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 August 18, 2020 at 4:30 p.m. This meeting will take place using Zoom.

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

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

ZOOM MEETING INSTRUCTIONS
You are invited to a Zoom webinar.
When: Aug 18, 2020 04:30 PM Eastern Time (US and Canada)
Topic: Planning Board Workshop and Public Hearing 08/18/2020

Please click the link below to join the webinar:
https://us02web.zoom.us/j/83363698672

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.

Or iPhone one-tap :
US: +19292056099,,83363698672# or +13017158592,,83363698672#

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Webinar ID: 833 6369 8672
International numbers available: https://us02web.zoom.us/u/kgL3kk6N

For more information on how to use Zoom, please go to:
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

PUBLIC HEARING - 4:30 PM

1. ROLL CALL AND DECLARATION OF QUORUM

2. COMMUNICATION AND REPORTS

3. REPORT OF ATTENDANCE AT THE MEETING HELD ON AUGUST 11, 2020

Afternoon Workshop
25 Bedford Street: Chann, Dundon, Dunfey, Mazer, Silk, Smith and Stanley present.
Evening Hearing
Munjoy Hill Historic District: Chann, Dundon, Dunfey, Mazer, Silk, Smith and Stanley present.

4. REPORTS OF DECISIONS AT THE MEETING HELD ON AUGUST 11, 2020

i. Munjoy Hill Historic District
Stanley moved and Silk seconded a motion to find that the proposed Munjoy Hill Historic District meets the historic preservation ordinance's minimum criteria for designation as set forth in Sec. 14-610(a)(1) and (b) as well as the integrity criteria in Sec. 14-611, to find the designation consistent with other goals of Portland's Plan 2030, and to recommend its designation as a local historic district to the City Council. Vote 4-3, Chann, Dundon, and Mazer opposed.

5. NEW BUSINESS

i. Level III Subdivision; 83 Middle Street; Community Housing of Maine, Applicant. (estimated time 4:30 – 6:00 pm) The Planning Board will hold a remote public hearing on a proposed five-story, 45,770 square foot mixed use building with 50 affordable residential units and ground-floor commercial space at 83 Middle Street. The subject property is 13,842 square feet in size and is located within the India Street Form Based Code Zone. The proposal is subject to Portland's subdivision and inclusionary zoning standards and a separate application has been submitted for Level II Site Plan approval.

ii. Level III Site Plan and Subdivision; 210 Valley Street; Avesta Valley Street, LP., Applicant. (estimated time 6:00 – 7:00 pm) The Planning Board will hold a remote public hearing to consider a proposal for the development of a 5-story, 72,113 square foot affordable residential building with 60 units at 210 Valley Street. The subject property is 14,964 square feet in size and is zoned B-2.

iii. Level III Site Plan and Subdivision; 126 and 128 North Street; Upright Properties, LLC., and Josh Wojcik, Co-Applicants. (estimated time 7:00 pm) The Planning Board will hold a remote public hearing 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 workforce 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.

PLANNING BOARD REPORT
PORTLAND, MAINE

210 Valley Street Development
Level III Site Plan, Subdivision & Conditional Use Review
Avesta Valley Street, LP, Applicant
PL-001075-2020 CBL: 064 F007

Submitted to: Portland Planning Board Public Hearing Date: August 18, 2020	Prepared by: Andrew Tufts, Planner Date: August 14, 2020

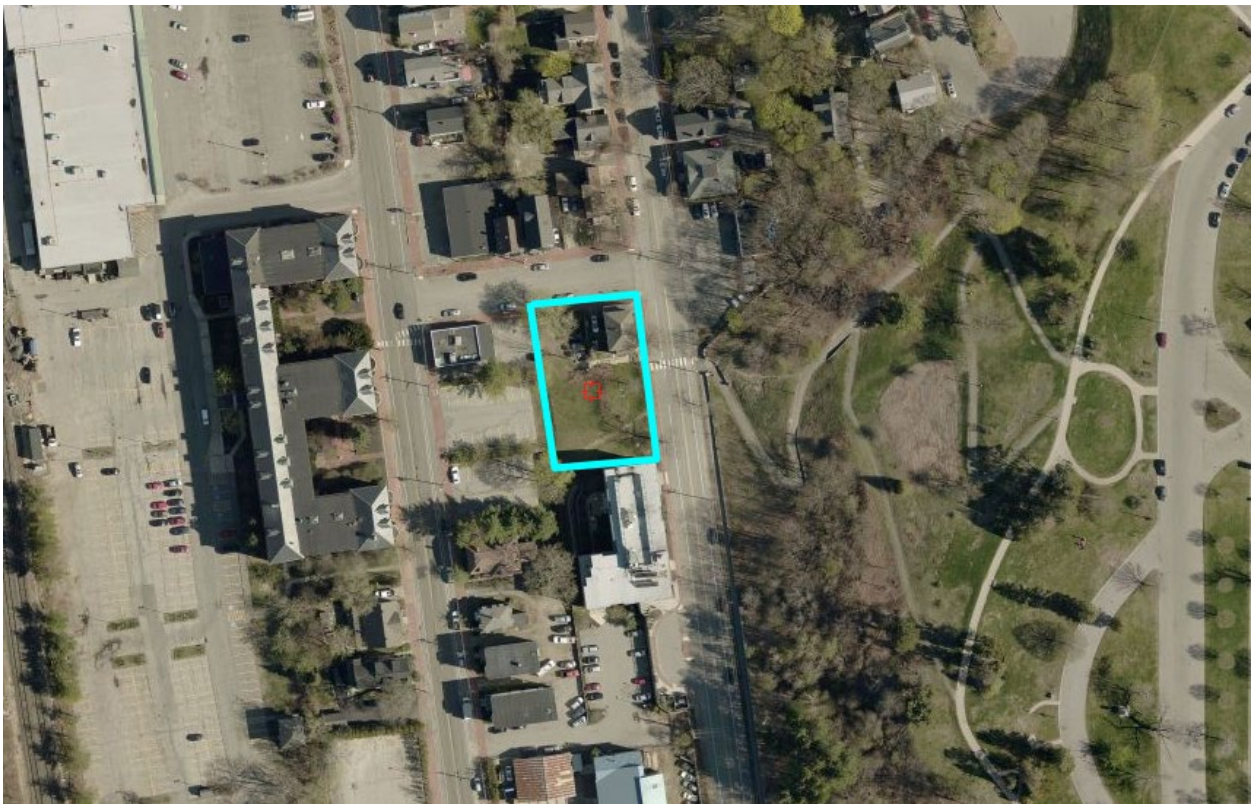


Figure 1: Parcel outline - Source: City of Portland Maine Parcel Viewer

I. INTRODUCTION

Avesta Valley Street, LP, has submitted a Level III Site Plan, Subdivision and Conditional Use (Inclusionary Zoning) application for the development of a five-story, 60-unit affordable residential building at 210 Valley Street. The subject property is a 14,964 square foot parcel along approximately 250 linear feet of street frontage on Valley Street. The site is in the B-2 zone, and is within 100' of the Western Promenade, requiring review by Historic Preservation staff. The Planning & Urban Development Department sent 83 notices advertising this meeting to property owners within 500 feet of the site. A legal advertisement ran in the June 11th & June 12th editions of the Portland Press Herald.

Applicant: Avesta Valley Street, LP

Consultants: Sam Lebel, P.E. (Acorn Engineering - Applicant/ Civil Engineer), Ryan Senatore, AIA - Ryan Senatore Architecture) Randy Loubier (Owen Haskell Inc Surveying)

II. REQUIRED REVIEWS

Waiver Requests	*Applicable Standards*
Driveway Aisle width narrower than the required 24' width. Staff Comments: The City's Traffic Engineer supports a waiver from the City's Technical Standards for driveway width given low traffic volumes and traffic characteristics.	Technical Manual, *Section 1.14 & Figure I-29,* requiring 24.00' wide drive aisle for two-way access aisles with 90 degree parking.
Reduction of driveway width to 18' at the parking garage entrance. Staff Comments: The City's Traffic Engineer supports a waiver from the City's Technical Standards for the proposed driveway width.	Technical Manual 1.7.2.3 Driveway Width *Any site with driveway access to a street shall have a minimum width of 20 feet for two-way ingress and egress*
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	*Single Family Residential – Vacant lot*
Proposed Use	*Multifamily Housing*
Parcel Size	14,964 square feet

	Existing	*Proposed*	*Net Change*
Building Footprint	1,164 SF	13,290 SF	+ 12,126 SF
Building Floor Area	2,328 SF	73,382 SF	+ 71,054 SF
Impervious Surface Area	6,053 SF	14,131 SF	+ 8,078 SF
Parking Spaces	4	40	+ 36
Bicycle Parking Spaces	0	24	+ 24



Figure 2: Existing conditions - Source: Google Earth

IV. EXISTING CONDITIONS

The development site is located in the St. John Valley neighborhood and at the intersection of Valley and C Streets. The proposed lot is an assemblage of multiple properties comprising 14,964 square feet. The southern portion of the site is undeveloped and vegetated, while the corner lot is developed with a single-family structure and associated surface parking. The site is bordered by Valley Street to the east, Florence House to the south, commercial developments to the west, and C Street to the north. Abutting uses are residential, retail and office space, and recreational open space.

Approximately 40% of the existing site is comprised of impervious area, including the existing building, the gravel driveways, a concrete walkway, retaining walls, and areas of riprap. The grassed areas are in fair condition with some patches of exposed soils. From east to west the grades drop off at approximately 16%. The project area presently drains the majority of its runoff to the abutting properties to the west toward St. John Street. Two street trees exist along Valley Street. The nearest open space is the Western Promenade, located directly across Valley Street.

Owen Haskell Inc. completed a boundary and topographic survey of the site in March of 2020. There are no existing easements identified by Owen Haskell, Inc. on the Existing Conditions Plan. There are no proposed easements as part of the project. The proposed submersible transformer will be located within the City ROW and a license will be required from the City.



Figure 3: View Looking from Walking Path - Source: Ryan Senatore Architecture

V. PROPOSED DEVELOPMENT

The proposed development includes a five-story, 60-unit apartment building with two levels of structured parking. The building would be set into the slope, taking advantage of the grade change to provide two levels of covered parking with driveway access from both Valley and C Streets. The first floor would be a mix of utility rooms and office space in the front, with structured parking at the rear. An additional subgrade floor would include the remaining parking on site providing a total of 40 spaces. Floors 2-5 would be residential, including 11 efficiencies, 25 one-bedroom, 14 two-bedroom, and 10 three-bedroom units. The application notes that 36 units would be affordable at 50% of area median income, 12 units would be affordable at 60% of area median income, and 12 units would be at market rate.

The proposed project will involve installation of new utility services to the proposed building. All new utility services will be provided from the franchise utilities available within C Street. The proposed locations of the new utility services are shown on the Utility Plan. The proposed project will receive its water supply from the Portland Water District's (PWD) public water supply system. Separate fire and domestic services will be installed to the building from PWD's existing main in C Street. CMP currently maintains overhead and underground utilities in the area. Electric utilities currently serving the existing building will remain.

VI. PUBLIC COMMENT AND NEIGHBORHOOD MEETING

No public comments have been submitted to date.

A remote neighborhood meeting was held on the evening of May 28, 2020 via Zoom at 6:00 p.m. for the proposed project. Approximately 2 members of the public attended. Attending on behalf of the development team were Catherine Elliot, Rebecca Hatfield & Hollie Sprague of Avesta Housing; Will Savage & Sam Lebel of Acorn Engineering; and Ryan Senatore of Ryan Senatore Architecture. Catherine Elliot began the presentation by introducing the development team. She then provided some insight into the

history of the project, and explained the intent for programming, and handed it off to Will Savage from Acorn Engineering to explain the site plan, parking, landscaping, stormwater, and utility elements. Following Will's explanation, Ryan Senatore was introduced to explain the proposed building's exterior, interior, and programming. At the end of Ryan's presentation, The Applicant opened the meeting to the public for questions. Comments from the public touched on a variety of subjects including pedestrian circulation, building height, parking structure, privacy, and traffic flow.

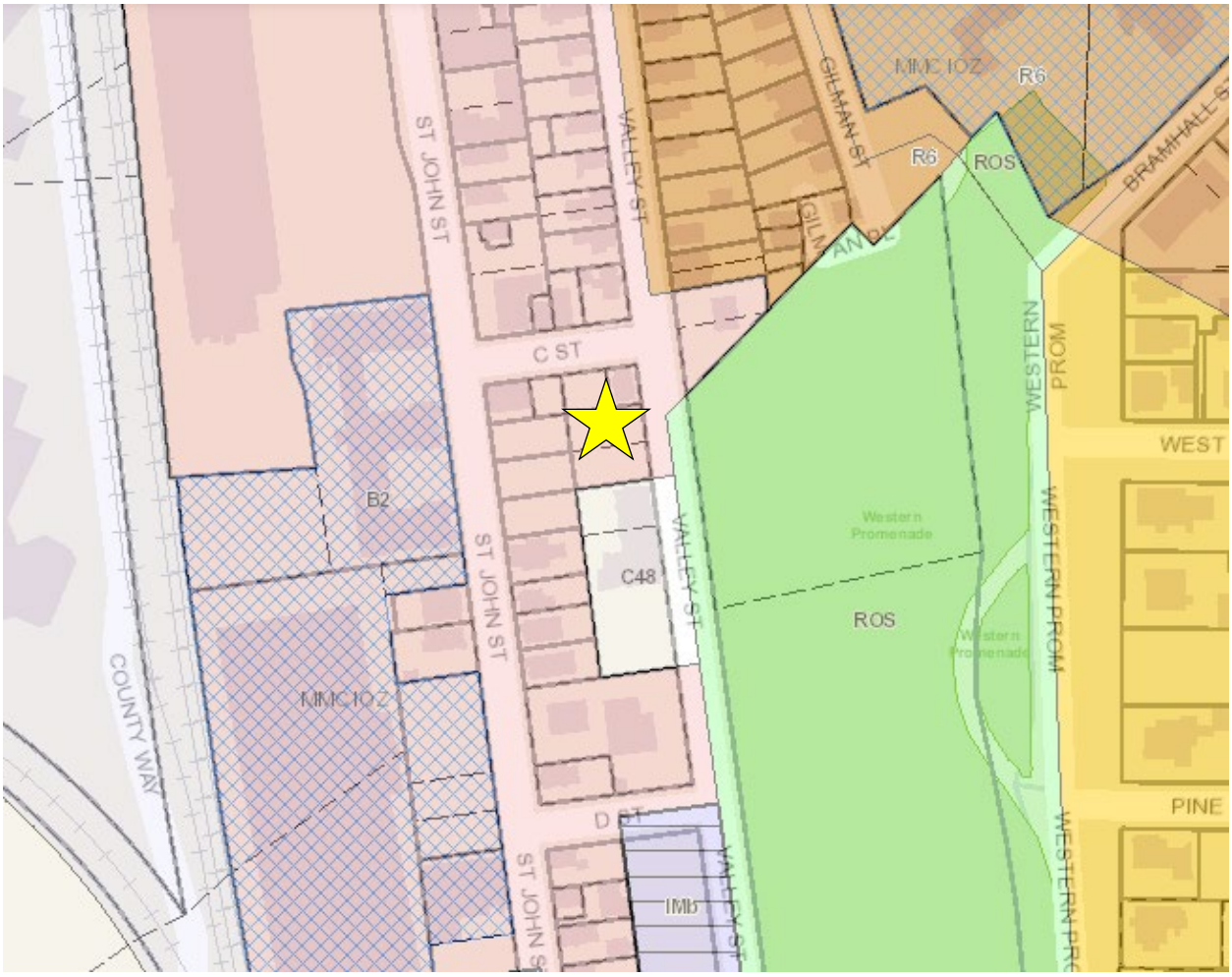
VII. RIGHT, TITLE, & INTEREST AND FINANCIAL & TECHNICAL CAPACITY

The owner of the property is Valley Bayside, LLC. The applicant provided a copy of the warranty deed, recorded at the Cumberland County Registry of Deeds in CCRD Book 27010 page 287, which demonstrates their right, title and interest in the property.

A letter from Gorham Savings Bank has been included as an attachment which states that the applicant has cash and financing resources available to complete the proposed project.

The applicant team cited their experience and qualifications to demonstrate capacity to design and construct the project.

IX. ZONING ANALYSIS



Dimensional requirements for this project are dictated by the B-2 zone. The purpose of the B-2 Community Business Zone includes providing locations for moderate to high density housing in urban neighborhoods along arterials. Exceptions for space & bulk requirements in the B-2 are allowed given affordable housing projects.

The City's Zoning Administrator reviewed the proposed development and provided the following analysis:

> *Avesta Valley Street, LP is proposing to redevelop the property at 210 Valley Street with a five story, 60 unit apartment building. Over 75% of the units will meet the definition of low income units as defined in Section 14-485 in Division 30 (Affordable Housing) of the City's Land Use Ordinance. The property is located in the B2 (Community Business) Zone.*
>
> *The dimensional requirements for the B-2 zone are outlined in section 14-185. There is no minimum street frontage requirement or a minimum front yard or side yard setback requirement. There is also no impervious surface ratio requirement because it is a residential use. The maximum front yard setback of 10 feet and the required minimum street frontage requirement of 20 feet are being met.*

In the B-2 zone, the minimum rear yard setback is 10 feet, the maximum building height allowed is 45 feet and the lot area per dwelling-unit requirement is 435 square feet. Since over 75% of the residential units will be rented or sold as low-income units the applicant is able to use section 14-488, which allows the applicant to use the bonuses for density, additional height and setback reductions. The bonus density allowed is 2,5 x the base. The base is the number of residential units allowed in the B-2 zone. The property is 14,964 sf. Divide that by the lot area per dwelling unit requirement of 435 sf, and the property could have 34 dwelling units. Multiply that by the bonus of 2,5 and the property could have 85 residential units. The applicant is proposing to build 60 residential units. The height bonus allows 25 additional feet, so the maximum allowable height is 70 feet. The applicant has stated that the height is 52.5 feet which appears to be measured from the average grade. Finally, under Section 14-488 the required minimum rear yard setback can be reduced ten feet to a zero foot setback. The proposed rear setback is 5 feet.

The proposed project appears to meet the dimensional requirements of the B-2 zone with the bonuses allowed under section 14-488.

Zoning Requirements	B-2	Provided	+/-
Minimum Lot Size	None	14,964 sf	
Lot Area/Dwelling Unit	435 sf	249.4 sf	- 185.6 sf
Minimum Street Frontage	20 ft	250 ft	+ 230 ft.
Front Yard Max	10 ft	2.85 ft	- 7.15 ft
Rear Yard Minimum	10 ft	5 ft	- 5 ft
Maximum Lot Coverage	100%	94%	- 6%
Maximum Structure Height	45 ft	52.5 ft	+ 7.5 ft
Required Parking	60	40	- 20
Req. Bicycle Parking	6	24	+ 18

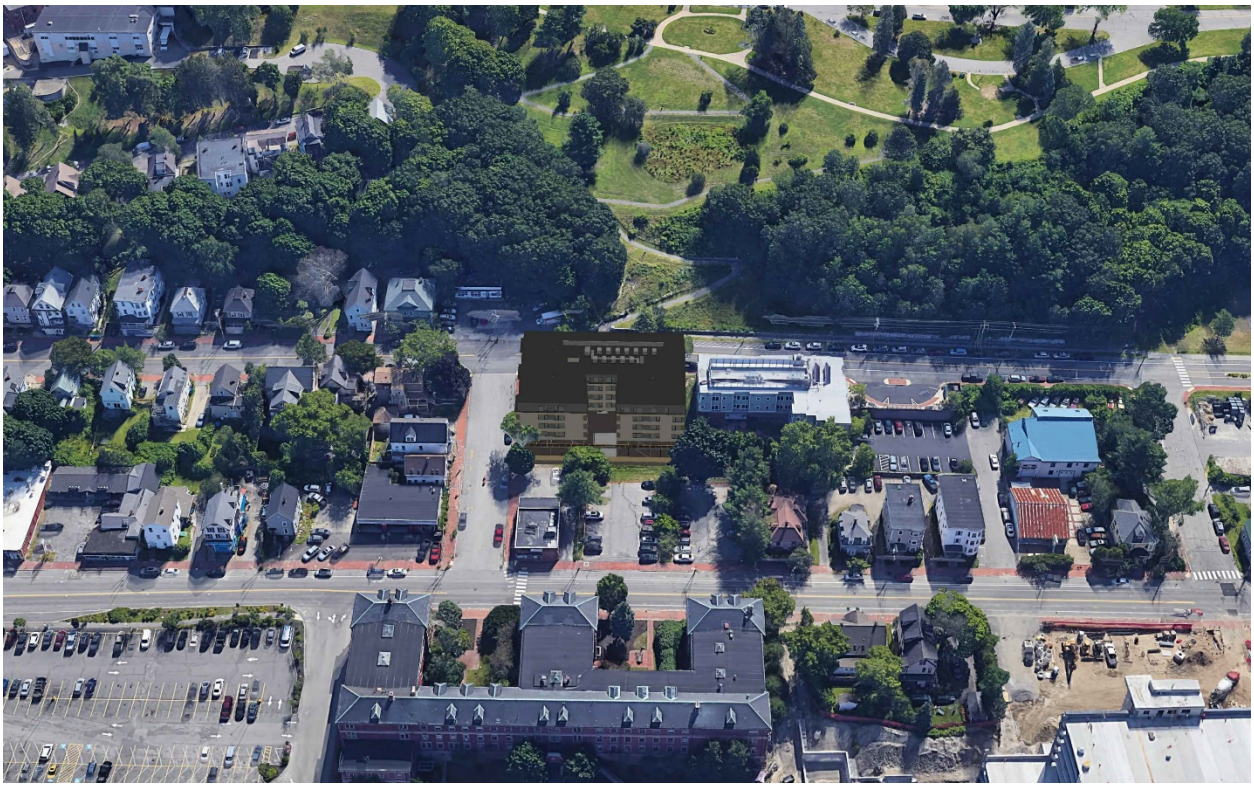


Figure 4: Proposed Aerial View - Source: RSA

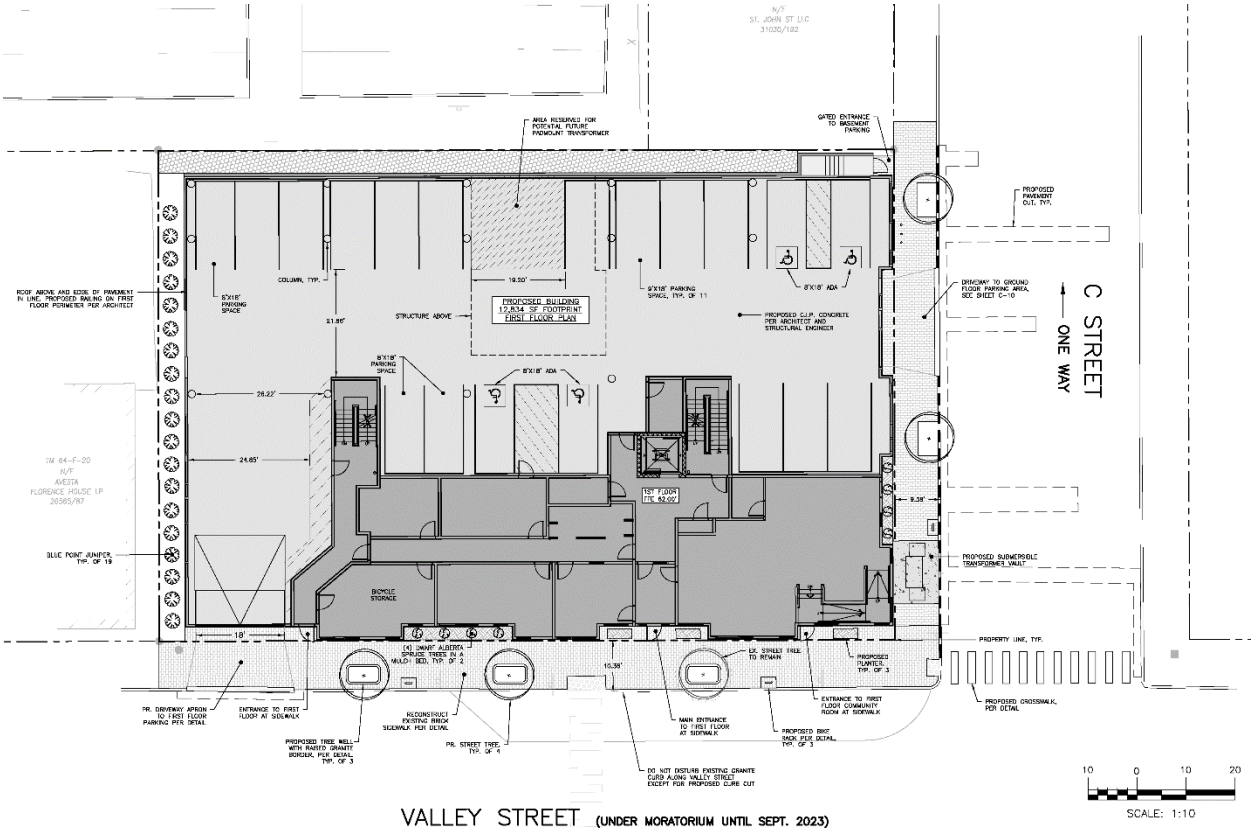


Figure 5: Site Plan - Source : Acorn Engineering

IX. DEVELOPMENT REVIEW

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

The applicant has submitted a recording plat. The final plat will need to be revised to reflect any waivers and conditions of approval that relate to the subdivision plan. Any waivers granted must be recorded at the Registry of Deeds within two years of a Planning Board decision.

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)*

   Around 10% of the existing site is comprised of rooftop with about 90% of the existing site being driveway and greenspace. The average slope is moderate with grades dropping from east to west at an average slope of approximately 16%. There are no signs of erosion on the existing site. Critical areas that would require special attention during construction include, but are not limited to, the existing structure, the drainage system within C Street and slope stabilization located within the vicinity during earthwork and foundation construction.

   An erosion & sedimentation control plan has been reviewed by staff and is included in the plan set.

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

   The applicant has received an ability to serve letter from Portland Water District.

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

   The proposed development is not adding significant vehicular traffic to the site, and a traffic analysis is not required. The site is located on Valley Street on the corner of C Street and Valley Street. Valley Street is classified as Minor Arterial, and currently receives a low amount of traffic. There is a slight anticipated increase in traffic anticipated; however, the nature of the increase is low turnover and not expected to create any traffic 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)*

   Public utilities in the vicinity of the site have indicated capacity to serve the project. Ability to Serve letters have been sent to the respective providers. The new sewer and stormwater infrastructure will meet the provisions of the Technical Manual. The project would be served by connection to the public sewer system within C Street. The sanitary sewer collection system meets all applicable sections of the Technical Manual. The stormwater management system is designed to meet the standards of Maine DEP Chapter 500.

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

The development has been designed to be consistent with the City's Master Plan, *Portland Plan 2030*, adopted in June of 2017. Sited in the Housing section of the City's Policy Guide's Local Goals, it states:

Increase, preserve, and modify overall supply of housing city-wide to meet the needs, preferences and financial capabilities of all Portland residents.

C. 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.

1. Transportation Standards

a. Impact on Surrounding Street Systems and Access and Circulation

The main entrance to the building would be via the Valley Street sidewalk. The proposed driveways would be situated as far from the intersection as possible. A crosswalk exists in front of the proposed building, leading directly to the trailhead of the Western Promenade. A traffic analysis was submitted by the applicant and found to be in conformance with city standards.

The applicant will also be providing signage throughout the site that identifies destination locations within walking distance of the site (i.e. the nearby Western Prom, Fore River Parkway Trail, Veterans Memorial Bridge to S. Portland, Valley St Community Garden, Portland Farmer's Market, etc.).

b. Sidewalks

A brick sidewalk exists along Valley Street and C Street. The existing brick sidewalks will be rebuilt in accordance with City of Portland standards. Because of the moratorium, the Applicant anticipated maintaining the majority of the existing curbing along Valley Street.

c. Public Transit Access

Two METRO bus pullouts exist within 650' of the site. METRO Route 1 passes within one block of the proposed project site with two designated bus pullouts within 650' of C Street. This bus route serves the Portland Peninsula and offers connections with the Elm Street hub. Information on the METRO's bus routes and schedule will be posted throughout the building. Additionally, the Portland Transportation Center is approximately one mile from the site, providing access through both the state and the region.

d. Parking

The proposed project would provide 39 parking spaces on site. A baseline estimate was calculated using demand data outlined in the Institute of Transportation Engineers "PARKING GENERATION" (5th Edition) publication. An average peak parking demand was found using the 0.30 spaces/bedroom rate identified by the Institute of Transportation

Engineers (ITE). At this rate, the demand for the proposed project is 26 spaces for a typical weekday condition.

Although the ITE parking space / bedroom estimation provides an adequate baseline, the proposed development at 210 Valley St was then compared to several comparable developments in Portland under common ownership by the Applicant to evaluate the redevelopment against existing parking ratios approved by the City. The estimate provided by the ITE and real-world data gathered from comparable properties are more indicative of the actual parking demand than the 1 parking space per unit requirement stated in the City ordinance. As such, the Applicant will be seeking a ratio of less than 1:1 for the affordable units which the Planning Board has the authority to allow under Section 14-332.2 of the City Code.

Mike Tremblay P.E., Senior Engineer at DPW, has provided the following comments pertaining to the proposed parking layout:

- A waiver will be required for drive aisle width for the upper level parking structure and about two spaces in the lower level parking structure.

e. Bicycle Parking

The applicant is proposing up to 24 bicycle spaces. The site plan includes an interior storage room for bicycles as well as 3 exterior bicycle racks.

2. Environmental Quality Standards

a. Preservation of Significant Natural Features

There are no known significant natural features on the site.

b. Landscaping & Landscape Preservation

The existing site features two street trees, and a large grassy open space. The proposed development calls for the preservation of one of the existing street trees. Four new street trees are proposed. Per Section 4.6 of the Portland Maine Technical Manual, 60 Street trees are required (one per unit). Based on the property's frontage and proposed utilities, 4 street trees are proposed to be planted in addition to preserving 1 existing street tree within the sidewalk on Valley and C Streets. Four (4) proposed street trees and the preservation of the one (1) existing street tree would count toward a total of five (5). The applicant would contribute to the City's Street Tree Fund in lieu of the 55 street trees that would not be planted. Additionally, per Section 14.526(b).2.(b)(iii)(b)ii, the cost of the (3) proposed granite planters should be deducted from the $22,000 contribution for 55 trees.

A landscape plan was not provided as part the project application, as the site is proposed to be entirely built-out. The City Arborist, Planning Staff, and Parks Staff met on site to discuss alternatives and ways for the project to meet its landscape requirements. It was determined that the site is well suited for off-site landscape improvements, as 210 Valley Street is directly across the street from the lower entrance to the Western Promenade. Over the past year, City Staff has worked with consultants and citizen groups to produce a new Western Promenade Masterplan.

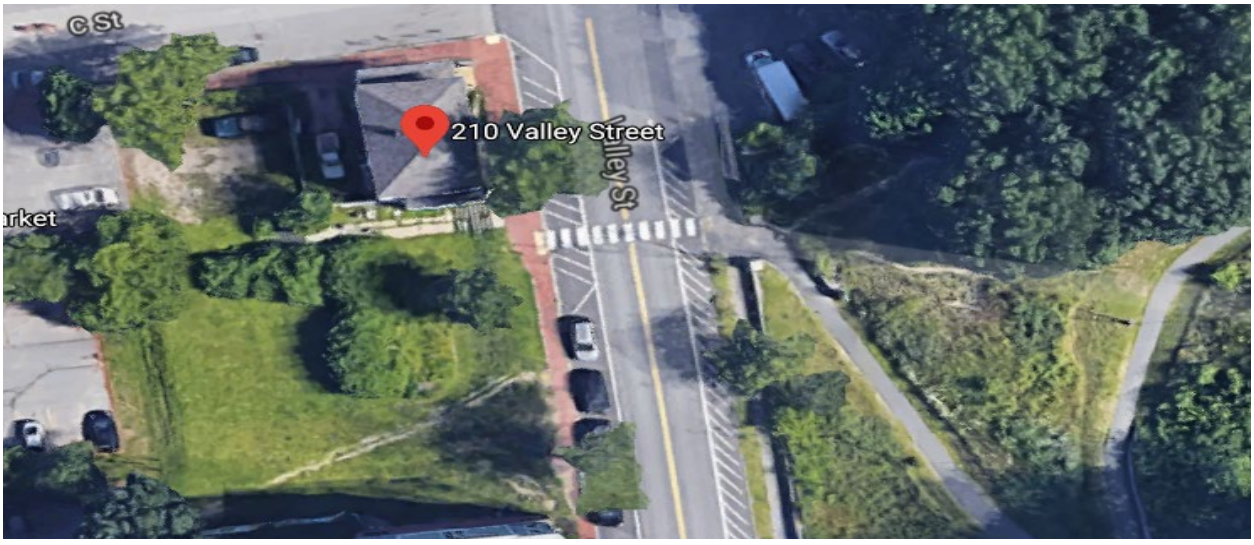


LEGEND

- A NEW PARK GATEWAY/TRAILHEAD
- B NEW TRAIL/WALKWAY
- C NEW SIDEWALK
- D PROPOSED NATURAL PLAY SPACE
- E FORMALIZED PARKING
- F COMMUNITY GARDEN
- G BASKETBALL HALF-COURT
- H IMPROVED DOG PARK
- I PROPOSED FOOD TRUCK PARKING

2020

The plan above depicts the lower Western Promenade. Current amenities include a community garden, dog park, informal gravel parking, and a dilapidated half basketball court. Proposed improvements include a full basketball court, children's play area, formalized expanded parking area, gathering space, and trail improvements. There is also the possibility of expanding the community garden long term. Additionally, improvements are to be made to the lower entrance of the park directly across from 210 Valley Street. City Staff recommend a condition of approval that would reallocate the $22,000 fee in lieu street tree funds to be used in coordination with the improvements being made to the lower Western Promenade, as outline above.



The City of Portland Parks & Recreation Staff provided the following summary outlining general improvements to be made:

Site improvements across the street from the project site would entail additional plantings along the upslope condition above the retaining wall along the Valley Street sidewalk. Trees shall be species that will not compromise the adjacent wall integrity from problematic root growth or self-seed into the site. A gathering space will also be included off of the lower portion of the trail, and will feature seating for small groups. This area will be spaced adequately from the entrance threshold and pathway to create comfortable separation between users and pedestrians. Some low plantings will be included for beautification and as a space delineator. If additional resources allow, a rescaled electrical covering and waste receptacle furnishings will also be provided.

c. Water Quality, Storm Water Management and Erosion Control

A stone swale/detention system with two rows of subsurface storage tanks and a Nyoplast outlet control structure located to the west of the site will collect and detain stormwater runoff from the roof (after being routed through filter cartridges) and surrounding areas of the site before discharging to the Municipal Separated Storm Sewer System (MS4) within C Street instead of shedding runoff to the abutting properties as the current site does. Any runoff from vehicles parked within the covered parking areas will be caught by an internal oil-water separator and directed to the sewer system within C Street.

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 filter cartridges that will collect and treat roof runoff. As a result of the design of the proposed development and stormwater system, the project does not anticipate creating erosion, drainage or runoff problems either in the development or with respect to adjoining properties. The existing peak flows will be maintained, but flows will be redirected to the stormwater system through attenuation practices and infrastructure rather than letting runoff flow to the abutting private properties.

The project is required to comply with stormwater management regulations in accordance with Maine DEP Chapter 500 and City of Portland Technical Manual Chapter 5 stormwater regulations.

The project's proposed stormwater plan was reviewed by Lauren Swett, Consulting Civil Engineer, as well as Brad Roland, DPW Senior Project Engineer. The proposal was found to meet City standards.

4. Site Design Standards

a. Snow and Ice Loading

The buildings have been designed and located such that accumulated snow and ice will not fall onto adjacent properties or public ways. Snow storage is not applicable as the parking lot will be enclosed.

b. View Corridors

The site is not located within any corridors identified in the Downtown Vision View Corridor Protection Plan.

c. Historic Resources

The development is adjacent to a historic landscape district, and therefore historic preservation staff were included in the design review. The review found the project to be in conformance with historic preservation standards.

d. Exterior Lighting

All new exterior lighting at the site will be full cutoff with no light emitted above the horizontal plane, and in accordance with Section 12 of the Technical Manual. A photometric Lighting Plan has been prepared to demonstrate illumination levels throughout the site will be consistent with City Standards.

e. Noise and Vibration

All heating, ventilation, air conditioning equipment including air handlers and generators are designed to meet local, state, and federal emissions and noise requirements. All construction will take place between 7 a.m. and 7 p.m.

f. Signage and Wayfinding

All signage shall meet the requirements of the Manual on Uniform Traffic Devices (MUTCD) and Division 22 of the City Code.

g. Zoning Related Design Standards

The project has been designed to meet the standards set forth in the B-2 zone with the bonuses for affordability.

A design review was completed by the City's Urban Designer, which can be found as an attachment to this report. The project was found to meet the design standards.

h. Construction Management Plan

The construction management plan and narrative were submitted and reviewed by City staff and found to be acceptable.

D. INCLUSIONARY ZONING – Conditional Use (Section 14-487)

The development located at 210 Valley Street proposes the creation of 60 dwelling units of rental housing consisting of eleven (11) efficiency units, twenty-five (25) one-bedroom units, fourteen (14) two-bedroom units, and ten (10) three-bedroom units. Based on the requirements outlined in Section 14-487, the development is required to provide a minimum of six (6) Workforce Units at 100% AMI. The applicant has elected to provide forty-eight (48) units of low-income housing and twelve (12) market rate units. Of the low-income units, thirty-six (36) are targeted towards households earning 50% AMI, and twelve (12) are target towards households earning 60% AMI. The applicant is proposing to provide a greater percentage of affordable units (48 versus 6) at lower income eligibility targets (50% and 60% AMI versus 100% AMI) than required by the Ensuring Workforce Housing Ordinance. Additionally Section 14-487 (e) 7 sets the minimum term of affordability at 20 years for projects that provide fifty percent of its units at 100% AMI (or lower). During their August 3, 2020 meeting, the City Council approved an Affordable Housing Tax Increment Financing agreement (AHTIF) to help finance this proposal. Disbursement of funds requires the completion of a Credit Enhancement Agreement that will guarantee future affordable rentals to qualified households for a period of thirty (30) years (versus 20 years). As such, the applicant is providing a greater percentage of affordable units at lower income targets for a longer term than required by the Ensuring Workforce Housing Ordinance. Staff has determined this project exceeds the affordability requirements of Division 30, Section 14-487.

Staff recommends the Board approve this conditional use without entering into an agreed upon Affordable Housing Agreement (AHA). However, should the applicant fail to maintain a minimum of six units of housing restricted to households earning at or below 100% AMI for a term of twenty years, then the applicant and the city should enter into an agreed upon Affordable Housing Agreement (AHA) to be filed as a covenant to the property's deed with the Cumberland County Registry of Deeds based on the requirements outlined in Division 30, Section 14-487, Ensuring Workforce Housing.

XI. STAFF RECOMMENDATION

Subject to the proposed motions and conditions of approval listed below, Planning Division staff recommends that the Planning Board find the 210 Valley Street development project meets the applicable standards of Portland's Land Use Code.

XII. PROPOSED MOTIONS FOR THE BOARD TO CONSIDER

A. 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 August 18, 2020, for application #PL-001075-2020, relevant to the Site Plan Standards of the Land Use Code and Portland's Technical and Design Standards, and other regulations, and the testimony presented at the Planning Board hearing:

1. Driveway Aisle Width

   The Planning Board **[finds / does not find]** based upon the City Engineer's Review, that extraordinary conditions exist or undue hardship may result from strict compliance with the Technical Manual standard (Section 1.14 [Figure I-29]) which requires that, for a 24.00' wide drive aisle for two-way access aisles with 90 degree parking, that substantial justice and the public interest are secured with the proposed variation in this standard, and that variation is consistent with the intent of the ordinance. The Planning **Board [waives/ does not waive]** the Technical Manual standard Section 1.14 to allow the driveway aisle width of 20 feet.

2. Reduction of Driveway Width

   The Planning Board **[finds / does not find]** based upon the City Engineer's Review, that extraordinary conditions exist or undue hardship may result from strict compliance with the Technical Manual standard (Section 1.14) which requires that, any site with driveway access to a street shall have a minimum width of 20' for two-way ingress and egress, that substantial justice and the public interest are secured with the proposed variation in this standard, and that variation is consistent with the intent of the ordinance. The Planning Board **[waives/ does not waive]** the Technical Manual standard Section 1.14 to allow the proposed driveway width of 18'.

B. 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 August 18, 2020, for application PL-001075-2020, relevant to Portland's Inclusionary Zoning Conditional Use Standards and other regulations, and the testimony presented at the Planning Board hearing, the Planning Board **[finds/does not find]** the proposed conditional use for workforce housing meets the standards of Section 14-484.

C. SUBDIVISION REVIEW

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report for the public hearing on August 18, 2018, for application # PL-001075-2020 210 Valley Street relevant to the subdivision regulations, and the testimony presented at the Planning Board hearing, the Planning Board **[finds/does not find]** that the plan is in conformance with the subdivision standards of the land use code subject to the following conditions of approval:

PRIOR TO THE SUBMISSION OF THE PLAT FOR PLANNING BOARD SIGNATURE

1. The subdivision plat shall be finalized to the satisfaction of the Planning Authority, Corporation Counsel and Department of Public Works and include clear descriptions of the number, location, type and size of all subdivided units, along with relevant notes and conditions.

PRIOR TO ISSUANCE OF A BUILDING PERMIT

2. The applicant shall contribute a fee in lieu of approximately $22,000 for the required 55 street trees, to be used for landscape improvements along the lower Western Promenade.

D. SITE PLAN REVIEW

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the Planning Board Report for the public hearing on August 18, 2020, for application #PL-001075-2020, 210 Valley Street relevant to the site plan regulations; and the testimony presented at the Planning Board hearing, the Planning Board [**finds/does not find**] that the plan is in conformance with the site plan standards of the Land Use Code.

XIII. ATTACHMENTS
PLANNING BOARD REPORT ATTACHMENTS

1. INCLUSIONARY ZONING LETTER
2. COMMENT RESPONSE LETTER
3. STORMWATER COMMENTS
4. FLOODING STANDARDS
5. DESIGN REVIEW

APPLICANT'S SUBMITTALS

A- COVER LETTER
B - LEVEL III APPLICATION CHECKLIST
C - RIGHT, TITLE & INTEREST
D - ZONING ASSESSMENT
E - EASEMENTS
F - WAIVER REQUESTS
G - FINANCIAL CAPACITY
H - TECHNICAL CAPACITY
I - CONFORMITY WITH LAND USE ORDINANCE
J - STORMWATER REPORT
K - EROSION & SEDIMENT REPORT
L - FIRE DEPARTMENT LETTER
M - WASTEWATER CAPACITY
O - ARCH DESIGN NARATIVE
P - UTILITY COVER
Q - CONSTRUCTION MANAGEMENT REPORT
R - SOLID WASTE DISPOSAL
S - TRANSPORTATION ANALYSIS
T - STORMWATER MAINTENANCE AGREEMENT
U - CERIFICATION LETTER
V - INVITATION LETTER
W - NEIGHBORHOOD MEETING
X - DESIGN REVIEW RESPONSE LETTER
Y – PWD ABILITY TO SERVE LETTER
Z – IZ MEMO

PLANS

P1. COVER
P2. GEN NOTES
P3. BOUNDARY SURVEY
P4. EXIST & REMOVALS
P5. WEST COMM EXIST PLAN & PROP SECTIONS
P6. SITE PLANS
P7. GRADING
P8. EROSION CONTROL PLANS
P9. FLOOR PLANS
P10. ARCHITECTURAL ELEVATIONS
P11. UTILITIES
P12. STORMWATER PLAN

P13. PHOTOMETRICS PLAN
P14. LANDSCAPE
P15. DETAILS
P16. SITE SECTIONS
P17. RETAINING WALL PROFILES
P18. ACCESS DRIVE PROFILES
P19. PRE-WATERSHED PLAN
P20. POST-WATERSHED PLAN

Portland Maine Yes. Google's good here.

Caitlin Cameron <ccameron@portlandmaine.gov>

Att. 1

83 Middle Street - Comments and Conditions ahead of Planning Board

Mike Tremblay <mtremblay@portlandmaine.gov> Thu, Aug 13, 2020 at 9:55 AM
To: Caitlin Cameron <ccameron@portlandmaine.gov>
Cc: Tom Errico <thomas.errico@tylin.com>, James Rather <jrather@portlandmaine.gov>

Caitlin,

Here are my final comments for 83 Middle Street:

- Prior to issuance of a building permit, the Applicant shall provide the City's Traffic Operations Engineer with a signal plan showing any relocated signal equipment, including the signal cabinets and pedestrian pedestals, and related conduit. This is important to have before a building permit as any changes required by the Traffic Operations Engineer may affect the Project site design.

- If signal equipment or public street lights are located on private property, as currently shown, a maintenance agreement is required. The Applicant should work with Kevin Thomas at the City's Department of Public Works.

- As previously discussed, a sidewalk maintenance easement or access agreement is required, as the functional area of the sidewalk is partially on the Applicant's property.

- Waivers from the City's technical manual are required for drive aisle width and compact space ratio for the parking garage. DPW is not opposed to these waivers. The Applicant has shown with turning diagrams that these spaces can be accessed without too much extra maneuvering. It is unlikely that these dimensions could be changed substantially within the footprint of the lot without a significant reduction in bicycle parking spaces.

- DPW generally supports a reduction in the Site's zoning requirement for parking spaces. Providing the full 47 spaces as required by zoning would appear to be infeasible on this site, and data presented by the Applicant suggests that the site's parking demand will be considerably less. However, the Applicant's current proposal provides less parking than the Applicant's traffic and parking consultant has indicated will be needed. The Applicant's traffic and parking consultant had previously indicated that they will have a parking demand of 16 vehicles. Previously, the proposal included a shared vehicle space, which would have counted for 8 parking spaces, more than meeting the Project's parking demand. However, the shared vehicle space has been removed from the proposal due to the lack of a suitable shared vehicle service currently serving Portland. As a result, the current proposal is for 12 parking spaces. The Applicant provided a follow-up memo suggesting that 12 spaces would be sufficient to meet the site's parking demands; however, this memo was not backed up with new data, nor was it submitted by the Applicant's traffic and parking consultant. There is no indication that the 16-space peak parking demand, as suggested in the June 2020 memo, has changed.

The Applicant has suggested that payment of a fee in lieu of parking, or leasing spaces off-site, be made as a condition pending monitoring after the site is occupied. However, such a condition would be difficult for the City to enforce, As such, DPW suggests that the Applicant be required to pay a fee in lieu, or lease parking spaces off-site, to meet this peak demand.

I think that's all. 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

Development Review Checklist

IS-FBC

Level I / Level II / Level III / Master Plan
Project Name:__CHOM Housing_____
Address:__83 Middle Street_____
Description: Alteration / Addition / New Construction
Date Received:__5/10/20_____ Prelim / Final
Planner:__Caitlin Cameron_____
Subdistrict UN / UT / UA

	Complies	More Info	Does Not Comply	N/A	Comments
PURPOSE					
General Guiding Principles	☒	☐	☐	☐	
Subdistrict Intent	☒	☐	☐	☐	UT Federal + Franklin; UA Middle
GENERAL DEV. STANDARDS					
(a) Prohibited Uses	☒	☐	☐	☐	Residential/retail
(b) Siting Standards					
Mid-Block Permeability	☐	☐	☐	☒	
Frontage Req. – Additional Building Length	☒	☐	☐	☐	UT Newbury = 58’ < 100’ UA Middle = 34’ < 50’ UT Franklin = 193’ with structured parking, massing variation
Setbacks	☒	☐	☐	☐	
Small Lot < 35’	☐	☐	☐	☒	
Side Yard less than 5’	☐	☐	☐	☒	
Special corner treatment	☒	☐	☐	☐	Corner plaza
Attached Buildings	☐	☐	☐	☒	
Landscaping & Screening					
Surface Parking	☐	☐	☐	☒	
Front yard - Height	☒	☐	☐	☐	4’ < 6’ max
Front yard - Visual Permeability	☒	☐	☐	☐	Visual permeability required above 2’, detail provided, met
Side/Rear yard - Height	☒	☐	☐	☐	6’ < 8’ max.
	Complies	**More Info**	**Does Not Comply**	**N/A**	**Comments**

(c) Height Standards					
Height Bonus - Eligible?	☐	☐	☐	☒	
Height Bonus – Conditions Green Roof + Pervious = 50% lot	☐	☐	☐	☐	
(d) Parking Standards	☐	☒	☒	☐	47 spaces required, 12 provided - PB approval required
SUBDISTRICT DIMS REQ.					
Siting Standards					
Orientation	☒	☐	☐	☐	UT principal façade; UA retail facade
Corner Condition	☒	☐	☐	☐	
Lot Coverage	☒	☐	☐	☐	70% < 90%
Frontage Requirements					
Building Length	☒	☐	☐	☐	
Additional Bldg Length	☒	☐	☐	☐	Franklin complies; Newbury, Middle not seeking additional length
Fenestration Req. (UA)	☒	☐	☐	☐	60% met on Middle Street
Setbacks					
Principal Building					
Front Yard	☒	☐	☐	☐	All front yards less than 5’
Side Yard	☒	☐	☐	☐	At least 10’ on UT side yard
Side Yard	☒	☐	☐	☐	At least 5’ on UA side yard
Exceptions?	☒	☐	☐	☐	Corner condition
Rear Yard	☐	☐	☐	☒	No rear yards
	Complies	**More Info**	**Does Not Comply**	**N/A**	**Comments**
Building Entries					
Frequency	☒	☐	☐	☐	Newbury = 2 required, 2 provided Franklin = 2 required, 2 provided Middle = 1 required, 1 provided

Principal Entry Orientation	☒	☐	☐	☐	Principal entry on Franklin; 1 retail entry on Middle
Principal Entry Elevation	☒	☐	☐	☐	All entries at grade
Height Standards					
Principal Building					
Height	☒	☐	☐	☐	Height is less than 65’ on UT streets, Meets 50’ maximum on UA street
Stories	☒	☐	☐	☐	4 stories on Middle; 5 stories on Franklin/Newbury
Stepbacks (UT, bonus)	☒	☐	☐	☐	For UT building, 10’ stepbacks required after 45’ height for side yards adjacent to UN property.
Accessory Building(s)	☐	☐	☐	☒	
Parking Standards					
Surface Parking Location	☐	☐	☐	☒	
Garage Door Setback	☒	☐	☐	☐	Door is setback from facade
Garage Door Opening	☒	☐	☐	☐	12’ door

IS-FBC: Building Design Standards (BDS)

	Complies	More Info	Does Not Comply	N/A	Comments
BUILDING DESIGN STANDARDS (BDS)					Review (6/23/20) Caitlin Cameron, Deb Andrews, Christian Roadman *see summary at end of checklist
1. Neighborhood Context					
Intent	☒	☐	☐	☐	
Guidelines	☒	☐	☐	☐	Material palette and number of architectural expressions were simplified to create a more cohesive design across the building. On Middle – façade composition revised to reflect context which has more symmetrical, regular composition. Rhythm and pattern of windows is more regular and reflects the patterns found on Middle Street. The accent feature on the corner is a contemporary expression of a bay which brings emphasis to the corner and provides massing variation similar to a traditional bay window.
2. Massing & Proportion					
Intent	☒	☐	☐	☐	Massing appropriately places the larger, longer mass on Franklin and the vertically proportioned, four-story mass on Middle Street.
Guidelines	☒	☐	☐	☐	
Standard 2.1	☐	☐	☐	☒	
3. Articulation & Composition					
Intent	☒	☐	☐	☐	
Guidelines	☒	☐	☐	☐	The Middle Street storefront design creates the appropriate scale and activity. The ground floor composition and articulation

					now better relates to the upper floors and is more consistent across the whole building with changes appropriate to the functions.
Standard 3.1: 3 required	☒	☐	☒	☐	The two primary façades use: recessed entrances, projection at corner, material change; Federal and Franklin include canopies at entries. Newbury Street is considered a secondary façade on a minor street – articulation elements include: change of material, expression lines at roof and floor delineation, recessed entry
Standard 3.2	☐	☒	☐	☐	More information needed regarding material detailing and transitions – Condition of approval
Standard 3.3: Blank Wall	☒	☐	☐	☐	Newbury Street: length of blank wall is 17' < 30' on ground floor, 27' < 30' on upper floors
4. Fenestration					
Intent	☒	☐	☐	☐	The visibility and activity on Middle is well-addressed by the active storefront. The ratio of solid to void on the upper floors was revised to provide a more visually interesting compositions on visible elevations. The regular pattern and proportions better relates to the patterns found on Middle Street. Staff agree providing emphasis on the corner as a visible gateway location makes sense – the bay is a contemporary element introducing massing variation. The main portions of the building keep a regular form, massing, and fenestration pattern that relates to the traditional patterns – the contemporary/asymmetrical bay and canopy elements make sense for the overall massing and façade composition of this contemporary project on a prominent corner even though these elements differ from the symmetrical compositions of the traditional facades.
Guidelines	☐	☐	☐	☐	The pattern of openings are symmetrical and reflective of façade composition on Middle Street.
Standard 4.1 (UA only)	☒	☐	☐	☐	

Standard 4.2	☒	☐	☐	☐	The ratio of opening to void on Middle Street was revised to reflect the typical condition.
Standard 4.3	☒	☐	☐	☐	Glass must be transparent.
Standard 4.4	☐	☐	☐	☒	

	Complies	More Info	Does Not Comply	N/A	Comments
5. Building Materials					
Intent	☒	☐	☐	☐	Existing characteristic of buildings in Portland is the consistent use of a few materials with simple placement. The material palette should be used to unify the building and create a cohesive presence.
Guidelines	☒	☐	☐	☐	Masonry block is not a typical ground floor material for a residential/mixed-use building. Red brick on Middle Street is appropriate – brick and mortar selection should be similar to what is found in Middle Street context. Exposed aggregate creates industrial or institutional character at ground level. Why does the color change on Newbury Street? How does this contribute to the intent to have a cohesive design? Proposed condition of approval: material sample of brick, mortar, ground face block
6. Building Entries					
Intent	☒	☐	☐	☐	Entries provided on all street facades.
Guidelines	☒	☐	☐	☐	Residential entrance emphasized in scale with the overall building. Canopy is differentiated in character from commercial entrance.
Standard 6.1	☒	☐	☐	☐	Principal entrance faces Franklin Street addressing the corner with emphasis using canopy, fenestration.
Standard 6.2 (UA only)	☒	☐	☐	☐	
Standard 6.3	☒	☐	☐	☐	
Standard 6.4	☒	☐	☐	☐	
Standard 6.5	☒	☐	☐	☐	
Standard 6.6	☒	☐	☐	☐	Slight setback
Standard 6.7: Frequency	☒	☐	☐	☐	
7. Roof Lines					
Intent	☒	☐	☐	☐	Circulation towers are integrated and minimized in the design. Rooftop mechanicals are minimized with placement and screening.

Guidelines	☒	☐	☐	☐	
Standard 7.1	☒	☐	☐	☐	
Standard 7.2	☒	☐	☐	☐	Flat roof form/parapet
8. Structured Parking					
Intent	☒	☐	☐	☐	
Guidelines	☒	☐	☐	☐	The structured parking is integrated into the ground floor of the building – the ground floor should use the same material palette as the rest of the building.
Standard 8.1	☐	☐	☒	☐	Façade includes: material changes
Standard 8.2	☒	☐	☐	☐	Cars are fully concealed
Standard 8.3	☒	☐	☐	☐	
Standard 8.4	☒	☐	☐	☐	

Summary:

- Articulation/Materials:
  - Given the number of materials proposed, staff would like to see sample board as final condition of approval to understand how the materials relate to each other and the context buildings.
  - Concern about how the brick portion relates to Middle Street – would like to see samples of the brick and mortar as part of condition of approval. These should be similar in color, shade, contrast, and level of flashing as the context brick.
  - Ground face block often feels institutional or industrial. How does this selected material at the base of Franklin Street relate to the other materials?
- Entrances:
  - Franklin Street: The canopy design is resolved in scale/proportion – to have a width that matches the Middle Street corner element.

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

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

Date: August 12, 2020

Subject: 83 Middle Street

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 4 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 83 Middle Street proposes the creation of 50 dwelling units of rental housing consisting of twenty-three (23) efficiency units, twenty-four (24) one-bedroom units, and (3) two-bedroom units. Based on the requirements outlined in Section 14-487, the development is required to provide a minimum of five (5) Workforce Units at 100% AMI. The applicant has elected to provide fifty (50) units of low-income housing. Of those units, twenty (20) are targeted towards households earning 50% AMI, and thirty (30) are target towards households earning 60% AMI. Eleven (11) out of the 50 units would be set aside for Long Term Stayers (chronically homeless) housed in supportive housing in Portland. The applicant is proposing to provide a greater percentage of affordable units (50 versus 5) at lower income eligibility targets (50% and 60% AMI versus 100% AMI) than required by the Ensuring Workforce Housing Ordinance. Additionally Section 14-487 (e) 7 sets the minimum term of affordability at 10 years for projects that provide one hundred percent of its units at 100% AMI (or lower). The applicant will be completing a long-term affordability restriction agreement for a term of 90 years (versus 10 years) through the HOME subsidized funding program. As such, the applicant is providing a greater percentage of affordable units at lower income targets for a longer term than required by the Ensuring Workforce Housing Ordinance. Staff has determined this project exceeds the affordability requirements of Division 30, Section 14-487.

Staff recommends the Board approve this conditional use without entering into an agreed upon Affordable Housing Agreement (AHA). However, should the applicant fail to maintain a minimum of five units of housing restricted to households earning at or below 100% AMI for a term of ten years, then the applicant and the city should enter into an agreed upon Affordable Housing Agreement (AHA) to be filed as a covenant to the property's deed with the Cumberland County Registry of Deeds based on the requirements outlined in Division 30, Section 14-487, Ensuring Workforce Housing.

Sincerely,

Victoria Volent
Housing Program Manager

1 DEVELOPMENT DESCRIPTION

1.1 OVERVIEW

Community Housing of Maine intends to construct a 5-story mixed use building including 50-apartments for 55+ residents on a 13,842 square foot parcel located at 83 Middle Street in Portland, Maine. The site is identified as Lots 3 and 17, Block O, on the City of Portland Assessors' Map 28. The site is located in the India Street Form-Based Code Zone and is currently developed with a paved parking area.

1.2 PROJECT PURPOSE AND NEED

The proposed project includes redevelopment of a previously developed lot in an area that has utility infrastructure in place and will provide residential units that are compatible with the existing neighborhood.

Parking for the residences will be located on the 1st floor level in the northwest section of the building that will be accessed from Newbury Street. The ground floor also contains a 1,480 square foot commercial space, a mechanical room and a community room, kitchenette and office for the residential units. The residential apartments will be located on the 2nd through 5th floors.

1.3 EXISTING CONDITIONS

The existing site is located on the northeast side of Middle Street between Franklin Street and Hampshire Street in Portland's India Street neighborhood and is developed with a paved parking area previously used by city vehicles. The site is in the India Street-Form Based Code (IS-FBC) zoning district.

Underground utilities in Franklin, Middle and Newbury Streets include water, gas, power and sewer. The sewer in Middle Street carries a combination of both stormwater and wastewater.

Brick sidewalks with granite curb exists along the site's Newbury and Middle Street frontages. A bituminous sidewalk with granite curb is located on Franklin Street. The existing paved parking lot on site connects directly to Middle Street. There are two on-street parking spaces on Newbury Street, along the site's frontage. There is currently no on-street parking available on Middle and Franklin Streets in front of the site.

Newbury Street abuts the site to the north, Commercial and Residential use abuts the site to the east, Middle Street abuts the site to the south and Franklin abuts the site to the west. The site is currently accessed from Middle Street. The street conditions in the vicinity of the Project Site are:

Street Name	Description	On-street Parking	Sidewalk	Notes
Franklin	Two way traffic (2 lanes in each direction) separated by median.	No	Bituminous	
Newbury Street	Approximately 31' wide paved way with two-way traffic in a 50' wide public ROW.	Yes	Brick	
Middle Street	Approximately 44' wide paved way with two-way traffic in a 66' wide public ROW.	Yes	Brick	

The existing site slopes from north to south (Newbury Street to Middle Street) at approximately 5%. Middle Street is approximately ten feet lower in elevation than Newbury Street. Photographs of the existing site are provided in Attachment 1-A.

1.4 PROPOSED DEVELOPMENT

The development program includes the following components:

1.4.1 ON-SITE

A new five-story building with a footprint of 9,692 square feet will be constructed on the site. The ground floor will feature parking for the residences, a community room, office, mechanical space and a separate 1,480 sf commercial unit. Floors 2 – 5 will feature 50 apartments, all of which will be income restricted. The total building floor area is 45,770 square feet. Elevation views and perspective renderings of the proposed building are provided in Attachment 1-B.

The residential lobby will be accessed from the Franklin Street frontage. The first-floor commercial space will be accessed from the Middle Street frontage and the patio area adjacent to Franklin Street. Bicycle parking will be provided on bike racks along the east corner of the parking area. The mail slots for the apartments will be located in the lobby. The trash room will be accessed from the community room for trash removal, and a mechanical room is located adjacent to the multipurpose on the first floor.

1.4.2 OFF-SITE IMPROVEMENTS

The applicant is proposing improvements to the sidewalks within the public ROW along the Franklin, Middle and Newbury Street frontage. Brick sidewalks and granite curb will be reconstructed along the Middle and Newbury Street frontages. A new concrete sidewalk with granite curb will be constructed on the east side of Franklin Street. The alignment of the Franklin Street curbline will be revised, resulting in a narrowing of the northbound lanes on Franklin Street to 24' total, which matches the width of Franklin Street south of the Middle Street intersection.

1.5 TRAFFIC

The Institute of Traffic Engineers Trip Generation Manual was used to estimate vehicle trips for the proposed project. Using Land Use Code 221 – Multifamily Housing (Mid-Rise), the ITE manual estimates that the 50 residential units will generate approximately 24 vehicle trips during the PM peak hour and approximately 271 vehicle trips on a weekday.

However, the number of trips generated by the proposed project is expected to be lower than the estimates because many of the residents will not have vehicles. The residential units will be income restricted, which typically results in fewer residents owning cars, and the project will only have 12 on-site parking spaces, which is expected to attract residents who do not own vehicles.

The project's proximity to places of work and entertainment make it possible for the majority of residents to not own vehicles. The project's location will encourage walking and alternative modes of transportation, and therefore the number of trips per day will likely be less than the published data suggests. The relatively small amount of traffic that will be generated by the project is not expected to have a significant effect on the surrounding street network.

1.6 PARKING

The proposed project is a senior affordable housing projected located in the IS-FBC zoning district. According to Division 20 of the Land Use Ordinance, the project should include one parking space per dwelling unit, with an exemption for the first three units. For the 50 proposed apartments, this equals 47 parking spaces. The commercial rental space on the first floor is approximately 1,480 sf, which does not require parking because it is less than 2,000 sf.

The applicant believes that parking demand will be far less than 47 parking spaces for the 50 residential units due to the project's location and the fact that senior affordable housing tenants have a lower vehicle ownership rate than tenants of market rate housing. A Parking Assessment was completed for the project by Bill Bray, P.E. of Traffic Solutions. Mr. Bray's analysis concludes that peak parking demand will be approximately 16 spaces.

The applicant is proposing to meet the parking demand by providing 11 parking spaces for resident vehicles plus one shared vehicle, which Division 20 of the Land Use Ordinance equates to 8 parking spaces. In total, the applicant is proposing to provide the equivalent of 19 parking spaces. The eleven off-street parking spaces, including one accessible space, and the shared vehicle will be provided on the ground floor of the building. Based on its experience with similar projects, the applicant believes that the proposed parking arrangement will satisfy parking demand.

For residents without vehicles, several means of alternative transportation is available. A Metro Bus stop is located on the southwest corner of Franklin and Middle Streets,

approximately 100 feet from the project site, and 16 bicycle parking spaces will be provided inside the parking garage.

1.7 UTILITIES AND STORMWATER

The proposed project will include the installation of new utility services to the building. All new utility services will be provided from the existing utilities available within Middle and Newbury Streets. The proposed locations of the new utility services are shown on the Utility Plan (Sheet C-6.0). More information on proposed utility services is provided in Section 11 of this application.

The proposed development will result in an increase in impervious area of approximately 4,200 square feet, but non-roof impervious area will be decreased. Post-development stormwater runoff will closely follow existing runoff patterns. The roof runoff will be collected in a roof drain system that is directly discharged to the existing combined sewer in Middle Street. Water collected within the covered parking garage will flow through an oil/water separator before being conveyed to the combined sewer in Newbury Street. More information on stormwater runoff from the site is provided in Section 9 of this application.

1.8 ATTACHMENTS

Attachment 1-A – Existing Site Photographs
Attachment 1-B – Building Elevation Views & Renderings
Attachment 1-C – Parking Assessment

ATTACHMENT 1-A

Existing Site Photographs



Photo 1 – 83 Middle Street site from Middle Street, facing Newbury Street.



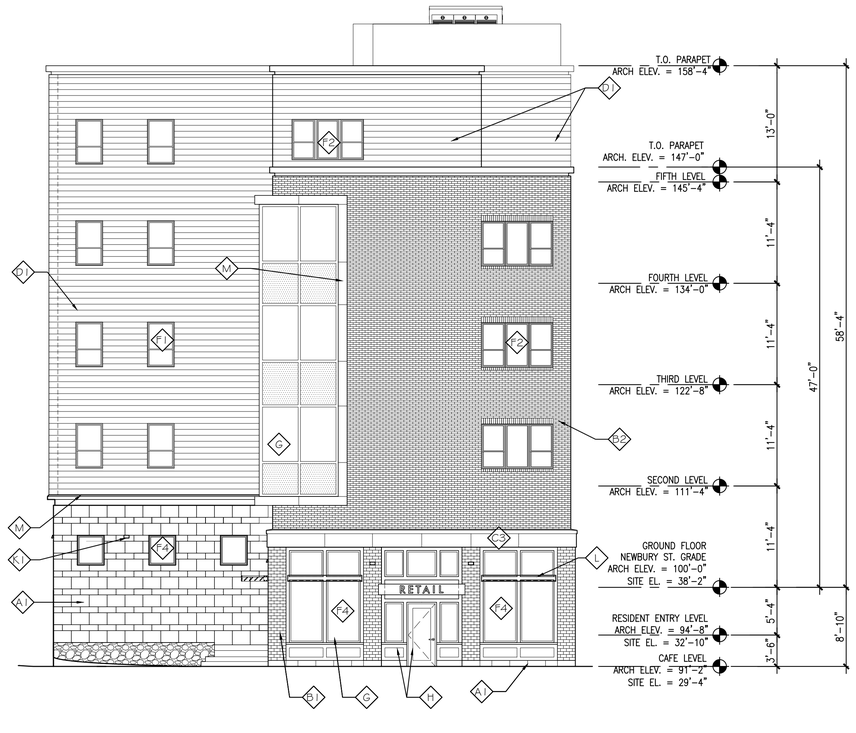
Photo 2 – 83 Middle Street Site from Newbury Street, facing Middle Street.

ATTACHMENT 1-B

Building Elevation Views & Perspective Renderings



A3 BUILDING ELEVATION
REFERENCED FROM: SCALE: 1/8" = 1'-0"



A5 BUILDING ELEVATION
REFERENCED FROM: SCALE: 1/8" = 1'-0"

EXTERIOR FINISH MATERIAL LEGEND

CODE	MATERIAL	COLOR AND FINISH	PATTERN LEGEND
A1	WESTBROOK CONCRETE BLOCK MANUFACTURE	COLOR: GF-326, GROUND FACE TEXTURE	
D1	ECONO MODULAR SIZE BRICK – 3 5/8" x 3 5/8" x 7-5/8"	COLOR: ACADEMY SMOOTH SERIES NARROW FLASHED RANGE	
D2	MODULAR SIZE THIN BRICK – 5/8" x 2 1/4" x 7-5/8"	COLOR: ACADEMY SMOOTH SERIES, NARROW FLASHED RANGE	
C1	HARDIE REVEAL PANEL SYSTEM – 5/16" SMOOTH FACE W/ SURROUNDED TRIM, STACKED LAYOUT. FACTORY PRIMED AND FACTORY FINISH.	COLOR: SHERWIN WILLIAMS URBANE BRONZE, FACTORY-FINISH	
C2	HARDIE ARTISAN SHIPLAP VERTICAL SIDING – .625", 10.25" WIDTH WITH 9" EXPOSURE. FACTORY PRIMED AND FIELD FINISH.	COLOR: SHERWIN WILLIAMS CARNELIAN, FIELD PAINT	
C3	HARDIE REVEAL PANEL SYSTEM – 5/16" SMOOTH FACE W/ SURROUNDED TRIM, STACKED LAYOUT. FACTORY PRIMED AND FACTORY FINISH.	COLOR: SHERWIN WILLIAMS AMAZING GRAY, FACTORY – FINISH	
D1	FIBERCEMENT LAP SIDING – 5/16", 9.25" SMOOTH TEXTURED, 8" EXPOSURE FACTORY PRIMED AND FIELD FINISH	COLOR: SHERWIN WILLIAMS AMAZING GRAY, SATIN FINISH, FIELD PAINT	
E	BREAK METAL TRIM, PAINTED	PAINT: SHERWIN WILLIAMS URBANE BRONZE	
F1	SINGLE HUNG WINDOWS BASED ON PELLA OR EQUAL	COLOR: TERRATONE	
F2	TRIPLE WINDOWS – SINGLE HUNG/ PICTURE WINDOWS BASED ON PELLA OR EQUAL	COLOR: TERRATONE	
F3	DOUBLE WINDOWS – SINGLE HUNG/ PICTURE WINDOWS BASED ON PELLA OR EQUAL	COLOR: TERRATONE	
F4	LARGE PICTURE WINDOWS ON FIRST FLOOR BASED ON PELLA OR EQUAL	COLOR: TERRATONE	
G	ALUMINUM THERMAL STOREFRONT WINDOW SYSTEM BY KAWNEER, TRIFAB VERSAGLAZE 451/451T , PELLA 250 SERIES OR EQUAL	COLOR: TERRATONE	
H	ALUMINUM THERMAL STOREFRONT ENTRANCE DOOR WITH SIDELITES SYSTEM BY KAWNEER, TRIFAB VERSAGLAZE 451/451T, PELLA 250 SERIES OR EQUAL	COLOR: TERRATONE	
J	BREAK METAL TRIM AT FIRST FLOOR, PAINTED	PAINT: SW IN THE NAVY	
J	DECORATIVE GRILLES VENT	COLOR: TERRATONE /OPTIONS TO FOLLOW	
K1	EXTERIOR WALL MOUNT LIGHT FIXTURE	MODEL: BEGA 22-261 COLOR: BLACK	
K2	EXTERIOR WALL MOUNT LIGHT FIXTURE	MODEL: LNC2 LITEPAK BY HUBBELL LIGHTING; COLOR: BLACK	
L	36" SUNSHADE SYSTEM BY CRL ALUMINUM MANUF. – 6" TALL SQUARE OUTRIGGER WITH 1x6" RECTANGULAR FASCIA AND INFILL BLADES	COLOR: TBD	
M	HARDIE REVEAL PANEL SYSTEM – 5/16" SMOOTH FACE W/ SURROUNDED TRIM, STACKED LAYOUT. FACTORY PRIMED AND FIELD FINISH.	COLOR: SHERWIN WILLIAMS IN THE NAVY, FACTORY-FINISH	

D5 ELEVATION NOTES
REFERENCED FROM:

CWS ARCHITECTS
ARCHITECTURE | INTERIOR DESIGN
434 Cumberland Avenue Portland ME 04101
OFFICE: 207 774 4441 CWSARCH.COM

DESIGNER
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WWW.CWSARCH.COM

OWNER
CHOM COMMUNITY HOUSING OF MAINE
ONE CITY CENTER, 4TH FLOOR
PORTLAND, MAINE 04101

PROJECT
MIDDLE STREET APARTMENTS
MIDDLE STREET
PORTLAND, MAINE 04101

DRAWING
BUILDING ELEVATIONS
CWS PROJECT NUMBER: 19.008

REVISIONS

DRAWING NUMBER
A3.01

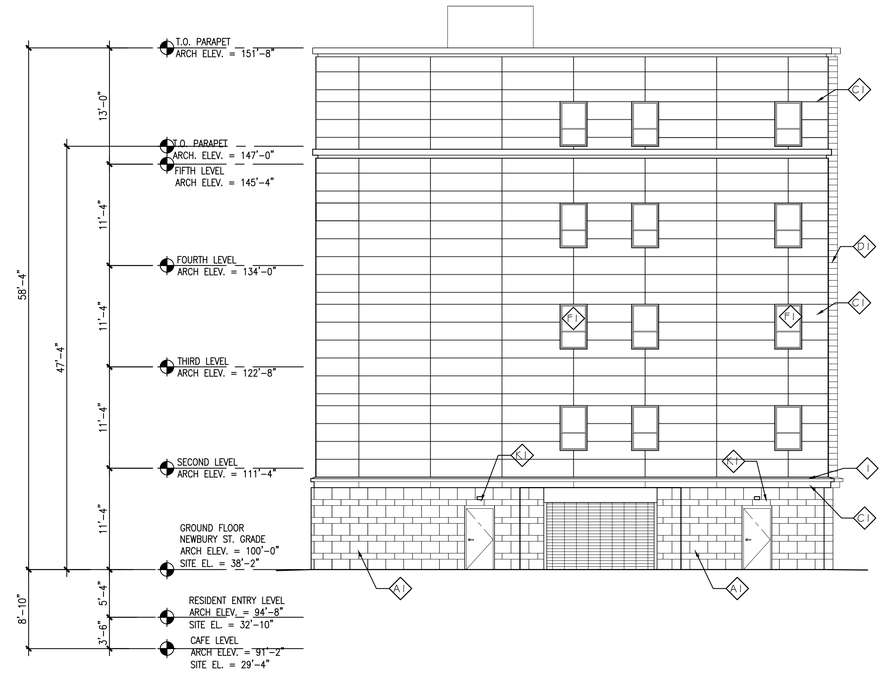
SCALE: 1/8" = 1'-0"
DATE: 04/16/2020

PROGRESS - NOT FOR CONSTRUCTION

W:\2019 Design Projects\19008 CHOM Middle Street Senior Apartments\1-Drawings\Building Elevations



A3 BUILDING ELEVATION
REFERENCED FROM: SCALE: 1/8" = 1'-0"



A5 BUILDING ELEVATION
REFERENCED FROM: SCALE: 1/8" = 1'-0"

EXTERIOR FINISH MATERIAL LEGEND

CODE	MATERIAL	COLOR AND FINISH	PATTERN LEGEND
A1	WESTBROOK CONCRETE BLOCK MANUFACTURE	COLOR: GF-326, GROUND FACE TEXTURE	
D1	ECONO MODULAR SIZE BRICK – 3 5/8" x 3 5/8" x 7-5/8"	COLOR: ACADEMY SMOOTH SERIES NARROW FLASHED RANGE	
D2	MODULAR SIZE THIN BRICK – 5/8" x 2 1/4" x 7-5/8"	COLOR: ACADEMY SMOOTH SERIES, NARROW FLASHED RANGE	
C1	HARDIE REVEAL PANEL SYSTEM – 5/16" SMOOTH FACE W/ SURROUNDED TRIM, STACKED LAYOUT. FACTORY PRIMED AND FACTORY FINISH.	COLOR: SHERWIN WILLIAMS URBANE BRONZE, FACTORY-FINISH	
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G	ALUMINUM THERMAL STOREFRONT WINDOW SYSTEM BY KAWNEER, TRIFAB VERSAGLAZE 451/451T , PELLA 250 SERIES OR EQUAL	COLOR: TERRATONE	
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MIDDLE STREET APARTMENTS
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PORTLAND, MAINE 04101

DRAWING
BUILDING ELEVATIONS
CWS PROJECT NUMBER: 19.008

REVISIONS

DRAWING NUMBER
A3.02

SCALE: 1/8" = 1'-0"
DATE: 04/16/2020

PROGRESS - NOT FOR CONSTRUCTION

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Bangor
Savings Bank
Bangor Savings Bank
77
TOMASO'S
CANTEEN
COLD BEER - HOT SAUSAGE - FULL BAR - FOOD & DRINK UNTIL 1 AM


Bangor
Savings Bank
Bangor Savings Bank

ATTACHMENT 1-C

Parking Assessment

Traffic Solutions
William J. Bray, P.E.
17 Mountview Drive
Gorham, ME 04038
(207) 400-6890
trafficsolutions@maine.rr.com

April 21, 2020

Parking Assessment

Proposed

Middle Street Apartments

INTRODUCTION

Community Housing of Maine is proposing construction of a five-story apartment building on a parcel of land located at 83 Middle Street in the City of Portland, Maine. The proposed apartment building will include 50-units of low-income housing for senior residents, 62 years of age and older with disabilities. Forty-seven (47) of the 50 apartment units are single-bedroom and three are two-bedroom units.

The City's Zoning Ordinance presently requires one parking space for each proposed residential unit on the peninsular (Sec. 14-332.1 (k) except;

> *"The required parking for multi-unit residential buildings may be partially met through provisions of shared use vehicles…One shared use vehicle shall be deemed to satisfy eight (8) required car spaces…"*
>
> *"No parking shall be required for the first three units in the R-6 Residential Zone…"*
>
> *"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, availability of transit… etc."*

The proposed site design provides a total of 12 on-site parking spaces, including one "car-share" space, which are located under the proposed building and are directly accessed through an overhead garage door located along the Newbury Street frontage of the site. The Applicant will secure a private vendor to provide "*car share*" services to the site and/or will operate an acceptable service through their property management company.

This parking study provides an analytical process that clearly demonstrates the "*average*" peak parking demand requirement of the proposed 83 Middle Street low income senior-adult housing project is considerably less than the city's zoning requirement.

National parking rates published by the Institute of Transportation Engineers were averaged with local parking data collected at two similar residential properties located on the Portland Peninsular to develop a more site-specific parking demand requirement for the proposed 83 Middle Street site.

PARKING DEMAND

National parking demand data presented in the Institute of Transportation Engineers (ITE) **"PARKING GENERATION"** publication is typically the instrument used in estimating the actual average peak parking demand of a development site. The 5th edition, which was published in January 2019, represents the most current copy of the noted ITE document. The ITE manual provides "*average*" peak parking demand rates for more than 100 land-use categories including: residential, lodging, recreational, institutional, medical, retail, office, services, etc.

Land-use #223 Affordable Housing - Seniors A subset of the Affordable Housing land-use category was selected in estimating the average peak parking demand of the proposed project. An average peak parking demand rate of 0.42 spaces per unit is provided under this land-use category. The projected parking rate is based upon a total of three study sites with a combined number of 97 apartment units. Both study metrics are less than what is typically desirable in projecting, with a high level of confidence, the average peak parking demand rate for a specific development site. Based upon the national parking data the proposed 50-unit residential apartment project is expected to generate an average peak parking demand of 21 parking spaces.

Local parking data previously collected at two senior low-income housing sites located on the Portland Peninsular suggests the national parking rate likely over states the actual peak parking demand requirements of a low-income senior housing project. Parking utilization surveys were conducted at two existing senior-adult low-income housing facilities on the Portland Peninsular to augment the national parking demand data. The existing sites included: 1) 47 Smith Street a 20-unit site and 2) Danforth on High, a 30-unit site. A total of 20 spaces are provided at the 47 Smith Street site and 13 parking spaces are located at the Danforth on High apartment site. Parking utilization data was gathered at both sites in the early morning (prior to 6:00 a.m.) on two separate days. Table 1, as follows, presents the results of the parking surveys:

Table 1
Parking Utilization Data
Existing Portland Peninsular Senior Housing Facilities

Facility Location	Number of Apartment Units	Number of Parking Spaces	Occupied Spaces – Day 1	Occupied Spaces – Day 2
47 Smith Street	20	20	5 spaces	6 spaces
Danforth on High	30	13	4 spaces	4 spaces
TOTAL	**50**	**33**	**9 spaces**	**10 spaces**

The results of the local Portland based parking survey shows a combined average peak parking demand of **9.5** parking spaces for the two senior adult apartment sites or an average peak parking demand of 0.19 spaces per apartment unit (9.5 ÷ 50 = 0.19 spaces per apartment unit). The local parking data would suggest a total of ten spaces is adequate to meet the parking demand requirements of the proposed 83 Middle Street low-income senior apartment project.

Traffic Solutions, to conservatively project the average peak parking demand requirements of the proposed affordable senior-adult project, averages the peak parking demand requirements derived from both the national and local parking data, which provides an estimated parking demand requirement of 16 parking spaces (21 + 10 = 31 ÷ 2 = 15.5 or 16 spaces).

SUMMARY

- National parking demand rates presented in the most current publication of the Institute of Transportation Engineers "**PARKING GENERATION**" publication for an affordable housing project for seniors provides an estimated average peak parking demand rate of 0.42 spaces per unit. Local parking data gathered at two senior housing project sites located on the Portland Peninsular suggests a much lower parking demand rate of 0.19 spaces per unit is applicable for an affordable housing project for senior residents. Averaging both data points yields an average peak parking demand of 0.31 spaces per unit or a total of 16 parking spaces.

- The City's Zoning Ordinance in Chapter 14.332.1 (k) requires residential development on the peninsular to provide one parking space per apartment unit or specific to the proposed 83 Middle Street project a total of 50 parking spaces. National parking data and local parking studies performed at similar residential housing sites on the Portland Peninsular, as documented in the preceding text, would suggest the zoning requirement of one space per residential units overstates the actual parking requirements of the proposed site. City Staff, in a January 2015 report to the Planning Board, indicated their concurrence that a reduced parking demand rate for peninsular apartment projects was appropriate.

- The City Code provides two parking space reductions; 1) an 8-space parking reduction if a "*shared-use vehicle*" is located on-site and 2) no parking is required for the first three units in the R-6 zone. The site design provides an on-site space for the "*shared-use vehicle*". These two exceptions reduce the parking demand requirements of the proposed site based upon the City Code to a total of 39 parking spaces.

- The City Ordinance also allows the Planning Board, "*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, availability of transit... etc.*"

- The Applicant respectfully requests the Planning Board in their deliberations consider the following added information in determining the parking demand requirement for the proposed site:
    1. The body of the Parking Assessment report, as summarized above, conclusively demonstrates the appropriateness of a much lower parking space requirement for the proposed apartment project. The parking study suggests a peak parking demand value of 16 spaces is appropriate for the proposed 83 Middle Street project.
    2. The location of the proposed 83 Middle Street site provides easy, direct, and convenient access to reliable and continually operating public transportation. There are several bus stops located within walking distance of the property, including one located 135-feet from the main entrance of the proposed building.
    3. Provisions for a shared car service is proposed for the project with one of the 12 parking spaces dedicated for the car shared vehicle.
    4. The proposed project provides ample, secure, and covered bicycle storage on the property exclusively for resident use.



14 CONFORMITY WITH APPLICABLE DESIGN STANDARDS

14.1 OVERVIEW

This project conforms to all applicable Site Plan Standards of Section 14-526 of the city's Land Use Ordinance as described in the following narrative.

(a) Transportation Standards

1. Impact on Surrounding Street Systems:

   The project will not have a significant impact on the surrounding street system. Vehicles will access the site and parking areas from existing access points and the estimated number of new vehicle trips generated by the project is insignificant compared to existing trips on surrounding streets.

2. Access and Circulation:

   a. Site Access and Circulation

   (i) Pedestrian access to the site will be provided via public sidewalks along the Middle, Newbury and Franklin Street frontages. Door controlled access will be provided at each of the building entry locations.

   (ii) Vehicle access to the garage will be from Newbury Street, across from the Luminato parking garage entrance. Because Newbury Street ends adjacent to the project site, there is very limited traffic on this section of the street. The project will not create conflicts with existing turning movements and traffic flows.

   (iii) Drive up features are not proposed

   (iv) Site access has been designed so as not to impede potential future connection to adjacent streets.

   b. Loading and Servicing

   (i) The commercial space on Middle Street may use the paved access on the east side of the building for parking or servicing. Delivery or service vehicles for the building are expected to be infrequent and will use on-street parking.

   c. Sidewalks.

   (i) Brick sidewalks will be constructed along the site's Newbury and Middle Street frontages, and concrete sidewalk will be constructed on Franklin

Street. All sidewalk improvements shall conform to the City of Portland Technical Manual as shown on the project drawings.

(ii) Sections of sidewalk located along Franklin, Middle, and Newbury Streets will be replaced in accordance with City of Portland Technical Design Standards.

(iii) The building will be accessed directly from the public sidewalks on Middle and Franklin Streets. Residents of the building using the parking garage will access the building from within the garage.

3. Public Transit Access:

a. Metro Bus Route 8 (Peninsula Loop) runs by the project site, along Middle and Franklin Streets. The nearest bus stop to the project is at the southwest corner of Middle and Franklin Streets, approximately 100 feet from the site. The project does not meet the minimum threshold to require a new transit facility.

4. Parking:

a. Location and Required Number of Vehicle Parking Spaces:

(i) The proposed project is an affordable housing projected located in the IS-FBC zoning district. According to Division 20 of the Land Use Ordinance, the project should include one parking space per dwelling unit, with an exemption for the first three units. For the 50 proposed apartments, this equals 47 parking spaces. The commercial rental space on the first floor is approximately 1,480 sf, which does not require parking because it is less than 2,000 sf.

Section 14-332.1(k)3 of the Land Use Ordinance allows the reviewing authority to establish a parking requirement for residential development on the peninsula that is less than the normally required number of spaces if unique conditions result in a reduced parking demand. The applicant believes that parking demand will be far less than 47 parking spaces for the 50 residential units due to the project's location and the fact that affordable housing tenants have a lower vehicle ownership rate than tenants of market rate housing. Other projects?

Twelve off-street parking spaces will be provided on the ground floor of the building, including one accessible space and three compact spaces. Based on its experience with affordable housing, the applicant believes that 12 parking spaces will satisfy parking demand.

For residents without vehicles, several means of alternative transportation is available. A Metro Bus stop is located on the southwest corner of Franklin and Middle Streets, approximately 100 feet from the project site, and 16 bicycle parking spaces will be provided inside the parking garage.

(ii) A parking study is not required for the project.

(iii) Not applicable. The proposed number of parking spaces will not exceed the minimum parking requirements by 10% or more.

(iv) The proposed parking spaces meet the minimum dimensional standards of the City of Portland Technical Manual. The proposed access aisles are narrower than the 24' standard due to physical constraints of the parking garage. The access aisle varies from 20' to 21.9'. Dimensions of two parking spaces directly adjacent to walls will have increased widths to allow for additional maneuver area. Additional maneuver area is also available beyond the 20' access aisle for spaces #8 – 12, which will make backing out of these spaces easier.

(v) The proposed covered parking surface will be constructed of bituminous pavement.

b. Location and Required Number of Bicycle Parking Spaces:

(i) The project requires 2 bicycle parking spaces for every 5 dwelling units, or 20 spaces. Fifteen bicycle spaces will be provided at bicycle racks inside the parking garage, and four spaces will be provided on bike hitches to be installed on Middle and Newbury Streets of the first floor of the building near the vehicle parking area.

c. Motorcycles and Scooter Parking:

(i) No formal motorcycle or scooter parking is provided.

d. Snow Storage:

(i) Snow removal on the site will only be necessary within the paved access drive on the east side of the building and within the garden area adjacent to Newbury Street. Snow may be stored directly adjacent to these areas. If snow accumulates to an extent that site access is compromised, it will be removed from the site as needed.

(ii) Snow will not be stored in parking areas, and will not affect stormwater management systems.

5. Transportation Demand Management (TDM):
   a. A TDM plan is not required for this project.

(b) Environmental Quality Standards

1. Preservation of Significant Natural Features:

   a. The development site has been entirely developed and does not contain any significant natural features including wetlands, vernal pools or other protected resources or wildlife habitats.

   b. No preservation areas are located adjacent to the project site.

   c. No waiver is required.

2. Landscaping and Landscaping Preservation:

   a. Landscape Preservation.

      (i) Four existing street trees located adjacent to Franklin Street must be removed as they are located within the footprint of the proposed budiling.

      (ii) Not applicable.

      (iii) Not applicable.

      (iv) Waiver: Preservation of existing trees is not possible, as they are located within the footprint of the proposed building. A planting plan has been developed to install as many trees is reasonable on the site, including one street tree on Middle Street, and two trees within a planting area at the corner of Middle and Franklin Streets. Additional plantings are proposed in the garden area located adjacent to Newbury Street. See the Landscape Plan (L-1.0) located in the plan set.

      (v) The project is not in the Shoreland Zone

   b. Site Landscaping.

      (i) Landscaped Buffers:

         (a) No loading or servicing areas, dumpsters, storage areas, or utility structures are proposed outside the building.

         (b) The IS-FBC zoning district has no minimum front yard setback. Sidewalks will extend to the building wall along all street frontages.

(c) Not applicable.

(d) Not applicable.

(ii) Parking Lot Landscaping:

(a) Not applicable.

(b) Not applicable.

(c) Not applicable.

(d) Not applicable.

(e) Not applicable.

(iii) Street Trees

(a) The relatively narrow sidewalks and frequency of underground utilities adjacent to the proposed building make the installation of street trees impractical around the majority of the building. One street tree is proposed along the Middle Street frontage, and two additional trees are proposed in a landscape area at the intersection of Middle and Franklin Streets. See the Landscape Plan (L-1.0) located in the plan set for the location and species of proposed street trees.

(b) There is limited opportunity to plant street trees within the public right of way. Five additional trees are proposed within the garden area adjacent to Newbury Street, three of which are within 20' of the Newbury Street right of way. All proposed plantings are shown on the Landscape Plan (L-1.0) included in the plan set.

3. Water Quality, Stormwater Management and Erosion Control:

a. Stormwater:
The existing project site contains approximately 7,488 square feet of impervious surface, mostly comprised of a paved surface parking lot. Redevelopment of the project site will result in an increase of approximately 4,229 square feet of impervious area and a total impervious surface of 11,717 square feet, including 9,715 square feet of roof and 2,002 square feet of sidewalk and patio area.

In the existing condition, runoff from the entire site drains into the Middle Street combined sewer and storm drain network. In the post-development condition, runoff from the building will be conveyed directly to the Middle Street combined

sewer via a roof drain. Runoff from the remainder of the site will continue to drain overland to Middle Street, where it will be collected in the combined sewer system.

(i) The project will not result in flooding of adjacent lots.

(ii) Runoff volumes and rates will not increase onto adjacent lots.

(iii) Volumes and rates of stormwater runoff into Middle Street is expected to remain unchanged. The project will not create ponding, flooding, or other drainage problems within the surrounding streets.

(iv) Volumes and rates of stormwater runoff into the city's storm drain network are expected to be similar to existing volumes and rates. The project will not create problems downstream or exceed the capacity of the system.

b. The project will meet the basic standard of Section 5 of the Technical Manual regarding erosion and sedimentation control. A site specific erosion and sedimentation control plan has been developed for the project with an emphasis on perimeter control, limiting disturbance, and rapid stabilization. The locations of proposed erosion control measures are shown on the Grading, Drainage and Erosion Control Plan (Sheet C-5.0), and erosion control notes and details area shown on Sheet C-5.1.

The project will result in less than 5,000 square feet of non-roof impervious area and is not required to meet the General or Flooding Standards. The project is not required to meet the Redevelopment standards.

c. Not Applicable. The project is not located within the watershed of an urban impaired stream.

d. Not applicable. The project is not a Level I minor residential development.

e. The project will be served by both a public wastewater system and public drainage system. The project will not pose a risk of groundwater contamination.

f. Wastewater will flow to the public sewer system, which is adequately sized for the project flows.

(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 of Portland Land Use Ordinance and off-premises infrastructure.

b. Not applicable.

2. Public Safety and Fire Prevention:

a. The site has been designed to promote safety and security for residents and their guests. Access to the residential lobby will utilize keyed entry. Site lighting will provide added security.

b. Emergency vehicle access will be via Newbury and Middle Streets.

c. An existing fire hydrant is located on the south side of Middle Street directly across from the site. The proposed building will also feature sprinklers for fire suppression.

3. Availability and Adequate Capacity of Public Utilities:

a. The project will be served by public water and sewer utilities. The Portland Water District has indicated their ability to serve the project with water (See Section 11 of this application). A Wastewater Capacity Application has been completed and will be forwarded to Brad Roland at the City of Portland.

b. Underground power will be provided to the proposed building from a new transformer located in an underground vault to be installed in the Middle Street sidewalk.

c. All new utility infrastructure will meet the provisions of the Technical Manual.

d. The project will be connected to the public sewer system within Middle Street.

e. The sanitary sewer and stormwater collection systems were designed to comply with City standards.

f. A trash room will be located in the northwest corner of the building, on the ground floor. Residents will access the trash room from the parking garage. A private trash collection company will be selected for trash hauling from the site.

(d) Site Design Standards

1. Massing, Ventilation and Wind Impact:

a. The bulk, location and height of the proposed building will not result in adverse impacts to abutting properties.

b. The bulk, location and height of the proposed building will not substantially reduce the value or utility of adjacent structures.

c. HVAC systems will be located on the roof of the building, and will not be visible from the street. Venting is proposed to be directed away from public spaces and adjacent residential sites.

2. Shadows:

a. The project is not expected to cause shadows on publicly available open space, or have an adverse effect on vegetation as a result of shadows cast from the proposed building.

3. Snow and Ice Loading:

a. The proposed building will have a flat roof. Accumulated snow and ice will not fall onto adjacent properties or public ways.

4. View Corridors:

a. The project site is located outside of any protected view corridors.

5. Historic Resources:

a. The development is not within a designated historic district.

b. The project is located directly across the street from the Abraham S. Leavy Block, a historic landmark building that currently houses several restaurants. Coordination between the project architect and the City of Portland Historic Preservation Program Manager and Urban Designer will ensure compliance with the requirements of this section.

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

6. Exterior Lighting:

a. Site Lighting

(i) Exterior site lighting will be provided by building mounted lights along sidewalks. All fixtures will feature full cut-off optics to prevent unintended light pollution. Proposed lighting is shown on the Lighting Photometric Plan (Sheet C-7.0).

b. Architectural and Specialty Lighting:

(i) No architectural or specialty lighting is proposed.

(ii) No up-lighting is proposed.

c. Street Lighting

(i) No street lights are proposed.

7. Noise and Vibration:
Noise levels are expected to meet the permitted levels for the IS-FBC Zone.

a. HVAC and Mechanical Equipment

(i) HVAC equipment will be located on the roof and will meet all applicable state and federal emissions requirements. The units will not be visible from the surrounding streets or adjacent sites.

(ii) An emergency generator will be provided for this project and will be operated in accordance with the City of Portland Code of Ordinances Section 14-526.

8. Signage and Wayfinding:

a. All 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 subject to a Certificate of Appropriateness.

(ii) Not applicable. No commercial or directional traffic signage is proposed as part of the project.

(iii) No on-site directional signage is proposed.

(iv) Not applicable. No waiver is required.

9. Zoning Related Design Standards:

a. The project is designed to meet the Design Principles and Standards for the IS-FBC Zone as specified in the City of Portland Design Manual.

2 Right, Title and Interest

2.1 OVERVIEW

The applicant is Middle Street Housing Partners, LP. The project site is comprised of the following parcels:

Map/Block/Lot	CCRD Book/Page	Record Owner
28/O/ Lot 003	29426/8	160 Newbury Street LLC
28/O/Lot 017	3029 / 547 10985 / 260	City of Portland

Community Housing of Maine, the general partner in Middle Street Housing, LP, has an Option to Lease agreement with the City of Portland for Lot 17. The deeds and lease agreement are attached in attachment 2-A.

Lot 3 will be donated to the applicant, through Community Housing of Maine, to enable development of the project. A copy of the deed and Donation Agreement is attached.

After construction, the applicant will retain ownership of and manage the building.

2.2 ATTACHMENTS

Attachment 2-A – Property Deed and Option to Lease Agreement Lot 28/O/17
Property Deed and Donation Agreement for Lot 28/O/3

ATTACHMENT 2-A

Title, Right, or Interest Documentation

CITY OF PORTLAND CERTIFICATE OF TAKING OF PROPERTY

I, Arthur H. Duffett, being the duly elected and qualified City Clerk of the City of Portland, do hereby certify that the following Return of the Municipal Officers of the City of Portland dated January 15, 1968 laying out certain property for alteration and widening of Franklin Street was duly accepted by final action of the City Council of the City of Portland on February 5, 1968

I do hereby further certify that this certificate is being filed in the Cumberland County Registry of Deeds in conformity with the provisions of Section 3503 of Title 23 of the Maine Revised Statutes Annotated.

ATTEST: Arthur H Duffett

City Clerk of the City of Portland, Maine

THE MUNICIPAL OFFICERS OF THE CITY OF PORTLAND, having received a petition praying that Franklin Street, a public street or way in the City of Portland, be altered and widened, all as shown within the boundaries and admeasurements set forth on maps identified as Plates 22, 23, 24 and 25, dated December 1967, prepared by Edward C. Jordan Co. Inc., designated "Right of Way Requirements", hereby make return of their proceedings.

Said Municipal Officers gave due and legal notice to all parties interested of their intention to alter and widen said Franklin Street by posting notice of a public hearing thereon at the following locations, said postings being at least seven (7) days prior to the date of said hearing:

On a telephone pole at Marginal Way and Franklin Street.

On a telephone pole at Cumberland Avenue and Franklin Street.

On a telephone pole at Commercial and Franklin Streets.

On the bulletin board in the basement of City Hall; and

On the bulletin board in the Cumberland County Courthouse,

all in the City of Portland, and having met at the time specified and the place designated in said notice, to wit, on the fifteenth day of January, 1968, at 7:00 P.M., in the City Council Chamber, City Hall, Portland, Maine, and having heard all parties interested and having determined that said Franklin Street should be altered and widened as set forth in said petition, did alter and widen Franklin Street, a public street or way in the City of Portland, within the boundaries and admeasurements set forth on maps identified as Plates 22, 23, 24 and 25, dated December 1967, prepared by Edward C. Jordan Co. Inc., designated "Right of Way Requirements".

Said altering and widening of said Franklin Street, a public street or way in the City of Portland, involves, among others, the following described properties, excepting Parcels 24-A-5, 22-F-16, 28-H-3 and 29-K-10.

24-A-5 - 249-251 Franklin Street - Chase Realty Co.

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

Beginning at the intersection of the northeasterly side of Franklin Street with the southerly line of the location of the Portland Terminal Company, formerly of the Portland and Rochester Railroad; thence northwesterly by the northeasterly side of Franklin Street one hundred (100) feet, more or less, to other land of the Portland Terminal Company. thence northeasterly by said Portland Terminal Company land one hundred ninety-three (193) feet, more or less, to land now or formerly of Moddy; thence southeasterly by said Moddy land ten (10) feet, more or less, to the first mentioned land of the Portland Terminal Company; thence southerly by said Portland Terminal Company land to the northeasterly side of Franklin Street and the point of beginning.

Excepting therefrom the lot conveyed by the Chase Transfer Company to Nora T. Nallet et al by deed dated October 31, 1944 and recorded in Cumberland County Registry of Deed in Book 1767, Page 119.

24-A-38 - 245-247 Franklin Street - Doris M. Hanson

A certain lot or parcel of land, with the buildings thereon situation on the northeasterly side of Franklin Street in said Portland, and bounded and described as follows:

Beginning at a stake on said northeasterly side of Franklin Street at the intersection of said northeasterly side of Franklin Street with the westerly line of the location of the Portland Terminal Company, formerly the Portland & Rochester Railroad, said stake being distant northerly two hundred seventeen and sixty-seven one-hundredths (217.67) feet from the intersection of said northeasterly side of Franklin Street with the northerly side of Fox Street; thence northerly by said westerly side of said location of said Portland Terminal

Company, said line making an included angle of fifty-one degrees forty minutes (51° 40') with said northeasterly side of Franklin Street, a distance of ninety-four (94) feet to a stake; thence westerly by other land at right angles to said last described line a distance of forty-three and five-tenths (43.5) feet to a stake; thence southwesterly by other land, said line making an included angle of ninety-seven degrees (97°) with said last described line, a distance of fifty-four and seven-tenths (54.7) feet to a stake on said northeasterly side of Franklin Street; thence southerly by said northeasterly side of Franklin Street sixty-four (64) feet to the point of beginning.

24-A-2 - 139 Fox Street - Sara E. Bruns (Partial Taking)

A certain lot or parcel of land situated on the northerly side of Fox Street, in the City of Portland, being bounded and described as follows:

Beginning at a point on the northerly side of said Fox Street at the most easterly corner of land conveyed by Charles A. Burns, Jr. to Donald A. Bruns by deed dated October 14, 1955, and recorded in the Registry in Book 2257, Page 155, said point being 130 feet northeasterly from the northeasterly side of Franklin Street; thence by said northerly side of Fox Street on a course of N. 48° 49' 36" E. a distance of 35' ± to land now or formerly of Richard H. Anderson et al and the so-called Moody line; thence by said Anderson land a distance of 2.00' to a point; thence through land of Sara E. Bruns a distance of 35' ± to a point on line of land of said Donald Bruns, said point being 7.00' northwesterly of said Franklin Street; thence by land of said Donald Bruns on a course of S. 44° 19' 54" E. and parallel to the northeasterly side of Franklin Street a distance of 7.00' to the point of beginning.

24-A-28, 24-A-29 and 24-A-4 - 235 to 241 Franklin Street - Sara E. Bruns

Parcels identified on City of Portland Assessor's Plans as 24-A-28, 24-A-29 and 24-A-4 contained within a certain lot or parcel of land, situated in the City of Portland on the easterly side of Franklin Street, bounded and described as follows:

Beginning on said Franklin Street at the northwesterly corner of the land formerly of Thomas Shannahan, later owned by William W. Thomas; thence easterly along the northerly line of said Thomas' land to the northeast corner thereof; thence southeasterly by the land of said Thomas to Fox Street; thence easterly by said Fox Street to the Moody line, so-called, as shown and indicated on a plan recorded in Cumberland County Registry of Deeds in Plan Book 5, Page 24; thence northwesterly along said Moody line to the land of the Portland Terminal Company; thence southerly along the easterly line of said Portland Terminal land to said Franklin Street; thence southeasterly by said Franklin Street to the point of beginning.

24-A-3 - 227-233 Franklin Street - Louisa E. Bruns

A certain lot or parcel of land, with the buildings thereon, situated in said Portland, and bounded and described as follows:

Beginning at the intersection formed by the northeasterly side line of Franklin Street and the northwesterly side line of Fox Street; thence northeasterly by said Fox Street one hundred thirty (130) feet; thence northwesterly parallel with said northeasterly side line of Franklin Street one hundred (100) feet; thence southwesterly parallel with said northwesterly side line of Fox Street one hundred thirty (130) feet to said northeasterly side line of Franklin Street; and thence southeasterly by said northeasterly side line of Franklin Street one hundred (100) feet to the point of beginning.

24-C-1 - 256-262 Franklin Street - Mobil Oil Co. (Partial Taking)

A certain lot or parcel of land situated on the southwesterly side of Franklin Street, in the City of Portland, being bounded and described as follows:

Beginning at a point marking the intersection of the southwesterly side of Franklin Street and the southeasterly side of Marginal Way; thence by the southwesterly side of said Franklin Street on a course of S. 44° 19' 54" E. a distance of 99.36' to land of the Portland Terminal Company; thence by said Portland Terminal Company land on a course of S. 28° 09' 06" W. a distance of 15.73' to a point; thence through land of Mobil Oil Co. on a course of N. 44° 19' 54" W. parallel to and 15.0' southwesterly from the southwesterly side of Franklin Street a distance of 64.98' to a point; thence on a course of N. 73° 36' 54" W. a distance of 45.86' to the southeasterly side of said Marginal Way; thence by said Marginal Way on a course of N. 49° 03' 06" E. a distance of 37.50' to the point of beginning.

24-C-4 - 228-240 Franklin Street - Lawrence M. Finkelman (Partial Taking)

A certain lot or parcel of land situated on the northwesterly side of Fox Street in the City of Portland, being bounded and described as follows:

Beginning at the intersection formed by the northwesterly side of said Fox Street and the southwesterly side of Franklin Street; thence by said northwesterly side of Fox Street on a course of S. 35° 16' 06" W. a distance of 40.00' to a point; thence through land of Lawrence M. Finkelman on a course of N. 6° 21' 06" E. a distance of 50.85' to a point on the southwesterly side of said Franklin Street; thence by said Franklin Street on a course of S. 44° 19' 54" E. a distance of 25.00' to the point of beginning.

24-L-13 - 215 Franklin Street - King E. Butland and Samuel Shulman

A certain lot or parcel of land situated in said Portland, Maine, bounded and described as follows:

Land on the east side of Franklin Street, in said Portland, No. 215, City Assessor's Plan 24, Block E, Lot 13, area about 4,715 sq. feet.

24-J-10 - 187 Franklin Street - Austin A. McIntyre et al

A certain lot or parcel of land with the buildings thereon, situated in said Portland and bounded and described as follows:

Beginning at the corner made by the intersection of the easterly side line of Franklin Street with the northerly side line of Lincoln Street, now Lancaster Street; thence running northerly by said Franklin Street twenty-seven (27) feet; thence easterly parallel with said Lincoln Street, now Lancaster Street, sixty-five (65) feet, to land now or formerly of Phebe Ann Mortensen; thence southerly by land now or formerly of said Mortensen twenty-seven (27) feet, to said Lincoln Street, now said Lancaster Street; thence westerly by said Lancaster Street sixty-five (65) feet to point of beginning.

24-D-3 - 216 Franklin Street - Salvatore, Inc.

A certain lot or parcel of land with the buildings thereon, situated on the westerly side of Franklin Street, in said Portland, and bounded and described as follows:

Beginning at the northerly corner of a lot of land now or formerly of Moses Gould, which corner is three hundred forty (340) feet northerly from the north side of Lancaster Street, formerly Lincoln Street, measured on the said line of Franklin Street; thence northerly by the said line of Franklin Street forty (40) feet; thence westerly parallel with said Gould line eighty (80) feet, more or less, to the division line established between land of Daniel Gould and Charles Q. Clapp; thence by said division line southerly forty (40) feet to said Gould line; thence easterly by said Gould line eighty (80) feet, more or less, to the point of beginning.

24-D-7 - 200-204 Franklin Street - Josephine R. Orfaly

A certain lot or parcel of land, with the buildings and improvements thereon erected, situated in said City of Portland on the westerly side of Franklin Street, Bounded and described as follows:

Commencing on the southwesterly side line of Franklin Street at the northeasterly corner of land formerly of Albert G. French; thence running northwesterly by said Franklin Street sixty-six (66) feet to land formerly of John Chase; thence running southwesterly by said Chase land eighty (80) feet to land formerly of one Randall; thence running southeasterly by said Randall land sixty (60) feet to said French land; thence running northeasterly by said French land eighty (80) feet to the point begun at; all of said distances being more or less and subject to such greater accuracy as a survey may disclose.

24-D-9 - 194-196 Franklin Street - Administrator of Veterans Affairs and Laureat J. Caron

A certain lot of land situated on the southwesterly side of Franklin Street, in said Portland, bounded as follows, viz:

Commencing at a stake in the southwesterly side of Franklin Street distant seventy-five (75) feet northwesterly from the northerly side line of Lincoln (now Lancaster) Street; thence northwesterly by the side line of Franklin Street forty (40) feet to a stake; thence southwesterly at a right angle from Franklin Street thirty-six and sixty-six hundredths (36.66) feet, more or less, to land sold by Daniel Gould to one Prince; thence by said Prince land forty (40) feet to a stake; thence northeasterly about thirty-six and ninety-five hundredths (36.95) feet to the bounds begun at, being the lot of land conveyed by Daniel Gould to Joel Whitney by his deed dated May 20, 1859 and recorded in Cumberland County Registry of Deeds in Book 293, Page 566.

Also another lot of land in the rear of and immediately adjoining the above described lot and being bounded as follows:

Commencing at the southerly corner of said Whitney's (Joel)land at a distance of seventy-five (75) feet, more or less, from the northwesterly side line of Lincoln (now Lancaster) Street; thence running southwesterly in a line parallel with said Lincoln (now Lancaster) Street to land formerly of Charles Q. Clapp; thence northwesterly on the line of said Clapp's land forty (40) feet; thence northeasterly in a line parallel with the first described line to the southerly corner of Herbert R. Sargent's land and westerly corner of said Whitney's (Joel) land at the point of contact; thence southeasterly on the line of said Whitney's (Joel) land to the point of beginning.

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22-E-8 - 163-165 Franklin Street - Anthony Orfaly

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

Commencing at the corner made by the intersection of the north line of Oxford Street with the easterly line of Franklin Street; thence easterly by the north line of Oxford Street Eighty (80) feet to land of William Brown; thence by the division line established by deed of Sylvanus C. Hilborn to William Brown and Brown to Hilborn and recorded in the Cumberland County Registry of Deeds, Book 297, Page 40 and Book 297, Page 41 and which line runs parallel with the easterly sideline of Franklin Street, Eighty (80) feet northerly to the rear line of said Brown and Hilborn lot; thence westerly by line of a certain court in the rear of the premises herein conveyed to Franklin Street; thence southerly by the side line of Franklin Street to the point of beginning. Together with full right of way in the passageway leading from Franklin Street to the rear of said property, said passageway to be kept open as of the present width of thirty (30) feet.

Excepting and reserving, however. from the above described premises, a certain lot or parcel of land, with the buildings thereon, conveyed by Stella G. Nickerson et als to Ernest O. Porell, by deed dated April 4, 1942 and recorded in said Registry in Book 1672, Page 498.

22-F-16 - 193-195 Cumberland Avenue - Donat J. Gorneault, Sr., and Ruth M. Gorneault and Maine Savings Bank and Security Financial Corp.

A certain lot or parcel of land, with the buildings thereon, situated on Cumberland Avenue, in said City of Portland, said lot being composed of two parcels, bounded as follows:

The first fronting on the avenue, having land formerly of Eben D. Choate on the east and land formerly of Thomas T. Sawyer on the west, measuring thirty (30) feet and ten (10) inches in front between these limits, with six (6) feet additional in a common right of way on the west side of the lot and extending northward the same breadth, sixty-one (61) feet.

The second parcel adjoining the foregoing on the northward, having land formerly of George McLellan and the Misses Haynes on the west, and extending northwardly adjoining said lands last named, three and one-fourth (3 1/4) rods and extending eastwardly the same breadth, forty (40) feet, more or less, to the Robert Boyd line.

22-F-18 - 197 Cumberland Avenue - Celia H. Popkin

A certain lot or parcel of land situated in said Portland, with the buildings thereon, on the northerly side of Cumberland Avenue, and numbered 197 on said Cumberland Avenue, and bounded and described as follows:

Beginning at the easterly corner of land formerly owned by Mary D. Moody and now or formerly owned by Patrick H. Feeny on the northerly side of said Cumberland Avenue; thence running westerly on the line of said Feeney land sixty-six (66) feet, more or less, to land now or formerly owned by H. B. Sargent; thence northerly by said Sargent land and land now or formerly of Mary T. Mulloney thirty-four (34) feet six (6) inches, more or less, to land now or formerly of said Mulloney; thence southerly by said Mulloney land sixty-seven (67) feet four (4) inches, more or less, to said Cumberland Avenue, thence westerly by said Cumberland Avenue thirty -three(33)

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feet, six (6) inches, more or less, to the point of beginning; meaning to convey the above described premises subject to a right of way over a strip thereof of three (3) feet on the easterly side or end of the same to be used in common by said Mulloney, said right of way or passage being six (6) feet wide, one half thereof on the within conveyed premises and the other half on said Mulloney lot according to agreement between the respective owners of said lots.

21-D-1, 21-D-2,21-D-3, 21-D-4, 21-D-8 - 115-129 Franklin Street - Roman Catholic Bishop of Portland (Partial Taking)

A certain lot or parcel of land situated on the easterly side of Franklin Street, in the City of Portland, being bounded and described as follows:

Beginning at a monument marking the intersection of the easterly side of said Franklin Street and the southerly side of Cumberland Avenue; thence by said Franklin Street on a course of S. 44° 33' 18" E. a distance of 200.4'+ to the northwesterly corner of the parcel of land conveyed by William Mitchell to The Roman Catholic Bishop of Portland by deed dated November 23, 1926 and recorded in the Registry in Book 1249, Page 202; thence through land of the said Roman Catholic Bishop of Portland on a course of N. 25° 21' W. a distance of 192.93' to a point; thence on a course of N. 19° 42' 30" E. a distance of 24.65' to the southerly side line of said Cumberland Avenue; thence by said southerly side line of Cumberland Avenue on a course of S. 50° 26' 42" W. a distance of 86.00' to the point of beginning.

21-C-12 - 9-11 Quincy Street - Raffaela R. Balzano and Maine Savings Bank

A certain lot or parcel of land, with the buildings thereon, situated on the easterly side of Quincy Street, in the City of Portland, bounded and described as follows:

Beginning at a stake one hundred nineteen (119) feet northerly from Congress Street; thence northerly by said Quincy Street fifty-one (51) feet, more or less, to land formerly owned by James Lunt; thence easterly on the southerly line of said Lunt land forty-five and one-half (45 1/2) feet; thence southerly forty-six (46) feet, more or less, to land of heirs of J. D. Sawyer to a point forty-seven (47) feet from said Quincy Street; thence westerly forty-seven (47) feet to the point of beginning.

21-B-20 and 21-B-21 - 335-337 Congress Street - Sun Oil Co. (Partial Taking)

A certain lot or parcel of land situated on the northwesterly side of Congress Street and the southwesterly side of Quincy Street in the City of Portland, being bounded and described as follows:

Beginning at a point marking the intersection of the northwesterly side of Congress Street and the southwesterly side of Quincy Street; thence by said southwesterly side of Quincy Street on a course of N. 41° 53' 36" W. a distance of 87.08 feet to the southeasterly corner of land conveyed by Marcia I. Taylor to Elzerina C. Gagnon by deed dated October 7, 1946 and recorded in Cumberland County Registry of Deeds in Book 1841, Page 296; thence by said Gagnon land on a course of S. 48° 06' 24" W. a distance of 20.00' to a point; thence through land of the Sun Oil Co. on a course of S. 41° 53' 36" E. parallel to and 20.00' distant westerly from the southwesterly sideline of said Quincy Street a distance of 69.45' to a point; thence S. 13° 33' 24" W. a distance of 33.57' to a point on the northwesterly side of said Congress Street; thence by said northwesterly side of Congress Street on a course of N.47°02'24"E. a distance of 48.00' to the point of beginning.

28-I-1 - 75-77 Franklin Street - Economy Wallpaper & Paint Co. Inc. and Majestic Realty Co.

A certain lot or parcel of land, with the buildings theron, situated on the southeasterly corner of Federal and Franklin Streets in said Portland, and bounded and described as follows:

Beginning at said southeasterly corner of said streets and running thence southeasterly by said Franklin Street about forty-three and thirty-five one-hundredths (43.35) feet to land now or formerly of Mary A. Hunt; thence northeasterly by said Hunt land sixty-six (66) feet, more or less, to land now or formerly of W. H. Swett; thence northwesterly by said Swett land about forty (40) feet to said Federal Street; thence southwesterly by said Federal Street seventy (70) feet, more or less, to the place of beginning.

28-I-2 - 71-73 Franklin Street - Economy Wallpaper & Paint Co. Inc. and Majestic Realty Co.

A certain lot or parcel of land with the buildings thereon situated in said Portland, and bounded and described as follows:

Beginning at the westerly corner of land now or formerly of Joel Whitney in the northeasterly side line of Franklin Street, said point being Eighty-three and thirty-five one hundredths (83.35) feet southeasterly from the southeasterly side line of Federal Street; thence running north fifty-seven and one-quarter degrees east by said Whitney land Sixty-six (66) feet, more or less, to Swett's land; thence northwesterly by said Swett's land Forty (40) feet; thence westerly on a line parallel with the first course Sixty-six (66) feet, more or less, to said Franklin Street; thence southeasterly by said Franklin Street forty (40) feet, more or less, to the point of beginning.

28-I-3 - 69 Franklin Street - Goldie Punsky

A certain lot or parcel of land, with the buildings thereon, situated on the northeasterly side of Franklin Street, in said Portland, and bounded and described as follows:

Beginning on said northeasterly side of Franklin Street at a stake and nail, said stake being distant eighty-three and thirty-five hundredths (83.35) feet southeasterly from the southeast side line of Federal Street; thence running north 57 1/4° East, and making an angle of 95° from the east line of Franklin Street, sixty-six (66) feet to land now or formerly of one Swett; thence southeastwardly by said Swett land to a point opposite the center of the partition wall between the house on the lot hereby conveyed and the house on the lot adjoining the same on the southeast; thence southwestwardly in a straight line to the center of said partition wall and continuing through the center of the same, sixty-six (66) feet, more or less, to the east side of said Franklin Street; thence northwestwardly by said Franklin Street to the point of beginning.

28-I-7 - 67 Franklin Street - Samuel S. Punsky

A certain lot and parcel of land, with the buildings thereon located and situated on the easterly side of Franklin Street, in said Portland, bounded and described as follows:

Being that portion of the lot of land described in a deed from Daniel Westcott and others to John Anderson, dated October 24, 1836, and recorded in the Cumberland County Registry of Deeds, Book 147, Page 554, and in the mutual releases of said John Anderson and Benjamin Redford dated May 10, 1847 and recorded in said Registry in Book 202, Page 220, which lies on the southeast side of a line commencing on said easterly side of Franklin Street at a point opposite the division wall between the two tenements of the block of houses erected on said lot by Joel Whitney and George T. Means. Thence through the center of said division wall to the rear line of the lot aforesaid, which said lot is situated on the easterly side of Franklin Street, the portion hereby conveyed being the southeast part of the same lot. Said lot contains 1,364 sq. feet according to valuation plans of said Portland and is numbered 67 on said Franklin Street.

28-I-8 - 63-65 Franklin Street - Milton Seavey

A certain lot or parcel of land with the buildings thereon situated on the northeasterly side of Franklin Street in said Portland, bounded and described as follows:

Beginning at the intersection of the northwesterly sideline of Newbury Street with the northeasterly sideline of Franklin Street; thence northwesterly by the northeasterly sideline of Franklin Street thirty-nine and and ninety-seven one hundredths (39.97) feet, more or less, to land formerly of Joseph and Annie Berenson; thence northeasterly by said Berenson land sixty-one and seventy-eight one-hundredths (61.78) feet, more or less, to the center line of the posts in the fence now standing between said Berenson land and land now or formerly of W. O. Pitcher; thence southeasterly by the general line of the northeasterly side of the building and of the stone wall now standing on the lot hereby conveyed fifty-five and twenty-seven one-hundredths (55.27) feet, more or less to the said northwesterly sideline of Newbury Street; thence southwesterly by the said northwesterly sideline of Newbury Street sixty and thirteen one-hundredths (60.13) feet, more or less, to the point of beginning.

Also the brick building at 63 Franklin Street, Portland, Maine, together with the lot of land upon which it now stands. The above mentioned brick building is now used for a bakery.

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28-H-2 - 72 1/2 Franklin Street - Jacob S. Lamport

A certain lot or parcel of land, with the buildings thereon, situated on the southerly side of Federal Street in said Portland, and bounded and described as follows:

Beginning on the southerly line of Federal Street, at the northeasterly corner of land formerly of Emery C. Chase; thence southeasterly by said Chase land seventy-four (74) feet, more or less, to land now or formerly of J. Ahern; thence northeasterly by said Ahern land Seventy-one and thirty-five hundredths (71.35) feet to Franklin Street; thence northwesterly by said Franklin Street Ten and nine-tenths (10.9) feet to the southeast corner of land now or formerly of J. Cammett; thence southwesterly by said Cammett land to the southwesterly corner thereof; thence northwesterly by said Cammett land to Federal Street; thence southwesterly by said Federal Street to the point of beginning.

28-H-3 - 74-76 Franklin Street - Bernard Trencher

A certain lot or parcel of land, with the buildings thereon, situated on the southerly corner of Federal and Franklin Streets, in the City of Portland, bounded and described as follows:

Beginning at said corner; thence running easterly by said Franklin Street Forty-nine (49) feet one and three-fourths (1 3/4) inches to a stake; thence at an angle to the right of 96° 44' Forty- one (41) feet six (6) inches to land of the heirs of the late Stephen Noyes; thence to the right at an angle of 99° 1' by land of said Noyes heirs Fifty-four (54) feet to said Federal Street; thence northeasterly by said Federal Street twenty-seven (27) feet ten (10)

28-O-1 - 166-168 Newbury Street - Bertha Seavey

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

Beginning at the point of intersection of the northeasterly side of Franklin Street with the southeasterly side of Newbury Street; thence northeasterly by the southeasterly side line of Newbury Street forty-seven (47) feet, more or less, to land now or formerly of Frank Joseph; thence southeasterly along said Joseph's line twenty-six (26) feet to a point; thence southwesterly by land now or formerly of Jacob Sklar forty-four (44) feet, more or less, to the northeasterly side of Franklin Street at a point thirty-seven and one-half (37 1/2) feet southeasterly from the corner of Newbury and Franklin Street; thence northwesterly by the northeasterly side line of Franklin Street thirty-seven and one-half (37 1/2) feet, more or less, to the point of beginning.

28-O-2 - 164 Newbury Street - Heirs of Bella Berenson and Barnet Berenson, and those claiming by, through or under them.

A certain lot or parcel of land, with the buildings thereon, situated on the southerly side of Newbury Street, in the City of Portland, and bounded and described as follows:

Beginning on said Newbury Street at the northwest corner of land formerly of Samuel Wells, distant northeasterly seventy-two (72) feet, more or less, from the southeasterly corner of Franklin and Newbury Streets; thence southwesterly on Newbury Street twenty-five (25) feet to land formerly of Charles M. Plummer, and from these two points extending back southeasterly between said Wells and Plummer lots, and holding the width of twenty-five (25) feet a distance of forty-six (46) feet, more or less, to land formerly of Barbara E. Joyce.

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28-O-14 - 57-59 Franklin Street - Harry L. Rice Devisees

A certain lot or parcel of land, with the buildings thereon, situated in the northeasterly side of Franklin Street in said Portland, bounded and described as follows:

Beginning on said northeasterly side of Franklin Street at the most southerly corner of lot described in conveyance recorded in the Cumberland County Registry of Deeds in Book 961, Page 219; thence southeasterly by said Franklin Street twenty-six and one-half (26 1/2) feet, more or less, to the northwesterly face of a brick wall standing on land now or formerly of Max Robinson, and from these two points extending northeasterly adjoining said land described in Book 961, Page 219 on the northeast and said Robinson land on the southeast, a distance of forty-seven (47) feet, more or less, to land now or formerly of Frank Josephs, together with the right and privilege of entering and using the northwesterly wall of the building adjoining on the southeasterly side.

28-O-6 - 55 Franklin Street - Salvatore, Inc.

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

Commencing at a point on the northeasterly side of Franklin Street, at the southerly corner of the premises first described in the deed of mortgage given by Max Robinson to the Portland Savings Bank dated October 21, 1912, and recorded in the Cumberland County Registry of Deeds in Book 900, Page 24, and thence running southeastwardly by said Franklin Street thirty-one (31) feet to a stake; and from these two points extending back from said street northeastwardly adjoining the premises described in said mortgage, and land now or formerly of Frank Josephs, on the northwest and holding the width of thirty (30) feet, a distance of about seventy-one (71) feet. Subject to the right and privilege granted Jacob Sklar in deed dated August 2, 1916, and recorded in Book 973, Page 426, of entering and using the northwesterly wall of the building situated on the lot hereby described.

28-N-5 - 172 Newbury Street - Frank Mallia and Sabastien Mallia, also known as Sabastiano Mallia and John Anthony Mallia

A certain lot or parcel of land, with the buildings thereon, situated on the southerly side of Newbury Street, in said Portland and bounded and described as follows, to wit:

Beginning at a point on said southerly side of Newbury Street distant forty-five (45) feet and six (6) inches from the southwest corner of Franklin and Newbury Streets; thence westerly by said Newbury Street forty-three (43) feet and six (6) inches to land formerly owned by F. G. Cummings; thence southerly by said Cummings land ninety-one (91) feet and six (6) inches, more or less, to a passageway; thence easterly forty-two (42) feet and three (3) inches, more or less, on the line of said passageway to land now or formerly of J. C. Tukesbury; thence northerly by land of said Tukesbury ninety-one (91) feet and six (6) inches, more or less, to the point of

28-N-13 - 46-54 Franklin Street - Gertrude Gordon and Casco Bank & Trust Co.

A certain lot or parcel of land with the buildings thereon, situated in said Portland, on the northwesterly corner of Middle Street and Franklin Street and bounded and described as follows:

Beginning at the point made by the intersection of the northerly side line of Middle Street with the westerly side line of Franklin Street; thence running westerly by said Middle Street thirty-nine and seven-twelfths (39 7/12) feet, more or less, to land formerly of D. B. Ricker and another, thence northerly by land formerly of D. B. Ricker and another, ninety-six and nine-twelfths (96 9/12) feet to a passageway; thence easterly by said passageway thirty-seven and seven twelfths (37 7/12) feet to said Franklin Street; thence southerly by said Franklin Street ninety-six and nine-twelfths (96 9/12) feet to point of beginning. Also all right title and interest in and to the above mentioned passageway in the rear of said lot.

29-E-12 - 253-285 Fore Street - Jacob Agger and Maine Savings Bank (Partial Taking)

A certain lot or parcel of land situated on the northwesterly side of Fore Street, in the City of Portland, being bounded and described as follows:

Beginning at a point on the northwesterly side of said Fore Street, said point being the northeasterly corner of a lot of land conveyed by the Portland Renewal Authority to Jacob Agger and the southeasterly corner of land now owned by the City of Portland; thence southwesterly by said northwesterly side of Fore Street on a curve whose radius is 284.19 feet a distance (measured along the arc) of 92.63 feet to a point; thence by said Fore Street on a course of S.07o 49' 30" W. a distance of 8.52 feet to a point; thence through land of Jacob Agger on a course of N. 51° 06' 57" W. a distance of 62.59 feet to land now or formerly owned by The Area Development Council Project #2, Inc.; thence by said land on a course of N. 38° 53' 03" E. a distance of 93.00 feet to a point on said City land; thence by said City land on a course of S. 51° 02' 57" E. a distance of 24.07 feet ± to the point of beginning. Subject to easements and rights-of-way shown on the plan of the Vine-Deer-Chatham project area on file in the Cumberland County Registry of Deeds, in Plan Book 47, Page 48.

13

29-E-6 - 96-106 Middle Street - Alton B. Warren and Maine Savings Bank (Partial Taking)

A certain lot or parcel of land on the southeasterly side of Middle Street, in the City of Portland, bounded and described as follows:

Beginning at a point on the southeasterly side of said Middle Street; said point being 56.40 feet southwesterly from the westerly side of Franklin Street; thence by said Middle Street on a course of S. 51° 44' 44" W. a distance of 46.00 feet to a point; thence through land of Alton B. Warren on a course of S. 38° 15' 16" E. a distance of 16.00 feet to a point; thence on a course of N. 65° 31' 05" E. a distance of 49.07 feet to a point; thence on a course of S. 51° 01' 55" E. a distance of 18.00 feet to the northeasterly corner of the building; thence continuing on same course of S. 51° 01' 55" E. along the building line a distance of 102.21 feet to the most easterly corner of said building; thence following the building line on a course of S. 38° 58' 05" W. a distance of 10.00 feet to a point; thence on a course of S. 51° 02' 57" E. a distance of 70.07 feet to a point on line of land conveyed by the Portland Renewal Authority to Jacob Agger by deed recorded in the Registry in Book 2673, Page 61; thence by said Agger land on a course of N. 38° 51' 03" E. a distance of 14.55 feet ± to a point and land of the City of Portland; thence by said City land on a course of N. 53° 02' 57" W. a distance of 217.62 feet to the point of beginning, together with a construction easement along Middle Street fifty feet long and sixteen feet wide as more fully described on Plate 22.

29-E-8 - 108 Middle Street - Area Development Council Project No. 2, Inc. and Maine Savings Bank - Construction Easements

Two construction easements, one fifty feet in width and thirty feet in depth adjoining land of Jacob Agger and one along Middle Street about twenty-five feet in length, adjoining land of Alton B. Warren, as more described on Plate 22.

29-K-10 - 55 1/2 Commercial Street - Daniel J. Casale, and Peter DePalmer

A certain lot or parcel of land with the buildings thereon and situated in said Portland bounded and described as follows:

Commencing on the northerly side of Commercial Street at the southwesterly corner of lot No. 28, on Plan 13 of Charles Edwards, recorded in Plan Book No. 2, Page 14, in Cumberland County Registry of Deeds which corner is fifty-seven and one-quarter (57 1/4) feet, on said street from the corner of the Tyler lot, so-called; thence on the line of the said lot No. 28, one hundred (100) feet; thence in a southwesterly direction parallel with Commercial Street thirty (30) feet, more or less, to the sideline of lot No. 26, on said Plan; thence southwardly on the line of said lot No. 26, one hundred (100) feet to Commercial Street; thence by Commercial Street eastwardly twenty-eight and six hundred twenty-five thousandths, (28.625) feet, to the point of beginning, being part of lot No. 27, on said Plan, together with all easements and rights of every nature appertaining to the said premises excepting and subject to a right of way to the land in the rear of the said premises hereby conveyed leading in from Commercial Street,

555

29-K-3 - 59-67 Commercial Street - W. L. Blake & Co. (Partial Taking)

A certain lot or parcel of land situated on the northwesterly side of Commercial Street, in the City of Portland, and bounded and described as follows:

Beginning at a point on the northwesterly side of Commercial Street, said point being located southwesterly one hundred seventy and nine hundred fifteen thousandths (170.915) feet on a course of S. 33° 25' 8" W. along the northwesterly side of said Commercial Street and from the southerly corner of the granite plinth of the brick building located at the intersection of the northerly side of Commercial Street and the easterly side of Franklin Street; thence by said Commercial Street on a course of S. 33° 25' 8" W. a distance of 65.00 feet to a point; thence through land of W. L. Blake & Co. on a course of N. 1° 18' 4" E. a distance of 83.88 feet to a point on line of land now owned by Daniel J.Casale, said point being on the division line between Lot No. 26 and Lot No. 27 as shown on plan of the division of land of Sturdivant heirs, recorded in the Registry of Deeds, in Plan Book 2, Page 14; thence by said division line and land of said Casale on a course of S. 48° 52' 9" E. a distance of 45.00 feet to the point of beginning. This taking is made subject to all rails on the premises located in the premises.

Also a certain lot or parcel of land situated in the City of Portland, being bounded and described as follows:

Beginning at a point on the southeasterly side of a lane leading from Franklin Street to Fore Street, and now owned by the Portland Renewal Authority, and the northwesterly corner of Lot No. 28 and the northeasterly corner of Lot No. 27, as shown on plan of the division of land of Sturdivant heirs, recorded in Cumberland County Registry of Deeds in Plan Book 2, Page 14, said Lot No. 28 being owned by W. L. Blake & Co. herein as recorded in Book 1068, Page 41; thence by the southeasterly side of said lane about S. 45° 43' 30" W. a distance of 36 feet more or less to the easterly side of Fore Street; thence by the easterly side of Fore Street on a course of S. 7° 49' 30" W. a distance of 31.08 feet to a point; thence through land of W. L. Blake & Co. on a course of N. 45° 43' 30" E. parallel to and twenty-five (25) feet distance from the southeasterly side of said land, a distance of Seventy (70) feet, more or less, to the westerly side of said Lot No. 28 and said W. L. Blake & Co. land; thence by said W. L. Blake & Co. land along the division line between said Lot No. 27 and Lot No. 28 on a course of N. 48° 33' 30" W. a distance of 25.07 feet to the point of beginning.

29-K-6 - 16-20 Rear Franklin Street - W. L. Blake & Co.

A certain lot or parcel of land together with the buildings thereon, situated in said Portland, and bounded and described as follows:

Beginning at a stake standing on a passageway leading from Fore Street to Franklin Street and at the northwest corner of land on Franklin Street formerly owned by one Tyler, and running thence southerly by said Tyler land seventy (70) feet to a stake, thence westerly on a line parallel with said passageway sixty-one (61) feet, more or less, to land now or formerly of the Moulton heirs; thence northerly by said Moulton land Seventy (70) feet to said passageway; thence easterly along said passageway sixty-one and one-half (61 1/2)feet to the starting point. Also all the right, title and interest which we possess in and to said passageway. Being the same premises conveyed by John Welch of Portland to Jacob Judelshon by his warranty deed dated June 13, 1893, and recorded in Cumberland Registry of Deeds in Book 604, Page 5. Also a certain other lot or parcel of land situated in said Portland and adjoining the above described lot and bounded and described as follows:

Commencing at a point seventy(70) feet from the southerly side of said passageway at the southwesterly corner of the above described lot; thence extending southerly towards Commercial Street on the dividing line of land of the Moulton heirs and land formerly of John Welch a distance of twelve (12) feet to a point; thence extanding easterly from this point sixty (60) feet to land formerly of one Quinn at a point distant nine (9) feet from the easterly line of the above described lot conveyed by said Welch to said Judelshon by deed of June 13, 1893; thence northerly by said Quinn line nine (9) feet to the lot first above described; thence westerly by said lot to the point of beginning. Being the same lot conveyed by John Welch to said Jacob Judelshon by warranty deed dated April 20, 1900, and recorded in Cumberland Registry of Deeds, Book 688, Page 299. Both the above described lots being the same conveyed by said Jacob Judelshon to Eli Cohen as one parcel by warranty deed dated November 11, 1915, recorded in Cumberland Registry of Deeds, Book 956, Page 491.

29-K-8 - 45-49 Commercial Street - W. L. Blake & Co.

A certain lot or parcel of land, with the buildings thereon, situated on Franklin Street between Fore and Commercial Streets, in said Portland, bounded northeasterly by Franklin Street; northwesterly by a certain passageway; southwesterly by land formerly of Isaac Sturdivant, and southeasterly by Commercial Street; together with all my rights in and to said passageway adjoining said described lot, and in and to so much of said Commercial and Franklin Streets as adjoins said lot. Intending to convey all of the property and rights conveyed me by William L. Putnam and Galen C. Moses, Trustees under the will of William S. Perry, by their deed dated September 6, 1911, recorded in Cumberland County

28-N-6 and 28-N-16 - 170-172 Newbury Street - John and Ida Panarese

A certain lot or parcel of land with the buildings thereon, situated on the southerly corner of Newbury and Franklin Streets in said Portland, bounded and described as follows:

Beginning at said corner andrunning thence southwesterly on Newbury Street forty (40) feet, more or less, to land now or formerly of Francis Southworth; thence southeasterly by said Southworth's land ninety-one (91) feet, more or less, to a passageway called Waldo Court; thence northeasterly on said Court forty-four (44) feet, more or less, to Franklin Street; thence northwesterly on Franklin Street ninety-four (94) feet to the starting point; together with a right of way in common to the use of said passageway and Court.

22-F-10 - 145-147 Franklin Street - Mary C. White Heirs and John J. White

A certain lot or parcel of land with the buildings thereon situated in said Portland upon the easterly side of Franklin Street: measuring on said street forty-three (43) feet and four (4) inches and extending back holding the same width a northeasterly course until it comes to land now or formerly belonging to the heirs of Robert Boyd, deceased, the distance being one hundred twenty-three (123) feet, more or less. Being the same premises conveyed to Jep A. Kier by Howard B. Chase, Hazen M. Chase and Fannie L. Chase by their deed dated the twelfth day of February A.D. 1900 and recorded in the Cumberland County Registry of Deeds, Book 687, Page 145, to which reference is hereby made.

Being the premises numbered 147 on said street, as delineated on plan recorded in Cumberland County Registry of Deeds in Plan Book 5, Page 22.

24-J-7 - 61-63 Lancaster Street - Porell's Realty Inc.

A certain lot or parcel of land situated on the northerly side of Lancaster Street in the City of Portland, being bounded and described as follows:

Beginning at a point on the northerly side of said Lancaster Street, said point being 97.00 feet easterly from the easterly side of Franklin Street and also the southeasterly corner of the parcel of land conveyed by Udell Bramson to Ernest O. Porell by deed dated 17 June 1958 and recorded in the Registry in Book 2431, Page 22; thence by said Lancaster Street on a course of N 48° 56' 21" E. a distance of 19.59 feet to the southwesterly corner of a parcel of land conveyed by Ernest O. Porell to the Slum Clearance and Redevelopment Authority by deed dated 14 January 1961 and recorded in the Registry in Book 2584, Page 117; thence through land of Ernest O. Porell on a course of N 57° 21' 39" W. a distance of 69.81 feet to a point on the easterly line of Ernest O. Porell land recorded in Book 2431, Page 22; thence by the easterly line of Ernest O. Porell's lot on a course of S 41° 03' 39" E. a distance of 67.00 feet to the point of beginning.

24-J-8 - 65-67 Lancaster Street - Porell's Realty, Inc., and Ernest N. Gould

A certain lot or parcel of land situated on the northwesterly side of Lancaster Street in the City of Portland, and bounded and described as follows:

Beginning at a point on said northwesterly side of Lancaster Street, sixty-five (65) feet northeasterly from the northeasterly side of Franklin Street; thence northeasterly by said side of Lancaster Street thirty-two (32) feet to land now or formerly of John Higgins; thence northwesterly at right angles with said Lancaster Street and by said Higgins' land ninety (90) feet to the center of a passageway known as Anderson Lane; thence southwesterly by the center of Anderson Lane thirty-two (32) feet to a point; thence southeasterly on a line at right angles with said line of Lancaster Street ninety (90) feet to the point of beginning; subject to such rights as others may have to use a strip ten (10) feet in width along the northwesterly side of said premises, being that part located within the boundaries of said Anderson Lane.

And said Municipal Officers did estimate and award damages to the owners of said properties by reason of the said altering and widening of said Franklin Street, a public street or way in the City of Portland, as follows:

Parcel No.	Address	Owner	Damages
24-A-38	245-247 Franklin St.	Doris M. Hanson	$ 3,500.00
24-A-2 24-A-28)	139 Fox St. - (Partial Taking)	Sara E. Bruns)	10,000.00
24-A-29) 24-A-4)	235-241 Franklin St.	Sara E. Bruns)	
24-A-3	227-233 Franklin St.	Louisa E. Bruns	11,500.00
24-C-1	256-262 Franklin St.- (Partial Taking)	Mobil Oil Co.	2,900.00
24-C-4	228-240 Franklin St. (Partial Taking)	Lawrence M. Finkelman	500.00
24-L-13	215 Franklin St.	King E. Butland and Samuel Shulman	810.00
24-J-10	187 Franklin St.	Austin A. McIntyre et al	6,800.00
24-J-7	61-63 Lancaster St.	Porell's Realty Inc.	200.00
24-J-8	65-67 Lancaster St.	Porell's Realty Inc; and Ernest N. Gould	620.00
24-D-3	216 Franklin St.	Salvatore Inc.	7,000.00
24-D-7	200-204 Franklin St.	Josephine R. Orfaly	4,200.00
24-D-9	194-196 Franklin St.	Administrator of Veterans Affairs and Laureat J. Caron	2,600.00
22-E-8	163-165 Franklin St.	Anthony Orfaly	8,700.00

Parcel No.	Address	Owner	Damages
22-F-18	197 Cumberland Ave.	Celia H. Popkin	$ 12,500.00
21-D-1) 21-D-2) 21-D-3) 21-D-4)	115-129 Franklin St. (Partial Taking)	Roman Catholic Bishop of Portland)	12,000.00
21-D-8	172-196 Cumberland Ave. (Partial Taking)	Roman Catholic Bishop of Portland)	
21-C-12	9-11 Quincy St.	Raffaela R. Balzano and Maine Savings Bank	5,200.00
21-B-20) 21-B-21)	335-337 Congress St. (Partial Taking)	Sun Oil Co.	22,000.00
28-I-1	75-77 Franklin St.	Economy Wallpaper & Paint Co. Inc., and Majestic Realty Co.	8,400.00
28-I-2	71-73 Franklin St.	Economy Wallpaper & Paint Co. Inc., and Majestic Realty Co.	8,200.00
28-I-3	69 Franklin St.	Goldie Punsky	6,000.00
28-I-7	67 Franklin St.	Samuel S. Punsky	5,900.00
28-I-8	63-65 Franklin St.	Milton Seavey	19,500.00
28-H-2	72 1/2 Franklin St.	Jacob S. Lamport	10,000.00
28-O-1	166-168 Newbury St.	Bertha Seavey	19,000.00
28-O-2	164 Newbury St.	Heirs of Bella Berenson and Barnet Berenson and those claiming by, through or under them	1,400.00
28-O-14	57-59 Franklin St.	Harry L. Rice Devisees	12,500.00
28-O-6	55 Franklin St.	Salvatore Inc.	7,500.00
28-N-5	172 Newbury St.	Frank Mallia and Sabastien Mallia, also known as Sabastiano Mallia and John Anthony Mallia	7,000.00
28-N-13	46-54 Franklin St.	Gertrude Gordon and Casco Bank & Trust Co.	24,300.00

Parcel No.	Address	Owner	Damages
28-N-6) 28-N-16)	170-172 Newbury St.	John and Ida Panarese	$ 8,400.00
29-E-12	251-285 Fore St. (Partial Taking)	Jacob Agger and Maine Savings Bank	5,000.00
29-E-6	96-106 Middle St. (Partial Taking)	Alton B.Warren and Maine Savings Bank	5,700.00
29-E-8	108 Middle St. (Construction Easements)	Area Development Council Project No. 2 Inc. and Maine Savings Bank	
29-K-3	59-67 Commercial St. (Partial Takings)	W. L. Blake & Co.	3,800.00
29-K-6	16-20 Rear Franklin St.	W. L. Blake & Co.	4,600.00
29-K-8	45-49 Commercial St.	W. L. Blake & Co.	10,800.00

And said Municipal Officers do hereby file with the City Clerk of the City of Portland, this written return of their proceedings in connection with the altering and widening of Franklin Street.

Dated at Portland, Maine, this fifteenth day of January A.D. 1968.

William L. MacKinnon Jr.

J Weston Walch

Clifton M. Fish

Donald B. Clapp

Charles W. Pike

Daniel B. Wing

Municipal Officers of the City of Portland, Maine

560

City of Portland, Maine

IN THE CITY COUNCIL

Ordered, THAT THE Return of the Municipal Officers, dated January 15, 1968, altering and widening Franklin Street and awarding damages to the owners of properties involved be and hereby is accepted from Marginal Way to the northerly side of Middle Street only, with the remainder of said Return being tabled.

AND BE IT FURTHER ORDERED that the taking of the following properties and the awards of damages therefor be and hereby are deleted because said parcels have already been purchased or will be purchased through negotiation:

24-D-9	194-196 Franklin Street
28-N-6) 28-N-16)	170-172 Newbury Street
29-E-12	253-285 Fore Street
28-O-1	166-168 Newbury Streeet

ORDER 70

ACCEPTING RETURN OF MUNICIPAL OFFICERS RE FRANKLIN STREET (City Manager)

IN THE CITY COUNCIL

FEBRUARY 5, 19 68

Read twice and passed, 8 Yeas.

Attest: Louis M. Soule City Clerk.

Yeas

Nays

STATE OF MAINE

CUMBERLAND, ss. REGISTRY OF DEEDS

Received at 1 H 40 M P. M on FEB 15 1968 and recorded in Book 3029 Page 547 Attest Edward R. Tuttle Register

62751/E

No 62751 Bk 10985 Pg 260

QUITCLAIM DEED WITHOUT COVENANT

KNOW ALL MEN BY THESE PRESENTS

That I, **George W. Beals**, of Portland, County of Cumberland, State of Maine, for consideration paid hereby release to the **City of Portland**, State of Maine, the following described property,

Beginning at the most northwesterly corner of land of George W. Beals at an iron rod (5/8" rebar) w/cap, thence by the following courses and distances:

S 87-21-30 E about 11.06' feet to a point;
S 1-17-28 E about 19.17' feet to a point;
N 85-27-26 W about 11.04' feet to an iron (5/8" rebar) rod;
N 1-17-28 W about 18.81' feet to the point of beginning.

Said lot or parcel of land to contain about 204.0 square feet.

Meaning and intending to release a portion of the premises conveyed to George W. Beals by deed of Resolution Trust Corporation, dated July 10, 1992 and recorded in the Cumberland County Registry of Deeds in Book 10178, Page 29.

IN WITNESS WHEREOF, I, the said **George W. Beals**, relinquishing and conveying all rights by descent and all other rights in the above described premises, have hereunto set my hand and seal this 20th day of August, 1993.

Witness

George W. Beals

STATE OF MAINE
Cumberland County, ss

August 20, 1993

Personally appeared before me the above named George W. Beals and acknowledged the foregoing to be his free act and deed.

~~Notary Public~~/Attorney at Law
Alan R. Nye

Recorded
Cumberland County
Registry of Deeds
09/29/93 01:50:57PM
John B. O'Brien
Register

OPTION TO LEASE AGREEMENT

This Option to Lease Agreement ("Agreement") dated this 14th day of September, 2019, is entered into by and between **CITY OF PORTLAND**, a public body corporate and politic having a mailing address of 389 Congress St., Portland, ME 04101 ("Landlord" or "City"), and **COMMUNITY HOUSING OF MAINE, INC.**, a Maine nonprofit corporation having a mailing address of 1 City Center, 4th floor, Portland, ME 04101 ("Tenant").

RECITALS

WHEREAS, Landlord is the owner of certain land (hereinafter, the "Premises," as further defined below) located at 83 Middle Street, Portland, Maine, which land is generally depicted on the plan entitled "Boundary & Topographic Survey at #83 Middle Street, Portland, Maine" made for Community Housing of Maine dated May 22, 2019 prepared by Owen Haskell, Inc., a reduced copy of which is attached hereto as **Exhibit A** (the "Plan"); and

WHEREAS, Tenant has requested from Landlord, and Landlord has agreed to grant to Tenant, an option to lease the Premises under a ground lease in order to allow the Tenant to construct and operate a 49-unit residential affordable housing project, with commercial space, thereon (the "Project"), on the terms and conditions 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 are hereby acknowledged, the parties agree as follows:

1. Grant of Option; Option Period. The Landlord hereby grants to the Tenant the exclusive right and option to lease the Premises from Landlord on the terms and conditions described herein, and subject to the terms and conditions in the Ground Lease (the "Option"), from the date first set forth above (the "Effective Date") through June 30, 2021 (the "Option Period").

2. Option Payment. At the time of execution of this Agreement by both parties, in consideration of the Option granted herein, Tenant shall pay to Landlord the sum of $1.00 (the "Option Payment"), which shall be non-refundable, and which shall not be credited to rental payments under the Ground Lease as defined in section 4 hereof.

3. Exercise of Option. Tenant may exercise the Option at any time during the Option Period by delivering written notice to Landlord of its intent to exercise the Option (the "Option Notice"), provided, however, that in no event shall the Ground Lease commence prior to the closing of all financing required for Tenant's construction of the Project as is more fully described in the Ground Lease.

4. Execution of Ground Lease. If Tenant exercises the Option, the parties shall enter into a Ground Lease Agreement substantially in the form attached hereto as **Exhibit B** within fourteen (14) days after the date of the Option Notice (the "Ground Lease"). The parties acknowledge and agree that the specific provisions of the Ground Lease may be

modified by agreement of the parties prior to the execution thereof, but that notwithstanding the foregoing, the Ground Lease will have a term of 99 years, with an aggregate lease payment of $99.00 for the entirety of such term, due and payable upon the execution thereof, and shall permit Tenant to assign the Ground Lease to an entity formed for the purpose of developing the Project, and to assign the Ground Lease to third parties as security for Project financing. Additionally, the Ground Lease shall permit Tenant to establish a two (2) unit condominium for the Project, with one condominium unit being the residential space and the other unit being the commercial space, and shall contain such other terms and conditions as will satisfy the requirements of the Maine Condominium Act, the Low Income Housing Tax Credit Program, 26 U.S.C. § 42, and the related regulations and the rules of the Maine State Housing Authority ("MSHA") implementing such program and other Project financing, and will transfer substantially all of the benefits and burdens of ownership of the Premises to Tenant for federal tax purposes, while legal title remains vested in the Landlord, and the terms of such Ground Lease shall be reasonably satisfactory to Tenant's investor limited partner, MSHA, and any other financing sources for the Project.

5. Condition of Premises; Premises Description, Title.

a. Tenant acknowledges that Tenant will have an opportunity to inspect the Premises, and to hire professionals to do so, and that the Premises will be leased "as is, where is" and "with all faults." City, and its agents, make no representations or warranties with respect to the accuracy of any statement as to boundaries or acreage, or as to any other matters contained in any description of the Premises, or as to the fitness of the Premises for a particular purpose, or as to development rights, merchantability, habitability, or as to any other matter, including without limitation, land use, zoning and subdivision issues or the environmental, mechanical, or structural condition of the Premises.

b. The survey attached hereto as Exhibit A only generally depicts the Premises to be leased to Tenant. The property description contained in the lease will be a survey description (the "Premises Description") based upon a revised version of the Plan to be obtained by the Tenant at the Tenant's expense (the "Survey"), which will more specifically depict and describe the property shown on Exhibit A hereto and be in form and substance reasonably acceptable to the City and Tenant.

c. The Premises shall be leased to Tenant free and clear of all encroachments, liens and encumbrances except (i) easements consented to by Tenant; (ii) utilities on or servicing the property, whether or not by virtue of existing easements (iii) City ordinances, and (iv) real estate taxes not yet due and payable.

d. On or before the day that is 90 days after the Effective Date, Tenant will provide the City with (1) Tenant's proposed Survey and Premises

Description, and (2) Tenant's written objections to the condition of the Premises or any title or survey matters that Tenant determines materially affect its use, cost, or feasibility of the Premises for the Project ("Tenant's Objections"). The City will have the option, but in no event will have the obligation, to cure any of Tenant's Objections. The City acknowledges that Tenant's current plans for the project require relocating (i) the two walk signals located on the Premises, both shown on the Plan as "Walk Signal on Conc." and (ii) the traffic box shown on the Plan as "Traffic Box on Conc" in order to minimize disruption to the Project and the patio to be located in such area. Although the City cannot commit to relocating the equipment at this time, the City agrees to consider and discuss such relocation with Tenant in its review of the Survey. Any such relocation, if agreed to by the City, shall be at Tenant's sole cost and expense.

e. Within 60 days after receipt of the proposed Survey, the Premises Description, and Tenant's Objections, if any, the City will notify Tenant (1) if it has any objections to the Survey or Premises Description and its proposed revisions to the same; and (2) whether the City will attempt to cure any or all of Tenant's Objections. In the event that the City does not elect to cure any of Tenant's Objections, or is unable to do so to Tenant's reasonable satisfaction, Tenant will have the option to undertake the curing of the objections at Tenant's own expense. The City will cooperate with Tenant to the extent reasonably necessary to assist Tenant in curing such objections.

f. If Tenant and City are unable to reach an agreement on a final Survey and Premises Description, or if the City or Tenant are unable to cure Tenant's Objections to Tenant's reasonable satisfaction prior to the expiration of the Option Period, then this Agreement will terminate and neither party will have any further obligation or liability to the other.

6. Landlord's Representations and Warranties. Landlord represents, covenants and warrants to Tenant that the execution and delivery of this Agreement and the performance by Landlord of the obligations hereunder have been duly authorized by all requisite action.

7. Tenant's Representations and Warranties. 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 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 Tenant is bound. The representations and warranties set forth in this Section shall survive the exercise of the Option.

8. Tenant's Right of Termination. Tenant may, in its sole discretion, terminate this Agreement in the event that (i) it is not given an award of low income housing tax credits by MSHA pursuant to its Qualified Allocation Plan or (ii) Tenant does not obtain approval of entry into the Ground Lease from MSHA and/or the U.S. Department of Housing and Urban Development following environmental assessment of the Premises. Such right to terminate may be exercised by Tenant delivering written notice of such termination to the Landlord, and upon such termination, this Agreement shall be null and void, and no party shall have any further obligation hereunder.

9. Default. In the event of a default by either party hereunder, the other party may employ all remedies available at law or in equity, including without limitation specific performance.

10. Broker Commissions. Landlord and Tenant each represent to the other that they have not had any dealings regarding the Premises through any real estate broker or other person who can claim a right to commission or finder's fee in connection with this Agreement or the Ground Lease. If any broker or finder claims that they are owed a commission or finder's fee in connection with this Agreement or the Ground Lease through the Tenant, the Tenant shall indemnify, hold harmless and defend the Landlord against such claim and all costs and expenses (including reasonable attorney's fees and costs) incurred in defending against such claim.

11. Notice. Whenever notice is given or required to be given by either of the parties hereto to the other hereunder, including the Option Notice, it shall be deemed to have been given if in writing and hand delivered or mailed by certified or registered mail, return receipt requested, postage prepaid, or by overnight courier, addressed to the parties at their respective addresses set forth in the first paragraph herein or to such other address(es) as either party shall have last designated by notice in compliance with this Section. All notices shall be effective upon mailing or when hand delivered, whichever occurs first.

12. Memorandum. This Option shall not be recorded but at the Tenant's request the parties shall execute and acknowledge a Memorandum of Option in recordable form, and in substance satisfactory to the parties, to be recorded at Tenant's expense. If such a Memorandum of Option is recorded and Tenant does not exercise the Option within the term of this Agreement, Tenant shall, at Landlord's request and at Tenant's expense, record an instrument evidencing the termination of the Option. In the event Tenant refuses or fails to record such instrument, Tenant acknowledges and agrees that the City may execute and record an affidavit stating that Tenant failed to timely exercise its option to lease the Premises and that this Agreement is terminated and all of Tenant's rights under this Agreement are therefore terminated and released.

13. Further Assurances. The parties agree to take such actions and execute, acknowledge and deliver any and all additional instruments, documents and materials as the other party hereto may reasonably request to fully effectuate the purposes of this Agreement.

14. Tenant's Access, Inspections.

a. Tenant and others whom Tenant may designate shall have the right, at all reasonable times, at Tenant's sole cost and expense, risk and hazard, to enter upon the Premises to examine and/or show the same and make, or cause to be made, engineering or other studies and inspections of the Premises, 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. Tenant shall restore the Premises following any testing substantially to its prior condition, unless otherwise agreed by Landlord.

b. Tenant agrees to defend, indemnify and hold harmless the Landlord against any mechanics liens that may arise from the activities of Tenant and its employees, consultants, contractors and agents on the Premises.

c. Tenant shall exercise the access and inspection rights granted hereunder at its sole risk and expense, and Tenant hereby releases the City from, and agrees to indemnify, defend, and hold the City harmless against, any and all losses, costs, claims, expenses and liabilities (including without limitation reasonable attorney fees and costs) (collectively, "Damages") suffered by the City on account of any injury to any person or damage to property arising out of the exercise by Tenant of its rights hereunder.

Tenant shall cause any contractors, consultants or any other party conducting the inspections to procure automobile insurance and general public liability insurance coverage in amounts of not less than Four Hundred Thousand Dollars ($400,000.00) per occurrence for bodily injury, death and property damage, listing the City as an additional insured thereon, and also Workers' Compensation Insurance coverage to the extent required by law; the forms of all such insurance to be subject to City's Corporation Counsel's reasonable satisfaction.

15. Assignment. Tenant shall have the right to assign its rights and obligations hereunder to a limited partnership formed for the purpose of developing the Project, without further consent of the Landlord.

16. Miscellaneous. This Agreement shall be governed by the laws of the State of Maine and shall be binding upon, and shall inure to the benefit of, the parties hereto and their respective successors and assigns. This Agreement may be canceled, modified or amended only by a written instrument executed by both the Landlord and Tenant. This Agreement, including the exhibits referred to herein, constitutes the entire agreement of the parties with respect to the transactions contemplated hereby and supersedes all other agreements between the parties, whether written or oral. Any provision or part of this Agreement held to be void or unenforceable shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon the parties. This Agreement may be

executed by the parties hereto in counterparts, both of which when delivered shall constitute one and the same Agreement. In the event that any signature is delivered via fax or pdf, such signature shall create a binding obligation of the party executing with the same force and effect as if such signature page were an original thereof. Headings used herein are for convenience only 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 this Agreement. No waiver of any breach of any one or more of the conditions of this Agreement or its attachments by either party shall be deemed to imply or constitute a waiver of any succeeding or other breach hereunder.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their undersigned representatives, thereunto duly authorized, as of the date first above written.

CITY OF PORTLAND

By: _____
Jon P. Jennings
Title: City Manager

STATE OF MAINE
COUNTY OF CUMBERLAND, ss.

Date: September 10, 2019

Personally appeared the above-named, Jon P. Jennings, the City Manager of the City of Portland, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said City of Portland.

Before me,

_____
Notary Public/~~Attorney at Law~~
Printed name: _____
My commission expires: _____

SONIA T. BEAN
NOTARY PUBLIC
State of Maine
My Commission Expires
April 8, 2024

COMMUNITY HOUSING OF MAINE, INC.

By: _____
Printed name: Cullen Ryan
Title: Executive Director

STATE OF MAINE
COUNTY OF CUMBERLAND, ss.

Date: Sept. 6, 2019

Personally appeared the above-named, Cullen Ryan, the Executive Director of Community Housing of Maine, Inc. and acknowledged the foregoing instrument to be his/her free act and deed in his/her said capacity and the free act and deed of Community Housing of Maine, Inc.

Before me,

Kyra Walker
Notary Public/Attorney at Law
Printed name: Kyra Walker
My commission expires: 5/31/2023

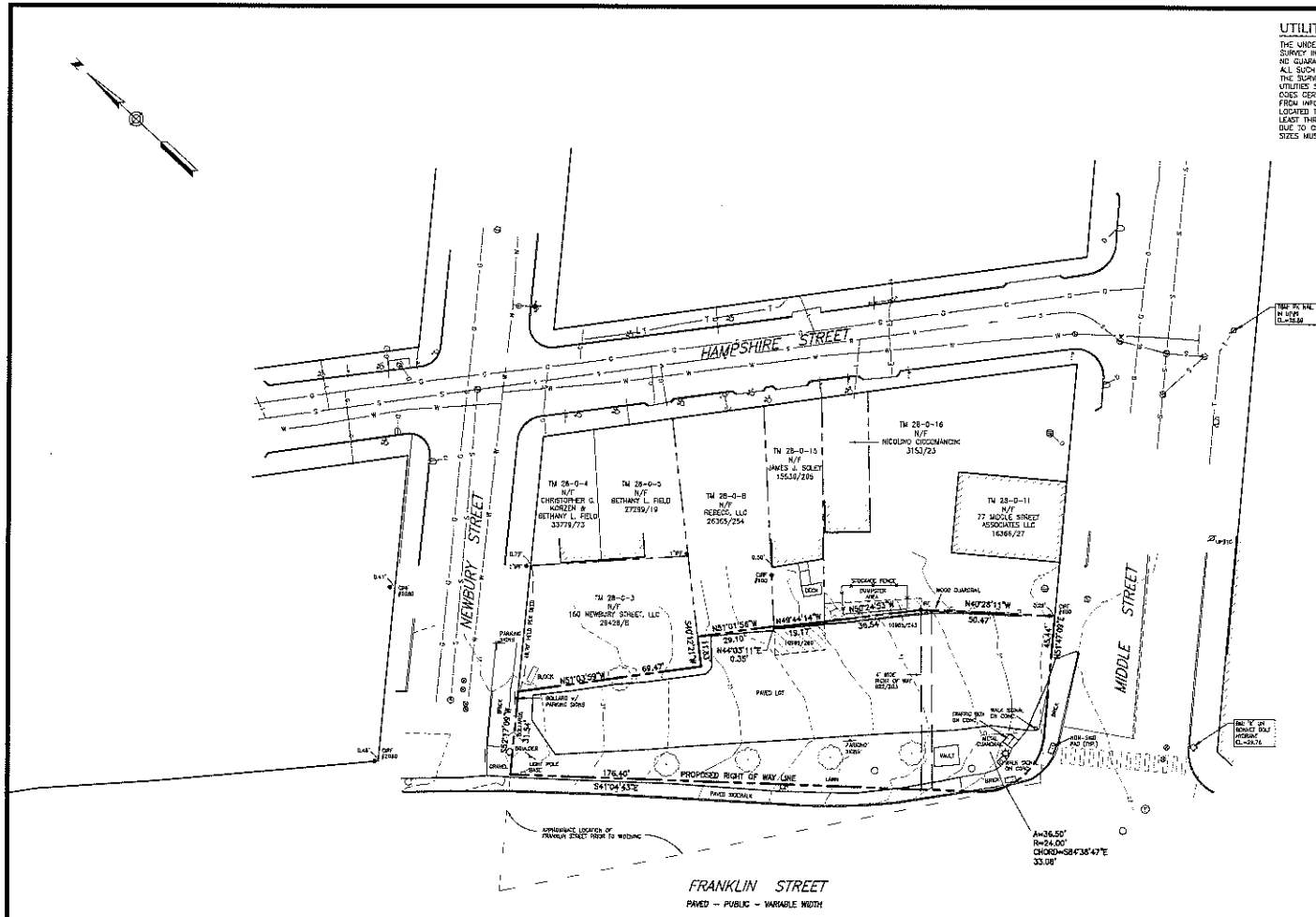
KYRA WALKER
NOTARY PUBLIC
State of Maine
My Commission Expires May 31, 2023

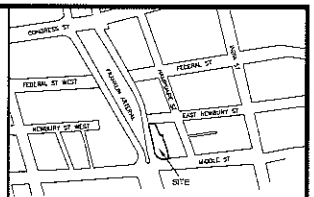
EXHIBIT A

[Insert copy of plan entitled "Boundary & Topographic Survey at #83 Middle Street, Portland, Maine" made for Community Housing of Maine dated May 22, 2019 prepared by Owen Haskell, Inc.]

UTILITY NOTE

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. CALL 1-888-DIGSAFE AT LEAST THREE BUSINESS DAYS BEFORE PERFORMING ANY CONSTRUCTION. DUE TO OSHA CONFINED SPACE REQUIREMENTS, ALL INVERTS AND PIPE SIZES MUST BE VERIFIED PRIOR TO ANY CONSTRUCTION.





LOCATION MAP N.T.S.

LEGEND

●	IRON PIPE OR ROD FOUND	-x-x-	FENCE
■	MONUMENT FOUND		CURB
	UTILITY POLE	-OHW-	OVERHEAD WIRES
	MANHOLE		1' CONTOUR
	SIGN	I/P/F	IRON PIPE OR ROD FOUND
	CATCH BASIN	N/F	NOW OR FORMERLY
	HYDRANT	000/000	DEED BOOK / PAGE
	WATER VALVE OR SHUTOFF	CONC.	CONCRETE
	LIGHT POLE		
	DECIDUOUS TREE		

PLAN REFERENCES

1. STANDARD BOUNDARY SURVEY PLAN OF PROPERTY AT 77 MIDDLE STREET PORTLAND MAINE FOR GEORGE W. BEALS DATED NOVEMBER 23, 1992 BY LEROY A. WITHAM LOCATED IN THE CITY OF PORTLAND'S ENGINEERING ARCHIVES AS PLAN 866/1.

2. CITY OF PORTLAND PUBLIC WORKS DEPARTMENT CONTRACT DRAWINGS HAMPSHIRE STREET RECONSTRUCTION BRATTLE STREET RECONSTRUCTION PROJECT NO. 210-3100-430 DATED 11/16/01. ON FILE AT THE CITY OF PORTLAND.

GENERAL NOTES

1. OWNER OF RECORD: CITY OF PORTLAND
TAX MAP 28 BLOCK C LOT 17
C.C.R.D. BOOK 3029 PAGE 547
C.C.R.D. BOOK 10885 PAGE 260

2. BEARINGS AND COORDINATES ARE BASED ON MAINE STATE PLANE COORDINATE SYSTEM WEST ZONE NAD 83. ELEVATIONS ARE BASED ON CITY DATUM, NGVD 29. HORIZONTAL AND VERTICAL CONTROL DATA PROVIDED BY THE CITY OF PORTLAND AND TAKEN FROM PLAN REFERENCE 2.

3. UTILITIES SHOWN ARE TAKEN FROM PLAN REFERENCE #2.

4. THE RIGHT OF WAY LINE SHOWN ALONG FRANKLIN STREET IS A PROPOSED LOCATION. THE EXISTING RIGHT OF WAY LINE IS THE SOUTHWESTERLY PROPERTY LINES ALONG LOTS 28-0-3, 28-0-8, 28-0-15 & 28-0-11.

CERTIFICATE

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

RANDY R. LOUBIER, PLS #2407

DATE

PRELIMINARY

Boundary & Topographic Survey

At

#83 Middle Street, Portland, Maine

Made for

Community Housing of Maine

One City Center, 4th Floor Portland, ME 04101

OWEN HASKELL, INC.
PROFESSIONAL LAND SURVEYORS
390 U.S. ROUTE ONE UNIT 10, FALMOUTH, MAINE 04105

DRAWN BY: RS / JLW	DATE: MAY 22, 2019	JOB NO 2019-02E P
CHECKED BY: EBC / JWS	SCALE: 1" = 20'	DRWG NO 1

WARRANTY DEED

RICHARD CLARK and **SUSAN L. COX,** of Wells, York County, State of Maine, for consideration paid, **GRANT** to **160 NEWBURY STREET, LLC,** a Maine limited liability company, whose mailing address is 217 Commercial Street, 5th Floor, Portland, Maine 04101, **with Warranty Covenants,** a certain lot or parcel of land situated in the City of Portland, County of Cumberland and State of Maine, and more particularly described as follows:

SEE SCHEDULE A ATTACHED HERETO

Dated this 2nd day of ~~February~~ March, 2012.

Signed, Sealed and Delivered
in the presence of

Witness

RICHARD CLARK

Witness Keith Fletcher

SUSAN L. COX

MAINE REAL ESTATE TAX PAID

State of Maine
County of York

~~February~~ March 2, 2012

Personally appeared the above named **RICHARD CLARK** and **SUSAN L. COX** and acknowledged the foregoing instrument to be their free act and deed.

Before me,

Notary Public/Attorney at Law
Printed Name: Keith Fletcher
Commission Expires: April 3, 2014

SCHEDULE A

A certain lot or parcel of land with the buildings thereon situated at 160 Newbury Street in the City of Portland, County of Cumberland and State of Maine, more particularly described as follows:

BEGINNING at a stake standing on the southerly sideline of said Newbury Street and distant 48.10 feet westerly from Hampshire Street; thence South 32° 10' East by land formerly of J. Westcott and B.A. Donahue, 60.44 feet to a stake; thence South 54° 03' West by land formerly of J.M. Carleton 43 feet to an iron hub; thence North 36° 38' West by land formerly of R.C. Baker and F. Joseph 70.9 feet to a post in the southerly sideline of said Newbury Street; thence North 66° 50' East by said Newbury Street 48.7 feet to the point of beginning.

Reference may be had to a deed from William W. Clark to Richard Clark and Susan L. Cox recorded May 9, 1985 in the Cumberland County Registry of Deeds at Book 6753, Page 74.

Received
Recorded Register of Deeds
Mar 16,2012 08:16:24A
Cumberland County
Pamela E. Lovley

COMMUNITY HOUSING OF MAINE
DONATION AGREEMENT

This Donation Agreement ("Agreement"), dated this *14th* day of May, 2020, is by and between 160 Newbury Street, LLC, a Maine limited liability company ("Donor") and Community Housing of Maine, Inc., ("CHOM"), a Maine not-for-profit corporation.

WHEREAS, Donor owns a parcel of land located at 160 Newbury Street in Portland, Maine as more particularly described on **Schedule A** herein (the "Property");

WHEREAS, CHOM and its affiliates develop, own, and maintain high-quality affordable housing in the State of Maine and intend to develop an affordable housing project in Portland, Maine to be located at 83 Middle Street and also on the Property (the "Project");

WHEREAS, Donor desires to donate the Property to CHOM in support of CHOM's charitable purpose and specifically the Project.

THEREFORE, the parties do hereby agree as follows:

1. The Recitals to this Agreement are true and correct and are incorporated herein.

2. Subject to paragraph 26, Donor irrevocably promises, upon the satisfaction or waiver of the conditions in paragraphs 3(a) and 3(b), to make a donation to CHOM of the Property, and CHOM agrees to accept the Property, on an "as-is", "where is" and "with all faults" basis, together with all of Donor's rights, easements, licenses, privileges in or appurtenant to the Property. Donor will convey the Property by a Quitclaim Deed in its "as-is" condition with no covenants of title and no other representations or warranties as to the title or condition of the Property. The original Quitclaim Deed will be delivered, to the offices of Drummond Woodsum, 84 Marginal Way, Suite 600, Portland, Maine 04101, along with the Transfer Tax Declaration, the LLC Certificate (as defined herein) and an underground oil storage disclosure, as required by Maine law, with electronic copies sent simultaneously to Lmagnacca@dwmlaw.com in time for CHOM to record said deed simultaneous with the closing of the Project financing described in paragraph 3(b) below.

3. The obligation of Donor to donate the Property, and the obligation of CHOM to accept the Property, are subject to the satisfaction of each of the following conditions, unless such condition has been waived by both parties:

    a. Receipt of (i) approval of the City of Portland, Maine Planning Board for the Project, (ii) a low income housing tax credit commitment from Maine State Housing Authority, and (iii) such financing commitments as CHOM or its affiliate(s) shall require, each to be on terms and conditions satisfactory to CHOM and such affiliate(s) in their sole discretion;

    b. The closing of the financing for the Project by CHOM or its affiliates in accordance with the financing commitments referenced in subclause (a) (the "Construction Loan Closing"); and

    c. The Property shall be delivered to CHOM free of all tenants and occupants upon delivery of the deed the Property to be then in the same condition as it is now, reasonable wear and tear excepted.

4. CHOM acknowledges and agrees that Donor has not made and hereby specifically disclaims any warranty, guaranty, or representation, oral or written, past, present, or future, of, as to, or concerning the Property

including, but not limited to, (i) the nature, square footage, condition, value, or quality of the geology, the presence of environmental hazards, or the suitability of the Property for any and all activities and uses which CHOM may elect to conduct thereon; (ii) the manner, construction, condition, quality, the state of repair or lack of repair of the Property; (iii) the nature and extent of any right of way, lease, possession, lien, encumbrance, license, reservation, condition, or otherwise; (iv) the compliance of the Property, its operation, or use with any laws, rules, ordinances, or regulations of any government or other body; and (v) the income to be derived from the Property.

5. CHOM hereby expressly acknowledges and agrees that it has, or will have, prior to the date of delivery of the deed from the Donor, thoroughly inspected and examined the Property to the extent it has deemed necessary and that CHOM has been and will be given a full and complete opportunity to conduct its own investigation as to any matter, fact or issue that might influence its decision to accept the Property from Donor. Accordingly, CHOM acknowledges that it is accepting the Property solely in reliance on its own investigation, and the Property is in "as is", "where is" condition with all faults and defects, latent or otherwise, and not on any information provided or to be provided by Donor. CHOM acknowledges that it has sufficient information regarding the Property, is relying on its own experts and not Donor or any information provided by Donor, if any; and is not looking to Donor for any additional information with respect to condition of the Property. CHOM expressly acknowledges that, in consideration of the agreement of Donor herein, Donor makes, and has made, no representations or warranties, express or implied, or arising by operation of law, including, but not limited to, any warranty as to condition, merchantability or fitness for a particular use or purpose, with respect to the Property or any matter related thereto. CHOM and its affiliates (at their sole cost and expense) shall have the right, prior to the date of delivery of the deed and other transfer documents, to enter upon the Property for purposes of conducting due diligence and for purposes related to the planning board approval process, provided that CHOM will be responsible for, and, upon request of Donor, shall promptly pay for, any damage to, and the restoration of, the Property resulting from any such due diligence activities (this provision shall survive the termination of this Agreement).

6. CHOM and Donor acknowledge and agree that fair market value of the Property is $485,000 as reflected in the Appraisal Report dated May 5, 2020 from Maineland Appraisal Consultants attached hereto as **Exhibit A** (the "Appraisal Report"), which the parties agree shall be used on the Transfer Tax Declaration for purposes of calculating transfer tax owed on the conveyance; provided, however, that if the consummation of the donation of the Property has not occurred within sixty (60) days of the date of the Appraisal Report (or any subsequent appraisal report obtained in accordance with this paragraph 6), Donor may in its sole discretion, and at its cost and expense, obtain a new appraisal report which shall replace the Appraisal Report attached as Exhibit A, and CHOM and Donor acknowledge and agree that the fair market value in such new report will be will be the fair market value of the Property in connection with this Agreement and for purposes of the Transfer Tax Declaration. The parties acknowledge and agree that the donation of the Property must occur on the same date as the Construction Loan Closing. CHOM shall provide Donor with at least thirty (30) days' prior written notice of the anticipated date of the Construction Loan Closing, and Donor shall thereafter use best efforts to obtain such new appraisal report (if Donor elects to obtain one, in its sole discretion) prior to the Construction Loan Closing. Notwithstanding anything herein to the contrary, Donor will not be obligated to deliver the deed until any such new appraisal report has been obtained.

7. CHOM represents and warrants that it has the power and authority to execute and deliver this Agreement, to perform the obligations hereunder and to consummate the transactions contemplated hereby and that this Agreement constitutes the valid and legally binding obligation of CHOM, enforceable against it in accordance with its terms and conditions, except as enforceability may be limited by applicable equitable principles (whether applied in a proceeding at law or in equity) or by bankruptcy, insolvency, reorganization, moratorium or similar laws affecting creditors' rights generally.

8. Donor represents and warrants that it has the power and authority to execute and deliver this Agreement, to perform the obligations hereunder and to consummate the transactions contemplated hereby and that this Agreement constitutes the valid and legally binding obligation of Donor, enforceable against it in accordance with its terms and conditions, except as enforceability may be limited by applicable equitable principles (whether applied in a proceeding at law or in equity) or by bankruptcy, insolvency, reorganization, moratorium or similar laws affecting creditors' rights generally. Donor shall provide, simultaneous with the delivery of the deed, a certificate of the manager or member of the Donor (the "LLC Certificate") attaching a copy of the Donor's Articles of Formation and operating agreement, together with any amendments thereto, and an LLC resolution evidencing Donor's authority to enter into this Agreement and consummate the transactions contemplated hereby and authorizing an individual to execute and deliver this Agreement, the deed and any other transaction documents.

9. Donor shall not execute any easements, leases, mortgages or other security instruments, contracts, or other liens and encumbrances affecting the Property in any way. Until the date of the deed transferring title to CHOM, risk or loss or damage to the Property by fire or otherwise shall be on Donor.

10. The parties each represent and warrant to the other that no brokers or agents have been employed with respect to the transaction contemplated in this Agreement, and each party agrees to indemnify and hold the other harmless from any claim by any broker or agent claiming compensation in respect of the respect to the transaction contemplated in this Agreement, alleging an agreement with Donor or CHOM, as the case may be.

11. CHOM FOR ITSELF AND ANY OTHER PARTIES CLAIMING, BY, THROUGH, OR UNDER CHOM, HEREBY WAIVES AND FULLY RELEASES, REMISES, ACQUITS, DISCHARGES AND COVENANTS NOT TO SUE, OR BRING ANY CLAIM WHATSOEVER AGAINST, DONOR FROM AND AGAINST ANY AND ALL LOSSES, CLAIMS, DEMANDS, LIABILITIES, COSTS, DAMAGES AND EXPENSES (INCLUDING ATTORNEY'S FEES AND COSTS) FROM AND AGAINST ANY AND ALL CLAIMS, CAUSES OF ACTION, WHETHER ADMINISTRATIVE, JUDICIAL OR OTHERWISE, LOSSES, COSTS (INCLUDING ANY AND ALL REASONABLE ATTORNEYS' FEES, COURT COSTS, AND REASONABLE COSTS OF INVESTIGATION, LITIGATION, AND SETTLEMENT), EXPENSES, SANCTIONS, CURTAILMENTS, INTEREST, LIABILITIES, PENALTIES, FINES, DEMANDS, LIENS, JUDGMENTS, COMPENSATION, FEES, LOSS OF PROFITS, INJURIES, DEATH, AND/OR DAMAGES, OF ANY KIND WHATSOEVER, WHETHER KNOWN OR UNKNOWN, FIXED OR CONTINGENT, JOINT OR SEVERAL, DIRECT OR INDIRECT, LATENT OR PATENT, VESTED OR CONTINGENT, SUSPECTED OR UNSUSPECTED, CRIMINAL OR CIVIL, OR IN LAW OR IN EQUITY ARISING FROM, IN CONNECTION WITH, OR IN ANY WAY CONNECTED WITH, THE PROPERTY, INCLUDING BUT NOT LIMITED TO, (A) THE PRESENCE OF HAZARDOUS MATERIALS ON, UNDER OR ABOUT THE PROPERTY (INCLUDING BUT NOT LIMITED TO ANY UNDISCOVERED HAZARDOUS MATERIALS LOCATED BENEATH THE SURFACE OF THE PROPERTY) AND (B) VIOLATIONS OF ANY HAZARDOUS MATERIALS LAWS PERTAINING TO THE PROPERTY OR THE ACTIVITIES THEREON. THIS RELEASE APPLIES TO ALL DESCRIBED RIGHTS, CLAIMS AND ACTIONS, WHETHER KNOWN OR UNKNOWN, FORESEEN OR UNFORESEEN, PRESENT OR FUTURE. CHOM HEREBY WAIVES ANY RIGHTS AFFORDED BY ANY STATUTE OR COMMON LAW PRINCIPLE THAT PROVIDES THAT A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH A RELEASING PARTY DOES NOT KNOW OF OR SUSPECT TO EXIST IN ITS FAVOR AT THE TIME OF EXECUTION OF THE RELEASE, WHICH IF KNOWN WOULD HAVE AFFECTED ITS RELEASE AGREEMENT WITH THE RELEASED PARTY, OR THAT WOULD OTHERWISE LIMIT THE SCOPE AND BREADTH OF THIS RELEASE IN ANY

WAY. CHOM SHALL INDEMNIFY, DEFEND AND HOLD HARMLESS DONOR, FROM ANY AND ALL CLAIMS, DEMANDS, ACTIONS, CAUSES OF ACTION, SUITS, PROCEEDINGS, DAMAGES, LIABILITIES, COSTS AND EXPENSES OF EVERY NATURE WHATSOEVER, INCLUDING ATTORNEYS' FEES, WHICH ARISE FROM OR RELATE TO THE PROPERTY ON OR AFTER THE DATE OF THE DEED TRANSFERRING TITLE OF THE PROPERTY TO CHOM. FOR PURPOSES OF THIS PARAGRAPH 11, ALL REFERENCES TO "DONOR" SHALL INCLUDE DONOR AND ITS AFFILIATES AND THEIR RESPECTIVE OFFICERS, DIRECTORS, MANAGERS, MEMBERS, EQUITYHOLDERS, EMPLOYEES, AGENTS, AND (B) THE HEIRS, SUCCESSORS, PERSONAL REPRESENTATIVES AND ASSIGNS OF SUCH PERSONS AND ENTITIES IN CLAUSE (A). THE TERM "AFFILIATES" MEANS, ANY INDIVIDUAL, FIRM, CORPORATION, ASSOCIATION, TRUST, ENTITY OR ORGANIZATION THAT, DIRECTLY OR INDIRECTLY, CONTROLS, IS CONTROLLED BY, OR IS UNDER COMMON CONTROL WITH, SUCH ENTITY. THE TERM "CONTROL" MEANS THE POSSESSION, DIRECTLY OR INDIRECTLY, OF THE POWER TO DIRECT OR CAUSE THE DIRECTION OF THE MANAGEMENT AND POLICIES OF AN ENTITY, WHETHER THROUGH OWNERSHIP OF VOTING SECURITIES, BY CONTRACT, OR OTHERWISE. OWNERSHIP OF MORE THAN TWENTY PERCENT (20%) OF THE BENEFICIAL INTERESTS OF AN ENTITY SHALL BE CONCLUSIVE EVIDENCE (BUT SHALL NOT BE REQUIRED TO ESTABLISH) THAT CONTROL OF SUCH ENTITY EXISTS.

12. CHOM shall pay for all conveyance costs including, but not limited to, any surveys, commitment search and examination fees and owner's title policy which may be obtained by CHOM in its sole discretion; recording fees, transfer taxes, and recording fees. Donor shall only be responsible for payment of real property taxes and other municipal assessments through the date of the deed transferring title to CHOM and CHOM shall be responsible for any all taxes and assessments from and after such date. Real property taxes shall be prorated on a per diem basis. Each party shall be responsible for its own expenses of counsel in connection with this Agreement and the donation of the Property contemplated herein.

13. Both parties acknowledge and agree that CHOM will publicize the donation of the Property by Donor and its ultimate beneficial owner and that such publicity including the form, contents, timing, and the manner of presentation will be mutually agreed to by the parties.

14. CHOM agrees that the Property and all amounts that may be earned from the Property shall be used by CHOM or its affiliates solely in connection with CHOM's charitable purpose of developing, owning, and maintaining high-quality affordable housing in the State of Maine (the "Specified Purpose").

15. CHOM hereby represents and certifies that it is a Maine not-for-profit corporation, publicly supported and tax-exempt, which can solicit, receive, and administer gifts and bequests and that it is exempt from federal income tax under section 501(a) of the Internal Revenue Code of 1986, as amended (the "Code"), as an organization described in section 501(c)(3) of the Code and as a public charity described in section 509(a)(1) of the Code.

16. It is Donor's intention to legally bind itself, its successors, trustees, executors, administrators, personal representatives, heirs, and assigns to the terms of this Agreement. CHOM acknowledges and agrees that Donor, its successors, trustees, executors, administrators, personal representatives, heirs, and assigns have the power to enforce the terms and provisions of this Agreement and each shall have standing to bring an action in the appropriate court of competent jurisdiction to enforce the terms and provisions of this Agreement.

17. If, in the reasonable written opinion of CHOM's legal counsel, the Project cannot be developed, CHOM will promptly notify Donor (or its successors, trustees, executors, administrators, personal representatives, heirs, and assigns to this Agreement, as applicable) and the parties will mutually agree to a related purpose that will most nearly accomplish the wishes of Donor as expressed herein. Notwithstanding anything else in this Agreement, this condition shall automatically terminate upon completion of construction of the Project.

18. This Agreement, including its formation, performance, or enforcement, and the parties' relationship in connection therewith and all transactions contemplated by this Agreement together with any related claims whether sounding in contract, tort, or otherwise, shall be governed by, and construed and enforced in accordance with, the internal laws of the State of Maine without regard to principals of conflict of laws, including all matters of construction, validity, and performance. Each party irrevocably and unconditionally consents to submit to the exclusive jurisdiction of (a) the courts of the State of Maine, Cumberland County, and (b) the United States District Court for the District of Maine, for the purposes of any suit, action or other proceeding arising out of this Agreement. Each party agrees to commence any such action, suit or proceeding either in the United States District Court for the District of Maine or if such suit, action or other proceeding may not be brought in such court for jurisdictional reasons, in the state courts of the State of Maine, Cumberland County.

19. It is the intent of the parties that this Agreement and the donation of the Property contemplated herein shall for all purposes be treated as a charitable contribution made to an organization that it is exempt from federal income tax under section 501(a) of the Code, as an organization described in section 501(c)(3) of the Code and as a public charity described in section 509(a)(1) of the Code. It is intended that the charitable contribution made by this Agreement be used for charitable, educational, or scientific purposes as permitted to an organization that it is exempt from federal income tax under section 501(a) of the Code, as an organization described in section 501(c)(3) of the Code and as a public charity described in section 509(a)(1) of the Code.

20. The parties acknowledge and agree that this Agreement shall serve as the contemporaneous written acknowledgment by CHOM of the Property required by section 170(f)(8) of the Code. CHOM agrees to promptly provide Donor with the written acknowledgment required by section 170(f)(8) of the Code for any future donations to CHOM. CHOM acknowledges and agrees that it did not provide any goods or services to Donor in consideration for the donation of the Property.

21. Any notice relating in any way to this Agreement shall be in writing and shall be delivered to the other party by (a) registered or certified mail, return receipt requested, (b) overnight by a nationally recognized courier, (c) hand delivery obtaining a receipt therefor, or (d) email with proof of receipt, addressed to the parties as follows,:

    To Donor: 160 Newbury Street, LLC
    888 East Las Olas Blvd., Suite 710
    Fort Lauderdale, FL 33301
    ophir@caremipartners.com

    To CHOM: Community Housing of Maine, Inc.
    Attn: Brian Kilgallen
    1 City Center, 4th Floor
    Portland, ME 04101
    brian@chomhousing.org

With copy to: Lisa R. Magnacca, Esq.
Drummond Woodsum
84 Marginal Way, Suite 600
Portland, ME 04101
Lmagnacca@dwmlaw.com

and such notice shall be deemed delivered the business day when delivered in the case of notice by registered or certified mail, overnight courier, or hand delivery. Notice by email shall be deemed delivered upon proof of receipt. Either party may, by such manner of notice, substitute persons or addresses for notice other than those listed above.

22. This Agreement together with the exhibits referenced herein represents the entire understanding and agreement between the parties with respect to the subject matter hereof, and supersedes all other negotiations, understandings and representations, if any, made by and between the parties. This Agreement shall not be amended or modified except in writing, executed by all parties to this Agreement.

23. No waiver by any party of any of the provisions hereof shall be effective unless explicitly set forth in writing and signed by the party so waiving. No waiver by any party shall operate or be construed as a waiver in respect of any failure, breach or default not expressly identified by such written waiver, whether of a similar or different character, and whether occurring before or after that waiver. No failure to exercise, or delay in exercising, any right, remedy, power or privilege arising from this Agreement shall operate or be construed as a waiver thereof; nor shall any single or partial exercise of any right, remedy, power, or privilege hereunder preclude any other or further exercise thereof or the exercise of any other right, remedy, power, or privilege.

24. Each party shall do and perform, or cause to be done and performed, all such further acts and things, and shall execute and deliver all such other agreements, certificates, instruments and documents, as the other party may reasonably request in order to carry out the intent and accomplish the purposes of this Agreement and the consummation of the transactions contemplated hereby.

