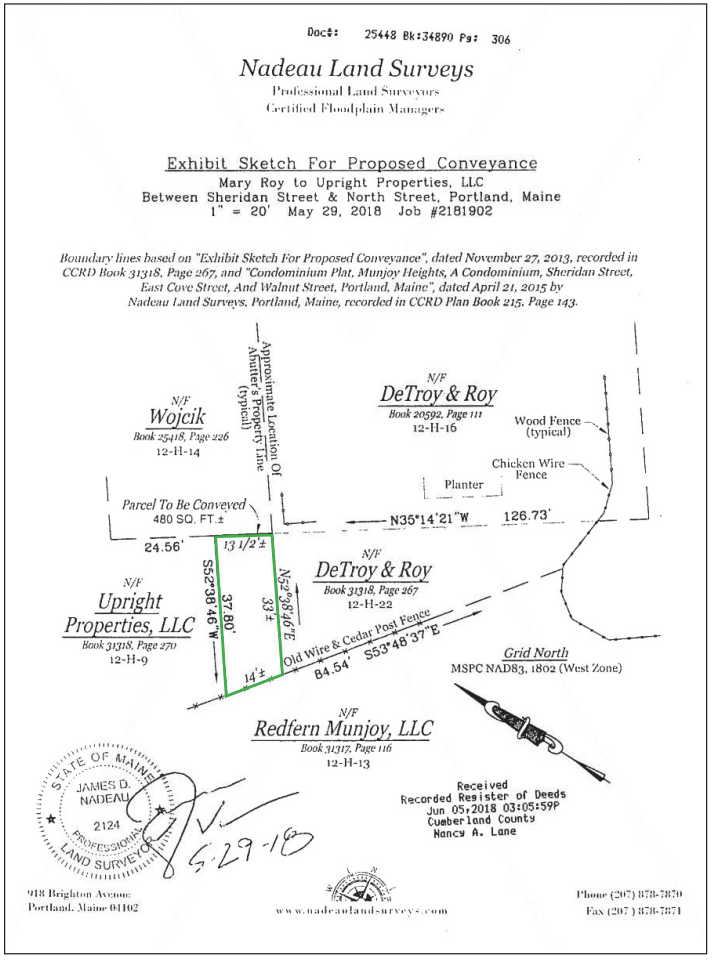


Property Deed description for Redfern Munjoy LLC to Upright Properties, LLC

Feb. 3, 2014

Tax property 012 H009/128 R North Street

Exhibit A / page 4



Doc#: 25448 Bk:34890 Pg: 306

Nadeau Land Surveys
Professional Land Surveyors
Certified Floodplain Managers

Exhibit Sketch For Proposed Conveyance
Mary Roy to Upright Properties, LLC
Between Sheridan Street & North Street, Portland, Maine
1" = 20' May 29, 2018 Job #2181902

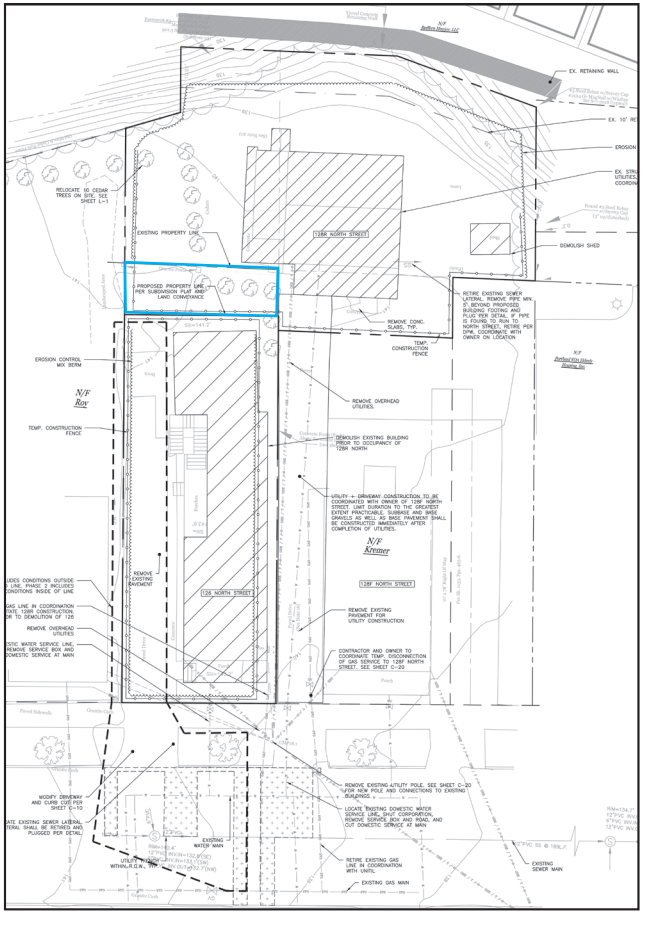
Boundary lines based on "Exhibit Sketch For Proposed Conveyance", dated November 27, 2013, recorded in CCRD Book 31318, Page 267, and "Condominium Plat, Munjoy Heights, A Condominium, Sheridan Street, East Cove Street, And Walnut Street, Portland, Maine", dated April 21, 2015 by Nadeau Land Surveys, Portland, Maine, recorded in CCRD Plan Book 215, Page 143.

Property Deed description for Mary Roy to Upright Properties, LLC

June 5, 2018

Property 012 H009/128 R North Street

Exhibit A / page 5



Additional proposed conveyance by applicant to aggregate additional land to proposed development lot.

See applicant's drawing labeled C-03.

Exhibit A / page 6

307

Know all Men by these Presents, That

I, Elmore W. Ramsdell of Portland in the County of Cumberland and State of Maine,

in consideration of one dollar and other valuable considerations, paid by Claire Bowden of said Portland,

the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said Claire Bowden, her heirs and assigns forever, a certain lot or parcel of land on the easterly side of Sheridan Street, beginning at a point on said easterly side of Sheridan Street which point marks the southwesterly corner of land conveyed by A. J. Bernstein to Elmore W. Ramsdell by deed dated May 28,1923,and recorded in Cuberland County Registry of Deeds in Book 1133, Page 466; thence running northerly by said easterly side line of Sheridan Street sixty-three and five tenths (63.5) feet, more or less,to the northwesterly corner of said land conveyed to Ramsdell as aforesaid; thence running easterly along the northerly line of said land one hundred and four and sixty-two one hundredths (104.62) feet to the northwest corner of land conveyed by said A. J. Bernstein to Joseph R. Murphy by deed dated May 28, 1923, recorded in Cumberland County Registry of Deeds, Book 1133, Page 465; thence running southerly by the westerly line of said Murphy land twenty and thirty-one one hundredths (20.31) feet to the southwesterly corner of said Murphy land; thence running easterly along the southerly line of said Murphy land fifteen (15) feet to a point; thence southerly in a line parallel with and fifteen (15) feet distant easterly from said westerly side line of said Murphy land extended southerly, about forty-three (43) feet to the southerly line of land first above mentioned as conveyed by Bernstein to Ramsdell, at a point ninety-one and ninety-three one hundredths (91.93) feet westerly from the westerly side line of North Street; thence running westerly by said southerly side line of said Ramsdell land about one hundred twenty-one and ninety-five one hundredths (121.95) feet to Sheridan Street and the point of beginning.

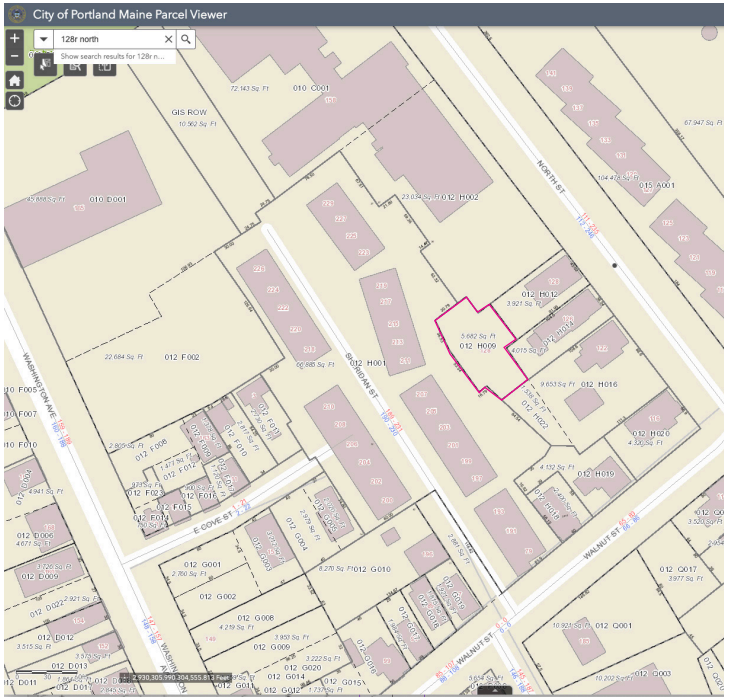
Being a part of land conveyed by Abraham J. Bernstein to me by deed dated May 28, 1923, recorded in Cumberland County Registry of Deeds, Book 1133, Page 466.

Together with a right of way across my land from the lot hereby conveyed to North Street.

Twelve words blotted out before signing. D.W.P.

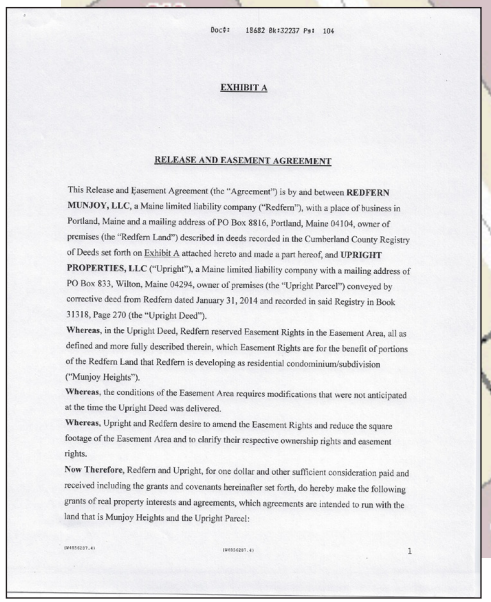
Deed, Ramsdell to Bowden, July 25, 1923, filed in the Cumberland County Clerk's Office in Book 1143 at Page 307.

Exhibit A / page 7



City of Portland, Maine Parcels map, June, 2018

Completely reconfigured property lines with an easement to Munjoy Heights for repair of the retaining wall. Map does not show the steep grade making it impossible to gain access with heavy equipment with the proposed building.



Doc#: 18682 Bk:32237 Pg: 104

EXHIBIT A

RELEASE AND EASEMENT AGREEMENT

This Release and Easement Agreement (the "Agreement") is by and between **REDFERN MUNJOY, LLC**, a Maine limited liability company ("Redfern"), with a place of business in Portland, Maine and a mailing address of PO Box 8816, Portland, Maine 04104, owner of premises (the "Redfern Land") described in deeds recorded in the Cumberland County Registry of Deeds set forth on Exhibit A attached hereto and made a part hereof, and **UPRIGHT PROPERTIES, LLC** ("Upright"), a Maine limited liability company with a mailing address of PO Box 833, Wilton, Maine 04294, owner of premises (the "Upright Parcel") conveyed by corrective deed from Redfern dated January 31, 2014 and recorded in said Registry in Book 31318, Page 270 (the "Upright Deed").

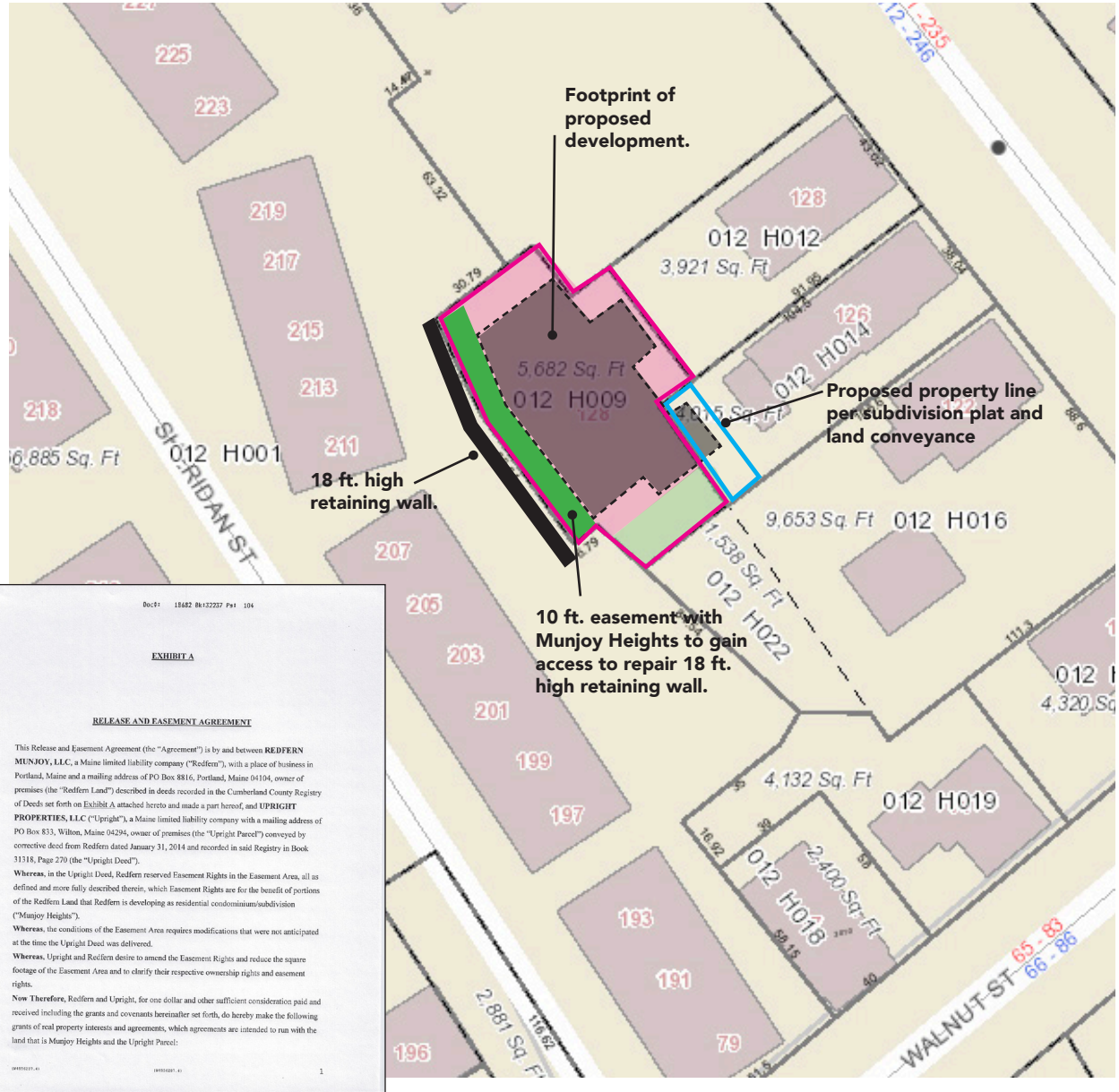
Whereas, in the Upright Deed, Redfern reserved Easement Rights in the Easement Area, all as defined and more fully described therein, which Easement Rights are for the benefit of portions of the Redfern Land that Redfern is developing as residential condominium/subdivision ("Munjoy Heights").

Whereas, the conditions of the Easement Area requires modifications that were not anticipated at the time the Upright Deed was delivered.

Whereas, Upright and Redfern desire to amend the Easement Rights and reduce the square footage of the Easement Area and to clarify their respective ownership rights and easement rights.

Now Therefore, Redfern and Upright, for one dollar and other sufficient consideration paid and received including the grants and covenants hereinafter set forth, do hereby make the following grants of real property interests and agreements, which agreements are intended to run with the land that is Munjoy Heights and the Upright Parcel:

1



Google Groups

Opposed to the Development at 128R North Street

Liz Hays <lizchays@gmail.com> Jun 22, 2020 9:11 PM

Posted in group: **Planning Board**

Dear Planning Board

My name is Liz Hays, and a home owner at 107 North Street, in close proximity to this proposed development at 128R North Street.

I continue to be strongly against this development project.

I first want to complain that I received no notification of a workshop on this project held on May 26, 2020 despite the fact that I live 500 feet from the project. I would have attended, to express my opposition, if I had known about the meeting.

I feel, one argument against the project is that the proposed structure is severely out of scale compared to the building site and that it is dangerously problematic as it is being built on a steep slope.

My other argument against this project is its limited access to emergency vehicles which creates a safety issue. The proposed alternative access through the Volunteer of America parking lot does not take into consideration the problem if the parking lot is full with VOA resident's vehicles.

My last concern is with the new plans feature of an 18-inch "wheel stop" wall at the rear of the building. This in fact a foundation wall, not only supporting the balcony structures but also wrapping the perimeter of the building. The setback requirement for a foundation wall is 15 feet. The existing plan envisions a setback of only 10 feet.

I hope before you make any decision on this project, that you visit the site and take in to consideration my concerns.

Sincerely,

Liz Hays
107 North St.
Portland, ME 04101
207-441-4653

Google Groups

126 and 128R North Street Workshop

Ann Casady <ann@casadydesign.com> Jul 16, 2020 10:25 AM
Posted in group: **Planning Board**

To: Chairman Mazer and Shukria Wiar

I hope this finds you both well and safe. I am so proud of Maine for keeping this virus in check so far.

I am submitting a visual aid to be viewed by all participants for the workshop on July 21 for 126 and 128R North Street (Plan Number PL-000791-2019)
when the public comment time is available and requested by Tom Federle and/or Michael Englert.

128R North Street-Exhibit-A.pdf

Exhibit A / page 1

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going instrument to be his free act and deed, and the free act and deed of said Corporation.

BEFORE ME,

Charles A. Holden

Notary Public, Notarial Seal.

Received September 28, 1951 at 10h 10m A. M., and recorded according to the original.

Miller to Maxwell & War.

See Book 2654 Page 29

KNOW ALL MEN BY THESE PRESENTS, THAT I, Chester L. Miller of Portland, in the County of Cumberland and State of Maine, in consideration of One Dollar and other valuable considerations paid by Earl Maxwell and Cecelia Maxwell, both of said Portland the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said Earl Maxwell and Cecelia Maxwell, as joint tenants, and not as tenants in common, to them and their assigns, and to the survivor, and the heirs and assigns of the survivor forever, the following described property:

A certain lot or parcel of land, with the buildings thereon, situated on the easterly side of Sheridan Street, in said City of Portland bounded and described as follows:

Beginning at a point on said easterly side of Sheridan Street which point marks the southwesterly corner of land conveyed by A. J. Bernstein to Elmore W. Ramsdell by deed dated May 28, 1923, and recorded in Cumberland County Registry of Deeds in Book 1133, Page 466; thence running northerly by said easterly side line of Sheridan Street sixty-three and five tenths (63.5) feet more or less to the northwesterly corner of said land conveyed to Ramsdell as aforesaid; thence running easterly along the northerly line of said land one hundred and four and sixty-two one hundredths (104.62) feet to the northwest corner of land conveyed by said A. J. Bernstein to Joseph R. Murphy by deed dated May 28, 1923, recorded in Cumberland County Registry of Deeds, Book 1133, Page 465; thence running southerly by the westerly line of said Murphy land twenty and thirty-one one hundredths (20.31) feet to the southwesterly corner of said Murphy land; thence running easterly along the southerly line of said Murphy land fifteen (15) feet to a point; thence southerly in a line parallel with and fifteen (15) feet distant easterly from said westerly side line of said Murphy land extending southerly, about forty-three (43) feet to the southerly line of land first above mentioned as conveyed by Bernstein to Ramsdell, at a point ninety-one and ninety-three one hundredths (91.93) feet westerly from the westerly side line of North Street; thence running westerly by said southerly side line of said Ramsdell land about one hundred twenty-one and ninety-five one hundredths (121.95) feet to Sheridan Street and the point of beginning.

Being the same premises conveyed to me by Merrill E. Miller et als. by deeds dated December 27, 1944 and recorded in Cumberland County Registry of Deeds Book 1768 Page 19 together with a right of way across my land from lot hereby conveyed to North Street.

249

249

Also a certain lot or parcel of rear land lying Easterly of Sheridan Street, in said City of Portland, in the County of Cumberland and State of Maine, and bounded and described as follows:

Beginning at a point on the Northerly side of lot #23 as shown on Division of Little, Weeks and Moody Land as recorded in Cumberland County Registry of Deeds in Book 36, Page 247, said point being distant fifty-seven (57) feet Easterly of the Easterly side line of Sheridan Street; thence Easterly by said Northerly side line of lot #23 as shown on said plan and by land of C. L. Miller forty-nine and eight tenths (49.8) feet, more or less, to the Division line between lots #23 and #33; thence southerly by the Westerly line of lots #33 and #32; one hundred twenty-six and seventy-two hundredths (126.72) feet, more or less, to the Northeasterly corner of lot #21; thence Westerly by the Northerly side line of lot #21; eighteen and eighty-five hundredths (18.85) feet, more or less, to a point which is ninety-two and fifty-seven hundredths (92.57) feet Easterly of the Easterly side line of Sheridan Street, measured on the Northerly side line of lot #21; thence Northwesterly in a straight line and by land of said Grantor one hundred twenty-nine and thirty-five hundredths (129.35) feet to land of said Miller and the point of beginning.

Being the same premises conveyed to me by H. Raymond Harris by deed dated October 3, 1946 and recorded in Cumberland County Registry of Deeds, Book 1841, Page 293.

TO HAVE AND TO HOLD the aforegranted and bargained premises with all privileges and appurtenances thereof to the said Earl Maxwell and Cecelia E. Maxwell, as joint tenants, and not as tenants in common, to them and their assigns, and to the survivor and the heirs and assigns of the survivor forever.

U.S.I.R. $5.50 C.L.M. 9/26/51

AND I do COVENANT with the said Grantees, their Heirs and Assigns, that we are lawfully seized in fee of the premises; that they are free of all incumbrances; that I have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that we and our Heirs, shall and will Warrant and Defend the same to the said Grantees, their Heirs and Assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, I the said Chester L. Miller being unmarried, have hereunto set my hand and seal this twenty-sixth day of September in the year of our Lord one thousand nine hundred and fifty-one.

Signed, Sealed and Delivered
in presence of

H. Edwin Gee
Earl Maxwell

Chester his mark L Miller Seal

STATE OF MAINE
Cumberland ss.

September 26, 1951

The 1951 Deed, which for the first time conveyed tax parcels H009 and H022 together as a single conveyance. The deed clarifies that the H022 land was acquired by the Grantor in 1946.

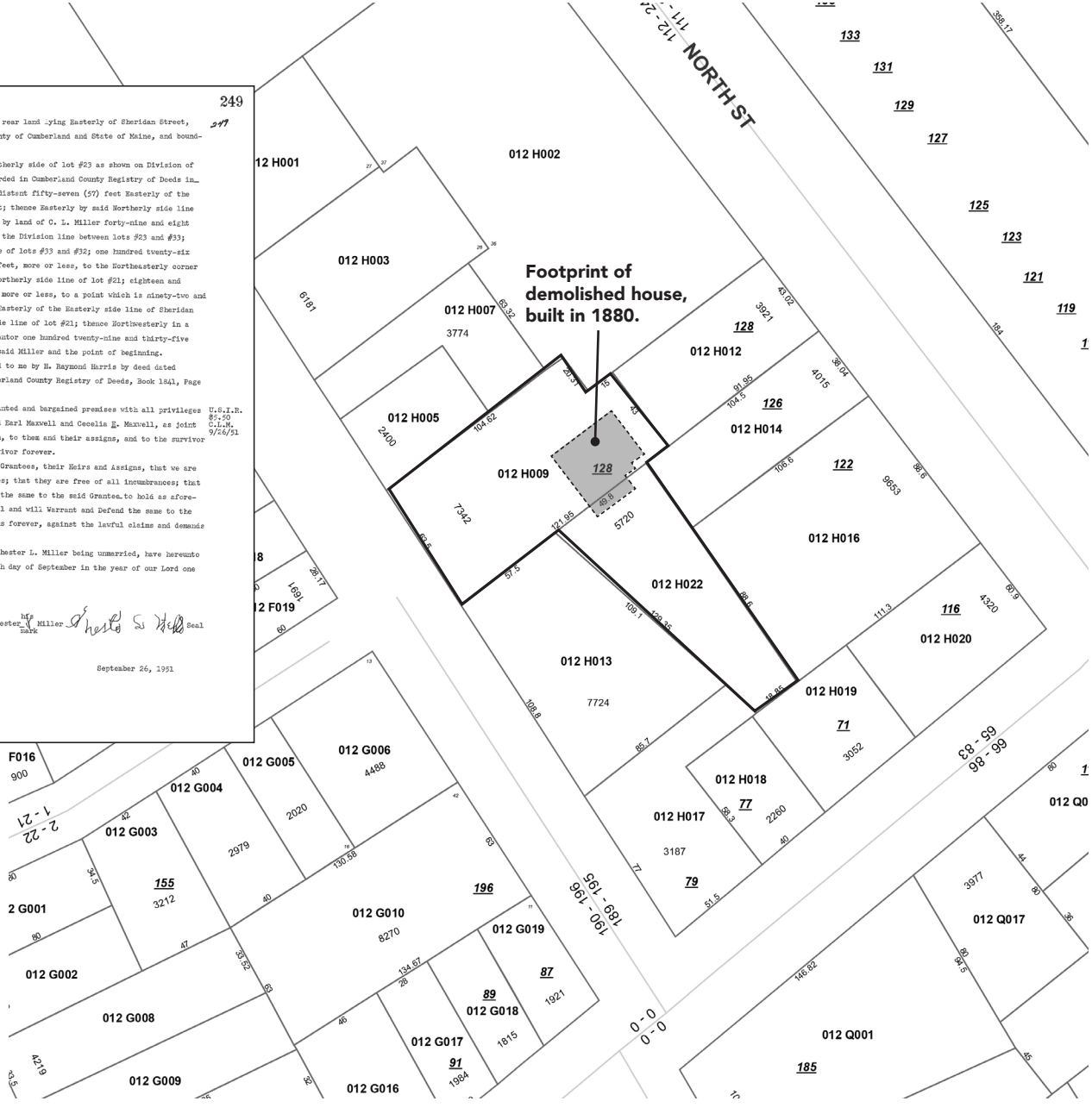

Exhibit A / page 2

April 1, 2012 fy 2013
Portland, Maine Tax
Assessors Map

Outlined property:
Property 012 H009 and H022,
128 R North Street.

Properties purchased
by Redfern to build
Munjoy Heights

Doc#: 4586 Bk:31317 Pg: 117

SCHEDULE A
Estate of Earl Maxwell to Raymond C. Maxwell

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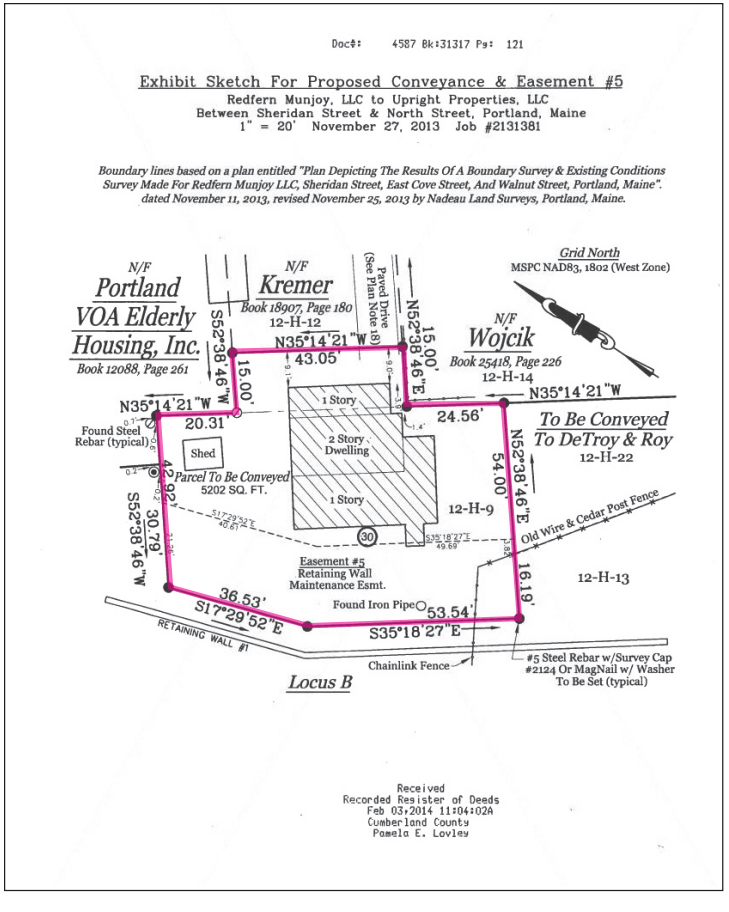

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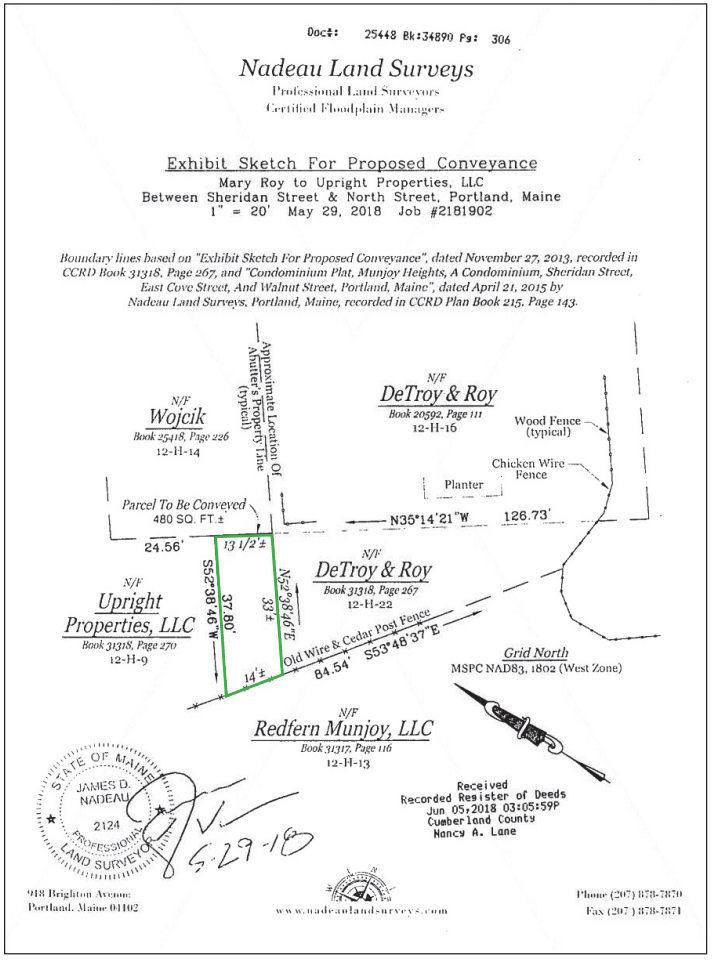

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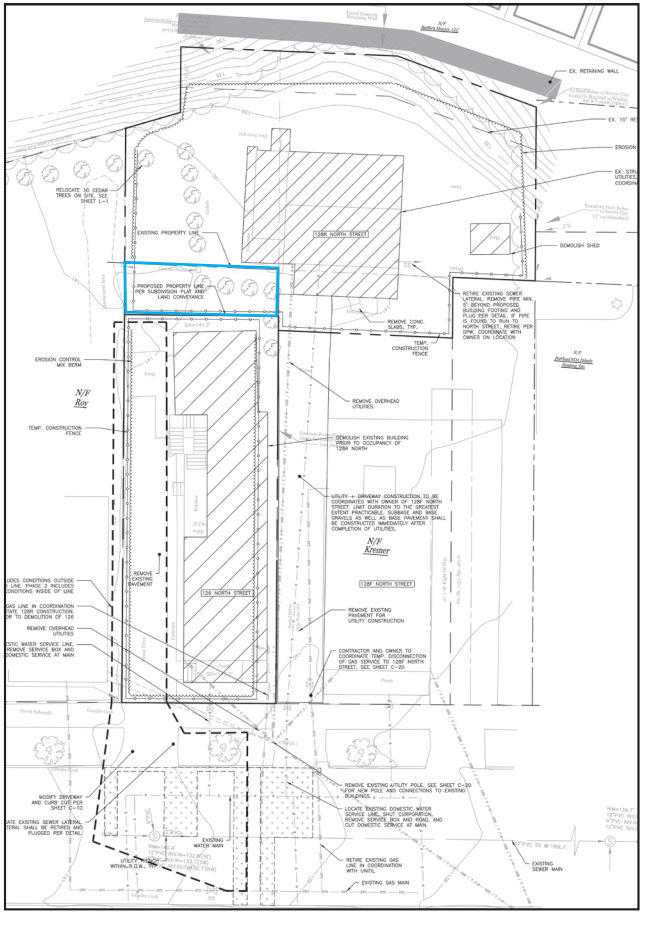

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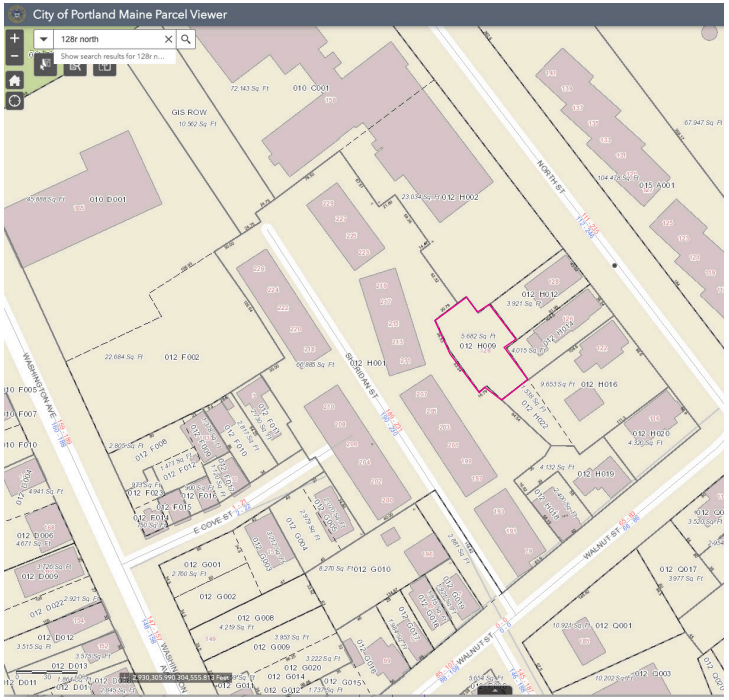

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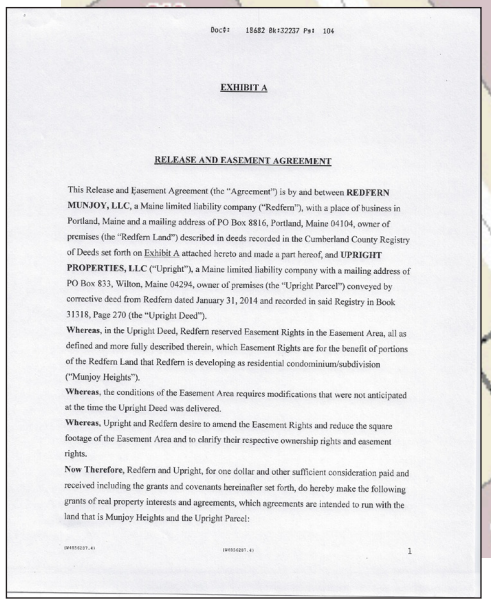

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EXHIBIT A

RELEASE AND EASEMENT AGREEMENT

This Release and Easement Agreement (the "Agreement") is by and between **REDFERN MUNJOY, LLC**, a Maine limited liability company ("Redfern"), with a place of business in Portland, Maine and a mailing address of PO Box 8816, Portland, Maine 04104, owner of premises (the "Redfern Land") described in deeds recorded in the Cumberland County Registry of Deeds set forth on Exhibit A attached hereto and made a part hereof, and **UPRIGHT PROPERTIES, LLC** ("Upright"), a Maine limited liability company with a mailing address of PO Box 833, Wilton, Maine 04294, owner of premises (the "Upright Parcel") conveyed by corrective deed from Redfern dated January 31, 2014 and recorded in said Registry in Book 31318, Page 270 (the "Upright Deed").

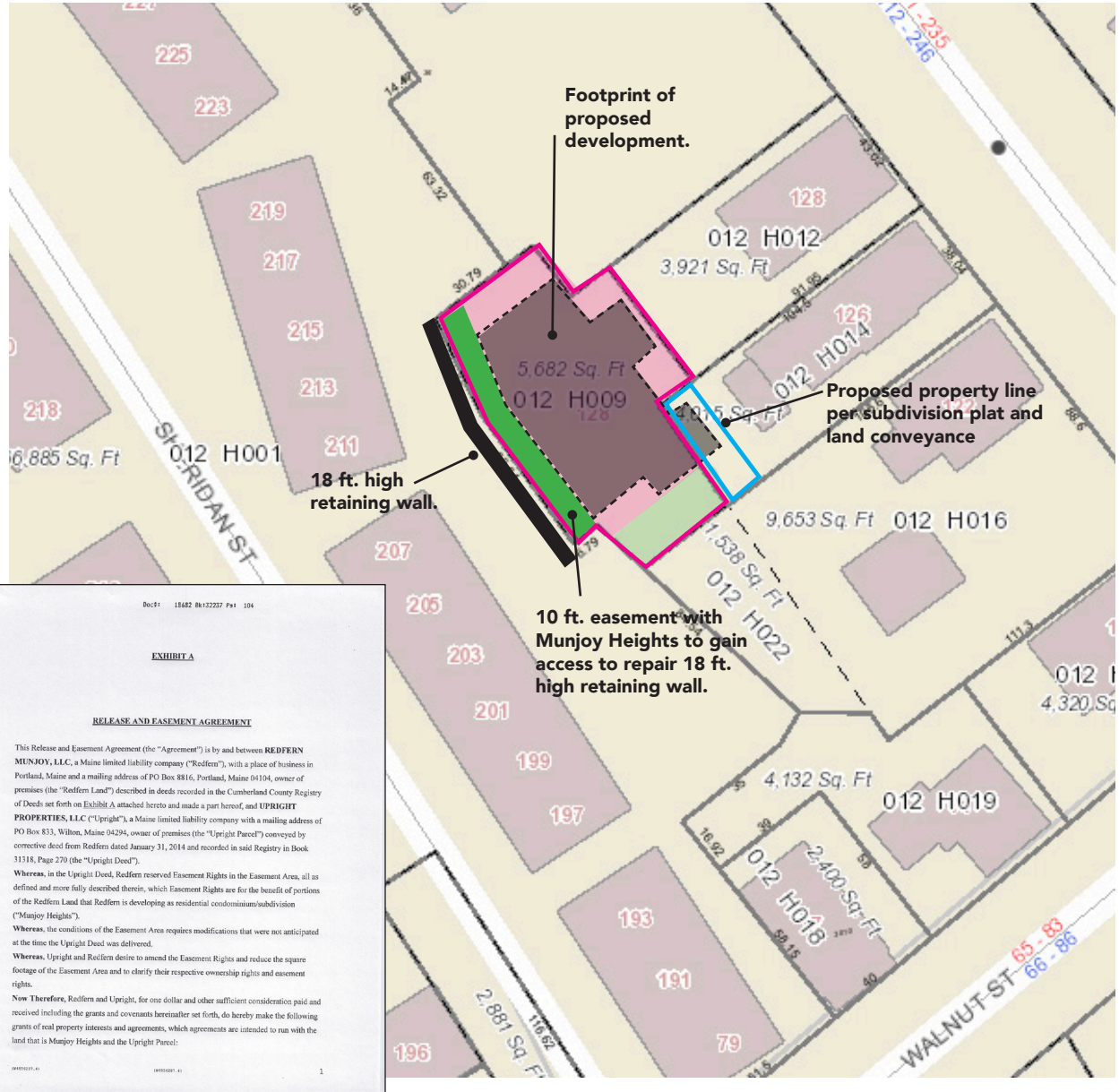
Whereas, in the Upright Deed, Redfern reserved Easement Rights in the Easement Area, all as defined and more fully described therein, which Easement Rights are for the benefit of portions of the Redfern Land that Redfern is developing as residential condominium/subdivision ("Munjoy Heights").

Whereas, the conditions of the Easement Area requires modifications that were not anticipated at the time the Upright Deed was delivered.

Whereas, Upright and Redfern desire to amend the Easement Rights and reduce the square footage of the Easement Area and to clarify their respective ownership rights and easement rights.

Now Therefore, Redfern and Upright, for one dollar and other sufficient consideration paid and received including the grants and covenants hereinafter set forth, do hereby make the following grants of real property interests and agreements, which agreements are intended to run with the land that is Munjoy Heights and the Upright Parcel:

1



Google Groups

Fwd: 128R North Street; Level III Site Plan Review

Shukria Wiar <shukriaw@portlandmaine.gov> Jul 16, 2020 12:05 PM
Posted in group: **Planning and Urban Development**

Please add to public comments.

---------- Forwarded message ---------
From: **Tom Federle** <tom@federlelawmaine.com>
Date: Thu, Jun 18, 2020 at 12:29 PM
Subject: 128R North Street; Level III Site Plan Review
To: Shukria Wiar <shukriaw@portlandmaine.gov>, Jennifer Thompson <jlt@portlandmaine.gov>, <bmazer@perkinsthompson.com>
Cc: Tom Federle <Tom@federlelawmaine.com>

Shukria, Jen and Brandon—

Please see the attached. I would be happy to discuss with Shukria and Jen at any time and with Brandon at the public hearing on the above referenced application should one be scheduled though I would suggest one should not be scheduled.

Best Regards,

Tom Federle
FEDERLE LAW
254 Commercial Street, Ste. 103
Portland, ME 04101
207.899.0155 (direct)

Tom@federlelawmaine.com
www.federlelawmaine.com

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

FEDERLE LAW

--Sent Electronically—

June 18, 2020

Shukria Wiar, Planning Staff

Brandon Mazer, Planning Board Chair

Jennifer Thompson, Corporation Counsel

City of Portland

Portland, Maine 04101

RE: Level III Site Plan/Subdivision Application;

Upright Properties; 128R North Street

Shukria, Brandon and Jen-

I offer this memorandum on behalf of my clients, Lindsay and Susan Mann who are owners of property at 122 North Street and who abut the land addressed as 128R North Street, the subject of the above application. In a February letter to staff I asserted several arguments as to how the above referenced application fails to satisfy the requirements of Portland's Land Use Ordinance. While preserving all of those prior arguments which to date have gone largely unaddressed, I now submit an additional argument that is so foundational that it ought to stop this application from being processed any further. The applicant simply does not have a lawful lot upon which to build.

I. The Applicant's Land Addressed as 128R North Street Is Not a Lot That Can Be Built Upon.

A threshold determination that the planning staff has seemingly overlooked is whether the applicant owns a lot upon which he can develop. The applicant does not.

Portland's Land Use Ordinance defines a lot as: "[a] *parcel or area of land that is designated as an individual unit for use, development or ownership that is either a) a lot of record, recorded in the Cumberland County Registry of Deeds; or b) a contiguous combination of such lots of record under common ownership; or c) a newly established parcel meeting all the dimensional requirements of the zone in which it is located.* **Portland Land Use Ordinance §14-47.**

Upright Properties ("Upright") apparently is relying upon a claim that he has a lot of record (sub "a" above) as clearly he does not have "a contiguous combination of such lots of record under common ownership" (sub "b" above) or "a newly established parcel meeting all the dimensional requirements of the zone in which it is located" (sub "c" above) since 128R North Street lacks required road frontage.

A. Upright's Land Addressed as 128R North Street Was Not a Lot of Record in 1957.

Portland's Land Use Ordinance establishes that notwithstanding a piece of land's non-conformity with dimensional requirements under Portland's zoning, it may still be buildable if it was a "lot *of record as of June 5, 1957.*" **Portland Land Use Ordinance §14-433.** The land at 128R North Street was not created until 2014 and thus was not a lot of record in 1957.

In 2014, Redfern Properties ("Redfern") purchased the 128R property. Redfern did not rely upon any claim that the land was a lawfully nonconforming lot but instead divided the property using a portion as part of its aggregation of land into a newly merged parcel that met all dimensional requirements of a lot in the R-6 zone. On this land, Redfern constructed Munjoy Heights. Redfern sold the remainder of the 128R land, with a single family house on it, to Upright.

Thus, the land addressed as 128R North Street, as configured and presented in Upright's application before the Planning Board, was first created by a deed from Redfern to Upright in 2014, fifty-seven years after Portland adopted its Land Use Ordinance. Four years later, in 2018, Mary Roy sold to Upright another piece of land that was appended onto that which Upright purchased from Redfern. The land at 128R North Street, in its current configuration, was thus formed in 2014 and 2018, well over a half century after Portland adopted zoning. The land at 128R North Street is merely a remnant piece of a lot of record that existed in 1957. **A depiction of the lot as it existed in 1957 and its permutations leading to its current configuration is attached hereto as Exhibit A.**

B. The 128R Property is Not a Lawfully Nonconforming Lot.[1]

Portland's Land Use Ordinance, like all land use ordinances in Maine, strives to bring coherence to land use patterns throughout the city through certain zoning requirements. In acknowledgement that zoning is in derogation of common law property rights, Portland's Land Use Ordinance, like all land use ordinances, provides for the continuation of lots, buildings and uses lawfully existing at the time of the adoption of the zoning. In this way, new lots, uses and buildings must conform and old

[1] The term "lawfully non-conforming" in land use parlance is often used interchangeably with the more generally recognized term "grandfathered." The derivation of the term "grandfathered" relates to Jim Crow era voting laws that had the intended effect of disenfranchising black voters and is thus a term innocently used by myself and others for decades ignorant of its deeply racist origin.

nonconformities needn't end abruptly but are intended to fade away over time. In this way, zoning gets to its intended goals.

As stated by Maine's Supreme Court in *Day v. Town of Phippsburg,* 110 A.3rd 645 (Me. 2015), "[t]he policy of zoning is to abolish non-conformities as speedily as justice will permit." Citing *Town of Windham v. Sprague*, 219 A.2d 548, 552-53 (Me. 1996). "In light of this policy, zoning provisions that restrict nonconformities are liberally construed, and zoning provisions that allow nonconformities are strictly construed." Citing *Brackett v. Town of Rangeley*, 2003 Me 109, 831 A.2d 422.

Portland's nonconformity provision is found in §14-381. It reads that "[a]ny building, structure, lots, or use, that were legally existing at the time of its creation and made nonconforming by the provisions of this ordinance or any amendment thereto may be continued although such use does not conform with the provisions of this ordinance."

The land at 128R North Street, as currently configured in Upright's application, was not a "lot" and was not "legally existing" at the time of the creation of Portland's zoning ordinance. As such, §14-381 does not apply to Upright's land created by deeds in 2014 and 2018. §14-381 does not bestow upon this recently created lot any rights that might have applied to a legally existing lot in 1957. Any such rights were lost when the lawfully nonconforming lot of record was divided and altered in 2014.

Upright might argue that the land at 128R North Street is a piece of a lawfully nonconforming lot and therefor enjoys the same rights that the lawfully nonconforming lot once enjoyed. Maine's Supreme Court has already rejected this very argument. **See** *Viles v. Town of Embden*, 905 A.2d 298 (Me.2006). In *Viles*, a landowner claimed that a piece of land that was created from a portion of a lawfully nonconforming lot was itself a lawfully nonconforming lot. On law and facts materially identical to those here, Maine's Supreme Court held that a lot created out of a lawfully nonconforming lot, and created after the zoning was in place, was not itself a lawfully nonconforming lot. "The Vileses would have us conclude that any small parcel of land that is carved out of a larger nonconforming lot of record also becomes a nonconforming lot of record. Their interpretation of a "lot of record" would defeat the overall purpose of [a zoning ordinance]." *Viles*, at 304. The Court held that the lot was not a buildable lot. The *Viles* holding is good law in Maine. I can find no case law contradicting it. I can find no reason to believe that the Law Court, if presented with another such case, would conclude any differently

In light of Portland's Land Use Ordinance's express provisions establishing what constitutes a buildable lot; in light of the policy of zoning and the Supreme Court's articulation of how nonconformity provisions are to be construed; in light of clear, un-contradicted Maine Supreme Court precedent that a remnant piece of land carved out of a lot of record does not enjoy the lawful non-conforming status of the original lot of record; and given the uncontestable history of the evolution of Upright's land at 128R North Street, the planning staff and the planning board have no choice but to conclude that 128R is not a buildable lot. As such, the application currently pending before the planning board must be denied.

FEDERLE LAW

Respectfully,

Thomas B. Federle

254 Commercial St., Ste. 103, Portland, ME 04101 | www.federlelawmaine.com | O 207.899.0155

Exhibit A / page 1

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going instrument to be his free act and deed, and the free act and deed of said Corporation.

BEFORE ME,

Charles A. Holden

Notary Public, Notarial Seal.

Received September 28, 1951 at 10h 10m A. M., and recorded according to the original.

Miller to Maxwell & War.

See Book 2654 Page 29

KNOW ALL MEN BY THESE PRESENTS, THAT I, Chester L. Miller of Portland, in the County of Cumberland and State of Maine, in consideration of One Dollar and other valuable considerations paid by Earl Maxwell and Cecelia Maxwell, both of said Portland the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said Earl Maxwell and Cecelia Maxwell, as joint tenants, and not as tenants in common, to them and their assigns, and to the survivor, and the heirs and assigns of the survivor forever, the following described property:

A certain lot or parcel of land, with the buildings thereon, situated on the easterly side of Sheridan Street, in said City of Portland bounded and described as follows:

Beginning at a point on said easterly side of Sheridan Street which point marks the southwesterly corner of land conveyed by A. J. Bernstein to Elmore W. Ramsdell by deed dated May 28, 1923, and recorded in Cumberland County Registry of Deeds in Book 1133, Page 466; thence running northerly by said easterly side line of Sheridan Street sixty-three and five tenths (63.5) feet more or less to the northwesterly corner of said land conveyed to Ramsdell as aforesaid; thence running easterly along the northerly line of said land one hundred and four and sixty-two one hundredths (104.62) feet to the northwest corner of land conveyed by said A. J. Bernstein to Joseph R. Murphy by deed dated May 28, 1923, recorded in Cumberland County Registry of Deeds, Book 1133, Page 465; thence running southerly by the westerly line of said Murphy land twenty and thirty-one one hundredths (20.31) feet to the southwesterly corner of said Murphy land; thence running easterly along the southerly line of said Murphy land fifteen (15) feet to a point; thence southerly in a line parallel with and fifteen (15) feet distant easterly from said westerly side line of said Murphy land extending southerly, about forty-three (43) feet to the southerly line of land first above mentioned as conveyed by Bernstein to Ramsdell, at a point ninety-one and ninety-three one hundredths (91.93) feet westerly from the westerly side line of North Street; thence running westerly by said southerly side line of said Ramsdell land about one hundred twenty-one and ninety-five one hundredths (121.95) feet to Sheridan Street and the point of beginning.

Being the same premises conveyed to me by Merrill E. Miller et als. by deeds dated December 27, 1944 and recorded in Cumberland County Registry of Deeds Book 1768 Page 19 together with a right of way across my land from lot hereby conveyed to North Street.

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Also a certain lot or parcel of rear land lying Easterly of Sheridan Street, in said City of Portland, in the County of Cumberland and State of Maine, and bounded and described as follows:

Beginning at a point on the Northerly side of lot #23 as shown on Division of Little, Weeks and Moody Land as recorded in Cumberland County Registry of Deeds in Book 36, Page 247, said point being distant fifty-seven (57) feet Easterly of the Easterly side line of Sheridan Street; thence Easterly by said Northerly side line of lot #23 as shown on said plan and by land of C. L. Miller forty-nine and eight tenths (49.8) feet, more or less, to the Division line between lots #23 and #33; thence southerly by the Westerly line of lots #33 and #32; one hundred twenty-six and seventy-two hundredths (126.72) feet, more or less, to the Northeasterly corner of lot #21; thence Westerly by the Northerly side line of lot #21; eighteen and eighty-five hundredths (18.85) feet, more or less, to a point which is ninety-two and fifty-seven hundredths (92.57) feet Easterly of the Easterly side line of Sheridan Street, measured on the Northerly side line of lot #21; thence Northwesterly in a straight line and by land of said Grantor one hundred twenty-nine and thirty-five hundredths (129.35) feet to land of said Miller and the point of beginning.

Being the same premises conveyed to me by H. Raymond Harris by deed dated October 3, 1946 and recorded in Cumberland County Registry of Deeds, Book 1841, Page 293.

TO HAVE AND TO HOLD the aforegranted and bargained premises with all privileges and appurtenances thereof to the said Earl Maxwell and Cecelia E. Maxwell, as joint tenants, and not as tenants in common, to them and their assigns, and to the survivor and the heirs and assigns of the survivor forever.

U.S.I.R. $5.50 C.L.M. 9/26/51

AND I do COVENANT with the said Grantees, their Heirs and Assigns, that we are lawfully seized in fee of the premises; that they are free of all incumbrances; that I have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that we and our Heirs, shall and will Warrant and Defend the same to the said Grantees, their Heirs and Assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, I the said Chester L. Miller being unmarried, have hereunto set my hand and seal this twenty-sixth day of September in the year of our Lord one thousand nine hundred and fifty-one.

Signed, Sealed and Delivered
in presence of

H. Edwin Gee
Earl Maxwell

Chester his mark L Miller Seal

STATE OF MAINE
Cumberland ss.

September 26, 1951

The 1951 Deed, which for the first time conveyed tax parcels H009 and H022 together as a single conveyance. The deed clarifies that the H022 land was acquired by the Grantor in 1946.

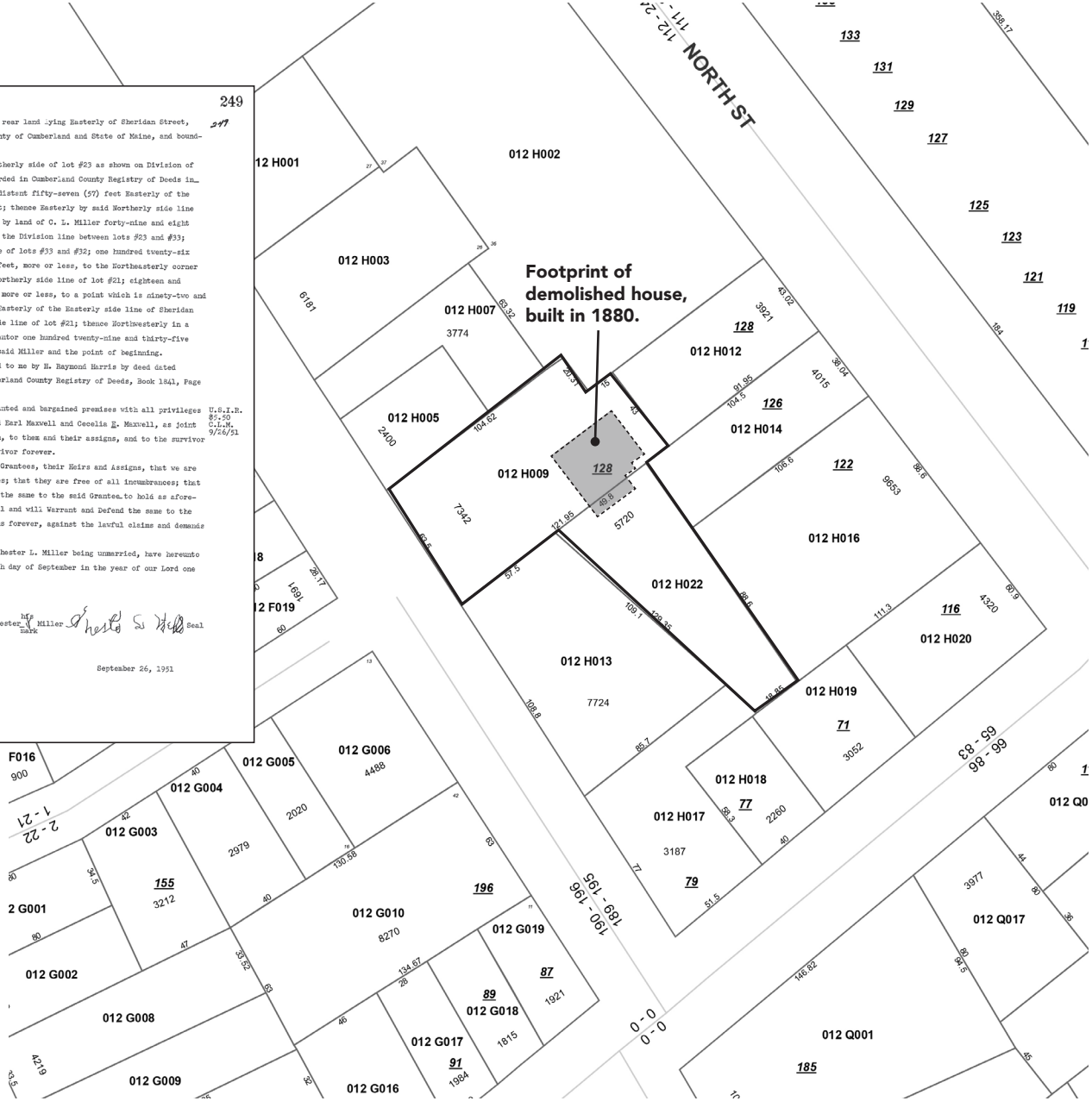


Exhibit A / page 2

April 1, 2012 fy 2013
Portland, Maine Tax
Assessors Map

Outlined property:
Property 012 H009 and H022,
128 R North Street.

Properties purchased
by Redfern to build
Munjoy Heights

Doc#: 4586 Bk:31317 Pg: 117

SCHEDULE A
Estate of Earl Maxwell to Raymond C. Maxwell

A certain lot or parcel of land, with the buildings thereon, situated on the easterly side of Sheridan Street, in the City of Portland, County of Cumberland, and State of Maine and more particularly described as follows:

Beginning at a point on said easterly side of Sheridan Street, which point marks the southwesterly corner of land conveyed by A.J. Bernstein to Elmore W. Ramsdell by deed dated May 28, 1923, and recorded in Cumberland County Registry of Deeds in Book 1133, Page 466; thence running northerly by said easterly side line of Sheridan Street sixty-three and five tenths (63.5) feet more or less to the northwesterly corner of said land conveyed to Ramsdell as aforesaid; thence running easterly along the northerly line of said land one hundred and four and sixty-two one hundredths (104.62) feet to the northwest corner of land conveyed by said A.J. Bernstein to Joseph R. Murphy by deed dated May 28, 1923, recorded in said Registry of Deed, Book 1133, Page 465; thence running southerly by the westerly line of said Murphy land twenty and thirty-one one hundredths (20.31) feet to the southwesterly corner of said Murphy land; thence running easterly along the southerly line of said Murphy land fifteen (15) feet to a point; thence southerly in a line parallel with and fifteen (15) feet distant easterly from said westerly side line of said Murphy land extending southerly, about forty-three (43) feet to the southerly line of land first above mentioned as conveyed by Bernstein to Ramsdell, at a point ninety-one and ninety-three one hundredths (91.93) feet westerly from the westerly side line of North Street; thence running westerly by said southerly side line of said Ramsdell land about one hundred twenty-one and ninety-five one hundredths (121.95) feet to Sheridan Street and the point of beginning.

ALSO a certain lot or parcel of rear land lying Easterly of Sheridan Street, in said City of Portland, County of Cumberland, and State of Maine, and bounded and described as follows:

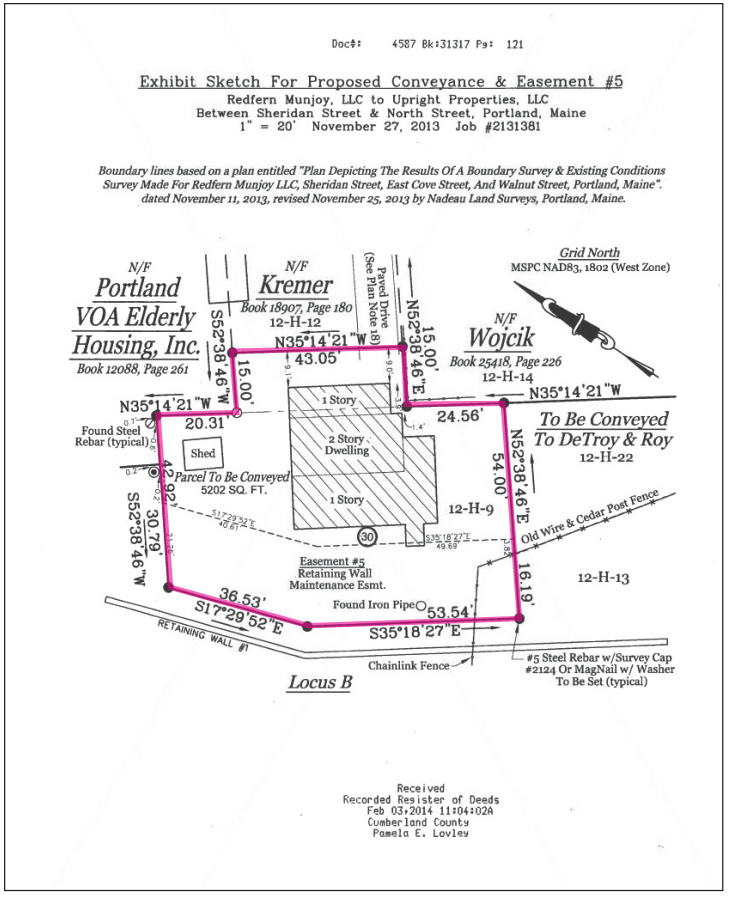
Beginning at a point on the Northerly side of Lot #23 as shown on Division of Little, Weeks, and Moody Land as recorded in Cumberland County Registry of Deeds in Plan Book 36, Page 247, said point being distant fifty-seven (57) feet Easterly of the easterly side line of Sheridan Street; thence easterly by said Northerly side line of Lot #23 as shown on said plan and by land now or formerly of C.L. Miller forty-nine and eight tenths (49.8) feet, more or less, to the Division line between Lots #23 and #33; thence Southerly by the Westerly line of Lots #33 and #32 one hundred twenty-six and seventy-two hundredths (126.72) feet, more or less, to the Northeasterly corner of Lot #21; thence Westerly by the Northerly side line of Lot #21 eighteen and eighty-five hundredths (18.85) feet, more or less, to a point which is ninety-two and fifty-seven hundredths (92.57) feet Easterly of the Easterly side line of Sheridan Street, measured on the Northerly side line of Lot #21; thence Northwesterly in a straight line and by land formerly of Chester L. Miller one hundred twenty-nine and thirty-five hundredths (129.35) feet to land of said Miller and the point of beginning.

The above described premises are conveyed together with any and all easements, rights, or restrictions of record.

Being the same premises conveyed to Earl Maxwell and Cecelia Maxwell by deed of Chester L. Miller dated September 26, 1951. Earl Maxwell was the surviving joint tenant, as Cecelia Maxwell died on December 14, 1974.

Received
Recorded Register of Deeds
Feb 03,2014 11:01:44A
Cumberland County
Pamela E. Lovley

Exhibit A / page 3

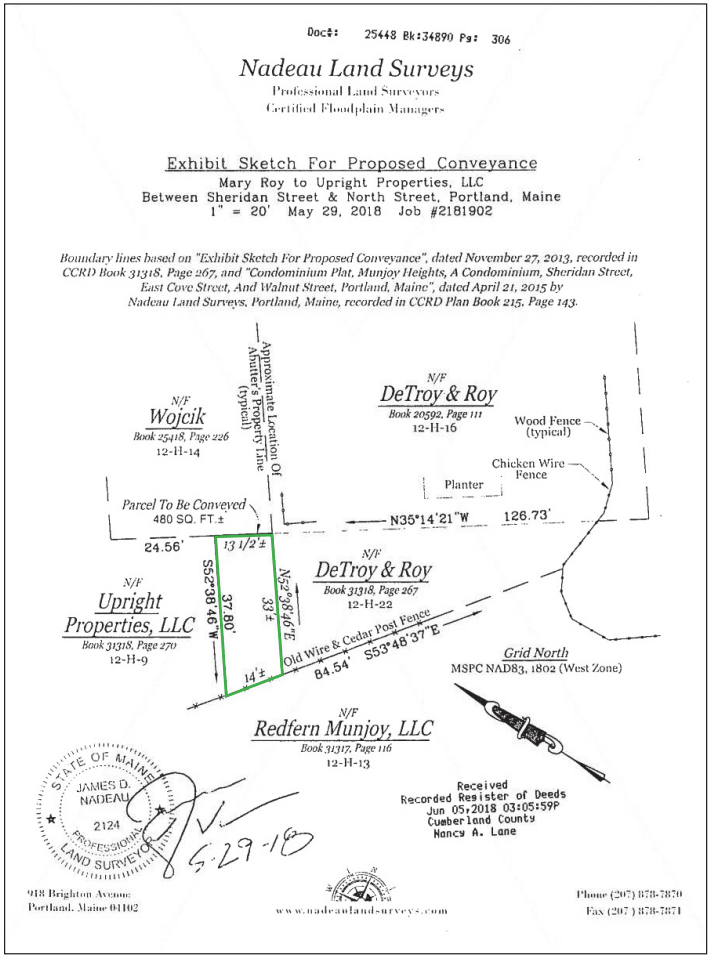


Property Deed description for Redfern Munjoy LLC to Upright Properties, LLC

Feb. 3, 2014

Tax property 012 H009/128 R North Street

Exhibit A / page 4



Doc#: 25448 Bk:34890 Pg: 306

Nadeau Land Surveys
Professional Land Surveyors
Certified Floodplain Managers

Exhibit Sketch For Proposed Conveyance
Mary Roy to Upright Properties, LLC
Between Sheridan Street & North Street, Portland, Maine
1" = 20' May 29, 2018 Job #2181902

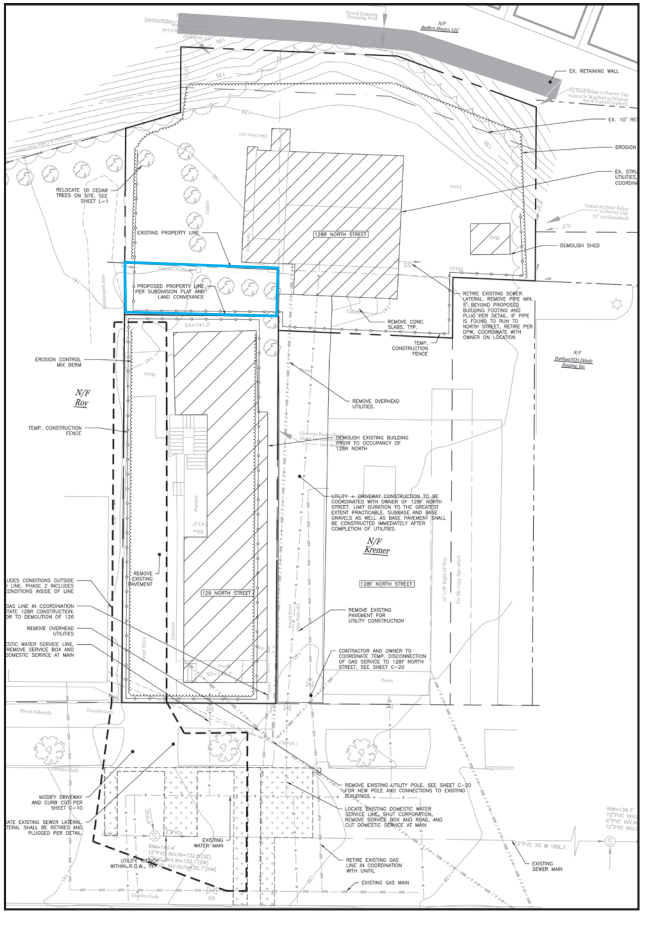
Boundary lines based on "Exhibit Sketch For Proposed Conveyance", dated November 27, 2013, recorded in CCRD Book 31318, Page 267, and "Condominium Plat, Munjoy Heights, A Condominium, Sheridan Street, East Cove Street, And Walnut Street, Portland, Maine", dated April 21, 2015 by Nadeau Land Surveys, Portland, Maine, recorded in CCRD Plan Book 215, Page 143.

Property Deed description for Mary Roy to Upright Properties, LLC

June 5, 2018

Property 012 H009/128 R North Street

Exhibit A / page 5



Additional proposed conveyance by applicant to aggregate additional land to proposed development lot.

See applicant's drawing labeled C-03.

Exhibit A / page 6

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Know all Men by these Presents, That

I, Elmore W. Ramsdell of Portland in the County of Cumberland and State of Maine,

in consideration of one dollar and other valuable considerations, paid by Claire Bowden of said Portland,

the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said Claire Bowden, her heirs and assigns forever, a certain lot or parcel of land on the easterly side of Sheridan Street, beginning at a point on said easterly side of Sheridan Street which point marks the southwesterly corner of land conveyed by A. J. Bernstein to Elmore W. Ramsdell by deed dated May 28,1923,and recorded in Cuberland County Registry of Deeds in Book 1133, Page 466; thence running northerly by said easterly side line of Sheridan Street sixty-three and five tenths (63.5) feet, more or less,to the northwesterly corner of said land conveyed to Ramsdell as aforesaid; thence running easterly along the northerly line of said land one hundred and four and sixty-two one hundredths (104.62) feet to the northwest corner of land conveyed by said A. J. Bernstein to Joseph R. Murphy by deed dated May 28, 1923, recorded in Cumberland County Registry of Deeds, Book 1133, Page 465; thence running southerly by the westerly line of said Murphy land twenty and thirty-one one hundredths (20.31) feet to the southwesterly corner of said Murphy land; thence running easterly along the southerly line of said Murphy land fifteen (15) feet to a point; thence southerly in a line parallel with and fifteen (15) feet distant easterly from said westerly side line of said Murphy land extended southerly, about forty-three (43) feet to the southerly line of land first above mentioned as conveyed by Bernstein to Ramsdell, at a point ninety-one and ninety-three one hundredths (91.93) feet westerly from the westerly side line of North Street; thence running westerly by said southerly side line of said Ramsdell land about one hundred twenty-one and ninety-five one hundredths (121.95) feet to Sheridan Street and the point of beginning.

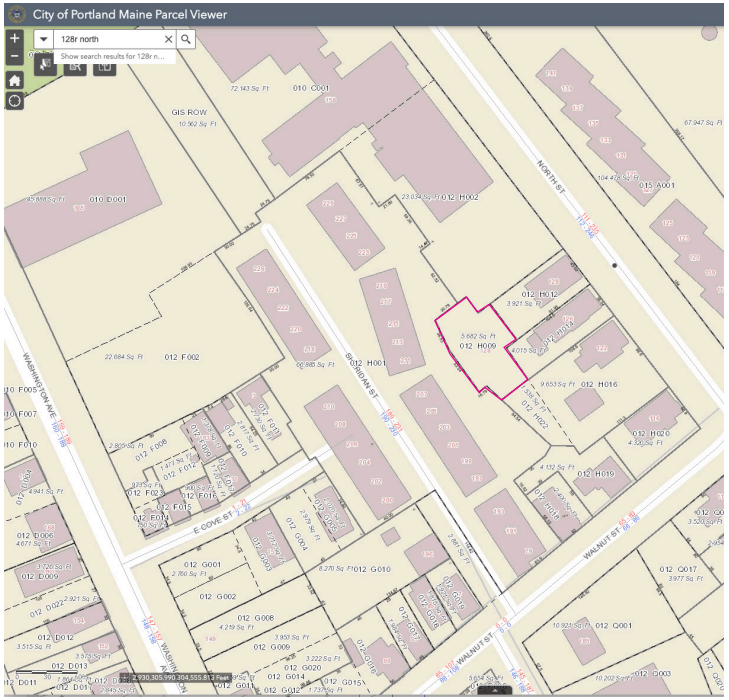
Being a part of land conveyed by Abraham J. Bernstein to me by deed dated May 28, 1923, recorded in Cumberland County Registry of Deeds, Book 1133, Page 466.

Together with a right of way across my land from the lot hereby conveyed to North Street.

Twelve words blotted out before signing. D.W.P.

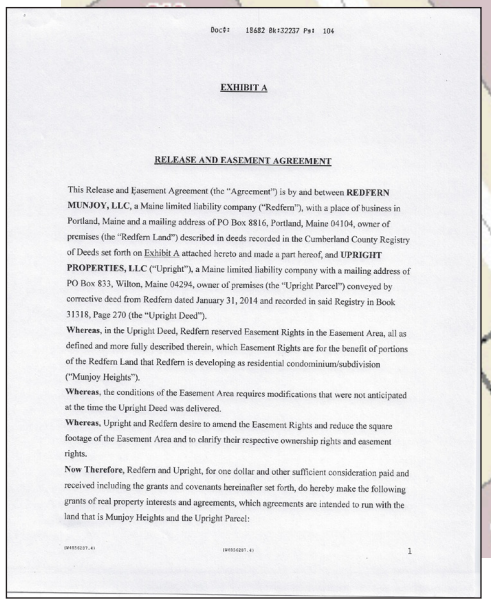
Deed, Ramsdell to Bowden, July 25, 1923, filed in the Cumberland County Clerk's Office in Book 1143 at Page 307.

Exhibit A / page 7



City of Portland, Maine Parcels map, June, 2018

Completely reconfigured property lines with an easement to Munjoy Heights for repair of the retaining wall. Map does not show the steep grade making it impossible to gain access with heavy equipment with the proposed building.



Doc#: 18682 Bk:32237 Pg: 104

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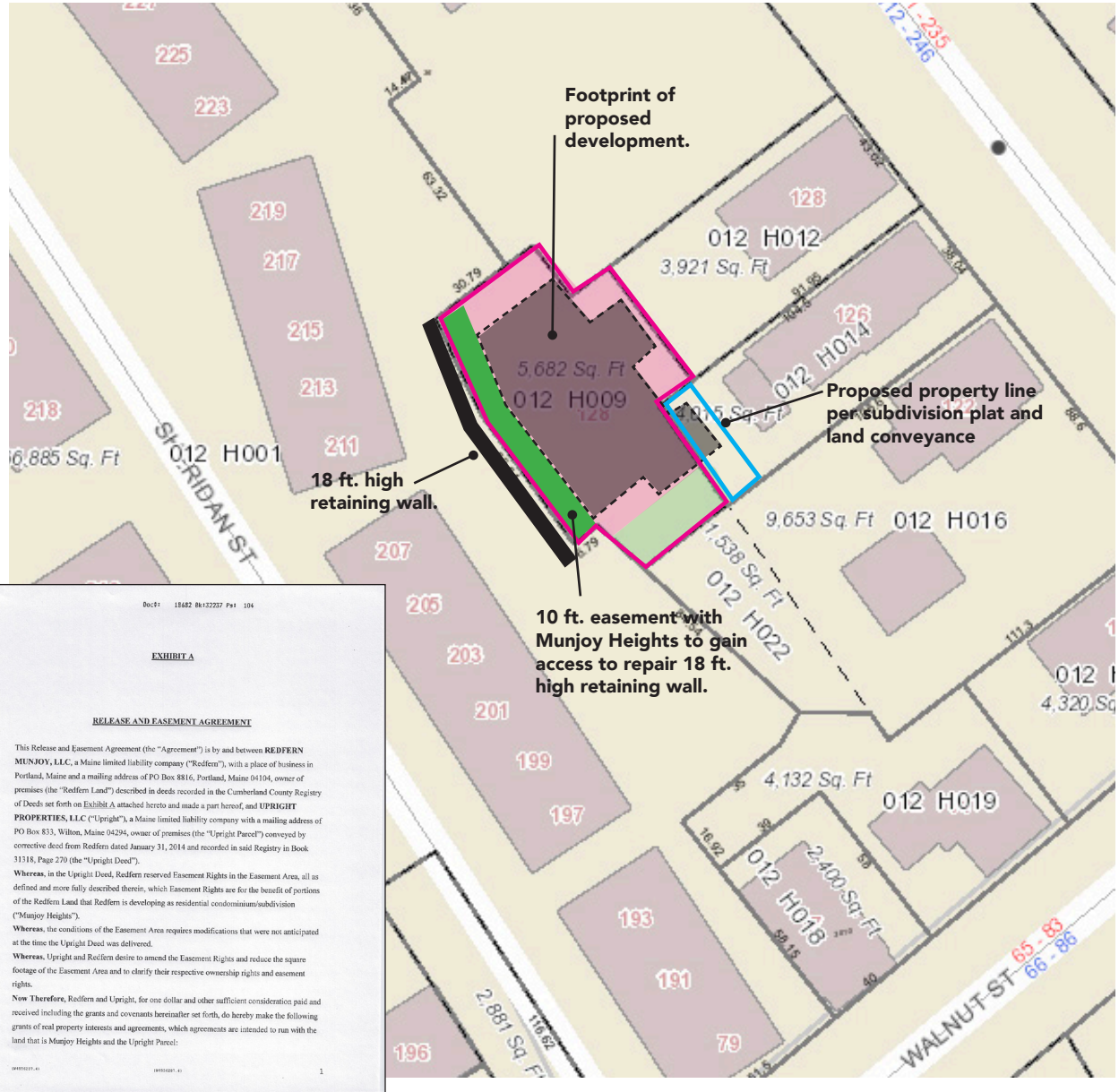

126/128R NORTH STREET REDEVELOPMENT

UPRIGHT PROPERTIES, LLC
PORTLAND, MAINE

LEGEND

EXISTING		PROPOSED
REFER TO THE EXISTING CONDITIONS PLAN FOR ADD'L INFO	UNDERDRAIN	
	UTILITY PAVEMENT CUTS	
	RETAINING WALL	
	SEDIMENTATION BARRIER	
	EDGE OF PAVEMENT	
	CURB	
	SIGN	
	LAMP OR LIGHT POLE	
	UTILITY POLE	
	GUY WIRE	
	WATER VALVE	
	FIRE HYDRANT	
	SEWER MANHOLE	
	CATCH BASIN/FIELD INLET	
UE UE	UNDERGROUND ELECTRIC LINE	UGE
W W	UNDERGROUND WATER LINE	1"W 1"W
64	MINOR CONTOURS (1 FT)	64
65	MAJOR CONTOURS (5 FT)	65
GAS	GAS LINE	GAS
	UNDERDRAIN	
	STORM DRAIN LINE	
S S	SEWER LINE	S S
	EXISTING/PROPOSED BUILDING	
OHE/T/C	OVERHEAD ELECTRICAL/TELEPHONE/CABLE	OHE/T/C
	PROPERTY LINE	
	SETBACKS	

INDEX

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C-02 GENERAL NOTES
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1-888-344-7233

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UTILITIES

SEWER:

DEPARTMENT OF PUBLIC WORKS (DPW)
250 CANCO ROAD
PORTLAND, MAINE 04103
CONTACT: KEITH GRAY, P.E.
(207) 874-8834

WATER:

PORTLAND WATER DISTRICT
225 DOUGLASS STREET
PO BOX 3553
PORTLAND, MAINE 04104
ATTN: MEANS DIVISION
(207) 774-5961

ELECTRIC:

CENTRAL MAINE POWER COMPANY (CMP)
162 CANCO ROAD
PORTLAND, MAINE 04103
CONTACT: PAUL DUPERRE
(207) 828-2882

TELEPHONE:

CONSOLIDATED COMMUNICATIONS
5 DAVIS FARM ROAD
PORTLAND, MAINE 04103
CONTACT: PAT MORRISON
(207) 745-9363

CABLE:

SPECTRUM CABLE
22 INDUSTRIAL PARK ROAD
SACO MAINE, 04072
CONTACT: MARK PELLETIER
(877) 546-0962

NATURAL GAS:

UNITIL SERVICE CORP
1075 FOREST AVENUE
PORTLAND, ME 04103
CONTACT: BRIDGET HARMON
(207) 541-2536

PROJECT TEAM

DEVELOPER:

UPRIGHT FRAMEWORKS, LLC
PORTLAND MAINE
CONTACT: JOSH WOJCIK
(207) 749-9656

ARCHITECT:

DEXTROUS CREATIVE
PORTLAND, MAINE
CONTACT: TRACIE REED, R.A.
(207) 409-0459

SURVEYOR:

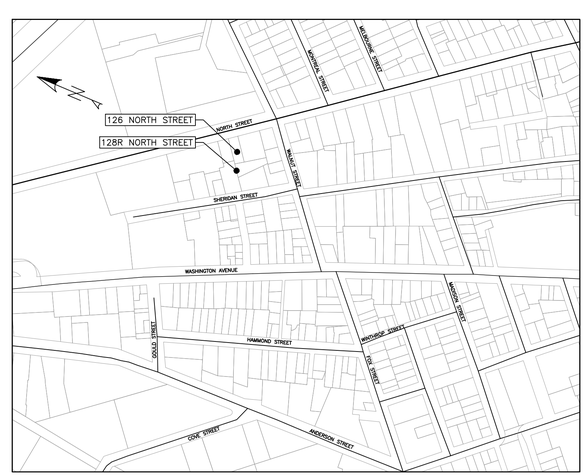
NADEAU LAND SURVEYS
PORTLAND, MAINE
CONTACT: JAMES NADEAU, P.L.S.
(207) 878-7870

STRUCTURAL ENGINEER:

STRUCTURAL INTEGRITY CONSULTING ENGINEERS, INC.
PORTLAND, MAINE
CONTACT: AARON JONES, P.E.
(207) 774-4614

GEOTECHNICAL ENGINEER:

SUMMIT GEOENGINEERING SERVICES
LEWISTON, MAINE
CONTACT: BILL PETERLEIN, P.E.
(207) 318-7761



VICINITY MAP
NOT TO SCALE

ABBREVIATIONS

PARTIAL LIST OF ABBREVIATIONS AND THEIR CORRESPONDING MEANING. PLEASE CONTACT THE ENGINEER FOR ANY CLARIFICATION

APPROX.	APPROXIMATE
BC	BOTTOM OF CURB
BMP	BEST MANAGEMENT PRACTICE
BOT.	BOTTOM
CAD	COMPUTER AIDED DESIGN
CB	CATCH BASIN
CF	CUBIC FOOT
CIP	CAST IN PLACE
CM	CONSTRUCTION MANAGER
CMP	CENTRAL MAINE POWER
CONC.	CONCRETE
CY	CUBIC YARD
DIP	DUCTILE IRON PIPE
DIA.	DIAMETER
DIM.	DIMENSION
EA.	EACH
ELEC.	ELECTRICAL
ELEV.	ELEVATION
EQUIV.	EQUIVALENT
EST.	ESTIMATE
EX.	EXISTING
FFE	FINISH FLOOR ELEVATION
FT.	FEET
GAL.	GALVANIZED
I.B.C.	INTERNATIONAL BUILDING CODE
ID	INNER DIAMETER
IN.	INCH
INV.	INVERT
IZ	INCLUSIONARY ZONING
L	LENGTH
MAX.	MAXIMUM
M.E.P.	MECHANICAL, ELECTRICAL, PLUMBING DESIGNER
MDOT	MAINE DEPARTMENT OF TRANSPORTATION
MFG.	MANUFACTURED
MH	MANHOLE
MIN.	MINIMUM
O.C.	ON CENTER
OD	OUTSIDE DIAMETER
OHE/T/C	OVERHEAD ELECTRIC/TELEPHONE/CABLE
PC	PRECAST
PE	PROFESSIONAL ENGINEER
PL	PROPERTY LINE
PLS	PROFESSIONAL LAND SURVEYOR
PROP.	PROPOSED
PSI	POUNDS PER SQUARE INCH
PVC	POLYVINYL CHLORIDE
PWD	PORTLAND WATER DISTRICT
R	RADIUS
RD	ROOF DRAIN
RET.	RETAINING
ROW	RIGHT OF WAY
S	SLOPE
SD	STORM DRAIN
SDR	STANDARD DIMENSION RATIO
SF	SQUARE FEET
SMH	SEWER MANHOLE
SPEC.	SPECIFICATION
TC	TOP OF CURB
TW	TOP OF WALL
TYP.	TYPICAL
UD	UNDERDRAIN
UGE	UNDERGROUND ELECTRIC
DCVA	DOUBLE-CHECK VALVE ASSEMBLY

ISSUED FOR	BY	DATE
LEVEL III SITE PLAN	WHS	8/7/19
PHASE II UPDATE	WHS	10/29/19
COMMENT RESPONSE	WHS	12/18/19
COMMENT RESPONSE 2	WHS	2/24/2020

DRAWING NAME: COVER SHEET & LEGEND
PROJECT NAME: 128R NORTH STREET REDEVELOPMENT
CLIENT: UPRIGHT PROPERTIES, LLC
PO BOX 833 WILTON, ME 04294

ACORN ENGINEERING, INC.
ACORN ENGINEERING, INC.
65 HANCOCK ST PORTLAND, MAINE 04101
(207) 775-2655

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. ANY MODIFICATIONS MADE WITHOUT WRITTEN PERMISSION OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

FILE:	1116_CIVIL
JN:	1116
SCALE:	NTS
DESIGNED BY:	SJL
DRAWN BY:	ZMS
CHECKED BY:	WHS

STATE OF MAINE WILLIAM H. SAVAGE No. 11149 LICENSED PROFESSIONAL ENGINEER 2-13-2020

DRAWING NO.
C-01

GENERAL NOTES:

1. THE CONTRACTOR SHALL CALL THE APPROPRIATE UTILITY COMPANIES AND DIG SAFE AT LEAST 72 HOURS PRIOR TO ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION FOR UTILITIES. OTHERWISE IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE LOCATION OF UNDERGROUND UTILITIES AND LOCATE ANY POTENTIAL CONFLICTS WITH THE APPROVED PLANS PRIOR TO CONSTRUCTION.

2. THE CONTRACTOR IS RESPONSIBLE FOR MAINTENANCE OF ALL EROSION CONTROL MEASURES SHOWN ON THE PLAN. IF DEEMED NECESSARY BY THE OWNER OR OWNER'S REPRESENTATIVE, ADDITIONAL EROSION CONTROL MEASURES SHALL BE INSTALLED AT NO ADDITIONAL COST TO THE OWNER.

3. THE CONTRACTOR SHALL PREPARE THEIR OWN MATERIAL SCHEDULE BASED ON THE PLANS AND FIELD VERIFICATION BY THE CONTRACTOR. ALL MATERIAL SCHEDULES SHOWN WITHIN THE PLAN SET ARE FOR GENERAL INFORMATION ONLY.

4. ALL CONSTRUCTION METHODS, TESTING AND MATERIALS SHALL CONFORM TO THE MAINE DEPARTMENT OF TRANSPORTATION SPECIFICATIONS, THE CITY OF PORTLAND AND SERVICING UTILITY REQUIREMENTS, IF ANY. IN CASES WHERE THESE CONFLICT THE MOST STRINGENT SPECIFICATION SHALL APPLY AT NO ADDITIONAL COST TO THE OWNER.

5. THE SITE CONTRACTOR SHALL MAINTAIN A SET OF PAPER AND CAD DRAWINGS WHICH SHALL RECORD THE ACTUAL LOCATION, DIMENSIONS, ELEVATIONS, MATERIALS OF THEIR WORK, INDICATING THEREON ALL VARIATIONS FROM THE CONTRACT DRAWINGS. THE CONTRACTOR SHALL PROVIDE THE OWNER WITH ONE COMPLETE SET OF REPRODUCIBLE RECORD DRAWINGS, IN .DWG FORMAT AND PAPER, STAMPED ''AS-BUILT''. IF AUTOCAD NOT AVAILABLE EXCLUDE FROM BID IN WRITING.

6. THE CONTRACTOR WILL REMAIN SOLELY AND COMPLETELY RESPONSIBLE FOR ENFORCEMENT OF AND COMPLIANCE WITH 1) ALL CONTRACT PLANS AND SPECIFICATIONS, 2) APPLICABLE INTERNATIONAL BUILDING CODE REQUIREMENTS, AND 3) ALL SITE WORKING CONDITIONS AND SAFETY REQUIREMENTS, DAY AND NIGHT, FOR BOTH PERSONS AND PROPERTY, IN EACH CASE BOTH BY THE CONTRACTOR AND ITS SUBCONTRACTORS. THESE INCLUDE ALL OSHA, NIOSH, U.S. EPA AND ANY OTHER APPLICABLE GOVERNMENTAL REGULATIONS.

7. EXISTING CONDITIONS, BOUNDARY SURVEY, AND TOPOGRAPHY FROM THE PLAN TITLED ''PLAN DEPICTING THE RESULTS OF A BOUNDARY SURVEY & EXISTING CONDITIONS SURVEY'' (JOB NO. 2181902BTR1) BY NADEAU LAND SURVEYS DATED 8/22/2018 AND REVISED 5/1/2019.

8. THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING ACCESS TO THE SITE AT ALL TIMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TEMPORARY MARKINGS, SIGNAGE AND INCIDENTALS TO MAINTAIN A SAFE VEHICLE AND PEDESTRIAN ACCESS THOUGH THE LIFE OF THE PROJECT. THE CONTRACTOR SHALL NOTIFY THE PORTLAND PUBLIC SAFETY DIVISION ROUTINELY REGARDING TEMPORARY IMPACTS OR CHANGES TO SITE ACCESS CONDITIONS.

9. CONSTRUCTION MANAGEMENT PLAN BY ACORN ENGINEERING SHALL BE REFERRED TO FOR ANTICIPATED PROJECT SCHEDULE AND CLOSURES. TRAFFIC CONTROL SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

10. CONTRACTOR TO DETERMINE SOIL CLASSIFICATION INDEPENDENTLY FOR TRENCH, SHORING, AND OTHER SIMILAR CONSTRUCTION MEANS AND METHODS APPLICATIONS.

11. NO HOLES, TRENCHES, OR STRUCTURES SHALL BE LEFT OPEN OR UNATTENDED OVERNIGHT IN ANY AREA ACCESSIBLE TO THE PUBLIC OR WITHIN THE PUBLIC RIGHT-OF-WAY.

12. THE CONTRACTOR SHALL CONDUCT A PRE-CONSTRUCTION SURVEY OF INTERIOR SUBGRADE AND ABOVE GRADE ACCESSIBLE WALLS, CEILINGS, FLOORS, ROOF AND VISIBLE EXTERIOR AS VIEWED FROM THE GRADE LEVEL. THIS SHALL BE COMPLETED AT A MINIMUM FOR ADJACENT STRUCTURES. A COPY OF THE SURVEY SHOULD BE PROVIDED TO THE OWNER. DOCUMENT WITH PICTURES AT A MINIMUM.

13. THE CONTRACTOR SHALL SURVEY ROCK SURFACE PRIOR TO EXCAVATION AND DEVELOP VOLUME CALCULATIONS TO SHARE WITH ACORN ENGINEERING, IF ANY.

CIVIL SITE NOTES:

1. THE CONTRACTOR SHALL SUBMIT IN WRITING ANY REQUESTS TO MODIFY THE CONTRACT DOCUMENTS.

2. ALL SHOP AND ERECTION DRAWINGS SHALL BE CHECKED AND STAMPED BY THE CONTRACTOR PRIOR TO SUBMISSION FOR ENGINEER'S REVIEW. ANY UNCHECKED OR NON-STAMPED SUBMITTALS WILL BE RETURNED WITHOUT REVIEW.

3. CONTRACTOR SHALL THOROUGHLY INSPECT AND SURVEY EXISTING STRUCTURES AND SITE TO VERIFY CONDITIONS THAT AFFECT THE WORK SHOWN ON THE DRAWINGS. CONTRACTOR TO NOTIFY THE ENGINEER OF ANY DISCREPANCIES PRIOR TO PROCEEDING.

4. DETAILS SHOWN APPLY TO ALL SIMILAR CONDITIONS UNLESS OTHERWISE INDICATED.

5. ALTHOUGH ALL DUE DILIGENCE HAS BEEN APPLIED TO MAKE THE DRAWINGS AS COMPLETE AS POSSIBLE, NOT ALL DETAILS ARE ILLUSTRATED, NOR IS EVERY EXCEPTIONAL CONDITION ADDRESSED WITHIN THE CONTRACT DOCUMENTS.

6. ALL PROPRIETARY CONNECTIONS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.

7. THE CONTRACTOR IS RESPONSIBLE FOR THE COORDINATION OF ALL WORK, INCLUDING DIMENSION AND LAYOUT VERIFICATION, MATERIALS COORDINATION, SHOP DRAWING REVIEW, AND THE WORK OF ANY SUBCONTRACTORS.

8. UNLESS OTHERWISE SPECIFICALLY INDICATED, THE DRAWINGS DO NOT DESCRIBE OR DIRECT MEANS OR METHODS OF CONSTRUCTION.

9. THE CONTRACTOR, IN THE PROPER SEQUENCE, SHALL PERFORM OR SUPERVISE ALL WORK NECESSARY TO ACHIEVE THE FINAL COMPLETED STRUCTURE, AND TO PROTECT THE STRUCTURE, WORKMEN, AND OTHERS DURING THE CONSTRUCTION. SUCH WORK SHALL INCLUDE, BUT NOT BE LIMITED TO, BRACING, SHORING FOR CONSTRUCTION EQUIPMENT, SHORING FOR EXCAVATION, FORMWORK, SCAFFOLDING, SAFETY DEVICES AND PROGRAMS OF ALL KINDS, SUPPORT AND BRACING FOR CRANES AND OTHER ERECTION EQUIPMENT.

10. DO NOT BACKFILL AGAINST RETAINING WALLS UNTIL SUPPORTING SLABS AND FLOOR FRAMING ARE IN PLACE AND SECURELY ANCHORED, UNLESS ADEQUATE BRACING IS PROVIDED. CONCRETE SHALL ALSO BE CURED FOR 28 DAYS PRIOR TO BACKFILLING.

11. TEMPORARY BRACING SHALL REMAIN IN PLACE UNTIL ALL FLOORS, WALLS, ROOFS AND OTHER SUPPORTING ELEMENTS ARE IN PLACE.

12. ALL PAVEMENT JOINTS SHALL BE SAWCUT AND APPLIED WITH TACK COAT PRIOR TO PAVING TO PROVIDE A DURABLE AND UNIFORM JOINT.

13. THE ENGINEER BEARS NO RESPONSIBILITY FOR THE ABOVE ITEMS, AND OBSERVATION VISITS TO THE SITE DO NOT IN ANY WAY INCLUDE INSPECTION OF THEM.

SPECIAL INSPECTION NOTES:

1. ALL SITE SOILS-RELATED WORK AND FOOTING EXCAVATIONS PRIOR TO PLACING FORMS SHALL BE REVIEWED BY THE GEOTECHNICAL ENGINEER.

2. SITE DRAINAGE SHALL BE REVIEWED BY THE PROJECT ENGINEER.

3. NORMAL REVIEWS WILL BE CONDUCTED BY LOCAL BUILDING DEPARTMENT.

4. NOTIFY 48 HOURS PRIOR TO REQUIRED REVIEW.

5. REQUIRED SPECIAL INSPECTIONS PER I.B.C. SECTION 1705.6 BY AN APPROVED SPECIAL INSPECTOR RETAINED BY OWNER. CONTRACTOR TO COORDINATE SPECIAL INSPECTIONS.

6. SPECIAL INSPECTOR SHALL BE A QUALIFIED PERSON WHO SHALL DEMONSTRATE COMPETENCE, TO THE SATISFACTION OF THE BUILDING OFFICIAL, FOR INSPECTION OF THE PARTICULAR TYPE OF CONSTRUCTION OR OPERATION REQUIRING SPECIAL INSPECTION.

7. DUTIES AND RESPONSIBILITIES OF THE SPECIAL INSPECTOR SHALL BE TO OBSERVE AND/OR TEST THE WORK ASSIGNED AND OUTLINED ABOVE FOR CONFORMANCE WITH THE CONTRACT DOCUMENTS, ALL DISCREPANCIES SHALL BE BROUGHT TO THE IMMEDIATE ATTENTION OF THE CONTRACTOR FOR CORRECTION.

8. THE SPECIAL INSPECTOR SHALL FURNISH REGULAR REPORTS TO THE BUILDING OFFICIAL, THE ARCHITECT AND ENGINEER OF RECORD, AND OTHER DESIGNATED PERSONS. PROGRESS REPORTS FOR CONTINUOUS INSPECTION SHALL BE FURNISHED WEEKLY. INDIVIDUAL REPORTS OF PERIODIC INSPECTIONS SHALL BE FURNISHED WITHIN ONE WEEK OF INSPECTION DATES. THE REPORTS SHALL NOTE UNCORRECTED DEFICIENCIES, AND CHANGES TO THE APPROVED CONSTRUCTION DOCUMENTS AUTHORIZED BY THE ENGINEER OF RECORD.

9. THE SPECIAL INSPECTOR SHALL SUBMIT A FINAL SIGNED REPORT WITHIN TEN DAYS OF THE FINAL INSPECTION STATING WHETHER THE WORK REQUIRING A SPECIAL INSPECTION WAS, TO THE BEST OF THE INSPECTOR'S KNOWLEDGE AND BELIEF, IN CONFORMANCE WITH THE APPROVED CONSTRUCTION DOCUMENTS AND THE APPLICABLE WORKMANSHIP PROVISIONS OF THE I.B.C. WORK NOT IN COMPLIANCE SHALL BE NOTED IN THE REPORT.

10. SPECIAL INSPECTION FIRM SHALL BE EMPLOYED BY OWNER AND COORDINATED BY THE CONTRACTOR.

LAYOUT NOTES:

1. MONUMENTS DELINEATING PROPERTY LINES OR RIGHT OF WAYS SHALL NOT BE DISTURBED DURING CONSTRUCTION OPERATIONS. IN THE CASE A MONUMENT IS DISTURBED, AT THE CONTRACTOR'S EXPENSE, THE MONUMENT SHALL BE RESET TO ITS ORIGINAL LOCATION AND ELEVATION BY A REGISTERED LAND SURVEYOR.

2. ALL DIMENSIONS ON THE FOLLOWING SHEETS TAKE PRECEDENT OVER SCALED DIMENSIONS. EACH DRAWING WITH A BAR SCALE MEANS THAT THE DRAWING/DETAIL HAS BEEN SCALED AS ACCURATELY AS POSSIBLE, AND THE BAR SCALE IS FOR GENERAL REFERENCE ONLY. IF NO BAR SCALE IS PRESENT, THEN THERE IS NO SCALE TO THAT DRAWING/DETAIL. AT NO TIME SHOULD DRAWINGS BE SCALED FROM. ANY DISCREPANCIES BETWEEN DRAWINGS, DETAILS, SPECIFICATIONS AND THE FIELD CONDITION SHALL BE IMMEDIATELY REPORTED TO THE CIVIL ENGINEER FOR FURTHER DIRECTIONS BEFORE ANY ADDITIONAL WORK PROCEEDS.

3. SIGNAGE, STRIPING, AND PAVEMENT MARKINGS SHALL BE IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).

4. ALL TRAFFIC CONTROL SIGNS INDICATED ON THE SITE LAYOUT PLAN ARE TO MEET ALL REQUIREMENTS & CONDITIONS OF THE CITY OF PORTLAND, MAINE DEPARTMENT OF TRANSPORTATION AND THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, LATEST EDITION.

5. THE CONTRACTOR SHALL OBTAIN THE SERVICES OF A LICENSED PROFESSIONAL LAND SURVEYOR TO PROVIDE A MINIMUM OF TWO TEMPORARY BENCHMARKS WITHIN THE SITE AND TO LOCATE PROPOSED STRUCTURE CORNERS.

6. CONTRACTOR SHALL ENSURE THAT ACCESS, INCLUDING BUT NOT LIMITED TO WALKWAYS, DRIVEWAYS, AND MAILBOXES ADJACENT TO THE PROJECT REMAIN FUNCTIONAL AND AVAILABLE FOR USE AT ALL TIMES.

PERMITTING NOTES

1. THIS PROJECT IS SUBJECT TO THE TERMS AND CONDITIONS OF SITE PLAN – LEVEL III AND SUBDIVISION PERMIT FROM THE CITY OF PORTLAND.

2. THE CONTRACTOR SHALL REVIEW THE ABOVE REFERENCED PERMITS PRIOR TO SUBMITTING A BID FOR THIS PROJECT, AND INCLUDE COSTS AS NECESSARY TO COMPLY WITH THE CONDITIONS OF THESE PERMITS.

3. ALL WORK WITHIN THE PUBLIC RIGHT-OF-WAY REQUIRES A STREET OPENING PERMIT FROM THE CITY OF PORTLAND. ADDITIONALLY, COORDINATE WITH THE DEPARTMENT OF PUBLIC WORKS.

GRADING AND DRAINAGE NOTES:

1. TOPSOIL STRIPPED FROM THE SITE THAT IS SUITABLE FOR REUSE AS LOAM (MEETS THE REQUIREMENTS WITHIN SECTION 615 OF THE MDOT STANDARD SPECIFICATIONS, MOST RECENT VERSION AND IS FREE OF TRACEABLE AMOUNTS OF CONTAMINANTS) SHALL BE STOCKPILED WITHIN THE PROPOSED LIMIT OF WORK AREA. THE CONTRACTOR SHALL NOT ASSUME THAT ANY STRIPPED TOPSOIL WILL BE ACCEPTABLE FOR REUSE WITH THEIR ESTIMATE.

2. THE CONTRACTOR SHALL ANTICIPATE THAT GROUNDWATER WILL BE ENCOUNTERED DURING CONSTRUCTION AND SHALL INCLUDE SUFFICIENT COSTS WITHIN THEIR BID TO PROVIDE DEWATERING AS NECESSARY; NO SEPARATE PAYMENT SHALL BE MADE TO THE CONTRACTOR FOR DEWATERING. DEWATERING SHALL INCLUDE TREATMENT OF SILT THROUGH THE USE OF A DIRTBAG BY ACF ENVIRONMENTAL OR APPROVED EQUIVALENT.

3. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ANY EASEMENT OR TEMPORARY CONSTRUCTION RIGHTS AS NECESSARY BY PRIVATE ADJACENT LAND OWNERS. THE CONTRACTOR SHALL NOT DISTURB ANY SOIL BEYOND THE PROPERTY LINE WITHOUT NOTIFYING AND OBTAINING SUCH EASEMENT OR TEMPORARY CONSTRUCTION RIGHT FROM THE OWNER. PRIOR TO THE CONTRACTOR PRICING THE WORK THE CONTRACTOR SHALL REQUEST PROOF OF SUCH EASEMENT OR TEMPORARY RIGHTS. SHOULD EASEMENTS OR TEMPORARY RIGHTS NOT BE AVAILABLE THE CONTRACTOR SHALL INCLUDE COST FOR BRACING AND SHORING AS NECESSARY.

4. THE CONTRACTOR SHALL PROVIDE A FINISH PAVEMENT SURFACE FREE OF LOW SPOTS AND PONDING AREAS. THE MINIMUM SLOPE SHALL MEET OR EXCEED 0.5% IN ALL CASES. ALL SLOPES SHALL BE AWAY FROM BUILDINGS AND TOP OF PAVEMENT SHALL BE AT OR BELOW EXISTING FINISH FLOOR ELEVATIONS.

5. NO ADDITIONAL PAYMENT FOR UNSUITABLE MATERIALS SHALL BE MADE.

6. ALL STORM DRAIN PIPE SHALL BE SMOOTH BORE INTERIOR PROVIDING A MANNINGS ROUGHNESS COEFFICIENT OF N=0.012 OR LESS.

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

8. NATIVE SOILS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO LIMIT THE DISTURBANCE TO SUBGRADE SOILS. SHOULD THE SUBGRADE BECOME YIELDING OR DIFFICULT TO WORK, DISTURBED AREAS SHALL BE EXCAVATED AND BACKFILLED WITH COMPACTED SELECT FILL OR CRUSHED STONE AT NO ADDITIONAL EXPENSE TO THE OWNER.

9. ALL SUBGRADE PREPARATION IS SUBJECT TO THE RECOMMENDATIONS OF THE PROJECT GEOTECHNICAL ENGINEER.

EROSION CONTROL NOTES:

1. ALL ROUTINE MAINTENANCE ACTIVITIES SHALL BE CONDUCTED IN SUCH A WAY TO LIMIT THE AMOUNT OF DISTURBED AREA AT ONE TIME TO THE EXTENT PRACTICABLE.

2. PRIOR TO THE START OF ANY CLEARING/LAND DISTURBING ACTIVITIES, THE CONTRACTOR SHALL INSTALL APPLICABLE EROSION CONTROL DEVICES SUCH AS PERIMETER SILT FENCE, AND OTHER APPLICABLE MEASURES. IN THE EVENT THE CONTRACTOR IS NOT SURE A EROSION CONTROL MEASURE SHOULD BE IMPLEMENTED, THE CONTRACTOR SHALL CONTACT THE ENGINEER OF RECORD TO CONFIRM IMPLEMENTATION OF ANY EROSION CONTROL DEVICES.

3. ALL GROUND AREAS GRADED FOR CONSTRUCTION SHALL BE GRADED, LOAMED, SEEDED AND MULCH SHALL BE APPLIED AS SOON AS POSSIBLE WITHIN 7 DAYS FOLLOWING THE COMPLETION OF ANY SOIL DISTURBANCE, AND PRIOR TO ANY STORM EVENT.

4. EROSION AND SEDIMENTATION CONTROL MEASURES SHALL SHALL BE INSTALLED TO THE SATISFACTION OF THE CITY. THE CONTRACTOR SHALL REFERENCE THE APPROVED EROSION AND SEDIMENTATION CONTROL REPORT FOR TEMPORARY AND PERMANENT EROSION AND SEDIMENTATION CONTROL DEVICES IN ADDITION TO THE PLAN SET. THE CONTRACTOR SHALL ALSO REFER TO THE MAINE D.E.P.'S PERMIT CONDITIONS, FINDINGS OF FACT AND ORDER (IF ANY), AND THE CURRENT MAINE EROSION AND SEDIMENT CONTROL BMP MANUAL FOR ADDITIONAL INFORMATION.

5. PRIOR TO PAVING, THE CONTRACTOR SHALL REMOVE ALL SEDIMENT FROM STORM DRAINS, CATCH BASINS, AND APPURTENANCES.

6. REFER TO THE EROSION CONTROL DETAILS & NOTES FOR ADDITIONAL INFORMATION.

UTILITY NOTES:

1. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND ELEVATION OF THE EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED UPON RECORDS OF VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THIS INFORMATION IS NOT TO BE RELIED UPON AS BEING EXACT OR COMPLETE. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO TEST PIT TO DETERMINE THE EXACT LOCATION AND ELEVATION OF UTILITIES TO COORDINATE WITH THE PROPOSED CONNECTIONS OR CROSSING. ANY DISCREPANCIES SHALL BE IMMEDIATELY REPORTED TO THE CIVIL ENGINEER FOR FURTHER DIRECTIONS BEFORE ANY ADDITIONAL WORK PROCEEDS.

2. CONTRACTOR SHALL, AT NO ADDITIONAL COST TO THE OWNER, CONDUCT EXPLORATORY EXCAVATIONS AT LOCATIONS WHERE PROPOSED EXCAVATION WILL INTERSECT WITH EXISTING UTILITIES, PRIOR TO THE ORDERING OF STRUCTURES.

3. ALL NEW SANITARY MANHOLES SHALL BE VACUUM TESTED BEFORE BACKFILLING. TESTING SHALL BE COMPLETED IN ACCORDANCE WITH TECHNICAL REPORT #16 (TR-16): GUIDES FOR THE DESIGN OF WASTEWATER TREATMENT WORKS, PREPARED BY THE NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL COMMISSION.

4. SEWER MANHOLES SHALL BE 4' ID UNLESS OTHERWISE STATED ON THE PLANS.

5. CONTRACTOR TO PROVIDE 5' OF COVER FROM TOP OF PIPE TO FINISH GRADE FOR WATER MAINS.

6. THRUST BLOCKS SHALL BE USED FOR THRUST RESTRAIN ON WATER MAINS. DETAIL AND LIMITS FOR THRUST BLOCKS ARE SHOWN ON SHEET C-44.

7. WATER INFRASTRUCTURE SHALL BE TESTED IN ACCORDANCE WITH THE PORTLAND WATER DISTRICT DOCUMENT ''WATER AND SEWER CONSTRUCTION SPECIFICATIONS AND PROCEDURE'', MOST RECENT REVISION.

8. ALL REQUIRED FITTINGS FOR THE WATER MAIN ARE NOT SHOWN ON DRAWINGS. CONTRACTOR SHALL FURNISH AND INSTALL ALL NECESSARY FITTINGS REQUIRED TO CONSTRUCT THE WATER MAIN IN ACCORDANCE WITH CITY OF PORTLAND, STATE OF MAINE, AND AMERICAN WATER WORKS ASSOCIATION STANDARDS AND REGULATIONS.

9. CONTRACTOR SHALL COORDINATE WORK REGARDING ANY WATER MAIN CONNECTION AND WATER MAIN SHUTDOWN WITH THE PORTLAND WATER DISTRICT AT LEAST SEVEN (7) DAYS PRIOR TO CONSTRUCTION.

10. ALL WATER PIPE INSTALLATION SHALL CONFORM WITH THE PORTLAND WATER DISTRICT SPECIFICATIONS AND PROCEDURES, MOST RECENT EDITION.

11. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.

12. SEWER, GAS, TELEPHONE, ELECTRICITY, CABLE, WATER AND ANY OTHER UTILITY CONNECTIONS SHALL BE REVIEWED BY PLUMBING, ELECTRICAL, AND MECHANICAL DESIGNER FOR CONSISTENCY WITH THEIR PLANS PRIOR TO CONSTRUCTION.

13. COORDINATE EXIT POINT FOR SECONDARY SERVICE WITH THE ARCHITECT/ELECTRICAL ENGINEER. SECONDARY LINE LOCATIONS NOT PROVIDED BY ACORN ENGINEERING WITHIN THE UTILITY PLAN.

14. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN ALL THE NECESSARY PERMITS FOR THE INSTALLATION OF THE UTILITIES AND STORMDRAINS WITHIN THE PUBLIC RIGHT OF WAY. THE CONTRACTOR SHALL SUBMIT A MAINTENANCE OF TRAFFIC PLAN TO THE CITY IN ACCORDANCE WITH THE CITY OF PORTLAND TECHNICAL MANUAL PRIOR TO ANY WORK.

15. THE CONTRACTOR SHALL PROVIDE AND INSTALL ALL BOXES, FITTINGS, CONNECTORS, COVER PLATES AND OTHER MISCELLANEOUS ITEMS NOT NECESSARILY DETAILED ON THE DRAWINGS TO RENDER INSTALLATION OF UTILITIES COMPLETE AND OPERATIONAL AT NO EXTRA EXPENSE TO THE OWNER.

DEMOLITION NOTES:

1. THE FOLLOWING ITEMS ARE TYPICAL OF MATERIAL WHICH MAY EXIST ON SITE. THE CONTRACTOR IS ADVISED TO VISIT THE SITE TO CONFIRM DEMOLITION ITEMS SINCE THE LIST IS NOT INCLUSIVE OF THE SITE CONDITIONS WHICH MAY BE ENCOUNTERED:

   ROCK AND CONCRETE FOUNDATIONS

   CONCRETE SLABS

   BITUMINOUS ASPHALT PAVEMENT

   CONCRETE PADS AND BLOCKS

   FENCE POST AND FENCING

   UNDERGROUND UTILITY LINES

   ABOVE AND OR BELOW FUEL OIL AND PROPANE GAS TANKS

   STORM DRAIN PIPES AND APPURTENANCE STRUCTURES

   OTHER TRASH & MISCELLANEOUS SOLID WASTES

2. ALL DISPOSAL OF DEMOLITION DEBRIS OR WASTE SHALL BE IN ACCORDANCE WITH ALL LOCAL, STATE, & FEDERAL REGULATIONS. CONTRACTORS SHALL PROVIDE OWNER WITH APPROPRIATE "BILLS OF LADING" DEMONSTRATING PROPER DISPOSAL OF ALL MATERIALS.

3. THE CLIENT HAS NOT REQUESTED NOR HAS ACORN ENGINEERING COMPLETED A PHASE I – ENVIRONMENTAL SITE ASSESSMENT FOR THE PROPERTY.

PERMIT LEVEL
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CONSTRUCTION

ISSUED FOR	BY / DATE
LEVEL III SITE PLAN	WHS 8/7/19
PHASE II UPDATE	WHS 10/29/19
COMMENT RESPONSE	WHS 12/18/19
COMMENT RESPONSE 2	WHS 2/24/2020

DRAWING NAME: GENERAL NOTES

PROJECT NAME: 128R NORTH STREET REDEVELOPMENT

CLIENT: UPRIGHT PROPERTIES, LLC
PO BOX 833 WILTON, ME 04294

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. ANY MODIFICATIONS, ALTERATIONS OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

ACORN ENGINEERING, INC.
65 HANOVER STREET PORTLAND, MAINE 04101
(207) 775-2655

FILE:	1116_CIVIL
JN:	1116
SCALE:	NTS
DESIGNED BY:	SJL
DRAWN BY:	ZMS
CHECKED BY:	WHS

STATE OF MAINE WILLIAM H. RAVADE No. 11149 LICENSED PROFESSIONAL ENGINEER 2-13-2020

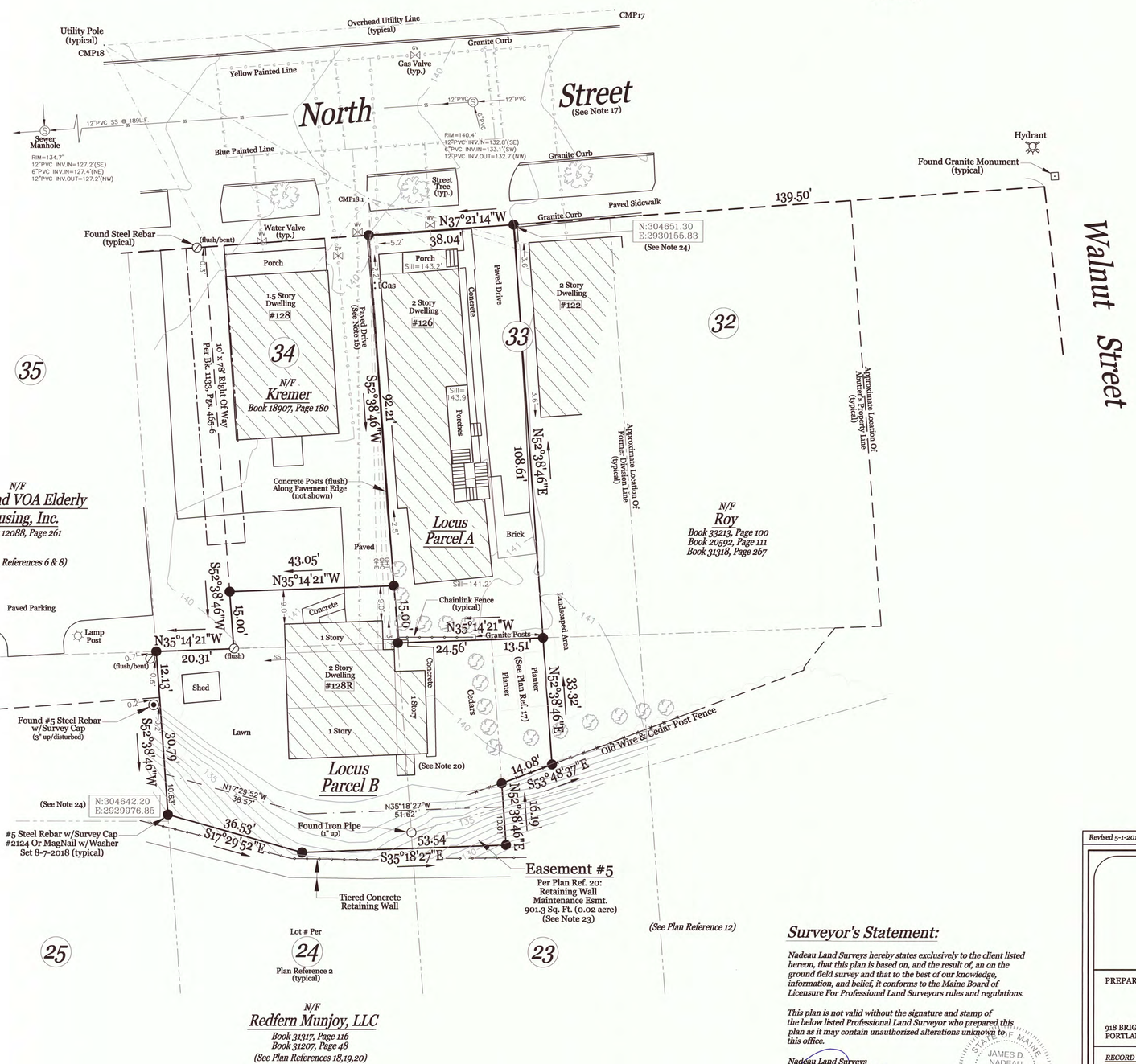
DRAWING NO.
C-02

Plan References:

1. Subdivision Of Lot #1 On Mountjoy's Neck For Little, Weeks, And Moody, dated February 17, 1802 and recorded March 24, 1802 in CCRD Book 36, Page 247.
2. Re-Survey Of Plan Reference 1, dated June 1876 by E.C. Jordan, C.E., City Plan 370/6 and 386/28.
3. Subdivision Of Elijah Kellogg Lot, dated April 10, 1802 and recorded February 18, 1807 in CCRD Book 51, Page 297, and traced June 1925 for City Plan 406/78.
4. City Of Portland Revaluation Plans, Sheets 10 & 12, dated 1882 by William A. Goodwin, City Engineer, recorded October 24, 1884 in CCRD Plan Book 5, Pages 10 & 12.
5. Plan Of Lot At Terminus Of Sheridan Street, dated 1928 on file at Owen Haskell, Inc.
6. "Property In Portland Me. Surveyed For The Jewish Home For Aged", dated August 1928 by E.C. Jordan & Co. on file at Owen Haskell, Inc.
7. "General Plan And Profile, Department Of Parks And Public Works, City Of Portland, Maine, Reconstruction Of Walnut St., North St. To Washington Ave.", dated May 17, 1984 by Herbert P. Gray, Consulting Engineer, Portland, Maine, City Plan 502/7.
8. "Standard Boundary Survey, Plan Of Property In County Of Cumberland, City Of Portland, Maine For Jewish Home For Aged", dated December 20, 1985 (Working Plan) by Morton & Rose Associates, Limerick, Maine on file at Maine Boundary Consultants.
9. "City Of Portland, Maine Parks And Public Works Department Engineering Division, North Street Plan And Profile Sta. 11+00 To 16+50", Sheet 8 of 14, dated August 1985 by Woodard & Curran Inc. Consulting Engineers, Gorham, Maine, City Plan 925/1.
10. "City Of Portland, Maine Parks And Public Works Department Engineering Division, Sheridan Street Plan And Profile Sta. 9+00N To 13+50N", Sheet 5 of 25, dated June 1987 by Woodard & Curran Inc. Consulting Engineers, Portland, Maine, City Plan 913/10.
11. "Plan Of Property In Portland, Maine Made For Nicole D'Entremont (Standard Boundary Survey)", dated July 15, 1991 by Robert J. Cyr, RLS 955, South Portland, Maine, recorded July 16, 1991 in CCRD Plan Book 191, Page 43.
12. "Division Of Land For Nicki Lee Green & Katherine P. Richmond, 79 Walnut Street, Portland, Maine", dated April 2006 by Andrew E. Bradford Land Surveying, Inc., Kennebunk, Maine.
13. "Plan Of Property Of W.H. Baxter, Esq.", dated July 1866 by Anderson Bonnell & Co., recorded July 1, 1866 in CCRD Plan Book 2, Page 54.
14. Richards Standard Atlas Of The City Of Portland, Plate 2, dated 1914.
15. Insurance Maps Of Portland, Maine, Volume One, Published By The Sanborn Map Company, Plate 1, dated 1909, last corrected April 1952.
16. City Of Portland Atlas, Plate 48A, dated 1873.
17. "Exhibit Sketch For Proposed Conveyance, Mary Roy To Upright Properties, LLC Between Sheridan Street & North Street, Portland, Maine", dated May 29, 2018 by Nadeau Land Surveys, Portland, Maine, recorded June 5, 2018 at the Cumberland County Registry of Deeds in Book 34890, Page 304.
18. "Plan Depicting The Results Of A Boundary Survey & Existing Conditions Survey Made For Redfern Properties LLC, Sheridan Street And East Cove Street, Portland, Maine", dated November 11, 2013, revised November 25, 2013 by Nadeau Land Surveys, Portland, Maine.
19. "Plan Depicting A Proposed Subdivision Made For Redfern Munjoy LLC, P.O. Box 8816, Portland, ME 04104, Munjoy Heights, Sheridan Street, East Cove Street, And Walnut Street, Portland, Maine", dated December 6, 2013, last revised February 10, 2014 by Nadeau Land Surveys, Portland, Maine, recorded February 21, 2014 at the Cumberland County Registry of Deeds in Plan Book 214, Page 48.
20. "Condominium Plat, Munjoy Heights, A Condominium, Sheridan Street, East Cove Street, And Walnut Street, Portland, Maine", dated April 21, 2015 by Nadeau Land Surveys, Portland, Maine, recorded April 30, 2015 at the Cumberland County Registry of Deeds in Plan Book 215, Page 143.
21. "City Of Portland, Maine Parks And Public Works Department Engineering Division, North Street, Plan And Profile Sta. 11+00 To 16+50", Sheet 8 of 14, dated August 15, 1985, City Plan 925/1.
22. "Portland Water District, Portland Sewer System Infiltration-Inflow Analysis, System Base Mapping, Study Area IV", Sheet IV-11, dated 1981, last revised March 22, 1999 by Hunter-Ballew Associates, Falmouth, Maine, City Plan 905/1.

