

CITY OF PORTLAND, MAINE

PLANNING BOARD



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

AGENDA PORTLAND PLANNING BOARD MEETING

The Planning Board will hold a remote meeting on **Tuesday, April 12, 2022, 4:30 p.m.** This meeting will take place remotely using Zoom pursuant to the Remote Meeting Policy adopted by the Planning Board and as authorized under 1 M.R.S. 403-B because of the existence of an emergency or urgent issue that requires the committee to meet by remote methods. Allow your computer to install the free Zoom app to get the best meeting experience.

If you are not able to attend live, a recording will be available following the meeting. 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 unmuted by the host when it is time for public comment.

For more information on how to access the meeting remotely and how to give public comment, please go to <http://www.portlandmaine.gov/remotepud> Public comments will be taken for each item on the agenda during the estimated allotted time and written comments should be submitted to planningboard@portlandmaine.gov

Please note that the placement of each item on the agenda is subject to change. Please check the Agenda & Minutes Center prior to the meeting for the item start time.

ZOOM MEETING INSTRUCTIONS

You are invited to a Zoom webinar.

When: Apr 12, 2022 04:30 PM Eastern Time (US and Canada)

Topic: Planning Board Workshop and Public Hearing 4/12/2022

Please click the link below to join the webinar:

<https://portlandmaine-gov.zoom.us/j/81130476347>

Or One tap mobile :

US: +13126266799,,81130476347# or +19292056099,,81130476347#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782

Webinar ID: 811 3047 6347

International numbers available: <https://portlandmaine-gov.zoom.us/j/81130476347>

WORKSHOP - 4:30 PM

- i. Major Site Plan; 26 E. Oxford Street; 26 Oxford, LLC., Applicant. (estimated time 4:30 – 5:30 p.m.) The Planning Board will hold a remote workshop to consider the development of a four-story, six-unit residential building at 26 East Oxford Street. The subject property is 4,720 square feet in size and is zoned R-6 Residential.

PUBLIC HEARING - 5:30 PM

1. **ROLL CALL AND DECLARATION OF QUORUM**
2. **COMMUNICATION AND REPORTS**

3. REPORT OF ATTENDANCE AT THE MEETING HELD ON MARCH 22, 2022

Afternoon Workshop

57 Douglass Street: Barker, Chann, Mazer, Murphy, Smith, and Stanley present; Silk absent.

Evening Hearing

94 Portland Street: Barker, Chann, Mazer, Murphy, Smith, and Stanley present; Silk absent.

4. REPORTS OF DECISIONS AT THE MEETING HELD ON MARCH 22, 2022

- i. Major Site Plan; 94 Portland Street; 94 Portland Street LLC, Applicant. Mazer moved and Smith seconded a motion to approve the site plan with six conditions of approval. Vote 6-0, Silk absent.

5. NEW BUSINESS

- i. Zoning Map and Text Amendment; 2 Riverton Drive; Portland Housing Development Corporation, Applicant. (estimated time 5:30 – 6:30 p.m.) The Planning Board will hold a remote public hearing to consider a zoning map amendment to rezone the R-5 Residential zone bounded by Forest Avenue and Riverside Street into R-5a Residential and B-2 Community Business along with a text amendment to the R-5a Residential zone to allow Places of Assembly as a conditional use. The map amendment also includes the rezoning of the R-5a Residential zone north of Forest Avenue into B-2 Community Business.
- ii. Conditional Use Permit; 11 Pomeroy Street; Chabad Lubavitch of Maine, Applicant. (estimated time 6:30 p.m.) The Planning Board will hold a remote public hearing to consider an after the fact conditional use permit application to facilitate the operation of a place of assembly use within a 900 square foot portion of an existing single-family home at 11 Pomeroy Street. The subject property is 73,281 square feet in size and is located in the R-3 Residential zone. A related minor site plan application, PL-000058-2018, has also been submitted and is under staff review.

Request: To reduce drive aisle width from 24 feet to 15 feet	Technical Manual, Section 1.14.3: Parking lot layout shall provide a minimum drive aisle of 24 feet.
Request: To allow for concrete sidewalk and driveway apron versus the required brick material type	Technical Manual, Section 1.8.2 The type of sidewalk and driveway apron material shall consult the City's Sidewalk Materials Policy indicated in the Appendices. The Technical Manual Appendices indicates the property is within brick sidewalk district.
Request: To allow for overhead utility lines instead of providing an underground electrical service	Land Use Code Sec. 14.6.3.C.2 Electrical service shall be underground unless it is determined to be unfeasible due to extreme cost, the need to retrofit properties not owned by the applicant or complexity of revising existing overhead facilities.

III. PROJECT DATA

Existing Zoning	R-6 Residential Zone
Property Size	4,720 SF
Existing Use	Two-Family Residential
Proposed Use	Multifamily Residential

	<i>Existing</i>	<i>Proposed</i>	<i>Net Change</i>
Building Footprint	1,834 SF	2,500 SF	+666 SF
Building Floor Area	4,655 SF	8,750 SF	+4,095 SF
Impervious Surface Area	2,573 SF	2,832 SF	+259 SF
Parking Spaces	2 spaces	6 spaces	+4 spaces
Bicycle Parking Spaces	0	2 spaces	+2 spaces

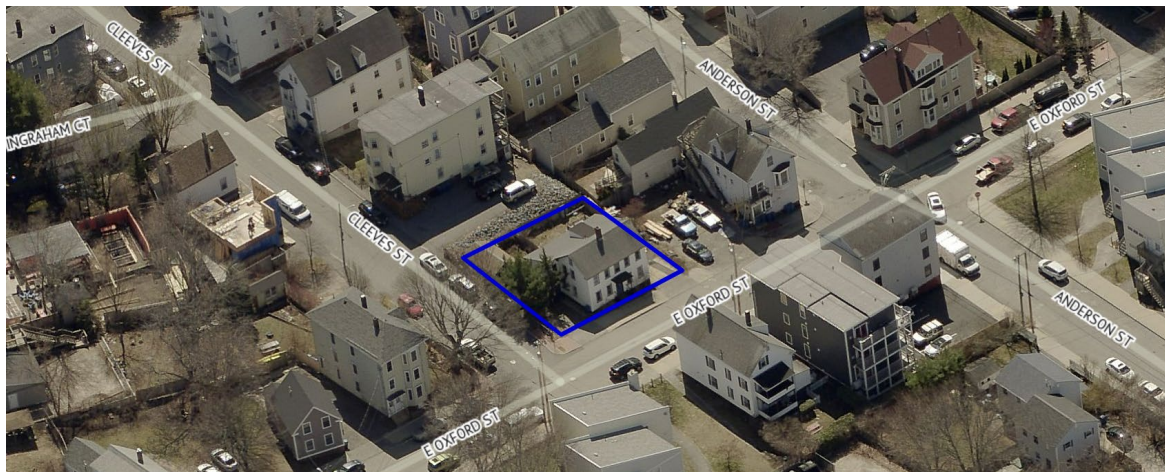


Figure 2 – Existing Site Outlined in Blue

IV. EXISTING CONDITIONS AND SURROUNDING AREA

The property at 26 East Oxford Street (CBL 013 D002) is a corner lot on a block bounded by Cleeve Street, Cumberland Avenue, Anderson Street, and East Oxford Street. and with a primary frontage along East Oxford Street located in the East Bayside neighborhood. The property is proximate to several priority

corridors, the nearest of which runs along Washington Avenue which is roughly a two-minute walk from the site and offers a mix of commercial uses, as well as METRO bus routes 7, B, 9A, and 9B, located to the east of the site. The property is located to the north of Peppermint Park, a small pocket park containing a playground on Cumberland Avenue, as well as Kennedy Park (i.e. 'Fox Field') a recreation and open space offering playground, basketball courts, and futsal court amenities to the west. In October 2020, the Planning Department reviewed and approved the application for the now installed futsal (hard surface soccer) court at Kennedy Park (PL-001201-2020) which included a permeable paving walk boundary and was Portland's first futsal court.

The property contains an existing two-family home (1,834 square feet) which was built in approximately 1910 which includes two driveways on either end of the building. The site's surrounding context is primarily comprised of residential uses, including single-family and multifamily buildings that range between two and four stories.



Figure 3 – Street View of Existing Building Facing Northeast

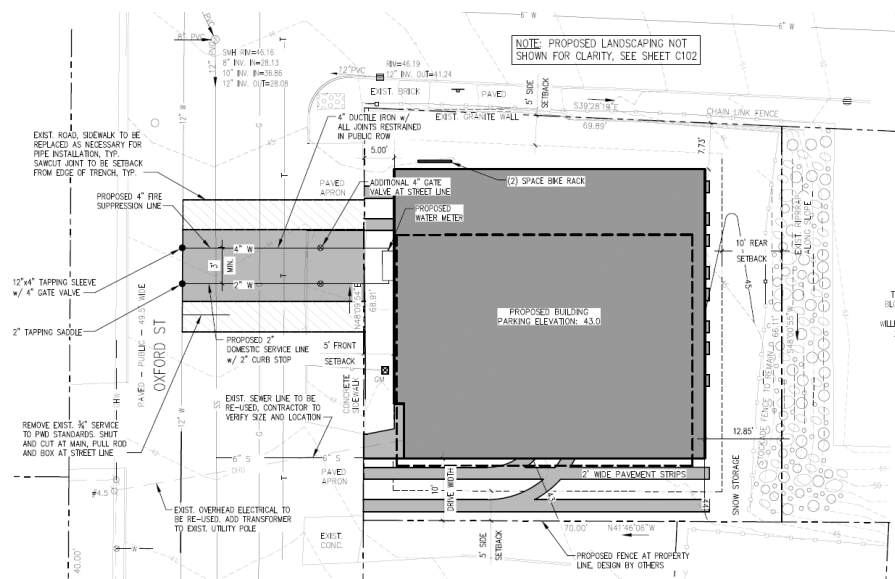


Figure 4 – Proposed Site Plan

V. PROPOSED DEVELOPMENT

The applicant proposes to demolish the existing two-family home at 26 E. Oxford Street and construct a four-story six unit residential building containing one 1-bedroom, four 2-bedroom, and one 3-bedroom rental units totaling 8,750 square feet of floor area. The project includes providing covered parking areas at the ground level accessed from two existing curb cuts. The north driveway leads directly into one handicap accessible parking space and the south driveway connecting to one outdoor space and four indoor spaces for a total of six parking spaces on site. The proposed development would have a front street wall height of 40 feet, with the portions of the building stepped back from the side and rear of the property lines measuring at 29 feet tall, with the latter required to meet the 15-foot rear setback. The stepped back portion along the side yard property line off of Cleeve Street includes an elevated deck benefiting the third floor unit.



Figure 5 – Perspective Rendering 1

The project includes one honey locust tree planted in the public right of way, five arborvitae trees planted within the side yard and one in the rear yard, as well as six bayberry bushes along the frontage and seven in the rear yard.

VI. RIGHT, TITLE, & INTEREST

The owner of the property is 26 Oxford LLC. The applicant has provided a copy of a warranty deed recorded at the Cumberland County Registry of Deeds (Book 35605 Page 186), which demonstrates their right, title and interest in the property (Attachment C).

VII. FINANCIAL & TECHNICAL CAPACITY

The applicant has submitted a letter by the owner's financial institution stating the owner's financial capability to undertake the project (Attachment E).

The applicant's representative has submitted a Letter of Technical Capacity stating the development team's experience in design and permitting in the State of Maine and ability to undertake the project (Attachment F).

VIII. ZONING ANALYSIS

The parcel is located in the R-6 Residential zone. R-6 is a high-density zone located on peninsula characterized primarily by multi-family dwellings, which encourages new housing consistent with the compact lot development pattern. The zone is bounded by the B-2b Community Business zone to the east, the India Street Form-Based Code and B-3 Downtown Business zones to the south, the B-7 Mixed Development zone to the west, as well as a collection of neighborhood business, urban commercial, and low impact industrial zones to the north (Figure 5).

The proposed multi-family dwelling use is a permitted use in the R-6 zone (Land Use Code Table 6-A). Staff analyzed the proposal and found that all relevant dimensional standards including minimum lot size, setbacks, and frontage requirements set forth within the R-6 Zone of the Land Use Code are being met which are summarized below:

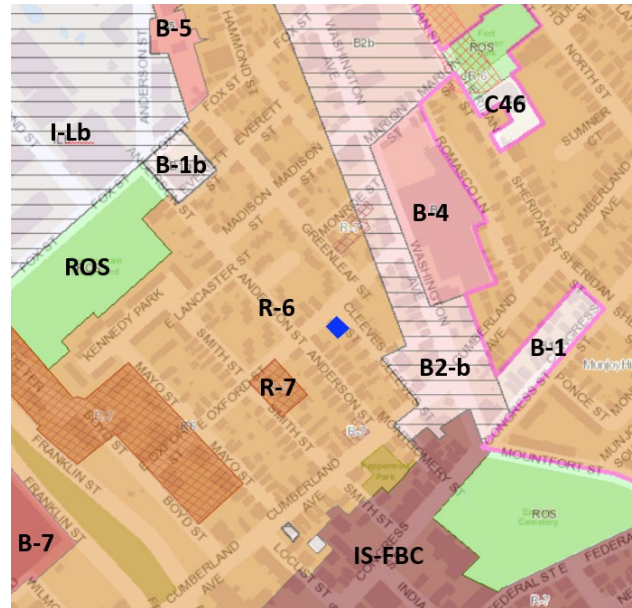


Figure 6 – Zoning Map with Subject Parcel in Blue

A. DIMENSIONAL AND USE REQUIREMENTS

<i>R-6 Residential Zone</i>	<i>Permitted</i>	<i>Proposed</i>
Lot area per dwelling unit (min)	725 SF	786.7 SF
Street frontage (min)	20 ft.	70 ft.
Lot width (min)	20 ft.	70 ft.
Front setback	5 ft.	5 ft.
Rear setback	10 ft.	12.85 ft
Minimum side setback (right)	5 ft.	7.73 ft
Minimum side setback (left)	None (on side street)	10.51 ft.
Rear stepback (above 35 ft. when property line abuts a residential zone)	15 ft.	15 ft.
Side stepback	N/A	19.73 ft.
Structure height (max.)	45 ft.	40 ft.
Lot coverage (max.)	60%	60%
Landscaped open space ratio (min.)	20%	40%
Width of garage opening on front façade (max.)	9 ft. or 40% of the front facade, whichever is greater, and in no case more than 20 ft.	26.5% (13 foot wide garage opening / 49 feet front façade)

IX. SITE PLAN STANDARDS (Section 14.6)

The proposed development has been reviewed by staff for conformance with the relevant review standards of the City of Portland's Site Plan Ordinance, Section 14.6. As of the writing of this memo staff are still awaiting additional submissions from the applicant. Staff comments are below:

1. Transportation Standards (Section 14.6.1)

A. Impact on surrounding street systems; Access and circulation;

The City's consulting traffic engineer continues to review the project with the standards to ensure provision of safe and reasonable access and internal circulation for all users of the site. The site proposes one handicap accessible vehicle parking space accessed from the 10-foot wide driveway to the north benefiting the ground level unit, and providing primary vehicle access/egress via a 10-foot two-way driveway located at the south of the site accommodating four indoor parking spaces and one additional outdoor space.

Technical Manual Sections 1.7.1 & 1.14.3 – Driveway Design and Parking Lot Layout

To facilitate the plan, the applicant requests waivers to Technical Manual Section 1.7.1 and Section 1.14.3 which permits no more than one driveway for residential development with nine parking spaces or less, and minimum of a 24 foot drive aisle width in parking areas, respectively.

The applicant's ground level plan (Figure 6) shows a vehicle turning radius of 24'-0" and 14'-5" along the south driveway.

However, in order to confirm the adequacy of the site layout for acceptable vehicle turning movement into and out of the proposed spaces, the City's consulting traffic engineer has requested the applicant provide an Autoturn analysis/diagram that depicts vehicle movements into parking spaces, which has not yet been received (Attachment 1).

At this time **staff are seeking to introduce the Board to these waiver requests for general questions and feedback.**

Technical Manual Section 1.8.2 – Sidewalks and Driveway Aprons

In general, staff find the application provides for reasonable pedestrian access and circulation. The applicant's plan accommodates pedestrian circulation by way of making updates to the existing sidewalk and installing new concrete sidewalk. Given that the site is located within a brick sidewalk district, according to Section 1.8.2 of the City's Technical Manual, the applicant requests a waiver to the City's Sidewalk Materials Policy to keep the sidewalk consistent with those in the surrounding area which are concrete. Public Works engineers have reviewed the application and support the

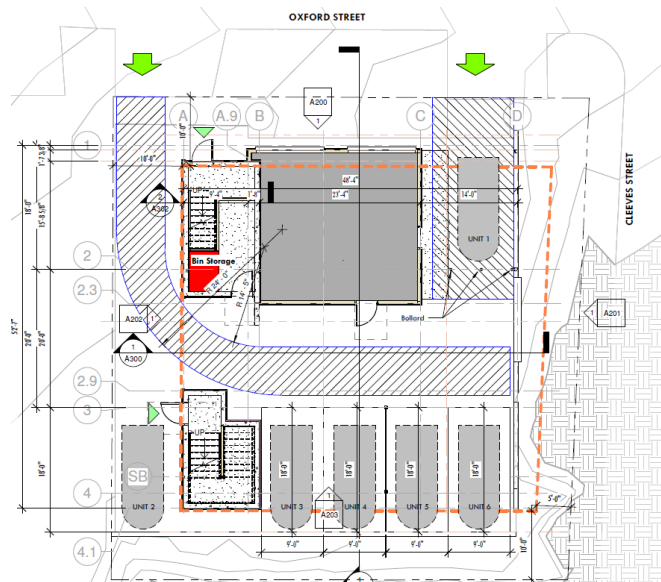


Figure 6 – Proposed Parking and Access at Ground Level

proposed concrete material in order to keep the material consistent in the area Attachment 2).

Planning Staff are seeking the Board's feedback on this waiver request.

B. Public transit access

All residential development consisting of 20 or more dwelling units shall provide a transit shelter adjacent to or within the public right-of-way along its frontage when the development is proposed along an existing public transit route and the nearest transit shelter on the route is more than $\frac{1}{4}$ mile from the site. The proposed residential development is under 20 dwelling units therefore this standard is not applicable.

C. Parking

Under Table 19-A of the City's Land Use Code, multifamily units are required to provide one parking space per dwelling unit. In the R-6 zone no off-street parking is required for the first three dwelling units (Table 19-B Exceptions to off-street parking minimums). The application includes providing six parking spaces onsite (one per unit).

It should be noted that the site is located within $\frac{1}{4}$ of fixed route transit service and therefore no off-street parking is required (Table 19-B) should the applicant choose to take advantage of this exception.

The development is required to provide two bicycle parking spaces for every five units proposed. The applicant has provided the required two bicycle parking spaces which are located along the north end of the property toward the street frontages.

D. Transportation demand management (TDM)

Not required. The application proposes a total of 8,750 square feet of residential floor area, which is less than the review criteria threshold that would require a TDM plan.

2. Environmental Quality Standards (Section 14.6.2)

A. Preservation of significant natural features

The existing site is a developed parcel located in an urban environment. The applicant has indicated that there are no significant natural features on site.

B. Landscape preservation

The property includes existing landscaping onsite located along Cleeve Street, which includes a white pine and fir tree. The proposal calls for removing the existing vegetation, including removing invasive Asiatic bittersweet vine, along the north property line and replacing it with new landscaping (See Section C below) in the hope that the invasive landscaping will be eliminated. Due to the fact that the existing trees exist within the side property line that does not have a setback requirement (due to being on a side street), no preservation within the side yard is required.

C. Site landscaping and buffers

Under Section 4.6.1 of the City's Technical Manual multi-family residential projects are required to provide one tree per unit. The application proposes six units requiring six street trees be provided. The application proposes planting one honey locust street tree within the front sidewalk and due to the existing utilities preventing planting as well as a limited street frontage of 70 feet, the applicant proposes planting five additional trees onsite along Cleeve Street within 20 feet of the property line to meet the requirement.

In total to meet the landscaping requirements of the site the applicant has provided an evergreen vegetated buffer along the rear property line to buffer the development from surrounding development, as well as shrubs throughout the site for a total of 13 bayberry shrubs, six arborvitae trees, and one honey locust tree.

The City Arborist has reviewed the applicant's plan and finds all review comments have been addressed (Attachment 5).

D. Water quality/storm water management/erosion control

The project proposes a stormwater system which runs stormwater off the roof and discharges in the rear of the site through the downspout system (Plans 22 & 24), which discharges to a swale onsite.

The City's consulting stormwater engineer has reviewed the applicant's drainage plans and stormwater management report with the applicable stormwater standards and finds that the project does not trigger any of the thresholds requiring stormwater treatment for redevelopment projects under MaineDEP Chapter 500 due to proposing less than 5,000 SF of non-roof redeveloped impervious area, with 332 square feet proposed (Attachment 6). The stormwater consultant has recently provided additional review comments to the applicant requesting that the plans show the location of the downspout with ground surface stabilization in order to prevent erosion. The plans propose managing the site's stormwater onsite with a swale but the City's consulting engineer recommends adding the swale into the project's HydroCAD model to confirm that the site will not impact adjacent properties with resulting stormwater flows. More information will be forthcoming at the next public meeting once these materials are received.

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

A. Consistency with City Master Plans

In addition to fostering development within one of the City's priority nodes and close proximity to priority corridors, the proposed project is in keeping with the stated goals of *Portland Plan 2030* regarding housing and the policy of creating complete neighborhoods. The project takes advantage of an on peninsula, location near transit and walkable services.

Livable City: Housing – local goals met by this project:

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

B. Public safety and fire prevention

Planning Staff have reviewed the proposal with the City's Fire Marshal and find that all public safety and fire prevention concerns have been addressed.

C. Availability and capacity of public utilities

The applicant has provided an ability to serve letter from the Portland Water District (PWD) (Attachment H) which demonstrated a need for the existing domestic water service line to be

increased in size to 2 inches and the addition of a 4-inch sprinkler supply to serve the building sprinkler system.

The applicant has proposed upgrading the existing utility lines on their site plan. Public Works continues to review the proposed utilities and more information will be forthcoming at the next public meeting.

Land Use Code Section 14.6.3.2C – Underground Utilities

The proposal includes providing above ground electrical utilities to serve the electric needs of the project. However, Section 14.6.3.2.C of the City's Land Use Code requires that *“Electrical service shall be underground unless otherwise specified for industrial uses, or if it is determined to be unfeasible due to extreme cost, the need to retrofit properties not owned by the applicant or complexity of revising existing overhead facilities.”*

As a basis for the submitted waiver request, the applicant has submitted additional information (Attachment L) from their contractor which indicates that approximate cost of installing underground electrical service is between \$24,000 to \$34,000, and states that there are challenges with attempting to budget for installing an underground electrical service due to the likelihood of unearthing abandoned pipes and multiple utility connections under the Oxford Street block. In addition to obtaining this cost estimate, the applicant has reported that the surrounding neighborhood uses overhead lines, stating that because there is no existing underground electrical connection on this block or for a minimum of 1 block each direction on the street, the installation of overhead electrical lines would not disrupt the existing neighborhood aesthetic.

Staff have reviewed the proposal and confirm the applicant's assessment is accurate in that the existing neighborhood condition is made up of overhead utility lines. Staff acknowledge the additional information provided that explains the potential for complications during excavation in a dense urban setting which may translate into unforeseen complications or unknown project costs which may result. Planning staff, in coordination with the Department of Public Works, are continuing to evaluate the waiver request and have yet to make a determination as to the suitability of a waiver in this case. **Staff are requesting feedback from the Planning Board if a waiver to provide overhead electrical service is supported.**

4. Site Design Standards (Section 14.6.4)

A. Massing, ventilation, and wind impact

The proposed four-story multifamily structure meets the zoning dimensional requirements and the proposed height is consistent with the surrounding built context. No ventilation or wind impacts are anticipated.

B. Shadows

Not applicable. The project is not adjacent to publicly accessible open space therefore the standards of this section are not relevant.

C. Snow and ice loading

The proposal directs stormwater off the roof and discharges in the rear of the site through the downspout system. The applicant has shown designated snow storage areas on their plans (Plan 4). The development has been designed to prevent significant amounts of ice and snow from loading or falling onto adjacent properties or public ways. Staff have no concerns that the project has demonstrated meeting the standards of this section.

D. View corridors

There are no designated view corridors within the project vicinity; this standard does not apply.

E. Historic resources

The proposed development is not located in or within 100 feet of a historic district or historic landmark; this standard does not apply.

F. Exterior lighting

The applicant has recently submitted a lighting plan (Plan 47) and lighting cut sheets proposed new site lighting. Staff continue to review these materials to ensure the plan is not exceeding allowable lighting levels, etc., and more information will be forthcoming at the next public meeting.

G. Noise and vibration

No adverse impacts related to noise and vibration are anticipated as mechanical equipment is either screened and located away from residential properties. The applicant has stated that the HVAC system will meet the applicable state and federal emissions requirements and heat pump condensers and other HVAC equipment will operate from a ground level mechanical room and hung on the backside of the building approximately 13 feet away from the rear property line away from abutters. Additionally, there are arborvitae trees proposed along the rear property line which are 5 – 6 feet tall to provide some screening at ground level.

H. Signage and wayfinding

No wayfinding signage is currently proposed, and the only signage shown on plans is related to vehicular access.

I. Zoning-related design standards

The proposal is subject to meeting the applicable R-6 Infill Development design standards under Section (k) of the City's Design Manual. The applicant has submitted elevations and renderings (Plan 48) which have been recently revised to address staff preliminary review comments (Attachment 2).

The applicant's revised plans (Plans 16 & 29-32) were reviewed in March by a design review team made up of three Planning staff which found that the design meets the applicable design standards (Attachment 3). The applicant has since provided additional information regarding the future vertical barrier at parapet wall intended for a future deck, and staff believe the barrier is appropriate to compliment the building design.

In particular, some of the key changes the applicant made to address the design standards include the following:

- 1) Eliminating the previously submitted butterfly roof-design and proposing a flat roof expressed by a continuous cornice line to be consistent with typical multifamily buildings above 35 feet in neighborhood
- 2) Successfully integrating landscaping within the front setback to provide a transition space
- 3) Adjusting windows on ground level unit for 48" sill height to create visual privacy of occupants
- 4) Clarifying the materiality which includes composite high density cellular acrylic form Wolf Siding with a mix of 7" and 4" profiles to color the massing of the facades, including: Morning Mist, Graphite and Baltic Blue as selected colors



Figure 7 – Perspective Rendering 2



Figure 8 – West Elevation (Building Front)

X. NEIGHBORHOOD MEETING & PUBLIC COMMENT

The applicant's neighborhood meeting was held on January 13, 2022 and the required neighborhood meeting documentation has been submitted (Attachment I). Five members of the public were in attendance. The meeting included questions asking about the proposed design materials and landscaping. Discussion and feedback received by attendees included concerns about the amount of parking and waste disposal. Suggestions received included seeking upgrades to city infrastructure and supporting tree planting in the right of way area.

At the time of writing this report no written public comment has been received for this project.

XI. NEXT STEPS

At this time staff are specifically seeking Board feedback on the three waivers and design feedback.

Following the workshop, the application will:

1. Continue to address staff and Planning Board review comments
2. Prepare final plan submission
3. Schedule and hold a Planning Board public hearing

XII. ATTACHMENTS

REPORT ATTACHMENTS

1. Comments from Consulting Traffic Engineer (dated 4.8.2022)
2. Design Comments (dated 1.19.2021)
3. Design Comments (dated 3.2.2022)
4. Comments from Public Works Engineer (dated 1.18.2022)
5. Comments from City Arborist (dated 3.25.2022)
6. Comments from Consulting Civil Engineer (dated 4.7.2022)

APPLICANT'S SUBMITTAL

- A. Project Narrative
- B. Application Checklist
- C. Deed
- D. Agent Authorization
- E. Financial Capacity
- F. Technical Capacity
- G. Zoning Table
- H. Ability to Serve Letter
- I. Neighborhood Meeting Documentation
- J. Response to Staff Comments (dated 2.22.2022)
- K. Cost Estimate of Electrical Service
- L. Response to Staff Comments (dated 4.6.2022)

PLANS

- Plan 1. Survey
- Plan 2. Cover Sheet - Civil Plans
- Plan 3. Existing Site Plan
- Plan 4. Site Plan
- Plan 5. Landscaping Plan
- Plan 6. Construction Management Plan
- Plan 7. Site Details
- Plan 8. Erosion Control Details
- Plan 9. Foundation Plan
- Plan 10. Ground Level Vehicle Access Plan
- Plan 11. Life Safety Plans
- Plan 12. First Floor Framing
- Plan 13. 2nd and 3rd Floor Framing
- Plan 14. Roof Framing
- Plan 15. Stair
- Plan 16. Coversheet - Architectural Plans
- Plan 17. Code Information
- Plan 18. General Notes
- Plan 19. Ground Floor Plan
- Plan 20. First Floor Plan
- Plan 21. Second Floor Plan
- Plan 22. Roof Plan 1
- Plan 23. Third Floor Plan

- Plan 24. Roof Plan 2
- Plan 25. RCP Ground Level
- Plan 26. RCP – Second Floor
- Plan 27. RCP – Third Floor
- Plan 28. RCP – Fourth Floor
- Plan 29. Elevation – Oxford Street
- Plan 30. Elevation Cleeves Street
- Plan 31. Elevation – Side-Garage Entrance
- Plan 32. Elevation – Back
- Plan 33. Building Sections
- Plan 34. Building Sections Cont.
- Plan 35. Stair Tower Sections
- Plan 36. Bathroom Elevations
- Plan 37. Bathroom Elevations Cont
- Plan 38. Kitchen Elevations
- Plan 39. Details
- Plan 40. Details Cont.
- Plan 41. Area Plans
- Plan 42. Schedules 1
- Plan 43. Schedules 2
- Plan 44. Schedules 3
- Plan 45. Floor Finish Plan
- Plan 46. Room and Finish Schedule
- Plan 47. Lighting Plan
- Plan 48. Originally Submitted Rendering and Elevations



Jimmy Dealaman <jdealaman@portlandmaine.gov>

26 E. Oxford Street - Traffic Comments

Tom Errico <thomas.errico@tylin.com>

Thu, Apr 7, 2022 at 3:23 PM

To: James Dealaman <jdealaman@portlandmaine.gov>

Hi Jimmy – the applicant has provided some information based upon our request to document the adequacy of the site layout for acceptable vehicle turn maneuvering into and out of the proposed parking spaces. The information provided by the applicant illustrates a generic vehicle path template and does not adequately provide information to determine the feasibility of vehicle movements into and out of the proposed parking spaces. As requested previously, the applicant shall provide auto-turn diagrams that depict vehicle movements into and out of all parking spaces.

If you have any questions, please contact me.

Best regards,

Tom Errico, PE

NE TRAFFIC ENGINEERING DIRECTOR

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Planning and Urban Development Department



Subject: R-6 Design Review – 26 East Oxford

Written by: Sean King, Urban Designer

Date of Review: Wednesday, January 19, 2021

A design review according to the City of Portland Design Manual Standards was performed for the proposed new construction of a 6-unit residential building at 26 East Oxford Street. Reviewers: Sean King – Urban Designer, Jimmy Dealaman - Planner, and Kevin Kraft - Deputy Director.

The project was reviewed against the **R6 Residential Zone Standards (Appendix 7 of the Design Manual)**.

SMALL RESIDENTIAL LOT DEVELOPMENT LOCATED IN THE R-6 ZONE

(1) **STANDARDS.** Small residential lot development located in the R-6 zone on lots of ten thousand (10,000) square feet or less shall provide a high degree of architectural quality and compatibility with the surrounding neighborhood as demonstrated by compliance with the principles and standards of the R-6 Infill Development Principles and Standards, promulgated by the Planning Board and contained in Appendix 7 of this manual. Any proposal required to obtain a certificate of appropriateness under Portland's historic preservation ordinance is exempt from the R-6 design review standard.

Design Review Comments (*red text denotes standards that are not met*):

R-6 Infill Development Design Principles & Standards - Appendix 7

PRINCIPLE A - Overall Context. A building design shall contribute to and be compatible with the predominant character-defining architectural features of the neighborhood.

STANDARD A-1 - Scale and Form:

- Scale and form relates to nearby residential structures that contribute to and are compatible with the predominant residential neighborhood character.

STANDARD A-2 - Composition of Principal Facades:

- Composition of the new building façade, including the projection of bays along with the rhythm, size, orientation and proportion of window and door openings is compatible of neighborhood.

STANDARD A-3 - Relationship to Street:

- The building placement is consistent with the spacing and rhythm of the residential fabric. The building's main entry is oriented toward the street and is slightly setback to allow for a stoop as primary residential entry.

PRINCIPLE B - Massing – The massing of the building reflects and reinforces the traditional building character of the neighborhood through a well composed form, shape and volume. - **Not Met**

STANDARD B-1 - Massing - Met

- The building's massing is appropriate in relationship to size, scale and shape within the existing neighborhood.

STANDARD B-2 - Roof Forms – **Not Met**

- Roof form is not compatible with the predominant character-defining architectural features of the neighborhood. Multi-family above 35 feet utilize a flat roof form expressed by a continuous cornice line.
- Identify any rooftop appurtenances to include mechanical equipment, etc. and proposed screening.

STANDARD B-3 - Main Roofs and Subsidiary Roofs – **Not met**

- The building main roof form is not compatible, with subsidiary roof forms appropriately identified as flat roof that are parallel and perpendicular to the street. Express main and subsidiary roofs with continuous cornice. Identify exterior space, shown on A102, and clarify the vertical dimension between future deck and parapet wall.

STANDARD B-4 - Roof Pitch – **Not met**

- The roof pitch standard is not met. The predominant roof form for multi-family above 35 feet utilize a flat roof form expressed by a continuous cornice line.

STANDARD B-5 - Façade Articulation – Met

- Project proposes recessed entry with a canopy.

STANDARD B-6 - Garages

- A garage is not proposed at the street-facing façade.

PRINCIPLE C - Orientation to the Street – The building façade shall reinforce a sense of the public realm of the sidewalk while providing a sense of transition into the private realm of the home. - **Not Met**

STANDARD C-1 – Entrances – **Not met**

- Main entrance is oriented toward the street and articulated with recessed entry and canopy. Clarify materiality of canopy.

STANDARD C-2 - Visual Privacy – **Not met**

- Visual privacy of occupants on ground floor dwelling does not meet standard. Observe the window sill height at least 48" above adjoining sidewalk grade.

STANDARD C-3 - Transition Spaces – **Not met**

- **Identify 5' front setback as buffer for landscaping.**

PRINCIPLE D - Proportion and Scale – Building proportions must be harmonious and individual building elements shall be human scaled.

STANDARD D-1 – Windows - Met

- All windows and doorways have a proportional relationship to the overall massing of the building.

STANDARD D-2 – Fenestration - Met

- Windows and doorways scaled appropriately and meet at least 12% of total façade area.

STANDARD D-3 - Porches

- Porch standard does not apply.

PRINCIPLE E – Balance – The building façade elements must create a sense of balance by employing local or overall symmetry and by appropriate alignment of building forms, features and elements.

STANDARD E-1 - Window and Door Height - Met

- The majority of window and door head heights align along a common horizontal datum.

STANDARD E-2 - Window and Door Alignment - Met

- The majority of windows stack to express a vertical alignment.

STANDARD E-3 – Symmetricality - Met

- The primary window composition relates to the floor plan organization with bedrooms and living spaces facing the street.

PRINCIPLE F – Articulation – The design of the building is articulated to create a visually interesting and well composed residential façade. – **Not Met**

STANDARD F-1 – Articulation – **Not met**

- **Surface articulation in the building should include detailed consistency on the façade visible from the public right of way through dimensional trim (minimum width of 4”), window reveals, or similar elements appropriate to style of building. Clarify material type of proposed trim and details on the façade for windows and exterior doors facing street.**

STANDARD F-2 - Window Types - Met

- Two window types and sizes are used on the street-facing façade.

STANDARD F-3- Visual Cohesion – **Not met**

- For visual cohesion of siding material, prioritize horizontal orientation and consistency of clapboard material prevalent within the surrounding neighborhood.

STANDARD F-4- Delineation Between Floors - Met

- Delineation between floors is assembled by fenestration pattern set by window alignment in upper floors.

STANDARD F-5 - Porches, etc. - Met

- Entryway stoop is architecturally integrated into the overall design of the building.

STANDARD F-6 - Main Entries – **Not met**

- The main pedestrian entry is facing East Oxford Street. **Provide materiality of main entry canopy.**

STANDARD F-8 - Articulation

- **The following features shall be on all facades facing and adjacent to the street:**
 - i. Eaves and rakes shall have a minimum projection of 6 inches.
 - ii. **All exterior façade trim such as that used for windows, doors, corner boards, and other trim, shall have a minimum, width of 4 inches except for buildings with masonry exteriors.**
 - iii. If there are off sets in building faces or roof forms, the off sets shall be a minimum of 12 inches.
 - iv. Pronounced and decorative cornices. **Identify material and distances.**

Principle G - Materials – Building facades shall utilize appropriate building materials that are harmonious with the character defining materials and architectural features of the neighborhood. **Not Met**

STANDARD G-1 - Materials

- **Vinyl siding, as proposed as the predominant façade material, is not appropriate for the multi-residential building to be compatible with the neighborhood. Applicant to explore clapboard material and clarify type and color.**

STANDARD G-2 - Material and Façade Design

- Ground floor is differentiated with a change in material of masonry.

STANDARD G-3 - Chimneys

- No chimneys are visible, standard not applicable.

STANDARD G-4 - Window Types

- The window types include only two types on the front façade. The predominant character in this context is vertical proportioned windows with one or two types visible from the street.

STANDARD G-5 - Patios and Plazas

- Not applicable.

Design Review
Planning and Urban Development Department



Subject: 26 East Oxford Street
Zone: R-6
Date of Review: Wednesday, March 2, 2022
Reviewer(s): Sean King (Urban Designer), Jimmy Dealaman (Planner), Kevin Kraft (Deputy Director)
Project ID: PL-001837-2021

I. INTRODUCTION

The project was reviewed against the R6 Residential Zone Standards (Appendix 7 of the Design Manual).

SMALL RESIDENTIAL LOT DEVELOPMENT LOCATED IN THE R-6 ZONE

(1) **STANDARDS.** Small residential lot development located in the R-6 zone on lots of ten thousand (10,000) square feet or less shall provide a high degree of architectural quality and compatibility with the surrounding neighborhood as demonstrated by compliance with the principles and standards of the R-6 Infill Development Principles and Standards, promulgated by the Planning Board and contained in Appendix 7 of this manual. Any proposal required to obtain a certificate of appropriateness under Portland's historic preservation ordinance is exempt from the R-6 design review standard.

II. DESIGN REVIEW COMMENTS: red text denotes standards that are not met

PRINCIPLE A - Overall Context. A building design shall contribute to and be compatible with the predominant character-defining architectural features of the neighborhood.

STANDARD A-1 - Scale and Form:

Scale and form relates to nearby residential structures that contribute to and are compatible with the predominant residential neighborhood character.

STANDARD A-2 - Composition of Principal Facades:

Composition of the new building façade, including the projection of bays along with the rhythm, size, orientation and proportion of window and door openings is compatible of neighborhood.

STANDARD A-3 - Relationship to Street:

The building placement is consistent with the spacing and rhythm of the residential fabric. The building's main entry is oriented toward the street and is slightly setback to allow for a stoop as primary residential entry.

PRINCIPLE B - Massing – The massing of the building reflects and reinforces the traditional building character of the neighborhood through a well composed form, shape and volume. - Met

STANDARD B-1 - Massing - Met

The building's massing is appropriate in relationship to size, scale and shape within the existing neighborhood.

STANDARD B-2 - Roof Forms – Met

Roof form is compatible with the predominant character-defining architectural features of the neighborhood with multi-family above 35 feet utilize a flat roof form expressed by a continuous cornice line.

STANDARD B-3 - Main Roofs and Subsidiary Roofs – Met

The building main roof form is compatible with subsidiary roof forms appropriately identified as flat roof that are parallel and perpendicular to the street. **Identify and specify future vertical barrier (ie guardrail, etc.) at parapet wall for future deck to compliment building design.**

STANDARD B-4 - Roof Pitch – Met

The proposed roof form for multi-family above 35 feet is a flat roof form expressed by a continuous cornice line.

STANDARD B-5 - Façade Articulation – Met

Project proposes recessed entry with a canopy.

STANDARD B-6 - Garages

A garage is not proposed at the street-facing façade.

PRINCIPLE C - Orientation to the Street – The building façade shall reinforce a sense of the public realm of the sidewalk while providing a sense of transition into the private realm of the home. - Met

STANDARD C-1 – Entrances – Met

Main entrance is oriented toward the street and articulated with recessed entry and canopy.

STANDARD C-2 - Visual Privacy – Met

Visual privacy of occupants on ground floor dwelling includes window sill height at least 48" above adjoining sidewalk grade.

STANDARD C-3 - Transition Spaces – Met

A five (5) foot front setback is proposed as buffer with landscaping to delineate sidewalk from building.

PRINCIPLE D - Proportion and Scale – Building proportions must be harmonious and individual building elements shall be human scaled.

STANDARD D-1 – Windows - Met

All windows and doorways have a proportional relationship to the overall massing of the building.

STANDARD D-2 – Fenestration - Met

Windows and doorways scaled appropriately and meet at least 12% of total façade area.

STANDARD D-3 - Porches

Porch standard does not apply.

PRINCIPLE E - Balance – The building façade elements must create a sense of balance by employing local or overall symmetry and by appropriate alignment of building forms, features and elements.

STANDARD E-1 - Window and Door Height - Met

The majority of window and door head heights align along a common horizontal datum.

STANDARD E-2 - Window and Door Alignment - Met

The majority of windows stack to express a vertical alignment.

STANDARD E-3 – Symmetricality - Met

The primary window composition relates to the floor plan organization with bedrooms and living spaces facing the street.

PRINCIPLE F - Articulation – The design of the building is articulated to create a visually interesting and well composed residential façade. – Met

STANDARD F-1 – Articulation – Met

Surface articulation in the building should include detailed consistency on the façade visible from the public right of way through dimensional trim (minimum width of 4”), window reveals, or similar elements appropriate to style of building. Proposed use of composite siding alternative is appropriate for trim and details on the façade for windows facing street.

STANDARD F-2 - Window Types - Met

Two window types and sizes are used on the street-facing façade.

STANDARD F-3- Visual Cohesion – Met

Proposed horizontal orientation of composite siding with vertical orientation proposed to articulate entry, which is consistent of clapboard material prevalent within the surrounding neighborhood.

STANDARD F-4- Delineation Between Floors - Met

Delineation between floors is assembled by fenestration pattern set by window alignment in upper floors.

STANDARD F-5 - Porches, etc. - Met

Entryway stoop is architecturally integrated into the overall design of the building.

STANDARD F-6 - Main Entries – Met

The main pedestrian entry is facing East Oxford Street and proposed as modular metal assembly system.

STANDARD F-8 - Articulation

The following features shall be on all facades facing and adjacent to the street:

Eaves and rakes shall have a minimum projection of 6 inches.

All exterior façade trim such as that used for windows, doors, corner boards, and other trim proposed meets the minimum, width of 4 inches except for buildings with masonry exteriors.

If there are off sets in building faces or roof forms, the off sets shall be a minimum of 12 inches.

Pronounced and decorative cornices is appropriate.

Principle G - Materials – Building facades shall utilize appropriate building materials that are harmonious with the character defining materials and architectural features of the neighborhood. Met

STANDARD G-1 - Materials

A proposed composite siding is proposed with a variety of reveal and color to provide a durable and aesthetic façade.

STANDARD G-2 - Material and Façade Design

Ground floor is differentiated with a change in material of masonry.

STANDARD G-3 - Chimneys

No chimneys are visible, standard not applicable.

STANDARD G-4 - Window Types

The window types include only two types on the front façade. The predominant character in this context is vertical proportioned windows with one or two types visible from the street.

STANDARD G-5 - Patios and Plazas

Not applicable.



Jimmy Dealaman <jdealaman@portlandmaine.gov>

Oxford St Sidewalks

Lauren Andersen <landersen@portlandmaine.gov>
To: Jimmy Dealaman <jdealaman@portlandmaine.gov>
Cc: Jennifer Ladd <jwl@portlandmaine.gov>

Tue, Jan 18, 2022 at 10:00 AM

Hey Jimmy,

Yes - the sidewalk material should cross the driveway apron and be accessible (2% max cross slope). I've attached another driveway detail that shows the accessible path of travel across the driveway.

This is a brick district however because the adjacent sidewalks are concrete I think it makes sense to keep this area consistent. The material policy states:

Partial replacement:

The Department of Public Works may approve a deviation from the sidewalk material policy to match existing sidewalks in cases where:

1. A substantial portion of sidewalks adjacent to and in the area surrounding the portion to be constructed or disturbed are of a material other than that designated on the Sidewalk Material map, and:
 - a. Existing sidewalks on the affected street frontage, other than those in the area to be disturbed, are in sound conditions, and
 - b. Less than 50% of the existing sidewalk on the affected block is to be disturbed

I think we meet this criteria and it makes sense to keep this area consistently concrete.

Please let me know if you have any questions or concerns. Thanks!

[Quoted text hidden]

2 attachments

Figure_I_11C_ReinforcedConcreteSidewalk.pdf
41K

Final Detail Package - 2021 CIP 12.pdf
40K



Jimmy Dealaman <jdealaman@portlandmaine.gov>

26 E. Oxford Street - Additional Comments

Jeff Tarling <jst@portlandmaine.gov>

Fri, Mar 25, 2022 at 12:59 PM

To: Jimmy Dealaman <jdealaman@portlandmaine.gov>

Hi Jimmy -

This looks OK, we can mention that evergreen trees like Arborvitaes are measured in height vs caliper or thickness of the trunk.

We would ask for Arborvitae in the 5-6' range to better establish than, say asking for the larger 7-8' range which often struggle if not maintained and watered for a few years.

Jeff

[Quoted text hidden]



Jimmy Dealaman <jdealaman@portlandmaine.gov>

25 East Oxford Street

Lauren Swett <lswett@woodardcurran.com>
To: Jimmy Dealaman <jdealaman@portlandmaine.gov>

Thu, Apr 7, 2022 at 1:12 PM

Hi Jimmy,

I've taken a look at their response to comments and updated plans. They have provided some description of the roof redesign, and they reference an architectural plan for this. What they are proposing is fine, but the final grading and drainage plan should show the location of the downspout, and there should be stabilization on the ground surface where the downspout discharges to the swale – this could be something like crushed stone or rip rap or some kind of splash block. Essentially, the design should ensure that the roof drainage will not result in erosion at the discharge location.

As you note, their comment on discharge of stormwater is a bit at odds. As long as they provide some sort of stabilization at the discharge location, the swale will manage the stormwater. They don't need to meet the Flooding Standard with this project, but they can't negatively impact their neighbors, and this system should manage that. One way they could confirm this is to add the swale to their HydroCAD model – that would definitely show that they are reducing flow.

They also will need to show their erosion and sedimentation control measures on their plans – I think that was a prior comment, but I'm not sure it was shared with them. They should

Let me know if you have any additional questions.

Thanks,

Lauren

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

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[Quoted text hidden]

[Quoted text hidden]

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Jimmy Dealaman

Planner

City of Portland

Planning and Urban Development Department

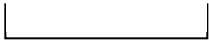
[389 Congress Street, 4th Floor](#)

Portland, Maine 04101

(207) 874-8718

jdealaman@portlandmaine.gov

www.portlandmaine.gov



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Jimmy Dealaman

Planner

City of Portland

Planning and Urban Development Department

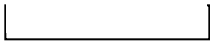
[389 Congress Street, 4th Floor](#)

Portland, Maine 04101

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www.portlandmaine.gov



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



189 Main Street, Suite 200
Yarmouth, ME 04096

October 29, 2021

City of Portland
389 Congress Street
Portland, ME 04101

Re: 26 Oxford Street – Proposed Building
Site Plan Application

Dear Planning:

Trillium Engineering Group is providing this project narrative for the proposed building to be erected at 26 East Oxford Street. This development proposes the demolition of an existing two-story building in order to provide a new four-story residential building with (6) units (CBL 013 D002001).

The site currently features an existing 1,350± square foot building with an associated deck, bulkhead and adjacent garage. These buildings are to be removed and replaced with a new 22'-5 ¼"x34'-6 ¾" multi-family building. This project will lead to an increase of 259 square feet of impervious area.

Please see the plans, application, and below responses to the City of Portland Major Site Plan Application Checklist for further information.

General Application Documents:

1. *Project Description*

Response: A project description has been provided above.

2. *Completed checklist*

Response: A completed checklist has been provided, see attached documents.

3. *Evidence of Right, Title, and Interest*

Response: A deed to the property has been provided, see attached documents

4. *Evidence of State or Federal Approvals*

Response: This section is non-applicable, as the project will not require state or federal approval.

5. *Zoning Assessment*

Response: A modified version of zoning assessment table showing all relevant dimensional requirements has been provided on Sheet C101.

6. *Site Plan Standards Assessment*

Response: This project meets all the relevant standards outlined in Section 14.6 of the City of Portland Land Use Code. Due to the small nature of the work in question, this project will not have a notable effect on the surrounding transportation, public transit access, or environmental quality. This site meets the necessary off-street parking, public infrastructure, and site design requirements.

7. Summary of existing and/or proposed easements or covenants

Response: This section is non-applicable, as there are no known easements or covenants on this site.

8. Waiver requests

Response: Trillium Engineering Group is not requesting any waivers for this project.

9. Evidence of financial and technical capacity

Response: Letters of financial and technical capacity have been included in this application, see attached.

Transportation

Response: This section is non-applicable, as this project will not affect the existing on- or off-site traffic patterns or demands.

Environmental

Response: This section is non-applicable, as this project will not affect the existing on- or off-site traffic patterns or demands.

Public Infrastructure and Safety

Response: This project is consistent with the City's Master Plan. Trillium Engineering Group has spoken with George Carhart of the Portland Department of Public Works to confirm that the existing 6" sewer line will work for the proposed development.

Additionally, Trillium Engineering Group has obtained and attached an Ability to Serve letter from the Portland Water District for the proposed development.

Site Design

Response: Exterior lighting information has been included in the attached documents, and the location of the exterior lights have been shown on the architectural plans. All other portions of the site design checklist are not applicable.

Thank you for taking the time to review this. Should you have any further questions or require any additional information, please do not hesitate to ask.

Sincerely,



Eric Dube, P.E.
Trillium Engineering Group

CITY OF PORTLAND

Planning & Urban Development Department

MAJOR SITE PLAN GENERAL DOCUMENT AND DRAWINGS CHECKLIST Please submit each document as a separate PDF file. Please confirm by electronically checking the boxes in the left-hand column. ** PLEASE FILL OUT AND UPLOAD THE ZONING ASSESSMENT TABLE AND WAIVER TABLE SEPARATELY AS NOTED BELOW ** <b style="color: red;">At the time of application submission, please contact the Department of Public Works regarding E-911 addressing for your project.		
GENERAL APPLICATION DOCUMENTS		
☒	NA	Project Description Cover letter with detailed project description
☒	NA	Completed Checklist (this document)
☒	NA	Evidence of Right, Title, and Interest Deeds, leases, or purchase and sales agreements
Yes	☒	Evidence of State or Federal Approvals Permits or letters of non-jurisdiction, if applicable
☒	NA	Zoning Assessment (see Zoning Assessment Table) Summary of compliance with use and dimensional standards of the land use code
☒	NA	Site Plan Standards Assessment (see Section 14.6 of the land use code) Summary of project compliance with site plan standards of the land use code
Yes	☒	Summary of Existing and/or Proposed Easements or Covenants, applicable. Evidence of existing easements and any proposed easements, covenants, public or private rights-of-way
Yes	☒	Waiver Requests (see Waiver Table) Written request for waiver describing request and compliance with applicable waiver standards
☒	NA	Financial Capability Letter or evidence from a financial institution or third party verifying financial capacity to undertake project
☒	NA	Technical Capability Evidence of technical capability of applicant and consultants – resumes and/or examples of past projects

MAJOR SITE PLAN STANDARDS AND SUBMISSION CHECKLIST

Provide assessment of compliance with standards and include supplemental documentation, as applicable.
Please submit each document as a separate PDF file.

TRANSPORTATION	
Yes NA	Impact on Surrounding Street Systems (14-14.6.1(A)) Describe incremental volume of traffic impacts and mitigation measures. If needed
Yes NA	Access and Circulation (14-14.6.1(B)) Identify and describe the following: - Site access and internal circulation, including ADA access - Drive-up features, if applicable - Loading and servicing needs, routes, and geometry, providing turning templates for delivery vehicles, if applicable - Sidewalks and condition along street frontages and internal walkways - Engineered details for ADA ramps and public sidewalks, meeting sidewalk material policy and construction requirements (Technical Manual, Section 1)
Yes NA	Public Transit (14-14.6.1(C)), if applicable Identify and describe the following: Existing available transit service and proposed transit improvements, including design details, such as easement, pad base, and shelter
Yes NA	Off-Street Parking (14-14.6.1(D)), if applicable Identify and describe the following: - Proposed vehicular and bicycle parking supply (including ADA-compliant parking) in relation to applicable parking requirements in Article 19 of the land use code - Curb cut separation and parking layout (Technical Manual, Section 1) - Construction details for bicycle racks - Management plan for snow storage and removal
Yes NA	Transportation Demand Management (TDM) (14-14.6.1(E)), if applicable Provide TDM plan drafted in accordance with Technical Manual Section 1 requirements

ENVIRONMENTAL	
Yes NA	Preservation of Significant Natural Features (14-14.6.2(A)), if applicable Identify and describe the following: • High and moderate value waterfowl and wading habitat • Aquifers (for Casco Bay Islands) • Waterbodies (including wetlands, watercourses, significant vernal pools and floodplains) • Proposed preservation areas and protection measures • Documentation from environmental compliance consultants and determinations from applicable state and federal agencies
Yes NA	Landscape Preservation (14-14.6.2(B)) Identify and describe the following: • Measures to preserve trees, including within required zoning setbacks (Technical Manual, Section 4) • Measures to protect existing vegetation during construction
Yes NA	Site Landscaping and Buffers (14-14.6.2(C)) Identify and describe the following: • Overall landscaping approach and consistency with standards • The use of screening and buffering of service areas and between non-residential and residential uses • Existing Heritage or Feature Trees on site and measures to preserve • Compliance with street tree requirements
Yes NA	Water Quality, Stormwater Management, and Erosion Control (14-14.6.2(D)) Identify and describe the following: • Erosion and sedimentation control plan and measures • Evidence of compliance with Urban Impaired Stream Standards pursuant to DEP Chapter 500 stormwater law, as applicable • Subsurface sanitary sewage disposal and groundwater protection measures

PUBLIC INFRASTRUCTURE AND COMMUNITY SAFETY		
Yes	NA	Consistency with City Master Plans (14-14.6.3(A)) Describe proposed easements, rights and improvements to connect or continue off-premises public infrastructure, as applicable
Yes	NA	Public Safety and Fire Prevention (14-14.6.3(B)) Identify and describe the following: - Compliance with Crime Prevention through Environmental Design (CPTED) requirements (Technical Manual, Section 3) - Emergency vehicle access - Consistency with public safety standards (Technical Manual, Section 3)
Yes	NA	Availability and Adequacy of Public Utilities (14-14.6.3(C)) (Technical Manual, Sections 2 & 9) Identify and describe the following: - Electrical services, including providing underground services - Existing and proposed connections for public utilities and required public utility upgrades - Sewer line connections
SITE DESIGN		
Yes	NA	Massing, Ventilations and Wind Impact (14-14.6.4(A)) Identify and describe the following: - Wind and ventilation impacts on adjoining structures and/or adjacent public spaces, including wind study, if applicable - Bulk, location, or height impacts on adjoining structures
Yes	NA	Shadows (14-14.6.4(B)), if applicable Provide shadow analysis of impacts on publicly accessible open space (Technical Manual, Section 11)
Yes	NA	Snow and Ice Loading (14-14.6.4(C)) Describe building design measures to prevent snow and ice from loading or falling onto adjacent properties or public ways
Yes	NA	View Corridors (14-14.6.4(D)), if applicable Describe any protection of designated view corridors (Portland Design Manual, Appendix. 1)
Yes	NA	Historic Resources (14-14.6.4(E)), if applicable Identify and describe the following: - The site's status as a designated landmark, within a historic district or historic landscape district, or within 100 feet of any designated landmark, historic district, or historic landscape district - Compliance with standards for preservation and documentation of archaeological resources

Yes	NA	Exterior Lighting (14-14.6.4(F)) Describe how the proposed site lighting will adhere to photometrics requirements as it relates to light trespass and full cutoff fixture design, pursuant to Technical Manual Section 12
Yes	NA	Noise and Vibration (14-14.6.4(G)) Provide data on noise levels for HVAC and other mechanical equipment, such as design specifications, to demonstrate consistency with state and federal noise emissions requirements as well as City code
Yes	NA	Signage and Wayfinding (14-14.6.4(H)), if applicable - Provide signage plan showing the location, dimensions, height and setback of all existing and proposed signs - Provide drawings of all commercial and directional signage on site
Yes	NA	Zone-Related Design Standards (14-14.6.4(I)) Address any applicable design review standards by zone, including compliance with Design Manual

MAJOR SITE PLAN DRAWINGS CHECKLIST

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

All drawings must be submitted in a 24 x 36 sheet size.

BOUNDARY SURVEY (stamped by a Maine Licensed Surveyor and drawn as per Technical Manual Sec. 13)

SITE PLAN(S) (stamped by a Maine Licensed Professional Engineer) including:

All sheets – Include a title block with project title and the following information:

- Project street address
- Name and address of property owner & applicant
- Licensed design professional, incl firm that produced plans
- North arrow
- Date of preparation and revision history block
- Tax parcel (chart, block, and lot) number

Existing Conditions Plan with the following:

- Existing structures, with distance from primary building façade(s) to the property line
- Approximate location of structures on abutting properties
- All streets and intersections adjacent to the site
- Existing driveways, pedestrian ways, and bicycle infrastructure, including dimensions and materials
- Existing public transit infrastructure
- Existing vehicle & bicycle parking areas
- Existing utilities on site and within adjacent rights-of-way
- Existing grades (two-foot contours preferred)
- Location of water courses, wetlands, and vegetation, or other significant natural features
- Existing soil conditions and location of test pits and borings
- Zoning boundary lines, including overlays
- Location of all existing easements and rights-of-way

Proposed Site Plan with the following:

- Proposed structures, including distance from primary building façade(s) to property lines
- Ground floor area, and finished floor elevations for all buildings
- Any proposed geometric modifications to streets and intersections adjacent to site
- Location, dimensions and materials of all proposed driveways, vehicle, bicycle, & pedestrian access ways with corresponding curb lines
- Engineered specifications/ cross-sections for proposed driveways, sidewalks & paved areas
- Location and dimensions of proposed loading areas, including turning templates
- Proposed transit infrastructure with dimensions/ engineering specifications
- Location of vehicle and bicycle parking with dimensions and engineering specifications
- Location of all snow storage areas
- Exterior lighting (please see Technical Manual Sec. 12 for photometrics requirements)
- Location of fire hydrants

• Location of solid waste management receptacles • Location of all proposed HVAC and mechanical equipment, including proposed screening, where applicable • Location of proposed easements and rights-of-way, including dimensions • Please utilize color-coding and/or hatches and shading to delineate changes between the pre and post development condition as needed
UTILITY PLAN including:
• Proposed electrical infrastructure • Location, sizing and directional flows of all proposed sewer and stormwater infrastructure • Location and dimensions of off-premises public or publicly accessible infrastructure adjacent to site • Electric utility infrastructure
GRADING AND DRAINAGE PLAN including:
• Proposed grades • Proposed stormwater management measures meeting Technical Manual (Section 5) standards • Any proposed alteration of a watercourse or wetlands • Any groundwater protection measures • Proposed buffers and preservation measures for wetlands or significant natural features
LANDSCAPE PLAN including:
• Existing vegetation to be preserved and preservation measures • Proposed landscaping, screening, and street trees, including caliper widths for trees • Planting schedule, including street trees
ARCHITECTURAL PLANS AND RENDERINGS including:
• Exterior building elevations, color renderings, illustrations of all sides • Axonometric and street-level views for structures greater than three stories in height • Provide context drawings, if applicable (Design Manual, page 1) • Floor plans
CONSTRUCTION MANAGEMENT PLAN including:
• Specifics on traffic control, sidewalk sheds, and pedestrian rerouting • Include a drawing and written narrative
OTHER
• Details and cross-sections, as necessary

WARRANTY DEED

(Maine Statutory Short Form)

1001940055799

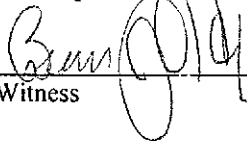
MAINE REAL ESTATE TAX-Paid

KNOW ALL PERSONS BY THESE PRESENTS, that **Barbara Cumming**, of 179 Second Street, Hallowell, ME 04347 for consideration paid, grants to **26 Oxford LLC**, a Maine limited liability company with a mailing address of 146 Pleasant Street, Lexington, MA 02421, with **warranty covenants**, the land together with all buildings thereon situated in the City of Portland, County of Cumberland and State of Maine, being more particularly described as follows:

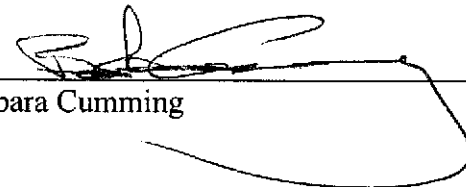
See attached Exhibit A – Property Description

WITNESS my hand and seal this 26th day of April, 2019

Signed, Sealed, and Delivered
in the presence of:



Witness



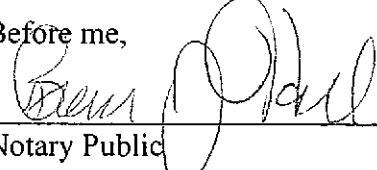
Barbara Cumming

STATE OF MAINE
COUNTY OF CUMBERLAND

April 26, 2019

Personally appeared the above-named **Barbara Cumming**, and acknowledged the foregoing instrument to be her free act and deed.

Before me,



Notary Public
My commission expires:

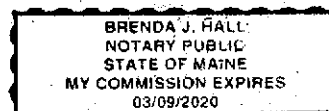


EXHIBIT A

A certain lot or parcel of land, with the buildings thereon, situated at the southwesterly corner of Cleave Street, formerly known as Cleaves Street, in the City of Portland, County of Cumberland and State of Maine, and known as the premises No. 26-28 Oxford Street and more particularly bounded and described as follows:

Beginning on the southwesterly side of Cleave Street, formerly known as Cleaves Street, at the line of land formerly owned by Sarah Williams; thence northwesterly by said Cleave Street sixty-eight (68) feet, more or less, to Oxford Street; thence southwesterly by said Oxford Street sixty-seven (67) feet, more or less, to land formerly of J. Fitts; thence southeasterly about at right angles with Oxford Street and by said Fitts land and continuing in a straight line, by the easterly boundary line of land formerly owned by the heirs of C. Kehoe, a distance of sixty-eight (68) feet, more or less, to said Sarah Williams land, thence northeasterly by said Sarah Williams land sixty-seven (67) feet, more or less, to the place of beginning; containing about 4,655 square feet. Said portion of Oxford Street is now known as East Oxford Street.

Meaning and intending to convey the same premises set forth in a deed from Heather Hagle and Linda Hagle to Barbara C. Cameron dated April 22, 2014 and recorded in the Cumberland County Registry of Deeds in Book 31465, Page 125.

Reference is also made to a deed from Barbara C. Cameron, now known as Barbara Cumming to Barbara Cumming dated July 24, 2015 and recorded in said registry of deeds in Book 32476, Page 279.



189 Main Street, Suite 200
Yarmouth, ME 04096

June 15, 2021

To Whom It May Concern:

We hereby authorize

Trillium Engineering Group
189 Main Street
Yarmouth, ME 04096

As our agent to act on our behalf in all matter relating to all processes required in the proposed building work located at 26 East Oxford Street in Portland, Maine.

This certification commences on the date of signing and is valid for two years from June 15, 2021 to June 15, 2023.

This certificate will become null and void unless it is agreed between both parties to make an extension.

Sincerely,

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

Eric Dube, P.E.
Trillium Engineering Group

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

Signature of Owner
Ray Chang

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

Signature of Agent
Eric Dube, P.E.



October 18, 2021

To Whom It May Concern:

RE: 26 Oxford, LLC Financing

This letter is to confirm that 26 Oxford, LLC has approved financing in place for the project located at 26 E. Oxford Street in Portland.

Katahdin Trust has reviewed the financials of the owner of 26 Oxford, LLC and he demonstrates strong financial capacity for a project of this size and scope.

If you need anything else please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Vicki Bessette", is written over a horizontal line.

Vicki L. Bessette
Vice President
Commercial Services Officer
207-510-7017



189 Main Street, Suite 200
Yarmouth, ME 04096

May 14, 2021

City of Portland
389 Congress Street
Portland, ME 04101

Re: Warren Mechanical
Letter of Technical Capacity

Dear City of Portland:

The Applicant has assembled a team of qualified professionals for the design and permitting of the project. Each team member has extensive experience in the design and permitting of projects throughout the state of Maine. The consultant team consists of the following members:

Civil Engineer: Eric Dube, P.E. and David Latham, E.I.
Trillium Engineering Group
189 Main Street
Yarmouth, Maine 04096

Architect: Andrew Treworgy, AIA
Paul Designs Project
142 High Street
Portland, ME 04101

Portland, Maine



Yes. Life's good here.

Planning & Urban Development Department

ZONING ANALYSIS Relevant Zone(s) R-6

All Projects:

	Required	Proposed
Lot Size	2,000	4,720
Area Per Dwelling Unit	725	786.7
Minimum Street Frontage	20'	68.91'
Front Yard Minimum	5'	5.00
Front Yard Maximum	--	--
Rear Yard	10'	12.85
Yard Right	5'	7.73
Yard Left	5	10.51
Side Street Setback	--	--
Step Back	--	--
Maximum Lot Coverage	60%	60%
Minimum Lot Coverage	--	--
Maximum Height	45'	42.5'
Open Space	20%	40%
Maximum Impervious Area	60%	60%
Pavement Setback	5'	5.00
Floor Area Ratio	--	--
Off Street Parking Spaces	6	6
Loading Bays	--	--
Other 1		
Other 2		
Other 3		

Planned Residential Unit Developments (PRUD) Requirements

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

Affordable Housing Density Bonuses (if applicable)

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



October 27, 2021

Trillium Engineering
ATTN: David Latham
189 Main St Suite 200
Yarmouth, ME 04096

Re: 26 E Oxford St, Portland
Ability to Serve with PWD Water

Dear Mr. Latham:

The Portland Water District has received your request for an Ability to Serve Determination for the noted site submitted on August 19, 2021. Based on the information provided per plans dated October 27, 2021, 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-inch meter may be installed from the water main in East Oxford St. The service should enter through the property's frontage on East Oxford St at least 10-feet from any side property lines. An approved non-testable dual check backflow prevention device must be installed on the service line directly after the meter prior to service activation.
- A new 4-inch fire service may be installed from the water main in East Oxford St. The service should enter through the property's frontage on East Oxford St at least 10-feet from any side property lines. An approved testable double check backflow prevention device must be installed on the service line directly before the sprinkler riser prior to service activation.
- The existing building is currently served with a 3/4-inch domestic water service and 5/8-inch meter; 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 service must be shut at stop with the meter pulled and have the account closed before the service can be retired. Please contact customer service at 207-761-8310 to complete this work prior to service retirement.
- 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 complete a Service Application and pay all necessary fees for each proposed service. When the project is ready for construction, an Application for each service can be requested by contacting the MEANS Group at MEANS@pwd.org or 207-774-5961 ext. 3199. Once a completed Application has been submitted with payment, please allow seven (7) days for processing.

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 12-inch diameter cast iron water main in East Oxford Street and a public fire hydrant located approximately 40 feet from the site. The most recent static pressure reading was 94 psi on February 19, 2021.

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



189 Main Street, Suite 200
Yarmouth, ME 04096

Neighborhood Meeting Certification

I, David Latham, hereby certify that a neighborhood meeting was held on January 13, 2022 via Zoom at 6:30 PM for the proposed project located at 26 Oxford Street in Portland, Maine.

I also certify that on December 22, 2021, notices 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 (1,000 feet for subdivisions within an industrial zone or industrial zone changes).
2. Residents on the "interested parties" list

Signed,

A handwritten signature in black ink, appearing to read 'David Latham', is written over a faint, light-grey circular stamp.

David Latham, P.E.
Trillium Engineering Group

Attachments:

1. Copy of the notice sent
2. Sign-in sheet
3. Record of feedback

December 22, 2021

Dear Neighbor:

Please join us for a neighborhood meeting to discuss our plans for a proposed four-story residential building with (6) units located at 26 Oxford Street in Portland, Maine. Due to COVID-19, this meeting will be held virtually via Microsoft Teams. If you are interested in joining, please email me at davidl@trilliumeg.com and I will send you a link to the meeting.

Meeting Date: January 13, 2022

Meeting Time: 6:30 PM

The Land Use Code requires that neighboring property owners and residents on an "interested parties list" be invited to participate in this neighborhood meeting. A sign-in sheet will be created and a record of the meeting will be taken. Both the sign-in sheet and record will be submitted to the Planning Board.

If you have any questions, please call 207-307-0872

Sincerely,



David Latham, P.E.
Trillium Engineering Group

Note:

Under the City of Portland land use code, an applicant for a major site plan, master development plan, subdivision of over five lots, or zoning map amendment is required to hold a neighborhood meeting within 30 days of an application being deemed complete and no less than seven calendar days before a public hearing. Should you wish to offer additional comments on this proposed development, you may forward them by e-mail to planning@portlandmaine.gov or by mail to the Planning and Urban Development Department, Planning Division, 4th Floor, Congress Street, Portland, ME 04101

Neighborhood Meeting Sign-In Sheet

Date of Meeting: January 13, 2022

Location of Meeting: Microsoft Teams

Proposed Project Name and Address: 26 Oxford Street – Proposed Residential Building

Members of the Public in Attendance:

<i>Name</i>	<i>Email</i>
Caitlin Crowe	Caitlin.e.crowe@gmail.com
Nina Hope	Ninahopecreative@gmail.com
Steve Davis	sspringerdavis@gmail.com
Christian MilNeil	christian@streetsblog.org
Gary Motal	gwmotal@hotmail.com

Developer and Consultant Team in Attendance:

<i>Name</i>	<i>Email</i>
David Latham	davidl@trilliumeg.com
Ray Chang	ray@dbgventures.com

Neighborhood Meeting Minutes

Date of Meeting: January 13, 2022

Location of Meeting: Microsoft Teams

Proposed Project Name and Address: 26 Oxford Street – Proposed Residential Building
See attached Sign-In Sheet for attendance information.

6:30 PM: Meeting Begins

- David begins by explaining scope of project
 - Four stories, three floors, six units
 - Parking under building – six spaces
 - Rendering and elevations shown
- Ray continues to describe project
 - Mentions unit layout - apartments, not condos
- Nina asks about roof line, rendering orientation
 - Ray explains butterfly roof line – runoff slopes to pipe
- Nina asks about façade materials
 - Ray: high-end vinyl product, but not set on that
 - Still finalizing material choices
- Christian's up
 - It seems like too much parking
 - Wants housing for car-free households
 - City has minimum separation standards from driveway to roads
 - Will we rebuild curb along Cleeve and Oxford?
 - Possibly widening sidewalk – add trees?
 - Notes it's easy to find street parking in this area
- Nina and Steve disagree with the street parking issue
 - What happens if street picks up popularity?
 - Notes new restaurants in the area
- Ray responds:
 - City does not want us to replace curb cut near Cleeve St
 - Bottom unit is ADA accessible, cut allows easier access for ADA
- David responds:
 - Code can't fit a seventh unit
 - Roads are narrow already, getting wider sidewalks won't help that
- Christian:
 - Really wants to widen the sidewalks – notes off-street parking isn't allowed near intersections, so could be widened without affecting travel lane
 - Adds that widened sidewalks w/ tree could pay for itself – better view
 - Cites development on Anderson Street as precedent
- Gary
 - Concerned about waste disposal
 - Would be nice to have common trash area
- Ray:
 - Says he'll look into it – try to find a spot to put it



189 Main Street, Suite 200
Yarmouth, ME 04096

February 8, 2022
City of Portland
389 Congress Street
Portland, ME 04101

Re: 26 Oxford Street – Proposed Building
Major Site Plan Application – Response to City Comments

Dear Planning:

Trillium Engineering Group is providing this response as additional information for City comments originally received from Town Planner Jimmy Dealaman via email on January 14, 2022. This development proposes the demolition of an existing two-story building in order to provide a new four-story residential building with (6) units (CBL 013 D002001).

Please see the updated plans, documents, and below responses to the comments. Please also note that Paul Designs Projects have revised the architectural plans based on the Planning and Urban Development Department comments originally received on January 19, 2022 and Public Safety and Fire Prevention comments originally received on January 14, 2022.

Zoning

Rear Setback – What are the bump-outs shown at the rear of the building? If part of the building it should be factored into the setback calculation. A 12.85' setback is shown, but using a scaled measure to the actual edge of the building shown it appears to be 12 feet. Please revise showing the correct rear setback line.

- Response: The bump-outs shown are pavement strips for vehicle parking and are thus not a part of the building. The dashed line alluded to in the response above is the roof overhang, and not the edge of building itself. Said roof line has since been revised as noted on the architectural plans, leaving the 12.85' setback as the accurate number.

Rear Stepback – For portions of the building above 35 feet a step back is required within 15 feet of the rear property line and 10 feet of site property line except when along a side street. The proposal shows a rear setback of 12 feet, and there is three feet of the rear of building, which appears to exceed 35 feet, that must be stepped back 15 feet from the property line. Please revise.

- Response: The building has been revised to meet this requirement. Please see architectural plans for additional information.

Height – Elevations must show the height to the extent of the roofline. Please also see design comments related to roof form before revising. As currently proposed it does not appear to meet the 45 foot max height in the R-6. What is the average grade, and how was this determined? How it was determined should be noted and shown on the elevations so the actual height of the building from the average grade can be measured.

- Response: The average grade of 44.25' was determined by taking the average elevation at each of the building corners. Per the architectural elevations, the proposed structure does not exceed the maximum allowable 45' height.

Landscaped Open Space Ratio – Please show on landscaping plan all landscaped open space areas that are provided to meet 20% landscaped open space ratio requirement.

- Response: See Sheet C102, Proposed Landscaping Plan, for the landscaping layout.

Access and Circulation

Please show dimension of driveway width on plan.

- Response: The driveway width dimension has been shown on Sheet C101.

Section 1.7.1 of the City's Technical Manual requires that "no more than (1) driveway shall be permitted." Even if both driveways are existing, if proposing (2) driveways, a waiver request to Section 1.7.1 should be submitted providing justification for the waiver.

- Response: The design team coordinated with the City in order to keep both driveways. Please see the attached waiver request document for additional information.

Please provide turning templates for vehicles accessing the site. Also, please clarify how vehicle access to the site is intended.

- Response: Vehicle access and turning templates are provided on Sheet L100.

Please provide a curb, bollard, or separation for pedestrians accessing the ground floor unit.

- Response: Parking space 1 on Sheet L100 is for the ground floor unit. This spot allows direct access to the ground floor unit without passing through the travel way for the remaining five spots. Bollards have also been provided to separate the ground floor unit parking space from the other five.

Provide more detail on the sidewalk (closing of existing driveway, utility trenching, etc). Note: the sidewalk and driveway apron material policy indicates the site is subject to providing brick in the Public ROW. Please show this in plans.

- Response: Utility trench and sidewalk details have been shown on Sheet C200. Per a conversation with Jennifer Ladd of Public Works, it is acceptable to keep the Oxford Street sidewalk as concrete. The only disturbance to the sidewalk will be for trenching and the remainder of the sidewalk is in good condition.

Please clarify the paving strips and how cars get into the parking area. Why do the paving strips go beyond the garage doors?

- Response: The paving strips were installed in lieu of a traditional driveway to limit the amount of impervious area on the site. Cars will travel on the strip to get to the parking area under the building footprint. The paving strips beyond the garage doors is for vehicle parking.

Parking

A minimum of (3) parking spaces must be provided. Please show parking arrangements/spaces proposed on plan.

- Response: (6) parking spaces will be provided as depicted on Sheet L100 by Paul Designs Projects.

(2) bicycle spaces are required for every five units. With six units proposed, please show where bicycle parking is proposed for the required (2) spaces.

- Response: Bicycle parking has been shown on Sheet C101 with a detail on Sheet C200.

Please clarify what units utilize which proposed parking areas.

- Response: Sheet L100 depicts the parking layout with numbered spots corresponding to the associated unit.

Snow Storage – Please indicate all areas intended for snow storage or provide an acceptable snow removal plan.

- Response: Snow storage areas have been shown on Sheet C101.

Preservation of Significant Natural Features

Please confirm if the project is making any impacts to any significant natural features.

- Response: There are no significant natural features on site.

Site Landscaping and Buffers

Submit landscape plan factoring in the following comments as well as those listed under Landscape Preservation section.

- Response: The plans have been adjusted as shown on the attached sheets and as described below.

Street Trees – The application is required to provide (6) street trees. The City Arborist has recommended (2) 'Street Keeper' Honeylocust street trees, 2" caliper size, planted in rectangular tree pit in sidewalk. The remaining (4) trees could be planed within 20 feet of the property line where visible from the right-of-way. The City Arborist recommends planning Amelanchier or evergreen trees like Arborvitae or Serbian Spruce in the site lot.

- Response: Portland Water District standards state that street trees are not permitted within 10' of any new water lines. Due to this standard, there is not adequate room on Oxford Street for (2) separate street trees. In lieu of this, Trillium Engineering Group is proposing (1) Honeylocust street trees and (5) Arborvitae trees along the northeastern property line.

Screening – Please indicate the locations of any loading and servicing areas, trash and recycling, areas, storage areas, and roof- and ground-mounted utility structures. If proposing these areas, please ensure they are screened from view from public sidewalks, streets, and adjacent properties.

- Response: This project does not propose loading or servicing areas. Trash and recycling will be stored in the Caretaker Storage room noted on Sheet A100. There will be no roof-mounted structures. Ground-mounted structures shall be screened as shown on Sheet C102.

Landscape Buffer – All residential development must provide and/or preserve evergreen vegetated buffers were necessary to buffer the development from detrimental impacts of existing surrounding development. Please update as necessary.

- Response: See Sheet C102 for the proposed landscaping plan

Landscaping – All development subject to required zoning setbacks shall include a minimum of one shade tree or six plantings per 30 linear feet of all frontages as measured along the property line. The proposal requires at least (2) shade trees or (13) plantings/shrubs to be planted or (1) shade tree and (7) shrubs.

- Response: One shade tree and seven shrubs have been added to the rear lot line in addition to the other screening and street tree requirements.

Landscape Preservation

Site development shall be designed to incorporate, limit disturbance to, and limit removal of existing trees. As such, please indicate all trees and areas with vegetation onsite, and any landscape being removed and preserved.

- Response: It is not feasible to preserve the existing landscape along Cleeve Street. Said vegetation currently features an invasive Asiatic bittersweet vine, which is taking over many towns in Cumberland County. The owner has previously tried to cut it down on multiple occasions with no success, and it is our hope that the vine will be eliminated by removing the existing vegetation and replacing it with the proposed landscaping illustrated on Sheet C102.

Additionally, due to the small site, it is not feasible to construct the project without disturbing the existing vegetation. Even if the invasive vine wasn't present, the scope of the project combined with the relatively small lot means that the existing vegetation would need to be replaced as shown on Sheet C102.