25. This Agreement may be executed and delivered in counterparts, each of which shall be deemed to be an original and which together shall constitute one and the same instrument. The electronic signature of any party hereto shall be as binding as the original signature of such party for all purposes; and the copy of any parties' signature to this Agreement delivered by facsimile, e-mail, or such other electronic means shall be as binding and enforceable as the parties' original signature to this Agreement.

26. Each of Donor or CHOM may by written notice to the other terminate this Agreement if the satisfaction or waiver of the conditions in paragraph 3, have not occurred on or before December 31, 2021.

27. EACH PARTY HEREBY WAIVES, TO THE FULLEST EXTENT PERMITTED BY APPLICABLE LAW, ANY RIGHT IT MAY HAVE TO A TRIAL BY JURY IN ANY JUDICIAL PROCEEDING INVOLVING DIRECTLY OR INDIRECTLY, ANY MATTERS (WHETHER SOUNDING IN TORT, CONTRACT OR OTHERWISE) IN ANY WAY ARISING OUT OF, RELATED TO, OR CONNECTED WITH THIS AGREEMENT, ANY ANCILLARY AGREEMENT OR ANY TRANSACTION CONTEMPLATED HEREBY OR THEREBY. EACH PARTY (A) CERTIFIES THAT NO REPRESENTATIVE, AGENT OR ATTORNEY OF ANY OTHER PARTY HAS REPRESENTED, EXPRESSLY OR OTHERWISE, THAT SUCH OTHER PARTY WOULD NOT, IN THE EVENT OF LITIGATION, SEEK TO ENFORCE THAT FOREGOING WAIVER AND (B) ACKNOWLEDGES THAT IT AND THE OTHER PARTY HERETO HAVE BEEN INDUCED TO ENTER INTO THIS

AGREEMENT AND THE ANCILLARY AGREEMENTS, AS APPLICABLE, BY, AMONG OTHER THINGS, THE MUTUAL WAIVERS AND CERTIFICATIONS IN THIS PARAGRAPH 27.

(signature page follows)

IN WITNESS WHEREOF, the parties hereto, intending to be legally bound, have executed this agreement as of the date first written above.

DONOR:

160 NEWBURY STREET, LLC

By: ReBeCo, LLC, its sole member

By: _____
Ophir Barone
Manager

CHOM:

COMMUNITY HOUSING OF MAINE, INC.

By: _____
Name: Brian Kilgallen
Title: Development Officer

SCHEDULE A

A certain lot or parcel of land with the buildings thereon situated at 160 Newbury Street in the City of Portland, County of Cumberland and State of Maine, more particularly described as follows:

BEGINNING at a stake standing on the southerly sideline of said Newbury Street and distant 48.10 feet westerly from Hampshire Street; thence South 32° 10' East by land formerly of J. Westcott and B.A. Donahue, 60.44 feet to a stake; thence South 54° 03' West by land formerly of J.M. Carleton 43 feet to an iron hub; thence North 36° 38' West by land formerly of R.C. Baker and F. Joseph 70.9 feet to a post in the southerly sideline of said Newbury Street; thence North 66° 50’ East by said Newbury Street 48.7 feet to the point of beginning.

Reference may be had to a deed from Richard Clark and Susan L. Cox to 160 Newbury Street, LLC dated March 2, 2012 and recorded in the Cumberland County Registry of Deeds at Book 29426, Page 8. Further reference may be had to a deed from William W. Clark to Richard Clark and Susan L. Cox recorded May 9, 1985 in the Cumberland County Registry of Deeds at Book 6753, Page 74.

6 TECHNICAL AND FINANCIAL CAPACITY

6.1 TECHNICAL CAPACITY

The applicant has assembled a highly qualified team of professionals to plan, permit, and develop construction documents for the project. The Team is working under the direction of Community Housing of Maine as Project Developers. Professional services will be provided by the following companies and their respective team leaders:

6.2 CONSULTANT TEAM

Civil Engineer	Michael Tadema-Wielandt, P.E. Terradyn Consultants, LLC 565 Congress Street Portland, ME 04101 (207) 632-9010 – Cell (207) 221-1317 – Fax mtw@terradynconsultants.com
Surveyor	Randy Loubier Owen Haskell, Inc. 390 US Route 1, Unit 10 Falmouth, Maine 04105 (207) 774-0424 – Work (207) 774-0511 – Fax rloubier@owenhaskell.com
Architect	Ben Walter CWS Architects 264 US Route One, Suite 100-2A Scarborough, ME 04074 (207) 774-4441 – Work bwalter@cwsarch.com
Electrical/ Mechanical Engineer	William Bennett Bennett Engineering P.O. Box 297 Freeport, ME 04032 (207) 865-9475 will@bennettengineering.net

6.3 EXPERIENCE OF PROJECT TEAM

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

The developer, Community Housing of Maine, has experience in the development and management of residential projects of this scale. A company resume is included in Attachment 6-A.

6.4 FINANCIAL CAPACITY

The applicant will make use of the Low Income Housing Tax Credit as well as subsidy and debt administered through MaineHousing. Additionally the City of Portland has pledged $330,000 through the City's Housing Trust Fund, and $200,000 in CDBG funds. The project will benefit from a below market ground lease from the City of Portland and 25 Project-Based Housing Vouchers from the Portland Housing Authority.

6.5 CONSTRUCTION COST ESTIMATE

The project has an overall construction cost estimate of $10.5 million. This construction cost value is considered preliminary and subject to change as building design and project layout is refined, etc.

6.6 ATTACHMENTS

Attachment 6-A – Community Housing of Maine Resume

ATTACHMENT 6-A

Community Housing of Maine Resume

CHOM Development Corporation Resume

CHOM Development Corporation was formed in 2003 and is the managing General Partner in eleven (11) limited partnerships. Each partnership was formed for the purpose of owning affordable rental housing created, in part, by an allocation of Low Income Housing Tax Credits.

Stevens Green



2004 / Stevens Green Associates, L.P.
4% bond financing and tax credits / 26 family units, 24,871 Sq. Ft., 5 Lovejoy Street, Rockland, Maine
New construction, $4.1 million total development cost
Delivered on time and slightly under budget / Benchmark as General Contractor by Select Bid
Initial occupancy December 2005
Architect: Ben Walter, CWS Architects
Construction Lender: Camden National Bank
Syndicator: Michael Associates, Ltd.
Property Manager: Preservation Management, Inc.
Project Manager: Erin Cooperrider for CHOM Development Corporation

An affiliate of Community Housing of Maine, Inc.

Townhouses at Davis Island







2006 / Davis Island Housing Partners, L.P.
9% tax credits / 26 family units, 27,376 Sq. Ft., 45 US Route 1, Edgecomb, Maine
New construction, $5.5 million total development cost
Delivered early and on budget / Portland Builders as General Contractor by Select Bid
Initial occupancy October 2007
Architect: Ben Walter, CWS Architects
Construction Lender: Camden National Bank
Syndicator: Boston Capital Corporation
Property Manager: Preservation Management, Inc.
Project Manager: Erin Cooperrider for CHOM Development Corporation
Meets MaineHousing's green design requirements

An affiliate of Community Housing of Maine, Inc.

Clearwater Bend









2007 / Reed Street Neighborhood Housing, L.P.
9% tax credits / 23 family units, 26,190 Sq. Ft., 27 Reed Street, Westbrook, Maine
New construction, $5.5 million total development cost
Delivered early and under budget / Benchmark as Construction Manager-at-Risk
Initial occupancy July 2008
Architect: Ben Walter, CWS Architects
Construction Lender: Camden National Bank
Syndicator: Boston Capital Corporation
Property Manager: Preservation Management, Inc.
Project Manager: Erin Cooperrider for CHOM Development Corporation
Meets MaineHousing's green design requirements

An affiliate of Community Housing of Maine, Inc.

Maine Hall















2009 / Seminary Housing Partners, L.P.
9% tax credits / state and federal historic tax credits / 28 senior units, 25,350 Sq. Ft., 288 Union Street, Bangor, Maine
Acquisition and rehabilitation of historic brick building with new construction addition
$6 million total development cost
Delivered on time and on budget / Nickerson O'Day as Construction Manager-at-Risk
Initial occupancy August 2011
Architect: Ben Walter, CWS Architects
Construction Lender: People's United Bank
Syndicator: Boston Capital Corporation
Property Manager: Preservation Management, Inc.
Project Manager: Erin Cooperrider for CHOM Development Corporation
Certified by the U.S. Green Building Council (USGBC) and achieved Leadership in Energy and Environmental Design (LEED) Silver Certification

An affiliate of Community Housing of Maine, Inc.

Elm Terrace



2010 / Children's Hospital Housing Partners, L.P.
9% tax credits / state and federal historic tax credits / 38 family units, 42,864 Sq. Ft., 68 High Street, Portland, Maine
Acquisition and rehabilitation of historic brick building with new construction addition
$10.5 million total development cost
Delivered on time and on budget / Wright-Ryan as Construction Manager-at-Risk
Initial occupancy February 2013
Architect: Ben Walter, CWS Architects
Construction Lender: TD Bank
Syndicator: Boston Capital Corporation
Property Manager: Preservation Management, Inc.
Project Manager: Erin Cooperrider for CHOM Development Corporation
Certified by the U.S. Green Building Council (USGBC) and achieved Leadership in Energy and Environmental Design (LEED) Platinum Certification

An affiliate of Community Housing of Maine, Inc.

Danforth on High

















2011 / Danforth on High, L.P.
4% bond deal / 30 senior units, 23,450 Sq. Ft., 81 Danforth Street, Portland, Maine
New construction, $5.6 million total development cost
Delivered on time and under budget / Hebert Construction as General Contractor by Select Bid
Initial occupancy July 2013
Architect: David Lloyd, Archetype
Construction Lender: Gorham Savings Bank
Syndicator: Boston Capital Corporation
Property Manager: Preservation Management, Inc.
Project Manager: Erin Cooperrider for CHOM Development Corporation
Meets MaineHousing's green design requirements

Campbell Creek Village (formerly Harbor Pines and West Harbor Pines)






2012 / Campbell Creek Housing Partners, L.P.
4% bond financing and tax credits / USDA Rural Development Multifamily Revitalization Program
16 family units and 20 senior units, 31,165 Sq. Ft., Andrea Lane, Boothbay Harbor, Maine
Acquisition and occupied rehabilitation; $ 4.8 million total development cost
Delivered early and on budget / Great Falls Construction as General Contractor by Open Bid
Initial Occupancy September 2012 (occupied renovation)
Architect: Ben Walter, CWS Architects
Construction Lender: Maine State Housing Authority
Syndicator: Northern New England Housing Investment Fund
Property Manager: Preservation Management, Inc.
Project Manager: Erin Cooperrider for CHOM Development Corporation
Meets MaineHousing's green design requirements

An affiliate of Community Housing of Maine, Inc.

Village Centre Family Apartments









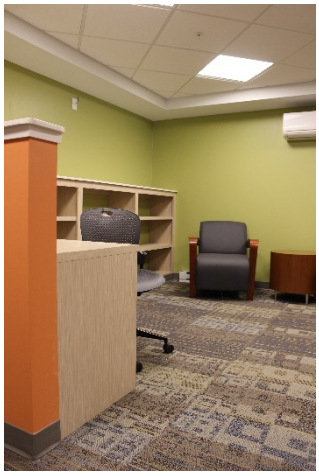












2015 / Village Centre Housing Partners, L.P.
9% tax credits / 48 family units, 54,886 Sq. Ft., 266 Center Street, Brewer, Maine
New construction, $9.5 million total development budget
Delivered on time and on budget / Wright-Ryan as Construction Manager-at-Risk
Initial occupancy April 2016
Architect: Ben Walter, CWS Architects
Construction Lender: TD Bank
Syndicator: Northern New England Housing Investment Fund
Architect: Ben Walter, CWS Architects
Property Manager: Preservation Management, Inc.
Project Manager: Erin Cooperrider for CHOM Development Corporation
Certified by the Passive House Institute US (PHIUS) achieving PHIUS+ 2015 Passive House certification.

An affiliate of Community Housing of Maine, Inc.

Parish House







2016 / Parish House Associates, L.P.
State and federal historic tax credits / 6 units, 6,561 Sq. Ft., 27 Kennebec St., Bar Harbor, Maine
Acquisition and rehabilitation of historic brick building
$2.03 million development cost
Delivered on time and on budget / E. L. Shea as Construction Manager-at-Risk
Initial occupancy August 2017
Architect: George Lavigne, CWS Architects
Construction Lender: Camden National Bank
Investment Limited Partner: Camden National Bank
Property Manager: Community Housing of Maine
Project Manager: Erin Cooperrider for CHOM Development Corporation

An affiliate of Community Housing of Maine, Inc.

Northfield Green







2017 / NFG Housing Partners, L.P.
4% tax credits / 201 units, 198,898 Sq. Ft., 145 Allen Ave., Portland, Maine
Occupied rehabilitation; $30 million development cost
Anticipated on time and on budget / Zachau Construction as Construction Manager-at-Risk
Initial occupancy December 2017 (occupied rehabilitation)
Architect: Ben Walter, CWS Architects
Construction Lender: TD Bank
Syndicator: Boston Capital Corporation
Property Manager: Preservation Management, Inc.
Project Manager: Erin Cooperrider for CHOM Development Corporation

An affiliate of Community Housing of Maine, Inc.

Central Commons



2018 / Central Commons Housing Partners, L.P.
4% tax credits / state and federal historic tax credits / 29 senior units, 25,000 Sq. Ft., 6 Beech St., Hallowell, Maine
Acquisition and rehabilitation of historic brick building
$6.53 million development cost
Anticipated on time and on budget / Wright-Ryan as Construction Manager-at-Risk
Initial occupancy targeted for February 2020
Architect: Ryan Senatore Architects
Construction Lender: Bangor Savings Bank
Syndicator: Boston Capital Corporation
Property Manager: Preservation Management, Inc.
Project Manager: Bree LaCasse for CHOM Development Corporation

3 STATE AND FEDERAL PERMITS

The development is subject to the following land use permits from the City of Portland.

- Level II Site Plan
- Level III Subdivision
- Conditional Use – Inclusionary Zoning

Building Permit(s) are also required.

No additional State or Federal Permits are required.

5 EASEMENTS OR OTHER BURDENS

5.1 OVERVIEW

Owen Haskell, Inc. completed a boundary and topographic survey of the site in March of 2020. There is an existing 4' right of way crossing the site, which has not been used in more than 100 years. The applicant's attorney will be providing title insurance for the project.

8 NATURAL FEATURES

8.1 OVERVIEW

The project site is currently entirely developed and does not contain any significant natural features including wetlands, vernal pools or other protected resources or wildlife habitats.

9 STORMWATER MANAGEMENT

The following information is provided in accordance with the City of Portland Code of Ordinances Chapter 14 Land Use, Section 14-526(b)(3).

9.1 OVERVIEW

Middle Street Housing Partners, LP intends to redevelop two parcels totaling 13,842 square feet at 83 Middle Street in Portland. The project includes removal of an existing surface parking lot and construction of a new 9,715 square foot (footprint) building with associated site and utility improvements. This narrative describes the stormwater runoff patterns and methods of stormwater management for the existing (pre-development) and proposed (post-development) conditions.

9.2 EXISTING CONDITIONS

The existing project site is entirely developed and contains approximately 7,488 square feet of impervious surface, primarily comprised of a paved parking lot. The site slopes at approximately 5% from north to south (Newbury Street to Middle Street). No formal stormwater management infrastructure exists on the site. Runoff currently drains overland following the slope of Franklin Street into the combined sewer/storm drain network within Middle Street.

9.3 PROPOSED PROJECT

The proposed project includes construction of a 5-story building with a footprint of 9,715 square feet and associated sidewalks, utilities and landscaping. In the proposed post-development condition, the site will contain 11,717 sf of impervious area, comprised of 9,715 sf of building roof and 2,002 sf of non-roof impervious area.

Because the proposed development will result in less than 5,000 square feet of non-roof impervious area, the project is not required to meet the General or Flooding Standards.

9.4 TREATMENT MEASURES

No stormwater treatment measures are required for this project.

9.5 CONCLUSIONS

The project is not expected to result in significant change in runoff volume due to the small increase in impervious surface area.

The project is not expected to cause ponding, flooding, or erosion problems on or downstream of the site. The relatively small amount of runoff entering the city's storm drain network is not expected to overburden the system.

10 CONSISTNECY WITH CITY MASTER PLANS

10.1 OVERVIEW

Our office is not aware of any applicable Master Plans created for the project site.

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 Standard 1.14 - Parking Lot and Parking Space Design	Parking lots with greater than 10 spaces may be comprised of up to 20% compact parking spaces	To allow 3 of the 12 parking spaces (25%) to be compact spaces.	The 3 proposed compact parking spaces are in a location where smaller vehicles are preferable due to dimensional constraints. The drive aisle width would be only 19' wide if the 3 compact spaces were "standard" spaces (18' long).
Technical Manual Standard 1.14 - Parking Lot and Parking Space Design	Required 24' parking aisle width.	To allows the parking aisle widths within the parking garage to be narrower than the required 24' width, as show on Site Plan C-3.0.	The garage dimensions are constrained by the building structure. Proposed parking layout provides adequate space for maneuvering into and out of parking spaces. Parking will be for residents, not for the public.
Land Use Ordinance Sec. 14-275.7 Subdistrict Dimensional Requirements (UT subdistrict) Garage Door Setback	Min. 10' garage door setback	The proposed garage door is 4.4' from the Newbury Street Right of Way at its closest point.	

ZONING ANALYSIS Relevant Zone(s) IS-FBC / UA & UT Subdistricts

All Projects:

	Required	Proposed
Lot Size	None	13,842
Area Per Dwelling Unit	None	276 sq ft
Minimum Street Frontage	30 ft	339 ft
Front Yard Minimum	None	UA:3' UT:1'
Front Yard Maximum	UA:5' UT:10'	UA:3' UT:1'
Rear Yard	UA:10' UT:10'	N/A
Yard Right	UA:5' UT:10'	5'
Yard Left	UA:5' UT:10'	N/A
Side Street Setback	N/A	N/A
Step Back	10'	10'
Maximum Lot Coverage	90%	70%
Minimum Lot Coverage	N/A	N/A
Maximum Height	UA:50' UT:65'	UA:50' UT:61'
Open Space	N/A	N/A
Maximum Impervious Area	90%	88%
Pavement Setback	N/A	N/A
Floor Area Ratio	N/A	N/A
Off Street Parking Spaces	47	11+car share
Loading Bays	N/A	N/A
Other 1		
Other 2		
Other 3		

Planned Residential Unit Developments (PRUD) Requirements

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

Affordable Housing Density Bonuses (if applicable)

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

11 UTILITIES

11.1 OVERVIEW

The proposed project will involve installation of new utility services to the building. All new utility services will be provided from the franchise utilities available within Middle and Newbury Streets. The proposed locations of the new utility services are shown on the Site Utility Plan (Sheet C-6.0).

11.2 WATER SUPPLY

The proposed project will receive its water supply from the Portland Water District's (PWD) public water supply system. Separate fire and domestic services will be installed to the building from PWD's existing main in Middle Street. Terradyn Consultants submitted an ability to serve request to PWD on April 2, 2020 and received confirmation from PWD on April 8, 2020. Correspondence with utilities is included in Attachment 11-A.

11.2.1 Total Project Water Usage

The total average daily water demand for the proposed project is estimated to be 6,340 gallons per day, based on design flows published in the State of Maine Subsurface Wastewater Disposal Rules.

46 x 1 Bedroom Residential Units at 120 gpd/unit	= 5,520 gpd
4 x 2 Bedroom Residential Units at 180 gpd/unit	= 720 gpd
1 x Commercial space with 4 Employees at 12 gpd/employee	= 100 gpd
Total	= 6,340 gpd

11.3 WASTEWATER DISPOSAL

The proposed project will be connected to the Portland Water District's and City of Portland's wastewater collection and conveyance systems. The City of Portland Wastewater Capacity Application has been completed and will be forwarded to Brad Roland of the City's Water Resources Department.

The overall project is anticipated to generate an average daily flow of approximately 6,340 gpd. Based on the existing sewer system in the area, there appears to be adequate capacity to handle these projected flow amounts.

11.4 ELECTRICITY SUPPLY

CMP currently maintains overhead and underground utilities in the area. Electrical power for the project will be fed from a new underground transformer vault that will be installed in the Middle Street sidewalk.

11.5 ATTACHMENTS

Attachment 11-A – Correspondence with Utilities

ATTACHMENT 11-A

Correspondence with Utilities

TERRADYN
CONSULTANTS, LLC

Pineland
Cumberland Hall
41 Campus Drive, Suite 101
New Gloucester, ME 04260

Portland
565 Congress Street, Suite 201
Portland, ME 04101

April 2, 2020

Project # 1926

MEANS
means@pwd.org
Portland Water District
225 Douglass Street
Portland, ME 04104

Request for Ability to Serve Letter
50-Unit Affordable Housing Development
83 Middle Street, Portland, Maine

Dear Sir or Madam:

Terradyn Consultants LLC has been retained by Community Housing of Maine to assist with site design and permitting for a proposed 50-unit affordable housing development located at 83 Middle Street in Portland, Maine. We are writing to request a letter confirming the Portland Water District's ability to serve the proposed development.

The 10,926 square foot parcel is identified as Lots 3 and 17, Block O on the City of Portland Tax Map 28. The site is located on the northeast corner of Middle and Franklin Streets. There are currently no structures on the site, which is used as a surface parking lot.

The proposed project includes the construction of a 45,000 square foot, 5-story building, including 50 affordable apartments. One commercial unit and covered parking will occupy the ground floor. Public water and sewer utilities will be installed to serve the project. It is anticipated that a new 6" fire protection water service and a new domestic water service will be installed for the new building. From the 2019 infrastructure map provided by PWD the water main in Middle Street appears to be 8" and will function as the connection to the project.

Attached are a site location figure showing the property delineated on a USGS map and a preliminary site utility plan of the project, showing how the development may be served with water. A spreadsheet showing the total number of proposed plumbing fixtures is provided in a separate document.

Please provide our office with confirmation that the Portland Water District has the ability to serve the proposed development. As the design is refined, we will provide more detailed drawings of the project for your review.

If you have any questions or need more information to make your determination on ability to serve, please contact me at mtw@terradynconsultants.com or (207) 632-9010.

Sincerely,

TERRADYN CONSULTANTS LLC



Michael Tadema-Wielandt, P.E.
Vice President

Enc.

Portland Water District

FROM SEBAGO LAKE TO CASCO BAY

April 8, 2020

Terradyn Consultants, LLC
AATN: Michael Tadema-Wielandt
556 Congress St, Suite 201
Portland, ME 04101

Re: 83 Middle Street, PO
Ability to Serve with PWD Water

Dear Mr. Tadema-Wielandt:

The Portland Water District has received your request for an Ability to Serve Determination for the noted site submitted on April 2, 2020. Based on the information provided per plans received April 8, 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 2-inch domestic service with a 1.5-inch meter may be installed from the water main in Middle Street. The service should enter through the properties frontage on Middle Street as far away as possible from any side property lines.

- A new 6-inch fire service may be installed from the water main in Middle Street. The service should enter through the properties frontage on Middle Street as far away as possible from any side property lines.

- 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.

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

Existing Site Service

According to District records, the project site does not currently have existing water service.

Water System Characteristics

According to District records, there is an 8-inch diameter ductile iron water main in Middle Street and a public fire hydrant located approximately 50 feet from the site. The most recent static pressure reading was 101 psi on March 24, 2020.

Public Fire Protection

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

Domestic Water Needs

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

Private Fire Protection Water Needs

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

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

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

Sincerely,
Portland Water District



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

12 SOLID WASTE

12.1 OVERVIEW

The project will generate solid waste both during construction and on an on-going basis after construction is complete. Estimates of solid waste generation, recycling rates, and procedures for the transport and disposal of solid waste that will be generated by the operation of the proposed development are provided below.

The following amount of solid waste associated with the construction and operation of the development have been estimated:

- 61 cubic yards of construction debris related to the new building construction activities (excluding volume of recycled materials).

- 1,836 pounds per week of solid waste will be generated by the operation of the development. Assuming that 50% of the waste is recycled, it is estimated that the project will generate 21.7 tons of recyclable waste and 21.7 tons of non-recyclable waste per year.

12.2 SOLID WASTE GENERATED DURING THE BUILDING CONSTRUCTION

Approximately 305 cubic yards of construction debris is expected to be generated during construction. Assuming that 80% of construction debris is recycled, construction of the project will generate approximately 61 cy of non-recyclable waste.

The waste stream will be transported and disposed of at the following locations:

Hazardous Materials:	WMI Crossroads Facility in Norridgewock, Maine
Mixed Construction Material:	Riverside Recycling Facility in Portland, Maine; WMI Crossroads Facility in Norridgewock, Maine or Juniper Ridge in Old Town, Maine (Contractor option)
Separated Wood Construction Debris:	KTI Biofuels in Lewiston, Maine
Separated Metal/Ferrous Material:	One Steel Recycling Inc. in Arundel or Oakland, Maine

The collection, transfer, disposal, and payment of all fees for solid wastes shall be the responsibility of the Contractor, with all waste transferred by a licensed non-hazardous waste transporter.

12.3 SOLID WASTE GENERATED FROM THE OPERATION OF THE DEVELOPMENT

Approximately 1,377 pounds of solid waste and recyclable material is expected to be generated every week by the residents of the project. The operational solid waste and recyclable material will be collected by a private trash collector selected through a bidding process. A trash room will be locate on the ground floor of the building, adjacent to Newbury Street. Residents will access the trash room through the parking garage.

12.4 ATTACHMENTS

Attachment 12-A – Computations of Types and Volumes of Solid Wastes for Construction Project

ATTACHMENT 12-A

Computations of Types of Volumes of Solid Wastes

ATTACHMENT 12-A

SOLID WASTES COMPUTATIONS AND DISPOSAL

A. NEW BUILDING CONSTRUCTION:

Basis of Estimate: 10 c.y./1,500 s.f. of finished space

Area: Approximately 45,720 square feet of finished space

Solid Waste: Approximately 305 c.y.

Other Wastes Associated with Other Site Construction: Cardboard from packaging etc.: Limited Quantity

Total: 305 c.y. before recycling

Net: 61 c.y. if 80% of the material is recycled

Disposition:
Assume 10 percent is concrete which can be sent to the approved aggregate recycling facilities operated by Shaw Bros. or R.J. Grondin and Sons for processing into recycled aggregate.

Assume 70 percent is wood or metal which can be transported to KTI Biofuels in Lewiston (for wood) or One Steel Recycling in Oakland, Maine for metals.

Approximately 61 cubic yards of mixed construction debris that will be hauled to the Riverside Recycling Facility in Portland, WMI Crossroads facility in Norridgewock, Maine or the Juniper Ridge Facility in Old Town, Maine.

The contractor should provide dumpsters designated by material type and identify recycling methods and disposal sites prior to construction. All haulers must have a current non-hazardous waste haul license.

B. OPERATIONAL SOLID WASTE:

RESIDENTIAL USE:

Basis of Estimate: 17 pounds/wk per individual. Estimate of 1 individual per efficiency unit, 2 individuals per 1-bedroom unit, and 3 individuals per 2-bedroom unit. From Table 14-1 of the CEQR Technical Manual from January 2014 Edition; Source: New York City Department of Sanitation.

Number of individuals: 81

Solid Waste: Approximately 1,377 pounds/week

13 FIRE SAFETY

13.1 OVERVIEW

The applicant and project team will provide the Portland Fire Department with the information required in the PFD Site Review Checklist, as well as a basic review of NFPA 1 and City of Portland Technical Standards related to public safety.

The building will be accessible to fire apparatus from Franklin, Middle and Newbury Streets. Public water infrastructure by the Portland Water District currently exists in Middle and Newbury Streets. The closest fire hydrants are located on the southern side of Middle Street, directly across from the site, and at the corner of Newbury and Hampshire Streets.

The commercial unit entrance is located on Middle Street, and the primary residential entrance is on Franklin Street. The proposed building will be fully sprinkled in compliance with all applicable codes.

7 CONSTRUCTION MANAGEMENT PLAN

The following information is provided in accordance with the City of Portland Code of Ordinances Chapter 14 Land Use, Section 14-527(g)(1).

7.1 CONSTRUCTION MANAGEMENT PLAN

The applicant anticipates starting construction of the project in May of 2021 and completing construction by July of 2022. The construction will involve site work and new building construction. The attached construction plan outlines the anticipated timeline and sequence of activities.

7.2 ATTACHMENTS

Attachment 7-A – Construction Management Plan

ATTACHMENT 7-A

Construction Management Plan

TERRADYN CONSULTANTS, LLC

Pineland
Cumberland Hall
41 Campus Drive, Suite 101
New Gloucester, ME 04260

Portland
565 Congress Street, Suite 201
Portland, ME 04101

CONSTRUCTION MANAGEMENT PLAN

Project:
Middle Street Apartments
83 Middle Street
Portland, Maine 04101

Applicant:
Community Housing of Maine
One City Center, 4th Floor
Portland, Maine 04101

Prepared By:
Terradyn Consultants, LLC
565 Congress Street, Suite 201
Portland, Maine 04101

Construction Manager:
AlliedCook Construction
P.O. Box 1396
Portland, Maine 04104

A. Construction Management Principles

The following narrative provides an overview of the construction management principles that the Applicant has identified to minimize impacts from the construction of the Middle Street Apartments, such as noise, vibrations, ground movement, truck traffic, and other construction related factors to the surrounding buildings and communities.

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

Prior to scheduling a preconstruction meeting and the issuance of any city required permits, the Applicant and Contractor 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. **Building Code:** Employ the best practices, as applicable, of Chapter 33 Safeguards During Construction, from the 2009 International Building Code.

C. Construction Administration and Communication

The Applicant and Contractor will work diligently to implement a communication strategy as outlined below. The communication strategy is intended to ensure that all construction operations are performed in accordance with all agreements, ordinances and special permits applicable to this project. The Construction Manager will work closely with adjacent abutters, businesses and all parties informed, as far in advance as possible, of scheduled work, particularly work anticipated to cause significant noise, vibrations, or dust.

Constructin Manager: AlliedCook Construction has been selected as Construction Manager for the project.

Contact Person: This person will be available 24 hours a day.

To be determined prior to start of construction.

Construction Signage shall be posted at the site with Contact Information for the Contractor. Construction site signage shall be removed at project completion.

D. Construction Schedule

1. The contractor shall submit a schedule or time line for the construction project, including any Phasing, prior to construction.
2. Hours of Construction: Construction may occur during the daytime hours as defined in Section 17-18 of the City Code (Construction Activities) and Section 25-129 of the City Code (Noise, dust and debris).
3. Extended Hours or Night Work: Pursuant to Section 17-18, this section does 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: Delivery of materials shall take place during the Hours of Construction listed above and shall be stored on the project site in the locations noted on the Construction Management Plan (Sheet C-3.1).

E. Security & Public Safety

1. The Contractor shall erect the temporary barriers and access gates shown on the Construction Management Plan (Sheet C-2.1) with the intent of separating pedestrian and vehicle circulation from the construction site.
2. The Applicant or Contractor shall purchase and install a knox padlock from the Portland Fire Department to allow access by the Portland Fire Department at the primary access gate.
3. 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.*
4. 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 from previous occupancies
    - Protection of existing structures and equipment from exposure fires resulting from construction, alteration, and demolition operations

5. Any temporary security lighting fixtures shall feature full cutoff optics to reduce light trespass onto abutting properties.

F. 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. Lane Closures: Underground electric, sewer and water system connections within Middle Street and gas service installation in Newbury Street are expected to result in temporary closure of one lane of traffic for up to four days. Curb and sidewalk installation on Franklin Street will also result in the closure of one lane of traffic. All work resulting in lane closures shall be scheduled and sequenced to minimize the duration of street occupancy.
3. Public Sidewalk Closures: The Franklin, Middle, and Newbury Street sidewalks in front of the site will be reconstructed as part of the proposed project. The Franklin Street sidewalk reconstruction will include the length of sidewalk between Middle and Newbury Street. The Middle and Newbury Street sidewalks reconstruction will include the areas in front of the site. These sections of sidewalk will be closed for the duration of the building construction, and signage will be posted as shown on the Construction Management Plan.
4. 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 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.
5. Work within City Right of Way: 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.

   Construction operations shall provide for the safe passage of the public through or along the construction work zone. On a case-by-case basis, the Contractor may be allowed to close a street and/or detour a mode of traffic when absolutely necessary for safety. The Contractor 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 extreme situations, flaggers may be required.
   - Police detail is required at lighted intersections and may be requested by the City's transportation engineer or his designee.

All existing modes of travel in work zone area shall be accommodated if impacted by the activity. The safe passage of pedestrians, bicyclists, transit providers, and motorists are of equal importance when planning out the work zone; no pre-existing travel mode may be eliminated without the express approval of the Department of Public Works.

- 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 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.

G. Site Management and Controls

The contractor shall be responsible for maintaining the site in a safe condition and including the following:

1. A solid waste dumpster shall be located on site for the disposal of trash and debris.
2. The Newbury Street right of way shall be swept regularly to control the tracking of mud onto adjacent public streets.
3. Dust controls: The construction shall comply with Portland's requirements under Section 25-129 on Noise, dust and debris.
4. Noise: The construction shall comply with Portland's requirements under Section 17-18 of the City Code and Section 25-129 on Noise, dust and debris.
5. Rodent Control will be provided, if needed, 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 site lines with the piles of snow.
    3) Clear all walks & ramps with the work zone
    4) Sand or Salt as needed
    5) Clear all basin or drainage to help snow melt
    6) This would include Monday-Friday Sat/Sunday/Holidays

H. Erosion Control and Preservation of Trees

1. The Contractor shall install all erosion and sedimentation controls as depicted on the approved erosion and sedimentation control plan prior to the pre-construction meeting for inspection by the City. The Contractor shall regularly inspect the control measures, no less than weekly and after significant storm events, and maintain any installed temporary or permanent stormwater management systems in working order. The Contractor shall document all inspection activities and corrective actions and be

prepared to provide these documents for inspection by the City, Maine Department of Environmental Protection or the U.S. Environmental Protection Agency upon request.
2. The storage of materials shall be located in the areas depicted on the Construction Management Plan (Sheet C-3.1).

I. Construction Staging and Deliveries

1. A location for material storage and lay down is shown on the Construction Management Plan (Sheet C-3.1). Additional areas may be utilized as available as long as they do not interfere with material deliveries.

J. Parking During Construction

1. Construction Parking: Construction workers shall utilize off-site parking for the duration of construction.

Att. O

CHOM
Community Housing of Maine

May, 29th 2020

Dear Neighbor,

Community Housing of Maine is pleased to invite you to a neighborhood meeting to discuss the proposed development at 83 Middle Street in Portland. The project includes the construction of a 5-story, 50-unit apartment building with a commercial storefront and covered parking garage.

Location:

Due to the Covid-19 pandemic, and in accordance with local and state requirements, **this meeting will be held remotely via Zoom**. Public viewing and participation will be available during the meeting. In order to register for the meeting please visit: https://www.chomhousing.org/middle-street You may also call the office (listed below) to obtain this information.

Meeting Date/Time:

Wednesday June 10th at 6:00 PM

The City of Portland requires that all property owners within 500 feet, abutters, and interested parties be invited to participate in a neighborhood meeting. A "sign-in" sheet will be taken virtually through the zoom platform and submitted to the City's planning office, along with minutes and any questions. The meeting will run similarly to the prior in-person meetings that we have already conducted with a brief overview, followed by questions. I look forward to speaking with you at the meeting.

Sincerely,

Brian Kilgallen
Development Officer
Community Housing of Maine

One City Center, 4th Floor · Portland, ME 04101 · phone 207.879.0347 · fax 207.879.0348
www.chomhousing.org

Neighborhood Meeting Certification

I, Brian Kilgallen, Development Officer for Community Housing of Maine hereby certify that a neighborhood meeting for Middle Street Apartments, located at 83 Middle Street, was held on 6/10/2020 at 6:00 PM via Zoom. Registration for the Zoom call was available at: https://www.chomhousing.org/middle-street, and by contacting our office by phone or email.

I also certify that on May 29th, 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 or within 1000 feet of a subdivision within an industrial zone or industrial zone change.

2. Residents on the "interested parties" list.

Signed,



Brian Kilgallen
6/11/2020

Attached to this certification are:

1. Copy of the invitation sent

2. Sign-in sheet (list of attendants included with meeting minuets)

3. Meeting minutes

Neighborhood Meeting for Middle Street Apartments

Meeting Minutes
June 10th 2020

Opening
The Neighborhood Meeting for Middle Street Apartments was called to order at 6:02 PM on June 10th 2020 via Zoom Conference Call by Brian Kilgallen.

Present
Brian Kilgallen (Host)

Cullen Ryan (Host)

Samantha Messick (Co-Host)

Derek J. Veilleux

Ellen Seidman

SC Longley

Kevin Rodel

Bethany Field

John Fischer

John Davidson

Chip Newell

Open Issues
Brian Kilgallen welcomed all the attendees and introduced the hosts of the call. Brian thanked all of the attendees for taking the time to join the call and explained how to interact through the Zoom platform. Attendees where made aware that the call was being recorded in order to produce minutes and a sign-in sheet.

Brian introduced Cullen Ryan, Executive Director of Community Housing of Maine (CHOM). Cullen spoke to the mission of CHOM, the need for more Affordable Housing, and the work that CHOM has done for the last 25 years in creating inclusive communities across the City of Portland, and the State of Maine.

Brian showed exterior images of Middle Street Apartments and discussed the progress made since the previous neighborhood meeting. Brian discussed how the building's form and design has changed due to the donation of land located at 160 Newbury Street, owned by Donald Sussman. The changes include lowering the building one floor, expanding the width of the building, and adding parking spaces. Brian showed where the entrances are to both the apartment building and the commercial space. The discussion continued to speak about changes to Franklin Arterial and how the space will be pedestrian friendly and more walkable. Brian highlighted how the building will be constructed to PassiveHouse standards.

After Brian concluded the presentation of the building, he then answered question that had been emailed to CHOM prior to the meeting. The questions came from Kevin Rodel and SC Longley.

Questions from Kevin:

What is the building elevations on Newbury Street?
Can you share a set of plans, drawings or elevations from different views?
Where will weekly delivery and trash pick-up be located?
Are there still plans for solar panels on the roof?
How many resident parking spots are planned for the new design?
What is the construction schedule?

Brian responded to each of the questions. First Brian provide the height of the building on Newbury Street, and referred Kevin to images of the building provided earlier in the presentation. Brian then showed where the interior trash room is, and how totes will be used for the disposal and recycling of the buildings waste. Brian mentioned that he would like to include solar panels on the roof of the property, but as of this time no decision has been made on whether to include or exclude them from the property. Brian mentioned there will be 12 parking spaces located in the parking garage. Brian mentioned that there has not been a formal construction schedule created yet, but that the planned construction start is for Spring 2021 and should last for 12 months.

After finishing with the questions from Kevin, Brian answered question from SC Longley that were provided via email prior to the start of the meeting. SC's first questions was about parking and what adjustments where planned as a result of the new design. Brian thanked SC and Kevin for providing the questions in advance and referenced the new parking plan for the property. Brian also referred to the parking study that CHOM commissioned from an independent third party to evaluate the parking needs of the building. The study showed that the building provides the appropriate number of parking spaces based on national averages of the populations served at the property, the location, walkability, access to public and private transportation, and the abundance of non-vehicular storage on the property.

Once Brian finished with the questions that were provided prior to the start of the meeting, he opened up the floor to the attendees. While Brian was answering the previous questions, several people had used the chat feature to ask additional questions and used the "raise hand" feature on Zoom to comment. The first question was taken through the "raise hand" feature from Derek J Veilleux who asked if there was a roof deck? Brian answered that there was not a plan for a roof deck. Brian than used the chat box and ran through each of the questions posted. A transcript of the chat box is provided below, a summary of the answers to the questions are provided below the chat box.

18:11:01 From Derek J. Veilleux : I see people on the roof. Is there a rooftop deck?
18:11:34 From Ellen Seidman : is the
18:11:52 From Ellen Seidman : how many stories is the Newbury st side?
18:12:29 From Derek J. Veilleux : Kudos to the Passive Haus standard!!!
18:12:54 From Ellen Seidman : what are they?
18:13:08 From S Longley : xou
18:13:22 From S Longley : It is solar panels on roof
18:13:38 From S Longley : They don't show the panels
18:15:05 From Derek J. Veilleux : Why is the entrance on Franklin when the address is Middle Street?
18:15:40 From S Longley : Good question, can you pull over on Franklin?
18:16:24 From Derek J. Veilleux : The franklin facade where there are the vertical elements should be a different tone or color.
18:17:49 From S Longley : Is there a view from Newbury?
18:18:18 From Derek J. Veilleux : I'm not a fan of that odd angled jut out on Middle Street. I think there can be more thoughtful ways to break up that facade.
18:18:28 From Kevin Rodel : Is there a footprint plan of the building?
18:20:02 From Derek J. Veilleux : The building has a strong presence on Franklin, but I don't feel the facade has been given much thought..
18:21:52 From Bethany Field : How many units of parking will be available? Will this project be adding a new metro stop? If so, where will that be located?
18:22:56 From John Fischer : Can you talk about how the construction financing will affect the construction phases?
18:23:17 From John Fischer : Is it a single-phase project, or will there be multiple financing milestones?
18:24:21 From Derek J. Veilleux : Will there be a car charging station on site?
18:24:55 From Kevin Rodel : If solar panels not feasible I would push for a green roof.
18:26:11 From Derek J. Veilleux : Has CHOM worked with the city of Portland about reconnecting Newbury through Franklin?

18:27:15 From Ellen Seidman : did you get your LIHTC allocation?
18:27:42 From Bethany Field : Aside from the corner of middle/franklin, will there any additional green space?
18:28:16 From Derek J. Veilleux : Are you saying there will be a generator on the roof? Those can be noisy when exercised monthly
18:28:32 From Ellen Seidman : my question is what are the standards that people were applauding
18:28:41 From John Davidson : who qualifies as for affordable housing?
18:29:10 From Bethany Field : during construction, what's the proposed traffic pattern?
18:30:05 From John Fischer : Second that question about traffic patterns — would love to know what the overall mitigation plan looks like for noise, construction vehicle parking, etc
18:30:06 From Derek J. Veilleux : I worry about safety of people dropping off at that entrance when Franklin traffic whizzes by
18:30:42 From Ellen Seidman : I think the idea is that the residents could be dropped off on Franklin near the entrance
18:31:15 From S Longley : Could you provide elevations?
18:31:46 From John Fischer : Also: has an environmental impact statement been commissioned?
18:33:03 From Ellen Seidman : the timing of trash pickup needs to be picked up with Luminato
18:36:22 From Ellen Seidman : that's "coordinated with" Luminato
18:37:16 From Derek J. Veilleux : What exactly will be on the roof for equipment?
18:39:42 From Cullen Ryan : brian@chomhousing.org
18:40:01 From Cullen Ryan : cullen@chomhousing.org
18:43:38 From Derek J. Veilleux : Will the roof be a black or white roof?
18:48:02 From John Fischer : Follow-up question on the Environmental statement: will the results of your phase 1 study be available to the public?
18:55:41 From Ellen Seidman : thanks very much
18:55:51 From Bethany Field : thank you!
18:56:18 From Brian Kilgallen : Thank You!
18:56:24 From Bethany Field : my question is about the special need part of the housing and the elections process for those units?
18:56:33 From Brian Kilgallen : brian@chomhousing.org
18:56:49 From Bethany Field : *selection
18:56:55 From Bethany Field : sorry!
19:01:22 From John Fischer : Thank you!

Brian went through each question, thanking each attendant for their opinions, participation and suggestions. A summary of Brian's responses is below:

There is no plan to have a roof deck.

Middle Street Apartments will be 5 stories high on Newbury Street

Solar Panels are not shown on the design, because the project has not committed to adding solar panels at this time. However solar panels are being actively researched and pursued by the developer.

Cars will not be able to pullover to drop people off on Franklin Street. The changes to the road will reduce the shoulder and make it near impossible for cars to stop there. Brian mentioned that the development team has suggested a loading/unloading space on Middle Street so that residents of the building can be safely dropped off and picked up while not endangering their safety or impeding traffic.

There are floorplans available and can be provided after the meeting. The floorplans are subject to change.

Parking has been addressed in several areas of the meeting; Brian reiterated the amount of parking is on par with the needs of the residents of the property based on the independent parking study, CHOM experience in Portland, and national averages. A new Metro stop is not needed as there is currently a metro stop across the street.

The construction of the building will be completed in a single phase, while the street work will be conducted separately prior to construction. The project is predominantly funded through the use of Low-Income Housing Tax Credits (LHITC).

The current plan does not call for a car charging station, but the Brian is looking into how this can be possible.

Solar Panels and green roofs are not currently in the plan but are welcome ideas.

CHOM has not worked with the City of Portland in the design of or any future plans for the expansion of Newbury Street. CHOM has considered the proposed changes to Franklin Street in the design of the building.

Brian spoke to the competitive competition for LIHTC, and how the property was not funded with a 2020 allocation. CHOM will be applying again this year to achieve a 2021 allocation.

There will be an additional green space along the Newbury Street side of the building. A garden is planned to make use of the additional land that was donated to the property.

There will be a generator located on the roof of the building. The generator will be exercised as recommended from the manufacturer, but the scheduled time will be appropriate to the neighborhood.

Qualifications for affordable housing are based on the Area Medium Income (AMI). Each year the IRS calculates what the AMI for each county and metropolitan area. As a rule of the LIHTC program people who make 60% or less of AMI are qualified to live in a LIHTC property.

There will be changes to the road as part of the development, but there are no proposed changes to the overall traffic pattern in the neighborhood. Construction will work to minimize the amount of disruption on the neighborhood, and traffic.

Elevations for the height of the building conforms to the code requirements of the district and were provided to all in attendance.

As part of its due diligence CHOM commissioned a Phase 1 environmental report for both the Middle Street parking lot and the donated portion of land at 160 Newbury Street. The Phase 1 report can be shared with anyone who would like to see it. There are no serious environmental issues with the site.

The Management company will work with the condo association of the Luminato building to coordinate the trash pick-up.

The roof will have HVAC equipment, a generator, and possibly solar panels.

The color of the roof has not been decided.

There will be units set aside for people referred to the property from the City's Department of Health and Human Services division. These individuals will still have to meet the guidelines of the property and the LIHTC program. Once these individuals enter the property they will be provided with services from the City of Portland.

Samanatha Messick, a representative from Preservation Management INC and the Regional Manager that will be responsible for the operations of the property, spoke to the demand for Affordable Housing in Portland. She additionally detailed how people can apply for the property once the building is ready for occupancy, and how they will start qualifying applicants as the building gets closer to completion.

After all of the questions were answered, Brian and Cullen closed the meeting and thanked everyone for being part of the discussion and providing great feedback. Brian and Cullen provided their contact information for anyone who had additional questions or comments

Follow up actions

John Fisher asked that Brian Kilgallen share the environmental phase 1 report. It was agreed that the report would be shared. After the meeting Brian uploaded the report via dropbox to John.

Kevin Rodel asked to be provided with exterior elevations, a ground floor plan and an image of the building looking from Newbury street. After the meeting Brian emailed the information to Kevin.

Adjournment

Meeting was adjourned at 7:20 by Brian Kilgallen.

Minutes submitted by: Brian Kilgallen

TERRADYN CONSULTANTS, LLC

Pineland
Cumberland Hall
41 Campus Drive, Suite 101
New Gloucester, ME 04260

Portland
565 Congress Street, Suite 201
Portland, ME 04101

May 29, 2020 Project #1926

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

SUBJECT: Middle Street Apartments
83 Middle Street, Portland
Wastewater Capacity Application

Dear Brad:

Terradyn Consultants LLC has been retained by Community Housing of Maine to assist with site design and permitting for a proposed 50-unit residential development project located at 83 Middle Street in Portland. We are writing to request confirmation that the City of Portland has the ability to provide sanitary sewer service for the proposed development.

The 13,842 square foot parcel is identified as Block O, Lots 3 and 17 on the City of Portland Tax Map 28. The site is located between Franklin, Middle, and Newbury Streets. The site is currently used as a surface parking lot.

The proposed project includes the construction of a 9,692 square foot, 5-story building, including 50 residential apartments units and first floor retail space. Covered parking will also be provided on the ground level. It is expected that the first floor retail space will be occupied by a coffee shop or similar use with no on-site food preparation.

Public water and sewer utilities will be installed to serve the project. A new 6” sewer service from the existing combined sewer in Middle Street is planned to serve the new building. Additionally, floor drains inside the covered parking garage will flow to an oil-water separator before discharging into the sewer in Newbury Street, as shown on the plans.

Stormwater runoff from the building roof will be collected in roof drains, and a separate stormwater connection to the Middle Street combined sewer is proposed.

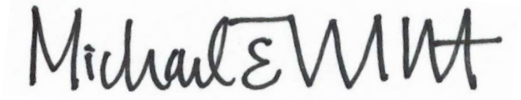
The project is expected to generate approximately 6,288 gallons of wastewater per day based on the Maine Subsurface Wastewater Disposal Rules. Wastewater generation calculations can be found on the attached application form.

Attached are a site location figure showing the property delineated on the city tax map, preliminary site, grading and utility plans for the project showing how the development may be served with sewer service, and a City of Portland Wastewater Capacity Application form.

Please provide our office with confirmation that the City of Portland has the ability to provide sanitary sewer service to the proposed development and any comments you may have on the attached drawings.

Please contact me at (207) 632-9010 or mtw@terradynconsultants.com if you have any questions or require additional information.

Sincerely,
TERRADYN CONSULTANTS, LLC



Michael Tadema-Wielandt, P.E.
Vice President

Enc.

CITY OF PORTLAND WASTEWATER CAPACITY APPLICATION

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

Bradley Roland, P.E.
Water Resources Division

Date: 5/29/2020

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

Site Address: 83 Middle Street, Portland

Chart Block Lot Number: 54/G/1, 2 & 3

Proposed Use: 50-units residential& 1st floor commercial

Previous Use: Surface Parking Lot

Existing Sanitary Flows: 0 GPD

Existing Process Flows: 0 GPD

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

Existing combined sewer in Middle Street. Believed to be 18" or 24" diameter brick

Site Category

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

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

2. Please, Submit Contact Information.

City Planner's Name: Caitlin Cameron Phone: _____

Owner/Developer Name: Middle Street Housing Partners, LP

Owner/Developer Address: One City Center, 4th Floor, Portland, ME 04101

Phone: 207-879-0347 Fax: 207-879-0348 E-mail: brian@chomhousing.org

Engineering Consultant Name: Terradyn Consultants, LLC, Michael Tadema-Wielandt, P.E.

Engineering Consultant Address: 565 Congress Street, Suite 201, Portland, ME 04101

Phone: 207-632-9010 Fax: _____ E-mail: mtw@terradynconsultants.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: 6,288 GPD

Peaking Factor/ Peak Times: x6

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)* State of Maine Subsurface Wastewater Disposal Rules

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

23 x 0 Bedroom Residential Units at 120 gpd/unit	=	2,760 gpd
23 x 1 Bedroom Residential Units at 120 gpd/unit	=	2,760 gpd
4 x 2 Bedroom Residential Units at 180 gpd/unit	=	720 gpd
1 x Retail Unit with 4 Employees at 12 gpd/employee	=	48 gpd
Total	=	6,288 gpd

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.



LOCATION MAP

PROJECT:
MIDDLE STREET APARTMENTS
83 MIDDLE STREET, PORTLAND, MAINE

PREPARED FOR:
COMMUNITY HOUSING OF MAINE
ONE CITY CENTER, 4TH FLOOR
PORTLAND, MAINE 04101

TERRADYN CONSULTANTS, LLC

PINELAND
41 CAMPUS DRIVE, SUITE 101
NEW GLOUCESTER, ME 04260

PORTLAND
565 CONGRESS STREET, SUITE 201
PORTLAND, ME 04101

207.926.5111 • info@terradynconsultants.com • www.terradynconsultants.com

PROJECT NO.	SHEET
1926	1
DATE	OF
4/2/2020	1
SCALE	
1"=250'	

GENERAL NOTES

1. OWNERS OF RECORD:
   CITY OF PORTLAND
   TAX MAP 28 BLOCK O LOT 17
   C.C.R.D. BOOK 3029 PAGE 547
   C.C.R.D. BOOK 10985 PAGE 260

   160 NEWBURY STREET LLC
   TAX MAP 28 BLOCK O LOT 3
   C.C.R.D. BOOK 29426 PAGE 8
2. EXISTING CONDITIONS, INCLUDING THE BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED UPON PLAN REFERENCE #3.
3. BEARINGS AND COORDINATES ARE BASED ON MAINE STATE PLANE COORDINATE SYSTEM WEST ZONE NAD 83. ELEVATIONS ARE BASED ON CITY DATUM, NGVD 29. HORIZONTAL AND VERTICAL CONTROL DATA PROVIDED BY THE CITY OF PORTLAND AND TAKEN FROM PLAN REFERENCE 2.
4. UTILITIES SHOWN ARE TAKEN FROM PLAN REFERENCE #2.
5. THE RIGHT OF WAY LINE SHOWN ALONG FRANKLIN STREET IS A PROPOSED LOCATION. THE EXISTING RIGHT OF WAY LINE IS THE SOUTHWESTERLY PROPERTY LINES ALONG LOTS 28-O-3, 28-O-8, 28-O-15 & 28-O-11.

PLAN REFERENCES

1. STANDARD BOUNDARY SURVEY PLAN OF PROPERTY AT 77 MIDDLE STREET PORTLAND MAINE FOR GEORGE W. BEALS DATED NOVEMBER 23, 1992 BY LEROY A. WITHAM LOCATED IN THE CITY OF PORTLAND'S ENGINEERING ARCHIVES AS PLAN 866/1.
2. CITY OF PORTLAND PUBLIC WORKS DEPARTMENT CONTRACT DRAWINGS HAMPSHIRE STREET RECONSTRUCTION BRATTLE STREET RECONSTRUCTION PROJECT NO. 210-3100-430 DATED 11/16/01. ON FILE AT THE CITY OF PORTLAND.
3. BOUNDARY & TOPOGRAPHIC SURVEY AT #83 MIDDLE STREET, PORTLAND, MAINE MADE FOR COMMUNITY HOUSING OF MAINE ONE CITY CENTER, 4TH FLOOR PORTLAND, ME 04101, PREPARED BY OWEN HASKELL, INC. AND DATED MARCH 9, 2020.

GRID NORTH



STATE OF MAINE
MICHAEL E. TADEMA-WIELANDT
LICENSED PROFESSIONAL ENGINEER

DATE: 4/16/2020
P.E.: MICHAEL E. TADEMA-WIELANDT

NO.	DATE	REVISIONS	APP'D BY

TERRADYN CONSULTANTS, LLC
Civil Engineering | Land Planning | Stormwater Design | Environmental Permitting
41 CAMPUS DRIVE, SUITE 101, NEW GLOUCESTER, ME 04260
565 CONGRESS STREET, SUITE 201, PORTLAND, ME 04102
OFFICE: (207) 926-5111 FAX: (207) 221-1317
www.terradynconsultants.com

PERMIT DRAWING
NOT FOR CONSTRUCTION

PROJECT: MIDDLE STREET APARTMENTS
83 MIDDLE STREET, PORTLAND, MAINE 04101

SHEET TITLE: SITE LAYOUT PLAN

CLIENT: MIDDLE STREET HOUSING PARTNERS, LP
ONE CITY CENTER, 4TH FLOOR
PORTLAND, MAINE 04101

DATE:	4/16/2020
SCALE:	1" = 10'
DESIGNED:	MTW
JOB NO:	1926
FILE: 1926-BASE.DWG	

SHEET C-4.0

EROSION & SEDIMENT CONTROL NOTES:

1. INSTALL STABILIZED CONSTRUCTION ENTRANCE IN LOCATION SHOWN ON PLAN. MAINTAIN UNTIL VEHICLES WILL NO LONGER ENTER THE SITE.
2. INSTALL & MAINTAIN SEDIMENT BARRIER AROUND THE PERIMETER OF THE SITE WHILE AREAS REMAIN UNSTABILIZED.
3. INSTALL & MAINTAIN SEDIMENT PROTECTION AT ALL NEW AND EXISTING CATCH BASIN RECEIVING RUNOFF FROM THE SITE DURING CONSTRUCTION.
4. SEE SHEET C-5.1 FOR THE FULL EROSION & SEDIMENTATION CONTROL NARRATIVE AND DETAILS.

GRID NORTH

TM 28-0-4
N/F
CHRISTOPHER G. KORZEN &
BETHANY L. FIELD
33779/73

TM 28-0-5
N/F
BETHANY L. FIELD
27299/19

TM 28-0-8
N/F
REBECO, LLC
26365/254

TM 28-0-15
N/F
JAMES J. SOLEY
15536/265

TM 28-0-16
N/F
NICOLINO CICCOMANCINI
3153/23

TM 28-0-11
N/F
77 MIDDLE STREET ASSOCIATES LLC
16366/27

TM 28-0-3
N/F
160 NEWBURY STREET, LLC
29426/8

SITE BOUNDARY
13,842 S.F.

NEWBURY STREET

MIDDLE STREET

FRANKLIN STREET
PAVED – PUBLIC – VARIABLE WIDTH

APPROXIMATE LOCATION OF
FRANKLIN STREET PRIOR TO WIDENING

APPROXIMATE LOCATION

CONNECT TO
COMBINED SEWER
WITH WYE
CONNECTION
APPROX. INV.=28.92

RIM: 38.735
INV. OUT: 28.935

AIR
RELEASE

INSTALL & MAINTAIN STABILIZED
CONSTRUCTION ENTRANCE

4' DIA.OIL / WATER SEPARATOR
RIM=37.15
INV. IN=29.26
INV. OUT=29.16

24" DRAIN BASIN
RIM=32.75
INV. OUT=29.63

2% MAXIMUM SLOPE
IN ANY DIRECTION
WITHIN THIS AREA

6"SAN

STAIR
TRASH/STORAGE
MECH. ROOM
MULTI-PURPOSE ROOM
ELEV.
STAIR
TOILET
COMMUNITY ROOM
KITCHENETTE
LEASING OFFICE
RESIDENTIAL ENTRY
VAULT
COMMERCIAL RENTAL SPACE
1,480 S.F.
FFE=28.87

FFE=32.90
FFE=30.70
FFE=32.90

STOCKADE FENCE
DUMPSTER AREA
10985/243
DECK
CIRF #900
0.50'
0.72'
1"IPF

RIM: 28.69
INV. OUT: 25.49
SUMP: 22.84

RIM=28.61
INV. OUT=24.31

6" ROOF DRAIN
INV.=23.00

RIM=28.06
INV. IN(A)=23.26
INV. IN(B)=23.46
INV. OUT=21.56

RIM=28.32
INV. IN=19.32
INV. OUT=19.22

NEW STORM
SEWER SERVICE
APPROX. INV=17.46

6"SD
12"SD
8"W
8"G
UGT
UGE
OHE&T
UP#10

BM: 'X' ON BONNET
BOLT HYDRANT
EL.=29.76

37.70 B.C.
38.09 T.C.
35.70 B.C.
35.80 T.C.
30.35 B.C.
30.85 T.C.
30.00 B.C.
30.50 T.C.
28.97 B.C.
29.47 T.C.
28.84 B.C.
29.03 T.C.
28.76
28.66
28.05
28.58
28.48
27.87
30.40
30.70
28.87
28.66
33.06
32.90
35.44
37.67
38.21
38.39
38.75
37.43
33.50
33.17
32.90
38.46
38.59 B.C.
38.81 T.C.
38.15
38.30
37.71
33.67
33.55
37.89
37.73 B.C.
38.15 T.C.
34.92 B.C.
35.37 T.C.
32.13 B.C.
32.72 T.C.
30.91 B.C.
31.49 T.C.
30.90
31.63
29.30
37.96
38.59
38.35
38.24
38.46
37.97 B.C.
28.55 T.C.
28.35 B.C.
28.93 T.C.
30.28
30.83
29.74
29.17
29.20
31.70
31.37
32.00
28.70

SIGNAL POLE

GRAPHIC SCALE
10 0 5 10 20 40
(IN FEET)
1 inch = 10 ft.

STATE OF MAINE
MICHAEL E. TADEMA-WIELANDT
REGISTERED PROFESSIONAL ENGINEER

DATE: 4/16/2020
P.E.: MICHAEL E. TADEMA-WIELANDT

NO.	DATE	REVISIONS	APP'D BY
1	4/16/2020	Permitting	
2			

565 CONGRESS STREET
SUITE 201
PORTLAND, ME 04102

41 CAMPUS DRIVE
SUITE 101
NEW GLOUCESTER, ME 04260

OFFICE: (207) 926-5111 FAX: (207) 221-1317
www.terradynconsultants.com

TERRADYN CONSULTANTS, LLC
Civil Engineering | Land Planning | Stormwater Design | Environmental Permitting

PERMIT DRAWING
NOT FOR CONSTRUCTION

PROJECT:
MIDDLE STREET APARTMENTS
83 MIDDLE STREET, PORTLAND, MAINE 04101

SHEET TITLE:
GRADING & DRAINAGE PLAN

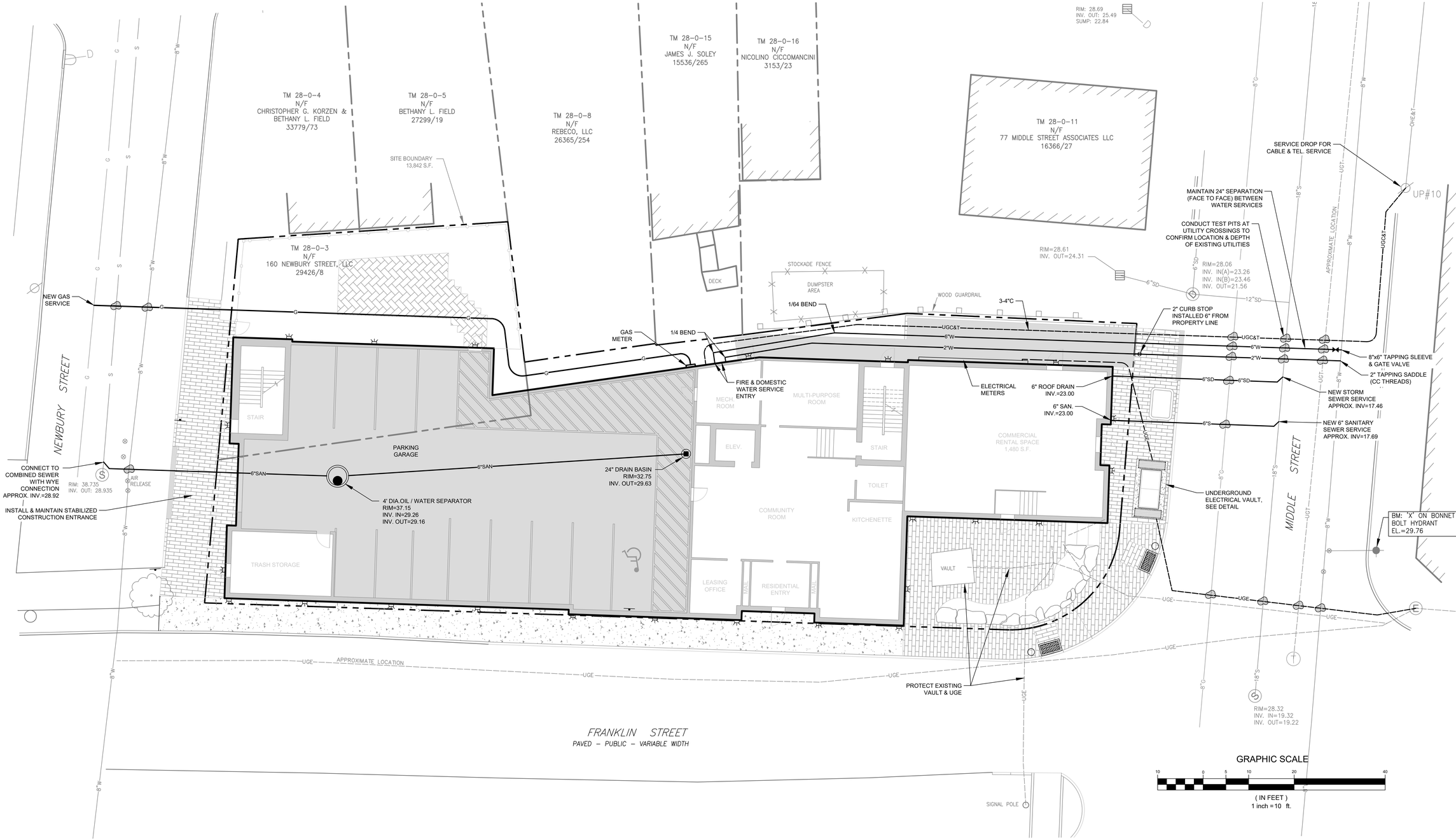
CLIENT:
MIDDLE STREET HOUSING PARTNERS, LP
ONE CITY CENTER, 4TH FLOOR
PORTLAND, MAINE 04101

DATE:	4/16/2020
SCALE:	1" = 10'
DESIGNED:	MTW
JOB NO:	1926
FILE:	1926-BASE.DWG

SHEET C-5.0

UTILITY NOTES

1. THE PORTION OF THE 6" WATER SERVICE WITHIN THE RIGHT OF WAY SHALL BE DUCTILE IRON WITH RESTRAINED JOINTS IN ACCORDANCE WITH PORTLAND WATER DISTRICT STANDARDS.
2. THE 2" WATER SERVICE SHALL BE TYPE K COPPER TUBING



STATE OF MAINE
MICHAEL E. TADEMA-WIELANDT
REGISTERED PROFESSIONAL ENGINEER

DATE: 4/16/2020
P.E.: MICHAEL E. TADEMA-WIELANDT

NO.	DATE	REVISIONS	APP'D BY
1	4/16/2020	PERMITTING	
2	5/20/2020	PERMITTING	

565 CONGRESS STREET
SUITE 201
PORTLAND, ME 04102

41 CAMPUS DRIVE
SUITE 101
NEW GLOUCESTER, ME 04260

OFFICE: (207) 926-5111 FAX: (207) 221-1317
www.terradynconsultants.com

TERRADYN CONSULTANTS, LLC
Civil Engineering | Land Planning | Stormwater Design | Environmental Permitting

PERMIT DRAWING
NOT FOR CONSTRUCTION

PROJECT:
MIDDLE STREET APARTMENTS
83 MIDDLE STREET, PORTLAND, MAINE 04101

SHEET TITLE:
SITE UTILITY PLAN

CLIENT:
MIDDLE STREET HOUSING PARTNERS, LP
ONE CITY CENTER, 4TH FLOOR
PORTLAND, MAINE 04101

DATE:	4/16/2020
SCALE:	1" = 10'
DESIGNED:	MTW
JOB NO:	1926
FILE:	1926-BASE.DWG

SHEET C-6.0

Traffic Solutions
William J. Bray, P.E.
17 Mountview Drive
Gorham, ME 04038
(207) 400-6890
trafficsolutions@maine.rr.com

April 21, 2020

Parking Assessment

Proposed

Middle Street Apartments

INTRODUCTION

Community Housing of Maine is proposing construction of a five-story apartment building on a parcel of land located at 83 Middle Street in the City of Portland, Maine. The proposed apartment building will include 50-units of low-income housing for senior residents, 62 years of age and older with disabilities. Forty-seven (47) of the 50 apartment units are single-bedroom and three are two-bedroom units.

The City's Zoning Ordinance presently requires one parking space for each proposed residential unit on the peninsular (Sec. 14-332.1 (k) except;

> *"The required parking for multi-unit residential buildings may be partially met through provisions of shared use vehicles…One shared use vehicle shall be deemed to satisfy eight (8) required car spaces…"*
>
> *"No parking shall be required for the first three units in the R-6 Residential Zone…"*
>
> *"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, availability of transit… etc."*

The proposed site design provides a total of 12 on-site parking spaces, including one "car-share" space, which are located under the proposed building and are directly accessed through an overhead garage door located along the Newbury Street frontage of the site. The Applicant will secure a private vendor to provide "*car share*" services to the site and/or will operate an acceptable service through their property management company.

This parking study provides an analytical process that clearly demonstrates the "*average*" peak parking demand requirement of the proposed 83 Middle Street low income senior-adult housing project is considerably less than the city's zoning requirement.

National parking rates published by the Institute of Transportation Engineers were averaged with local parking data collected at two similar residential properties located on the Portland Peninsular to develop a more site-specific parking demand requirement for the proposed 83 Middle Street site.

PARKING DEMAND

National parking demand data presented in the Institute of Transportation Engineers (ITE) **"PARKING GENERATION"** publication is typically the instrument used in estimating the actual average peak parking demand of a development site. The 5th edition, which was published in January 2019, represents the most current copy of the noted ITE document. The ITE manual provides "*average*" peak parking demand rates for more than 100 land-use categories including: residential, lodging, recreational, institutional, medical, retail, office, services, etc.

Land-use #223 Affordable Housing - Seniors A subset of the Affordable Housing land-use category was selected in estimating the average peak parking demand of the proposed project. An average peak parking demand rate of 0.42 spaces per unit is provided under this land-use category. The projected parking rate is based upon a total of three study sites with a combined number of 97 apartment units. Both study metrics are less than what is typically desirable in projecting, with a high level of confidence, the average peak parking demand rate for a specific development site. Based upon the national parking data the proposed 50-unit residential apartment project is expected to generate an average peak parking demand of 21 parking spaces.

Local parking data previously collected at two senior low-income housing sites located on the Portland Peninsular suggests the national parking rate likely over states the actual peak parking demand requirements of a low-income senior housing project. Parking utilization surveys were conducted at two existing senior-adult low-income housing facilities on the Portland Peninsular to augment the national parking demand data. The existing sites included: 1) 47 Smith Street a 20-unit site and 2) Danforth on High, a 30-unit site. A total of 20 spaces are provided at the 47 Smith Street site and 13 parking spaces are located at the Danforth on High apartment site. Parking utilization data was gathered at both sites in the early morning (prior to 6:00 a.m.) on two separate days. Table 1, as follows, presents the results of the parking surveys:

Table 1
Parking Utilization Data
Existing Portland Peninsular Senior Housing Facilities

Facility Location	Number of Apartment Units	Number of Parking Spaces	Occupied Spaces – Day 1	Occupied Spaces – Day 2
47 Smith Street	20	20	5 spaces	6 spaces
Danforth on High	30	13	4 spaces	4 spaces
TOTAL	**50**	**33**	**9 spaces**	**10 spaces**

The results of the local Portland based parking survey shows a combined average peak parking demand of **9.5** parking spaces for the two senior adult apartment sites or an average peak parking demand of 0.19 spaces per apartment unit (9.5 ÷ 50 = 0.19 spaces per apartment unit). The local parking data would suggest a total of ten spaces is adequate to meet the parking demand requirements of the proposed 83 Middle Street low-income senior apartment project.

Traffic Solutions, to conservatively project the average peak parking demand requirements of the proposed affordable senior-adult project, averages the peak parking demand requirements derived from both the national and local parking data, which provides an estimated parking demand requirement of 16 parking spaces (21 + 10 = 31 ÷ 2 = 15.5 or 16 spaces).

SUMMARY

- National parking demand rates presented in the most current publication of the Institute of Transportation Engineers "**PARKING GENERATION**" publication for an affordable housing project for seniors provides an estimated average peak parking demand rate of 0.42 spaces per unit. Local parking data gathered at two senior housing project sites located on the Portland Peninsular suggests a much lower parking demand rate of 0.19 spaces per unit is applicable for an affordable housing project for senior residents. Averaging both data points yields an average peak parking demand of 0.31 spaces per unit or a total of 16 parking spaces.

- The City's Zoning Ordinance in Chapter 14.332.1 (k) requires residential development on the peninsular to provide one parking space per apartment unit or specific to the proposed 83 Middle Street project a total of 50 parking spaces. National parking data and local parking studies performed at similar residential housing sites on the Portland Peninsular, as documented in the preceding text, would suggest the zoning requirement of one space per residential units overstates the actual parking requirements of the proposed site. City Staff, in a January 2015 report to the Planning Board, indicated their concurrence that a reduced parking demand rate for peninsular apartment projects was appropriate.

- The City Code provides two parking space reductions; 1) an 8-space parking reduction if a "*shared-use vehicle*" is located on-site and 2) no parking is required for the first three units in the R-6 zone. The site design provides an on-site space for the "*shared-use vehicle*". These two exceptions reduce the parking demand requirements of the proposed site based upon the City Code to a total of 39 parking spaces.

- The City Ordinance also allows the Planning Board, "*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, availability of transit... etc.*"

- The Applicant respectfully requests the Planning Board in their deliberations consider the following added information in determining the parking demand requirement for the proposed site:
    1. The body of the Parking Assessment report, as summarized above, conclusively demonstrates the appropriateness of a much lower parking space requirement for the proposed apartment project. The parking study suggests a peak parking demand value of 16 spaces is appropriate for the proposed 83 Middle Street project.
    2. The location of the proposed 83 Middle Street site provides easy, direct, and convenient access to reliable and continually operating public transportation. There are several bus stops located within walking distance of the property, including one located 135-feet from the main entrance of the proposed building.
    3. Provisions for a shared car service is proposed for the project with one of the 12 parking spaces dedicated for the car shared vehicle.
    4. The proposed project provides ample, secure, and covered bicycle storage on the property exclusively for resident use.



Fwd: 83 Middle Street - Parking Analysis

Tom Errico <thomas.errico@tylin.com> Sat, Jul 11, 2020 at 8:09 AM
To: "ccameron@portlandmaine.gov" <ccameron@portlandmaine.gov>, "mtremblay@portlandmaine.gov" <mtremblay@portlandmaine.gov>
Cc: "jrather@portlandmaine.gov" <jrather@portlandmaine.gov>

Sent from my iPad

Begin forwarded message:

From: trafficsolutions@maine.rr.com
Date: July 10, 2020 at 4:46:31 AM EDT
To: "Tom Errico" <thomas.errico@tylin.com>
Cc: "Brian Kilgallen" <brian@chomhousing.org>, "Michael Tadema-Wielandt" <mtw@terradynconsultants.com>
Subject: Re: 83 Middle Street - Parking Analysis
Reply-To: trafficsolutions@maine.rr.com

Tom, it was more of a task than what I envisioned to provide you with the information you requested. Hopefully, the following responses provide you with the answers you were looking for:

Data collection information dates and time of surveys:

The data presented for the 47 Smith Street site was collected during the week of July 2, 2018 and later used in a Parking Study completed by my office for a development project located at 178 Kennebec Street. I am attaching a copy of the noted report for your records. If you refer to page 2 of the report, table 1 should provide you with the requested study dates and times of when the data was collected. Parking data collected at the Danforth on High apartment site was collected on April 9 &10 of this year. The April 9 parking count was collected at 5:00 a.m. and the April 10 data was collected at 5:15 a.m.

Information on occupancy of the sites? According to my investigation 47 Smith Street has vacancy and I want to know if there were any vacancies during your survey.

Tom, again please refer to Table 1 on page 2 of the 178 Kennebec Street Parking Study, where a foot note states "*Avesta Housing provided information that all units at both identified senior housing facilities are currently occupied.*" Brian Kilgallen, with Community Housing of Maine (CHOM), advised that two of the units at Danforth on High were vacant at the time of the survey; however, tenants in those same units today do not have cars. Therefore, there should not be any actual measured difference in the number of recorded parked vehicles.

Do the sites sampled have any support services (as compared to the proposed project)? And tenant criteria. I just want to be sure the sites sampled are similar, in terms of operations, to the proposed project.

Brian Kilgallen, with CHOM, provided a summary letter to my office detailing the mirror similarities between the existing Danforth on High site and the proposed 83 Middle Street project. Mr. Kilgallen also provided information regarding the 47 Smith Street site stating that the location is not directly the same as the proposed 83 Middle Street project. We included the parking data from this site in our analysis because it represents parking trends of other low-income senior housing units on the Portland Peninsula.

Please contact me with any further information you may need.

------ Original Message ------
From: "Tom Errico" <thomas.errico@tylin.com>
To: "Bill Bray (trafficsolutions@maine.rr.com)" <trafficsolutions@maine.rr.com>
Sent: 7/1/2020 10:42:53 AM
Subject: 83 Middle Street - Parking Analysis

Hi Bill – can you provide the following information in support of the parking demand analysis.

- Data collection information included dates and time of surveys.
- Information on occupancy of the sites? According to my investigation 47 Smith has vacancy and I want to know if there were any vacancies during your surveys.
- Do the sites sampled have any support services (as compared to the proposed project)? And tenant criteria. I just want to be sure the sites sampled are similar, in terms of operations, to the proposed project.

Let me know if you have any questions.

Thanks

Thomas A. Errico, PE
Senior Associate
Traffic Engineering Director

---

6 attachments

image001.gif
2K

ATT00001.htm
4K

Parking Assessment - final 7-06-2018.doc
100K

ATT00002.htm
1K

Traffic letter.pdf
36K

ATT00003.htm
1K

Traffic Solutions
William J. Bray, P.E.
235 Bancroft Street
Portland, ME 04102
(207) 774-3603
(207) 400-6890 mobile
trafficsolutions@maine.rr.com

July 6, 2018

Parking Assessment
Proposed
178 Kennebec Street
Portland, Maine

INTRODUCTION
Maine Workforce Housing, LLC is proposing to construct a seven-story mixed-use building on a parcel of land located in the Bayside Neighborhood at 178 Kennebec Street. The proposed site will include 51-units of housing for senior residents (55 years or older) and 5,429 square feet of artist/retail space located on the first floor of the 46,669-square foot structure. The residential units include a mix of both low income (39 units) and market rate units (12 units). The first-floor artist/retail space will likely include a mix of both retail and artist studio uses. The current site plan proposes to construct a total of 19 on-site parking spaces, with six (6) of the spaces dedicated exclusively for tenants of the artist/retail spaces. The Applicant will secure a private vendor to provide "*car share*" services to the site and/or will operate an acceptable service through their property management company. The remaining parking spaces will be available to residential tenants of the building.

Parking demand requirements of the proposed 178 Kennebec Street mixed-use project site are estimated based upon local parking demand data and anecdotal information obtained for existing nearby artist studios.

PARKING DEMAND
Residential Units (51 Senior Housing Units): Parking utilization surveys conducted at two existing Avesta Housing senior-adult facilities in the Greater Portland Area were the basis for projecting the parking demand requirements of the proposed 51 senior housing units. The survey sites included the 35-unit Five Graham Street facility located in the City of Biddeford and the 20-unit senior housing site located at 47 Smith Street in Portland. A total of 26 parking spaces are provided at the Biddeford site and 20 parking spaces exist at the Portland site. Parking utilization data was gathered at both locations in early morning (prior to 5:00 AM) and evening hours (after 8:00 PM) on three separate days during the week of July 2. Table 1, as follows, presents the results of the parking surveys:

Table 1

Parking Utilization Data
Existing Greater Portland Area Senior Housing Facilities

Facility Location	# of Units	# of Site Spaces	July 2 Utilization Data		July 3 Utilization Data		July 5 Utilization Data		TOTAL	AVERAGE
			AM	PM	AM	PM	AM	PM		
Biddeford 5 Graham Street	35	26	n/a	18	18	17	17	17	87 vehicles	17.4 vehicles
Portland 47 Smith Street	20	20	n/a	5	5	6	6	6	28 vehicles	5.6 vehicles
TOTAL	55	46	n/a	23	23	23	23	23	114 vehicles	22.8 vehicles

NOTES:

(1) Avesta Housing provided information that all units at both identified senior housing facilities are currently occupied.

The results of the survey show a combined average peak parking demand of **22.8** parking spaces for the two senior adult apartment sites, which include a total of 55 senior adult housing units. Accordingly, the peak parking demand of the two Avesta properties is estimated at 0.41 spaces per apartment unit (22.8 ÷ 55 = 0.41 spaces per apartment unit).

Traffic Solutions, applying the peak parking demand value of 0.41 spaces per unit, estimates the proposed 51 senior adult apartment units will require a minimum of 21 parking spaces to meet the estimated peak parking demand of the building tenants.

Artist Studio/Retail Space: The owner of the adjacent New Systems Laundry building, where rental space(s) are provided to a number of local artists, shared the following comments related to projecting both traffic and parking demand for artist work spaces, *"a recent artist tenant advised they were traveling for the summer and sent a check for three months in advance, an artist in another studio only works on the weekends, other artists work evenings only. The majority of these existing artist tenants either walk or ride bicycles to/from their home and studio"*.

The proposed site provides a total of 6 dedicated parking spaces for the proposed artist/retail space; these spaces are available 24/7 for the perspective tenants of the 5,429-square foot building area. The six dedicated or reserved parking spaces represent an average parking rate of nearly 1 space per 1,000 square feet of building area, which frankly, should meet and/or exceed the maximum parking demand of the first-floor building artist/retail space tenants.

SUMMARY

- The proposed 178 Kennebec Street seven-story building will include a total of 51 senior adult housing units that includes 5 efficiency and 46 one-bedroom units on floors 2 through 7. A total of 5,429 square feet of artist/retail space is provided on the first floor of the proposed building. A total of 19 parking spaces are incorporated into the proposed site design, with 6 of the spaces earmarked exclusively for the proposed artist/retail space and the remaining 13 parking spaces provided for residential tenants of the building.

- A detailed parking study was conducted at two Avesta Housing apartment building sites located in the Greater Portland Area to forecast the average peak parking demand of the proposed senior adult residential

apartment units. The study sites included the Five Graham Street facility in the neighboring City of Biddeford and the 20-unit seniors only property located at 47 Smith Street in the City of Portland. The results of the survey data show an average peak parking demand of 0.41 spaces per unit is generated at the two existing seniors only apartment buildings. Traffic Solutions estimates that the proposed 51-unit seniors only housing project at 178 Kennebec Street will generate a similar parking demand of 0.41 spaces per unit equaling a total parking space requirement of **21** spaces. The proposed site design provides a total of 13 on-site parking spaces for the residential units leaving a deficit of 8 parking spaces.

- The proposed site design provides a total of six dedicated on-site parking spaces to meet the parking requirements of the proposed artist/retail space located on the first floor of the proposed building. Artists currently working from studio space located at the adjacent New Systems Laundry building are found in their studios during non-typical hours (i.e. weekends, evenings, etc.). Their modal choice of transportation, in combination with the varying work schedules, creates a great deal of difficulty in estimating peak parking demand. Traffic Solutions suggests the **6** proposed dedicated parking spaces are more than adequate to meet the demand of the first-floor artist/retail space.

- The proposed 178 Kennebec Street mixed-use project is forecast to generate a peak parking demand of 27 spaces; 6 spaces required for the artist/retail spaces and 21 spaces to meet the parking requirements of the proposed residential units. The proposed site design provides a total of 19 on-site parking spaces leaving a deficit of 8 parking spaces.

- Section 14-332.1(k) allows for the parking demand of a multi-family residential building to be partially met through the provision of a shared-use vehicle. The City code provision specifically states, "*one shared use vehicle shall be deemed to satisfy eight (8) required car spaces…*". The proposed design establishes a shared car space within the 19-lot parking lot as required by the City ordinance language. Accordingly, the remaining eight parking spaces required to meet the full parking demand of the proposed site are met with inclusion of the "*shared-car*" space. The Applicant will either contract with a private vendor for the car share services or will develop and operate the program with their property management team.

CHOM
Community Housing of Maine

Board Members
Aaron Shapiro
Retired Community Development Director
Cumberland County
Board President

Chip Newell
Principal
The NewHeight Group
Board Treasurer

Gunnar Hubbard
Principal
Thornton Tomasetti
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BCM Environmental & Land Law, PLLC

Kalie Hess, Associate Director
The Partnership for Children's Oral Health

Jan McCormick
Vice President Strategic Initiatives.
Northern New England Housing Investment Fund

Luc Nya
Mental Health Program Coordinator
OCFS/Corrections Liaison
Maine DHHS

Thomas Ptacek
Veteran's Healthcare Outreach Community Organizer
Preble Street

Jennifer Putnam
Executive Director
Waban

Jennifer Rottmann
Director of Finance and Administration
The Genesis Fund

John Ryan
President
Wright-Ryan Construction

Kimberly Twitchell
Maine Regional President
NBT Bank

Staff Contacts

Cullen Ryan
Executive Director

Kyra Walker
Chief Operating Officer

Elizabeth Baranick
Asset Manager

Sarah Gaba
Occupancy Manager

Mara O'Shea
Compliance Manager

Jim Gwilym
Chief Financial Officer

Samira Bouzrara
Operations Manager

Vickey Rand
Advocacy & Communications Manager

Erin Cooperrider
Development Strategist

Brenda Sylvester
Development Officer

Bree LaCasse
Development Officer

Brian Kilgallen
Development Officer

July 7th, 2020

Bill Bray
Owner/Consultant
Traffic Solutions
Portland ME
trafficsolutions@maine.rr.com

Brian Kilgallen
Development Officer
Community Housing of Maine
One City Center, 4th Floor
Portland, ME, 04101

Bill,

Thank you for your help in developing Middle Street Apartments in downtown Portland. In a time of unprecedented economic challenges, Affordable Housing is needed now more than ever.

Middle Street Apartments has been a partnership from concept design with the City of Portland. Community Housing of Maine (CHOM) designed the property based on another one of our properties, Danforth on High, in order to collaborate with the City of Portland to house the longest-term shelter stayers. Middle Street will have the same support services, management agent, tenant eligibility criteria, funding sources, operations team, management company and ownership.

The Danforth on High model is based on the housing first model, which provides access to housing for people who struggle the most with homelessness. As we do at Danforth on High, individuals will be provided a housing voucher to assist with rent. Once they enter the property they will be wrapped around with services from the City of Portland. The City will use individuals from it's Health and Human Services Department to coordinate with other local agencies, and non-profits to align services to each individual's need. This coordination does not take place at the property. Alongside the individuals being supported will be households that are not receiving services but match the tenant eligibility criteria. This mixture creates a milieu that supports the continued success of the property, the individuals being served, and the community.

In accordance with Maine Housing standards, each household will have TeleMed service capabilities in their unit. Each household will be able to visit with all of their medical personnel via the internet, reducing their need to travel or welcome visitors.

Thank you,



Brian Kilgallen

TERRADYN CONSULTANTS, LLC

Pineland
Cumberland Hall
41 Campus Drive, Suite 101
New Gloucester, ME 04260

Portland
565 Congress Street, Suite 201
Portland, ME 04101

July 30, 2020 Project #1926

Caitlin Cameron, AICP
Planning & Urban Development Department
389 Congress Street
Portland, ME 04101

REVISED PARKING ANALYSIS
83 MIDDLE STREET

Dear Caitlin:

Middle Street Housing Partners, LP would like to revise the previously submitted parking analysis and the proposed parking scheme for their proposed project at 83 Middle Street. The original parking analysis for the project used both the Institute of Transportation Engineers (ITE) Parking Generation data and a local study of parking demand at similar existing residential sites. The ITE data suggests a parking demand of 21 parking spaces for the 50 proposed residential units (0.42 spaces per unit), but analysis of two local senior low-income housing sites located on the Portland Peninsula result in a parking demand of just 10 spaces (0.19 spaces per unit). One of the local sites, Danforth on High, is owned and operated by the applicant, will house the same demographic as the proposed project, and is the best indicator of parking demand for 83 Middle Street. According to the study, Danforth on High had only 4 occupied parking spaces for its 30 residential units, a rate of 0.13 spaces per unit.

The proposed project will have 12 on-site parking spaces (0.24 spaces per unit), including one van-accessible ADA space, located on the ground floor of the building and accessed from Newbury Street. A previously proposed car-share has been determined to be infeasible by the applicant due to the fact that there are no longer any car-share companies operating in Portland. In place of this, the applicant has proposed a drop-off/pick-up space to be located in front of the building on Middle Street. This space may be used by residents using ride services such as RTP transportation or UBER.

The city's Land Use Ordinance requires 47 parking spaces be provided for the project, but Sec. 14-332.1.(k)3 allows the Planning Board to determine a lesser parking standard upon finding unique conditions result in a lesser parking demand, such as housing for persons who cannot drive and availability of transit. The data presented clearly demonstrates that a lesser parking demand is warranted for the proposed project. Due to the unique conditions of the proposed project, the applicant requests that the Planning Board find that the 12 proposed parking spaces will meet the parking demand for the project.

In order to verify the parking demand, the applicant is willing to conduct a Parking Demand Study once the project is fully occupied. If a parking deficit is found, the applicant will either secure off-site parking spaces or make a contribution to the city's Parking In-Lieu Fee program.

Please contact me with any questions regarding the information provided above.

Sincerely,
TERRADYN CONSULTANTS, LLC



Michael Tadema-Wielandt, P.E.
Vice President

Enc.

cc: Brian Kilgallen, CHOM
Ben Walter, CWS Architects

Portland Maine Yes. Google's good here.

Caitlin Cameron <ccameron@portlandmaine.gov>

83 Middle Street public comments

PC1

1 message

Derek J. Veilleux <dveilleux@mac.com> Fri, Jul 3, 2020 at 9:08 PM
To: ccameron@portlandmaine.gov
Cc: dveilleux@mac.com

I am writing to provide public comment pertaining to the proposed project at 83 MIddle Street. I also attended the neighborhood meeting pertaining to this project. I offer the following thoughts pertaining to the project as currently submitted.

I strongly support this project and the need it will fill in our community for affordable housing, but not as currently designed.

The project must think beyond its four walls and respond to the needs of the urban context. This project, as currently submitted, does not adequately respond to the importance of its place, its location. Years ago, Franklin Arterial tore apart the Portland fabric and created a scar. This project is located at an intersection that has the potential to restore a connection that Franklin disrupted. Currently, as designed, this project only reinforces the disconnect across Franklin.

This project is positioned to reinforce the continuity of Middle Street across Franklin, reinforce the fabric of Middle Street and act as a gateway building to the India St. Neighborhood and the East End. Right now, it is primarily a Franklin focused building. For example, the address of the building is 83 MIddle Street, but the entrance to the building is on Franklin. This building literally turns its back on Middle Street by moving the front door and further reinforces the disconnect. In addition, it is inevitable that building occupants and visitors will either be picked up or dropped off at this entrance (especially in the rain or very cold weather) creating a safety hazard on Franklin. Finally, the entrance is also a problem relative to public safety calls and those seeking to find the building. It's confusing at every level.

The design of the Franklin and Newbury Street facing facades ignore the urban context entirely. Newbury is a blank facade without any attempt to break down the volume with changes in material, color, and texture. It also ignores the pedestrian scale of the neighborhood. We need to make Franklin more pedestrian friendly, including walking along the side way to and from Congress Street. The Franklin facing facade harkens to a building better suited along a highway, not in a pedestrian friendly city. We do not need to further reinforce the speed of traffic on Franklin. There is no pedestrian scale to the building. The plainness of the facade is striking. In addition, at the Middle Street end of the building is a very peculiar angled volume that again looks toward Franklin as if to turn itself away from Middle Street. There is absolutely no recognition of Newbury Street in the design. It is as if Newbury is treated like an alleyway, like the back of the building.

The mixed use corner of the building where there is planned outdoor seating for some sort of cafe or food service business reflects the conflicted nature of the design. Instead of finding a way to thoughtfully create a corner and address the challenges of this particular site, it leaves a gaping hole at the corner. This building is not inviting to those traveling from the Old Port to the India Street neighborhood. It does not reach out.

The building occupants, the City of Portland, the neighbors and our visitors deserve a better design, one we can be proud of and that can reinforce all that we love about living, working and recreating downtown. Please work to improve the quality of design in this city. Much needed housing and quality design do not have to be mutually exclusive.

Thank you,
Derek J. Veilleux
167 Newbury St, Unit 306
Portland, ME 04101
Email: dveilleux@mac.com
Mobile: 207.878.0187

Sent from my iPad

July 9, 2020

Information Requests/Comments
83 Middle Street PUD
Re: Plan Number PL-000132-2020

1. Height Issues

A. Contradictory Data on Sheets A3.01 and A3.02 re: height to the parapet

The height for the rear of the building (facing Newbury Street) is shown in the materials in at least two places, on Sheets A3.01 and A3.02. However, each of these sheets shows contradictory elevations.

1) Each sheet indicates the site elevation, at the point the new building abuts Newbury Street, as 38'.2''.
2) However, Sheet A3.01 shows the height of the rear roof (to the top of the parapet), at the corner of the building that abuts both Newbury and Franklin Street, to be 158' 4".
3) And, Sheet A3.02 shows the height of the rear roof (to the top of the parapet), along and for the full length of the building as it abuts Newbury Street, to be 151' 8".

The height discrepancy depicted (158' 4" versus 151' 8") is a very large discrepancy.

Request: please reconcile this discrepancy, by providing the correct height. We have also requested but no received the height of the building from sea level to the roof (to the parapet) as it faces Newbury Street.

B. Height (Dimensions) of Items on the rear roof are not shown

Both Sheet A3.01 and Sheet A3.02 indicate there will be mechanicals or a structure of some kind on the rear of the roof, but neither sheet locates or provides the dimensions for the mechanicals or the structure(s).

Please provide the type, location and dimensions and colors/materials of any mechanicals or structures that are proposed to be located on the rear roof as follows:

1) The nature of the mechanical infrastructure or structure. Elevator head house? Generator? HVAC equipment? Telecommunication equipment?
2) The distance of each mechanical infrastructure or other structure from the rear of the roof where the roof abuts Newbury Street.
3) The Height, Width and Depth of each.
4) Will the emergency generator exceed 5'6" in height?
5) If the HVAC units are going to be on the roof, will they be lower than the parapet?

2. Parking/Access Issues

We understand that vehicular access to the new building will be over Newbury Street, which is already a very narrow street, and request that the plans be updated to show the following:

A. The plans indicate that the ROW for Newbury Street is 50 feet; however, the plans should indicate what the ***paved*** width of the Newbury Street is and the paved width that will be available to access the building.
B. The plans should show the width of the garage door for the project.
C. The plans should indicate the turning radii for a vehicle turning into or out of the garage. The vehicle used should be the largest vehicle that might access the building.
D. The plans should show how the garage on Newbury Street will be located in relation to the existing garage for the Luminato Condos. We understand that the two garage doors need to be directly opposite each other.
E. The plans should show the turning radii for fire vehicles as they turn from Hampshire onto Newbury Street (using the fire department's largest vehicle).
F. The plans should indicate any existing parking spaces located on Newbury Street and whether they will be eliminated as a result of the project.
G. The plan should show whether any parking spaces on Newbury Street will be eliminated.

3. Roof Plans

A. When will the overall roof plan be finalized for solar, green roof, white roof, etc.?
B. If it will be a white roof, what is the material?

Timing to Close the Public Hearing.

We request that the planning board not close the public hearing process until the above information has been provided. Thank you.

Respectfully submitted,

Kevin Rodel and Katy Longley
167 Newbury Street, #501, Portland, Maine 04101
207 837-2833

kevin@kevinrodel.com
sclongley2@gmail.com

Google Groups

83 Middle Street PL-0001079-2020 and PL-000132-2020

Julie Larry <jlarry@portlandlandmarks.org> Jul 14, 2020 2:57 PM
Posted in group: **Planning Board**

Chair Mazer and Members of the Board,

Greater Portland Landmarks supports the staff recommendation that a proposed condition of approval would include submission of a sample board depicting the material choices for the brick, mortar, and ground face block. A sample board would enable staff to better understand how the building's material palette relates the the historic buildings in close proximity to the proposed site.

Thank you for considering our views,

Julie Larry
Director of Advocacy
Greater Portland Landmarks

Google Groups

Public Comment for 83 Middle Street

Derek J. Veilleux <dveilleux@mac.com> Jul 14, 2020 8:13 PM
Posted in group: **Planning and Urban Development**

I am writing to provide public comment pertaining to the proposed project at 83 MIddle Street. I also attended the neighborhood meeting and this evening's workshop pertaining to this project. I offer the following thoughts pertaining to the project as currently submitted.

I strongly support this project and the need it will fill in our community for affordable housing, but not as currently designed. This is perhaps one of the most important plots of land to be developed from an urban planning perspective in recent memory. It must live up to its place in the urban fabric and its 99 year lease.

The project must think beyond its four walls and respond to the needs of the urban context. This project, as currently submitted, does not adequately respond to the importance of its place, its location. Years ago, Franklin Arterial tore apart the Portland fabric and created a scar. This project is located at an intersection that has the potential to restore a connection that Franklin disrupted. Currently, as designed, this project only reinforces the disconnect across Franklin.

This project is positioned to re-establish the continuity of Middle Street across Franklin, reinforce the fabric of Middle Street and act as a gateway building to the India St. Neighborhood and the East End. Right now, it is primarily a Franklin focused building. For example, the address of the building is 83 MIddle Street, but the entrance to the building is on Franklin. This building literally turns its back on Middle Street by moving the front door, further reinforcing the disconnect. In addition, it is inevitable that building occupants and visitors will either be picked up or dropped off at this entrance (especially in the rain or very cold weather) creating a safety hazard on Franklin. The proposed drop off area on Middle Street will look good on paper only. In reality, people will be drawn to the visible main entrance on not a small sign on the street. Uber drivers won't know to stop at the designated drop off zone. Finally, the entrance is also a problem relative to public safety calls and those seeking to find the building. They will likely be called to the main entrance of the building on Franklin. Where will the Knox box be located? It's confusing at every level. This project must make a strong statement and it sort of muddles through.

The design of the Franklin and Newbury Street facing facades ignore the urban context entirely. Newbury is a blank facade without any attempt to break down the volume with changes in material, color, and texture. It also ignores the pedestrian scale of the neighborhood. We need to make Franklin more pedestrian friendly, including walking along the side way to and from Congress Street. The Franklin facing facade harkens to a building better suited along a highway, not in a pedestrian friendly city. We do not need to further reinforce the speed of traffic on Franklin. There is no pedestrian scale to the building. Much of the Franklin facade is a large blank wall. The plainness of the facade is striking. In addition, at the Middle Street end of the building is a very peculiar angled volume that again looks toward Franklin as if to turn itself away from Middle Street. There is absolutely no recognition of Newbury Street in the design. It is as if Newbury is treated like an alleyway, like the back of the building. If the building wants to enhance the neighborhood, it is not currently saying so aesthetically.

The mixed use corner of the building where there is planned outdoor seating for some sort of cafe or food service business also reflects the conflicted nature of the design. At the workshop, it was declared that there would not be a restaurant or food service of any kind in the commercial space. This makes it even more confounding why this space would be there. If this space is intended to engage the urban fabric, it is likely to end up as a mere empty corner without a lot of activity. Instead of finding a way to thoughtfully create a corner and address the challenges of this particular site, it ignores the issue altogether and leaves a gaping hole at the corner. This building is not inviting to those traveling from the Old Port to the India Street neighborhood. It does not reach out. Nor does it address in any way the historic context of middle street, including the buildings across the street.

Somewhat related to the project, the City must address the dead end on Newbury. There are currently no signs and day in and day out drivers make their way toward Franklin thinking there is an outlet there. The turn around now is tricky. Cars actually drive through to the dirt lot (Sussman's property which is currently used for construction parking)or at least use it for turning around when it is realized it is not a thru street. It's a mess and not adequately recognized as such by the City.

The building occupants, the City of Portland, the neighbors and our visitors deserve a better design, one we can be proud of for the next 99 years of its lease and one that can reinforce all that we love about living, working and recreating downtown. Please work to improve the quality of design in this city. Much needed housing and quality design do not have to be mutually exclusive.

Derek J. Veilleux
167 Newbury St, Unit 306
Portland, ME 04101
Email: dveilleux@mac.com
Mobile: 207.878.0187

Sent from my iPad

Portland Maine Yes. Google's good here.

Caitlin Cameron <ccameron@portlandmaine.gov>

Fwd: Public Comment: 83 Middle Street - The Bait and Switch Building

jmy <jmy@portlandmaine.gov> Fri, Aug 14, 2020 at 1:40 PM
To: "Cameron, Caitlin" <ccameron@portlandmaine.gov>

I will add this as additional public comment

On Friday, August 14, 2020 at 1:13:31 PM UTC-4, George Rheault wrote:

> I am opposed to the 83 Middle Street project as it represents everything wrong with Portland development politics and lowers the bar even more for cynical City Hall elites manipulating public resources to deliver favorable outcomes for an insider clique while leaving everyone else worse off.
>
> Here is just a quick and dirty listing of objectionable things associated with this effort:
>
> 1) Used a long and drawn out (and still on-going) siting process debate about a homeless services megashelter as cover to soften up a SOLE-SOURCE giveaway of a prime development parcel to essentially the NewHeight development team (Luminato/Verdante) while selling out the unhoused population through CHoM's relentless cheerleading for their exiling to a distant industrial parcel on the outskirts of Portland. See attached Tax Assessor report.
>
> 2) Grabbed an initial City subsidy in September 2019 while presenting a taller (by 1 story) building with more generously-sized units (41 one-bedrooms) and a broader demographic (55+) while purporting to be a tax-paying contributor on leased city land. See attached original September 2019 proposal.
>
> 3) Delivered a huge tax-write-off of a virtually unbuildable parcel to a literal billionaire hedge-fund operator while spinning it via skunky media collaboration as somehow beneficial to the development when in fact it was used to shrink the project's living spaces and the demographic served (62+) and effectively deliver a pre-packaged NIMBY product to the neighborhood. The cherry-on-top here was shrinking the building enough to get under the ISFBC 50,000 sq ft threshold in order to avoid Level III Site Plan review, so only certain NIMBYs were allowed to impact the contours of the development.
>
> 4) Market the project as a "housing first" effort when in fact the project is NOT a housing first project by any definition of that term and only will make available 11 units out of 50 (a smaller percentage than was first proposed in September when 11 units out of 44 were set aside for those experiencing long-term homelessness). Worse, the units will only be filled from a 62+ age bracket and then only those carefully referred to the project by the City of Portland ensuring that only the most docile and cherry-picked persons experiencing homelessness will ever enter the building allowing the operator to avoid providing much in the way of necessary support services.

2 attachments

Assessor Info - 167 Newbury St - Unit 601.pdf
175K

83 Middle St Project - Sept 2019 Proposal.pdf
3904K



PORTLAND | me



Best viewed at 800x600, with Internet Explorer

Current Owner Information:

CBL	028 I006601
Land Use Type Verify legal use with Inspections Division	RESIDENTIAL CONDO
Property Location	167 NEWBURY ST CONDO 601
Owner Information	POMERLEAU GREGORY JOSEPH 167 NEWBURY ST PORTLAND ME 04101
Book and Page	34624/254
Legal Description	28-I-6-9-10-14 HAMPSHIRE ST 42 NEWBURY ST 167-171 LUMINATO CONDO # 601
Rental Registration	No
Acres	0

Current Assessed Valuation:

TAX ACCT NO.	2061	**OWNER OF RECORD AS OF APRIL 2019**
LAND VALUE	$187,300.00	POMERLEAU GREGORY JOSEPH
BUILDING VALUE	$749,300.00	167 NEWBURY ST
NET TAXABLE - REAL ESTATE	$936,600.00	PORTLAND ME 04101
TAX AMOUNT	$21,832.15	

Any information concerning tax payments should be directed to the Treasury office at 874-8490 or .

Building Information:

Building 1	
Year Built	2017
Style/Structure Type	7
# Units	1
Bedrooms	3
Full Baths	2
Half Baths	1
Total Rooms	5
Attic	NONE
Basement	PIER/SLAB
Square Feet	1659

Sales Information:

Sale Date	Type	Price	Book/Page
1/30/2018	LAND + BUILDING	$1,285,000.00	34624/254

83 MIDDLE ST APARTMENTS

Affordable Housing Development Application



Developer: Community Housing of Maine
Architect: CWS Architects

Community Housing of Maine ("CHOM"), through its wholly owned subsidiary CHOM Development Corporation, proposes to convert the surface parking lot on 83 Middle Street into 44 units of affordable rental housing. CHOM Development Corporation will fulfill all the customary responsibilities of the General Partner in a development project of this type, including, but not limited to, obtaining environmental and market studies, all necessary permits, site control, financing, regulatory approval, syndication of tax credits, hiring and supervision of design professionals, and construction management. Through CHOM Development Corporation, Community Housing of Maine will continue to supervise the on-going management of the project, as well as the service provider, MaineHousing, and the limited partnership.

The project will be one 6 story building; which will contain 44 affordable rental units, as well as a first-floor commercial space, and a below grade parking garage. The building will contain 44 total units, consisting of 3 studios, 41 one-bedroom apartments, as well as a community room, a management office, and a laundry facility. The property will serve low to moderate income residents that are 55 years old or older; and have a preference for 11 units for individuals referred by the City of Portland. The proposed project will be one of the first to use the Income Averaging set aside. The new set aside will allow the project to serve households with income up to 80% of are median income (AMI) as long as the average income and rent limit in the project remains at 60% or less of AMI. The property is in located in the India Street neighborhood and will be the first Affordable Housing in the neighborhood since the conversion of the old North School. As other parts of the India Street neighborhood have gentrified, many of the long-time residents of the neighborhood have been priced out of their apartments, and homes. Creating more equitable ratio of affordable housing is paramount to the continued long-term success of the neighborhood.

CHOM's involvement in the project ensures that units are added to the pool of units available to persons with special needs through its ongoing relationship and commitment to serve this population. CHOM is requesting $330,000 in funds ($7,500 per unit) to leverage an additional $7.1 Million in Federal Funds, and be part of a $10 Million investment on city owned land.

83 Middle Street is currently a surface parking lot used as police parking. The proposed lot has frontage on Newbury Street, Franklin Street, and Middle Street. The building will fit into the rigors and complex design structure of the India Street Form Based Code and will not require a zoning change. The project will include a central laundry facility, community space, tenant storage, and a management office. The development will also create a first-floor commercial space to activate the street corner and maintain continuity with the neighborhood. The proposed project is located in the area covered by the India Street Sustainable Neighborhood Plan. This project supports the following goals of that plan: 1) Diversity of Residents, 2) Enhanced Mixed-Use Nature of Neighborhood, 3) Good Quality Designs, and; 4) Affordable Housing. This Middle Street location enjoys access to traditional "downtown" commercial points, shopping, professional services, medical services, and a variety of amenities. Lincoln Park, the Old Port, Medical Services, and a broad array of employment

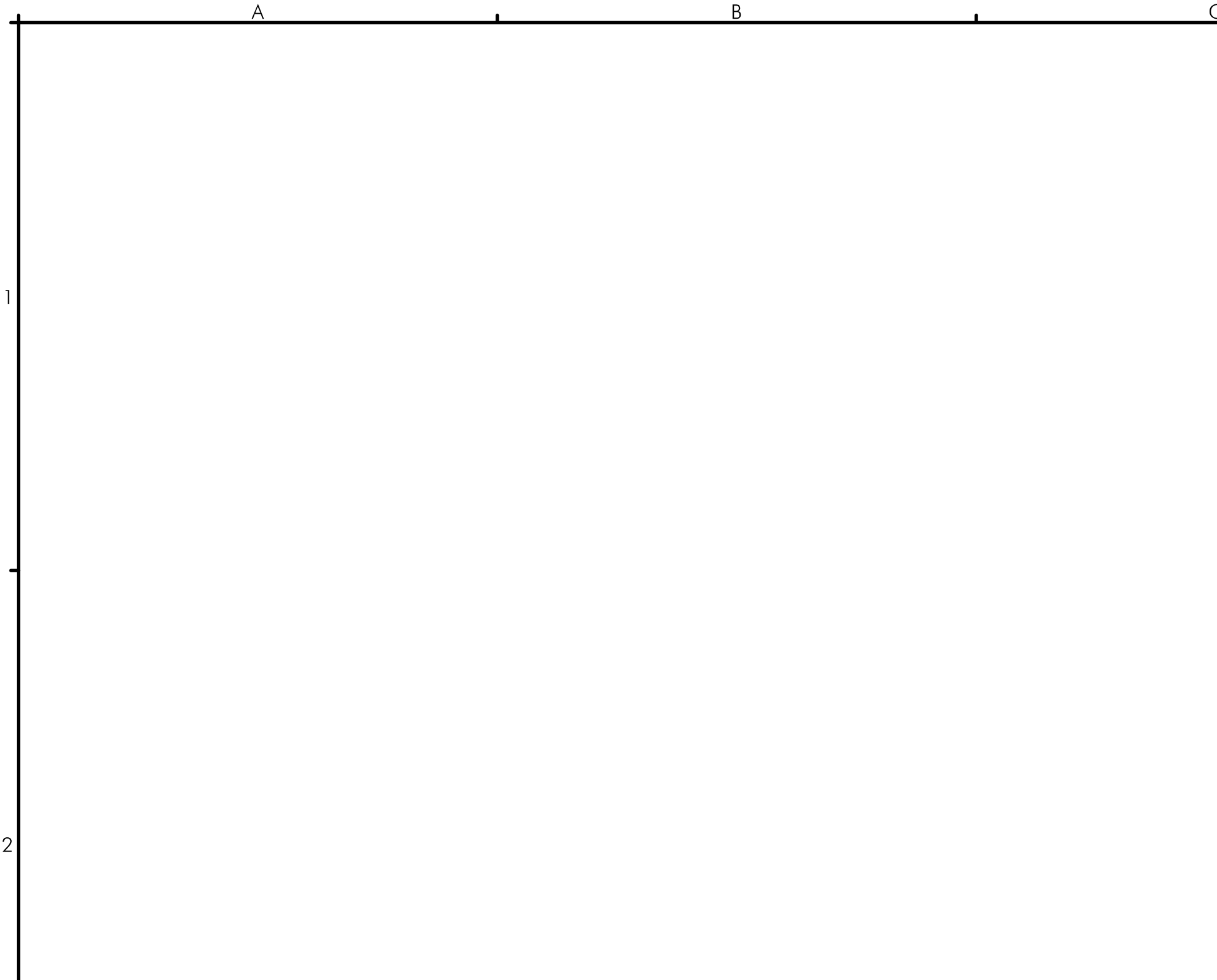
opportunities are located within walking distance. Access to municipal water and sewer, and the existing network of streets and sidewalks, makes in-fill housing development in this location particularly attractive. The concept sketches on the following page illustrate the scale of the proposed building and site features.

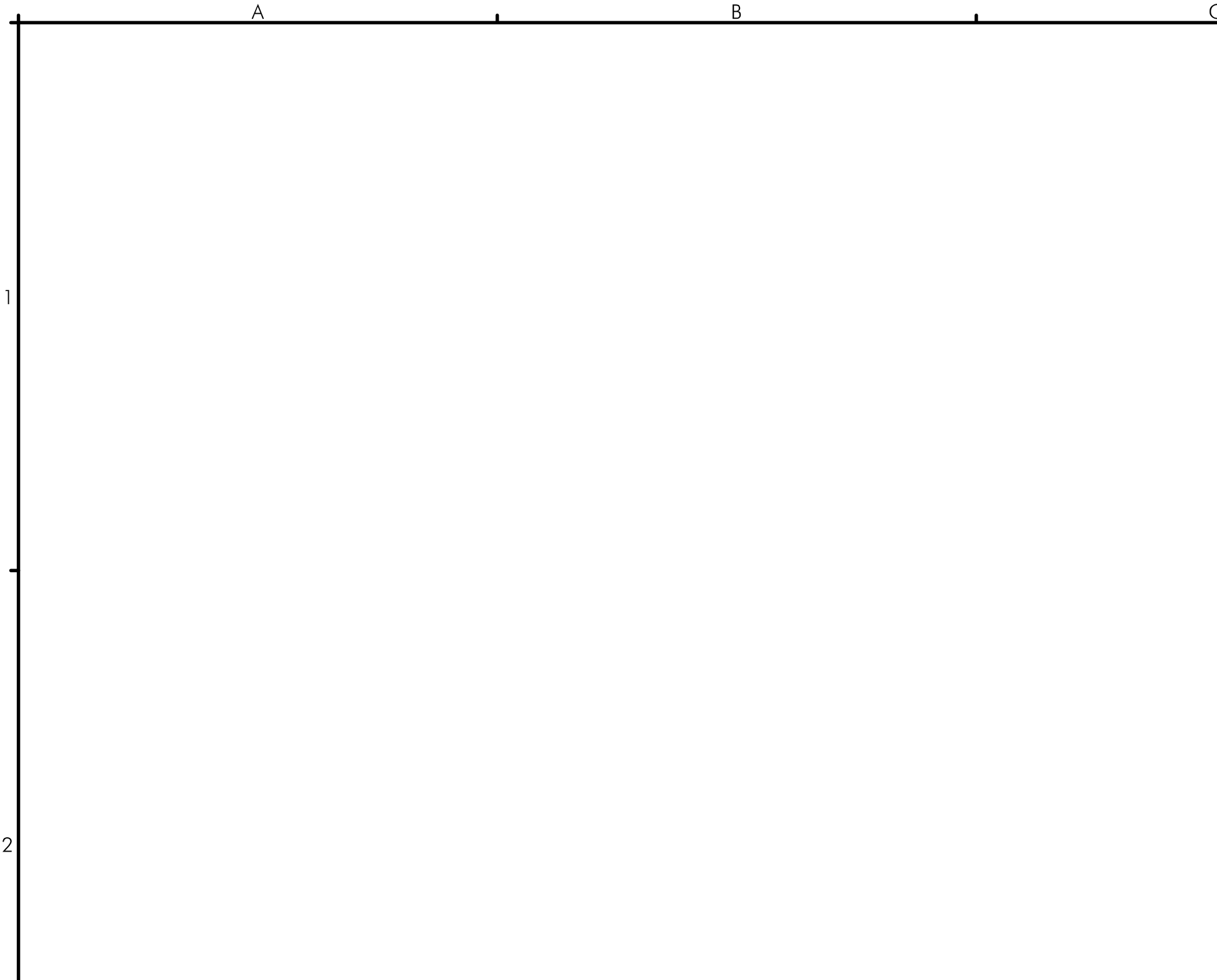
CHOM is committed to green building design and construction not only for reasons of energy efficiency -- which is critical to long-term sustainability -- but also for reasons of indoor air quality and natural lighting, which residents appreciate, and durability of materials, which translates into lower operating costs. Overall, green building design makes economic sense, contributes to better buildings and happier tenants, and improves market appeal.

CHOM is a 501(c)(3) non-profit organization that provides advocacy, supportive housing, community inclusion, and stability for homeless and special needs populations across the state. CHOM develops, owns, and maintains high quality, affordable, service-enriched housing for people with low incomes and special needs. Founded in 1993, CHOM has become the largest supportive housing developer in Maine with some 78 housing sites in 31 communities, creating more than 747 units of affordable housing. CHOM also provides workforce housing for people who could not otherwise afford to live near their work, as well as housing for older adults and elderly populations.

CHOM is seeking to support the creation of vibrant and diverse local communities and community inclusiveness in all housing projects. To that end, the development of 83 Middle Street, which is within walking distance of all the necessities of everyday life and is connected to existing neighborhoods, will contribute to improving Portland's community infrastructure.

The Middle Street apartment development is expected to make use of the Affordable Housing Tax Credits, subsidy and debt from MaineHousing, and will benefit from a reasonable ground lease from the City of Portland.


A
B
C
1
2


A
B
C
1
2

Development Schedule

Attachment 4

Activity	Completion Date
Site Control	8/30/2019
Boundary Survey	Complete
Conceptual Design	Complete
Conceptual Estimate	Complete
Subdivision Approval	8/30/2019
Phase 1 Enviornmental Survey	7/31/2019
Site Plan/Zoning Approval	1/1/2019
Selection of Construction Manager-at Risk	8/30/2019
Financing Application to MaineHousing	9/25/2019
MaineHousing Notice to Proceed	12/1/2019
50% Plans and Specifications to MaineHousing	2/1/2020
90% Plans and Specifications to MaineHousing	4/1/2020
Construction Loan Closing	6/30/2020
Construction Start	6/30/2020
Lease Up Begins	6/1/2021
Construction Complete	6/1/2021
Full Occupancy Achieved	11/30/2021

83 Middle Street, Portland ME Attachment #5



DEVELOPMENT BUDGET			Total	LIHTC BASIS REHAB	LIHTC BASIS ACQ	LIHTC BASIS INELIGIBLE
Acquisition:						
Acquisition: Land			$ 99			
Acquisition: Building	$ 99		$ -		$ -	
Acquired Reserves			$ -			
Construction:						
Construction/Rehab			$ 7,731,744	$ 7,731,744		
Site Improvements			$ 100,000	$ 100,000		
Environmental			$ -	$ -		
Contractor Fee	$ 7,831,744		$ -	$ -		
P&P Bonds			$ -	$ -		
FF&E			$ 50,000	$ 50,000		
5.0% Contingency			$ 391,587	$ 391,587		
Soft Costs:						
1.50% Permits & Fees			$ 79,935	$ 79,935		
Architect - Design			$ 320,000	$ 320,000		
Architect - Supervision			$ 120,000	$ 120,000		
Environmental Engineering			$ 10,000	$ 10,000		
Engineering & Survey			$ 20,000	$ 20,000		
Pre-construction services			$ 20,000	$ 20,000		
Relocation						
Third Party Reports			$ 20,000	$ 20,000		
Accounting & Audit			$ 10,500	$ 10,500		
Developer Legal			$ 81,500	$ 76,500	$ 5,000	
Taxes + Insurance			$ 80,000	$ 80,000		
Soft Cost Contingency			$ 10,000	$ 10,000		
Historic + Green Consultants			$ -	$ -		
Title and Recording			$ 14,000		$ 13,300	$ 700
Transfer Tax			$ 0		$ 0	
Financing:						
Construction Loan Fee	0.50%		$ 28,000	$ 28,000		
Construction loan interest			$ 110,320	$ 110,320		
Construction lender legal			$ 20,000	$ 20,000		
MH Commitment fee			$ 2,000			$ 2,000
Bank Inspections			$ 7,500	$ 7,500		
Syndication Fees			$ 5,000			$ 5,000
MH Loan Fee	2%		$ 25,800			$ 25,800
MH application fees			$ 4,500			$ 4,500
Allocation Fee	7.50%		$ 61,200			$ 61,200
Monitoring Fee	$1,000		$ 44,000			$ 44,000
Other:						
Lease Up + Marketing						$ -
Misc:			$ -			$ -
Startup & Organization			$ -			$ -
Developer Fees			$ 710,000	$ 685,000	$ 25,000	$ -
Reserves:						
Supportive Services Reserve			$ -			$ -
Replacement Reserves			$ 77,317			$ 77,317
Operating Reserves			$ 215,172			$ 215,172
Tax and Insurance Reserve			$ 112,032			$ 112,032
Lease Up Reserve			$ 1,182			$ 1,182
$ 10,009,167.51		TOTAL	$ 10,483,389	$ 10,199,406	$ 43,300	$ 548,903

Preliminary Operating Budget

1st - YEAR PRO FORMA	
	Year 1
Income	
Potential Gross Income	490,056
Vacancy Loss	(24,503)
Commercial Income	0
Other Income	0
Effective Gross Income	465,553
Expenses	
real estate taxes	52,800
insurance	39,600
utilities	66,000
management fee	27,933
parking	0
administrative	52,800
audit	8,360
repairs + maintenance	57,200
resident services	12,760
other	9,240
replacement reserve	19,800
Operating Expenses	(346,493)
Net Operating Income	119,060
TIF Reimbursement	0
Financing Expenses	
MH Amortizing Loan	(83,850)
LP Mgmt Fee	(3,500)
GP Mgmt Fee	(3,500)
DF Loan	0
	(90,850)
Net Cash Flow	**28,210**

First Year Rents

Attachment 14b.

INCOME INFORMATION

Unit Type	UNIT COUNT	AFFORDABLE UNITS Sec 8	AFFORDABLE UNITS LIHTC	Fair Market Rents	LIHTC Rents (2018)	Utility Allowance	Pro Forma Rents	Rent/SF	Gross Monthly Rent
Studio	3		3	$989	$813	$33	$780	$1.56	$2,340
Studio	0		0	$989	$976	$33	$943	$1.89	$0
1BR	15		15	$1,071	$871	$43	$828	$1.27	$12,420
1BR	26		26	$1,071	$1,046	$43	$1,003	$1.54	$26,078
2BR	0		0	$1,387	$1,046	$56	$990	$1.13	$0
2BR	0		0	$1,387	$1,255	$56	$1,199	$1.37	$0
3BR	0		0	$1,829	$1,209	$70	$1,139	$1.10	$0
3BR	0		0	$1,829	$1,451	$70	$1,381	$1.33	$0
								Total Monthly	$40,838

First Year Expenses

Attachment 14c.

EXPENSE INFORMATION

		Escalation	Pro Forma Expenses	Per Unit
real estate taxes		3.0%	$ 52,800	1,200
insurance		3.0%	$ 39,600	900
utilities		3.0%	$ 66,000	1,500
management fee	6.0%	3.0%	$ 27,933	635
parking		3.0%	$ -	0
administrative		3.0%	$ 52,800	1,200
audit		3.0%	$ 8,360	190
repairs + maintenance		3.0%	$ 57,200	1,300
resident services		3.0%	$ 12,760	290
other		3.0%	$ 9,240	210
replacement reserve		2.0%	$ 19,800	450
	TOTAL	3.0%	$ 346,493	7,875
	PER UNIT		$ 7,875	
Interest on Reserves		1.5%		

Reserve Summary

Attachment 15

Reserves:

Supportive Services Reserve			$ -
Replacement Reserves			**$ 77,317**
Operating Reserves			**$ 215,172**
Tax and Insurance Reserve			**$ 112,032**
Lease Up Reserve			**$ 1,182**
	$ 10,009,167.51	**TOTAL**	**$ 10,483,389**

Debt Service Coverage Ratio

Attachment 16

																Average
DSCR	1.31	1.30	1.29	1.28	1.26	1.25	1.23	1.21	1.19	1.17	1.15	1.12	1.10	1.07	1.03	1.20
NOI/Unit	$641	$621	$598	$573	$544	$513	$478	$441	$399	$355	$306	$254	$197	$137	$72	

15 Year Proforma

Attachment 17

15 -YEAR PROFORMA	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
Income															
Potential Gross Income	490,056	499,857	509,854	520,051	530,452	541,061	551,883	562,920	574,179	585,662	597,376	609,323	621,510	633,940	646,618
Vacancy Loss	(24,503)	(24,993)	(25,493)	(26,003)	(26,523)	(27,053)	(27,594)	(28,146)	(28,709)	(29,283)	(29,869)	(30,466)	(31,075)	(31,697)	(32,331)
Commercial Income	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other Income	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Effective Gross Income	465,553	474,864	484,362	494,049	503,930	514,008	524,289	534,774	545,470	556,379	567,507	578,857	590,434	602,243	614,288
Expenses															
real estate taxes	52,800	54,384	56,016	57,696	59,427	61,210	63,046	64,937	66,885	68,892	70,959	73,088	75,280	77,539	79,865
insurance	39,600	40,788	42,012	43,272	44,570	45,907	47,284	48,703	50,164	51,669	53,219	54,816	56,460	58,154	59,899
utilities	66,000	67,980	70,019	72,120	74,284	76,512	78,807	81,172	83,607	86,115	88,698	91,359	94,100	96,923	99,831
management fee	27,933	28,771	29,634	30,523	31,439	32,382	33,354	34,354	35,385	36,446	37,540	38,666	39,826	41,021	42,251
parking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
administrative	52,800	54,384	56,016	57,696	59,427	61,210	63,046	64,937	66,885	68,892	70,959	73,088	75,280	77,539	79,865
audit	8,360	8,611	8,869	9,135	9,409	9,692	9,982	10,282	10,590	10,908	11,235	11,572	11,919	12,277	12,645
repairs + maintenance	57,200	58,916	60,683	62,504	64,379	66,310	68,300	70,349	72,459	74,633	76,872	79,178	81,554	84,000	86,520
resident services	12,760	13,143	13,537	13,943	14,361	14,792	15,236	15,693	16,164	16,649	17,148	17,663	18,193	18,738	19,301
other	9,240	9,517	9,803	10,097	10,400	10,712	11,033	11,364	11,705	12,056	12,418	12,790	13,174	13,569	13,976
replacement reserve	19,800	20,196	20,600	21,012	21,432	21,861	22,298	22,744	23,199	23,663	24,136	24,619	25,111	25,613	26,126
Operating Expenses	(346,493)	(356,690)	(367,189)	(377,998)	(389,128)	(400,588)	(412,387)	(424,535)	(437,044)	(449,923)	(463,184)	(476,839)	(490,898)	(505,373)	(520,278)
Net Operating Income	119,060	118,174	117,173	116,050	114,802	113,421	111,902	110,239	108,426	106,456	104,322	102,018	99,536	96,869	94,009
TIF Reimbursement	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Financing Expenses															
MH Amortizing Loan	(83,850)	(83,850)	(83,850)	(83,850)	(83,850)	(83,850)	(83,850)	(83,850)	(83,850)	(83,850)	(83,850)	(83,850)	(83,850)	(83,850)	(83,850)
LP Mgmt Fee	(3,500)	(3,500)	(3,500)	(3,500)	(3,500)	(3,500)	(3,500)	(3,500)	(3,500)	(3,500)	(3,500)	(3,500)	(3,500)	(3,500)	(3,500)
GP Mgmt Fee	(3,500)	(3,500)	(3,500)	(3,500)	(3,500)	(3,500)	(3,500)	(3,500)	(3,500)	(3,500)	(3,500)	(3,500)	(3,500)	(3,500)	(3,500)
DF Loan	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	(90,850)	(90,850)	(90,850)	(90,850)	(90,850)	(90,850)	(90,850)	(90,850)	(90,850)	(90,850)	(90,850)	(90,850)	(90,850)	(90,850)	(90,850)
Net Cash Flow	**28,210**	**27,324**	**26,323**	**25,200**	**23,952**	**22,571**	**21,052**	**19,389**	**17,576**	**15,606**	**13,472**	**11,168**	**8,686**	**6,019**	**3,159**
DSCR	**1.31**	**1.30**	**1.29**	**1.28**	**1.26**	**1.25**	**1.23**	**1.21**	**1.19**	**1.17**	**1.15**	**1.12**	**1.10**	**1.07**	**1.03**
NOI/Unit	**$641**	**$621**	**$598**	**$573**	**$544**	**$513**	**$478**	**$441**	**$399**	**$355**	**$306**	**$254**	**$197**	**$137**	**$72**

SITE DEVELOPMENT PLANS
FOR
MIDDLE STREET APARTMENTS
83 MIDDLE STREET - PORTLAND, MAINE
PERMIT DRAWINGS

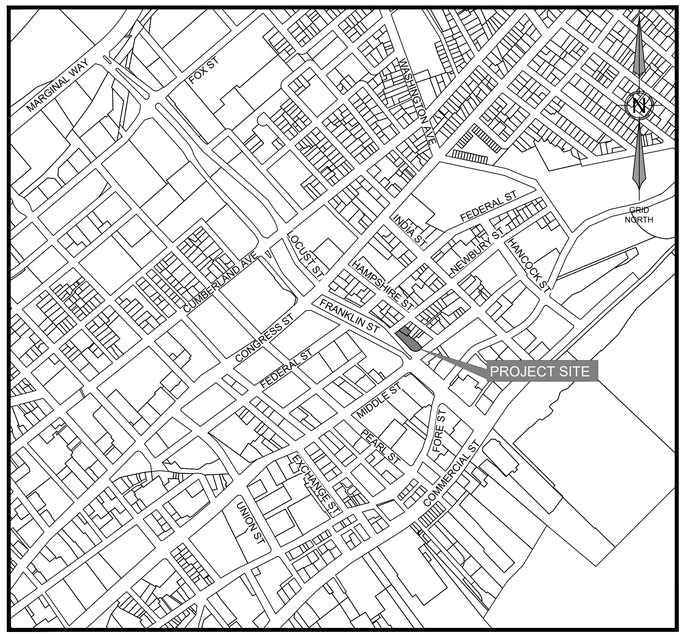
APPLICANT:
MIDDLE STREET HOUSING PARTNERS, LP
ONE CITY CENTER, 4TH FLOOR
PORTLAND, MAINE 04101

PROJECT PARCELS
CITY OF PORTLAND TAX ASSESSOR'S MAP, BLOCK, & LOT NUMBERS

MAP	BLOCK	LOT	CURRENT OWNER
28	O	17	CITY OF PORTLAND
28	O	3	160 NEWBURY STREET, LLC

SHEET INDEX

C-1.0	COVER SHEET
C-1.1	GENERAL NOTES & LEGEND
1	BOUNDARY & TOPOGRAPHIC SURVEY
C-2.0	RECORDING PLAT
C-3.0	EXISTING CONDITIONS & DEMOLITION PLAN
C-3.1	CONSTRUCTION MANAGEMENT PLAN
C-4.0	SITE LAYOUT PLAN
C-5.0	GRADING & DRAINAGE PLAN
C-5.1	EROSION & SEDIMENT CONTROL NOTES & DETAILS
C-6.0	SITE UTILITY PLAN
C-7.0	PHOTOMETRIC LIGHTING PLAN
C-8.0	SITE DETAILS
C-8.1	UTILITY & DRAINAGE DETAILS
C-8.2	STREET LIGHT DETAILS
C-9.0	VEHICLE MOVEMENT PLAN 1
C-9.1	VEHICLE MOVEMENT PLAN 2
L-1.0	LANDSCAPE PLAN & PLANTING DETAILS



LOCATION MAP
SCALE: 1"=500'

PERMITS

TYPE OF PERMIT	GOVERNING BODY	STATUS
LEVEL II SITE PLAN	CITY OF PORTLAND PLANNING AUTHORITY CITY HALL, 389 CONGRESS STREET PORTLAND, ME 04101 TEL. 207.874.8722	SUBMITTED 4/16/2020
LEVEL III SUBDIVISION CONDITIONAL USE, INCLUSIONARY ZONING	CITY OF PORTLAND PLANNING BOARD CITY HALL, 389 CONGRESS STREET PORTLAND, ME 04101 TEL. 207.874.8722	SUBMITTED 4/16/2020
BUILDING PERMIT	CITY OF PORTLAND CODE ENFORCEMENT OFFICE CITY HALL, 389 CONGRESS STREET PORTLAND, ME 04101 TEL. 207.874.8900	TO BE SUBMITTED BY BUILDING CONTRACTOR
UTILITY / STREET OPENING	CITY OF PORTLAND PUBLIC SERVICES DIVISION 55 PORTLAND STREET PORTLAND, ME 04101 TEL. 207.874.8801	TO BE FILED BY SITE CONTRACTOR

UTILITIES

SEWER/STORM
CITY OF PORTLAND
PUBLIC SERVICES DIVISION
55 PORTLAND STREET
PORTLAND, MAINE 04102
207.874.8850

WATER
PORTLAND WATER DISTRICT
22 DOUGLASS STREET
P.O. BOX 3553
PORTLAND, MAINE 04104
207.774.5961

ELECTRIC
CENTRAL MAINE POWER COMPANY
162 CANCO ROAD
PORTLAND, ME 04103
(207) 842-2367

TELEPHONE
FAIRPOINT COMMUNICATIONS
5 DAVIS FARM ROAD
P.O. BOX 11560
PORTLAND, MAINE 04103
888.984.1515

NATURAL GAS
UNITIL
376 RIVERSIDE INDUSTRIAL PARKWAY
PORTLAND, MAINE 04103
866.933.3821

DIG SAFE SYSTEM, INC.
TEL. 1-888-DIG-SAFE (344-7233)
WWW.DIGSAFE.COM

PREPARED BY:

CIVIL ENGINEER:
TERRADYN CONSULTANTS, LLC
565 CONGRESS STREET, SUITE 310
PORTLAND, MAINE 04101
207.926.5111
CONTACT: MICHAEL TADEMA-WIELANDT, P.E.

ARCHITECT:
CWS ARCHITECTS
264 US ROUTE ONE, SUIT 100-2A
SCARBOROUGH, ME 04074
207.774.4441
CONTACT: BEN WALTER, AIA

SURVEYOR:
OWEN HASKELL, INC.
309 U.S. ROUTE ONE, UNIT 10
FALMOUTH, MAINE 04105
207.774.0424
RANDY LOUBIER, PLS

ELECTRICAL/MECHANICAL ENGINEER:
BENNETT ENGINEERING
7 BENNETT ROAD
FREEPORT, MAINE 04032
207.865.9475
CONTACT: WILLIAM BENNETT

STATE OF MAINE
MICHAEL E. TADEMA-WIELANDT
No. 12317
LICENSED PROFESSIONAL ENGINEER

DATE: 6/17/2020
P.E.: MICHAEL E. TADEMA-WIELANDT

NO.	DATE	REVISIONS	APP'D BY
1	6/17/2020	REVISED PER STAFF REVIEW COMMENTS	MTW

565 CONGRESS STREET
SUITE 310
PORTLAND, ME 04102

41 CAMPUS DRIVE
SUITE 105
NEW GLOUCESTER, ME 04260

OFFICE: (207) 926-5111 FAX: (207) 221-1317
www.terradynconsultants.com

TERRADYN CONSULTANTS, LLC
Civil Engineering | Land Planning | Stormwater Design | Environmental Permitting

PERMIT DRAWING
NOT FOR CONSTRUCTION

PROJECT:
MIDDLE STREET APARTMENTS
83 MIDDLE STREET, PORTLAND, MAINE 04101

SHEET TITLE:
COVER SHEET

CLIENT:
MIDDLE STREET HOUSING PARTNERS, LP
ONE CITY CENTER, 4TH FLOOR
PORTLAND, MAINE 04101

DATE:	4/16/2020
SCALE:	AS NOTED
DESIGNED:	MTW
JOB NO:	1926
FILE:	1926 COVER.DWG

SHEET C-1.0

GENERAL NOTES:

1. THIS PROJECT IS SUBJECT TO THE TERMS AND CONDITIONS OF ALL REGULATIONS ADMINISTERED BY THE LOCAL UTILITY COMPANIES AND THE CITY OF PORTLAND.
2. THE CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF THE ENTRANCES, EXITS, PRECISE BUILDING DIMENSIONS, AND EXACT BUILDING UTILITY ENTRANCE POINTS.
3. ALL REQUIRED AND NECESSARY INSPECTIONS AND/OR CERTIFICATIONS REQUIRED BY CODES AND/OR UTILITY SERVICE COMPANIES SHALL BE PERFORMED PRIOR TO ANNOUNCED BUILDING POSSESSION AND THE FINAL SERVICE CONNECTIONS.
4. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR THE ELEVATION OF THE EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THIS INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AND DIG SAFE (1-888-DIGSAFE). IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS, AT NO EXTRA EXPENSE TO THE OWNER.
5. MAINTENANCE OF EROSION CONTROL MEASURES IS OF PARAMOUNT IMPORTANCE TO THE OWNER AND THE CONTRACTOR IS RESPONSIBLE FOR COMPLYING WITH ALL EROSION CONTROL MEASURES SHOWN ON THE PLANS. ADDITIONAL EROSION CONTROL MEASURES SHALL BE INSTALLED IF DEEMED NECESSARY BY ONSITE INSPECTIONS OF THE OWNER OR THEIR REPRESENTATIVES AT NO ADDITIONAL COST TO THE OWNER.
6. ALL MATERIAL SCHEDULES SHOWN ON THE PLANS ARE FOR GENERAL INFORMATION ONLY. THE CONTRACTOR SHALL PREPARE HIS OWN MATERIAL SCHEDULES BASED UPON HIS PLAN REVIEW. ALL SCHEDULES SHALL BE VERIFIED IN THE FIELD BY THE CONTRACTOR PRIOR TO ORDERING MATERIALS OR PERFORMING WORK.
7. ALL MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO PROJECT CONTRACT SPECIFICATIONS, AND THE CITY OF PORTLAND TECHNICAL MANUAL STANDARDS, WHICHEVER IS MORE STRINGENT.
8. TOPOGRAPHIC AND BOUNDARY SURVEY INFORMATION WAS PROVIDED BY OWEN HASKELL, INC. BENCHMARK = HYDRANT BONNET BOLT ON SOUTHEASTERN CORNER OF MIDDLE AND FRANKLIN STREETS, ELEVATION 29.76, NGVD 1929 DATUM.
9. FEMA MAP COMMUNITY PANEL NUMBER 230051 0014 B. THE SITE IS LOCATED IN A C ZONE.
10. THE PROPERTY SHOWN ON THIS PLAN MAY BE DEVELOPED AND USED ONLY AS DEPICTED IN THIS APPROVED PLAN. ALL ELEMENTS AND FEATURES OF THE PLAN AND ALL THE PROPERTY WHICH APPEARS IN THE RECORD OF THE PLANNING BOARD PROCEEDINGS ARE CONDITIONS OF THE APPROVAL. NO CHANGE FROM THE CONDITIONS OF APPROVALS IS PERMITTED UNLESS AN AMENDED PLAN IS FIRST SUBMITTED TO AND APPROVED BY THE PLANNING AUTHORITY.
11. ALL SIGNAGE SHALL CONFORM TO THE STANDARDS FOR SIZE, HEIGHT, LOCATION AND REFLECTIVITY SET FORTH IN THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).
12. ALL CURB SHALL CONFORM TO THE FOLLOWING SPECIFICATIONS AS NOTED ON THE PLANS: GRANITE CURB SHALL MEET THE REQUIREMENTS OF MaineDOT SPECIFICATIONS 609.03 AND CITY OF PORTLAND TECHNICAL STANDARDS.
13. ALL DIMENSIONING UNLESS OTHERWISE NOTED IS TO THE FACE OF CURB OR FACE OF BUILDING.
14. THE FACILITY IS SERVICED BY PUBLIC WATER, SEWER, AND UNDERGROUND POWER. THE PROJECT INCLUDES UPDATES TO THE POWER SERVICE INCLUDING THE INSTALLATION OF NEW UNDERGROUND SYSTEM. SEE SITE ELECTRICAL PLANS FOR DETAILS.
15. THE CONTRACTOR IS REQUIRED TO NOTIFY THE CITY OF PORTLAND PUBLIC WORKS INSPECTION SERVICES DIVISION (874-8300 EXT. 8838), CODE ENFORCEMENT OFFICE AND DEVELOPMENT REVIEW COORDINATOR IN WRITING THREE (3) DAYS PRIOR TO THE BEGINNING OF CONSTRUCTION. A PRE-CONSTRUCTION MEETING MAY BE REQUIRED TO INCLUDE THE PUBLIC WORKS AUTHORITY OR DEVELOPMENT REVIEW COORDINATOR.
16. AN APPROVED SET OF PLANS AND ALL APPLICABLE PERMITS MUST BE AVAILABLE AT THE CONSTRUCTION SITE.
17. WARNING SIGNS, MARKERS, BARRICADES OR FLAGMEN MUST BE EMPLOYED ON ADJACENT STREETS AS NECESSARY. THE CONTRACTOR SHALL COORDINATE AND SEEK APPROVAL FROM THE PUBLIC SERVICE DIVISION FOR THE PLACEMENT/PARKING OF EQUIPMENT WITHIN THE PUBLIC RIGHT OF WAY.
18. CONSTRUCTION DEBRIS SHALL BE CONTAINERIZED AND DISPOSED OF IN ACCORDANCE WITH THE CITY OF PORTLAND'S SOLID WASTE ORDINANCE CHAPTER 12. ALL DEMOLITION MATERIAL FROM THE PROJECT SITES SHALL BE TAKEN TO THE RIVERSIDE RECYCLING FACILITY OR AS OTHERWISE DIRECTED PENDING THE RESULTS OF A HAZARDOUS BUILDING MATERIALS SURVEY AS AUTHORIZED AND COORDINATED BY THE OWNER. ALL SALVAGED MATERIAL WITHIN THE PUBLIC R.O.W.(SIDEWALKS, BRICKS, GRANITE CURB) NOT REUSED SHALL BE DISPOSED OF AS DIRECTED BY THE PORTLAND PUBLIC SERVICES DEPARTMENT AT NO EXTRA COST TO THE OWNER.
19. ANY DAMAGE TO PUBLIC OR PRIVATE PROPERTY RESULTING FROM CONSTRUCTION ACTIVITIES SHALL BE REPAIRED BY THE CONTRACTOR AT THEIR EXPENSE.
20. PROPERTY MARKERS AND STREET LINE MONUMENTS SHALL BE PROPERLY PROTECTED AT ALL TIMES DURING CONSTRUCTION TO INSURE INTEGRITY. IF DISTURBED THEY SHALL BE REPLACED BY A SURVEYOR REGISTERED IN THE STATE OF MAINE AT THE CONTRACTOR'S EXPENSE.
21. THE OWNER SHALL BE RESPONSIBLE TO COORDINATE THE PERFORMANCE OF A HAZARDOUS MATERIALS INSPECTION OF THE PROPERTY.
22. A STREET OPENING PERMIT MUST BE OBTAINED FROM THE CITY OF PORTLAND PUBLIC WORKS DEPARTMENT PRIOR TO BEGINNING ANY WORK WITHIN THE CITY RIGHT-OF-WAY. ALL WORK WITHIN THE PUBLIC RIGHT OF WAY SHALL BE COMPLETED IN CONFORMANCE TO THE CITY'S RULES AND REGULATIONS FOR EXCAVATION ACTIVITIES IN PUBLIC RIGHT OF WAYS.
23. CONTRACTOR MUST MAINTAIN THROUGH TRAFFIC ON ADJACENT STREETS AT ALL TIMES.
24. ALL METHODS AND MATERIALS USED IN THE CONSTRUCTION OF THE IMPROVEMENTS IDENTIFIED HEREIN SHALL CONFORM TO THE CITY OF PORTLAND CONSTRUCTION AND TECHNICAL STANDARDS AND SPECIFICATIONS AND/OR CURRENT MaineDOT STANDARDS AND SPECIFICATIONS, WHICHEVER IS MORE STRINGENT.
25. SITE WORK FOR BUILDING SHALL INCLUDE GRADING THE BUILDING PAD AREA (DEFINED AS THE BUILDING FOOTPRINT PLUS 5'-0" BEYOND THE EXTERIOR WALL) TO A GRADE 18" BELOW THE GROUND FLOOR FINISH ELEVATION. ALL WORK SHALL INCLUDE EXCAVATION (INCLUDING ROCK REMOVAL AND EXISTING FOUNDATION DEMOLITION) AND BACKFILL OF ALL FOOTINGS AND FOUNDATIONS, INSTALLATION OF PERIMETER FOUNDATION DRAINS, EXCAVATION AND BACKFILL OF ALL UNDERSLAB UTILITIES AND PLACEMENT OF ALL AGGREGATES BELOW THE FLOOR SLAB AND ADJACENT FOUNDATION WALLS IN ACCORDANCE WITH THE CONTRACT PLANS AND SPECIFICATIONS. (SEE ARCHITECTURAL AND STRUCTURAL PLANS FOR ADDITIONAL DETAILS PERTAINING TO ANY BUILDING RELATED FOUNDATION WORK).
26. RECORD DRAWINGS MUST INCLUDE ALL BURIED UTILITIES INCLUDING, BUT NOT LIMITED TO, BENDS, APPURTENANCES, AND OTHER FEATURES, TO BE LOCATED IN THE FIELD BY GIS AND RECORDED AS AN AS-BUILT PLAN BY THE CONTRACTOR AT THE END OF THE PROJECT. THIS PLAN SHALL ALSO BE PROVIDED TO THE OWNER.
27. THE CONTRACTOR SHALL REFER TO THE ARCHITECTURAL DRAWINGS PREPARED BY CWS ARCHITECTS FOR EXACT LOCATIONS AND DIMENSIONS OF THE ENTRANCES, EXIT PORCHES, PRECISE BUILDING DIMENSIONS AND EXACT BUILDING UTILITY ENTRANCE POINTS.
28. ALL REQUIRED AND NECESSARY INSPECTIONS AND/OR CERTIFICATIONS REQUIRED BY CODES AND/OR UTILITY SERVICE COMPANIES SHALL BE PERFORMED PRIOR TO ANNOUNCED BUILDING POSSESSION AND THE FINAL SERVICE CONNECTIONS.
29. CONTRACTORS SHALL NOTIFY OPERATORS WHO MAINTAIN UNDERGROUND UTILITIES IN THE AREA OF PROPOSED EXCAVATION OR BLASTING AT LEAST THREE (3) BUT NOT MORE THAN (30) DAYS PRIOR TO COMMENCEMENT OF EXCAVATION OR DEMOLITION. CONTRACTORS SHALL BE RESPONSIBLE FOR COMPLIANCE WITH THE REQUIREMENTS OF 23 MRSA 3360-A.

GRADING AND DRAINAGE NOTES:

1. ALL STORM DRAIN PIPE SHALL BE SMOOTH BORE INTERIOR PROVIDING A MANNINGS ROUGHNESS COEFFICIENT OF n = 0.013 OR LESS. UNLESS A SPECIFIC PIPE MATERIAL IS CALLED FOR ON THE CONTRACT DRAWINGS. PVC PIPING SHALL NOT BE USED IN AREAS OF EXPOSED SUNLIGHT.
2. SLOPE PROTECTION IS TO BE PROVIDED PER THE DESIGN PLANS AND MAY INCLUDE RIPRAP, SOD OR MULCH.
3. THE CONTRACTOR SHALL EXERCISE EXTREME CAUTION DURING EARTHWORK OPERATIONS TO INSURE THAT DISTURBANCE TO ANY STEEP SLOPE AREAS ARE MINIMIZED TO THE EXTENT PRACTICABLE.
4. THE CONTRACTOR IS HEREBY CAUTIONED THAT ALL SITE FEATURES SHOWN ARE BASED ON FIELD OBSERVATIONS BY THE SURVEYOR AND BY INFORMATION PROVIDED BY OTHERS. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR SHALL CONTACT DIG SAFE (1-888-DIGSAFE) AT LEAST THREE (3) BUT NOT MORE THAN THIRTY (30) DAYS PRIOR TO COMMENCEMENT OF EXCAVATION OR DEMOLITION TO VERIFY HORIZONTAL AND VERTICAL LOCATION OF ALL UTILITIES.
5. ALL PAVING WITHIN THE PUBLIC R.O.W. SHALL BE PERFORMED IN ACCORDANCE WITH THE CITY OF PORTLAND RULES AND REGULATIONS FOR EXCAVATION ACTIVITIES IN THE PUBLIC R.O.W.
6. NO HOLES, TRENCHES OR STRUCTURES SHALL BE LEFT OPEN OVERNIGHT IN ANY EXCAVATION ACCESSIBLE TO THE PUBLIC OR IN PUBLIC RIGHTS-OF-WAY.
7. THE CONTRACTOR SHALL TAKE FULL RESPONSIBILITY FOR ANY CHANGES AND DEVIATION OF APPROVED PLANS NOT AUTHORIZED BY THE ARCHITECT/ENGINEER AND/OR CLIENT/OWNER.
8. CONTRACTOR SHALL INCORPORATE PROVISIONS AS NECESSARY IN CONSTRUCTION TO PROTECT EXISTING STRUCTURES AND PHYSICAL FEATURES THAT ARE OUTSIDE THE SCOPE OF WORK. THE CONTRACTOR SHALL MAINTAIN SITE STABILITY DURING CONSTRUCTION TO AVOID EROSION AND SEDIMENT TRANSPORT. CONTRACTOR SHALL RESTORE ALL AREAS TO A FINAL STABILIZED CONDITION AS DIRECTED BY DESIGN DRAWINGS.
9. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS IN THE FIELD PRIOR TO FABRICATION AND ERECTION OF ANY MATERIAL. ANY UNUSUAL CONDITIONS SHALL BE REPORTED TO THE ENGINEER.
10. EXTERIOR GRADES AROUND PROPOSED STRUCTURE SHALL BE COORDINATED WITH FINAL BUILDING PLANS AND PROVIDE FOR ALL ACCESS OPENINGS.

CONSTRUCTION MANAGEMENT NOTES:

1. ALL CONSTRUCTION SHALL COMPLY WITH 2009 NFPA 1 CHAPTER 16 SAFE GUARDS DURING BUILDING CONSTRUCTION, ALTERATION AND DEMOLITION OPERATIONS.
2. ANY CUTTING AND WELDING WORK PERFORMED ONSITE SHALL REQUIRE A "HOT WORK" PERMIT FROM THE PORTLAND FIRE DEPARTMENT.
3. THE GENERAL CONTRACTOR SHALL POST EMERGENCY CONTACT INFORMATION ON THE PROJECT SITE PROPERTY DURING CONSTRUCTION IN THE EVENT OF AN AFTER HOURS EMERGENCY. THIS CONTACT INFORMATION SHALL ALSO BE PROVIDED TO THE PORTLAND FIRE DEPARTMENT.
4. IF THE SITE IS SECURED BY TEMPORARY OR PERMANENT FENCING WITH LOCKED GATES, THEN THE APPLICANT OR ASSIGNED REPRESENTATIVE SHALL PURCHASE A KNOX PADLOCK FROM THE PORTLAND FIRE DEPARTMENT TO ALLOW ACCESS BY THE PORTLAND FIRE DEPARTMENT.
5. STREETS SHALL MAINTAIN A 20' WIDTH FOR FIRE DEPARTMENT ACCESS AT ALL TIMES.
6. FIRE HYDRANTS SHALL NOT BE BLOCKED OR ENCLOSED BY FENCING. A 3' CLEARANCE SHALL BE MAINTAINED AT ALL TIMES AROUND FIRE HYDRANTS.

UTILITY NOTES:

1. ALL REQUIRED UTILITIES SERVING THE PROJECT SHALL BE COORDINATED BETWEEN THE SITE WORK CONTRACTOR AND DIVISION 22/26 CONTRACTOR(S). THE SITE WORK CONTRACTOR SHALL BE RESPONSIBLE TO EXTEND ALL PROPOSED UTILITIES TO WITHIN FIVE (5) FEET OF THE BUILDING TO A LOCATION COORDINATED WITH THE MECHANICAL AND ELECTRICAL SUBCONTRACTORS. THE BUILDING CONTRACTOR SHALL BE RESPONSIBLE FOR ALL UTILITIES WITHIN FIVE (5) FEET AND INSIDE THE BUILDING OR UNDER SLAB.
2. THE CONTRACTOR SHALL COORDINATE THE INSTALLATION OF AND/OR RELOCATION OF OVERHEAD AND UNDERGROUND TELEPHONE WITH FAIRPOINT COMMUNICATIONS. CONTRACTOR SHALL BE RESPONSIBLE FOR CONDUITS, PULL WIRES, TRENCHING AND BACKFILLING NECESSARY TO COMPLETE THE WORK.
3. THE CONTRACTOR SHALL COORDINATE THE INSTALLATION OF ELECTRIC SERVICE WITH CENTRAL MAINE POWER, THE TELECOMMUNICATIONS SERVICE WITH FAIRPOINT COMMUNICATIONS, AND THE CABLE SERVICE WITH SPECTRUM. ALL WORK SHALL CONFORM TO THE PROJECT SPECIFICATIONS OR UTILITY COMPANY STANDARDS, WHICHEVER IS MORE STRINGENT.
4. ADJUST ALL MANHOLES, CATCH BASINS, CURB BOXES, ETC. WITHIN LIMITS OF WORK TO FINISH GRADE AT NO ADDITIONAL EXPENSE TO THE OWNER.
5. ALL UNDERGROUND CONDUITS SHALL HAVE NYLON PULL ROPES TO FACILITATE PULLING CABLES.
6. THE CONTRACTOR SHALL OBTAIN, PAY FOR, AND COMPLY WITH ALL REQUIRED PERMITS, ARRANGE FOR ALL INSPECTIONS, AND SUBMIT COPIES OF ACCEPTANCE CERTIFICATES TO THE OWNER PRIOR TO COMPLETION OF THE PROJECT.
7. 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.
8. A 10 FOOT MINIMUM EDGE TO EDGE HORIZONTAL SEPARATION SHALL BE PROVIDED BETWEEN ALL WATER AND SANITARY SEWER LINES. A 12 INCH OUTSIDE TO OUTSIDE VERTICAL SEPARATION SHALL BE PROVIDED AT ALL WATER AND SANITARY SEWER CROSSINGS.
9. THE CONTRACTOR SHALL PROVIDE TEMPORARY SERVICES AS REQUIRED TO PROVIDE CONTINUOUS SERVICE TO THE JOBSITE. TEMPORARY SERVICES SHALL COMPLY WITH ALL FEDERAL, STATE, LOCAL AND UTILITY COMPANY STANDARDS. COORDINATE ALL TEMPORARY SERVICES WITH UTILITY COMPANY, OWNER, AND AFFECTED BUSINESSES.
10. CONTRACTOR SHALL PROVIDE AND INSTALL ALL NECESSARY ELECTRICAL SERVICES IN CONDUIT TO SITE LIGHTING, COMPLYING WITH APPLICABLE CODES. COORDINATE WITH OWNER, SITE ELECTRICAL, ARCHITECTURAL AND CMP PLANS.
11. ALL SANITARY SERVICES AND APPURTENANCES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CURRENT STANDARDS AND SPECIFICATIONS OF THE CITY OF PORTLAND PUBLIC WORKS DEPARTMENT. ALL SANITARY SERVICES AND APPURTENANCES TO BE ABANDONED SHALL BE PROPERLY RECORDED WITH PORTLAND PUBLIC WORKS ENGINEERING DEPARTMENT. A DIGITAL VIDEOTAPE SHALL BE MADE OF SANITARY SEWER SYSTEMS TO BE UTILIZED PRIOR TO CONSTRUCTION; UPSTREAM PIPES INTENDED FOR ABANDONMENT SHALL BE INSPECTED TO VERIFY THAT THEY NO LONGER SERVE OTHER FACILITIES.
12. THE PORTION OF THE 6" WATER SERVICE WITHIN THE RIGHT OF WAY SHALL BE DUCTILE IRON WITH RESTRAINED JOINTS IN ACCORDANCE WITH PORTLAND WATER DISTRICT STANDARDS.
13. THE 2" WATER SERVICE SHALL BE TYPE K COPPER TUBING

PERMITTING NOTES:

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

DIMENSIONAL REQUIREMENTS (IS-FBC ZONE)			
STANDARD	UA SUBDISTRICT REQUIRED	UT SUBDISTRICT REQUIRED	PROVIDED
MIN. LOT SIZE	NONE	NONE	13,842 SF
MIN. LOT AREA PER DWELLING UNIT	NONE	NONE	276 SF
MAX. LOT COVERAGE	90%	90%	70%
FRONT YARD	MIN: 0 FT, MAX: 5 FT	MIN: 0 FT, MAX: 10 FT	MIDDLE ST: APPROX. 3 FT FRANKLIN ST: <1 FT NEWBURY ST: <1 FT
MIN. SIDE YARD	5 FT	10 FT	5.4 FT MIN. SEE SITE PLAN
MIN. REAR YARD	10 FT	10 FT	N/A SEE SITE PLAN
MIN. BUILDING HEIGHT	3 STORIES	3 STORIES	UA DIST: 4 STORIES UT DISTRICT: 5 STORIES
MAX. BUILDING HEIGHT	50 FT, UP TO 4 STORIES	65 FT, UP TO 6 STORIES	UA DIST: 50'-0", 4 STORIES UT DIST: 61'-8", 5 STORIES
MAX. IMPERVIOUS SURFACE	90%	90%	88%
PARKING	1 SPACE PER UNIT, FIRST 3 UNITS EXEMPT (47 SPACES)		12 SPACES
BICYCLE PARKING	2 SPACES FOR EVERY 5 UNITS (20 SPACES)		15 SPACES IN PARKING GARAGE + 6 SPACES AT BIKE HITCHES ON MIDDLE & NEWBURY STREETS

LEGEND

- EXISTING PROPERTY LINE
- PROJECT SITE BOUNDARY
- SETBACK LINE
- PROPOSED EASEMENT
- 124 EXISTING MINOR CONTOUR
- 124 EXISTING MAJOR CONTOUR
- 124 PROPOSED CONTOUR
- SD EXISTING STORMDRAIN
- SD PROPOSED STORMDRAIN
- S EXISTING SANITARY SEWER
- S PROPOSED SANITRY SEWER
- W EXISTING WATER LINE
- W PROPOSED WATER LINE
- G EXISTING GAS
- G PROPSED GAS
- OHE EXISTING OVERHEAD ELECTRIC & TELEPHONE
- UGE EXISTING UNDERGROUND ELECTRIC
- UGE PROPOSED UNDERGROUND ELECTRIC
- UGT EXISTING UNDERGROUND TELEPHONE
- UGT&C PROPOSED UNDERGROUND TELEPHONE & CABLE TV
- EXISTING EDGE OF PAVEMENT
- PROPOSED EDGE OF PAVEMENT
- EXISTING EDGE OF GRAVEL
- PROPOSED EDGE OF GRAVEL
- EXISTING CURB
- PROPOSED CURB
- PROPOSED DECORATIVE METAL FENCE
- PROPOSED PRIVACY FENCE
- SF SILT FENCE
- TP-A TEST PIT
- EXISTING VALVE
- PROPOSED VALVE
- EXISTING HYDRANT
- EXISTING LIGHT POLE
- PROPOSED BUILDING LIGHT
- EXISTING UTILITY POLE
- EXISTING CATCH BASIN
- PROPOSED CATCH BASIN
- EXISTING DRAIN MANHOLE
- PROPOSED DRAIN MANHOLE
- EXISTING SEWER MANHOLE
- 30.20 EXISTING SPOT GRADE
- 30.20 PROPOSED SPOT GRADE
- SURVEY CONTROL POINT
- EXISTING MONUMENT
- EXISTING IRON PIPE
- EXISTING SIGN
- PROPOSED SIGN
- EXISTING BUILDING
- PROPOSED BUILDING
- PROPOSED CONCRETE
- PROPOSED PAVEMENT
- PROPOSED BRICK

STATE OF MAINE
MICHAEL E. TADEMA-WIELANDT
No. 12927
LICENSED PROFESSIONAL ENGINEER

DATE: 6/17/2020
P.E.: MICHAEL E. TADEMA-WIELANDT

NO.	DATE	REVISIONS	APPD BY
1	6/17/2020	REVISED PER STAFF REVIEW COMMENTS	MTW

TERRADYN CONSULTANTS, LLC
Civil Engineering | Land Planning | Stormwater Design | Environmental Permitting
565 CONGRESS STREET
SUITE 201
PORTLAND, ME 04102
41 CAMPUS DRIVE
SUITE 101
NEW GLOUCESTER, ME 04260
OFFICE: (207) 926-5111 FAX: (207) 221-1317
www.terradynconsultants.com

PERMIT DRAWING
NOT FOR CONSTRUCTION

PROJECT:
MIDDLE STREET APARTMENTS
83 MIDDLE STREET, PORTLAND, MAINE 04101

SHEET TITLE:
GENERAL NOTES & LEGEND

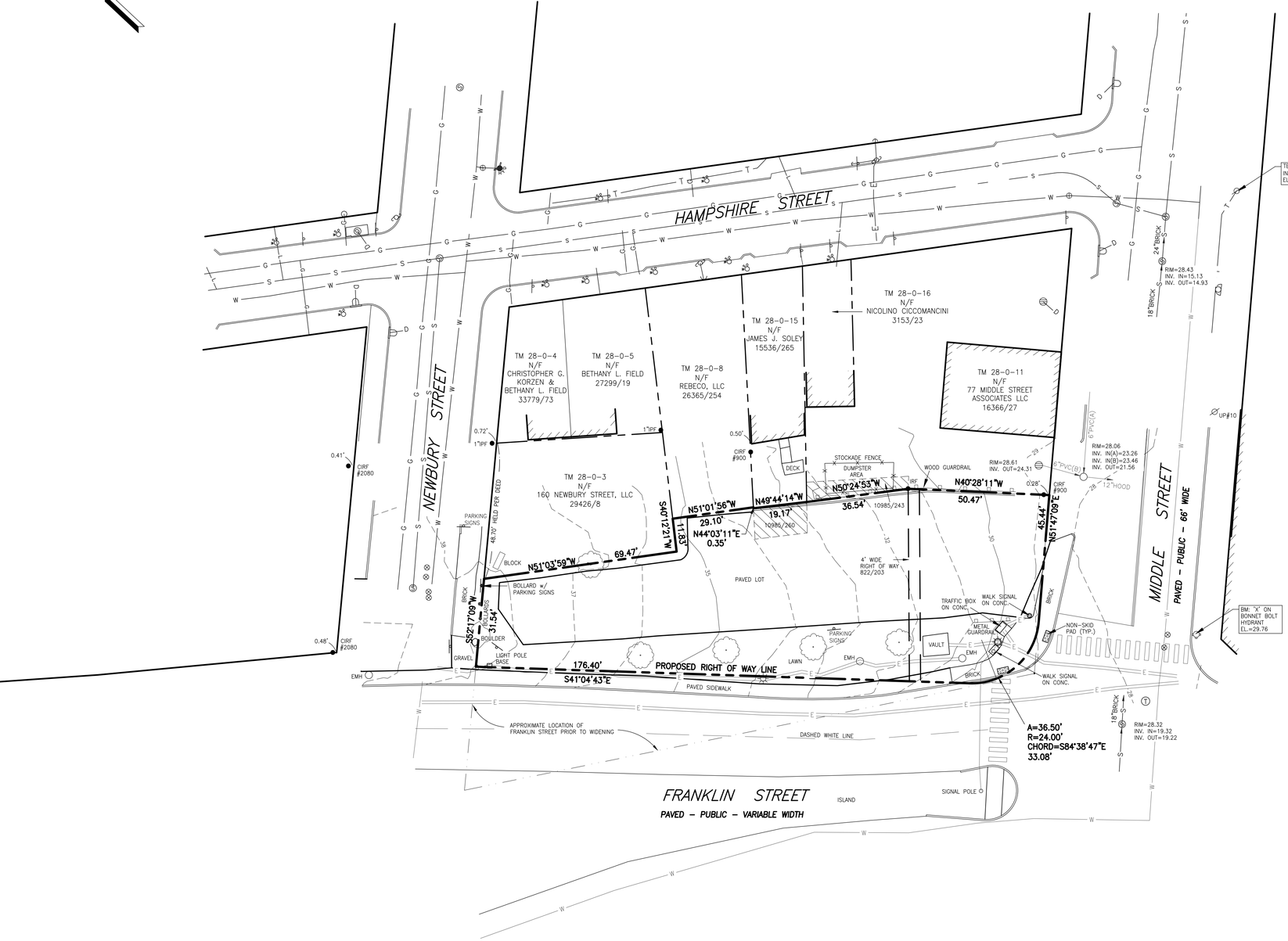
CLIENT:
MIDDLE STREET HOUSING PARTNERS, LP
ONE CITY CENTER, 4TH FLOOR
PORTLAND, MAINE 04101

DATE:	4/16/2020
SCALE:	AS NOTED
DESIGNED:	MTW
JOB NO:	1926
FILE:	1926 COVER.DWG

SHEET C-1.1

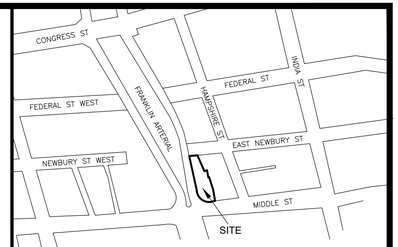
UTILITY NOTE

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. CALL 1-888-DIGSAFE AT LEAST THREE BUSINESS DAYS BEFORE PERFORMING ANY CONSTRUCTION. DUE TO OSHA CONFINED SPACE REQUIREMENTS, ALL INVERTS AND PIPE SIZES MUST BE VERIFIED PRIOR TO ANY CONSTRUCTION.



SCALE : 1" = 20'

0' 10' 20' 40'



LOCATION MAP

N.T.S.

LEGEND

IRON PIPE OR ROD FOUND	FENCE
MONUMENT FOUND	CURB
UTILITY POLE	OHW — OVERHEAD WIRES
MANHOLE	35 — 1' CONTOUR
SIGN	IPF/IRF — IRON PIPE OR ROD FOUND
CATCH BASIN	N/F — NOW OR FORMERLY
HYDRANT	000/000 — DEED BOOK / PAGE
WATER VALVE OR SHUTOFF	CONC. — CONCRETE
LIGHT POLE	E — UNDERGROUND POWER
DECIDUOUS TREE	W — WATER LINE
	G — GAS LINE
	SD — STORM DRAIN
	SS — SANITARY SEWER

PLAN REFERENCES

1. STANDARD BOUNDARY SURVEY PLAN OF PROPERTY AT 77 MIDDLE STREET PORTLAND MAINE FOR GEORGE W. BEALS DATED NOVEMBER 23, 1992 BY LEROY A. WITHAM LOCATED IN THE CITY OF PORTLAND'S ENGINEERING ARCHIVES AS PLAN 866/1.

2. CITY OF PORTLAND PUBLIC WORKS DEPARTMENT CONTRACT DRAWINGS HAMPSHIRE STREET RECONSTRUCTION BRATTLE STREET RECONSTRUCTION PROJECT NO. 210-3100-430 DATED 11/16/01. ON FILE AT THE CITY OF PORTLAND.

GENERAL NOTES

1. OWNER OF RECORD: CITY OF PORTLAND
TAX MAP 28 BLOCK 0 LOT 17
C.C.R.D. BOOK 3029 PAGE 547
C.C.R.D. BOOK 10985 PAGE 260

2. BEARINGS AND COORDINATES ARE BASED ON MAINE STATE PLANE COORDINATE SYSTEM WEST ZONE NAD 83. ELEVATIONS ARE BASED ON CITY DATUM, NGVD 29. HORIZONTAL AND VERTICAL CONTROL DATA PROVIDED BY THE CITY OF PORTLAND AND TAKEN FROM PLAN REFERENCE 2.

3. UTILITIES SHOWN ARE TAKEN FROM PLAN REFERENCE #2.

4. THE RIGHT OF WAY LINE SHOWN ALONG FRANKLIN STREET IS A PROPOSED LOCATION. THE EXISTING RIGHT OF WAY LINE IS THE SOUTHWESTERLY PROPERTY LINES ALONG LOTS 28-0-3, 28-0-8, 28-0-15 & 28-0-11.

CERTIFICATE

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

RANDY R. LOUBIER, PLS #2407

DATE

PRELIMINARY

Boundary & Topographic Survey

At

#83 Middle Street, Portland, Maine

Made for

Community Housing of Maine

One City Center, 4th Floor Portland, ME 04101

OWEN HASKELL, INC.
PROFESSIONAL LAND SURVEYORS
390 U.S. ROUTE ONE, UNIT 10, FALMOUTH, MAINE 04105

DRAWN BY: RS / JLW	DATE: March 9, 2020	JOB NO. 2019-026 P
CHECKED BY: EBC / JWS	SCALE: 1" = 20'	DRWG. NO. 1



LOCATION MAP N.T.S.

GENERAL NOTES:

1. OWNERS OF RECORD: CITY OF PORTLAND
   TAX MAP 28 BLOCK O LOT 17
   C.C.R.D. BOOK 3029 PAGE 547
   C.C.R.D. BOOK 10985 PAGE 260

   COMMUNITY HOUSING OF MAINE, INC.
   TAX MAP 28 BLOCK O LOT 3
   C.C.R.D. BOOK 36843 PAGE 218
2. APPLICANT: MIDDLE STREET HOUSING PARTNERS, LP
   ONE CITY CENTER, 4TH FLOOR
   PORTLAND, ME 04101
3. CIVIL ENGINEER: TERRADYN CONSULTANTS, LLC
   565 CONGRESS STREET, SUITE 201
   PORTLAND, ME 04101
4. ARCHITECT: CWS ARCHITECTS
   264 US ROUTE ONE, SUITE 100-2A
   PORTLAND, ME 04101
5. SURVEYOR: OWEN HASKELL, INC.
   390 US ROUTE ONE, SUITE 310
   FALMOUTH, ME 04105
6. ZONING DISTRICT: INDIA STREET FORM BASED CODE DISTRICT (IS-FBC)
   SUBDISTRICTS: URBAN ACTIVE (UA)
   URBAN TRANSITIONAL (UT)
7. TOPOGRAPHIC AND BOUNDARY SURVEY INFORMATION WAS PROVIDED BY OWEN HASKELL, INC. BENCHMARK = HYDRANT BONNET BOLT ON SOUTHEASTERN SIDE OF MIDDLE STREET, ELEVATION 29.76, NGVD 1929 DATUM.
8. BEARINGS AND COORDINATES ARE BASED ON MAINE STATE PLANE COORDINATE SYSTEM WEST ZONE NAD 83. ELEVATIONS ARE BASED ON CITY DATUM. HORIZONTAL AND VERTICAL CONTROL DATA PROVIDED BY THE CITY OF PORTLAND AND TAKEN FROM PLAN REFERENCE 2.
9. THE DEEDS FOR PARCELS 28-O-4 & 28-O-5 CALL FOR 50 FEET (MORE OR LESS) ALONG THE SIDE PROPERTY LINES, 50 FEET ALONG NEWBURY STREET AND THE REAR LINE BEING PARALLEL WITH HAMPSHIRE STREET GOING BACK TO NOVEMBER OF 1853. THE DEEDS FOR 28-O-3 CALLS FOR THE POINT OF BEGINNING AT A STAKE 48.1 FEET FROM THE INTERSECTION OF HAMPSHIRE STREET AND NEWBURY STREET THENCE AN ANGLE OFF NEWBURY STREET TO A STAKE GOING BACK TO MAY 1895. WHEN PLOTTED THESE DEED LINES CROSS AS SHOWN, THEREFORE A BOUNDARY LINE AGREEMENT IS RECOMMENDED WITH THESE ABUTTERS.
10. THE 4' WIDE RIGHT OF WAY OVER THE PROPERTY WAS CREATED IN 1908 AS A PASSAGEWAY BETWEEN BUILDINGS THAT EXISTED AT THE TIME AND WAS NEVER AGAIN MENTIONED IN A DEED AFTER 1928. THE ONLY PROPERTY THAT COULD HAVE BENEFITED FROM THE RIGHT OF WAY IS 28-O-11, BUT IT WOULD HAVE NO PRACTICAL USE OR BENEFIT TODAY BECAUSE 28-O-11 HAS ITS OWN STREET ACCESS ON MIDDLE STREET. THE APPLICANT HAS SECURED TITLE INSURANCE COVERAGE AGAINST ANY LOSS OR DAMAGE ASSOCIATED WITH A PROPERTY OWNER ATTEMPTING TO EXERCISE THE RIGHT TO USE THE RIGHT OF WAY. THE TITLE INSURANCE IS RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK ____ PAGE ____.
11. FEMA MAP COMMUNITY PANEL NUMBER 230051 0014 B. THE SITE IS LOCATED IN A C ZONE.
12. THE FACILITY IS SERVICED BY PUBLIC WATER, SEWER, AND UNDERGROUND POWER. THE PROJECT INCLUDES UPDATES TO THE POWER SERVICE INCLUDING THE INSTALLATION OF NEW UNDERGROUND SYSTEM. SEE SITE ELECTRICAL PLANS FOR DETAILS.
13. THE OWNER SHALL BE RESPONSIBLE FOR ENGAGING A PRIVATE TRASH HAULER FOR WASTE REMOVAL.
14. THE ENTIRE SITE SHALL BE DEVELOPED AN/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.

PLAN REFERENCES:

1. STANDARD BOUNDARY SURVEY PLAN OF PROPERTY AT 77 MIDDLE STREET PORTLAND MAINE FOR GEORGE W. BEALS DATED NOVEMBER 23, 1992 BY LEROY A. WITHAM LOCATED IN THE CITY OF PORTLAND'S ENGINEERING ARCHIVES AS PLAN 866/1.
2. CITY OF PORTLAND PUBLIC WORKS DEPARTMENT CONTRACT DRAWINGS HAMPSHIRE STREET RECONSTRUCTION BRATTLE STREET RECONSTRUCTION PROJECT NO. 210-3100-430 DATED 11/16/01. ON FILE AT THE CITY OF PORTLAND.
3. BOUNDARY & TOPOGRAPHIC SURVEY AT #83 MIDDLE STREET, PORTLAND, MAINE MADE FOR COMMUNITY HOUSING OF MAINE ONE CITY CENTER, 4TH FLOOR PORTLAND, ME 04101, PREPARED BY OWEN HASKELL, INC. AND DATED MARCH 9, 2020.

WAIVERS:

1. TECHNICAL MANUAL SECTION 1.7.2.3: TO ALLOW DRIVEWAY WIDTH OF 12.0' TO SERVE THE NEW DEVELOPMENT AS SHOWN ON SITE PLAN C-4.0.
2. TECHNICAL MANUAL SECTION 1.14: TO ALLOW THE PARKING AISLE WIDTHS WITHIN THE PARKING STRUCTURE TO BE NARROWER THAN THE REQUIRED 24' WIDTH, AS SHOWN ON SITE PLAN C-4.0.
3. TECHNICAL MANUAL SECTION 1.14: TO ALLOW THE OFF STREET PARKING STRUCTURE TO BE COMPRISED OF 25% COMPACT PARKING SPACES, AS SHOWN ON SITE PLAN C-4.0.

EASEMENTS & LICENSES:

1. SIDEWALK EASEMENT TO THE CITY OF PORTLAND. RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK ___ PAGE ___.
2. BUILDING OVERHANG LICENSES DEFINED IN THE LINE TABLE. RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK ___ PAGE ___.

CONDITIONS OF APPROVAL:

1. SUBDIVISION RECORDING PLAT A REVISED RECORDING PLAT, LISTING ALL CONDITIONS OF SUBDIVISION APPROVAL, MUST BE SUBMITTED TO THE PLANNING AND URBAN DEVELOPMENT DEPARTMENT FOR REVIEW. ONCE APPROVED, THE PLAT SHALL BE SIGNED BY THE PLANNING BOARD PRIOR TO THE ISSUANCE OF A PERFORMANCE GUARANTEE. THE PERFORMANCE GUARANTEE MUST BE ISSUED, PRIOR TO THE RELEASE OF THE RECORDING PLAT, FOR RECORDING AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS.
2. SUBDIVISION WAIVERS PURSUANT TO 30-A MRSA SECTION 4406(B)(1), ANY WAIVER MUST BE SPECIFIED ON THE SUBDIVISION PLAN OR OUTLINED IN A NOTICE. THE PLAN OR NOTICE MUST BE RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS WITHIN TWO (2) YEARS OF THE FINAL SUBDIVISION APPROVAL.
3. PERFORMANCE GUARANTEE AND INSPECTION FEES A PERFORMANCE GUARANTEE COVERING THE SITE IMPROVEMENTS, INSPECTION FEE PAYMENT OF 2.0% OF THE GUARANTEE AMOUNT AND THREE (3) FINAL SETS OF PLANS MUST BE SUBMITTED TO AND APPROVED BY THE PLANNING AND URBAN DEVELOPMENT DEPARTMENT AND PUBLIC WORKS DEPARTMENT PRIOR TO THE RELEASE OF A BUILDING PERMIT, STREET OPENING PERMIT OR CERTIFICATE OF OCCUPANCY FOR SITE PLANS. IF YOU NEED TO MAKE ANY MODIFICATIONS TO THE APPROVED PLANS, YOU MUST SUBMIT A REVISED SITE PLAN APPLICATION FOR STAFF REVIEW AND APPROVAL.
4. DEFECT GUARANTEE A DEFECT GUARANTEE, CONSISTING OF 10% OF THE PERFORMANCE GUARANTEE, MUST BE POSTED BEFORE THE PERFORMANCE GUARANTEE WILL BE RELEASED.
5. PRECONSTRUCTION MEETING PRIOR TO THE RELEASE OF A BUILDING PERMIT OR SITE CONSTRUCTION, A PRE-CONSTRUCTION MEETING SHALL BE HELD AT THE PROJECT SITE. THIS MEETING WILL BE HELD WITH THE CONTRACTOR, DEVELOPMENT REVIEW COORDINATOR, PUBLIC WORKS REPRESENTATIVE AND OWNER TO REVIEW THE CONSTRUCTION SCHEDULE AND CRITICAL ASPECTS OF THE SITE WORK. AT THAT TIME, THE DEVELOPMENT REVIEW COORDINATOR WILL CONFIRM THAT THE CONTRACTOR IS WORKING FROM THE APPROVED SITE PLAN. THE SITE/BUILDING CONTRACTOR SHALL PROVIDE THREE (3) COPIES OF A DETAILED CONSTRUCTION SCHEDULE TO THE ATTENDING CITY REPRESENTATIVES. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO ARRANGE A MUTUALLY AGREEABLE TIME FOR THE PRE-CONSTRUCTION MEETING.
6. SEPARATE BUILDING PERMITS ARE REQUIRED THIS APPROVAL DOES NOT CONSTITUTE APPROVAL OF BUILDING PLANS, WHICH MUST BE REVIEWED AND APPROVED BY THE CITY OF PORTLAND'S PERMITTING AND INSPECTIONS DEPARTMENT.
7. DEPARTMENT OF PUBLIC WORKS PERMITS IF WORK OR OBSTRUCTIONS WILL OCCUR WITHIN THE PUBLIC RIGHT-OF-WAY, SUCH AS UTILITIES, CURB, SIDEWALK, DRIVEWAY CONSTRUCTION, SITE DELIVERIES AND EQUIPMENT SITING, A STREET OPENING AND/OR OCCUPANCY PERMIT (S) IS REQUIRED FOR THE SITE. CONTACT THE DEPARTMENT OF PUBLIC WORKS PERMIT CLERK AT 874-8300, EXT. 8828. (ONLY EXCAVATORS LICENSED BY THE CITY OF PORTLAND ARE ELIGIBLE.)
8. CONSTRUCTION MANAGEMENT PLANS - *PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY* - THE APPLICANT, CONTRACTOR AND SUBCONTRACTORS ARE REQUIRED TO CONFORM TO THE APPROVED CONSTRUCTION MANAGEMENT PLAN, AND ALL CONDITIONS CONTAINED WITHIN THE PROJECT'S APPROVAL, FOR THE ENTIRE DURATION OF THE PROJECT. ANY AMENDMENTS TO THE APPROVED CONSTRUCTION MANAGEMENT PLAN SHALL BE REVIEWED AND APPROVED BY THE DEPARTMENT OF PUBLIC WORKS PRIOR TO THE EXECUTION. THE PLANNING AUTHORITY AND THE DEPARTMENT OF PUBLIC WORKS HAVE THE RIGHT TO SEEK REVISIONS TO AN APPROVED CONSTRUCTION MANAGEMENT PLAN. THE APPLICANT SHALL COORDINATE THE PROJECT'S CONSTRUCTION SCHEDULE WITH THE TIMING OF NEARBY CONSTRUCTION ACTIVITIES TO AVOID CUMULATIVE IMPACTS ON A NEIGHBORHOOD AND PREVENT UNSAFE VEHICLE AND PEDESTRIAN MOVEMENTS. ACCORDINGLY, NEARBY CONSTRUCTION ACTIVITIES COULD INVOLVE A DELAY IN THE COMMENCEMENT OF CONSTRUCTION.
9. AS-BUILT FINAL PLANS - *PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY* - FINAL SETS OF AS-BUILT PLANS SHALL BE SUBMITTED DIGITALLY TO THE PLANNING AND URBAN DEVELOPMENT DEPARTMENT, ON A CD OR DVD, IN AUTOCAD FORMAT (*.DWG), RELEASE AUTOCAD 2005 OR GREATER.
10. DEVELOP SITE ACCORDING TO PLAN - *ONGOING CONDITION OF APPROVAL* - THE SITE SHALL BE DEVELOPED AND MAINTAINED AS DEPICTED ON THE SITE PLAN AND IN THE WRITTEN SUBMISSION OF THE APPLICANT. MODIFICATION OF ANY APPROVED SITE PLAN OR ALTERATION OF A PARCEL WHICH WAS THE SUBJECT OF SITE PLAN APPROVAL AFTER MAY 20, 1974, SHALL REQUIRE THE PRIOR APPROVAL OF A REVISED SITE PLAN BY THE PLANNING BOARD OR PLANNING AUTHORITY PURSUANT TO THE TERMS OF CHAPTER 14, LAND USE, OF THE PORTLAND CITY CODE.
11. SITE PLAN EXPIRATION THE SITE PLAN APPROVAL WILL BE DEEMED TO HAVE EXPIRED UNLESS WORK HAS COMMENCED WITHIN ONE (1) YEAR OF THE APPROVAL OR WITHIN A TIME PERIOD UP TO THREE (3) YEARS FROM THE APPROVAL DATE AS AGREED UPON IN WRITING BY THE CITY AND THE APPLICANT. REQUESTS TO EXTEND APPROVALS MUST BE RECEIVED BEFORE THE ONE (1) YEAR EXPIRATION DATE.
12. SUBDIVISION EXPIRATION THE SUBDIVISION APPROVAL IS VALID FOR UP TO THREE (3) YEARS FROM THE DATE OF PLANNING BOARD APPROVAL.
10. MYLAR COPIES MYLAR COPIES OF THE AS-BUILT DRAWINGS FOR THE PUBLIC STREETS AND OTHER PUBLIC INFRASTRUCTURE IN THE SUBDIVISION MUST BE SUBMITTED TO PUBLIC WORKS PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.

APPROVAL- CITY OF PORTLAND PLANNING BOARD

_____ DATE

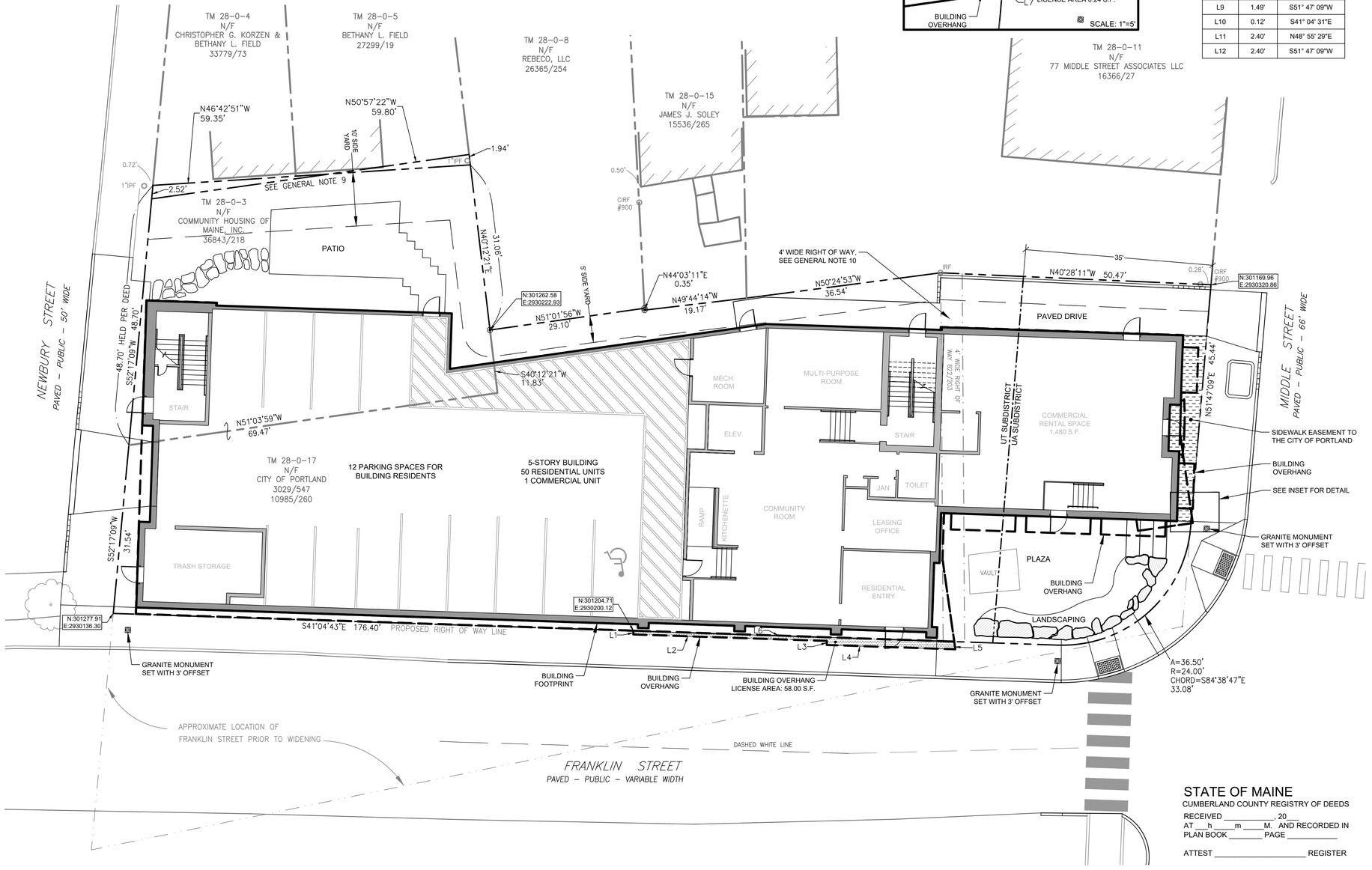
_____ CHAIRPERSON

GRAPHIC SCALE

10 0 5 10 20 40

(IN FEET)

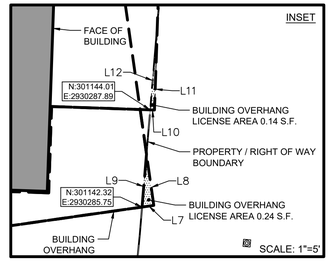
1 inch = 10 ft.