Graphic Scale:

0' 5' 10' 15' 30' 45' 60' 75'



Location Map: Not To Scale

General Notes:

1. This plan is not intended to depict limits or extent of fee title ownership. An opinion of title should be rendered by a title attorney.
2. This office reserves the right to be held harmless by all 3rd party claims.
3. This survey does not purport to reflect any of the following:
   a. easements other than those that are visible or specifically stated in the referenced documents.
   b. building setback compliance or restrictive covenants.
   c. zoning or other land use regulations.
   d. the location of any underground utilities or structures.
4. This office reserves the right to be held harmless for unknown or unobtainable private records which could affect the results of this survey.
5. Reference is made to "Letter Of Agreement" dated May 23, 2018 between Nadeau Land Surveys and the below listed client(s), which shall be considered an integral part of this survey.
6. N/F is an abbreviation for Now or Formerly.
7. All deeds referenced on this plan are recorded at the Cumberland County Registry of Deeds (CCRD).
8. Locus Parcels are located in the R-6 Residential Zone:
   Minimum Lot Size = 2,000 S.F.
   Minimum Lot Area / Dwelling Unit = 725 S.F.
   Minimum Street Frontage = 20 feet
   Minimum Lot Width = 20 feet
   Maximum Lot Coverage = 60%
   Minimum Front Yard Setback = 5 feet, or average depth of adjacent front yards
   Minimum Side Yard Setback = 5 feet
   Minimum Rear Yard Setback = 10 feet
   A City of Portland Code Enforcement Officer should be consulted for confirmation of all applicable space & bulk requirements for Locus Parcels.
9. Locus Parcel A is shown on the City of Portland Assessor's Map 12, Block H, as Lot 14, and is listed as 126 North Street. Locus Parcel B is shown on the City of Portland Assessor's Map 12, Block H, as parts of Lots 9 & 22, and is listed as 128R North Street.
10. Area of Locus Parcel A is 4,105.0 square feet (0.09 acre). Area of Locus Parcel B is 5,682.0 square feet (0.13 acre).
11. The apparent right of way lines depicted on this plan are based on the Plan References listed hereon and monumentation found in the field, and City of Portland Engineering Street Notes.
12. The Locus Parcels do not scale in a Special Flood Hazard Area per FEMA Flood Insurance Rate Map Community-Panel Number 230051 0014B, index dated December 8, 1998. The parcels scale in Zone C.
13. All building corner offsets to boundary lines are from cornerboards and not building foundation, unless noted.
14. Call 1-888-DIGSAFE at least three business days before performing ANY excavation.
15. Vertical Datum is NGVD29. Benchmark is City Monument T112-18-107, elevation = 145.08'.
16. See CCRD Book 1143, Page 307, dated July 25, 1923, from Elmore W. Ramsdell to Claire Bowden, for right of way to North Street.
17. Per City of Portland Records Vol. 1, Page 184, North Street was accepted March 20, 1795 as 4 rods (66 feet) wide.
18. See CCRD Book 14149, Page 281, dated September 10, 1998, for City of Portland's License to erect a fence across Poplar Street partially intruding on land N/F Maxwell.
19. See CCRD Book 31326, Page 331, dated February 3, 2014, from the City of Portland to Raymond C. Maxwell, for Termination of License recorded in Book 14149, Page 281.
20. Existing bulkhead is allowed to encroach setback window per City of Portland Zoning Ordinance Section 14-425.
21. See Notice for vacated portions of Sheridan Street and East Cove Street, dated March 5, 2015 and recorded in CCRD Book 32118, Page 145.
22. The underground utilities shown have been located from field survey information and existing drawings. This office make no guarantees that the underground utilities shown comprise all such utilities in the area, either in-service or abandoned. The underground utilities shown are approximate location and are located as accurately as possible from information available. This office has not physically located the underground utilities.
23. See CCRD Book 32237, Page 104, dated April 30, 2015, for Release And Easement Agreement between Redfern Munjoy, LLC and Upright Properties, LLC.
24. The coordinates depicted on our plan are for municipal requirements only and should not be used for construction layout. This office assumes no liability and/or responsibility if used for construction purposes.
25. Spot grades, sill and rim elevations are for engineering purposes only, and shall not be used as project benchmarks. This office assumes no liability and/or responsibility if used for construction purposes.
26. No records research or site evaluation has been performed since the original date of this survey. The survey plan was revised solely to depict additional utility information.

Revised 5-1-2019: Added Sewer and Water information, Plan References 21 & 22, Note 26, and FB 409.

Locus Deed References:

Locus Parcel A

Gregory D. Kesich and Gail D. Kesich
To
Raymond T. Wojcik, Zetta A. Wojcik and Joshua T. Wojcik
dated August 24, 2007 and recorded August 27, 2007 at the Cumberland County Registry of Deeds in Book 25418, Page 226.

Locus Parcel B

Redfern Munjoy, LLC
To
Upright Properties, LLC
dated January 31, 2014 and recorded February 3, 2014 at the Cumberland County Registry of Deeds in Book 31317, Page 118, corrected on same date in Book 31318, Page 270.

Mary Roy
To
Upright Properties, LLC
dated and recorded June 5, 2018 at the Cumberland County Registry of Deeds in Book 34890, Page 304.

Surveyor's Statement:

Nadeau Land Surveys hereby states exclusively to the client listed hereon, 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 Maine Board of Licensure For Professional Land Surveyors rules and regulations.

This plan is not valid without the signature and stamp of the below listed Professional Land Surveyor who prepared this plan as it may contain unauthorized alterations unknown to this office.

Nadeau Land Surveys

James D. Nadeau, P.L.S. #2124 (agent) Date: 5-1-2019

STATE OF MAINE JAMES D. NADEAU 2124 PROFESSIONAL LAND SURVEYOR

Plan Depicting The Results Of A Boundary Survey & Existing Conditions Survey Made For

Joshua T. Wojcik

Southwesterly Sideline Of North Street

Portland, Maine

PREPARED BY:

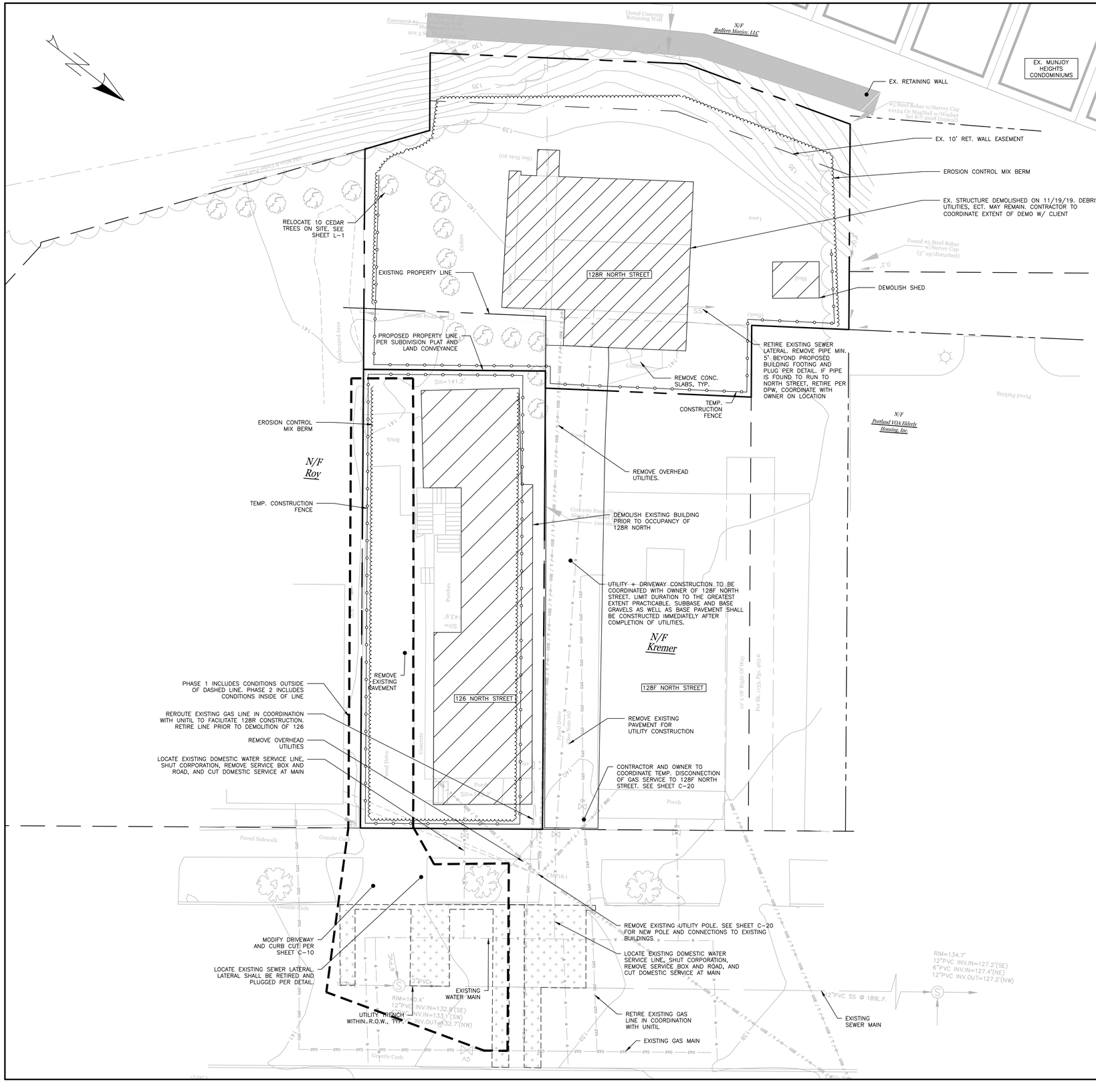
Nadeau Land Surveys

918 BRIGHTON AVENUE
PORTLAND, ME 04102

Professional Land Surveyors
Certified Floodplain Managers

PH. (207) 878-7870
FAX (207) 878-7871

RECORD OWNER:	DRAWN BY:	TPB	PLAN DATE:	8/22/2018
Joshua T. Wojcik, et al. Upright Properties, LLC 47 Lafayette St. #1 Portland, ME 04101	CHECKED BY:	JDN/MLC	SURVEY DATE:	June 2018
	INSTR.	Topcon DS-205AC	SCALE:	1" = 15'
FIELD BOOK: FB 407 & 409 & Topcon Tesla	JOB No:	2181902BTR1	SHEET No:	1 of 1



GENERAL NOTES: PHASE II DEMOLITION TO OCCUR PRIOR TO PHASE 1 CERTIFICATE OF OCCUPANCY

1. EXISTING ASPHALT PAVEMENT TO BE REMOVED SHALL BE STRIPPED AND PROPERLY DISPOSED OF OFFSITE.
2. ALL DISPOSAL OF DEMOLITION DEBRIS OR WASTE SHALL BE IN ACCORDANCE WITH ALL LOCAL, STATE, & FEDERAL REGULATIONS. CONTRACTOR SHALL PROVIDE OWNER WITH APPROPRIATE "BILLS OF LADING" TO DEMONSTRATE PROPER DISPOSAL OF ALL MATERIALS.
3. SITE DEMOLITION SHALL NOT OCCUR UNTIL PROPER ABATEMENT PROCEDURES HAVE OCCURRED. ABATEMENT, IF NECESSARY, SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
4. THE CONTRACTOR SHALL CALL THE APPROPRIATE UTILITY COMPANIES AND DIG SAFE AT LEAST 72 HOURS PRIOR TO EXCAVATION TO REQUEST EXACT FIELD LOCATION FOR UTILITIES. OTHERWISE IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE LOCATION OF UNDERGROUND UTILITIES AND LOCATE POTENTIAL CONFLICT WITH THE APPROVED PLANS PRIOR TO CONSTRUCTION.
5. ALL CONSTRUCTION SIGNAGE IS TEMPORARY AND SHALL BE REMOVED AT PROJECT COMPLETION.
6. SEDIMENT BARRIERS TO BE PLACED DIRECTLY ON THE FRONT AND SIDE PROPERTY LINES, DOWN GRADIENT OF THE PROPOSED PROJECT WORK PER DETAIL; FENCES ARE OFFSET OF THE PROPERTY LINES AS SHOWN ON THE PLAN FOR CLARITY PURPOSES AND DO NOT NECESSARILY DEPICT THE PHYSICAL LOCATION.
7. CONTRACTOR SHALL PLACE CATCH BASIN INLET PROTECTION ON CATCH BASINS AND FIELD INLETS DOWN-GRADIENT OF ALL NON-STABILIZED SURFACES, PER DETAIL.
8. DEMOLITION PLAN IS NOT INCLUSIVE OF ALL EXISTING ITEMS TO BE REMOVED AS PART OF SITE CONSTRUCTION INCLUDING BUT NOT LIMITED TO LANDSCAPING, UTILITIES, WORK WITHIN THE ROW, ETC. ALL DEMOLITION WORK SHALL BE IN ACCORDANCE WITH THE CITY OF PORTLAND REGULATIONS.
9. CONTRACTOR TO BE RESPONSIBLE FOR PROVIDING OFF-SITE PARKING TO EMPLOYEES; ON-SITE PARKING WILL NOT BE PROVIDED OR GUARANTEED. CONTRACTOR TO BE RESPONSIBLE FOR OBTAINING THE APPROPRIATE PERMITS FROM THE CITY FOR CLOSING ANY ON-STREET PARKING SPACES DURING THE CONSTRUCTION PERIOD.
10. CONTRACTOR SHALL BE RESPONSIBLE FOR SNOW REMOVAL ALONG CONSTRUCTION FENCE AND GATE.
11. NO WORK ON PHASE II SHALL OCCUR DURING PHASE I WORK UNLESS AUTHORIZED BY THE OWNER.

PERMIT LEVEL
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY / DATE
LEVEL III SITE PLAN	WHS 8/7/19
PHASE II UPDATE	WHS 10/29/19
COMMENT RESPONSE	WHS 12/18/19
COMMENT RESPONSE 2	WHS 2/24/2020

DRAWING NAME: DEMOLITION & CONSTRUCTION MANAGEMENT PLAN

PROJECT NAME: 126/128R NORTH STREET REDEVELOPMENT

CLIENT: UPRIGHT PROPERTIES, LLC
PO BOX 833 WILTON, ME 04294

ACORN ENGINEERING, INC.

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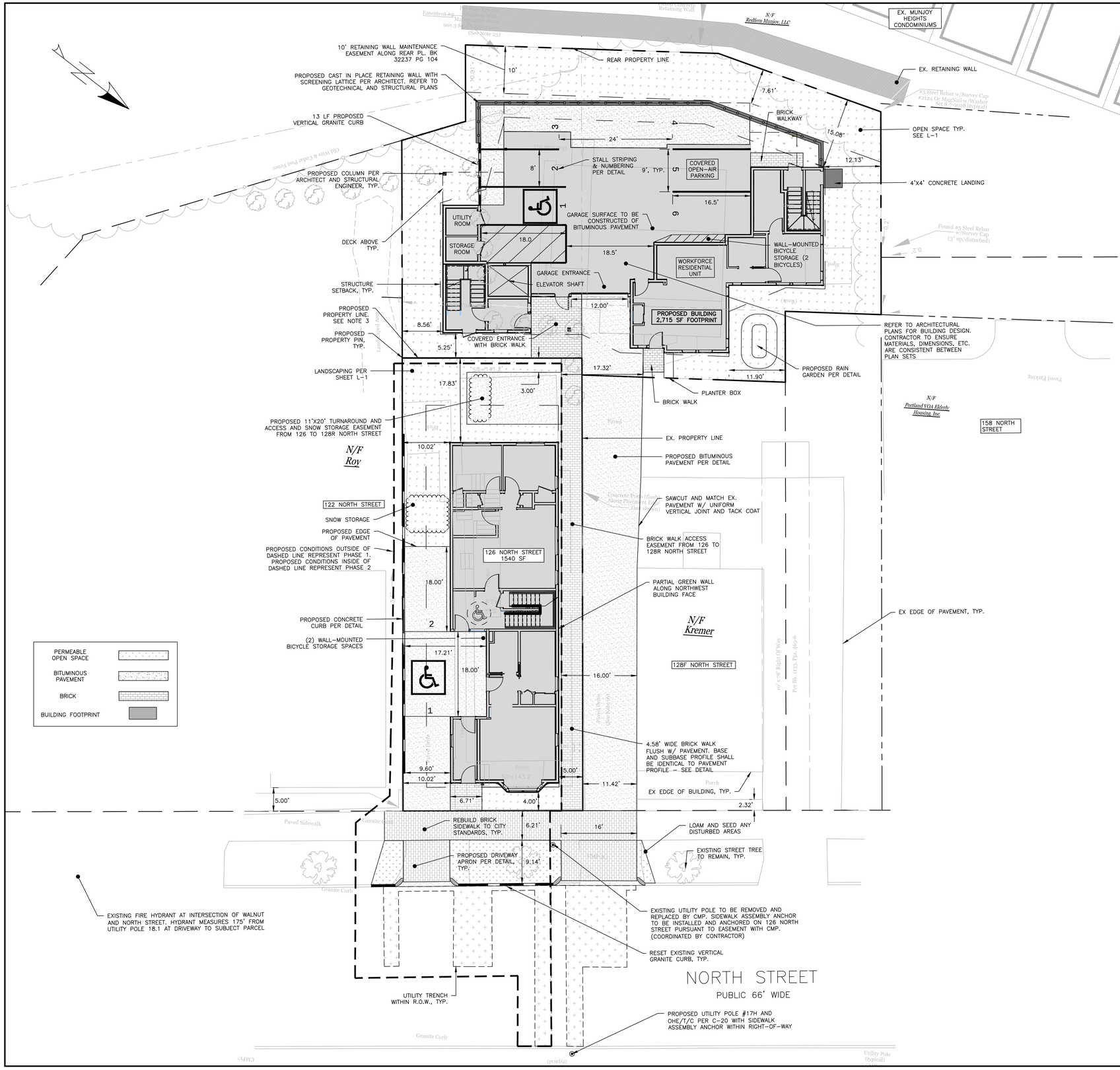
ACORN ENGINEERING, INC.
65 HANOVER ST. PORTLAND, MAINE 04101
(207) 775-2655

FILE:	1116_CIVIL
JN:	1116
SCALE:	1"=10'
DESIGNED BY:	SJL
DRAWN BY:	ZMS
CHECKED BY:	WHS

STATE OF MAINE WILLIAM H. SAVAGE 2-13-2020 PROFESSIONAL ENGINEER

DRAWING NO.
C-03



GENERAL NOTES:

1. STRIPING AS INDICATED ON SITE PLAN SHALL BE WHITE AND 4" WIDE.
2. EXISTING CONDITIONS PROVIDED BY NADEAU LAND SURVEYS ON A PLAN ENTITLED BOUNDARY & EXISTING CONDITIONS SURVEY AT NORTH STREET MADE FOR JOSH T. WOJCIK (JOB NO. 2181902BTR1). PLAN IS DATED AUG. 22, 2018 WITH A MOST RECENT REVISION DATE OF MAY 1, 2019.
3. REFER TO LEGAL DESCRIPTION AND ACCOMPANYING EXHIBIT IN BK _____ PG _____ FOR CONVEYANCE OF LAND FROM 126 NORTH STREET TO 128R NORTH STREET.
4. SOLID GREY HATCH DEPICTS ENCLOSED LIVING SPACE AT THE GROUND LEVEL OR ABOVE.
5. NO WORK ON PHASE II SHALL OCCUR DURING PHASE I WORK UNLESS AUTHORIZED BY THE OWNER.

PHASE I

SPACE AND BULK STANDARDS – 128R NORTH

ZONE: R6 – MHNCDO	REQUIRED	PROPOSED
MINIMUM LOT SIZE	2,000 SF	6,142 SF
MINIMUM STREET FRONTAGE	20'	N/A
MINIMUM FRONT YARD SETBACK	5'	5.25'
MINIMUM SIDE YARD SETBACK (LEFT)	8.15' *	8.56'
MINIMUM SIDE YARD SETBACK (RIGHT)	11.85' *	11.90'
MINIMUM DECK SETBACK	7.5'	7.61'
MINIMUM REAR YARD SETBACK	15'	15.08'
MAXIMUM LOT COVERAGE	60%	57%
MINIMUM LOT WIDTH	20'	101'
MAXIMUM BUILDING HEIGHT	45'	44.61'
MINIMUM LANDSCAPED OPEN AREA	20%	40%
MAXIMUM NUMBER OF DWELLING UNITS	725 SF/UNIT = 8	6
RESIDENTIAL PARKING	1 SPACE PER UNIT AFTER 3 UNITS = 3 SPACES	6
MINIMUM INTERNAL RESIDENT BICYCLE STORAGE SPACES	2 SPACES/5 D.U. = 2	2

* 10' FOR ALL SIDE YARDS, EXCEPT THAT A SIDE YARD NO LESS THAN 5' IS PERMITTED WHEN USED TO CONTINUE A DOCUMENTED BUILT PATTERN OF THE SURROUNDING STREETSCAPE, IN WHICH CASE A PROPORTIONAL INCREASE IN ANOTHER SIDE YARD MUST BE PROVIDED

PERMISSIBLE VEHICLE SUMMARY – 128R

SPACES	MAX WHEEL BASE	MAX LENGTH	MAX WIDTH
1,5,6	9.3'	16.5'	6.5'
2,3	8.6'	15.8'	6'
4	8.5'	14.5'	5.8'

PARKING SUMMARY – 128R

DIMENSIONS	# PARKING SPACES
9'x16.5'	4
8'X16.5'	1
8'X18'	1
TOTAL PROPOSED SPACES	6

PHASE II

SPACE AND BULK STANDARDS – 126 NORTH

ZONE: R6 – MHNCDO	REQUIRED	PROPOSED
MINIMUM LOT SIZE	2,000 SF	3,645 SF
MINIMUM STREET FRONTAGE	20'	38'
MINIMUM FRONT YARD SETBACK	3.7' AVG	4'
MINIMUM SIDE YARD SETBACK (LEFT)	5'	10.02'
MINIMUM SIDE YARD SETBACK (RIGHT)	5'	5'
MINIMUM DECK SETBACK	7.5'	N/A
MINIMUM REAR YARD SETBACK	10'	17.83'
MAXIMUM LOT COVERAGE	60%	47%
MINIMUM LOT WIDTH	20'	38'
MAXIMUM BUILDING HEIGHT	35'	33.32'
MINIMUM LANDSCAPED OPEN AREA	20%	20%
MAXIMUM NUMBER OF DWELLING UNITS	725 SF/UNIT = 5*	6
RESIDENTIAL PARKING	1 SPACE PER UNIT AFTER 3 UNITS = 2 SPACES	2
MINIMUM INTERNAL RESIDENT BICYCLE STORAGE SPACES	2 SPACES/5 D.U. = 2	2

*SECTION 14-488 STATES "THAT PROVIDING BOTH WORKFORCE AND AFFORDABLE HOUSING UNITS, THE APPLICANT SHALL HAVE THE OPTION OF UTILIZING APPLICABLE INCENTIVES". IN THIS CASE THE INCENTIVE RESULTS IN 6 UNITS.

PARKING SUMMARY – 126

DIMENSIONS	# PARKING SPACES
9'x18'	1
8'X18' (ADA)	1
TOTAL PROPOSED SPACES	2

10 0 10 20

SCALE: 1"=10'

PERMIT LEVEL
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY	DATE
LEVEL III SITE PLAN	WHS	8/7/19
PHASE II UPDATE	WHS	10/29/19
COMMENT RESPONSE	WHS	12/18/19
COMMENT RESPONSE 2	WHS	2/24/2020

DRAWING NAME: MASTER SITE PLAN

PROJECT NAME: 126/128R NORTH STREET REDEVELOPMENT

CLIENT: UPRIGHT PROPERTIES, LLC
PO BOX 833 WILTON, ME 04294

ACORN ENGINEERING, INC.

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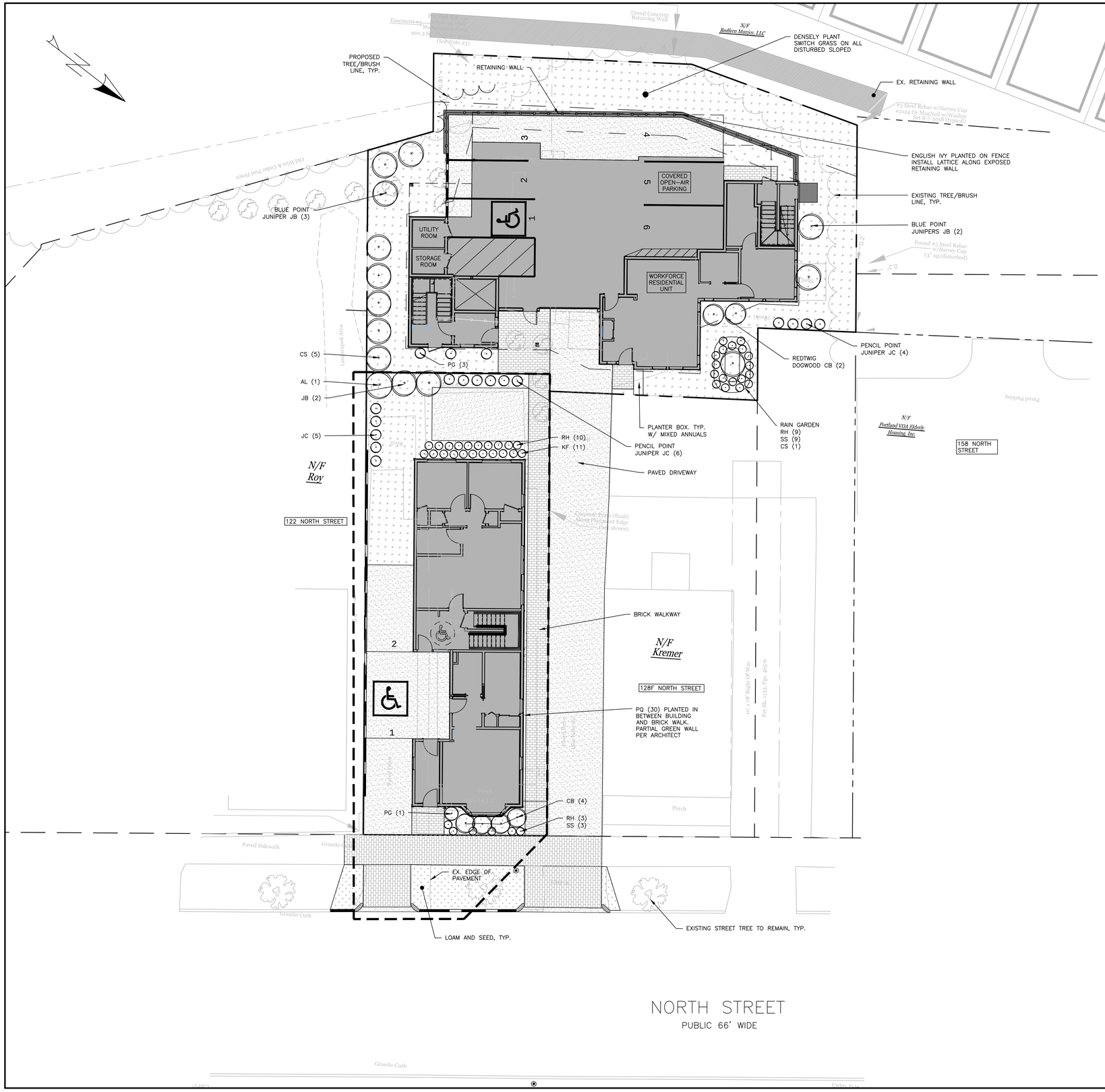
ACORN ENGINEERING, INC.
65 HANOVER ST. PORTLAND, MAINE 04101
(207) 775-2655

FILE:	1116_CIVIL
JN:	1116
SCALE:	1"=10'
DESIGNED BY:	SJL
DRAWN BY:	ZMS
CHECKED BY:	WHS

STATE OF MAINE WILLIAM H. SAVOIE No. 14149 PROFESSIONAL ENGINEER 2-13-2020

DRAWING NO.
C-10



GENERAL NOTES:

1. CONTRACTOR TO BE HELD RESPONSIBLE FOR THE WATERING AND MAINTENANCE OF ALL PLANT MATERIAL AND LANDSCAPING IMPROVEMENTS AS NECESSARY.
2. CONTRACTOR TO MAINTAIN A ONE YEAR WARRANTY ON ALL PLANTINGS FOLLOWING INSTALLATION.
3. NO PLANTING WILL BE INSTALLED UNTIL ALL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
4. CONTRACTOR TO VERIFY ALL UTILITIES ON PROPERTY AND TO PROTECT ALL UTILITIES DURING EXCAVATION FOR PLANTS.
5. ALL CONTAINER MATERIAL TO BE GROWN IN CONTAINER MINIMUM OF 6 MONTHS.
6. ALL MATERIAL SHALL COMPLY WITH THE LATEST EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK, AMERICAN ASSOCIATION OF NURSERYMAN.
7. CONTRACTOR SHALL REPAIR ALL DAMAGE TO PROPERTY FROM PLANTING OPERATIONS AT NO COST TO OWNER.
8. THE ENGINEER MAY TAG ALL PLANTS AT THE NURSERY AND INSPECT THEM AFTER DELIVERY TO THE SITE; ALL PLANT MATERIALS SHALL BE INSPECTED BY THE ENGINEER ON SITE PRIOR TO INSTALLATION.
9. SEE PERMANENT SEEDING TABLE ON SHEET C-47 FOR LAWN AREAS.
10. BLUE POINT JUNIPERS MAY BE SUBSTITUTED W/ EXISTING RELOCATED CEDARS IF IN GOOD HEALTH

PLANT SCHEDULE

ID	BOTANICAL NAME	COMMON NAME	QTY	SIZE
TREES				
JB	JUNIPERUS CHINENSIS 'BLUE POINT'	BLUE POINT JUNIPER	8	5'
JC	JUNIPERUS COMMONS 'PENCIL POINT'	PENCIL POINT JUNIPER	15	5'
AL	AMELANCHIER LAEVIS	ALLEGHENY SERVICEBERRY	1	5'
SHRUBS				
CB	CORNUS BAILEYI SERICEA 'FARROW'	ARCTIC FIRE REDTWIG DOGWOOD	6	3 GAL.
PG	PICEA GLAUCA 'CONICA'	DWARF ALBERTA SPRUCE	4	3"-4'
CS	CORNUS SERICEA	RED TWIG DODWOOD	6	3 GAL.
PERENNIALS				
RH	RUDBECKIA HIRTA	BLACK EYED SUSAN	22	1 GAL.
SS	SALVIA SYLVESTRIS	SAGE 'MAY NIGHT'	12	1 GAL.
HH	HEDERA HELIX	COMMON IVY	44	1 GAL.
PQ	PARTHENOCISSUS QUINQUEFOLIA	VIRGINIA CREEPER	30	1 GAL.
KF	CALAMSGROSTIS ACUTIFLORA	KARL FORESTOR	11	1 GAL.

PERMIT LEVEL
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY	DATE
LEVEL III SITE PLAN	WHS	8/7/19
PHASE II UPDATE	WHS	10/29/19
COMMENT RESPONSE	WHS	12/18/19
COMMENT RESPONSE 2	WHS	2/24/2020

DRAWING NAME: LANDSCAPE PLAN

PROJECT NAME: 126/128R NORTH STREET REDEVELOPMENT

CLIENT: UPRIGHT PROPERTIES, LLC
PO BOX 833 WILTON, ME 04294

ACORN ENGINEERING, INC.

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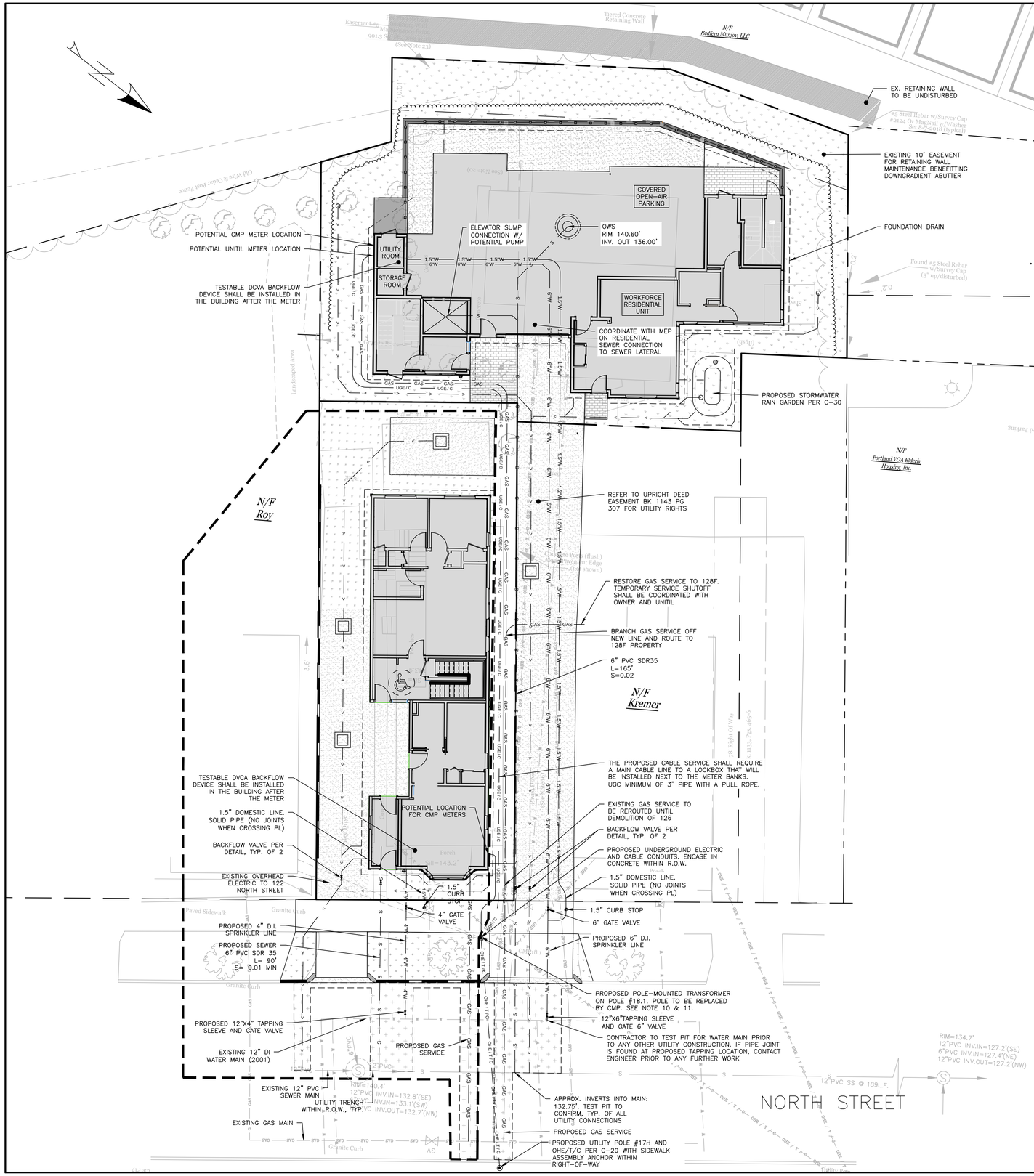
DRAWN BY:	ZMS
CHECKED BY:	WHS

STATE OF MAINE WILLIAM H. SAVAGE No. 11419 LICENSED PROFESSIONAL ENGINEER
2-13-2020

DRAWING NO.
L-1



NOTES:

1. LOCATION OF PROPOSED CONNECTIONS ARE APPROXIMATE. CONTRACTOR TO CONTACT ENGINEER IF FIELD INFORMATION VARIES FROM INFORMATION ON PLANS.
2. CONTRACTOR IS TO BE CAUTIONED THAT CERTAIN LOCATIONS AND/OR ELEVATIONS OF EXISTING UTILITIES HAVE BEEN PROVIDED THROUGH UTILITY COORDINATION OR OTHER OBSERVATIONS. INFORMATION IS NOT TO BE RELIED UPON AS EXACT OR COMPLETE. CONTRACTOR TO FIELD VERIFY AND COORDINATE WITH UTILITY COMPANY AND DIG SAFE NO LESS THAN 72 HOURS PRIOR TO ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF ALL UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS INDICATED IN THE CONTRACT DOCUMENTS. CONTRACTOR TO NOTIFY ENGINEER OF ANY DIFFERENTIATIONS FROM EXISTING CONDITIONS, INCLUDING UTILITY SURVEY, PRIOR TO ANY CHANGES.
3. FOR ALL UTILITIES, ACORN ENGINEERING DESIGN LIMITS EXTEND TO OUTSIDE WALL OF BUILDING. METERING OF UTILITIES TO BE COMPLETED BY MECHANICAL, ELECTRICAL, PLUMBING DESIGNER (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. PUMP AND FORCE MAIN SIZING PER M.E.P. SEWER UTILITIES TO BE CONSTRUCTED IN ACCORDANCE WITH CITY OF PORTLAND TECHNICAL STANDARDS. VALVE FOR BACKFLOW PREVENTION SHALL BE INSTALLED WITHIN THE THE PROPERTY LINES FOR EACH CITY SEWER CONNECTION. CONTACT ENGINEER IF FIELD CONDITIONS FROM INVERT VARY FROM DESIGN.
6. WATER UTILITIES: FINAL PIPE SIZING PROVIDED BY M.E.P. AND FIRE PROTECTION DESIGNER. INTERNAL METERING, BACKFLOW PREVENTION, AND PRESSURE REDUCERS TO BE COMPLETED BY M.E.P. ENGINEER. DOMESTIC WATER PIPE SIZES WILL DETERMINE THE FINAL WATER METERING OPTIONS. METER MAY BE SMALLER THAN PROPOSED WATER MAIN. WATER METERING, PRESSURE REDUCER AND BACKFLOW PREVENTION TO BE IN ACCORDANCE WITH THE PORTLAND WATER DISTRICT STANDARDS. CONTRACTOR TO FOLLOW METERING GUIDELINES OF THE PORTLAND WATER DISTRICT AND CITY OF PORTLAND.
7. GAS UTILITIES: PROJECT GAS LOAD, GAS UTILITY DESIGN, AND FINAL GAS SERVICE LOCATION AND METERS TO BE DEFINED BY M.E.P. AND IN ACCORDANCE WITH UNITIL.
8. ELECTRIC UTILITIES: ELECTRIC DESIGN TO BE FINALIZED BY M.E.P. ELECTRICAL LOAD TO BE DETERMINED BY M.E.P. ENGINEER. METER LOCATION AND TRANSFORMER SIZE, IF NECESSARY DEFINED BY M.E.P. M.E.P. TO FINALIZE SERVICE CONNECTION TO BUILDING. ALL ELECTRIC CONSTRUCTION SHALL CONFORM TO CMP GUIDEBOOK OF STANDARD REQUIREMENTS, MOST RECENT EDITION. DESIGN SUBJECT TO FINAL APPROVAL FROM CMP.
9. CABLE AND TELEPHONE PULLBOXES AND PEDESTAL LOCATIONS TO BE DETERMINED BY CHARTER COMMUNICATIONS AND FAIRPOINT PRIOR TO CONSTRUCTION. CONTRACTOR TO COORDINATE INSTALLATION OF UNDERGROUND UTILITIES WITH ALL UTILITY COMPANIES INVOLVED.
10. MAINTAIN EXISTING OVERHEAD UTILITIES TO 122 NORTH STREET DURING PHASE I.
11. CONTRACTOR TO COORDINATE WITH PROPERTY OWNER OF 122 AND 126 NORTH STREET TO RESET OR RELOCATE UNDERGROUND ELECTRIC TO 122 NORTH STREET FROM PROPOSED UTILITY POLE FOR PHASE II.

PERMIT LEVEL
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY / DATE
ATS	WHS 6/26/19
LEVEL III SITE PLAN	WHS 8/7/19
PHASE II UPDATE	WHS 10/29/19
COMMENT RESPONSE	WHS 12/18/19
COMMENT RESPONSE 2	WHS 2/24/2020
FINAL APPLICATION	WHS 6/2/2020

DRAWING NAME: UTILITY PLAN

PROJECT NAME: 126/128R NORTH STREET REDEVELOPMENT

CLIENT: UPRIGHT PROPERTIES, LLC
PO BOX 833 WILTON, ME 04294

ACORN ENGINEERING, INC.

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. ANY MODIFICATIONS, WHETHER OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

ACORN ENGINEERING, INC.
65 HANOVER ST. PORTLAND, MAINE 04101
(207) 775-2655

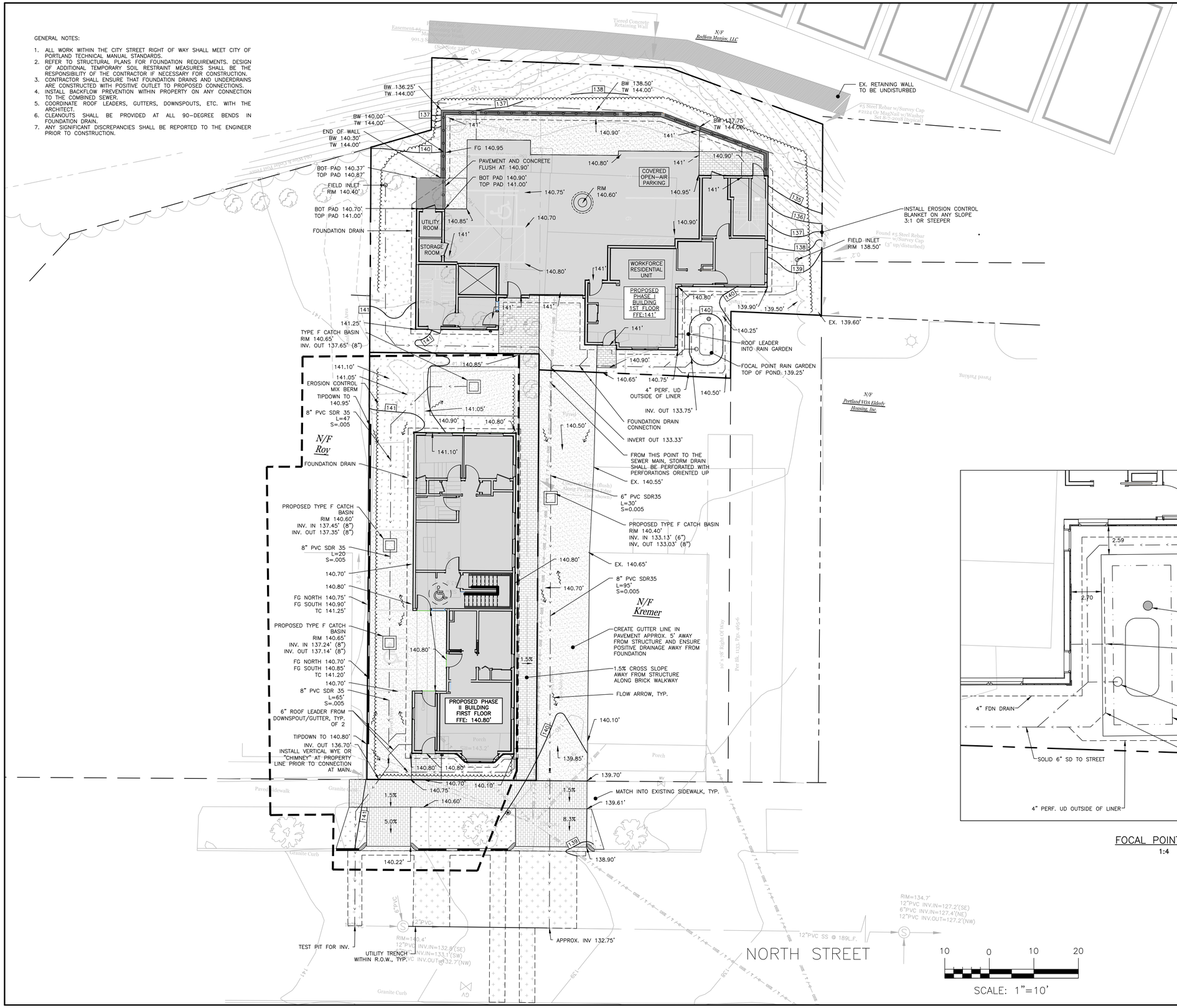
FILE:	1116_CIVIL
JN:	1116
SCALE:	1"=10'
DESIGNED BY:	SJL
DRAWN BY:	SJL & ZMS
CHECKED BY:	WHS

STATE OF MAINE
WILLIAM H. SAVAGE
No. 11419
5-13-2020
LICENSED
PROFESSIONAL ENGINEER

DRAWING NO.
C-20

GENERAL NOTES:

1. ALL WORK WITHIN THE CITY STREET RIGHT OF WAY SHALL MEET CITY OF PORTLAND TECHNICAL MANUAL STANDARDS.
2. REFER TO STRUCTURAL PLANS FOR FOUNDATION REQUIREMENTS. DESIGN OF ADDITIONAL TEMPORARY SOIL RESTRAINT MEASURES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR IF NECESSARY FOR CONSTRUCTION.
3. CONTRACTOR SHALL ENSURE THAT FOUNDATION DRAINS AND UNDERDRAINS ARE CONSTRUCTED WITH POSITIVE OUTLET TO PROPOSED CONNECTIONS.
4. INSTALL BACKFLOW PREVENTION WITHIN PROPERTY ON ANY CONNECTION TO THE COMBINED SEWER.
5. COORDINATE ROOF LEADERS, GUTTERS, DOWNSPOUTS, ETC. WITH THE ARCHITECT.
6. CLEANOUTS SHALL BE PROVIDED AT ALL 90-DEGREE BENDS IN FOUNDATION DRAIN.
7. ANY SIGNIFICANT DISCREPANCIES SHALL BE REPORTED TO THE ENGINEER PRIOR TO CONSTRUCTION.



AVERAGE GRADE & BUILDING HEIGHT CALCULATIONS – 128R:

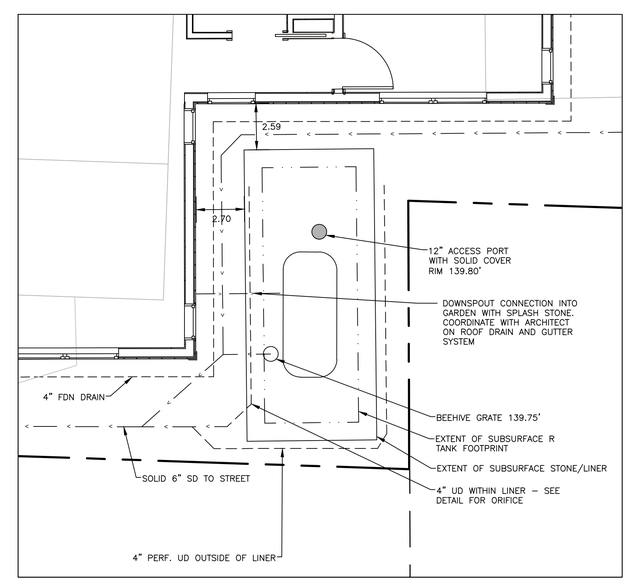
EASTERLY CORNER:	141.25'
1	140.70'
2	140.85'
3	141'
4	140.95'
5	141'
6	140.85'
7	135.35'
8	139.9'
9	140.80'
10	140.75'
11	140.85'
12	141'
13	141'
14	140.95'
AVERAGE GRADE:	140.48'
ROOF ELEV:	184.25'
BUILDING HEIGHT:	43.77'

* GRADES ARE RECORDED CLOCKWISE AROUND STRUCTURE

AVERAGE GRADE & BUILDING HEIGHT CALCULATIONS – 126:

EAST:	140.85'
SOUTH:	140.95'
WEST:	140.80'
NORTH:	140.10'
AVERAGE GRADE:	140.68'
ROOF ELEV:	174.00'
BUILDING HEIGHT:	33.32'

* GRADES ARE RECORDED CLOCKWISE AROUND STRUCTURE



FOCAL POINT INSET
1:4

PERMIT LEVEL
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY / DATE
ATS	WHS 6/26/19
LEVEL III SITE PLAN	WHS 8/7/19
PHASE II UPDATE	WHS 10/29/19
COMMENT RESPONSE	WHS 12/18/19
COMMENT RESPONSE 2	WHS 2/24/2020
FINAL APPLICATION	WHS 4/2/2020

DRAWING NAME: GRADING & DRAINAGE PLAN

PROJECT NAME: 126/128R NORTH STREET REDEVELOPMENT

CLIENT: UPRIGHT PROPERTIES, LLC
PO BOX 833 WILTON, ME 04294

ACORN ENGINEERING, INC.

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ACORN ENGINEERING, INC.
65 HANOVER ST. PORTLAND, MAINE 04101
(207) 775-2655

FILE:	1116_CIVIL
JN:	1116
SCALE:	1"=10'
DESIGNED BY:	SJL
DRAWN BY:	ZMS
CHECKED BY:	WHS

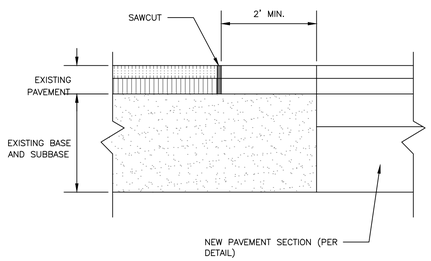
STATE OF MAINE WILLIAM H. SAVAGE No. 11416 5-13-2020 PROFESSIONAL ENGINEER

DRAWING NO.
C-30

NOTES:

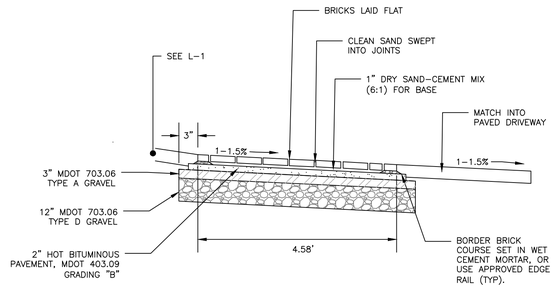
1. SAWCUT EXISTING PAVEMENT AND REMOVE 2' STRIP OF EXISTING PAVEMENT. APPLY BITUMINOUS TACK COAT PRIOR TO PLACEMENT OF NEW BITUMINOUS PAVEMENT.

2. THE NEW PAVEMENT SECTION SHALL MEET THE CITY OF PORTLAND ARTERIAL BITUMINOUS PAVEMENT SECTION DETAIL AT A MINIMUM OR THE THE EXISTING PAVEMENT AND AGGREGATE BASE AND SUBBASE DEPTH WHICHEVER IS GREATER.



PAVEMENT SAWCUT DETAIL

NOT TO SCALE



INTERNAL BRICK PEDESTRIAN SIDEWALK ON VEHICULAR WAY

NOT TO SCALE

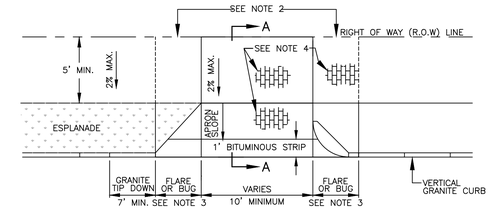
NOTES:

1. BRICKS TO BE USED:

   NEW CONSTRUCTION:
   4"X8" PINE HALL PATHWAY PAVER BRICK; MFG. BY PINE HALL BRICK CO., MADISON, NORTH CAROLINA. LACHANCE ITEM #193623;. PINE HALL PATHWAY PAVER BRICK.

   REPAIR/MAINTENANCE TO EXISTING BRICK SIDEWALKS:
   VERMONT BACKER SUPPLIED BY GAGNE AND SONS SPECIFICATION NUMBER: "VERMONT PAVER BRICK", ITEM NUMBER #VBBB

2. INSTALL BRICK FLUSH UP TO BUILDING, PAVEMENT, STAIRS, CONCRETE SURFACES, CURB OR LANDSCAPED AREAS.

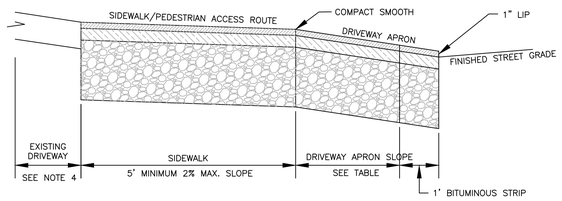


APRON SLOPE TABLE

LAND USE	MAXIMUM RECOMMENDED GRADE CHANGE AT STREET(G)
RESIDENTIAL WITH <9 PARKING SPACES	14%
ALL OTHER DRIVEWAYS	10%

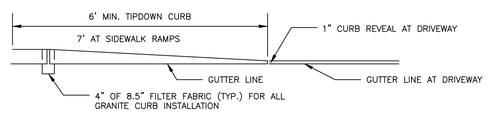
NOTES:

1. MATCH EXISTING GRADE AT R.O.W LINE. WHERE REQUIRED TO MEET A.D.A. AND DRIVEWAY APRON SLOPE REQUIREMENTS, A CONSTRUCTION EASEMENT MAY BE REQUIRED.
2. IF MATCHING THE EXISTING GRADE AT ROW CAUSES APRON SLOPE TO EXCEED RECOMMENDED %, SIDEWALK TRANSITION AREAS MAY BE ADDED, BUT SHALL NOT EXCEED 8.33%.
3. TWO-FOOT RADIUS CORNER GRANITE PIECES ("BUGS") ARE REQUIRED AT LOW-VOLUME DRIVEWAYS UNLESS OTHERWISE DIRECTED BY DPW. AT OTHER DRIVEWAYS, STANDARD FLARE/TIPDOWN TREATMENTS SHALL BE USED.
4. ALL MATERIALS TO COMPLY WITH CITY'S SIDEWALK & DRIVEWAY MATERIAL POLICY. BRICK IN DRIVEWAY APRONS, WHERE APPLICABLE, SHALL BE ORIENTED IN THE SAME WAY AS THE ADJACENT BRICK SIDEWALK.

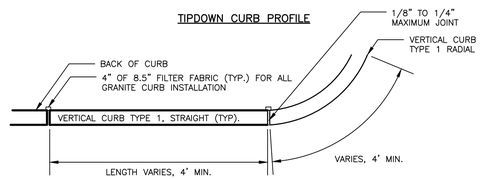


DRIVEWAY APRON

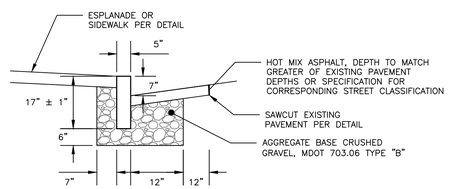
NOT TO SCALE



TIPDOWN CURB PROFILE



VERTICAL GRANITE CURB PLAN VIEW



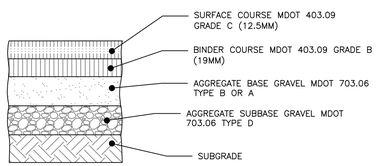
VERTICAL GRANITE CURB CROSS SECTION

NOTES:

1. CURB SHALL BE RESET IN ACCORDANCE WITH MDOT 609.08 WITH THE EXCEPTION OF CURB SPACING TO BE INSTALLED PER DETAIL.

VERTICAL GRANITE CURB AND TIPDOWN INSTALLATION IN EXISTING STREETS DETAIL

NOT TO SCALE



NOTE:
COMPACT SUBGRADE TO 95% MAXIMUM DRY DENSITY IN ACCORDANCE WITH ASTM D-1557

THICKNESS OF LAYERS

STANDARD	LAYERS
1-1/2"	SURFACE COURSE MDOT 403.09 GRADE C (12.5mm)
2"	BINDER COURSE MDOT 403.09 GRADE B (19mm)
3"	AGGREGATE BASE GRAVEL MDOT 703.06 TYPE B OR A
15"	AGGREGATE SUBBASE GRAVEL MDOT 703.06 TYPE D

BITUMINOUS PAVEMENT PROFILE

NOT TO SCALE

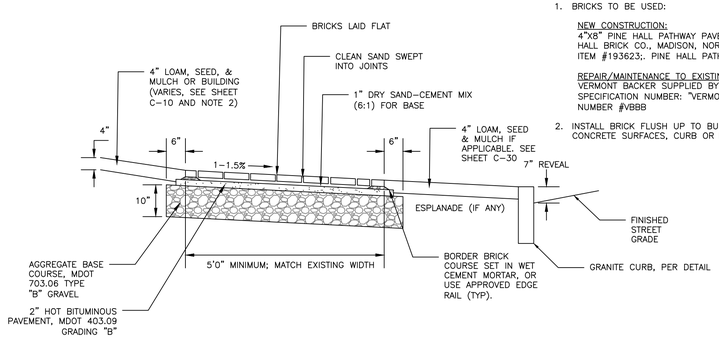
NOTES:

1. BRICKS TO BE USED:

   NEW CONSTRUCTION:
   4"X8" PINE HALL PATHWAY PAVER BRICK; MFG. BY PINE HALL BRICK CO., MADISON, NORTH CAROLINA. LACHANCE ITEM #193623;. PINE HALL PATHWAY PAVER BRICK.

   REPAIR/MAINTENANCE TO EXISTING BRICK SIDEWALKS:
   VERMONT BACKER SUPPLIED BY GAGNE AND SONS SPECIFICATION NUMBER: "VERMONT PAVER BRICK", ITEM NUMBER #VBBB

2. INSTALL BRICK FLUSH UP TO BUILDING, PAVEMENT, STAIRS, CONCRETE SURFACES, CURB OR LANDSCAPED AREAS.



BRICK SIDEWALK WITH BITUMINOUS BASE DETAIL – RIGHT OF WAY AND INTERNAL NON-VEHICULAR WALKS

NOT TO SCALE

PERMIT LEVEL
NOT ISSUED FOR
CONSTRUCTION

ISSUED FOR	BY / DATE
LEVEL III SITE PLAN	WHS 8/7/19
PHASE II UPDATE	WHS 10/29/19
COMMENT RESPONSE 2	WHS 2/24/2020

DRAWING NAME: SITE DETAILS – 1

PROJECT NAME: 128R NORTH STREET REDEVELOPMENT

CLIENT: UPRIGHT PROPERTIES, LLC
PO BOX 833 WILTON, ME 04294

ACORN ENGINEERING, INC.
65 HANOVER ST, PORTLAND, MAINE 04101
(207) 775-2655

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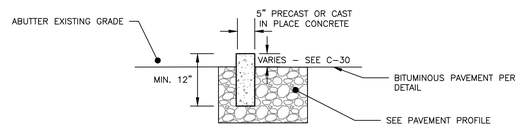
FILE:	1116_CIVIL
JN:	1116
SCALE:	NTS
DESIGNED BY:	SJL
DRAWN BY:	ZMS
CHECKED BY:	WHS

STATE OF MAINE WILLIAM H. RAMADE No. 11419 LICENSED PROFESSIONAL ENGINEER 2-13-2020

DRAWING NO.
C-40

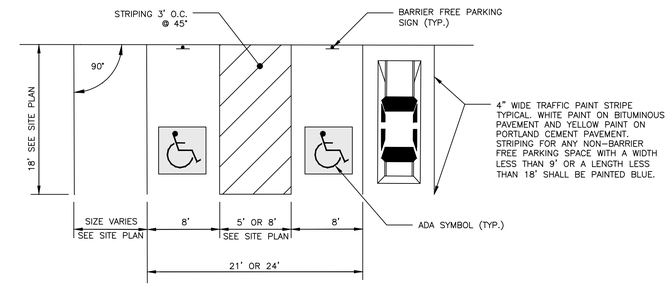
NOTES:

1. CONCRETE 5,000 PSI AT 28 DAYS
2. REINFORCE WITH (2) #4 REBARS
3. ALL CURBING SHOULD BE COATED WITH A CLEAR SEALER EACH FALL TO PROTECT FROM ROAD SALT DAMAGE. CHECK WITH MANUFACTURER FOR APPROPRIATE TYPE.
4. JOINTS SHALL BE BACKED WITH GEOTEXTILE FABRIC WHEN ADJACENT TO TOPSOIL



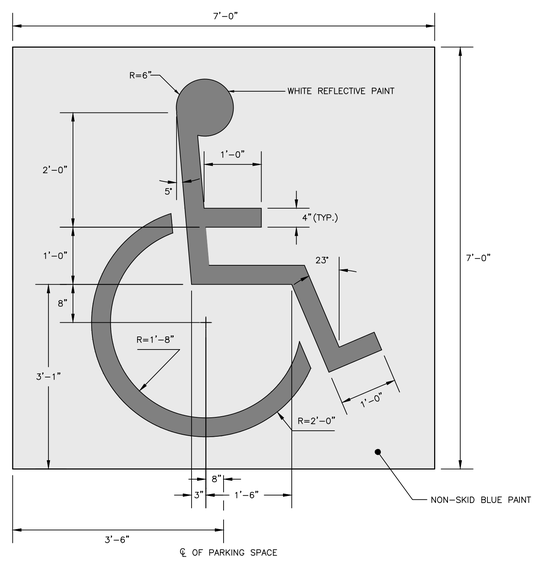
VERTICAL CONCRETE CURB DETAIL

NOT TO SCALE



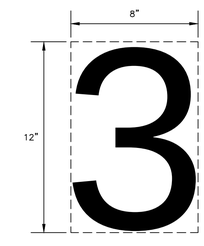
PARKING SPACE DIMENSIONS

NOT TO SCALE



INTERNATIONAL BARRIER FREE SYMBOL

NOT TO SCALE



NOTES:

1. NUMBERS TO BE PAINTED AS THE SAME COLOR AS THE CORRESPONDING PARKING SPACE.
2. BOTTOM OF NUMBER TO BE FLUSH WITH THE FRONT OF THE PARKING SPACE.

PARKING STALL NUMBER DETAIL

NOT TO SCALE

PERMIT LEVEL
NOT ISSUED FOR
CONSTRUCTION

ISSUED FOR	BY / DATE
LEVEL III SITE PLAN	WHS 8/7/19
PHASE II UPDATE	WHS 10/29/19
COMMENT RESPONSE 2	WHS 2/24/2020

DRAWING NAME: SITE DETAILS – 2

PROJECT NAME: 128R NORTH STREET REDEVELOPMENT

CLIENT: UPRIGHT PROPERTIES, LLC
PO BOX 833 WILTON, ME 04294

ACORN ENGINEERING, INC.

THE PLANS SHALL NOT BE VARIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. ANY VARIATIONS MADE WITHOUT PERMISSION OR, OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND RESPONSIBILITY, TO INDEMNIFY ACORN ENGINEERING, INC.

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65 HANOVER ST. PORTLAND, MAINE 04101
(207) 775-2655

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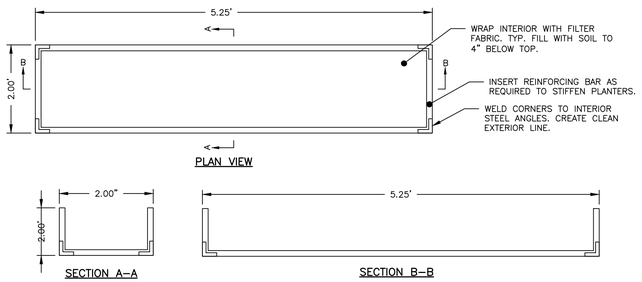
DRAWN BY:	ZMS
CHECKED BY:	WHS

STATE OF MAINE WILLIAM H. SAVAGE No. 11140 2-13-2020 PROFESSIONAL ENGINEER

DRAWING NO.
C-41

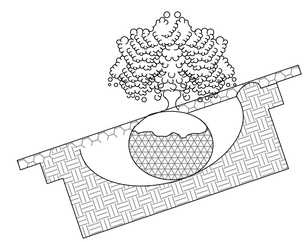


WEATHERING STEEL PLANTER BOX

NOT TO SCALE

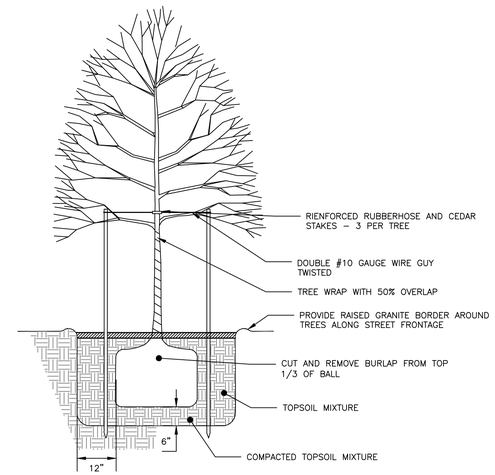
NOTES:

1. DIG HOLE AT LEAST 2 TIMES THE DIAMETER OF THE ROOT BALL AND AS DEEP AS THE ROOT BALL (NO DEEPER). SET ROOT BALL CENTERED, WITH THE TOP AT DOWNHILL EDGE OF THE HOLE.
2. TOPSOIL BACKFILL SHALL BE NATURAL FRIABLE, FERTILE, FINE LOAMY SOIL POSSESSING THE CHARACTERISTICS OF TOPSOIL IN THE VICINITY WHICH PRODUCE A HEAVY GROWTH. TOPSOIL SHALL CONTAIN NOT LESS THAN 6% NOR MORE THAN 20% ORGANIC MATTER. TOP SOIL SHALL HAVE A pH VALUE OF NOT LESS THAN 5.5 NOR MORE THAN 7.0.
3. CONTAINER GROWN STOCK – REMOVE CONTAINER PROTECTING THE ROOT BALL. GENTLY COMB OUT THE ROOTS. PRUNE DAMAGED ROOTS.
4. BACKFILL THE HOLE WITH TOPSOIL TO A DEPTH NOT TO EXCEED 8" THEN WATER SUFFICIENTLY TO SETTLE TOPSOIL. REPEAT SOIL BACKFILL, WATER, DRAIN. TOPSOIL SHALL BE TAMPED UNDER EDGES OF THE BALLED PLANTS. BACKFILL TO FINISH GRADE AND CREATE AN EARTHEN SAUCER. SOAK PLANTS TWICE WITHIN THE FIRST TWENTY–FOUR HOURS OF PLANTING.



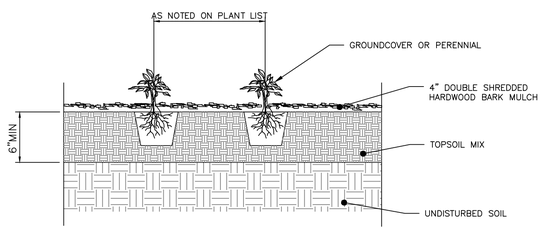
TYPICAL PLANTING

NOT TO SCALE



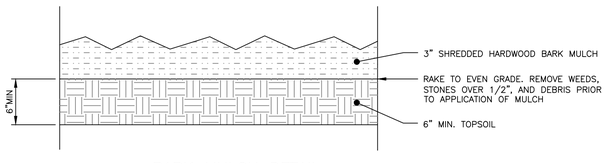
TREE PLANTING DETAIL

NOT TO SCALE



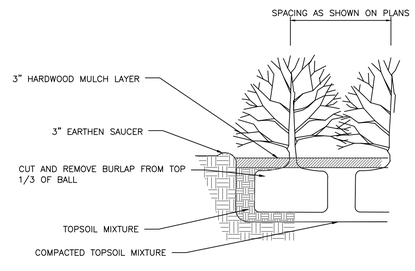
PERENNIAL PLANTING DETAIL

NOT TO SCALE



BARK MULCH DETAIL

NOT TO SCALE



SHRUB PLANTING DETAIL

NOT TO SCALE

PLANTING NOTES:

1. ALL PLANT SELECTION AND INSTALLATION WILL BE IN COMPLIANCE WILL THE CITY OF PORTLAND TECHNICAL MANUAL (SECTION 4).
2. CONTRACTOR TO VERIFY ALL UTILITIES ON PROPERTY AND TO PROTECT ALL UTILITIES DURING EXCAVATION FOR PLANTS.
3. IF THERE IS A DISCREPANCY BETWEEN THE NUMBER OF PLANTS SHOWN ON THE PLAN AND THE NUMBER OF PLANTS SHOWN IN PLANT LIST (IF ANY), THE NUMBER OF PLANTS SHOWN ON PLAN WILL TAKE PRECEDENCE.
4. ALL MATERIAL SHALL COMPLY WITH THE LATEST EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK, AMERICAN ASSOCIATION OF NURSERYMAN.
5. ALL DISTURBED AREAS NOT TO BE PAVED OR PLANTED SHALL BE LOAMED AND SEEDED AS SHOWN. THE SEED MIX SPECIFICATIONS ARE AS FOLLOWS: LESCO FINE FESCUE LINKS BLEND OF 35% HARD FESCUE, 35% CREEPING RED FESCUE, 20% CHEWINGS FESCUE AND 10% SHEEP FESCUE. ADD 5% LITTLE BLUESTEM AND 5% NORTHEAST WILDFLOWER SEED MIXTURE BY WEIGHT TO THE LINKS BLEND.
6. FOR PRICING PURPOSES, PROVIDE A PER TREE UNIT COST FOR STAKING AND GUYING. IF STAKING AND GUYING IS REQUIRED, REMOVE TREE WRAP, STAKES, AND GUY WIRES AT END OF FIRST GROWING SEASON.
7. FOR TREE PLANTING IN LAWN AREAS, ANY DISTURBED LAWN SHALL BE LOAMED AND SEEDED AS NECESSARY.
8. NEW TREES TO BE INSTALLED WITH A SLOW RELEASE WATERING BAG.
9. CONTRACTOR TO BE HELD RESPONSIBLE FOR THE WATERING AND MAINTENANCE OF ALL PLANT MATERIAL AND LANDSCAPING IMPROVEMENTS FOR AT LEAST 30 DAYS FOLLOWING INSTALLATION. FOLLOWING THIS PERIOD, THE LANDOWNER OR PROPERTY MANAGEMENT SHALL BE RESPONSIBLE FOR CONTINUED WATERING AND MAINTENANCE. CONTRACTOR TO MAINTAIN A ONE YEAR WARRANTY ON ALL PLANTINGS FOLLOWING FINAL INSTALLATION.
10. ALL PROPOSED PLANTS SHALL BE LOCATED AS SHOWN ON THE PLANS. CONTRACTOR TO NOTIFY ENGINEER WHEN PLANTINGS HAVE BEEN MOBILIZED ON SITE. ENGINEER TO INSPECT AND ACCEPT OR REJECT ANY SPECIMENS ON THE BASIS OF APPARENT HEALTH, HARDINESS, AND CONFORMANCE WITH THE PLANTING SCHEDULE. REJECTED SPECIMENS ARE TO BE REPLACED BY THE CONTRACTOR AT NO ADDED COST TO THE OWNER. ACCEPTANCE DOES NOT WAIVE THE REQUIRED ONE YEAR PLANTING WARRANTY.

PERMIT LEVEL
NOT ISSUED FOR
CONSTRUCTION

ISSUED FOR	BY / DATE
LEVEL III SITE PLAN	WHS 8/7/19
PHASE II UPDATE	WHS 10/29/19
COMMENT RESPONSE 2	WHS 2/24/2020

DRAWING NAME: LANDSCAPING DETAILS

PROJECT NAME: 128R NORTH STREET REDEVELOPMENT

CLIENT: UPRIGHT PROPERTIES, LLC
PO BOX 833 WILTON, ME 04294

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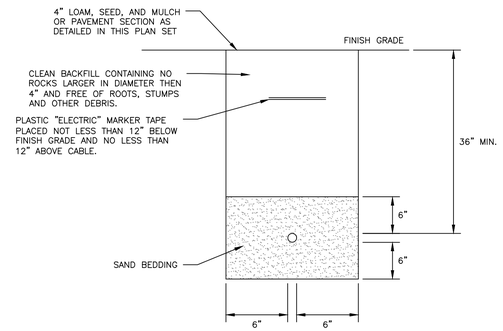
ACORN ENGINEERING, INC.
65 HANOVER ST. PORTLAND, MAINE 04101
(207) 775-2655

FILE:	1116_CIVIL
JN:	1116
SCALE:	NTS
DESIGNED BY:	SJL
DRAWN BY:	ZMS
CHECKED BY:	WHS

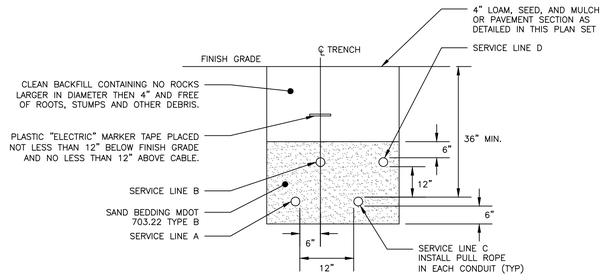
STATE OF MAINE WILLIAM H. SAVAGE No. 4419 LICENSED PROFESSIONAL ENGINEER 2-13-2020

DRAWING NO.
C-42



SECONDARY ELECTRICAL TRENCH

NOT TO SCALE



CONDUIT TYPE				
SERVICE	CONDUIT SIZE	GRASS AND PAVED AREAS	UTILITY	REMARKS
A	2-5"	SCHEDULE 40 PVC ELECTRICAL GRADE	PRIMARY POWER	SEE NOTE 1
B	2-4"	SCHEDULE 40 PVC	COMMUNICATION	–
C	2-4"	SCHEDULE 40 PVC ELECTRICAL GRADE	SPARE	IF REQUIRED
D	2-4"	SCHEDULE 40 PVC	CABLE	–

NOTES:

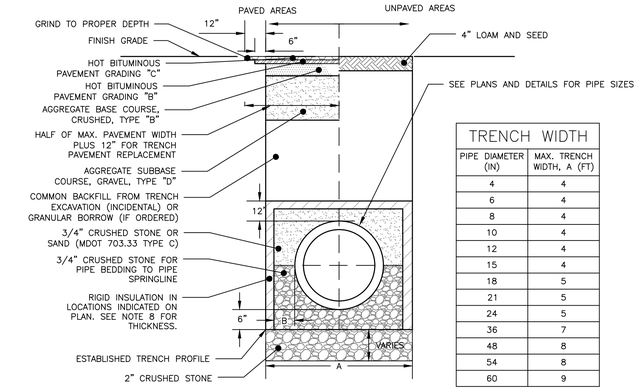
1. ONE CONDUIT CAPPED FOR SPARE, PROVIDE GALVANIZED STEEL LONG SWEEP AT RISER POLE AND EXTEND GALVANIZED CONDUIT TO 10" ABOVE GRADE AT POLE WITH STAND-OFF BRACKETS.
2. MINIMUM SEPARATION OF 24 INCHES BETWEEN PRIMARY CABLE/CONDUIT AND GAS LINES SHALL BE MAINTAINED.
3. CONDUITS WITHIN THE CITY RIGHT-OF-WAY SHALL BE ENCASED IN CONCRETE.

UTILITY TRENCH – PRIMARY AND SECONDARY POWER, TELEPHONE, AND CABLE

NOT TO SCALE

DESIGN NOTES:

1. ANY ALTERNATE TRENCHING METHODS SHALL BE APPROVED IN ADVANCE BY THE CITY.
2. ALL CONSTRUCTION METHODS SHALL CONFORM TO THE CITY OF PORTLAND TECHNICAL STANDARDS FIGURE II-2.
3. BRACING & SHEETING OR OTHER TRENCH PROTECTION TO BE PROVIDED TO MEET APPLICABLE STATE AND O.S.H.A SAFETY STANDARDS. ALL SUCH TRENCH PROTECTION SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
4. WHERE APPLICABLE, PERFORATIONS IN STORM DRAIN (PERF. SD) SHALL BE ORIENTED UP.
5. ALL STORM DRAINS SHALL BE PVC SDR 35 MIN PS-46 RATING OR OR IN ACCORDANCE WITH CITY OF PORTLAND TECHNICAL MANUAL , SECTION 2 – SANITARY SEWER AND STORM DRAIN – PART 2.5.2
6. IN PAVED AREAS, DEPTHS OF GRAVEL AND HOT MIX ASPHALT PAVEMENT SHALL MATCH THE GREATER OF EXISTING CONDITIONS OR THE REQUIREMENTS FOR THE CORRESPONDING STREET CLASSIFICATION.
7. THIS DETAIL SHALL BE APPLIED ONLY TO PIPE TRENCHES WITHIN OF THE CITY OF PORTLAND R.O.W.
8. STORM DRAIN COVER BETWEEN 2' AND 3' SHALL INCLUDE 4" OF RIGID INSULATION. COVER BETWEEN 3' AND 4' SHALL INCLUDE 2" RIGID INSULATION. OTHER UTILITIES: ADD 2" OF RIGID INSULATION FOR EACH FOOT ABOVE MINIMUM DEPTH.
9. DEPTH OF BITUMINOUS PAVEMENT AND AGGREGATE COURSES SHALL BE DETERMINED BY STREET CLASSIFICATION.
10. DIMENSION B SHALL BE SUFFICIENT TO ALLOW CRUSHED STONE BEDDING TO BE PLACED AND COMPACTED UNDER THE HAUNCHES OF THE PIPE; BUT IN ALL CASES DIMENSION B SHALL BE AT LEAST 9".
11. DIMENSION A IS THE MAXIMUM WIDTH ALLOWED FOR CALCULATING PAY QUANTITIES UNDER GRANULAR BORROW, CRUSHED STONE, STRUCTURAL EARTH EXCAVATION, AND STRUCTURAL ROCK EXCAVATION. DIMENSION A SHALL BE BASED ON PIPE DIAMETER D, AS SET FORTH IN THE TABLE BELOW.



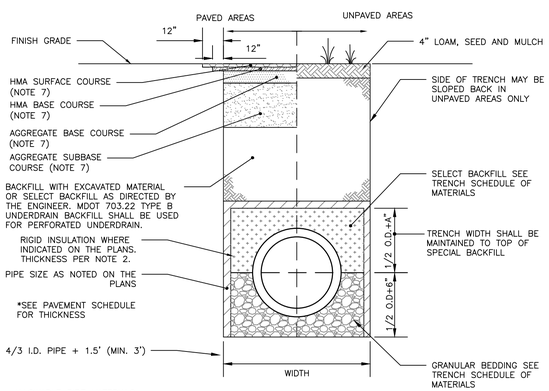
TRENCH WIDTH	
PIPE DIAMETER (IN)	MAX. TRENCH WIDTH, A (FT)
4	4
6	4
8	4
10	4
12	4
15	4
18	5
21	5
24	5
36	7
48	8
54	8
60	9

ALLOWABLE PIPE MATERIALS:

- REINFORCED CONCRETE PIPE (RCP) MIN. STRENGTH OF CLASS III
- PVC RING TYPE SEWER (SDR 35) OR EQUIVALENT, MIN PS-46 RATING
- PVC RING TYPE SEWER PIPE MEETING ASTM F 789
- DUCTILE IRON PIPE (DIP)
- ADS N-12 HP TRIPLE-WALL MIN PS-46 RATING
- ADS SANITITE HP MIN. PS-46

CITY OF PORTLAND TYPICAL PIPE TRENCH DETAIL

NOT TO SCALE



ALLOWABLE PIPE MATERIALS:

- REINFORCED CONCRETE PIPE (RCP) MIN. STRENGTH OF CLASS III
- PVC RING TYPE SEWER (SDR 35) OR EQUIVALENT, MIN PS-46 RATING
- PVC RING TYPE SEWER PIPE MEETING ASTM F 789
- DUCTILE IRON PIPE (DIP)
- ADS N-12 HP TRIPLE-WALL MIN PS-46 RATING
- ADS SANITITE HP MIN. PS-46

SCHEDULE OF MATERIALS		
TYPE OF PIPE	GRANULAR BEDDING	SELECT BACKFILL
CMP DUCTILE IRON RCP	MDOT 703.22 TYPE B UD BACKFILL	MDOT 703.22 TYPE B UD BACKFILL
PVC/HDPE	MDOT 703.22 TYPE C 3/4" CRUSHED STONE	MDOT 703.22 TYPE B UD BACKFILL
CMP	MDOT 703.22 TYPE C 3/4" CRUSHED STONE	MDOT 703.22 TYPE C 3/4" CRUSHED STONE

NOTES:

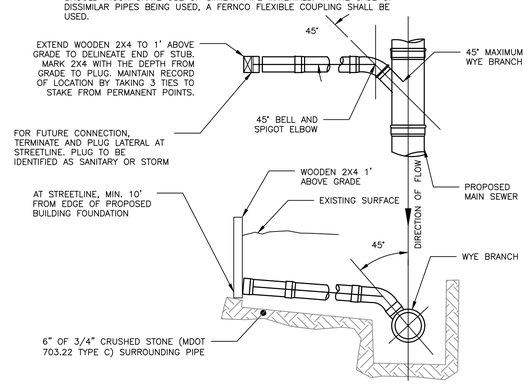
1. BRACING AND SHEETING OR OTHER TRENCH PROTECTION TO BE PROVIDED TO MEET APPLICABLE STATE AND O.S.H.A. SAFETY STANDARDS. ALL SUCH TRENCH PROTECTION TO BE THE RESPONSIBILITY OF THE CONTRACTOR.
2. STORM DRAIN COVER BETWEEN 2' AND 3' SHALL INCLUDE 4" OF RIGID INSULATION. COVER BETWEEN 3' AND 4' SHALL INCLUDE 2' RIGID INSULATION. OTHER UTILITIES: ADD 2" OF RIGID INSULATION FOR EACH FOOT ABOVE MINIMUM DEPTH.
3. INSTALL WARNING TAPE DIRECTLY ABOVE UTILITIES AT THE TOP OF SUBGRADE.
4. MINIMUM COVER
   4.1. 2'-0" – STORM DRAIN
   4.2. 5'-0" – SEWER
5. NO TREES SHALL BE PLANTED WITHIN 5' OF A SEWER PIPE OR SERVICE
6. THIS DETAIL SHALL BE APPLIED ONLY TO DRAINAGE PIPE TRENCHES OUTSIDE OF THE CITY OF PORTLAND ROW.
7. THICKNESS AS NOTED BY SURFACE DETAILS

INTERNAL STORM DRAIN AND SEWER TYPICAL TRENCH SECTION

NOT TO SCALE

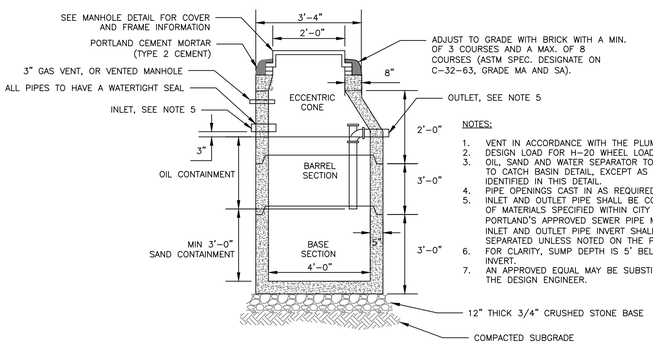
NOTES:

1. LOCATION WITH WARNING TAPE SHALL BE INSTALLED OVER CENTERLINE OF PIPE AT A MAXIMUM OF 24 INCHES BELOW FINISH GRADE.
2. SITE CONTRACTOR TO COORDINATE CONNECTION OF SEWER LATERAL TO HOUSEHOLD PLUMBING WITH ARCHITECTURAL CONTRACTOR
3. CONNECTION OF PROPOSED SEWER LATERAL TO HOUSEHOLD PLUMBING SHOULD INCORPORATE USE OF SIMILAR PIPE MATERIALS. IN THE CASE OF DISSIMILAR PIPES BEING USED, A FERNCO FLEXIBLE COUPLING SHALL BE USED.



SEWER TEE/WYE CONNECTION DETAIL

NOT TO SCALE



NOTES:

1. VENT IN ACCORDANCE WITH THE PLUMBING CODE.
2. DESIGN LOAD FOR H-20 WHEEL LOAD.
3. OIL, SAND AND WATER SEPARATOR TO CONFORM TO CATCH BASIN DETAIL, EXCEPT AS EXPLICITLY IDENTIFIED IN THIS DETAIL.
4. PIPE OPENINGS CAST IN AS REQUIRED.
5. INLET AND OUTLET PIPE SHALL BE CONSTRUCTED OF MATERIALS SPECIFIED WITHIN CITY OF PORTLAND'S APPROVED SEWER PIPE MATERIALS. INLET AND OUTLET PIPE INVERT SHALL BE 3" SEPARATED UNLESS NOTED ON THE PLANS.
6. FOR CLARITY, SUMP DEPTH IS 5' BELOW OUTLET INVERT.
7. AN APPROVED EQUAL MAY BE SUBSTITUTED BY THE DESIGN ENGINEER.

4'-0" DIAMETER PRECAST OIL AND WATER SEPARATOR

NOT TO SCALE

PERMIT LEVEL
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY	DATE
LEVEL III SITE PLAN	WHS	8/7/19
PHASE II UPDATE	WHS	10/29/19
COMMENT RESPONSE 2	WHS	7/24/2020

DRAWING NAME: UTILITY DETAILS – 1

PROJECT NAME: 128R NORTH STREET REDEVELOPMENT

CLIENT: UPRIGHT PROPERTIES, LLC
PO BOX 833 WILTON, ME 04294

ACORN ENGINEERING, INC.

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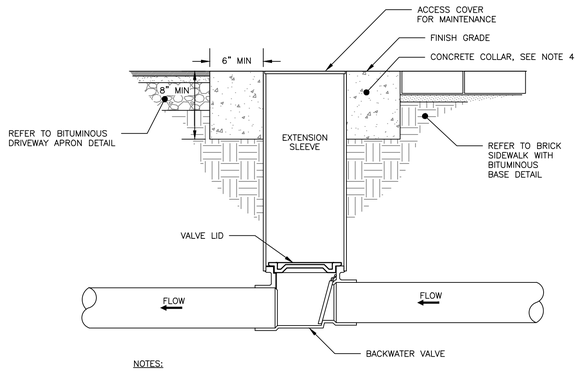
ACORN ENGINEERING, INC.
65 HANOVER STREET, PORTLAND, MAINE 04101
(207) 775-2655

FILE:	1116_CIVIL
JN:	1116
SCALE:	NTS
DESIGNED BY:	SJL
DRAWN BY:	ZMS
CHECKED BY:	WHS

STATE OF MAINE WILLIAM H. RAVADE No. 7172 LICENSED PROFESSIONAL ENGINEER
2-13-2020

DRAWING NO.
C-43

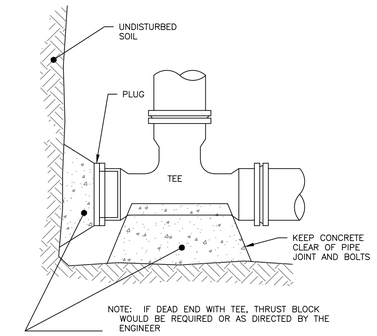


NOTES:

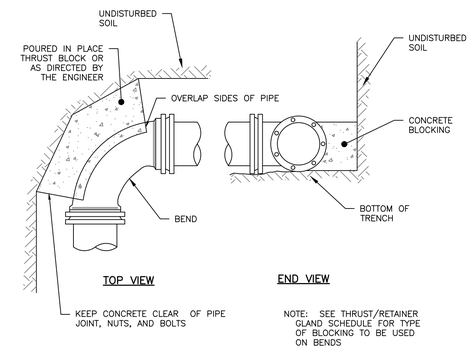
1. BACKFLOW VALVE TO BE PROVIDED BY AGRI DRAIN CORPORATION OR AN APPROVED EQUAL.
2. VALVE TO BE INSTALLED TO MANUFACTURER'S SPECIFICATIONS AND COMPLY WITH RULES AND REGULATIONS AS OUTLINED IN SECTION 2 OF THE CITY OF PORTLAND TECHNICAL MANUAL.
3. VALVE SHALL BE INSTALLED WITH A VALVE BOX AND COVER TO PROVIDE EASY ACCESS AND MAINTENANCE; VALVE COVER SHALL STATE 'SEWER' ON LID FLUSH TO SURFACE. REFER TO VALVE & BOX COVER DETAIL FOR ADDITIONAL INFORMATION.
4. CONCRETE COLLAR AT A MINIMUM 24-HOUR COMPRESSIVE STRENGTH OF 3,000 PSI.

BACKFLOW VALVE ASSEMBLY

NOT TO SCALE



END SECTION



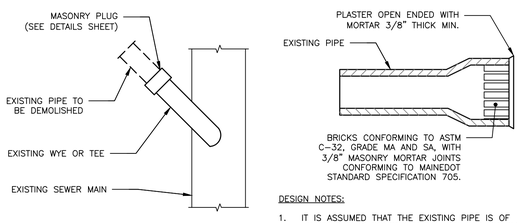
TOP VIEW

END VIEW

REGULAR BEND

THRUST BLOCKING

NOT TO SCALE

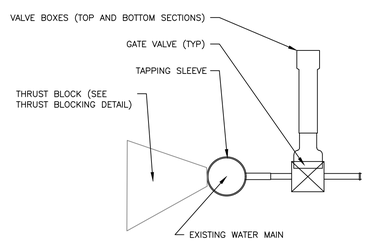


DESIGN NOTES:

1. IT IS ASSUMED THAT THE EXISTING PIPE IS OF VITRIFIED CLAY CONSTRUCTION. USE CAP OR PLUG FOR PVC PIPE

MASONRY PLUG DETAIL

NOT TO SCALE



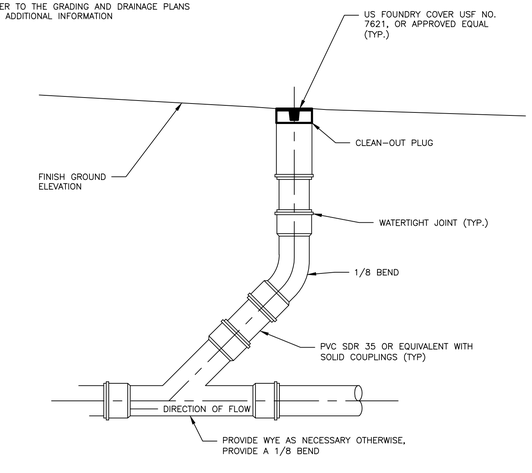
SIDE VIEW

TAPPING SLEEVE AND VALVE

NOT TO SCALE

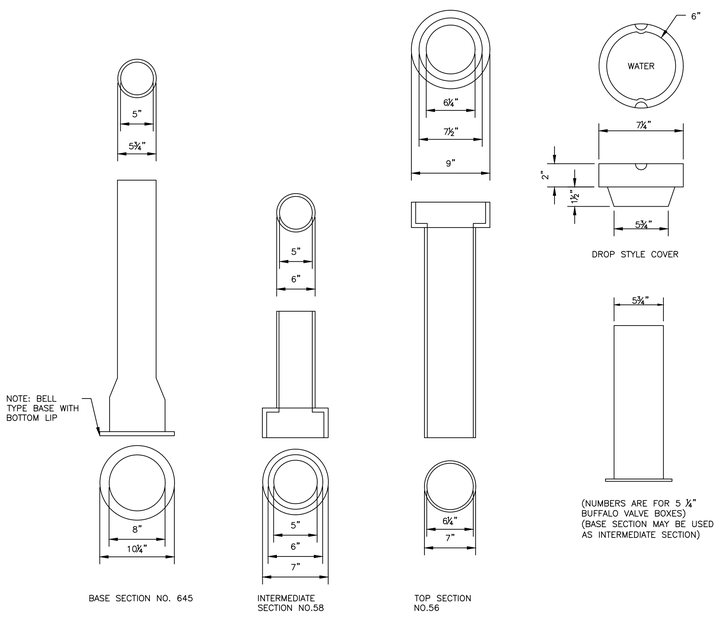
NOTES:

1. REFER TO THE GRADING AND DRAINAGE PLANS FOR ADDITIONAL INFORMATION



CLEANOUT DETAIL

NOT TO SCALE

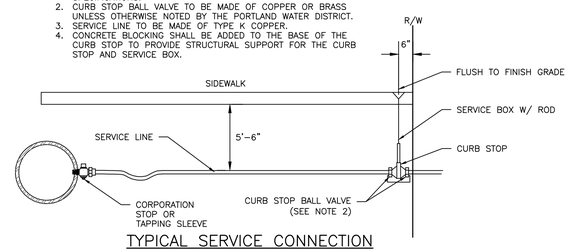


VALVE BOX & COVER

NOT TO SCALE

NOTES:

1. ALL MATERIALS AND INSTALLATION PROCEDURES MUST COMPLY WITH THE CITY OF PORTLAND WATER DISTRICT (PWD) SPECIFICATIONS.
2. CURB STOP BALL VALVE TO BE MADE OF COPPER OR BRASS UNLESS OTHERWISE NOTED BY THE PORTLAND WATER DISTRICT.
3. SERVICE LINE TO BE MADE OF TYPE K COPPER.
4. CONCRETE BLOCKING SHALL BE ADDED TO THE BASE OF THE CURB STOP TO PROVIDE STRUCTURAL SUPPORT FOR THE CURB STOP AND SERVICE BOX.



TYPICAL SERVICE CONNECTION

NOT TO SCALE

PERMIT LEVEL
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY / DATE
LEVEL III SITE PLAN	WHS 8/7/19
PHASE II UPDATE	WHS 10/29/19
COMMENT RESPONSE 2	WHS 2/24/2020

DRAWING NAME: UTILITY DETAILS – 2

PROJECT NAME: 128R NORTH STREET REDEVELOPMENT

CLIENT: UPRIGHT PROPERTIES, LLC
PO BOX 833 WILTON, ME 04294

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65 HANOVER ST PORTLAND, MAINE 04101
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FILE:	1116_CIVIL
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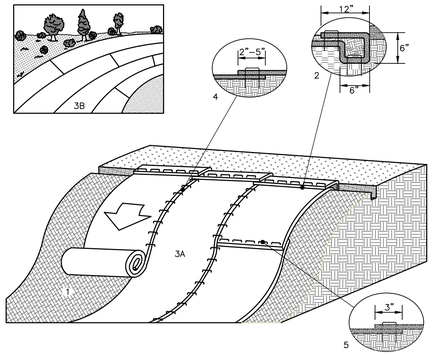
DRAWN BY:	ZMS
CHECKED BY:	WHS

STATE OF MAINE WILLIAM H. SAVAGE No. 4435 2-13-2020 LICENSED PROFESSIONAL ENGINEER

DRAWING NO.
C-44



EROSION CONTROL BLANKET SLOPE INSTALLATION

NOT TO SCALE

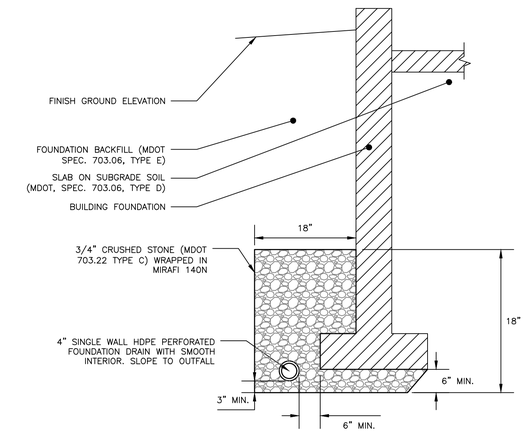
SLOPE
INSTALLATION DETAIL

1. PREPARE SOIL BEFORE INSTALLING ROLLED EROSION CONTROL BLANKET (ECB), INCLUDING ANY NECESSARY APPLICATION OF LIME, FERTILIZER, AND SEED.
2. BEGIN AT THE TOP OF THE SLOPE BY ANCHORING THE ECB IN A 6" DEEP X 6" WIDE TRENCH WITH APPROXIMATELY 12" OF ECB EXTENDED BEYOND THE UP–SLOPE PORTION OF THE TRENCH. ANCHOR THE ECB WITH A ROW OF STAPLES/STAKES APPROXIMATELY 12" APART IN THE BOTTOM OF THE TRENCH. BACKFILL AND COMPACT THE TRENCH AFTER STAPLING. APPLY SEED TO THE COMPACTED SOIL AND FOLD THE REMAINING 12" PORTION OF ECB BACK OVER THE SEED AND COMPACTED SOIL. SECURE ECB OVER COMPACTED SOIL WITH A ROW OF STAPLES/STAKES SPACED APPROXIMATELY 12" APART ACROSS THE WIDTH OF THE ECB.
3. ROLL THE ECB (A) DOWN OR (B) HORIZONTALLY ACROSS THE SLOPE. ECB WILL UNROLL WITH APPROPRIATE SIDE AGAINST THE SOIL SURFACE. ALL ECB MUST BE SECURELY FASTENED TO SOIL SURFACE BY PLACING STAPLES/STAKES IN APPROPRIATE LOCATIONS AS SHOWN IN THE STAPLE PATTERN GUIDE.
4. THE EDGES OF PARALLEL ECB MUST BE STAPLED WITH APPROXIMATELY 2" – 5" OVERLAP DEPENDING ON THE ECB TYPE.
5. CONSECUTIVE ECB SPLICED DOWN THE SLOPE MUST BE END OVER END (SHINGLE STYLE) WITH AN APPROXIMATE 3" OVERLAP. STAPLE THROUGH OVERLAPPED AREA, APPROXIMATELY 12" APART ACROSS ENTIRE ECB WIDTH.

*NOTE:
IN LOOSE SOIL CONDITIONS, THE USE OF STAPLE OR STAKE LENGTHS GREATER THAN 6" MAY BE NECESSARY TO PROPERLY SECURE THE ECB.

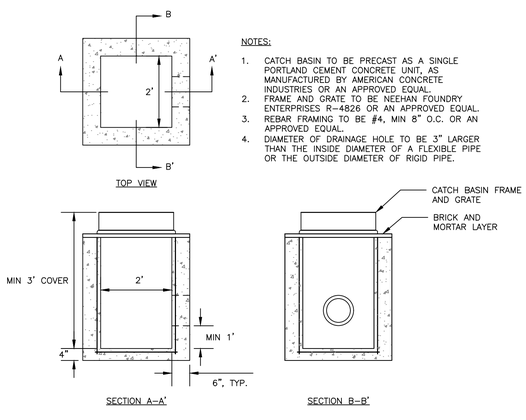
NOTES:

1. REFER TO THE BUILDING ARCHITECTS PLANS FOR THE BUILDING FOUNDATION, BACKFILL, ROOF DRAIN, SIDEWALK AND OTHER DETAILS.
2. PERFORATIONS IN UNDERDRAIN PIPE SHALL BE ORIENTED DOWN.
3. FOUNDATION WALL FOOTINGS SHALL BE CONSTRUCTED TO A MIN. DEPTH OF 4 FT BELOW ADJACENT FINISH GRADE. REFER TO STRUCTURAL ENGINEERS PLANS FOR ADDITIONAL INFORMATION AND MIN. REQUIREMENTS.



FOUNDATION DRAIN DETAIL

NOT TO SCALE

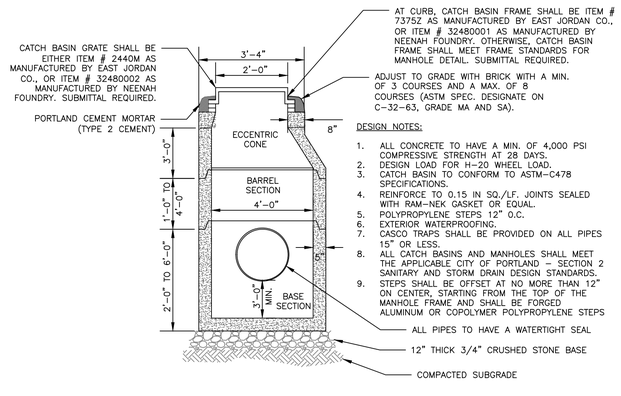


NOTES:

1. CATCH BASIN TO BE PRECAST AS A SINGLE PORTLAND CEMENT CONCRETE UNIT, AS MANUFACTURED BY AMERICAN CONCRETE INDUSTRIES OR AN APPROVED EQUAL.
2. FRAME AND GRATE TO BE NEEHAN FOUNDRY ENTERPRISES R–4826 OR AN APPROVED EQUAL.
3. REBAR FRAMING TO BE #4, MIN 8" O.C. OR AN APPROVED EQUAL.
4. DIAMETER OF DRAINAGE HOLE TO BE 3" LARGER THAN THE INSIDE DIAMETER OF A FLEXIBLE PIPE OR THE OUTSIDE DIAMETER OF RIGID PIPE.

'TYPE F' PRECAST CATCH BASIN

NOT TO SCALE



DESIGN NOTES:

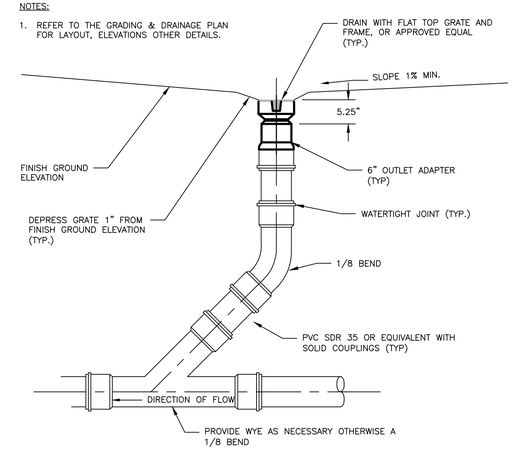
1. ALL CONCRETE TO HAVE A MIN. OF 4,000 PSI COMPRESSIVE STRENGTH AT 28 DAYS.
2. DESIGN LOAD FOR H–20 WHEEL LOAD.
3. CATCH BASIN TO CONFORM TO ASTM–C478 SPECIFICATIONS.
4. REINFORCE TO 0.15 IN SQ./LF. JOINTS SEALED WITH RAM–NEK GASKET OR EQUAL.
5. POLYPROPYLENE STEPS 12" O.C.
6. EXTERIOR WATERPROOFING.
7. CASCO TRAPS SHALL BE PROVIDED ON ALL PIPES 15" OR LESS.
8. ALL CATCH BASINS AND MANHOLES SHALL MEET THE APPLICABLE CITY OF PORTLAND – SECTION 2 SANITARY AND STORM DRAIN DESIGN STANDARDS.
9. STEPS SHALL BE OFFSET AT NO MORE THAN 12" ON CENTER, STARTING FROM THE TOP OF THE MANHOLE FRAME AND SHALL BE FORGED ALUMINUM OR COPOLYMER POLYPROPYLENE STEPS

4'–0" DIAMETER PRECAST CATCH BASIN/MANHOLE

NOT TO SCALE

NOTES:

1. REFER TO THE GRADING & DRAINAGE PLAN FOR LAYOUT, ELEVATIONS OTHER DETAILS.



INLINE DRAIN DETAIL WITH FLAT GRATE

NOT TO SCALE

PERMIT LEVEL
NOT ISSUED FOR
CONSTRUCTION

ISSUED FOR	BY / DATE
LEVEL III SITE PLAN	WHS 8/7/19
PHASE II UPDATE	WHS 10/29/19
COMMENT RESPONSE	WHS 12/18/19
COMMENT RESPONSE 2	WHS 2/24/2020

DRAWING NAME: DRAINAGE DETAILS

PROJECT NAME: 128R NORTH STREET REDEVELOPMENT

CLIENT: UPRIGHT PROPERTIES, LLC
PO BOX 833 WILTON, ME 04294

ACORN ENGINEERING, INC.
ACORN ENGINEERING, INC.
65 HANOVER ST. PORTLAND, MAINE 04101
(207) 775-2655

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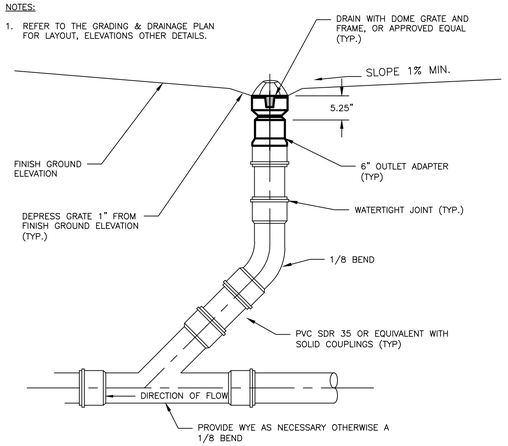
JN:	1116
SCALE:	NTS
DESIGNED BY:	SJL
DRAWN BY:	ZMS
CHECKED BY:	WHS

STATE OF MAINE WILLIAM H. SAVAGE 2-13-2020 PROFESSIONAL ENGINEER

DRAWING NO.
C-45

NOTES:

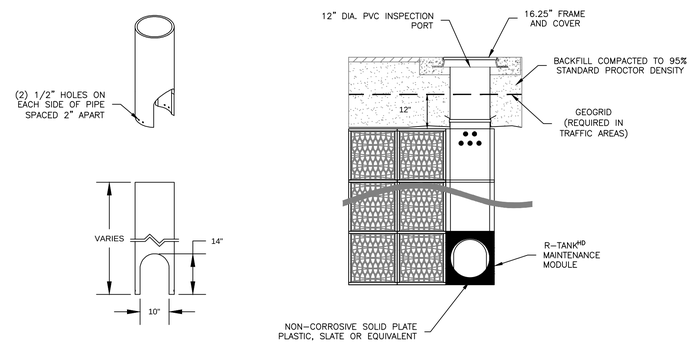
1. REFER TO THE GRADING & DRAINAGE PLAN FOR LAYOUT, ELEVATIONS OTHER DETAILS.



OVERFLOW BEEHIVE DRAIN

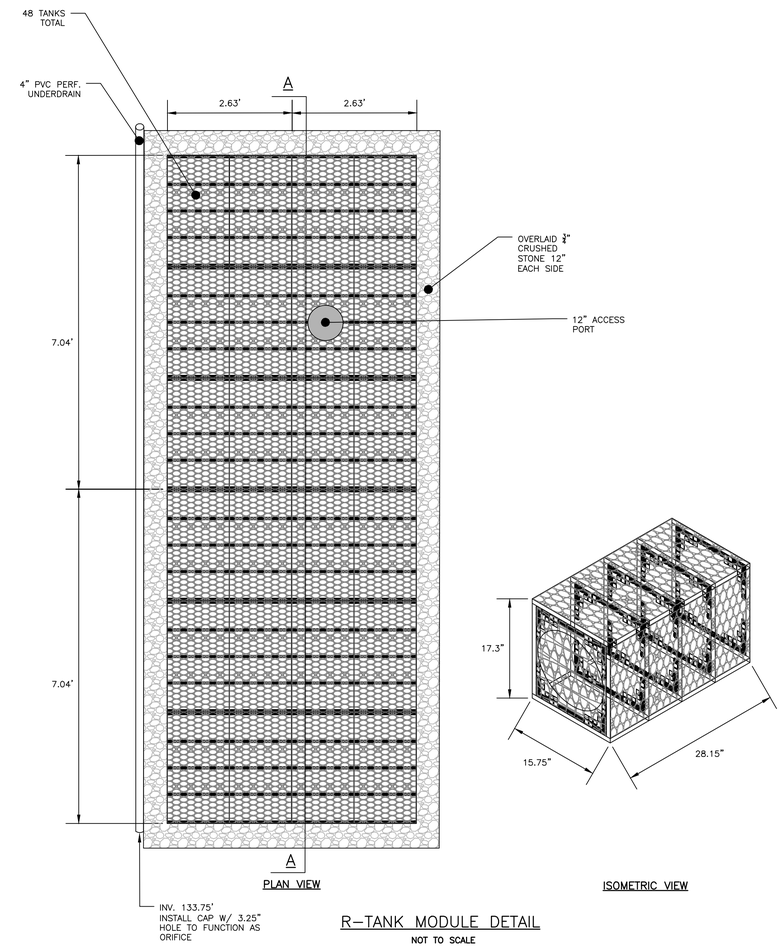
NOTES

1. THE INSPECTION PORT IS USED IN THE MAINTENANCE MODULE TO INSPECT THE LEVEL OF SEDIMENT ACCUMULATION.
2. MINIMUM REQUIRED MAINTENANCE INCLUDES A QUARTERLY INSPECTION DURING THE FIRST YEAR OF OPERATION AND A YEARLY INSPECTION THEREAFTER. FLUSH MAINTENANCE ROW VIA THE ACCESS STRUCTURE FROM EITHER END AS NEEDED.
3. SEE TRAFFIC LOADING DETAIL FOR MINIMUM & MAXIMUM COVER REQUIREMENTS.



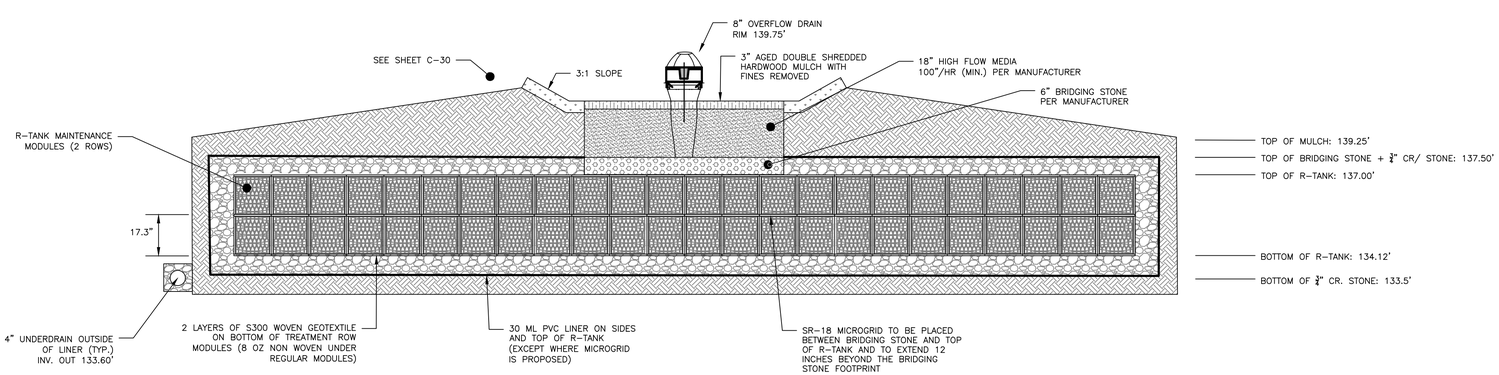
ACCESS PORT WITH SOLID COVER

NOT TO SCALE



R-TANK MODULE DETAIL

NOT TO SCALE



SECTION A-A

FOCAL POINT RAIN GARDEN WITH R-TANK TREATMENT ROW

NOT TO SCALE

PERMIT LEVEL
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY / DATE
LEVEL III SITE PLAN	WHS 8/7/19
PHASE II UPDATE	WHS 10/29/19
COMMENT RESPONSE	WHS 12/18/19
COMMENT RESPONSE 2	WHS 2/24/2020

DRAWING NAME: FOCAL POINT RAIN GARDEN DETAILS

PROJECT NAME: 128R NORTH STREET REDEVELOPMENT

CLIENT: UPRIGHT PROPERTIES, LLC
PO BOX 833 WILTON, ME 04294

ACORN ENGINEERING, INC.

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ACORN ENGINEERING, INC.
65 HANOVER ST, PORTLAND, MAINE 04101
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STATE OF MAINE WILLIAM H. SAVAGE No. 11149 2-13-2020 PROFESSIONAL ENGINEER

DRAWING NO.
C-46

1.0 EROSION CONTROL MEASURES AND SITE STABILIZATION

AS PART OF THE SITE DEVELOPMENT, THE FOLLOWING TEMPORARY AND PERMANENT EROSION AND SEDIMENTATION CONTROL DEVICES SHALL BE IMPLEMENTED. DEVICES SHALL BE INSTALLED AS DESCRIBED IN THIS REPORT OR WITHIN THE PLAN SET. SEE THE MAINE EROSION AND SEDIMENT CONTROL HANDBOOK FOR CONSTRUCTION: BEST MANAGEMENT PRACTICES FOR FURTHER REFERENCE.

1.1 TEMPORARY EROSION CONTROL MEASURES

THE FOLLOWING TEMPORARY EROSION AND SEDIMENTATION CONTROL MEASURES ARE PLANNED FOR THE PROJECT'S CONSTRUCTION PERIOD:

1.1.1 CRUSHED STONE STABILIZED CONSTRUCTION ENTRANCES SHALL BE PLACED AT ALL ACCESS POINTS TO THE PROJECT SITE WHERE THERE ARE DISTURBED AREAS. THE FOLLOWING SPECIFICATIONS SHALL BE FOLLOWED AT A MINIMUM:
- STONE SIZE SHALL BE 2–3 INCHES, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT.
- THE THICKNESS OF THE ENTRANCE STONE LAYER SHALL BE NO LESS THAN 6 INCHES.
- THE ENTRANCE SHALL NOT BE LESS THAN 20 FEET WIDE, HOWEVER NOT LESS THAN THE FULL WIDTH OF POINTS WHERE INGRESS OR EGRESS OCCURS. THE LENGTH SHALL NOT BE LESS THAN 50 FEET IN LENGTH.
- GEOTEXTILE FABRIC (WOVEN OR NON–WOVEN) SHALL BE PLACED OVER THE ENTIRE ENTRANCE AREA.
- THE ENTRANCE/EXIT SHALL BE MAINTAINED TO THE EXTENT THAT IT WILL PREVENT THE TRACKING OF SEDIMENT ONTO PUBLIC ROAD WAYS.

1.1.2 SILTATION FENCE OR EROSION CONTROL BERM SHALL BE INSTALLED DOWN GRADIENT OF ANY DISTURBED AREAS TO TRAP RUNOFF BORNE SEDIMENTS UNTIL PERMANENT STABILIZATION IS ACHIEVED. THE SILT FENCE OR EROSION CONTROL BERM SHALL BE INSTALLED PER THE DETAILS PROVIDED IN THE PLAN SET AND INSPECTED BEFORE AND IMMEDIATELY AFTER EACH RAINFALL AND AT LEAST DAILY DURING PROLONGED RAINFALL. REPAIRS SHALL BE MADE IF THERE ARE ANY SIGNS OF EROSION OR SEDIMENTATION BELOW THE FENCE LINE OR BERM. IF THERE ARE SIGNS OF UNDERCUTTING AT THE CENTER OR THE EDGES, OR IMPOUNDING OF LARGE VOLUMES OF WATER BEHIND THE FENCE OR BERM, THE BARRIER SHALL BE REPLACED WITH A STONE CHECK DAM.

1.1.3 HAY MULCH INCLUDING HYDRO SEEDING IS INTENDED TO PROVIDE COVER FOR DENUDED OR SEEDED AREAS UNTIL REVEGETATION IS ESTABLISHED. MULCH PLACED BETWEEN APRIL 15TH AND NOVEMBER 1ST ON SLOPES OF LESS THAN 15 PERCENT SHALL BE COVERED BY FABRIC NETTING AND ANCHORED WITH STAPLES IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATION. MULCH PLACED BETWEEN NOVEMBER 1ST AND APRIL 15TH ON SLOPES EQUAL TO OR STEEPER THAN 8 PERCENT AND EQUAL TO OR FLATTER THAN 2:1 SHALL USE MATS OR FABRIC NETTING AND ANCHORED WITH STAPLES IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATION.

1.1.4 AT ANY TIME OF THE YEAR, ALL SLOPES STEEPER THAN 3:1 SHALL BE STABILIZED WITH DOUBLE NET EROSION CONTROL BLANKET BIONET SC150BN BY NORTH AMERICAN GREEN OR APPROVED EQUAL, OR EROSION CONTROL MIX SLOPE PROTECTION AS DETAILED WITHIN THE PLANS.

1.1.5 NORTH STREET SHALL BE SWEPT TO CONTROL MUD AND DUST FROM THE CONSTRUCTION SITE AS NECESSARY. ADD ADDITIONAL STONE TO THE STABILIZED CONSTRUCTION ENTRANCE TO MINIMIZE THE TRACKING OF MATERIAL OFF THE SITE AND ONTO THE SURROUNDING ROADWAYS.

1.1.6 DURING DEMOLITION, CLEARING AND GRUBBING OPERATIONS, STONE CHECK DAMS SHALL BE INSTALLED AT ANY AREAS OF CONCENTRATED FLOW. THE MAXIMUM HEIGHT OF THE CHECK DAM SHALL NOT EXCEED 2 FEET. THE CENTER OF THE CHECK DAM SHALL BE 6 INCHES BELOW THE OUTER EDGES OF THE DAM. THE CONTRACTOR SHALL MULCH THE SIDE SLOPES AND INSTALL STONE CHECK DAMS FOR ALL NEWLY EXCAVATED DITCH LINES WITHIN 24 HOURS OF THEIR CREATION.

1.1.7 SILT FENCE STAKE SPACING SHALL NOT EXCEED 6 FEET UNLESS THE FENCE IS SUPPORTED WITH 14 GAUGE WIRE IN WHICH CASE THE MAXIMUM SPACING SHALL NOT EXCEED 10 FEET. THE SILT FENCE SHALL BE "TOED" INTO THE GROUND.

1.1.8 STORMDRAIN INLET PROTECTION SHALL BE PROVIDED TO STORMDRAINS THROUGH THE USE OF ANY OF THE FOLLOWING: HAY BALE DROP INLET STRUCTURES, SILT FENCE DROP INLET SEDIMENT FILTER, GRAVEL AND WIRE MESH DROP INLET SEDIMENT FILTER, OR CURB INLET SEDIMENT FILTER. BARRIERS SHALL BE INSPECTED AFTER EVERY RAINFALL EVENT AND REPAIRED AS NECESSARY. SEDIMENTS SHALL BE REMOVED WHEN ACCUMULATION HAS REACHED ½ THE DESIGN HEIGHT.

1.1.9 DUST CONTROL SHALL BE ACCOMPLISHED BY THE USE OF ANY OF THE FOLLOWING: WATER, CALCIUM CHLORIDE, STONE, OR AN APPROVED MDEP PRODUCT. DUST CONTROL SHALL BE APPLIED AS NEEDED TO ACCOMPLISH DUST CONTROL.

1.1.10 TEMPORARY LOAM, SEED, AND MULCHING SHALL BE USED IN AREAS WHERE NO OTHER EROSION CONTROL MEASURE IS USED. APPLICATION RATES FOR SEEDING ARE PROVIDED AT THE END OF THIS REPORT.

1.1.11 STOCKPILES SHALL BE STABILIZED WITHIN 7 DAYS OF FORMATION UNLESS A SCHEDULED RAIN EVENT OCCURS PRIOR TO THE 7 DAY WINDOW, IN WHICH CASE THE STOCKPILE SHALL BE STABILIZED PRIOR TO THE RAIN EVENT. METHODS OF STABILIZATION SHALL BE MULCH, EROSION CONTROL MIX, OR EROSION CONTROL BLANKETS/MATS. SILT FENCE OR A WOOD WASTE COMPOST FILTER BERM SHALL BE PLACED DOWNHILL OF ANY SOIL STOCKPILE LOCATION.

1.1.12 FOR DISTURBANCE BETWEEN NOVEMBER 1 AND APRIL 15, PLEASE REFER TO WINTER STABILIZATION PLAN IN THIS REPORT AND THE MAINE EROSION AND SEDIMENT CONTROL BMP MANUAL FOR FURTHER INFORMATION.

1.1.13 IT IS OF THE UTMOST IMPORTANCE THAT STORMWATER RUNOFF AND POTENTIAL SEDIMENT FROM THE CONSTRUCTION SITE BE DIVERTED AROUND THE PROPOSED UNDERDRAINS UNTIL THE TRENCH IS BACKFILLED.

1.2 PERMANENT EROSION CONTROL MEASURES

THE FOLLOWING PERMANENT EROSION CONTROL MEASURES ARE INTENDED FOR POST DISTURBANCE AREAS OF THE PROJECT.

1.2.1 ALL DISTURBED AREAS DURING CONSTRUCTION, NOT SUBJECT TO OTHER PROPOSED CONDITIONS, SHALL RECEIVE A MINIMUM 4" OF LOAM, LIMED, AND MULCHED. EROSION CONTROL BLANKETS OR MATS SHALL BE PLACED OVER THE MULCH IN AREAS NOTED IN PARAGRAPH 4.2 OF THIS REPORT.

1.2.2 ALL STORMWATER DEVICES SHALL BE INSTALLED AND TRIBUTARY AREAS STABILIZED PRIOR RECEIVING STORMWATER.

1.2.3 REFER TO THE MAINE EROSION AND SEDIMENT CONTROL BMP MANUAL FOR ADDITIONAL INFORMATION.

2.0 EROSION AND SEDIMENTATION CONTROL PLAN

2.1 THE EROSION AND SEDIMENTATION CONTROL PLAN IS INCLUDED WITHIN THE PLAN SET.

3.0 DETAILS AND SPECIFICATIONS

3.1 EROSION CONTROL DETAILS AND SPECIFICATIONS ARE INCLUDED IN THE PLAN SET.

4.0 STABILIZATION PLAN FOR WINTER CONSTRUCTION

WINTER CONSTRUCTION CONSISTS OF EARTHWORK DISTURBANCE BETWEEN THE DATES OF NOVEMBER 1 AND APRIL 15. IF A CONSTRUCTION SITE IS NOT STABILIZED WITH PAVEMENT, A ROAD GRAVEL BASE, 75% MATURE VEGETATION COVER OR RIPRAP BY NOVEMBER 15, THEN THE SITE SHALL BE PROTECTED WITH OVER–WINTER STABILIZATION. ANY AREA NOT STABILIZED WITH PAVEMENT, VEGETATION, MULCHING, EROSION CONTROL MIX, EROSION CONTROL MATS, RIPRAP, OR GRAVEL BASE ON A ROAD SHALL BE CONSIDERED OPEN.