30 percent of existing trees 10 inches DBH or greater within the required setback area must be preserved, or if removing is necessary due to compromising development of the site, please request a waiver with justification and proposing an alternative to preserving as indicated in the City's Technical Manual Section 4. Planting of replacement trees is one such alternative.

- Response: Please see the attached waiver request.

Water Quality, Stormwater Management, and Erosion Control

Please submit a stormwater management plan and provide more information about how roof drainage will be managed and discharging to as well as the stormwater management requirements on the site. Note that no stormwater from the site shall discharge to the sewer infrastructure.

- Response: The previously submitted butterfly roof has been re-designed to a flat roof. In the new design, stormwater runs off the roof and discharges in the rear of the site through the downspout system illustrated on Sheet A104. From there, stormwater follows a swale for off-site discharge. Please see the attached stormwater management report for additional information.

Confirm that stormwater draining onto or across the lot will not be impeded or redirected so as to create ponding on, or flooding of, adjacent lots. Planning staff recommend that a licensed engineer confirm the ability for the site to sufficiently manage stormwater.

- Response: As a licensed Professional Engineer in the State of Maine, I, David Latham, confirm that this site has the ability to sufficiently manage stormwater runoff.

Please clarify roof drainage, noting any roof drains on the elevations and where they discharge on the plan. It is unclear where stormwater flows are going to (i.e. plumbed internally or discharged on site). Please also show any regrading on site to understand stormwater flows.

- Response: The previously submitted butterfly roof has been re-designed to a flat roof. In the new design, stormwater runs off the roof and discharges in the rear of the site via a downspout system as illustrated on Sheet A104. Proposed contour lines have been shown on Sheet C101. Please note that the existing grading is largely to remain unchanged.

It is noted that a pavement detail was submitted, but it should match the City of Portland's requirements for repaving in roadways per the technical manual in Section 1. The thickness appears fine, but the surface course should be 12.5 mm HMA and the base course pavement should be 19 mm HMA.

- Response: The detail has been updated as requested.

Public Utilities

Electrical service must be underground unless it is determined to be unfeasible due to extreme cost, the need to retrofit properties not owned by the applicant, or complexity of revising existing overhead facilities. Please provide electric underground or justification for why overhead utility is necessary.

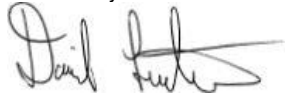
- Response: Please see the attached waiver request as well as email correspondence from Patrick Landers detailing cost estimation.

Please clarify what are the strips shown at the front of the building.

- Response: These are pavement strips for site access to the parking area.

Thank you for taking the time to review this. Should you have any further questions or require any additional information, please do not hesitate to ask.

Sincerely,



David Latham, P.E.
Trillium Engineering Group

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.
Two driveways on site	Section 1.71.: "no more than (1) driveway shall be permitted"	Trillium Engineering Group (TEG) is requesting a waiver to keep both of the existing driveways.	The existing drive on the southwest side of the lot shall be used for access to five of the six provided spots. The driveway closest to Cleeve St shall be used for ADA-compliant parking for the ground floor unit (1/2)
See above	See above	See above	The ground floor unit meets ADA standards and keeping the second driveway allows for easier loading and unloading of passengers, closer unit access, and eliminates the need for walking through the travel way (2/2).
Underground electric	City comments: "Electrical service must be underground unless it is determined to be unfeasible due to extreme cost..."	TEG is requesting a waiver to use overhead electrical lines	Installing underground electrical lines will increase costs by ~\$25-35K (see attached cost breakdown). Rest of neighborhood uses overhead lines, so this wouldn't break up existing ascetic.

Standard to be Waived: Cite Ordinance or Technical Manual Standard	Cite Standard Language: Cite specific language of applicable Ordinance or Technical Manual Standard	Waiver Being Sought: Describe waiver being sought. Ex. – We are requesting a two-way parking lot drive aisle width of 20' feet.	Justification for Waiver: Address specific waiver criteria, if applicable, and document reasons for the waiver request.
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David Latham

From: Patrick Landers <patrick@mindfulbuildingllc.com>
Sent: Friday, February 4, 2022 12:16 PM
To: Jimmy Dealaman
Cc: Ray Chang; Andrew Treworgy; David Latham; Paul Lewandowski
Subject: Re: Major Site Plan Development PL-001837-2021, 26 E OXFORD ST

Hello I,

\$24,000.00 to \$34,000.00 for excavation, pavement and sidewalk cutting, street closure permits, installing conduit, and paving.

The estimate has a range because depending on existing utility location may cause the opening to be larger which will extend the time and size of street opening.

\$5,600.0 to repair sidewalks on both sides of the roads.

\$3,375.00 for master Electrician to run wire, install & mount conduit and the weather head on pole.

Over head installation has no cost because CMP Cover 100% of the cost to connect the line and mount the transformer on the pole.

The 600 amp service for the building is included under the electrical estimate for the building. And would be in addition to the above cost no matter which way we completed it.

I have opened up Oxford street on this block before and it's a bit of a mess there are so many abandon pipes as well as multiple utility connection in a very short distance.

I hope this helps you understand why it's simply not readable to budget into the project. Also I would mention there are no underground connection electrical connection on this block or for a minimum of 1 block each direction up on down the street.

Thank you for your time!

Patrick Landers
Mindful Building LLC
207-408-0663

On Feb 4, 2022, at 11:22 AM, Jimmy Dealaman <jdealaman@portlandmaine.gov> wrote:

Hi Ray,

Nice meeting with your team last week. I wanted to follow up on a question that came up at the meeting which was regarding whether the above ground utility could be supported instead of needing to provide underground utilities.

To be considered for a financial hardship to provide above ground utility, please provide us with the two options, one showing below ground and one showing above ground and what the anticipated cost is, as well as if you anticipate needing to install additional utility poles in either scenario.

Once we receive this information we can review this internally and provide a recommendation to the Board.

Kind regards,

Jimmy

On Tue, Jan 25, 2022 at 8:39 AM Jimmy Dealaman <jdealaman@portlandmaine.gov> wrote:

I also wanted to share a few more comments received from our engineer in Public Works who reviews the wastewater utility connection. He has asked for a couple of things be provided:

1. The owner/ developer should have the existing sewer lateral televised to confirm the condition of it for re-use.
A statement should be provided confirming the development team has completed that research.
2. The engineer should provide written confirmation for our records that a 6 inch sewer is big enough for the proposed building.
3. If these 2 items come back as "sewer lateral is in good condition" and "a 6 inch sewer lateral will handle the proposed flows" then you should be all set.

Also please submit the attached request letter to Brad Roland <brad@portlandmaine.gov>

Thank you and see you tomorrow,

On Mon, Jan 24, 2022 at 1:28 PM Jimmy Dealaman <jdealaman@portlandmaine.gov> wrote:
Added

On Mon, Jan 24, 2022 at 1:16 PM Ray Chang <ray@db9ventures.com> wrote:

Great and thanks! Could you kindly include David Latham to the invite? He wasn't listed in the calendar invite.

Cheers,

Ray

On Jan 24, 2022, at 13:08, Jimmy Dealaman <jdealaman@portlandmaine.gov> wrote:

I'll send out the invite for Wednesday at 11am. We'll plan to start out discussing any design questions you have, given our Urban Designer will attend and may not need to stay for the full hour.

26 Oxford Street Planning Review

Architectural Response

Rear Stepback: For portions of the building above 35 feet a step back is required within 15 feet of rear property line and 10 feet of side property line except when along a side street. The proposal shows a rear setback of 12 feet, and there is 3 feet of the rear of building, which appears to exceed 35 ft, that must be stepped back 15 feet from property line. Please revise

Setback on 4th story abv. Grade plane adjusted to meet setback in accordance with Portland Zoning Ordinance. All overhangs fall within setback of 15' abv. 35' Elevation

Height: Elevations must show the height to the extent of roofline. Please also see design comments related to roof form before revising. As currently proposed it does not appear to meet the 45 max height in the R-6. What is the average grade, and how was this determined? (Note: Usually it is based on taking the average of the proposed finished grade at the four corners of the building.) How it was determined should be noted and shown on the elevations so the actual height of the building from the average grade can be measured.

Roof Structure redesigned to flat roof w/ pitch panel drainage in lieu of pitched butterfly roof. The Avg. Grade Plane calculated by Civil as 44.25' Elevation. The building has a total height of 40' – 5" at highest point.

-Please provide a curb, bollard, or separation for pedestrians accessing the ground floor unit.

Bollards called out on new L100 in Architectural Set. This also addresses the “pull through” issue acknowledged for two curb cut condition.

-Please provide more detail on the ground floor plan, or separate plan clarifying the layout of the area and how residents will can access the rear yard, parking, and where entrances are. The site should be designed to provide natural surveillance that promotes visibility of public spaces and areas. Please ensure sufficient lighting is proposed to promote visibility/safety.

L100 of Architectural resubmit highlights entry/exit doors as well as labels parking spaces per unit.

-Separation of egress – Permitting/life safety staff have noted that it doesn't appear that there is adequate separation of egress leading to the stairwell from upper units. (Note: building code doesn't allow for single egress for a four story building)

Architectural Redesign addresses several issues with the exit-way and egress from the units to ground floor. IBC Table 1006.2.1 allows R-2 Max Travel distance of 125' in sprinklered building along Common Path of Travel

Table 1006.3.2(1) dictates requiring two exits for units fourth story above grade plane or higher. Since (1) means of egress is allowed for Ground, second and third floors given that maximum dwelling units is (4), the only compliant (2) serviceable exit path unit is Unit 6. In the redesigned layout, we've adjusted our exit doors to exceed 1/3 the total distance of unit, complying with 1007.1.1 Exception 2. All stories up to 4th story abv. Grade plane comply with 1006.2.1 under 10 occupant load + under 125' common path of exit travel distance.

26 Oxford Street Design Review

Architectural Response

PRINCIPLE B - Massing – The massing of the building reflects and reinforces the traditional building character of the neighborhood through a well composed form, shape and volume. - Not Met

Massing adjusted with roof redesign. Flat roof evens out the proportional masses along the building façade and aligns with current 3+ unit multifamily of Portland vernacular.

Roof form is not compatible with the predominant character-defining architectural features of the neighborhood. Multi-family above 35 feet utilize a flat roof form expressed by a continuous cornice line.

See above. Roof adjusted to flat with continuous cornice line.

The building main roof form is not compatible, with subsidiary roof forms appropriately identified as flat roof that are parallel and perpendicular to the street. Express main and subsidiary roofs with continuous cornice. Identify exterior space, shown on A102, and clarify the vertical dimension between future deck and parapet wall.

See above. Roof adjusted to flat with continuous cornice line. Exterior space shown as Future Deck- not part of this phase- it is designed as such to provide the foundations for a future roof deck. The depth of this from parapet to exterior wall is 12 feet.

Main entrance is oriented toward the street and articulated with recessed entry and canopy. Clarify materiality of canopy.

Canopy is a purchased product modular metal assembly by MAPES purchased to standard width. Galv Steel and break-metal aluminum clips + flashing.

Visual privacy of occupants on ground floor dwelling does not meet standard. Observe the window sill height at least 48" above adjoining sidewalk grade.

Windows on Ground Level unit adjusted for 48" Sill Height. Verifying that bedroom windows still have a roughly 6SF casement opening 36" x 36". New types reflecting heights shown in Window Schedule.

Identify 5' front setback as buffer for landscaping.

It is our understanding that the City would allow the building to match the average frontage of the street existing condition.

Surface articulation in the building should include detailed consistency on the façade visible from the public right of way through dimensional trim (minimum width of 4"), window reveals, or similar elements appropriate to style of building. Clarify material type of proposed trim and details on the façade for windows and exterior doors facing street.

All Trim provided by Wolf Siding in dimensional standards. Wolf Siding is a composite siding alternative to vinyl and clapboard. They have a complete selection of reveals, trims and detail-work that fits within modular system, and matches colorway of siding product. This ensures consistency between siding and trim combined with ease of construction.

For visual cohesion of siding material, prioritize horizontal orientation and consistency of clapboard material prevalent within the surrounding neighborhood.

Horizontal orientation of Composite Siding is predominant orientation.

The main pedestrian entry is facing East Oxford Street. Provide materiality of main entry canopy.

See Above

All exterior façade trim such as that used for windows, doors, corner boards, and other trim, shall have a minimum, width of 4 inches except for buildings with masonry exteriors.

Nominal 4" Trim piece selected from Wolf Siding catalogue. This includes Window/Opening trim, outside corner, capping @ Parapet

Vinyl siding, as proposed as the predominant façade material, is not appropriate for the multi-residential building to be compatible with the neighborhood. Applicant to explore clapboard material and clarify type and color.

Composite high density cellular acrylic form Wolf Siding. We are proposing a mix of 7" and 4" profiles to color the massing of the facades. Morning Mist, Graphite and Baltic Blue are selected colors. All colors transition between siding and trim

February 1, 2022

City of Portland
389 Congress Street
Portland, ME 04101

Re: 26 Oxford Street – Proposed Building
Construction Management Plan Narrative

Dear Planning:

The following narrative provides an overview of the construction management principles that Trillium Engineering Group and the contractor have identified to minimize impacts from construction, such as noise, vibrations, ground movement, truck traffic, and other construction related factors to the surrounding building and communities.

Development Review of Construction Management Plan

Trillium Engineering Group has submitted a Construction Management Plan that provides a comprehensive logistics and safety program for the construction project. Minimizing impacts to areas surrounding the building shall be primary considerations to the process.

The following details define the intended approach to the successful management of the project construction and the construction management plan will address the general conditions contained below.

Performance Guarantees, Inspection Fees, Pre-Construction Meetings, and Permits

Prior to scheduling a pre-construction meeting and the issuance of any city required permits, Trillium Engineering Group and the contractor shall meet all of the requirements contained in Section 14-530: Development Review Fees and Post Approval Requirements and 14-542: General Requirements and Enforcement of Portland's Land Use Code. Since this is a Level III Site Plan Application with under 50,00 square feet of proposed work, the fee shall be \$2,750, per Section 14-530.

No other permits will be required for this project.

Construction Administration and Communication

Trillium Engineering Group and the 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 the adjacent abutters, businesses and all parties informed, as far in advance as possible, of schedule work, particularly work anticipated to cause significant noise, vibrations, or dust. The final construction management plan shall provide the following:

1. Contact Person and contact information for the contractor and who is available 24 hours.
2. Construction Signage posted on the site with contact information for contractor.
3. Describe any additional communication strategies.
4. All construction site signage is temporary and shall be removed at project completion.

Construction Schedule

Mobilization – May 2022
Initial Sitework – June/July 2022
Construction – August 2022 – February 2023
Final Closeout – March 2023

Security and Public Safety

See Construction Management Plan for depiction of all proposed fencing or other barriers and access gates (with Knox locking devices) separating pedestrian and vehicle circulation from the construction site. All work done on the existing building shall comply with NFPA 1 Chapter 16, *Safeguarding Construction, Alteration, and Demolition Operations*.

Construction Permitting and Traffic Control Plans

Trillium Engineering Group is proposing a small amount of work in the Oxford Street right-of-way to install a new 2" domestic service line and 4" fire service line. On Sheet C103, "Construction Management Plan", Trillium Engineering Group has added a note instructing the contractor to coordinate with the City and shift traffic during road construction.

Site Management and Controls

The final Construction Management Plan will address maintaining the site in a safe condition and includes the following:

1. Trash and debris will be removed as required by the contractor. The on-site staging area will allow for plenty of trash and debris storage prior to removal.
2. Street cleaning and damage controls will be performed as required by contractor.
3. Dust controls complying with Portland's requirements under Section 25-129 on Noise, dust, and debris shall be followed.
4. Contractor will comply with Portland's requirements under Section 25-129
5. Snow removal per Section 25-173.

Erosion Control and Preservation of Trees

Erosion control shall be performed by the contractor as depicted on Sheets C200 and C300. This project does not propose any preservation of trees as explained in waiver requests submitted to the Planning Board.

Construction Staging Area

All material staging and delivery truck holding areas shall be located on-site as depicted on the Construction Management Plan. Note that the storage areas will eventually feature landscaping and pavement, but these are to be installed after the completion of the building itself. Therefore, the landscaping and driveway will not pose an issue with on-site staging.

There will not be a need for off-site delivery truck holding areas. All other staging areas shall be laid out as shown on Sheet C102, "Construction Management Plan".

Parking During Construction

Workers will utilize the nearby street parking during construction. The site itself will not have any residential demand until the project is completed.

Dewatering Plan

Trillium Engineering Group is not anticipating groundwater to be an issue during construction.

Special Measures as Necessary

This section does not apply, as construction is not anticipated to take over a long period as defined by the General Construction Management Template.

Thank you for taking the time to review this. Should you have any further questions or require any additional information, please do not hesitate to ask.

Sincerely,



David Latham, P.E.
Trillium Engineering Group

STORMWATER MANAGEMENT REPORT

PROPOSED RESIDENTIAL BUILDING

26 OXFORD STREET
PORTLAND, MAINE

February 8, 2022

PREPARED BY:

*TRILLIUM ENGINEERING GROUP
189 MAIN STREET
YARMOUTH, ME 04096
(207) 307-0872*

A. Project Background:

The applicant is proposing a new four-story residential building with (6) units on a currently developed parcel (CBL 013 D002001). The applicant is looking to break ground as soon as possible.

Access to the site is via Oxford Street. The new building is to be serviced by public water, sewer, and overhead electricity/telephone/cable. The parcel features a steep slope along the rear property line before leveling off into a light slope draining in a general northwesterly direction.

This project will only result in the increase of 259 square feet of impervious area, while the site grading shall be left largely unchanged. Ultimately, due to the small scope of this work, it is our professional opinion that this project will not have an adverse impact on the quality or quantity of stormwater runoff leaving the site.

The applicant is proposing a new 23-unit subdivision with a proposed private road on a currently undeveloped lot (Tax Map 62, Lot 55). The applicant is looking to break ground as soon as possible.

B. Existing Site Conditions

The existing site currently features an existing two-story residential building. Topography of the site and the immediate surrounding area has been shown at a one-foot contour interval with data provided by Owen Haskell, Inc.

C. Wetlands and Streams

The site does not feature any wetlands or streams.

D. Soils

All on-site soils are rated Hydrologic Soil Group "A", per the United States Web Soil Survey (WSS).

E. Proposed Use

The proposed development will call for (6) new apartment units with associated parking and driveway access. In total, this project will create a net increase of 259 square feet of impervious area on the existing lot.

As shown in the calculations below and in the attached stormwater development plans, this project will have no adverse effect on the quality or quantity of stormwater leaving the site. Because of this, Trillium Engineering Group is not proposing any new stormwater treatment systems.

F. Stormwater

We have been authorized to perform a drainage analysis on the site that would meet the standards of the Maine Department of Environmental Protection and the City of Portland, Maine. I have reviewed the drainage characteristics of the site, which includes proposed driveways and buildings. The analysis required post construction stormwater flows to be substantially equal to or less than the existing stormwater flow rates.

We have used the SCS TR-20 (HydroCAD 10.00 stormwater model) method of computing stormwater runoff peak flow rates. This method accounts for soil types, existing land uses, topography, vegetative cover, and proposed land use for the parcel to be developed. The future conditions were analyzed using data for a design frequency of occurrence of 2/10/25 years. The Type III, 24-hour storm distribution rainfall has a 3.1, 4.6, and 5.8 inches/hour respectively has been used, and storm values have been provided by

Appendix H of Chapter 500 of the State of Maine Stormwater Management Law. All supporting calculations and data are submitted with this report.

The existing and proposed site conditions were evaluated using information taken from the existing condition and proposed design plan of the area. Impervious, lawns/fields, and woods areas for each hydrologic soil condition were measured by HydroCAD in order to calculate a weighted curve number that typifies the drainage condition of the site.

Stormwater Model Summary

CFS (Cubic Feet per Second = Rate)

Value based on flow entering Analysis Points (AP) 1 and 2

Storm Event	2-Yr (Pre)	2-Yr (Post)	10-Yr (Pre)	10-Yr (Post)	25-Yr (Pre)	25-Yr (Post)
Flow	0.09	0.12	0.23	0.26	0.35	0.38

Calculations for the 2-, 10-, and 25-year Pre- and Post-Drainage are included in the attached stormwater reports.

Evaluation of Results

As shown in the data above, stormwater flow rates are left effectively unchanged in the 2-, 10-, and 25-year storm events.

G. Water Quantity and Quality

Quantity: Peak flows have been left effectively unchanged in the 2-, 10-, and 25-year storm event. Because of this, we can assume the stormwater quality will not lead to increased erosion rates.

Quality: This project results in a net increase of 259 square feet of impervious area. By inspection, this minor increase is negligible and will not have an adverse effect on the quality of stormwater runoff.

Thank you for taking the time to review this project. Should you have any questions or require any additional information, please do not hesitate to contact me.

Sincerely yours,



David Latham, P.E.
Trillium Engineering Group

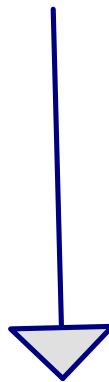
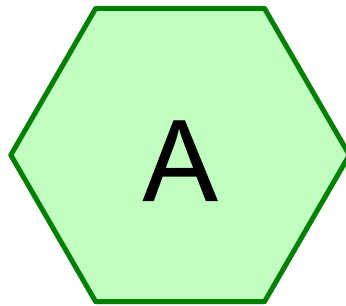
PROPOSED RESIDENTIAL BUILDING

Pre-Development Stormwater Analysis

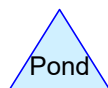
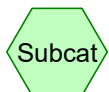
26 Oxford Street
Portland, Maine

Submitted:

February 8, 2022



Runoff Flow



Routing Diagram for 26 Oxford Pre
Prepared by HP Inc., Printed 2/8/2022
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26 Oxford Pre

Prepared by HP Inc.

Printed 2/8/2022

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Page 2

Rainfall Events Listing

Event#	Event Name	Storm Type	Curve	Mode	Duration (hours)	B/B	Depth (inches)	AMC
1	2-Yr	Type III 24-hr		Default	24.00	1	3.10	2
2	10-Yr	Type III 24-hr		Default	24.00	1	4.60	2
3	25-Yr	Type III 24-hr		Default	24.00	1	5.80	2

26 Oxford Pre

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Printed 2/8/2022

Page 3

Area Listing (all nodes)

Area (acres)	CN	Description (subcatchment-numbers)
0.049	39	>75% Grass cover, Good, HSG A (A)
0.059	98	Impervious (A)
0.108	71	TOTAL AREA

26 Oxford Pre

Prepared by HP Inc.

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Page 4

Soil Listing (all nodes)

Area (acres)	Soil Group	Subcatchment Numbers
0.049	HSG A	A
0.000	HSG B	
0.000	HSG C	
0.000	HSG D	
0.059	Other	A
0.108		TOTAL AREA

26 Oxford Pre

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Page 5

Ground Covers (all nodes)

HSG-A (acres)	HSG-B (acres)	HSG-C (acres)	HSG-D (acres)	Other (acres)	Total (acres)	Ground Cover	Subcatchment Numbers
0.049	0.000	0.000	0.000	0.000	0.049	>75% Grass cover, Good	A
0.000	0.000	0.000	0.000	0.059	0.059	Impervious	A
0.049	0.000	0.000	0.000	0.059	0.108	TOTAL AREA	

26 Oxford Pre

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

Printed 2/8/2022

Page 6

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

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

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

SubcatchmentA:

Runoff Area=4,720 sf 54.51% Impervious Runoff Depth>0.74"

Tc=5.0 min CN=71 Runoff=0.09 cfs 0.007 af

Link AP1: Runoff Flow

Inflow=0.09 cfs 0.007 af

Primary=0.09 cfs 0.007 af

Total Runoff Area = 0.108 ac Runoff Volume = 0.007 af Average Runoff Depth = 0.74"
45.49% Pervious = 0.049 ac 54.51% Impervious = 0.059 ac

Summary for Subcatchment A:

[49] Hint: $T_c < 2dt$ may require smaller dt

Runoff = 0.09 cfs @ 12.09 hrs, Volume= 0.007 af, Depth> 0.74"

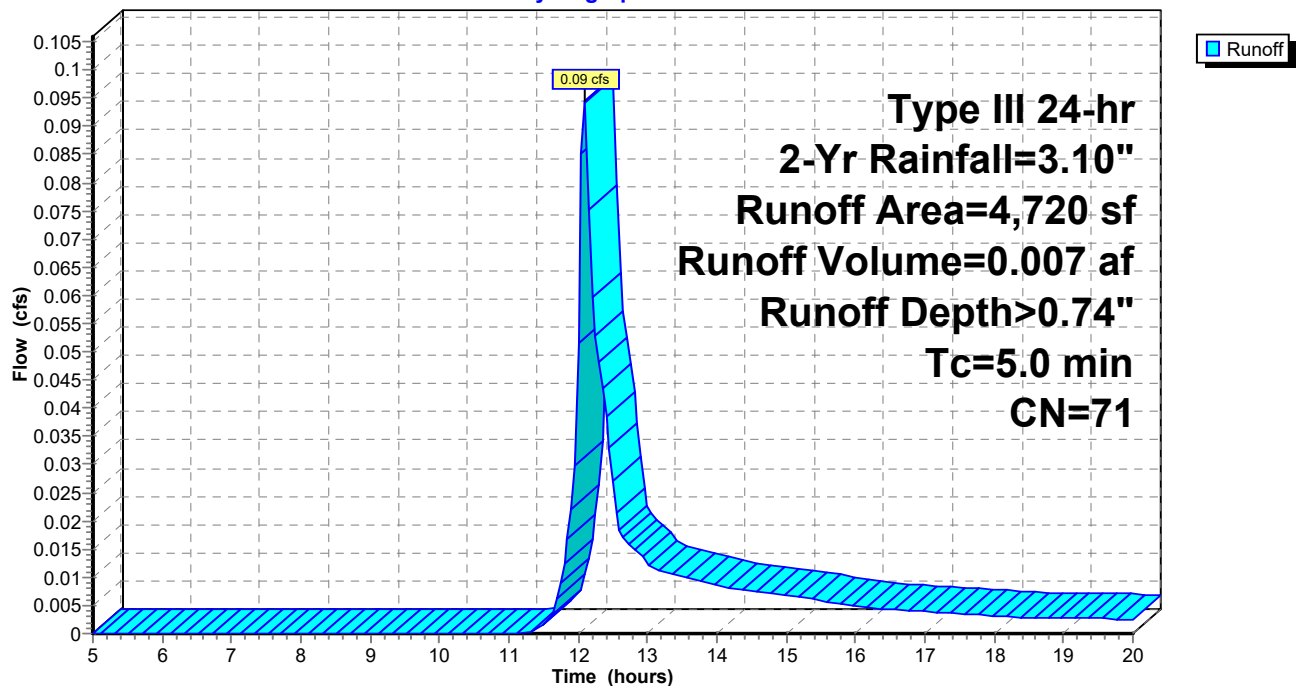
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, $dt=0.05$ hrs
Type III 24-hr 2-Yr Rainfall=3.10"

	Area (sf)	CN	Description
*	2,573	98	Impervious
	2,147	39	>75% Grass cover, Good, HSG A
	4,720	71	Weighted Average
	2,147		45.49% Pervious Area
	2,573		54.51% Impervious Area

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

Subcatchment A:

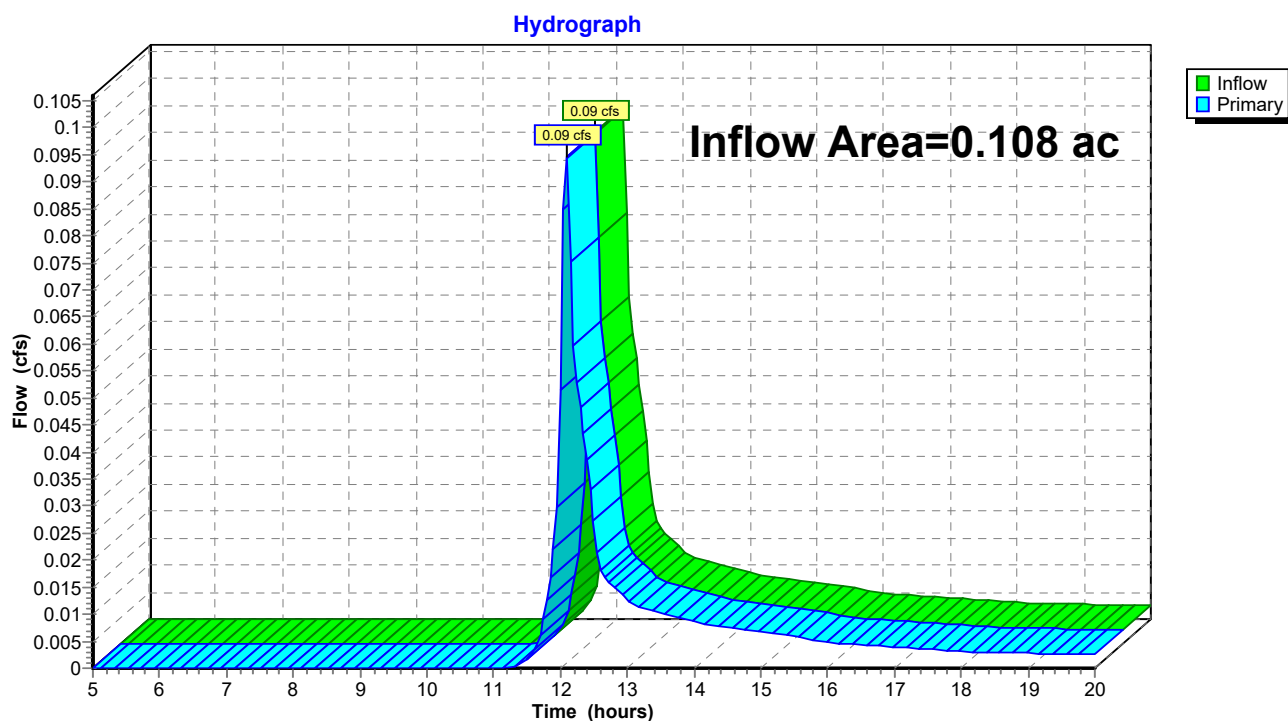
Hydrograph



Summary for Link AP1: Runoff Flow

Inflow Area = 0.108 ac, 54.51% Impervious, Inflow Depth > 0.74" for 2-Yr event
Inflow = 0.09 cfs @ 12.09 hrs, Volume= 0.007 af
Primary = 0.09 cfs @ 12.09 hrs, Volume= 0.007 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

Link AP1: Runoff Flow

26 Oxford Pre

Prepared by HP Inc.

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

Printed 2/8/2022

Page 9

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

SubcatchmentA:

Runoff Area=4,720 sf 54.51% Impervious Runoff Depth>1.67"
Tc=5.0 min CN=71 Runoff=0.23 cfs 0.015 af

Link AP1: Runoff Flow

Inflow=0.23 cfs 0.015 af
Primary=0.23 cfs 0.015 af

Total Runoff Area = 0.108 ac Runoff Volume = 0.015 af Average Runoff Depth = 1.67"
45.49% Pervious = 0.049 ac 54.51% Impervious = 0.059 ac

Summary for Subcatchment A:

[49] Hint: $T_c < 2dt$ may require smaller dt

Runoff = 0.23 cfs @ 12.08 hrs, Volume= 0.015 af, Depth> 1.67"

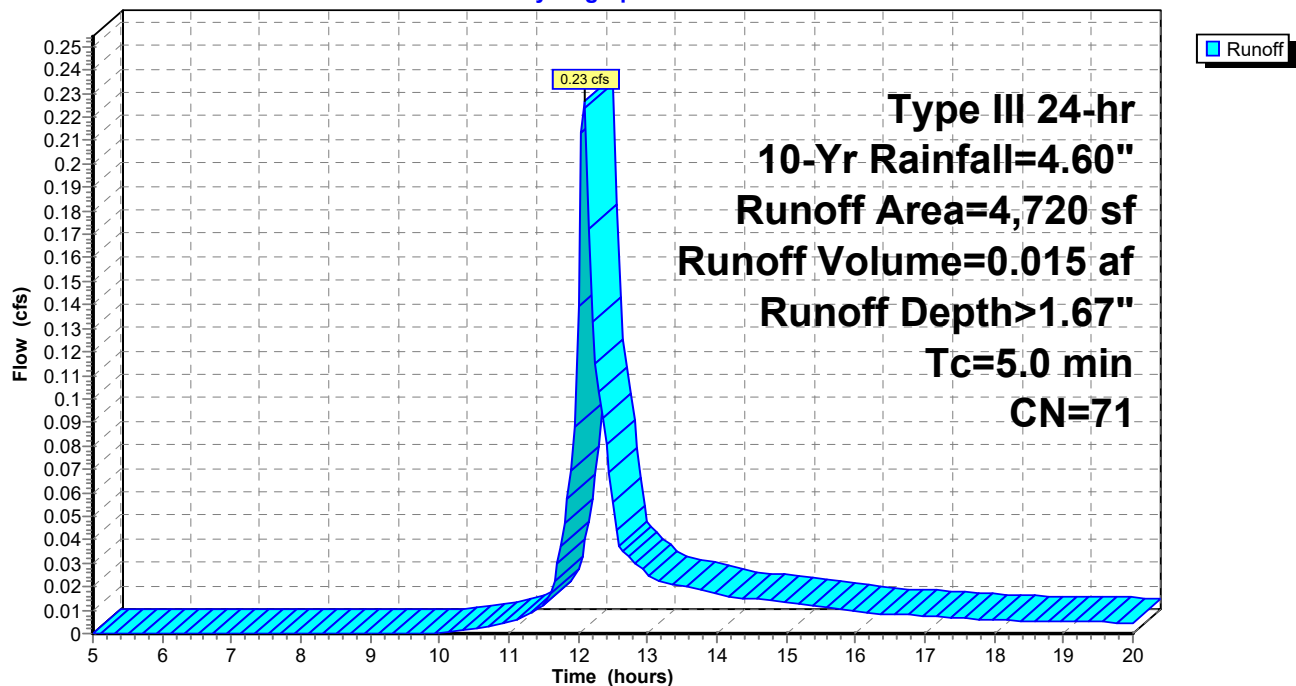
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, $dt=0.05$ hrs
Type III 24-hr 10-Yr Rainfall=4.60"

	Area (sf)	CN	Description
*	2,573	98	Impervious
	2,147	39	>75% Grass cover, Good, HSG A
	4,720	71	Weighted Average
	2,147		45.49% Pervious Area
	2,573		54.51% Impervious Area

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

Subcatchment A:

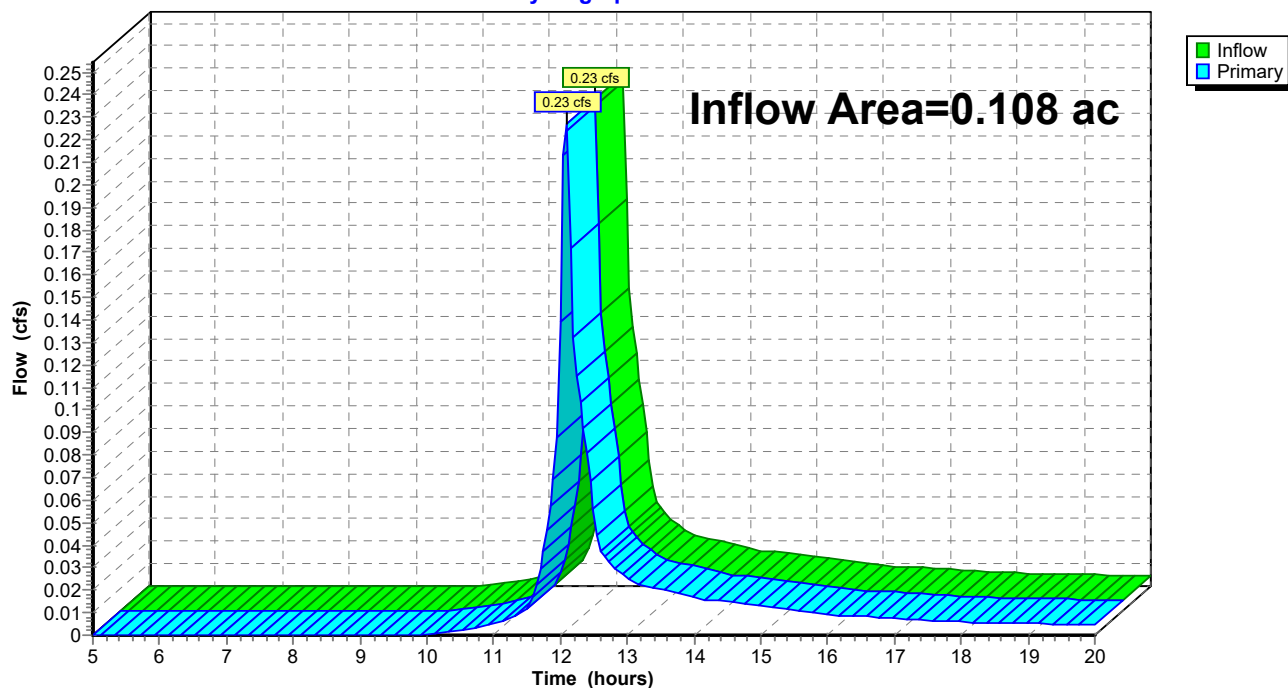
Hydrograph



Summary for Link AP1: Runoff Flow

Inflow Area = 0.108 ac, 54.51% Impervious, Inflow Depth > 1.67" for 10-Yr event
Inflow = 0.23 cfs @ 12.08 hrs, Volume= 0.015 af
Primary = 0.23 cfs @ 12.08 hrs, Volume= 0.015 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

Link AP1: Runoff Flow**Hydrograph**

26 Oxford Pre

Prepared by HP Inc.

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

Printed 2/8/2022

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

SubcatchmentA:

Runoff Area=4,720 sf 54.51% Impervious Runoff Depth>2.54"
Tc=5.0 min CN=71 Runoff=0.35 cfs 0.023 af

Link AP1: Runoff Flow

Inflow=0.35 cfs 0.023 af
Primary=0.35 cfs 0.023 af

Total Runoff Area = 0.108 ac Runoff Volume = 0.023 af Average Runoff Depth = 2.54"
45.49% Pervious = 0.049 ac 54.51% Impervious = 0.059 ac

Summary for Subcatchment A:

[49] Hint: $T_c < 2dt$ may require smaller dt

Runoff = 0.35 cfs @ 12.08 hrs, Volume= 0.023 af, Depth> 2.54"

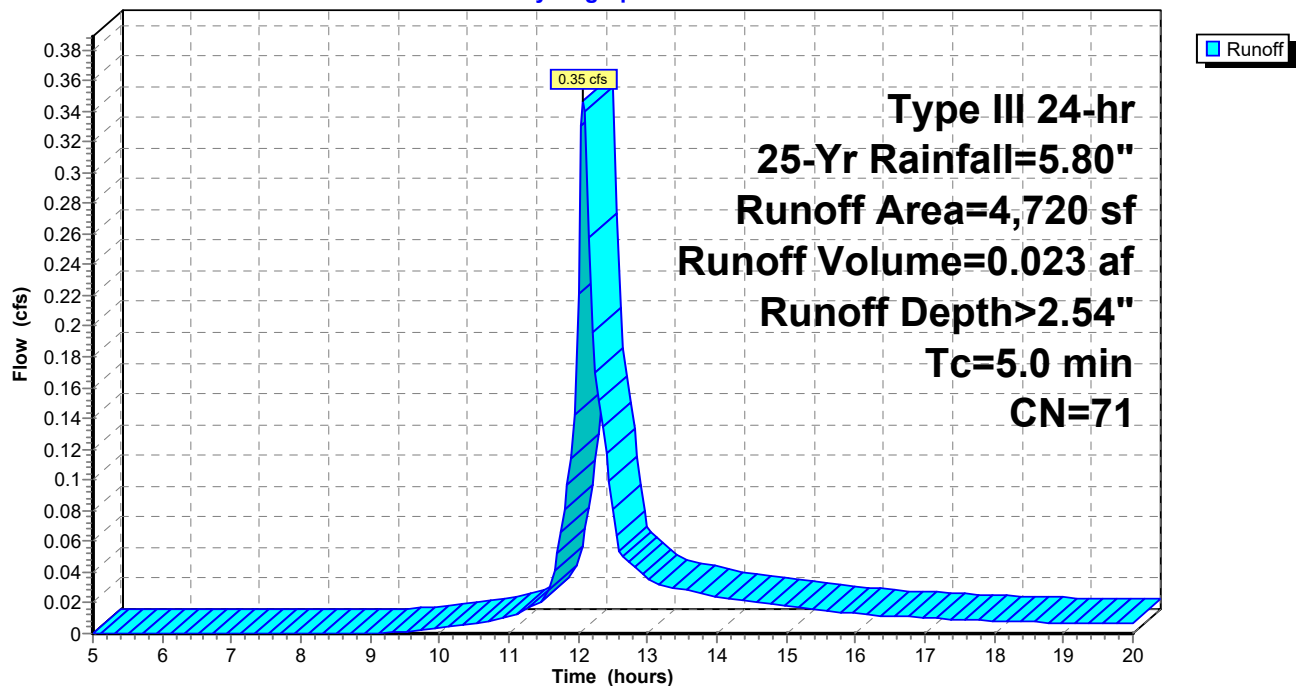
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, $dt=0.05$ hrs
Type III 24-hr 25-Yr Rainfall=5.80"

	Area (sf)	CN	Description
*	2,573	98	Impervious
	2,147	39	>75% Grass cover, Good, HSG A
	4,720	71	Weighted Average
	2,147		45.49% Pervious Area
	2,573		54.51% Impervious Area

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

Subcatchment A:

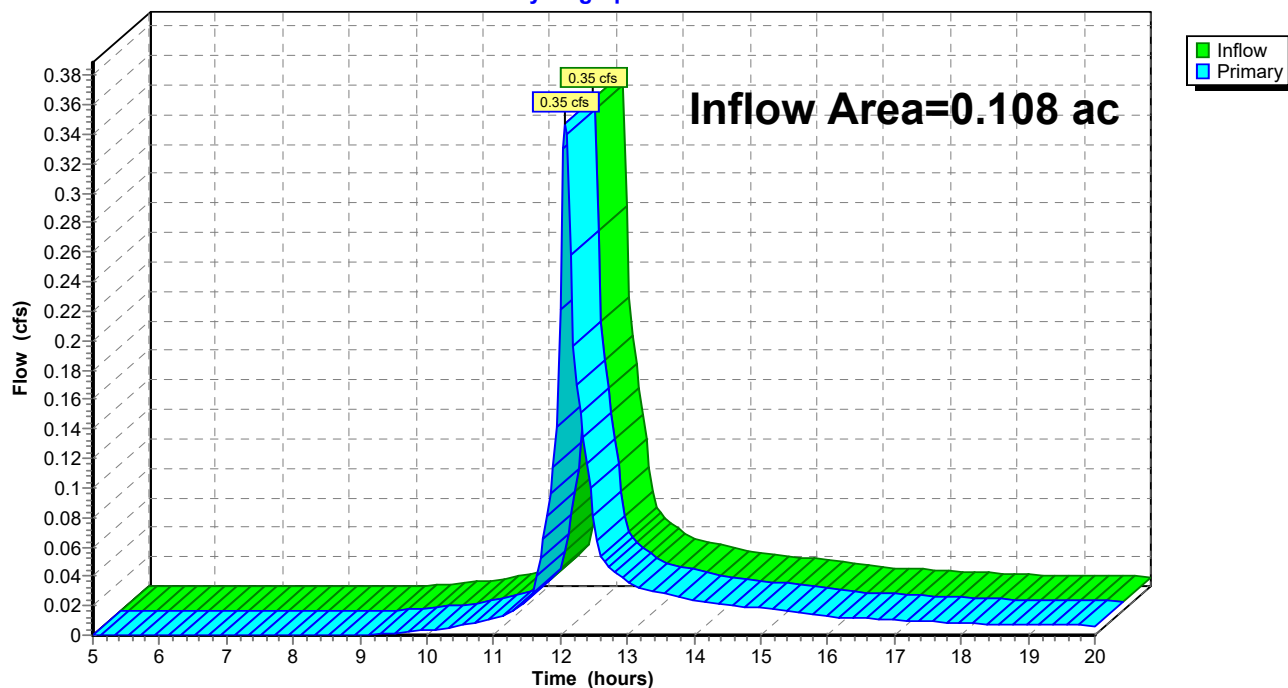
Hydrograph



Summary for Link AP1: Runoff Flow

Inflow Area = 0.108 ac, 54.51% Impervious, Inflow Depth > 2.54" for 25-Yr event
Inflow = 0.35 cfs @ 12.08 hrs, Volume= 0.023 af
Primary = 0.35 cfs @ 12.08 hrs, Volume= 0.023 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

Link AP1: Runoff Flow**Hydrograph**

PROPOSED RESIDENTIAL BUILDING

Post-Development Stormwater Analysis

26 Oxford Street
Portland, Maine

Submitted:

February 8, 2022

26 Oxford Post

Prepared by HP Inc.

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Page 1

Rainfall Events Listing

Event#	Event Name	Storm Type	Curve	Mode	Duration (hours)	B/B	Depth (inches)	AMC
1	2-Yr	Type III 24-hr		Default	24.00	1	3.10	2
2	10-Yr	Type III 24-hr		Default	24.00	1	4.60	2
3	25-Yr	Type III 24-hr		Default	24.00	1	5.80	2

26 Oxford Post

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

Printed 2/8/2022

Page 2

Summary for Subcatchment 1:

[49] Hint: $T_c < 2dt$ may require smaller dt

Runoff = 0.12 cfs @ 12.09 hrs, Volume= 0.008 af, Depth> 0.89"

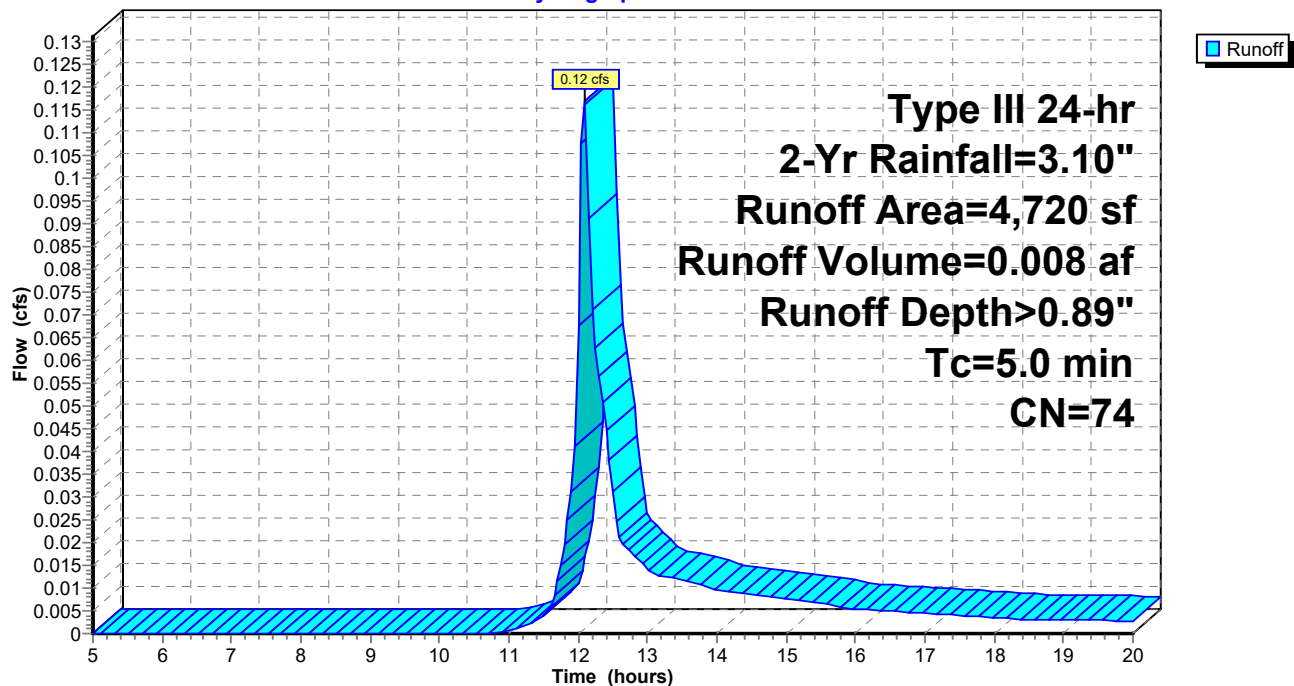
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, $dt=0.05$ hrs
Type III 24-hr 2-Yr Rainfall=3.10"

	Area (sf)	CN	Description
*	2,832	98	Impervious
	1,888	39	>75% Grass cover, Good, HSG A
	4,720	74	Weighted Average
	1,888		40.00% Pervious Area
	2,832		60.00% Impervious Area

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

Subcatchment 1:

Hydrograph



26 Oxford Post

Prepared by HP Inc.

HydroCAD® 10.10-5a s/n 11914 © 2020 HydroCAD Software Solutions LLC

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

Printed 2/8/2022

Page 3

Summary for Subcatchment 1:

[49] Hint: $T_c < 2dt$ may require smaller dt

Runoff = 0.26 cfs @ 12.08 hrs, Volume= 0.017 af, Depth> 1.90"

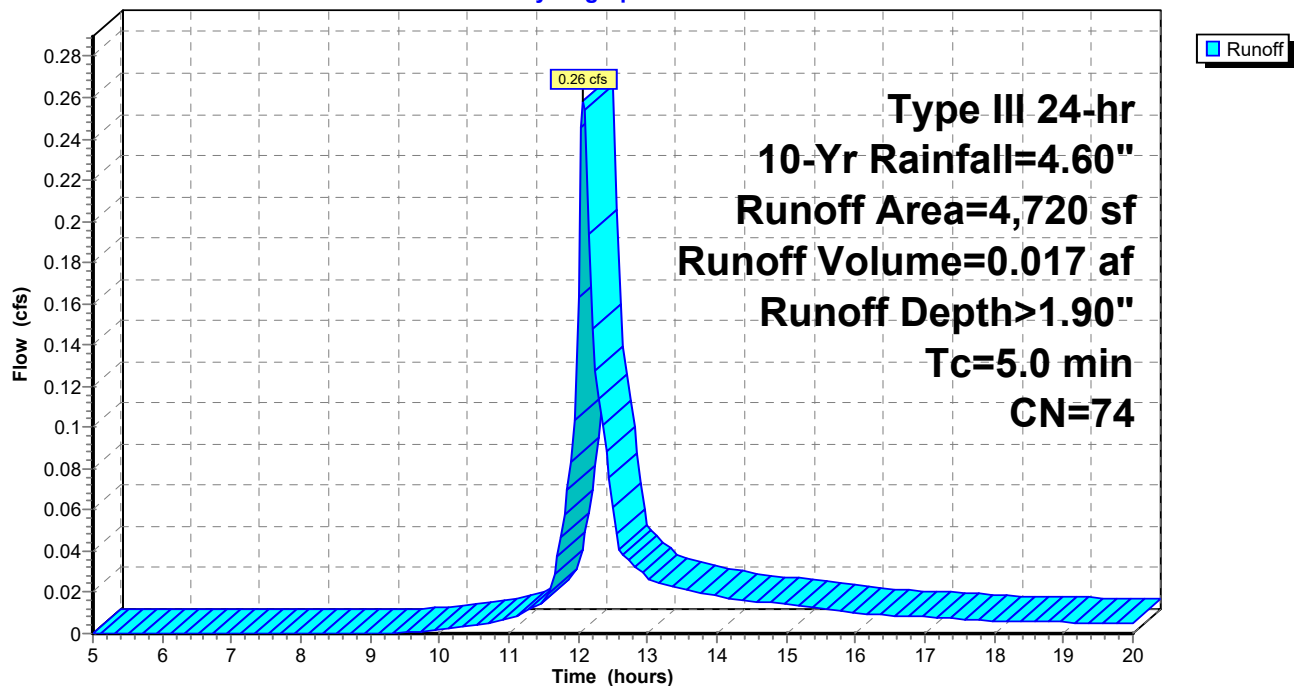
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, $dt=0.05$ hrs
Type III 24-hr 10-Yr Rainfall=4.60"

	Area (sf)	CN	Description
*	2,832	98	Impervious
	1,888	39	>75% Grass cover, Good, HSG A
	4,720	74	Weighted Average
	1,888		40.00% Pervious Area
	2,832		60.00% Impervious Area

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

Subcatchment 1:

Hydrograph



26 Oxford Post

Prepared by HP Inc.

HydroCAD® 10.10-5a s/n 11914 © 2020 HydroCAD Software Solutions LLC

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

Printed 2/8/2022

Page 4

Summary for Subcatchment 1:

[49] Hint: $T_c < 2dt$ may require smaller dt

Runoff = 0.38 cfs @ 12.08 hrs, Volume= 0.025 af, Depth> 2.81"

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

	Area (sf)	CN	Description
*	2,832	98	Impervious
	1,888	39	>75% Grass cover, Good, HSG A
	4,720	74	Weighted Average
	1,888		40.00% Pervious Area
	2,832		60.00% Impervious Area

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

Subcatchment 1:

Hydrograph

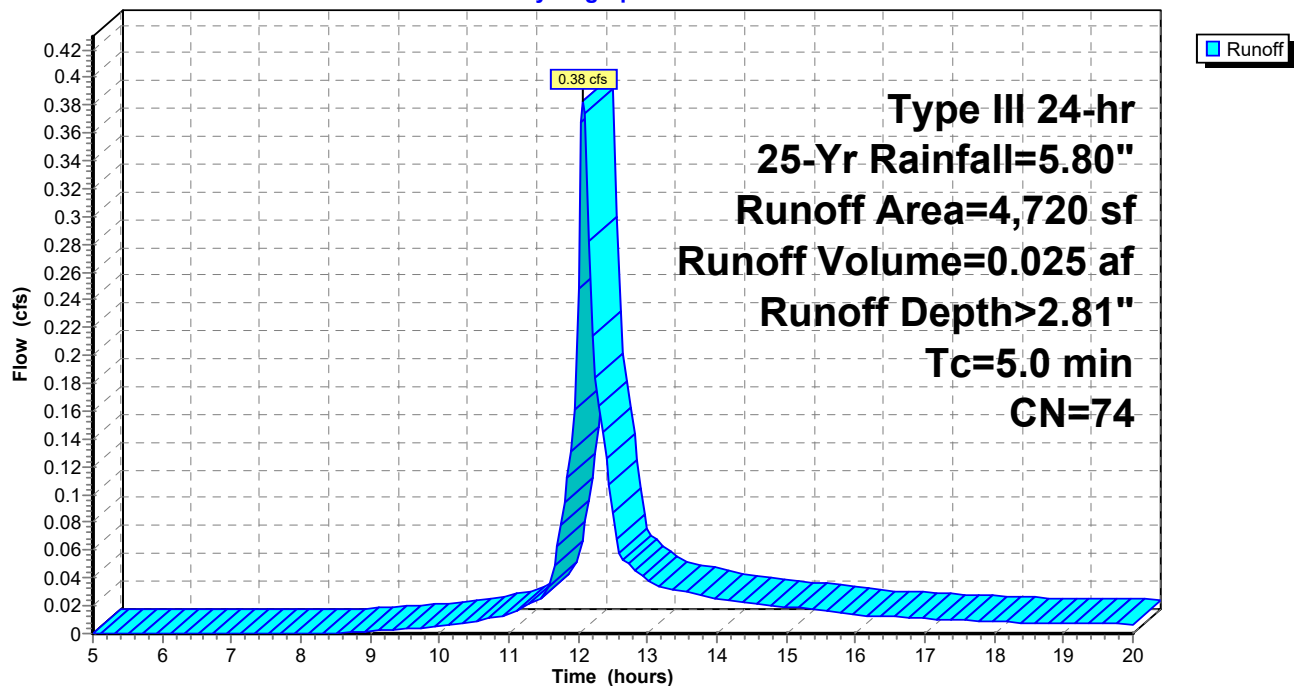




Photo 1: Proposed siding for 26 Oxford development



Photo 2: Side view of proposed siding for 26 Oxford development

David Latham

From: Patrick Landers <patrick@mindfulbuildingllc.com>
Sent: Friday, February 4, 2022 12:16 PM
To: Jimmy Dealaman
Cc: Ray Chang; Andrew Treworgy; David Latham; Paul Lewandowski
Subject: Re: Major Site Plan Development PL-001837-2021, 26 E OXFORD ST

Hello I,

\$24,000.00 to \$34,000.00 for excavation, pavement and sidewalk cutting, street closure permits, installing conduit, and paving.

The estimate has a range because depending on existing utility location may cause the opening to be larger which will extend the time and size of street opening.

\$5,600.0 to repair sidewalks on both sides of the roads.

\$3,375.00 for master Electrician to run wire, install & mount conduit and the weather head on pole.

Over head installation has no cost because CMP Cover 100% of the cost to connect the line and mount the transformer on the pole.

The 600 amp service for the building is included under the electrical estimate for the building. And would be in addition to the above cost no matter which way we completed it.

I have opened up Oxford street on this block before and it's a bit of a mess there are so many abandon pipes as well as multiple utility connection in a very short distance.

I hope this helps you understand why it's simply not readable to budget into the project. Also I would mention there are no underground connection electrical connection on this block or for a minimum of 1 block each direction up on down the street.

Thank you for your time!

Patrick Landers
 Mindful Building LLC
 207-408-0663

On Feb 4, 2022, at 11:22 AM, Jimmy Dealaman <jdealaman@portlandmaine.gov> wrote:

Hi Ray,

Nice meeting with your team last week. I wanted to follow up on a question that came up at the meeting which was regarding whether the above ground utility could be supported instead of needing to provide underground utilities.

To be considered for a financial hardship to provide above ground utility, please provide us with the two options, one showing below ground and one showing above ground and what the anticipated cost is, as well as if you anticipate needing to install additional utility poles in either scenario.

Once we receive this information we can review this internally and provide a recommendation to the Board.

Kind regards,

Jimmy

On Tue, Jan 25, 2022 at 8:39 AM Jimmy Dealaman <jdealaman@portlandmaine.gov> wrote:

I also wanted to share a few more comments received from our engineer in Public Works who reviews the wastewater utility connection. He has asked for a couple of things be provided:

1. The owner/ developer should have the existing sewer lateral televised to confirm the condition of it for re-use.
A statement should be provided confirming the development team has completed that research.
2. The engineer should provide written confirmation for our records that a 6 inch sewer is big enough for the proposed building.
3. If these 2 items come back as "sewer lateral is in good condition" and "a 6 inch sewer lateral will handle the proposed flows" then you should be all set.

Also please submit the attached request letter to Brad Roland <brad@portlandmaine.gov>

Thank you and see you tomorrow,

On Mon, Jan 24, 2022 at 1:28 PM Jimmy Dealaman <jdealaman@portlandmaine.gov> wrote:
Added

On Mon, Jan 24, 2022 at 1:16 PM Ray Chang <ray@db9ventures.com> wrote:

Great and thanks! Could you kindly include David Latham to the invite? He wasn't listed in the calendar invite.

Cheers,

Ray

On Jan 24, 2022, at 13:08, Jimmy Dealaman <jdealaman@portlandmaine.gov> wrote:

I'll send out the invite for Wednesday at 11am. We'll plan to start out discussing any design questions you have, given our Urban Designer will attend and may not need to stay for the full hour.



189 Main Street, Suite 200
Yarmouth, ME 04096

March 28, 2022
City of Portland
389 Congress Street
Portland, ME 04101

Re: 26 Oxford Street – Proposed Building
Major Site Plan Application – Response to City Comments

Dear Planning:

Trillium Engineering Group is providing this response as additional information for City comments originally received from Town Planner Jimmy Dealaman via email on March 25, 2022. This development proposes the demolition of an existing two-story building in order to provide a new four-story residential building with (6) units (CBL 013 D002001).

Please see the updated plans, documents, and below responses to the comments.

Zoning

Please provide more information on the average grade plan. The Architectural response states that the average grade plane calculated by Civil as 44.25' elevation. This needs to be shown. The grade at each of the corners needs to be added to Plan C101. The average grade line needs to be shown on all four elevations.

- Response: The architectural and site plans have been updated as noted.

Regarding the rear setback, it needs to be measured to the foundation unless the roof overhang is more than 2'. The plans show that the setback is 12.85' to the overhang. It appears that the top floor is set back 5.8' from the edge so the 15' step back should be met for the height above 35'

- Response: The 12.85' dimension is the distance from the rear property line to the foundation. No change is necessary.

Access and Circulation

The City's Consulting Traffic Engineer requests an Auto-Turn analysis be conducted/submitted to prove vehicles can enter and exit spaces.

- Response: A vehicle turning template has been added to Sheet L100.

Parking lot layout must provide a minimum drive aisle of 24 feet. The parking drive aisles shows approximately 15 feet at its widest point. Please request a waiver to Section 1.14.3 with justification speaking to the site constraints and why a waiver is justified.

- Response: Please see the attached updated waiver request.

Landscaping

Evergreen trees like Arborvitae should be noted/measured in height vs caliper or thickness of the trunk. Arborvitae should be in the 5'-6' range.

- Response: Sheet C102 has been updated as requested.

Design

The design review team has reviewed the latest plan submission and find that all design standards are met, however staff are asking that the elevations be updated to show the future vertical barrier (i.e. guardrail, etc) for the future deck, otherwise staff would recommend this as a condition of approval

- Response: Please see the attached updated architectural plans.

Utility

Regarding the request for financial hardship to be considered for an underground utility, thank you for submitting the detailed costs provided by Patrick Landers. Please clarify if a new pole would need to be installed if needing to provide an underground electric line.

- Response: The cost estimation previously provided did not account for the potential installation of a new utility pole.

Thank you for taking the time to review this. Should you have any further questions or require any additional information, please do not hesitate to ask.

Sincerely,



David Latham, P.E.
Trillium Engineering Group

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.
Two driveways on site	Section 1.71.: "no more than (1) driveway shall be permitted"	Trillium Engineering Group (TEG) is requesting a waiver to keep both of the existing driveways.	The existing drive on the southwest side of the lot shall be used for access to five of the six provided spots. The driveway closest to Cleeve St shall be used for ADA-compliant parking for the ground floor unit (1/2)
See above	See above	See above	The ground floor unit meets ADA standards and keeping the second driveway allows for easier loading and unloading of passengers, closer unit access, and eliminates the need for walking through the travel way (2/2).
Underground electric	City comments: "Electrical service must be underground unless it is determined to be unfeasible due to extreme cost..."	TEG is requesting a waiver to use overhead electrical lines	Installing underground electrical lines will increase costs by ~\$25-35K (see attached cost breakdown). Rest of neighborhood uses overhead lines, so this wouldn't break up existing ascetic.

CITY OF PORTLAND WASTEWATER CAPACITY APPLICATION

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



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

Date: April 5, 2022

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

Site Address: 26 Oxford St

Chart Block Lot Number: CBL 013 D002001

Proposed Use: Residential apartments
Previous Use: Residential apartments
Existing Sanitary Flows: _____ GPD
Existing Process Flows: _____ GPD
Description and location of City sewer that is to
receive the proposed building sewer lateral.
Existing 6" sewer line to be re-used

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

X

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

2. Please, Submit Contact Information.

City Planner's Name: Jimmy Dealaman Phone: 207-874-8718
Owner/Developer Name: Ray Chang
Owner/Developer Address: 26 Oxford Street, Portland ME 04101
Phone: 781-540-8641 Fax: _____ E-mail: ray@db9ventures.com
Engineering Consultant Name: David Latham, PE - Trillium Engineering Group
Engineering Consultant Address: 189 Main Street, Yarmouth ME 04096
Phone: 207-307-0872 Fax: _____ E-mail: davidl@trilliumeg.com

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

3. Please, Submit Domestic Wastewater Design Flow Calculations.

Estimated Domestic Wastewater Flow Generated: 1,110 GPD
Peaking Factor/ Peak Times: 6:00 - 8:00 AM
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)
Chapter 241: 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.

4. Please, Submit External Grease Interceptor Calculations.

Total Drainage Fixture Unit (DFU) Values: _____

Size of External Grease Interceptor: _____

Retention Time: _____

Peaking Factor/ Peak Times: _____

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

5. Please, Submit Industrial Process Wastewater Flow Calculations

Estimated Industrial Process Wastewater Flows Generated: _____ 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.

Calculation For Domestic Wastewater

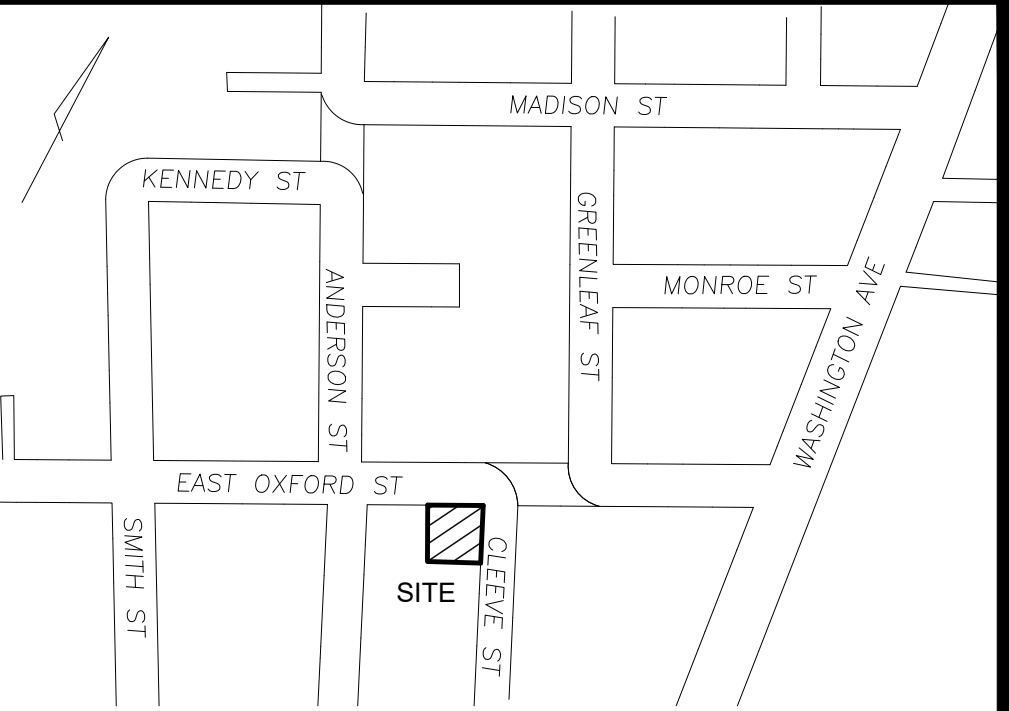
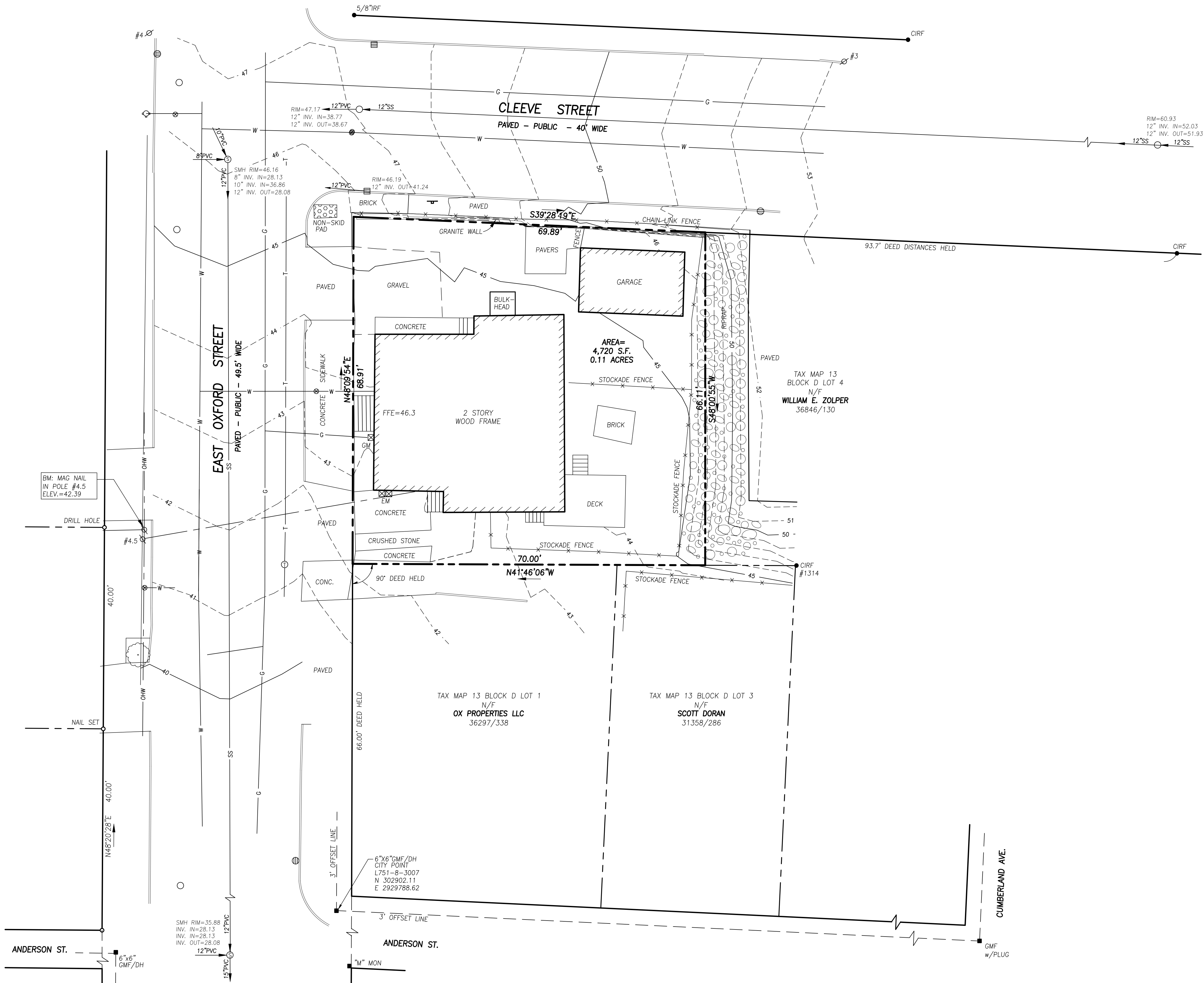
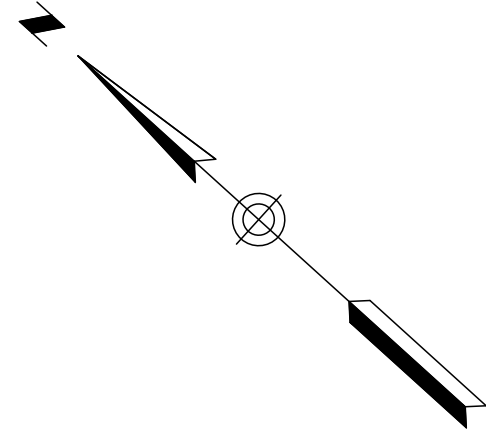
Per Chapter 241.4.E.2., "the design flow for multiple family dwelling units is calculated at 120 gallons per unit for one-bedroom units, and 90 gallons per day per bedroom for multiple bedroom units

We have (1) single bedroom unit = 120 gallons

We have a combined (11) bedrooms in the other five rooms

11 bedrooms * 90 gallons/bedroom = 990 gallons

Total Demand: 1,110 gallons per day



LOCATION MAP N.T.S.

LEGEND	
●	IRON PIPE OR ROD FOUND
■	MONUMENT FOUND
○	UTILITY POLE
○	MANHOLE
⊗	ELECTRIC/GAS METER
+	SIGN
⊕	CATCH BASIN
⊙	HYDRANT
⊗	WATER VALVE OR SHUTOFF
⊙	LIGHT POLE
—X—X—	FENCE
—	CURB
—OHW—	OVERHEAD WIRES
—W—	WATER LINE
—G—	GAS LINE
—T—	TELEPHONE
—SS—	SANITARY SEWER
—50—	1' CONTOUR
—IPF/IRF—	IRON PIPE OR ROD FOUND
—N/F—	NOW OR FORMERLY
—000/000—	DEED BOOK / PAGE
—CONC.—	CONCRETE

- PLAN REFERENCES**
- "38 MONROE COURT / 47 ANDERSON STREET CONDOMINIUM CONDOMINIUM PLAT PORTLAND, MAINE FOR HABITAT FOR HUMANITY / GREATER PORTLAND, INC." BY ROSS BOUNDARY SURVEYS DATED JANUARY, 2002 REVISED THROUGH JANUARY 1993 RECORDED IN PLAN BOOK 193 PAGE 16.
 - "CONDOMINIUM PLAT 'EAST OXFORD FLATS' 31 EAST OXFORD STREET, PORTLAND, MAINE MADE FOR RECORD OWNER DB9 VENTURES, LLC" MAY 17, 2019 BY OWEN HASKELL, INC.
 - "CONDOMINIUM PLAT 'OXFORD CORNER CONDOMINIUM' 35 EAST OXFORD STREET, PORTLAND, MAINE MADE FOR RECORD OWNER 35 EAST OXFORD LLC" MARCH 17, 2020 BY OWEN HASKELL, INC.

- GENERAL NOTES**
- OWNER OF RECORD: 26 OXFORD LLC
146 PLEASANT ST., LEXINGTON, MA 02421
TAX MAP 13 BLOCK D LOT 2
C.C.R.D. BOOK 35605 PAGE 186
 - BEARINGS ARE BASED ON MAINE STATE PLANE COORDINATE SYSTEM WEST ZONE NAD 83 PER CITY OF PORTLAND CONTROL POINTS:
T102-77-02 L751-8-3007
N 303502.36 N 302902.11
E 2929187.90 E 2929788.62
 - BENCH MARK: MONUMENT T102-77-1 AT NORTHWEST CORNER OF ANDERSON STREET AND EAST LANCASTER STREET, ELEVATION 19.57 CITY DATUM.

UTILITY NOTE

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

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.