LEGEND

- EXISTING PROPERTY LINE
- PROJECT SITE BOUNDARY
- EXISTING EDGE OF PAVEMENT
- PROPOSED EDGE OF PAVEMENT
- EXISTING CURB
- PROPOSED CURB
- EXISTING IRON PIPE OR ROD
- CAPPED IRON ROD TO BE SET
- GRANITE MONUMENT TO BE SET
- EXISTING BUILDING
- PROPOSED BUILDING
- PROPOSED BUILDING OVERHANG
- PROPOSED EASEMENT
- PROPOSED BUILDING OVERHANG LICENSE AREA





BUILDING OVERHANG LICENSE LINE TABLE		
Line #	Length	Direction
L1	0.67'	S48° 55' 35"W
L2	36.14'	S41° 04' 31"E
L3	0.75'	S48° 55' 29"W
L4	24.00'	S41° 04' 31"E
L5	1.44'	N38° 55' 29"E
L6	59.88'	N41° 04' 43"W
L7	0.33'	S51° 04' 31"E
L8	1.45'	N38° 55' 29"E
L9	1.49'	S51° 47' 09"W
L10	0.12'	S41° 04' 31"E
L11	2.40'	N48° 55' 29"E
L12	2.40'	S51° 47' 09"W

STATE OF MAINE

CUMBERLAND COUNTY REGISTRY OF DEEDS

RECEIVED _____, 20__
AT ___h ___m ___M. AND RECORDED IN
PLAN BOOK _____ PAGE _____

ATTEST _____ REGISTER

TO BE REVIEWED

STATE OF MAINE
MICHAEL E. TADEMA-WIELANDT
12/31/2020
LICENSED PROFESSIONAL ENGINEER

PLS: DATE: 7/22/2020
DATE: P.E.: MICHAEL E. TADEMA-WIELANDT

NO.	DATE	REVISIONS	APP'D BY
2	7/22/2020	REVISED PER STAFF REVIEW COMMENTS	MTW
1	6/17/2020	REVISED PER STAFF REVIEW COMMENTS	MTW

565 CONGRESS STREET
SUITE 201
PORTLAND, ME 04102

41 CAMPUS DRIVE
SUITE 101
NEW GLOUCESTER, ME 04260

OFFICE: (207) 926-5111 FAX: (207) 221-1317
www.terradynconsultants.com

TERRADYN CONSULTANTS, LLC
Civil Engineering | Land Planning | Stormwater Design | Environmental Permitting

PERMIT DRAWING
NOT FOR CONSTRUCTION

PROJECT: MIDDLE STREET APARTMENTS
83 MIDDLE STREET, PORTLAND, MAINE 04101

SHEET TITLE: RECORDING PLAT

CLIENT: MIDDLE STREET HOUSING PARTNERS, LP
ONE CITY CENTER 4TH FLOOR
PORTLAND, MAINE 04101

DATE:	4/16/2020
SCALE:	1" = 10'
DESIGNED:	MTW
JOB NO:	1926
FILE: 1926-BASE.DWG	
SHEET	C-2.0

HAMPSHIRE STREET

approximate sewer location

TM 28-0-4
N/F
CHRISTOPHER G. KORZEN &
BETHANY L. FIELD
33779/73

TM 28-0-5
N/F
BETHANY L. FIELD
27299/19

TM 28-0-8
N/F
REBECO, LLC
26365/254

TM 28-0-15
N/F
JAMES J. SOLEY
15536/265

TM 28-0-16
N/F
NICOLINO CICCOMANCINI
3153/23

TM 28-0-11
N/F
77 MIDDLE STREET ASSOCIATES LLC
16366/27

TM 28-0-3
N/F
160 NEWBURY STREET, LLC
29426/8

SITE BOUNDARY
13,842 S.F.

10' SIDE YARD

5' SIDE YARD

DECK

STOCKADE FENCE

DUMPSTER AREA

PROTECT GUARDRAIL & FENCE

WOOD GUARDRAIL

DMH RIM: 28.61
15"INV. IN: 16.30
10"INV. IN: 16.30
24"INV. OUT: 14.91

ALTER MANHOLE

RIM: 27.975
INV. OUT: 24.125
SUMP: 20.625

RIM: 28.69
INV. OUT: 25.49
SUMP: 22.84

RIM=28.43
INV. IN=15.13
INV. OUT=14.93

RIM=28.61
INV. OUT=24.31

DMH RIM=28.06
INV. IN(A)=23.26
INV. IN(B)=23.46
INV. OUT=21.56

APPROXIMATE LOCATION

REMOVE & RESET CURB AS NECESSARY

UP#10

REMOVE & REPAIR BRICK SIDEWALK AS NECESSARY

REPAIR UTILITY TRENCH WITHIN R.O.W., SEE DETAIL

MILL SURFACE PAVEMENT TO A DEPTH OF 1-1/2"

REPAIR UTILITY TRENCH WITHIN R.O.W., SEE DETAIL

NEWBURY STREET

REMOVE, STOCKPILE & RESET EXISTING GRANITE CURB

REMOVE & STOCKPILE BRICK

PARKING SIGNS

REMOVE, STORE & RESET EXISTING PARKING SIGNS

REMOVE EXISTING TREE

REMOVE GRANITE BLOCK

BLOCK

REMOVE PAVEMENT

4' WIDE RIGHT OF WAY 822/203

PAVED LOT

BOLLARD w/ PARKING SIGNS

RIM: 38.735
INV. OUT: 28.935

AIR RELEASE

REMOVE BOLLARDS & SIGN

REMOVE, STOCKPILE & RESET EXISTING GRANITE CURB

REMOVE, STORE & RESET EXISTING PARKING SIGNS

BOULDER

REMOVE SIGN

REMOVE BOULDER

GRAVEL

LIGHT POLE BASE

REMOVE EXISTING TREE, TYP.

RELOCATE UGE AS NECESSARY

REMOVE LIGHT POLE & BASE

PARKING SIGNS

REMOVE SIGN

REMOVE MANHOLE

LAWN

PROTECT VAULT & ASSOCIATED UGE

VAULT

REMOVE GUARDRAIL

RELOCATE PEDESTRIAN SIGNAL

RELOCATE TRAFFIC CONTOL BOX

REMOVE LIGHT POLE & BASE

GUARDRAIL METAL

TRAFFIC BOX ON CONC.

WALK SIGNAL ON CONC.

RELOCATE PEDESTRIAN SIGNAL

REMOVE & STOCKPILE BRICK

REMOVE, STOCKPILE & RESET EXISTING GRANITE CURB

MIDDLE STREET

BRICK

NON-SKID PAD (TYP.)

BM: "X" ON BONNET BOLT HYDRANT EL.=29.76

REMOVE & REPAIR BRICK SIDEWALK AS NECESSARY

REMOVE & RESET CURB AS NECESSARY

PAVED SIDEWALK

PROTECT EXISTING TREE

REMOVE LIGHT POLE BASE

PROTECT CURB

REMOVE CURB

APPROXIMATE LOCATION

SAWCUT PAVEMENT

REMOVE MANHOLE

ERADICATE CROSSWALK STRIPING

DASHED WHITE LINE

FRANKLIN STREET
PAVED – PUBLIC – VARIABLE WIDTH

ERADICATE STRIPING

REMOVE RESET EXISTING CURB

SIGNAL POLE

RIM=28.32
INV. IN=19.32
INV. OUT=19.22

OHE&T

UGT

UGE

STATE OF MAINE
MICHAEL E. TADEMA-WIELANDT
LICENSED PROFESSIONAL ENGINEER

DATE: 6/17/2020
P.E.: MICHAEL E. TADEMA-WIELANDT

NO.	DATE	REVISIONS	APP'D BY
1	6/17/2020	REVISED PER STAFF REVIEW COMMENTS	MTW

565 CONGRESS STREET
SUITE 201
PORTLAND, ME 04102

41 CAMPUS DRIVE
SUITE 101
NEW GLOUCESTER, ME 04260

OFFICE: (207) 926-5111 FAX: (207) 221-1317
www.terradynconsultants.com

TERRADYN CONSULTANTS, LLC

Civil Engineering | Land Planning | Stormwater Design | Environmental Permitting

PERMIT DRAWING
NOT FOR CONSTRUCTION

PROJECT:
MIDDLE STREET APARTMENTS
83 MIDDLE STREET, PORTLAND, MAINE 04101

SHEET TITLE:
EXISTING CONDITIONS & DEMOLITION PLAN

CLIENT:
MIDDLE STREET HOUSING PARTNERS, LP
ONE CITY CENTER, 4TH FLOOR
PORTLAND, MAINE 04101

DATE:	4/16/2020
SCALE:	1" = 10'
DESIGNED:	MTW
JOB NO:	1926
FILE: 1926-EC.DWG	

SHEET C-3.0

EROSION & SEDIMENT CONTROL NOTES:

1. INSTALL STABILIZED CONSTRUCTION ENTRANCE IN LOCATION SHOWN ON PLAN. MAINTAIN UNTIL VEHICLES WILL NO LONGER ENTER THE SITE.
2. INSTALL & MAINTAIN SEDIMENT BARRIER AROUND THE PERIMETER OF THE SITE WHILE AREAS REMAIN UNSTABILIZED.
3. INSTALL & MAINTAIN SEDIMENT PROTECTION AT ALL NEW AND EXISTING CATCH BASIN RECEIVING RUNOFF FROM THE SITE DURING CONSTRUCTION.
4. SEE SHEET C-5.1 FOR THE FULL EROSION & SEDIMENTATION CONTROL NARRATIVE AND DETAILS.

CONSTRUCTION MANAGEMENT NOTES

1. THE CONSTRUCTION GATE SHALL SWING INTO THE PROJECT SITE
2. FENCING AROUND THE PERIMETER OF THE CONSTRUCTION WORK ZONE WILL BE MAINTAINED THROUGHOUT BUILDING CONSTRUCTION, UNLESS OTHERWISE APPROVED BY THE DEPARTMENT OF PUBLIC WORKS.
3. CLOSURE OF THE MIDDLE STREET, FRANKLIN STREET AND NEWBURY STREET SIDEWALKS DIRECTLY IN FRONT OF THE SITE WILL BE REQUIRED FOR THE DURATION OF BUILDING CONSTRUCTION. SIGNAGE SHALL BE PROVIDED TO DIRECT PEDESTRIANS ACROSS THE STREET AT EXISTING CROSSWALK LOCATIONS DURING SIDEWALK CLOSURES, AS SHOWN. ADA ACCESSIBILITY SHALL BE MAINTAINED AT ALL TIMES.
4. PARTIAL TRAVEL LANE CLOSURES OF MIDDLE STREET, FRANKLIN STREET AND NEWBURY STREET WILL BE NECESSARY DURING UNDERGROUND UTILITY INSTALLATION. THIS WORK SHALL BE SCHEDULED AND SEQUENCED TO MINIMIZE THE DURATION OF ANY STREET OCCUPANCY. 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.
5. ALL CONTRACTOR PARKING SHALL BE IN OFF-STREET PARKING LOCATIONS. ON-STREET PARKING SHALL NOT BE PERMITTED.

HAMPSHIRE STREET

approximate sewer location

PROVIDE TEMPORARY SIGN "SIDEWALK CLOSED AHEAD"

TM 28-0-4
N/F
CHRISTOPHER G. KORZEN & BETHANY L. FIELD
33779/73

N/F
BETHANY L. FIELD
27299/19

SITE BOUNDARY
13,842 S.F.

LIMIT OF PAVEMENT GRIND & SURFACE PAVEMENT PLACEMENT

"SIDEWALK CLOSED" SIGN

UTILITY TRENCH, COORDINATE LANE CLOSURES WITH THE DEPARTMENT OF PUBLIC WORKS FOR UTILITY CONNECTIONS

TM 28-0-3
N/F
160 NEWBURY STREET, LLC
29426/8

MATERIAL STORAGE & LAYDOWN AREA

CONSTRUCTION FENCE

NEWBURY STREET

RIM: 38.735
INV. OUT: 28.935
6" RELEASE

CONSTRUCTION FENCE GATE

"NO PARKING" SIGN

PROVIDE TEMPORARY SIGN "SIDEWALK CLOSED AHEAD"

"SIDEWALK CLOSED" SIGN

INSTALL & MAINTAIN STABILIZED CONSTRUCTION ENTRANCE

INSTALL & MAINTAIN STABILIZED SEDIMENT BARRIER AT DOWNSLOPE LIMIT OF DISTURBANCE

CONSTRUCTION FENCE

"NO PARKING" SIGNS

APPROXIMATE LOCATION

DASHED WHITE LINE

FRANKLIN STREET
PAVED – PUBLIC – VARIABLE WIDTH

STOCKADE FENCE
DUMPSTER AREA
DECK
WOOD GUARDRAIL
PROTECT EXISTING FENCE
PROTECT EXISTING GUARDRAIL
"SIDEWALK CLOSED" SIGN
"NO PARKING" SIGN
CONSTRUCTION FENCE
"NO PARKING" SIGN
"NO PARKING" SIGN
MECH. ROOM
MULTI-PURPOSE ROOM
ELEV.
STAIR
COMMERCIAL RENTAL SPACE
1,480 S.F.
JAN
TOILET
RAMP
KITCHENETTE
COMMUNITY ROOM
LEASING OFFICE
VAULT
RESIDENTIAL ENTRY
TRASH STORAGE
STAIR

RIM: 28.69
INV. OUT: 25.49
SUMP: 22.84

GRID NORTH

TM 28-0-11
N/F
77 MIDDLE STREET ASSOCIATES LLC
16366/27

UTILITY TRENCH, COORDINATE LANE CLOSURES WITH THE DEPARTMENT OF PUBLIC WORKS FOR UTILITY CONNECTIONS

PROVIDE TEMPORARY SIGN "SIDEWALK CLOSED AHEAD"
RIM: 27.97
INV. OUT: 24.125
SUMP: 20.625

DMH RIM: 28.61
18"INV. IN: 16.30
10"INV. IN: 16.30
24"INV. OUT: 14.91

RIM=28.43
INV. IN=15.13
INV. OUT=14.93

RIM=28.61
INV. OUT=24.31

DMH RIM=28.06
INV. IN(A)=23.26
INV. IN(B)=23.46
INV. OUT=21.56

RIM=28.32
INV. IN=19.32
INV. OUT=19.22

MIDDLE STREET

APPROXIMATE LOCATION

BM: "X" CUT ON BOLT HY
EL.=29.7

PR
"C

PROVIDE TEMPORARY SIGN ON WESTERN SIDE OF FRANKLIN STREET: "CROSSWALK CLOSED"

SIGNAL POLE

GRAPHIC SCALE
10 0 5 10 20 40
(IN FEET)
1 inch = 10 ft.

STATE OF MAINE
MICHAEL E. TADEMA-WIELANDT
LICENSED PROFESSIONAL ENGINEER

DATE: 6/17/2020
P.E.: MICHAEL E. TADEMA-WIELANDT

NO.	DATE	REVISIONS	APP'D BY
1	6/17/2020	REVISED PER STAFF REVIEW COMMENTS	MTW

TERRADYN CONSULTANTS, LLC
Civil Engineering | Land Planning | Stormwater Design | Environmental Permitting
41 CAMPUS DRIVE, SUITE 101, NEW GLOUCESTER, ME 04260
OFFICE: (207) 926-5111
565 CONGRESS STREET, SUITE 201, PORTLAND, ME 04102
FAX: (207) 221-1317
www.terradynconsultants.com

PERMIT DRAWING
NOT FOR CONSTRUCTION

PROJECT: MIDDLE STREET APARTMENTS
83 MIDDLE STREET, PORTLAND, MAINE 04101

SHEET TITLE: CONSTRUCTION MANAGEMENT PLAN

CLIENT: MIDDLE STREET HOUSING PARTNERS, LP
ONE CITY CENTER, 4TH FLOOR
PORTLAND, MAINE 04101

DATE:	4/16/2020
SCALE:	1" = 10'
DESIGNED:	MTW
JOB NO:	1926
FILE: 1926-BASE.DWG	
SHEET	C-3.1

GENERAL NOTES

1. OWNERS OF RECORD:
   CITY OF PORTLAND
   TAX MAP 28 BLOCK O LOT 17
   C.C.R.D. BOOK 3029 PAGE 547
   C.C.R.D. BOOK 10985 PAGE 260

   160 NEWBURY STREET LLC
   TAX MAP 28 BLOCK O LOT 3
   C.C.R.D. BOOK 29426 PAGE 8
2. EXISTING CONDITIONS, INCLUDING THE BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED UPON PLAN REFERENCE #3.
3. BEARINGS AND COORDINATES ARE BASED ON MAINE STATE PLANE COORDINATE SYSTEM WEST ZONE NAD 83. ELEVATIONS ARE BASED ON CITY DATUM, NGVD 29. HORIZONTAL AND VERTICAL CONTROL DATA PROVIDED BY THE CITY OF PORTLAND AND TAKEN FROM PLAN REFERENCE 2.
4. UTILITIES SHOWN ARE TAKEN FROM PLAN REFERENCE #2.
5. THE RIGHT OF WAY LINE SHOWN ALONG FRANKLIN STREET IS A PROPOSED LOCATION. THE EXISTING RIGHT OF WAY LINE IS THE SOUTHWESTERLY PROPERTY LINES ALONG LOTS 28-O-3, 28-O-8, 28-O-15 & 28-O-11.

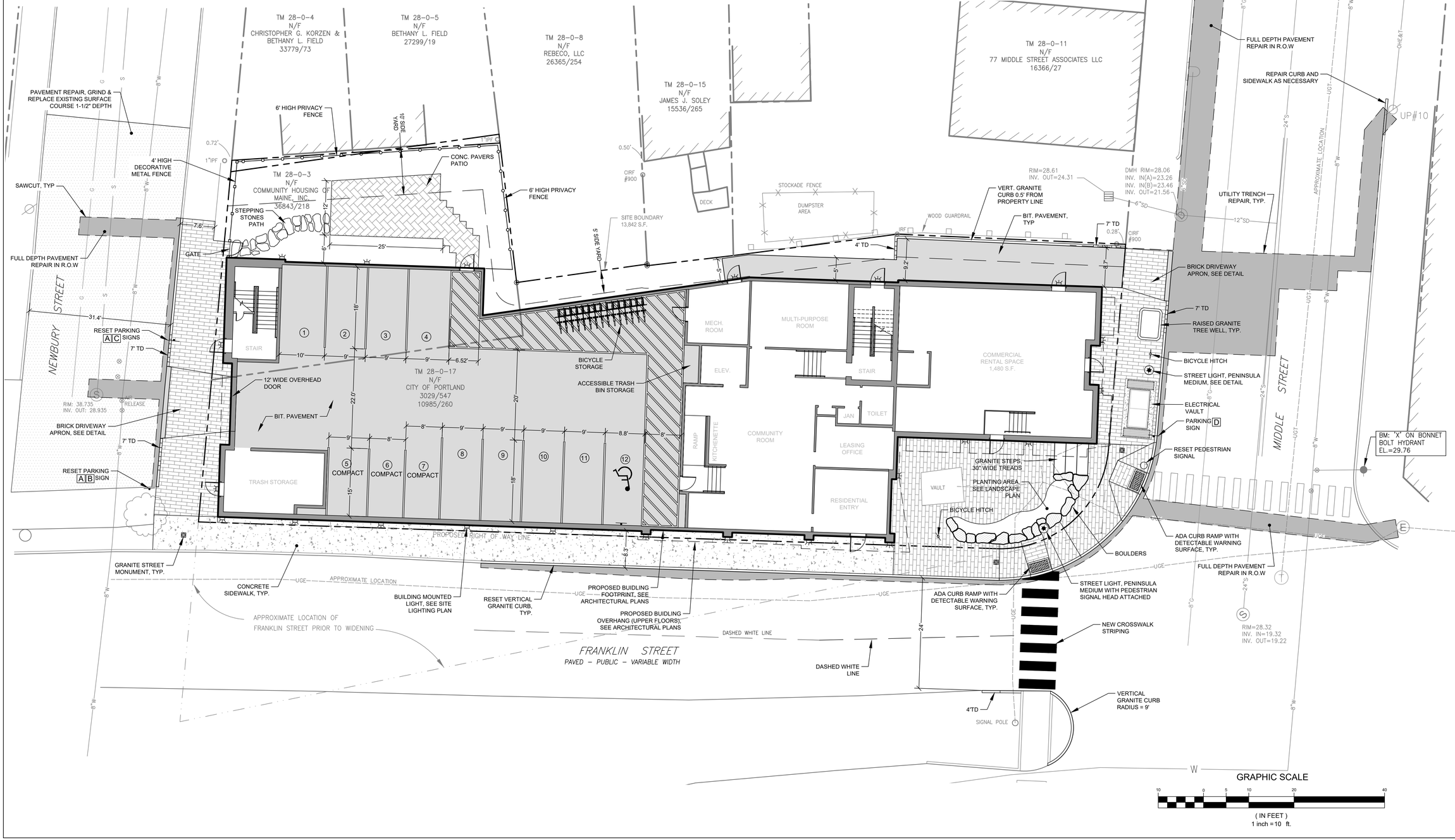
PLAN REFERENCES

1. STANDARD BOUNDARY SURVEY PLAN OF PROPERTY AT 77 MIDDLE STREET PORTLAND MAINE FOR GEORGE W. BEALS DATED NOVEMBER 23, 1992 BY LEROY A. WITHAM LOCATED IN THE CITY OF PORTLAND'S ENGINEERING ARCHIVES AS PLAN 866/1.
2. CITY OF PORTLAND PUBLIC WORKS DEPARTMENT CONTRACT DRAWINGS HAMPSHIRE STREET RECONSTRUCTION BRATTLE STREET RECONSTRUCTION PROJECT NO. 210-3100-430 DATED 11/16/01. ON FILE AT THE CITY OF PORTLAND.
3. BOUNDARY & TOPOGRAPHIC SURVEY AT #83 MIDDLE STREET, PORTLAND, MAINE MADE FOR COMMUNITY HOUSING OF MAINE ONE CITY CENTER, 4TH FLOOR PORTLAND, ME 04101, PREPARED BY OWEN HASKELL, INC. AND DATED MARCH 9, 2020.

SIGN LEGEND:

NO PARKING ANY TIME	NO PARKING ANY TIME	1 HR PARKING 9:00 AM TO 5:00 PM	NO PARKING LOADING & UNLOADING ONLY
12"X18" A	12"X18" B	12"X18" C	12"X18" D

NOTE: PARKING SIGNS TO BE APPROVED BY THE TRAFFIC DIVISION OF THE CITY OF PORTLAND PUBLIC WORKS DEPARTMENT.



STATE OF MAINE
MICHAEL E. TADEMA-WIELANDT
LICENSED PROFESSIONAL ENGINEER
DATE: 8/7/2020
P.E.: MICHAEL E. TADEMA-WIELANDT

NO.	DATE	REVISIONS	APP'D BY
3	8/7/2020	RELOCATED STREET LIGHT AND BICYCLE HITCH	MTW
2	7/22/2020	REVISED PER STAFF REVIEW COMMENTS	MTW
1	6/17/2020	REVISED PER STAFF REVIEW COMMENTS	MTW

565 CONGRESS STREET SUITE 301 PORTLAND, ME 04102
41 CAMPUS DRIVE SUITE 101 NEW GLOUCESTER, ME 04260
OFFICE: (207) 926-5111 FAX: (207) 221-1317
www.terradynconsultants.com
TERRADYN CONSULTANTS, LLC
Civil Engineering | Land Planning | Stormwater Design | Environmental Permitting

PERMIT DRAWING
NOT FOR CONSTRUCTION

PROJECT: MIDDLE STREET APARTMENTS
83 MIDDLE STREET, PORTLAND, MAINE 04101

SHEET TITLE: SITE LAYOUT PLAN

CLIENT: MIDDLE STREET HOUSING PARTNERS, LP
ONE CITY CENTER, 4TH FLOOR
PORTLAND, MAINE 04101

DATE:	4/16/2020
SCALE:	1" = 10'
DESIGNED:	MTW
JOB NO:	1926
FILE: 1926-BASE.DWG	

SHEET C-4.0

HAMPSHIRE STREET

NEWBURY STREET

MIDDLE STREET

FRANKLIN STREET
PAVED – PUBLIC – VARIABLE WIDTH

GRID NORTH

TM 28-0-4
N/F
CHRISTOPHER G. KORZEN &
BETHANY L. FIELD
33779/73

TM 28-0-5
N/F
BETHANY L. FIELD
27299/19

TM 28-0-8
N/F
REBECO, LLC
26365/254

TM 28-0-16
N/F
NICOLINO CICCOMANCINI
3153/23

TM 28-0-15
N/F
JAMES J. SOLEY
15536/265

TM 28-0-11
N/F
77 MIDDLE STREET ASSOCIATES LLC
16366/27

TM 28-0-3
N/F
COMMUNITY HOUSING OF
MAINE, INC.
36843/218

TM 28-0-17
N/F
CITY OF PORTLAND
10029/547
10985/260

SITE BOUNDARY
13,842 S.F.

approximate sewer location

DMH RIM: 28.81
18"INV. IN=23.00
10"INV. IN=23.26
18"INV. OUT=22.90

DMH RIM: 28.61
18"INV. IN: 16.30
10"INV. IN: 16.30
24"INV. OUT: 14.91

CORE NEW 12" INVERT
AT ELEV. 16.30

RIM: 27.975
INV. OUT: 24.125
SUMP: 20.625

RIM=28.43
INV. IN=15.13
INV. OUT=14.93

RIM: 28.69
INV. OUT: 25.49
SUMP: 22.84

12" SD
L=113'
S=0.02

SAWCUT
PAVEMENT,
TYP.

CONNECT EXISTING
SD TO NEW WITH
12"X12" WYE

CAP EXISTING SD

DMH RIM=28.06
INV. IN(A)=23.26
INV. IN(B)=23.46
INV. OUT=21.56

RIM=28.61
INV. OUT=24.31

DMH-1
RIM=27.95
6" INV. IN=18.66
12" INV. OUT=18.56

6" ROOF DRAIN
INV.=23.00

SAWCUT
PAVEMENT,
TYP.

CONNECT TO
COMBINED SEWER
WITH WYE
CONNECTION
APPROX. INV.=28.92

RIM: 38.735
INV. OUT: 28.935

AIR
RELEASE

4' DIA.OIL / WATER SEPARATOR
RIM=37.15
INV. IN=29.26
INV. OUT=29.16

24" DRAIN BASIN
RIM=32.75
INV. OUT=29.63

2% MAXIMUM SLOPE
IN ANY DIRECTION
WITHIN THIS AREA

SITE DATA
SITE AREA: 13,842 S.F.
BUILDING AREA: 5,600 S.F.
IMPERVIOUS AREA: 11,000 S.F.
PROPOSED RIGHT OF WAY LINE

STOCKADE FENCE
DUMPSTER AREA
DECK
CIRF #900
1"IPF
0.72'
0.50'
0.28'

MECH. ROOM
MULTI-PURPOSE ROOM
ELEV.
STAIR
COMMERCIAL RENTAL SPACE
1,480 S.F.
FFE=28.87
JAN
TOILET
RAMP
KITCHENETTE
COMMUNITY ROOM
FFE=32.07
LEASING OFFICE
RESIDENTIAL ENTRY
VAULT
TRASH STORAGE

FFE=32.90
FFE=30.70

30.35 B.C.
30.85 T.C.
30.00 B.C.
30.50 T.C.
28.97 B.C.
29.47 T.C.
28.84 B.C.
29.03 T.C.
27.97 B.C.
28.55 T.C.
28.35 B.C.
28.93 T.C.
37.73 B.C.
38.15 T.C.
38.59 B.C.
38.81 T.C.
34.92 B.C.
35.37 T.C.
32.13 B.C.
32.72 T.C.
31.29 B.C.
31.88 T.C.
30.91 B.C.
31.49 T.C.

UP#10

BM: 'X' ON BONNET
BOLT HYDRANT
EL.=29.76

RIM=28.32
INV. IN=19.32
INV. OUT=19.22

APPROXIMATE LOCATION OF
FRANKLIN STREET PRIOR TO WIDENING

GRAPHIC SCALE
10 0 5 10 20 40
(IN FEET)
1 inch = 10 ft.

MICHAEL E. TADEMA-WIELANDT
No. 10121
LICENSED
PROFESSIONAL ENGINEER
STATE OF MAINE

DATE: 8/7/2020
P.E.: MICHAEL E. TADEMA-WIELANDT

NO.	DATE	REVISIONS	APP'D BY
2	8/7/2020	RELOCATED STREET LIGHT AND BICYCLE HITCH	MTW
1	6/17/2020	REVISED PER STAFF REVIEW COMMENTS	MTW

PERMIT DRAWING
NOT FOR CONSTRUCTION

PROJECT:
MIDDLE STREET APARTMENTS
83 MIDDLE STREET, PORTLAND, MAINE 04101

SHEET TITLE:
GRADING & DRAINAGE PLAN

CLIENT:
MIDDLE STREET HOUSING PARTNERS, LP
ONE CITY CENTER, 4TH FLOOR
PORTLAND, MAINE 04101

DATE:	4/16/2020
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TERRADYN CONSULTANTS, LLC
Civil Engineering | Land Planning | Stormwater Design | Environmental Permitting
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SUITE 201
NEW GLOUCESTER, ME 04260
OFFICE: (207) 926-5111 FAX: (207) 221-1317
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565 CONGRESS STREET
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(207) 221-1317

EROSION AND SEDIMENT CONTROL PLAN

PRE-CONSTRUCTION PHASE
A PERSON WHO CONDUCTS, OR CAUSES TO BE CONDUCTED, AN ACTIVITY THAT INVOLVES FILLING, DISPLACING OR EXPOSING SOIL OR OTHER EARTHEN MATERIALS SHALL TAKE MEASURES TO PREVENT UNREASONABLE EROSION OF SOIL OR SEDIMENT BEYOND THE PROJECT SITE OR INTO A PROTECTED NATURAL RESOURCE AS DEFINED IN 38 MRSA § 480-B. EROSION CONTROL MEASURES MUST BE IN PLACE BEFORE THE ACTIVITY BEGINS. MEASURES MUST REMAIN IN PLACE AND FUNCTIONAL UNTIL THE SITE IS PERMANENTLY STABILIZED. ADEQUATE AND TIMELY TEMPORARY AND PERMANENT STABILIZATION MEASURES MUST BE TAKEN. THE SITE MUST BE MAINTAINED TO PREVENT UNREASONABLE EROSION AND SEDIMENTATION. MINIMIZE DISTURBED AREAS AND PROTECT NATURAL DOWNGRADIENT BUFFER AREAS TO THE EXTENT PRACTICABLE.

BMP CONSTRUCTION PHASE
A. SEDIMENT BARRIERS. PRIOR TO THE BEGINNING OF ANY CONSTRUCTION, PROPERLY INSTALL SEDIMENT BARRIERS AT THE EDGE OF ANY DOWNGRADIENT DISTURBED AREA AND ADJACENT TO ANY DRAINAGE CHANNELS WITHIN THE PROPOSED DISTURBED AREA. MAINTAIN THE SEDIMENT BARRIERS UNTIL THE DISTURBED AREA IS PERMANENTLY STABILIZED.

B. CONSTRUCTION ENTRANCE: PRIOR TO ANY CLEARING OR GRUBBING, A CONSTRUCTION ENTRANCE SHALL BE CONSTRUCTED AT THE INTERSECTION WITH THE PROPOSED ACCESS DRIVE AND THE EXISTING ROADWAY TO AVOID TRACKING OF MUD, DUST AND DEBRIS FROM THE SITE.

C. RIPRAP: SINCE RIPRAP IS USED WHERE EROSION POTENTIAL IS HIGH, CONSTRUCTION MUST BE SEQUENCED SO THAT THE RIPRAP IS PUT IN PLACE WITH THE MINIMUM DELAY. DISTURBANCE OF AREAS WHERE RIPRAP IS TO BE PLACED SHOULD BE UNDERTAKEN ONLY WHEN FINAL PREPARATION AND PLACEMENT OF THE RIPRAP CAN FOLLOW IMMEDIATELY BEHIND THE INITIAL DISTURBANCE. WHERE RIPRAP IS USED FOR OUTLET PROTECTION, THE RIPRAP SHOULD BE PLACED BEFORE OR IN CONJUNCTION WITH THE CONSTRUCTION OF THE PIPE OR CHANNEL SO THAT IT IS IN PLACE WHEN THE PIPE OR CHANNEL BEGINS TO OPERATE. MAINTAIN TEMPORARY RIPRAP, SUCH AS TEMPORARY CHECK DAMS UNTIL THE DISTURBED AREA IS PERMANENTLY STABILIZED.

D. TEMPORARY STABILIZATION. STABILIZE WITH TEMPORARY SEEDING, MULCH, OR OTHER NON-ERODABLE COVER ANY EXPOSED SOILS THAT WILL REMAIN UNWORKED FOR MORE THAN 14 DAYS EXCEPT, STABILIZE AREAS WITHIN 100 FEET OF A WETLAND OR WATERBODY WITHIN 7 DAYS OR PRIOR TO A PREDICTED STORM EVENT, WHICHEVER COMES FIRST. IF HAY OR STRAW MULCH IS USED, THE APPLICATION RATE MUST BE 2 BALES (70-90 POUNDS) PER 1000 SF OR 1.5 TO 2 TONS (90-100 BALES) PER ACRE TO COVER 75 TO 90% OF THE GROUND SURFACE. HAY MULCH MUST BE KEPT MOIST OR ANCHORED TO PREVENT WIND BLOWING. AN EROSION CONTROL BLANKET OR MAT SHALL BE USED AT THE BASE OF GRASSED WATERWAYS, STEEP SLOPES (15% OR GREATER) AND ON ANY DISTURBED SOIL WITHIN 100 FEET OF LAKES, STREAMS AND WETLANDS. GRADING SHALL BE PLANNED SO AS TO MINIMIZE THE LENGTH OF TIME BETWEEN INITIAL SOIL EXPOSURE AND FINAL GRADING. ON LARGE PROJECTS THIS SHOULD BE ACCOMPLISHED BY PHASING THE OPERATION AND COMPLETING THE FIRST PHASE UP TO FINAL GRADING AND SEEDING BEFORE STARTING THE SECOND PHASE, AND SO ON.

E. VEGETATED WATERWAY. UPON FINAL GRADING, THE DISTURBED AREAS SHALL BE IMMEDIATELY SEEDED TO PERMANENT VEGETATION AND MULCHED AND WILL NOT BE USED AS OUTLETS UNTIL A DENSE, VIGOROUS VEGETATIVE COVER HAS BEEN OBTAINED. ONCE SOIL IS EXPOSED FOR WATERWAY CONSTRUCTION, IT SHOULD BE IMMEDIATELY SHAPED, GRADED AND STABILIZED. VEGETATED WATERWAYS NEED TO BE STABILIZED EARLY DURING THE GROWING SEASON (PRIOR TO SEPTEMBER 15). IF FINAL SEEDING OF WATERWAYS IS DELAYED PAST SEPTEMBER 15, EMERGENCY PROVISIONS SUCH AS SOD OR RIPRAP MAY BE REQUIRED TO STABILIZE THE CHANNEL. WATERWAYS SHOULD BE FULLY STABILIZED PRIOR TO DIRECTING RUNOFF TO THEM.

PERMANENT STABILIZATION DEFINED
A. SEEDED AREAS. FOR SEEDED AREAS, PERMANENT STABILIZATION MEANS AN 90% COVER OF THE DISTURBED AREA WITH MATURE, HEALTHY PLANTS WITH NO EVIDENCE OF WASHING OR RILLING OF THE TOPSOIL.

B. SODDED AREAS. FOR SODDED AREAS, PERMANENT STABILIZATION MEANS THE COMPLETE BINDING OF THE SOD ROOTS INTO THE UNDERLYING SOIL WITH NO SLUMPING OF THE SOD OR DIE-OFF.

C. PERMANENT MULCH. FOR MULCHED AREAS, PERMANENT MULCHING MEANS TOTAL COVERAGE OF THE EXPOSED AREA WITH AN APPROVED MULCH MATERIAL. EROSION CONTROL MIX MAY BE USED AS MULCH FOR PERMANENT STABILIZATION ACCORDING TO THE APPROVED APPLICATION RATES AND LIMITATIONS.

D. RIPRAP. FOR AREAS STABILIZED WITH RIPRAP, PERMANENT STABILIZATION MEANS THAT SLOPES STABILIZED WITH RIPRAP HAVE AN APPROPRIATE BACKING OF A WELL-GRADED GRAVEL OR APPROVED GEOTEXTILE TO PREVENT SOIL MOVEMENT FROM BEHIND THE RIPRAP. STONE MUST BE SIZED APPROPRIATELY. IT IS RECOMMENDED THAT ANGULAR STONE BE USED.

E. AGRICULTURAL USE. FOR CONSTRUCTION PROJECTS ON LAND USED FOR AGRICULTURAL PURPOSES (E.G., PIPELINES ACROSS CROP LAND), PERMANENT STABILIZATION MAY BE ACCOMPLISHED BY RETURNING THE DISTURBED LAND TO AGRICULTURAL USE.

F. PAVED AREAS. FOR PAVED AREAS, PERMANENT STABILIZATION MEANS THE PLACEMENT OF THE COMPACTED GRAVEL SUBBASE IS COMPLETED.

G. DITCHES, CHANNELS, AND SWALES. FOR OPEN CHANNELS, PERMANENT STABILIZATION MEANS THE CHANNEL IS STABILIZED WITH MATURE VEGETATION AT LEAST THREE INCHES IN HEIGHT, WITH WELL-GRADED RIPRAP, OR WITH ANOTHER NON-EROSIVE LINING CAPABLE OF WITHSTANDING THE ANTICIPATED FLOW VELOCITIES AND FLOW DEPTHS WITHOUT RELIANCE ON CHECK DAMS TO SLOW FLOW. THERE MUST BE NO EVIDENCE OF SLUMPING OF THE LINING, UNDERCUTTING OF THE BANKS, OR DOWN-CUTTING OF THE CHANNEL.

GENERAL CONSTRUCTION PHASE
THE FOLLOWING EROSION CONTROL MEASURES SHALL BE FOLLOWED BY THE CONTRACTOR THROUGHOUT CONSTRUCTION OF THIS PROJECT:

A. ALL TOPSOIL SHALL BE COLLECTED, STOCKPILED, SEEDED WITH RYE AT 3 POUNDS/1,000 SF AND MULCHED, AND REUSED AS REQUIRED. SILT FENCING SHALL BE PLACED DOWN GRADIENT FROM THE STOCKPILED LOAM. STOCKPILE TO BE LOCATED BY DESIGNATION OF THE OWNER AND INSPECTING ENGINEER.

B. THE INSPECTING ENGINEER AT HIS/HER DISCRETION, MAY REQUIRE ADDITIONAL EROSION CONTROL MEASURES AND/OR SUPPLEMENTAL VEGETATIVE PROVISIONS TO MAINTAIN STABILITY OF EARTHWORKS AND FINISH GRADED AREAS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND INSTALLING ANY SUPPLEMENTAL MEASURES AS DIRECTED BY THE INSPECTING ENGINEER. FAILURE TO COMPLY WITH THE ENGINEER'S DIRECTIONS WILL RESULT IN DISCONTINUATION OF CONSTRUCTION ACTIVITIES.

C. EROSION CONTROL MESH SHALL BE APPLIED IN ACCORDANCE WITH THE PLANS OVER ALL FINISH SEEDED AREAS AS SPECIFIED ON THE DESIGN PLANS.

D. ALL GRADED OR DISTURBED AREAS INCLUDING SLOPES SHALL BE PROTECTED DURING CLEARING AND CONSTRUCTION IN ACCORDANCE WITH THE APPROVED EROSION AND SEDIMENT CONTROL PLAN UNTIL THEY ARE ADEQUATELY STABILIZED.

E. ALL EROSION, AND SEDIMENT CONTROL PRACTICES AND MEASURES SHALL BE CONSTRUCTED, APPLIED AND MAINTAINED IN ACCORDANCE WITH THE APPROVED EROSION AND SEDIMENT CONTROL PLAN.

F. AREAS TO BE FILLED SHALL BE CLEARED, GRUBBED AND STRIPPED OF TOPSOIL TO REMOVE TREES, VEGETATION, ROOTS OR OTHER OBJECTIONABLE MATERIALS.

G. AREAS SHALL BE SCARIFIED TO A MINIMUM DEPTH OF 3 INCHES PRIOR TO PLACEMENT OF TOPSOIL.

H. ALL FILLS SHALL BE COMPACTED AS REQUIRED TO REDUCE EROSION, SLIPPAGE, SETTLEMENT, SUBSIDENCE OR OTHER RELATED PROBLEMS. FILL INTENDED TO SUPPORT BUILDINGS, STRUCTURES AND CONDUITS, ETC., SHALL BE COMPACTED IN ACCORDANCE WITH LOCAL REQUIREMENTS OR CODES.

I. ALL FILLS SHALL BE PLACED AND COMPACTED IN LAYERS NOT TO EXCEED 8 INCHES IN THICKNESS.

J. EXCEPT FOR APPROVED LANDFILLS OR NON-STRUCTURAL FILLS, FILL MATERIAL SHALL BE FREE OF BRUSH, RUBBISH, ROCKS, LOGS, STUMPS, BUILDING DEBRIS AND OTHER OBJECTIONABLE MATERIALS THAT WOULD INTERFERE WITH OR PREVENT CONSTRUCTION OF SATISFACTORY LIFTS.

K. FROZEN MATERIAL OR SOFT, MUCKY OR HIGHLY COMPRESSIBLE MATERIALS SHALL NOT BE INCORPORATED INTO FILL SLOPES OR STRUCTURAL FILLS.

L. FILL SHALL NOT BE PLACED ON A FROZEN FOUNDATION.

M. SEEPS OR SPRINGS ENCOUNTERED DURING CONSTRUCTION SHALL BE HANDLED APPROPRIATELY.

N. ALL GRADED AREAS SHALL BE PERMANENTLY STABILIZED IMMEDIATELY FOLLOWING FINISHED GRADING.

O. REMOVE ANY TEMPORARY CONTROL MEASURES, SUCH AS SILT FENCE, WITHIN 30 DAYS AFTER PERMANENT STABILIZATION IS ATTAINED. REMOVE ANY ACCUMULATED SEDIMENTS AND STABILIZE.

PERMANENT VEGETATION
PERMANENT VEGETATIVE COVER SHOULD BE ESTABLISHED ON DISTURBED AREAS WHERE PERMANENT, LONG LIVED VEGETATIVE COVER IS NEEDED TO STABILIZE THE SOIL, TO REDUCE DAMAGES FROM SEDIMENT AND RUNOFF, AND TO ENHANCE THE ENVIRONMENT.

SEEDBED PREPARATION
A. GRADE AS FEASIBLE TO PERMIT THE USE OF CONVENTIONAL EQUIPMENT FOR SEEDBED PREPARATION, SEEDING, MULCH APPLICATION AND ANCHORING, AND MAINTENANCE.

B. APPLY LIMESTONE AND FERTILIZER ACCORDING TO SOIL TESTS SUCH AS THOSE OFFERED BY THE UNIVERSITY OF MAINE SOIL TESTING LABORATORY. SOIL SAMPLE MAILERS ARE AVAILABLE FROM THE LOCAL COOPERATIVE EXTENSION SERVICE OFFICE. IF SOIL TESTING IS NOT FEASIBLE ON SMALL OR VARIABLE SITES, OR WHERE TIMING IS CRITICAL, FERTILIZER MAY BE APPLIED AT THE RATE OF 800 POUNDS PER ACRE OR 18.4 POUNDS PER 1,000 SQUARE FEET USING 10-20-20 (N-P2O5-K2O) OR EQUIVALENT. APPLY GROUND LIMESTONE (EQUIVALENT TO 50% CALCIUM PLUS MAGNESIUM OXIDE) AT A RATE OF 3 TONS PER ACRE (138 LB. PER 1,000 SQ. FT).

C. WORK LIME AND FERTILIZER INTO THE SOIL AS NEARLY AS PRACTICAL TO A DEPTH OF 4 INCHES WITH A DISC, SPRING TOOTH HARROW OR OTHER SUITABLE EQUIPMENT. THE FINAL HARROWING OPERATION SHOULD BE ON THE GENERAL CONTOUR. CONTINUE TILLAGE UNTIL A REASONABLY UNIFORM, FINE SEEDBED IS PREPARED. ALL BUT CLAY OR SILTY SOILS AND COARSE SANDS SHOULD BE ROLLED TO FIRM THE SEEDBED WHEREVER FEASIBLE.D. REMOVE FROM THE SURFACE ALL STONES 2 INCHES OR LARGER IN ANY DIMENSION. REMOVE ALL OTHER DEBRIS, SUCH AS WIRE, CABLE, TREE ROOTS, CONCRETE, CLODS, LUMPS OR OTHER UNSUITABLE MATERIAL.

E. INSPECT SEEDBED JUST BEFORE SEEDING. IF TRAFFIC HAS LEFT THE SOIL COMPACTED; THE AREA MUST BE TILLED AND FIRMED AS ABOVE.

F. PERMANENT SEEDING SHOULD BE MADE 45 DAYS PRIOR TO THE FIRST KILLING FROST OR AS A DORMANT SEEDING WITH MULCH AFTER THE FIRST KILLING FROST AND BEFORE SNOWFALL. WHEN CROWN VETCH IS SEEDED IN LATER SUMMER, AT LEAST 35% OF THE SEED SHOULD BE HARD SEED (UNSCARIFIED). IF SEEDING CANNOT BE DONE WITHIN THE SEEDING DATES, MULCH ACCORDING TO THE TEMPORARY MULCHING BMP AND OVERWINTER STABILIZATION AND CONSTRUCTION TO PROTECT THE SITE AND DELAY SEEDING UNTIL THE NEXT RECOMMENDED SEEDING PERIOD.

G. FOLLOWING SEED BED PREPARTATION, SWALE AREAS, FILL AREAS AND BACK SLOPES SHALL BE SEEDED AT A RATE OF 3 LBS./1,000 S.F. WITH A MIXTURE OF 35% CREEPING RED H. FESCUE, 6% RED TOP, 24% KENTUCKY BLUEGRASS, 10% PERENNIAL RYEGRASS, 20% ANNUAL RYEGRASS AND 5% WHITE DUTCH CLOVER.

I. AREAS WHICH HAVE BEEN TEMPORARILY OR PERMANENTLY SEEDED SHALL BE MULCHED IMMEDIATELY FOLLOWING SEEDING.

J. AREAS WHICH CANNOT BE SEEDED WITHIN THE GROWING SEASON SHALL BE MULCHED FOR OVER-WINTER PROTECTION AND THE AREA SHOULD BE SEEDED AT THE BEGINNING OF THE GROWING SEASON.

WINTER CONSTRUCTION PHASE
IF AN AREA IS NOT STABILIZED WITH TEMPORARY OR PERMANENT MEASURES BY NOVEMBER 15, THEN THE SITE MUST BE PROTECTED WITH ADDITIONAL STABILIZATION MEASURES.

A. PERMANENT STABILIZATION CONSISTS OF AT LEAST 90% VEGETATION, PAVEMENT/GRAVEL BASE OR RIPRAP.

B. DO NOT EXPOSE SLOPES OR LEAVE SLOPES EXPOSED OVER THE WINTER OR FOR ANY OTHER EXTENDED TIME OF WORK SUSPENSION UNLESS FULLY PROTECTED WITH MULCH.

C. APPLY HAY MULCH AT TWICE THE STANDARD RATE (150 LBS. PER 1,000 SF). THE MULCH MUST BE THICK ENOUGH SUCH THAT THE GROUND SURFACE WILL NOT BE VISIBLE AND MUST BE ANCHORED.

D. USE MULCH AND MULCH NETTING OR AN EROSION CONTROL MULCH BLANKET OR ALL SLOPES GREATER THAN 8 % OR OTHER AREAS EXPOSED TO DIRECT WIND.

E. INSTALL AN EROSION CONTROL BLANKET IN ALL DRAINAGEWAYS (BOTTOM AND SIDES) WITH A SLOPE GREATER THAN 3 %.

F. SEE THE VEGETATION MEASURES FOR MORE INFORMATION ON SEEDING DATES AND TYPES.

G. WINTER EXCAVATION AND EARTHWORK SHALL BE COMPLETED SO THAT NO MORE THAN 1 ACRE OF THE SITE IS WITHOUT STABILIZATION AT ANY ONE TIME.

H. AN AREA WITHIN 100 FEET OF A PROTECTED NATURAL RESOURCE MUST BE PROTECTED WITH A DOUBLE ROW OF SEDIMENT BARRIER.

I. TEMPORARY MULCH MUST BE APPLIED WITHIN 7 DAYS OF SOIL EXPOSURE OR PRIOR TO ANY STORM EVENT, BUT AFTER EVERY WORKDAY IN AREAS WITHIN 100 FEET FROM A PROTECTED NATURAL RESOURCE.

J. AREAS THAT HAVE BEEN BROUGHT TO FINAL GRADE MUST BE PERMANENTLY MULCHED THAT SAME DAY.

K. IF SNOWFALL IS GREATER THAN 1 INCH (FRESH OR CUMULATIVE), THE SNOW SHALL BE REMOVED FROM THE AREAS DUE TO BE SEEDED AND MULCHED.

L. LOAM SHALL BE FREE OF FROZEN CLUMPS BEFORE IT IS APPLIED.

M. ALL VEGETATED DITCH LINES THAT HAVE NOT BEEN STABILIZED BY NOVEMBER 1, OR WILL BE WORKED DURING THE WINTER CONSTRUCTION PERIOD, MUST BE STABILIZED WITH AN APPROPRIATE STONE LINING BACKED BY AN APPROPRIATE GRAVEL BED OR GEOTEXTILE UNLESS SPECIFICALLY RELEASED FROM THIS STANDARD BY THE DEPARTMENT.

MAINTENANCE AND INSPECTION PHASE
A. MINIMUM EROSION CONTROL MEASURES WILL NEED TO BE IMPLEMENTED AND THE APPLICANT WILL BE RESPONSIBLE TO MAINTAIN ALL COMPONENTS OF THE EROSION CONTROL PLAN UNTIL THE SITE IS FULLY STABILIZED. HOWEVER, BASED ON SITE AND WEATHER CONDITIONS DURING CONSTRUCTION, ADDITIONAL EROSION CONTROL MEASURES MAY NEED TO BE IMPLEMENTED. ALL AREAS OF INSTABILITY AND EROSION MUST BE REPAIRED IMMEDIATELY DURING CONSTRUCTION AND NEED TO BE MAINTAINED UNTIL THE SITE IS FULLY STABILIZED OR VEGETATION IS ESTABLISHED. A CONSTRUCTION LOG MUST BE MAINTAINED FOR THE EROSION AND SEDIMENTATION CONTROL INSPECTIONS AND MAINTENANCE

B. 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 TO BE MAINTAINED; LOCATION(S) OF BMPS THAT FAILED TO OPERATE AS DESIGNED OR PROVED INADEQUATE FOR A PARTICULAR LOCATION; AND LOCATION(S) WHERE ADDITIONAL BMPS ARE NEEDED THAT DID NOT EXIST AT THE TIME OF INSPECTION. FOLLOW-UP TO CORRECT DEFICIENCIES OR ENHANCE CONTROLS MUST ALSO BE INDICATED IN THE LOG AND DATED, INCLUDING WHAT ACTION WAS TAKEN AND WHEN.

DEWATERING
A DEWATERING PLAN IS NEEDED TO ADDRESS EXCAVATION DE-WATERING FOLLOWING HEAVY RAINFALL EVENTS OR WHERE THE EXCAVATION MAY INTERCEPT THE GROUNDWATER TABLE DURING CONSTRUCTION. THE COLLECTED WATER NEEDS TREATMENT AND A DISCHARGE POINT THAT WILL NOT CAUSE DOWNGRADIENT EROSION AND OFFSITE SEDIMENTATION OR WITHIN A RESOURCE. PLEASE FOLLOW THE DETAILS OF SUCH A PLAN.

HOUSEKEEPING

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.

3. FUGITIVE SEDIMENT AND DUST. ACTIONS MUST BE TAKEN TO ENSURE THAT ACTIVITIES DO NOT RESULT IN NOTICEABLE EROSION OF SOILS OR FUGITIVE DUST EMISSIONS DURING OR AFTER CONSTRUCTION. OIL MAY NOT BE USED FOR DUST CONTROL, BUT OTHER WATER ADDITIVES MAY BE CONSIDERED AS NEEDED. A STABILIZED CONSTRUCTION ENTRANCE (SCE) SHOULD BE INCLUDED TO MINIMIZE TRACKING OF MUD AND SEDIMENT. IF OFF-SITE TRACKING OCCURS, PUBLIC ROADS SHOULD BE 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.

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 OIL CONVEYANCE AND STORAGE RULES; AND MAINE PESTICIDE REQUIREMENTS.

5. EXCAVATION DE-WATERING. EXCAVATION DE-WATERING IS THE REMOVAL OF WATER FROM TRENCHES, FOUNDATIONS, COFFER DAMS, PONDS, AND OTHER AREAS WITHIN THE CONSTRUCTION AREA THAT RETAIN WATER AFTER EXCAVATION. IN MOST CASES THE COLLECTED WATER IS HEAVILY SILTED AND HINDERS CORRECT AND SAFE CONSTRUCTION PRACTICES. THE COLLECTED WATER REMOVED FROM THE BOUNDED 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 ENGINEER AND OWNER.

   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:

   (a) DISCHARGES FROM FIREFIGHTING ACTIVITY;

   (b) FIRE HYDRANT FLUSHINGS;

   (c) VEHICLE WASHWATER IF DETERGENTS ARE NOT USED AND WASHING IS LIMITED TO THE EXTERIOR OF VEHICLES (ENGINE, UNDERCARRIAGE AND TRANSMISSION WASHING IS PROHIBITED);

   (d) DUST CONTROL RUNOFF IN ACCORDANCE WITH PERMIT CONDITIONS AND SECTION 3 ABOVE;

   (e) ROUTINE EXTERNAL BUILDING WASHDOWN, NOT INCLUDING SURFACE PAINT REMOVAL, THAT DOES NOT INVOLVE DETERGENTS;

   (f) PAVEMENT WASHWATER (WHERE SPILLS/LEAKS OF TOXIC OR HAZARDOUS MATERIALS HAVE NOT OCCURRED, UNLESS ALL SPILLED MATERIAL HAD BEEN REMOVED) IF DETERGENTS ARE NOT USED;

   (g) UNCONTAMINATED AIR CONDITIONING OR COMPRESSOR CONDENSATE;

   (h) UNCONTAMINATED GROUNDWATER OR SPRING WATER;

   (i) FOUNDATION OR FOOTER DRAIN-WATER WHERE FLOWS ARE NOT CONTAMINATED;

   (j) UNCONTAMINATED EXCAVATION DEWATERING (SEE REQUIREMENTS IN SECTION 5 ABOVE);

   (k) POTABLE WATER SOURCES INCLUDING WATERLINE FLUSHINGS; AND

   (l) LANDSCAPE IRRIGATION.

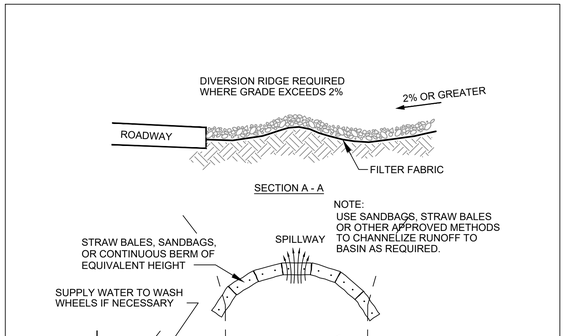
7. UNAUTHORIZED NON-STORMWATER DISCHARGES . THE FOLLOWING NON-STORMWATER DISCHARGES ARE PROHIBITED:

   (a) WASTEWATER FROM THE WASHOUT OR CLEANOUT OF CONCRETE, STUCCO, PAINT, FORM RELEASE OILS, CURING COMPOUNDS OR OTHER CONSTRUCTION MATERIALS;

   (b) FUELS, OILS OR OTHER POLLUTANTS USED IN VEHICLE AND EQUIPMENT OPERATION AND MAINTENANCE;

   (c) SOAPS, SOLVENTS, OR DETERGENTS USED IN VEHICLE AND EQUIPMENT WASHING; AND

   (d) TOXIC OR HAZARDOUS SUBSTANCES FROM A SPILL OR OTHER RELEASE.

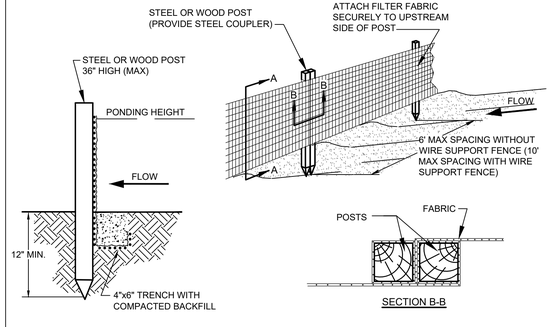


NOTES:
1. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAYS. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEAN OUT OF ANY MEASURES USED TO TRAP SEDIMENT.

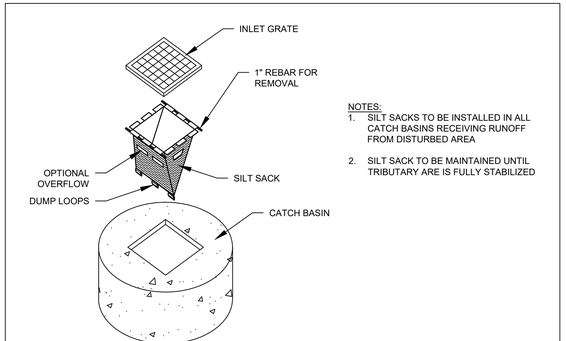
2. WHEN NECESSARY, WHEELS SHALL BE CLEANED PRIOR TO ENTRANCE ONTO PUBLIC RIGHT-OF-WAY.

3. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.

STABILIZED CONSTRUCTION ENTRANCE
NOT TO SCALE



SILT FENCE
NOT TO SCALE



NOTES:
1. SILT SACKS TO BE INSTALLED IN ALL CATCH BASINS RECEIVING RUNOFF FROM DISTURBED AREA
2. SILT SACK TO BE MAINTAINED UNTIL TRIBUTARY ARE IS FULLY STABILIZED

SILT SACK DETAIL
NOT TO SCALE

MICHAEL E. TADEMA-WIELANDT
STATE OF MAINE
LICENSED PROFESSIONAL ENGINEER
DATE: 4/16/2020
P.E.: MICHAEL E. TADEMA-WIELANDT

NO.	DATE	REVISIONS	APPD BY

TERRADYN CONSULTANTS, LLC
Civil Engineering | Land Planning | Stormwater Design | Environmental Permitting
565 CONGRESS STREET SUITE 201 PORTLAND, ME 04102
41 CAMPUS DRIVE SUITE 101 NEW GLOUCESTER, ME 04260
OFFICE: (207) 926-5111 FAX: (207) 221-1317
www.terradynconsultants.com

PERMIT DRAWING
NOT FOR CONSTRUCTION

PROJECT:
MIDDLE STREET APARTMENTS
83 MIDDLE STREET, PORTLAND, MAINE 04101

SHEET TITLE:
EROSION & SEDIMENT CONTROL NOTES & DETAILS

CLIENT:
MIDDLE STREET HOUSING PARTNERS, LP
ONE CITY CENTER, 4TH FLOOR
PORTLAND, MAINE 04101

DATE:	4/16/2020
SCALE:	N.T.S.
DESIGNED:	MTW
JOB NO:	1926
FILE: 1926 DETAILS.DWG	
SHEET	C-5.1

UTILITY NOTES

1. THE PORTION OF THE 6" WATER SERVICE WITHIN THE RIGHT OF WAY SHALL BE DUCTILE IRON WITH RESTRAINED JOINTS IN ACCORDANCE WITH PORTLAND WATER DISTRICT STANDARDS.
2. THE 2" WATER SERVICE SHALL BE TYPE K COPPER TUBING

HAMPSHIRE STREET

approximate sewer location

TM 28-0-4
N/F
CHRISTOPHER G. KORZEN &
BETHANY L. FIELD
33779/73

TM 28-0-5
N/F
BETHANY L. FIELD
27299/19

TM 28-0-8
N/F
REBECO, LLC
26365/254

TM 28-0-16
N/F
NICOLINO CICCOMANCINI
3153/23

TM 28-0-15
N/F
JAMES J. SOLEY
15536/265

TM 28-0-11
N/F
77 MIDDLE STREET ASSOCIATES LLC
16366/27

TM 28-0-3
N/F
COMMUNITY HOUSING OF
MAINE, INC.
36843/218

DECK

STOCKADE FENCE

DUMPSTER AREA

SITE BOUNDARY
13,842 S.F.

SAWCUT PAVEMENT, TYP.

NEW GAS SERVICE

GAS METER

1/64 BEND

1/4 BEND

WOOD GUARDRAIL

3-4"C

2" CURB STOP INSTALLED 6" FROM PROPERTY LINE

FIRE & DOMESTIC WATER SERVICE ENTRY

ELECTRICAL METERS

6" SAN. INV.=23.00

NEWBURY STREET

PARKING GARAGE

TM 28-0-17
N/F
CITY OF PORTLAND
3029/547
10985/260

STAIR

MECH. ROOM

MULTI-PURPOSE ROOM

ELEV.

STAIR

COMMERCIAL RENTAL SPACE
1,480 S.F.

JAN

TOILET

RAMP

KITCHENETTE

COMMUNITY ROOM

LEASING OFFICE

RESIDENTIAL ENTRY

VAULT

TRASH STORAGE

RIM: 38.735
INV. OUT: 28.935

AIR RELEASE

STORM DRAINAGE SHOWN FOR REFERENCE, SHEET C-5.0

RIM: 28.69
INV. OUT: 25.49
SUMP: 22.84

STORM DRAINAGE SHOWN FOR REFERENCE, SHEET C-5.0

DMH RIM: 28.81
18"INV. IN=23.00
10"INV. IN=23.25
18"INV. OUT=22.90

DMH RIM: 28.61
18"INV. IN: 16.30
10"INV. IN: 16.30
24"INV. OUT: 14.91

RIM: 27.975
INV. OUT: 24.125
SUMP: 20.625

RIM=28.43
INV. IN=15.13
INV. OUT=14.93

SERVICE DROP FOR CABLE & TEL. SERVICE

UP#10

RIM=28.61
INV. OUT=24.31

DMH RIM=28.06
INV. IN(A)=23.26
INV. IN(B)=23.46
INV. OUT=21.56

MAINTAIN 24" SEPARATION (FACE TO FACE) BETWEEN WATER SERVICES

APPROXIMATE LOCATION

8"x6" TAPPING SLEEVE & GATE VALVE

2" TAPPING SADDLE (CC THREADS)

CONDUCT TEST PITS AT UTILITY CROSSINGS TO CONFIRM LOCATION & DEPTH OF EXISTING UTILITIES

NEW 6" SANITARY SEWER SERVICE APPROX. INV=17.69

STREET LIGHT

UNDERGROUND ELECTRICAL VAULT, SEE DETAIL

MIDDLE STREET

BM: 'X' ON BONNET BOLT HYDRANT EL.=29.76

PEDESTRIAN SIGNAL

STREET LIGHT WITH PEDESTRIAN SIGNAL HEAD

SAWCUT PAVEMENT, TYP.

PROTECT EXISTING VAULT & UGE

RIM=28.32
INV. IN=19.32
INV. OUT=19.22

APPROXIMATE LOCATION

FRANKLIN STREET
PAVED – PUBLIC – VARIABLE WIDTH

GRAPHIC SCALE
10 0 5 10 20 40
(IN FEET)
1 inch = 10 ft.

STATE OF MAINE
MICHAEL E. TADEMA-WIELANDT
REGISTERED PROFESSIONAL ENGINEER

DATE: 8/7/2020
P.E.: MICHAEL E. TADEMA-WIELANDT

NO.	DATE	REVISIONS	BY
2	8/7/2020	RELOCATED STREET LIGHT AND BICYCLE HITCH	MTW
1	6/17/2020	REVISED PER STAFF REVIEW COMMENTS	MTW

TERRADYN CONSULTANTS, LLC
Civil Engineering | Land Planning | Stormwater Design | Environmental Permitting
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www.terradynconsultants.com
565 CONGRESS STREET, SUITE 201, PORTLAND, ME 04102

PERMIT DRAWING
NOT FOR CONSTRUCTION

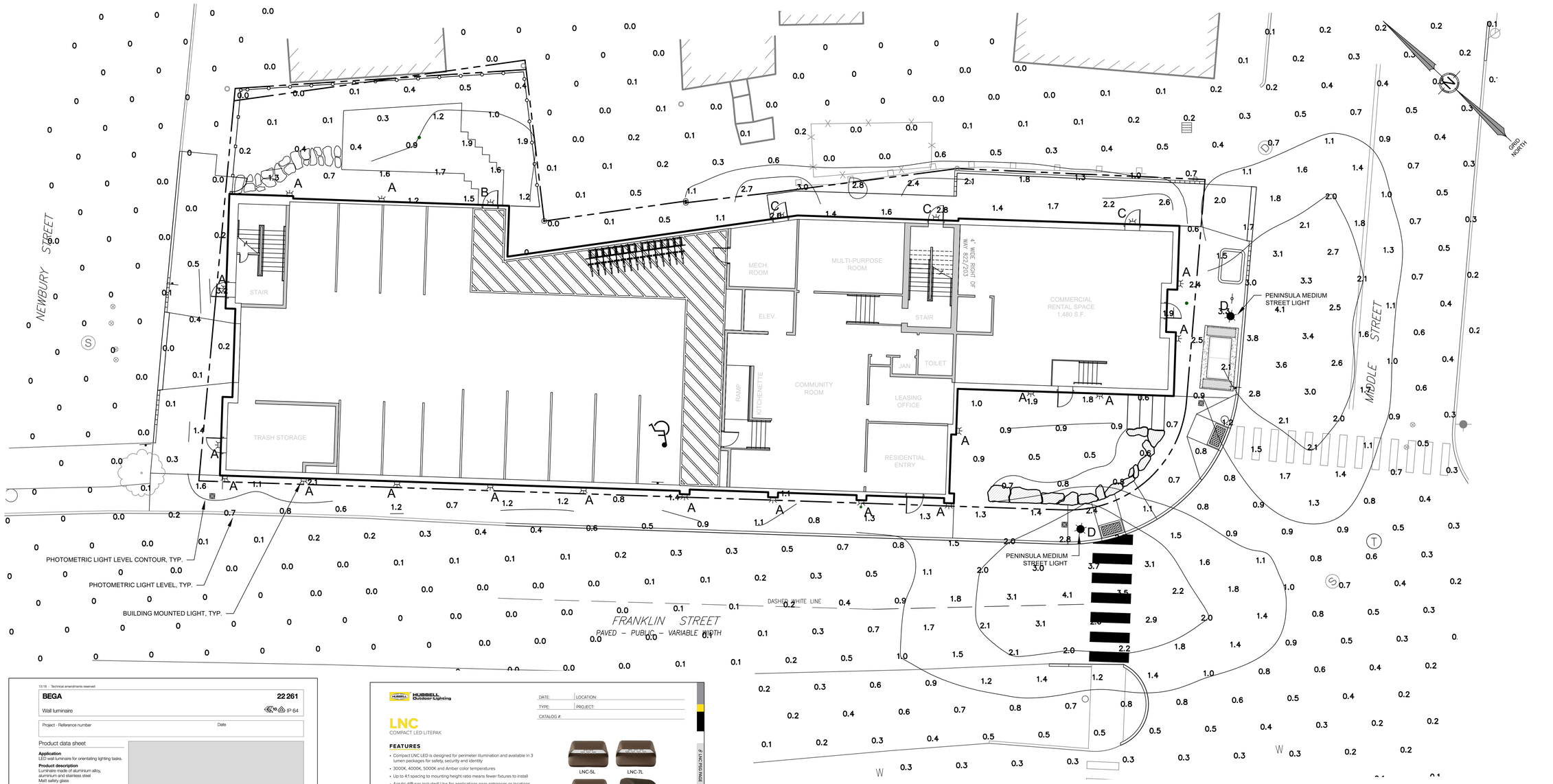
PROJECT: MIDDLE STREET APARTMENTS
83 MIDDLE STREET, PORTLAND, MAINE 04101

SHEET TITLE: SITE UTILITY PLAN

CLIENT: MIDDLE STREET HOUSING PARTNERS, LP
ONE CITY CENTER 4TH FLOOR
PORTLAND, MAINE 04101

DATE:	4/16/2020
SCALE:	1" = 10'
DESIGNED:	MTW
JOB NO:	1926
FILE: 1926-BASE.DWG	

SHEET C-6.0



GRAPHIC SCALE

10 0 5 10 20 40

(IN FEET)
1 inch = 10 ft.

13.18 - Technical amendments reserved

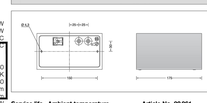
BEGA **22 261**

Wall luminaire IP 64

Project - Reference number | Date

Product data sheet





Application
LED wall luminaire for orientating lighting tasks.

Product description
Luminaire made of aluminium alloy, aluminium and stainless steel
Matt safety glass
Silicone gasket
2 mounting holes ø 4.3 mm
Distance apart 150 mm
2 cable entries for through-wiring of connecting cable ø 7-10.5 mm
Connection terminal 2.5²
Earth conductor connection
LED power supply unit
220-240 V AC 0/50-60 Hz
DC 176-264 V
Safety class I
Protection class IP 64
Dust-tight and protection against splash water
Impact strength IK07
Protection against mechanical impacts > 2 joule
– Safety mark
CE – Conformity mark
Weight: 0.7 kg

Inrush current
Inrush current: 7 A / 112 µs
Maximum number of luminaires of this type per miniature circuit breaker:
B 10 A: 38 luminaires
B 16 A: 61 luminaires
C 10 A: 64 luminaires
C 16 A: 102 luminaires

Lamp

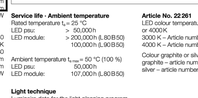
Module connected wattage	4.2 W
Luminaire connected wattage	5.3 W
Rated temperature	t_a = 25 °C
Ambient temperature	t_{min} = -20 °C t_{max} = 50 °C

22 261 K3

Module designation	2x LED-0234/830
Colour temperature	3000 K
Colour rendering index	CRI > 80
Module luminous flux	560 lm
Luminaire luminous flux	361 lm
Luminaire luminous efficiency	68,1 lm/W

22 261 K4

Module designation	2x LED-0234/840
Colour temperature	4000 K
Colour rendering index	CRI > 80
Module luminous flux	560 lm
Luminaire luminous flux	361 lm
Luminaire luminous efficiency	68,1 lm/W



Service life - Ambient temperature
Rated temperature t_a = 25 °C
LED psu: > 50,000h
LED module: > 200,000h (L 90/B 50)
100,000h (L 90/B 50)

Ambient temperature t_{max} = 50 °C (100 %)
LED psu: 50,000h
LED module: 107,000h (L 80/B 50)

Article No. 22 261
LED colour temperature optionally 3000 K or 4000 K
3000 K – Article number + **K3**
4000 K – Article number + **K4**

Colour graphite or silver
graphite – article number
silver – article number + **A**

Light technique
Luminaire data for the light planning program DIALux for outdoor lighting, street lighting and indoor lighting as well as luminaire data in ELULUMDAT- and IES-format you will find on the BEGA web page www.bega.com.

Light distribution



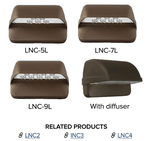
BEGA Gantenbrink-Leuchten KG · Postfach 3160 · 58693 Menden · info@bega.com · www.bega.com

HUBBELL Outdoor Lighting

DATE: LOCATION:
TYPE: PROJECT:
CATALOG #:

LNC
COMPACT LED LITEPAK

FEATURES
- Compact LNC LED is designed for perimeter illumination and available in 3 lumen packages for safety, security and identity
- 3000K, 4000K, 5000K and Amber color temperatures
- Up to 41 spacing to mounting height ratio means fewer fixtures to install
- Acrylic diffuser included! Use for applications near entrances or locations where reduced brightness is desired. (Maximum spacing with diffuser 30ft)
- Die-cast aluminum housing with decorative Laredo styling
- Full cut-off neighbor friendly
- Listed to UL1598 for use in wet locations



RELATED PRODUCTS
LNC2 INC3 LNC4

*5000K and warmer CCTs only

SPECIFICATIONS

CONSTRUCTION
- Decorative die-cast aluminum housing and door
- Rugged design protects internal components and provides excellent thermal management for long life
- Powder paint finishes provide lasting appearance in outdoor environments
- Full cut-off distributor, Ambient diffuser included, use for applications near enterances or locations where reduced brightness is desired

OPTICS
- Precision-molded 12V, 50/60Hz Type II, III and Type IV polycarbonate wide lateral spread
- 3000K - 80 CRI, 4000K - 70 CRI, and 5000K - 70 CRI, CCT nominal
- Drivers have greater than .90 power factor and less than 20% Total Harmonic Distortion

INSTALLATION
- Quick mount adapter provides quick installation, designed for recessed box 4" square junction box

ELECTRICAL
- 60,000 hours minimum LED life at L96 rating per IESNA TM-21-11
- Minimum operating temperature is -40°C/-40°F
- 0-10V dimming 120-277V only
- LNCSL – 5 LEDs, Types II, III or IV available, see page 2 for electrical details
- LNCL – 7 LEDs, Type II, III or IV available, see page 2 for electrical details
- LNCXL – 9 LEDs, Types II, III or IV available, see page 2 for electrical details

CONTROLS
- Photocontrol option is available to provide dusk-to-dawn control for additional energy savings

CERTIFICATIONS
- DLC® DesignLights Consortium Qualified, with some Premium Qualified configurations. Please refer to the DLC website for specific product qualifications at www.designlights.org
- Listed and labeled to UL 1598 for wet locations, 25°C ambient environments

WARRANTY
- 5 year limited warranty
- See HLI Standard Warranty for additional information

KEY DATA	
Lumen Range	800–2100
Wattage Range	13–22
Efficacy Range (LPW)	64–95
Fixture Projected Life (Hours)	L96>60K
Weights lbs. (kg)	9.6 (24.5)

Page 1/3 Rev. 11/14/19
LNCLED-SPEC

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701 Millennium Blvd • Greenville, SC 29607 / Tel: 864.678.1000 / Website: www.hubbelloutdoor.com

HUBBELL Lighting

LIGHT FIXTURE TABLE

LABEL	LIGHT FIXTURE	MANUFACTURER	MANUFACTURERS ID	NUMBER OF LIGHTS	MOUNTING HEIGHT	MOUNTING LOCATION
A	BEGA WALL 22261	BEGA LIGHTING	BE_22261K3	18	VARIES, SEE ARCHITECTURAL PLAN	WALL
B	LNC-9L COMPACT LED LITEPAK	HUBBELL	LNC-9LU-3K-4	1	9'	WALL
C	LNC-7L COMPACT LED LITEPAK	HUBBELL	LNC-7LU-3K-2	3	9'	WALL
D	HOLOPHANE ESPLANADE LED II	HOLOPHANE LIGHTING	ESL2-P20S-30K-AS-CMC-TG3-S-P7-NL2X 2-BHDF13-200CMC	2	19'-3"	POLE

NOTES:
1. LIGHTING PLAN PREPARED USING DESIGN MASTER PHOTOMETRICS SOFTWARE
2. ONLY PROPOSED LIGHTING FIXTURES ARE MODELED
3. DEPRECIATION FACTOR FOR LED IS 0.90

STATE OF MAINE
MICHAEL E. TADEMA-WIELANDT
LICENSED PROFESSIONAL ENGINEER

DATE: 7/22/2020
P.E.: MICHAEL E. TADEMA-WIELANDT

NO.	DATE	REVISIONS	APP'D BY
2	7/22/2020	REVISED PER STAFF REVIEW COMMENTS	MTW
1	6/17/2020	REVISED PER STAFF REVIEW COMMENTS	MTW

565 CONGRESS STREET
SUITE 201
PORTLAND, ME 04102

41 CAMPUS DRIVE
SUITE 101
NEW GLOUCESTER, ME 04260

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TERRADYN CONSULTANTS, LLC
Civil Engineering | Land Planning | Stormwater Design | Environmental Permitting

PERMIT DRAWING
NOT FOR CONSTRUCTION

PROJECT:
MIDDLE STREET APARTMENTS
83 MIDDLE STREET, PORTLAND, MAINE 04101

SHEET TITLE:
PHOTOMETRIC LIGHTING PLAN

CLIENT:
MIDDLE STREET HOUSING PARTNERS, LP
ONE CITY CENTER 4TH FLOOR
PORTLAND, MAINE 04101

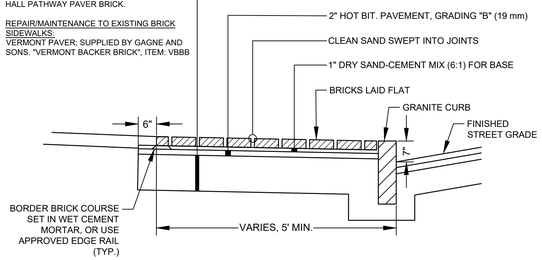
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SCALE:	1" = 10'
DESIGNED:	MTW
JOB NO:	1926
FILE:	1926-PHOTOMETRICS.DWG

SHEET C-7.0

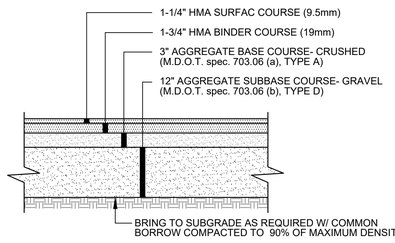
BRICKS TO BE USED:

NEW CONSTRUCTION:
4"X8" PINE HALL PATHWAY PAVER BRICK; MFG. BY PINE HALL BRICK CO., MADISON, NORTH CAROLINA. LACHANCE ITEM # 193623, PINE HALL PATHWAY PAVER BRICK.

REPAIR/MAINTENANCE TO EXISTING BRICK SIDEWALKS:
VERMONT PAVER; SUPPLIED BY GAGNE AND SONS. "VERMONT BACKER BRICK", ITEM: VBBB

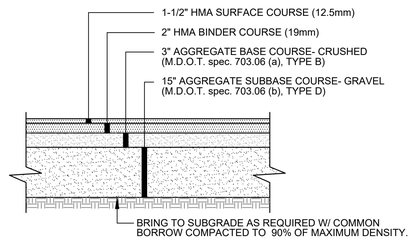


BRICK WALKWAY & GRANITE CURB
NOT TO SCALE



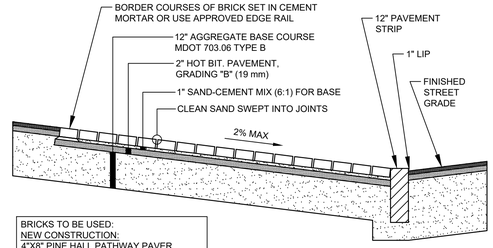
NOTES:
1. MDOT TYPE D AGGREGATE GRADATION SHALL BE MODIFIED FOR A MAXIMUM 4" STONE AND LIMIT #200 SIEVE TO 5% PASSING.

TYP. ONSITE PAVEMENT SECTION
NOT TO SCALE



NOTES:
1. FOR USE ON LOCAL STREETS WITHIN THE CITY OF PORTLAND

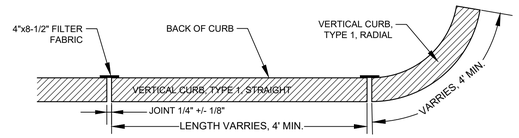
TYP. SECTION - PAVEMENT REPAIR IN CITY RIGHT OF WAY
NOT TO SCALE



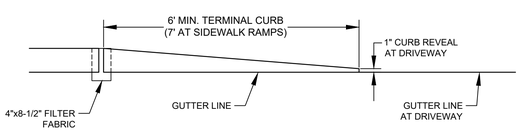
BRICKS TO BE USED:
NEW CONSTRUCTION:
4"X8" PINE HALL PATHWAY PAVER BRICK MFG. BY PINE HALL BRICK CO., MADISON, NC, LACHANCE ITEM # 193623

REPAIR/MAINTENANCE TO EXISTING:
VERMONT BACKER BRICK, SUPPLIED BY GAGNE & SONS, ITEM # VBBB

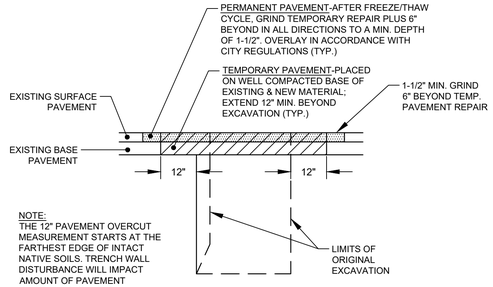
BRICK DRIVEWAY APRON
NOT TO SCALE



PLAN VIEW

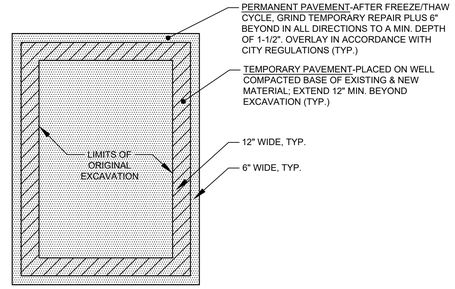


TERMINAL CURB PROFILE

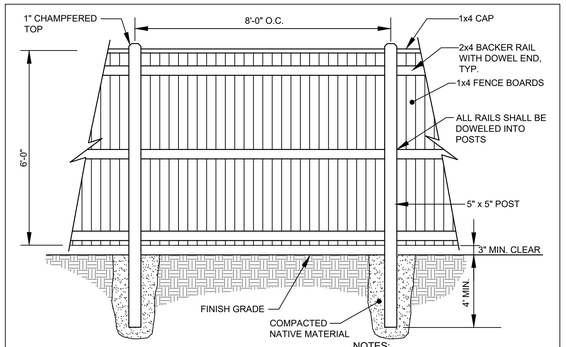


NOTE:
THE 12" PAVEMENT OVERCUT MEASUREMENT STARTS AT THE FARTHEST EDGE OF INTACT NATIVE SOILS. TRENCH WALL DISTURBANCE WILL IMPACT AMOUNT OF PAVEMENT REMOVAL REQUIRED

TYP. EXCAVATION IN CITY RIGHT OF WAY
NOT TO SCALE

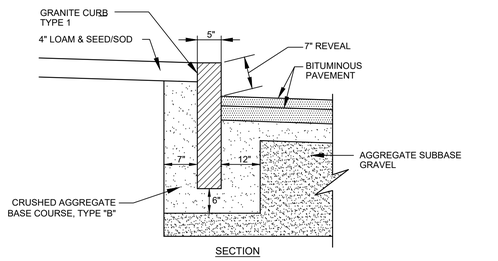


PLAN VIEW OF MINOR EXCAVATION PAVEMENT REPAIR
NOT TO SCALE



NOTES:
1. WOOD DIMENSIONS ARE ROUGH FINISH.
2. ALL WOOD SHALL BE #1 GRADE NORTHERN WHITE CEDAR

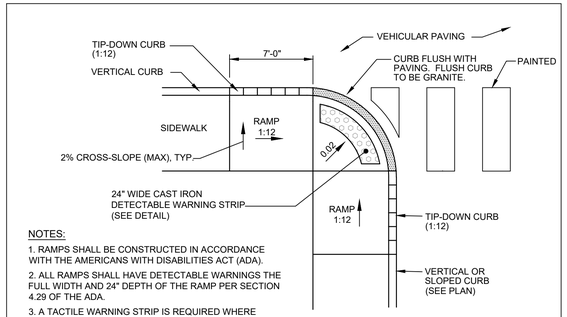
CEDAR PRIVACY FENCE
NOT TO SCALE



SECTION

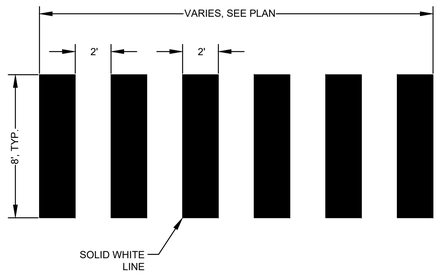
NOTES:
1. MIN. LENGTH OF STRAIGHT CURB STONES: 4', MAX. LENGTH: 8'
2. CIRCULAR CURB REQ. FOR RADIUS LESS THAN 50'
3. BASE GRAVEL SHALL BE COMPACTED TO A FIRM EVEN SURFACE PRIOR TO SETTING OF CURB.

VERTICAL GRANITE CURB
NOT TO SCALE

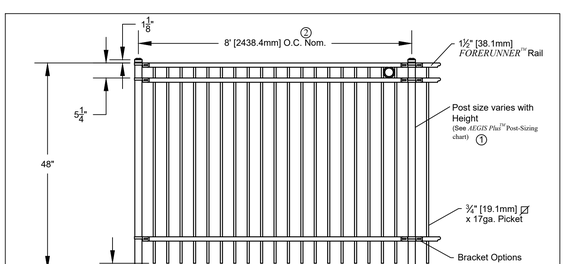


NOTES:
1. RAMPS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA).
2. ALL RAMPS SHALL HAVE DETECTABLE WARNINGS THE FULL WIDTH AND 24" DEPTH OF THE RAMP PER SECTION 4.29 OF THE ADA.
3. A TACTILE WARNING STRIP IS REQUIRED WHERE RAMP ABUTS AN AREA USED BY VEHICLES.

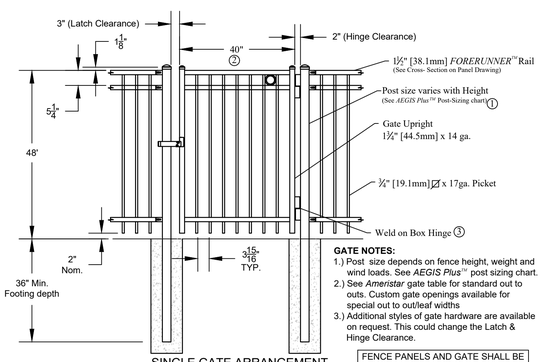
HANDICAP RAMP AT ROAD INTERSECTION
NOT TO SCALE



CROSSWALK STRIPING DETAIL
NOT TO SCALE



NOTES:
1.) Post size depends on fence height and wind loads. See *AEGIS Plus™* post sizing chart.
2.) Panels also available for 6' on center post spacing

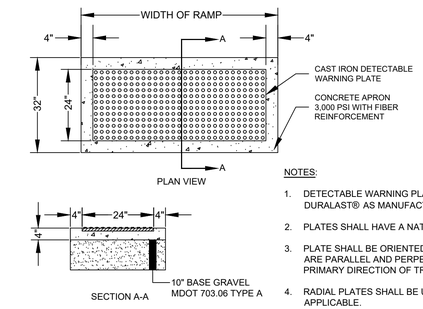


SINGLE GATE ARRANGEMENT

GATE NOTES:
1.) Post size depends on fence height, weight and wind loads. See *AEGIS Plus™* post sizing chart.
2.) See *Ameristar* gate table for standard out to outs. Custom gate openings available for special out to out/leaf widths
3.) Additional styles of gate hardware are available on request. This could change the Latch & Hinge Clearance.

FENCE PANELS AND GATE SHALL BE AEGIS PLUS MAJESTIC 3-RAIL WITH RING BY AMERISTAR

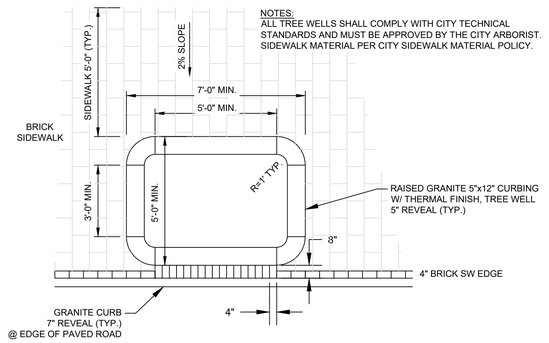
DECORATIVE METAL FENCE & GATE DETAIL
NOT TO SCALE



SECTION A-A

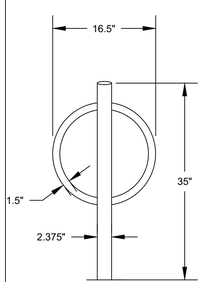
NOTES:
1. DETECTABLE WARNING PLATES TO BE DURALAST® AS MANUFACTURED BY EJ.
2. PLATES SHALL HAVE A NATURAL FINISH
3. PLATE SHALL BE ORIENTED SO THAT THE DOMES ARE PARALLEL AND PERPENDICULAR TO THE PRIMARY DIRECTION OF TRAVEL
4. RADIAL PLATES SHALL BE USED WHERE APPLICABLE.

DETECTABLE WARNING PLATE DETAIL
NOT TO SCALE



NOTES:
ALL TREE WELLS SHALL COMPLY WITH CITY TECHNICAL STANDARDS AND MUST BE APPROVED BY THE CITY ARBORIST. SIDEWALK MATERIAL PER CITY SIDEWALK MATERIAL POLICY.

TREE WELL DETAIL
NOT TO SCALE



NOTES:

PRODUCT:
DERO BIKE HITCH AS MANUFACTURED BY DERO BIKE RACKS

CAPACITY:
2 BIKES

MATERIALS:
CENTERBEAM 2" SCHEDULE 40 PIPE (2.375" OD)
RING 1.5" OD 11 GAUGE TUBE

INSTALLATION METHODS:
IN-GROUND MOUNT IS EMBEDDED INTO CONCRETE BASE. SURFACE MOUNT HAS ONE 5"x6" FOOT WHICH IS ANCHORED TO THE GROUND WITH FOUR ANCHORS

SETBACKS:
24" PARALLEL TO WALL
54" PERPENDICULAR TO WALL
36" PARALLEL TO STREET
76" PERPENDICULAR TO STREET

BIKE HITCH
NOT TO SCALE

STATE OF MAINE
MICHAEL E. TADEMA-WIELANDT
LICENSED PROFESSIONAL ENGINEER

DATE: 6/17/2020
P.E.: MICHAEL E. TADEMA-WIELANDT

NO.	DATE	REVISIONS	APP'D BY
1	6/17/2020	REVISED PER STAFF REVIEW COMMENTS	MTW

565 CONGRESS STREET
SUITE 201
PORTLAND, ME 04101

41 CAMPUS DRIVE
SUITE 103
NEW GLOUCESTER, ME 04260

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www.terradynconsultants.com

TERRADYN CONSULTANTS, LLC
Civil Engineering | Land Planning | Stormwater Design | Environmental Permitting

PERMIT DRAWING
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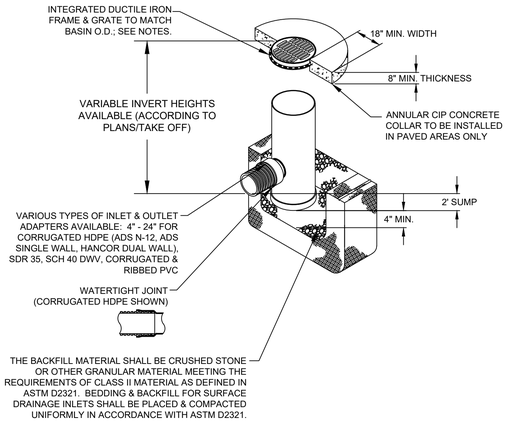
PROJECT:
MIDDLE STREET APARTMENTS
83 MIDDLE STREET, PORTLAND, MAINE 04101

SHEET TITLE:
SITE & PLANTING DETAILS

CLIENT:
MIDDLE STREET HOUSING PARTNERS, LP
ONE CITY CENTER 4TH FLOOR
PORTLAND, MAINE 04101

DATE:	4/16/2020
SCALE:	N.T.S.
DESIGNED:	MTW
JOB NO:	1926
FILE:	1926 DETAILS.DWG

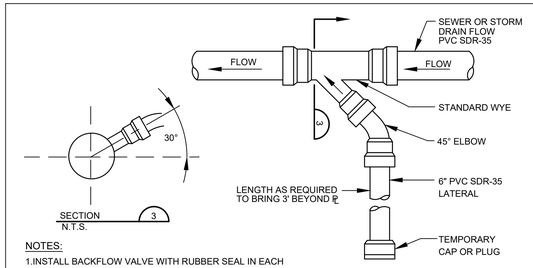
SHEET C-8.0



NOTES:

1. GRATES/SOLID COVER SHALL BE DUCTILE IRON PER ASTM A536 GRADE 70-50-05,
2. FRAMES SHALL BE DUCTILE IRON PER ASTM A536 GRADE 70-50-05
3. DRAINAGE CONNECTION STUB JOINT TIGHTNESS SHALL CONFORM TO ASTM D3212 FOR CORRUGATED HDPE (ADS & HANCOR DUAL WALL) & SDR 35 PVC
4. ALL CATCH BASINS SHALL HAVE STANDARD H-20 GRATES
5. ALL DRAIN MANHOLES SHALL HAVE SOLID COVER

NYLOPLAST DRAIN BASIN
NOT TO SCALE

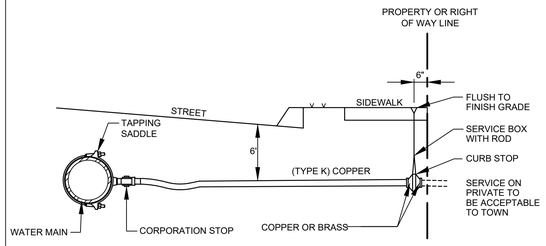


NOTES:

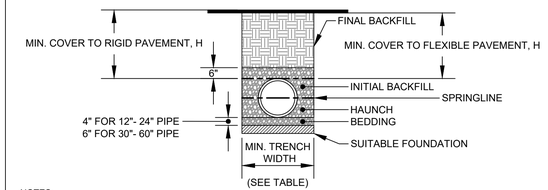
1.INSTALL BACKFLOW VALVE WITH RUBBER SEAL IN EACH FOUNDATION DRAIN SERVICE.

2. IF SUMP PUMP IS UTILIZED INSTALL CHECK VALVE AT SUMP PUMP.

SEWER / FOUNDATION DRAIN SERVICE CONNECTION
NOT TO SCALE



TYPICAL WATER SERVICE CONNECTION
NOT TO SCALE



NOTES:

1. ALL PIPE SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH ASTM D2321, "STANDARD PRACTICE FOR UNDERGROUND INSTALLATION OF THERMOPLASTIC PIPE FOR SEWERS AND OTHER GRAVITY FLOW APPLICATIONS", LATEST ADDITION

2. MEASURES SHOULD BE TAKEN TO PREVENT MIGRATION OF NATIVE FINES INTO BACKFILL MATERIAL, WHEN REQUIRED.

3. FOUNDATION: WHERE THE TRENCH BOTTOM IS UNSTABLE, THE CONTRACTOR SHALL EXCAVATE TO A DEPTH REQUIRED BY THE ENGINEER AND REPLACE WITH SUITABLE MATERIAL AS SPECIFIED BY THE ENGINEER, AS AN ALTERNATIVE AND AT THE DISCRETION OF THE DESIGN ENGINEER, THE TRENCH BOTTOM MAY BE STABILIZED USING A GEOTEXTILE MATERIAL.

4. BEDDING: SUITABLE MATERIAL SHALL BE CLASS I, II OR III. THE CONTRACTOR SHALL PROVIDE DOCUMENTATION FOR MATERIAL SPECIFICATION TO ENGINEER. UNLESS OTHERWISE NOTED BY THE ENGINEER, MINIMUM BEDDING THICKNESS SHALL BE 4" (100mm) FOR 4"-24" (100mm-600mm); 6" (150mm) FOR 30"-60" (750mm-900mm).

5. INITIAL BACKFILL: SUITABLE MATERIAL SHALL BE CLASS I, II OR III IN THE PIPE ZONE EXTENDING NOT LESS THAN 6" ABOVE CROWN OF PIPE. THE CONTRACTOR SHALL PROVIDE DOCUMENTATION FOR MATERIAL SPECIFICATION TO ENGINEER. MATERIAL SHALL BE INSTALLED AS REQUIRED IN ASTM D2321, LATEST EDITION.

6. MINIMUM COVER: MINIMUM COVER, H, IN NON-TRAFFIC APPLICATIONS (GRASS OR LANDSCAPE AREAS) IS 12" FROM THE TOP OF PIPE TO GROUND SURFACE. ADDITIONAL COVER MAY BE REQUIRED TO PREVENT FLOATION. FOR TRAFFIC APPLICATIONS, MINIMUM COVER, H, IS 12" UP TO 48" DIAMETER PIPE AND 24" OF COVER FOR 54"-60" DIAMETER PIPE, MEASURED FROM TOP OF PIPE TO BOTTOM OF FLEXIBLE PAVEMENT OR TO TOP OF RIGID PAVEMENT.

RECOMMENDED MINIMUM TRENCH WIDTHS

PIPE DIAM.	MIN. TRENCH WIDTH
4"	21"
6"	23"
8"	26"
10"	28"
12"	30"
15"	34"
18"	39"
24"	48"
30"	56"
36"	64"
42"	72"
48"	80"
54"	88"
60"	96"

MINIMUM RECOMMENDED COVER BASED ON VECHICLE LOADING CONDITIONS

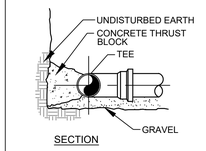
PIPE DIAM.	SURFACE LIVE LOADING CONDITION	
	H-25	HEAVY CONSTRUCTION (75T AXLE LOAD) *
12" - 48"	12"	48"
54" - 60"	24"	60"

* VEHICLES IN EXCESS OF 75T MAY REQUIRE ADDITIONAL COVER

7. INSULATION: RIGID INSULATION SHALL BE PROVIDED FOR PIPES WITH LESS THAN 4' OF COVER IN ACCORDANCE WITH THE FOLLOWING TABLE:

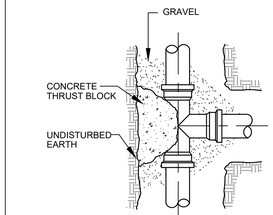
COVER OVER PIPE	INSULATION THICKNESS
12" - 24"	3"
24" - 36"	2"
36" - 48"	1"
48"+	NONE

TYPICAL TRENCH DETAIL
NOT TO SCALE

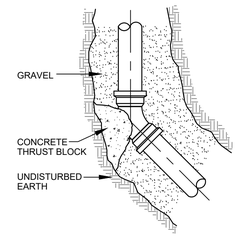


SECTION

CONCRETE THRUST BLOCK SIZE REQUIREMENTS				
		SQ. FT. OF BEARING ON UNDISTURBED SOIL		
FITTINGS		90° BENDS	45° BENDS	TEES AND PLUGS
PIPE SIZE	6"	4.0	2.0	3.0
	8"	8.0	4.0	6.0
	12"	15	10	10

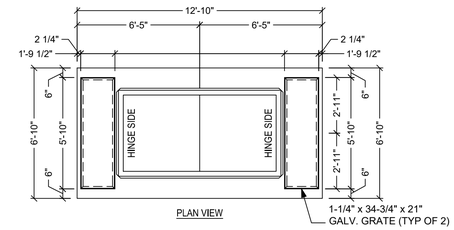


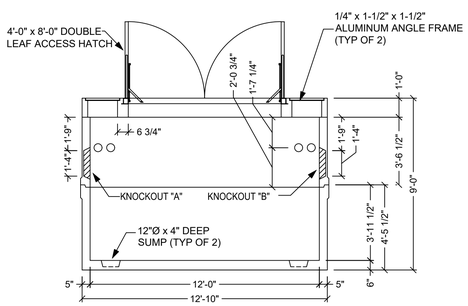
PLAN

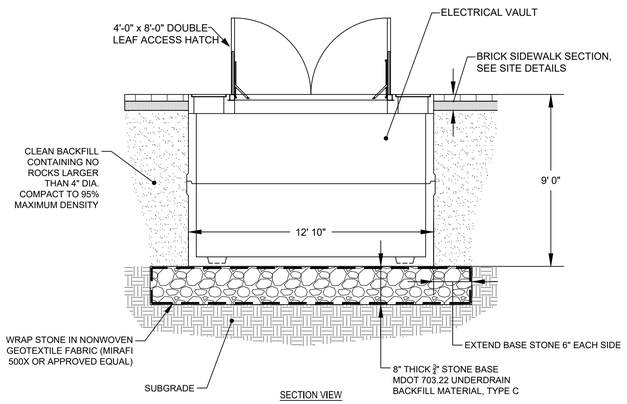


45° BEND

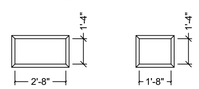
TEE & BEND DETAIL
NOT TO SCALE





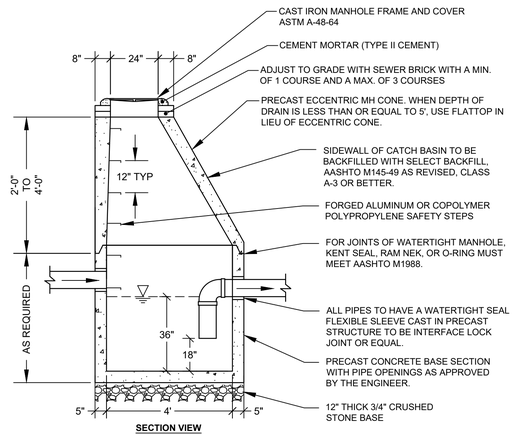


CASTING WIEGHTS:
BASE: 16,850 LBS
BARREL:8,890 LBS
COVER: 6,750 LBS



NOTES:
1. CONCRETE: 5,000 PSI AFTER 28 DAYS
2. JOINTS TO BE SEALED WITH CONSEAL CS102 JOINT SEALANT.
3. KNOCKOUTS EXTEND 4" INTO THE WALL WITH SIDES SLOPED @ 45° PROVIDING A BELL TYPE OPENING. KNOCKOUTS SHOULD BE CLEAR OF ANY REINFORCEMENTS.
4. REINFORCING: DESIGNED FOR H-20 LOADING.
5. HATCH DOORS SHALL BE COATED WITH AN ANTI-SKID SURFACE HAVING A MINIMUM COEFFICIENT OF FRICTION OF 0.6 AND BE UL LISTED AS SLIP RESISTANT.
6. VAULT SHALL DESIGNED TO WITHSTAND H20 WHEEL LOADING WITH 6" OF OVERBURDEN. THE DESIGN SHALL ALSO COMPLY WITH STRENGTH REQUIREMENTS OF THE NEC SECTION 323A. PROVIDE SHOP DRAWINGS STAMPED BY A STATE OF MAINE REGISTERED ENGINEER UPON REQUEST.
7. MOUNTING FOR CABLE RACKS STC. CAST IN WALL BY FURTHER PLANS OR FIELD LOCATED.
8. CABLES ARE TO BE RACKED ALONG ONE WALL ONLY. OPTION OF USING 8" THICK WALLS TO OFFSET ANY OTHER LOAD FACTORS, SOILS OR OTHER FACTORS SPECIFIC TO SITE.

ELECTRICAL SIDEWALK VAULT DETAILS
NOT TO SCALE

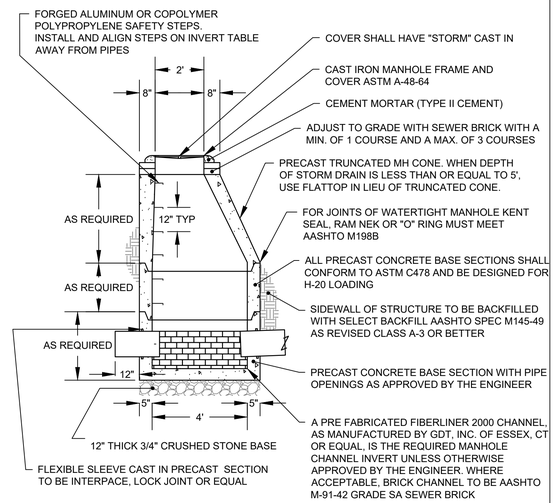


SECTION VIEW

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. EXTERIOR OF STRUCTURE SHALL BE TREATED WITH 2 COATS OF APPROVED DAMP PROOF MATERIAL
4. ALL CONCRETE SECTIONS TO CONFORM TO ASTM-C478 SPECIFICATIONS.
5. REINFORCE TO 0.12 SQ IN / LF

OIL/WATER SEPARATOR
NOT TO SCALE



4' DIAMETER PRECAST STORM DRAIN MANHOLE
NOT TO SCALE

STATE OF MAINE
MICHAEL E. TADEMA-WIELANDT
LICENSED PROFESSIONAL ENGINEER

DATE: 6/17/2020
P.E.: MICHAEL E. TADEMA-WIELANDT

NO.	DATE	REVISIONS	APP'D BY
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41 CAMPUS DRIVE, SUITE 105, NEW GLOUCESTER, ME 04260
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565 CONGRESS STREET, SUITE 201, PORTLAND, ME 04102

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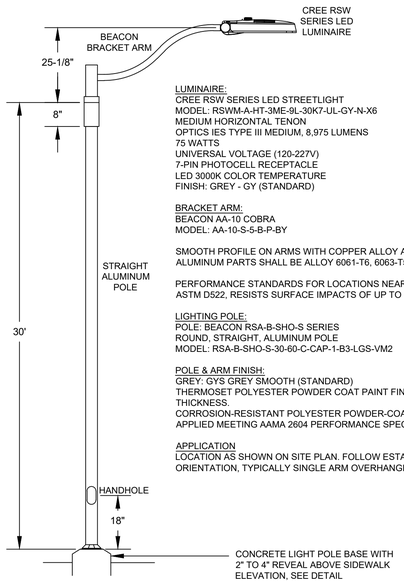
PROJECT: MIDDLE STREET APARTMENTS
83 MIDDLE STREET, PORTLAND, MAINE 04101

SHEET TITLE: UTILITY & DRAINAGE DETAILS

CLIENT: MIDDLE STREET HOUSING PARTNERS, LP
ONE CITY CENTER, 4TH FLOOR
PORTLAND, MAINE 04101

DATE:	4/16/2020
SCALE:	N.T.S.
DESIGNED:	MTW
JOB NO:	1926
FILE: 1926 DETAILS.DWG	

SHEET C-8.1



LUMINAIRE:
CREE RSW SERIES LED STREETLIGHT
MODEL: RSWM-A-HT-3ME-9L-30K7-UL-GY-N-X6
MEDIUM HORIZONTAL TENON
OPTICS IES TYPE III MEDIUM, 8,975 LUMENS
75 WATTS
UNIVERSAL VOLTAGE (120-227V)
7-PIN PHOTOCELL RECEPTACLE
LED 3000K COLOR TEMPERATURE
FINISH: GREY - GY (STANDARD)

BRACKET ARM:
BEACON AA-10 COBRA
MODEL: AA-10-S-5-B-P-BY

SMOOTH PROFILE ON ARMS WITH COPPER ALLOY A356. ALL EXTRUDED ALUMINUM PARTS SHALL BE ALLOY 6061-T6, 6063-T5 OR EQUAL

PERFORMANCE STANDARDS FOR LOCATIONS NEAR SHORELINE (AAMA 2604, ASTM D522, RESISTS SURFACE IMPACTS OF UP TO 160 INCH-POUNDS)

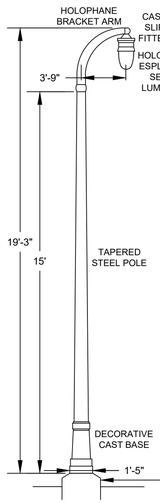
LIGHTING POLE:
POLE: BEACON RSA-B-SHO-S SERIES
ROUND, STRAIGHT, ALUMINUM POLE
MODEL: RSA-B-SHO-S-30-60-C-CAP-1-B3-LGS-VM2

POLE & ARM FINISH:
GREY: GYS GREY SMOOTH (STANDARD)
THERMOSET POLYESTER POWDER COAT PAINT FINISH WITH NOMINAL 3.0 MIL THICKNESS.
CORROSION-RESISTANT POLYESTER POWDER-COAT ELECTROSTATICALLY APPLIED MEETING AAMA 2604 PERFORMANCE SPECIFICATION.

APPLICATION
LOCATION AS SHOWN ON SITE PLAN. FOLLOW ESTABLISHED PATTERN AND ORIENTATION, TYPICALLY SINGLE ARM OVERHANGING TOWARDS STREET.

NOTE:
CONTRACTOR SHALL CONFIRM ALL PART NUMBERS WITH THE DEPARTMENT OF PUBLIC WORKS PRIOR TO ORDERING

COBRAHEAD STREET LIGHT DETAIL (TYPE D)
NOT TO SCALE



LUMINAIRE:
HOLOPHANE ESPLANADE LED II
MODEL: ESL2-P20S-30K-AS-CMC-TG3-S-P7-NL2X2-BHDF13-200CMC OR
SPRING CITY COLUMBIA SERIES MODEL:
ALMCLU-LE080/EVX/X2-30-CR3-GR14-LACLB-FED-CU
PENDANT MOUNT, CAST ALUMINUM HOUSING WITH STAINLESS STEEL HARDWARE. DROPPED REFRACTOR SHALL BE THERMAL RESISTANT BOROSILICATE GLASS. INTERNAL REFLECTOR AND PRISMATIC DIFFUSER SHALL PROVIDE AN IES TYPE IV DISTRIBUTION PATTERN. LED 3000K COLOR TEMPERATURE.

BRACKET ARM:
HOLOPHANE OUC ROADWAY ARM
MODEL: OUC 6063-T6
OR SPRING CITY COLUMBIA ARM
MODEL: AARCLA-1S-51-53-TN2.38/7.00-CU
ALUMINUM CROSSARM WITH A POST-TOP FITTING FOR A 3 1/2" BY 8" TENON. SINGLE ARM 45° ORIENTED 180 DEGREES

SLIP FITTER:
HOLOPHANE BOSTON HARBOR SERIES
MODEL: BHLF-200-SCA/AS
2 3/8" O.D. WITH SWIVEL CAST FITTER.

LIGHTING POLE:
HOLOPHANE
MODEL: CM17CSB-CA-RAL6012
OR SPRING CITY CAMBRIDGE SERIES
MODEL: SSHSMG-G11-7.00-15.00-TN3.50/8.00-CU
SMOOTH, TAPERED STEEL POLE SMOOTH SHAFT RATED FOR A 90MPH WIND LOAD WITH A 1.3 GUST FACTOR. PROVIDE FOUR HOT-DIPPED GALVANIZED STEEL L-TYPE ANCHOR BOLTS. LIGHTING POLE SHALL BE HOT DIP GALVANIZED PRIOR TO POWDERCOAT PAINT.

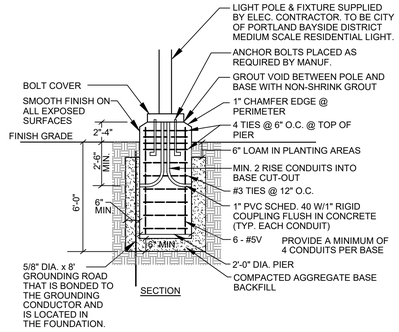
DECORATIVE POLE BASE:
HOLOPHANE CAMBRIDGE SERIES
MODEL: CM17CSB OR SPRING CITY CAMBRIDGE SERIES
MODEL: DWBCMB-17-CU
DECORATIVE CLAMSHELL CAST ALUMINUM BASE. HARDWARE SHALL BE STAINLESS STEEL.

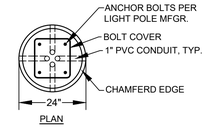
FINISH
BLACK (STANDARD)

APPLICATION
STREET/SIDEWALK LIGHTING. LOCATION AS SHOWN ON SITE PLAN, OVERHANG TOWARDS STREET.

NOTE:
CONTRACTOR SHALL CONFIRM ALL PART NUMBERS WITH THE DEPARTMENT OF PUBLIC WORKS PRIOR TO ORDERING

PENINSULA MEDIUM STREET LIGHT DETAIL
NOT TO SCALE





NOTES:

1. CONCRETE f'c=4000 psi.
2. REINF. STEEL GRADE 60 NEW BARS.
3. CONCRETE 3/4" AGG., 6 +/- 1% ENTRAINED AIR.
4. PROVIDE 2 COATS BITUMINOUS DAMPROOFING FOR ALL CONCRETE BELOW GRADE.
5. EXPOSED CONCRETE TO BE PAINTED WITH 2 COATS OF ACRYLIC PAINT. COLOR TO MATCH POLE COLOR.
6. INSTALL BASE 3'-0" ABOVE FINISH GRADE IN LOCATIONS WHERE POLES ARE IN PARKING LOT PAVEMENT.

LIGHT POLE BASE
NOT TO SCALE

STATE OF MAINE
MICHAEL E. TADEMA-WIELANDT
LICENSED PROFESSIONAL ENGINEER

DATE: 6/17/2020
P.E.: MICHAEL E. TADEMA-WIELANDT

NO.	DATE	REVISIONS	APP'D BY
1	6/17/2020	REVISED PER STAFF REVIEW COMMENTS	MTW

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Civil Engineering | Land Planning | Stormwater Design | Environmental Permitting

PERMIT DRAWING
NOT FOR CONSTRUCTION

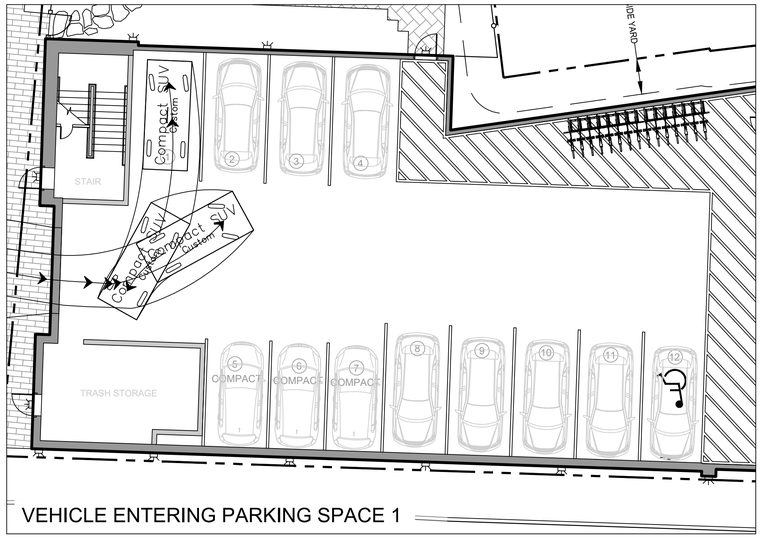
PROJECT:
MIDDLE STREET APARTMENTS
83 MIDDLE STREET, PORTLAND, MAINE 04101

SHEET TITLE:
STREET LIGHT DETAILS

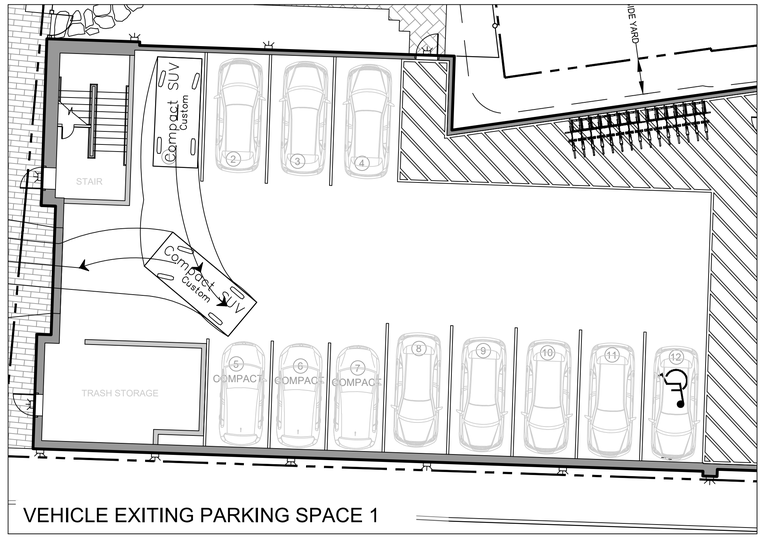
CLIENT:
MIDDLE STREET HOUSING PARTNERS, LP
ONE CITY CENTER, 4TH FLOOR
PORTLAND, MAINE 04101

DATE:	4/16/2020
SCALE:	N.T.S.
DESIGNED:	MTW
JOB NO:	1926
FILE: 1926 DETAILS.DWG	

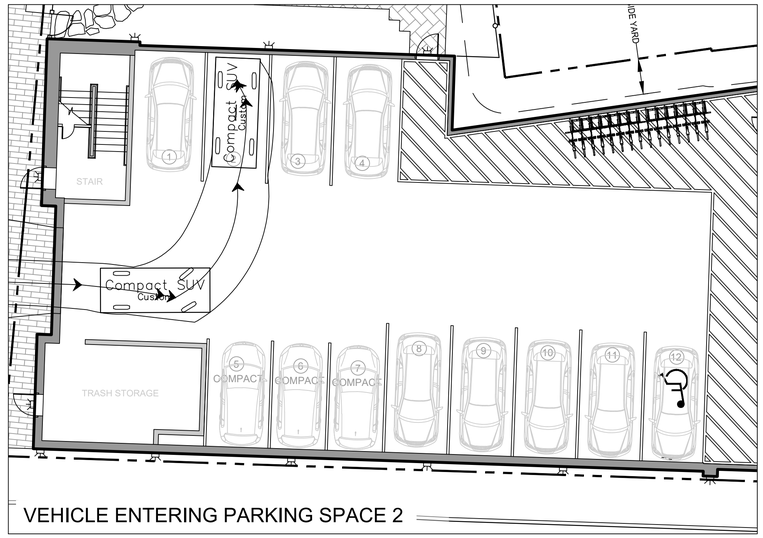
SHEET C-6.2



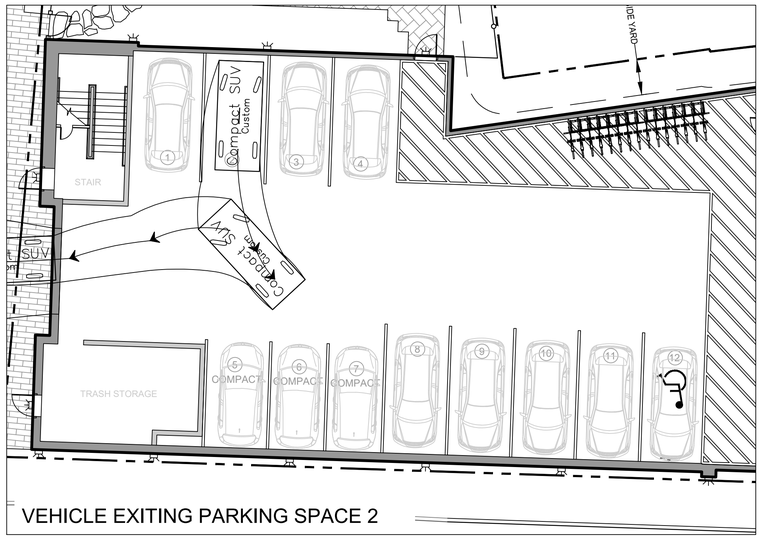
VEHICLE ENTERING PARKING SPACE 1



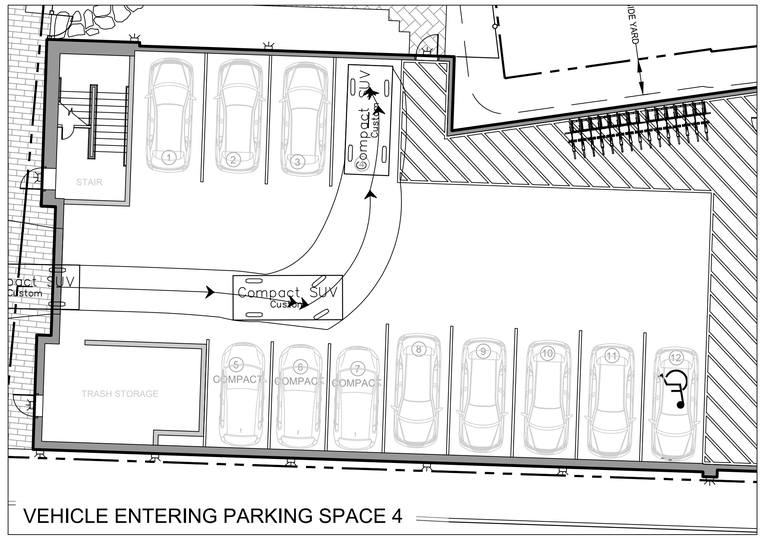
VEHICLE EXITING PARKING SPACE 1



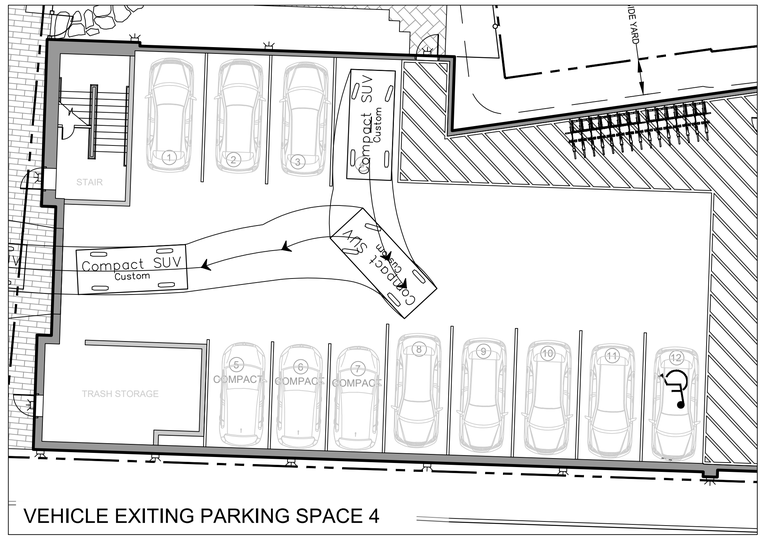
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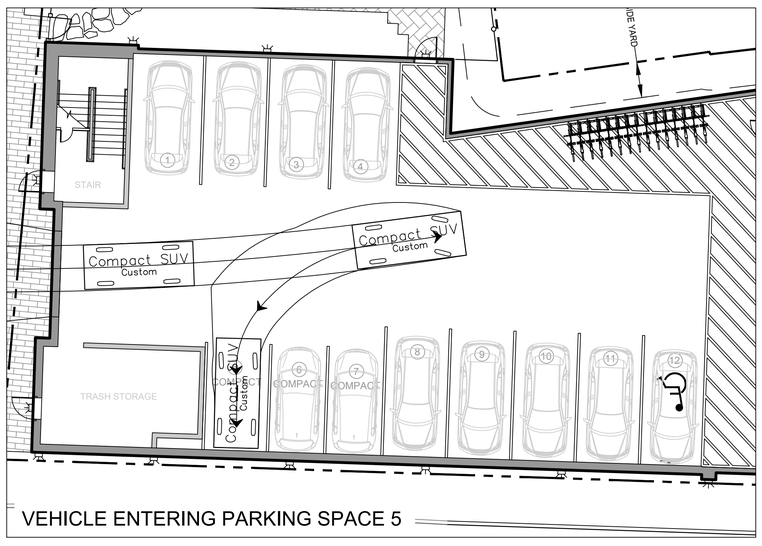
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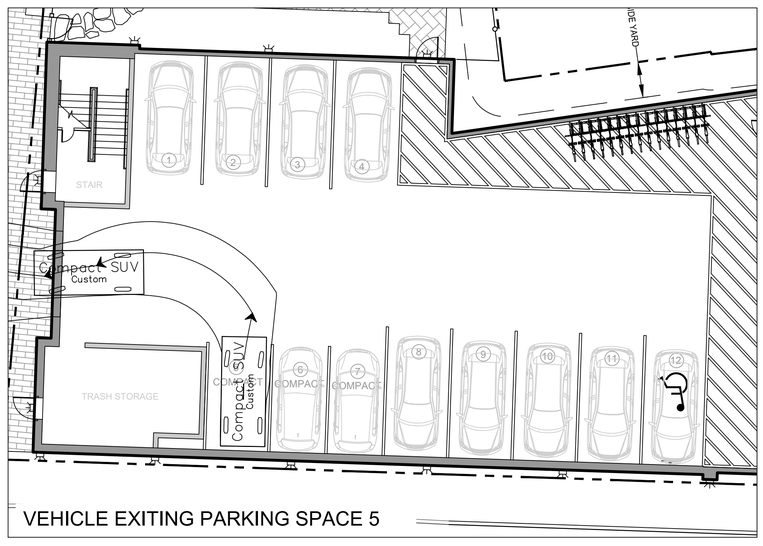
VEHICLE ENTERING PARKING SPACE 4



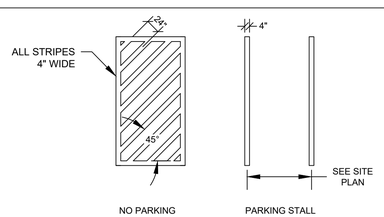
VEHICLE EXITING PARKING SPACE 4



VEHICLE ENTERING PARKING SPACE 5



VEHICLE EXITING PARKING SPACE 5



STRIPING DETAILS

ACCESSIBLE PARKING SIGN

VEHICLE MOVEMENT NOTES:

1. VEHICLE MOVEMENTS SHOW HOW A VEHICLE MAY ENTER OR EXIT PARKING SPACES.
2. VEHICLE PATHS DEVELOPED USING AUTOTURN VEHICLE SWEPT PATH ANALYSIS SOFTWARE BY TRANSOFT SOLUTIONS.
3. VEHICLE PARAMETERS:
   - TOTAL LENGTH: 15.3'
   - TOTAL WIDTH: 6.21'
   - WHEEL BASE: 9.25'
   - TRACK: 5.3'
   - FRONT OVERHANG: 2.94'
   - REAR OVERHANG: 3.11'
   - STEERING LOCK ANGLE: 34.5°

PARKING & STRIPING NOTES:

1. SEE SITE PLAN FOR PARKING STALL DIMENSIONS & THE NUMBER AND LOCATION OF BARRIER FREE PARKING SPACES.
2. ALL SIGNAGE SHALL CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD)

PARKING DETAILS & NOTES

NOT TO SCALE

STATE OF MAINE
MICHAEL E. TADEMA-WIELANDT
LICENSED PROFESSIONAL ENGINEER

DATE: 6/17/2020
P.E.: MICHAEL E. TADEMA-WIELANDT

NO.	DATE	REVISIONS	APP'D BY
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41 CAMPUS DRIVE
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OFFICE: (207) 926-5111 FAX: (207) 221-1317
www.terradynconsultants.com
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SUITE 201
PORTLAND, ME 04102

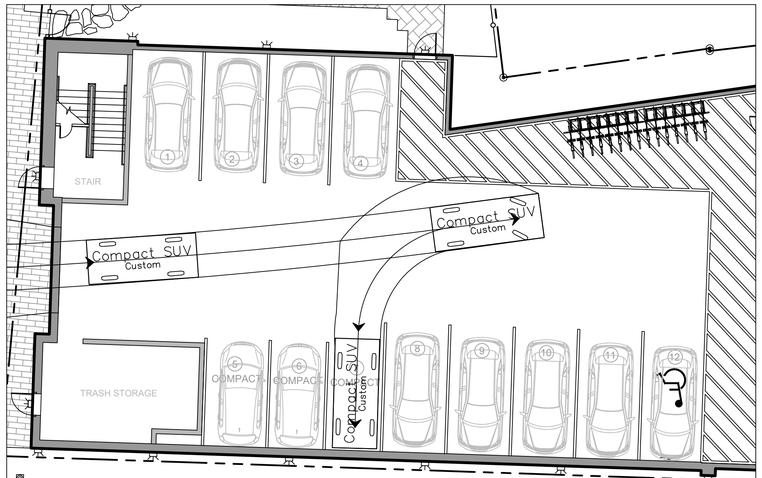
PERMIT DRAWING
NOT FOR CONSTRUCTION

PROJECT:
MIDDLE STREET APARTMENTS
83 MIDDLE STREET, PORTLAND, MAINE 04101

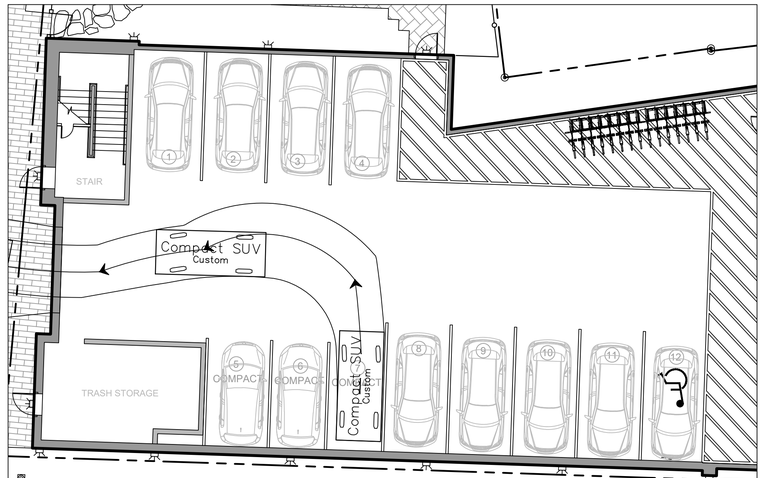
SHEET TITLE:
VEHICLE MOVEMENT PLAN 1

CLIENT:
MIDDLE STREET HOUSING PARTNERS, LP
ONE CITY CENTER, 4TH FLOOR
PORTLAND, MAINE 04101

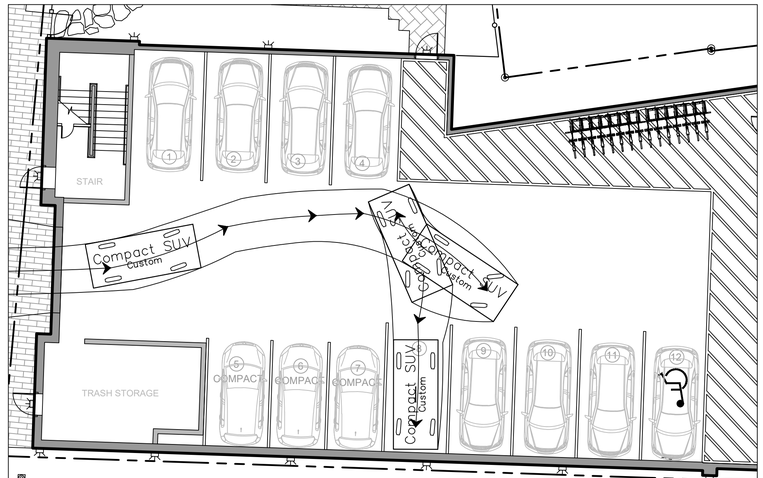
DATE:	4/16/2020
SCALE:	1"=10'
DESIGNED:	MTW
JOB NO:	1926
FILE:	1926-AUTOTURN.DWG
SHEET	C-9.0



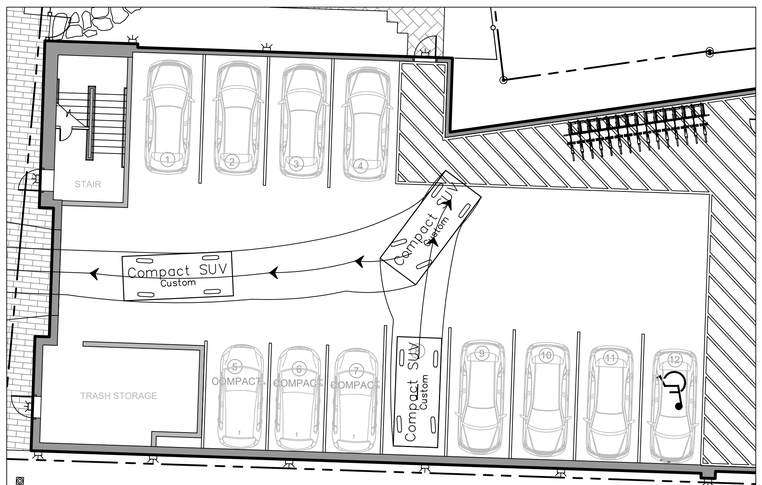
VEHICLE ENTERING PARKING SPACE 7



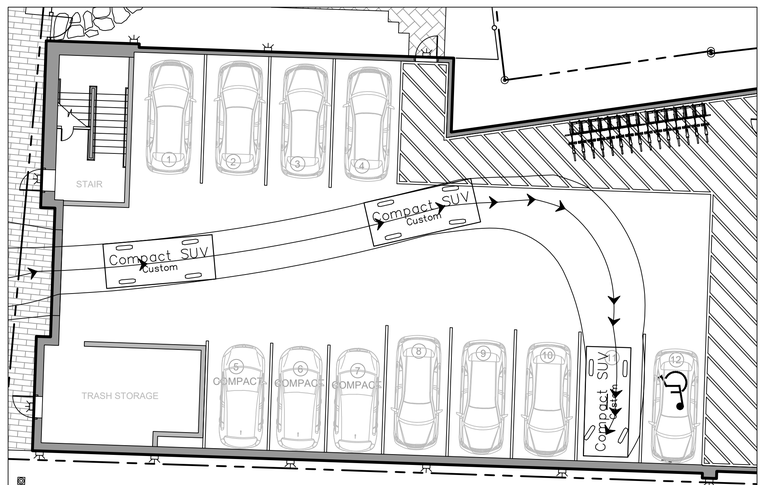
VEHICLE EXITING PARKING SPACE 7



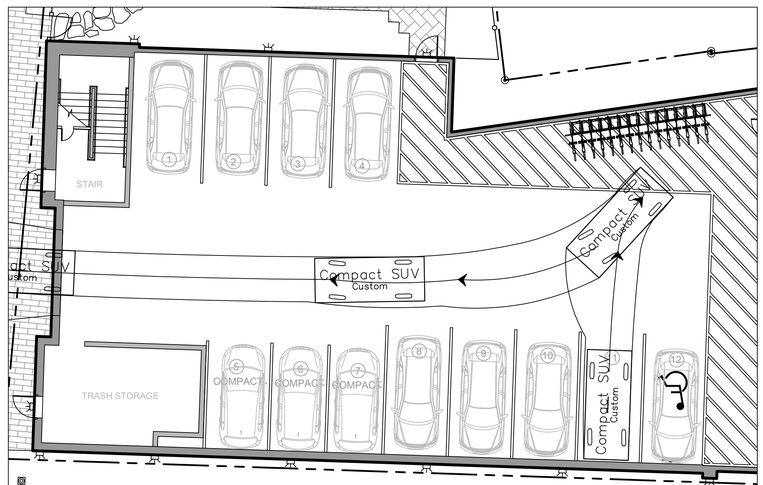
VEHICLE ENTERING PARKING SPACE 8



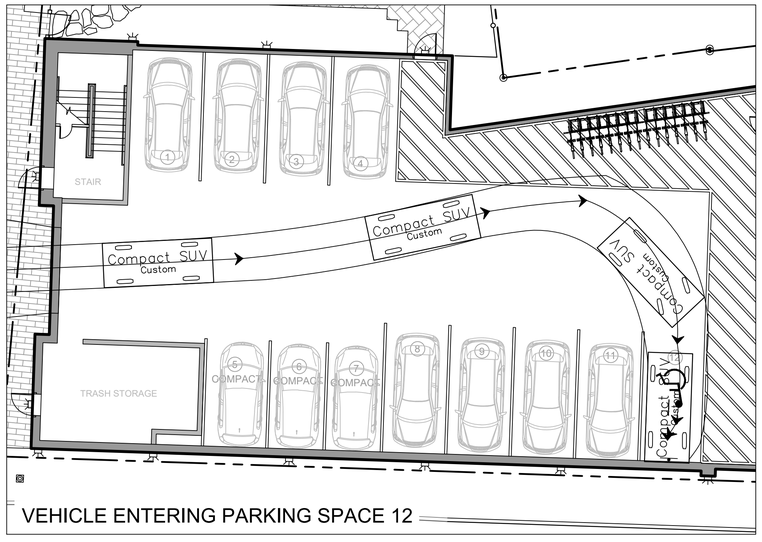
VEHICLE EXITING PARKING SPACE 8



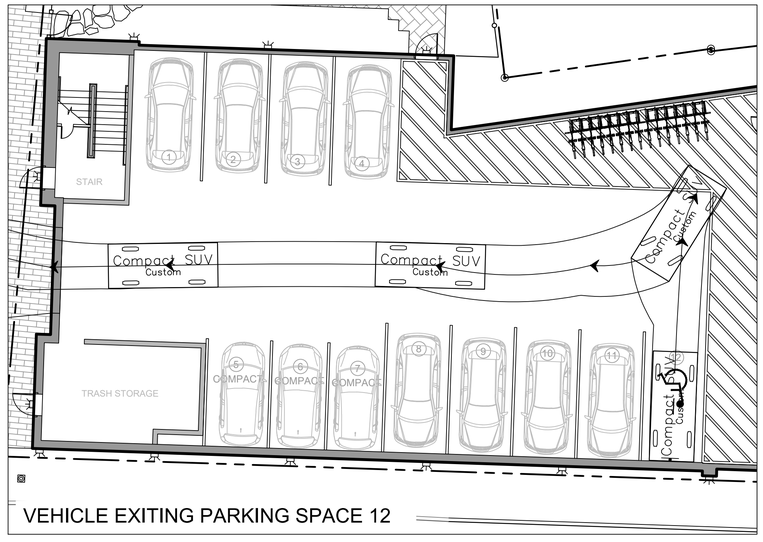
VEHICLE ENTERING PARKING SPACE 11



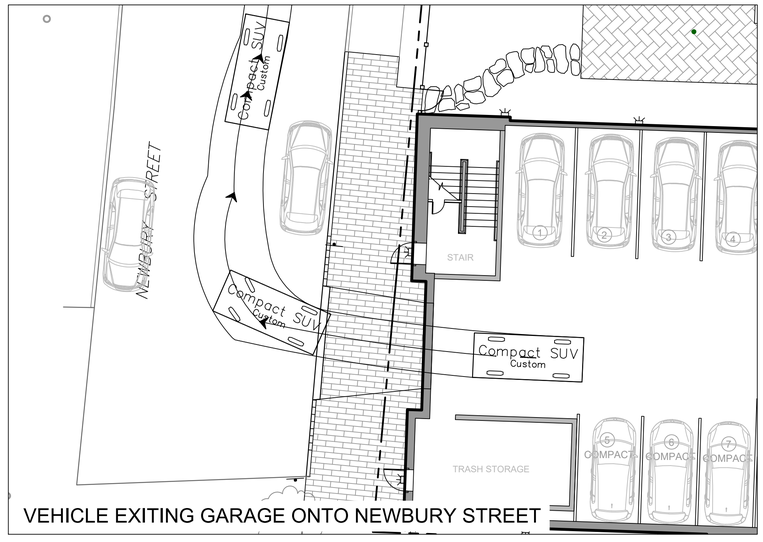
VEHICLE EXITING PARKING SPACE 11



VEHICLE ENTERING PARKING SPACE 12



VEHICLE EXITING PARKING SPACE 12



VEHICLE EXITING GARAGE ONTO NEWBURY STREET

STATE OF MAINE
MICHAEL E. TADEMA-WIELANDT
LICENSED PROFESSIONAL ENGINEER

DATE: 7/22/2020
P.E.: MICHAEL E. TADEMA-WIELANDT

NO.	DATE	REVISIONS	APP'D BY
2	7/22/2020	REVISED PER STAFF REVIEW COMMENTS	MTW
1	6/17/2020	REVISED PER STAFF REVIEW COMMENTS	MTW

TERRADYN CONSULTANTS, LLC
Civil Engineering | Land Planning | Stormwater Design | Environmental Permitting
41 CAMPUS DRIVE, SUITE 400, NEW GLOUCESTER, ME 04260
OFFICE: (207) 926-5111 FAX: (207) 221-1317
www.terradynconsultants.com
565 CONGRESS STREET, SUITE 201, PORTLAND, ME 04101

PERMIT DRAWING
NOT FOR CONSTRUCTION

PROJECT:
MIDDLE STREET APARTMENTS
83 MIDDLE STREET, PORTLAND, MAINE 04101

SHEET TITLE:
VEHICLE MOVEMENT PLAN 2

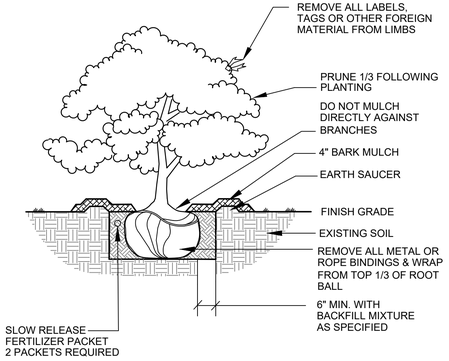
CLIENT:
MIDDLE STREET HOUSING PARTNERS, LP
ONE CITY CENTER, 4TH FLOOR
PORTLAND, MAINE 04101

DATE:	4/16/2020
SCALE:	1"=10'
DESIGNED:	MTW
JOB NO:	1926
FILE:	1926-AUTOTURN.DWG

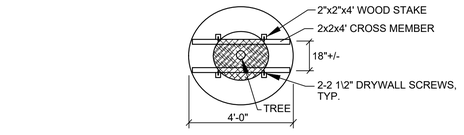
SHEET C-9.1

PLANTING NOTES:

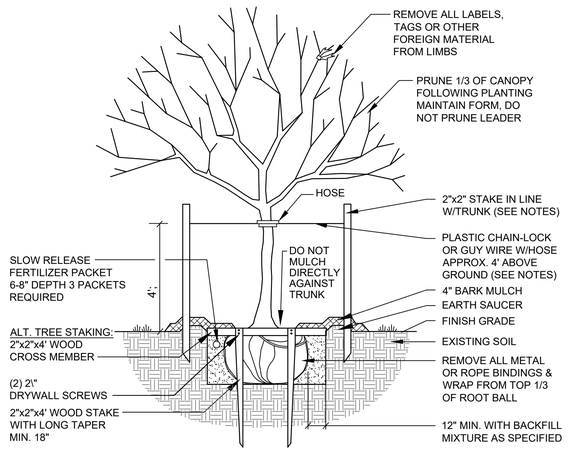
1. THE CONTRACTOR SHALL SUPPLY ALL PLANTS IN QUANTITIES SUFFICIENT TO COMPLETE THE WORK SHOWN ON THE PLAN. ANY DISCREPANCIES BETWEEN QUANTITIES SHOWN ON PLANT LIST AND THOSE REQUIRED BY THIS DRAWING SHALL NOT ENTITLE CONTRACTOR TO ADDITIONAL REMUNERATION.
2. ANY PLAN SUBSTITUTIONS MUST BE APPROVED BY THE OWNER.
3. ANY TREE OR SHRUB WHICH COMES OVER OR UNDER ANY UTILITY SHALL BE RELOCATED ON THE SITE BY THE LANDSCAPE ARCHITECT.
4. ALL LAWN AREAS TO HAVE 6" OF TOPSOIL UNLESS NOTED OTHERWISE.
5. ALL TREES AND SHRUBS SHALL BE PLACED IN THE DESIGNATED AREAS AS SHOWN ON THE PLAN AND BEFORE PLANTING SHALL BE APPROVED BY THE LANDSCAPE ARCHITECT.
6. THE CONTRACTOR SHALL RELOCATE ANY TREE OR SHRUB AS DIRECTED BY THE LANDSCAPE ARCHITECT.
7. ALL PLANT MATERIALS INSTALLED SHALL MEET THE SPECIFICATIONS OF THE AMERICAN STANDARD FOR NURSERY STOCK (LATEST EDITION) AS SET FORTH BY THE AMERICAN ASSOCIATION OF NURSERYMEN.
8. THE LANDSCAPE CONTRACTOR SHALL REPLACE OR REPAIR TO ORIGINAL CONDITION ANY AND ALL UTILITIES, PAVING, CURBING, ETC., DAMAGED AS A RESULT OF THEIR OPERATIONS AT NO ADDITIONAL COST TO THE OWNER.
9. THE CONTRACTOR SHALL VERIFY LOCATION OF ALL UTILITIES PRIOR TO PLANTING AND WILL NOTIFY OWNER'S REPRESENTATIVE IN THE EVENT OF CONFLICTS.



DECIDUOUS & EVERGREEN SHRUB
NOT TO SCALE



ALT. TREE STAKING PLAN
NOT TO SCALE



NOTES:
INSTALL STAKES AND GUYS TO TREES IF THE FOLLOWING APPLY:
1. THE TREE IS OF SUBSTANTIAL SIZE.
2. THE PLANTING LOCATION IS EXTREMELY WINDY, AS ON OPEN UNDEVELOPED SITES.
3. THE PLANTING LOCATION IS COMPRISED OF SAND OR OTHER LOOSE TEXTURED SOILS.
4. IF STAKES AND GUYS ARE REQUIRED, REMOVE AFTER ONE YEAR TIME.

DECIDUOUS TREES 2" TO 4" CALIPER
NOT TO SCALE

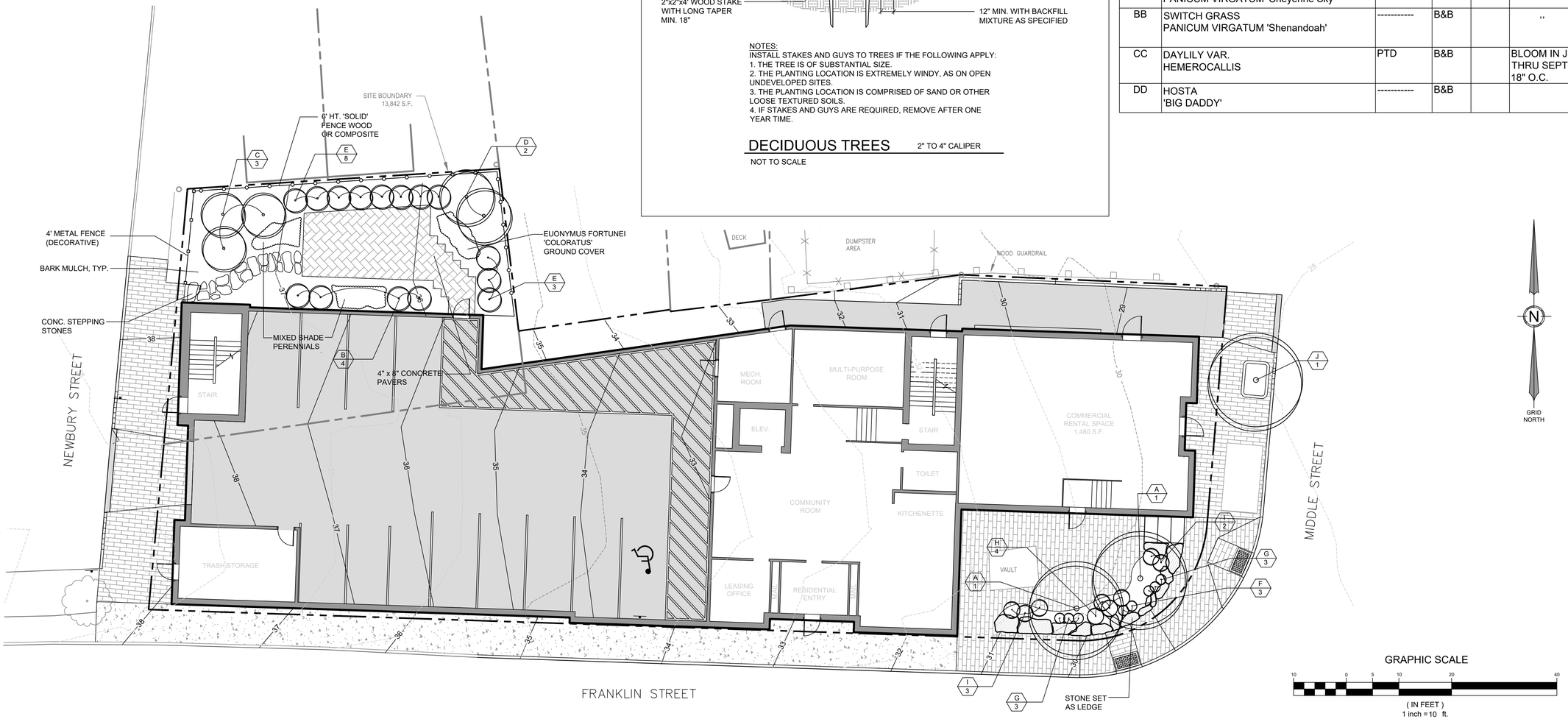
PLANT LIST

TREES & SHRUBS

KEY	COMMON & BOTANICAL NAME	SIZE	ROOT	QTY	NOTES
A	HONEYLOCUST 'SUNBURST' G. TRIACANTHOS Var. 'inermis' Sunburst	2 1/2" Cal.	B&B	2	
B	SHASTA VIBURNUM V. PLICATUM Var. TOMENTOSUM 'SHASTA'	3'-4' HT	B&B	4	
C	BLACKHAW VIBURNUM V. PRUNIFOLIUM	4"-5" HT	B&B	3	MULTI-TRUNK [3]
D	CORNELIANCHERRY C. MAS 'Golden Glory'	4' HT	B&B	2	,, ,, ,, ,, ,,
E	TAXUS YEW TAXUS X MEDIA 'Hatfieldii'	24" SPR	CONT	11	
F	BAR HARBOR JUNIPER J. HORIZONTALIS	#5	CONT	2	
G	BLUE RUG JUNIPER J. HORIZONTALIS 'Blue Rug'	#3	CONT	6	
H	COMPACT PFITZER JUNIPER J. CHINENSIS PFITZERIANA 'COMPACTA'	#2	CONT	4	
I	NORTHERN BAYBERRY M. PENSYLVANCA	3'-4' HT	CONT	5	
J	'STREETKEEPER' HONEY LOCUST G. TRICANTHOS 'Streetkeeper'	2 1/2" Cal.	B&B	1	8' Clear Understory

PERENNIALS

KEY	COMMON & BOTANICAL NAME	SIZE	ROOT	QTY	NOTES
AA	SWITCH GRASS PANICUM VIRGATUM 'Cheyenne Sky'	----------	B&B		@18" OC
BB	SWITCH GRASS PANICUM VIRGATUM 'Shenandoah'	----------	B&B		,,
CC	DAYLILY VAR. HEMEROCALLIS	PTD	B&B		BLOOM IN JULY THRU SEPT 18" O.C.
DD	HOSTA 'BIG DADDY'	----------	B&B		



STATE OF MAINE
MICHAEL E. TADEMA-WIELANDT
LICENSED PROFESSIONAL ENGINEER

DATE: 4/16/2020
P.E.: MICHAEL E. TADEMA-WIELANDT

NO.	DATE	REVISIONS	APP'D BY

565 CONGRESS STREET
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PORTLAND, ME 04102

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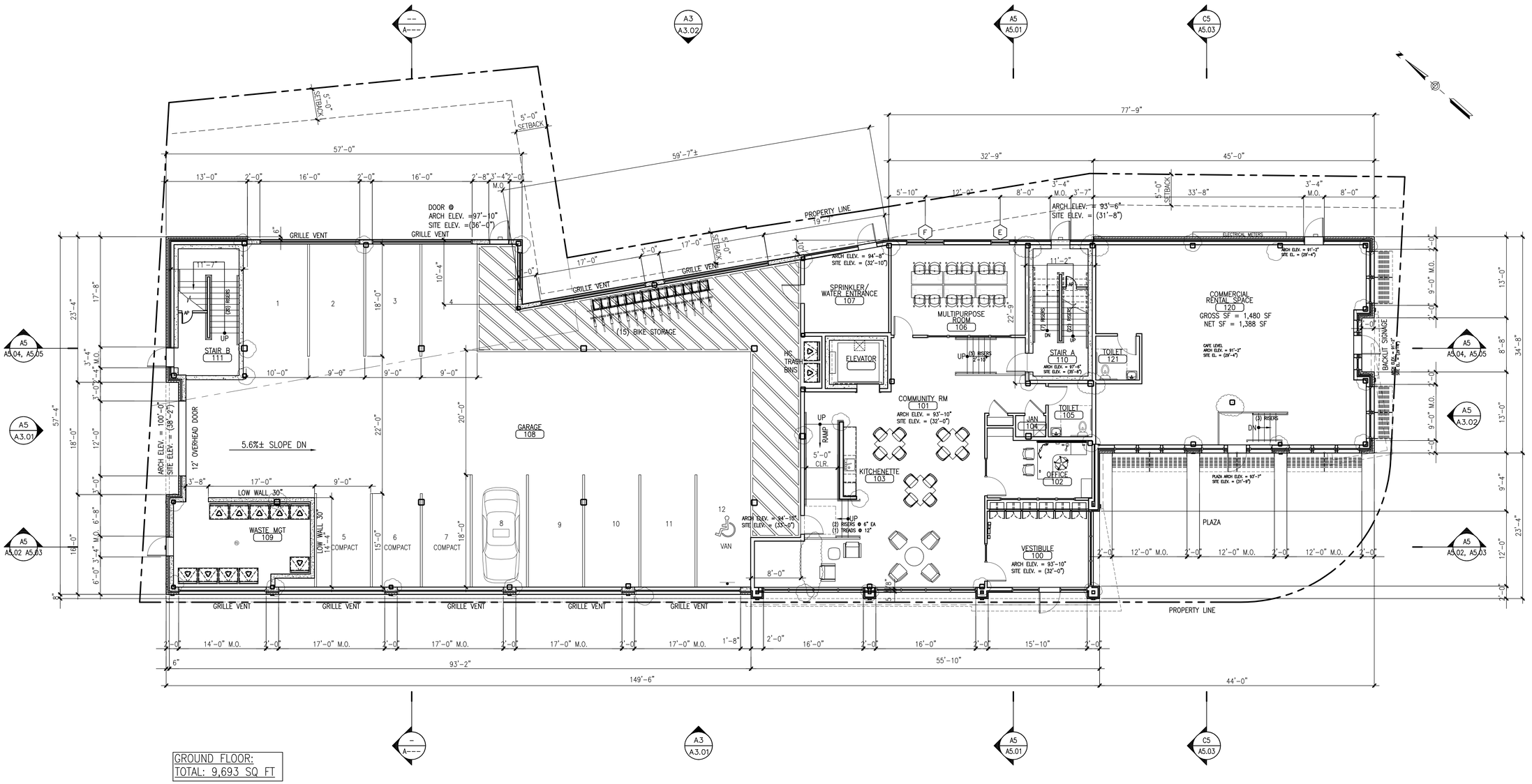
PROJECT:
MIDDLE STREET APARTMENTS
83 MIDDLE STREET, PORTLAND, MAINE 04101

SHEET TITLE:
LANDSCAPE PLAN & PLANTING DETAILS

CLIENT:
MIDDLE STREET HOUSING PARTNERS, LP
ONE CITY CENTER, 4TH FLOOR
PORTLAND, MAINE 04101

DATE:	4/16/2020
SCALE:	1"=20'
DESIGNED:	MTW
JOB NO:	1926
FILE:	1926-LANDSCAPE.DWG

SHEET L-1.0



GROUND FLOOR:
TOTAL: 9,693 SQ FT

COMMERCIAL = 1,480 SF
PARKING = 4,918 SF
RES LOBBY, WAST MGT AND STAIR B = 3,295 SF

THIS PROJECT INCLUDE BROADBAND INFRASTRUCTURE WITH CAPACITY SUFFICIENT TO SUPPORT THE PROVISION OF TELEMONITORING AND /OR TELEHEALTH SERVICES.

A5 GROUND FLOOR PLAN
REFERENCED FROM: SCALE: 1/8" = 1'-0"

M:\2019 Design Projects\19008 CMDA Middle Street Senior Apartments\01-Drawings\A1.10 - Ground Floor plan

CWS ARCHITECTS
ARCHITECTURE | INTERIOR DESIGN

264 US ROUTE ONE, SUITE 100-2A
OFFICE: 207 774 4441 CWSARCH.COM

DESIGNER

CWS ARCHITECTS
ARCHITECTURE | INTERIOR DESIGN
264 US ROUTE ONE, SUITE 100-2A
SCARBOROUGH, MAINE 04074
207.774.4441
WWW.CWSARCH.COM

OWNER

MIDDLE STREET HOUSING PARTNERS L.P

C/O COMMUNITY HOUSING OF MAINE
ONE CITY CENTER, 4TH FLOOR
PORTLAND, MAINE 04101

PROJECT

MIDDLE STREET APARTMENTS

MIDDLE STREET
PORTLAND, MAINE 04101

DRAWING

GROUND FLOOR PLAN

CWS PROJECT NUMBER: 19.008

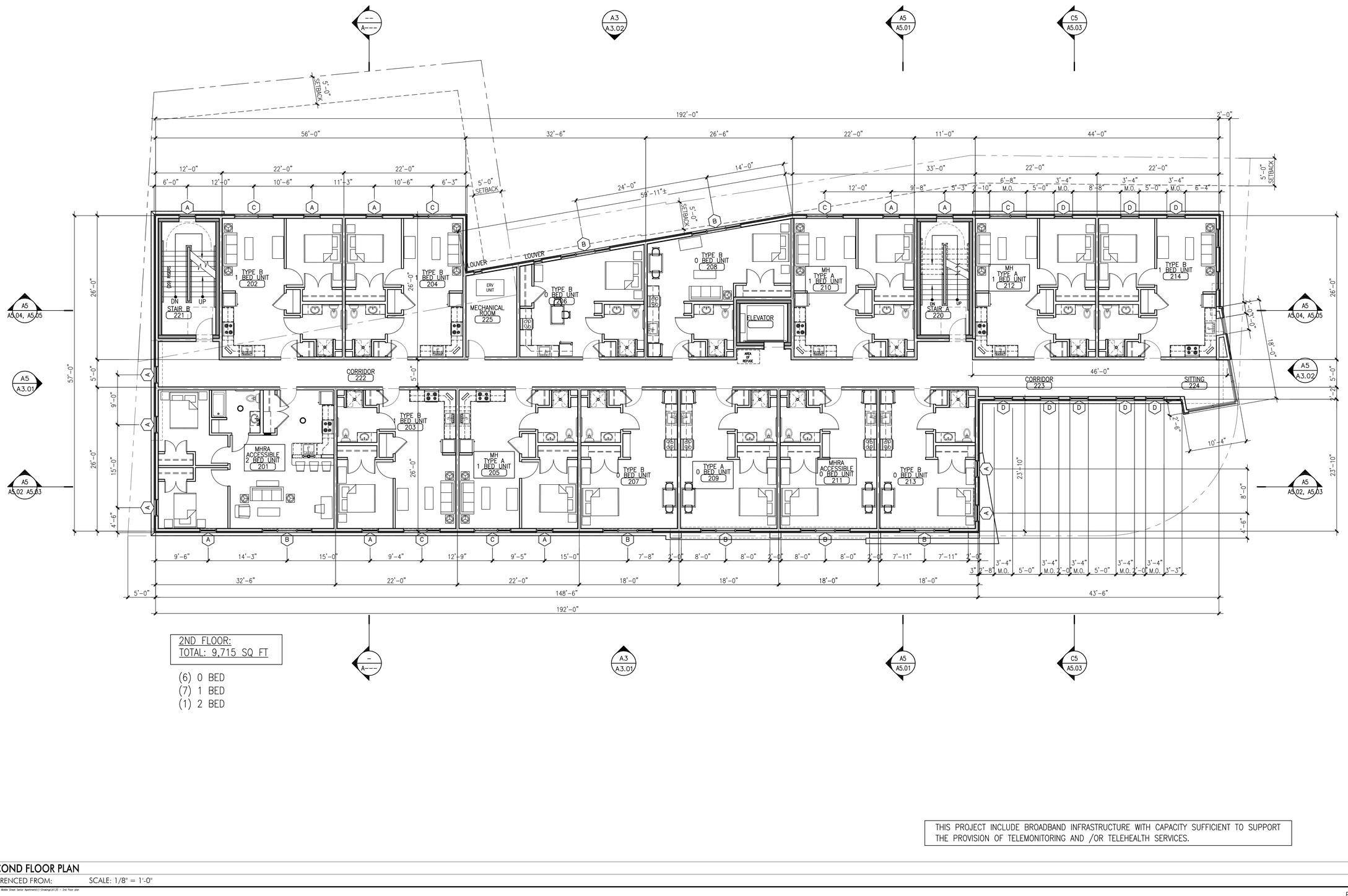
REVISIONS

DRAWING NUMBER

A1.10

SCALE: 1/8" = 1'-0"
DATE: 06/09/2020

PROGRESS - NOT FOR CONSTRUCTION



2ND FLOOR:
TOTAL: 9,715 SQ FT

(6) 0 BED
(7) 1 BED
(1) 2 BED

THIS PROJECT INCLUDE BROADBAND INFRASTRUCTURE WITH CAPACITY SUFFICIENT TO SUPPORT THE PROVISION OF TELEMONITORING AND /OR TELEHEALTH SERVICES.

A5 SECOND FLOOR PLAN
REFERENCED FROM: SCALE: 1/8" = 1'-0"

M:\2019 Design Projects\19008 CHDM Middle Street Senior Apartments\1-Drawings\A1.20 - 2nd Floor plan

CWS ARCHITECTS
ARCHITECTURE | INTERIOR DESIGN

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OWNER

MIDDLE STREET HOUSING PARTNERS L.P

C/O COMMUNITY HOUSING OF MAINE
ONE CITY CENTER, 4TH FLOOR
PORTLAND, MAINE 04101

PROJECT

MIDDLE STREET APARTMENTS

MIDDLE STREET
PORTLAND, MAINE 04101

DRAWING

SECOND FLOOR PLAN

CWS PROJECT NUMBER: 19.008

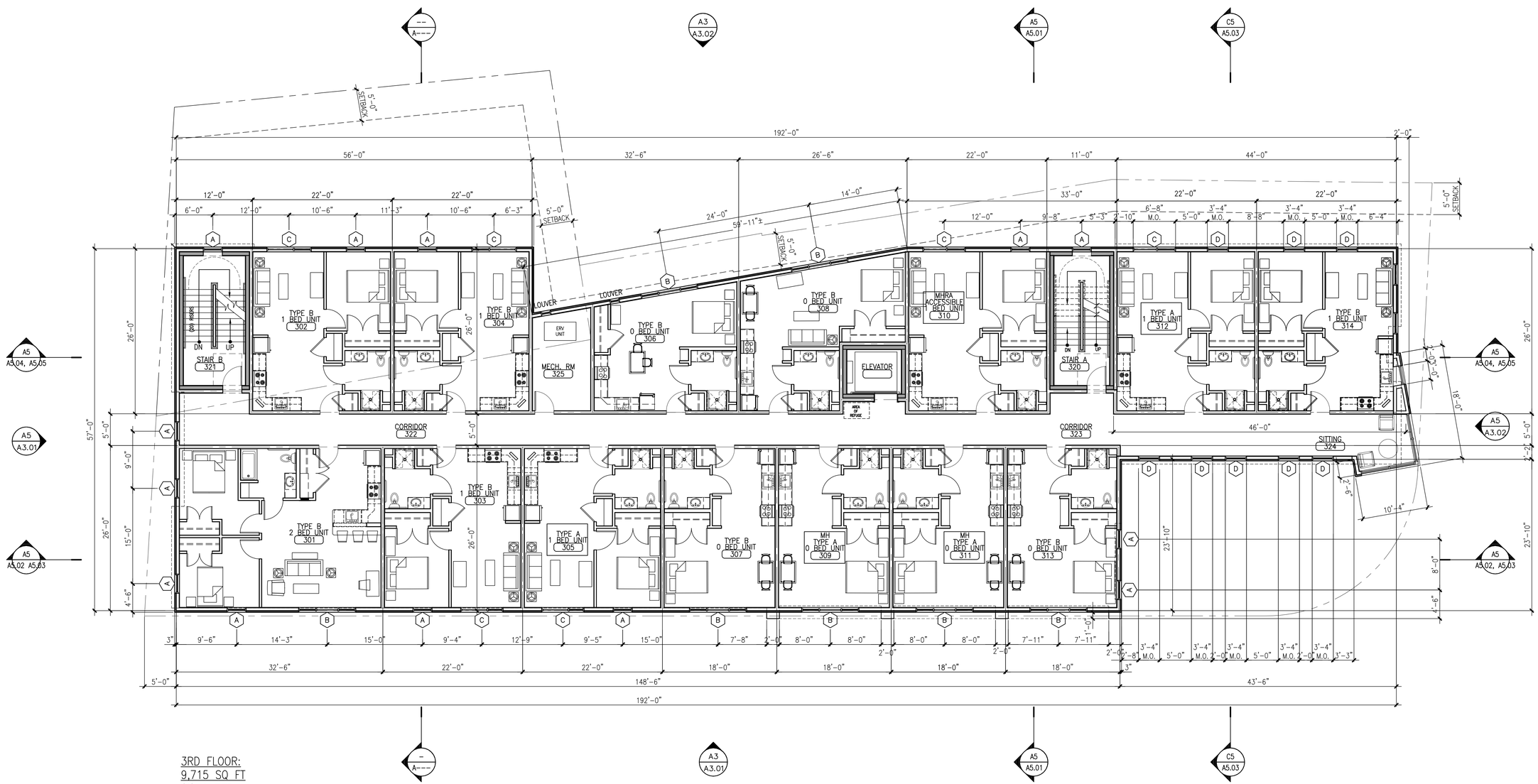
REVISIONS

DRAWING NUMBER

A1.20

SCALE: 1/8" = 1'-0"
DATE: 06/09/2020

PROGRESS - NOT FOR CONSTRUCTION



3RD FLOOR:
9,715 SQ FT
(6) 0 BED
(7) 1 BED
(1) 2 BED

THIS PROJECT INCLUDE BROADBAND INFRASTRUCTURE WITH CAPACITY SUFFICIENT TO SUPPORT THE PROVISION OF TELEMONITORING AND /OR TELEHEALTH SERVICES.

A5 THIRD FLOOR PLAN
REFERENCED FROM: SCALE: 1/8" = 1'-0"

W:\2019 Design Projects\19008 CWM Middle Street Senior Apartments\1-Drawings\A1.30 - 3rd Floor plan

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PORTLAND, MAINE 04101

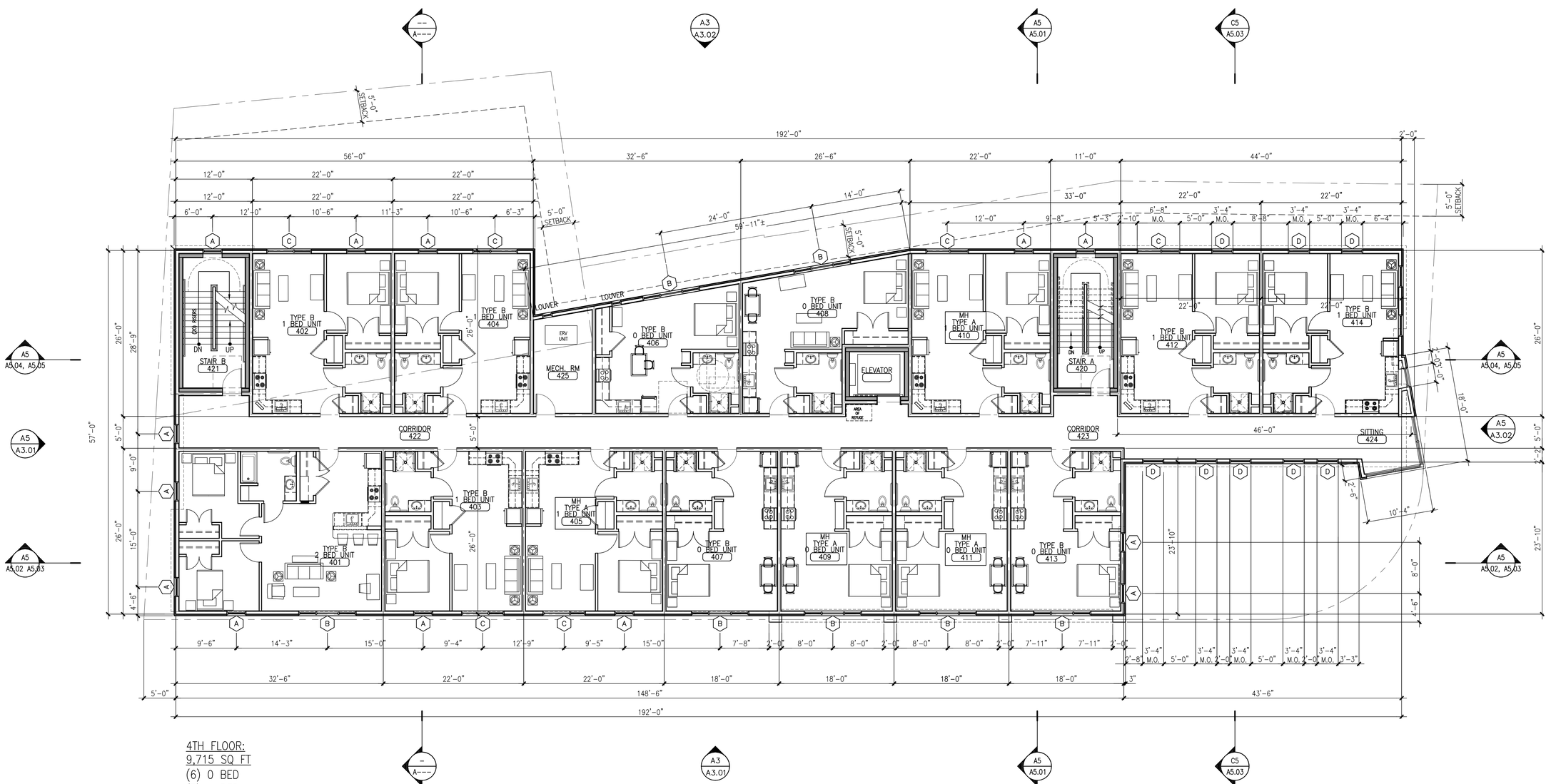
DRAWING
THIRD FLOOR PLAN
CWS PROJECT NUMBER: 19.008

REVISIONS

DRAWING NUMBER
A1.30

SCALE: 1/8" = 1'-0"
DATE: 06/09/2020

PROGRESS - NOT FOR CONSTRUCTION



4TH FLOOR:
9,715 SQ FT
(6) 0 BED
(7) 1 BED
(1) 2 BED

THIS PROJECT INCLUDE BROADBAND INFRASTRUCTURE WITH CAPACITY SUFFICIENT TO SUPPORT THE PROVISION OF TELEMONITORING AND /OR TELEHEALTH SERVICES.

A5 FOURTH FLOOR PLAN
REFERENCED FROM: SCALE: 1/8" = 1'-0"

W:\2019 Design Projects\19008 CHDM Middle Street Senior Apartments\01-Drawing\A1.40 - 4th Floor plan

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DESIGNER

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PORTLAND, MAINE 04101

PROJECT

MIDDLE STREET APARTMENTS

MIDDLE STREET
PORTLAND, MAINE 04101

DRAWING

FOURTH FLOOR PLAN

CWS PROJECT NUMBER: 19 008

REVISIONS

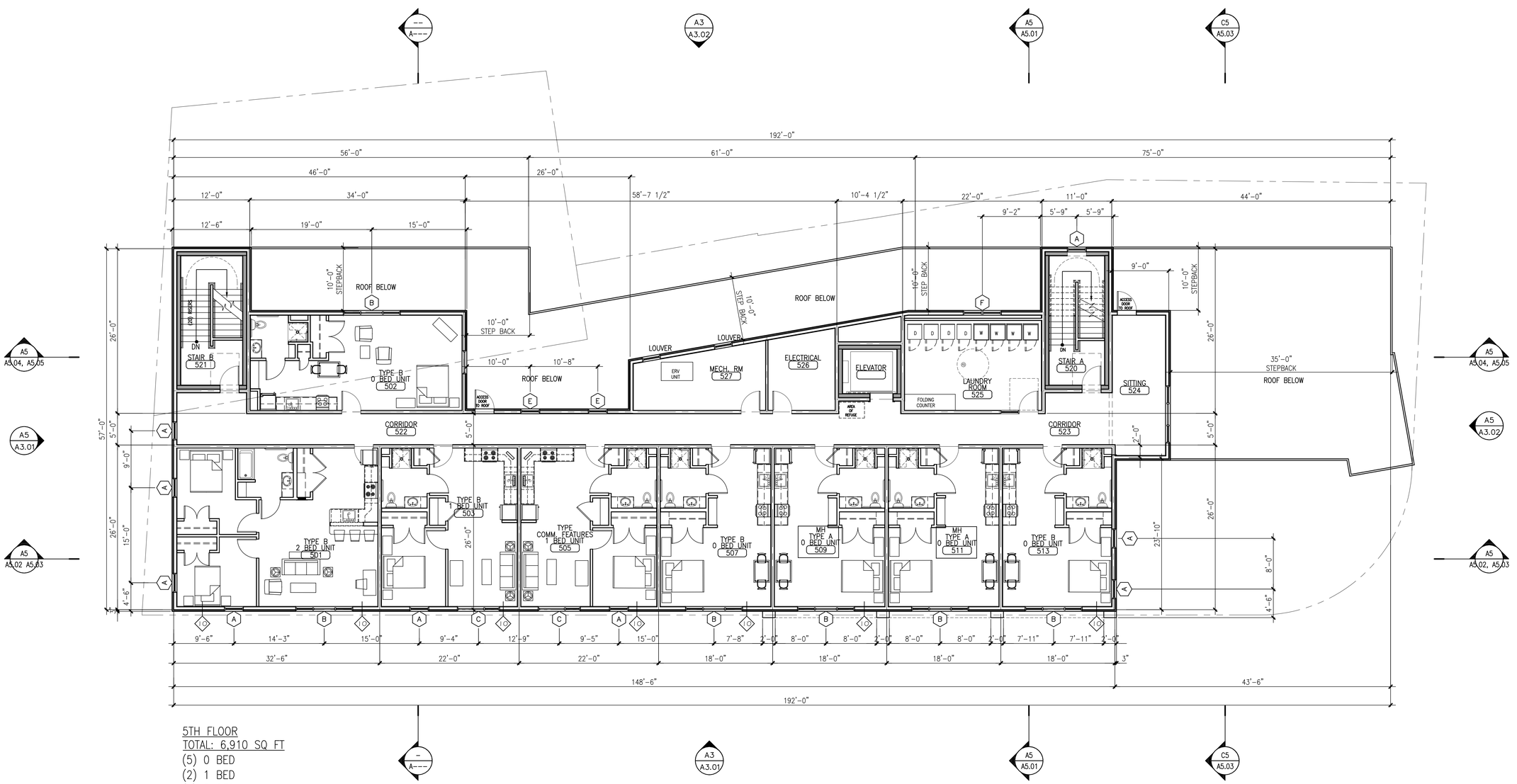
DRAWING NUMBER

A1.40

SCALE: 1/8" = 1'-0"

DATE: 06/09/2020

PROGRESS - NOT FOR CONSTRUCTION



5TH FLOOR
TOTAL: 6,910 SQ FT
(5) 0 BED
(2) 1 BED
(1) 2 BED

THIS PROJECT INCLUDE BROADBAND INFRASTRUCTURE WITH CAPACITY SUFFICIENT TO SUPPORT THE PROVISION OF TELEMONITORING AND /OR TELEHEALTH SERVICES.

A5 FIFTH FLOOR PLAN
REFERENCED FROM: SCALE: 1/8" = 1'-0"

M:\2019 Design Projects\19008 CHDM Middle Street Senior Apartments\1-Drawings\A1.50 - 5th Floor plan

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PROJECT

MIDDLE STREET APARTMENTS

MIDDLE STREET
PORTLAND, MAINE 04101

DRAWING

FIFTH FLOOR PLAN

CWS PROJECT NUMBER: 19.008

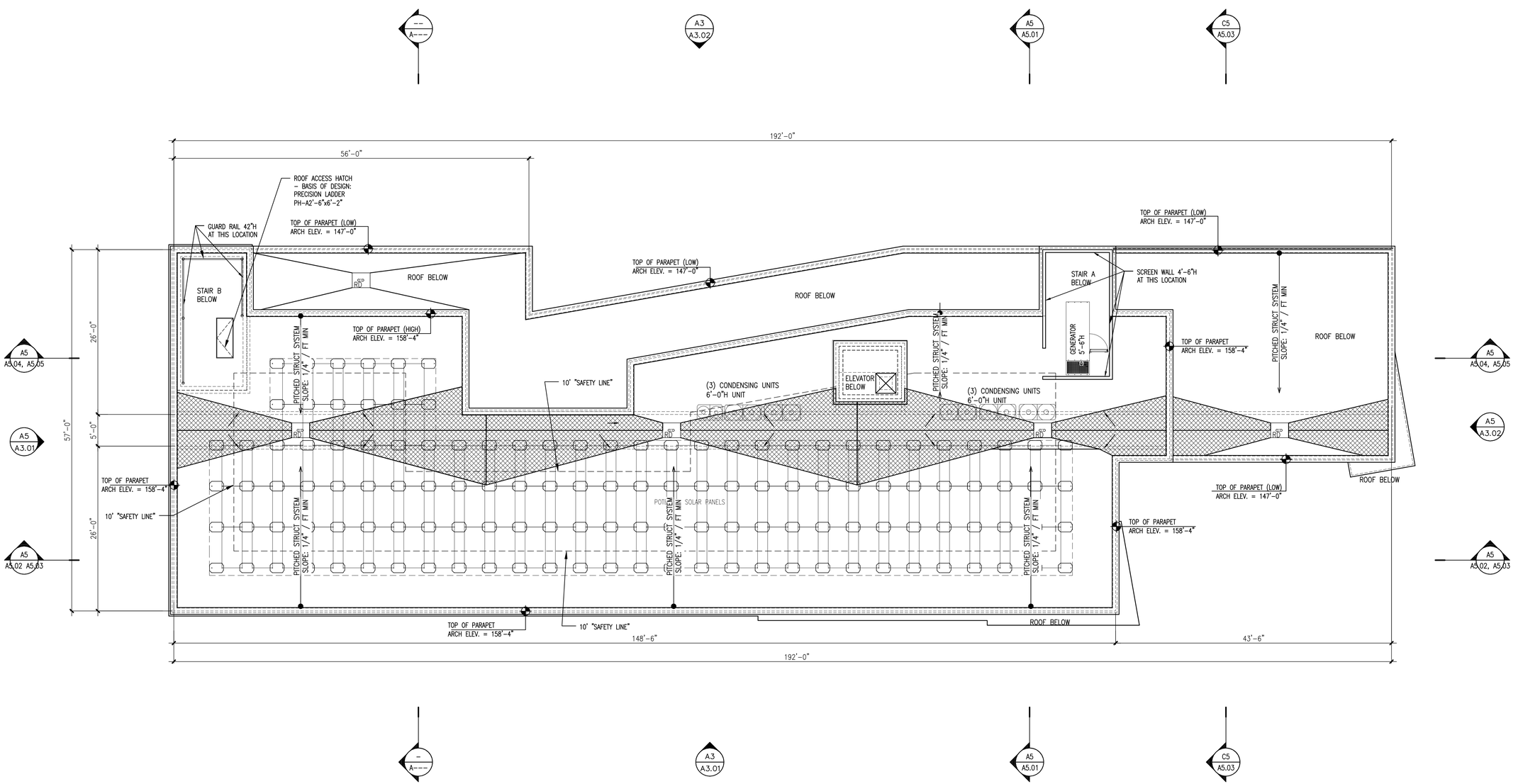
REVISIONS

DRAWING NUMBER

A1.50

SCALE: 1/8" = 1'-0"
DATE: 06/09/2020

PROGRESS - NOT FOR CONSTRUCTION



THIS PROJECT INCLUDE BROADBAND INFRASTRUCTURE WITH CAPACITY SUFFICIENT TO SUPPORT THE PROVISION OF TELEMONITORING AND /OR TELEHEALTH SERVICES.

A5 ROOF PLAN
REFERENCED FROM: SCALE: 1/8" = 1'-0"

N:\2019 Design Projects\19008 CHDM Middle Street Senior Apartments\01-Drawings\A1.60 – Roof Floor plan

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PROJECT
MIDDLE STREET APARTMENTS
MIDDLE STREET
PORTLAND, MAINE 04101

DRAWING
ROOF PLAN
CWS PROJECT NUMBER: 19.008

REVISIONS

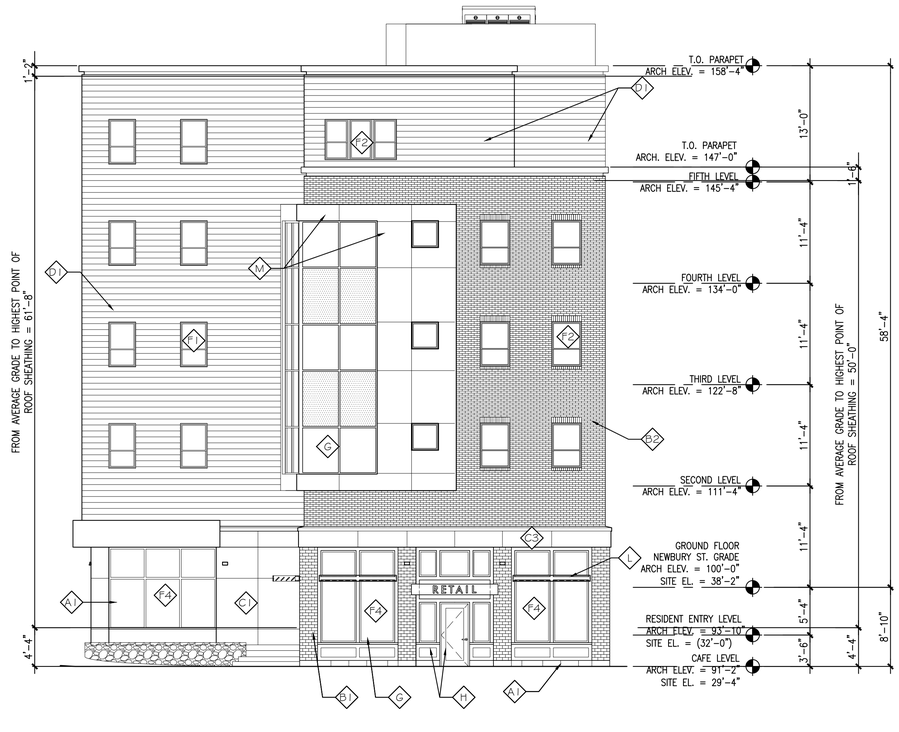
DRAWING NUMBER
A1.60

SCALE: 1/8" = 1'-0"
DATE: 06/09/2020

PROGRESS - NOT FOR CONSTRUCTION



A3 BUILDING ELEVATION
REFERENCED FROM: SCALE: 1/8" = 1'-0"



A5 BUILDING ELEVATION
REFERENCED FROM: SCALE: 1/8" = 1'-0"

EXTERIOR FINISH MATERIAL LEGEND

CODE	MATERIAL	COLOR AND FINISH	PATTERN LEGEND
A1	WESTBROOK CONCRETE BLOCK MANUFACTURE	COLOR: GF-326, GROUND FACE TEXTURE	
D1	ECONO MODULAR SIZE BRICK – 3 5/8" x 3 5/8" x 7-5/8"	COLOR: ACADEMY SMOOTH SERIES NARROW FLASHED RANGE	
D2	MODULAR SIZE THIN BRICK – 5/8" x 2 1/4" x 7-5/8"	COLOR: ACADEMY SMOOTH SERIES, NARROW FLASHED RANGE	
C1	HARDIE REVEAL PANEL SYSTEM (SIDING SYSTEM C1)– 5/16" SMOOTH FACE W/ SURROUNDED TRIM, STACKED LAYOUT. FACTORY PRIMED AND FACTORY FINISH.	COLOR: SHERWIN WILLIAMS URBANE BRONZE, FACTORY-FINISH	
C2	HARDIE ARTISAN SHIPLAP VERTICAL SIDING (SIDING SYSTEM C2) – .625", 10.25" WIDTH WITH 9" EXPOSURE. FACTORY PRIMED AND FIELD FINISH.	COLOR: SHERWIN WILLIAMS CARNELIAN, FIELD PAINT	
C3	HARDIE REVEAL PANEL SYSTEM (SIDING SYSTEM C3) – 5/16" SMOOTH FACE W/ SURROUNDED TRIM, STACKED LAYOUT. FACTORY PRIMED AND FACTORY FINISH.	COLOR: SHERWIN WILLIAMS AMAZING GRAY, FACTORY – FINISH	
D1	FIBERCEMENT LAP SIDING (SIDING SYSTEM D1) – 5/16", 9.25" SMOOTH TEXTURED, 8" EXPOSURE FACTORY PRIMED AND FIELD FINISH	COLOR: SHERWIN WILLIAMS AMAZING GRAY, SATIN FINISH, FIELD PAINT	
E	BREAK METAL TRIM, PAINTED	PAINT: SHERWIN WILLIAMS URBANE BRONZE	
F1	SINGLE HUNG WINDOWS BASED ON PELLA OR EQUAL	COLOR: TERRATONE	
F2	TRIPLE WINDOWS – SINGLE HUNG/ PICTURE WINDOWS BASED ON PELLA OR EQUAL	COLOR: TERRATONE	
F3	DOUBLE WINDOWS – SINGLE HUNG/ PICTURE WINDOWS BASED ON PELLA OR EQUAL	COLOR: TERRATONE	
F4	LARGE PICTURE WINDOWS ON FIRST FLOOR BASED ON PELLA OR EQUAL	COLOR: TERRATONE	
G	ALUMINUM THERMAL STOREFRONT WINDOW SYSTEM BY KAWNEER, TRIFAB VERSAGLAZE 451/451T , PELLA 250 SERIES OR EQUAL	COLOR: TERRATONE	
H	ALUMINUM THERMAL STOREFRONT ENTRANCE DOOR WITH SIDELITES SYSTEM BY KAWNEER, TRIFAB VERSAGLAZE 451/451T, PELLA 250 SERIES OR EQUAL	COLOR: TERRATONE	
J	BREAK METAL TRIM AT FIRST FLOOR, PAINTED	PAINT: SW IN THE NAVY	
J	DECORATIVE GRILLES VENT	COLOR: TERRATONE /OPTIONS TO FOLLOW	
K1	EXTERIOR WALL MOUNT LIGHT FIXTURE	MODEL: BEGA 22-261 COLOR: BLACK	
K2	EXTERIOR WALL MOUNT LIGHT FIXTURE	MODEL: LNC2 LITEPAK BY HUBBELL LIGHTING; COLOR: BLACK	
L	36" SUNSHADE SYSTEM BY CRL ALUMINUM MANUF. – 6" TALL SQUARE OUTRIGGER WITH 1x6" RECTANGULAR FASCIA AND INFILL BLADES	COLOR: TBD	
M	HARDIE REVEAL PANEL SYSTEM (SIDING SYSTEM M) – 5/16" SMOOTH FACE W/ SURROUNDED TRIM, STACKED LAYOUT. FACTORY PRIMED AND FIELD FINISH.	COLOR: SHERWIN WILLIAMS IN THE NAVY, FACTORY-FINISH	

D5 ELEVATION NOTES
REFERENCED FROM:

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DESIGNER

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PORTLAND, MAINE 04101

PROJECT
MIDDLE STREET APARTMENTS
MIDDLE STREET
PORTLAND, MAINE 04101

DRAWING
BUILDING ELEVATIONS
CWS PROJECT NUMBER: 19.008

REVISIONS

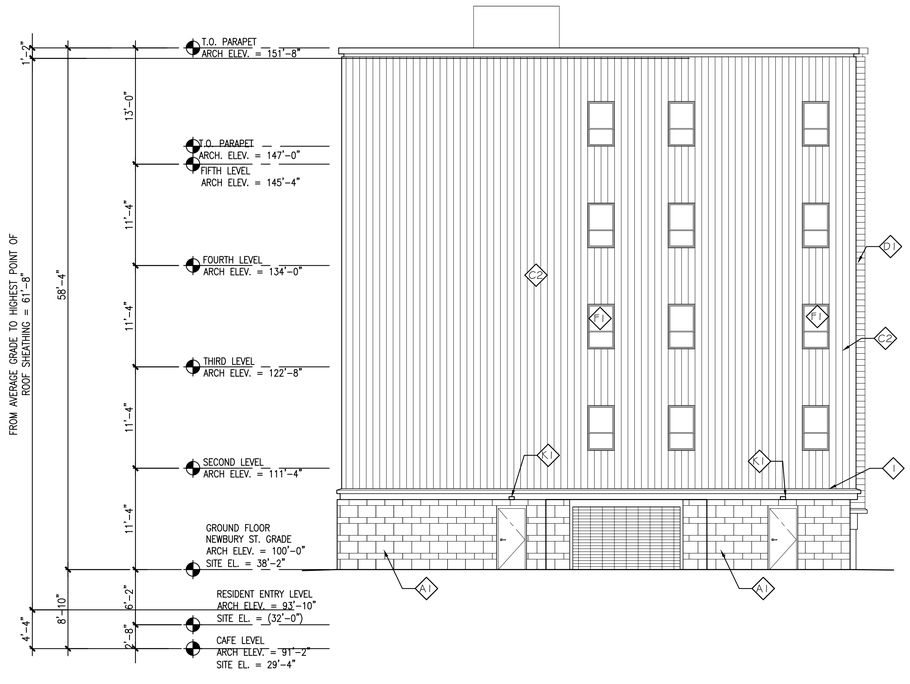
DRAWING NUMBER
A3.01

SCALE: 1/8" = 1'-0"
DATE: 06/09/2020

PROGRESS - NOT FOR CONSTRUCTION



A3 BUILDING ELEVATION
REFERENCED FROM: SCALE: 1/8" = 1'-0"



A5 BUILDING ELEVATION
REFERENCED FROM: SCALE: 1/8" = 1'-0"

EXTERIOR FINISH MATERIAL LEGEND

CODE	MATERIAL	COLOR AND FINISH	PATTERN LEGEND
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C2	HARDIE ARTISAN SHIPLAP VERTICAL SIDING (SIDING SYSTEM C2) – .625", 10.25" WIDTH WITH 9" EXPOSURE. FACTORY PRIMED AND FIELD FINISH.	COLOR: SHERWIN WILLIAMS CARNELIAN, FIELD PAINT	
C3	HARDIE REVEAL PANEL SYSTEM (SIDING SYSTEM C3) – 5/16" SMOOTH FACE W/ SURROUNDED TRIM, STACKED LAYOUT. FACTORY PRIMED AND FACTORY FINISH.	COLOR: SHERWIN WILLIAMS AMAZING GRAY, FACTORY – FINISH	
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D5 ELEVATION NOTES
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PROJECT
MIDDLE STREET APARTMENTS
MIDDLE STREET
PORTLAND, MAINE 04101

DRAWING
BUILDING ELEVATIONS
CWS PROJECT NUMBER: 19.008

REVISIONS

DRAWING NUMBER
A3.02

SCALE: 1/8" = 1'-0"
DATE: 06/09/2020

PROGRESS - NOT FOR CONSTRUCTION

K:\2019 Design Projects\1908 CHDM Middle Street Senior Apartments\01-Drawings\A0 Series _Building Elevations


Bangor
Savings Bank
Bangor Savings Bank


Bangor
Savings Bank
Bangor Savings Bank
77
COLD BEER – HOT SAUSAGE – FULL BAR – FOOD & DRINK UNTIL 1 AM
TOMASO'S CANTEEN



PLANNING BOARD REPORT
PORTLAND, MAINE

210 Valley Street Development
Level III Site Plan, Subdivision & Conditional Use Review
Avesta Valley Street, LP, Applicant
PL-001075-2020 CBL: 064 F007

Submitted to: Portland Planning Board Public Hearing Date: August 18, 2020	Prepared by: Andrew Tufts, Planner Date: August 14, 2020

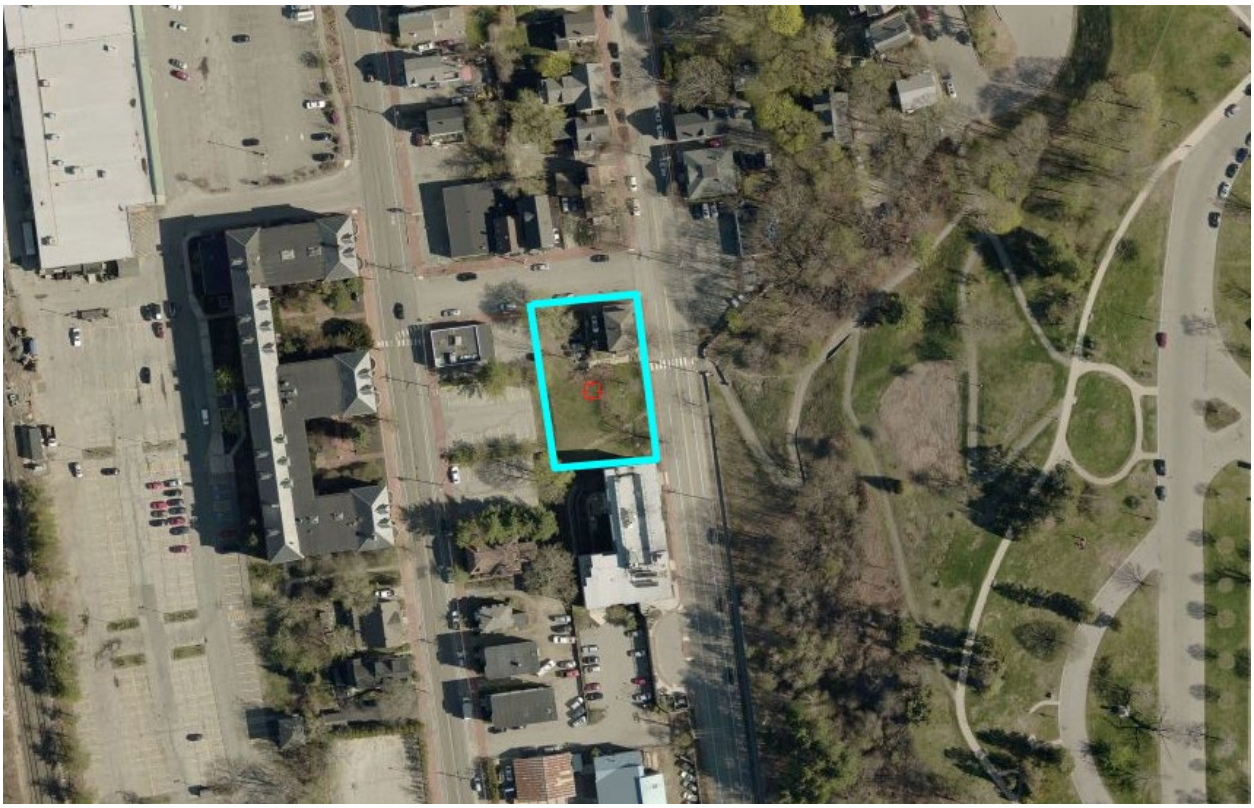


Figure 1: Parcel outline - Source: City of Portland Maine Parcel Viewer

I. INTRODUCTION

Avesta Valley Street, LP, has submitted a Level III Site Plan, Subdivision and Conditional Use (Inclusionary Zoning) application for the development of a five-story, 60-unit affordable residential building at 210 Valley Street. The subject property is a 14,964 square foot parcel along approximately 250 linear feet of street frontage on Valley Street. The site is in the B-2 zone, and is within 100' of the Western Promenade, requiring review by Historic Preservation staff. The Planning & Urban Development Department sent 83 notices advertising this meeting to property owners within 500 feet of the site. A legal advertisement ran in the June 11th & June 12th editions of the Portland Press Herald.