THE CONTRACTOR SHALL LIMIT THE WORK AREA TO AREAS THAT WORK WILL OCCUR IN DURING THE SUBSEQUENT 15 DAYS AND SO THAT IT CAN BE MULCHED ONE DAY PRIOR TO A SNOW EVENT. THE CONTRACTOR SHALL STABILIZE WORK AREAS PRIOR TO OPENING ADDITIONAL WORK AREAS TO MINIMIZE AREAS WITHOUT EROSION CONTROL MEASURES.

THE FOLLOWING MEASURES SHALL BE IMPLEMENTED DURING WINTER CONSTRUCTION PERIODS:

4.1 SEDIMENT BARRIERS

DURING FROZEN CONDITIONS, SEDIMENT BARRIERS MAY CONSIST OF EROSION CONTROL MIX BERMS OR ANY OTHER RECOGNIZED SEDIMENT BARRIERS AS FROZEN SOIL PREVENTS THE PROPER INSTALLATION OF HAY BALES OR SILT FENCES.

4.2 MULCHING

ALL AREAS SHALL BE CONSIDERED TO BE DENUDED UNTIL SEEDED AND MULCHED. HAY AND STRAW MULCH SHALL BE APPLIED AT A RATE OF 150 LB. PER 1,000 SQUARE FEET OR 3 TONS/ACRE (TWICE THE NORMAL ACCEPTED RATE OF 75–LBS./1,000 S.F. OR 1.5 TONS/ACRE) AND SHALL BE PROPERLY ANCHORED. EROSION CONTROL MIX MUST BE APPLIED WITH A MINIMUM 4 INCH THICKNESS. MULCH SHALL NOT BE SPREAD ON TOP OF SNOW. THE SNOW SHALL BE REMOVED DOWN TO A ONE–INCH DEPTH OR LESS PRIOR TO APPLICATION. AFTER EACH DAY OF FINAL GRADING, THE AREA SHALL BE PROPERLY STABILIZED WITH ANCHORED HAY OR STRAW OR EROSION CONTROL MATTING. AN AREA SHALL BE CONSIDERED TO HAVE BEEN STABILIZED WHEN EXPOSED SURFACES HAVE BEEN EITHER MULCHED OR ADEQUATELY ANCHORED SO THAT GROUND SURFACE IS NOT VISIBLE THROUGH THE MULCH. BETWEEN THE DATES OF NOVEMBER 1 AND APRIL 15, ALL MULCH SHALL BE ANCHORED BY EITHER MULCH NETTING, TRACKING OR WOOD CELLULOSE FIBER. THE COVER WILL BE CONSIDERED SUFFICIENT WHEN THE GROUND SURFACE IS NOT VISIBLE THROUGH THE MULCH. AFTER NOVEMBER 1ST, MULCH AND ANCHORING OF ALL EXPOSED SOIL SHALL OCCUR AT THE END OF EACH FINAL GRADING WORKDAY.

4.3 SOIL STOCKPILING

STOCKPILES OF SOIL OR SUBSOIL SHALL BE MULCHED FOR OVER WINTER PROTECTION WITH HAY OR STRAW AT TWICE THE NORMAL RATE OR WITH A FOUR–INCH LAYER OF EROSION CONTROL MIX. THIS SHALL BE DONE WITHIN 24 HOURS OF STOCKING AND RE–ESTABLISHED PRIOR TO ANY RAINFALL OR SNOWFALL.

4.4 SEEDING

BETWEEN THE DATES OF OCTOBER 15TH AND APRIL 1ST, LOAM OR SEED SHALL NOT BE REQUIRED. DURING PERIODS OF ABOVE FREEZING TEMPERATURES FINISHED AREAS SHALL BE FINE GRADED AND EITHER PROTECTED WITH MULCH OR TEMPORARILY SEEDED AND MULCHED UNTIL SUCH TIME AS THE FINAL TREATMENT CAN BE APPLIED. IF THE DATE IS AFTER NOVEMBER 1ST AND IF THE EXPOSED AREA HAS NOT BEEN LOAMED, FINAL GRADING WITH A UNIFORM SURFACE, THEN THE AREA MAY BE DORMANT SEEDED AT A RATE OF 3 TIMES HIGHER THAN SPECIFIED FOR PERMANENT SEED AND THEN MULCHED.

DORMANT SEEDING MAY BE PLACED PRIOR TO THE PLACEMENT OF MULCH OR EROSION CONTROL BLANKETS. IF DORMANT SEEDING IS USED FOR THE SITE, ALL DISTURBED AREAS SHALL RECEIVE 4" OF LOAM AND SEED AT AN APPLICATION RATE OF 5 LBS/1,000 S.F. ALL AREAS SEEDED DURING THE WINTER SHALL BE INSPECTED IN THE SPRING FOR ADEQUATE CATCH. ALL AREAS INSUFFICIENTLY VEGETATED (LESS THAN 75% CATCH) SHALL BE REVEGETATED BY REPLACING LOAM, SEED AND MULCH. IF DORMANT SEEDING IS NOT USED FOR THE SITE, ALL DISTURBED AREAS SHALL BE REVEGETATED IN THE SPRING.

4.5 OVER WINTER STABILIZATION OF DISTURBED SOILS

BY SEPTEMBER 15TH, ALL DISTURBED SOILS ON AREAS HAVING A SLOPE LESS THAN 15% SHALL BE SEEDED AND MULCHED. IF THE DISTURBED AREAS ARE NOT STABILIZED BY THIS DATE, THEN ONE OF THE FOLLOWING ACTIONS SHALL BE TAKEN TO STABILIZE THE SOIL FOR LATE FALL AND WINTER:

- STABILIZE THE SOIL WITH TEMPORARY VEGETATION – BY OCTOBER 1ST, SEED THE DISTURBED SOIL WITH WINTER RYE AT A SEEDING RATE OF 3LBS PER 1,000 S.F., LIGHTLY MULCH THE SEEDED SOIL WITH HAY OR STRAW AT 75 LBS PER 1,000 S.F., AND ANCHOR THE MULCH WITH PLASTIC NETTING. MONITOR GROWTH OF THE RYE OVER THE NEXT 30 DAYS. IF THE RYE FAILS TO GROW AT LEAST THREE INCHES OR FAILS TO COVER AT LEAST 75% OF THE DISTURBED SOIL BEFORE NOVEMBER 1ST, THEN MULCH THE AREA FOR OVER–WINTER PROTECTION.

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

- STABILIZE THE SOIL WITH MULCH – BY NOVEMBER 15TH, MULCH THE DISTURBED SOIL BY SPREADING HAY OR STRAW AT A RATE OF AT LEAST 150 LBS PER 1,000 S.F. ON THE AREA SO THAT NO SOIL IS VISIBLE THROUGH THE MULCH. IMMEDIATELY AFTER APPLYING THE MULCH, ANCHOR THE MULCH WITH PLASTIC NETTING TO PREVENT WIND FROM MOVING THE MULCH OFF THE DISTURBED SOIL.

4.6 OVER WINTER STABILIZATION OF DISTURBED SLOPES

ALL STONE–COVERED SLOPES SHALL BE CONSTRUCTED AND STABILIZED BY NOVEMBER 15TH. ALL SLOPES TO BE VEGETATED SHALL BE SEEDED AND MULCHED BY SEPTEMBER 1ST. A SLOPE IS CONSIDERED A GRADE GREATER THAN 15%. IF A SLOPE TO BE VEGETATED IS NOT STABILIZED BY SEPTEMBER 1ST, THEN ONE OF THE FOLLOWING ACTION SHALL BE TAKEN TO STABILIZE THE SLOPE FOR LATE FALL AND WINTER:

- STABILIZE THE SOIL WITH TEMPORARY VEGETATION AND EROSION CONTROL MATS – BY OCTOBER 1ST THE DISTURBED SLOPE SHALL BE SEEDED WITH WINTER RYE AT A SEEDING RATE OF 3 LBS PER 1,000 S.F. AND THEN INSTALL EROSION CONTROL MATS OR ANCHORED MULCH OVER THE SEEDING. IF THE RYE FAILS TO GROW AT LEAST THREE INCHES OR FAILS TO COVER AT LEAST 75% F THE SLOPE BY NOVEMBER 1ST, THEN THE CONTRACTOR SHALL COVER THE SLOPE WITH A LAYER OF EROSION CONTROL MIX OR WITH STONE RIPRAP.

- STABILIZE THE SOIL WITH SOD – THE DISTURBED SLOPE SHALL BE STABILIZED WITH PROPERLY INSTALLED SOD BY OCTOBER 1ST. PROPER INSTALLATION INCLUDES THE CONTRACTOR PINNING THE SOD ONTO THE SLOPE WITH WIRE PINS, ROLLING THE SOD TO GUARANTEE CONTACT BETWEEN THE SOD AND UNDERLYING SOIL, AND WATERING THE SOD TO PROMOTE ROOT GROWTH INTO THE DISTURBED SOIL. THE CONTRACTOR SHALL NOT USE LATE–SEASON SOD INSTALLATION TO STABILIZE SLOPES HAVING A GRADE GREATER THAN 3H:1V OR HAVING GROUNDWATER SEEPS ON THE SLOPE FACE.

- STABILIZE THE SOIL WITH EROSION CONTROL MIX – EROSION CONTROL MIX SHALL BE PROPERLY INSTALLED BY NOVEMBER 15TH. THE CONTRACTOR SHALL NOT USE EROSION CONTROL MIX TO STABILIZE SLOPES HAVING GRADES GREATER THAN 2H:1V OR HAVING GROUNDWATER SEEPS ON THE SLOPE FACE.

- STABILIZE THE SOIL WITH STONE RIPRAP – PLACE A LAYER OF STONE RIPRAP ON THE SLOPE BY NOVEMBER 15TH. A REGISTERED PROFESSIONAL ENGINEER SHALL BE HIRED TO DETERMINE THE STONE SIZE NEEDED FOR STABILITY ON THE SLOPE AND TO DESIGN A FILTER LAYER FOR UNDERNEATH THE RIPRAP.

5.0 INSPECTION AND MAINTENANCE

A PERSON WITH KNOWLEDGE OF EROSION AND STORMWATER CONTROL, INCLUDING THE STANDARDS AND CONDITIONS IN THE PERMIT, SHALL CONDUCT PERIODIC VISUAL INSPECTIONS OF INSTALLED EROSION CONTROL MEASURES. THE FREQUENCY OF INSPECTION SHALL OCCUR AT LEAST ONCE EVERY TWO WEEKS, AS WELL AS AFTER A "STORM EVENT". A "STORM EVENT" SHALL CONSIST 0.5 INCHES OF RAIN WITHIN A 24 HOUR PERIOD. THE FOLLOWING EROSION AND SEDIMENT CONTROL – BEST MANAGEMENT PRACTICES (BMP'S) SHALL INSPECTED IN THE MANNER AS DESCRIBED.

5.1 SEDIMENT BARRIERS

HAY BALE BARRIERS, SILT FENCES AND FILTER BERMS SHALL BE INSPECTED AND REPAIRED FOR THE FOLLOWING IF THERE ARE ANY SIGNS OF EROSION OR SEDIMENTATION BELOW THEM. IF THERE ARE SIGNS OF UNDERCUTTING AT THE CENTER OR THE EDGES OF THE BARRIER, OR IMPOUNDING OF LARGE VOLUMES OF WATER BEHIND THEM, SEDIMENT BARRIERS SHALL BE REPLACED WITH A TEMPORARY CHECK DAM. SHOULD THE FABRIC ON A SILT FENCE OR FILTER BARRIER DECOMPOSE OR BECOME INEFFECTIVE PRIOR TO THE END OF THE EXPECTED USABLE LIFE AND THE BARRIER IS STILL NECESSARY, THE FABRIC SHALL BE REPLACED PROMPTLY. SEDIMENT DEPOSITS SHOULD BE REMOVED WHEN DEPOSITS REACH APPROXIMATELY ONE–HALF THE HEIGHT OF THE BARRIER. FILTER BERMS SHOULD BE RESHAPED AS NEEDED. ANY SEDIMENT DEPOSITS REMAINING IN PLACE AFTER THE SILT FENCE OR FILTER BARRIER IS NO LONGER REQUIRED SHOULD BE DRESSED TO CONFORM TO THE EXISTING GRADE, PREPARED AND SEEDED.

5.2 STABILIZED STONE CONSTRUCTION ENTRANCES

THE EXIT SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OF SEDIMENT ONTO PUBLIC RIGHTS–OF–WAY. WHEN THE CONTROL PAD BECOMES INEFFECTIVE, THE STONE SHALL BE REMOVED ALONG WITH THE COLLECTED SOIL MATERIAL AND REDISTRIBUTED ON SITE IN A STABLE MANNER. THE ENTRANCE SHOULD THEN BE RECONSTRUCTED. THE CONTRACTOR SHALL SWEEP OR WASH PAVEMENT AT EXITS, WHICH HAVE EXPERIENCED MUD–TRACKING ON TO THE PAVEMENT OR TRAVELED WAY. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH AGGREGATE, WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE. ALL SEDIMENT SHALL BE PREVENTED FROM ENTERING STORM DRAINS, DITCHES, OR WATERWAYS.

5.3 MULCHED AREAS

ALL MULCHES MUST BE INSPECTED PERIODICALLY, IN PARTICULAR AFTER RAINSTORMS, TO CHECK FOR RILL EROSION. IF LESS THAN 90% OF THE SOIL SURFACE IS COVERED BY MULCH, ADDITIONAL MULCH SHALL BE IMMEDIATELY APPLIED. NETS MUST BE INSPECTED AFTER RAIN EVENTS FOR DISLOCATION OR FAILURE. IF WASHOUTS OR BREAKAGE OCCUR, RE–INSTALL THE NETS AS NECESSARY AFTER REPAIRING DAMAGE TO THE SLOPE. WHERE MULCH IS USED IN CONJUNCTION WITH ORNAMENTAL PLANTINGS, INSPECT PERIODICALLY THROUGHOUT THE YEAR TO DETERMINE IF MULCH IS MAINTAINING COVERAGE OF THE SOIL SURFACE. REPAIR AS NEEDED.

5.4 DUST CONTROL

WHEN TEMPORARY DUST CONTROL MEASURES ARE USED, REPETITIVE TREATMENT SHALL BE APPLIED AS NEEDED TO ACCOMPLISH CONTROL.

5.5 STORMWATER APPURTENANCES

ALL UNDERDRAINS, STORM DRAINS, AND CATCH BASINS NEED TO BE OPERATING EFFECTIVELY AND FREE OF DEBRIS.

5.6 EROSION AND SEDIMENTATION CONTROL INSPECTIONS:

ACORN ENGINEERING HAS PERSONNEL QUALIFIED TO CONDUCT EROSION AND SEDIMENTATION CONTROL INSPECTIONS. FOR FURTHER INFORMATION CONTACT:

CONTACT: WILL SAVAGE, PE
TELEPHONE: (207) 775–2655

QUALIFICATIONS:

Ø MAINE PROFESSIONAL ENGINEERING LICENSE #11419
Ø MAINE DEP – CERTIFIED IN MAINTENANCE & INSPECTION OF STORMWATER BMP'S CERT #14
Ø CERTIFIED EROSION, SEDIMENT AND STORM WATER INSPECTOR (CESSWI) CERT #0293
Ø CERTIFIED PROFESSIONAL IN EROSION AND SEDIMENT CONTROL (CPESC) CERT. #4620

THE CONTRACTOR HAS SOLE RESPONSIBILITY FOR COMPLYING WITH THE EROSION AND SEDIMENTATION REPORT/PLAN, INCLUDING CONTROL OF FUGITIVE DUST. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY MONETARY PENALTIES RESULTING FROM FAILURE TO COMPLY WITH THESE STANDARDS.

6.0 IMPLEMENTATION SCHEDULE

THE FOLLOWING IMPLEMENTATION SEQUENCE IS INTENDED TO MAXIMIZE THE EFFECTIVENESS OF THE ABOVE DESCRIBED EROSION CONTROL MEASURES. CONTRACTORS SHOULD AVOID OVEREXPOSING DISTURBED AREAS AND LIMIT THE AMOUNT OF STABILIZATION AREA.

1. INSTALL A STABILIZED CONSTRUCTION ENTRANCE IN ALL LOCATIONS WHERE CONSTRUCTION TRAFFIC WILL ENTER AND EXIT THE SITE.
2. INSTALL PERIMETER SILT FENCE OR EROSION CONTROL BERM.
3. INSTALL ALL OTHER EROSION CONTROL DEVICES AS NECESSARY THROUGHOUT THE REMAINDER OF THIS SCHEDULE.
4. COMMENCE INSTALLATION OF DRAINAGE INFRASTRUCTURE.
5. PRIORITIZE THE DOWNHILL RETAINING AND FOUNDATION WALLS TO CONTAIN RUNOFF WITHIN THE SITE WHILE PROVIDING AN ENGINEERED OUTLET WITH SILTATION BARRIER TO THE MUNICIPAL STORMWATER SYSTEM WITHIN NORTH STREET.
6. COMMENCE EARTHWORK OPERATIONS, WALL AND FOUNDATION INSTALLATION.
7. COMMENCE INSTALLATION OF UTILITIES.
8. CONTINUE EARTHWORK AND GRADING TO SUBGRADE AS NECESSARY FOR CONSTRUCTION.
9. COMPLETE INSTALLATION OF DRAINAGE INFRASTRUCTURE, AS WELL AS OTHER UTILITY WORK.
10. COMPLETE REMAINING EARTHWORK OPERATIONS.
11. INSTALL SUB–BASE AND BASE GRAVELS IN PAVED AREAS.
12. INSTALL PAVING, CURBING AND BRICKWORK.
13. LOAM, LIME, FERTILIZE, SEED AND MULCH DISTURBED AREAS AND COMPLETE ALL LANDSCAPING.
14. ONCE THE SITE IS STABILIZED, 90% CATCH OF GRASS HAS BEEN OBTAINED, OR MULCHING OF LANDSCAPE AREAS IS COMPLETE REMOVE ALL TEMPORARY EROSION CONTROL MEASURES.
15. TOUCH UP AREAS WITHOUT A VIGOROUS CATCH OF GRASS WITH LOAM AND SEED.
16. COMPLETE SITE SIGNAGE AND STRIPING.
17. EXECUTE PROPER MAINTENANCE OF ALL TEMPORARY AND PERMANENT EROSION CONTROL MEASURES THROUGHOUT THE PROJECT.

THE ABOVE IMPLEMENTATION SEQUENCE SHOULD BE GENERALLY FOLLOWED BY THE SITE CONTRACTOR. HOWEVER, THE CONTRACTOR MAY CONSTRUCT SEVERAL ITEMS SIMULTANEOUSLY. THE CONTRACTOR SHALL SUBMIT TO THE OWNER A SCHEDULE OF THE COMPLETION OF THE WORK. IF THE CONTRACTOR IS TO COMMENCE THE CONSTRUCTION OF MORE THAN ONE ITEM ABOVE, THEY SHALL LIMIT THE AMOUNT OF EXPOSED AREAS TO THOSE AREAS IN WHICH WORK IS EXPECTED TO BE UNDERTAKEN DURING THE FOLLOWING 30 DAYS.

THE CONTRACTOR SHALL RE–VEGETATE DISTURBED AREAS AS RAPIDLY AS POSSIBLE. ALL AREAS SHALL BE PERMANENTLY STABILIZED WITHIN 7 DAYS OF FINAL GRADING OR BEFORE A STORM EVENT. THE CONTRACTOR SHALL INCORPORATE PLANNED INLETS AND DRAINAGE SYSTEMS AS EARLY AS POSSIBLE INTO THE CONSTRUCTION PHASE.

7.0 CONCLUSION

THE ABOVE EROSION CONTROL NARRATIVE IS INTENDED TO MINIMIZE THE DEVELOPMENT IMPACT BY IMPLEMENTING TEMPORARY AND PERMANENT EROSION CONTROL MEASURES. THE CONTRACTOR SHALL ALSO REFER TO THE MAINE EROSION AND SEDIMENT CONTROL BMP MANUAL FOR ADDITIONAL INFORMATION.

8.0 SEEDING PLAN

8.1 SITE PREPARATION

THE SEEDED AREAS SHALL BE FEASIBLY GRADED OUT TO PROVIDE THE USE OF EQUIPMENT FOR SEEDBED PREPARATION, SEEDING, MULCH APPLICATION, AND MULCH ANCHORING. IF NECESSARY, THE SITE MAY REQUIRE ADDITIONAL TEMPORARY EROSION CONTROL MEASURES OUTLINED IN THE EROSION CONTROL REPORT.

8.2 SEEDBED PREPARATION

FERTILIZER SHALL BE APPLIED TO THE SITE AT A RATE OF 13.8 POUNDS PER 1,000 SQUARE FEET. THE COMPOSITION OF THE FERTILIZER SHALL BE 10–10–10 (N–P2O5–K2O) OR EQUIVALENT.

LIMESTONE SHALL BE APPLIED TO THE SITE AT A RATE OF 138 POUNDS PER 1,000 SQUARE FEET.

8.3 SEEDING

THE COMPOSITION AND AMOUNT OF TEMPORARY SEED APPLIED TO A SITE SHALL BE DETERMINED BY THE FOLLOWING TABLE:

TEMPORARY SEED APPLICATION RATES

SEED	LBS / ACRE	RECOMMENDED SEEDING DATES
WINTER RYE	2.57	8/15 TO 10/1
OATS	1.84	4/1 TO 7/1 8/15 TO 9/15
ANNUAL RYGRASS	0.92	4/1 TO 7/1
SUDANGRASS	0.92	5/15 TO 8/15
PERENNIAL	0.92	8/15 TO 9/15
TOTAL	7.17 LBS/ACRE	

PERMANENT SEED APPLICATION RATES

SEED	LBS / ACRE
KENTUCKY BLUEGRASS	20.00
CREEPING RED FESCUE	20.00
PERENNIAL RYEGRASS	4.80
TOTAL	44.8 LBS/ACRE

8.4 MULCHING

MULCH SHALL BE HARDWOOD AND APPLIED AT A RATE OF 70 LBS – 90 LBS PER 1,000 SQUARE FEET. THE MULCH SHALL BE INSTALLED AT A MINIMUM DEPTH OF 4 INCHES. THE SEEDED AREA SHALL BE MULCHED IMMEDIATELY AFTER SEED IS APPLIED. MULCHING DURING THE WINTER SEASON SHALL BE DOUBLE THE NORMAL AMOUNT. REFER TO DETAIL FOR MORE INFORMATION.

8.5 CONCLUSION

PLEASE REFER TO THE MAINE EROSION AND SEDIMENT CONTROL BMP MANUAL FOR ADDITIONAL INFORMATION PERTAINING TO TEMPORARY SEEDING AND MULCHING.

PERMIT LEVEL
NOT ISSUED FOR
CONSTRUCTION

NOTES:

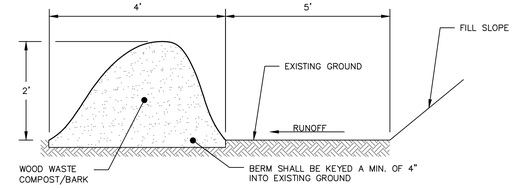
1. THE EROSION CONTROL MIX SHALL CONFORM TO THE FOLLOWING STANDARDS AND IN ACCORDANCE WITH THE MAINE DOT CHAPTER 700, SECTION 717.04(D):

1.1. pH BETWEEN 5.0 – 8.0
1.2. PARTICLE SIZE (BY WEIGHT):
1.2.1. 100% PASSING A 150 MM (6 IN) SCREEN
1.2.2. 75 TO 85% PASSING A 19 MM (0.75 IN) SCREEN
1.3. SOLUBLE SALTS CONTENT < 4.0 MMHOS/CM
1.4. ORGANIC MATTER 20 TO 100% , DRY WEIGHT BASIS

2. THE BERM SHOULD BE PLACED, UNCOMPACTED, ALONG A RELATIVELY LEVEL CONTOUR, WHEN NECESSARY THE BERM MAY BE PLACED PERPENDICULAR TO THE SLOPE ALONG THE PROPERTY LINE TO CONTAIN THE SEDIMENT PROVIDED A BERM IS LOCATED AT THE BASE OF THE SLOPE.

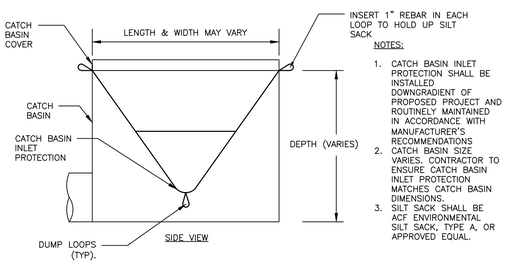
3. THE BERM MAY BE USED IN LIEU OF SILTATION FENCE, AT THE TOE OF SHALLOW SLOPES, ON FROZEN GROUND, LEDGE OUT CROPS, VERY ROOTED FORESTED AREA OR AT THE EDGE OF GRAVEL PARKING AREAS.

4. BERMS SHALL REMAIN IN PLACE UNTIL UPSTREAM AREA IS STABILIZED OR 90% CATCH OF VEGETATION IS ATTAINED. BERMS SHALL BE REMOVED OFFSITE OR BY SPREADING SUCH THAT NATIVE EARTH CAN BE SEEN BELOW.



EROSION CONTROL MIX BERM DETAIL

NOT TO SCALE



NOTES:

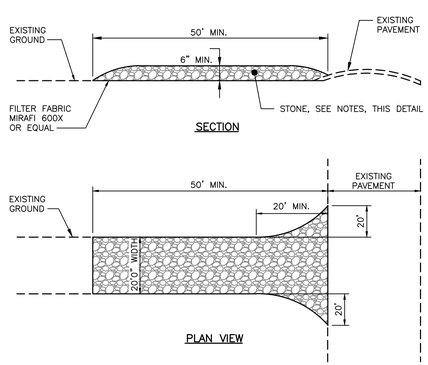
1. CATCH BASIN INLET PROTECTION SHALL BE INSTALLED DOWNGRADIENT OF PROPOSED PROJECT AND ROUTINELY MAINTAINED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS
2. CATCH BASIN SIZE VARIES. CONTRACTOR TO ENSURE CATCH BASIN INLET PROTECTION MATCHES CATCH BASIN DIMENSIONS.
3. SILT SACK SHALL BE ACF ENVIRONMENTAL SILT SACK, TYPE A, OR APPROVED EQUAL.

CATCH BASIN INLET PROTECTION

NOT TO SCALE

NOTES:

1. CONTRACTOR SHALL ADD STONE TO ENTRANCE AS MUD/SILT MATERIAL ACCUMULATES
2. STONE SHALL BE 2"–3" COARSE AGGREGATE
3. CONSTRUCTION ENTRANCE SHALL BE GRADED TO NOT ALLOW ANY STORMWATER TO BE CONVEYED OFF SITE. IN SITUATIONS WHERE THIS IS NOT POSSIBLE, ANY STORMWATER CONVEYED OFFSITE SHALL BE TREATED OR RETAINED IN A MANNER APPROVED BY ENGINEER.
4. WHEN NECESSARY, ON–SITE VEHICLES SHALL HAVE THEIR WHEELS CLEANED PRIOR TO LEAVING SITE.
5. CONSTRUCTION ENTRANCE SHALL BE GRADED IN A MANNER THAT PREVENTS TRACKING OF SEDIMENTS ONTO PUBLIC RIGHT–OF–WAY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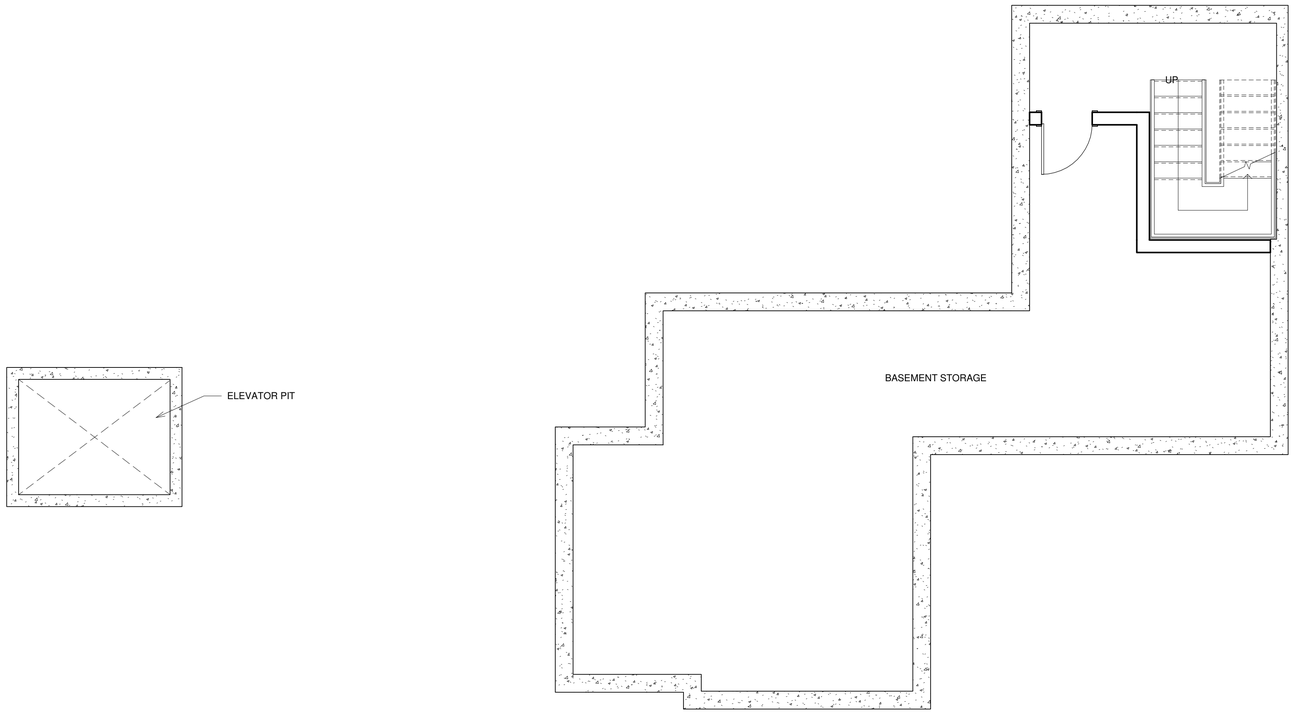

A Basement Plan
1/4" = 1'-0"

128R North Street

NEW CONSTRUCTION

OWNER
JOSHUA WOJCIK
UPRIGHT FRAMEWORKS LLC
PO BOX 833
WILTON ME 04294
jwojcik@uprightframeworks.com

DEXTROUS CREATIVE
PORTLAND, ME 04102
TRACIE REED, ARCHITECT
NCARB, AIA, LEED AP BD+C
traciereed@dextrouscreative.com
207.409.0459 (cell)

PROJECT TEAM

SURVEYOR
James P. Nadeau, PLS
Nadeau Land Surveyors
918 Brighton Ave
Portland, ME 04102
(207) 878-7870

GEOTECHNICAL ENGINEER
Mat Hardison, P.E.
Senior Geotechnical Engineer
Summit Geoengineering Services, Inc.
P.O. Box 7216
Lewiston, Maine 04243
(207) 576-6762

CIVIL ENGINEER
Will Savage, PE
Acorn Engineering, Inc
PO Box 3372
Portland, Maine 04104
(207) 775-2655

STRUCTURAL ENGINEER
Aaron C. Jones, P.E.
Structural Integrity Consulting Engineers, Inc.
46 Forest Ave
Portland, ME 04101
(207) 774-4614

No.	Description	Date

BASEMENT PLAN

Project number	18-16_128R North
Date	11.19.18
Drawn by	Author
Checked by	Checker

A-1.6

Scale 1/4" = 1'-0"

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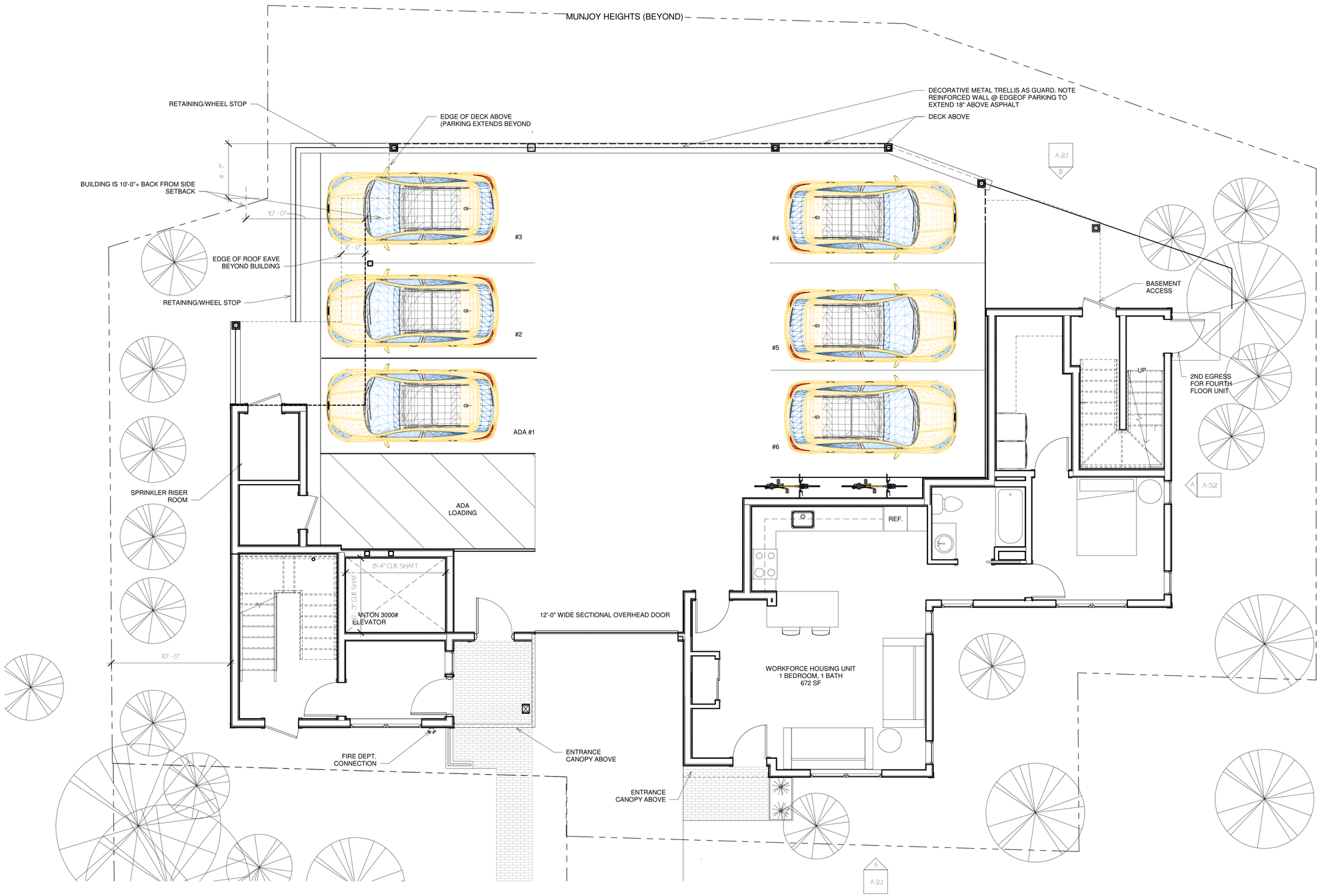

A First Floor
1/4" = 1'-0"

[DESIGN DEVELOPMENT NOT FOR CONSTRUCTION]

0' 2' 4' 8' 16'

126 & 128R North Street

NEW CONSTRUCTION

OWNER
JOSHUA WOJCIK
UPRIGHT FRAMEWORKS LLC
PO BOX 833
WILTON ME 04294
jwojcik@uprightframeworks.com

DEXTROUS CREATIVE
PORTLAND, ME 04102
TRACIE REED, ARCHITECT
NCARB, AIA, LEED AP BD+C
traciereed@dextrouscreative.com
207.409.0459 (cell)

PROJECT TEAM

SURVEYOR
James P. Nadeau, PLS
Nadeau Land Surveyors
918 Brighton Ave
Portland, ME 04102
(207) 878-7870

GEOTECHNICAL ENGINEER
Mat Hardison, P.E.
Senior Geotechnical Engineer
Summit Geoengineering Services, Inc.
P.O. Box 7216
Lewiston, Maine 04243
(207) 576-6762

CIVIL ENGINEER
Will Savage, PE
Acorn Engineering, Inc
PO Box 3372
Portland, Maine 04104
(207) 775-2655

STRUCTURAL ENGINEER
Aaron C. Jones, P.E.
Structural Integrity Consulting Engineers, Inc.
46 Forest Ave
Portland, ME 04101
(207) 774-4614

No.	Description	Date

FIRST FLOOR PLAN

Project number	18-16_128R North
Date	04.16.20
Drawn by	TJR
Checked by	TJR
	A-1.1
Scale	1/4" = 1'-0"

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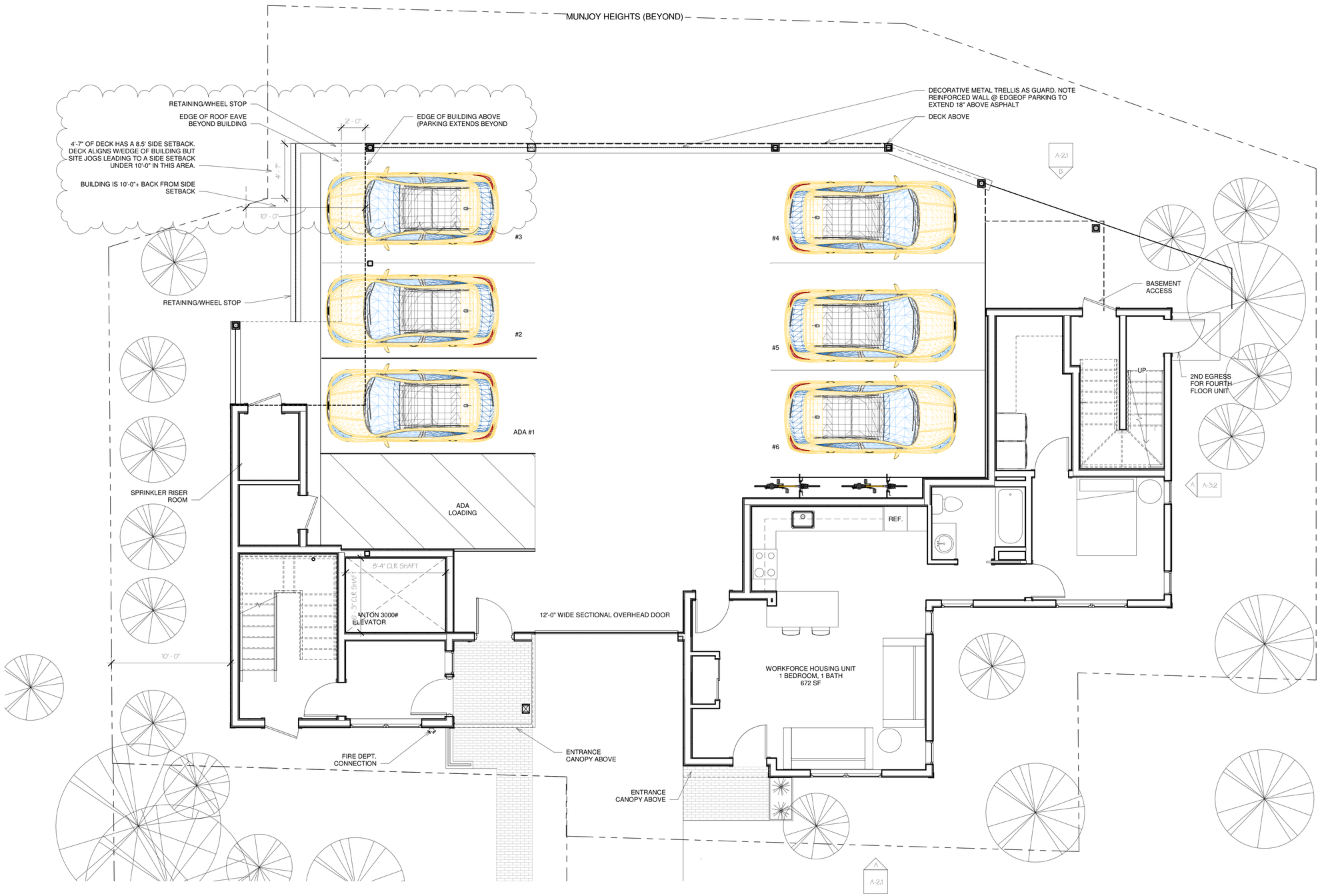

A First Floor
1/4" = 1'-0"

[DESIGN DEVELOPMENT NOT FOR CONSTRUCTION]

0' 2' 4' 8' 16'

126 & 128R North Street

NEW CONSTRUCTION

OWNER
JOSHUA WOJCIK
UPRIGHT FRAMEWORKS LLC
PO BOX 833
WILTON ME 04294
jwojcik@uprightframeworks.com

DEXTROUS CREATIVE
PORTLAND, ME 04102
TRACIE REED, ARCHITECT
NCARB, AIA, LEED AP BD+C
traciereed@dextrouscreative.com
207.409.0459 (cell)

PROJECT TEAM

SURVEYOR
James P. Nadeau, PLS
Nadeau Land Surveyors
918 Brighton Ave
Portland, ME 04102
(207) 878-7870

GEOTECHNICAL ENGINEER
Mat Hardison, P.E.
Senior Geotechnical Engineer
Summit Geoengineering Services, Inc.
P.O. Box 7216
Lewiston, Maine 04243
(207) 576-6762

CIVIL ENGINEER
Will Savage, PE
Acorn Engineering, Inc
PO Box 3372
Portland, Maine 04104
(207) 775-2655

STRUCTURAL ENGINEER
Aaron C. Jones, P.E.
Structural Integrity Consulting Engineers, Inc.
46 Forest Ave
Portland, ME 04101
(207) 774-4614

No.	Description	Date
1	Revision 1	Date 1

FIRST FLOOR PLAN

Project number	18-16_128R North
Date	11.19.18
Drawn by	TJR
Checked by	TJR

A-1.1

Scale 1/4" = 1'-0"

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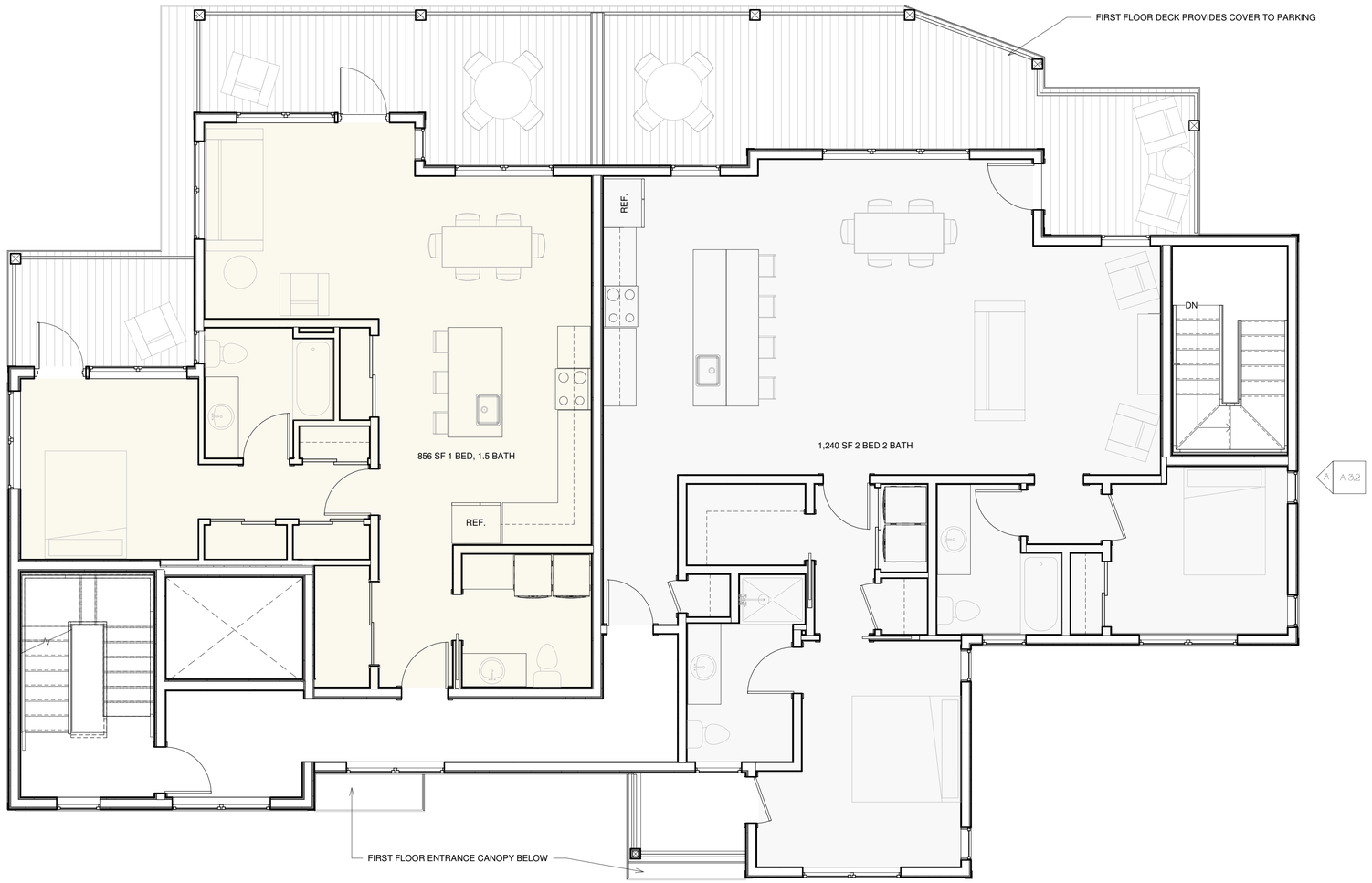

A Second Floor
1/4" = 1'-0"

[DESIGN DEVELOPMENT NOT FOR CONSTRUCTION]

0' 2' 4' 8' 16'

126 & 128R North Street

NEW CONSTRUCTION

OWNER
JOSHUA WOJCIK
UPRIGHT FRAMEWORKS LLC
PO BOX 833
WILTON ME 04294
jwojcik@uprightframeworks.com

DEXTROUS CREATIVE
PORTLAND, ME 04102
TRACIE REED, ARCHITECT
NCARB, AIA, LEED AP BD+C
traciereed@dextrouscreative.com
207.409.0459 (cell)

PROJECT TEAM

SURVEYOR
James P. Nadeau, PLS
Nadeau Land Surveyors
918 Brighton Ave
Portland, ME 04102
(207) 878-7870

GEOTECHNICAL ENGINEER
Mat Hardison, P.E.
Senior Geotechnical Engineer
Summit Geoengineering Services, Inc.
P.O. Box 7216
Lewiston, Maine 04243
(207) 576-6762

CIVIL ENGINEER
Will Savage, PE
Acorn Engineering, Inc
PO Box 3372
Portland, Maine 04104
(207) 775-2655

STRUCTURAL ENGINEER
Aaron C. Jones, P.E.
Structural Integrity Consulting Engineers, Inc.
46 Forest Ave
Portland, ME 04101
(207) 774-4614

No.	Description	Date

SECOND & THIRD FLOOR PLAN

Project number	18-16_12&8R North
Date	11.19.18
Drawn by	TJR
Checked by	TJR

A-1.2

Scale 1/4" = 1'-0"

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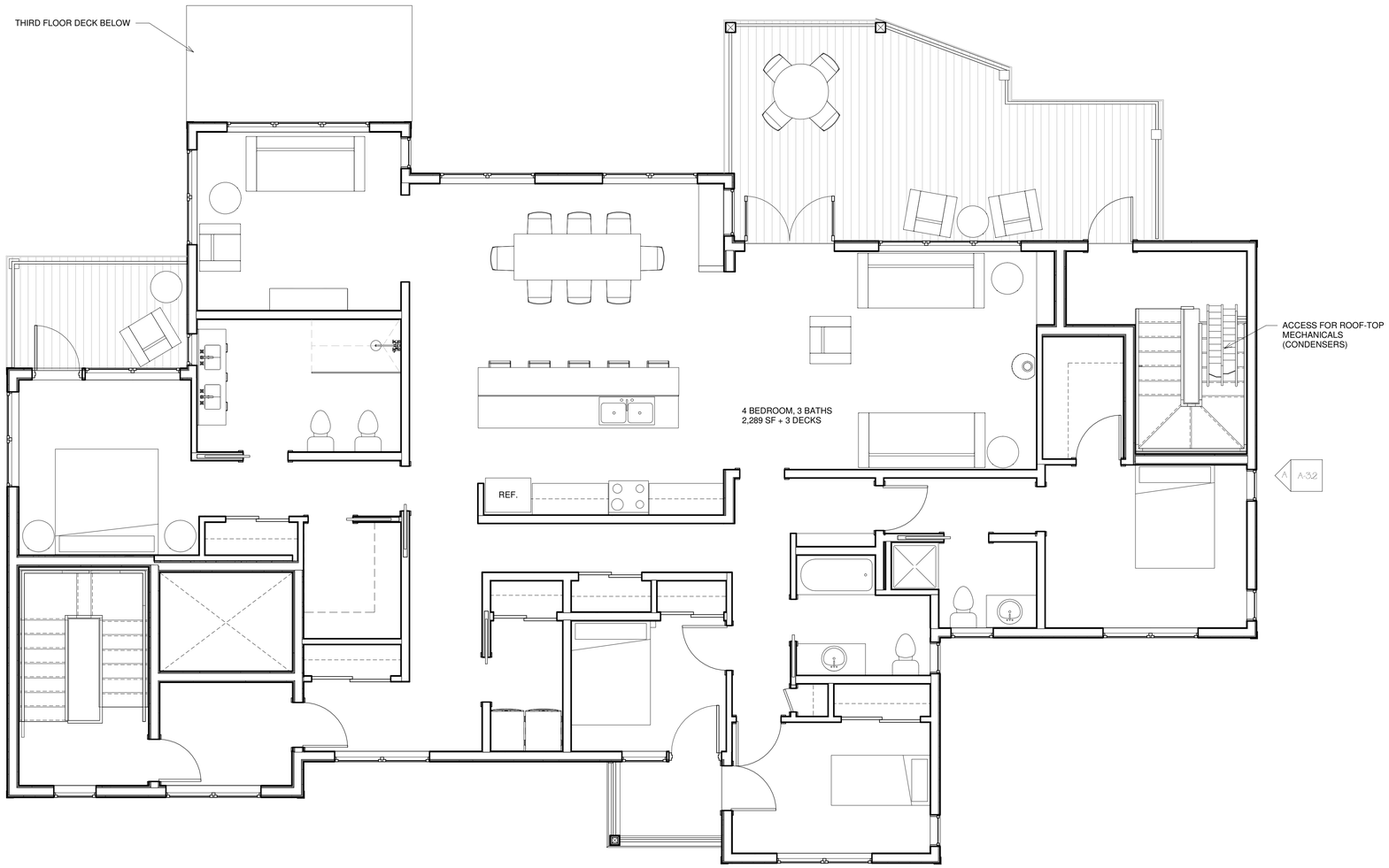

A Fourth Floor
1/4" = 1'-0"

[DESIGN DEVELOPMENT NOT FOR CONSTRUCTION]

0' 2' 4' 8' 16'

126 & 128R North Street

NEW CONSTRUCTION

OWNER
JOSHUA WOJCIK
UPRIGHT FRAMEWORKS LLC
PO BOX 833
WILTON ME 04294
jwojcik@uprightframeworks.com

DEXTROUS CREATIVE
PORTLAND, ME 04102
TRACIE REED, ARCHITECT
NCARB, AIA, LEED AP BD+C
traciereed@dextrouscreative.com
207.409.0459 (cell)

PROJECT TEAM

SURVEYOR
James P. Nadeau, PLS
Nadeau Land Surveyors
918 Brighton Ave
Portland, ME 04102
(207) 878-7870

GEOTECHNICAL ENGINEER
Mat Hardison, P.E.
Senior Geotechnical Engineer
Summit Geoengineering Services, Inc.
P.O. Box 7216
Lewiston, Maine 04243
(207) 576-6762

CIVIL ENGINEER
Will Savage, PE
Acorn Engineering, Inc
PO Box 3372
Portland, Maine 04104
(207) 775-2655

STRUCTURAL ENGINEER
Aaron C. Jones, P.E.
Structural Integrity Consulting Engineers, Inc.
46 Forest Ave
Portland, ME 04101
(207) 774-4614

No.	Description	Date

FOURTH FLOOR

Project number	18-16_128R North
Date	11.19.18
Drawn by	TJR
Checked by	TJR

A-1.4

Scale 1/4" = 1'-0"

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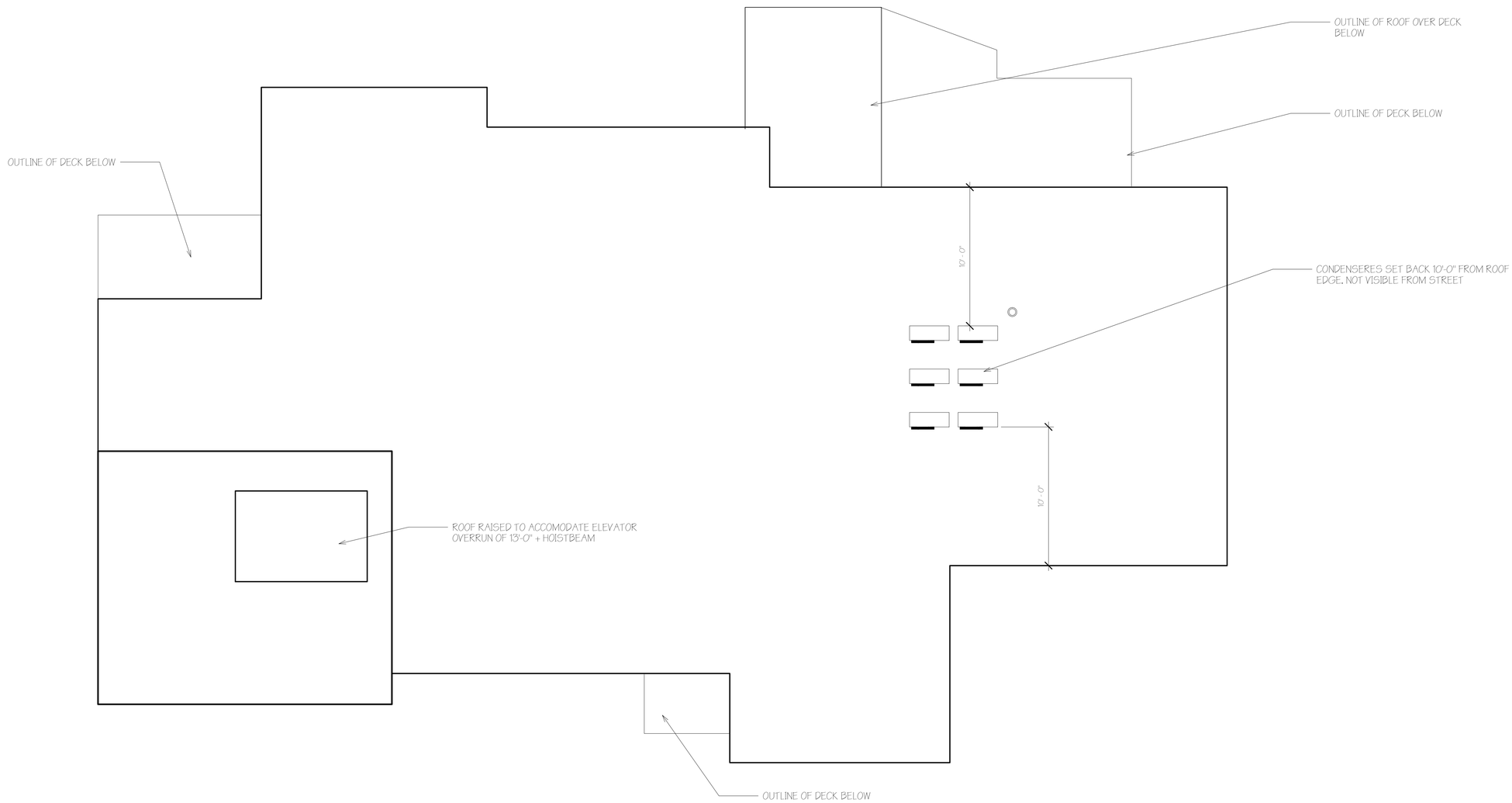

A Roof
1/4" = 1'-0"

[DESIGN DEVELOPMENT NOT FOR CONSTRUCTION]

0' 2' 4' 8' 16'

126 & 128R North Street

NEW CONSTRUCTION

OWNER
JOSHUA WOJCIK
UPRIGHT FRAMEWORKS LLC
PO BOX 833
WILTON ME 04294
jwojcik@uprightframeworks.com

DEXTROUS CREATIVE
PORTLAND, ME 04102
TRACIE REED, ARCHITECT
NCARB, AIA, LEED AP BD+C
traciereed@dextrouscreative.com
207.409.0459 (cell)

PROJECT TEAM

SURVEYOR
James P. Nadeau, PLS
Nadeau Land Surveyors
918 Brighton Ave
Portland, ME 04102
(207) 878-7870

GEOTECHNICAL ENGINEER
Mat Hardison, P.E.
Senior Geotechnical Engineer
Summit Geoengineering Services, Inc.
P.O. Box 7216
Lewiston, Maine 04243
(207) 576-6762

CIVIL ENGINEER
Will Savage, PE
Acorn Engineering, Inc
PO Box 3372
Portland, Maine 04104
(207) 775-2655

STRUCTURAL ENGINEER
Aaron C. Jones, P.E.
Structural Integrity Consulting Engineers, Inc.
46 Forest Ave
Portland, ME 04101
(207) 774-4614

No.	Description	Date

ROOF PLAN

Project number	18-16_128R North
Date	11.19.18
Drawn by	Author
Checked by	Checker
	A-1.5
Scale	1/4" = 1'-0"

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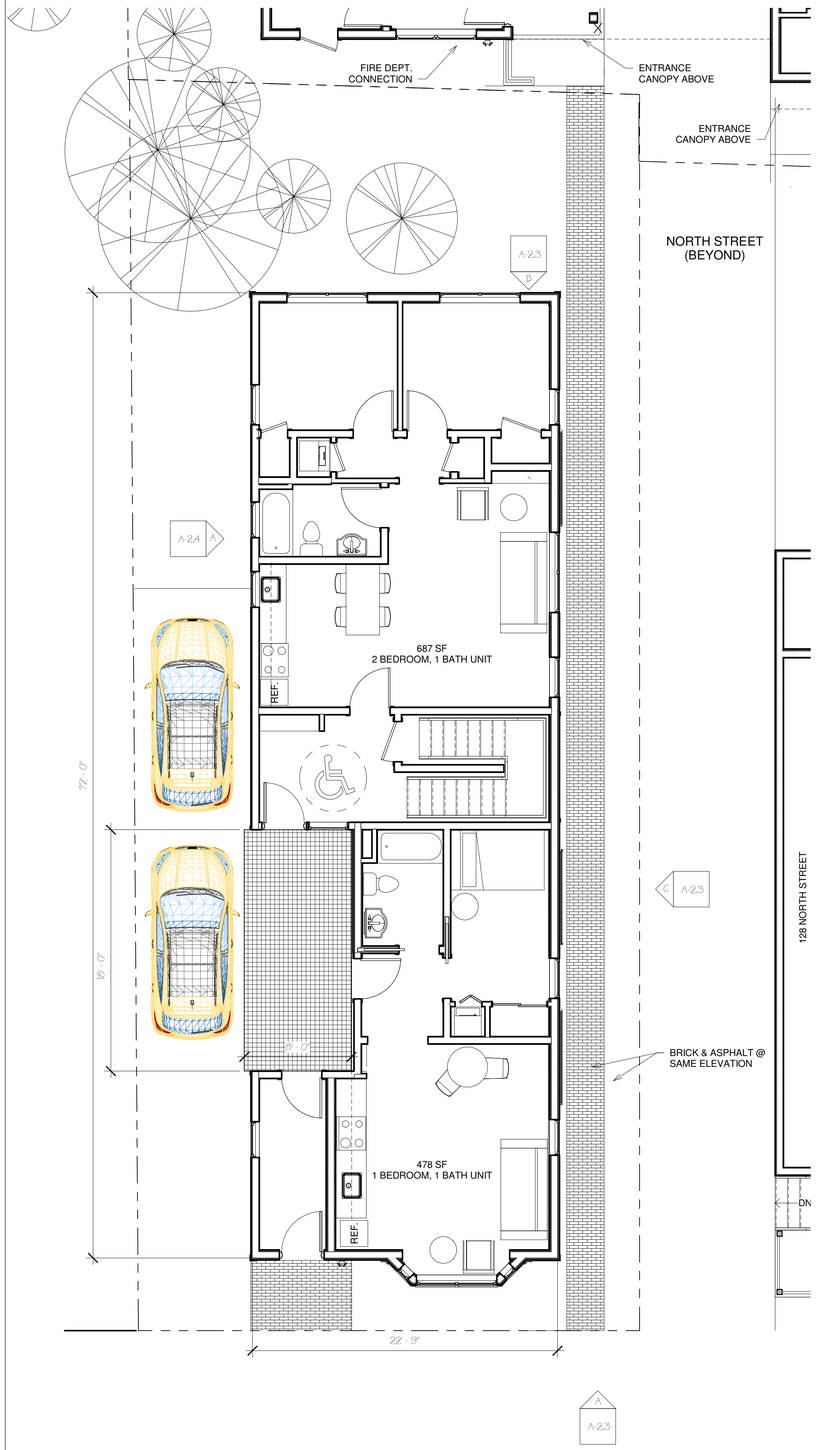
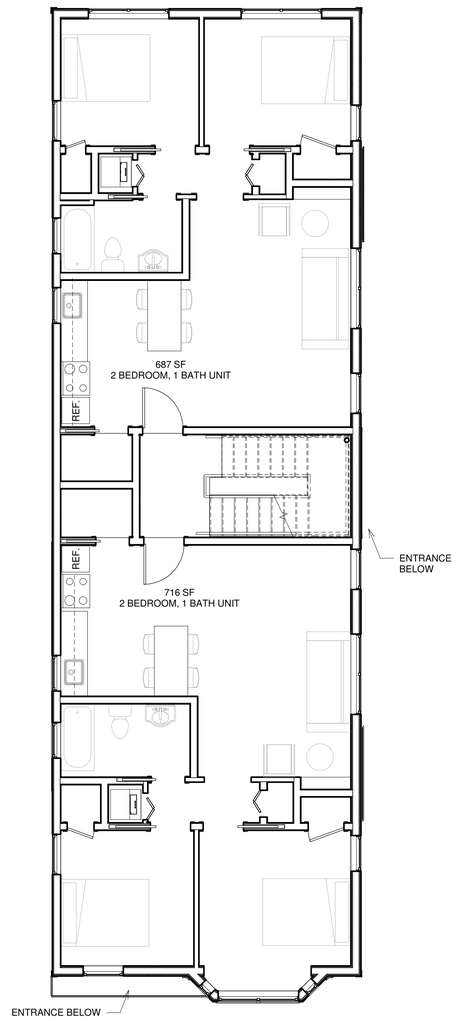


A First Floor 126
3/16" = 1'-0"



B Second & Third Floors 126
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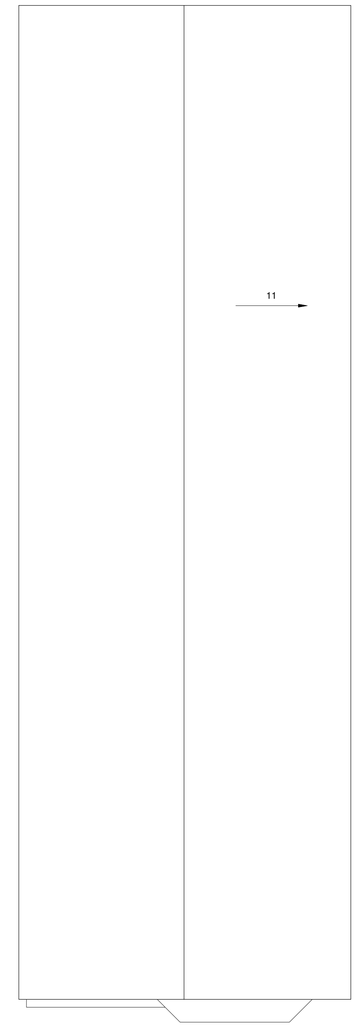

C Roof 126
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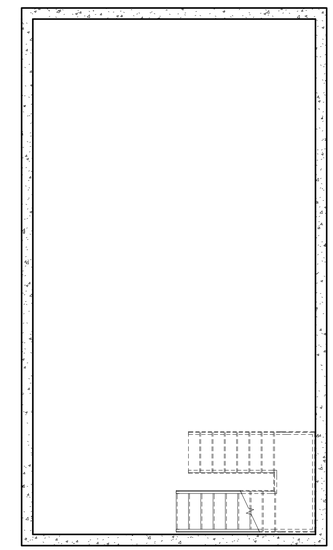

D Basement
3/16" = 1'-0"

126 & 128R North Street

NEW CONSTRUCTION

OWNER
JOSHUA WOJCIK
UPRIGHT FRAMEWORKS LLC
PO BOX 833
WILTON ME 04294
jwojcik@uprightframeworks.com

DEXTROUS CREATIVE
PORTLAND, ME 04102
TRACIE REED, ARCHITECT
NCARB, AIA, LEED AP BD+C
traciereed@dextrouscreative.com
207.409.0459 (cell)

PROJECT TEAM

SURVEYOR
James P. Nadeau, PLS
Nadeau Land Surveyors
918 Brighton Ave
Portland, ME 04102
(207) 878-7870

GEOTECHNICAL ENGINEER
Mat Hardison, P.E.
Senior Geotechnical Engineer
Summit Geoengineering Services, Inc.
P.O. Box 7216
Lewiston, Maine 04243
(207) 576-6762

CIVIL ENGINEER
Will Savage, PE
Acorn Engineering, Inc
PO Box 3372
Portland, Maine 04104
(207) 775-2655

STRUCTURAL ENGINEER
Aaron C. Jones, P.E.
Structural Integrity Consulting Engineers, Inc.
46 Forest Ave
Portland, ME 04101
(207) 774-4614

No.	Description	Date

PHASE 2 PLANS

Project number	18-16_128R North
Date	11.19.18
Drawn by	Author
Checked by	Checker

A-1.6 126

Scale 3/16" = 1'-0"

3/10/2020 9:35:39 AM

A North Elevation
3/16" = 1'-0"

B South Elevation
3/16" = 1'-0"

0' 2' 4' 8' 16'

126 & 128R North Street

NEW CONSTRUCTION

OWNER
JOSHUA WOJCIK
UPRIGHT FRAMEWORKS LLC
PO BOX 833
WILTON ME 04294
jwojcik@uprightframeworks.com

DEXTROUS CREATIVE
PORTLAND, ME 04102
TRACIE REED, ARCHITECT
NCARB, AIA, LEED AP BD+C
traciereed@dextrouscreative.com
207.409.04559 (cell)

PROJECT TEAM

SURVEYOR
James P. Nadeau, PLS
Nadeau Land Surveyors
918 Brighton Ave
Portland, ME 04102
(207) 878-7870

GEOTECHNICAL ENGINEER
Mat Hardison, P.E.
Senior Geotechnical Engineer
Summit Geoengineering Services, Inc.
P.O. Box 7216
Lewiston, Maine 04243
(207) 576-6762

CIVIL ENGINEER
Will Savage, PE
Acorn Engineering, Inc
PO Box 3372
Portland, Maine 04104
(207) 775-2655

STRUCTURAL ENGINEER
Aaron C. Jones, P.E.
Structural Integrity Consulting Engineers, Inc.
46 Forest Ave
Portland, ME 04101
(207) 774-4614

No.	Description	Date

SOUTH & NORTH ELEVATIONS

Project number	18-16_128R North
Date	11.19.18
Drawn by	Author
Checked by	Checker

A-2.1

Scale 3/16" = 1'-0"

3/10/2020 8:57:18 AM

A East Elevation
3/16" = 1'-0"

B West Elevation
3/16" = 1'-0"

126 & 128R North Street

NEW CONSTRUCTION

OWNER
JOSHUA WOJCIK
UPRIGHT FRAMEWORKS LLC
PO BOX 833
WILTON ME 04294
jwojcik@uprightframeworks.com

DEXTROUS CREATIVE
PORTLAND, ME 04102
TRACIE REED, ARCHITECT
NCARB, AIA, LEED AP BD+C
traciereed@dextrouscreative.com
207.409.0459 (cell)

PROJECT TEAM

SURVEYOR
James P. Nadeau, PLS
Nadeau Land Surveyors
918 Brighton Ave
Portland, ME 04102
(207) 878-7870

GEOTECHNICAL ENGINEER
Mat Hardison, P.E.
Senior Geotechnical Engineer
Summit Geoengineering Services, Inc.
P.O. Box 7216
Lewiston, Maine 04243
(207) 576-6762

CIVIL ENGINEER
Will Savage, PE
Acorn Engineering, Inc
PO Box 3372
Portland, Maine 04104
(207) 775-2655

STRUCTURAL ENGINEER
Aaron C. Jones, P.E.
Structural Integrity Consulting Engineers, Inc.
46 Forest Ave
Portland, ME 04101
(207) 774-4614

No.	Description	Date

EAST & WEST ELEVATIONS

Project number	18-16_128R North
Date	11.19.18
Drawn by	Author
Checked by	Checker

A-2.2

Scale 3/16" = 1'-0"

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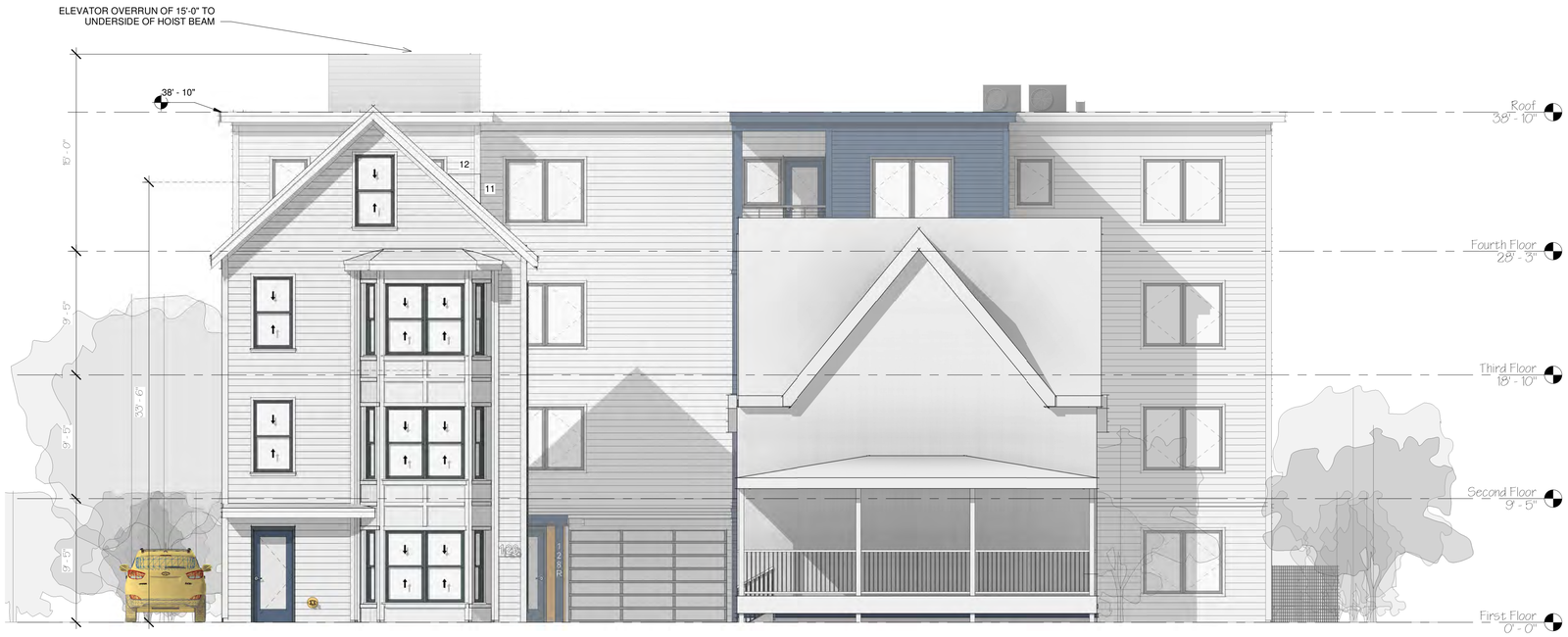

A South Elevation 126 & 128
3/16" = 1'-0"

B North Elevation 126 North
3/16" = 1'-0"

C East Elevation 126 North
3/16" = 1'-0"

126 & 128R North Street

NEW CONSTRUCTION

OWNER
JOSHUA WOJCIK
UPRIGHT FRAMEWORKS LLC
PO BOX 833
WILTON ME 04294
jwojcik@uprightframeworks.com

DEXTROUS CREATIVE
PORTLAND, ME 04102
TRACIE REED, ARCHITECT
NCARB, AIA, LEED AP BD+C
traciereed@dextrouscreative.com
207.409.04559 (cell)

PROJECT TEAM

SURVEYOR
James P. Nadeau, PLS
Nadeau Land Surveyors
918 Brighton Ave
Portland, ME 04102
(207) 878-7870

GEOTECHNICAL ENGINEER
Mat Hardison, P.E.
Senior Geotechnical Engineer
Summit Geoengineering Services, Inc.
P.O. Box 7216
Lewiston, Maine 04243
(207) 576-6762

CIVIL ENGINEER
Will Savage, PE
Acorn Engineering, Inc
PO Box 3372
Portland, Maine 04104
(207) 775-2655

STRUCTURAL ENGINEER
Aaron C. Jones, P.E.
Structural Integrity Consulting Engineers, Inc.
46 Forest Ave
Portland, ME 04101
(207) 774-4614

No.	Description	Date

SOUTH, NORTH & EAST 126

Project number	18-16_128R North
Date	11.19.18
Drawn by	Author
Checked by	Checker

A-2.3

Scale 3/16" = 1'-0"

3/10/2020 9:40:38 AM

A West Elevation 126 North
3/16" = 1'-0"

126 & 128R North Street

NEW CONSTRUCTION

OWNER
JOSHUA WOJCIK
UPRIGHT FRAMEWORKS LLC
PO BOX 833
WILTON ME 04294
jwojcik@uprightframeworks.com

DEXTROUS CREATIVE
PORTLAND, ME 04102
TRACIE REED, ARCHITECT
NCARB, AIA, LEED AP BD+C
traciereed@dextrouscreative.com
207.409.0459 (cell)

PROJECT TEAM

SURVEYOR
James P. Nadeau, PLS
Nadeau Land Surveyors
918 Brighton Ave
Portland, ME 04102
(207) 878-7870

GEOTECHNICAL ENGINEER
Mat Hardison, P.E.
Senior Geotechnical Engineer
Summit Geoengineering Services, Inc.
P.O. Box 7216
Lewiston, Maine 04243
(207) 576-6762

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Will Savage, PE
Acorn Engineering, Inc
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Portland, Maine 04104
(207) 775-2655

STRUCTURAL ENGINEER
Aaron C. Jones, P.E.
Structural Integrity Consulting Engineers, Inc.
46 Forest Ave
Portland, ME 04101
(207) 774-4614

No.	Description	Date

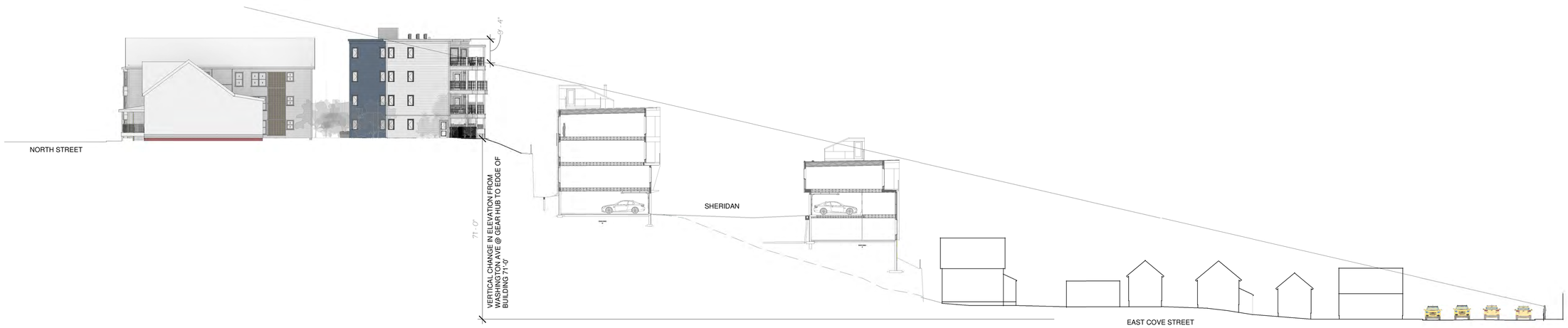
WEST ELEVATION 126

Project number	18-16_128R North
Date	11.19.18
Drawn by	Author
Checked by	Checker

A-2.4

Scale 3/16" = 1'-0"

3/10/2020 8:40:25 AM



SITE SECTION NORTH STREET TO WASHINGTON AVENUE
(A) 1" = 20'-0"

ENTOURAGE 'FLORENCE' IS 5'-6" TALL. IF FLORENCE WERE TO STAND ON THE FAR SIDEWALK OF WASHINGTON AVENUE AND LOOK UP TOWARDS NORTH STREET THEY WOULD BE ABLE TO SEE THE TOP OF THE DECK RAIL AT 128R NORTH AND THE ELEVATION BEYOND AT A DISTANCE OF 435'-0" (HYPOTENUSE). THE REAR FACE OF THE BUILDING WOULD BE 418'-0" FROM HER HORIZONTALLY AND 71'-0" VERTICALLY*. THE MAJORITY OF THEIR SITE LINE WOULD BE CONSUMED BY THE MUNJOY HEIGHTS PROJECT (ALONG SHERIDAN STREET). THE DASHED LINE SHOWS THE CHANGE IN TOPOGRAPHY CREATED BY THE MUNJOY HEIGHTS PROJECT. THE ENTOURAGE IS ALSO SHOWN WITHIN THE FOURTH FLOOR OF THE MUNJOY HEIGHTS PROJECT LOOKING AT THE BACK OF 128R. THIS INDIVIDUAL IS 31'-0" AWAY FROM THE FACE OF DECK AND THEIR EYES WOULD BE 5'-0" ABOVE THE GRADE OF PARKING. THE PERSPECTIVE SEEN BY THIS PERSON IS SHOWN ON B/A-5.2. NOTE THAT THE MUNJOY HEIGHTS PROJECT. NOTE THAT THE BUILDINGS IN THE MUNJOY HEIGHTS PROJECT ARE SITUATED ALONG A SPLINE AND VARY IN DISTANCE FROM THE REAR FACE OF 128R BUILDING. AT THE CLOSEST POINT THE EXTERIOR FACE OF THE MUNJOY HEIGHTS BUILDING TO THE FACE OF DECK IS 25'-0" AND AT THE WIDEST POINT IT IS 32'-0". AT THE POINT OF THIS SECTION THE BUILDING IS MODELED AT 28'-0" SEPARATION.

*BASED ON ACORN ENGINEERING SITE ELEVATIONS POINTS AT THE EDGE OF BUILDING ON 128R NORTH STREET AND PROJECTS CURRENTLY UNDER CONSTRUCTION ALONG WASHINGTON AVENUE. SITE SECTION THROUGH MUNJOY HEIGHTS OBTAINED FROM ENGINEER. EAST COVE STREET HOUSES WERE SITED USING A COMBIATION OF PORTLAND GIS DATA, ASSESSING DEPARTMENT MEASUREMENTS AND GOOGLE STREET VIEW IMAGES

126 & 128R North Street

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JOSHUA WOJCIK
UPRIGHT FRAMEWORKS LLC
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WILTON ME 04294
jwojcik@uprightframeworks.com

DEXTROUS CREATIVE
PORTLAND, ME 04102
TRACIE REED, ARCHITECT
NCARB, AIA, LEED AP BD+C
traciereed@dextrouscreative.com
207.409.0459 (cell)

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James P. Nadeau, PLS
Nadeau Land Surveyors
918 Brighton Ave
Portland, ME 04102
(207) 878-7870

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Senior Geotechnical Engineer
Summit Geoengineering Services, Inc.
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Lewiston, Maine 04243
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Will Savage, PE
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Portland, Maine 04104
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Structural Integrity Consulting Engineers, Inc.
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Portland, ME 04101
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No.	Description	Date

SITE SECTION

Project number	18-16_128R North
Date	11.19.18
Drawn by	Author
Checked by	Checker

A-3.2

Scale 1" = 20'-0"

5/10/2020 9:46:29 AM

F Northeast Perspective

B Bird's Eye View of North Street Facade

1 Main Entrance 128R

D View from Driveway

E Entrance View

126 & 128R North Street

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OWNER
JOSHUA WOJCIK
UPRIGHT FRAMEWORKS LLC
PO BOX 833
WILTON ME 04294
jwojcik@uprightframeworks.com

DEXTROUS CREATIVE

PORTLAND, ME 04102
TRACIE REED, ARCHITECT
NCARB, AIA, LEED AP BD+C
traciereed@dextrouscreative.com
207.409.0459 (cell)

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SURVEYOR
James P. Nadeau, PLS
Nadeau Land Surveyors
918 Brighton Ave
Portland, ME 04102
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Lewiston, Maine 04243
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Portland, Maine 04104
(207) 775-2655

STRUCTURAL ENGINEER
Aaron C. Jones, P.E.
Structural Integrity Consulting Engineers, Inc.
46 Forest Ave
Portland, ME 04101
(207) 774-4614

No.	Description	Date

PERSPECTIVES 128R

Project number	18-16_128R North
Date	11.19.18
Drawn by	Author
Checked by	Checker

A-5.1

Scale

5/10/2020 8:44:43 AM

A Northwest Perspective

B 4th floor Munjoy Heights View

THIS PERSPECTIVE IS TAKEN FROM THE FOURTH FLOOR AT MUNJOY HEIGHTS FROM JUST WITHIN THE UNIT. ELEVATION OF THE CAMERA (EYES) IS TAKEN AT 5'-0" ABOVE THE FLOOR AS SHOWN ON THE SITE SECTION A/A-3.2. THE DISTANCE OF THIS PERSON IS STANDING (INSIDE THEIR UNIT) IS 31'-0" FROM THE FACE O FTHE SECOND FLOOR DECK. THE MUNJOY HEIGHTS BUILDINGS VARY IN DISTANCE FROM 128R NORTH BASED ON THEIR PROJECT'S SPLINE. THAT SAID, THE DISTANCE FROM THE EXTERIOR FACE OF THEIR BUILDINGS TO THE EXTERIOR FACE OF THE SECND FLOOR DECKS RANGES FROM 25'-0" AT THE CLOSEST SECTION TO 32'-0". IN THE SITE SECTION SHOWN ON PAGE A-3.2 THE BUIDINGS ARE SHOWN AT 28'-0" APART.

126 & 128R North Street

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OWNER
JOSHUA WOJCIK
UPRIGHT FRAMEWORKS LLC
PO BOX 833
WILTON ME 04294
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DEXTROUS CREATIVE
PORTLAND, ME 04102
TRACIE REED, ARCHITECT
NCARB, AIA, LEED AP BD+C
traciereed@dextrouscreative.com
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Portland, ME 04102
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Portland, Maine 04104
(207) 775-2655

STRUCTURAL ENGINEER
Aaron C. Jones, P.E.
Structural Integrity Consulting Engineers, Inc.
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Portland, ME 04101
(207) 774-4614

No.	Description	Date

PERSPECTIVES 128R

Project number	18-16_128R North
Date	11.19.18
Drawn by	Author
Checked by	Checker

A-5.2

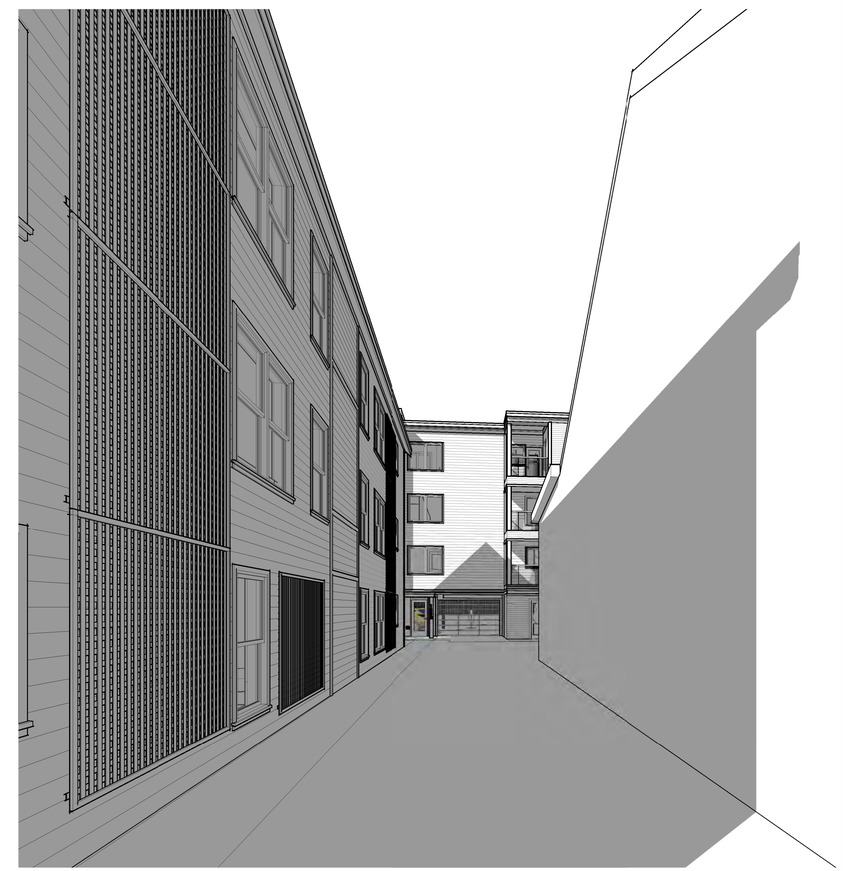
Scale

3/10/2020 8:45:25 AM

A View for Walnut Street Rendering

D View from Senior Housing for Rendering Copy 1

B View 126 + 128R North (elevation 17'6"



E View from North Street Sidewalk 126 & 128R

C Street View 126 + 128R North (Eye at 5'-0")

126 & 128R North Street

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UPRIGHT FRAMEWORKS LLC
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jwojcik@uprightframeworks.com

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PORTLAND, ME 04102
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Portland, ME 04102
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Lewiston, Maine 04243
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Acorn Engineering, Inc
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Portland, Maine 04104
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STRUCTURAL ENGINEER
Aaron C. Jones, P.E.
Structural Integrity Consulting Engineers, Inc.
46 Forest Ave
Portland, ME 04101
(207) 774-4614

No.	Description	Date

PERSPECTIVES 126

Project number	18-16_128R North
Date	11.19.18
Drawn by	Author
Checked by	Checker

A-5.3

Scale

5/10/2020 8:47:50 AM

A North Street View Showing Entrances

B Main Entrance 126

126 & 128R North Street

NEW CONSTRUCTION

OWNER
JOSHUA WOJCIK
UPRIGHT FRAMEWORKS LLC
PO BOX 833
WILTON ME 04294
jwojcik@uprightframeworks.com

DEXTROUS CREATIVE
PORTLAND, ME 04102
TRACIE REED, ARCHITECT
NCARB, AIA, LEED AP BD+C
traciereed@dextrouscreative.com
207.409.0459 (cell)

PROJECT TEAM

SURVEYOR
James P. Nadeau, PLS
Nadeau Land Surveyors
918 Brighton Ave
Portland, ME 04102
(207) 878-7870

GEOTECHNICAL ENGINEER
Mat Hardison, P.E.
Senior Geotechnical Engineer
Summit Geoengineering Services, Inc.
P.O. Box 7216
Lewiston, Maine 04243
(207) 576-6762

CIVIL ENGINEER
Will Savage, PE
Acorn Engineering, Inc
PO Box 3372
Portland, Maine 04104
(207) 775-2655

STRUCTURAL ENGINEER
Aaron C. Jones, P.E.
Structural Integrity Consulting Engineers, Inc.
46 Forest Ave
Portland, ME 04101
(207) 774-4614

No.	Description	Date

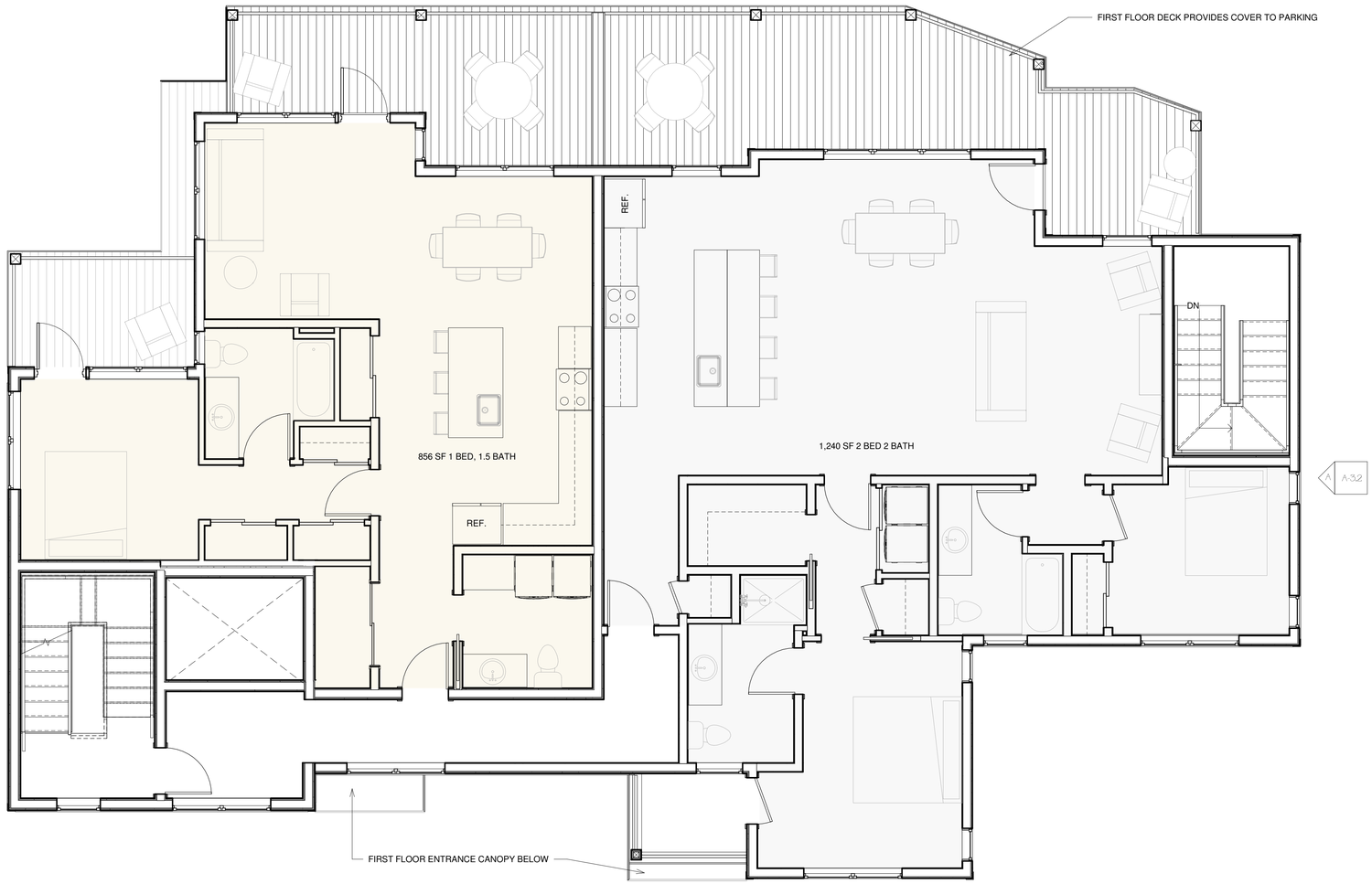
PERSPECTIVES 126

Project number	18-16_128R North
Date	11.19.18
Drawn by	Author
Checked by	Checker

A-5.4

Scale

5/10/2020 2:47:59 PM



A Second Floor
1/4" = 1'-0"

[DESIGN DEVELOPMENT NOT FOR CONSTRUCTION]

0' 2' 4' 8' 16'

126 & 128R North Street

NEW CONSTRUCTION

OWNER
JOSHUA WOJCIK
UPRIGHT FRAMEWORKS LLC
PO BOX 833
WILTON ME 04294
jwojcik@uprightframeworks.com

DEXTROUS CREATIVE
PORTLAND, ME 04102
TRACIE REED, ARCHITECT
NCARB, AIA, LEED AP BD+C
traciereed@dextrouscreative.com
207.409.0459 (cell)

PROJECT TEAM

SURVEYOR
James P. Nadeau, PLS
Nadeau Land Surveyors
918 Brighton Ave
Portland, ME 04102
(207) 878-7870

GEOTECHNICAL ENGINEER
Mat Hardison, P.E.
Senior Geotechnical Engineer
Summit Geoengineering Services, Inc.
P.O. Box 7216
Lewiston, Maine 04243
(207) 576-6762

CIVIL ENGINEER
Will Savage, PE
Acorn Engineering, Inc
PO Box 3372
Portland, Maine 04104
(207) 775-2655

STRUCTURAL ENGINEER
Aaron C. Jones, P.E.
Structural Integrity Consulting Engineers, Inc.
46 Forest Ave
Portland, ME 04101
(207) 774-4614

No.	Description	Date

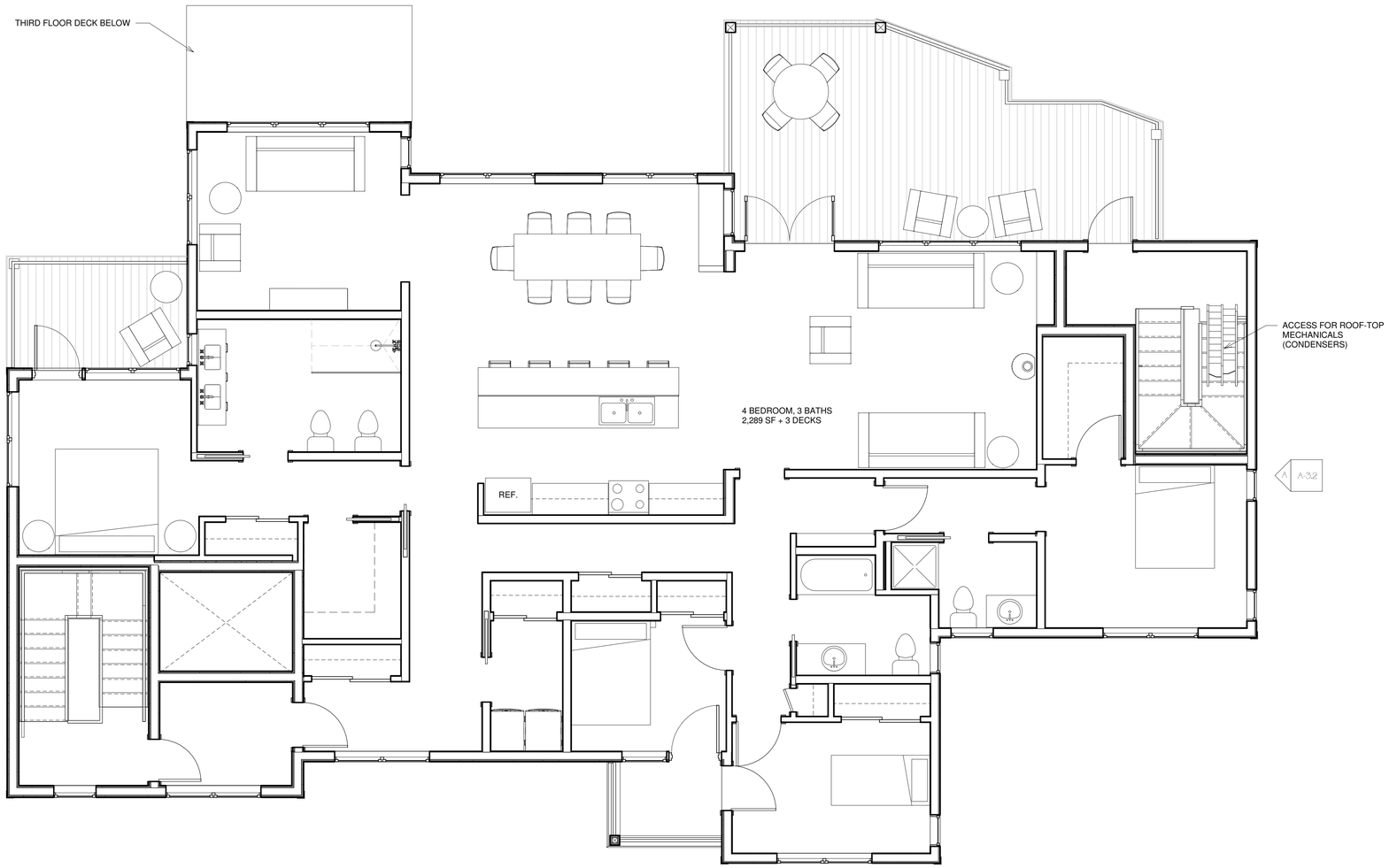
SECOND & THIRD FLOOR PLAN

Project number	18-16_128R North
Date	04.16.20
Drawn by	TJR
Checked by	TJR

A-1.2

Scale 1/4" = 1'-0"

4/16/2020 12:52 AM



A Fourth Floor
1/4" = 1'-0"

[DESIGN DEVELOPMENT NOT FOR CONSTRUCTION]

0' 2' 4' 8' 16'

126 & 128R North Street

NEW CONSTRUCTION

OWNER
JOSHUA WOJCIK
UPRIGHT FRAMEWORKS LLC
PO BOX 833
WILTON ME 04294
jwojcik@uprightframeworks.com

DEXTROUS CREATIVE
PORTLAND, ME 04102
TRACIE REED, ARCHITECT
NCARB, AIA, LEED AP BD+C
traciereed@dextrouscreative.com
207.409.0459 (cell)

PROJECT TEAM

SURVEYOR
James P. Nadeau, PLS
Nadeau Land Surveyors
918 Brighton Ave
Portland, ME 04102
(207) 878-7870

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Mat Hardison, P.E.
Senior Geotechnical Engineer
Summit Geoengineering Services, Inc.
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(207) 576-6762

CIVIL ENGINEER
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Acorn Engineering, Inc
PO Box 3372
Portland, Maine 04104
(207) 775-2655

STRUCTURAL ENGINEER
Aaron C. Jones, P.E.
Structural Integrity Consulting Engineers, Inc.
46 Forest Ave
Portland, ME 04101
(207) 774-4614

No.	Description	Date

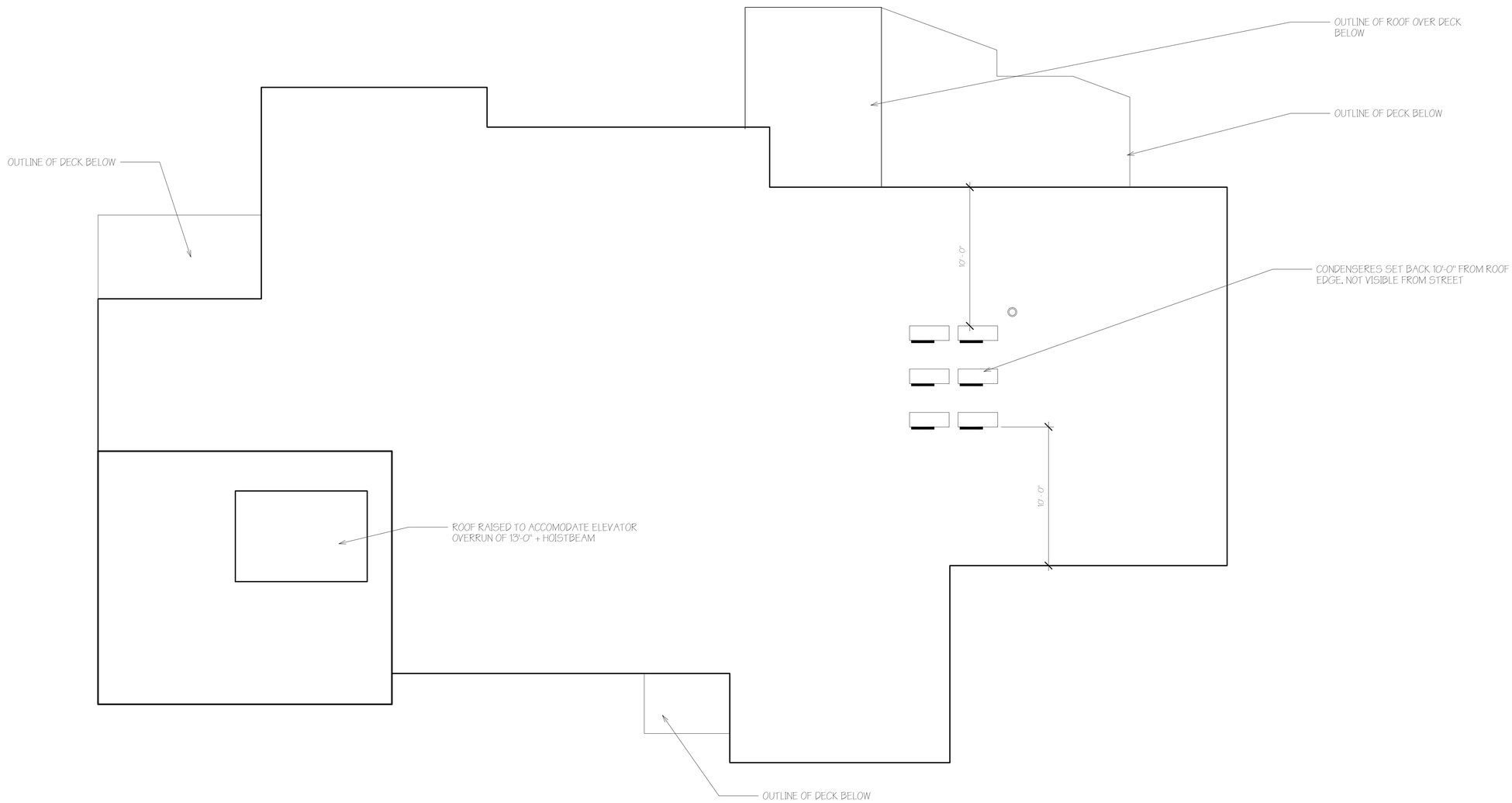
FOURTH FLOOR

Project number	18-16_128R North
Date	04.16.20
Drawn by	TJR
Checked by	TJR

A-1.4

Scale 1/4" = 1'-0"

4/16/2020 11:53:24 AM



A Roof
1/4" = 1'-0"

[DESIGN DEVELOPMENT NOT FOR CONSTRUCTION]

0' 2' 4' 8' 16'

126 & 128R North Street

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JOSHUA WOJCIK
UPRIGHT FRAMEWORKS LLC
PO BOX 833
WILTON ME 04294
jwojcik@uprightframeworks.com

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PORTLAND, ME 04102
TRACIE REED, ARCHITECT
NCARB, AIA, LEED AP BD+C
traciereed@dextrouscreative.com
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SURVEYOR
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Nadeau Land Surveyors
918 Brighton Ave
Portland, ME 04102
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Summit Geoengineering Services, Inc.
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Will Savage, PE
Acorn Engineering, Inc
PO Box 3372
Portland, Maine 04104
(207) 775-2655

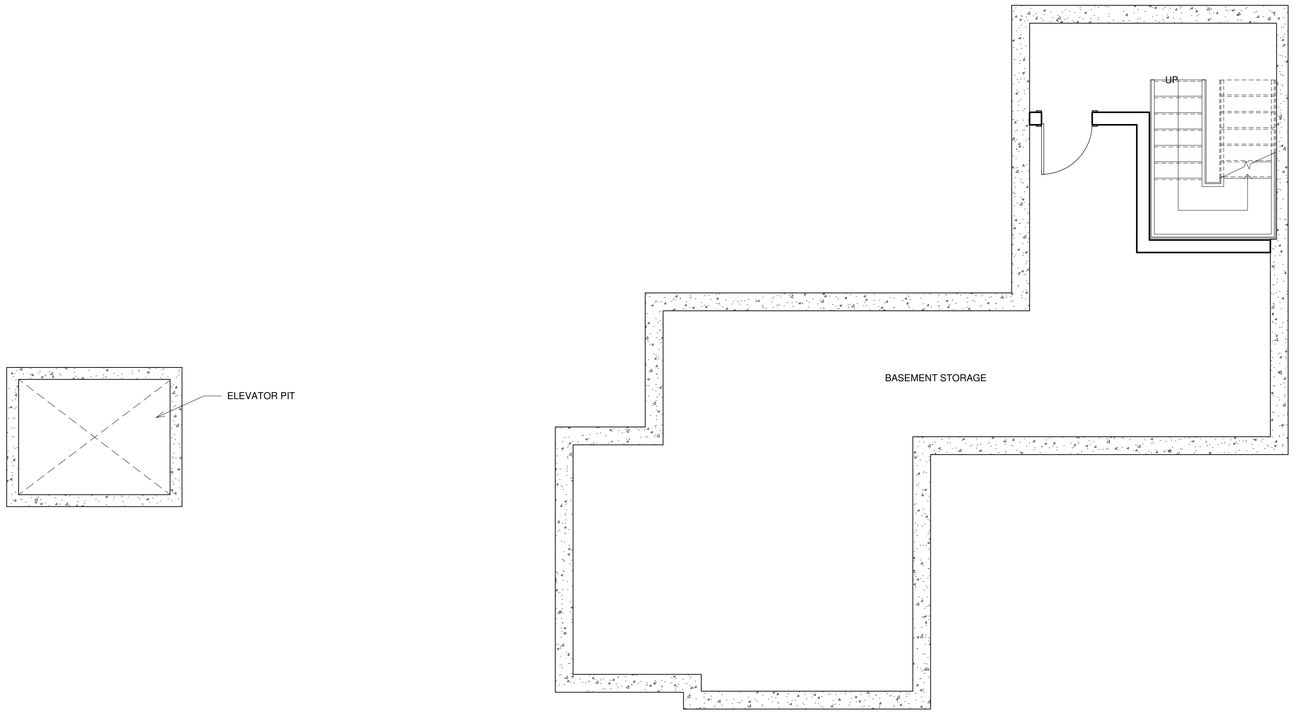
STRUCTURAL ENGINEER
Aaron C. Jones, P.E.
Structural Integrity Consulting Engineers, Inc.
46 Forest Ave
Portland, ME 04101
(207) 774-4614

No.	Description	Date

ROOF PLAN

Project number	18-16_128R North
Date	04.16.20
Drawn by	Author
Checked by	Checker
	A-1.5
Scale	1/4" = 1'-0"

4/16/2020 11:59:14 AM



A Basement Plan
1/4" = 1'-0"

128R North Street

NEW CONSTRUCTION

OWNER
JOSHUA WOJCIK
UPRIGHT FRAMEWORKS LLC
PO BOX 833
WILTON ME 04294
jwojcik@uprightframeworks.com

DEXTROUS CREATIVE
PORTLAND, ME 04102
TRACIE REED, ARCHITECT
NCARB, AIA, LEED AP BD+C
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207.409.0459 (cell)

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SURVEYOR
James P. Nadeau, PLS
Nadeau Land Surveyors
918 Brighton Ave
Portland, ME 04102
(207) 878-7870

GEOTECHNICAL ENGINEER
Mat Hardison, P.E.
Senior Geotechnical Engineer
Summit Geoengineering Services, Inc.
P.O. Box 7216
Lewiston, Maine 04243
(207) 576-6762

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Will Savage, PE
Acorn Engineering, Inc
PO Box 3372
Portland, Maine 04104
(207) 775-2655

STRUCTURAL ENGINEER
Aaron C. Jones, P.E.
Structural Integrity Consulting Engineers, Inc.
46 Forest Ave
Portland, ME 04101
(207) 774-4614

No.	Description	Date

BASEMENT PLAN

Project number	18-16_128R North
Date	11.19.18
Drawn by	Author
Checked by	Checker

A-1.6

Scale 1/4" = 1'-0"

8/2/2019 12:06:57 PM

A North Elevation
3/16" = 1'-0"

B South Elevation
3/16" = 1'-0"

0' 2' 4' 8' 16'

126 & 128R North Street

NEW CONSTRUCTION

OWNER
JOSHUA WOJCIK
UPRIGHT FRAMEWORKS LLC
PO BOX 833
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jwojcik@uprightframeworks.com

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TRACIE REED, ARCHITECT
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46 Forest Ave
Portland, ME 04101
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No.	Description	Date

SOUTH & NORTH ELEVATIONS

Project number	18-16_128R North
Date	04.16.20
Drawn by	Author
Checked by	Checker

A-2.1

Scale 3/16" = 1'-0"

4/16/2020 10:17:32 AM

A South Elevation
3/16" = 1'-0"

B North Elevation
1/4" = 1'-0"

0' 2' 4' 8' 16'

128R North Street

NEW CONSTRUCTION

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JOSHUA WOJCIK
UPRIGHT FRAMEWORKS LLC
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No.	Description	Date

SOUTH & NORTH ELEVATIONS

Project number	18-16_128R North
Date	11.19.18
Drawn by	Author
Checked by	Checker

A-2.1

Scale: As indicated

8/22/2019 11:23:35 AM

A East Elevation
3/16" = 1'-0"

B West Elevation
3/16" = 1'-0"

126 & 128R North Street

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(207) 774-4614

No.	Description	Date

EAST & WEST ELEVATIONS

Project number	18-16_128R North
Date	04.16.20
Drawn by	Author
Checked by	Checker

A-2.2

Scale 3/16" = 1'-0"

4/16/2020 10:25:47 AM

A East Elevation
3/16" = 1'-0"

B West Elevation
3/16" = 1'-0"

128R North Street

NEW CONSTRUCTION

OWNER
JOSHUA WOJCIK
UPRIGHT FRAMEWORKS LLC
PO BOX 833
WILTON ME 04294
jwojcik@uprightframeworks.com

DEXTROUS CREATIVE
PORTLAND, ME 04102
TRACIE REED, ARCHITECT
NCARB, AIA, LEED AP BD+C
traciereed@dextrouscreative.com
207.409.0459 (cell)

PROJECT TEAM

SURVEYOR
James P. Nadeau, PLS
Nadeau Land Surveyors
918 Brighton Ave
Portland, ME 04102
(207) 878-7870

GEOTECHNICAL ENGINEER
Mat Hardison, P.E.
Senior Geotechnical Engineer
Summit Geoengineering Services, Inc.
P.O. Box 7216
Lewiston, Maine 04243
(207) 576-6762

CIVIL ENGINEER
Will Savage, PE
Acorn Engineering, Inc
PO Box 3372
Portland, Maine 04104
(207) 775-2655

STRUCTURAL ENGINEER
Aaron C. Jones, P.E.
Structural Integrity Consulting Engineers, Inc.
46 Forest Ave
Portland, ME 04101
(207) 774-4614

No.	Description	Date

EAST & WEST ELEVATIONS

Project number	18-16_128R North
Date	11.19.18
Drawn by	Author
Checked by	Checker

A-2.2

Scale 3/16" = 1'-0"

6/12/2019 11:23:56 AM

F Northeast Perspective

B Bird's Eye View of North Street Facade

1 Main Entrance 128R

D View from Driveway

E Entrance View

126 & 128R North Street

NEW CONSTRUCTION

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Structural Integrity Consulting Engineers, Inc.
46 Forest Ave
Portland, ME 04101
(207) 774-4614

No.	Description	Date

PERSPECTIVES 128R

Project number	18-16_128R North
Date	04.16.20
Drawn by	Author
Checked by	Checker

A-5.1

Scale

4/16/2020 10:24:34 AM

A Northwest Perspective

B 4th floor Munjoy Heights View

THIS PERSPECTIVE IS TAKEN FROM THE FOURTH FLOOR AT MUNJOY HEIGHTS FROM JUST WITHIN THE UNIT. ELEVATION OF THE CAMERA (EYES) IS TAKEN AT 5'-0" ABOVE THE FLOOR AS SHOWN ON THE SITE SECTION A/A-3.2. THE DISTANCE OF THIS PERSON IS STANDING (INSIDE THEIR UNIT) IS 31'-0" FROM THE FACE O FTHE SECOND FLOOR DECK. THE MUNJOY HEIGHTS BUILDINGS VARY IN DISTANCE FROM 128R NORTH BASED ON THEIR PROJECT'S SPLINE. THAT SAID, THE DISTANCE FROM THE EXTERIOR FACE OF THEIR BUILDINGS TO THE EXTERIOR FACE OF THE SECND FLOOR DECKS RANGES FROM 25'-0" AT THE CLOSEST SECTION TO 32'-0". IN THE SITE SECTION SHOWN ON PAGE A-3.2 THE BUIDINGS ARE SHOWN AT 28'-0" APART.

126 & 128R North Street

NEW CONSTRUCTION

OWNER
JOSHUA WOJCIK
UPRIGHT FRAMEWORKS LLC
PO BOX 833
WILTON ME 04294
jwojcik@uprightframeworks.com

DEXTROUS CREATIVE
PORTLAND, ME 04102
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PROJECT TEAM

SURVEYOR
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STRUCTURAL ENGINEER
Aaron C. Jones, P.E.
Structural Integrity Consulting Engineers, Inc.
46 Forest Ave
Portland, ME 04101
(207) 774-4614

No.	Description	Date

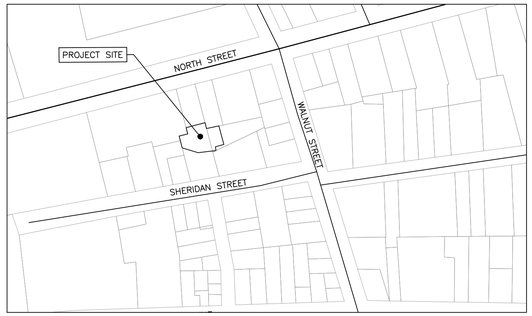
PERSPECTIVES 128R

Project number	18-16_128R North
Date	04.16.20
Drawn by	Author
Checked by	Checker

A-5.2

Scale

4/16/2020 1:22:19 AM



VICINITY MAP
NOT TO SCALE

PHASE I		
SPACE AND BULK STANDARDS – 128R NORTH		
ZONE: R6 – MHNCDO	REQUIRED	PROPOSED
MINIMUM LOT SIZE	2,000 SF	6,142 SF
MINIMUM STREET FRONTAGE	20'	N/A
MINIMUM FRONT YARD SETBACK	5'	5.25'
MINIMUM SIDE YARD SETBACK (LEFT)	8.15' *	8.56'
MINIMUM SIDE YARD SETBACK (RIGHT)	11.85' *	11.90'
MINIMUM DECK SETBACK	7.5'	7.61'
MINIMUM REAR YARD SETBACK	15'	15.08'
MAXIMUM LOT COVERAGE	60%	57%
MINIMUM LOT WIDTH	20'	101'
MAXIMUM BUILDING HEIGHT	45'	44.61'
MINIMUM LANDSCAPED OPEN AREA	20%	40%
MAXIMUM NUMBER OF DWELLING UNITS	725 SF/UNIT = 8	6
RESIDENTIAL PARKING	1 SPACE PER UNIT AFTER 3 UNITS = 3 SPACES	6
MINIMUM INTERNAL RESIDENT BICYCLE STORAGE SPACES	2 SPACES/5 D.U. = 2	2
* 10' FOR ALL SIDE YARDS, EXCEPT THAT A SIDE YARD NO LESS THAN 5' IS PERMITTED WHEN USED TO CONTINUE A DOCUMENTED BUILT PATTERN OF THE SURROUNDING STREETSCAPE, IN WHICH CASE A PROPORTIONAL INCREASE IN ANOTHER SIDE YARD MUST BE PROVIDED		

OWNER:

UPRIGHT PROPERTIES, LLC
PORTLAND, MAINE
CONTACT: JOSH WOJCIK
PO BOX 833 WILTON, ME 04294

CIVIL/SITE ENGINEER:

ACORN ENGINEERING, INC.
PORTLAND, MAINE
CONTACT: WILL SAVAGE, P.E.
65 HANOVER STREET, PORTLAND, ME 04101

SURVEYOR

NADEAU LAND SURVEYS
PORTLAND, MAINE
CONTACT: JAMES D. NADEAU, P.L.S.
918 BRIGHTON AVE, PORTLAND, ME 04102

LANDSCAPED AREAS
PAVED
CURB
PROPOSED BUILDING
PROPERTY LINE
STRIPING
RETAINING WALL
NEW PROPERTY MARKER
SETBACK LINE
SURVEY PROPERTY MARKER

RECORDING INFORMATION
STATE OF MAINE, CUMBERLAND
COUNTY REGISTRY OF DEEDS

RECEIVED: _____

RECORDED IN _____

ATTEST: _____
REGISTRAR

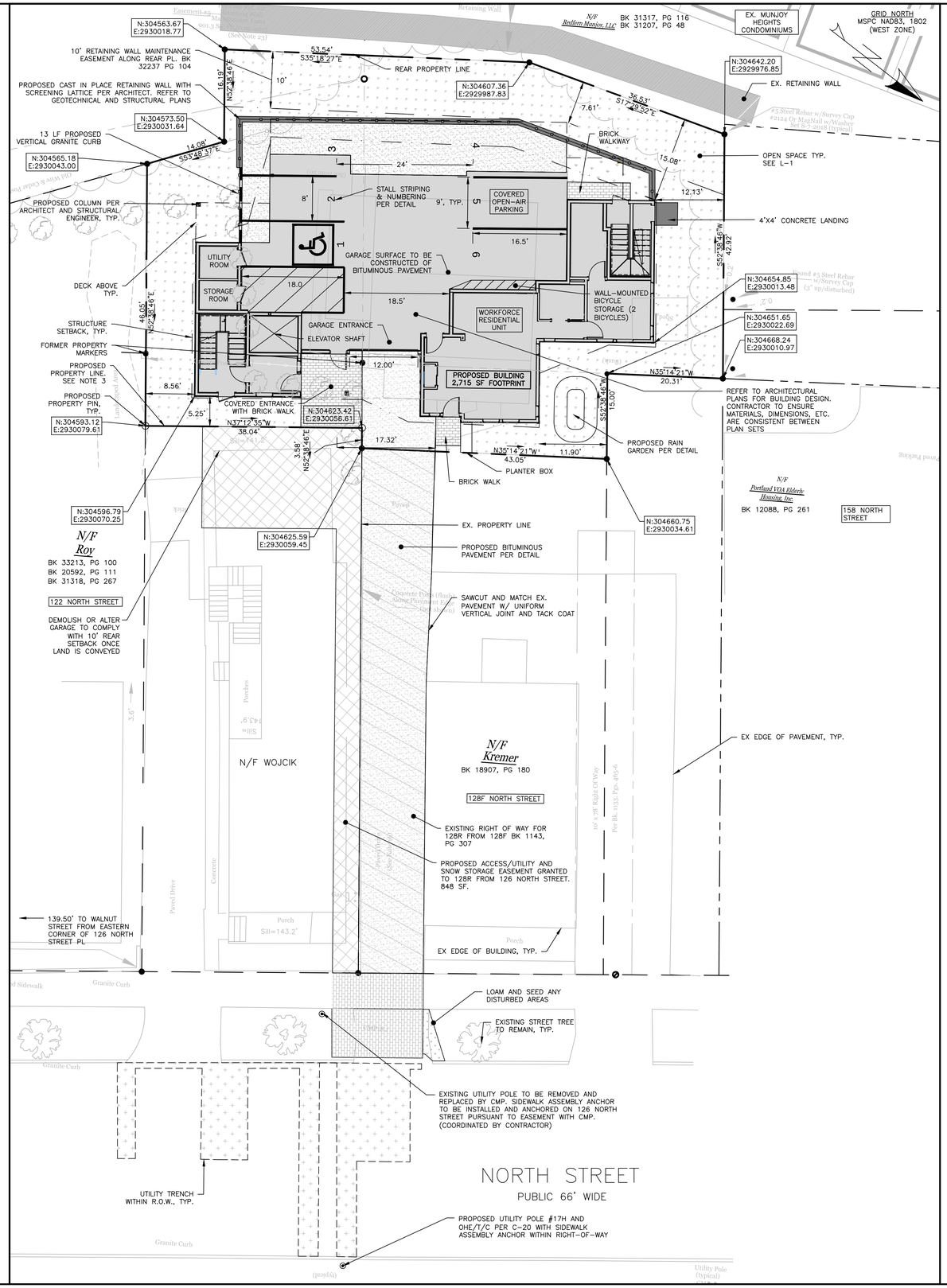
UNIT TABULATION – 128R	
UNIT NUMBER	SIZE (SF)*
1A	672
2A	1,240
2B	870
3A	1,240
3B	870
4A	2,289

*UNIT AREA MEASURED FROM OUTSIDE OF EXTERIOR WALLS TO THE CENTER OF SHARED WALLS

PARKING SUMMARY – 128R	
DIMENSIONS	# PARKING SPACES
9'x16.5'	4
8'X16.5'	1
8'X18'	1
TOTAL PROPOSED SPACES	6

JAMES D. NADEAU, MAINE P.L.S. #2124

NADEAU LAND SURVEYS DATE:



GENERAL NOTES:

1. FOR INFORMATION REGARDING THE PROPOSED SITE, REFER TO THE SITE PLAN, C-10, MOST RECENT VERSION.
2. FOR INFORMATION REGARDING PROPOSED UTILITIES, REFER TO THE UTILITY PLAN, SHEET C-20, MOST RECENT VERSION.
3. FOR INFORMATION REGARDING PROPOSED GRADING AND STORMWATER, REFER TO THE GRADING & DRAINAGE PLAN, SHEET C-30, MOST RECENT VERSION.
4. UNIT TABULATION PROVIDED BY DEXTROUS CREATIVE; REFER TO ARCHITECTURAL PLANS FOR FLOOR PLANS AND BUILDING HEIGHTS.
5. TOTAL SITE AREA INCLUDES 0.14 ACRES (6,142 S.F.). R.O.W. WIDTH FOR NORTH STREET IS 50 FEET PER BOUNDARY SURVEY & TOPOGRAPHICAL MAP WITH EXISTING CONDITIONS COMPLETED BY NADEAU LAND SURVEYS DATED 8/22/2018 (JOB #2181902BTR1).
6. SITE BOUNDARIES PER BOUNDARY SURVEY & TOPOGRAPHICAL MAP WITH EXISTING CONDITIONS COMPLETED BY NADEAU LAND SURVEYS ASSOCIATED DATED 8/22/2018 (JOB #2181902BTR1)
7. PROPERTY PINS TO BE SET BY PROFESSIONAL LAND SURVEYOR
8. AS OF 5/7/2019, THE SITE IS BOUNDED BY THE R-6 ZONE ON EAST, WEST, SOUTH, AND NORTH SIDES OF THE CITY OF PORTLAND GIS WEBSITE.
9. LOCUS PARCEL IS SHOWN ON THE CITY OF PORTLAND ASSESSOR'S MAP 12, BLOCK H, LOT 9
10. LOCUS PARCEL DOES NOT FALL IN A SPECIAL FLOOD HAZARD AREA PER FEMA FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NUMBER 2300510014B, INDEX DATED 7/17/1986.
11. ALL BUILDING CORNER OFFSETS TO BOUNDARY LINES ARE FROM THE BUILDING FOUNDATION, UNLESS OTHERWISE NOTED.
12. THIS SHEET IS THE SUBDIVISION PLAT FOR THE CREATION OF UP TO SIX (6) DWELLING UNITS ON THE EXISTING SUBJECT PROPERTY.
13. THE CONDOMINIUM DOCUMENTS ARE TO OUTLINE THE MAINTENANCE AND MANAGEMENT OF DRIVEWAYS, SIDEWALKS, RETAINING WALLS, STORMWATER DEVICES, SITE LIGHTING, TRASH REMOVAL, AND SNOW REMOVAL AS THE RESPONSIBILITY OF THE OWNER.
14. THE HOMEOWNER'S ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND MANAGEMENT OF DRIVEWAYS, SIDEWALKS, STORMWATER DEVICES, SITE LIGHTING, TRASH REMOVAL, RETAINING WALLS, AND SNOW REMOVAL.
15. THE HOMEOWNER'S ASSOCIATION SHALL BE RESPONSIBLE FOR COMPLYING WITH THE CONDITIONS OF CHAPTER 32 STORMWATER INCLUDING ARTICLE III, POST-CONSTRUCTION STORMWATER MANAGEMENT AGREEMENT, WHICH SPECIFIES ANNUAL INSPECTIONS AND REPORTING REQUIREMENTS AT A MINIMUM. IN ADDITION, THE OWNER SHALL BE RESPONSIBLE FOR COMPLYING WITH THE CONDITIONS OF THE SUBMITTED STORMWATER MANAGEMENT PLAN AND THE APPROVED PLANS, AND MEET CITY STANDARDS AND STATE GUIDELINES.