ELLEN C. BREWER, PLS #2367

DATE

Boundary & Topographic Survey
At
26 East Oxford Street, Portland, Maine
Made for Owner of Record
26 Oxford, LLC
146 Pleasant Street, Lexington, MA

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

DRAWN BY: RS / JLW	DATE: JAN. 28, 2021	JOB NO. 2020-381 P
CHECKED BY: ECB	SCALE: 1" = 10'	DRWG. NO. 1

APRIL 6, 2022



PAUL DESIGNS PROJECT
142 HIGH STREET
PORTLAND, ME 04101

SHEET TITLE:

DESIGNED:	DL
DRAWN:	DL
DATE:	04-06-22
PROJECT NUMBER:	21-052

Page 99



RAY CHANG

26 OXFORD STREET
PORTLAND, ME 04101



26 OXFORD STREET
PORTLAND

[illegible]

SHEET TITLE:

EXISTING SITE PLAN

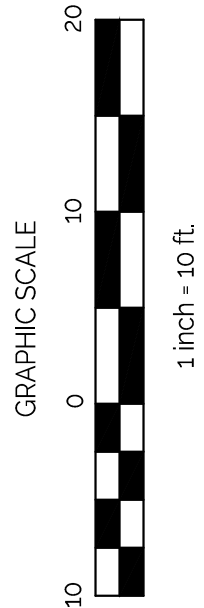
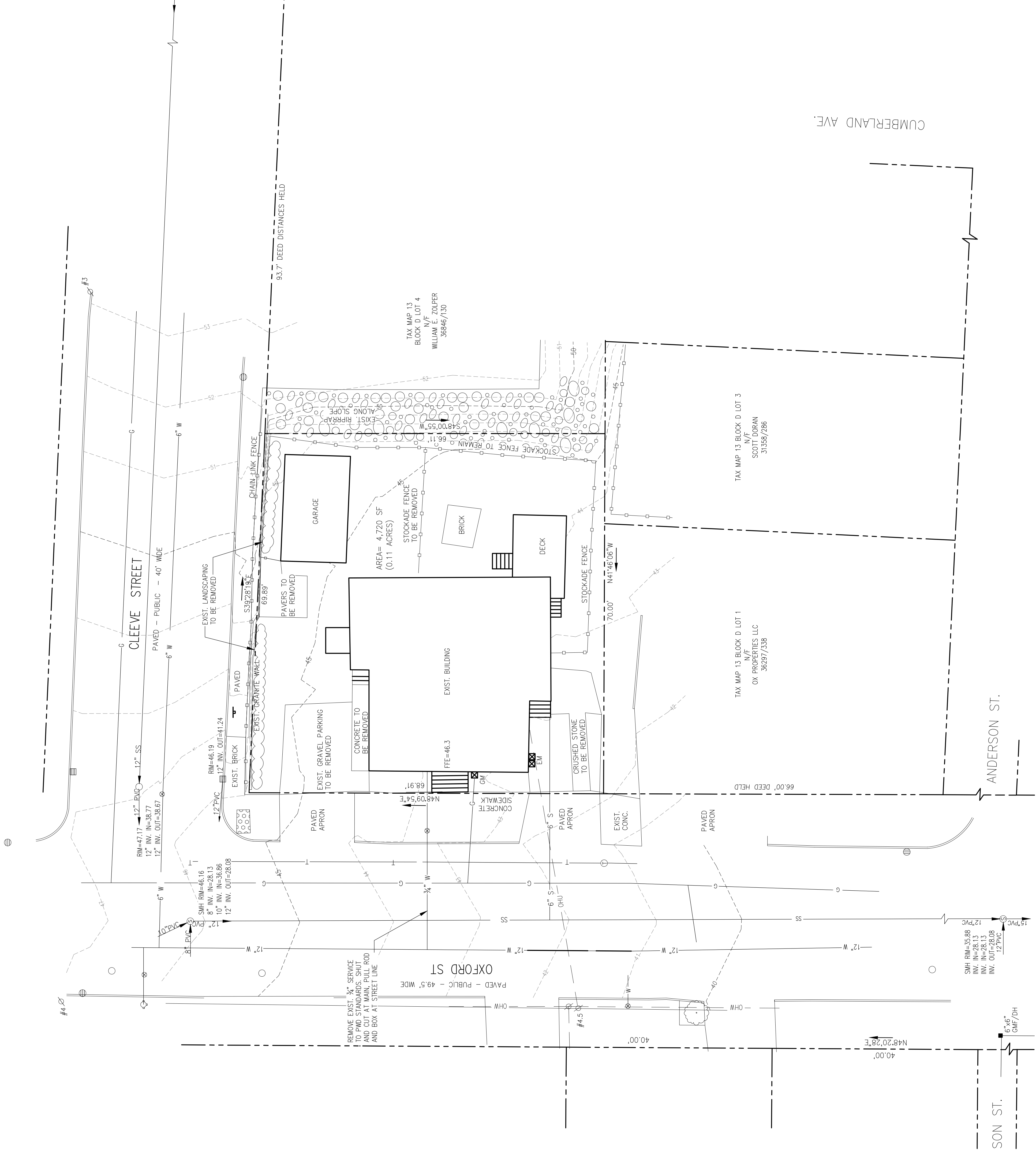
DESIGNED:	DL
DRAWN:	DL
DATE:	04-06-22
PROJECT NUMBER:	21-052

C100

GENERAL NOTES

- [illegible]

EXISTING	DESCRIPTION	PROPOSED
	GRANITE MONUMENT - 3' OFFSET	
	IRON PIN FOUND/SET	
	IRON ROD FOUND	
	CAPPED IRON ROD FOUND	
	DRILL HOLE FOUND	
	GRANITE MONUMENT FOUND	
	STREET LINE	
	LOT SEBACKS	
	PROPERTY LINE	
	ADJUTOR LINE	
	"NO CUT" BUTTER	
	METALINES	
	EDGE OF ROAD/TRAVELLED WAY	
	SOIL TEST PIT	
	CONTOUR	
	SPOT GAUGE	
	GAS SHUT-OFF	
	UTILITY POLE	
	OVERHEAD ELECTRICAL	
	UNDERGROUND ELECTRICAL	
	ELECTRICAL TRANSFORMER	
	FIRE HYDRANT	
	WATER LINE	
	WATER GATE	
	SEWER MANHOLE	
	DRAINAGE MANHOLE	
	CATCH BASIN	
	UNDERDRAIN/STORMDRAIN	
	UNDERDRAIN	
	SILT FENCE	
	TEMP. STONE CHECK DAM	
	FLOW DIRECTION	
	HAY BALES	
	EROSION CONTROL BLANKET	
	STORMWATER BOUNDARY	
	STORMWATER FLOW (To)	
	FACE OF LODGE OUTCROP	
	BIRCH	
	MAPLE	
	TREE LINE	
	SITE LIGHTING (BAYSIDE FACING)	
	STONE WALL	



EXISTING SITE PLAN

SCALE: 1" = 10'-0"



26 OXFORD STREET
PORTLAND, ME 04101



26 OXFORD STREET
PORTLAND
PROPOSED BUILDING

No.	DESCRIPTION	DR CHKD.	BY DATE
A	ISSUED FOR PLANNING PERMIT	DL	ED 10-20-21
B	RESPONSE TO CITY COMMENTS	DL	ED 02-22-22

SHEET TITLE:

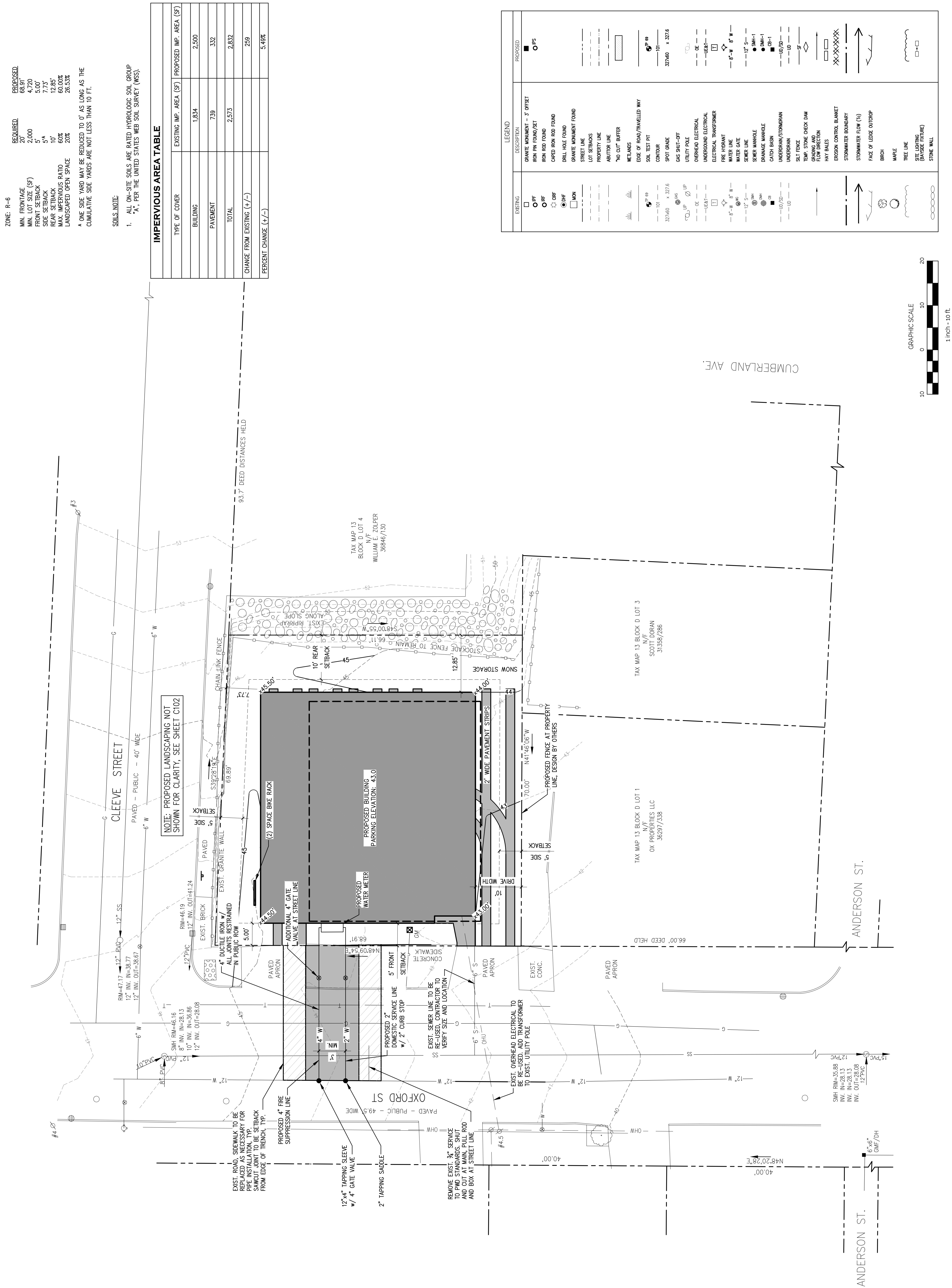
PROPOSED GRADING AND DRAINAGE PLAN

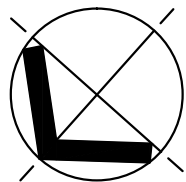
DESIGNED:	DL
DRAWN:	DL
DATE:	04-06-22
PROJECT NUMBER:	21-052

C101

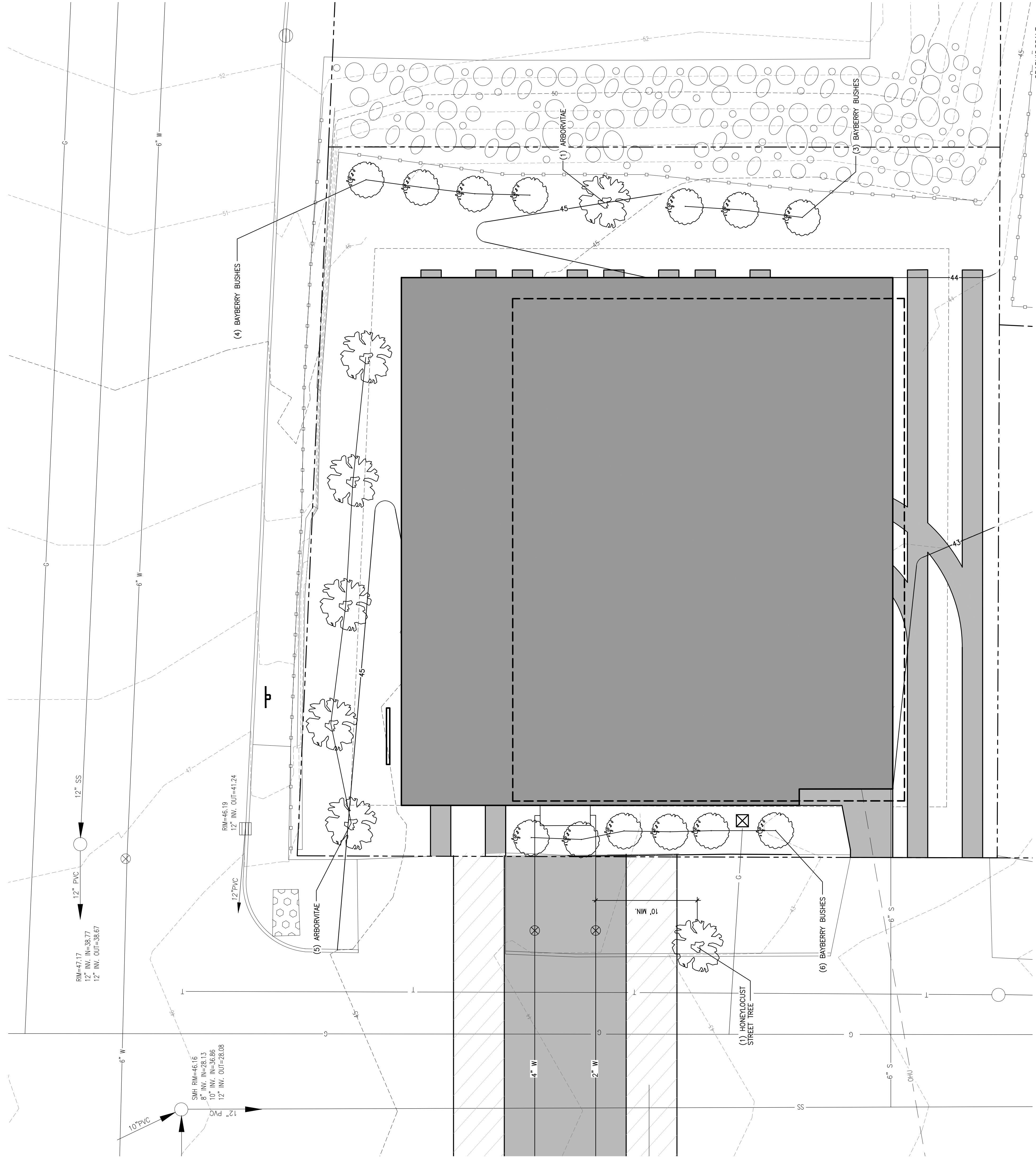
PROPOSED GRADING & DRAINAGE PLAN

SCALE: 1" = 10'-0"





NORTH



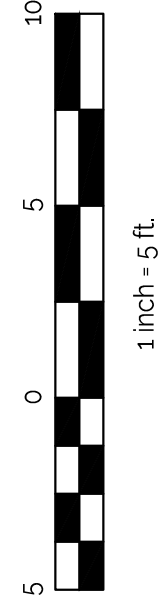
ZONE: R-6	REQUIRED	PROPOSED
MIN. FRONTAGE	20'	66.91'
MIN. LOT SIZE (SF)	2,000	4,720
FRONT SETBACK	5'	5.00'
SIDE SETBACK	5'	7.73'
REAR SETBACK	10'	12.85'
MAX. IMPERVIOUS RATIO	60%	60.00%
LANDSCAPED OPEN SPACE	20%	24.00%

A ONE SIDE YARD MAY BE REDUCED TO 0' AS LONG AS THE CUMULATIVE SIDE YARDS ARE NOT LESS THAN 10 FT.

IMPERVIOUS AREA TABLE			
TYPE OF COVER	EXISTING IMP. AREA (SF)	PROPOSED IMP. AREA (SF)	PROPOSED IMP. AREA (SF)
BUILDING	1,834		2,500
PAVEMENT	739		332
TOTAL	2,573		2,832
CHANGE FROM EXISTING (+/-)			259
PERCENT CHANGE (+/-)			5.49%

PLANTING SCHEDULE		
TYPE	SIZE	QUANTITY
MYRTICA PENSYLVANICA/NORTHERN BAYBERRY	#5	13
HONEYLOCUST	2-2.5" CAL.	1
ARBORVITAE/WIDE CEDAR	5'-6" HEIGHT	6

LEGEND	
EXISTING	PROPOSED
GRANITE MONUMENT - 5" OFFSET	GRANITE MONUMENT - 5" OFFSET
IRON PIN FOUND/SET	IRON PIN FOUND/SET
CAPIED IRON ROD FOUND	CAPIED IRON ROD FOUND
DRILL HOLE FOUND	DRILL HOLE FOUND
GRANITE MONUMENT FOUND	GRANITE MONUMENT FOUND
STREET LINE	STREET LINE
PROPERTY LINE	PROPERTY LINE
ADJUTOR LINE	ADJUTOR LINE
"NO CUT" BUFFER	"NO CUT" BUFFER
WETLANDS	WETLANDS
EDGE OF ROAD/TRAVELLED WAY	EDGE OF ROAD/TRAVELLED WAY
SOIL TEST PIT	SOIL TEST PIT
CONTOUR	CONTOUR
SPOT GRADE	SPOT GRADE
GAS SHUT-OFF	GAS SHUT-OFF
UTILITY POLE	UTILITY POLE
OVERHEAD ELECTRICAL	OVERHEAD ELECTRICAL
UNDERGROUND ELECTRICAL	UNDERGROUND ELECTRICAL
ELECTRICAL TRANSFORMER	ELECTRICAL TRANSFORMER
FIRE HYDRANT	FIRE HYDRANT
WATER GATE	WATER GATE
SEWER LINE	SEWER LINE
SEWER MANHOLE	SEWER MANHOLE
DRAINAGE MANHOLE	DRAINAGE MANHOLE
CATCH BASIN	CATCH BASIN
UNDERDRAIN/STORMDRAIN	UNDERDRAIN/STORMDRAIN
SILT FENCE	SILT FENCE
TURP. STONE CHECK DAM	TURP. STONE CHECK DAM
GRAVING AND FLOW DIRECTION	GRAVING AND FLOW DIRECTION
HAY BALES	HAY BALES
EROSION CONTROL BLANKET	EROSION CONTROL BLANKET
STORMWATER BOUNDARY	STORMWATER BOUNDARY
STORMWATER FLOW (1/2)	STORMWATER FLOW (1/2)
FACE OF LEDE OUTCROP	FACE OF LEDE OUTCROP
BIRCH	BIRCH
MAPLE	MAPLE
TREE LINE	TREE LINE
DATE USING (BASED FIGURE)	DATE USING (BASED FIGURE)
STONE WALL	STONE WALL



PROPOSED LANDSCAPING PLAN

SCALE: 1" = 5'-0"

26 OXFORD STREET
PORTLAND
PROPOSED BUILDING

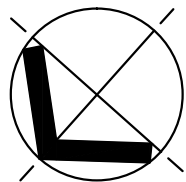
NO.	DESCRIPTION	DATE
A	ISSUED FOR CITY COMMENTS	10-26-21
B	RESPONSE TO CITY COMMENTS	02-22-22

SHEET TITLE:

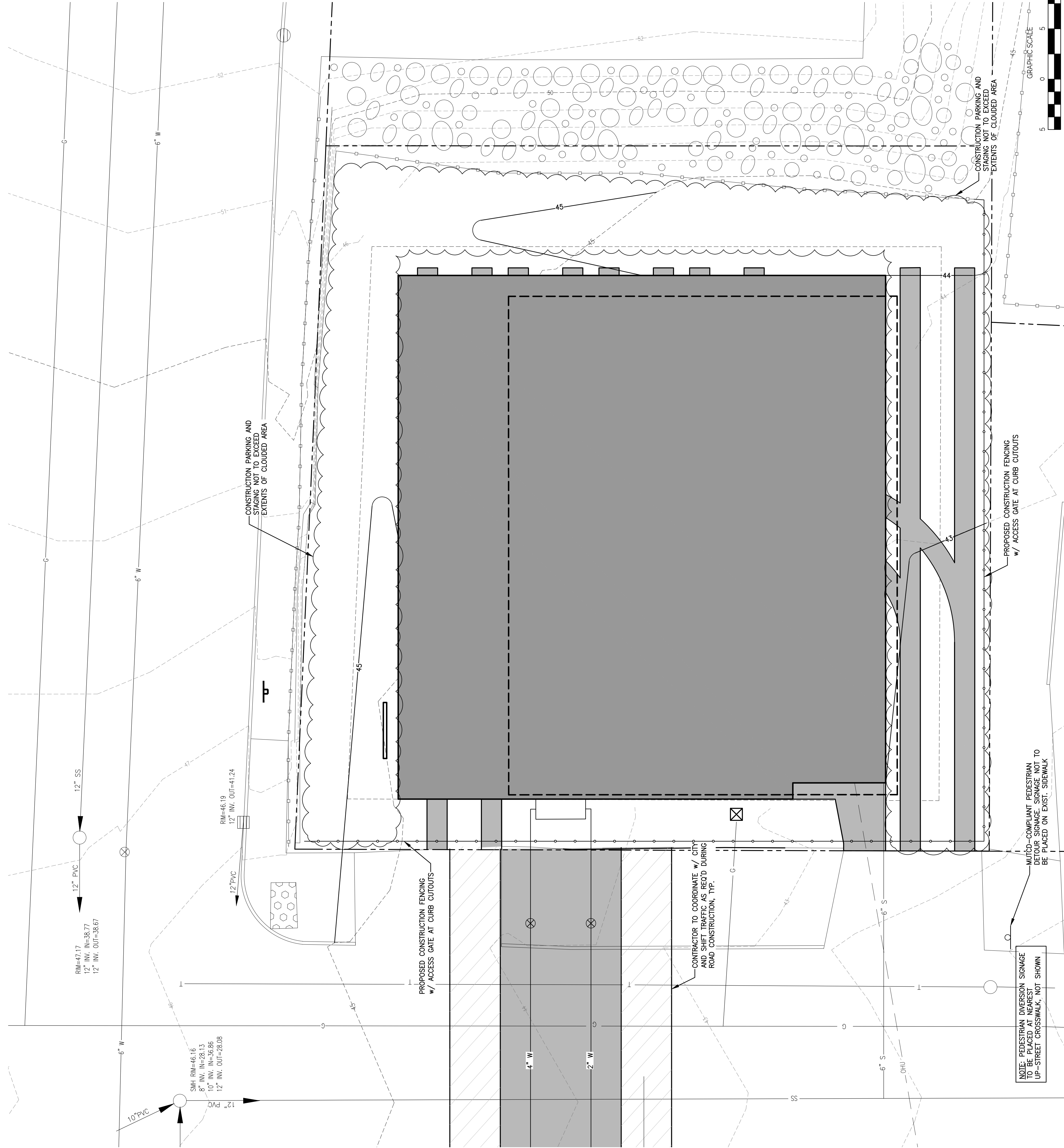
PROPOSED LANDSCAPING PLAN

DESIGNED:	DL
DRAWN:	DL
DATE:	04-06-22
PROJECT NUMBER:	24-052

C102



NORTH



RM=47.17
12" INV. IN=38.77
12" INV. OUT=38.67

SMH RM=46.16
8" INV. IN=28.13
10" INV. IN=36.86
12" INV. OUT=28.08

RM=46.19
12" INV. OUT=41.24

PROPOSED CONSTRUCTION FENCING
w/ ACCESS GATE AT CURB CUTOUTS

CONTRACTOR TO COORDINATE w/ CITY
AND SHIFT TRAFFIC AS REQ'D DURING
ROAD CONSTRUCTION, TYP.

NOTE: PEDESTRIAN DIVERSION SIGNAGE
TO BE PLACED AT NEAREST
UP-STREET CROSSWALK. NOT SHOWN

MUTCD-COMPLIANT PEDESTRIAN
BEFORE SIGNAGE. SIGNAGE NOT TO
BE PLACED ON EXIST. SIDEWALK

PROPOSED CONSTRUCTION FENCING
w/ ACCESS GATE AT CURB CUTOUTS

CONSTRUCTION PARKING AND
STAGING NOT TO EXCEED
EXTENTS OF CLOUDED AREA

CONSTRUCTION PARKING AND
STAGING NOT TO EXCEED
EXTENTS OF CLOUDED AREA

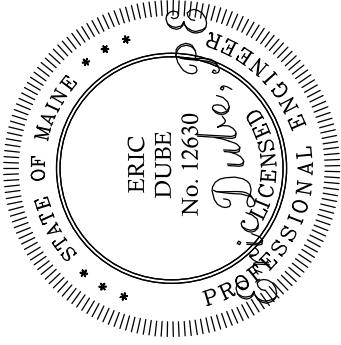
ZONE: R-6	
REQUIRED	PROPOSED
MIN. FRONTAGE	20'
MIN. LOT SIZE (SF)	2,000
FRONT SETBACK	5'
SIDE SETBACK	5'
REAR SETBACK	10'
MAX. IMPERVIOUS RATIO	60%
LANDSCAPED OPEN SPACE	20%
A ONE SIDE YARD MAY BE REDUCED TO 0' AS LONG AS THE CUMULATIVE SIDE YARDS ARE NOT LESS THAN 10 FT.	



CLIENT:

RAY CHANG

26 OXFORD STREET
PORTLAND, ME 04101



MAINE

26 OXFORD STREET
PORTLAND

PROPOSED BUILDING

DR	BR	DATE
DL	ED	10-26-21
DL	ED	02-22-22
ISSUED		
RESPONSE TO CITY COMMENTS		
ISSUED FOR PLANNING PERMIT		

SHEET TITLE:

CONSTRUCTION
MANAGEMENT PLAN

DESIGNED:	DL
DRAWN:	DL
DATE:	04-06-22
PROJECT NUMBER:	24-052

C103

CONSTRUCTION MANAGEMENT PLAN

SCALE: 1" = 5'-0"

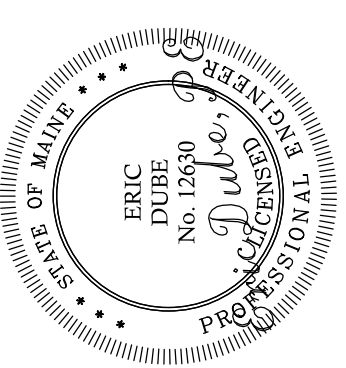


ENGINEERING GROUP
580 MAIN STREET SUITE 200
YARMOUTH, ME 04096

CLIENT:

RAY CHANG

26 OXFORD STREET
PORTLAND, ME 04101



TOWN OF
PORTLAND

26 OXFORD STREET
PORTLAND
PROPOSED BUILDING

No.	DESCRIPTION	DR	CKD	BY	DATE
A	ISSUED FOR PLANNING PERMIT	DL	ED		10-26-21
B	RESPONSE TO CITY COMMENTS	DL	ED		02-22-22

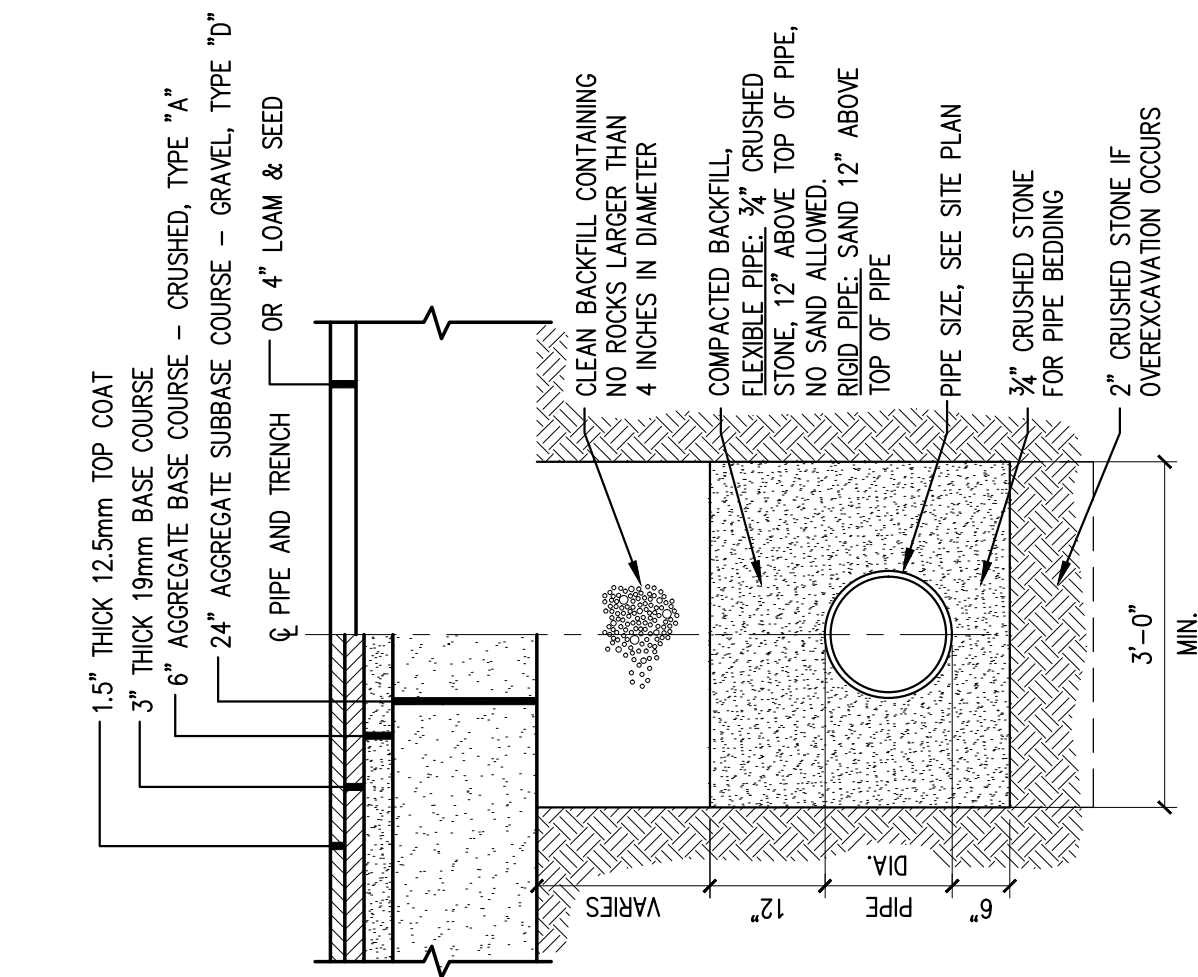
ISSUED

SHEET TITLE:

SITE DETAILS

DESIGNED:	DL
DRAWN:	DL
DATE:	04-06-22
PROJECT NUMBER:	24-052

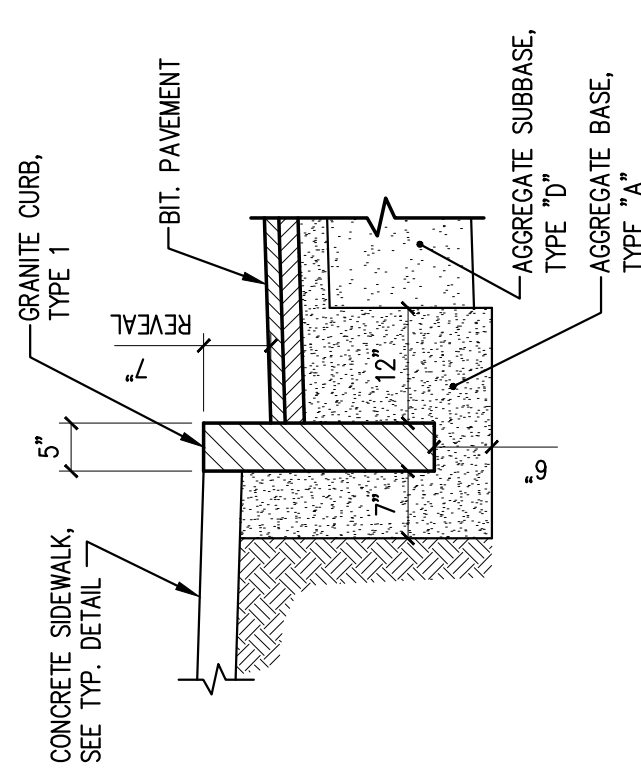
C200



NOTE: ALTERNATE TRENCHING OR PAYMENT METHODS SHALL BE APPROVED BY THE CITY.

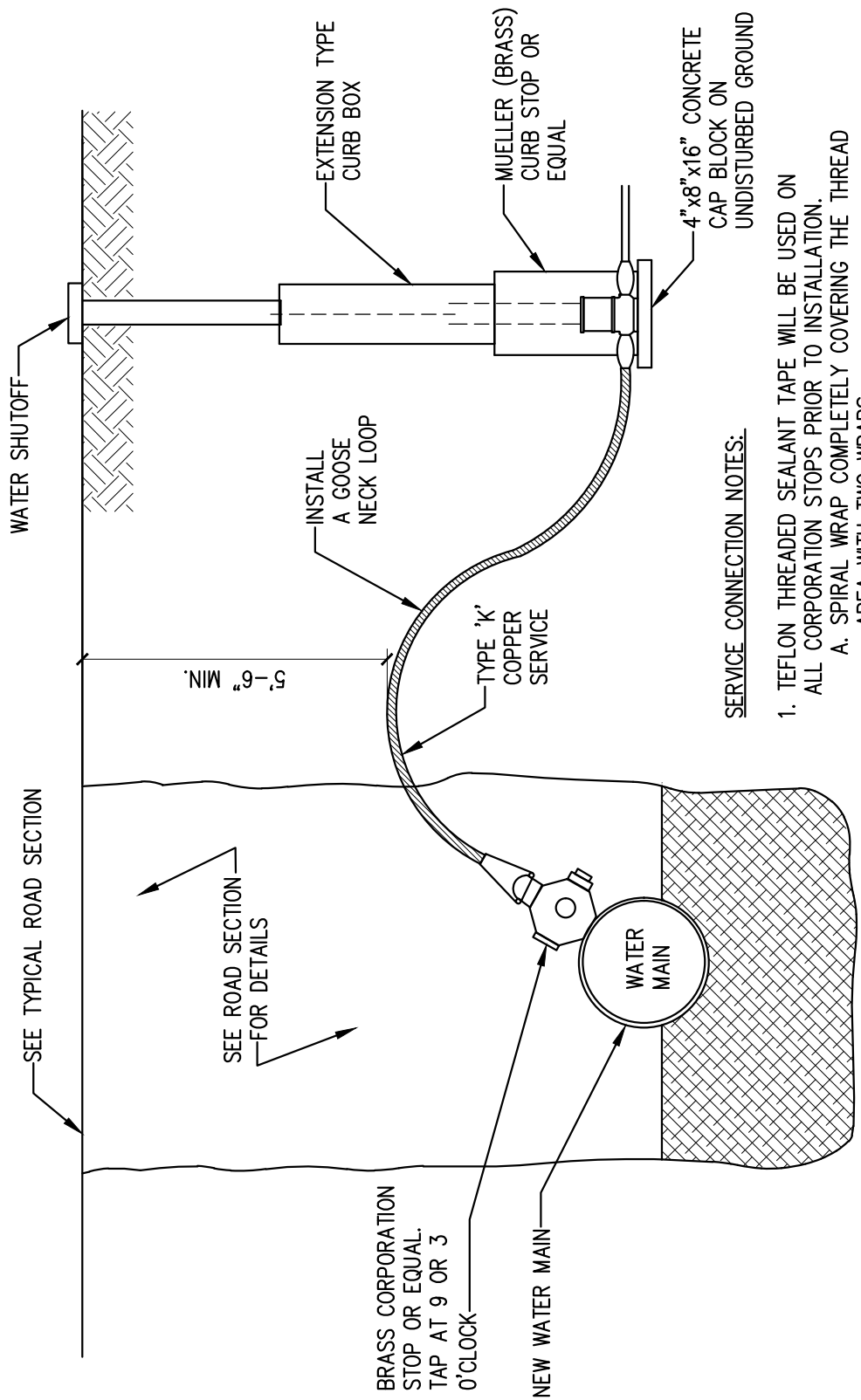
TYPICAL PIPE TRENCH DETAIL

SCALE: NTS



TYPICAL GRANITE CURB DETAIL

SCALE: NTS



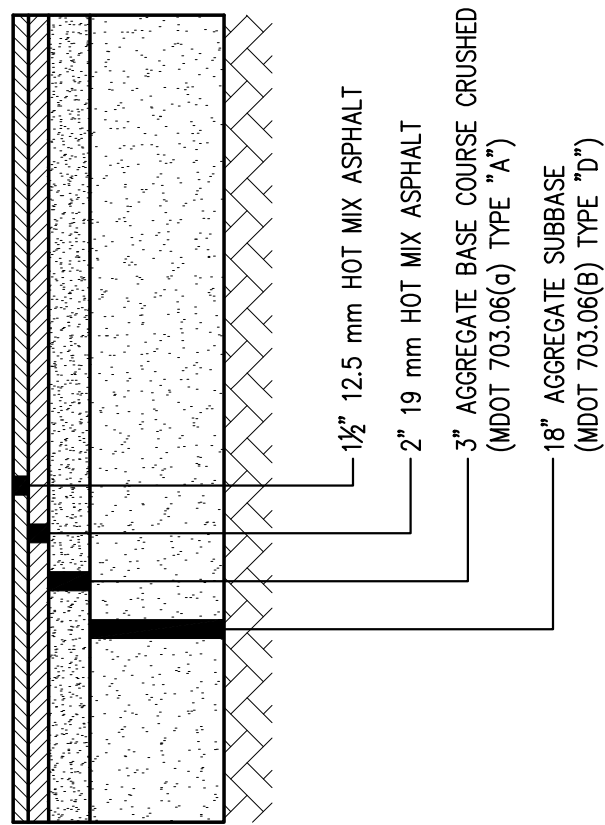
SERVICE CONNECTION NOTES:

1. TEFLON THREADED SEALANT TAPE WILL BE USED ON ALL CORPORATION STOPS PRIOR TO INSTALLATION.
 - A. SPIRAL WRAP COMPLETELY COVERING THE THREAD AREA WITH TWO WRAPS.
 - B. PIPE JOINT WITHIN LIQUID THREAD SEALANTS ARE NOT ACCEPTABLE.
 - C. LEAVE UP TO THREE THREADS SHOWING OUTSIDE OF PIPE. A TORQUE OF 35 POUNDS IS RECOMMENDED.

GENERAL NOTES:
1. CONTRACTOR SHALL CONFIRM ALL PIPE SIZES WITH THE CITY WATER DISTRICT.
2. WORK AND MATERIALS TO BE IN ACCORDANCE WITH THE CITY WATER DISTRICT STANDARDS.
3. CONTRACTOR SHALL STUB NEW SERVICES AT THE EDGE OF THE R.O.W. IN THE MIDDLE OF EACH LOT, UNLESS OTHERWISE NOTED ON THE PLAN/PROFILES.
4. FINAL LOCATION OF ALL BLOW OFF VALVES, SHUT OFF VALVES, STREET BOXES AND HYDRANT VALVES SHALL BE IN ACCORDANCE WITH THE CITY WATER DISTRICT.

TYPICAL WATER CONNECTION DETAIL

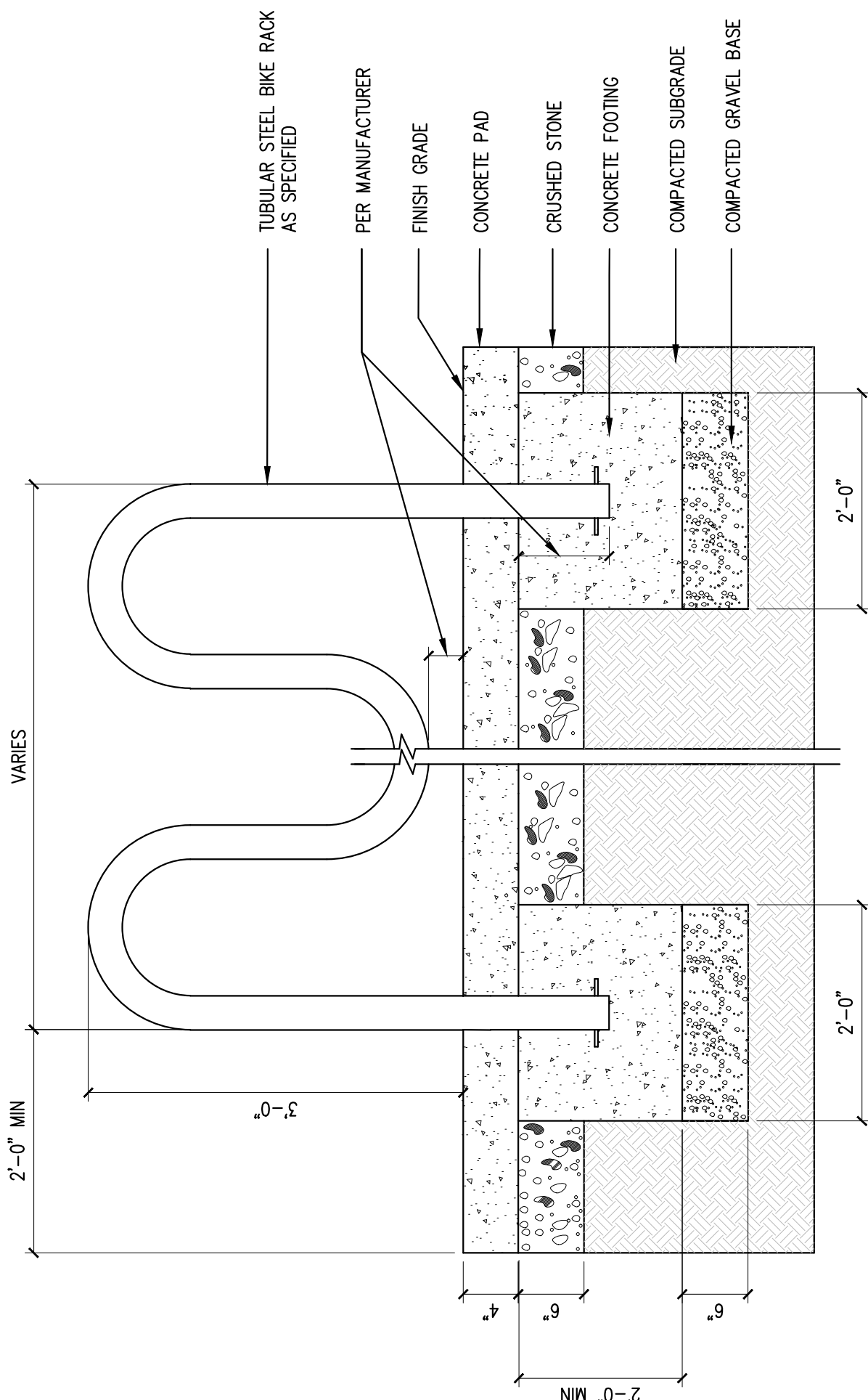
SCALE: NTS



NOTE:
1. COMPACT GRAVEL SUBBASE, BASE COURSE TO 95% OF MAXIMUM DENSITY USING HEAVY ROLLER COMPACTION.
2. CONTRACTOR SHALL SET GRADE STAKES MARKING SUBBASE ELEVATIONS FOR CONSTRUCTION REFERENCE.

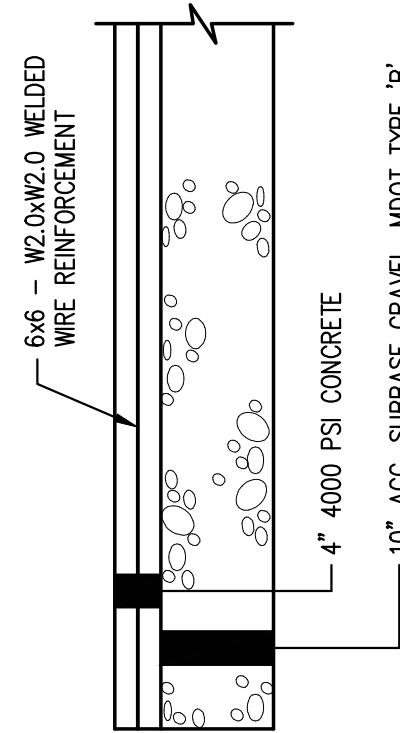
TYPICAL PARKING LOT SECTION

SCALE: NTS



TYPICAL BIKE RACK DETAIL

SCALE: NTS



TYP. CONCRETE SIDEWALK DETAIL

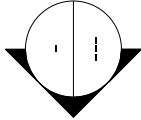
SCALE: NTS

TYPICAL DRIVEWAY STRIPS

SCALE: NTS



Scale 1/4" = 1'-0"



A.9

1

2

2.3

A202 1

40" - 6"

2.9

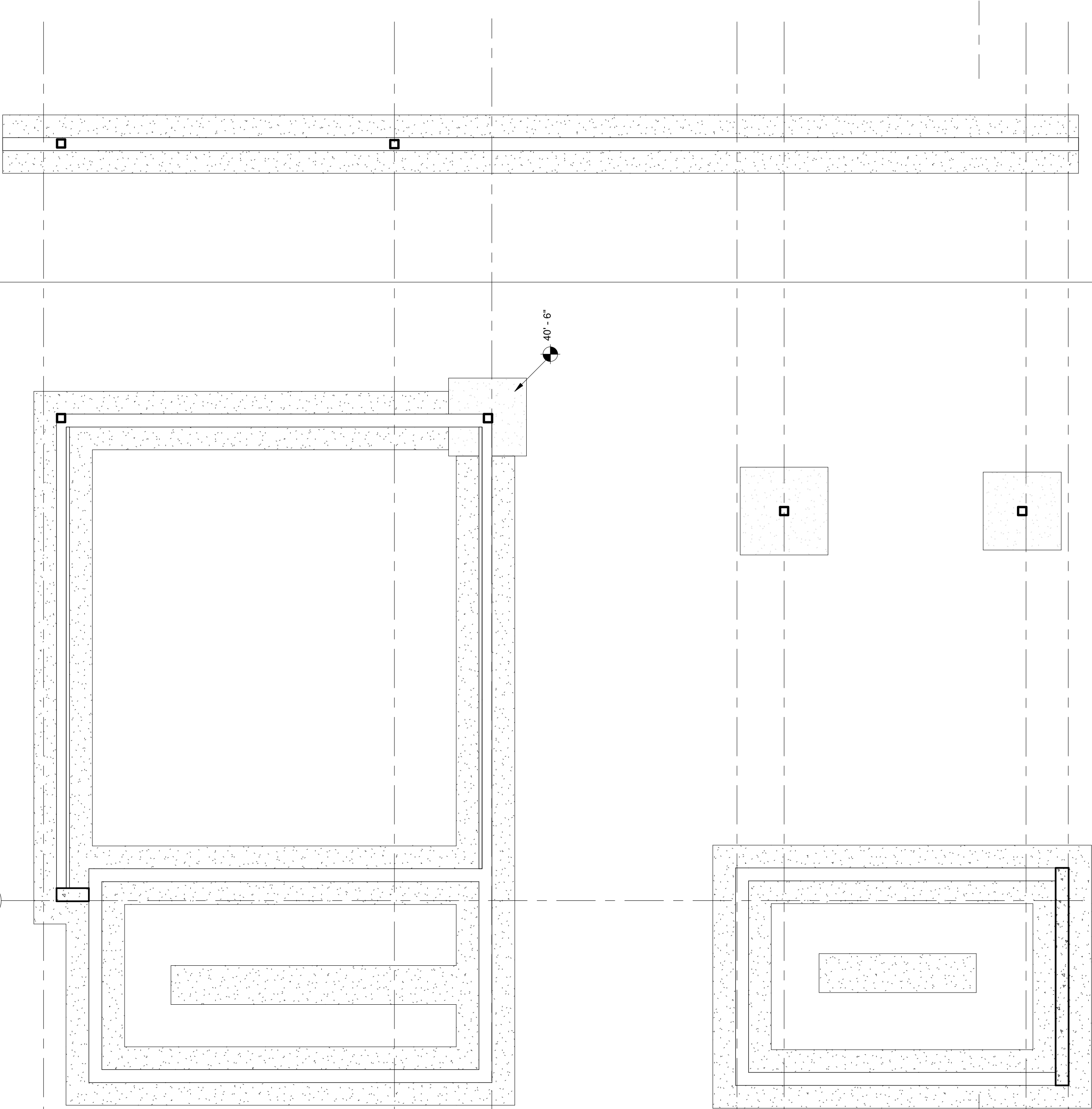
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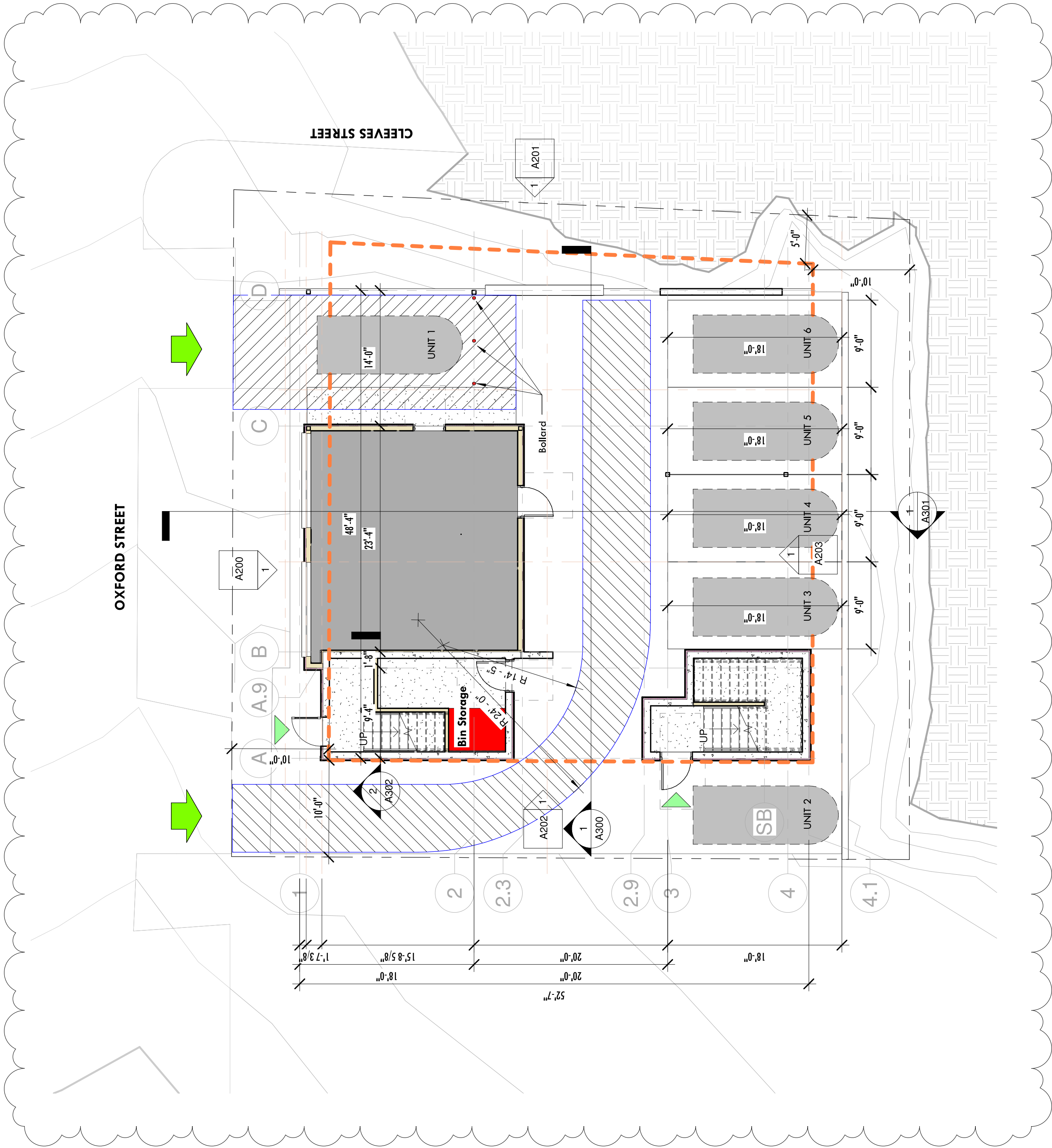
SB

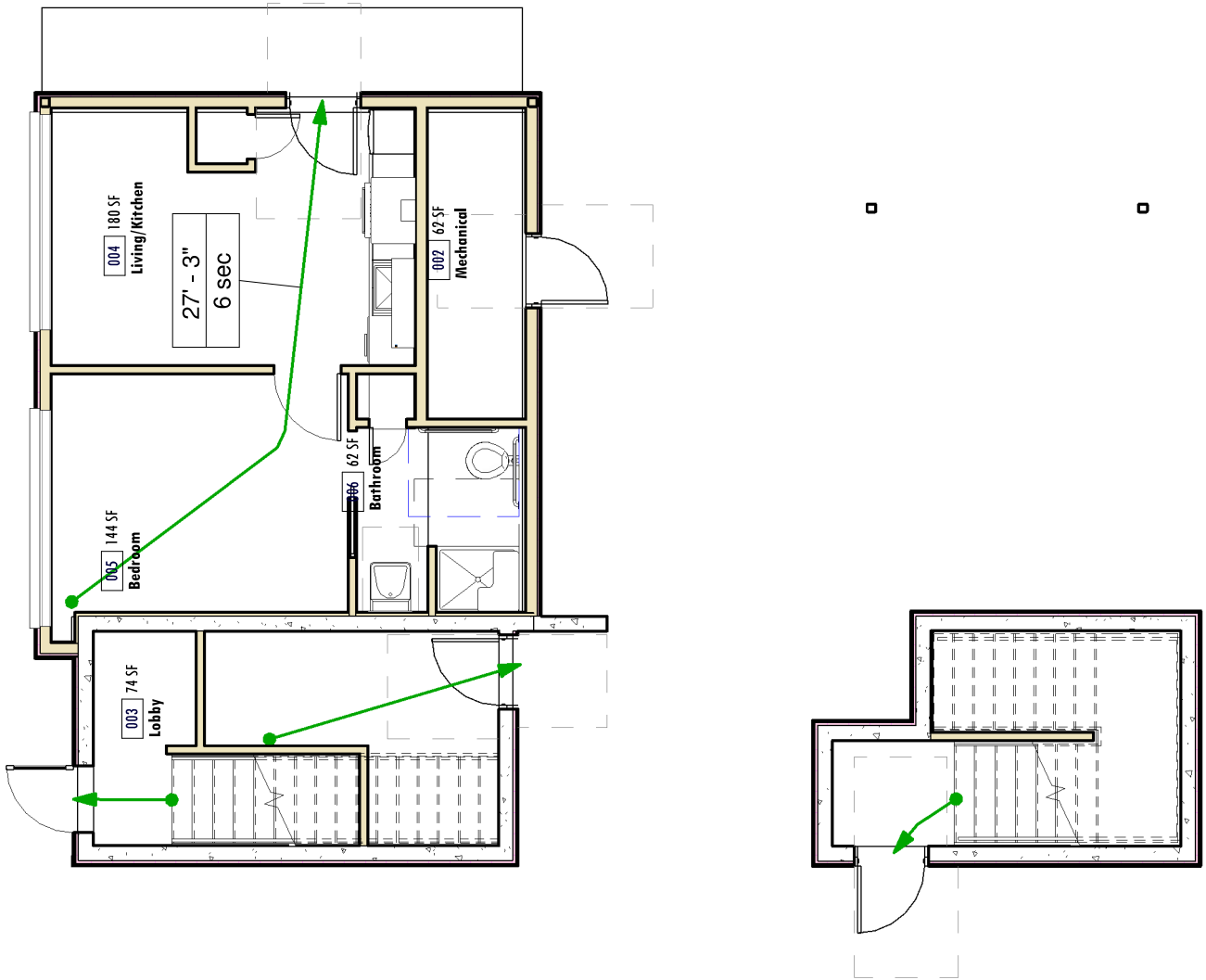
4

4.1

1 Top of Foundation
1/4" = 1'-0"



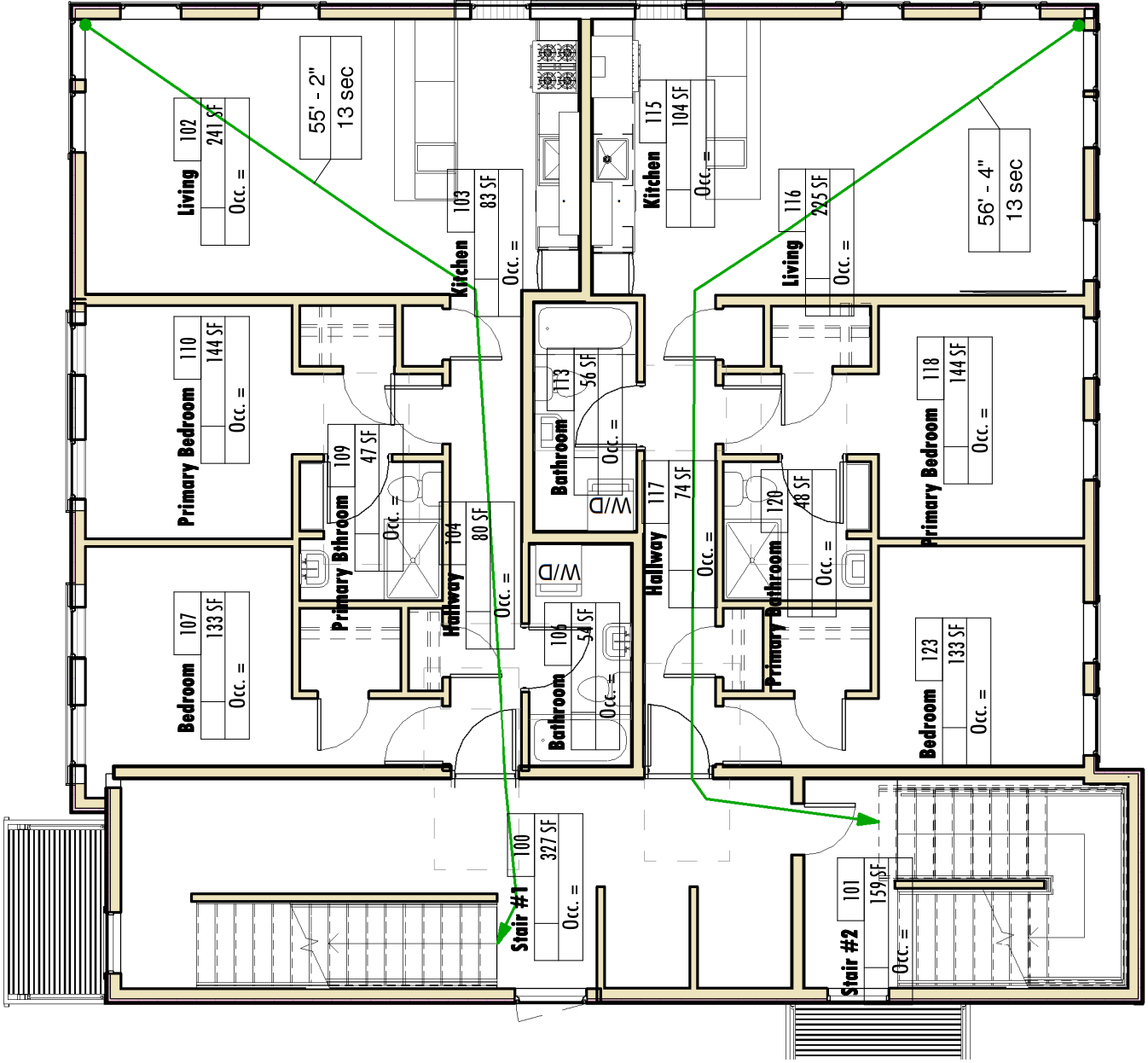




1

00 Ground - Life Safety

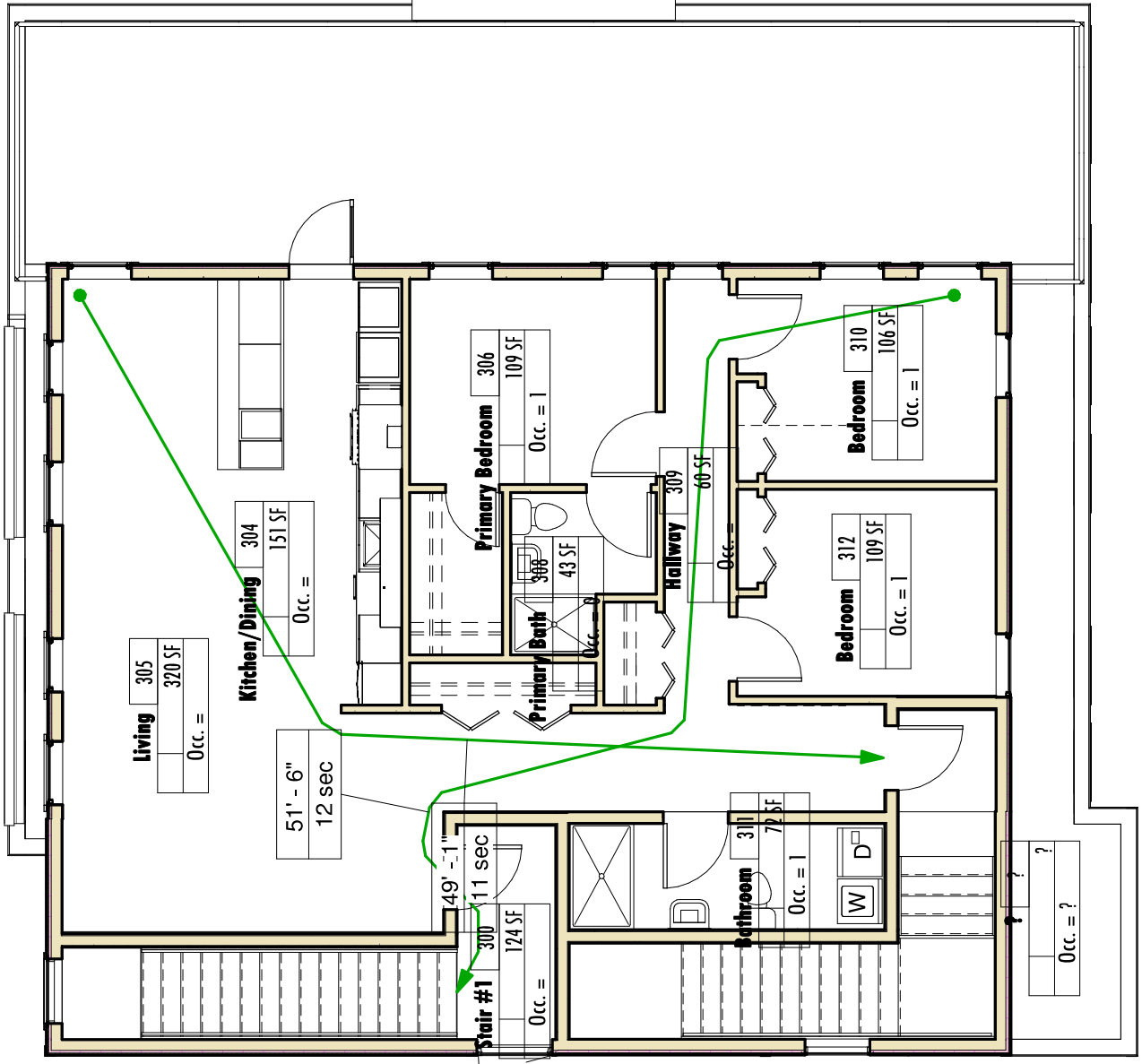
1/8" = 1'-0"



2

01 First & 02 Second - Life Safety

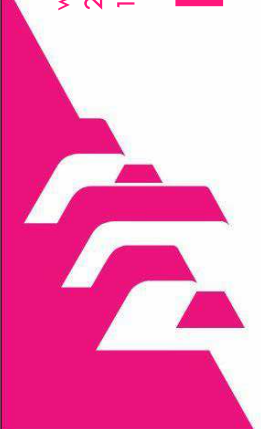
1/8" = 1'-0"



3

03 Third - Life Safety

1/8" = 1'-0"



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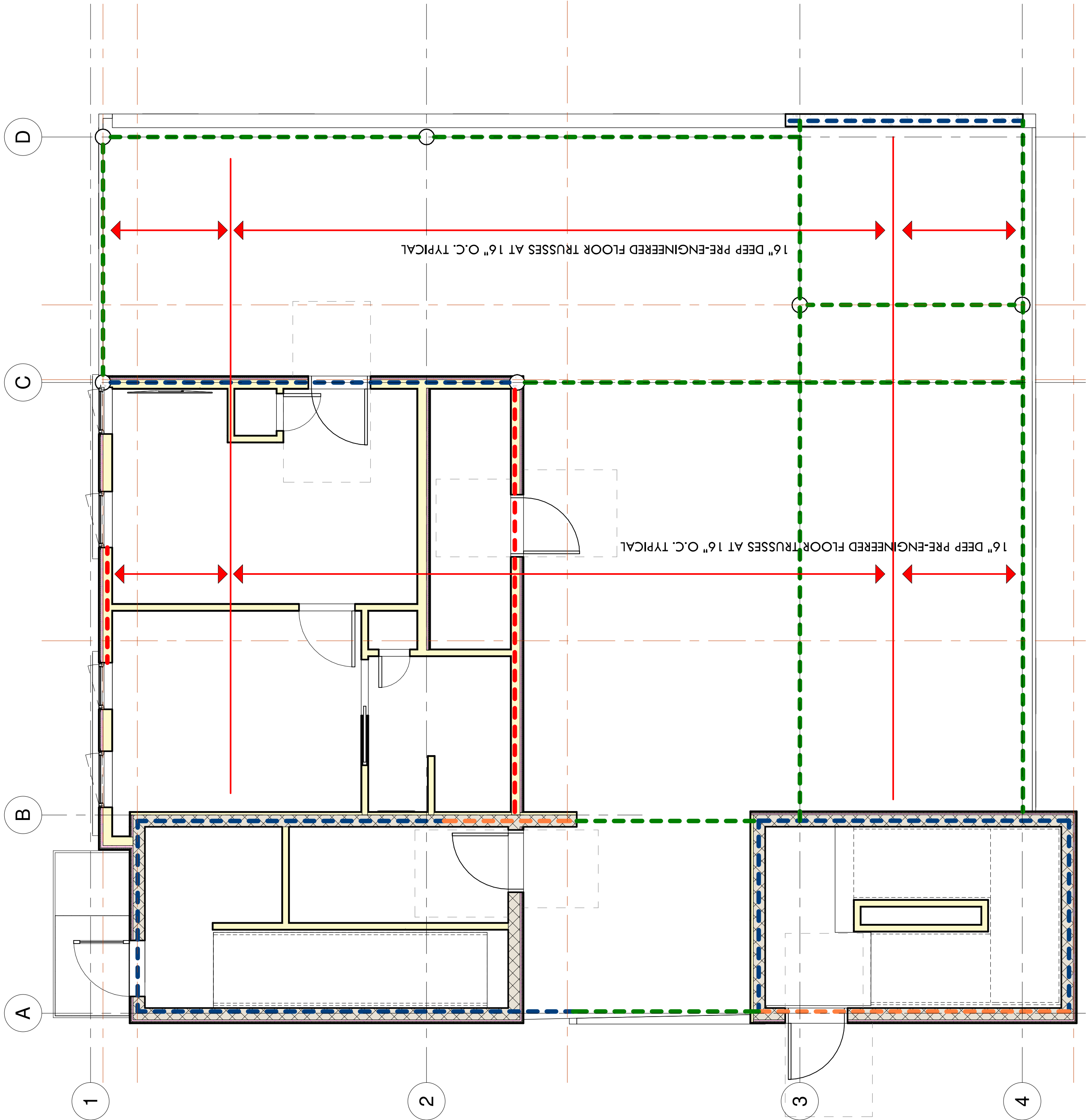
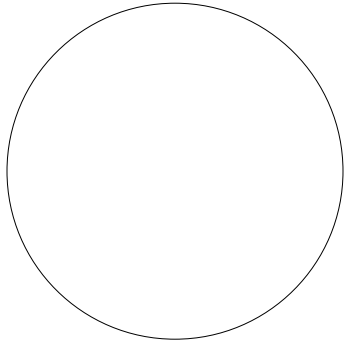
PAUL DESIGNS PROJECT

26 Oxford Street
Portland, Maine 04101

First Floor Framing
Scale 1/4" = 1'-0"

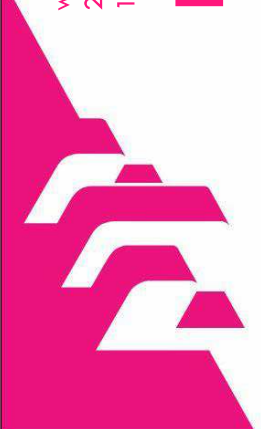
10.26.2021

\$100



01 - First Floor Framing
1/4" = 1'-0"

10/26/2021 12:16:47 PM (J) 2021 Paul Designs Project 18"x24"



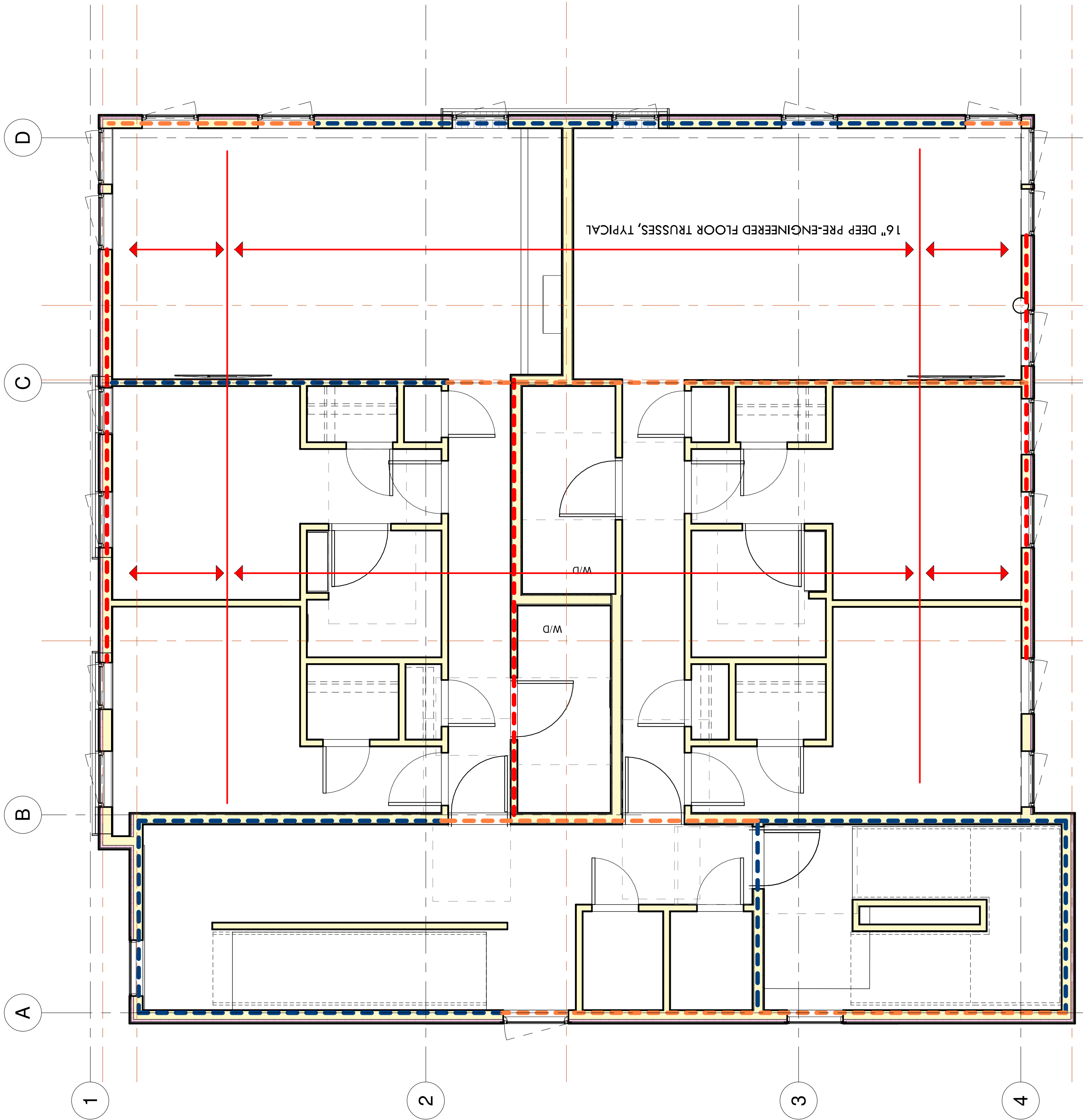
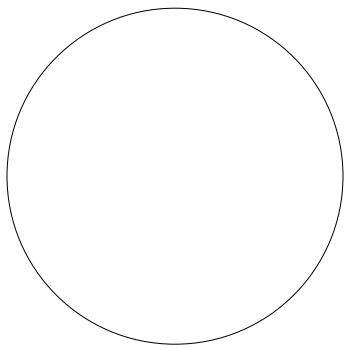
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PAUL DESIGNS PROJECT

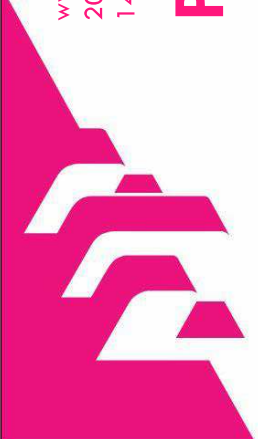
26 Oxford Street
Portland, Maine 04101

2nd + 3rd Floor Framing
Scale 1/4" = 1'-0"
10.26.2021

S101



1 02/03 Second and Third Floor Framing
1/4" = 1'-0"



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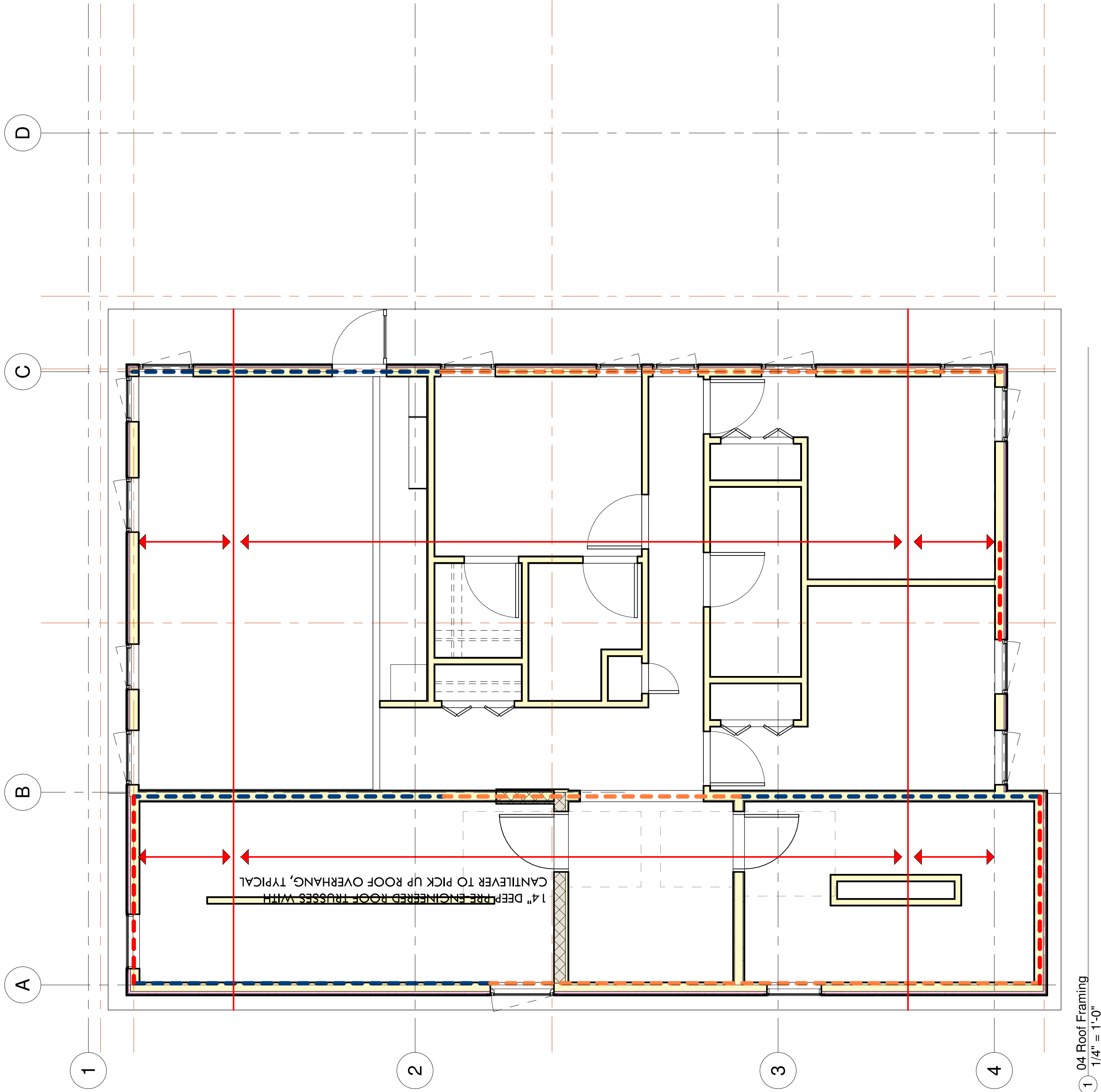
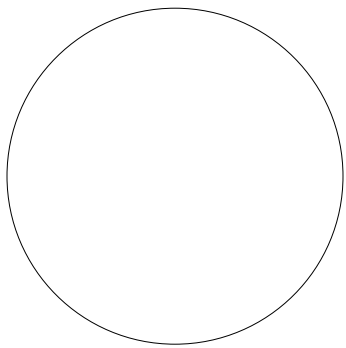
PAUL DESIGNS PROJECT

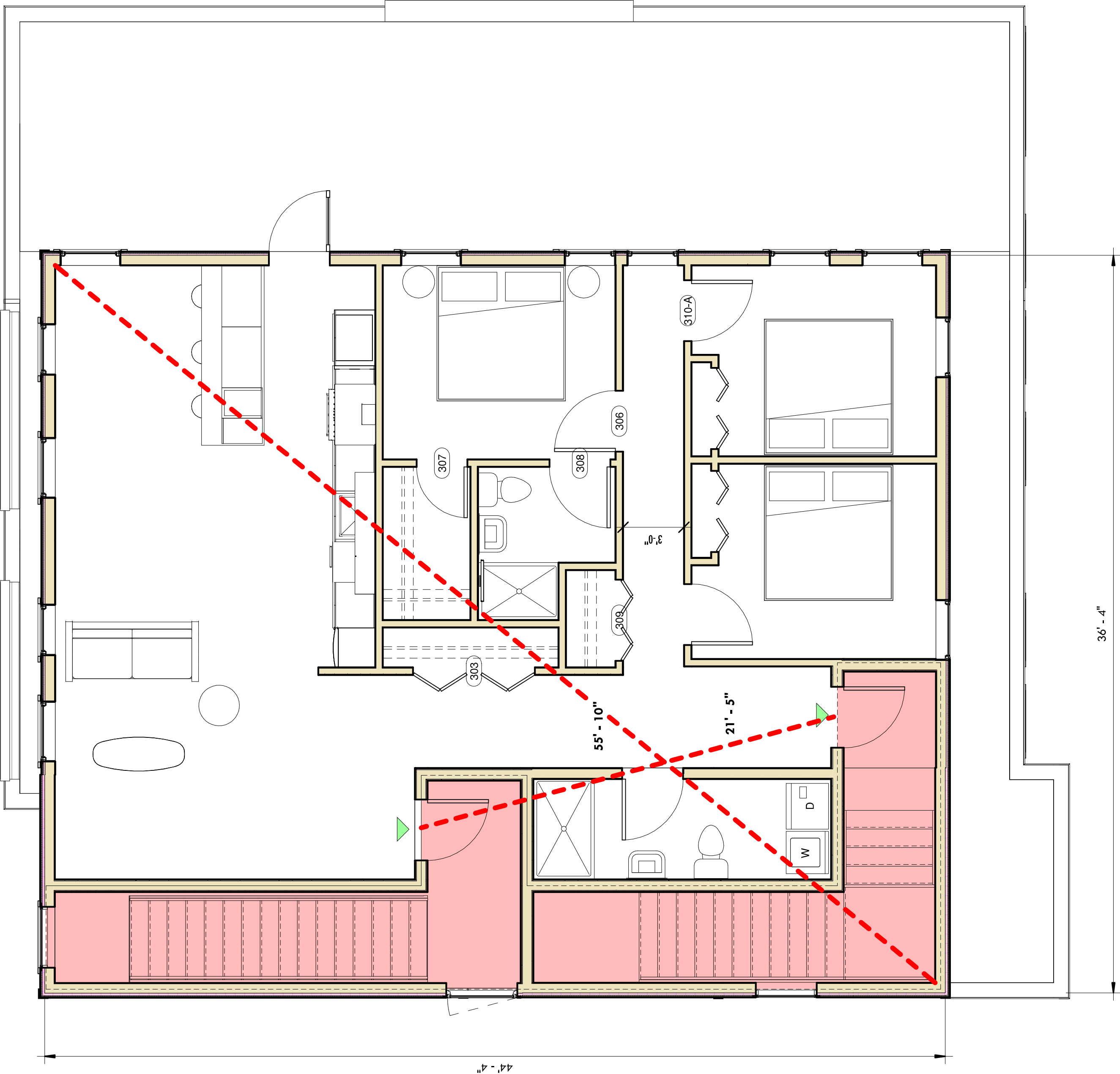
26 Oxford Street
Portland, Maine 04101

Roof Framing
Scale 1/4" = 1'-0"

10.26.2021

S102

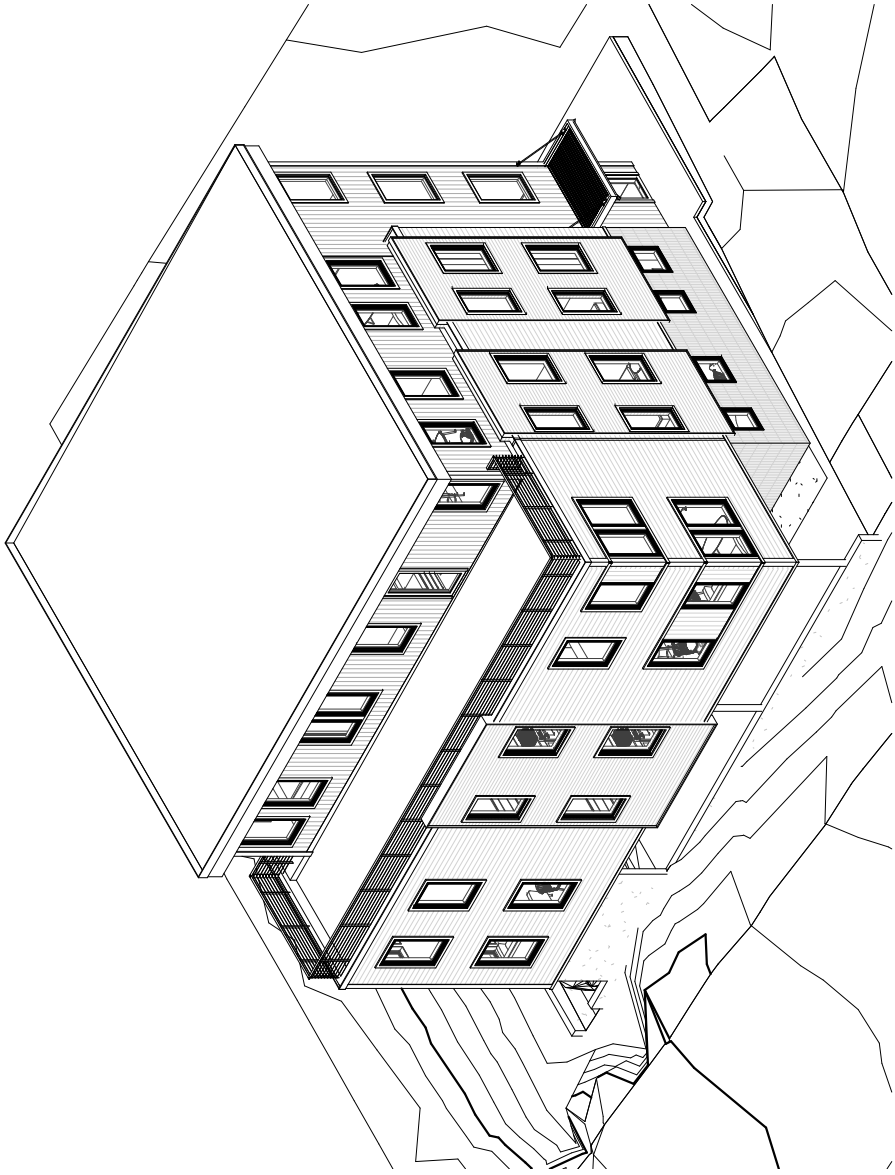






26 Oxford Street

Portland, Maine



Sheet List	
Sheet Number	Sheet Name
A000	Cover
A001	Code Information
A002	General Notes
A100	Ground Floor Plan
A101	Second Floor Plan
A102	Third Floor Plan
A103	Fourth Floor Plan
A104	Roof Plan
A150	RCP - Ground Level
A151	RCP - Second Floor
A152	RCP - Third Floor
A153	RCP - Fourth Floor
A200	Elevation - Oxford Street
A201	Elevation - Cleaves Street
A202	Elevation - Side-Garage Entrance
A203	Elevation - Back
A300	Building Sections
A301	Building Sections Cont.
A302	Stair Tower Sections
A400	Bathroom Elevations
A401	Bathroom Elevations Cont.
A402	Kitchen Elevations
A500	Details
A501	Details Cont.
A601	Schedules
A602	Schedules Cont.
A603	Schedules Cont.
A700	Floor Finish Plan
A702	Room + Finish Schedule
A900	Area Plans
F100	Foundation Plan
L100	Site Plan
LS100	Life Safety Plans
SK104	Stair



Scale

GENERAL NOTES

- DRAWING NOTES:** CONTRACTOR TO FURNISH AND INSTALL ALL NOTED LABOR AND MATERIALS UNLESS OTHERWISE NOTED.
- CODE COMPLIANCE:** ALL WORK SHALL CONFORM TO THE LATEST EDITION OF STATE, LOCAL AND OTHER CODES WHICH APPLY TO THIS PROJECT OR HAVE JURISDICTION.
- COORDINATION:** IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO COORDINATE ALL DISCIPLINES AND TRADES SO THAT ALL BUILDING SYSTEMS AND COMPONENTS CAN BE ASSEMBLED WITHOUT CONFLICTS. IN THE EVENT THAT THE CONSTRUCTION DOCUMENTS DEFINE CONDITIONS WHICH PROHIBIT, OR MAY PROHIBIT, SUCH ASSEMBLY, THE CONTRACTOR SHALL BRING TO THE ARCHITECT'S ATTENTION, IN WRITING AND IN A TIMELY FASHION, SUCH CONDITION. THE CONTRACTOR AND HIS/HER SUBCONTRACTORS SHALL BE RESPONSIBLE FOR PROVIDING MATERIALS AND SYSTEMS SHOWN IN THE CONSTRUCTION DOCUMENTS REGARDLESS OF WHERE THE INFORMATION IS LOCATED. WHERE COMPONENTS OF A SYSTEM ARE INDICATED THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ALL LABOR AND MATERIALS NECESSARY TO COMPLETE THE SYSTEM.
- DISCREPANCIES & CLARIFICATIONS:** THIS PROJECT INVOLVES THE FIT-UP OF AN EXISTING BUILDING. EXISTING DIMENSIONS SHOWN ON THE DRAWINGS ARE BELIEVED TO BE ACCURATE, BUT CANNOT BE GUARANTEED. MEASURE AND VERIFY DIMENSIONS IN FIELD PRIOR TO FABRICATION AND CONSTRUCTION. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO BRING TO THE ARCHITECTS ATTENTION ANY DISCREPANCIES OR AMBIGUITIES IN THE DRAWINGS AND/OR SPECIFICATIONS.
- LAYOUT:** UNLESS INDICATED OTHERWISE, CENTER WALL FRAMING AND PARTITION FRAMING ON COLUMN LINES. FLOOR PLAN DIMENSIONS ARE TO CENTER OF FRAMING, CENTER OF CONCRETE, FACE OF CMU, OR FROM COLUMN CENTERLINES, UNLESS INDICATED OTHERWISE.
- ACCESSIBILITY:** ALL HANDICAPPED ACCESSIBLE BATHROOMS, GRAB BARS, AND DOOR OPENINGS SHALL MEET THE REQUIREMENTS OF TITLE 94-348, CHAPTER 5 OF THE MAINE HUMAN RIGHTS COMMISSION TITLE LATEST EDITION & THE DEPARTMENT OF JUSTICE ADA STANDARDS FOR ACCESSIBLE DESIGN.
- DRAWING SCALES:** WORK FROM THE GIVEN DIMENSIONS ONLY. SCALE IS INDICATED ON THE DRAWINGS FOR CONVENIENCE ONLY. IT IS NOT INTENDED THAT INFORMATION BE DETERMINED BY SCALING THE DRAWINGS SINCE SOME ITEMS MAY NOT BE TO SCALE.
- WATER-RESISTANT GWB:** INSTALL WATER-RESISTANT GYPSUM WALL BOARD IN ALL REST ROOMS & TOILET ROOMS OR AT ANY WALL WITH PLUMBING FIXTURES.
- BUILDING INSULATION:** PROVIDE AS INDICATED IN WALL SECTIONS AND IN ACCORDANCE WITH PARTITION TYPES, WHETHER OR NOT SHOWN IN DETAILS AND OTHER DRAWINGS. FOR CLARITY, INSULATION MAY NOT BE SHOWN IN SOME CASES, EVEN IF IT IS TO BE PROVIDED.
- BLOCKING:** INSTALL BLOCKING BEHIND ALL SURFACE-APPLIED FIXTURES TRIM, CASEWORK, SHELVES, BRACKETS, TOILET ACCESSORIES, CHAIR RAILS, PICTURE RAILS, GRAB BARS, BASE MOLDINGS, AND AS OTHERWISE REQUIRED, WHEN SUCH ITEMS ARE APPLIED ON STUD WALLS.
- PENETRATIONS AT STRUCTURAL MEMBERS:** BEFORE PENETRATING JOISTS, BEAMS OR OTHER STRUCTURAL MEMBERS, CONSULT WITH THE ARCHITECT.
- DAMAGED WORK:** BUILDING OR SITE COMPONENTS WHICH ARE AFFECTED BY NEW WORK, DEMOLITION, OR WHICH MAY BE DAMAGED BY THE GENERAL CONTRACTOR OR ANY SUB-CONTRACTOR SHALL BE REPLACED OR RESTORED TO ORIGINAL CONDITION AND COLOR TO MEET THE APPROVAL OF THE ARCHITECT.
- RATED CONSTRUCTION:** PROVIDE RATED CONSTRUCTION AS REQUIRED BY CODE, AS SPECIFIED, AND AS INDICATED ON DRAWINGS. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE AND INSTALL ALL COMPONENTS REQUIRED TO CREATE SUCH RATED CONSTRUCTION, REGARDLESS OF WHETHER OR NOT SUCH COMPONENTS ARE INDICATED. PROVIDE CONTINUITY OF SUCH RATED CONSTRUCTION AROUND AND BETWEEN SPACES, INCLUDING AT CHASES AND AT FLOORS, TO MAINTAIN COMPLETE SEPARATIONS, EVEN IF NOT SPECIFICALLY INDICATED.
- INTERIOR FINISHES:** ALL INTERIOR FINISHES AND FURNISHINGS ARE TO BE CLASS 'A' FIRE-RATED AND ARE TO COMPLY WITH IBC CHAPTER-8 (INTERIOR FLAME SPREAD).
- LANDLORD COORDINATION:** THE GENERAL CONTRACTOR MUST COORDINATE WITH THE BUILDING OWNER ALL ACTIVITIES INCLUDING BUT NOT LIMITED TO WORK WHICH WILL GENERATE EXCESSIVE NOISE AND MODIFICATION TO UTILITIES. WORK MUST NOT INTERFERE WITH EXISTING SMOKE DETECTORS, ALARMS OR BUILDING SYSTEM MANAGEMENT.
- TEMPORARY FACILITIES:** PROVIDE ALL TEMPORARY FACILITIES AND SERVICES, CONSTRUCTION AND SUPPORT FACILITIES, AND SECURITY AND PROTECTION AS NEEDED TO PROTECT NEW AND EXISTING CONSTRUCTION FOR THE DURATION OF A COMPLETE INSTALLATION.