Applicant: Avesta Valley Street, LP

Consultants: Sam Lebel, P.E. (Acorn Engineering - Applicant/ Civil Engineer), Ryan Senatore, AIA - Ryan Senatore Architecture) Randy Loubier (Owen Haskell Inc Surveying)

II. REQUIRED REVIEWS

Waiver Requests	*Applicable Standards*
Driveway Aisle width narrower than the required 24' width. Staff Comments: The City's Traffic Engineer supports a waiver from the City's Technical Standards for driveway width given low traffic volumes and traffic characteristics.	Technical Manual, *Section 1.14 & Figure I-29,* requiring 24.00' wide drive aisle for two-way access aisles with 90 degree parking.
Reduction of driveway width to 18' at the parking garage entrance. Staff Comments: The City's Traffic Engineer supports a waiver from the City's Technical Standards for the proposed driveway width.	Technical Manual 1.7.2.3 Driveway Width *Any site with driveway access to a street shall have a minimum width of 20 feet for two-way ingress and egress*
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	*Single Family Residential – Vacant lot*
Proposed Use	*Multifamily Housing*
Parcel Size	14,964 square feet

	Existing	*Proposed*	*Net Change*
Building Footprint	1,164 SF	13,290 SF	+ 12,126 SF
Building Floor Area	2,328 SF	73,382 SF	+ 71,054 SF
Impervious Surface Area	6,053 SF	14,131 SF	+ 8,078 SF
Parking Spaces	4	40	+ 36
Bicycle Parking Spaces	0	24	+ 24



Figure 2: Existing conditions - Source: Google Earth

IV. EXISTING CONDITIONS

The development site is located in the St. John Valley neighborhood and at the intersection of Valley and C Streets. The proposed lot is an assemblage of multiple properties comprising 14,964 square feet. The southern portion of the site is undeveloped and vegetated, while the corner lot is developed with a single-family structure and associated surface parking. The site is bordered by Valley Street to the east, Florence House to the south, commercial developments to the west, and C Street to the north. Abutting uses are residential, retail and office space, and recreational open space.

Approximately 40% of the existing site is comprised of impervious area, including the existing building, the gravel driveways, a concrete walkway, retaining walls, and areas of riprap. The grassed areas are in fair condition with some patches of exposed soils. From east to west the grades drop off at approximately 16%. The project area presently drains the majority of its runoff to the abutting properties to the west toward St. John Street. Two street trees exist along Valley Street. The nearest open space is the Western Promenade, located directly across Valley Street.

Owen Haskell Inc. completed a boundary and topographic survey of the site in March of 2020. There are no existing easements identified by Owen Haskell, Inc. on the Existing Conditions Plan. There are no proposed easements as part of the project. The proposed submersible transformer will be located within the City ROW and a license will be required from the City.



Figure 3: View Looking from Walking Path - Source: Ryan Senatore Architecture

V. PROPOSED DEVELOPMENT

The proposed development includes a five-story, 60-unit apartment building with two levels of structured parking. The building would be set into the slope, taking advantage of the grade change to provide two levels of covered parking with driveway access from both Valley and C Streets. The first floor would be a mix of utility rooms and office space in the front, with structured parking at the rear. An additional subgrade floor would include the remaining parking on site providing a total of 40 spaces. Floors 2-5 would be residential, including 11 efficiencies, 25 one-bedroom, 14 two-bedroom, and 10 three-bedroom units. The application notes that 36 units would be affordable at 50% of area median income, 12 units would be affordable at 60% of area median income, and 12 units would be at market rate.

The proposed project will involve installation of new utility services to the proposed building. All new utility services will be provided from the franchise utilities available within C Street. The proposed locations of the new utility services are shown on the Utility Plan. The proposed project will receive its water supply from the Portland Water District's (PWD) public water supply system. Separate fire and domestic services will be installed to the building from PWD's existing main in C Street. CMP currently maintains overhead and underground utilities in the area. Electric utilities currently serving the existing building will remain.

VI. PUBLIC COMMENT AND NEIGHBORHOOD MEETING

No public comments have been submitted to date.

A remote neighborhood meeting was held on the evening of May 28, 2020 via Zoom at 6:00 p.m. for the proposed project. Approximately 2 members of the public attended. Attending on behalf of the development team were Catherine Elliot, Rebecca Hatfield & Hollie Sprague of Avesta Housing; Will Savage & Sam Lebel of Acorn Engineering; and Ryan Senatore of Ryan Senatore Architecture. Catherine Elliot began the presentation by introducing the development team. She then provided some insight into the

history of the project, and explained the intent for programming, and handed it off to Will Savage from Acorn Engineering to explain the site plan, parking, landscaping, stormwater, and utility elements. Following Will's explanation, Ryan Senatore was introduced to explain the proposed building's exterior, interior, and programming. At the end of Ryan's presentation, The Applicant opened the meeting to the public for questions. Comments from the public touched on a variety of subjects including pedestrian circulation, building height, parking structure, privacy, and traffic flow.

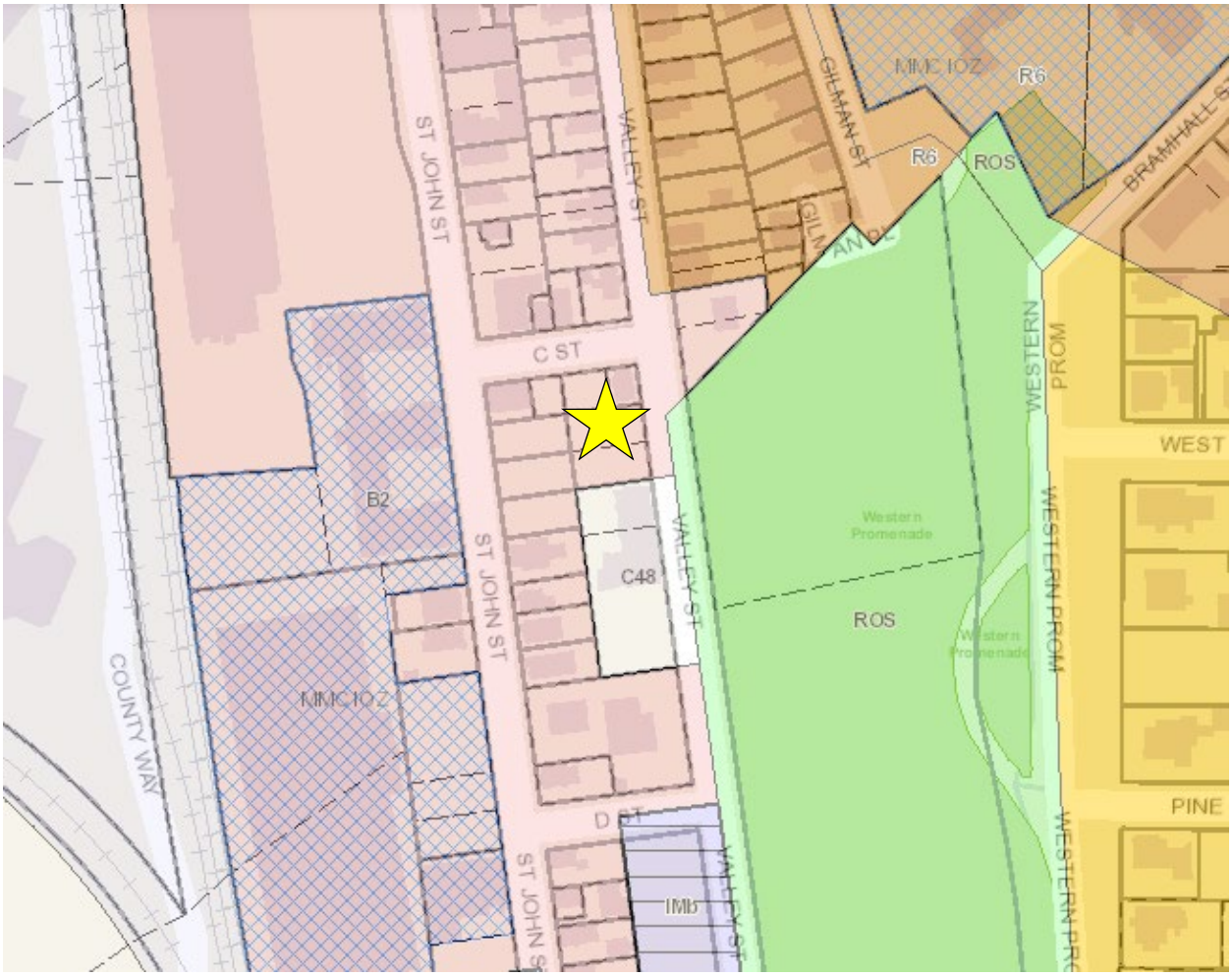
VII. RIGHT, TITLE, & INTEREST AND FINANCIAL & TECHNICAL CAPACITY

The owner of the property is Valley Bayside, LLC. The applicant provided a copy of the warranty deed, recorded at the Cumberland County Registry of Deeds in CCRD Book 27010 page 287, which demonstrates their right, title and interest in the property.

A letter from Gorham Savings Bank has been included as an attachment which states that the applicant has cash and financing resources available to complete the proposed project.

The applicant team cited their experience and qualifications to demonstrate capacity to design and construct the project.

IX. ZONING ANALYSIS



Dimensional requirements for this project are dictated by the B-2 zone. The purpose of the B-2 Community Business Zone includes providing locations for moderate to high density housing in urban neighborhoods along arterials. Exceptions for space & bulk requirements in the B-2 are allowed given affordable housing projects.

The City's Zoning Administrator reviewed the proposed development and provided the following analysis:

> *Avesta Valley Street, LP is proposing to redevelop the property at 210 Valley Street with a five story, 60 unit apartment building. Over 75% of the units will meet the definition of low income units as defined in Section 14-485 in Division 30 (Affordable Housing) of the City's Land Use Ordinance. The property is located in the B2 (Community Business) Zone.*
>
> *The dimensional requirements for the B-2 zone are outlined in section 14-185. There is no minimum street frontage requirement or a minimum front yard or side yard setback requirement. There is also no impervious surface ratio requirement because it is a residential use. The maximum front yard setback of 10 feet and the required minimum street frontage requirement of 20 feet are being met.*

In the B-2 zone, the minimum rear yard setback is 10 feet, the maximum building height allowed is 45 feet and the lot area per dwelling-unit requirement is 435 square feet. Since over 75% of the residential units will be rented or sold as low-income units the applicant is able to use section 14-488, which allows the applicant to use the bonuses for density, additional height and setback reductions. The bonus density allowed is 2,5 x the base. The base is the number of residential units allowed in the B-2 zone. The property is 14,964 sf. Divide that by the lot area per dwelling unit requirement of 435 sf, and the property could have 34 dwelling units. Multiply that by the bonus of 2,5 and the property could have 85 residential units. The applicant is proposing to build 60 residential units. The height bonus allows 25 additional feet, so the maximum allowable height is 70 feet. The applicant has stated that the height is 52.5 feet which appears to be measured from the average grade. Finally, under Section 14-488 the required minimum rear yard setback can be reduced ten feet to a zero foot setback. The proposed rear setback is 5 feet.

The proposed project appears to meet the dimensional requirements of the B-2 zone with the bonuses allowed under section 14-488.

Zoning Requirements	B-2	Provided	+/-
Minimum Lot Size	None	14,964 sf	
Lot Area/Dwelling Unit	435 sf	249.4 sf	- 185.6 sf
Minimum Street Frontage	20 ft	250 ft	+ 230 ft.
Front Yard Max	10 ft	2.85 ft	- 7.15 ft
Rear Yard Minimum	10 ft	5 ft	- 5 ft
Maximum Lot Coverage	100%	94%	- 6%
Maximum Structure Height	45 ft	52.5 ft	+ 7.5 ft
Required Parking	60	40	- 20
Req. Bicycle Parking	6	24	+ 18

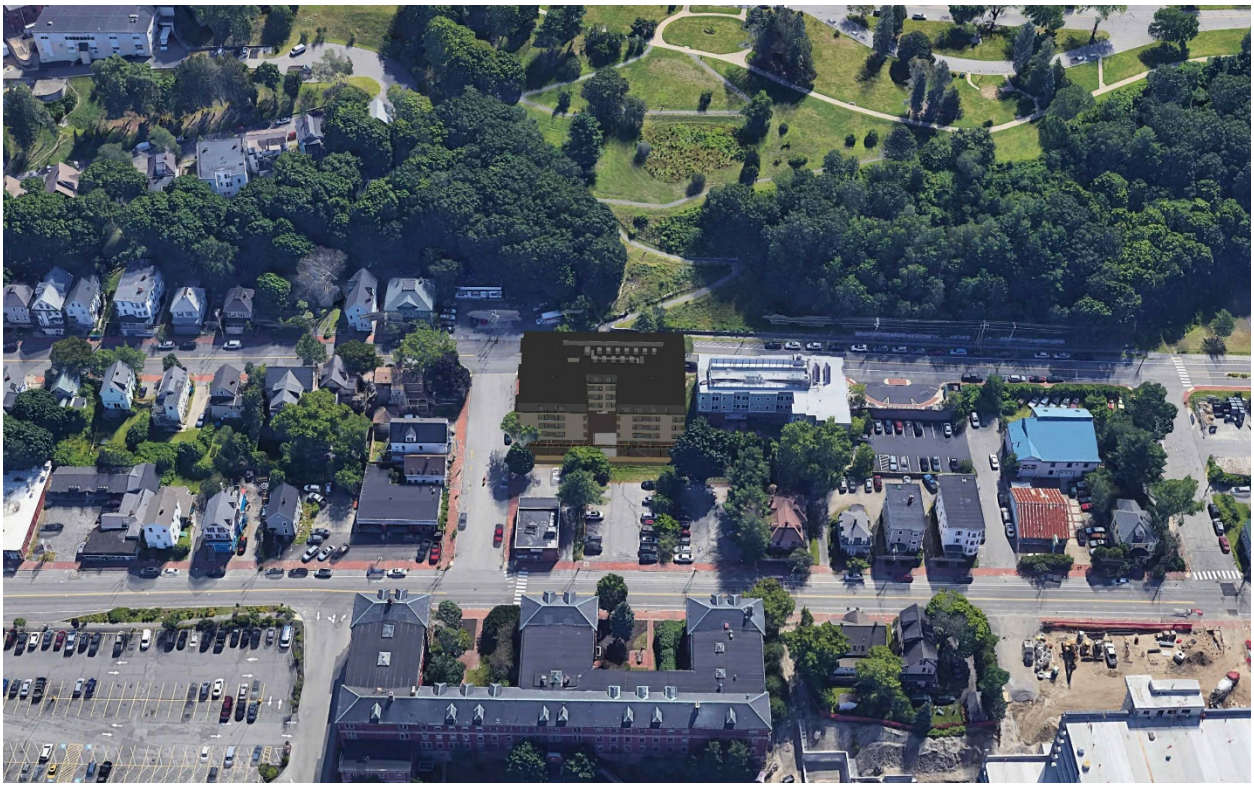


Figure 4: Proposed Aerial View - Source: RSA

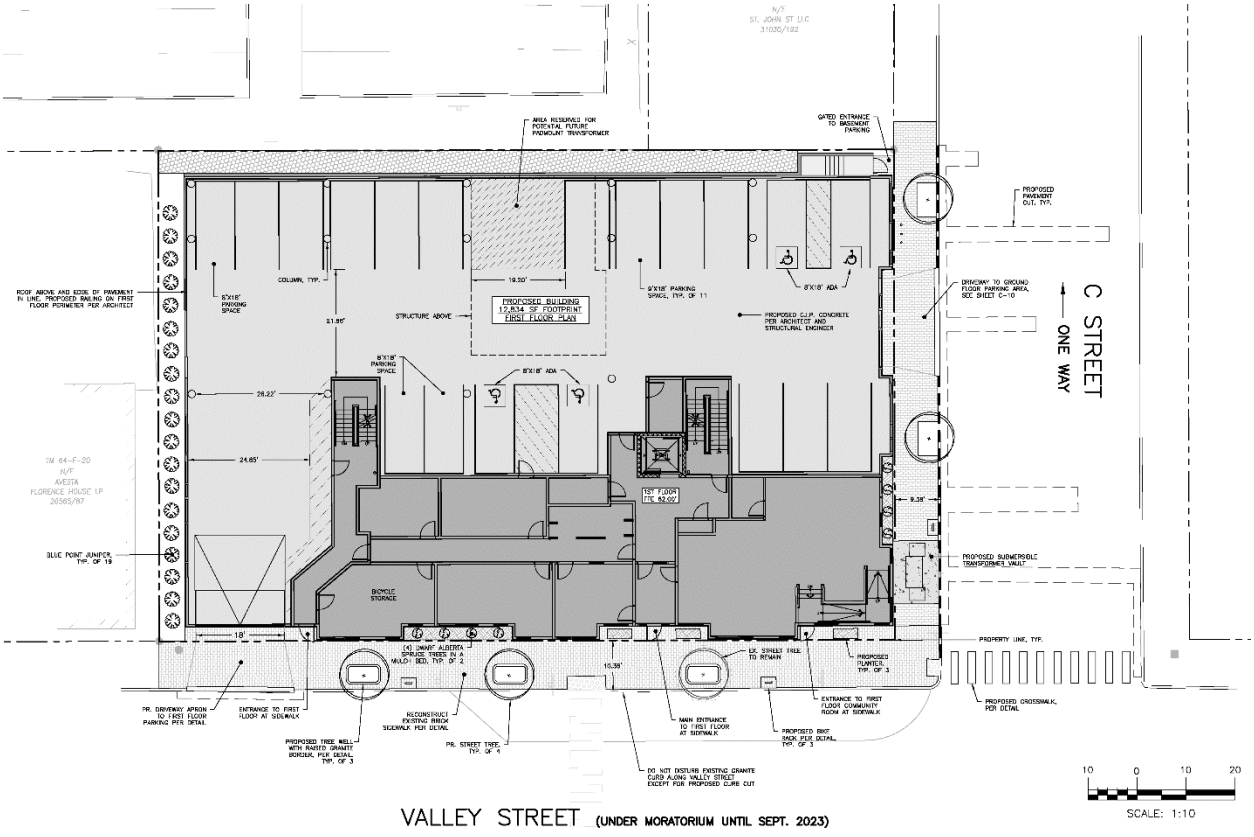


Figure 5: Site Plan - Source : Acorn Engineering

IX. DEVELOPMENT REVIEW

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

The applicant has submitted a recording plat. The final plat will need to be revised to reflect any waivers and conditions of approval that relate to the subdivision plan. Any waivers granted must be recorded at the Registry of Deeds within two years of a Planning Board decision.

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)*

   Around 10% of the existing site is comprised of rooftop with about 90% of the existing site being driveway and greenspace. The average slope is moderate with grades dropping from east to west at an average slope of approximately 16%. There are no signs of erosion on the existing site. Critical areas that would require special attention during construction include, but are not limited to, the existing structure, the drainage system within C Street and slope stabilization located within the vicinity during earthwork and foundation construction.

   An erosion & sedimentation control plan has been reviewed by staff and is included in the plan set.

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

   The applicant has received an ability to serve letter from Portland Water District.

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

   The proposed development is not adding significant vehicular traffic to the site, and a traffic analysis is not required. The site is located on Valley Street on the corner of C Street and Valley Street. Valley Street is classified as Minor Arterial, and currently receives a low amount of traffic. There is a slight anticipated increase in traffic anticipated; however, the nature of the increase is low turnover and not expected to create any traffic 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)*

   Public utilities in the vicinity of the site have indicated capacity to serve the project. Ability to Serve letters have been sent to the respective providers. The new sewer and stormwater infrastructure will meet the provisions of the Technical Manual. The project would be served by connection to the public sewer system within C Street. The sanitary sewer collection system meets all applicable sections of the Technical Manual. The stormwater management system is designed to meet the standards of Maine DEP Chapter 500.

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

The development has been designed to be consistent with the City's Master Plan, *Portland Plan 2030*, adopted in June of 2017. Sited in the Housing section of the City's Policy Guide's Local Goals, it states:

Increase, preserve, and modify overall supply of housing city-wide to meet the needs, preferences and financial capabilities of all Portland residents.

C. 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.

1. Transportation Standards

a. Impact on Surrounding Street Systems and Access and Circulation

The main entrance to the building would be via the Valley Street sidewalk. The proposed driveways would be situated as far from the intersection as possible. A crosswalk exists in front of the proposed building, leading directly to the trailhead of the Western Promenade. A traffic analysis was submitted by the applicant and found to be in conformance with city standards.

The applicant will also be providing signage throughout the site that identifies destination locations within walking distance of the site (i.e. the nearby Western Prom, Fore River Parkway Trail, Veterans Memorial Bridge to S. Portland, Valley St Community Garden, Portland Farmer's Market, etc.).

b. Sidewalks

A brick sidewalk exists along Valley Street and C Street. The existing brick sidewalks will be rebuilt in accordance with City of Portland standards. Because of the moratorium, the Applicant anticipated maintaining the majority of the existing curbing along Valley Street.

c. Public Transit Access

Two METRO bus pullouts exist within 650' of the site. METRO Route 1 passes within one block of the proposed project site with two designated bus pullouts within 650' of C Street. This bus route serves the Portland Peninsula and offers connections with the Elm Street hub. Information on the METRO's bus routes and schedule will be posted throughout the building. Additionally, the Portland Transportation Center is approximately one mile from the site, providing access through both the state and the region.

d. Parking

The proposed project would provide 39 parking spaces on site. A baseline estimate was calculated using demand data outlined in the Institute of Transportation Engineers "PARKING GENERATION" (5th Edition) publication. An average peak parking demand was found using the 0.30 spaces/bedroom rate identified by the Institute of Transportation

Engineers (ITE). At this rate, the demand for the proposed project is 26 spaces for a typical weekday condition.

Although the ITE parking space / bedroom estimation provides an adequate baseline, the proposed development at 210 Valley St was then compared to several comparable developments in Portland under common ownership by the Applicant to evaluate the redevelopment against existing parking ratios approved by the City. The estimate provided by the ITE and real-world data gathered from comparable properties are more indicative of the actual parking demand than the 1 parking space per unit requirement stated in the City ordinance. As such, the Applicant will be seeking a ratio of less than 1:1 for the affordable units which the Planning Board has the authority to allow under Section 14-332.2 of the City Code.

Mike Tremblay P.E., Senior Engineer at DPW, has provided the following comments pertaining to the proposed parking layout:

- A waiver will be required for drive aisle width for the upper level parking structure and about two spaces in the lower level parking structure.

e. Bicycle Parking

The applicant is proposing up to 24 bicycle spaces. The site plan includes an interior storage room for bicycles as well as 3 exterior bicycle racks.

2. Environmental Quality Standards

a. Preservation of Significant Natural Features

There are no known significant natural features on the site.

b. Landscaping & Landscape Preservation

The existing site features two street trees, and a large grassy open space. The proposed development calls for the preservation of one of the existing street trees. Four new street trees are proposed. Per Section 4.6 of the Portland Maine Technical Manual, 60 Street trees are required (one per unit). Based on the property's frontage and proposed utilities, 4 street trees are proposed to be planted in addition to preserving 1 existing street tree within the sidewalk on Valley and C Streets. Four (4) proposed street trees and the preservation of the one (1) existing street tree would count toward a total of five (5). The applicant would contribute to the City's Street Tree Fund in lieu of the 55 street trees that would not be planted. Additionally, per Section 14.526(b).2.(b)(iii)(b)ii, the cost of the (3) proposed granite planters should be deducted from the $22,000 contribution for 55 trees.

A landscape plan was not provided as part the project application, as the site is proposed to be entirely built-out. The City Arborist, Planning Staff, and Parks Staff met on site to discuss alternatives and ways for the project to meet its landscape requirements. It was determined that the site is well suited for off-site landscape improvements, as 210 Valley Street is directly across the street from the lower entrance to the Western Promenade. Over the past year, City Staff has worked with consultants and citizen groups to produce a new Western Promenade Masterplan.

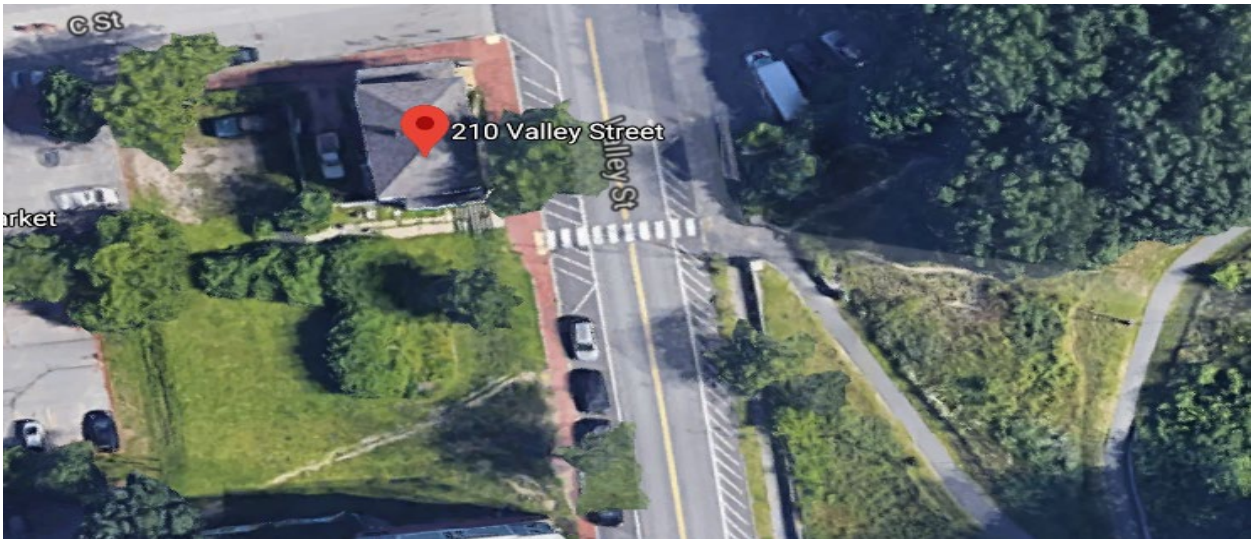


LEGEND

- A NEW PARK GATEWAY/TRAILHEAD
- B NEW TRAIL/WALKWAY
- C NEW SIDEWALK
- D PROPOSED NATURAL PLAY SPACE
- E FORMALIZED PARKING
- F COMMUNITY GARDEN
- G BASKETBALL HALF-COURT
- H IMPROVED DOG PARK
- I PROPOSED FOOD TRUCK PARKING

2020

The plan above depicts the lower Western Promenade. Current amenities include a community garden, dog park, informal gravel parking, and a dilapidated half basketball court. Proposed improvements include a full basketball court, children's play area, formalized expanded parking area, gathering space, and trail improvements. There is also the possibility of expanding the community garden long term. Additionally, improvements are to be made to the lower entrance of the park directly across from 210 Valley Street. City Staff recommend a condition of approval that would reallocate the $22,000 fee in lieu street tree funds to be used in coordination with the improvements being made to the lower Western Promenade, as outline above.



The City of Portland Parks & Recreation Staff provided the following summary outlining general improvements to be made:

Site improvements across the street from the project site would entail additional plantings along the upslope condition above the retaining wall along the Valley Street sidewalk. Trees shall be species that will not compromise the adjacent wall integrity from problematic root growth or self-seed into the site. A gathering space will also be included off of the lower portion of the trail, and will feature seating for small groups. This area will be spaced adequately from the entrance threshold and pathway to create comfortable separation between users and pedestrians. Some low plantings will be included for beautification and as a space delineator. If additional resources allow, a rescaled electrical covering and waste receptacle furnishings will also be provided.

c. Water Quality, Storm Water Management and Erosion Control

A stone swale/detention system with two rows of subsurface storage tanks and a Nyoplast outlet control structure located to the west of the site will collect and detain stormwater runoff from the roof (after being routed through filter cartridges) and surrounding areas of the site before discharging to the Municipal Separated Storm Sewer System (MS4) within C Street instead of shedding runoff to the abutting properties as the current site does. Any runoff from vehicles parked within the covered parking areas will be caught by an internal oil-water separator and directed to the sewer system within C Street.

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 filter cartridges that will collect and treat roof runoff. As a result of the design of the proposed development and stormwater system, the project does not anticipate creating erosion, drainage or runoff problems either in the development or with respect to adjoining properties. The existing peak flows will be maintained, but flows will be redirected to the stormwater system through attenuation practices and infrastructure rather than letting runoff flow to the abutting private properties.

The project is required to comply with stormwater management regulations in accordance with Maine DEP Chapter 500 and City of Portland Technical Manual Chapter 5 stormwater regulations.

The project's proposed stormwater plan was reviewed by Lauren Swett, Consulting Civil Engineer, as well as Brad Roland, DPW Senior Project Engineer. The proposal was found to meet City standards.

4. Site Design Standards

a. Snow and Ice Loading

The buildings have been designed and located such that accumulated snow and ice will not fall onto adjacent properties or public ways. Snow storage is not applicable as the parking lot will be enclosed.

b. View Corridors

The site is not located within any corridors identified in the Downtown Vision View Corridor Protection Plan.

c. Historic Resources

The development is adjacent to a historic landscape district, and therefore historic preservation staff were included in the design review. The review found the project to be in conformance with historic preservation standards.

d. Exterior Lighting

All new exterior lighting at the site will be full cutoff with no light emitted above the horizontal plane, and in accordance with Section 12 of the Technical Manual. A photometric Lighting Plan has been prepared to demonstrate illumination levels throughout the site will be consistent with City Standards.

e. Noise and Vibration

All heating, ventilation, air conditioning equipment including air handlers and generators are designed to meet local, state, and federal emissions and noise requirements. All construction will take place between 7 a.m. and 7 p.m.

f. Signage and Wayfinding

All signage shall meet the requirements of the Manual on Uniform Traffic Devices (MUTCD) and Division 22 of the City Code.

g. Zoning Related Design Standards

The project has been designed to meet the standards set forth in the B-2 zone with the bonuses for affordability.

A design review was completed by the City's Urban Designer, which can be found as an attachment to this report. The project was found to meet the design standards.

h. Construction Management Plan

The construction management plan and narrative were submitted and reviewed by City staff and found to be acceptable.

D. INCLUSIONARY ZONING – Conditional Use (Section 14-487)

The development located at 210 Valley Street proposes the creation of 60 dwelling units of rental housing consisting of eleven (11) efficiency units, twenty-five (25) one-bedroom units, fourteen (14) two-bedroom units, and ten (10) three-bedroom units. Based on the requirements outlined in Section 14-487, the development is required to provide a minimum of six (6) Workforce Units at 100% AMI. The applicant has elected to provide forty-eight (48) units of low-income housing and twelve (12) market rate units. Of the low-income units, thirty-six (36) are targeted towards households earning 50% AMI, and twelve (12) are target towards households earning 60% AMI. The applicant is proposing to provide a greater percentage of affordable units (48 versus 6) at lower income eligibility targets (50% and 60% AMI versus 100% AMI) than required by the Ensuring Workforce Housing Ordinance. Additionally Section 14-487 (e) 7 sets the minimum term of affordability at 20 years for projects that provide fifty percent of its units at 100% AMI (or lower). During their August 3, 2020 meeting, the City Council approved an Affordable Housing Tax Increment Financing agreement (AHTIF) to help finance this proposal. Disbursement of funds requires the completion of a Credit Enhancement Agreement that will guarantee future affordable rentals to qualified households for a period of thirty (30) years (versus 20 years). As such, the applicant is providing a greater percentage of affordable units at lower income targets for a longer term than required by the Ensuring Workforce Housing Ordinance. Staff has determined this project exceeds the affordability requirements of Division 30, Section 14-487.

Staff recommends the Board approve this conditional use without entering into an agreed upon Affordable Housing Agreement (AHA). However, should the applicant fail to maintain a minimum of six units of housing restricted to households earning at or below 100% AMI for a term of twenty years, then the applicant and the city should enter into an agreed upon Affordable Housing Agreement (AHA) to be filed as a covenant to the property's deed with the Cumberland County Registry of Deeds based on the requirements outlined in Division 30, Section 14-487, Ensuring Workforce Housing.

XI. STAFF RECOMMENDATION

Subject to the proposed motions and conditions of approval listed below, Planning Division staff recommends that the Planning Board find the 210 Valley Street development project meets the applicable standards of Portland's Land Use Code.

XII. PROPOSED MOTIONS FOR THE BOARD TO CONSIDER

A. 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 August 18, 2020, for application #PL-001075-2020, relevant to the Site Plan Standards of the Land Use Code and Portland's Technical and Design Standards, and other regulations, and the testimony presented at the Planning Board hearing:

1. Driveway Aisle Width

   The Planning Board **[finds / does not find]** based upon the City Engineer's Review, that extraordinary conditions exist or undue hardship may result from strict compliance with the Technical Manual standard (Section 1.14 [Figure I-29]) which requires that, for a 24.00' wide drive aisle for two-way access aisles with 90 degree parking, that substantial justice and the public interest are secured with the proposed variation in this standard, and that variation is consistent with the intent of the ordinance. The Planning **Board [waives/ does not waive]** the Technical Manual standard Section 1.14 to allow the driveway aisle width of 20 feet.

2. Reduction of Driveway Width

   The Planning Board **[finds / does not find]** based upon the City Engineer's Review, that extraordinary conditions exist or undue hardship may result from strict compliance with the Technical Manual standard (Section 1.14) which requires that, any site with driveway access to a street shall have a minimum width of 20' for two-way ingress and egress, that substantial justice and the public interest are secured with the proposed variation in this standard, and that variation is consistent with the intent of the ordinance. The Planning Board **[waives/ does not waive]** the Technical Manual standard Section 1.14 to allow the proposed driveway width of 18'.

B. 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 August 18, 2020, for application PL-001075-2020, relevant to Portland's Inclusionary Zoning Conditional Use Standards and other regulations, and the testimony presented at the Planning Board hearing, the Planning Board **[finds/does not find]** the proposed conditional use for workforce housing meets the standards of Section 14-484.

C. SUBDIVISION REVIEW

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report for the public hearing on August 18, 2018, for application # PL-001075-2020 210 Valley Street relevant to the subdivision regulations, and the testimony presented at the Planning Board hearing, the Planning Board **[finds/does not find]** that the plan is in conformance with the subdivision standards of the land use code subject to the following conditions of approval:

PRIOR TO THE SUBMISSION OF THE PLAT FOR PLANNING BOARD SIGNATURE

1. The subdivision plat shall be finalized to the satisfaction of the Planning Authority, Corporation Counsel and Department of Public Works and include clear descriptions of the number, location, type and size of all subdivided units, along with relevant notes and conditions.

PRIOR TO ISSUANCE OF A BUILDING PERMIT

2. The applicant shall contribute a fee in lieu of approximately $22,000 for the required 55 street trees, to be used for landscape improvements along the lower Western Promenade.

D. SITE PLAN REVIEW

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the Planning Board Report for the public hearing on August 18, 2020, for application #PL-001075-2020, 210 Valley Street relevant to the site plan regulations; and the testimony presented at the Planning Board hearing, the Planning Board [**finds/does not find**] that the plan is in conformance with the site plan standards of the Land Use Code.

XIII. ATTACHMENTS
PLANNING BOARD REPORT ATTACHMENTS

1. INCLUSIONARY ZONING LETTER
2. COMMENT RESPONSE LETTER
3. STORMWATER COMMENTS
4. FLOODING STANDARDS
5. DESIGN REVIEW

APPLICANT'S SUBMITTALS

A- COVER LETTER
B - LEVEL III APPLICATION CHECKLIST
C - RIGHT, TITLE & INTEREST
D - ZONING ASSESSMENT
E - EASEMENTS
F - WAIVER REQUESTS
G - FINANCIAL CAPACITY
H - TECHNICAL CAPACITY
I - CONFORMITY WITH LAND USE ORDINANCE
J - STORMWATER REPORT
K - EROSION & SEDIMENT REPORT
L - FIRE DEPARTMENT LETTER
M - WASTEWATER CAPACITY
O - ARCH DESIGN NARATIVE
P - UTILITY COVER
Q - CONSTRUCTION MANAGEMENT REPORT
R - SOLID WASTE DISPOSAL
S - TRANSPORTATION ANALYSIS
T - STORMWATER MAINTENANCE AGREEMENT
U - CERIFICATION LETTER
V - INVITATION LETTER
W - NEIGHBORHOOD MEETING
X - DESIGN REVIEW RESPONSE LETTER
Y – PWD ABILITY TO SERVE LETTER
Z – IZ MEMO

PLANS

P1. COVER
P2. GEN NOTES
P3. BOUNDARY SURVEY
P4. EXIST & REMOVALS
P5. WEST COMM EXIST PLAN & PROP SECTIONS
P6. SITE PLANS
P7. GRADING
P8. EROSION CONTROL PLANS
P9. FLOOR PLANS
P10. ARCHITECTURAL ELEVATIONS
P11. UTILITIES
P12. STORMWATER PLAN

P13. PHOTOMETRICS PLAN
P14. LANDSCAPE
P15. DETAILS
P16. SITE SECTIONS
P17. RETAINING WALL PROFILES
P18. ACCESS DRIVE PROFILES
P19. PRE-WATERSHED PLAN
P20. POST-WATERSHED PLAN

ACORN ENGINEERING, INC.

Planning and Urban Development Department
Attn: Andrew Tufts, Planner
City of Portland, Maine
389 Congress St, Portland, ME 04101

July 1, 2020

Subject: Comment Response Letter
210 Valley St. Redevelopment

On behalf of Avesta Valley Street, LP we are pleased to respond to the comments received from City Staff and the Peer Reviewer that pertain to the civil/site design.

DPW

Comment – *The utility plans do not show the existing sewer lateral (or line marked as SS) to be abandoned but they do show a new sewer connection. There is no terminus manhole or one at the new connection. A new terminus manhole (or at the new connection) would be helpful.*

Response – The existing sewer lateral is proposed to be retired as noted on the Demolition & Construction Management Plan, Sheet C-03. We have added a proposed doghouse manhole at the proposed sewer main connection, per request.

Comment – *The soils look good but they plan on lining the stormwater trench on west side of building and sending 100% of the water that falls on this site into the city's stormwater system. The applicant should try to infiltrate some stormwater onsite or justify not including stormwater retention.*

Response – We are proposing stormwater detention utilizing a crushed stone trench nearly 8' in depth. In addition to the crushed stone, storage tanks will be embedded within the trench in between the footing location, providing additional storage. The proposed system allows for approximately 1,400 cubic feet of storage and will be slowly metered out to the City's separated storm system through an outlet control structure. Furthermore, infiltration is not proposed in this location given the variable soils and downhill neighbors proximity to the site. Instead, we are proposing to route all collected stormwater to the separated storm system where it eventually has the chance to freely outlet into the Fore River after being treated, detained, and cooled.

We did analyze in HydroCAD infiltration of a portion of the stormwater through the bottom of the detention basin (assuming lined sides). The infiltration resulted in the following peak reductions 0.01 cfs 2-year storm, 0.01 cfs 10-year storm, and 0.13 cfs for the 25-year storm. Given the minimal reduction in flows, for the more frequent storm events, and concerns noted above we believe the basin should remain lined on all sides.

Comment – *The existing storm main in C Street appears to be a 24" asbestos cement pipe. The Applicant currently shows roof drains being connected to this pipe. Special consideration and coordination may be required. The applicant should work with DPW's Water Resources Department on a solution.*

Response – Although the 2001 as-built plans provided to us from the City did not specify the pipe material, the project surveyor has indicated this storm main is a reinforced concrete pipe (RCP). Additionally, only one storm drain is proposed to tap into the main which a 6" PVC discharging the metered flow from the outlet control structure and detention system. Should asbestos cement pipe be discovered on site, DPW will be contacted for coordination. As such, this note has been added to sheet C-03.

Comment - *Raised tree beds are not desirable to DPW in this location. They reduce the effective sidewalk width and make it more difficult to clear snow. The applicant should work with Jeff Tarling, the City Arborist, on the proper tree bed treatment. In any case, the existing tree to remain should not have a granite tree pit installed around it.*

Response – We have removed the raised granite planters from the proposed plan.

Comment – *Spot grades for the curb ramps along the site's frontage should be provided.*

Response – We have added spot grades to the two ramps along Valley Street although the majority of elevations will be subject to the existing conditions given the street moratorium and the minimal proposed work along Valley Street.

Comment – *Driveway aprons should be constructed using bugs, ramping up to sidewalk level, per the detail attached. The driveway detail used in Sheet C-40 should not be used.*

Response – We have replaced the tipdowns with bugs on both driveways

Comment – *A waiver will be required for drive aisle width for the upper level parking structure and about two spaces in the lower level parking structure.*

Response – We are requesting a waiver for both levels' drive aisles. The circulation has been confirmed to be functional using a vehicle turning template simulation.

Comment – *The applicant should correct the orientation of the accessible parking space stencils on the western side of the parking structures.*

Response – We have revised these logos.

Civil Engineering Peer Review

Comment – *The project is required to comply with Maine DEP Chapter 500 and City of Portland Technical Manual Section 5 regulations for stormwater management. The project will be creating 8,273 square feet of new impervious surface and is required to comply with the Basic, General, and Flooding Standards.*

- *Basic Standards – the project has included adequate erosion and sedimentation control for the proposed construction work.*
- *General Standards – The project is providing for water quality treatment for greater than the required area using filter cartridges and a subsurface stormwater storage system.*
- *Flooding Standards – The project is required to reduce stormwater flows from the pre-development to postdevelopment condition. The Applicant has rounded peak flow rates in their stormwater report to the nearest whole number, and has noted that post development peak flows will not exceed predevelopment levels. Upon review of the stormwater calculations, it appears that flows do increase. We acknowledge that the flows and increases are relatively small, remaining below 1 cfs until the post-development 25-year storm event (increasing from 0.68 CFS to 1.38 CFS). The stormwater modeling does not consider all of the factors that can impact flows on a small site like this (rip rap, bends in pipe, etc.), which is why the Applicant chose to round to the nearest whole number. The project is also able to connect into a separated stormdrain with increased capacity over the prior combined system. DPW has provided some feedback asking that the applicant consider infiltration. We understand the aversion to designing for infiltration in an urban area like this, especially considering the close proximity of the system to adjacent properties and the uncertainty of urban fill. We suggest that following the workshop the Applicant meet with DPW to discuss the small increases, and a waiver of the very small increases in flow is likely acceptable.*

Response – As mentioned and consistent with past submissions on other projects, the peak flowrates are rounded to the nearest cubic foot per second due to inherent inaccuracies in HydroCAD, a program which was primarily designed to analyze hydrology in much larger watershed than the subject site. That said, we have altered the stormwater design and as a result the peak flowrate for the 25-year storm has slightly decreased. Overall, we have no concern about the discharge of stormwater from this site given the relatively minor discharge. Additionally, the proposed system will improve the situation for downstream neighbors and the receiving infrastructure is a 24" MS4 which freely drains into the Fore River.

***Comment** – The proposed stormdrain connection in C Street uses an 8" pipe. All pipe connections of 8 inches or greater require a manhole for the connection. Similarly, a direct sewer connection is proposed into the existing sewer pipe. I do not see a pipe size included. The Applicant should confirm pipe size, and if it is 8 inches or larger, a manhole will be required.*

Response – We have revised the storm drain outlet to 6". The sewer lateral is also 6"; however, we are proposing a manhole at this location per request of DPW.

Comment – *A general note is included on the grading plan that the sidewalk on the north side of C Street will need to be returned to City Standards after installation of the underground electric lines. Pavement repair is shown, but the extent of repair to include sidewalk brick and curing should be made clear.*

Response – These sidewalk repair extents have been added to the plan.

Landscaping

Comment – *Unlike the Avesta residential project on Cumberland Avenue that has a greenhouse on the roof this project offers little outdoor access for residents or relief for the neighbors due to the*

scale of the project. The intriginic values of landscape and gardening for residents in large scale projects like this seems imperative. The lack of a landscape plan is an indication. Tree & landscape comments - Street trees - the proposed tree save is unlikely to be successful and the project should plan on installing all new trees. It was challenging to see what type of trees are specified and would recommend an upright tree form like Musashino Zelkova or similar, the Blue Point Juniper at the back property line or Arborvitae should be 6-7' H at planting. Serbian Spruce might be a possible tree, note the ones successfully growing at the MMC on Gilman Street near the energy building.

Response – We have added landscaping where possible including a row of evergreens along the side property line. Additionally, we have specified Musashino Zelkova street trees along both frontages per request. Although landscaping is desired for the rear of the property, this area is reserved for stormwater detention and treatment.

Comment – *Overall, it would have been ideal to build in some landscape elements that residents could enjoy, expanding the Valley Street community garden could be an option or assisting with an element proposed in the Western Promenade Master Plan that would serve the nearby residents.*

Response – This project did consider adding a landscaped common space to the building design; however, given the tight site and project demands, a dedicated common green space was not possible while also achieving the project goals for affordable units. To its advantage, the project is in proximity to the Western Promenade as well as various walking trails and will have ample opportunity to enjoy those spaces. Additionally, the project is exploring with City Staff the possibility of allocating the street tree fee in lieu amount towards a small green roof equivalent in cost.

Please let us know if you have any additional questions or comments.

Sincerely,

Samuel J. Lebel
Project Engineer
Acorn Engineering, Inc.

William H. Savage, P.E.
Principal
Acorn Engineering, Inc.

ACORN ENGINEERING, INC.

Planning and Urban Development Department
Attn: Andrew Tufts, Planner
City of Portland, Maine
389 Congress St, Portland, ME 04101

July 1, 2020

Subject: Comment Response Letter
210 Valley St. Redevelopment

On behalf of Avesta Valley Street, LP we are pleased to respond to the comments received from City Staff and the Peer Reviewer that pertain to the civil/site design.

DPW

Comment – *The utility plans do not show the existing sewer lateral (or line marked as SS) to be abandoned but they do show a new sewer connection. There is no terminus manhole or one at the new connection. A new terminus manhole (or at the new connection) would be helpful.*

Response – The existing sewer lateral is proposed to be retired as noted on the Demolition & Construction Management Plan, Sheet C-03. We have added a proposed doghouse manhole at the proposed sewer main connection, per request.

Comment – *The soils look good but they plan on lining the stormwater trench on west side of building and sending 100% of the water that falls on this site into the city's stormwater system. The applicant should try to infiltrate some stormwater onsite or justify not including stormwater retention.*

Response – We are proposing stormwater detention utilizing a crushed stone trench nearly 8' in depth. In addition to the crushed stone, storage tanks will be embedded within the trench in between the footing location, providing additional storage. The proposed system allows for approximately 1,400 cubic feet of storage and will be slowly metered out to the City's separated storm system through an outlet control structure. Furthermore, infiltration is not proposed in this location given the variable soils and downhill neighbors proximity to the site. Instead, we are proposing to route all collected stormwater to the separated storm system where it eventually has the chance to freely outlet into the Fore River after being treated, detained, and cooled.

We did analyze in HydroCAD infiltration of a portion of the stormwater through the bottom of the detention basin (assuming lined sides). The infiltration resulted in the following peak reductions 0.01 cfs 2-year storm, 0.01 cfs 10-year storm, and 0.13 cfs for the 25-year storm. Given the minimal reduction in flows, for the more frequent storm events, and concerns noted above we believe the basin should remain lined on all sides.

Comment – *The existing storm main in C Street appears to be a 24" asbestos cement pipe. The Applicant currently shows roof drains being connected to this pipe. Special consideration and coordination may be required. The applicant should work with DPW's Water Resources Department on a solution.*

Response – Although the 2001 as-built plans provided to us from the City did not specify the pipe material, the project surveyor has indicated this storm main is a reinforced concrete pipe (RCP). Additionally, only one storm drain is proposed to tap into the main which a 6" PVC discharging the metered flow from the outlet control structure and detention system. Should asbestos cement pipe be discovered on site, DPW will be contacted for coordination. As such, this note has been added to sheet C-03.

Comment - *Raised tree beds are not desirable to DPW in this location. They reduce the effective sidewalk width and make it more difficult to clear snow. The applicant should work with Jeff Tarling, the City Arborist, on the proper tree bed treatment. In any case, the existing tree to remain should not have a granite tree pit installed around it.*

Response – We have removed the raised granite planters from the proposed plan.

Comment – *Spot grades for the curb ramps along the site's frontage should be provided.*

Response – We have added spot grades to the two ramps along Valley Street although the majority of elevations will be subject to the existing conditions given the street moratorium and the minimal proposed work along Valley Street.

Comment – *Driveway aprons should be constructed using bugs, ramping up to sidewalk level, per the detail attached. The driveway detail used in Sheet C-40 should not be used.*

Response – We have replaced the tipdowns with bugs on both driveways

Comment – *A waiver will be required for drive aisle width for the upper level parking structure and about two spaces in the lower level parking structure.*

Response – We are requesting a waiver for both levels' drive aisles. The circulation has been confirmed to be functional using a vehicle turning template simulation.

Comment – *The applicant should correct the orientation of the accessible parking space stencils on the western side of the parking structures.*

Response – We have revised these logos.

Civil Engineering Peer Review

Comment – *The project is required to comply with Maine DEP Chapter 500 and City of Portland Technical Manual Section 5 regulations for stormwater management. The project will be creating 8,273 square feet of new impervious surface and is required to comply with the Basic, General, and Flooding Standards.*

- *Basic Standards – the project has included adequate erosion and sedimentation control for the proposed construction work.*
- *General Standards – The project is providing for water quality treatment for greater than the required area using filter cartridges and a subsurface stormwater storage system.*
- *Flooding Standards – The project is required to reduce stormwater flows from the pre-development to postdevelopment condition. The Applicant has rounded peak flow rates in their stormwater report to the nearest whole number, and has noted that post development peak flows will not exceed predevelopment levels. Upon review of the stormwater calculations, it appears that flows do increase. We acknowledge that the flows and increases are relatively small, remaining below 1 cfs until the post-development 25-year storm event (increasing from 0.68 CFS to 1.38 CFS). The stormwater modeling does not consider all of the factors that can impact flows on a small site like this (rip rap, bends in pipe, etc.), which is why the Applicant chose to round to the nearest whole number. The project is also able to connect into a separated stormdrain with increased capacity over the prior combined system. DPW has provided some feedback asking that the applicant consider infiltration. We understand the aversion to designing for infiltration in an urban area like this, especially considering the close proximity of the system to adjacent properties and the uncertainty of urban fill. We suggest that following the workshop the Applicant meet with DPW to discuss the small increases, and a waiver of the very small increases in flow is likely acceptable.*

Response – As mentioned and consistent with past submissions on other projects, the peak flowrates are rounded to the nearest cubic foot per second due to inherent inaccuracies in HydroCAD, a program which was primarily designed to analyze hydrology in much larger watershed than the subject site. That said, we have altered the stormwater design and as a result the peak flowrate for the 25-year storm has slightly decreased. Overall, we have no concern about the discharge of stormwater from this site given the relatively minor discharge. Additionally, the proposed system will improve the situation for downstream neighbors and the receiving infrastructure is a 24" MS4 which freely drains into the Fore River.

***Comment** – The proposed stormdrain connection in C Street uses an 8" pipe. All pipe connections of 8 inches or greater require a manhole for the connection. Similarly, a direct sewer connection is proposed into the existing sewer pipe. I do not see a pipe size included. The Applicant should confirm pipe size, and if it is 8 inches or larger, a manhole will be required.*

Response – We have revised the storm drain outlet to 6". The sewer lateral is also 6"; however, we are proposing a manhole at this location per request of DPW.

Comment – *A general note is included on the grading plan that the sidewalk on the north side of C Street will need to be returned to City Standards after installation of the underground electric lines. Pavement repair is shown, but the extent of repair to include sidewalk brick and curing should be made clear.*

Response – These sidewalk repair extents have been added to the plan.

Landscaping

Comment – *Unlike the Avesta residential project on Cumberland Avenue that has a greenhouse on the roof this project offers little outdoor access for residents or relief for the neighbors due to the*

scale of the project. The intriginic values of landscape and gardening for residents in large scale projects like this seems imperative. The lack of a landscape plan is an indication. Tree & landscape comments - Street trees - the proposed tree save is unlikely to be successful and the project should plan on installing all new trees. It was challenging to see what type of trees are specified and would recommend an upright tree form like Musashino Zelkova or similar, the Blue Point Juniper at the back property line or Arborvitae should be 6-7' H at planting. Serbian Spruce might be a possible tree, note the ones successfully growing at the MMC on Gilman Street near the energy building.

Response – We have added landscaping where possible including a row of evergreens along the side property line. Additionally, we have specified Musashino Zelkova street trees along both frontages per request. Although landscaping is desired for the rear of the property, this area is reserved for stormwater detention and treatment.

Comment – *Overall, it would have been ideal to build in some landscape elements that residents could enjoy, expanding the Valley Street community garden could be an option or assisting with an element proposed in the Western Promenade Master Plan that would serve the nearby residents.*

Response – This project did consider adding a landscaped common space to the building design; however, given the tight site and project demands, a dedicated common green space was not possible while also achieving the project goals for affordable units. To its advantage, the project is in proximity to the Western Promenade as well as various walking trails and will have ample opportunity to enjoy those spaces. Additionally, the project is exploring with City Staff the possibility of allocating the street tree fee in lieu amount towards a small green roof equivalent in cost.

Please let us know if you have any additional questions or comments.

Sincerely,

Samuel J. Lebel
Project Engineer
Acorn Engineering, Inc.

William H. Savage, P.E.
Principal
Acorn Engineering, Inc.

Att. 3

Portland Maine Yes. Google's good here.

Andrew Tufts <atufts@portlandmaine.gov>

210 Valley

6 messages

Lauren Swett <lswett@woodardcurran.com> Fri, Jul 17, 2020 at 8:19 AM
To: Andrew Tufts <atufts@portlandmaine.gov>
Cc: Mike Tremblay <mtremblay@portlandmaine.gov>, Bradley Roland <brad@portlandmaine.gov>

Hi Andrew,

I've reviewed the Applicant's responses, and they've addressed most of what I've asked for. The remaining one is the Flooding Standard for stormwater. They've made some improvements, but are still increasing in the post-development condition. I had suggested in my comment that a discussion with DPW would be warranted to determine if there are any issues to be concerned with.

Brad, in the 25-year storm, they will be increasing from 0.68 to 1.29 cfs, a fairly minor increase discharging to St. John Street. Is this something you'd be worried about?

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/

Andrew Tufts <atufts@portlandmaine.gov> Fri, Jul 17, 2020 at 10:31 AM
To: Lauren Swett <lswett@woodardcurran.com>
Cc: Bradley Roland <brad@portlandmaine.gov>, Mike Tremblay <mtremblay@portlandmaine.gov>

Thanks Lauren!

Mike, Brad, thoughts?
[Quoted text hidden]
--
Andrew Tufts
Planner
Planning and Urban Development Department

389 Congress Street 4th Floor
Portland, ME 04101
atufts@portlandmaine.gov
(207) 874-8724

Bradley Roland <brad@portlandmaine.gov> Fri, Jul 17, 2020 at 10:47 AM
To: Andrew Tufts <atufts@portlandmaine.gov>
Cc: Lauren Swett <lswett@woodardcurran.com>, Mike Tremblay <mtremblay@portlandmaine.gov>

Good Morning All,
Unfortunately I have zero information of the current capacity of the storm drain in St John Street.
But I would rather have it in the storm drain than the sewer.
And as it is a minor increase I would say yes please proceed with the authorization.
Brad
--
Bradley A. Roland, P.E.
Senior Project Engineer
Portland Public Works
212 Canco Road
Portland, ME 04103
Tel: 207-874-8840
Fax: 207-874-8852
brad@portlandmaine.gov

[Quoted text hidden]

Andrew Tufts <atufts@portlandmaine.gov> Wed, Jul 22, 2020 at 1:20 PM
To: Bradley Roland <brad@portlandmaine.gov>
Cc: Lauren Swett <lswett@woodardcurran.com>, Mike Tremblay <mtremblay@portlandmaine.gov>

Thanks, Brad.

Lauren, are good with this?

[Quoted text hidden]

Andrew Tufts <atufts@portlandmaine.gov> Mon, Jul 27, 2020 at 1:23 PM
To: Lauren Swett <lswett@woodardcurran.com>

Hey Lauren,

Are we all set with this?
[Quoted text hidden]

Lauren Swett <lswett@woodardcurran.com> Tue, Jul 28, 2020 at 7:28 AM
To: Andrew Tufts <atufts@portlandmaine.gov>

Hi Andrew,

With Brad's OK below, this is good to go.

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.

To: Andrew Tufts, Planner, Planning & Urban Development Department

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

Date: August 12, 2020

Subject: 210 Valley Street

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 4 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 210 Valley Street proposes the creation of 60 dwelling units of rental housing consisting of eleven (11) efficiency units, twenty-five (25) one-bedroom units, fourteen (14) two-bedroom units, and ten (10) three-bedroom units. Based on the requirements outlined in Section 14-487, the development is required to provide a minimum of six (6) Workforce Units at 100% AMI. The applicant has elected to provide forty-eight (48) units of low-income housing and twelve (12) market rate units. Of the low-income units, thirty-six (36) are targeted towards households earning 50% AMI, and twelve (12) are target towards households earning 60% AMI. The applicant is proposing to provide a greater percentage of affordable units (48 versus 6) at lower income eligibility targets (50% and 60% AMI versus 100% AMI) than required by the Ensuring Workforce Housing Ordinance. Additionally Section 14-487 (e) 7 sets the minimum term of affordability at 20 years for projects that provide fifty percent of its units at 100% AMI (or lower). During their August 3, 2020 meeting, the City Council approved an Affordable Housing Tax Increment Financing agreement (AHTIF) to help finance this proposal. Disbursement of funds requires the completion of a Credit Enhancement Agreement that will guarantee future affordable rentals to qualified households for a period of thirty (30) years (versus 20 years). As such, the applicant is providing a greater percentage of affordable units at lower income targets for a longer term than required by the Ensuring Workforce Housing Ordinance. Staff has determined this project exceeds the affordability requirements of Division 30, Section 14-487.

Staff recommends the Board approve this conditional use without entering into an agreed upon Affordable Housing Agreement (AHA). However, should the applicant fail to maintain a minimum of six units of housing restricted to households earning at or below 100% AMI for a term of twenty years, then the applicant and the city should enter into an agreed upon Affordable Housing Agreement (AHA) to be filed as a covenant to the property's deed with the Cumberland County Registry of Deeds based on the requirements outlined in Division 30, Section 14-487, Ensuring Workforce Housing.

Sincerely,

Victoria Volent
Housing Program Manager

Att. 5

Portland Maine | Yes. Google's good here.

Andrew Tufts <atufts@portlandmaine.gov>

210 Valley Street

1 message

Lauren Swett <lswett@woodardcurran.com> Thu, Jun 18, 2020 at 8:32 AM
To: Andrew Tufts <atufts@portlandmaine.gov>

Hi Andrew,

I have reviewed 210 Valley Street, specifically focusing on the stormwater design.

The project is required to comply with Maine DEP Chapter 500 and City of Portland Technical Manual Section 5 regulations for stormwater management. The project will be creating 8,273 square feet of new impervious surface and is required to comply with the Basic, General, and Flooding Standards.

- Basic Standards – the project has included adequate erosion and sedimentation control for the proposed construction work.
- General Standards – The project is providing for water quality treatment for greater than the required area using filter cartridges and a subsurface stormwater storage system.
- Flooding Standards – The project is required to reduce stormwater flows from the pre-development to post-development condition. The Applicant has rounded peak flow rates in their stormwater report to the nearest whole number, and has noted that post development peak flows will not exceed predevelopment levels. Upon review of the stormwater calculations, it appears that flows do increase. We acknowledge that the flows and increases are relatively small, remaining below 1 cfs until the post-development 25-year storm event (increasing from 0.68 CFS to 1.38 CFS). The stormwater modeling does not consider all of the factors that can impact flows on a small site like this (rip rap, bends in pipe, etc.), which is why the Applicant chose to round to the nearest whole number. The project is also able to connect into a separated stormdrain with increased capacity over the prior combined system. DPW has provided some feedback asking that the applicant consider infiltration. We understand the aversion to designing for infiltration in an urban area like this, especially considering the close proximity of the system to adjacent properties and the uncertainty of urban fill. We suggest that following the workshop the Applicant meet with DPW to discuss the small increases, and a waiver of the very small increases in flow is likely acceptable.

The proposed stormdrain connection in C Street uses an 8” pipe. All pipe connections of 8 inches or greater require a manhole for the connection. Similarly, a direct sewer connection is proposed into the existing sewer pipe. I do not see a pipe size included. The Applicant should confirm pipe size, and if it is 8 inches or larger, a manhole will be required.

A general note is included on the grading plan that the sidewalk on the north side of C Street will need to be returned to City Standards after installation of the underground electric lines. Pavement repair is shown, but the extent of repair to include sidewalk brick and curing should be made clear.

Let me know if there are any questions, in particular on the Flooding comment. They have actually provided a decent amount of storage on site with the space they have. It seems like we can easily work through it for their approval. If it’s helpful for me to wait in the background during your PB meeting next week, let me know.

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

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American Society of Civil Engineers

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ACORN ENGINEERING, INC.

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

March 31, 2020

Subject: Level III Final Site Plan/Subdivision Application
Redevelopment of 210 Valley St. Portland, Maine

To Whom It May Concern:

On behalf of Avesta Valley Street, LP, we are pleased to submit the accompanying package of submission materials related to the proposed redevelopment of 204-210 Valley St. This submission package is intended to meet the City's requirements as outlined in the Level III Site Plan Application procedure. The proposal includes the construction of a 5-story, 60-unit apartment building with two levels of covered parking. The project is located within the City's B-2 Zoning District and complies with the permitted uses.

Per *Division 30. Affordable Housing* of the City's Land Use ordinance, the project is seeking incentives such as setback reductions and density/setback bonuses for providing affordable units in exceedance of 75% of the total unit count. In accordance with Section 14-486 of the City's Land Use Code, as a project proposing 25% or more of workforce housing units, we are requesting a 25% reduction in development fees and building permit fees set at $8.25 per $1,000 of the Cost of Work. We are also requesting a prioritized and expedited review of this application, consistent with the City's ordinance.

We are pleased to submit this application which will significantly increase the City's affordable housing stock. The project will also improve the overall sense of place and consistency on the streetscape by filling in the gap that is currently created by surface parking and vacant land. Furthermore, along the project frontage, the sidewalks will be rebuilt with street trees and bicycle hitches incorporated into the design.

40 parking spaces will be provided which is anticipated to be sufficient for the proposed 60-unit and 94-bedroom counts based on industry data and similar projects developed by the Applicant. Lastly, the site's general vicinity to goods, services, and the downtown core will promote multimodal transportation. The project is within a quarter mile of two METRO bus stops and will provide a dedicated room within the building for secure bicycle storage.

Avesta Valley Street, LP and the design team look forward to your review of this project. If you have any questions regarding these materials or the completeness of the application materials, please contact us within the next five (5) days.

Sincerely,

William H. Savage, P.E.
Principal
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: Summary of Written Easements
- Section F: Waiver Table
- Section G: Financial Capacity
- Section H: Technical Capacity
- Section I: Conformity with Land Use Ordinance
- Section J: Stormwater Management Report
- Section K: Erosion & Sedimentation Control Report
- Section L: Fire Department Letter
- Section M: Wastewater Capacity
- Section N: Lighting
- Section O: Architectural Design Narrative
- Section P: Utility Cover
- Section Q: Construction Management Plan
- Section R: Solid Waste Disposal
- Section S: Transportation and Parking Analysis

Drawings:

- Civil Site Plan Set, Dated 3/27/2020
- Architectural Plan Set, Dated 3/26/2020

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
- [ ] Locate water courses
- [ ] Delineate wetlands
- [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
- [x] 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
- ☑ Preservation or alteration of wetlands

EROSION CONTROL

- ☑ Must be in compliance with Technical Manual, Section 5

LANDSCAPE PLAN including:

- ☑ Existing vegetation to be preserved and preservation measures
- ☑ Proposed landscaping and buffers
- ☑ Planting schedule

RECORDING PLAT, if applicable

- [x] If Subdivision, must be in compliance with requirements of Section 14-496 (b)

ARCHITECTURAL PLANS AND RENDERINGS including:

- [x] Exterior building elevations, color renderings, illustrations of all sides
- [x] Location and dimensions of all existing and proposed HVAC and mechanical equipment, all proposed screening
- [x] Provide context drawings, if applicable (Design Manual, page 1)
- [x] Floor plans

C. Right, Title, and Interest

Please refer to the attached deed demonstrating the Applicant's Right, Title, Interest.

Doc#: 35939 Bk:27010 Pg: 287

QUITCLAIM WITH COVENANT DEED

Valley Bayside, LLC, a Maine limited liability company, for consideration paid, grants, with Quitclaim Covenant, to **Avesta Housing Development Corporation**, a Maine corporation with a mailing address of 307 Cumberland Avenue, Portland, Maine 04101, land located at or near 204 Valley Street, City of Portland, County of Cumberland, Maine and more particularly described on Exhibit A attached hereto.

MAINE REAL ESTATE TAX PAID

For source of Grantor's title, see Short Form Quitclaim Deed with Covenant from T & T Investment to Grantor dated August 15, 2002, and recorded in the Cumberland County Registry of Deeds in Book 17960, Page 28.

IN WITNESS WHEREOF, Valley Bayside, LLC has caused this instrument to be executed by Peter T. Horsman and Scott A. Raymond, its duly authorized Managers, as of this 19 day of June, 2009.

WITNESSETH:

Thomas W. Moulton

Name: Thomas W. Moulton

VALLEY BAYSIDE, LLC

By: Peter T. Horsman

Peter T. Horsman
Its duly authorized Manager

Thomas W. Moulton

Name: Thomas W. Moulton

By: Scott Raymond

Scott A. Raymond
Its duly authorized Manager

State of Maine
County of Cumberland

June 19, 2009

Personally appeared before me the above-named Peter T. Horsman, Manager of Valley Bayside, LLC as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in said capacity and the free act and deed of said company.

AND SCOTT A RAYMOND

Print name:
Notary Public/Attorney at Law
My commission expires:

DEBORA KELLER
Notary Public, Maine
My Commission Expires October 17, 2009

SEAL

Exhibit A

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

Beginning at a capped iron pin marked PLS #1313 at a point on the Westerly sideline of Valley Street. Said pin is S 07°02'04" E a distance of 50.00' from the intersection of the Westerly sideline of Valley Street with the Southerly sideline of "C" Street. Said pin also marks the Southeasterly corner of land now or formerly of Helen Dallas Andrews as described in Deed Book 7346, Page 184, recorded at the Cumberland County Registry of Deeds;

Thence S 07°02'04" E by the sideline of Valley Street a distance of 100.00' to a capped iron pin marked PLS #1313 at land now or formerly of said C & D Associates as described in Deed Book 6740, Page 344, recorded at the Cumberland County Registry of Deeds;

Thence, S 83°00'06" W by said C & D Associates a distance of 101.85' to a capped iron pin marked PLS #1313 to the Southeasterly corner of Lot 43 as shown on Plan of Lands on St. John Street by William A. Goodwin, City Civil Engineer, dated July 1879, and recorded in the Cumberland County Registry of Deeds Plan Book 4, Page 21;

Thence, N 06°53'58" W by Lots 43 and 41 as shown on said plan a distance of 99.98' to a capped iron pin marked PLS #1313 at land now or formerly of Gordon Andrews as described in Deed Book 4579, Page 177, recorded at the Cumberland County Registry of Deeds; and

Thence, N 82°59'15" E by land of said Andrews and said Helen Dallas Andrews a distance of 101.61' the Westerly sideline of Valley Street and the point of beginning.

Received
Recorded Register of Deeds
Jun 19,2009 02:49:24P
Cumberland County
Pamela E. Lovley

MAINE REAL ESTATE TAX-Paid

DLN: 1001940068852

WARRANTY DEED

SUMMIT, LLC

A Maine limited liability company with a mailing address of 10 Clifton Road, Falmouth, ME 04105

for consideration paid, grants to

AVESTA HOUSING DEVELOPMENT CORPORATION

A Maine non-profit corporation with a mailing address of 307 Cumberland Avenue, Portland, ME 04101, with WARRANTY COVENANTS, the following described real property in Portland, County of Cumberland and State of Maine:

See Exhibit A attached hereto and made a part hereof.

Also hereby conveying all rights, easements, privileges, and appurtenances, belonging to the premises hereinabove described.

WITNESS my hand and seal this 22nd day of August, 2019.

Summit, LLC

By: C. Tyler Brinkmann
Its: Manager

State of Maine
Cumberland, ss.

August 22, 2019

Personally appeared before me the above-named C. Tyler Brinkmann and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of Summit, LLC.

Before me,

James A. Hopkinson, Attorney-at-Law

DOC :40312 BK:35910 PG:298
RECEIVED - RECORDED, CUMBERLAND COUNTY REGISTER OF DEEDS
08/22/2019, 02:34:17P
Register of Deeds Nancy A. Lane E-RECORDED

EXHIBIT A
(6 C Street, Portland)

A certain lot or parcel of land situated on the southerly side of C Street in City of Portland, County of Cumberland and State of Maine and being more particularly bounded and described as follows:

Commencing at a point on the southerly side of C Street, 40 feet westerly from the westerly side of Valley Street and at the northwesterly corner of Parcel 1 as described in a deed given by Matie Enterprises, et al to Robert H Fraser, et al dated November 30, 2012 and recorded in Cumberland County Registry of Deeds in Book 30183, Page 137;

Thence southerly along the westerly side of Parcel 1 a distance of fifty (50) feet to land now or formerly of Avesta Housing Development Corporation as described in a deed dated June 19, 2009 and recorded in said Registry of Deeds in Book 27010, Page 287;

Thence westerly along the northerly side of said land of Avesta Housing Development Corporation a distance of sixty (60) feet to the easterly side of land now or formerly of St. John Street, LLC as described in deed dated September 19, 2013 and recorded in said Registry of Deeds in Book 31030, Page 192;

Thence northerly along the easterly side of said land of St. John Street, LLC a distance of fifty (50) feet to the southerly side of C Street;

Thence easterly along the southerly side of C Street a distance of sixty (60) feet to the point of beginning.

Meaning and intending to convey, and hereby conveying Parcel 2 as described in a deed dated November 30, 2012 and recorded in said Registry of Deeds in Book 30183, Page 137.

For title reference, see deed given by Robert H. Fraser and Michael B. Fraser to Summit, LLC, dated January 4, 2018 and recorded in the Cumberland County Registry of Deeds in Book 34582, Page 138.

MAINE REAL ESTATE TAX-Paid

DLN: 1001940068854

WARRANTY DEED

LIGHTHOUSE LLC

A Maine limited liability company with a mailing address of 10 Clifton Road, Falmouth, ME 04105

for consideration paid, grants to

AVESTA HOUSING DEVELOPMENT CORPORATION

A Maine non-profit corporation with a mailing address of 307 Cumberland Avenue, Portland, ME 04101, with WARRANTY COVENANTS, the following described real property in Portland, County of Cumberland and State of Maine:

See Exhibit A attached hereto and made a part hereof.

Also hereby conveying all rights, easements, privileges, and appurtenances, belonging to the premises hereinabove described.

WITNESS my hand and seal this 22nd day of August, 2019.

Lighthouse LLC

By: C. Tyler Brinkmann
Its: Manager

State of Maine
Cumberland, ss. August 22, 2019

Personally appeared before me the above-named C. Tyler Brinkmann and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of Lighthouse LLC.

Before me,

James A. Hopkinson, Attorney-at-Law

DOC :40313 BK:35910 PG:300
RECEIVED - RECORDED, CUMBERLAND COUNTY REGISTER OF DEEDS
08/22/2019, 02:36:01P
Register of Deeds Nancy A. Lane E-RECORDED

EXHIBIT A
(210 Valley Street, Portland)

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

Beginning at a stake on the southwest corner of B and C Streets, so-called, in said City of Portland; thence running in a westerly direction along the southerly sideline of said C Street for a distance of 40 feet to a point; thence running southerly and by an interior angle of 90° for a distance of 50 feet to a point; thence running easterly and by interior angle of 90° for a distance of 40 feet to a point on the westerly sideline of said B Street (now known as Valley Street), thence northerly and along the westerly sideline of said B Street for a distance of 50 feet to the point of beginning.

Meaning and intending to convey, and hereby conveying Parcel 1 as described in a deed dated November 30, 2012 and recorded in the Cumberland County Registry of Deeds in Book 30183, Page 137.

For title reference, see deed given by Robert H. Fraser and Michael B. Fraser to Lighthouse LLC, dated January 4, 2018 and recorded in the Cumberland County Registry of Deeds in Book 34580, Page 173.

PURCHASE AND SALE AGREEMENT

THIS AGREEMENT made and entered into as of September 13, 2019, by and between AVESTA HOUSING DEVELOPMENT CORPORATION, a Maine nonprofit corporation with a place of business and mailing address of 307 Cumberland Avenue, Portland, Maine 04101 ("Seller") and AVESTA VALLEY STREET LP, a Maine limited partnership with a place of business and mailing address of 307 Cumberland Avenue, Portland, Maine 04101 (the "Buyer")

WITNESSETH:

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Property to be Sold. Seller agrees to sell and Buyer agrees to buy certain lots or parcels of land with the buildings and improvements thereon, located at 204 and 206 Valley Street and 6 C Street in Portland, Maine and more particularly described in deeds to Seller recorded in the Cumberland County Registry of Deeds in Book 27010, Page 287, Book 35910, Page 297 and Book 35910, Page 299, together with all appurtenant rights and easements (collectively the "Premises").

2. Purchase Price. Buyer shall pay to Seller the sum of $629,500.00, by wire transfer or bank cashier's check at closing.

3. Title. Seller shall convey the Premises to Buyer at the closing in fee simple with good and marketable title, free and clear of all liens, claims and encumbrances. In the event that Seller is unable to convey title as aforesaid, Seller shall be given a reasonable period of time (not to exceed 30 days), after notice in writing, in which to remedy any title defects. In the event that said defects cannot be corrected or remedied or in the event that Seller elects not to remedy same, then this Agreement, and Seller's and Buyer's obligations hereunder, will terminate. Buyer may, at Buyer's option, elect to close notwithstanding such defects as may exist.

4. Closing. This transaction shall be closed on or before December 31, 2021 at 5:00 P.M. (the "Closing Date") at the offices of Buyer's lender, or if the Seller and Buyer shall mutually agree in advance at another time and place. At the closing, Seller shall execute and deliver to Buyer a Quitclaim Deed with Covenant to the Premises and such other customary certificates and affidavits as Buyer shall request.

5. Inspection. At all reasonable times upon reasonable prior notice, Buyer and any prospective lender or investor of Buyer's shall have the right to enter the Premises and perform, at Buyer's expense, any and all inspections, tests, surveys or other due diligence inquiries with respect to the Premises, the Personal Property, the Security Deposits, the Rental Assistance and the Leases as Buyer deems necessary or appropriate. Buyer agrees to return the Premises as nearly as possible to their original condition after all of such tests and inspections. Seller shall cooperate with Buyer in such inspections. In the event Buyer is not satisfied for any reason by the results of such due diligence inspections, Buyer shall have the option of terminating this

Agreement by written notice to Seller. Without limiting the generality of the foregoing, this Agreement and Buyer's purchase of the Premises are subject to a determination by Maine State Housing Authority as to the desirability of the Premises for Buyer's intended use as a result of the completion of the environmental review process required by the United States Department of Housing and Urban Development, and if such determination is unsatisfactory, Buyer may terminate the this Agreement.

6. Possession. Seller shall deliver the Premises to Buyer at closing free and clear of all leases, tenancies and occupancies by any person.

7. Costs. The recording fee for the deed and any expenses related to Buyer's financing will be paid for by Buyer. The parties shall share equally the cost of all real estate transfer taxes.

8. Buyer's Conditions Precedent. Buyer's obligation to close hereunder is subject to the following: Buyer shall have received one or more binding written commitments from institutional lenders and/or investors committing to finance Buyer's acquisition of the Premises, and any rehabilitation or construction contemplated by Buyer. In addition, Buyer shall have received all necessary permits and approvals for the construction of an affordable rental housing project. Buyer agrees to exercise diligent efforts to secure such financing and approvals. If the conditions described in this Section are not satisfied as of the Closing Date, then Buyer shall have the option of terminating this Agreement in writing.

9. Default and Remedies. If either party defaults hereunder, and such default is not cured within thirty (30) days of written notice of default, the sole remedy of the nondefaulting party shall be to terminate this Agreement..

10. Assignment. Buyer may assign this Agreement and all its rights and obligations hereunder to an affiliate of Buyer's. Upon notice of and consent to such assignment, Seller agrees to look solely to such affiliate for performance of the obligations of the Buyer hereunder.

11. Brokers. The parties represent to each other that neither has had any dealings with any real estate broker in connection with this transaction. Each party agrees to indemnify the other from and against the claims of any brokers arising from this transaction, which indemnity shall survive the closing and shall include reasonable costs of collection, including reasonable attorneys' fees.

12. Miscellaneous. Time is of the essence of this Agreement. All notices, demands and other communications hereunder shall be in writing and shall be deemed to have been duly given on the date of service if served personally on the party to whom notice is to be given, or on the first business day after mailing if mailed to the party to whom notice is to be given by first class mail, postage prepaid, certified, return receipt requested, addressed to the recipient at the addresses set forth at the beginning of this Agreement. Either party may change addresses for purposes of this paragraph by giving the other party notice of the new address in the manner described herein. This Agreement constitutes the entire agreement between Seller and Buyer, superseding all prior agreements between Seller and Buyer, and there are no other agreements,

understandings, warranties or representations between Seller and Buyer. This Agreement will inure to the benefit of and bind the respective successors and assigns of Seller and Buyer. This Agreement may be simultaneously executed in any number of counterparts, each of which when so executed and delivered shall be deemed an original, but all of which together shall constitute one and the same instrument. As used in this Agreement, the singular number shall include the plural, the plural the singular, and the use of the masculine shall include, where appropriate, the feminine and neuter. This Agreement shall be governed by and construed in accordance with the laws of Maine. If any provision of this Agreement is determined to be invalid or unenforceable, it shall not affect the validity or enforcement of the remaining provisions hereof.

IN WITNESS WHEREOF, Seller and Buyer have executed this Agreement as of the date written above.

WITNESS:

AVESTA HOUSING DEVELOPMENT CORPORATION, Seller

By: _____
Dana Totman, its President

AVESTA VALLEY STREET LP, Buyer

By: Pinecone Housing Corporation, its General Partner

By: _____
Dana Totman, its President

C:\OneDrive\Documents\CT\Avesta Housing (99475)\Valley and C Streets (508)\Title\P & S Agreement_AHDC to AVSLP.docx

Portland, Maine Yes. Life's good here.

Planning & Urban Development Department

ZONING ANALYSIS Relevant Zone(s) B-2

All Projects:

	Required	Proposed
Lot Size	None	14,964 SF
Area Per Dwelling Unit	435 SF *	249.4 SF
Minimum Street Frontage	20'	250'
Front Yard Minimum	None	0.5'
Front Yard Maximum	10'	2.85'
Rear Yard	10' *	5'
Yard Right	None	
Yard Left	None	
Side Street Setback	None	N/A
Step Back	10'	=setback
Maximum Lot Coverage	100%	94%
Minimum Lot Coverage	None	
Maximum Height	45' *	52.50'
Open Space	None	
Maximum Impervious Area	None	
Pavement Setback	None	N/A
Floor Area Ratio	None	N/A
Off Street Parking Spaces	60	39
Loading Bays	N/A	N/A
Other 1		
Other 2		
Other 3		

* See Affordable Housing Density Bonus Chart below

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	2.5 x base	86	60
Height	25 ft	70 ft	52.50 ft
Setback Reduction	10 ft	0 ft	5 ft
Recreation Space			
Maximum Accessory Building Length			
Minimum Setbacks			
Minimum Building Separation			
Minimum Open Space			
Explanatory Text 1 (optional): Per 75% Low Income, density inceases from 34 to 86 units			
Explanatory Text 2 (optional):			
Explanatory Text 3 (optional):			

E. Summary of Written Easements

There are no existing easements identified by Owen Haskell, Inc. on the Existing Conditions Plan.

There are no proposed easements as part of the project. The proposed submersible transformer will be located within the City ROW and a license will be required from the City.

Standard to be Waived: Cite Ordinance or Technical Manual Standard	**Cite Standard Language:** Cite specific language of applicable Ordinance or Technical Manual Standard	**Waiver Being Sought:** Describe waiver being sought. Ex. – We are requesting a two-way parking lot drive aisle width of 20' feet.	**Justification for Waiver:** Address specific waiver criteria, if applicable, and document reasons for the waiver request.
Technical Manual 1.7.2.3 Driveway Width	Any site with driveway access to a street shall have a minimum width of 20 feet for two-way ingress and egress	We are requesting to reduce the driveway width to 18' at the parking garage entrance.	The waiver is being sought to allow a standard parking garage door width at the entrance. If fewer than 10 spaces were shown on each parking level, minimum two-way driveway width requirement would be reduced to 10'.
Technical Manual 1.14 Parking Lot and Parking Space Design	Minimum widths of aisles are 24' for 90 deg parking	We are requesting to reduce the drive aisle to a minimum 21.86' within the site.	The waiver is being sought to maximize use of available parking space within the site. The circulation has been verified to be functional. A 24' drive aisle reduces the

G. Financial Capacity

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

Gorham SAVINGS BANK
Banking is believing℠

March 17, 2020

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

RE: Avesta Valley Street, LP

To Whom It May Concern:

Avesta Valley Street, LP is a valued customer of Gorham Savings Bank. Please be advised they have cash and financing resources available to complete the construction project located at 200 Valley Street, Portland, Maine.

I look forward to working with Avesta Valley Street, LP on this project. Please feel free to contact me with any questions.

Sincerely,



Matthew W. Early
Senior Vice President

MWE/ckb

H. Technical Capacity

Acorn Engineering, Inc. and Ryan Senatore Architecture have successfully permitted and provided civil/site engineering for over 20 Level II/III projects in Portland over the past 5 years. Some examples include:

- Eldredge Lumber
- 127 York Street – Harborside Townhomes
- Munjoy Heights
- 70 Anderson St.
- 89 Anderson St. – East Bayside Lofts
- 667 Congress St – The Hiawatha

I. Conformity with Land Use Ordinance

The following outline is made in accordance with the City of Portland Code of Ordinances, Chapter 14 Land Use, Article V Section 14-526 as well as the City of Portland Technical Manual, Chapter 14 Standards for Local Site Location of Development Review.

OVERVIEW

The proposed 5-story building, 60-unit building been designed to conform to City standards where possible. This project conforms with the majority of the applicable standards of Portland's Land Use Ordinance Section 14-526 as demonstrated in the following narrative.

(a) Transportation Standards

1. Impact on Surrounding Street Systems:

   The site is located on Valley St, at the corner of C St and Valley Street. Valley St, classified as Minor Arterial, currently supports a low amount of traffic. There is a slight anticipated increase in traffic anticipated; however, the nature of the increase is low turnover and not expected to create any traffic issues.

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 driveway will be no closer to the Valley/C St intersection than the existing driveway of the site. Both driveways have been situated as far away from the intersection as possible. Furthermore, the intersection is almost entirely through traffic on Valley a C Street is a very small one-way local road.

      (iii) Not applicable.

   b. Loading and Servicing:

      (i) There are no anticipated loading and servicing needs.

   c. Sidewalks:

      (i) A brick sidewalk exists along Valley St and C St.

      (ii) The existing brick sidewalks will be rebuilt in accordance with City of Portland standards. Because of the moratorium, the Applicant anticipated maintaining the majority of the existing curbing along Valley Street,

(iii) The main entrance to the building will be off the Valley Street sidewalk with a continuation of the brick walk. Please refer to the Site Plan, Sheet C-10, for more information.

3. Public Transit Access:

   a. Two METRO bus pullouts exist within 650' of the site.

   b. Not applicable.

   c. Not applicable.

   d. Not applicable.

4. Parking:

   a. Location and Required Number of Vehicle Parking Spaces:

      (i) The proposed project will provide 39 parking spaces on site. Please see Document S for more information.

      (ii) See Document S for information on proposed parking and multi-modal transportation strategies.

      (iii) The proposed project does not exceed minimum parking requirements.

      (iv) Parking spaces meet the dimensional standards detailed in section 1 of the Technical Manual.

      (v) The parking areas will be constructed with durable surfaces which will drain water without eroding.

   b. Location and Required Number of Bicycle Parking Spaces:

      (i) The site plan includes an interior storage room for bicycles which would provide a secure location for the bicycles as well 3 exterior bicycle racks.

      (ii) Not applicable.

   c. Motorcycles and Scooter Parking:

      (i) There are no areas designated for motorcycles or scooters at this time.

   d. Snow Storage:

      (i) Not applicable as the parking lot will be enclosed in the basement level of the proposed building.

      (ii) Not applicable.

5. Transportation Demand Management (TDM):

    a. Though not required, a Transportation and Parking Analysis has been designed for the proposed project. See Document S.

    b. Not applicable.

    c. Not applicable.

(b) Environmental Quality Standards

1. Preservation of Significant Natural Features:

    a. Not applicable.

    b. Not applicable.

    c. A waiver is not requested.

2. Landscaping and Landscaping Preservation:

    a. Landscape Preservation.

        (i) Two trees larger than 10" diameter exist within the C St side of the site.

        (ii) As the site is not subject to side yard setbacks, no existing trees are required to be preserved

        (iii) Not applicable.

        (iv) A waiver is not requested.

        (v) Not applicable.

    b. Site Landscaping.

        (i) Landscaped Buffers:

            a. All solid waste locations will be located within the proposed building and screened from view.

            b. Not applicable; the site is not subject to front or side yard setbacks along the Valley and C St frontages.

            c. Not applicable.

            d. Fence screening will be provided between the proposed development and abutting sites.

(ii) Parking Lot Landscaping:

a. Not applicable, enclosed parking.

b. Not applicable.

c. Not applicable.

d. Not applicable.

e. Not applicable.

(iii) Street Trees:

a. Per Section 4.6 of the Portland Maine Technical Manual, 60 Street trees are required (one per unit). Based on the property's frontage and proposed utilities, 4 street trees are proposed to be planted in addition to preserving 1 existing street trees within the sidewalk on Valley and C Streets.

b. Four (4) proposed street trees and the preservation of the one (1) existing street tree will count toward a total of five (5). The applicant will contribute to the City's Street Tree Fund in place of the 55 street trees that will not be planted. Additionally, per Section 14.526(b).2.(b)(iii)(b)ii, the cost of the (3) proposed granite planters should be deducted from the $22,000 contribution for 55 trees.

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.

(ii) Overall, there is a proposed increase in impervious area. The stormwater will be captured by a storage culvert to the west of the site and will slowly flow to the separated storm line with C Street after being attenuated by an outlet control structure.

(iii) The runoff from the site into the City property will be handled without creating ponding, flooding, or other drainage issues.

(iv) The proposed project will not increase stormwater runoff from the site as demonstrated within the stormwater report.

b. A site-specific Stormwater Management Plan has been developed for the project to show compliance with Section 5 of the Technical Manual, including the basic standards of MEDEP Chapter 500. Please refer to sections J and K, the Stormwater Management and Erosion & Sedimentation Control Plans, respectively, for more information.

c. The project is not located in a watershed of an urban impaired stream as listed by

the MEDEP.

d. Not applicable.

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

f. The development will provide for adequate and sanitary disposal of sewage in accordance with Section 2 of the Technical Manual.

(c) Public Infrastructure and Community Safety Standards

1. Consistency with City Master Plans:

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

   b. Not applicable.

2. Public Safety and Fire Prevention:

   a. The site has been designed to promote safe and inviting public access:

   b. Adequate emergency access has been provided. Direct access is available from Valley St and C St.

   c. A fire hydrant is located to the south of the site on the same side of Valley 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 routed underground to a submersible transformer within the C Street sidewalk, subject to a license with the City.

   c. The new sewer and stormwater infrastructure will meet the provisions of the Technical Manual.

   d. The project will be served by connection to the public sewer system within C 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. 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 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 adjacent to a historic landscape district, but not adjacent to a historic district or a historic City designated landmark.

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

6. Exterior Lighting:

   a. Site Lighting.

      (i) Exterior lighting has been designed to meet the requirements of Section 12 of the Technical Manual. Please let us know if a photometric plan is required as part of this permit.

      (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 streetlights 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 B-2 zone with the bonuses for affordability. . Please refer to the Site Plan for more information on the Space & Bulk Standards.

ACORN ENGINEERING, INC.

J. STORMWATER MANAGEMENT REPORT

Prepared For:

Avesta Valley Street, LP
307 Cumberland St.
Portland, Maine 04101

Prepared By:

Acorn Engineering, Inc.
65 Hanover Street
Portland, Maine 04101



April 2020
Rev. July 2020

INTRODUCTION

Acorn Engineering, Inc. has been retained by Avesta Valley Street, LP for the proposed redevelopment of 210 Valley St. The project proposes a 5-story, 60-unit building with two levels of covered parking. To facilitate the project, the existing two-story building will be demolished. The project will increase the site's impervious area by greater than 1,000 square feet, the majority of which would be roof runoff, and as such is subject to water quality and quantity standards.

A stormwater analysis will be 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 is located at the intersection of Valley and C Streets. The proposed lot is a combination of multiple properties which presently include Portland Tax Map 64-F-7,8,9 and 15 comprising 14,964 square feet. Portland has zoned this area as a B-2 Business Zone. An existing conditions plan has been prepared by Owen Haskell, Inc. dated July 2019. Abutting uses are residential, retail and office space, and recreational open space.

Approximately 40% of the existing site is comprised of impervious area, including the existing building, the gravel driveways, a concrete walkway, retaining walls, and areas of riprap. The grassed areas are in fair condition with some patches of exposed soils. From east to west the grades drop off at approximately 16%. The project area presently drains the majority of its runoff to the abutting properties to the west (121-129 St. John Street). The eventual outfall of the St. John Street MS4 is between the Veteran's Memorial Bridge and Sprague Terminal, just upgradient of the Fore River shore.

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 redevelopment proposes a 5-story, 60-unit apartment building with two levels of covered parking. The building will be set into the slope, taking advantage of the grade change to provide two levels of covered parking with driveway access from both Valley and C Streets.

A stone swale/detention system with four rows of subsurface storage tanks and a Nyoplast outlet control structure located to the west of the site will collect and detain stormwater runoff from the roof (after being routed through filter cartridges) and surrounding areas of the site before discharging to the Municipal Separated Storm Sewer System (MS4) within C

Street instead of shedding runoff to the abutting properties as the current site does. Any runoff from vehicles parked within the covered parking areas will be caught by an internal oil-water separator and directed to the sewer system within C Street.

The development will be served by the Portland Water District, underground power/cable/communications, natural gas and the municipal sewer system. Solid waste and recycling will be contracted through a private waste disposal and recycling provider. The project anticipates incorporating Maine DEP approved stormwater Best Management Practices (BMP) to meet the General and Flooding Standards.

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 filter cartridges that will collect and treat roof runoff.

The treatment of the impervious surfaces 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
6,053	14,326	8,273	14,250	172%

As shown above, the project anticipates meeting and exceeding the required treatment for new impervious surfaces and developed area.

The entire roof is proposed to be treated by two subsurface systems with four total filter cartridges which will treat up to a 2-year storm before bypassing the flows, which is in exceedance of the typical water quality volume of 1". Each cartridge is rated for 0.25 cfs with a bypass flow of 1.5 cfs. The peak inflow from a 2-year storm is 1.01 cfs, meaning that as long as the roof runoff is distributed equally between two downspouts, the 2-year storm will be treated before discharging to the detention system. Because of the bypass system, the filters will not act as an inflow constrictor to the detention system.

The proposed downspout basin filter cartridges are manufactured by ACF, or an approved equivalent, and have been designed specifically for the target pollutants found on rooftops such as heavy metals and bird waste. Maintenance steps have been included within the application material which will be part of the future maintenance agreement.

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.

Time of Concentration (Tc)

In all pre and post subcatchments, calculating a Tc using site specific flow paths yielded less than 6 minutes. A consistent Tc of 6 minutes (0.1 hour) was applied for both the pre- and post-development conditions, consistent with TR-55 practices.

Pre-development Calculations

The entirety of the existing site was modeled as a single subcatchment given the existing topography. The site's runoff flows to the abutting properties on St John Street which ultimately drains to the public drainage system within St John Street.

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 2 – 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	0	1

Post-development Calculations:

The post-development model was broken into three separate subcatchments.

- Subcatchment 1 – This tributary includes the entirety of the roof, exterior walkways and side yards, retaining wall, and crushed stone swale, which all ultimately run to the detention system and then to the C St storm system.
- Subcatchment 2 – This tributary includes the Valley Street driveway and the small portion of the concrete walkway which drain south along Valley St. Because of the catchment is less than 100 square feet, the Valley Street point of interest was not analyzed in the tables given the negligible peak flow.

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.

The post-development calculations include the compensation provided by the stormwater detention system and outlet control structure which will slowly release the stormwater runoff into the MS4 at a controlled rate. The following table represents comparison of pre-

development and post-development condition peak runoff rates for the proposed development and tributary area.

Table 3 – 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	0	0	0	1	1

As shown in Table 4 the net impact of the post development peak flows will not exceed the predevelopment levels.

Down Gradient Property Owners:

The post development (proposed) peak stormwater surface flows tributary to the down gradient property owners will significantly decrease. The proposed crushed stone swale and storage system have been sized to detain and release the runoff from the entire roof. Currently, nearly all stormwater runoff generated by the site drains to the abutting properties. In the proposed condition, the flows will be redirected to the MS4 system in C Street at the existing peak rate, therefore improving upon the existing conditions to the downgradient property owner.

SOILS

Onsite soil information includes the following:

- Soil Conservation Service Medium Intensity Soil Survey for Cumberland County

Given the soils information, listed above, no onsite wastewater is proposed, deep fills/cuts the applicant does not intend to perform a more intense hydric soil boundary delineation because of the waiver requirements set forth in the City of Portland Technical Manual – Section 7 – Soil Survey, Rev. 6/17/12 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 4 - "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 long-sustained slopes.

CONCLUSION

The proposed development was designed to meet the requirements implemented by the City of Portland Technical Manual – Section 5 – Portland Stormwater Management Standards. As a result of the design of the proposed development and stormwater system, the project does not anticipate creating erosion, drainage or runoff problems either in the development or with respect to adjoining properties. The existing peak flows will be maintained, but flows will be redirected to the stormwater system through attenuation practices and infrastructure rather than letting runoff flow to the abutting private properties.

ATTACHMENTS

Attachment A: Pre Development Watershed Map
Attachment B: Post Development Watershed Map
Attachment C: HydroCAD Calculations
Attachment D: Soil Survey

GENERAL NOTES:

REFER TO STORMWATER REPORT FOR MORE INFORMATION.

1 — SUBCATCHMENT

SUBCATCHMENT EXTENTS

POI 1 — POINT OF INTEREST (POI)

1 — POND

ST. JOHN STREET

POI 1

TM 64-F-2&3
N/F
EASTE OFF LLC
34754/63

TM 64-F-8
N/F
AVESTA HOUSING DEVELOPMENT CORP
2/010/287

1

TM 64-F-20
N/F
FLORENCE HOUSE L

TM 64-F-16
N/F
ST JOHN SR LLC
11930/182

TM 64-F-15
N/F
SUMMIT TR
34882/136

TM 64-F-13
N/F
FORTUNE INC
5807/79

C STREET
ONE WAY

45
50
60
56

VALLEY STREET (UNDER MORATORIUM UNTIL SEPT. 2023)

10 0 10 20
SCALE: 1:10

NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY	DATE

DRAWING NAME: PRE CONSTRUCTION STORMWATER PLAN

PROJECT NAME: 210 VALLEY STREET REDEVELOPMENT

CLIENT: AVESTA VALLEY STREET LP
307 CUMBERLAND AVE, PORTLAND, ME 04101

ACORN ENGINEERING, INC.
ENGINEERING, INC.
65 HANOVER STREET, PORTLAND, MAINE 04101
(207) 775-2655

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FILE:	1127_CIVIL
JN:	1127
SCALE:	AS NOTED
DESIGNED BY:	SJL
DRAWN BY:	KRB
CHECKED BY:	WHS

DRAWING NO.

PRE

GENERAL NOTES:

REFER TO STORMWATER REPORT FOR MORE INFORMATION.

1 — SUBCATCHMENT

SUBCATCHMENT EXTENTS

POI 1 — POINT OF INTEREST (POI)

1 — POND

POI 1

C STREET
ONE WAY

POI 2

VALLEY STREET (UNDER MORATORIUM UNTIL SEPT. 2023)

10 0 10 20

SCALE: 1:10

NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY	DATE

DRAWING NAME: POST CONSTRUCTION STORMWATER PLAN

PROJECT NAME: 210 VALLEY STREET REDEVELOPMENT

CLIENT: AVESTA VALLEY STREET LP
307 CUMBERLAND AVE, PORTLAND, ME 04101

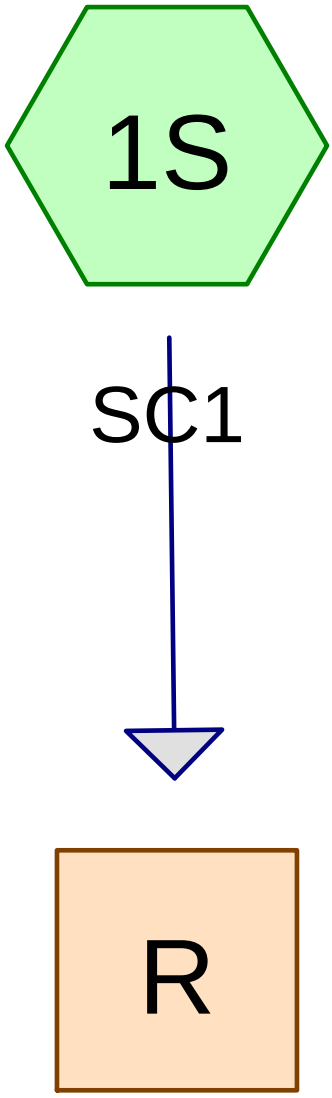
ACORN ENGINEERING, INC.
ENGINEERING
65 HANOVER ROAD, SUITE 310 FLORENCE, MAINE 04101
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FILE:	1127_CIVIL
JN:	1127
SCALE:	AS NOTED
DESIGNED BY:	SJL
DRAWN BY:	KRB
CHECKED BY:	WHS

DRAWING NO.

POST



POI #1 - St John St.

Subcat Reach Pond Link

Routing Diagram for Pre Development 3-22-20
Prepared by {enter your company name here}, Printed 4/10/2020
HydroCAD® 10.00-25 s/n 00620 © 2019 HydroCAD Software Solutions LLC

Area Listing (all nodes)

Area (acres)	CN	Description (subcatchment-numbers)
0.205	39	>75% Grass cover, Good, HSG A (1S)
0.096	96	Gravel surface, HSG A (1S)
0.017	98	Unconnected pavement, HSG A (1S)
0.027	98	Unconnected roofs, HSG A (1S)
0.344	**62**	**TOTAL AREA**

Soil Listing (all nodes)

Area (acres)	Soil Group	Subcatchment Numbers
0.344	HSG A	1S
0.000	HSG B	
0.000	HSG C	
0.000	HSG D	
0.000	Other	
0.344		**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
0.205	0.000	0.000	0.000	0.000	0.205	>75% Grass cover, Good	1S
0.096	0.000	0.000	0.000	0.000	0.096	Gravel surface	1S
0.017	0.000	0.000	0.000	0.000	0.017	Unconnected pavement	1S
0.027	0.000	0.000	0.000	0.000	0.027	Unconnected roofs	1S
0.344	**0.000**	**0.000**	**0.000**	**0.000**	**0.344**	**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=14,965 sf 12.63% Impervious Runoff Depth=0.37"
Tc=6.0 min UI Adjusted CN=60 Runoff=0.08 cfs 0.011 af

Reach R: POI #1 - St John St. Inflow=0.08 cfs 0.011 af
Outflow=0.08 cfs 0.011 af

Total Runoff Area = 0.344 ac Runoff Volume = 0.011 af Average Runoff Depth = 0.37"
87.37% Pervious = 0.300 ac 12.63% Impervious = 0.043 ac

Summary for Subcatchment 1S: SC1

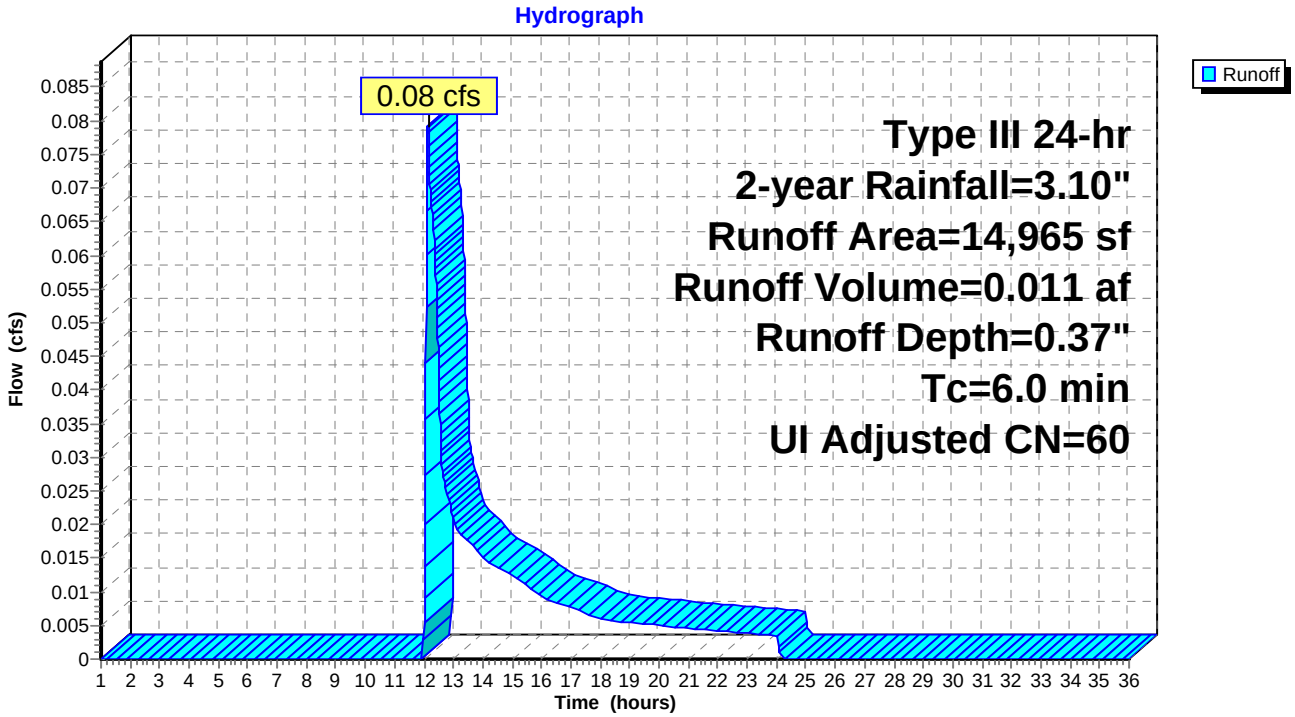
Runoff = 0.08 cfs @ 12.13 hrs, Volume= 0.011 af, Depth= 0.37"

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	Adj	Description
1,164	98		Unconnected roofs, HSG A
726	98		Unconnected pavement, HSG A
4,163	96		Gravel surface, HSG A
8,912	39		>75% Grass cover, Good, HSG A
14,965	62	60	Weighted Average, UI Adjusted
13,075			87.37% Pervious Area
1,890			12.63% Impervious Area
1,890			100.00% Unconnected

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

Subcatchment 1S: SC1



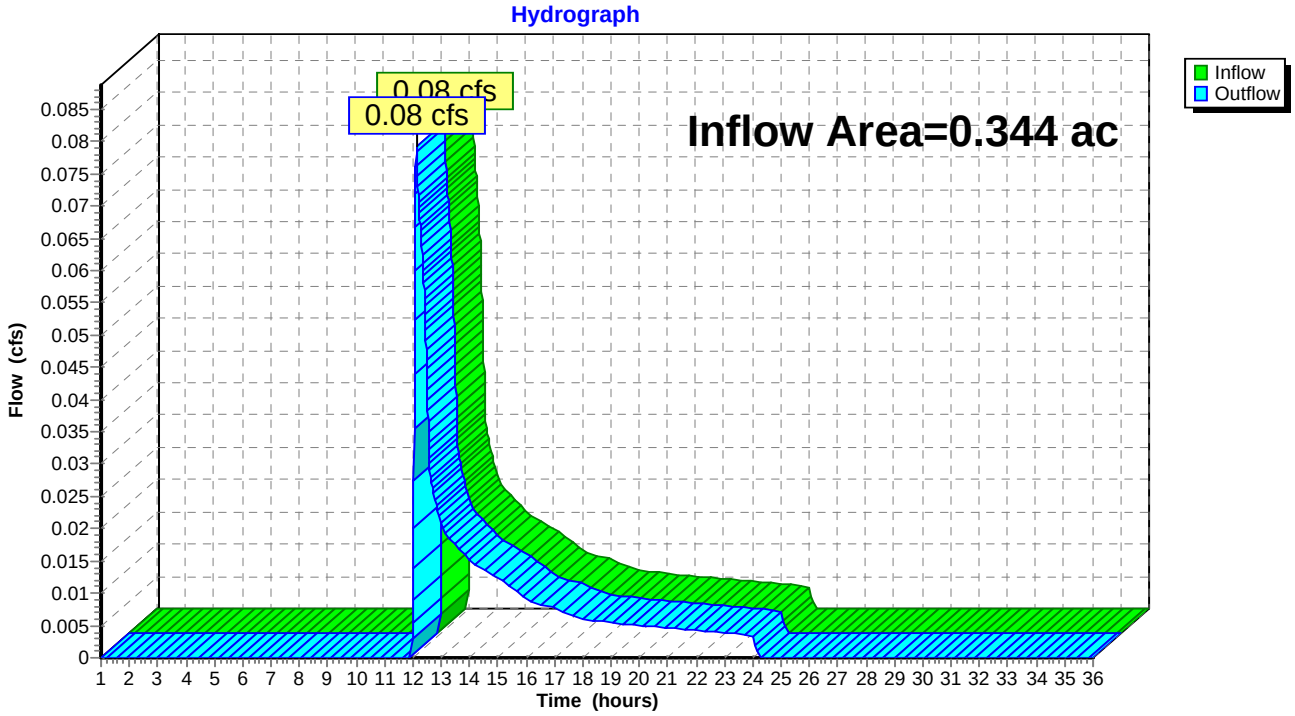
Summary for Reach R: POI #1 - St John St.

[40] Hint: Not Described (Outflow=Inflow)

Inflow Area = 0.344 ac, 12.63% Impervious, Inflow Depth = 0.37" for 2-year event
Inflow = 0.08 cfs @ 12.13 hrs, Volume= 0.011 af
Outflow = 0.08 cfs @ 12.13 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 R: POI #1 - St John St.



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=14,965 sf 12.63% Impervious Runoff Depth=1.07"
Tc=6.0 min UI Adjusted CN=60 Runoff=0.37 cfs 0.031 af

Reach R: POI #1 - St John St. Inflow=0.37 cfs 0.031 af
Outflow=0.37 cfs 0.031 af

Total Runoff Area = 0.344 ac Runoff Volume = 0.031 af Average Runoff Depth = 1.07"
87.37% Pervious = 0.300 ac 12.63% Impervious = 0.043 ac

Summary for Subcatchment 1S: SC1

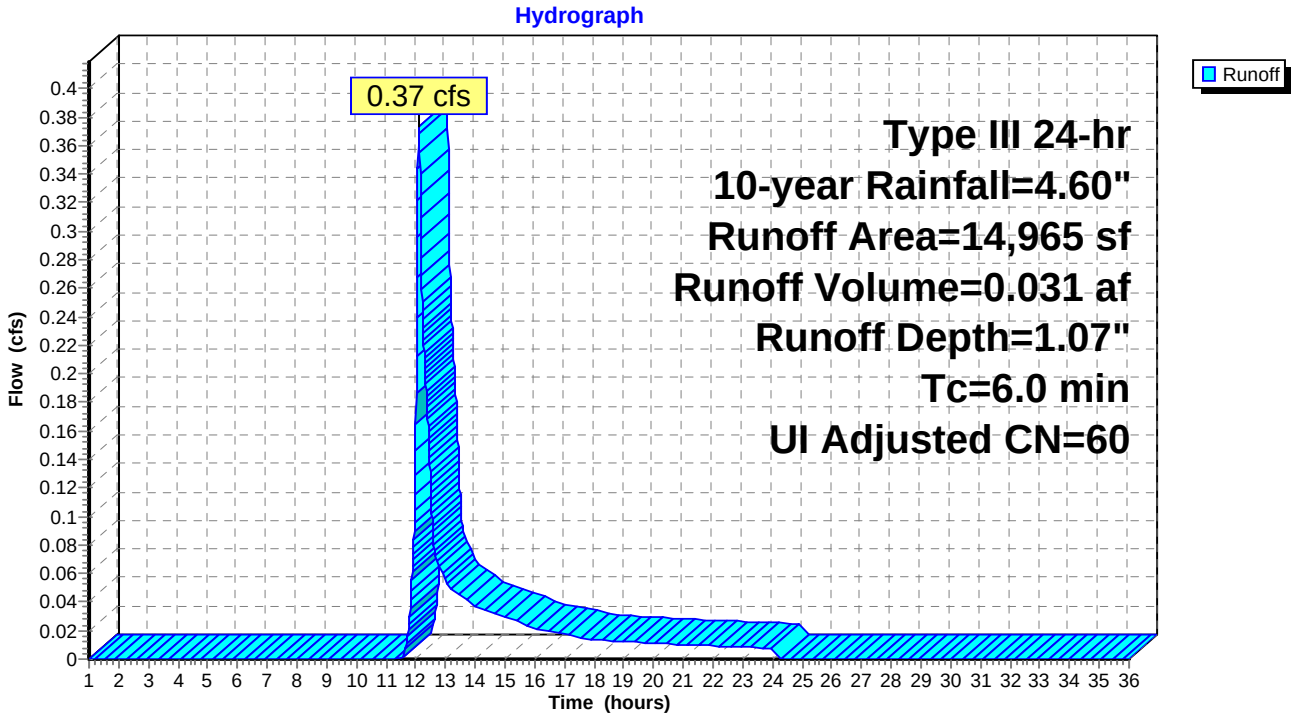
Runoff = 0.37 cfs @ 12.10 hrs, Volume= 0.031 af, Depth= 1.07"

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	Adj	Description
1,164	98		Unconnected roofs, HSG A
726	98		Unconnected pavement, HSG A
4,163	96		Gravel surface, HSG A
8,912	39		>75% Grass cover, Good, HSG A
14,965	62	60	Weighted Average, UI Adjusted
13,075			87.37% Pervious Area
1,890			12.63% Impervious Area
1,890			100.00% Unconnected

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

Subcatchment 1S: SC1



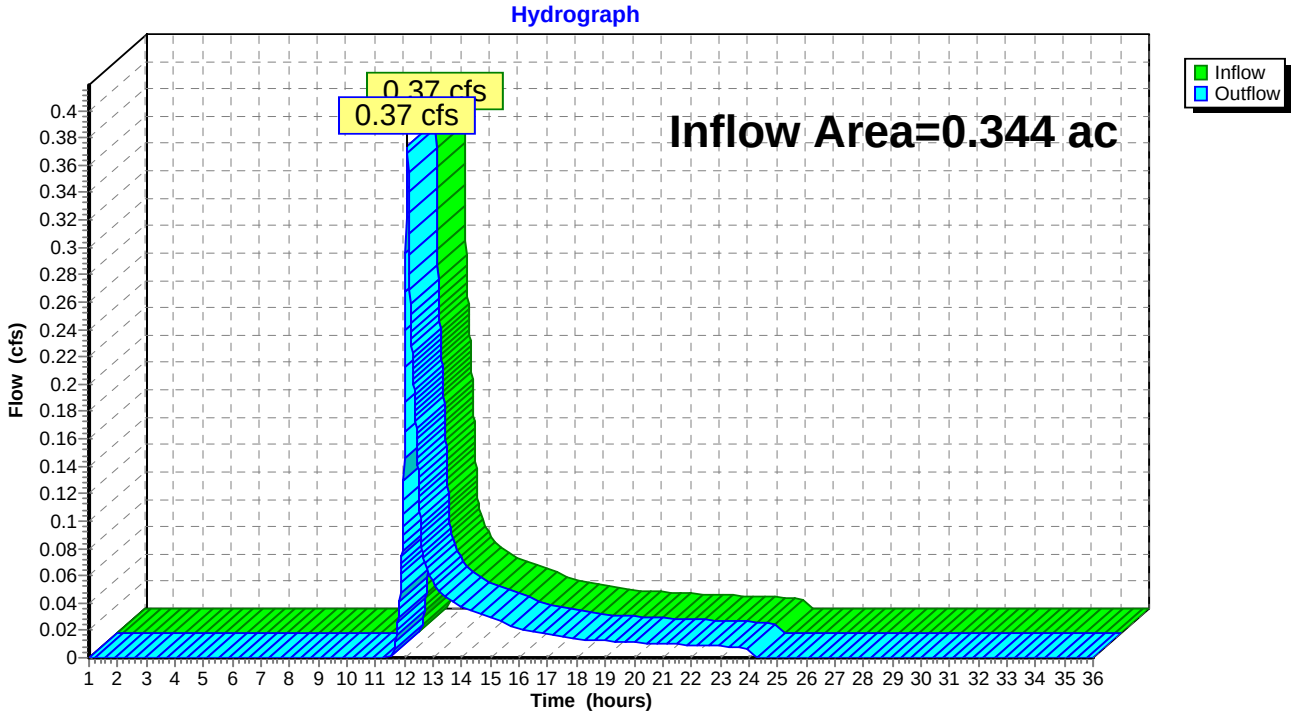
Summary for Reach R: POI #1 - St John St.

[40] Hint: Not Described (Outflow=Inflow)

Inflow Area = 0.344 ac, 12.63% Impervious, Inflow Depth = 1.07" for 10-year event
Inflow = 0.37 cfs @ 12.10 hrs, Volume= 0.031 af
Outflow = 0.37 cfs @ 12.10 hrs, Volume= 0.031 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 R: POI #1 - St John St.



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=14,965 sf 12.63% Impervious Runoff Depth=1.79"
Tc=6.0 min UI Adjusted CN=60 Runoff=0.68 cfs 0.051 af

Reach R: POI #1 - St John St. Inflow=0.68 cfs 0.051 af
Outflow=0.68 cfs 0.051 af

Total Runoff Area = 0.344 ac Runoff Volume = 0.051 af Average Runoff Depth = 1.79"
87.37% Pervious = 0.300 ac 12.63% Impervious = 0.043 ac

Summary for Subcatchment 1S: SC1

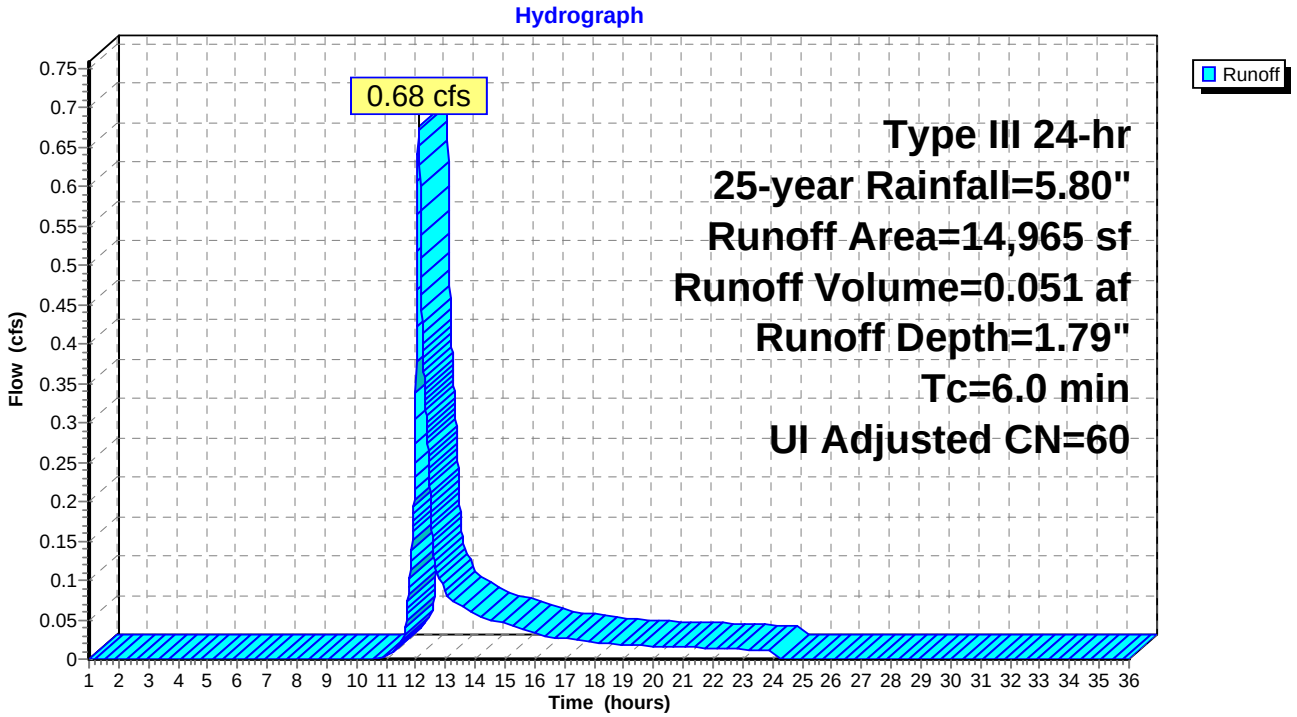
Runoff = 0.68 cfs @ 12.10 hrs, Volume= 0.051 af, Depth= 1.79"

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	Adj	Description
1,164	98		Unconnected roofs, HSG A
726	98		Unconnected pavement, HSG A
4,163	96		Gravel surface, HSG A
8,912	39		>75% Grass cover, Good, HSG A
14,965	62	60	Weighted Average, UI Adjusted
13,075			87.37% Pervious Area
1,890			12.63% Impervious Area
1,890			100.00% Unconnected

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

Subcatchment 1S: SC1



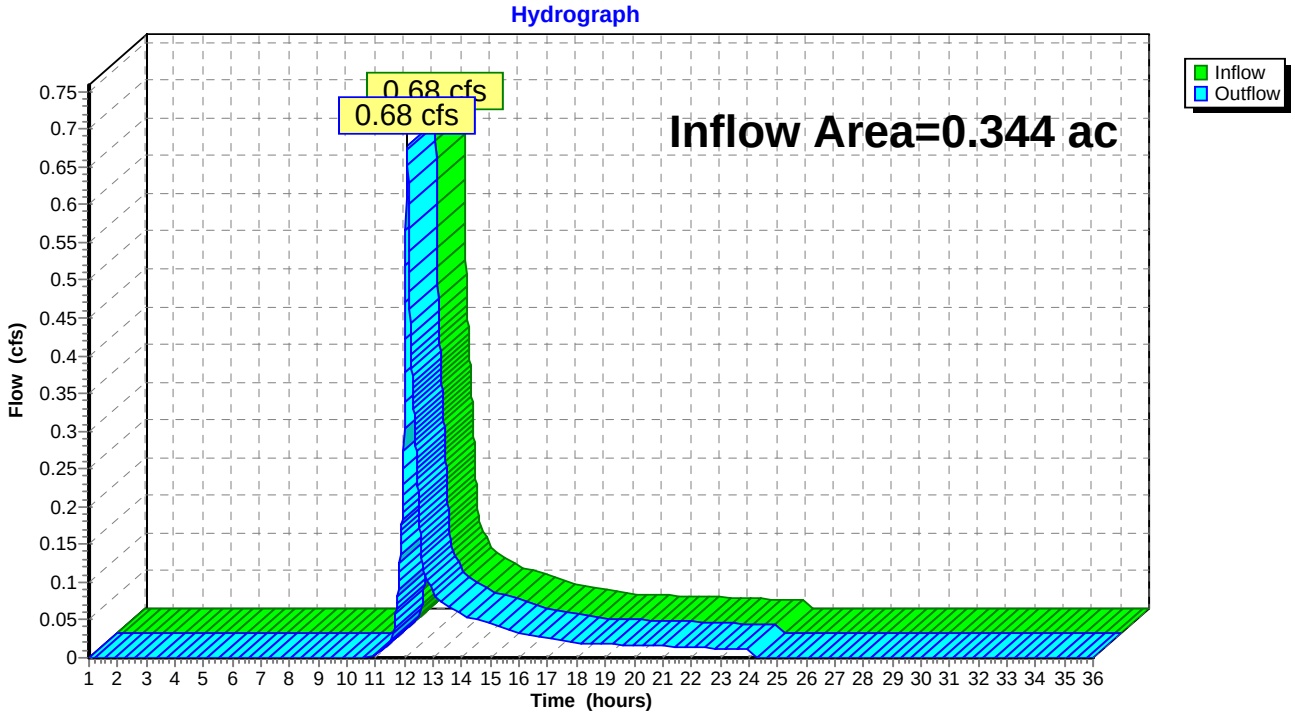
Summary for Reach R: POI #1 - St John St.

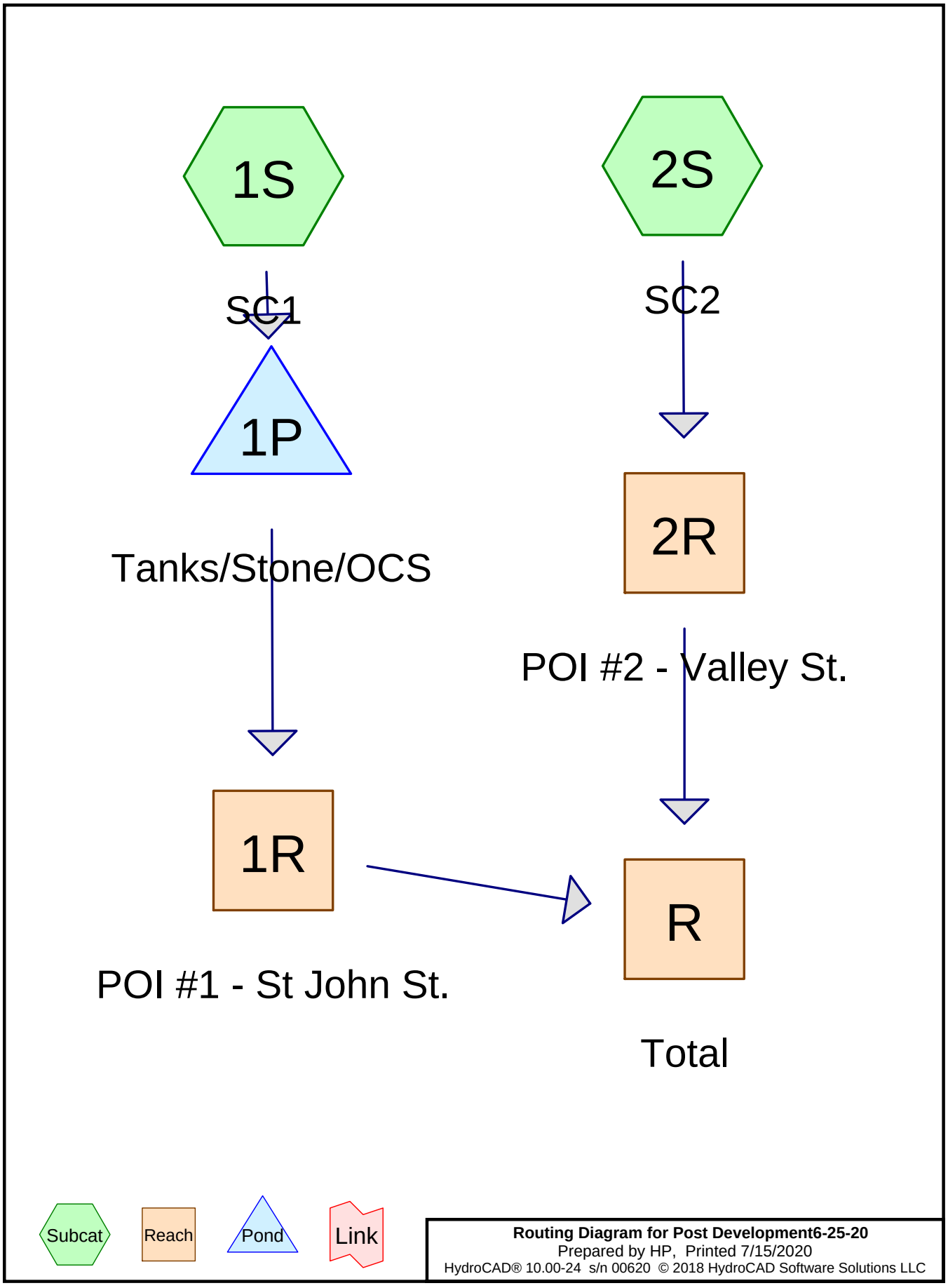
[40] Hint: Not Described (Outflow=Inflow)

Inflow Area = 0.344 ac, 12.63% Impervious, Inflow Depth = 1.79" for 25-year event
Inflow = 0.68 cfs @ 12.10 hrs, Volume= 0.051 af
Outflow = 0.68 cfs @ 12.10 hrs, Volume= 0.051 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 R: POI #1 - St John St.





Routing Diagram for Post Development6-25-20
Prepared by HP, Printed 7/15/2020
HydroCAD® 10.00-24 s/n 00620 © 2018 HydroCAD Software Solutions LLC

Area Listing (all nodes)

Area (acres)	CN	Description (subcatchment-numbers)
0.015	39	>75% Grass cover, Good, HSG A (1S, 2S)
0.014	96	Crushed Stone Swale (1S)
0.305	98	Roofs, HSG A (1S)
0.010	98	Unconnected pavement, HSG A (1S, 2S)
0.344	**95**	**TOTAL AREA**

Soil Listing (all nodes)

Area (acres)	Soil Group	Subcatchment Numbers
0.330	HSG A	1S, 2S
0.000	HSG B	
0.000	HSG C	
0.000	HSG D	
0.014	Other	1S
0.344		**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
0.015	0.000	0.000	0.000	0.000	0.015	>75% Grass cover, Good	1S, 2S
0.000	0.000	0.000	0.000	0.014	0.014	Crushed Stone Swale	1S
0.305	0.000	0.000	0.000	0.000	0.305	Roofs	1S
0.010	0.000	0.000	0.000	0.000	0.010	Unconnected pavement	1S, 2S
0.330	**0.000**	**0.000**	**0.000**	**0.014**	**0.344**	**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	1P	40.00	38.00	33.0	0.0606	0.011	6.0	0.0	0.0

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=14,874 sf 91.70% Impervious Runoff Depth=2.55"
Tc=6.0 min CN=95 Runoff=0.97 cfs 0.072 af

Subcatchment 2S: SC2 Runoff Area=91 sf 83.52% Impervious Runoff Depth=1.91"
Tc=6.0 min CN=88 Runoff=0.00 cfs 0.000 af

Reach 1R: POI #1 - St John St. Inflow=0.35 cfs 0.072 af
Outflow=0.35 cfs 0.072 af

Reach 2R: POI #2 - Valley St. Inflow=0.00 cfs 0.000 af
Outflow=0.00 cfs 0.000 af

Reach R: Total Inflow=0.36 cfs 0.073 af
Outflow=0.36 cfs 0.073 af

Pond 1P: Tanks/Stone/OCS Peak Elev=43.65' Storage=629 cf Inflow=0.97 cfs 0.072 af
Outflow=0.35 cfs 0.072 af

Total Runoff Area = 0.344 ac Runoff Volume = 0.073 af Average Runoff Depth = 2.54"
8.35% Pervious = 0.029 ac 91.65% Impervious = 0.315 ac

Summary for Subcatchment 1S: SC1

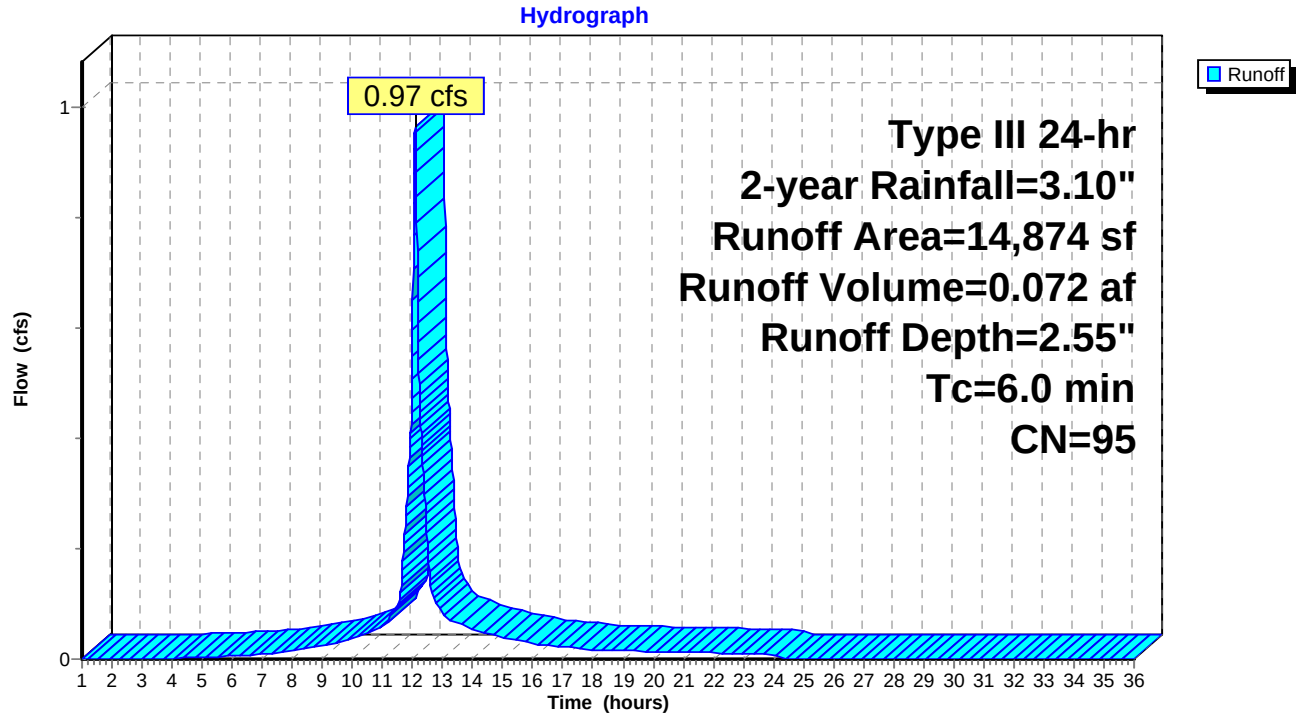
Runoff = 0.97 cfs @ 12.08 hrs, Volume= 0.072 af, Depth= 2.55"

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
	13,292	98	Roofs, HSG A
	348	98	Unconnected pavement, HSG A
	624	39	>75% Grass cover, Good, HSG A
*	610	96	Crushed Stone Swale
	14,874	95	Weighted Average
	1,234		8.30% Pervious Area
	13,640		91.70% Impervious Area
	348		2.55% Unconnected

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

Subcatchment 1S: SC1



Summary for Subcatchment 2S: SC2

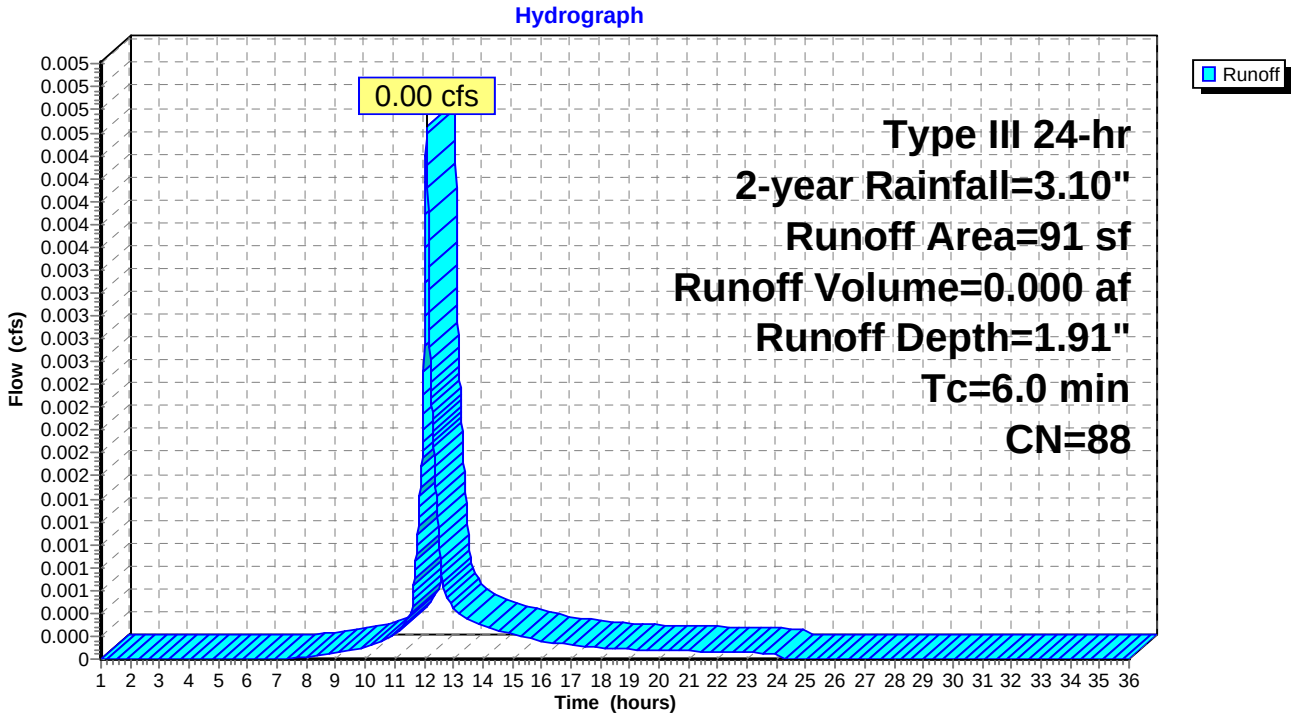
Runoff = 0.00 cfs @ 12.09 hrs, Volume= 0.000 af, Depth= 1.91"

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 2-year Rainfall=3.10"

	Area (sf)	CN	Description
	0	98	Roofs, HSG A
	76	98	Unconnected pavement, HSG A
	15	39	>75% Grass cover, Good, HSG A
*	0	96	Crushed Stone Swale
	91	88	Weighted Average
	15		16.48% Pervious Area
	76		83.52% Impervious Area
	76		100.00% Unconnected

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

Subcatchment 2S: SC2



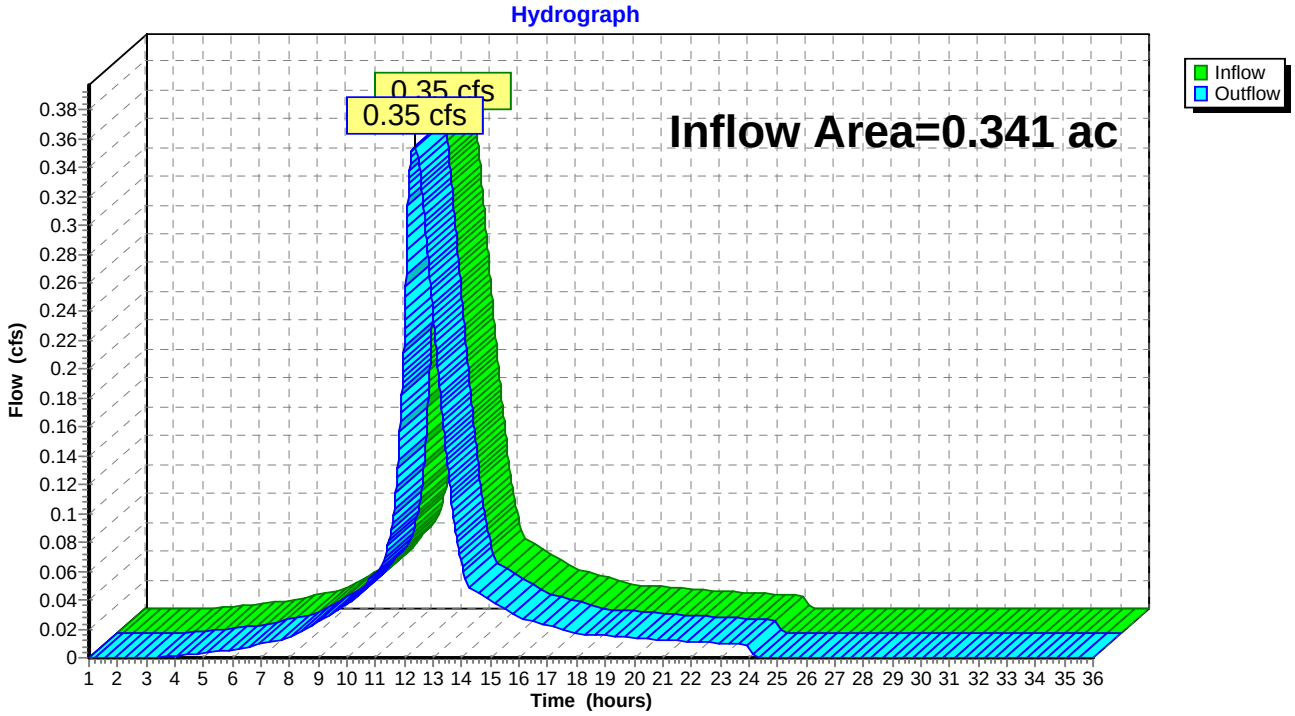
Summary for Reach 1R: POI #1 - St John St.

[40] Hint: Not Described (Outflow=Inflow)

Inflow Area = 0.341 ac, 91.70% Impervious, Inflow Depth = 2.55" for 2-year event
Inflow = 0.35 cfs @ 12.33 hrs, Volume= 0.072 af
Outflow = 0.35 cfs @ 12.33 hrs, Volume= 0.072 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 - St John St.



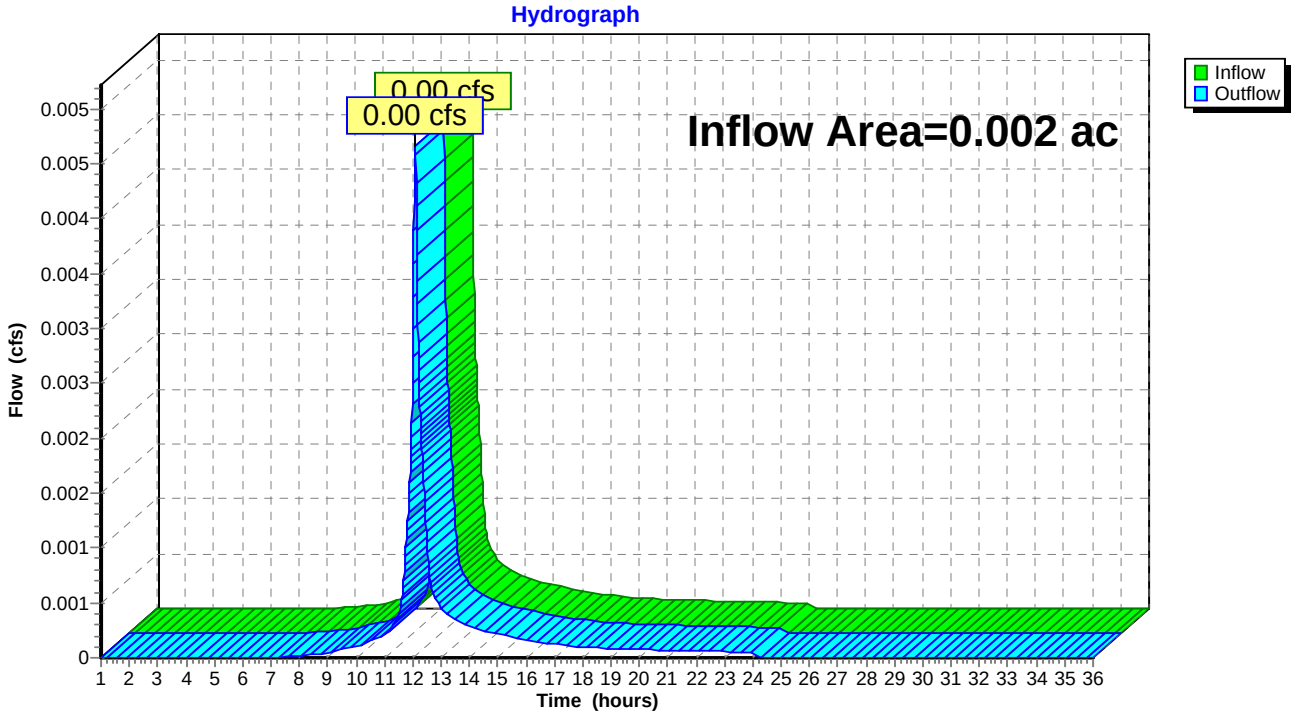
Summary for Reach 2R: POI #2 - Valley St.

[40] Hint: Not Described (Outflow=Inflow)

Inflow Area = 0.002 ac, 83.52% Impervious, Inflow Depth = 1.91" for 2-year event
Inflow = 0.00 cfs @ 12.09 hrs, Volume= 0.000 af
Outflow = 0.00 cfs @ 12.09 hrs, Volume= 0.000 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 - Valley St.



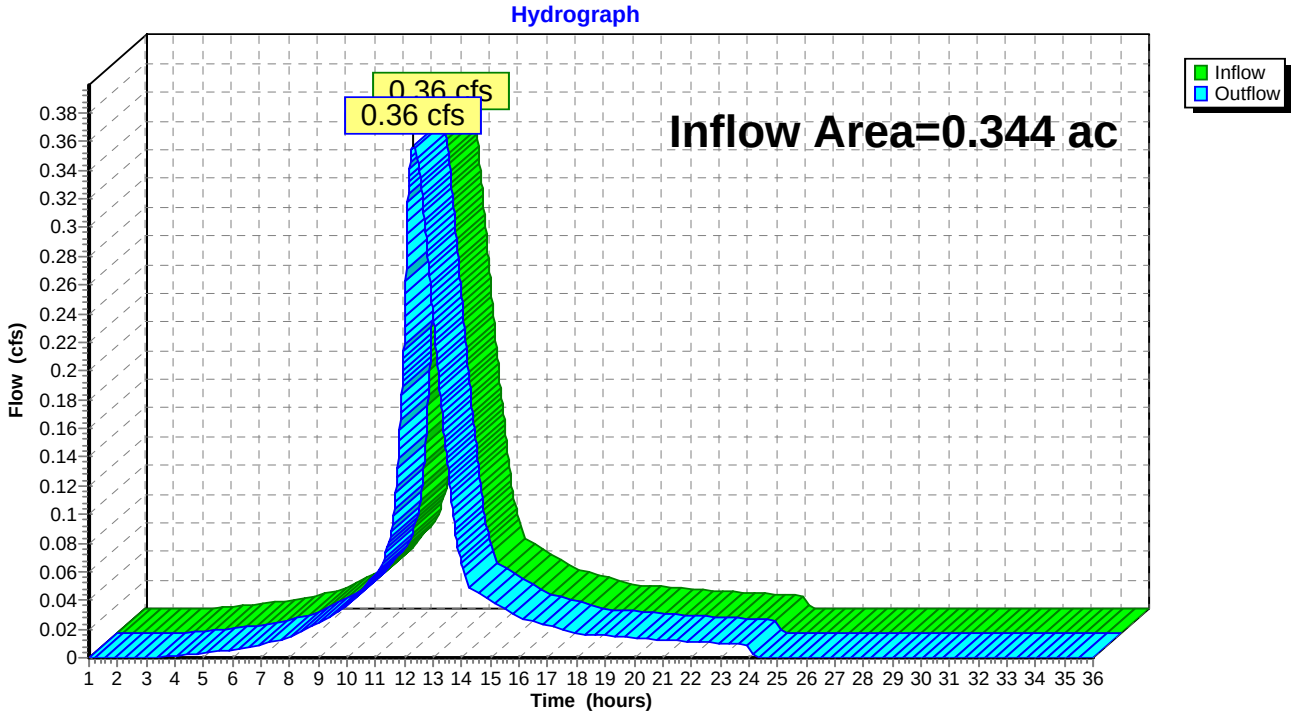
Summary for Reach R: Total

[40] Hint: Not Described (Outflow=Inflow)

Inflow Area = 0.344 ac, 91.65% Impervious, Inflow Depth = 2.54" for 2-year event
Inflow = 0.36 cfs @ 12.33 hrs, Volume= 0.073 af
Outflow = 0.36 cfs @ 12.33 hrs, Volume= 0.073 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 R: Total



Summary for Pond 1P: Tanks/Stone/OCS

[44] Hint: Outlet device #2 is below defined storage

Inflow Area = 0.341 ac, 91.70% Impervious, Inflow Depth = 2.55" for 2-year event
Inflow = 0.97 cfs @ 12.08 hrs, Volume= 0.072 af
Outflow = 0.35 cfs @ 12.33 hrs, Volume= 0.072 af, Atten= 63%, Lag= 15.0 min
Primary = 0.35 cfs @ 12.33 hrs, Volume= 0.072 af

Routing by Dyn-Stor-Ind method, Time Span= 1.00-36.00 hrs, dt= 0.01 hrs
Peak Elev= 43.65' @ 12.33 hrs Surf.Area= 390 sf Storage= 629 cf

Plug-Flow detention time= (not calculated: outflow precedes inflow)
Center-of-Mass det. time= 11.7 min (793.7 - 782.0)

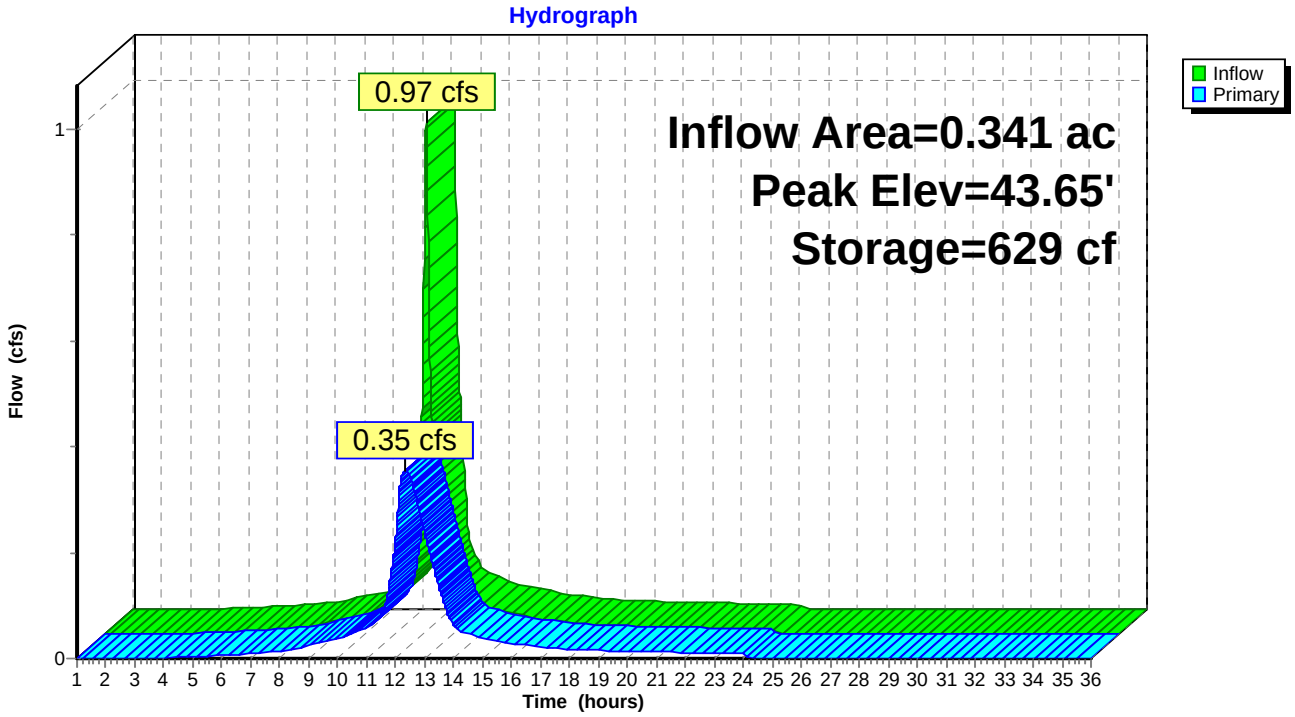
Volume	Invert	Avail.Storage	Storage Description
#1	40.30'	1,078 cf	**Cr Stone (Prismatic)** Listed below (Recalc) 3,101 cf Overall - 406 cf Embedded = 2,695 cf x 40.0% Voids
#2	41.00'	348 cf	**ACF R-Tank LD 4** x 22 Inside #1 Inside= 15.7"W x 66.9"H => 6.95 sf x 2.35'L = 16.3 cf Outside= 15.7"W x 66.9"H => 7.32 sf x 2.35'L = 17.2 cf 378 cf Overall x 97.0% Voids
#3	40.45'	25 cf	**6.0" Round Pipe Storage** Inside #1 L= 125.0' S= 0.0020 '/' 28 cf Overall - 0.2" Wall Thickness = 25 cf
		1,451 cf	Total Available Storage

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
40.30	390	0	0
48.25	390	3,101	3,101

Device	Routing	Invert	Outlet Devices
#1	Primary	40.00'	**6.0" Round Culvert** L= 33.0' CMP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 40.00' / 38.00' S= 0.0606 '/' Cc= 0.900 n= 0.011, Flow Area= 0.20 sf
#2	Device 1	40.10'	**2.7" Vert. CPV Orifice** C= 0.600
#3	Device 1	47.00'	**8.0" Horiz. Horizontal Overflow** C= 0.600 Limited to weir flow at low heads

Primary OutFlow Max=0.35 cfs @ 12.33 hrs HW=43.65' TW=0.00' (Dynamic Tailwater)
└**1=Culvert** (Passes 0.35 cfs of 1.38 cfs potential flow)
└**2=CPV Orifice** (Orifice Controls 0.35 cfs @ 8.92 fps)
└**3=Horizontal Overflow** (Controls 0.00 cfs)

Pond 1P: Tanks/Stone/OCS



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=14,874 sf 91.70% Impervious Runoff Depth=4.02"
Tc=6.0 min CN=95 Runoff=1.49 cfs 0.114 af

Subcatchment 2S: SC2 Runoff Area=91 sf 83.52% Impervious Runoff Depth=3.29"
Tc=6.0 min CN=88 Runoff=0.01 cfs 0.001 af

Reach 1R: POI #1 - St John St. Inflow=0.47 cfs 0.114 af
Outflow=0.47 cfs 0.114 af

Reach 2R: POI #2 - Valley St. Inflow=0.01 cfs 0.001 af
Outflow=0.01 cfs 0.001 af

Reach R: Total Inflow=0.48 cfs 0.115 af
Outflow=0.48 cfs 0.115 af

Pond 1P: Tanks/Stone/OCS Peak Elev=46.30' Storage=1,137 cf Inflow=1.49 cfs 0.114 af
Outflow=0.47 cfs 0.114 af

Total Runoff Area = 0.344 ac Runoff Volume = 0.115 af Average Runoff Depth = 4.02"
8.35% Pervious = 0.029 ac 91.65% Impervious = 0.315 ac

Summary for Subcatchment 1S: SC1

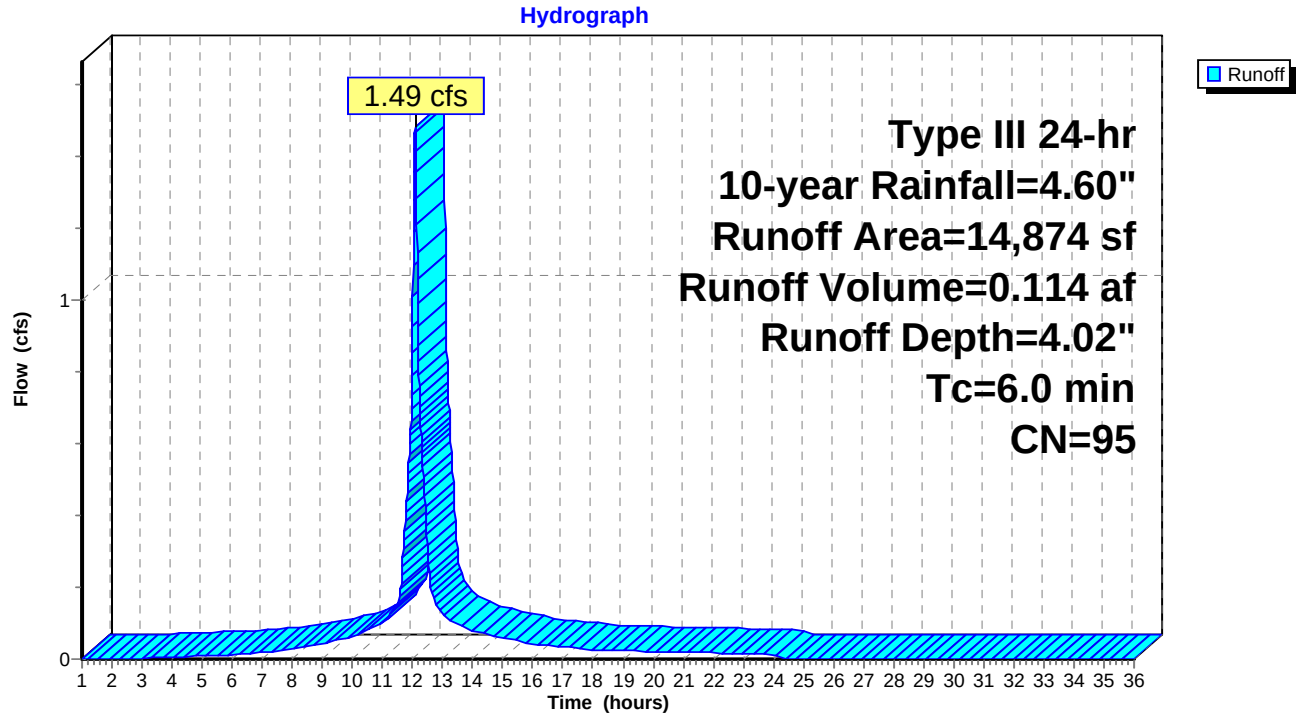
Runoff = 1.49 cfs @ 12.08 hrs, Volume= 0.114 af, Depth= 4.02"

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
	13,292	98	Roofs, HSG A
	348	98	Unconnected pavement, HSG A
	624	39	>75% Grass cover, Good, HSG A
*	610	96	Crushed Stone Swale
	14,874	95	Weighted Average
	1,234		8.30% Pervious Area
	13,640		91.70% Impervious Area
	348		2.55% Unconnected

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

Subcatchment 1S: SC1



Summary for Subcatchment 2S: SC2

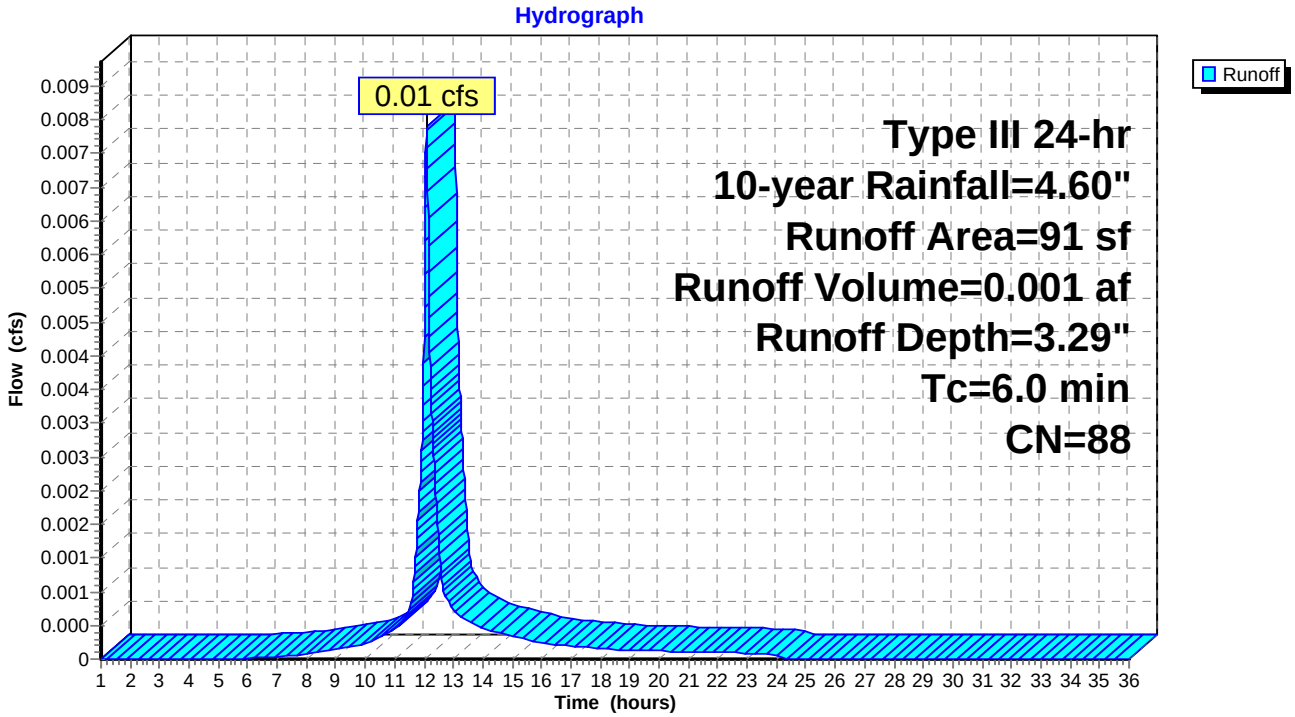
Runoff = 0.01 cfs @ 12.09 hrs, Volume= 0.001 af, Depth= 3.29"

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
	0	98	Roofs, HSG A
	76	98	Unconnected pavement, HSG A
	15	39	>75% Grass cover, Good, HSG A
*	0	96	Crushed Stone Swale
	91	88	Weighted Average
	15		16.48% Pervious Area
	76		83.52% Impervious Area
	76		100.00% Unconnected

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

Subcatchment 2S: SC2



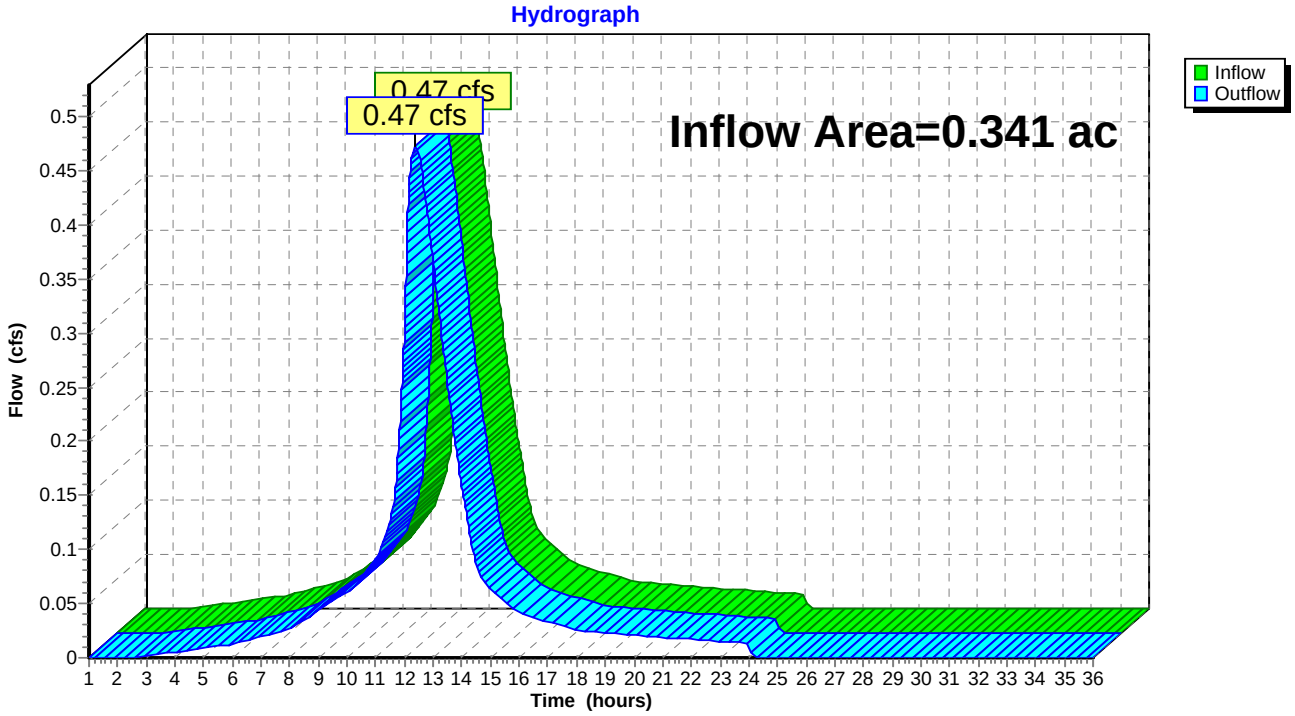
Summary for Reach 1R: POI #1 - St John St.

[40] Hint: Not Described (Outflow=Inflow)

Inflow Area = 0.341 ac, 91.70% Impervious, Inflow Depth = 4.02" for 10-year event
Inflow = 0.47 cfs @ 12.38 hrs, Volume= 0.114 af
Outflow = 0.47 cfs @ 12.38 hrs, Volume= 0.114 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 - St John St.



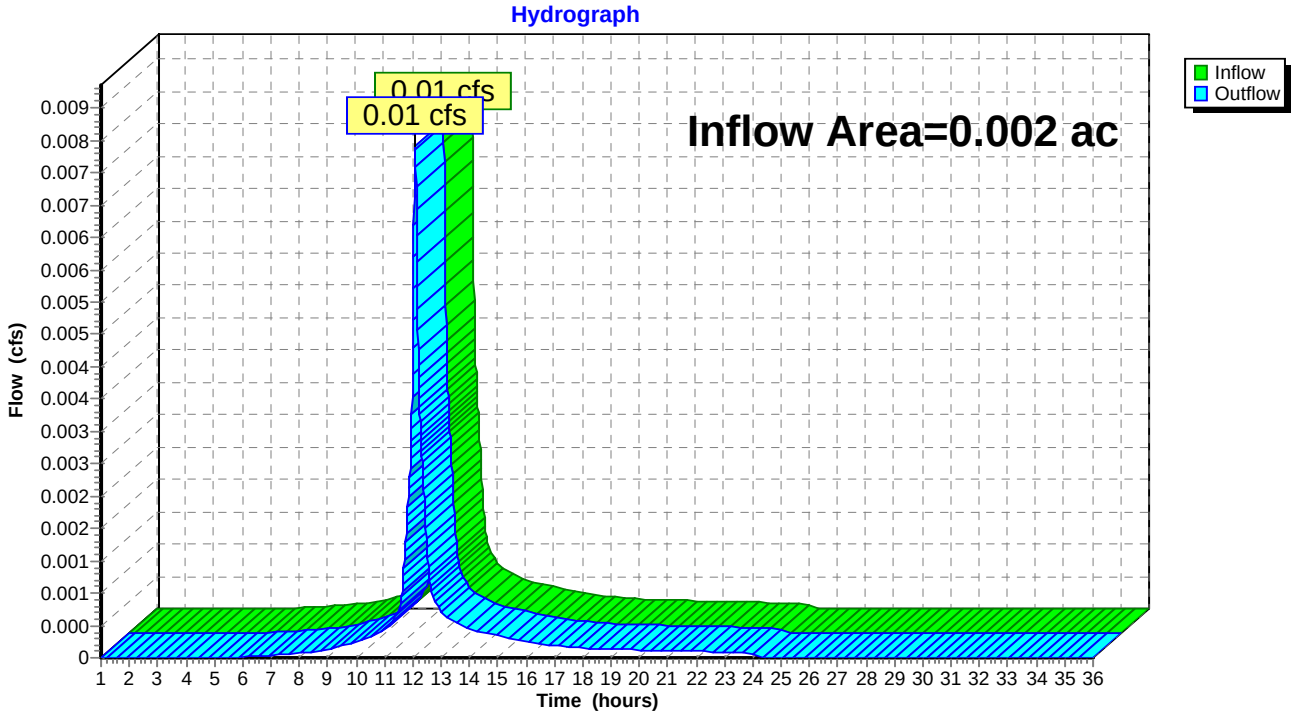
Summary for Reach 2R: POI #2 - Valley St.

[40] Hint: Not Described (Outflow=Inflow)

Inflow Area = 0.002 ac, 83.52% Impervious, Inflow Depth = 3.29" for 10-year event
Inflow = 0.01 cfs @ 12.09 hrs, Volume= 0.001 af
Outflow = 0.01 cfs @ 12.09 hrs, Volume= 0.001 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 - Valley St.



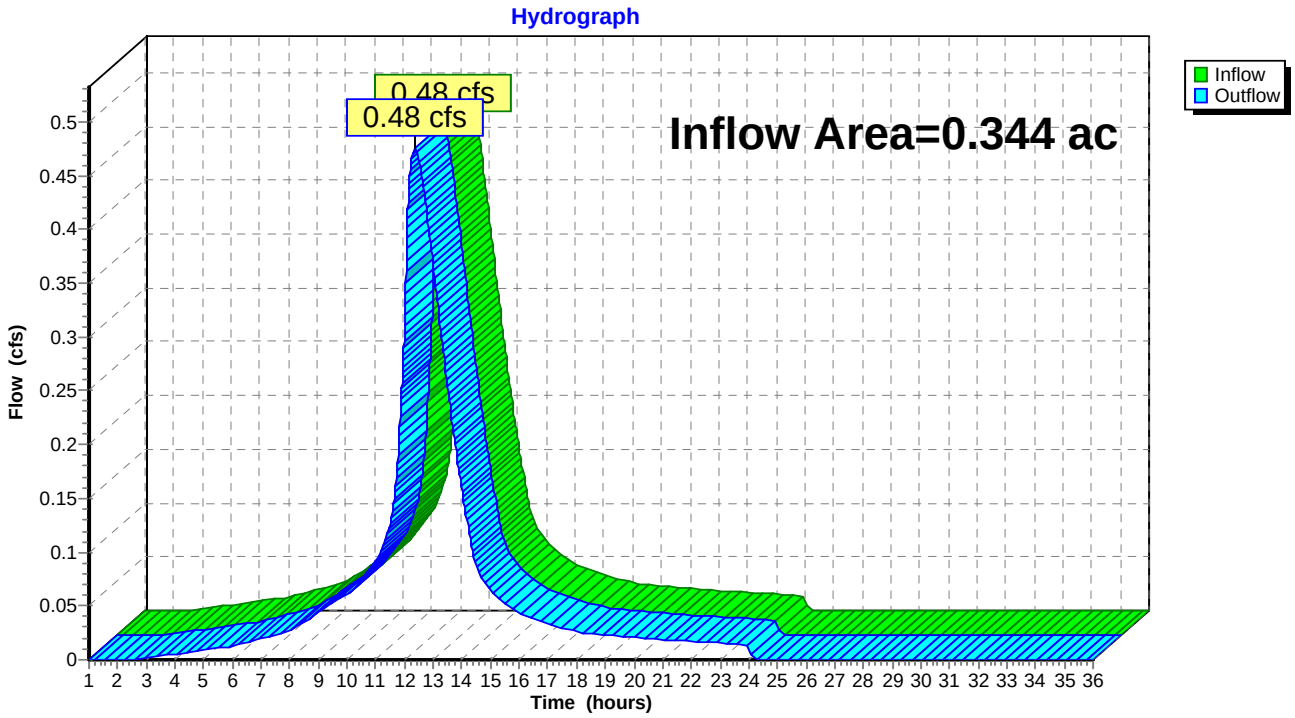
Summary for Reach R: Total

[40] Hint: Not Described (Outflow=Inflow)

Inflow Area = 0.344 ac, 91.65% Impervious, Inflow Depth = 4.02" for 10-year event
Inflow = 0.48 cfs @ 12.37 hrs, Volume= 0.115 af
Outflow = 0.48 cfs @ 12.37 hrs, Volume= 0.115 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 R: Total



Summary for Pond 1P: Tanks/Stone/OCS

[44] Hint: Outlet device #2 is below defined storage

Inflow Area = 0.341 ac, 91.70% Impervious, Inflow Depth = 4.02" for 10-year event
Inflow = 1.49 cfs @ 12.08 hrs, Volume= 0.114 af
Outflow = 0.47 cfs @ 12.38 hrs, Volume= 0.114 af, Atten= 68%, Lag= 17.8 min
Primary = 0.47 cfs @ 12.38 hrs, Volume= 0.114 af

Routing by Dyn-Stor-Ind method, Time Span= 1.00-36.00 hrs, dt= 0.01 hrs
Peak Elev= 46.30' @ 12.38 hrs Surf.Area= 390 sf Storage= 1,137 cf

Plug-Flow detention time= (not calculated: outflow precedes inflow)
Center-of-Mass det. time= 17.0 min (787.4 - 770.5)

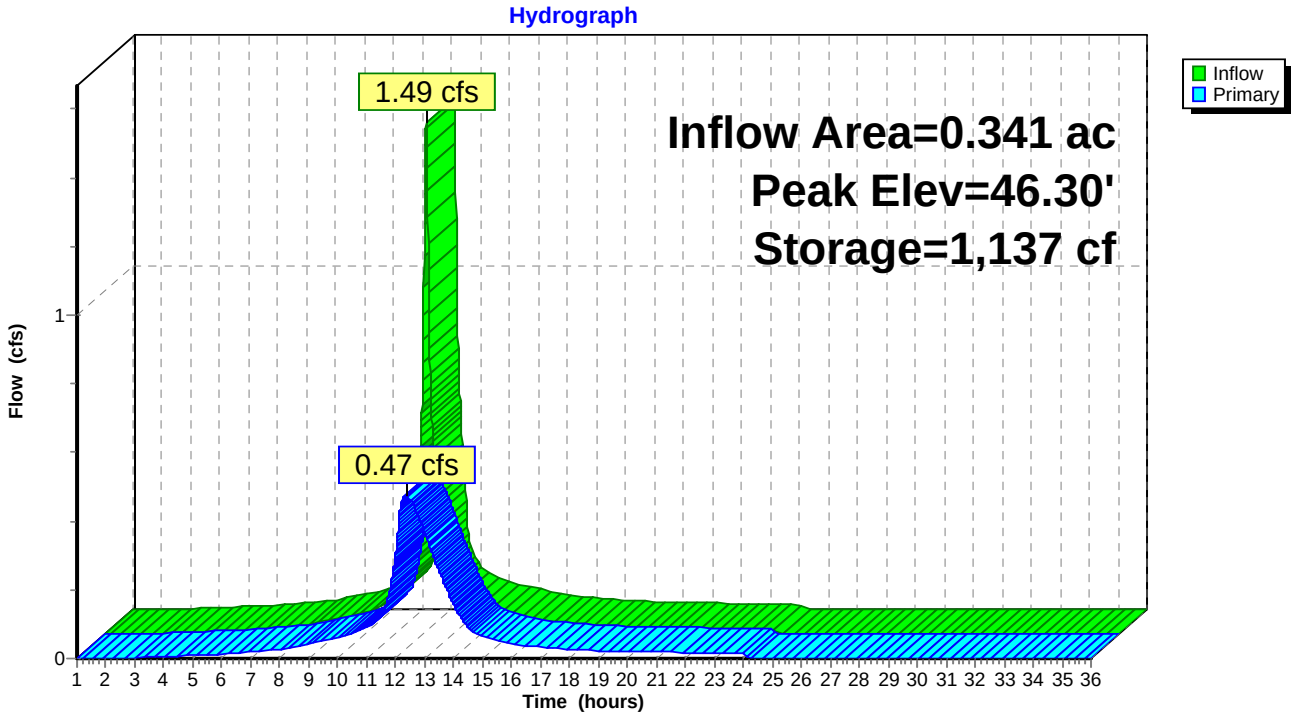
Volume	Invert	Avail.Storage	Storage Description
#1	40.30'	1,078 cf	**Cr Stone (Prismatic)** Listed below (Recalc) 3,101 cf Overall - 406 cf Embedded = 2,695 cf x 40.0% Voids
#2	41.00'	348 cf	**ACF R-Tank LD 4** x 22 Inside #1 Inside= 15.7"W x 66.9"H => 6.95 sf x 2.35'L = 16.3 cf Outside= 15.7"W x 66.9"H => 7.32 sf x 2.35'L = 17.2 cf 378 cf Overall x 97.0% Voids
#3	40.45'	25 cf	**6.0" Round Pipe Storage** Inside #1 L= 125.0' S= 0.0020 '/' 28 cf Overall - 0.2" Wall Thickness = 25 cf
		1,451 cf	Total Available Storage

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
40.30	390	0	0
48.25	390	3,101	3,101

Device	Routing	Invert	Outlet Devices
#1	Primary	40.00'	**6.0" Round Culvert** L= 33.0' CMP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 40.00' / 38.00' S= 0.0606 '/' Cc= 0.900 n= 0.011, Flow Area= 0.20 sf
#2	Device 1	40.10'	**2.7" Vert. CPV Orifice** C= 0.600
#3	Device 1	47.00'	**8.0" Horiz. Horizontal Overflow** C= 0.600 Limited to weir flow at low heads

Primary OutFlow Max=0.47 cfs @ 12.38 hrs HW=46.30' TW=0.00' (Dynamic Tailwater)
└**1=Culvert** (Passes 0.47 cfs of 1.84 cfs potential flow)
  └**2=CPV Orifice** (Orifice Controls 0.47 cfs @ 11.88 fps)
  └**3=Horizontal Overflow** (Controls 0.00 cfs)

Pond 1P: Tanks/Stone/OCS



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=14,874 sf 91.70% Impervious Runoff Depth=5.21"
Tc=6.0 min CN=95 Runoff=1.90 cfs 0.148 af

Subcatchment 2S: SC2 Runoff Area=91 sf 83.52% Impervious Runoff Depth=4.43"
Tc=6.0 min CN=88 Runoff=0.01 cfs 0.001 af

Reach 1R: POI #1 - St John St. Inflow=1.29 cfs 0.148 af
Outflow=1.29 cfs 0.148 af

Reach 2R: POI #2 - Valley St. Inflow=0.01 cfs 0.001 af
Outflow=0.01 cfs 0.001 af

Reach R: Total Inflow=1.30 cfs 0.149 af
Outflow=1.30 cfs 0.149 af

Pond 1P: Tanks/Stone/OCS Peak Elev=47.24' Storage=1,292 cf Inflow=1.90 cfs 0.148 af
Outflow=1.29 cfs 0.148 af

Total Runoff Area = 0.344 ac Runoff Volume = 0.149 af Average Runoff Depth = 5.21"
8.35% Pervious = 0.029 ac 91.65% Impervious = 0.315 ac

Summary for Subcatchment 1S: SC1

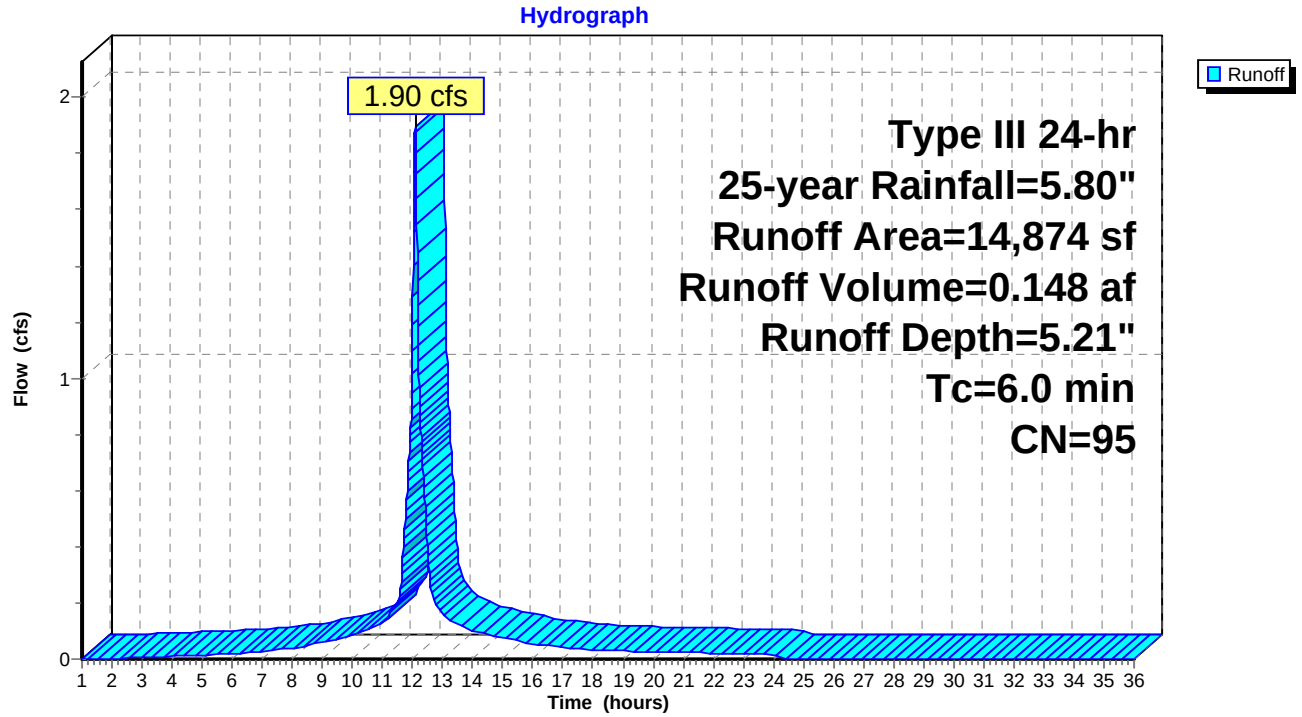
Runoff = 1.90 cfs @ 12.08 hrs, Volume= 0.148 af, Depth= 5.21"

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
	13,292	98	Roofs, HSG A
	348	98	Unconnected pavement, HSG A
	624	39	>75% Grass cover, Good, HSG A
*	610	96	Crushed Stone Swale
	14,874	95	Weighted Average
	1,234		8.30% Pervious Area
	13,640		91.70% Impervious Area
	348		2.55% Unconnected

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

Subcatchment 1S: SC1



Summary for Subcatchment 2S: SC2

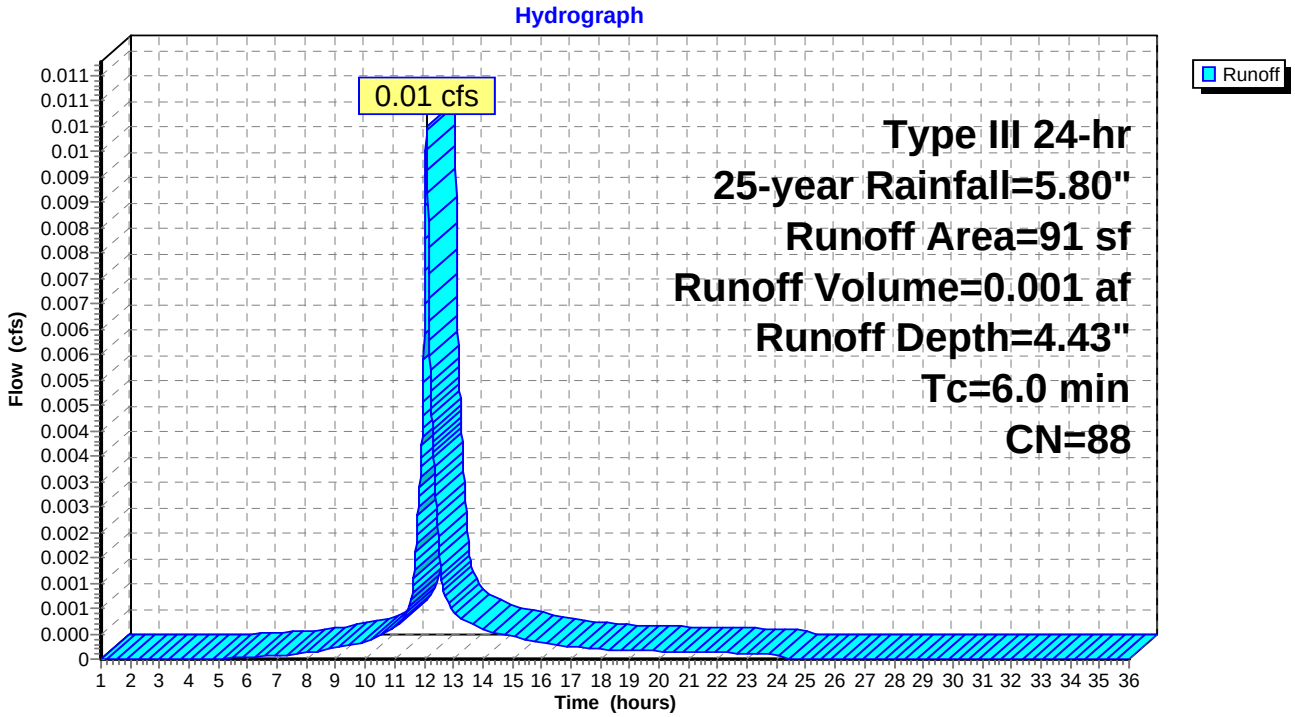
Runoff = 0.01 cfs @ 12.09 hrs, Volume= 0.001 af, Depth= 4.43"

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
	0	98	Roofs, HSG A
	76	98	Unconnected pavement, HSG A
	15	39	>75% Grass cover, Good, HSG A
*	0	96	Crushed Stone Swale
	91	88	Weighted Average
	15		16.48% Pervious Area
	76		83.52% Impervious Area
	76		100.00% Unconnected

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

Subcatchment 2S: SC2



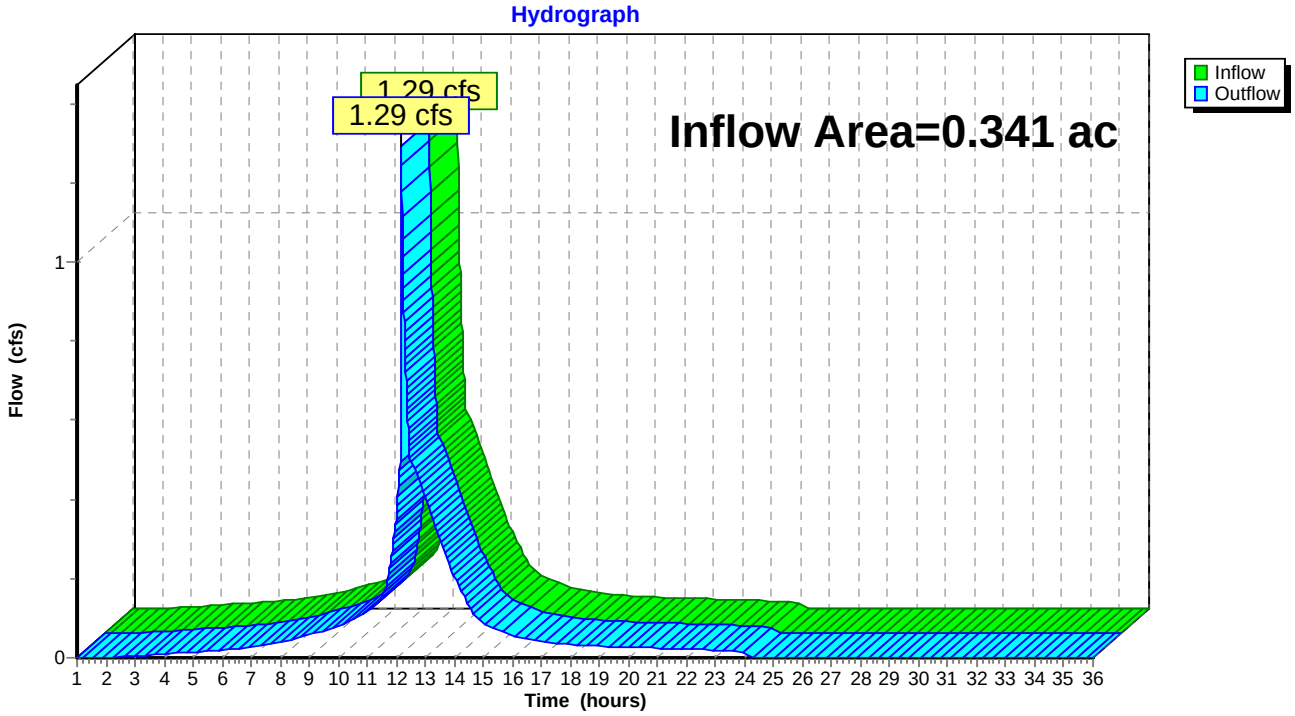
Summary for Reach 1R: POI #1 - St John St.