SURVEY NOTES:

1. THIS PLAN IS NOT INTENDED TO DEPICT LIMITS OR EXTENT OF FEE TITLE OWNERSHIP. AN OPINION OF TITLE SHOULD BE RENDERED BY A TITLE ATTORNEY.
2. THE OFFICE RESERVES THE RIGHT TO BE HELD HARMLESS BY ALL 3RD PARTY CLAIMS.
3. THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING:
   - 3.1. EASEMENTS OTHER THAN THOSE THAT ARE VISIBLE OR SPECIFICALLY STATED IN THE REFERENCED DOCUMENTS.
   - 3.2. BUILDING SETBACK COMPLIANCE OR RESTRICTIVE COVENANTS.
   - 3.3. ZONING OR OTHER LAND USE REGULATIONS
   - 3.4. THE LOCATION OF ANY UNDERGROUND UTILITIES OR STRUCTURES.
4. THIS OFFICE RESERVES THE RIGHT TO BE HELD HARMLESS FOR UNKNOWN OR UNOBTAINABLE PRIVATE RECORDS WHICH COULD AFFECT THE RESULTS OF THIS SURVEY
5. REFERENCE IS MADE TO "LETTER OF AGREEMENT" DATED MAY 23, 2018 BETWEEN NADEAU LAND SURVEYS AND THE BELOW LISTED CLIENT(S), WHICH SHALL BE CONSIDERED AN INTEGRAL PART OF THIS SURVEY.
6. N/F IS AN ABBREVIATION FOR NOW OR FORMERLY.
7. ALL DEEDS REFERENCED ON THIS PLAN ARE RECORDED AT THE CUMBERLAND COUNTRY REGISTRY OF DEEDS (CCRD).
8. LOCUS PARCELS ARE LOCATED IN THE R-6 RESIDENTIAL ZONE: (AS OF 8/22/18)
   - 8.1. MIMIMUM LOT SIZE = 200 S.F.
   - 8.2. MINIMUM LOT AREA / DWELLING UNIT = 725 S.F.
   - 8.3. MINIMUM STREET FRONTAGE = 20 FEET
   - 8.4. MINIMUM LOT WIDTH = 20 FEET
   - 8.5. MAXIMUM LOT COVERAGE = 60%
   - 8.6. MINIMUM FRONT YARD SETBACK = 5 FEET, OR AVERAGE DEPTH OF ADJACENT FRONT YARDS
   - 8.7. MINIMUM SIDE YARD SETBACK = 10 FEET
   - 8.8. MINIMUM REAR YARD SETBACK = 15 FEET
9. LOCUS PARCEL A IS SHOWN ON THE CITY OF PORTLAND ASSESSOR'S MAP 12, BLOCK H, AS LOT 14, AND IS LISTED AS 126 NORTH STREET. LOCUS PARCEL B IS SHOWN ON THE CITY OF PORTLAND ASSESSOR'S MAP 12. BLOCK H, AS PARTS OF LOTS 9 & 22, AND LISTED AS 128R NORTH STREET.
10. AREA OF LOCUS PARCEL A IS 4,105.0 SQUARE FEET (0.09 ACRE). AREA OF LOCUS PARCEL B IS 5,682.0 SQUARE FEET (0.13 ACRES)
11. THE APPARENT RIGHT OF WAY LINES DEPICTED ON THIS PLAN ARE BASED ON THE PLAN REFERENCES LISTEN HEREON MONUMENTATION FOUND IN THE FIELD, AND CITY OF PORTLAND ENGINEERING STREET NOTES.
12. THE LOCUS PARCELS DO NOT SCALE IN A SPECIAL FLOOD HAZARD AREA PER FEMA FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NUMBER 230051 0014B, INDEX DATED DECEMBER 8, 1998. THE PARCELS SCALE IN ZONE C.
13. ALL BUILDING CORNER OFFSETS TO BOUNDARY LINES ARE FROM CORNER BOARDS AND NOT BUILDING FOUNDATION, UNLESS NOTED.
14. CALL 1-888-DIGSAFE AT LEAST THREE BUSINESS DAYS BEFORE PERFORMING ANY EXCAVATION.
15. VERTICAL DATUM IS NGVD29. BENCHMARK IS CITY MONUMENT T112-18-107, ELEVATION = 145.08'
16. SEE CCRD BOOK 1143, PAGE 307, DATED JULY 25, 1923, FROM ELMORE W. RAMSDELL TO CLAIRE BOWDEN, FOR RIGHT OF WAY TO NORTH STREET.
17. PER CITY OF PORTLAND RECORDS. VOL. 1, PAGE 184, NORTH STREET WAS ACCEPTED MARCH 20, 1795 AS 4 RODS (66 FEET) WIDE.
18. SEE CCRD BOOK 14149, PAGE 281, DATED SEPTEMBER 10, 1998, FOR CITY OF PORTLAND'S LICENSE TO ERECT A FENCE ACROSS POPLAR STREET PARTIALLY INTRUDING ON LAND N/F MAXWELL.
19. SEE CCRD BOOK 31326, PAGE 331, DATED FEBRUARY 3, 2014, FROM THE CITY OF PORTLAND TO RAYMOND C. MAXWELL, FOR TERMINATION OF LICENSE RECORDED IN BOOK 14149, PAGE 281.
20. EXISTING BULKHEAD IS ALLOWED TO ENCROACH SETBACK WINDOW PER CITY OF PORTLAND ZONING ORDINANCE SECTION 14-425.
21. SEE NOTICE FOR VACATED PORTIONS OF SHERIDAN STREET AND EAST COVE STREET, DATED MARCH 5, 2015 AND RECORDED IN CCRD BOOK 32118, PAGE 145.
22. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THIS OFFICE MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE UNDERGROUND UTILITIES SHOWN ARE APPROXIMATE LOCATION AND ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THIS OFFICE HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
23. SEE CCRD BOOK 32237, PAGE 104, DATED APRIL 30, 2015, FOR RELEASE AND EASEMENT AGREEMENT BETWEEN REDFERN MUNJOY, LLC AND UPRIGHT PROPERTIES, LLC.
24. THE COORDINATES DEPICTED ON OUR PLAN ARE FOR MUNICIPAL REQUIREMENTS ONLY AND SHOULD NOT BE USED FOR CONSTRUCTION LAYOUT. THIS OFFICE ASSUMES NO LIABILITY AND/OR RESPONSIBILITY IF USED FOR CONSTRUCTION PURPOSED.
25. SPOT GRADES, SILL AND RIM ELEVATIONS ARE FOR ENGINEERING PURPOSED ONLY. AND SHALL NOT BE USED AS PROJECT BENCHMARKS. THIS OFFICE ASSUMES NO LIABILITY AND/OR RESPONSIBILITY IS USED FOR CONSTRUCTION PURPOSES.
26. NO RECORDS RESEARCH OR SITE EVALUATION HAS BEEN PERFORMED SINCE THE ORIGINAL DATE OF THIS SURVEY. THIS SURVEY PLAN WAS REVISED SOLEY TO DEPICT ADDITIONAL UTILITY INFORMANTION

EASEMENTS:

THERE ARE TWO EXISTING EASEMENTS AS IDENTIFIED BY THE SURVEYOR:
1. PERMANENT RIGHT-OF-WAY WITH 128F NORTH STREET. REFERENCE CCRD BK 1143, PG 307.
2. PERMANENT RETAINING WALL MAINTENANCE EASEMENT WITH MUNJOY HEIGHTS. REFERENCE CCRD BK 32237, PG 104

PROPOSED:
1. JOSHUA WOJCIK (126 NORTH STREET) GRANTS UPRIGHT PROPERTIES LLC (128R NORTH STREET) AN ACCESS/UTILITY AND SNOW STORAGE EASEMENT OVER 848 SF OF LAND ABUTTING THE NORTHERN AND EASTERN SIDE PROPERTY LINES. REFERENCE CCRD BK____ PG____.

WAIVERS & CONDITIONS OF APPROVAL:

TBD

APPROVED: PORTLAND PLANNING BOARD

CHAIRPERSON: DATE:

10 0 10 20
SCALE: 1"=10'

PERMIT LEVEL
NOT ISSUED FOR
CONSTRUCTION

ISSUED FOR	BY	DATE
LEVEL III SITE PLAN	WHS	8/7/19
PHASE II UPDATE	WHS	10/29/19
COMMENT RESPONSE 2	WHS	2/24/2020

DRAWING NAME: SUBDIVISION PLAT – PHASE I (128R NORTH STREET)

PROJECT NAME: 126/128R NORTH STREET REDEVELOPMENT

CLIENT: UPRIGHT PROPERTIES, LLC
PO BOX 833 WILTON, ME 04294

ACORN ENGINEERING, INC.

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. ANY REPRODUCTION, MODIFICATION OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

ACORN ENGINEERING, INC.
65 HANOVER ST, PORTLAND, MAINE 04101
(207) 775-2655

FILE:	1116_CIVIL
JN:	1116
SCALE:	1"=10'
DESIGNED BY:	SJL
DRAWN BY:	ZMS
CHECKED BY:	WHS

STATE OF MAINE WILLIAM H. SAVAGE JR. 10188 REGISTERED PROFESSIONAL ENGINEER 2-13-2020

DRAWING NO.
PLAT

VICINITY MAP
NOT TO SCALE

PHASE II		
SPACE AND BULK STANDARDS – 126 NORTH		
ZONE: R6 – MHNCDO	REQUIRED	PROPOSED
MINIMUM LOT SIZE	2,000 SF	3,645 SF
MINIMUM STREET FRONTAGE	20'	38'
MINIMUM FRONT YARD SETBACK	3.7' AVG	4'
MINIMUM SIDE YARD SETBACK (LEFT)	5'	10.02'
MINIMUM SIDE YARD SETBACK (RIGHT)	5'	5'
MINIMUM DECK SETBACK	7.5'	N/A
MINIMUM REAR YARD SETBACK	10'	17.83'
MAXIMUM LOT COVERAGE	60%	47%
MINIMUM LOT WIDTH	20'	38'
MAXIMUM BUILDING HEIGHT	35'	33.32'
MINIMUM LANDSCAPED OPEN AREA	20%	20%
MAXIMUM NUMBER OF DWELLING UNITS	725 SF/UNIT = 5*	6
RESIDENTIAL PARKING	1 SPACE PER UNIT AFTER 3 UNITS = 2 SPACES	2
MINIMUM INTERNAL RESIDENT BICYCLE STORAGE SPACES	2 SPACES/5 D.U. = 2	2
*SECTION 14-488 STATES "THAT PROVIDING BOTH WORKFORCE AND AFFORDABLE HOUSING UNITS, THE APPLICANT SHALL HAVE THE OPTION OF UTILIZING APPLICABLE INCENTIVES". IN THIS CASE THE INCENTIVE RESULTS IN 6 UNITS.		

OWNER:

JOSH WOJCIK
PO BOX 833 WILTON, ME 04294

CIVIL/SITE ENGINEER:

ACORN ENGINEERING, INC.
PORTLAND, MAINE
CONTACT: WILL SAVAGE, P.E.
65 HANOVER STREET, PORTLAND, ME 04101

SURVEYOR

NADEAU LAND SURVEYS
PORTLAND, MAINE
CONTACT: JAMES D. NADEAU, P.L.S.
918 BRIGHTON AVE, PORTLAND, ME 04102

LANDSCAPED AREAS
PAVED
CURB
PROPOSED BUILDING
PROPERTY LINE
STRIPING
RETAINING WALL
NEW PROPERTY MARKER
SETBACK LINE
SURVEY PROPERTY MARKER

PARKING SUMMARY – 126	
DIMENSIONS	# PARKING SPACES
10'x18'	1
8'X18' (ADA)	1
TOTAL PROPOSED SPACES	2

UNIT TABULATION – 126	
UNIT NUMBER	SIZE (SF)*
1A	680
2A	687
2B	716
3A	687
3B	716
*UNIT AREA MEASURED FROM OUTSIDE OF EXTERIOR WALLS TO THE CENTER OF SHARED WALLS	

RECORDING INFORMATION
STATE OF MAINE, CUMBERLAND
COUNTY REGISTRY OF DEEDS

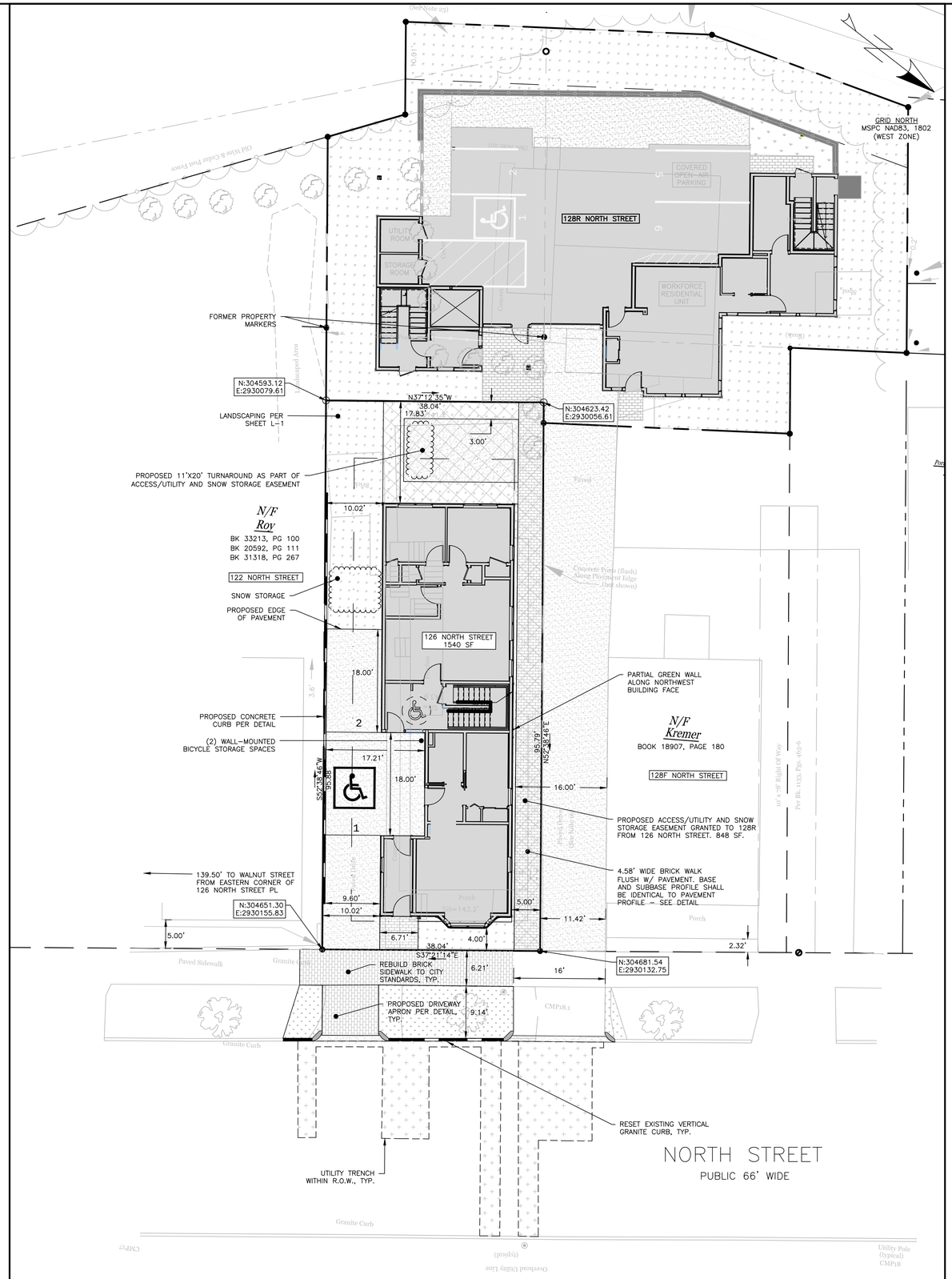
RECEIVED: _____

RECORDED IN _____

ATTEST: _____
REGISTRAR

JAMES D. NADEAU, MAINE P.L.S. #2124

NADEAU LAND SURVEYS DATE:



GENERAL NOTES:

1. FOR INFORMATION REGARDING THE PROPOSED SITE, REFER TO THE SITE PLAN, C-10, MOST RECENT VERSION.
2. FOR INFORMATION REGARDING PROPOSED UTILITIES, REFER TO THE UTILITY PLAN, SHEET C-20, MOST RECENT VERSION.
3. FOR INFORMATION REGARDING PROPOSED GRADING AND STORMWATER, REFER TO THE GRADING & DRAINAGE PLAN, SHEET C-30, MOST RECENT VERSION.
4. UNIT TABULATION PROVIDED BY DEXTROUS CREATIVE; REFER TO ARCHITECTURAL PLANS FOR FLOOR PLANS AND BUILDING HEIGHTS.
5. TOTAL SITE AREA INCLUDES 0.084 ACRES (3,645 S.F.). R.O.W. WIDTH FOR NORTH STREET IS 50 FEET PER BOUNDARY SURVEY & TOPOGRAPHICAL MAP WITH EXISTING CONDITIONS COMPLETED BY NADEAU LAND SURVEYS DATED 8/22/2018 (JOB #2181902BTR1).
6. SITE BOUNDARIES PER BOUNDARY SURVEY & TOPOGRAPHICAL MAP WITH EXISTING CONDITIONS COMPLETED BY NADEAU LAND SURVEYS ASSOCIATED DATED 8/22/2018 (JOB #2181902BTR1)
7. PROPERTY PINS TO BE SET BY PROFESSIONAL LAND SURVEYOR.
8. AS OF 5/7/2019, THE SITE IS BOUNDED BY THE R-6 ZONE ON EAST, WEST, SOUTH, AND NORTH SIDES OF THE CITY OF PORTLAND GIS WEBSITE.
9. LOCUS PARCEL IS SHOWN ON THE CITY OF PORTLAND ASSESSOR'S MAP 12, BLOCK H, LOT 14
10. LOCUS PARCEL DOES NOT FALL IN A SPECIAL FLOOD HAZARD AREA PER FEMA FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NUMBER 2300510014B, INDEX DATED 7/17/1986.
11. ALL BUILDING CORNER OFFSETS TO BOUNDARY LINES ARE FROM THE BUILDING FOUNDATION, UNLESS OTHERWISE NOTED.
12. THIS SHEET IS THE SUBDIVISION PLAT FOR THE CREATION OF UP TO SIX (6) DWELLING UNITS ON THE EXISTING SUBJECT PROPERTY.
13. THE OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND MANAGEMENT OF DRIVEWAYS, SIDEWALKS, STORMWATER DEVICES, SITE LIGHTING, TRASH REMOVAL, RETAINING WALLS, AND SNOW REMOVAL.
14. THE OWNER SHALL BE RESPONSIBLE FOR COMPLYING WITH THE CONDITIONS OF CHAPTER 32 STORMWATER INCLUDING ARTICLE III, POST-CONSTRUCTION STORMWATER MANAGEMENT AGREEMENT, WHICH SPECIFIES ANNUAL INSPECTIONS AND REPORTING REQUIREMENTS AT A MINIMUM. IN ADDITION, THE OWNER SHALL BE RESPONSIBLE FOR COMPLYING WITH THE CONDITIONS OF THE SUBMITTED STORMWATER MANAGEMENT PLAN AND THE APPROVED PLANS, AND MEET CITY STANDARDS AND STATE GUIDELINES.

SURVEY NOTES:

1. THIS PLAN IS NOT INTENDED TO DEPICT LIMITS OR EXTENT OF FEE TITLE OWNERSHIP. AN OPINION OF TITLE SHOULD BE RENDERED BY A TITLE ATTORNEY.
2. THE OFFICE RESERVES THE RIGHT TO BE HELD HARMLESS BY ALL 3RD PARTY CLAIMS.
3. THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING:
   - 3.1. EASEMENTS OTHER THAN THOSE THAT ARE VISIBLE OR SPECIFICALLY STATED IN THE REFERENCED DOCUMENTS.
   - 3.2. BUILDING SETBACK COMPLIANCE OR RESTRICTIVE COVENANTS.
   - 3.3. ZONING OR OTHER LAND USE REGULATIONS
   - 3.4. THE LOCATION OF ANY UNDERGROUND UTILITIES OR STRUCTURES.
4. THIS OFFICE RESERVES THE RIGHT TO BE HELD HARMLESS FOR UNKNOWN OR UNOBTAINABLE PRIVATE RECORDS WHICH COULD AFFECT THE RESULTS OF THIS SURVEY
5. REFERENCE IS MADE TO "LETTER OF AGREEMENT" DATED MAY 23, 2018 BETWEEN NADEAU LAND SURVEYS AND THE BELOW LISTED CLIENT(S), WHICH SHALL BE CONSIDERED AN INTEGRAL PART OF THIS SURVEY.
6. N/F IS AN ABBREVIATION FOR NOW OR FORMERLY.
7. ALL DEEDS REFERENCED ON THIS PLAN ARE RECORDED AT THE CUMBERLAND COUNTRY REGISTRY OF DEEDS (CCRD).
8. LOCUS PARCELS ARE LOCATED IN THE R-6 RESIDENTIAL ZONE: (AS OF 8/22/18)
   - 8.1. MIMIMUM LOT SIZE = 200 S.F.
   - 8.2. MINIMUM LOT AREA / DWELLING UNIT = 725 S.F.
   - 8.3. MINIMUM STREET FRONTAGE = 20 FEET
   - 8.4. MINIMUM LOT WIDTH = 20 FEET
   - 8.5. MAXIMUM LOT COVERAGE = 60%
   - 8.6. MINIMUM FRONT YARD SETBACK = 5 FEET, OR AVERAGE DEPTH OF ADJACENT FRONT YARDS
   - 8.7. MINIMUM SIDE YARD SETBACK = 5 FEET
   - 8.8. MINIMUM REAR YARD SETBACK = 10 FEET
9. LOCUS PARCEL A IS SHOWN ON THE CITY OF PORTLAND ASSESSOR'S MAP 12, BLOCK H, AS LOT 14, AND IS LISTED AS 126 NORTH STREET. LOCUS PARCEL B IS SHOWN ON THE CITY OF PORTLAND ASSESSOR'S MAP 12. BLOCK H, AS PARTS OF LOTS 9 & 22, AND LISTED AS 128R NORTH STREET.
10. AREA OF LOCUS PARCEL A IS 4,105.0 SQUARE FEET (0.09 ACRE). AREA OF LOCUS PARCEL B IS 5,682.0 SQUARE FEET (0.13 ACRES)
11. THE APPARENT RIGHT OF WAY LINES DEPICTED ON THIS PLAN ARE BASED ON THE PLAN REFERENCES LISTEN HEREON MONUMENTATION FOUND IN THE FIELD, AND CITY OF PORTLAND ENGINEERING STREET NOTES.
12. THE LOCUS PARCELS DO NOT SCALE IN A SPECIAL FLOOD HAZARD AREA PER FEMA FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NUMBER 230051 0014B, INDEX DATED DECEMBER 8, 1998. THE PARCELS SCALE IN ZONE C.
13. ALL BUILDING CORNER OFFSETS TO BOUNDARY LINES ARE FROM CORNER BOARDS AND NOT BUILDING FOUNDATION, UNLESS NOTED.
14. CALL 1-888-DIGSAFE AT LEAST THREE BUSINESS DAYS BEFORE PERFORMING ANY EXCAVATION.
15. VERTICAL DATUM IS NGVD29. BENCHMARK IS CITY MONUMENT T112-18-107, ELEVATION = 145.08'
16. SEE CCRD BOOK 1143, PAGE 307, DATED JULY 25, 1923, FROM ELMORE W. RAMSDELL TO CLAIRE BOWDEN, FOR RIGHT OF WAY TO NORTH STREET.
17. PER CITY OF PORTLAND RECORDS. VOL. 1, PAGE 184, NORTH STREET WAS ACCEPTED MARCH 20, 1795 AS 4 RODS (66 FEET) WIDE.
18. SEE CCRD BOOK 14149, PAGE 281, DATED SEPTEMBER 10, 1998, FOR CITY OF PORTLAND'S LICENSE TO ERECT A FENCE ACROSS POPLAR STREET PARTIALLY INTRUDING ON LAND N/F MAXWELL.
19. SEE CCRD BOOK 31326, PAGE 331, DATED FEBRUARY 3. 2014, FROM THE CITY OF PORTLAND TO RAYMOND C. MAXWELL, FOR TERMINATION OF LICENSE RECORDED IN BOOK 14149, PAGE 281.
20. EXISTING BULKHEAD IS ALLOWED TO ENCROACH SETBACK WINDOW PER CITY OF PORTLAND ZONING ORDINANCE SECTION 14-425.
21. SEE NOTICE FOR VACATED PORTIONS OF SHERIDAN STREET AND EAST COVE STREET, DATED MARCH 5, 2015 AND RECORDED IN CCRD BOOK 32118, PAGE 145.
22. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THIS OFFICE MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE UNDERGROUND UTILITIES SHOWN ARE APPROXIMATE LOCATION AND ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THIS OFFICE HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
23. SEE CCRD BOOK 32237, PAGE 104, DATED APRIL 30, 2015, FOR RELEASE AND EASEMENT AGREEMENT BETWEEN REDFERN MUNJOY, LLC AND UPRIGHT PROPERTIES, LLC.
24. THE COORDINATES DEPICTED ON OUR PLAN ARE FOR MUNICIPAL REQUIREMENTS ONLY AND SHOULD NOT BE USED FOR CONSTRUCTION LAYOUT. THIS OFFICE ASSUMES NO LIABILITY AND/OR RESPONSIBILITY IF USED FOR CONSTRUCTION PURPOSED.
25. SPOT GRADES, SILL AND RIM ELEVATIONS ARE FOR ENGINEERING PURPOSED ONLY. AND SHALL NOT BE USED AS PROJECT BENCHMARKS. THIS OFFICE ASSUMES NO LIABILITY AND/OR RESPONSIBILITY IS USED FOR CONSTRUCTION PURPOSES.
26. NO RECORDS RESEARCH OR SITE EVALUATION HAS BEEN PERFORMED SINCE THE ORIGINAL DATE OF THIS SURVEY. THIS SURVEY PLAN WAS REVISED SOLEY TO DEPICT ADDITIONAL UTILITY INFORMANTION

EASEMENTS:

THERE ARE NO EXISTING EASEMENTS IDENTIFIED BY THE SURVEYOR PERTAINING TO 126 NORTH STREET.

PROPOSED:

1. JOSHUA WOJCIK (126 NORTH STREET) GRANTS UPRIGHT PROPERTIES LLC (128R NORTH STREET) AN ACCESS/UTILITY AND SNOW STORAGE EASEMENT OVER 848 SF OF LAND ABUTTING THE NORTHERN AND EASTERN SIDE PROPERTY LINES. REFERENCE CCRD BK_____ PG_____.

WAIVERS & CONDITIONS OF APPROVAL:

N/A

APPROVED: PORTLAND PLANNING BOARD

CHAIRPERSON: DATE:

10 0 10 20

SCALE: 1"=10'

PERMIT LEVEL
NOT ISSUED FOR
CONSTRUCTION

ISSUED FOR	BY	DATE
PHASE II UPDATE	WHS	10/29/19
COMMENT RESPONSE	WHS	12/18/19
COMMENT RESPONSE 2	WHS	7/24/2020

DRAWING NAME: SUBDIVISION PLAT – PHASE II (126 NORTH STREET)

PROJECT NAME: 126/128R NORTH STREET REDEVELOPMENT

CLIENT: JOSHUA WOJCIK
PO BOX 833 WILTON, ME 04294

ACORN ENGINEERING, INC.

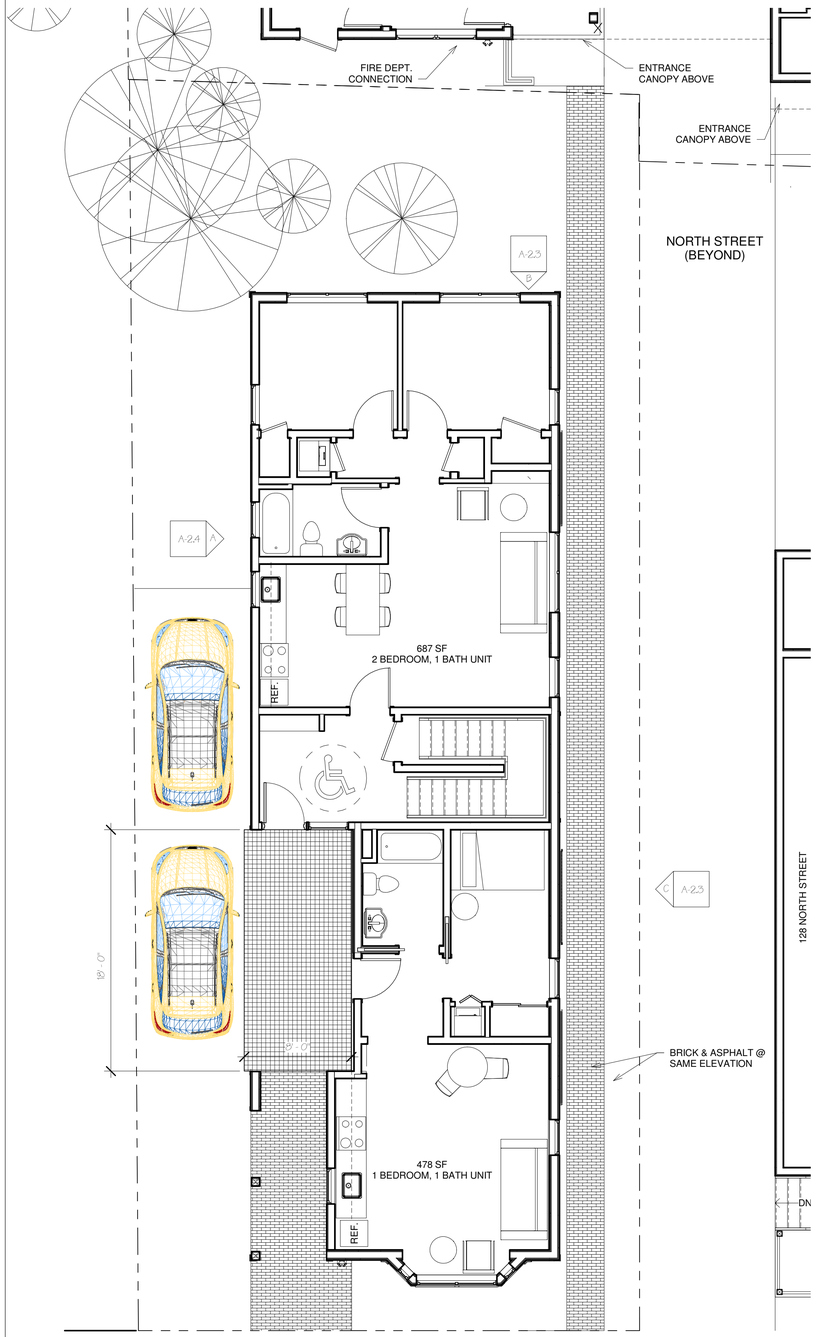
THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. ANY MODIFICATIONS MADE WITHOUT WRITTEN PERMISSION OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

ACORN ENGINEERING, INC.
65 HANOVER ST. PORTLAND, MAINE 04101
(207) 775-2655

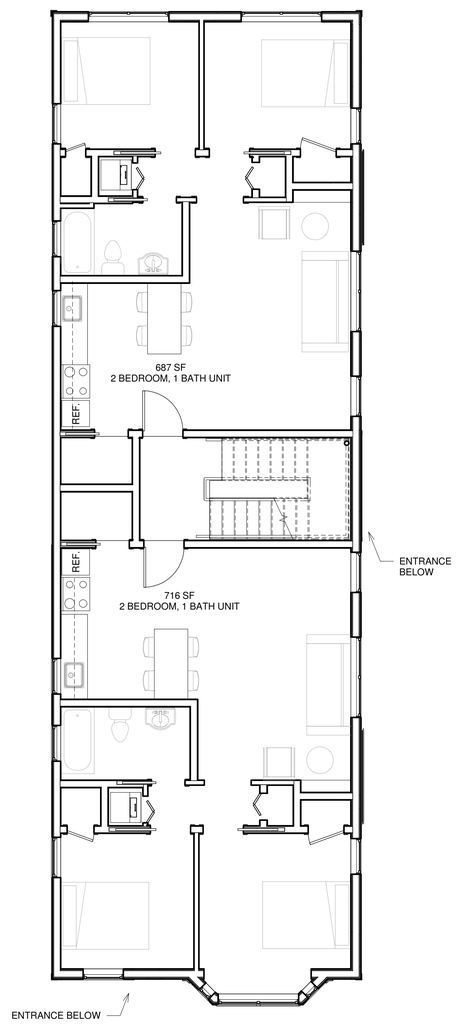
FILE:	1116_CIVIL
JN:	1116
SCALE:	1"=10'
DESIGNED BY:	SJL
DRAWN BY:	ZMS
CHECKED BY:	WHS

STATE OF MAINE WILLIAM H. SAVAGE JR. 10189 PE LICENSED 2-13-2020

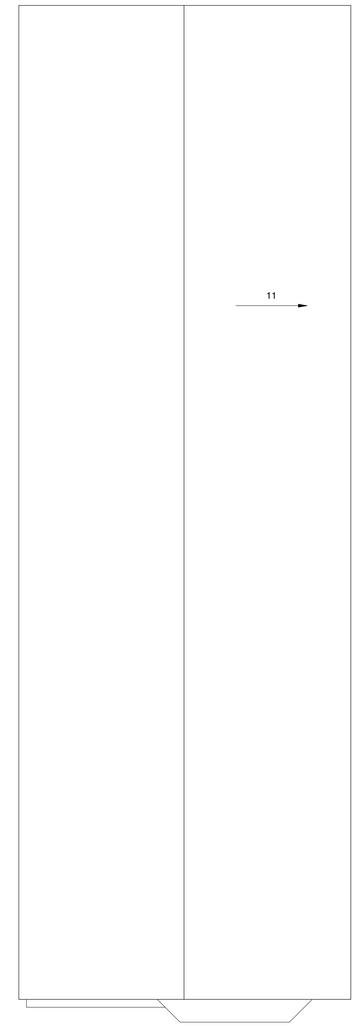
DRAWING NO.
PLAT



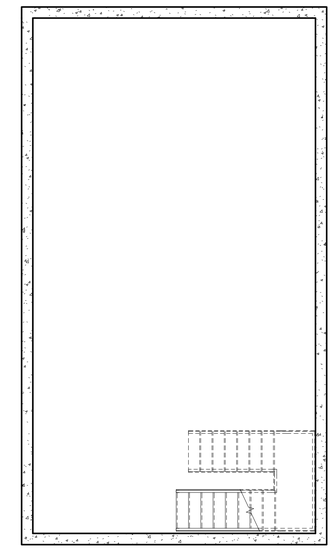
A First Floor 126
3/16" = 1'-0"



B Second & Third Floors 126
3/16" = 1'-0"



C Roof 126
3/16" = 1'-0"



D Basement
3/16" = 1'-0"

126 & 128R North Street

NEW CONSTRUCTION

OWNER
JOSHUA WOJCIK
UPRIGHT FRAMEWORKS LLC
PO BOX 833
WILTON ME 04294
jwojcik@uprightframeworks.com

DEXTROUS CREATIVE
PORTLAND, ME 04102
TRACIE REED, ARCHITECT
NCARB, AIA, LEED AP BD+C
traciereed@dextrouscreative.com
207.409.0459 (cell)

PROJECT TEAM

SURVEYOR
James P. Nadeau, PLS
Nadeau Land Surveyors
918 Brighton Ave
Portland, ME 04102
(207) 878-7870

GEOTECHNICAL ENGINEER
Mat Hardison, P.E.
Senior Geotechnical Engineer
Summit Geoengineering Services, Inc.
P.O. Box 7216
Lewiston, Maine 04243
(207) 576-6762

CIVIL ENGINEER
Will Savage, PE
Acorn Engineering, Inc
PO Box 3372
Portland, Maine 04104
(207) 775-2655

STRUCTURAL ENGINEER
Aaron C. Jones, P.E.
Structural Integrity Consulting Engineers, Inc.
46 Forest Ave
Portland, ME 04101
(207) 774-4614

No.	Description	Date

PHASE 2 PLANS

Project number	18-16_128R North
Date	04.16.20
Drawn by	Author
Checked by	Checker

A-1.6 126

Scale 3/16" = 1'-0"

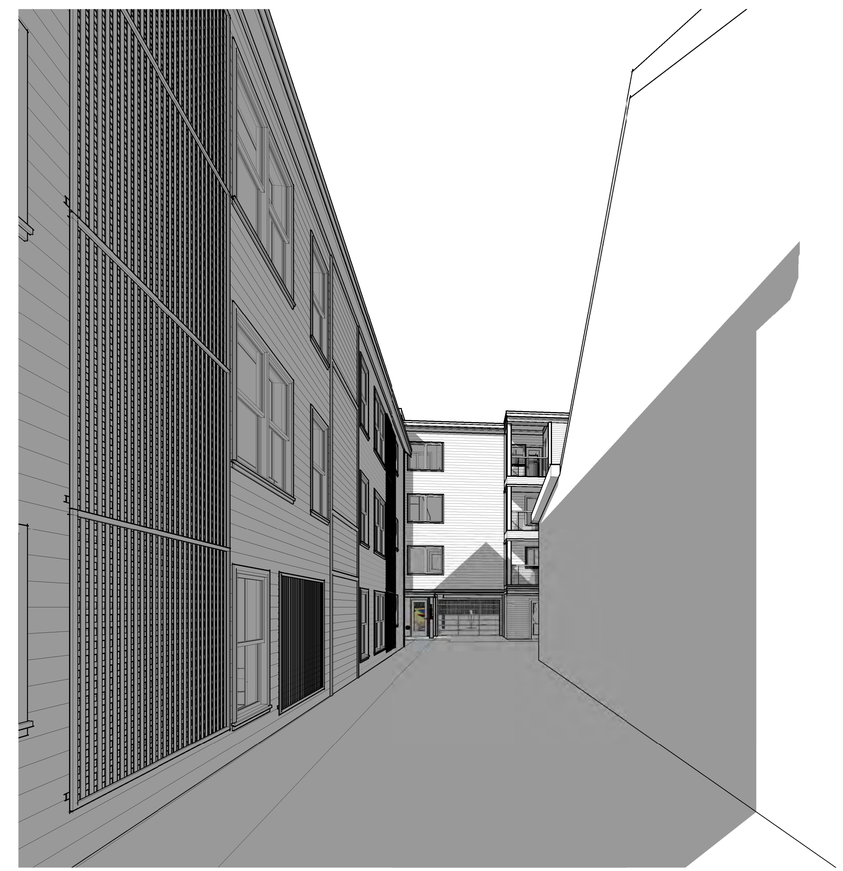
4/16/2020 11:25:17 AM

A View for Walnut Street Rendering

D View from Senior Housing for Rendering Copy 1

B View 126 + 128R North (elevation 17'6"

C Street View 126 + 128R North (Eye at 5'-0")



E View from North Street Sidewalk 126 & 128R

126 & 128R North Street

NEW CONSTRUCTION

OWNER
JOSHUA WOJCIK
UPRIGHT FRAMEWORKS LLC
PO BOX 833
WILTON ME 04294
jwojcik@uprightframeworks.com

DEXTROUS CREATIVE
PORTLAND, ME 04102
TRACIE REED, ARCHITECT
NCARB, AIA, LEED AP BD+C
traciereed@dextrouscreative.com
207.409.0459 (cell)

PROJECT TEAM

SURVEYOR
James P. Nadeau, PLS
Nadeau Land Surveyors
918 Brighton Ave
Portland, ME 04102
(207) 878-7870

GEOTECHNICAL ENGINEER
Mat Hardison, P.E.
Senior Geotechnical Engineer
Summit Geoengineering Services, Inc.
P.O. Box 7216
Lewiston, Maine 04243
(207) 576-6762

CIVIL ENGINEER
Will Savage, PE
Acorn Engineering, Inc
PO Box 3372
Portland, Maine 04104
(207) 775-2655

STRUCTURAL ENGINEER
Aaron C. Jones, P.E.
Structural Integrity Consulting Engineers, Inc.
46 Forest Ave
Portland, ME 04101
(207) 774-4614

No.	Description	Date

PERSPECTIVES 126

Project number	18-16_128R North
Date	04.16.20
Drawn by	Author
Checked by	Checker

A-5.3

Scale

4/16/2020 10:27:51 AM

A North Street View Showing Entrances

B Main Entrance 126

126 & 128R North Street

NEW CONSTRUCTION

OWNER
JOSHUA WOJCIK
UPRIGHT FRAMEWORKS LLC
PO BOX 833
WILTON ME 04294
jwojcik@uprightframeworks.com

DEXTROUS CREATIVE
PORTLAND, ME 04102
TRACIE REED, ARCHITECT
NCARB, AIA, LEED AP BD+C
traciereed@dextrouscreative.com
207.409.0459 (cell)

PROJECT TEAM

SURVEYOR
James P. Nadeau, PLS
Nadeau Land Surveyors
918 Brighton Ave
Portland, ME 04102
(207) 878-7870

GEOTECHNICAL ENGINEER
Mat Hardison, P.E.
Senior Geotechnical Engineer
Summit Geoengineering Services, Inc.
P.O. Box 7216
Lewiston, Maine 04243
(207) 576-6762

CIVIL ENGINEER
Will Savage, PE
Acorn Engineering, Inc
PO Box 3372
Portland, Maine 04104
(207) 775-2655

STRUCTURAL ENGINEER
Aaron C. Jones, P.E.
Structural Integrity Consulting Engineers, Inc.
46 Forest Ave
Portland, ME 04101
(207) 774-4614

No.	Description	Date

PERSPECTIVES 126

Project number	18-16_128R North
Date	04.16.20
Drawn by	Author
Checked by	Checker

A-5.4

Scale

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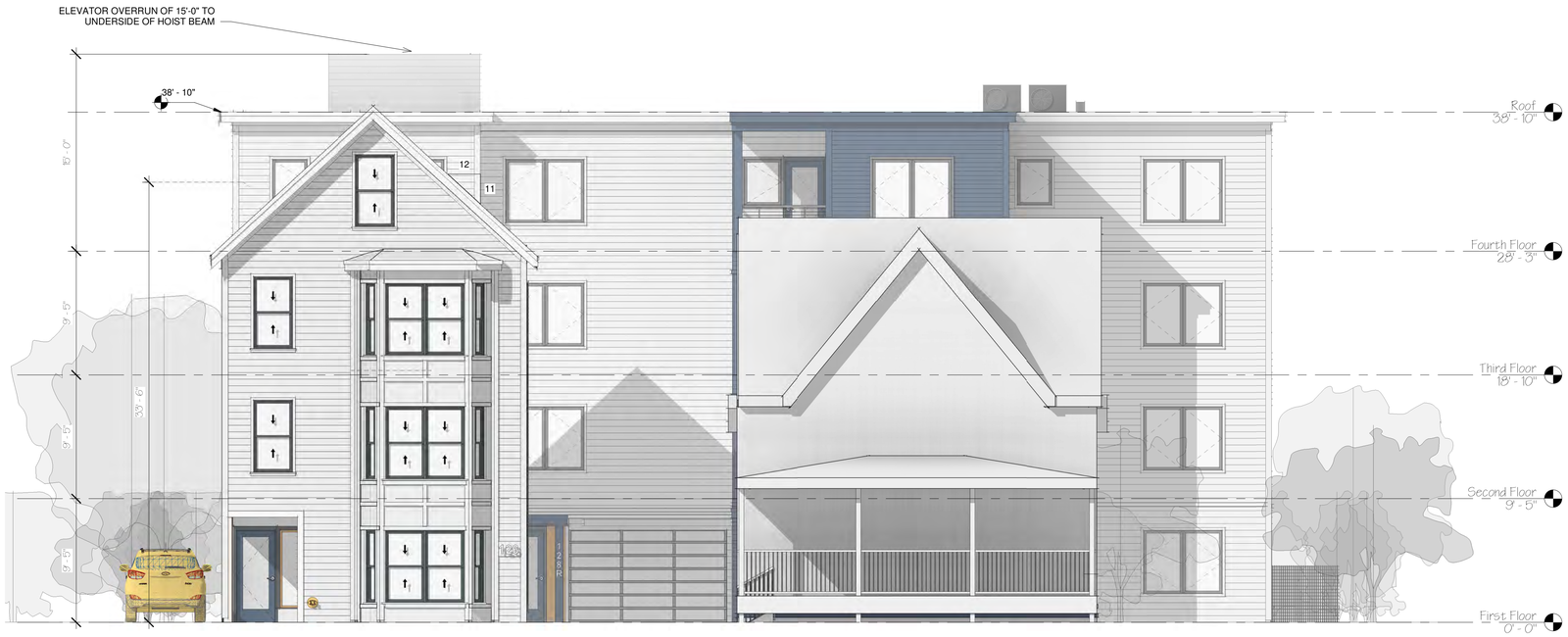


A South Elevation 126 & 128
3/16" = 1'-0"

B North Elevation 126 North
3/16" = 1'-0"

C East Elevation 126 North
3/16" = 1'-0"

126 & 128R North Street

NEW CONSTRUCTION

OWNER
JOSHUA WOJCIK
UPRIGHT FRAMEWORKS LLC
PO BOX 833
WILTON ME 04294
jwojcik@uprightframeworks.com

DEXTROUS CREATIVE
PORTLAND, ME 04102
TRACIE REED, ARCHITECT
NCARB, AIA, LEED AP BD+C
traciereed@dextrouscreative.com
207.409.04559 (cell)

PROJECT TEAM

SURVEYOR
James P. Nadeau, PLS
Nadeau Land Surveyors
918 Brighton Ave
Portland, ME 04102
(207) 878-7870

GEOTECHNICAL ENGINEER
Mat Hardison, P.E.
Senior Geotechnical Engineer
Summit Geoengineering Services, Inc.
P.O. Box 7216
Lewiston, Maine 04243
(207) 576-6762

CIVIL ENGINEER
Will Savage, PE
Acorn Engineering, Inc
PO Box 3372
Portland, Maine 04104
(207) 775-2655

STRUCTURAL ENGINEER
Aaron C. Jones, P.E.
Structural Integrity Consulting Engineers, Inc.
46 Forest Ave
Portland, ME 04101
(207) 774-4614

No.	Description	Date

SOUTH, NORTH & EAST 126

Project number	18-16_128R North
Date	04.16.20
Drawn by	Author
Checked by	Checker

A-2.3

Scale 3/16" = 1'-0"

4/16/2020 10:20:22 AM

A West Elevation 126 North
3/16" = 1'-0"

126 & 128R North Street

NEW CONSTRUCTION

OWNER
JOSHUA WOJCIK
UPRIGHT FRAMEWORKS LLC
PO BOX 833
WILTON ME 04294
jwojcik@uprightframeworks.com

DEXTROUS CREATIVE
PORTLAND, ME 04102
TRACIE REED, ARCHITECT
NCARB, AIA, LEED AP BD+C
traciereed@dextrouscreative.com
207.409.0459 (cell)

PROJECT TEAM

SURVEYOR
James P. Nadeau, PLS
Nadeau Land Surveyors
918 Brighton Ave
Portland, ME 04102
(207) 878-7870

GEOTECHNICAL ENGINEER
Mat Hardison, P.E.
Senior Geotechnical Engineer
Summit Geoengineering Services, Inc.
P.O. Box 7216
Lewiston, Maine 04243
(207) 576-6762

CIVIL ENGINEER
Will Savage, PE
Acorn Engineering, Inc
PO Box 3372
Portland, Maine 04104
(207) 775-2655

STRUCTURAL ENGINEER
Aaron C. Jones, P.E.
Structural Integrity Consulting Engineers, Inc.
46 Forest Ave
Portland, ME 04101
(207) 774-4614

No.	Description	Date

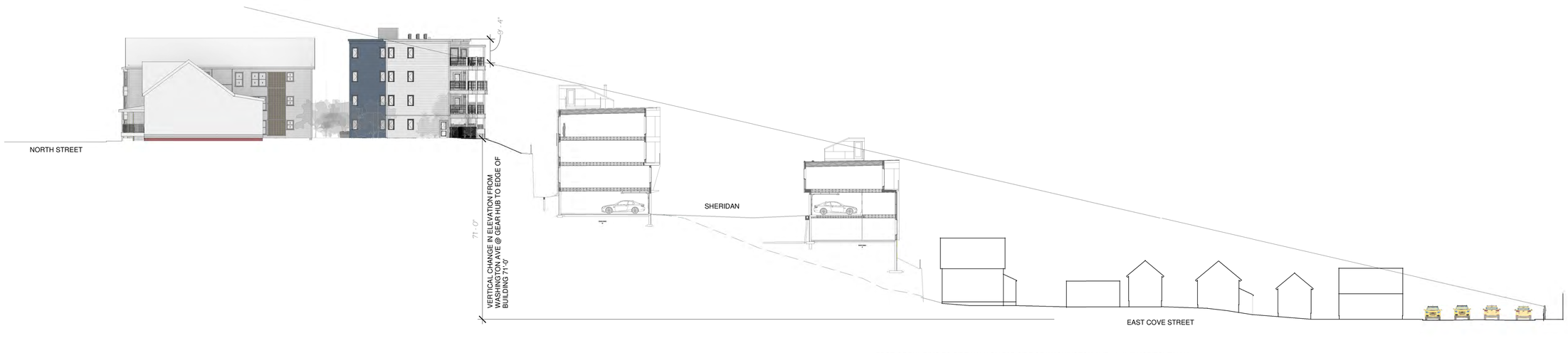
WEST ELEVATION 126

Project number	18-16_128R North
Date	04.16.20
Drawn by	Author
Checked by	Checker

A-2.4

Scale 3/16" = 1'-0"

4/16/2020 10:20:29 AM



SITE SECTION NORTH STREET TO WASHINGTON AVENUE
(A) 1" = 20'-0"

ENTOURAGE 'FLORENCE' IS 5'-6" TALL. IF FLORENCE WERE TO STAND ON THE FAR SIDEWALK OF WASHINGTON AVENUE AND LOOK UP TOWARDS NORTH STREET THEY WOULD BE ABLE TO SEE THE TOP OF THE DECK RAIL AT 128R NORTH AND THE ELEVATION BEYOND AT A DISTANCE OF 435'-0" (HYPOTENUSE). THE REAR FACE OF THE BUILDING WOULD BE 418'-0" FROM HER HORIZONTALLY AND 71'-0" VERTICALLY*. THE MAJORITY OF THEIR SITE LINE WOULD BE CONSUMED BY THE MUNJOY HEIGHTS PROJECT (ALONG SHERIDAN STREET). THE DASHED LINE SHOWS THE CHANGE IN TOPOGRAPHY CREATED BY THE MUNJOY HEIGHTS PROJECT. THE ENTOURAGE IS ALSO SHOWN WITHIN THE FOURTH FLOOR OF THE MUNJOY HEIGHTS PROJECT LOOKING AT THE BACK OF 128R. THIS INDIVIDUAL IS 31'-0" AWAY FROM THE FACE OF DECK AND THEIR EYES WOULD BE 5'-0" ABOVE THE GRADE OF PARKING. THE PERSPECTIVE SEEN BY THIS PERSON IS SHOWN ON B/A-5.2. NOTE THAT THE MUNJOY HEIGHTS PROJECT. NOTE THAT THE BUILDINGS IN THE MUNJOY HEIGHTS PROJECT ARE SITUATED ALONG A SPLINE AND VARY IN DISTANCE FROM THE REAR FACE OF 128R BUILDING. AT THE CLOSEST POINT THE EXTERIOR FACE OF THE MUNJOY HEIGHTS BUILDING TO THE FACE OF DECK IS 25'-0" AND AT THE WIDEST POINT IT IS 32'-0". AT THE POINT OF THIS SECTION THE BUILDING IS MODELED AT 28'-0" SEPARATION.

*BASED ON ACORN ENGINEERING SITE ELEVATIONS POINTS AT THE EDGE OF BUILDING ON 128R NORTH STREET AND PROJECTS CURRENTLY UNDER CONSTRUCTION ALONG WASHINGTON AVENUE. SITE SECTION THROUGH MUNJOY HEIGHTS OBTAINED FROM ENGINEER. EAST COVE STREET HOUSES WERE SITED USING A COMBIATION OF PORTLAND GIS DATA, ASSESSING DEPARTMENT MEASUREMENTS AND GOOGLE STREET VIEW IMAGES

126 & 128R North Street

NEW CONSTRUCTION

OWNER
JOSHUA WOJCIK
UPRIGHT FRAMEWORKS LLC
PO BOX 833
WILTON ME 04294
jwojcik@uprightframeworks.com

DEXTROUS CREATIVE
PORTLAND, ME 04102
TRACIE REED, ARCHITECT
NCARB, AIA, LEED AP BD+C
traciereed@dextrouscreative.com
207.409.0459 (cell)

PROJECT TEAM

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Nadeau Land Surveyors
918 Brighton Ave
Portland, ME 04102
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Portland, Maine 04104
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STRUCTURAL ENGINEER
Aaron C. Jones, P.E.
Structural Integrity Consulting Engineers, Inc.
46 Forest Ave
Portland, ME 04101
(207) 774-4614

No.	Description	Date

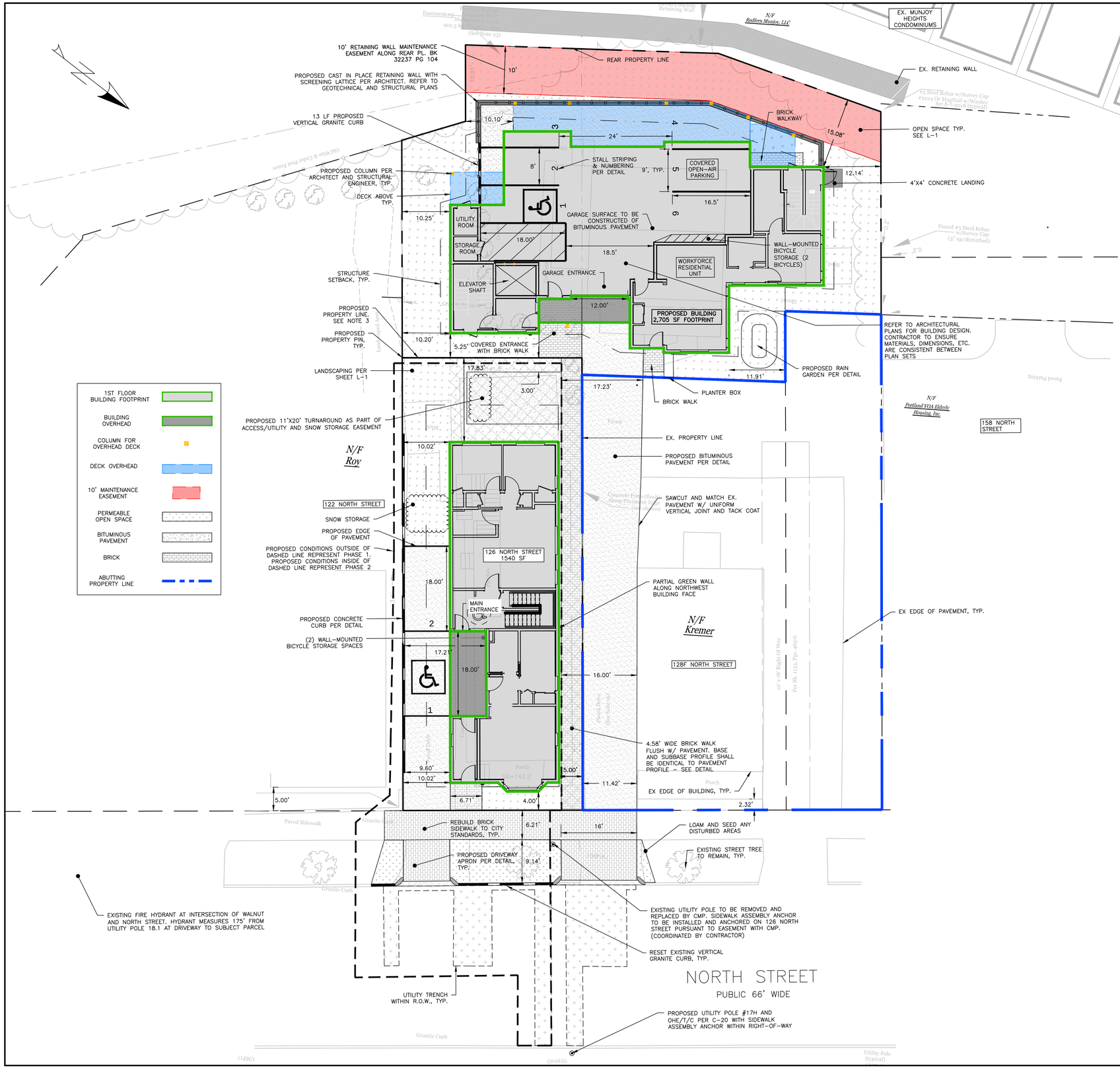
SITE SECTION

Project number	18-16_128R North
Date	04.16.20
Drawn by	Author
Checked by	Checker

A-3.2

Scale 1" = 20'-0"

4/16/2020 11:22:55 AM



GENERAL NOTES:

1. STRIPING AS INDICATED ON SITE PLAN SHALL BE WHITE AND 4" WIDE.
2. EXISTING CONDITIONS PROVIDED BY NADEAU LAND SURVEYS ON A PLAN ENTITLED BOUNDARY & EXISTING CONDITIONS SURVEY AT NORTH STREET MADE FOR JOSH T. WOJCIK (JOB NO. 2181902BTR1). PLAN IS DATED AUG. 22, 2018 WITH A MOST RECENT REVISION DATE OF MAY 1, 2019.
3. REFER TO LEGAL DESCRIPTION AND ACCOMPANYING EXHIBIT IN BK _____ PG _____ FOR CONVEYANCE OF LAND FROM 126 NORTH STREET TO 128R NORTH STREET.
4. SOLID GREY HATCH DEPICTS ENCLOSED LIVING SPACE AT THE GROUND LEVEL OR ABOVE.
5. NO WORK ON PHASE II SHALL OCCUR DURING PHASE I WORK UNLESS AUTHORIZED BY THE OWNER.

PHASE I		
SPACE AND BULK STANDARDS – 128R NORTH		
ZONE: R6 – MHNCDO	REQUIRED	PROPOSED
MINIMUM LOT SIZE	2,000 SF	6,142 SF
MINIMUM STREET FRONTAGE	20'	N/A
MINIMUM FRONT YARD SETBACK	5'	5.25'
MINIMUM SIDE YARD SETBACK (LEFT)	10'	10'
MINIMUM SIDE YARD SETBACK (RIGHT)	10'	11.91'
MINIMUM DECK SETBACK	10'	10.10'
MINIMUM REAR YARD SETBACK	15'	15.08'
MAXIMUM LOT COVERAGE	60%	57%
MINIMUM LOT WIDTH	20'	101'
MAXIMUM BUILDING HEIGHT	45'	44.61'
MINIMUM LANDSCAPED OPEN AREA	20%	40%
MAXIMUM NUMBER OF DWELLING UNITS	725 SF/UNIT = 8	6
RESIDENTIAL PARKING	1 SPACE PER UNIT AFTER 3 UNITS = 3 SPACES	6
MINIMUM INTERNAL RESIDENT BICYCLE STORAGE SPACES	2 SPACES/5 D.U. = 2	2

PERMISSIBLE VEHICLE SUMMARY – 128R			
SPACES	MAX WHEEL BASE	MAX LENGTH	MAX WIDTH
1,5,6	9.3'	16.5'	6.5'
2,3	8.6'	15.8'	6'
4	8.5'	14.5'	5.8'

PARKING SUMMARY – 128R	
DIMENSIONS	# PARKING SPACES
9'x16.5'	4
8'X16.5'	1
8'X18'	1
TOTAL PROPOSED SPACES	6

PHASE II		
SPACE AND BULK STANDARDS – 126 NORTH		
ZONE: R6 – MHNCDO	REQUIRED	PROPOSED
MINIMUM LOT SIZE	2,000 SF	3,645 SF
MINIMUM STREET FRONTAGE	20'	38'
MINIMUM FRONT YARD SETBACK	3.7' AVG	4'
MINIMUM SIDE YARD SETBACK (LEFT)	5'	10.02'
MINIMUM SIDE YARD SETBACK (RIGHT)	5'	5'
MINIMUM DECK SETBACK	10'	N/A
MINIMUM REAR YARD SETBACK	10'	17.83'
MAXIMUM LOT COVERAGE	60%	47%
MINIMUM LOT WIDTH	20'	38'
MAXIMUM BUILDING HEIGHT	35'	33.32'
MINIMUM LANDSCAPED OPEN AREA	20%	20%
MAXIMUM NUMBER OF DWELLING UNITS	725 SF/UNIT = 5*	6
RESIDENTIAL PARKING	1 SPACE PER UNIT AFTER 3 UNITS = 2 SPACES	2
MINIMUM INTERNAL RESIDENT BICYCLE STORAGE SPACES	2 SPACES/5 D.U. = 2	2

*SECTION 14-488 STATES "THAT PROVIDING BOTH WORKFORCE AND AFFORDABLE HOUSING UNITS, THE APPLICANT SHALL HAVE THE OPTION OF UTILIZING APPLICABLE INCENTIVES". IN THIS CASE THE INCENTIVE RESULTS IN 6 UNITS.

PARKING SUMMARY – 126	
DIMENSIONS	# PARKING SPACES
9'x18'	1
8'X18' (ADA)	1
TOTAL PROPOSED SPACES	2

10 0 10 20

SCALE: 1"=10'

PERMIT LEVEL
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY	DATE
LEVEL III SITE PLAN	WHS	8/7/19
PHASE II UPDATE	WHS	10/29/19
COMMENT RESPONSE	WHS	12/18/19
COMMENT RESPONSE 2	WHS	2/24/2020
COMMENT RESPONSE 3	WHS	3/17/2020

DRAWING NAME: COLOR CODED SITE PLAN

PROJECT NAME: 126/128R NORTH STREET REDEVELOPMENT

CLIENT: UPRIGHT PROPERTIES, LLC
PO BOX 833 WILTON, ME 04294

ACORN ENGINEERING, INC.

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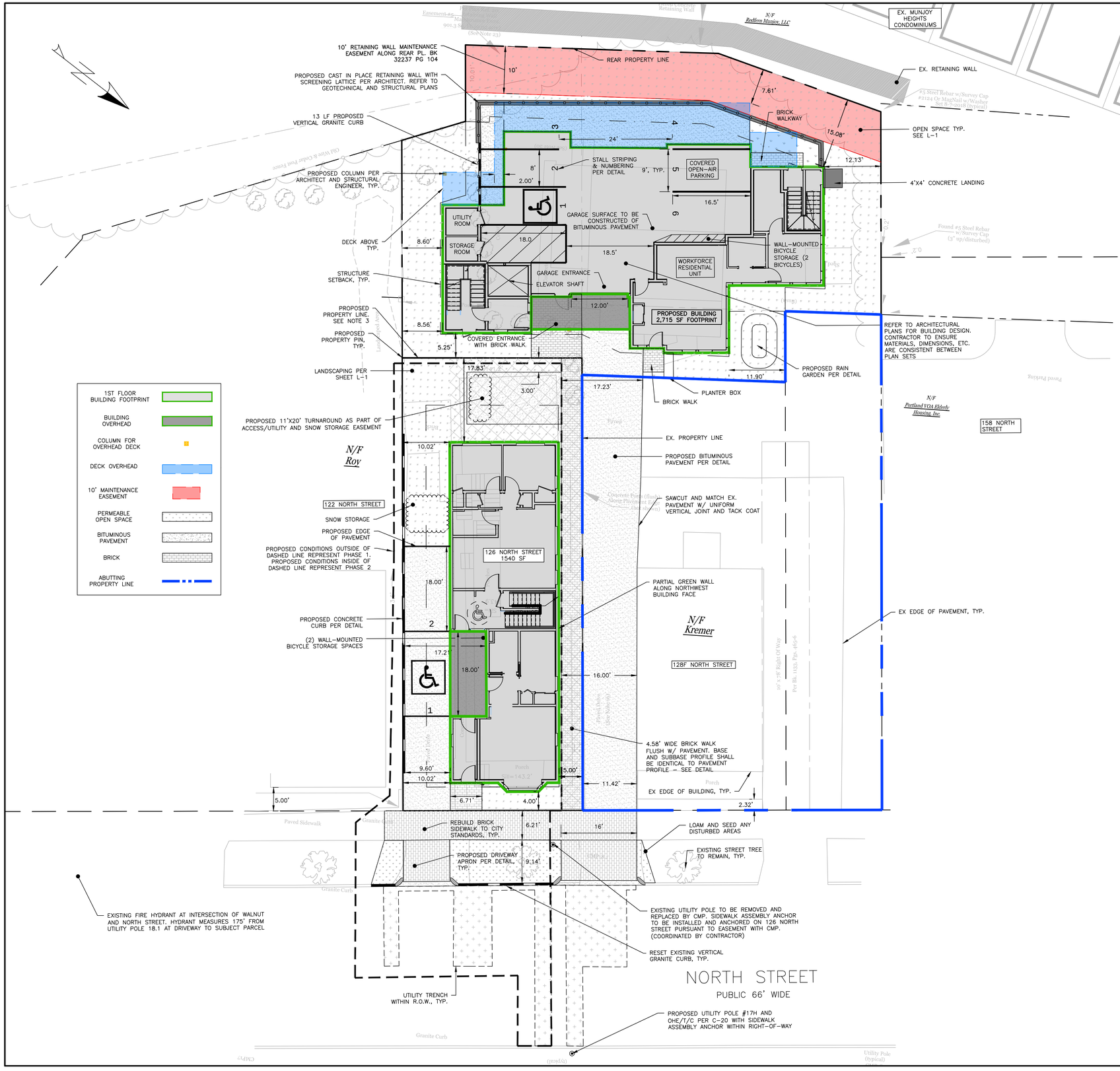
ACORN ENGINEERING, INC.
65 HANOVER ST. PORTLAND, MAINE 04101
(207) 775-2655

FILE:	1116_CIVIL
JN:	1116
SCALE:	1"=10'
DESIGNED BY:	SJL
DRAWN BY:	ZMS
CHECKED BY:	WHS

3-4-2020

DRAWING NO.
C-10



GENERAL NOTES:

1. STRIPING AS INDICATED ON SITE PLAN SHALL BE WHITE AND 4" WIDE.
2. EXISTING CONDITIONS PROVIDED BY NADEAU LAND SURVEYS ON A PLAN ENTITLED BOUNDARY & EXISTING CONDITIONS SURVEY AT NORTH STREET MADE FOR JOSH T. WOJCIK (JOB NO. 2181902BTR1). PLAN IS DATED AUG. 22, 2018 WITH A MOST RECENT REVISION DATE OF MAY 1, 2019.
3. REFER TO LEGAL DESCRIPTION AND ACCOMPANYING EXHIBIT IN BK _____ PG _____ FOR CONVEYANCE OF LAND FROM 126 NORTH STREET TO 128R NORTH STREET.
4. SOLID GREY HATCH DEPICTS ENCLOSED LIVING SPACE AT THE GROUND LEVEL OR ABOVE.
5. NO WORK ON PHASE II SHALL OCCUR DURING PHASE I WORK UNLESS AUTHORIZED BY THE OWNER.

PHASE I

SPACE AND BULK STANDARDS – 128R NORTH

ZONE: R6 – MHNCDO	REQUIRED	PROPOSED
MINIMUM LOT SIZE	2,000 SF	6,142 SF
MINIMUM STREET FRONTAGE	20'	N/A
MINIMUM FRONT YARD SETBACK	5'	5.25'
MINIMUM SIDE YARD SETBACK (LEFT)	8.15' *	8.56'
MINIMUM SIDE YARD SETBACK (RIGHT)	11.85' *	11.90'
MINIMUM DECK SETBACK	7.5'	7.61'
MINIMUM REAR YARD SETBACK	15'	15.08'
MAXIMUM LOT COVERAGE	60%	57%
MINIMUM LOT WIDTH	20'	101'
MAXIMUM BUILDING HEIGHT	45'	44.61'
MINIMUM LANDSCAPED OPEN AREA	20%	40%
MAXIMUM NUMBER OF DWELLING UNITS	725 SF/UNIT = 8	6
RESIDENTIAL PARKING	1 SPACE PER UNIT AFTER 3 UNITS = 3 SPACES	6
MINIMUM INTERNAL RESIDENT BICYCLE STORAGE SPACES	2 SPACES/5 D.U. = 2	2

* 10' FOR ALL SIDE YARDS, EXCEPT THAT A SIDE YARD NO LESS THAN 5' IS PERMITTED WHEN USED TO CONTINUE A DOCUMENTED BUILT PATTERN OF THE SURROUNDING STREETSCAPE, IN WHICH CASE A PROPORTIONAL INCREASE IN ANOTHER SIDE YARD MUST BE PROVIDED

PERMISSIBLE VEHICLE SUMMARY – 128R

SPACES	MAX WHEEL BASE	MAX LENGTH	MAX WIDTH
1,5,6	9.3'	16.5'	6.5'
2,3	8.6'	15.8'	6'
4	8.5'	14.5'	5.8'

PARKING SUMMARY – 128R

DIMENSIONS	# PARKING SPACES
9'x16.5'	4
8'X16.5'	1
8'X18'	1
TOTAL PROPOSED SPACES	6

PHASE II

SPACE AND BULK STANDARDS – 126 NORTH

ZONE: R6 – MHNCDO	REQUIRED	PROPOSED
MINIMUM LOT SIZE	2,000 SF	3,645 SF
MINIMUM STREET FRONTAGE	20'	38'
MINIMUM FRONT YARD SETBACK	3.7' AVG	4'
MINIMUM SIDE YARD SETBACK (LEFT)	5'	10.02'
MINIMUM SIDE YARD SETBACK (RIGHT)	5'	5'
MINIMUM DECK SETBACK	7.5'	N/A
MINIMUM REAR YARD SETBACK	10'	17.83'
MAXIMUM LOT COVERAGE	60%	47%
MINIMUM LOT WIDTH	20'	38'
MAXIMUM BUILDING HEIGHT	35'	33.32'
MINIMUM LANDSCAPED OPEN AREA	20%	20%
MAXIMUM NUMBER OF DWELLING UNITS	725 SF/UNIT = 5*	6
RESIDENTIAL PARKING	1 SPACE PER UNIT AFTER 3 UNITS = 2 SPACES	2
MINIMUM INTERNAL RESIDENT BICYCLE STORAGE SPACES	2 SPACES/5 D.U. = 2	2

*SECTION 14-488 STATES "THAT PROVIDING BOTH WORKFORCE AND AFFORDABLE HOUSING UNITS, THE APPLICANT SHALL HAVE THE OPTION OF UTILIZING APPLICABLE INCENTIVES". IN THIS CASE THE INCENTIVE RESULTS IN 6 UNITS.

PARKING SUMMARY – 126

DIMENSIONS	# PARKING SPACES
9'x18'	1
8'X18' (ADA)	1
TOTAL PROPOSED SPACES	2

10 0 10 20

SCALE: 1"=10'

PERMIT LEVEL
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY	DATE
LEVEL III SITE PLAN	WHS	8/7/19
PHASE II UPDATE	WHS	10/29/19
COMMENT RESPONSE	WHS	12/18/19
COMMENT RESPONSE 2	WHS	2/24/2020

DRAWING NAME: COLOR CODED SITE PLAN

PROJECT NAME: 126/128R NORTH STREET REDEVELOPMENT

CLIENT: UPRIGHT PROPERTIES, LLC
PO BOX 833 WILTON, ME 04294

ACORN ENGINEERING, INC.
65 HANOVER ST. PORTLAND, MAINE 04101
(207) 775-2655

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. AND ALL REVISIONS TO THE PLAN OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

FILE:	1116_CIVIL
JN:	1116
SCALE:	1"=10'
DESIGNED BY:	SJL
DRAWN BY:	ZMS
CHECKED BY:	WHS

DRAWING NO.
C-10

PLANNING BOARD REPORT
PORTLAND, MAINE

Mixed-Use Development
844 Stevens Avenue
Level III Site Plan and Subdivision Review
PL-000961-2020
Stevens Avenue, LLC, Applicant

Submitted to: Portland Planning Board **Public Hearing Date:** 7/21/2020	**Prepared by:** Christian Roadman, Planner **Date Prepared:** 7/17/2020

Context of proposed project at 844 Stevens Avenue (highlighted in teal)

I. INTRODUCTION / EXISTING CONDITIONS / PROPOSED DEVELOPMENT

The applicant proposes to develop a mixed-use project with twenty rental dwelling units and 796 square feet of office space at 844 Stevens Avenue. Project elements include the renovation of an existing building at 844 Stevens Avenue into two offices (400 and 396 square feet, respectively) and four dwelling units (597; 680; 850; and 1,205 square feet, respectively, totaling 3,332 square feet) and development of a new 16-unit, 12,155 square foot apartment building with

units ranging from 462 to 1,061 sf. at the rear of the same property. Please see the applicant's site plan, **Attachment P2**, for further details.

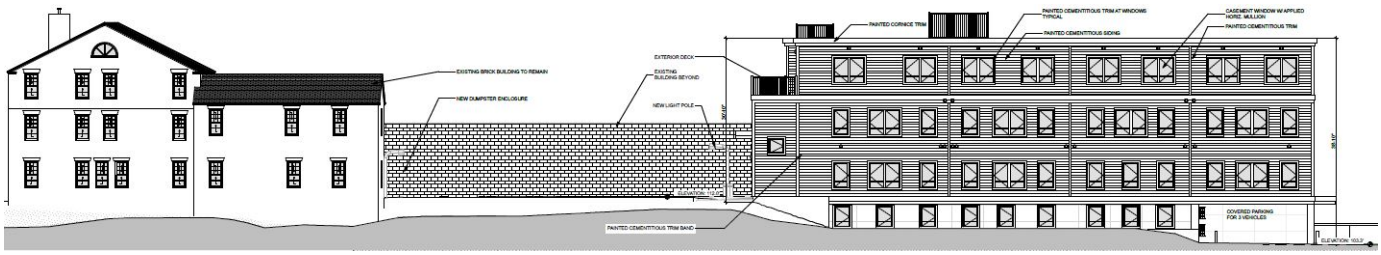
The subject property is located off-peninsula in the Morrill's Corner area at the intersection of Stevens Avenue, Forest Avenue, and Bishop Street. It is an L-shaped parcel with entrances off of Stevens Avenue and Bishop Avenue and is previously developed. The most recent uses, per the applicant, are office space and a hair stylist studio, and an existing garage will be demolished to make way for the proposed new building.

The red brick building fronting Stevens Avenue will be retained. The red garage to the rear will be demolished.

The project relies on two interpretations that must be approved by the Planning Board. First, that it provides "active street frontage" (Land Use Code Section 14-188, **Attachment 1**.) to the greatest extent practicable, and also that the project is located on an "irregularly shaped" lot, allowing it to exceed a 10 foot maximum setback. At a Planning Board workshop on June 9, the Board was amenable to these interpretations, but requested additional street trees be added to conform to the specific directives of these sections. In response, two street have been added to the plan by the applicant.

The property on which the project is proposed is already developed, and the new project proposes less than 1,000 square feet of additional impervious surface. Therefore, several of the regular stormwater-related standards do not come into effect.

The Planning Department sent 94 notices for this public hearing to the owners of property within 500 feet of the proposed project parcel. Legal advertisements ran July 10 and July 12.



North elevation of the proposed project (image: applicant). A renovated, existing building is shown to the left. An existing abutters building is in the center, and a proposed new apartment building is shown to the right

Applicant: Stevens Avenue, LLC
Consultants: Walsh Engineering Associates, Inc; Whipple-Callender Architects

II. REQUIRED REVIEWS

Waiver Requests	Applicable Standards
1. 23% compact parking spaces (5 of 23) (supported by DPW)	Technical Manual Section 1.14: parking lots with greater than 10 spaces may be comprised of up to 20% compact spaces
2. To retain existing Stevens Avenue driveway (supported by consulting traffic engineer)	Technical Manual Section 1.7.2.7: requiring minimum distance of driveways from intersections and other driveways
Review	Applicable Standards
Site Plan	Section 14-526
Subdivision	Section 14-497
Inclusionary Zoning (IZ)	Section 14-474, Section 14-487

III. PROJECT DATA

Existing Zoning	B-2 Community Business Zone
Existing Use	Office & Business Service, Storage Garage
Proposed Use	Office (796 square feet) & Residential (15,487 sf)
Bedroom Mix	Two-Bedroom: 9 units Studio or One- Bedroom: 11 units
Parcel Size	21,989 sf.

	Existing	Proposed	Net Change
Building Footprint (sf.)	3,359	6,976	+3,617
Building Floor Area (sf.)	6,703	25,050	+18,347
Impervious Surface Area (sf.)	17,508	~17,591	+83
Parking Spaces	27	23	-4
Bicycle Parking Spaces	0	9	+9

IV. PUBLIC COMMENT AND NEIGHBORHOOD MEETING

The applicant held a remote neighborhood meeting on May 28 (**Attachment K**)

As of the writing of this report, the Planning Department received 5 public comments (**Attachments PC1 – PC5**). Four expressed concern about the project, specifically relating to the size of the proposed building, its impacts on the residences along a nearby street, parking, and traffic. Greater Portland Landmarks expressed their appreciation of the retention of the existing brick building.

In response to concerns of area residents, the applicant provided animations of shadow studies and views from a nearby street (**Attachment 2**).

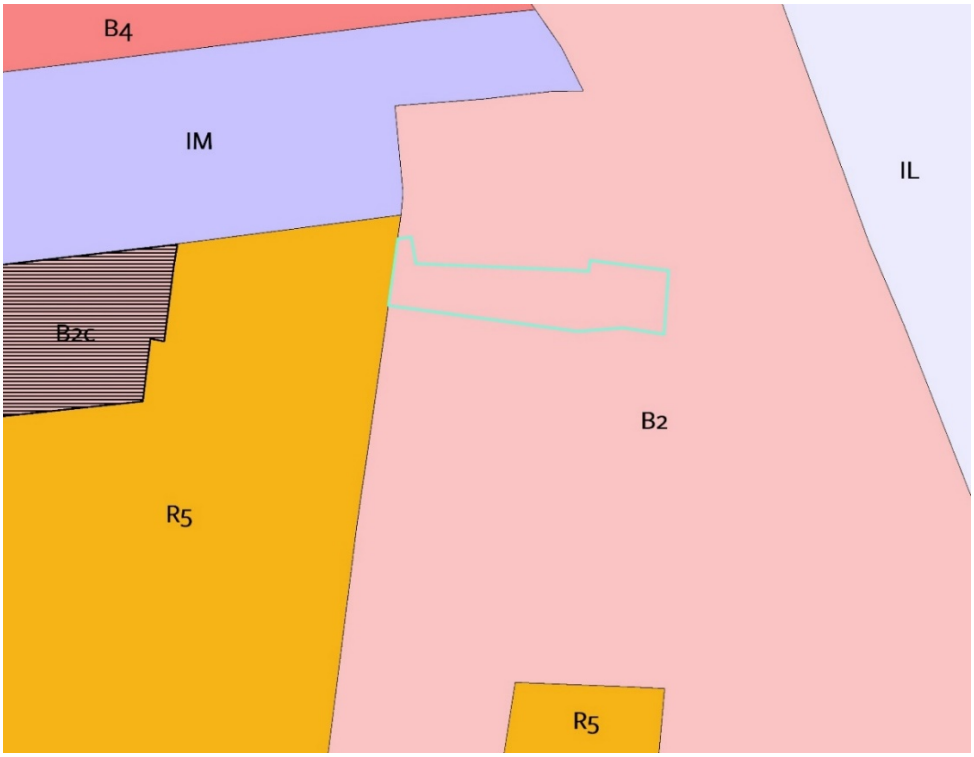
V. RIGHT, TITLE, & INTEREST AND FINANCIAL & TECHNICAL CAPACITY

The applicant provided a warranty deed (**Attachment H**) as evidence of right, title, and interest. The applicant also

provided a letter (**Attachment I**) from Saco & Biddeford Savings Institution attesting to the financial capacity of the applicant to undertake the project.

The applicant cited consultant experience via qualifications sheets (**Attachment T**) to evidence technical capacity.

VI. ZONING ANALYSIS



Zoning context of proposed project at 844 Stevens Avenue (highlighted in teal)

A. DIMENSIONAL AND USE REQUIREMENTS

The relevant property is within the B-2 Neighborhood Business Zone. Multi-family housing, general business and professional offices, and offices of trades are permitted uses of the zone.

	Required	Proposed
Lot Size (sf.)	None	21,989
Min. Lot Area Per Dwelling Unit (sf.)	435 with "active street frontage"	1,099
Minimum Street Frontage (ft.)	20	~76
Front Yard Minimum (ft.)	None	~26
Front Yard Maximum (ft.)	10 – Please see section 14-185	~26
Min. Rear Yard (ft.)	10	~59 for proposed building
Min. Side Yard (ft.)	None	~5 for proposed building
Maximum Height (ft)	45	34.1 (average)
Maximum Impervious Surface (%)	80	80
Off-Street Parking	23	23

The City's zoning administrator participated in the review of the proposed project (**Attachment 3**) and the project

meets most of the required zoning criteria. However, two relevant standards under the B-2 Community Business Zone may be modified based on specific criteria and Planning Board determination: maximum front yard setback (ten feet as per code) and minimum lot area per dwelling unit / active street frontage.

Per Land Use Code Section 14-185 (Dimensional Requirements), "the Planning Board may approve a different [maximum setback] amount for irregularly shaped lots," "provided this standard is met to the maximum extent practicable." A footnote states that "where setbacks exceed 10 feet, a continuous, attractive, and pedestrian-scaled edge treatment shall be constructed along the street, consisting of street trees spaced at no more than 15 feet on center, approved by City arborist, and a combination of landscaping no less than 4 feet deep, ornamental brick or stone walls or ornamental fencing." The applicant proposes a landscaped area to the front of the existing building to remain, which is more than 20 feet away from the front property line. It is up to the Planning Board to determine whether the project is located on an "irregularly shaped" lot and that the standards quoted above are "met to the maximum extent practicable."

The front landscaped area is critical to the second zoning requirement in question: minimum lot area per dwelling unit and active street frontage. Per Land Use Code Section 14-185 (Dimensional Requirements), "projects with active street frontages as defined in section 14-188" may use a reduced minimum lot area per dwelling unit of 435 square feet. That section states:

> *"A building will be determined to have an active street frontage upon meeting the following guidelines to the greatest extent practicable as determined by the Planning board or Planning Authority: the primary building façade shall be within ten feet of the front street line; there shall be no parking on the lot within 35 feet of the front street line; no more than 25% of the first floor primary façade shall consist of access to garages, unutilized space, service entrances, storage or mechanicals, and the remaining minimum 75% shall have an average depth of a minimum of 20 feet for residential or commercial uses; all primary ground floor entries to multi-family buildings must orient to street, not to interior blocks or parking lots."*

At the project's workshop on June 9, the Planning Board were amendable to these zoning interpretations if the applicant added additional street trees. The applicant since added two street trees to the Stevens Avenue frontage.

Landscape sketch of proposed Stevens Avenue Landscaping. A tree added to the Landscape Plan after the project's workshop is not shown here.

B. CONDITIONAL USE – INCLUSIONARY ZONING

As required by the City's Inclusionary Zoning Ordinance, residential developments with ten or more units are required to provide a minimum of ten percent of the dwelling units as Workforce Housing units, and the units themselves must contain in total, ten percent of the total bedroom count for the entire development. Alternatively, the applicant may pay a fee-in-lieu for those units.

The City's Housing Program Manager reviewed the application (**Attachment 4**). Because they are proposing 20 residential units, the applicant must provide two inclusionary zoning units or a permissible alternative. The applicant proposes to pay a fee-in-lieu for both units: $217,572 (2 x $108,786, the applicable rate) into the City's housing fund.

VII. DEVELOPMENT REVIEW

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

The applicant submitted a draft recording plat (**Attachment P8**). The final plat will need to be signed, stamped, and dated by a surveyor and revised to reflect any waivers and conditions of approval that relate to the subdivision plan. Any waivers granted must be recorded at the Registry of Deeds within two years of a Planning Board decision.

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.

1. Will Not Result in Undue Water and Air Pollution (Section 14-497 (a) 1), and Will Not Result in Undue Soil Erosion (Section 14-497 (a) 4)

   The City's consulting civil engineer determined (**Attachment 5**) that the project is providing appropriate erosion and sedimentation control measures. Because the project is previously developed, is proposed to add less than 1,000 square feet of additional impervious surface, and will result in reduction in redeveloped non-roof impervious surface, the applicant need not comply with the general or urban impaired stream standard (it is located within the Capisic Brook watershed), the redevelopment standard, or the flooding standard of the Maine Department of Environmental Protection's Chapter 500, or the City of Portland's Section 5 stormwater management regulations.

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

   The Portland Water District confirmed (**Attachment M**) their ability to serve the proposed project.

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

   The City's consulting traffic engineer determined (**Attachment 6**) that "the project is not expected to generate a significant amount of traffic and the project would not be expected to create mobility issues."

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 provided authorization of wastewater capacity for the proposed project (**Attachment M**).

5. Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat (Section 14-497 (a) 8)

   The proposed project is located on a previously developed site.

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

   Portland's Plan 2030 includes housing policy goals to "increase, preserve, and modify the overall supply of housing city-wide to meet the needs, preferences, and financial capabilities of all Portland residents," and to "encourage additional contextually appropriate housing density in and proximate to neighborhood centers, concentrations of services, and transit nodes and corridors as a means of supporting complete neighborhoods."

7. Adequate financial and technical capacity (Section 14-497 (a) 10)

   Please see section **V**, above.

8. Will not, adversely affect the quality or quantity of groundwater (Section 14-497 (a) 12)

   Please see subdivision item **1**, above.

9. Is or is not in a flood-prone area (Section 14-497 (a) 13)

   Planning staff are not aware of flooding issues at the proposed site.

10. All potential wetlands are identified (Section 14-497 (a) 14)

    The proposed project is located on a previously developed parcel.

11. Any river, stream or brook within or abutting the proposed subdivision are identified Section 14-497 (a) 15)

    Not applicable.

Rendering of the proposed new building (highlighted in teal)

B. SITE PLAN STANDARDS (Section 14-526)

Staff reviewed the proposed development for conformance with the relevant review standards of Portland's site plan ordinance and applicable regulations.

a) Transportation Standards

Impact on Surrounding Street Systems and Access and Circulation; Access and Circulation; Public Transit Access; Parking; Transportation Demand Management

Please see subdivision item **3**, above. The City's consulting traffic engineer reviewed the proposed project and has no outstanding unaddressed comments (**Attachment 6**).

Previously, the Department of Public Works Senior Engineer expressed concerns about the ability of garbage and recycling trucks to maneuver within the site without backing out onto Stevens Avenue. As indicated in their response to comments (**Attachment O**) the applicant intends for a private waste service to service the site's waste with a pickup truck, allowing greater maneuverability within the site. The Senior Engineer is comfortable with this approach assuming appropriate on-site maneuvers specified in their comments (**Attachment 7**).

The site is served by METRO bus service on Forest Avenue and Stevens Avenue, and a transit shelter is located within 500 feet of the project site.

The proposed project is providing adequate parking (per division 20 of the City's zoning code) and a transportation demand management plan is not required. Based on City feedback, the applicant added striped pedestrian walkways from both Bishops Avenue and Stevens Avenue to the proposed new apartment building. Nine bicycle parking spaces are provided on site, across three locations.

b) Environmental Quality Standards

Preservation of Significant Natural Features; Landscaping & Landscape Preservation; Water Quality, Storm Water Management and Erosion Control

Please see subdivision sections **1**, **5**, and **10** above.

The applicant provided a landscape plan (**Attachment P5**) reviewed by Planning staff.

With 20 proposed residential units, the applicant is required to account for 20 street trees or acceptable alternatives. At present, the plan provides three street trees (including the two added after the project's workshop), and the applicant is expected to pay $6,800 into the City's street tree fund ($400 per additional required tree).

c) Public Infrastructure and Community Safety Standards

Please see subdivision sections **2**, **4**, and **6** above.

A life safety plan reviewer participated in project reviews, and does not have site access concerns regarding fire apparatus.

Rendering showing the spatial relationship between the proposed building (center, rear) and the existing brick building which fronts Stevens Avenue.

d) Site Design Standards

1. Massing, Ventilation and Wind Impact; Shadows; Snow and Ice Loading; View Corridors; Historic Resources; Exterior Lighting; Noise and Vibration; Signage and Wayfinding

   Planning staff reviewed the project's photometric plan (**Attachment P9**) and lighting cutsheets (**Attachment S**), and find they meet applicable requirements.

   Some mechanical equipment is present on the upper roof of the proposed new building, and the existing building is expected to be equipped with heat pumps along the rear flat roof area of the existing building.

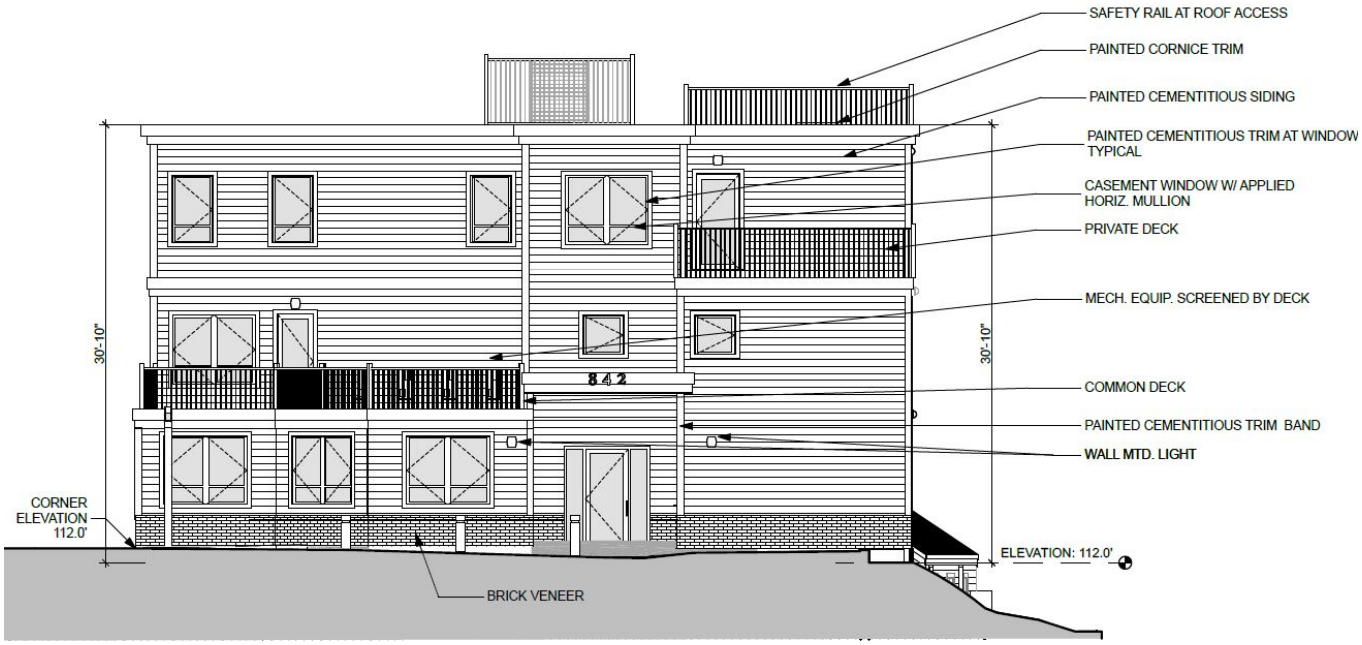
   While the project is not located within a historic district, and the existing building is not a designated landmark, the applicant is encouraged to work with Historic Preservation staff regarding a proposed change to the existing building. An existing, non-original vestibule is proposed for removal. The replacement brick, mortar, and window should be coordinated to match the existing, which the applicant has agreed to.

   Snow storage areas on the proposed site are limited (**Attachment P2**), and many overlap landscape areas. The applicant noted in their response to comments (**Attachment O**) that the proposed "plantings in general are expected to recover from snow coverage from plowed snow."

2. Zoning Related Design Standards

   The City's Urban Designer reviewed the project (**Attachment 8**), and the Planning Board offered feedback at its June 9 workshop. As the design review memo prepared by the Department's Urban Designer notes, the design was made more complex between the workshop and the hearing. The project team has made an effort to be responsive to Planning Board feedback, but the revisions create new concerns that the design may include unnecessary variation and does not relate strongly to traditional residential massing, form, and character. In addition, the applicant is encouraged to better integrate the rooftop-access safety rail, which is visible from the Stevens Avenue direction, into the design of the proposed building. Staff request that the Board give particular attention in

their deliberations as to whether the revisions sufficiently meet City standards, or whether additional changes will be needed prior to approval of the final building design.



East elevation of the proposed project's new apartment building (image: applicant)

Additional rendering showing the spatial relationship between the proposed building (center, front) and the existing brick building which fronts Stevens Avenue (rear left). The driveway rendered here is to Bishop Stret.

VIII. PROPOSED MOTIONS

A. WAIVERS

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board report for the public hearing on July 21, 2020 for application PL-000961-2020 relevant to Portland's technical and design standards and other regulations; and the testimony presented at the Planning Board hearing:

1. The Planning Board **[finds / does not find]**, based upon the consulting traffic engineer's review, that extraordinary conditions exist or undue hardship may result from strict compliance with the Technical Manual standard (Section 1.7.2.7) which requires minimum distance of driveways from intersections and other driveways. The Planning Board **[waives / does not waive]** the Technical Manual standard (Section 1.7.2.7) to allow retention of the existing Stevens Avenue driveway;

2. The Planning Board **[finds / does not find]**, based upon the Department of Public Works Senior Engineer's review, that extraordinary conditions exist or undue hardship may result from strict compliance with the Technical Manual standard (Section 1.14) which allows parking lots with greater than 10 spaces to be comprised of 20% compact parking spaces. The Planning Board **[waives / does not waive]** the Technical Manual standard (Section 1.14) to allow 23% of the proposed spaces to be compact.

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 July 21, 2021 for application PL-000961-2020 relevant to the subdivision regulations; and the testimony presented at the Planning Board hearing, the Planning Board finds that the plan **[is / is not]** in conformance with the subdivision standards of the land use code.

C. SITE PLAN

On the basis of the application, plans, reports, and other information submitted by the applicant; findings and recommendations contained in the Planning Board report for the public hearing on July 21, 2020 for application PL-000961-2020 relevant to the site plan regulations; and the testimony presented at the Planning Board hearing, the Planning Board finds that the plan **[is / is not]** in conformance with the site plan standards of the land use code, subject to the following conditions of approval:

1. Prior to issuance of a certificate of occupancy, the applicant shall pay $6,800 total ($400 per tree) for each of the seventeen street trees not provided in accordance with the City's Technical Manual.

D. INCLUSIONARY ZONING CONDITIONAL USE

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the Planning Board Report for the public hearing on July 21, 2020 for application PL-000961-2020 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 Conditional Use **[is / is not]** in conformance with the standards of the land use code and [**approves / does not approve]** the application, subject to the following condition of approval:

1. Pay an agreed upon fee-in-lieu of $217,572 into the City's Housing Trust Fund prior to issuance of the certificate of occupancy. The Applicant and the City may enter into a written agreement to codify this

requirement and a Certificate of Compliance may be issued by the Planning Authority at the Applicant's request once the full payment has been received by the City.

XIII. ATTACHMENTS

Report Attachments

1. Highlighted B-7 Zoning Exceprt
2. Link to Shadow Studies & View Animation
3. Zoning Administrator Comments
4. Housing Program Manager IZ Memo
5. Consulting Civil Engineer Comments
6. Consulting Traffic Engineer Comments
7. DPW Senior Engineer Comments
8. Urban Designer Review Memo

Public Comment

PC1. 6/5/2020
PC2. 6/5/2020
PC3. 6/5/2020
PC4. 6/9/2020
PC5. 6/9/2020

Applicant's Submittals

A. Cover Letter
B. Level III Site Plan Checklist
C. Letter of Agent Authorization
D. Site Plan Standards Narrative
E. Active Street Frontage Narrative
F. Architecture Narrative
G. Zoning Analysis Table
H. Deed
I. Financial Capacity Letter
J. Stormwater Report
K. Neighborhood Meeting Materials
L. Cumulative Floor Areas
M. Ability to Serve Documents
N. Active Street Frontage Narrative
O. Applicant Responses to Comments
P. E-911 Addressing Map
Q. Entry Plaza Design Narrative
R. Fire Code Narratives
S. Light Fixtures Cutsheets
T. Technical Capacity Documents

Plans

P1. Title Sheet and General Notes

P2. Site Plan and Details
P3. Existing Conditions and Removals
P4. Grading and Utility
P5. Landscape
P6. Erosion Control
P7. Construction Management
P8. Subdivision Plat Draft
P9. Photometric Plan
P10. Surveys
P11. Elevations
P12. Floor Plans
P13. Proposed Impervious Area
P14. Renderings, Perspectives, Diagrams, & Sections

14-183 are prohibited unless the use may be permitted subject to meeting the following performance-based conditions and standards:

(a) The proposed use is consistent with the purposes of this zone;

(b) The proposed use is similar to a permitted use; and

(c) The proposed development is designed and operated so that it will prevent undue adverse environmental impacts, substantial diminution of the value or utility of neighboring structures, or significant hazards to the health or safety of neighboring residents by controlling noise levels, emissions, traffic, lighting, odor, and any other potential negative impacts of the proposal.

The Planning Authority shall determine whether the uses not listed as permitted or conditional uses meet the above conditions and standards. The Planning Authority may impose reasonable conditions of approval on the proposed use to ensure that it is similar in character and impact to a use on the table.

If it is determined that the use does not meet the above criteria, it shall not be permitted. The determination of the Planning Authority may be appealed within 30 days of the written determination by the property owner, lessee of the space, or property owner within 100 feet of the proposed use. That appeal shall be heard by the Planning Board in a public hearing.
(Ord. No. 293-88, 4-4-88; Ord. 159-16/17, 3-20-2017)

Sec. 14-185. Dimensional requirements.

In addition to the provisions of division 25 (space and bulk regulations and exceptions) of this article, lots in the B-2, B-2b, and B-2c zones shall meet the following dimensional requirements:

Minimum Lot Size	None
Minimum Street Frontage	20 feet
Front Yard Setback Minimum	None
Rear Yard Setback Minimum	10 feet, except as provided for below: a. 5 feet for accessory structures

Side Yard Setback Minimum	None required, except as provided for below: a. 5 feet for accessory structures
Side Yard on Side Street Setback Minimum	None
Front Yard Maximum 1, 2	No more than 10 feet, except that the Planning Board or Planning Authority may approve a different amount for irregularly shaped lots or lots with frontage less than 40 feet provided this standard is met to the maximum extent practicable. 3
Structure Stepbacks	Portions of a structure above 35 feet shall be no closer than 5 feet from the side property line and no closer than 15 feet from the rear property line when such property line abuts a residential zone.
Height maximum	45 feet except as provided for below: a. 50 feet if first floor is partially or wholly occupied by a commercial use. b. 65 feet in B-2 and B-2c zones on lots >5 acres provided that all setbacks, except for front yard setbacks and side yard on side street setbacks, increase by 1 foot for each foot of height over 45 feet. c. 65 feet within 65 feet of Franklin St.
Maximum Impervious Surface Ratio	a. For residential uses: None b. For all other permitted uses: 80% in B-2 and B-2c c. For all other permitted uses: 90% in B-2b
Minimum Lot Area per Dwelling Unit	a. Off-peninsula locations, as defined in section 14-47: 1,500 square feet, except as provided for in (b) below. b. On-peninsula locations (as per 14-47) and projects with active street frontages, as defined in section 14-188, below: 435 square feet.

1. Building additions do not have to meet this section.
2. The Planning Board or Planning Authority may waive the front yard maximum for utility substations and alternative energy installations.
3. If lot has less than 40 feet of frontage and is more than 100 feet deep then no maximum setback is required. If existing structures are within 20 feet of the street or meet the front yard maximum, and remainder of lot has less than 40 feet of frontage, then no maximum setback is required. Where setbacks exceed 10 feet, a continuous, attractive, and pedestrian-scaled edge treatment shall be constructed along the street, consisting of street trees spaced at no more than 15 feet on center, approved by City arborist, and a combinations of landscaping no less than 4 feet deep, ornamental brick or stone walls or ornamental fencing.

(Ord. No. 293-88, 4-4-88; Ord. No. 52-96, § 2, 7-15-96; Ord. No. 94-99, 11-15-99; Ord. No. (Substitute)189-00, §3, 4-24-00; Ord. No. 151-03/04, 02/23/04; Ord. No. 244-09/10, 6-21-10; Ord. No. 41-12/13, 9-5-12; Ord. No. 163-13/14, 6-16-14; Ord. 90-14/15, 11-17-2014; Ord. 159-16/17, 3-20-2017)

Sec. 14-186. Other requirements.

All nonresidential uses in the B-2 and B-2b zone shall meet the requirements of division 25 (space and bulk regulations and exceptions) of this article in addition to the following requirements:

(a) Landscaping and screening: The site shall be suitably landscaped for parking, surrounding uses and accessory site elements, including storage and solid waste receptacles where required by article IV (subdivisions) and article V (site plan).

(b) Curbs and sidewalks: Curbs and sidewalks as specified in article VI of chapter 25.

(c) Off-street parking and loading: Off-street parking and loading are required by division 20 and division 21 of this article;

(d) Front yard parking:

There shall be no off-street parking in the front yard between the street line and the required minimum setback line in the B-2, B-2b and B-2c. Where existing buildings exceed the minimum front yard setback, a maximum of ten (10) percent of the total parking provided on the site

may be located between the principal structure and the street.

(e) Signs: Signs shall be subject to the provisions of division 22 of this article.

(f) Exterior storage: There shall be no exterior storage with the exception of fully enclosed containers or receptacles for solid waste disposal. Such containers or receptacles shall be shown on the approved site plan. Vehicles or truck trailers with or without wheels shall not be used for on-site storage (1) except where such storage is located in a designated loading zone identified on an approved site plan; or (2) such storage is not visible from the street or adjacent residences during winter months and such storage area is identified on an approved site plan. Truck load sales shall not be considered outside storage provided that such activity does not extend beyond three (3) consecutive days nor occurs more frequently than three (3) times a calendar year.

(g) Storage of vehicles: Storage of vehicles is subject to the provisions of section 14-335.

(h) Shoreland and flood plain management regulations: If the lot is located in a shoreland zone or in a flood hazard zone, then the requirements of division 26 and/or division 26.5 apply.

(Ord. No. 293-88, 4-4-88; Ord. No. 51-96, 7-15-96; Ord. No. 94-99, 11-15-99; Substitute Ord. No. 189-00, §4, 4-24-00; Ord. No. 151-03/04, 02/23/04; Ord. No. 263-13/14, 6-16-14)

Sec. 14-187. External effects.

Every use in a B-2, B-2b and B-2c zone shall be subject to the following requirements:

(a) Enclosed structure: The use shall be operated within a completely enclosed structure except for those specific open air activities licensed by the City, including but not limited to outdoor seating, sidewalk sales, etc.

(b) Noise: Except as provided in 14-183(1)(iii)(2) (relating to Drive-throughs), the volume of sound, measured by a sound level meter with frequency

weighting network (manufactured according to standards prescribed by the American Standards Association), generated shall not exceed sixty (60) decibels on the A scale between 7:00 a.m. and 9:00 p.m. and fifty-five (55) decibels on the A scale between 9:00 p.m. and 7:00 a.m., on impulse (less than one (1) second), at lot boundaries, excepting air raid sirens and similar warning devices.

(c) Vibration and heat: Vibration inherently and recurrently generated and heat shall be imperceptible without instruments at lot boundaries.

(d) Glare, radiation or fumes: Glare, radiation or fumes shall not be emitted to an obnoxious or dangerous degree beyond lot boundaries.

(e) Smoke: Smoke shall not be emitted at a density in excess of twenty (20) percent opacity level as classified in Method 9 (Visible Emissions) of the Opacity Evaluation System of the U.S. Environmental Protection Agency.

(f) Materials or wastes: No materials or wastes shall be deposited on any lot in such form or manner that they may be transferred beyond the lot boundaries by natural causes or forces. All material which might cause fumes or dust, or constitute a fire hazard if stored out-of-doors, shall be only in closed containers. Areas attracting large numbers of birds, rodents or insects are prohibited.

(Ord. No. 293-88, 4-4-88; Ord. No. 94-99, 11-15-99; Ord. No. 03/04, 02/23/04)

Sec. 14-188. Active street frontages

A building will be determined to have an active street frontage upon meeting the following guidelines to the greatest extent practicable as determined by the Planning Board or Planning Authority: the primary building façade shall be within ten feet of the front street line; there shall be no parking on the lot within 35 feet of the front street line; no more than 25% of the first floor primary façade shall consist of access to garages, unutilized space, service entrances, storage or mechanicals, and the remaining minimum 75% shall have an average depth of a minimum of 20 feet for residential or commercial uses; all primary ground floor entries to multi-family buildings must orient to street, not to interior blocks or parking lots.
(Ord. No. 263-13/14, 6-16-14)

LINK TO SHADOW STUDIES & MAFYIELD STREET VIEWS ANIMATION:

https://whipplecallender.sharefile.com/share/view/s47a33d320fe493fa

Portland Maine Yes. Google's good here.

Christian Roadman <croadman@portlandmaine.gov>

844 Stevens Ave .- PL-000961-2020

Ann Machado <amachado@portlandmaine.gov> Wed, May 13, 2020 at 12:19 PM
To: Christian Roadman <croadman@portlandmaine.gov>

Christian -

Regarding the Active Street Frontage, it really comes down to the Planning Board deciding if all four guidelines are being met "to the greatest extent practicable". The primary building facade is not within 10 feet of the front street line, but they have presented an argument about why it should be considered "active street frontage". Obviously they need the Board to determine that they are meeting all the requirements of section 14-188 in order to have the density requirement be 435 sf of lot area per dwelling unit.

Regarding the maximum height for the new building, that is the first time that I have seen the average height done that way but it seems to work. The maximum height allowed is 45' and the average is 34'1", so it meets zoning.

Finally, since the use of the property is mixed use, they need to meet the 80% maximum impervious surface ratio.

Let me know if you need anything else.

Ann

Ann Machado
Zoning Administrator
Permitting and Inspections Department
City of Portland, Maine
(207) 874-8709
amachado@portlandmaine.gov

Portland Maine Yes. Google's good here.

Christian Roadman <croadman@portlandmaine.gov>

844 Stevens Ave

Ann Machado <amachado@portlandmaine.gov> Wed, Mar 11, 2020 at 1:55 PM
To: Christian Roadman <croadman@portlandmaine.gov>

Sorry that you are sick. I hope that you feel better soon.

I had looked at the site plan for 844 Stevens Ave in preparation for the Dev Rev meeting this morning. Since you were out I told James that I would share my observations with you.

They have submitted a document addressing the front building having active street frontage. Under section 14-188 either the Planning Board or Planning Authority determine if the development is meeting the active street frontage if the guidelines are being met.

One of the criteria is that the building has to be within 10' of the front yard. The existing building is not within ten feet. Barbara and I determined that footnote 3 under section 14-185 states if the maximum setback of ten feet is not being met for existing structures as long as they are within 20 feet of the front yard and the rest of the lot has less than 40 feet no maximum setback is required. Footnote 3 is connected to the Front Yard Maximum requirement not the active street frontage. The question is - does the fact that the maximum street frontage requirement of ten feet may be waived mean that the building can be greater than ten feet from the front property line and still meet the requirements of active street frontage?

There is a second related issue. The front building might meet the active street frontage requirement. The rear building does not. Can the 435 sf land area per dwelling unit requirement be used for the rear building as well?

The Zoning Analysis gives the front yard maximum of 20.7 feet. This is more than the 20' allowed to waive the maximum 10' setback requirement.

Let me know if you want to talk about this when you're back in the office.

Ann

Ann Machado
Zoning Administrator
Permitting and Inspections Department
City of Portland, Maine
(207) 874-8709
amachado@portlandmaine.gov

To: Christian Roadman, Planner, Planning & Urban Development Department

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

Date: July 14, 2020

Subject: 844 Stevens Avenue – 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. As an alternative to providing workforce housing units, developers shall pay a fee-in-lieu of some or all of the units. A fractional fee-in-lieu would result when the calculation of a project's inclusionary obligation results in a fractional unit. The fee for affordable units not provided shall be $100,000 per unit, adjusted annually in the same way as the fee under Division 29 for Housing Replacement. The in-lieu fee shall be paid into the Housing Trust Fund as defined in Sec. 14-489, on or before the date upon which a certificate of occupancy is issued.

The development located at 844 Stevens Avenue proposes the creation of 20 rental units. The Applicant has chosen to fulfill the inclusionary zoning requirements by paying a fee-in-lieu. The proposed project would thus be required to pay a total fee of $217,572 (2 X $108,786) into the City's Housing Trust Fund in-lieu of the creation of actual housing units for workforce households. Should at a later date any change in total unit count be considered, a revised proportional fee-in-lieu payment would also be required. As such, the project has met the minimum requirements set forth in Sec. 14-487.

Staff recommends the Board Approve this Conditional Use provided the Applicant agrees to:

1) Pay an agreed upon fee-in-lieu of $217,572 into the City's Housing Trust Fund prior to issuance of the certificate of occupancy. The Applicant and the City may enter into a written agreement to codify this requirement and a Certificate of Compliance may be issued by the Planning Authority at the Applicant's request once the full payment has been received by the City.

Sincerely,

Victoria Volent
Housing Program Manager

Portland Maine Yes. Google's good here.

Christian Roadman <croadman@portlandmaine.gov>

844 Stevens

Lauren Swett <lswett@woodardcurran.com> Thu, Jul 16, 2020 at 7:20 AM
To: Christian Roadman <croadman@portlandmaine.gov>

Hi Christian,

I have no more comments on this project. They addressed my comment on the roof drain connection in the last response, so they should be good to go on my end.

Thanks,

Lauren

All Woodard & Curran consulting employees are currently working from home. I do not have regular access to mail or other deliveries made to the office. You can still reach me via email or at my direct or cell phone numbers.

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

*Licensed in Maine and Wisconsin

Commitment & Integrity Drive Results

www.woodardcurran.com

M.ASCE

Chair, Leader Training Committee

American Society of Civil Engineers

http://regions.asce.org/leader-training-committee/

Portland Maine Yes. Google's good here.

Christian Roadman <croadman@portlandmaine.gov>

844 Stevens Avenue

Lauren Swett <lswett@woodardcurran.com> Wed, Jun 3, 2020 at 9:19 AM
To: Christian Roadman <croadman@portlandmaine.gov>

Hi Christian,

The Applicant has adequately addressed my last comment on the roof drain location/visibility on the plan.

I have no other comments.

Thank you!

Lauren

All Woodard & Curran consulting employees are currently working from home. I do not have regular access to mail or other deliveries made to the office. You can still reach me via email or at my direct or cell phone numbers.

Lauren Swett, P.E.*

Technical Manager

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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/

Portland Maine Yes. Google's good here.

Christian Roadman <croadman@portlandmaine.gov>

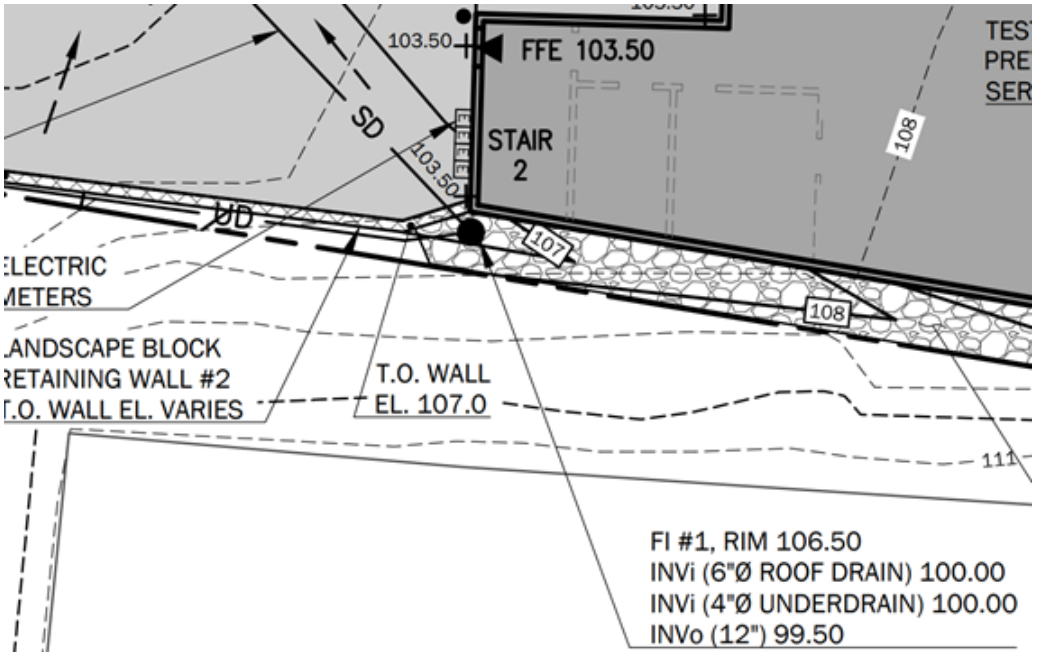
844 Stevens Avenue

Lauren Swett <lswett@woodardcurran.com>
To: Christian Roadman <croadman@portlandmaine.gov>

Fri, May 15, 2020 at 12:03 PM

Hi Christian,

I only have one additional clarification. I had previously included a comment asking for more information on the roof drain tie-in to Field Inlet #1. They provided some additional information, but I don't think my previous comment was clear enough. My question is about the location of tie roof drain connection – I don't see the actual roof drain pipe shown into the field inlet:



If they just make sure that pipe is shown, I am all set and I have no other comments.

Thanks,

Lauren

All Woodard & Curran consulting employees are currently working from home. I do not have regular access to mail or other deliveries made to the office. You can still reach me via email or at my direct or cell phone numbers.

Lauren Swett, P.E.*

Technical Manager

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Portland, Maine 04102

Phone: (207)558-3763 (direct)

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M.ASCE

Chair, Leader Training Committee

American Society of Civil Engineers

http://regions.asce.org/leader-training-committee/

844 Stevens Avenue

Lauren Swett <lswett@woodardcurran.com> Fri, Mar 20, 2020 at 4:52 PM
To: Christian Roadman <croadman@portlandmaine.gov>

Hi Christian,

I have reviewed the site plan application for 844 Stevens Avenue. Brad's plan is attached, it is the same as the one you have. I have a few minor comments:

- The project is required to comply with Maine DEP Chapter 500 and City of Portland Section 5 stormwater management regulations.
    - Basic Standards – The project is providing erosion and sedimentation control measures in conformance with the Basic Standards. The erosion control plan includes reference to turf reinforcement matting. A detail, or further specification of this material should be provided.
    - General & Urban Impaired Stream Standards – The project will result in an increase in impervious surface of 623 square feet. The Applicant is not required to comply with the General Standard or the Urban Impaired Stream Standard (located in the Capisic Brook Watershed) as the increase is less than 1,000 SF. It is noted that a stormwater management agreement is included as part of the submission. It is our understanding that without a stormwater treatment system on site, this agreement will not be required.
    - Redevelopment Standards – The project will result in a reduction in redeveloped non-roof impervious surface, and the Redevelopment Standard does not apply.
    - Flooding Standard – As the project does not meet the above thresholds, the Flooding Standard does not apply. We agree that the proposed impact will not result in any significant change to stormwater flows from the site.
- Additional grading clarification should be provided at the Bishop Street entrance to show how the appropriate driveway entrance, curbing and sidewalk can be constructed.
- Field inlet #1 notes that roof drain will tie into this structure. It is not clear how this connection is being made.
- It is noted that the Casco Trap by Etheridge Foundry is no longer in production. Please specify an alternative (i.e. a Snout).
- Proposed snow storage areas generally overlap with proposed landscaping, including some trees. The snow storage refers to a note that snow removal should not damage landscaping, but in our experience this is very challenging, especially with new landscaping. The Applicant should consider alternatives, however snow removal may be necessary.
- The Applicant has indicated that some work will be required on abutting property. A construction access easement will be required for this work.
- Brad Roland has provided additional comments with regards to the way that the proposed stormdrain piping will be connected from the site. Please see his plan markups for additional information on pipe materials and pipe slopes.

Let me know if you have any questions!

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/

C2.3 GRADING & UTILITY PLAN_V2- BR Comments.pdf
482K

Att. 6

Portland Maine Yes. Google's good here.

Christian Roadman <croadman@portlandmaine.gov>

844 Stevens Avenue - Status Traffic Comments

Tom Errico <thomas.errico@tylin.com> Thu, Jun 4, 2020 at 8:45 AM
To: Christian Roadman <croadman@portlandmaine.gov>
Cc: Mike Tremblay <mtremblay@portlandmaine.gov>, Jeremiah Bartlett <JBartlett@portlandmaine.gov>, Bruce Hyman <bhyman@portlandmaine.gov>

Hi Christian – The following is a status update on prior traffic comments. Other site related comments regarding parking layout, pedestrian movements and truck movements are being provided by DPW.

- The project is not expected to generate a significant amount of traffic and the project would not be expected to create mobility issues. A Traffic Movement Permit is not required.