17: MANUFACTURERS INSTRUCTIONS: ALL MATERIALS & EQUIPMENT SHALL BE INSTALLED ACCORDING TO MANUFACTURER'S SPECIFICATIONS.

18: ASBESTOS: ALL MATERIAL USED FOR THE CONSTRUCTION OF THIS PROJECT, WHETHER BUILDING MATERIALS OR APPURTENANCES, SHALL BE NON-ASBESTOS CONTAINING MATERIAL.

19: HAZARDOUS FUMES: THE GENERAL CONTRACTOR SHALL CONFIRM THAT ALL MATERIAL AND FINISHES SPECIFIED AND THEIR FABRICATION OR INSTALLATION WILL NOT RELEASE FUMES OR AROMAS DURING CONSTRUCTION WHICH MAY BE A HAZARD OR NUISANCE TO PERSONNEL.

20: PEST CONTROL: SEAL AND CAULK AROUND ALL PENETRATIONS, CRACKS AND CREVICES AND ANY OPENINGS CAPABLE OF HARBORING INSECTS/RODENTS.

21: EXPOSED UTILITIES: ALL EXPOSED UTILITY WIRES AND PIPES (ELECTRICAL, PLUMBING, ETC.) SHALL BE INSTALLED IN A WAY THAT DOES NOT OBSTRUCT OR PREVENT THE CLEANING OF FLOORS, WALLS, AND CEILING AREAS. THEY SHALL BE INSTALLED A MINIMUM OF 6" OFF FLOORS AND 1" OFF WALLS, CEILINGS AND ADJACENT PIPES.

22: OWNER SUPPLIED EQUIPMENT: EQUIPMENT SUPPLIED BY THE OWNER AND INSTALLED BY THE GENERAL CONTRACTOR. EQUIPMENT INFORMATION AND SPECIFICATIONS ARE TO BE THE MOST CURRENT AVAILABLE AT THE TIME OF DOCUMENTATION PREPARATION. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING WITH THE OWNER THE EXACT DIMENSIONS AND EQUIPMENT CONNECTION REQUIREMENTS (INCLUDING ELECTRICAL CIRCUIT REQUIREMENTS) OF EQUIPMENT TO BE SUPPLIED. THE GENERAL CONTRACTOR SHALL MAKE ALL FINAL CONNECTIONS AS NOTED ON THE DRAWINGS, INSTALL THE SET UP IN WORKING ORDER, CHECK WARRANTIES, TEST AND NOT VOID WARRANTIES. THE GENERAL CONTRACTOR SHALL COORDINATE WITH THE OWNER DELIVERY, STORAGE AND INSTALLATION OF ALL OWNER SUPPLIED EQUIPMENT. THE GENERAL CONTRACTOR SHALL STORE EQUIPMENT IF REQUESTED BY THE OWNER UNTIL INSTALLATION. SEE DRAWINGS FOR OTHER OWNER SUPPLIED/GENERAL CONTRACTOR INSTALLED ITEMS.

23: FIRE PROTECTION NOTE: NEW SPRINKLERHEADS, ALARM SYSTEM AND DETECTORS ARE TO BE INSTALLED TO CONFORM WITH THE PROPOSED PLAN. COORDINATE WITH THE ARCHITECT, ANY MODIFICATION WHERE SYSTEMS ARE AFFECTED BY THE NEW DESIGN.

24: SOILS AT FOOTINGS: REPORT THE LOCATION OF ALL UNSUITABLE SOILS AND MATERIALS BELOW ANTICIPATED LEVEL OF FOOTING TO THE ARCHITECT PRIOR TO THE SETTING OF FORMS.

25: ACCESS PANELS: CONTRACTOR IS RESPONSIBLE FOR COORDINATING QUANTITY AND LOCATION OF ALL REQUIRED ACCESS PANELS FOR ALL MEP CONTROLS, CLEANOUTS, DAMPERS, PULL BOXES, ETC.

MECHANICAL

PROVIDE EXHAUST FAN IN BATHS. COORDINATE LOCATION OF DUCTS AND VENTS REQUIRED FOR HVAC SYSTEM WITH ARCHITECT. COORDINATE LOCATION OF PLUMBING VENT STACK WITH ARCHITECT.

ELECTRICAL

ALL ELECTRICAL WORK TO COMPLY WITH THE NATIONAL ELECTRICAL CODE FIXTURES INSTALLED IN AN INSULATED CAVITY SHOULD BE RATED FOR SUCH APPLICATION. COORDINATE LOCATION OF ALL CEILING AND ELECTRICAL DEVICES WITH ARCHITECT.

STRUCTURAL

INCLUDING BUT NOT LIMITED TO ACI 318 "BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE" AND ACI 301 "SPECIFICATIONS FOR STRUCTURAL CONCRETE."

CONCRETE SHALL BE READY-MIXED CONCRETE, PROPORTIONED, MIXED, AND PLACED IN ACCORDANCE WITH THE PROVISIONS SET FORTH IN ACI 318. JOB-SITE MIXING OF CONCRETE WILL NOT BE PERMITTED. REINFORCING BARS SHALL CONFORM TO ASTM A615 GRADE 60 DEFORMED BARS AND SHALL BE DETAILED, FABRICATED, AND PLACED IN ACCORDANCE WITH ACI 315. WELDED WIRE FABRIC SHALL CONFORM TO ASTM A185 AND SHALL BE PROVIDED IN FLAT SHEETS. LAP TWO SQUARES AT ALL JOINTS AND TIE AT 3'-0" ON CENTER.

CONCRETE MIX DESIGN: INTERIOR SLABS-ON-GRADE:

- STRENGTH: 3,000 PSI @ 28 DAYS
- AGGREGATE: 3/4"
- W/C RATIO: 0.55 MAX
- ENTRAPPED AIR ONLY (NO ENTRAINMENT): 3% MAX
- SLUMP: 4" MAX
- TYPICAL FLOOR SLAB SHALL BE CONCRETE SLAB ON GRADE W/ 6x6 – 1.4 X 1.4 WWF

BUILDING INFORMATION AND ALLOWABLE BUILDING HEIGHTS AND AREA

(IBC Chapter 5, Table 504.4, 506.2)(NFPA)

Construction Date	2022
Building Height	3 Stories
Total Area	4890 sf
Building height	45' (new)

Allowable Building area (per IBC 2015, NFPA 101)

Construction Type (existing)	TYPE 5B-S
Occupancy Classification (existing)	R-2
Sprinkler System -	YES
Allowable Building Height	65 feet
Allowable No. of Stories	4
Allowable Building Area	UL

FIRE RESISTIVE RATINGS (IBC Table 601), (NFPA Table A.8.2.1.1)

Structural Frame	0 hour
Bearing Walls, Exterior and Interior	0 hours
Non-Bearing Walls and partitions, interior	0 hours
Non-Bearing Walls and partitions, exterior	0 hours
Floor Construction and Secondary Members	0 hours
Roof Construction and Secondary Members	0 hours

Occupancy Load (IBC Table 310.5)

Residential R-6

CODE SUMMARY

APPLICABLE CODES

Maine State Building Codes

2015 International Residential Building Code (IRC) - as amended by State Building Code
2015 International Energy Conservation Code (IECC)
2015 International Plumbing Code
2021 International Electrical Code

Fire/Life Safety

2015 NFPA v.101 - as amended by State Fire Code

OCCUPANCY CLASSIFICATION (IBC Sec 302.1.8, 310.1)

Residential **R-** Multi-Family Housing

WIND LOAD

Exposure C

Special Wind Region



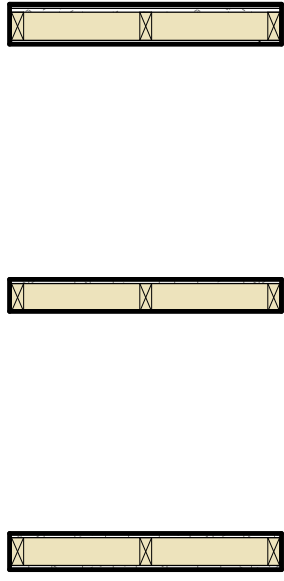
ABBREVIATIONS:

AB	ANCHOR BOLT
A/C	AIR CONDITIONING
ACCU	AIR CONDITIONING CONDENSER UNIT
ACPLAS	ACOUSTICAL PLASTER
ACT	ACOUSTIC CEILING TILE
AFF	ABOVE FINISH FLOOR
AGG	AGGREGATE
ALT	ALTERNATE
AP	ACCESS PANEL
APROX	APPROXIMATE
ARCH	ARCHITECTURAL
BCX	BOTTOM CORD EXTENSION
BD	BOARD
BIT	BITUMINOUS
BLDG	BUILDING
BLP	BORROWED LIGHT PANEL
BO	BOTTOM OF
BOF	BOTTOM OF FOOTING
BOS	BOTTOM OF STEEL
BOT	BOTTOM
BRDG	BRIDGING
BRG	BEARING
BS	BOTH SIDES
BSE	BRICK SHELF ELEVATION
C	CHANNEL
CB	CATCH BASIN / CHALKBOARD
CEM BD	CEMENTITIOUS BACKER BOARD
CFM	CUBIC FEET PER MINUTE
CP	CAST IN PLACE
CJ	CONTROL JOINT / CONSTRUCTION JOINT
CL	CENTER LINE
CLL	CONTRACT LIMIT LINE
CLR	CLEAR
CMU	CONCRETE MASONRY UNIT
COL	COLUMN
CONC	CONCRETE
CONT	CONTINUOUS
CT	CERAMIC TILE
CUH	CABINET UNIT HEATER

D	DIAMETER
DBL	DOUBLE
DF	DRINKING FOUNTAIN
DL	DEAD LOAD
DR	DISPLAY RAIL
DTL	DETAIL
DW	DISHWASHER
DWG	DRAWING
EA	EACH
EF	EXHAUST FAN / EACH FACE
EJ	EXPANSION JOINT
EL	ELEVATION
ELEC	ELECTRICAL
EOP	EDGE OF PAVEMENT
EPDM	ETHYLENE PROPYLENE DIENE MONOMER
EQ	EQUAL
EW	EACH WAY
EWG	ELECTRIC WATER COOLER
EXIST	EXISTING
EXP	EXPANSION
EXT	EXTERIOR
FB	FLAT BAR
FBO	FURNISHED BY OTHERS
FCO	FLOOR CLEA-OUT
FD	FLOOR DRAIN
FE	FIRE EXTINGUISHER
FEC	FIRE EXTINGUISHER CABINET
FF	FINISH FLOOR / FAR FACE
FFE	FINISH FLOOR ELEVATION
FO	FRAMED OPENING
FRP	FIBER REINFORCED PLASTIC
FS	FAR SIDE
FTG	FOOTING
GA	GAUGE
GALV	GALVANIZED
G8	GRAB BAR

GC	GENERAL CONTRACTOR	PSI	POUNDS PER SQUARE INCH
GDT	GYPSUM DROP-IN TILE	PT	PRESSURE-TREATED
GV	GRAVITY VENT	PVC	POLYVINYL CHLORIDE
GWB	GYPSUM WALL BOARD	PVMT	PAVEMENT
H	HORIZONTAL	R	RISER / RADIUS
HC	HANDICAPPED / HOLLOW CORE	RB	RESILIENT BASE
HORIZ	HORIZONTAL	RD	ROOF DRAIN
HM	HOLLOW METAL	REINF	REINFORCED
HRU	HEAT RECOVERY UNIT	REQ'D	REQUIRED
H&V	HEATING AND VENTILATING	RIGHT	RIGHT
HVAC	HEATING, VENTILATING AND AIR CONDITIONING	RO	ROUGH OPENING
I	INCLUDED ANGLE	ROW	RIGHT OF WAY
ID	INSIDE DIAMETER	RR	RUB-RAIL
IF	INSIDE FACE	RTU	ROOF TOP UNIT (HVAC)
IJ	ISOLATION JOINT	SACT	SUSPENDED ACOUSTIC TILE CEILING
IMP	IMPACT RESISTANT	SC	SOLID CORE
INS	INSULATED	SF	SQUARE FOOT / SUPPLY FAN
INV	INVERT	SFRM	SPRAYED FIRE-RESISTIVE MATERIAL
JS	JOINT SUBSTITUTE	SHT	SHEET
K	KIPS	SIM	SIMILAR
L	ANGLE / LENGTH	SK	SHEAR KEY
LF	LEFT	SN	SANITARY NAPKIN (DISPENSER)
LNO	SHEET LINOLEUM	SP	SPECIAL
LL	LIVE LOAD	SS	STAINLESS STEEL
LLH	LONG LEG HORIZONTAL	STA	STATION
LLV	LONG LEG VERTICAL	STL	STEEL
LP	LIGHTING PANEL / LIQUIFIED PROPANE	STRUC	STRUCTURAL
MAX	MAXIMUM	T	TREAD
MB	MARKER BOARD	TB	TACKBOARD
MDO	MEDIUM DENSITY OVERLAY	T&B	TOP AND BOTTOM
MECH	MECHANICAL	TbM	TEMPORARY BENCHMARK
MFR	MANUFACTURER	TCE	TOP CHORD EXTENSION
MIN	MINIMUM	TJ	TIE JOIST
MISC	MISCELLANEOUS	TO	TOP OF
MO	MASONRY OPENING	TOC	TOP OF CONCRETE
MR	MOISTURE-RESISTANT	TOF	TOP OF FOOTING
MUA	MAKE-UP AIR	TOM	TOP OF MASONRY
N	NOSING	TOP	TOP OF PIER
NCB	NEW CATCH BASIN	TOS	TOP OF STEEL
NDMH	NEW DRAIN MANHOLE	TOW	TOP OF WALL
NFM	NEW FORCE MAIN	TP	TOILET PAPER (DISPENSER) / TEST PIT
NIC	NOT IN CONTRACT	TS	TUBE STEEL
NS	NEAR SIDE	TYP	TYPICAL
NSD	NEW STORM DRAIN LINE	UH	UNIT HEATER
NSS	NEW SANITARY SEWER LINE	UNO	UNLESS NOTED OTHERWISE
NTS	NOT TO SCALE	V	VENT PIPE / VERTICAL
NW	NEW WATER LINE	Vb	VAPOR BARRIER
OC	ON CENTER	VCT	VINYL COMPOSITION TILE
OF	OUTSIDE FACE	VERT	VERTICAL
OH	OVERHEAD	VP	VISION PANEL
PA	PUBLIC ADDRESS	VTR	VENT THROUGH THE ROOF
PAF	POWER-ACTUATED FASTENER	W/	WITH
PDU	POOL DEHUMIDIFICATION UNIT	WC	WATER CLOSET
PL	PLATE / PROPERTY LINE	WD	WOOD
PLAM	PLASTIC LAMINATE	WF	WIDE FLANGE
PLF	POUNDS PER LINEAR FOOT	WH	WATER HEATER
PP	POWER PANEL	W/O	WITH OUT
PSF	POUNDS PER SQUARE FOOT	WP	WORKING POINT

A B C

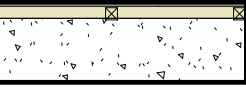


1

2

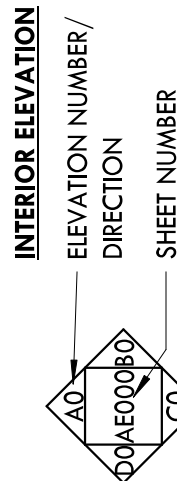
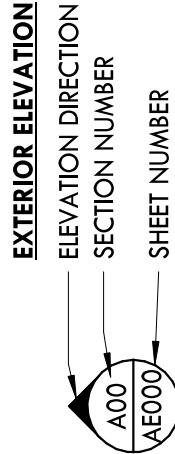
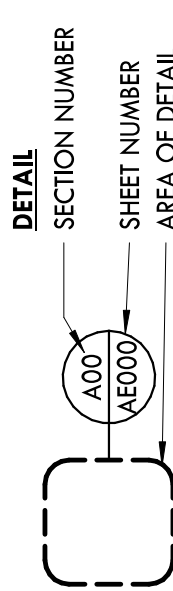
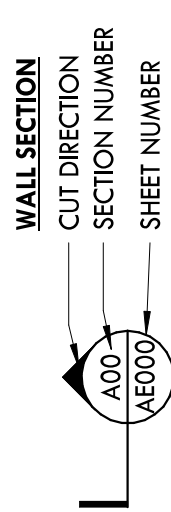
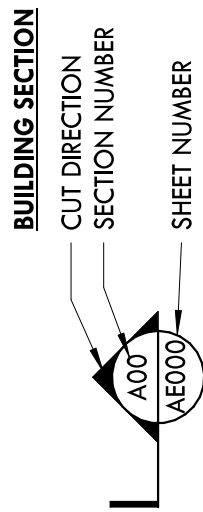
3

4



Wall Legend
1/2" = 1'-0"

SYMBOL LEGEND:



EXISTING COLUMN BUBBLE AND CENTER LINE

COLUMN BUBBLE AND CENTER LINE

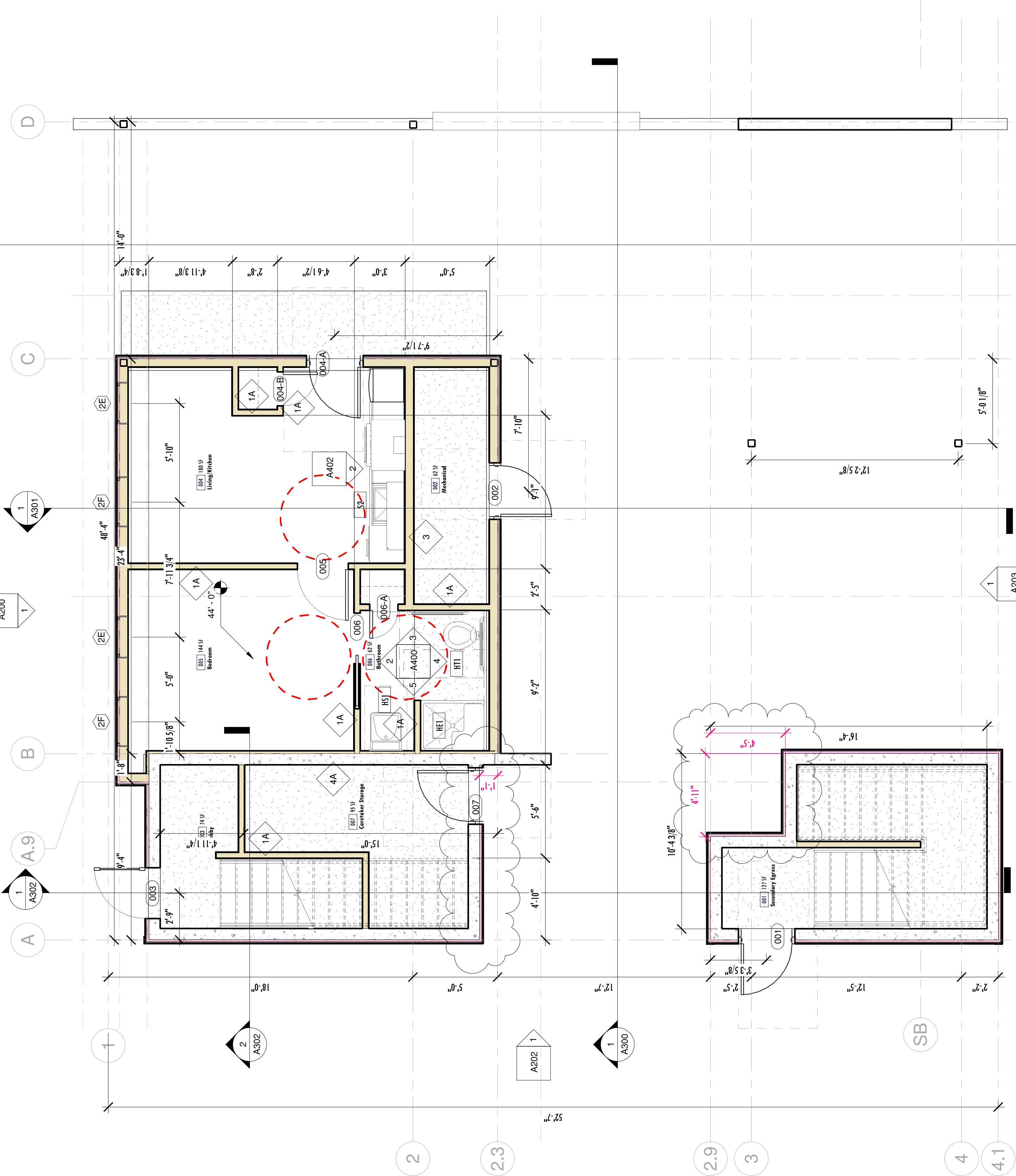
DOOR TAG

ROOM TAG

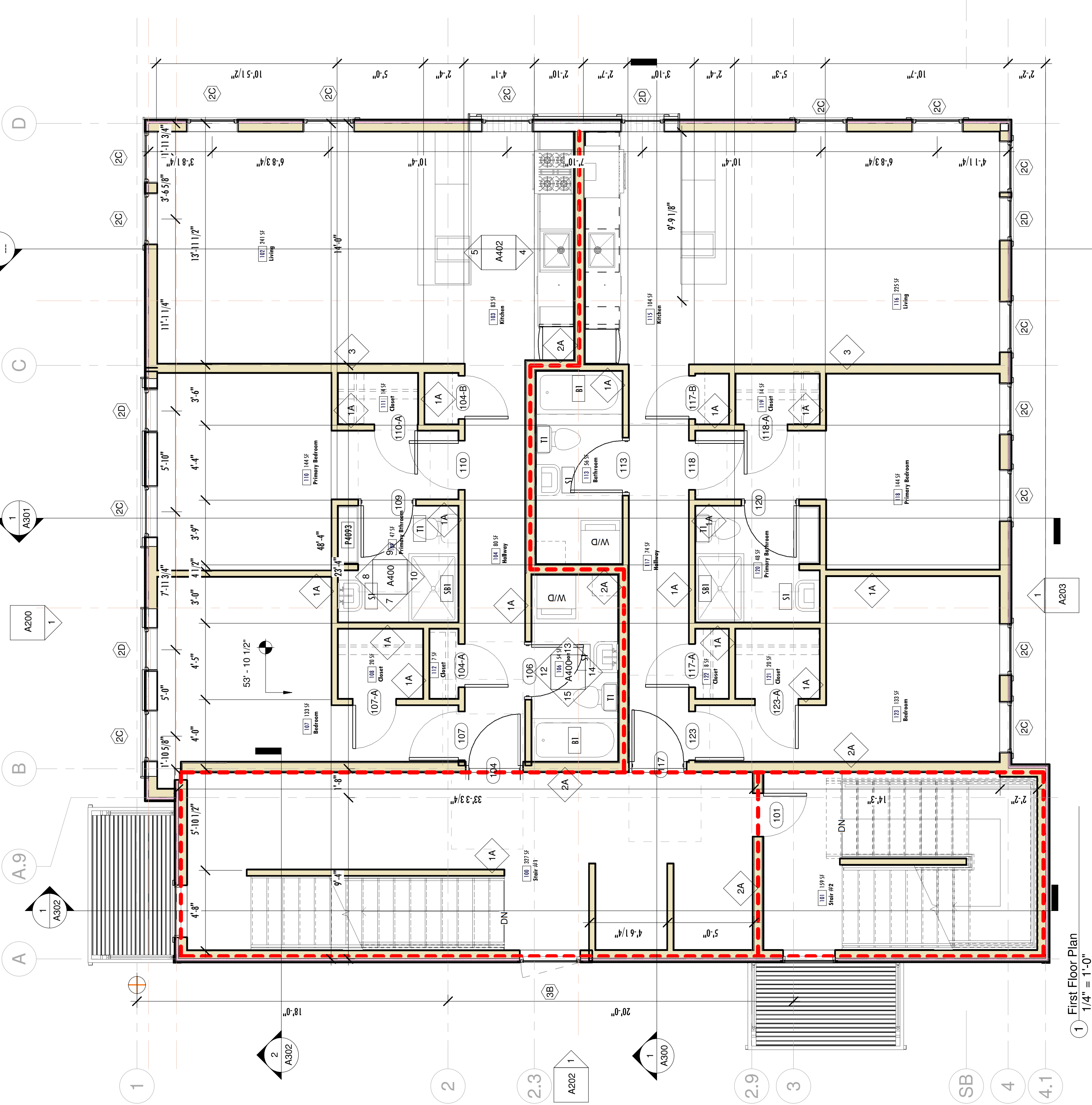
ROOM AREA (WHEN APPLICABLE)

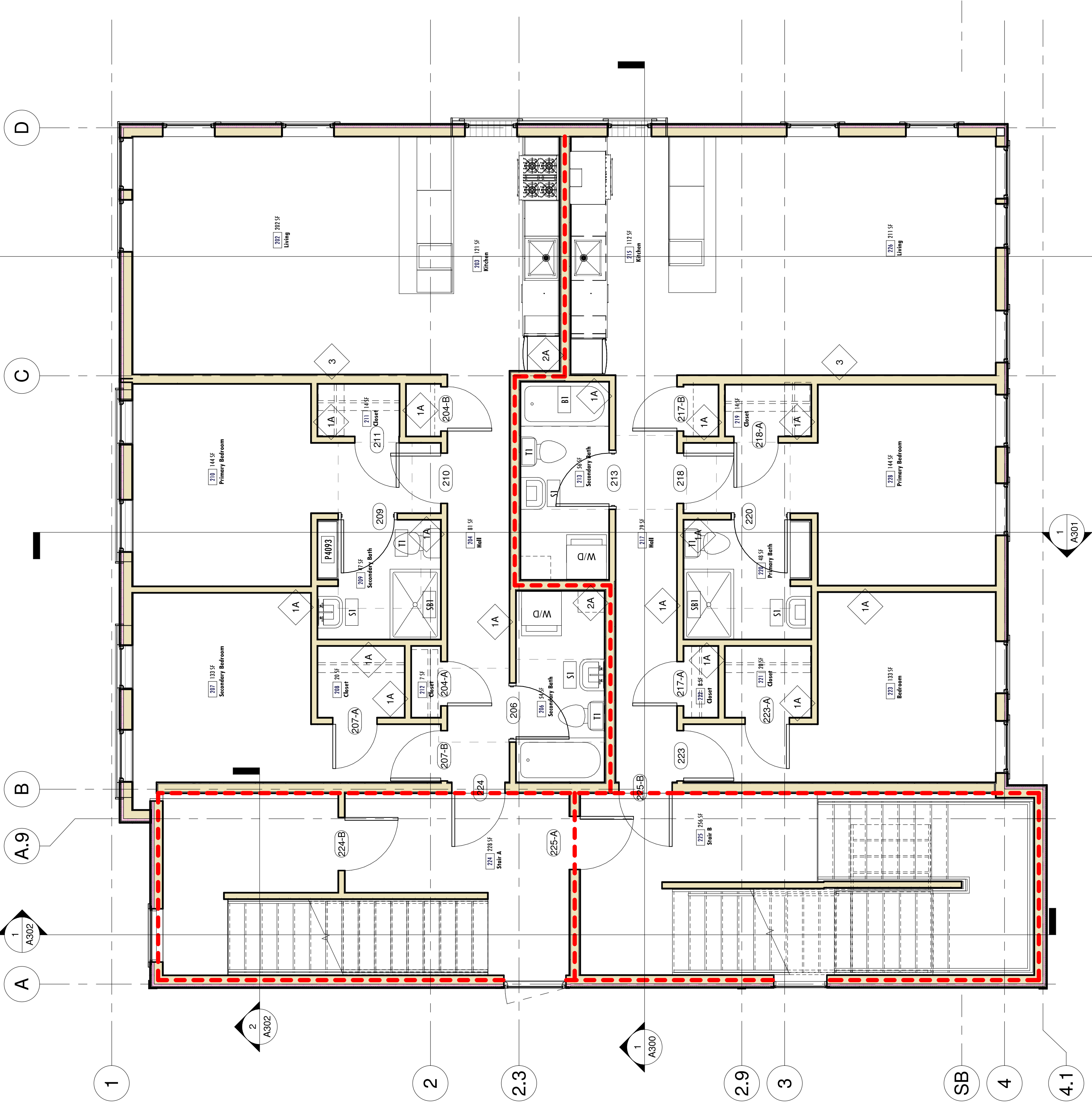
REVISION

AREA OF REVISION

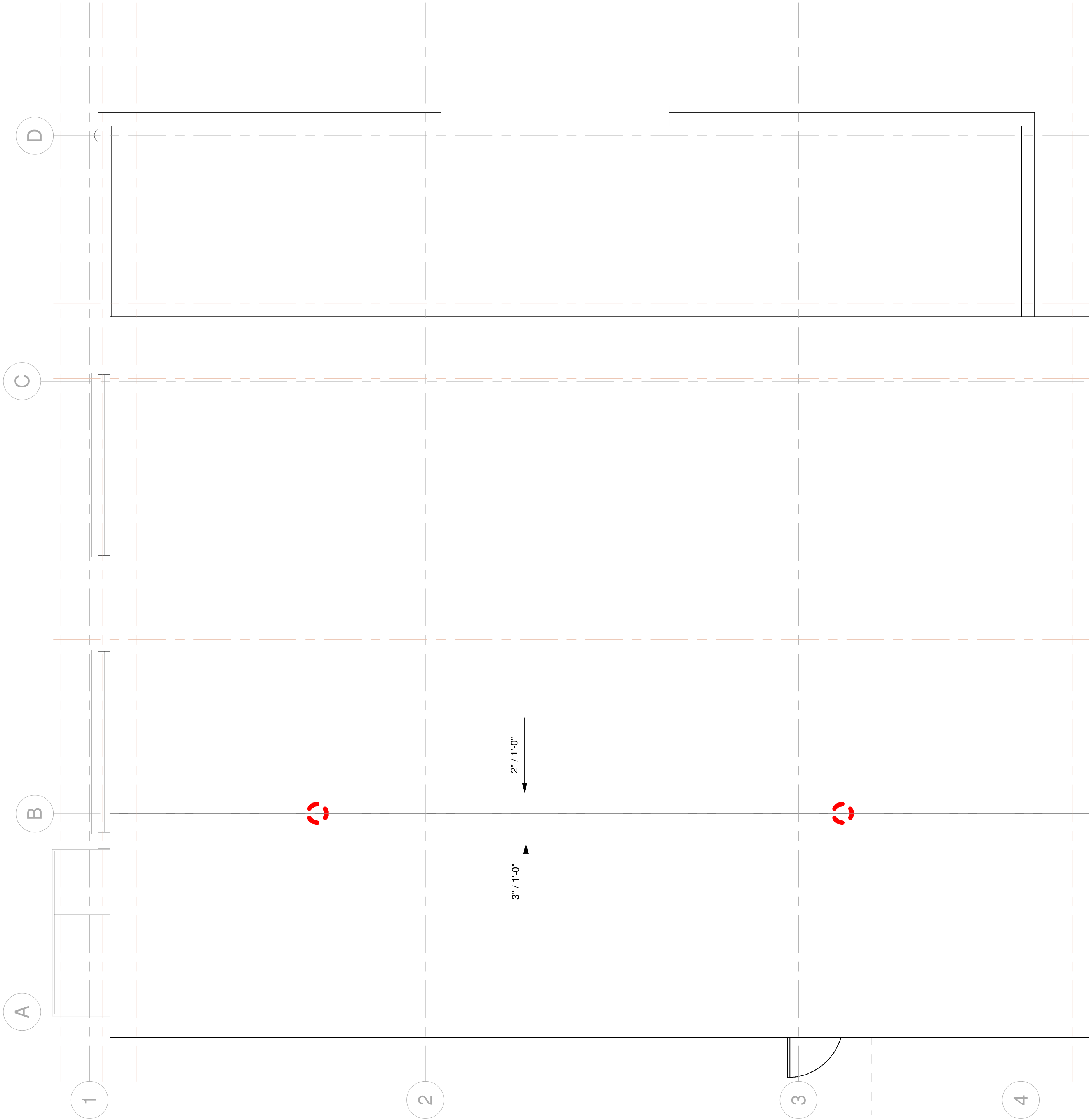
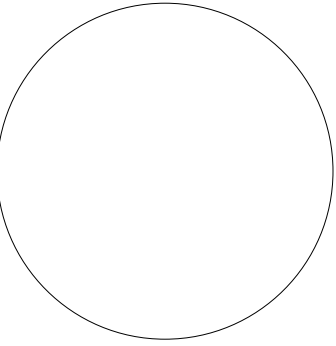


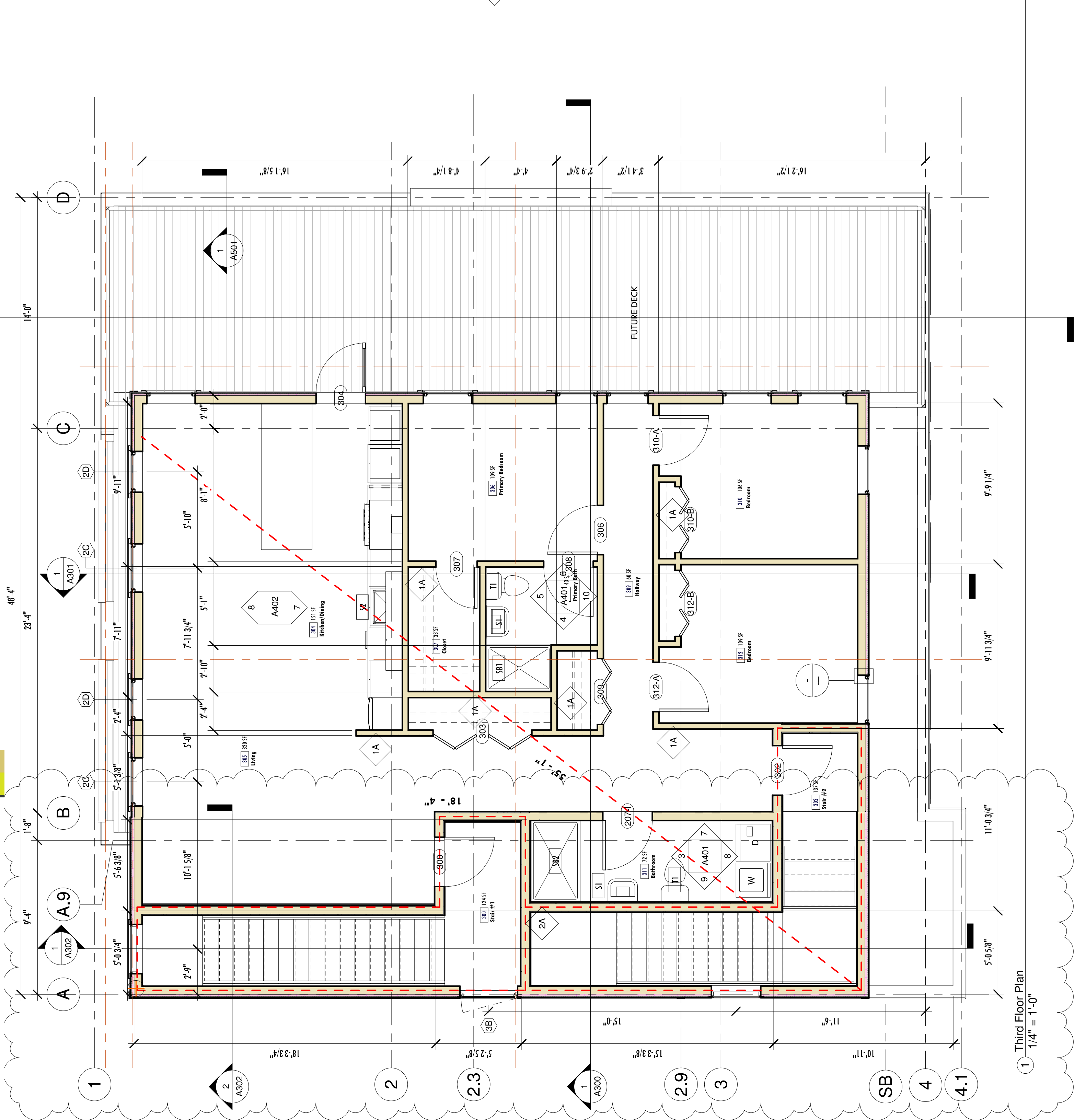
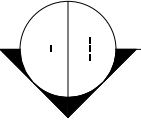
00 Ground - Presentation - Accessible
Apartment
2 1/4" = 1'-0"



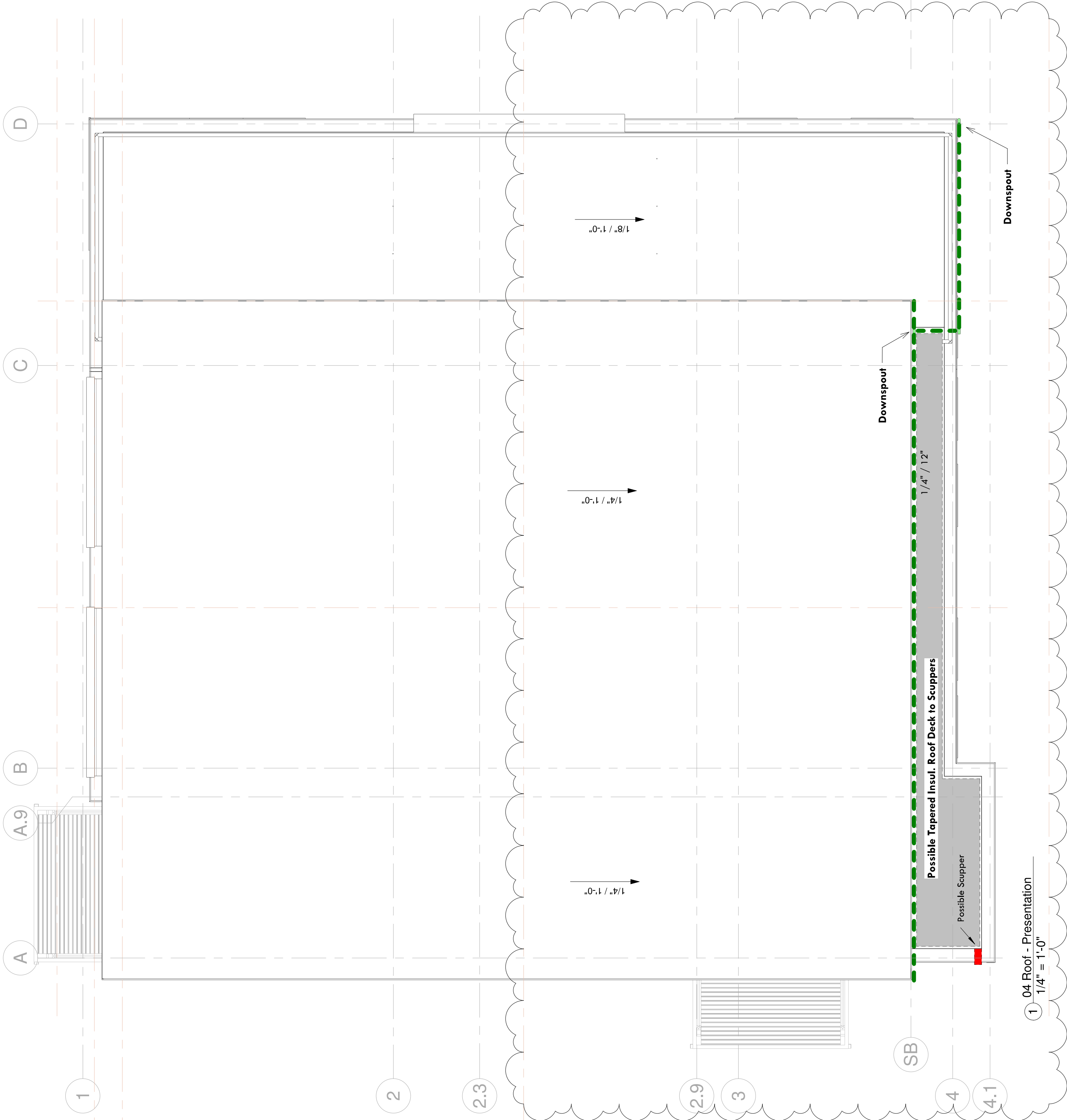


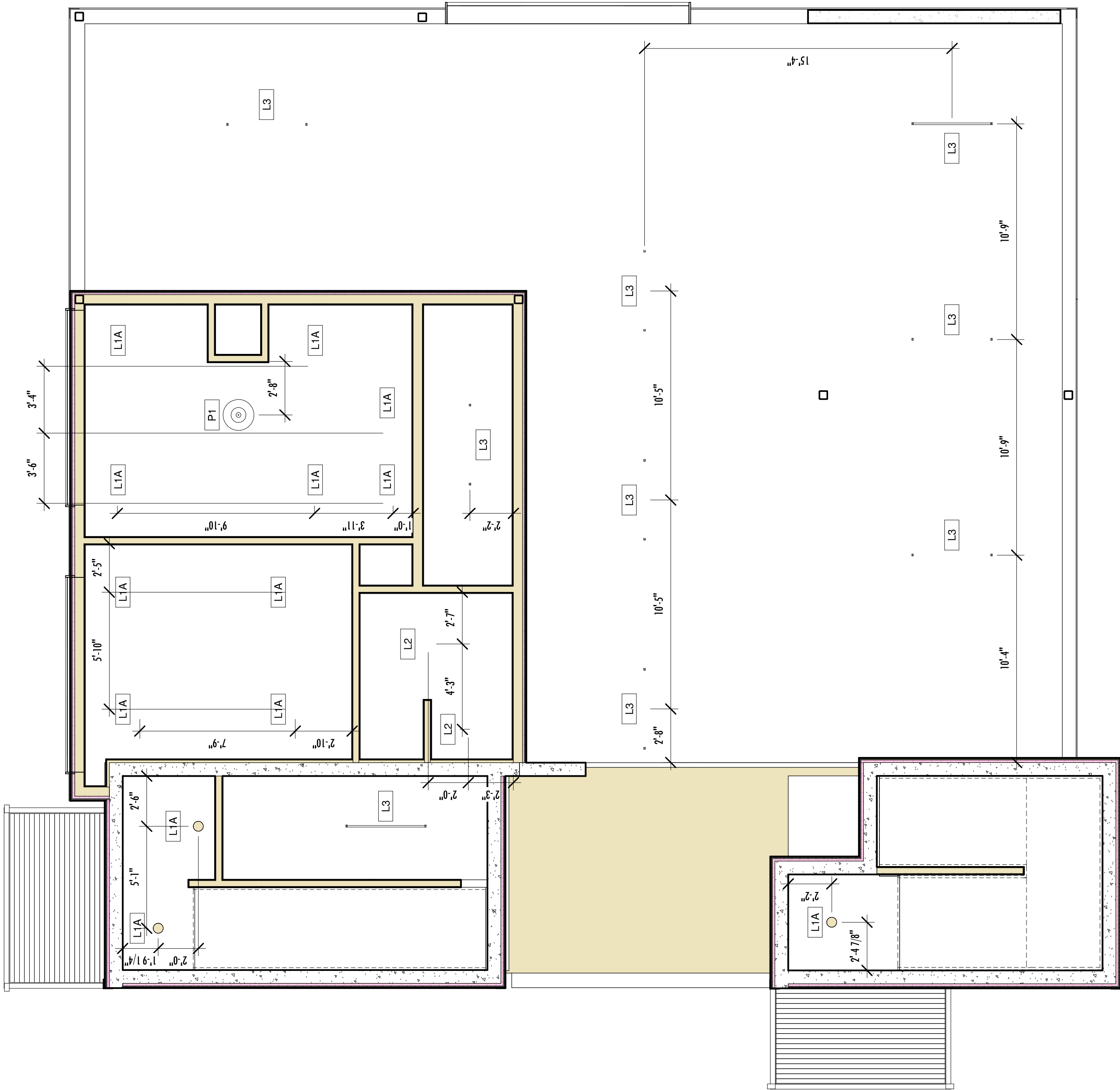
1 Second Floor Plan
1/4" = 1'-0"



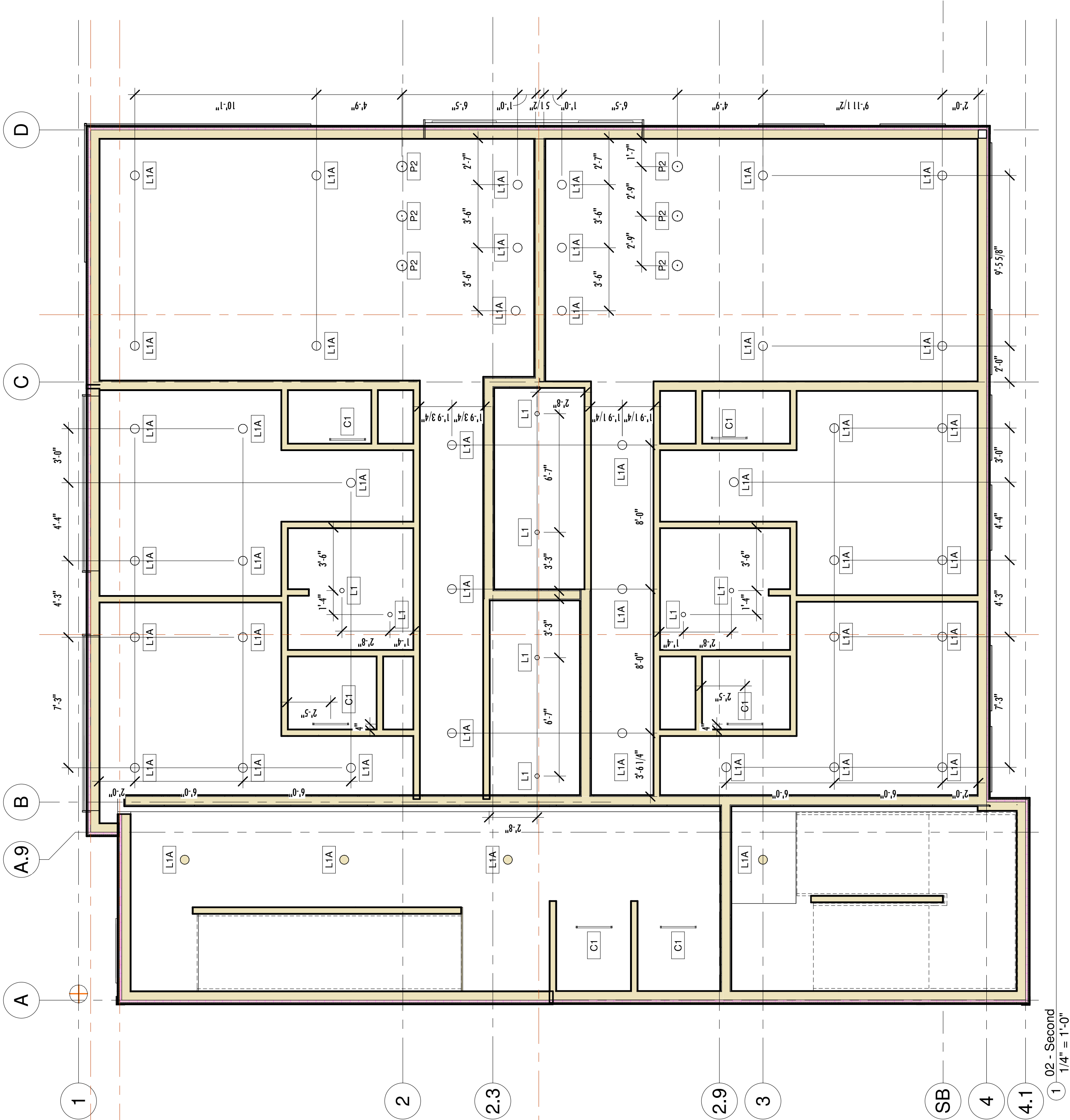


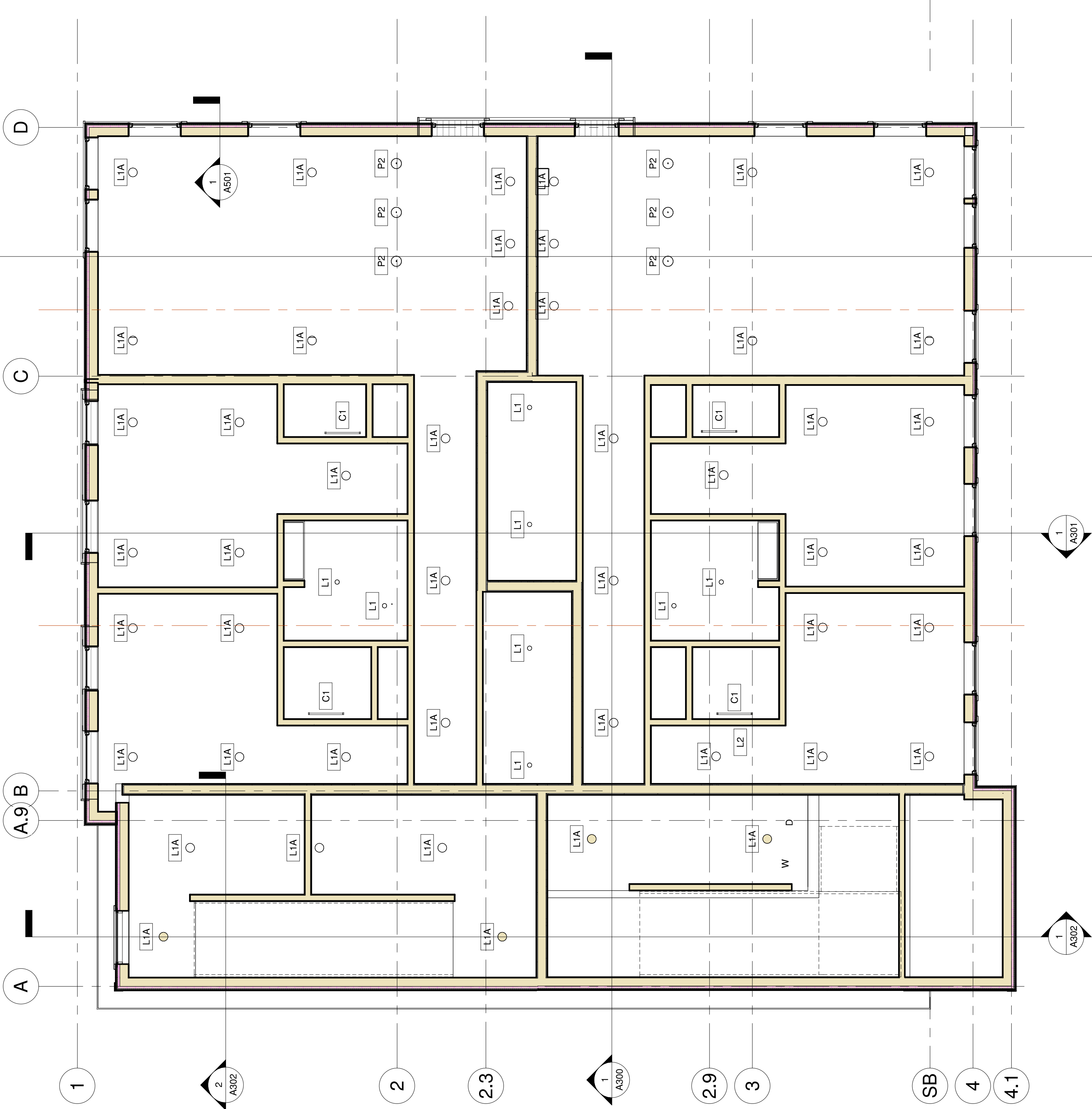
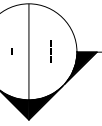
1 Third Floor Plan
1/4" = 1'-0"

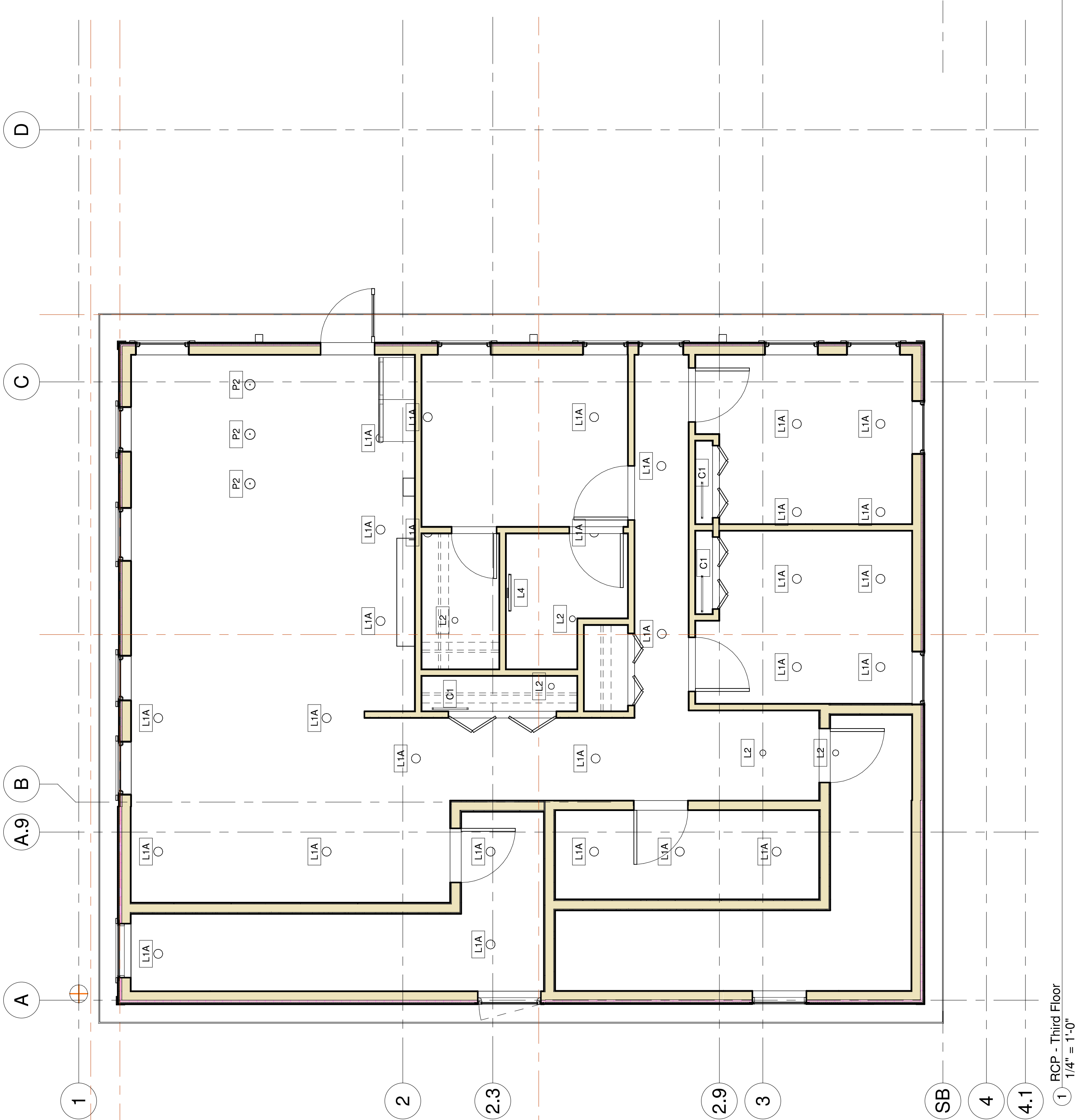


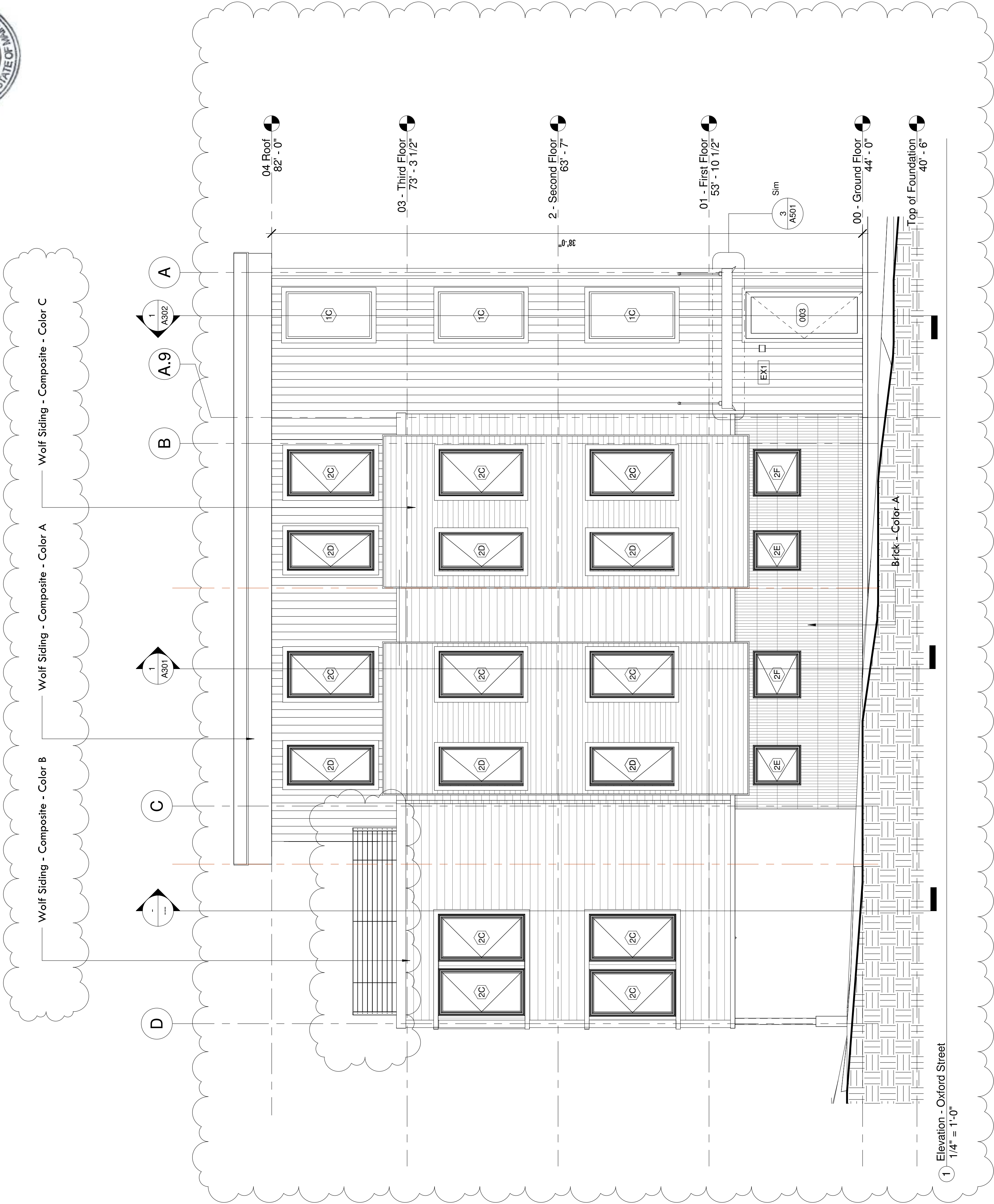


1 00 - Ground Floor
1/4" = 1'-0"

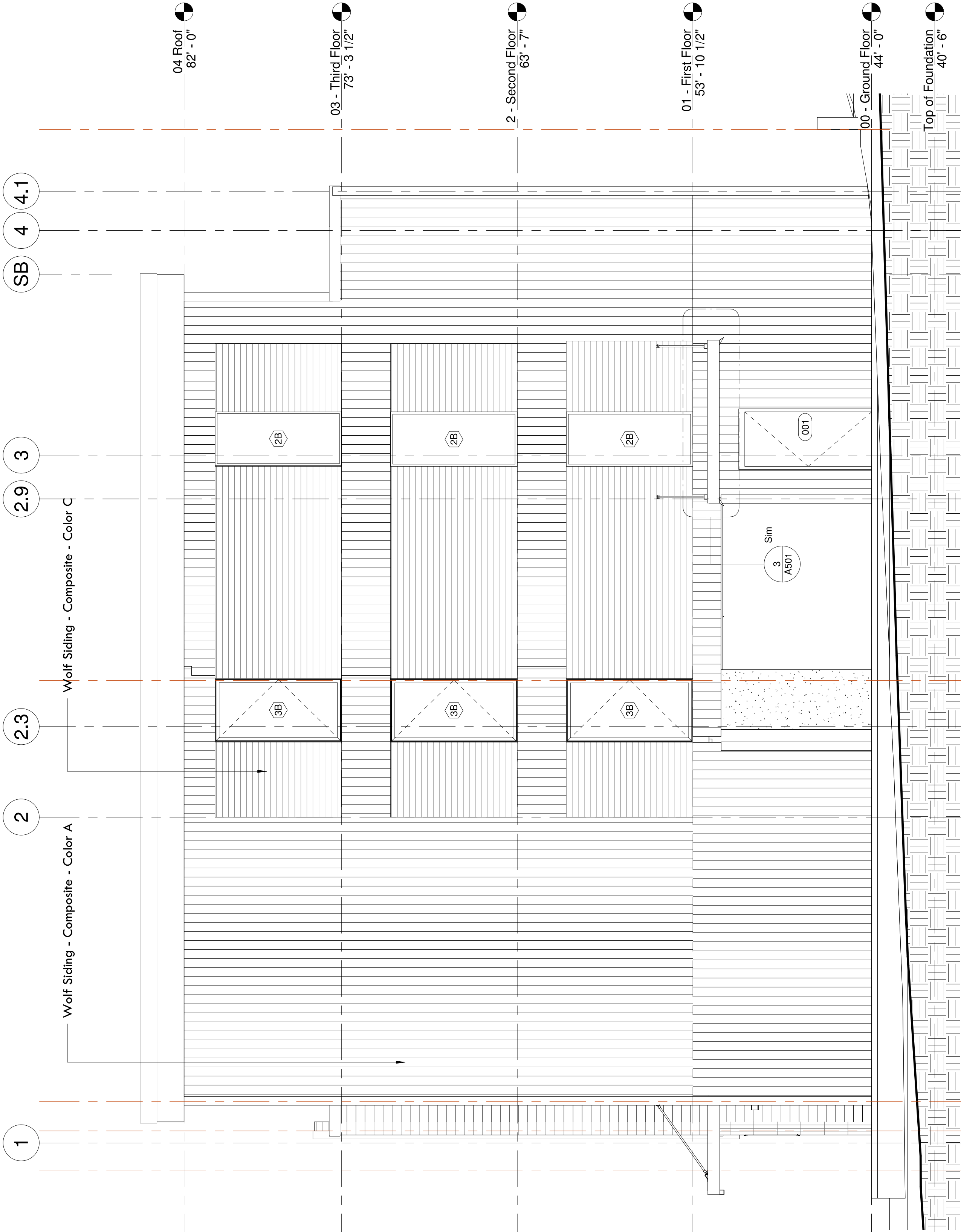




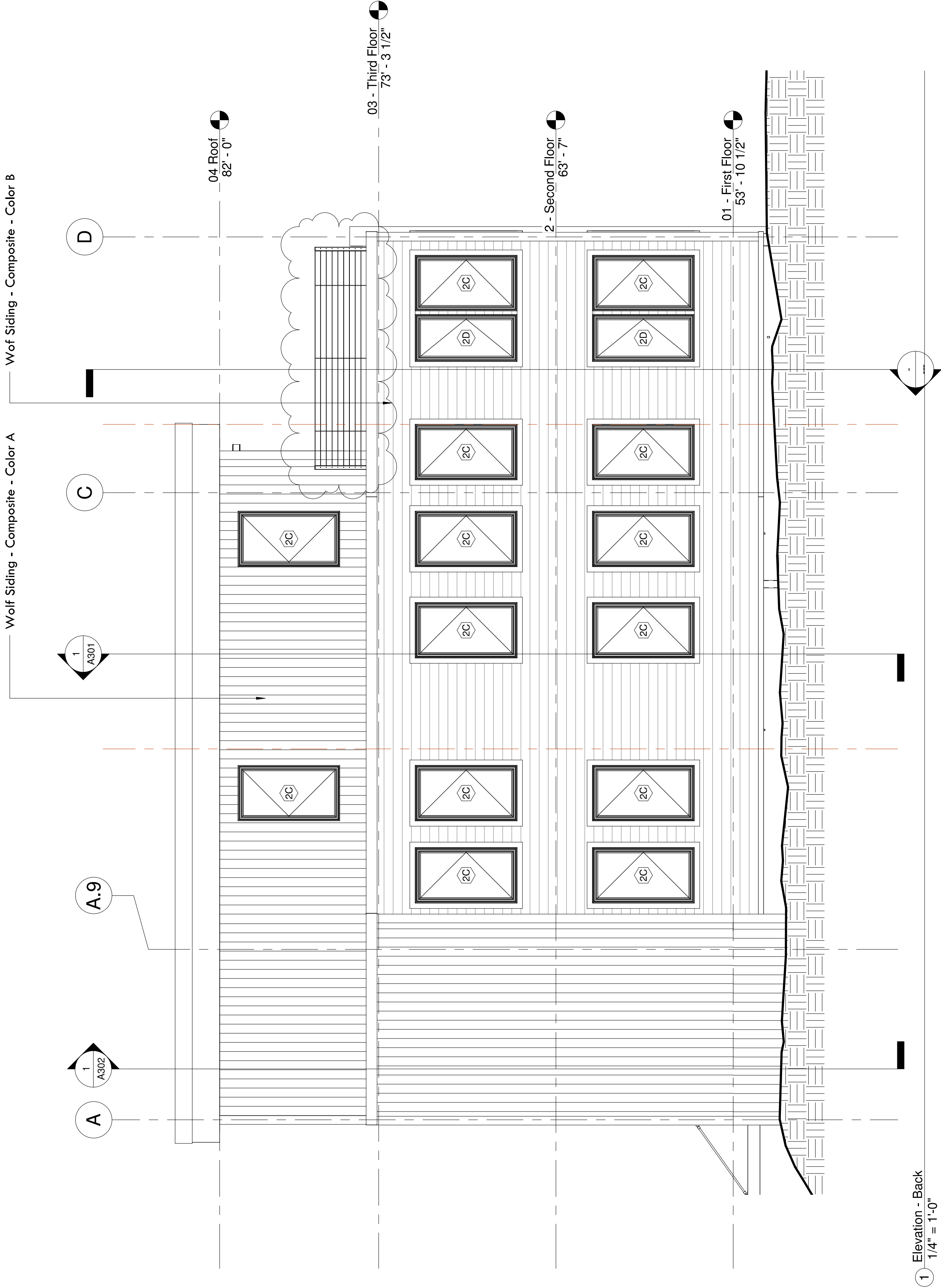


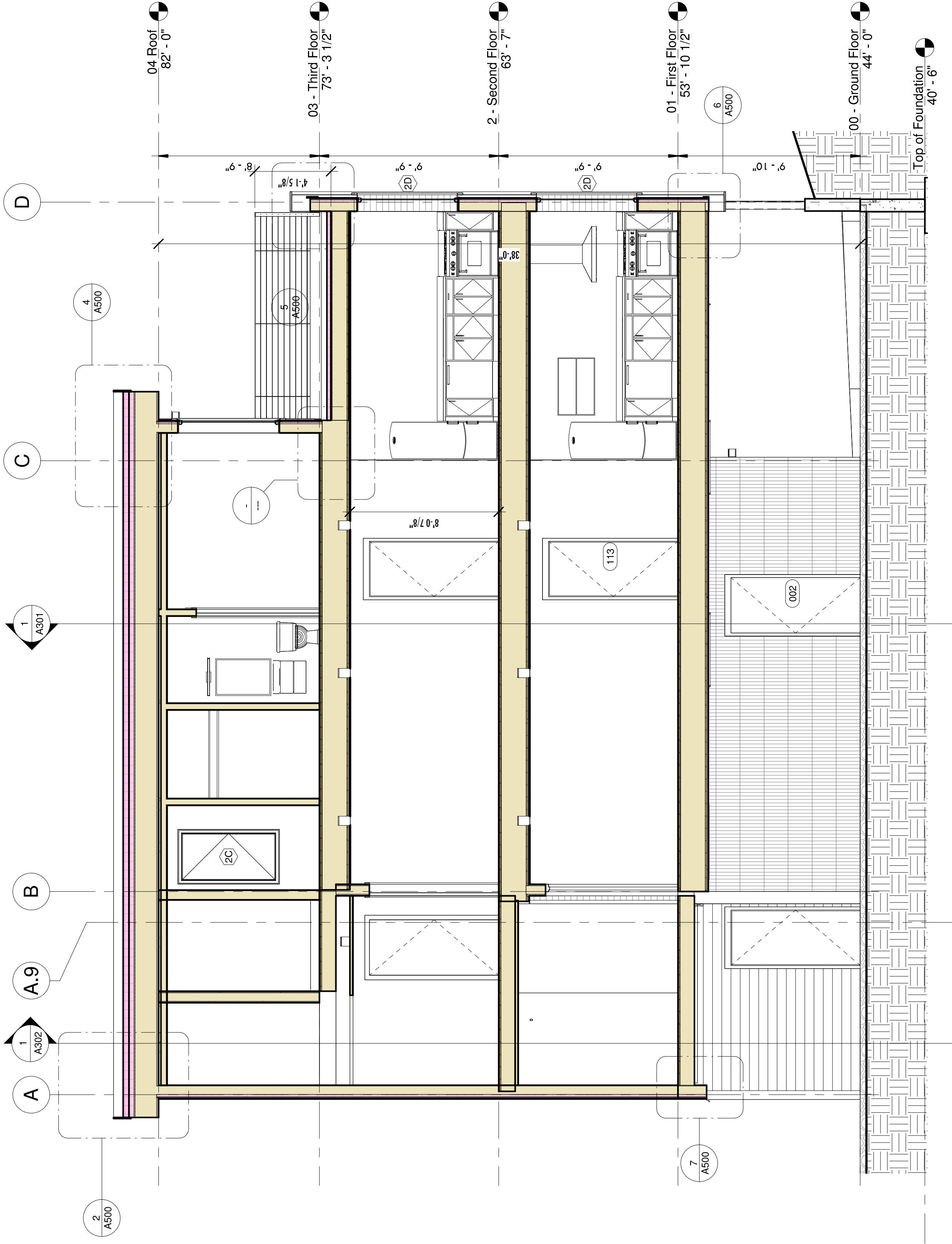


1 Elevation - Cleaves Street
1/4" = 1'-0"

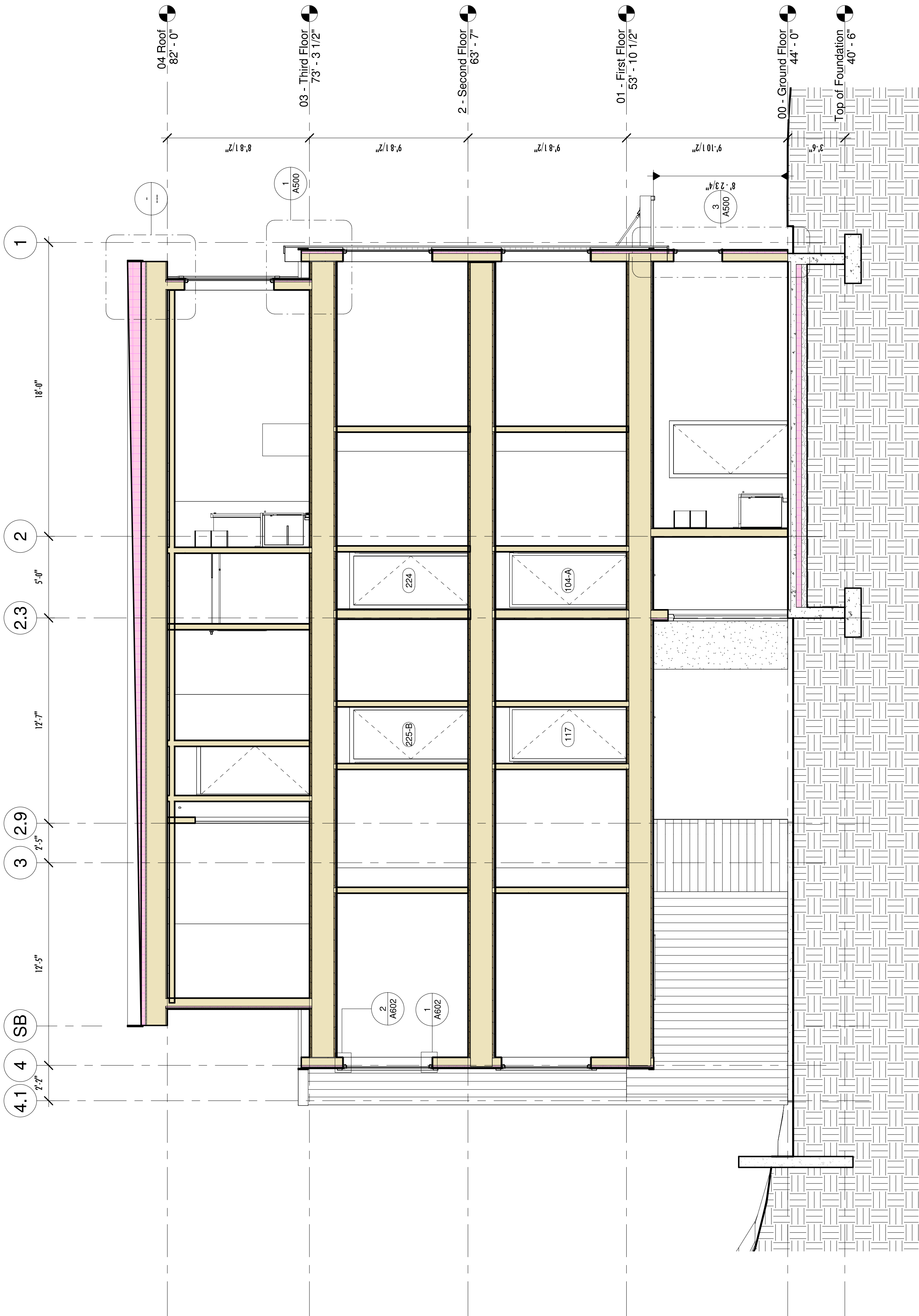


1 Elevation - Side - Garage Entrance
1/4" = 1'-0"

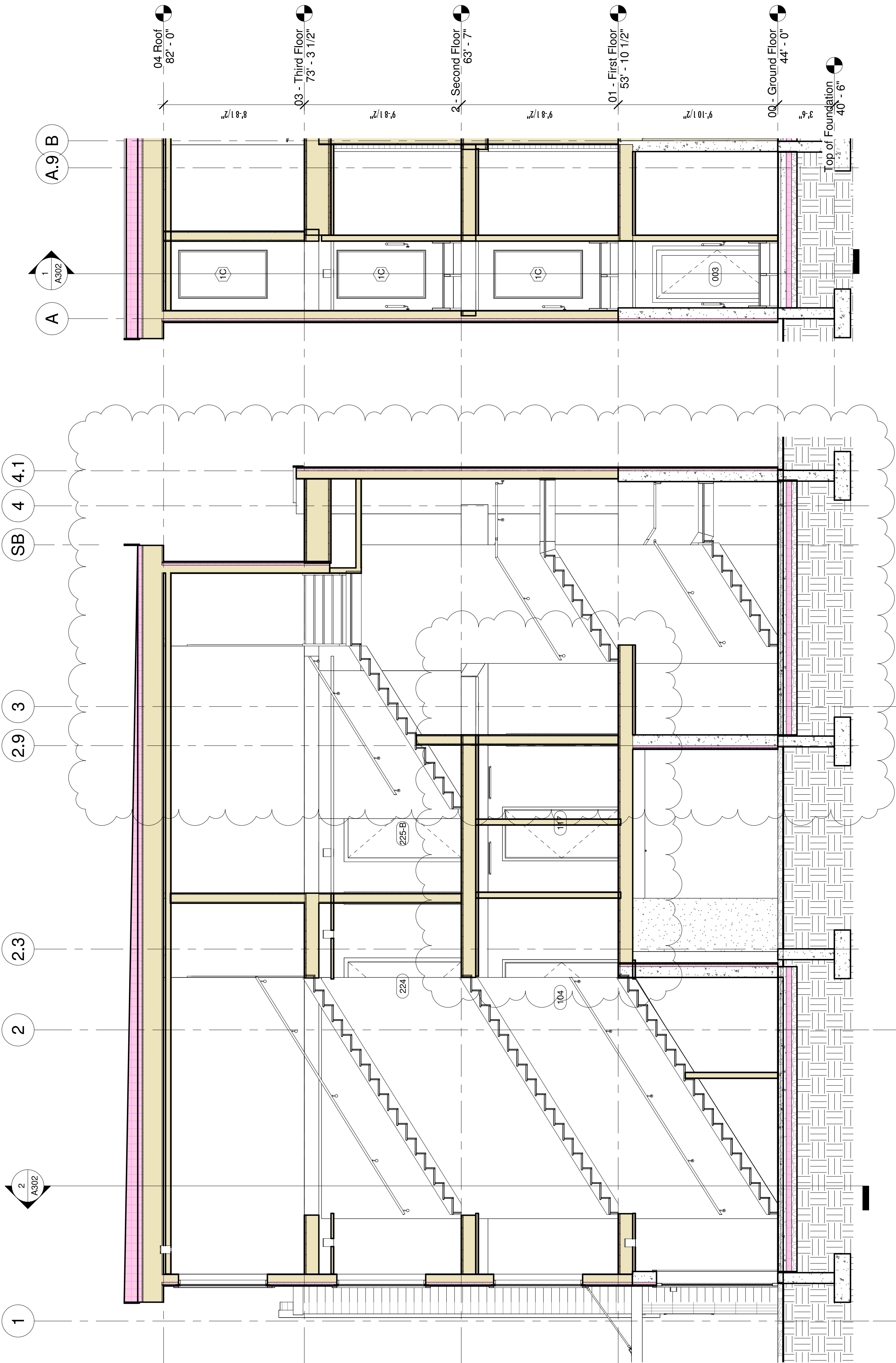




1 Building Section - Transverse
1/4" = 1'-0"



1 Building Section - Longitudinal
1/4" = 1'-0"

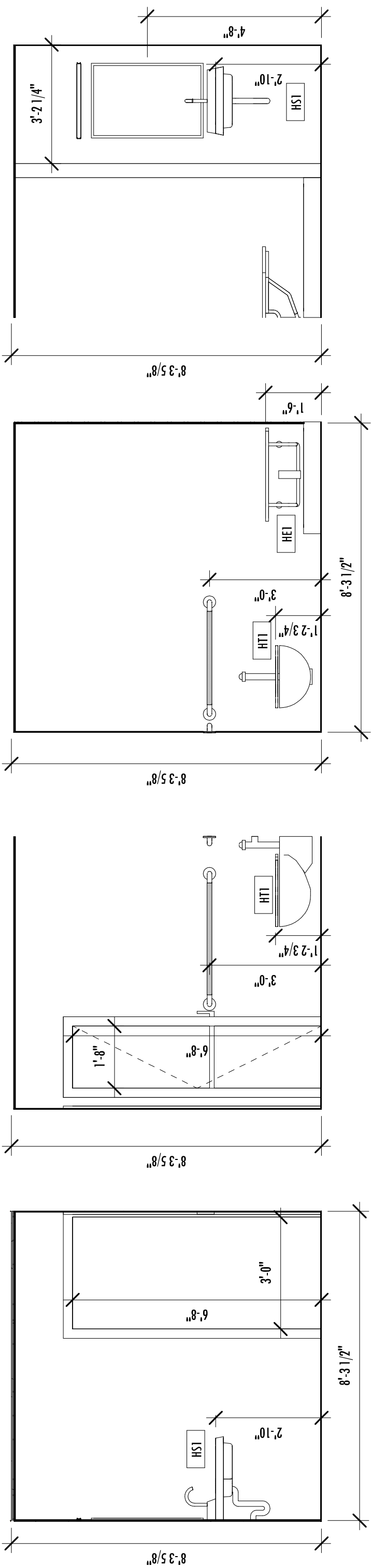
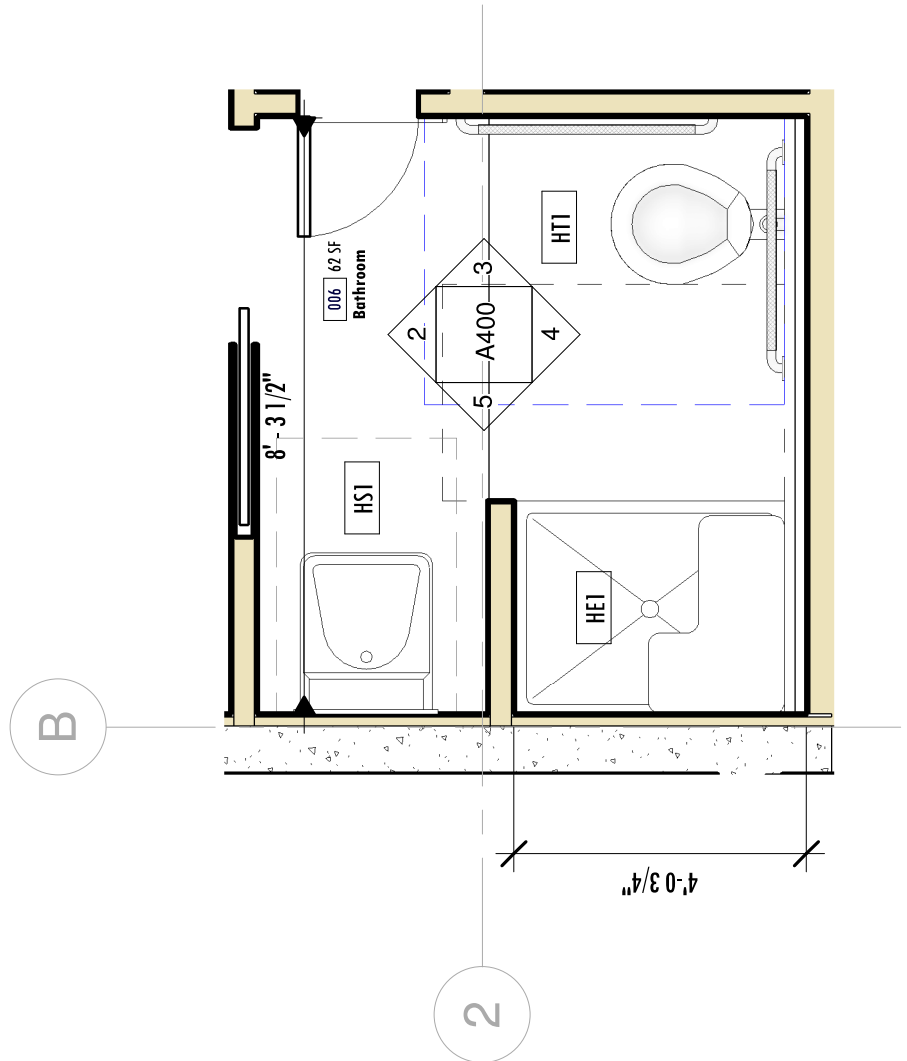