[40] Hint: Not Described (Outflow=Inflow)

Inflow Area = 0.341 ac, 91.70% Impervious, Inflow Depth = 5.21" for 25-year event
Inflow = 1.29 cfs @ 12.17 hrs, Volume= 0.148 af
Outflow = 1.29 cfs @ 12.17 hrs, Volume= 0.148 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 - St John St.



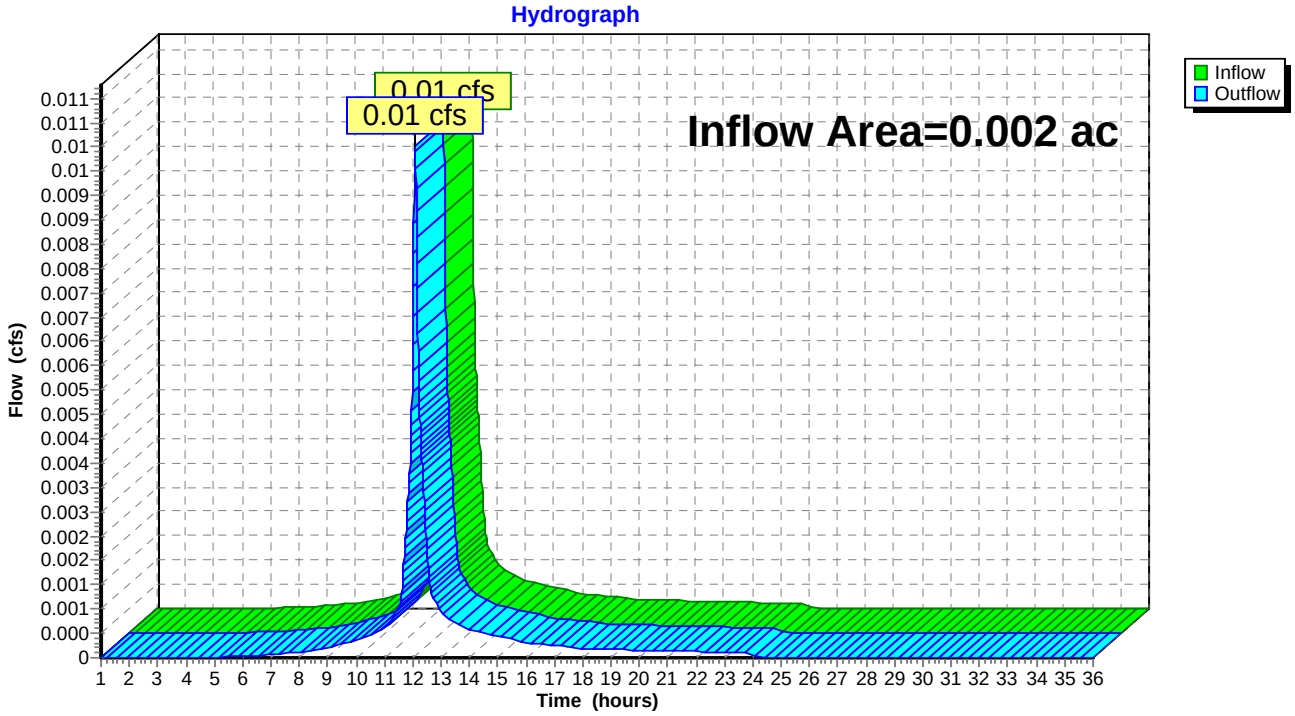
Summary for Reach 2R: POI #2 - Valley St.

[40] Hint: Not Described (Outflow=Inflow)

Inflow Area = 0.002 ac, 83.52% Impervious, Inflow Depth = 4.43" for 25-year event
Inflow = 0.01 cfs @ 12.09 hrs, Volume= 0.001 af
Outflow = 0.01 cfs @ 12.09 hrs, Volume= 0.001 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 - Valley St.



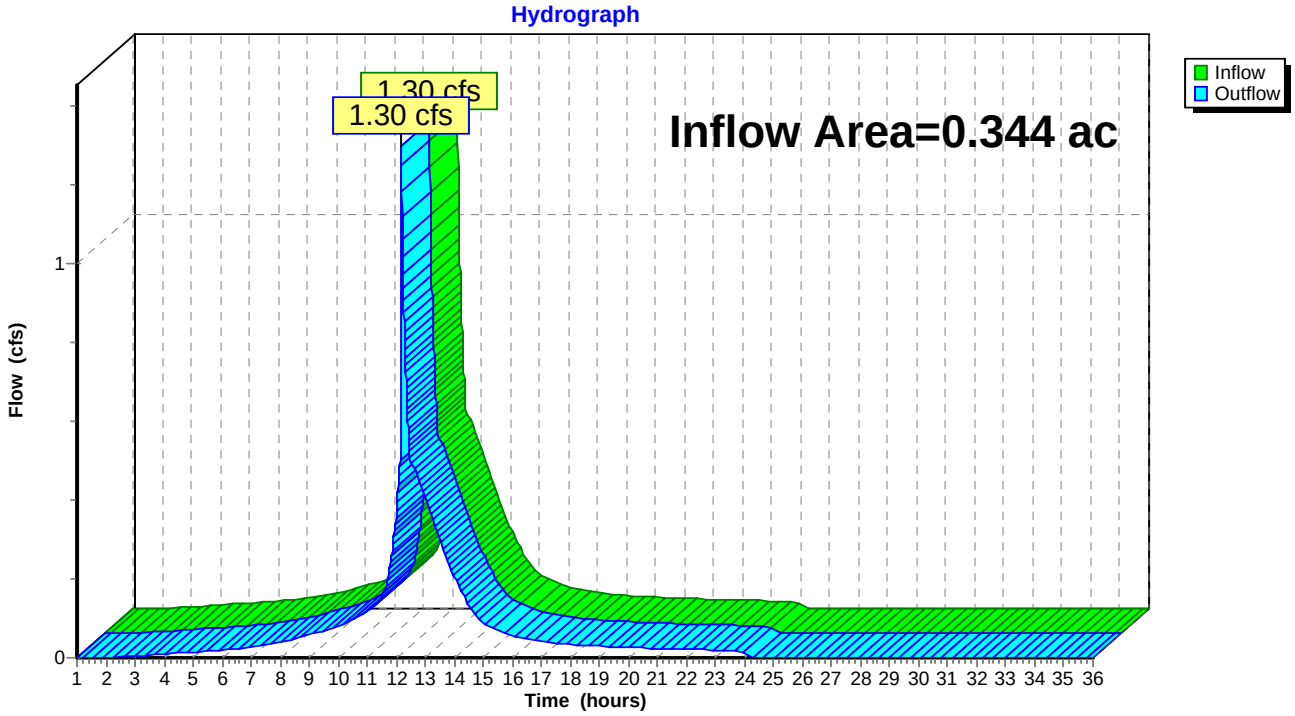
Summary for Reach R: Total

[40] Hint: Not Described (Outflow=Inflow)

Inflow Area = 0.344 ac, 91.65% Impervious, Inflow Depth = 5.21" for 25-year event
Inflow = 1.30 cfs @ 12.17 hrs, Volume= 0.149 af
Outflow = 1.30 cfs @ 12.17 hrs, Volume= 0.149 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 R: Total



Summary for Pond 1P: Tanks/Stone/OCS

[44] Hint: Outlet device #2 is below defined storage

Inflow Area = 0.341 ac, 91.70% Impervious, Inflow Depth = 5.21" for 25-year event
Inflow = 1.90 cfs @ 12.08 hrs, Volume= 0.148 af
Outflow = 1.29 cfs @ 12.17 hrs, Volume= 0.148 af, Atten= 32%, Lag= 5.2 min
Primary = 1.29 cfs @ 12.17 hrs, Volume= 0.148 af

Routing by Dyn-Stor-Ind method, Time Span= 1.00-36.00 hrs, dt= 0.01 hrs
Peak Elev= 47.24' @ 12.17 hrs Surf.Area= 390 sf Storage= 1,292 cf

Plug-Flow detention time= (not calculated: outflow precedes inflow)
Center-of-Mass det. time= 17.3 min (781.7 - 764.5)

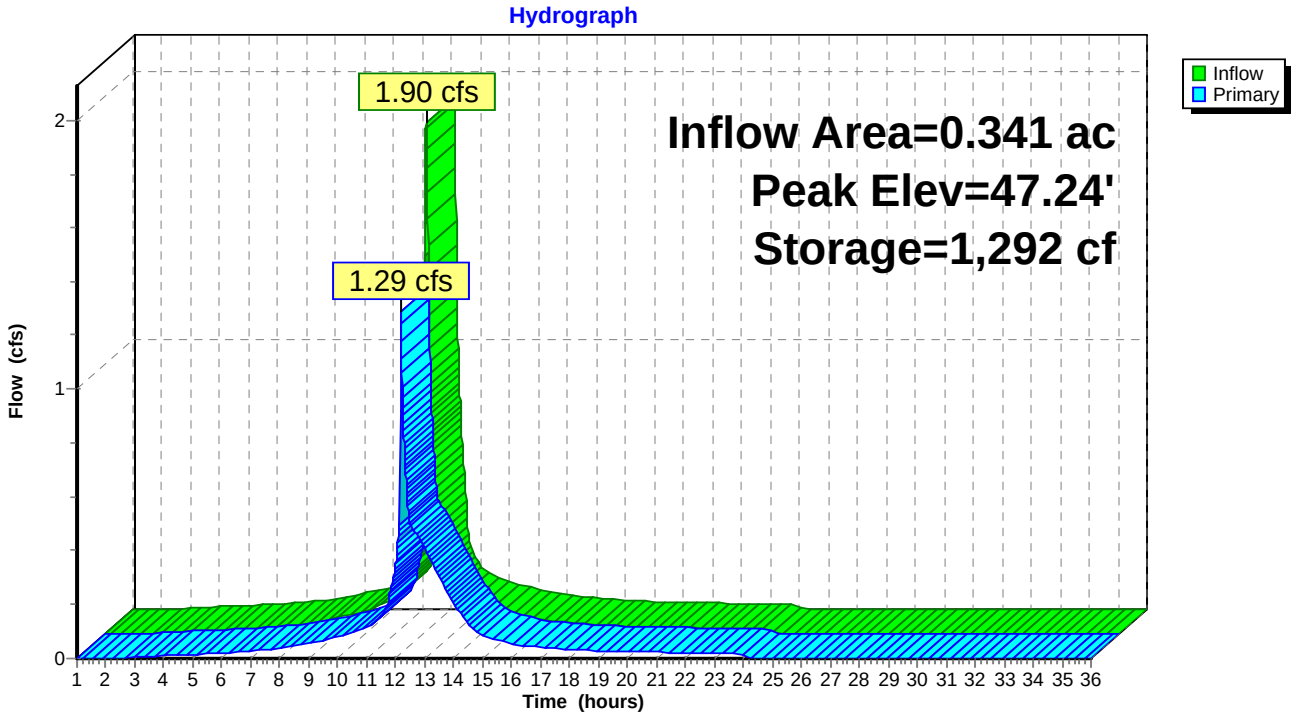
Volume	Invert	Avail.Storage	Storage Description
#1	40.30'	1,078 cf	**Cr Stone (Prismatic)** Listed below (Recalc) 3,101 cf Overall - 406 cf Embedded = 2,695 cf x 40.0% Voids
#2	41.00'	348 cf	**ACF R-Tank LD 4** x 22 Inside #1 Inside= 15.7"W x 66.9"H => 6.95 sf x 2.35'L = 16.3 cf Outside= 15.7"W x 66.9"H => 7.32 sf x 2.35'L = 17.2 cf 378 cf Overall x 97.0% Voids
#3	40.45'	25 cf	**6.0" Round Pipe Storage** Inside #1 L= 125.0' S= 0.0020 '/' 28 cf Overall - 0.2" Wall Thickness = 25 cf
		1,451 cf	Total Available Storage

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
40.30	390	0	0
48.25	390	3,101	3,101

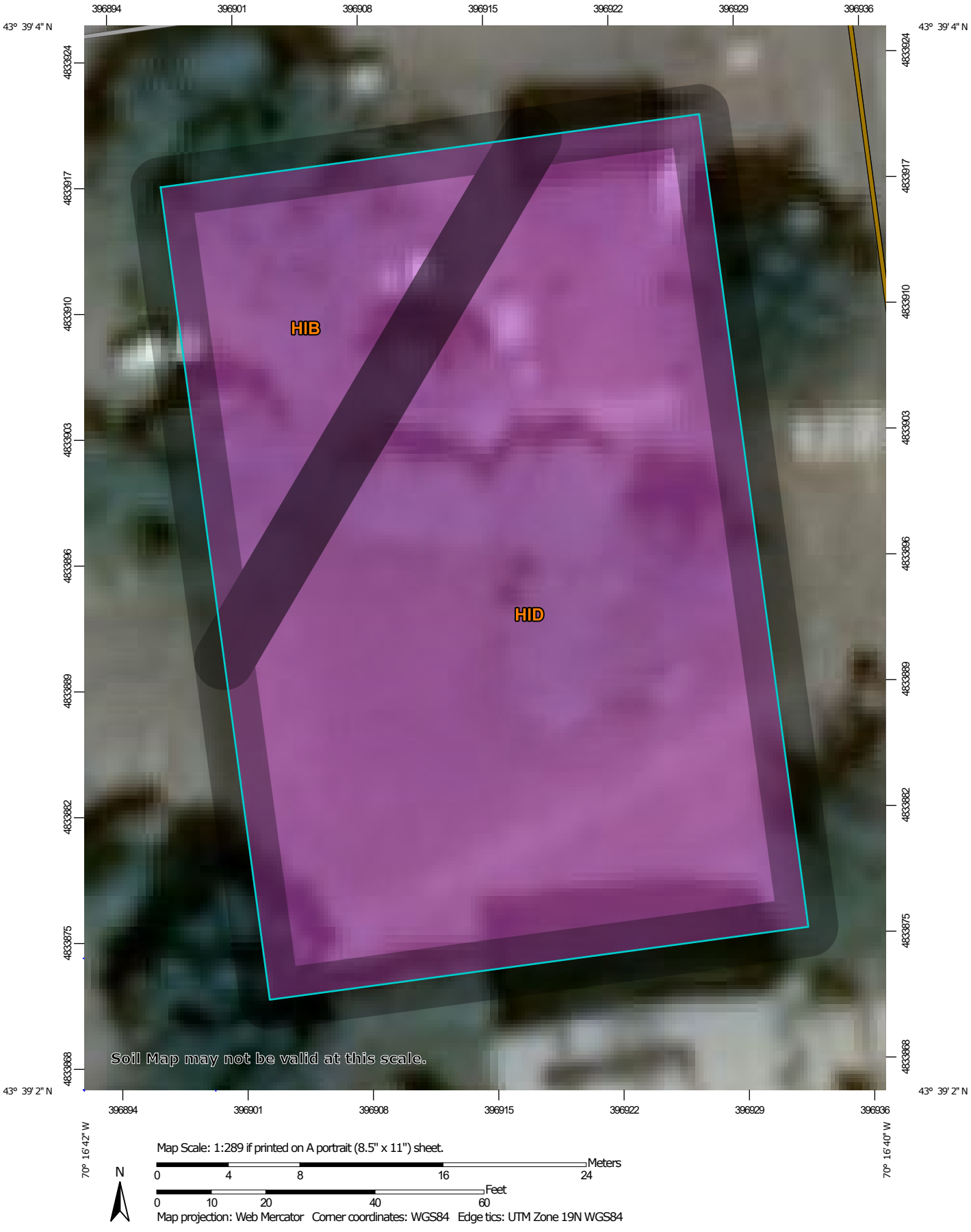
Device	Routing	Invert	Outlet Devices
#1	Primary	40.00'	**6.0" Round Culvert** L= 33.0' CMP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 40.00' / 38.00' S= 0.0606 '/' Cc= 0.900 n= 0.011, Flow Area= 0.20 sf
#2	Device 1	40.10'	**2.7" Vert. CPV Orifice** C= 0.600
#3	Device 1	47.00'	**8.0" Horiz. Horizontal Overflow** C= 0.600 Limited to weir flow at low heads

Primary OutFlow Max=1.29 cfs @ 12.17 hrs HW=47.24' TW=0.00' (Dynamic Tailwater)
└─**1=Culvert** (Passes 1.29 cfs of 1.97 cfs potential flow)
  ├─**2=CPV Orifice** (Orifice Controls 0.51 cfs @ 12.76 fps)
  └─**3=Horizontal Overflow** (Weir Controls 0.78 cfs @ 1.59 fps)

Pond 1P: Tanks/Stone/OCS



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



Map Scale: 1:289 if printed on A portrait (8.5" x 11") sheet.

N

Meters
0 4 8 16 24

Feet
0 10 20 40 60

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

MAP LEGEND

Area of Interest (AOI)

Area of Interest (AOI)

Soils

Soil Rating Polygons

A

A/D

B

B/D

C

C/D

D

Not rated or not available

Soil Rating Lines

A

A/D

B

B/D

C

C/D

D

Not rated or not available

Soil Rating Points

A

A/D

B

B/D

C

C/D

D

Not rated or not available

Water Features

Streams and Canals

Transportation

Rails

Interstate Highways

US Routes

Major Roads

Local Roads

Background

Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Cumberland County and Part of Oxford County, Maine
Survey Area Data: Version 16, Sep 16, 2019

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

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

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

Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
HIB	Hinckley loamy sand, 3 to 8 percent slopes	A	0.1	20.1%
HID	Hinckley loamy sand, 15 to 25 percent slopes	A	0.3	79.9%
Totals for Area of Interest			**0.3**	**100.0%**

Description

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

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

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

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

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

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

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

Rating Options

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

ACORN ENGINEERING, INC.

K. EROSION & SEDIMENTATION CONTROL REPORT

Prepared For:

Avesta Valley Street, LP
307 Cumberland St.
Portland, Maine 04101

Prepared By:

Acorn Engineering, Inc.
65 Hanover Street
Portland, Maine 04101



March 2020

INTRODUCTION

Acorn Engineering, Inc. has been retained by Avesta Valley Street, LP to provide civil engineering services for the proposed redevelopment of 210 Valley St. The project proposes a 5-story, 60-unit building with the demolition of a two-story building.

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

1.0 EXISTING CONDITIONS

The proposed project site is located on Valley St. A boundary plan has been prepared by Owen Haskell, Inc Surveying of Falmouth, Maine dated July 2019.

Abutting Uses:

- North B-2 Zone — Business Community (Residential)
- East ROS Zone — Recreation Open Space
- South C-48 Zone — Conditional or Contract
- West B-2 Zone — Business Community

Around 10% of the existing site is comprised of rooftop with about 90% of the existing site being driveway and greenspace. The average slope is moderate with grades dropping from east to west at an average slope of approximately 16%.

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

1.2 Existing Erosion Problems

There are no signs of erosion.

1.3 Critical Areas

Critical areas that would require special attention during construction include, but are not limited to, the existing structure, the drainage system within C Street and slope stabilization located within the vicinity during earthwork and foundation construction.

1.4 Protected Natural Resource

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

1.5 Previous Construction Activity (5 years)

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

1.6 Timber Harvesting

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

2.0 EROSION CONTROL MEASURES AND SITE STABILIZATION

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

2.1 Temporary Erosion Control Measures

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

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

- Stone size shall be 2-3 inches or reclaimed or recycled concrete equivalent.
- The thickness of the entrance stone layer shall be no less than 6 inches.
- The entrance shall not be less than 20 feet wide, however not less than the full width of points where ingress or egress occurs. The length shall not be less than 50 feet in length.
- Geotextile fabric (woven or non-woven) shall be placed over the entire entrance area.
- The entrance/exit shall be maintained to the extent that it will prevent the tracking of sediment onto public 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 Valley Street and C 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 silt fence or erosion control berm.
3. Commence installation of drainage infrastructure.
4. Install all other erosion control devices as necessary throughout the remainder of this schedule.
5. Commence earthwork operations, associated with the roadway construction.
6. Commence installation of utilities.
7. Continue earthwork and grading to subgrade as necessary for construction.
8. Complete installation of drainage infrastructure, as well as other utility work.
9. Complete remaining earthwork operations.
10. Install sub-base and base gravels in paved areas.
11. Install paving, curbing and brickwork.
12. Loam, lime, fertilize, seed and mulch disturbed areas and complete all landscaping.
13. Once the site is stabilized, 90% catch of grass has been obtained, or mulching of landscape areas is complete, remove all temporary erosion control measures.
14. Touch up areas without a vigorous catch of grass with loam and seed.
15. Complete site signage and striping.
16. Execute proper maintenance of all temporary and permanent erosion control measures throughout the project.

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

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

8.0 CONCLUSION

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

9.0 ATTACHMENTS

- Temporary Seeding Plan
- Permanent Seeding Plan

TEMPORARY SEEDING PLAN

Site Preparation

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

Seedbed Preparation

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

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

Seeding

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

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

Mulching

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

Conclusion

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

PERMANENT SEEDING PLAN

Site Preparation

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

Seedbed Preparation

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

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

Seeding

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

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

Mulching

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

Recommendations

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

Conclusion

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

ACORN ENGINEERING, INC.

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

April 2, 2020

Subject: 210 Valley St – Fire Department Checklist
Section L of Application

On behalf of Avesta Valley Street, LP, the design team is pleased to respond to the Portland Fire Department Site Review Checklist.

1. Name, address, telephone number of applicant:

   Avesta Valley Street, LP
   307 Cumberland Avenue
   Portland, ME 04101
   (207) 255-3345

2. Name address, telephone number of architect:

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

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

   NFPA: Apartment Building / IBC: R-2

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

Existing Building		
Total	Approx. 2,025	**sf**

Proposed Building		
Ground Floor	11,030	sf
1st Floor	13,290	sf
2nd Floor	12,330	sf
3rd Floor	12,330	sf
4th Floor	12,330	sf
5th Floor	12,072	sf
Total	73,382	sf

5. Elevation of all structures

   Based upon the average grade plane defined by the IBC, the proposed building height is approximately 60.96'. This height is above the allowable 45' within the B-2 zoning district with an additional 25' affordable housing height bonus per Division 30. Please refer to the building elevations provided by the Architect for additional information.

6. Proposed fire protection of all structures

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

7. Hydrant locations

   a. An existing hydrant is located approximately 80' to the south on the same side of Valley Street as the site. Hydrant flow data from the Portland Water District once received may be made available to the Fire Department upon request.

8. Water main size and location

   The redevelopment will be serviced by a new 6" sprinkler line and 4" domestic water service from the existing water main within C Street. The building is expected to have internal sprinkler risers and a Fire Department pump connection on the street side of the building.

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

   Access to the structure is provided directly from Valley and C Streets.

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 on the corner of two public streets. The following pavement street widths are currently available:

- Valley Street: 40 feet
- C street: 40 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 Valley Street directly and from C Street.

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

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

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

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

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

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

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

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

Response: 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.

Code Review

Apr 8, 2020

Apartment Building - 200 Valley Street, Portland, Maine

	IBC 2015		NFPA 101 2018	
6 floors above grade	502.1			
Sprinklers		NFPA 13		NFPA 13
Fire Alarm		Monitored Fire Alarm Required		Monitored Fire Alarm Required
Smoke and CO Detectors		Smoke and CO detectors required		Smoke and CO detectors required
Occupant Load	T 1004.1.1		7.3.1.2	
		Basement = 8,110 sf S2 parking Garage (200 gsf/oc) = 41	Basement = 8,110 sf S2 parking Garage (200 gsf/oc) = 41	
		Basement = 1,668 sf Residential (200 gsf/oc) = 9	Basement = 1,668 sf Residential (200 gsf/oc) = 9	
		Floor 1 = 8,920 sf S2 parking Garage (200 gsf/oc) = 45	Floor 1 = 8,920 sf S2 parking Garage (200 gsf/oc) = 45	
		Floor 1 = 1,187 sf Community Room ASSEMBLY (15 gsf/oc) = 80	Floor 1 = 1,187 sf Community Room ASSEMBLY (15 gsf/oc) = 80	
		Floor 1 = 3,183 sf Residential (200 gsf/oc) = 16	Floor 1 = 3,183 sf Residential (200 gsf/oc) = 16	
		Floor 2 = 12,330 sf Residential (200 gsf/oc) = 62	Floor 2 = 12,330 sf Residential (200 gsf/oc) = 62	
		Floor 3 = 12,330 sf Residential (200 gsf/oc) = 62	Floor 3 = 12,330 sf Residential (200 gsf/oc) = 62	
		Floor 4 = 12,330 sf Residential (200 gsf/oc) = 62	Floor 4 = 12,330 sf Residential (200 gsf/oc) = 62	
		Floor 5 = 12,072 sf Residential (200 gsf/oc) = 61	Floor 5 = 12,072 sf Residential (200 gsf/oc) = 61	
		Total Building Occupant Load = 438	**Total Building Occupant Load = 438**	
Use Group(s)				
	310.1	Apartments (R2)	30.1	Apartment Building
		S2 - Parking		Storage -Ordinary Hazard - Parking Garage
Podium Building	510.2	Type 1A below 3hr separation Type 5A above		
		Max Building height from grade plane for 5A type (70')		
Constr. Type B and 1	T 503	1A - non-combustible protected		I (332) non-combustible protected

Constr. Type 2,3,4,5,6	T 503	5A - combustible protected		V (III) combustible protected
Building Height	T 504.3	Sprinkler NFPA13 = 70’ max. For R, A, S uses		
403.1		Building is NOT a High-Rise as the highest occupied floor is NOT		
		More than 75’ above the lowest level of Fire Department Access		
Number of Stories	T 504.4	R2 = 4 Stories with sprinkler above podium		
		A2 = 3 Stories with sprinkler		
		S2 = 5 Stories with sprinkler		
Building Area	T 506.2	Sprinkler 13 = 34,500 sf max per floor (A2 is most restrictive)		
Building Elements 1A	T 601	3 hr Structural Frame	30.1.6	Apartments -No Minimum Construction requirements
	T 602	3 hr Bearing Walls Exterior (sep. dist >= 10’)	42.1.6	Storage - No Min requirements
	T 602	3 hr Bearing Walls Exterior (sep. dist <10’)	37.1.6	Storage - No Min requirements
	T 601	3 hr Bearing Walls Interior		
	T 601	0 hr Non-Bearing Walls Interior		
	T 602	1 hr Non-Bearing Walls Exterior (sep. dist >= 10’)		
	T 602	1 hr Non-Bearing Walls Exterior (sep. dist <10’)		
	705.5	Exterior Wall with >10’ sep. needs rating only from inside		
	T 601	2 hr Floor Construction		
	T 601	1-1/2 hr Roof Construction		
Building Elements 5A	T 601	1 hr Structural Frame		
	T 602	1 hr Bearing Walls Exterior (sep. dist >= 30’)		
	T 602	1 hr Bearing Walls Exterior (sep. dist <10’)		
	T 601	1 hr Bearing Walls Interior		
	T 601	0 hr Non-Bearing Walls Interior		
	T 602	0 hr Non-Bearing Walls Exterior (sep. dist >= 30’)		
	T 602	1 hr Non-Bearing Walls Exterior (sep. dist <30’)		
	705.5	Exterior Wall with >10’ sep. needs rating only from inside		
	T 601	1 hr Floor Construction		
	T 601	1 hr Roof Construction		

Separations					
	508.4	A2 and R2 sprinkled = 1hr		T6.1.14.4.1	Assembly and Apartments with Sprinkler = 1 hr
		S2 and R2 sprinkled = 1 hr			Apartments and Parking with sprinkler = 1 hr
		A2 and S2 sprinkled = 0 hr			Assembly and Mercantile with Sprinkler = 1 hr
	708	2 hr Mechanical Shaft > 4 stories			
	1022.1	2 hr Stair Shaft > 4 stories			
	709.1	1 hr Between Dwelling Units (revised below)		30.3.7.2	1/2 hr vertical and horizontal sep. between dwellings
	1018.1	1/2 hr Corridor		30.2.4.4.7	1 hr corridor
	508.2.5	1 hr Boiler Room		T 31.3.2.1.1	0 hr Boiler Room w/sprinklers
	508.2.5	1 hr Trash Room		T 31.3.2.1.1	0 hr Trash Room w/sprinklers
	508.2.5	1 hr Storage Room		T 31.3.2.1.1	1 hr Storage Room w/sprinklers
	508.2.5	1 hr Laundry Room		T 31.3.2.1.1	0 hr Laundry Room w/sprinklers
	715.4	90 minute Stairwell Doors (2hr shaft)			
	715.4	20 minute Apartment Entry Doors (1/2 hr corridor wall)		30.3.6.2.1	20 minute Apartment Entry Doors
Distances and Exits					
	1017.2	250’ Travel Distance to exits with Sprinklers		30.2.6.2.3	200’ Travel distance from apt. door to exit
	1006.2.1	125’ Common Path of Travel for R use (75’ for A)		30.2.5.3.2	50’ Common Path of Travel
	1020.4	50‘ Dead End (20’ in A use)		30.2.5.4	50‘ Dead End
				30.2.6.1.2	125’ Travel Distance within Dwelling to Corridor
	403.6.2	Elevator as Means of Egress - required as building is over 4 stories			
		Generator required as Elevator is a MOE			
		Exterior Walls to meet NFPA 285 Fire Test			
Unprotected Openings	T 705.8	15% when exterior wall sep. dist. is 3’>5’			
	T 705.8	25% when exterior wall sep. dist. is 5’>10’			
	T 705.8	45% when exterior wall sep. dist. is 10’>15’			
	T 705.8	75% when exterior wall sep. dist. is 15’>20’			

	T 705.8	Unlimited when exterior wall sep. dist. is 25'>30'		
	T 705.8	Unlimited when exterior wall sep. dist. is >30'		
Parapets	705.11 (ex 5)	Note required with Class C roofing, and Fire retardant plywood		
		4' around perimeter of roof.		
Egress Windows	1030.1	NOT Required at the building has two means of egress		
Elevator Lobbies	3006.2	NOT required as building is not a High-rise and is sprinkled		
Elevator as a MOE		Required and needs back up generator as building is over 4 stories		
Egress Stairs	1009.1	Occ. Load >50 = 44" min width		
	1003.3	Handrails can protrude into stair 4.5" max	7.2.2.2.1.2	Handrails can protrude into stair 4.5" max
	1005.2	Door Swings may not reduce egress width by > 1/2		
	1009.2	80" min headroom	7.2.2.2.1.1(a)	6'-8" min. headroom
	1009.3	7" max. riser	7.2.2.2.1.1(a)	8" max. riser
	1009.3	11" min Tread depth	7.2.2.2.1.1(a)	9" min. tread
	1009.6	12' max. total rise between floors or landings	7.2.2.2.1.1(a)	12' max. height between landings
Ramps	1010.2	1:12 (8%) Max slope	7.2.5.2(a)	1:8 max. slope
	1010.6	60" long landings at top and bottom		
	1010.6	2% max slope of landings	7.2.5.2(a)	1:48 max. cross slope
	1010.8	>6" rise must have handrails on both sides of ramp		
Egress Corridors	1018.2	44" min. when Occ. > 50		
	1018.2	24" min. at service corridors to mechanical equipment		
Sound	1207.2	STC > 50 at walls and floors/ceilings		
	1207.3	IIC > 50 at walls and floors/ceilings		
Energy IECC 2009	T 402.1.1	0.35 Fenestration U-Factor		
Zone 6		R-49 Ceiling		
Residential		R-20 or 13+5c Framed wall		
		R-30 Floor		

				R-19 or 15c Basement wall			
				R-10 to 4ft Slab			
	Accessibility		IBC 2015 Chapter 11 - 2% of units to be ANSI TYPE-A, rest are TYPE-B				
			Fair Housing Act Applies				
			Maine Human Rights Act Applies				
			ADAAG applies to Public Spaces				

M. Calculation of Wastewater Flowrate for 210 Valley St Redevelopment

The proposed project includes a five-story building consisting of 60 residential 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				
Development	Unit Size	Number of Units	Gallons per Day per Unit	Total Gallons per Day
Existing Flow				
Single Family Dwelling	5-Bedroom	1	450	450
Total Gallons per Day (Existing)				450
Proposed Flow				
Residential Units	Studio	11	120	1,320
Residential Units	1-Bedroom	25	120	3,000
Residential Units	2-Bedroom	14	180	2,520
Residential Units	3-Bedroom	10	270	2,700
Total Gallons per Day (Proposed)				9,540
Net Change				**+9,090 GPD**
*Values based on STATE OF MAINE: SUBSURFACE WASTEWTAER DISPOSAL RULES, most recent edition				

As seen above, the project anticipates an increase in daily flow of approximately 9,090 gallons. Please see attached for the formal application template.

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: 3/27/2020

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

Site Address: 210 Valley St.

Chart Block Lot Number: 64-F-7, 64-F-8, 64-F-9, 64-F-15

Proposed Use: 60 Unit Senior Apartments
Previous Use: 5 Bedroom Apartment Building
Existing Sanitary Flows: 450 GPD
Existing Process Flows: _____ GPD
Description and location of City sewer that is to receive the proposed building sewer lateral.
The project proposes connecting a 6" sewer lateral to the existing sewer main in C St.

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: Avesta Housing
Owner/Developer Address: 307 Cumberland Avenue, Portland, ME 04101
Phone: 207.245.3345 Fax: _____ E-mail: CElliott@AvestaHousing.org
Engineering Consultant Name: Acorn Engineering, Inc.
Engineering Consultant Address: 65 Hanover St., Portland, ME 04101
Phone: 207.775.2655 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: 9,540 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: 0

Size of External Grease Interceptor: NA

Retention Time: NA

Peaking Factor/ Peak Times: NA

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

5. Please, Submit Industrial Process Wastewater Flow Calculations

Estimated Industrial Process Wastewater Flows Generated: 0 GPD

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

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

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

Peaking Factor/Peak Process Times: NA

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

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

O. Architectural Design Narrative

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

April 1,2020

Caitlin Cameron
Urban Designer
City of Portland Maine
389 Congress Street
Portland, Maine 04101

Re: 200 Valley St. - Design Narrative

The proposed building to be located on 200 Valley Street in Portland's West End Neighborhood consists of 60 residential apartment units for Avesta Housing. The building is a 5 story structure along Valley Street.

Prior to developing the building concept we spent much time walking the streets and paths of the area, analyzing existing streetscapes, building massing, forms, materials and textures. This approach allowed us to develop a design concept that is grounded by the existing neighborhood context and also reflects our contemporary time. The building is located next to Florence House which is comprised of a brick base and lap siding above, the proposed building has the same type of styling.

The neighborhood is comprised of a diverse palate of Architectural forms, scales and density. Valley street and the surrounding neighborhood blocks have a variety of Architectural forms and massing.

We designed 200 Valley street using color, massing and texture to scale the building as reflected on the Valley Street elevation. The building is broken along the street wall with projecting vertical bays to scale the facade and create visual interest and shadow lines. The window pattern also helps scale the facade. The 5th floor is treated with a contrasting color panel siding with a cornice below it to scaling the facade to read as a four story structure with a cap. The window treatments with panels and connecting trim lines help to further scale the facade and create a horizontal banding element.

207-747-5159

senatorearchitecture.com

ryan@senatorearchitecture.com

500 Congress Street, Suite 2
Portland, Maine 04101

The siding materials proposed are factory finished composite lap siding and panel siding, and brick. These materials were chosen for their traditional and crisp appearance as well as long term durability. The windows proposed are dark in color to compliment the siding colors and also further reinforce the crisp simplicity of the design. The orange accent trim is used to group sections of the windows and add a modern flare. The roofing proposed is an EPDM roof membrane.

We look forward to discussing the project at the upcoming Planning Board workshop.

Sincerely,



Ryan Senatore, AIA LEED AP

Principal

207-747-5159

senatorearchitecture.com

ryan@senatorearchitecture.com

500 Congress Street, Suite 2
Portland, Maine 04101

P. Utilities

The proposed project will include installation of multiple utility services to the new building.

Water:

The existing domestic service line will be retired in accordance with Portland Water District standards. A new 6" parent connection will tie into the main and will branch off to provide a sprinkler line and domestic line to the development.

Sewer:

The existing sewer laterals will be retired in accordance with the Department of Public Works. A new 6" pvc lateral will be installed to accept the wastewater from each unit, the elevator sump, and the garage sewer after draining from the oil-water separator. The garage and elevator sump will be pumped internally to meet with the wastewater lines from the living levels before being fed via gravity to the sewer main within C Street.

Stormwater:

There is currently no drainage infrastructure on site. It is proposed to intercept the entirety of the roof runoff and store/treat it within a storage culvert system located to the rear of the site. Runoff from the covered parking area will be directed to the oil-water separator. Please see the Stormwater Management Report for more information.

UGE/T/C:

The existing aerial services to the site will be retired and new services are proposed to be routed underground from a utility pole located on C Street as seen on the Utility Plan, Sheet C-20.

Gas:

The existing gas line serving the site from Valley Street will be retired. It is proposed to install a new gas service off of the gas main within C Street as seen on the Utility Plan, Sheet C-20.

Ability to serve letters have been sent out to the respective utility companies on March 30th, 2020 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.

Portland Water District
Attn: MEANS Department
225 Douglass Street
Portland, Maine 04104

March 30, 2020

Subject: 210 Valley Street Redevelopment
Re: Ability to Serve

To Whom It May Concern:

On behalf of Avesta Valley Street, LP we are pleased to submit the following request for PWD's ability to serve the proposed development. The proposed project is located along 204-210 Valley Street and 6 C Street (Chart, Book, Lots 64-F-7,8,9,15), within the B-2 Zoning District in Portland, Maine. The lot will be redeveloped into a five-story, 60-unit residential building with two levels of covered parking. The existing structure will be demolished to facilitate the redevelopment.

A 6" sprinkler line and 4" domestic line are proposed to service the redevelopment with a parent-child connection from the existing 8" main within C Street. Based upon the Section 4 of the Maine Subsurface Wastewater Disposal Rules, and assuming that the units will be comprised of 11 studio units, 25 one-bedroom units, 14 two-bedroom units, and 10 three-bedroom units, 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	5-Bedroom	1	450	450
Total Gallons per Day (Existing)				450
Proposed Flow				
Residential Units	Studio	11	120	1,320
Residential Units	1-Bedroom	25	120	3,000
Residential Units	2-Bedroom	14	180	2,520
Residential Units	3-Bedroom	10	270	2,700

Total Gallons per Day (Proposed)	9,540
Net Change	**+9,090 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 9,090 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. Additionally, the number of bedrooms per unit may change later in the design process. We will provide any changes to the anticipated water demand.

On behalf of the client, we are requesting the following information:

1. Any additional information, such as existing utility mapping within Valley and C Streets and confirmation of the location and size of the services to the existing property and the size and material of the water main within Valley and C Streets.
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 Owen Haskell, Inc., 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

April 16, 2020

Acorn Engineering Inc.
ATTN: Sam Lebel
PO box 3372
Portland, ME 04104

Re: 204 Valley Road, PO
Ability to Serve with PWD Water

Dear Mr. Lebel:

The Portland Water District has received your request for an Ability to Serve Determination for the noted site submitted on March 30, 2020. Based on the information provided per plans received April 15, 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 4-inch service with a 1.5-inch meter may be installed from the water main in C Street. The service should enter through the properties frontage on C Street at least 10-feet from any side property lines.
- A new 6-inch fire service may be installed from the water main in C Street. The service should enter through the properties frontage on C Street at least 10-feet from any side property lines.
- The existing building is currently served with a 3/4-inch domestic water service; the size of this service is undersized for the proposed use. This service must be terminated by shutting the corporation valve and cutting the pipe from the water main. The building will be without water while the existing service is retired and the proposed service is installed. This process will take at least one day, and may take several days depending on the project.
- 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.

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 3/4-inch diameter copper domestic service line provides water service to the site. Please refer to the "Conditions of Service" section of this letter for requirements related to the use of this service.

Water System Characteristics

According to District records, there is an 8-inch diameter ductile iron water main in C Street and a public fire hydrant located approximately 170 feet from the site. The most recent static pressure reading was 96 psi on January 15, 2020.

Public Fire Protection

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

Domestic Water Needs

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

Private Fire Protection Water Needs

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

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

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

Sincerely,
Portland Water District



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

ACORN ENGINEERING, INC.

Central Maine Power Company
Attn: Mr. Paul DuPerre
162 Canco Road
Portland, Maine 04103

March 30, 2020

Subject: 210 Valley Street Redevelopment
Re: Ability to Serve

Dear Mr. DuPerre:

On behalf of Avesta Valley Street, LP we are pleased to submit the following request for CMP's ability to serve the proposed development. The proposed project is located along 204-210 Valley Street and 6 C Street (Chart, Book, Lots 64-F-7,8,9,15), within the B-2 Zoning District in Portland, Maine. The lot will be redeveloped into a five-story, 60-unit residential building with two levels of covered parking. The existing structure will be demolished to facilitate the redevelopment.

It is proposed that the aerial lines currently serving the existing home be removed and new underground conduits be dropped from the existing three-phase utility pole on C Street. The conduits are proposed to cross C street to a proposed submersible transformer within the C Street public sidewalk. The building would then be served by this new infrastructure. Note the grade on C Street in this area is nearly 20%.

On behalf of the client, we are 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 Owen Haskell, Inc. 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

April 2, 2020

Acorn Engineering, INC.
C/O Mr. Sam Lebel, E.I.
PO Box 3372
Portland, Maine 04104

RE: 210 Valley 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
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

Printed on recycled paper

ACORN ENGINEERING, INC.

Unitil Service Corp.
Attn: Bridget Harmon
376 Riverside Industrial Parkway
Portland, Maine 04103

March 30, 2020

Subject: 210 Valley Street Redevelopment
Re: Ability to Serve

Dear Ms. Harmon:

On behalf of Avesta Valley Street, LP we are pleased to submit the following request for Unitil's ability to serve the proposed development. The proposed project is located along 204-210 Valley Street and 6 C Street (Chart, Book, Lots 64-F-7,8,9,15), within the B-2 Zoning District in Portland, Maine. The lot will be redeveloped into a five-story, 60-unit residential building with two levels of covered parking. The existing structure will be demolished to facilitate the redevelopment.

It is proposed that the gas line currently serving the existing home from Valley Street be removed and a new service be routed from the existing gas main on the far side of C Street to the proposed building.

On behalf of the client, we are requesting the following information:

1. Any additional utility mapping such as gas lines within Valley and C Streets.
2. A confirmation of an existing gas mains within Valley and C Streets, as well as the size of any gas lines and services in the vicinity.
3. Unitil's proposed infrastructure improvements within the project vicinity.
4. Unitil's ability to serve the project.

I have attached an existing conditions plan created by Owen Haskell, Inc. 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.

March 31, 2020

Acorn Engineering, Inc.
Attn: Sam Lebel, E.I.
PO Box 3372
Portland, Maine 04104

Subject: 210 Valley Street Redevelopment
Re: Ability to Serve

Dear Mr. Lebel:

Thank you for your interest in using natural gas for the above referenced project.

This is to confirm that natural gas can be made available from our distribution system to serve your proposed project. The gas main in Valley Street is a 10" coated steel high pressure main and the main located on a section of C Street is a 4" low pressure main.

There are no currently planned infrastructure improvements in the vicinity of this project. Any improvements to the existing distribution system necessary to provide this service, as well as the design of the gas system within the project will be established as the design and scope of the project progresses. Once gas loads are provided, the evaluation can be completed.

If you have any further questions or require additional information, please contact me at 207-541-2536 or email at harmon@unitil.com.

Sincerely,

Bridget L. Harmon
Business Development Representative
Unitil Service Corporation
(O) 207-541-2536

ACORN ENGINEERING, INC.

Consolidated Communications
Attn: Mr. Patrick Morrison
5 Davis Farm Road
Portland, Maine 04103

March 30, 2020

Subject: 210 Valley Street Redevelopment
Re: Ability to Serve

Mr. Morrison:

On behalf of Avesta Valley Street, LP we are pleased to submit the following request for Consolidated's ability to serve the proposed development. The proposed project is located along 204-210 Valley Street and 6 C Street (Chart, Book, Lots 64-F-7,8,9,15), within the B-2 Zoning District in Portland, Maine. The lot will be redeveloped into a five-story, 60-unit residential building with two levels of covered parking. The existing structure will be demolished to facilitate the redevelopment.

It is proposed that the aerial lines currently serving the existing home be removed and new underground conduits be dropped from the existing utility pole on C Street. The conduit will cross C street to the proposed building.

On behalf of the client, we are requesting the following information:

1. Any additional information, such as utility mapping within Valley and C Streets.
2. Any easements for overhead services currently crossing the proposed development.
3. Alternative connection locations from the property to the existing communication system.
4. Consolidated's proposed infrastructure improvements within the project vicinity.
5. Consolidated's ability to serve the project.

I have attached an existing conditions plan created by Owen Haskell, Inc. 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.

5 Davis Farm Rd
Portland, ME 04103
207- 878-0831 office
207-745-9363 cell
207- 797-1098 fax

March 31 2020

To Whom It May Concern:

My name is Patrick Morrison and I am the engineer for the Portland area. This letter is to inform that Consolidated Communications has the capacity and capability to serve the proposed redevelopment at 210 Valley St in Portland, ME. Consolidated Communications currently has aerial copper facilities on Valley and C St. We also have fiber optics cable in the nearby area on St John St. Please do not hesitate to contact me with any questions.

Sincerely,

Patrick Morrison

Consolidated Communications Outside Plant Engineer

ACORN ENGINEERING, INC.

Charter Communications
Attn: Mr. Louis Walker
118 Johnson Road
Portland, Maine 04102

March 30, 2020

Subject: 210 Valley Street Redevelopment
Re: Ability to Serve

Dear Mr. Walker:

On behalf of Avesta Valley Street, LP we are pleased to submit the following request for Charter's ability to serve the proposed development. The proposed project is located along 204-210 Valley Street and 6 C Street (Chart, Book, Lots 64-F-7,8,9,15), within the B-2 Zoning District in Portland, Maine. The lot will be redeveloped into a five-story, 60-unit residential building with two levels of covered parking. The existing structure will be demolished to facilitate the redevelopment.

It is proposed that the aerial lines currently serving the existing home be removed and new underground conduits be dropped from the existing utility pole on C Street. The conduit will cross C street to the proposed building.

On behalf of the client, we are requesting the following information:

1. Any additional information, such as utility mapping within Valley and C Streets.
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 Owen Haskell, Inc. 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

Project Address: 210 Valley St.

Project Description:

The project proposes demolishing the existing two-story apartment building and construction of a 5-story, 60-unit residential building.

Project Team Summary:

Owner:	Avesta Vallet Street, LP
General Contractor:	TBD
Civil Engineer:	Acorn Engineering, Inc.
Architect:	Ryan Senatore Architecture
Structural Engineer:	Structural Integrity Consulting Engineers, Inc.
Geotechnical Engineer:	Summit GeoEngineering Services

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 Valley St frontage. Additional signage necessary for communication shall be provided but will be temporary and removed upon completion of the project. The contact information for the project personnel is:

Catherine Elliott
Avesta Valley Street, LP
(207) 245-3345

GC and Subcontractor information will be posted along the Valley St frontage once contracted.

E. Construction Schedule

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

am on a Saturday, Sunday, or legal holiday. Extended hours or night work may be requested for special circumstances and street utility work if needed. These requests will be subject to approval by the Public Works Authority.

Due to the limited space within the project parcel, deliveries will need to be stored in an alternate location or deliveries must be small enough to fit within the property. Deliveries will be scheduled between 7 am and 5 pm.

The estimated timeframe of the proposed project is outlined below:

Project Start Date:	Summer 2021
Project End Date:	Fall 2022

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

F. Security

1. The Construction Management Plan, Sheet C-03, depicts all proposed fencing and other barriers, with the intent of separating pedestrian and vehicle circulation from the construction site. Construction entrances per detail shall be installed.

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

3. Fire Safety Program: Prior to construction, an overall construction and demolition fire safety program shall be developed. Essential items to be emphasized include the following:
    - 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 C St.

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 C St. 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 Valley St or C St during utility connections and/or detour a mode of traffic when absolutely necessary for safety. All requests shall be subject to City approval. MOT plans shall employ the appropriate techniques and devices as called for in the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD). In addition:

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

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

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

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

H. Site Management and Controls

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

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

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

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

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

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

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

I. Erosion & Sedimentation Control

1. The Contractor shall install all erosion and sedimentation controls as depicted on the approved Construction Management Plan, C-03, and the approved erosion and sedimentation control report, prior to the pre-construction meeting for inspection by the City. The Contractor shall regularly inspect the control measures, no less than weekly and after storm events (0.5" or more in 24 hours). Additionally, temporary or permanent stormwater management systems shall be inspected and maintained to

ensure working order. The Contractor shall document all inspection activities and corrective actions and be prepared to provide these documents for inspection by the City, Maine Department of Environmental Protection (MDEP) or the U.S. Environmental Protection Agency (EPA) upon request.

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

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

J. Construction Staging Area

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

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

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

K. Parking During Construction

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

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

    - Gravel & Stone – Approx. 1,000 CY. Earthwork subcontractor(s) pit to project site.
    - Hot Mix Asphalt – Approx. 350 tons. Paving subcontractor(s) pit to project site.

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

No special measures are necessary for the proposed reconstruction.

R. Solid Waste Disposal

The property management company or Owner shall be responsible for locating the solid waste and recyclable material to the space allocated for solid waste storage as noted on the Site Plan (C-10).

The solid waste containers will be fully enclosed and screened from the public view. A private hauler will be contracted with for removal.

ACORN ENGINEERING, INC.

S. TRANSPORTATION AND PARKING ANALYSIS

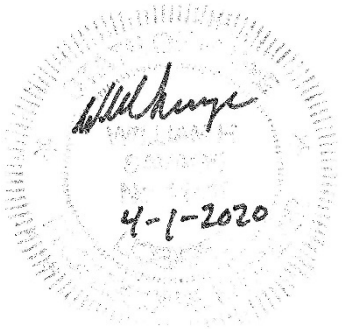
210 Valley St Redevelopment

Prepared For:

Avesta Valley Street, LP
307 Cumberland St.
Portland, Maine 04101

Prepared By:

Acorn Engineering, Inc.
65 Hanover Street
Portland, Maine 04101



April 2020

SUMMARY

The proposed project is located at the intersection of Valley and C Streets, within the R-2 Residential Zoning District in Portland, Maine. The proposed lot is a combination of multiple properties which presently include Portland Tax Map 64-F-7,8,9 and 15 comprising 14,964 square feet. Abutting uses are residential, retail and office space, and recreational open space. The redevelopment proposes a 5-story, 60-unit apartment building, offering a mix of studio and 1-, 2-, and 3-bedroom units. The building will be set into the slope, taking advantage of the grade change while "hiding" the ground level parking from the streetscape, with driveway access from C Street. A second level of parking will be provided on the first floor of the proposed development, with driveway access from Valley Street.

The location of the proposed re-development offers a variety of multi-modal transportation opportunities, many of which are existing and already in use by the community at large. The project location provides central access to Congress Street connections with Interstate 295 North and South for automobile transportation. A well-maintained sidewalk system provides access to the many nearby businesses, employment hubs, and other points of interest. Services within walking distance include a grocery store, bank, two medical providers, and local and regional transportation. Existing bus pull-offs along St John Street provide the community with convenient access to the METRO bus service. Additionally, St John Street is already set up to provide travel for bicyclists with its on-road bikeway. With these resources in place, the applicant proposes to provide two levels of internal parking at a ratio to be determined by the planning board per Section 14-332.2 of the City Code of Ordinances and strongly encourage multimodal transportation, aligning itself with the City's many transportation and sustainability goals.

PURPOSE

This report aims to identify strategies to minimize parking demand and reduce automobile travel to and from the site. While a Transportation Demand Management Plan is not technically required for the proposed redevelopment, Acorn Engineering has prepared the following report as an engineering best practice. We begin by summarizing trends for existing, similarly sized apartment buildings in Portland. An estimate of parking demand for the proposed project can then be calculated using ratios of unit quantity and the resulting parking demand for a range of scenarios. This estimate allows us to evaluate the proposed 210 Valley St parking-layout's ability to serve the redevelopment. Finally, we identify methods to reduce parking demand and automobile travel.

PROJECTED PARKING DEMAND

A baseline estimate was calculated using demand data outlined in the Institute of Transportation Engineers "PARKING GENERATION" (5th Edition) publication. An average peak parking demand was found using the 0.30 spaces/bedroom rate identified by the Institute of Transportation Engineers (ITE). At this rate, the demand for the proposed project is 26 spaces for a typical weekday condition. See the table below.

Proposed Use	Unit Size	Total Bedrooms	Parking Space Rate (spaces/bedroom)	Parking Spaces
Residential Apartment	11 studio, 1-bedroom units	11 bedrooms	0.3	3 space
Residential Apartment	25 1-bedroom units	25 bedrooms	0.3	8 spaces
Residential Apartment	14 2-bedroom units	28 bedrooms	0.3	8 spaces
Residential Apartment	10 3-bedroom units	30 bedrooms	0.3	9 spaces
TOTAL	**60 Apartment Units**	**94 bedrooms**	-	**28 spaces**

Although the ITE parking space / bedroom estimation provides an adequate baseline, the proposed development at 210 Valley St was then compared to several comparable developments in Portland under common ownership by the Applicant to evaluate the redevelopment against existing parking ratios approved by the City.

The table below summarizes comparable properties in Portland also below the typical 1:1 ratio:

Location / Reference	Unit Count	Parking Space Total	Parking Space Rate (spaces/unit)
Thomas Heights	18	1 space	0.05
409 Cumberland	57	17 spaces	0.30
Pearl Place	114	77 spaces	0.67
Carleton Street	37	18 spaces	0.48
Pak Street Lofts	37	8 spaces	0.22
Institute of Transportation Engineers	60	32 spaces	0.53

From the above tables, the conservative estimate for parking demand is 0.67 spaces/unit. Accordingly, the applicant proposes 40 parking spaces on site to serve the 60 units.

Location	Total Units	Total Bedrooms	Proposed Parking Spaces	Parking Space Rate (per bedroom)	Parking Space Rate (per unit)

Proposed 210 Valley St Parking	60 Units	94 bedrooms	40 spaces	0.43	0.67

The estimate provided by the ITE and real-world data gathered from comparable properties are more indicative of the actual parking demand than the 1 parking space per unit requirement stated in the City ordinance. As such, the Applicant will be seeking a ratio of less than 1:1 for the affordable units which the Planning Board has the authority to allow under Section 14-332.2 of the City Code.

PARKING AND TRIP REDUCTION STRATEGIES

The proposed and existing strategies to be utilized in the proposed redevelopment are summarized below.

Unbundling Rent and Parking Fees:

As the primary incentive to reduce parking demand, the applicant proposes to unbundle rent and parking. This strategy has been shown to effectively reduce demand as tenants usually opt for alternative modes of travel or simply choose not to buy parking when parking spaces are charged as a separate fee.

Bicycle Parking:

The applicant proposes abundant bicycle parking both internally, in a storage room specifically for bicycles, and externally on existing racks. 24 bicycle parking spaces will be provided in the internal bike storage room using wall or floor mounted racks of Dero (or approved equivalent) design. 3 additional bicycle racks are proposed on the Valley and C street frontages, providing 6 additional parking spaces for both tenants and the general public.

Bus Service Access:

METRO Route 1 passes within one block of the proposed project site with two designated bas pullouts with 650' of C Street. This bus route serves the Portland Peninsula and offers connections with the Elm Street hub. Information on the METRO's bus routes and schedule will be posted throughout the building. Additionally, the Portland Transportation Center is approximately one mile from the site, providing access through both the state and the region.

Pedestrian Access:

An extensive system of well-maintained sidewalks surrounds the site, connecting the existing building with the many proximate businesses the peninsula has to offer. A cross walk located in front of the proposed building's main entrance provides pedestrians with convenient passage across Valley Street. The applicant will also be providing signage throughout the building that identifies destination locations within walking distance of the site (i.e. the nearby Western Prom, Fore River Parkway Trail, Veterans Memorial Bridge to S. Portland, Valley St Community Garden, Portland Farmer's Market, etc.).

CONCLUSION

The proposed redevelopment aims to reduce parking demand through a combination of strategies, including: unbundling rent and parking fees, access to public transportation, promoting use of nearby bicycle and pedestrian routes, a centralized location with many proximity businesses, and the planned affordability of the units. The proposed two levels of covered parking, offering 40 parking spaces, is designed to complement available space within the site, ITE recommendations for affordable housing developments, and precedent set by similar Avesta properties. Acorn Engineering finds these considerations in alignment with the City's many transportation and sustainability goals, providing an ideal framework for the Planning Board to approve a ratio below 1:1 for the proposed 210 Valley St redevelopment as outlined in Section 14-332.2 for the 48 affordable units.

ATTACHMENTS

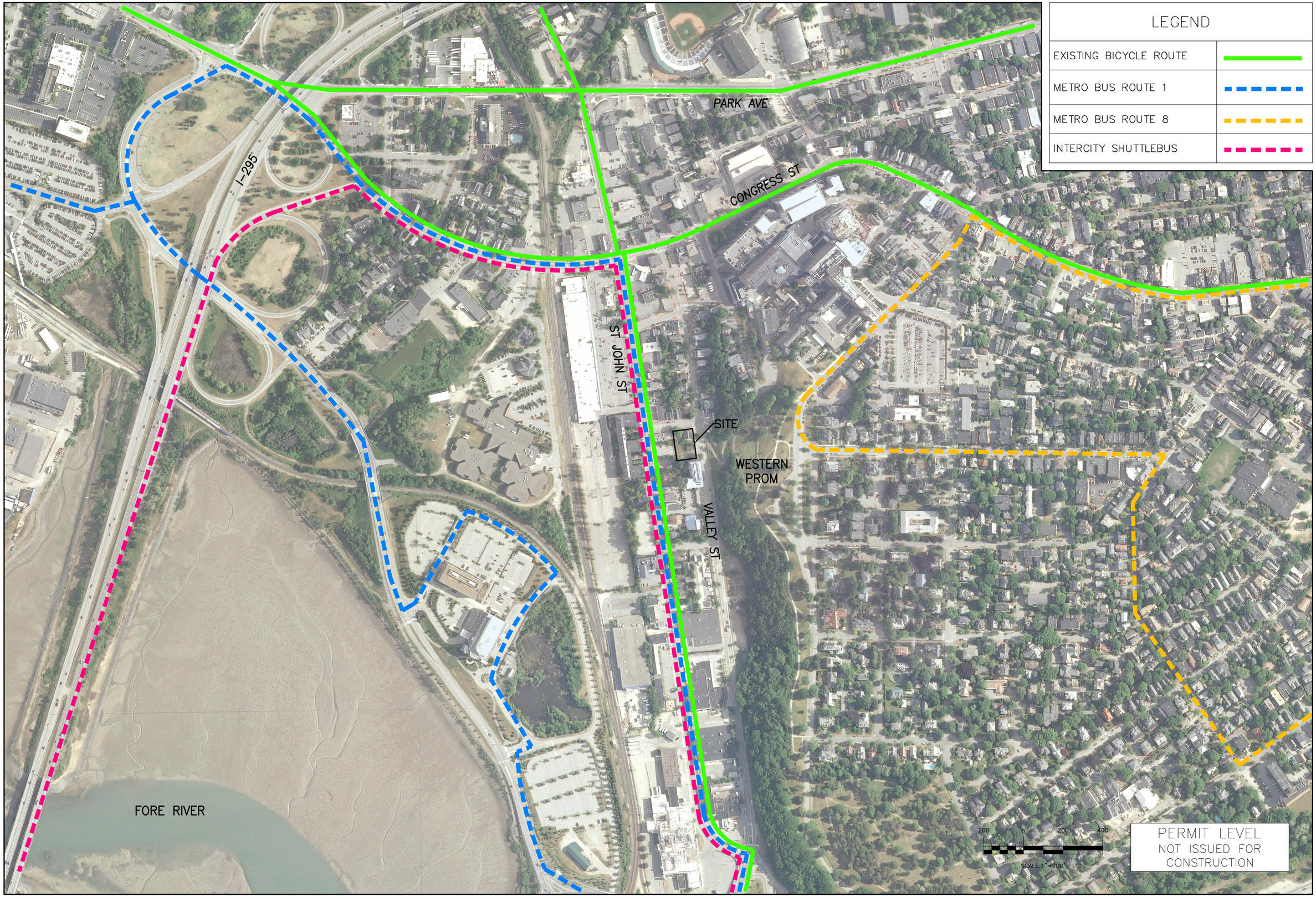
A. Multi-modal Context Map for 210 Valley Street

B. Bicycle Storage Exhibit

C. METRO Bus Route #1 and Schedule

Attachment A

Multi-modal Context Map for 210 Valley Street



LEGEND

EXISTING BICYCLE ROUTE	
METRO BUS ROUTE 1	
METRO BUS ROUTE 8	
INTERCITY SHUTTLEBUS	

ISSUED FOR	BY	DATE
TDM PLAN	WHS	3/27/20

DRAWING NAME: **MULTIMODAL TRANSPORTATION EXHIBIT**

PROJECT NAME: **210 VALLEY STREET REDEVELOPMENT**

CLIENT: AVESTA VALLEY STREET LP
307 CUMBERLAND AVE, PORTLAND, ME 04101

N

ACORN ENGINEERING, INC.

THIS PLAN SHALL NOT BE MODIFIED IN ANY WAY WITHOUT THE EXPRESS WRITTEN PERMISSION AND CONSENT OF ACORN ENGINEERING, INC. AND UNDER NO CIRCUMSTANCES SHALL ANY MODIFICATIONS BE MADE TO THESE PLANS WITHOUT THE EXPRESS WRITTEN CONSENT OF ACORN ENGINEERING, INC. IF ANY CHANGES ARE MADE TO THESE PLANS WITHOUT THE EXPRESS WRITTEN CONSENT OF ACORN ENGINEERING, INC., THE USER OF THESE PLANS FOR ANY OTHER PURPOSE 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

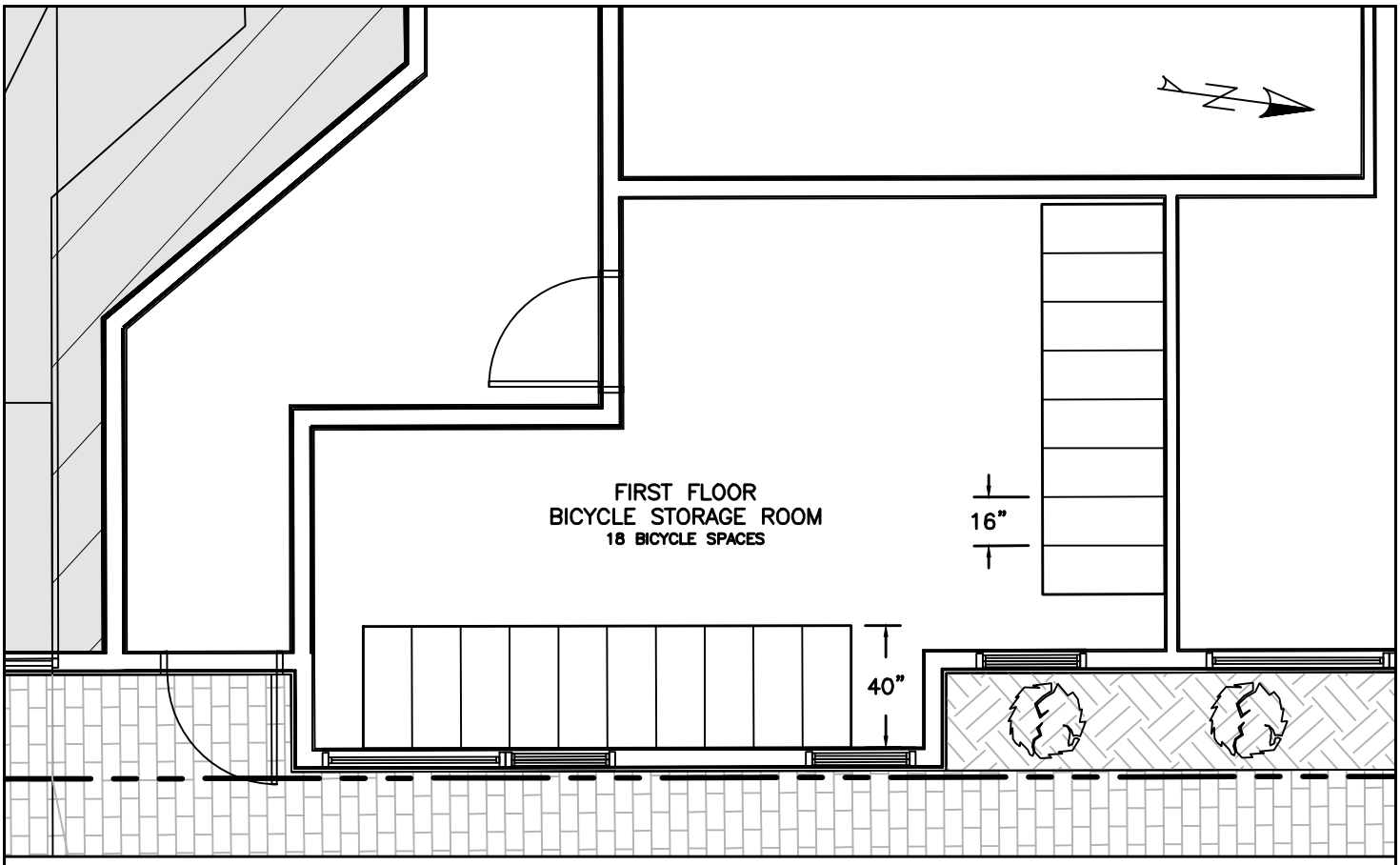
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JN:	1127
SCALE:	AS NOTED
DESIGNED BY:	WHS
DRAWN BY:	KRB
CHECKED BY:	WHS

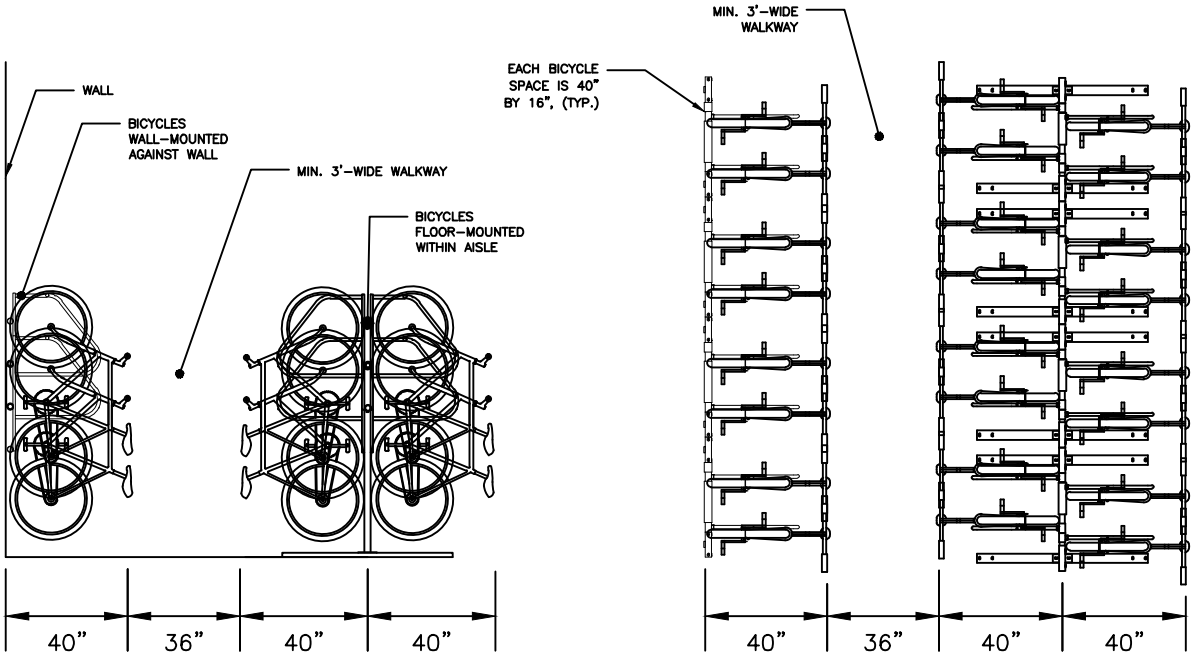
DRAWING NO.

EX-1

Attachment B

Bicycle Storage Exhibit





BICYCLE RACK INTERIOR

NOT TO SCALE

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DRAWING NO.
EX-2

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DATE:	3/27/20
JN:	1127
SCALE:	AS NOTED
DESIGN BY:	SBL
DRAWN BY:	KRB
CHECKED BY:	WHS

ACORN ENGINEERING, INC
ACORN ENGINEERING, INC. P.O. BOX 3372
PORTLAND, MAINE 04104 (207) 775-2655

DRAWING NAME:
BICYCLE STORAGE EXHIBIT

PROJECT NAME:
210 VALLEY ST REDEVELOPMENT

CLIENT:
AVESTA VALLEY STREET LP

ISSUED FOR	BY DATE

Attachment C

METRO Bus Route #1 and Schedule

METRO ROUTE 1 Congress Street MUNJOY HILL / MERCY AT THE FORE / PTC

ROUTE NUMBER 1



MONDAY THROUGH FRIDAY OUTBOUND TO MUNJOY HILL

PTC (A)	Monument Square (B)	North St E. Prom (C)
5:10	5:17	5:25
5:45	5:55	6:05
6:15	6:25	6:35
6:45	6:55	7:05
7:15	7:25	7:35
7:45	7:55	8:05
8:15	8:25	8:35
8:45	8:55	9:05
9:15	9:25	9:35
9:45	9:55	10:05
10:15	10:25	10:35
10:45	10:55	11:05
11:15	11:25	11:35
11:45	11:55	**12:10**
12:15	**12:25**	**12:40**
12:45	**12:55**	**1:10**
1:15	**1:25**	**1:40**
1:45	**1:55**	**2:10**
2:15	**2:25**	**2:40**
2:45	**2:55**	**3:10**
3:15	**3:25**	**3:40**
3:45	**3:55**	**4:10**
4:15	**4:25**	**4:40**
4:45	**4:55**	**5:10**
5:15	**5:25**	**5:40**
5:45	**5:55**	**6:10**
6:15	**6:25**	**6:40**
6:45	**6:55**	**7:10**
7:15	**7:25**	**7:40**
7:45	**7:55**	**8:10**
8:15	**8:23**	**8:35**
8:45	**8:55**	**9:10**
9:45	**9:55**	**10:05**
10:35	**10:43**	**10:50**

Route map and stops subject to change.

MONDAY THROUGH FRIDAY INBOUND TO PTC

North St E. Prom (C)	Congress St North St (D)	Library (B)	METRO St. John St (M)	PTC (A)
5:25	5:28	5:33	5:40	5:45
6:10	6:15	6:20	6:32	6:40
6:40	6:45	6:50	7:02	7:10
7:10	7:15	7:20	7:32	7:40
7:40	7:45	7:50	8:02	8:10
8:10	8:15	8:20	8:32	8:40
8:40	8:45	8:50	9:02	9:10
9:10	9:15	9:20	9:32	9:40
9:40	9:45	9:50	10:02	10:10
10:10	10:15	10:20	10:32	10:40
10:40	10:45	10:50	11:02	11:10
11:10	11:15	11:20	11:32	11:40
11:40	11:45	11:50	**12:02**	**12:10**
12:10	**12:15**	**12:20**	**12:32**	**12:40**
12:40	**12:45**	**12:50**	**1:02**	**1:10**
1:10	**1:15**	**1:20**	**1:32**	**1:40**
1:40	**1:45**	**1:50**	**2:02**	**2:15**
2:10	**2:15**	**2:20**	**2:32**	**2:45**
2:40	**2:45**	**2:50**	**3:02**	**3:15**
3:10	**3:15**	**3:20**	**3:32**	**3:45**
3:40	**3:45**	**3:50**	**4:02**	**4:15**
4:10	**4:15**	**4:20**	**4:32**	**4:45**
4:40	**4:45**	**4:50**	**5:02**	**5:15**
5:10	**5:15**	**5:20**	**5:32**	**5:45**
5:40	**5:45**	**5:50**	**6:02**	**6:15**
6:10	**6:15**	**6:20**	**6:32**	**6:40**
6:40	**6:45**	**6:50**	**7:02**	**7:10**
7:10	**7:15**	**7:20**	**7:32**	**7:40**
7:40	**7:45**	**7:50**	**8:02**	**8:10**
8:10	**8:15**	**8:20**	**8:32**	**8:40**
8:35	**8:40**	**8:45**	**9:00**	**X**
9:10	**9:15**	**9:20**	**9:32**	**9:40**
10:05	**10:10**	**10:15**	**10:25**	**10:35**
10:50	**10:55**	**11:00**	**11:10**	**X**

PTC - Portland Transportation Center

SATURDAY OUTBOUND TO MUNJOY HILL

PTC (A)	Monument Square (B)	North St E. Prom (C)
5:10	5:17	5:25
5:45	5:55	6:05
6:15	6:25	6:35
6:45	6:55	7:05
7:15	7:25	7:35
7:45	7:55	8:05
8:15	8:25	8:35
8:45	8:55	9:05
9:15	9:25	9:35
9:45	9:55	10:05
10:15	10:25	10:35
10:45	10:55	11:05
11:15	11:25	11:35
11:45	11:55	**12:10**
12:15	**12:25**	**12:40**
12:45	**12:55**	**1:10**
1:15	**1:25**	**1:40**
1:45	**1:55**	**2:10**
2:15	**2:25**	**2:40**
2:45	**2:55**	**3:10**
3:15	**3:25**	**3:40**
3:45	**3:55**	**4:10**
4:15	**4:25**	**4:40**
4:45	**4:55**	**5:10**
5:15	**5:25**	**5:40**
5:45	**5:55**	**6:10**
6:15	**6:25**	**6:40**
6:45	**6:55**	**7:10**
7:15	**7:25**	**7:40**
7:45	**7:55**	**8:10**
8:15	**8:23**	**8:35**
8:45	**8:55**	**9:10**
9:45	**9:55**	**10:05**
10:35	**10:43**	**10:50**

SATURDAY INBOUND TO PTC

North St E. Prom (C)	Congress St North St (D)	Library (B)	METRO St. John St (M)	PTC (A)
5:25	5:28	5:33	5:40	5:45
6:10	6:15	6:20	6:32	6:40
6:40	6:45	6:50	7:02	7:10
7:10	7:15	7:20	7:32	7:40
7:40	7:45	7:50	8:02	8:10
8:10	8:15	8:20	8:32	8:40
8:40	8:45	8:50	9:02	9:10
9:10	9:15	9:20	9:32	9:40
9:40	9:45	9:50	10:02	10:10
10:10	10:15	10:20	10:32	10:40
10:40	10:45	10:50	11:02	11:10
11:10	11:15	11:20	11:32	11:40
11:40	11:45	11:50	**12:02**	**12:10**
12:10	**12:15**	**12:20**	**12:32**	**12:40**
12:40	**12:45**	**12:50**	**1:02**	**1:10**
1:10	**1:15**	**1:20**	**1:32**	**1:40**
1:40	**1:45**	**1:50**	**2:02**	**2:15**
2:10	**2:15**	**2:20**	**2:32**	**2:45**
2:40	**2:45**	**2:50**	**3:02**	**3:15**
3:10	**3:15**	**3:20**	**3:32**	**3:45**
3:40	**3:45**	**3:50**	**4:02**	**4:15**
4:10	**4:15**	**4:20**	**4:32**	**4:45**
4:40	**4:45**	**4:50**	**5:02**	**5:15**
5:10	**5:15**	**5:20**	**5:32**	**5:45**
5:40	**5:45**	**5:50**	**6:02**	**6:15**
6:10	**6:15**	**6:20**	**6:32**	**6:40**
6:40	**6:45**	**6:50**	**7:02**	**7:10**
7:10	**7:15**	**7:20**	**7:32**	**7:40**
7:40	**7:45**	**7:50**	**8:02**	**8:10**
8:10	**8:15**	**8:20**	**8:32**	**8:40**
8:35	**8:40**	**8:45**	**9:00**	**X**
9:10	**9:15**	**9:20**	**9:32**	**9:40**
10:05	**10:10**	**10:15**	**10:25**	**10:35**
10:50	**10:55**	**11:00**	**11:10**	**X**

SUNDAY OUTBOUND TO MUNJOY HILL

PTC (A)	Monument Square (B)	North St E. Prom (C)
7:45	7:55	8:05
8:45	8:55	9:05
9:45	9:55	10:05
10:45	10:55	11:05
11:45	11:55	**12:05**
12:45	**12:55**	**1:05**
1:45	**1:55**	**2:05**
2:45	**2:55**	**3:05**
3:45	**3:55**	**4:05**
4:45	**4:55**	**5:05**
5:45	**5:55**	**6:05**

SUNDAY INBOUND TO PTC

North St E. Prom (C)	Congress St North St (D)	Library (B)	METRO St. John St (M)	PTC (A)
8:10	8:15	8:20	8:32	8:40
9:10	9:15	9:20	9:32	9:40
10:10	10:15	10:20	10:32	10:40
11:10	11:15	11:20	11:32	11:40
12:10	**12:15**	**12:20**	**12:32**	**12:40**
1:10	**1:15**	**1:20**	**1:32**	**1:40**
2:10	**2:15**	**2:20**	**2:32**	**2:40**
3:10	**3:15**	**3:20**	**3:32**	**3:40**
4:10	**4:15**	**4:20**	**4:32**	**4:40**
5:10	**5:15**	**5:20**	**5:32**	**5:40**
6:10	**6:15**	**6:20**	**6:30**	**6:35**

STORMWATER DRAINAGE SYSTEM

MAINTENANCE AGREEMENT

IN CONSIDERATION OF the site plan approval granted by the Planning Board of the City of Portland to the proposed _____ located at _____, Portland, Maine and shown on the Site Plan recorded in the Cumberland County Registry of Deeds in Plan Book ___, Page ___ (the "Plan") and associated Grading & Drainage Plan, dated _____ prepared by _____ of _____ (hereinafter, the "Premises") and pursuant to a condition thereof, _____, a _____ with a principal place of business in Portland, Maine, and having a mailing address of _____, the owner of the Premises, does hereby agree, for itself, its successors and assigns (the "Owner"), as follows:

Maintenance Agreement

Owner, 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 (e.g. porous pavement, catch basins, storm drain pipes, and underdrain pipes) (hereinafter collectively referred to as the "stormwater system") as shown on the Grading & Drainage Plan attached hereto as Exhibit B and in strict compliance with the approved Stormwater Inspection & Maintenance Plan and Stormwater Maintenance and Inspection Log, dated _____, copies attached as Exhibit A and C respectively and the annual inspection and reporting requirements of Chapter 32 of the Portland City Code.

Owner further agrees, at its own cost, to keep a Stormwater Maintenance and Inspection Log in the forms attached as Exhibit C. Such log shall be made available for inspection by the City of Portland upon reasonable notice and request.

This agreement is for the benefit of the City of Portland and all persons in lawful possession of the Premises and abutters thereto. The 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, including but not limited to the porous pavement, catch basins, storm drain pipes, underdrain pipes, and other drainage structures thereon 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 not confer upon the City of Portland or any other person the right to utilize said stormwater system for public use or for the development of any other property. Except as may be required to comply with the terms of this Agreement, Owner shall bear no financial responsibility by virtue of this Agreement for enlarging the capacity of said system.

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 shall 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 Works 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 or residential units and mailed by certified mail, return receipt requested or ordinary mail or both to the owner of record as shown on the tax rolls 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.

[SIGNATURES ON FOLLOWING PAGE]

Dated at Portland, Maine this _____ day of _____, 2020.

_____

[Owner]

_____
Name, title

STATE OF MAINE
CUMBERLAND, ss. Date: _____

Personally appeared the above-named _____, _____ of _____ and acknowledged the foregoing instrument to be his/her free act and deed in his/her said capacity.

Before me,

_____
Notary Public/Attorney at Law
Print name: _____

Exhibit A: Grading & Drainage Plan

Exhibit B: Stormwater Inspection & Maintenance Plan

Exhibit C: Stormwater Maintenance and Inspection Log

GENERAL NOTES:

1. ALL WORK WITHIN THE CITY STREET RIGHT OF WAY SHALL MEET CITY OF PORTLAND TECHNICAL MANUAL STANDARDS.
2. DESIGN OF TEMPORARY SOIL RESTRAINT MEASURES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR IF NECESSARY FOR CONSTRUCTION.
3. CONTRACTOR SHALL ENSURE THAT UNDERDRAINS ARE CONSTRUCTED WITH POSITIVE OUTLET TO PROPOSED CONNECTIONS.
4. CATCH BASIN INLET PROTECTION TO BE INSTALLED WITHIN ANY STRUCTURES DOWNGRADIENT OF ACTIVE CONSTRUCTION.
5. SEDIMENTATION BARRIERS ARE TO BE INSTALLED DOWNGRADIENT OF ALL ACTIVE CONSTRUCTION WORK PER DETAIL. BARRIERS TO NOT EXTEND PAST PROPERTY LINES; BARRIERS SHOWN OFFSET FROM PROPERTY LINES ON PLANS FOR VISUAL PURPOSES ONLY.

AVERAGE GRADES AND BUILDING HEIGHT	
NORTHEAST CORNER ELEVATION	59.00'
SOUTHEAST CORNER ELEVATION	62.00'
SOUTHWEST CORNER ELEVATION	44.00'
NORTHWEST CORNER ELEVATION	44.26'
AVERAGE GRADE PLANE	52.32'
ELEVATION AT ROOF	119.50'
BUILDING HEIGHT	67.18'

TM 64-F-2&3
N/F
CASTE OFF LLC
34754/63

TM 64-F-16
N/F
ST. JOHN ST LLC
31030/192

TM 64-F-20
N/F
AVESTA
FLORENCE HOUSE LP
26565/87

44.00' AT BOTTOM OF RETAINING WALL ALONG REAR PL

ROUTE ROOF DRAIN TO ACF DOWNSPOUT FILTER OR APPROVED EQUIVALENT, TYP OF 2. COORDINATE WITH ARCHITECT ON FINAL LOCATIONS. SEE DETAIL.

PROPOSED ACF R-TANKS: 1 ROW WIDE BY 2 ROWS DEEP OR APPROVED EQUAL. SEE DETAIL

30" DIA. OUTLET CONTROL NYOPLAST STRUCTURE OR APPROVED EQUIVALENT. SEE DETAIL

RIM 44.00'
8" INV. IN 39.10'

BW 44.00'

47.28'

44.36'

44.31'

SECONDARY FOUNDATION DRAIN CONNECTION

8" PVC SDR 35
L = 38'
S = 0.005 MIN.

APPROX. INV. IN AT MAIN 36.14', TEST PIT TO CONFIRM INV.

EXISTING 24" RCP STORM MAIN
S = 0.026

SMH RIM=43.22
UNABLE TO OPEN

6" PVC SDR 35
L = 5'
S = 0.01

FIELD INLET
RIM 44.25'
INV. OUT 41.75'

FOUNDATION DRAIN CONNECTION

44.26'

BC 43.55'
TC 44.12'

45.72'

BC 45.00'
TC 45.58'

EX. 45.70'

SEE SHEET C-20 FOR OWS OUTLET

46.13'
46.21'
46.25'

24"RCP

47.13'

48.14'
48.11'
48.06'
EX. 48.02'

RIM=48.53
INV. IN=37.43
INV. OUT=37.33

50.72'

BC 50.00'
TC 50.58'

EX. 10%

EX. 13%

EX. 16%

EX. 20%

VALLEY STREET — ONE WAY

EROSION CONTROL BLANKET ON ANY SLOPE STEEPER THAN 3:1

62.00'

62.14'
62.09'

62.14'
62.12'

62.20'

62.00'

62.10'

EX. 61.80'

62.00'

59.00'

60.80'

BC 58.00'
TC 58.58'

RIM=59.31
BOT. TRAP=55.9

EX. TC 61.80'

EX. TC 60.60'

DMH RIM=58.83
12" INV. IN=51.33
24" INV. IN=37.53

VALLEY STREET (UNDER MORATORIUM UNTIL SEPT. 2023)

10 0 10 20

SCALE: 1:10

PERMIT LEVEL
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY DATE
SITE PLAN	WHS 3/27/20

DRAWING NAME: GRADING & DRAINAGE PLAN – EXTERIOR

PROJECT NAME: 210 VALLEY STREET REDEVELOPMENT

CLIENT: AVESTA VALLEY STREET LP
307 CUMBERLAND AVE, PORTLAND, ME 04101

ACORN ENGINEERING, INC.
65 HANOVER ST, PORTLAND, MAINE 04101
(207) 775-2655

THESE PLANS SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. AND SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

FILE:	1127_CIVIL
JN:	1127
SCALE:	AS NOTED
DESIGNED BY:	WHS
DRAWN BY:	KRB
CHECKED BY:	WHS

STATE OF MAINE
WILLIAM H. SAVAGE
No. 14109
4-1-2020
PROFESSIONAL ENGINEER

DRAWING NO.
C-30

GENERAL NOTES:

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2. DESIGN OF TEMPORARY SOIL RESTRAINT MEASURES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR IF NECESSARY FOR CONSTRUCTION.
3. CONTRACTOR SHALL ENSURE THAT UNDERDRAINS ARE CONSTRUCTED WITH POSITIVE OUTLET TO PROPOSED CONNECTIONS.
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PERMIT LEVEL
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY	DATE
SITE PLAN	WHS	3/27/20

DRAWING NAME: **GRADING & DRAINAGE PLAN – INTERIOR**

PROJECT NAME: **210 VALLEY STREET REDEVELOPMENT**

CLIENT: AVESTA VALLEY STREET LP
307 CUMBERLAND AVE, PORTLAND, ME 04101

ACORN ENGINEERING, INC.
ENGINEERING, INC.
65 HANOVER STREET, PORTLAND, MAINE 04101
(207) 775-2655

THESE PLANS SHALL NOT BE MODIFIED, WITHOUT WRITTEN PERMISSION OF ACORN ENGINEERING, INC. ANY MODIFICATIONS MADE WITHOUT WRITTEN PERMISSION OF ACORN ENGINEERING, INC. SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

FILE:	1127_CIVIL
JN:	1127
SCALE:	AS NOTED
DESIGNED BY:	WHS
DRAWN BY:	KRB
CHECKED BY:	WHS

STATE OF MAINE — WILLIAM H. SAVAGE — No. 4-1-2020 — REGISTERED PROFESSIONAL ENGINEER

DRAWING NO.

C-31

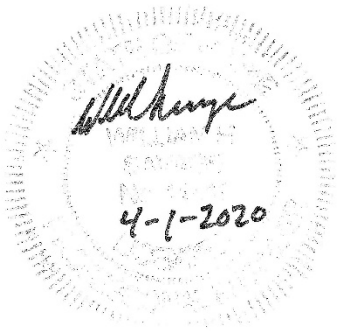
POST CONSTRUCTION - STORMWATER INSPECTION & MAINTENANCE PLAN

Prepared For:

Avesta Valley Street, LP
307 Cumberland St.
Portland, Maine 04101

Prepared By:

Acorn Engineering, Inc.
65 Hanover Street
Portland, Maine 04101



April 2020

RESPONSIBLE PARTY

The owner, Avesta Valley Street, LP, and/or their successor shall be responsible for contracting with a Qualified Stormwater Professional (QSP) to implement the Inspection and Maintenance Plan for 210 Valley Street and is subject to the terms and conditions of the subdivision plat(s) recorded at the Cumberland County Registry of Deeds. The stormwater infrastructure requiring maintenance is located within the site. proposed public right-of-way, within stormwater easements on private property and open space lots. The QSP shall refer to the recorded plat(s) for the stormwater infrastructure locations. The QSP shall maintain a stormwater log (report) summarizing inspections, maintenance and corrective action taken. The QSP shall annually submit the Stormwater Log to the Department of Public Works prior to June 30th.

The following is an example of a Qualified Stormwater Professional that the association may contract through.

Organization: Will Savage, PE
Acorn Engineering, Inc
Portland, Maine

Phone: (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 inspection and maintenance criteria are based upon the Maine DEP - Stormwater Management for Maine, Volume III: BMPs Technical Design Manual. Refer to the attached Grading and Drainage Plan for the location of the BMPs.

PURPOSE

This Inspection and Maintenance Plan has been individually tailored to this parcel's stormwater infrastructure, site characteristics, and their respective opportunities and limitations related to reducing the pollutant load on the receiving watershed. The maintenance of a parcel's impervious surfaces and stormwater infrastructure is critical to extending the long-term performance and effectiveness of Best Management Practices (BMPs). The Inspection and Maintenance Plan represents the parcel's minimum activities to meet the permit requirements. The parcel shall still be subject to any applicable Civil Site Plans, Permit Applications, Erosion and Sedimentation Control Plans Reports, Stormwater Management Plans, Inspection and Maintenance Manuals, and all Municipal, State, and Federal rules.

INSPECTION AND MAINTENANCE ACTIVITY

Downspout Filter:

The maintenance for the Fabco StormBasin DownSpout filter shall be in accordance with the attached manufacturer's specifications. Additionally, the downstream drainage manholes shall be inspected to confirm the structures are operating properly.

- Downspout filters shall be inspected quarterly for the presence of accumulated sediment that shall be removed. Legally dispose of accumulated sediment and debris.

- Filters should generally be replaced annually.

Subsurface Tanks/Detention System:

- Inspect for the presence of accumulated sediment or debris that shall be removed. Blow or remove debris from stone surface and if significant material is found within the chambers, it should be removed utilizing the inspection port. The equipment shall meet the following minimum specifications; power jet and water source for washing down the chambers, vacuum attachment for cleaning and a liquid handling method to dewater the material.

- Appropriately dispose of all collected materials.

Structures:

The outlet control structure (OCS) and field inlet shall be inspected biannually to ensure that outlets are clear of sediment and debris. Ensure that the orifice(s) and overflow are not obstructed from trash and debris within the OCS.

INSPECTION AND MAINTENANCE TABLE

Inspection and Maintenance Frequency	Spring or Yearly	Summer	Fall	As Necessary
Downspout Filter/Roof Drains	X	X	X	X
Chamber/Stone Detention System		X		X

Stormwater Control BMP Inspection Log

DOWNSPOUT FILTERS:			
Location:			**Latitude:**
			Longitude:
Description of Located Point:			**Inspector:**
			Date of Inspection:
			Weather Conditions:
DOT Region:			
MATS Asset Number:	**WIN:**		**Design Drawings:**

Maintenance Items	Inspect In Spring	Inspect In Fall	Inspect As Necessary		Maintenance Requested (Date)	Maintenance Completed (Date)	Summary of Maintenance Required
Downspout Filters							
Filters are working properly and are free of debris and sediment	☐	☐	☑	☐ Yes ☐ No ☐ N/A			
General							
Access to facility is adequate	☐	☑	☐	☐ Yes ☐ No ☐ N/A			
Photographs of most recent site inspection are included	☐	☑	☐				Photographs are attached.
Additional Comments:							

Stormwater Control BMP Inspection Log

FIELD INLETS / FLOOR DRAINS:		
Location:		**Latitude:**
		Longitude:
Description of Located Point:		**Inspector:**
		Date of Inspection:
		Weather Conditions:
DOT Region:		
MATS Asset Number:	**WIN:**	**Design Drawings:**

Maintenance Items	Inspect In Spring	Inspect In Fall	Inspect As Necessary		Maintenance Requested (Date)	Maintenance Completed (Date)	Summary of Maintenance Required
Field Inlets and Floor Drains							
Inlets are working properly and are free of debris and sediment	☐	☐	☑	☐ Yes ☐ No ☐ N/A			
Inter-structure storm drain is functioning properly and free of sediment and debris.	☐	☑	☐	☐ Yes ☐ No ☐ N/A			
General							
Access to facility is adequate	☐	☑	☐	☐ Yes ☐ No ☐ N/A			
Photographs of most recent site inspection are included	☐	☑	☐				Photographs are attached.
Additional Comments:							

Stormwater Control BMP Inspection Log

STORMWATER DETENTION SYSTEM:							
Location:					**Latitude:**		
					Longitude:		
Description of Located Point:					**Inspector:**		
					Date of Inspection:		
					Weather Conditions:		
DOT Region:							
MATS Asset Number:		**WIN:**			**Design Drawings:**		

Maintenance Items	**Inspect In Spring**	**Inspect In Fall**	**Inspect As Necessary**		**Maintenance Requested (Date)**	**Maintenance Completed (Date)**	**Summary of Maintenance Required**
Stormwater Detention Culvert System							
Swales are generally in good condition, and show no signs of erosion.	☐	☑	☐	☐ Yes ☐ No ☐ N/A			
Swales are free of accumulated sediment, debris and trash	☐	☐	☑	☐ Yes ☐ No ☐ N/A			
Outlet Control Structure							
Control structure is free of excess sediment and floatables	☐	☑	☐	☐ Yes ☐ No ☐ N/A			
Outlet control structure drains within 24-48 hours	☐	☑	☐	☐ Yes ☐ No ☐ N/A			
General							
Access to facility is adequate	☐	☑	☐	☐ Yes ☐ No ☐ N/A			
Photographs of most recent site inspection are included	☐	☑	☐				Photographs are attached.
Additional Comments:							

Att. T

ACORN ENGINEERING, INC.

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

June 1, 2020

Subject: 210 Valley Street Neighborhood Meeting

I, Will Savage, hereby certify that a neighborhood meeting was held on May 28, 2020 remote via Zoom at 6:00 pm.

I also certify that on May 15, 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,

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

ACORN ENGINEERING, INC.

Dear Neighbor: May 15, 2020

On behalf of Avesta Valley Street LP, we are pleased to invite you to a neighborhood meeting to discuss the proposed project at 210 Valley St within the B2 Zoning District. The project includes the construction of a 5-story, 60-unit apartment building with 2 levels of covered parking. The proposal seeks to replace existing surface parking and a 2-unit structure with affordable housing in proximity to public transportation, goods, and services. Additionally, the public sidewalk along the project frontage will be rebuilt with amenities such as bicycle hitches and street trees.

Meeting Location: This meeting will **be held remotely via Zoom** according to state and local requirements around social distancing and will be available for public viewing and participation. **Please email admin@acorn–engineering.com to request a link or phone number to join the meeting.** You may also call the office line (listed below) to request this information.

Meeting Date/Time: **Thursday, May 28, 2020 at 6:00 pm**

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. Both a sign-in sheet and meeting minutes will be submitted to the Planning Board. The meeting is anticipated to be run similarly to previous in-person neighborhood meetings, and the project team will give an overview of the process at the beginning of the meeting. If you have any questions, please don't hesitate to call me at (207) 775–2655. We look forward to seeing you at the meeting.

Sincerely,

William H. Savage, P.E.
Acorn Engineering, Inc.

ACORN ENGINEERING, INC.

210 Valley Street Redevelopment
Level III Site Plan/Subdivision Application

Neighborhood Meeting Minutes

May 28, 2020 / 6:00 pm
Remote meeting via Zoom

Project Team Attendees:

Catherine Elliott (CE): Developer/Presenter – (Avesta Housing)

Hollie Sprague (HS): Property Manager – (Avesta Housing)

Rebecca Hatfield (RH): Developer – (Avesta Housing)

Will Savage (WS): Civil Engineer/Presenter (Acorn Engineering)

Sam Lebel (SL): Civil Engineer/Note Taker (Acorn Engineering)

Ryan Senatore (RS): Architect/Presenter (Ryan Senatore Architecture)

Meeting scheduled for 6:00 pm and started at approximately 6:05 pm.

Presentation:

Catherine Elliott:

- Developer and Project Manager
- Avesta has been considering development in this area for a while, about a year ago Avesta got that opportunity.
- The project is a 60 unit residential building with parking and other amenities included. We are working with Acorn (Engineer) and Ryan Senatore (Architect).
- This meeting is part of the planning board approval process, we have met with the city multiple times and hope to secure approval on this project sometime this summer.
- Sign In sheet is available for everyone which will become public record along with the meeting minutes.

Will Savage:

- Introduction
    - Neighborhood Meeting is a City requirement for a Level III Application
- Overview of project location and vicinity.
- The site is zoned as B-2 and is approximately 15,000sf in size.
- Overview of grading/slopes in the vicinity. 18' of grade change from front to rear of lot.
- The project proposes a 5-story, 60-unit building w/ two levels of covered parking (21 spaces on the basement level with an entrance from C Street and 19 spaces on the first level with an entrance from Valley Street).
    - Increase affordable housing stock
    - Tie front façade into existing streetscape.
    - Rebuild sidewalk along frontage
    - Plant street trees
    - Proposed bicycle hitches
- The utilities were designed in accordance with the respective utility companies' requirements. All services will be tied into C Street, as Valley Street is under moratorium until 2023.
    - Underground electric will serve the redevelopment
    - Proposed a 6" fire line and 4" domestic water line. The building will be sprinkled.
    - Sewer to the municipal system in C Street
    - Gas to the municipal system in C Street
- Replacing existing site which is built of impervious area and grass with the proposed building. Roof runoff will have water quality treatment before it discharges to C Street separated storm system
- Grades – Site slopes to the rear and the design of the building work with the grades providing for two garage entrances.
- Pre-application meeting with the City was held on 2/26/2020
- Planning Board Workshop is tentatively scheduled 6/23/20 and all are welcome to come to that as well.

Ryan Senatore:

- Overview of basement and first floor
    - 2 levels of Parking and circulation works with the existing grades
    - 2 egress stairs and elevator with apartments on both sides of corridor on upper levels.
- Incorporated 1-Br, 2-Br, 3-Br, and studio apartments for a diverse mix
    - ADA accessible units and units that can be transitioned into ADA units
- Similar floor plan as you move up the building (floors 2-5)
    - Bay bump outs included to scale the building and give visual interest.
- Overview of exterior of building and elements incorporated to tie building into streetscape.

- Materials
- Large windows
- Contrast of colors
- Landscape features

Will Savage:

- Presentation concluded and now open for questions.

Comments, Questions & Answers:

Please note that the following questions and answers were not recorded verbatim and aim to represent and summarize the actual questions, answers, and discussion that took place at the meeting. Q or C denotes Question or Comment from the Public.

C: Security on open garage levels could be a concern

Q: Has the City required a traffic or pedestrian study?

WS: Parking analysis as part of the site plan application submitted, under review, and anticipate comments prior to June 23.

Q: Auxiliary traffic coming and going to building? Delivery trucks or visitors – is there enough space

Q: C Street driveway could be tough to get into – could you make this a 2 way again?

WS: We can look into this with the City.

C: Could be a fair amount of foot traffic on St John St. Should be a neighborhood study on traffic and pedestrian flow.

Q: Feedback from DPW about C Street's history? It's wide and doesn't make sense to be one-way unless part of a master plan. Could be police mandated? Suggest looking into making C street two-way.

Q: Have the Florence House calls been analyzed?

HS: No records on hand – most calls are medical related

Q: Even though there's a large increase in housing, was there an attempt to save the existing building? Could you acquire additional land, redesign the building, and save the existing building?

CE: We are finding a large demand for diverse housing which we're trying to meet. We don't take building demolitions lightly, but this was the best plan we came up with with the land we have.

C: This building could work elsewhere too. If you waited longer, you might be able to save the existing building.

Q: Why aren't you excavating all the way to Valley St to get storage units or more parking?

RS: We studied that, but due to existing topography, it would require a lot of shoring along Valley St for no gain in parking.

Q: Are you maxing out on the building height?

WS: We are at 67' vs the 70' limit.

Q: Could you ask for a rezone to increase height?

CE: This building with 60 units hits our criteria for the funding paths so we did not consider a rezone.

RS: Increasing the height would also create a different building type driving costs.

Q: You can't go 6 or 7 stories with parking below?

WS: You can generally have 4 stories above the parking.

Q: Will there be a privacy issue with the "C" shape of the building? Will people be looking into each other's units?

RS: There's about 25' between and windows will have privacy screens available to each resident, so I don't foresee any issues.

Q: Air conditioning?

RS: Working through HVAC in the budget.

Q: Will there be audio conflicts?

WS: That comes down to management.

Q: Could you eliminate the gap in the building?

RS: you would lose 8-10 units because of light, ventilation, etc.

Q: Garage openings: winter can be challenging. Openings are for ventilation, but is there anything to help avoid shoveling or wiping windshields

RS: We've done this before, and the design eliminates a lot of the snow drift. 50% openings allow us to stay away from large ventilation systems.

Q: Would residents have to leave the garage for clearing during a snowstorm?

RS: No, they would not.

C: C Street has not been one way for very long. It was a neighborhood decision.

WS: Could have been put into place for more on-street parking, but we can ask the City.

Q: You're not doing anything to the C Street intersection right?

WS: Correct, rebuilding the sidewalks only.

C: You may be able to address some of the intersection steepness with your street work.

Meeting concluded at approximately 7:00 pm.

The abovementioned material was as interpreted and recorded from handwritten notes. Please note and relay any discrepancies or disputed information in the recorded minutes to the below address so that they can be reviewed, revised, and resubmitted as necessary.

Recorded by,

Sam Lebel

Sam Lebel, E.I.
Project Engineer
Acorn Engineering, Inc.
slebel@acorn-engineering.com

Sign In Sheet

5/28/2020
210 Valley Street Portland, ME 04102

Members of the Public in Attendance:

	NAME	E-MAIL
1.	Dan Chase	dpchase26@gmail.com
2.	George Rheault - West Bayside	george.rheault@gmail.com

Developer and Consultant Team in Attendance:

	NAME	E-MAIL
1.	Catherine Elliott	CElliott@AvestaHousing.org
2.	Rebecca Hatfield	rhatfield@avestahousing.org
3.	Hollie Sprague	hsprague@avestahousing.org
4.	Will Savage	wsavage@acorn-engineering.com
5.	Sam Lebel	slebel@acorn-engineering.com
6.	Ryan Senatore	ryan@senatorearchitecture.com

Portland Water District
FROM SEBAGO LAKE TO CASCO BAY

April 16, 2020

Acorn Engineering Inc.
ATTN: Sam Lebel
PO box 3372
Portland, ME 04104

Re: 204 Valley Road, PO
Ability to Serve with PWD Water

Dear Mr. Lebel:

The Portland Water District has received your request for an Ability to Serve Determination for the noted site submitted on March 30, 2020. Based on the information provided per plans received April 15, 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 4-inch service with a 1.5-inch meter may be installed from the water main in C Street. The service should enter through the properties frontage on C Street at least 10-feet from any side property lines.
- A new 6-inch fire service may be installed from the water main in C Street. The service should enter through the properties frontage on C Street at least 10-feet from any side property lines.
- The existing building is currently served with a 3/4-inch domestic water service; the size of this service is undersized for the proposed use. This service must be terminated by shutting the corporation valve and cutting the pipe from the water main. The building will be without water while the existing service is retired and the proposed service is installed. This process will take at least one day, and may take several days depending on the project.
- 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.

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

Existing Site Service

According to District records, the project site does currently have existing water service. A 3/4-inch diameter copper domestic service line provides water service to the site. Please refer to the "Conditions of Service" section of this letter for requirements related to the use of this service.

Water System Characteristics

According to District records, there is an 8-inch diameter ductile iron water main in C Street and a public fire hydrant located approximately 170 feet from the site. The most recent static pressure reading was 96 psi on January 15, 2020.

Public Fire Protection

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

Domestic Water Needs

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

Private Fire Protection Water Needs

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

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

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

Sincerely,
Portland Water District



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

210 VALLEY STREET REDEVELOPMENT

AVESTA VALLEY STREET LP
PORTLAND, MAINE

LEGEND

EXISTING		PROPOSED
REFER TO THE EXISTING CONDITIONS PLAN FOR ADD'L INFO		
	UNDERDRAIN	
	UTILITY PAVEMENT CUTS	
	STRIPING	
	SEDIMENTATION BARRIER	
	EDGE OF EX. PAVEMENT	
	CURB	
	SIGN	
	LAMP OR LIGHT POLE	
	UTILITY POLE	
	GUY WIRE	
	WATER VALVE	
	FIRE HYDRANT	
	SEWER MANHOLE	
	CATCH BASIN	
UE UE	UNDERGROUND ELECTRIC LINE	UGE
W W	UNDERGROUND WATER LINE	"W "W
	MINOR CONTOURS (1 FT)	64
	MAJOR CONTOURS (5 FT)	65
GAS	GAS LINE	GAS
	STORM DRAIN LINE	
	SEWER LINE	S S
	EXISTING/PROPOSED BUILDING	
OHE/T/C	OVERHEAD ELECTRICAL/TELEPHONE/CABLE	OHE/T/C
	PROPERTY LINE	
	SETBACKS	
	BRICK	
	CONCRETE	
	GRASS	

INDEX

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EX	EXISTING CONDITIONS PLAN – BY OWEN HASKELL, INC
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CALL BEFORE YOU DIG
1-888-DIG-SAFE
1-888-344-7233

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
45 FOREST AVENUE
PORTLAND, MAINE 04101
CONTACT: PAT MORRISON
(207) 745-9363

CABLE:
SPECTRUM CABLE
118 JOHNSON ROAD
PORTLAND, MAINE, 04102
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:
AVESTA VALLEY STREET LP
PORTLAND MAINE
CONTACT: CATHERINE ELLIOTT
(207) 245-3345

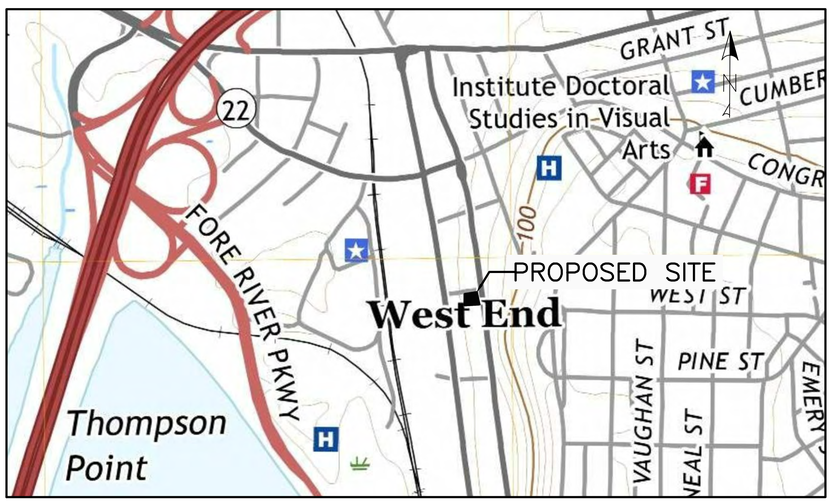
ARCHITECT:
RYAN SENATORE ARCHITECTURE
PORTLAND, MAINE
CONTACT: RYAN SENATORE, R.A.
(207) 747-5159

CIVIL ENG:
ACORN ENGINEERING, INC.
PORTLAND, MAINE
CONTACT: WILL SAVAGE, P.E.
(207) 667-2655

SURVEYOR:
OWEN HASKELL, INC.
FALMOUTH, MAINE
CONTACT: RANDY LOUBIER, P.L.S.
(207) 774-0424

STRUCTURAL ENG:
STRUCTURAL INTEGRITY CONSULTING ENGINEERS, INC.
PORTLAND, MAINE
CONTACT: AARON JONES, P.E.
(207) 774-4614

GEOTECHNICAL ENG:
SUMMIT GEOENGINEERING SERVICES
ROCKLAND, MAINE
CONTACT: BILL PETERLEIN, P.E.
(207) 576-3313



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
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
OWS	OIL WATER SEPERATER
PC	PRECAST
PE	PROFESSIONAL ENGINEER
PL	PROPERTY LINE
PLS	PROFESSIONAL LAND SURVEYOR
PROP.	PROPOSED
PSI	POUNDS PER SQUARE INCH
PVC	POLYVINYL CHLORIDE
PWD	PORTLAND WATER DISTRICT
R	RADIUS
RD	ROOF DRAIN
RET.	RETAINING
ROW	RIGHT OF WAY
S	SLOPE
SD	STORM DRAIN
SDR	STANDARD DIMENSION RATIO
SF	SQUARE FEET
SMH	SEWER MANHOLE
SPEC.	SPECIFICATION
TC	TOP OF CURB
TW	TOP OF WALL
TYP.	TYPICAL
UD	UNDERDRAIN
UGE	UNDERGROUND ELECTRIC
VIF	VERIFY IN FIELD

PERMIT LEVEL
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY	DATE
SITE PLAN	WHS	3/27/20
COMMENT RESPONSE	WHS	7/9/20

DRAWING NAME: COVER SHEET & LEGEND
PROJECT NAME: 210 VALLEY STREET REDEVELOPMENT
CLIENT: AVESTA VALLEY STREET LP
307 CUMBERLAND AVE, PORTLAND, ME 04101

THESE PLANS, AND NOTES, MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. 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:	1127_CIVIL
JN:	1127
SCALE:	NTS
DESIGNED BY:	SJL
DRAWN BY:	KRB
CHECKED BY:	WHS

STATE OF MAINE
WILLIAM H. SAVAGE
No. 15418
7-2-2020
REGISTERED PROFESSIONAL ENGINEER

DRAWING NO.
C-01

GENERAL NOTES:

1. THE CONTRACTOR SHALL CALL THE APPROPRIATE UTILITY COMPANIES AND DIG SAFE AT LEAST 72 HOURS PRIOR TO ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION FOR UTILITIES. OTHERWISE IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE LOCATION OF UNDERGROUND UTILITIES AND LOCATE ANY POTENTIAL CONFLICTS WITH THE APPROVED PLANS PRIOR TO CONSTRUCTION.
2. THE CONTRACTOR IS RESPONSIBLE FOR MAINTENANCE OF ALL EROSION CONTROL MEASURES SHOWN ON THE PLAN. IF DEEMED NECESSARY BY THE OWNER OR OWNER'S REPRESENTATIVE, ADDITIONAL EROSION CONTROL MEASURES SHALL BE INSTALLED AT NO ADDITIONAL COST TO THE OWNER.
3. THE CONTRACTOR SHALL PREPARE THEIR OWN MATERIAL SCHEDULE BASED ON THE PLANS AND FIELD VERIFICATION BY THE CONTRACTOR. ALL MATERIAL SCHEDULES SHOWN WITHIN THE PLAN SET ARE FOR GENERAL INFORMATION ONLY.
4. ALL CONSTRUCTION METHODS, TESTING AND MATERIALS SHALL CONFORM TO THE MAINE DEPARTMENT OF TRANSPORTATION SPECIFICATIONS, THE CITY OF PORTLAND AND SERVICING UTILITY REQUIREMENTS, IF ANY. IN CASES WHERE THESE CONFLICT THE MOST STRINGENT SPECIFICATION SHALL APPLY AT NO ADDITIONAL COST TO THE OWNER.
5. THE SITE CONTRACTOR SHALL MAINTAIN A SET OF PAPER AND CAD DRAWINGS WHICH SHALL RECORD THE ACTUAL LOCATION, DIMENSIONS, ELEVATIONS, MATERIALS OF THEIR WORK, INDICATING THEREON ALL VARIATIONS FROM THE CONTRACT DRAWINGS. THE CONTRACTOR SHALL PROVIDE THE OWNER WITH ONE COMPLETE SET OF REPRODUCIBLE RECORD DRAWINGS, IN AUTOCAD FORMAT AND PAPER, STAMPED "AS-BUILT". IF AUTOCAD NOT AVAILABLE EXCLUDE FROM BID IN WRITING.
6. THE CONTRACTOR WILL REMAIN SOLELY AND COMPLETELY RESPONSIBLE FOR ENFORCEMENT OF AND COMPLIANCE WITH 1) ALL CONTRACT PLANS AND SPECIFICATIONS, 2) APPLICABLE INTERNATIONAL BUILDING CODE REQUIREMENTS, AND 3) ALL SITE WORKING CONDITIONS AND SAFETY REQUIREMENTS, DAY AND NIGHT, FOR BOTH PERSONS AND PROPERTY, IN EACH CASE BOTH BY THE CONTRACTOR AND ITS SUBCONTRACTORS. THESE INCLUDE ALL OSHA, NIOSH, U.S. EPA AND ANY OTHER APPLICABLE GOVERNMENTAL REGULATIONS.
7. EXISTING CONDITIONS, BOUNDARY SURVEY, AND TOPOGRAPHY FROM THE PLAN TITLED "ALTA / NSPS LAND TITLE SURVEY 204 & 210 VALLEY STREET AND 6 C STREET PORTLAND, CUMBERLAND COUNTY, MAINE" JOB NO. 2019-159P) BY OWEN HASKELL, INC. DATED 07/2019.
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 FOR STRUCTURES ON ADJACENT PROPERTIES. 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 GENERAL 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. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST GEOTECHNICAL REPORT PREPARED BY THE PROJECT GEOTECHNICAL ENGINEER.
6. 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.
7. ALL PROPRIETARY CONNECTIONS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
8. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR THE COORDINATION OF ALL WORK, INCLUDING DIMENSION AND LAYOUT VERIFICATION, MATERIALS COORDINATION, SHOP DRAWING REVIEW, AND THE WORK OF ANY SUBCONTRACTORS.
9. UNLESS OTHERWISE SPECIFICALLY INDICATED, THE DRAWINGS DO NOT DESCRIBE OR DIRECT MEANS OR METHODS OF CONSTRUCTION.
10. 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.
11. 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.
12. TEMPORARY BRACING SHALL REMAIN IN PLACE UNTIL ALL FLOORS, WALLS, ROOFS AND OTHER SUPPORTING ELEMENTS ARE IN PLACE.
13. ALL PAVEMENT JOINTS SHALL BE SAWCUT AND APPLIED WITH TACK COAT PRIOR TO PAVING TO PROVIDE A DURABLE AND UNIFORM JOINT.
14. THE ENGINEER BEARS NO RESPONSIBILITY FOR THE ABOVE ITEMS, AND OBSERVATION VISITS TO THE SITE DO NOT IN ANY WAY INCLUDE INSPECTION OF THEM.
15. ALL PAVING SHALL BE COMPLETED BETWEEN APR. 15 AND NOV. 15 AND MEET MIN TEMP. REQUIREMENTS SET FORTH BY MDOT.

SPECIAL INSPECTION NOTES:

1. ALL SITE SOILS-RELATED WORK AND FOOTING EXCAVATIONS SHALL BE REVIEWED BY GEOTECHNICAL ENGINEER PRIOR TO PLACING FORMS.
2. STORMWATER INSPECTIONS TO BE CONDUCTED BY SITE ENGINEER (ACORN ENGINEERING).
3. NORMAL REVIEWS WILL BE CONDUCTED BY LOCAL BUILDING DEPARTMENT.
4. REQUIRED SPECIAL INSPECTIONS PER I.B.C. SECTION 1705.6 BY AN APPROVED SPECIAL INSPECTOR RETAINED BY OWNER. CONTRACTOR TO COORDINATE SPECIAL INSPECTIONS.
5. SPECIAL INSPECTOR SHALL BE A QUALIFIED PERSON WHO SHALL DEMONSTRATE COMPETENCE, TO THE SATISFACTION OF THE BUILDING OFFICIAL, FOR INSPECTION OF THE PARTICULAR TYPE OF CONSTRUCTION OR OPERATION REQUIRING SPECIAL INSPECTION.
6. 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.
7. 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.
8. 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.
9. 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 DRIVEWAYS AND MAILBOXES ADJACENT TO THE PROJECT REMAIN FUNCTIONAL AND IN USE AT ALL TIMES.

PERMITTING NOTES

1. THIS PROJECT IS SUBJECT TO THE TERMS AND CONDITIONS OF A 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. 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 5.5' OF COVER FROM TOP OF PIPE TO FINISH GRADE FOR WATER SERVICES.
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
- 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.
- REFER TO RANSOM CONSULTING ENVIRONMENTAL SITE ASSESSMENT (ESA) PHASE 1 DATED 4/27/2020.
- THE CLIENT HAS NOT REQUESTED NOR HAS ACORN ENGINEERING COMPLETED A PHASE II – ENVIRONMENTAL SITE ASSESSMENT FOR THE PROPERTY.

PERMIT LEVEL
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY	DATE
SITE PLAN	WHS	3/27/20

DRAWING NAME: GENERAL NOTES

PROJECT NAME: 210 VALLEY STREET REDEVELOPMENT

CLIENT: AVESTA VALLEY STREET LP
307 CUMBERLAND AVE, PORTLAND, ME 04101

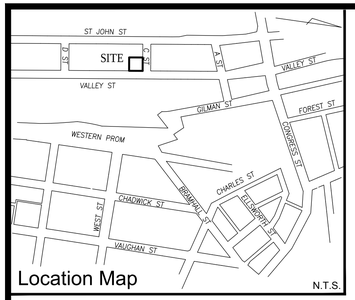
THESE PLANS SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. AND ANY UNAUTHORIZED MODIFICATIONS OR REUSE OF THESE PLANS FOR OTHER PROJECTS SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

ACORN ENGINEERING, INC.
65 HANOVER ST. PORTLAND, MAINE 04101
(207) 775-2655

FILE:	1127_CIVIL
JN:	1127
SCALE:	NTS
DESIGNED BY:	SJL
DRAWN BY:	KRB
CHECKED BY:	WHS

STATE OF MAINE
WILLIAM H. SAVAGE
No. 14416
7-2-2020
LICENSED PROFESSIONAL ENGINEER

DRAWING NO.
C-02

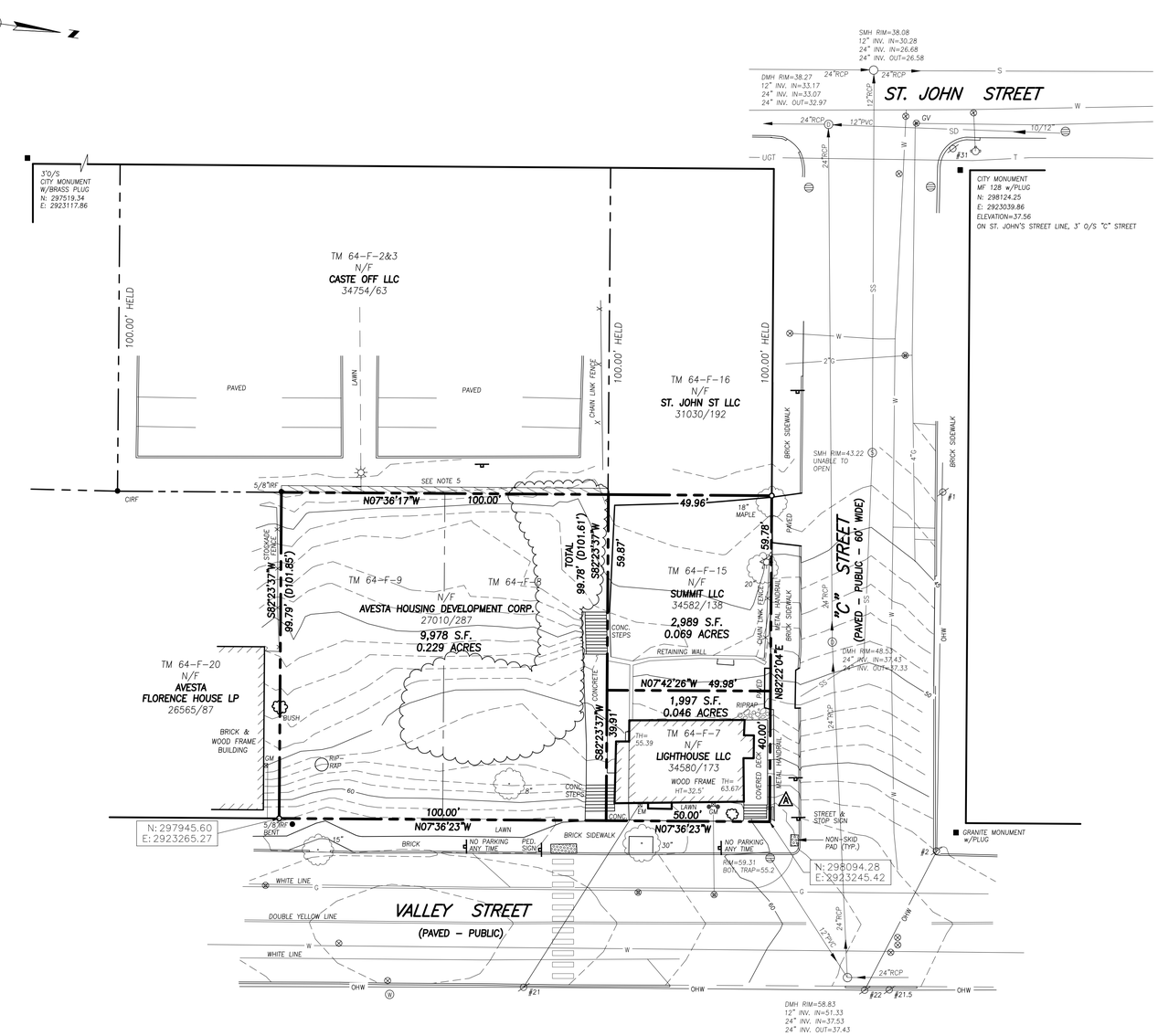


Location Map

N.T.S.

Legend

- CAPPED IRON ROD TO BE SET
- IRON PIPE OR ROD FOUND
- MONUMENT FOUND
- UTILITY POLE
- MANHOLE
- EM/GM ELECTRIC/GAS METER
- SIGN
- CATCH BASIN
- HYDRANT
- WATER VALVE OR SHUTOFF
- GAS VALVE
- LIGHT POLE
- DECIDUOUS TREE
- FENCE
- CURB
- OHW OVERHEAD WIRES
- UGE UNDERGROUND POWER
- W WATER LINE
- G GAS LINE
- UGT TELEPHONE
- SD STORM DRAIN
- S SANITARY SEWER
- 1' CONTOUR
- TH. THRESHOLD
- CONC. CONCRETE
- IPF/IRF IRON PIPE OR ROD FOUND
- N/F NOW OR FORMERLY
- 000/000 DEED BOOK AND PAGE
- POSSIBLE ENCROACHMENT



SCALE : 1" = 20'

0' 10' 20' 40'

Zoning Information

NONE PROVIDED

Possible Encroachments

⚠ HANDRAIL INTO STREET 1.5'±

Plan References

1. "BOUNDARY & TOPOGRAPHIC SURVEY ON ST. JOHN STREET, PORTLAND, MAINE MADE FOR WOODARD & CURRAN, INC." APRIL 2018 BY OWEN HASKELL, INC.
2. "SUBDIVISION PLAT, FLORENCE HOUSE, 190 VALLEY STREET, PORTLAND, MAINE PREPARED FOR: AVESTA FLORENCE HOUSE L.P." OCTOBER 17, 2007 RECORDED IN CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 209, PAGE 28.
3. "SAINT JOHN ST./VALLEY ST. STREETSCAPE IMPROVEMENTS EXISTING CONDITIONS PLAN" CITY OF PORTLAND, MAINE PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION DATED NOV. 2011
4. "PLAN OF LANDS ON ST. JOHN ST. WM. A. GOODWIN, CITY CIVIL ENGINEER JULY 1879" RECODED IN CUMBERLAND COUNTY REGISTRY OF DEED IN PLAN BOOK 4, PAGE 21.

General Notes

1. BEARINGS ARE BASED ON CITY MONUMENTS AT "D" STREET AND "A" STREET AS SHOWN ON PLAN REFERENCE 3 AND PROVIDED BY THE CITY OF PORTLAND ENGINEERING DEPARTMENT.
2. ELEVATIONS ARE BASED ON CITY DATUM. BENCHMARK: MONUMENT AT THE NORTHEAST CORNER OF SAINT JOHN STREET AND "C" STREET AS SHOWN ON PLAN REFERENCE 3 AND PROVIDED BY THE CITY OF PORTLAND ENGINEERING DEPARTMENT.
3. NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, BUILDING ADDITIONS, OR RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS WAS OBSERVED.
4. NO PROPOSED CHANGES IN STREET LINES IS KNOWN BY THIS SURVEYOR.
5. THE DEED DESCRIPTION FOR TAX MAP 64-F-8&9 RECORDED IN 27010/287 CALLS FOR A DEPTH OF 101.85 FEET ON THE SOUTHERLY LINE AND A DEPTH OF 101.61 FEET OF THE NORTHERLY LINE. USING THESE DIMENSIONS CREATES AN OVERLAP WITH DEED DESCRIPTION FOR TAX MAP 64-F-2&3 RECORDED IN 34754/63. A DISTANCE OF 100 FEET WAS HELD FROM ST. JOHN STREET TO RECREATE THE REAR LINE SINCE THESE LOTS WERE SUBDIVIDED FIRST AS SHOWN ON PLAN REFERENCE 4.

Schedule B Section II Exceptions

SURVEY COMPLETED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

Legal Description

NONE PROVIDED

Utility Note

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. CALL 1-888-DIGSAFE AT LEAST THREE BUSINESS DAYS BEFORE PERFORMING ANY CONSTRUCTION. DUE TO OSHA CONFINED SPACE REQUIREMENTS, ALL INVERTS AND PIPE SIZES MUST BE VERIFIED PRIOR TO ANY CONSTRUCTION.

Flood Zone Note

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED IN ZONE C, AREAS OF MINIMAL FLOODING, ON THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 230051 0013B, WHICH BEARS AN EFFECTIVE DATE OF JULY 17, 1986

ALTA / NSPS Land Title Survey

204 & 210 Valley Street and 6 C Street
Portland, Cumberland County, Maine
Made For
Avesta Housing
307 Cumberland Avenue, Portland, Maine

Surveyor's Certification

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6(A), 11, 13, 14, 16, 17, 19 AND 21 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED IN JUNE, 2019.

RANDY R. LOUBIER
PROFESSIONAL LAND SURVEYOR NO. 2407

DATE OF PLAT OR MAP: JULY 2019
DATE OF LAST REVISION:

STATE OF MAINE · RANDY R. LOUBIER 2407 · PROFESSIONAL LAND SURVEYOR

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

DRAWN BY: RRL / JLW	FIELD BOOK: FILE	JOB NO.	2019-159 P
CHECKED BY: RRL	SCALE: 1" = 20'	DRWG. NO.	1

GENERAL NOTES:

1. EXISTING ASPHALT TO BE REMOVED SHALL BE STRIPPED AND PROPERLY DISPOSED OF OFFSITE.
2. ALL DISPOSAL OF DEMOLITION DEBRIS OR WASTE SHALL BE IN ACCORDANCE WITH ALL LOCAL, STATE, & FEDERAL REGULATIONS. CONTRACTOR SHALL PROVIDE OWNER WITH APPROPRIATE "BILLS OF LADING" TO DEMONSTRATE PROPER DISPOSAL OF ALL MATERIALS
3. SITE DEMOLITION SHALL NOT OCCUR UNTIL PROPER ABATEMENT PROCEDURES HAVE OCCURRED. ABATEMENT, IF NECESSARY, SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
4. THE CONTRACTOR SHALL CALL THE APPROPRIATE UTILITY COMPANIES AND DIG SAFE AT LEAST 72 HOURS PRIOR TO EXCAVATION TO REQUEST EXACT FIELD LOCATION FOR UTILITIES. OTHERWISE IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE LOCATION OF UNDERGROUND UTILITIES AND LOCATE POTENTIAL CONFLICT WITH THE APPROVED PLANS PRIOR TO CONSTRUCTION.
5. ALL CONSTRUCTION SIGNAGE IS TEMPORARY AND WILL BE REMOVED AT PROJECT COMPLETION. FINAL SIGNAGE WORDING AND PLACEMENT LOCATION TO BE ACCEPTED BY THE CITY.
6. SEDIMENT BARRIERS TO BE PLACED DIRECTLY ON THE FRONT AND SIDE PROPERTY LINES, DOWN GRADIENT OF THE PROPOSED PROJECT WORK PER DETAIL; FENCES ARE OFFSET OF THE PROPERTY LINES AS SHOWN ON THE PLAN FOR CLARITY PURPOSES AND DO NOT NECESSARILY DEPICT THE PHYSICAL LOCATION.
7. CONTRACTOR SHALL PLACE CATCH BASIN INLET PROTECTION ON CATCH BASINS AND FIELD INLETS DOWN-GRADIENT OF ALL NON-STABILIZED SURFACES, PER DETAIL.
8. DEMOLITION PLAN IS NOT INCLUSIVE OF ALL EXISTING ITEMS TO BE REMOVED AS PART OF SITE CONSTRUCTION INCLUDING BUT NOT LIMITED TO LANDSCAPING, UTILITIES, WORK WITHIN THE ROW, ETC. ALL DEMOLITION WORK SHALL BE IN ACCORDANCE WITH THE CITY OF PORTLAND REGULATIONS.
9. CONTRACTOR TO BE RESPONSIBLE FOR PROVIDING OFF-SITE PARKING TO EMPLOYEES; ON-SITE PARKING WILL NOT BE PROVIDED OR GUARANTEED. CONTRACTOR TO BE RESPONSIBLE FOR OBTAINING THE APPROPRIATE PERMITS FROM THE CITY FOR CLOSING ANY ON-STREET PARKING SPACES DURING THE CONSTRUCTION PERIOD.
10. CONTRACTOR SHALL BE RESPONSIBLE FOR SNOW REMOVAL ALONG CONSTRUCTION FENCE AND GATE.

TM 64-F-2&3
N/F
CASTE OFF LLC
34754/63

TM 64-F-16
N/F
ST. JOHN ST LLC
31030/192

TM 64-F-9

TM 64-F-8

TM 64-F-15
N/F
SUMMIT LLC
34582/138

N/F
AVESTA HOUSING DEVELOPMENT CORP.
27010/287

TM 64-F-20
N/F
AVESTA
FLORENCE HOUSE LP
26565/87

TM 64-F-7
N/F
LIGHTHOUSE LLC
34580/173

TEMP. SIGNAGE WHEN NECESSARY, TYP.

SHIM AS NECESSARY

REMOVE EXISTING TREE

CONTRACTOR TO PRIORITIZE INSTALLATION OF STORM DRAIN STUB INTO SITE. CONTRACTOR TO INSTALL TEMP T WITH PERFORATED RISER WRAPPED IN CRUSHED STONE.

EROSION CONTROL BARRIER DOWN GRADIENT OF ANY SOIL DISTURBANCE. UTILITIZE FILTER SOCK AT CONSTRUCTION ENTRANCE.

SUMMIT TEST BORING B-1 (3/18/20)

TEMPORARY CONSTRUCTION FENCE WITH GATED ACCESS

SUMMIT TEST BORING B-2 (3/18/20)

STOCKPILING / STAGING AREA

INSTALL CONSTRUCTION ENTRANCE PER DETAIL

REMOVE EXISTING TREE

IF ASBESTOS STORM DRAIN IS DISCOVERED, CONSULT WITH DPW ON CONNECTION REQUIREMENTS. CONTRACTOR TO TAKE APPROPRIATE ABATEMENT MEASURES.

CONTRACTOR PARKING

REMOVE EX. CONCRETE STAIRS, TYP.

REMOVE EX. RETAINING WALL

SUMMIT TEST BORING B-3 (3/18/20)

DEMOLISH EX. STRUCTURE

RETIRE EXISTING SEWER LATERAL. COORDINATE WITH PUBLIC WORKS.

PAVEMENT CUT, TYP.

SUMMIT TEST BORING B-4 (3/18/20)

REMOVE EXISTING RIPRAP, TYP.

REMOVE EXISTING TREE

MAINTAIN ADA-COMPLIANT SIDEWALK DURING CONSTRUCTION AS LONG AS POSSIBLE. IF CLOSURE IS NECESSARY AT ANY TIME, COORDINATE WITH PUBLIC WORKS DEPT. AND PROVIDE TEMPORARY CLOSURE SIGNAGE WITH JERSEY BARRIER TEMP. SIDEWALK.

EXISTING SIDEWALK, TYP.

REMOVE EXISTING TREE

EXISTING GAS SERVICE TO BE RETIRED IN COORDINATION WITH UNITIL

WHEN NECESSARY FOR BUILDING CONSTRUCTION, INSTALL 5' WIDE TEMP. SIDEWALK.

REMOVE EXISTING STREET TREE

TEMP JERSEY BARRIER, TYP.

REMOVE EX. OVERHEAD UTILITIES

VALLEY STREET (UNDER MORATORIUM UNTIL SEPT. 2023)

CUMBERLAND STREET
ONE WAY

10 0 10 20
SCALE: 1:10

PERMIT LEVEL
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY	DATE
SITE PLAN	WHS	3/27/20
COMMENT RESPONSE	WHS	7/9/20

DRAWING NAME: CONSTRUCTION MANAGEMENT AND EROSION AND SEDIMENTATION CONTROL PLAN

PROJECT NAME: 210 VALLEY STREET REDEVELOPMENT

CLIENT: AVESTA VALLEY STREET LP
307 CUMBERLAND AVE, PORTLAND, ME 04101

ACORN ENGINEERING, INC.
ACORN ENGINEERING, INC.
65 HANOVER ST, PORTLAND, MAINE 04101
(207) 775-2655

THESE PLANS SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. AND SHALL BE RETURNED UPON REQUEST OR, OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

FILE:	1127_CIVIL
JN:	1127
SCALE:	AS NOTED
DESIGNED BY:	WHS
DRAWN BY:	KRB
CHECKED BY:	WHS

STATE OF MAINE
WILLIAM H. SAVAGE
No. 15418
7-2-2020
LICENSED PROFESSIONAL ENGINEER

DRAWING NO.
C-03

GENERAL NOTES:

1. ALL BRICK SIDEWALK AND VERTICAL GRANITE CURB TO BE SET/REPLACED SHALL BE REBUILT TO CITY OF PORTLAND STANDARD.
2. ALL PAVEMENT STRIPING AND MARKINGS SHALL COMPLY TO CITY OF PORTLAND STANDARDS.
3. ANY ASPHALT TO BE REMOVED SHALL BE STRIPPED AND PROPERLY DISPOSED OF OFFSITE.
4. CURB TO BE REMOVED, STOCKPILED AND RESET IN ACCORDANCE WITH DETAIL. BROKEN CURB SHALL BE PROPERLY DISPOSED OF AND SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE.
5. ALL RAMPS TO CONFORM TO ADA GUIDELINES. SLOPE SHALL NOT EXCEED 1 INCH PER FOOT.
6. ALL SITE SIGNAGE TO COMPLY WITH MUTCD STANDARDS. CONTRACTOR TO COORDINATE AND INSTALL.
7. FOLLOWING COMPLETION OF CONSTRUCTION, THE OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND MANAGEMENT OF DRIVEWAYS, SITE LIGHTING, TRASH REMOVAL AND SNOW REMOVAL.

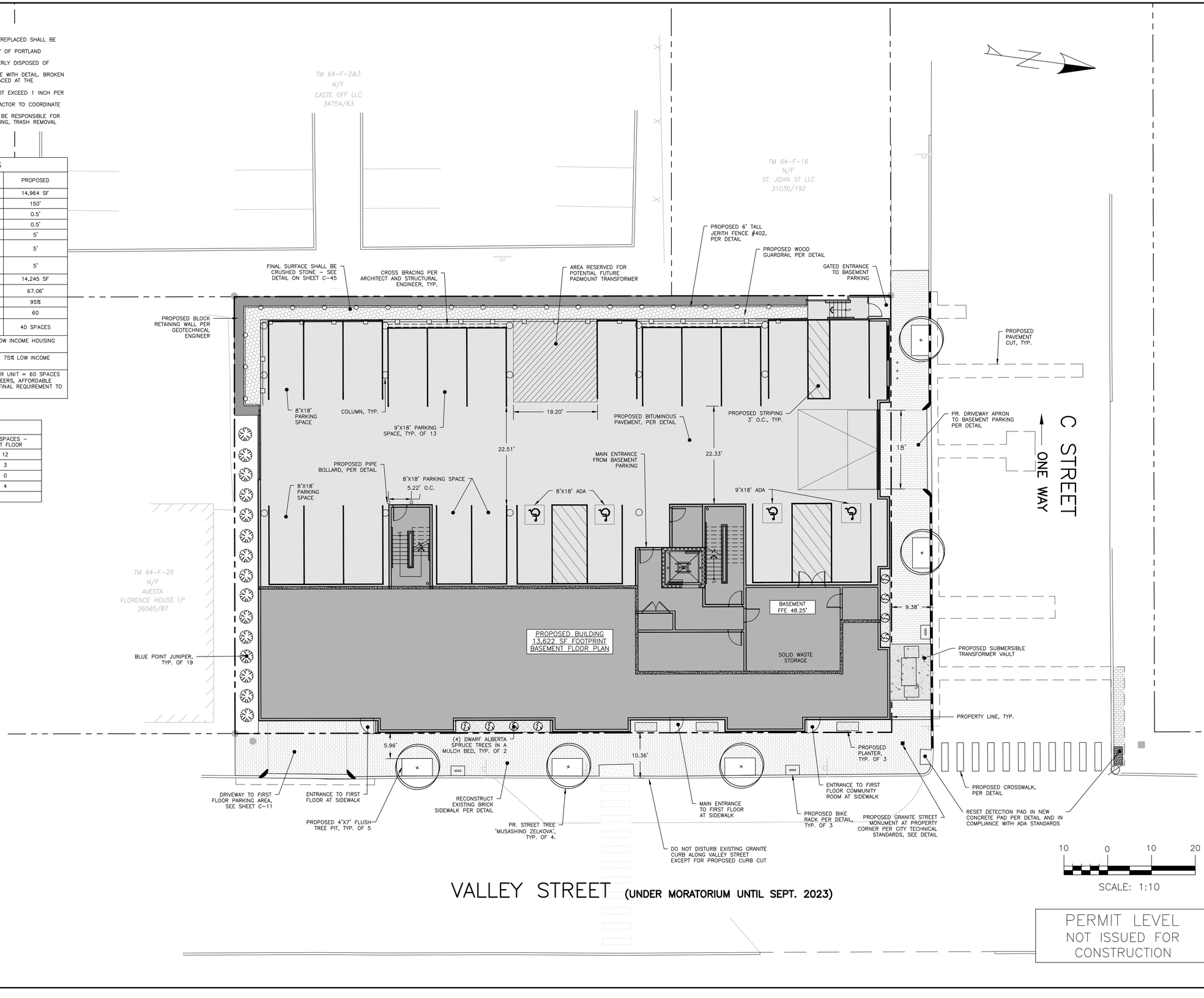
SPACE AND BULK STANDARDS		
ZONE: B-2	REQUIRED	PROPOSED
MINIMUM LOT SIZE	NONE	14,964 SF
MINIMUM STREET FRONTAGE	20'	150'
MAXIMUM FRONT YARD SETBACK	NONE	0.5'
MINIMUM SIDE YARD SETBACK	NONE	0.5'
MINIMUM REAR YARD SETBACK	0' *	5'
STRUCTURE STEPBACKS (SIDE YARD ABOVE 35')	NONE (ABUTS B2)	5'
STRUCTURE STEPBACKS (REAR YARD ABOVE 35')	NONE (ABUTS B2)	5'
MAXIMUM LOT COVERAGE	NONE	14,245 SF
MAXIMUM BUILDING HEIGHT	70' **	67.06'
MAXIMUM IMPERVIOUS AREA	NONE	95%
MAXIMUM NUMBER OF DWELLING UNITS	NA	60
PARKING	60 SPACES ***	40 SPACES

* 10' REAR SETBACK (B-2 ZONING) IS REDUCED TO 0' PER 75% LOW INCOME HOUSING BONUS (DIV. 30, SEC. 14-488)

** 45' MAXIMUM BUILDING (B-2 ZONING) IS INCREASED TO 70' PER 75% LOW INCOME HOUSING BONUS (DIV. 30, SEC. 14-488)

*** PER CITY ORDINANCE, STANDARD REQUIREMENT OF 1 SPACE PER UNIT = 60 SPACES (DIV. 20, SEC. 14-322). PER INSTITUTE OF TRANSPORTATION ENGINEERS, AFFORDABLE HOUSING REQUIREMENT OF 0.55 SPACES PER UNIT = 33 SPACES. FINAL REQUIREMENT TO BE DETERMINED BY PLANNING BOARD (DIV. 20, SEC. 14-332.2).

PARKING TABLE		
	# OF SPACES - BASEMENT LEVEL	# OF SPACES - FIRST FLOOR
STANDARD (9'X18')	13	12
COMPACT (8'X18')	4	3
ADA (9'X18')	2	0
ADA (8'X18')	2	4
TOTAL PROPOSED SPACES	40	



PERMIT LEVEL
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY DATE
PRELIM	WHS 06/21/19
SITE PLAN	WHS 3/27/20
COMMENT RESPONSE	WHS 7/9/20

DRAWING NAME: SITE PLAN - BASEMENT LEVEL

PROJECT NAME: 210 VALLEY STREET REDEVELOPMENT

CLIENT: AVESTA VALLEY STREET LP
307 CUMBERLAND AVE, PORTLAND, ME 04101

THESE PLANS SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. AND ANY UNAUTHORIZED MODIFICATIONS OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND SHALL INDEMNIFY AND HOLD ACORN ENGINEERING, INC. HARMLESS.

ACORN ENGINEERING, INC.
65 HANCOCK ST, SCARBOROUGH, MAINE 04101
(207) 775-2655

FILE:	1127_CIVIL
JN:	1127
SCALE:	AS NOTED
DESIGNED BY:	WHS
DRAWN BY:	KRB
CHECKED BY:	WHS

STATE OF MAINE
WILLIAM H. SAVAGE
No. 11446
7-2-2020
REGISTERED PROFESSIONAL ENGINEER

DRAWING NO.
C-10

GENERAL NOTES:

1. ALL BRICK SIDEWALK AND VERTICAL GRANITE CURB TO BE SET/REPLACED SHALL BE REBUILT TO CITY OF PORTLAND STANDARD.
2. ALL PAVEMENT STRIPING AND MARKINGS SHALL COMPLY TO CITY OF PORTLAND STANDARDS.
3. ANY ASPHALT TO BE REMOVED SHALL BE STRIPPED AND PROPERLY DISPOSED OF OFFSITE.
4. CURB TO BE REMOVED, STOCKPILED AND RESET IN ACCORDANCE WITH DETAIL. BROKEN CURB SHALL BE PROPERLY DISPOSED OF AND SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE.
5. ALL RAMPS TO CONFORM TO ADA GUIDELINES. SLOPE SHALL NOT EXCEED 1 INCH PER FOOT.
6. ALL SITE SIGNAGE TO COMPLY WITH MUTCD STANDARDS. CONTRACTOR TO COORDINATE AND INSTALL.
7. FOLLOWING COMPLETION OF CONSTRUCTION, THE OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND MANAGEMENT OF DRIVEWAYS, SITE LIGHTING, TRASH REMOVAL AND SNOW REMOVAL.

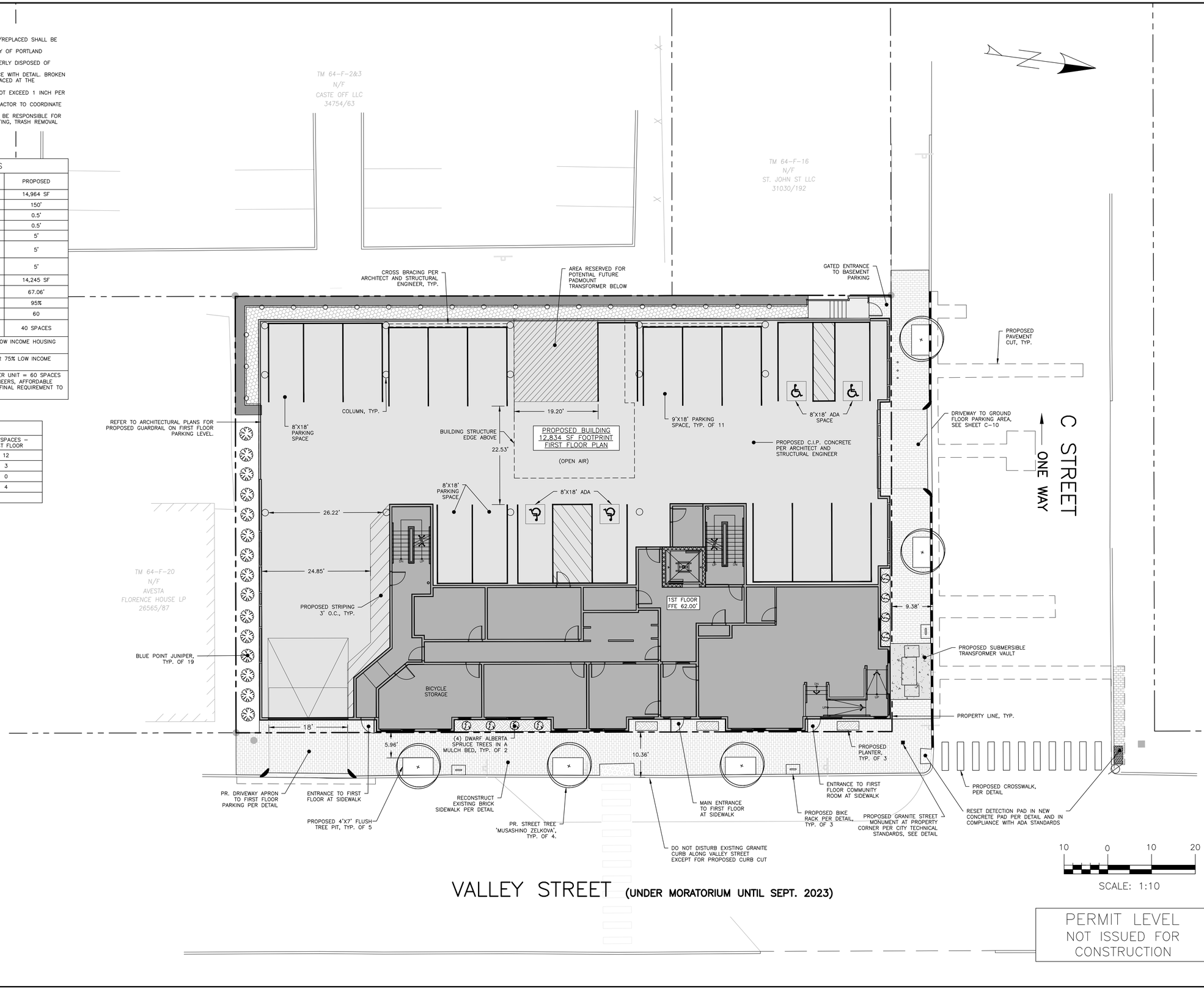
SPACE AND BULK STANDARDS		
ZONE: B-2	REQUIRED	PROPOSED
MINIMUM LOT SIZE	NONE	14,964 SF
MINIMUM STREET FRONTAGE	20'	150'
MAXIMUM FRONT YARD SETBACK	NONE	0.5'
MINIMUM SIDE YARD SETBACK	NONE	0.5'
MINIMUM REAR YARD SETBACK	0' *	5'
STRUCTURE STEPBACKS (SIDE YARD ABOVE 35')	NONE (ABUTS B2)	5'
STRUCTURE STEPBACKS (REAR YARD ABOVE 35')	NONE (ABUTS B2)	5'
MAXIMUM LOT COVERAGE	NONE	14,245 SF
MAXIMUM BUILDING HEIGHT	70' **	67.06'
MAXIMUM IMPERVIOUS AREA	NONE	95%
MAXIMUM NUMBER OF DWELLING UNITS	NA	60
PARKING	60 SPACES ***	40 SPACES

* 10' REAR SETBACK (B-2 ZONING) IS REDUCED TO 0' PER 75% LOW INCOME HOUSING BONUS (DIV. 30, SEC. 14-488)

** 45' MAXIMUM BUILDING (B-2 ZONING) IS INCREASED TO 70' PER 75% LOW INCOME HOUSING BONUS (DIV. 30, SEC. 14-488)

*** PER CITY ORDINANCE, STANDARD REQUIREMENT OF 1 SPACE PER UNIT = 60 SPACES (DIV. 20, SEC. 14-322). PER INSTITUTE OF TRANSPORTATION ENGINEERS, AFFORDABLE HOUSING REQUIREMENT OF 0.55 SPACES PER UNIT = 33 SPACES. FINAL REQUIREMENT TO BE DETERMINED BY PLANNING BOARD (DIV. 20, SEC. 14-332.2).

PARKING TABLE		
	# OF SPACES - BASEMENT LEVEL	# OF SPACES - FIRST FLOOR
STANDARD (9'X18')	13	12
COMPACT (8'X18')	4	3
ADA (9'X18')	2	0
ADA (8'X18')	2	4
TOTAL PROPOSED SPACES	40	



VALLEY STREET (UNDER MORATORIUM UNTIL SEPT. 2023)

PERMIT LEVEL
NOT ISSUED FOR CONSTRUCTION

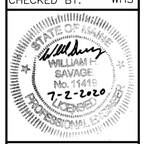
ISSUED FOR	BY	DATE
SITE PLAN	WHS	3/27/20
COMMENT RESPONSE	WHS	7/9/20

DRAWING NAME: SITE PLAN - FIRST FLOOR
PROJECT NAME: 210 VALLEY STREET REDEVELOPMENT
CLIENT: AVESTA VALLEY STREET LP
307 CUMBERLAND AVE, PORTLAND, ME 04101

THESE PLANS SHALL NOT BE MODIFIED IN ANY WAY WITHOUT THE PRIOR WRITTEN AUTHORIZATION OF ACORN ENGINEERING, INC. ANY UNAUTHORIZED MODIFICATIONS TO THESE PLANS WILL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

ACORN ENGINEERING, INC.
65 HANOVER ROAD, FLORENCE, MAINE 04101
(207) 775-2655

FILE: 1127_CIVIL
JN: 1127
SCALE: AS NOTED
DESIGNED BY: WHS
DRAWN BY: KRB
CHECKED BY: WHS



DRAWING NO.
C-11

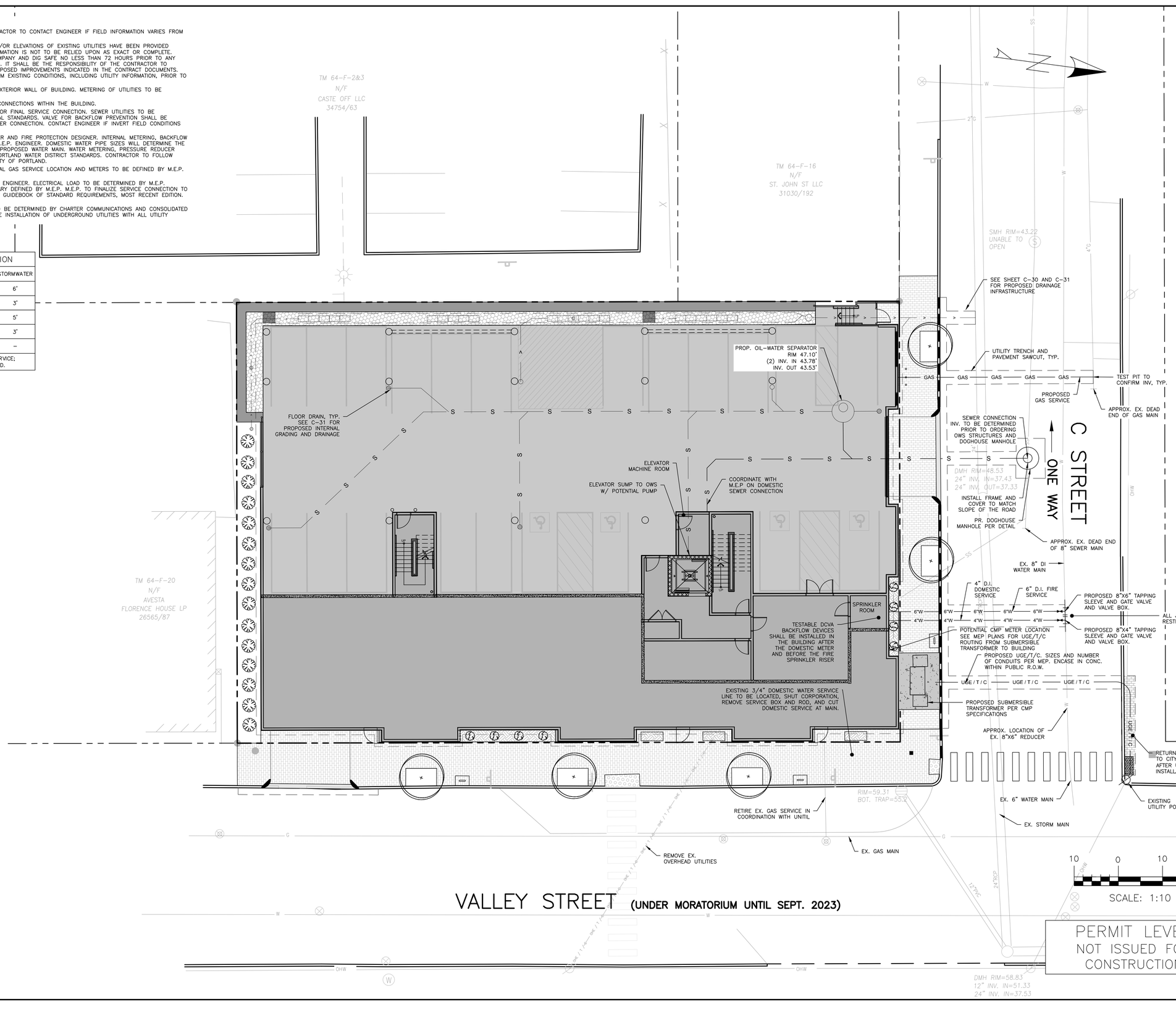
GENERAL NOTES:

1. LOCATION OF PROPOSED CONNECTIONS ARE APPROXIMATE. CONTRACTOR TO CONTACT ENGINEER IF FIELD INFORMATION VARIES FROM INFORMATION ON PLANS.
2. CONTRACTOR IS TO BE CAUTIONED THAT CERTAIN LOCATIONS AND/OR ELEVATIONS OF EXISTING UTILITIES HAVE BEEN PROVIDED THROUGH UTILITY COORDINATION OR OTHER OBSERVATIONS. INFORMATION IS NOT TO BE RELIED UPON AS EXACT OR COMPLETE. CONTRACTOR TO FIELD VERIFY AND COORDINATE WITH UTILITY COMPANY AND DIG SAFE NO LESS THAN 72 HOURS PRIOR TO ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF ALL UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS INDICATED IN THE CONTRACT DOCUMENTS. CONTRACTOR TO NOTIFY ENGINEER OF ANY DIFFERENTIATIONS FROM EXISTING CONDITIONS, INCLUDING UTILITY INFORMATION, PRIOR TO ANY CHANGES.
3. FOR ALL UTILITIES, ACORN ENGINEERING DESIGN LIMITS END AT EXTERIOR WALL OF BUILDING. METERING OF UTILITIES TO BE COMPLETED BY M.E.P. UNLESS SPECIFIED OTHERWISE.
4. CONTRACTOR TO COORDINATE WITH ARCHITECT ON FINAL UTILITY CONNECTIONS WITHIN THE BUILDING.
5. SEWER UTILITIES: CONTRACTOR TO COORDINATE WITH ARCHITECT FOR FINAL SERVICE CONNECTION. SEWER UTILITIES TO BE CONSTRUCTED IN ACCORDANCE WITH CITY OF PORTLAND TECHNICAL STANDARDS. VALVE FOR BACKFLOW PREVENTION SHALL BE INSTALLED WITHIN THE THE PROPERTY LINES FOR EACH CITY SEWER CONNECTION. CONTACT ENGINEER IF INVERT FIELD CONDITIONS VARY FROM DESIGN.
6. WATER UTILITIES: FINAL PIPE SIZING PROVIDED BY M.E.P. ENGINEER AND FIRE PROTECTION DESIGNER. INTERNAL METERING, BACKFLOW PREVENTION, AND PRESSURE REDUCERS TO BE COMPLETED BY M.E.P. ENGINEER. DOMESTIC WATER PIPE SIZES WILL DETERMINE THE FINAL WATER METERING OPTIONS. METER MAY BE SMALLER THAN PROPOSED WATER MAIN. WATER METERING, PRESSURE REDUCER AND BACKFLOW PREVENTION TO BE IN ACCORDANCE WITH THE PORTLAND WATER DISTRICT STANDARDS. CONTRACTOR TO FOLLOW METERING GUIDELINES OF THE PORTLAND WATER DISTRICT AND CITY OF PORTLAND.
7. GAS UTILITIES: PROJECT GAS LOAD, GAS UTILITY DESIGN, AND FINAL GAS SERVICE LOCATION AND METERS TO BE DEFINED BY M.E.P. AND IN ACCORDANCE WITH UNITIL.
8. ELECTRIC UTILITIES: ELECTRIC DESIGN TO BE FINALIZED BY M.E.P. ENGINEER. ELECTRICAL LOAD TO BE DETERMINED BY M.E.P. ENGINEER. METER LOCATION AND TRANSFORMER SIZE, IF NECESSARY DEFINED BY M.E.P. M.E.P. TO FINALIZE SERVICE CONNECTION TO BUILDING. ALL ELECTRIC CONSTRUCTION SHALL CONFORM TO CMP GUIDEBOOK OF STANDARD REQUIREMENTS, MOST RECENT EDITION. DESIGN SUBJECT TO FINAL APPROVAL FROM CMP.
9. CABLE AND TELEPHONE PULLBOXES AND PEDESTAL LOCATIONS TO BE DETERMINED BY CHARTER COMMUNICATIONS AND CONSOLIDATED COMMUNICATIONS TO CONSTRUCTION. CONTRACTOR TO COORDINATE INSTALLATION OF UNDERGROUND UTILITIES WITH ALL UTILITY COMPANIES INVOLVED.

MINIMUM HORIZONTAL UTILITY SEPARATION

UTILITY	UGE/T/C	WATER	SEWER	GAS	STORMWATER
UGE/T/C	–	6'	5'	4'	6'
WATER	6'	–	5'*	6'	3'
SEWER	5'	5'*	–	5'	5'
GAS	4'	6'	5'	–	3'
STORMWATER	6'	3'	5'	3'	–

*PERMISSIBLE ONLY IF SEWER IS LAID MIN. 18" BELOW WATER SERVICE; OTHERWISE, 10' OF HORIZONTAL SEPARATION MUST BE MAINTAINED.



PERMIT LEVEL
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY DATE
ATS	WHS 3/18/20
SITE PLAN	WHS 3/27/20
COMMENT RESPONSE	WHS 7/9/20

DRAWING NAME: UTILITY PLAN

PROJECT NAME: 210 VALLEY STREET REDEVELOPMENT

CLIENT: AVESTA VALLEY STREET LP
307 CUMBERLAND AVE, PORTLAND, ME 04101

ACORN ENGINEERING, INC.
65 HANOVER ST, PORTLAND, MAINE 04101
(207) 775-2655

ALL PLANS SHALL NOT BE ALTERED, MODIFIED, OR USED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. ANY ALTERATIONS, MODIFICATIONS OR REUSE SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

FILE: 1127_CIVIL
JN: 1127
SCALE: AS NOTED
DESIGNED BY: WHS
DRAWN BY: KRB
CHECKED BY: WHS

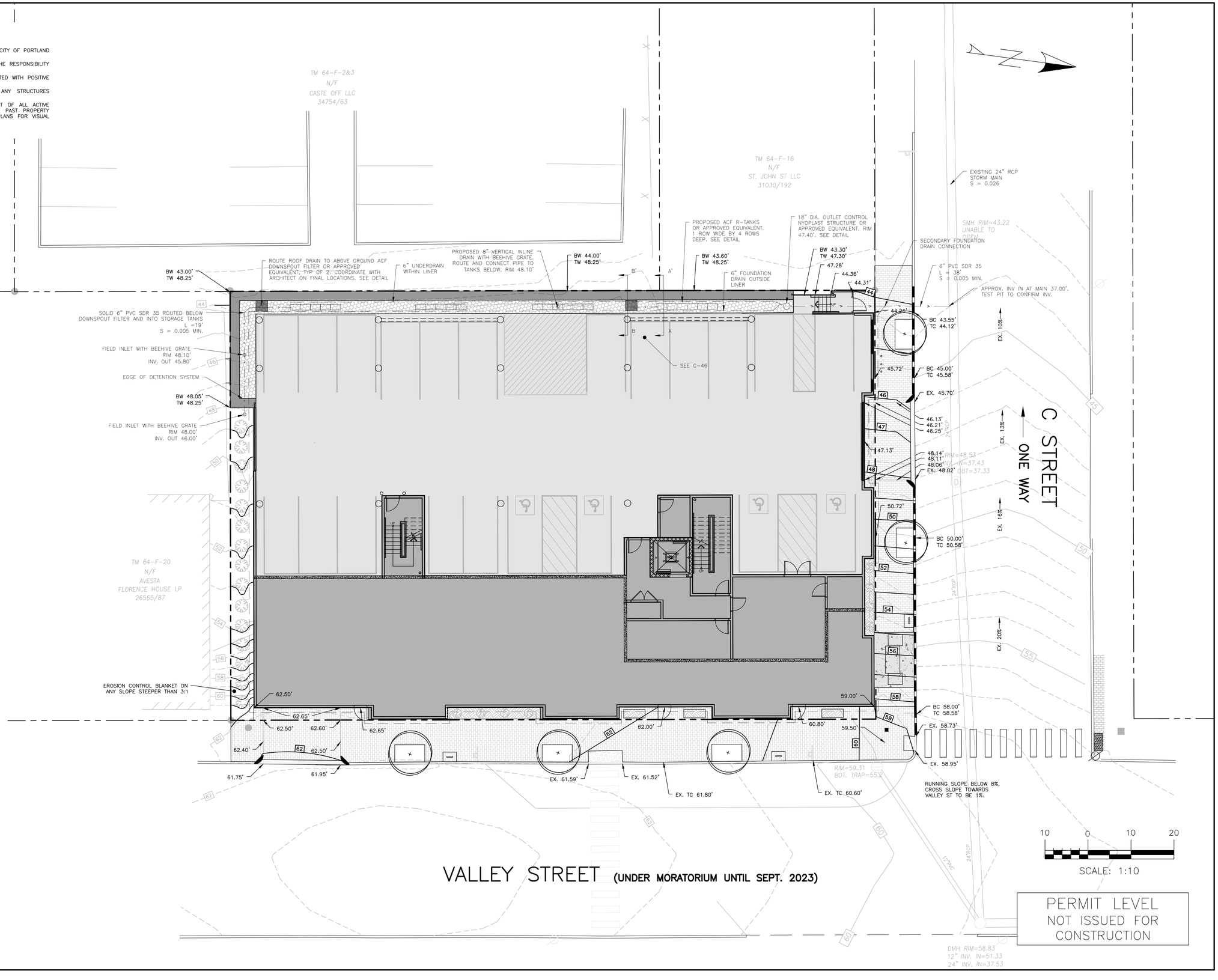
STATE OF MAINE
WILLIAM H. SAVAGE
No. 11446
7-2-2020
REGISTERED PROFESSIONAL ENGINEER

DRAWING NO.
C-20

GENERAL NOTES:

1. ALL WORK WITHIN THE CITY STREET RIGHT OF WAY SHALL MEET CITY OF PORTLAND TECHNICAL MANUAL STANDARDS.
2. DESIGN OF TEMPORARY SOIL RESTRAINT MEASURES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR IF NECESSARY FOR CONSTRUCTION.
3. CONTRACTOR SHALL ENSURE THAT UNDERDRAINS ARE CONSTRUCTED WITH POSITIVE OUTLET TO PROPOSED CONNECTIONS.
4. CATCH BASIN INLET PROTECTION TO BE INSTALLED WITHIN ANY STRUCTURES DOWNGRADIENT OF ACTIVE CONSTRUCTION.
5. SEDIMENTATION BARRIERS ARE TO BE INSTALLED DOWNGRADIENT OF ALL ACTIVE CONSTRUCTION WORK PER DETAIL. BARRIERS TO NOT EXTEND PAST PROPERTY LINES; BARRIERS SHOWN OFFSET FROM PROPERTY LINES ON PLANS FOR VISUAL PURPOSES ONLY.

AVERAGE GRADES AND BUILDING HEIGHT	
NORTHEAST CORNER ELEVATION	59.00'
SOUTHEAST CORNER ELEVATION	62.50'
SOUTHWEST CORNER ELEVATION	44.00'
NORTHWEST CORNER ELEVATION	44.26'
AVERAGE GRADE PLANE	52.44'
ELEVATION AT ROOF	119.50'
BUILDING HEIGHT	67.06'



10 0 10 20

SCALE: 1:10

PERMIT LEVEL
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY DATE
SITE PLAN	WHS 3/27/20
COMMENT RESPONSE	WHS 7/9/20

DRAWING NAME: GRADING & DRAINAGE PLAN – EXTERIOR

PROJECT NAME: 210 VALLEY STREET REDEVELOPMENT

CLIENT: AVESTA VALLEY STREET LP
307 CUMBERLAND AVE, PORTLAND, ME 04101

ACORN ENGINEERING, INC.
ACORN ENGINEERING, INC.
65 HANOVER ST, PORTLAND, MAINE 04101
(207) 775-2655

THE PLANS SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. ANY ALTERATIONS MADE WITHOUT OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

FILE:	1127_CIVIL
JN:	1127
SCALE:	AS NOTED
DESIGNED BY:	WHS
DRAWN BY:	KRB
CHECKED BY:	WHS

STATE OF MAINE
WILLIAM H. SAVAGE
No. 15418
7-2-2020
REGISTERED PROFESSIONAL ENGINEER

DRAWING NO.
C-30

GENERAL NOTES:

1. ALL WORK WITHIN THE CITY STREET RIGHT OF WAY SHALL MEET CITY OF PORTLAND TECHNICAL MANUAL STANDARDS.
2. DESIGN OF TEMPORARY SOIL RESTRAINT MEASURES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR IF NECESSARY FOR CONSTRUCTION.
3. CONTRACTOR SHALL ENSURE THAT UNDERDRAINS ARE CONSTRUCTED WITH POSITIVE OUTLET TO PROPOSED CONNECTIONS.
4. CATCH BASIN INLET PROTECTION TO BE INSTALLED WITHIN ANY STRUCTURES DOWNGRADIENT OF ACTIVE CONSTRUCTION.
5. SEDIMENTATION BARRIERS ARE TO BE INSTALLED DOWNGRADIENT OF ALL ACTIVE CONSTRUCTION WORK PER DETAIL. BARRIERS TO NOT EXTEND PAST PROPERTY LINES; BARRIERS SHOWN OFFSET FROM PROPERTY LINES ON PLANS FOR VISUAL PURPOSES ONLY.



ISSUED FOR	BY DATE
SITE PLAN	WHS 3/27/20
COMMENT RESPONSE	WHS 7/9/20

DRAWING NAME: **GRADING & DRAINAGE PLAN – INTERIOR**

PROJECT NAME: **210 VALLEY STREET REDEVELOPMENT**

CLIENT: AVESTA VALLEY STREET LP
307 CUMBERLAND AVE, PORTLAND, ME 04101

ACORN ENGINEERING, INC.