Status: I have no further comment.

- The driveway on Stevens Avenue does not meet driveway separation standards. A formal request for a waiver shall be provided.

Status: The applicant has acknowledged the need for a waiver. Given that it is an existing driveway and traffic levels are expected to be low, I support a waiver from our technical standards.

- The applicant shall provide information on how parking will be managed given two separate lots. Unnecessary vehicle circulation between lots should be avoided.

Status: The applicant notes that the two lots will be independent and circulation between the two lots is not expected. I have no further comment.

If you have any questions, please contact me.

Thanks

Thomas A. Errico, PE
Senior Associate
Traffic Engineering Director
T·Y·LIN 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

Portland Maine Yes. Google's good here.

Christian Roadman <croadman@portlandmaine.gov>

844 Stevens Avenue - Traffic Review Comments

Tom Errico <thomas.errico@tylin.com> Thu, Mar 19, 2020 at 10:45 AM
To: Christian Roadman <croadman@portlandmaine.gov>
Cc: Michael Tremblay <mtremblay@portlandmaine.gov>, Bruce Hyman <bhyman@portlandmaine.gov>, Jeremiah Bartlett <JBartlett@portlandmaine.gov>

Hi Christian – I have reviewed the application materials and offer the following preliminary traffic comments.

- The project is not expected to generate a significant amount of traffic and the project would not be expected to create mobility issues. A Traffic Movement Permit is not required.
- The driveway on Stevens Avenue does not meet driveway separation standards. A formal request for a waiver shall be provided.
- The applicant shall provide information on how parking will be managed given two separate lots. Unnecessary vehicle circulation between lots should be avoided.

If you have any questions, please contact me.

Thanks

Thomas A. Errico, PE
Senior Associate
Traffic Engineering Director
T·Y·LIN 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

Portland Maine Yes. Google's good here.

Christian Roadman <croadman@portlandmaine.gov>

844 Stevens

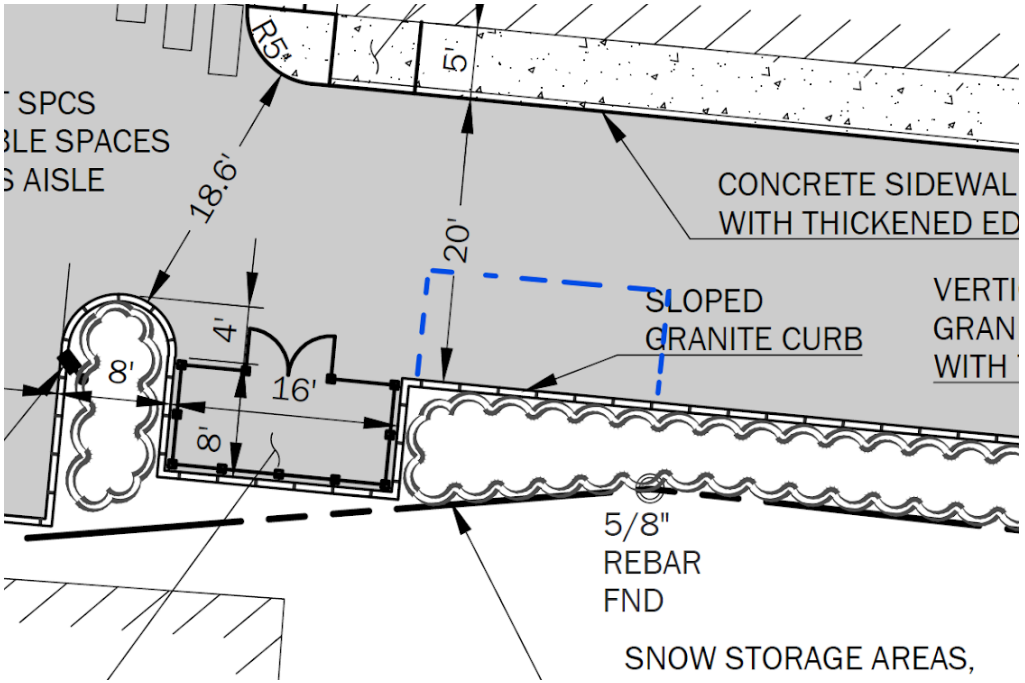
Mike Tremblay <mtremblay@portlandmaine.gov> Wed, Jul 15, 2020 at 11:51 AM
To: Christian Roadman <croadman@portlandmaine.gov>

Christian,

It appears the only outstanding comment on 844 Stevens is with regards to garbage pickup.

It is acceptable to DPW if garbage is picked up within the site driveway. Garbage pickup should occur as close to the garbage area as possible so as to allow vehicles exiting the parking lot to see entering vehicles with plenty of warning (see image below). Garbage vehicles should not be permitted to back out of the site, nor should they be permitted to load garbage on Stevens Avenue unless it is in a designated loading area. The applicant should be responsible for using garbage pickup services that allow for these conditions to be met so long as the site functions as proposed.

Thanks,
Mike



Mike Tremblay, P.E.
Senior Engineer
Engineering Division
Department of Public Works

City of Portland, ME
mtremblay@portlandmaine.gov
P. 207.874.8881 F. 207.874.8852

Portland Maine Yes. Google's good here.

Christian Roadman <croadman@portlandmaine.gov>

844 Stevens Avenue - Status Traffic Comments

Mike Tremblay <mtremblay@portlandmaine.gov> Thu, Jun 4, 2020 at 9:19 AM
To: Christian Roadman <croadman@portlandmaine.gov>
Cc: Jeremiah Bartlett <JBartlett@portlandmaine.gov>, Tom Errico <thomas.errico@tylin.com>, Bruce Hyman <bhyman@portlandmaine.gov>

Christian,

With regards to garbage, we need to see where a garbage truck would pull over on Stevens Avenue to load garbage. I don't see an obvious location. We have concerns that backing into the driveway will cause safety concerns for pedestrians and may disrupt traffic entering Stevens Avenue from Forest Avenue at speed. We discussed doing garbage pickups in the early morning, but I don't think we can require that and I'm not sure how we'd be able to enforce a deed restriction.

-Mike

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

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644 Stevens - DPW comments

2 messages

Mike Tremblay <mtremblay@portlandmaine.gov> Fri, May 8, 2020 at 11:35 AM
To: Christian Roadman <croadman@portlandmaine.gov>

Christian,

I have the following comments on 844 Stevens Avenue -

- The Applicant should reach out to Charles Wordell at DPW to initiate E911 addressing for the proposed building. The site plan application is the same address as the existing building on-site. In the future, this process should begin at the time of application, as reflected in the recently-updated checklist for Level II and Level III site plans.

- Per ADA, the site requires one ADA space. Because both parking lots can serve the proposed building, it is OK for the ADA space to be located in the eastern parking lot only. An ADA space is not required for the western parking lot.

- Similar to the path from Stevens Avenue, an accessible route should be provided from Bishop Street, as it is a separate site arrival point as the Stevens Street entrance.

- Accessible pedestrian routes from sidewalks need to be maintained to provide ADA-compliant cross-slopes in perpetuity. Painted walkways are acceptable, but need to be maintained to correct asphalt rutting and refresh paint. A flush concrete walkway would provide a more durable and visually distinct walkway while maintaining width for two vehicles to pass one another in the driveway. The applicant should consider paving accessible routes with concrete.

- There appears to be a pinch point between the back entrance to the building and the adjacent parking spaces. At least four feet of width should be provided between the parking space and any vertical obstruction. Additional width is recommended to facilitate residents carrying groceries, strollers, etc.

- The proposed dumpster location does not appear to be ideal. Garbage will need to be carried/wheeled through the parking lot to this dumpster location. Additionally, it appears that garbage trucks may need to pull into the site and back out of the site in order to access this dumpster. It is not acceptable for vehicles to exit the site in reverse. The applicant should provide turning movements for a garbage truck accessing the dumpster enclosure, and safely exiting the site facing forward.

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

Christian Roadman <croadman@portlandmaine.gov> Fri, May 8, 2020 at 11:40 AM

To: Mike Tremblay <mtremblay@portlandmaine.gov>

Thanks Mike!

--

Christian Roadman
Planner
207.874.8984

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

[Quoted text hidden]

Portland Maine Yes. Google's good here.

Christian Roadman <croadman@portlandmaine.gov>

844 Stevens Avenue - Traffic Review Comments

Mike Tremblay <mtremblay@portlandmaine.gov> Thu, Mar 19, 2020 at 2:44 PM
To: Tom Errico <thomas.errico@tylin.com>
Cc: Christian Roadman <croadman@portlandmaine.gov>, Bruce Hyman <bhyman@portlandmaine.gov>, Jeremiah Bartlett <JBartlett@portlandmaine.gov>

Christian,

My comments on 844 Stevens Avenue --

- The two parking areas are associated with two separate uses; as such, each needs to provide one accessible parking space. Parking serving residential uses should be located as close to the entrance as possible.

- All ground floor residential units must be accessible per the Fair Housing Act.

- The rear driveway that provides access/egress to Bishop Street should be reconstructed for ADA compliance. The limits of driveway work will likely need to extend beyond the utility trench proposed.

- The Applicant should be aware that Bishop Street is planned to be converted to right-in, right-out as part of future (5+ years out) improvements to Morrill's Corner. This will affect access to and from the site. Alternate access to Bishop Street is available via Warren Avenue and other alternative access options are being explored as part of the Morrill's Corner reconstruction design.

- Parking provided on-site is insufficient per zoning. The site plan should be revised so that sufficient parking is provided.

- It does not appear that sufficient space is provided between the back entrance (FFE 103.5) and parking space 6, assuming a vehicle is parked along the hatched area. Five or more feet of horizontal clear space should be provided.

- The driveway apron layout provided in the details should be replaced with a detail that shows proper ADA compliance. I have attached two figures; Figure I-9A, where the sidewalk does not ramp down to street level, is is preferable. Note that the proper sidewalk material is concrete for Stevens Avenue and bituminous for Bishop Street, as correctly noted in the site plan.

- The applicant should verify the timeframe for sidewalk closure. Are sidewalks being closed for utility cuts and sidewalk reconstruction only?

- Temporary walkways must be ADA compliant; as such, cones may not be used unless they are lined up end-to-end to create a continuous, detectable barrier.

- The Applicant should confirm how the parking for the existing building will be accommodated during construction.

Thanks!
Mike

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

On Thu, Mar 19, 2020 at 10:45 AM Tom Errico <thomas.errico@tylin.com> wrote:
[Quoted text hidden]

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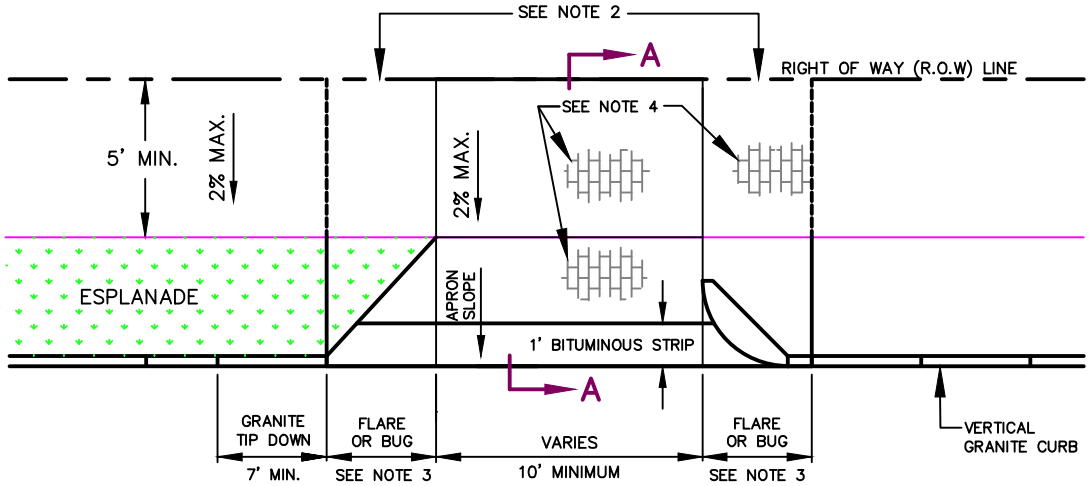
2 attachments

Figure_I_9B_DrivewayApron_rev2019.pdf
134K

Figure_I_9A_DrivewayApron_rev2019.pdf
150K



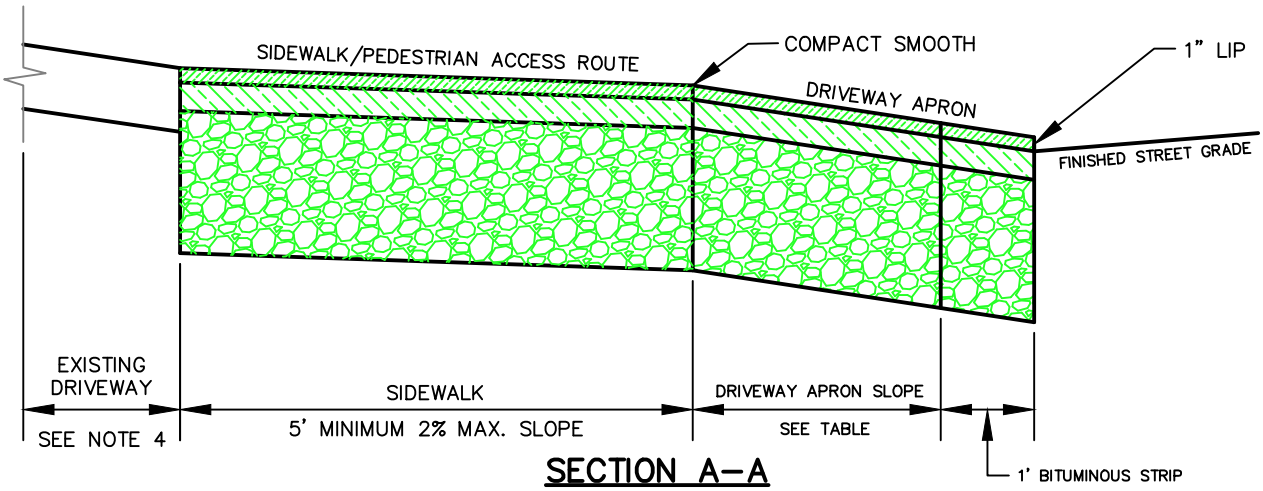
PLAN

APRON SLOPE TABLE

LAND USE	MAXIMUM RECOMMENDED GRADE CHANGE AT STREET(G)
RESIDENTIAL WITH <9 PARKING SPACES	14%
ALL OTHER DRIVEWAYS	10%

NOTES:

1. MATCH EXISTING GRADE AT R.O.W LINE. WHERE REQUIRED TO MEET A.D.A. AND DRIVEWAY APRON SLOPE REQUIREMENTS, A CONSTRUCTION EASEMENT MAY BE REQUIRED.
2. IF MATCHING THE EXISTING GRADE AT ROW CAUSES APRON SLOPE TO EXCEED RECOMMENDED %, SIDEWALK TRANSITION AREAS MAY BE ADDED, BUT SHALL NOT EXCEED 8.33%.
3. TWO-FOOT RADIUS CORNER GRANITE PIECES ("BUGS") ARE REQUIRED AT LOW-VOLUME DRIVEWAYS UNLESS OTHERWISE DIRECTED BY DPW. AT OTHER DRIVEWAYS, STANDARD FLARE/TIPDOWN TREATMENTS SHALL BE USED.
4. ALL MATERIALS TO COMPLY WITH CITY'S SIDEWALK & DRIVEWAY MATERIAL POLICY. BRICK IN DRIVEWAY APRONS, WHERE APPLICABLE, SHALL BE ORIENTED IN THE SAME WAY AS THE ADJACENT BRICK SIDEWALK.

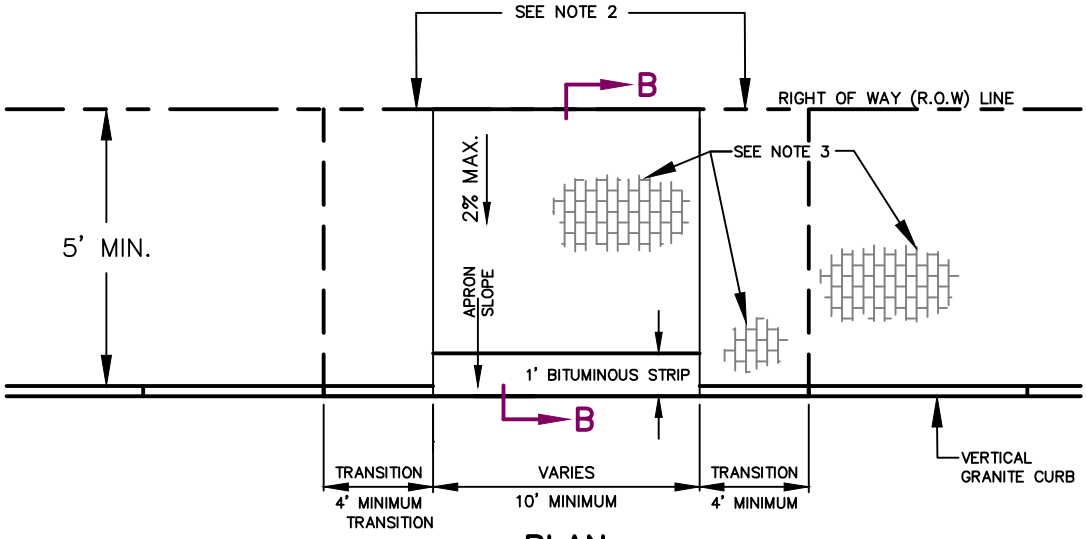


SECTION A-A

DRIVEWAY APRON

NOT TO SCALE

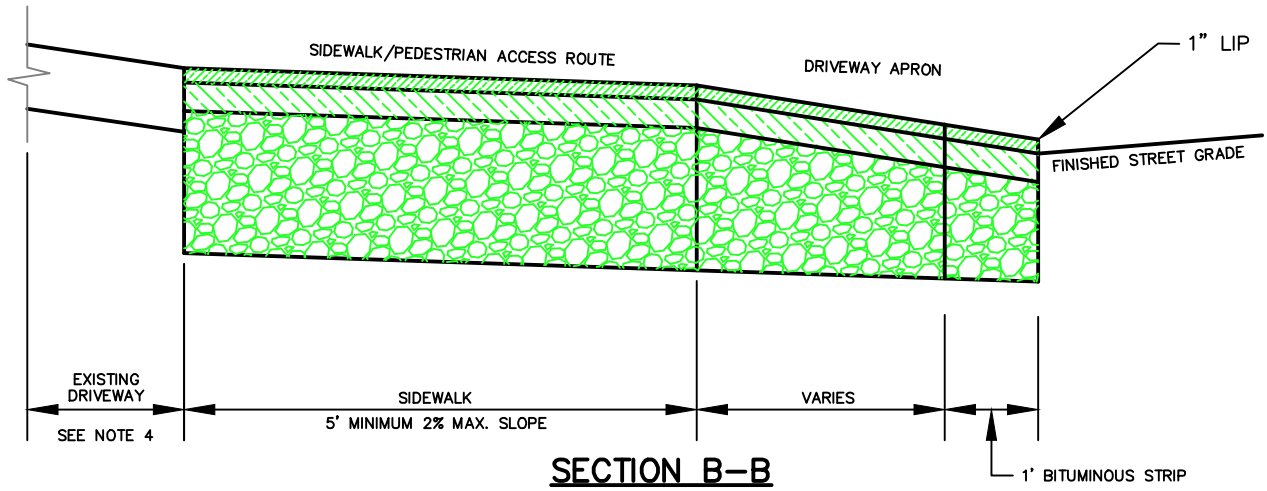
DATE: JUNE 2017 REVISED: AUGUST 2019	CITY OF PORTLAND, MAINE TECHNICAL STANDARDS MANUAL	**TRANSPORTATION SYSTEMS AND STREET DESIGN** SECTION I	FIGURE:
	DRIVEWAY APRON W/PEDESTRIAN ACCESS ROUTE		I-9A



PLAN

NOTES:

1. MATCH EXISTING GRADE AT R.O.W LINE. WHERE REQUIRED TO MEET A.D.A. AND DRIVEWAY APRON SLOPE REQUIREMENTS, A CONSTRUCTION EASEMENT MAY BE REQUIRED.
2. IF MATCHING THE EXISTING GRADE AT ROW CAUSES APRON SLOPE TO EXCEED RECOMMENDED %, SIDEWALK TRANSITION AREAS MAY BE ADDED, BUT SHALL NOT EXCEED 8.33%.
3. ALL MATERIALS TO COMPLY WITH CITY'S SIDEWALK & DRIVEWAY MATERIAL POLICY. BRICK IN DRIVEWAY APRONS, WHERE APPLICABLE, SHALL BE ORIENTED IN THE SAME WAY AS THE ADJACENT BRICK SIDEWALK.



SECTION B–B

DRIVEWAY APRON

NOT TO SCALE

DATE: JUNE 2017 REVISED: AUGUST 2019	CITY OF PORTLAND, MAINE TECHNICAL STANDARDS MANUAL	**TRANSPORTATION SYSTEMS AND STREET DESIGN** SECTION I	FIGURE:
	DRIVEWAY APRON W/PEDESTRIAN ACCESS ROUTE (DEPRESSED DRIVEWAY W/CONSTRAINED SIDEWALK)		I-9B

Planning and Urban Development Department
Planning Division

Subject: B-2 Design Review – 844 Stevens Avenue

Written by: Caitlin Cameron, Urban Designer

Date of Review: Wednesday, July 15 2020

The projects at 844 Stevens Avenue were reviewed according to the *City of Portland Design Manual* standards by Caitlin Cameron, Urban Designer, Christian Roadman, Planner, and Matt Grooms, Senior Planner, against *the B2 Commercial Business Zones Standards* (Section (d) of the Design Manual) and *Multiple-Family Standards*.

Design Review Comments*:*
Review includes:

- Existing brick building and landscape at Stevens frontage (B-2)
- Proposed residential building and parking in rear of lot (B-2 and Multi-family)

Staff comments below include concerns about the lack of relationship to traditional residential massing, forms, and character. Planning Board is requested to make final determination whether the standards are adequately met – especially since the Board requested additional variation/visual interest on the Bishop Street façade.

(d) B-2 Commercial Business Zones
Existing Building
Standard (1) a. Urban Street Wall - Not applicable (B-2 excluded) – existing building placement will remain, setback from the street wall. Landscape design reinforces the street wall with an edge planting. Consider whether the benches will be used in this configuration and with this proximity to a busy street. More pervious area create – comment addressed. Bench placement is questionable with regards to comfort/useability.

Standard (1) b. Mixed Uses – Not applicable (B-1b only)

Standard (1) c. Building Entrances – Not applicable (B-2 excluded) Existing building entrance oriented towards the street though building is set back from sidewalk – continues to meet the standard.

Standard (1) d. Windows – Existing windows oriented towards street, though building is set back from sidewalk – continues to meet the standard.

Standard (1) e. Façade Character – Existing character is maintained and meets the standard with regards to window/door orientation towards the street.

Standard (1) f. Building Design – Existing building character is simple material selection and placement (brick) which relates the commercial nature but corresponds with the limited existing fabric, especially the commercial corridor buildings. The pitched roof, window proportions,

divided lights relate a more residential character. Side vestibule was removed to clarify/simplify entry experience – comment addressed.

Standard (1) g. Building Materials – Building will maintain existing brick material – simple selection and placement is characteristic of traditional buildings in Portland.

Standard (1) h. Building Scale – Not applicable – existing building with no modification to scale. Three and a half stories appropriate for the wide Forest Avenue commercial corridor.

Standard (1) i. Landscaping and Buffers – Parking located to rear of this building.

Proposed Multi-family Building

Standard (1) a. Urban Street Wall - Not applicable (B-2 excluded) – rear lot development.

Standard (1) b. Mixed Uses – Not applicable (B-1b only)

Standard (1) c. Building Entrances – Not applicable (B-2 excluded) – rear lot development, though main entrance is setback from street, oriented towards Stevens Avenue. Indication of the pedestrian path to the entrance provided through minimal striping – no dedicated path, special surface or landscape. Given the entrance is far from the street and does not have a dedicated pedestrian path – entrance is emphasized with "tower" element and extended canopy. However, the level of massing variation on this façade is extensive, anomalous with residential massing and does not contribute to the legibility of the building as a front façade.

Standard (1) d. Windows – Windows oriented towards street, though building is set back from sidewalk.

Standard (1) e. Façade Character – As a residential building, rear lot development, not highly active building use - window/door orientation towards the street, sufficient visual interest provided with massing variation, windows, balconies.

Standard (1) f. Building Design – Neighboring building character is somewhat mixed but neighboring residential buildings have traditional characteristics such as simple material selection and placement (brick, clapboard). There are not many multi-family buildings of this scale nearby to compare with – the form and extensive massing variation is anomalous with the traditional buildings of similar scale. With regards to compatibility with the residential fabric, the massing and scale is appropriate for a multi-family building and is not expected to replicate the surrounding single-family form, massing, or scale. The most appropriate way to meet this standard is regarding the façade composition, window type and proportion, and the materials – staff do not support the extensive use of massing and material variation in this building. The only characteristics now relating this building to the surrounding residential neighborhood is the use of clapboard material and a regular pattern of windows.

Rooftop appurtenances – Renderings show rooftop appurtenances have little impact on overall building except from the Steven Avenue direction where railing is not integrated into the overall design.

Standard (1) g. Building Materials – Simple material selection and placement is characteristic of traditional buildings in Portland. Materials were previously simplified and gave the building a consistent overall character similar to the material use in context residential buildings which was important given the complex and atypical massing – however, in response to Board feedback,

additional trim and variation were introduced. Brick base used at front of building in more public area of building and appropriately grounds building.

Standard (1) h. Building Scale – Four stories is appropriate for the wide Forest Avenue commercial corridor. Standard exempts B-2.

Standard (1) i. Landscaping and Buffers – Parking located to rear of this building adjacent to residential lots – fence/screen provided for visual screening to the neighboring residential uses.

(i) Two-Family, . . . Multiple-Family . . . :
Standard (1) . Exterior Design – Context currently does not include multi-family buildings of this scale. The project successfully relates to the scale/massing of the neighboring commercial buildings. The residential context is mostly small-scale single-family with simple forms, pitched roofs, and simple materials (clapboard). This context and the rear lot placement are appropriate for more contemporary design and more flexibility of forms, scale, and patterns. The project includes interesting forms and massing as well as articulation elements such as balconies to provide a visually interesting, contemporary design. Staff observe that though building type, scale, and placement vary throughout the neighborhood, there is a consistent use of simple materials, material, trim, roof overhangs, and other articulation elements to add texture, fine-grain scale, and visual interest to the buildings, even if in a vernacular way. Material palette simplified to better relate its residential use – predominantly clapboard.

Standard (2). Relationship to Street – The project is a rear lot development – standard is difficult to apply in this situation. Entrance is adequately emphasized given the distance from the sidewalk and lack of dedicated pedestrian path.

Standard (3). Open Space – Open space is provided through balconies. There is limited open space on the site; pocket park proposed in front of existing building at the street – see comments above regarding the design and functionality of this space.

Standard (4). Light and Air – Adequate light and air provided.

Standard (5). Parking – Parking area appropriately placed to rear of lot/building. Fence provides visual screen between surface parking and adjacent residential properties – comment addressed.

Standard (6). Not applicable

Att. A

WALSH
ENGINEERING ASSOCIATES, INC.

File: 547

January 3, 2020

Ms. Christine Grimando
City of Portland, Planning
389 Congress Street
Portland, Maine 04101

RE: 844 Stevens Avenue Apartments, Stevens Avenue, LLC, Level III Site Plan Application

Dear Christine,

We are pleased to submit the attached plans and supporting information for the 844 Stevens Avenue Apartments. This project uses the existing majestic brick building at the Forest Avenue – Stevens Avenue intersection for office space and 5 residential units. In addition, a new 16 unit building will be constructed behind the existing building. This preserves the look and feel of Stevens Avenue and enhances the availability of housing in the area.

The new building will be very visible from Bishop Street. As such the landscaping and building design have considered this extensively. The building façade has a mix of colors, textures and windows that provide an attractive backdrop to the existing parking lot. Trees have been strategically placed to provide screening while being open to the building windows.

The residential units will be rentals, providing housing for workers in the area as well as being available for college students. This is enhanced with one parking space and immediate available bus transportation along Forest Avenue. This will serve an underdeveloped neighborhood in the City, meeting the City's goals of more housing.

Thank you for your consideration of our project.

Respectfully,

Thomas S. Greer, PE
Walsh Engineering Associates, Inc.

cc: Ed Benway-Electronic, Joe Delaney-Electronic, File
Enc.

CITY OF PORTLAND
Planning & Urban Development Department

LEVEL II and LEVEL III SITE PLAN
GENERAL DOCUMENT AND DRAWINGS CHECKLIST
Please submit each document as a separate PDF file
Please confirm by electronically checking the boxes to the left

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

GENERAL APPLICATION DOCUMENTS		
Yes	NA	**Project Description** • Cover Letter with detailed project description
Yes	NA	**Completed Checklist – Level I: Site Alteration** (this document)
Yes	NA	**Right, Title and Interest** • Deeds, leases, or purchase and sales agreements
Yes	NA	**Evidence of State or Federal Approvals** • Permits or letters of non-jurisdiction, if applicable
Yes	NA	**Zoning Assessment** • Table listing required and proposed uses and dimensional standards Zoning Assessment Table
Yes	NA	**Existing and/or Proposed Easements or Covenants, applicable.** • Evidence of existing easements and any proposed easements
Yes	NA	**Waiver Requests** • Written request for waiver describing request and reason Waiver Table
Yes	NA	**Financial Capability** • Letter or evidence from a financial institution or third party verifying financial capacity to undertake project
Yes	NA	**Technical Capability** • Evidence of technical capability of applicant and consultants – resumes and/or examples of past projects

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

Yes	NA	
☑	☐	**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
☑	☐	**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
☐	☑	**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
☑	☐	**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)
☑	☐	**Public Transit (14-526 (a) 3), if applicable** • Existing available transit services • Proposed site plan design details, such as easement, pad base, and shelter
☑	☐	**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
☑	☐	**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)
☑	☐	**Snow Storage (14-526 (a) 4 d)** • Management plan for snow removal and locate snow storage areas on plan
☐	☑	**Traffic Demand Management (TDM) (14-526 (a) 5), if applicable** • Develop TDM with Trip Reduction Targets and Strategies

ENVIRONMENTAL AND LANDSCAPE FEATURES	
Yes ☐ NA ☑	**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 ☑	**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 ☐	**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 ☐	**Parking Lot Landscaping (14-526 (b) 2 b ii), if applicable** • Landscaped islands within parking areas (Technical Manual, Section 4)
Yes ☑ NA ☐	**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
ENVIRONMENTAL AND STORMWATER	
Yes ☑ NA ☐	**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

PUBLIC INFRASTRUCTURE AND SAFETY	
Yes ☑ NA ☐	**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 ☐	**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 ☐	**Availability and Adequacy of Public Utilities (14-526 (c) 3) (Technical Manual, Sections 2 & 9)** • Electrical services, including providing underground services • Identify existing and proposed connections for public utilities and required public utility upgrades • Sewer line connections are required, if there is a main within 200 feet • Proposed solid waste management facilities on-site and management for the site • Written evidence of the ability to serve from utility companies, as applicable
SITE DESIGN	
Yes ☑ NA ☐	**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 ☑	**Shadows (14-526 (d) 2), if applicable** • Shadow analysis of impacts on publicly accessible open space (Technical Manual, Section 11)
Yes ☑ NA ☐	**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 ☐	**View Corridors (14-526 (d) 4), if applicable** • Protection of designated view corridors (Portland Design Manual, Appen. 1)

Yes ☐ NA ☑	**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 ☐	**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 ☐	**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 ☐	**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 ☐	**Zone Related Design Standards (14-526 (d) 5)** • Address Historic Preservation Design Review, if applicable • Address any applicable design review standards by zone • Address submission requirements from Design Manual, page 1, addressing neighborhood context • Description of exterior materials, color, finish, and samples
Construction Management Plan	
Yes ☑ NA ☐	**Construction Management Plan** • Construction Management Document and Plan

LEVEL II AND LEVEL III SITE PLAN
DRAWINGS CHECKLIST

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

RECENT BOUNDARY SURVEY (stamped by Maine Licensed Surveyor)

- [x] Must be in compliance with Technical Manual, Section 13

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

Existing Conditions

- [x] Approximate location of structures on abutting property
- [x] Topography
- [x] Locate water courses NONE
- [x] Delineate wetlands NONE
- [x] Zone lines

Proposed Site Plan

- [x] Ground floor area, and grade elevations for all buildings

Access, Circulation, and Parking

- [x] Streets and intersections adjacent to site, any proposed geometric modifications
- [x] Location, dimensions and materials of all existing and proposed driveways, vehicle, bicycle, & pedestrian access ways with corresponding curb lines
- [x] Engineered specifications/ cross-sections for proposed driveways, sidewalks & paved areas
- [x] Location and dimensions of proposed loading areas NONE
- [ ] Existing and proposed transit infrastructure with dimensions/ engineering specifications
- [x] 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 NONE
- ☑ Preservation or alteration of wetlands NONE

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 AND RENDERINGS including:
☑ Exterior building elevations, color renderings, illustrations of all sides
☑ Location and dimensions of all existing and proposed HVAC and mechanical equipment, all proposed screening
☑ Provide context drawings, if applicable (Design Manual, page 1)
☑ Floor plans

To Whom It May Concern,

By this letter, the undersigned authorizes Walsh Engineering Associates, Inc. to act as the agent for the undersigned in the preparation and submission of all Federal, State, and Local City permit applications and relevant documents and correspondence for all necessary permits for the construction on the property at 844 Stevens Avenue in Portland to attend meetings and site visits; to appear before all boards, commissions, and committees, and to provide such other services as are necessary and appropriate in furtherance of the aforementioned project.

Sincerely,

Signature

Edward H. Benway

Printed Name and Title

12/19/2019

Date

WALSH
ENGINEERING ASSOCIATES, INC.

844 Stevens Avenue
January 3, 2020

Site Plan Standards (14-526)
Level III Site Plans are subject to the review criteria outlined in Section 14-526 of the City of Portland Land Use Ordinance. Each of these review standards is discussed below:

Transportation Standards
This project consists of (21) residential units and (2) 400 square foot office spaces. The site currently has access from Bishop Street and Stevens Avenue. It is adjacent the Forest Avenue / Stevens Avenue intersection. The site has significant cut through traffic. The proposed site plan eliminates the cut through traffic. It provides the same two access locations, accessing two separate parking courts. This provides safe access from the Stevens Avenue court.

The City's Master Plan calls for the reconstruction of the Forest / Stevens Avenue intersection minimizing any safety concerns. It will provide pedestrian access throughout the area. This project is in conformance with that plan.

Small delivery vehicles such as USPS and UPS will access the Stevens Avenue court. Gang mailboxes provide convenient services.

The Stevens Avenue sidewalk will be reconstructed to City Standards. No sidewalk work will occur on Bishop Street as the full width of the street frontage is used for access.

Public Transit Access

This site has access to public transit at Forest Avenue approximately 500 feet from the site. The site does not accommodate a transit shelter. We request a waiver from this section.

Parking

The parking has been split into two courts. The Stevens Avenue court has13 parking spaces including an ADA space. The Bishop Street court has 9 parking spaces. See the site plan for dimensions of the spaces. We request a waiver for one space.

Bicycle parking is provided at the front of both buildings, providing 10 total spaces. Occupants of the new building will have indoor storage for bicycles and other items.

A scooter parking space is provided by the electrical meters on the lower level.

Snow storage areas are limited on site. Snow removal from the site will be required for most years. See Site Plan for locations of snow storage.

Transportation Demand Management (TDM)

This project does not require a TDM Plan.

Preservation of Significant Features

The existing site is fully developed with buildings and parking. There are no significant natural features to be preserved.

Landscaping

The developed site will add landscaping to the site. The front of the site at Stevens Avenue will become a pocket park, making it an active area. It will have benches and gathering areas surrounded by landscape plantings. The northerly side of the site will have landscape plantings carefully placed around the windows of the buildings. This will soften the architecture and provide some screening.

In addition to the on site plantings the project will contribute to the City's Tree Fund.

Stormwater Quality and Erosion Control

A Stormwater Report is attached and the Erosion Control measures are shown on the plan. The project utilizes the developed site with a small increase in impervious area. Based on Redevelopment Standards of Chapter 500 of the DEP Stormwater Rules, no stormwater treatment is required.

The site is connected to the Bishop Street stormwater system.

Consistency with the City's Master Plan

This project enhances the streetscape of Stevens Avenue in accordance with the City's Plan to improve the intersection.

Public Safety and Fire Prevention

The existing building will be renovated to have 5 residential apartments and two office spaces. The building, built in the late 1800's will be upgraded with a sprinkler system. The new building will meet NFPA codes, including a sprinkler system.

Capacity of Utilities

We have requested letters from the Portland Water District and the City's Wastewater Department to confirm there is adequate capacity to service the project.

Dumpsters

Dumpsters are provided in the Stevens Avenue parking court. It is conveniently located between the two buildings. We anticipate using the small roller containers for waste and recycle items.

Snow and Ice Loading

The building design includes a flat roof minimizing the opportunity for ice and snow from falling on adjacent properties or public ways.

View Corridor

The new building is placed behind the existing building and out of any view corridor from Stevens Avenue. It is well off Bishop Street and will provide an attractive backdrop to the existing parking lot.

Historic Resources

This site is not in a Historic District. The project does preserve the existing building.

Lighting

The site will be lit from the two existing buildings with cut off fixtures and a pole mounted light adjacent the Stevens Avenue parking court. See architectural plans.

Noise and Vibration

There are no items that will create excess noise or vibration. HVAC units will be roof mounted, or above the parking under the building at the low end of the site. These locations will provide buffering of any noise that is generated.

Signs and Way Finding

The site will be identified by a Granite Post located off Stevens Avenue. It will have large block numbers of 844 and 3 small signs identifying tenants of the building.

Zoning Goals

The B2 zone is intended to create a street wall with direct access to buildings. The existing building is a prominent feature in the intersection with a front door on the street meeting this requirement.

WALSH
ENGINEERING ASSOCIATES, INC.

Active Street Frontage
844 Stevens Avenue Apartments
January 2, 2020

The project at 844 Stevens Avenue is considered to have active street frontage. The existing building fronts on the Stevens Avenue / Forest Avenue intersection. The building is positioned to provide a commanding view of the surrounding area. The following summarizes our analysis:

- The parking is located behind the front building.
- The front of the site has an active landscape area including benches and gathering space.
- The first floor office space is in the front of the building.
- The front door is prominent to the front of the building and the active landscape area. Access is highlighted by granite bollards as wayfinding.
- All entries to the buildings are oriented to Stevens Avenue.

Whipple | Callender Architects

The proposed apartment building for 844 Stevens Avenue will share the site with an existing Federal/ Colonial Revival brick building that fronts Stevens Ave. The existing three-story structure is a gabled form with double hung windows arranged individually and in groups. The street elevation has larger window arrangements and the ground floor was altered for business use in the 1930's.

The narrow and deep site necessitates the new building sit behind the existing building. The buildings are completely separate and together form a parking court and entry space from Stevens Avenue. The front of the new building will face southeast and fill the full width of the site as a background to the parking court. The sides of the building are close to sideline and the rear is a story taller due to grade. We are maintaining a maximum average height of 35'.

The proposed structure is flat roofed, partly to control stormwater and partly to meet zoning requirements. The flat roof will also blend with surrounding commercial structures and provide a counterpoint to the original buildings gable form. The windows are casement style to allow maximum ventilation, light and better thermal performance. Siding has been selected to provide texture and build upon the character of surrounding properties.

The upper two stories are townhouses and their exterior is finished with painted clapboard siding such as Boral and painted. The roof line will be detailed with a substantial cornice. Corner trim and vertical detailing will break up the mass of the top two stories. The design will provide a number of private deck spaces for the townhouses, activating the front and rear elevations.

The Stevens Avenue ground floor is designed with a recessed entry and paved areas for outdoor use and bike storage. The Community Room that is located off the front entry looks out to these spaces through large windows and its exterior is finished in brick veneer. Above the Community Room is an exterior Community Deck accessed from the floor two common corridor. We see this upper deck as an extension of the parking court landscape that creates variety and activity at the Stevens Avenue portion of the site. The deck will help conceal roof mounted mechanical components.

The building sides, at the ground floor and below, will be finished with exterior wall panels that will organize the windows that serve a variety of apartment layouts due to the unique site geometry.

Accessed from Bishop Street, the rear elevation will be finished more simply, contrasting the recessed parking with the upper recessed deck and providing areas for wall mounted mechanical and electrical utilities.

Our site is challenging. The building seeks to specifically respond to the site at 844 Stevens Avenue. We plan to; strengthen the Stevens Avenue presence of the proposed development, create orderly elevations at the tight side lot lines and locate utility connections and services to the Bishop Street entry. In scale and appearance the proposed multistory building will help to re-establish a more substantial commerclal building scale and density at Morrill's Corner that has been diminished with more recent single story construction.

PO Box 1276 Portland Maine 04104 207-775-2696 Fax 207-775-3631

Portland, Maine — Yes. Life's good here.

Planning & Urban Development Department

ZONING ANALYSIS Relevant Zone(s) B2 - Community Business Zone

All Projects:

	Required	Proposed
Lot Size	None	21,989 sq. ft.
Area Per Dwelling Unit	435 sq. ft.	1,048 sq. ft.
Minimum Street Frontage	20 ft.	76.3 ft.
Front Yard Minimum	None	20.4 / 159 ft.
Front Yard Maximum	10 ft.	20.7 / 159 ft.
Rear Yard	10 ft.	5 / 59.6 ft.
Yard Right	None	2 ft.
Yard Left	None	5.3 ft.
Side Street Setback	-	-
Step Back	5 / 15	5.3 / 70 ft.
Maximum Lot Coverage	-	-
Minimum Lot Coverage	-	-
Maximum Height	45 ft.	40.3 ft.
Open Space	-	-
Maximum Impervious Area	None / 80%	82%
Pavement Setback	-	-
Floor Area Ratio	-	-
Off Street Parking Spaces	23	22
Loading Bays	-	-
Other 1		
Other 2		
Other 3		

Existing Building is 20 feet back from Right-of-Way

Planned Residential Unit Developments (PRUD) Requirements

	Required	Proposed
Minimum Lot Size	N/A	N/A
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	N/A	N/A	N/A
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):			

Att. H

WARRANTY DEED

FOR CONSIDERATION PAID, the undersigned **844 STEVENS AVENUE, LLC**, a Maine limited liability company with its principal place of business in the City of Portland, County of Cumberland, and State of Maine, hereby conveys to **STEVENS AVENUE, LLC**, a Maine limited liability company with a mailing address of 303 Islington Street, Portsmouth, NH 03801, WITH WARRANTY COVENANTS, that certain lot or parcel of land, including all buildings, improvements, and appurtenances thereof, situated on the westerly sideline of Stevens Avenue, in the City of Portland, County of Cumberland and State of Maine, being more particularly bounded and described as follows:

BEGINNING at a found #5 steel rebar on said westerly sideline of Stevens Avenue at the most northeasterly corner of the lot herein described. Said rebar also being S 20°-47'-00" W seventy-seven and three hundredths (77.03) feet from a found drill hole marking the intersection of said westerly sideline of Stevens Avenue with the southerly sideline of Bishop Street as relocated by the City of Portland, July 8, 1913;

THENCE, S 200-47'-00" W along said westerly sideline of Stevens Avenue a distance of seventy-six and thirty hundredths (76.30) feet to a 1" iron pipe marking the most northeasterly corner of the land described in the deed of Humble Companies Foundation to Retailers Realty Trust, dated August 14, 1970 and recorded in the Cumberland County Registry of Deeds in Book 3142, Page 448;

THENCE, N 67°-00'-00" W along land of Retailers Realty Trust a distance of forty-nine and no hundredths (49.00) feet to a set #5 steel rebar with a survey cap;

THENCE, N 77°- 57'-00" W continuing along land of Retailers Realty Trust a distance of sixty-three and thirty-six hundredths (63.36) feet to a set #5 steel rebar with a survey cap;

THENCE, N 63°- 55'-00" W continuing along land of Retailers Realty Trust a distance of two hundred fifteen and thirty-seven hundredths (215.37) feet to a found 1" iron pipe;

THENCE, N 63°-55'-00" W continuing along land of Retailers Realty Trust a distance of forty hundredths (0.40) feet to a point on the easterly sideline of a ten (10) feet wide right-of-way as depicted on a plan entitled "Plan of lots made for Fred E. Briggs in May. 1913" by E.C. Jordan & Co. and recorded in the Cumberland County Registry of Deeds in Plan Book 12. Page 68;

MAINE REAL ESTATE TAX PAID

THENCE, N 23°- 43'-45" E along said easterly sideline of the ten (10) feet wide right-of-way a distance of seventy-six and seventeen hundredths (76.17) feet to a found iron on the westerly sideline of Bishop Street;

THENCE, S 80°-23'-15" E along said southerly sideline of Bishop Street a distance of nineteen and nine hundredths (19.09) feet to a found iron marking the most northwesterly corner of land described in the deed of Community Housing Investment Corporation to The Spurwink School, dated December 13, 1993 and recorded in the Cumberland County Registry of Deeds in Book 11161, Page 291;

THENCE, S 12°-12'-30" W along land of The Spurwink School a distance of thirty-four and eighty-two hundredths (34.82) feet to a found iron;

THENCE, S 71°-43'-30" E continuing along land of The Spurwink School a distance of one hundred eighty-six and forty-six hundredths (186.46) feet to a point marking the most southwesterly corner of land described in the deed of Fred M. Forsley to James L. Burgess, et al. dated October 7, 1985 and recorded in the Cumberland County Registry of Deeds in Book 6923, Page 271;

THENCE, S 71°-43'-30" E along land of Burgess, et al., a distance of fifteen and eighty hundredths (15.80) feet to a found drill hole;

THENCE, N 23°-20'-00" E continuing along land of Burgess, et al., a distance of thirteen and eighty-five hundredths (13.85) feet to a found 3/4" iron pipe;

THENCE, S 66°-53'-45" E continuing along land of Burgess, et al., a distance of ninety-five and ninety-nine hundredths (95.99) feet to the point of beginning.

The bearings used in this description are based on a "Plan of land in Portland. ME owned by Harriett True" by E.C. Jordan & Co.

Reference is made to the "Plan Showing a Standard Boundary Survey made for James Ascanio", dated October 31, 1994 by Nadeau and Lodge, Professional Land Surveyors.

The foregoing premises are conveyed subject to all encumbrances of record.

MEANING AND INTENDING to convey, and hereby conveying that certain premises described in a deed to Grantor dated January 10, 2018, and recorded in the Cumberland County Registry of Deeds in Book 34650, Page 156.

[*No further text. Signature page follows.*]

IN WITNESS WHEREOF, 844 Stevens Avenue, LLC has caused this Warranty Deed to be duly-executed as of this 26th day of February, 2019.

ATTEST:

844 STEVENS AVENUE, LLC:

Witness

By: _____
Name: Scott Mcleod
Its: Member

Witness

By: _____
Name: James Ascanio
Its: Member

STATE OF MAINE
YORK COUNTY, ss.

February 28, 2019

Personally appeared before me the above-named Scott Mcleod and James Ascanio, the duly authorized Members of 844 Stevens Avenue, LLC, and acknowledged the foregoing instrument to be their free act and deed in their said capacity and the free act and deed of said 844 Stevens Avenue, LLC.

Before me,

SEAL

Notary Public/Attorney-at-Law
Name: _____
My Commission Expires: _____

JEFFERY J. CLARK
NOTARY
STATE OF MAINE
COMMISSION EXPIRES 5-02-19

Received
Recorded Register of Deeds
Mar 08,2019 09:08:41A
Cumberland County
Nancy A. Lane

Att. I

SACO & BIDDEFORD SAVINGS INSTITUTION

Portland, Me- PHONE: (207) 602-7678 FAX: (207) 504-8117
136 Commercial St, Portland, ME 04101

June 26, 2020

Edward Benway
303 Islington Street
Portsmouth, NH 03801

RE: Construction Financing Stevens Avenue, Portland, Me 04101

Please be advised that Ed Benway (Stevens Ave, LLC) has the financial capacity to construct a 20 unit apartment complex located at Stevens Ave in Portland Maine, 04101. As always, I look forward to providing financing for this project.

Should you have any questions please feel free to contact me directly at (207)602-7678 or my E-mail: MJean@sbsavings.bank.

Sincerely,

Michael Jean
VP Business Loan Officer
136 Commercial Street
Portland, Maine 04101

Att. J

WALSH
ENGINEERING ASSOCIATES, INC.

STORMWATER MANAGEMENT REPORT

For

844 Stevens Avenue
Portland, Maine

January 3, 2020

Submitted by:
Walsh Engineering Associates, Inc.
One Karen Drive, Suite 2A
Westbrook, Maine 04092

SUPPORTING DATA AND CALCULATIONS

Cover Letter & Table of Contents

Appendix A: Stormwater Agreement
Appendix B: Inspection & Maintenance Report
Appendix C: Housekeeping Report

WALSH
ENGINEERING ASSOCIATES, INC.

STORMWATER MANAGEMENT REPORT

844 Stevens Avenue
Portland, Maine
January 3, 2020

Introduction

844 Stevens Avenue has access to Stevens Avenue and Bishop Street. It is located immediately adjacent the Forest Avenue, Stevens Avenue intersection. There is a parking lot on one side of the site and Rosemont Market and Bakery Headquarters on the other side. There are currently two buildings on this site. The front building is an old brick building used for hairdressers and office space. The rear building is a garage used for storage. The remainder of the site is paved and used for parking.

The proposed project includes renovating the existing front building to have 5 residential units and two office spaces. The rear garage will be removed and replaced with a 3-story, 16 residential unit building. Access to the site will continue to be from Bishop Street and Steven Avenue. Cut through traffic will no longer be accommodated.

Pre-Development Conditions

The existing site has two buildings with footprints of 2,456 and 903 sq. ft. Currently the 21,989 sq. ft. site has 14,149 sq. ft. of paving, giving it a lot coverage of 17,508 sq. ft., or 80%. The runoff from the site splits in two directions. The rear portion drains towards Bishop Street where it is picked up in a catch basin. The front of the site drains to Stevens Avenue. This is an urban site.

Post-Development Conditions

The developed site will have two buildings with footprints of 2,456 and 5,420 sq. ft. and new paving of 11,115 sq. ft. providing a total impervious surface of 18,131 sq. ft. or 82%. This is an addition of 623 sq. ft. The project will continue to drain towards Bishop Street and Stevens Avenue. The Bishop Street connection will be upgraded with a new catch basin system and connection to the existing storm drain system. The Stevens Avenue system will continue to be surface flow.

Drainage Analysis

As there is a net increase in impervious surface of less than 1,000 sq. ft. and a reduction in paved surface the overall drainage will be approximately equal in flow and potential contaminants leaving the site. No drainage modeling is required.

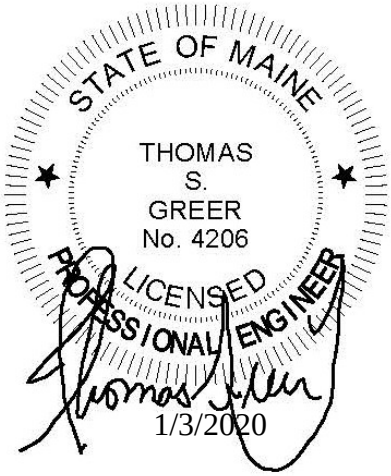
Maintenance

The long term maintenance required includes grit removal from the two on-site catch basins, sweeping of the parking areas and maintenance of the landscaped areas. This will be performed by the building owner and reported annually to the City of Portland under the Chapter 32 Standards. Attached are the Maintenance Plan and City Agreement for the stormwater system.

Conclusion

The replacement of the existing parking with a 16 unit residential building will add less than 1,000 sq. ft. of impervious area to the site. In accordance with the Chapter 500 Standards for redevelopment no stormwater treatment is required. This project will have no unreasonable impacts on downstream properties.

Respectfully,



Thomas S. Greer P.E.
Walsh Engineering Associates, Inc.

WALSH
ENGINEERING ASSOCIATES, INC.
One Karen Drive, Suite 2A | Westbrook, Maine 04092
phone 207.553.9898 | www.walsh-eng.com

JOB 844 STEVENS
PREPARED BY TSG DATE 12/11/19
CHECKED BY DATE
SHEET NO. 1 OF 1

REDEVELOPMENT PROJECT STANDARDS – CHAPTER 500 pg 7

EX AREA RATING WEIGHTED

COVER	EX.			DEV		
BUILDINGS	3,361	(2)	~~3,322~~ 6,722	7016	(2)	14032
LANDSCAPE	3,938	(1)	3,938	3347	(1)	3347
PAVING	14,704	(4)	58,816	11,640	(4)	16,560
			69,476			63,939

$\frac{69,476}{22,003} = 3.16$ $\frac{63,939}{22003} = 2.91$

$2.91 - 3.16 = -0.25$

FROM TABLE pg 8 $-0.25 < 0.0$ NO TREATMENT REQ.

SMART RESOLUTION (888) 300-5267
Ref. No. G 034012000

Appendix A:
Stormwater Agreement

STORMWATER DRAINAGE SYSTEM
MAINTENANCE AGREEMENT

For SUBDIVISIONS

IN CONSIDERATION OF the site plan and subdivision approval granted by the Planning Board of the City of Portland to the proposed 844 Stevens Avenue shown on the Subdivision Plat (Exhibit A) recorded in Cumberland Registry of Deeds in Plan Book____, Page_____submitted by Walsh Engineering Associates, Inc., and associated Grading & Utilities (Exhibit B) prepared by Walsh Engineering Associates, Inc., (WEA) of One Karen Drive, Suite 2A, Westbrook, ME 04092 dated January 3, 2020 and pursuant to a condition thereof, Measured Wealth Private Client Group, LLC, a Maine limited liability company with a principal place of business in Portland, Maine, and having a mailing address of 303 Islington Street, Portsmouth, NH 03801, the owner of the subject premises, does hereby agree, for itself, its successors and assigns (the "Owner"), as follows:

Maintenance Agreement

That it, its successors and assigns, will, at its own cost and expense and at all times in perpetuity, maintain in good repair and in proper working order the storm drain pipes and catch basins, hereinafter collectively referred to as the "stormwater system", as shown on the Grading & Utilities Plan in Exhibit B and in strict compliance with the approved Inspection and Maintenance of Stormwater Management Facilities Plan prepared for the Owner by Walsh Engineering Associates in in Exhibit C and Chapter 32 of the Portland City Code.

Owner of the subject premises further agrees, at its own cost, to keep a Stormwater Maintenance Log. Such log shall be made available for inspection by the City of Portland upon reasonable notice and request.

Said agreement is for the benefit of the said City of Portland and all persons in lawful possession of said premises and abutters thereto; further, that the said City of Portland and said persons in lawful possession may enforce this Agreement by an action at law or in equity in any court of competent jurisdiction; further, that after giving the Owner written notice and a stated time to perform, the said City of Portland, by its authorized agents or representatives, may, but is not obligated to, enter upon said premises to maintain, repair, or replace said stormwater system in the event of any failure or neglect thereof, the cost and expense thereof to be reimbursed in full to the said City of Portland by the Owner upon written demand. Any funds owed to the City under this paragraph shall be secured by a lien on the property.

This Agreement shall also not be construed to allow any change or deviation from the requirements of the subdivision and/or site plan most recently and formally approved by the Planning Board of the City of Portland.

This agreement shall bind the undersigned only so long as it retains any interest in said premises, and shall run with the land and be binding upon the Owner's successors and assigns as their interests may from time to time appear.

The Owner agrees to record a copy of this Agreement in the Cumberland County Registry of Deeds within thirty (30) days of final execution of this Agreement. The Owner further agrees to provide a copy of this Agreement to any successor or assign and to forward to the City an Addendum signed by any successor or assign in which the successor or assign states that the successor or assign has read the Agreement, agrees to all its terms and conditions and the successor or assign will obtain and forward to the City's Department of Public Services and Department of Planning and Urban Development a similar Addendum from any other successor or assign.

For the purpose of this agreement and release "Owner" is any person or entity who is a successor or assign and has a legal interest in part, or all, of the real estate and any building. The real estate shown by chart, block and lot number in the records on file in the City Assessor's office shall constitute "the property" that may be entered by the City and liened if the City is not paid all of its costs and charges following the mailing of a written demand for payment to the owner pursuant to the process and with the same force and effect as that established by 36 M.R.S.A. §§ 942 and 943 for real estate tax liens.

Any written notices or demands required by the agreement shall be complete on the date the notice is attached to one or more doors providing entry to any buildings and mailed by certified mail, return receipt requested or ordinary mail or both to the owner of record as shown on the tax roles on file in the City Assessor's Office.

If the property has more than one owner on the tax rolls, service shall be complete by mailing it to only the first listed owner. The failure to receive any written notice required by this agreement shall not prevent the City from entering the property and performing maintenance or repairs on the stormwater system, or any component thereof, or liening it or create a cause of action against the City.

Dated at Portland, Maine this_____day of_____, 2020.

_____
Stevens Avenue, LLC

_____
Edward H. Benway, President

STATE OF MAINE
CUMBERLAND, ss.

Date: _____

Personally appeared the above-named_____(*name and title*), and acknowledged the foregoing instrument to be his free act and deed in his said capacity.

Before me,

_____
Notary Public/Attorney at Law

Print name: _____

Exhibit A: Subdivision Plat as recorded

Exhibit B: Approved Grading & Utilities Plan

Exhibit C: Approved Inspection and Maintenance of Stormwater Management Facilities Plan

Appendix B:
Inspection and Maintenance Report

Appendix B:

INSPECTION AND MAINTENANCE OF STORMWATER MANAGEMENT FACILITIES PLAN

844 Stevens Avenue
Portland, Maine
January 3, 2020

Stormwater Management Facilities include swales, paved surfaces, manholes and catch basins, drain pipe, riprapped aprons, level spreaders, wooded buffers, underdrained soil filters, detention ponds, wet ponds and subsurface sand filters. Periodic inspection and maintenance of these site features and devices is necessary to prevent erosion, protect roadways and other paved areas, and remove pollutants from stormwater runoff.

The Owner is responsible for the inspection and maintenance of all stormwater management facilities, the establishment of any contract services required to implement the program, and the keeping of records and maintenance log book as described herein. At a minimum, the appropriate and relevant activities for each of the stormwater management facilities should be performed on the prescribed schedule.

POST CONSTRUCTION MONITORING:

32-38. Post-construction stormwater management plan compliance.

Any person owning, operating, or otherwise having control over a BMP required by a post Construction stormwater management plan shall maintain the BMPs in accordance with the approved plan and shall demonstrate compliance with that plan as follows:

(a) Inspections. The owner or operator of a BMP shall hire a qualified post-construction stormwater inspector to at least annually, inspect the BMPs, including but not limited to any parking areas, catch basins, drainage swales, detention basins and ponds, pipes and related structures, in accordance with all municipal and state inspection, cleaning and maintenance requirements of the approved post-construction stormwater management plan.

(b) Maintenance and repair. If the BMP requires maintenance, repair or replacement to function as intended by the approved post-construction stormwater management plan, the owner or operator of the BMP shall take corrective action(s) to address the deficiency or deficiencies as soon as possible after the deficiency is discovered and shall provide a record of the deficiency and corrective action(s) to the department of public services ("DPW") in the annual report.

(c) Annual report. 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 DPW in a form provided by DPW, 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 require maintenance or repair, including the record of the deficiency and corrective action(s) taken.

(d) Filing fee. Any persons required to file and annual certification under this section shall include with the annual certification a filing fee established by DPW to pay the administrative and technical costs of review of the annual certification.

(e) Right of entry. In order to determine compliance with this article and with the post-construction stormwater management plan, DPW may enter upon property at reasonable hours with the consent of the owner, occupant or agent to inspect the BMPs.

SWALES, DITCHES, CURBS AND PAVED AREAS:

Swales, ditches, curbs and paved areas are easily inspected during a site walk or even a ride-by. Since visual inspection is easy, their condition should be assessed during and/or after significant rainfall events such as thunder showers and periods of heavy or extended rainfall and during periods of significant snowmelt. Any damage or unusual condition such as sedimentation of a ditch, erosion, damaged curb or dying vegetation should be recorded, dated and initialed by the inspector when observed. Even if there is no damage, the inspector should make record of these inspections at least twice annually.

Paved areas should be visually inspected monthly during the winter. The inspector should pay particular attention to the build up of sand around catch basin grates and remove accumulations that block the free flow of surface runoff to the catch basins. The date and initials of the inspector should be recorded on the forms provided as well as a notation of any cleanup effort that was made and the approximate volume of sand that was removed.

Open swales and ditches shall be inspected twice per year (in spring and fall) to assure that debris and/or sediments do not reduce the effectiveness of the system. Debris and sediments shall be removed at that time. Any sign of erosion or blockage shall be immediately repaired to assure a vigorous growth of vegetation for the stability of the ditches and slopes proper function. Maintenance shall include, but not be limited to, mowing, trimming and removal of vegetation in the ditches and slopes as required in order to prevent vegetation from blocking or diverting storm flows, replacement of riprap channel lining to prevent scour of the channel invert, removing vegetation and debris from the culverts.

Vegetated ditches should be mowed at least monthly during the growing season. Larger brush or trees must not be allowed to become established in the channel. Any areas where the vegetation fails will be subject to erosion and should be reseeded and mulched immediately.

CATCH BASINS, FIELD INLETS AND DRAIN MANHOLES:

Catch Basins and field inlets are precast concrete structures with sumps and cast iron grates used to collect stormwater and trap heavy sediments. Drain Manholes are similar structures constructed with a channel instead of a sump and a solid cast iron cover instead of a grate. Drain Manholes exist at changes in direction and/or size of storm drain pipe. Catch Basins, field inlets and drain manholes provide access to the closed storm drain system for inspection and maintenance.

Appendix B:

Throughout the winter / spring sanding period, inspect catch basins and field inlets monthly and after every significant rainfall event or period of heavy snowmelt. Clean catch basin and field inlet sumps when sediment level is within 12 inches of the outlet pipe invert. At a minimum, remove floating debris and hydrocarbons at the time of the inspection. The removed material must be disposed of in accordance with the Maine Solid Waste Disposal Rules. Confined space entry safety procedures shall be practiced should entry into these structures be required.

Record dates of inspections, observations and maintenance measures implemented (if any) on the forms provided and initial the entry.

DRAIN PIPES:

Drain pipes are road culverts and pipes connecting drain manholes. Inspect drain pipes when inspecting other stormwater maintenance facilities. At least annually make a visual inspection of the pipe. During the daylight you should be able to see light through most pipes as they have been laid to a straight line and grade. In some cases (e.g. pipe runs to a drain manhole, or is blocked) you will need a light to inspect pipes.

Remove any obstructions to flow; remove accumulated sediments and debris at the inlet, at the outlet, and within the conduit; and to repair any erosion damage at the pipe inlet and outlet. Sediment should be removed when its level exceeds 20% of the pipe diameter. This may be accomplished by hydraulic flushing or any mechanical means; however, care should be taken to contain the sediment at the pipe outlet, and not flush the sediments into the stormwater filter or wetland areas.

Riprap aprons where stone is displaced should be replaced and chinked to assure stability. With time, additional riprap may be added. Vegetation growing through riprap should be removed on an annual basis.

Record inspections on the forms provided noting condition of pipe and any maintenance procedures implemented.

Appendix B:

844 STEVENS AVENUE PORTLAND, MAINE			
INSPECTION / MAINTENANCE LOG			
SWALES, DITCHES, CURBS AND PAVED SURFACES			
I: INSPECTED - C: CLEANED - S: SWEPT - R: REPAIRED			
DATE	**INITIALS**	**ACTION**	**COMMENT**
12/3/19	RST	I, C	EXAMPLE: Removed sand around CB. Heavy rain over the weekend.

Appendix B:

844 STEVENS AVENUE PORTLAND, MAINE			
INSPECTION / MAINTENANCE LOG			
CATCH BASINS, FIELD INLETS, AND DRAIN MANHOLES			
I: INSPECTED - C: CLEANED - R: REPAIRED			
DATE	**INITIALS**	**ACTION**	**COMMENT**
12/3/19	JKL	I, C	EXAMPLE: Called ACME to clean catch basins.

Appendix B:

844 STEVENS AVENUE PORTLAND, MAINE			
INSPECTION / MAINTENANCE LOG			
DRAIN PIPES			
I: INSPECTED - C: CLEANED - R: REPAIRED			
DATE	**INITIALS**	**ACTION**	**COMMENT**
12/3/19	JKL	I, C	EXAMPLE: Called ACME to clean debris from culvert inlets along Bishop Street and Stevens Avenue.

Appendix B:

STORMWATER MANAGEMENT SYSTEM MAINTENANCE PROGRAM SUMMARY CHECKLIST					
		Frequency			
Item	**Commentary**	**Month**	**Semi-Annual**	**Annual**	**Long-Term**
Open Swale, Ditches & Inlet Structures	Inspect for debris accumulation, erosion and excessive vegetation. Mow monthly, remove debris, repair and revegetate any area of erosion	**X Mow**		**X**	
Pavement	Review for damage and buildup of debris and sand.	**X**	**X Sweep**		
Catchbasin and Drain Manholes	Inspect grates to assure optimum water flows into the structures. Inspect sumps for blockage and sediment accumulation. Clean out sumps.	**X Inspect**		**X Sediment removal**	
Pipes	Inspect for sediment build-up in pipe. Flush and remove as required.			**X**	

Appendix C:
Housekeeping Report

HOUSEKEEPNG REPORT

844 Stevens Avenue
Portland, Maine
January 3, 2020

Housekeeping: The developer is responsible for notifying the contractor and owner of the housekeeping standards.

1. Spill Prevention: The contractor and owners need to take care with construction and waste materials such that contaminates do not enter the stormwater. The storage of materials such as paint, petroleum products, cleaning agents and the like are to be stored in watertight containers. The use of the products should be in accordance with manufacturer recommendations. When fueling equipment, including snowblowers and lawnmowers, have oil absorbent pads available below the fueling.

   Staging areas are noted on the plans for the contractor's use. Refueling of small engines by the owner should occur in the garage or on a paved surface.

   Any spill or release of toxic or hazardous substances must be reported to the Department. For oil spills, call 1-800-482-0777 which is available 24 hours a day. For spills of toxic or hazardous material, call 1-800-452-4664 which is available 24 hours a day. For more information, visit the Department's website at:
   http:/www.maine.gov/dep/spills/emergspillresp/

2. Groundwater Protection: Protection of the groundwater is required by the contractor and owner. Petroleum products should be stored in manufactured cans designed for the purpose. Spill preventions procedures should be followed.

3. Fugitive Sediment and Dust: The contractor is required to minimize dust from the construction operation. The road should be swept regularly (weekly) and prior to any rain event. The gravel areas are to be watered regularly to minimize dust. Any mud that is tracked off site should be cleaned up prior to it drying and becoming a dust issue.

   Do not use oil to control dust.

   Dewatering a stream without a permit from the Department may violate state water quality standards and the Natural Resources Protection Act.

4. Debris and Other Materials: Construction materials and construction debris should be covered to prevent rainwater from washing contaminants off the site. Any fertilizers, cleaning products, herbicides should be protected from the weather and used in accordance with manufacturers recommendations.

Note any contaminants that are washed off the site by rainwater is a violation of the Clean Waters Act.

Storage Handling and Disposal of Solid Waste items must comply with Maine's Solid Waste Management Rules. Lack of appropriate pollutant control may result in violations of the Groundwater Quality Standards.

This project has a written Erosion Control Plan and Inspection and Maintenance Plan. Modifications to the plan must be approved by the Town.

Maintenance of stormwater treatment and control systems must occur regularly. The Inspection and Maintenance Plan provides inspection details and time lines for doing the inspections and reporting to the Town and DEP

Att. K

WALSH
ENGINEERING ASSOCIATES, INC.

Neighborhood Meeting Certification
for
844 Stevens Avenue Apartments
844 Stevens Avenue
Portland, Maine
May 28, 2020

I, Silas Canavan, PE, of Walsh Engineering Associates, Inc (Agent) on behalf of Stevens Avenue, LLC (Applicant) hereby certify that a neighborhood meeting was held on May 28, 2020 via the Zoom platform at 6:00 pm for the proposed project located at 844 Stevens Avenue, Portland, Maine. The meeting was held via Zoom due to the current restriction on public gatherings due to the COVID-19 pandemic.

I also certify that on May 18, 2020, invitations were mailed to the following:

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

Respectfully,

Silas Canavan

Silas Canavan, PE (Agent)
Walsh Engineering Associates, Inc.

5/28/2020
Date

Enc. Copy of the invitation sent
Sign-in sheet
Minutes from the meeting

844 STEVENS AVENUE, PORTLAND, MAINE
NEIGHBORHOOD MEETING
MEETING MINUTES
THURSDAY, MAY 28, 2020 – 6:00 P.M.

1. CALL TO ORDER

On Thursday, May 28, 2020, at approximately 6:00 p.m., Silas Canavan, Project Engineer for Walsh Engineering Associates, Inc., called to order the Neighborhood Meeting for 844 Stevens Avenue, Portland. Present were Walsh Engineering Associates team members Thomas Greer, PE and Johanna Cady, Joe Delaney from Whipple Calendar as Project Architect.

Also present at tonight's meeting are public members via Zoom.

2. DISCUSS PROJECT DETAILS – Thomas Greer, Project Engineer

Thomas Greer – Explains the aerial photograph, Forest Ave and Stevens ave intersection. Bishop Street outlet, the 844 Stevens Avenue parking lot is used as an illegal cut through for traffic entering and exiting Bishop Street. Currently the bakery is on the bottom of the site. The existing building will be converted into 5 residential units and 2 commercial units with 400 sq ft each. The bank bump out will be removed. Otherwise the outside of the building will remain mostly unchanged. There will be a plaza added in front of the building with new landscaping and paving, bike racks, and seating to be used as an active area. Stevens Avenue entrance will include parking in front of the new building which is shown in blue. There will be a 3 story building and the back of the building can be accessed from Bishop street with additional parking spaces with a 4 story building. There will be dumpster units added. The new utilities to the building, water and gas, will come off Stevens Ave. The electric, drainage, and sewage will come off Bishop, using both sides of the building. The Stevens Ave frontage will include a new sidewalk. The new building will include 16 apartments.

3. PUBLIC Q&A

Carol Reynolds – Stevens Ave Resident – Traffic Concerns – Currently you are unable to take a left onto Stevens from Bishop. Are you proposing changes to the traffic lights? How will you accommodate 21 residents?

Thomas Greer – The city has reviewed traffic and plan to redo all of the intersection of Forest Avenue Stevens Avenue which will eliminate left hand turns into Bishop. Traffic will have to be routed around. The residents in the front lot will have access through Stevens Avenue. The impact of traffic is fairly minor.

Carol Reynolds - Are you hoping to get students from UNE to rent these units? Are you selling the units or are they rental units?

Thomas Greer – No, they will be rental units. We are certainly open to those students, but we also think there is enough demand for local residents intended at market rate.

Susan Small – Mayfield Street resident. She won't have access to her home unless she loops around Wopern Avenue

Thomas Greer – That is the way the city intends to structure traffic

Susan Small – All the UNE students park there too. Requested City contact.

Thomas Greer – Contact was provided. This is a concern for us as well. Bishop Street traffic will have an effect.

Susan Small – Doesn't understand how traffic volume can be handled.

Thomas Greer – The City is in charge of traffic and traffic engineers are looking to change the traffic route. They seem to consider Bishop Street to be minor.

Susan Small – Timeline?

Thomas Greer – We have a June 9th workshop meeting and if that goes as planned, sometime in July Site Plan Approval should be reached. Building Permitting should occur by September and break ground by late September. The timeframe for completion would be next spring.

Susan Small – Thank you

Carol Reynolds – Requested a name in regards to Planning.

Silas Canavan – James Rather would be the contact.

Thomas Greer – Do we have any other questions?

Unknown – Parking on Bishop Street - Do the UNE students park on Bishop and then walk through the woods back up to UNE?

Eric Moore – Director of Campus Planning – We have a parking lot at Bishop Street Lot and we utilize a shuttle bus to bring faculty and students back up through that roadway. Don't believe students use Bishop Street otherwise.

Janet – Mayfield Resident – Many use Bishop Street daily to and from work. This will be a big deal. A bunch of us on Mayfield should get together to petition the City. My concern is that 4 stories is taller than any other building around here. I want to see a view of the building from our home. I would also like to see what they could see of our homes. This building seems way out of scale.

Jessica – Mayfield Resident – The back of our property will be basically of the new building from my backyard. Concern over the 4 story height as well as the outdoor decks that will be directly behind our yard. Would there be employee on site and where would people with more than one vehicle be parking?

Thomas Greer – We have a 6 foot high fence along the back boundary line which will help screen vehicles between the property and your house. It will also work to minimize sound. 4 stories is what is allowed in the ordinance. This is a transition building between Forest and the

residential neighborhood. The City designer has worked to make the building flow with the neighborhood.

Jessica – Do we know if the units will be one or two bedroom? How many people do we expect to live here?

Joe Delaney – 7 of the 16 Units would be 2 bedroom, 9 units would be single bedroom. In this zone we are permitted to go to the lot lines, but we have reduced the length by ten feet. We have made an attempt to make sure the buildings are not at maximum.

Janet – What would be the impact of lighting? Do you have plans to have dark sky lighting or something to keep the lights away from our homes?

Thomas Greer – Yes, part of the planning process includes a photometric plan. The City is very sensitive to light pollution. The lighting does not spread past the boundary line while lighting the parking areas. From a lighting point of view, you may see the light in resident windows, but lights from the parking lot will not shine on adjacent property.

4. CLOSING

Silas Canavan called to close the meeting and directed further questions to be addressed through various contact methods given.

Neighborhood Meeting Zoom Attendee List
844 Stevens Avenue
Portland, Maine
May 28, 2202 @ 6:00 PM

Name (Original Name)	User Email	Join Time	Leave Time	Duration (Minutes)
Silas Canavan	silas@walsh-eng.com	5/28/2020 17:57	5/28/2020 18:24	28
Eric Mora		5/28/2020 17:57	5/28/2020 18:24	28
creynolds		5/28/2020 17:57	5/28/2020 18:24	27
Jody Cady	jody@walsh-eng.com	5/28/2020 17:57	5/28/2020 18:24	27
Kathleen		5/28/2020 17:58	5/28/2020 18:24	26
Janet Parker		5/28/2020 17:59	5/28/2020 18:24	25
Tom Greer	tgreer@walsh-eng.com	5/28/2020 18:00	5/28/2020 18:24	25
JoeDelaney		5/28/2020 18:01	5/28/2020 18:24	23
EdwardBenway		5/28/2020 18:02	5/28/2020 18:24	22
Jessica Van Dyke		5/28/2020 18:03	5/28/2020 18:26	24
16038288050		5/28/2020 18:05	5/28/2020 18:24	19
Gary Belowich	gbelowich@remicprop.com	5/28/2020 18:05	5/28/2020 18:24	19
susan small		5/28/2020 18:06	5/28/2020 18:24	18

WALSH
ENGINEERING ASSOCIATES, INC.

Neighborhood Meeting Invitation

May 18, 2020

Dear Neighbor:

Please join us for a neighborhood meeting to discuss the plans for a Level III Site Plan and Subdivision application at 844 Stevens Avenue, Portland, Maine. This project includes the renovation of the existing building to have 2 small office suites and 5 residential units. A new building will be added to the site that will have 16 residential units. Access will be from Stevens Avenue and from Bishop Street. All parking will be onsite.

This meeting will be held remotely via Zoom. You can join the meeting at the scheduled time with the information below. If possible, please enter your full name and provide an email address when signing into Zoom for this meeting. If you do not have access to a computer or prefer not to use Zoom, you can join the meeting by dialing in with a telephone using the dial-in phone number provided below and entering the meeting ID and meeting password as prompted.

Meeting Date: Thursday May 28, 2020

Meeting Time: 6:00 pm

Meeting Location: Remote meeting via Zoom

Meeting ID: **867 5382 6011**

Meeting Password: **993365**

Meeting Link: https://us02web.zoom.us/j/86753826011?pwd=QmlCaytJTDdadmpVWjJZNE80VXpKdz09

Meeting Dial-In Phone Number: **1-312-626-6799** (follow prompts to enter meeting ID and password)

The purpose of this meeting is to introduce the project to our neighbors as part of the City approval process. Minutes from the meeting and a list of attendees will be submitted to the City.

If you have any questions, please call Silas Canavan, P.E., Walsh Engineering Associates, Inc. at 207-553-9898 or email him at silas@walsh-eng.com.

Should you wish to offer additional comments on this proposed development, you may contact the Planning Division at 874-8721 or sent written correspondence to the Planning and Urban Development Department, Planning Division, 4th Floor, 389 Congress Street, Portland, ME 04101 or by email to: jrather@portlandmaine.gov.

Respectfully

Silas Canavan, PE
Walsh Engineering Associates, Inc.

BISHOP STREET
FOREST AVENUE
STEVENS AVENUE
PROPOSED
4-STORY BUILDING
4,520 FOOTPRINT
EX. BUILDING
2,456 FOOTPRINT

844 Stevens Avenue

Cumulative Floor Area Per Use

Existing Building Office Space…….… 796 sq. ft.

Existing Building Residential Space……. 3,332 sq. ft.

Proposed Building Residential Space…… 12,155 sq. ft.

Areas obtained from Architectural Plans by Whipple Callender Architects dated 1/6/20.

Att. M

Portland Water District

FROM SEBAGO LAKE TO CASCO BAY

March 5, 2020

Johanna D. Cady
Walsh Engineering Associates, Inc.
One Karen Drive, Suite 2A
Westbrook, ME 04092

Re: 844 Stevens Avenue, PO
Ability to Serve with PWD Water

Dear Ms. Cady:

The Portland Water District has received your request for an Ability to Serve Determination for the noted site submitted on January 15, 2019. Based on the information provided per plans dated March 5, 2020, we can confirm that the District will be able to serve the proposed project as further described in this letter. **Please note that this letter constitutes approval of the water system as currently designed and is valid for eighteen (18) months after the date of issue. Any changes affecting the approved water system will require further review and approval by PWD.**

Conditions of Service

The following conditions of service apply:

- A new 6-inch fire service (parent) and 2-inch service with a 1.5-inch meter (child) may be installed from the water main in Stevens Avenue. The service(s) should enter through the properties frontage on Stevens Avenue at least 10-feet from any side property lines.
- Please note that PWD's Terms and Conditions require that a service to one parcel cannot serve another parcel. If in the future this parcel is subdivided, a separate fire service will be required.
- 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.
- An approved backflow prevention device must be installed on the service line directly after the meter prior to service activation. Please refer to the PWD website for more information on cross-connection control policies.
- Our records show that the property is currently served with a 1-inch domestic water service with a 5/8-inch meter. The existing service line at this site may be used to provide domestic water to the existing building. The meter will need to be upgraded to a ¾-inch meter to handle the flow demand.

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 1-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 an 8-inch diameter cast iron water main in Stevens Avenue and a public fire hydrant located approximately 150 feet from the site. The most recent static pressure reading was 60 psi.

Public Fire Protection

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

Domestic Water Needs

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

Private Fire Protection Water Needs

You have indicated that this project will require water service to provide private fire protection to the site. Please note that the District does not guarantee any quantity of water or pressure through a fire protection service. Please share these results with your sprinkler system designer so that they can design the fire protection system to best fit the noted conditions. If the data is out of date or insufficient for their needs, please contact MEANS to request a hydrant flow test and we will work with you to get more complete data.

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

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

Sincerely,
Portland Water District

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

CITY OF PORTLAND
Department of Public Works
Christopher C. Branch, P.E., Director

Date: March 12, 2020

Re: Wastewater Capacity Authorization

Address: 844 Stevens Avenue
Applicant: Stevens Avenue, LLC

Planner: Christian Roadman

Anticipated Wastewater Flow:

Estimate of Anticipated Design Flows				
Development	Unit Size	Number of Units	Gallons per Day per Unit	Total Gallons per Day
Existing flow to be removed				
Employees at place of employment with no showers	# Employees	2	12 GPD/Employee	(24)
Beauty Salon	# Chairs	2	100 GPD/Chair	(200)
Proposed Flow – Existing Building				
Employees at place of employment with no showers	# Employees	4	12 GPD/Employee	48
Multiple Family Dwelling Units	1-Bedroom	1	120	120
Multiple Family Dwelling Units	2-Bedroom	2	180	360
Proposed flow – New Building				
Multiple Family Dwelling Units	1-Bedroom	9	120	1080
Multiple Family Dwelling Units	2-Bedroom	7	180	1260
			Net Change	**+ 2644**
*Values based on STATE OF MAINE: SUBSURFACE WASTEWATER DISPOSAL RULES, most recent edition				

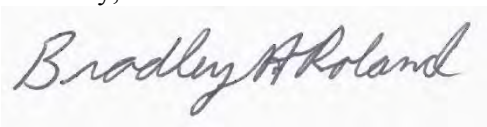
Comments:
The Department of Public Works, which includes the Water Resource Division, have reviewed and determined that the downstream sewers from the project address have the capacity to convey the estimated dry weather wastewater flows which will be generated from this development.

212 Canco Road, Ste B · Portland, ME 04103 · 207-874-8801
cbranch@portlandmaine.gov · www.portlandmaine.gov

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

From:	Rita Sawyer
To:	Portland Water District (MEANS@PWD.org)
Cc:	Jody Cady (jody@walsh-eng.com)
Subject:	Request for Ability to Serve Letter (844 Stevens Avenue, Portland)
Date:	Friday, January 03, 2020 3:34:00 PM
Attachments:	Peak Flow Based on Fixture Count_2019 Existing Building.xls Peak Flow Based on Fixture Count_2019 Proposed Building.xls C2.3 GRADING & UTILITY PLAN.pdf C3.1 SITE DETAILS.pdf C3.2 SITE DETAILS.pdf C3.3 SITE DETAILS.pdf

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To Whom It May Concern

Attached are updated drawings and updated Fixture count sheets for our project at 844 Stevens Avenue.

The PWD # was 439488.

Please review and supply us with an Ability to Serve Letter.

Thank you.

Rita Sawyer
Administrative Assistant

WALSH
ENGINEERING ASSOCIATES, INC.

One Karen Drive, Suite 2A
Westbrook, ME 04092
P: (207) 553-9898, Ext 110
www.walsh-eng.com

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From:	Rita Sawyer
To:	Brad Roland (brad@portlandmaine.gov)
Cc:	Jody Cady (jody@walsh-eng.com)
Subject:	Ability to Serve Request (844 Stevens Avenue)
Date:	Friday, January 03, 2020 3:32:00 PM
Attachments:	Wastewater Capacity Application-City.pdf C2.3 GRADING & UTILITY PLAN.pdf

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Bradley,

Attached is the Wastewater Application along with the plan(s).

Please review and supply us with a Ability to Serve Letter.

Thank you

Rita Sawyer
Administrative Assistant

WALSH
ENGINEERING ASSOCIATES, INC.

One Karen Drive, Suite 2A
Westbrook, ME 04092
P: (207) 553-9898, Ext 110
www.walsh-eng.com

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CITY OF PORTLAND WASTEWATER CAPACITY APPLICATION

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

Date: January 3, 2020

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

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

Site Address: 844 Stevens Avenue

Chart Block Lot Number: 293 D014

Proposed Use: 5 Residential & 2 Office Space in Existing Bldg
16 Residential in New Bldg

Previous Use: Office / Hair Dresser

Existing Sanitary Flows: 250 +/- GPD

Existing Process Flows: 0 GPD

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

New building connects to Bishop Street.
Existing building stays as is.

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

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

2. Please, Submit Contact Information.

City Planner's Name: Christine Grimando Phone: 207-874-8608

Owner/Developer Name: Stevens Avenue, LLC

Owner/Developer Address: 303 Islington Street, Portsmouth, NH 03801

Phone: 603-421-1444 Fax: 603-431-1445 E-mail: ebenway@measuredwealth.net

Engineering Consultant Name: Walsh Engineering Associates, Inc. (Silas Canavan)

Engineering Consultant Address: One Karen Drive, Suite 2A, Westbrook, ME 04092

Phone: 207-553-9898 Fax: 207-692-2273 E-mail: silas@walsh-eng.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: See Below GPD

Peaking Factor/ Peak Times: 3 / am and pm peaks - standard tiimes.

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)*

Existing Building 6 Bedrooms x 90 = 540 GPD
Existing Building 2 Office at 4 people x 15 = 60 GPD
Proposed Building 23 Bedrooms x 90 = 2,070 GPD
FOR A TOTAL OF 2,670 GPD

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

4. Please, Submit External Grease Interceptor Calculations.

Total Drainage Fixture Unit (DFU) Values: n/a

Size of External Grease Interceptor: _____

Retention Time: _____

Peaking Factor/ Peak Times: _____

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

5. Please, Submit Industrial Process Wastewater Flow Calculations

Estimated Industrial Process Wastewater Flows Generated: n/a GPD

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

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

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

Peaking Factor/Peak Process Times: _____

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

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

Att. N

WALSH
ENGINEERING ASSOCIATES, INC.

844 Stevens Avenue
April 29, 2020
Active Street Frontage (14-188)

844 Stevens Avenue is located immediately adjacent the intersection of Stevens Avenue and Forest Avenue. The site is accessed off Stevens Avenue, very close to the traffic light. The existing front building has a long history of being the prominent building facing the intersection. The most recent uses in the building consist of office space and a hair stylist studio. The current project will renovate the building to include two small office studios and 5 residential units. The project will also include a new structure in the rear of the site that will have 16 residential apartments.

In compliance with Section 14-188, Active Street Frontage, the site design has carefully considered the area between the front of the existing building and Stevens Avenue. The site has no immediately adjacent structures that relate to this site as you might have at another location such as Congress Street. This creates the opportunity to create a separate space that welcomes pedestrians and insulates them from the high volume of traffic on Stevens Avenue. The site will benefit from the removal of the cut through traffic headed for Bishop Street. This is a frequent occurrence, despite signage prohibiting it.

We believe we have created an active street frontage, and are asking the planning board to agree. Below are considerations that we have taken based on the criteria from Section 14-188:

1. *The primary façade shall be within 10 feet of the front street line.*
   The existing brick building is setback 20 from the street line. As noted above there are no adjacent buildings to relate to the space. This provides the opportunity to create an active pedestrian area adjacent to the sidewalk. A small respite from the traffic. This area will include plantings, stone benches, and a plaza gathering area for pedestrians. Attached is an artist concept plan of what the area may look like. Keeping this area in scale of the building and surrounding area is a key component of the design.

2. *There will be no parking within 35 feet of the front street line.*
   All of the parking for this project is located behind the front building, well beyond the 35 foot suggestion.

3. *No more than 25% of the primary façade shall consist of accesses to garages, unutilized space, service entrances, storage or mechanicals*.
   This project complies with this standard. There are no garage, service or mechanical spaces facing the street front line. All service spaces and mechanicals are located to the rear or on the roof of the proposed building far from the Frontage area.

4. *All primary ground floor entries to multifamily buildings must orient to the street.*
   The main entrance to the existing building is in the middle of the front façade facing Stevens Avenue, meeting this requirement.

This project utilizes the front space along Stevens Avenue to facilitate high pedestrian usage and creates an active gathering space anticipated by the code. We believe this is exactly what was anticipated by this section of the code and represents good design concepts. The Planning Board can easily support this project with Active Street Frontage.

Artist Rendering of the Active Street Frontage

Artist: A.L. Muench

Att. O

WALSH
ENGINEERING ASSOCIATES, INC.

File: 547

June 15, 2020

Mr. Christian Roadman
City of Portland, Planning Division
389 Congress Street 4th Floor
Portland, ME 04101

RE: 844 Stevens Avenue Apartments, City Project # PL-000961-2020
Portland, Maine

Response to Third Comments, dated 6/5/2020 and
Planning Board workshop meeting 6/9/2020

Dear Christian,

We have reviewed the comments and updated the Submittal. This letter responds to the Staff review comments that we received June 5, 2020 and questions from the Planning Board workshop on June 9, 2020. The comments requiring responses are summarized below in *red italics* with our response in **bold.**

Response to 6/5/2020 Review Comments:

II. REQUIRED REVIEWS
Waiver Requests
1. 23% compact parking spaces (5 of 23) (supported by DPW)

2. To retain existing Stevens Avenue driveway (supported by consulting traffic engineer)

3. Retaining overhead electrical service to existing building along Stevens Avenue
Specific justification requested.
Upon further discussion with CMP and proposed load analysis, maintaining the overhead service to the existing building is not feasible. Therefore, the plan has been modified to provide electrical service to both buildings underground from Bishop Street. The existing overhead utility lines will be removed. A waiver for maintaining overhead service is no longer being requested.

Applicable Standards
Technical Manual Section 1.14: parking lots with greater than 10 spaces may be comprised of up to 20% compact spaces
Technical Manual Section 1.7.2.7: requiring minimum distance of driveways from intersections and other driveways
Chapter 14, Article 4, Subdivisions, Section 14-499(h): requiring undergrounding of utilities

III. PROJECT DATA

Existing Zoning	*B-2 Community Business Zone*
Existing Use	*Office & business Service, Storage Garage*
Proposed Use	*Office & Residential*
Bedroom Mix	*Two-bedroom: 9 units* *Studio or One-Bedroom: 11 units*
Parcel Size	*21,989 sf.*

	Existing	*Proposed*	*Net Change*
Building Footprint (sf.)	*3,359*	*6,976*	*+3,617*
Building Floor Area (sf.)	*6,703*	*25,050*	*+18,347*
Impervious Surface Area (sf.)	*17,508*	*? (requires more information from applicant)*	
	A plan of the Proposed Impervious Area was submitted to staff on 6/7/2020.		
Parking Spaces	*27*	*23*	*-4*
Bicycle Parking Spaces	*0*	*9*	*+9*

IV. PUBLIC COMMENT AND NEIGHBORHOOD MEETING
The applicant reported holding a remote neighborhood meeting on May 28, but has not yet provided adequate certification. Such certification is expected prior to a public hearing.

The Neighborhood Meeting materials were submitted to staff on 6/8/2020.

V. RIGHT, TITLE, & INTEREST AND FINANCIAL & TECHNICAL CAPACITY

The applicant provided a warranty deed (attachment H) as evidence of right, title, and interest. The applicant also provided a letter (attachment I) from Saco & Biddeford Savings Institution. However, the financial capacity attested is that of an individual, not of the specific applicant LLC. This should be corrected prior to a public hearing.
An updated Financial Capacity letter has been uploaded to the EPlan documents.

VI. ZONING ANALYSIS

A. DIMENSIONAL AND USE REQUIREMENTS
The relevant property is within the B-2 Neighborhood Business Zone. Multi-family housing, general business and professional offices, and offices of trades are permitted uses of the zone.

	Required	*Proposed*
Lot Size (sf.)	*None*	*21,989*
Area Per Dwelling Unit (sf.)	*435 with "active street frontage"*	*1,099*
Minimum Street Frontage (ft.)	*20*	*~76*
Front Yard Minimum (ft.)	*None*	*~26*
Front Yard Maximum (ft.)	*See section 14-185*	*~26*
Rear Yard (ft.)	*10*	*~59 for proposed building*
Side Yard (ft.)	*None*	*~5 for proposed building*
Maximum Height (ft)	*45*	*34.1 (average)*
Maximum Impervious Surface (%)	*80*	*? (Requires more info. from applicant)*
Off-Street Parking	*23*	*23*

A plan of the Proposed Impervious Area was submitted to staff on 6/7/2020.

The City's zoning administrator participated in the review of the proposed project (attachment 1) and the project meets most of the required zoning criteria. However, two relevant standards under the B-2 Community Business Zone may be modified based on specific criteria and Planning Board determination: maximum front yard setback (ten feet as per code) and lot area per dwelling unit / active street frontage.
Per Land Use Code Section 14-185 (Dimensional Requirements), "the Planning Board may approve a different [maximum setback] amount for irregularly shaped lots," "provided this standard is met to the maximum extent practicable." A footnote states that "where setbacks exceed 10 feet, a continuous, attractive, and pedestrian-scaled edge treatment shall be constructed along the street, consisting of street trees spaced at no more than 15 feet on center, approved by City arborist, and a combination of landscaping no less than 4 feet deep, ornamental brick or stone walls or ornamental fencing." The applicant proposes a landscaped area to the front of the existing building to remain, which is more than 20 feet away from the front property line. Planning staff encourage the applicant to consider adding two additional street trees (15 feet on center) to the project's Stevens Avenue frontage, or demonstrate that such an approach is not practicable.

Two trees have been added to the Stevens Avenue street frontage in the most practical locations along the frontage.

A third zoning requirement, maximum impervious surface, is claimed as met by the applicant. However, Planning staff require additional documentation to confirm that the 80% maximum impervious surface requirement is met.

A plan of the Proposed Impervious Area was submitted to staff on 6/7/2020.

VII. DEVELOPMENT REVIEW

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

b) Environmental Quality Standards

To meet the zoning requirements allowing a maximum front yard setback of greater than ten feet (section VI A above, the applicant is encouraged to consider adding two additional street trees (15 feet on center) to the project's Stevens Avenue frontage, or demonstrate that such an approach is not practicable.

Two trees have been added to the Stevens Avenue street frontage in the most practical locations.

d) Site Design Standards

1. Massing, Ventilation and Wind Impact; Shadows; Snow and Ice Loading; View Corridors; Historic Resources; Exterior Lighting; Noise and Vibration; Signage and Wayfinding

The applicant notes in their response to comments (attachment O) that they do not intend to install mechanical equipment on the upper roof of the new building, and that the existing building may be equipped with heat pumps along the rear flat roof area of the existing building. These decisions should be finalized and represented on relevant elevations and plans.

We anticipate a single ERV rooftop unit, centrally located on the roof. The ERV will be screened on 3 sides shielding it from Bishop Street and Stevens Ave. Heat pumps will be located as show in the current plans, not on the uppermost roof.

While the project is not located within a historic district, and the existing building is not a designated landmark, the applicant is encouraged to work with the Historic Preservation department regarding a proposed change to the existing building. An existing, non-original vestibule is proposed for removal. The replacement brick, mortar, and window should be specified to match the existing.

The replacement brick and mortar will be researched, specified and cleared with the City of Portland's Historic Preservation Department prior to installation.

Response to 6/9/2020 Planning Board Workshop meeting comments:

The board noted emphasizing the entry to 842. There should be no ambiguity as to how to enter the building.
To further strengthen the entry we have raised and extended the canopy over the entry to distinguish it from adjacent deck edge trim. The egress door previously located on the east side of the stair was moved into the Stevens Ave. entry vestibule to further remove any ambiguity.

The Bishop Street side of the building should be articulated or "broken up" more, reconsider the materials used.
We revised the design to create a band trim at the floor level of the upper story that will help scale down the building and allow the upper story to be painted a lighter color (light sage). The band trim will help integrate the upper decks into the massing. Floors two and three are combined and will be a darker color (darker sage). The ground floor level willl be finished in the darkest color (dark grey) and a trim band at the level will help integrate the covered parking and the ground floor entry. The siding material will remain painted cementitious clapboard and the trim bands will provide locations for required appliance venting. The lower 2' of the Stevens Ave facade will be a dark manganese brick.

A view of the building as seen from Mayfield Street would be helpful.

Additional renderings from Mayfield Street are included with this submission.

A shadow study, especially with Mayfield in mind, would be helpful.

A shadow study has been provided with this submission.

Public Works would like to know where and how the trash handling will be done to avoid blocking traffic on Stevens Avenue.

We have discussed the specific project with the local trash hauling company The Dump Guy and they can provide routine trash pickup with a pickup truck. The pickup truck will be able to turn around in an unoccupied parking space or utilize the ADA parking aisle to turn around. Therefore, no stopping or backing out onto Stevens Avenue will be required. The applicant will enter into an agreement with The Dump Guy for routine trash pickup.

We trust that we have adequately addressed all of the comments from the staff and the Planning Board and we look forward to discussing the project with the Board at the next meeting.

Respectfully,

Silas W. Canavan, PE
Walsh Engineering Associates, Inc.

cc: File, Owner, Whipple Callendar Architects

WALSH
ENGINEERING ASSOCIATES, INC.

File: 547

May 21, 2020

Mr. Christian Roadman
City of Portland, Planning Division
389 Congress Street 4th Floor
Portland, ME 04101

RE: 844 Stevens Avenue Apartments
Portland, Maine

Response to Second Comments, dated 5/15/2020
City Project # PL-000961-2020

Dear Christian,

We have reviewed the comments and updated the Submittal. This letter responds to the Staff review comments that we received May 15, 2020.

Department of Public Works

1. Please contact Charles Wordell (cww@portlandmaine.gov) to initiate E911 addressing for the proposed building. The site plan application is the same address as the existing building on-site. In the future, this process should begin at the time of application, as reflected in the recently-updated checklist for level II and level III site plans.
Mr. Wordell has assigned E911 number 842 Stevens Avenue to the proposed building. The existing building will remain 844 Stevens Avenue. A note is added to the General Notes on the Subdivision Plan C1.1 listing these addresses and the E-911 Addressing Map is included in this resubmittal.

2. Similar to the path from Stevens Avenue, an accessible route should be provided from Bishop Street, as it is a separate site arrival point from the Stevens Avenue entrance.
A painted walking path is added to sheets C1.1 and C2.1.

3. Accessible pedestrian routes from sidewalks must be maintained to provide ADA-compliant cross-slopes in perpetuity. Painted walkways are acceptable, but need to be maintained to correct asphalt rutting and refresh paint. A flush concrete walkway would provide a more durable and visually distinct walkway while maintaining width for two vehicles to pass one another in the driveway. Please consider paving accessible routes with concrete.
In our experience concrete paths do not settle to match movement of the surrounding bituminous pavement. This makes them vulnerable to snowplow blades and a tripping hazard. We have

reconfigured most of the access route to the main entrance to be on a sidewalk. The portion through the parking area will remain painted. A note is added to the plans for the walkways to be repainted and checked for ADA compliance on a regular basis, see sheet C2.1.

4. There appears to be a pinch point between the back entrance to the building and the adjacent parking spaces. At least four feet of width should be provided between the parking space and any vertical obstruction. Additional width is recommended to facilitate residents carrying groceries, strollers, etc.
A dimension is added to the corner adjacent to space #6, there is over 4 feet from the end of the space to the narrowest point of the no parking area. There is over 4' of space in front of the entry door. See sheet C2.1.

5. The proposed dumpster location does not appear ideal. Garbage will need to be carried / wheeled through the parking lot to this dumpster location. Additionally, it appears that garbage trucks may need to pull into the site and back out of the site in order to access this dumpster. It is not acceptable for vehicles to exit the site in reverse. Please provide turning movements for a garbage truck accessing the dumpster enclosure and safely exiting the site facing forward.
The collection bins will be either 64- or 96-gallon wheeled units. Trash removal will be by private hauler, not City vehicles. A contract will be executed with the hauler to retrieve and roll the bins to the Stevens Avenue sidewalk and return the rolling bins to the enclosure. The truck will not enter the site or back out onto Stevens Avenue.

<u>Subdivision Plat</u>

The three comments immediately below are supplemented by a marked-up subdivision plat, attached.

1. There appears to be conflicting information across sheets. In some places, the owner is listed as 844 Stevens Avenue LLC, in another Stevens Avenue LLC and in the survey notes as 844 Stevens Avenue LLC again. These should all be the same, or a note should be added to explain the difference. Also, the deed book and page number labeled on the lot itself does not match the book and page in Note 1.
The Owner's name is updated. The Plan and Surveyor General Notes reference the previous owner. The ownership has changed since the parcel was surveyed. The reference is updated on the Subdivision Plan and the Existing Conditions Survey. The street number of the project is 844.

2. Please label state plane coordinates on the lot corner indicated. A good separation between the two corners that are labeled facilitates an accurate rotation when the plan is entered into the City's GIS. (The two corners now labeled are too close together for an accurate rotation).
An additional coordinate is added to C1.1, Subdivision Recording Plat, Sheet 1 of 2.

3. The final version of this plan must have a PLS stamp, signature, and date.
The surveyor will stamp the plans after the final approval.

Civil Engineering

1. (Please see image immediately below). In response to previous comments, additional information is provided on the roof drain tie-in to Field Inlet #1. However, the actual location of the roof drain connection is not obvious (the actual roof drain pipe doesn't appear to be shown into the field inlet). Please ensure that pipe is shown.
The pipe is added to the plan, a reference to the Field Inlet detail is added and the Field Inlet Detail is updated to clarify the pipe arrangement.

Zoning

1. The use of the property is mixed use (not purely residential) so the proposed property must meet the 80% maximum impervious surface ratio mandated in the B-2 zone's dimensional requirements.
The paved areas have been revised to further reduce the impervious area. The impervious area has been reduced to 79.9%.

2. Please be advised that the Planning Board will need to decide if the active street frontage explanation is sufficient and that all four guidelines are being met "to the greatest extent practicable."
The Active Street Frontage Narrative was submitted with the April 29, 2020 response.

Site Plan & Technical Manual Standards

1. Please edit "portions of abutter's pavement to be removed" note on existing conditions plan to make it clear that work will not occur on abutter's property.
The additional wording is added to the notes on sheet C2.2, Existing Conditions & Removals Plan.

2. The photometric plan does not appear to meet Technical Manual standards for parking lots (see site lighting section 12.3, general standards). Additionally, several unlit areas are unacceptable from a CPTED (crime prevention through environmental design) perspective.
The Photometric Plan has been revised to more clearly indicate the wall light unit locations and to add two additional lightpoles in the parking areas. The calculation summary on the Photometric Plan is for the entire parcel, not just the parking areas. The foot candle requirements for the 2 parking areas fall within the requirements. The existing streetlight at the end of the driveway on Bishop Street will provide additional illumination at the driveway entrance.

3. Will any rooftop materials be placed on either building?
We do not intend to install mechanical equipment on the upper roof of the new building. We do provide access to the roof via a hatch for maintenance & inspection.

Also, please specify HVAC approach for the existing brick building.
The existing building will likely be equipped with heat pumps as well and they will be located on the rear flat roof area, in line with the floor 2 level.

4. Please ensure that landscaping elements are able to survive and withstand proposed snow loading.
Response from the Landscape Architect:
The shrub planting hedge is a salt tolerant species. The magnolia tends to be tolerant and it is out of the pedestrian traffic area that would be salted. Not all of the perennials are listed on this narrative but most of the planting is located at a 'high point' on the ground plane thus avoiding the drainage flow. The plantings in general will recover from snow coverage from plowed snow.

5. Proposed chain link fence (around dumpster and along property line) should be replaced with wood or other material. See Technical Manual landscape section 4.5.7, walls and fences.
The material selection has eliminated chainlink and been changed to wood or vinyl.

6. If underground electrical service is not feasible, a waiver must be requested and adequately supported.
A waiver is added to the Submittal. The waiver is requested to continue the use of overhead utilities to the existing building at 844 Stevens Avenue. The existing utilities come off Bishop Street over the abutting property. There appears to be no recorded easement for this service so putting it underground across the property is not possible. The utility services on Stevens Avenue stop short of this property making it difficult to extend them down Stevens to service this property. We are requesting the Board to grant a waiver for the overhead utilities that have existed for decades.

7. Has removal of the former drive-up service window been considered? Such a change might facilitate greater flexibility for other site elements.
We intend to remove the side entrance of the existing building in order to meet Planning recommendations. A concrete sidewalk the length of the existing building will be installed.

8. Follow-up design review comments are attached. Please review and respond as appropriate.
See Responses.

<u>Planning and Urban Development Department</u>

Planning Division
Subject: B-2 Design Review – 844 Stevens Avenue
Written by: Caitlin Cameron, Urban Designer
Date of Review : Monday, May 4 2020

The projects at 844 Stevens Avenue were reviewed according to the City of Portland Design Manual standards by Caitlin Cameron, Urban Designer, Christian Roadman, Planner, and Matt Grooms, Senior Planner, against the B2 Commercial Business Zones Standards (Section (d) of the Design Manual) and Multiple-Family Standards.

Design Review Comments:

1. *In the future, please describe the revisions in the narrative and/or provide notes and revision bubbles in the drawings to clarify what changes have been made.*
   Revisions have been described in the Responses.

   Review includes:
1. *Existing brick building and landscape at Stevens frontage (B-2)*
2. *Proposed residential building and parking in rear of lot (B-2 and Multi-family)*

(d) B-2 Commercial Business Zones

Existing Building

Standard (1) a. Urban Street Wall - Not applicable (B-2 excluded) – existing building placement will remain, setback from the street wall. Landscape design reinforces the street wall with an edge planting. Consider whether the benches will be used in this configuration and with this proximity to a busy street – cluster the benches together to be more social? Give more surface over to pervious area?
A statement from the Landscape Architect describing the intent and anticipated use of the plaza area is included in the resubmittal.

Standard (1) b. Mixed Uses – Not applicable (B-1b only)

Standard (1) c. Building Entrances – Not applicable (B-2 excluded) Existing building entrance oriented towards the street though building is set back from sidewalk – continues to meet the standard.

Standard (1) d. Windows – Existing windows oriented towards street, though building is set back from sidewalk – continues to meet the standard.

Standard (1) e. Façade Character – Existing character is maintained and meets the standard with regards to window/door orientation towards the street.

Standard (1) f. Building Design – Existing building character is simple material selection and placement (brick) which relates the commercial nature but corresponds with the limited existing fabric, especially the commercial corridor buildings. The pitched roof, window proportions, divided lights relate a more residential character. What is the intention for the existing vestibule on the side of the building? Will that be an additional entrance? If not, does this create confusion for people about the entrance/use of the building?
The vestibule will be removed.

Standard (1) g. Building Materials – Building will maintain existing brick material – simple selection and placement is characteristic of traditional buildings in Portland.

Standard (1) h. Building Scale – Not applicable – existing building with no modification to scale. Three and a half stories appropriate for the wide Forest Avenue commercial corridor.

Standard (1) i. Landscaping and Buffers – Parking located to rear of this building.

Proposed Multi-family Building

Standard (1) a. Urban Street Wall - Not applicable (B-2 excluded) – rear lot development.

Standard (1) b. Mixed Uses – Not applicable (B-1b only)

Standard (1) c. Building Entrances – Not applicable (B-2 excluded) – rear lot development, though main entrance is setback from street, oriented towards Stevens Avenue. Indication of the pedestrian path to the entrance provided through minimal striping – no dedicated path, special surface or landscape. Given the entrance is far from the street and does not have a dedicated pedestrian path – make sure the entrance is adequately emphasized to provide legibility (material emphasis, pronounced canopy or other detail, lighting, etc.)
We will emphasize the entry with a well-lit recessed entry. We will detail ceiling finishes and the entry door to reinforce the central emphasis of the entry within the front elevation.

Standard (1) d. Windows – Windows oriented towards street, though building is set back from sidewalk.

Standard (1) e. Façade Character – As a residential building, rear lot development, not highly active building use - window/door orientation towards the street, sufficient visual interest provided with massing variation, windows, balconies.

Standard (1) f. Building Design – Neighboring building character is somewhat mixed but neighboring residential buildings have traditional characteristics such as simple material selection and placement (brick, clapboard). There are not many multi-family buildings of this scale nearby to compare with – the form is anomalous with the traditional buildings of similar scale. With regards to compatibility with the residential fabric, the massing and scale is appropriate for a multi-family building and is not expected to replicate the surrounding single family form, massing, or scale. The most appropriate way to meet this standard is regarding the façade composition, window type and proportion, and the materials.
Roof access now proposed – what is the function of this small area? Are any mechanical or other rooftop appurtenances proposed on the roof – these must be integrated into the overall design.
We do not intend to install mechanical equipment on the upper roof of the new building. We do provide access to the roof via a hatch for maintenance & inspection.

Standard (1) g. Building Materials – Simple selection and placement is characteristic of traditional buildings in Portland. Materials were simplified and give the building a consistent overall character similar to the material use in context residential buildings. Brick base used at front of building in more public area of building.

Standard (1) h. Building Scale – Four stories is appropriate for the wide Forest Avenue commercial corridor. Standard exempts B-2.

Standard (1) i. Landscaping and Buffers – Parking located to rear of this building adjacent to residential lots – fence/screen should provide visual screening to the neighboring residential uses.
A 6-foot tall fence is provided. See sheet C2.2. and details on Sheet C3.3.

(i) Two-Family, . . . Multiple-Family . . . :

Standard (1) . Exterior Design – Context currently does not include multi-family buildings of this scale. The project successfully relates to the scale/massing of the neighboring commercial buildings. The residential context is mostly small-scale single-family with simple forms, pitched roofs, and simple materials (clapboard). This context and the rear lot placement are appropriate for more contemporary design and more flexibility of forms, scale, and patterns. The project includes interesting forms and massing as well as articulation elements such as balconies to provide a visually interesting, contemporary design. Staff observe that though building type, scale, and placement vary throughout the neighborhood, there is a consistent use of simple materials, material, trim, roof overhangs, and other articulation elements to add texture, finegrain scale, and visual interest to the buildings, even if in a vernacular way. Material palette simplified to better relate its residential use – predominantly clapboard.

Standard (2). Relationship to Street – The project is a rear lot development – standard is difficult to apply in this situation. Staff recommend the entrance be further emphasized given the distance from the sidewalk and lack of dedicated pedestrian path.
We will further emphasize this entry with a 5' wide x 3' deep canopy and make sure the ceiling finish and lighting matches the entry from Stevens. The door will be 1/2 light as well for visibility.

Standard (3). Open Space – Open space is provided through balconies. There is limited open space on the site; pocket park proposed in front of existing building at the street – see comments above regarding the design and functionality of this space.
A statement from the Landscape Architect describing the intent and anticipated use of the plaza area is included in this Resubmittal.

Standard (4). Light and Air – Adequate light and air provided.

Standard (5). Parking – Parking area appropriately placed to rear of lot/building. Fence should provide a visual screen between surface parking and adjacent residential properties.
A 6 foot tall fence is provided. See sheet C2.2. and details on Sheet C3.3.

Standard (6). Not applicable

Thank you for your help with the review.

Respectfully,

TSG – signed electronically

Thomas S. Greer, PE
Walsh Engineering Associates, Inc.

cc: File, Owner, Whipple Callendar Architects

WALSH
ENGINEERING ASSOCIATES, INC.

File: 547

April 29, 2020

Mr. Christian Roadman
City of Portland, Planning Division
389 Congress Street 4th Floor
Portland, ME 04101

RE: 844 Stevens Avenue Apartments
Portland, Maine

Response to Preliminary Comments, dated 3/20/2020
City Project # PL-000961-2020

Dear Christian,

Thank you for your help with this project. This letter responds to the Staff review comments that we received March 20, 2020.

TRANSPORTATION Associated Comments

1. The driveway on Stevens Avenue does not meet driveway separation standards. A formal request for a waiver shall be provided.
A waiver request for the existing driveway has been added.

2. The applicant shall provide information on how parking will be managed given two separate lots. Unnecessary vehicle circulation between lots should be avoided.
Each Unit will be assigned to one of the two lots. The spaces will not be assigned to a particular Unit.

3. The two parking areas are associated with two separate uses; as such, each must provide one accessible parking space. Parking serving residential uses should be located as close to the entrance as possible.
The ADA accessible Unit is on the upper floor adjacent to the ADA space. The lots do not serve different uses, this is one development.

4. The rear driveway providing access / egress to Bishop Street should be reconstructed for ADA compliance. The limits of driveway work will likely need to extend beyond the utility trench proposed.
The intent is to rebuild the sidewalk the full width of the driveway including the adjacent sidewalk ramps.

5. Please be advised: Bishop Street is planned to be converted to right-in, right-out as part of future (5+ years out) improvements to Morrill's Corner. This will affect access to and from the site. Alternate access to Bishop Street is available via Warren Avenue. Other alternative access options are being explored as part of the planned reconstruction.
So advised.

6. Insufficient parking is provided per zoning requirements – the site plan should be revised so that sufficient parking is provided, as a waiver is not an option.
An Additional space has been added to the upper lot. The dumpster enclosure has been revised.

7. It does not appear that sufficient space is provided between the back entrance (FFE 103.5) and parking space 6, assuming a vehicle is parked along the hatched area. Five or more feet of horizontal clear space should be provided.
The two-wheeled space has been relocated to the upper lot. There is over 4 feet of clearance between the door and space #6.

8. The driveway apron layout provided in the details should be replaced with a detail showing proper ADA compliance. See attached figures; I-9A, in which the sidewalk does not ramp down to street level, is preferable. Note that the proper sidewalk material is concrete for Stevens Avenue and bituminous for Bishop Street (as correctly noted on the site plan).
The driveway aprons have been adjusted to comply with City Detail I-9A. Detail 3 on Sheet C3.2 (Detail I-9) has been replaced with I-9A.

9. Please verify the timeframe for sidewalk closure. Are sidewalks being closed for utility cuts and sidewalk reconstruction only?
The sidewalks will be maintained throughout the project with the exception of utility installations and reconstruction.

10. Temporary walkways must be ADA compliant. As such, cones may not be used unless they are lined up end-to-end to create a continuous, detectable barrier.
Solid barriers will be used for temporary sidewalk relocations.

11. Please confirm how parking for the existing building will be accommodated during construction.
The existing building will be vacated and rehabilitated into residential apartments and updated office space. Parking for the existing building will not be required during renovation. If the building is completed and occupied prior to the proposed building being complete parking onsite will be provided.

12. The project is not expected to generate a significant amount of traffic and the project would not be expected to create mobility issues. A Traffic Movement Permit is not required.
So noted.

13. Please provide a bike hitch at the proposed new building's entrance accessed via Bishop Street.
One of the bike racks has been relocated to the Bishop Street parking area.

WATER QUALITY, STORMWATER, INFRASTRUCTURE & EROSION CONTROL
Associated Comments

1. Please see attached plan markup from Water Resources department on pipe materials and pipe slopes.
The pipe material & size has been revised. See Sheet C2.3.

2. Electric lines to the existing building appear to be maintained above ground, but should be undergrounded.
The existing electrical service to the existing building is to remain overhead. There is no existing electrical service on Stevens Avenue that would be able to accommodate the building.

3. The project is required to comply with Maine DEP Chapter 500 and City of Portland Section 5 stormwater management regulations:

> *Basic Standards – The project is providing erosion and sedimentation control measures in conformance with the Basic Standards. The erosion control plan includes reference to turf reinforcement matting. A detail, or further specification of this material should be provided.*
> **Turf Reinforcing Mat product and instructions are added the Erosion Control Plan & Details, C2.4.**
>
> *General & Urban Impaired Stream Standards – The project will result in an increase in impervious surface of 623 square feet. The Applicant is not required to comply with the General Standard or the Urban Impaired Stream Standard (located in the Capisic Brook Watershed) as the increase is less than 1,000 SF. It is noted that a stormwater management agreement is included as part of the submission. It is unclear if, without a stormwater treatment system on site, this agreement will be required.*
> **If the Agreement is not required please void it.**
>
> *Redevelopment Standards – The project will result in a reduction in redeveloped non-roof impervious surface, and the Redevelopment Standard does not apply.*
> **So noted.**
>
> *Flooding Standard – As the project does not meet the above thresholds, the Flooding Standard does not apply. The proposed impact is not anticipated to result in significant change to stormwater flows from the site.*
> **So noted.**

4. Additional grading clarification should be provided at the Bishop Street entrance to show how the appropriate driveway entrance, curbing, and sidewalk can be constructed.
Per Transportation Associated Comment #8 The driveway aprons have been adjusted to comply with City Detail I-9A. Detail 3 on Sheet C3.2 (Detail I-9) has been replaced with I-9A. Additional detail is added to the plan.

5. Field inlet #1 notes that a roof drain will tie into this structure. It is not clear how this connection is being made.
It will be made through the side of the structure underground with a flexible watertight boot. See detail 7 on Sheet C3.1.

6. It is noted that the Casco Trap by Etheridge Foundry is no longer in production. Please specify an alternative (i.e. a Snout).
The City typical detail requires the Etheridge product. We have revised the detail to include a similar product and removed the Casco Trap detail.

<u>ENVIRONMENTAL QUALITY Associated Comments</u>

1. It appears that some trees are proposed for removal. Please clarify on appropriate plan.
Two trees on the property are to be removed. Existing landscaping and shrubs are also to be removed. See Sheet C2.2.

2. Site plan should specify type and location of dumpster / recyclables screening. (A concrete pad is noted on site plan but does not provide this additional information).
The dumpster pad and screening is shown in Detail 1 on Sheet C3.3.

3. Please specify if residents / occupants will be placing trash and recyclables in the designated trash area, or if they will first be stored inside buildings.
All trash and recyclables are to be placed by the residents in bins that will be located in the dumpster enclosure. Trash removal will be by private hauler on a regular schedule.

4. The westerly parking lot should be screened from the neighboring residences and residential zone.
A fence has been added along the western property line. See Detail 8 on Sheet C3.3.

5. 21 residential units are proposed, and approximately 1 street tree (per Technical Manual guidelines) is provided on the landscaping plan. Additional street trees or acceptable alternatives should be appropriately accounted for (see Technical Manual Landscaping section 4.6).
The applicant will pay into the tree fund as required.

6. Snow storage area appear to encroach on proposed landscaping, which should not be the case.
Snow storage is limited on this site. As with nearly all other sites in the City the landscape areas will be used for storage. Snow removal will occur from this site in accordance with the Snow Clearance Notes on Sheet C1.2

SITE DESIGN Associated Comments

1. "Portions of abutter's pavement to be removed" is noted on existing conditions plan. Please provide evidence of a construction access easement and / or any existing or necessary easements.
The pavement being removed is on the subject parcel not the abutters land. No easements are required.

2. Continuous internal walkways between sidewalks and primary entrances must be provided and reflected on site plan.
A painted walkway has been added on the plan. It is located at the edge of the drive aisle. This is similar to many stores one visits walking from a parking lot to the store entrance but with less traffic and no cut through traffic.

3. Applicant materials indicate that maximum impervious area (zoning requirement) is exceeded. Please revise plans to comply with the maximum.
This is a residential project no maximum impervious area is specified in the zoning. The current plan meets the ordinance.

4. Please provide a photometric plan to ensure appropriate light levels across the site and at property boundaries.
A Photometric Plan and Light Fixtures specifications are added to the Submittal.

5. HVAC and other similar equipment should be screened from adjacent residences and the street, but appear to be without screening on proposed elevations / in current submittal.
The condensers serving each apartment are located in two areas. There are 8 condensers located at the covered parking area and the remaining 8 are located next to the common deck area.

The intention is to screen those at the recessed parking area with a combination of a fence at the rear boundary with the residences as well as using the recess, shadow and parked vehicles to also make the mechanicals less apparent.

At the common floor two deck we are using the deck guards of 42" to screen the condensers. Since there are two "layers" of guards to view thru we think there will be adequate screening.

6. Please note that any necessary sign permit must be obtained for proposed signage along Stevens Avenue.
So noted.

7. Please confirm that no exterior changes are proposed to the existing brick building, including windows. If new windows or any exterior changes are proposed, please consult with Historic Preservation staff and reference available (1924 tax) photographs of the building.
There are no changes to the exterior of the existing building that will be part of this Scope of Work. Should exterior work be considered we will consult with Historic Staff.

8. Please provide a figure and / or narrative for the Planning Board's benefit demonstrating site compliance with 14-188 of the Land Use Code regarding "active street frontage."
An Active Street Frontage Narrative has been added to the project Documents folder.

9. Please provide average grade & building height lines on elevations, provide average grade calculations, clarify spot grades for building corners, and provide evidence of compliance with stepback requirements.
Please refer to updated A2.1 Elevation sheet.

10. Please explain submittal of "preliminary" survey and intentions for a non-preliminary one.
The Survey has been finalized by the Project Surveyor.

11. One building section is provided – please submit the other if that was your intention.
Please review A3.1 Sections sheet, there are 2 sections.

12. Design review comments are provided as an attachment.

Planning and Urban Development Department
Planning Division

Existing Building
Standard (1) a. Urban Street Wall - Not applicable (B-2 excluded) – existing building placement will remain, setback from the street wall.
Standard (1) b. Mixed Uses – Not applicable (B-1b only)
Standard (1) c. Building Entrances – Not applicable (B-2 excluded) Existing building entrance oriented towards the street though building is set back from sidewalk – continues to meet the standard.
Standard (1) d. Windows – Existing windows oriented towards street, though building is set back from sidewalk – continues to meet the standard.
Standard (1) e. Façade Character – Existing character is maintained and meets the standard with regards to window/door orientation towards the street.
Standard (1) f. Building Design – Existing building character is simple material selection and placement (brick) which relates the commercial nature but corresponds with the limited existing fabric, especially the commercial corridor buildings. The pitched roof, window proportions, divided lights relate a more residential character.
Standard (1) g. Building Materials – Building will maintain existing brick material – simple selection and placement is characteristic of traditional buildings in Portland.
Standard (1) h. Building Scale – Not applicable – existing building with no modification to scale. Three and a half stories appropriate for the wide Forest Avenue commercial corridor.
Standard (1) i. Landscaping and Buffers – Parking located to rear of this building.

Proposed Multi-family Building
Standard (1) a. Urban Street Wall - Not applicable (B-2 excluded) – rear lot development.