1 Stair Tower Section - Longitudinal
1/4" = 1'-0"

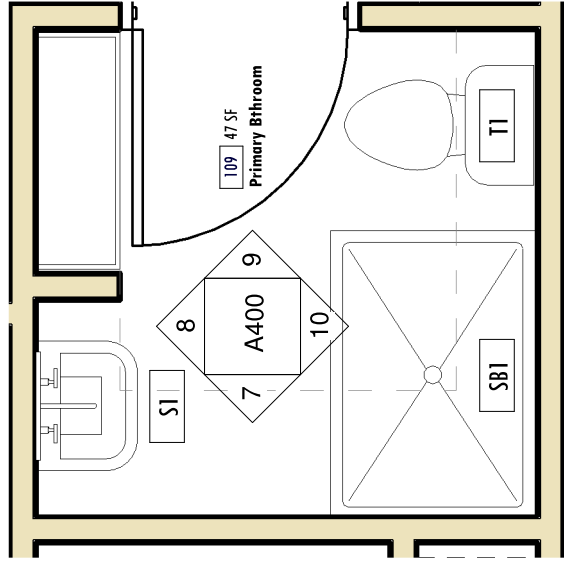
2 Stair Tower Section - Transverse
1/4" = 1'-0"



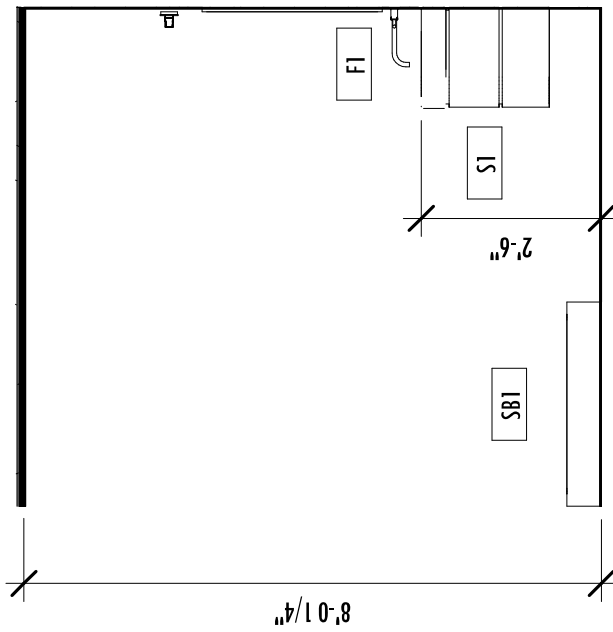
Scale $3/8" = 1'-0"$



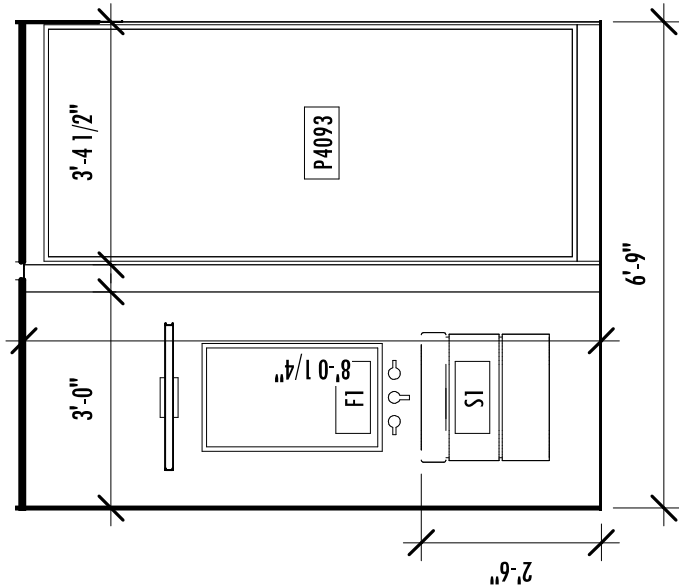
1 Enlarged Plan - Bathroom Type A
3/8" = 1'-0"



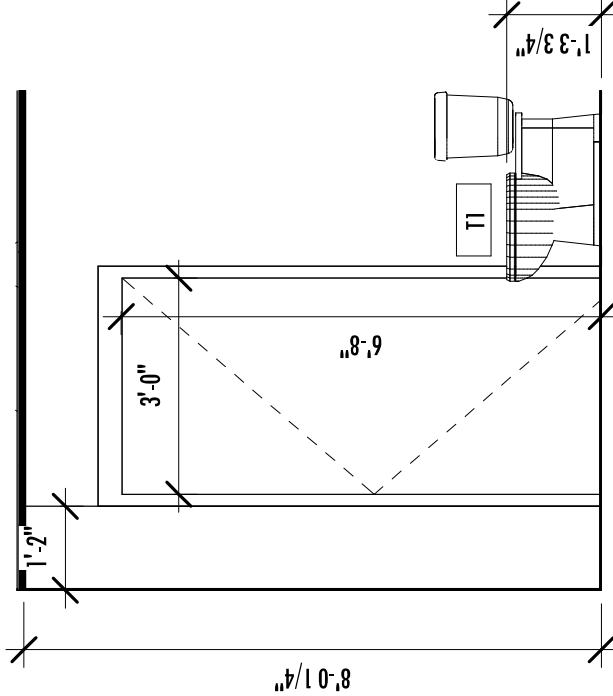
2 Elevation Type A - Door
3/8" = 1'-0"



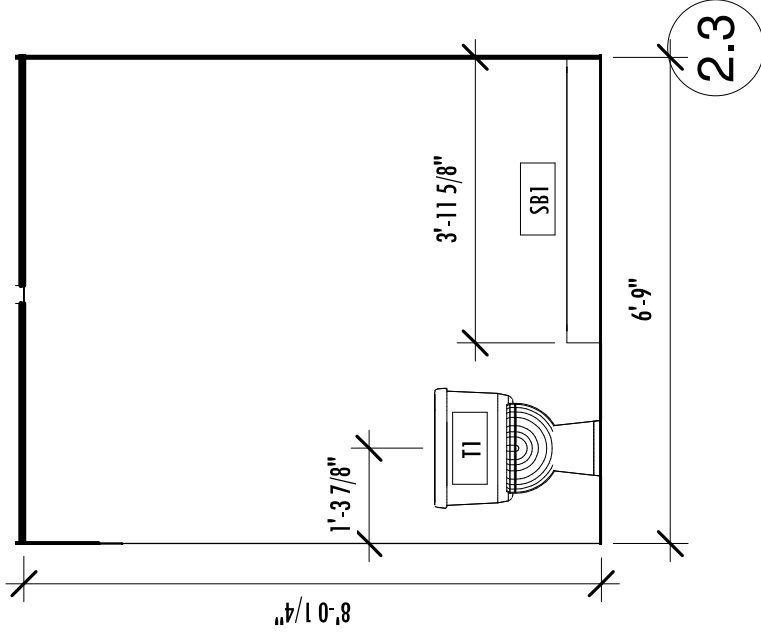
3 Elevation Type A - Closet
3/8" = 1'-0"



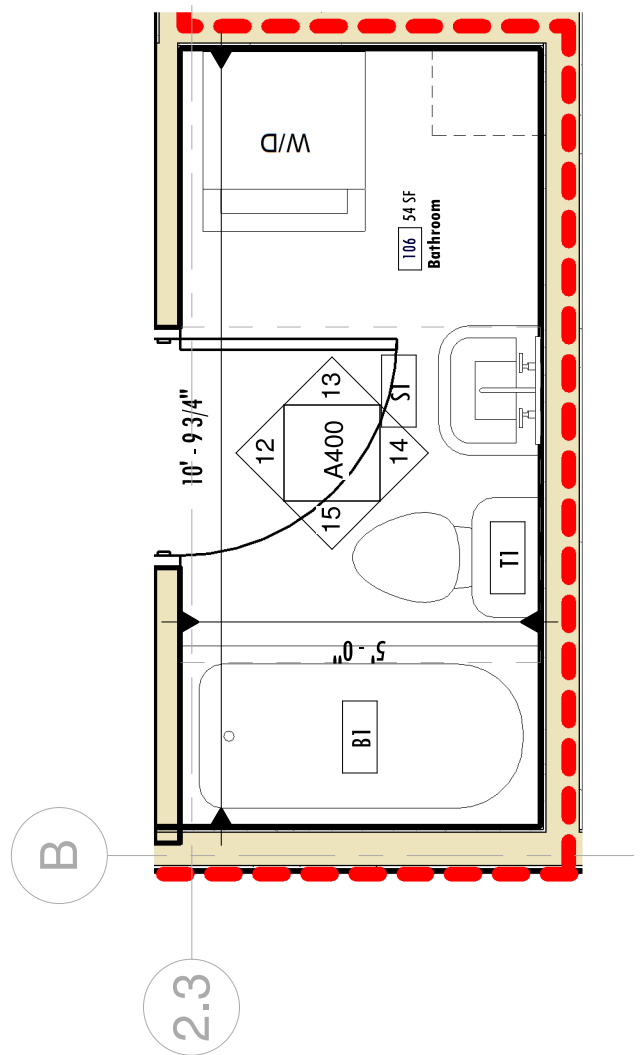
4 Elevation Type A - Toilet
3/8" = 1'-0"



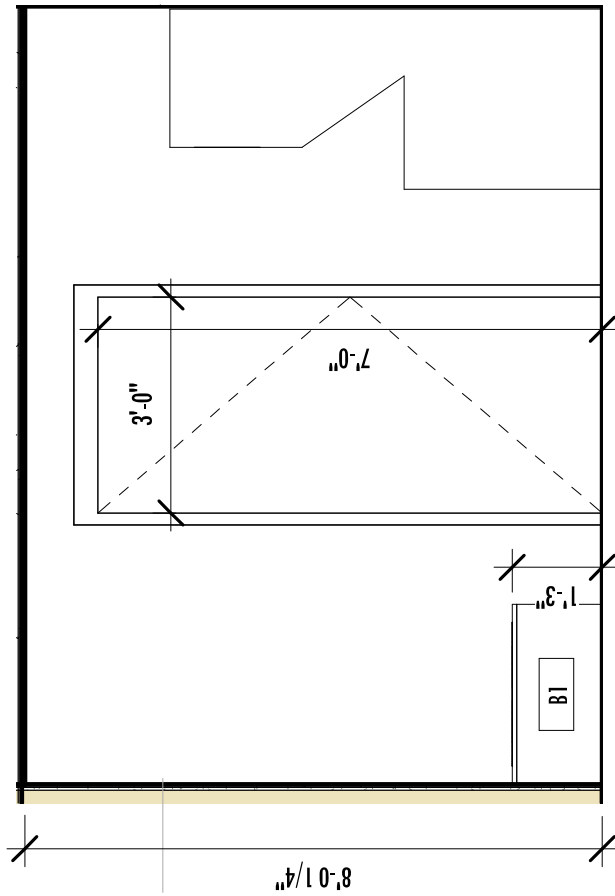
5 Elevation Type A - Sink
3/8" = 1'-0"



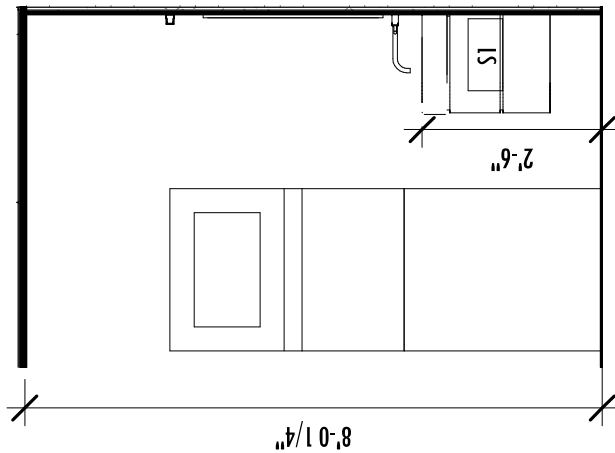
6 Enlarged Plan - Bathroom Type B
 $\frac{3}{8}'' = 1'-0''$



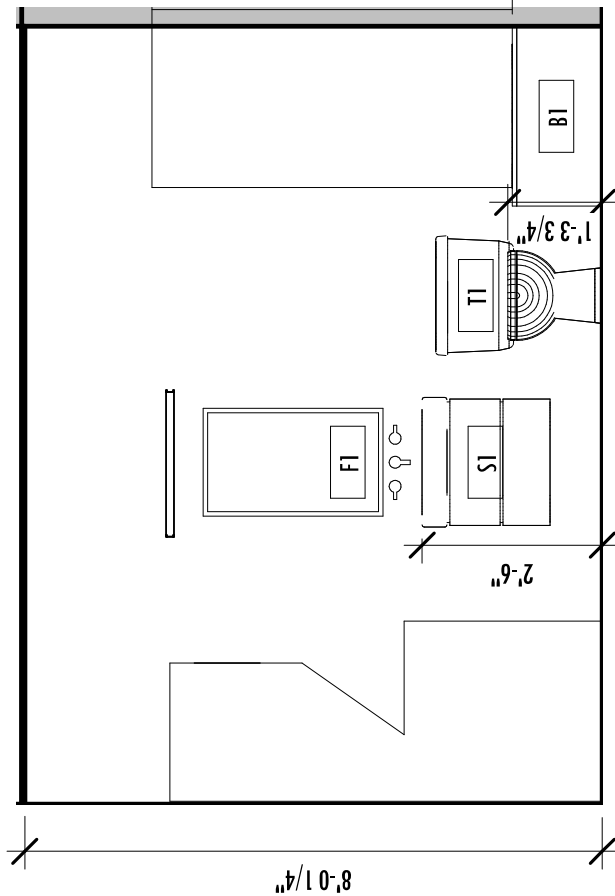
7 Elevation Type B - Shower
3/8" = 1'-0"



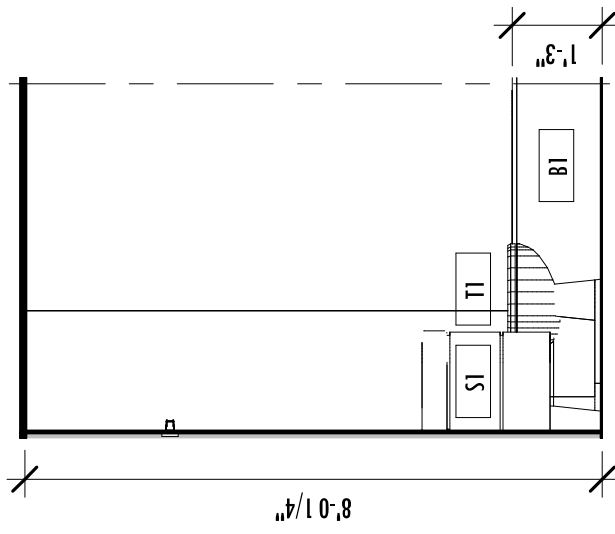
8 Elevation Type B - Sink
3/8" = 1'-0"



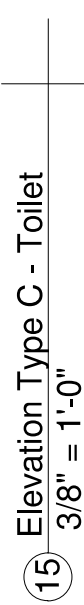
9 Elevation Type B - Door
3/8" = 1'-0"



10 Elevation Type B - Toilet
3/8" = 1'-0"



11 Enlarged Plan - Bathroom Type C
3/8" = 1'-0"



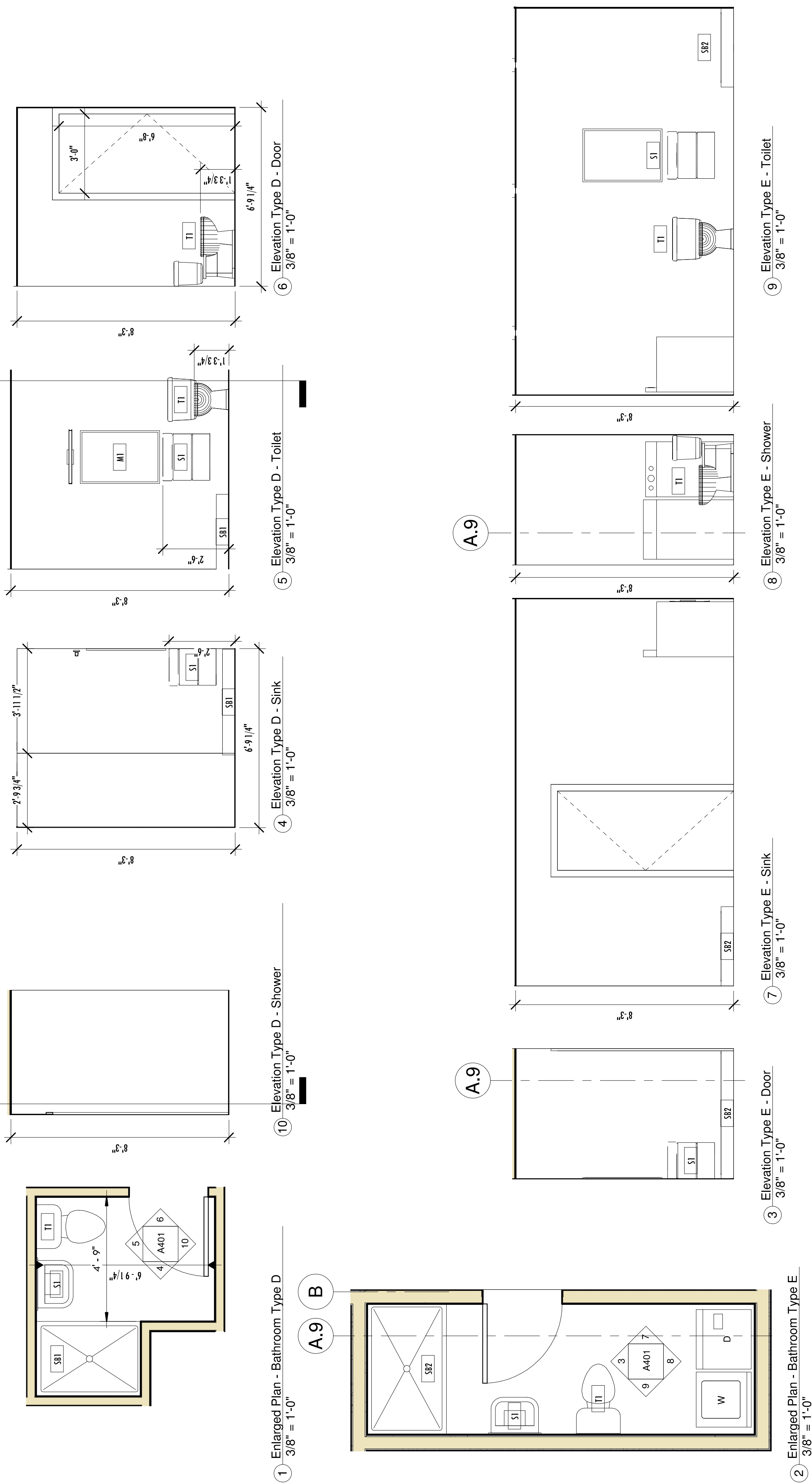
13 Elevation Type C - Washer
3/8" = 1'-0"

14 Elevation Type C - Sink
3/8" = 1'-0"

15 Elevation Type C - Toilet
3/8" = 1'-0"

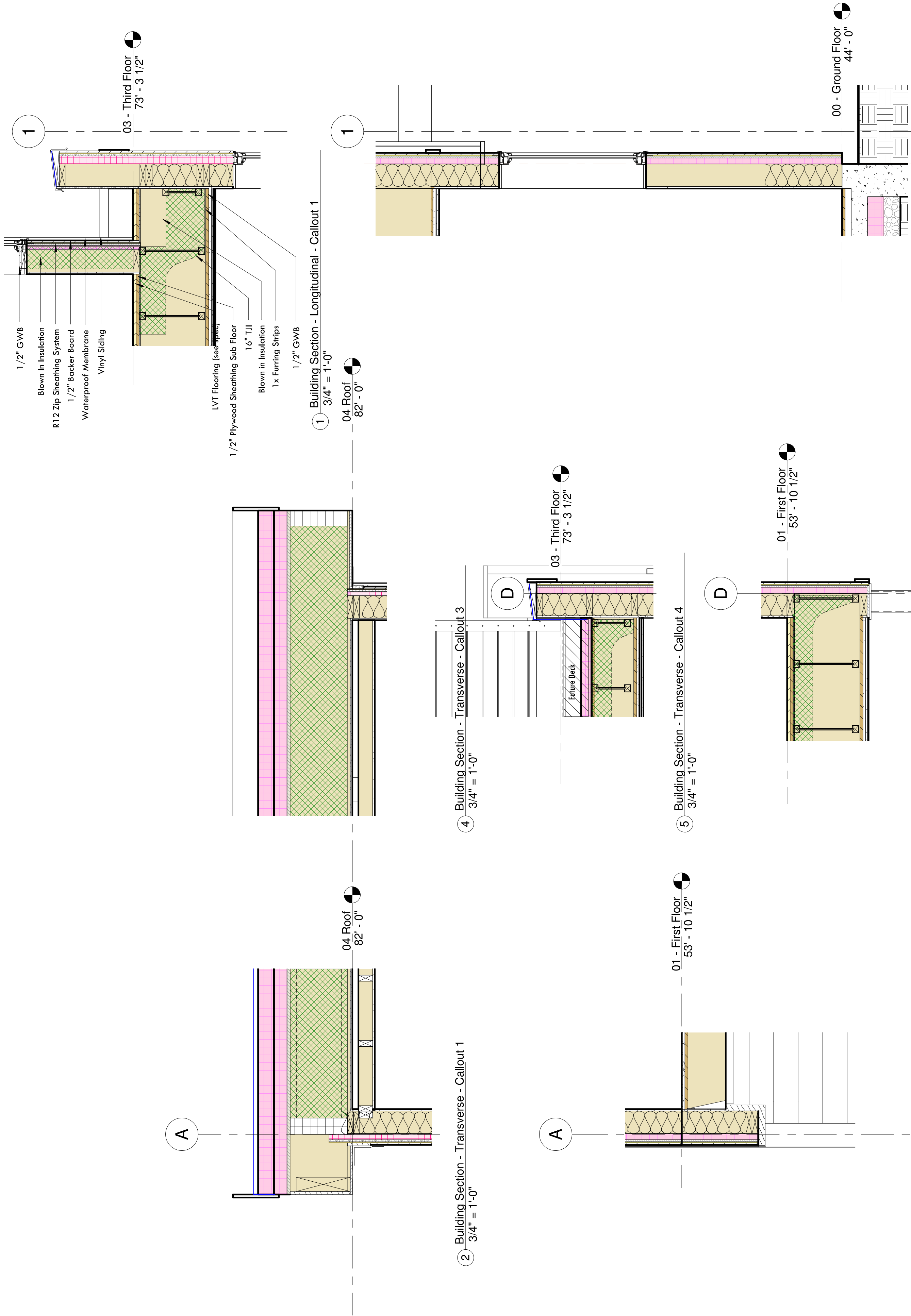


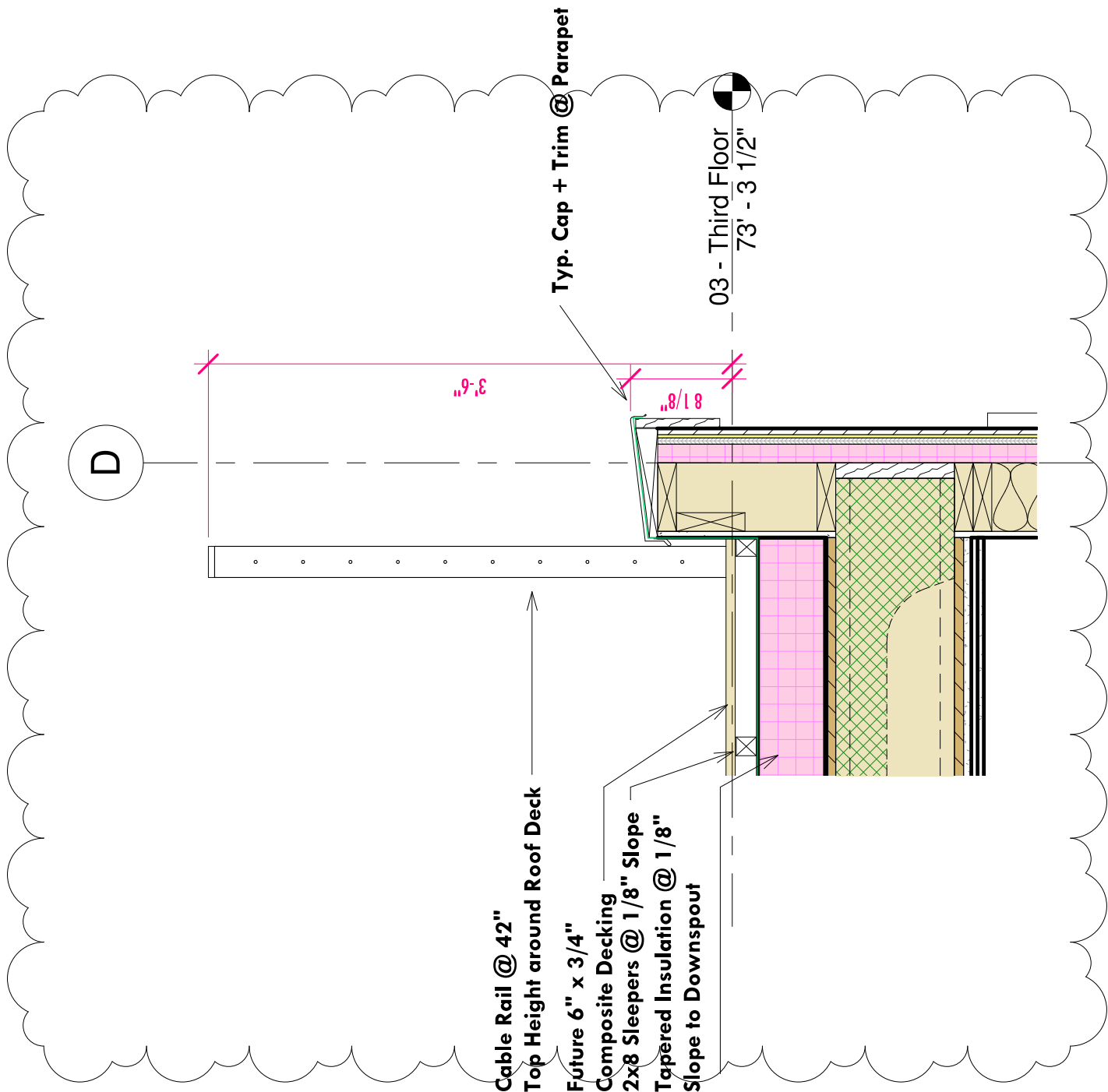
Scale $3/8" = 1'-0"$



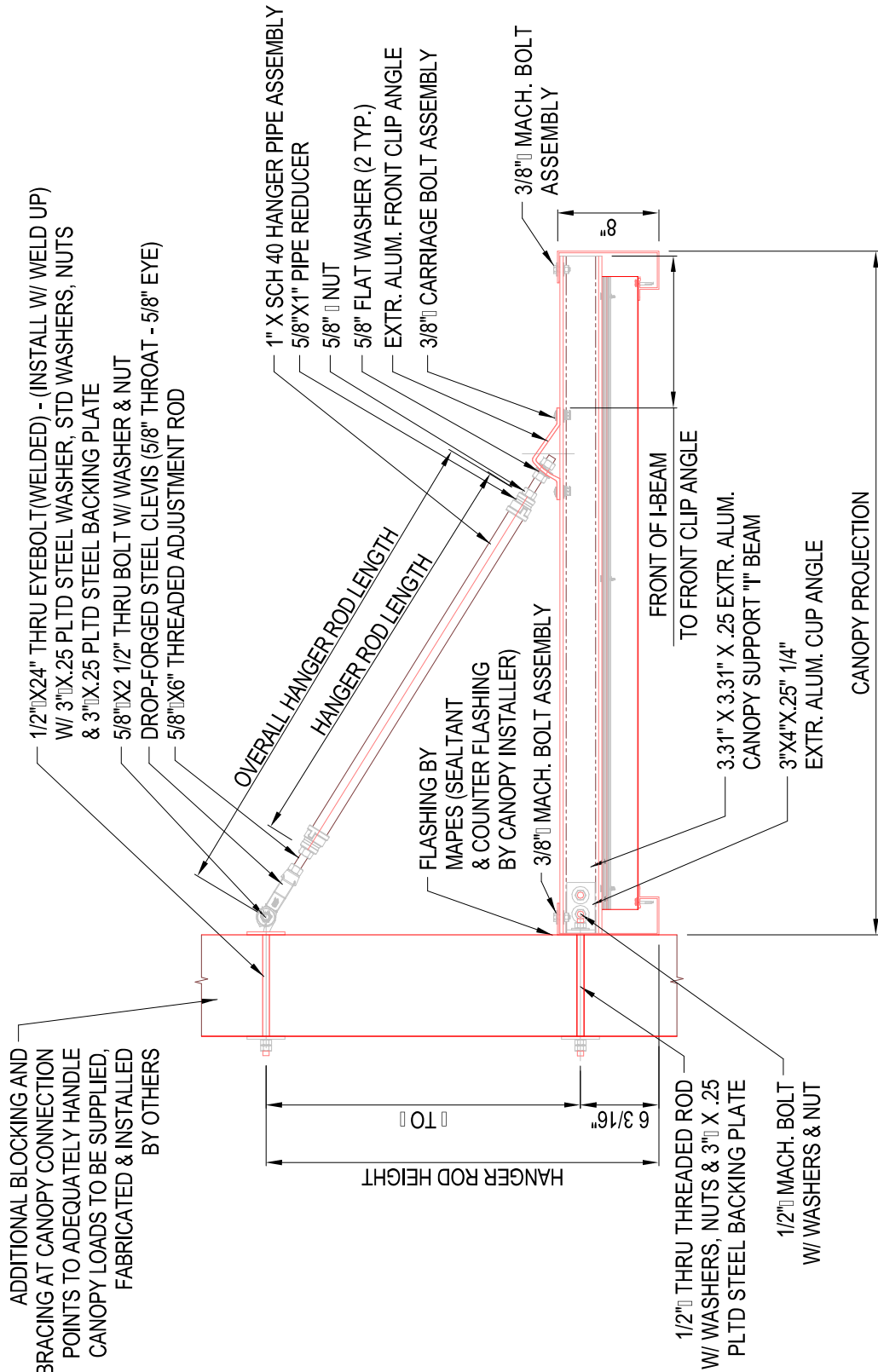
Plumbing Fixture Schedule					
Type Mark	Count	Description	Type Comments	Color	Comments
B1	4				
F1	4	Wall-mount bathroom sink faucet trim with 9inch, 90-degree angle spout and lever handles, requires valve			
HE1	1				
HS1	1				
HT1	1				
S1	10				
S2	6	24 inch x 18-1/4 inch x 9-3/8 inch under-mount medium single-bowl kitchen sink with no faucet holes			Appliance
SB1	5				
SB2	1				
T1	10				

Unit 6 - Kitchen Elevation B





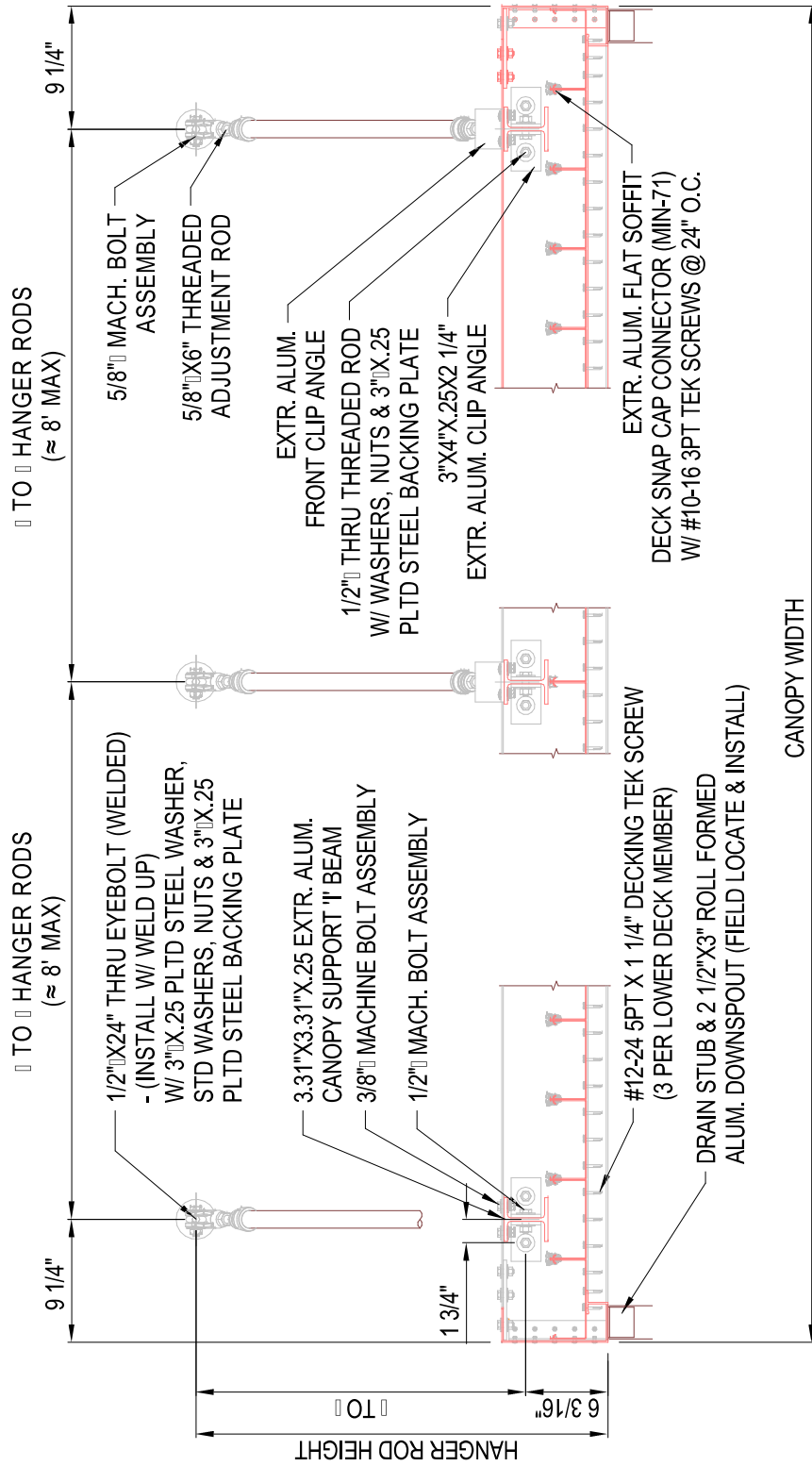
1 Railing Detail @ Roof Deck
1" = 1'-0"



MANUFACTURER NOTES

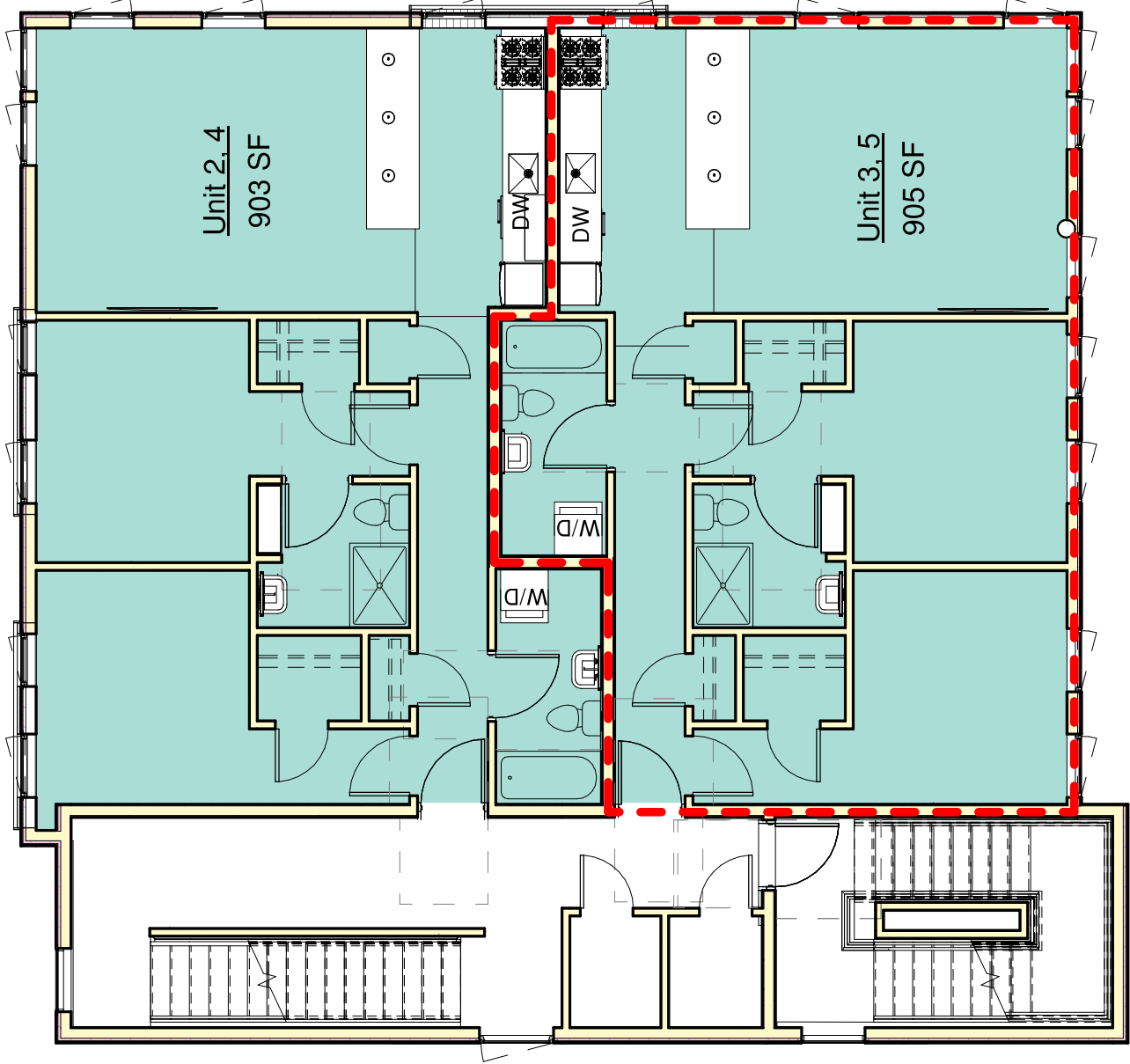
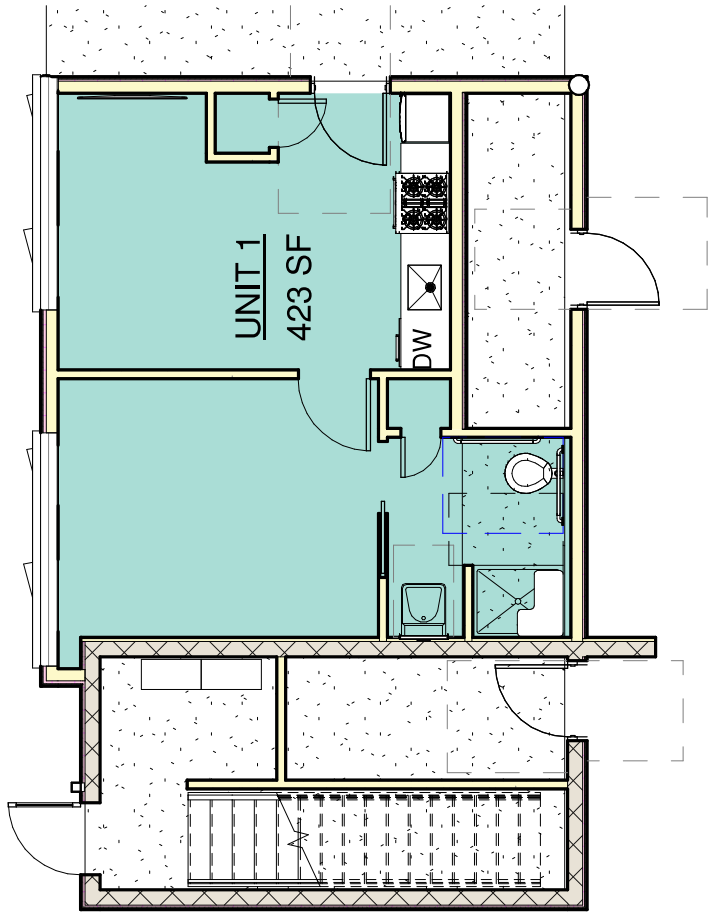
1. FINISH SHALL BE BRONZE BAKED ENAMEL, WHITE BAKED ENAMEL OR CLEAR ANODIZED.
2. FLASHING & SEALANT CONT. BY OTHERS.
3. ALL FASTENER HOLES NOT OTHERWISE NOTED TO BE FIELD DRILLED.
4. ALL FASTENERS NOT OTHERWISE NOTED ARE CADMIUM PLATED FERROUS OR ALUMINUM.

4. MAPES CANOPY DETAILS

$$1\frac{1}{2}" = 1'-0"$$


MANUFACTURER NOTES

1. FINISH SHALL BE BRONZE BAKED ENAMEL, WHITE BAKED ENAMEL OR CLEAR ANODIZED.
2. FLASHING & SEALANT CONT. BY OTHERS.
3. ALL FASTENER HOLES NOT OTHERWISE NOTED TO BE FIELD DRILLED.
4. ALL FASTENERS NOT OTHERWISE NOTED ARE CADMIUM PLATED FERROUS OR ALUMINUM.



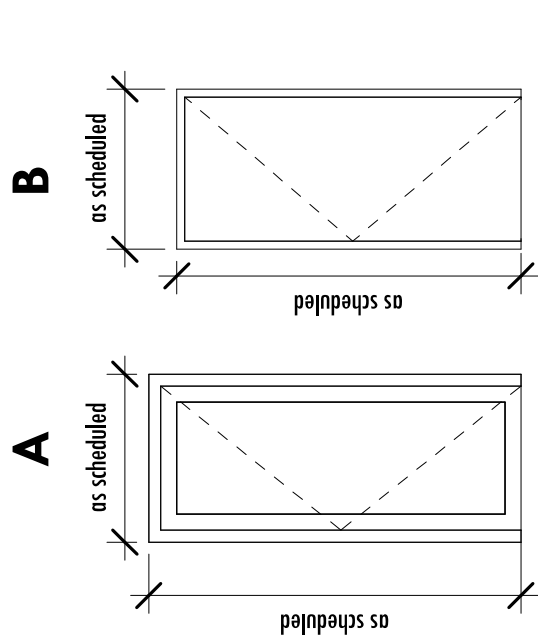
1 01 Ground Level
1/8" = 1'-0"

2 01 First & 02 Second
1/8" = 1'-0"

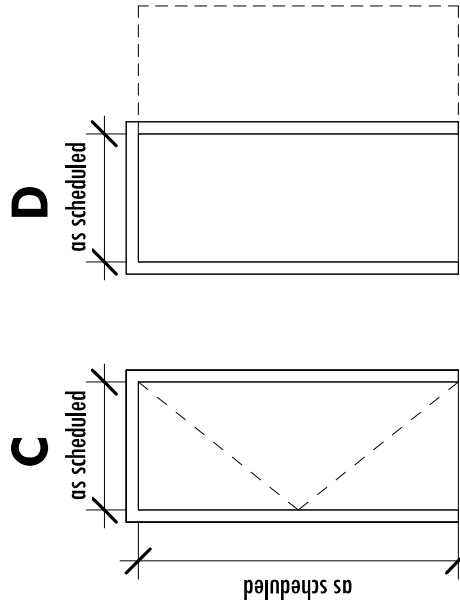
3 03 Third
1/8" = 1'-0"

DOOR AND FRAME SCHEDULE												
DOOR #	LEVEL	TO ROOM	DOOR STYLE	DOOR			FRAME MAT'L	DOOR MAT'L	FINISH MAT'L	HARDWARE SET	FIRE RATING	Comments
				WIDT H	HEIG HT	THICK						
001	00 - Ground Floor	Secondary Egress	Flush	3'-0"	7'-0"							
002	00 - Ground Floor	Mechanical	Single Glass Panel	3'-0"	7'-0"							
003	00 - Ground Floor	Lobby		3'-0"	7'-6"	0'-2"					1HR	
004-A	00 - Ground Floor	Living/Kitchen		3'-0"	7'-0"							
004-B	00 - Ground Floor	Living/Kitchen		2'-0"	6'-8"	0'-2"						
005	00 - Ground Floor	Bedroom		3'-0"	7'-0"	0'-2"						
006	00 - Ground Floor	Bedroom	Pocket Door	3'-0"	6'-8"	0'-1 1/2"						
006-A	00 - Ground Floor	Bathroom		1'-8"	6'-8"	0'-2"						
007	00 - Ground Floor	Caretaker Storage		3'-0"	7'-0"						1HR	
101	01 - First Floor	Stair #1		2'-6"	6'-8"	0'-2"						
104	01 - First Floor	Stair #1		3'-0"	7'-0"						1HR	
104-A	01 - First Floor	Hallway		2'-6"	6'-8"	0'-2"						
104-B	01 - First Floor	Hallway		2'-6"	6'-8"	0'-2"						
106	01 - First Floor	Bathroom		3'-0"	7'-0"							
107	01 - First Floor	Bedroom		2'-10"	6'-8"	0'-2"						
107-A	01 - First Floor	Bedroom		2'-6"	6'-8"	0'-2"						
109	01 - First Floor	Primary Bthroom		3'-0"	7'-0"							
110	01 - First Floor	Primary Bedroom		2'-10"	6'-8"	0'-2"						
110-A	01 - First Floor	Closet		2'-6"	6'-8"	0'-2"						
113	01 - First Floor	Bathroom		3'-0"	7'-0"							
117	01 - First Floor	Hallway		3'-0"	7'-0"						1HR	
117-A	01 - First Floor	Closet		2'-6"	6'-8"	0'-2"						
117-B	01 - First Floor	Hallway		2'-6"	6'-8"	0'-2"						
118	01 - First Floor	Hallway		2'-10"	6'-8"	0'-2"						
118-A	01 - First Floor	Primary Bedroom		2'-6"	6'-8"	0'-2"						
120	01 - First Floor	Primary Bedroom		3'-0"	7'-0"							
123	01 - First Floor	Hallway		2'-10"	6'-8"	0'-2"						
123-A	01 - First Floor	Closet		2'-6"	6'-8"	0'-2"						
204-A	2 - Second Floor	Hall		2'-6"	6'-8"	0'-2"						
204-B	2 - Second Floor	Hall		2'-6"	6'-8"	0'-2"						
206	2 - Second Floor	Secondary Bath		3'-0"	7'-0"							
207-A	2 - Second Floor	Secondary Bedroom		2'-6"	6'-8"	0'-2"						
207-B	2 - Second Floor	Secondary Bedroom		2'-10"	6'-8"	0'-2"						
207-I	03 - Third Floor	Bathroom		3'-0"	6'-8"	0'-2"						
209	2 - Second Floor	Secondary Bath		3'-0"	7'-0"							
210	2 - Second Floor	Primary Bedroom		2'-10"	6'-8"	0'-2"						
211	2 - Second Floor	Closet		2'-6"	6'-8"	0'-2"						
213	2 - Second Floor	Secondary Bath		3'-0"	7'-0"							
217-A	2 - Second Floor	Closet		2'-6"	6'-8"	0'-2"						
217-B	2 - Second Floor	Hall		2'-6"	6'-8"	0'-2"						
218	2 - Second Floor	Hall		2'-10"	6'-8"	0'-2"						
218-A	2 - Second Floor	Primary Bedroom		2'-6"	6'-8"	0'-2"						
220	2 - Second Floor	Primary Bedroom		3'-0"	7'-0"							
223	2 - Second Floor	Hall		2'-10"	6'-8"	0'-2"						
223-A	2 - Second Floor	Closet		2'-6"	6'-8"	0'-2"						
224	2 - Second Floor	Stair A		3'-0"	7'-0"	0'-2"						
224-B	2 - Second Floor	Stair A		3'-0"	7'-0"	0'-2"						
225-A	2 - Second Floor	Stair A		3'-0"	7'-0"	0'-2"						
225-B	2 - Second Floor	Hall		3'-0"	7'-0"	0'-2"						
300	03 - Third Floor	Living		3'-0"	7'-0"	0'-2"						
302	03 - Third Floor	Living		3'-0"	7'-0"	0'-2"						
303	03 - Third Floor	Living	Blifold	6'-0"	7'-0"	0'-2"						
304	03 - Third Floor			3'-0"	7'-0"	0'-2"						
306	03 - Third Floor	Primary Bedroom		3'-0"	6'-8"	0'-2"						
307	03 - Third Floor	Closet		2'-6"	7'-0"	0'-2"						
308	03 - Third Floor	Primary Bath		3'-0"	6'-8"	0'-2"						
309	03 - Third Floor	Hallway		4'-0"	7'-0"	0'-2"						
310-A	03 - Third Floor	Bedroom		3'-0"	6'-8"	0'-2"						
310-B	03 - Third Floor	Bedroom		4'-0"	7'-0"	0'-2"						
312-A	03 - Third Floor	Hallway		3'-0"	6'-8"	0'-2"						
312-B	03 - Third Floor	Bedroom		4'-0"	7'-0"	0'-2"						

EXTERIOR DOORS



INTERIOR DOORS



Solid - Sliding

Solid - Pocket

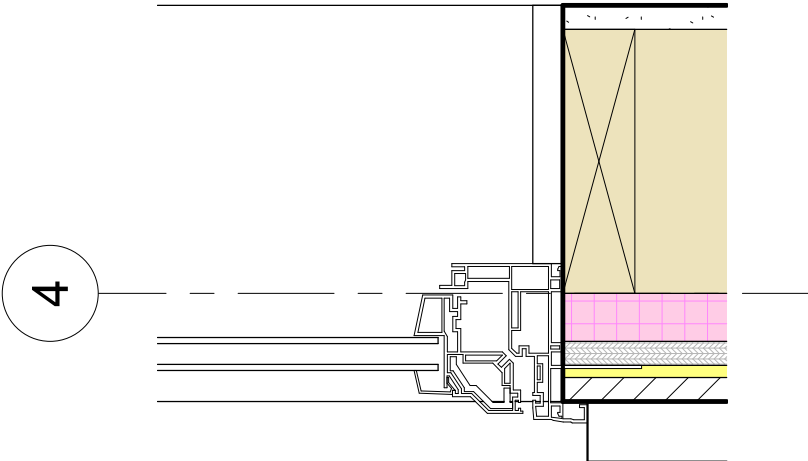
Solid - Swing

Door Legend

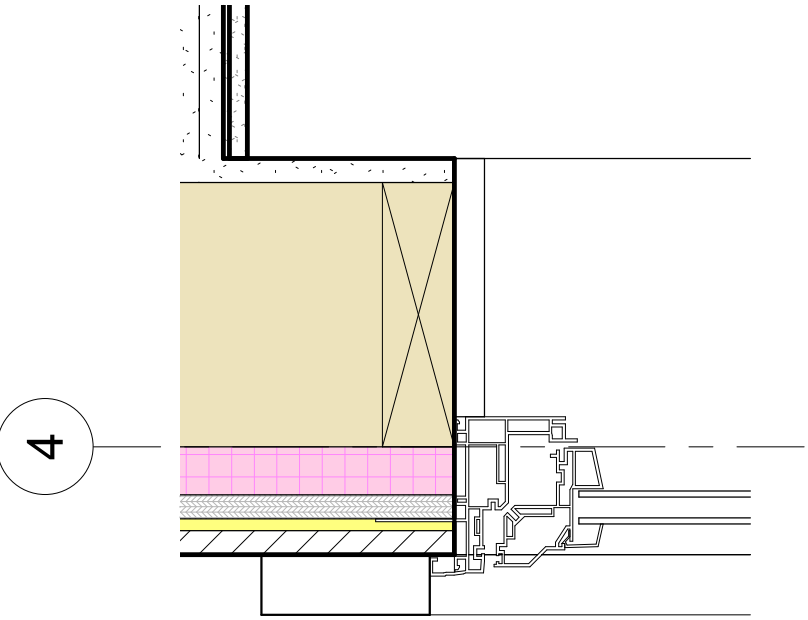
1/4" = 1'-0"

Window Schedule					
Type Mark	Count	Window Style	Width	Height	Comments
1C	3		3' - 0"	5' - 6"	
2B	3		3' - 0"	7' - 0"	
2C	38		2' - 11 1/2"	5' - 6"	
2D	12		2' - 6"	5' - 6"	
2E	2		2' - 6"	3' - 0"	
2F	2		2' - 11 1/2"	3' - 0"	
3B	3		3' - 6"	7' - 0"	

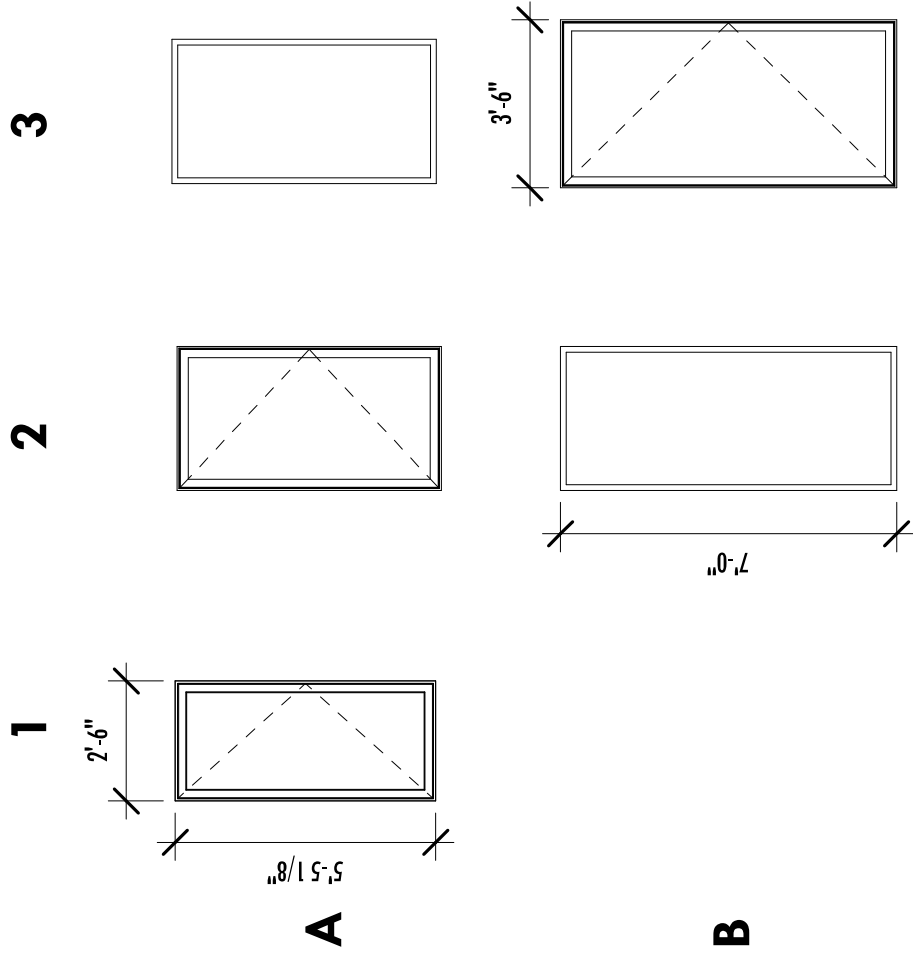
Lighting Fixture Schedule				
Type Mark	Family	Manufacturer	Count	Comments
C1	Downlight - Strip		13	
EX1	ws-w2504		5	
L1	Downlight - Recessed Can		16	
L1A	Downlight - Recessed Can		133	
L2	Downlight - Recessed Can		7	
L3	Downlight - Strip		9	
L4	ws-77624		6	
P1	Pendant - Disk		1	
P2	Pendant - Drum2		15	



1 Typ. Window - Sill
3" = 1'-0"



2 Typ. Window - Head
3" = 1'-0"



Window Legend
1/4" = 1'-0"



Appliance Schedule							
Type Mark	Count	Manufacturer	Model	Finish	Description	Height	Comments
DW	6	KitchenAid	Superba Architect Series II KUDE60SXSS		Dishwasher		Appliance
MW	1				Microwave		Appliance
RF	6				Refrigerator		Appliance
RG	6				Range		Appliance
RH	4				Range Hood		Appliance
S2	6	KOHLER Co.	K-3822-NA	Kohler-Metal-NA-Stainless	24 inch x 18-1/4 inch x 9-3/8 inch under-mount medium single-bowl kitchen sink with no faucet holes	0' - 9 3/8"	Appliance

Casework Schedule							
Type Mark	Count	Manufacturer	Model	Cabinet Finish	Door Style	Height	Comments
B15	4	WOLF HOME PRODUCTS	B12	Shea Pearl	Base Cabinet 12W 24D 34.5H	2' - 10 1/2"	
B24DD	2	WOLF HOME PRODUCTS	B24DD	Shea Pearl	Base Cabinet Double Door One Drawer 24W 24D 34.5H	2' - 0"	
B27	1	WOLF HOME PRODUCTS	B42	Shea Pearl	Base Cabinet Double Door Two Drawer 42W 24D 34.5H	2' - 0"	
B30	1	WOLF HOME PRODUCTS	B42	Shea Pearl	Base Cabinet Double Door Two Drawer 42W 24D 34.5H	2' - 0"	
BWB18	5	WOLF HOME PRODUCTS	BWB18	Shea Pearl	Base WasteBasket Cabinet 18W 24D 34.5H	2' - 0"	
DB36	10	WOLF HOME PRODUCTS	DB12	Shea Pearl	Base Three Drawer Cabinet 12W 24D 34.5H	2' - 0"	
OC339624	2	WOLF HOME PRODUCTS	OC338424	Shea Pearl	Tall Oven Opening Cabinet 33W 24D 84H	2' - 0"	
P4093	4	IKEA	HD2480			1' - 1 3/4"	180.00
SB30	4	WOLF HOME PRODUCTS	SB39	Shea Pearl	Sink Base Cabinet Double Door Two Drawer 39W 24D 34.5H	2' - 0"	

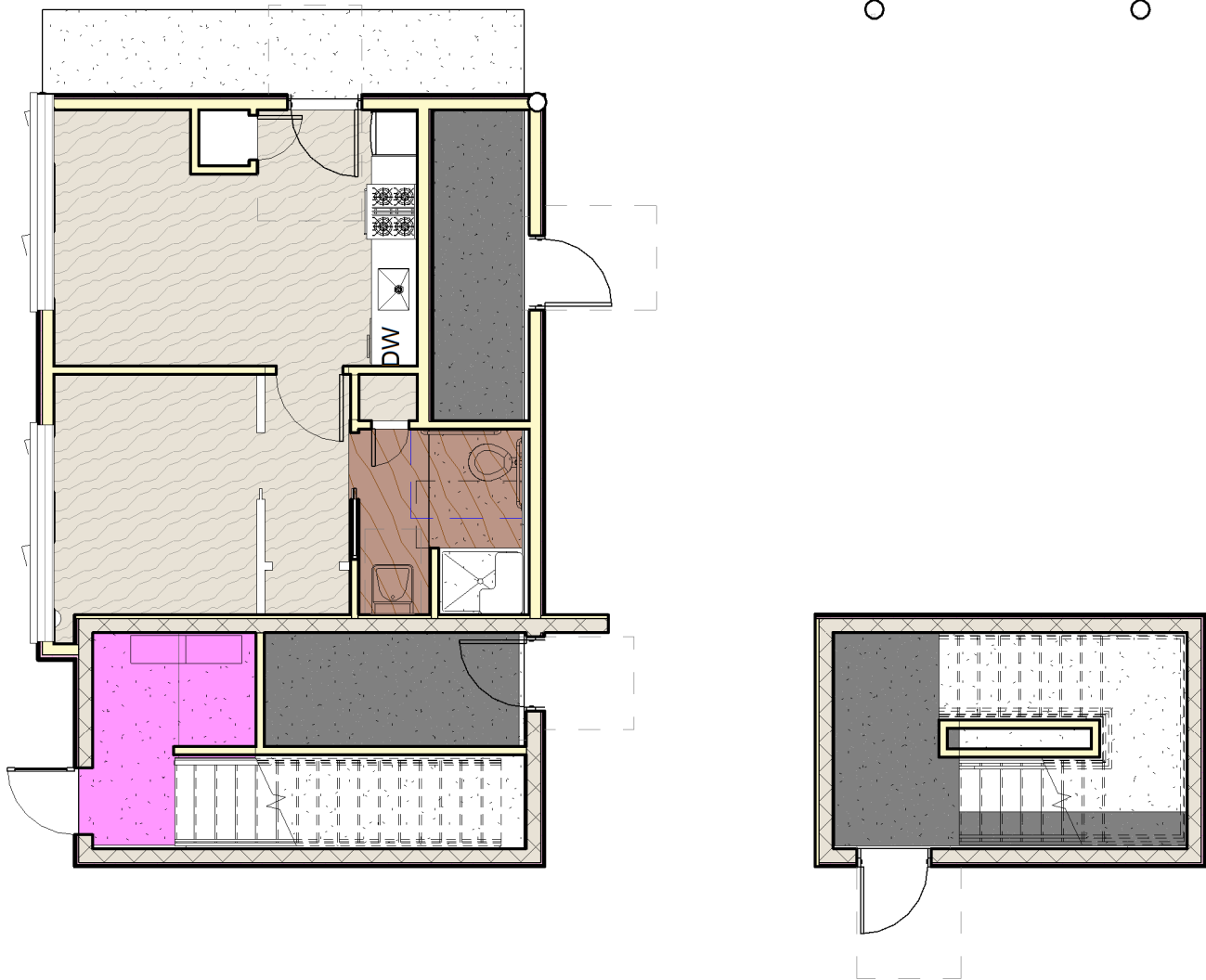
- Carpet

- LVT 12mil

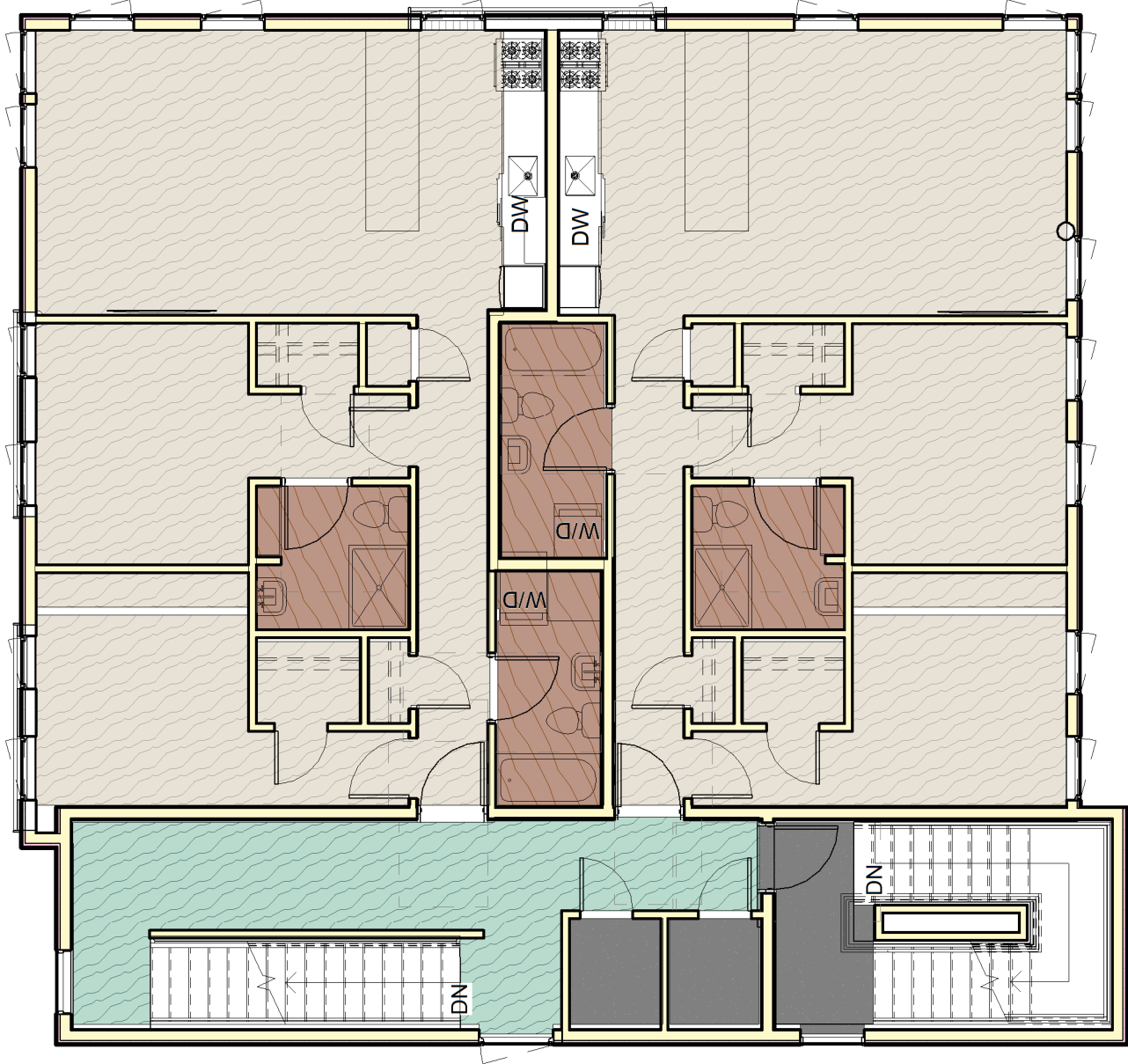
- WOM
- Porcelain Tile

- Roof Membrane

- Finished Concrete



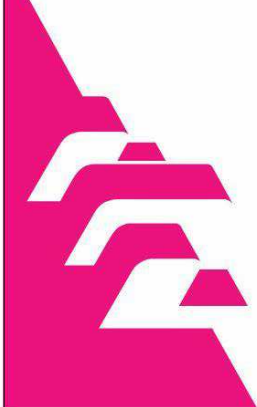
1 00 Ground - Floor Finish Plan
1/8" = 1'-0"



2 01 First & 02 Second - Floor Finish Plan
1/8" = 1'-0"



3 03 Third - Floor Finish Plan
1/8" = 1'-0"



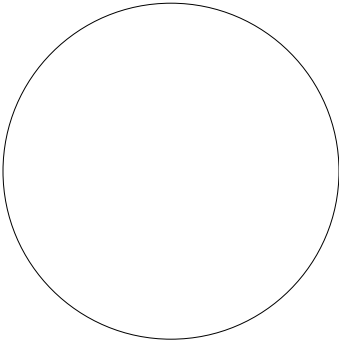
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Room + Finish Schedule
Scale 10.26.2021

A702

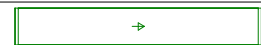
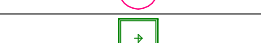


Room Finish Schedule															
ROOM				FLOOR + BASE		CEILING	WALL FINISH				COMMENTS	Finish Notes	Occupancy	Perimeter	
NUMBER	NAME	LEVEL	Area	FLOOR	BASE	MATERIAL	N	E	S	W					
001	Secondary Egress	01 Ground Level	142 SF											51' - 1 15/16"	
002	Mechanical	01 Ground Level	60 SF											36' - 6 3/4"	
003	Lobby	01 Ground Level	121 SF											65' - 9 3/8"	
004	Living/Kitchen	01 Ground Level	180 SF											61' - 5 1/2"	
005	Bedroom	01 Ground Level	145 SF											50' - 9 27/32"	
006	Bathroom	01 Ground Level	62 SF											37' - 11 3/16"	
007	Caretaker Storage	01 Ground Level	60 SF											33' - 9 1/8"	
008	Storage Unit A	2nd/3rd Floor	23 SF											19' - 2 3/8"	
009	Storage Unit B	2nd/3rd Floor	23 SF											19' - 4 7/8"	
100	Stair #1	2nd/3rd Floor	265 SF											84' - 11 7/16"	
101	Stair #2	2nd/3rd Floor	147 SF											51' - 9 7/8"	
102	Living	2nd/3rd Floor	241 SF											62' - 9 17/32"	
103	Kitchen	2nd/3rd Floor	83 SF											39' - 8 1/32"	
104	Hallway	2nd/3rd Floor	77 SF											52' - 10"	
106	Bathroom	2nd/3rd Floor	56 SF											32' - 3"	
107	Bedroom	2nd/3rd Floor	140 SF											59' - 11 9/32"	
108	Closet	2nd/3rd Floor	20 SF											17' - 10 29/32"	
109	Primary Bthroom	2nd/3rd Floor	49 SF											30' - 4 3/32"	
110	Primary Bedroom	2nd/3rd Floor	146 SF											58' - 3"	
111	Closet	2nd/3rd Floor	15 SF											15' - 8"	
112	Closet	2nd/3rd Floor	8 SF											11' - 10 29/32"	
113	Bathroom	2nd/3rd Floor	56 SF											32' - 3 1/2"	
115	Kitchen	2nd/3rd Floor	104 SF											44' - 8 17/32"	
116	Living	2nd/3rd Floor	225 SF											60' - 11 1/8"	
117	Hallway	2nd/3rd Floor	72 SF											50' - 0 1/2"	
118	Primary Bedroom	2nd/3rd Floor	146 SF											58' - 3"	
119	Closet	2nd/3rd Floor	14 SF											15' - 6 3/4"	
120	Primary Bathroom	2nd/3rd Floor	49 SF											29' - 10 3/32"	
121	Closet	2nd/3rd Floor	20 SF											17' - 8 29/32"	
122	Closet	2nd/3rd Floor	8 SF											12' - 0 29/32"	
123	Bedroom	2nd/3rd Floor	139 SF											57' - 6"	
300	Stair #1	03 Third	221 SF											65' - 6 3/4"	
302	Stair #2	03 Third	147 SF											51' - 9 7/8"	
303	Foyer	03 Third	109 SF									0		52' - 9 27/32"	
304	Kitchen/Dining	03 Third	250 SF											84' - 1 1/16"	
305	Living	03 Third	113 SF											42' - 7 1/4"	
306	Primary Bedroom	03 Third	113 SF									1		42' - 7 3/4"	
307	Closet	03 Third	25 SF											20' - 0 1/4"	
308	Primary Bath	03 Third	41 SF									0		27' - 7 3/4"	
309	Hallway	03 Third	55 SF											42' - 1 3/4"	
310	Bedroom	03 Third	133 SF									1		53' - 8 1/2"	
311	Bedroom	03 Third	135 SF									1		53' - 10 3/4"	
312	Bathroom	03 Third	52 SF									0		30' - 11"	
315	Office Area	03 Third	53 SF									1		29' - 10 3/16"	