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ACORN ENGINEERING, INC.
65 HANOVER STREET, PORTLAND, MAINE 04101
(207) 775-2855

FILE:	1127_CIVIL
JN:	1127
SCALE:	AS NOTED
DESIGNED BY:	WHS
DRAWN BY:	KRB
CHECKED BY:	WHS

STATE OF MAINE WILLIAM H. SAVAGE No. 11418 7-2-2020 LICENSED PROFESSIONAL ENGINEER

DRAWING NO.
C-31

APARTMENTS

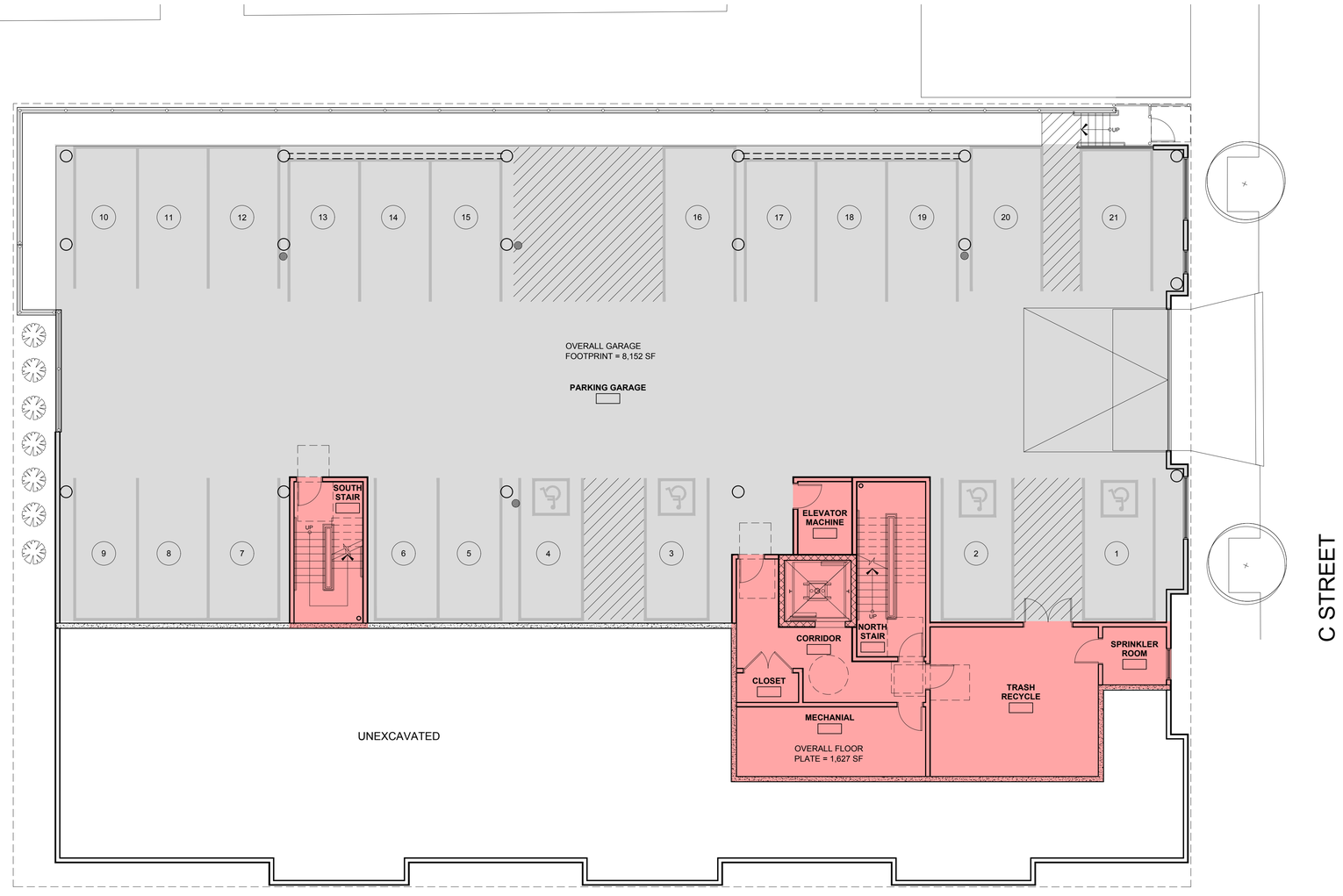
200 VALLEY STREET, PORTLAND, MAINE

JUNE 25, 2020

UNIT ACCESSIBILITY SUMMARY		
REGULATION: HUD 504 AND ADA, STANDARD: ADAAG 2010	PROVIDED IN PROJECT	EXCESS UNITS
SCOPING REQUIREMENT: 5% units accessible and additional 2% of units to be hearing and vision impaired		
60 units within building X 5% = 3 units to meet ADAAG	3 ADAAG units	0 Excess
60 units within building X 2% = 1.2 or 2 units to be hearing and vision impaired	2 Hearing and Vision Impaired Units	0 Excess
REGULATION: MAINE HUMAN RIGHTS ACT (MHRA), STANDARD: ANSI A117.1-2009		
SCOPING REQUIREMENT: 10% of Ground Floor units to be Type A		
0 Ground Floor (First Floor total) Units X 10% = 0 or 0 units		
SCOPING REQUIREMENT: 10% of Upper Floor units to be Type A		
60 Upper Floor (2,3,4,5 Floors) Units X 10% = 6 or 6 units	15 Type-A units (includes 3 ADAAG)	
	12 Type-A units total	**6 Excess Type-A units total**
All the rest to be Type B	45 Type-B units (includes 2 H/V)	
MHRA requires ALL units to either be Type A or B units		
All units to meet Federal Fair Housing Act		

UNIT TYPES - 60 TOTAL UNITS				
SECOND FLOOR	3 EFFICIENCY UNITS	6 ONE BEDROOM UNITS	3 TWO BEDROOM UNITS	3 THREE BEDROOM UNITS
THIRD FLOOR	3 EFFICIENCY UNITS	6 ONE BEDROOM UNITS	3 TWO BEDROOM UNITS	3 THREE BEDROOM UNITS
FOURTH FLOOR	3 EFFICIENCY UNITS	6 ONE BEDROOM UNITS	3 TWO BEDROOM UNITS	3 THREE BEDROOM UNITS
FIFTH FLOOR	2 EFFICIENCY UNITS	7 ONE BEDROOM UNITS	5 TWO BEDROOM UNITS	1 THREE BEDROOM UNITS
TOTALS	**11 EFFICIENCY UNITS**	**25 ONE BEDROOM UNITS**	**14 TWO BEDROOM UNITS**	**10 THREE BEDROOM UNITS**

ACCESSIBLE UNIT TYPES									
FLOOR	TYPE - A EFFICIENCY	TYPE - A ONE BED	TYPE - ADDAG ONE BED	H/V IMPAIRED ONE BED	TYPE - A TWO BED	TYPE - ADDAG TWO BED	H/V IMPAIRED TWO BED	TYPE - A THREE BED	TYPE - ADDAG THREE BED
SECOND FLOOR	1	0	1	1	1	0	0	1	0
THIRD FLOOR	1	1	0	0	0	1	0	1	0
FOURTH FLOOR	1	1	0	0	1	0	0	0	1
FIFTH FLOOR	0	1	0	0	1	0	1	0	0
TOTALS	**3**	**3**	**1**	**1**	**3**	**1**	**1**	**2**	**1**



SQUARE FOOTAGES ARE MEASURED TO THE OUTSIDE FACE OF EXTERIOR WALLS AND CENTERLINE OF SHARED WALLS

1 BASEMENT PLAN
1/8" = 1'-0"

PROGRESS PRINT ONLY
Not for Construction

AVESTA HOUSING

RYAN SENATORE **ARCHITECTURE**

APARTMENTS

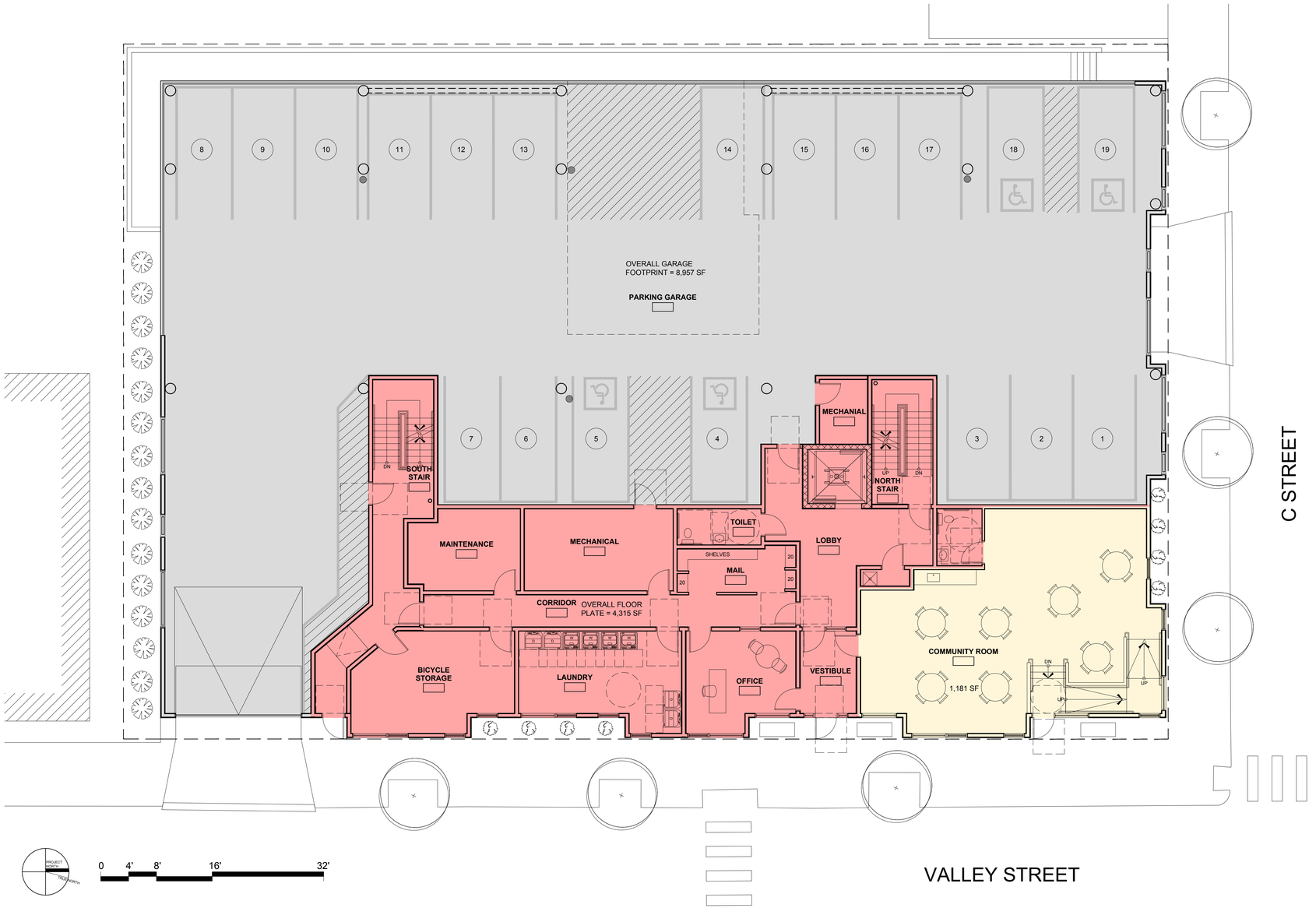
200 VALLEY STREET, PORTLAND, MAINE

JUNE 25, 2020

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All units to meet Federal Fair Housing Act		

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THIRD FLOOR	3 EFFICIENCY UNITS	6 ONE BEDROOM UNITS	3 TWO BEDROOM UNITS	3 THREE BEDROOM UNITS
FOURTH FLOOR	3 EFFICIENCY UNITS	6 ONE BEDROOM UNITS	3 TWO BEDROOM UNITS	3 THREE BEDROOM UNITS
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TOTALS	**11 EFFICIENCY UNITS**	**25 ONE BEDROOM UNITS**	**14 TWO BEDROOM UNITS**	**10 THREE BEDROOM UNITS**

ACCESSIBLE UNIT TYPES									
FLOOR	TYPE - A EFFICIENCY	TYPE - A ONE BED	TYPE - ADDAG ONE BED	H/V IMPAIRED ONE BED	TYPE - A TWO BED	TYPE - ADDAG TWO BED	H/V IMPAIRED TWO BED	TYPE - A THREE BED	TYPE - ADDAG THREE BED
SECOND FLOOR	1	0	1	1	1	0	0	1	0
THIRD FLOOR	1	1	0	0	0	1	0	1	0
FOURTH FLOOR	1	1	0	0	1	0	0	0	1
FIFTH FLOOR	0	1	0	0	1	0	1	0	0
TOTALS	**3**	**3**	**1**	**1**	**3**	**1**	**1**	**2**	**1**



SQUARE FOOTAGES ARE MEASURED TO THE OUTSIDE FACE OF EXTERIOR WALLS AND CENTERLINE OF SHARED WALLS

PROJECT NORTH
TRUE NORTH

0 4' 8' 16' 32'

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

PROGRESS PRINT ONLY
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AVESTA HOUSING

RYAN SENATORE **ARCHITECTURE**

APARTMENTS

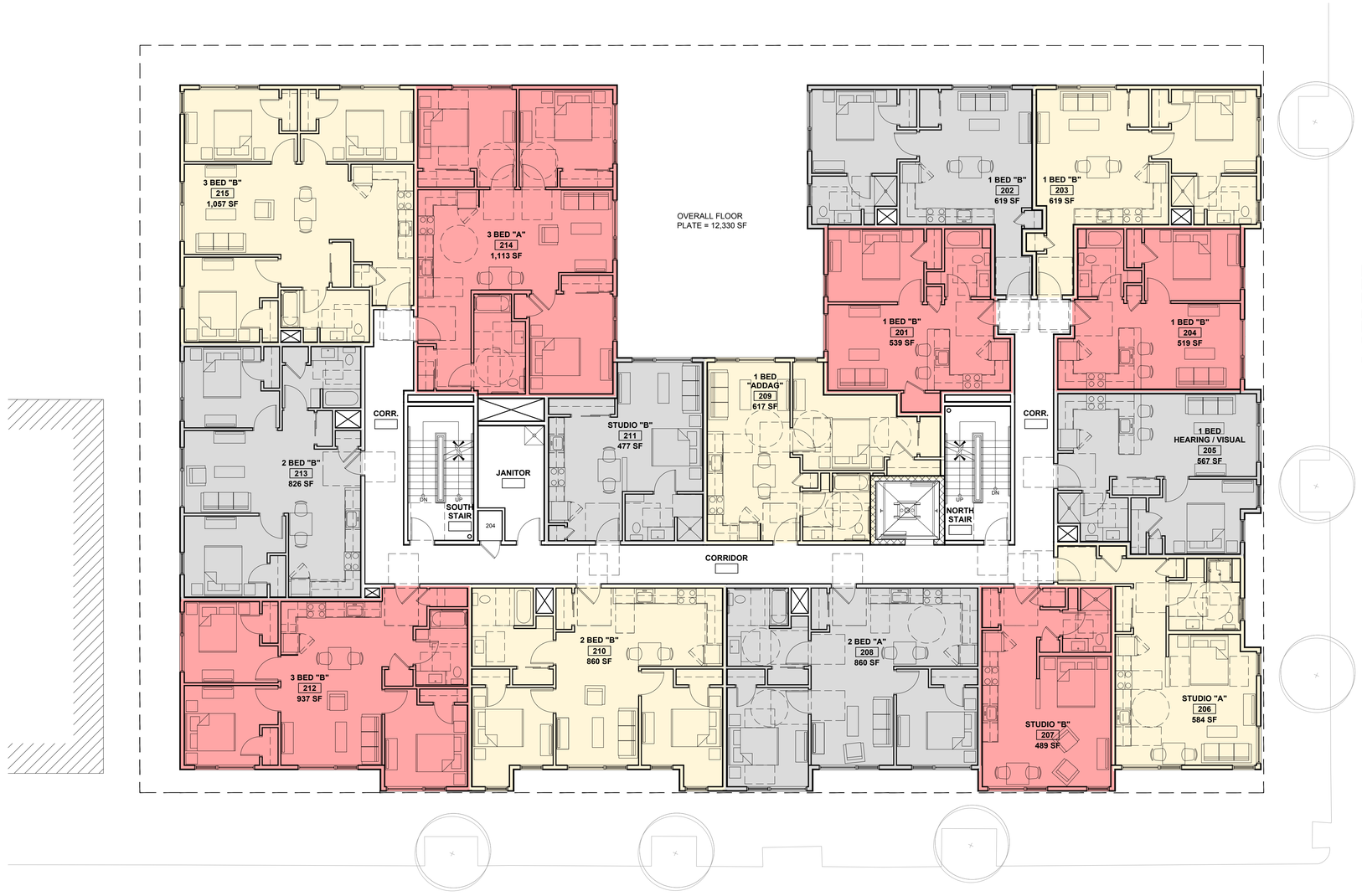
200 VALLEY STREET, PORTLAND, MAINE

JUNE 25, 2020

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TOTALS	**11 EFFICIENCY UNITS**	**25 ONE BEDROOM UNITS**	**14 TWO BEDROOM UNITS**	**10 THREE BEDROOM UNITS**

ACCESSIBLE UNIT TYPES									
FLOOR	TYPE - A EFFICIENCY	TYPE - A ONE BED	TYPE - ADDAG ONE BED	H/V IMPAIRED ONE BED	TYPE - A TWO BED	TYPE - ADDAG TWO BED	H/V IMPAIRED TWO BED	TYPE - A THREE BED	TYPE - ADDAG THREE BED
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THIRD FLOOR	1	1	0	0	0	1	0	1	0
FOURTH FLOOR	1	1	0	0	1	0	0	0	1
FIFTH FLOOR	0	1	0	0	1	0	1	0	0
TOTALS	**3**	**3**	**1**	**1**	**3**	**1**	**1**	**2**	**1**



SQUARE FOOTAGES ARE MEASURED TO THE OUTSIDE FACE OF EXTERIOR WALLS AND CENTERLINE OF SHARED WALLS

0 4' 8' 16' 32'

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

AVESTA HOUSING

PROGRESS PRINT ONLY
Not for Construction

RYAN SENATORE **ARCHITECTURE**

APARTMENTS

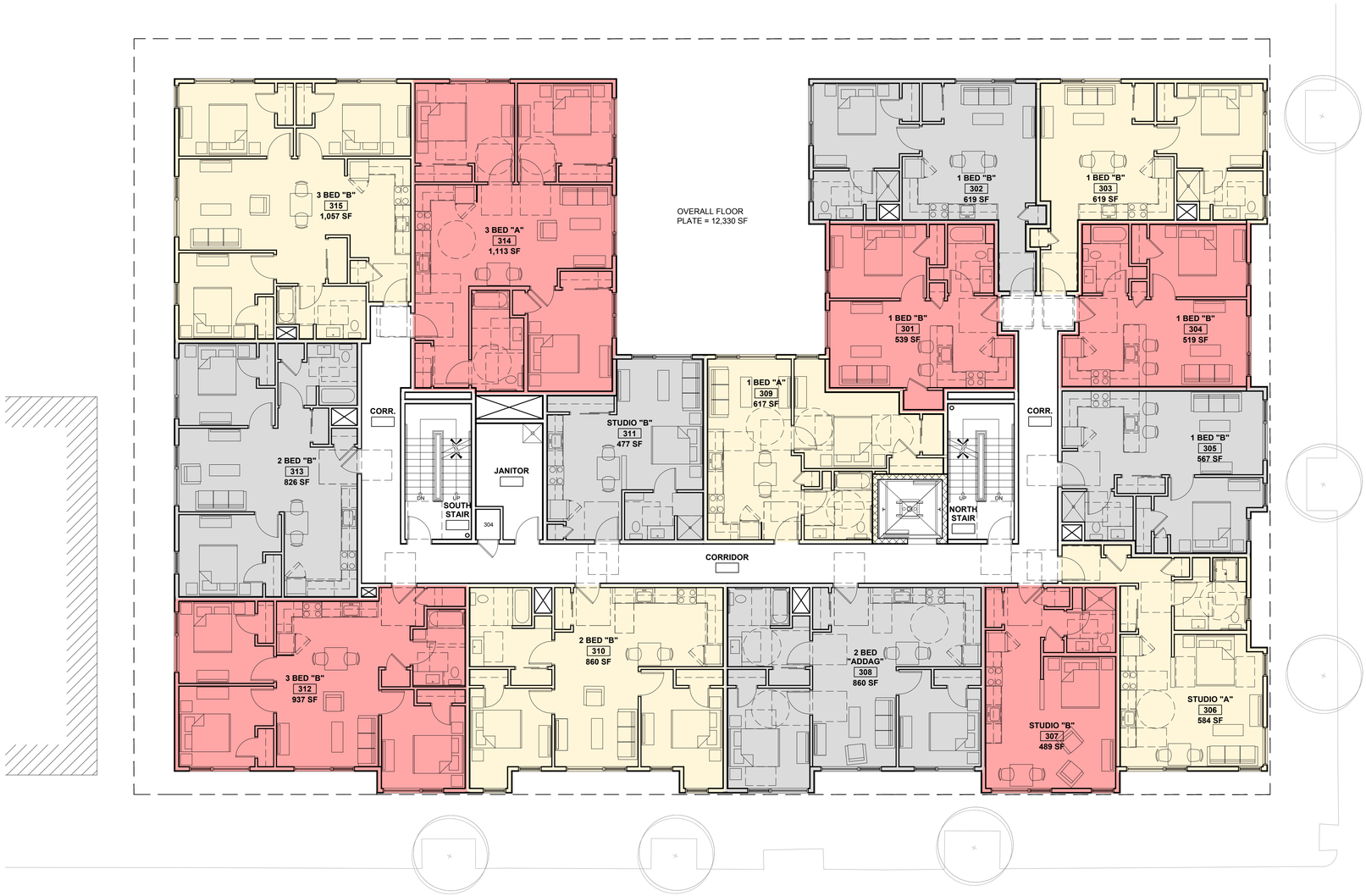
200 VALLEY STREET, PORTLAND, MAINE

JUNE 25, 2020

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ACCESSIBLE UNIT TYPES									
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SECOND FLOOR	1	0	1	1	1	0	0	1	0
THIRD FLOOR	1	1	0	0	0	1	0	1	0
FOURTH FLOOR	1	1	0	0	1	0	0	0	1
FIFTH FLOOR	0	1	0	0	1	0	1	0	0
TOTALS	**3**	**3**	**1**	**1**	**3**	**1**	**1**	**2**	**1**



SQUARE FOOTAGES ARE MEASURED TO THE OUTSIDE FACE OF EXTERIOR WALLS AND CENTERLINE OF SHARED WALLS

0 4' 8' 16' 32'

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

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AVESTA HOUSING

RYAN SENATORE **ARCHITECTURE**

APARTMENTS

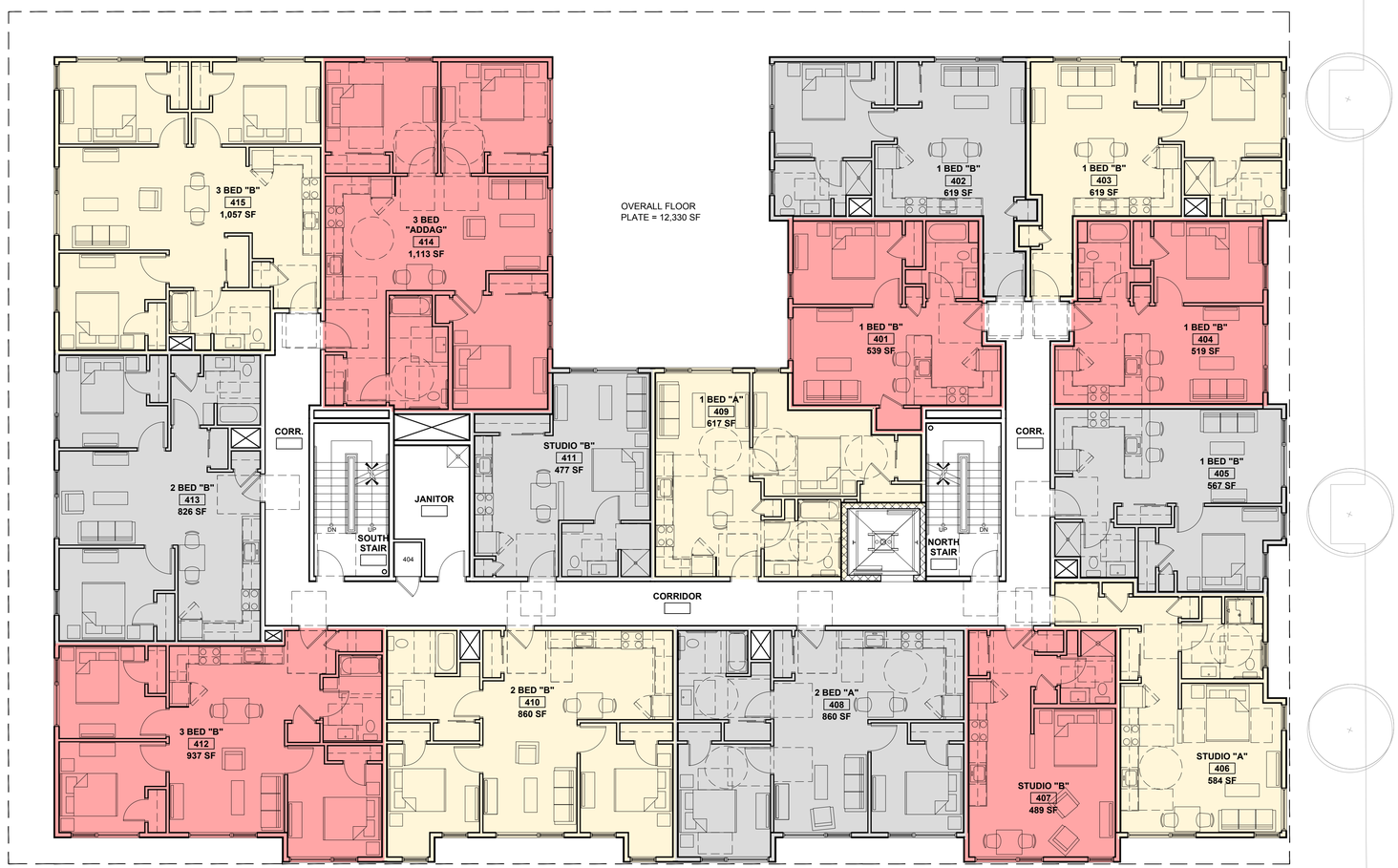
200 VALLEY STREET, PORTLAND, MAINE

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ACCESSIBLE UNIT TYPES									
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FIFTH FLOOR	0	1	0	0	1	0	1	0	0
TOTALS	**3**	**3**	**1**	**1**	**3**	**1**	**1**	**2**	**1**



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

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AVESTA HOUSING

RYAN SENATORE **ARCHITECTURE**

APARTMENTS

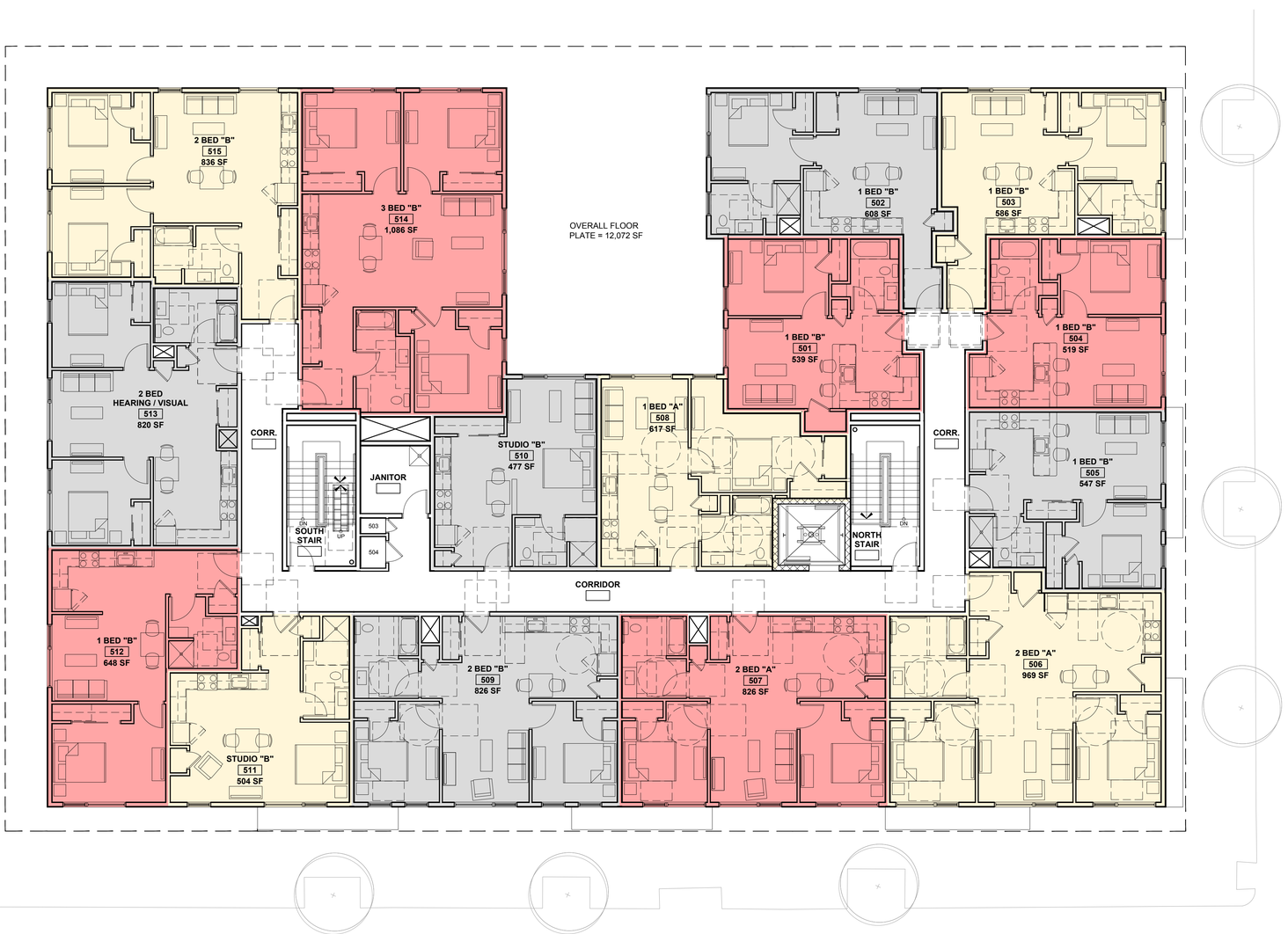
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THIRD FLOOR	1	1	0	0	0	1	0	1	0
FOURTH FLOOR	1	1	0	0	1	0	0	0	1
FIFTH FLOOR	0	1	0	0	1	0	1	0	0
TOTALS	**3**	**3**	**1**	**1**	**3**	**1**	**1**	**2**	**1**



SQUARE FOOTAGES ARE MEASURED TO THE OUTSIDE FACE OF EXTERIOR WALLS AND CENTERLINE OF SHARED WALLS

PROJECT NORTH
TRUE NORTH

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

AVESTA HOUSING

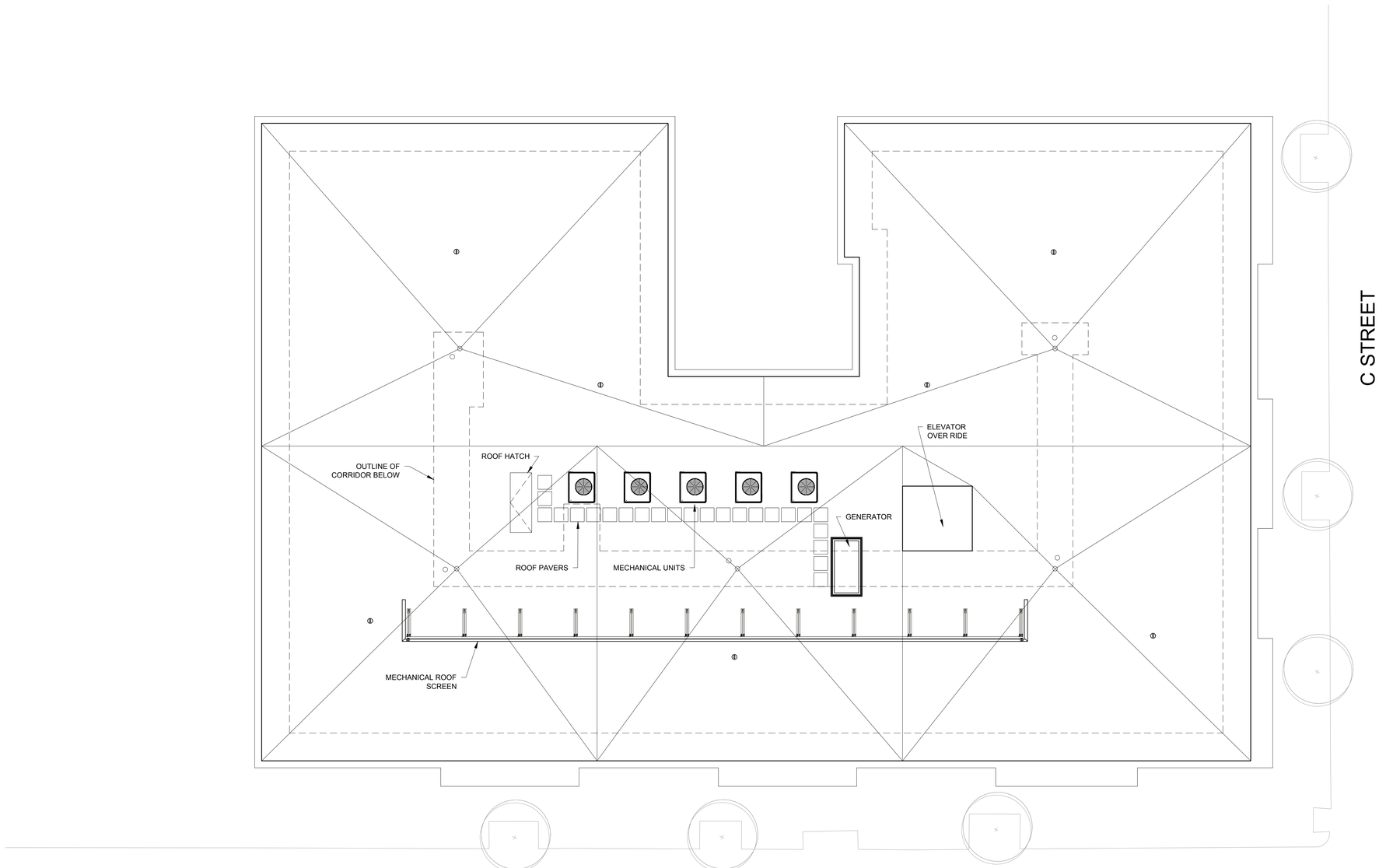
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RYAN SENATORE **ARCHITECTURE**

APARTMENTS

200 VALLEY STREET, PORTLAND, MAINE

JUNE 25, 2020



1 ROOF PLAN
1/4" = 1'-0"

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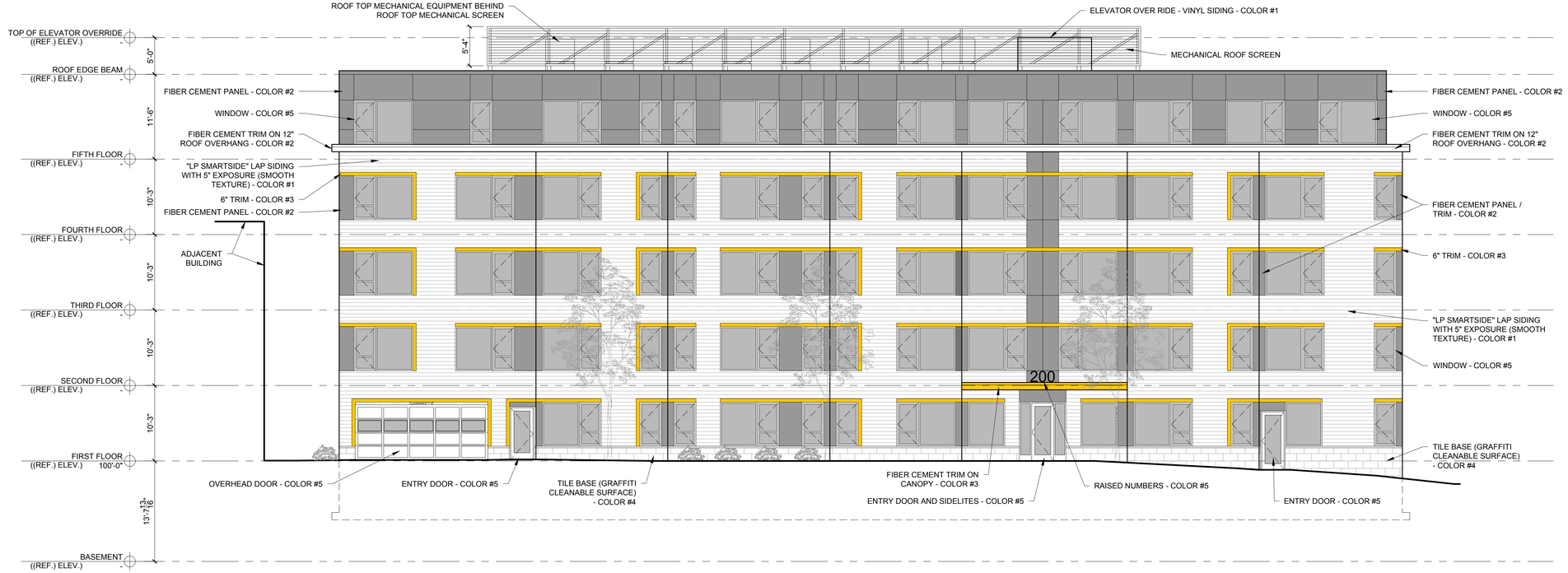
200 VALLEY STREET, PORTLAND, MAINE

JUNE 25, 2020

MATERIAL FINISH SCHEDULE			
#	COLOR	SIDING TYPE	MANUFACTURER
1)	QUARRY GRAY	LAP SIDING - 5" EXPOSURE	LP SMARTSIDE
2)	NIGHT GRAY	FIBER CEMENT PANEL SIDING / TRIM	JAMES HARDIE
3)	PAINTED "HIGHLIGHT COLOR" T.B.D.	FIBER CEMENT TRIM	JAMES HARDIE
4)	T.B.D.	12"x24" TILE BASE	T.B.D.
5)	BLACK / BRONZE	DOORS AND WINDOWS	T.B.D.
6)	T.B.D.	LAP SIDING - 5" EXPOSURE	VINYL



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



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

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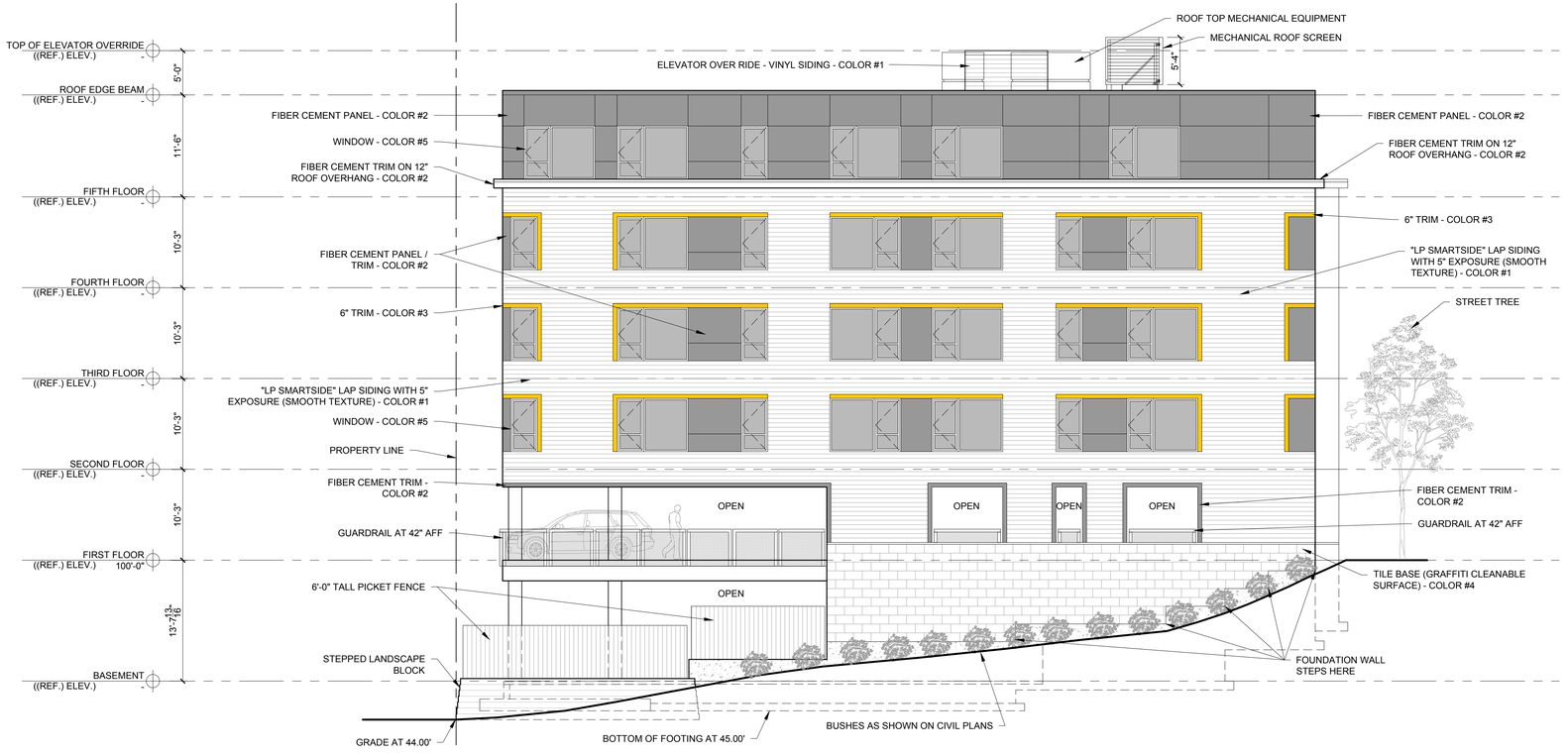
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4)	T.B.D.	12"x24" TILE BASE	T.B.D.
5)	BLACK / BRONZE	DOORS AND WINDOWS	T.B.D.
6)	T.B.D.	LAP SIDING - 5" EXPOSURE	VINYL



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



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

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APARTMENTS

200 VALLEY STREET, PORTLAND, MAINE

JUNE 25, 2020



1 PERSPECTIVE 1
NTS

AVESTA HOUSING

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APARTMENTS

200 VALLEY STREET, PORTLAND, MAINE

JUNE 25, 2020



1 PERSPECTIVE 2
NTS

AVESTA HOUSING

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APARTMENTS

200 VALLEY STREET, PORTLAND, MAINE

JUNE 25, 2020



1 PERSPECTIVE 3
NTS

AVESTA HOUSING

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APARTMENTS

200 VALLEY STREET, PORTLAND, MAINE

JUNE 25, 2020



1 PERSPECTIVE 4
NTS

AVESTA HOUSING

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APARTMENTS

200 VALLEY STREET, PORTLAND, MAINE

JUNE 25, 2020



1 PERSPECTIVE 5
NTS

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PROGRESS PRINT ONLY
Not for Construction

RYAN SENATORE **ARCHITECTURE**

APARTMENTS

200 VALLEY STREET, PORTLAND, MAINE

JUNE 25, 2020



1 VIEW LOOKING NORTH ON VALLEY STREET

AVESTA HOUSING

PROGRESS PRINT ONLY
Not for Construction

RYAN SENATORE **ARCHITECTURE**

APARTMENTS

200 VALLEY STREET, PORTLAND, MAINE

JUNE 25, 2020



1 VIEW LOOKING FROM UHAUL PARKING LOT
NTS

AVESTA HOUSING

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APARTMENTS

200 VALLEY STREET, PORTLAND, MAINE

JUNE 25, 2020



1 VIEW LOOKING FROM WALKING PATH
NTS

AVESTA HOUSING

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APARTMENTS

200 VALLEY STREET, PORTLAND, MAINE

JUNE 25, 2020



1 VIEW LOOKING SOUTH ON VALLEY STREET
NTS

AVESTA HOUSING

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APARTMENTS

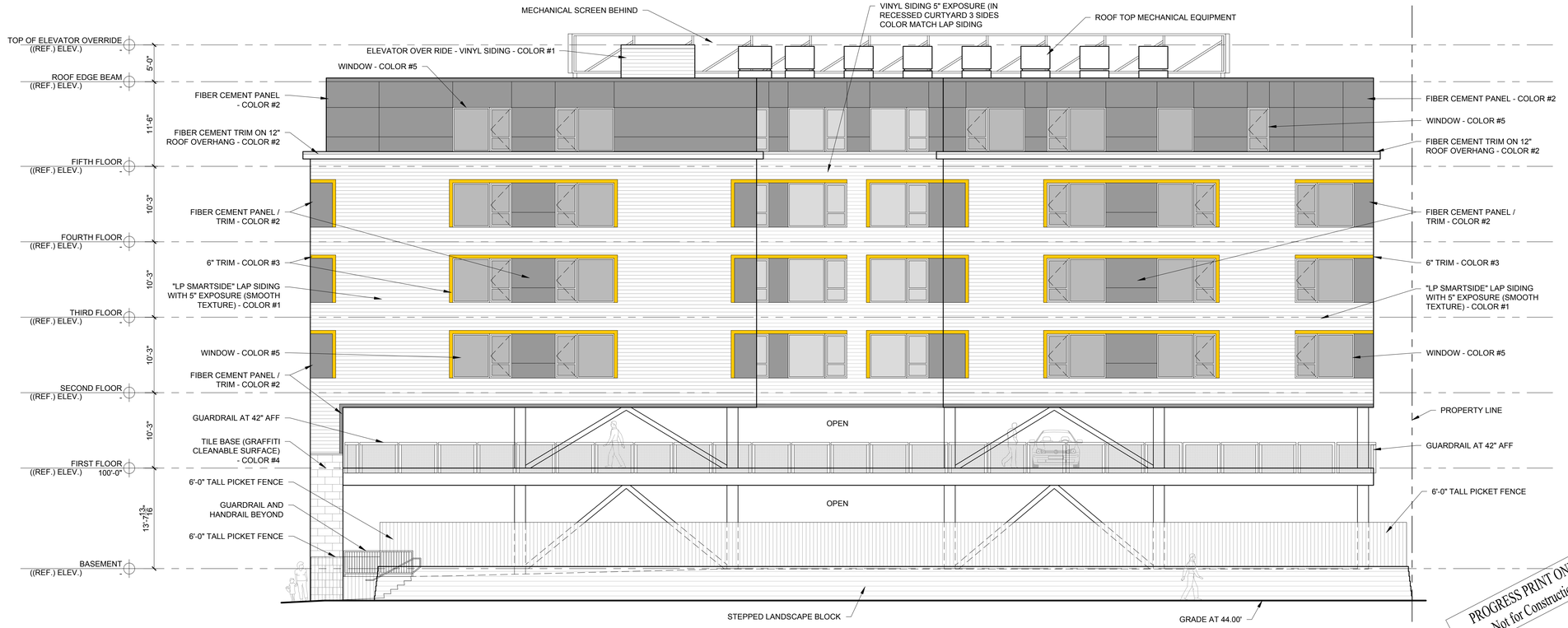
200 VALLEY STREET, PORTLAND, MAINE

JUNE 25, 2020

MATERIAL FINISH SCHEDULE			
#	COLOR	SIDING TYPE	MANUFACTURER
1)	QUARRY GRAY	LAP SIDING - 5" EXPOSURE	LP SMARTSIDE
2)	NIGHT GRAY	FIBER CEMENT PANEL SIDING / TRIM	JAMES HARDIE
3)	PAINTED "HIGHLIGHT COLOR" T.B.D.	FIBER CEMENT TRIM	JAMES HARDIE
4)	T.B.D.	12"x24" TILE BASE	T.B.D.
5)	BLACK / BRONZE	DOORS AND WINDOWS	T.B.D.
6)	T.B.D.	LAP SIDING - 5" EXPOSURE	VINYL



1 VALLEY STREET WEST ELEVATION
1/8" = 1'-0"



1 VALLEY STREET WEST ELEVATION
1/8" = 1'-0"

PROGRESS PRINT ONLY
Not for Construction

AVESTA HOUSING

RYAN SENATORE **ARCHITECTURE**

APARTMENTS

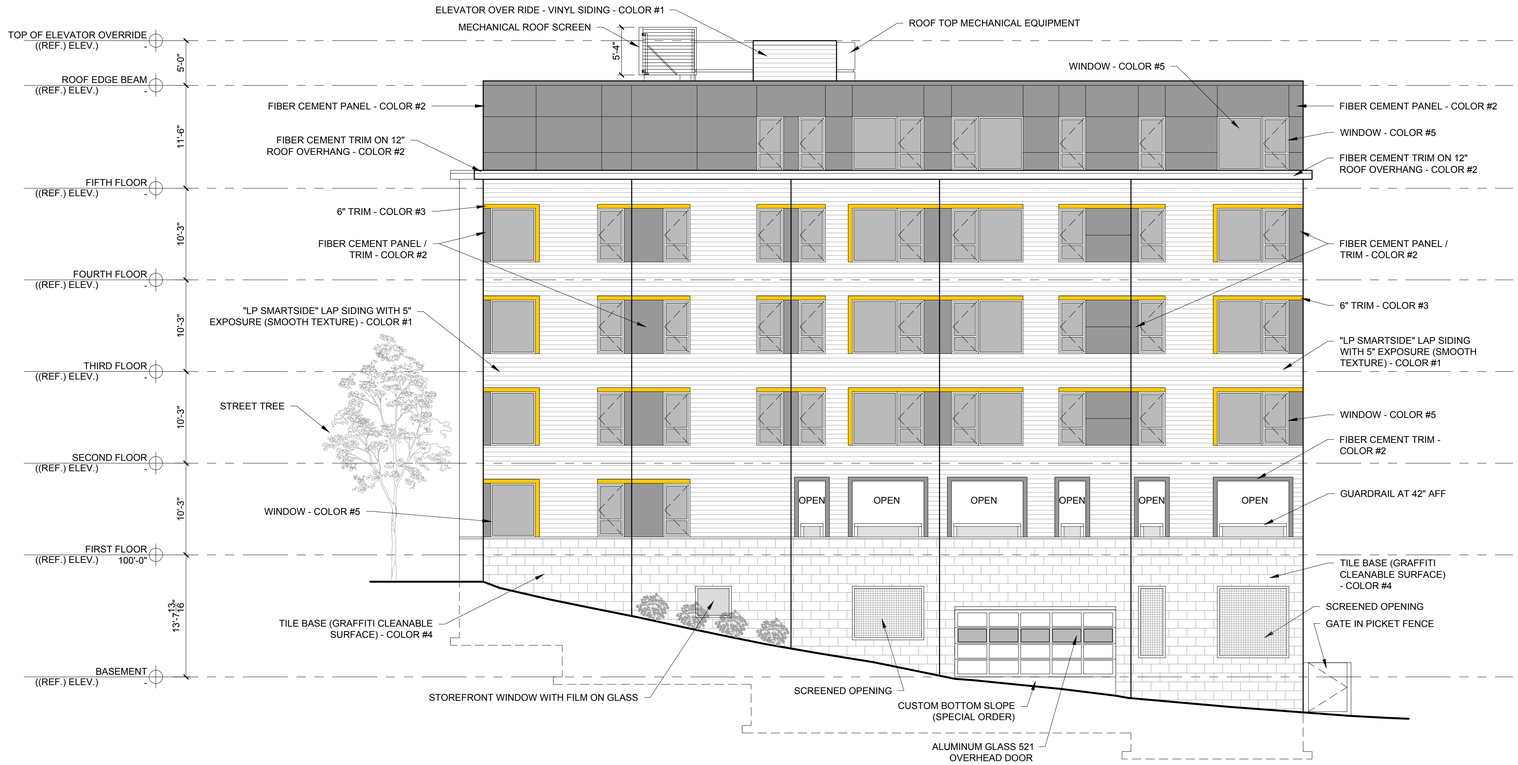
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AVESTA HOUSING

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APARTMENTS

200 VALLEY STREET, PORTLAND, MAINE

JUNE 25, 2020



1 GOOGLE EARTH AERIAL VIEW
NTS

AVESTA HOUSING

PROGRESS PRINT ONLY
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APARTMENTS

200 VALLEY STREET, PORTLAND, MAINE

JUNE 25, 2020



1 GOOGLE EARTH AERIAL VIEW
NTS

AVESTA HOUSING

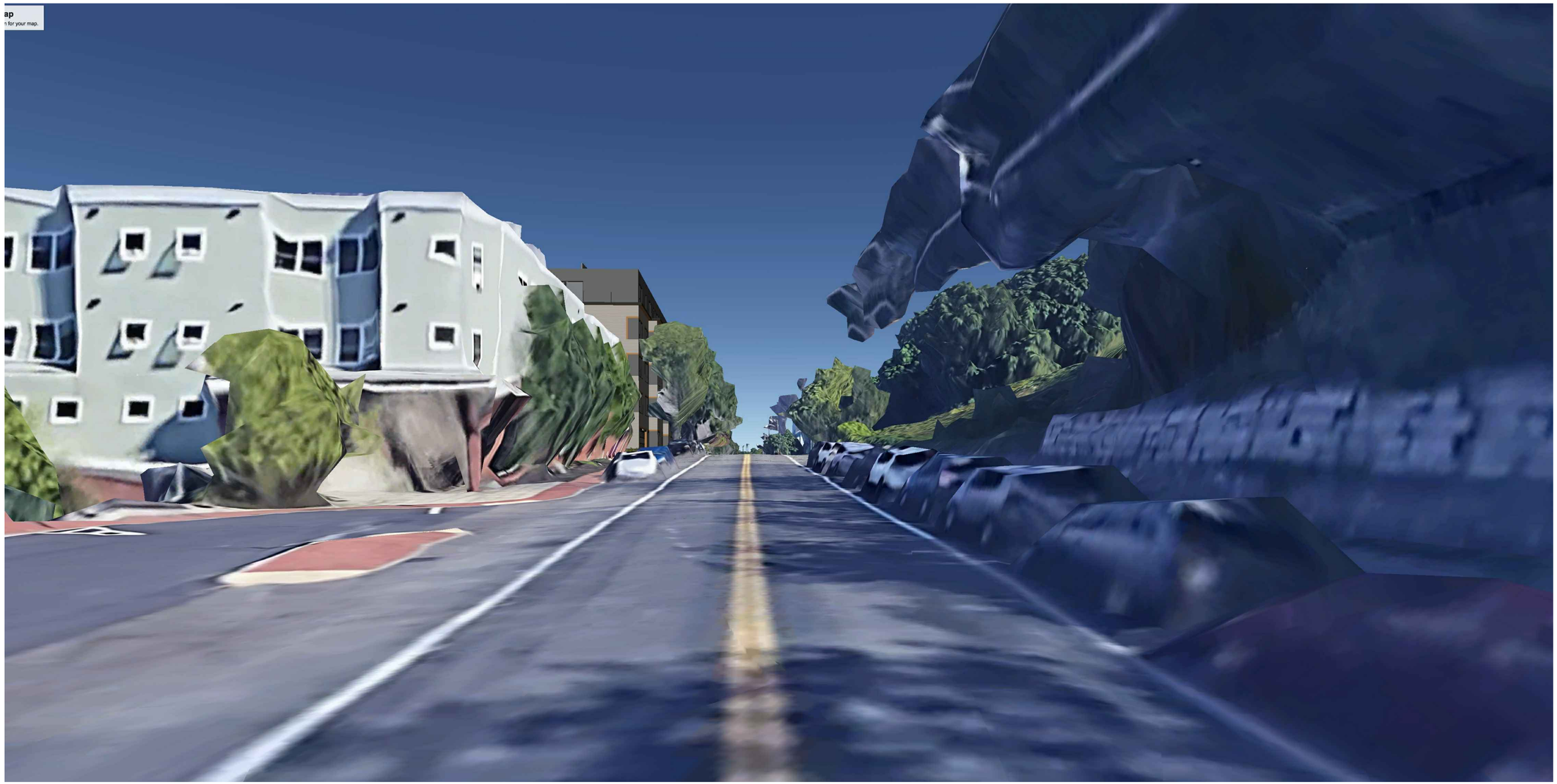
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APARTMENTS

200 VALLEY STREET, PORTLAND, MAINE

JUNE 25, 2020



1 VIEW LOOKING NORTH ON VALLEY STREET
NTS

AVESTA HOUSING

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APARTMENTS

200 VALLEY STREET, PORTLAND, MAINE

JUNE 25, 2020



1 VIEW LOOKING SOUTH ON VALLEY STREET
NTS

AVESTA HOUSING

PROGRESS PRINT ONLY
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RYAN SENATORE **ARCHITECTURE**

APARTMENTS

200 VALLEY STREET, PORTLAND, MAINE

JUNE 25, 2020



1 VIEW FROM PARK
NTS

AVESTA HOUSING

PROGRESS PRINT ONLY
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APARTMENTS

200 VALLEY STREET, PORTLAND, MAINE

JUNE 25, 2020



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APARTMENTS

200 VALLEY STREET, PORTLAND, MAINE

JUNE 25, 2020



1 VIEW LOOKING FROM ST. JOHN STREET
NTS

AVESTA HOUSING

PROGRESS PRINT ONLY
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RYAN SENATORE **ARCHITECTURE**

APARTMENTS

200 VALLEY STREET, PORTLAND, MAINE

JUNE 25, 2020



1 VIEW LOOKING FROM ST. JOHN STREET
NTS

AVESTA HOUSING

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RYAN SENATORE **ARCHITECTURE**

APARTMENTS

200 VALLEY STREET, PORTLAND, MAINE

JUNE 25, 2020



1 AERIAL 1
NTS

AVESTA HOUSING

PROGRESS PRINT ONLY
Not for Construction

RYAN SENATORE **ARCHITECTURE**

APARTMENTS

200 VALLEY STREET, PORTLAND, MAINE

JUNE 25, 2020



1 AERIAL 2
NTS

AVESTA HOUSING

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Not for Construction

RYAN SENATORE **ARCHITECTURE**

APARTMENTS

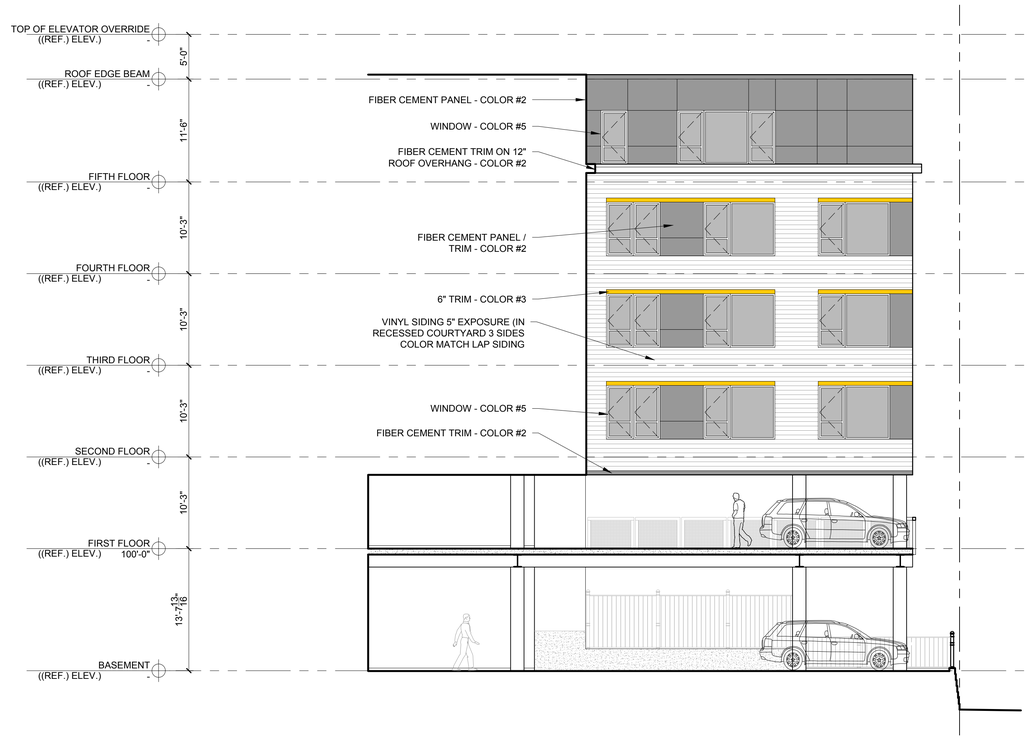
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1 VALLEY STREET NORTH ELEVATION (RECESSED COURTYARD)
1/8" = 1'-0"



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APARTMENTS

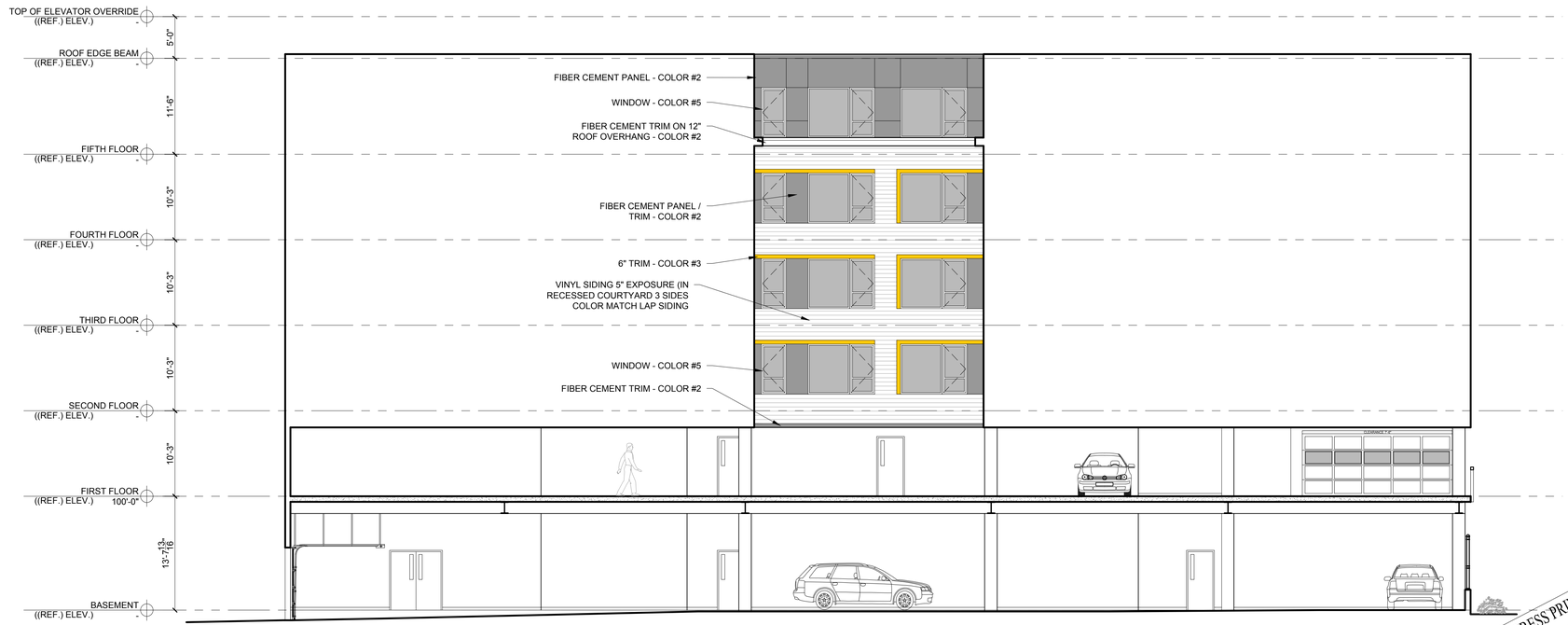
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AVESTA HOUSING

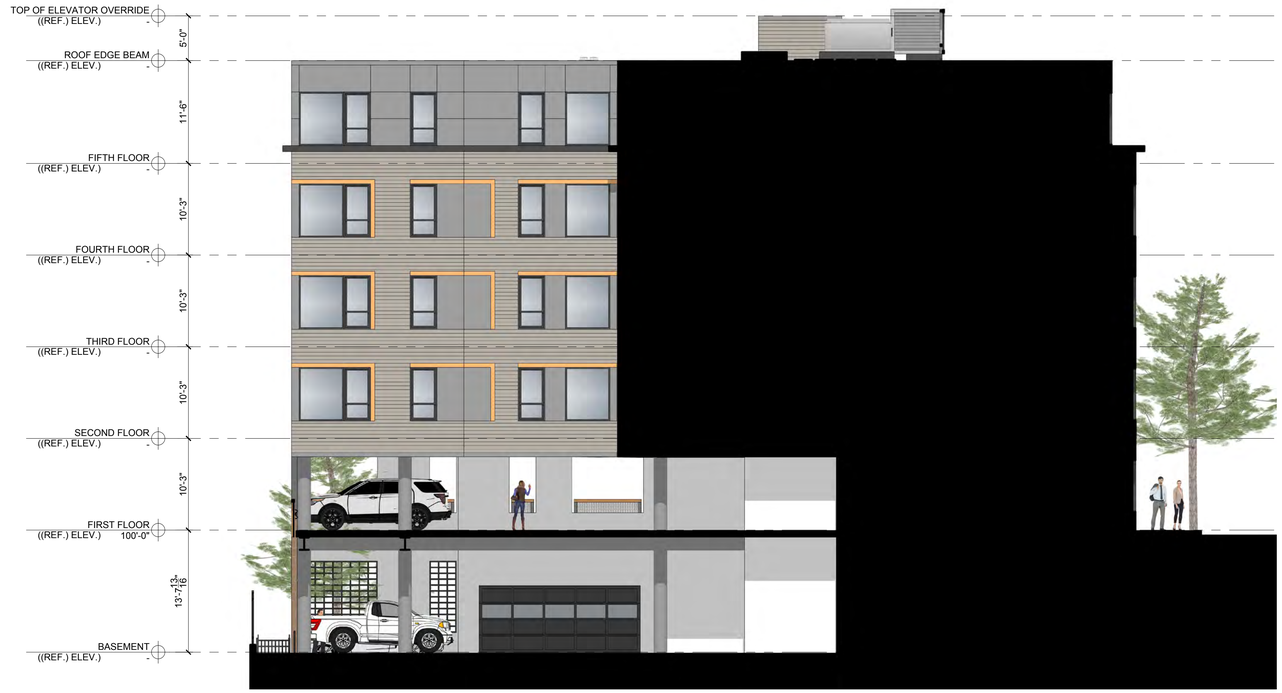
RYAN SENATORE **ARCHITECTURE**

APARTMENTS

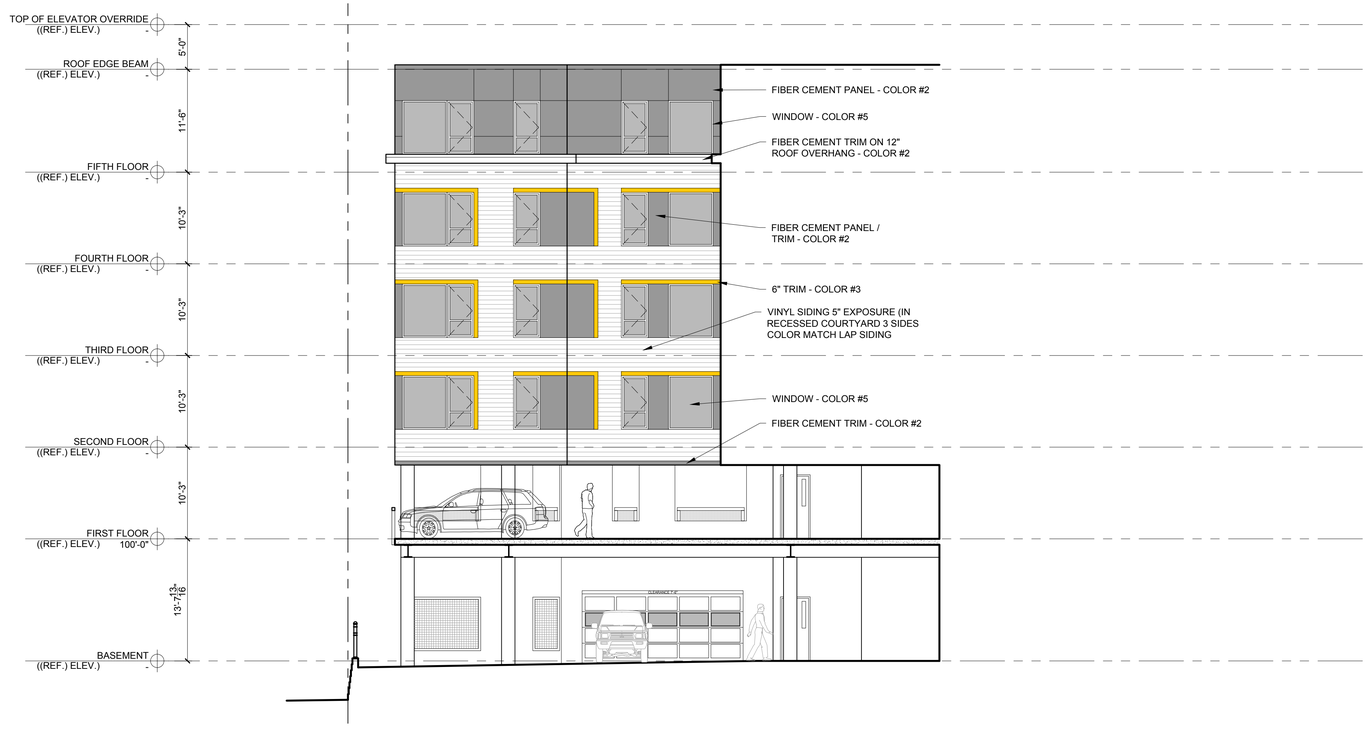
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1/8" = 1'-0"

AVESTA HOUSING

PROGRESS PRINT ONLY
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RYAN SENATORE **ARCHITECTURE**

GENERAL NOTES:

1. FOR INFORMATION REGARDING PROPOSED GROUND LEVEL LAYOUT, REFER TO SITE PLAN – GROUND LEVEL, SHEET 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 PLANS, SHEETS C–30 AND C–31, MOST RECENT VERSION.
4. UNIT TABULATION PROVIDED BY RYAN SENATORE ARCHITECTURE; REFER TO ARCHITECTURAL PLANS FOR FLOOR PLANS AND BUILDING HEIGHTS.
5. TOTAL SITE AREA INCLUDES 0.34 ACRES (14,964 S.F.). R.O.W. WIDTHS FOR VALLEY STREET AND C STREET ARE 60 FEET PER BOUNDARY SURVEY COMPLETED BY OWEN HASKEL, INC. DATED JULY 2019.
6. SITE BOUNDARIES PER BOUNDARY SURVEY & TOPOGRAPHICAL MAP WITH EXISTING CONDITIONS PROVIDED BY OWEN HASKELL, INC. ON A PLAN ENTITLED ALTA/NSPS LAND TITLE SURVEY 204 & 210 VALLEY STREET AND 6 C STREET PORTLAND, CUMBERLAND COUNTY, MAINE MADE FOR AVESTA HOUSING 307 CUMBERLAND AVENUE, PORTLAND, MAINE DATED JULY 2019.
7. AS OF 03/26/2020, THE SITE IS BOUNDED BY THE B–2 ZONE TO THE NORTH AND WEST, C–48 ZONE TO THE SOUTH, AND ROS ZONE TO THE EAST PER CITY OF PORTLAND GIS WEBSITE.
8. LOCUS PARCEL IS SHOWN ON THE CITY OF PORTLAND ASSESSOR'S MAP 64, BLOCK F, PARCELS 7,8,9 AND 15.
9. LOCUS PARCEL DOES NOT FALL IN A SPECIAL FLOOD HAZARD AREA PER FEMA FLOOD INSURANCE RATE MAP COMMUNITY–PANEL NUMBER 2300510013B, INDEX DATED 7/17/1986.
10. THIS SHEET IS THE SUBDIVISION PLAT FOR THE CREATION OF UP TO SIXTY (60) DWELLING UNITS ON THE EXISTING SUBJECT PROPERTY.
11. THE OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND MANAGEMENT OF DRIVEWAYS, SIDEWALKS, STORMWATER DEVICES, SITE LIGHTING, TRASH REMOVAL, RETAINING WALLS, AND SNOW REMOVAL.
12. THE OWNER SHALL BE RESPONSIBLE FOR COMPLYING WITH THE CONDITIONS OF CHAPTER 32 STORMWATER INCLUDING ARTICLE III, 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.
13. THE PROPOSED DEVELOPMENT MUST COMPLY TO THE FOLLOWING AS APPROVED BY THE CITY:

13.1. POST–CONSTRUCTION STORMWATER MANAGEMENT AGREEMENT: BOOK _____ PAGE _____

SURVEY NOTES:

1. BEARINGS ARE BASED ON CITY MONUMENTS AT "D" STREET AND "A" STREET AS SHOWN ON PLAN REFERENCE 6.3 AND PROVIDED BY THE CITY OF PORTLAND ENGINEERING DEPARTMENT.
2. ELEVATIONS ARE BASED ON CITY DATUM. BENCHMARK: MONUMENT AT THE NORTHEAST CORNER OF SAINT JOHN STREET AND "C" STREET AS SHOWN ON PLAN REFERENCE 6.3 AND PROVIDED BY THE CITY OF PORTLAND ENGINEERING DEPARTMENT.
3. NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, BUILDING ADDITIONS, OR RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS WAS OBSERVED.
4. NO PROPOSED CHANGES IN STREET LINES IS KNOWN BY THIS SURVEYOR.
5. THE DEED DESCRIPTION FOR TAX MAP 64–F–8&9 RECORDED IN 67010/287 CALLS FOR A DEPTH OF 101.85 FEET ON THE SOUTHERLY LINE AND A DEPTH OF 101.61 FEET OF THE NORTHERLY LINE. USING THESE DIMENSIONS CREATES AND OVERLAP WITH DEED DESCRIPTION FOR TAX MAP 64–F–2&3 RECORDED IN 34754/63. A DISTANCE OF 100 FEET WAS HELD FROM ST. JOHN STREET TO RECREATE THE REAR LINE SINCE THESE LOTS WERE SUBDIVIDED FIRST AS SHOWN ON PLAN REFERENCE 6.4.
6. REFERENCE IS MADE TO THE FOLLOWING PLANS:
   - 6.1. "BOUNDARY & TOPOGRAPHIC SURVEY ON ST. JOHN STREET, PORTLAND, MAINE MADE FOR WOODARD & CURRAN, INC." APRIL 2018 BY OWEN HASKELL, INC.
   - 6.2. "SUBDIVISION PLAT, FLORENCE HOUSE, 190 VALLEY STREET, PORTLAND, MAINE PREPARED FOR: AVESTA HOUSING L.P." OCTOBER 17, 2007 RECORDED IN CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 209, PAGE 28.
   - 6.3. "SAINT JOHN ST./VALLEY ST. STREETSCAPE IMPROVEMENTS EXISTING CONDITIONS PLAN" CITY OF PORTLAND, MAINE PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION DATED NOV. 2011
   - 6.4. "PLAN OF LANDS ON ST. JOHN ST. WM. A. GOODWIN, CITY CIVIL ENGINEER JULY 1879" RECORDED IN CUMBERLAND COUNTY REGISTRY OF DEED IN PLAN BOOK 4, PAGE 21.
7. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABONDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY ASS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. CALL 1–888–DIGSAFE AT LEAST THREE BUSINESS DAYS BEFORE PERFORMING ANY CONSTRUCTION. DUE TO OSHA CONFINED SPACE REQUIREMENTS, ALL INVERTS AND PIPE SIZES MUST BE VERIFIED PRIOR TO ANY CONSTRUCTION.
8. BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED IN ZONE C, AREAS OF MINIMAL FLOODING, ON THE FLOOR INSURANCE RATE MAP, COMMUNITY PANEL NO. 230051 0013B, WHICH BEARS AND EFFECTIVE DATE OF JULY 17, 1986.

EASEMENTS:

THERE ARE NO EXISTING EASEMENTS PER BOUNDARY/EXISTING CONDITIONS PLAN DATED JULY 2019 BY OWEN HASKELL, INC.

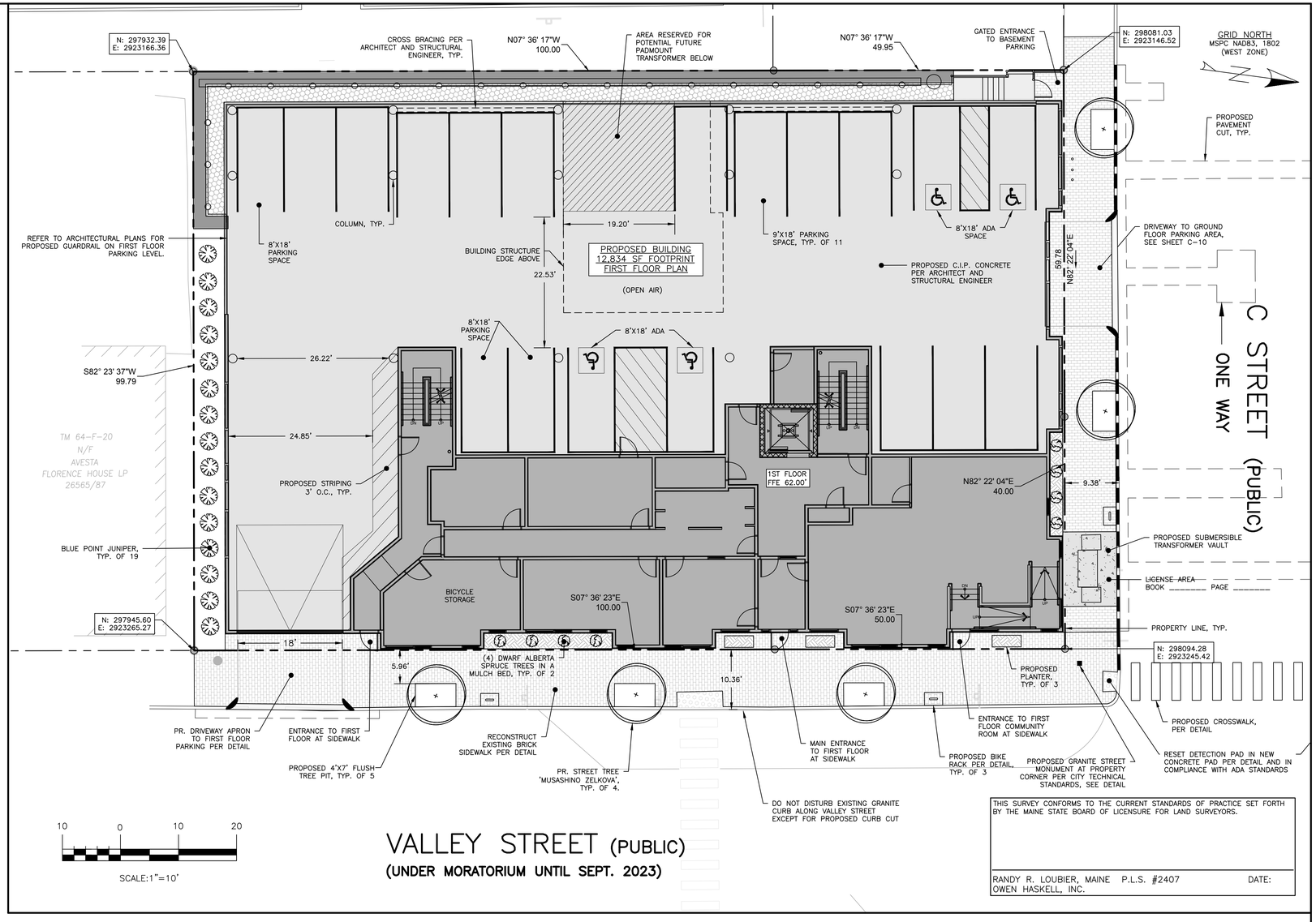
THERE ARE NO OR PROPOSED EASEMENTS.

CONDITIONS OF APPROVAL:

TBD

WAIVERS:

TBD



THIS SURVEY CONFORMS TO THE CURRENT STANDARDS OF PRACTICE SET FORTH BY THE MAINE STATE BOARD OF LICENSURE FOR LAND SURVEYORS.

RANDY R. LOUBIER, MAINE P.L.S. #2407 DATE:
OWEN HASKELL, INC.

UNIT TABULATION	
UNIT NUMBER	SIZE (SF)*
201	522
202	619
203	619
204	519
205	567
206	588
207	489
208	868
209	634
210	868
211	477
212	942
213	826
214	1113
215	1057
301	522
302	619
303	619
304	519
305	567
306	588
307	489
308	868
309	634
310	868
311	477
312	942
313	826
314	1113
315	1057
401	522
402	619
403	619
404	519
405	567
406	588
407	489
408	868
409	634
410	868
411	477
412	942
413	826
414	1113
415	1057
501	522
502	608
503	586
504	519
505	547
506	976
507	836
508	634
509	836
510	477
511	508
512	651
513	820
514	1086
515	836

*UNIT AREA MEASURED FROM OUTSIDE OF EXTERIOR WALLS TO THE CENTER OF SHARED WALLS

SPACE AND BULK STANDARDS		
ZONE: B–2	REQUIRED	PROPOSED
MINIMUM LOT SIZE	NONE	14,964 SF
MINIMUM STREET FRONTAGE	20'	150'
MAXIMUM FRONT YARD SETBACK	NONE	0.5'
MINIMUM SIDE YARD SETBACK	NONE	0.5'
MINIMUM REAR YARD SETBACK	0' *	5'
STRUCTURE STEPBACKS (SIDE YARD ABOVE 35')	NONE (ABUTS B2)	5'
STRUCTURE STEPBACKS (REAR YARD ABOVE 35')	NONE (ABUTS B2)	5'
MAXIMUM LOT COVERAGE	NONE	14,245 SF
MAXIMUM BUILDING HEIGHT	70' **	67.06'
MAXIMUM IMPERVIOUS AREA	NONE	95%
MAXIMUM NUMBER OF DWELLING UNITS	NA	60
PARKING	60 SPACES ***	40 SPACES

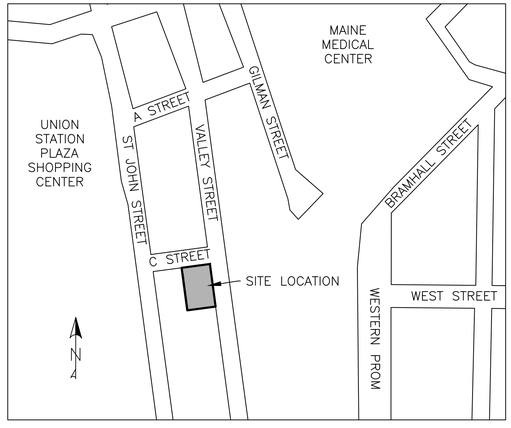
* 10' REAR SETBACK (B–2 ZONING) IS REDUCED TO 0' PER 75% LOW INCOME HOUSING BONUS (DIV. 30, SEC. 14–488)

** 45' MAXIMUM BUILDING (B–2 ZONING) IS INCREASED TO 70' PER 75% LOW INCOME HOUSING BONUS (DIV. 30, SEC. 14–488)

*** PER CITY ORDINANCE, STANDARD REQUIREMENT OF 1 SPACE PER UNIT = 60 SPACES (DIV. 20, SEC. 14–322). PER INSTITUTE OF TRANSPORTATION ENGINEERS, AFFORDABLE HOUSING REQUIREMENT OF 0.55 SPACES PER UNIT = 33 SPACES. FINAL REQUIREMENT TO BE DETERMINED BY PLANNING BOARD (DIV. 20, SEC. 14–332.2).

PROPERTY MARKER
PROPERTY LINE
SETBACK
PROPOSED BUILDING
PAVEMENT
CRUSHED STONE
CONCRETE
LANDSCAPED AREAS
BRICK
CURB
STRIPING

PARKING SUMMARY	
	# PARKING SPACES
REQUIRED	–
STANDARD (9'X18')	25
COMPACT (8'X18')	7
ADA	8
TOTAL PROPOSED SPACES	40



VICINITY MAP
NOT TO SCALE

RECORDING INFORMATION
STATE OF MAINE, CUMBERLAND
COUNTY REGISTRY OF DEEDS

RECEIVED: _____

RECORDED IN _____

ATTEST: _____
REGISTRAR

APPROVED: PORTLAND PLANNING BOARD

CHAIRPERSON: DATE:

OWNER:

AVESTA HOUSING
307 CUMBERLAND AVENUE
PORTLAND, MAINE 04101
CONTACT: CATHERINE ELLIOTT

CIVIL/SITE ENGINEER:

ACORN ENGINEERING, INC.
65 HANOVER STREET
PORTLAND, MAINE 04101
CONTACT: WILL SAVAGE, P.E.

SURVEYOR

OWEN HASKELL, INC.
390 US ROUTE 1, UNIT 10
FALMOUTH, MAINE 04105
CONTACT: RANDY LOUBIER, P.L.S.

ISSUED FOR	BY	DATE
SITE PLAN	WHS	3/27/20
COMMENT RESPONSE	WHS	7/9/20

DRAWING NAME: SUBDIVISION PLAT – 210 VALLEY STREET
PROJECT NAME: 210 VALLEY STREET REDEVELOPMENT
CLIENT: AVESTA VALLEY STREET LP
307 CUMBERLAND AVE, PORTLAND, ME 04101

ACORN ENGINEERING, INC.

THESE PLANS SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. AND ANY UNAUTHORIZED MODIFICATIONS OR USE OF THESE PLANS BY OTHERS 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:	1127_CIVIL
JN:	1127
SCALE:	AS NOTED
DESIGNED BY:	SJL
DRAWN BY:	KRB
CHECKED BY:	WHS

DRAWING NO.
PLAT

PLANNING BOARD REPORT
PORTLAND, MAINE

126 and 128R North Street
Level III Site Plan and Subdivision
PL-000791-2019
Upright Properties, LLC and Josh Wojcik, Applicant

Submitted to: Portland Planning Board Public Hearing Date: August 18, 2020	Prepared by: Shukria Wiar, Planner Date: August 14, 2020

I. INTRODUCTION

This is the public hearing 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. This 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.

The development has had three workshops; the first one was held on January 28, 2020, the second was held on May 26, 2020, and third one was on July 21, 2020. The July 21st workshop was not a required step for approval of the project, but the application was scheduled for additional review to provide the public with ample opportunity to

contribute in the public process for the project. The Planning Board will consider this application on the basis of its compliance with the City's site plan and subdivision standards. As the project is over ten units, it will be required to meet the standards of the Inclusionary Zoning ordinance. The applicant is proposing one affordable unit at 126 North Street.

Applicant: Upright Properties, LLC and Josh Wojcik
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					

IV. EXISTING CONDITIONS and BACKGROUND

The 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 the Bayview Heights senior apartments and across the street from the Island View Apartment complex. Any existing buildings on the site will be demolished - 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.

Figure 2 - Existing 126 and 128R (at rear) North Street



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 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:

Figure 4 – Phasing of Project



- Phase One (in yellow on Figure 4) 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 (in orange on Figure 4) 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. All units are counted cumulatively across buildings being demolished for one site plan application.
This triggers the City's Housing Preservation and Replacement ordinance and the guaranty must be paid prior to issuance of a demolition 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.

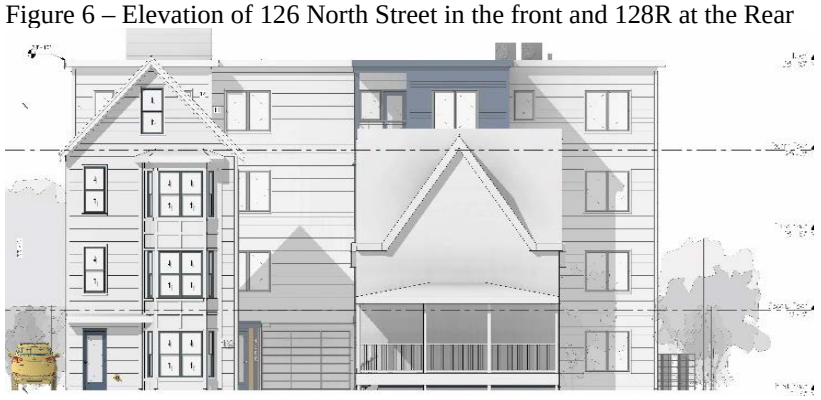
V. PROPOSED DEVELOPMENT

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. 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*".

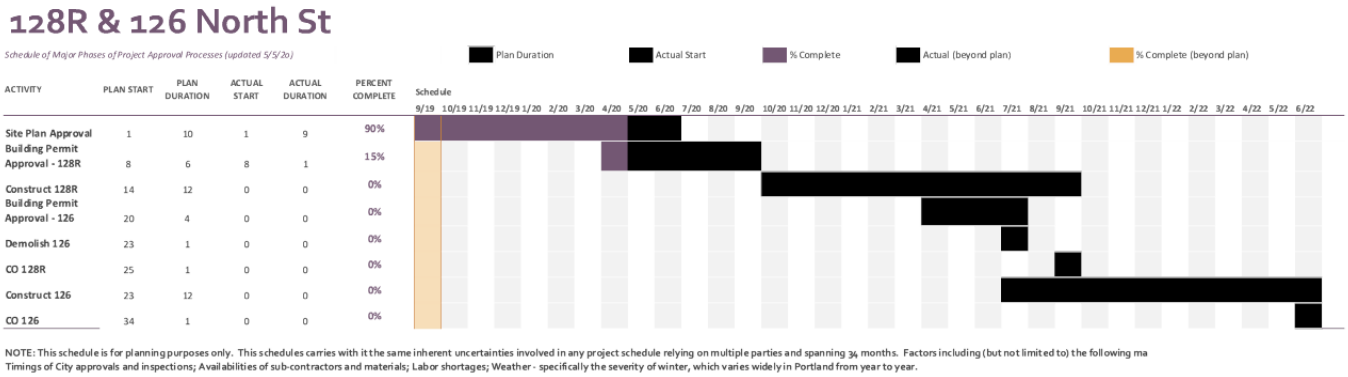
Figure 5 - Rendering of 128R North Street



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:



VI. 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). Two additional public comments have been received since the July's third workshop (Attachment PC1- PC43). Neighbors reiterated concerns about the building design and scale.

VII. 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.

VIII. ZONING ANALYSIS

A. DIMENSIONAL AND USE REQUIREMENTS

Section 14-433(a) of Chapter 14 of the City of Portland Code of Ordinances addresses certain criteria where a lot of record in a residential zone that does not meet the current dimensional requirements of the underlying zone, could be still be developed. The first part of subsection (a)(2) states:

> *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,….shall be considered a buildable lot, provided that the applicable yard dimensions can be met.*

The lot at 128 R North Street (CBL 012 H009) is located in the R-6 Residential Zone and was described as lot #30 in the Munjoy Heights Subdivision Plat approved on December 17, 2013 and recorded at the Cumberland County Registry of Deeds under Plan Book 214, Page 48. Since 128 R North Street was described in the Munjoy Heights Subdivision Plat that was approved after June 5, 1981 and the proposed development meets the applicable yard dimensions for the R-6 Residential Zone and Munjoy Heights Neighborhood Conservation Overlay District, it is a "buildable lot" and could be developed as proposed.

Prior to 1977, the parcel at 128R North Street had frontage on the unaccepted section of Sheridan Street, north of Walnut Street; this frontage was lost when the portion of Sheridan Street was vacated by the City. It is understood that possible future public rights (the City had not accepted the street and did not have public rights through acceptance) in Sheridan north of Walnut Street (AKA Poplar Street) were inadvertently eliminated as Sheridan Street was not Continued as a Paper Street by the City Council in Order #84 in 1997. In order to preserve public rights, the City would have had to file an appropriate notice at the Registry of Deed by September 29, 1997. The City did file a notice of the applicable Council Order at the Registry of Deeds, which specify the continuation of Poplar Street (the original name of Sheridan Street). The recorded plan only includes the area of Sheridan Street *south* of Walnut Street; Sheridan Street, *north* of Walnut, is shown only in an 1802 subdivision plan, therefore since the Council order referenced the wrong plan, public rights to Sheridan Street, north of Walnut Street, have been abandoned by the City. This analysis and conclusion regarding the abandonment of public rights have been reviewed and accepted at the time of the Munjoy Hill Development by the City's Department of Public Works and Corporation Counsel. Hence, the parcel was rendered as a legally non-conforming lot.

In addition to this being a buildable, non-conforming lot under 14-433(a).2, the single-family home previously located on the parcel constituted a lawfully non-conforming structure (specifically road frontage in this case). Section 14-385(a) of the Portland City Code allows a nonconforming structure to be rebuilt if it was nonconforming as to any dimensional requirement when reconstruction is necessitated by decay. The existing single-family home was demolished in November of 2019 under permit DEM2019-00063. Under this same subsection, the owner has a year

to reconstruct a building to replace the legally nonconforming structure. In addition to this being a buildable lot according to the standards of 14-433, the application is also supported by this section allowing new structures to replace dimensionally non-conforming structures.

The proposed twelve (12) residential units are a permitted use in the Residential R-6 zone, which allows multi-family dwellings. Ms. Machado 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'.*

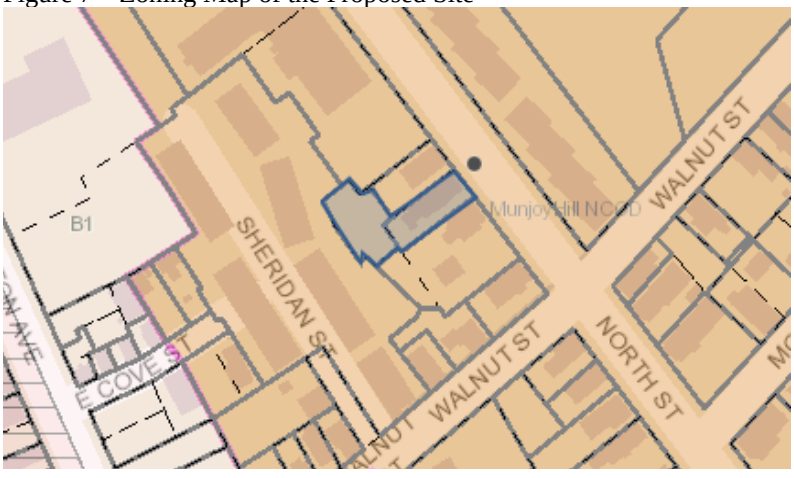
The table below contains the relevant dimensional standards for the project.

	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 in connection with 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 by the Zoning Administrator is complete and the building has been updated to show that upper decks now meet 10'-0" maintenance easement at the rear and upper deck and the rear corner has been pulled in to eliminate side-setback intrusion. Ann Machado also reviewed the easement in regard to setbacks and states that 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 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 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 at 128R in order to be eligible for 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.*

IX. 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 water from the Portland Water District has been submitted to the Planning Authority. The staff finds the proposal in conformance with this standard.

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.

     Update: Applicant is requesting a waiver of the parking stall dimensions.

   - 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.

     Update: A note has been added on the site plan.

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. Confirmation of ability to serve sewer from Department of Public Works has been submitted. The staff finds the proposal in conformance with this standard.

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, the Housing Policy section of Plan 2030 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. The staff finds the proposal in conformance with this standard.

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 spaces. 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 applicant is requesting that the Planning Board reduced the parking ratio for 126 North Street since an affordable unit is being proposed. 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.*

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. The staff finds the proposal in conformance with this standard.

b) Environmental Quality Standards

1. Preservation of Significant Natural Features

   There are no known significant natural features on the site. The staff finds the proposal in conformance with this standard.

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. 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 rear of the property will be landscaped with evergreens.

   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 of $4,000 to the Portland Tree Fund as per City requirements. The staff finds the proposal in conformance with this standard.

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". The staff finds the proposal in conformance with this standard.

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.*

   The staff finds the proposal in conformance with this standard.

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 has submitted an ability to serve letter from the Department of Public Works and Portland Water District to the Planning Authority. 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*". The staff finds the proposal in conformance with this standard.

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. The staff finds the proposal in conformance with this standard.

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. The staff finds the proposal in conformance with this standard.

5. Noise and Vibration
All heating, ventilation and air conditioning equipment (HVAC), air handling units (AHU), emergency generators, and similar equipment has been shown on the plans and meet state and federal emissions requirements. This mechanical equipment is to 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). The proposed designs meet the criteria of the R-6 Design Standards. The staff finds the proposal in conformance with this standard.

X. PLANNING BOARD PROPOSED MOTIONS

A. 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, relevant to Portland's Conditional Use Standards and other regulations, and the testimony presented at the Planning Board hearing:

The Planning Board finds the proposed conditional use for workforce housing [**does** or **does not**] meet the standards of Section 14-484 with the following conditions:

PRIOR TO ISSUANCE OF A BUILDING PERMIT

1. The Applicant and the City shall enter into an Affordable Housing Agreement (AHA) for a two-bedroom workforce unit located at 126 North Street; and

2. For the Munjoy Hill Neighborhood Conservation Overlay District height density bonus, the Applicant and the City shall enter into Agreement (AHA) for the first-floor unit located at 128R North Street.

PRIOR TO ISSUANCE OF A CERTIFACATE OF OCCUPANCY

3. The Affordable Housing Agreements shall outline the details of the affordability restrictions placed on the workforce units and shall be filed as a covenant to the 126 and 128R North Street property deeds with the Cumberland County Registry of Deeds; and

4. The Applicant shall pay fee-in-lieu of $21,757 into the City's Housing Trust Fund prior to issuance of the certificate of occupancy for 126 North Street.

B. 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 August 18, 2020 for application PL-000791-2019 relevant to Portland's technical and design standards and other regulations; and the testimony presented at the Planning Board hearing:

1. The Planning Board [finds/does not find], based upon the City Engineer's review, that extraordinary conditions exist or undue hardship may result from strict compliance with the *Technical Manual* standard *(Section 1.14)* which requires that standard parking spaces be 9 feet wide by 18 feet long. The Planning Board [waives/does not waive] the *Technical Manual* standard *(Section 1.14)* to allow parking space #5 to be 9' x 16.5' in dimension at the interior parking of 128R North Street.

C. 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 August 18, 2020 for application PL-000791-2019 relevant to the subdivision regulations; and the testimony presented at the Planning Board hearing, the Planning Board finds that the plan [is/is not] in conformance with the subdivision standards of the land use code, subject to the following conditions of approval, which must be met prior to the signing of the plat:

PRIOR TO ISSUANCE OF A CERTIFACATE OF OCCUPANCY

1. The applicant shall finalize the subdivision plat for review and approval by Corporation Counsel, the Department of Public Works, and the Planning Authority; and

2. The applicant shall submit the final version of the condominium documentation for review and approval by the Corporation Counsel.

D. DEVELOPMENT REVIEW

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the Planning Board Report for the public hearing on August 18, 2020 for application PL-000791-2019 relevant to the site plan regulations; and the testimony presented at the Planning Board hearing, the Planning Board finds that the plan [is/is not] in conformance with the site plan standards of the land use code, subject to the following conditions of approval:

PRIOR TO ISSUANCE OF A CERTIFACATE OF OCCUPANCY

1. That the developer/contractor/subcontractor must comply with conditions of the construction stormwater management plan and sediment and erosion control plan based on City standards and state guidelines. The owner/operator of the approved stormwater management system, and all assigns. shall comply with the conditions of Chapter 32 Stormwater including Article III, Post Construction Stormwater Management, which specifies the annual inspections and reporting requirements. A maintenance agreement for the stormwater drainage system, as attached, or in substantially the same form, shall be submitted for review by Corporation Counsel. Once approved, the document shall be signed and recorded at the Cumberland County Registry of Deeds. Please submit final copies to both the Department of Planning and Urban Development and the Department of Public Works.

2. Due to the limited frontage for both parcels, the applicant shall pay a contribution of $4,000 to the City's Tree Fund.

XIII. ATTACHMENTS

PLANNING BOARD REPORT ATTACHMENTS

1. DPW Senior Engineer Review 3.13.2020
2. Consulting Civil 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

Att. 1

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>

128 North Street - No Comments

Lauren Swett <lswett@woodardcurran.com> Fri, Aug 14, 2020 at 8:27 AM
To: Shukria Wiar <shukriaw@portlandmaine.gov>

Hi Shukria,

I just wanted to follow up on the discussion from Development Review. The Applicant had addressed all of my prior comments, and I have no additional comments for the 128 North Street project.

If you need anything else on this let me know.

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

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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/

Att. 3

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: August 5, 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
Yes NA Plan ✔ ☐ ☐	Exterior Lighting (14-526 (d) 6) • Cut sheets of on-site light fixtures and any architectural or specialty lights (Technical Manual, Section 12) • Engineered details for any lights proposed in street right-of-way (Technical Manual, Section 10)
Yes NA Plan ☐ ✔ ☐	Noise and Vibration (14-526 (d) 7) • Evidence of noise levels for equipment, such as equipment specifications, to demonstrate consistency with zoning requirements
Yes NA Plan ☐ ✔ ☐	Signage and Wayfinding (14-526 (d) 8), if applicable • Signage plan showing the location, dimensions, height and setback of all existing and proposed signs. Signs in Historic Districts are reviewed by Historic Preservation staff • Proposed commercial and directional signage on site
Yes NA Plan ✔ ☐ ☐	Zone Related Design Standards (14-526 (d) 5) • Address Historic Preservation Design Review, if applicable • Address any applicable design review standards by zone • Address submission requirements from Design Manual, page 1, addressing neighborhood context • Description of exterior materials, color, finish, and samples
Construction Management Plan	
Check list	
Yes NA Plan ✔ ☐ ☐	Construction Management Plan • Construction Management Document and Plan

Level II and Level III Site Plan Checklist

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

☒ RECENT BOUNDARY SURVEY (stamped by Maine Licensed Surveyor)

Must be in compliance with Technical Manual, Section 13

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

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

☒ Proposed Site Plan
- Ground floor area, and grade elevations for all buildings

☒ Access, Circulation, and Parking
- Streets and intersections adjacent to site , any proposed geometric modifications
- Location, dimensions and materials of all existing and proposed driveways, vehicle, bicycle, & pedestrian access ways with corresponding curb lines
- Engineered specifications/ cross-sections for proposed driveways, sidewalks & paved areas
- Location and dimensions of proposed loading areas
- Existing and proposed transit infrastructure with dimensions/ engineering specifications
- Location of vehicle and bicycle parking with dimensions and engineering specifications

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

☒ UTILITY PLAN including:

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

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

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

Doc#: 25448 Bk:34890 Pg: 306

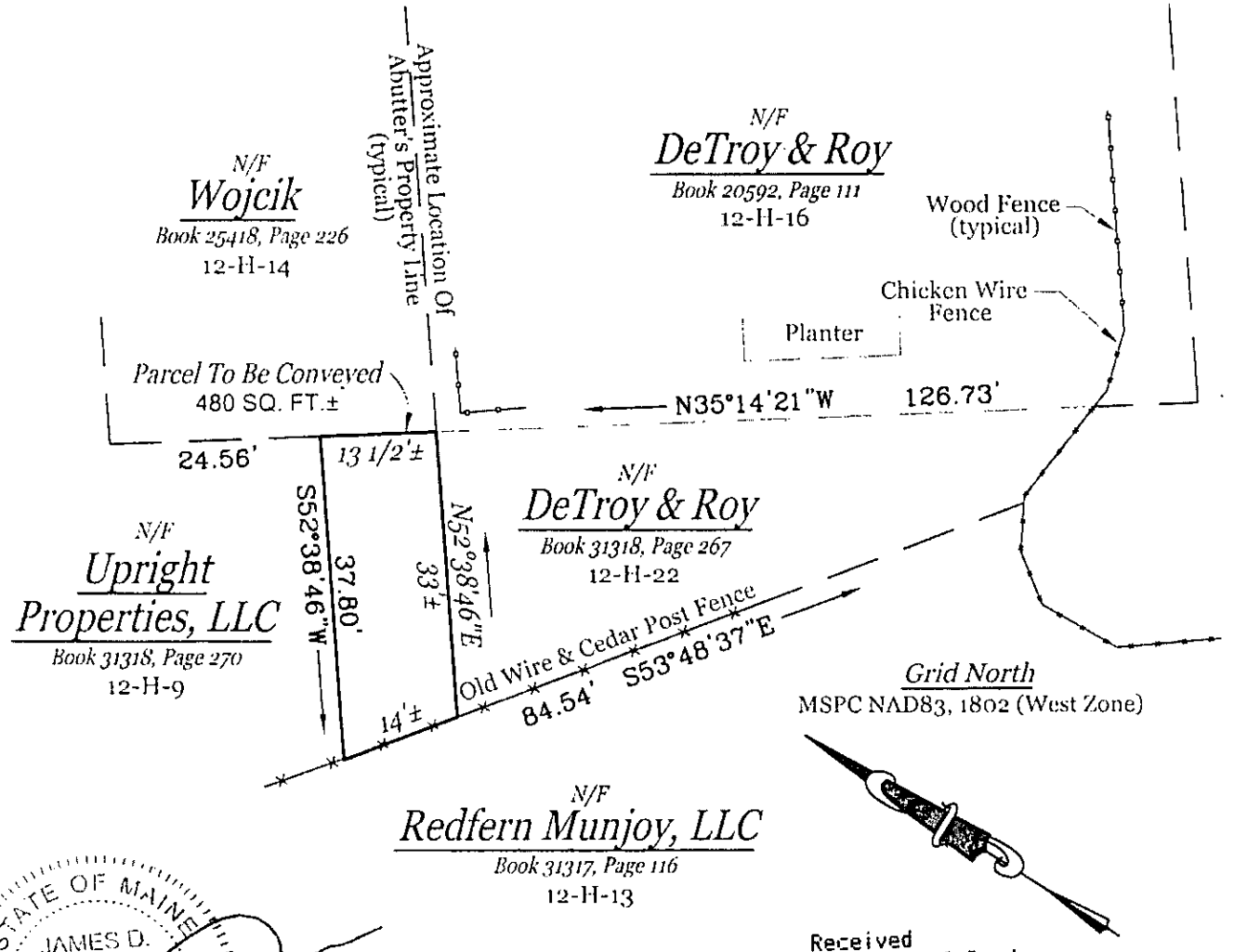
Nadeau Land Surveys

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.



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

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.

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

have hereunto set my hand- and seal -this 25th, day of July 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:

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;

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

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)

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

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,

_____
Notary Public/~~Attorney at Law~~

SEAL

BRITTANY HANDCOCK
NOTARY PUBLIC
CUMBERLAND COUNTY
MAINE
MY COMMISSION EXPIRES FEBRUARY 21, 2021

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 Sheraton St	203-984-1833	BPOLLAK64@Yahoo.com
Susan & Lindsay Mann		122 North St	610-613-8322	lindsaymann@gmail.com
Betts + Eldon 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	646 346-4838	jamesmtrainor
YAEL REINITA	R2	204 Sheridan St	6463274158	yael.reinhart@gmail.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		anncasadya 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
Kevin Schochat		215 Sheridan		kevin@kevinschochat.com
Sue Robins		206 Sheridan		suerobins@twc.com
Richard MARINO		226 SHERIDAN		RMARINO4132@Yahoo
Tracey J Reed	Dept. Comm.	77 Nursery		
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.

Lauren Swett, 3rd Party Civil Engineering Review

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.

Jeff Tarling, City Arborist

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

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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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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

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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.

DRAFT

BY-LAWS

RIFUGIO CONDOMINIUM OWNERS ASSOCIATION

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.

DRAFT

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.

Bangor Savings Bank

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,



[redacted]

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

[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.

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,

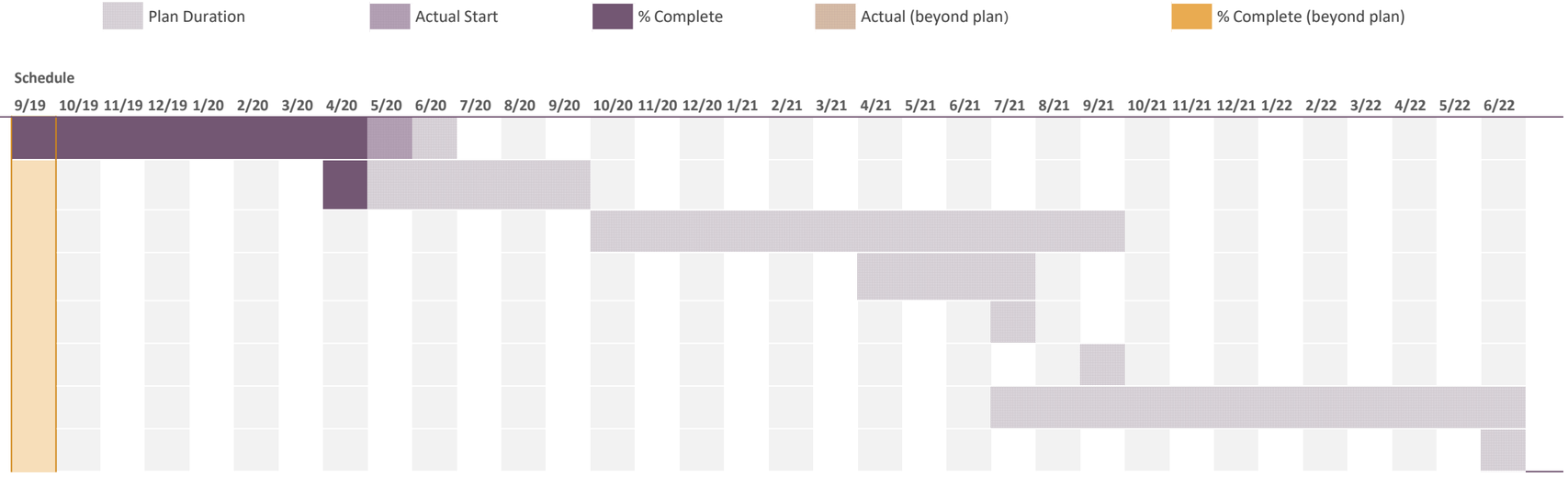
Richard L. Fournier, II
Vice President

Att. GG

128R & 126 North St

Schedule of Major Phases of Project Approval Processes (updated 5/5/20)

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
tracieread@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

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.

ACORN ENGINEERING, INC.

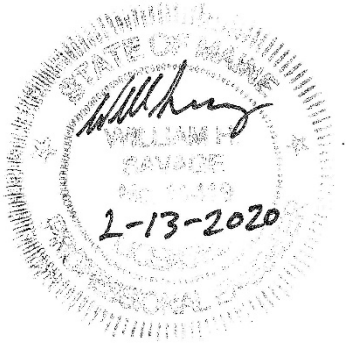
STORMWATER MANAGEMENT REPORT

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, anda copy of the HydroCAD calculations is included within Attachment C of this report.

SOILS

Onsite soil information includes the following:

- Soil Conservation Service Medium Intensity Soil Survey for Cumberland County

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

POI #2

2

1

PROPERTY LINE

SUBCAT BOUNDARY

POI #1

NORTH STREET

N/F Roy

N/F Kremer

N/F Portland VOA Elderly Housing Inc.

N/F Redfern Manlius, LLC

Tiered Concrete Retaining Wall

Found #5 Steel Rebar w/Survey Cap #2124 Or MagNail w/Washer Set 5/7/2018 (typical)

Found #5 Steel Rebar w/Survey Cap (3" up/disturbed)

Sill=141.2'

Sill=143.2'

Sill=143.9'

Paved Sidewalk

Granite Curb

Paved Drive

Concrete

Porches

Porch

Shed

Cedars

Landscaped Area

Parcel Parking

Paved Drive (See Note 19)

10' x 28' Right Of Way Per Bk. 1128, Pgs. 405-6

Concrete Pad (flush) Above Pavement Edge (not shown)

CMP 18.1

RIM=134.7'
12"PVC INV.IN=127.2'(SE)
6"PVC INV.IN=127.4'(NE)

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

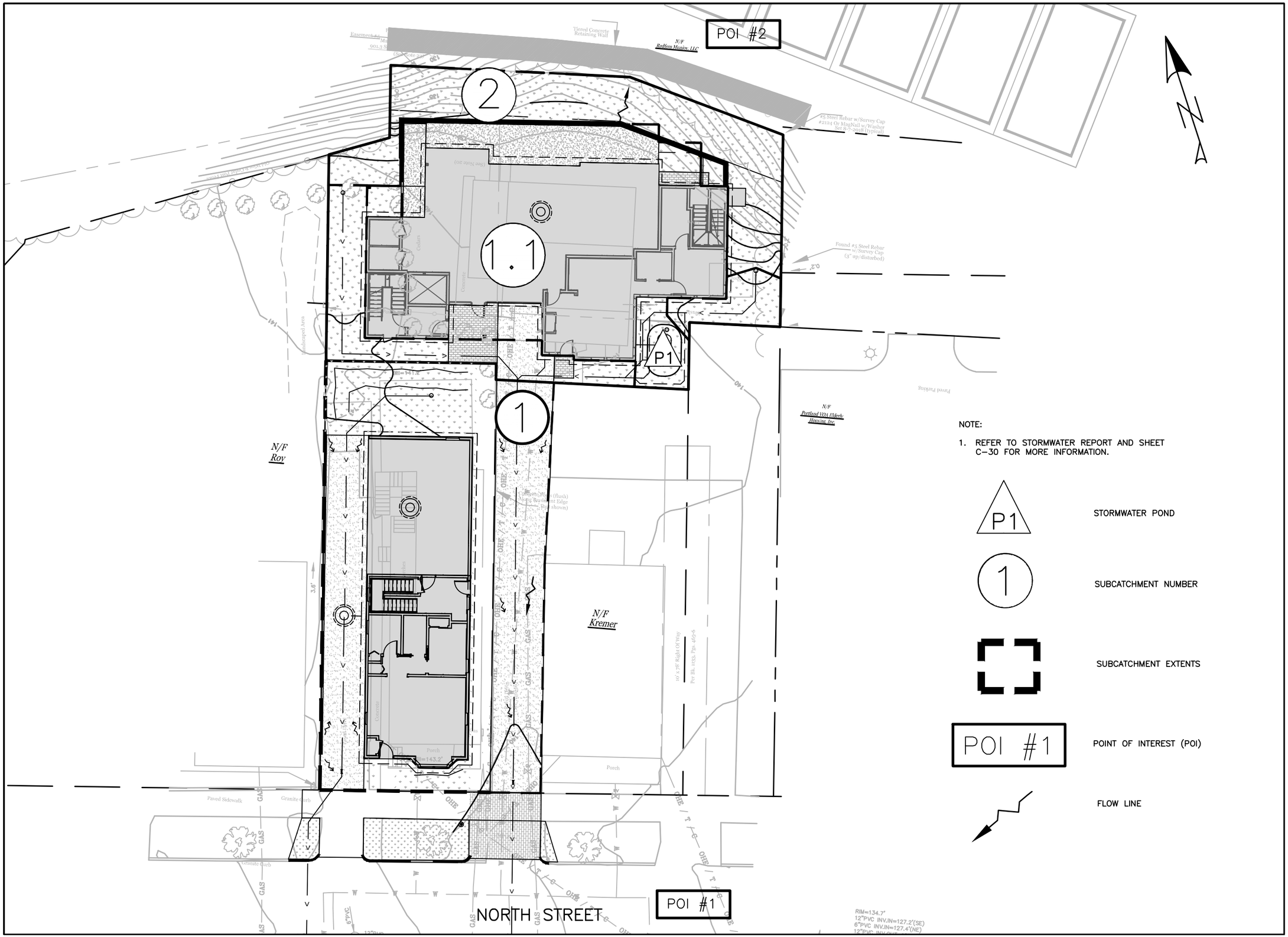
ACORN ENGINEERING, INC
65 HANOVER ST PORTLAND, MAINE 04101
(207) 775-2655

FILE:	1116_CIVIL
JN:	1116
SCALE:	1"=20'
DESIGN BY:	SJL
DRAWN BY:	SJL
CHECKED BY:	WHS

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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

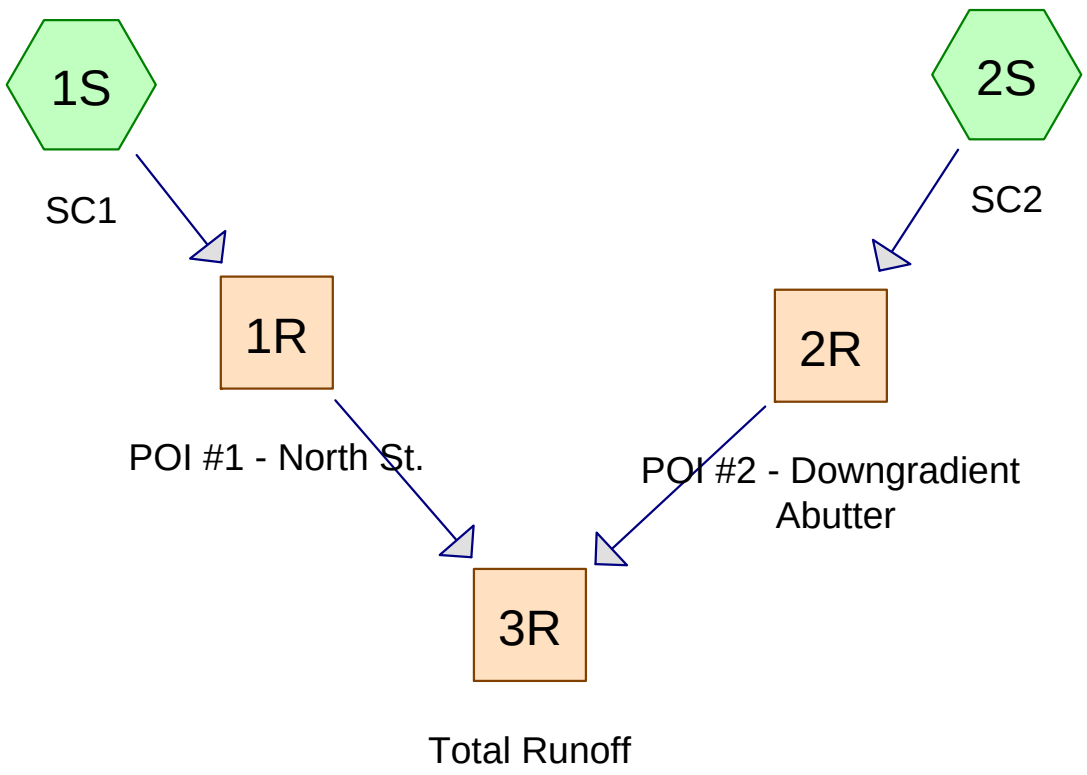
CLIENT: UPRIGHT FRAMEWORKS, LLC
PORTLAND, ME

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
CHECKED BY:	WHS

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DRAWING NO.
POST



Subcat Reach Pond Link

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

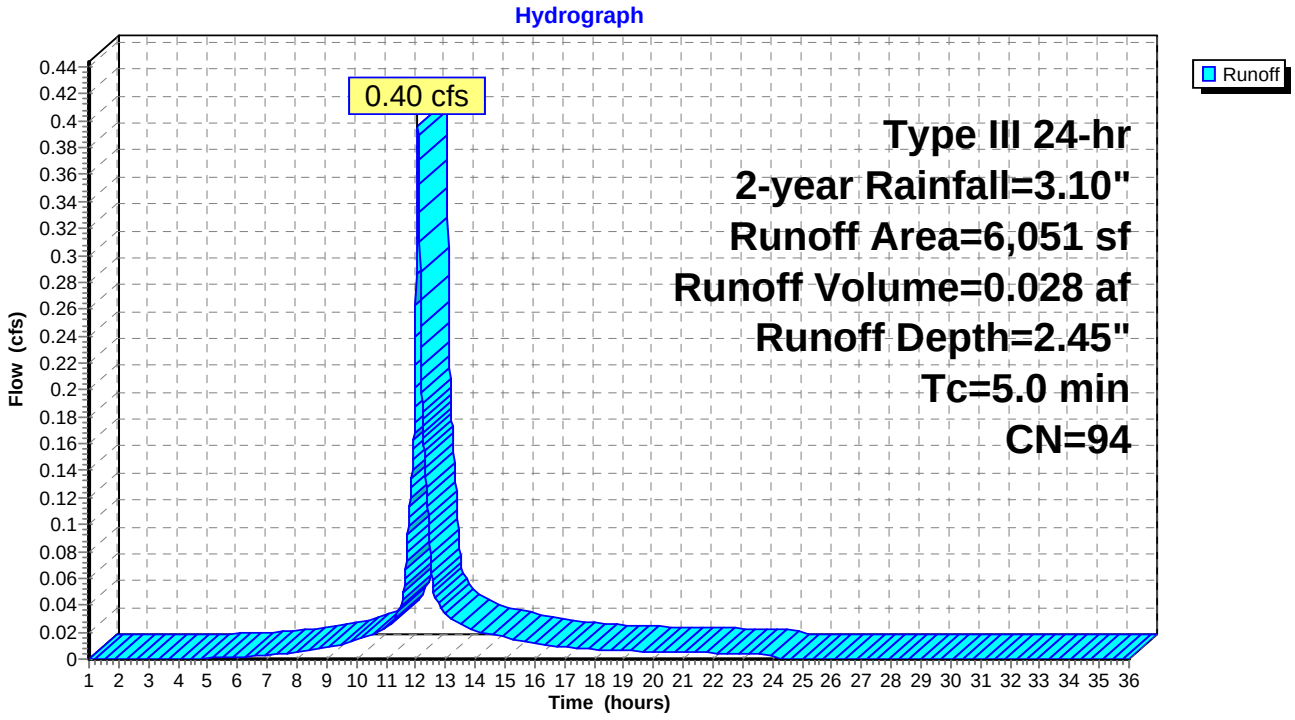
Runoff = 0.40 cfs @ 12.07 hrs, Volume= 0.028 af, Depth= 2.45"

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

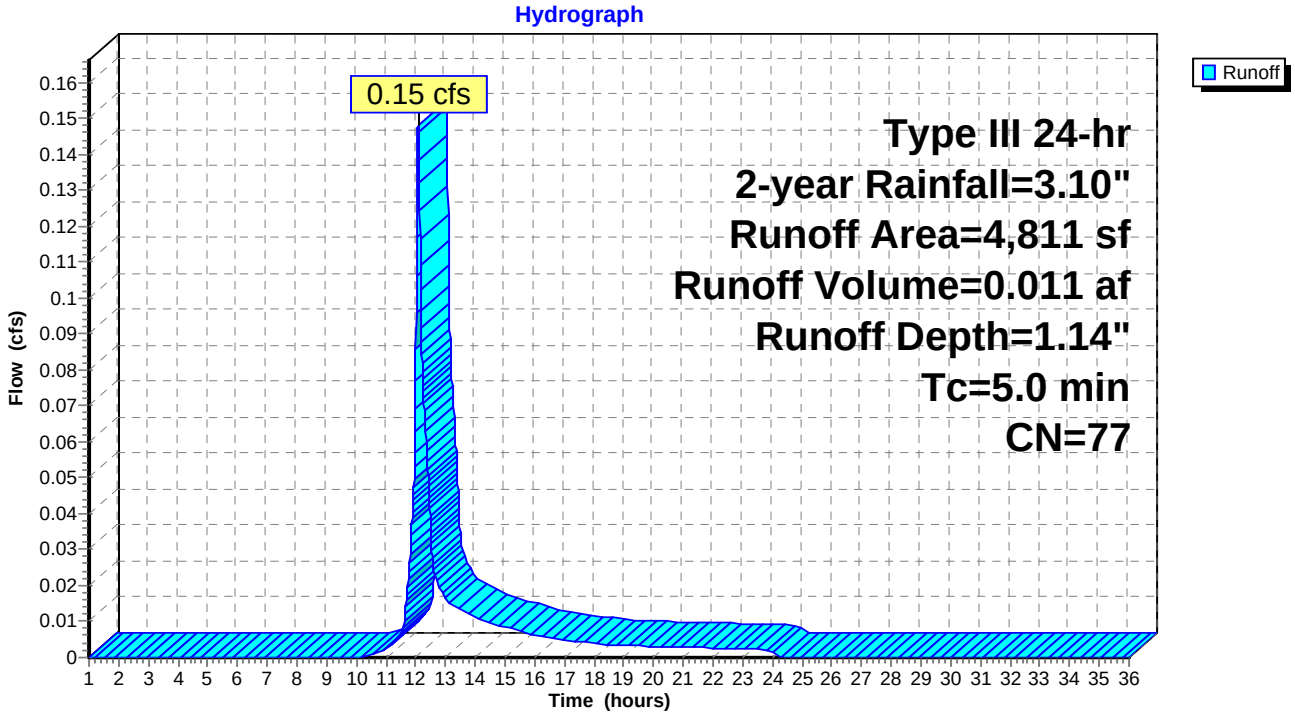
Runoff = 0.15 cfs @ 12.08 hrs, Volume= 0.011 af, Depth= 1.14"

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

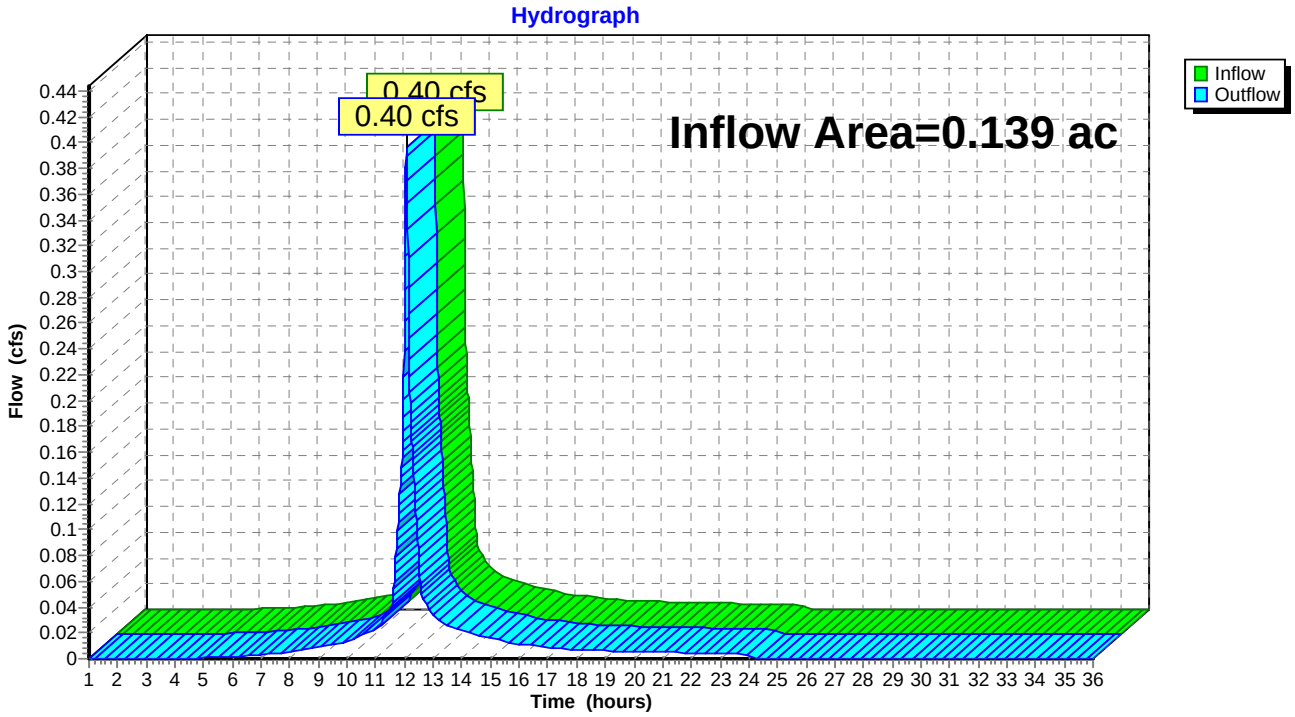


Summary for Reach 1R: POI #1 - North St.

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.

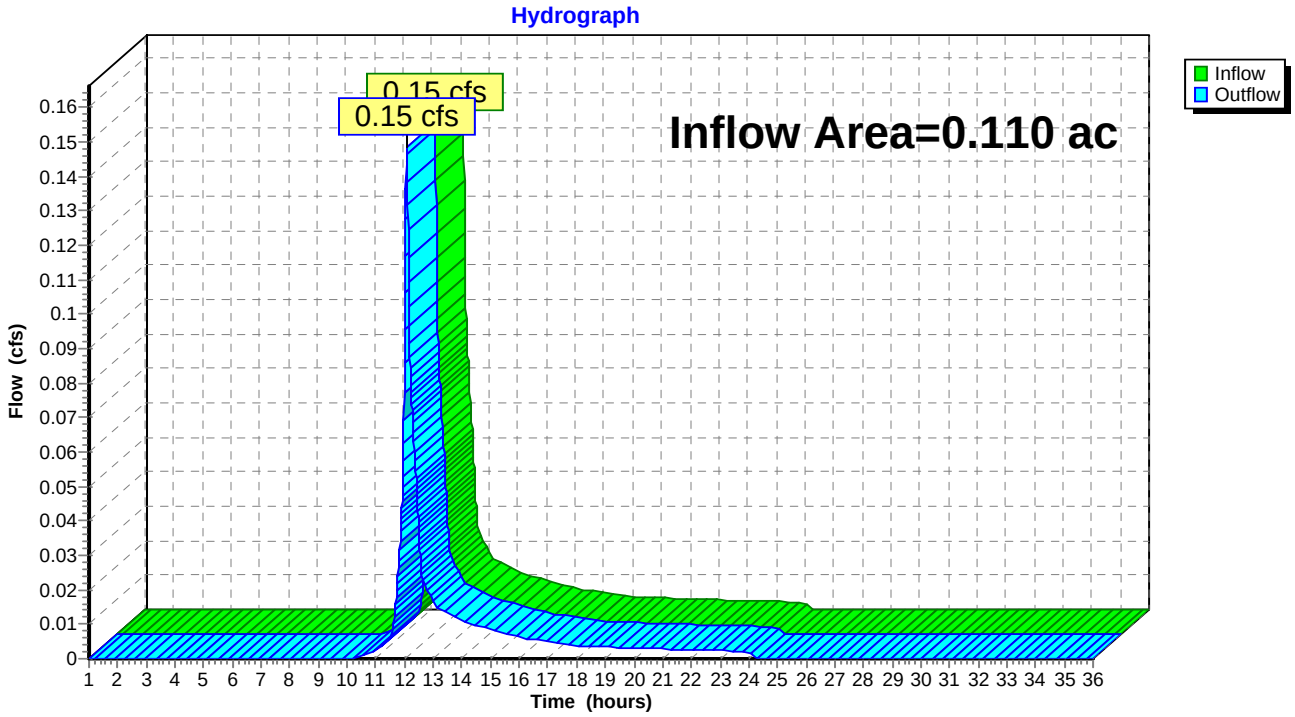


Summary for Reach 2R: POI #2 - Downgradient Abutter

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

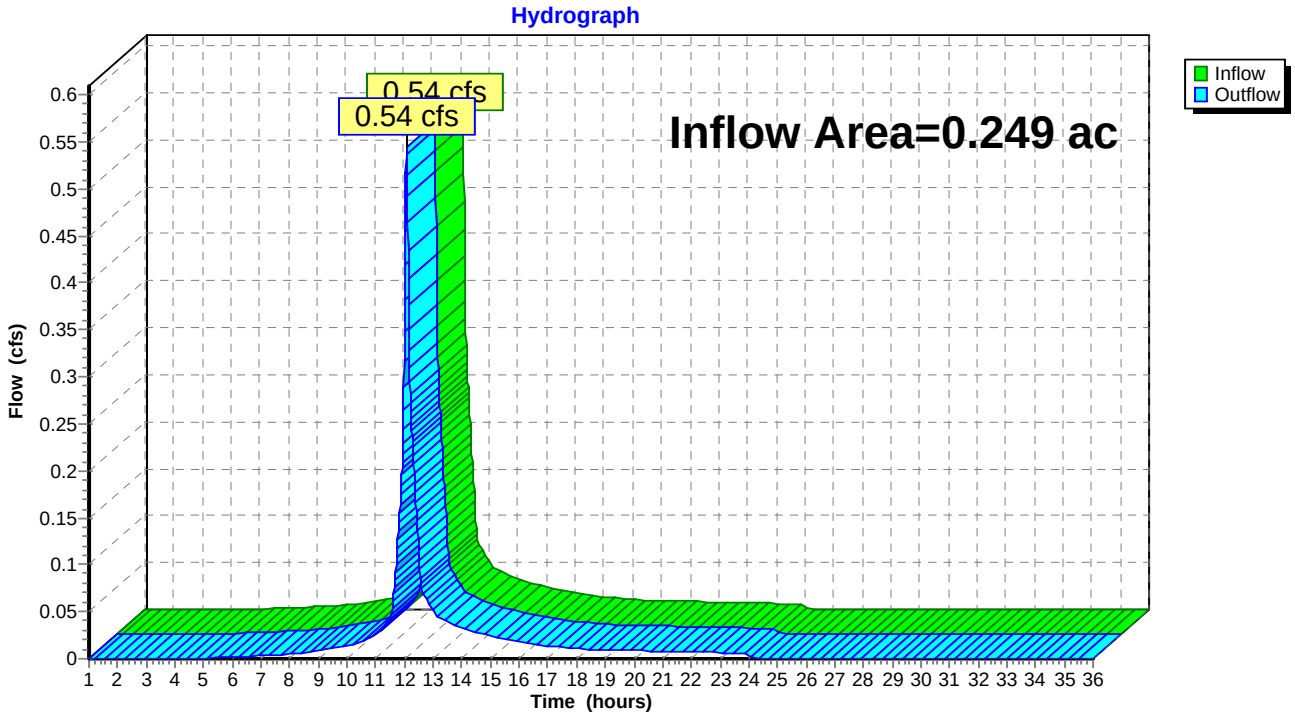


Summary for Reach 3R: Total Runoff

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

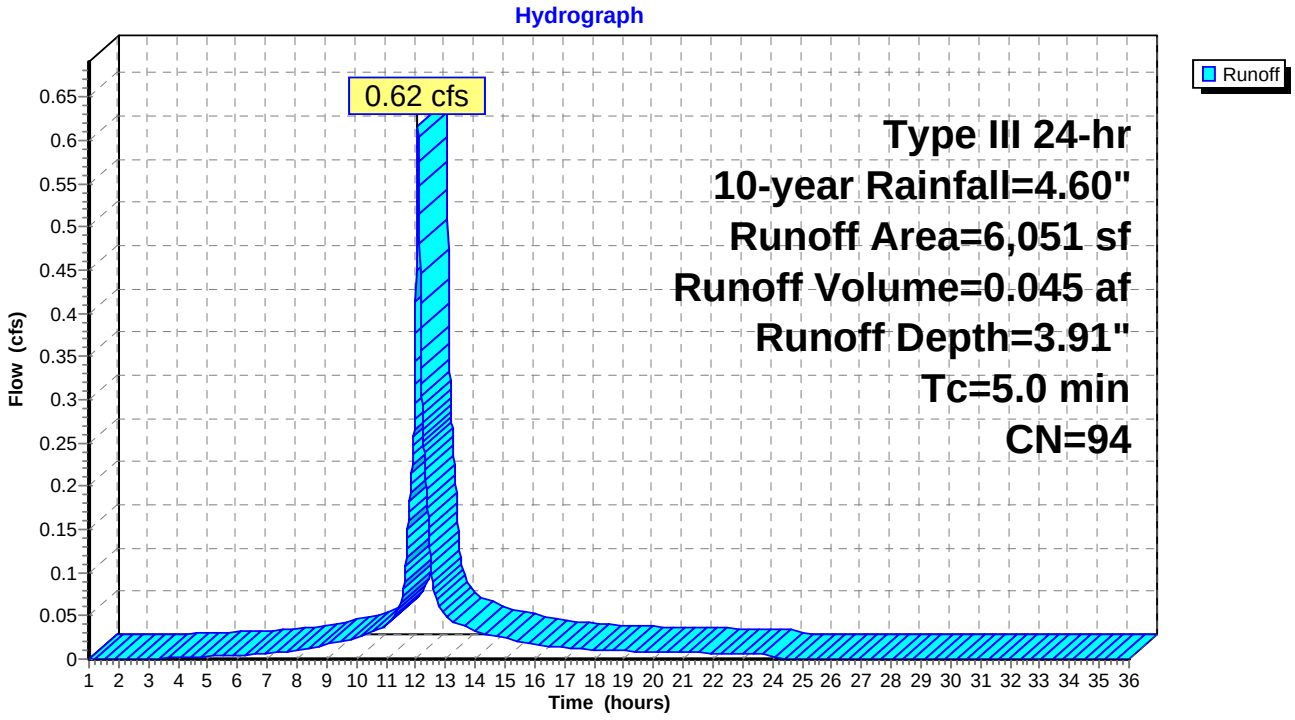
Runoff = 0.62 cfs @ 12.07 hrs, Volume= 0.045 af, Depth= 3.91"

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

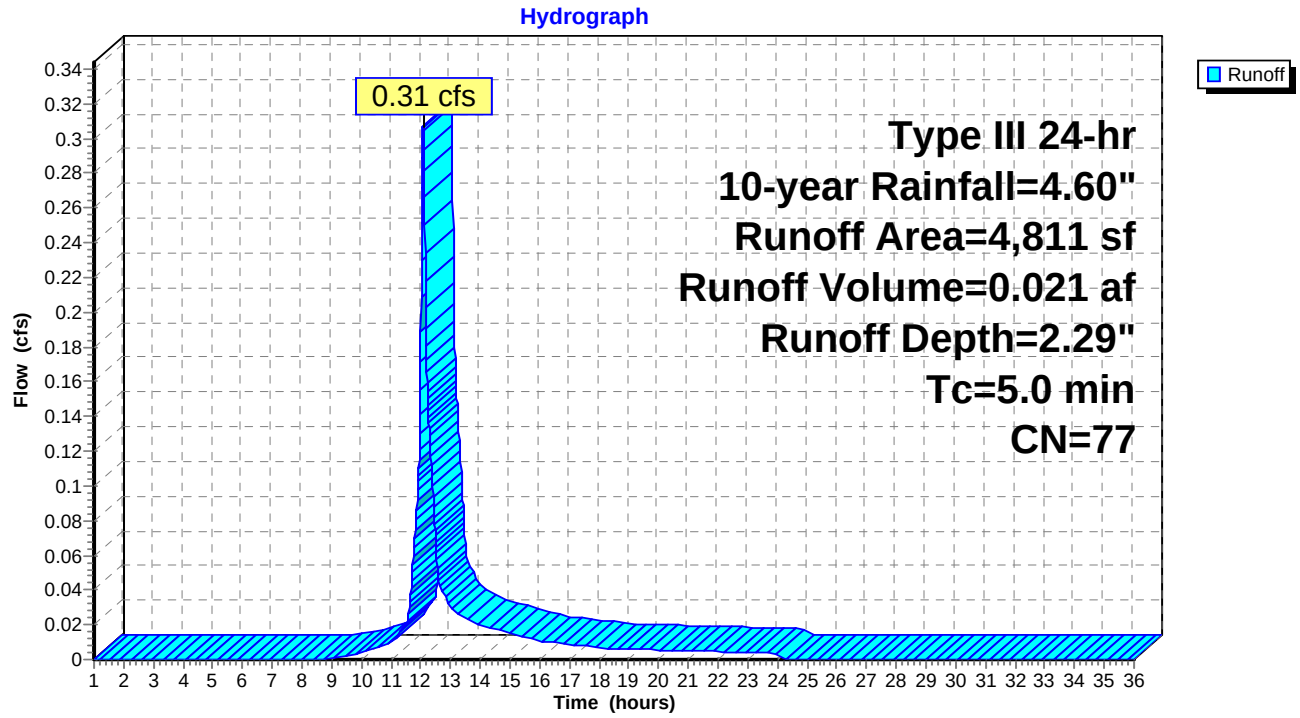
Runoff = 0.31 cfs @ 12.08 hrs, Volume= 0.021 af, Depth= 2.29"

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

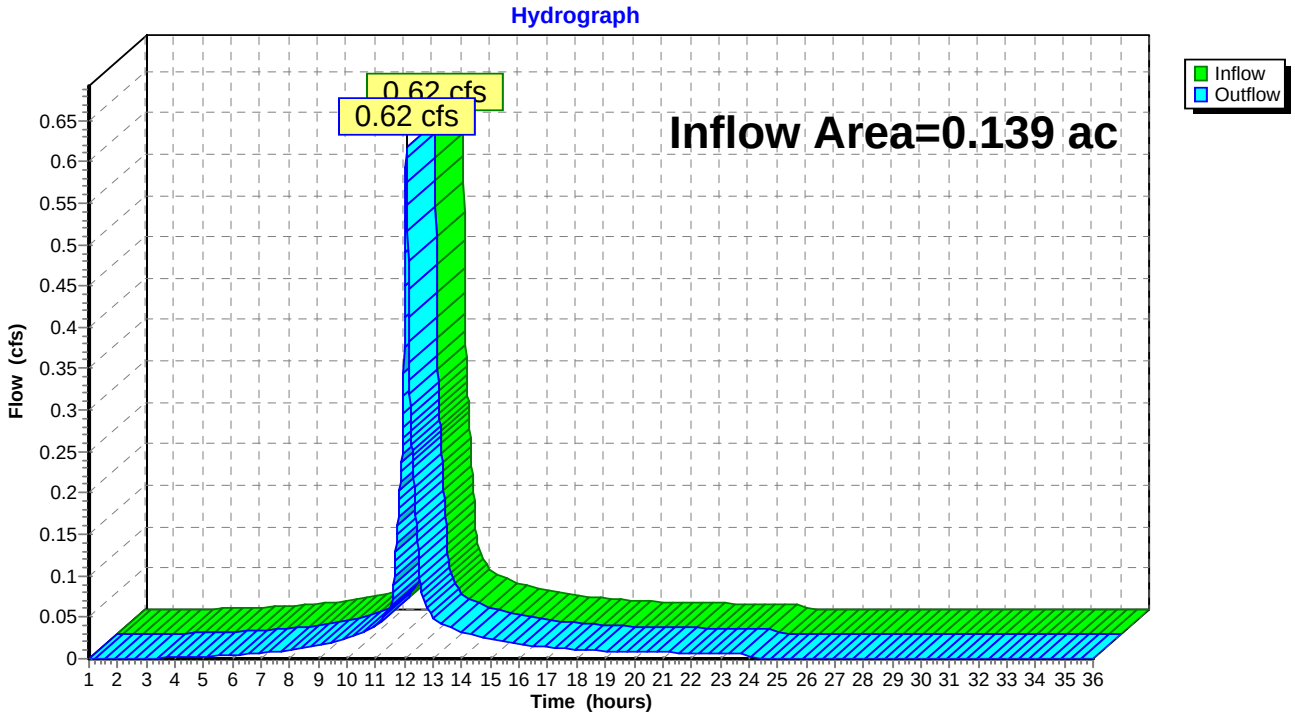


Summary for Reach 1R: POI #1 - North St.

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.

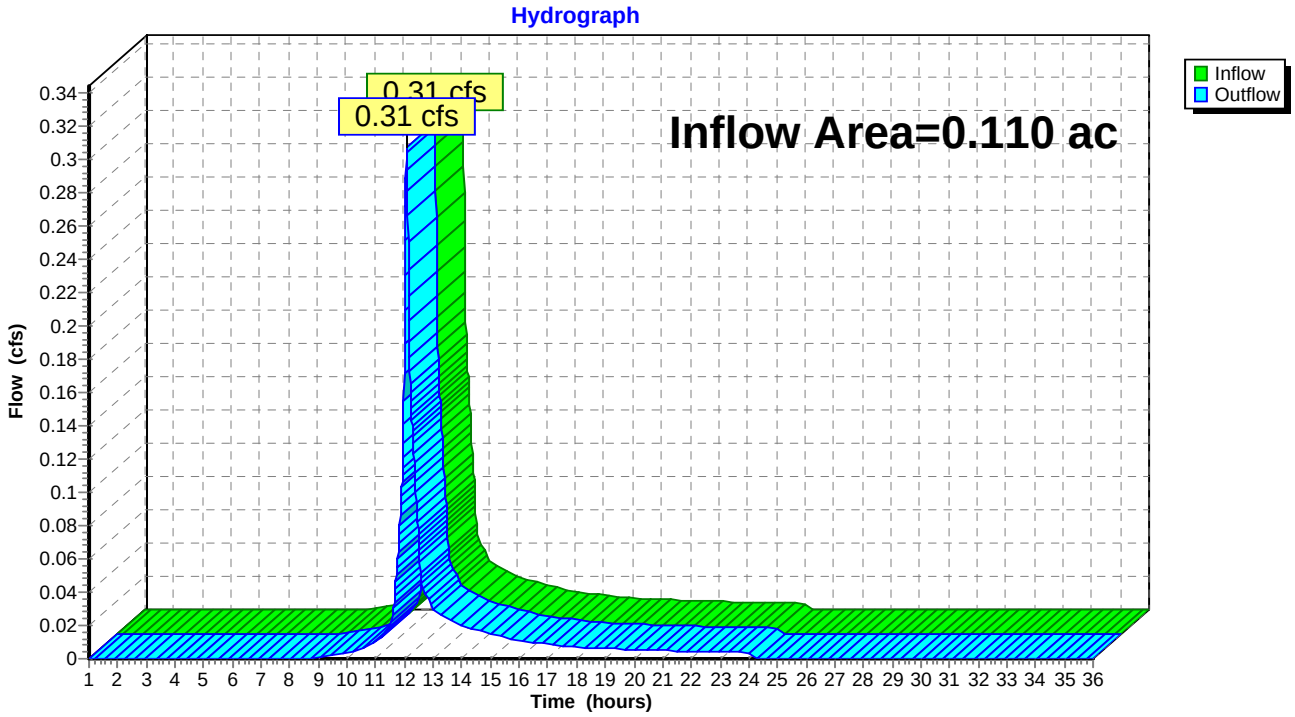


Summary for Reach 2R: POI #2 - Downgradient Abutter

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

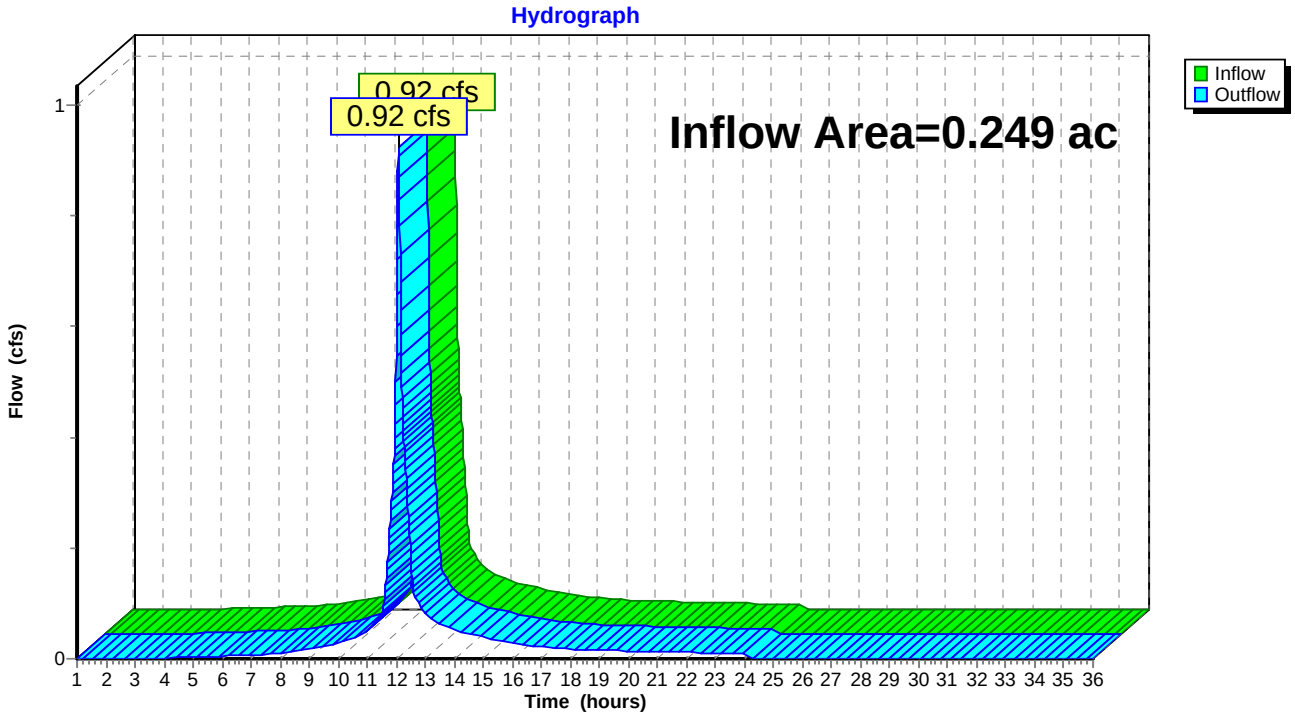


Summary for Reach 3R: Total Runoff

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

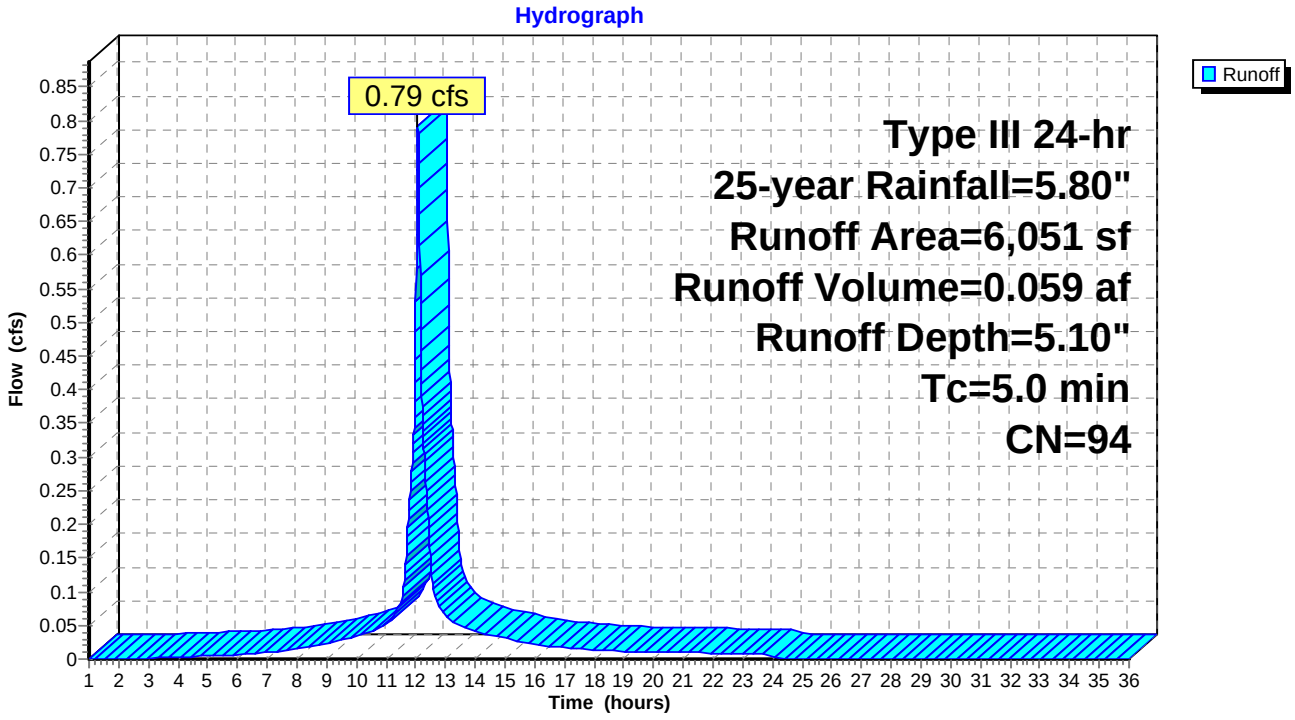
Runoff = 0.79 cfs @ 12.07 hrs, Volume= 0.059 af, Depth= 5.10"

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

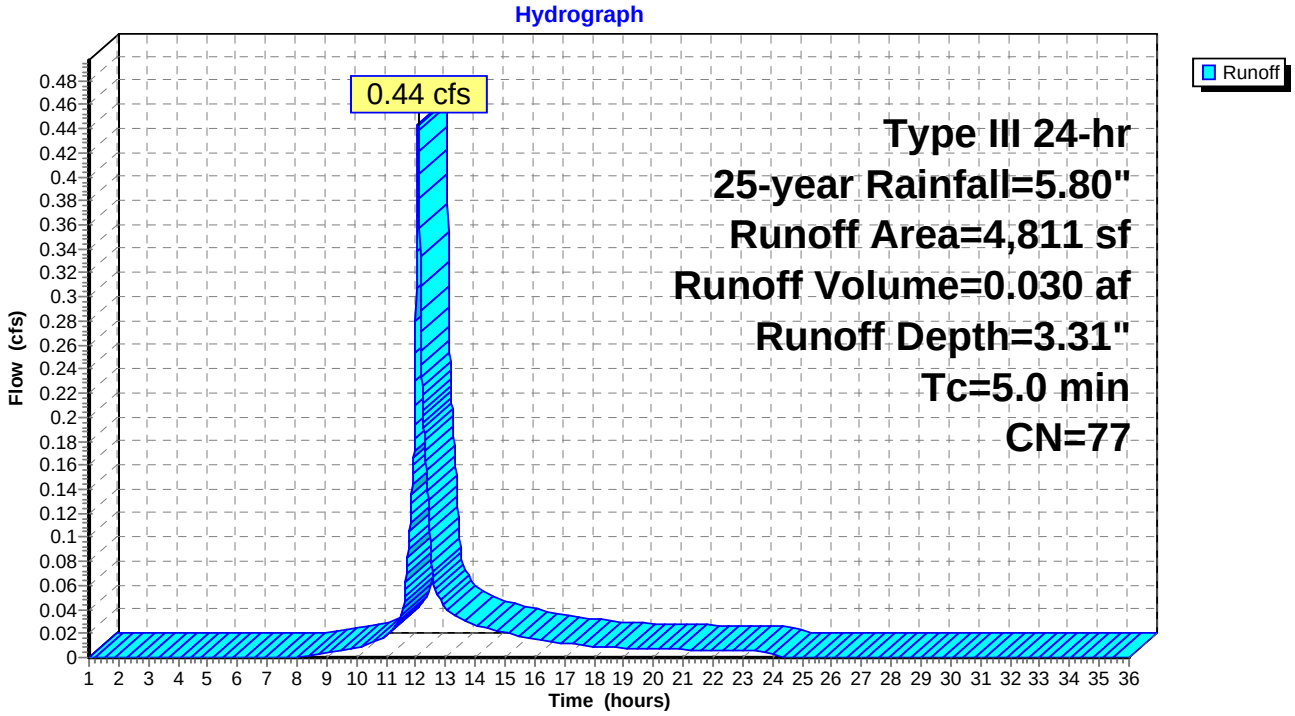
Runoff = 0.44 cfs @ 12.07 hrs, Volume= 0.030 af, Depth= 3.31"

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

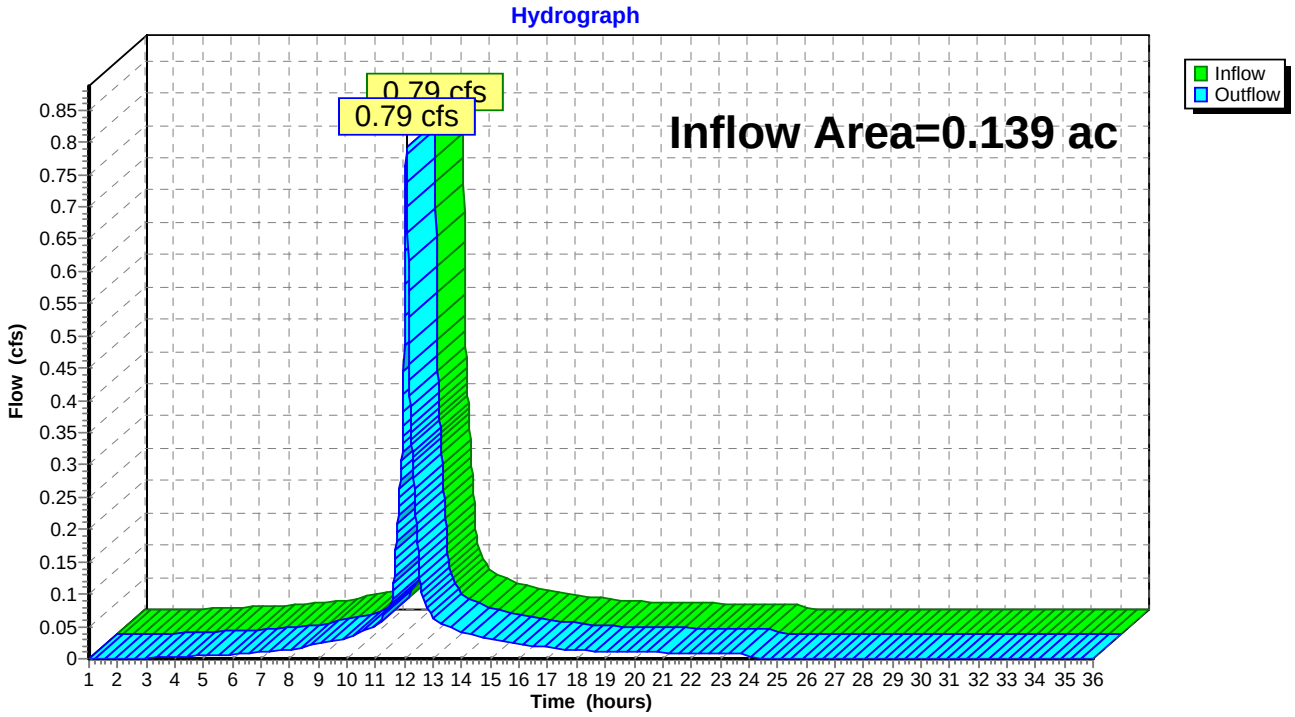


Summary for Reach 1R: POI #1 - North St.

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.

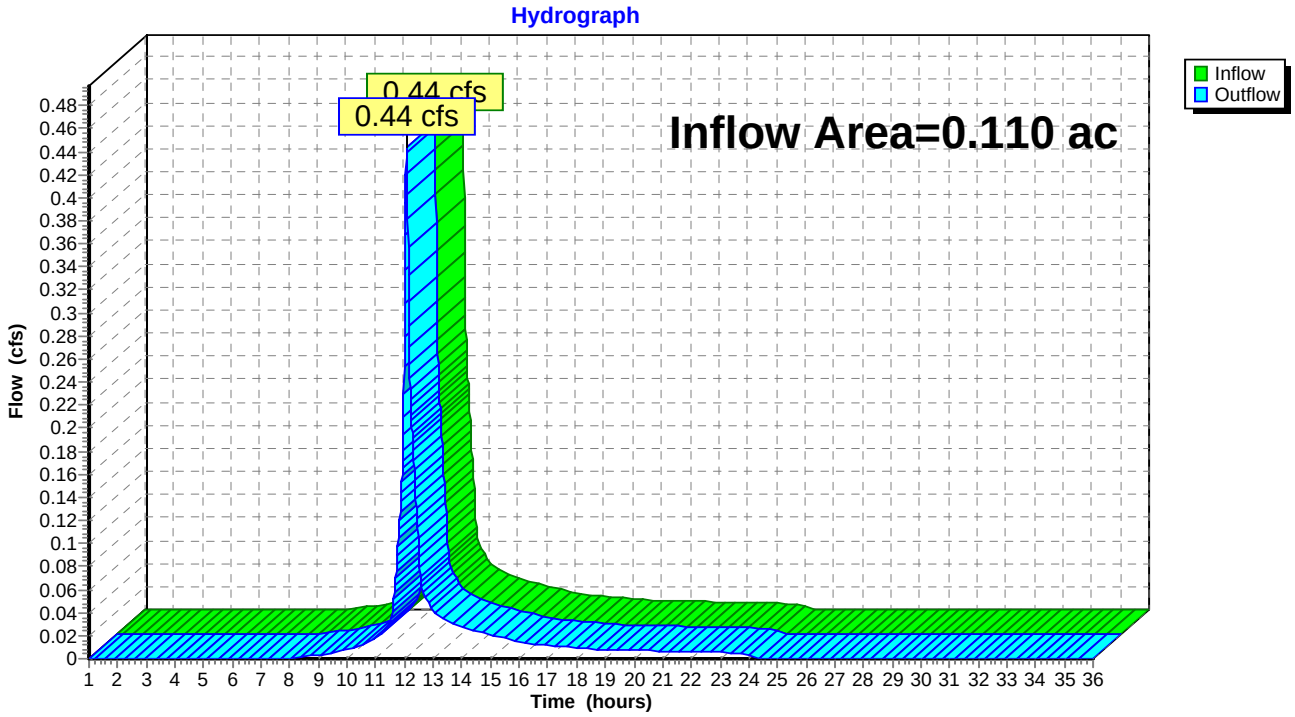


Summary for Reach 2R: POI #2 - Downgradient Abutter

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

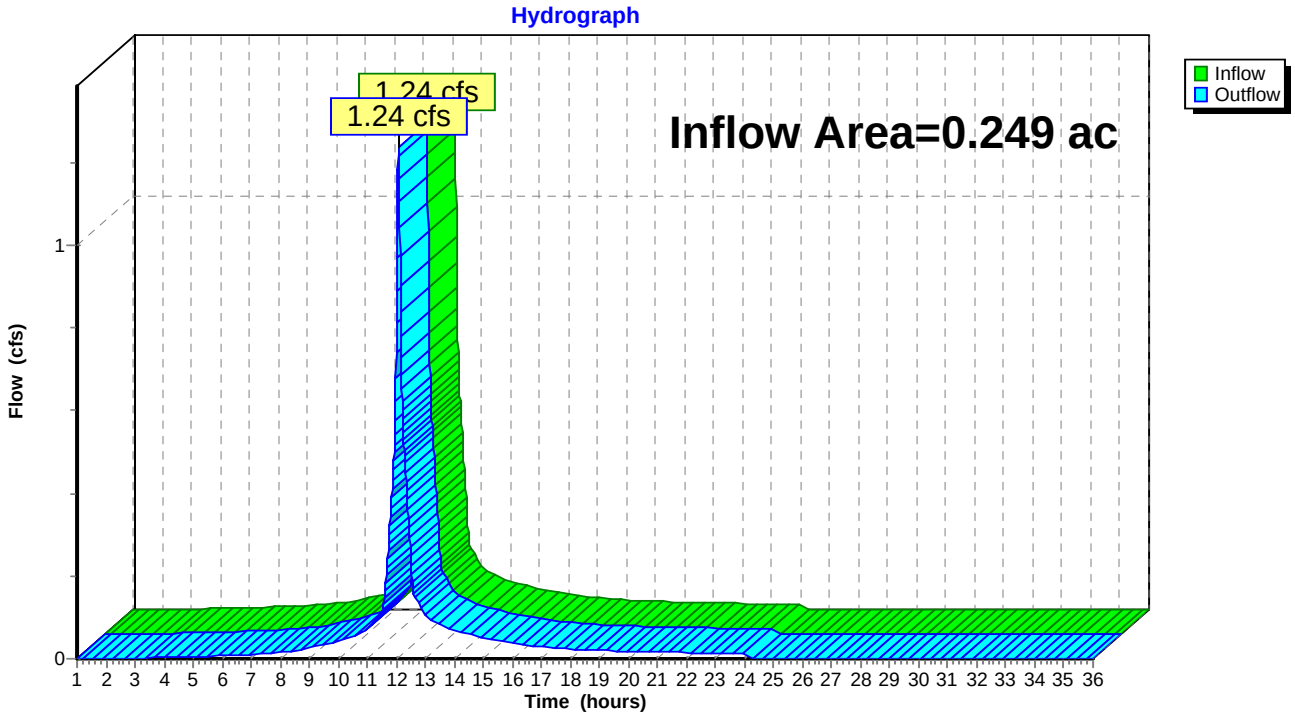


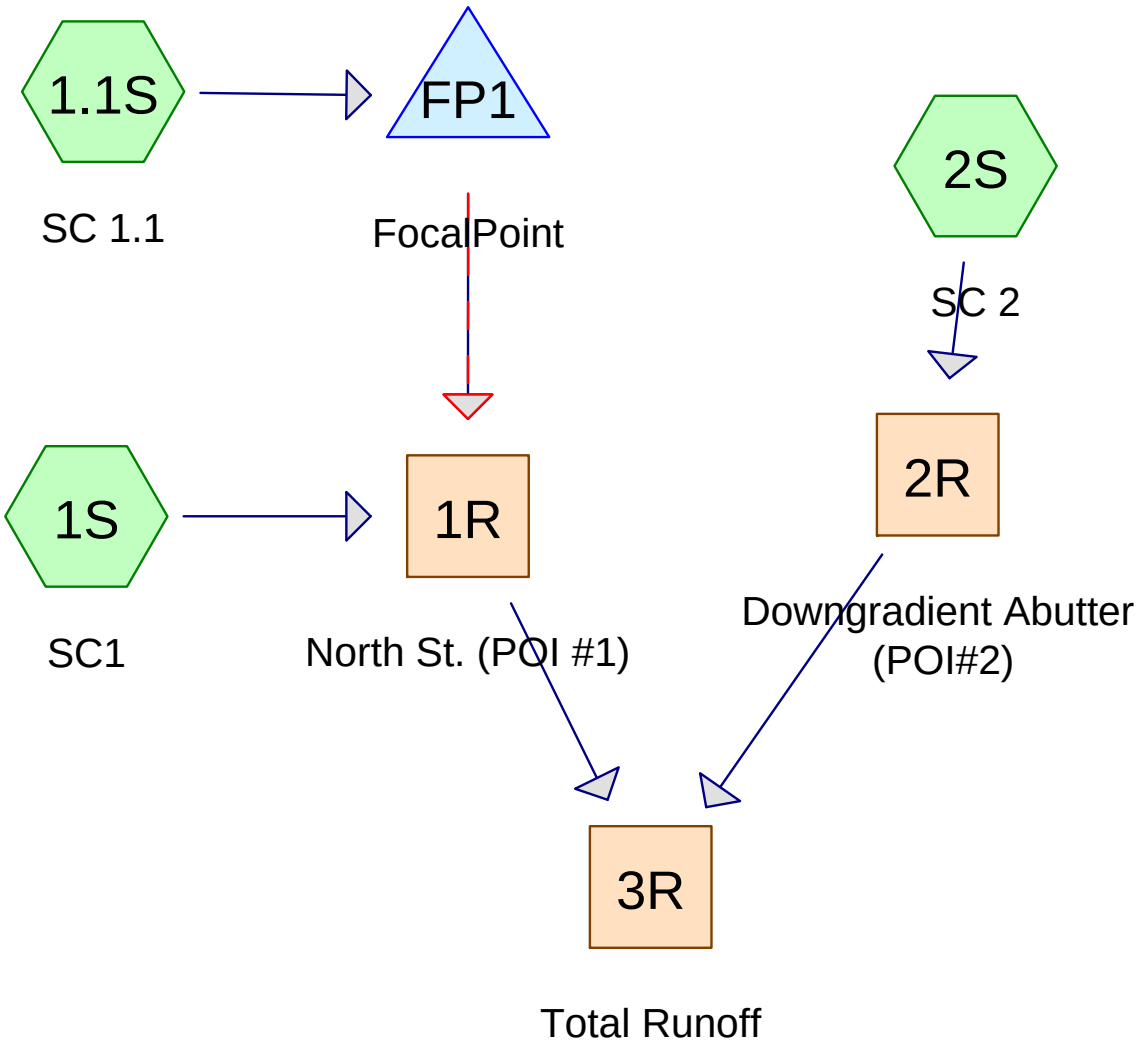
Summary for Reach 3R: Total Runoff

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





Subcat Reach Pond Link

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

Subcatchment1.1S: 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

Subcatchment1S: 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

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=0.36 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

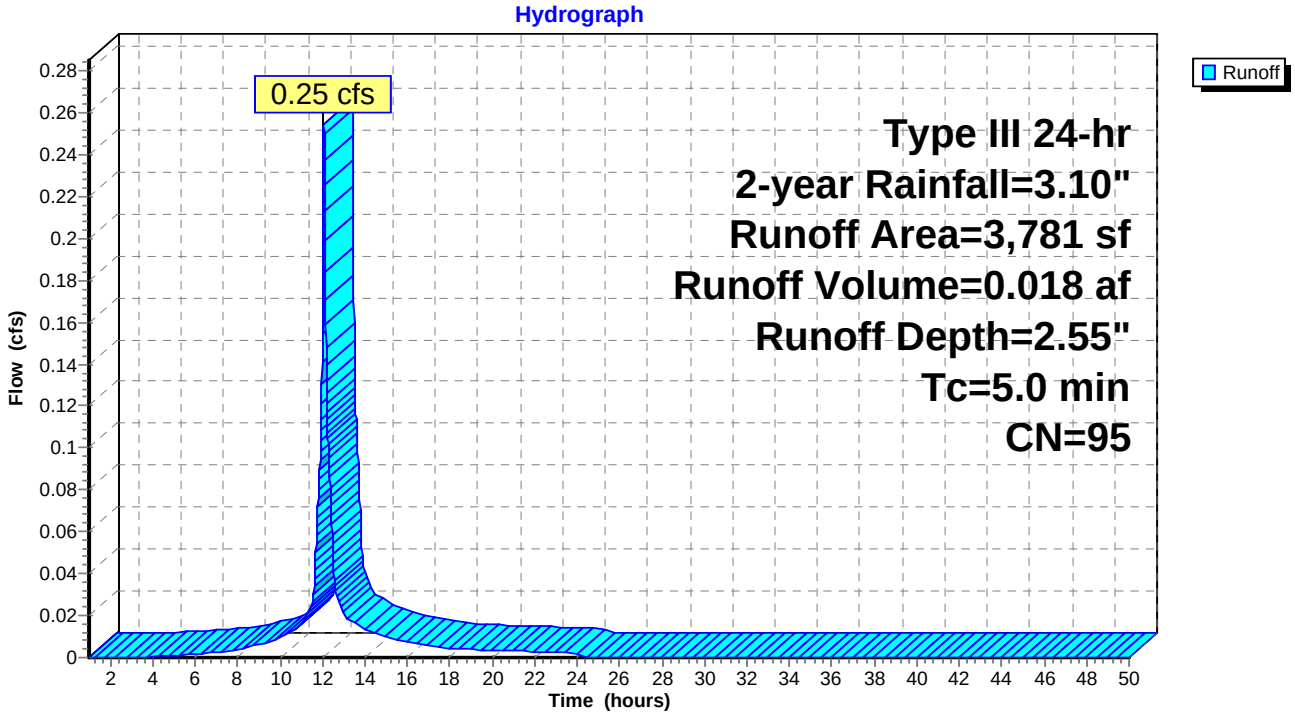
Runoff = 0.25 cfs @ 12.07 hrs, Volume= 0.018 af, Depth= 2.55"

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

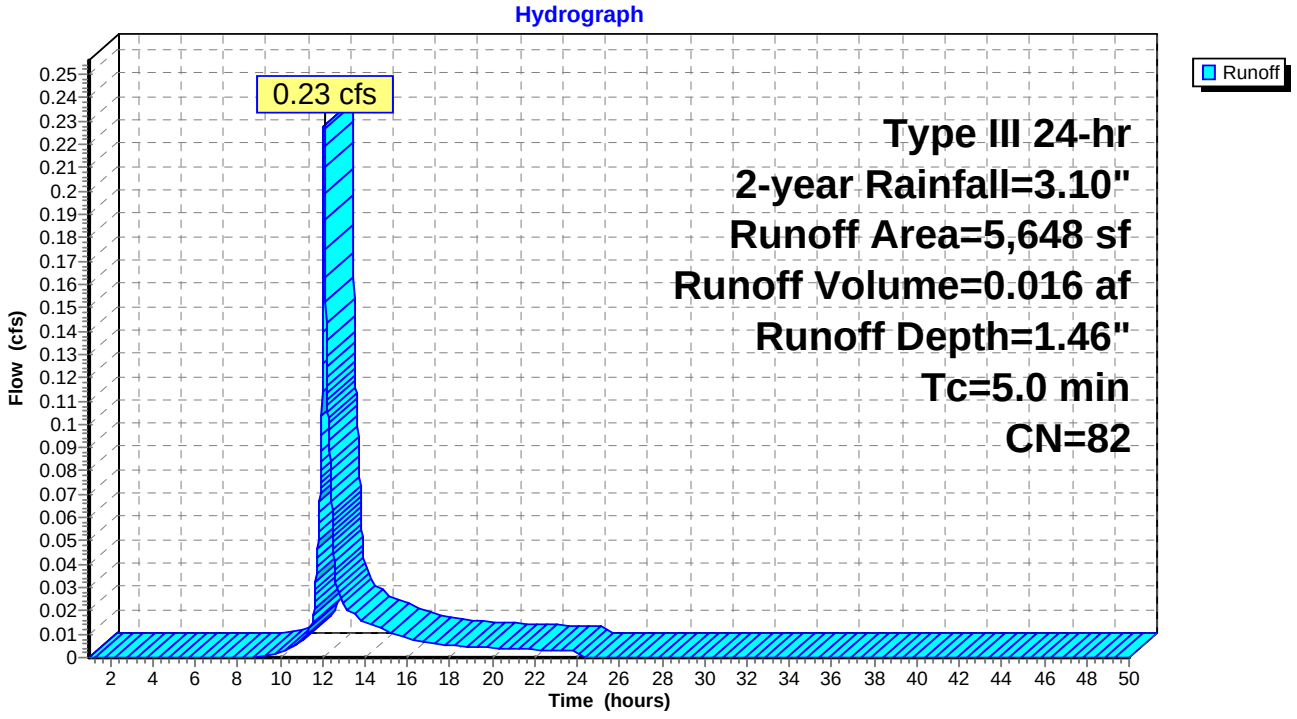
Runoff = 0.23 cfs @ 12.08 hrs, Volume= 0.016 af, Depth= 1.46"

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

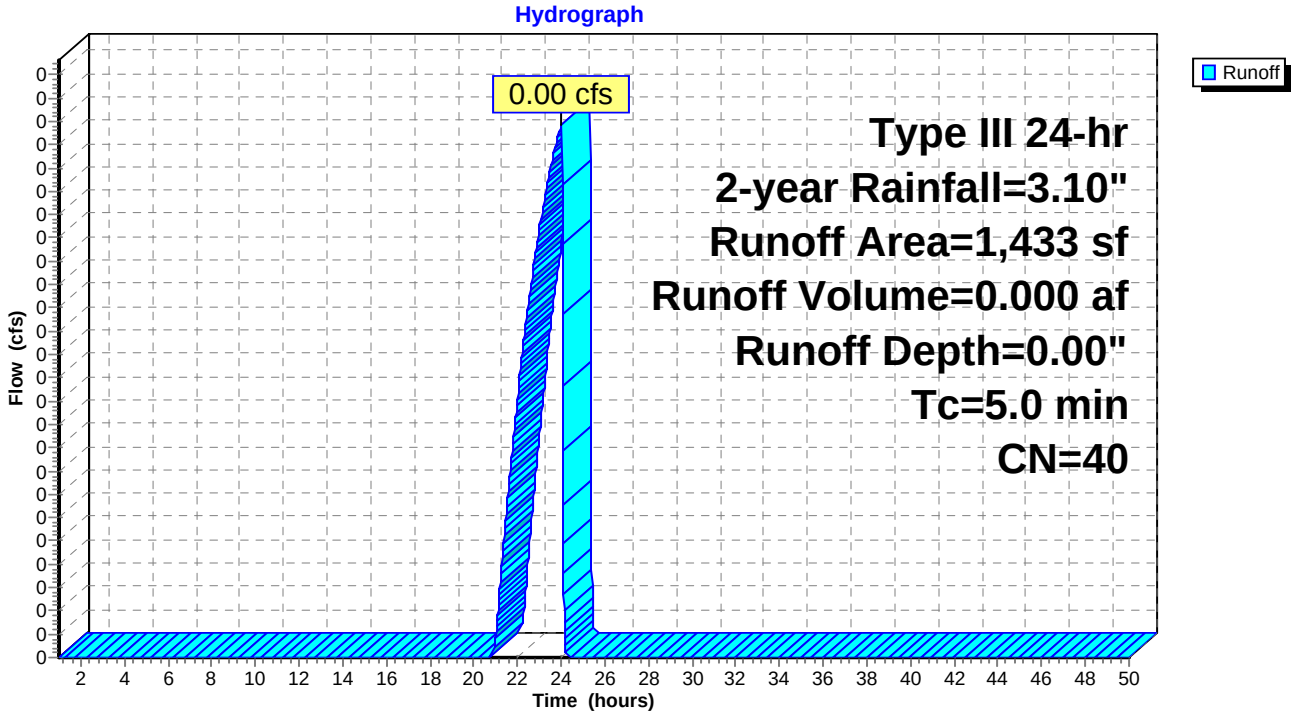
Runoff = 0.00 cfs @ 24.01 hrs, Volume= 0.000 af, Depth= 0.00"

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

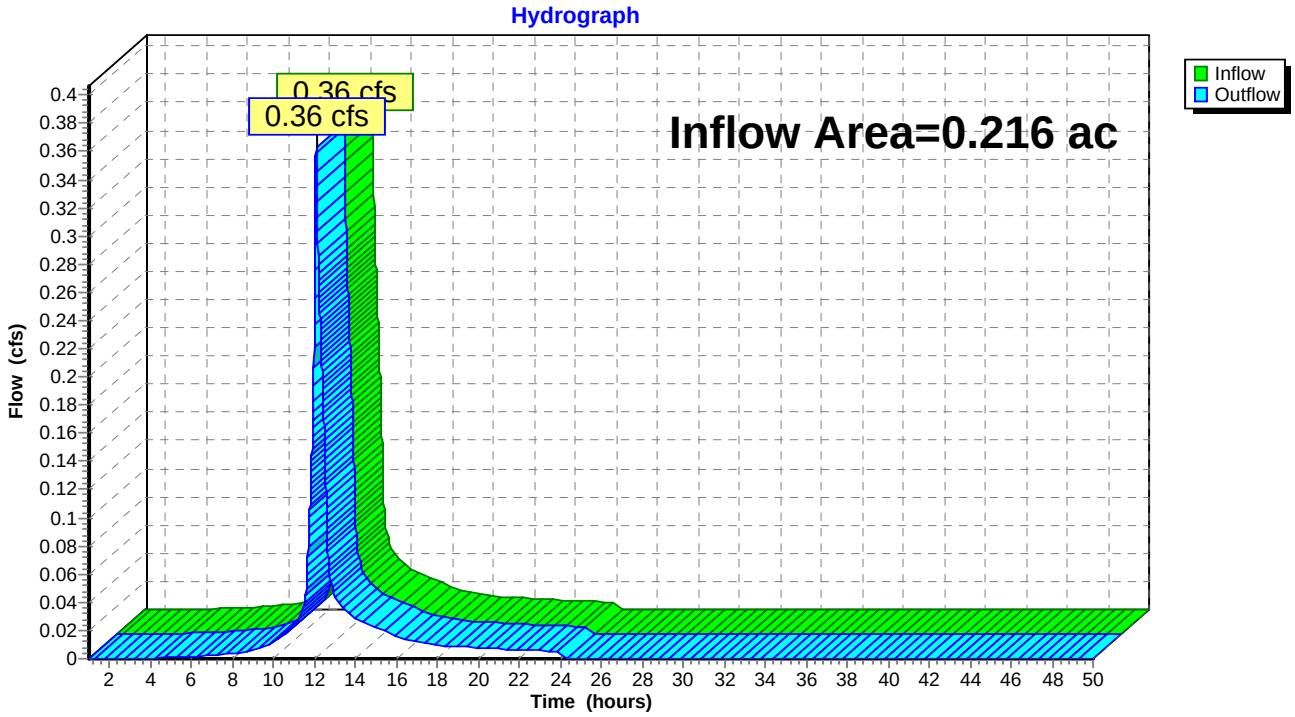


Summary for Reach 1R: North St. (POI #1)

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)

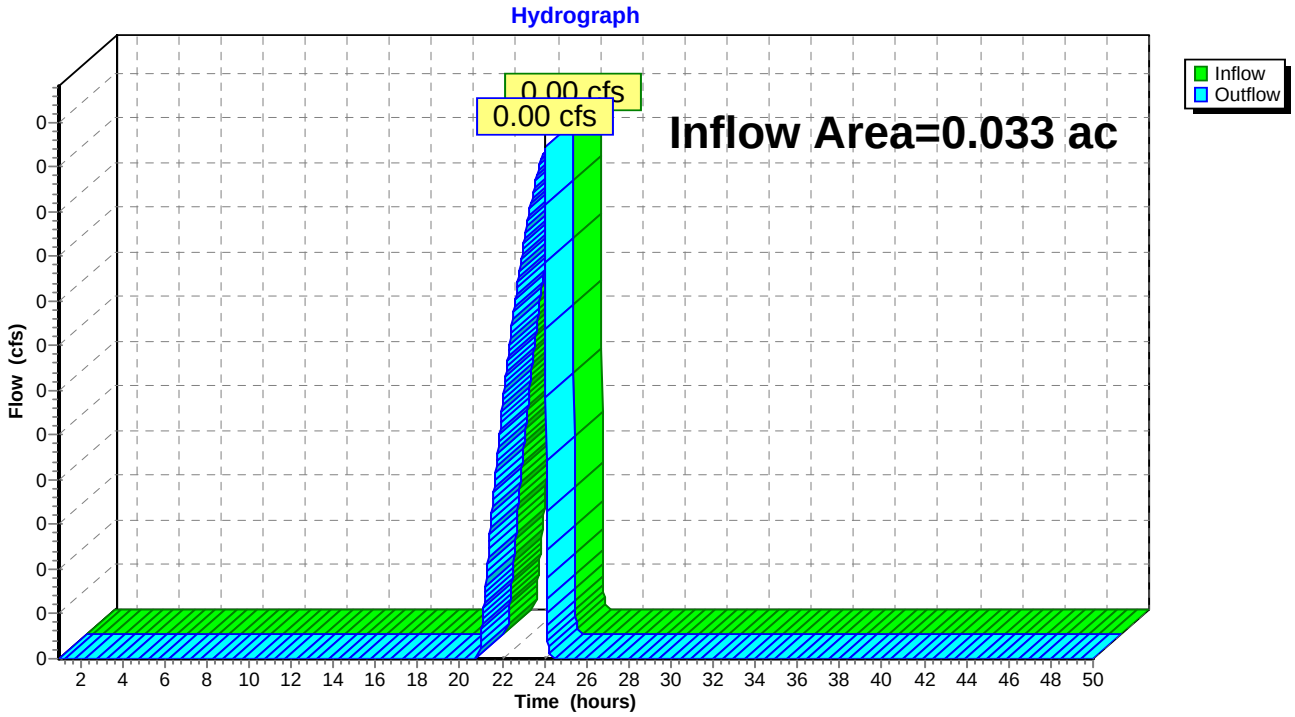


Summary for Reach 2R: Downgradient Abutter (POI#2)

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)

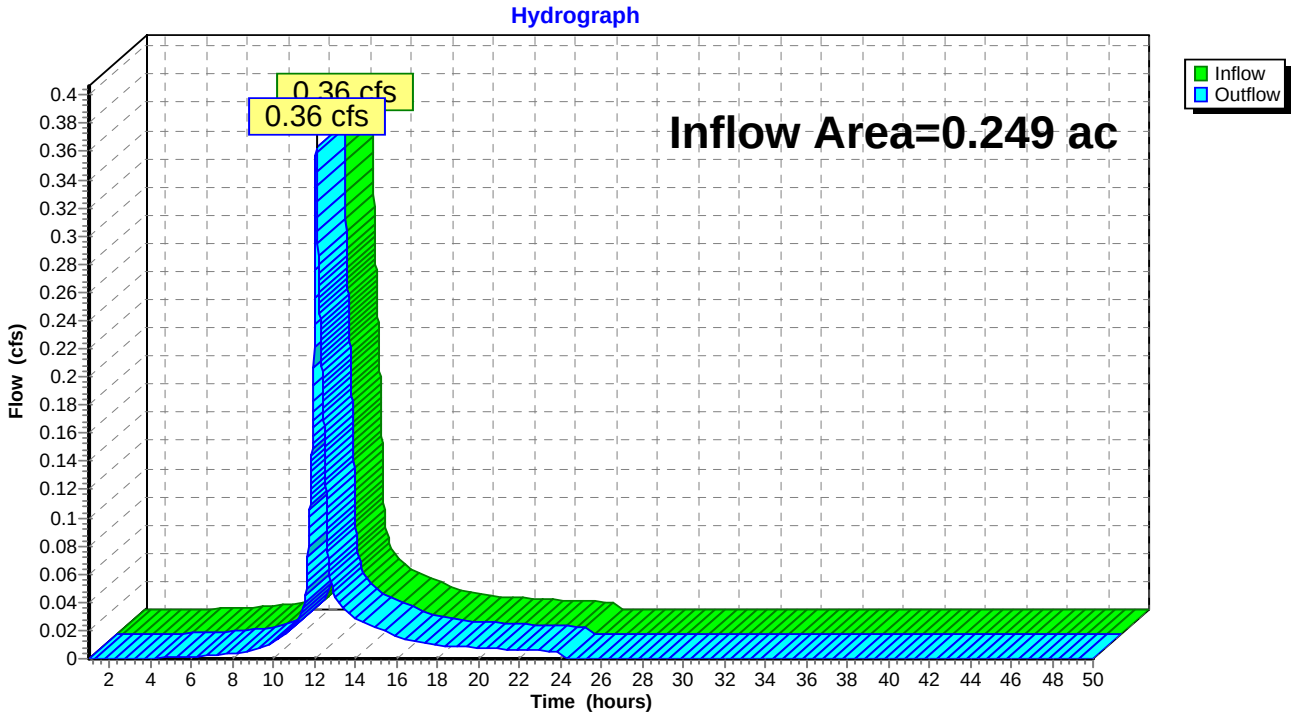


Summary for Reach 3R: Total Runoff

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

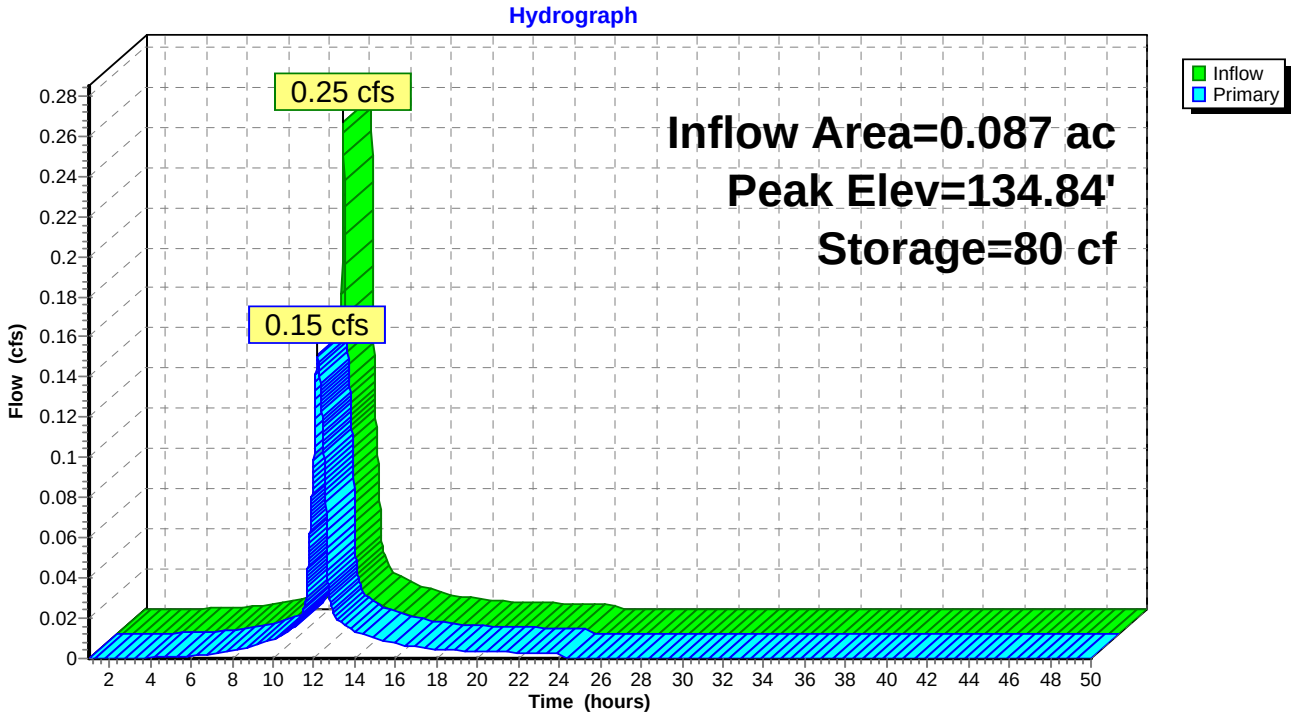
Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
133.75	116	0	0
137.50	116	435	435

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

Subcatchment1.1S: 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

Subcatchment1S: 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

Subcatchment2S: 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

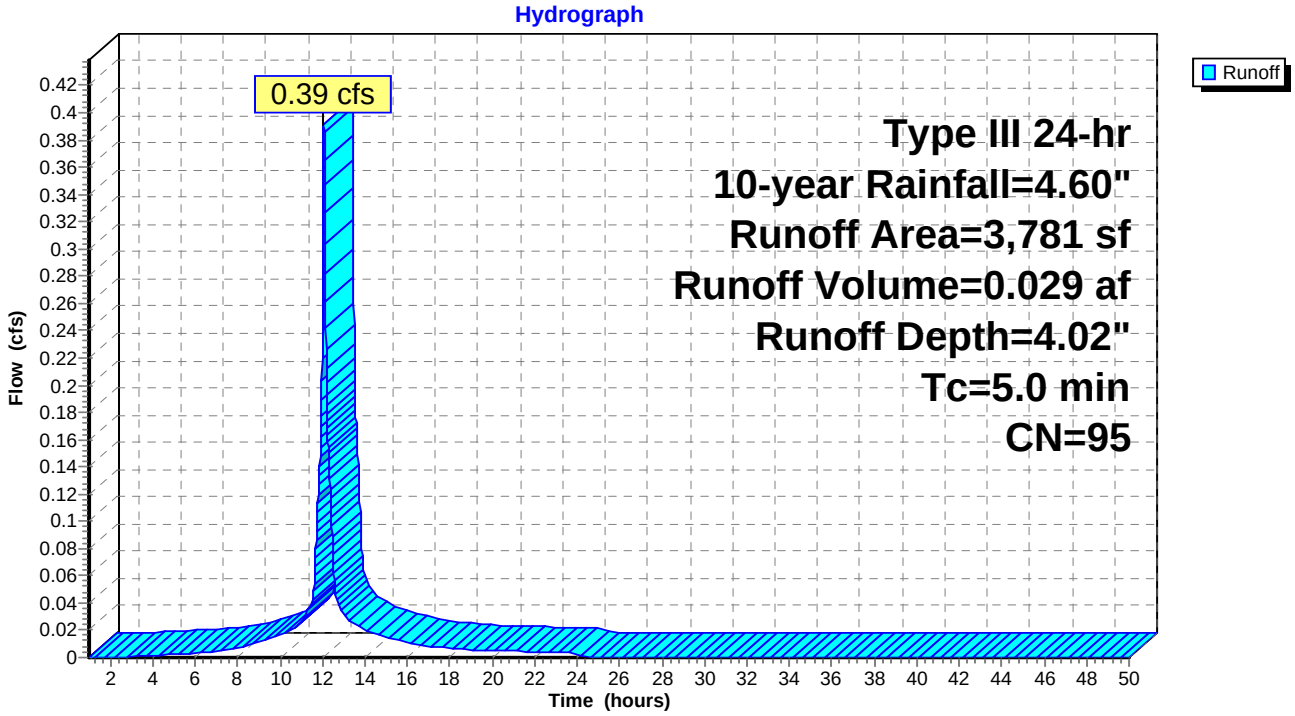
Runoff = 0.39 cfs @ 12.07 hrs, Volume= 0.029 af, Depth= 4.02"

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

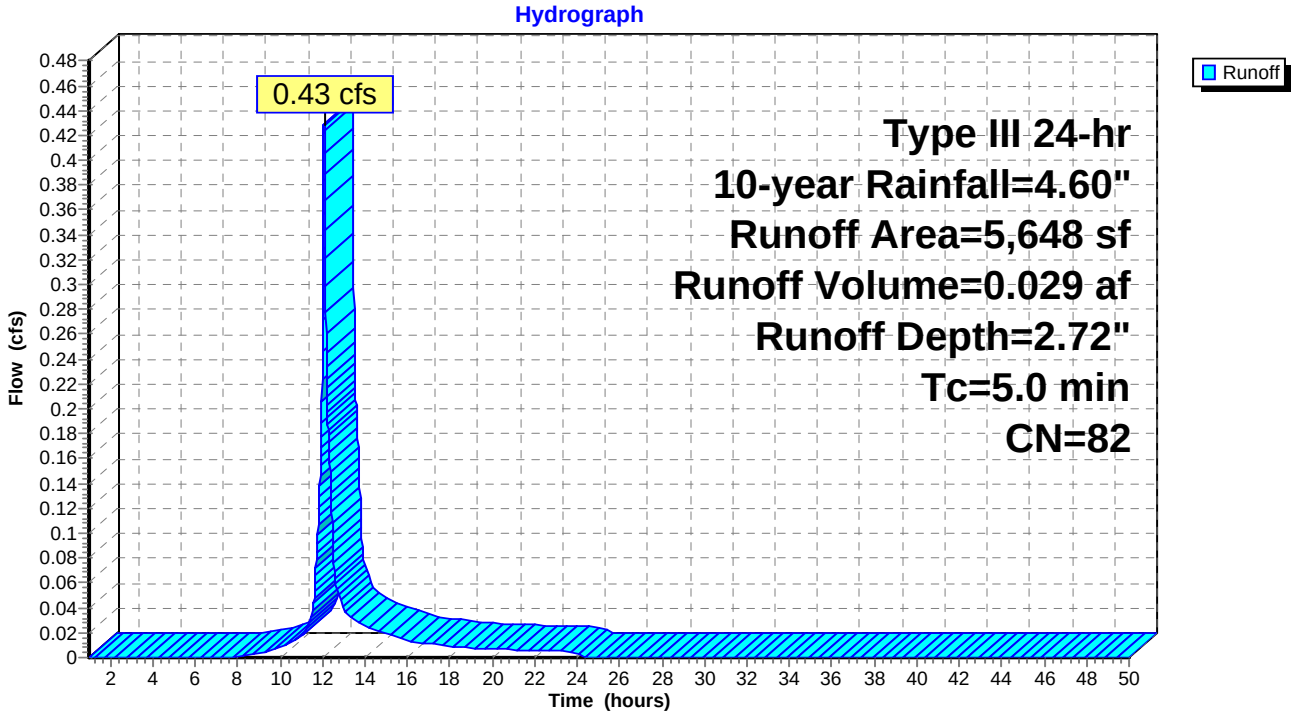
Runoff = 0.43 cfs @ 12.07 hrs, Volume= 0.029 af, Depth= 2.72"

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

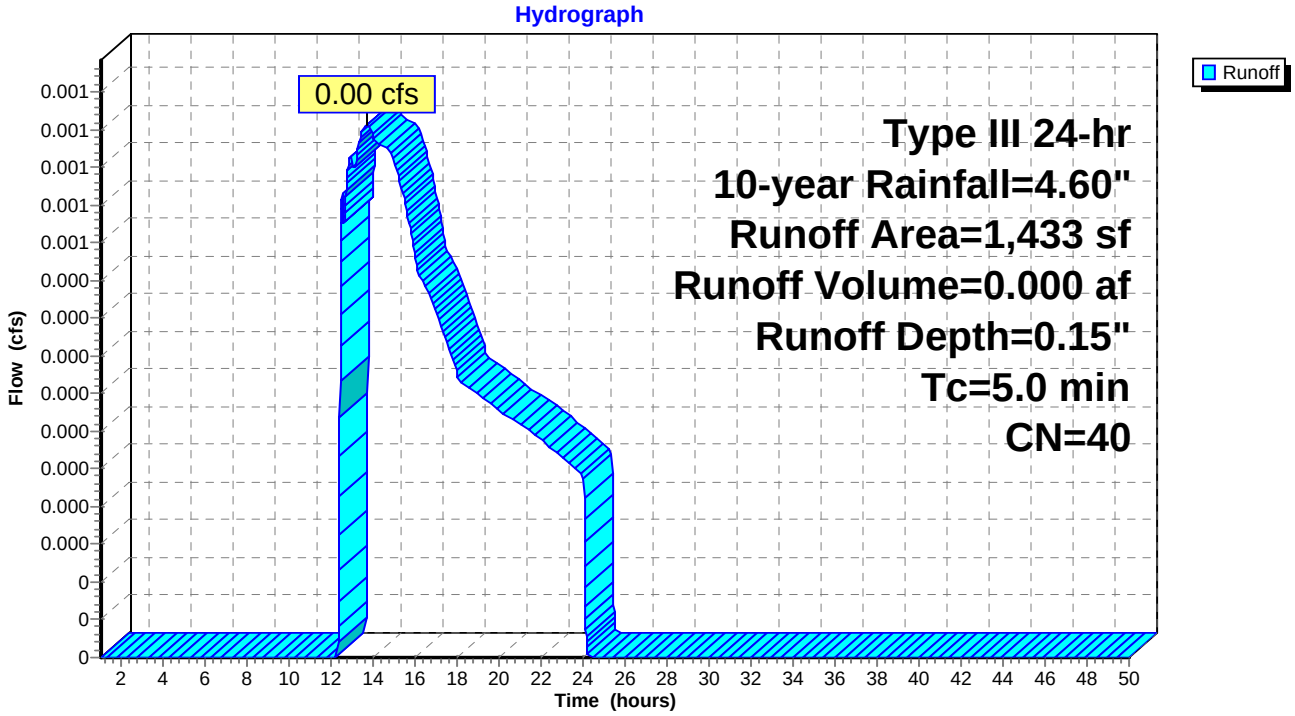
Runoff = 0.00 cfs @ 13.66 hrs, Volume= 0.000 af, Depth= 0.15"

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

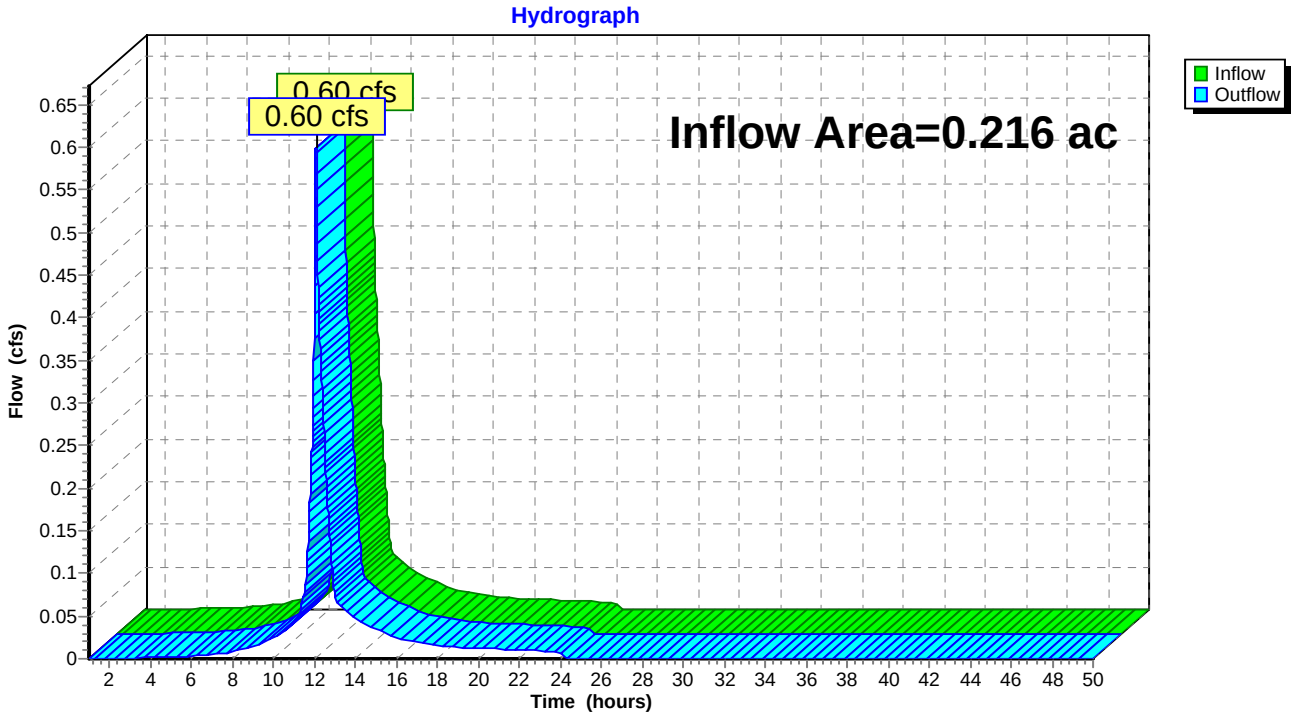


Summary for Reach 1R: North St. (POI #1)