Standard (1) b. Mixed Uses – Not applicable (B-1b only)

Standard (1) c. Building Entrances – Not applicable (B-2 excluded) – rear lot development, though main entrance is setback from street, oriented towards Stevens Avenue.
Provide some wayfinding/pedestrian path from sidewalk to this entrance.
A painted walkway has been added on the plan.

Standard (1) d. Windows – Windows oriented towards street, though building is set back from sidewalk.
Standard (1) e. Façade Character – As a residential building, rear lot development, not highly active building use - window/door orientation towards the street, sufficient visual interest provided with massing variation, windows, balconies.
Standard (1) f. Building Design – Neighboring building character is somewhat mixed but neighboring residential buildings have traditional characteristics such as simple material selection and placement (brick, clapboard). There are not many multi-family buildings of this scale nearby to compare with – the form is anomalous with the traditional buildings of similar scale. With regards to compatibility with the residential fabric, the massing and scale is appropriate for a multi-family building and is not expected to replicate the surrounding single family form, massing, or scale. The most appropriate way to meet this standard is regarding the façade composition, window type and proportion, and the materials. Staff review found that the number of materials proposed causes the building to

Standard (1) g. Building Materials – Simple selection and placement is characteristic of traditional buildings in Portland.
In order to be compatible with the surrounding residential structures, material selection should be simplified and relate to the materials found nearby – proposal currently includes clapboard, brick, panel, and metal trim.
Please refer to the revised elevations for material selection more like the nearby residential structures.

Standard (1) h. Building Scale – Four stories is appropriate for the wide Forest Avenue commercial corridor. Standard exempts B-2.

Standard (1) i. Landscaping and Buffers – Parking located to rear of this building adjacent to residential lots –
provide landscape or fence buffer to abutting properties.
A fence has been added along the western property line. See Detail 8 on Sheet C3.3.

(i) Two-Family, . . . Multiple-Family . . . :
Standard (1) . Exterior Design – Context currently does not include multi-family buildings of this scale. The project successfully relates to the scale/massing of the neighboring commercial buildings. The residential context is mostly small-scale single-family with simple forms, pitched roofs, and simple materials (clapboard). This context and the rear lot placement are appropriate for more contemporary design and more flexibility of forms, scale, and patterns. The project

includes interesting forms and massing as well as articulation elements such as balconies to provide a visually interesting, contemporary design. Staff observe that though building type, scale, and placement vary throughout the neighborhood, there is a consistent use of simple materials, material, trim, roof overhangs, and other articulation elements to add texture, finegrain scale, and visual interest to the buildings, even if in a vernacular way.
Staff recommend to meet the standard of complementing and enhancing the nearest residential neighborhood should include a simplification of the material palette and potentially incorporating details/articulation elements that relate a residential character.
Please refer to the revised elevations for material selection more like the nearby residential structures.

Standard (2). Relationship to Street – The project is a rear lot development – standard is difficult to apply in this situation.
Standard (3). Open Space – Open space is provided through balconies. There is limited open space on the site; pocket park proposed in front of existing building at the street – unclear whether this is intended to provide open space amenity to residents.
Standard (4). Light and Air – Adequate light and air provided.

Standard (5). Parking – Parking area appropriately placed to rear of lot/building.
Screening must be provided between surface parking and adjacent residential properties.
A fence has been added along the western property line. See Detail 8 on Sheet C3.3.

Standard (6). Not applicable

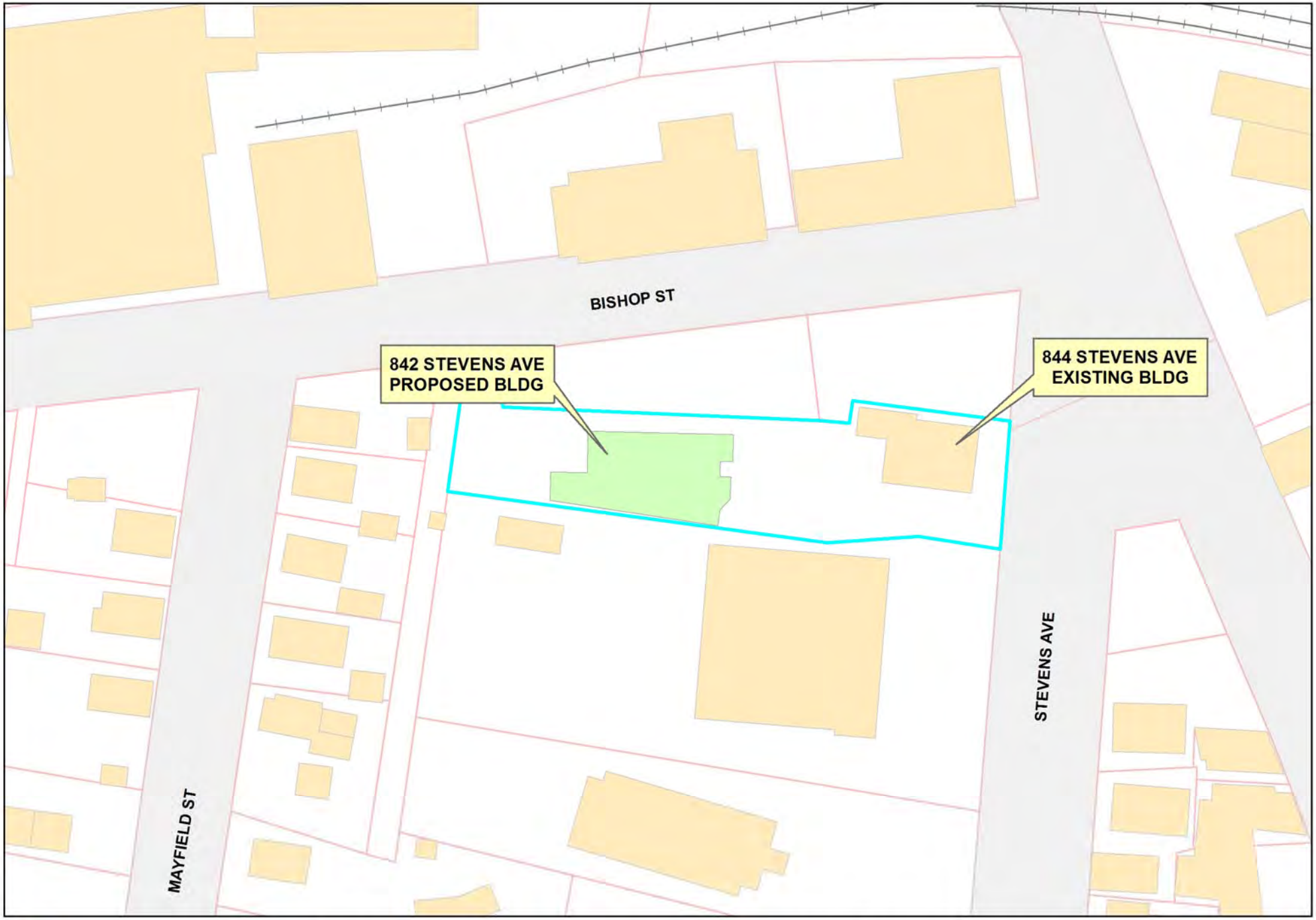
Respectfully,

TSG – signed electronically

Thomas S. Greer, PE
Walsh Engineering Associates, Inc.

cc: File
Whipple Callendar Architects

Att. P



Map showing the E-911 street addressing assignment for proposed building at 842 Stevens Avenue

Portland, ME 04103

May 20, 2020

844 STEVENS AVENUE APARTMENTS

DESIGN PROGRAM DISCUSSION FOR BUILDING ENTRY SPACE

The existing condition in front of the existing building is 21' x 45' not including the sidewalk that goes along the southern edge. This original entry court is heavily planted and unmaintained. The front façade of the building and its signage are completely obscured by the plant material. There is nothing inviting about the space. The plan is to remove these obstructions.

There are two arrival walkways to the building entrance and plaza area; one from the South and a larger one from the East. There is access from the north side which is not needed and has grading issues. There are no pedestrian amenities such as benches or bike racks. The existing plaza is not ADA compliant.

The proposed conditions layout opens up this space to create an active area. The land on the North side has created a passive quiet space. A garden space between the street and the building has softened the building façade. The plan removes the existing panel sign and are replacing it with a vertical box sign [36''x36''x8'] that affects much less space on the ground plane than the old sign. This also provides a "leaning" place for pedestrians.

The plan provides for a more organized arrival to the building. It now has a garden rest area to the North with a more active area to the South. There is a bike rack close by and both areas have wood clad stone benches. This layout creates a space that is ADA compliant.

Anthony L. Muench

Maine Licensed Landscape Architect

WHIPPLE-CALLENDER ARCHITECTS

12.31.19 – 844 STEVENS AVENUE CODE REVIEW SUMMARY FOR RENOVATED OF EXISTING BUILDING AS MIXED USE B & R-2- INCLUDES REFERENCE TO PORTLAND ZONING REGS., IBC 2015, IECC 2009, FIRE DEPARTMENT INFORMATION, NFPA 2009

Portland Zoning- 2009- Relevant sections;

14-250 Dimensional Req.:

B-2 Business zone- permitted uses, new Apartment/ multifamily (4 units) and Existing Commercial spaces (2) for business use at existing structure's ground floor.

No minimum lot size

Setback requirements
- **Street frontage 20' min. We are in excess of 20'**
- **Front setback- EXISTING TO REMAIN**
- **Side setback- EXISTING TO REMAIN**
- **Rear yard- EXISTING TO REMAIN**

Max. permitted imperv. surface – 90%

Max. permitted bldg. height is 35' - EXISTING TO REMAIN

Parking- 6 total spaces (ONE PER APARTMENT AND 1 PER 400 S.F. BUSINESS SPACE)

IBC- 2015- Relevant sections;

The existing building use is defined as Business for the Existing ground floor commercial space and R-2 Apartments above

Per table 504.4 the Type V Protected - R/A structure can have 3 stories while remaining un-sprinkled. THE EXISTING STRUCTURE WILL BE SPRINKLED, WE WILL PROTECT AND DRAFTSTOP THE WOOD FRAME, AND DO NOT EXCEED THE STORY LIMITS

Per table 506.2 the Type V Protected - R/A structure can have 12,000 S.F. PER FLOOR. WE COMPLY AT 2,500 S.F. PER FLOOR AT THE EXISTING BRICK BUILDING.

Table 508.4 indicates 1 hr. separation between Business and Residential uses in sprinkled facilities. WE WILL PROVIDE SEPARATION AT THE EXISTING BRICK BUILDING BETWEEN GROUND FLOOR BUSINESS AND APARTMENTS ABOVE.

Table 601 - The existing building will be sprinkled, Type V-B protected. Protected elements including framing, all bearing walls, floor construction and roof construction.

Section 709 - The walls are fire partitions and the floors horizontal assemblies.

709.3 Fire resistance rating- Fire partitions shall be rated one hour. WE WILL COMPLY

709.4 Continuity- Fire assemblies shall be rated one hour. WE WILL COMPLY

709.4 Fire-blocking- All walls separating dwelling units and stairs shall be fire-blocked at the top of the demising partition typical. WE WILL COMPLY

712.4 Continuity (horizontal)- Assemblies between apartments, storage and ground floor commercial shall be rated one hour. WE WILL COMPLY.

P.O. BOX 1726 , PORTLAND, MAINE 04101 PH: 207-775-2696 FAX: 207-775-3631 joe@whipplecallender.com

713 Penetrations at Walls and Assemblies- Seal to maintain rating of Fire Partition and Assemblies. WE WILL COMPLY

Chapter 10 Means of Egress-

1006.2.1 Egress based upon occupant load and common path of travel egress travel distance. Two exists or exit access doorways from any space shall be provided where the design occupant load or the common path of egress travel distance exceeds the values listed in Table 1006.2.1 (R2- 10 OCCUPANTS PER SPACE). WE WILL HAVE LESS THAN 10 OCCUPANTS PER SPACE USING 200 GROSS S.F. PER OCCUPANT. WE WILL PROVIDE A SINGLE EXIT.

1006.3.2 Single Exits. Single exit or access to a single exit shall be permitted from any story or occupied roof where one of the following conditions exists: #2. Rooms, areas and spaces complying with 1006.2.1 with exits that discharge directly to the exterior at the level of exit discharge are permitted to have one exit or access to a single exit. WE WILL PROVIDE A SINGLE MEANS OF EGRESS

Table1006.3.2 (1) INDICATES THAT SINGLE EXIT SPRINKLED R-2 OCCUPANCIES ARE ALLOWED UP TO THREE STORIES, 12 DWELLING UNITS PER FLOOR AND 200 COMMON PATH OF TRAVEL. WE COMPLY.

Chapter 11 Accessibility-

1103.1 Where required-Sites, buildings, structures, facilities, elements and spaces, temporary or permanent shall be accessible to individuals with disabilities. WE WILL COMPLY WITH REQUIREMENTS

1104.1 Site arrival points. At least one accessible route within the site shall be provided from public transportation stops, accessible parking, accessible passenger loading zones and public street or sidewalks to the accessible building entrance served. WE WILL PROVIDE AN ACCESSIBLE, DESIGNATED PARKING SPACE/ PASSENGER LOADING AREA (COMPLIANT WITH SECTION 1106) ADJACENT TO OUR ADA COMPLIANT ENTRANCE (COMPLIANT WITH SECTION 1105).

Table 1006.1- Accessible Parking Spaces. AS REQUIRED WHERE PARKING SPACES ARE BETWEEN 1 AND 25, WE WILL PROVIDE ONE ACCESSIBLE PARKING SPACE.

1107.2 Design. Dwelling units and sleeping units that are required to be Accessible units, Type A and Type B units shall comply with the applicable portions of Chapter 10 of ICC A117.1. Units required to be type A units are permitted to be designed and constructed as Accessible units. Units required to be Type B units are permitted to be designed and constructed as Accessible units or Type A units. WE WILL COMPLY WITH REQUIREMENTS AS MODIFIED BY 1107.4 AND 1107.5.

1107.3 Accessible Spaces. Rooms and spaces available to the general public or available to use by residents and serving Accessible units, Type A units or Type B units shall be accessible. Accessible spaces shall include toilet and bathing rooms, kitchen, living and dining reas and any exterior spaces including patios, terraces and balconies. Exception: # 1. Stories and mezzanines exempted by Section 1107.4. SEE 1107.4.

1107.4 Accessible route. At least one accessible route shall connect accessible building or facilty entrances with the primary entrance of each Accessible unit, Type A unit or Type B unit within the building or facility and with those exterior and interior spaces and facilities that serve the units. Exception #3 – In Group R-2 facilities with Type A units complying with Section 1107.6.2.3.1, an accessible rout is not required to connect stories or mezzanines where Type A units, All common areas serving Type A units and all public areas are on an accessible route. WE HAVE A TYPE A UNIT AT GRADE WITH ACCESSIBLE COMMON AREA AND DO NOT HAVE AN ACCESSIBLE ROUTE CONNECTING STORIES.

Table 1107.6.1.1- Accessible Dwelling Units and Sleeping Units. AS REQUIRED WHERE THE UNIT COUNT IS BETWEEN 1 AND 25, WE WILL PROVIDE ONE ACCESSIBLE UNIT WITH A TRANSFER TYPE SHOWER.

1107.7 General Exceptions. Where specifically permitted by Section 1107.5 or 1107.6, the required number of Type A or Type B units is permitted to be reduced in accordance with Sections 1107.7.1.1 and 1107.7.1.5 .

1107.7.1 Structures without elevator service. Where no elevator service is provided in a structure, only the dwelling units and sleeping units that are located on stories indicated in Sections 1107.7.1.1 and 1107.7.1.2 are required to be Type A and Type B units respectively. The number of Type A units shall be determined in accordance with Section 1107.6.2.2.1. PER REFERENCED SECTIONS, WE HAVE A TYPE A GROUND FLOOR UNIT AND NO TYPE A OR TYPE B UNITS ON THE UPPER STORIES.

IECC- 2009- Relevant sections; COMMERCIAL MIN.

ATTIC- R 38

WALLS- R 13 + 7.5

FLOORS- R 30

Fire Department checklist- please refer to plan for travel distance, smoke detectors, CO2 detectors, alarm panel

KNOX BOX SHALL BE PROVIDED

1. Architect/ Applicant- **Whipple Callender Architects, PO Box 1276 Portland, Maine 04101 (775-2696)**
2. Proposed use- **R-2 Apartments at upper stories and ground floor existing Business/ Commercial to remain**
3. Gross square footage of structure- **Floor 1 (2,369), Floor 2 (1,964), Floor 3 (1,404), Total (5,737)**
4. Elevation of all structures **Proposed Apartment structure is 3 stories existing**
5. Proposed fire protection of all structures- **fully sprinkled- 13 Commercial with rated construction**
6. Hydrant Locations- **Stevens Ave./ Bishop St.**
7. Water main sizes and locations- **unknown**
8. Access to any Fire Department Connections-**Connection will be provided at Stevens side**
9. Access to all structures (2 sides Min.)- **Clear access to 4 sides**
10. A code summary shall be included referencing NFPA and all fire department technical standards- **Attached**
11. Owner- **STEVENS AVENUE LLC**

NFPA 101-2009 – Chapter 30: New Apartment Buildings (In this case, three stories, 4 total apartments and existing separate ground floor Commercial space to remain).

Table 6.1.14.4.1 (b) Required Separation of Occupancies

The Table indicates a separation between Business and Apartment uses of 1 hr. when the building is protected throughout by an approved sprinkler system. WE WILL PROVIDE 1 HR. MIN. SEPARATION

30.1 General Requirements

30.1.1.1 The requirements of this chapter shall apply to new apartment occupancies.

30.1.2 Multiple Occupancies

30.1.2.2.1 In buildings protected by an automatic sprinkler system in accordance with 9.0, dwelling units of an apartment building shall be permitted to have their sole means of egress pass through a non residential occupancy in the same building provided the following criteria are met:
1. The dwelling unit of the apartment building shall comply with Chapter 30
2. The sole means of egress shall not pass through a high hazard contents area.
WE MEET THE CRITERIA.

30.1.2.3 Multiple dwelling units shall be permitted to be located above a nonresidential occupancy only where one of the following conditions are met.
1. Where the dwelling units of the residential occupancy and exits therefrom are separated from the non-residential occupancy by construction having a 1 hour fire rating.
2. Where the nonresidential occupancy is protected throughout by an approved supervised automatic fire alarm system per 9.7
WE WILL COMOPLY WITH RATED SEPARATION AS REQUIRED.

30.2 Means of Egress Requirements

30.2.1.1 Means of escape from a dwelling unit to the outside of the building shall be in accordance with Chapter 7 and this chapter. WE COMPLY WITH CHAPTER 7- REFER TO STAIR DETAILS

30.2.1.2 Means of escape within a dwelling unit shall comply with the provisions of Section 24.2 for one and two family dwellings. WE MEET EGRESS REQUIREMENT WITH TRAVEL DISTANCE, PRIMARY EGRESS STAIR AND SECONDARY WINDOW AS MEANS OF EGRESS.

30.2.2.3.1 Stairs complying with 7.2.2 shall be permitted. MIN. 3'8" WIDE WITH 11" FIN. TREAD, 7" RISER AND COMPLIANT HANDRAIL BOTH SIDES.

30.2.4 Number of Exits

30.2.4.3 A single exit shall be permitted in buildings where the total number of stories does not exceed four, provided all the following conditions are met:

1. **The building is protected throughout by an approved, supervised automatic sprinkler system in accordance with 31.3.5**
2. **The exit stairway does not serve more than ½ of a story below the level of exit discharge.**
3. **The travel distance from the entrance door to any dwelling unit to an exit does not exceed 35 feet.**
4. **The exit stairway is completely enclosed or separated from the rest of the building by barriers having a minimum 1 hour fire resistance rating.**
5. **All openings between the exit stairway enclosure and the rest of the building are protected by self closing doors having a minimum 1 hr. fire resistance rating.**
6. **All corridors serving as access to the exits have a min. ½ hr. fire resistance rating.**
7. **Horizontal and vertical separation having a min. ½ hr. fire resistance rating is provided between dwelling units. WE WILL PROVIDE A SINGLE EXIT.**

7.3 Capacity of Means of Egress

7.3.4.1 In existing buildings, the width of exit access shall be permitted to be not less than 36" EXIT ACCESS WILL TYPICALLY BE 36".

30.2.9 Emergency lights shall be provided in buildings 4 or more stories in height or with more than 12 dwelling units, unless each unit has a direct exit to the outside of the building at grade level- WE WILL HAVE EMERGENCY LIGHTS.

30.2 Means of Egress Components

30.2.2.1.2 In buildings protected throughout with an approved, supervised automatic sprinkler system in accordance with 30.3.5 , exit enclosures shall have a minimum 1 hr. fir resistance rating

and doors shall have a minimum 1 hr. fir resistance rating . WE WILL PROVIDE SEPARATIONS & DOORS AS REQUIRED

30.2.2.2 Doors

30.2.2.2.2.1 No door in any means of egress shall be locked against egress when the building is occupied. EGRESS DOORS WILL ALWAYS BE OPERABLE FROM INSIDE THE APARTMENT & GROUND FLOOR VESTIBULE.

30.2.2.3 Stairs

30.2.2.3.1 Stairs complying with 7.2.2 shall be permitted. WE WILL COMPLY WITH THE REQUIREMENTS OF 7.2.2 – EXISTING STAIRS.

30.2.5 Arrangement of Means of Egress

30.2.5.1 Access to all required means of egress shall be in accordance with Section 7.5

30.2.5.3.2 No common path of travel shall exceed 50' in buildings protected throughout by an approved, supervised automatic sprinkler system installed in accordance with 30.3.5. Travel within a dwelling unit shall not be included when calculating common path of travel. OK- NO COMMON PATH

31.2.6.2 Travel distance, from areas other than those within a living units, to the exit, shall not exceed to a corridor door shall not exceed 200 feet in buildings protected throughout by an approved, supervised automatic sprinkler system installed in accordance with 30.3.5. WE WILL COMPLY

30.2.6.4 Travel distance within a dwelling unit to a corridor door shall not exceed 250 feet in buildings protected throughout by an approved, supervised automatic sprinkler system installed in accordance with 30.3.5. OUR MAXIMUM TRAVEL DISTANCE WITHIN AN APARTMENT IS APPROXIMATELY 30'.

30.2.9 Emergency lights shall be provided in buildings 4 or more stories in height or with more than 12 dwelling units, unless each unit has a direct exit to the outside of the building at grade level- WE WILL PROVIDE EMERGENCY LIGHTS.

30.3.2.1.1 Boiler rooms, Laundry and storage areas require 1 hr. rated separation.- WE WILL PROVIDE 1 HR. SEPARATION AT BOILER ROOM, LAUNDRY AND STORAGE AREAS.

30.3.3.2 Interior wall and ceiling finish- WE WILL APPLY CLASS A INTERIOR PAINTS AND FINISHES TYPICALLY.

30.3.4.1 Detection, Alarm and Communication Systems

30.3.4.1.1 Emergency lights shall be provided in buildings 4 or more stories in height or with more than 11 dwelling units shall be provided with a fire alarm system in accordance with Section 9.6 WE WILL PROVIDE EMERGENCY LIGHTS.

30.3.4.2 Initiation

30.3.4.2.2 Initiation of the required fire alarm system by manual means shall not be required in buildings 4 or fewer stories in height, containing not more than 16 dwelling units and protected throughout by an approved, supervised sprinkler system installed in accordance with 30.4.2.2. THE ALARM SYSTEM SHALL HAVE MANUAL PULL STATIONS

30.3.4.3 Notification

30.3.4.2.1 Occupant Notification shall be provided automatically in accordance with Section 9.6.2 and the flowing shall also apply:

1. **Visible signals shall be installed in units for the visually impaired. HORNS AND STROBES WILL BE INSTALLED AT BEDROOMS AND LIVING AREAS TYPICALLY**
2. **Positive alarm system in accordance with 9.6.3.4 shall be permitted.**

30.3.4.3.4 Annunciation and annunciation zoning shall not be required in buildings 4 or fewer stories in height containing not more than 16 units and protected throughout by an approved, supervised automatic alarm system in accordance with 30.3.5. AN ANNUNCIATOR PANEL WILL NOT BE INSTALLED

30.3.4.3.5 Fire Department notification shall be accomplished in accordance with 9.6.4. WE WILL PROVIDE NOTIFICATION PER OPTIONS LISTED IN 9.6.4

31.3.4.4.2 Automatic smoke detection shall be installed as follows:

1. **Smoke detectors shall be installed in all common areas and work spaces outside the living unit such as exit stairs, egress corridors, lobbies, storage rooms, equipment rooms, and other tenantless spaces in environments that are suitable for proper smoke detector operation.**
2. **Heat detectors shall be located within each room of the living unit.**

WE PLAN ON INSTALLING HARD WIRED SMOKE DETECTORS AND CO2 DETECTORS AS REQUIRED.

30.3.4.5 Smoke Alarms

30.3.4.5.2 Smoke alarms shall be required outside every bedroom per 9.6.2.10 and 31.3.5.4 . SMOKE DETECTORS WILL BE LOCATED OUTSIDE BEDROOMS AND ALL LEVELS INCLUDING THE PARKING LEVEL

30.3.2.1.1 Hazardous Area Protection

Boiler and fuel fired heating rooms serving more than a single dwelling unit. 1 hour or sprinklers. THE BOILER ROOM & MECHANICAL SPACES WILL BE PROTECTED WITH 1 HR. RATED WALLS AND CEILING AND SPRINKLER COVERAGE.

NFPA 101-2009 – Chapter 38: New Business Occupancies- LIMITED GROUND FLOOR SPACE WITH 2 MEANS OF EGRESS

38.1 General Requirements

38.1.1.1- The requirements of this chapter shall apply to existing buildings or portions thereof currently occupied as business occupancies.

38.2- Means of Egress Requirements

38.1.2.1.1- All means of egress shall comply with Chapter 7 and this chapter. WE COMPLY

38.2.2 Means of Egress Requirements- . WE COMPLY WITH SINGLE MEANS IN A SPRINKLED BUILDING.

38.2.4 Number of Exits- WE COMPLY WITH SINGLE MEANS IN A SPRINKLED BUILDING.

38.2.4.1 Exits shall comply with the following, except as otherwise permitted by 38.2.4.2 through 37.2.4.5. WE WILL PROVIDE ONE MEANS OF EGRESS FROM THE BUSINESS SPACES.

38.2.5 Arrangement of Means of Egress- refer to 38.2.4.1 above

38.3.4 Detection, Alarm and Communication Systems

38.3.4.1 General. A fire alarm system in accordance with Section 9.6. shall be provided in all business occupancies where any one of the following conditions exist.
1. The building is 3 or more stories in height
2. The occupancy is subject to occupancy by 50 or more occupants above or below the level of exit discharge.
3. The occupancy is subject to 300 or more total occupants.
THE BUILDING IS THREE STORIES IN HEIGHT, THE FIRE ALARM IN THE BUSINESS SPACES WILL BE ACTIVATED BY THE SPRINKLER SYSTEM.

38.3.4.2 Initiation. Initiation of the fire alarm system shall be by one of the following means: (2) Approved automatic sprinkler system that complies with 9.6.2.1(3) and provides protection throughout the building , plus a minimum of one manual fire alarm box in accordance with 9.6.2.6.
THE FIRE ALARM WILL BE ACITIVATED BY THE SPRINKLER SYSTEM.

38.3.4.3- Occupant Notification- During all times that the business occupancy is occupied, the required fire alarm system, once initiated, shall activate an alarm in accordance with 9.6.3 throughout the building , and positive alarm sequence in accordance with 9.6.3.4 shall be permitted. FINAL NOTIFICATION PER FIRE ALARM PERMIT TO BE FILED WITH THE CITY OF PORTLAND

Statement of Special Inspections IBC 2015;- NOT ANTICIPATED GIVEN WE WILL BE RETAINING ALL STRUCTURAL COMPONENTS OF THE EXISTING BUILDING.

Section 17 Special Inspections and Tests:

Table 1705.3 Required Special Inspections and Tests of Concrete Construction-

Welded rebar- test of welded rebar
Inspect anchor bolts
Verify concrete mix
Perform slump and prepare conc. test samples
Verify curing process
Inspect formwork

Table 1705.6 Required Special Inspections and Tests of Soils-

Verify fill lifts
Verify subgrade materials
Verify proper depth and bearing materials
Perform classification and testing of compacted fill
Prior to fill, inspect subgrade and verify site has been prepared properly

Table 1705.7 Required Special Inspections and Tests of Driven Foundation Elements-

NA-No driven elements

12.31.19 – 844 STEVENS AVENUE CODE REVIEW SUMMARY FOR PROPOSED NEW APARTMENT BUILDING- INCLUDES REFERENCE TO PORTLAND ZONING REGS., IBC 2015, IECC 2009, FIRE DEPARTMENT INFORMATION, NFPA 2009

Portland Zoning- 2009- Relevant sections;

14-250 Dimensional Req.:

B-2 Business zone- permitted uses, new Apartment/ multifamily (16 units in proposed new building)

No minimum lot size

Setback requirements
- **Street frontage 20' min. EXISTING TO REMAIN**
- **Front setback- 150'**
- **Side setback- 5'**
- **Rear yard- 55'**

Max. permitted imperv. surface – 90%

Max. permitted bldg. height is 35' – WE COMPLY

Parking- 16 total spaces

IBC- 2015- Relevant sections;

The proposed structure is entirely R-2 APARTMENT.

Per table 504.4 the Type V Protected - R/A structure can have 3 stories while remaining un-sprinkled. THE PROPOSED STRUCTURE WILL BE SPRINKLED, WE WILL PROTECT AND DRAFTSTOP THE WOOD FRAME, AND DO NOT EXCEED THE STORY LIMITS

Per table 506.2 the Type V Protected - R/A structure can have 12,000 S.F. PER FLOOR. WE COMPLY AT 5,100 S.F. PER FLOOR AT THE NEW STRUCTURE

Table 508.4 indicates 1 hr. separation between Business and Residential uses in sprinkled facilities. N.A. RESIDENTIAL ONLY.

Table 601 - The new structure is sprinkled, Type V-B protected. Protected elements including framing, all bearing walls, floor construction and roof construction.

Section 709 - The walls are fire partitions and the floors horizontal assemblies.

709.3 Fire resistance rating- Fire partitions shall be rated one hour. WE WILL COMPLY

709.4 Continuity- Fire assemblies shall be rated one hour. WE WILL COMPLY

709.4 Fire-blocking- All walls separating dwelling units and stairs shall be fire-blocked at the top of the demising partition typical. WE WILL COMPLY

712.4 Continuity (horizontal)- Assemblies between apartments, storage and ground floor commercial shall be rated one hour. WE WILL COMPLY.

713 Penetrations at Walls and Assemblies- Seal to maintain rating of Fire Partition and Assemblies. WE WILL COMPLY

Chapter 10 Means of Egress-

1006.2.1 Egress based upon occupant load and common path of travel egress travel distance. Two exists or exit access doorways from any space shall be provided where the design occupant load or the common path of egress travel distance exceeds the values listed in Table 1006.2.1 (R2- 10 OCCUPANTS PER SPACE). WE WILL HAVE LESS THAN 10 OCCUPANTS PER SPACE USING 200 GROSS S.F. PER OCCUPANT. SINGLE DOOR TO APARTMENTS TYPICAL.

1006.3.2 Single Exits. Single exit or access to a single exit shall be permitted from any story or occupied roof where one of the following conditions exists: #2. Rooms, areas and spaces complying with 1006.2.1 with exits that discharge directly to the exterior at the level of exit discharge are permitted to have one exit or access to a single exit. WE WILL PROVIDE 2 MEANS OF EGRESS

Table1006.3.2 (1) INDICATES THAT SINGLE EXIT SPRINKLED R-2 OCCUPANCIES ARE ALLOWED UP TO THREE STORIES, 12 DWELLING UNITS PER FLOOR AND 200 COMMON PATH OF TRAVEL. WE COMPLY.

Chapter 11 Accessibility-

1103.1 Where required-Sites, buildings, structures, facilities, elements and spaces, temporary or permanent shall be accessible to individuals with disabilities. WE WILL COMPLY WITH REQUIREMENTS

1104.1 Site arrival points. At least one accessible route within the site shall be provided from public transportation stops, accessible parking, accessible passenger loading zones and public street or sidewalks to the accessible building entrance served. WE WILL PROVIDE AN ACCESSIBLE, DESIGNATED PARKING SPACE/ PASSENGER LOADING AREA (COMPLIANT WITH SECTION 1106) ADJACENT TO OUR ADA COMPLIANT ENTRANCE (COMPLIANT WITH SECTION 1105).

Table 1006.1- Accessible Parking Spaces. AS REQUIRED WHERE PARKING SPACES ARE BETWEEN 1 AND 25, WE WILL PROVIDE ONE ACCESSIBLE PARKING SPACE.

1107.2 Design. Dwelling units and sleeping units that are required to be Accessible units, Type A and Type B units shall comply with the applicable portions of Chapter 10 of ICC A117.1. Units required to be type A units are permitted to be designed and constructed as Accessible units. Units required to be Type B units are permitted to be designed and constructed as Accessible units or Type A units. WE WILL COMPLY WITH REQUIREMENTS AS MODIFIED BY 1107.4 AND 1107.5.

1107.3 Accessible Spaces. Rooms and spaces available to the general public or available to use by residents and serving Accessible units, Type A units or Type B units shall be accessible. Accessible spaces shall include toilet and bathing rooms, kitchen, living and dining reas and any exterior spaces including patios, terraces and balconies. Exception: # 1. Stories and mezzanines exempted by Section 1107.4. SEE 1107.4.

1107.4 Accessible route. At least one accessible route shall connect accessible building or facilty entrances with the primary entrance of each Accessible unit, Type A unit or Type B unit within the building or facility and with those exterior and interior spaces and facilities that serve the units. Exception #3 – In Group R-2 facilities with Type A units complying with Section 1107.6.2.3.1, an accessible rout is not required to connect stories or mezzanines where Type A units, All common areas serving Type A units and all public areas are on an accessible route. WE HAVE A TYPE A UNIT AT GRADE WITH ACCESSIBLE COMMON AREA AND DO NOT HAVE AN ACCESSIBLE ROUTE CONNECTING STORIES.

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Table 1107.6.1.1- Accessible Dwelling Units and Sleeping Units. AS REQUIRED WHERE THE UNIT COUNT IS BETWEEN 1 AND 25, WE WILL PROVIDE ONE ACCESSIBLE UNIT WITH A TRANSFER TYPE SHOWER.

1107.7 General Exceptions. Where specifically permitted by Section 1107.5 or 1107.6, the required number of Type A or Type B units is permitted to be reduced in accordance with Sections 1107.7.1.1 and 1107.7.1.5 .

1107.7.1 Structures without elevator service. Where no elevator service is provided in a structure, only the dwelling units and sleeping units that are located on stories indicated in Sections 1107.7.1.1 and 1107.7.1.2 are required to be Type A and Type B units respectively. The number of Type A units shall be determined in accordance with Section 1107.6.2.2.1. PER REFERENCED SECTIONS, WE HAVE A TYPE A GROUND FLOOR UNIT AND NO TYPE A OR TYPE B UNITS ON THE UPPER STORIES.

IECC- 2009- Relevant sections; COMMERCIAL

INSUL. ENTIRELY ABOVE DECK- R 20ci

WALLS- R 13 + 7.5

FLOORS- R 30

WALLS BELOW GRADE- R 7.5 c.i.

UNHEATED SLABS- R 15 FOR 24" BELOW SLAB

Fire Department checklist- please refer to plan for travel distance, smoke detectors, CO2 detectors, alarm panel

1. Architect/ Applicant- **Whipple Callender Architects, PO Box 1276 Portland, Maine 04101 (775-2696)**
2. Proposed use- **R-2 Apartments**
3. Gross square footage of structure- **Lower level (4,504), Ground (5,043), Floor 2 (5,043), Floor 3 (4.495), Total (19,085)**
4. Elevation of all structures **Proposed Apartment structure is 3 stories existing**
5. Proposed fire protection of all structures- **fully sprinkled- 13 Commercial with rated construction**
6. Hydrant Locations- **Stevens Ave./ Bishop St.**
7. Water main sizes and locations- **unknown**
8. Access to any Fire Department Connections-**Connection will be provided at Stevens side**
9. Access to all structures (2 sides Min.)- **Clear access to 4 sides**
10. A code summary shall be included referencing NFPA and all fire department technical standards- **Attached**
11. Owner- **STEVENS AVENUE LLC**

NFPA 101-2009 – Chapter 30: New Apartment Buildings (In this case, four total stories, 16 total apartments).

Table 6.1.14.4.1 (b) Required Separation of Occupancies

The Table indicates a separation between Business and Apartment uses of 1 hr. when the building is protected throughout by an approved sprinkler system. N.A. NO MIXED USE

30.1 General Requirements

30.1.1.1 The requirements of this chapter shall apply to new apartment occupancies.

30.1.2 Multiple Occupancies

30.1.2.2.1 In buildings protected by an automatic sprinkler system in accordance with 9.0, dwelling units of an apartment building shall be permitted to have their sole means of egress pass through a non residential occupancy in the same building provided the following criteria are met:
1. The dwelling unit of the apartment building shall comply with Chapter 30
2. The sole means of egress shall not pass through a high hazard contents area.
WE MEET THE CRITERIA.

30.1.2.3 Multiple dwelling units shall be permitted to be located above a nonresidential occupancy only where one of the following conditions are met.
1. Where the dwelling units of the residential occupancy and exits therefrom are separated from the non-residential occupancy by construction having a 1 hour fire rating.
2. Where the nonresidential occupancy is protected throughout by an approved supervised automatic fire alarm system per 9.7
N.A. – RESIDENTIAL USES ONLY

30.2 Means of Egress Requirements

30.2.1.1 Means of escape from a dwelling unit to the outside of the building shall be in accordance with Chapter 7 and this chapter. WE COMPLY WITH CHAPTER 7 FOR NEW STAIRS- REFER TO STAIR DETAILS

30.2.1.2 Means of escape within a dwelling unit shall comply with the provisions of Section 24.2 for one and two family dwellings. WE MEET EGRESS REQUIREMENT WITH TRAVEL DISTANCE, PRIMARY EGRESS STAIR AND SECONDARY WINDOW AS MEANS OF EGRESS.

30.2.2.3.1 Stairs complying with 7.2.2 shall be permitted. MIN. 3'8" WIDE WITH 11" FIN. TREAD, 7" RISER AND COMPLIANT HANDRAIL BOTH SIDES.

30.2.4 Number of Exits

30.2.4.3 A single exit shall be permitted in buildings where the total number of stories does not exceed four, provided all the following conditions are met:

1. **The building is protected throughout by an approved, supervised automatic sprinkler system in accordance with 31.3.5**
2. **The exit stairway does not serve more than ½ of a story below the level of exit discharge.**
3. **The travel distance from the entrance door to any dwelling unit to an exit does not exceed 35 feet.**
4. **The exit stairway is completely enclosed or separated from the rest of the building by barriers having a minimum 1 hour fire resistance rating.**
5. **All openings between the exit stairway enclosure and the rest of the building are protected by self closing doors having a minimum 1 hr. fire resistance rating.**
6. **All corridors serving as access to the exits have a min. ½ hr. fire resistance rating.**
7. **Horizontal and vertical separation having a min. ½ hr. fire resistance rating is provided between dwelling units. WE WILL PROVIDE 2 EXITS.**

7.3 Capacity of Means of Egress

7.3.4.1 In existing buildings, the width of exit access shall be permitted to be not less than 36" EXIT ACCESS WILL TYPICALLY BE 36".

30.2.9 Emergency lights shall be provided in buildings 4 or more stories in height or with more than 12 dwelling units, unless each unit has a direct exit to the outside of the building at grade level- WE WILL HAVE EMERGENCY LIGHTS AS WE ARE 3 STORIES, MORE THAN 12 DWELLING UNITS.

30.2 Means of Egress Components

30.2.2.1.2 In buildings protected throughout with an approved, supervised automatic sprinkler system in accordance with 30.3.5 , exit enclosures shall have a minimum 1 hr. fir resistance rating and doors shall have a minimum 1 hr. fir resistance rating . WE WILL PROVIDE SEPARATIONS & DOORS AS REQUIRED

30.2.2.2 Doors

30.2.2.2.2.1 No door in any means of egress shall be locked against egress when the building is occupied. EGRESS DOORS WILL ALWAYS BE OPERABLE FROM INSIDE THE APARTMENT & GROUND FLOOR VESTIBULE.

30.2.2.3 Stairs

30.2.2.3.1 Stairs complying with 7.2.2 shall be permitted. WE WILL COMPLY WITH THE REQUIREMENTS OF 7.2.2 – 7" MAX. RISER, 11" FIN. TREAD AND 3'8" MIN. FIN. EGRESS WIDTH.

30.2.5 Arrangement of Means of Egress

30.2.5.1 Access to all required means of egress shall be in accordance with Section 7.5

30.2.5.3.2 No common path of travel shall exceed 50' in buildings protected throughout by an approved, supervised automatic sprinkler system installed in accordance with 30.3.5. Travel within a dwelling unit shall not be included when calculating common path of travel. OK- NO COMMON PATH

31.2.6.2 Travel distance, from areas other than those within a living units, to the exit, shall not exceed to a corridor door shall not exceed 200 feet in buildings protected throughout by an approved, supervised automatic sprinkler system installed in accordance with 30.3.5. WE WILL COMPLY

30.2.6.4 Travel distance within a dwelling unit to a corridor door shall not exceed 250 feet in buildings protected throughout by an approved, supervised automatic sprinkler system installed in accordance with 30.3.5. OUR MAXIMUM TRAVEL DISTANCE WITHIN AN APARTMENT IS APPROXIMATELY 30'.

30.2.9 Emergency lights shall be provided in buildings 4 or more stories in height or with more than 12 dwelling units, unless each unit has a direct exit to the outside of the building at grade level- WE WILL PROVIDE EMERGENCY LIGHTS AS WE ARE 3 STORIES, MORE THAN 12 DWELLING UNITS.

30.3.2.1.1 Boiler rooms, Laundry and storage areas require 1 hr. rated separation.- WE WILL PROVIDE 1 HR. SEPARATION AT BOILER ROOM, LAUNDRY AND STORAGE AREAS.

30.3.3.2 Interior wall and ceiling finish- WE WILL APPLY CLASS A INTERIOR PAINTS AND FINISHES TYPICALLY.

30.3.4.1 Detection, Alarm and Communication Systems

30.3.4.1.1 Emergency lights shall be provided in buildings 4 or more stories in height or with more than 11 dwelling units shall be provided with a fire alarm system in accordance with Section 9.6 WE WILL PROVIDE EMERGENCY LIGHTS AS WE ARE 3 STORIES, MORE THAN 12 DWELLING UNITS.

30.3.4.2 Initiation

30.3.4.2.2 Initiation of the required fire alarm system by manual means shall not be required in buildings 4 or fewer stories in height, containing not more than 16 dwelling units and protected throughout by an approved, supervised sprinkler system installed in accordance with 30.4.2.2. THE ALARM SYSTEM SHALL HAVE MANUAL PULL STATIONS

30.3.4.3 Notification

30.3.4.2.1 Occupant Notification shall be provided automatically in accordance with Section 9.6.2 and the flowing shall also apply:

1. **Visible signals shall be installed in units for the visually impaired. HORNS AND STROBES WILL BE INSTALLED AT BEDROOMS AND LIVING AREAS TYPICALLY**
2. **Positive alarm system in accordance with 9.6.3.4 shall be permitted.**

30.3.4.3.4 Annunciation and annunciation zoning shall not be required in buildings 4 or fewer stories in height containing not more than 16 units and protected throughout by an approved, supervised automatic alarm system in accordance with 30.3.5. AN ANNUNCIATOR PANEL WILL BE INSTALLED

30.3.4.3.5 Fire Department notification shall be accomplished in accordance with 9.6.4. WE WILL PROVIDE NOTIFICATION PER OPTIONS LISTED IN 9.6.4

31.3.4.4.2 Automatic smoke detection shall be installed as follows:

1. **Smoke detectors shall be installed in all common areas and work spaces outside the living unit such as exit stairs, egress corridors, lobbies, storage rooms, equipment rooms, and other tenantless spaces in environments that are suitable for proper smoke detector operation.**
2. **Heat detectors shall be located within each room of the living unit.**

WE PLAN ON INSTALLING HARD WIRED SMOKE DETECTORS AND CO2 DETECTORS AS REQUIRED.

30.3.4.5 Smoke Alarms

30.3.4.5.2 Smoke alarms shall be required outside every bedroom per 9.6.2.10 and 31.3.5.4 . SMOKE DETECTORS WILL BE LOCATED OUTSIDE BEDROOMS AND ALL LEVELS INCLUDING THE PARKING LEVEL

30.3.2.1.1 Hazardous Area Protection

Boiler and fuel fired heating rooms serving more than a single dwelling unit. 1 hour or sprinklers. THE BOILER ROOM & MECHANICAL SPACES WILL BE PROTECTED WITH 1 HR. RATED WALLS AND CEILING AND SPRINKLER COVERAGE.

Statement of Special Inspections IBC 2015;

Section 17 Special Inspections and Tests:

Table 1705.3 Required Special Inspections and Tests of Concrete Construction-

Welded rebar- test of welded rebar
Inspect anchor bolts
Verify concrete mix
Perform slump and prepare conc. test samples
Verify curing process
Inspect formwork

Table 1705.6 Required Special Inspections and Tests of Soils-

Verify fill lifts
Verify subgrade materials
Verify proper depth and bearing materials
Perform classification and testing of compacted fill
Prior to fill, inspect subgrade and verify site has been prepared properly

Table 1705.7 Required Special Inspections and Tests of Driven Foundation Elements-

NA-No driven elements anticipated

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DATE:	LOCATION:
TYPE:	PROJECT:
CATALOG #:	

VIPER S

SMALL VIPER LUMINAIRE

OPTICS STRIKE

Att. S

FEATURES

- Small size companion to Viper Large
- Wide choice of different LED wattage configurations
- Nine optical distributions
- Designed to replace HID lighting up to 400W MH or HPS
- Suitable for wet locations

*3000K and warmer CCTs only

RELATED PRODUCTS

Viper Large

CONTROL TECHNOLOGY

NX DISTRIBUTED INTELLIGENCE™ wiSCAPE™ energeni SiteSync LIGHTING CONTROL

SPECIFICATIONS

CONSTRUCTION

- Manufactured with die cast aluminum
- Coated with a polyester finish that meets ASTM B117 corrosion test requirements and ASTM D522 cracking and loss of adhesion test requirements
- IFS polyester powder-coat electrostatically applied and thermocured. IFS finish consists of a five stage pretreatment regimen with a polymer primer sealer and top coated with a thermoset super TGIC polyester powder coat finish
- The finish meets the AAMA 2604 performance specification which includes passing a 3,000-hour salt spray test for corrosion resistance and resists cracking or loss of adhesion per ASTM D522 and resists surface impacts of up to 160 inch-pounds
- External hardware is corrosion resistant

OPTICS

- Cartridge is held together with internal brass standoffs soldered to the board so that it can be field replaced as a one-piece optical system
- One-piece silicone gasket ensures a weatherproof seal around each individual optic
- One-piece optical cartridge system consisting of an LED engine, optics, gasket and stainless steel bezel

INSTALLATION

- Mounting options for horizontal arm, vertical tenon or traditional arm mounting available. Mounting hardware included

ELECTRICAL

- Luminaire accepts 100V through 277V, 347V or 480V input 50 Hz to 60 Hz (UNV)
- Power factor is ≥ .90 at full load
- Dimming drivers are standard, but CD must be selected in options to obtain external wiring leads for dimming controls
- Component-to-component wiring within the luminaire may carry no more than 80% of rated load and is certified by UL for use at 600VAC at 90°C or higher
- Plug disconnects are certified by UL for use at 600 VAC, 13A or higher. 13A rating applies to primary (AC) side only
- Fixture electrical compartment contains all LED driver components
- Optional 7-pin ANSI C136.41-2013 Twist-Lock® photo control receptacle available. Compatible with ANSI C136.41 external wireless control devices
- Ambient operating temperature -40°C to 25°C
- Surge protection: 20kA
- Lifeshield™ Circuit (see Electrical Data)

CONTROLS

- Available with an optional passive infrared (PIR) motion sensor capable of detecting motion 360° around the luminaire. When no motion is detected for the specified time, the motion response system reduces the wattage to factory preset level, reducing the light level accordingly. When motion is detected by the PIR sensor, the luminaire returns to full wattage and full light output. Please contact Beacon Products if project requirements vary from standard configuration

CONTROLS (CONTINUED)

- Available with Energeni for optional set dimming, timed dimming with simple delay, or timed dimming based on time of night
- In addition, Viper can be specified with SiteSync™ wireless control system for reduction in energy and maintenance costs while optimizing light quality 24/7

CERTIFICATIONS

- DLC® (DesignLights Consortium) Qualified. Please refer to the DLC website for specific product qualifications at www.designlights.org
- Certified to UL 1598 and UL 8750
- 3G rated for ANSI C136.31 high vibration applications with MAF mounting
- IDA approved
- This product is approved by the Florida Fish and Wildlife Conservation Commission. Separate spec available online

WARRANTY

- 5 year warranty
- See HLI Commercial and Industrial Outdoor Lighting Warranty for additional information

KEY DATA	
Lumen Range	5400–16,216
Wattage Range	55–136
Efficacy Range (LPW)	100–124
Reported Life (Hours)	L70>60,000
Input Current Range (Amps)	0.1–1.1

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DATE:	LOCATION:
TYPE:	PROJECT:
CATALOG #:	

VIPER S

SMALL VIPER LUMINAIRE

ORDERING GUIDE

Example: VPS–24L–55–4K7–4W–UNV–A–DB–TL–GENI–04–BC

CATALOG # _____

VPS –

Series	
VPS	Viper Small

LED Engine	
24L-55	55W, LED array
36L-65	65W, LED array
36L-80	80W, LED array
48L-110	110W, LED array
60L-136	136W, LED array

CCT/CRI [7]	
3K7	3000K, 70 CRI
4K7	4000K, 70 CRI
5K7	5000K, 70 CRI

Distribution	
FR	Type 1/Front Row
2	Type 2
3	Type 3
4F (formerly 4)	Type 4
4W	Type 4 Wide
5QM	Type 5QM
5R	Type 5R (rectangular)
5W	Type 5W (round wide)
TC	Tennis Court

Rotation	
Blank	No rotation
L	Optic rotation left [5]
R	Optic rotation right [5]

Voltage	
UNV	120–277V
347	347V
480	480V

Mounting	
A	Rectangular Arm (formerly RA) for square or round pole
MAF	Mast Arm Fitter (formerly SF2) for 2⅜" OD horizontal arm
K	Knuckle (formerly PK2) limit to 30° tilt or 2⅜" OD horizontal arm or vertical tenon
WB	Wall Bracket
AD	Universal Arm for square pole
AD3	Adapter for 2.4"–4.1" round pole
AD4	Adapter for 4.2"–5.3" round pole
AD5	Adapter for 5.5"–5.9" round pole
AD6	Adapter for 6.0"–6.5" round pole

Color	
BLT	Black Matte Textured
BLS	Black Gloss Smooth
DBT	Dark Bronze Matte Textured
DBS	Dark Bronze Gloss Smooth
GTT	Graphite Matte Textured
LGS	Light Grey Gloss Smooth
PSS	Platinum Silver Smooth
WHT	White Matte Textured
WHS	White Gloss Smooth
VGT	Verde Green Textured
Color Option	
CC	Custom Color

Control Options	
7PR	7-Pin Receptacle only (shorting cap, photo control, or wireless control provided by others)
7PR-SC	7-Pin Receptacle w/Shorting Cap
7PR-TL	7-Pin Receptacle w/Twist-Lock® photo control
SCP/_F	Programmable Occupancy Sensor w/ daylight control [1,2,6]
GENI-XX	ENERGENI [3]
SWP	SiteSync Pre-Commission [1,4]
SWPM_F	SiteSync Pre-Commission w/ Sensor [1,2,4]

Options	
BC	Backshield (available for FR, 2, 3, 4, 4W Optics)
CD	Continuous Dimming
F	Fusing
TB	Terminal Block

House Side Shield Accessories

☐	**HSS/VP-S/90-FB/XXX**	90° shield front or back
☐	**HSS/VP-S/90-LR/XXX**	90° shield left or right
☐	**HSS/VP-S/270-FB/XXX**	270° shield front or back
☐	**HSS/VP-S/270-LR/XXX**	270° shield left or right
☐	**HSS/VP-S/360/XXX**	Full shield

Replace XXX with notation for desired finish color. Refer to page 8 for shield images.

Mounting Accessories

☐	**VPL-AD-RPA3**	2.4"–4.1" Round Pole Adapter for AD arm
☐	**VPL-AD-RPA4**	4.2"–5.3" Round Pole Adapter for AD arm
☐	**VPL-AD-RPA5**	5.5"–5.9" Round Pole Adapter for AD arm
☐	**VPL-AD-RPA6**	6.0"–6.5" Round Pole Adapter for AD arm

Notes:

1. Not available with other wireless control or sensor options
2. Specify mounting height; 8 = 8' or less, 40 = 9' to 40'
3. Specify routine setting code (example GENI-04). See ENERGENI brochure and instructions for setting table and options. Not available with sensor or SiteSync options
4. Specify group and zone at time of order. See www.hubbelllighting.com/sitesync for further details. Order at least one SiteSync interface accessory SWUSB or SWTAB. Each option contains SiteSync License, GUI, and Bridge Node
5. Only available with FR, 2, 3, 4, 4W and 5R distributions
6. Order at least one SCP-REMOTE per project location to program and control the occupancy sensor

Accessories and Services (Ordered Separately)

☐	**SCP-REMOTE**	Remote Control for SCP/_F option. Order at least one per project to program and control the occupancy sensor
☐	**SWUSB***	SiteSync interface software loaded on USB flash drive for use with owner supplied PC (Windows based only). Includes SiteSync license, software and USB radio bridge node
☐	**SWTAB***	Windows tablet and SiteSync interface software. Includes tablet with preloaded software, SiteSync license and USB radio bridge node
☐	**SWBRG**	SiteSync USB radio bridge node only. Order if a replacement is required or if an extra bridge node is requested
☐	**SW7PR+**	SiteSync 7-Pin on fixture module On/Off/Dim, Daylight Sensor 120–480VAC
☐	**BIRD-SPIKE-3**	Bird Spikes

* When ordering SiteSync at least one of these two interface options must be ordered per project.
\+ Available as a SiteSync retrofit solution for fixtures with an existing 7-pin receptacle.

Hubbell Control Solutions — Accessories (Sold Separately)

NX Distributed Intelligence™

☐	**NXOFM-1R1D-UNV**	On-fixture Module (7-pin), On / Off / Dim, Daylight Sensor with HubbNET Radio and Bluetooth® Radio, 120–480VAC

wiSCAPE® Lighting Control

☐	**WIR-RME-L**	On-fixture Module (7-pin or 5-pin), On / Off / Dim, Daylight Sensor with wiSCAPE Radio, 110–480VAC

For additional information related to these accessories please visit www.hubbellcontrolsolutions.com. Options provided for use with integrated sensor, please view specification sheet ordering information table for details.

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HUBBELL Lighting

VIPER S

SMALL VIPER LUMINAIRE

CONTROLS

SiteSync — Precommissioned Ordering Information:
When ordering a fixture with the SiteSync lighting control option, additional information will be required to complete the order. The SiteSync Commissioning Form or alternate schedule information must be completed. This form includes Project location, Group information, and Operating schedules. For more detailed information please visit the SiteSync family page on our website or contact Hubbell Lighting tech support at 864-678-1000.

SiteSync fixtures with Motion control (SWPM) require the mounting height of the fixture for selection of the lens.

Examples: VP-L/80L-235/4K7/3/UNV/A/DB/SWP/ SiteSync only
VP-L/80L-235/4K7/3/UNV/A/DB/SWPM-40F/ SiteSync with Motion Control

SiteSync 7-Pin Module:
- SiteSync features in a new form
- Available as an accessory for new construction or retrofit applications (with existing 7-Pin receptacle)
- Does not interface with occupancy sensors

SW7PR

NX Distributed Intelligence™ Lighting Controls:
Supports both indoor and outdoor applications in a variety of deployment options: wired, wireless and hybrid.
Integrates with and enables a wide array of luminaires including those with SpectraSync Color Tuning Technology.

NX Integrated Controls Reference								
NX Option	Sensor	Networkable	Scheduling	Occupancy	Daylight Harvesting	0–10V Dimming	On/off Control	Bluetooth® App Programming
NX Networked – Wireless								
NXOFM-1R1D-UNV	SCLNX	Yes	Yes	Yes	Yes	Yes	Yes	Yes, Bluetooth App

wiSCAPE™:
Supports remote management, monitoring and metering of outdoor wireless lighting applications such as smart campuses, smart cities, parking lots, parking lots and roadways.

wiSCAPE Reference								
wiSCAPE Option	Sensor	Networkable	Scheduling	Occupancy	Daylight Harvesting	0–10V Dimming	On/off Control	Bluetooth® App Programming
Networked – Wireless								
WIR-RME-L	WIR-RME-L	Yes	Yes	No	Yes	Yes	Yes	wiSCAPE Gateway

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DATE: LOCATION:

TYPE: PROJECT:

CATALOG #:

VIPER S

SMALL VIPER LUMINAIRE

DELIVERED LUMENS

				5K (5000K nominal, 70 CRI)					4K (4000K nominal, 70 CRI)					3K (3000K nominal, 70 CRI)				
# of LEDs	DRIVE CURRENT (mA)	SYSTEM WATTS	DISTRIBUTION TYPE	LUMENS	LPW	B	U	G	LUMENS	LPW	B	U	G	LUMENS	LPW	B	U	G
24	700 mA	55W	FR	6357	118	1	0	1	6486	120	1	0	1	5804	107	1	0	1
			2	6132	114	1	0	1	6257	116	1	0	2	5599	104	1	0	1
			3	6015	111	1	0	2	6137	114	1	0	2	5492	102	1	0	2
			4	5921	110	1	0	2	6034	112	1	0	2	5400	100	1	0	2
			4W	5793	108	1	0	2	5909	110	1	0	2	5272	98	1	0	2
			5QM	6022	112	2	0	1	6145	114	2	0	1	5499	102	2	0	1
			5R	6063	112	3	0	3	6187	115	3	0	3	5536	103	3	0	3
			5W	5908	109	3	0	1	6028	112	3	0	1	5908	102	3	0	1
			TC	6183	113	1	0	1	6309	118	1	0	1	5645	105	1	0	1
36	560 mA	65W	FR	7864	121	1	0	1	8041	124	1	0	1	7189	111	1	0	1
			2	7586	117	1	0	2	7757	119	1	0	2	6934	107	1	0	2
			3	7441	114	1	0	2	7609	117	1	0	2	6802	105	1	0	2
			4	7317	110	1	0	2	7482	112	1	0	2	6688	100	1	0	2
			4W	8690	108	1	0	2	8864	110	1	0	2	7908	98	1	0	2
			5QM	7450	115	3	0	1	7618	117	3	0	1	6810	105	3	0	1
			5R	7501	115	3	0	3	7670	118	3	0	3	6857	105	3	0	3
			5W	7309	112	3	0	2	7473	115	3	0	2	6681	103	3	0	1
36	700 mA	80W	FR	9535	118	1	0	1	9730	120	1	0	1	8706	107	1	0	1
			2	9197	114	1	0	2	9385	116	1	0	2	8398	104	1	0	2
			3	9022	111	1	0	2	9206	114	1	0	2	8238	102	1	0	2
			4	8871	110	1	0	2	9052	112	1	0	2	8100	100	1	0	2
			4W	11587	108	1	0	3	11819	110	1	0	3	10544	98	1	0	3
			5QM	9033	112	3	0	1	9217	114	3	0	1	8248	102	3	0	1
			5R	9095	112	3	0	3	9280	115	3	0	3	8304	103	3	0	3
			5W	8861	109	3	0	2	9043	112	3	0	2	8092	100	3	0	2
			TC	9275	115	1	0	1	9464	118	1	0	1	8468	105	1	0	1
48	700 mA	110W	FR	12713	118	1	0	1	12973	120	2	0	1	11608	107	1	0	1
			2	12263	114	2	0	2	12513	116	2	0	2	11197	104	2	0	2
			3	12029	111	2	0	2	11275	114	2	0	2	10984	102	1	0	2
			4	11828	110	1	0	3	12069	112	1	0	3	10800	100	1	0	2
			4W	14484	108	2	0	4	14774	111	2	0	4	13180	98	2	0	3
			5QM	12044	112	3	0	2	12290	114	3	0	2	10997	102	3	0	1
			5R	12126	112	3	0	3	12374	115	3	0	3	11072	103	3	0	3
			5W	12126	109	4	0	2	12057	112	4	0	2	10789	100	4	0	2
			TC	12366	115	1	0	2	12619	118	1	0	2	11290	105	1	0	2
60	700 mA	136W	FR	15891	117	2	0	2	16216	120	2	0	2	14511	107	2	0	1
			2	15329	113	2	0	2	15642	116	2	0	2	13997	103	2	0	2
			3	15037	111	2	0	3	15344	113	2	0	3	13730	101	2	0	3
			4	14784	109	1	0	3	15086	111	1	0	3	13500	100	1	0	3
			4W	14802	109	2	0	3	15104	112	2	0	3	13515	100	2	0	3
			5QM	15055	111	3	0	2	15362	114	3	0	2	13747	102	3	0	2
			5R	15158	112	4	0	4	15469	114	4	0	4	13841	102	4	0	4
			5W	14781	109	4	0	2	15083	111	4	0	2	13495	100	4	0	2
			TC	15458	115	1	0	2	15834	118	1	0	2	14113	105	1	0	2

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HUBBELL Lighting

DATE: | LOCATION:

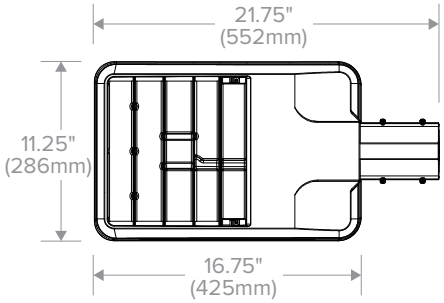
TYPE: | PROJECT:

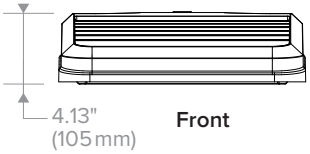
CATALOG #:

VIPER S

SMALL VIPER LUMINAIRE

DIMENSIONS

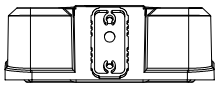




Weight	15.0 lbs (6.8 kg)
EPA	.67 ft²

A Arm (formerly RA)

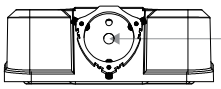
Side View



Back View

MAF (formerly SF2)

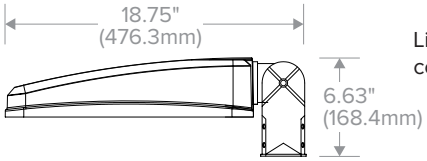
Side View



Back View

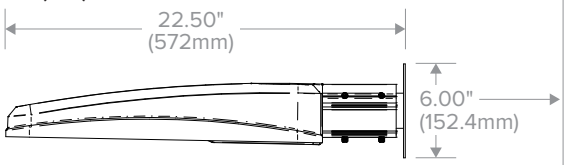
Accepts 2⅜" OD tenon, min 5" long.

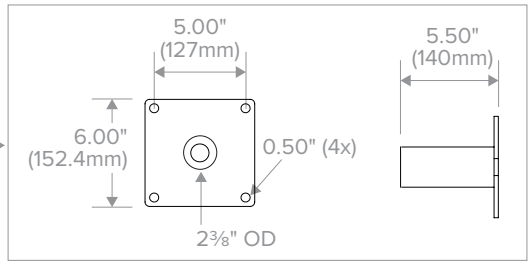
2⅜" Adjustable Knuckle (K) (formerly PK2)



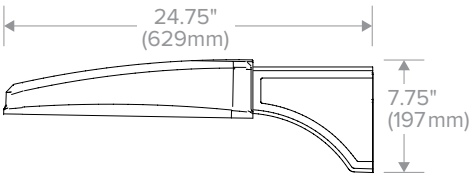
Limit to 30° tilt. Sensor, photocell and wireless controls should not be tilted above horizontal.

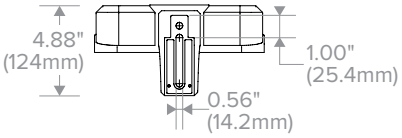
Wall Bracket (WB)





AD Decorative Arm





See page 9 for mounting details.

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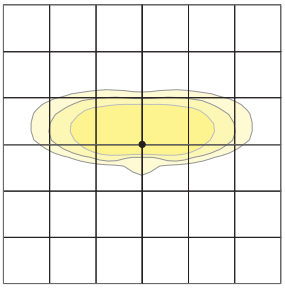
VIPER S

SMALL VIPER LUMINAIRE

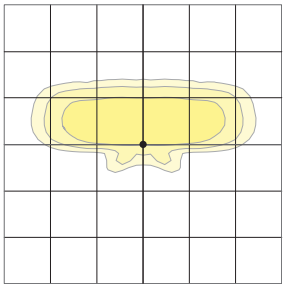
PHOTOMETRY

The following diagrams represent the general distribution options offered for this product. For detailed information on specific product configurations, see website photometric test reports.

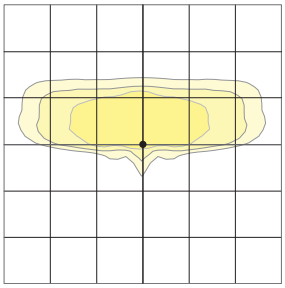
Type FR – Front Row/Auto Optic



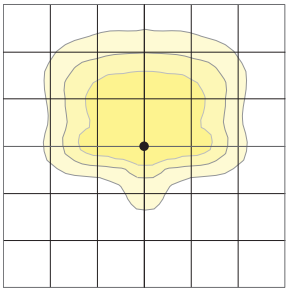
Type 2



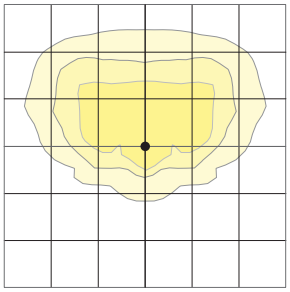
Type 3



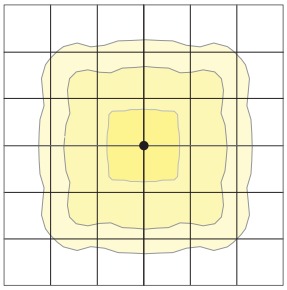
Type 4



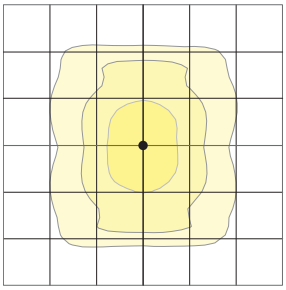
Type 4 Wide



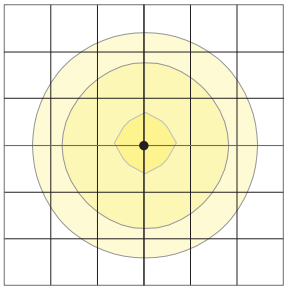
Type 5QM



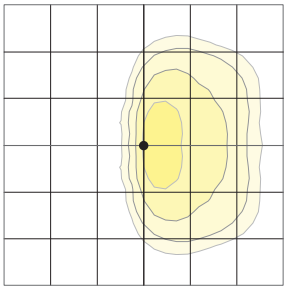
Type 5R (rectangular)



Type 5W (round wide)



Type TC



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VIPER S

SMALL VIPER LUMINAIRE

ELECTRICAL DATA

# OF LEDS	NUMBER OF DRIVERS	DRIVE CURRENT (mA)	INPUT VOLTAGE (V)	SYSTEM POWER (w)	CURRENT (Amps)
24	1	700 mA	120	55	0.5
			277		0.2
			347		0.2
			480		0.1
36	1	525 mA	120	65	0.65
			277		0.28
			347		0.22
			480		0.16
		700 mA	120	80	0.7
			277		0.3
			347		0.2
			480		0.2
48	1	700 mA	120	110	0.9
			277		0.4
			347		0.3
			480		0.2
60	1	700 mA	120	136	1.1
			277		0.5
			347		0.4
			480		0.3

PROJECTED LUMEN MAINTENANCE						
Ambient Temp.	0	25,000	50,000	TM-21-11 60,000[1]	100,000	Calculated L70 (HOURS)
25°C / 77°C	1	0.97	0.95	0.95	0.92	>377,000

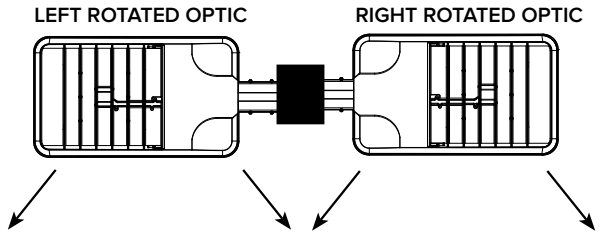
1 Projected per IESNA TM-21-11.
Data references the extrapolated performance projections for the 60 LED base model in a 25°C ambient, based on 10,000 hours of LED testing per IESNA LM-80-08.

LIFESHIELD™ CIRCUIT

Protects luminaire from excessive temperature. The device activates at a specific, factory-preset temperature and progressively reduces power over a finite temperature range. Operation is smooth and undetectable to the eye. Thermal circuit is designed to “fail on”, allowing the luminaire to revert to full power in the event of an interruption of its power supply or faulty wiring connection to the drivers. The device can co-exist with other 0–10V control devices (occupancy sensors, external dimmers, etc.)

ADDITIONAL INFORMATION

ROTATION OPTIONS



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HUBBELL Lighting

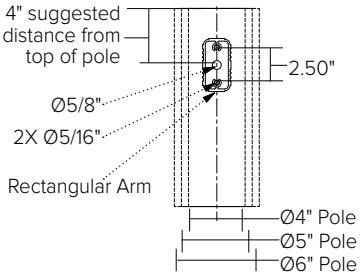
VIPER S

SMALL VIPER LUMINAIRE

ADDITIONAL INFORMATION (CONTINUED)

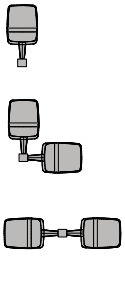
DRILL PATTERN

RECTANGULAR ARM (A)
Compatible with Pole drill pattern B3

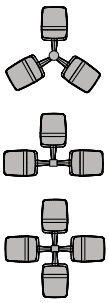


EPA

Config.	EPA
1	.67
2 @ 90˚	1.06
2 @ 180˚	1.34



Config.	EPA
3 @ 120˚	1.68
3 @ 90˚	1.73
4 @ 90˚	2.12

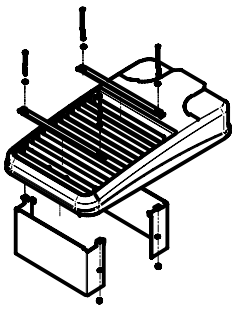


TENON TOP POLE BRACKET ACCESSORIES (ORDER SEPARATELY)

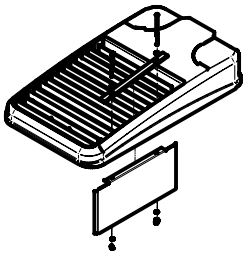
(2 3/8" OD tenon)

TENON TOP POLE BRACKET ACCESSORIES (Order Separately)	
☐ **SETAVP-XX**	Square tenon adapter (4 at 90°) for A - Rectangular Arm mounting option only
☐ **RETAVP-XX**	Round tenon adapter (4 at 90°) for A - Rectangular Arm mounting option only
☐ **SETA2XX**	Square tenon adapter (4 at 90°) for AD - Universal Arm mounting option only
☐ **RETA2XX**	Round tenon adapter (4 at 90°) for AD3 - Universal Arm mounting option only

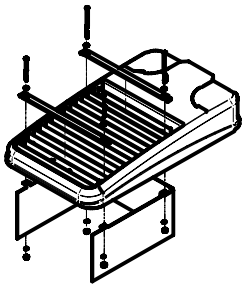
HOUSE SIDE SHIELD FIELD INSTALL ACCESSORIES



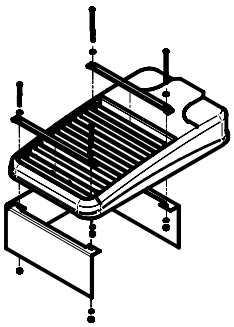
HSS/VP-S/90-FB/XXX
90° shield front or back
(2 shields shown)



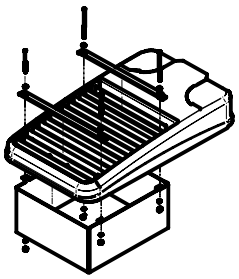
HSS/VP-S/90-LR/XXX
90° shield left or right
(1 shield shown in left orientation)



HSS/VP-S/270-FB/XXX
270° shield front or back
(1 shield shown in back orientation)



HSS/VP-S/270-LR/XXX
270° shield left or right
(1 shield shown in right orientation)



HSS/VP-S/360/XXX
Full shield
(1 shield shown)

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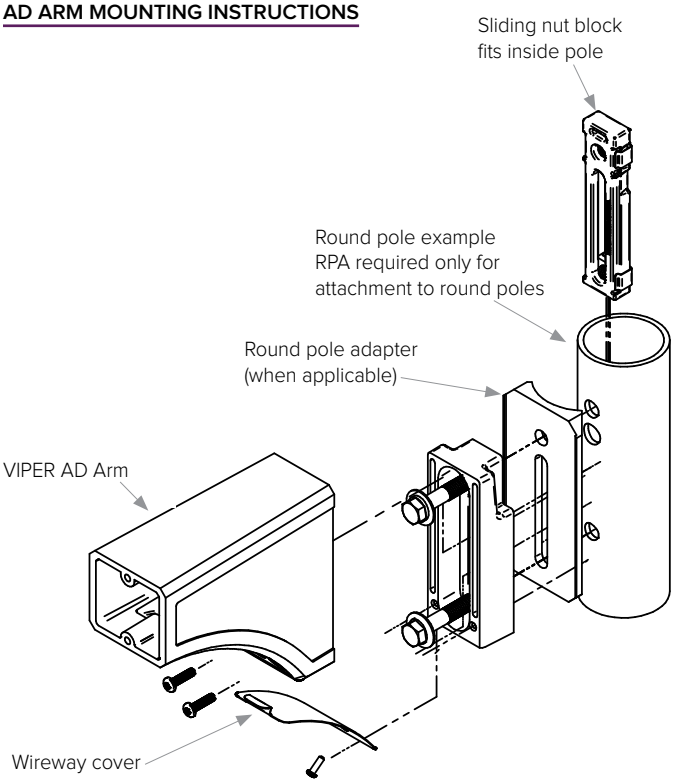
HUBBELL Lighting

VIPER S

SMALL VIPER LUMINAIRE

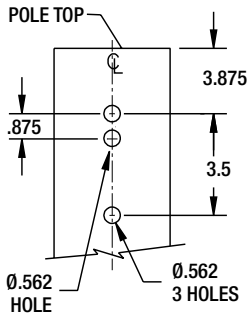
ADDITIONAL INFORMATION (CONTINUED)

AD ARM MOUNTING INSTRUCTIONS



DECORATIVE ARM (AD)

Compatible with pole drill pattern S2



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Cypher™ – CY1 Accent Scale

TYPE

FEATURES

- Integral Battery Backup Option
- 360° Light Distribution
- RGBW or Static White Luminous Front Option
- IES Type I, II, III & IV Distributions
- Wall Graze, Spot and Pencil Distributions
- Multiple Fascia Options and Finishes
- 0-10V dimming
- IP-66 Housing & Optical System
- 120-277V
- 3000K, 4000K & 5000K CCT
- 10kA Surge Protection
- Fascia Forms F, E and T are ADA compliant for use in low mounting height applications (80 inches or less)
- IDA approved, downlight only, 3000K and warmer CCTs

Downlight only, 3000K and warmer CCTs

ORDERING CODE

1	2	3	4	5	6	7	8	9	10	11	12
Series-Output	CCT/CRI	Model	Main Distribution	Secondary Distribution	Voltage	Housing Finish	Fascia Form	Luminous Front	Fascia Panel	Control Options	Options

SERIES-OUTPUT (Base)

CY1-15	15w, 1500 nominal lumens
CY1-25	25w, 2500 nominal lumens

CCT-CRI

27K8	2700K, 80CRI
3K7	3000K, 70CRI
3K8	3000K, 80CRI
4K7	4000K, 70CRI
4K8	4000K, 80CRI
5K7	5000K, 70CRI

MODEL (Light Engine)

1	DownLight Only
2	50/50 Down/Up, **Down/Up distributions must match**
3	90/10 Down/Up
4	25/25/25/25 Split, **Down/Up/ Side distributions must match**
5	70/10/10/10 Split, **Top/Side distributions must match**

Contact factory for custom distributions,
See Distribution Matrix on page 2 for restrictions.

MAIN DISTRIBUTION (Down)

1	IES Type I
2	IES Type II
3	IES Type III
4	IES Type IV
SP	15° Spot/Column
WG	60° Wall Graze
1D	Type 1 Diffused
2D	Type 2 Diffused
3D	Type 3 Diffused
4D	Type 4 Diffused

SECONDARY DISTRIBUTION (Up, Sides)

1	IES Type I
2	IES Type II
3	IES Type III
4	IES Type IV
SP	15° Spot/Column
WG	60° Wall Graze
PB*	Pencil Beam
1D	Type 1 Diffused
2D	Type 2 Diffused
3D	Type 3 Diffused
4D	Type 4 Diffused

** PB distribution is available for 90/10 and 70/10/10/10 models only. Not all combinations are recommended. See Distribution Matrix on page 2 for restrictions.*

VOLTAGE

UNV	120-277V

BASE HOUSING FINISH

Standard Colors

AGN	Antique Green
BL	Black
BLT	Matte Black
CRT	Corten
DB	Dark Bronze
DGN	Dark Green
GT	Graphite
LG	Light Grey
MAL	Matte Aluminum
MDB	Metallic Bronze
MG	Medium Grey
TT	Titanium
VBU	Verde Blue
WDB	Weathered Bronze
WH	Arctic White

Premium Colors

SFM	Seafoam
SHK	Shamrock
SPP	Salt and Pepper
WCP	Weathered Copper
RAL	Provide a RAL 4 digit color number
CUSTOM COLOR	Please provide color chip for matching

FASCIA FORM

F	Flat
R	Radius/Curved
T	Triangle/Wedge
E	Rounded Edge
C	Circle/Curved
CB	Cylinder Balanced
CT	Cylinder Tall
CBM	Custom Building Material Mount Ghost Fascia

LUMINOUS FRONT

BLANK	Standard None
RGBW	RGBW Luminous Front
LFSW	Static White Luminous Front

RGBW and LFSW luminous fronts are only available with open, four square and perforated fascia panels

FASCIA PANEL

FPP	Full Panel Painted
FPS	Full Panel Stainless Steel
FPC	Full Panel Copper
OPP	Open Panel Painted
OPS	Open Panel Stainless Steel
OPC	Open Panel Copper
4PP	4-Square Panel Painted
4PS	4-Square Panel Stainless Steel
4PC	4-Square Panel Copper
PPP	Perforated Panel Painted
PPS	Perforated Panel Stainless Steel
PPC	Perforated Panel Copper

Flat and Radius Fascia forms only. Painted panels by default match base housing finish/color. Consult factory for custom panel finishes.

CONTROL OPTIONS

PCU	Universal Button Photocell (120-277V)

OPTIONS

EM	Battery Backup Unit -20°C
SF	Single Fuse (120, 277)
DF	Double Fuse (208, 240)

Battery Backup not available with Triangle and Rounded Edge Fascia Forms.

architectural area lighting
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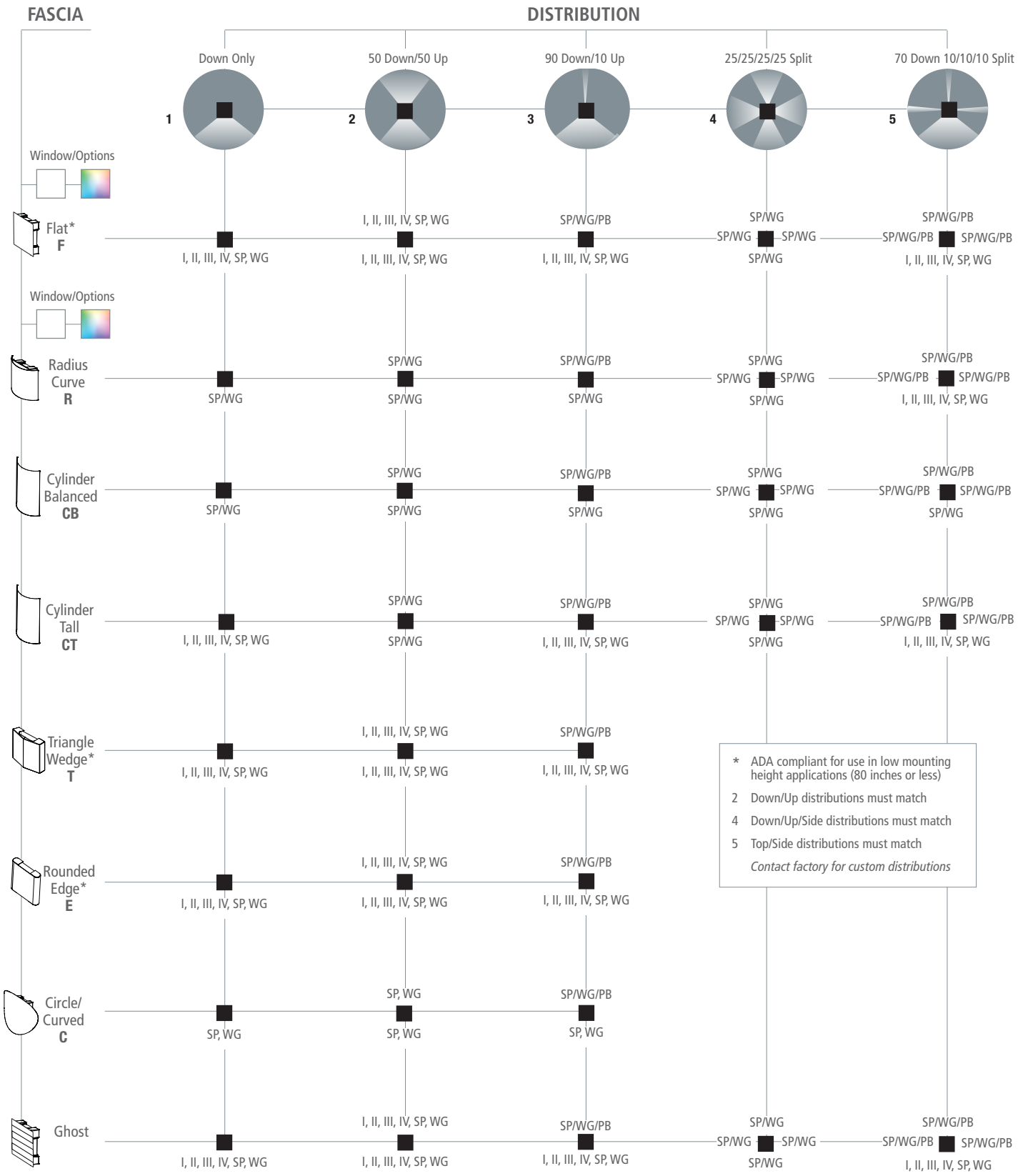
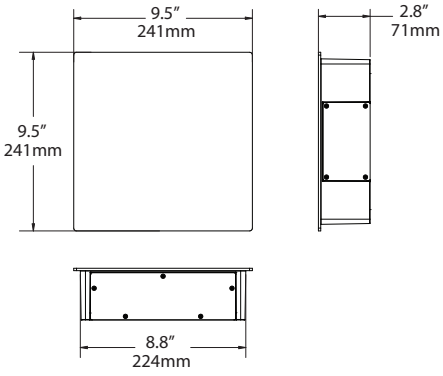
JOB
TYPE
NOTES

Distribution Matrix

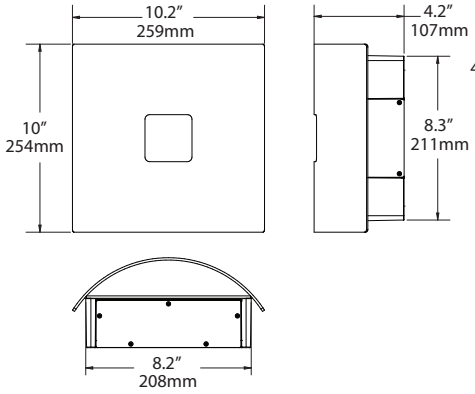


Drawings

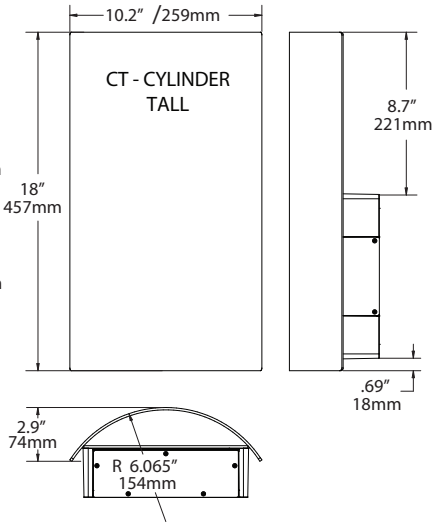
F - FLAT
ADA approved.



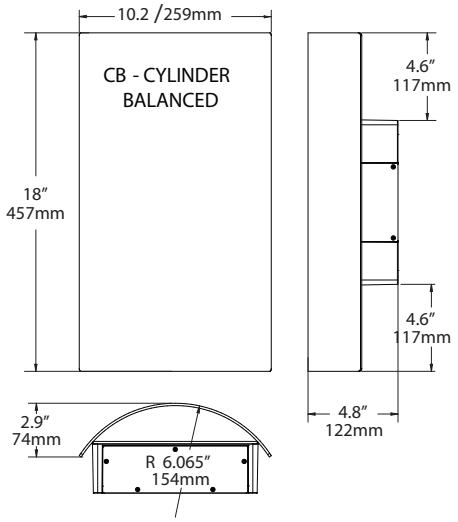
R - RADIUS/CURVED



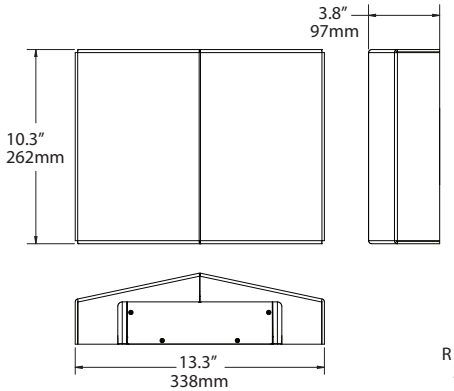
CT - CYLINDER TALL



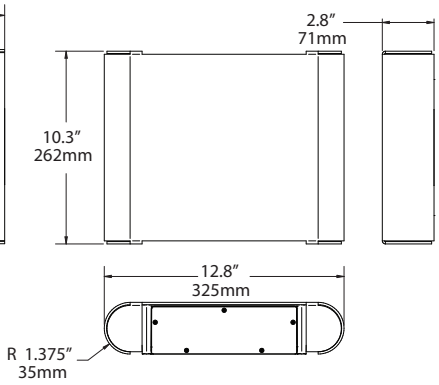
CB - CYLINDER BALANCED



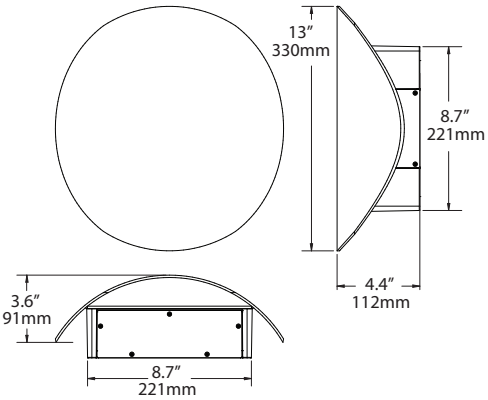
T - TRIANGLE/WEDGE
ADA approved.



E - ROUNDED EDGE
ADA approved.



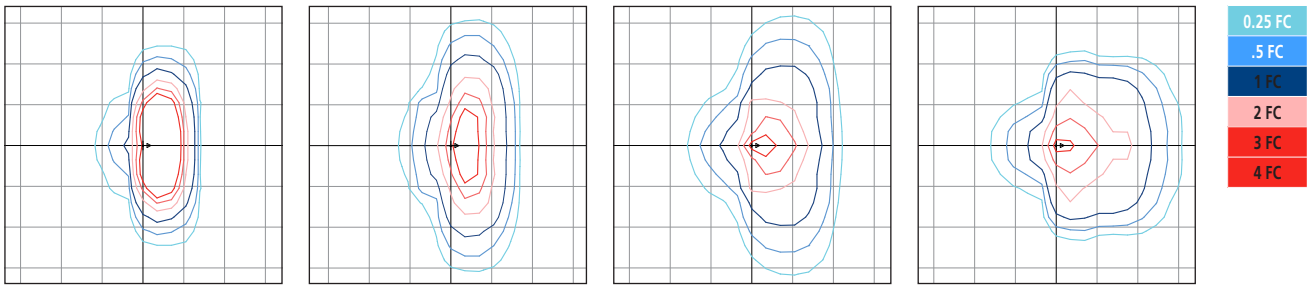
C - CIRCLE/CURVED



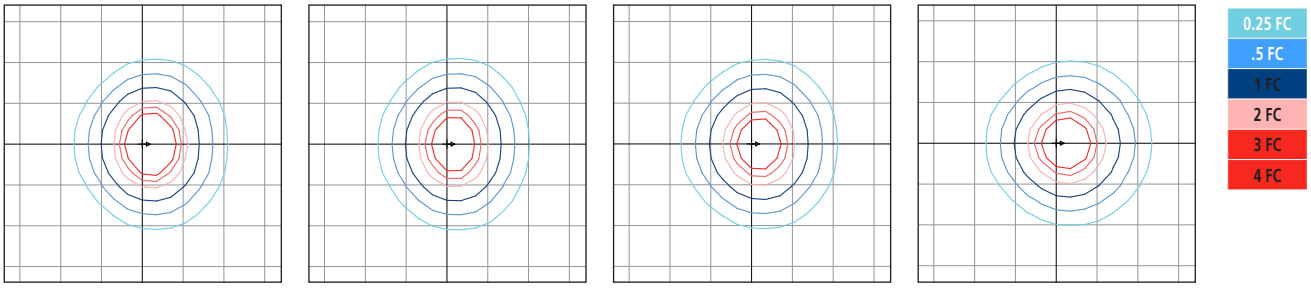
LUMINAIRE PERFORMANCE

Downlight only			Configuration														
			Bright White (5000K)					Neutral White (4000K)					Warm White (3000K)				
Nominal Output (Lm)	Average System Wattage	Distribution	Delivered Lumens	Efficacy (Lm/W)	BUG Rating			Delivered Lumens	Efficacy (Lm/W)	BUG Rating			Delivered Lumens	Efficacy (Lm/W)	BUG Rating		
					B	U	G			B	U	G			B	U	G
			5000K 70 CRI					4000K 70 CRI					3000K 70 CRI				
1,500	17	Type 1	1923	113	0	0	0	1928	113	0	0	0	1825	107	0	0	0
		Type 2	1726	102	0	0	0	1730	102	0	0	0	1638	96	0	0	0
		Type 3	1750	100	0	0	1	1755	103	0	0	1	1661	98	0	0	1
		Type 4	1757	103	0	0	0	1762	104	0	0	0	1668	98	0	0	0
		Wall Graze	1971	114	1	0	0	1976	116	1	0	0	1871	110	1	0	0
		Spot/Column	1792	103	2	0	0	1797	106	2	0	0	1701	100	2	0	0
		Type 1 Diffused	1629	96	1	0	0	1634	96	1	0	0	1547	91	1	0	0
		Type 2 Diffused	1573	93	1	0	1	1577	93	1	0	0	1493	88	1	0	0
		Type 3 Diffused	1425	84	1	0	0	1429	84	1	0	0	1353	80	1	0	0
		Type 4 Diffused	1602	94	1	0	1	1607	95	1	0	0	1521	89	1	0	0
			5000K 70 CRI					4000K 70 CRI					3000K 70 CRI				
2,500	26	Type 1	2517	96	0	0	0	2524	97	0	0	0	2390	92	0	0	0
		Type 2	2233	85	1	0	1	2239	86	1	0	1	2120	82	1	0	1
		Type 3	2229	85	1	0	1	2236	85	1	0	1	2117	80	1	0	1
		Type 4	2319	88	1	0	1	2325	89	1	0	1	2201	85	1	0	1
		Wall Graze	2744	104	2	0	0	2752	106	2	0	0	2605	100	2	0	0
		Spot/Column	2471	94	2	0	0	2478	95	2	0	0	2346	90	2	0	0
		Type 1 Diffused	2344	89	1	0	1	2350	90	1	0	1	2225	86	1	0	1
		Type 2 Diffused	2062	79	1	0	1	2068	80	1	0	1	1958	75	1	0	1
		Type 3 Diffused	2050	78	1	0	1	2056	79	1	0	1	1946	75	1	0	1
		Type 4 Diffused	2123	80	1	0	1	2129	82	1	0	1	2016	78	1	0	1

ISOLINE TEMPLATES 10' Mounting Height, 10' Grid Spacing



CY1-25-1-1 CY1-25-1-2 CY1-25-1-3 CY1-25-1-4



CY1-25-1-1D CY1-25-1-2D CY1-25-1-3D CY1-25-1-4D

ELECTRICAL CHARACTERISTICS

Lumen Package	System Wattage (W)	Line Voltage		Input				Min. Power Factor	Max THD (%)	Dimming Range	Source/Sink Current (mA)		Abosolute voltage range on 0-10v (+) Purple	
		VAC	Hz	120	277	347	480				Min.	Max.	Min.	Max.
1,500	17	120	50/60	0.1	0.1	0.0	0.0	>0.9	20	10% to 100%	0 mA	1 mA	0V	10V
2,500	26			0.2	0.1	0.1	0.1							

TM-21 LIFETIME CALCULATION (500mA)

Lumen Package	Ambient Environment °C	Projected Lumen Maintenance (Khrs)					Reported L70
		15	25	50	60 (TM-21)	100	
2,500	**25**	98%	97%	94%	92%	87%	>60Khrs.
	40	95%	93%	89%	87%	80%	

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SPECIFICATIONS

HOUSING

- Main housing shroud shall be of fabricated 5052-H32 aluminum alloy
- Housing mounting interface shall have a stamped silicone gasket.
- Luminaire housing shall be free of any visible heat fins, hardware or fasteners.
- Bracketry and hardware shall be stainless steel.

OPTICAL ARRAY

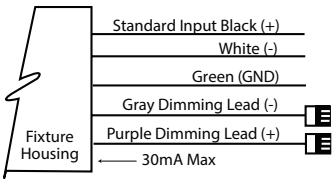
- LEDs shall be mounted to a metal printed circuit board assembly (MCPCB) with a uniform conformal coating over the panel surface and electrical features.
- Optical lenses shall be clear injection molded PMMA acrylic.
- Optical array shall be recessed in order to shield each LED optic across the length of the aperture.
- Optical array shall be sealed for IP66 rating.
- Secondary lens is impact resistant 5/32" tempered glass.

ELECTRICAL

- Drivers shall be in direct contact with the die-cast aluminum housing across the entire surface area of the widest face for maximum thermal transfer.
- "Thermal Shield", primary side, thermister provides protection for the sustainable life of LED module and electronic components.
- Drivers shall have greater than a 0.9 power factor, less than 20% harmonic distortion, and be suitable for operation in -40°C to 40°C ambient environments
- Luminaires shall have integral surge protection that shall be U.L. recognized and have a surge current rating of 10,000 Amps using the industry standard 8/20uSec wave and surge rating of 372J. Surge protection device shall be wired in series.
- Drivers shall be U.L recognized.
- Drivers shall not be compatible with current sourcing dimmers, consult factory for current list of known compatible dimming systems approved dimmers include Lutron Diva AVTV, Lutron Nova NFTV and NTFTV.
- Integral battery backup provides emergency path of egress lighting for the required 90 minutes for -20°C ambient environments.

SPECIFICATIONS

- Luminaire shall be capable of operating at 100% brightness in a 40°C environment. Both driver and optical array shall have integral thermal protection that will dim the luminaire upon detection of temperatures in excess of 85°C.
- Luminaires not configured with a control system shall be provided with 0-10 purple and gray dimming leads.



CONTROLS

- Button photocontrol for dusk to dawn energy savings
- PC12 for 120V, PC20 for 208V, PC24 for 240V, PC27 for 277V
- Photocell is factory installed inside the housing with a fully gasketed sensor on the side wall. For multiple fixture mountings, one fixture is supplied with a photocell to operate the others.

BLUETOOTH®

- RGBW option includes integral Bluetooth module, built into driver, that permits the adjustment of luminous front color when paired with Hubbell Remote App via cellular/ tablet device.
- Bluetooth Low Energy (BLE) or Bluetooth Smart compatible for both iOS (iOS8 and forward) and Android (Gingerbread and forward) handheld software applications. Compatible with phones and tablets.
- Free Bluetooth Apps are available for Apple iOS and Google Android mobile devices and are downloadable via the internet at Apple App Store or Google Play.

MOUNTING AND INSTALLATION

- JUNCTION BOX: Standard with zinc-plated, quick-mount junction box plate that mounts directly to 4" J-Box
- Mounting plate features a one-piece EPDM gasket on back side of plate to firmly seal fixture to wall surface, forbidding entry of moisture and particulates.
- Fixture attaches by two Allen-head hidden fasteners for tamper resistance.
- Optional mounting arrangements utilize a die-cast mounting adaptor to allow for surface conduit and through branch wiring.

SERVICING

- Housing shall be able to hang freely in an open service position for inspection of internal wire connections. Once in service position, the housing shall be able to be removed for service by lifting the assembly up off the rear mounting plate and disconnecting the wiring plugs.
- Driver assembly shall be mounted to a prewired internal tray with quick disconnects for removal.

FINISH

- Luminaire finish shall consist of a five stage pretreatment regimen with a polymer primer sealer, oven dry off, and top coated with a thermoset super TGIC polyester powder coat finish.
- Luminaire finish shall meet the AAMA 605.2 performance specification which includes passing a 3000 hour salt spray test for corrosion resistance.

CERTIFICATION

- Luminaire shall be listed with UL for outdoor, wet location use, UL1598, UL 8750 and Canadian CSA Std. C22.2 no.250.
- IP66 rated assembly
- IDA approved, 3000K and warmer CCTs only.
- DesignLights Consortium® (DLC) qualified. Please refer to the DLC website for specific product qualifications at www.designlights.org.
- ANSI C136.31-2010 4G Vibration tested and compliant.
- Complies with "Americans with Disabilities Act" or "ADA" on select versions for low mounting height applications (fixtures extend maximum of 4 inches from wall for mounting heights of 80 inches or less).

WARRANTY / TERMS AND CONDITIONS OF SALE

Download:
Five year limited warranty (for more information visit: http:// www.hubbelllighting.com/resources/warranty/

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JOB
TYPE
NOTES

Att. T

The following companies have been retained by the client.

Civil Engineering:
Walsh Engineering Associates, Inc.
One Karen Drive, Suite 2A
Westbrook, ME 04092

Architecture:
Whipple-Callender Architects (WCA)
136 Pleasant Avenue
Portland, ME 04103

Surveyor:
Stephen W. Everett
73 Pheasant Run Rd
East Waterboro, ME 04030

WALSH
ENGINEERING ASSOCIATES, INC.

Firm Qualifications

Walsh Engineering Associates Inc. (WEA) is a professional consulting engineering firm based in Westbrook, Maine. WEA offers civil engineering, environmental permitting, site planning, project feasibility analysis, landscape design, project management, and construction administration services. The firm was founded in 2009 by William R. Walsh, PE, who has been practicing engineering in New England for over 30 years. Grounded in technical strength, WEA provides expertise in all facets of site work development and construction.

In January 2018, Pinkham and Greer Civil Engineers merged with WEA. Tom Greer, the principal of P&G has joined WEA continuing to manage his client base. Tom brings to Walsh a depth of knowledge and over 35 years' experience as the principal of his company to WEA. Tom's experience in permitting and design for school districts, architects, private developers and industrial clients broadens WEA's capacity and technical knowledge.

The principal and staff have extensive experience in design, permitting (local, state and federal) and construction administration of a wide variety of projects throughout New England. We are licensed professional engineers, LEED Accredited Professionals and accomplished designers committed to the design of sustainable projects.

Walsh Engineering Associates Inc. approaches each project with the utmost concern and attention to detail that each client deserves. WEA prides itself in providing complete consulting services that will be designed, permitted and, most importantly, constructed. By following projects through construction, WEA provides continuity to projects that will serve the clients' best interests. We pride ourselves in being timely and responsive as well as practical in our designs.

The firm's primary services relate to the following types of projects:

- Master Planning
- Institutional Planning and Design
- Commercial Development
- Shoreline Stabilization
- Local, State, and Federal Permitting
- Roadway Design
- Columbarium Planning and Design
- Feasibility Studies
- Construction Management
- Residential Development
- Stormwater Management
- Environmental Permitting
- Utility Planning and Design
- Cemetery Design

73 Pheasant Run Road
East Waterboro, Me 04030

207-650-5216 (cell)
StephenWEverett@gmail.com

Stephen W. Everett PLS

Experience

2014-2020 **Self-employed as a Land Surveyor**

2006-2014 TRC Scarborough, ME

Senior Project Manager/ Senior Wetland Scientist

- Responsible for all surveys requiring a Professional Land Surveyors Certification. Boundary, Easement, Linear, Topographic. Drafting deed descriptions for real property and restrictive covenant easements for CMP and Bangor Hydro.
- Field Wetland Crew Lead for Delineations and Vernal Pool Studies for Spectra Pipelines.
- Wetland Mitigation Design, Design-builds and Inspections.

1996–2006 NDT/HDR Portland, ME

Professional Land Surveyor/ Senior Ecological Scientist

- Lead Surveyor on all related projects, mostly Engineering Support including Boundary, Topographic, Bathometric and Easements. Managed all Survey related activities associated with Maine Independent Station in Veaze, ME for Duke Energy.
- Responsible for the Wetland and RTE species section of the Lake of the Ozarks Hydro Relicensing.
- AutoCad Wetland Mitigation Designs, and Inspections for MEDOT for the rebuilding of Rt. 9.

1994–1996 Enterprise Engineering/Owen Haskell Yarmouth, ME

Cad Designer/Professional Land Surveyor

- GPS Dept. Supervisor doing Aerial Control Surveys for Municipal GIS at Owen Haskell
- Field Tank Inspections
- Cad Designer for underground fuel storage for the U.S. Government
-

Education

1971-1972 Paul Smith's College Paul Smith's NY

- Associates Degree in Liberal Arts

1974-1977 Weber State University Ogden, UT

- B.S. Degree in Zoology

ABOUT THE FIRM

Whipple|Callender Architects links innovation, sustainability, and wellness in all our building designs. We are dedicated to creating inspired environments by collaborating with our clients to clarify to their needs, transform how they work, and redefine their future. Our mission is to make your business more successful, increase staff satisfaction, and look to save costs over a building's life space through sustainable building approaches.

The uniqueness of each of our projects requires us to make proactive design decisions to create healthy environments, while meeting budget and schedule goals. We work with our clients to determine what sustainable and green architectural design considerations would be most beneficial. That fundamental commitment to the environment and the building occupants, informs intelligent design and guides the transformation of how people work in a more healthy and productive work space.

While specializing in Medical Office spaces, our diverse commercial building portfolio ranges from offices to restaurants, and beauty salon suites to assisted living facilities. Our Medical Office portfolio has focused on the patient experience while enhancing the staff productivity through thoughtful design to streamline their work processes.

Based in Portland since 1991, Whipple | Callender Architects is comprised of collegial, collaborative and experienced design professionals. Our staff is a combination of licensed architects, intern architects, and LEED accredited Building Design and Construction (BD+C) professionals.

John W. Whipple, Partner
M.A., Architecture, Yale School of Architecture, 1973
B.A., English, Lawrence University, 1967
Officer Commission, Army O.C.S., Fort Benning, GA 1970
Maine #889, issued 1977

Anne E. Callender, Partner
B.A., Architecture, Rhode Island School of Design, 1984
B.F.A., Architecture, Rhode Island School of Design, 1983
Maine #1861, issued 1991; LEED AP BD+C, 2009

Joseph A. Delaney, Licensed Architect
B.A., Architecture, Rhode Island School of Design, 1985
B.F.A., Architecture, Rhode Island School of Design, 1982
Maine #1722, issued 1989; LEED AP BD+C, 2009

Nicholas P. Canedy, Intern Architect
B.A., Biochemistry, Bowdoin College, 2001
M.A., Architecture, Virginia Tech, 2008

Catherine Callender, Architectural Designer
Carnegie Mellon University, 1986
Boston Architectural College, 2008

Jack C. Riley, Intern Architect
B.A., Architecture, Wentworth Institute of Technology, 2017
M.A., Architecture, Wentworth Institute of Technology, 2018

PC1

Portland Maine Yes. Google's good here.

Christian Roadman <croadman@portlandmaine.gov>

844 Stevens Avenue

Parker, Janet <janet.parker@maine.gov> Fri, Jun 5, 2020 at 10:49 AM
To: "kcook@portlandmaine.gov" <kcook@portlandmaine.gov>
Cc: "planningboard@portlandmaine.gov" <planningboard@portlandmaine.gov>, "croadman@portlandmaine.gov" <croadman@portlandmaine.gov>

June 5, 2020

Kimberly Cook

Portland City Councilor, District 5

Dear Ms Cook,

I am writing to you as our City Council representative for District 5. I have been a resident of Mayfield Street for over 20 years. Many neighbors are long-term residents as well. This is a quiet, stable, residential area, a very pleasant and isolated neighborhood.

I have two concerns that have arisen due to the proposed development at 844 Stevens Avenue. One set of concerns is about the development itself. The second is about Morrill's Corner traffic. I would like to share my concerns with you, and as our representative to the City ask that you consider the needs, wants, and opinions of us who are closest to both the proposed development and Morrill's Corner.

I will be participating in the planning process and request that you attend as well. The next meeting is a virtual planning workshop on June 9th.

First I will discuss my concerns with the proposed development. The plans we were shown look nice enough from Stevens Avenue, but none of the drawings showed Mayfield Street, nor the perspective of the development from Mayfield Street or Bishop Street. (There was one drawing of the development from across Bishop Street, but not from further down Bishop Street.) It is as if we do not exist, the developer has erased us from the picture, we are not included in their review, we are ignored. I would like the developer to include Mayfield Street and our homes in the drawings.

This brings me to my second concern. The development is too big and too close. The proposed building is planned to be 4 stories high. That is twice the height of our homes and will tower over us. Only the existing building is close to that height at 3 stories and is located on Stevens Avenue. The new building will be almost twice as large in the footprint as well as height and will be off Bishop Street and adjacent to the homes on Mayfield Street. This large building is out of scale with the existing buildings. The apartments proposed for this building will have a direct view into our homes and yards, invading our privacy like a peeping Tom. The developer did say they will use directed lighting that will not shine in our yards and homes. That is very important in our family-friendly neighborhood. I would like to see the development plan include the scale differences between the proposed development and the existing neighborhood, and to show the proximity of the new building to the existing homes. I feel the new building should not exceed 3 stories and should be moved closer to Stevens Avenue.

The next concern is the traffic and parking. The proposed development includes 21 housing units, some of which will be 2 bedroom units. With at least one vehicle per unit, that would mean they would need 21 parking places for residents. They also plan business uses which will require parking. The plan shows only 23 on-site parking places. That is not sufficient parking for the planned uses. This indicates that residents and businesses will likely park on Bishop Street and possibly Mayfield Street. There is not enough parking available for the planned uses.

Another concern is the traffic at Morrill's Corner. The developer indicated that the City intends to make Bishop Street one-way. The City has not included us, those closest and who probably use the intersection more than anyone else, asking us what we think. Again, we are being ignored. I have many suggestions for improving traffic at Morrill's Corner.

The green arrow directing traffic onto Stevens Avenue is not appropriate. Many drivers do not stop for it, using it like a 'right on red' and swiftly proceed up the road. Stevens Avenue has several traffic calming raised crosswalks. If the City is trying to calm traffic, then why are they speeding it just before? This light should be removed.

There should be a designated left turn from both Stevens Avenue and Forest Avenue. This will require stopping inbound traffic at the intersection, which will also calm traffic, and allow us to turn down Bishop Street safely.

The green light at Bishop Street is too short, about 3 cars can get through if Forest Avenue is clear. Coming from the gas station across the street and trying to go down Bishop Street, using the green light to proceed, is nearly impossible. Traffic outbound on Forest Avenue does not stop for the red light there and runs through the green light we have. I have almost had several accidents at this location for exactly that reason – running the red light on Forest Avenue.

I understand that this is a difficult situation. But it seems as though the City is making plans without considering what the residents need. I did attend a planning meeting quite a while ago concerning the Forest Avenue corridor. It looked like the plan is to speed traffic through this intersection which is not compatible with the residential areas that need to safely access the road. Again, the City is ignoring the residents and their needs.

In closing, I request that you attend the planning meetings for this development. I invite you to visit our neighborhood and envision yourself living here and consider the effect of this development if you lived here. I welcome an opportunity to discuss this further with you. I can be reached at 797-7165, or jpparker2011@gmail.com.

Thank you very much,

Janet Parker

9 Mayfield Street

Portland, Maine 04103

Cc: Christian Roadman, Planner, Portland Planning Department

Portland Maine Yes. Google's good here.

Christian Roadman <croadman@portlandmaine.gov>

844 Stevens Ave PL-000961-2020

Jessica Van Dyke <jlvandyke@gmail.com> Fri, Jun 5, 2020 at 11:27 AM
To: planningboard@portlandmaine.gov, croadman@portlandmaine.gov
Cc: kcook@portlandmaine.gov

Dear Members of the Planning Board of the City of Portland,

I would like to take this opportunity to express concerns regarding proposed development at 844 Stevens Avenue. Of note, I would wish to be clear that I do not oppose conversion of this property to residential use. The property is currently unattended and poorly monitored and as such has been used recently and over the past few years for illegal dumping of trash and bulky items and as a private space to inject illicit substances, consume alcohol, publicly defecate and camp overnight. A well maintained and safely monitored residential building should deter those activities.

My primary concern relates to the scale of the proposed new 16 unit building.

1. There are no comparable existing 4 story buildings in the area. The proposed building is vastly out of scale with existing abutting residential zone as well as existing businesses anywhere nearby. While consideration is noted to the visual impact from Bishop Street and Stevens Ave, none is given to the residential neighborhood that abuts the property. The new building would be located at the rear of the property and therefore does not contribute to the desired street wall.
2. The height of the building will impact properties in the adjacent residential zone on Mayfield Street including loss of sunlight to neighboring properties, increased light and noise pollution (see plans to locate HVAC to residential boarder of the property to remediate noise impact?) and great loss of privacy via the recessed rear deck (existing 6 foot privacy fence at 6 Mayfield will provide no privacy from deck elevation) as well as 3rd and 4th story windows.
3. Parking is a huge concern for our existing neighborhood residents. The plan for 7 two bedroom units and 9 one bedroom market rate apartments in the new structure as well as the apartments (5?) and businesses in the existing structure. It is reasonable to expect that residents of many of the proposed units will require parking for multiple vehicles. The site plans for 22 parking spots for both residents and business owners/customers. This is simply not adequate. One can presume as demand cannot be met onsite, overflow will creep onto Bishop street (which is not currently signed for parking and even now presents a hazard to pull onto from Mayfield Street) and onto Mayfield Street. As a dead-end street with 100 year old homes, we rely heavily on on-street parking availability in front of our homes. This concern has been addressed in the past by UNE development and UNE created campus parking shuttle solutions. Unlike students, residents would be presumably be able to apply and receive parking permits for neighborhood parking on Mayfield Street. Persons seeking parking on Mayfield who do not live here will increase traffic to our dead end neighborhood that is more than half comprised of young families and homes with children and this presents and increased risk for the safety of children at play and awaiting school buses.
4. Traffic on Bishop Street from Warren, Forest and Stevens Avenues is already a safety concern. The intersection at Morrill's Corner is dicey at best as the red lights are often run drivers, intersections are frequently blocked and traffic barrels down Bishop toward the intersection to try to catch a green light. The proposed new building will add to that burden. Please also consider the frequency with which Emergency Services/First Responders need to access Bishop street to service Huston Commons and Pine Tree Rehab. Their response time and safety cannot be allowed to be compromised as they serve these sites on a nearly daily basis.

I feel that it would be a mistake to negatively impact existing neighborhood communities, even a small one such as ours. We look out for each other, respect our neighbors and local businesses and keep well-maintained family homes that add value to the City of Portland. The fact that our street is a dead end in a beautiful city has made it a wonderful and safe place to raise our families and we ask that preserve the safety and peacefulness of our community.

Thank you so much for your time and consideration. Please feel free to contact me directly with any questions or concerns.

Sincerely,

Jessica Van Dyke
6 Mayfield Street
Portland, ME 04103
207.712.0235
jlvandyke@gmail.com

Portland Maine Yes. Google's good here.

Christian Roadman <croadman@portlandmaine.gov>

844 Stevens Ave PL-000961-2020

Elena Lippolis <elippolis@une.edu> Fri, Jun 5, 2020 at 12:03 PM
To: "planningboard@portlandmaine.gov" <planningboard@portlandmaine.gov>, "croadman@portlandmaine.gov" <croadman@portlandmaine.gov>
Cc: "kcook@portlandmaine.gov" <kcook@portlandmaine.gov>, Jessica Van Dyke <jlvandyke@gmail.com>, "Parker, Janet" <janet.parker@maine.gov>

This message was sent securely using Zix®

Dear Members of the Planning Board of the City of Portland,

As a resident of Mayfield Street, I concur with my fellow neighbors, Janet Parker (attached), and Jessica Van Dyke's (below) concerns for the proposed development at 844 Stevens Avenue. In addition to our existing challenges with Huston Commons residents loitering, littering, and abusing substances on our properties, I do not see our small and peaceful community being able to adjust to the parking, noise, light, and traffic challenges presented by this new development at 844 Stevens. One of the benefits to a small community like ours, is that you know everyone. They are not just neighbors but family. We want to keep our family safe.

Thank you for your time and consideration,

Elena Lippolis

10 Mayfield Street

Portland, ME 04103

207.415.3685

[Quoted text hidden]

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---------- Forwarded message ----------
From: "Parker, Janet" <janet.parker@maine.gov>
To: "'Jessica Van Dyke'" <jlvandyke@gmail.com>, "ssmall2@maine.rr.com" <ssmall2@maine.rr.com>, Matt Reba <mattreba@gmail.com>, Matt Hutton <mhutton@meca.edu>, Elena Lippolis <elippolis@une.edu>, "Caruso, Jessica" <jcaruso@allagash.com>
Cc:
Bcc:
Date: Fri, 5 Jun 2020 14:55:01 +0000
Subject: RE: FYI

Hi Neighbors,

Thanks Jess – like Elena just said "Go Mayfield"!

I too just sent a letter to Ms. Cook, the planner, and the planning board. The letter is copied below.

I would hope that if we all pull together the city might listen to us.

Janet

June 5, 2020

Kimberly Cook

Portland City Councilor, District 5

Dear Ms Cook,

I am writing to you as our City Council representative for District 5. I have been a resident of Mayfield Street for over 20 years. Many neighbors are long-term residents as well. This is a quiet, stable, residential area, a very pleasant and isolated neighborhood.

I have two concerns that have arisen due to the proposed development at 844 Stevens Avenue. One set of concerns is about the development itself. The second is about Morrill's Corner traffic. I would like to share my concerns with you, and as our representative to the City ask that you consider the needs, wants, and opinions of us who are closest to both the proposed development and Morrill's Corner.

I will be participating in the planning process and request that you attend as well. The next meeting is a virtual planning workshop on June 9th.

First I will discuss my concerns with the proposed development. The plans we were shown look nice enough from Stevens Avenue, but none of the drawings showed Mayfield Street, nor the perspective of the development from Mayfield Street or Bishop Street. (There was one drawing of the development from across Bishop Street, but not from further down Bishop Street.) It is as if we do not exist, the developer has erased us from the picture, we are not included in their review, we are ignored. I would like the developer to include Mayfield Street and our homes in the drawings.

This brings me to my second concern. The development is too big and too close. The proposed building is planned to be 4 stories high. That is twice the height of our homes and will tower over us. Only the existing building is close to that height at 3 stories and is located on Stevens Avenue. The new building will be almost twice as large in the footprint as well as height and will be off Bishop Street and adjacent to the homes on Mayfield Street. This large building is out of scale with the existing buildings. The apartments proposed for this building will have a direct view into our homes and yards, invading our privacy like a peeping Tom. The developer did say they will use directed lighting that will not shine in our yards and homes. That is very important in our family-friendly neighborhood. I would like to see the development plan include the scale differences between the proposed development and the existing neighborhood, and to show the proximity of the new building to the existing homes. I feel the new building should not exceed 3 stories and should be moved closer to Stevens Avenue.

The next concern is the traffic and parking. The proposed development includes 21 housing units, some of which will be 2 bedroom units. With at least one vehicle per unit, that would mean they would need 21 parking places for residents. They also plan business uses which will require parking. The plan shows only 23 on-site parking places. That is not sufficient parking for the planned uses. This indicates that residents and businesses will likely park on Bishop Street and possibly Mayfield Street. There is not enough parking available for the planned uses.

Another concern is the traffic at Morrill's Corner. The developer indicated that the City intends to make Bishop Street one-way. The City has not included us, those closest and who probably use the intersection more than anyone else, asking us what we think. Again, we are being ignored. I have many suggestions for improving traffic at Morrill's Corner.

The green arrow directing traffic onto Stevens Avenue is not appropriate. Many drivers do not stop for it, using it like a 'right on red' and swiftly proceed up the road. Stevens Avenue has several traffic calming raised crosswalks. If the City is trying to calm traffic, then why are they speeding it just before? This light should be removed.

There should be a designated left turn from both Stevens Avenue and Forest Avenue. This will require stopping inbound traffic at the intersection, which will also calm traffic, and allow us to turn down Bishop Street safely.

The green light at Bishop Street is too short, about 3 cars can get through if Forest Avenue is clear. Coming from the gas station across the street and trying to go down Bishop Street, using the green light to proceed, is nearly impossible. Traffic outbound on Forest Avenue does not stop for the red light there and runs through the green light we have. I have almost had several accidents at this location for exactly that reason – running the red light on Forest Avenue.

I understand that this is a difficult situation. But it seems as though the City is making plans without considering what the residents need. I did attend a planning meeting quite a while ago concerning the Forest Avenue corridor. It looked like the plan is to speed traffic through this intersection which is not compatible with the residential areas that need to safely access the road. Again, the City is ignoring the residents and their needs.

In closing, I request that you attend the planning meetings for this development. I invite you to visit our neighborhood and envision yourself living here and consider the effect of this development if you lived here. I welcome an opportunity to discuss this further with you. I can be reached at 797-7165, or jpparker2011@gmail.com.

Thank you very much,

Janet Parker

9 Mayfield Street

Portland, Maine 04103

Cc: Christian Roadman, Planner, Portland Planning Department

From: Jessica Van Dyke <jlvandyke@gmail.com>
Sent: Friday, June 05, 2020 10:39 AM
To: Parker, Janet <janet.parker@maine.gov>; ssmall2@maine.rr.com; Matt Reba <mattreba@gmail.com>; Matt Hutton <mhutton@meca.edu>; Elena Lippolis <ELippolis@une.edu>;

Caruso, Jessica <jcaruso@allagash.com>
Subject: FYI

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello All-

Awaiting email addresses from several neighbors but I wanted to paste below what I sent to Kimberly Cook at City Council (kcook@portlandmaine.gov) regarding 844 Stevens Ave. I'll BCC you on correspondence I send to Planning Board later today and from here forward. Feel free to sign and forward, modify as you see fit, etc.

The city does note that written correspondence to the planning board should be submitted the Friday before the meeting. The email addresses for the planning board are planningboard@portlandmaine.gov and the planner involved is Christian Roadman croadman@portlandmaine.gov

Sent today:

"Dear Ms. Cook,

I am writing to you today to inform you of concerns that I have and share with my neighbors regarding the proposed development at 844 Stevens Avenue. Of greatest concern is the proposed new construction of a 16 unit apartment building that will dramatically impact our existing neighborhood community on Mayfield Street.

I plan to attend the Portland Planning Division meeting on Tuesday, June 9 at 4:30pm to discuss this via the remote workshop. I am asking for your help and support for our neighborhood residents on this issue and for your presence at the workshop if at all possible.

I will CC you on forthcoming email communication to the Planning Board.

Thank you very much for your time and consideration.

Sincerely,

Jessica Van Dyke

6 Mayfield St, Portland, ME 04103

jlvandyke@gmail.com

207.712.0235"

Thanks to all of you for your help and support.

Jess

RE: FYI.eml
41K

Portland Maine Yes. Google's good here.