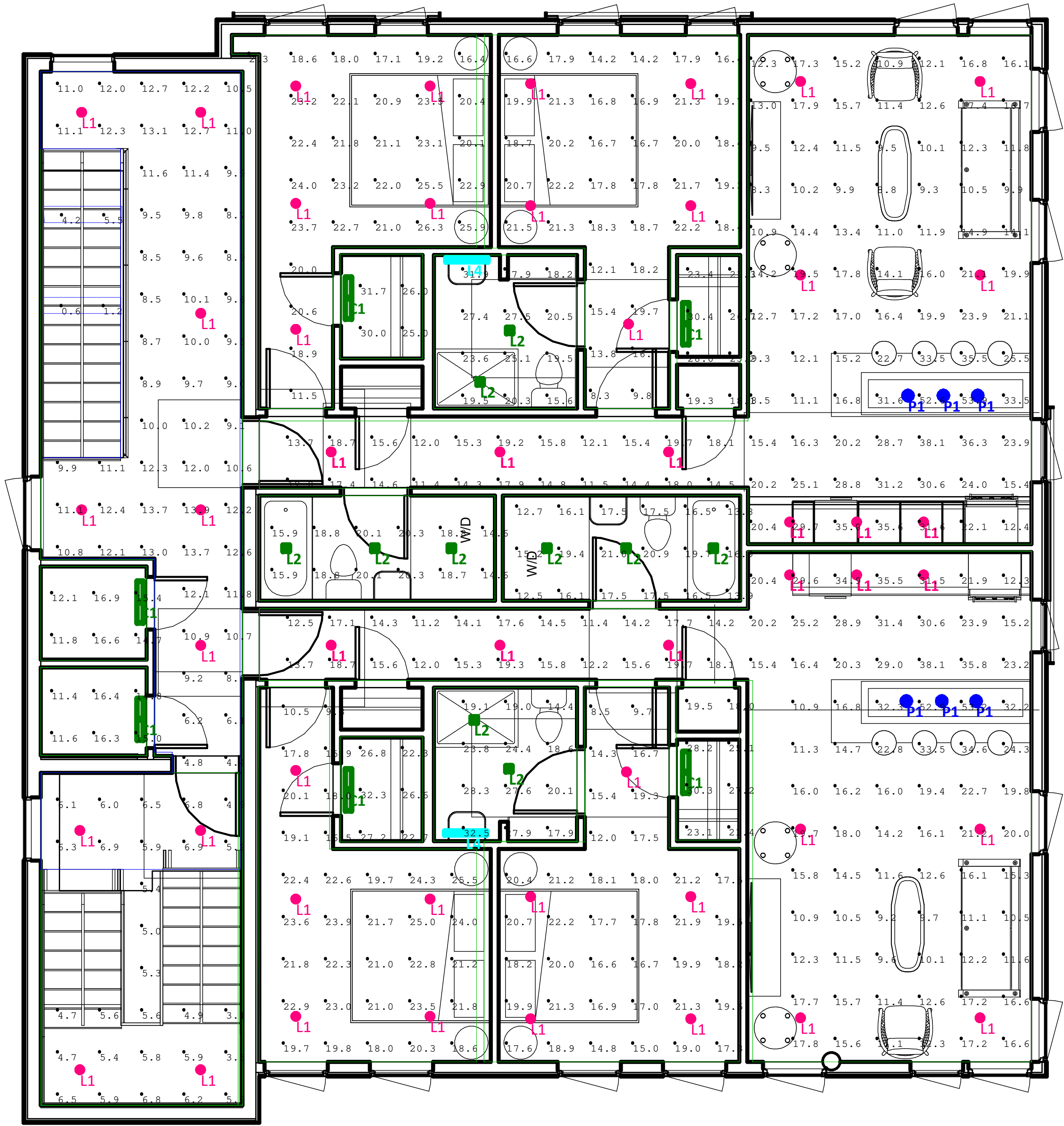
LEGEND

ACT = Acoustic Ceiling Tile
AP = Acoustic Panels
CLT = Cross Laminated Timber
CPT = Carpet
CT = Ceramic Tile
CU = Curtains
Exp. Conc. = Exposed Concrete
GWB = Gypsum Wall Board
LVT = Luxury Vinyl Tile
Mir = Mirror
PT = Painted
VB = Vinyl Baseboard
WC = Wall Covering
WD = Wood
WDS = Wood Slat
WOM = Walk Off Mat

Room Summary		
Label	Wall Ht.	Description
BATH	8.15	
BATH 2	8.15	
BATH_1	8.15	
BED 107	8.15	
BED 2	8.15	
CLOSET 1	8.15	
CLOSET 2	8.15	
CLOSET 3	8.15	
CLOSET 4	8.15	
LIVING KITCHEN 2	8.15	
LIVING KITCHN	8.15	
PRIMARY BATH	8.15	
PRIMARY BED	8.15	
PRIMARY BED 2	8.15	
STAIRS	13	
STAIRS_1	20.75	
STORAGE UNIT 1	8.15	
STORAGE UNIT 2	8.15	

Luminaire Schedule						
Symbol	Qty	Label	Lum. Lumen	Lum. Watts	SLF	Description
	6	C1	3288	25.2	0.700	FSC: L28524-20W-35K-OS-E5
	50	L1	849	11.63	0.900	LITELINE: SLMB4-12W-CCT-WH
	10	L2	757	8.37	0.900	DMF: DRDHNJO-DRD5S4S07927
	2	L4	1463	20.4	0.900	WAC: WS-77624-XX
	6	P1	757	8.37	0.900	PABLO: CIEL HB BLK/BLK/BLK

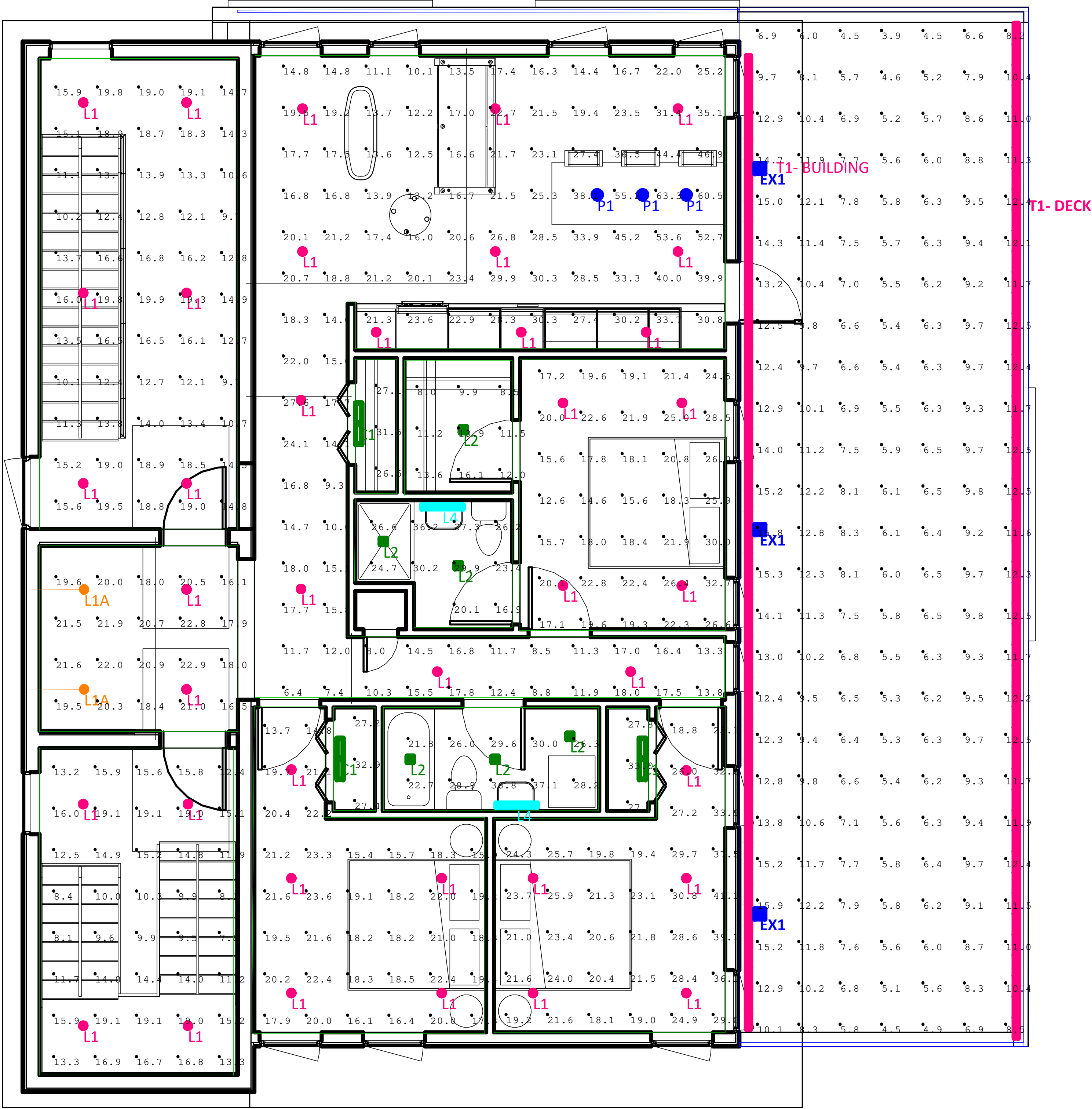
Calculation Summary						
Label	Units	Avg	Max	Min	Avg/Min	Max/Min
BATH 2_Workplane	Fc	22.80	32.5	14.4	1.58	2.26
BATH_1_Workplane	Fc	16.73	21.0	12.5	1.34	1.68
BATH_Workplane	Fc	18.08	20.3	14.6	1.24	1.39
BED 107_Workplane	Fc	20.61	26.3	2.3	8.96	11.43
BED 2_Workplane	Fc	20.53	25.5	9.3	2.21	2.74
CLOSET 1_Workplane	Fc	26.32	32.3	22.3	1.18	1.45
CLOSET 2_Workplane	Fc	24.10	30.3	18.0	1.34	1.68
CLOSET 3_Workplane	Fc	28.18	31.7	25.0	1.13	1.27
CLOSET 4_Workplane	Fc	24.05	30.4	18.1	1.33	1.68
LIVING KITCHEN 2_Workplane	Fc	18.87	53.2	9.2	2.05	5.78
LIVING KITCHN_Workplane	Fc	18.22	53.9	8.3	2.20	6.49
PRIMARY BATH_Workplane	Fc	23.08	31.9	15.6	1.48	2.04
PRIMARY BED 2_Workplane	Fc	17.84	22.2	8.5	2.10	2.61
PRIMARY BED_Workplane	Fc	17.83	22.2	8.3	2.15	2.67
STAIR 1_Planar	Fc	4.85	5.5	4.2	1.15	1.31
STAIR 2_Planar	Fc	0.90	1.2	0.6	1.50	2.00
STAIRS_Floor	Fc	8.86	13.9	3.1	2.86	4.48
STORAGE UNIT 1_Floor	Fc	14.58	16.9	11.8	1.24	1.43
STORAGE UNIT 2_Floor	Fc	14.25	16.4	11.4	1.25	1.44

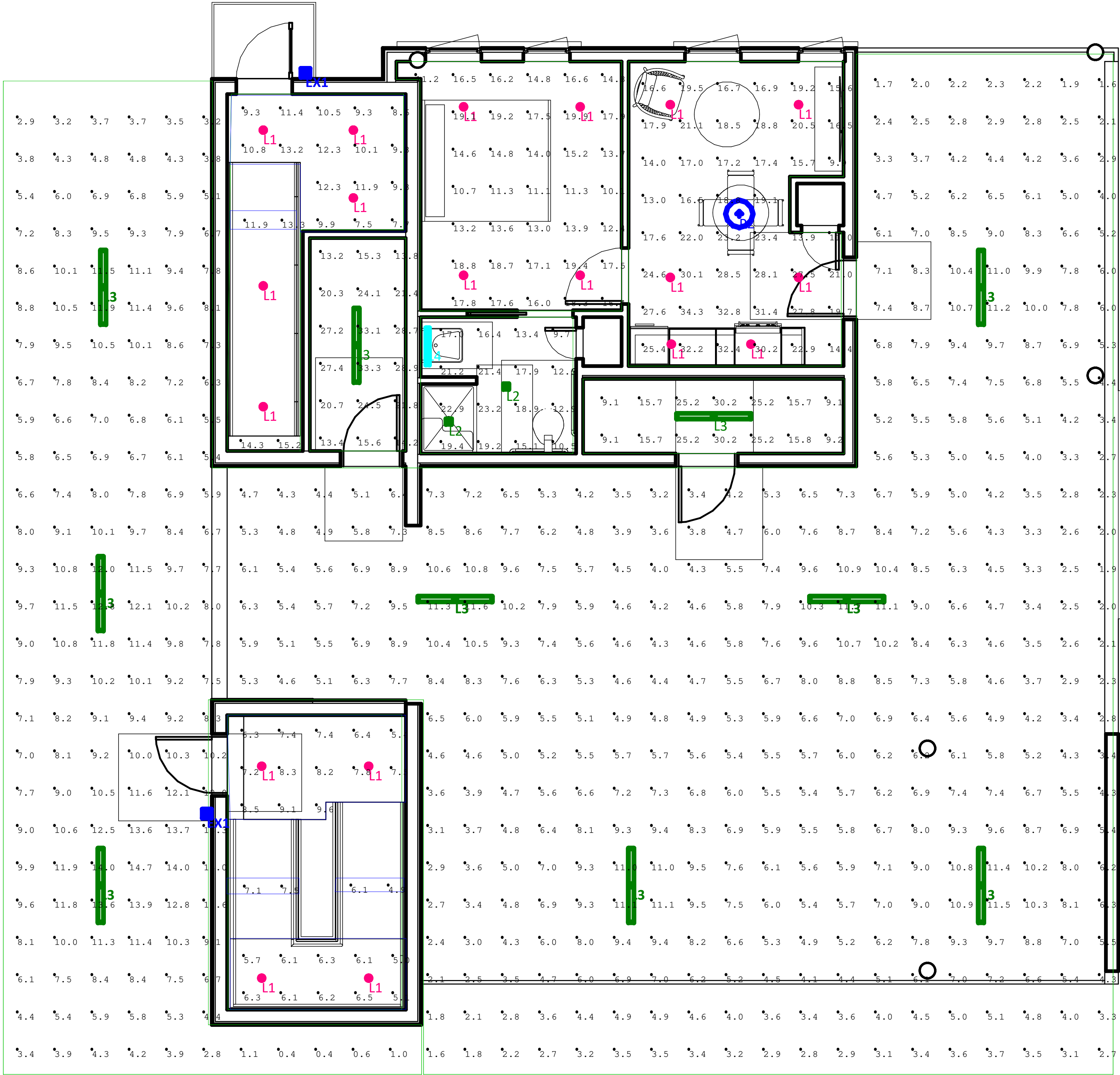


Room Summary		
Label	Wall Ht.	Description
BATH 2	8	
BEDROOM	8.15	
BEDROOM 1	8.15	
BEDROOM_2	8.15	
CLOSET	8.15	
CLOSET 1	8.15	
CLOSET 2	8.15	
HALL	8.15	
HALL CLOSET	8.15	
PRIMARY BATH	8.15	
PRIMARY BEDROOM	8.15	
STAIR 1	8.15	
STAIR 2	8.15	

Luminaire Schedule						
Symbol	Qty	Label	Lum. Lumen	lum. Watts	SLF	Description
	3	C1	3288	25.2	0.700	FSC: L28524-20W-35K-OS-E5
	3	EX1	1463	20.4	0.900	WAC: WS-W2504-BK
	39	L1	849	11.63	0.900	LITELINE: SLMB4-12W-CCT-WH
	2	L1A	849	11.63	0.900	LITELINE: RA4-12G-27K-WH
	6	L2	757	8.37	0.900	DMF: DRDHJJO-DRD5S4S07927
	2	L4	1463	20.4	0.900	WAC: WS-77624-XX
	3	P1	757	8.37	0.900	PABLO: CIEL HB BLK/BLK/BLK
	1	T1- BUILDING	N.A.	N.A.	0.400	NOVAFLEX: NF-DS-O-64-2700K/ CHANNEL TBD
	1	T1- DECK	N.A.	N.A.	0.400	NOVAFLEX: NF-DS-O-64-2700K/ CHANNEL TBD

Calculation Summary						
Label	Units	Avg	Max	Min	Avg/Min	Max/Min
BATH_2_Workplane	Fc	28.74	37.1	21.8	1.32	1.70
BEDROOM_1_Workplane	Fc	21.88	63.3	6.4	3.42	9.89
BEDROOM_2_Workplane	Fc	25.66	41.1	18.1	1.42	2.27
BEDROOM_Workplane	Fc	19.20	23.6	13.7	1.40	1.72
CLOSET_1_Workplane	Fc	29.17	32.9	27.2	1.07	1.21
CLOSET_2_Workplane	Fc	29.30	33.0	27.1	1.08	1.22
CLOSET_Workplane	Fc	11.63	16.1	8.0	1.45	2.01
Deck_Planar	Fc	9.00	15.9	3.9	2.31	4.08
HALL_CLOSET_Workplane	Fc	28.37	31.5	26.5	1.07	1.19
HALL_Floor	Fc	20.01	22.9	16.1	1.24	1.42
PRIMARY BATH_Workplane	Fc	27.15	37.3	16.9	1.61	2.21
PRIMARY BEDROOM_Workplane	Fc	21.10	32.7	12.6	1.67	2.60
STAIR 1_Floor	Fc	15.07	19.9	9.7	1.55	2.05
STAIR 2_Floor	Fc	13.82	19.1	7.8	1.77	2.45





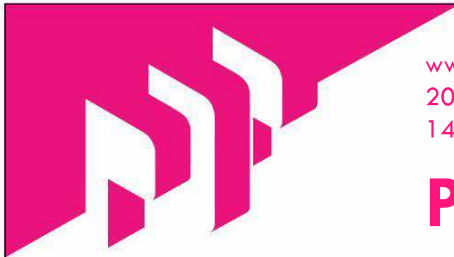
Room Summary		
Label	Wall Ht.	Description
BATH	8.15	
BEDROOM	8.15	
GARAGE	8	
LIVING_KITCHEN	8.15	
MECHANICAL	8.15	
STAIRS_1	20.75	
STAIRS_2	20.75	
STORAGE	8.15	

Luminaire Schedule						
Symbol	Qty	Label	Lum. Lumen	lum. Watts	SLF	Description
	2	EX1	1463	20.4	0.900	WAC: WS-W2504-BK
	19	L1	849	11.63	0.900	LITELINE: SLMB4-12W-CCT-WH
	2	L2	757	8.37	0.900	DMF: DRDHJJO-DRD5S4S07927
	10	L3	3288	25.2	0.800	FSC: L28548-23W-35K-E5
	1	L4	1463	20.4	0.900	WAC: WS-77624-XX
	1	P2	757	8.37	0.900	TBD TABLE PENDANT

Calculation Summary						
Label	Units	Avg	Max	Min	Avg/Min	Max/Min
BATH_Workplane	Fc	16.98	23.2	9.7	1.75	2.39
BEDROOM_Workplane	Fc	15.39	19.9	10.1	1.52	1.97
GARAGE_Floor	Fc	6.53	14.7	0.4	16.33	36.75
LIVING_KITCHEN_Workplane	Fc	21.27	34.3	9.9	2.15	3.46
LOBBY_Planar	Fc	10.21	13.2	7.5	1.36	1.76
MECHANICAL_Workplane	Fc	18.61	30.2	9.1	2.05	3.32
STAIR 1_Planar	Fc	12.60	13.3	11.9	1.06	1.12
STAIR 4_Planar	Fc	7.30	7.5	7.1	1.03	1.06
STAIR 4B_Planar	Fc	5.50	6.1	4.9	1.12	1.24
STAIR GROUND_Planar	Fc	7.62	9.6	5.4	1.41	1.78
STAIR LANDING_Planar	Fc	5.94	6.5	5.0	1.19	1.30
STAIRS_2_Workplane	Fc	14.75	15.2	14.3	1.03	1.06
STORAGE_Workplane	Fc	22.05	33.3	13.2	1.67	2.52

#		Date	Comments
X		XX/XX	XXXXXXXXXX
Revisions			

Drawn By: GAR	Checked By:
Date: 07/28/21	Specified: PAUL DESIGNS PROJECT
Scale: NTS	



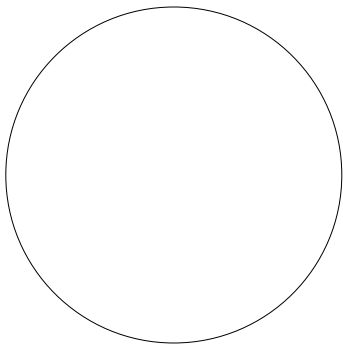
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Cover
Scale

10.26.2021

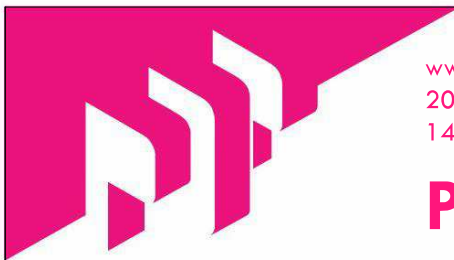


A000



Sheet List	
Sheet Number	Sheet Name
A000	Cover
A001	Code Information
A100	Ground Floor Plan
A101	Second + Third Floor Plans
A102	Fourth Floor Plan
A103	Roof Plan
A150	RCP - Ground Level
A151	RCP - First and Second Floor
A152	RCP - Third Floor
A200	Elevation - Oxford Street
A201	Elevation - Cleeves Street
A202	Elevation - Side-Garage Entrance
A203	Elevation - Back
A300	Building Sections
A301	Building Sections Cont.
A302	Stair Tower Sections
A400	Bathroom Elevations
A401	Bathroom Elevations Cont.
A402	Kitchen Elevations
A500	Details
A600	Area Plans
A601	Schedules
A602	Schedules Cont.
A700	Floor Finish Plan
A702	Room + Finish Schedule
LS100	Life Safety Plans
S100	First Floor Framing
S101	2nd + 3rd Floor Framing
S102	Roof Framing

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Portland, Maine

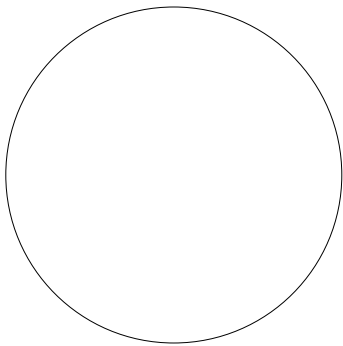


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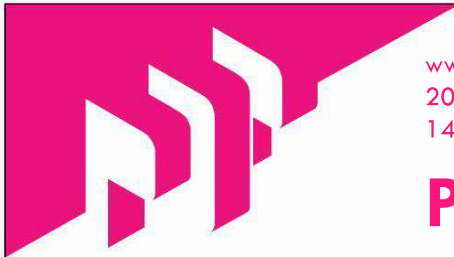
Elevation - Oxford Street
Scale 1/4" = 1'-0" 10.26.2021



A200



1 Elevation - Oxford Street
1/4" = 1'-0"

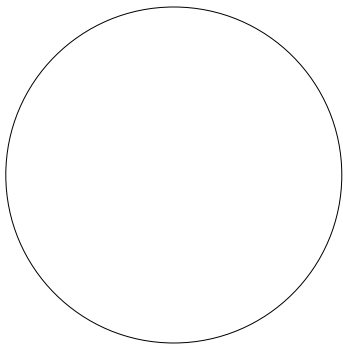


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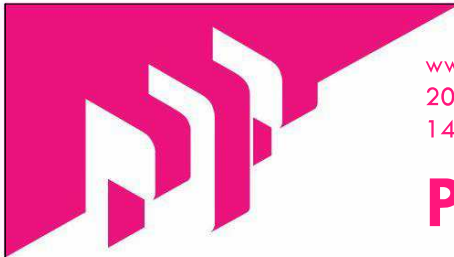
Elevation - Cleeves Street
Scale 1/4" = 1'-0" 10.26.2021



A201



① Elevation - Cleeves Street
1/4" = 1'-0"

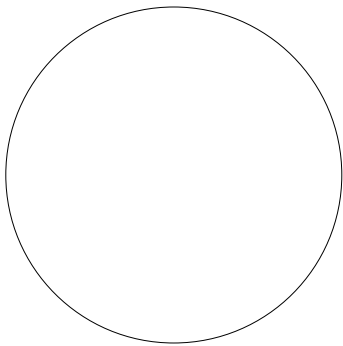


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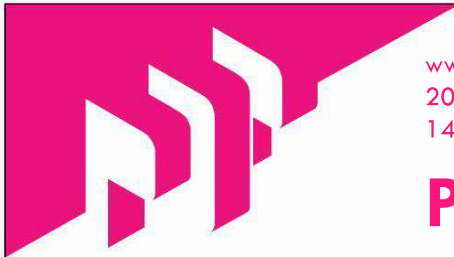
Elevation - Side-Garage Entrance
Scale 1/4" = 1'-0" 10.26.2021



A202



① Elevation - Side - Garage Entrance
1/4" = 1'-0"



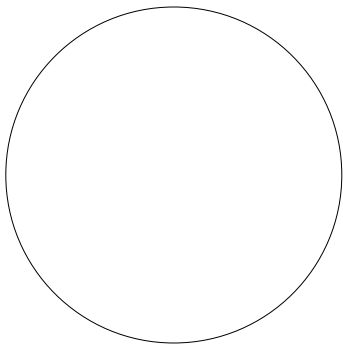
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Elevation - Back
Scale 1/4" = 1'-0"

10.26.2021



A203



1 Elevation - Back
1/4" = 1'-0"

Planning Board Report

Planning and Urban Development Department

PHA Riverton Drive Rezoning
2 Riverton Drive
Zoning Map and Text Amendment
ZN-001811-2021

Portland Housing Development Corporation, Applicant

Submitted to:	Portland Planning Board	Prepared By:	Charles Tetelman
Public Hearing Date:	April 12, 2022	Date:	April 8, 2022

I. INTRODUCTION

The Portland Housing Development Corporation has submitted an application for a zoning map amendment to rezone their property from an R-5 Residential zone to an R-5a residential zone and B-2 community business zone. In addition to the zoning map amendment the applicant is also pursuing a text amendment to allow Places of Assembly uses greater than 10,000 square feet in size as a conditional use in the R-5a zone. The zoning map amendment, in conjunction with the text amendment, would facilitate future development and renovation at Portland Housing Development Corporations existing 141-unit Riverton Park campus, which would be reviewed by the Planning Board in a future Major Site Plan application.



Figure 1: Vicinity Map (applicant's property outlined)

The Planning and Urban Development Department mailed 79 notices advertising this meeting to property owners within 500 feet of the site. A legal advertisement ran in the April 1, 2022 and April 2, 2022 of the *Portland Press Herald*.

The Planning Board held a workshop on February 22, 2022.

Applicant: Portland Housing Development Corporation
Applicant Carroll Associates Landscape Architects, CWS Architects
Representatives:

II. PROJECT DATA

Existing Zoning	R-5 Residential
Property Size	19.9 acres
Existing Use	Residential
Proposed Use	Mixed-Use, Residential

III. BACKGROUND

The Riverton Park property currently includes 25 residential buildings consisting of 141 townhome apartments as well as an administrative office building. Built approximately 50 years ago, this residential community has provided affordable housing for Portland residents for several generations. Although the buildings and premises have been maintained over the last half century, the Riverton Park homes are in need of rehabilitation and redevelopment. Portland Housing Authority (PHA) seeks to improve the Riverton Park complex and ensure healthy, safe, accessible, energy-efficient, and affordable housing. Although not part of this zoning application, the proposed zoning map and text amendments will facilitate PHA's future plans at Riverton Park which include:

1. Demolishing four buildings (24 units) closest to Forest Avenue and replacing it with a single four-story multifamily building (59 units) with a ground-floor that includes a PHA Management office, Greater Portland Health clinic, and a small space for neighborhood retail.
2. Rehabilitating 21 residential buildings (~124 residential townhome units).
3. Demolishing the administrative building and replace with a significantly larger community center for resident services (Boys & Girls Club, PHA Study Center, Community Policing, kitchen, food pantry, and gathering spaces).
4. Constructing a new Maintenance Building.

The new multifamily building (#1 above) would be located within the area to be rezoned B-2. The other buildings (2, 3, and 4 above) would be located within the proposed R-5a zone. The figure below delineates the area to be rezoned from R-5 to R-5a in red, and from R-5 to B-2 in blue:



Figure 2: Proposed Redevelopment Site Plan (Plan 3)

IV. EXISTING CONDITIONS AND SURROUNDING AREA

The proposed zoning map amendments are within the Riverton Park development (Chart 327, Block B, Lot 12, 2 Riverton Drive), with Riverton Drive as the internal road connecting with Forest Avenue to the north. The site currently consists of 25 residential buildings, 141 townhome apartments, and an administrative building.

In addition to the applicant's property, the immediate vicinity west of Interstate 95 contains a mix of residential and commercial uses along Forest Avenue and Riverside Street. Residential uses include single family homes and larger apartment complexes, such as Wellesley Estates and Terrace Pond Apartments, which immediately abuts Riverton Park to the west. Businesses in the area include a Hannaford grocery store, a gas station with convenient store, auto repair, restaurants, and breweries. Riverton Trolley Park is located across Riverside Street roughly 0.25 mile to the north and includes a baseball field, passive open space, and trails. To the east, inbound Forest Avenue extends toward peninsula Portland, and the remaining section of outbound Forest Avenue heads into Westbrook. Beyond the intersection of Riverside Street and Forest Avenue, Riverside Street includes a mix of light, medium, and heavy industrial zones.

In recent years, the Planning Board approved two projects in the vicinity of the Riverton Park campus, located at 1844 Forest Avenue and 1884 Forest Avenue, respectively. In February of 2021, the Planning Board approved a 17-unit residential development at 1844 Forest Avenue, located several blocks east of the Riverton Drive entrance to Riverton Park, which included converting an existing three-story, commercial building into a residential apartment building. In February of 2020, the Planning Board approved a project located at 1884 Forest Avenue comprised of a 5,000 square foot convenience store with eight associated fueling pumps and a 7,800 square foot multi-tenant retail space. This site includes a pedestrian access point to the Riverton Park campus at the rear of the lot, and a METRO bus shelter, to be located within the northwest portion of the lot, was also incorporated into the site.

METRO transit routes near the site include the Greater Portland METRO Local service Route 2 and the Lakes Region Bus route. The nearest transit stops to the applicant's site are along Forest Avenue near the intersection of Riverton Drive and Forest Avenue. A new METRO bus shelter will be constructed as part of the 1884 Forest Avenue build out.

V. PROPOSED TEXT AMENDMENT

a. Applicant Proposal

The applicant proposes a zoning map amendment to rezone the applicant's property located at 2 Riverton Drive from R-5 to both B-2 and R-5a. The B-2 zone will allow for a small-scale retail space closest to Forest Avenue and the R-5a zone would allow on-site amenities and services while permitting an increase in allowable density and facilitating affordable housing opportunities in the neighborhood. The applicant's submittal (Plan 2) shows that the Riverton Park parcel will be

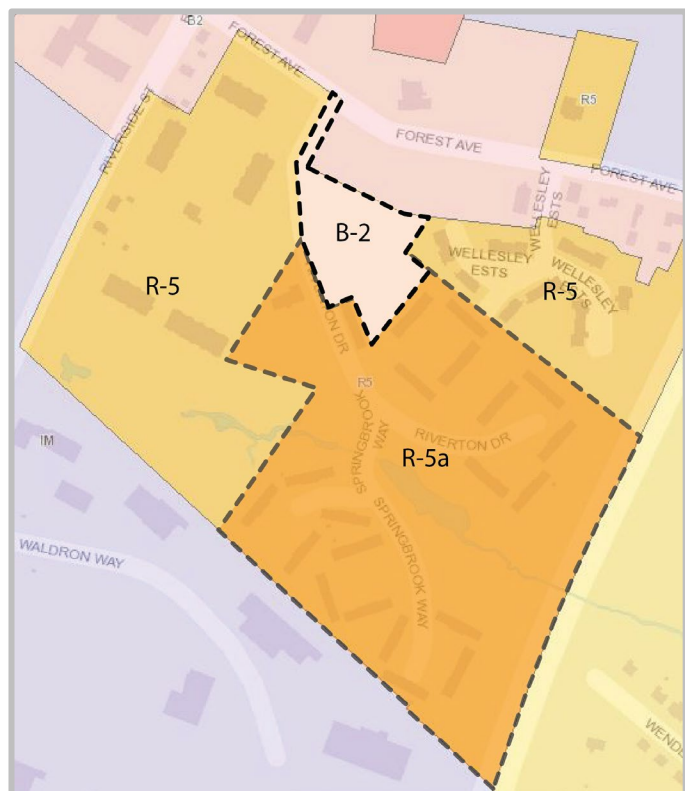


Figure 3: Applicant's Zoning Proposal

divided within the two above-referenced zones; the B-2 zone portion will be adjacent to the Riverton Drive entrance off of Forest Avenue, providing retail and other services for the neighborhood, with the R-5a zone covering the remainder of the parcel.

The applicant is also proposing a text amendment to *Table 6-A: Permitted and Conditional Uses in Residential Zones* (Attachment C) and *Table 7-A: Residential Zone Dimensional Standards* (Attachment D) to allow places of assembly in the R-5a zones. The text amendment to Table 6-A labels Places of Assembly (regardless of size) as conditional uses in the R-5a zone. The text amendment to Table 7-A adds a minimum lot area requirement for Places of Assembly of less than 10,000 square feet of a one-half acre and, for Places of Assembly greater than 10,000 square feet, a minimum lot size of one acre.

b. Staff Recommendation

Along with the applicant's parcels, staff recommends that the Planning Board consider extending the R-5a zone to the surrounding R-5 zone bounded by Forest Avenue, Riverside Street, and I-95. The only differences between the R-5 and R-5a zones are that a multiplex does not have to be at least 9,000 square feet and that the minimum lot area per dwelling unit is 1,600 square feet instead of 3,000 square feet (or 4,500 square feet for a multiplex). The Riverton Drive parcel (proposed R-5a zone) is surrounded by two Planned Residential PRUDs and two single-family homes (CBLs 327 B013, 324 A002, 324 A004001, and 324 A005001). Extending the R-5a rezoning would not have a negative impact on any of the parcels. The lot at 705 Riverside Street (CBL 324 A004001) is legally nonconforming because the lot size is only 5,485 square feet and will continue to be legally nonconforming under the R-5a zone. This staff recommendation also includes minor adjustments to the internal proposed B-2 zone boundary to accommodate future dimensional setbacks.

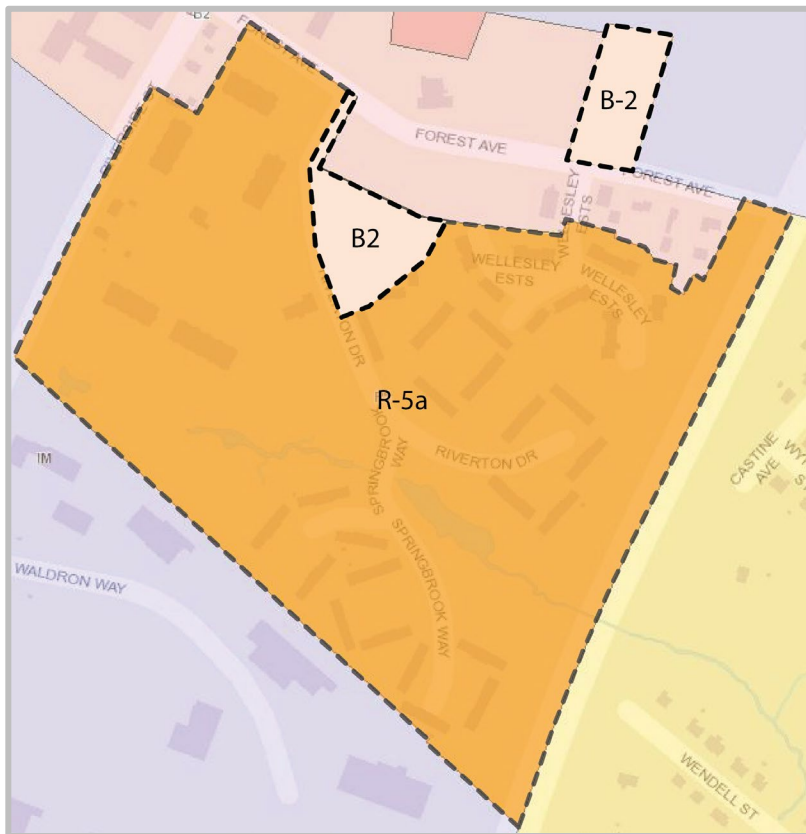


Figure 4: Staff Rezoning Recommendation

Additionally, staff recommend rezoning the R-5 parcel at 1837 Forest Avenue (CBL 327A A002001) to B-2 as well after receiving feedback from the Planning Board. After internal conversations, staff have opted to remove the proposed B-2 shown at the February Workshop. While there are situations where split lot conditions exist throughout the City, City policy generally tries to avoid such boundaries. However, split zoning lots may be appropriate in specific locations. In this instance, the parcel is fully developed with an existing housing complex and rezoning the parcel to B-2 is not expected to result in redevelopment and the buildings would continue to function residential. Therefore, staff recommend not bifurcating the site with a new zone that is not anticipated to result in new development.

VI. PREVIOUS WORKSHOP

At the February Workshop, the Planning Board reviewed the initial proposal for the Riverton Park rezoning including the applicant's proposal and the staff recommendation. The applicant and city staff spoke to the needs of the project prompting an overview of future plans at the site. Planning Staff noted that conversations have been ongoing over the last 16 months. The Planning Board asked the applicants questions regarding density on-site. The applicant responded saying that they are comfortable with the density provided in the R-5a zone and that the site fits the future needs of the Portland Housing Authority. Planning Board members asked staff if it would be possible to extend the R-5a zone to include the surrounding parcels currently zoned R-5 to allow for increased density for future projects in the area. The Planning Board also requested more information regarding setbacks between zones.

VII. ZONING ANALYSIS

R-5 Residential Zone

The existing zoning at 2 Riverton Drive is entirely R-5 Residential. The purpose of the R-5 Residential zone is to:

"...provide appropriate areas of the city for medium-density residential development characterized by single-family, two-family and low-intensity multifamily dwellings on individual lots; to ensure the stability of established medium-density neighborhoods by controlling residential conversions; and to provide for planned residential unit development on substantially-sized parcels."

The applicants are seeking zoning that allows for higher density residential development that extends beyond the scope of the R-5 Residential zone. The R-5 zone has a minimum dwelling unit per lot area of 3,000 sq. ft. while the R-5a zone has a minimum dwelling unit per lot area of 1,600 sq. ft and permits buildings up to a maximum height of 35 feet. In addition, multifamily projects in the R-5a zone shall apply the PRUD dimensional standards specified in Table 7-B. The minimum net land area per dwelling unit for PRUDS in the R-5a zone is 1,600 square feet and can be reduced down to 800 square feet when utilizing affordable housing bonuses and building heights are permitted up to a max of 55 feet. Furthermore, to promote development of low- and moderate-income development any PRUD project in which more than 50 percent of the units are low-income or workforce units for rent or for sale may utilize the following density bonuses outlined in Section 18.2.4:

1. Minimum lot area per dwelling unit is reduced by 50%;
2. Maximum number of units and maximum length of buildings do not apply but may be set through site plan review;
3. Minimum building setbacks may be reduced to 10 feet;
4. The PRUD may cross public rights of way provided that the right of way does not count towards minimum lot size nor towards any open space requirements;
5. Minimum recreation open space area is reduced to 200 square feet per dwelling unit of common area designated for recreational purposes by the residents. Minimum contiguous size and setbacks do not apply and shall be set through site plan review; and
6. The Planning Board's Design Manual, design standards, and guidelines with respect to PRUDs shall apply in full to PRUDs utilizing this subsection.

Increased density in the R-5a zone, particularly when utilizing the affordable housing density bonus provisions would allow more room for additional development intensity in the proposed redevelopment plan.

In addition to the zoning change from R-5 to R-5a the applicant is also seeking to rezone a portion of the property to the B-2 Community Business zone to accommodate retail space.

B-2 Community Business Zone

The purpose of the B-2 Community Business zone is to:

“...provide appropriate locations for the development and operation of community centers offering a mixture of commercial uses, housing, and services serving the adjoining neighborhoods and the larger community. The variety, sites, and intensity of the permitted commercial uses in the B-2 zone are intended to be greater than those permitted in the B-1/B-1b zones. The zone provides a broad range of goods and services with a mixture of large and small buildings, such as grocery stores, shops and services located in major shopping centers and along arterial streets. Such establishments should be readily accessible by automobile, by pedestrians and by bicycle. Development in the B-2 zone should relate to the surrounding neighborhoods by design, orientation, and circulation patterns. The zone should provide locations for moderate to high-density housing in urban neighborhoods along arterials.”

With the intention of constructing a multi-use building, the proposed B-2 lot towards the entrance of Riverton Drive off of Forest Avenue would allow for a variety of uses as shown in Table 2 below that support the redevelopment of Riverton Park and the surrounding neighborhood. Furthermore, staff determined that the B-2 zone matches the surrounding zoning context along Forest Avenue and parts of Riverside Street. Accordingly, staff are also recommending to extend the B-2 zone from the applicant's proposal to include an existing R-5 parcel at 1837 Forest Avenue..

R-5a Residential Zone

The purpose of the R-5a Residential zone is to:

“...aside areas on the peninsula for housing characterized primarily by multi-family dwellings at a high density providing a wide range of housing for differing types of households; to conserve the existing housing stock and residential character of neighborhoods by controlling the scale and external impacts of professional offices and other nonresidential uses; and to encourage new housing development consistent with the compact lot development pattern typically found on the peninsula.”

Given the above purpose statement, Planning staff have determined that the proposed R-5a zone to be mapped in the remainder of the parcel is an appropriate district due to the existing residential use, the proposed future changes to the site, and the existing built environment, including access to transportation routes.

Table 1 provides a comparison of the permitted uses for zones under consideration. Uses marked with a ‘P’ are permitted uses in the zone. A ‘C’ indicates a conditional use. Red text or a * indicates proposed amendments associated with this proposal. Uses with an empty cell are **not** permitted in the zone. ** indicates that other restrictions apply.

Table 2 provides a comparison of the dimensional requirements for zones under consideration.

Table 1 - Permitted Uses	R-5	R-5a	B-2
Single-family dwellings	P	P	P
Two-family dwellings	P	P	P
Multi-family dwellings	C	P	P

Multiplex	P		
Congregate care facilities		P	
Handicapped family units	P	P	
Planned Residential Unit Developments	P	P	
Special needs independent dwelling units	P		
Combined living/working spaces			P
Lodging houses	C		P
Sheltered care group homes	C	C	
Clinics			P
Elementary, middle, and secondary schools	C		P
Governmental uses	P	P	P
Hospitals	C		P
Intermediate care facilities	C	P	P
Long-term and extended care facilities	C	P	P
Places of assembly (<10,000 sq. ft.)	C	C*	P
Places of assembly (>10,000 sq. ft.)	C	C*	P
Preschool facilities	C	C	P
Post-secondary schools	C		P
Adult business establishments			P
Auto, boat, and related dealerships			C
Auto service stations			C
Bars			P
Bed and breakfasts			P
Funeral Homes			P
General offices (<5,000 sq. ft.)			P
General offices (>5,000 sq. ft.)			P
General services (<5,000 sq. ft.)			P
General services (>5,000 sq. ft.)			P
Hotels			P
Marijuana retail store			P
Registered marijuana dispensary			P
Restaurants			P
Retail (<5,000 sq. ft.)			P
Retail (5,000 – 25,000 sq. ft.)			P
Retail (>25,000 sq. ft.)			P
Small-scale marijuana caregiver			P
Theaters and performance halls			P
Veterinary services			P
Communication studios			P
Laboratory and research facilities			C
Low-impact industrial (<10,000 sq. ft.)			P**
Low-impact industrial (>10,000 sq. ft.)			P**
Printing and publishing			C**
Repair services			P
Studios for artists and craftspeople			P
Warehouse, storage, and distribution			C**

Cemeteries			
Off-street parking	C		
Parks and open spaces	P	P	P
Solar energy system (minor)	P	P	P
Utility substations	C	C	P
Wind energy system (minor)			C

Table 2 - Zoning Requirements	R-5	R-5a	B-2
Lot Size (min)	6,000 sq. ft. to 5 ac. (depending on use)	6,000 sq. ft. to 2 ac. (depending on use)	
Density (min)	3,000 sq. ft. (lot area per dwelling unit) 1,000 sq. ft. (lot area per rooming unit) 4,500 sq. ft. (lot area per multiplex unit)	1,600 sq. ft. (lot area per dwelling unit)	1,000 sq. ft. (off-peninsula) 350 sq. ft. (lot area per rooming unit, off-peninsula)
Street Frontage (min)	50 ft.	50 ft.	20 ft.
Front Yard (min)	20 ft.	25 ft.	
Front Yard (max)			10 ft.
Rear Yard (min)	5 ft.	5 ft.	10 ft. (principal) 5 ft. (accessory)
Side Yard (max)	14 ft.	16 ft.	None (principal) 5 ft. (accessory)
Side Yard (Side Street, min)	15 ft.	20 ft.	
Stepbacks			5 ft. (side) 15 ft. (rear)
Lot Coverage (max)	40%	30%	
Impervious Area (max)			None (residential) 80% (other uses)
Lot Width (min)	60 ft. (90 ft. for multiplex)	60 ft.	
Building Height (max)	35 ft.	35 ft.	45 ft. 50 ft. (if first floor is in commercial use) 65 ft. (in lots >5 ac.)
Floor Area (max)			10,000 sq. ft. (laboratory and research facilities, warehousing)

VIII. COMPREHENSIVE PLAN CONSISTENCY

Portland's Plan 2030

As part of their application, the applicant highlighted a variety of elements from *Portland's Plan 2030* as it relates to the proposed map and text amendments (Attachment B). Many elements of this attachment relate more directly to the future use associated with 2 Riverton Drive.

However, staff have identified that the map and text amendments align with Portland's comprehensive plan, *Portland's Plan 2030* by enhancing the ability for the applicant to rehabilitate existing affordable housing and redevelop existing structures in the Riverside neighborhood, providing the opportunity for a complete neighborhood by allowing a mixture of uses within a residential neighborhood, and increasing the services provided within a walking and transit radius. In addition, the proposed map and text amendments would foster sustainable growth by increasing the number of dwelling units per acre in a location proximate to transit, with access to services and open space. The zoning changes would address community priorities for affordable housing, economic development, sustainability, and increased neighborhood services by allowing construction of new housing at approximately two to four times greater density than currently permitted under the R-5 zone, including deed restricted workforce and low-income housing, and support job growth by expanding the existing B2 zone. Relevant Comprehensive Plan goals and objectives also include:

Environmental:

Support Sustainable Land Use & Transportation Policies

"Adopt sustainable land use and transportation policies that support connectivity, walkable neighborhoods, and multi-modal transportation."

Housing:

Remove Housing Barriers

"Evaluate whether current zoning allows for new development consistent with historic patterns of form, density, and/or use, as well as whether it allows for priority growth areas."

Promote Sustainability

"Encourage energy efficiency in new construction and rehabilitation of our housing stock."

Support Age-Friendly Housing Options

"Create, promote, and facilitate safe, affordable, and practical housing solutions that will meet the evolving needs of Portland's residents as they age."

Adapt Affordable Housing

"Assess the capacity of existing affordable housing developments, many of which were built over four decades ago, to adapt to current best practices by improving energy efficiency and physical and social connections to surrounding neighborhoods."

"Pursue new opportunities for increased energy efficiency, increased densities, mixed incomes, and greater connectivity to surrounding neighborhoods."

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

Encourage additional contextually appropriate housing density in and proximate to neighborhood centers, concentrations of services, and transit nodes and corridors as a means of supporting complete neighborhoods."

“Pursue policies to enable people who work in Portland to have the option to live in Portland.”

Economy:

Support Local Business Retention & Recruitment

“Pursue policies that create, nurture, and retain local businesses.”

“Support job creation and business growth through public initiatives, and private, institutional, and regional partnerships.”

Recreation & Open Space:

Ensure Equity

“Pursue opportunities, in collaboration with partners, to create new open spaces in areas that are currently underserved.”

“Distribute community gardens, playgrounds, fields, public art, historic resources, and other program elements where the demand and need are greatest, and periodically assess demands and needs.”

Future Land Use

Priority Nodes & Corridors

“Priority nodes and corridors indicate areas that would be appropriate for new development to provide needed housing, businesses, and services proximate to transit, or areas that otherwise warrant some examination of potential for positive change in form and/or function.”

IX. NEIGHBORHOOD MEETING & PUBLIC COMMENT

The applicant held a neighborhood meeting on Wednesday, February 2, 2022 (Attachment G). Invitations for the remote meeting were sent to properties within 500 feet of the proposed development and residents on the “interested parties” list. There were no attendees for the meeting.

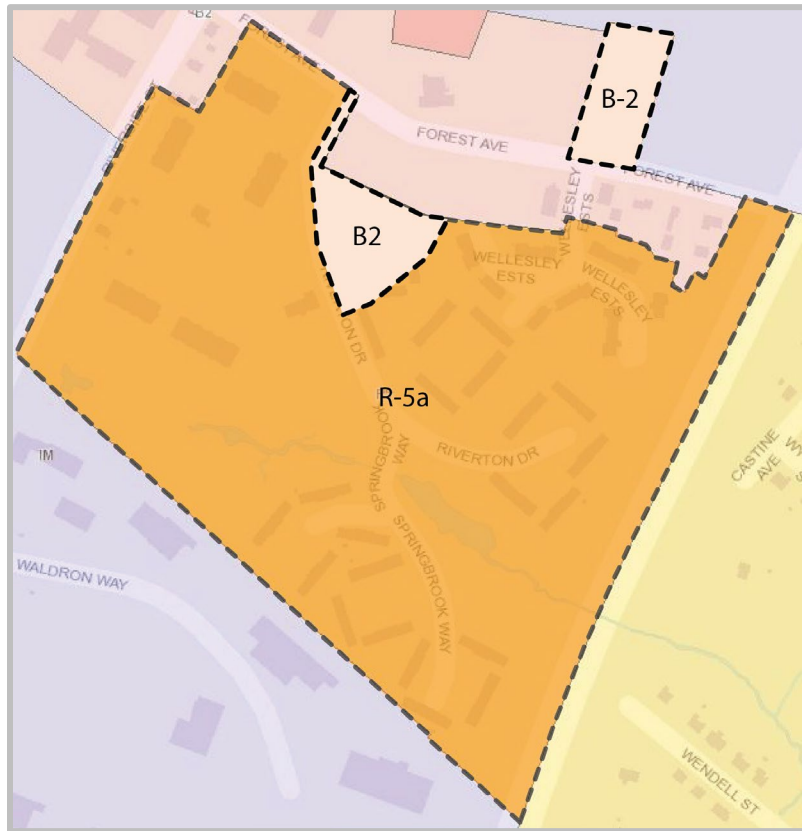
One public comment has been submitted to the Planning & Urban Development Department.

X. REQUISITE COUNCIL ACTION

Any proposed rezoning, regardless of whether it is recommended by the Planning Board, must be approved by City Council vote in order to take effect.

XI. PROPOSED MOTIONS

1. On the basis of materials submitted by the applicant, the City of Portland Land Use Code, Portland’s Comprehensive Plan, public comment, and the information provided in the public hearing on April 12, 2022 for the application ZN-001811-2021 (2 Riverton Drive), and/or other findings, the Planning Board finds that the proposed zoning map amendment **[is/is not]** consistent with the Comprehensive Plan for the city of Portland; and therefore, the Planning Board **[recommends/does not recommend]** to the City Council adoption of the Zoning Map amendment for the area of land that includes 2 Riverton Drive, 1837 Forest Avenue, 1838 Forest Avenue, 705 Riverside Street, 707 Riverside Street, and 723 Riverside Street as shown below:



2. On the basis of materials submitted by the applicant, the City of Portland Land Use Code, Portland's Comprehensive Plan, public comment, and the information provided in the public hearing on April 12, 2022 for the application ZN-001811-2021 (2 Riverton Drive), and/or other findings, the Planning Board finds that the proposed text amendment to Land Use Code *Table 6-A: Permitted and Conditional Uses in Residential Zones* and *Table 7-A: Residential Zone Dimensional Standards* to allow places of assembly in the R-5a zones **[is/is not]** consistent with the Comprehensive Plan for the City of Portland; and therefore, the Planning board **[recommends/does not recommend]** to the City Council adoption of the text amendments.

XII. ATTACHMENTS

REPORT ATTACHMENTS

1. Staff Rezoning Recommendation

APPLICANT SUBMITTAL

- A. Project Description
- B. Comprehensive Plan Consistency
- C. Chapter 14 Section 6 Text Amendments
- D. Chapter 14 Section 7 Text Amendments
- E. Application Checklist
- F. Right, Title, and Interest
- G. Riverton Park Neighborhood Meeting Packet

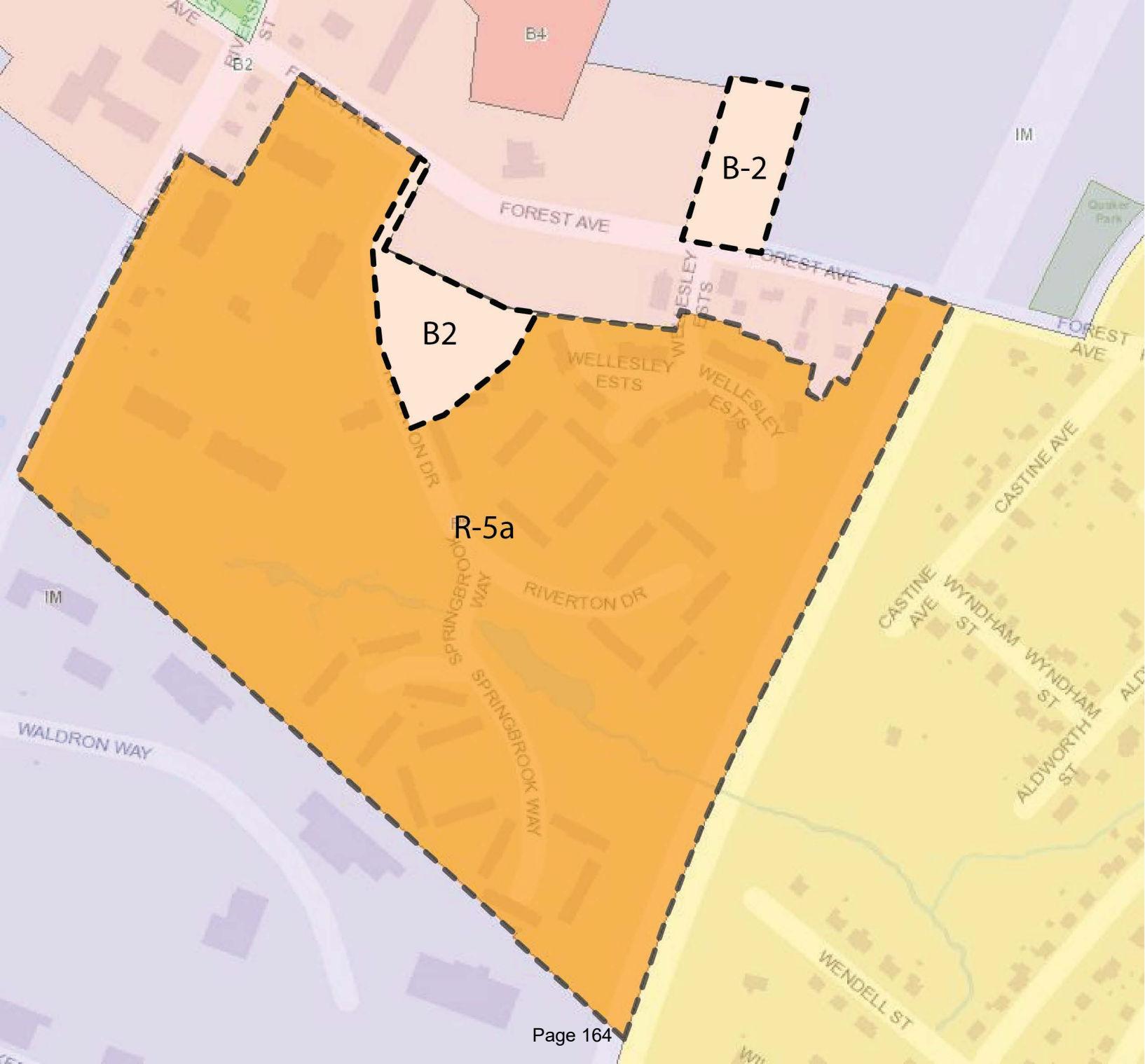
PLANS AND DRAWINGS

- Plan 1. Vicinity Map

Plan 2. Zoning Map – Existing and Proposed
Plan 3. Site Plan and Rezone Areas

PUBLIC COMMENT

PC 1. GR 2-22-22





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14 Baxter Boulevard
Portland, ME 04101
Office: 207-773-4753
Fax: 207-761-5886

October 15, 2021

Mr. James Rather
City of Portland
389 Congress Street, 4th Floor
Portland, Maine 04101

**RE: Riverton Park – Map & Text Amendment Application
Tax Map 327-B-012**

Dear James,

On behalf of Portland Housing Authority (PHA) and Portland Housing Development Corporation (PHDC), we are pleased to submit this Application for a Map and Text Amendment associated with Riverton Park. Riverton Park is currently entirely within the R-5 residential zone. We propose amending the Portland Zoning Map such that a portion of the site closest to Forest Avenue would be zoned B-2 Community Business and the majority of the property would be zoned R-5A. We also propose text amendments to the R-5A to allow Places of Assembly greater than 10,000 square feet. These amendments will enable PHA and PHDC to carry out a significant renovation and redevelopment of Riverton Park.

The property currently contains 25 residential buildings with 141 townhome apartments, as well as a small administration building. Built in 1972, this Public Housing community faces a long backlog of capital improvements after five-decades without a significant renovation. Though reasonably maintained by dedicated staff and maintenance personnel, only rehabilitation and redevelopment will ensure that Riverton Park homes remain healthy, safe, accessible, energy-efficient and affordable for the long-term.

Our Riverton Park plan aims to preserve and expand Portland's stock of affordable homes, improve resident service delivery, better connect Riverton Park with surrounding neighborhoods, and increase residents' economic opportunities. Four components comprise our plan:

1. Demolition of 4 buildings with 24 units closest to Forest Avenue, and redevelopment with a single, 4-story multifamily building with approximately 59 units. Its ground-floor would house a PHA Management office, Greater Portland Health clinic, and small space for neighborhood retail.
2. Rehabilitation of 21 residential buildings with approximately 124 residential townhome units.
3. Demolition of existing administration building, and redevelopment with a significantly larger new Community Center for resident services, including space for Boys & Girls Club, PHA Study Center, Community Policing, community kitchen, food pantry, and community gathering spaces.
4. New construction of a Maintenance Building.

The new multifamily building (#1 above) would be located within the B-2 zone. Items #2, #3 and #4 above would be located within the proposed R-5A zone.

The project envisions a small, ground-floor neighborhood retail space fronting Riverton Drive within the new multifamily building. The goals of this retail space are to encourage entrepreneurship among our residents, offer additional services/amenities to this neighborhood, and incubate small local businesses, which align with the City Comprehensive Plan. Though the amount of space dedicated to retail will be small compared to the overall proposed project, it is a use that will help cultivate a more complete neighborhood, another Comprehensive Plan goal. This potentially-high-impact effort can help create a more equitable, dynamic and thriving Riverton Park community. As a not-for-profit organization, Portland Housing plans to explore local partnerships that further economic opportunities for our residents. No specific retail tenant, service, or design has yet been confirmed, and we expect more information to be available to the Planning Board as part of Riverton Park's Major Site Plan submission.

It is anticipated that approximately 49% of net new units will be affordable at Riverton Park. Specifically, we anticipate a net increase of 17 affordable units out of 35 total net new units. We request the project receives eligibility for the 25% application fee reduction for Development Fees under Article 18 of ReCode.

We welcome the opportunity to discuss Riverton Park with Planning Staff and the Planning Board, and look forward to working closely with you as this important project advances. Please contact us if you have questions or need additional information.

Sincerely,



Tyler Plante
Development Officer
PHA & PHDC

cc: Patrick Carroll, Carroll Associates Landscape Architects
Ben Walter, CWS Architects

Consistency with Comprehensive Plan

Riverton Park

Policy Guide: Environment

7. Support Sustainable Land Use & Transportation Policies

- *“Continue to develop land use policies which support complete neighborhoods.”* – The project will provide Riverton Park with diverse and affordable housing options, community gathering places/plazas, a community healthcare clinic, convenient resident services, recreation and open spaces, improved pedestrian infrastructure, and neighborhood retail opportunities. These will support the health and wellbeing of residents, building sustainability, community connectivity, youth development, and accessibility and aging-in-place.

Policy Guide: Housing

3. Remove Housing Barriers

- *“Evaluate whether current zoning allows for new development consistent with historic patterns of form, density, and/or use, as well as whether it allows for priority growth areas.”* – Riverton Park currently contains multifamily rental apartments, and the project proposes to increase the overall number of rental units available.

4. Promote Sustainability

- *“Encourage energy efficiency in new construction and rehabilitation of our housing stock.”* – The rehabilitation will significantly improve the energy-efficiency of existing buildings through new windows, doors, roofing, continuous exterior insulation, air sealing, and mechanical/heating equipment. The new multifamily building will be significantly more efficient than a code-built building and aims to achieve Passive House certification, the world's leading standard in energy-efficient construction. The project will add rooftop solar photovoltaic (PV) panels to generate clean, renewable energy for the property.

8. Support Age-Friendly Housing Options

- *“Create, promote, and facilitate safe, affordable, and practical housing solutions that will meet the evolving needs of Portland residents as they age.”* – The project will create approximately 19 accessible units for persons with a physical disability. At least 2% of units will serve persons with a sight- or hearing-impairment. To facilitate aging in place, the new multifamily building will be elevatorized and include a diversity of unit sizes, ranging from studios to three-bedroom units. Sitework will improve accessible routes throughout the site. Many resident services offered at Riverton Park will be intergenerational.

9. Adapt Affordable Housing

- *“Assess the capacity of existing affordable housing developments, many of which were built over four decades ago, to adapt to current best practices by improving energy efficiency and physical and social connections to surrounding neighborhoods.”* – The project will contribute to the physical revitalization of this deeply affordable multifamily community built in the early-70’s,

which will significantly improve building energy-efficiency. The project will improve connectivity to surrounding neighborhoods through the potential road extension of Pinewood Drive to Waldron Way.

- *“Pursue new opportunities for increased energy efficiency, increased densities, mixed incomes, and greater connectivity to surrounding neighborhoods.”* – The project will increase energy-efficiency of the community (see “4. Promote Sustainability” above). The project will increase residential densities of the community to approximately 183 units from 141 units currently. The project will add approximately 18 market-rate units to the property. The project will improve connectivity to surrounding neighborhoods through the potential road extension of Pinewood Drive to Waldron Way.

Policy Guide: Economy

2. Support Local Business Retention & Recruitment

- *“Pursue policies that create, nurture, and retain local businesses.”* – A small neighborhood retail space is envisioned to encourage entrepreneurship among Riverton Park residents, offer additional services/amenities to this neighborhood, and incubate small local businesses.
- *“Support job creation and business growth through public initiatives, and private, institutional, and regional partnerships.”* – PHA will draw on our extensive community partnerships to promote economic opportunities and/or small business incubation for the Riverton Park community, using the Community Center and neighborhood retail space to further these goals.

Policy Guide: Recreation & Open Space

4. Ensure Equity

- *“Pursue opportunities, in collaboration with partners, to create new open spaces in areas that are currently underserved.”* – The project will create a new community plaza, recreation field, playground space, and basketball court at Riverton Park. Our on-site resident service partners may utilize these spaces, including the Boys & Girls Club and Opportunity Alliance.
- *“Distribute community gardens, playgrounds, fields, public art, historic resources, and other program elements where the demand and need are greatest, and periodically assess demands and needs.”* – The project proposes to create new community gardens, a new recreation field, a new community plaza, playground space, walking trails through forest, and upgrade existing playgrounds at Riverton Park.

Future Land Use

Priority Nodes & Corridors

- *“Priority nodes and corridors indicate areas that would be appropriate for new development to provide needed housing, businesses, and services proximate to transit, or areas that otherwise warrant some examination of potential for positive change in form and/or function.”* – The project is located off of Forest Avenue, a Priority Corridor, and very close to the Forest Avenue/Riverside Drive intersection, a Priority Node. A METRO Transit Stop is located on Forest Avenue within 100 feet of the Riverton property.

TABLE 6-A: PERMITTED AND CONDITIONAL USES IN RESIDENTIAL ZONES

		R-1	R-2	R-3	R-4	R-5/R-5a	R-6/R-6a	Use Standards
Residential	Single-family dwellings	●	●	●	●	●	●	
	Two-family dwellings				●	●	●	
	Multi-family dwellings			○		○ ¹ /● ²	●	6.5.6(G)
	Multiplex				○	● ¹		6.4.12
	Congregate care facilities					● ²		
	Handicapped family units	●	●	●	●	●	●	
	Planned Residential Unit Developments			● ⁴		● ⁴		
	Special needs independent dwelling units				●	● ¹	●	
Institutional	Lodging houses					○ ^{1,3}	●	6.4.9
	Sheltered care group homes	○	○	○	○	○	○	6.5.6(K)
	Elementary, middle, and secondary schools	○	○	○	○	○ ¹	○	6.5.6(F)
	Governmental uses	●	●	●	●	●	●	
	Hospitals			○		○ ¹	○	
	Intermediate care facilities	○	○	○		○ ¹ /● ²	○	
	Long-term and extended care facilities	○	○	○		○ ¹ /● ²	○	6.5.6(F)
	Places of assembly (<10,000 SF)	○	○	○	○	○ ⁴	○	
	Places of assembly (>10,000 SF)	○	○	○	○	○ ⁴	○	
	Preschool facilities	○	○	○	○	○	○	6.5.6(I)
Comm.	Post-secondary schools		○			○ ¹	○	6.5.6(F)
	Bed and breakfasts						●/○ ⁵	6.4.4
	General offices (<5,000 SF)						○	6.5.6(C)
	Hostels						●/○ ⁶	6.4.8
Other	Agriculture	●	●					
	Cemeteries	○	○		●		●	
	Off-street parking			○	○	○ ¹	○	6.5.6(H)
	Parks and open spaces	●	●	●	●	●	●	
	Raising of domesticated animals	○						6.5.6(J)
	Solar energy system (minor)	●	●	●	●	●	●	6.4.16
	Utility substations	○	○	○	○	○	○	6.5.6(L)

¹ In the R-5 zone only.² In the R-5a zone only.³ Conversions of existing two-family or multiplex structures into lodging houses are permitted as a conditional use, provided that the lodging house shall not be located within 500 ft. of another as measured along street lines.⁴ Must consist of horizontally or vertically attached dwelling units, or a series of such dwelling units, with all land owned and used in common. PRUDs shall be subject to review and approval by the Planning Board under Article 15.⁵ Permitted if a conversion of a structure existing as of 3/3/97 to up to four guest rooms and conditional if a conversion of the same to five to nine rooms.⁶ Permitted if for no more than 10 overnight transient guests and conditional if for between 11 and 20 overnight transient guests. An owner, manager, or operator shall be a permanent resident of the building.



TABLE 7-A: RESIDENTIAL ZONE DIMENSIONAL STANDARDS

	R-1	R-2	R-3 ²	R-4	R-5 ^{2, 3}	R-5a ⁴	R-6 ^{6, 7}	R-6a ¹³
Lot area (min.)	Governmental	15,000 SF	10,000 SF	6,500 SF	6,000 SF	6,000 SF		
	Hospital		10 ac.		5 ac.		2 ac.	
	Intermediate or long-term, extended care facility	3 ac.	3 ac.	2 ac.	2 ac.	1.5 ac.	1 ac. ⁸	
	Lodging house				9,000 SF		2,000 SF	
	Multiplex			9,000 SF	9,000 SF			
	Place of assembly	<10,000 SF	1 ac.	1 ac.	1 ac.	15,000 SF	.5 ac.	10,000 SF
		>10,000 SF	2 ac.	2 ac.	2 ac.	30,000 SF	1 ac.	15,000 SF
	Post-secondary school		2 ac.		2 ac.		2,000 SF	
	Elementary, middle, and secondary school	2 ac.	2 ac.	2 ac.	30,000 SF	30,000 SF	30,000 SF	
	Raising of animals	3 ac.						
	Residential	15,000 SF	10,000 SF	6,500 SF	6,000 SF	6,000 SF ⁹	6,000 SF / 2 ac. max ⁵	2,000 SF
	All other uses	15,000 SF	10,000 SF	6,500 SF	6,000 SF	6,000 SF	2,000 SF	4 ac.
	Lot area per dwelling unit (min.)	15,000 SF	10,000 SF	6,500 SF	3,000 SF	3,000 SF	1,600 SF	725 SF
	Lot area per rooming unit (min.)					1,000 SF		250 SF ⁹
Lot area per multiplex unit (min.)				3,000 SF for first 3, 6,000 SF thereafter	4,500 SF			
Lot area per SNIDU ¹ (min.)				2,400 SF	3,600 SF			
Street frontage (min.)		75 ft.	50 ft.	50 ft.	50 ft.	50 ft.	50 ft.	20 ft.
Lot width (min.)		100 ft.	80 ft.	65 ft.	60 ft.	60 ft. 90 ft. for multiplex	60 ft.	20 ft.
Front setback (min.)		25 ft.	25 ft.	25 ft.	25 ft.	20 ft.	25 ft.	5 ft.
		Or average depth of adjacent front yards						
Rear setback (min.)		25 ft.	25 ft.	25 ft.	25 ft.	20 ft.	25 ft.	10 ft.
	Detached accessory (< 250 SF footprint)	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.
	<1.5 stories to 1.5 stories	12 ft.	12 ft.	8 ft.	10 ft.	8 ft.	10 ft.	<45 ft. in height: 10 ft.
Side setback (min.)	2 stories	14 ft.	14 ft.	14 ft.	14 ft.	12 ft.	14 ft.	
	2.5 stories	16 ft.	16 ft.	16 ft.	16 ft.	14 ft.	16 ft.	5 ft. ¹⁰
	Detached accessory (< 250 SF footprint)	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.	>45 ft. in height: 15 ft.
	On side street (min.)	20 ft.	20 ft.	20 ft.	20 ft.	15 ft.	20 ft.	None
Or depth of front yard directly abutting the lot.								

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TABLE 7-A (CONT.): RESIDENTIAL ZONE DIMENSIONAL STANDARDS

CITY OF PORTLAND
Planning & Urban Development Department

Att. E

MAP AND TEXT AMENDMENT SUBMISSION CHECKLIST	
* Please submit each document <u>and</u> drawing as a separate PDF file * Please submit all drawings in a <u>24 x 36 sheet size</u> * Please confirm each item by electronically checking the boxes to the left for each document/drawing	
<u>Exhibit #</u>	GENERAL APPLICATION DOCUMENTS
1	☒ Project Description Cover Letter with detailed project description
2	☒ Consistency with Comprehensive Plan Analysis of the consistency of the zone change request with the goals, policies and land use plan of Portland's Comprehensive Plan.
3	☒ Proposed Text Amendment Provide proposed language for text amendment(s) and cite the relevant sections to be revised in the Land Use code.
4	☒ Completed Checklist – Map and Text Amendment Application (this document)
5	☒ Right, Title and Interest Deeds, leases, or purchase and sales agreements
PLANS	
6	☒ Vicinity Map
7	☒ Proposed Map Amendment (please use the Portland zoning map as a reference)
8	☒ Site Plan (if applicable) On a separate sheet, please provide a site plan of the property showing existing and proposed improvements, including such features as buildings, parking, driveways, walkways, landscape and property boundaries.

Know all Men by these Presents

That F. D. RICH HOUSING CORP., formerly known as F. D. Rich Modular Housing Corp., a corporation organized and existing under the laws of the State of Delaware with an office ~~and~~ located at Stamford - - - - - in the County of Fairfield and State of Connecticut in consideration of one dollar and other valuable considerations, paid by the PORTLAND HOUSING AUTHORITY, a public body duly created and organized pursuant to the laws of the State of Maine, with an office at 211 Cumberland Avenue, Portland, Maine, - - - - - the receipt whereof it does hereby acknowledge, does hereby give, grant, bargain, sell and convey unto the said PORTLAND HOUSING AUTHORITY, its successors - - - - - ~~and~~ and assigns forever,

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

Beginning at a point on the southwesterly side of said Forest Avenue, which point is 386.56 feet southeasterly, on a course of S 59°-06'-30" E, from the intersection of the southwesterly side line of Forest Avenue with the southeasterly side line of Riverside Street and 50.21 feet northwesterly along Forest Avenue from an iron pin at the most northerly corner of land of the Cornerstone Masonic Corporation; thence S 45°-35' W, along land of this Grantor 188.75 feet to a point; thence S 11°-35' W, 230 feet to a point; thence S 47° W, 360 feet to a point; thence S 43° E, 242 feet to a point; thence S 56°-07'-30" W, 413.61 feet to a point; and land conveyed by Neal D. Lunt to Mary J. Field, et al, by deed dated October 30, 1905 and recorded in the Cumberland County Registry of Deeds, Book 776, Page 165; thence S 30°-53'-30" E, along said Field land, part of which is now or formerly owned by Charles Kaatz, 885.13 feet to a monument at the Westerly corner of land conveyed by Ellie K. Hawes to Maine Turnpike Authority by deed dated October 5, 1954 and recorded in said Registry of Deeds, in Book 2195, Page 453; thence northeasterly along said Maine Turnpike Authority land 750.40 feet to a monument; thence N 42°-41'-30" E, along said Turnpike land, 226.06 feet to an iron pin and the southwesterly side line of land conveyed by Joseph Hawkes to Alexander Bailey by deed dated February 26, 1868, recorded in said Registry of Deeds, in Book 360, Page 337, and now or formerly owned by Walter F. Hawkes; thence N 31°-13'-30" W, along said Hawkes land 656.92 feet to a monument; thence N 47°-52' E, along said Hawkes land 108.53 feet to an iron pin and land of Cornerstone Masonic Corporation; thence N 66°-56'-30" W, along said corporation land 75.27 feet to an iron pin; thence N 47°-17'-30" W, 295.21 feet to a monument at the northwesterly corner of said corporation land; thence N 45°-35' E, along said corporation land 168.81 feet to the said iron pin on the southwesterly side of Forest Avenue at the most northerly corner of said corporation land; thence northwesterly along said Forest Avenue 50.21 feet to the point of beginning.

The above described parcel contains 19.86 acres of land and is part of the premises conveyed to F. D. Rich Construction Co., Inc. by Arthur A. Serunian, Jr., by a Warranty Deed, dated November 28, 1969, as recorded in said Registry of Deeds in Book 3112, Page 252.

Said premises are hereby conveyed subject to a covenant set forth in a deed from Arthur A. Serunian, Jr., to Shell Oil Co., dated September 15, 1967, as recorded in said Registry of Deeds, in Book 3012, Page 817, insofar as it may be applicable to the premises herein conveyed, in which deed the said Arthur A. Serunian, Jr., as Grantor, covenanted with the Grantee, its successors and assigns, that no gasoline, lubricants or other petroleum products for motor vehicles shall be advertised, stored, sold, or distributed on or from any other property then owned by the Grantor within a radius of 1,000 feet of the premises therein conveyed, to which deed reference is hereby made for the full particulars thereof.

Said premises are also conveyed subject to a power line easement as conveyed by this Grantor to Central Maine Power Co., et al, dated September 2, 1971 as recorded in said Registry of Deeds, in Book 3199, Page 607.

Also hereby conveying all rights, easements, privileges, and appurtenances belonging to the premises hereinabove described, together with a permanent drainage easement for the drainage of surface water from the premises herein conveyed across the adjoining land of this Grantor through and along a gully that runs northwesterly from the northwesterly side line of said premises to a 48" road culvert across Riverside Street that is located about 100 feet north-easterly along Riverside Street from a monument at the northwesterly corner of this Grantor's property and about 950 feet along Riverside Street from the southwesterly side line of Forest Avenue. Provided, however, that the Grantor reserves the right to change the course of said drainage easement, in whole or in part through conduits or otherwise, so long as such change in course shall adequately provide for the drainage of surface water from the premises herein conveyed across this Grantor's adjoining land to Riverside Street.

The premises herein conveyed being the same premises as conveyed to this Grantor by F. D. Rich Construction Co., Inc., by a Warranty Deed, dated April 1, 1971, as recorded in said Registry of Deeds in Book 3165, Page 785.

To Have and to Hold the aforegranted and bargained premises with ³³⁷
all the privileges and appurtenances thereof to the said PORTLAND HOUSING
AUTHORITY, its successors - - - - -

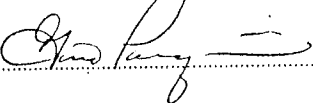
~~And~~ and assigns, to it and their use and behoof forever.

And does COVENANT with the said Grantee, its successors ~~and~~
and assigns, that it is lawfully seized in fee of the premises that they
are free of all encumbrances: except as aforesaid,

that it has ~~have~~ good right to sell and convey the same to the said Grantee to
hold as aforesaid; and that it and its successors and assigns will
WARRANT and DEFEND the same to the said Grantee, its ^{successors} ~~and~~
assigns forever, against the lawful claims and demands of all persons, except
as aforesaid - - - - -

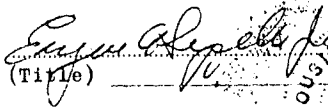
In Witness Whereof, the said F. D. RICH HOUSING CORP. - -
- - has caused this instrument to be sealed with its corporate seal and signed
in its corporate name by EUGENE A. SARELLI, V.P. - -
- - - - - , its VICE-PRES.
thereunto duly authorized, this 9th day of AUGUST
in the year one thousand nine hundred and seventy-two.