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)

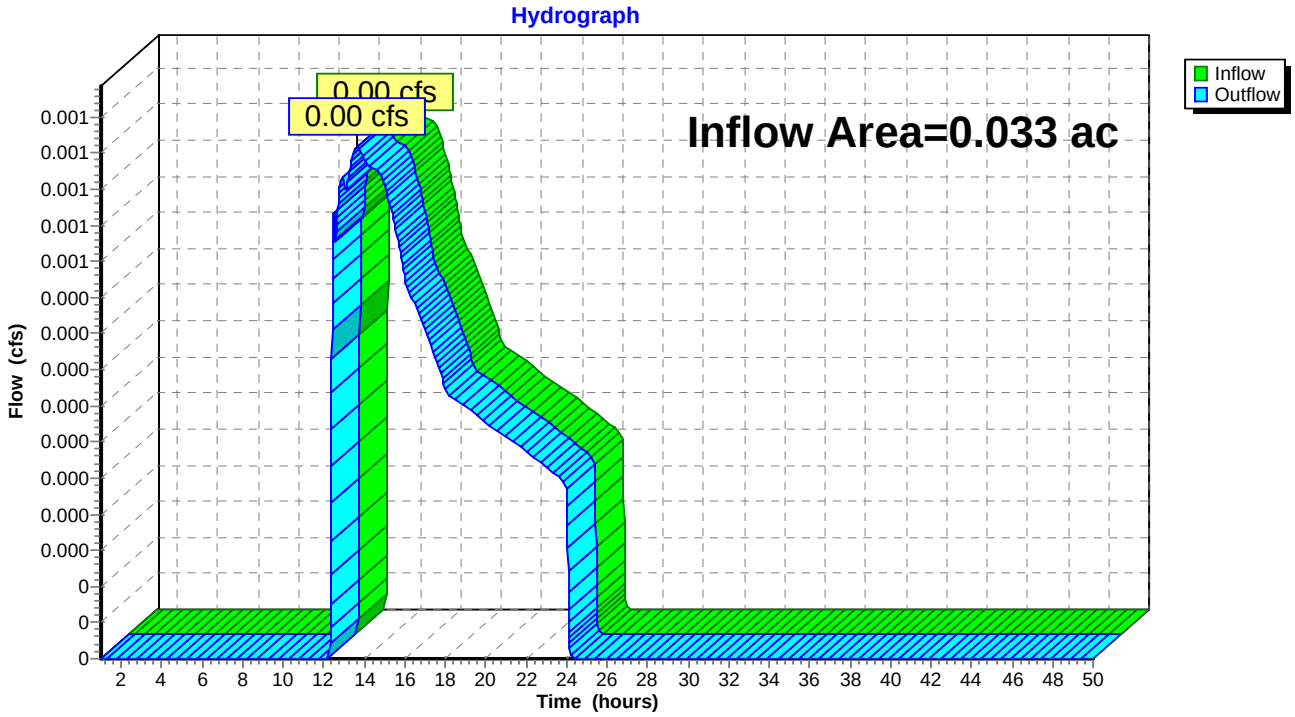


Summary for Reach 2R: Downgradient Abutter (POI#2)

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)

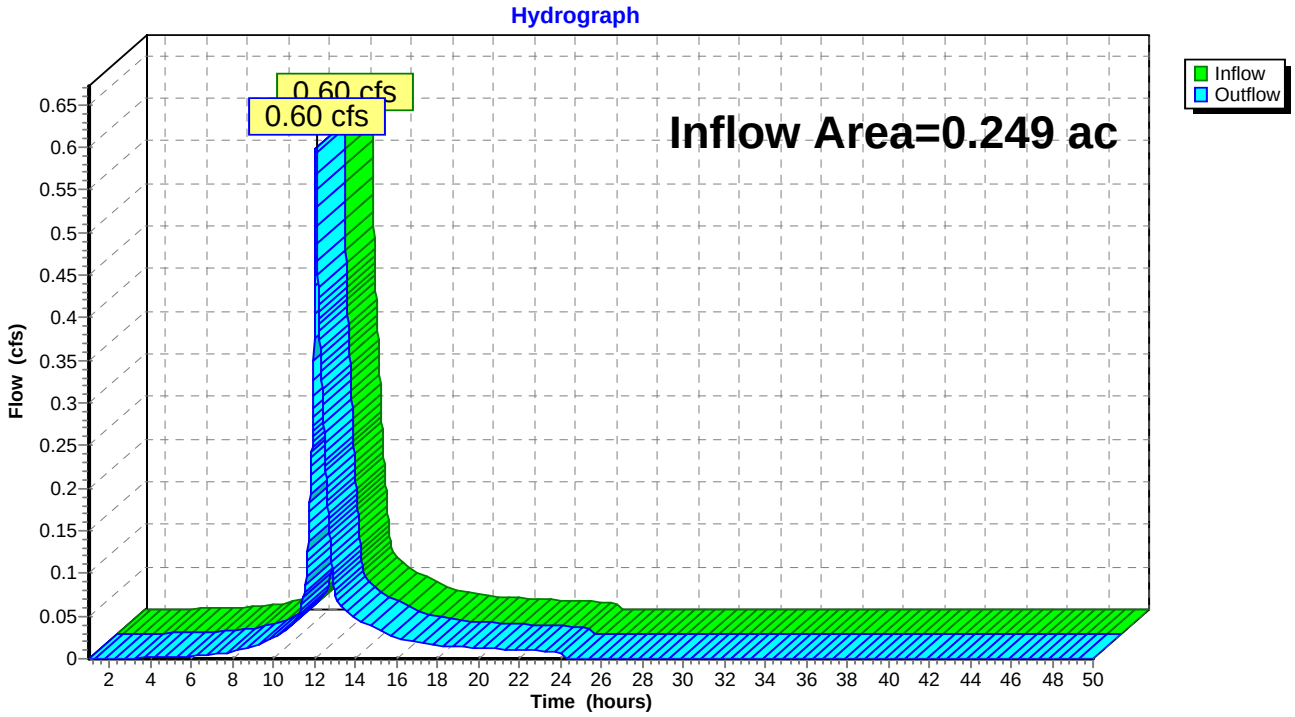


Summary for Reach 3R: Total Runoff

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

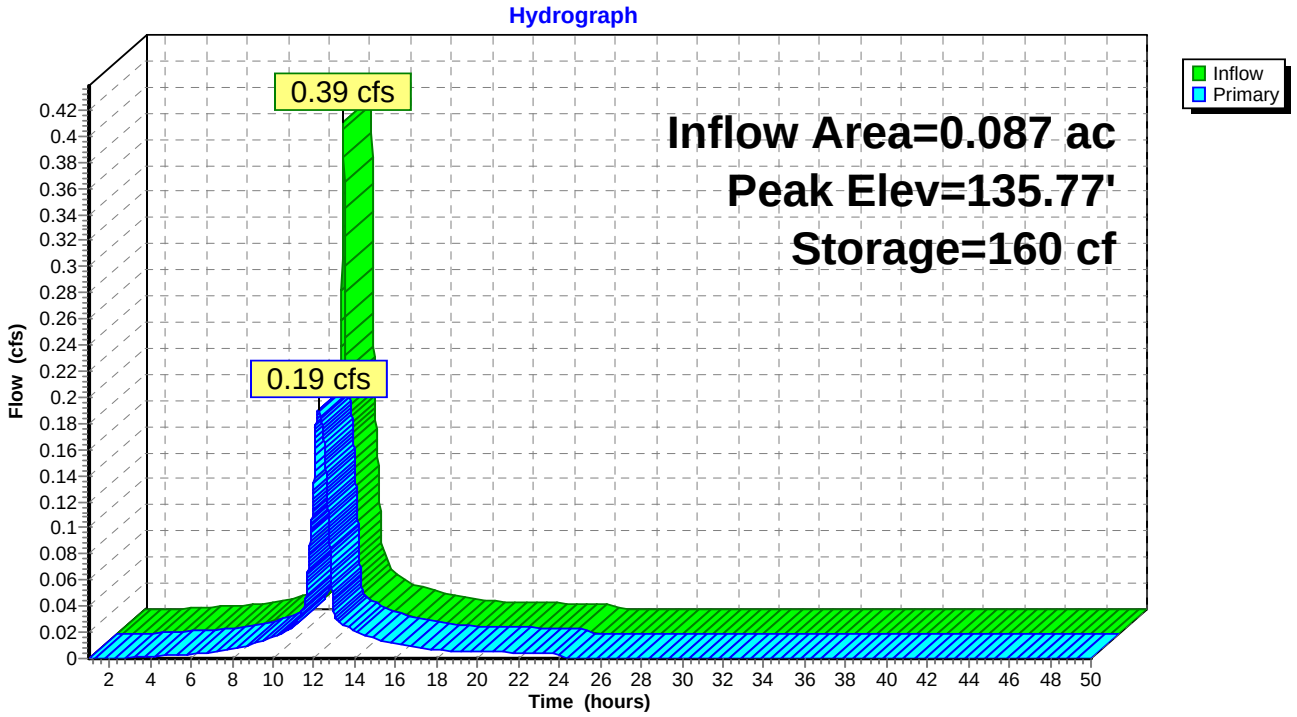
Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
133.75	116	0	0
137.50	116	435	435

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

Subcatchment1.1S: 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

Subcatchment1S: 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

Subcatchment2S: 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

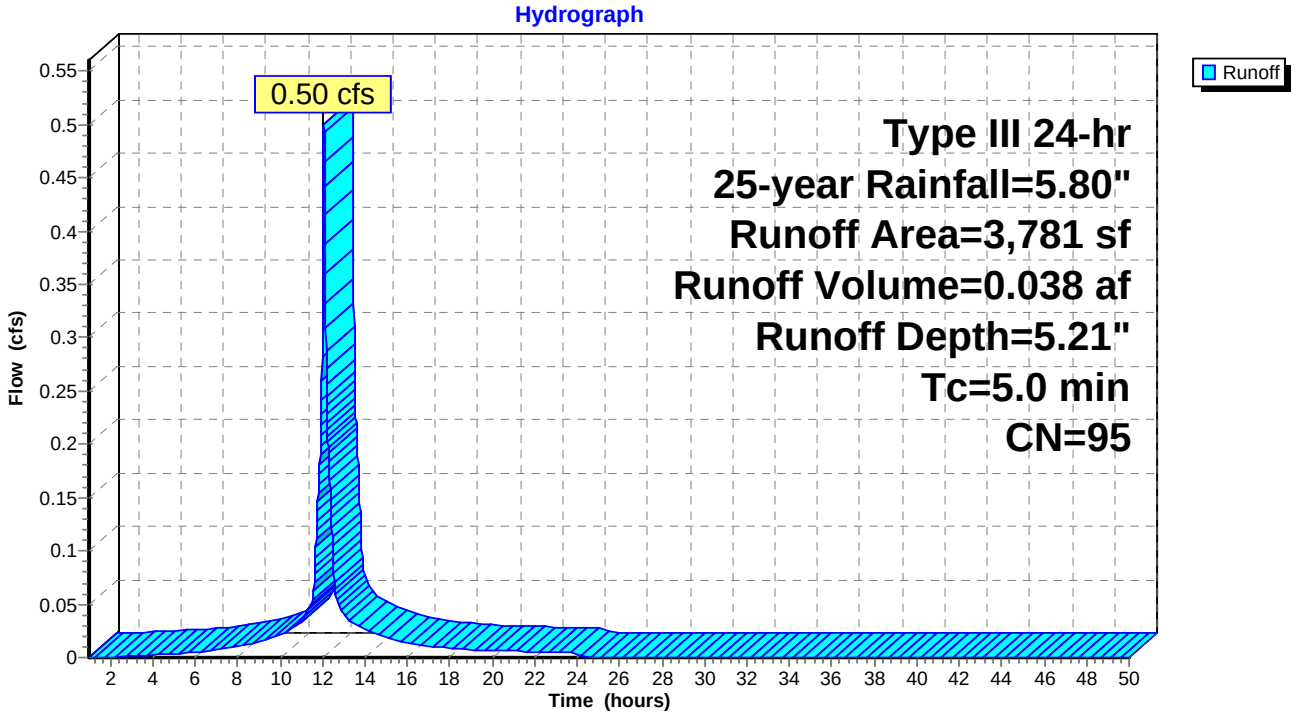
Runoff = 0.50 cfs @ 12.07 hrs, Volume= 0.038 af, Depth= 5.21"

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

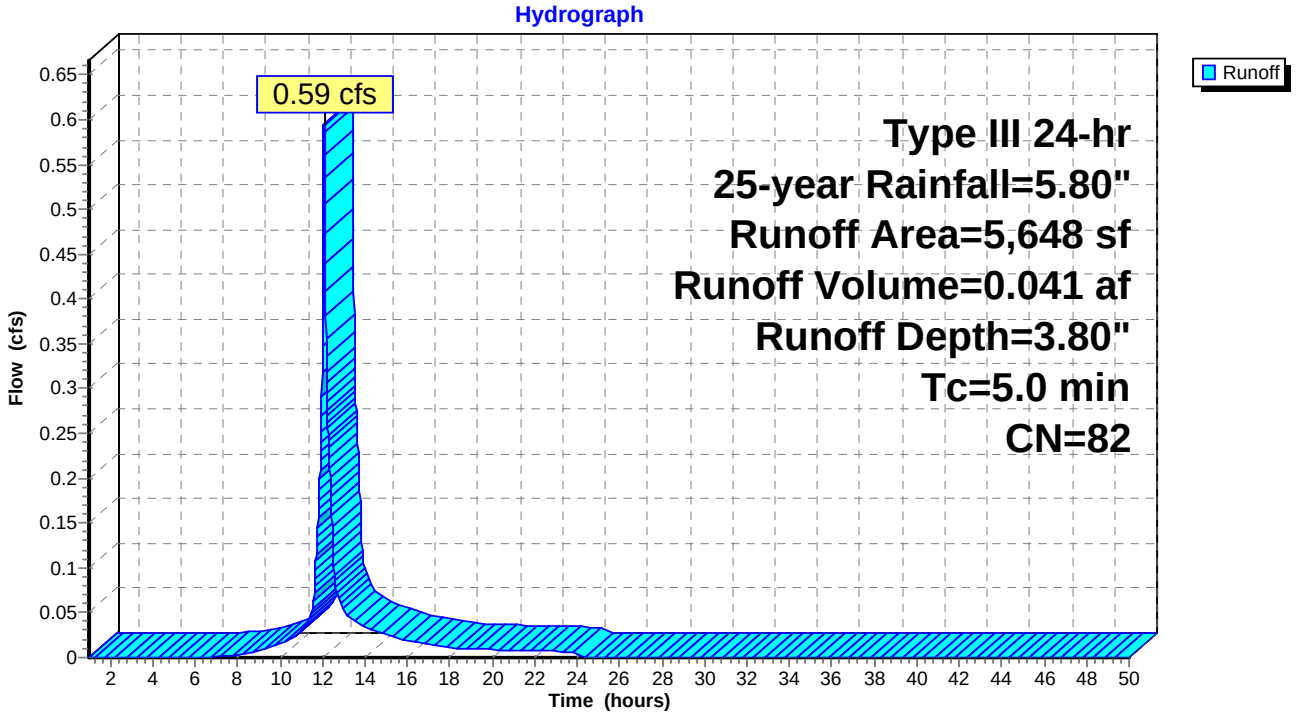
Runoff = 0.59 cfs @ 12.07 hrs, Volume= 0.041 af, Depth= 3.80"

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

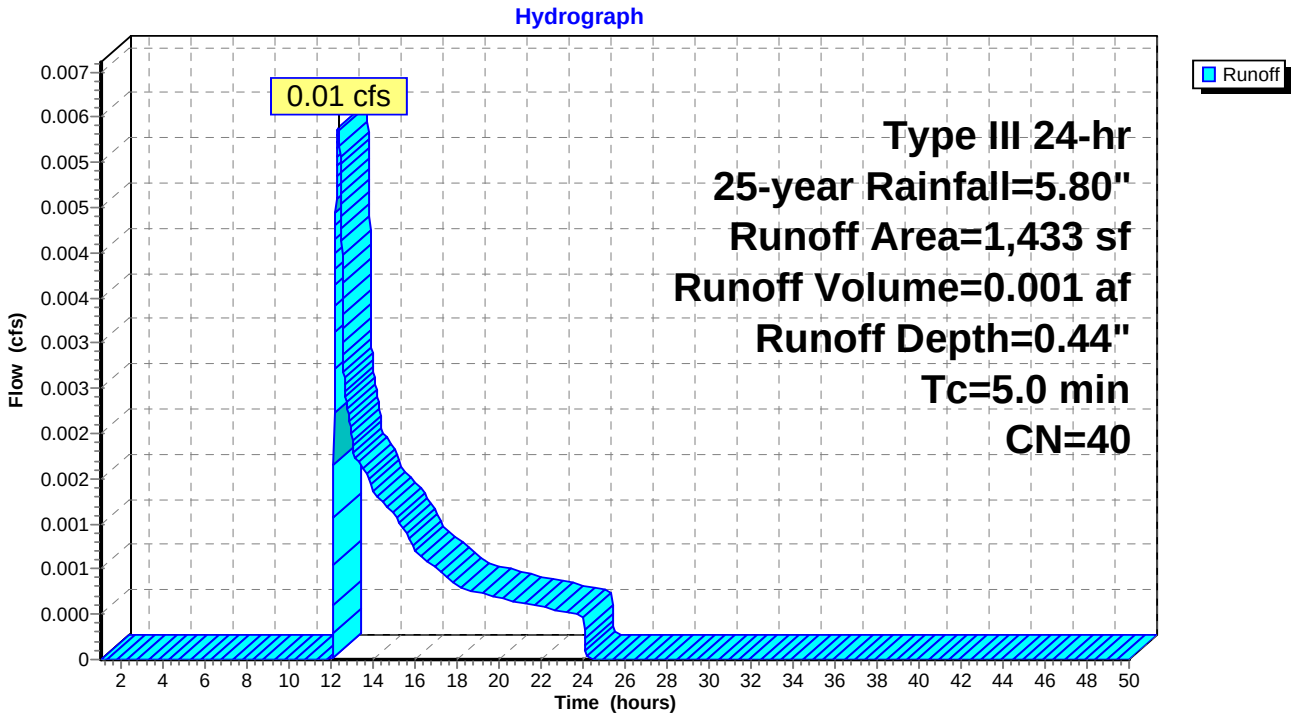
Runoff = 0.01 cfs @ 12.32 hrs, Volume= 0.001 af, Depth= 0.44"

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

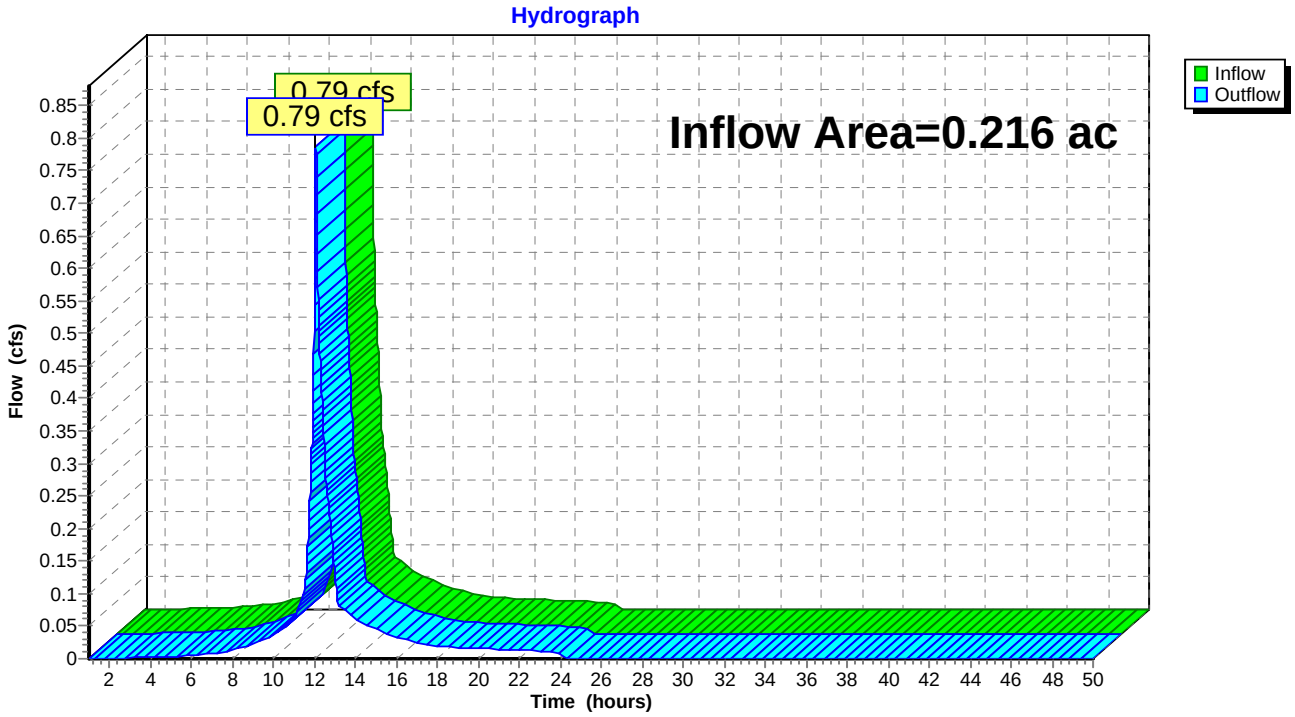


Summary for Reach 1R: North St. (POI #1)

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)

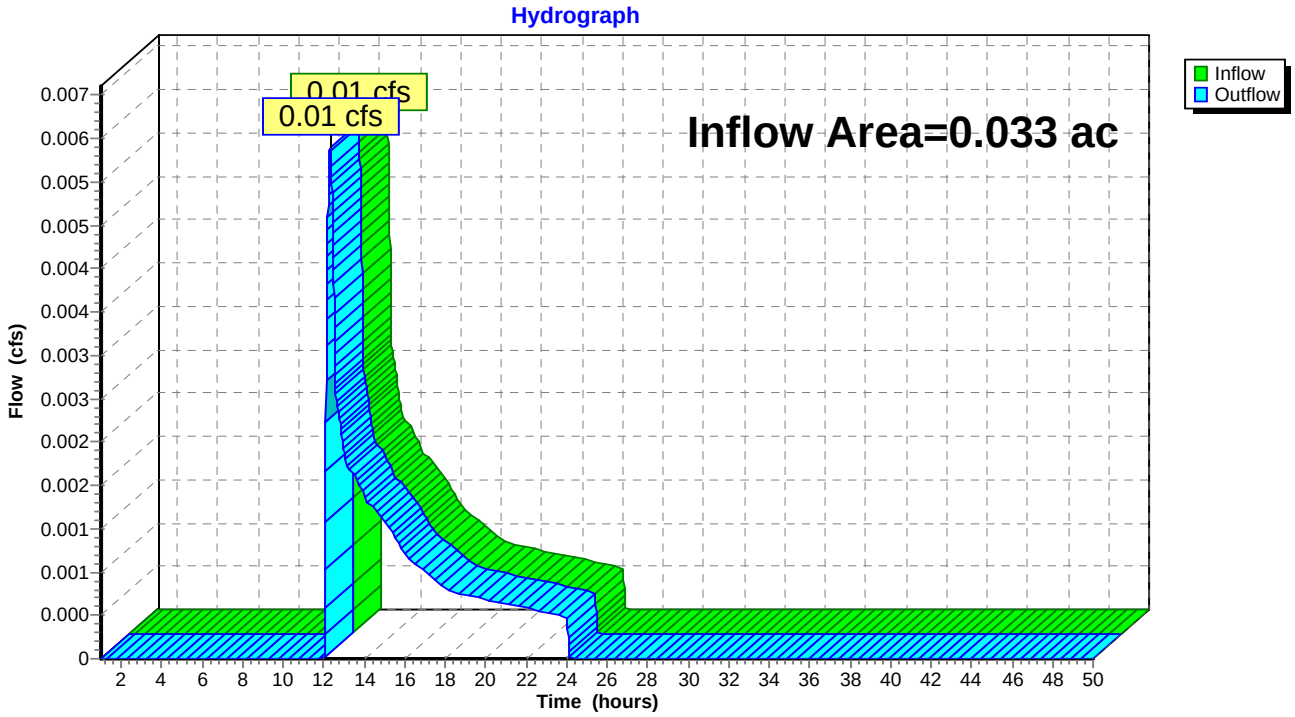


Summary for Reach 2R: Downgradient Abutter (POI#2)

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)

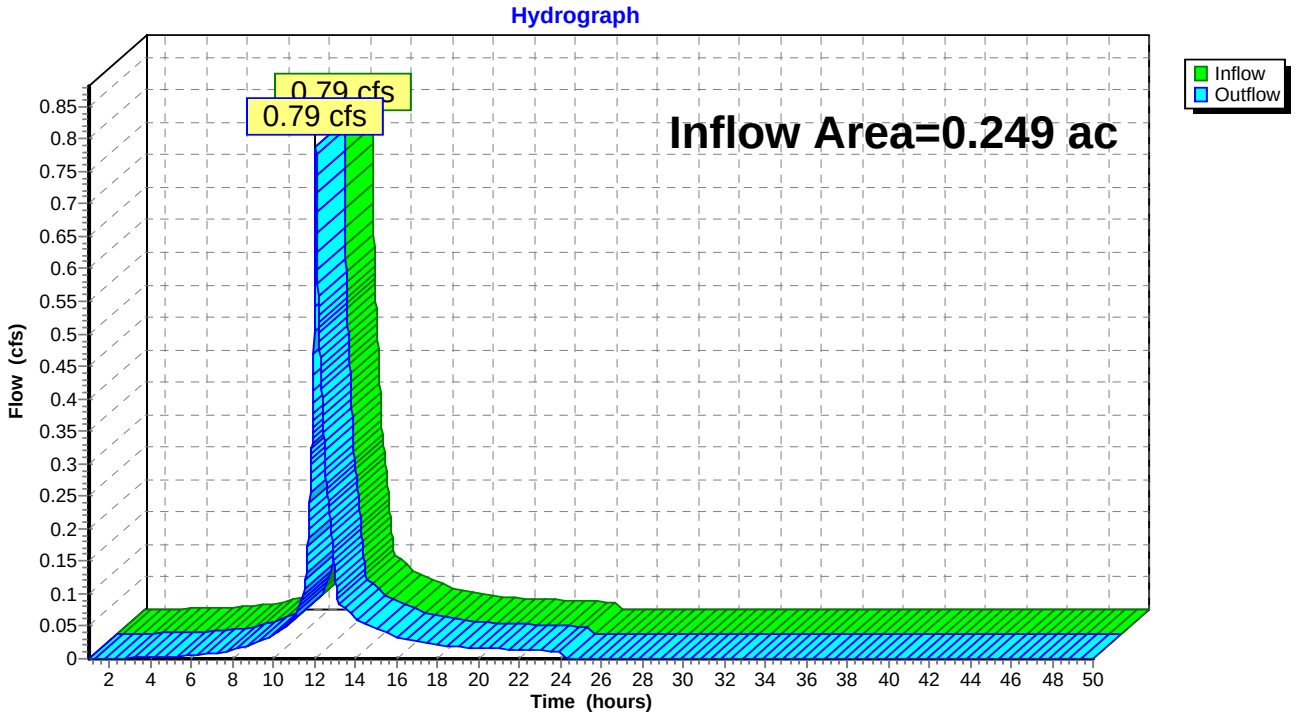


Summary for Reach 3R: Total Runoff

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

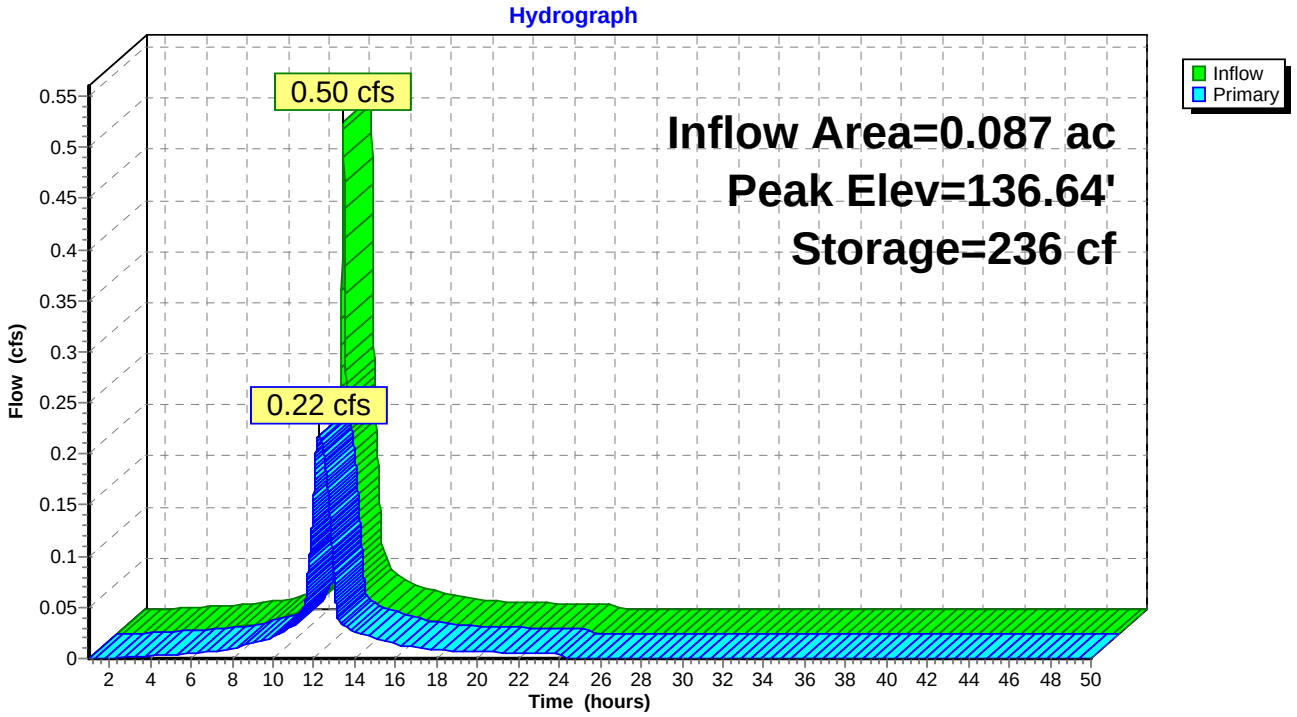
Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
133.75	116	0	0
137.50	116	435	435

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

Subcatchment1.1S: 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

Subcatchment1S: 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

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=133.94' 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

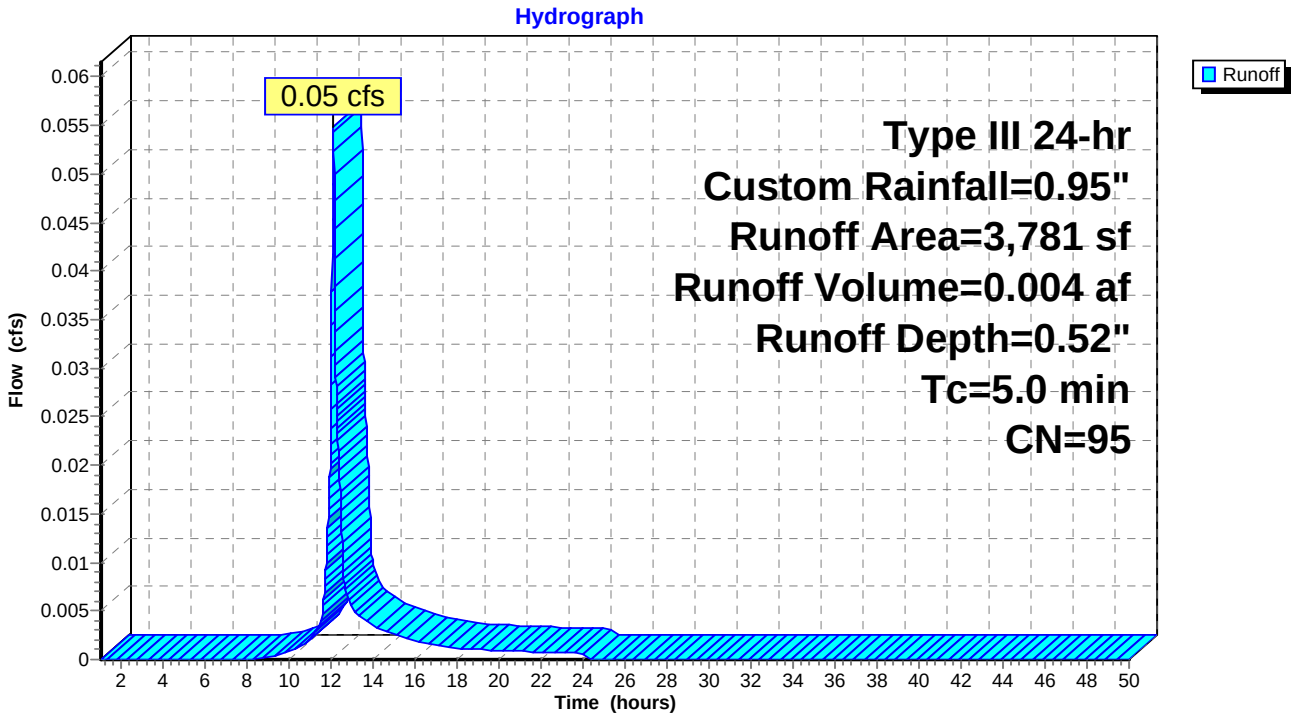
Runoff = 0.05 cfs @ 12.08 hrs, Volume= 0.004 af, Depth= 0.52"

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

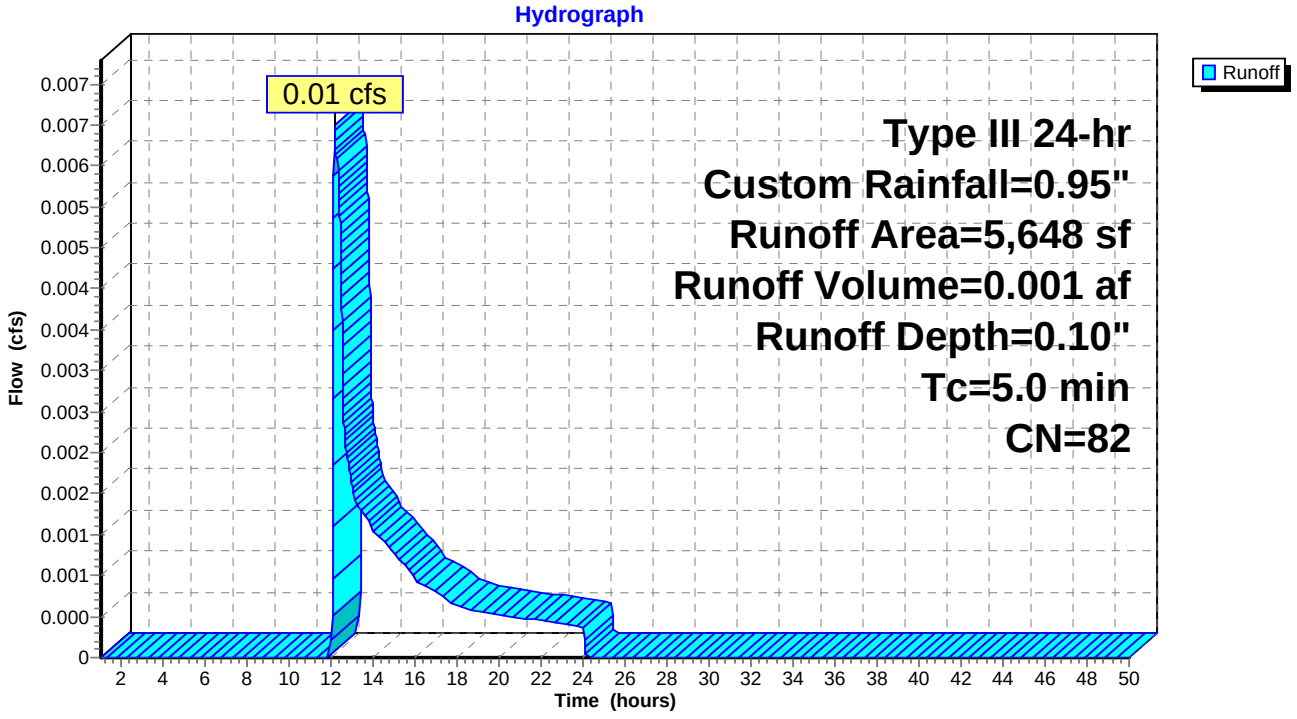
Runoff = 0.01 cfs @ 12.13 hrs, Volume= 0.001 af, Depth= 0.10"

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

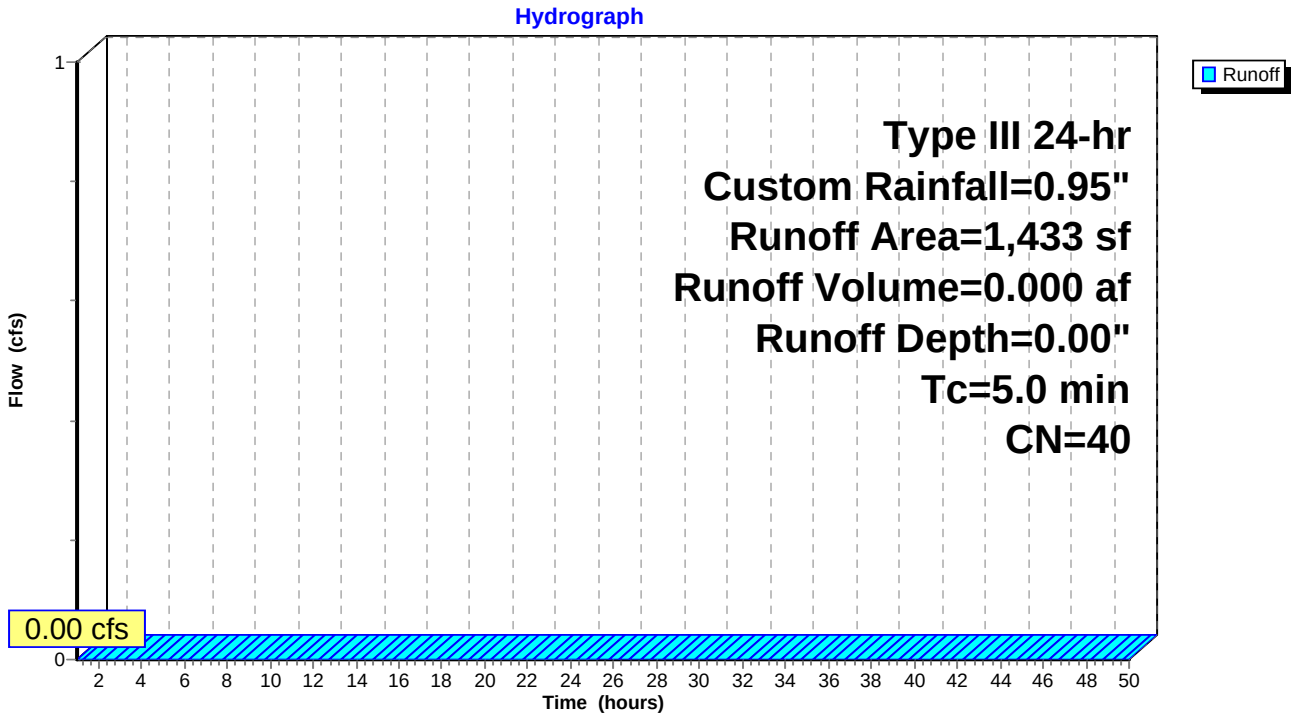
Runoff = 0.00 cfs @ 1.00 hrs, Volume= 0.000 af, Depth= 0.00"

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

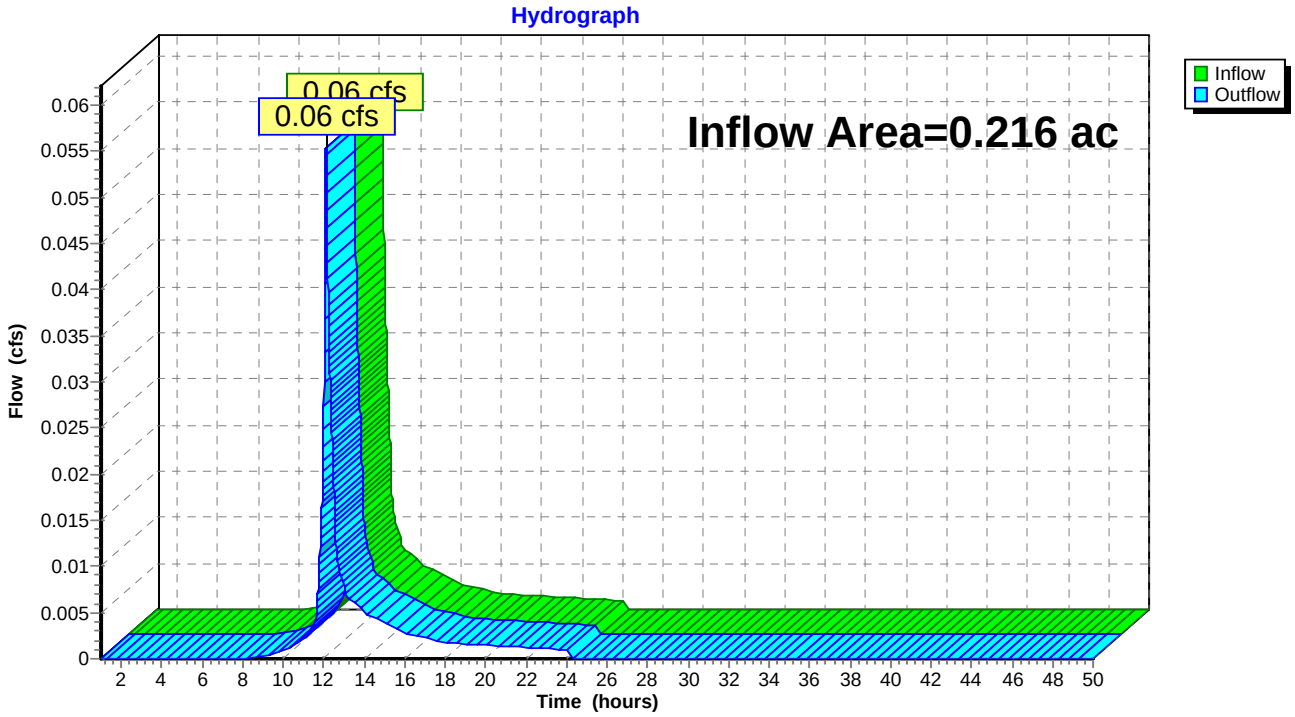


Summary for Reach 1R: North St. (POI #1)

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)

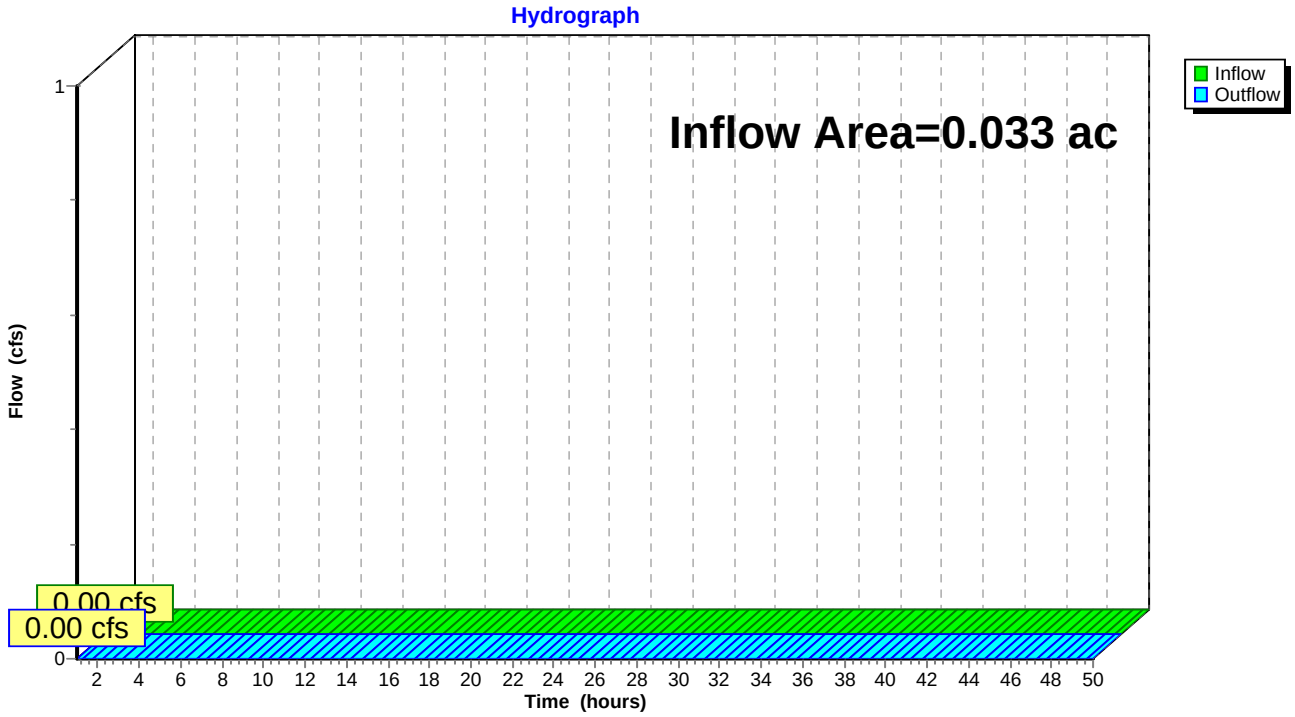


Summary for Reach 2R: Downgradient Abutter (POI#2)

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)

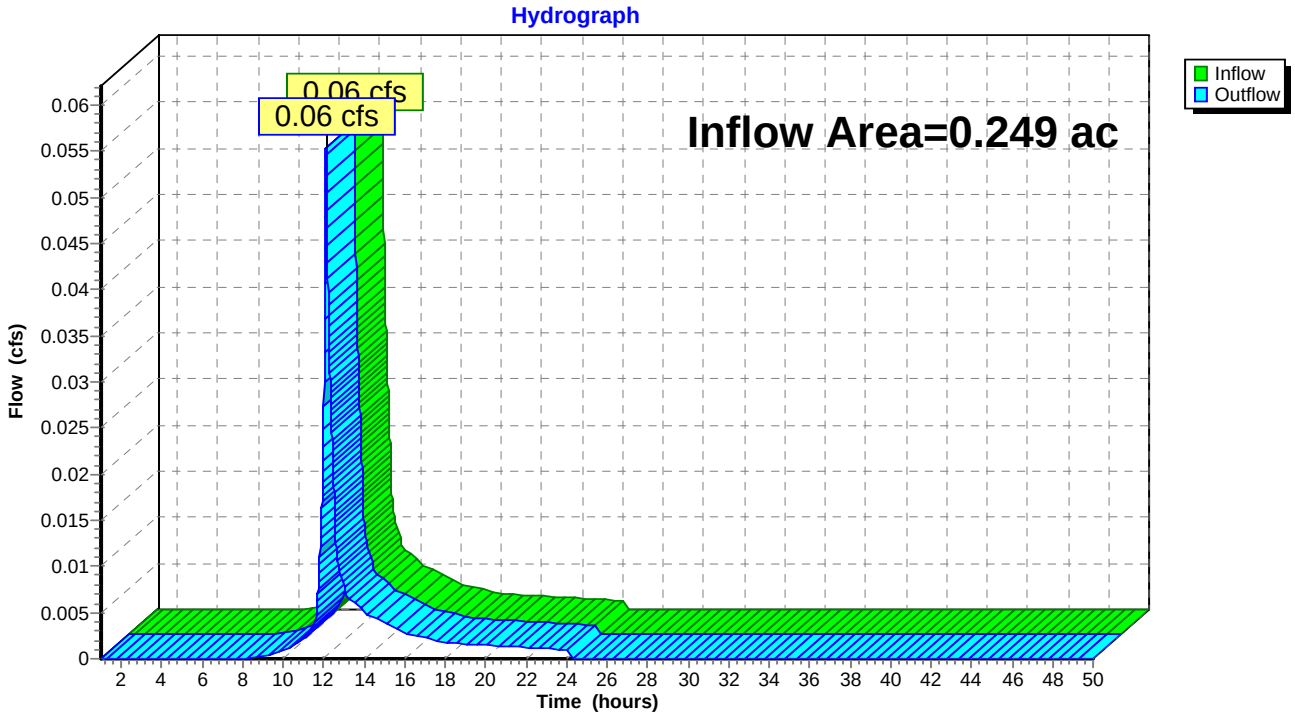


Summary for Reach 3R: Total Runoff

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

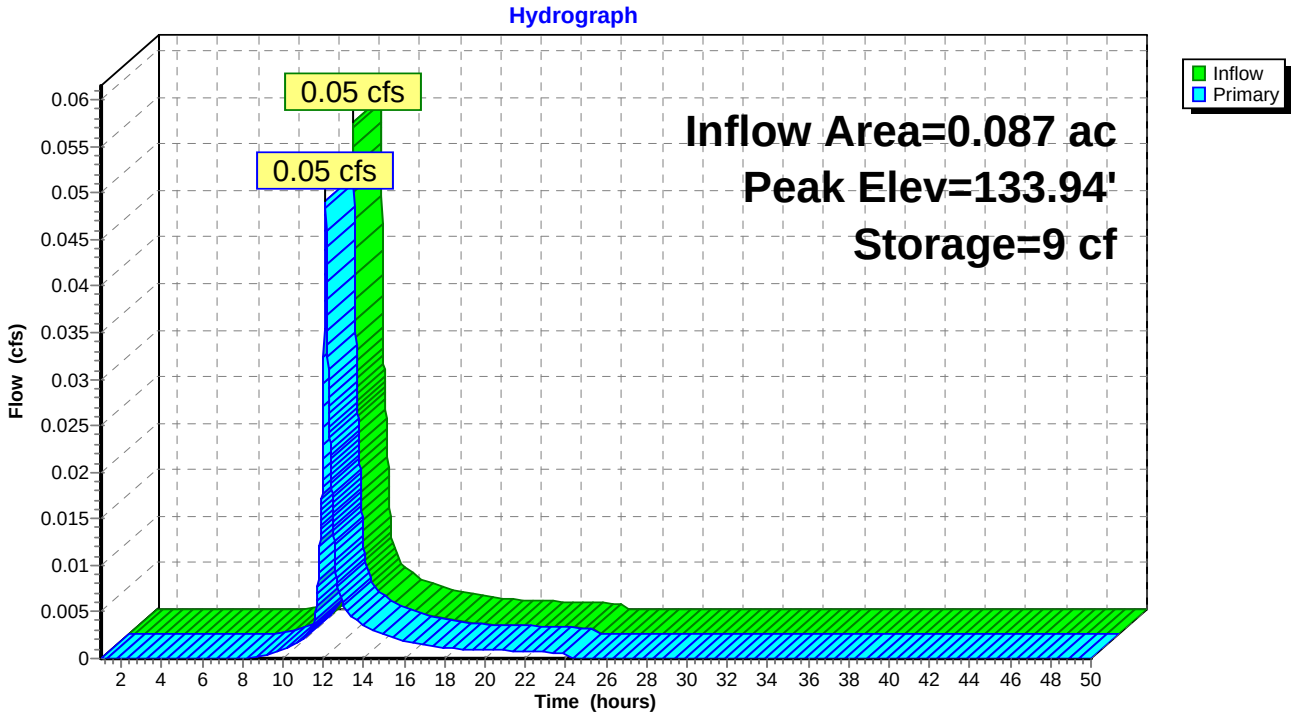
Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
133.75	116	0	0
137.50	116	435	435

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

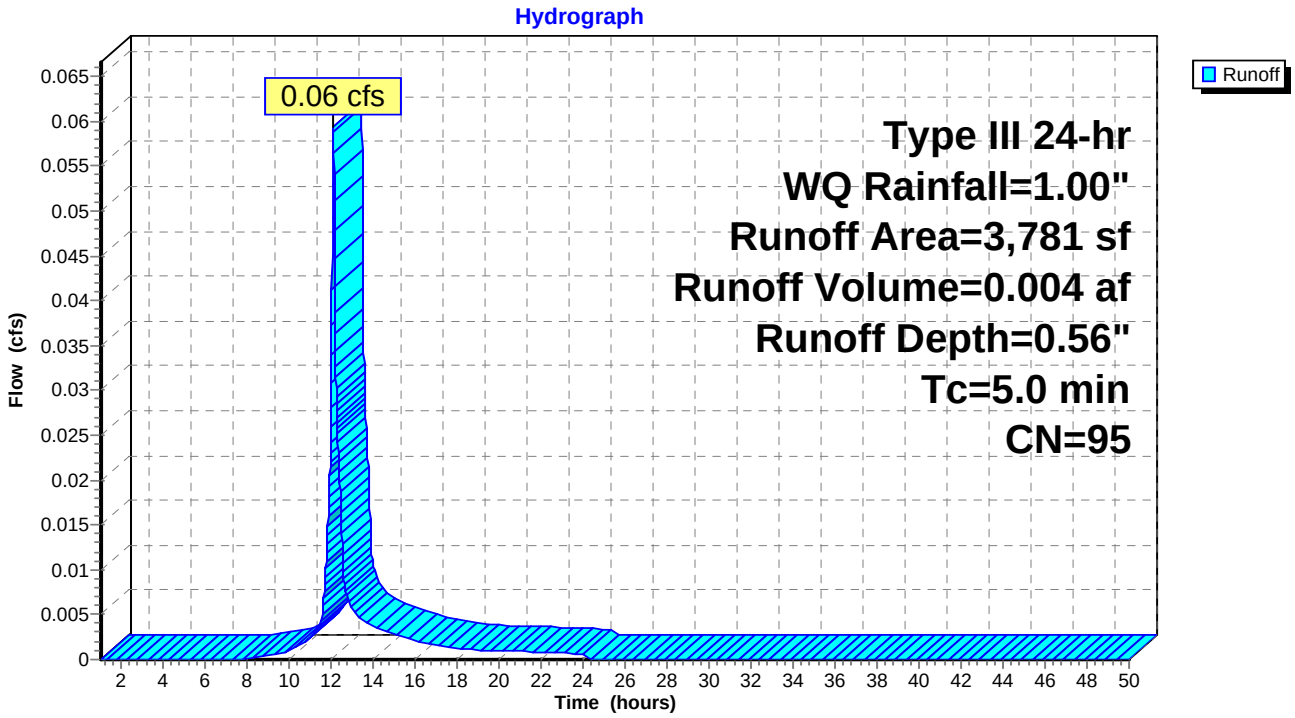
Runoff = 0.06 cfs @ 12.07 hrs, Volume= 0.004 af, Depth= 0.56"

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

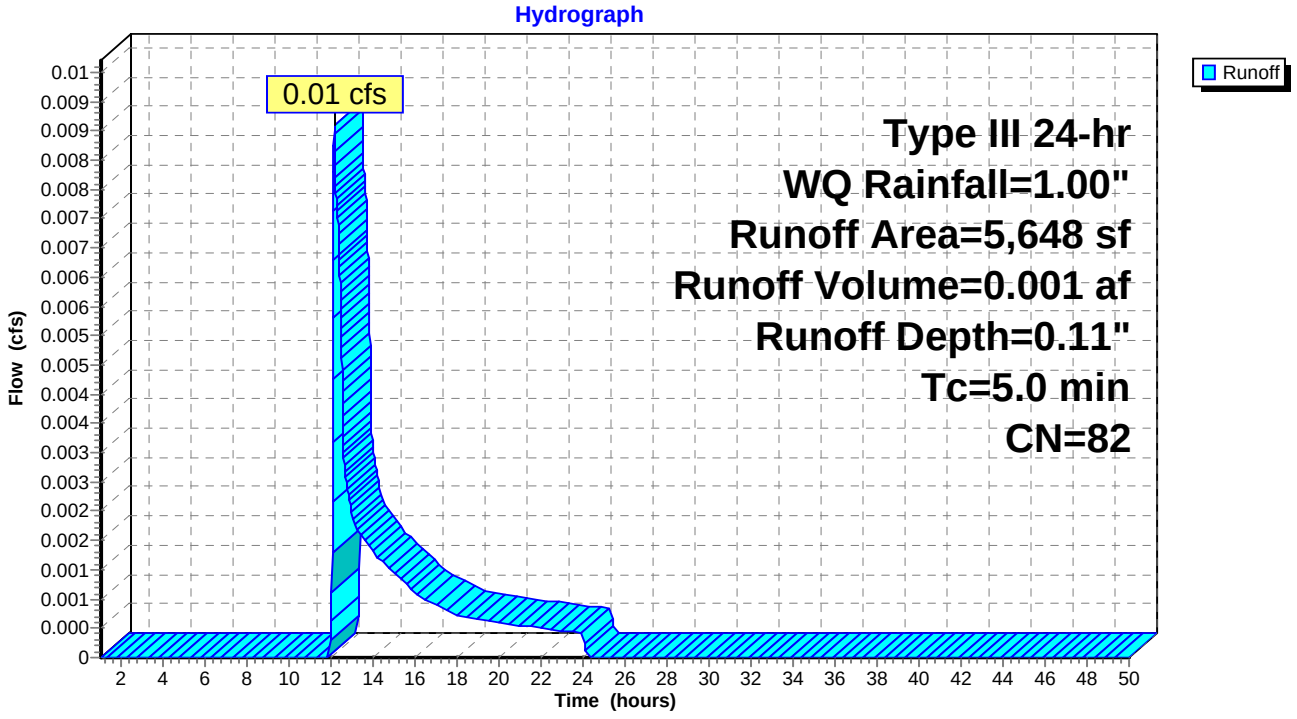
Runoff = 0.01 cfs @ 12.12 hrs, Volume= 0.001 af, Depth= 0.11"

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

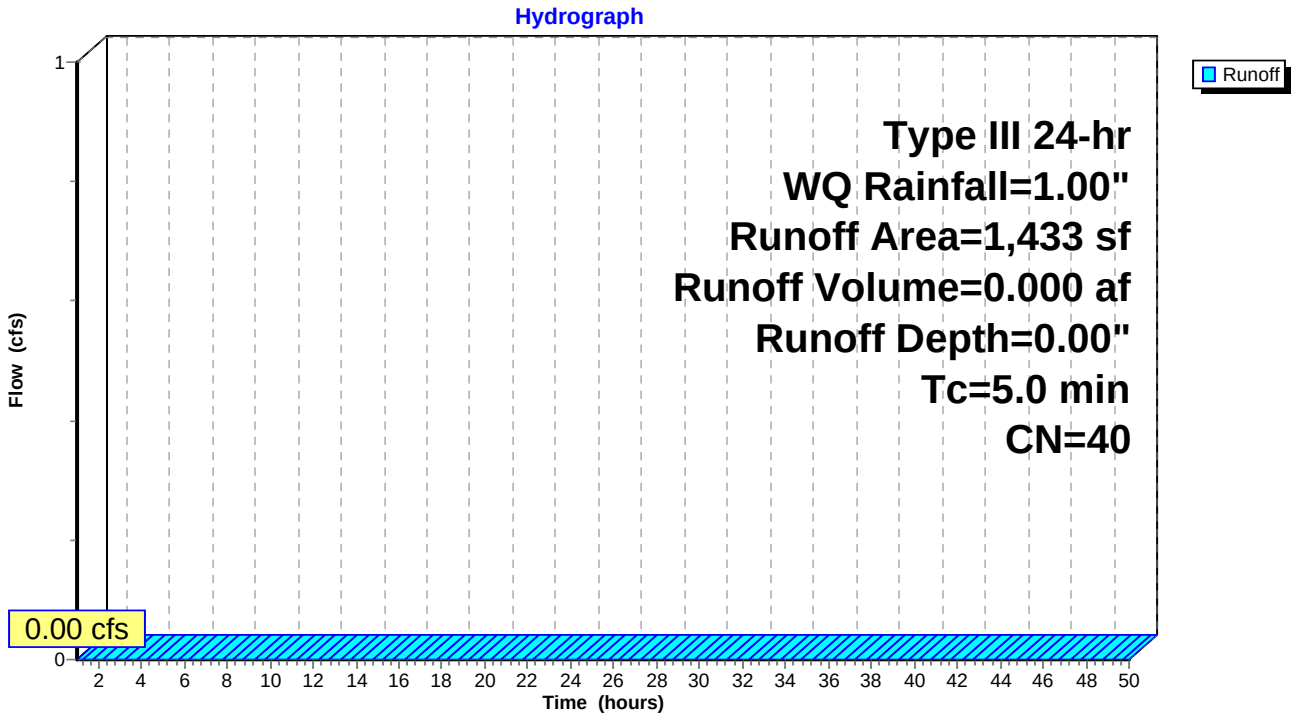
Runoff = 0.00 cfs @ 1.00 hrs, Volume= 0.000 af, Depth= 0.00"

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

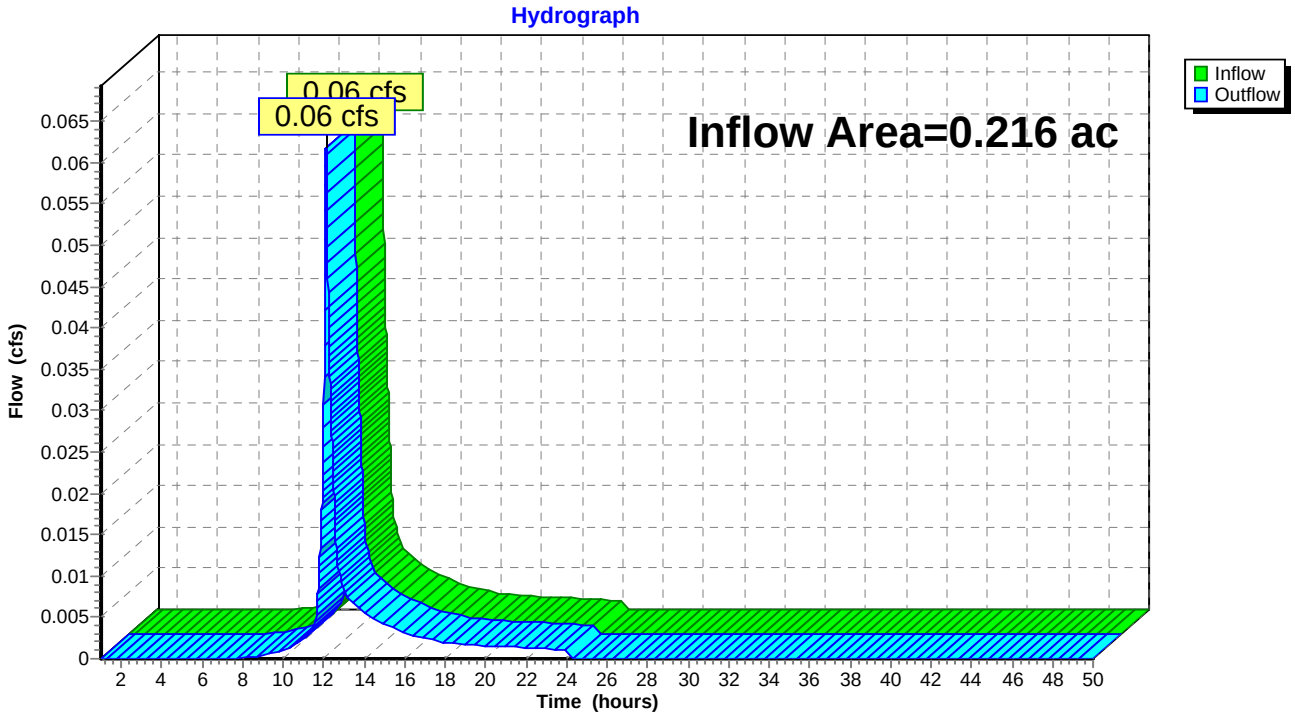


Summary for Reach 1R: North St. (POI #1)

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)

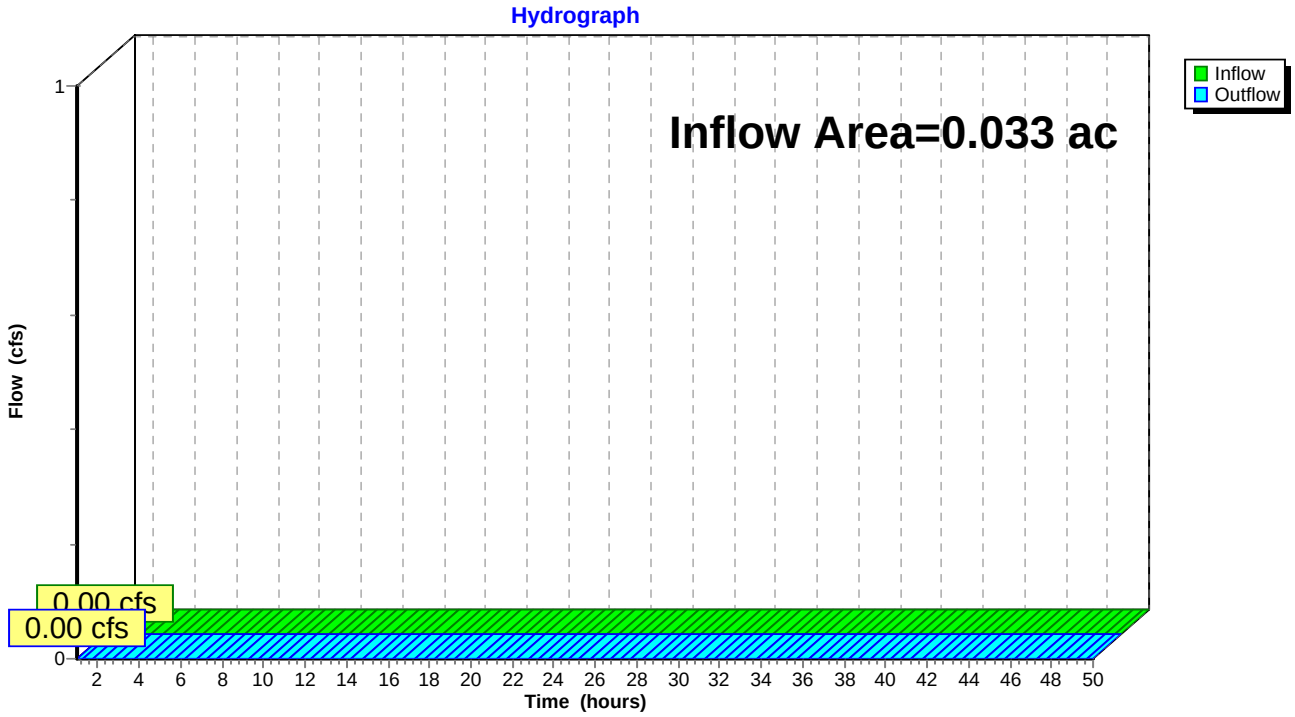


Summary for Reach 2R: Downgradient Abutter (POI#2)

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)

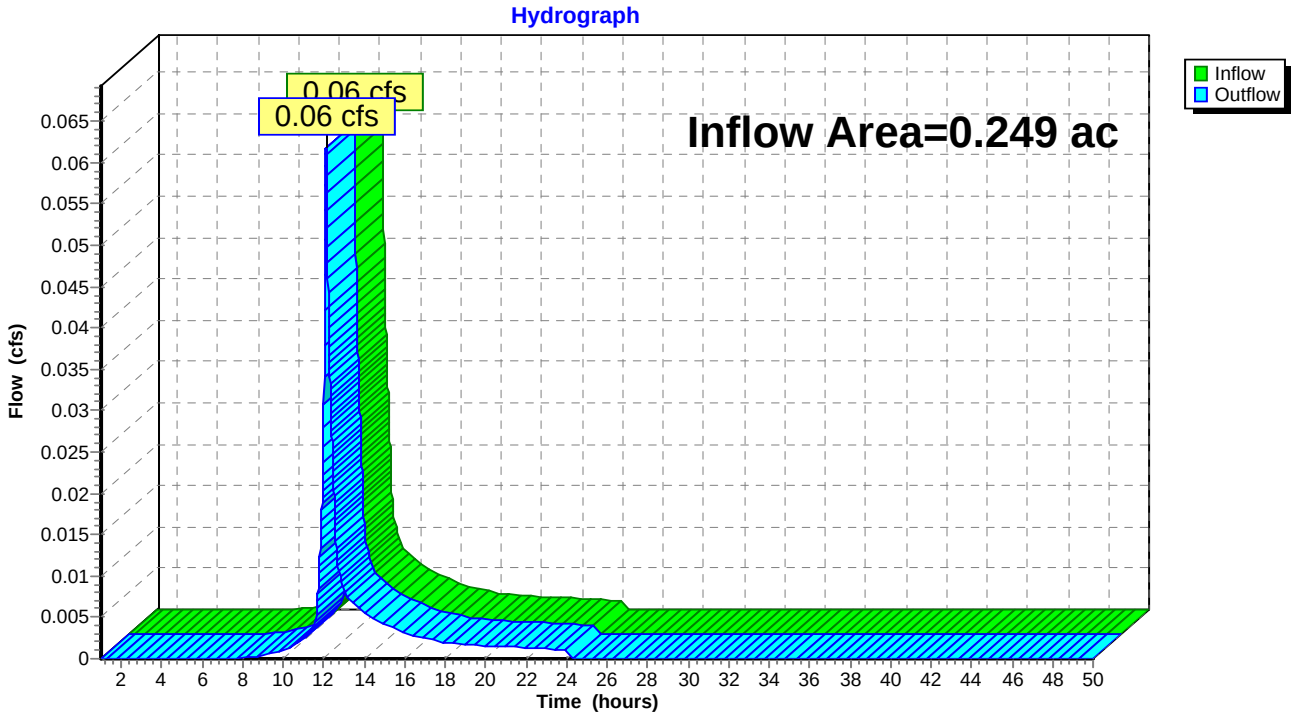


Summary for Reach 3R: Total Runoff

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

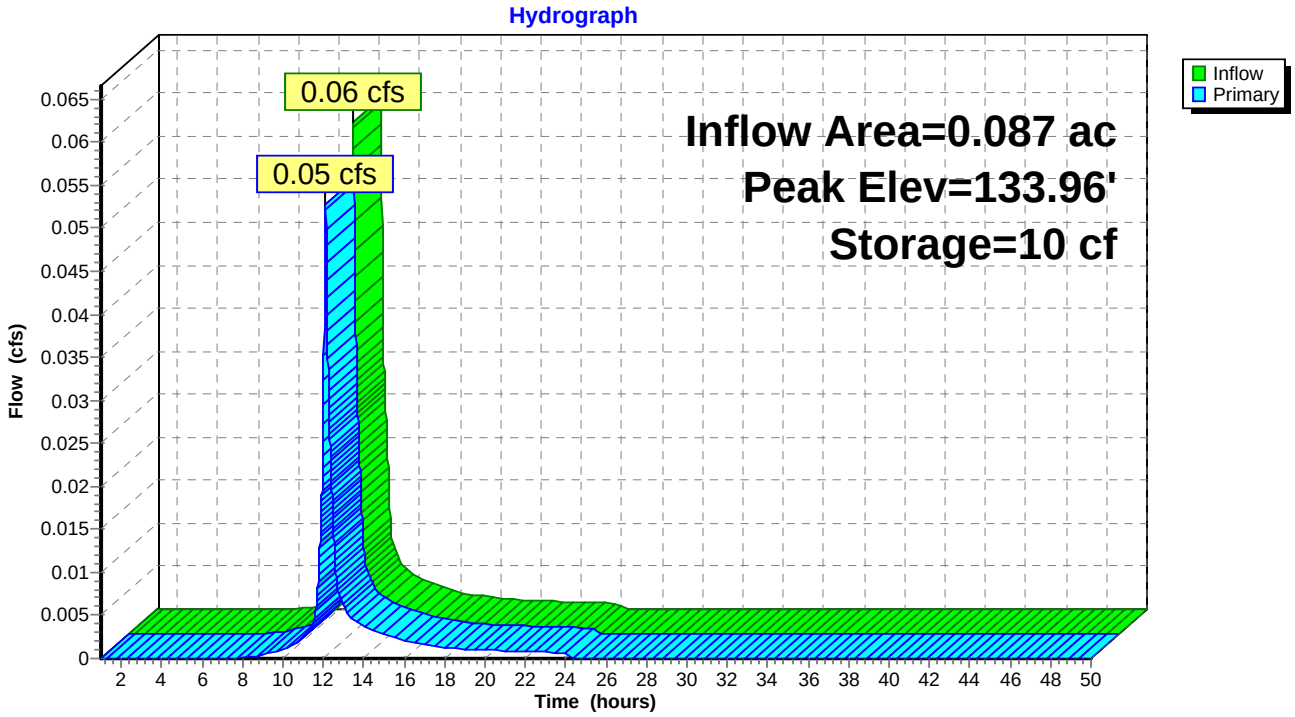
Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
133.75	116	0	0
137.50	116	435	435

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



ACORN ENGINEERING, INC.

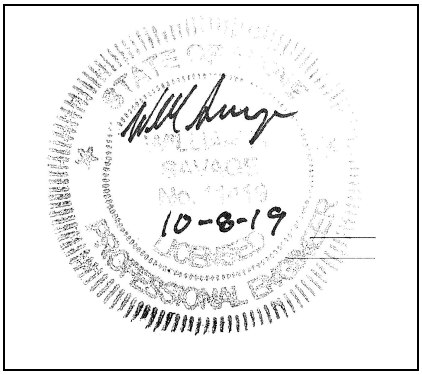
K. EROSION & SEDIMENTATION CONTROL REPORT

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.

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.

Att. M

CITY OF PORTLAND WASTEWATER CAPACITY APPLICATION

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

Date: 3/16/2020

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: 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.

Swaney Lighting
PO Box 1597
Scarborough ME 04070
Phone: (207) 883-7100
Fax: (207) 885-9606

Date: Aug 19, 2019

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	☐ Specifications	Other:
☐ Prints	☐ Information	
☐ Plans	☒ Submittals	

THESE ARE TRANSMITTED FOR:

☒ Prior Approval	☐ Resubmittal for Approval	☐ Record
☐ Approval	☐ Corrections	Bids due on:
☐ Approval as Submitted	☐ Your Use	Other:
☐ Approval as Noted	☐ Review and Comment	

Type	MFG	Part
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

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.hubbelllighting.com/resources/warranty

CERTIFICATIONS/LISTINGS

C SP US

ida

*3000K and warmer CCTs only

PRODUCT IMAGE(S)

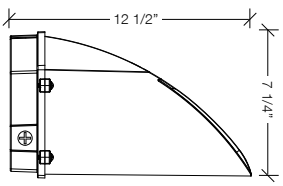




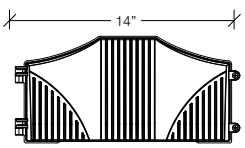


Shown with SiteSync™

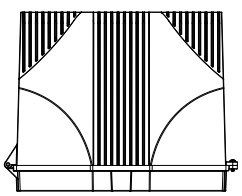
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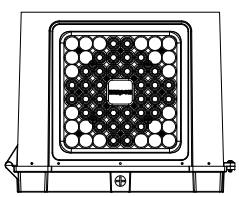
Side View



Front View



Top View



Bottom View

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HUBBELL Lighting

ORDERING INFORMATION

ORDERING EXAMPLE: TRV-D/60L-136/5K7/5R/UNV/GENIXX/PEC-208/BL

SERIES	ENGINE-WATTS	CCT/CRI[11]	OPTICS	VOLTAGE	CONTROL OPTIONS	SENSOR OPTIONS	ELECTRICAL OPTIONS	FINISH
TRV-D Traverse Down Light	**24L-27** 27 Watts - LED array	**3K7** 3000K,70 CRI	**2** Type II	**UNV** 120-277V	**GENI-XX**[6] Energeni	**MOB**[3,5,7,9] Occupancy Sensor (33% or 50% dimming)	**PEC-120** photocell, button 120V	**BL** Black textured
TRV-U[1] Traverse Up Light (lens req.)	**24L-55** 55 Watts - LED array	**4K7** 4000K, 70 CRI	**3** Type III	**347** 347V	**SWP**[7,8] SiteSync Wireless Pre-Commission		**PEC-208** photocell, button 208V	**DB** Dark bronze
	36L-80 80 Watts - LED array	**5K7** 5000K, 70 CRI	**4** Type IV	**480** 480V	**SWPM**[7,8,9] SiteSync Wireless Pre-Commission w/ Occupancy Sensor		**PEC-240** photocell, button 240V	**GYS** Light gray smooth
	48L-110 110 Watts - LED array		**5R** Type V, rectangular				**PEC-277** photocell, button 277V	**PS** Platinum silver
	60L-136 136 Watts - LED array		**2X2** Narrow spot flood				**2PF**[2,3,10] Dual power feed	**WH** White textured
			5X5 Medium flood				**BPC**[4] Cold weather battery pack	Specify standard finish

[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



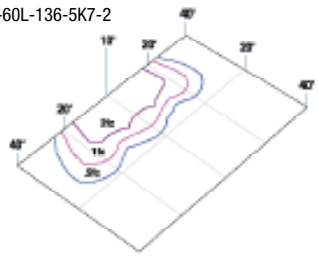
SiteSync Lighting Control is available from our most popular brands in a broad range of award-winning product families.

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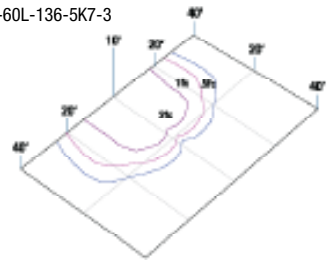
HUBBELL Lighting

PHOTOMETRICS

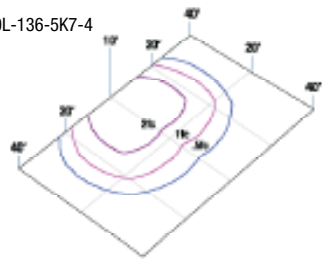
Type II
TRV-60L-136-5K7-2



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 Surface 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.

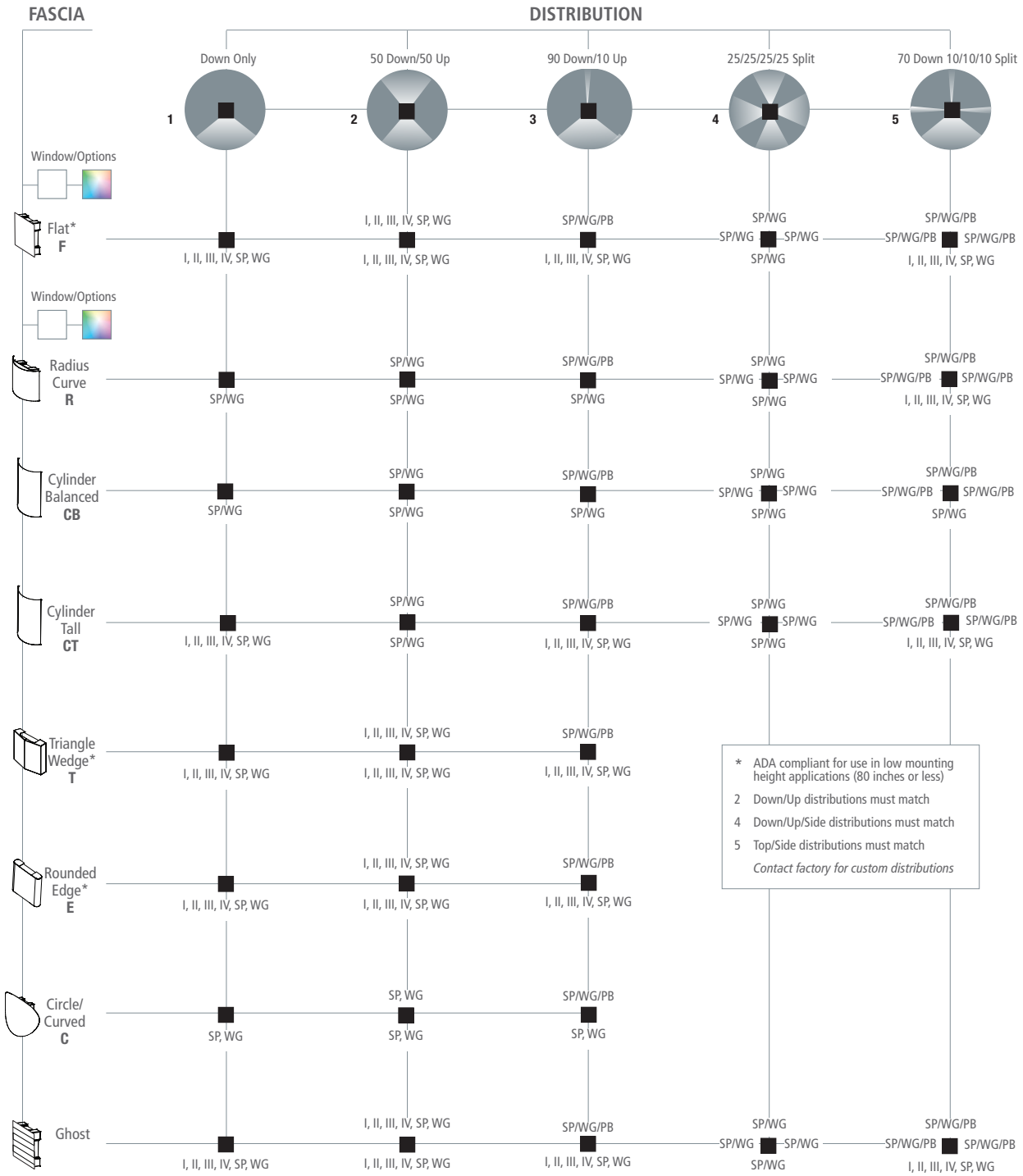
architectural area lighting
ARCHITECTURAL AREA LIGHTING
17760 Rowland Street | City of Industry | CA 91748
P 626.968.5666 | F 626.369.2695 | www.aal.net
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JOB
TYPE
NOTES

Cypher™ – CY1 Accent Scale

TYPE

Distribution Matrix



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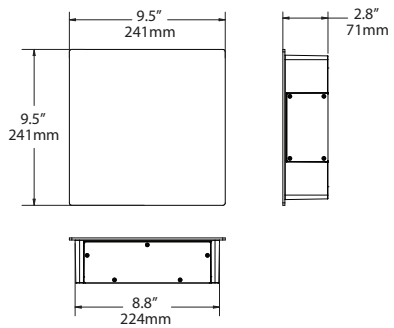
JOB
TYPE
NOTES

Cypher™ – CY1 Accent Scale

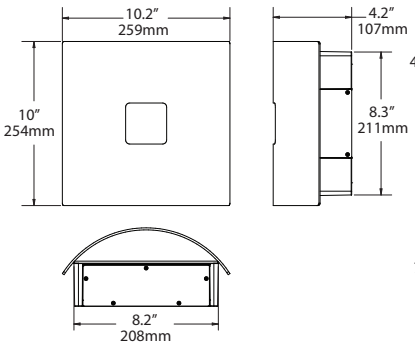
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Drawings

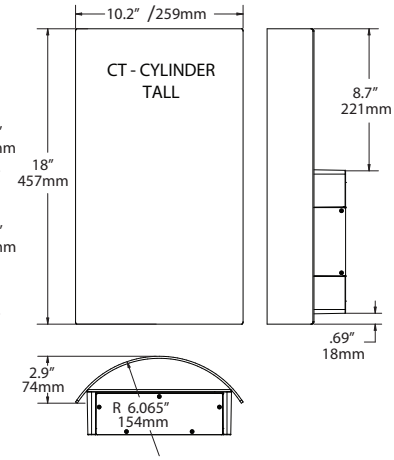
F - FLAT
ADA approved.



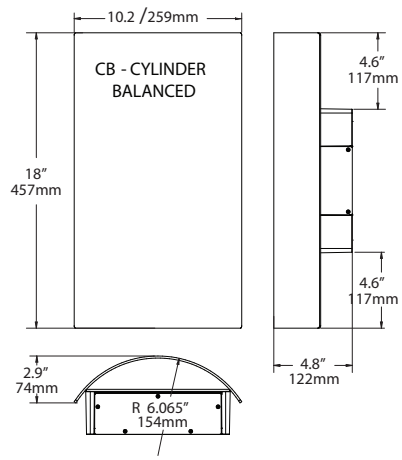
R - RADIUS/CURVED



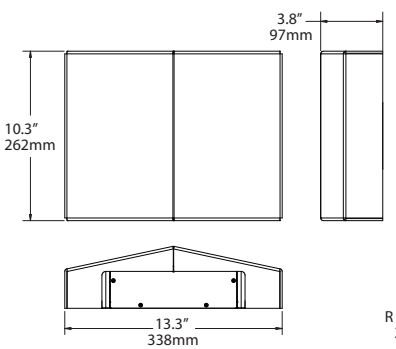
CT - CYLINDER
TALL



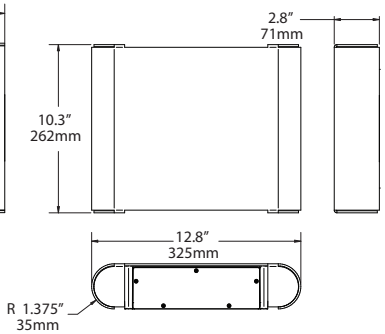
CB - CYLINDER
BALANCED



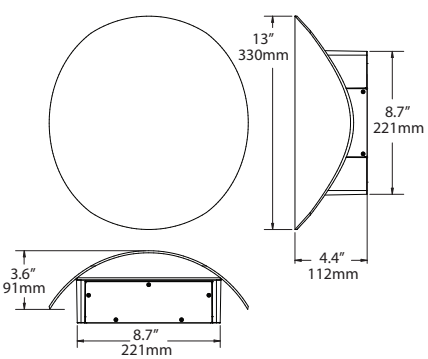
T - TRIANGLE/WEDGE
ADA approved.



E - ROUNDED EDGE
ADA approved.



C - CIRCLE/CURVED



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JOB
TYPE
NOTES

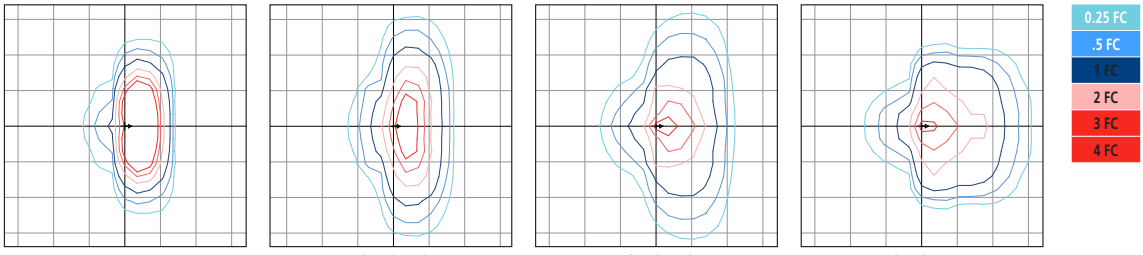
Cypher™ – CY1 Accent Scale

TYPE

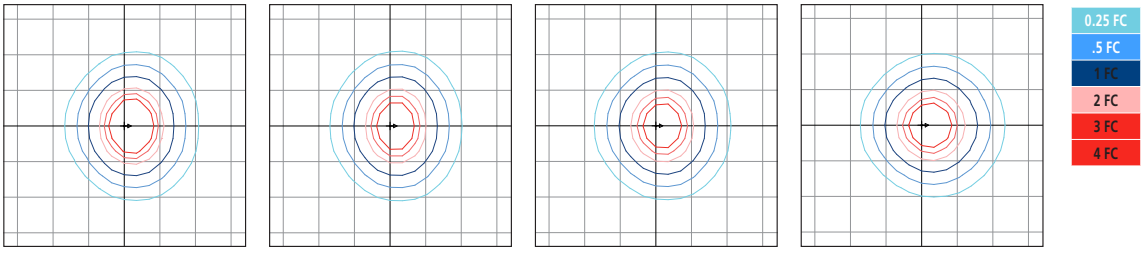
LUMINAIRE PERFORMANCE

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	U	G	Delivered Lumens	Efficacy (Lm/W)	BUG Rating B	U	G	Delivered Lumens	Efficacy (Lm/W)	BUG Rating 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

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JOB
TYPE
NOTES

Cypher™ – CY1 Accent Scale

TYPE

ELECTRICAL CHARACTERISTICS

Lumen Package	System Wattage (W)	Line Voltage		Input				Min. Power Factor	Max THD (%)	Dimming Range	Source/Sink Current (mA)		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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JOB
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

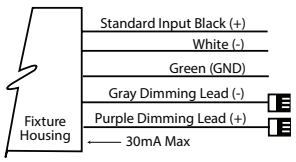
- LEDs shall be mounted to a metal printed circuit board assembly (MCPCB) with a uniform conformal coating over the panel surface and electrical features.
- Optical lenses shall be clear injection molded PMMA acrylic.
- Optical array shall be recessed in order to shield each LED optic across the length 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

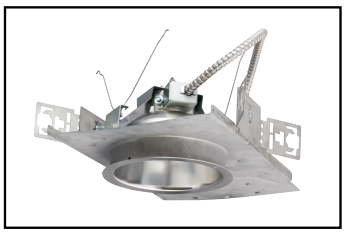
- Luminaire shall be listed with UL for outdoor, wet location use, UL1598, UL 8750 and Canadian CSA Std. C22.2 no.250.
- IP66 rated assembly
- IDA approved, 3000K and warmer CCTs only.
- DesignLights Consortium® (DLC) qualified. Please refer to the DLC website for specific product qualifications at www.designlights.org.
- 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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Submitted by Swaney Lighting			
	Job Name: 128R NORTH STREET Distributor: SWANEY LIGHTING (SCARBOROUGH)	**Catalog Number:** LC6SL / 6LCSL18L35K8 Notes:	**Type:** **CL** SLA19-42917



6" LED Downlight

LC6SL

1000/1400/1800 Lumens
120V-277V, 347V
0-10V Dimming

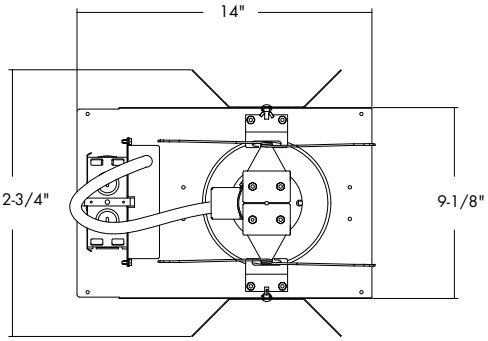
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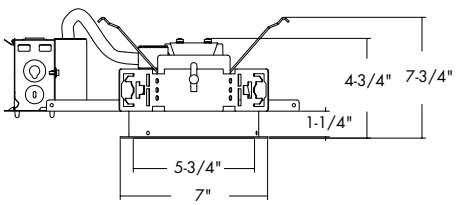
FIRM NAME:

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

prescolite
A Division of Hubbell Lighting, Inc.

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

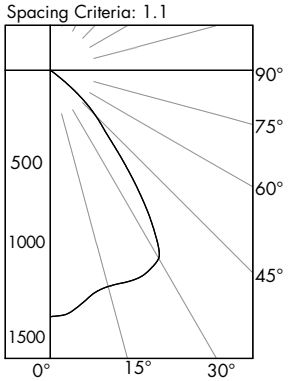
When operating in EM mode, the fixture will deliver approximately 30% of the published full lumen output.

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



Test No. 16.03178
Tested at 25°C Ambient in accordance to IESNA LM-79-2008

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

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

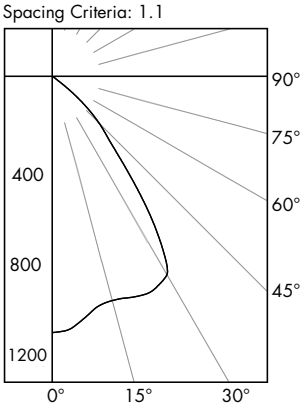
Angle in Vertical	Average
45°	27667
55°	2580
65°	648
75°	212
85°	0

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



Test No. 16.03177
Tested at 25°C Ambient in accordance to IESNA LM-79-2008

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

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
10	66	55	48	44	65	54	48	44	54	48	44	53	47	44	52	47	44

LC6SL 6LCSL14L35K8 Test No. 16.03177

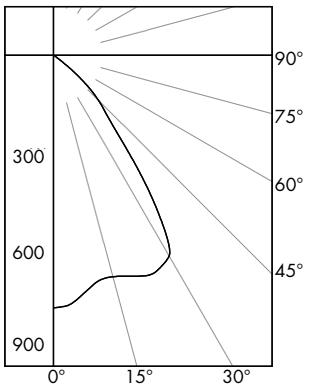
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HUBBELL® HUBBELL Lighting, Inc.

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

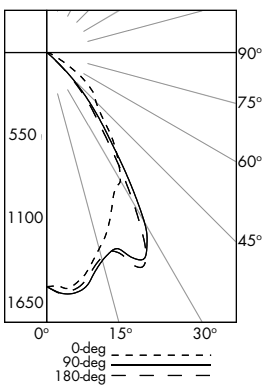
COEFFICIENTS OF UTILIZATION Zonal Cavity Method

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	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

	MULTIPLE UNITS		
1′ 2′ 3′ 4′	UNITS ON 3′ CENTER	UNITS ON 4′ CENTER	

2′ DISTANCE FIXTURE MOUNTED OUT FROM WALLS
FOOTCANDLE DISTRIBUTION ON WALL SURFACE (DIRECT ONLY)

DISTANCE FROM CEILING IN FEET															
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

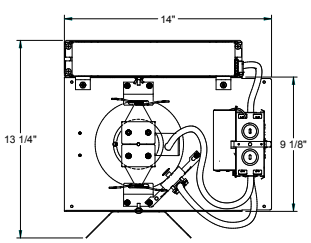
Central Inverters

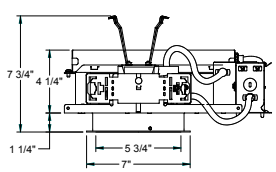
For full fixture output in back-up mode, we recommend you visit www.dual-lite.com for your Central Lighting Inverter options. Please contact your local Hubbell representative for any assistance with proper sizing and loading of your inverter selection. Central lighting inverters must be ordered separately.

LiteGear: www.dual-lite.com/products/litegear_lg_series
LPS Series: www.dual-lite.com/products/lps

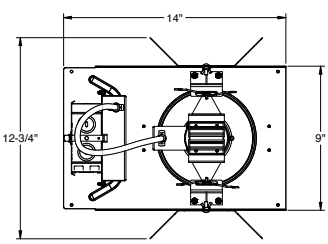
SCA6D

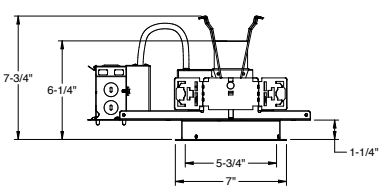
When ordering a sloped ceiling adapter, specify the degree of slope in 1° increments, maximum of 35°. For a more precise degree or wet ceiling applications, please contact factory. Sloped ceiling adapter and housing must be installed at the same time.



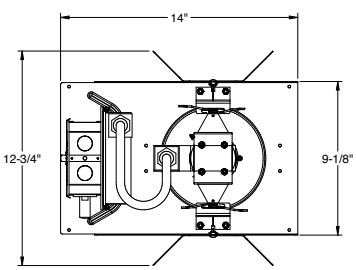


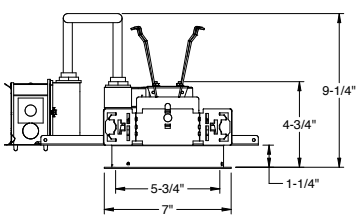
LC6SL EM



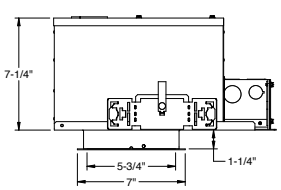


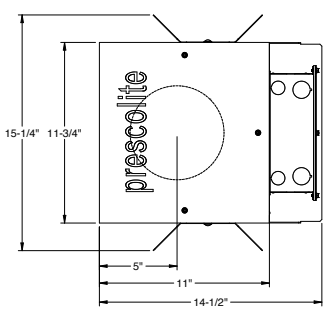
LC6SL 18L





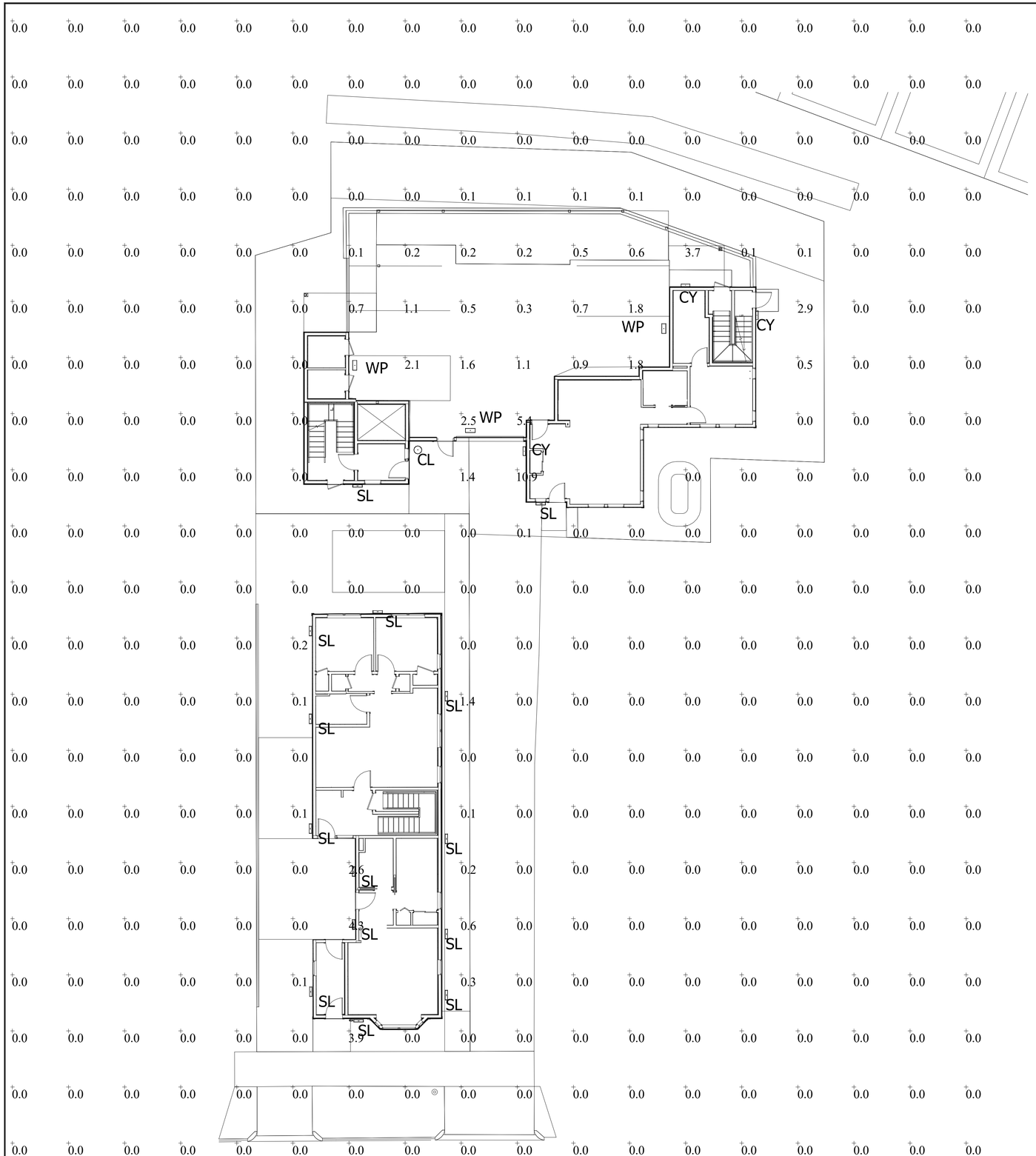
LC6SL CP





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:	DATE:	SCALE:
DHK	02/28/20	AS NOTED
QUOTE:	DRAWING / DESIGN NO.:	
N/A	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, 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.

ACORN 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.**

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

ACORN 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.

ACORN 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

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ACORN 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.

A C O R N
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.

ACORN 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.

ACORN 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

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.

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.

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.

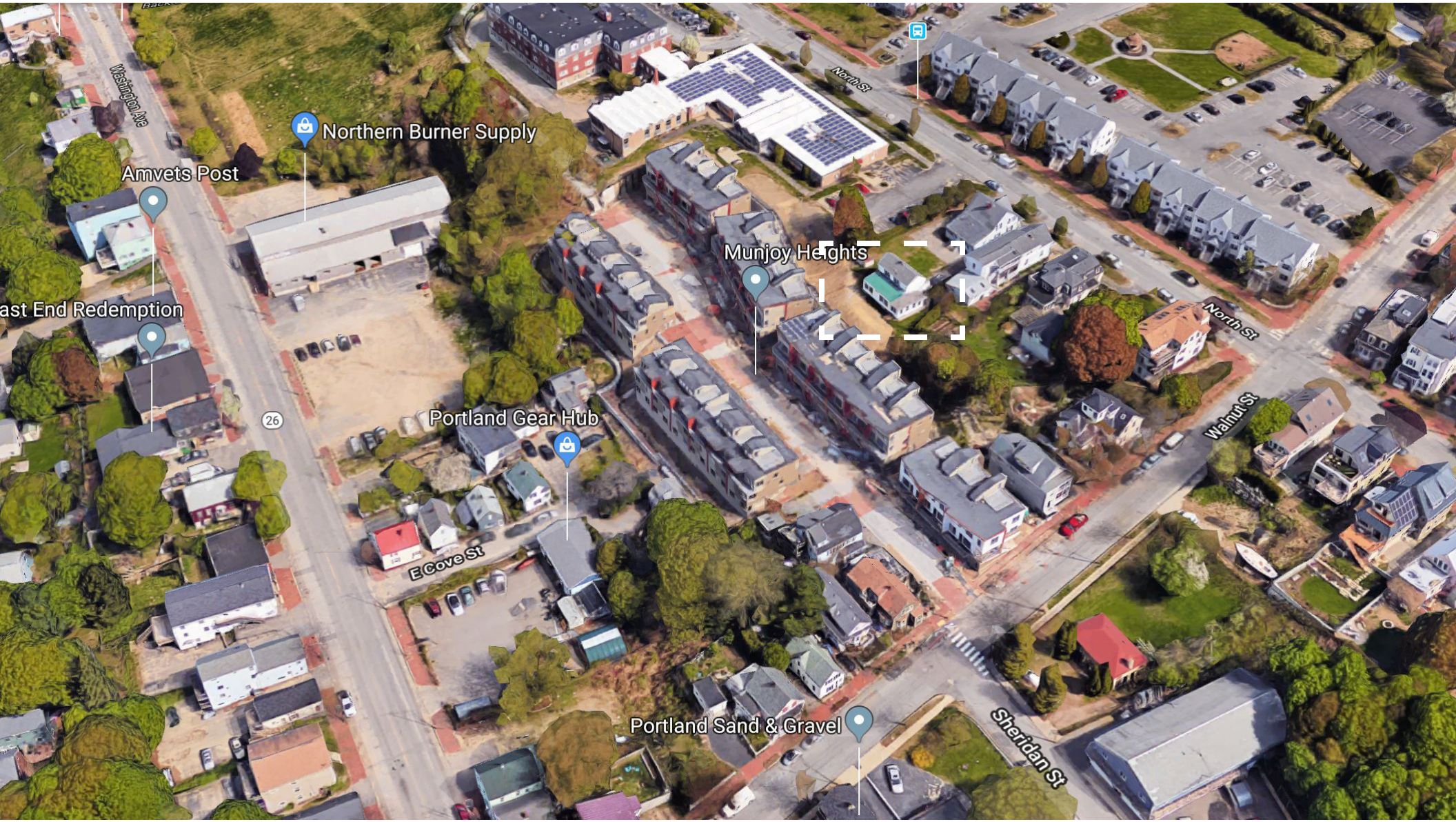
The unique topography of the surrounding area, with steep elevation change means the proposed four-story, six-unit building will only be visible from across the Bayview Heights parking lot, as viewed through a mature row of Pine Trees and at the driveway entrance to the site, viewed at a distance of 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.



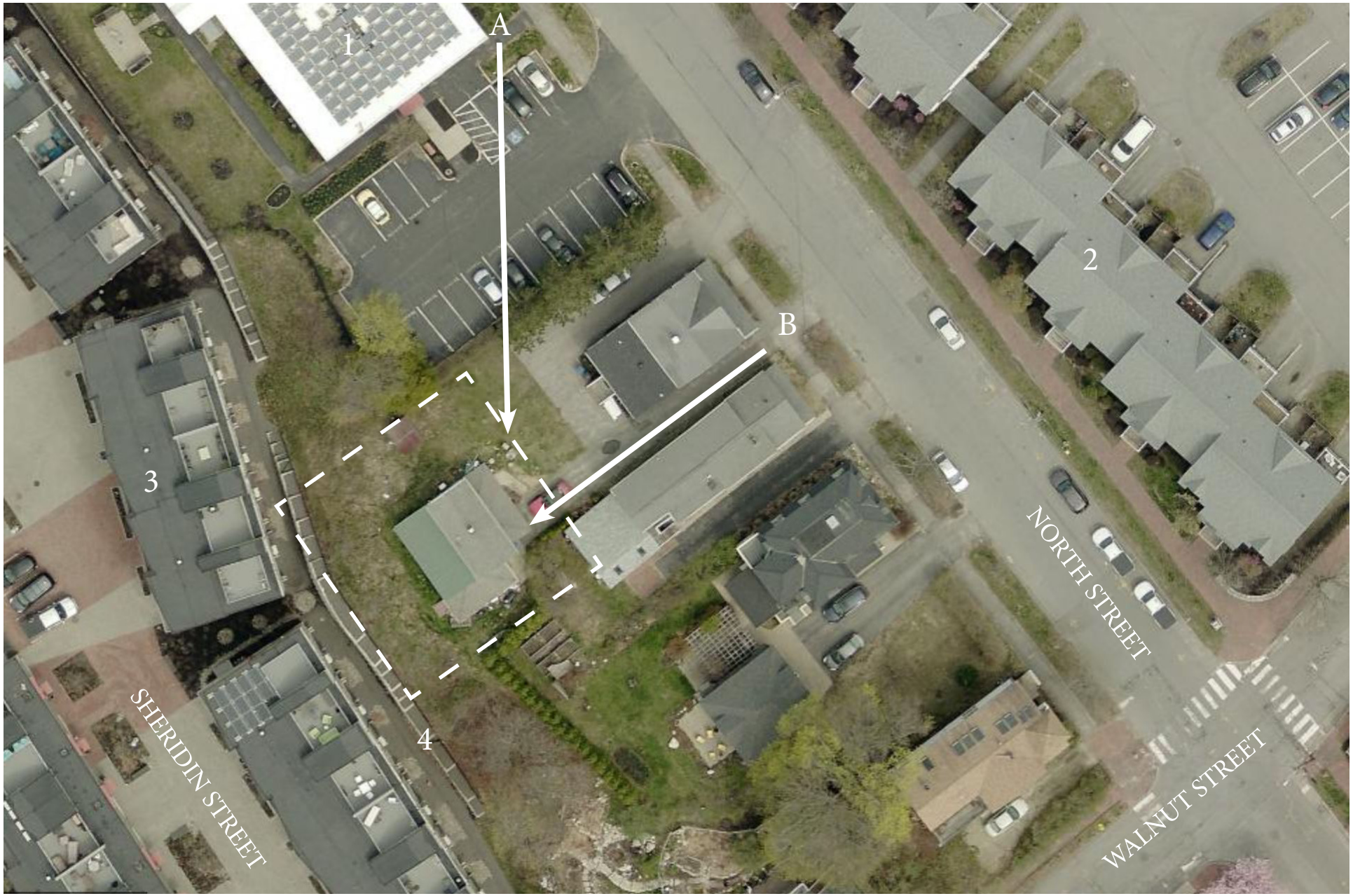
Bird's eye view of site looking towards Back Cove. Bayview Heights at right, Island View Apartments at bottom and Munjoy Heights at center.



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.

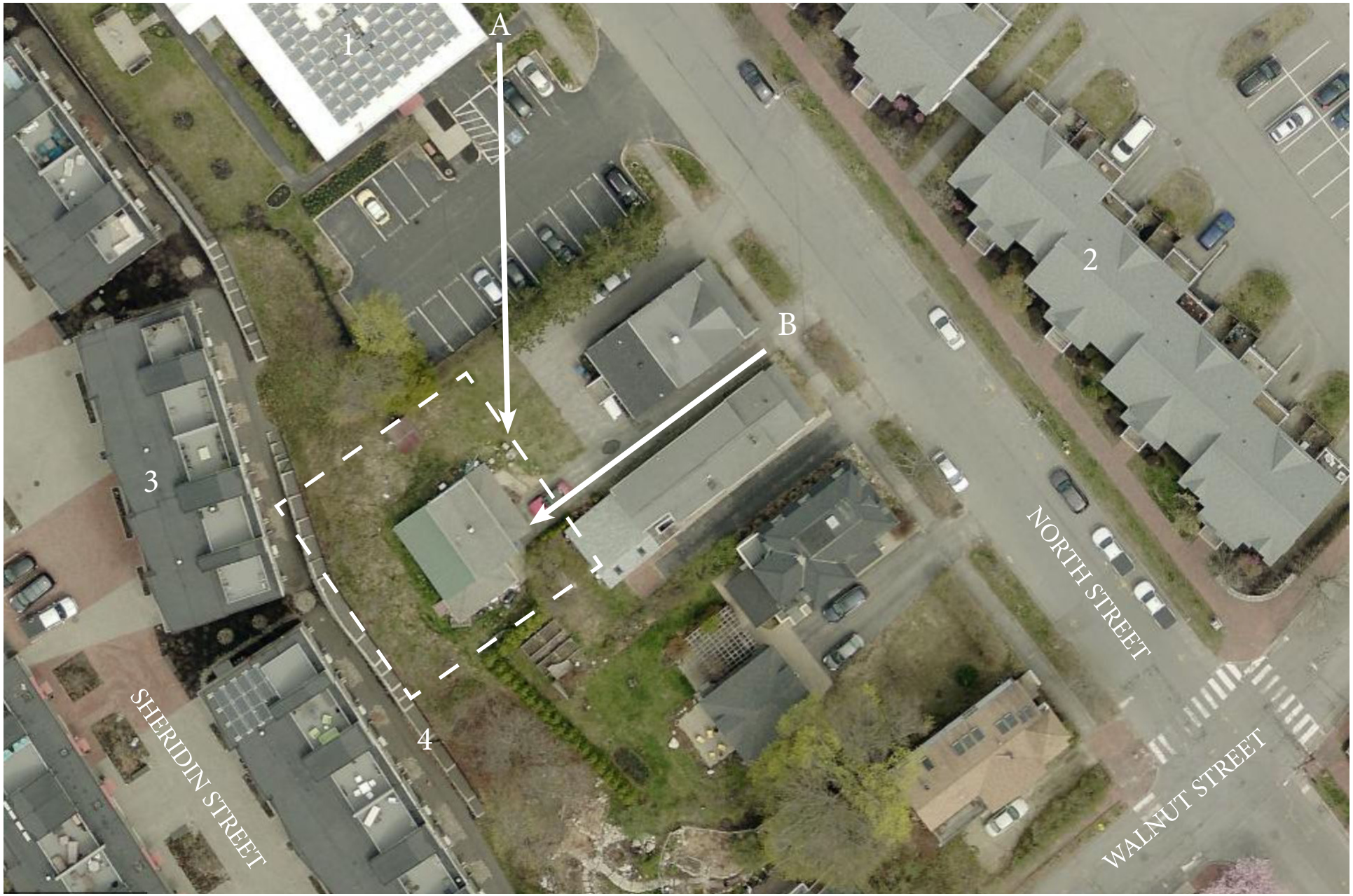


Looking towards site from corner of Walnut and North Street.



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.

[Intentionally blank]



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












128R

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)

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

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.

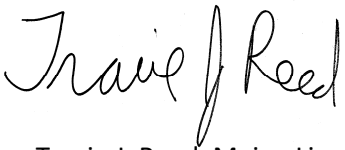
-Neighbors recognized that the meeting was emotional for all with Josh and his family excited about their project and neighbors concerned about changes to their neighborhood.

-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 Robbins	Munjoy Heights	206 Sheridan	424-333-5443	trobbins9023@gmail.com
Kevin Schochat	"	215 "	917.597.4454	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	mn — —
PATRICIA BAGG	"	199 Sheridan	207.253.5156	PATBAGG@GMAIL.COM
A-NAQUI	"	203 Sheridan St.	207-838-8740	ACI.NAQUI@yahoo
Vana Carmona		105 North	207 420-6962	vanacarmona@gmail.com
Betty Lorber	Munjoy Heights	225 Sheridan		betty.lorber@gmail
Bud Pollak	munjoy heights	225 Sheridan	203-984-1833	BPOLLAK64@yahoo
Richard MARINO	munjoy H.	226		MPARINO04102@YAHO.
TRACY A. DAVIS	MUNJOY HTS	201		TDAVIS@URBAN-ADEL.COM
Michael Kennedy	"	201	917-940-2509	Michael.Kennedy11@
MANN		122 North		lindsaymann@outlook.com
Sage Friedman MPM		47 Lafayette #2	207-233-5866	SFriedman@mpmcare.com
Tracie 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**

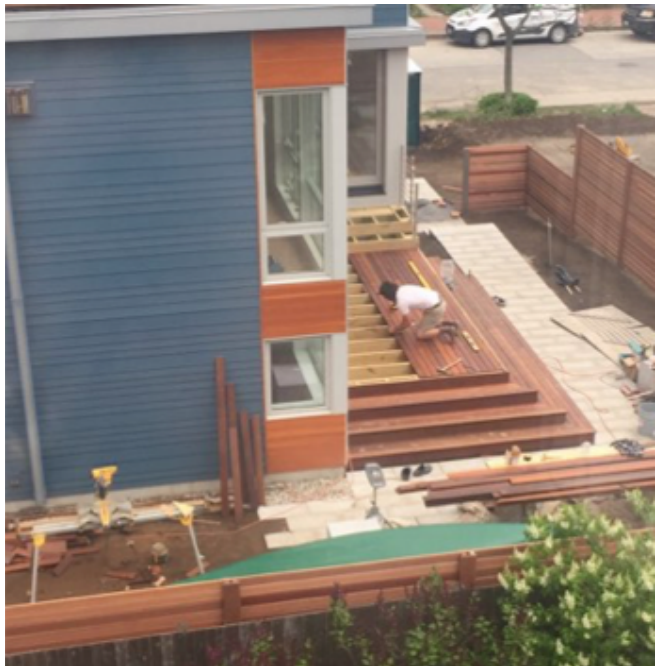
Some place a high value on the aesthetic flourishes of the Victorian style;
This group highly values **energy efficiency** and a **small carbon footprint.**

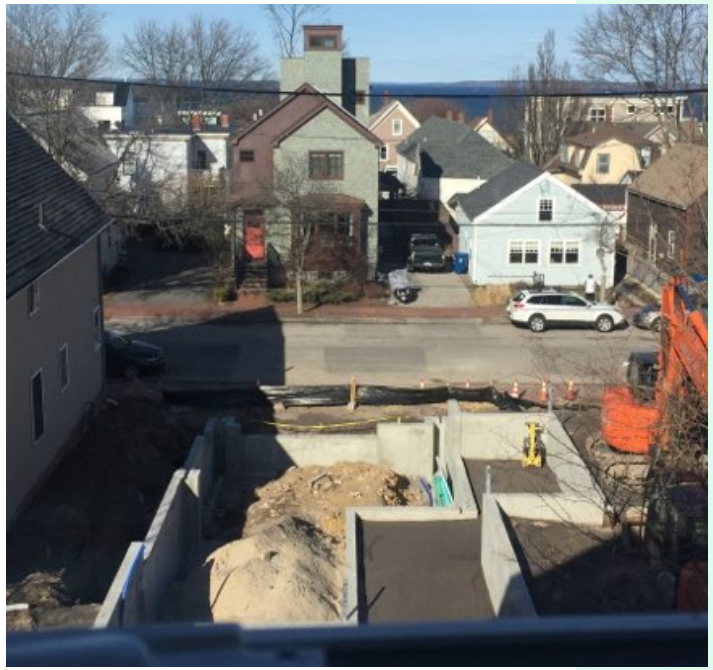


So they found

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.

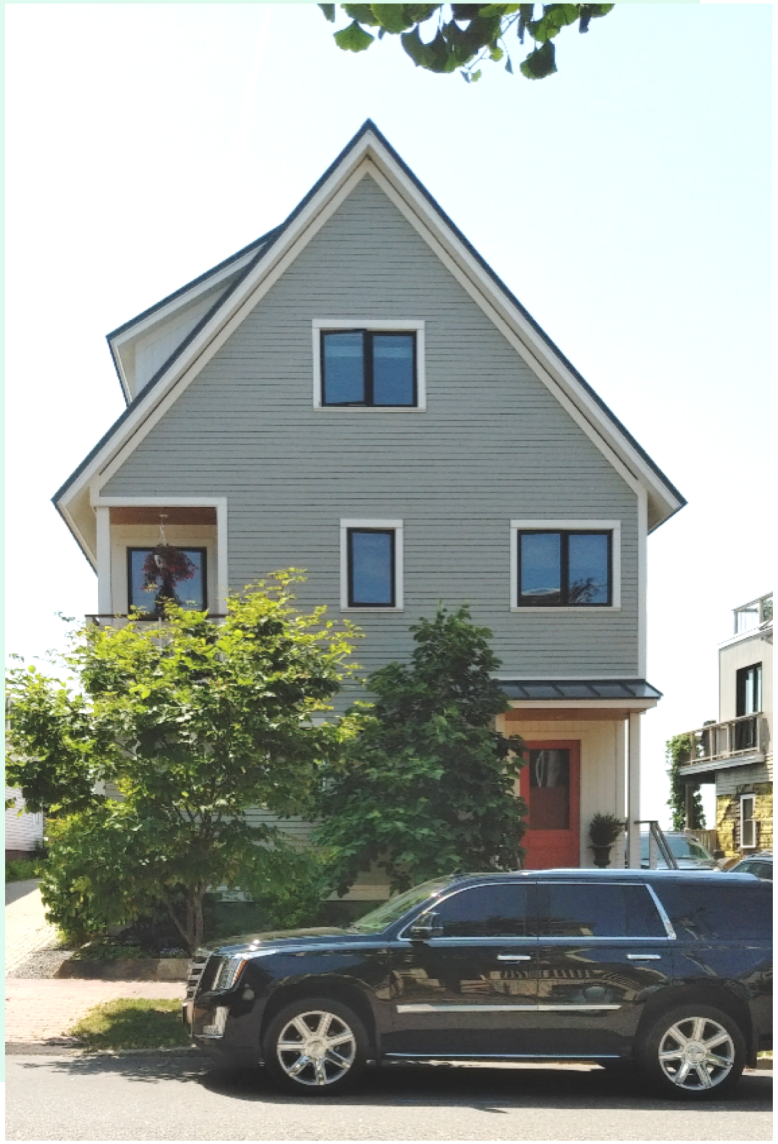


And given how far from the street it will sit, their new space **will appear smaller than most of the buildings on North Street.**

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'.

Mike Tremblay, DPW

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.*

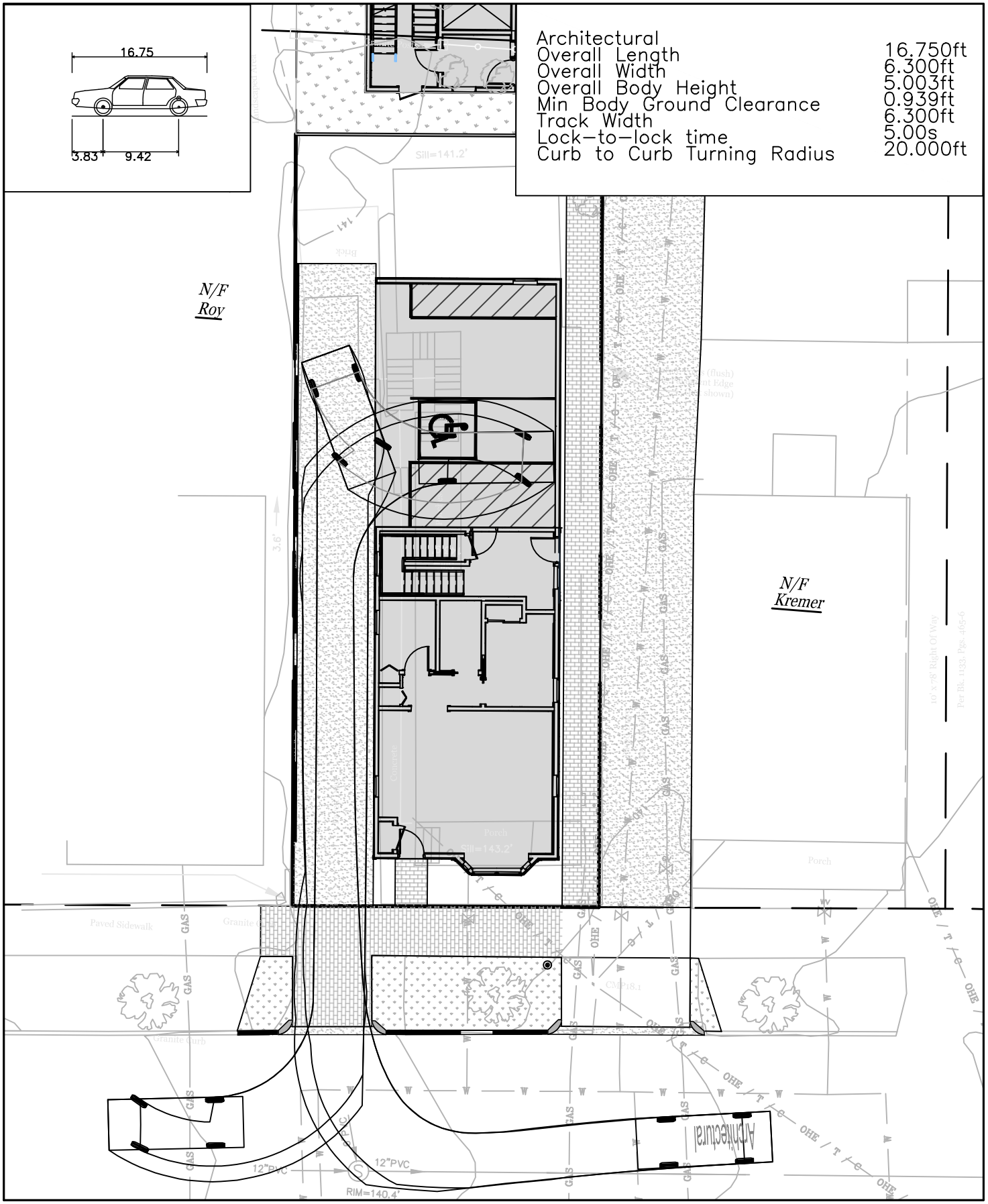
Response – The meters have been relocated to the side of the building.

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

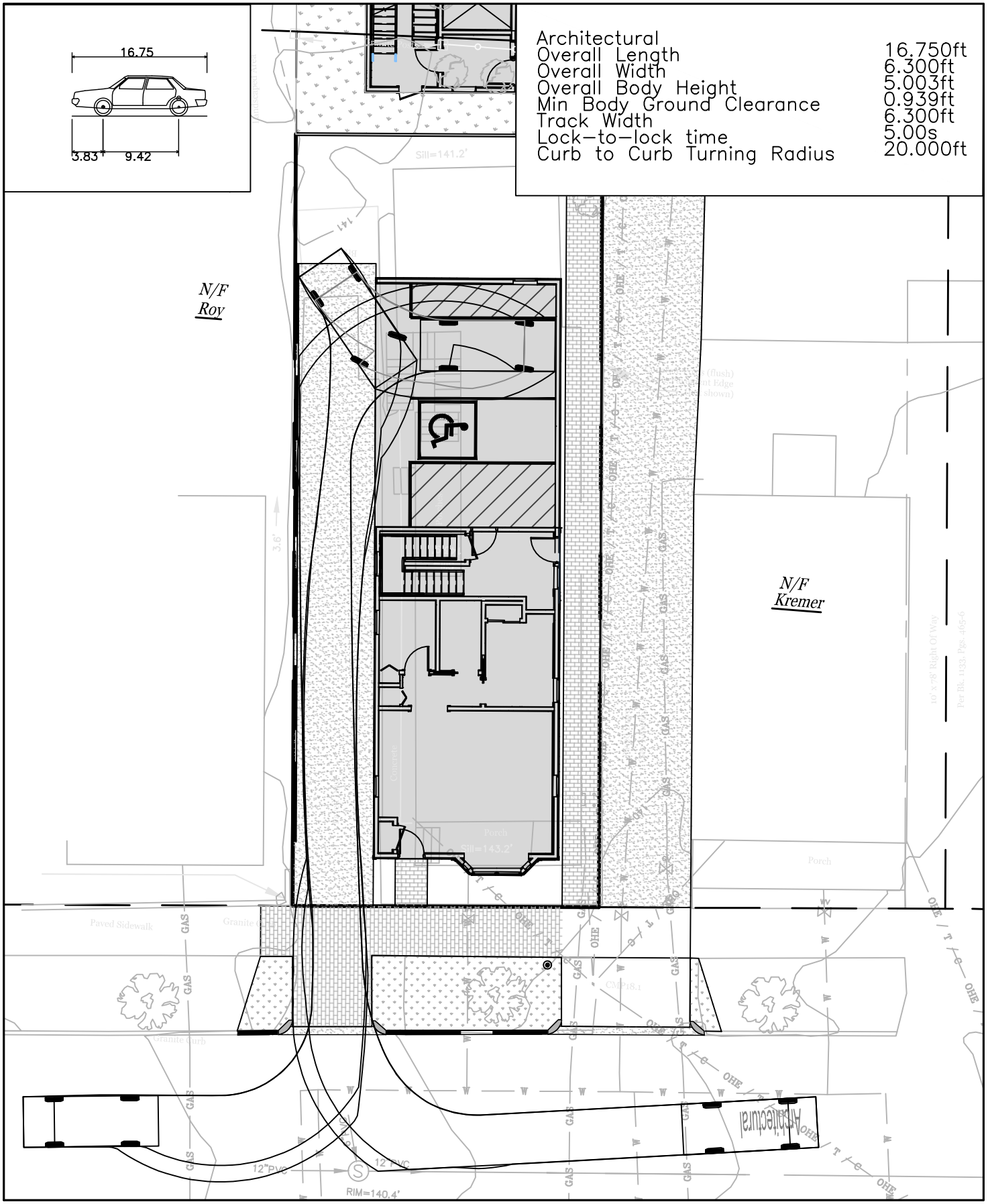
DRAWING NAME:
INTERNAL PARKING EXHIBIT

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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DRAWING NO.
EX

FILE:	1116_CIVIL
DATE:	12/17/19
JN:	1116
SCALE:	AS NOTED
DESIGN BY:	SJL
DRAWN BY:	ZMS
CHECKED BY:	WHS

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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

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.

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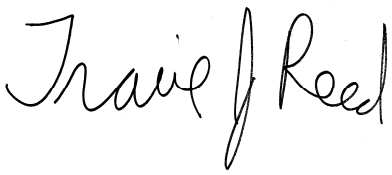
C-3 Transitional Spaces: See above response to C-2. Our project is required to meet both IBC chapter 11 and Fair Housing which requires our entrances form the sidewalk to be at grade. We have provided a covered entry at both entrances.

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

[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

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traciereed@dextrouscreative.com
Portland, ME 04101

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 (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, together. 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

PC16

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

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

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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

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

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

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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

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.

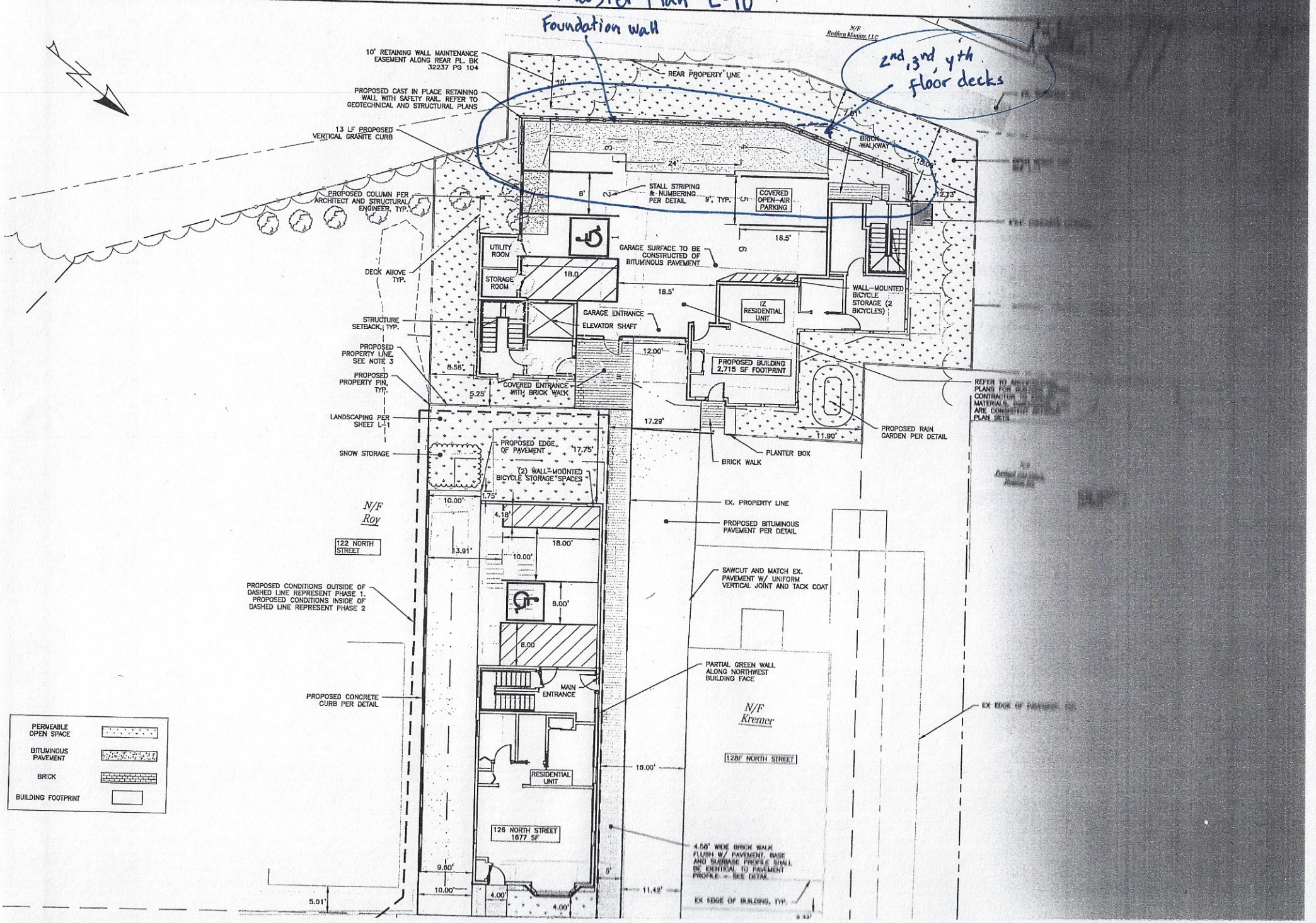
The developer's financial capacity letter submitted addresses only construction of the 6 unit project on 128R. A subsequent letter from Bangor Savings Bank suggests that the project at 126 North Street remains speculative. The bank concludes that "[w]e are looking forward to more substantive conversations 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.

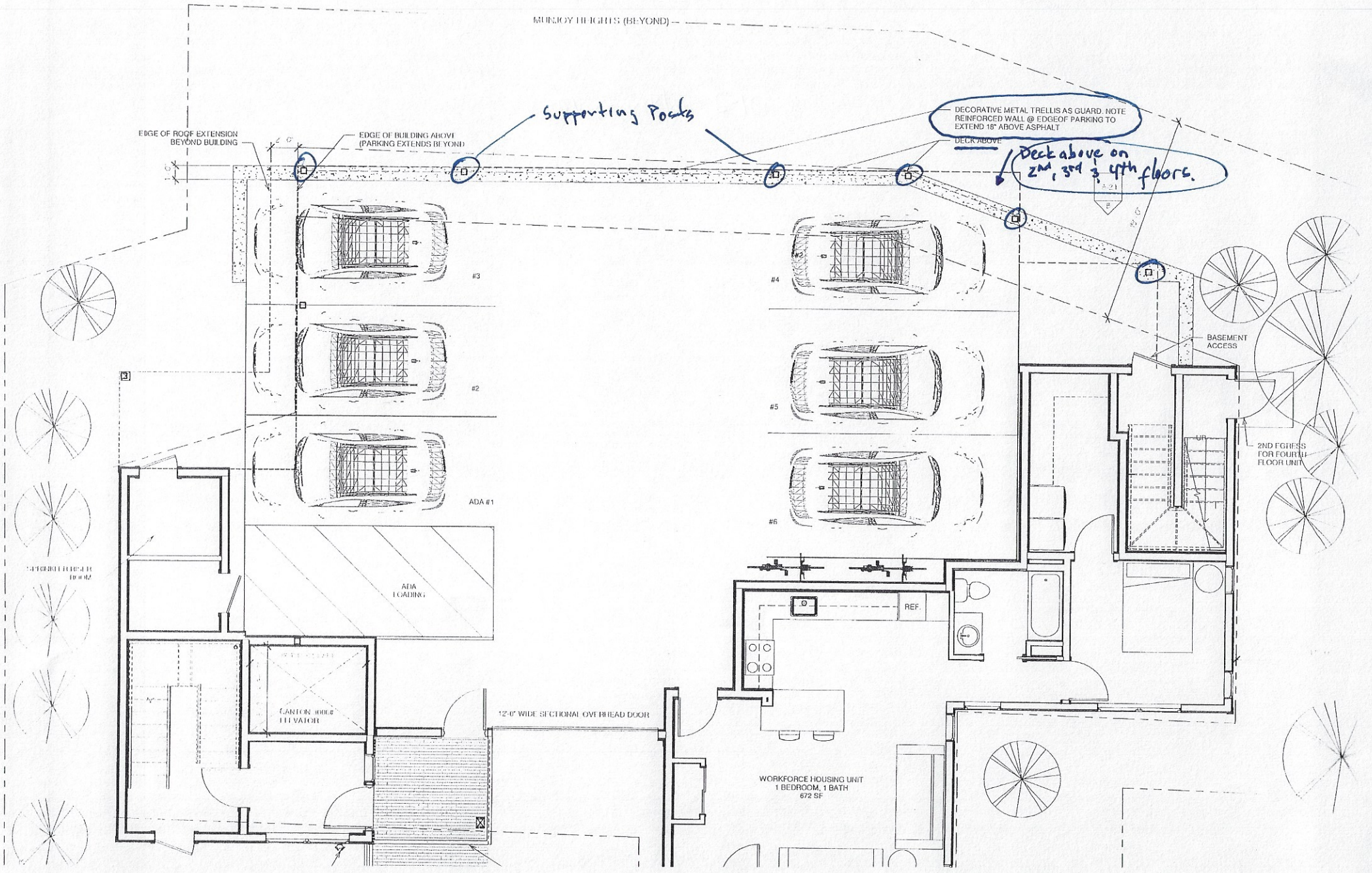
Best Regards,

Thomas B. Federle, Esq.

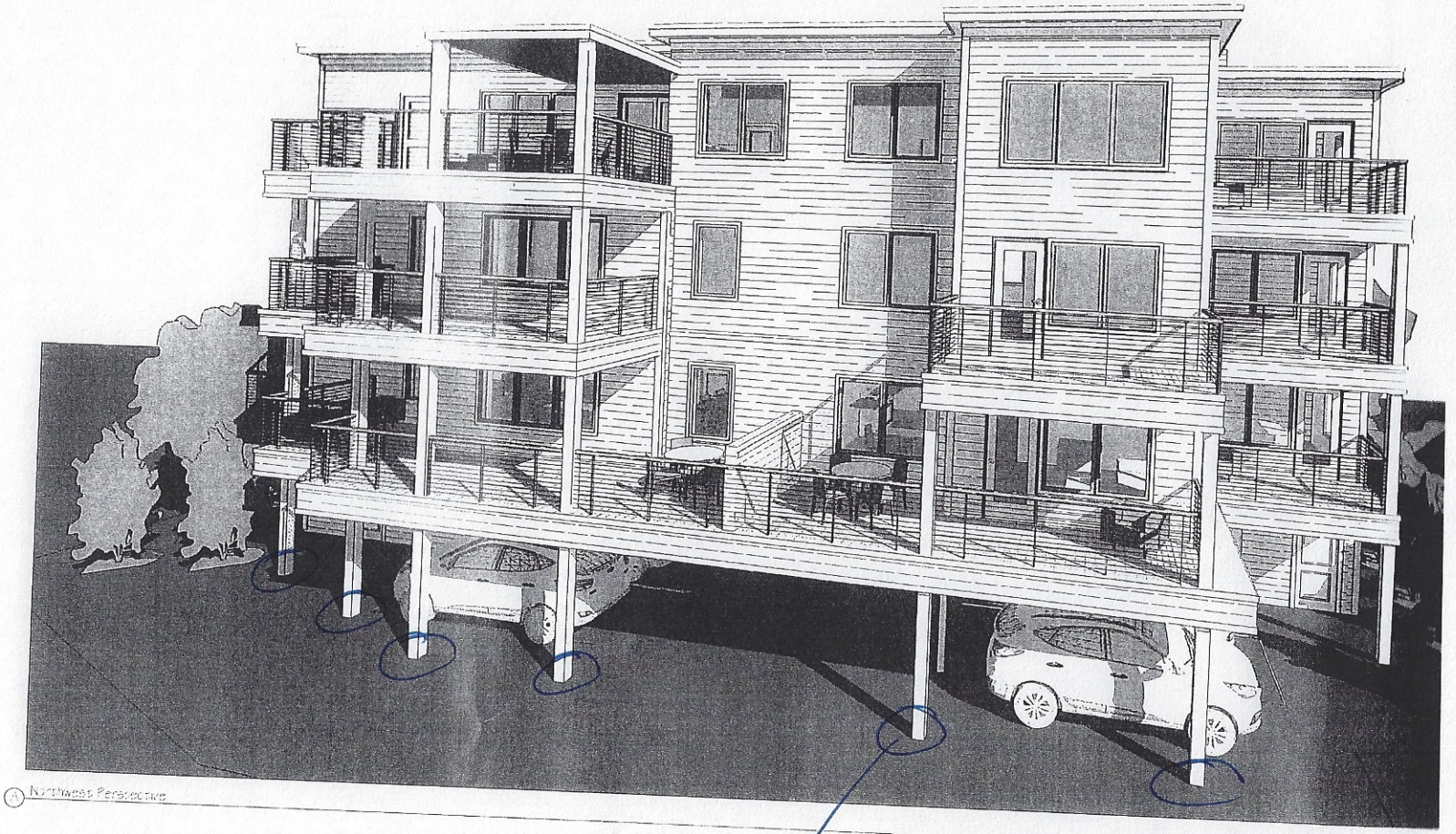
Master Plan C-10



Drawing A-1.1.


MUNICIPAL 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
#4
#2
#5
#6
ADA #1
ADA LOADING
BASEMENT ACCESS
UP
2ND EGRESS FOR FOURTH FLOOR UNIT
REF.
CANTON HOUSE 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.

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;

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

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}

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

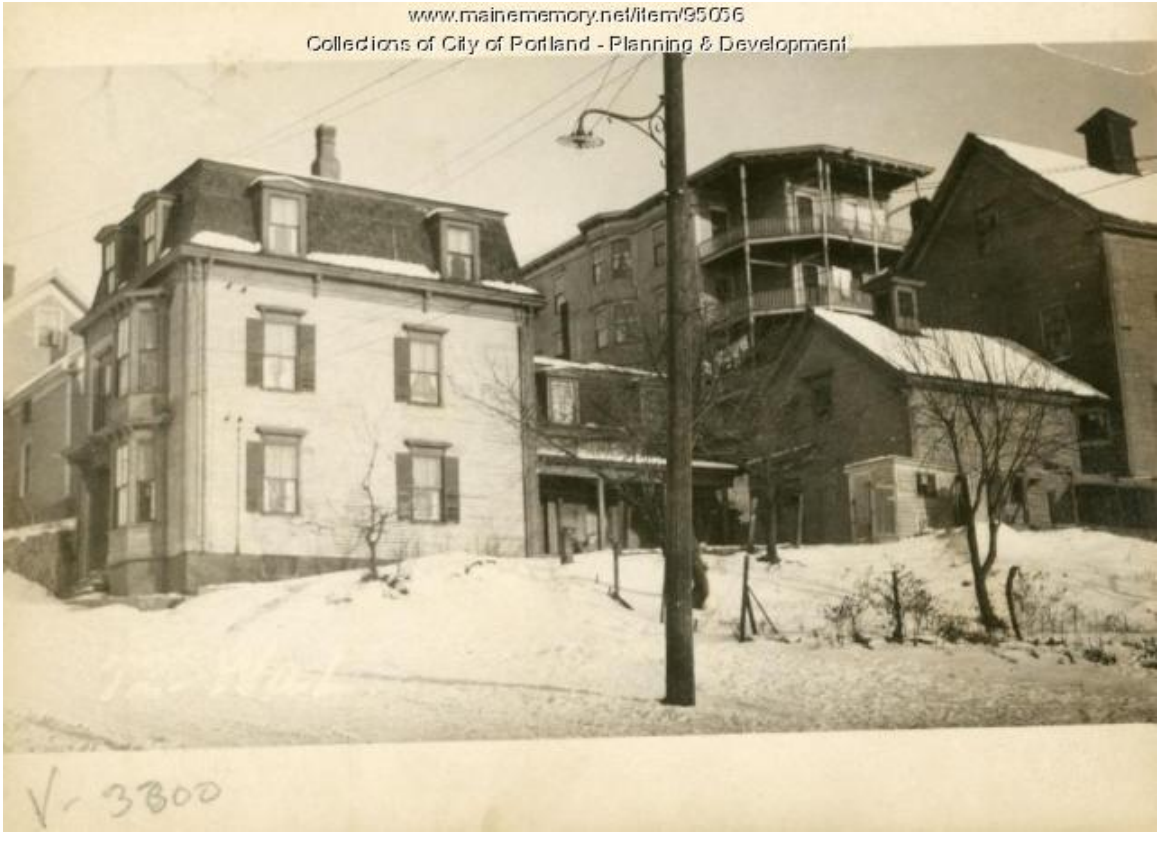
It does NOT have to be this way. Between the 1900 census (when the recently annexed Deering (1898) was fully incorporated into Portland's census totals) and the 1920 census, Portland grew its population by almost 20,000 people. Basically more than the entire population of present-day Falmouth, ME.

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

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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.

Google Groups

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 is in fact a foundation wall supporting the balcony structures and the perimeter of the building. 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
21l 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.*

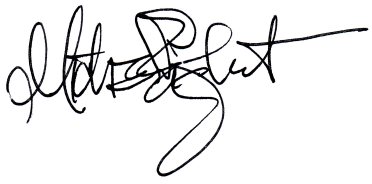
Finally, Upright's proposal is in derogation of the rights of the owner of the property (now known as Munjoy Heights), which was divided from the lot created and conveyed to Upright on January 31, 2014, and constituting the western portion of the property that was the

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

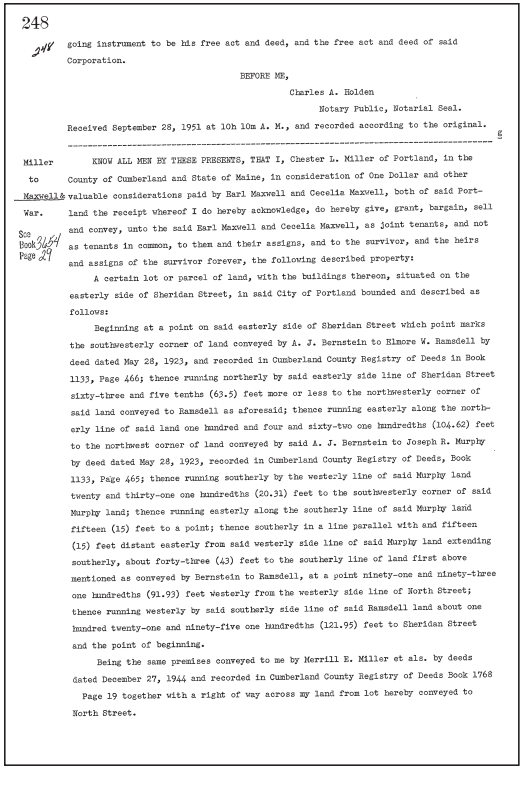
Portland's City Code unequivocally requires a minimum of twenty feet street frontage for this Level III Site Plan Application to be accepted and reviewed by the Planning Board. This is true whether the proposed development lot is considered to be a nonconforming lot of record as of June 5, 1957, or a 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



248

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 2454 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 distent 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. 85.50 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 L. Miller his mark 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.

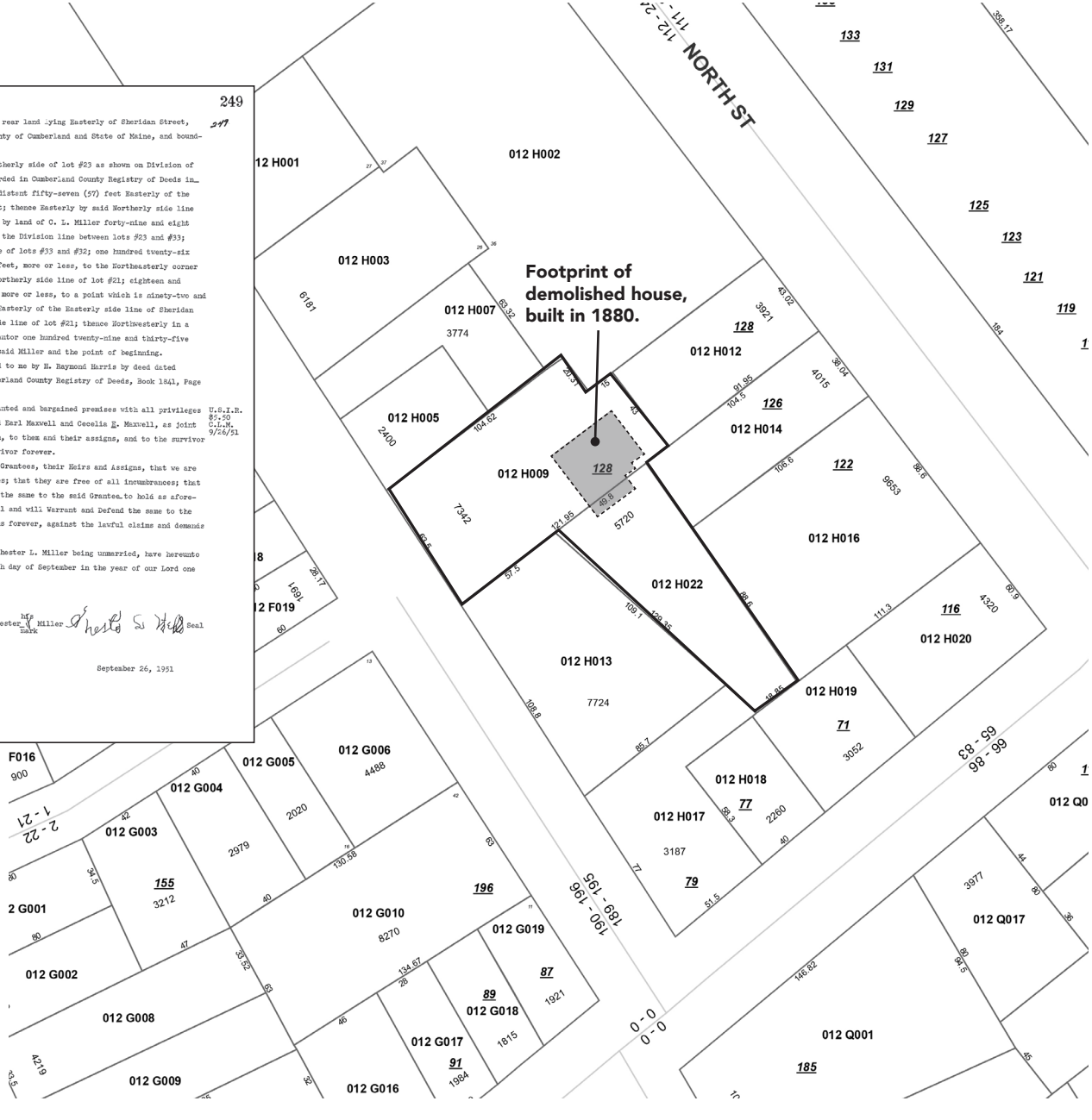


Exhibit A / page 2



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:

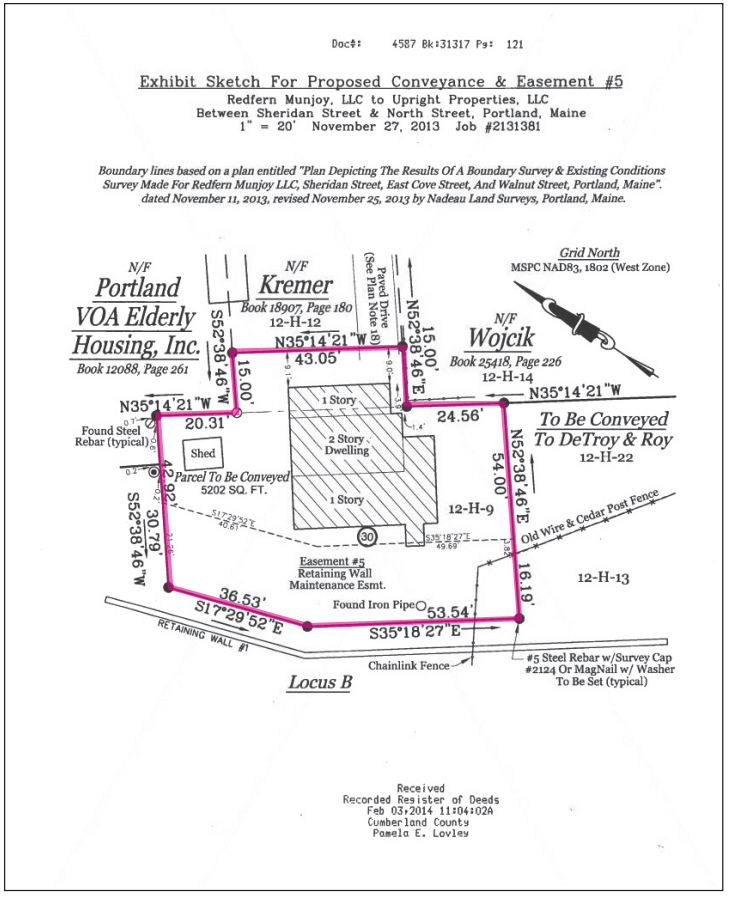
Beginning at a point on the Northerly side of Lot #23 as shown on Division of Little, Weeks, and Moody Land as recorded in Cumberland County Registry of Deeds in Plan Book 36, Page 247, said point being distant fifty-seven (57) feet Easterly of the easterly side line of Sheridan Street; thence easterly 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

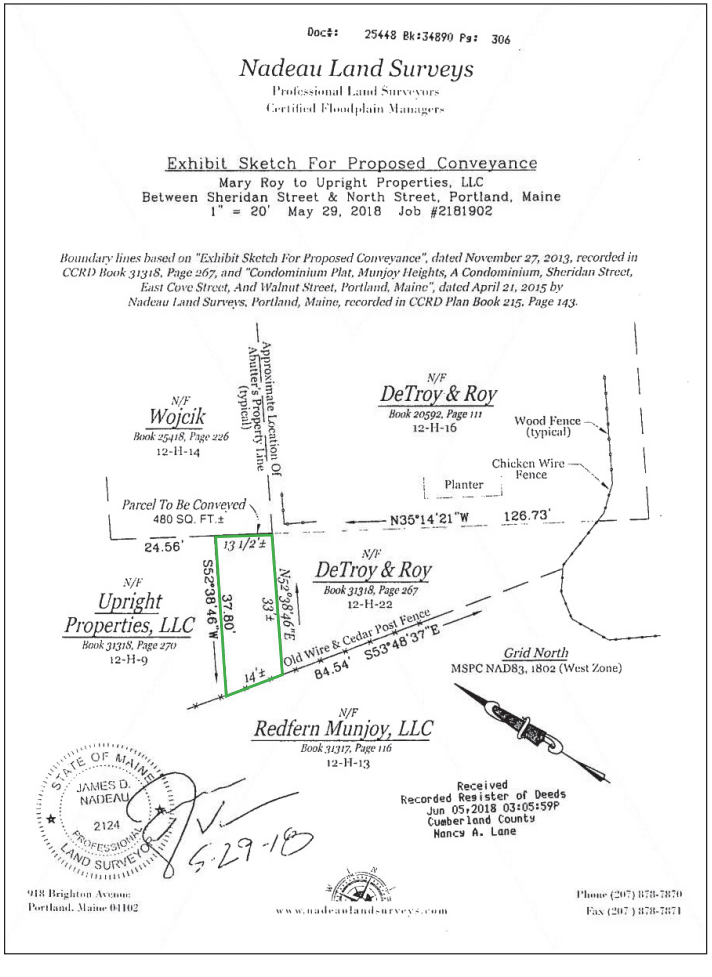


Property Deed description for Redfern Munjoy LLC to Upright Properties, LLC

Feb. 3, 2014

Tax property 012 H009/128 R North Street





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.

N/F Wojcik
Book 25418, Page 226
12-H-14

Approximate Location Of Abutter's Property Line (typical)

N/F DeTroy & Roy
Book 20592, Page 111
12-H-16

Wood Fence (typical)

Chicken Wire Fence

Planter

Parcel To Be Conveyed
480 SQ. FT.±

N35°14'21"W 126.73'

24.56'

13 1/2'±

S52°38'49"W 37.80'

33'±

14'±

N52°38'49"E

N/F DeTroy & Roy
Book 31318, Page 267
12-H-22

N/F Upright Properties, LLC
Book 31318, Page 270
12-H-9

Old Wire & Cedar Post Fence

S53°48'37"E 84.54'

Grid North
MSPC NAD83, 1802 (West Zone)

N/F Redfern Munjoy, LLC
Book 31317, Page 116
12-H-13

Received
Recorded Register of Deeds
Jun 05,2018 03:05:59P
Cumberland County
Nancy A. Lane

STATE OF MAINE
JAMES D. NADEAU
2124
PROFESSIONAL LAND SURVEYOR

5-29-18

918 Brighton Avenue
Portland, Maine 04102

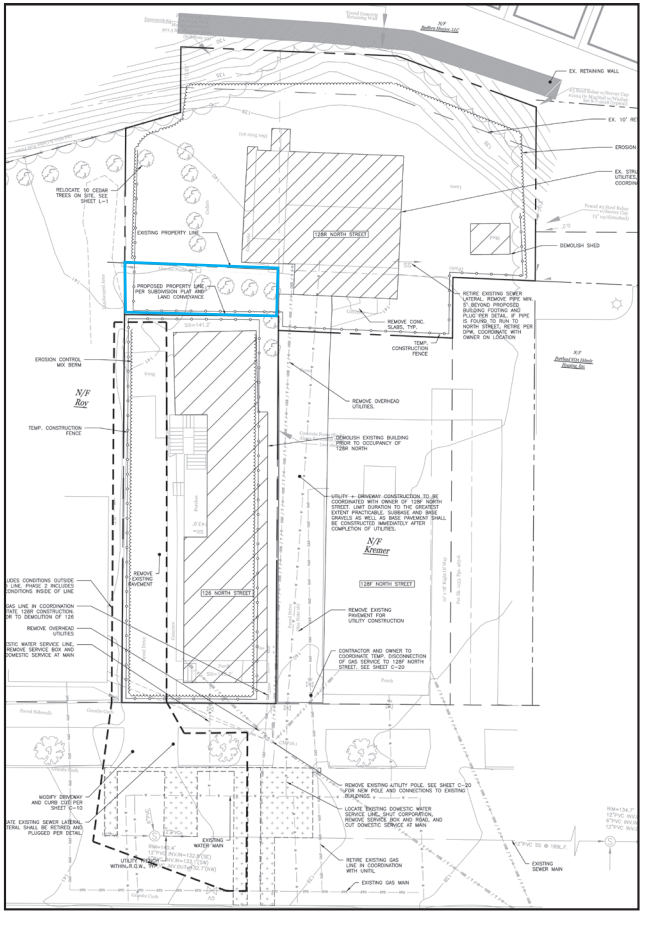
www.nadeaulandsurveys.com

Phone (207) 878-7870
Fax (207) 878-7871

Property Deed description for Mary Roy to Upright Properties, LLC

June 5, 2018

Property 012 H009/128 R North Street



Additional proposed conveyance by applicant to aggregate additional land to proposed development lot.

See applicant's drawing labeled C-03.



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.

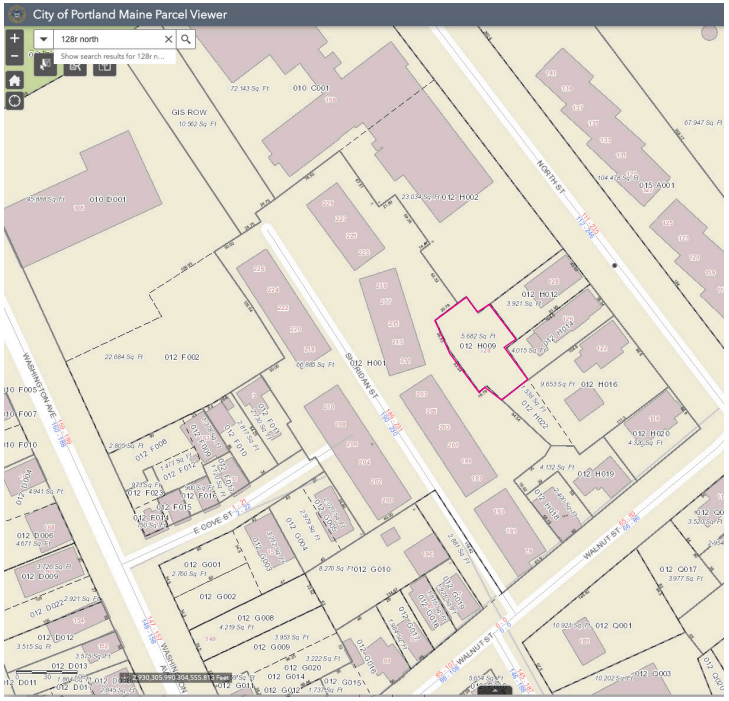
Being a part of land conveyed by Abraham J. Bernstein to me by deed dated May 28, 1923, recorded in Cumberland County Registry of Deeds, Book 1133, Page 466.

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.

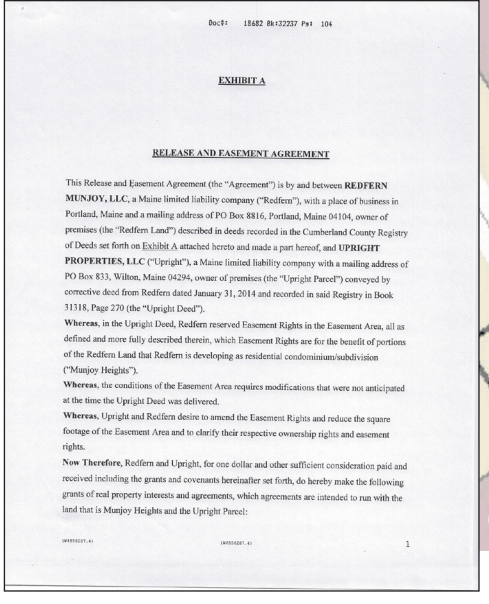
Deed, Ramsdell to Bowden, July 25, 1923, filed in the Cumberland County Clerk's Office in Book 1143 at Page 307.





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**

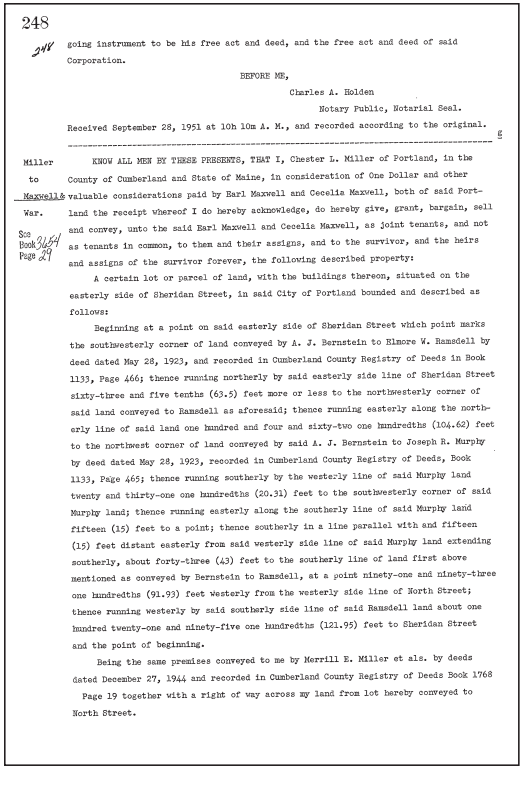
To: Chairman Mazer and Shukria Wiar

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 2454 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

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 distent 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. 85.50 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 L. Miller his mark 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.

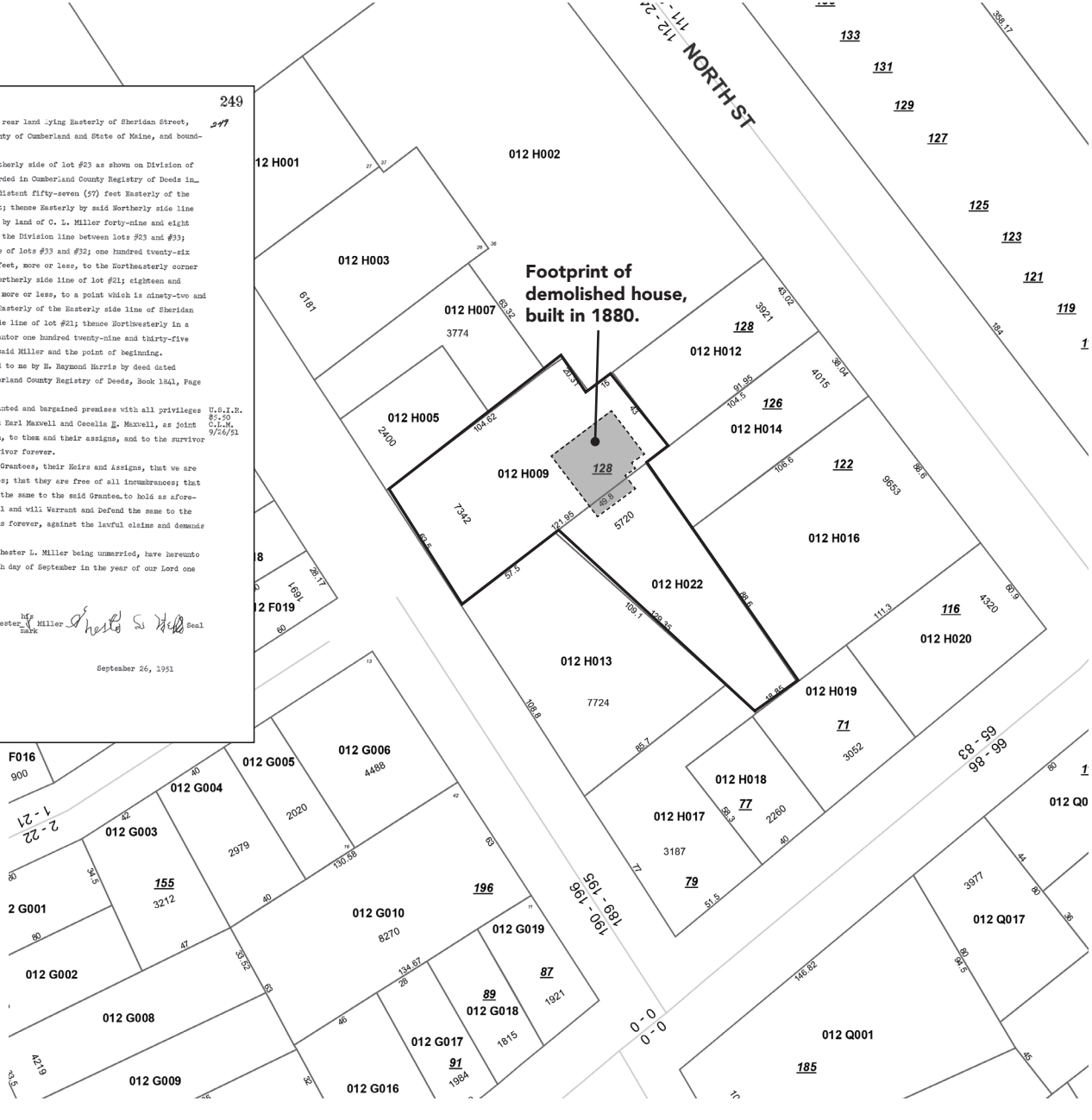


Exhibit A / page 2



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:

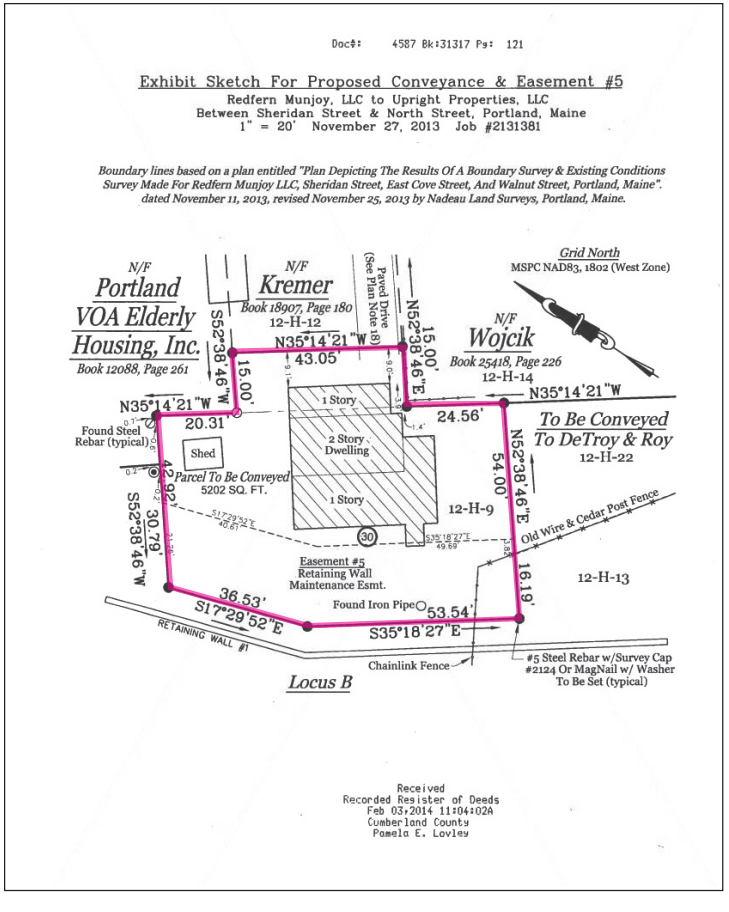
Beginning at a point on the Northerly side of Lot #23 as shown on Division of Little, Weeks, and Moody Land as recorded in Cumberland County Registry of Deeds in Plan Book 36, Page 247, said point being distant fifty-seven (57) feet Easterly of the easterly side line of Sheridan Street; thence easterly 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

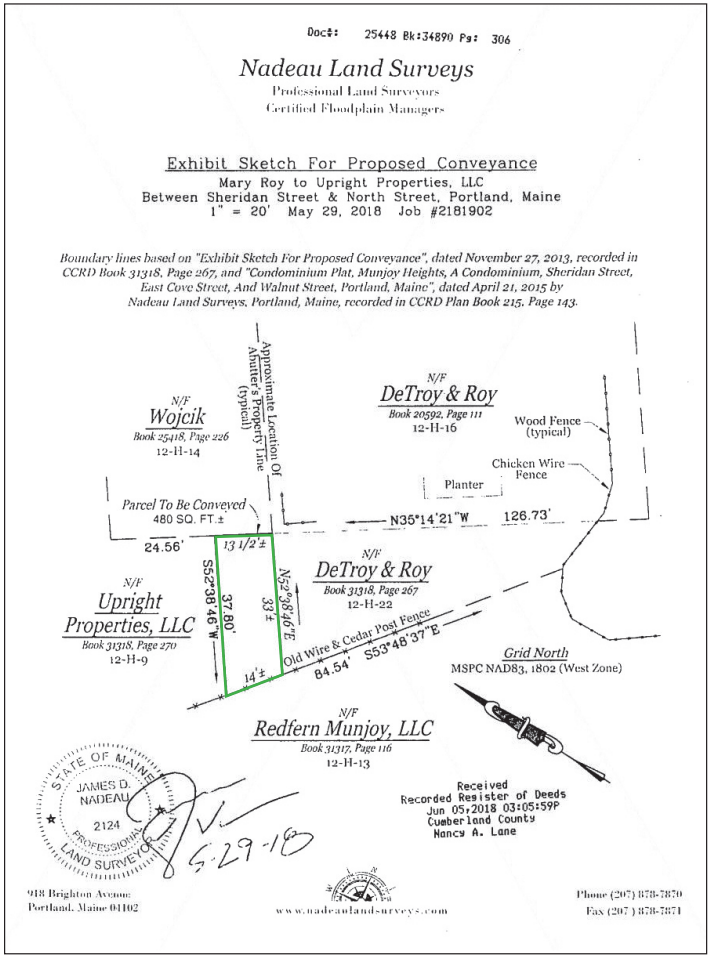


Property Deed description for Redfern Munjoy LLC to Upright Properties, LLC

Feb. 3, 2014

Tax property 012 H009/128 R North Street





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.

N/F Wojcik
Book 25418, Page 226
12-H-14

Approximate Location Of Abutter's Property Line (typical)

N/F DeTroy & Roy
Book 20592, Page 111
12-H-16

Wood Fence (typical)

Chicken Wire Fence

Planter

Parcel To Be Conveyed
480 SQ. FT.±

N35°14'21"W 126.73'

24.56'

13 1/2'±

S52°38'49"W 37.80'

33'±

14'±

N52°38'49"E

N/F DeTroy & Roy
Book 31318, Page 267
12-H-22

N/F Upright Properties, LLC
Book 31318, Page 270
12-H-9

Old Wire & Cedar Post Fence

S53°48'37"E 84.54'

Grid North
MSPC NAD83, 1802 (West Zone)

N/F Redfern Munjoy, LLC
Book 31317, Page 116
12-H-13

Received
Recorded Register of Deeds
Jun 05,2018 03:05:59P
Cumberland County
Nancy A. Lane

STATE OF MAINE
JAMES D. NADEAU
2124
PROFESSIONAL LAND SURVEYOR

5-29-18

918 Brighton Avenue
Portland, Maine 04102

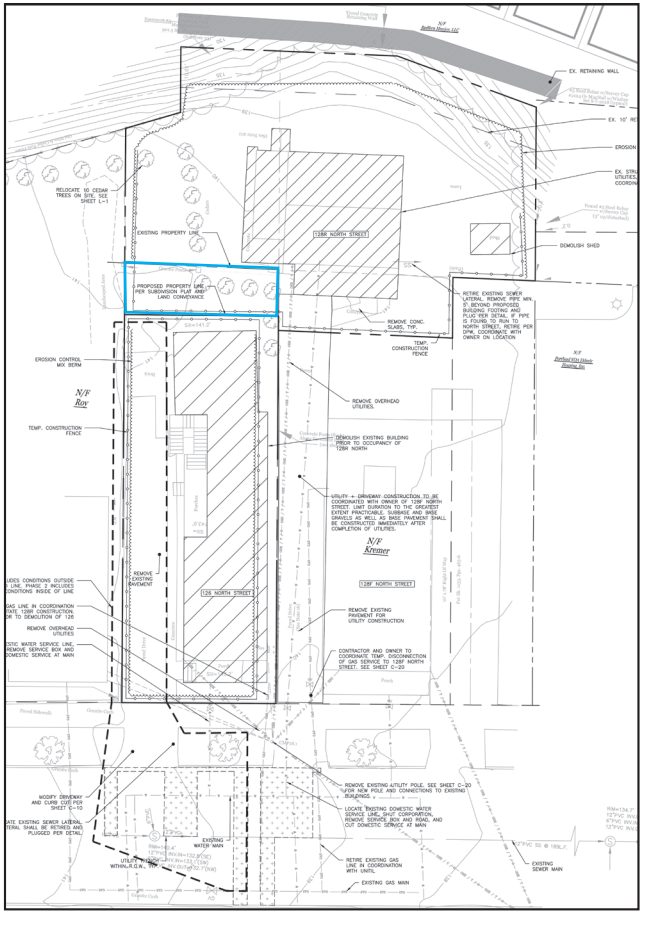
www.nadeaulandsurveys.com

Phone (207) 878-7870
Fax (207) 878-7871

Property Deed description for Mary Roy to Upright Properties, LLC

June 5, 2018

Property 012 H009/128 R North Street



Additional proposed conveyance by applicant to aggregate additional land to proposed development lot.

See applicant's drawing labeled C-03.



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.

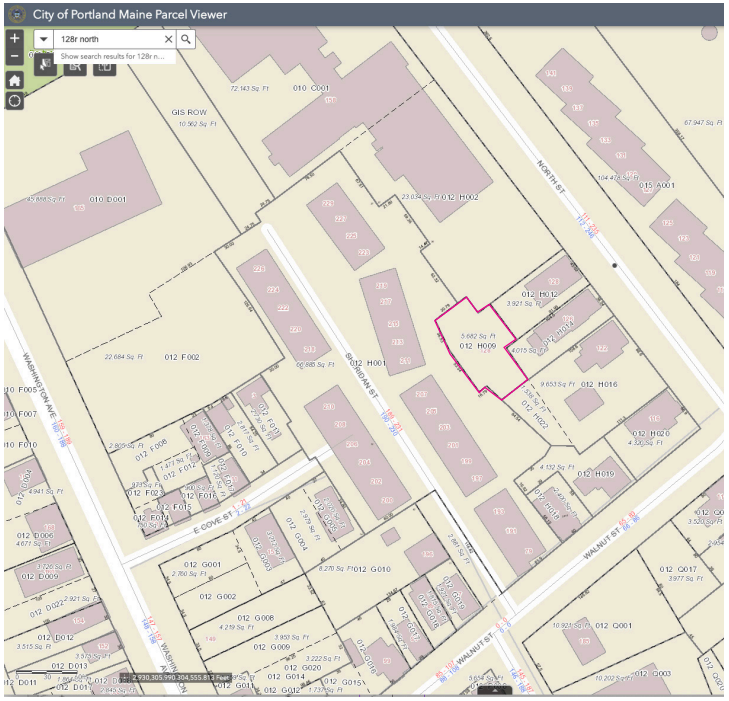
Being a part of land conveyed by Abraham J. Bernstein to me by deed dated May 28, 1923, recorded in Cumberland County Registry of Deeds, Book 1133, Page 466.

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.

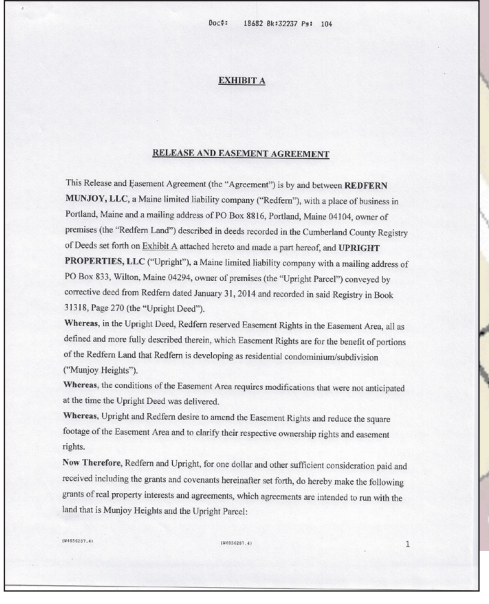
Deed, Ramsdell to Bowden, July 25, 1923, filed in the Cumberland County Clerk's Office in Book 1143 at Page 307.





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

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

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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.

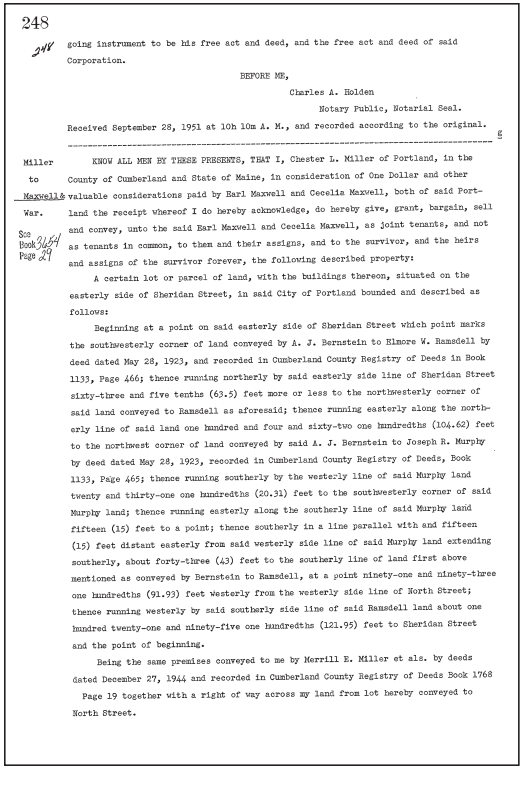
FEDERLE LAW

Respectfully,

Thomas B. Federle

254 Commercial St., Ste. 103, Portland, ME 04101 | www.federlelawmaine.com | O 207.899.0155

Exhibit A / page 1



248

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 2454 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

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 distent 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. 85.50 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 L. Miller his mark 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.

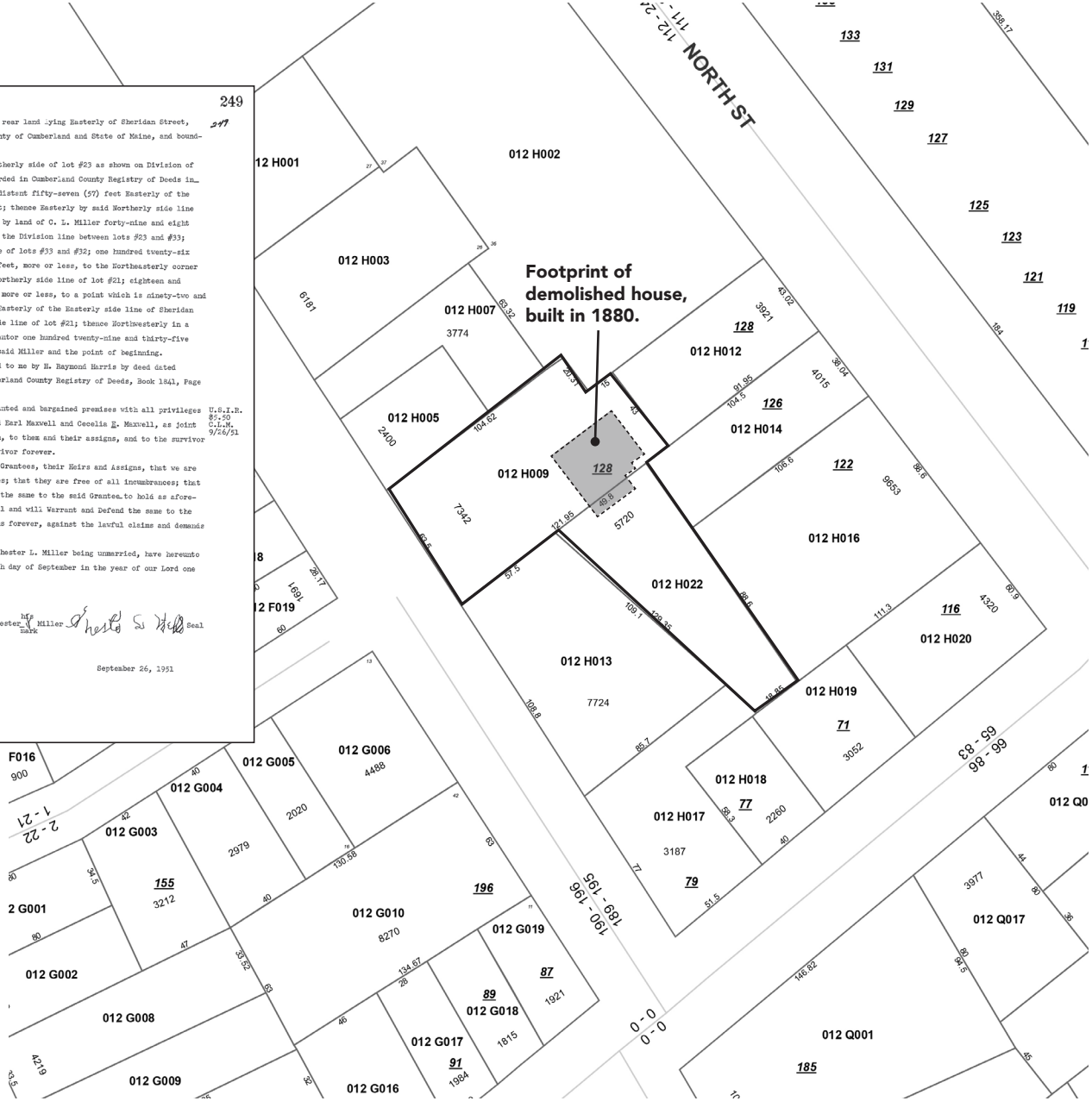


Exhibit A / page 2



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:

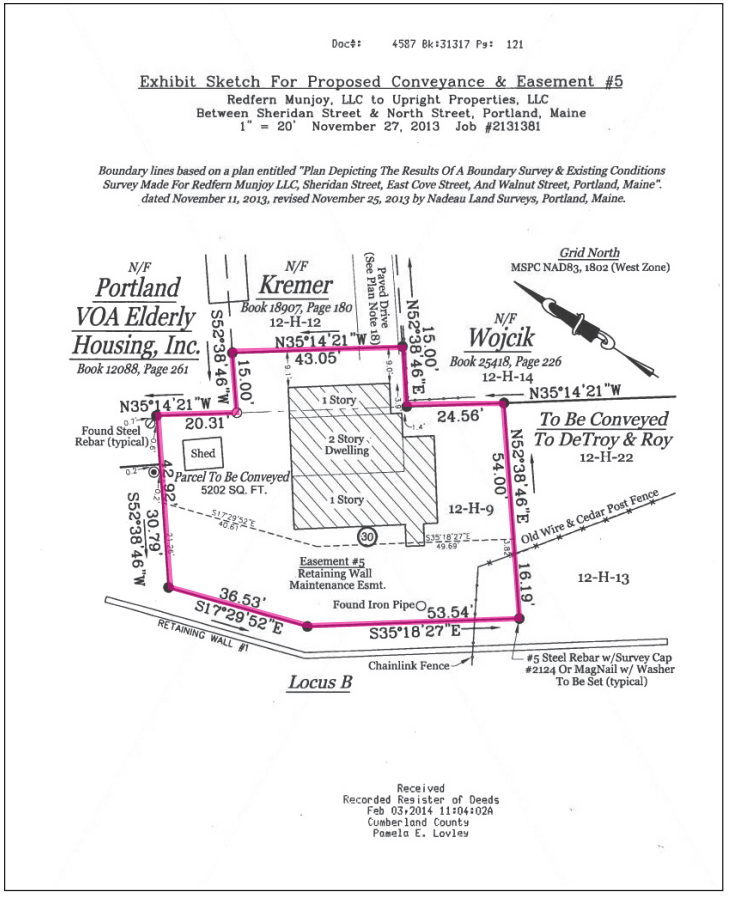
Beginning at a point on the Northerly side of Lot #23 as shown on Division of Little, Weeks, and Moody Land as recorded in Cumberland County Registry of Deeds in Plan Book 36, Page 247, said point being distant fifty-seven (57) feet Easterly of the easterly side line of Sheridan Street; thence easterly 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

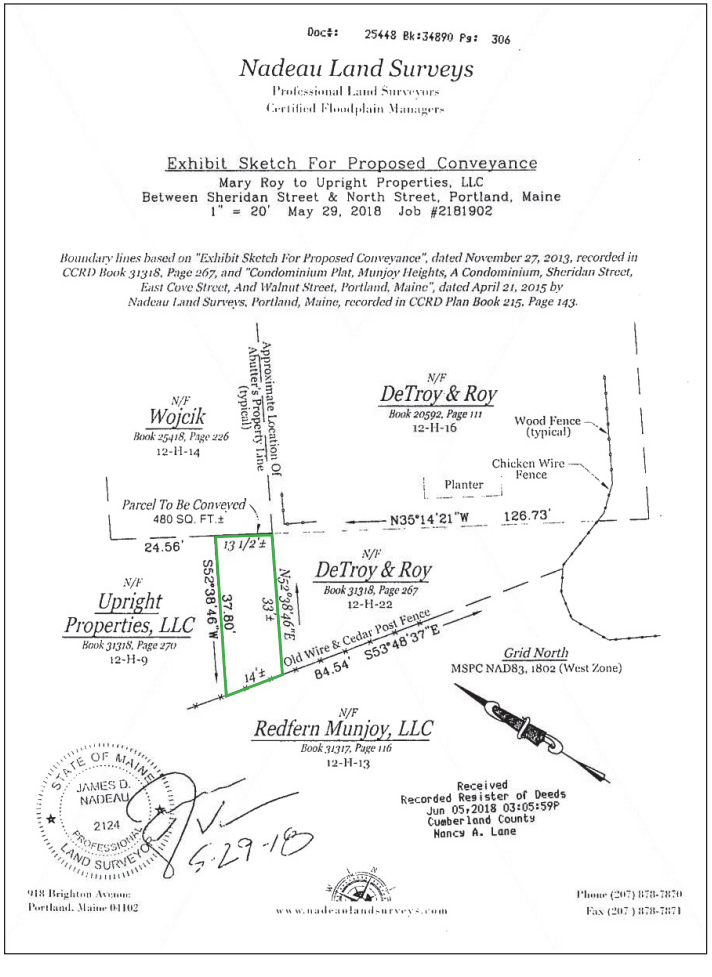


Property Deed description for Redfern Munjoy LLC to Upright Properties, LLC

Feb. 3, 2014

Tax property 012 H009/128 R North Street





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.