Christian Roadman <croadman@portlandmaine.gov>

FW: 844 Stevens Avenue

jrather@portlandmaine.gov <jrather@portlandmaine.gov> Tue, Jun 9, 2020 at 2:47 PM
To: Christian Roadman <croadman@portlandmaine.gov>

From: Julie Larry <jlarry@portlandlandmarks.org>
Sent: Tuesday, June 9, 2020 2:43 PM
To: planningboard@portlandmaine.gov
Subject: 844 Stevens Avenue

Greater Portland Landmarks appreciates that the applicant's proposal includes the reuse of the circa 1805 brick building, once known as the Forest Avenue House. It is believed to be the oldest surviving building at the intersection. Once entirely residential, it was converted to commercial uses in 1937. We are pleased that the building will continue to be a presence at Morrill's Corner and a tangible reminder of the corner's history.

Thank you

Julie Larry

Director of Advocacy

Greater Portland Landmarks

Portland Maine Yes. Google's good here.

Christian Roadman <croadman@portlandmaine.gov>

844 Stevens Ave PL-000961-2020

Caruso, Jessica <jcaruso@allagash.com> Tue, Jun 9, 2020 at 3:44 PM
To: planningboard@portlandmaine.gov, croadman@portlandmaine.gov
Cc: kcook@portlandmaine.gov

Dear Members of the Planning Board of the City of Portland,

I would like to take this opportunity to express concerns regarding the proposed development at 844 Stevens Avenue. Of note, I would wish to be clear that I do not oppose the conversion of this property to residential use. The property is currently unattended and poorly monitored and as such has been used recently and over the past few years for illegal dumping of trash and bulky items and as a private space to inject illicit substances, consume alcohol, publicly defecate and camp overnight. A well maintained and safely monitored residential building should deter those activities.

My primary concern relates to the scale of the proposed new 16 unit building.

1. There are no comparable existing 4 story buildings in the area. The proposed building is vastly out of scale with the existing abutting residential zone as well as existing businesses anywhere nearby. While consideration is noted to the visual impact from Bishop Street and Stevens Ave, none is given to the residential neighborhood that abuts the property. The new building would be located at the rear of the property and therefore does not contribute to the desired street wall.
2. The height of the building will impact properties in the adjacent residential zone on Mayfield Street including loss of sunlight to neighboring properties, increased light and noise pollution (see plans to locate HVAC to the residential border of the property to remediate noise impact?) and great loss of privacy via the recessed rear deck as well as 3rd and 4th story windows.
3. Parking is a huge concern for our existing neighborhood residents. The plan for 7 two-bedroom units and 9 one-bedroom market-rate apartments in the new structure as well as the apartments (5?) and businesses in the existing structure. It is reasonable to expect that residents of many of the proposed units will require parking for multiple vehicles. The site plans for 22 parking spots for both residents and business owners/customers. This is simply not adequate. One can presume as demand cannot be met onsite, the overflow will creep onto Bishop street (which is not currently signed for parking and even now presents a hazard to pull onto from Mayfield Street) and onto Mayfield Street. As a dead-end street with 100-year-old homes, we rely heavily on on-street parking availability in front of our homes. This concern has been addressed in the past by UNE development and UNE created campus parking shuttle solutions. Unlike students, residents would presumably be able to apply and receive parking permits for neighborhood parking on Mayfield Street. Persons seeking parking on Mayfield who do not live here will increase traffic to our dead-end neighborhood that is more than half comprised of young families and homes with children and this presents an increased risk for the safety of children at play and awaiting school buses.
4. Traffic on Bishop Street from Warren, Forest, and Stevens Avenues is already a safety concern. The intersection at Morrill's Corner is dicey at best as the red lights are often run, intersections are frequently blocked, and traffic barrels down Bishop toward the intersection to try to catch a green light. The proposed new building will add to that burden. Please also consider the frequency with which Emergency Services/First Responders need to access Bishop street to service Huston Commons and Pine Tree Rehab. Their response time and safety cannot be allowed to be compromised as they serve these sites on a nearly daily basis.

I feel that it would be a mistake to negatively impact existing neighborhood communities, even a small one such as ours. We look out for each other, respect our neighbors and local businesses, and keep well-maintained family homes that add value to the City of Portland. The fact that our street is a dead-end in a beautiful city has made it a wonderful and safe place to raise our families and we ask that preserve the safety and peacefulness of our community.

Thank you so much for your time and consideration. Please feel free to contact me directly with any questions or concerns.

Sincerely,
Jessica Caruso

17 Mayfield Street
Portland, ME 04103
207-318-7500
jcaruso@allagash.com
carusojj2@gmail.com

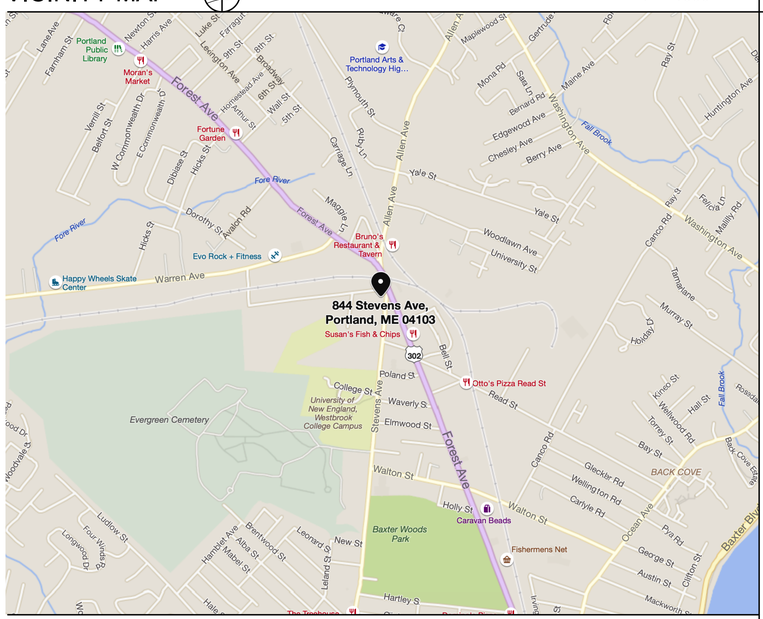
844 STEVENS AVENUE APARTMENTS

844 STEVENS AVE PORTLAND, ME

VICINITY MAP

N

1" = 1000'



GENERAL NOTES

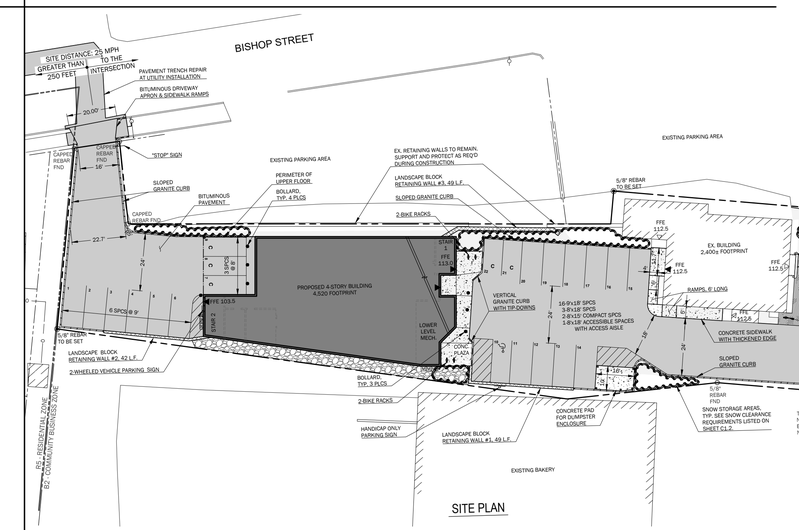
1. EXISTING FRAMING HAS NOT BEEN DOCUMENTED AND WILL REQUIRE INVESTIGATION PRIOR TO START OF CONSTRUCTION. ASSUMPTIONS FOR NEW FRAMING MAY NEED TO BE REVISITED ONCE EXISTING CONDITIONS HAVE BEEN ESTABLISHED.
2. NOT ALL EXISTING CONDITIONS MAY HAVE BEEN PICKED UP DURING FORMATION OF AS-BUILT DRAWINGS. PLEASE BRING ANY UNDOCUMENTED CONDITION TO ARCHITECT'S ATTENTION BEFORE COMMENCING OR PROCEEDING WITH WORK WHERE A CONFLICT MAY OCCUR.
3. BUILDINGS WILL BE UN-OCCUPIED DURING CONSTR. OPERATIONS.
4. NO SMOKING WILL BE ALLOWED ON SITE.
5. ACCESS TO THE SIDES OF THE SITE IS LIMITED DUE TO THE BUILDING SET CLOSE TO SIDE LOT LINES.
6. CONTRACTOR TO OBTAIN, AND PAY FOR BUILDING PERMITS, AND OTHER PERMITS REQUIRED TO PERFORM THE WORK.
7. REMOVE ABANDONED UTILITIES AND WIRING SYSTEMS.
8. SURVEY EXISTING CONDITIONS AND CORRELATE WITH DRAWINGS AND SPECIFICATIONS TO VERIFY EXTENT OF DEMOLITION REQUIRED.
9. VERIFY CONDITIONS AT SITE TO DETERMINE WHETHER DEMOLITION METHODS PROPOSED FOR USE WILL NOT ENDANGER EXISTING STRUCTURES BY OVERLOADING, FAILURE, OR UNPLANNED COLLAPSE.
10. PERFORM DEMOLITION OPERATIONS BY METHODS WHICH DO NOT ENDANGER ADJACENT SPACES, STRUCTURES, OR THE PUBLIC.
11. PERFORM DEMOLITION OPERATIONS TO PREVENT DUST AND POLLUTANT HAZARDS. PROVIDE CHUTES AS REQUIRED TO CONTROL DUST AND DEBRIS
12. SITEWORK INCLUDES NEW SMALL PARK AREA AT STEVENS AVENUE, PLANTINGS, LIGHTING, PVED AREAS, DUMPSTER LOCATION.

PROJECT DATA

ZONING:	B2 FRONT YARD SET BACK 10 ' SIDE YARD SET BACK 0' REAR YARD SET BACK 10' MAX. BLDG. HT. 45'
SITE AREA:	22,199 SF
BLDG USE:	RESIDENTIAL
OCC. GROUP:	RESIDENTIAL
CONST. TYPE:	TYPE V PROTECTED
CLIMATE ZONE:	6
BLDG. CODE:	IBC 2015
FIRE SPRINKLERS:	YES- 13 COMMERCIAL

SITE SKETCH

1" = 30'



SITE PLAN

APPLICABLE CODES

ALL CODES REFERENCED ARE TO BE USED AS AMENDED BY THE STATE OF MAINE AND LOCAL JURISDICTION.

IBC 2015
NRPA 2009
IECC 2009
MAINE STATE PLUMBING CODE
PORTLAND ZONING ORDINANCE
MUBEC

MIN. THERMAL ENVELOPE REQUIREMENTS PER IECC 2009 COMMERCIAL

- FENESTRATION U-FACTOR 0.35
- CEILING R-VALUE 20 ci
- WOOD FRAME WALL R-VALUE 20 OR 13+7.5 ci
- FLOOR R-VALUE 30 or insulation to fill cavity min R-19
- BASEMENT WALL R-VALUE 10 continuous or 13 framing cavity
- SLAB R-VALUE R-10 to 4 feet

SCOPE OF WORK

RENOVATION OF EXISTING BUILDING

CONSTRUCTION OF NEW APARTMENT BUILDING

SITE WORK

SIDEWALK IMPROVEMENTS

BISHOP STREET ACCESS

SHEET INDEX

SHEET INDEX	
ID	Name
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A0.2	GENERAL NOTES
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A1.2	SECOND FLOOR PLAN
A1.3	THIRD FLOOR PLAN
A1.4	PARKING LEVEL
A1.5	EXISTING BLDG/ FLOOR PLAN
A1.6	EXISTING SECOND FLR.
A1.7	EXISTING THIRD FLR.
A2.1	ELEVATIONS
A3.1	SECTIONS
A4.1	FIRST FLOOR PLAN
A5.1	WALL TYPES
A5.2	WINDOW DETAILS

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844 STEVENS AVENUE APARTMENTS
PORTLAND, ME
844 STEVENS AVE

WHIPPLE CALLENDER ARCHITECTS
136 PLEASANT AVE.
PORTLAND, ME 04103
P 207.775.2696
F 207.775.3631
www.whipplecallender.com

MARK	DATE	DESCRIPTION

DATE: 1/6/20
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SHEET TITLE: TITLE SHEET

A0.1

ABBREVIATIONS

AB	ANCHOR BOLT
AB	AIR BARRIER
AC	AIR CONDITIONING
ADDL	ADDITIONAL
ADJ	ADJUSTABLE
AFF	ABOVE FINISHED FLOOR
AH	AIR HANDLER
AIB	AIR INFILTRATION BARRIER
ALT	ALTERNATE
ALUM	ALUMINUM
AOR	AREA OF REFUGE
APPROX	APPROXIMATE
ARCH	ARCHITECT(URAL)
ARND	AROUND
AWP	ACOUSTICAL WALL PANEL
BD	BOARD
BF	BARRIER FREE
BIT	BITUMINOUS
BLDG	BUILDING
BLKG	BLOCKING
BM	BENCHMARK
BOT	BOTTOM
BO	BOTTOM OF
BRK	BRICK
BRG	BEARING
B/S	BRICK SHELF
BSMT	BASEMENT
C,CRS	COURSE
CAB	CABINET
CB	CATCH BASIN
CC	CENTER TO CENTER
CF	CUBIC FOOT
CFMF	COLD FORMED METAL FRAMING
CJ	CONTROL JOINT
CL	CENTER LINE
CLG	CEILING
CLR	CLEAR
CMT	CERAMIC MOSAIC TILE
CMU	CONCRETE MASONRY UNIT
CO	CLEAN-OUT
COL	COLUMN
CONC	CONCRETE
CONC/C	COLORED CONCRETE
CONT	CONTINUOUS OR CONTINUE
CONTR	CONTRACTOR
CPT	CARPET
CS	COUNTERSINK
CSMT	CASEMENT
CT	CERAMIC TILE
CWT	CERAMIC WALL TILE
CUH	CABINET UNIT HEATER
CY	CUBIC YARD
DBL	DOUBLE
DC	DISPLAY CASE
DEMO	DEMOLISH, DEMOLITION
DF	DRINKING FOUNTAIN
DIA, DIAM	DIAMETER
DIM	DIMENSION
DIV	DIVISION
DMP	DEMOUNTABLE PARTITION
DN	DOWN
DR	DOOR
DTL	DETAIL
DWG	DRAWING
DWR	DRAWER
E	EAST
EA	EACH
EF	EXHAUST FAN
EMHO	ELECTRO MAGNETIC HOLD OPEN
EIFS	EXTERIOR INSULATION FINISH SYSTEM
EJ	EXPANSION JOINT
EL	ELEVATION
EP	EPOXY PAINT
ELEC	ELECTRICAL
ELEV	ELEVATOR
EMER	EMERGENCY
ENCL	ENCLOSED/ENCLOSURE
EQ	EQUAL
EQUIP	EQUIPMENT
EXH	EXHAUST
EXIST	EXISTING
EXT	EXTERIOR
EW	EYEWASH
EWC	ELECTRIC WATER COOLER
FB	FIRE BLANKET
FBO	FURNISHED BY OWNER
FCS	FLOOR COATING SYSTEM
FD	FLOOR DRAIN
FE	FIRE EXTINGUISHER
FEC	FIRE EXTINGUISHER AND CABINET
FFE	FINISHED FLOOR ELEVATION
FG	FIBERGLASS
FHVC	FIRE HOSE AND VALVE CABINET
FIN	FINISHED(ED)
FIN GR	FINISH GRADE
FLR	FLOOR(ING)
FNDN	FOUNDATION
FP	FIREPROOFING
FO	FACE OF
FRMG	FRAME(ING)
FRP	FIBER REINFORCED PLASTIC
FRT	FIRE RETARDANT TREATED
FS	FRAME SIZE
FSR	FLEXIBLE SHEET ROOFING
FT	FOOT(FEET)
FTG	FOOTLONG
FTR	FIN TUBE RADIATION
FUR	FURRED(ING)
FV	FIELD VERIFY
FWC	FABRIC WALL COVERING
GA	GAUGE
GALV	GALVANIZED
GB	GRAB BAR
GFB	GROUND FACE CMU
GL	GLASS, GLAZING
GWB	GYPSUM WALLBOARD
HARD	HARDENER
HB	HOSE BIBB
HC	HOLLOW CORE
HD	HEAD
HDO	HIGH DENSITY OVERLAY
HDWD	HARDWOOD
HDWR	HARDWARE
HM	HOLLOW METAL
HORIZ	HORIZONTAL
HR	HAND RAIL
HS	HIGH SCHOOL
HT	HEIGHT
HTG	HEATING
HVAC	HEATING/VENTILATION/AIR CONDITIONING
IBC	INSTALLED BY CONTRACTOR
ID	INSIDE DIAMETER
IN	INCH(ES)
INCL	INCLUDE(D), (ING)
INFO	INFORMATION
INSUL	INSULATED
INT	INTERIOR
INV	INVERT
JT	JOINT
KIT	KITCHEN
LAB	LABORATORY
LAM	LAMINATE(D)
LAV	LAVATORY
LB	POUND(S)
LCC	LEAD COATED COPPER
LF	LINEAR FOOT
LH	LEFT HAND
LOC'N	LOCATION
LW	LIGHTWEIGHT (CMU)
MS	MASONRY
MATL	MATERIAL
MAX	MAXIMUM
MC	MEDICINE CABINET
MCWF	MULTICOLOR WALL FINISH
MDO	MEDIUM DENSITY OVERLAY
MECH	MECHANICAL
MED	MEDIUM
MF	MEMBRANE FLASHING
MFR	MANUFACTURER
MH	MANHOLE
MIN	MINIMUM
MISC	MISCELLANEOUS
MLDG	MOULDING
MO	MASONRY OPENING
MR	MOISTURE RESISTANT
MRGB	MOISTURE RESISTANT GYPSUM BOARD
MS	MOP SINK
MSF	METAL STUD FRAMING
MTL	METAL
N	NORTH
NA	NOT APPLICABLE
NIC	NOT IN CONTRACT
NO	NUMBER
NOM	NOMINAL
NRC	NOISE REDUCTION COEFFICIENT
NTS	NOT TO SCALE
O/	OVER
OC	ON CENTER
OD	OUSIDE DIAMETER
OFS	OVERFLOW SCUPPER
OP	OPAQUE
OH	OVERHEAD
OPH	OPPOSITE HAND
OPNG	OPENING
OPP	OPPOSITE
OPS	OPERABLE PANEL SYSTEM
P, PTD	PAINT
PC	PRECAST CONC.
PERF	PERFORATED
PERIM	PERIMETER
PRKG	PARKING
PL	PLATE
PLAM	PLASTIC LAMINATE
PLYWD	PLYWOOD
PSF	POUNDS PER SQUARE FOOT
PSI	POUNDS PER SQUARE INCH
PT	PRESSURE TREATED
PTD	PAPER TOWEL DISPENSER
PTN	PARTITION
PVC	POLYVINYL CHLORIDE
PVMT	PAVEMENT
PWDR	POWDER ROOM
QR	QUARTER ROUND
QT	QUARRY TILE
QTZ	QUARTZ TILE
RE:	REFERENCE
REF	REFRIGERATOR
REQ'D	REQUIRED
REV	REVISION(S), REVISED
RL	RAIN LEADER
RF	RUBBER FLOOR
RH	RIGHT HAND
RM	ROOM
RO	ROUGH OPENING
ROW	RIGHT OF WAY
S	SOUTH
SAT	SUSPENDED ACOUSTICAL TILE
SC	SOLID CORE
SCONC	SEALED CONCRETE
SCHED	SCHEDULE
SD	STORM DRAIN, SOAP DISPENSER
SECT	SECTION
SF	SQUARE FOOT
SGL	SAFETY GLASS
SH	SHOWER
SHT	SHEET
SHTHG	SHEATHING
SIM	SIMILAR
SLNT	SEALANT
SNR	SANITARY NAPKIN RECEPTOR
SP	SPECIAL PAINT
SPEC	SPECIFICATION
SPKR	SPEAKER
SQ	SQUARE
SS	STAINLESS STELL
STC	SOUND TRANSMISSION CLASS
STD	STANDARD
STL	STEEL
STOR	STORAGE
STRL	STRUCTURAL
STRUCT	STRUCTURES/STRUCTURAL
SUPT	SUPPORT
SUSP	SUSPENDED
SV	SHEET VINYL
T	TOILET
TB	TOWEL BAR
TB	TACK-BOARD
T&G	TONGUE & GROOVE
TGL	TEMPERED GLASS
THK	THICK(NESS)
TO	TOP OF
TP	TOILET PARTITION
TPD	TOILET PAPER DISPENSER
TV	TELEVISION
TYP	TYPICAL
UCR	UNDER COUNTER REFRIGERATOR
UNO	UNLESS NOTED OTHERWISE
VB	VAPOR BARRIER/VINY BASE
VC	VALVE CABINET
VCT	VINYL COMPOSITION TILE
VERT	VERTICAL
VPW	VENEER PLYWOOD
VWC	VINYL WALL COVERING
W	WEST
W/	WITH
WC	WOATER CLOSET
WD	WOOD
WGL	WIRE GLASS
WH	WATER HEATER
W/O	WITHOUT
WS	WATERSTOP
WP	WATERPROOF
WWF	WELDED WIRE FABRIC
WWM	WELDED WIRE MESH
YD	YARD
ZCC	ZINC-COATED COPPER

LEGEND

MATERIALS

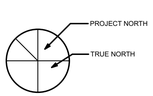
- GRAVEL
- CONCRETE MASONRY UNIT
- BRICK
- CONCRETE
- SOIL
- STEEL
- WOOD FRAMING
- WOOD BLOCKING
- PLYWOOD
- GYPSUM BOARD
- BATT INSULATION
- RIGID INSULATION
- EXPANSION MATERIAL
- FINISH WOOD

FIRE RATING

- 2 HOUR RATED FIRE SEPARATION
- 1 HOUR RATED FIRE SEPARATION
- SMOKE PARTITION

SYMBOLS

- PLUMBING FIXTURE
- BARRIER FREE FIXTURE
- Room Name 101 — ROOM NUMBER
- 101 — DOOR NUMBER
- 1t — WINDOW TYPE; LETTER DESIGNATES EXTERIOR
- 1i — BORROWED LITE TYPES; DESIGNATED BY NUMBER
- FLOOR LEVEL CHANGE
- 1 A101 — BUILDING SECTION
- 1 A101 — WALL SECTION
- 1 A101 — DETAIL REFERENCE
- 1i — WALL OR ROOF TYPE
- REF A101 REF — ELEVATION REFERENCE
- VERTICAL ELEVATION
- 0 — COLUMN CENTERLINE



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844 STEVENS AVE

PORTLAND, ME

WHIPPLE CALLENDER ARCHITECTS

136 PLEASANT AVE.
PORTLAND, ME 04103
P 207.775.2696
F 207.775.3631
www.whipplecallender.com

MARK	DATE	DESCRIPTION

DATE: 1/6/20

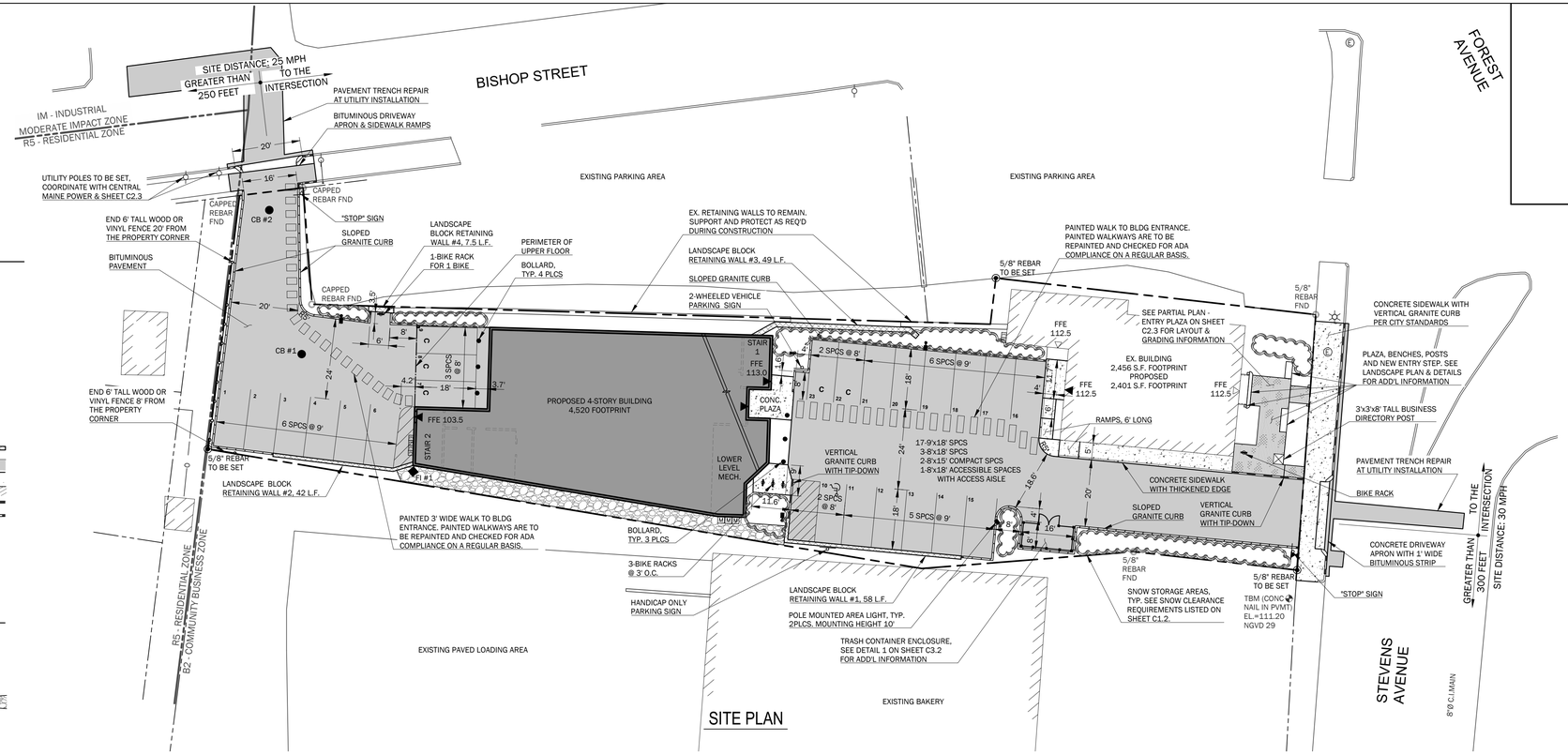
CHECKED BY: JAD

DRAWN BY: JCR

JOB: 1

SHEET TITLE: GENERAL NOTES

A0.2



SITE PLAN

LEGEND

EXISTING		PROPOSED
EL=100.00	TEMPORARY BENCHMARK	
	PROPERTY LINE	
	ZONING BOUNDARY	
	SURVEY MONUMENT - REBAR	
	ABUTTING PROPERTY LINE	
	BUILDING	
	BUILDING ENTRY / EGRESS	
	WOOD FENCE	
	BUSINESS SIGN	
	TRAFFIC / PARKING SIGN	
	BOLLARD	
	PUBLIC BICYCLE RACK	
	LANDSCAPE/RETAINING WALL	
	EDGE OF PAVEMENT	
	EDGE OF CONCRETE	
	CONCRETE PAVERS	
	VERTICAL GRANITE CURB	
	SLOPED GRANITE CURB	
	FINISHED FLOOR ELEVATION	FFE 100.00
	GAS LINE METER	M
	ELECTRIC MANHOLE	
	ELECTRIC METER	E
	UTILITY POLE	
	TRAFFIC LIGHT POLE	
	LIGHT POLE	
	WOOD OR VINYL FENCE	
	HANDICAP PARKING SYMBOL	
	PARKING STRIPING	
	RIPRAP SLOPE PROTECTION	
	SNOW STORAGE AREAS	

PROJECT DRAWINGS

C1.1	SUBDIVISION RECORDING PLAT, SHEET 1 of 2
C1.2	SUBDIVISION RECORDING PLAT, SHEET 2 of 2
C2.1	SITE PLAN
C2.2	EXISTING CONDITIONS AND REMOVALS PLAN
C2.3	GRADING AND UTILITIES PLAN
C2.4	EROSION CONTROL PLAN, NOTES AND DETAILS
C2.5	LANDSCAPE PLAN, NOTES AND DETAILS
C3.1	DETAILS
C3.2	DETAILS
C3.3	DETAILS
	EXISTING CONDITIONS SURVEY
1 OF 1	STANDARD BOUNDARY SURVEY

LAYOUT, MATERIALS, AND UTILITY NOTES:

1. ALL DIMENSIONS, LOCATIONS AND CONTROLS SHALL BE VERIFIED IN THE FIELD BY THE CONTRACTOR PRIOR TO ANY CONSTRUCTION ACTIVITIES. ANY DISCREPANCIES SHALL BE REPORTED IMMEDIATELY TO THE OWNER OR OWNER'S REPRESENTATIVE.
2. DO NOT SCALE THE DRAWINGS FOR REQUIRED DIMENSIONS. ANY DISCREPANCIES IN DIMENSIONING SHALL BE REPORTED IMMEDIATELY TO THE OWNER'S REPRESENTATIVE.
3. ALL EDGES OF PAVING SHALL BE STAKED OUT BY THE CONTRACTOR AND REVIEWED BY THE OWNER'S REPRESENTATIVE PRIOR TO CONSTRUCTION.
4. PROVIDE A SMOOTH TRANSITION WHERE NEW WORK MEETS EXISTING.
5. ALL DISTURBED AREAS NOT OTHERWISE TREATED SHALL BE LOAMED AND SEEDED.
6. CENTERLINES OF DRIVEWAY, PLAZA AREAS, PROPOSED PARKING LOTS AND PROPOSED UTILITY LINES SHALL BE LOCATED AND LAID OUT BY PROFESSIONALLY LICENSED SURVEYOR.
7. SEE LANDSCAPING PLAN FOR NON-PAVED AREA SURFACE TREATMENTS AND CONCRETE PAVER PATTERN LAYOUTS.

CITY OF PORTLAND SITE PLAN NOTES

1. LANDSCAPING SHALL MEET THE "ARBORICULTURAL SPECIFICATIONS AND STANDARDS OF PRACTICE AND LANDSCAPE GUIDELINES" OF THE CITY OF PORTLAND TECHNICAL AND DESIGN STANDARDS AND GUIDELINES.
2. THE ENTIRE SITE SHALL BE DEVELOPED AND/OR MAINTAINED AS DEPICTED ON THE SITE PLAN. APPROVAL OF THE PLANNING AUTHORITY OR PLANNING BOARD SHALL BE REQUIRED FOR ANY ALTERATION TO OR DEVIATION FROM THE APPROVED SITE PLAN, INCLUDING, WITHOUT LIMITATION: TOPOGRAPHY, DRAINAGE, LANDSCAPING, RETENTION OF WOODED OR LAWN AREAS, ACCESS, SIZE, LOCATION, AND SURFACING OF PARKING AREAS AND LOCATION AND SIZE OF BUILDINGS.
3. ALL POWERLINE UTILITIES SHALL BE UNDERGROUND UNLESS OTHERWISE NOTED.
4. SIDEWALKS AND CURBING SHALL BE DESIGNED AND BUILT WITH TIPDOWN RAMPS AT ALL STREET CORNERS, CROSSWALKS AND DRIVEWAYS IN CONFORMANCE WITH THE CITY OF PORTLAND TECHNICAL AND DESIGN STANDARDS AND GUIDELINES.
5. ALL EROSION CONTROL MEASURES SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE MAINE EROSION AND SEDIMENT CONTROL BMPS PUBLISHED BY THE BUREAU OF LAND AND QUALITY, MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION, MARCH 2003.
6. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY SITE EXCAVATION OR REGRADING.
7. ALL DISTURBED AREAS ON THE SITE NOT COVERED BY BUILDINGS OR PAVED AREAS SHALL BE STABILIZED WITH LOAM AND SEED OR OTHER METHODS AS REQUIRED BY BEST MANAGEMENT PRACTICES (SEE ABOVE).
8. PRIOR TO CONSTRUCTION, A PRECONSTRUCTION MEETING SHALL BE HELD AT THE PROJECT SITE WITH THE CONTRACTOR, DEVELOPMENT REVIEW COORDINATOR, PUBLIC WORK'S REPRESENTATIVE AND OWNER TO REVIEW THE CONSTRUCTION SCHEDULE AND CRITICAL ASPECTS OF THE SITE WORK. AT THAT TIME, THE SITE/BUILDING CONTRACTOR SHALL PROVIDE THREE (3) COPIES OF A DETAILED CONSTRUCTION SCHEDULE TO THE ATTENDING CITY REPRESENTATIVE. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO ARRANGE A MUTUALLY AGREEABLE TIME FOR THE PRECONSTRUCTION MEETING.
9. EXISTING VEGETATION SHALL BE CONSERVED IN AREAS SHOWN ON THIS SITE. FENCING OR OTHER PROTECTIVE BARRIERS SHALL BE ERECTED OUTSIDE THE DRIP-LINE OF INDIVIDUAL, GROUPINGS OF TREES DESIGNATED FOR PRESERVATION PRIOR TO THE ONSET OF CONSTRUCTION. REGRADING SHALL NOT TAKE PLACE WITHIN THE DRIP-LINE OF TREES DESIGNATED FOR PRESERVATION. NO STORAGE OR CONSTRUCTION MATERIALS SHALL BE PERMITTED WITHIN THE DRIP-LINE OF TREES TO BE PRESERVED.

PLAZA PERSPECTIVE

RENDERING: ANTHONY L. MUENCH, LANDSCAPE ARCHITECT

N

GRAPHIC SCALE

20 0 10 20 40 80

1 inch = 20 ft.

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STATE OF MAINE SILAS W. CANAVAN No. 12639 LICENSED PROFESSIONAL ENGINEER

7/14/2020

844 STEVENS AVENUE APARTMENTS

844 STEVENS AVENUE
PORTLAND, MAINE

PREPARED FOR:
STEVENS AVENUE, LLC
303 ISLINGTON STREET
PORTSMOUTH, NEW HAMPSHIRE 03801

Rev.	Date	Description	Drawn	Check
1	4/27/2020	REV'D PER CITY REVIEW	JDC	TSG
2	5/21/2020	REV'D PER 5-15-2020 CITY REVIEW	JDC	TSG
3	7/14/2020	REV'D PER 6-5-2020 CITY REVIEW & 6-9-20 PB MTG	JDC	SWC

Sheet Title:
SITE PLAN

Job No.:	547
Date:	JAN. 3, 2020
Scale:	AS SHOWN
Drawn:	JDC
Checked:	TSG

Sheet No.: C2.1

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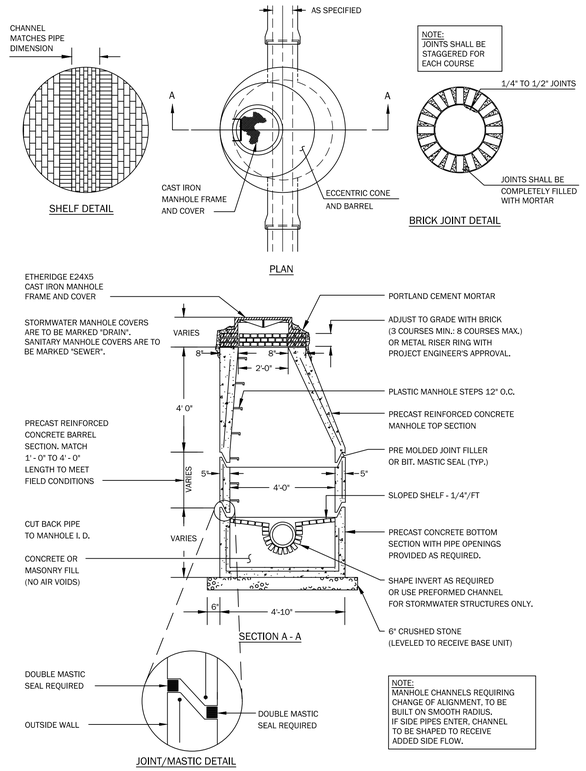
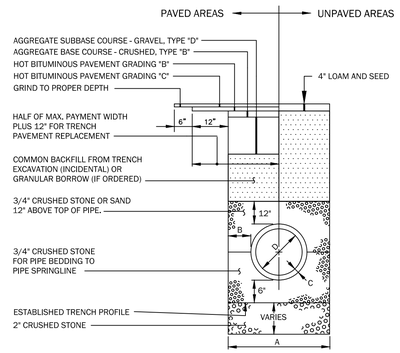


1 PRECAST CONCRETE MANHOLE DETAIL - FIGURE II-1

NOT TO SCALE

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

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



NOTES

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

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

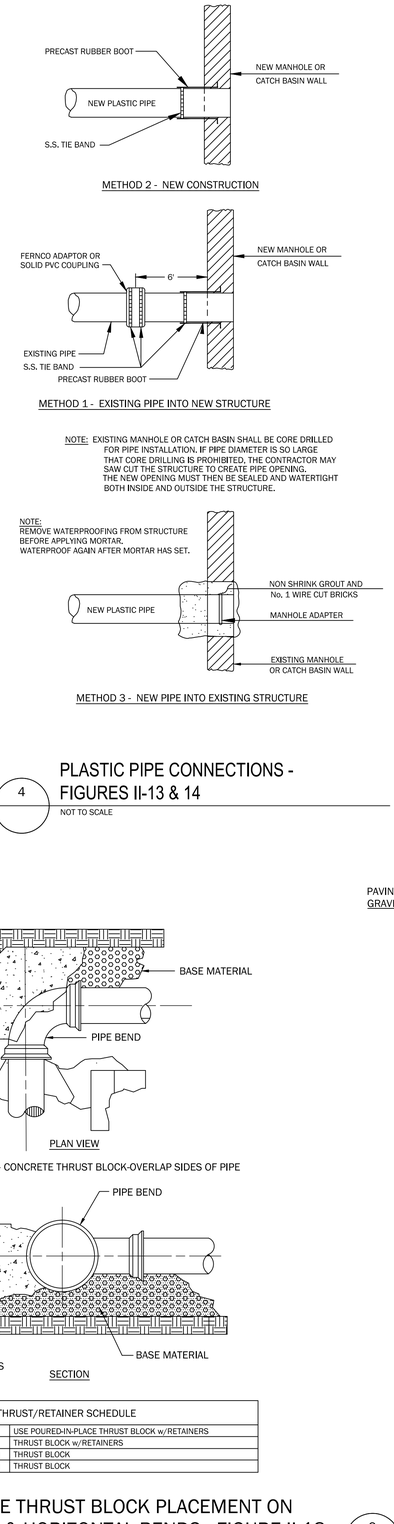
2 TYPICAL PIPE TRENCH INSTALLATION & INSTALLATION NOTES - FIGURE II-12

NOT TO SCALE

1. ALL CONCRETE SHALL HAVE A MINIMUM ULTIMATECOMPRESSIVE STRENGTH OF 4000 lbs. PER SQ. INCH AT THE END OF 28 DAYS, UNLESS OTHERWISE NOTED.
2. MANHOLES MAY BE CONSTRUCTED OF PRECAST REINFORCED CONCRETE, OR CAST IN PLACE.
3. PRECAST REINFORCED CONE BARREL MANUFACTURED PER ASTM SPEC. C-478.
4. ALL STORM AND SEWER MANHOLE COVERS SHALL BE SOLID AND SHALL HAVE ONE 7/8" DIAMETER DRILLED PICK HOLE LOCATED 8" FROM THE CENTER OF THE COVER.
5. ALL SANITARY MANHOLE COVERS SHALL HAVE "SEWER" CAST INTO THE COVER. ALL STORMWATER/DRAIN MANHOLE COVERS SHALL HAVE "DRAIN" CAST INTO THE COVER.
6. ALL MANHOLE RISERS SHALL BE ETHERIDGE 24" OR APPROVED EQUAL.
7. SEWER BRICK SHALL CONFORM TO ASTM SPEC. DESIGNATE ON C-32-63, GRADE MA AND SA.
8. ALL SANITARY MANHOLES SHALL HAVE A WATERPROOFING COATING APPLIED TO THE EXTERIOR SURFACE.
9. CATCH BASIN FRAMES FOR TYPE A4 CATCH BASIN CURB INLETS SHALL BE ETHERIDGE DR5A OR APPROVED EQUAL.
10. CASTINGS SHALL CONFORM TO ASTM DESIGNATION A48-CLASS 35.
11. EXISTING MANHOLES, CATCH BASINS, FRAMES, AND COVERS SHALL BE SALVAGED BY THE CONTRACTOR, AND SHALL REMAIN THE PROPERTY OF THE CITY OF PORTLAND.
12. ALL CATCH BASIN OUTLETS SHALL BE INSTALLED WITH A CASCO TRAP. SEE CITY OF PORTLAND FIGURE II-09.

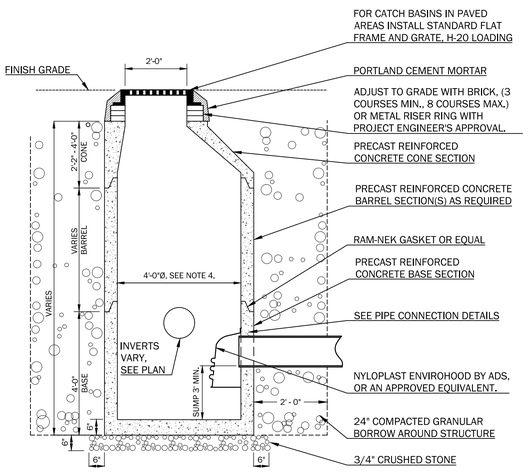
3 GENERAL NOTES FOR MANHOLES AND CATCH BASINS - FIGURE II-4

NOT TO SCALE



4 PLASTIC PIPE CONNECTIONS - FIGURES II-13 & 14

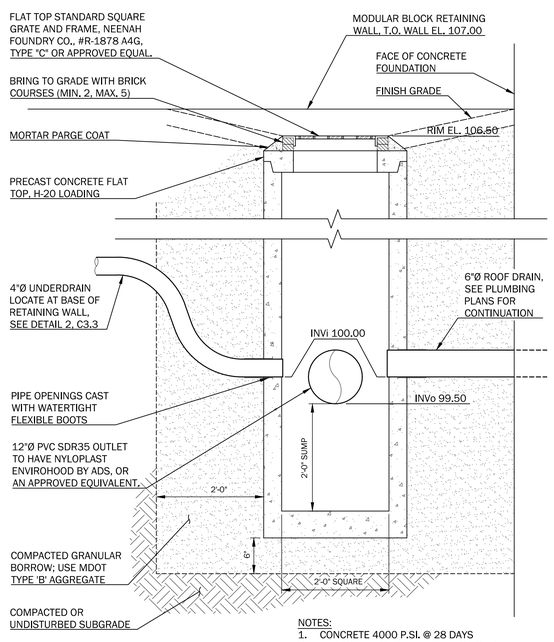
NOT TO SCALE



NOTES:
1. CONCRETE 4000 PSI AFTER 28 DAYS.
2. REINFORCING H-20 LOADING 4x4 / 4x4 WWM. SLAB TOP - NO. 5 BARS.
3. EACH CASTING TO HAVE LIFTING HOLES TO BE FILLED WITH NON-SHRINK MORTAR.
4. INSIDE DIAMETER SHALL BE 4' FOR CATCHBASIN AND MANHOLE.

6 PRECAST CONCRETE CATCH BASIN - SIMILAR TO FIGURE II-2

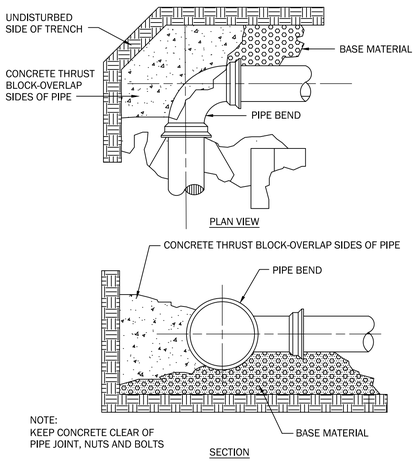
NOT TO SCALE



NOTES:
1. CONCRETE 4000 P.SI. @ 28 DAYS
2. EACH CASTING TO HAVE LIFTING HOLES. FILL W/NON-SHRINK NON-METALLIC GROUT.

7 FIELD INLET #1 DETAIL

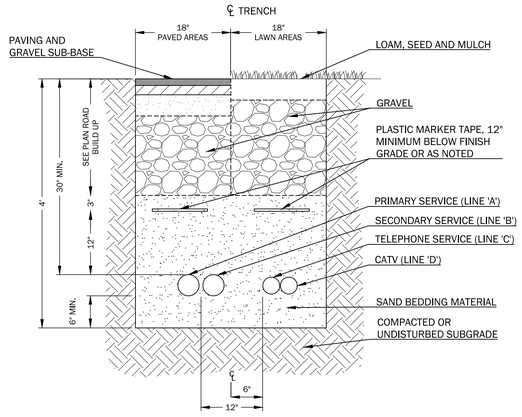
NOT TO SCALE



THRUST/RETAINER SCHEDULE		
1/4 BEND	(90°)	USE POURED-IN-PLACE THRUST BLOCK w/RETAINERS
1/8 BEND	(45°)	THRUST BLOCK w/RETAINERS
1/16 BEND	(22 1/2°*)	THRUST BLOCK
1/32 BEND	(11 1/4°*)	THRUST BLOCK

8 CONCRETE THRUST BLOCK PLACEMENT ON VERTICAL & HORIZONTAL BENDS - FIGURE II-18

NOT TO SCALE



SERVICE	CONDUIT SIZE	CONDUIT TYPE	UTILITY
'A'	4"	SCHEDULE 40 P.V.C. ELECTRICAL GRADE	PRIMARY POWER
'B'	4"	SCHEDULE 40 P.V.C. ELECTRICAL GRADE	SECONDARY POWER
'C'	3"	SCHEDULE 40 P.V.C. ELECTRICAL GRADE	TELEPHONE
'D'	3"	SCHEDULE 40 P.V.C. ELECTRICAL GRADE	CATV

NOTES:
1. CONDUIT SIZES TO BE AS LISTED ABOVE UNLESS OTHERWISE NOTED ON PLANS.
2. ALL WORK SHALL COMPLY WITH THE RESPECTIVE UTILITY COMPANY STANDARDS.
3. SEE UTILITIES PLANS FOR CONDUIT LOCATIONS.
4. CONTRACTOR TO PROVIDE 1/4" POLYPROPYLENE PULL ROPES IN ALL CONDUITS.

9 UNDERGROUND UTILITY TRENCH (MULTIPLE CONDUIT)

NOT TO SCALE

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STATE OF MAINE
THOMAS S GREER
No. 4206
LICENSED PROFESSIONAL ENGINEER
5/21/2020

844 STEVENS AVENUE APARTMENTS

844 STEVENS AVENUE
PORTLAND, MAINE

PREPARED FOR:
STEVENS AVENUE, LLC
303 ISLINGTON STREET
PORTSMOUTH, NEW HAMPSHIRE 03801

Rev.	Date	Description	Drawn	Check
1	4/27/2020	REVD PER CITY REVIEW	JDC	TSG
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Sheet Title:
SITE DETAILS

Job No.: 547
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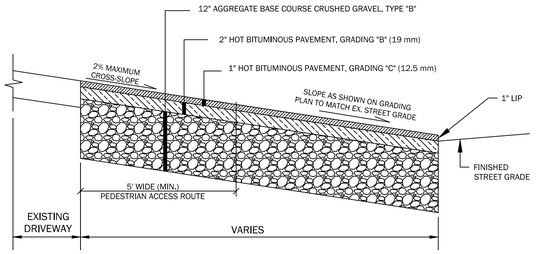
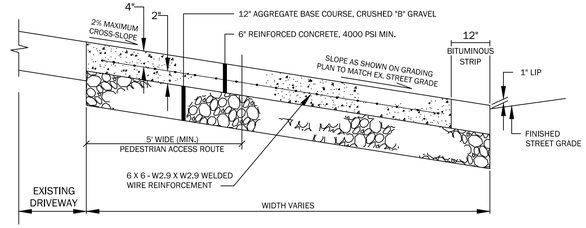


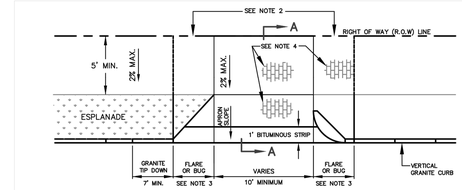
1 BITUMINOUS DRIVEWAY APRON - FIGURE I-13

NOT TO SCALE



2 REINFORCED CONCRETE DRIVEWAY APRON - FIGURE I-15

NOT TO SCALE



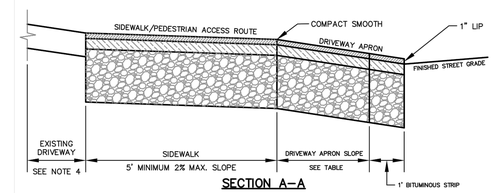
PLAN

APRON SLOPE TABLE

LAND USE	MAXIMUM RECOMMENDED GRADE CHANGE AT STREET(G)
RESIDENTIAL WITH <9 PARKING SPACES	14%
ALL OTHER DRIVEWAYS	10%

NOTES:

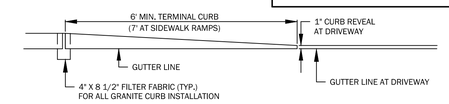
1. MATCH EXISTING GRADE AT R.O.W LINE. WHERE REQUIRED TO MEET A.D.A. AND DRIVEWAY APRON SLOPE REQUIREMENTS, A CONSTRUCTION EASEMENT MAY BE REQUIRED.
2. IF MATCHING THE EXISTING GRADE AT ROW CAUSES APRON SLOPE TO EXCEED RECOMMENDED %, SIDEWALK TRANSITION AREAS MAY BE ADDED, BUT SHALL NOT EXCEED 8.33%.
3. TWO-FOOT RADIUS CORNER GRANITE PIECES ("BUGS") ARE REQUIRED AT LOW-VOLUME DRIVEWAYS UNLESS OTHERWISE DIRECTED BY DPW. AT OTHER DRIVEWAYS, STANDARD FLARE/TIPDOWN TREATMENTS SHALL BE USED.
4. ALL MATERIALS TO COMPLY WITH CITY'S SIDEWALK & DRIVEWAY MATERIAL POLICY. BRICK IN DRIVEWAY APRONS, WHERE APPLICABLE, SHALL BE ORIENTED IN THE SAME WAY AS THE ADJACENT BRICK SIDEWALK.



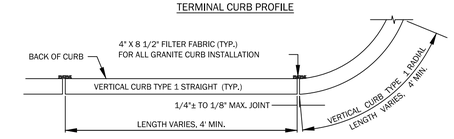
SECTION A–A

3 DRIVEWAY APRON WITH PEDESTRIAN ACCESS ROUTE - FIGURE I-9A

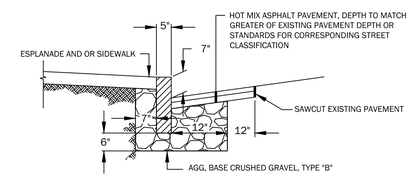
NOT TO SCALE



TERMINAL CURB PROFILE



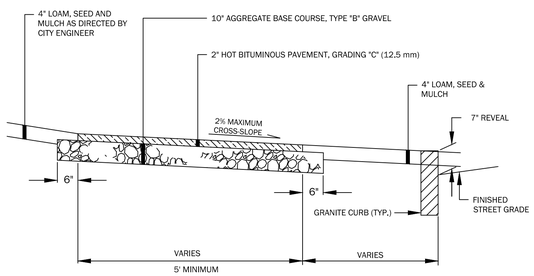
VERTICAL GRANITE CURB PLAN VIEW



VERTICAL GRANITE CURB CROSS SECTION

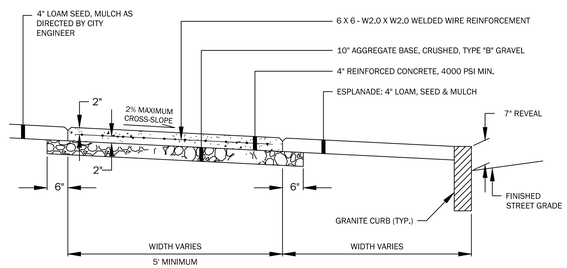
6 VERTICAL GRANITE CURB INSTALLATION IN EXISTING STREETS - FIGURE I-17

NOT TO SCALE



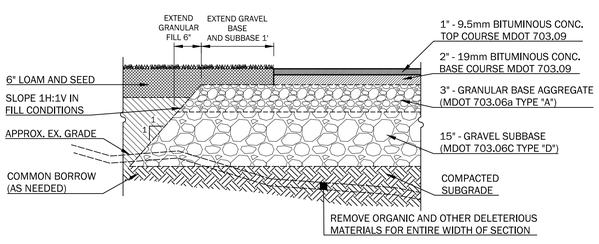
4 BITUMINOUS SIDEWALK - FIGURE I-12

NOT TO SCALE



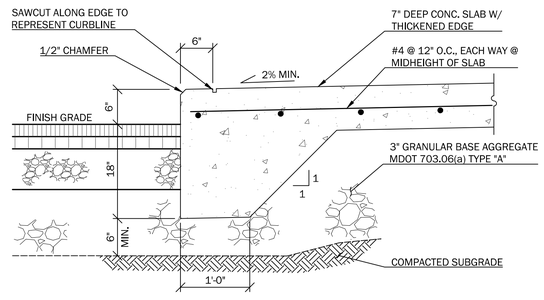
5 REINFORCED CONCRETE SIDEWALK - FIGURE I-14

NOT TO SCALE



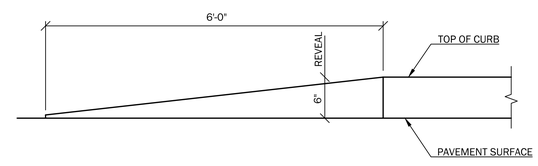
7 DRIVEWAY AND PARKING LOT PAVEMENT SECTION

NOT TO SCALE



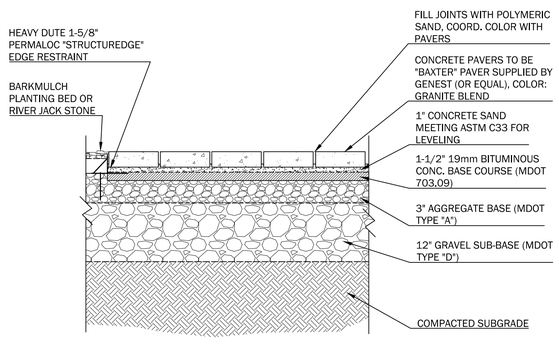
8 CAST-IN-PLACE CONCRETE WALK & CURB DETAIL

NOT TO SCALE



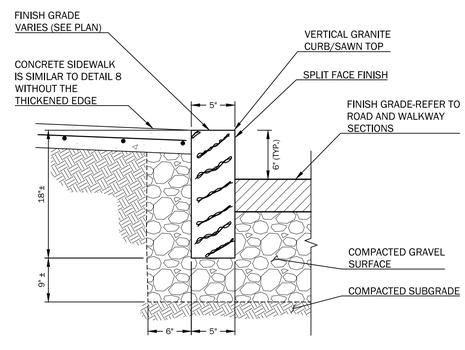
9 ON-SITE CURB TIP-DOWN OR TERMINATION SECTION

NOT TO SCALE



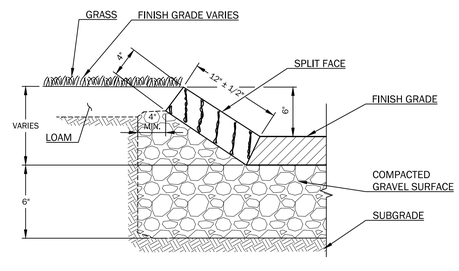
10 PRECAST CONCRETE PAVERS

NOT TO SCALE



11 VERTICAL GRANITE CURB INSTALLATION DETAIL

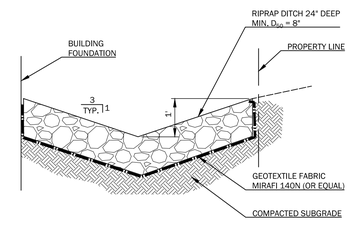
NOT TO SCALE



NOTE: CURBING SHALL CONFORM TO MDOT-TYPE 5 (S.609.34)

12 SLOPED GRANITE CURB DETAIL

NOT TO SCALE



13 RIPRAP SWALE SECTION

NOT TO SCALE

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One Karen Dr., Suite 2A | Westbrook, Maine 04092
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STATE OF MAINE
THOMAS S GREER
No. 4206
LICENSED PROFESSIONAL ENGINEER
5/21/2020

844 STEVENS AVENUE APARTMENTS

844 STEVENS AVENUE
PORTLAND, MAINE

PREPARED FOR:
STEVENS AVENUE, LLC
303 ISLINGTON STREET
PORTSMOUTH, NEW HAMPSHIRE 03801

Rev.	Date	Description	Drawn	Check
1	4/27/2020	REV'D PER CITY REVIEW	JDC	TSG
2	5/21/2020	REV'D PER 5-15-2020 CITY REVIEW	JDC	TSG

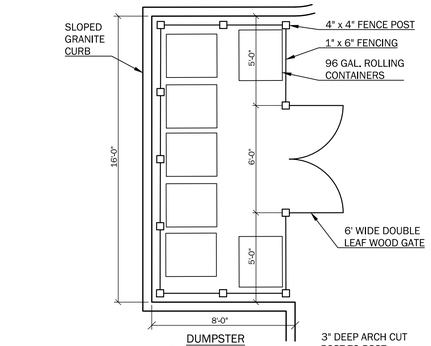
Sheet Title:

SITE DETAILS

Job No.:	547
Date:	JAN. 3, 2020
Scale:	AS SHOWN
Drawn:	JDC
Checked:	TSG

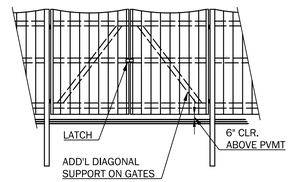
Sheet No.: C3.2

R:\547 - 844 Stevens Avenue, Portland\5. CADD\547 - Details-Reg.plot-Date: 5/20/2020 9:47 AM

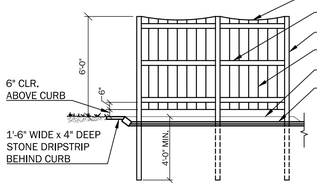


DUMPSTER ENCLOSURE PLAN

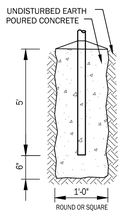
WOOD NOTES:
1. ALL WOOD TO BE PRESSURE TREATED TO A MIN. NET OF .40 lbs. CCA PER CUBIC FOOT OF WOOD AND EACH PIECE SHALL BEAR THE AMERICAN WOOD PRESERVER'S ASSOCIATES QUALITY MARK LP-22 "GROUND CONTACT USE."
2. ALL NAILS AND SCREWS TO BE GALVANIZED.



GATE ELEVATION



FENCE ELEVATION



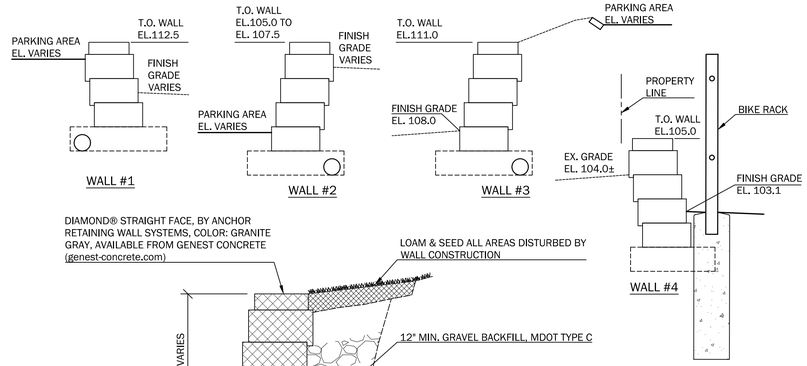
GATE POST INSTALLATION

SAMPLE - 96 GALLON ROLLING CONTAINER

NOTE:
WOOD HAS BEEN SHOWN IN THIS DETAIL. THE OWNER RESERVES THE OPTION TO USE A VINYL FENCING SYSTEM.

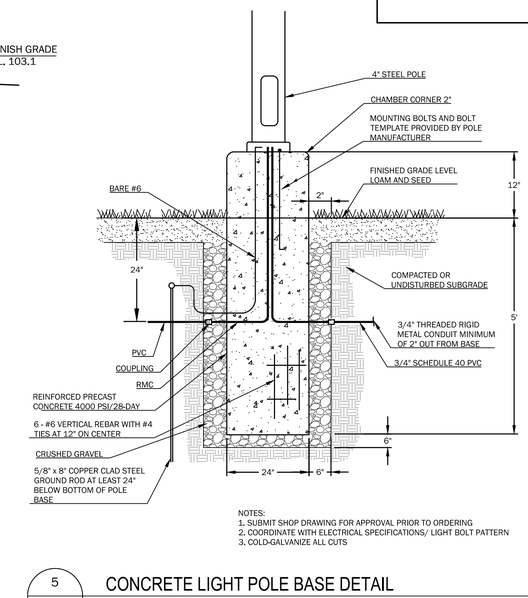
1 DUMPSTER ENCLOSURE DETAILS

NOT TO SCALE



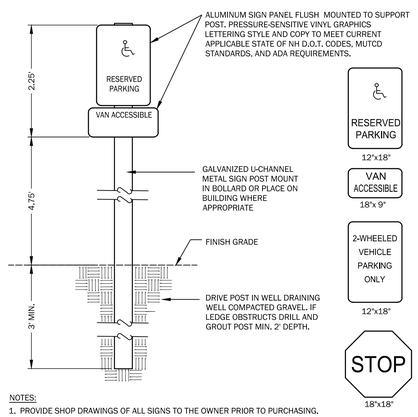
2 LANDSCAPE RETAINING WALL TYPICAL SECTION & DETAILS

NOT TO SCALE



NOTES:
1. SUBMIT SHOP DRAWING FOR APPROVAL PRIOR TO ORDERING
2. COORDINATE WITH ELECTRICAL SPECIFICATIONS/ LIGHT BOLT PATTERN
3. COLD-GALVANIZE ALL CUTS

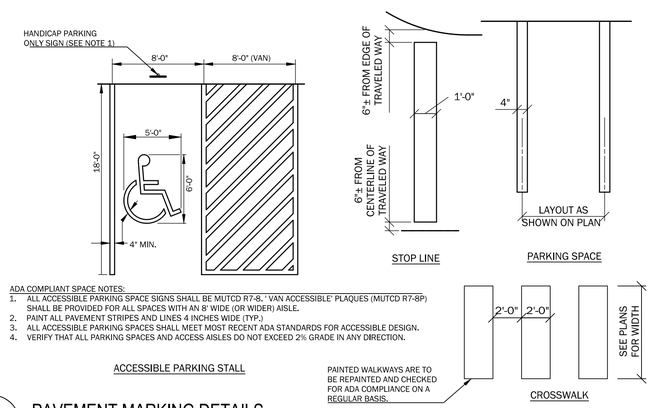
5 CONCRETE LIGHT POLE BASE DETAIL



NOTES:
1. PROVIDE SHOP DRAWINGS OF ALL SIGNS TO THE OWNER PRIOR TO PURCHASING.
2. OWNER TO APPROVE ALL SIGN LOCATIONS IN THE FIELD PRIOR TO INSTALLATION.

3 SIGNAGE DETAIL

NOT TO SCALE

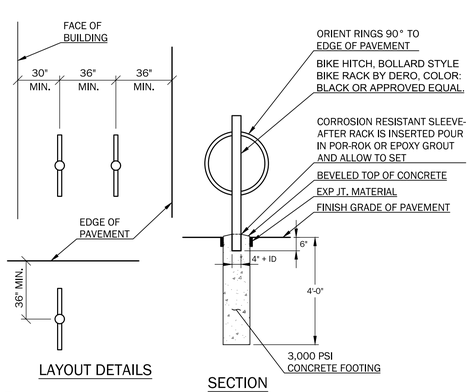


ADA COMPLIANT SPACE NOTES:
1. ALL ACCESSIBLE PARKING SPACE SIGNS SHALL BE MUTCD R7-8, ' VAN ACCESSIBLE' PLAQUES (MUTCD R7-8P) SHALL BE PROVIDED FOR ALL SPACES WITH AN 8' WIDE (OR WIDER) AISLE.
2. PAINT ALL PAVEMENT STRIPES AND LINES 4 INCHES WIDE (TYP.)
3. ALL ACCESSIBLE PARKING SPACES SHALL MEET MOST RECENT ADA STANDARDS FOR ACCESSIBLE DESIGN.
4. VERIFY THAT ALL PARKING SPACES AND ACCESS AISLES DO NOT EXCEED 2% GRADE IN ANY DIRECTION.

ACCESSIBLE PARKING STALL

4 PAVEMENT MARKING DETAILS

NOT TO SCALE

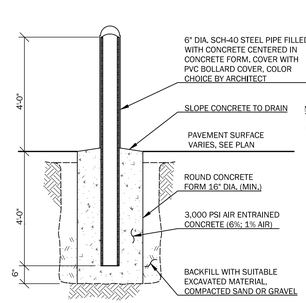


LAYOUT DETAILS

SECTION

6 BIKE HITCH MOUNTING DETAIL

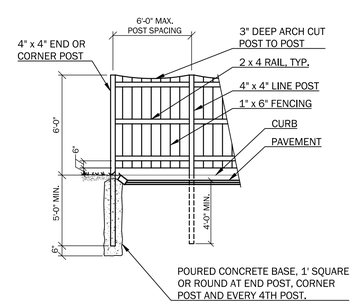
NOT TO SCALE



NOTES:
1. PRIOR TO PLACING BOLLARD IN FORM, PAINT BOLLARD WITH A "RUST INHIBITIVE" STEEL PRIMER EQUAL TO RUSTOLEUM 7769 RUSTY METAL PRIMER OR 7780 CLEAN METAL PRIMER AS APPROPRIATE AND 1 COAT OF RUSTOLEUM TOP COAT OR SHERWIN WILLIAMS "RUST TOUGH" PRIMER, AND 1 TOP COAT OF SHERWIN WILLIAMS "SUPER PAINT". ONCE INSTALLED COVER WITH A POLYETHYLENE SLEEVE EQUAL TO THAT MANUFACTURED BY EAGLE. TRIMMED TO FIT BOLLARD HEIGHT SPECIFIED.
2. SUPPORT BOLLARD FROM ABOVE GROUND PRIOR TO PLACING CONCRETE IN THE ROUND CONCRETE FORM. DO NOT SUPPORT VERTICALLY WITH AN OBJECT PLACED IN THE FORM.

7 STEEL BOLLARD DETAIL

NOT TO SCALE



NOTE:
WOOD HAS BEEN SHOWN IN THIS DETAIL. THE OWNER RESERVES THE OPTION TO USE A VINYL FENCING SYSTEM.

8 SCREEN FENCE FOR ABUTTING RESIDENCES DETAIL

NOT TO SCALE

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STATE OF MAINE
THOMAS S GREER
No. 4206
LICENSED PROFESSIONAL ENGINEER
5/21/2020

844 STEVENS AVENUE APARTMENTS

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PORTLAND, MAINE

PREPARED FOR:
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SITE DETAILS

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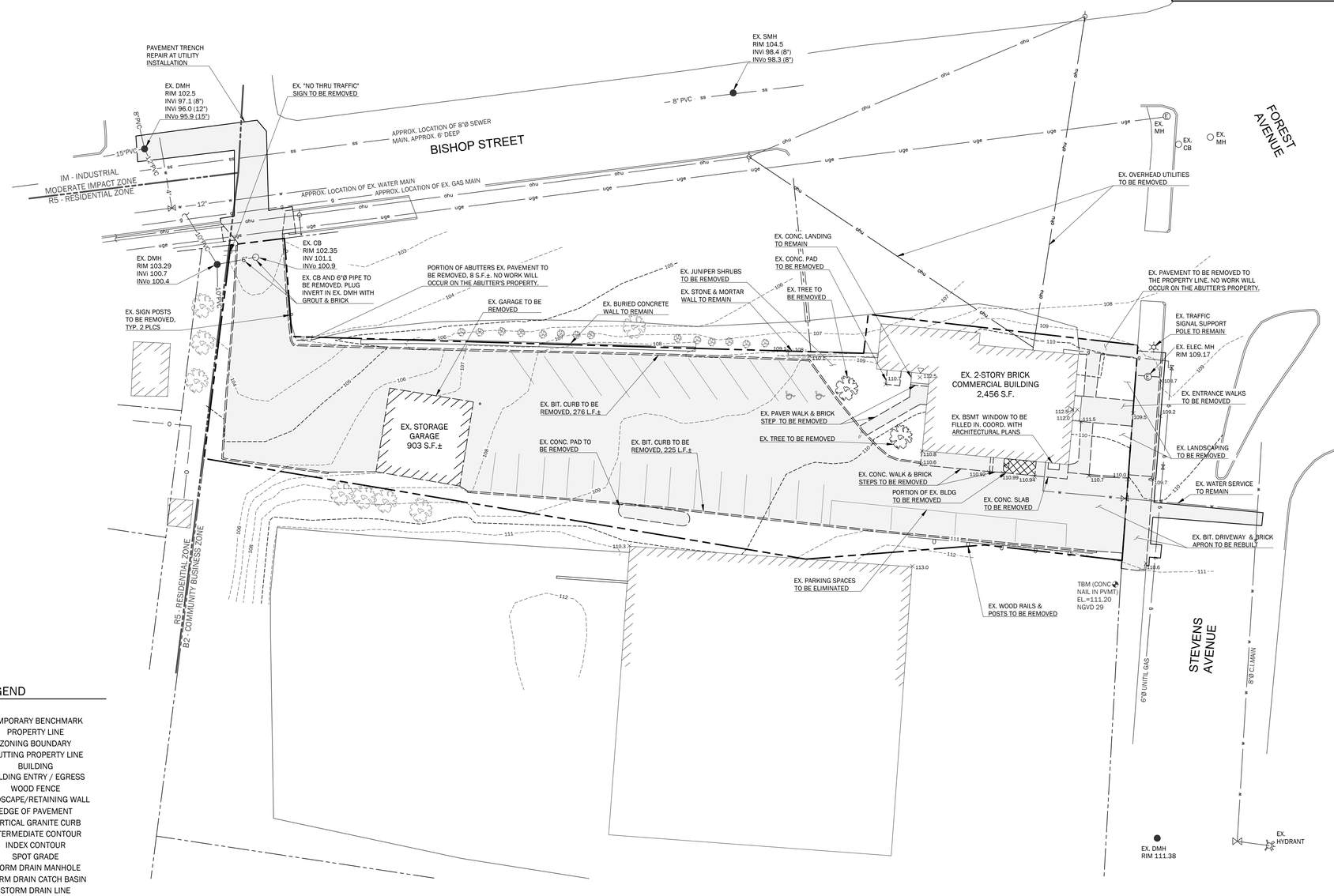
Checked:	TSG

Sheet No.: C3.3

© WEA - 844 Stevens Avenue Portland, ME CAD\547 - Details-layout.dwg Date: 5/20/2020 9:46 AM

GENERAL NOTES:

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING "DIG SAFE" AND LOCAL UTILITY COMPANIES AT LEAST THREE (3) BUSINESS DAYS, BUT NOT MORE THAN 30 CALENDAR DAYS, PRIOR TO THE COMMENCEMENT OF ANY EXCAVATION, IN ACCORDANCE WITH MAINE STATE LAW. "DIG SAFE" TELEPHONE NUMBER IS 1-888-344-7233.
2. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL AND ANY MEANS, METHODS, AND TECHNIQUES EMPLOYED TO PERFORM THE WORK SHOWN ON THE PLANS.
3. ALL WORK SHALL COMPLY WITH ALL LOCAL, STATE, AND FEDERAL REGULATIONS INCLUDING ALL SAFETY REGULATIONS (OSHA).
4. ALL WORK SHALL BE IN CONFORMANCE ALL UTILITY COMPANIES STANDARDS.
5. THE CONTRACTOR SHALL SECURE ALL NECESSARY PERMITS FOR THE WORK SHOWN ON THESE PLANS PRIOR TO CONSTRUCTION.
6. ALL PAVEMENT/CONCRETE CUTS SHALL BE SAW CUT TO RESULT IN CLEAN EDGES. A TACK COAT SHALL BE APPLIED ALONG THE PAVEMENT CUT EDGES AND THE NEW PAVEMENT BUTTED TO IT, UNLESS OTHERWISE DIRECTED BY THE OWNER OR OWNER'S REPRESENTATIVE.
7. ALL WORK SHALL COMPLY WITH THE CITY OF PORTLAND STREET OPENING PERMIT REQUIREMENTS.
8. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY SITE EXCAVATION OR REGRADING. REFER TO THE WRITTEN EROSION CONTROL PLAN AND DRAWINGS FOR FURTHER EROSION CONTROL GUIDELINES.
9. CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS SHOWN ON THE DRAWINGS. IF ANY DISCREPANCIES ARE FOUND, THE OWNER OR OWNER'S REPRESENTATIVE SHALL BE NOTIFIED IMMEDIATELY.



EXISTING LEGEND

EL=100.00	TEMPORARY BENCHMARK
	PROPERTY LINE
	ZONING BOUNDARY
	ABUTTING PROPERTY LINE
	BUILDING
	BUILDING ENTRY / EGRESS
— o — o —	WOOD FENCE
	LANDSCAPE/RETAINING WALL
	EDGE OF PAVEMENT
	VERTICAL GRANITE CURB
101	INTERMEDIATE CONTOUR
100	INDEX CONTOUR
× 112.5	SPOT GRADE
● DMH	STORM DRAIN MANHOLE
○ CB	STORM DRAIN CATCH BASIN
sd	STORM DRAIN LINE
● SMH	SANITARY SEWER MANHOLE
ss	SANITARY SEWER LINE
w	WATERLINE
	WATERLINE GATE VALVE
g	GAS LINE
	GAS LINE GATE VALVE
uge	UNDERGROUND ELECTRIC LINE
ohu	OVERHEAD UTILITY
Ⓔ	ELECTRIC MANHOLE
	UTILITY POLE
	TRAFFIC LIGHT POLE
	TREE
	SHRUB
	CURB TO BE REMOVED
	EDGE OF PAVEMENT TO BE REMOVED
	BUILDING TO BE REMOVED
o o	WOOD GUARDRAIL TO BE REMOVED

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STATE OF MAINE
SILAS W. CANAVAN
No. 12639
LICENSED PROFESSIONAL ENGINEER
7/14/2020

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PORTLAND, MAINE

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3	7/14/2020	REVD PER 6-5-2020 CITY REVIEW & 6-9-20 PB MTG	JDC	SWC

Sheet Title:

EXISTING CONDITIONS AND REMOVALS PLAN

Job No.:	547
Date:	JAN. 3, 2020
Scale:	AS SHOWN
Drawn:	JDC
Checked:	TSG

Sheet No.: C2.2

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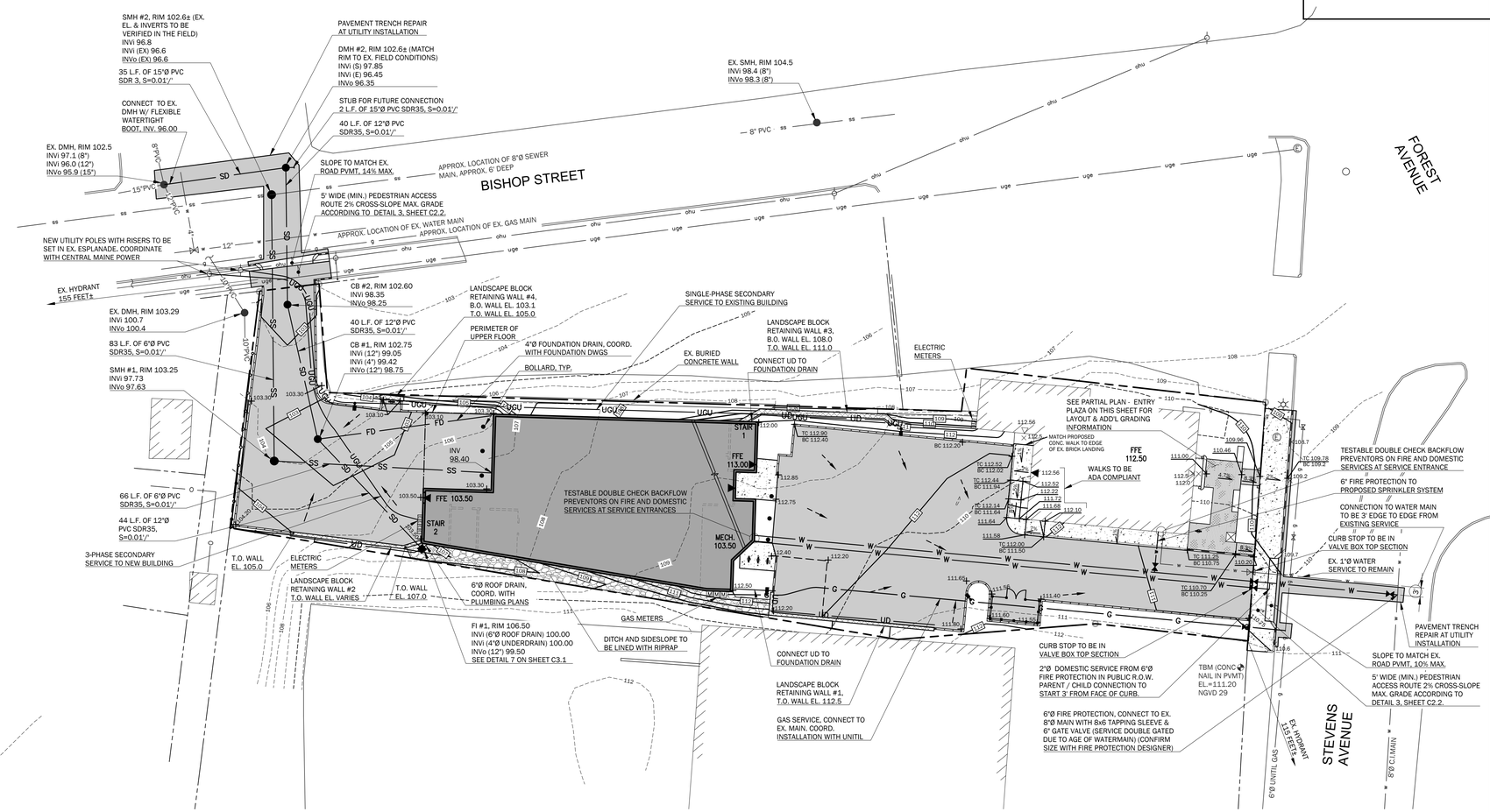
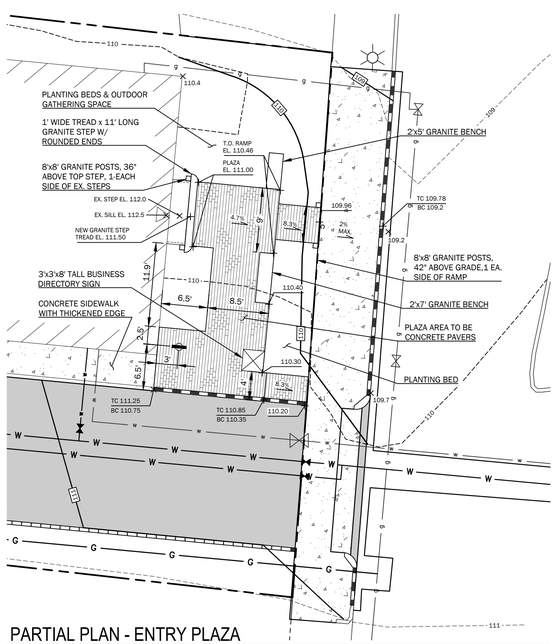
LEGEND

EXISTING		PROPOSED
EL=100.00	TEMPORARY BENCHMARK	
	PROPERTY LINE	
	ZONING BOUNDARY	
	ABUTTING PROPERTY LINE	
	BUILDING	
	BUILDING ENTRY / EGRESS	
	WOOD FENCE	
	BUSINESS SIGN	
	TRAFFIC / PARKING SIGN	
	BOLLARD	
	PUBLIC BICYCLE RACK	
	LANDSCAPE/RETAINING WALL	
	EDGE OF PAVEMENT	
	EDGE OF CONCRETE	
	CONCRETE PAVERS	
	VERTICAL GRANITE CURB	
	SLOPED GRANITE CURB	
101	INTERMEDIATE CONTOUR	101
100	INDEX CONTOUR	100
×112.5	SPOT GRADE	+ 90.00
	FLOW ARROW	
	SURFACE SLOPE DIRECTION & GRADE	2.0%
	FINISHED FLOOR ELEVATION	FFE 100.00
DMH	STORM DRAIN MANHOLE	DMH
CB	STORM DRAIN CATCH BASIN	CB
	STORM DRAIN FIELD INLET	FI
sd	STORM DRAIN LINE	SD
	FOUNDATION DRAIN	FD
	UNDERDRAIN	UD
SMH	SANITARY SEWER MANHOLE	SMH
ss	SANITARY SEWER LINE	SS
w	WATERLINE	W
	WATERLINE GATE VALVE	
g	GAS LINE	G
	GAS LINE GATE VALVE	
	GAS LINE METER	M
uge	UNDERGROUND ELECTRIC LINE	
ohu	OVERHEAD UTILITY	
	UNDERGROUND UTILITY	UGU
	ELECTRIC MANHOLE	
	ELECTRIC METER	E
	UTILITY POLE	
	TRAFFIC LIGHT POLE	
	LIGHT POLE	
	CHAINLINK FENCE	
	RIPRAP SLOPE PROTECTION	





PARTIAL PLAN - ENTRY PLAZA

SCALE: 1"=10'

GRADING, DRAINAGE AND UTILITIES NOTES:

1. PRIOR TO ANY CONSTRUCTION ACTIVITIES, CONTRACTOR SHALL VERIFY ALL AFFECTED GRADES. ANY DISCREPANCIES SHALL BE REPORTED IMMEDIATELY TO THE OWNER OR OWNER'S REPRESENTATIVE.
2. ALL AREAS NOT REQUIRING GRADING SHALL BE LEFT UNDISTURBED. CONTRACTOR SHALL NOT DISTURB THESE AREAS AND PRESERVE EXISTING VEGETATION.
3. GRADE ALL NEW WORK FOR POSITIVE DRAINAGE AND NO PUDDLING. MATCH EXISTING GRADES SMOOTHLY AND CONTINUOUSLY.
4. OWNER AND PROJECT ENGINEER WILL BE CLOSELY MONITORING FINISH GRADING IN THE FIELD. CONTRACTOR SHALL PERFORM FINISH WORK AS DIRECTED BY THE OWNER OR PROJECT ENGINEER TO ACHIEVE THE FINISH GRADE CONDITIONS SHOWN ON THE PLANS.
5. ALL SITE IMPROVEMENTS INCLUDING UTILITIES MUST CONFORM TO THE CITY OF PORTLAND'S TECHNICAL GUIDELINES AND STANDARDS.
6. BY SERVING TWO (2) BUILDINGS WITH ONE (1) FIRE PROTECTION SERVICE THE SITE CANNOT BE SUBDIVIDED WITHOUT REQUIRING SEPARATE FIRE SERVICES TO BE INSTALLED TO EACH BUILDING.

N

GRAPHIC SCALE

20 0 10 20 40 80

1 inch = 20 ft.

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Sheet Title:

GRADING & UTILITIES PLAN

Job No.:	547
Date:	JAN. 3, 2020
Scale:	AS SHOWN
Drawn:	JDC
Checked:	TSG

Sheet No.: C2.3

LEGEND

EXISTING		PROPOSED
	PROPERTY LINE	
	ABUTTING PROPERTY LINE	
	BUILDING	
	BUILDING ENTRY / EGRESS	
	WOOD FENCE	
	BUSINESS SIGN	
	TRAFFIC / PARKING SIGN	
	BOLLARD	
	PUBLIC BICYCLE RACK	
	LANDSCAPE/RETAINING WALL	
	EDGE OF PAVEMENT	
	EDGE OF CONCRETE	
	CONCRETE PAVERS	
	VERTICAL GRANITE CURB	
	SLOPED GRANITE CURB	
101	INTERMEDIATE CONTOUR	101
100	INDEX CONTOUR	100
DMH	STORM DRAIN MANHOLE	DMH
	STORM DRAIN CATCH BASIN	CB
	STORM DRAIN FIELD INLET	FI
	SANITARY SEWER MANHOLE	SMH
	GAS LINE METER	M
	ELECTRIC MANHOLE	
	ELECTRIC METER	E
	UTILITY POLE	
	TRAFFIC LIGHT POLE	
	LIGHT POLE	
	HANDICAP PARKING SYMBOL	
	PARKING STRIPING	
	TREE / SHRUB	
	PERENNIAL PLANTING BED	
	RIVER JACK STONE	

INTENT OF TREE SPACING IS TO LOCATE TREES BETWEEN WINDOWS, NOT IN FRONT OF THEM

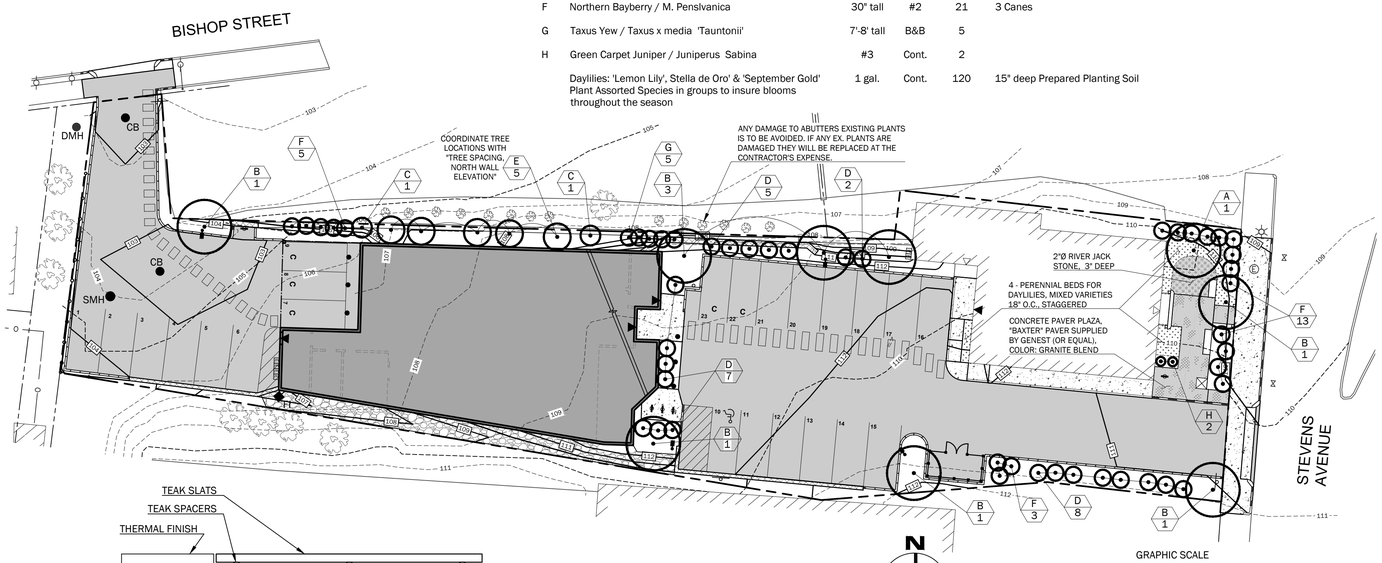
TREE SPACING, NORTH WALL ELEVATION

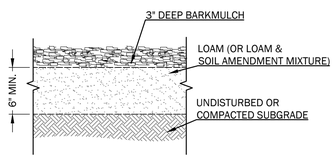
SCALE: 1"=20'±

RENDERING: ANTHONY L. MUENCH, LANDSCAPE ARCHITECT

PLANT LIST

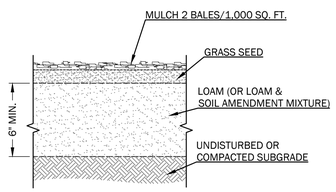
Key	Common & Botanical Name	Size	Root	Quantity	Notes:
A	Leonard Messel Magnolia / Magnolia x l. 'Leonard Messel'	8' tall	B&B	1	
B	Street Keeper Honey Locust / Gleditsia Triacanthos var. inermis 'Street Keeper'	2 1/2" cal.	B&B	8	Single Trunk, 7 1/2' Understory
C	Shasta Viburnum / V. Plicatum var. Tomentosum 'shasta'	3'-4' tall	B&B	2	
D	Grey Owl Juniper / J. Virginiana 'Grey Owl'		B&B	22	
E	Nannyberry Viburnum / V. Lentago	4'-5' tall	B&B	5	
F	Northern Bayberry / M. Penslvanica	30" tall	#2	21	3 Canes
G	Taxus Yew / Taxus x media 'Tauntonii'	7'-8' tall	B&B	5	
H	Green Carpet Juniper / Juniperus Sabina	#3	Cont.	2	
	Daylilies: 'Lemon Lily', Stella de Oro' & 'September Gold' Plant Assorted Species in groups to insure blooms throughout the season	1 gal.	Cont.	120	15" deep Prepared Planting Soil





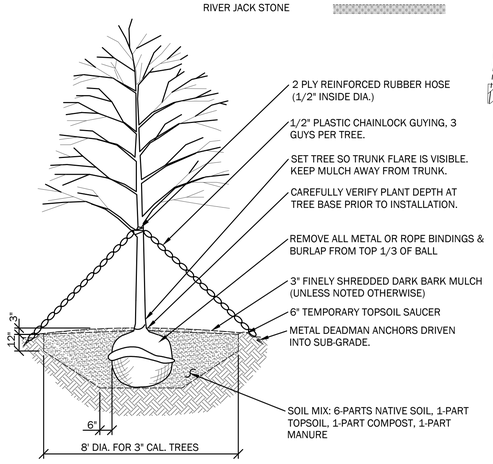
6 BARKMULCH PLANT BED DETAIL

NOT TO SCALE



7 LOAM AND SEED DETAIL

NOT TO SCALE

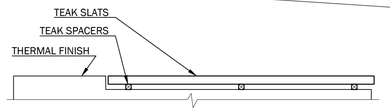


NOTES:

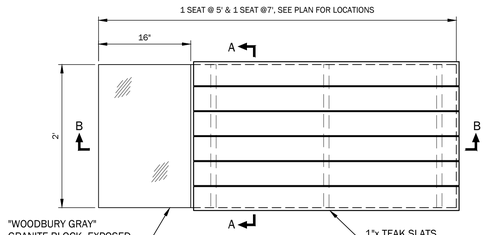
1. PRUNE ALL DEAD AND BROKEN BRANCHES. RETAIN NATURAL SHAPE, NEVER CUT LEADER.
2. IN LEDGE CONDITIONS, BLASTING SHALL BE 10' DIA AND 4' BELOW TREE HOLE BOTTOM GRADE.

2 DECIDUOUS TREE PLANTING DETAIL

NOT TO SCALE

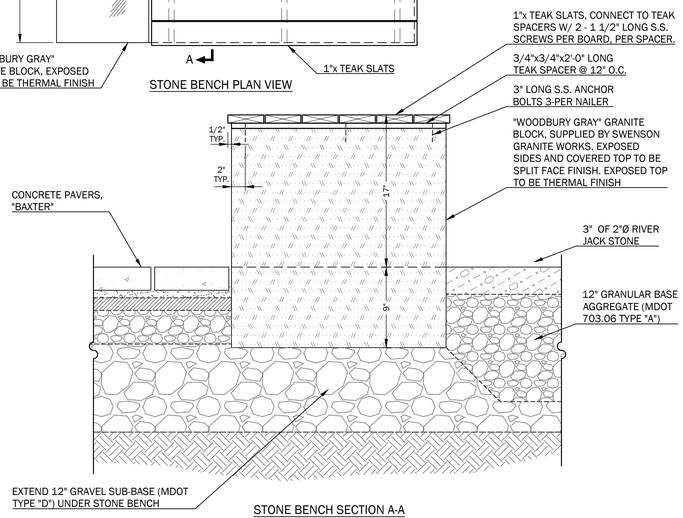


STONE BENCH SECTION B-B



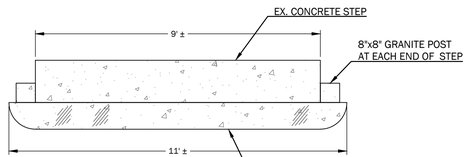
STONE BENCH PLAN VIEW

SIMILAR STONE BENCH PERSPECTIVE



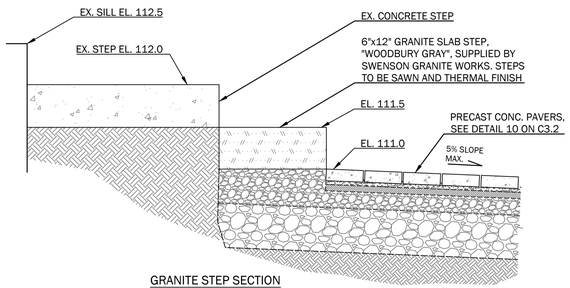
STONE BENCH SECTION A-A

NOTE: 2 BENCHES REQUIRED



GRANITE STEP PLAN

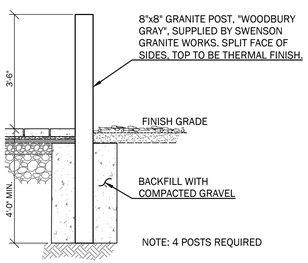
GRANITE SLAB STEP, NEW STEP TO BE 1' LONGER THAN EXISTING STEP AT EACH END. FIELD VERIFY EXISTING STEP LENGTH PRIOR TO ORDERING NEW STEP.



GRANITE STEP SECTION

5 GRANITE STEP DETAILS

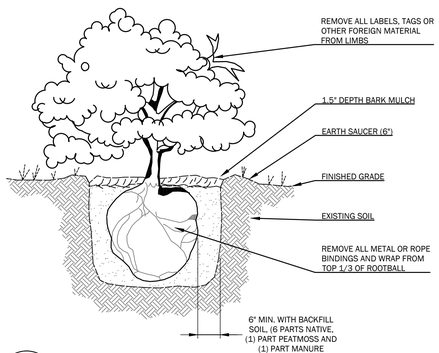
NOT TO SCALE



NOTE: 4 POSTS REQUIRED

1 GRANITE POST DETAIL

NOT TO SCALE



3 SHRUB PLANTING INSTALLATION

NOT TO SCALE

WALSH ENGINEERING ASSOCIATES, INC.

One Karen Dr., Suite 2A | Westbrook, Maine 04092
ph: 207.553.9898 | www.walsh-eng.com

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STATE OF MAINE
SILAS W. CANAVAN
No. 12639
LICENSED PROFESSIONAL ENGINEER

7/14/2020

844 STEVENS AVENUE APARTMENTS

844 STEVENS AVENUE
PORTLAND, MAINE

PREPARED FOR:
STEVENS AVENUE, LLC
303 ISLINGTON STREET
PORTSMOUTH, NEW HAMPSHIRE 03801

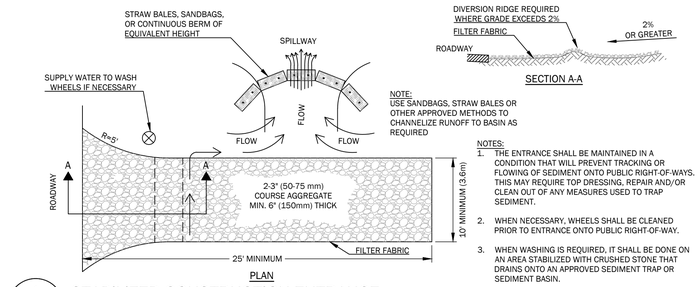
Rev.	Date	Description	Drawn	Check
1	4/27/2020	REVD PER CITY REVIEW	JDC	TSG
2	6/21/2020	REVD PER 5-15-2020 CITY REVIEW	JDC	TSG
3	7/14/2020	REVD PER 6-5-2020 CITY REVIEW & 6-9-20 PB MTG	JDC	SWC

Sheet Title:

LANDSCAPE PLAN, NOTES & DETAILS

Job No.:	547
Date:	JAN. 3, 2020
Scale:	AS SHOWN
Drawn:	JDC
Checked:	TSG

Sheet No.: C2.5

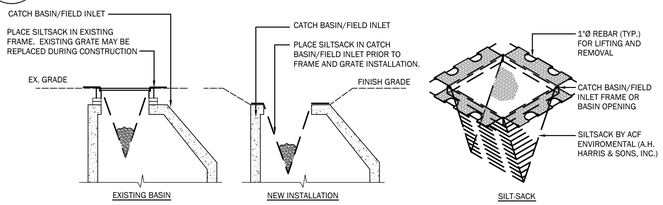


NOTE:
USE SANDBAGS, STRAW BALES OR OTHER APPROVED METHODS TO CHANNELIZE RUNOFF TO BASIN AS REQUIRED

NOTES:
1. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAYS. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEAN OUT OF ANY MEASURES USED TO TRAP SEDIMENT.
2. WHEN NECESSARY, WHEELS SHALL BE CLEANED PRIOR TO ENTRANCE ONTO PUBLIC RIGHT-OF-WAY.
3. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS ONTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.

1 STABILIZED CONSTRUCTION ENTRANCE

NOT TO SCALE



NOTE:
1. INSTALLATION PER MANUFACTURER'S INSTRUCTIONS AND RECOMMENDATIONS.
2. EMPTY AND REMOVE SEDIMENT FROM SILTSACK WHEN RESTRAINT CORD IS NO LONGER VISIBLE. CLEAN, RINSE AND REPLACE AS NEEDED.
3. CONTRACTOR SHALL INSPECT CATCH BASIN PROTECTION AFTER EACH MAJOR STORM EVENT AND CLEAN SILT AS NEEDED.
4. SILT SACKS TO BE INSTALLED IN ALL CATCH BASINS DURING CONSTRUCTION WHILE GROUND IS NOT PERMANENTLY STABILIZED.

2 SILT SACK AT DRAINAGE STRUCTURE INLET

NOT TO SCALE

1. TURF REINFORCEMENT MAT (TRM) MATERIAL SHALL BE ENKAMAT 7020, OR APPROVED EQUAL.
2. TRM INSTALLATION: APPLY 4" OF LOAM ONTO THE GROUND SURFACE. OVER TOP THE 4" OF LOAM, UNROLL MAT IN THE DIRECTION OF WATER FLOW.
3. MAT SHOULD LIE FLAT. DO NOT STRETCH MAT OVER GROUND.
4. BURY TRANSVERSE TERMINAL ENDS OF MAT TO SECURE AND PREVENT EROSIVE FLOW UNDERNEATH.
5. SECURE MAT SNUGLY INTO ALL TRANSVERSE CHECK SLOTS.
6. BACKFILL AND COMPACT TRENCHES AND CHECK SLOTS AFTER STAKING THE MAT IN BOTTOM OF TRENCH.
7. OVERLAP ADJACENT EDGES OF MAT BY 4 INCHES (MIN.) AND STAKE.
8. USE WOOD STAKES OR STAPLES FOR PINNING MAT TO THE GROUND.
9. SURFACE, PER MANUFACTURER'S RECOMMENDATIONS.
10. IN ALL TRANSVERSE TERMINAL TRENCHES AND CHECK SLOTS, STAKE EACH MAT AT ITS CENTER AND OVERLAP EDGES BEFORE BACKFILLING AND COMPACTING.
11. WORK ADDITIONAL LOAM INTO THE MAT AND COVER THE MAT SURFACE WITH 3/4" TO 1" OF LOAM, THEN SEED AND COVER WITH EROSION CONTROL BLANKET. BLANKET SHALL BE BIONET S75BN SINGLE NET STRAW BLANKET BY NORTH AMERICAN GREEN OR APPROVED EQUAL.

TURF REINFORCEMENT INSTALLATION INSTRUCTIONS

INTRODUCTION

THE FOLLOWING PLAN FOR CONTROLLING SEDIMENTATION AND EROSION IN THIS PROJECT IS BASED ON CONSERVATION PRACTICES FOUND IN THE MAINE EROSION & SEDIMENT CONTROL BMPS MANUAL, OCTOBER 2016, AND MAINE EROSION AND SEDIMENT CONTROL PRACTICE FIELD GUIDE FOR CONTRACTORS. REVISED 2014, MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION. THE CONTRACTOR WHO IMPLEMENTS THIS PLAN SHALL BE FAMILIAR WITH THESE PUBLICATIONS AND ADHERE TO THEM AND THE PRACTICES PRESENTED HEREIN

REFERENCE IS MADE TO THE GRADING AND DRAINAGE PLANS WITHIN THE PLAN SET, SHOWING THE LOCATIONS AND TYPES OF PROPOSED MEASURES TO BE IMPLEMENTED.

GENERAL EROSION AND SEDIMENTATION CONTROL PRACTICES

THE FOLLOWING IS A LIST OF GENERAL EROSION CONTROL PRACTICES THAT WILL BE USED TO PREVENT EROSION AND SEDIMENTATION BEFORE, DURING AND AFTER THE CONSTRUCTION OF THIS PROJECT. IN ADDITION, SPECIAL CARE SHALL BE USED AT ALL TIMES TO:
LIMIT DISTURBANCE AND, HENCE, EROSION
1) CORRECT ANY EROSION PROBLEMS IMMEDIATELY
2) REGULARLY MONITOR THE IMPLEMENTED PRACTICES, ESPECIALLY AFTER EVERY RAINFALL
3) REVEGETATE DISTURBED AREAS AS SOON AS POSSIBLE AFTER CONSTRUCTION
4) CONFORM TO ALL REQUIREMENTS/STANDARDS OF THE SITE'S MAINE DEP EROSION & SEDIMENT CONTROL BMP MANUAL.

CATCH BASIN PROTECTION

CATCH BASIN PROTECTION WILL BE INSTALLED AT THE FIRST DOWNGRADIENT CATCH BASIN IN STREET ADJACENT TO ANY CONSTRUCTION ACTIVITIES AND IN ALL ONSITE CATCH BASINS UNTIL SITE HAS BEEN COMPLETELY STABILIZED.

CONSTRUCTION PHASE

THE FOLLOWING GENERAL PRACTICES WILL BE IMPLEMENTED TO PREVENT EROSION DURING CONSTRUCTION ON THIS PROJECT:

1. EROSION AND SEDIMENTATION CONTROL BMPS SHALL BE INTALLED PRIOR TO THE COMMENCEMENT OF EARTHWORK ACTIVITIES.
2. ONLY THOSE AREAS UNDER ACTIVE CONSTRUCTION WILL BE CLEARED AND LEFT IN AN UNTREATED OR UNVEGETATED CONDITION. AN AREA NO LARGER THAN WHAT CAN BE MULCHED IN ONE DAY MAY BE OPEN AT ONCE. ONCE CONSTRUCTION OF AN AREA IS COMPLETE, FINAL GRADING, LOAMING AND SEEDING SHALL OCCUR IMMEDIATELY (REFER TO "POST CONSTRUCTION REVEGETATION" SECTION). IF DURING FINAL GRADING, LOAMING AND SEEDING CAN NOT OCCUR IMMEDIATELY, IT SHALL BE DONE PRIOR TO ANY STORM EVENT AND WITHIN 15 DAYS OF COMPLETING CONSTRUCTION IN THE AREA. IF FINAL GRADING, LOAMING AND SEEDING CANNOT OCCUR WITHIN 7 DAYS, OR IF THE AREA IS NOT UNDER ACTIVE CONSTRUCTION FOR A PERIOD LONGER THAN 7 DAYS, SEE ITEM NO. 4 BELOW.
3. PRIOR TO THE START OF CONSTRUCTION IN A SPECIFIC AREA, SILT FENCING SHALL BE INSTALLED ON DOWNGRADIENT PORTIONS OF THE SITE AS LOCATED ON THE PLANS TO PROTECT AGAINST ANY CONSTRUCTION RELATED EROSION.
4. TOPSOIL WILL BE STOCKPILED WHEN NECESSARY IN AREAS WHICH HAVE MINIMUM POTENTIAL FOR EROSION AND WILL BE KEPT AS FAR AS POSSIBLE FROM EXISTING DRAINAGE AREAS AND WETLANDS. ALL STOCKPILES EXPECTED TO REMAIN LONGER THAN 7 DAYS SHALL BE:
   A. TREATED WITH ANCHORED MULCH (WITHIN 5 DAYS OF THE LAST DEPOSIT OF STOCKPILED SOIL).
   B. SEEDED WITH CONSERVATION MIX AND MULCHED IMMEDIATELY.
   C. STOCKPILES SHALL BE EITHER PLACED UPHILL OF AN EXISTING SEDIMENT BARRIER ON THE SITE OR ENCIRCLED BY A HAY BALE OR SILT FENCE BARRIER THE FIRST DAY THAT STOCKPILING COMMENCES.
5. ALL DISTURBED AREAS EXPECTED TO REMAIN LONGER THAN 7 DAYS SHALL BE:
   A. TREATED WITH STRAW AT A RATE OF 70-90 LBS. PER 1000 SQUARE FEET FROM 4/16 TO 10/1, OR AT A RATE OF 150-200 LBS. PER 1000 SQUARE FEET FROM 10/1 TO 4/15.
   B. SEEDED WITH CONSERVATION MIX OF PERENNIAL RYE GRASS (1.0 LBS/1000 SQ.FT.) AND MULCHED IMMEDIATELY. FROM 10/1 TO 4/15, FOLLOW THE SEEDING RATES AS OUTLINED BELOW IN SUB-SECTION 4.D. OF THE "POST CONSTRUCTION REVEGETATION" SECTION.
   C. MONITORED EVERY TWO WEEKS UNTIL SEEDING CAN OCCUR AND REMULCHED AS NEEDED TO PROTECT SLOPES.
5. ALL GRADING WILL BE HELD TO A MAXIMUM 3:1 SLOPE WHERE PRACTICAL. GREATER SLOPES MAY BE USED WHERE THE BANKS ARE PROTECTED WITH SOFT ARMOUR MATTING, EROSION CONTROL MATTING, OR RIPRAP. ALL SLOPES WILL BE STABILIZED WITH PERMANENT SEEDING IMMEDIATELY AFTER FINAL GRADING IS COMPLETE. (IT IS UNDERSTOOD THAT IMMEDIATELY MEANS WITHIN 5 DAYS OF THE COMPLETION OF WORK. SEE POST-CONSTRUCTION REVEGETATION FOR SEEDING SPECIFICATION).
6. APPLICATION RATE MUST BE 2 BALES (70-90 LBS.) PER 1,000 SQUARE FEET OR 1.5 TO 2 TONS (90-100 BALES) PER ACRE TO COVER 75 TO 90% OF THE GROUND SURFACE. DRIVE OVER WITH TRACKED CONSTRUCTION EQUIPMENT ON GRADES OF 5% AND LESS.
7. CONSTRUCTION TRAFFIC WILL BE DIRECTED OVER THE EXISTING SITE ENTRANCE. THE ROAD SHALL BE SWEPT AND VACUUMED DAILY SHOULD SEDIMENT BE TRACKED ONTO IT.

POST CONSTRUCTION REVEGETATION

THE FOLLOWING GENERAL PRACTICES WILL BE IMPLEMENTED TO PREVENT EROSION AS SOON AS AN AREA IS READY TO UNDERGO FINAL GRADING:

1. A MINIMUM OF 6" OF LOAM WILL BE SPREAD OVER DISTURBED AREAS AND GRADED TO A UNIFORM DEPTH AND NATURAL APPEARANCE.
2. LAWN AREAS: "PARK MIX" GRASS SEED BY ALLEN, STERLING & LOTHROP (FALMOUTH, MAINE), OR APPROVED EQUAL.
3. MULCH SHALL BE HAY OR STRAW MULCHES THAT ARE DRY AND FREE FROM UNDESIRABLE SEEDS AND COURSE MATERIALS.
   A. APPLICATION RATE MUST BE 2 BALES (70-90 LBS.) PER 1,000 SQUARE FEET OR 1.5 TO 2 TONS (90-100 BALES) PER ACRE TO COVER 75 TO 90% OF THE GROUND SURFACE.
   B. DRIVE OVER WITH TRACKED CONSTRUCTION EQUIPMENT ON GRADES OF 5% AND LESS.
   C. BLANKET WITH TACKED PHOTODEGRADABLE/BIODEGRADABLE NETTING ON GRADES GREATER THAN 5%.
4. HYDRO-MULCH SHALL CONSIST OF A MIXTURE OF ASPHALT, WOOD FIBRE OR PAPER FIBRE AND WATER, WHICH IS SPRAYED OVER A SEEDED AREA. HYDRO-MULCH SHALL NOT BE USED BETWEEN 10/1 AND 4/15.
5. CONSTRUCTION SHALL BE PLANNED TO ELIMINATE THE NEED FOR SEEDING BETWEEN OCTOBER 1ST AND APRIL 15TH. SHOULD SEEDING BE NECESSARY BETWEEN THESE DATES, THE FOLLOWING PROCEDURE SHALL BE FOLLOWED:
   A. ONLY UNFROZEN LOAM SHALL BE USED.
   B. LOAMING, SEEDING AND MULCHING WILL NOT BE DONE OVER SNOW OR ICE COVER. IF SNOW EXISTS, IT MUST BE REMOVED PRIOR TO PLACEMENT OF SEED.
   C. WHERE PERMANENT SEEDING IS NECESSARY, ANNUAL WINTER RYE (1.2 LBS/1000 S.F.) SHALL BE SOWN INSTEAD OF THE PREVIOUSLY NOTED SEEDING RATE.
   D. WHERE TEMPORARY SEEDING IS REQUIRED, ANNUAL WINTER RYE (2.5 LBS/1000 S.F.) SHALL BE SOWN INSTEAD OF THE PREVIOUSLY NOTED SEEDING RATE.
   E. FERTILIZING, SEEDING AND MULCHING SHALL BE DONE ON LOAM THE DAY THE LOAM IS SPREAD.
   F. HAY MULCH SHALL BE SECURED WITH PHOTODEGRADABLE/BIODEGRADABLE NETTING. TRACKING BY MACHINERY ALONE WILL NOT SUFFICE. WINTER MULCHING RATES, SHALL BE DOUBLE AS SPECIFIED ABOVE IN SUBSECTION 3.A OF THE "POST CONSTRUCTION REVEGETATION" SECTION, SHOULD BE APPLIED DURING THIS PERIOD.
6. FOLLOWING FINAL SEEDING, THE SITE WILL BE INSPECTED EVERY 30 DAYS UNTIL 90% COVER HAS BEEN ESTABLISHED. RESEEDING WILL BE CARRIED OUT BY THE CONTRACTOR WITHIN 10 DAYS OF NOTIFICATION BY THE DESIGN PROFESSIONAL THAT THE EXISTING CATCH IS INADEQUATE.

MONITORING SCHEDULE

THE CONTRACTOR SHALL BE RESPONSIBLE FOR INSTALLING, MONITORING, MAINTAINING, REPAIRING, REPLACING AND REMOVING ALL OF THE EROSION AND SEDIMENTATION CONTROLS OR APPOINTING A QUALIFIED SUBCONTRACTOR TO DO SO.
MAINTENANCE MEASURES WILL BE APPLIED AS NEEDED DURING THE ENTIRE CONSTRUCTION CYCLE. IMMEDIATELY FOLLOWING ANY SIGNIFICANT RAINFALL, AND AT LEAST ONCE A WEEK, A VISUAL INSPECTION WILL BE MADE OF ALL EROSION AND SEDIMENTATION CONTROLS AS FOLLOWS:

CONSTRUCTION ENTRANCE SHALL BE VISUALLY INSPECTED AND REPAIRED AS NEEDED. ANY AREAS SUBJECT TO RUTTING SHALL BE STABILIZED IMMEDIATELY. IF THE VOIDS OF THE CONSTRUCTION ENTRANCE BECOME FILLED WITH MUD, MORE CRUSHED STONE SHALL BE ADDED AS NEEDED. THE PUBLIC ROADWAY SHALL BE SWEPT AND VACUUMED SHOULD MUD BE DEPOSITED/TRACKED ONTO THEM.

STANDARDS FOR STABILIZING SITES FOR THE WINTER

THE FOLLOWING STANDARDS AND METHODOLOGIES SHALL BE USED FOR STABILIZING THE SITE DURING THE WINTER CONSTRUCTION PERIOD:

1. STANDARD FOR THE TIMELY STABILIZATION OF DISTURBED SLOPES (ANY AREA HAVING A GRADE GREATER THAN 25%) - THE CONTRACTOR WILL SEED AND MULCH ALL SLOPES TO BE VEGETATED BY SEPTEMBER 15TH. IF THE CONTRACTOR FAILS TO STABILIZE ANY SLOPE TO BE VEGETATED BY SEPTEMBER 15TH, 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 1ST THE CONTRACTOR WILL SEED THE DISTURBED SLOPE WITH WINTER RYE AT A RATE OF 3 POUNDS PER 1000 SQUARE FEET AND THEN INSTALL EROSION CONTROL MATS OR ANCHORED HAY MULCH OVER THE SEEDING AT TWICE THE RATE AS SPECIFIED ABOVE IN SUBSECTION 3.A OF THE "POST CONSTRUCTION REVEGETATION" SECTION. THE CONTRACTOR WILL MONITOR GROWTH OF THE RYE OVER THE NEXT 30 DAYS.
   B. STABILIZE THE SLOPE WITH WOOD-WASTE COMPOST: THE CONTRACTOR WILL PLACE A SIX-INCH LAYER OF WOOD-WASTE COMPOST ON THE SLOPE BY NOVEMBER 15TH, THE CONTRACTOR WILL NOT USE WOOD-WASTE COMPOST TO STABILIZE SLOPES HAVING GRADES GREATER THAN 50% (2H:1V) OR HAVING GROUNDWATER SEEPS ON THE SLOPE FACE.
   C. STABILIZE THE SLOPE WITH STONE RIPRAP: THE CONTRACTOR WILL PLACE A LAYER OF STONE RIPRAP ON THE SLOPE BY NOVEMBER 15TH. THE DEVELOPMENT'S OWNER WILL HIRE A REGISTERED PROFESSIONAL ENGINEER TO DETERMINE THE STONE SIZE NEEDED FOR STABILITY ON THE SLOPE AND TO DESIGN A FILTER LAYER FOR UNDERNEATH THE RIPRAP.
2. STANDARD FOR THE TIMELY STABILIZATION OF DISTURBED SOILS - BY SEPTEMBER 15TH THE CONTRACTOR WILL SEED AND MULCH ALL DISTURBED SOILS ON THE SITE. IF THE CONTRACTOR FAILS TO STABILIZE THESE SOILS BY THIS DATE, THEN THE CONTRACTOR WILL TAKE ON OF THE FOLLOWING ACTIONS TO STABILIZE THE SOIL FOR LATE FALL AND WINTER.
   A. STABILIZE THE SOIL WITH TEMPORARY VEGETATION: BY OCTOBER 1ST 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 CONTRACTOR WILL MONITOR GROWTH OF THE RYE OVER THE NEXT 30 DAYS. IF THE RYE FAILS TO GROW AT LEAST THREE INCHES OR FAILS TO COVER AT LEAST 75% OF THE DISTURBED SOIL BEFORE NOVEMBER, 1, THEN THE CONTRACTOR WILL MULCH THE AREA FOR OVER-WINTER PROTECTION AS DESCRIBED IN ITEM III OF THIS STANDARD.
   B. STABILIZE THE SOIL WITH SOD: THE CONTRACTOR WILL STABILIZE THE DISTURBED SOIL WITH PROPERLY INSTALLED SOD BY OCTOBER 1ST. PROPER INSTALLATION INCLUDES THE CONTRACTOR 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 15TH THE CONTRACTOR 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. IMMEDIATELY AFTER APPLYING THE MULCH, THE CONTRACTOR WILL ANCHOR THE MULCH WITH NETTING OR OTHER METHOD TO PREVENT WIND FROM MOVING THE MULCH OFF THE DISTURBED SOIL.

EROSION CONTROL REMOVAL

AN AREA IS CONSIDERED STABLE IF IT IS PAVED OR IF 90% GROWTH OF PLANTED SEEDS IS ESTABLISHED. ONCE AN AREA IS CONSIDERED STABLE, THE EROSION CONTROL MEASURES CAN BE REMOVED AS FOLLOWS:

1. STABILIZED CONSTRUCTION ENTRANCE: THE STABILIZED CONSTRUCTION ENTRANCE SHALL BE REMOVED ONCE THE COMPACTED ROADWAY BASE IN IN PLACE. STONE AND SEDIMENT FROM THE CONSTRUCTION ENTRANCE SHALL BE REDISTRIBUTED TO AN AREA UNDERGOING GRADING OR REMOVED AND RELOCATED OFFSITE.
2. MISCELLANEOUS: ONCE ALL THE TRAPPED SEDIMENTS HAVE BEEN REMOVED FROM THE TEMPORARY SEDIMENTATION DEVICES THE DISTURBED AREAS MUST BE REGRADED IN AN AESTHETIC MANNER TO CONFORM TO THE SURROUNDING TOPOGRAPHY. ONCE GRADED THESE DISTURBED AREAS MUST BE LOAMED (IF NECESSARY), FERTILIZED, SEEDED AND MULCHED IN ACCORDANCE WITH THE RATES PREVIOUSLY STATED.

THE ABOVE EROSION CONTROLS MUST BE REMOVED WITHIN 30 DAYS OF FINAL STABILIZATION OF THE SITE.
CONFORMANCE WITH THIS PLAN AND FOLLOWING THESE PRACTICES WILL RESULT IN A PROJECT THAT COMPLIES WITH THE STATE REGULATIONS AND THE STANDARDS OF THE NATURAL RESOURCES PROTECTION ACT, AND WILL PROTECT WATER QUALITY IN AREAS DOWNSTREAM FROM THE PROJECT.

MAINE CONSTRUCTION GENERAL PERMIT REQUIRED

SUBMISSION OF A MAINE CONSTRUCTION GENERAL PERMIT (MCGP) IS REQUIRED PRIOR TO COMMENCEMENT OF ANY EXCAVATION ACTIVITIES.

INSPECTION AND MAINTENANCE (APPENDIX B)

1. INSPECTION AND MAINTENANCE REQUIREMENTS: INSPECT DISTURBED AND IMPERVIOUS AREAS, EROSION AND STORMWATER CONTROL MEASURES, AREAS USED FOR STORAGE THAT ARE EXPOSED TO PRECIPITATION, AND LOCATIONS WHERE VEHICLES ENTER OR EXIT THE SITE. INSPECT THESE AREAS AT LEAST ONCE A WEEK AS WELL AS BEFORE AND AFTER A SIGNIFICANT STORM EVENT (0.5 INCHES OF RAINFALL IN A 24-HOUR PERIOD) AND PRIOR TO COMPLETION OF PERMANENT STABILIZATION MEASURES. A PERSON WITH KNOWLEDGE OF EROSION AND STORMWATER CONTROL, INCLUDING THE STANDARDS IN THE MCGP AND ANY DEPARTMENTAL COMPANION DOCUMENT TO THE MCGP, MUST CONDUCT THE INSPECTION. THIS PERSON MUST BE IDENTIFIED IN THE INSPECTION LOG. IF BEST MANAGEMENT PRACTICES (BMPS) NEED TO BE MODIFIED OR IF ADDITIONAL BMPS ARE NECESSARY, IMPLEMENTATION MUST BE STARTED BY THE END OF THE NEXT WORKIN DAY AND COMPLETED WITHIN 7 CALENDAR DAYS AND PRIOR TO ANY STORM EVENT (RAINFALL). ALL MEASURES MUST BE MAINTAINED IN EFFECTIVE OPERATING CONDITION UNTIL AREAS AREA PERMANENTLY STABILIZED. DOCUMENTATION OF CORRECTION ACTIONS SHALL BE MAINTAINED WITH THE INSPECTION FORMS.
2. INSPECTION LOG (REPORT): A LOG (REPORT) MUST BE KEPT SUMMARIZING THE SCOPE OF THE INSPECTION. NAME(S) AND QUALIFICATIONS OF THE PERSONNEL MAKING THE INSPECTION, THE DATE(S) OF THE INSPECTION, AND MAJOR OBSERVATIONS RELATING TO OPERATION OF EROSION AND SEDIMENTATION CONTROLS AND POLLUTION PREVENTION MEASURES. MAJOR OBSERVATIONS MUST INCLUDE BMPS THAT NEED MAINTENANCE, BMPS THAT FAILED TO OPERATE AS DESIGNED OR PROVED INADEQUATE FOR A PARTICULAR LOCATION, AND LOCATION(S) WHERE ADDITIONAL BMPS ARE NEEDED. INCLUDE IN THE INSPECTION LOG BMP NEEDING REPLACEMENT, AND LOCATION NEEDING ADDITIONAL BMPS. NOTE IN THE INSPECTION LOG THE CORRECT ACTION TAKEN AND WHEN IT WAS TAKEN. THE LOG MUST BE MADE ACCESSIBLE TO THE DEPARTMENT STAFF AND A COPY MUST BE PROVIDED UPON REQUEST. THE PERMITTEE SHALL RETAIN A COPY OF THE LOG FOR A PERIOD OF AT LEAST THREE YEARS FROM THE COMPLETION OF THE PERMANENT STABILIZATION.