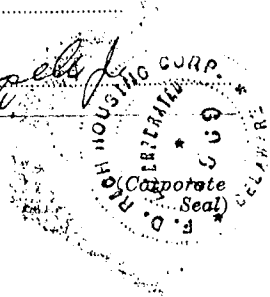
Signed, Sealed and Delivered
in presence of



F. D. RICH HOUSING CORP.

By


(Title)



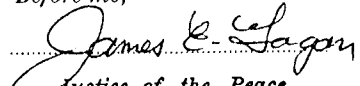
State of Maine,
Cumberland

} ss.

AUGUST 9th 1972

Then personally appeared the above named EUGENE A. SARELLI
VICE-PRESIDENT of said Grantor
Corporation as aforesaid, and acknowledged the foregoing instrument to be his free
act and deed in his said capacity, and the free act and deed of said corporation.

Before me,



Justice of the Peace

~~Notary Public~~

Register

AUG 9 1972

REGISTRY OF DEEDS, CUMBERLAND COUNTY, MAINE

Book 3280 Page 329



OPTION TO PURCHASE AGREEMENT

(Riverton Park – land)

THIS OPTION TO PURCHASE AGREEMENT (“Agreement”) dated this 10th day of September, 2019, is by and between PORTLAND HOUSING AUTHORITY, a Maine nonprofit corporation having a mailing address of 14 Baxter Boulevard, Portland, ME 04101 (the “Seller”), and PORTLAND HOUSING DEVELOPMENT CORPORATION, a Maine nonprofit corporation having a mailing address of 14 Baxter Boulevard, Portland, ME 04101 or its assigns (“Buyer”).

RECITALS

WHEREAS, Seller is the owner of a certain parcel of land, and all improvements, buildings and fixtures presently on the real estate, at 2 Riverton Drive, Portland, Maine (the “Property”) currently improved with a 141-unit public housing facility known as Riverton Park (the “Project”) designated as ME 003-008 by the U.S. Department of Housing and Urban Development (“HUD”); and

WHEREAS, Seller has applied to HUD for authority to convert the Project into a privately owned project based subsidized housing project under HUD’s Rental Assistance Demonstration (“RAD”) program subject to all necessary HUD approvals; and may apply to HUD for a demolition/disposition approval for the Project as an alternative; and

WHEREAS, Seller wishes to grant to Buyer, and Buyer wishes to accept, an option to purchase (the “Option”), upon the terms and conditions as set forth herein, the land underlying the Property (hereinafter, the “Premises”), exclusive of the improvements currently located thereon (collectively, the “Buildings”), which Buildings are subject to a purchase option granted by the Seller to Riverton Park, LP, a Maine limited partnership (the “LP”) set forth in a certain Option to Lease Agreement between the Buyer and Seller and the LP of near or even date herewith.

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

1. Option Period; Extension; Exercise of Option. Seller hereby grants Buyer the option to purchase the Premises for a period extending through December 31, 2022 (the “Option Period”).
 - a. The Option and the obligation of each of the Seller and Buyer shall be conditional upon (i) approval by HUD of the RAD Conversion of the Property (acting, if applicable through, the Special Applications Center); (ii) or, to the extent desired by Buyer upon approval of a demolition disposition by Seller in order to remove the Premises from any Declarations of Trust currently encumbering the real estate and authority to transfer the Premises to Buyer or its assigns, and/or to a lessee under a long term ground lease, for the development of low and moderate income or mixed income multi-family

housing thereon; (iii) receipt of all required municipal and state approvals for the development of such low and moderate income or mixed income multifamily housing project units to be located on the Premises; (iv) and an award of Low Income Housing Tax Credits for such development and (v) Buyer entering into the Ground Lease, as defined herein.

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

2. Purchase Price. Subject to adjustment as set forth below, Buyer shall pay Seller a purchase price equal to One Dollar (\$1.00) (the "Purchase Price") plus any additional amount that HUD may require be paid to Seller in connection with the disposition or conversion of the Premises.

3. Closing. If Buyer exercises the Option, closing shall take place at a date and time and at a location agreed upon by the Buyer and the Seller, within ninety (90) days after the date of the Purchase Notice.

4. Conditions to Sale. If Buyer exercises the Option, the following terms and provisions shall apply:

- a. The conditions set forth in Section 1(a) of this Agreement to the extent not yet then satisfied, shall continue as conditions of the sale;
- b. Title to the Premises shall be conveyed to Buyer by good and sufficient Quitclaim Deed With Covenant, which deed shall convey good and clear record and marketable title to the Premises, free from encumbrances except provisions of existing building and zoning laws and any covenants and/or easements of record provided same do not interfere with Buyer's intended use of the Premises; such real estate taxes for the then current tax period which are not due and payable on the date of delivery of such deed; utility and access easements in common with Seller's adjoining developments, and any matters of record which in Buyer's opinion do not interfere with Buyer's plans to develop the property. Buyer shall notify Seller of any defects in title that would make Seller unable to give title to the Premises as herein stipulated. Seller shall be obligated to proceed in good faith to cure any such title defect(s). If required, the closing shall be extended to allow Seller time to cure any such title defects, but in no event shall the closing be extended more than thirty (30) days for such purposes. If a title defect exists, Buyer may elect, by written notice to Seller, either (i) to accept title to the Premises subject to any uncured defects in title or (ii) to terminate the Option, whereupon any extension fee(s) paid by Buyer to Seller shall be immediately refunded to Buyer, the obligations of all parties hereunder shall cease, and neither party shall have any claim against the other by reason of this Agreement;

- c. Each party shall pay one-half of the Maine state transfer tax unless one of the parties is exempt, in which case no transfer tax shall be due from the exempt party; and
 - d. Buyer shall enter into a long term ground lease of the Premises (the "Ground Lease") to Riverton Park, LP, a Maine limited partnership (the "LP"), upon the condition that the LP continues to maintain and improve the Premises for use as a low and moderate income or mixed income multi-family apartment complex. Buyer shall have the right, during the term of this Option, to enter into an option to lease or a letter of intent to lease to the LP, conditioned upon Buyer's acquisition of the Premises in accordance with the terms of this Agreement.
5. Representations. Seller represents, covenants and warrants to and agrees with Buyer as follows:
- a. Seller is the current owner of the Premises, and; subject to approval by HUD, 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 Seller of the obligations hereunder will not conflict with, or result in breach of any regulation, order, judgment, injunction or decree of any court or governmental authority or any agreement or instrument to which Seller is a party or by which Seller is bound.
 - b. There are no agreements or contracts affecting the Premises or any use of the Premises that would not be terminable at will by Buyer without penalty from and after the Closing, other than those for which Seller will be seeking approval from HUD in connection with its RAD Conversion and/or demolition disposition application.

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

6. Notice. Whenever notice is given or required to be given by either of the parties hereto to the other, it shall be deemed to have been given if in writing and mailed by certified or registered mail, return receipt requested, postage prepaid, or hand delivered, addressed to the parties at the address set forth in the first paragraph above or to such other address(es) as either party shall have last designated by like notice in writing. All notices shall be effective upon hand delivery or mailing, whichever first occurs.

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

8. Buyer's Access. Buyer and others whom Buyer may designate shall have the right, at all reasonable times, at Buyer'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 studies with respect thereto, including, without limitation, surveying, conducting test borings in order to determine sub-soil conditions, and in general conducting all other tests, analysis and studies of the Premises which Buyer deems prudent in connection with Buyer's intended development or use of the Premises. Buyer shall restore the Premises following any testing as reasonably as possible to its pre-existing condition, unless otherwise agreed by Seller.

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

10. Risk of Loss. The risk of loss shall remain on Seller at all times until closing.

11. Assignment. Buyer may assign this Agreement to any party affiliated with Buyer on in which Buyer or an affiliate of Buyer has an interest.

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

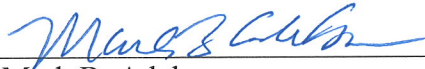
SELLER:

PORTLAND HOUSING AUTHORITY

By: 
Mark B. Adelson
Its Executive Director

BUYER:

PORTLAND HOUSING DEVELOPMENT
CORPORATION

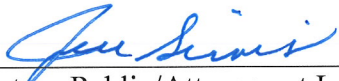
By: 
Mark B. Adelson
Its President

STATE OF MAINE
COUNTY OF CUMBERLAND, SS.

September 10, 2019

Personally appeared the above-named, Mark B. Adelson, Executive Director of Portland Housing Authority and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of said Portland Housing Authority.

Before me,


Notary Public/Attorney at Law

JERE SIROIS
Notary Public, Maine
My Commission Expires July 25, 2021

Printed Name

OPTION TO LEASE AGREEMENT
(Riverton Park)

THIS OPTION TO LEASE AGREEMENT dated this 10th day of September, 2019 (the "Agreement"), is entered into by and between **PORTLAND HOUSING DEVELOPMENT CORPORATION**, a Maine non-profit corporation, having a mailing address of 14 Baxter Boulevard, Portland, ME 04101 (the "Landlord"), **RIVERTON PARK, LP**, a Maine limited partnership having a mailing address of 14 Baxter Boulevard, Portland, ME 04101 (the "Tenant") and **PORTLAND HOUSING AUTHORITY**, a Maine nonprofit corporation having a mailing address of 14 Baxter Boulevard, Portland, ME 04101 (the "Seller").

RECITALS

WHEREAS, Seller is the owner of a certain parcel of land located at 2 Riverton Drive in Portland, Maine (the "Premises") upon which is constructed a 141-unit public housing project known as Riverton Park (the "Project") designated as ME 003-008 by the U.S. Department of Housing and Urban Development ("HUD"); and

WHEREAS, Seller has applied to HUD for authority to convert the Project into a privately owned project based subsidized housing project under HUD's Rental Assistance Demonstration ("RAD") program, subject to all necessary HUD approvals, and may apply to HUD for a demolition/disposition approval for the Project as an alternative; and

WHEREAS, Seller has granted to Landlord a purchase option of near or even date herewith for the land comprising the Premises, exclusive of the improvements currently located thereon (such improvements being hereinafter referred to collectively as the "Buildings"); and

WHEREAS, Landlord wishes to grant to Tenant, and Tenant wishes to accept, an option to enter into a long term ground lease for the Premises (the "Ground Lease"), and provided that the Tenant exercises its option and the Ground Lease is executed, Seller has agreed to simultaneously sell to Tenant, and Tenant has agreed to purchase from Seller, the Buildings, all subject to the terms set forth in this Agreement.

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

1. Grant of the Option to Lease; Option Period; Exercise of Option. The Landlord hereby grants to the Tenant the exclusive right and option to lease the Premises, or a portion thereof (the "Option") for a period extending through December 31, 2022 (the "Option Period"). The Ground Lease shall have a term of 95 years, or such shorter or longer term as may be required by the lenders and investors of the Tenant, and total rent shall be \$1.00 for the term of the Ground Lease, with Tenant obligated to pay all operating expenses for the Premises. The Ground Lease shall contain such other commercially reasonable terms as the parties may mutually agree upon.

- a. The Option and the obligation of each of the Landlord and Tenant shall be conditional upon: (i) approval by HUD of the RAD Conversion of the Property; or (ii) to the extent desired by Landlord, upon approval by HUD of a demolition disposition by Seller in order to remove the Premises from any Declarations of Trust currently encumbering the Premises, authority to transfer the Premises to Landlord or its assigns, and to enter into the Ground Lease, for the use of the Premises as a low and moderate income or mixed income multi-family housing project; (iii) receipt of all required municipal and state approvals for such project; (iv) and an award of Low Income Housing Tax Credits for such project; and (v) the exercise of the Landlord's Option to Purchase the Premises, the conveyance of the Premises to Landlord, and the conveyance of the Buildings to the Tenant in accordance with Section 3 hereof.
- b. Tenant may exercise the Option at any time during the Option Period by giving written notice to Landlord of its intent to exercise the Option (the "Option Notice"). Notice delivered to Landlord or sent to Landlord by certified mail, return receipt requested, at the above address shall be sufficient. Upon receipt of the Option Notice by Tenant, Landlord agrees that it will exercise its option to purchase the Premises from Seller, so that Landlord will have title to the Premises in order to enter into the Lease to Tenant.

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

3. Conveyance of the Buildings to the Tenant. If Tenant exercises its Option, Seller hereby agrees that simultaneous with the execution of the Ground Lease, Seller shall transfer to Tenant the Buildings, by good and sufficient Bill of Sale or other transfer instrument satisfactory to Tenant, conveying good and clear title thereto. The purchase price for the Buildings shall be equal to the amount necessary to obtain a release of the Buildings from the security instruments held by Banc of America Leasing & Capital, LLC, or its successors or assigns, given in connection with a certain Taxable QECB Equipment Lease/Purchase Agreement dated June 7, 2013, as amended, and a tax-exempt Lease/Purchase Agreement with Bank of America, N.A. dated June 7, 2013, based on the amount of leased equipment within the Buildings (the "Purchase Price").

4. Representations. The parties hereto represent, covenant and warrant to and agree with each other as follows:

- a. Seller represents, covenants and warrants that it is the current owner of the Premises, and, subject to approval by HUD, 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 Seller of the obligations hereunder will not conflict with, or result in breach of any regulation, order, judgment, injunction or decree of

any court or governmental authority or any agreement or instrument to which Seller is a party or by which Seller is bound. There are no agreements or contracts affecting the Premises or any use of the Premises that would not be terminable at will by Landlord without penalty from and after the Closing, other than those for which Seller will be seeking approval from HUD in connection with its demolition disposition application.

- b. Landlord represents, covenants and warrants that it holds an option to purchase the Premises from the current owner of the Premises, and, subject to approval by HUD, has the legal right, power and authority to enter into this Agreement and to perform all of its obligations hereunder, and the execution and delivery of this Agreement and the performance by Landlord of the obligations hereunder will not conflict with, or result in breach of any regulation, order, judgment, injunction or decree of any court or governmental authority or any agreement or instrument to which Landlord is a party or by which Landlord is bound. There are no agreements or contracts affecting the Premises or any use of the Premises that would not be terminable at will by Tenant without penalty from and after the execution of the Lease, other than those for which Landlord will be seeking approval from HUD in connection with its demolition disposition application.
- c. Tenant represents, covenants and warrants that Tenant has the legal right, power and authority to enter into this Agreement and to perform all of its obligations hereunder, and the execution and delivery of this Agreement and the performance by Tenant of its obligations hereunder: (i) have been duly authorized by all requisite action; and (ii) will not conflict with, or result in a breach of, any of the terms, covenants and provisions of the by-laws or articles of organization of Tenant or any law or any regulation, order, judgment, writ, injunction or decree of any court or governmental authority, or any agreement or instrument to which Tenant is a party or by which it is bound.

5. Notice. Whenever notice is given or required to be given by either of the parties hereto to the other, it shall be deemed to have been given if in writing and mailed by certified or registered mail, return receipt requested, postage prepaid, or hand delivered, addressed to the parties at the address set forth in the first paragraph above or to such other address(es) as either party shall have last designated by like notice in writing. All notices shall be effective upon hand delivery or mailing, whichever first occurs.

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

7. Tenant's Access. 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 studies with respect thereto, including, without limitation, surveying, conducting test borings in order to determine sub-soil conditions, and in general conducting all other tests, analysis and studies of the Premises which Tenant deems prudent in connection with Tenant's intended development or use of the Premises. Tenant shall restore the Premises following any testing as reasonably as possible to its pre-existing condition, unless otherwise agreed by Landlord.

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

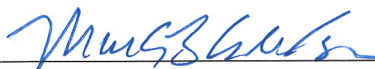
9. Risk of Loss. The risk of loss shall remain on Seller at all times until closing.

10. Assignment. Tenant may assign this Agreement to any party affiliated with Tenant or in which Tenant or an affiliate of Tenant has an interest.

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

LANDLORD:

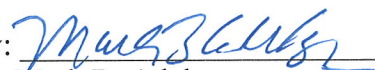
PORTLAND HOUSING DEVELOPMENT
CORPORATION

By: 
Mark B. Adelson
Its President

TENANT:

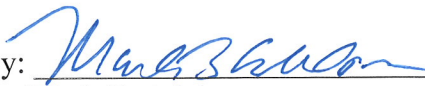
RIVERTON PARK, LP

By: Riverton Park Development, LLC,
its General Partner
By: Portland Housing Development Corporation
Its Sole Member and Manager

By: 
Mark B. Adelson
Its President

SELLER:

PORTLAND HOUSING AUTHORITY

By: 
Mark B. Adelson
Its Executive Director

STATE OF MAINE
COUNTY OF CUMBERLAND, SS.

September 10, 2019

Personally appeared the above-named, Mark B. Adelson in his capacities as President of Portland Housing Development Corporation, and as Executive Director of Portland Housing Authority and acknowledged the foregoing instrument to be his free act in such capacities and the free act and deed of said Portland Housing Development Corporation and Portland Housing Authority.

Before me,


Notary Public/Attorney at Law
JERE SIROLIS
Notary Public, Maine
My Commission Expires July 25, 2021

Printed Name

BOARD OF DIRECTORS

Cheryl A. Sessions, President
Kristin Blum, Vice-President
Luisa Deprez, Director
Christian MilNeil, Director
Monique Mutumwinka, Director
Shirley Peterson, Director
Thomas Valleau, Director



14 Baxter Boulevard
Portland, ME 04101
Office: 207-773-4753
Fax: 207-761-5886

February 3, 2022

Charles Tetelman, Planner
Planning Division
City of Portland
389 Congress Street
Portland, Maine 04101

**RE: Neighborhood Meeting Certification
Riverton Park, 2 Riverton Drive
Rezoning Text & Map Amendment, ZN-001811-2021**

Dear Charles,

I, Tyler Plante, Development Officer for Portland Housing Development Corporation (PHDC) and Portland Housing Authority (PHA), hereby certify that a neighborhood meeting was held on Wednesday February 2, 2022 at 5:00pm via Virtual Meeting for the proposed project located at 2 Riverton Drive.

I also certify that on January 20, 2022, notices 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 (1,000 feet for subdivisions within an industrial zone or industrial zone changes).
2. Residents on the "interested parties" list.

Signed,

A handwritten signature in blue ink that reads "Tyler Plante".

Tyler Plante
2/3/22

Attachments

1. Copy of the notice sent
2. Sign-in sheet
3. Record of feedback



Neighborhood Meeting for the Riverton Park Redevelopment & Renovation Project

January 20, 2022

Dear Neighbor,

Portland Housing Development Corporation, an affiliate of Portland Housing Authority, has submitted a Zoning Map and Text Amendment application to rezone Riverton Park (2 Riverton Drive) from R-5 Residential to B-2 Community Business and R-5a Residential, along with text amendments to allow Place of Assembly uses greater than 10,000 square feet in size within the R-5a Residential zone. These actions are sought to facilitate improvements to the 141-unit Riverton Park campus under a future site plan application.

Please join us for a virtual neighborhood meeting to discuss our Riverton Park plans:

- Application to rezone Riverton Park from R-5 Residential to B-2 Community Business and R-5a Residential zones, and proposed text amendments.
- Conversion of the Riverton Park Public Housing to the Section 8 Program.
- Redevelopment and renovation project of Riverton Park and future site plan application.

Meeting Date: Wednesday, February 2nd, 2022

Meeting Time: 5:00 PM

Meeting Location: Virtual Meeting (link below)

<https://meetings.vonage.com/419782851>

A project and plan summary is available for viewing on the Citizen Self Service Portal (<https://css.portlandmaine.gov>) by referencing Plan Number ZN-001811-2021. Interpreters available. If you have any questions, please call Tyler Plante at 207-221-8028.

Sincerely,

Cheryl A. Sessions
President

Note: Under the City of Portland land use code, an applicant for a major site plan, master development plan, subdivision of over five lots, or zoning map amendment is required to hold a neighborhood meeting within 30 days of an application being deemed complete and no less than seven calendar days before a public hearing. Should you wish to offer additional comments on this proposed development, you may forward them by e-mail to planning@portlandmaine.gov or by mail to the Planning and Urban Development Department, Planning Division, 4th Floor, 389 Congress Street Portland, ME 04101.

Neighborhood Meeting Sign-In Sheet

Date: Wed 2/2/22

Location: Virtual Meeting Via Vonage Business Meeting

Proposed Project Name & Address: Riverton Park Rezoning Application, 2 Riverton Drive

Members of the Public in Attendance:

Name	Email

Developer and Consultant Team in Attendance:

Name	Email
Cheryl Sessions, Executive Director at PHA & President of PHDC	csessions@porthouse.org
Brian Frost, Deputy Director at PHA	bfrost@porthouse.org
Tyler Plante, Development Officer at PHA & PHDC	tplante@porthouse.org
Cora Lanclos, Director of Property Management at PHA	clanclos@porthouse.org
Christie Gaydos, Family Stability Coach at PHA	cgaydos@porthouse.org
Rebecca Bagley, Architect at CWS Architects	rbagley@cwsarch.com
Matt Phillips, Landscape Architect at Carroll Associates	mphilips@carroll-assoc.com

Commissioners

Kristin Blum, Chair
Monique Mutumwinka, Vice Chair
Luisa Deprez, Commissioner
Christian MilNeil, Commissioner
Shirley Peterson, Commissioner
Thomas Valleau, Commissioner



Cheryl A. Sessions

Executive Director
14 Baxter Blvd.
Portland, Maine 04101
Office: 207-773-4753
Fax: 207-761-5886
www.porthouse.org

Riverton Park Rezoning Neighborhood Meeting Notes

Wed 2/2/22 at 5:00pm

Virtual Meeting through Vonage Business Meeting

PRESENTERS:

Cheryl Sessions, Executive Director at PHA and President of PHDC
Brian Frost, Deputy Director of PHA
Tyler Plante, Development Officer at PHA & PHDC
Cora Lanclos, Director of Property Management at PHA
Christie Gaydos, Family Stability Coach at PHA
Becky Bagley, Architect at CWS Architects
Matt Phillips, Landscape Architect at Carroll Associates Landscape Architects

START TIME

Meeting was scheduled to commence at 5:00pm.

NOTES

No attendees arrived for the meeting.

END TIME

Presenters waited until 5:20pm and then concluded the meeting.

PC1

George Rheault

to Planning, Christine, Kevin, James, Abigail, me, ctetelman

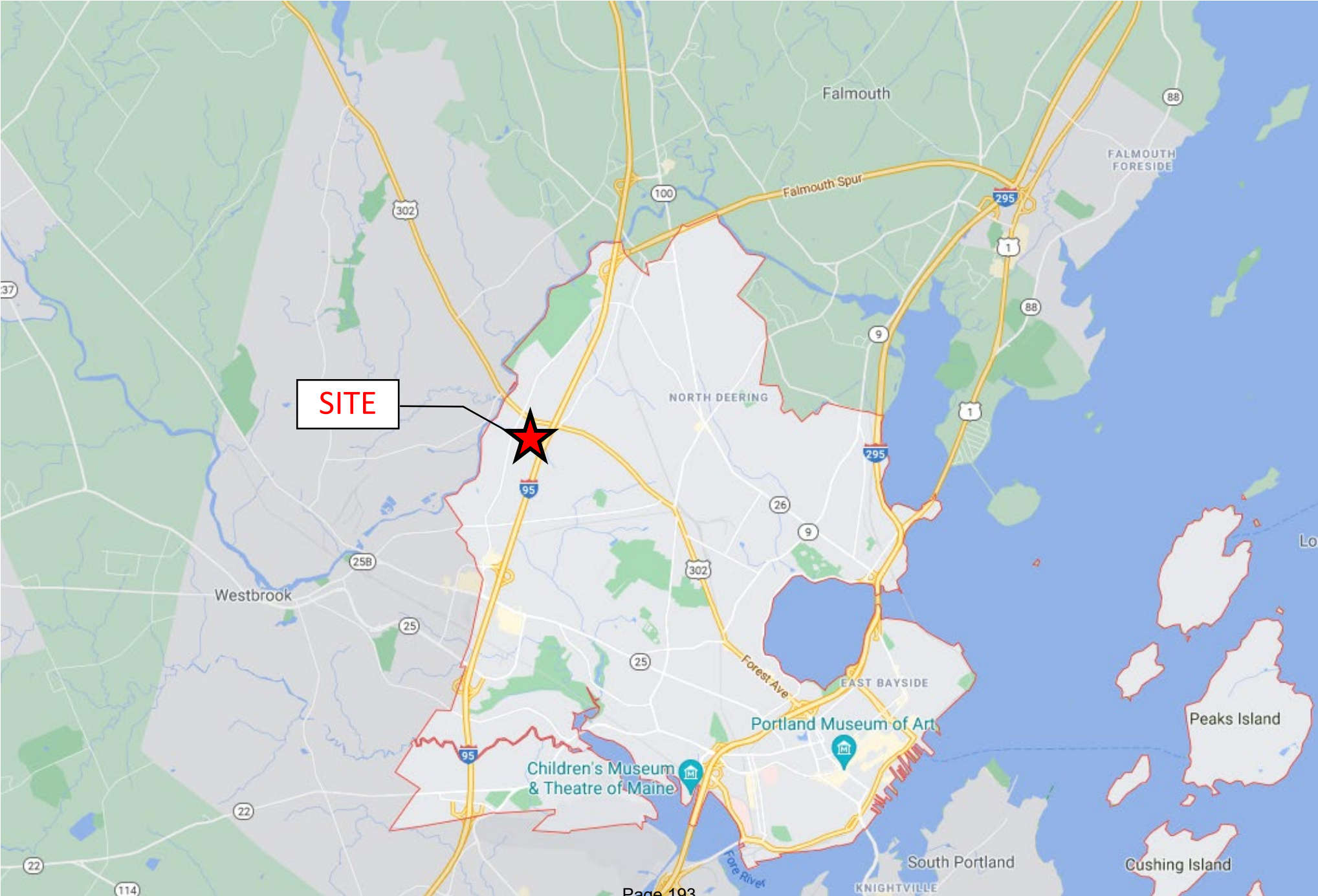
Once again, it appears that the Portland Housing Authority is going to be bullied into UNDER BUILDING a prime 21st-century housing opportunity. We all know the PHA does not bite the hands that feed it but without clear political cover from city staff who in turn look to the City Council/City Manager for similar political affirmation, the PHA will only propose incremental baby steps when what Portland needs are kangaroo leaps. When looking at the 2015 PHA "Strategic Vision" document, it would appear that the PHA has steered away from even implementing that excessively conservative plan for a rejuvenation of "Riverton Park."

Below are my questions that the staff memo from the Department of Urban Prevention appears to have left unanswered.

- 1.) With respect to the required neighborhood meeting, did PHA advertise this meeting in any way to the tenants of the existing property or the tenants of the nearby rental properties (Terrace Pond Apartments (TPA) & Wellesley Estates(WE)? Planning meeting notices typically only are sent to the address of the property-owner of record thus leaving tenants without effective notice of any kind.
- 2.) What is the unit count (including by bedroom type) for the TPA and WE complexes and when did occupancy of these apartment complexes begin?
- 3.) What was the existing zoning for the area when the TPA and WE complexes were constructed? Did they require a re-zoning of the area in order for them to be built at the time?
- 4.) Have city officials (DPW specifically) officially endorsed the proposed extension of Pinewood Drive to Waldron Way and, if not, where does the city's review of this idea currently stand? Will this potential increase in traffic in this direction require any traffic signal improvements at the intersection of Riverside Street & Waldron Way? Is the roundabout idea proposed in the 2015 Strategic Vision a dead idea now?
- 5.) Do city officials have any information regarding the commencement of construction of the 17 units approved for the 1844 Forest Avenue location?
- 6.) With respect to the ground floor retail space contemplated for the 4-story building, did the PHA take into consideration the multi-tenant retail building under construction next-door? While assessing the viability of a retail space is always a guess, it would seem that a retail space would need to attract customers BEYOND the immediate PHA complex in order to be successful and of course such a retail complex would likely have to compete with the new retail spaces being created on the other side of the fence at
- 7.) Taken together with the PHA complex, this area (hemmed in by the Turnpike and busy Forest Avenue, would suggest a much HIGHER density analysis than mild (and lame) upgrades to R-5A and B-2. While auto-centric due to its remoteness from the traditional city core, this area in its CURRENT form is actually a VERY dense residential zone. Have staff analyzed this area versus the recent intensive apartment construction completed at Clark's Pond, South Portland (just beyond the Home Depot location)? There are a lot of similarities but yet staff seem to be foregoing a great re-zoning opportunity (irrespective of whether the PHA itself could take advantage of a major up-zoning here).
- 8.) The Planning Board should request a complete "before and after" analysis of unit counts, sq footage and bedroom layout types. It appears that the "net" NEW impact is not 35 overall new units but 32 since the rehabilitation of the 21 buildings not eyed for demolition currently contain 127 units but AFTER renovation will only contain 124 units per the PHA submission (it is not clear what is changing internally in the various buildings to cause a loss of 3 units). In any event, while plans may change, the Board should ensure the public (and City Council) fully understands what the current "once-finished" goal is here. It very much appears that the PHA is spending a ton of time and energy with only very modest new housing to show for it.
- 9.) The Planning Board should request an analysis of the "off-peninsula" and "on-peninsula" distinctions in the zones under discussion for this application. Do they have any business being there and if so, are they accurately calibrated when recognizing the extreme housing scarcity being experienced in our region and appropriately set if the actual goal is to reach housing abundance instead?

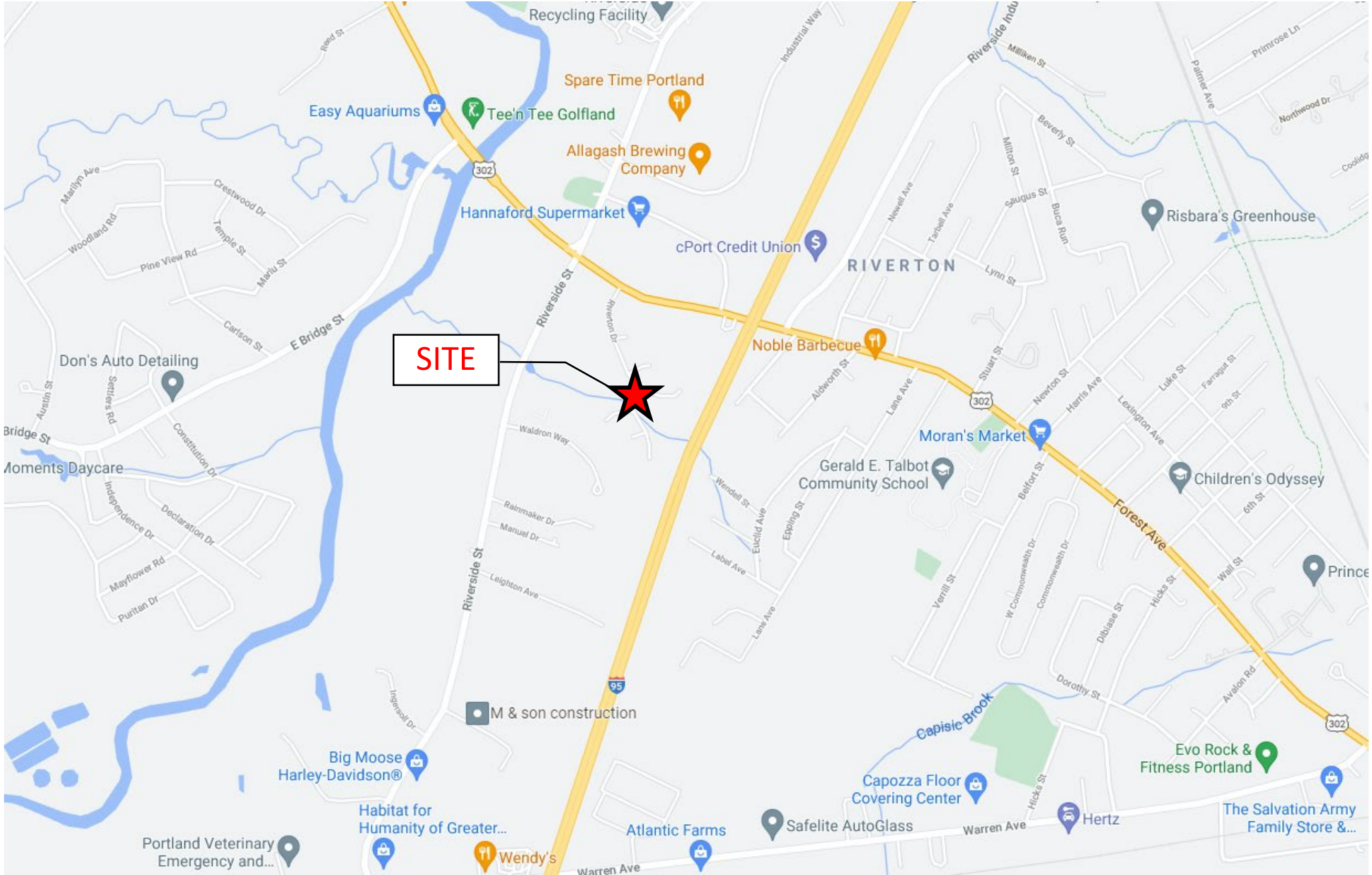
Riverton Park

2 Riverton Drive, Portland, ME 04103



Riverton Park

2 Riverton Drive, Portland, ME 04103



Riverton Park

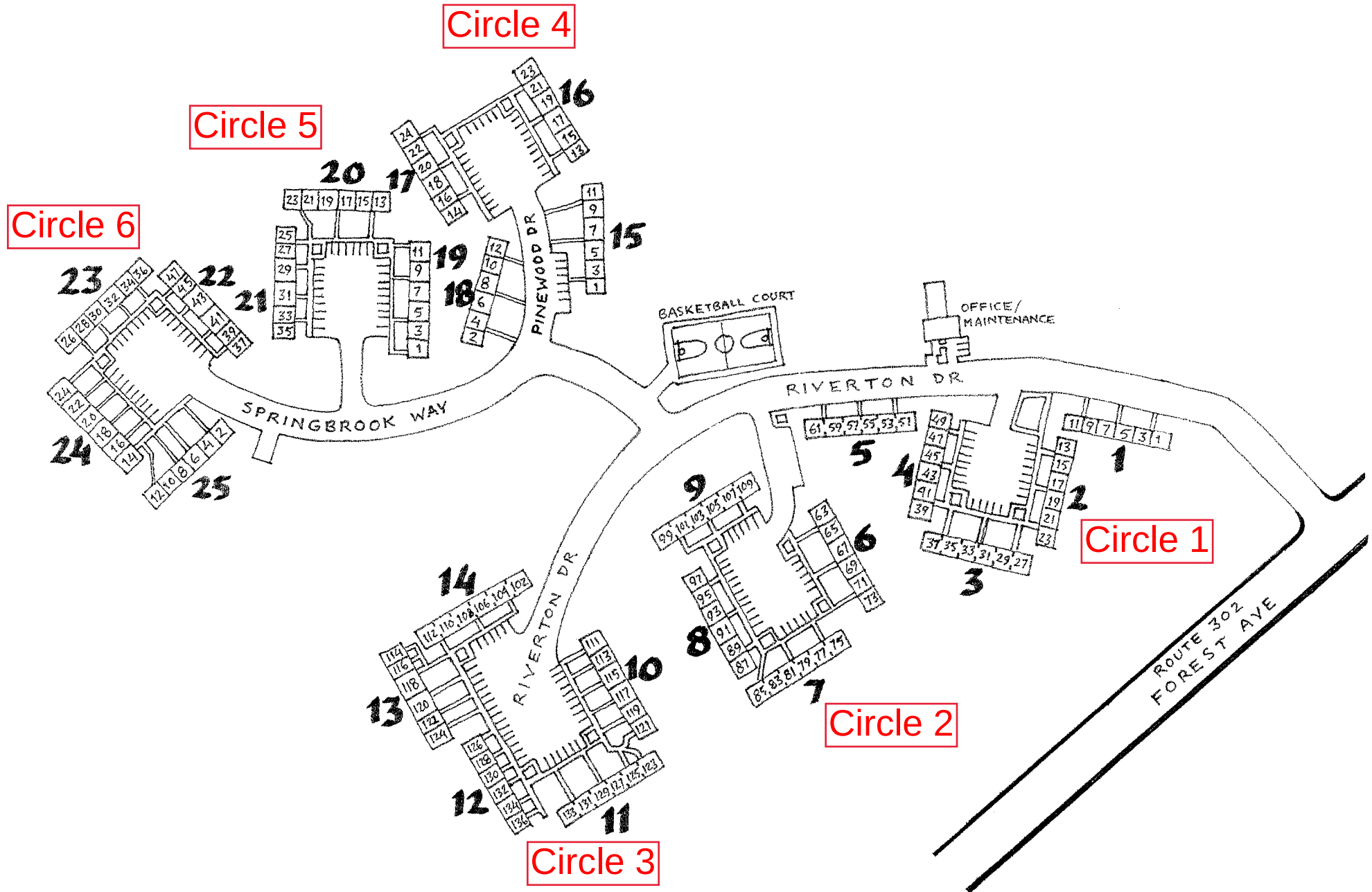
2 Riverton Drive, Portland, ME 04103



Riverton Park

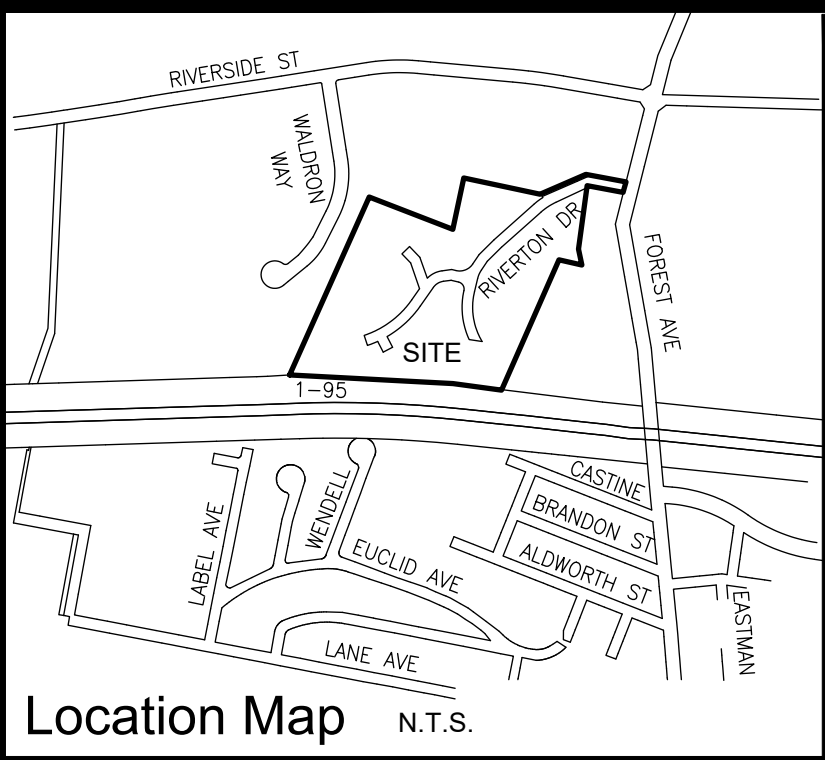
2 Riverton Drive, Portland, ME 04103





RIVERTON PARK ME 3-8

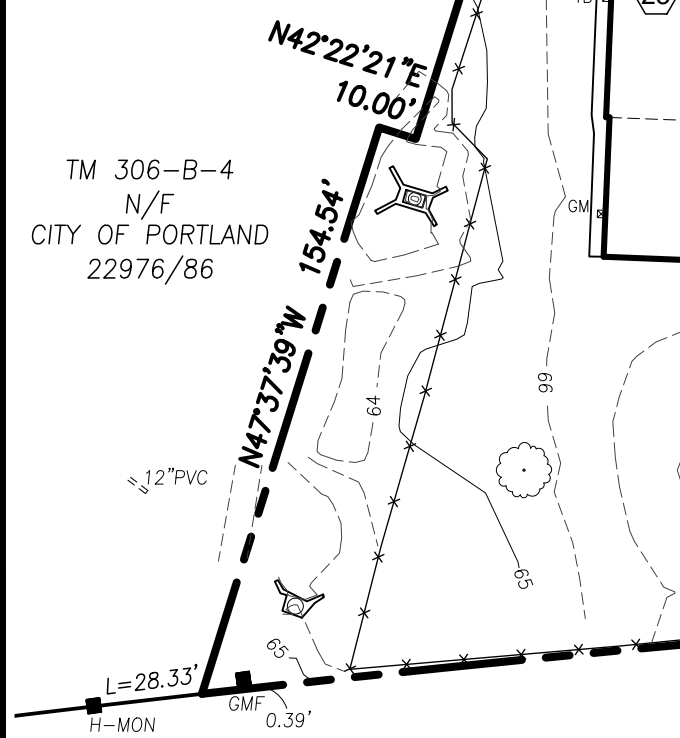
SIDEWALK AREA = 21,600
 PARKING AREA = 53,800 sq ft



CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	298.86'	86.07'	S13°24'09"E	85.77'
C2	126.00'	45.08'	S46°14'11"E	44.84'
C3	315.00'	176.74'	S72°28'08"E	173.47'
C4	385.00'	197.16'	N72°58'37"W	194.77'
C5	34.32'	63.34'	S77°58'48"W	46.13'
C6	70.00'	57.83'	S11°19'07"E	56.20'
C7	498.00'	215.87'	S22°34'03"E	214.19'
C8	498.00'	51.85'	S01°04'42"E	51.82'
C9	448.00'	285.84'	N16°42'27"W	281.02'
C10	120.00'	80.38'	N06°50'30"W	78.88'
C11	74.52'	90.32'	N01°15'50"W	84.89'
C12	348.88'	53.16'	N17°17'13"W	53.11'

LINE BEARING	DISTANCE
L1	S04°59'08"E 188.30'
L2	S21°39'09"E 250.05'
L3	S24°39'09"E 33.56'
L4	S35°59'09"E 49.52'
L5	S56°29'09"E 64.00'
L6	S88°27'09"E 64.38'
L7	S28°27'21"W 65.07'
L8	N88°27'09"W 39.00'
L9	S13°27'21"W 35.82'
L10	S12°20'51"W 36.84'
L11	N34°59'09"W 29.14'
L12	S14°59'09"E 77.69'
L13	N82°43'42"E 67.00'
L14	S01°16'19"E 50.00'
L15	S82°43'42"W 67.00'
L16	N88°25'39"W 50.00'
L17	N34°59'09"W 64.00'
L18	N89°10'04"W 18.04'
L19	N89°10'04"W 110.87'
L20	S66°09'16"W 69.53'
L21	N23°50'44"W 50.00'
L22	N66°09'16"E 70.47'
L23	S89°10'04"E 105.57'
L24	N12°20'51"E 46.18'
L25	N33°27'21"E 20.91'
L26	N35°59'09"W 54.48'
L27	N24°39'09"W 99.54'
L28	N21°39'09"W 251.35'
L29	S77°04'43"W 4.36'
L30	N05°09'09"W 2.00'

- Legend**
- IRON PIPE OR ROD FOUND
 - MONUMENT FOUND
 - UTILITY POLE
 - MANHOLE
 - ELECTRIC/GAS METER
 - TELEPHONE BOX
 - SIGN
 - CATCH BASIN
 - HYDRANT
 - WATER VALVE OR SHUTOFF
 - GAS VALVE
 - LIGHT POLE
 - DECIDUOUS TREE
 - CONIFEROUS TREE
 - CHAIN LINK FENCE
 - CURB
 - OHW
 - OVERHEAD WIRES
 - 1' CONTOUR
 - SD
 - SATELLITE DISH
 - BUILDING NUMBER
 - CAPPED IRON ROD TO BE SET
 - CAPPED IRON ROD FOUND
 - N/F
 - NOW OR FORMERLY
| 000/000 | DEED BOOK / PAGE |
| CONC. | CONCRETE |
| CLF | CHAIN LINK FENCE |
| MB | MAILBOX |
| EM | ELECTRIC METER |
| GM | GAS METER |
| TB | TELEPHONE BOX |
| CMF | CONCRETE MONUMENT FOUND |
| GMF | GRANITE MONUMENT FOUND |



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 COMPANED SPACE REQUIREMENTS, ALL INVERTS AND PIPE SIZES MUST BE VERIFIED PRIOR TO ANY CONSTRUCTION.

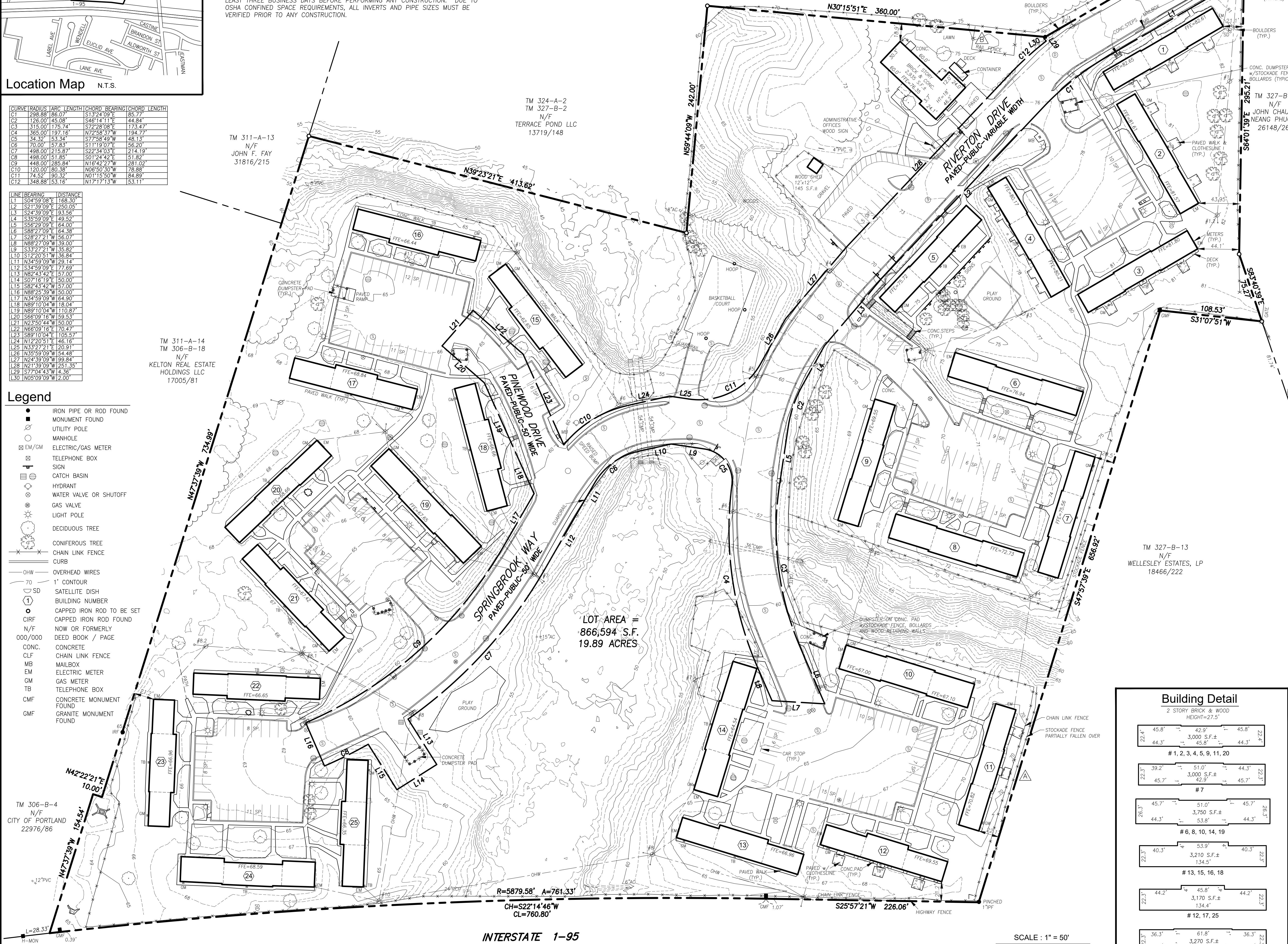
Flood Zone Note

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED IN ZONE X, AREAS OF MINIMAL FLOODING, ON THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 230051 0006C, WHICH BEARS AN EFFECTIVE DATE OF DECEMBER 8, 1998.

Possible Encroachments

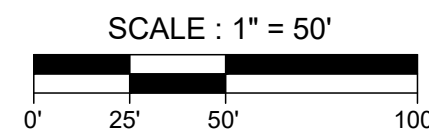
Zoning Information

NONE PROVIDED



LOT AREA =
866,594 S.F.
19.89 ACRES

INTERSTATE 1-95



Legal Description

A CERTAIN LOT OR PARCEL OF LAND, WITH THE BUILDINGS THEREON, SITUATED ON THE SOUTHWESTERLY SIDE OF FOREST AVENUE IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE OF MAINE, BEING BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHWESTERLY SIDE OF SAID FOREST AVENUE, WHICH POINT IS 386.56 FEET SOUTHEASTERLY, ON A CURVE OF S 39° 05' 30" E, FROM THE INTERSECTION OF THE SOUTHWESTERLY SIDE LINE OF FOREST AVENUE WITH THE SOUTHEASTERLY SIDE LINE OF RIVERSIDE STREET AND 50.21 FEET NORTHWESTERLY ALONG FOREST AVENUE FROM AN IRON PIN AT THE MOST NORTHERLY CORNER OF LAND OF THE CORNERSTONE MASONIC CORPORATION; THENCE S 45° 35' W, ALONG LAND OF THIS GRANTOR 188.75 FEET TO A POINT; THENCE S 11° 35' W, 230 FEET TO A POINT; THENCE S 47° W, 360 FEET TO A POINT; THENCE S 43° E, 242 FEET TO A POINT; THENCE S 56° 07' 30" W, 413.61 FEET TO A POINT; AND LAND CONVEYED BY NEAL D. LUNT TO MARY J. FIELD, ET AL, BY DEED DATED OCTOBER 30, 1905 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS, BOOK 776, PAGE 165; THENCE S 30° 53' 30" E, ALONG SAID FIELD LAND, PART OF WHICH IS NOW OR FORMERLY OWNED BY CHARLES KAATZ, 885.13 FEET TO A MONUMENT AT THE WESTERLY CORNER OF LAND CONVEYED BY ELLIE K. HAWES TO MAINE TURNPIKE AUTHORITY BY DEED DATED OCTOBER 5, 1954 AND RECORDED IN SAID REGISTRY OF DEEDS, IN BOOK 2195, PAGE 453; THENCE NORTHEASTERLY ALONG SAID MAINE TURNPIKE AUTHORITY LAND 750.40 FEET TO A MONUMENT; THENCE N 42° 41' 30" E, ALONG SAID TURNPIKE LAND, 226.06 FEET TO AN IRON PIN AND THE SOUTHWESTERLY SIDE LINE OF LAND CONVEYED BY JOSEPH HAWKES TO ALEXANDER BAILEY BY DEED DATED FEBRUARY 26, 1868, RECORDED IN SAID REGISTRY OF DEEDS, IN BOOK 360, PAGE 337, AND NOW OR FORMERLY OWNED BY WALTER F. HAWKES; THENCE N 31° 13' 30" W, ALONG SAID HAWKES LAND 656.92 FEET TO A MONUMENT; THENCE N 47° 52' E, ALONG SAID HAWKES LAND 108.55 FEET TO AN IRON PIN AND LAND OF CORNERSTONE MASONIC CORPORATION; THENCE N 66° 56' 30" W, ALONG SAID CORPORATION LAND 75.27 FEET TO AN IRON PIN; THENCE N 47° 17' 30" W, 295.21 FEET TO A MONUMENT AT THE NORTHWESTERLY CORNER OF SAID CORPORATION LAND; THENCE N 45° 35' E, ALONG SAID CORPORATION LAND 168.81 FEET TO THE SAID IRON PIN ON THE SOUTHWESTERLY SIDE OF FOREST AVENUE AT THE MOST NORTHERLY CORNER OF SAID CORPORATION LAND; THENCE NORTHWESTERLY ALONG SAID FOREST AVENUE 50.21 FEET TO THE POINT OF BEGINNING.

Plan References

- "PLAN OF LAND IN PORTLAND, MAINE FOR F.D. RICH COMPANY" DEC. 31, 1968, REV. 3 3-9-70 BY OWEN HASKELL, INC.
- "SITE PLAN, FAMILY TURNKEY HOUSING FOR PORTLAND HOUSING AUTHORITY, PORTLAND, MAINE" JAN. 14, 1971 BY LEASURE, TUTTLE & LEE ARCHITECTS & ENGINEERS.
- "CITY OF PORTLAND, MAINE DEPARTMENT OF PUBLIC WORKS, RIVERTON DRIVE, PINWOOD ROAD & SPRINGBROOK WAY" NOVEMBER 6, 1973.
- "AMENDED SUBDIVISION PLAN ON FOREST AVENUE, PORTLAND, MAINE MADE FOR OWNER: WELLESLEY ESTATES, LLC" OCT. 8, 2002 REV. 4 7-15-03 BY OWEN HASKELL, INC.
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ALTA / NSPS Land Title Survey

Riverton Park
Forest Avenue
Portland, Cumberland County, Maine
Made For
Portland Housing Authority
14 Baxter Boulevard, 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, 6(A), 11, 13, 14, 16, 17, 19 AND 21 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON APRIL 23, 2019.

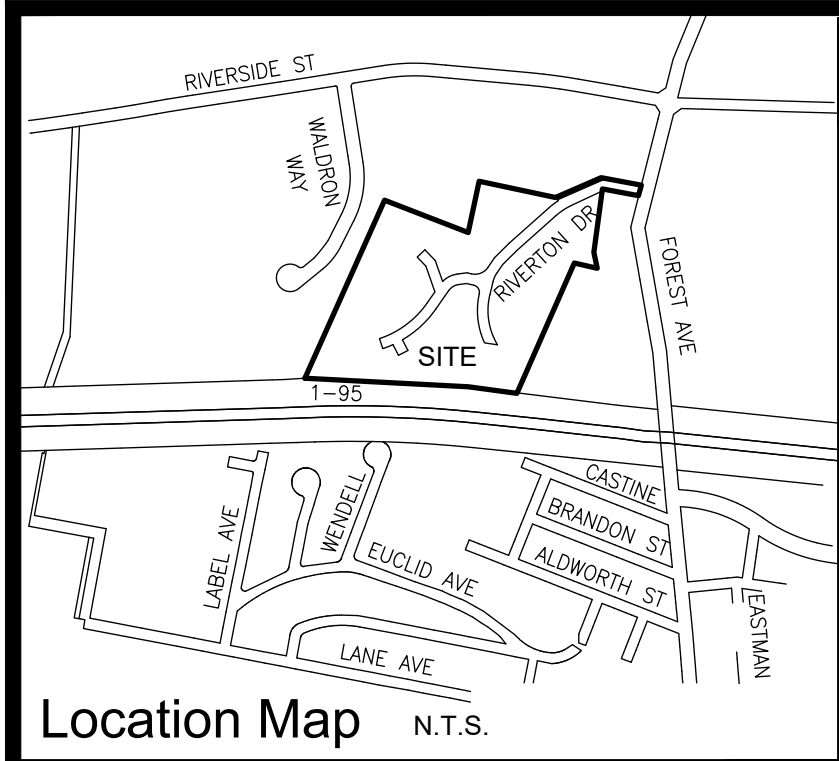
RANDY R. LOUBIER
PROFESSIONAL LAND SURVEYOR NO. 2407
DATE OF PLAT OR MAP: APRIL 30, 2019
DATE OF LAST REVISION:



OWEN HASKELL, INC.

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

DRAWN BY: RS / JLW	FIELD BOOK: FILE	JOB NO.: 2019-042 P
CHECKED BY: RRL	SCALE: 1" = 50'	DRWG. NO. 1



Utility Note

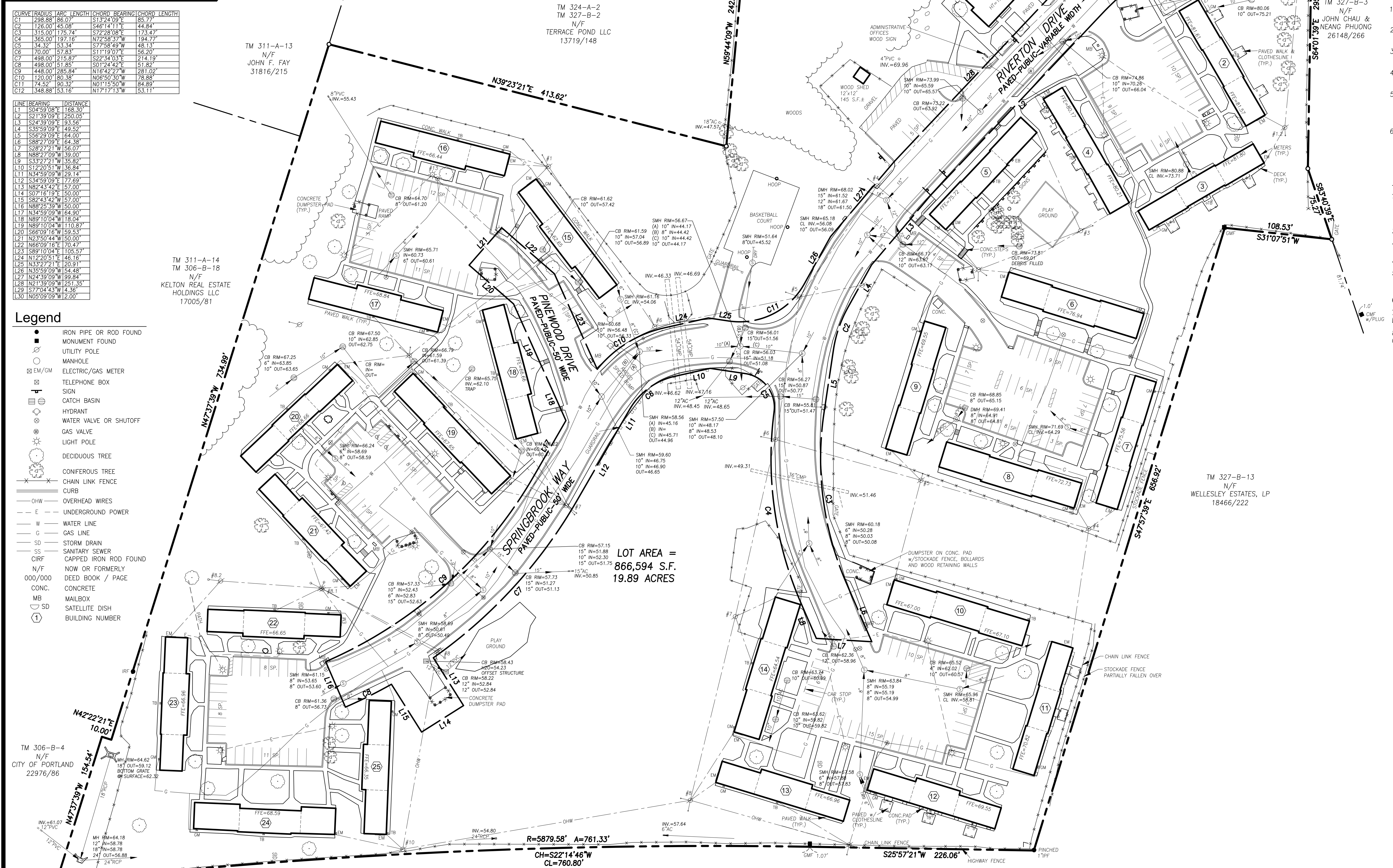
THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND 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.

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	268.88	66.07	S13°24'09"E	65.77
C2	126.00	46.08	S46°14'11"E	44.84
C3	315.00	175.74	S72°28'08"E	173.47
C4	365.00	197.16	N72°58'37"W	194.77
C5	34.32	63.34	S77°58'42"W	46.13
C6	70.00	57.83	S11°19'07"E	56.20
C7	498.00	215.87	S22°34'03"E	214.19
C8	498.00	51.85	S01°24'42"E	51.82
C9	448.00	285.84	N16°42'27"W	281.02
C10	120.00	80.38	N06°50'30"W	78.88
C11	174.52	90.32	N01°15'50"W	84.89
C12	348.88	53.16	N17°17'13"W	53.11

LINE BEARING	DISTANCE
L1	S04°59'08"E 188.30
L2	S21°39'09"E 250.05
L3	S24°39'09"E 93.56
L4	S39°59'09"E 49.22
L5	S56°29'09"E 64.00
L6	S86°27'09"E 64.38
L7	S86°27'09"E 64.38
L8	N88°27'09"W 39.00
L9	S13°27'21"W 35.82
L10	S17°20'51"W 36.84
L11	N34°59'09"W 29.14
L12	S34°59'09"E 77.69
L13	N62°43'42"E 67.00
L14	S07°16'19"E 50.00
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L16	N88°25'39"W 50.00
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L20	S66°09'16"W 19.53
L21	N2°50'44"W 50.00
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L23	S89°10'04"E 105.57
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L26	N35°59'09"W 54.48
L27	N24°39'09"W 99.94
L28	N21°39'09"W 251.35
L29	S77°04'43"W 14.36
L30	N05°09'09"W 230.00

Legend

- IRON PIPE OR ROD FOUND
- MONUMENT FOUND
- UTILITY POLE
- MANHOLE
- ELECTRIC/GAS METER
- TELEPHONE BOX
- CATCH BASIN
- HYDRANT
- WATER VALVE OR SHUTOFF
- GAS VALVE
- LIGHT POLE
- DECIDUOUS TREE
- CONIFEROUS TREE
- CHAIN LINK FENCE
- CURB
- OHW
- OVERHEAD WIRES
- UNDERGROUND POWER
- W
- WATER LINE
- G
- GAS LINE
- SD
- STORM DRAIN
- SS
- SANITARY SEWER
- CAPPED IRON ROD FOUND
- CIRF
- N/F
- NOW OR FORMERLY
- DEED BOOK / PAGE
- CONC.
- CONCRETE
- MB
- MAILBOX
- SD
- SATELLITE DISH
- BUILDING NUMBER



Plan References

- "PLAN OF LAND IN PORTLAND, MAINE FOR F.D. RICH COMPANY" DEC. 31, 1968, REV. 3 3-9-70 BY OWEN HASKELL, INC.
- "SITE PLAN, FAMILY TURNKEY HOUSING FOR PORTLAND HOUSING AUTHORITY, PORTLAND, MAINE" JAN. 14, 1971 BY LEASURE, TUTTLE & LEE ARCHITECTS & ENGINEERS.
- "CITY OF PORTLAND, MAINE DEPARTMENT OF PUBLIC WORKS, RIVERTON DRIVE, PINWOOD ROAD & SPRINGBROOK WAY" NOVEMBER 6, 1973.
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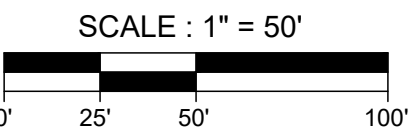
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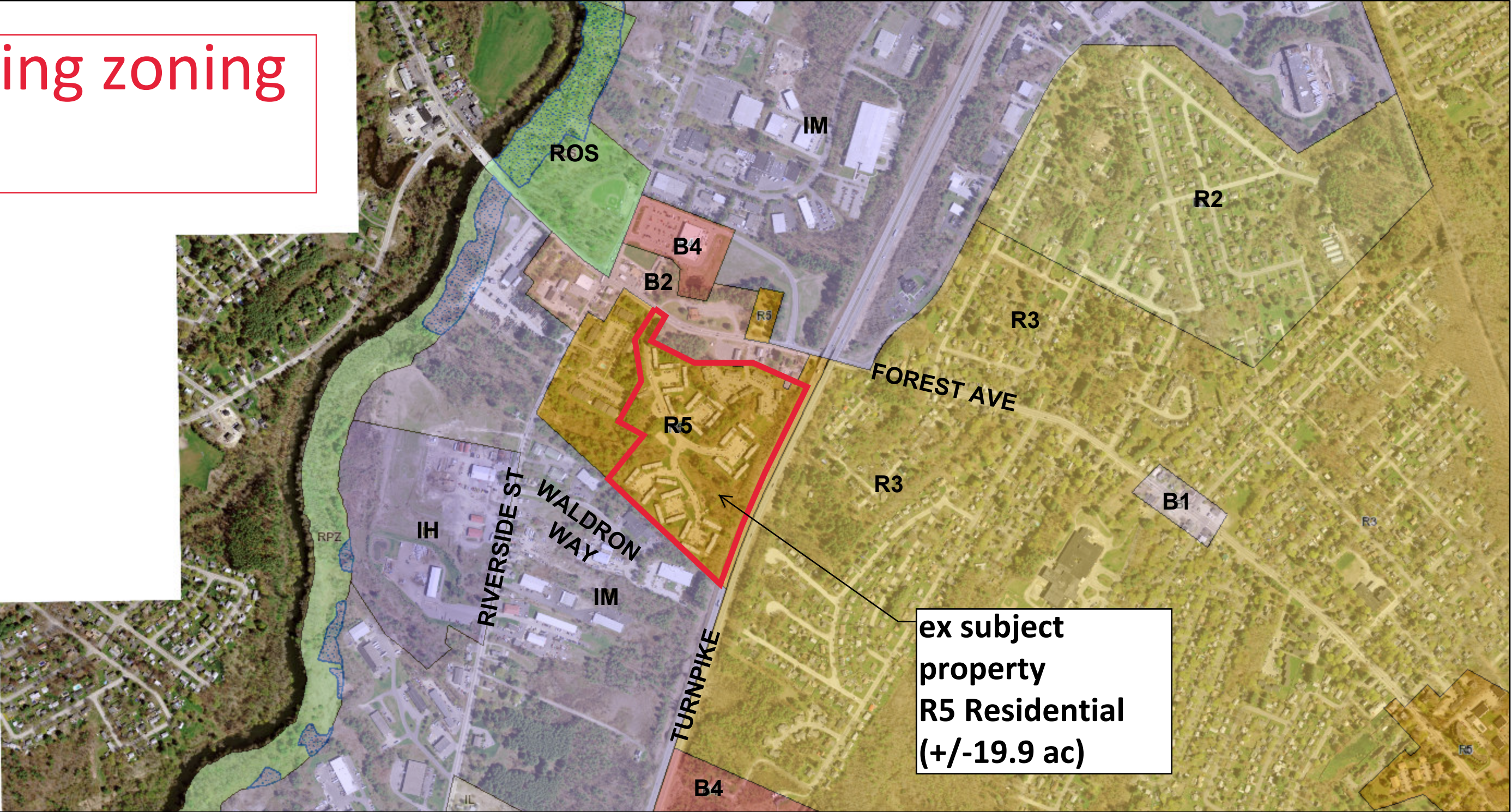
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CHECKED BY: RRL	SCALE: 1" = 50'	DRWG. NO. 2



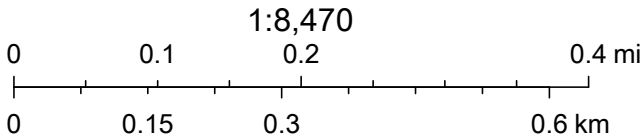
existing zoning
map



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Zoning

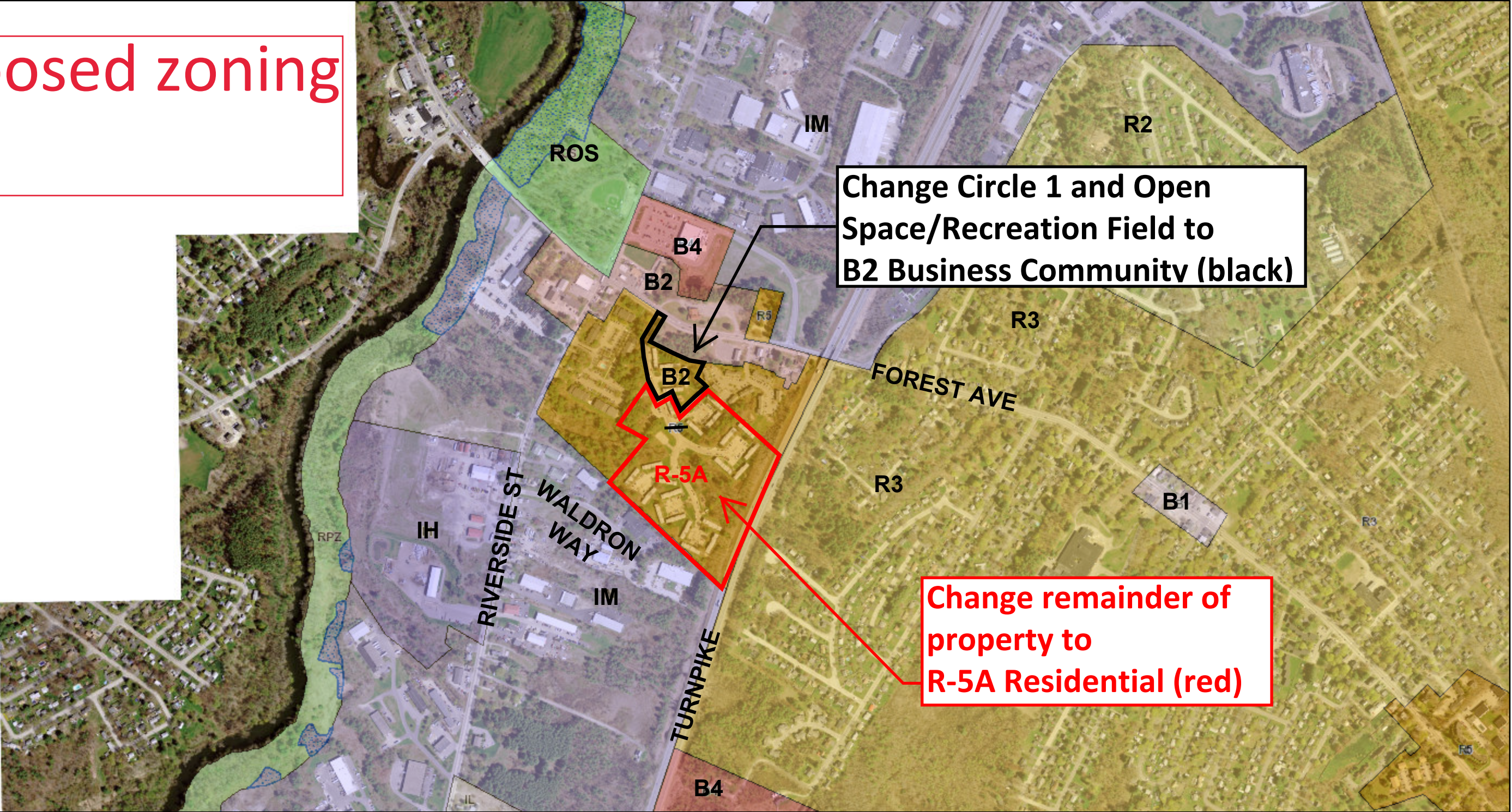
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IR-1 Island Residential	OP Office Park	B3c Downtown Business	IL Industrial - Low Impact	WPDZ Waterfront
IR-2 Island Residential	B1 Neighborhood Business	B4 Commercial Business	ILb Industrial - Low Impact	WCZ* Waterfront
IR-3 Island Residential	B1b Neighborhood Business	B5 Urban Commercial Business	IM Industrial - Moderate Impact	WSUZ Waterfront
I-B Island Business	B2 Business Community	B5b Urban Commercial Business	IMb Industrial - Moderate Impact	EWPZ Waterfront
I-TS Island Transfer Station	B2b Business Community	B6 Urban Commercial Business	IH Industrial - High Impact	Conditional or Contract (see list); C55
R1 Residential	B2c Business Community	B7 Urban Commercial Business	RPZ Resource Protection	
R2 Residential				
R3 Residential				
R4 Residential				
R5 Residential				
R-5A Residential				
R6 Residential				
R-6A Residential				
RP Residential Professional				



City of Portland, DPS

Overlay Zones
 Downtown Entertainment (DEOZ)

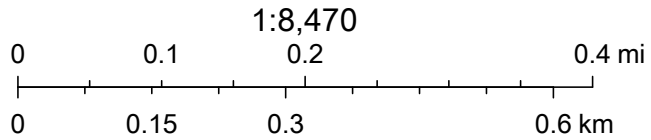
proposed zoning
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Zoning

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R1 Residential	RP Residential Professional	B2c Business Community	B7 Urban Commercial Business	RPZ Resource Protection	Overlay Zones
R2 Residential					Downtown Entertainment (DEOZ)



City of Portland, DPS



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OWNER

RIVERTON PARK, LP
14 BAYTER BLVD
PORTLAND, MAINE 04101

PROJECT

RIVERTON PARK
COMMUNITY CENTER –
MAINTENANCE BUILDING
2 RIVERTON DRIVE
PORTLAND, MAINE 04103

CONCEPT PLAN
10.14.2021

CWS PROJECT NUMBER: 15.021

REVISIONS

NO.	DESCRIPTION	DATE

DRAWING NUMBER

C1.0

SCALE: AS SHOWN
DATE: 1/12/2019

Planning Board Report
Planning and Urban Development Department



Place of Assembly Use
11 Pomeroy Street
Conditional Use Application
CU-001763-2021
Chabad Lubavitch of Maine Inc., Applicant

Submitted to:	Portland Planning Board	Prepared By:	Jimmy Dealaman, Planner
Public Hearing Date:	April 12, 2022	Date:	April 8, 2022

I. INTRODUCTION

Chabad Lubavitch of Maine Inc. is seeking an after the fact Conditional Use approval to facilitate a change of use to utilize approximately 1,020 square feet of floor area within an existing single family home for the organization's rabbi and family as a place of assembly space, for religious purposes, at 11 Pomeroy Street. A related Minor Site Plan application, PL-000058-2021, is also under staff review.



Figure 1: Aerial View with 11 Pomeroy Street Outlined in Blue

Per the City's Land Use Code, gatherings may include 15 non-permanent residents before a building's use is considered a "place of assembly." Due to the single family home's usage as a place of assembly, with gatherings in which more than 15 non-permanent residents assemble, the current use of the building is in violation of City codes. In order to bring the religious place of assembly activity into compliance, the City has requested the applicant take all necessary actions, including but not limited to obtaining required permits and approvals. The proposed place of assembly use in the R-3 zone requires a Conditional Use permit to be reviewed by the Planning Board for compliance with the Conditional Use standards in Section 6.5.2 as well as the requirements of the R-3 Conditional Use standards listed in Section 6.5.6(F) of the Land Use Code.

The Planning and Urban Development Department mailed 116 notices advertising this meeting to property owners within 500 feet of the site. A legal advertisement ran in the April 1st and April 2nd editions of the *Portland Press Herald*.

Applicant: Chabad Lubavitch of Maine Inc.
Applicant Chris Macdonald, BH2M, Civil Engineer
Representatives:

II. REQUIRED REVIEWS

<i>Review</i>	<i>Applicable Standards</i>
Conditional Use Review (Places of assembly (<10,000 SF))	General Conditional Use standards Section 6.5.2 and specific conditional use standards 6.5.6(F)
Site Plan	Section 14.6 (reviewed by staff)

III. PROJECT DATA

Existing Zoning	R-3 Residential
Property Size	73,821 square feet
Existing Use	Single Family Home
Proposed Use	Single Family Home; Place of Assembly

	<i>Existing</i>	<i>Proposed</i>	<i>Net Change</i>
Building Footprint	3,071 SF	3,071 SF	0
Building Floor Area	7,605 SF	7,605 SF	0
Impervious Surface Area	7,500 SF	9,650 SF	2,150 SF
Parking Spaces	1 space	8 spaces	+7 spaces
Bicycle Parking Spaces	0	0	0

IV. BACKGROUND

The Chabad Lubavitch of Maine (“Chabad”) property previously (2004-2005) received approval for a single-family home and synagogue on site. The applicant did not post the required performance guarantee, and the approval expired in 2007.

In 2013, Chabad received a Level II site plan approval to pave Pomeroy Street and a separate Level I minor residential approval to construct the existing single family home. Both of these changes were reviewed at a staff level; neither required a Planning Board hearing. The building and Pomeroy Street paving was finished in 2015, however, the Pomeroy Street acceptance request as part of the build out was stalled and the street’s status remains unaccepted.

Chabad received a building permit for a two-story addition to the single family home in 2017. Including the addition, the house is 7,605 square feet, and is located on a 73,821 square foot (1.69 acre) lot. Permits for the building addition were reviewed and issued by the Permitting and Inspections Department.

Since 2018, according to Chabad, the number of worshipers attending services at the site has increased to more than 15 people, prompting the need for a conditional use as a place of assembly. Additionally, the applicant estimates that larger gatherings of 25 – 35 people occur during special events approximately eight times a year. The applicant previously appeared before the Planning Board at a [workshop held on November 27, 2018](#) for a similar conditional use application (CU-000057-2018), which expired after staff comments were unresolved.

In 2020, the City issued a letter of noncompliance to the applicant (Attachment 2) and outlined a process to clarify the requirements to bring the property into compliance. At the request of the applicant a pre-application meeting with City staff was held on June 16, 2021. During the meeting staff provided the

applicant with guidance on how to resume the application process via reapplying again for a conditional use application and a minor site plan application under the City's new land use code.

The Planning Board held an initial workshop for this Conditional Use application on October 26, 2021.

V. EXISTING CONDITIONS AND SURROUNDING AREA

The existing single family home located at 11 Pomeroy Street is situated on a 1.7 acre site, zoned R-3 Residential, and is located in the Rosemont neighborhood. The neighborhood is bounded by the Capisic Brook to the west, Brighton Avenue and Woodford Street to the north, Capisic Street to the south, and Stevens Avenue to the east. The property is surrounded by a neighborhood primarily containing single family residential uses and is immediately adjacent to 11 single family homes which are located on Bancroft Street, Benjamin Way and Redlon Park Road.

The site is accessible to public transit. METRO bus routes 9A and 9B operate along Stevens Avenue roughly 0.5 miles to the east. The site is also served by METRO bus route 4, which runs along Brighton Avenue to the north.



Figure 2: Subject Property at 11 Pomeroy Street

VI. PROPOSED DEVELOPMENT

The site is in active operation as a place of assembly use, with somewhere between 10 to 20 people who might attend worship services Thursday (7-8:15 am), Sunday (9-10am), and Saturday (10:30am-1pm).

According to the applicant the main use of the place of assembly space is for weekly worship services and occasional lectures which typically bring 10-12 worshippers/guests parking 5-6 vehicles onsite. Lectures are held at times outside the typical worship services, generally during daytime hours and occasionally between 7-8:00 pm or conducted in a web format, and many of the same attendees participate in the lectures and worship services. The organization also provides other specific services, one of which is a summer camp that is typically conducted offsite for 3 weeks in July, although it has been previously held at 11 Pomeroy Street due to Covid related closures. The summer camp operates offsite between 9am to 3pm, so the applicant reports in the rare event that summer camp would need to be held at 11 Pomeroy Street, it occurs outside the window of other services and does not overlap with attendees attending other services. The applicant reports that on the occasion when the summer camp was held at 11 Pomeroy Street, attendees were dropped off and picked up and no cars were parked longer than time needed for loading and unloading. Additionally, the organization has conducted larger gatherings of 25-35 people during special events approximately eight times a year, but typically holds larger events off site due to the limitations of facilities at 11 Pomeroy Street.

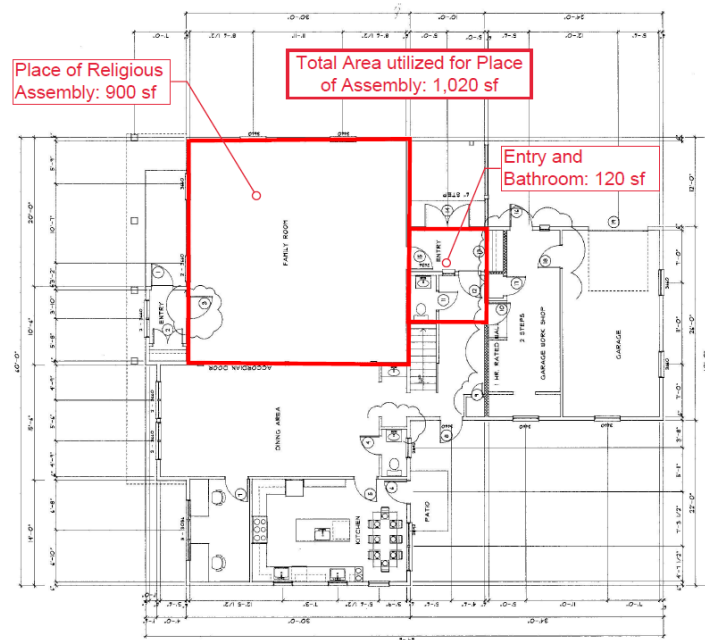


Figure 3: First Floor Plan with Place of Assembly Area Outlined in

The after-the-fact review is for the conversion of 1,020 square feet (Figure 3) of an existing 7,605 square foot single family home occupied by the organization's rabbi and family to a dedicated religious place of assembly space. The remaining 6,585 square feet of the building would continue to function as a separate single family residential use.