N/F Wojcik
Book 25418, Page 226
12-H-14

Approximate Location Of Abutter's Property Line (typical)

N/F DeTroy & Roy
Book 20592, Page 111
12-H-16

Wood Fence (typical)

Chicken Wire Fence

Planter

Parcel To Be Conveyed
480 SQ. FT.±

N35°14'21"W 126.73'

24.56'

13 1/2'±

S52°38'49"W 37.80'

33'±

14'±

N52°38'49"E

N/F DeTroy & Roy
Book 31318, Page 267
12-H-22

N/F Upright Properties, LLC
Book 31318, Page 270
12-H-9

Old Wire & Cedar Post Fence

S53°48'37"E 84.54'

Grid North
MSPC NAD83, 1802 (West Zone)

N/F Redfern Munjoy, LLC
Book 31317, Page 116
12-H-13

Received
Recorded Register of Deeds
Jun 05,2018 03:05:59P
Cumberland County
Nancy A. Lane

STATE OF MAINE
JAMES D. NADEAU
2124
PROFESSIONAL LAND SURVEYOR

5-29-18

918 Brighton Avenue
Portland, Maine 04102

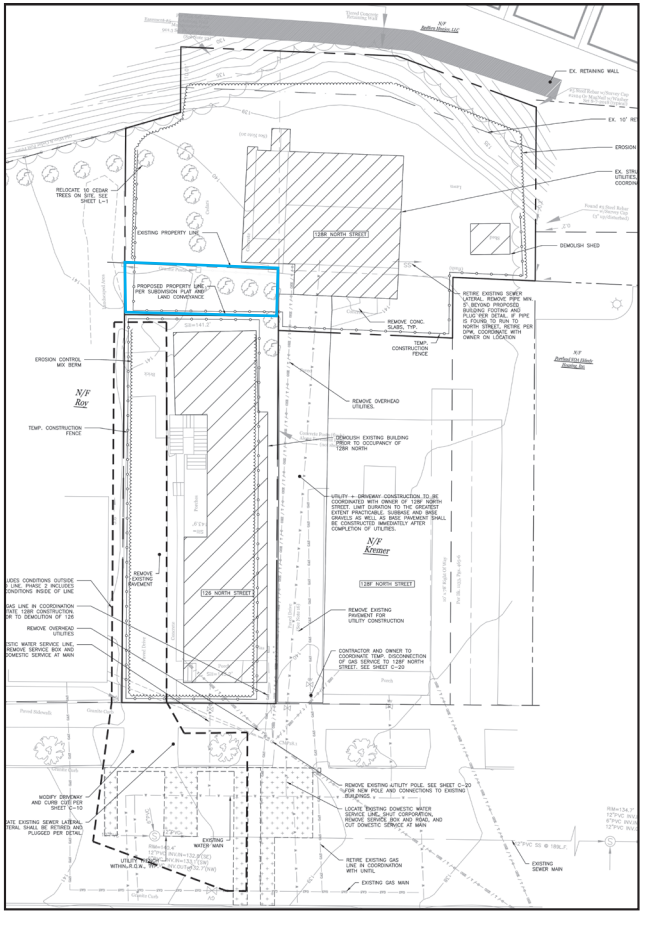
www.nadeaulandsurveys.com

Phone (207) 878-7870
Fax (207) 878-7871

Property Deed description for Mary Roy to Upright Properties, LLC

June 5, 2018

Property 012 H009/128 R North Street



Additional proposed conveyance by applicant to aggregate additional land to proposed development lot.

See applicant's drawing labeled C-03.



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.

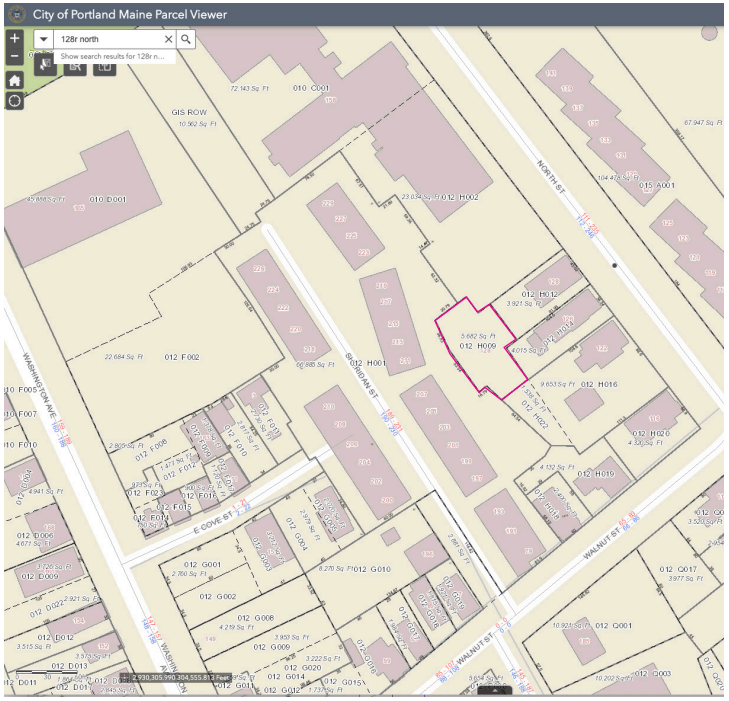
Being a part of land conveyed by Abraham J. Bernstein to me by deed dated May 28, 1923, recorded in Cumberland County Registry of Deeds, Book 1133, Page 466.

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.

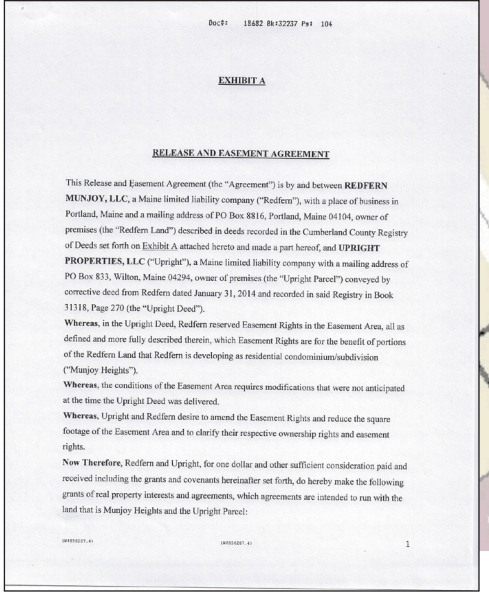
Deed, Ramsdell to Bowden, July 25, 1923, filed in the Cumberland County Clerk's Office in Book 1143 at Page 307.





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

Via Email: planningboard@portlandmaine.gov July 17, 2020

Brandon Mazer, Chair
Planning Board of the City of Portland
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,

In advance of the Remote Workshop on Tuesday, July 21, 2020 at 4:30 pm, I am writing to state our objections to this project.

My husband and I are owners at 215 Sheridan St., in Munjoy Heights, which abuts this proposed project.

Our homeowners association (Munjoy Heights Condominium Association) has a ten-foot-wide easement at the back of the property at 128R in order to ensure our ability to maintain and repair the Munjoy Heights retaining wall. Specifically, the easement is to permit access "..with men and equipment, including **heavy equipment..**"

Access to the easement with heavy equipment is only possible via North Street. As you can see from the photo here, there is no way heavy equipment could access the wall from Munjoy Heights. The wall is 18 feet high. That's why the developer created the easement.



Munjoy Heights Retaining Wall 1

The proposed projects at 126 and 128R North Street are so large they would block the right of way to our easement. The Munjoy Heights Condominium Association has a legal right to the easement, and to the right of way to the easement.

This project should not be approved because it violates our rights as members of the Munjoy Heights Condominium Association and jeopardizes our safety by blocking our ability to maintain and repair our retaining wall.

Thank you,

Leslie Hart
blesliehart@gmail.com
917.364.3682

Kevin Schochat
kevin@kevinschochat.com
917.597.4154.

215 Sheridan St.

Google Groups

Opposition to project 128R North Street

Annie Frye <fryenh@comcast.net> Jul 21, 2020 2:02 PM
Posted in group: **Planning Board**

Dear Portland Planning Board,

Attached please find a letter expressing our concern about the proposed development being discussed this afternoon re: 128 R North Street. Please review our concerns as Portland property owners.

We are abutters to the property and feel it is in direct violation of the existing zoning regulations especially in regard to frontage. This project has no frontage. It is a land locked parcel. Overlooking this important regulation will put residents in danger in terms of emergency vehicles and safe circulation. Why are zoning regulations established if such basic requirements are dismissed?
The other issue is the grade change behind the proposed building. It is a huge retaining wall. The stability and runoff in this area could be hazardous.

Please read our letter and consider our concerns. We made this lifetime investment in a home at Munjoy Heights. This will definitely negatively impact our property.

Thank you for your consideration.
Annette and Steven Frye
217 Sheridan
Portland Maine
fryenh@comcast.net

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 indicate 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

Google Groups

draft of your email to PB re/ MH letter to Upright

Leslie Hart <blesliehart@gmail.com> Aug 12, 2020 5:59 PM
Posted in group: **Planning Board**

Hi Pete
Here's a suggested draft of your email to the PB and others cc'd in our letter to Upright.
Leslie

To
Planning Board, City of Portland
planningboard@portlandmaine.gov
Christine Grimando, Director Planning and Urban Development
cdg@portlandmaine.gov
Ann Machado, Zoning Director
amachado@portlandmaine.gov
Shukria Wiar, Planner
shukriaw@portlandmaine.gov

cc:
Danielle West-Chuta, Corporation Counsel
dwchuhta@portlandmaine.gov
Jen Thompson, Associate Corporation Counsel
jlt@portlandmaine.gov
Hon. Belinda Ray, City Councilwoman
bsr@portlandmaine.gov

Message:

Dear Planning Board:

Attached is a copy of a letter from the Munjoy Heights Condominium Association to Upright Properties LLC asserting the Association's legal rights to right-of-way easements that would be obstructed by the project at 128R North Street proposed by Upright. Understanding that the Planning Board is not in the position of adjudicating the respective property rights of private parties, we nevertheless believe that the Planning Board cannot approve development applications in derogation of the property interests of affected parties. At a minimum, if the Planning Board were to approve this application, such approval should be made conditioned upon the resolution of any dispute as to property claims by Munjoy Heights Condominium Association.

Thank you for your consideration.

Sincerely,

Peter Bagg, president, Munjoy Heights Condominium Association

Attachment

Munjoy Heights Condominium Association
c/o BellPort Property Management
536 Washington Ave.
Portland, ME 04103

August 12, 2020

Via Certified Mail, Return Receipt Requested

Upright Properties, LLC
% Joshua Wojcik, Manager
P. O. Box 833
Wilton, ME 04294

RE: Prohibited Obstruction of Right-of-Way Benefiting Munjoy Heights Condominium Association

Dear Mr. Wojcik,

This letter, on behalf of the Munjoy Heights Condominium Association ("the Association"), is to advise you and remind you of the Association's rights with respect to an access right-of-way from North Street conveyed by deed dated July 25, 1923 from Ramsdell to Bowden, and recorded on July 27, 1923 in the Cumberland County Registry of Deeds in Book 1143 at Page 307, and through the parcel now owned by Upright Properties, LLC ("Upright") resulting from the conveyance by deed from Redfern Munjoy LLC dated January 31, 2014, the corrective deed for which was recorded in the Cumberland County Registry of Deeds Office on February 3, 2014 in Book 31318 at Page 270.

As you are aware, the 1923 right-of-way benefited the entire parcel conveyed to Bowden extending from the rear of the servient estate (now known as 128F North Street) approximately 121.95 feet westerly along the southerly side of the parcel all the way to Sheridan Street. Upon the conveyance of the easterly portion of the parcel to Upright on January 31, 2014, the Grantor Redfern Munjoy LLC by operation of law retained access rights over the 1923 right-of-way and through the newly-subdivided Upright parcel, benefiting the portion of the parcel retained by Redfern. This retained lot was subsequently conveyed to the Association and is now merged with its common property identified as tax parcel 012 H001.

We have had an opportunity to review your proposed development project at 128R North Street, and note that such project will obstruct the access rights-of-way benefiting the Association. Aside from the Association's pure legal rights with respect to these easements, we must raise a particular concern: As you are also aware, the Association ***also*** holds the "Retaining Wall Maintenance Easement" described and reserved in the conveyance from Redfern Munjoy to Upright on January 31, 2014, (amended on April 30, 2015, and recorded in the Cumberland County Registry of Deeds Office in Book 33237 at Page 104). This easement is located on the Upright parcel above the retaining wall, and provides the easement holder with the "right and

easement" to enter the "Easement Area … with men and equipment, including heavy equipment, to maintain, repair, shore-up, or replace the retaining wall" from such location. Because of the severe change in elevation from the Association's property at the bottom of the retaining wall to the Easement Area on Upright's property above, it would not be possible to access the Easement Area with men and heavy equipment from the bottom side of the retaining wall. The only possible access to the Easement Area is thus from the Upright parcel itself, in recognition also that access to maintain the retaining wall is dependent upon the 1923 right-of-way extending from Upright's parcel to North Street.

At the time Redfern Munjoy retained the Retaining Wall Maintenance Easement in the conveyance to Upright, the prior nonconforming structure on the lot allowed sufficient area for necessary equipment to access the Easement Area. Upright demolished this non-conforming structure in December 2019. Your newly proposed project, however, would extend fully past the front area on both the northerly and southerly sides of the Upright lot and completely obstruct any means of access to the Easement Area. To proceed with the construction of such building will be in contravention of the Association's legal rights.

Thank you for your attention. We trust that Upright Properties LLC will withdraw or modify its development application accordingly, and will refrain from taking any further actions that would result in the obstruction of the Association's legal rights of access from the 1923 right-of-way and extending through the Upright parcel at 128R North Street.

Sincerely yours,

Munjoy Heights Condominium Association Board of Directors:

Peter Bagg, President: peterbagg1@gmail.com
Mark Filler, Treasurer: MFiller@filler.com
Leslie Hart, Secretary: blesliehart@gmail.com
Ann Casady: ann@casadydesign.com
Dick Marino: marino04102@gmail.com
Mary Morse: mrsm1359@outlook.com
Susanne Robins: suerobins@twc.com
Fred Williams: fwilliams@oldportadvisors.com
Yael Reinharz: yael.reinharz@gmail.com

cc: Planning Board, City of Portland
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

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	UW UW
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
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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

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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

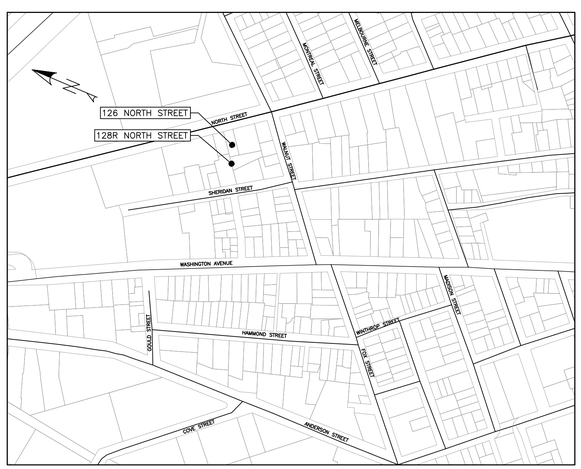
DEVELOPER:
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PORTLAND MAINE
CONTACT: JOSH WOJCIK
(207) 749-9656

ARCHITECT:
DEXTROUS CREATIVE
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SURVEYOR:
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CONTACT: JAMES NADEAU, P.L.S.
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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
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COMMENT RESPONSE	WHS 12/18/19
COMMENT RESPONSE 2	WHS 2/24/2020

DRAWING NAME: COVER SHEET & LEGEND
PROJECT NAME: 126R NORTH STREET REDEVELOPMENT
CLIENT: UPRIGHT PROPERTIES, LLC
PO BOX 833 WILTON, ME 04294

ACORN ENGINEERING, INC.
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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. SAVAGE
No. 11140
REGISTERED 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
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: GENERAL NOTES
PROJECT NAME: 128R NORTH STREET REDEVELOPMENT
CLIENT: UPRIGHT PROPERTIES, LLC
PO BOX 833 WILTON, ME 04294

ACORN ENGINEERING, INC.
65 HANOVER STREET, PORTLAND, MAINE 04101
(207) 775-2655

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. AND 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. 12119 — REGISTERED PROFESSIONAL ENGINEER — 2-13-2020

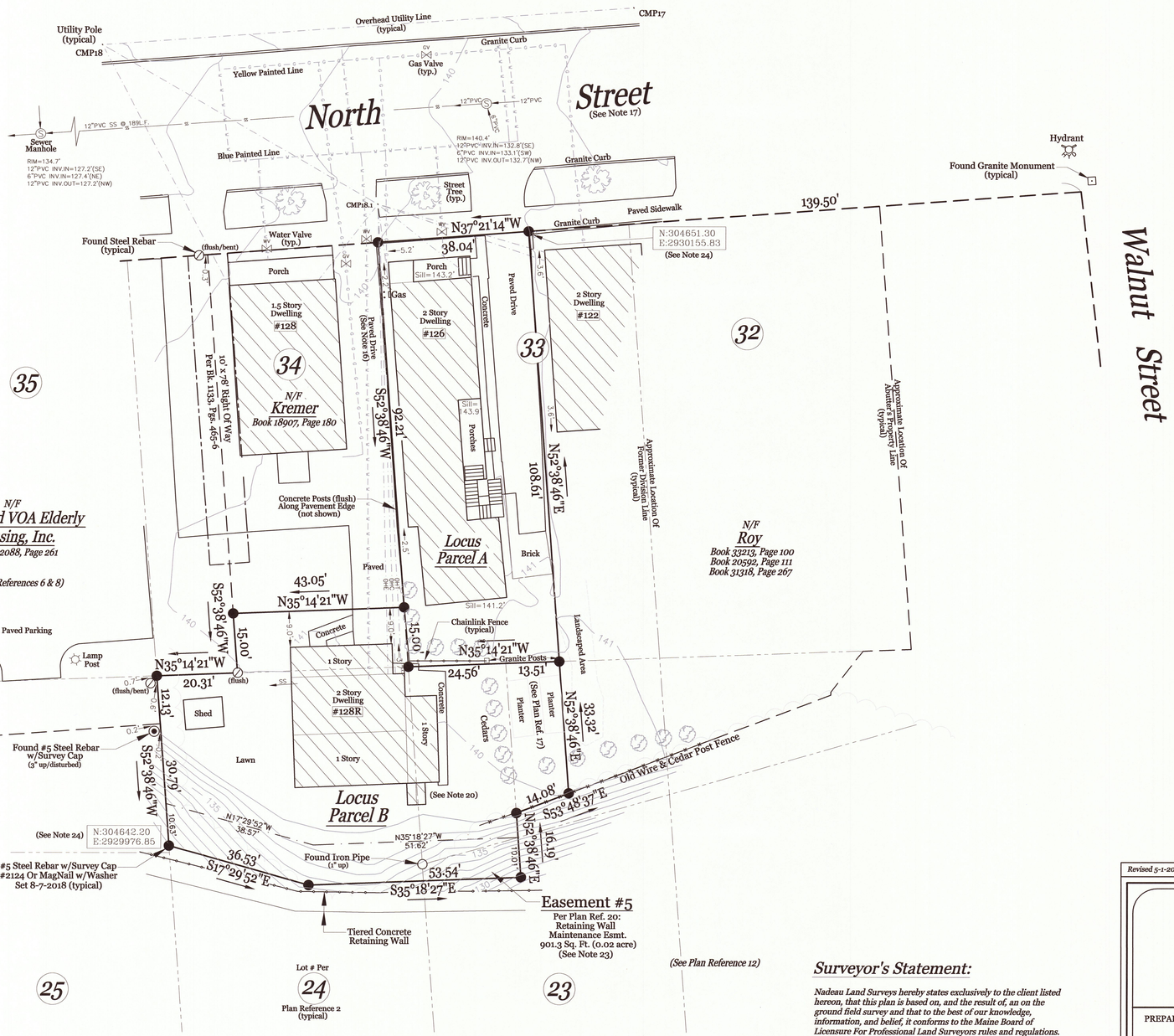
DRAWING NO.
C-02

Plan References:

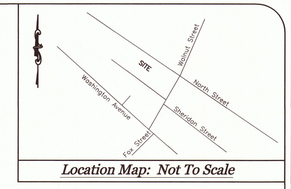
1. *Subdivision Of Lot #1 On Mountjoy's Neck For Little, Weeks, And Moody, dated February 17, 1802 and recorded March 24, 1802 in CCRD Book 36, Page 247.*
2. *Re-Survey Of Plan Reference 1, dated June 1876 by E.C. Jordan, C.E., City Plan 370/6 and 386/28.*
3. *Subdivision Of Elijah Kellogg Lot, dated 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'



Grid North
MSPC NAD83, 1802 (West Zone)



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.*

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

Revised 5-1-2019: Added Sewer and Water information, Plan References 21 & 22, Note 26, and FB 409.

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: Joshua T. Wojcik, et al. Upright Properties, LLC 47 Lafayette St. #1 Portland, ME 04101	DRAWN BY: TPB	PLAN DATE:	8/22/2018
	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.

EX. MUNJOY HEIGHTS CONDOMINIUMS

N/F Redfern Munjoy, LLC

EX. RETAINING WALL

EX. 10' RET. WALL EASEMENT

EROSION CONTROL MIX BERM

EX. STRUCTURE DEMOLISHED ON 11/19/19. DEBRIS, UTILITIES, ECT. MAY REMAIN. CONTRACTOR TO COORDINATE EXTENT OF DEMO W/ CLIENT

DEMOLISH SHED

RETIRE EXISTING SEWER LATERAL. REMOVE PIPE MIN. 5' BEYOND PROPOSED BUILDING FOOTING AND PLUG PER DETAIL. IF PIPE IS FOUND TO RUN TO NORTH STREET, RETIRE PER DPW, COORDINATE WITH OWNER ON LOCATION

REMOVE CONC. SLABS, TYP.

TEMP. CONSTRUCTION FENCE

N/F Portland VIA Elderly Housing Inc

RELOCATE 10 CEDAR TREES ON SITE. SEE SHEET L-1

EXISTING PROPERTY LINE

PROPOSED PROPERTY LINE PER SUBDIVISION PLAT AND LAND CONVEYANCE

128R NORTH STREET

EROSION CONTROL MIX BERM

N/F Roy

TEMP. CONSTRUCTION FENCE

REMOVE OVERHEAD UTILITIES.

DEMOLISH EXISTING BUILDING PRIOR TO OCCUPANCY OF 128R NORTH

UTILITY + DRIVEWAY CONSTRUCTION TO BE COORDINATED WITH OWNER OF 128F NORTH STREET. LIMIT DURATION TO THE GREATEST EXTENT PRACTICABLE. SUBBASE AND BASE GRAVELS AS WELL AS BASE PAVEMENT SHALL BE CONSTRUCTED IMMEDIATELY AFTER COMPLETION OF UTILITIES.

N/F Kremer

128F NORTH STREET

REMOVE EXISTING PAVEMENT FOR UTILITY CONSTRUCTION

CONTRACTOR AND OWNER TO COORDINATE TEMP. DISCONNECTION OF GAS SERVICE TO 128F NORTH STREET. SEE SHEET C-20

REMOVE EXISTING PAVEMENT

126 NORTH STREET

PHASE 1 INCLUDES CONDITIONS OUTSIDE OF DASHED LINE. PHASE 2 INCLUDES CONDITIONS INSIDE OF LINE

REROUTE EXISTING GAS LINE IN COORDINATION WITH UNITIL TO FACILITATE 128R CONSTRUCTION. RETIRE LINE PRIOR TO DEMOLITION OF 126

REMOVE OVERHEAD UTILITIES

LOCATE EXISTING DOMESTIC WATER SERVICE LINE, SHUT CORPORATION, REMOVE SERVICE BOX AND ROAD, AND CUT DOMESTIC SERVICE AT MAIN

MODIFY DRIVEWAY AND CURB CUT PER SHEET C-10

LOCATE EXISTING SEWER LATERAL. LATERAL SHALL BE RETIRED AND PLUGGED PER DETAIL.

REMOVE EXISTING UTILITY POLE. SEE SHEET C-20 FOR NEW POLE AND CONNECTIONS TO EXISTING BUILDINGS

LOCATE EXISTING DOMESTIC WATER SERVICE LINE, SHUT CORPORATION, REMOVE SERVICE BOX AND ROAD, AND CUT DOMESTIC SERVICE AT MAIN

EXISTING WATER MAIN

RETIRE EXISTING GAS LINE IN COORDINATION WITH UNITIL

EXISTING GAS MAIN

EXISTING SEWER MAIN

UTILITY TRENCH WITHIN R.O.W., TYP.

RIM=140.4'
12"PVC INV.IN=132.9'(SE)
6"PVC INV.IN=133.1'(SW)
12"PVC INV.OUT=132.7'(NW)

RIM=134.7'
12"PVC INV.IN=127.2'(SE)
6"PVC INV.IN=127.4'(NE)
12"PVC INV.OUT=127.2'(NW)

12"PVC SS @ 189L.F.

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: **DEMOLITION & CONSTRUCTION MANAGEMENT PLAN**

PROJECT NAME: **126/128R NORTH STREET REDEVELOPMENT**

CLIENT: UPRIGHT PROPERTIES, LLC
PO BOX 833 WILTON, ME 04294

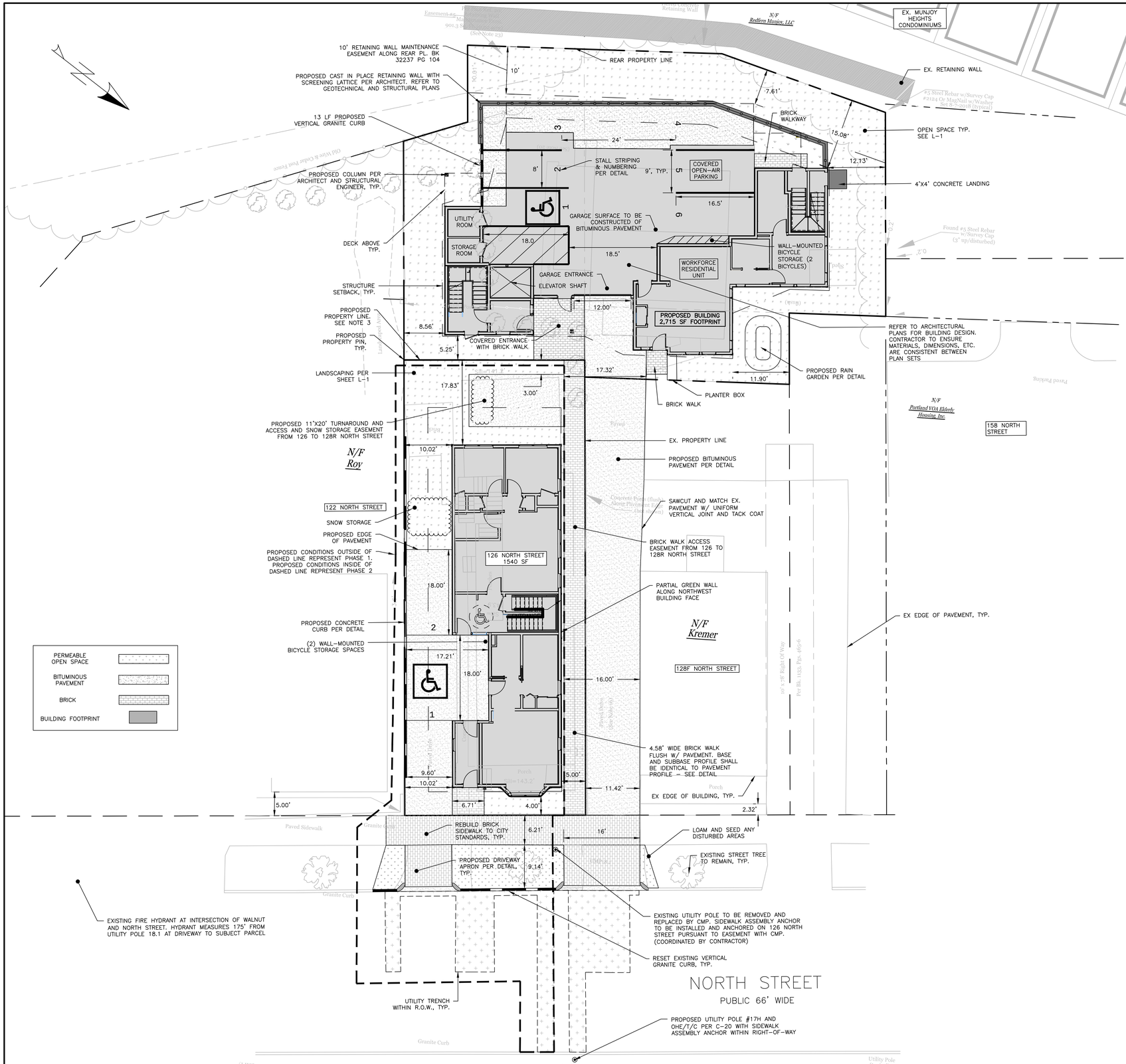
ALL PLANS SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. ANY MODIFICATIONS MADE BY THE USER'S OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

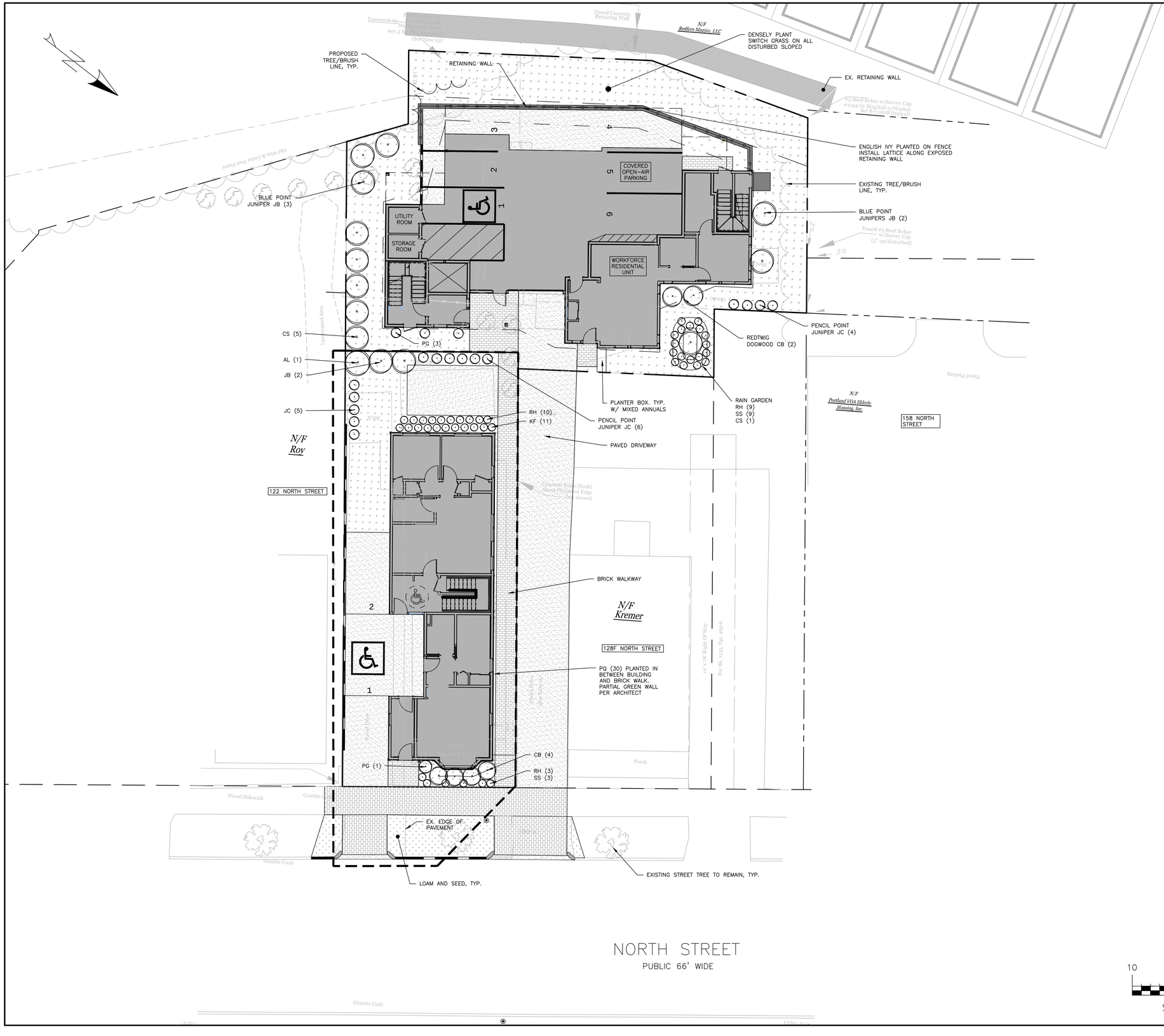
ACORN ENGINEERING, INC.
65 HANOVER ST. PORTLAND, MAINE 04101
(207) 775-2655

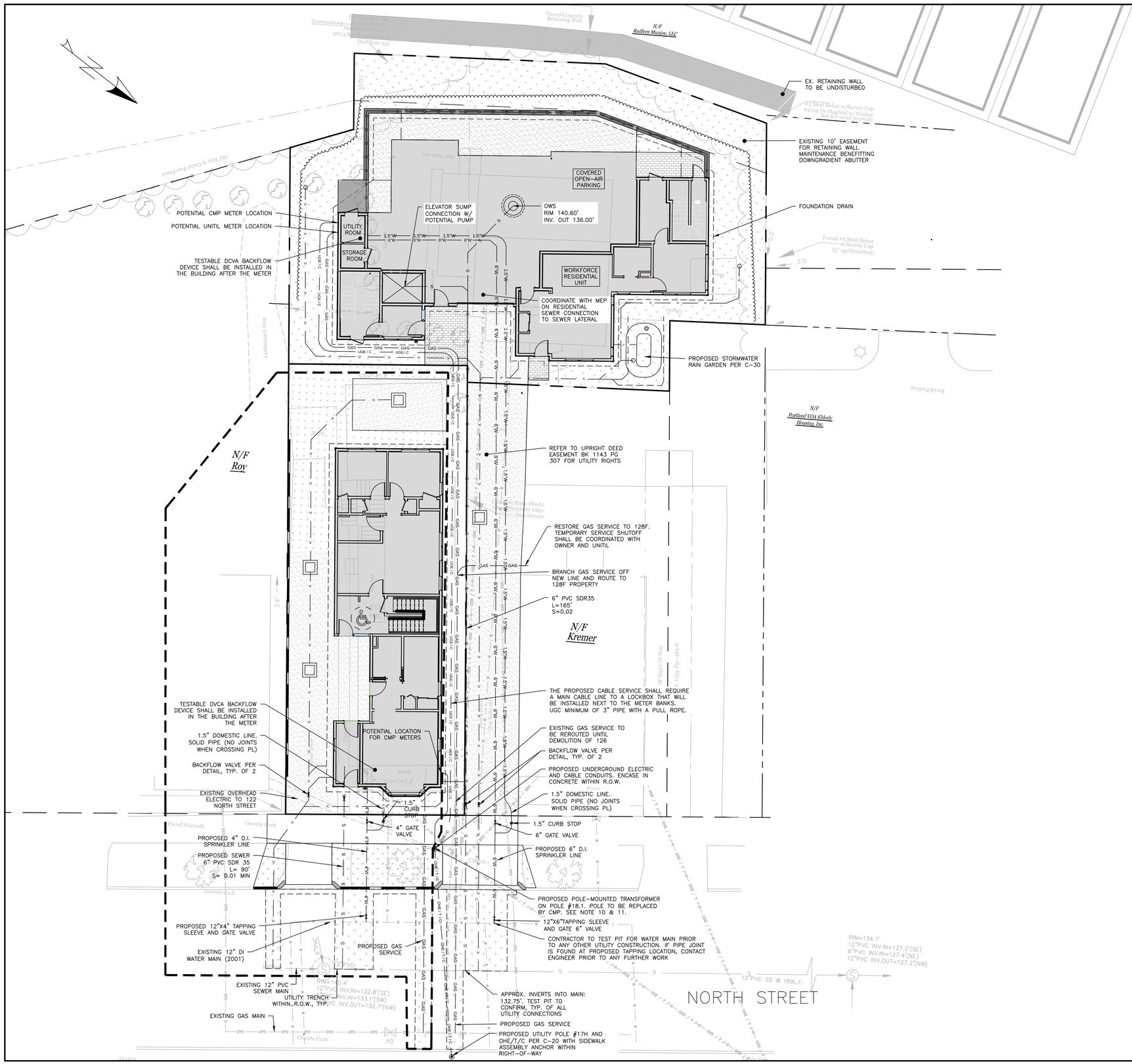
FILE:	1116_CIVIL
JN:	1116
SCALE:	1"=10'
DESIGNED BY:	SJL
DRAWN BY:	ZMS
CHECKED BY:	WHS

STATE OF MAINE
WILLIAM H. SAVAGE
12419
REGISTERED PROFESSIONAL ENGINEER
2-13-2020

DRAWING NO.
C-03

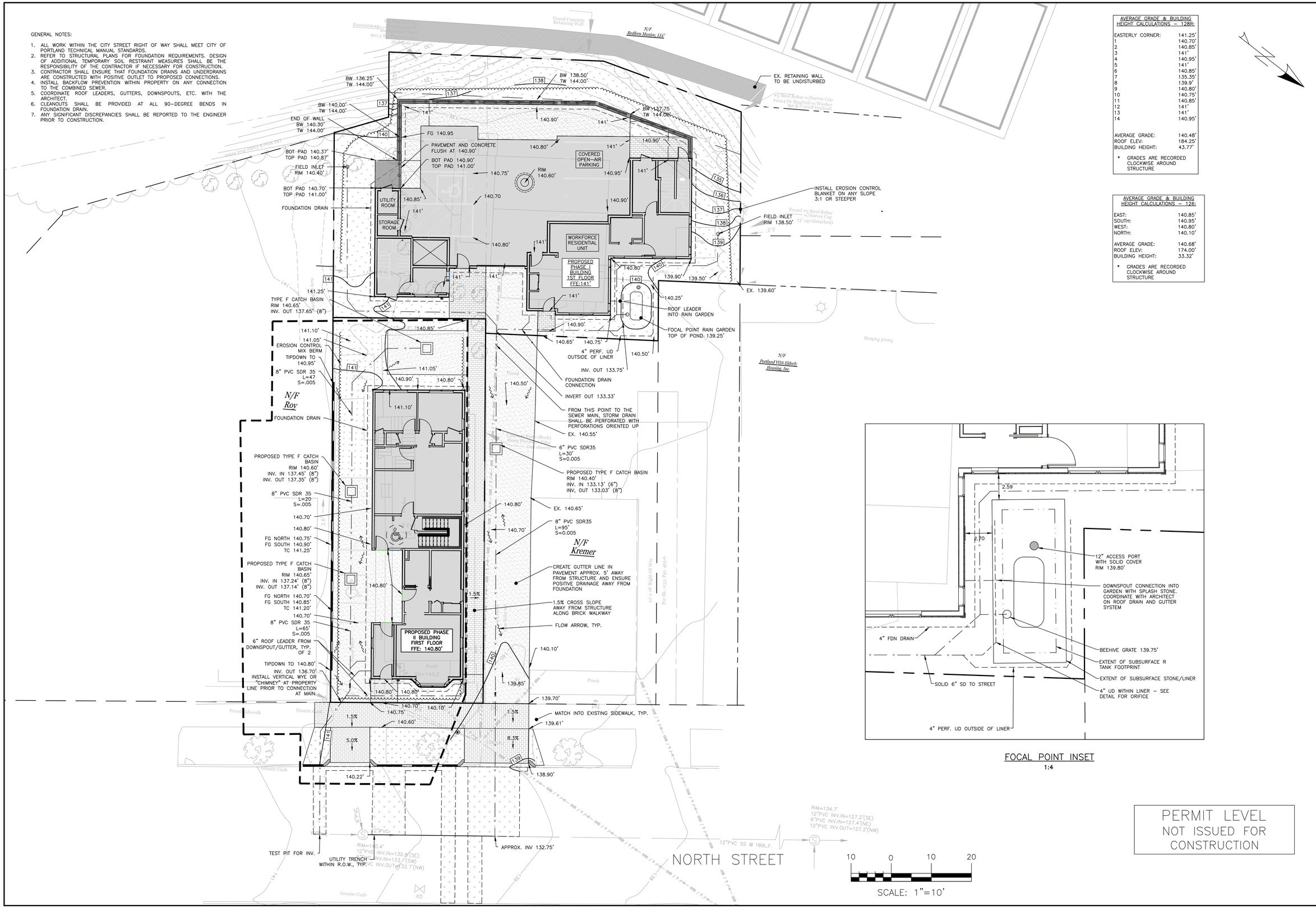

10' RETAINING WALL MAINTENANCE EASEMENT ALONG REAR PL. BK 32237 PG 104
PROPOSED CAST IN PLACE RETAINING WALL WITH SCREENING LATTICE PER ARCHITECT. REFER TO GEOTECHNICAL AND STRUCTURAL PLANS
13 LF PROPOSED VERTICAL GRANITE CURB
PROPOSED COLUMN PER ARCHITECT AND STRUCTURAL ENGINEER, TYP.
DECK ABOVE TYP.
STRUCTURE SETBACK, TYP.
PROPOSED PROPERTY LINE, SEE NOTE 3
PROPOSED PROPERTY PIN, TYP.
LANDSCAPING PER SHEET L-1
PROPOSED 11'X20' TURNAROUND AND ACCESS AND SNOW STORAGE EASEMENT FROM 126 TO 128R NORTH STREET
N/F Roy
122 NORTH STREET
SNOW STORAGE
PROPOSED EDGE OF PAVEMENT
PROPOSED CONDITIONS OUTSIDE OF DASHED LINE REPRESENT PHASE 1. PROPOSED CONDITIONS INSIDE OF DASHED LINE REPRESENT PHASE 2
PROPOSED CONCRETE CURB PER DETAIL
(2) WALL-MOUNTED BICYCLE STORAGE SPACES
PERMEABLE OPEN SPACE
BITUMINOUS PAVEMENT
BRICK
BUILDING FOOTPRINT
EXISTING FIRE HYDRANT AT INTERSECTION OF WALNUT AND NORTH STREET. HYDRANT MEASURES 175' FROM UTILITY POLE 18.1 AT DRIVEWAY TO SUBJECT PARCEL
REAR PROPERTY LINE
N/F Redfern Munjoy, LLC
EX. MUNJOY HEIGHTS CONDOMINIUMS
EX. RETAINING WALL
#5 Steel Rebar w/Survey Cap #2124 Or MagNail w/Washer Set 0.3' North (typical)
BRICK WALKWAY
OPEN SPACE TYP. SEE L-1
4'X4' CONCRETE LANDING
STALL STRIPING & NUMBERING PER DETAIL
9', TYP.
COVERED OPEN-AIR PARKING
UTILITY ROOM
STORAGE ROOM
GARAGE SURFACE TO BE CONSTRUCTED OF BITUMINOUS PAVEMENT
WALL-MOUNTED BICYCLE STORAGE (2 BICYCLES)
WORKFORCE RESIDENTIAL UNIT
GARAGE ENTRANCE
ELEVATOR SHAFT
PROPOSED BUILDING 2,715 SF FOOTPRINT
COVERED ENTRANCE WITH BRICK WALK
REFER TO ARCHITECTURAL PLANS FOR BUILDING DESIGN. CONTRACTOR TO ENSURE MATERIALS, DIMENSIONS, ETC. ARE CONSISTENT BETWEEN PLAN SETS
PROPOSED RAIN GARDEN PER DETAIL
PLANTER BOX
BRICK WALK
N/F Portland VOA Elderly Housing Inc
158 NORTH STREET
EX. PROPERTY LINE
PROPOSED BITUMINOUS PAVEMENT PER DETAIL
SAWCUT AND MATCH EX. PAVEMENT W/ UNIFORM VERTICAL JOINT AND TACK COAT
BRICK WALK ACCESS EASEMENT FROM 126 TO 128R NORTH STREET
126 NORTH STREET 1540 SF
PARTIAL GREEN WALL ALONG NORTHWEST BUILDING FACE
N/F Kremer
128F NORTH STREET
EX EDGE OF PAVEMENT, TYP.
4.58' WIDE BRICK WALK FLUSH W/ PAVEMENT, BASE AND SUBBASE PROFILE SHALL BE IDENTICAL TO PAVEMENT PROFILE - SEE DETAIL
EX EDGE OF BUILDING, TYP.
REBUILD BRICK SIDEWALK TO CITY STANDARDS, TYP.
LOAM AND SEED ANY DISTURBED AREAS
PROPOSED DRIVEWAY APRON PER DETAIL, TYP.
EXISTING STREET TREE TO REMAIN, TYP.
EXISTING UTILITY POLE TO BE REMOVED AND REPLACED BY CMP. SIDEWALK ASSEMBLY ANCHOR TO BE INSTALLED AND ANCHORED ON 126 NORTH STREET PURSUANT TO EASEMENT WITH CMP. (COORDINATED BY CONTRACTOR)
RESET EXISTING VERTICAL GRANITE CURB, TYP.
UTILITY TRENCH WITHIN R.O.W., TYP.
NORTH STREET
PUBLIC 66' WIDE
PROPOSED UTILITY POLE #17H AND OHE/T/C PER C-20 WITH SIDEWALK ASSEMBLY ANCHOR WITHIN RIGHT-OF-WAY
Found #5 Steel Rebar w/Survey Cap (3" up/disturbed)
Found #5 Steel Rebar w/Survey Cap (flush)
Found #5 Steel Rebar w/Survey Cap (0.3' up/disturbed)
Found Pinking
Found Pinking
Found Pinking


N/F
Redfern Munior, LLC
Tiered Concrete Retaining Wall
DENSELY PLANT SWITCH GRASS ON ALL DISTURBED SLOPED
PROPOSED TREE/BRUSH LINE, TYP.
RETAINING WALL
EX. RETAINING WALL
#5 Steel Rebar w/Survey Cap #2124 Or MagNail w/Washer Set 0.5' Out (Typical)
ENGLISH IVY PLANTED ON FENCE INSTALL LATTICE ALONG EXPOSED RETAINING WALL
EXISTING TREE/BRUSH LINE, TYP.
BLUE POINT JUNIPERS JB (2)
Found #5 Steel Rebar w/Survey Cap (3" up/disturbed)
BLUE POINT JUNIPER JB (3)
COVERED OPEN-AIR PARKING
UTILITY ROOM
STORAGE ROOM
WORKFORCE RESIDENTIAL UNIT
PENCIL POINT JUNIPER JC (4)
REDTWIG DOGWOOD CB (2)
CS (5)
PG (3)
AL (1)
JB (2)
JC (5)
PLANTER BOX. TYP. W/ MIXED ANNUALS
RAIN GARDEN
RH (9)
SS (9)
CS (1)
RH (10)
KF (11)
PENCIL POINT JUNIPER JC (6)
PAVED DRIVEWAY
N/F
Portland VOA Elderly Housing Inc
158 NORTH STREET
N/F
Roy
122 NORTH STREET
BRICK WALKWAY
N/F
Kremer
128F NORTH STREET
PQ (30) PLANTED IN BETWEEN BUILDING AND BRICK WALK. PARTIAL GREEN WALL PER ARCHITECT
CB (4)
PG (1)
RH (3)
SS (3)
EX. EDGE OF PAVEMENT
LOAM AND SEED, TYP.
EXISTING STREET TREE TO REMAIN, TYP.
Paved Sidewalk
Granite Curb
Granite Curb
Porch
Porch
Porch
Paved Patio
Paved Patio
Old Wire & Cedar Post Fence
Landscaped Area
Landscaped Area
Concrete Patio
Concrete Patio
Concrete Patio


N/F
Redfern Munjoy, LLC
Tiered Concrete Retaining Wall
EX. RETAINING WALL TO BE UNDISTURBED
EXISTING 10' EASEMENT FOR RETAINING WALL MAINTENANCE BENEFITTING DOWNGRADIENT ABUTTER
#5 Steel Rebar w/Survey Cap #2124 Or MagNail w/Washer Set (5' up) (typical)
FOUNDATION DRAIN
Found #5 Steel Rebar w/Survey Cap (3' up/disturbed)
COVERED OPEN-AIR PARKING
ELEVATOR SUMP CONNECTION W/ POTENTIAL PUMP
OWS RIM 140.60' INV. OUT 136.00'
POTENTIAL CMP METER LOCATION
POTENTIAL UNITIL METER LOCATION
TESTABLE DCVA BACKFLOW DEVICE SHALL BE INSTALLED IN THE BUILDING AFTER THE METER
UTILITY ROOM
STORAGE ROOM
WORKFORCE RESIDENTIAL UNIT
COORDINATE WITH MEP ON RESIDENTIAL SEWER CONNECTION TO SEWER LATERAL
PROPOSED STORMWATER RAIN GARDEN PER C-30
N/F
Portland YOA Elderly Housing, Inc.
N/F
Roy
REFER TO UPRIGHT DEED EASEMENT BK 1143 PG 307 FOR UTILITY RIGHTS
RESTORE GAS SERVICE TO 128F. TEMPORARY SERVICE SHUTOFF SHALL BE COORDINATED WITH OWNER AND UNITIL
BRANCH GAS SERVICE OFF NEW LINE AND ROUTE TO 128F PROPERTY
6" PVC SDR35 L=165' S=0.02
N/F
Kremer
THE PROPOSED CABLE SERVICE SHALL REQUIRE A MAIN CABLE LINE TO A LOCKBOX THAT WILL BE INSTALLED NEXT TO THE METER BANKS. UGC MINIMUM OF 3" PIPE WITH A PULL ROPE.
TESTABLE DVCA BACKFLOW DEVICE SHALL BE INSTALLED IN THE BUILDING AFTER THE METER
1.5" DOMESTIC LINE. SOLID PIPE (NO JOINTS WHEN CROSSING PL)
POTENTIAL LOCATION FOR CMP METERS
EXISTING GAS SERVICE TO BE REROUTED UNTIL DEMOLITION OF 126
BACKFLOW VALVE PER DETAIL, TYP. OF 2
PROPOSED UNDERGROUND ELECTRIC AND CABLE CONDUITS. ENCASE IN CONCRETE WITHIN R.O.W.
BACKFLOW VALVE PER DETAIL, TYP. OF 2
EXISTING OVERHEAD ELECTRIC TO 122 NORTH STREET
1.5" CURB STOP
4" GATE VALVE
1.5" CURB STOP
6" GATE VALVE
PROPOSED 4" D.I. SPRINKLER LINE
PROPOSED SEWER 6" PVC SDR 35 L= 90' S= 0.01 MIN
PROPOSED 6" D.I. SPRINKLER LINE
PROPOSED POLE-MOUNTED TRANSFORMER ON POLE #18.1. POLE TO BE REPLACED BY CMP. SEE NOTE 10 & 11.
PROPOSED 12"X4" TAPPING SLEEVE AND GATE VALVE
12"X6"TAPPING SLEEVE AND GATE 6" VALVE
CONTRACTOR TO TEST PIT FOR WATER MAIN PRIOR TO ANY OTHER UTILITY CONSTRUCTION. IF PIPE JOINT IS FOUND AT PROPOSED TAPPING LOCATION, CONTACT ENGINEER PRIOR TO ANY FURTHER WORK
EXISTING 12" DI WATER MAIN (2001)
PROPOSED GAS SERVICE
EXISTING 12" PVC SEWER MAIN
UTILITY TRENCH WITHIN R.O.W., TYP.
EXISTING GAS MAIN
APPROX. INVERTS INTO MAIN: 132.75'. TEST PIT TO CONFIRM, TYP. OF ALL UTILITY CONNECTIONS
PROPOSED GAS SERVICE
PROPOSED UTILITY POLE #17H AND OHE/T/C PER C-20 WITH SIDEWALK ASSEMBLY ANCHOR WITHIN RIGHT-OF-WAY
NORTH STREET
RIM=134.7'
12"PVC INV.IN=127.2'(SE)
6"PVC INV.IN=127.4'(NE)
12"PVC INV.OUT=127.2'(NW)
12"PVC SS @ 189LF.
RIM=140.4'
12"PVC INV.IN=132.8'(SW)
INV.IN=133.1'(SW)
12"PVC INV.OUT=132.7'(NW)
Landscaped Area
Paved Sidewalk
Granite Curb
Paved Roadway
Concrete Pads (flush)
Pavement Edge (not shown)
Old Water & Cable Pole Fence
Porch
Sill=143.2'
Found Pipe
Found Rebar
Found Pipe (flush)
Found Rebar (flush)
Found Rebar w/Survey Cap
Found Rebar w/Survey Cap (flush)
Found Rebar w/Survey Cap (3' up/disturbed)
Found Rebar w/Survey Cap (5' up)
Found Rebar w/Survey Cap (5' up/disturbed)
Found Rebar w/Survey Cap (flush)
Found Rebar w/Survey Cap (flush/disturbed)
Found Rebar w/Survey Cap (typical)
Found Rebar w/Survey Cap (typical/disturbed)
Found Rebar w/Survey Cap (typical/flush)
Found Rebar w/Survey Cap (typical/flush/disturbed)
Found Rebar w/Survey Cap (typical/flush/disturbed)
Found Rebar w/Survey Cap (typical/flush/disturbed

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 8/26/19
LEVEL III SITE PLAN	WHS 9/7/19
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: GRADING & DRAINAGE PLAN

PROJECT NAME: 126/128R NORTH STREET REDEVELOPMENT

CLIENT: UPRIGHT PROPERTIES, LLC
PO BOX 833 WILTON, ME 04294

THESE PLANS SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. AND SHALL BE RETURNED UPON REQUEST OR, OTHERWISE, SHALL BE THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

ACORN ENGINEERING, INC.
65 HANOVER ROAD, SUITE 310 FLORENCE, MAINE 04101
(207) 775-2655

FILE:	1116_CIVIL
JN:	1116
SCALE:	1"=10'
DESIGNED BY:	SJL
DRAWN BY:	ZMS
CHECKED BY:	WHS

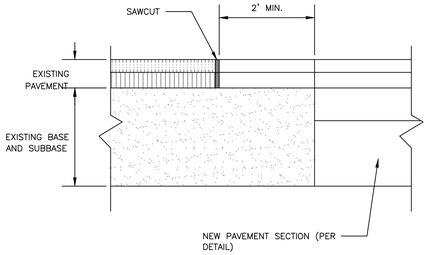
STATE OF MAINE
WILLIAM H. SAVAGE
No. 11410
5-13-2020
REGISTERED PROFESSIONAL ENGINEER

DRAWING NO.
C-30

NOTES:

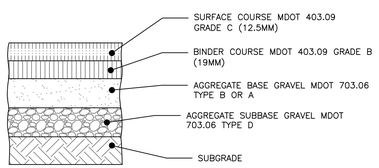
1. SAWCUT EXISTING PAVEMENT AND REMOVE 2' STRIP OF EXISTING PAVEMENT. APPLY BITUMINOUS TACK COAT PRIOR TO PLACEMENT OF NEW BITUMINOUS PAVEMENT.

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

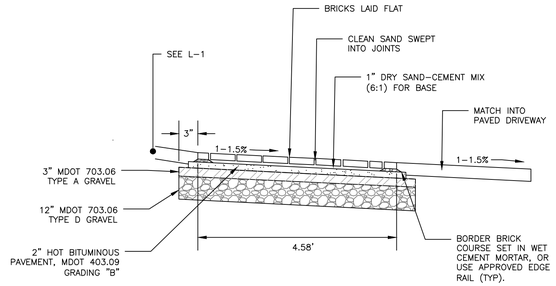


NOTE:
COMPACT SUBGRADE TO 95% MAXIMUM DRY DENSITY IN ACCORDANCE WITH ASTM D-1557

	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



INTERNAL BRICK PEDESTRIAN SIDEWALK ON VEHICULAR WAY

NOT TO SCALE

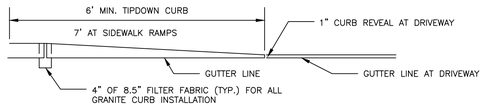
NOTES:

1. BRICKS TO BE USED:

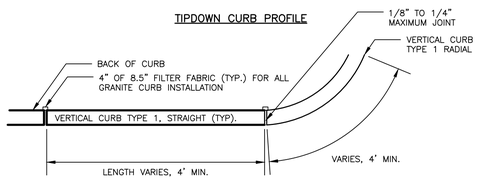
   NEW CONSTRUCTION:
   4"X8" PINE HALL PATHWAY PAVER BRICK; MFG. BY PINE HALL BRICK CO., MADISON, NORTH CAROLINA. LACHANCE ITEM #193623;. PINE HALL PATHWAY PAVER BRICK.

   REPAIR/MAINTENANCE TO EXISTING BRICK SIDEWALKS:
   VERMONT BACKER SUPPLIED BY GAGNE AND SONS SPECIFICATION NUMBER: "VERMONT PAVER BRICK", ITEM NUMBER #VBBB

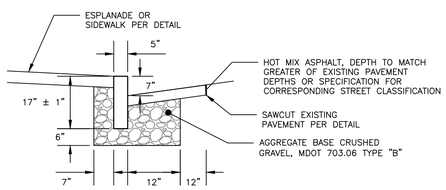
2. INSTALL BRICK FLUSH UP TO BUILDING, PAVEMENT, STAIRS, CONCRETE SURFACES, CURB OR LANDSCAPED AREAS.



TIPDOWN CURB PROFILE



VERTICAL GRANITE CURB PLAN VIEW



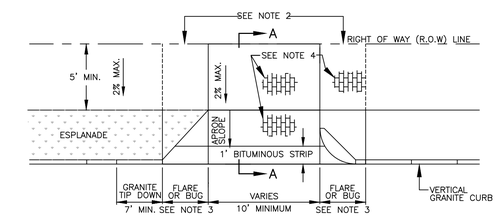
VERTICAL GRANITE CURB CROSS SECTION

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

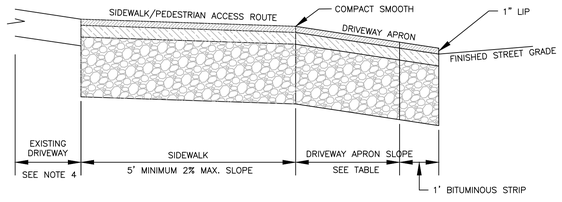


APRON SLOPE TABLE

LAND USE	MAXIMUM RECOMMENDED GRADE CHANGE AT STREET(G)
RESIDENTIAL WITH <9 PARKING SPACES	14%
ALL OTHER DRIVEWAYS	10%

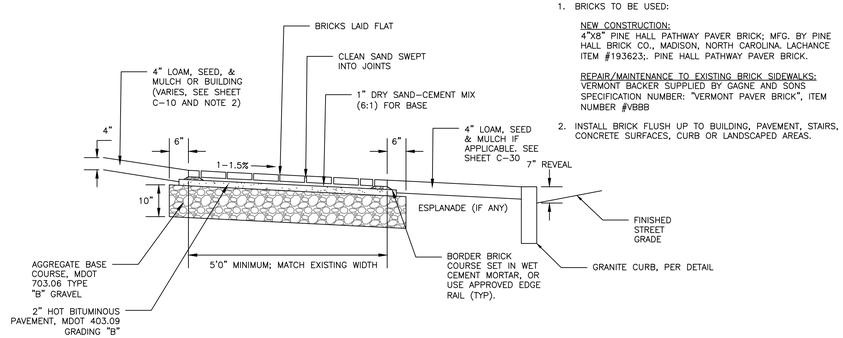
NOTES:

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



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 7/24/2020

DRAWING NAME: SITE DETAILS – 1

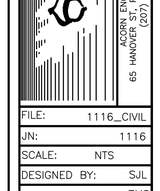
PROJECT NAME: 128R NORTH STREET REDEVELOPMENT

CLIENT: UPRIGHT PROPERTIES, LLC
PO BOX 833 WILTON, ME 04294

ACORN ENGINEERING, INC.
65 HANCOCK STREET, PORTLAND, MAINE 04101
(207) 775-2655

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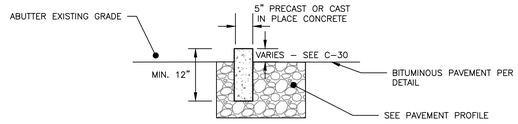
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SCALE: NTS
DESIGNED BY: SJL
DRAWN BY: ZMS
CHECKED BY: WHS



DRAWING NO.
C-40

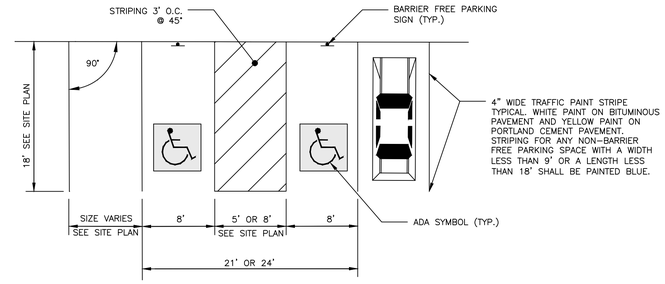
NOTES:

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



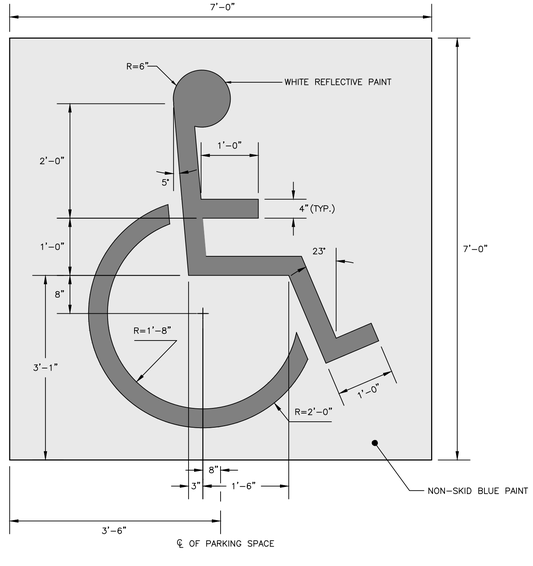
VERTICAL CONCRETE CURB DETAIL

NOT TO SCALE



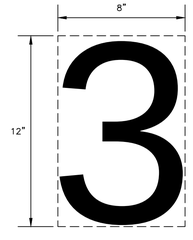
PARKING SPACE DIMENSIONS

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 7/24/2020

DRAWING NAME: SITE DETAILS – 2

PROJECT NAME: 128R NORTH STREET REDEVELOPMENT

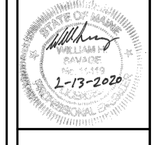
CLIENT: UPRIGHT PROPERTIES, LLC
PO BOX 833 WILTON, ME 04294

ACORN ENGINEERING, INC.

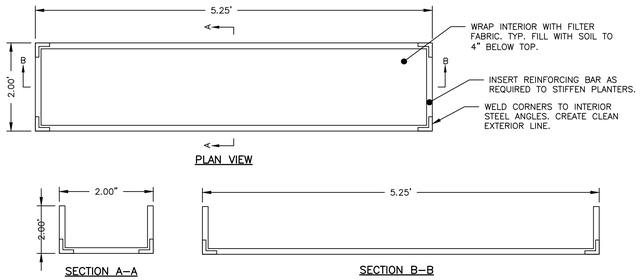
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ACORN ENGINEERING, INC.
65 HANCOCK ST. PORTLAND, MAINE 04101
(207) 775-2655

FILE: 1116_CIVIL
JN: 1116
SCALE: NTS
DESIGNED BY: SJL
DRAWN BY: ZMS
CHECKED BY: WHS



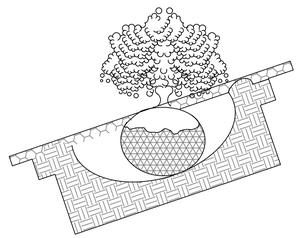
DRAWING NO.
C-41



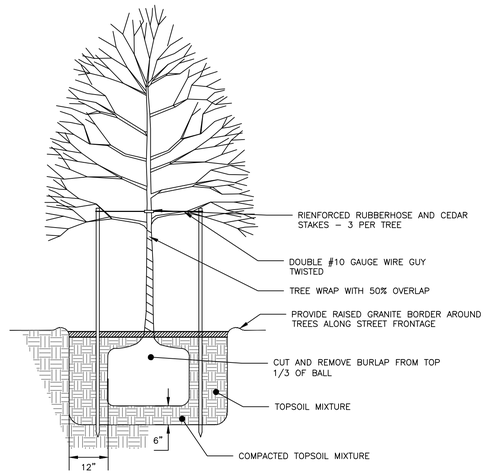
WEATHERING STEEL PLANTER BOX
NOT TO SCALE

NOTES:

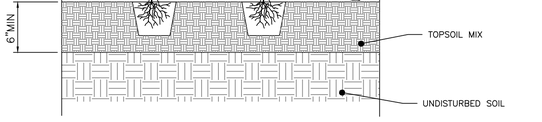
1. DIG HOLE AT LEAST 2 TIMES THE DIAMETER OF THE ROOT BALL AND AS DEEP AS THE ROOT BALL (NO DEEPER). SET ROOT BALL CENTERED, WITH THE TOP AT DOWNHILL EDGE OF THE HOLE.
2. TOPSOIL BACKFILL SHALL BE NATURAL FRIABLE, FERTILE, FINE LOAMY SOIL POSSESSING THE CHARACTERISTICS OF TOPSOIL IN THE VICINITY WHICH 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.



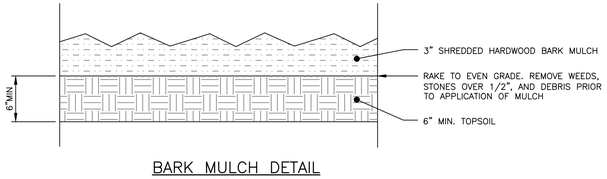
TYPICAL PLANTING
NOT TO SCALE



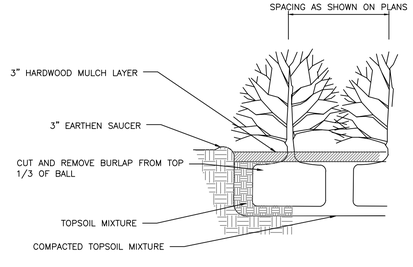
TREE PLANTING DETAIL
NOT TO SCALE



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
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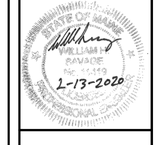
ISSUED FOR	BY DATE
LEVEL III SITE PLAN	WHS 8/7/19
PHASE II UPDATE	WHS 10/29/19
COMMENT RESPONSE 2	WHS 7/24/2020

DRAWING NAME: LANDSCAPING DETAILS
PROJECT NAME: 128R NORTH STREET REDEVELOPMENT
CLIENT: UPRIGHT PROPERTIES, LLC
PO BOX 833 WILTON, ME 04294

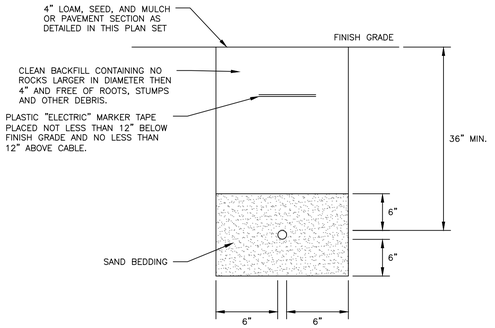
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65 HANCOCK ST. PORTLAND, MAINE 04101
(207) 775-2655

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JN: 1116
SCALE: NTS
DESIGNED BY: SJL
DRAWN BY: ZMS
CHECKED BY: WHS

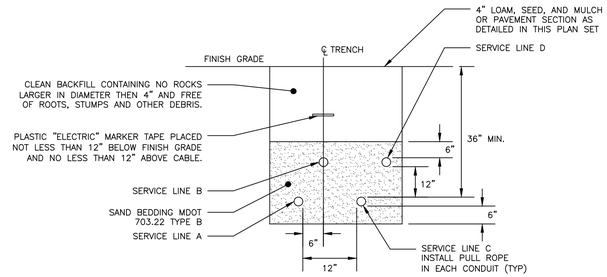


DRAWING NO.
C-42



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:

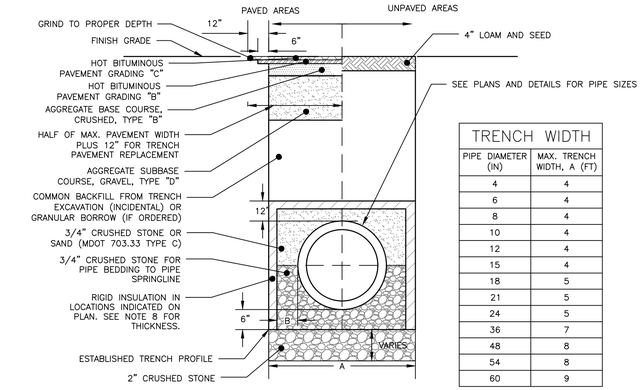
1. ONE CONDUIT CAPPED FOR SPARE, PROVIDE GALVANIZED STEEL LONG SWEEP AT RISER POLE AND EXTEND GALVANIZED CONDUIT TO 10" ABOVE GRADE AT POLE WITH STAND–OFF BRACKETS.
2. MINIMUM SEPARATION OF 24 INCHES BETWEEN PRIMARY CABLE/CONDUIT AND GAS LINES SHALL BE MAINTAINED.
3. CONDUITS WITHIN THE CITY RIGHT–OF–WAY 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.



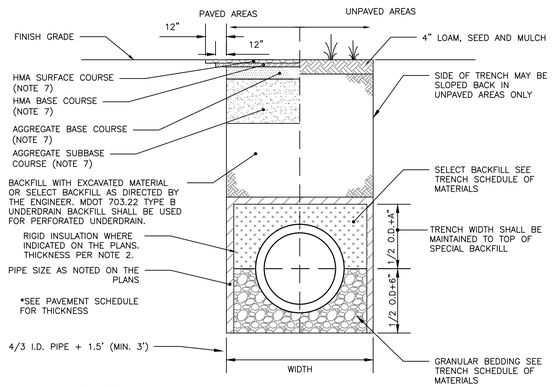
TRENCH WIDTH	
PIPE DIAMETER (IN)	MAX. TRENCH WIDTH, A (FT)
4	4
6	4
8	4
10	4
12	4
15	4
18	5
21	5
24	5
36	7
48	8
54	8
60	9

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



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

ALLOWABLE PIPE MATERIALS:

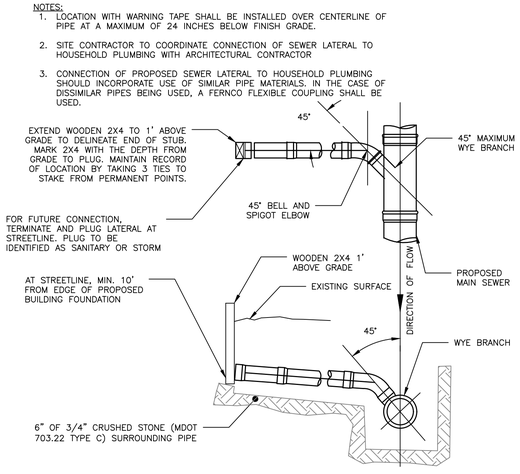
- REINFORCED CONCRETE PIPE (RCP) MIN. STRENGTH OF CLASS III
- PVC RING TYPE SEWER (SDR 35) OR EQUIVALENT, MIN PS–46 RATING
- PVC RING TYPE SEWER PIPE MEETING ASTM F 789
- DUCTILE IRON PIPE (DIP)
- ADS N–12 HP TRIPLE–WALL MIN PS–46 RATING
- ADS SANITITE HP MIN. PS–46

INTERNAL STORM DRAIN AND SEWER TYPICAL TRENCH SECTION

NOT TO SCALE

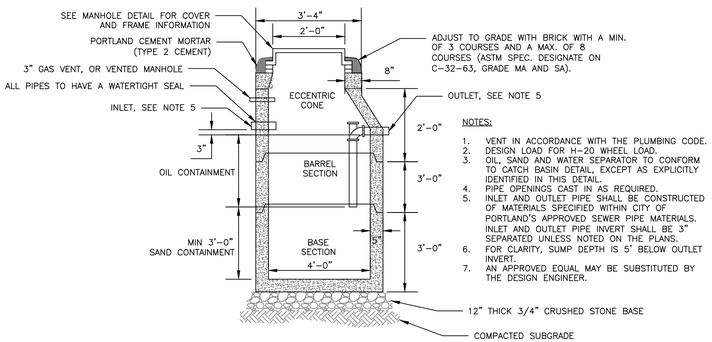
NOTES:

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

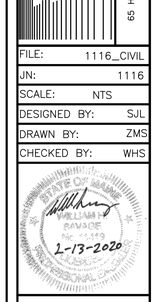
PROJECT NAME: 128R NORTH STREET REDEVELOPMENT

CLIENT: UPRIGHT PROPERTIES, LLC
PO BOX 833 WILTON, ME 04294

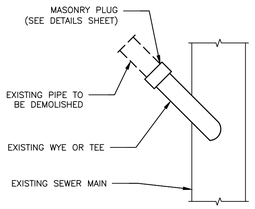
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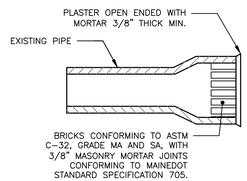
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JN:	1116
SCALE:	NTS
DESIGNED BY:	SJL
DRAWN BY:	ZMS
CHECKED BY:	WHS



DRAWING NO.
C-43

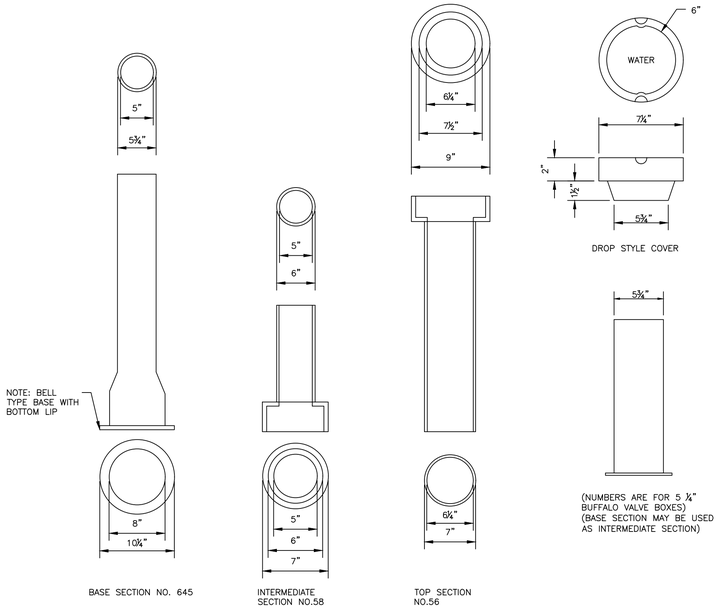




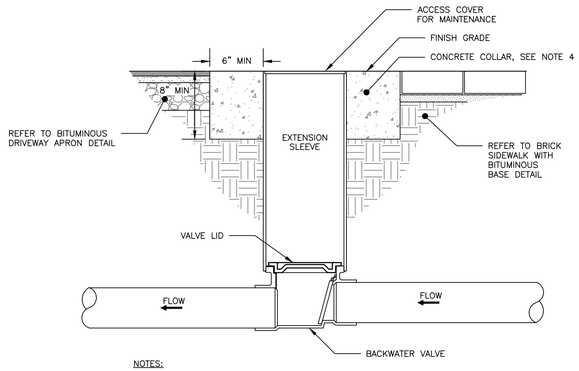
DESIGN NOTES:

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



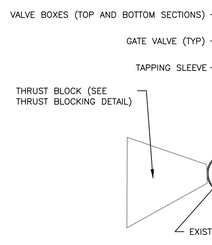
VALVE BOX & COVER
NOT TO SCALE



NOTES:

1. BACKFLOW VALVE TO BE PROVIDED BY AGRI DRAIN CORPORATION OR AN APPROVED EQUAL.
2. VALVE TO BE INSTALLED TO MANUFACTURER'S SPECIFICATIONS AND COMPLY WITH RULES AND REGULATIONS AS OUTLINED IN SECTION 2 OF THE CITY OF PORTLAND TECHNICAL MANUAL.
3. VALVE SHALL BE INSTALLED WITH A VALVE BOX AND COVER TO PROVIDE EASY ACCESS AND MAINTENANCE; VALVE COVER SHALL STATE 'SEWER' ON LID FLUSH TO SURFACE. REFER TO VALVE & BOX COVER DETAIL FOR ADDITIONAL INFORMATION.
4. CONCRETE COLLAR AT A MINIMUM 24-HOUR COMPRESSIVE STRENGTH OF 3,000 PSI.

BACKFLOW VALVE ASSEMBLY
NOT TO SCALE

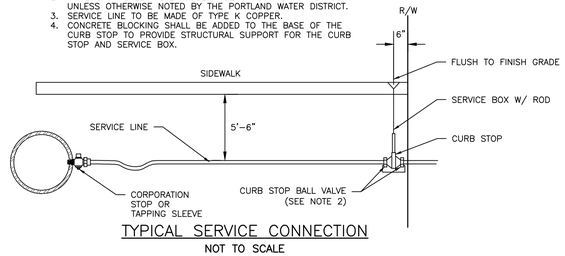


SIDE VIEW

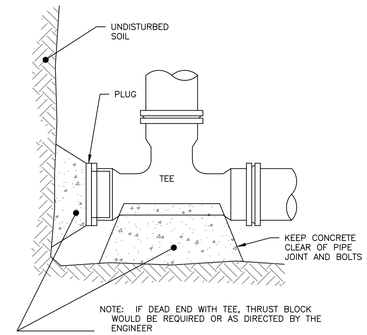
TAPPING SLEEVE AND VALVE
NOT TO SCALE

NOTES:

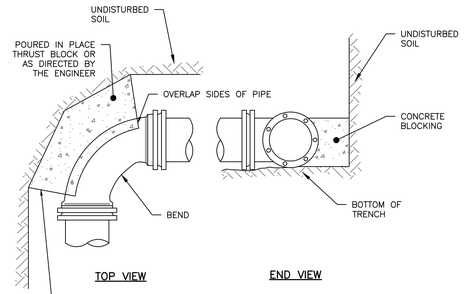
1. ALL MATERIALS AND INSTALLATION PROCEDURES MUST COMPLY WITH THE CITY OF PORTLAND WATER DISTRICT (PWD) SPECIFICATIONS.
2. CURB STOP BALL VALVE TO BE MADE OF COPPER OR BRASS UNLESS OTHERWISE NOTED BY THE PORTLAND WATER DISTRICT.
3. SERVICE LINE TO BE MADE OF TYPE K COPPER.
4. CONCRETE BLOCKING SHALL 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



END SECTION



TOP VIEW

END VIEW

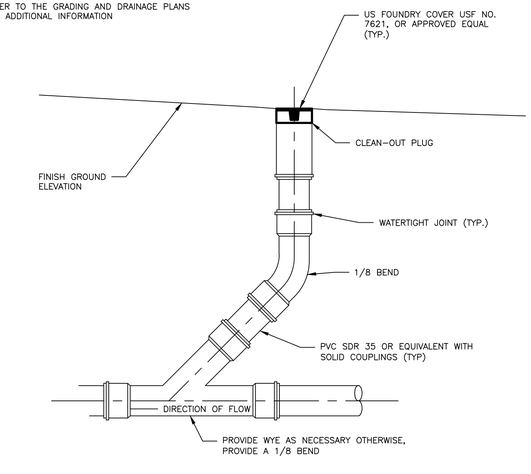
NOTE: SEE THRUST/RETAINER GLAND SCHEDULE FOR TYPE OF BLOCKING TO BE USED ON BENDS

REGULAR BEND

THRUST BLOCKING
NOT TO SCALE

NOTES:

1. REFER TO THE GRADING AND DRAINAGE PLANS FOR ADDITIONAL INFORMATION



CLEANOUT 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 7/24/2020

DRAWING NAME: UTILITY DETAILS – 2

PROJECT NAME: 128R NORTH STREET REDEVELOPMENT

CLIENT: UPRIGHT PROPERTIES, LLC
PO BOX 833 WILTON, ME 04294

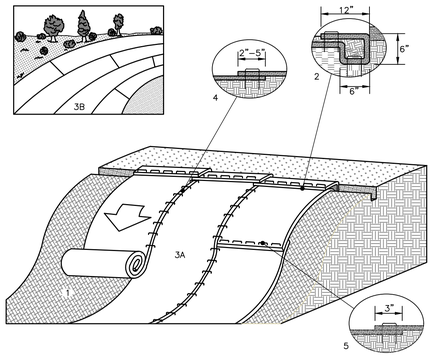
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(207) 775-2655

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JN:	1116
SCALE:	NTS
DESIGNED BY:	SJL
DRAWN BY:	ZMS
CHECKED BY:	WHS

STATE OF MAINE · WILLIAM H. SAVAGE · 10178 · REGISTERED PROFESSIONAL ENGINEER · 2-13-2020

DRAWING NO.
C-44



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.

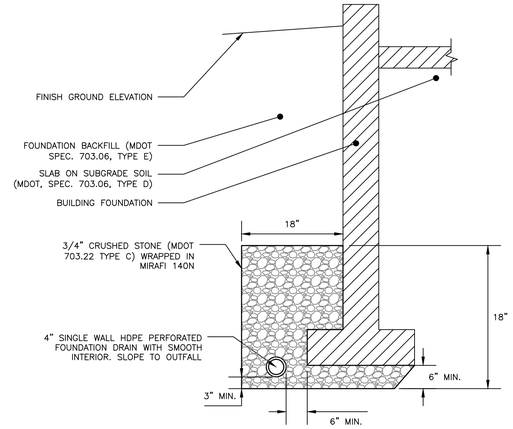
*NOTE:
IN LOOSE SOIL CONDITIONS, THE USE OF STAPLE OR STAKE LENGTHS GREATER THAN 6" MAY BE NECESSARY TO PROPERLY SECURE THE ECB.

EROSION CONTROL BLANKET SLOPE INSTALLATION

NOT TO SCALE

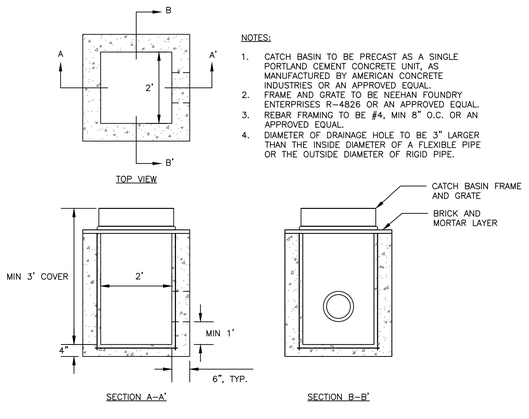
NOTES:

1. REFER TO THE BUILDING ARCHITECTS PLANS FOR THE BUILDING FOUNDATION, BACKFILL, ROOF DRAIN, SIDEWALK AND OTHER DETAILS.
2. PERFORATIONS IN UNDERDRAIN PIPE SHALL BE ORIENTED DOWN.
3. 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

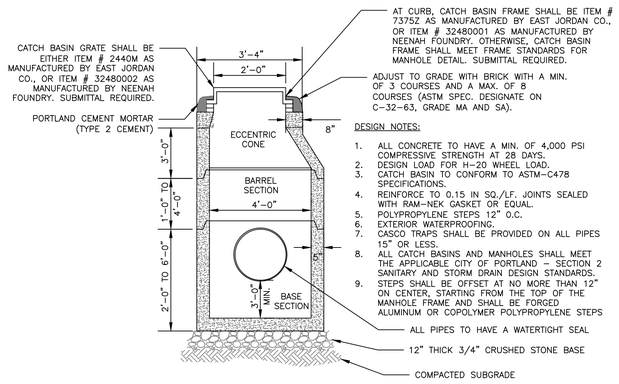


NOTES:

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:

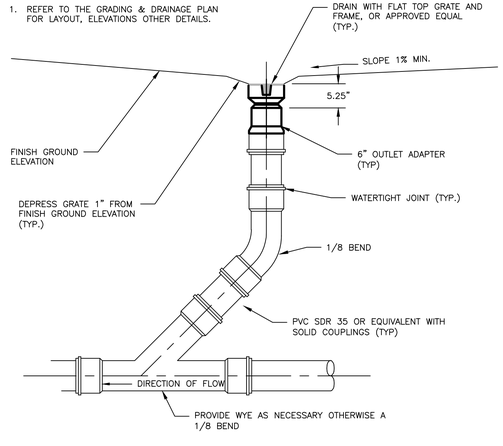
1. ALL CONCRETE TO HAVE A MIN. OF 4,000 PSI COMPRESSIVE STRENGTH AT 28 DAYS.
2. DESIGN LOAD FOR H-20 WHEEL LOAD.
3. CATCH BASIN TO CONFORM TO ASTM-C478 SPECIFICATIONS.
4. REINFORCE TO 0.15 IN SQ./LF. JOINTS SEALED WITH RAM-NEK GASKET OR EQUAL.
5. POLYPROPYLENE STEPS 12" O.C.
6. EXTERIOR WATERPROOFING.
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

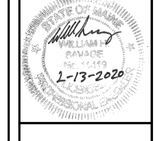
PROJECT NAME: 128R NORTH STREET REDEVELOPMENT

CLIENT: UPRIGHT PROPERTIES, LLC
PO BOX 833 WILTON, ME 04294

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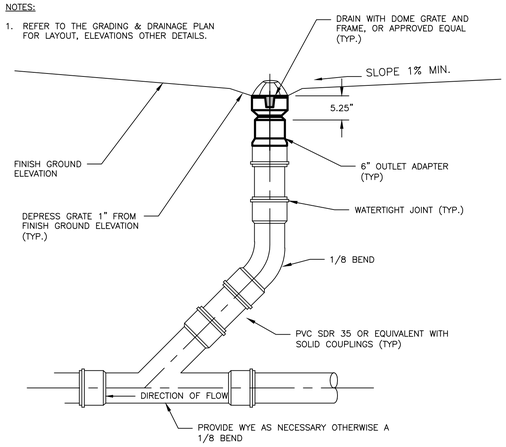
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DESIGNED BY:	SJL
DRAWN BY:	ZMS
CHECKED BY:	WHS



DRAWING NO.
C-45

NOTES:

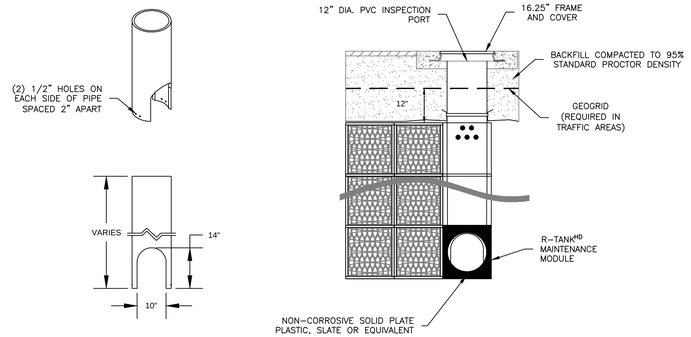
1. REFER TO THE GRADING & DRAINAGE PLAN FOR LAYOUT, ELEVATIONS OTHER DETAILS.



OVERFLOW BEEHIVE DRAIN

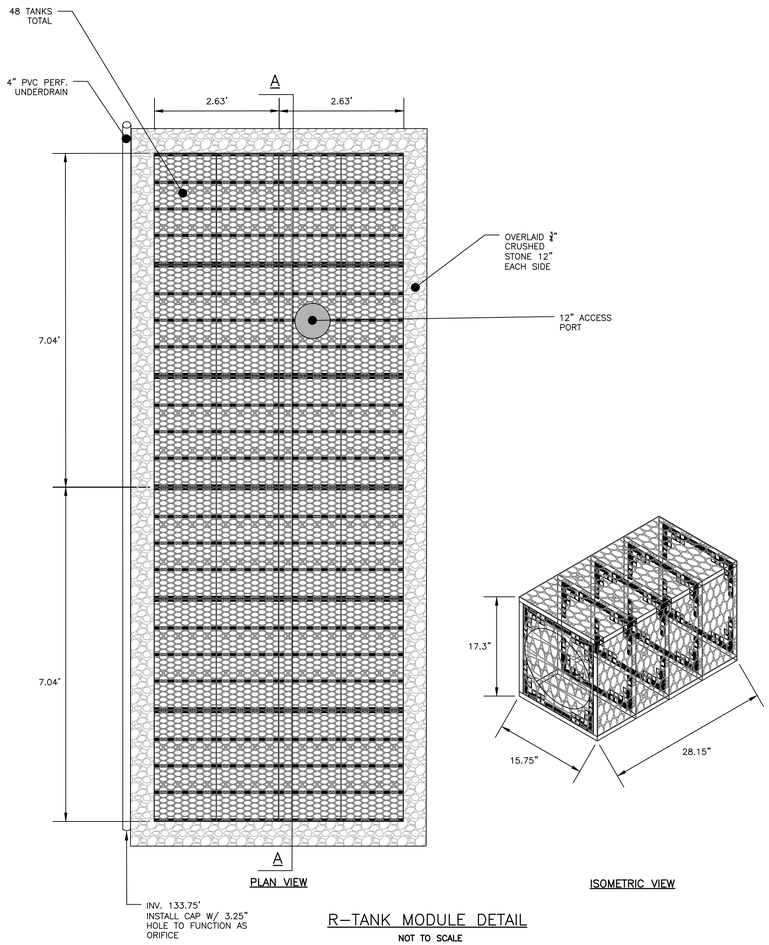
NOTES

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

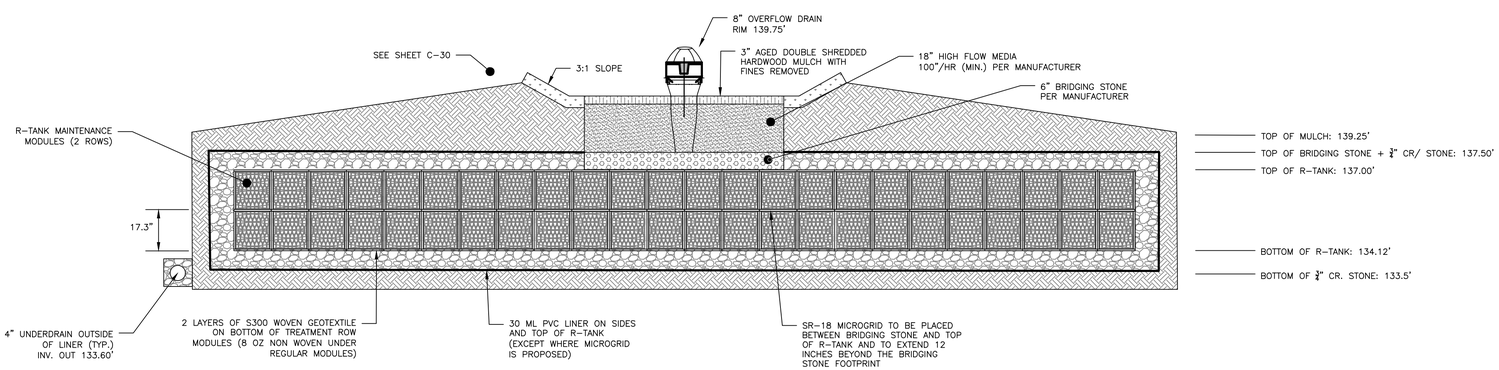


PLAN VIEW

ISOMETRIC VIEW

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

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SCALE:	NTS
DESIGNED BY:	SJL
DRAWN BY:	ZMS
CHECKED BY:	WHS

STATE OF MAINE
WILLIAM H. SAVAGE
PE 12149
2-13-2020
REGISTERED 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–P205–K20) 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:

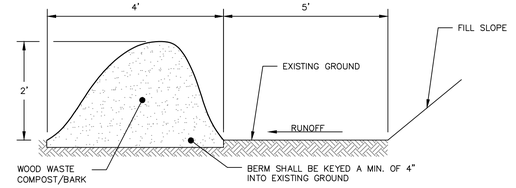
1. THE EROSION CONTROL MIX SHALL CONFORM TO THE FOLLOWING STANDARDS AND IN ACCORDANCE WITH THE MAINE DOT CHAPTER 700, SECTION 717.04(D):

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

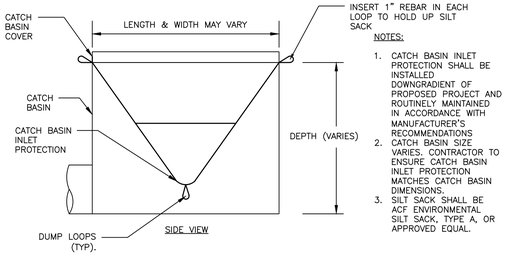
2. THE BERM SHOULD BE PLACED, UNCOMPACTED, ALONG A RELATIVELY LEVEL CONTOUR, WHEN NECESSARY THE BERM MAY BE PLACED PERPENDICULAR TO THE SLOPE ALONG THE PROPERTY LINE TO CONTAIN THE SEDIMENT PROVIDED A BERM IS LOCATED AT THE BASE OF THE SLOPE.

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



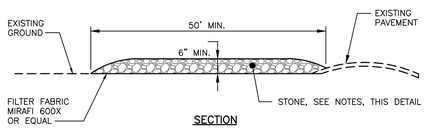
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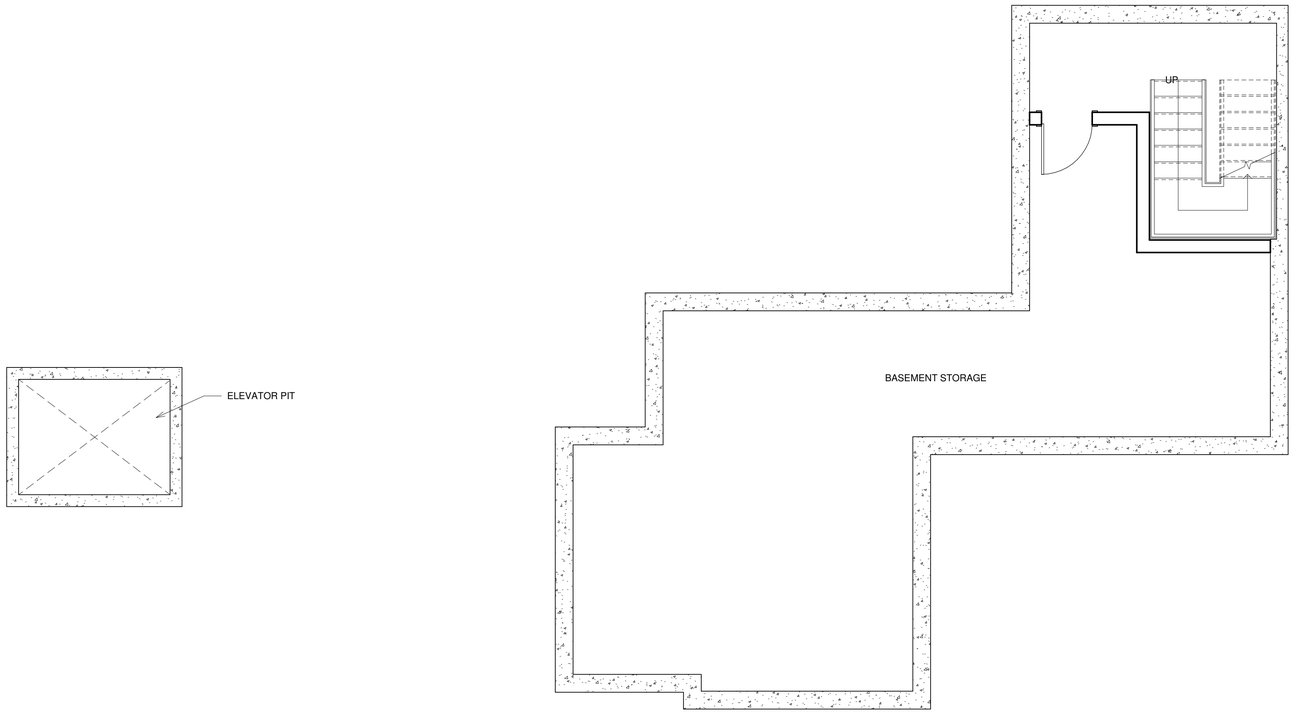
1. CATCH BASIN INLET PROTECTION SHALL BE INSTALLED DOWNGRADIENT OF PROPOSED PROJECT AND ROUTINELY MAINTAINED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS
2. CATCH BASIN SIZE VARIES. CONTRACTOR TO ENSURE CATCH BASIN INLET PROTECTION MATCHES CATCH BASIN DIMENSIONS.
3. SILT SACK SHALL BE ACF ENVIRONMENTAL 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


EXISTING GROUND
50' MIN.
6" MIN.
EXISTING PAVEMENT
FILTER FABRIC MIRAFI 600X OR EQU



A Basement Plan
1/4" = 1'-0"

128R North Street

NEW CONSTRUCTION

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No.	Description	Date

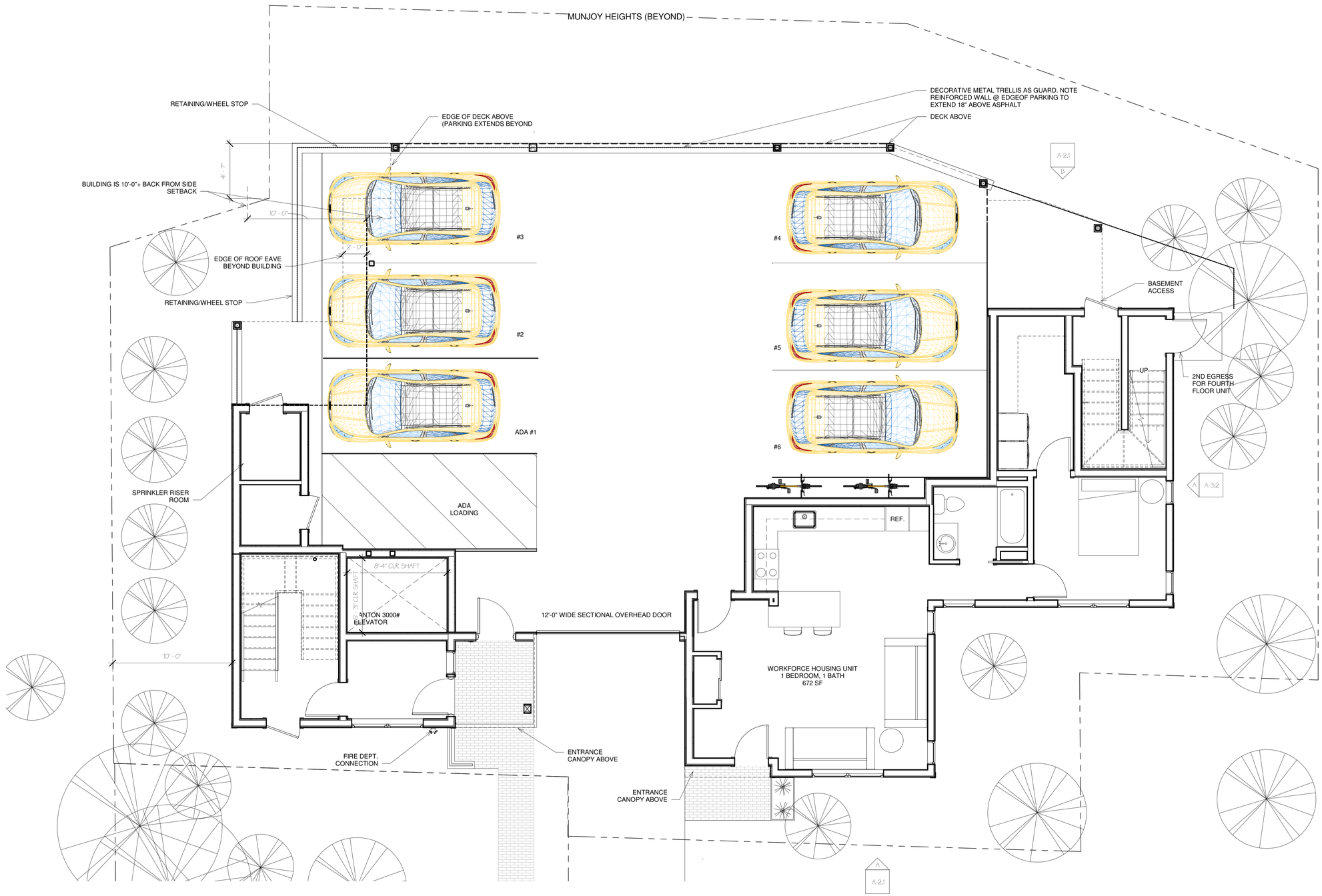
BASEMENT PLAN

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 First Floor
1/4" = 1'-0"

[DESIGN DEVELOPMENT NOT FOR CONSTRUCTION]

0' 2' 4' 8' 16'

126 & 128R North Street

NEW CONSTRUCTION

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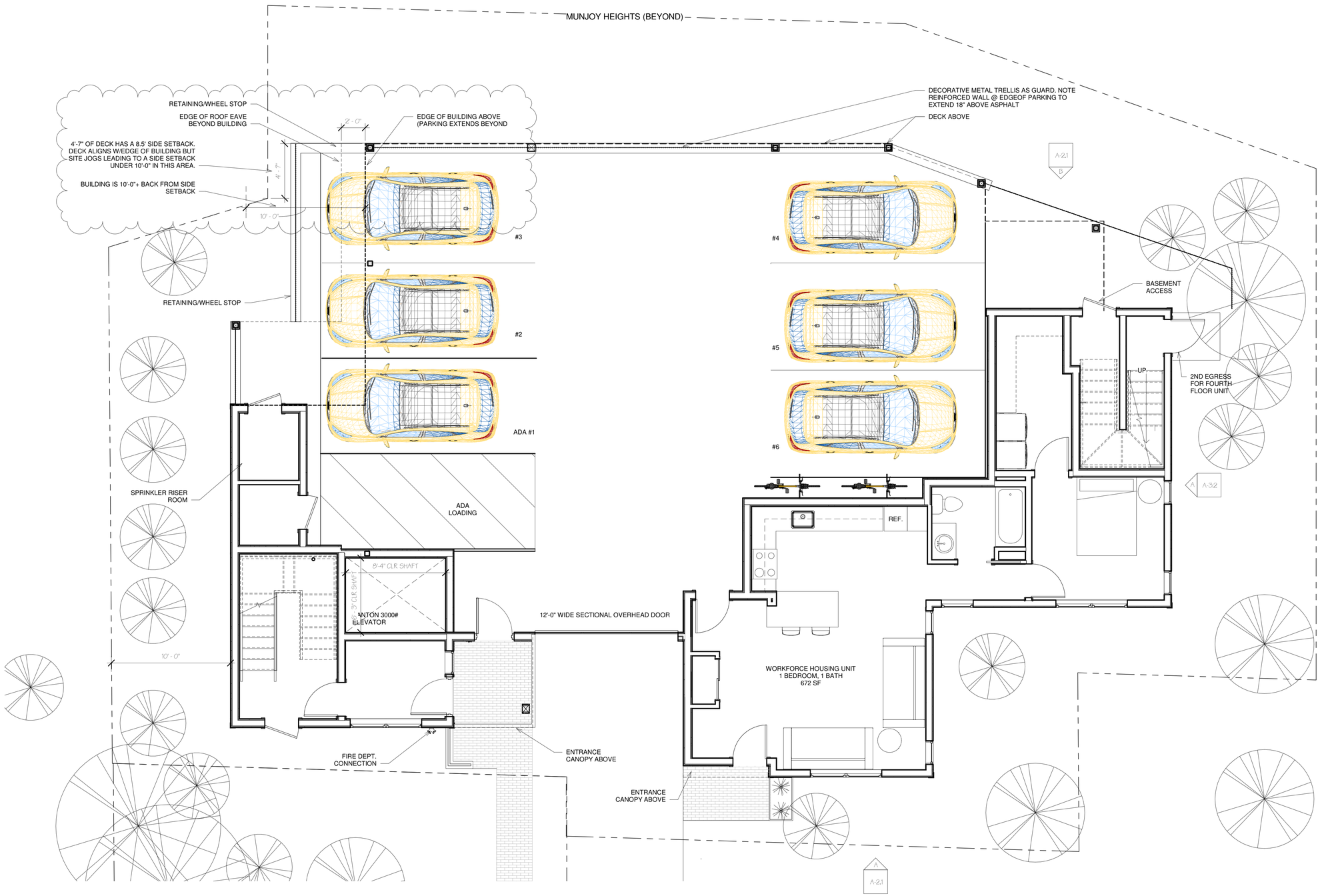
FIRST FLOOR PLAN

Project number	18-16_128R North
Date	04.16.20
Drawn by	TJR
Checked by	TJR

A-1.1

Scale 1/4" = 1'-0"

4/16/2020 8:55:09 AM



A First Floor
1/4" = 1'-0"

[DESIGN DEVELOPMENT NOT FOR CONSTRUCTION]

0' 2' 4' 8' 16'

126 & 128R North Street

NEW CONSTRUCTION

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No.	Description	Date
1	Revision 1	Date 1

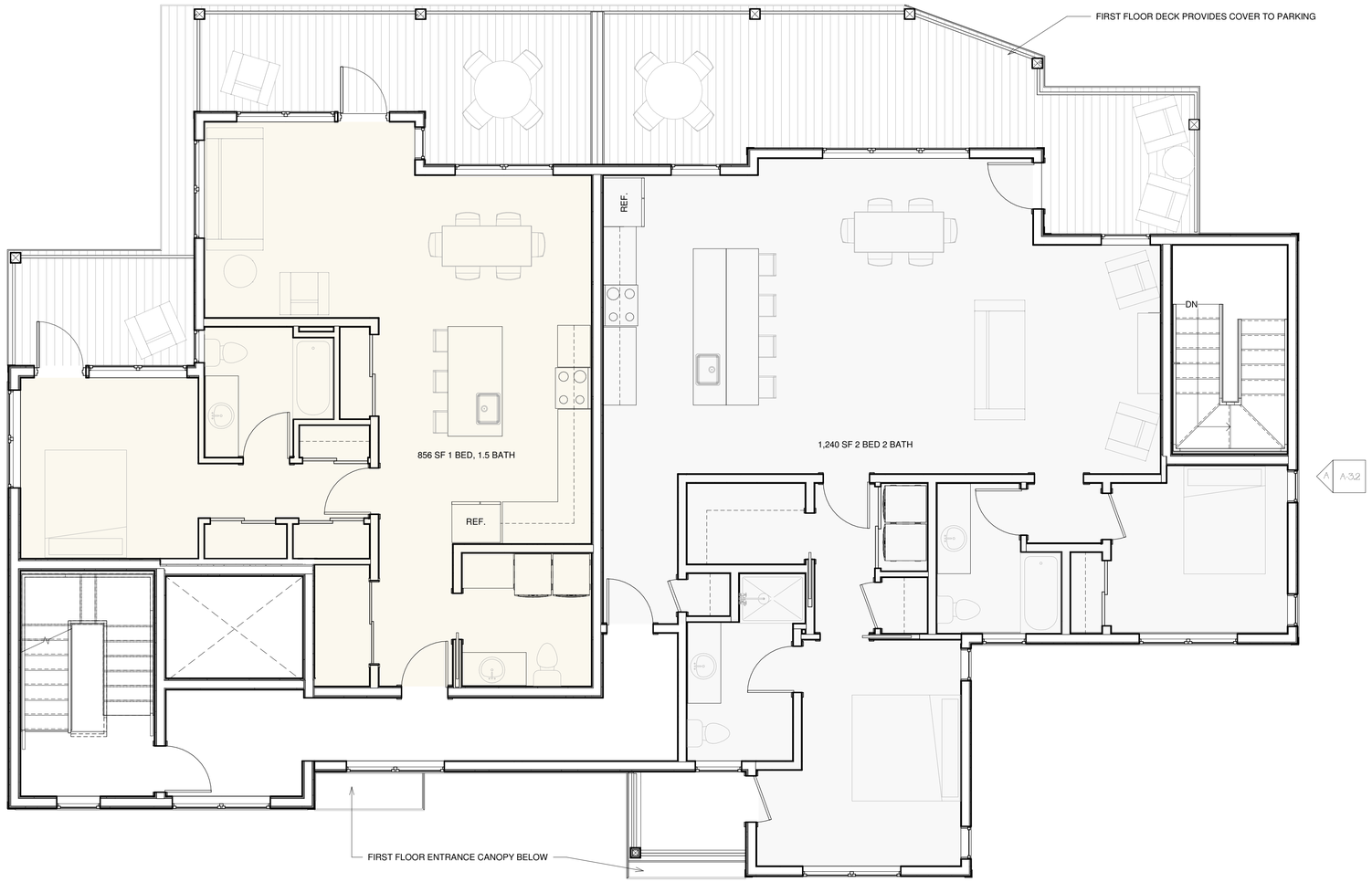
FIRST FLOOR PLAN

Project number	18-16_128R North
Date	11.19.18
Drawn by	TJR
Checked by	TJR

A-1.1

Scale 1/4" = 1'-0"

3/10/2020 8:30:30 AM



A Second Floor
1/4" = 1'-0"

[DESIGN DEVELOPMENT NOT FOR CONSTRUCTION]

0' 2' 4' 8' 16'

126 & 128R North Street

NEW CONSTRUCTION

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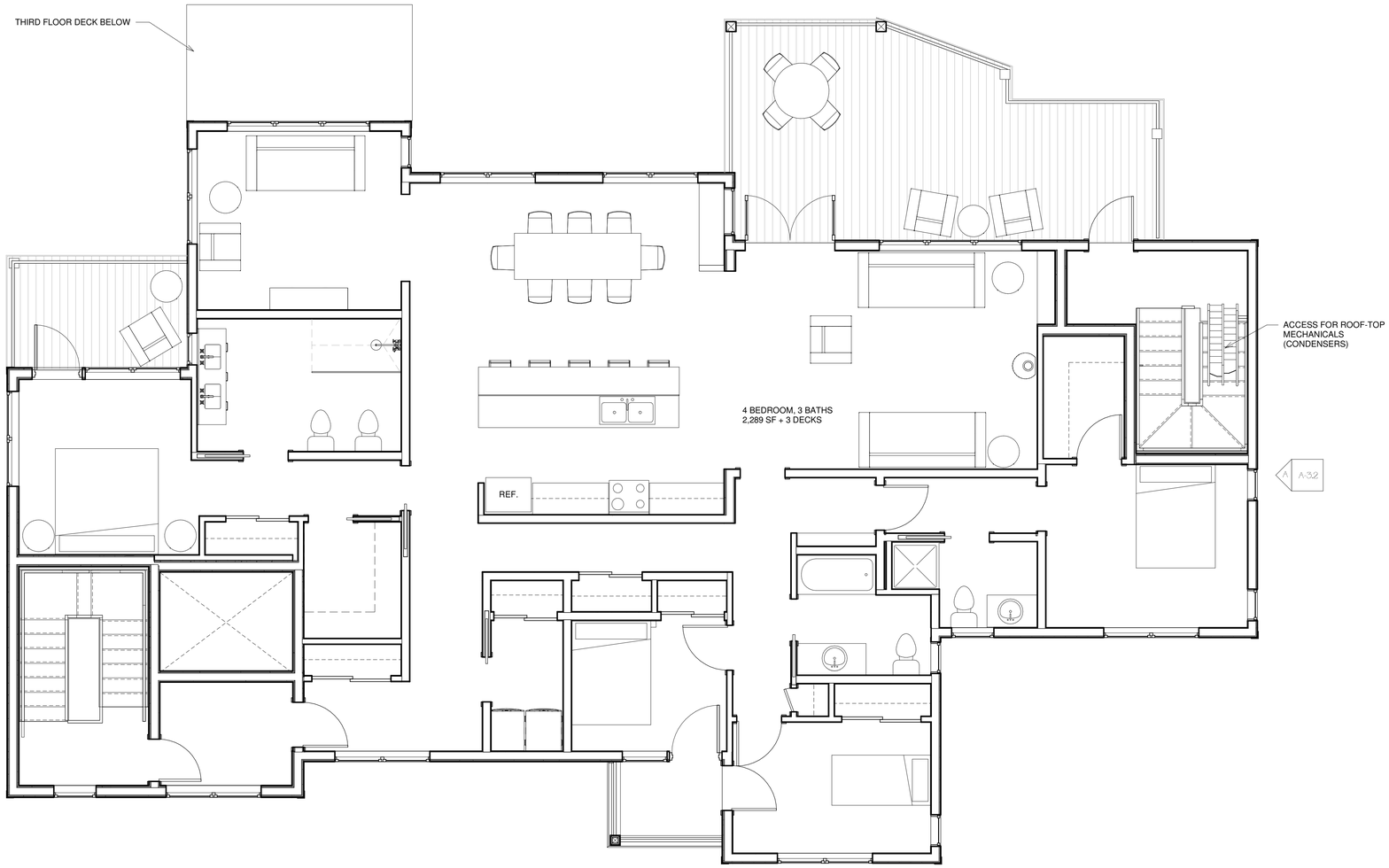
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No.	Description	Date

SECOND & THIRD FLOOR PLAN

Project number	18-16_128R North
Date	11.19.18
Drawn by	TJR
Checked by	TJR
	A-1.2
Scale	1/4" = 1'-0"

3/19/2019 8:35:35 AM



A Fourth Floor
1/4" = 1'-0"

[DESIGN DEVELOPMENT NOT FOR CONSTRUCTION]

0' 2' 4' 8' 16'

126 & 128R North Street

NEW CONSTRUCTION

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No.	Description	Date

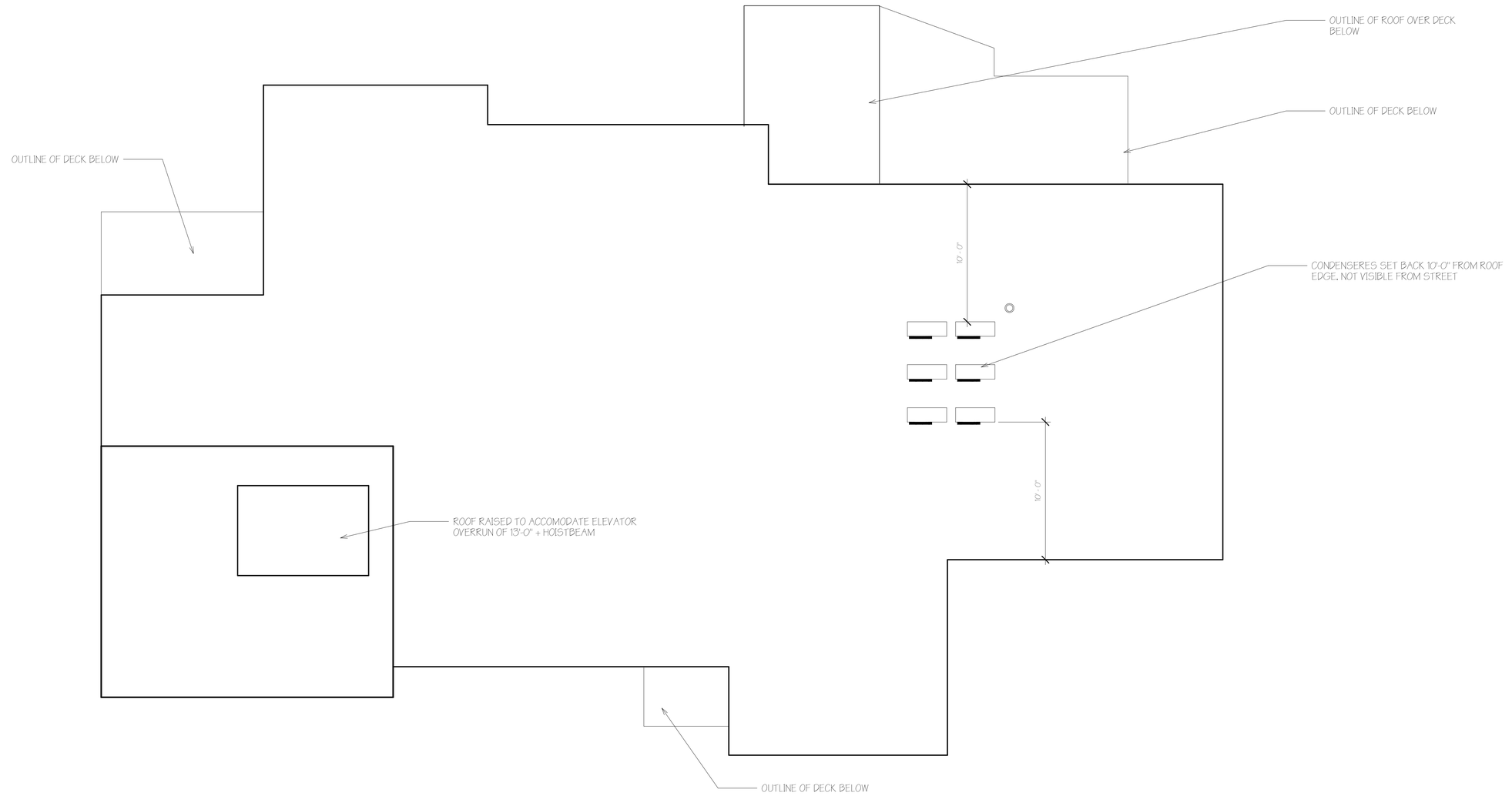
FOURTH FLOOR

Project number 18-16_128R North
Date 11.19.18
Drawn by TJR
Checked by TJR

A-1.4

Scale 1/4" = 1'-0"

5/17/2020 8:35:35 AM



A Roof
1/4" = 1'-0"

[DESIGN DEVELOPMENT NOT FOR CONSTRUCTION]

0' 2' 4' 8' 16'

126 & 128R North Street

NEW CONSTRUCTION

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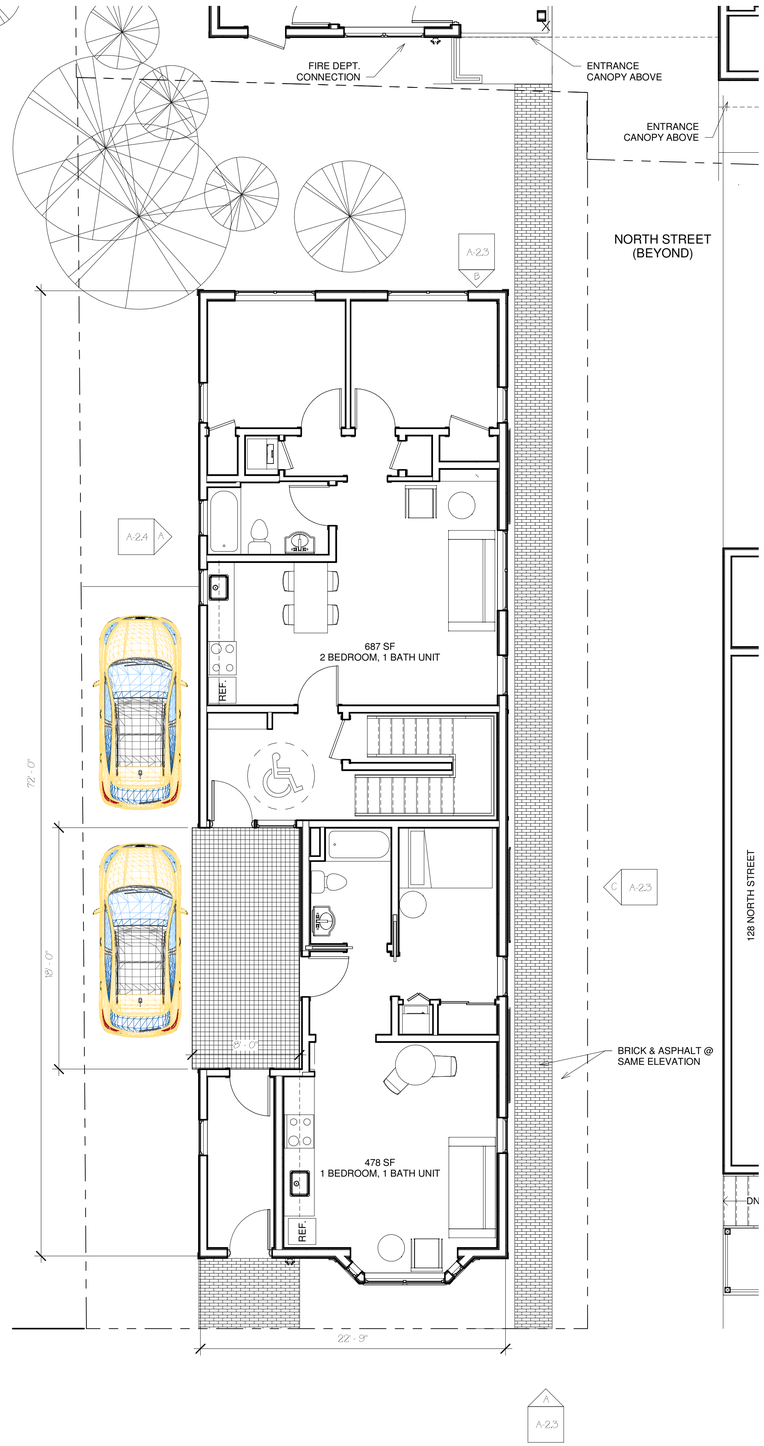
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No.	Description	Date

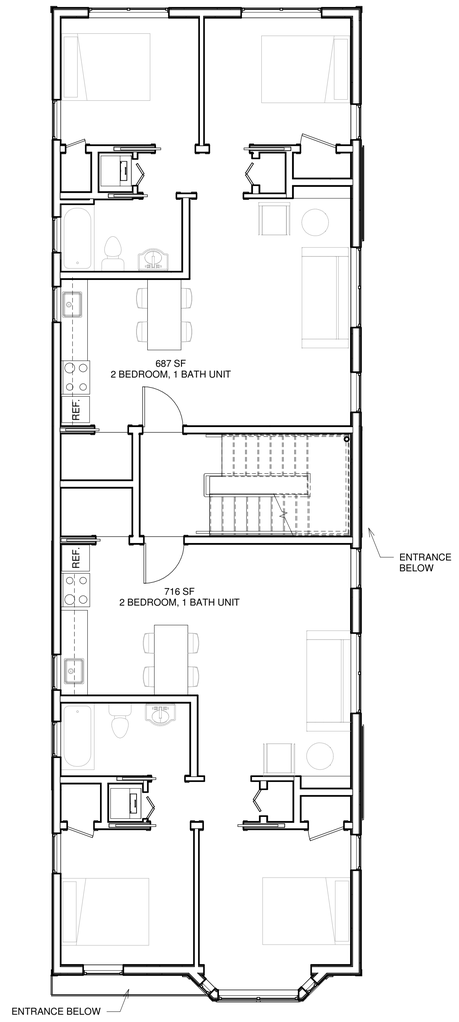
ROOF PLAN

Project number	18-16_128R North
Date	11.19.18
Drawn by	Author
Checked by	Checker
	A-1.5
Scale	1/4" = 1'-0"

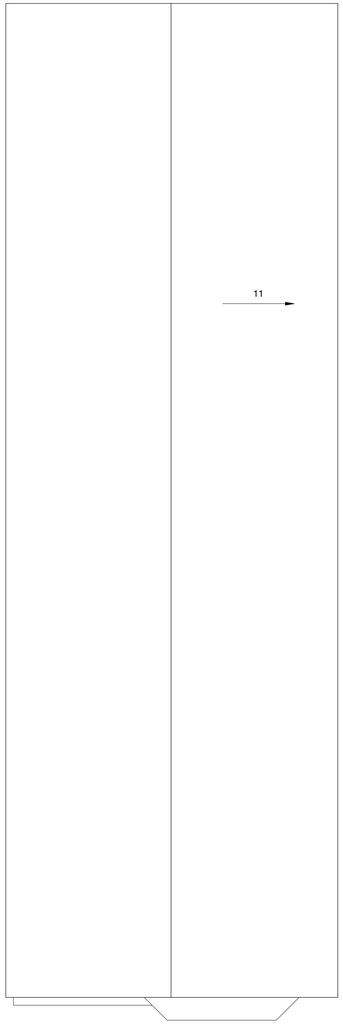
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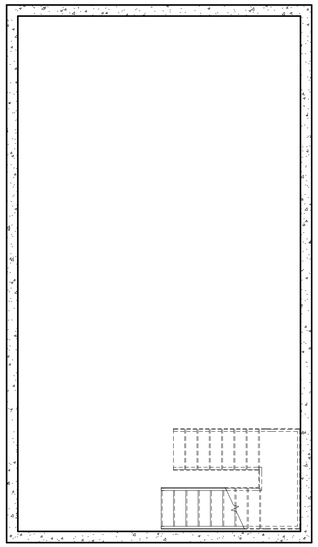
A First Floor 126
3/16" = 1'-0"



B Second & Third Floors 126
3/16" = 1'-0"



C Roof 126
3/16" = 1'-0"



D Basement
3/16" = 1'-0"

126 & 128R North Street

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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 8:35:39 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

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STRUCTURAL ENGINEER
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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 8:57:16 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
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jwojcik@uprightframeworks.com

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No.	Description	Date

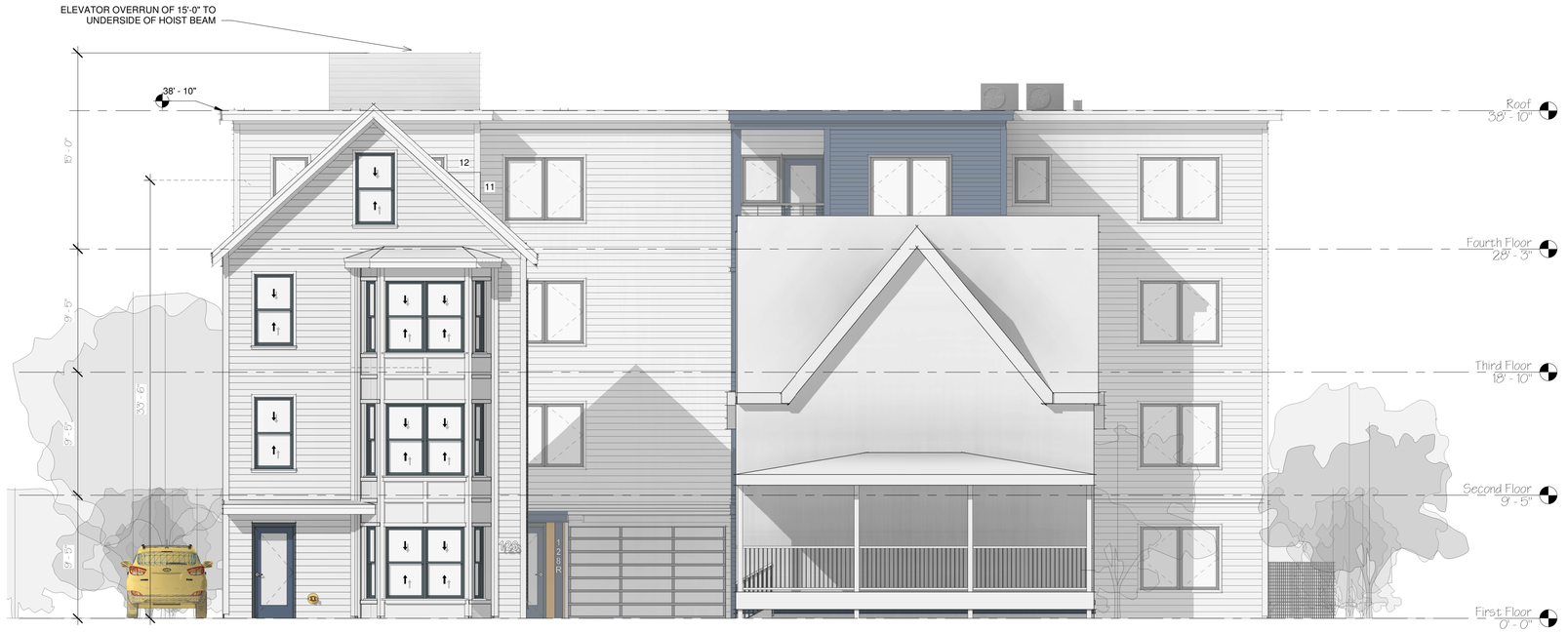
EAST & WEST ELEVATIONS

Project number	18-16_128R North
Date	11.19.18
Drawn by	Author
Checked by	Checker

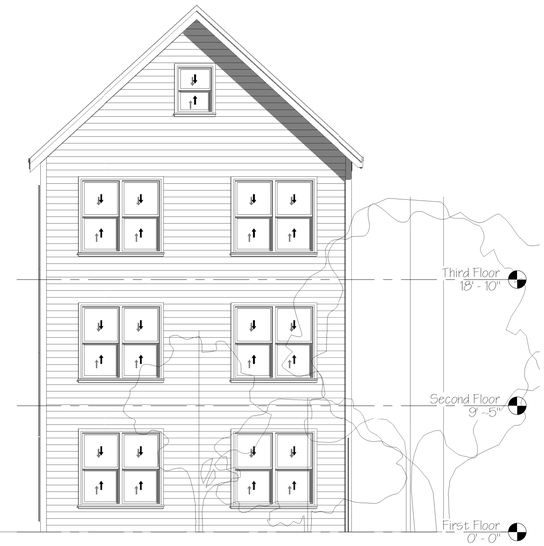
A-2.2

Scale 3/16" = 1'-0"

5/10/2020 8:39:03 AM



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

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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 8:40:38 AM



A West Elevation 126 North
3/16" = 1'-0"

126 & 128R North Street

NEW CONSTRUCTION

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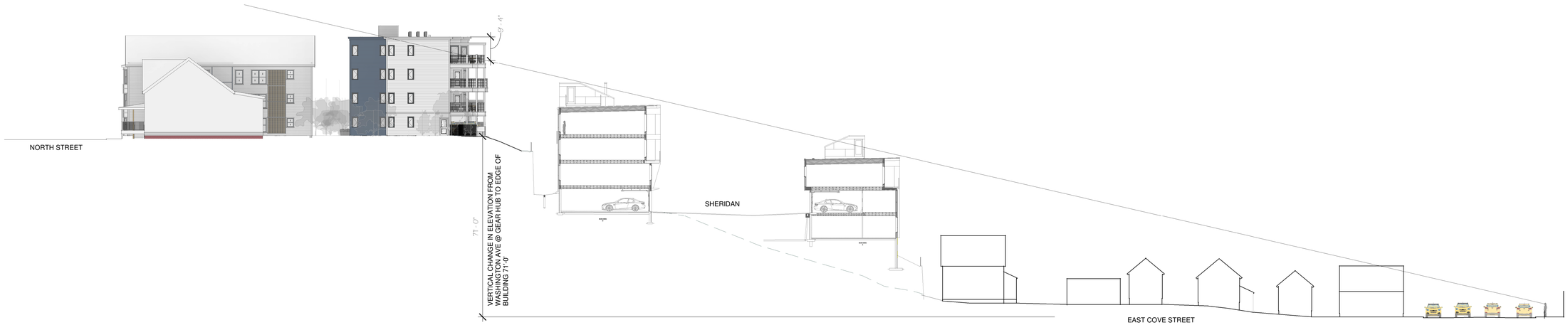
WEST ELEVATION 126

Project number	18-16_128R North
Date	11.19.18
Drawn by	Author
Checked by	Checker

A-2.4

Scale 3/16" = 1'-0"

5/10/2020 8:40:25 AM



EDGE OF BUILDING TO SIDEWALK ON FAR SIDE OF WASHINGTON AVE - 416'-0" HORIZONTALLY

A SITE SECTION NORTH STREET TO WASHINGTON AVENUE
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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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"

3/10/2020 8:46:29 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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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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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

3/19/2020 9:45:25 AM



A View for Walnut Street Rendering



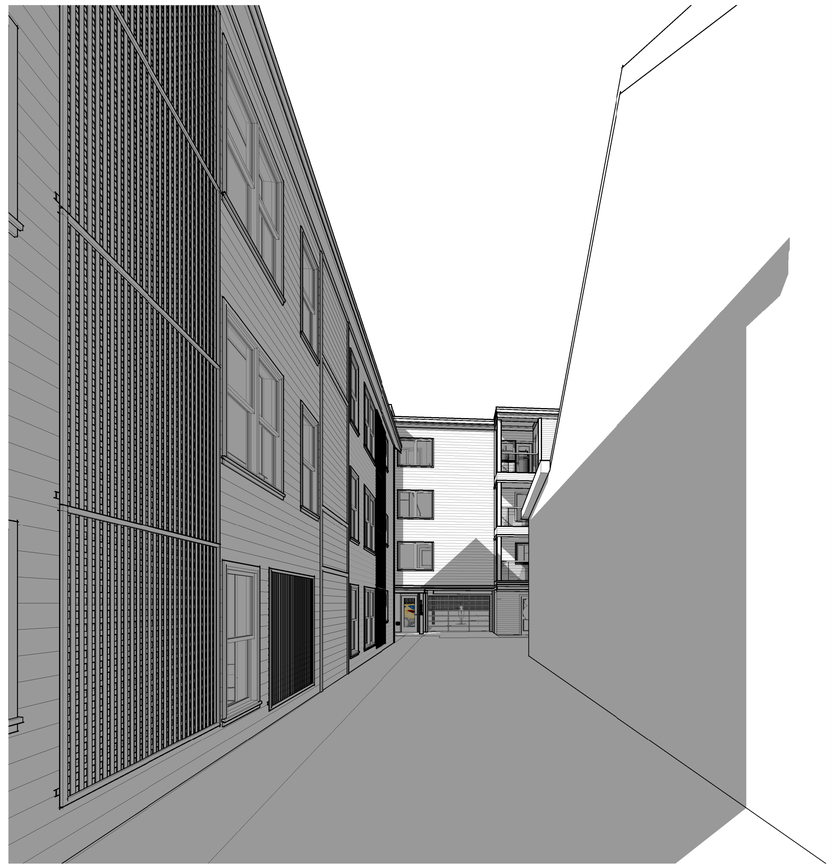
D View from Senior Housing for Rendering Copy 1



B View 126 + 128R North (elevation 1/16"



C Street View 126 + 128R North (Eye at 5'-0")



E View from North Street Sidewalk 126 & 128R

126 & 128R North Street

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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

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No.	Description	Date

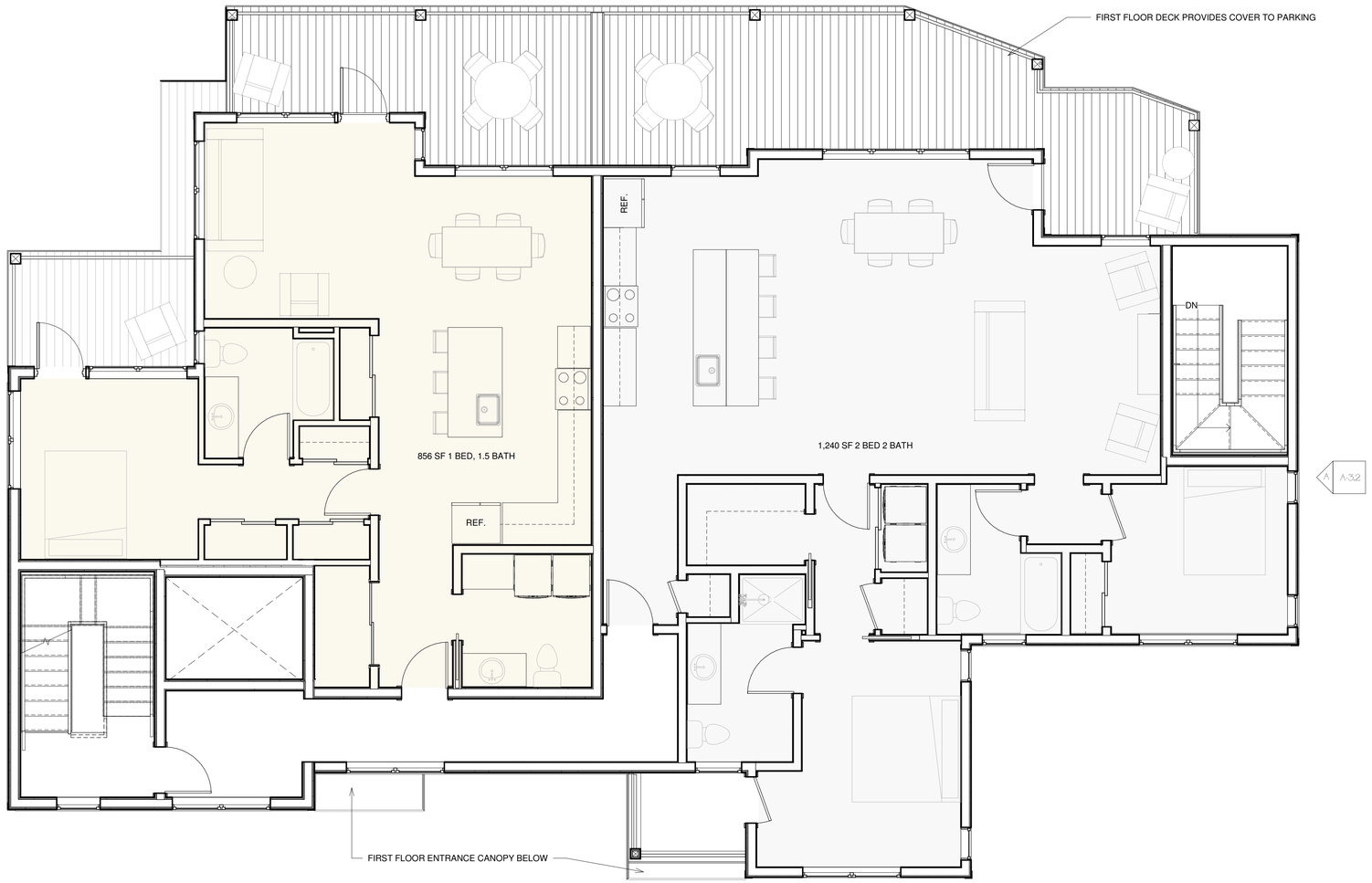
PERSPECTIVES 126

Project number 18-16_128R North
Date 11.19.18
Drawn by Author
Checked by Checker

A-5.4

Scale

5/10/2020 8:47:19 AM



A Second Floor
1/4" = 1'-0"

[DESIGN DEVELOPMENT NOT FOR CONSTRUCTION]

0' 2' 4' 8' 16'

126 & 128R North Street

NEW CONSTRUCTION

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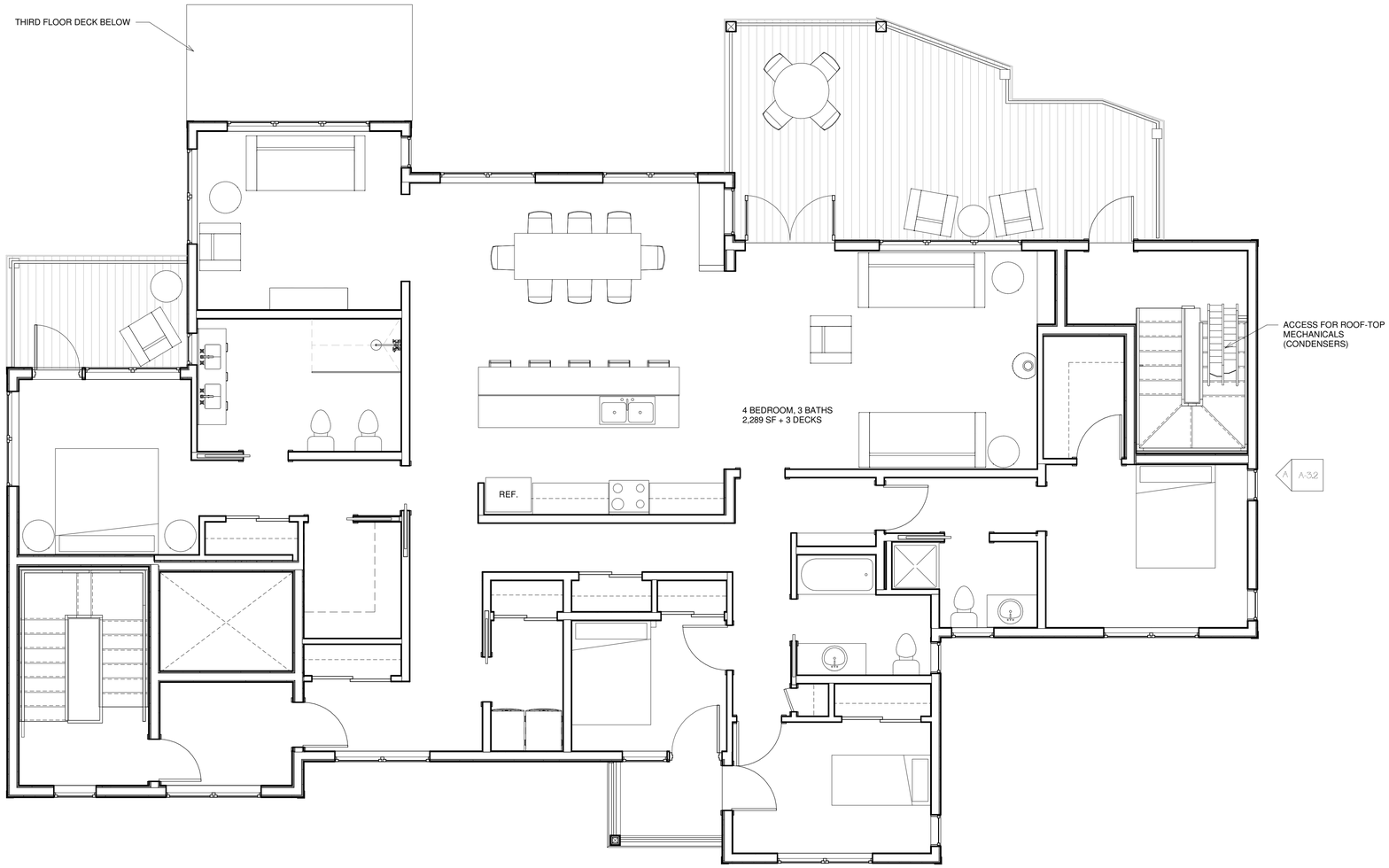
SECOND & THIRD FLOOR PLAN

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 10:52:12 AM



A Fourth Floor
1/4" = 1'-0"

[DESIGN DEVELOPMENT NOT FOR CONSTRUCTION]

0' 2' 4' 8' 16'

126 & 128R North Street

NEW CONSTRUCTION

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No.	Description	Date

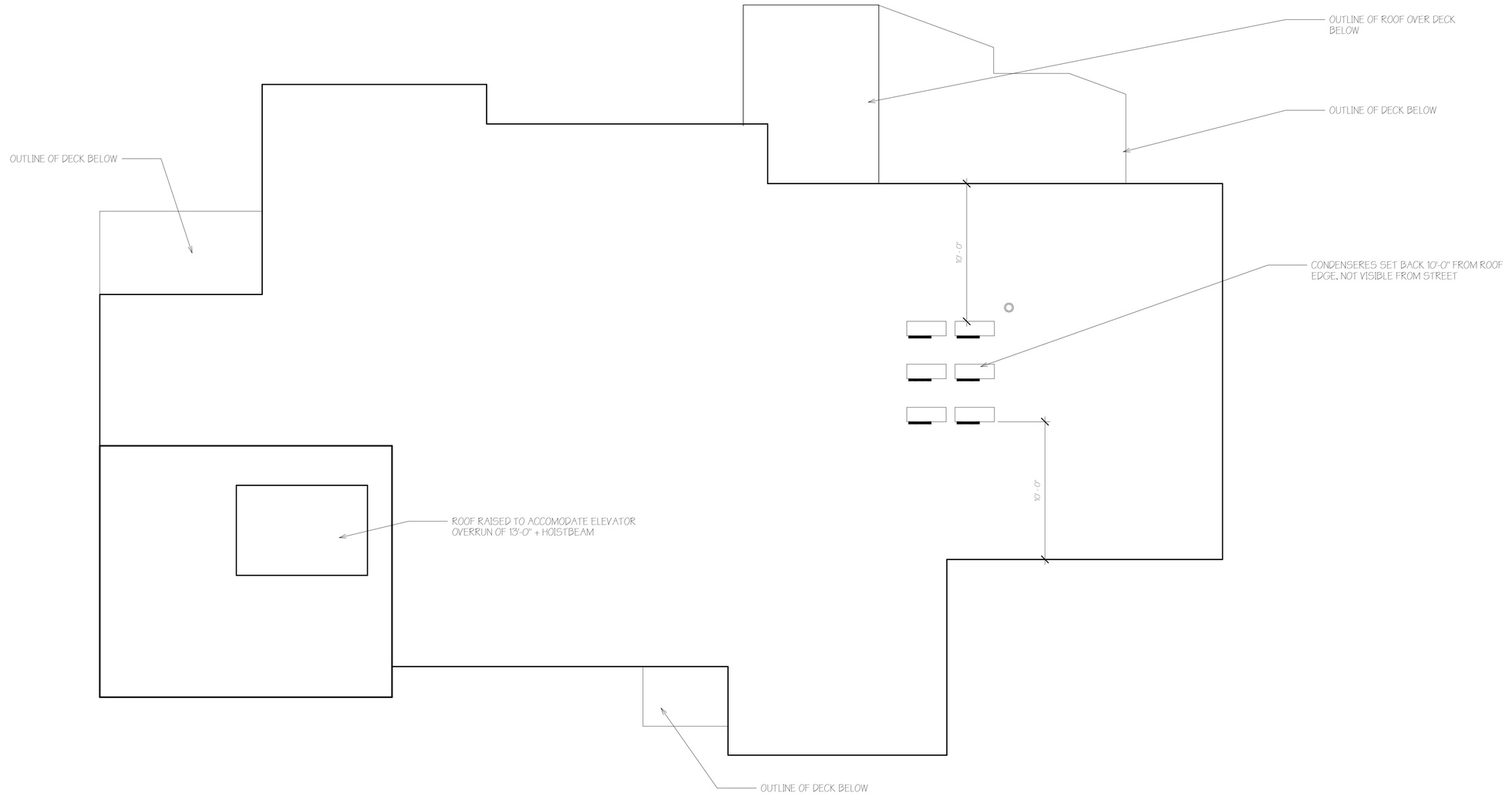
FOURTH FLOOR

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 11:58:14 AM



A Roof
1/4" = 1'-0"

[DESIGN DEVELOPMENT NOT FOR CONSTRUCTION]

0' 2' 4' 8' 16'

126 & 128R North Street

NEW CONSTRUCTION

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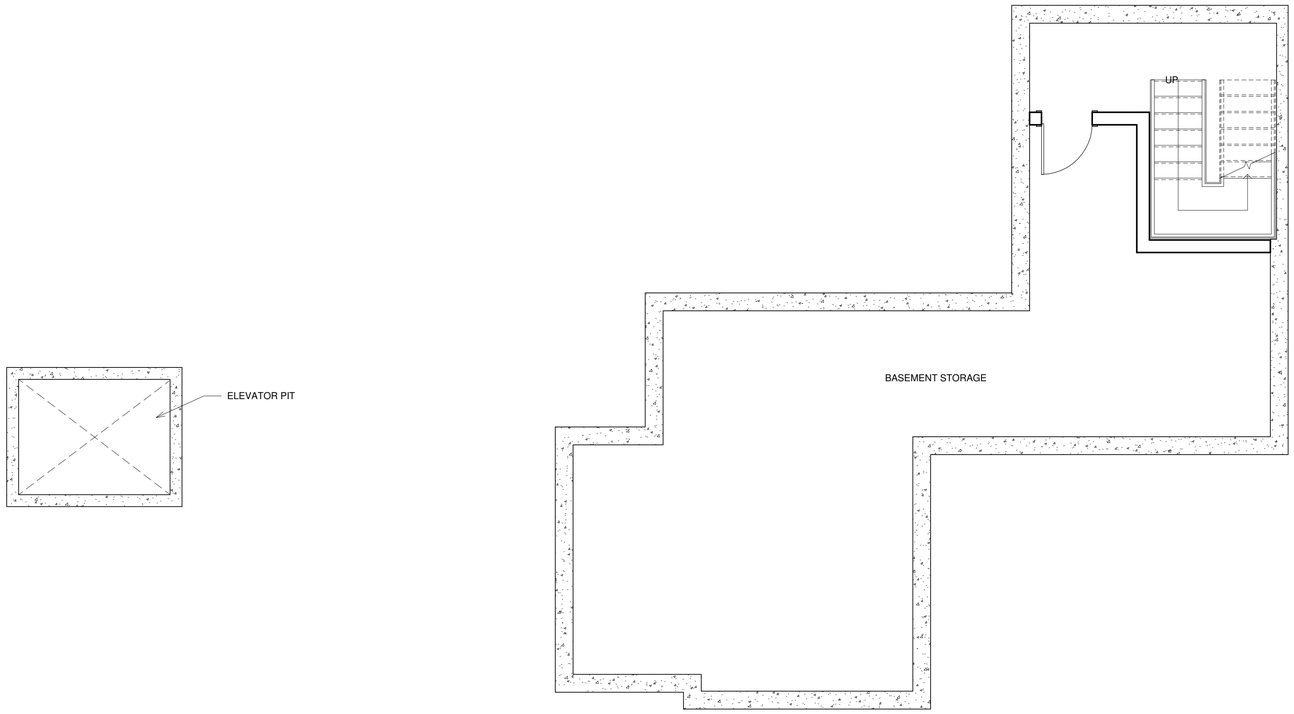
STRUCTURAL ENGINEER
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No.	Description	Date

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

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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

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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

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 10:17:02 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

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
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(207) 576-6762

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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 12:23:35 AM



A East Elevation
3/16" = 1'-0"



B West Elevation
3/16" = 1'-0"

126 & 128R North Street

NEW CONSTRUCTION

OWNER
JOSHUA WOJCIK
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46 Forest Ave
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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 10:05:47 AM



A East Elevation
3/16" = 1'-0"



B West Elevation
3/16" = 1'-0"

128R North Street

NEW CONSTRUCTION

OWNER
JOSHUA WOJCIK
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(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"

5/2/2019 11:39:56 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

OWNER
JOSHUA WOJCIK
UPRIGHT FRAMEWORKS LLC
PO BOX 833
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jwojcik@uprightframeworks.com

DEXTROUS CREATIVE
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PROJECT TEAM

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STRUCTURAL ENGINEER
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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 10:24:54 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

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PROJECT TEAM

SURVEYOR
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Nadeau Land Surveyors
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STRUCTURAL ENGINEER
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Structural Integrity Consulting Engineers, Inc.
46 Forest Ave
Portland, ME 04101
(207) 774-4614

No.	Description	Date

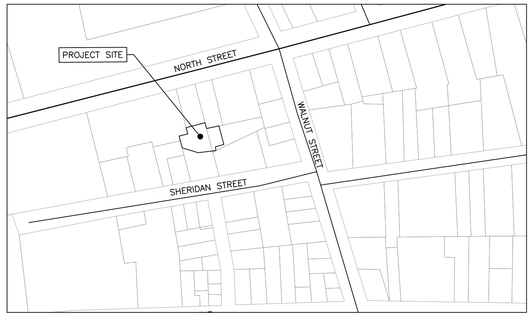
PERSPECTIVES 128R

Project number	18-16_128R North
Date	04.16.20
Drawn by	Author
Checked by	Checker

A-5.2

Scale

4/16/2020 10:25:59 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

RECORDING INFORMATION
STATE OF MAINE, CUMBERLAND
COUNTY REGISTRY OF DEEDS

RECEIVED: _____

RECORDED IN _____

ATTEST: _____
REGISTRAR

LANDSCAPED AREAS
PAVED
CURB
PROPOSED BUILDING
PROPERTY LINE
STRIPING
RETAINING WALL
NEW PROPERTY MARKER
SETBACK LINE
SURVEY PROPERTY MARKER

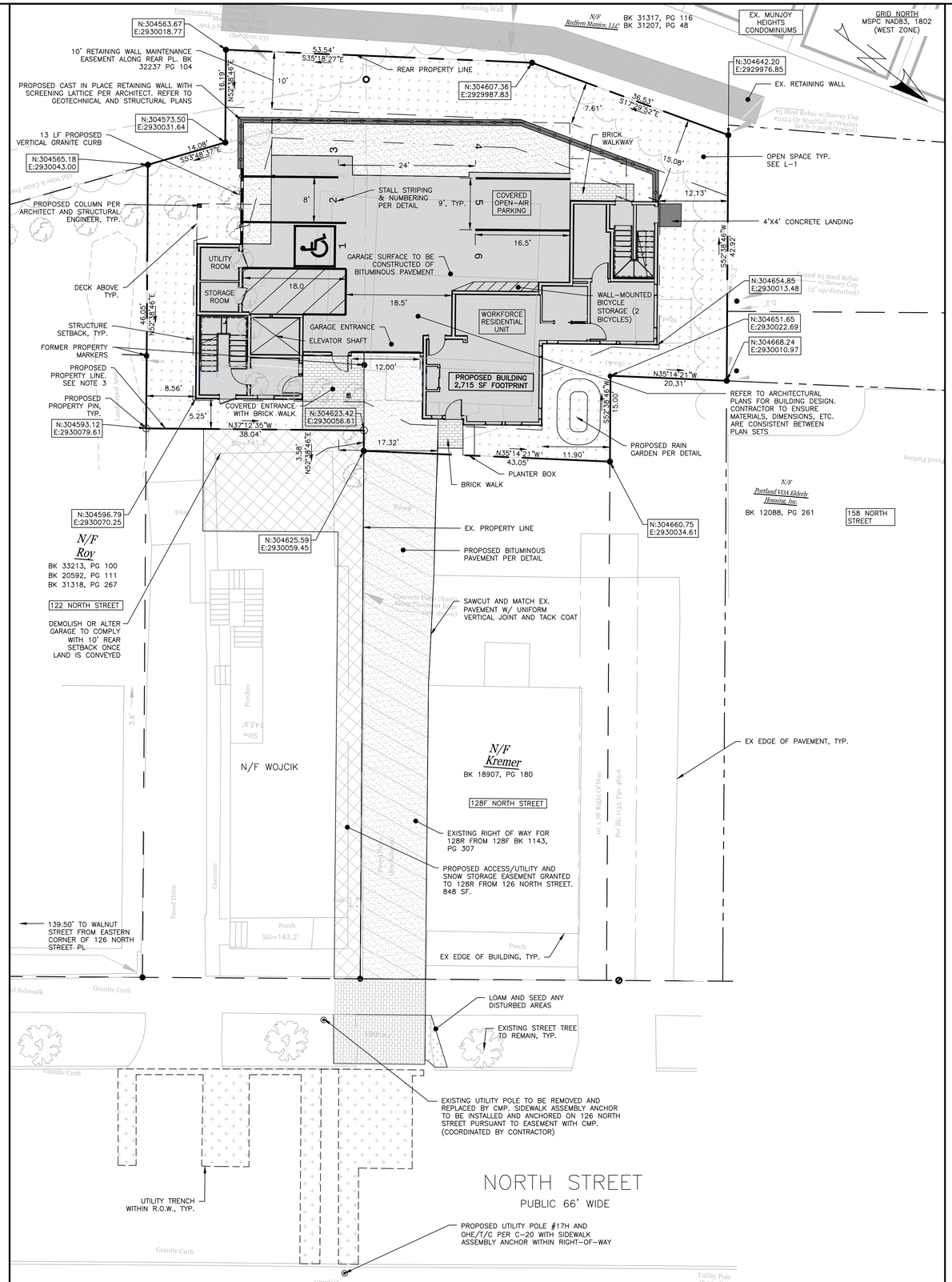
UNIT TABULATION – 128R	
UNIT NUMBER	SIZE (SF)*
1A	672
2A	1,240
2B	870
3A	1,240
3B	870
4A	2,289

*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.
65 HANOVER STREET, PORTLAND, MAINE 04101
(207) 775-2655

THESE PLANS SHALL NOT BE MODIFIED WITHOUT WRITTEN AUTHORIZATION FROM ACORN ENGINEERING, INC. AND SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC. IF USED FOR OTHERWISE.

STATE OF MAINE
WILLIAM J. SAVAGE
RAMONE
No. 10149
REGISTERED PROFESSIONAL ENGINEER
2-13-2020

FILE:	1116_CIVIL
JN:	1116
SCALE:	1"=10'
DESIGNED BY:	SJL
DRAWN BY:	ZMS
CHECKED BY:	WHS

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: _____

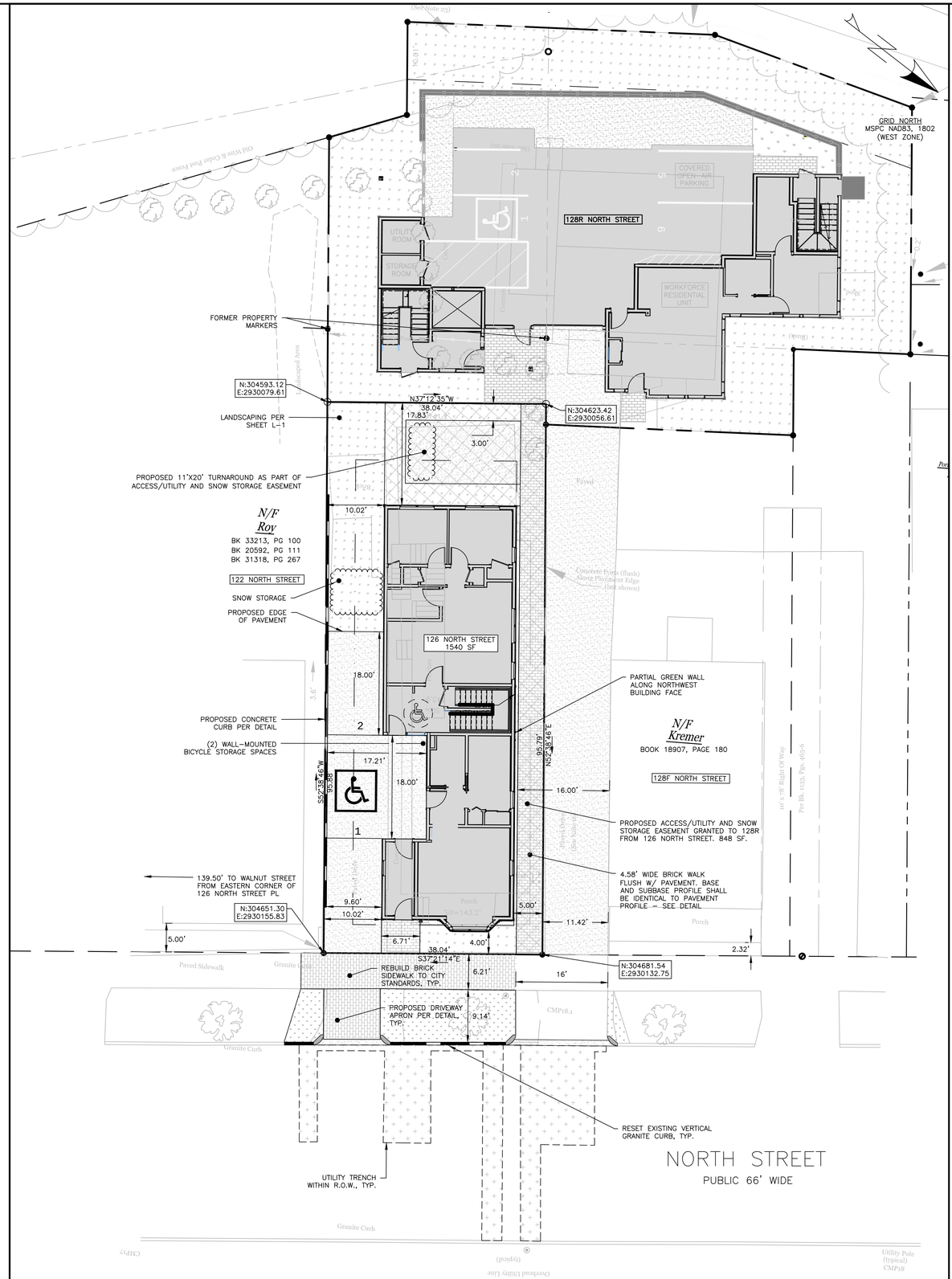
RECORDED IN _____

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

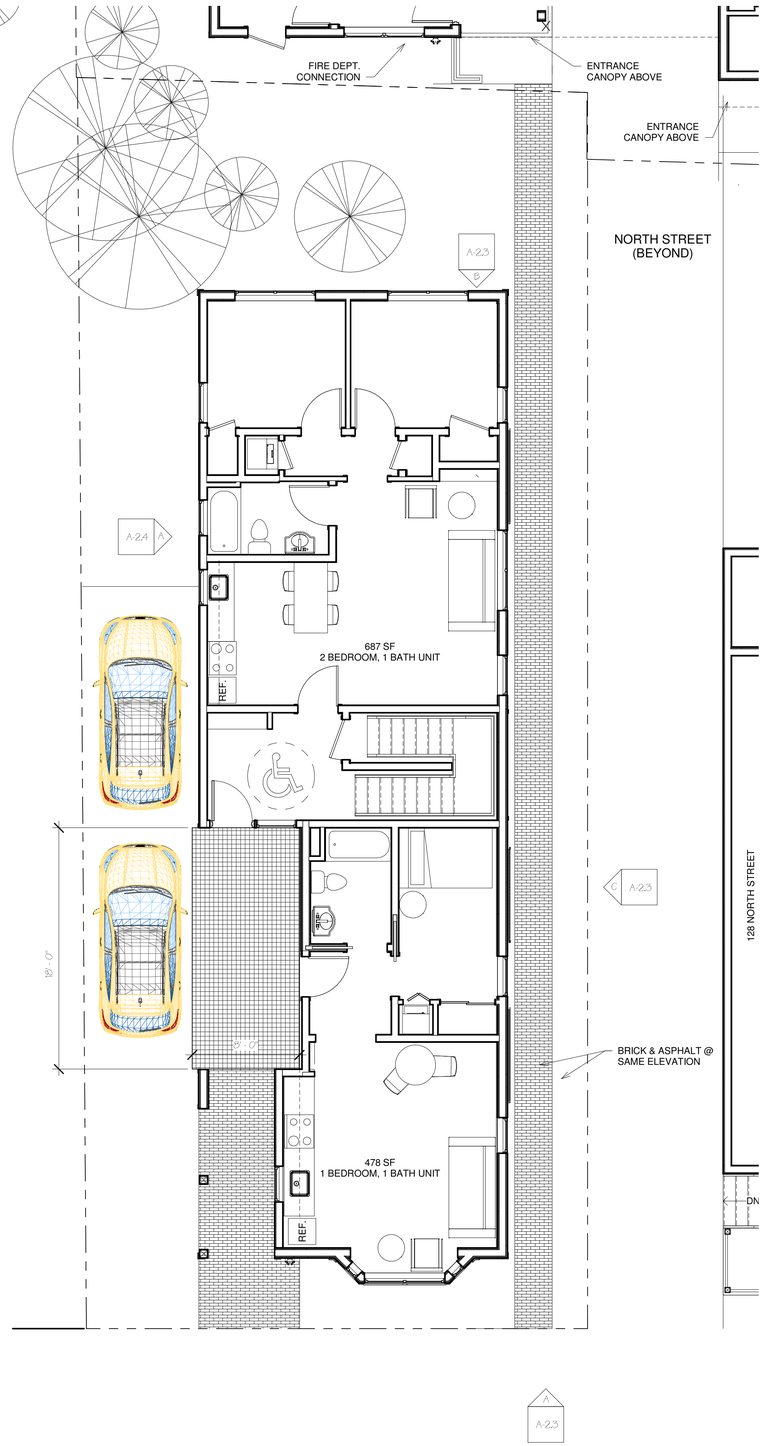
ACORN ENGINEERING, INC.
THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. AND SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

ACORN ENGINEERING, INC.
65 HANOVER ST, PORTLAND, MAINE 04101
(207) 775-2655

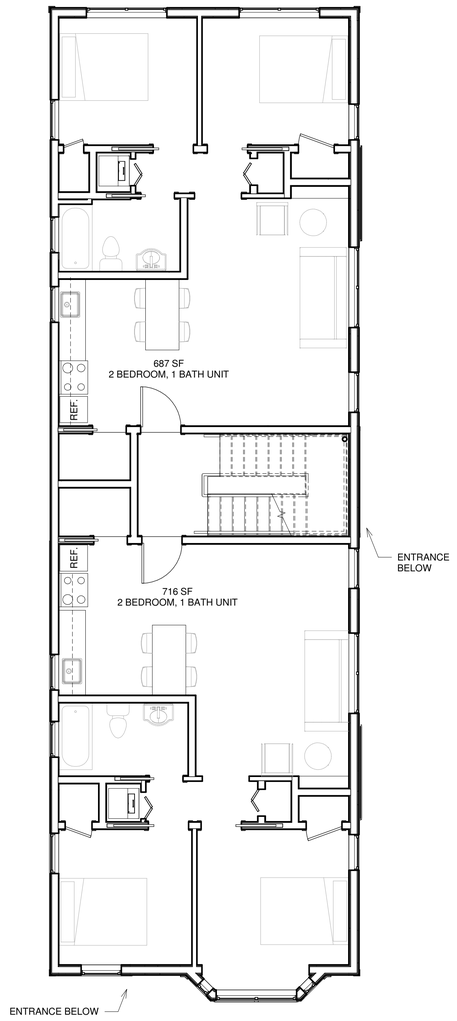
FILE:	1116_CIVIL
JN:	1116
SCALE:	1"=10'
DESIGNED BY:	SJL
DRAWN BY:	ZMS
CHECKED BY:	WHS

STATE OF MAINE
WILLIAM H. SAVAGE
RAYMOND
No. 10149
REGISTERED PROFESSIONAL ENGINEER
2-13-2020

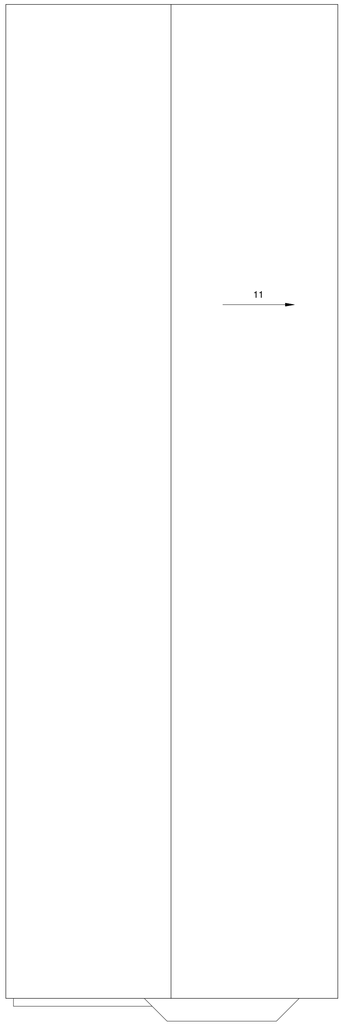
DRAWING NO.
PLAT



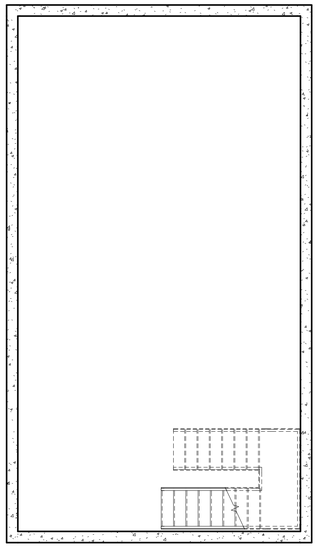
A First Floor 126
3/16" = 1'-0"



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
2074030459 (cell)

PROJECT TEAM

SURVEYOR
James P. Nadeau, PLS
Nadeau Land Surveyors
918 Brighton Ave
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(207) 878-7870

GEOTECHNICAL ENGINEER
Mat Hardison, P.E.
Senior Geotechnical Engineer
Summit Geoengineering Services, Inc.
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Lewiston, Maine 04243
(207) 576-6762

CIVIL ENGINEER
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

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"

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A View for Walnut Street Rendering



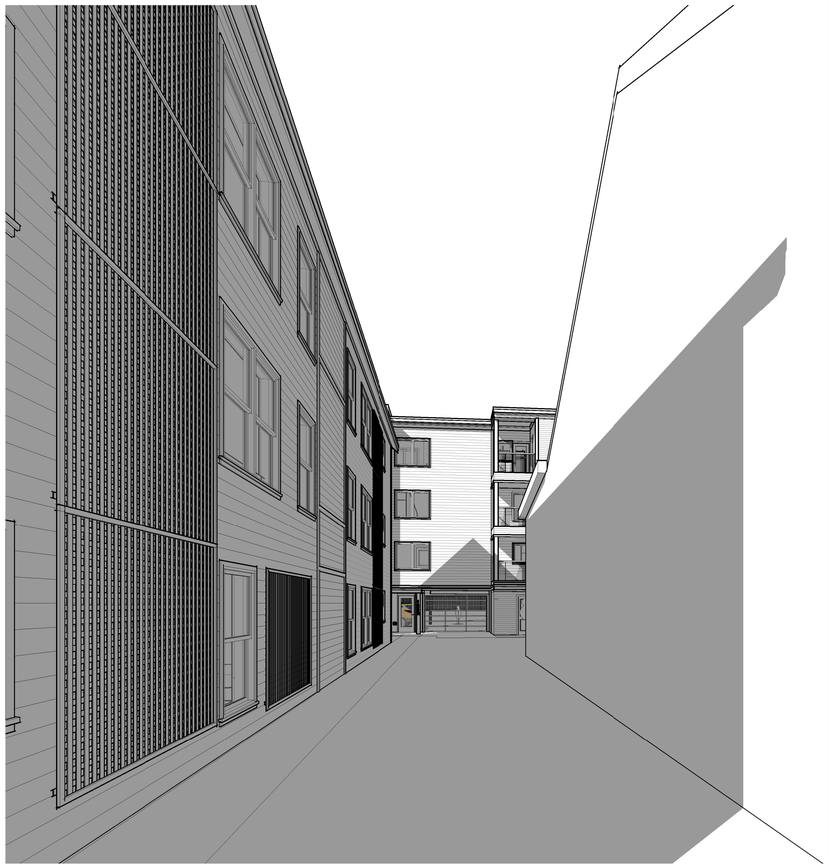
D View from Senior Housing for Rendering Copy 1



B View 126 + 128R North (elevation 176"



C Street View 126 + 128R North (Eye at 5'-0")



E View from North Street Sidewalk 126 & 128R

126 & 128R North Street

NEW CONSTRUCTION

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STRUCTURAL ENGINEER
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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 10:25:51 AM



A North Street View Showing Entrances



B Main Entrance 126

126 & 128R North Street

NEW CONSTRUCTION

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PROJECT TEAM

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No.	Description	Date

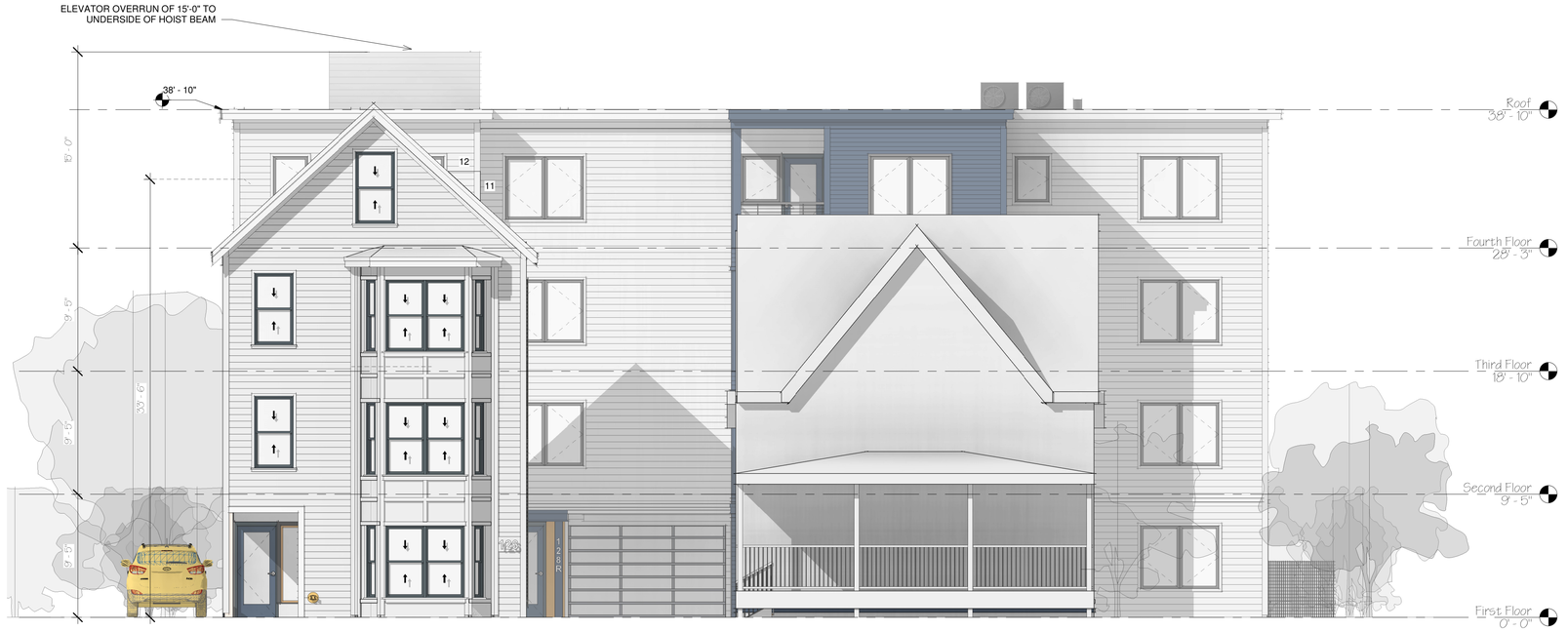
PERSPECTIVES 126

Project number	18-16_128R North
Date	04.16.20
Drawn by	Author
Checked by	Checker

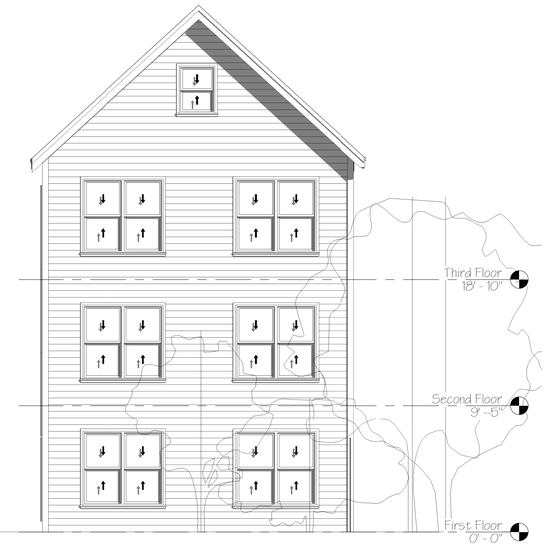
A-5.4

Scale

4/16/2020 10:26:00 AM



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

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(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 10:02:22 AM



A West Elevation 126 North
3/16" = 1'-0"

126 & 128R North Street

NEW CONSTRUCTION

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jwojcik@uprightframeworks.com

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tracienreed@dextrouscreative.com
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No.	Description	Date

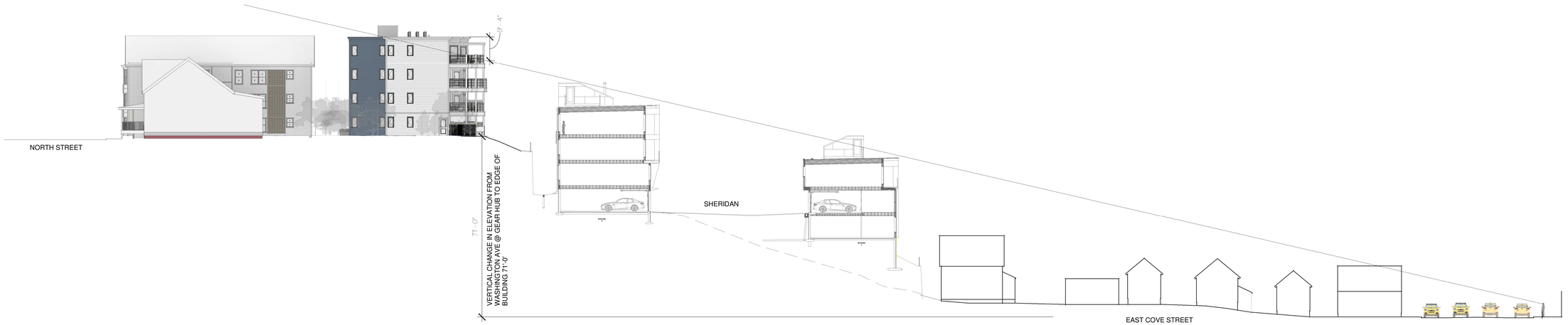
WEST ELEVATION 126

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 10:20:39 AM



EDGE OF BUILDING TO SIDEWALK ON FAR SIDE OF WASHINGTON AVE - 416'-0" HORIZONTALLY

A SITE SECTION NORTH STREET TO WASHINGTON AVENUE
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
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WILTON ME 04294
jwojcik@uprightframeworks.com

DEXTROUS CREATIVE
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TRACIE REED, ARCHITECT
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PROJECT TEAM

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No.	Description	Date

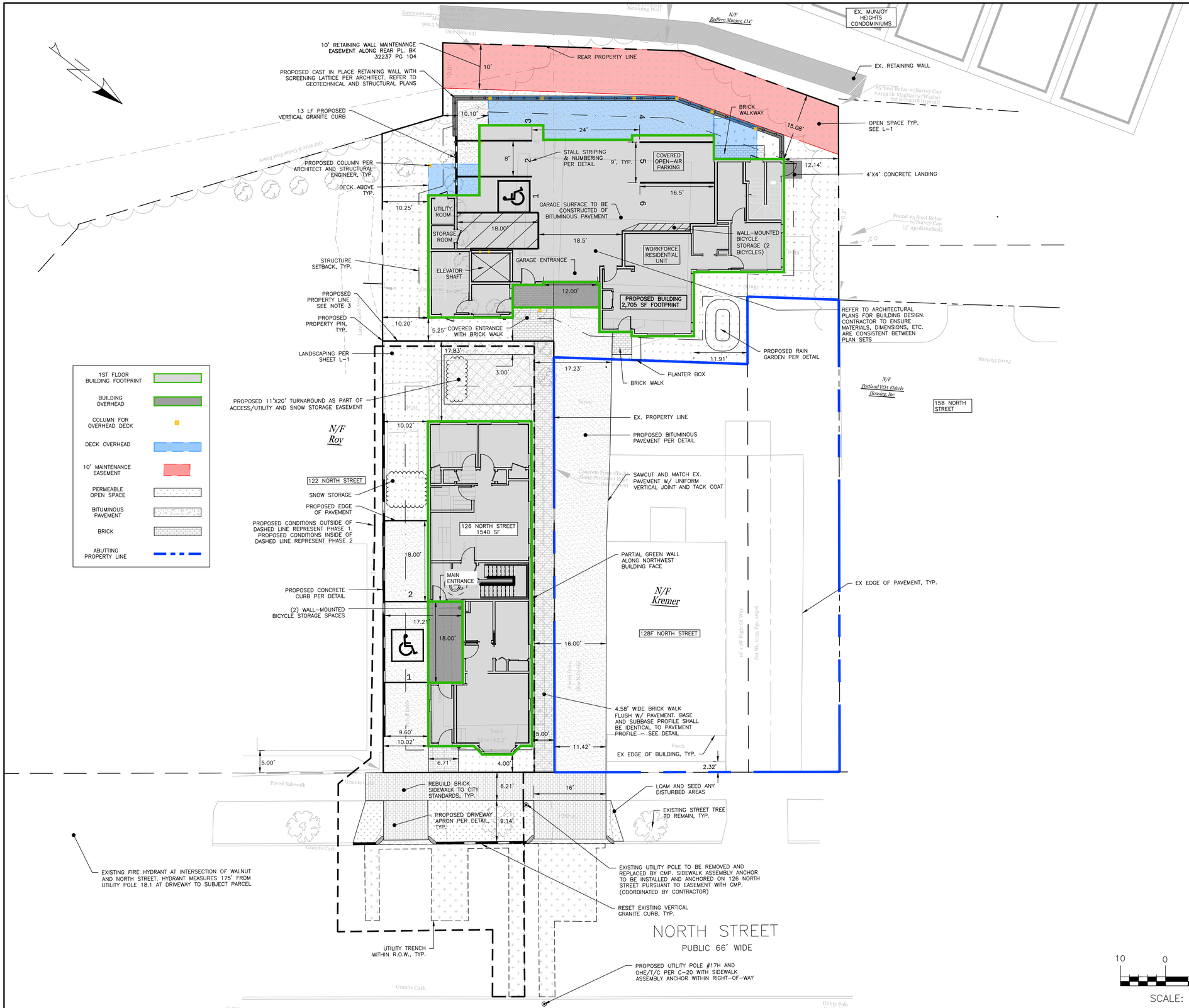
SITE SECTION

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

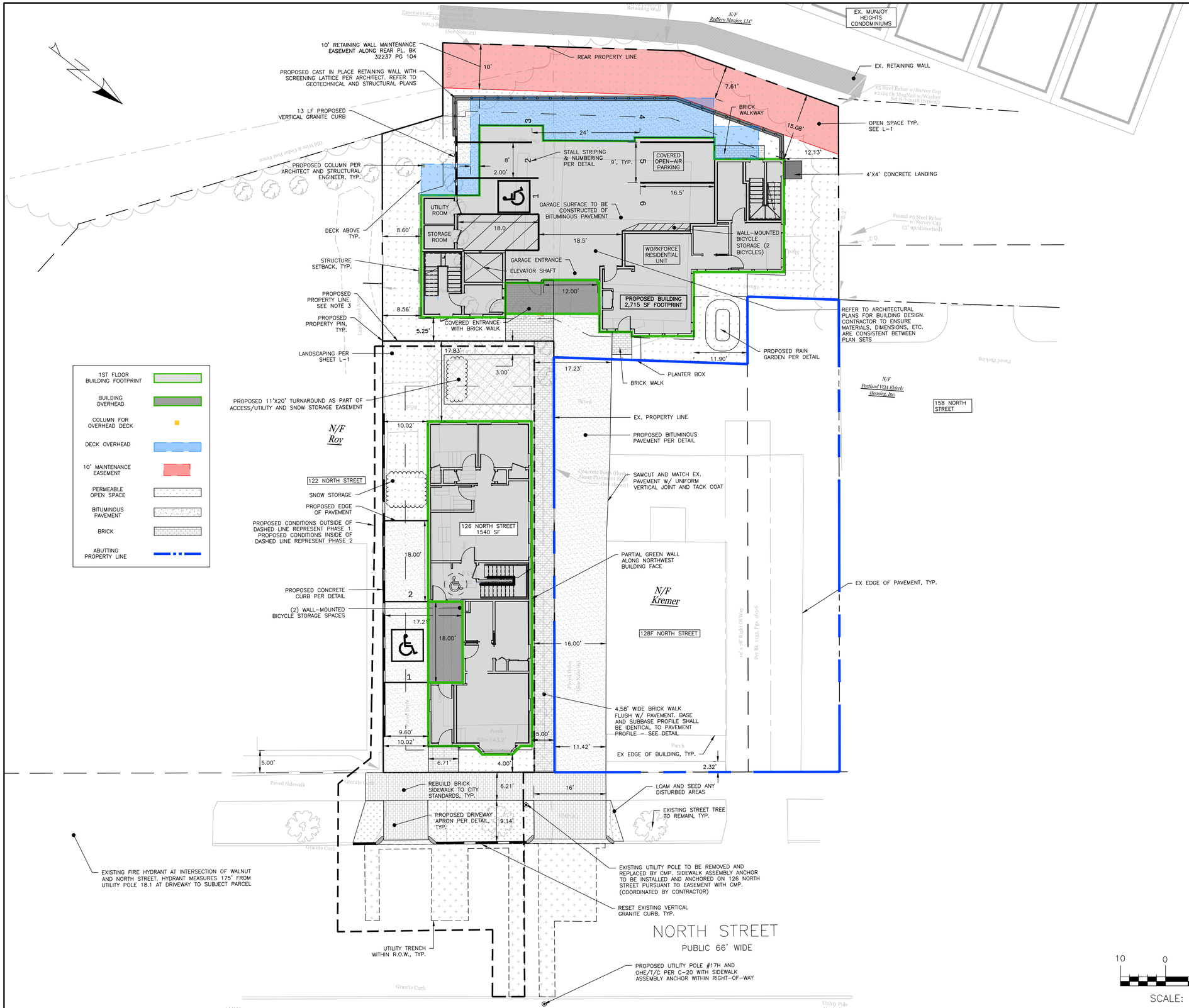
THESE PLANS SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. AND SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC. UNLESS OTHERWISE PROVIDED BY AGREEMENT.

ACORN ENGINEERING, INC.
ENGINEERING
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 — REGISTERED PROFESSIONAL ENGINEER — 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'
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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'
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PARKING SUMMARY – 126	
DIMENSIONS	# PARKING SPACES
9'x18'	1
8'x18' (ADA)	1
TOTAL PROPOSED SPACES	2

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DRAWING NAME: COLOR CODED SITE PLAN
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