HOUSEKEEPING (APPENDIX C)

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

   NOTE: ANY SPILL OR RELEASE OF TOXIC OR HAZARDOUS SUBSTANCES MUST BE REPORTED TO THE DEPARTMENT. FOR OIL SPILLS, CALL 1-800-482-0777 WHICH IS AVAILABLE 24 HOURS A DAY. FOR SPILLS OF TOXIC OR HAZARDOUS MATERIAL, CALL 1-800-452-4664 WHICH IS AVAILABLE 24 HOURS A DAY. FOR MORE INFORMATION, VISIT THE DEPARTMENT'S WEBSITE AT: HTTP://WWW.MAINE.GOV/DEP/SPILLS/EMERGSPILLRESP/
2. GROUNDWATER PROTECTION: DURING CONSTRUCTION, LIQUID PETROLEUM PRODUCTS AND OTHER HAZARDOUS MATERIALS WITH THE POTENTIAL TO CONTAMINATE GROUNDWATER MAY NOT BE STORED OR HANDLED IN AREAS OF THE SITE DRAINING TO AN INFILTRATION AREA. AN "INFILTRATION AREA" IS ANY AREA OF THE SITE THAT BY DESIGN OR AS A RESULT OF SOILS, TOPOGRAPHY AND OTHER RELEVANT FACTORS ACCUMULATES RUNOFF THAT INFILTRATES INTO THE SOIL. DIKES, BERMS, SUMPS, AND OTHER FORMS OF SECONDARY CONTAINMENT THAT PREVENT DISCHARGE TO GROUNDWATER MAY BE USED TO ISOLATE PORTIONS OF THE SITE FOR THE PURPOSES OF STORAGE AND HANDLING OF THESE MATERIALS. ANY PROJECT PROPOSING

   INFILTRATION OF STORMWATER MUST PROVIDE ADEQUATE PRE-TREATMENT OF STORMWATER PRIOR TO DISCHARGE OF STORMWATER TO THE INFILTRATION AREA, OR PROVIDE FOR TREATMENT WITHIN THE INFILTRATION AREA, IN ORDER TO PREVENT THE ACCUMULATION OF FINES, REDUCTION IN INFILTRATION RATE, AND CONSEQUENT FLOODING AND DESTABILIZATION.

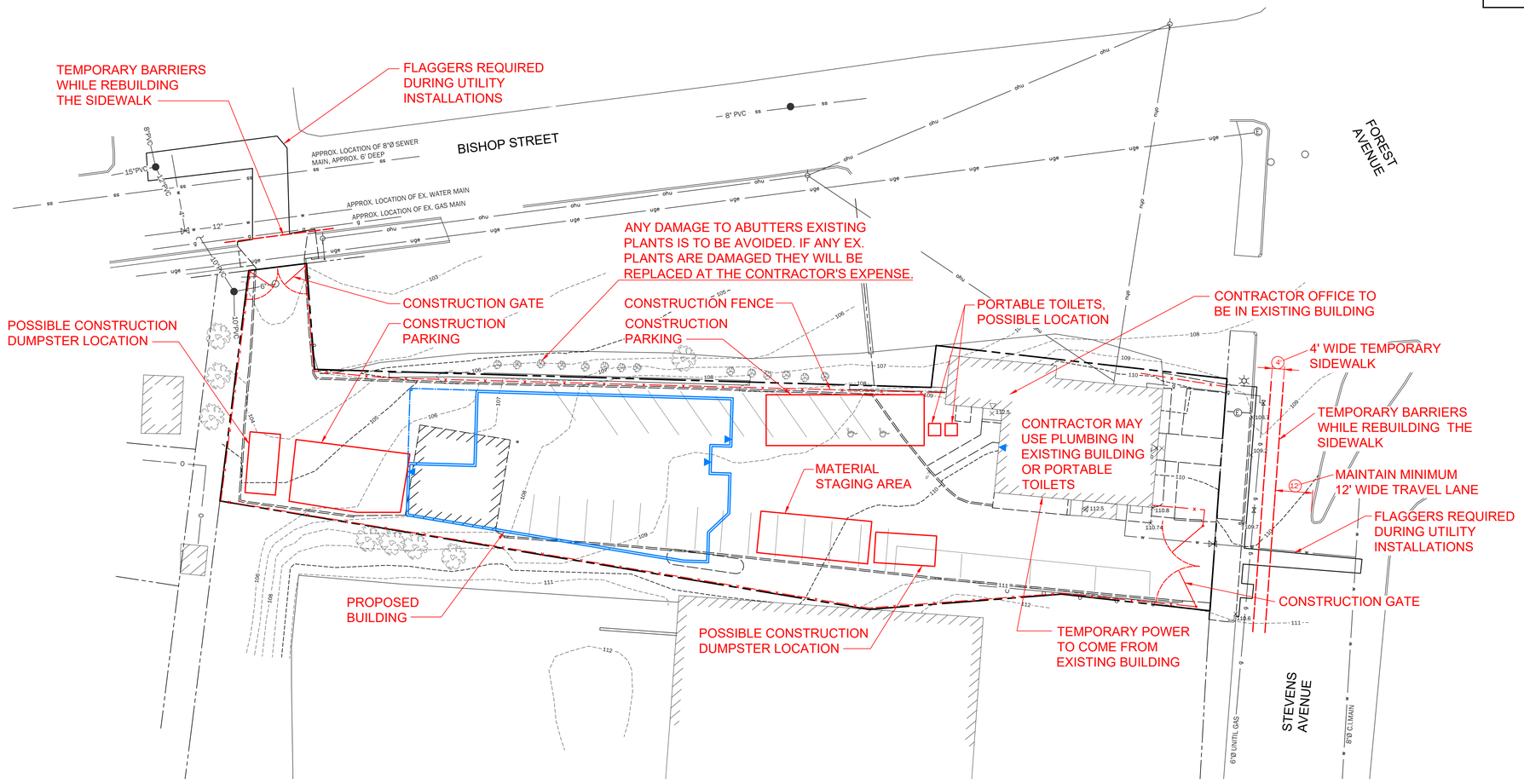
   NOTE:: LACK OF APPROPRIATE POLLUTANT REMOVAL BEST MANAGEMENT PRACTICES (BMPS) MAY RESULT IN VIOLATIONS OF THE GROUNDWATER QUALITY STANDARD ESTABLISHED BY 38 M.R.S.A. §465-C(1).
3. FUGITIVE SEDIMENT AND DUST: ACTIONS MUST BE TAKEN TO ENSURE THAT ACTIVITIES DO NOT RESULT IN NOTICEABLE EROSION OF SOILS 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 SHOULD BE INCLUDED TO MINIMIZE TRACKING OF MUD AND SEDIMENT. IF OFF-SITE TRACKING OCCURS, PUBLIC ROADS SHOULD BE SWEPT 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.

   NOTE: DEWATERING A STREAM WITHOUT A PERMIT FROM THE DEPARTMENT MAY VIOLATE STATE WATER QUALITY STANDARDS AND THE NATURAL RESOURCES PROTECTION ACT.
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.

   NOTE: TO PREVENT THESE MATERIALS FROM BECOMING A SOURCE OF POLLUTANTS, CONSTRUCTION AND POST-CONSTRUCTION ACTIVITIES RELATED TO A PROJECT MAY BE REQUIRED TO COMPLY WITH APPLICABLE PROVISION OF RULES RELATED TO SOLID, UNIVERSAL, AND HAZARDOUS WASTE, INCLUDING, BUT NOT LIMITED TO, THE MAINE SOLID WASTE AND HAZARDOUS WASTE MANAGEMENT RULES; MAINE HAZARDOUS WASTE MANAGEMENT RULES; MAINE OIL CONVEYANCE AND STORAGE RULES; AND MAINE PESTICIDE REQUIREMENTS.
5. EXCAVATION DEWATERING: EXCAVATION DEWATERING IS THE REMOVAL OF WATER FROM TRENCHES, FOUNDATIONS, COFFER DAMS, PONDS, AND OTHER AREAS WITHIN THE CONSTRUCTION AREA THAT RETAIN WATER AFTER EXCAVATION. IN MOST CASES THE COLLECTED WATER IS HEAVILY SILTED AND HINDERS CORRECT AND SAFE CONSTRUCTION PRACTICES. THE COLLECTED WATER REMOVED FROM THE PONDED AREA, EITHER THROUGH GRAVITY OR PUMPING, MUST BE SPREAD THROUGH NATURAL WOODED BUFFERS OR REMOVED TO AREAS THAT ARE SPECIFICALLY DESIGNED TO COLLECT THE MAXIMUM AMOUNT OF SEDIMENT POSSIBLE, LIKE A COFFERDAM SEDIMENTATION BASIN. AVOID ALLOWING THE WATER TO FLOW OVER DISTURBED AREAS OF THE SITE. EQUIVALENT MEASURES MAY BE TAKEN IF APPROVED BY THE DEPARTMENT.

   NOTE: DEWATERING CONTROLS ARE DISCUSSED IN THE "MAINE EROSION AND SEDIMENT CONTROL BMPS, MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION,"
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:.
   - DISCHARGES FROM FIREFIGHTING ACTIVITY;
   - FIRE HYDRANT FLUSHINGS;
   - VEHICLE WASHWATER IF DETERGENTS ARE NOT USED AND WASHING IS LIMITED TO THE EXTERIOR OF VEHICLES (ENGINE, UNDERCARRIAGE, AND TRANSMISSION WASHING IS PROHIBITED);
   - DUST CONTROL RUNOFF IN ACCORDANCE WITH PERMIT CONDITIONS AND APPENDIX (C)(3);
   - ROUTINE EXTERNAL BUILDING WASHDOWN, NOT INCLUDING SURFACE PAINT REMOVAL. THAT DOES NOT INVOLVE DETERGENTS;
   - PAVEMENT WASHWATER (WHERE SPILLS/LEAKS OF TOXIC OR HAZARDOUS MATERIALS HAVE NOT OCCURRED, UNLESS ALL SPILLED MATERIAL HAD BEEN REMOVED) IF DETERGENTS ARE NOT USED;
   - UNCONTAMINATED AIR CONDITIONING OR COMPRESSOR CONDENSATE;
   - UNCONTAMINATED GROUNDWATER OR SPRING WATER;
   - FOUNDATION OR FOOTER DRAIN-WATER WHERE FLOWS ARE NOT CONTAMINATED;
   - UNCONTAMINATED EXCAVATION DEWATERING (SEE REQUIREMENTS IN APPENDIX C(5));
   - POTABLE WATER SOURCES INCLUDING WATERLINE FLUSHINGS; AND
   - LANDSCAPE IRRIGATION
7. UNAUTHORIZED NON-STORMWATER DISCHARGES: THE DEPARTMENT'S APPROVAL UNDER THIS CHAPTER DOES NOT AUTHORIZE A DISCHARGE THAT IS MIXED WITH A SOURCE OF NON-STORMWATER, OTHER THAN THOSE DISCHARGES IN COMPLIANCE WITH APPENDIX C (6). SPECIFICALLY, THE DEPARTMENT'S APPROVAL DOES NOT AUTHORIZE DISCHARGES OF THE FOLLOWING:
   - WASTEWATER FROM THE WASHOUT OR CLEANOUT OF CONCRETE, STUCCO, PAINT, FORM RELEASE OILS, CURING COMPOUNDS OR OTHER CONSTRUCTION MATERIALS;
   - FUELS, OILS OR OTHER POLLUTANTS USED IN VEHICLE AND EQUIPMENT OPERATION AND MAINTENANCE;
   - SOAPS, SOLVENTS, OR DETERGENTS USED IN VEHICLE AND EQUIPMENT WASHING; AND
   - TOXIC OR HAZARDOUS SUBSTANCES FROM A SPILL OR OTHER RELEASE.
8. ADDITIONAL REQUIREMENTS: ADDITIONAL REQUIREMENTS MAY BE APPLIED ON A SITE-SPECIFIC BASIS.

EROSION AND SEDIMENTATION CONTROL NOT



CONSTRUCTION MANAGEMENT NOTES:

1. PROVIDE FENCING, SAFETY CONES, BARRELS, AND/OR WARNING TAPE AS REQUIRED TO RESTRICT ACCESS TO THE SITE AND PROVIDE FOR PEDESTRIAN SAFETY.
2. REMOVE EXISTING GARAGE USING THE EXISTING PARKING AREA AS STAGING AREA.
3. PROVIDE DUMPSTERS ON SITE THROUGHOUT THE CONSTRUCTION PROCESS.
4. TEMPORARY TRAILERS OR BUILDING ACCESS AND EMPLOYEE CONVENIENCE FACILITIES TO BE MAINTAINED ON SITE THROUGHOUT THE PROJECT.
5. CONSTRUCTION EMPLOYEE PARKING TO BE MAINTAINED ON SITE.
6. ANY PARKING ON STEVENS AVENUE OR BISHOP STREET FOR LOADING OR MATERIAL DELIVERY MUST LEAVE ROOM FOR TWO WAY TRAFFIC.

N

GRAPHIC SCALE

20 0 10 20 40 80

1 inch = 20 ft.

WALSH
ENGINEERING ASSOCIATES, INC.
One Karen Dr., Suite 2A | Westbrook, Maine 04092
ph: 207.553.9898 | www.walsh-eng.com

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STATE OF MAINE
THOMAS S GREER
No. 4206
LICENSED PROFESSIONAL ENGINEER
4/27/20

844 STEVENS AVENUE APARTMENTS

844 STEVENS AVENUE
PORTLAND, MAINE

PREPARED FOR:
STEVENS AVENUE, LLC
303 ISLINGTON STREET
PORTSMOUTH, NEW HAMPSHIRE 03801

Rev.	Date	Description	Drawn	Check
1	4/27/2020	REV'D PER CITY REVIEW	JDC	TSG

Sheet Title:

CONSTRUCTION MANAGEMENT PLAN

Job No.:	547
Date:	JAN. 3, 2020
Scale:	AS SHOWN
Drawn:	JDC
Checked:	TSG

Sheet No.: CM-1

Construction Management Plan
Stevens Avenue, LLC
844 Stevens Avenue

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.

The Construction Management Plan will be submitted as part of the Site Plan Review and it shall address the construction logistics for a project. The Construction Management Plan shall include the following submissions:

1) a construction management site plan;
2) a construction schedule (time frame); and
3) a written narrative addressing the categories below.

A. Construction Management Principles

The following narrative provides an overview of the construction management principles that Stevens Avenue, LLC 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

Stevens Avenue, LLC 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.

The Planning Authority and 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's construction schedule with the timing of nearby construction activity, in order to avoid cumulative impacts on a neighborhood. Such a condition may involve a delay in commencement of construction, if necessary.

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.

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

Prior to scheduling a preconstruction meeting and the issuance of any city required permits, Stevens Avenue, LLC 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.

Other permits, as applicable, include

1. **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.
2. **Blasting:** Blasting, if required, shall conform with all measures of Article VIII. Regulation of Explosives in the Land Use Code and Section 3.7 Standards for Blasting and Regulation of Explosives in Portland's Technical Manual.
3. **Building Code:** Employ the best practices, as applicable, of Chapter 33 Safeguards During Construction, from the 2009 International Building Code.

D. Construction Administration and Communication

Stevens Avenue, LLC 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, nearby construction sites, 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:

1. Contact Person and contact information for the [to be supplied at the Pre-Construction Meeting] and who is available 24 hours
2. Construction Signage posted on the site with Contact Information for Contractor
3. Describe any additional communication strategies
4. All construction site signage is temporary and shall be removed at project completion.

E. Construction Schedule

1. The contractor shall submit a schedule or time line for the construction project, including any Phasing.
2. Hours of Construction. Construction may occur during the daytime hours as defined in Section 17-18. Construction Activities for Building permit (Attachment 1) and Section 25-129. Noise, dust and debris (Attachment 2).
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.

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.

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 of 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 rom 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 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.

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
2. Street cleaning and damage controls
3. Dust controls- The construction shall comply with Portland's requirements under Section 25-129 on Noise, dust and debris (Attachment 2).
4. 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).
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. Stevens Avenue, LLC 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. The [contractor] 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

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 areas 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 well 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.

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. Dewatering Plans

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

For construction work that will require frequent dewatering of groundwater from site, a dewatering plan must be prepared and approved by the Department of Public Works. Groundwater and/or soil testing may be required to determine course of action if treatment is necessary. Approval for all discharges to City infrastructure is required.

The proposed plan must address the following:

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

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

M. Special Measures as Necessary

For construction work that will take place over a long period (e.g. 12 months or more), involve major demolition/ deep excavation/ 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.

Attachment 1

Building Permit Activities: Site grading and utility installation, foundation and building construction.

Work is to start May 1st and continue for 9 months. Hours of operation will be 7:00am to dusk Monday through Saturday; in accordance with Sec. 17-18. Construction activities, below.

(a) Within the R-zones, from September 1st to May 31st, no person shall engage in construction activities generating noise exceeding fifty (50) decibels, between the hours of 7:00 p.m. and 7:00 a.m., of the following day within five hundred (500) feet of any building used for residential, hospital or nursing home purposes. From June 1st to August 31st construction activity may continue until 8:00 p.m. Any other language notwithstanding, no construction activity shall begin before 8:00 a.m. on a Saturday, Sunday or legal holiday.

(b) Construction activities shall include, but not be limited to, the following:

(1) The use or operation of power or heavy equipment in connection with road, street, or bridge construction, reconstruction or repair;

(2) The use or operation of power or heavy equipment in connection with the installation or repair of utility lines, pipes, wires or cables;

(3) The use or operation of power or heavy equipment in connection with the construction of buildings, including specifically excavation for foundations or landscaping work of any kind;

(4) The renovation, repair, remodeling or demolition of the exterior or foundation of any building or structure.

(c) This section shall not apply in the following situations:

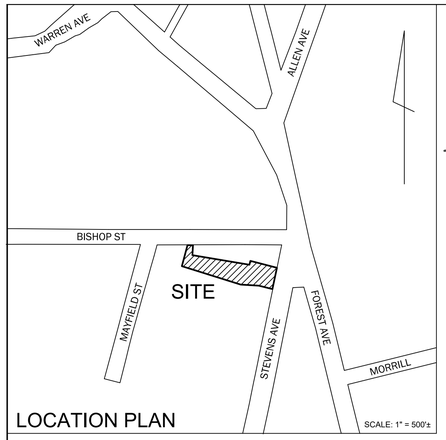
(1) Emergency repair work on any utility line, pipe, wire or cable required to restore normal utility service;

(2) 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.

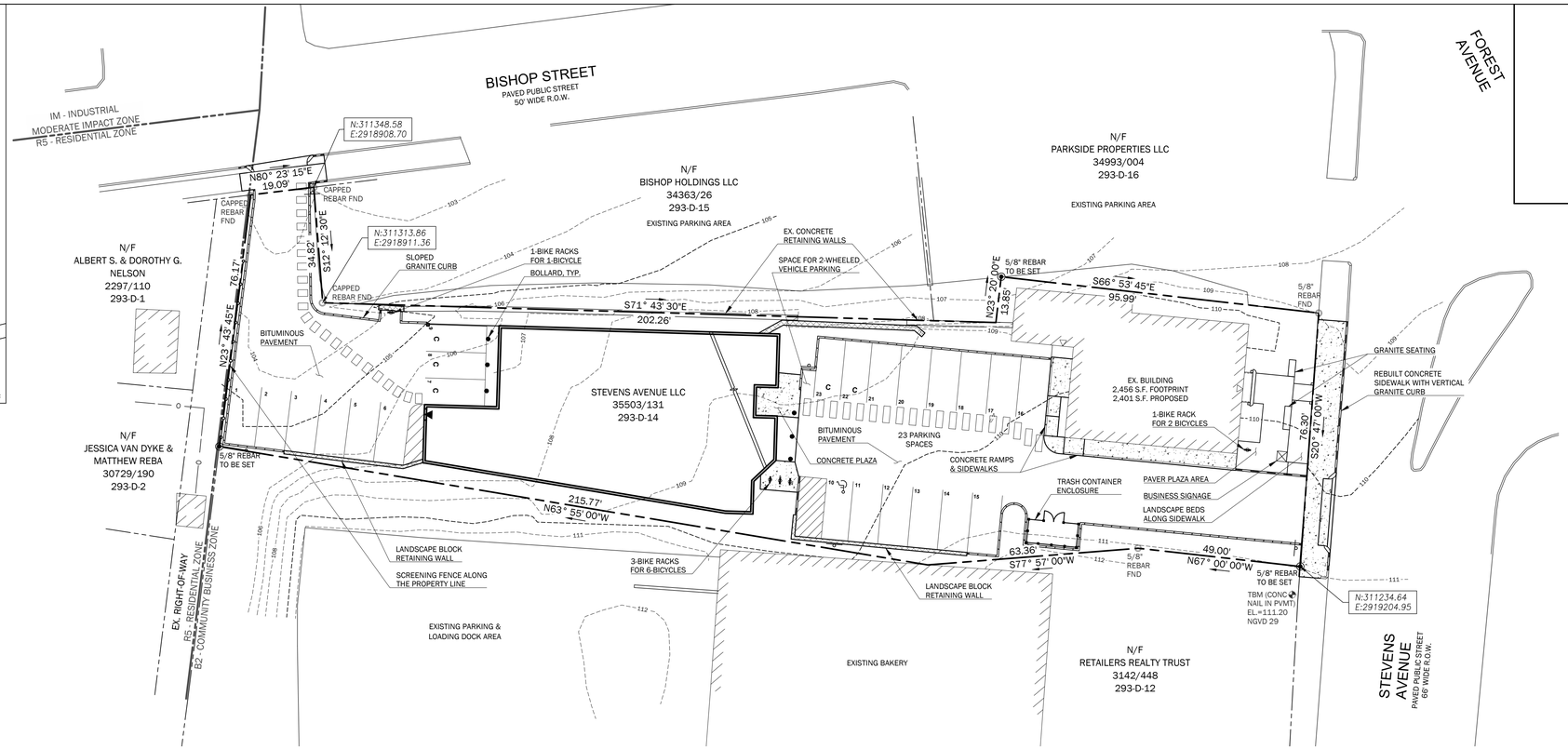
Attachment 2

Noise, Dust and Debris: The project will limit fencing the yard area. No barbed wire will be along sidewalks and limit hours of operation to 7:00am to duck, in accordance Section 25-129 Noise, dust and debris, See below.

> *Each permittee shall conduct and carry out excavation work in such manner as to avoid unnecessary inconvenience and annoyance to the general public and occupants of neighboring property. To the fullest extent practicable, the permittee shall take appropriate measures to reduce noise, dust and unsightly debris in the performance of the excavation work. Excavation work, including the use of any tool, appliance, or equipment, shall be performed between the hours of 7:00 a.m. and 10:00 p.m. only, exclusive of emergency work. Time waiver requests may be submitted to the public works authority for work outside of this time period and will be subject to neighborhood concerns. Excavation work shall not occur on Sundays, holidays or on major holiday weekends, unless expressly authorized by the public works authority or as a result of emergency need.*



LOCATION PLAN



LEGEND

EXISTING		PROPOSED
EL=100.00	TEMPORARY BENCHMARK	
	PROPERTY LINE	
	ZONING BOUNDARY	
	SURVEY MONUMENT - REBAR	5/8" REBAR OR IRON PIN TO BE SET
	ABUTTING PROPERTY LINE	
N/F "OWNERS NAME" DEED BOOK / PAGE TAX MAP - TAX LOT	ABUTTER REFERENCE	
	BUILDING	
	BUILDING ENTRY / EGRESS	
	WOOD FENCE	
	BUSINESS SIGN	
	TRAFFIC / PARKING SIGN	
	BOLLARD	
	LANDSCAPE/RETAINING WALL	
	EDGE OF PAVEMENT	
	EDGE OF CONCRETE	
	CONCRETE PAVERS	
	VERTICAL GRANITE CURB	
	SLOPED GRANITE CURB	
101	INTERMEDIATE CONTOUR	
100	INDEX CONTOUR	
	HANDICAP SYMBOL	
	PARKING STRIPING	

GENERAL NOTES

1. OWNER/DEVELOPER: STEVENS AVENUE, LLC, 303 ISLINGTON STREET, PORTSMOUTH, NH 03801. CUMBERLAND COUNTY REGISTRY OF DEEDS, BOOK 35503, PAGE 131, RECORDED DATE 3/8/19
2. ENGINEER: WALSH ENGINEERING ASSOCIATES, INC., ONE KAREN DRIVE, SUITE 2A, WESTBROOK, MAINE 04092
3. ARCHITECT: WHIPPLE - CALLENDER ARCHITECTS, P.O. BOX 1276, PORTLAND, MAINE 04104.
4. BOUNDARY AND TOPOGRAPHIC INFORMATION: STEPHEN W. EVERETT, PLS 2162, 73 PHEASANT RUN ROAD, EAST WATERBORO, MAINE 04030
5. ZONE: B2 - COMMUNITY BUSINESS: MULTIFAMILY HOUSING & GENERAL BUSINESS & PROFESSIONAL OFFICES
6. TAX MAP REFERENCE: MAP 293 / BLOCK D / LOT 14
7. TOTAL PARCEL = 21,989 SQUARE FEET
8. WAIVERS: SEE SUBDIVISION RECORDING PLAT, SHEET 2 OF 2 FOR LIST OF WAIVERS.
9. CALL DIG-SAFE PRIOR TO COMMENCING WORK, 811 OR 1-888-DIG-SAFE.
10. UNITS TO BE SERVICED BY EXISTING PUBLIC WATER AND GAS FROM STEVENS AVENUE AND SEWER FROM BISHOP STREET. THESE SERVICES, INCLUDING HYDRANTS, ARE AS SHOWN ON SHEET C2.3, GRADING AND UTILITIES PLAN.
11. POWER, TELEPHONE AND CABLE SERVICES ARE TO BE UNDERGROUND FROM BISHOP STREET. THESE SERVICES ARE SHOWN ON SHEET C2.3, GRADING AND UTILITIES PLAN.
12. ALL WORK WITHIN THE PUBLIC RIGHT OF WAY SHALL MEET CITY OF PORTLAND TECHNICAL MANUAL STANDARDS.
13. THE SUBJECT PARCEL KNOWN AS 844 STEVENS AVENUE IS SUBJECT TO A CITY OF PORTLAND LEVEL III SITE PLAN AND SUBDIVISION PERMIT.
14. DETAILS OF STREET TREES ARE INCLUDED ON THE LANDSCAPE PLAN AS PART OF THE APPROVAL FOR 844 STEVENS AVENUE APARTMENTS SITE PLAN.
15. FLOODPLAIN: THIS PROPERTY IS IN ZONE X OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL 230051 0007C, MAP REVISED DECEMBER 8, 1998. IT IS NOT IN A SPECIAL FLOOD HAZARD ZONE.
16. SNOW CLEARANCE REQUIREMENTS ARE AS NOTED ON SHEET C1.2 UNDER SNOW CLEARANCE NOTES.
17. PROPERTY PINS TO BE SET AT THE EXPENSE OF THE DEVELOPER AT THE END OF CONSTRUCTION. ANY MONUMENTATION DAMAGED BY CONSTRUCTION IS TO BE REPLACED.
18. ALL CONSTRUCTION AND SITE ALTERATIONS SHALL BE DONE IN ACCORDANCE WITH THE "MAINE EROSION AND SEDIMENT CONTROL BMPS" PUBLISHED BY THE BUREAU OF LAND AND WATER QUALITY, MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION, LATEST EDITION 2016.
19. E-911 ADDRESSES, AS ASSIGNED BY PORTLAND PUBLIC WORKS ARE TO BE
    EXISTING BUILDING: 844 STEVENS AVENUE
    PROPOSED BUILDING: 842 STEVENS AVENUE

I HEREBY CERTIFY EXCLUSIVELY TO THE INFORMATION SUBMITTED TO WALSH ENGINEERING IN AN AUTOCAD FILE DATED FEB. 4, 2019 OF AN EXISTING CONDITIONS SURVEY LOCATED AT 844 STEVENS AVE. FOR EDWARD BENWAY, DATED FEB. 2, 2019.

BY DATE

GRAPHIC SCALE

20 0 10 20 40 80

1 inch = 20 ft.

State of Maine, Cumberland ss.
Registry of Deeds
Received _____ , 20____
at ___h___m___M, and recorded in
Plan Book _____ , Page _____
Attest: _____
Register

THE PLANNING BOARD ACKNOWLEDGES AND AGREES THAT THE PROPERTY AND IMPROVEMENTS AS DEPICTED ON THIS PLAN ARE IN CONFORMANCE WITH THE MUNICIPAL ZONING REGULATIONS OF THE CITY OF PORTLAND.

APPROVED BY: DATE:

WALSH
ENGINEERING ASSOCIATES, INC.
One Karen Dr., Suite 2A | Westbrook, Maine 04092
ph: 207.553.9898 | www.walsh-eng.com

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STATE OF MAINE
SILAS W. CANAVAN
No. 12639
LICENSED
PROFESSIONAL ENGINEER
7/14/2020

844 STEVENS AVENUE APARTMENTS

844 STEVENS AVENUE
PORTLAND, MAINE

PREPARED FOR:
STEVENS AVENUE, LLC
303 ISLINGTON STREET
PORTSMOUTH, NEW HAMPSHIRE 03801

Rev.	Date	Description	Drawn	Check
1	4/27/2020	REV'D PER CITY REVIEW	JDC	TSG
2	5/21/2020	REV'D PER 5-15-2020 CITY REVIEW	JDC	TSG
3	7/14/2020	REV'D PER 6-5-2020 CITY REVIEW & 6-9-20 PB MTG	JDC	SWC

Sheet Title:

SUBDIVISION RECORDING PLAT SHEET 1 OF 2

Job No.:	547
Date:	JAN. 3, 2020
Scale:	AS SHOWN
Drawn:	JDC
Checked:	TSG

Sheet No.: C1.1

P:\547 - 844 Stevens Avenue, Portland\5. CADD\11. SUBDIV.dwg plot date: 7/10/2020 9:54 AM

CITY OF PORTLAND SUBDIVISION NOTES

1. LANDSCAPING SHALL MEET THE "ARBORICULTURAL SPECIFICATIONS AND STANDARDS OF PRACTICE AND LANDSCAPE GUIDELINES" OF THE CITY OF PORTLAND TECHNICAL AND DESIGN STANDARDS AND GUIDELINES.

2. THE ENTIRE SITE SHALL BE DEVELOPED AND/OR MAINTAINED AS DEPICTED ON THE SITE PLAN. APPROVAL OF THE PLANNING AUTHORITY OR PLANNING BOARD SHALL BE REQUIRED FOR ANY ALTERATION TO OR DEVIATION FROM THE APPROVED SITE PLAN, INCLUDING, WITHOUT LIMITATION: TOPOGRAPHY, DRAINAGE, LANDSCAPING, RETENTION OF WOODED OR LAWN AREAS, ACCESS, SIZE, LOCATION, AND SURFACING OF PARKING AREAS AND LOCATION AND SIZE OF BUILDINGS.

3. ALL POWERLINE UTILITIES SHALL BE UNDERGROUND, UNLESS OTHERWISE NOTED.

4. SIDEWALKS AND CURBING SHALL BE DESIGNED AND BUILT WITH TIPDOWN RAMPS AT ALL STREET CORNERS, CROSSWALKS AND DRIVEWAYS IN CONFORMANCE WITH THE CITY OF PORTLAND TECHNICAL AND DESIGN STANDARDS AND GUIDELINES.

5. ALL EROSION CONTROL MEASURES SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE MAINE EROSION AND SEDIMENT CONTROL BMPS PUBLISHED BY THE BUREAU OF LAND AND QUALITY, MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION, MARCH 2003.

6. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY SITE EXCAVATION OR REGRADING.

7. ALL DISTURBED AREAS ON THE SITE NOT COVERED BY BUILDINGS OR PAVED AREAS SHALL BE STABILIZED WITH LOAM AND SEED OR OTHER METHODS AS REQUIRED BY BEST MANAGEMENT PRACTICES (SEE ABOVE).

8. PRIOR TO CONSTRUCTION, A PRECONSTRUCTION MEETING SHALL BE HELD AT THE PROJECT SITE WITH THE CONTRACTOR, DEVELOPMENT REVIEW COORDINATOR, PUBLIC WORK'S REPRESENTATIVE AND OWNER TO REVIEW THE CONSTRUCTION SCHEDULE AND CRITICAL ASPECTS OF THE SITE WORK. AT THAT TIME, THE SITE/BUILDING CONTRACTOR SHALL PROVIDE THREE (3) COPIES OF A DETAILED CONSTRUCTION SCHEDULE TO THE ATTENDING CITY REPRESENTATIVE. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO ARRANGE A MUTUALLY AGREEABLE TIME FOR THE PRECONSTRUCTION MEETING.

9. EXISTING VEGETATION SHALL BE CONSERVED IN AREAS SHOWN ON THIS SITE. FENCING OR OTHER PROTECTIVE BARRIERS SHALL BE ERECTED OUTSIDE THE DRIP-LINE OF INDIVIDUAL, GROUPINGS OF TREES DESIGNATED FOR PRESERVATION PRIOR TO THE ONSET OF CONSTRUCTION. REGRADING SHALL NOT TAKE PLACE WITHIN THE DRIP-LINE OF TREES DESIGNATED FOR PRESERVATION. NO STORAGE OR CONSTRUCTION MATERIALS SHALL BE PERMITTED WITHIN THE DRIP-LINE OF TREES TO BE PRESERVED.

10. SUBDIVISION AT THE TIME OF APPROVAL IS DEFINED AS "SUBDIVISION SHALL MEAN THE DIVISION OF A LOT, TRACT OR PARCEL OF LAND INTO THREE (3) OR MORE LOTS, INCLUDING LOTS OF FORTY (40) ACRES OR MORE, WITHIN ANY FIVE-YEAR PERIOD WHETHER ACCOMPLISHED BY SALE, LEASE, DEVELOPMENT, BUILDINGS OR OTHERWISE AND AS FURTHER DEFINED IN 30-A M.R.S.A. SECTION 4401. THE TERM SUBDIVISION SHALL ALSO INCLUDE THE DIVISION OF A NEW STRUCTURE OR STRUCTURES ON A TRACT OR PARCEL OF LAND INTO THREE (3) OR MORE DWELLING UNITS WITHIN A FIVE-YEAR PERIOD AND THE DIVISION OF AN EXISTING STRUCTURE OR STRUCTURES PREVIOUSLY USED FOR COMMERCIAL OR INDUSTRIAL USE INTO THREE (3) OR MORE DWELLING UNITS WITHIN A FIVE-YEAR PERIOD. THE AREA INCLUDED IN THE EXPANSION OF AN EXISTING STRUCTURE IS DEEMED TO BE A NEW STRUCTURE FOR THE PURPOSE OF THIS PARAGRAPH. A DWELLING UNIT SHALL INCLUDE ANY PART OF A STRUCTURE WHICH, THROUGH SALE OR LEASE, IS INTENDED FOR HUMAN HABITATION, INCLUDING SINGLE-FAMILY AND MULTIFAMILY HOUSING CONDOMINIUMS, TIME-SHARE UNITS AND APARTMENTS."

SURVEY GENERAL NOTES

1. RECORD OWNER OF THE PROPERTY IS STEVENS AVENUE LLC HAVING A MAILING ADDRESS OF 303 ISLINGTON STREET, PORTSMOUTH, NH 03801.

2. THE SUBJECT PROPERTY IS LOCATED WITHIN THE BUSINESS COMMUNITY, INDUSTRIAL LOW IMPACT ZONE.

3. TRAFFIC PRODUCED BY THIS DEVELOPMENT WILL NOT AFFECT TRAFFIC PATTERNS ON STEVENS AVENUE AND BISHOP STREET.

4. TOPOGRAPHIC INFORMATION OBTAINED BY GROUND SURVEY CONDUCTED SEPT. 15, 2018, CONTROLLED BY SURVEY GRADE GPS (TRIMBLE 5800) STATIC OBSERVATION CORRECTED BY OPUS SOLUTIONS.

5. ELEVATIONS SHOWN ON THIS PLAN ARE NGVD 1929 DATUM.

6. PLAN COORDINATES DERIVED BY SURVEY GRADE GPS PROJECTED TO MAINE STATE GRID, NAD 1983, WEST ZONE.

7. UNDERGROUND UTILITIES ON BISHOP STREET WERE OBTAINED FROM SURFACE OBSERVATIONS AND TAKEN FROM PLAN PREPARED FOR WHIPPLE-CALLENDER ARCHITECTS BY OWEN HASKELL INC. DATED AUGUST 2, 2017.

8. CONTOURS OUTSIDE THE PROPERTY WERE INTERPOLATED FROM 2' CONTOUR MODEL PROVIDED BY THE STATE OF MAINE.

SURVEY PLAN REFERENCES

PLAN SHOWING A "STANDARD BOUNDARY SURVEY", PREPARED BY NADEAU & LODGE, DATED OCTOBER 31, 1994, FOR JAMES ASCANIO, RECORDED IN CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BK 194, PG 462.

PLAN PREPARED FOR WHIPPLE-CALLENDER ARCHITECTS BY OWEN HASKELL INC. DATED AUGUST 2, 2017.

PARKING INFORMATION

EXISTING VEHICLE SPACES:	27
REQUIRED VEHICLE SPACES:	
RESIDENTIAL UNITS: 1 PER UNIT:	20
OFFICES: 1 PER 400 S.F. OF FLOOR AREA	2
TOTAL VEHICLE SPACES REQUIRED:	22
VEHICLE SPACES PROVIDED:	
9'x18' STANDARD SPACES:	17
8'x18' SPACES:	5
8'x18' HANDICAP ACCESSIBLE SPACES:	1
TOTAL VEHICLE SPACES PROVIDED:	23
BICYCLE SPACES REQUIRED:	
2 BICYCLE SPACES PER 5 DWELLING UNITS (20/2.5):	8
PROVIDED:	
4 - EXTERIOR RACKS FOR 2 BICYCLE EACH	8
1 - EXTERIOR RACK FOR 1 BICYCLE	1
TOTAL BICYCLE SPACES PROVIDED:	9
2-WHEELED VEHICLE SPACE 4'x8':	1

SNOW CLEARANCE NOTES

1. SNOW IS TO BE STORED WITHIN THE SNOW STORAGE AREAS.

2. SNOW MAY BE PHYSICALLY REMOVED AND TRANSPORTED OFFSITE IF NECCESSARY.

3. SNOW TRANSPORTED OFFSITE SHALL BE BROUGHT TO A MAINE DEP APPROVED "SNOW DUMP" OR MEET THE EXEMPTION REQUIREMENTS SPECIFIED WITHIN CHAPTER 573 WHEN THE ABOVE REQUIREMENTS CANNOT BE MET DUE TO AN ABUNDANCE OF SNOW.

4. THE SNOW CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO VEGETATION, LANDSCAPING, CURBING, LIGHTING, FENCING ETC. RESULTING FROM THEIR ACTIVITIES.

5. THE SNOW CONTRACTOR SHALL USE SALT OR CHLORIDE SUBSTITUTE TO DEICE THE PARKING LOT.

6. THE OWNER IS RESPONSIBLE FOR SNOW REMOVAL BEING UNDERTAKEN IN A TIMELY FASHION.

ZONING INFORMATION:

ZONING STANDARDS FROM CITY OF PORTLAND LAND USE ORDINANCE, REVISED 3/20/2017.

1. CLASSIFICATION:	B2 - COMMUNITY BUSINESS ZONE
2. PERMITTED USES:	MULTI-FAMILY HOUSING GENERAL BUSINESS & PROFESSIONAL OFFICES
3. MINIMUM LOT SIZE: PROVIDED:	NONE 21,989 S.F
4. MINIMUM STREET FRONTAGE: PROVIDED:	20 FEET 76.3 FEET
5. FRONT YARD SETBACK MINIMUM: PROVIDED:	NONE EX. BLDG: 20.7 FEET / PROP. BLDG: 159 FEET
6. REAR YARD SETBACK MINIMUM: PROVIDED:	10 FEET EX. BLDG: 5 & 230 FEET / PROP. BLDG: 59.6 FEET
7. SIDE YARD SETBACK MINIMUM: PROVIDED:	NONE EX. BLDG: 2 & 26.2 FEET / PROP. BLDG: 5.3 FEET
8. FRONT YARD MAXIMUM: PROVIDED:	NO MORE THAN 10 FEET NOTE ①
9. STRUCTURE STEPBACKS: PROVIDED:	NOTE ② EX. BLDG: EXISTING / PROP. BLDG: 5.3 SIDE & 70 REAR FEET
10. HEIGHT MAXIMUM: PROVIDED:	45 FEET EX. BLDG: EXISTING, 30 FEET± PROP. BLDG AVERAGE: 34.1 FEET PROP. BLDG FROM GRADE: 38.8 FEET
11. MAX. IMPERVIOUS SURFACE RATIO: PROVIDED:	RESIDENTIAL: NONE / BUSINESS: 80% 80%
12. MIN. LOT AREA PER DWELLING UNIT: PROVIDED:	435 S.F. PER UNIT 1,047 S.F. PER UNIT

① EXISTING BUILDING AND "NO MORE THAN 10 FEET, EXCEPT THAT THE PLANNING BOARD OR PLANNING AUTHORITY MAY APPROVE A DIFFERENT AMOUNT FOR IRREGULARLY SHAPED LOTS."

② PORTIONS OF A STRUCTURE ABOVE 35 FEET SHALL BE NO CLOSER THAN 5 FEET FROM THE SIDE PROPERTY LINE AND NO CLOSER THAN 15 FEET FROM THE REAR PROPERTY LINE WHEN SUCH PROPERTY LINE ABUTS A RESIDENTIAL ZONE.

IMPERVIOUS INFORMATION

EXISTING IMPERVIOUS	17,508 SQ. FT. (79.6%)
PROPOSED IMPERVIOUS	17,580 SQ. FT. (79.9%)
NET IMPERVIOUS	+72 SQ. FT. (0.3%)

WAIVERS

1. WAIVER REQUEST OF THE TECHNICAL STANDARDS SECTION 1.14 OF THE CITY'S TECHNICAL MANUAL STANDARD THAT PARKING LOTS WITH GREATER THAN 10 SPACES MAY BE COMPRISED OF UP TO 20% COMPACT PARKING SPACES, TO ALLOW 5 COMPACT SPACES WHICH IS 21.7% OF THE TOTAL NUMBER.

2. WAIVER REQUEST OF THE TECHNICAL STANDARDS SECTION 1.7.2.7 OF THE CITY'S TECHNICAL MANUAL STANDARD FOR DRIVEWAY SEPARATION TO ALLOW THE EXISTING DRIVEWAY THAT HAS BEEN IN OPERATION FOR YEARS TO REMAIN IN ITS PRESENT LOCATION. THE EXISTING DRIVEWAY IS AS FAR FROM THE INTERSECTION AS POSSIBLE AND A SHARED DRIVEWAY IS NOT POSSIBLE.

State of Maine, Cumberland ss.
Registry of Deeds
Received _____ , 20____
at ___h___m__M, and recorded in
Plan Book _____ , Page _____
Attest: _____
Register

THE PLANNING BOARD ACKNOWLEDGES AND AGREES THAT THE PROPERTY AND IMPROVEMENTS AS DEPICTED ON THIS PLAN ARE IN CONFORMANCE WITH THE MUNICIPAL ZONING REGULATIONS OF THE CITY OF PORTLAND.

APPROVED BY: DATE:

I HEREBY CERTIFY EXCLUSIVELY TO THE INFORMATION SUBMITTED TO WALSH ENGINEERING IN AN AUTOCAD FILE DATED FEB. 4, 2019 OF AN EXISTING CONDITIONS SURVEY LOCATED AT 844 STEVENS AVE. FOR EDWARD BENWAY, DATED FEB. 2, 2019.

BY DATE

WALSH
ENGINEERING ASSOCIATES, INC.
One Karen Dr., Suite 2A | Westbrook, Maine 04092
ph: 207.553.9898 | www.walsh-eng.com

Copyright © 2019

STATE OF MAINE
SILAS W. CANAVAN
No. 12639
LICENSED
PROFESSIONAL ENGINEER
7/14/2020

844 STEVENS AVENUE APARTMENTS

844 STEVENS AVENUE
PORTLAND, MAINE

PREPARED FOR:
STEVENS AVENUE, LLC
303 ISLINGTON STREET
PORTSMOUTH, NEW HAMPSHIRE 03801

Rev.	Date	Description	Drawn	Check
1	4/27/2020	REVD PER CITY REVIEW	JDC	TSG
2	5/5/2020	UPDATED WAIVER REQUESTS	JDC	TSG
3	5/21/2020	REVD PER 5-15-2020 CITY REVIEW	JDC	TSG
4	7/14/2020	REVD PER 6-5-2020 CITY REVIEW & 6-9-20 PB MTG	JDC	SWC

Sheet Title:

SUBDIVISION RECORDING PLAT SHEET 2 OF 2

Job No.:	547
Date:	JAN. 3, 2020
Scale:	AS SHOWN
Drawn:	JDC
Checked:	TSG

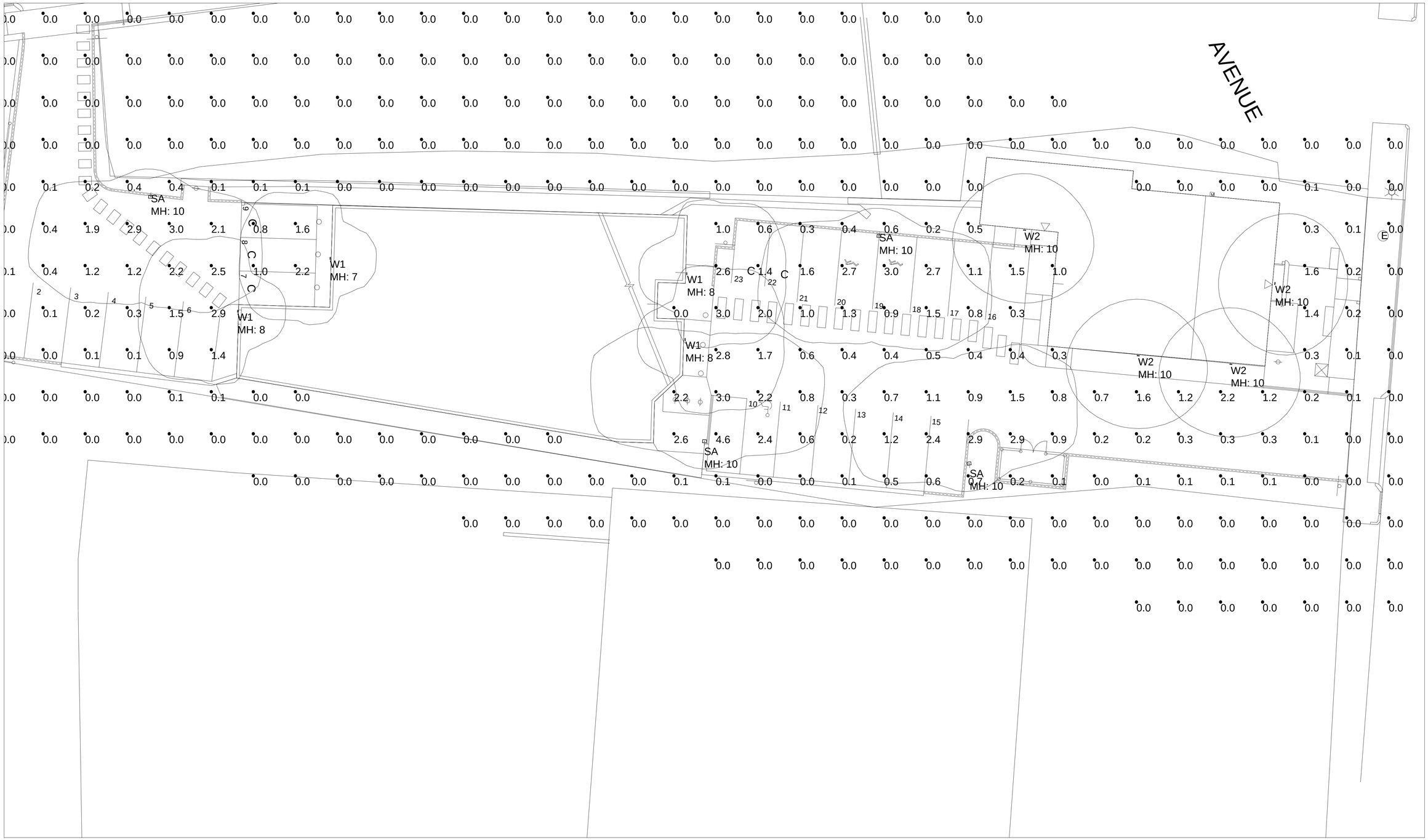
Sheet No.: C1.2

P:\547 - 844 Stevens Avenue, Portland\3. CAD\547- SAVE.dwg plot date: 7/14/2020 5:16 PM

Luminaire Schedule (note fixture cataloge numbers are not complete)					
Type	**Qty**	**Lum. Lumens**	**LLF**	**Lum. Watts**	**Description**
SA	4	2289	0.900	28	VP-S-24L-27-4K7-4W-BC
W1	4	1247	0.900	17.3	CY1-15-3K7-1-4-R
W2	4	1102	0.900	17.3	CY1-15-3K7-1-3D-R

Calculation Summary					
Label	**Avg**	**Max**	**Min**	**Avg/Min**	**Max/Min**
site	0.27	4.6	0.0	N.A.	N.A.

NOTES:
1) EXACT MOUNTING DETAILS TO BE DETERMINED AT JOBSITE BY OTHERS.
2) CALCULATIONS MAY or MAY NOT SHOW THE EFFECT OF SHADOWING CAUSED BY BUILDINGS AND OBJECTS WITHIN THE CALCULATED SPACE OR IN THE SITE AREA.
3) READINGS SHOWN ARE INITIAL HORIZONTAL FOOTCANDLES ON A FLAT SITE WITHOUT REFLECTIONS OR OBSTRUCTIONS UNLESS OTHERWISE INDICATED.
4) THIS CALCULATION IS BASED ON LIMITED INFORMATION SUPPLIED BY OTHERS TO SWANEY LIGHTING ASSOCIATES AND STANDARD ASSUMPTIONS OF THE SPACE AND/OR SITE.
5) CONFORMANCE TO CODES AND OTHER LOCAL REQUIREMENTS AS DETERMINED BY THE AHJ ARE THE RESPONSIBILITY OF THE OWNER AND/OR THE OWNER'S REPRESENTATIVE.
6) THIS LAYOUT DRAWING MUST BE COORDINATED WITH THE SITE LOCATION FOR CORRECT FIXTURE ORIENTATION.
7) DOCUMENTS PRINTED OR PLOTTED FROM ELECTRONIC FILES MAY APPEAR AT OTHER THAN THE DESIRED OR ASSUMED GRAPHIC SCALES. IT IS THE RESPONSIBILITY OF THE RECIPIENT TO VERIFY THAT THE PRINTED OR PLOTTED-TO-SCALE DRAWING IS PRINTED TO SCALE.



PLAN VIEW

site 5-20-20.AGI

GENERATED BY SWANEY LIGHTING, SCARBOROUGH ME - 207-883-7100 - swaneylighting.com

TITLE
844 STEVENS AVE
PORTLAND, ME
SITE LIGHTING LAYOUT

Date:5/20/2020

GENERATED FOR:
WHIPPLE/CALLENDER ARCHITECTS

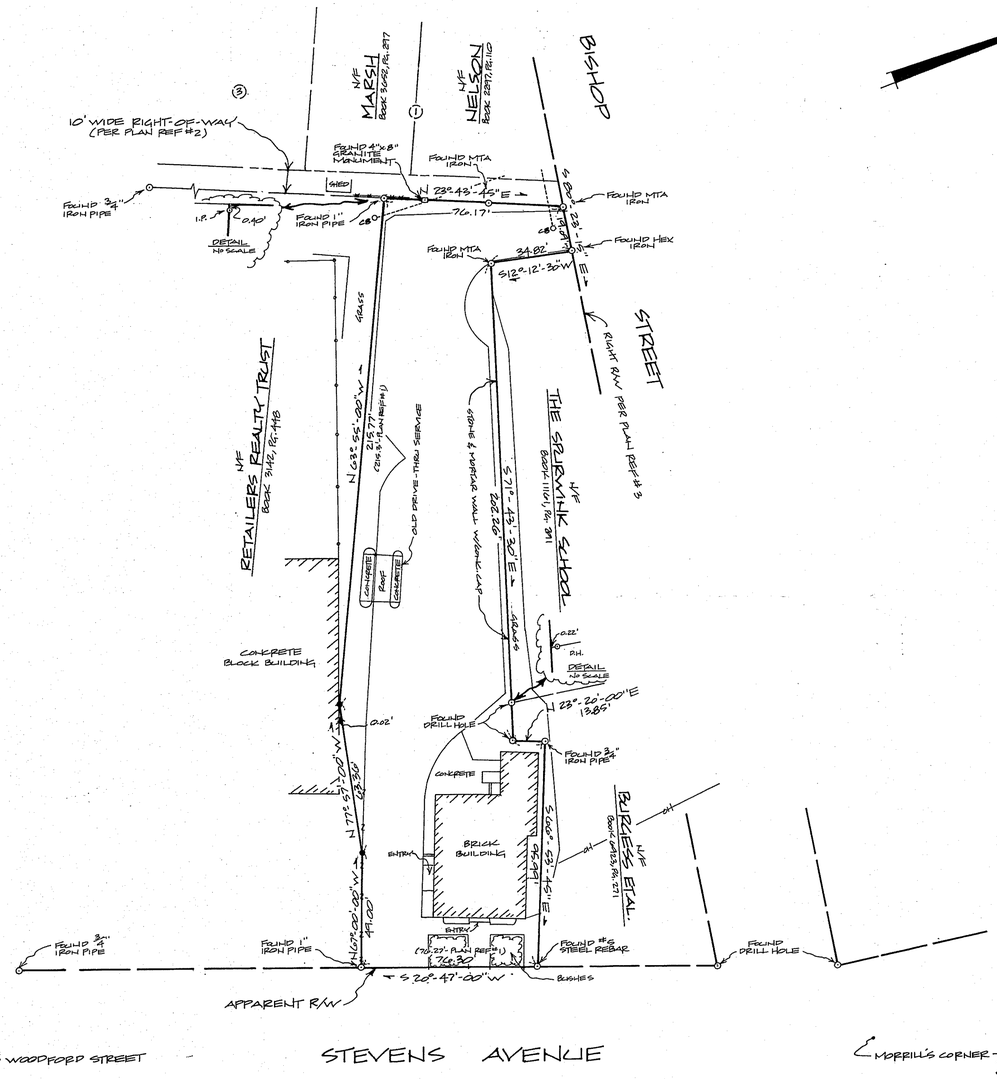
SCALE NOT TO SCALE

SWANEY LIGHTING ASSOCIATES, INC.

NOTICE: THIS DRAWING IS THE EXCLUSIVE PROPERTY OF SWANEY LIGHTING ASSOCIATES. ITS ACCEPTANCE CONSTITUTES AN AGREEMENT THAT THE DRAWING WILL BE TREATED AS CONFIDENTIAL. THIS DRAWING IS TO BE USED FOR NO PURPOSE OTHER THAN AS DETAILED HEREIN. THIS DRAWING IS TO BE KEPT IN ITS ENTIRETY. THIS DRAWING IS TO BE RETURNED UPON REQUEST AND IS NOT TO BE COMMUNICATED, DISCLOSED OR COPIED; EXCEPT AS EXPRESSLY AUTHORIZED BY SWANEY LIGHTING ASSOCIATES.
CERTAIN ITEMS MANUFACTURED AND SOLD BY OTHERS MAY BE PROVIDED USING FIXTURE PHOTOMETRICS OF LIGHTING FIXTURES INCLUDED IN THIS DRAWING. IT IS PROVIDED USING FIXTURE PHOTOMETRICS FURNISHED TO SWANEY LIGHTING ASSOCIATES AND WHICH WERE PREPARED BY OTHERS. SWANEY LIGHTING ASSOCIATES HAS NO CONTROL OVER THE ACCURACY OF THE PHOTOMETRICS OR PERFORMANCE SHOWN IN IES FILE IS NOT THE RESPONSIBILITY OF THE MANUFACTURER, ITS USE FOR ANY OTHER PURPOSE IS NOT AUTHORIZED BY SWANEY LIGHTING ASSOCIATES.

NOTES:

1. TOTAL AREA OF PARCEL EQUALS 21,989 S.F.±.
2. PARCEL IS SHOWN ON CITY OF PORTLAND TAX ASSESSORS MAPS AS LOT 14 OF BLOCK D ON MAP 293.



PLAN REFERENCES:

1. "PLAN OF LAND IN PORTLAND, ME OWNED BY HARRIETT TRUE", BY E.C. JORDAN & CO., CIVIL ENGINEERS, DATED MAY, 1927.
2. "PLAN OF LOTS MADE FOR FRED E. BRIGGS IN MAY, 1913", BY E.C. JORDAN & CO.. RECORDED AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 12, PAGE 108.
3. "MAINE TURNPIKE AUTHORITY, MAINE TURNPIKE, SECTION 2 - PORTLAND TO AUGUSTA, PROPERTY PLAN", BY HOWARD, NEEDLES, TAMMEN & BERGENDOFF, DATED NOV, 1963. RECORDED AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 140, PG. 42.
4. "PLAN OF LAND ON BISHOP STREET, PORTLAND, ME FOR THE PLASMINE CORP.", BY OWEN HASKELL, INC., DATED AUG 20, 1986.
5. "SITE PLAN ON PROPERTY ON BISHOP STREET, PORTLAND, ME MADE FOR PLASMINE TECHNOLOGY, INC.", BY OWEN HASKELL, INC., DATED OCT 1, 1991.

LOCUS DEED REFERENCES:

1. EXCHANGE CORPORATION
   TO
   CASCO BANK & TRUST COMPANY

   RECORDED AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 3217, PAGE 193.
2. MAINE TURNPIKE AUTHORITY
   TO
   CASCO BANK & TRUST COMPANY

   RECORDED AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 3824, PG. 124.

State of Maine, Cumberland ss.
Registry of Deeds
Received December 19 1994
at 12 h 28 m. P M and recorded in
Plan Book 194 Page 462
Attest: _____ Register
John B. O'Brien

LEGEND:

- STOCKADE FENCE
- ③ LOT NUMBER PER PLAN REFERENCE #2
- EXISTING BUILDING FACE
- CHAIN LINK FENCE
- RAIL FENCE
- EDGE OF PAVEMENT (CURBING NOT SHOWN)
- SET #5 STEEL REBAR W/CAP
- CB EXISTING CATCH BASIN
- OH OVERHEAD ELECTRIC/UTILITY LINE
- APPROXIMATE LOCATION OF UNDERGROUND DRAIN.

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THIS SURVEY AND PLAN CONFORMS TO THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS STANDARDS FOR CATEGORY I, CONDITION III SURVEYS, WITH EXCEPTION.

EXCEPTIONS:

1. NO WRITTEN REPORT
2. NO WRITTEN DESCRIPTION

James D. Nadeau 10-31-94

SEAL

GRAPHIC SCALE:

0 5 10 15 30 45 60 90 120 150

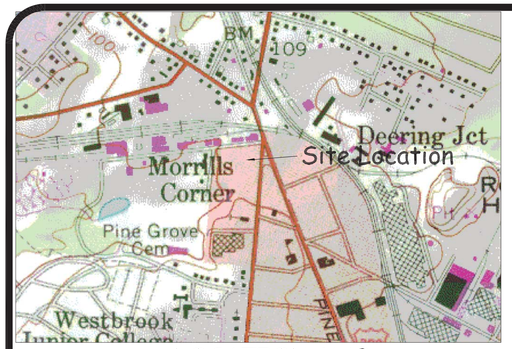
REVISIONS: CORRECTED DRAFTING ERROR TO 202.20' & PLOTTED APPROX LOC. OF UNDERGROUND DRAIN - 11-28-94.

PLAN SHOWING A STANDARD BOUNDARY SURVEY MADE FOR
JAMES ASCANIO
LOCATED ON THE WESTERLY SIDELINE OF
STEVENS AVENUE, PORTLAND, ME

BY:
NADEAU & LODGE
PROFESSIONAL LAND SURVEYORS
85 RACKLEFF STREET, PORTLAND, ME
(207) 780-6613

CLIENT: JAMES ASCANIO 300 WARREN AVE PORTLAND, ME 04103	DRAWN BY: JDN	DATE: 10/31/94
	CHECKED BY: BRL/JDN	SCALE: 1" = 30'
BOOK NO. 19	JOB NO. 4054	SHEET NO: 1 OF 1

4054



LOCATION MAP

LEGEND

- Iron survey marker found
- Survey Control Point
- Deed Line
- Lot Lines
- Spot Elevation

Maine State Grid (NAD 83) West Zone

GENERAL NOTES:

1. RECORD OWNER OF THE PROPERTY IS STEVENS AVENUE LLC HAVING A MAILING ADDRESS OF 303 ISLINGTON ST., PORTSMOUTH, NH 03801.

2. THE SUBJECT PROPERTY IS LOCATED WITHIN THE BUSINESS COMMUNITY, INDUSTRIAL LOW IMPACT ZONE:

3. TRAFFIC PRODUCED BY THIS DEVELOPMNET WILL NOT AFFECT TRAFFIC PATTERNS ON STEVENS AVENUE AND BISHOP STREET.

4. TOPOGRAPHIC INFORMATION OBTAINED BY GROUND SURVEY CONDUCTED SEPT. 15, 2018, CONTROLLED BY SURVEY GRADE GPS (TRIMBLE 5800) STATIC OBSERVATION CORRECTED BY OPUS SOLUTIONS.

5. ELEVATIONS SHOWN ON THIS PLAN ARE NGVD 1929 DATUM.

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8. CONTOURS OUTSIDE THE PROPERTY WERE INTERPOLATED FROM 2' CONTOUR MODEL PROVIDED BY THE STATE OF MAINE.

PLAN REFERENCE:

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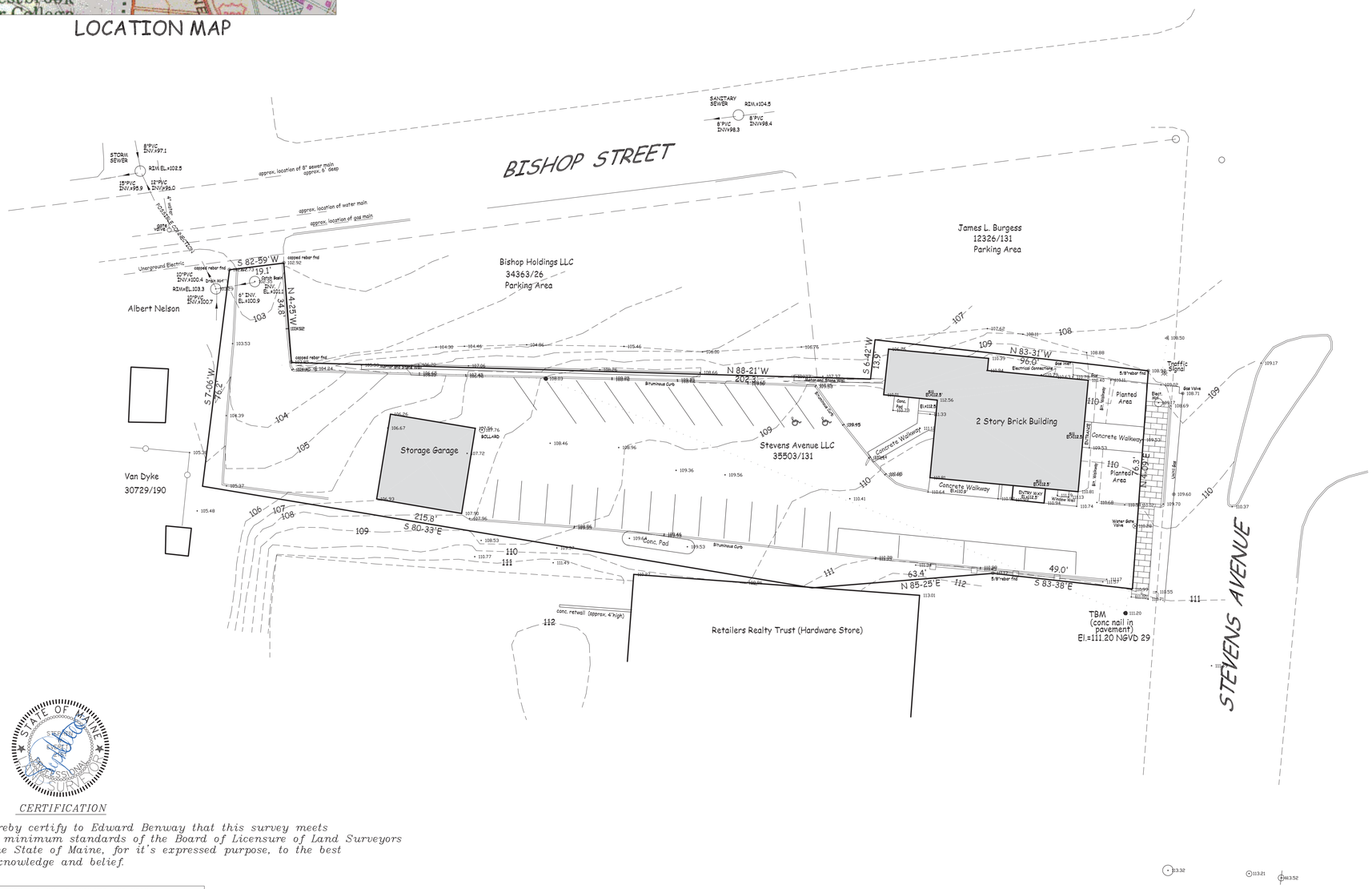
PLAN PREPARED FOR WHIPPLE-CALLENDER ARCHITECTS BY OWEN HASKELL INC. DATED AUGUST 2, 2017,



STATE OF MAINE
STEPHEN W. EVERETT
No. 2103
PROFESSIONAL LAND SURVEYOR

CERTIFICATION

I hereby certify to Edward Benway that this survey meets the minimum standards of the Board of Licensure of Land Surveyors of the State of Maine, for it's expressed purpose, to the best my knowledge and belief.

CUMBERLAND COUNTY REGISTRY OF DEEDS

0 10 20 40 60

Graphic Scale 1"=20'

Existing Conditions Survey

844 Stevens Avenue LLC

844 Stevens Avenue
in
Portland, Maine
for
Edward Benway
303 Islington St., Portsmouth, NH 03801

Prepared by Stephen W. Everett P.L.S. – East Waterboro, Maine

May 19, 2020

Scale 1"= 20 '

4 A2.1 **ELEVATION - WEST**

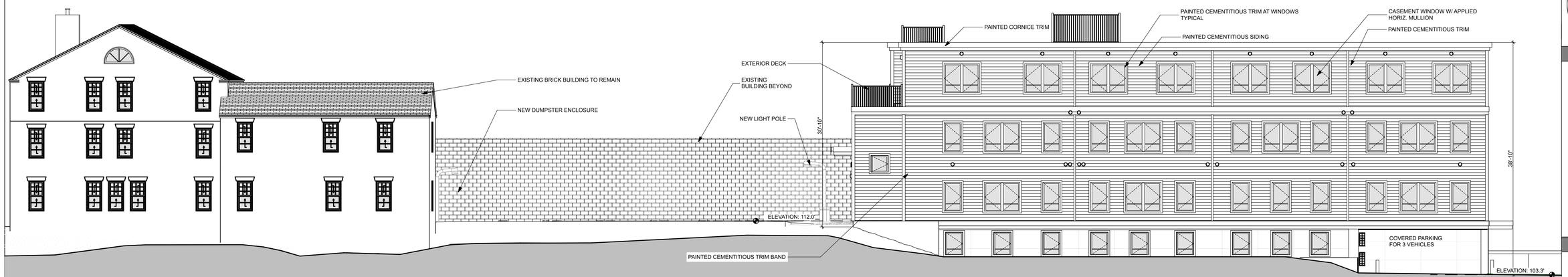
SCALE: 1/8" = 1'-0"

AVERAGE BUILDING HEIGHT:

35'-10"
38'-10"
30'-10"
\+ 30'-10"
136'-4"
\-
136'-4" / 4 = **34'-1"**

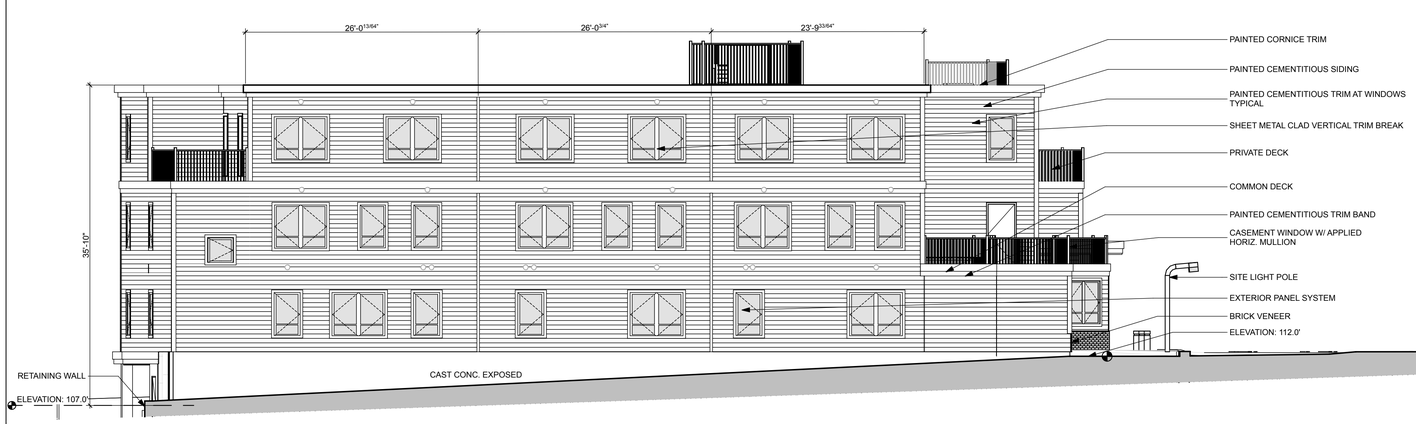
2 A2.1 **ELEVATION - EAST**

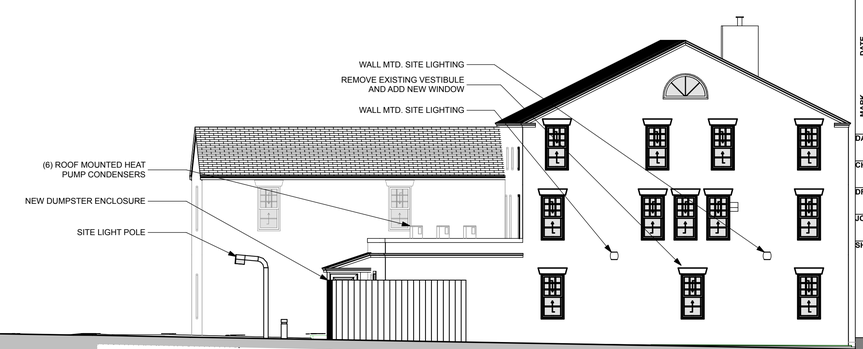
SCALE: 1/8" = 1'-0"



1 A2.1 **ELEVATION - NORTH**

SCALE: 1/8" = 1'-0"





3 A2.1 **ELEVATION - SOUTH**

SCALE: 1/8" = 1'-0"

0 4' 8' 16'

THIS DRAWING IS AN INSTRUMENT OF SERVICE AND SHALL REMAIN THE PROPERTY OF WHIPPLE CALLENDER ARCHITECTS.
IT SHALL NOT BE USED FOR ANY OTHER PURPOSE THAT FOR WHICH IT IS SPECIFICALLY FURNISHED

844 STEVENS AVENUE APARTMENTS

PORTLAND, ME

844 STEVENS AVE

WHIPPLE CALLENDER ARCHITECTS

136 PLEASANT AVE.
PORTLAND, ME 04103
P 207.775.2696
F 207.775.3631
www.whipplecallender.com

MARK	DATE	DESCRIPTION

DATE: 7/15/20

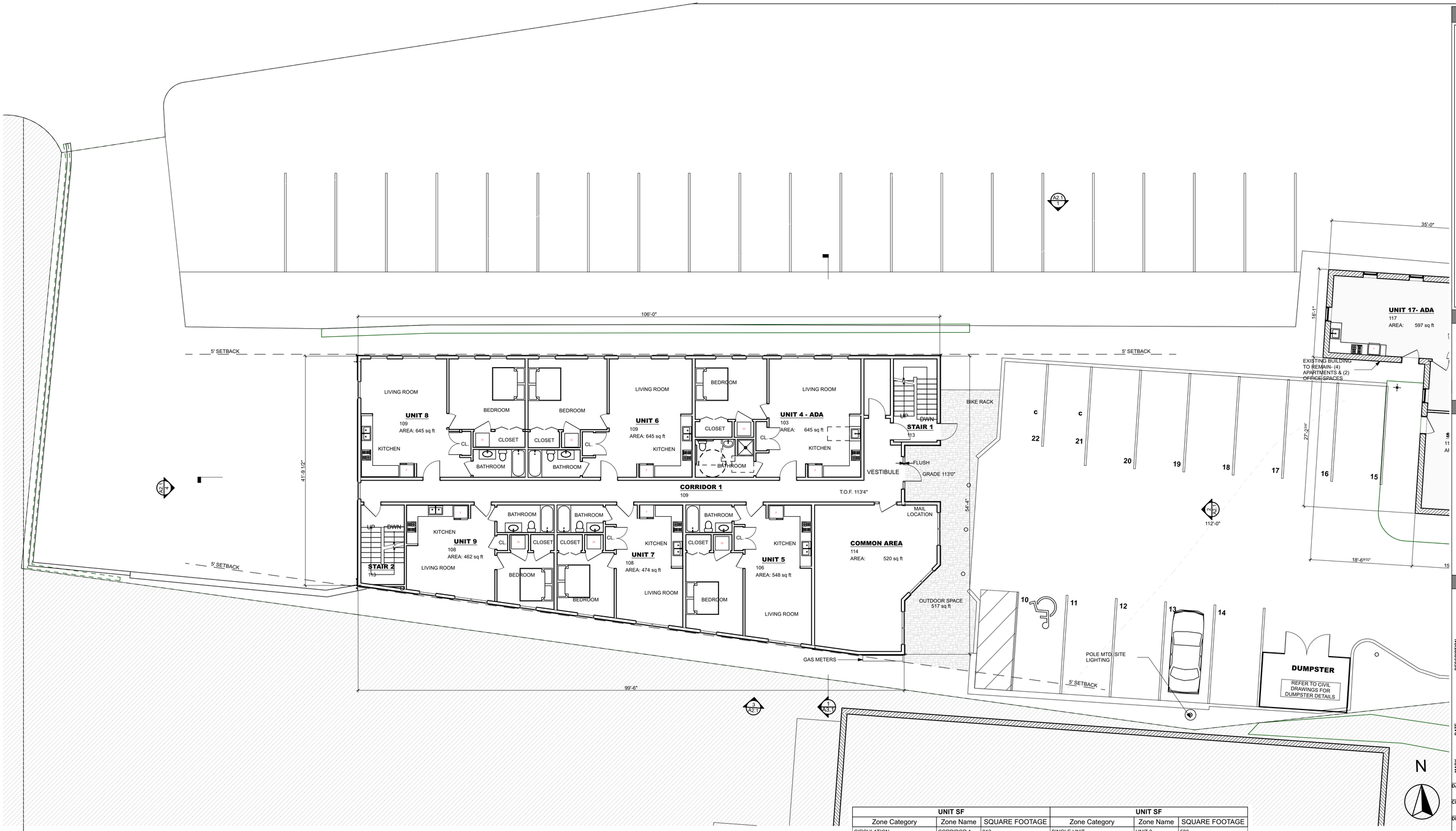
CHECKED BY: JAD

DRAWN BY: JCR

JOB: 1

SHEET TITLE: ELEVATIONS

A2.1



UNIT SF			UNIT SF		
Zone Category	Zone Name	SQUARE FOOTAGE	Zone Category	Zone Name	SQUARE FOOTAGE
CIRCULATION	CORRIDOR 1	913	SINGLE UNIT	UNIT 3	500
CIRCULATION	CORRIDOR 2	431	SINGLE UNIT	UNIT 4 - ADA	645
EX. BUILDING APARTMENT	UNIT 17- ADA	597	SINGLE UNIT	UNIT 5	548
EX. BUILDING APARTMENT	UNIT 18	680	SINGLE UNIT	UNIT 6	645
EX. BUILDING APARTMENT	UNIT 19	850	SINGLE UNIT	UNIT 7	474
EX. BUILDING APARTMENT	UNIT 20	1,205	SINGLE UNIT	UNIT 8	645
EX. BUILDING OFFICE	OFFICE 1	396	SINGLE UNIT	UNIT 9	462
EX. BUILDING OFFICE	OFFICE 2	400	STAIR	STAIR 1	381
EX. BUILDING SHARED SPACE	STORAGE	252	STAIR	STAIR 2	370
PARKING	ELEC.	97	TOWNHOUSE UNIT	UNIT 10	1,107
PARKING	MAINTENANCE	147	TOWNHOUSE UNIT	UNIT 11	1,081
PARKING	MECH	362	TOWNHOUSE UNIT	UNIT 12	1,005
PARKING	STORAGE	1,281	TOWNHOUSE UNIT	UNIT 13	1,057
SHARED SPACE	COMMON AREA	520	TOWNHOUSE UNIT	UNIT 14	996
SINGLE UNIT	UNIT 1	485	TOWNHOUSE UNIT	UNIT 15	972
SINGLE UNIT	UNIT 2	472	TOWNHOUSE UNIT	UNIT 16	1,061

1 A1.1 FIRST FLOOR PLAN

SCALE: 1/8" = 1'-0"

0 4' 8' 16'

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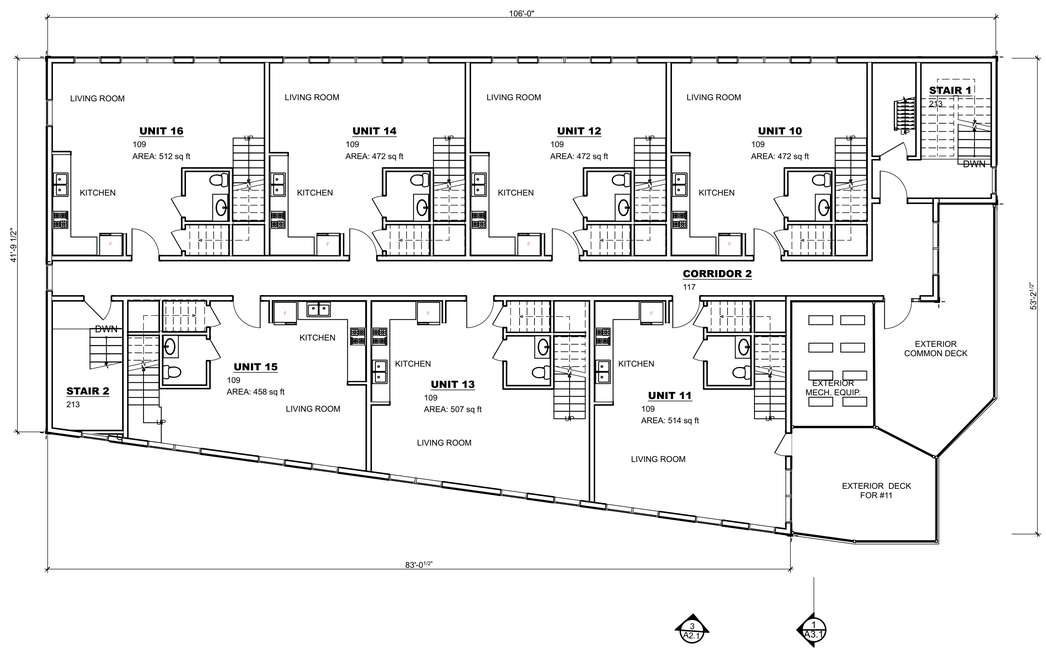
DRAWN BY: JCR

JOB: 1

SHEET TITLE: FIRST FLOOR PLAN

A1.1



1
A1.2

SECOND FLOOR PLAN

SCALE: 1/8" = 1'-0"

0 4' 8' 16'

UNIT SF			UNIT SF		
Zone Category	Zone Name	SQUARE FOOTAGE	Zone Category	Zone Name	SQUARE FOOTAGE
CIRCULATION	CORRIDOR 1	913	SINGLE UNIT	UNIT 3	500
CIRCULATION	CORRIDOR 2	431	SINGLE UNIT	UNIT 4 - ADA	645
EX. BUILDING APARTMENT	UNIT 17- ADA	597	SINGLE UNIT	UNIT 5	548
EX. BUILDING APARTMENT	UNIT 18	680	SINGLE UNIT	UNIT 6	645
EX. BUILDING APARTMENT	UNIT 19	850	SINGLE UNIT	UNIT 7	474
EX. BUILDING APARTMENT	UNIT 20	1,205	SINGLE UNIT	UNIT 8	645
EX. BUILDING OFFICE	OFFICE 1	396	SINGLE UNIT	UNIT 9	462
EX. BUILDING OFFICE	OFFICE 2	400	STAIR	STAIR 1	381
EX. BUILDING SHARED SPACE	STORAGE	252	STAIR	STAIR 2	370
PARKING	ELEC.	97	TOWNHOUSE UNIT	UNIT 10	1,107
PARKING	MAINTENANCE	147	TOWNHOUSE UNIT	UNIT 11	1,081
PARKING	MECH	362	TOWNHOUSE UNIT	UNIT 12	1,005
PARKING	STORAGE	1,281	TOWNHOUSE UNIT	UNIT 13	1,057
SHARED SPACE	COMMON AREA	520	TOWNHOUSE UNIT	UNIT 14	996
SINGLE UNIT	UNIT 1	485	TOWNHOUSE UNIT	UNIT 15	972
SINGLE UNIT	UNIT 2	472	TOWNHOUSE UNIT	UNIT 16	1,061

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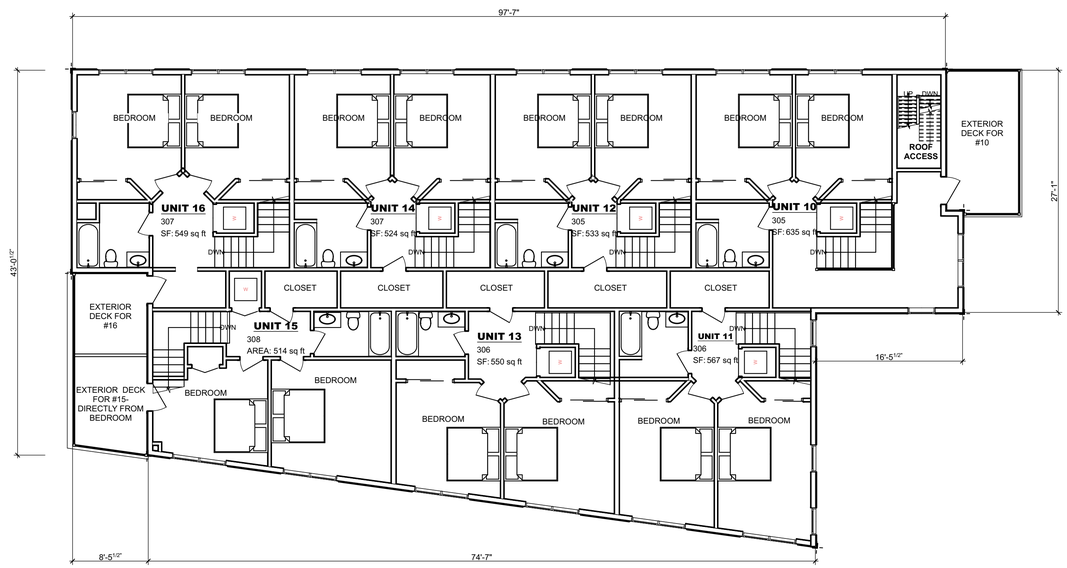
JOB: 1

SHEET TITLE: SECOND FLOOR PLAN

A1.2



THIRD FLOOR PLAN

1 / A1.3

SCALE: 1/8" = 1'-0"

0 4' 8' 16'

UNIT SF			UNIT SF		
Zone Category	Zone Name	SQUARE FOOTAGE	Zone Category	Zone Name	SQUARE FOOTAGE
CIRCULATION	CORRIDOR 1	913	SINGLE UNIT	UNIT 3	500
CIRCULATION	CORRIDOR 2	431	SINGLE UNIT	UNIT 4 - ADA	645
EX. BUILDING APARTMENT	UNIT 17- ADA	597	SINGLE UNIT	UNIT 5	548
EX. BUILDING APARTMENT	UNIT 18	680	SINGLE UNIT	UNIT 6	645
EX. BUILDING APARTMENT	UNIT 19	850	SINGLE UNIT	UNIT 7	474
EX. BUILDING APARTMENT	UNIT 20	1,205	SINGLE UNIT	UNIT 8	645
EX. BUILDING OFFICE	OFFICE 1	396	SINGLE UNIT	UNIT 9	462
EX. BUILDING OFFICE	OFFICE 2	400	STAIR	STAIR 1	381
EX. BUILDING SHARED SPACE	STORAGE	252	STAIR	STAIR 2	370
PARKING	ELEC.	97	TOWNHOUSE UNIT	UNIT 10	1,107
PARKING	MAINTENANCE	147	TOWNHOUSE UNIT	UNIT 11	1,081
PARKING	MECH	362	TOWNHOUSE UNIT	UNIT 12	1,005
PARKING	STORAGE	1,281	TOWNHOUSE UNIT	UNIT 13	1,057
SHARED SPACE	COMMON AREA	520	TOWNHOUSE UNIT	UNIT 14	996
SINGLE UNIT	UNIT 1	485	TOWNHOUSE UNIT	UNIT 15	972
SINGLE UNIT	UNIT 2	472	TOWNHOUSE UNIT	UNIT 16	1,061

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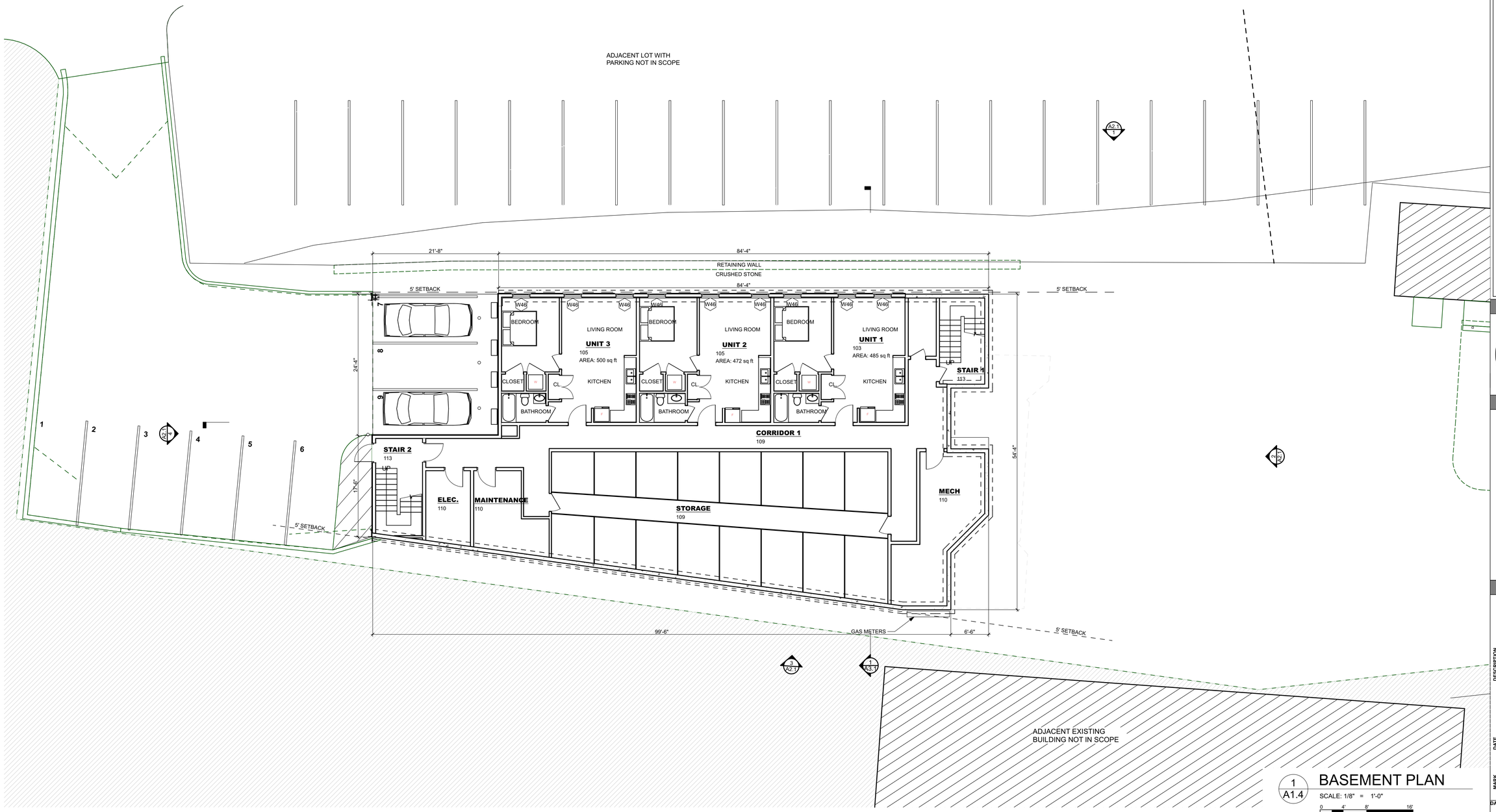
SHEET TITLE: THIRD FLOOR PLAN

A1.3



1 A1.4

BASEMENT PLAN

SCALE: 1/8" = 1'-0"

0 4' 8' 16'

UNIT SF			UNIT SF		
Zone Category	Zone Name	SQUARE FOOTAGE	Zone Category	Zone Name	SQUARE FOOTAGE
CIRCULATION	CORRIDOR 1	913	SINGLE UNIT	UNIT 3	500
CIRCULATION	CORRIDOR 2	431	SINGLE UNIT	UNIT 4 - ADA	645
EX. BUILDING APARTMENT	UNIT 17- ADA	597	SINGLE UNIT	UNIT 5	548
EX. BUILDING APARTMENT	UNIT 18	680	SINGLE UNIT	UNIT 6	645
EX. BUILDING APARTMENT	UNIT 19	850	SINGLE UNIT	UNIT 7	474
EX. BUILDING APARTMENT	UNIT 20	1,205	SINGLE UNIT	UNIT 8	645
EX. BUILDING OFFICE	OFFICE 1	396	SINGLE UNIT	UNIT 9	462
EX. BUILDING OFFICE	OFFICE 2	400	STAIR	STAIR 1	381
EX. BUILDING SHARED SPACE	STORAGE	252	STAIR	STAIR 2	370
PARKING	ELEC.	97	TOWNHOUSE UNIT	UNIT 10	1,107
PARKING	MAINTENANCE	147	TOWNHOUSE UNIT	UNIT 11	1,081
PARKING	MECH	362	TOWNHOUSE UNIT	UNIT 12	1,005
PARKING	STORAGE	1,281	TOWNHOUSE UNIT	UNIT 13	1,057
SHARED SPACE	COMMON AREA	520	TOWNHOUSE UNIT	UNIT 14	996
SINGLE UNIT	UNIT 1	485	TOWNHOUSE UNIT	UNIT 15	972
SINGLE UNIT	UNIT 2	472	TOWNHOUSE UNIT	UNIT 16	1,061

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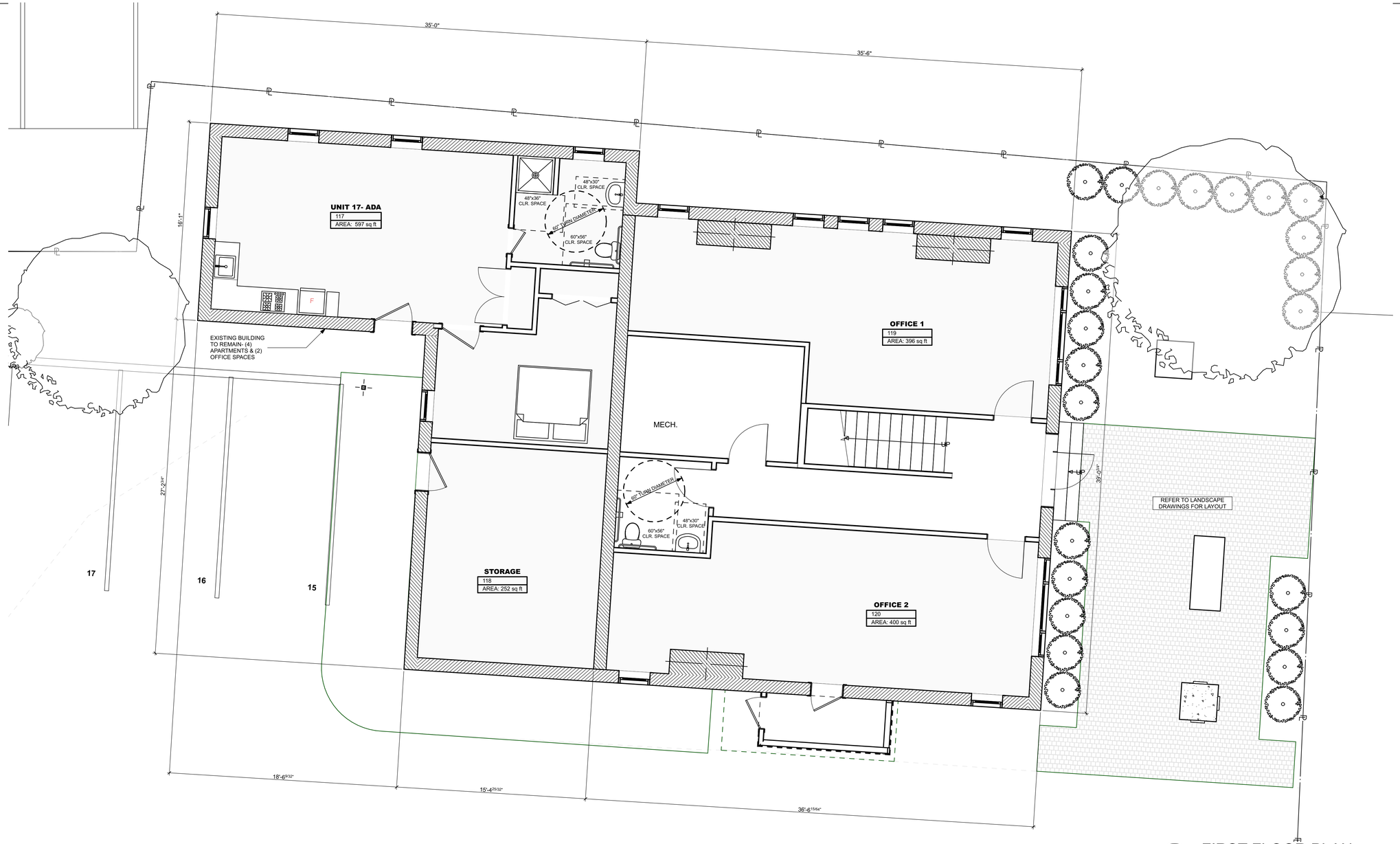
SHEET TITLE: PARKING LEVEL

A1.4



1
A1.5

FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"

0 2' 4' 8'

EXISTING BUILDING	
	USABLE SF.
FLR. 1	1754 SF
FLR. 2	1361 SF
FLR. 3	919 SF
TOTAL	4034 SF

7 CHAIRS IN EXISTING SALON

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JOB: 1

SHEET TITLE: EXISTING BLDG/ FLOOR PLAN

A1.5

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1
A1.6

SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"

0 2' 4' 8'

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JOB: 1

SHEET TITLE: EXISTING SECOND FLR.

A1.6

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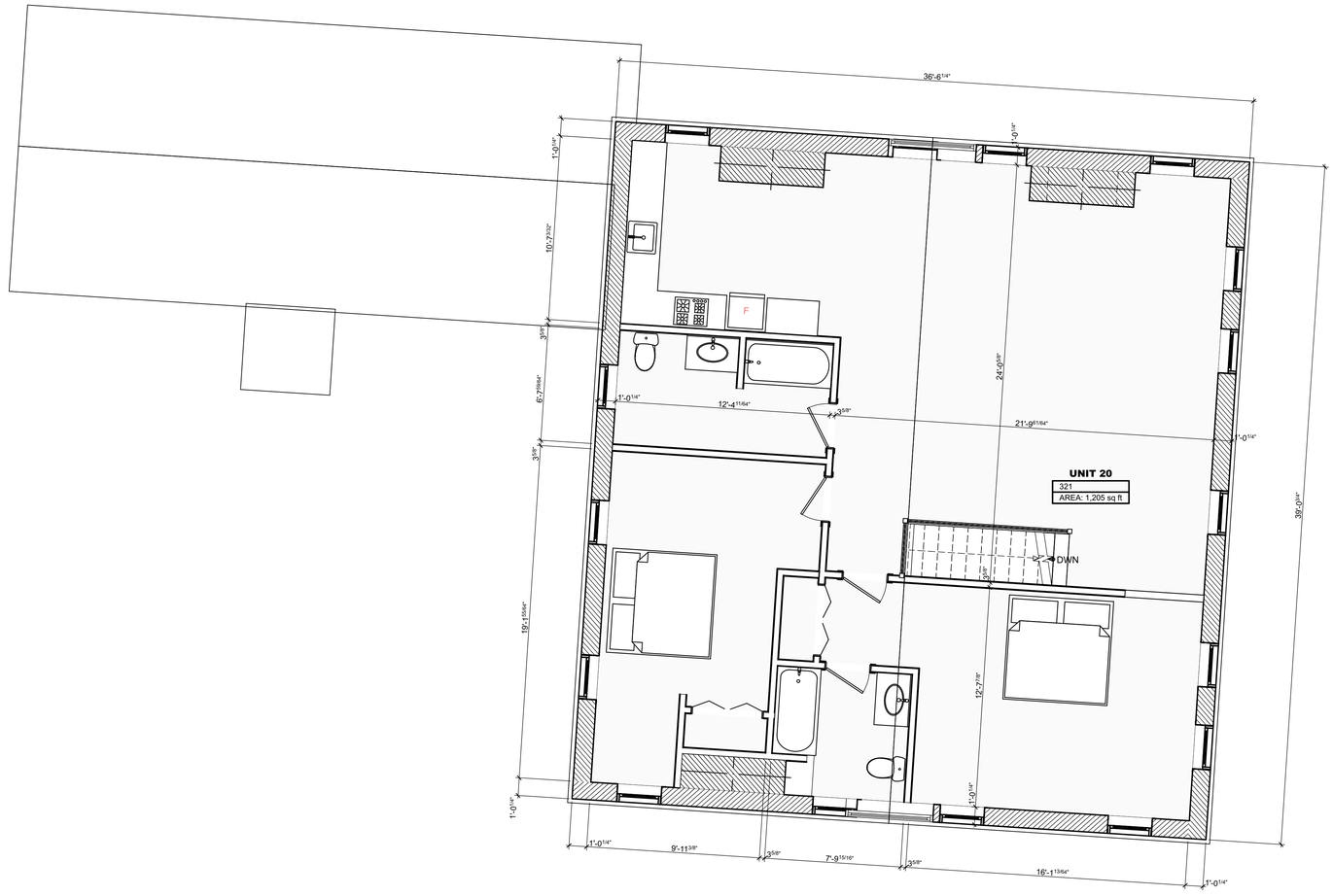

1
A1.7

THIRD FLOOR PLAN

SCALE: 1/4" = 1'-0"

0 2' 4' 8'

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JOB: 1

SHEET TITLE: EXISTING THIRD FLR.

A1.7

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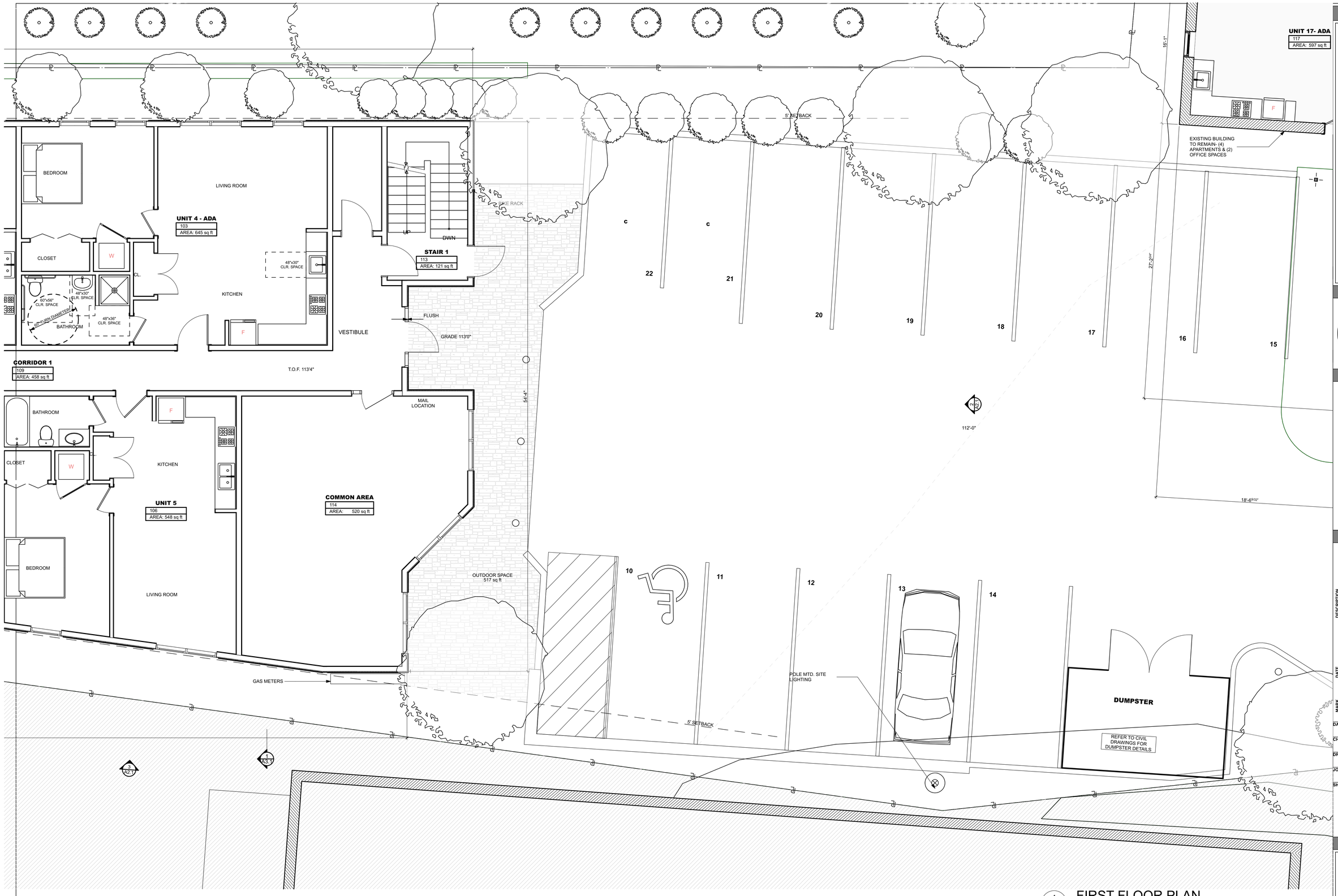

1 A4.1 FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"

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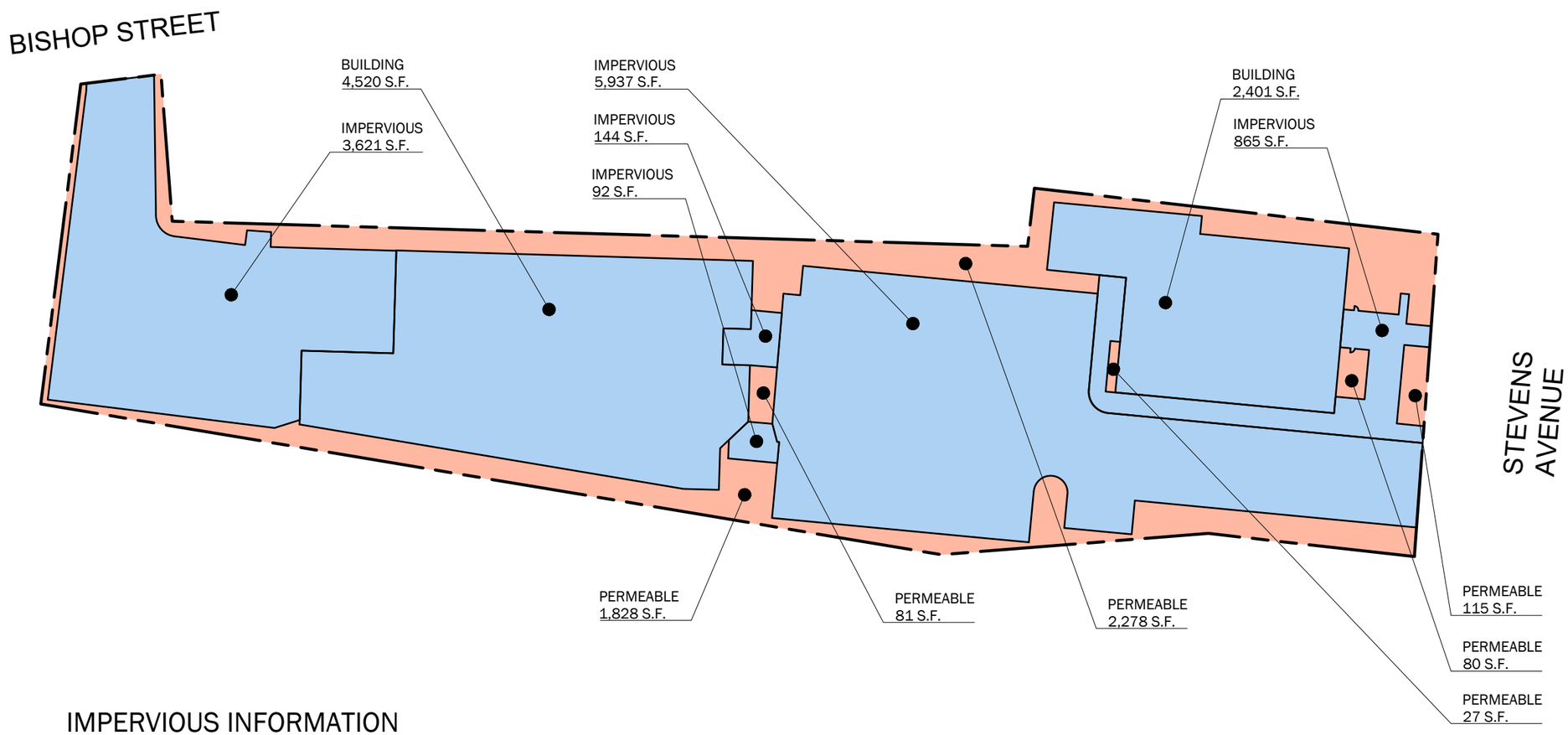
SHEET TITLE: FIRST FLOOR PLAN

A4.1



IMPERVIOUS INFORMATION

SUBJECT PARCEL	21,989 S.F. (100%)
EXISTING IMPERVIOUS	17,508 SQ. FT. (79.6%)
PROPOSED IMPERVIOUS	17,580 SQ. FT. (79.9%)
NET IMPERVIOUS	+72 SQ. FT. (0.3%)

GRAPHIC SCALE
30 0 15 30
1 inch = 30 ft.

N

Sheet Number: 01

Sheet Title: PROPOSED IMPERVIOUS AREA

Job No.:	547
Date:	JUNE 8, 2020
Scale:	AS HSOWN
Drawn:	JDC
Checked:	SWC

844 STEVENS AVENUE
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PORTLAND, MAINE

WALSH
ENGINEERING ASSOCIATES, INC.
One Karen Dr., Suite 2A | Westbrook, Maine 04092
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P:\547 - 844 Stevens Avenue, Portland\3. CAD\547 - BASE.dwg plot date: 6/7/2020 6:08 PM

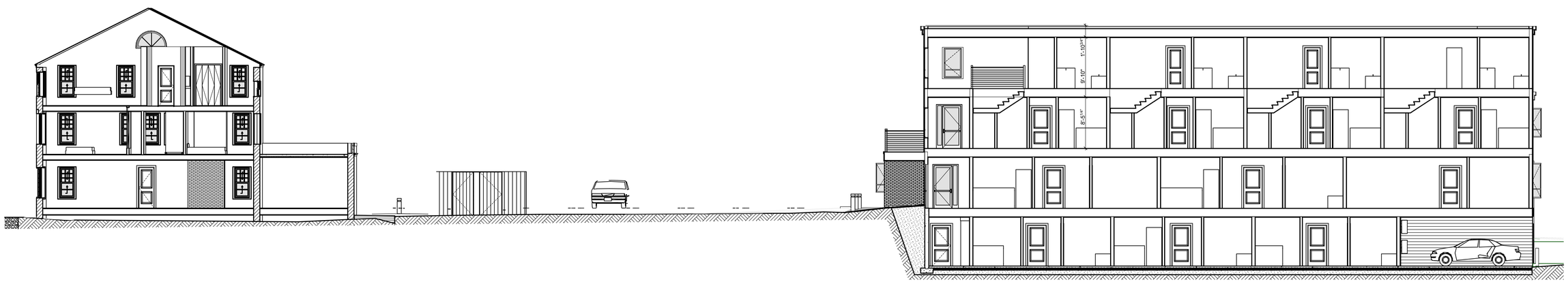
842

842

1 A3.1 **N/S BUILDING SECTION**

SCALE: 1/4" = 1'-0"

0 2' 4' 8'



2 A3.1 **E/W BUILDING SECTION**

SCALE: 1/8" = 1'-0"

0 2' 4' 8'

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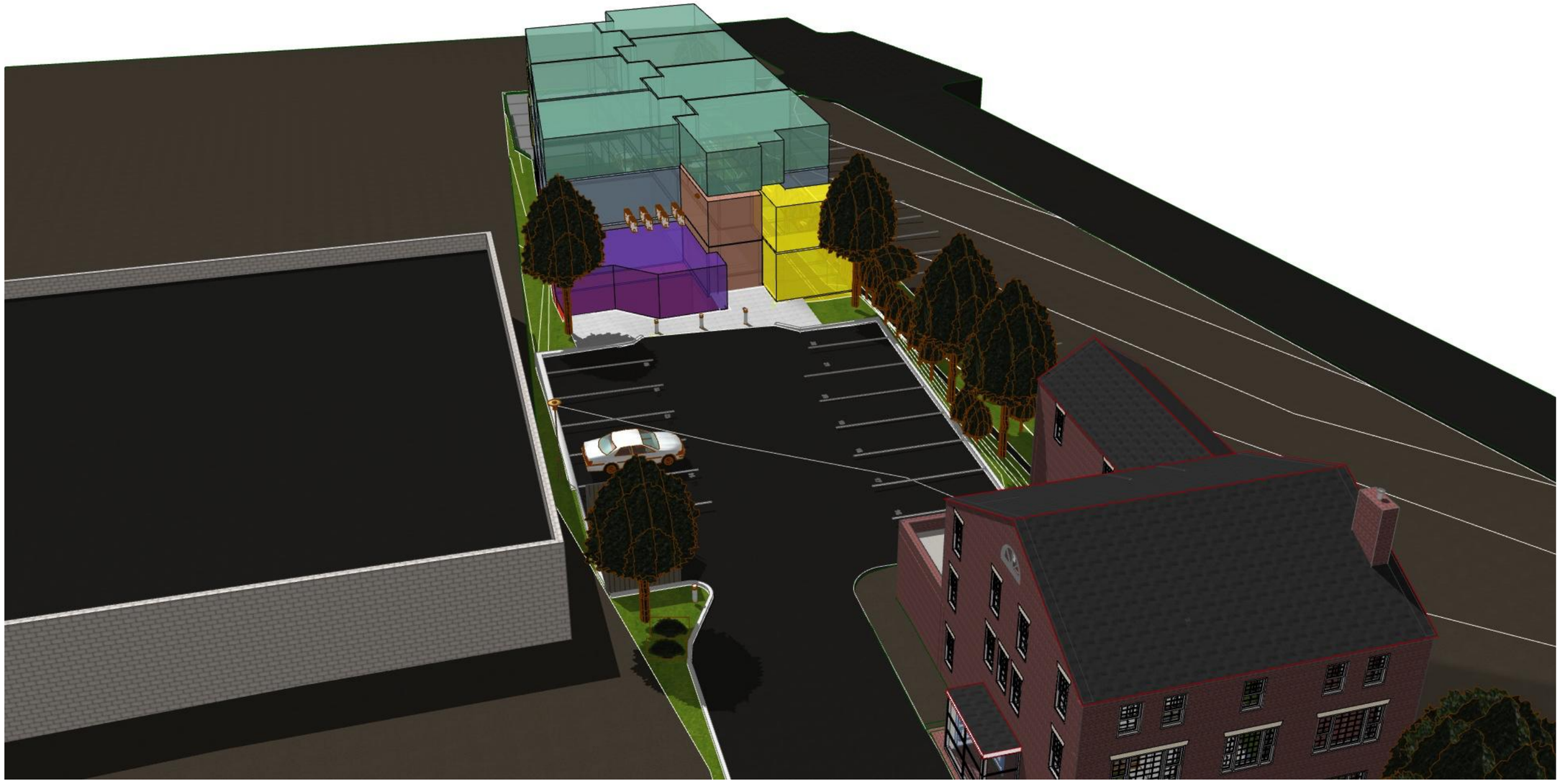
DRAWN BY: JCR

JOB: 1

SHEET TITLE: SECTIONS

A3.1



STEVENS AVE DIAGRAM

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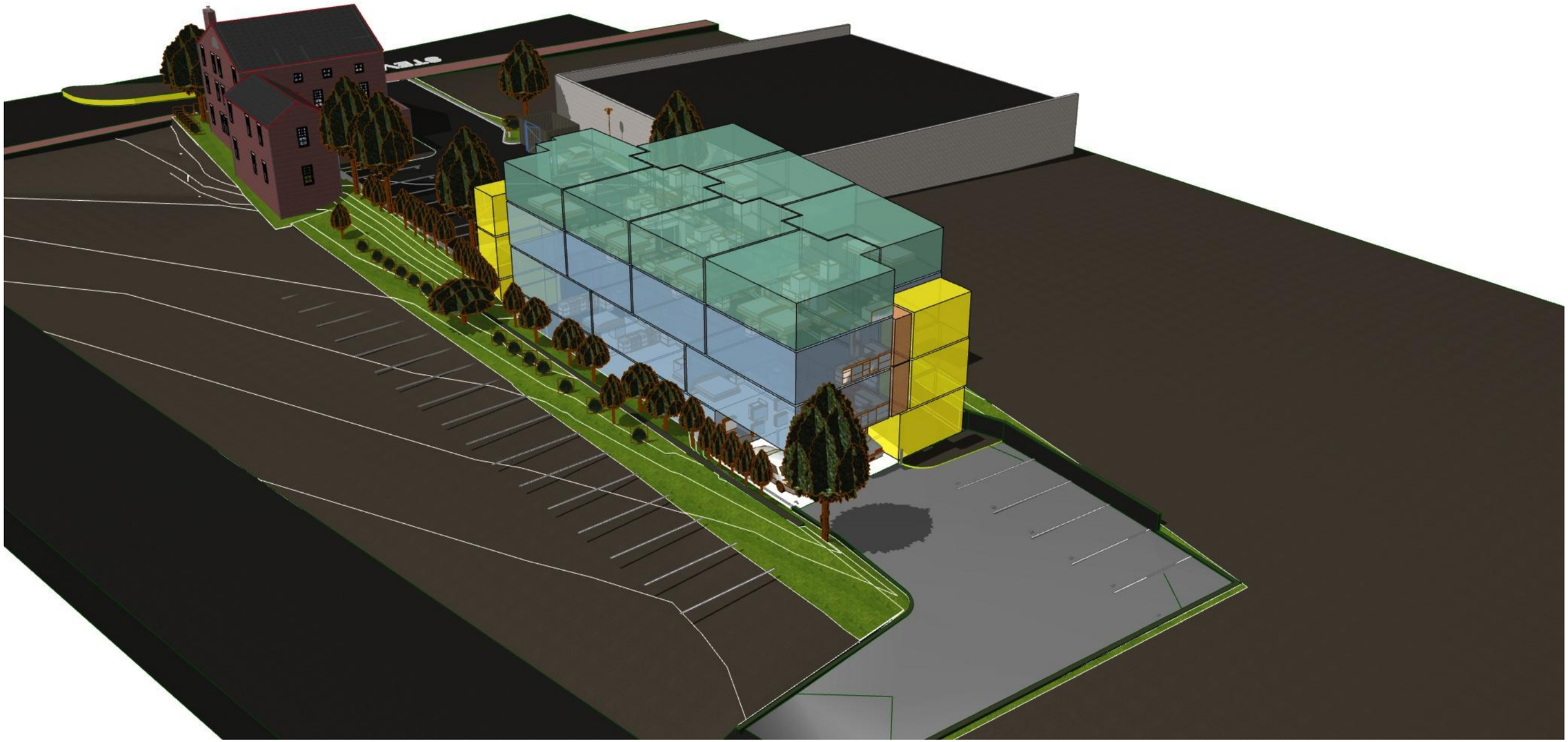
844 STEVENS AVE

844 STEVENS AVE, PORTLAND ME

1/6/20

SK6



BISHOP STREET DIAGRAM

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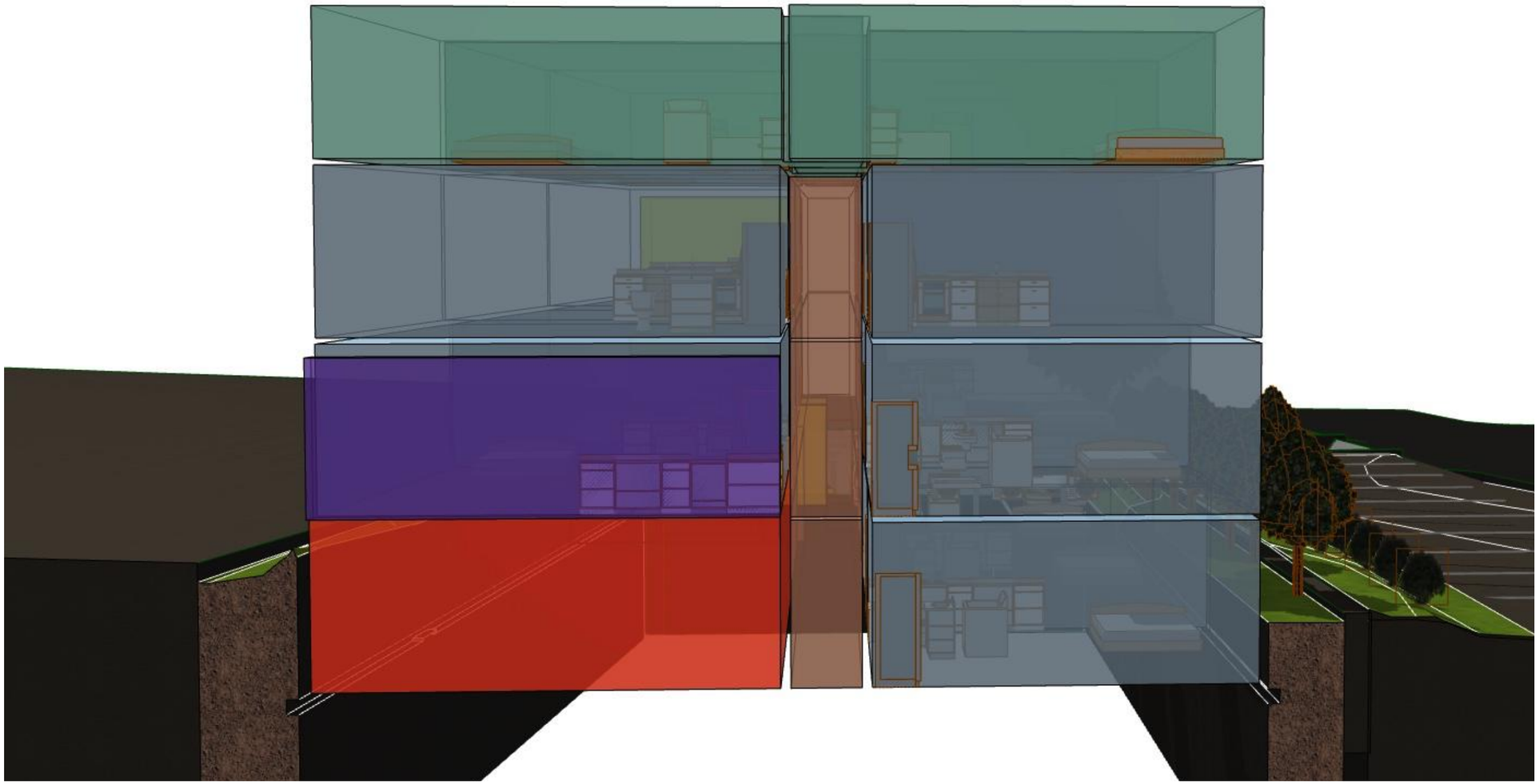
SK7



SECTION PERSPECTIVE

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