According to the applicant, attendees are prohibited to drive on days when attendance will be at its highest – based on a religious restrictions which the applicant argues will reduce the number of vehicles on site to a number less than what may typically be expected for religious assembly, but on a typical day, fewer than 10 cars are expected to visit the site with 5-6 vehicles parked at any given time during services. The applicant indicates that some worshippers walk to the site, some arrive by car, and others will carpool to the site.

No additional structures are proposed as part of this change, but the site improvements include paving the existing parking area and adding striping to create seven defined parking spaces as well as widening the parking aisle to 24 feet in order to provide a sufficient vehicle turnaround area. To address the Fire Department's comments regarding access, the plan proposes expanding the driveway width to a minimum width of 16 feet, as well as creating a no-parking area along Pomeroy Street across from the driveway in order to provide sufficient fire truck access.

VII. PREVIOUS WORKSHOPS

The current application was introduced to the Planning Board by the applicant and staff at a [workshop held on October 26, 2021](#). Staff answered Board questions about aspects of the conditional use review, including but not limited to clarifying that a place of religious assembly is the specific subtype of place of assembly use being reviewed, and that the scope of the application is based on the square footage of the proposed use.

The Board were interested in obtaining more information about how the proposed use would be operating and to understand the activity on the site and intensity of the proposed use. The Board had questions about what a conditional use approval would include and, if approved, were interested in having a condition of approval to clearly define the scope and setting parameters to cap what's being approved.

VIII. RIGHT, TITLE, & INTEREST

The applicant submitted a warranty deed (Attachment D) recorded in book 21417 page 198 in the Registry of Deeds as evidence of ownership of the property in question.

IX. ZONING ANALYSIS

A. DIMENSIONAL REQUIREMENTS

The building at 11 Pomeroy Street was originally permitted as a single family home, and Chabad of Maine seeks a conditional use approval for a place of assembly for a portion of the building. Places of assembly in the R-3 Residential zone are sized by maximum floor area and must be located on a corresponding minimum acreage. While the overall building is 7,605 square feet, the place of assembly space utilized for religious services is approximately 1,020 square feet. Thus, it is categorized as a place of assembly less than 10,000 square feet requiring a minimum lot size of one acre, which the existing lot meets.

The project is subject to both the dimensional and parking standards for the respective uses, single family residential (approximately 6,705 square feet) and institutional place of assembly (approximately 1,020 square feet) in the R-3 Residential zone. For parking, the applicant is required to provide one parking space per 150 square feet of floor area used for assembly purposes. Floor area is defined as the space enclosed by exterior or standard fire walls of a building, exclusive of vent shafts and courts. With 1,020 square feet of assembly space the applicant is required to provide seven parking spaces for assembly purposes. The existing residential use is required to provide one parking space.

The following table is provided below to summarize the dimensional requirements of the R-3 zone (Land Use Code Sec. 7.3) which are met by both uses:

Place of Assembly	<i>Permitted</i>	<i>Proposed</i>
Lot Area (min.) Place of Assembly <10,000 SF	1 ac.	1.695 ac.
Single-Family Residence	<i>Permitted</i>	<i>Existing</i>
Lot Area (min.) Residential	6,500 SF	73,821 SF
Lot Area Per Dwelling Unit	6,500 SF	73,821 SF
Minimum Street Frontage	50 feet	67.17 feet
Front Yard Minimum	25 feet	168.8 feet
Rear Yard Minimum	25 feet	130.9 feet

Side Yard (right)	16 feet	43.5 feet
Side Yard (left)	16 feet	70.2 feet
Maximum Lot Coverage	35%	5.4%
Maximum Structure Height	35 feet	35 feet
Off Street Parking Spaces	8 spaces Total (1 space required for residential) (7 spaces required for assembly purposes (1 space per every 150 feet))	9 spaces (2 existing residential spaces) (7 spaces proposed for place of assembly use)

B. ZONE-SPECIFIC CONDITIONAL USE STANDARDS – SEC. 6.5.6(F)

Places of Assembly are permitted in the R-3 zone as conditional uses, requiring review by the Planning Board. The applicant has submitted an analysis addressing how the proposal meets the R-3 Conditional Use Standards (Attachment N). Staff review of the conditional use standards is provided below:

Sec. 6.5.6 Supplemental use-specific conditional use standards:

In addition to the general conditional use standards, the following standards shall apply to specific conditional uses:

(F) Institutional uses (excluding preschools):

- 1. The Planning Board shall be the review authority.***

Staff Comments: The application has been referred to the Planning Board as the reviewing authority.

- 1. In the case of expansion of existing institutional uses onto land other than the lot on which the principal use is located, it shall be demonstrated that the proposed use cannot reasonably be accommodated on the existing site through more efficient utilization of land or buildings, and will not cause significant physical encroachment into established residential areas.***

Staff Comments: The proposal does not involve any expansion outside the existing lot.

- 2. The proposed use will not cause significant displacement or conversion of residential uses existing as of June 1, 1983, or thereafter.***

Staff Comments: The proposal does not significantly displace or convert any residential uses. The existing single family use will remain, and the portion of the building converted into assembly space will not decrease the number of bedrooms within the residential space.

- 3. In the case of a use or use expansion which constitutes a combination of the conditional institutional uses with capacity for concurrent operations, the applicable minimum lot sizes shall be cumulative.***

Staff Comments: The lot continues to meet the minimum lot size requirements for the combination of uses. The cumulative lot size for both uses with concurrent operations is

approximately 50,060 square feet (i.e. Minimum lot area for place of assembly <10,000 square feet = 1 ac or 43, 560 square feet + Minimum lot area per residential dwelling unit = 6,500 square feet = 50,060 square feet)

Standards 5-8. Staff Comments: These provisions do not apply to the subject proposal.

C. GENERAL CONDITIONAL USE STANDARDS – SEC. 6.5.2

The following standards in Section 6.5.2 apply to all conditional uses:

Sec. 6.5.2 General conditional use standards:

The review authority shall, after review of the application, approve a conditional use upon a finding that the proposed conditional use, at the size and intensity contemplated at the proposed location, will not have substantially greater negative impacts than would normally occur from surrounding uses or other allowable uses in the same zone. The review authority shall find that this standard is satisfied if it finds that:

- A. The volume and type of vehicle traffic to be generated, hours of operation, expanse of pavement, and the number of parking spaces required are not substantially greater than would normally occur at surrounding uses or other allowable uses in the same zone.*

Applicant Response: “The project does not generate vehicle volume substantially greater than the surrounding uses. Attendees are prohibited to drive on days when attendance will be at its highest, which will reduce the number of vehicles on site than what may be typically expected for religious assembly. The driveway and parking are proposed to be expanded to the minimal extent practical to meet the City’s code. The proposed 16’ wide driveway is not considered to be abnormally wide in comparison to the surrounding uses. Additional parking for 7 vehicles is effectively replacing informal gravel parking of the same size and location currently found on site.”

Staff comment

The City’s consulting traffic engineer has reviewed the applicant’s trip generation estimate and additional information provided explaining the hours, schedule and parking demand associated with the place of assembly use (See summary of proposed development in Section VI above) and finds that services generating approximately six vehicles at a time will provide an average vehicle occupancy of two vehicles during the peak hour. On a daily basis the site would expect approximately 12 place of assembly related trips (6 entering/6 exiting) for worship services and 6 miscellaneous trips by the single-family household, the latter of which are separate from the assembly use. Further, if lectures are held, the daily trip level has the potential to increase by 12 daily trips for a maximum daily trip load of 24 trips and 6 household trips. However, the applicant has stated that lecture trips do not occur at the same time as worship services, and has indicated that many of the same attendees participate in the lectures and worship services so the number of daily trips is expectedly less than the 24 trips on days when lectures will occur. The applicant reports that the larger gatherings and a summer camp which the organization operates for three weeks in July are conducted offsite and on the rare occasion that the summer camp would need to be held at 11 Pomeroy Street, it operates outside the timeframe of other services and there is no overlap with any other services, as well as having less vehicles using the parking area for loading and unloading.

Based on the information provided above, the City’s consulting traffic engineer finds that the maximum level of traffic would not be expected to create mobility or safety issues and is not substantially greater than other nonresidential uses in the zone (Attachment 1).

The City's consulting traffic engineer has also reviewed the parking and paved areas proposed and finds they are consistent with the minimum number of required parking spaces in the R-3 Residential zone and that the extent of parking area is not significantly greater than would normally occur at other allowable uses in the same zone, describing that the paved surface area is not excessive to provide the required parking and turnaround areas for users, and that the hours of operation appear to be consistent with those typical of a place of assembly use.

Staff believes that this standard is adequately addressed. The proposed project meets the minimal parking and driveway access requirements. Staff notes that the proposed place of assembly is intended to occupy 1,020 square feet, and at that size, the vehicle traffic generated from the use moving to and from the site and number of required parking spaces is not substantially greater than would normally occur at other allowable uses in the R-3 zone.

- B. The proposed use will not create unsanitary or harmful conditions by reason of noise, glare, dust, sewage disposal, emissions to the air, odor, lighting, or litter.**

Applicant Response: "The project does not generate harmful or unsanitary conditions. The existing building utilizes municipal water and sewer, hosting worshippers with no negative effects. No additional lighting or emissions are proposed with the use, and with the majority of activities occurring inside the building, no harmful generation of noise is anticipated."

Staff comment: Staff have reviewed the applicant's proposal and do not believe the project will generate harmful or unsanitary conditions. The applicant has provided additional information on their site plan (Plan 2) identifying existing lighting locations showing low-level lighting fixtures. Given that there are no proposed exterior building changes and based on the information provided by the applicant, staff do not find there are any substantially greater negative impacts related to the categories under this section that would result by this change in use and accompanying site work.

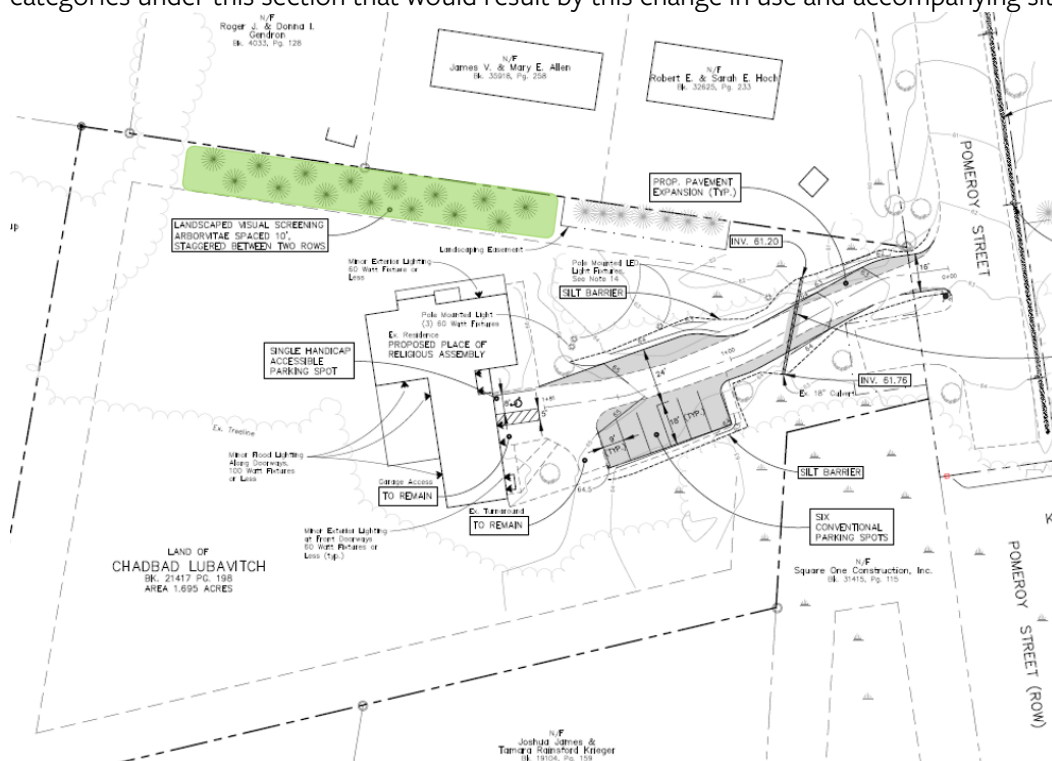


Figure 4: Proposed Site Plan Highlighting Proposed Landscaping Area

- C. The design and operation of the proposed use, including but not limited to landscaping, screening, signs, loading, deliveries, trash or waste generation, arrangement of structures, and materials storage will not have a substantially greater effect/impact on surrounding properties than those associated with surrounding uses or other allowable uses in the zone.*

Applicant Response: “The proposed use will not have impact on surrounding properties. The building and parking are well screened from abutting properties. No impacts to landscaping, arrangement of structures, screening and signage are proposed with this proposed use, as no tree removal or expansions of the building are proposed. No increases in deliveries, trash, or loading are proposed over what is currently occurring on site.”

Staff comment: The applicant has indicated that no increases in deliveries, trash, or loading is proposed over what is currently occurring on site. Public Works has confirmed that if the property contains a parsonage or residential apartment it will remain eligible for trash pick-up. In response to a staff recommendation to provide additional landscaping to help screen the proposed use from adjacent properties, the applicant has proposed adding an area of arborvitae along the north property line (Figure 4). Staff find that this additional measure will help to minimize potential impacts to immediate abutters. Staff have reviewed the proposal as it relates to the design and operation and find that the proposed site changes do not create significant impacts to landscaping, screening, sign, loading, deliveries, trash and waste generation, arrangement of structures, and materials storage. Based on the materials provided as part of the current application, the proposal does not create a substantially greater negative impact on surrounding properties than those allowable uses in the zone as related to these categories.

- D. The proposed use will meet any additional zone or use-specific standards identified in Tables 6-A to 6-F and Subsections 6.5.6 and 6.5.7.*

Staff comment: All applicable standards referenced under these sections have been incorporated into this memo, see Section B.

X. PUBLIC COMMENT

When the previous application (CU- 000057-2018) was under review, Planning staff received 12 written comments (Attachments PC1 – PC12) which are attached to this report again for reference. When the project went to the Planning Board in 2018 public comments focused on the activities advertised on the Chabad of Maine website, including a kid’s camp and room rentals. Area residents also expressed concerns regarding traffic, parking, and stormwater impacts. Previous expansion of uses on site, and the potential for growth, also caused concern.

Staff received 17 recent public comments (Attachments PC13-29). Some comments described concerns that the site has grown with a significant amount of guest traffic on a regular basis despite the use’s status as out of compliance with the Land Use Code as well as not being supportive of expanding the driveway and parking area to increase/permit a place of assembly use. Other concerns identified that large gatherings have taken place in the summer which have created disruptive conditions to the surrounding neighbors, as well as bringing unwanted additional traffic through the neighborhood. In responses to concerns related to large gatherings Planning staff coordinated with the Permitting and Inspections Department to clarify the

threshold for an entertainment license, which is required for any event to which the public is invited or allowed to watch, listen to, or participate in; or is conducted for the purposes of holding the attention of, gaining the attention of, or diverting or amusing patrons or guests. Therefore, if an event fell under this category a single event license is required.

XI. STAFF RECOMMENDATION

Subject to the proposed motions and conditions of approval listed below, Planning Department staff recommends that the Planning Board approve application #CU-001763-2021 to allow a conditional use for a place of assembly space totaling 1,020 square feet at 11 Pomeroy Street, which meets the applicable standards of Portland's Land Use Code, and recommends a condition of approval that should the place of assembly use seek to expand, any future expansion will require additional review and approval by the Planning Board.

XII. 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 for the public hearing on April 12, 2022 for application #CU-001763-2021 relevant to Land Use Code Section 6.5.2 and Section Sec. 6.5.6(F) and the testimony presented at the Planning Board hearing, the Planning Board finds that the plan is/is not in conformance with the conditional use standards of the Land Use Code, subject to the following conditions of approval:

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

1. The applicant shall submit a completed Street Acceptance Application Packet to the Department of Public Works and finalize the street acceptance process to dedicate Pomeroy Street as a public right-of-way.

ON-GOING/MONITORING

2. The maximum square footage dedicated to a place of assembly use on the site shall not exceed 1,020 square feet of floor area. Any amendment to expand the conditional use will require review and approval by the Planning Board.

XIII. ATTACHMENTS

PLANNING BOARD REPORT

1. Comments from Consulting Traffic Engineer (dated 2.26.2022)
2. Letter of Noncompliance (dated 8.4.2020)

APPLICANT'S SUBMITTAL

- A. Cover Letter
- B. Conditional Use Checklist
- C. Minor Site Plan Checklist
- D. Right Title Interest
- E. Traffic
- F. Environmental Impacts
- G. Design and Operation

- H. Zoning Analysis Table
- I. Site Plan Assessment
- J. Waiver Table
- K. Public Infrastructure and Safety Narrative
- L. Site Design
- M. Stormwater Report
- N. Response to Staff Comment (dated 10.20.2021)
- O. Response to Staff Comment (dated 1.24.2022)
- P. Response to Staff Comment (dated 2.4.2022)

PLANS

- Plan 1 Cover Page
- Plan 2 Site Plan
- Plan 3 Existing Conditions
- Plan 4 Erosion Control Details
- Plan 5 Pre Development Drainage Plan
- Plan 6 Post Development Drainage Plan

PAST PUBLIC COMMENT (Submitted in 2018)

- PC1. Judy Gailen 9-6-18
- PC2. Kristine and Rick Jacobs 9-9-18
- PC3. Jonathan Matt 9-10-18
- PC4. Jeff Emerson 9-11-18
- PC5. Jonathan Matt 9-12-18
- PC6. Douglas Babkirk 9-12-18
- PC7. Jessica Teesdale 9-23-18
- PC8. Bill Green 10-17-18
- PC9. Jonathan Matt 9-10-18
- PC10. Douglas Babkirk 11-29-18
- PC11. Kenneth Capron 11-27-18
- PC12. Jeff Emerson 11-28-18

NEW PUBLIC COMMENT

- PC13. Judy Richard 10-6-2021
- PC14. Lisa Richard 10-6-2021
- PC15. Judy Gailen 10-16-2021
- PC16. Matt Steege 10-20-2021
- PC17. Richard Funnell 10-20-2021
- PC18. Heather Shields 10-21-2021
- PC19. Jeff Emerson 10-21-2021
- PC20. Sarah Delisle 10-21-2021
- PC21. Richie Garcia 10-21-2021
- PC22. Lee Lindenau 10-21-2021
- PC23. Ali Goldstein 10-22-2021
- PC24. Douglas Dempsey 10-22-2021
- PC25. Emily Raisch 10-22-2021
- PC26. Colin Wilkie 10-26-2021

PC27. Jeff Emerson 10-28-2021

PC28. Judy Richard 10-28-2021

PC29 - Judy Gailen 4-2-2022



Jimmy Dealaman <jdealaman@portlandmaine.gov>

11 Pomeroy Street - Final Traffic Comments

Tom Errico <thomas.errico@tylin.com>

Sat, Feb 26, 2022 at 8:55 AM

To: James Dealaman <jdealaman@portlandmaine.gov>

Hi Jimmy – I have reviewed project details as it relates to Sec. 6.5.2 General conditional use standards for item A. *The volume and type of vehicle traffic to be generated, hours of operation, expanse of pavement and number of parking spaces required are not substantially greater than would normally occur at surrounding uses or other allowable uses in the same zone.* The following is a status update from prior comments and represent final traffic comments.

- According to the applicant the project is projected to generate 10 daily trips and 2 peak hour trips. They note the project will generate less than 10 cars at the site. The estimate is based on an outdated version of the ITE Trip Generation Manual and for a land use that is not representative for this project. I would suggest the applicant provide an estimate based upon the maximum number of attendees expected and an assumption regarding vehicle occupancy. I would expect this project to generate more than 10 trips per day. This estimate should also be performed for the summer camp. The applicant should also define the hours or traffic generation for both events and the summer camp.

Status: The applicant has provided the requested information. Based on the information provided, worship services would generate approximately 6 vehicles (average vehicle occupancy of 2) during the peak hour. On a daily basis, I would expect about 12 place of assembly related trips (6 entering/6 exiting) for services and 6 miscellaneous trips by the household which are separate from the assembly use. This trip level will increase when lectures are held and would add 12 daily trips for daily trip load of 24 trips (the lecture trips will not occur at the same time as the worship services) and 6 household trips. This level of traffic would not be expected to create mobility or safety issues and is not substantially greater than other non-residential uses in the zone.

- While the parking supply is based on zoning requirements, I am concerned that parking demand will exceed supply and thus will require vehicles parking off site. The applicant shall consider the estimate for trip generation (and number of attendees) in estimating parking demand.

Status: The applicant has noted that under a worst-case scenario, there will be a need for 6 parked vehicles during either worship services or lectures which do not occur at the same time. The required two residential parking spaces will be provided in the garage or in the spaces in front of the garage. I have reviewed the site plan and find the circulation and layout to be acceptable for the demand noted. It is assumed that the project will be providing parking accommodations on-site and not utilizing on-street parking spaces or the turnaround area at the end of Pomeroy Street. The amount of proposed parking spaces for the place of assembly use is consistent with the minimum number of required parking spaces in the R-3 Residential zone. The proposed place of assembly space totals 1,020 SF and the R-3 requires 1 space for every 150 SF or floor area used for assembly purposes (7 spaces required for place of assembly use). The project proposes 7 spaces to meet the minimum number of required spaces, therefore the extent of parking provided is not significantly greater than would normally occur at other allowable uses in the same zone.

- The extent of the paved surface area proposed is not excessive to provide the required parking and turnaround areas for the people attending a place of assembly use apart from the existing residential use.
- The hours of operation appear to be consistent with those typical of a place of assembly use.

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, PE
Senior Associate
Traffic Engineering Director

TYLIN INTERNATIONAL
12 Northbrook Drive

4/1/22, 9:28 AM

City of Portland Mail - 11 Pomeroy Street - Final Traffic Comments

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CITY OF PORTLAND
Danielle P. West Chuhta
Corporation Counsel

Michael I. Goldman
 Associate Counsel

Jennifer L. Thompson
 Associate Counsel

Anne M. Torregrossa
 Associate Counsel

August 4, 2020

VIA CERTIFIED MAIL, R.R.R. & REGULAR U.S. MAIL

Rabbi Moshe Wilansky
 11 Pomeroy Street
 Portland, ME 04102-2055

Dear Rabbi Wilansky,

As you know, the City of Portland has taken the position that many of the activities taking place at your property at 11 Pomeroy Street are in violation of the City of Portland Code of Ordinances. The City has tried to work with you cooperatively to give you time to remedy those violations and, over the past several years, representatives of the City of Portland have met with you and your representatives to try to assist you in bringing your property into compliance. The process for doing so has been stalled for quite some time now, and we write to clarify the requirements to bring your property into compliance and to lay out the City's expectations with respect to the timing of completing those requirements. If you are unable, or unwilling, to meet these expectations, the City will have no choice but to issue you a Notice of Violation and to proceed with enforcement measures. We hope that we will be able to avoid the enforcement process, but we cannot allow the violations to continue.

You must complete the following work:

1. **Register your short term rental units no later than August 14, 2020.**
 It is clear from your website that you are renting rooms and suites in your home on a short term basis. All short term rental units must be registered with the City pursuant to § 6-151 of the City Code, including paying the associated fees. Please also note that you can register no more than five units in your home as short term rentals. Unless and until these units are registered, they may not be rented or let.

389 Congress Street, Room 211, Portland, ME 04101

www.portlandmaine.gov / tel. 207.874.8480 / tty. 207.874.8936 / fax. 207.874.8497

2. **Submit a complete new site plan and conditional use application no later than October 2, 2020**, and diligently pursue those approval processes. On November 20, 2018, the City of Portland Planning Board held a workshop to review your site plan and place of assembly conditional use applications. In that workshop, and at follow-up meetings, City staff provided feedback on steps that would be required before the application could proceed to a Planning Board public hearing and decision on your original conditional use and site plan application. Those steps were not undertaken. Please reapply for approval and ensure that your applications address the following:
- a. **Improved Fire Access:** the property's access driveway, from Pomeroy Street to the building, shall be required to be a minimum of twenty feet wide for its entire length. Paved emergency access lanes shall be provided on a minimum of two sides of all structures. Access lanes should be engineered and maintained to support the weight of emergency vehicles during all weather conditions.
 - b. **Impervious Surfaces and Site Disturbance:** the improved fire access requirements are expected to result in increased impervious surface and increased site disturbance from your originally proposed plan. The updated site plan application must meet applicable stormwater and site plan standards triggered by these increases.
 - c. **Transportation:** Estimated trip generation projections for the proposed place of assembly must be provided. Parking demand estimates and how vehicles will be accommodated during events must also be documented with a parking management plan.
 - d. **Current, Accurate Representation of Existing On-Site Activity and Intended Activity:** In November of 2018, Sevee & Maher Engineers provided a memo specifying the current usage and participants for assembly and event-related spaces within the existing onsite buildings, as well as anticipated future participation. This information, or updated information reflecting current realities, should be used as a basis for your site plan and conditional use application.

Unless and until you obtain site plan and conditional use approval, obtain the required building permits, and finalize all additional work, you must stop using your single family home as a place of assembly and house of worship, and you may not engage in the accessory uses such as a daycare and summer camp. However, the City will allow you to continue the limited use of your house for religious services only so long as no more than 49 people are in attendance at any one time. The City's willingness to work with you on this will continue only so long as you adhere to the deadlines given and continue to move forward in bringing your property into compliance.

3. **Apply for a building permit within two months from site plan approval**, and diligently pursue any required permits. If and when you have site plan approval and conditional use approval, you will must apply for a building permit to complete the work required for the approved uses. Based on the information previously provided, this will require, at a minimum, the following upgrades:
 - a. Upgraded sprinkler system from a system only designed for the residence to a system designed for the multiple occupancies;
 - b. Renovate your kitchen to meet the commercial kitchen standards including commercial exhaust and fire suppression systems and commercial sanitation;
 - c. Provide egress components that are compliant with the applicable codes for the multiple occupancy type in the building which may include fire separation protection of the stairway, and making and illumination of the egress.
4. **Apply for a food license and upgrade your kitchen to a commercial kitchen.** You are currently selling bread and meals from your home, which requires both a state and local food license, as well as a commercial kitchen. Within two months from site plan approval, you must apply for your state and local food licenses. Unless and until you receive a food license, you must stop selling bread and meals from your home.
5. **Finalize the addition and schedule final inspections of that addition.** In 2018, you put in an addition consisting of a bath house and bedrooms. That addition was never completed and final inspections were never approved. If the work is complete, please contact Permitting and Inspections to schedule your final inspection. Unless and until you receive final approval, you may not occupy the bath house or bedrooms.

Please let us know if you require any clarification on the City's expectations. Although these are large undertakings, you have already been given a significant amount of time to work towards bringing your property into compliance, with little progress. Ultimately, we want you to be successful in your endeavors while still being compliant with City ordinances for the safety of your guests, as well as the public.

Sincerely,

/s/ Anne Torregrossa

Anne Torregrossa

C: Marshall Tinkle, Esq. (via email)



WILLIAM A. THOMPSON
ROBERT C. LIBBY, Jr.
WALTER E. PELKEY
ANDREW S. MORRELL
STEVEN J. BLAKE

Berry, Huff, McDonald, Milligan Inc.
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August 24, 2021

Shukria Wiar
Planner
Planning and Urban Development Department
389 Congress Street 4th Floor
Portland, Maine 04101

Re: Chabad Lubavitch of Maine
Change of Use and Minor Site Plan Applications

Dear Shukria,

Chabad Lubavitch of Maine Inc. has engaged with BH2M to provide design and permitting assistance for Conditional Use and Minor Site Plan applications through the City of Portland for their private residence at 11 Pomeroy Street in Portland. Chabad Lubavitch has been providing assembly space for worshippers at their private residence, and these applications seek to clarify the use of this property as a Place of Religious Assembly.

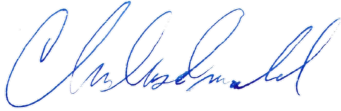
Working with Rabbi Moshe Wilanski of Chabad Lubavitch, we understand that 900 square feet of the private residence has been dedicated toward a Place of Religious Assembly. Chabad Lubavitch has been operating as Place of Religious Assembly and does not propose any additional structures to facilitate this change of use, nor does it project any increased use of the property. However, following the parking requirements for a Place of Assembly, and requirements as provided by the City of Portland Fire Department, additional parking and expanded driveway widths are required to conform to the proposed use.

Following up on our June 16, 2021 pre-application meeting, we are providing the attached applications for the Planning Department's review. Given the proposed change of use, a Conditional Use Permit application is required. We understand that given the proposed change to an Institutional Use, approval of the Conditional Use Permit is required through the Planning Board. We also discussed the Minor Site Plan Permit application as being required for this change of use to facilitate permitting of the expanded parking and driveway areas.

We have organized our submission into lettered attachments for use in uploading to eplan, and have noted on the application checklists which attachment can be referenced for responses to a specific checklist item.

We trust that these applications and supporting documents will facilitate approval of the change of use for the project. We look forward to answering any questions yourself or the Planning Department may have and look forward to addressing the Planning Board to gain approval of the Conditional Use Permit application.

Sincerely,

A handwritten signature in blue ink, appearing to read "Christopher MacDonald".

Christopher MacDonald, P.E.
Civil Engineer

CITY OF PORTLAND
Planning & Urban Development Department

**CONDITIONAL USE – PLANNING BOARD REVIEW
SUBMISSION CHECKLIST**

Please submit each document as a separate PDF file.
Please confirm by electronically checking the boxes in the left-hand column.

Conditional uses are listed in the land use code for each zone. The applicant must address the general standards as well as any use- or zone-based conditional use standards contained in Article 6.5 of the land use code in the written application.

GENERAL APPLICATION DOCUMENTS

☒	N/A	Project Description Cover letter with detailed project description Attachment A
☒	N/A	Completed Checklist – Conditional Use (this document) Attachment B
☒	N/A	Evidence of Right, Title and Interest Attachment D Deeds, leases, or purchase and sales agreements

CONDITIONAL USE STANDARDS AND CRITERIA

☒	N/A	Traffic Attachment E Demonstrate that the volume and type of vehicle traffic to be generated, hours of operation, expanse of pavement, and number of parking spaces required are not substantially greater than would normally occur at surrounding uses or other allowable uses in the zone.
☒	N/A	Environmental Impacts Attachment F Demonstrate that the proposed use will not create any unsanitary or harmful conditions by reason of noise, glare, dust, sewage disposal, emissions to the air, odor, lighting, or litter.
☒	N/A	Design and Operation Attachment G Demonstrate that the design and operation of the proposed use, including but not limited to landscaping, screening, signs, loading, deliveries, trash or waste generation, arrangement of structures, and materials storage will not have a substantially greater effect/impact on surrounding properties than those associated with surrounding uses or other allowable uses in the zone.
☒	N/A	Use- and Zone-Specific Criteria Attachment H Address any use- or zone-specific standards in Sections 6.5.6 and 6.5.7 of the land use code.

CITY OF PORTLAND
Planning & Urban Development Department

MINOR SITE PLAN GENERAL DOCUMENT AND DRAWINGS CHECKLIST Please submit each document as a separate PDF file. Please confirm by electronically checking the boxes in the left-hand column. ** PLEASE FILL OUT AND UPLOAD SEPARATELY THE ZONING ASSESSMENT TABLE AND WAIVER TABLE AS NOTED BELOW ** At the time of application submission, please contact the Department of Public Works regarding E-911 addressing for your project.		
GENERAL APPLICATION DOCUMENTS		
Yes	NA	Project Description Cover letter with detailed project description Attachment A
Yes	NA	Completed Checklist (this document) Attachment C
Yes	NA	Evidence of Right, Title and Interest Attachment D Deeds, leases, or purchase and sales agreements
Yes	NA	Evidence of State or Federal Approvals Permits or letters of non-jurisdiction, if applicable
Yes	NA	Zoning Assessment (see Zoning Assessment Table) Summary of compliance with use and dimensional standards of the land use code
Yes	NA	Site Plan Standards Assessment (see Article 14.6 of the land use code) Attachment I Summary of project compliance with site plan standards of the land use code
Yes	NA	Summary of Existing and/or Proposed Easements or Covenants, if applicable Evidence of existing easements and any proposed easements, covenants, public or private rights-of-way
Yes	NA	Waiver Requests (see Waiver Table) Attachment J Written request for waiver describing request and compliance with waiver standards
Yes	NA	Evidence of Financial and Technical Capacity* - Letter or evidence from a financial institution or third party verifying financial capacity to undertake project - Evidence of the project team's technical capacity to undertake project *NOTE: Not required for Minor Residential and <u>Low Impact Site Development</u> projects

MINOR SITE PLAN STANDARDS AND SUBMISSION CHECKLIST Provide assessment of compliance with standards and include supplemental documentation, as applicable. Please submit each document as a separate PDF file.		
TRANSPORTATION		
Yes	NA	Impact on Surrounding Street Systems (14-14.6.1(A)) Attachment E Describe incremental volume of traffic impacts and mitigation measures. If needed
Yes	NA	Access and Circulation (14-14.6.1(B)) Attachment E Identify and describe the following: - Site access and internal circulation, including ADA access - Drive-up features, if applicable - Loading and servicing needs, routes, and geometry, providing turning templates for delivery vehicles, if applicable - Sidewalks and condition along street frontages and internal walkways - Engineered details for ADA ramps and public sidewalks, meeting sidewalk material policy and construction requirements (Technical Manual, Section 1)
Yes	NA	Public Transit (14-14.6.1(C)), if applicable Identify and describe the following: Existing available transit service and proposed transit improvements, including design details, such as easement, pad base, and shelter
Yes	NA	Off-Street Parking (14-14.6.1(D)), if applicable Attachment E Identify and describe the following: - Proposed vehicular and bicycle parking supply (including ADA-compliant parking) in relation to applicable parking requirements in Article 19 of the land use code - Curb cut separation and parking layout (Technical Manual, Section 1) - Construction details for bicycle racks - Management plan for snow storage and removal
Yes	NA	Transportation Demand Management (TDM) (14-14.6.1(E)), if applicable Provide TDM plan drafted in accordance with Technical Manual Section 1 requirements

ENVIRONMENTAL		
Yes	NA	Preservation of Significant Natural Features (14-14.6.2(A)), if applicable Identify and describe the following: Attachment F • High and moderate value waterfowl and wading habitat • Aquifers (for Casco Bay Islands) • Waterbodies (including wetlands, watercourses, significant vernal pools and floodplains) • Proposed preservation areas and protection measures • Documentation from environmental compliance consultants and determinations from applicable state and federal agencies
Yes	NA	Landscape Preservation (14-14.6.2(B)) Attachment F Identify and describe the following: • Measures to preserve trees, including within required zoning setbacks (Technical Manual, Section 4) • Measures to protect existing vegetation during construction
Yes	NA	Site Landscaping and Buffers (14-14.6.2(C)) Attachment F Identify and describe the following: • Overall landscaping approach and consistency with standards • The use of screening and buffering of service areas and between non-residential and residential uses • Existing Heritage or Feature Trees on site and measures to preserve • Compliance with street tree requirements
Yes	NA	Water Quality, Stormwater Management, and Erosion Control (14-14.6.2(D)) Attachment F • Provide stormwater management plan in compliance with Section 5 of Technical Manual and DEP Chapter 500 stormwater for basic, general, and flooding standards, as applicable • Provide erosion control plan and measures • Provide evidence of compliance with Urban Impaired Stream Standards pursuant to DEP Chapter 500 stormwater, as applicable • Describe subsurface sanitary sewage disposal and groundwater protection

PUBLIC INFRASTRUCTURE AND SAFETY		
Yes NA		Consistency with City Master Plans (14-14.6.3(A)) Describe proposed easements, rights and improvements to connect or continue off-premises public infrastructure, as applicable
Yes NA		Public Safety and Fire Prevention (14-14.6.3(B)) Attachment K Identify and describe the following: - Compliance with Crime Prevention through Environmental Design (CPTED) requirements (Technical Manual, Section 3) - Emergency vehicle access - Consistency with public safety standards (Technical Manual, Section 3)
Yes NA		Availability and Adequacy of Public Utilities (14-14.6.3(D)) (Technical Manual, Sections 2 & 9) Attachment K Identify and describe the following: - Electrical services, including providing underground services - Existing and proposed connections for public utilities and required public utility upgrades - Sewer line connections Section "C", as there is no Section "D"
SITE DESIGN		
Yes NA		Massing, Ventilations and Wind Impact (14-14.6.4(A)) Identify and describe the following: - Wind and ventilation impacts on adjoining structures and/or adjacent public spaces, including wind study, if applicable - Bulk, location, or height impacts on adjoining structures
Yes NA		Shadows (14-14.6.4(B)), if applicable Provide shadow analysis of impacts on publicly accessible open space (Technical Manual, Section 11)
Yes NA		Snow and Ice Loading (14-14.6.4(C)) Attachment L Describe building design to prevent snow and ice from loading or falling onto adjacent properties or public ways
Yes NA		View Corridors (14-14.6.4(D)), if applicable Describe any protection of designated view corridors (Portland Design Manual, Appen. 1)
Yes NA		Historic Resources (14-14.6.4(E)), if applicable Identify and describe the following: The site's status as a designated landmark, within a historic district or historic landscape district, or within 100 feet of any designated landmark, historic district, or historic landscape district

		Compliance with standards for preservation and documentation of archaeological resources
Yes	NA	Exterior Lighting (14-14.6.4(F)) Describe how the proposed site lighting will adhere to photometrics requirements as it relates to light trespass and full cutoff fixture design, pursuant to Technical Manual Section 12
Yes	NA	Noise and Vibration (14-14.6.4(G)) Provide data on noise levels for HVAC and other mechanical equipment, such as design specifications, to demonstrate consistency with state and federal noise emissions requirements as well as City code
Yes	NA	Signage and Wayfinding (14-14.6.4(H)), if applicable - Provide signage plan showing the location, dimensions, height and setback of all existing and proposed signs - Provide drawings of all commercial and directional signage on site
Yes	NA	Zone-Related Design Standards (14-14.6.4(I)) Address any applicable design review standards by zone, including compliance with Design Manual

MINOR SITE PLAN DRAWINGS CHECKLIST

Please upload the following DRAWINGS with the listed details into e-Plan.

All drawings must be submitted in a 24 x 36 sheet size.

BOUNDARY SURVEY (stamped by a Maine Licensed Surveyor and drawn as per Technical Manual Sec. 13)

SITE PLAN(S) (stamped by a Maine Licensed Professional Engineer) including:

All sheets – Include a title block with project title and the following information:

- Project street address
- Name and address of property owner & applicant
- Licensed design professional, incl firm that produced plans
- North arrow
- Date of preparation and revision history block
- Tax parcel (chart, block, and lot) number

Existing Conditions Plan with the following:

- Existing structures, with distance from primary building façade(s) to the property line
- Approximate location of structures on abutting properties
- All streets and intersections adjacent to the site
- Existing driveways, pedestrian ways, and bicycle infrastructure, including dimensions and materials
- Existing public transit infrastructure
- Existing vehicle & bicycle parking areas
- Existing utilities on site and within adjacent rights-of-way
- Existing grades (two-foot contours preferred)
- Location of water courses, wetlands, and vegetation, or other significant natural features
- Existing soil conditions and location of test pits and borings
- Zoning boundary lines, including overlays
- Location of all existing easements and rights-of-way

Proposed Site Plan with the following:

- Location, area, and limits of the proposed site disturbance or alteration, including any proposed pier, dock, or wharf reconstruction
- Proposed structures, including floor area and finish floor elevation and distance from the property line
- Proposed paved areas, including parking spaces and dimensions if applicable
- Location of proposed utilities
- Proposed protection measures for watercourses, wetlands, or other significant natural features
- Proposed grades and contours
- Erosion control plan
- Proposed landscaping, screening, and proposed street trees, including existing vegetation to be preserved
- Proposed stormwater management controls

- Proposed curb and sidewalk (show any proposed geometric modifications, if applicable) - Engineered specifications and cross-sections for proposed driveways, sidewalks and paved areas, if applicable - Location, dimensions and ownership of proposed easements, public or private rights-of-way - Please utilize color-coding and/or hatches and shading to delineate changes between the pre and post development condition as needed *NOTE: Minor Residential and Low-Impact Site Development projects may optionally submit the drawings below, but are not required to do so; all other Minor Site Plan applications should include the below drawings in their submission.
UTILITY PLAN* including:
- Proposed electrical infrastructure - Location, sizing and directional flows of all proposed sewer and stormwater infrastructure - Location and dimensions of off-premises public or publicly accessible infrastructure adjacent to site - Electric utility infrastructure
GRADING AND DRAINAGE PLAN* including:
- Proposed grades - Proposed stormwater management measures meeting Technical Manual (Section 5) standards - Any proposed alteration of a watercourse or wetlands - Any groundwater protection measures - Proposed buffers and preservation measures for wetlands or significant natural features
LANDSCAPE PLAN* including:
- Existing vegetation to be preserved and preservation measures - Proposed landscaping, screening, and street trees, including caliper widths for trees - Planting schedule, including street trees
ARCHITECTURAL PLANS AND RENDERINGS* including:
- Exterior building elevations, color renderings, illustrations of all sides - Axonometric and street-level views for structures greater than three stories in height - Provide context drawings, if applicable (Design Manual, page 1) - Floor plans
CONSTRUCTION MANAGEMENT PLAN* including:
- Specifics on traffic control, sidewalk sheds, and pedestrian rerouting - Include a drawing and written narrative
OTHER*
Details and cross-sections, as necessary



Attachment D. Right Title and Interest

See attached deed.

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS, that **MOSHE WILANSKY** and **CHANA WILANSKY** of Portland, Maine, for consideration paid, GRANTS TO **CHABAD LUBAVITCH OF MAINE, INC.**, a Maine non-profit corporation whose mailing address is 101 Craigie Street, Portland, ME 04102, with WARRANTY COVENANTS, the premises situated in the City of Portland, County of Cumberland and State of Maine, described as follows:

A certain lot or parcel of land located on the southwesterly sideline of Pomeroy Street, so-called, in the City of Portland, County of Cumberland and State of Maine; said parcel being more particularly described as follows:

Beginning at an 1/2" iron rod found on the southwesterly sideline of said Pomeroy Street at the southeasterly corner of land now or formerly of Kriston Briggs;

Thence South 46° 11' 30" East along the southwesterly sideline of said Pomeroy Street a distance of 269.44 feet to a capped iron rod found (PLS #1278) and the northerly sideline of Motley Street, so-called;

Thence South 71° 08' 30" West along the northerly sideline of said Motley Street a distance of 58.71 feet to a point;

Thence in a general southwesterly direction along the northerly sideline of said Motley Street and along a circular curve to the left, circumscribed by a radius of 218.81 feet, an arc length of 44.47 feet to a capped iron rod found (PLS #1278) and land now or formerly of Joshua James and Tamara Rainsford Krieger; said capped iron rod found being South 65° 19' 13" West a tie distance of 44.39 feet from said previous capped iron rod found;

Thence North 34° 26' 02" West along the land of said Krieger a distance of 86.47 feet to a capped 5/8" iron rod found (PLS #1172);

Thence South 38° 44' 24" West along the land of said Krieger, along land now or formerly of the Redlon Park Homeowner's Association, and along land now or formerly of Nancy A. Roy a distance of 350.00 feet to a point and remaining land of Stuart B. Herrick, Jr.;

Thence North 28° 05' 22" West along the remaining land of Stuart B. Herrick, Jr. a distance of 286.03 feet to a point and land now or formerly of Thomas and Melody Lussier;

Thence North 60° 18' 30" East along the land of said Lussier, along land now or formerly of Roger and Donna Gendron, along land now or formerly of Jean Gilpatrick and along land of said Briggs a distance of 350.00 feet to the point of beginning.

The above-described parcel contains 87,924 square feet. All bearings refer to Magnetic North as observed in 1973.

Reference is made to an unrecorded plan entitled Plan of Property, Bancroft Street, Portland, Maine, dated July 31, 1986, by R.P. Titcomb Associates, Inc. (Job #8660), as revised by unrecorded plan entitled Standard Boundary Survey and existing Conditions Plan for Stuart B. Herrick, Jr., dated March 2004, by BII2M (Job #03217).

Being the same premises conveyed to the Grantors herein by Warranty Deed of Stuart B. Herrick, Jr. dated May 28, 2004 and recorded in the Cumberland County Registry of Deeds at Book 21341, Page 37.

IN WITNESS WHEREOF, the said Moshe Wilansky and Chana Wilansky have caused this instrument to be signed and sealed on June 15, 2004.

[Signature]
Witness

[Signature]
Moshe Wilansky

to both
Witness

[Signature]
Chana Wilansky

State of Maine
Cumberland, ss.

June 15, 2004

Then personally appeared the above-named Moshe Wilansky and/or Chana Wilansky and acknowledged the foregoing instrument to be his/her/their free act and deed.

Before me,

[Signature]
Notary Public, State of Maine

SEAL

Print Name: Karen Belton

My commission expires 08/26/06

Received
Recorded Register of Deeds
Jun 15, 2004 11:22:22A
Cumberland County
John B. O'Brien

f:\home\nc\clerk\endwilansky, moshe & chana\warranty deed to chabad.doc



Attachment E. Traffic

As there are no proposed expansions of the use of the property, as such there are no proposed increases in traffic to and from the property. Per discussions with the Portland Fire Department, on street parking is proposed to be excluded for the opposite (North) side of Pomeroy Street to allow a fire truck “sweep” into the driveway.

Additional specific traffic related sections of the Land Use Ordinance:

- **Section 14.6.1 A:** The project does not propose changes to the surrounding street network and will not create or aggravate any significant hazard to safety. The project is located in a neighborhood with relatively low traffic and should not be classified as Level “D” or below.
- **Section 14.6.1 B 1:** The project proposes to widen the access drive to 16’ and will provide safe and reasonable access for the proposed use and increased access for safety and emergency equipment.
- **Section 14.6.1 B 2:** The existing turn around is proposed to remain, and should not affect the continued access and safe turning around of delivery vehicles. The proposed increased width of the driveway should also allow better access to the site.
- **Section 14.6.1 B 3:** See Attachment J for a waiver request of the requirement for curbing and sidewalk along Pomeroy Street.
- **Section 14.6.1 D:** Parking is proposed to be in conformance with the standards of the proposed use, see Attachment H. Bicycle parking is not required as the project proposes less than 10 parking spaces. Snow storage is proposed as existing, utilizing the periphery of the driveway areas. The proposed changes to parking and driveway width are not anticipated to significantly increase snowbank accumulation and can be handled effectively on site.



Attachment F. Environmental Impacts

There are no environmental impacts proposed or assumed for the change of use or proposed site improvements. Expansions of parking and driveway are proposed in areas previously developed areas. The driveway is proposed to be expanded in areas of lawn and the proposed parking is sited in an area of gravel currently used as informal parking. Bordering wetlands and wooded areas are not proposed to be disturbed, and no trees are proposed to be removed.

Additional specific environmental related sections of the Land Use Ordinance:

- **Section 14.6.2 A:** The project does not propose impacts to the surrounding wetlands or trees and proposes to place areas of improvement in existing developed areas.
- **Section 14.6.2 B:** The project does not propose to disturb areas of trees. Silt barriers are shown along the limits of disturbance to protect the surrounding areas from silt migration and incidental impact.
- **Section 14.6.2 C:** The project does not propose to disturb the existing areas of buffering. Existing trees along the property line will remain in place and continue to provide effective screening from abutting properties. Existing trees along the ROW will not be disturbed with the proposed site improvements.
- **Section 14.6.2 D:** The project proposes the minimum amount of additional impervious area required by City for the proposed use, assuming 6 parking spots and a widened driveway. A stormwater report is included with this submission as Attachment M demonstrating that there are no anticipated increases in stormwater runoff from pre to post development conditions. Stormwater treatment is not required as the project qualifies as a redevelopment project and proposes less than 5,000 s.f. of additional non-roof impervious areas.



Attachment G. Design and Operation

The subject property and surrounding properties are made up of private residences. For the subject property, in addition to being a private residence, worshippers have been welcomed. The permit applications do not seek to expand this use, but seeks to clarify the use of this property additionally as a Place of Religious Assembly. Given this, the project does not propose an increase in deliveries, trash, or waste generation or materials storage. There are no proposed changes to trees, screening, or arrangement and expansion of structures. No signage is proposed, outside of the “No Parking” signs as required by the City Fire Department.

Portland, Maine



Yes. Life's good here.

Planning & Urban Development Department

ZONING ANALYSIS Relevant Zone(s) R-3

All Projects:

	Required	Proposed
Lot Size	1 ac. (Assembly)	1.695 ac.
Area Per Dwelling Unit	6,500 s.f.	1.695 ac.
Minimum Street Frontage	50'	67.17'
Front Yard Minimum	25'	168.8'
Front Yard Maximum	N/A	
Rear Yard	25'	130.9'
Yard Right	16'	43.5'
Yard Left	16'	70.2'
Side Street Setback	N/A	
Step Back	N/A	
Maximum Lot Coverage	35%	5.4%
Minimum Lot Coverage	N/A	
Maximum Height	35'	34' - 10.5"
Open Space	N/A	
Maximum Impervious Area	N/A	
Pavement Setback	N/A	
Floor Area Ratio	N/A	
Off Street Parking Spaces	6 (Assembly)	7
Loading Bays	N/A	
Other 1		
Other 2		
Other 3		



Attachment I. Site Plan Assessment

The project proposes to meet the requirements of the Site Plan Review Standards, section 14.6 of the Land Use Code. As detailed in the checklist, Attachment C, additional attachments have been included to address specific requirements of section 14.6.

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.
14.6.1-B-3-a	All development shall provide curb and sidewalks along all frontages, installed to specifications as described in the transportation systems and street design standards of the Technical Manual.	Waiver from Sidewalks, section 14.6.1.B-3-c	i: There is no reasonable expectation for pedestrian use ii: There are no sidewalks in the surrounding neighborhood and construction of sidewalks will not contribute to pedestrian oriented development.
14.6.1-B-3-a	All development shall provide curb and sidewalks along all frontages, installed to specifications as described in the transportation systems and street design standards of the Technical Manual.	Waiver from Curb, section 14.6.1-B-3-d	iii: The street was constructed in the past 60 months without curb. v: Runoff within the street does not require curbing for stormwater management
Tech. Manual 1.7.2.3	Any site with driveway access to a street shall have a minimum width of 20 feet for two-way ingress and egress, with a preferred 24 feet.	Waiver from 20' minimum driveway width, section 1.7.2.3	See October 20, 2021 comment response. Given constraints of of property lines along frontage of existing driveway, fire hydrant, likely wetland impacts, and recommendations from PFD of 16' wide min.



Attachment K. Public Infrastructure and Safety

The project proposes to meet the following applicable Land Use Ordinance requirements:

- **Section 14.6.3 B:** The project meets the requirements of CPTED. The configuration of the driveway provides a clear view from the front door of the building to Pomeroy Street with unobstructed views of the entirety of the driveway. Existing lighting is proposed to remain, featuring lighting along the west side of the driveway. The City of Portland Fire Department has had an opportunity to provide comments for the change of use, and has requested that the driveway be 16' wide and parking be prohibited along the opposite side (north) of Pomeroy Street to provide better emergency vehicle access to the site. The site plans show both of these requirements being met.
- **Section 14.6.3 C:** The project does not propose any new utility connections. The property is currently serviced by City utilities, and these are to remain.



Attachment L. Site Design

As the project does not propose any new structures, the bulk of site design requirements listed do not apply to the project. The project is not located in a view corridor or historic district. No new lighting is proposed as part of the project. No new HVAC systems are proposed, and no new wayfinding signs are proposed. The proposed project is not subject to zone-related design standards.

Following up on the requirements of the Land Use Ordinance, the project proposes to meet the following applicable requirements:

- **Section 14.6.4 C:** While no new structures are proposed, the current structures do not pose an issue with snow and ice loading onto adjacent properties. Snow will continued to be managed on site for driveway and parking areas to be cleared, with snowbanks along the periphery of the driveway.

STORMWATER MANAGEMENT REPORT
11 POMEROY STREET CHANGE OF USE
Portland, Maine

Submitted by:

CHABAD LUBAVITCH OF MAINE, INC.

Prepared by:



Date:
August, 2021
Updated October, 2021

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1.0 **INTRODUCTION**

Chabad Lubavitch of Maine, Inc. is proposing a Change of Use to a Place of Religious Assembly for their private residence located at 11 Pomeroy Street in Portland. In order to meet the City's requirements for a use of this type, parking and emergency vehicle access must be upgraded. The upgrades also require a Minor Site Plan review through the City of Portland. We are providing this stormwater report to satisfy the requirements of the Minor Site Plan review.

The scope of work includes but is not limited to:

- Construction of an increase in width of the existing driveway to 16' wide.
- Construction of additional parking.

The proposed improvements will create approximately 2,150 square feet of new impervious area.

The Stormwater Management Plan has been prepared to satisfy the requirements of the City of Portland by applying Maine Department of Environmental Protections "Stormwater Management Rules" Chapters 500, 501 and 502 as well as the most recent version of the "Maine Stormwater Best Management Practices Manual". Per the City of Portland land use regulations, the project will be required to meet the Basic, General, and Flooding Standards.

1.1 **OVERVIEW OF MODELING METHODOGY AND SOURCE INFORMATION**

Hydrologic Analysis: The pre and post development conditions have been modeled using modeling software (Hydrocad Version 10) which is based upon the methodology contained within the USDA Soil Conservation Service Technical Release 55. Type III 24-hour storm distributions for south east Cumberland County were used for the analysis. The following frequencies and 24-hour rainfall depths were used for the analysis:

Return Period	24-Hour Rainfall Depth
2-Year Storm	3.10 inches
10-Year Storm	4.60 inches
25-Year Storm	5.80 inches

Soils: The soils used for the stormwater analysis were digitized from the Natural Resource Conservation Service (NRCS), web soil survey website. The source of the data is the Cumberland County Soil Survey (Class D). Refer to the following for additional documentation regarding the soils used for modelling:

- Appendix A of this Report
- Pre and Post Development Watershed Plans (Sheets A and B)

The soils include:

Soil Map Unit	Unit Description	Hydrologic Soil Group
BgB	Nicholville very fine sandy loam, 0-8% slopes	C
HrB	Lyman-Tunbridge complex, 0-8% slopes, rocky	D
Wa	Walpole fine sandy loam	A/D*

*D soils assumed for areas of known wetlands

Topography: Field survey by BH2M, areas outside the immediate property utilize contour information provided by the Maine Office of GIS.

1.2 **DESCRIPTION OF POINTS OF ANALYSIS**

The watershed model analyzes the discharge of runoff at three Analysis Points as described below:

Analysis Point #1

Description: Discharge along neighboring property lines along the northwest side of the project

Pre Development Tributary Drainage Areas: 4.17 acres

Post Development Tributary Drainage Areas: 4.17 acres

1.3 **PRE DEVELOPMENT CONDITIONS**

The Pre Development Conditions are shown on Sheet 2 - Existing Conditions by BH2M as well as Sheet A –Pre Development Drainage Plan of the accompanying plans. The project is located along the south eastern end of Pomeroy Street, and is the only home with a driveway along Pomeroy Street. The project features an existing residence with an approximate 200 lf driveway and associated areas of lawn. There are areas of wetlands to the east of the property with an existing culvert under the driveway crossing the wetlands.

The watershed that was analyzed for this project is approximately 4.17 acres. The analysis points are described in Section 1.2 of this report. The watershed generally runs from east to west.

The Pre Development Watershed Map is included as Sheet A – Pre Development Drainage Plan of the accompanying plans and the Calculations are attached as Appendix B.

The Pre Development Watershed Model predicts the following peak flow rates:

Pre Development Peak Flows (cu. ft./sec)			
Analysis Point	2-Year	10-Year	25-Year
AP-1	1.57	4.37	7.02

1.4 **POST DEVELOPMENT CONDITIONS**

The proposed project includes construction of a wider driveway and additional parking to meet the requirements of the proposed Change of Use to a place of Religious Assembly. The driveway is proposed to be widened from the approximate 10'-12' wide of existing to 16' wide to meet requirements of emergency access. Six additional parking spots are required, with 1 handicap spot on existing pavement and 6 spots proposed expanded pavement to the east of the driveway in an area of existing informal gravel parking.

The Post Development Drainage Plan is included as Sheet B of the accompanying plan set and the Calculations are attached as Appendix C.

Given the minor nature of the proposed improvements there is no net change in run off expected, as the modeled results indicate. The Post Development Watershed Model predicts the following peak flow rates:

Post Development Peak Flows (cu. ft./sec)			
Analysis Point	2-Year	10-Year	25-Year
AP-1	1.57	4.37	7.02

1.5 **DEVELOPMENT WITHIN URBAN IMPAIRED STREAM WATERSHEDS**

The project is located within the Capisic Brook Watershed. Capisic Brook is listed as an Urban Impaired Stream (06-096 CMR 502 Appendix B) as well as the Portland Technical Manual Section 5, Part II-A. To meet the Urban Impaired Stream Standard, the Applicant must either mitigate project impacts by reducing or eliminating an off-site or on-site pre-development impervious stormwater source or pay a compensation fee. Compensation fees may only be used in watersheds where a Compensation Fee Utilization Plan (CFUP) has been developed by a Municipality or other entity and approved by the Department. The City of Portland administers a CFUP for Capisic Brook. The Applicant intends to pay a compensation fee to the CFUP to meet the Urban Impaired Stream Standard. The compensation fee for the project is based on Table 1 found in 06-096 CMR 501 3.A.(1). The calculated compensation fee for the project is shown in the Table below. The project proposes some areas of new pavement, but does not propose new areas of landscaped areas, as disturbed areas are proposed in existing landscaped areas.

Type of Surface	Compensation Fee (per acre)	Proposed Area (acres)	Compensation Fee
Non-roof Impervious Area	\$12,500	0.04	\$500.00
Roof	\$5,000	0	\$0
Landscape Area	\$2,500	0	\$0
Total			\$500.00

1.6 **BASIC STANDARDS**

The proposed project is required to meet the Basic Standards. To meet the Basic Standards the project design must demonstrate that the erosion and sedimentation control, inspection and maintenance, and housekeeping standards specified in Appendices A, B, and C of 06-096 Chapter 500 are met, and that the grading or other construction activity will not impede or otherwise alter drainageways so as to have an unreasonable adverse impact on a wetland or waterbody, or an adjacent downslope parcel.

The proposed project will provide temporary (during construction) BMP's and post-construction BMP's. Refer to Sheet 3 of the Project Plans for erosion and sedimentation control narratives and details.

1.7 **GENERAL STANDARDS - REDEVELOPMENT**

The proposed project is not required to meet General Standards. Per the City of Portland Technical Manual Section 5, Part II-D "Redevelopment Projects", projects are required to provide treatment that include redevelopment of non-roof impervious greater than 5,000 sf. Where this project proposes 2,150 sf of new impervious treatment is not required.

1.8 **FLOODING STANDARD**

The proposed project is required to meet the Flooding Standards. To meet the Flooding Standard, the project design must demonstrate that the stormwater management systems will accomplish the following:

- a) The system must detain, retain, or result in the infiltration of stormwater from 24-hour storms of the 2-year, 10-year, and 25-year frequencies such that the peak flows of stormwater from the project site do not exceed the peak flows of stormwater prior to undertaking the project.
- b) The design of piped or open channel systems must be based on a 10-year, 24-hour storm without overloading or flooding beyond channel limits.

- c) The areas expected to be flooded by runoff from a 10-year or 25-year, 24-hour storm must be defined, and no buildings or other similar facilities may be planned within such areas.
- d) Runoff from the project may not flood the primary access road to the project and any public roads bordering the project as a result of a 25-year, 24-hour storm.

The following Table compares the Pre and Post Development peak flow rates for the 2-year, 10-year, and 25-year return periods. Refer to Appendix B for the Pre-Development model and Appendix C for Post Development model.

Peak Flow Comparison (cu. ft./sec)						
Analysis Point	2-Year		10-Year		25-Year	
	Pre	Post	Pre	Post	Pre	Post
AP-1	1.57	1.57	4.37	4.37	7.02	7.02

As illustrated in the table above, the proposed redevelopment project will not increase expected run off from the site. These results are expected given the minor nature of the required improvements.

1.9 **CLOSURE**

The proposed stormwater management facilities have been designed to mitigate stormwater impacts associated with development of the proposed project. The proposed stormwater management facilities have been designed to meet the Basic, General and Flooding Standards required by Chapter 500 and the City of Portland.

Appendix A
Soils Report



United States
Department of
Agriculture

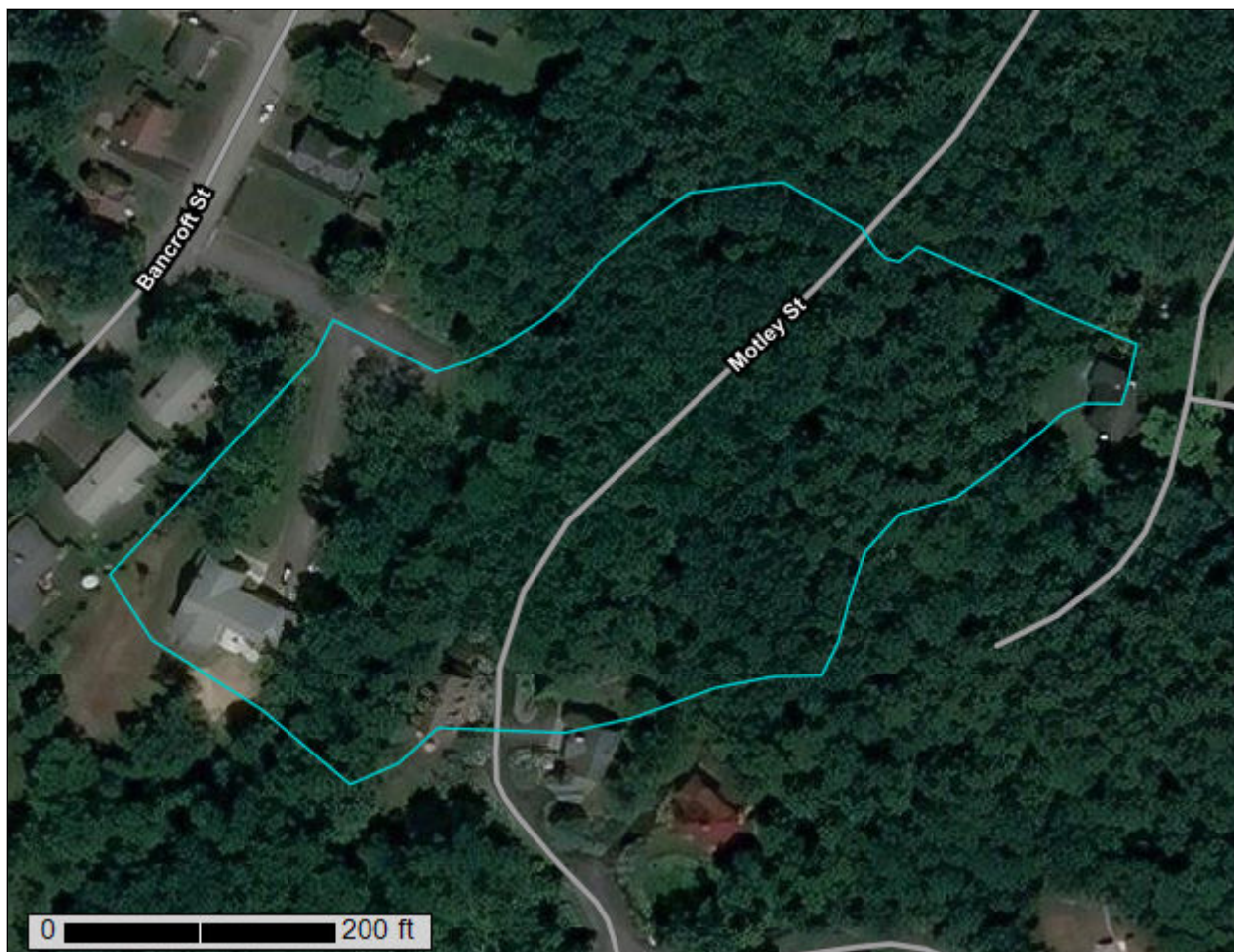
NRCS

Natural
Resources
Conservation
Service

A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

Custom Soil Resource Report for Cumberland County and Part of Oxford County, Maine

11 Pomeroy Street



July 13, 2021

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

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identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

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Soil Map



MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features

 Blowout

 Borrow Pit

 Clay Spot

 Closed Depression

 Gravel Pit

 Gravelly Spot

 Landfill

 Lava Flow

 Marsh or swamp

 Mine or Quarry

 Miscellaneous Water

 Perennial Water

 Rock Outcrop

 Saline Spot

 Sandy Spot

 Severely Eroded Spot

 Sinkhole

 Slide or Slip

 Sodic Spot

 Spoil Area

 Stony Spot

 Very Stony Spot

 Wet Spot

 Other

 Special Line Features

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 17, Jun 5, 2020

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.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
BgB	Nicholville very fine sandy loam, 0 to 8 percent slopes	1.8	43.2%
HrB	Lyman-Tunbridge complex, 0 to 8 percent slopes, rocky	1.1	25.8%
Wa	Walpole fine sandy loam	1.3	31.0%
Totals for Area of Interest		4.2	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The

delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Cumberland County and Part of Oxford County, Maine

BgB—Nicholville very fine sandy loam, 0 to 8 percent slopes

Map Unit Setting

National map unit symbol: 2yJg5

Elevation: 20 to 2,300 feet

Mean annual precipitation: 34 to 50 inches

Mean annual air temperature: 37 to 45 degrees F

Frost-free period: 90 to 160 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Nicholville and similar soils: 85 percent

Minor components: 15 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Nicholville

Setting

Landform: Lakebeds (relict)

Landform position (two-dimensional): Backslope

Landform position (three-dimensional): Side slope

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Coarse-silty glaciomarine deposits

Typical profile

Ap - 0 to 7 inches: very fine sandy loam

Bs - 7 to 19 inches: very fine sandy loam

BC - 19 to 30 inches: very fine sandy loam

C - 30 to 65 inches: loamy very fine sand

Properties and qualities

Slope: 0 to 8 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Moderately well drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.14 to 1.42 in/hr)

Depth to water table: About 18 to 30 inches

Frequency of flooding: None

Frequency of ponding: None

Maximum salinity: Nonsaline (0.0 to 1.9 mmhos/cm)

Available water capacity: High (about 10.3 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 2e

Hydrologic Soil Group: C

Hydric soil rating: No

Minor Components

Roundabout, somewhat poorly drained

Percent of map unit: 5 percent

Landform: Lakebeds (relict)

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Landform position (two-dimensional): Footslope, toeslope

Landform position (three-dimensional): Base slope

Down-slope shape: Linear

Across-slope shape: Linear

Hydric soil rating: No

Croghan

Percent of map unit: 5 percent

Landform: Lakebeds (relict)

Landform position (two-dimensional): Backslope

Landform position (three-dimensional): Side slope

Down-slope shape: Linear

Across-slope shape: Linear

Hydric soil rating: No

Salmon

Percent of map unit: 3 percent

Landform: Lakebeds (relict)

Landform position (two-dimensional): Backslope, summit

Landform position (three-dimensional): Side slope, crest

Down-slope shape: Linear

Across-slope shape: Convex

Hydric soil rating: No

Roundabout

Percent of map unit: 2 percent

Landform: Lakebeds (relict)

Landform position (two-dimensional): Footslope, toeslope

Landform position (three-dimensional): Base slope

Down-slope shape: Linear

Across-slope shape: Concave

Hydric soil rating: Yes

HrB—Lyman-Tunbridge complex, 0 to 8 percent slopes, rocky

Map Unit Setting

National map unit symbol: 2x1cx

Elevation: 0 to 520 feet

Mean annual precipitation: 36 to 65 inches

Mean annual air temperature: 36 to 52 degrees F

Frost-free period: 90 to 160 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Lyman and similar soils: 50 percent

Tunbridge and similar soils: 30 percent

Minor components: 20 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Lyman

Setting

Landform: Ridges, hills

Landform position (two-dimensional): Shoulder, backslope, summit

Landform position (three-dimensional): Crest, nose slope

Down-slope shape: Convex

Across-slope shape: Convex

Parent material: Loamy supraglacial till derived from granite and gneiss and/or loamy supraglacial till derived from phyllite and/or loamy supraglacial till derived from mica schist

Typical profile

Oe - 0 to 1 inches: moderately decomposed plant material

A - 1 to 3 inches: loam

E - 3 to 5 inches: fine sandy loam

Bhs - 5 to 7 inches: loam

Bs1 - 7 to 11 inches: loam

Bs2 - 11 to 18 inches: channery loam

R - 18 to 79 inches: bedrock

Properties and qualities

Slope: 0 to 8 percent

Surface area covered with cobbles, stones or boulders: 1.5 percent

Depth to restrictive feature: 11 to 24 inches to lithic bedrock

Drainage class: Somewhat excessively drained

Capacity of the most limiting layer to transmit water (Ksat): Very low to high (0.00 to 14.03 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Available water capacity: Low (about 3.2 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 6s

Hydrologic Soil Group: D

Hydric soil rating: No

Description of Tunbridge

Setting

Landform: Hills, ridges

Landform position (two-dimensional): Backslope, shoulder, summit

Landform position (three-dimensional): Side slope, crest

Down-slope shape: Linear

Across-slope shape: Convex

Parent material: Loamy supraglacial till derived from granite and gneiss and/or loamy supraglacial till derived from phyllite and/or loamy supraglacial till derived from mica schist

Typical profile

Oe - 0 to 3 inches: moderately decomposed plant material

Oa - 3 to 5 inches: highly decomposed plant material

E - 5 to 8 inches: fine sandy loam

Bhs - 8 to 11 inches: fine sandy loam

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Bs - 11 to 26 inches: fine sandy loam
BC - 26 to 28 inches: fine sandy loam
R - 28 to 79 inches: bedrock

Properties and qualities

Slope: 3 to 8 percent
Surface area covered with cobbles, stones or boulders: 1.5 percent
Depth to restrictive feature: 21 to 41 inches to lithic bedrock
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Very low to high (0.00 to 14.03 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water capacity: Low (about 5.6 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 6s
Hydrologic Soil Group: C
Hydric soil rating: No

Minor Components

Ragmuff

Percent of map unit: 10 percent
Landform: Ridges, hills
Landform position (two-dimensional): Backslope, footslope
Landform position (three-dimensional): Base slope, side slope
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

Abram

Percent of map unit: 5 percent
Landform: Hills, ridges
Landform position (two-dimensional): Summit, shoulder
Landform position (three-dimensional): Nose slope, crest
Down-slope shape: Convex
Across-slope shape: Convex
Hydric soil rating: No

Peru

Percent of map unit: 4 percent
Landform: Hills, ridges
Landform position (two-dimensional): Footslope, backslope
Landform position (three-dimensional): Base slope, side slope
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

Rock outcrop

Percent of map unit: 1 percent
Landform: Hills, ridges
Landform position (two-dimensional): Shoulder, summit
Landform position (three-dimensional): Nose slope, crest, free face
Down-slope shape: Convex

Across-slope shape: Convex
Hydric soil rating: No

Wa—Walpole fine sandy loam

Map Unit Setting

National map unit symbol: blk7
Elevation: 0 to 2,800 feet
Mean annual precipitation: 30 to 50 inches
Mean annual air temperature: 37 to 46 degrees F
Frost-free period: 80 to 165 days
Farmland classification: Not prime farmland

Map Unit Composition

Walpole and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Walpole

Setting

Landform: Outwash plains
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Sandy glaciofluvial deposits

Typical profile

H1 - 0 to 8 inches: fine sandy loam
H2 - 8 to 20 inches: fine sandy loam
H3 - 20 to 65 inches: gravelly loamy sand

Properties and qualities

Slope: 0 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Poorly drained
Capacity of the most limiting layer to transmit water (Ksat): High (2.00 to 6.00 in/hr)
Depth to water table: About 0 to 18 inches
Frequency of flooding: None
Frequency of ponding: None
Available water capacity: Low (about 5.7 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 4w
Hydrologic Soil Group: A/D
Hydric soil rating: Yes

Minor Components

Au gres

Percent of map unit: 9 percent
Landform: Outwash plains
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: Yes

Scarboro

Percent of map unit: 5 percent
Landform: Outwash plains
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Dip
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: Yes

Deerfield

Percent of map unit: 1 percent
Landform: Outwash plains
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Rise
Down-slope shape: Convex
Across-slope shape: Convex
Hydric soil rating: No

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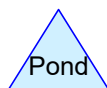
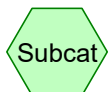
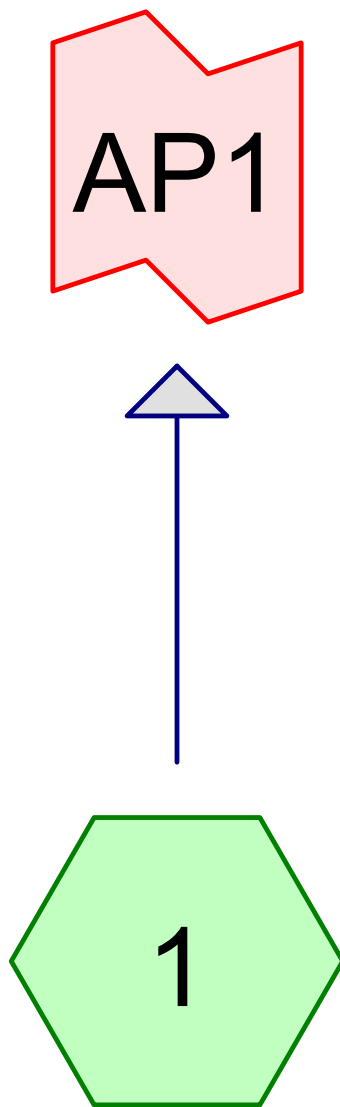
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Appendix B
Pre-Development Calculations



Routing Diagram for Pre Development
Prepared by BH2M, Printed 8/18/2021
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Pre Development

Prepared by BH2M

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

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Page 2

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

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

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

Subcatchment 1:

Runoff Area=181,488 sf 8.54% Impervious Runoff Depth>2.18"
Flow Length=671' Tc=24.6 min CN=67 Runoff=7.02 cfs 0.756 af

Link AP1:

Inflow=7.02 cfs 0.756 af
Primary=7.02 cfs 0.756 af

Total Runoff Area = 4.166 ac Runoff Volume = 0.756 af Average Runoff Depth = 2.18"
91.46% Pervious = 3.811 ac 8.54% Impervious = 0.356 ac

Pre Development

Prepared by BH2M

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

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Page 3

Summary for Subcatchment 1:

Runoff = 7.02 cfs @ 12.36 hrs, Volume= 0.756 af, Depth> 2.18"

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

Area (sf)	CN	Description
12,902	39	>75% Grass cover, Good, HSG A
1,140	74	>75% Grass cover, Good, HSG C
9,786	80	>75% Grass cover, Good, HSG D
24,855	30	Woods, Good, HSG A
75,546	70	Woods, Good, HSG C
41,757	77	Woods, Good, HSG D
* 15,502	98	Impervious
181,488	67	Weighted Average
165,986		91.46% Pervious Area
15,502		8.54% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
15.1	150	0.1133	0.17		Sheet Flow, Woods: Light underbrush n= 0.400 P2= 3.10"
9.0	457	0.0284	0.84		Shallow Concentrated Flow, Woodland Kv= 5.0 fps
0.1	41	0.0100	5.94	10.50	Pipe Channel, 18.0" Round Area= 1.8 sf Perim= 4.7' r= 0.38' n= 0.013
0.4	23	0.0200	0.99		Shallow Concentrated Flow, Short Grass Pasture Kv= 7.0 fps
24.6	671	Total			

Summary for Link AP1:

Inflow Area = 4.166 ac, 8.54% Impervious, Inflow Depth > 2.18" for 25-YR event

Inflow = 7.02 cfs @ 12.36 hrs, Volume= 0.756 af

Primary = 7.02 cfs @ 12.36 hrs, Volume= 0.756 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

Pre Development

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

Printed 8/18/2021

Page 1

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

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

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

Subcatchment 1:

Runoff Area=181,488 sf 8.54% Impervious Runoff Depth>0.56"
Flow Length=671' Tc=24.6 min CN=67 Runoff=1.57 cfs 0.195 af

Link AP1:

Inflow=1.57 cfs 0.195 af
Primary=1.57 cfs 0.195 af

Total Runoff Area = 4.166 ac Runoff Volume = 0.195 af Average Runoff Depth = 0.56"
91.46% Pervious = 3.811 ac 8.54% Impervious = 0.356 ac

Pre Development

Prepared by BH2M

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

Printed 8/18/2021

Page 2

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

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

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

Subcatchment 1:

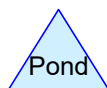
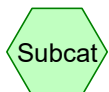
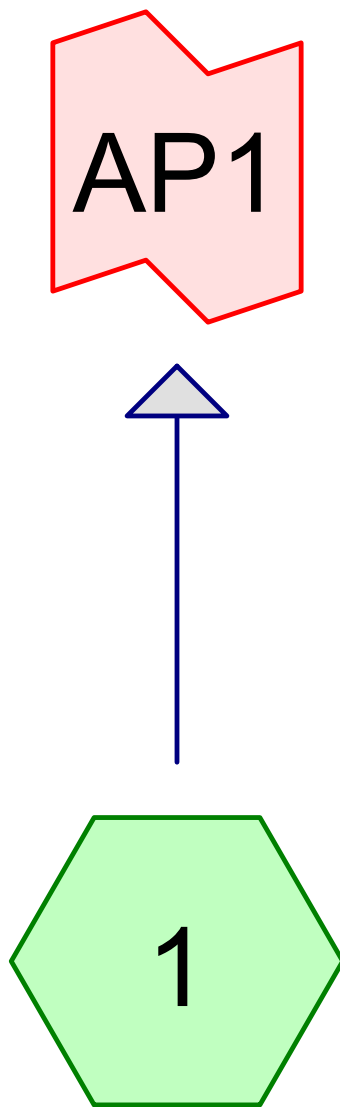
Runoff Area=181,488 sf 8.54% Impervious Runoff Depth>1.39"
Flow Length=671' Tc=24.6 min CN=67 Runoff=4.37 cfs 0.481 af

Link AP1:

Inflow=4.37 cfs 0.481 af
Primary=4.37 cfs 0.481 af

Total Runoff Area = 4.166 ac Runoff Volume = 0.481 af Average Runoff Depth = 1.39"
91.46% Pervious = 3.811 ac 8.54% Impervious = 0.356 ac

Appendix C
Post Development Calculations



Routing Diagram for Post Development
Prepared by BH2M, Printed 10/20/2021
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Post Development

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

Prepared by BH2M

Printed 10/20/2021

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Page 2

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

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

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

Subcatchment 1:

Runoff Area=181,490 sf 9.73% Impervious Runoff Depth>2.18"
Flow Length=671' Tc=24.6 min CN=67 Runoff=7.02 cfs 0.756 af

Link AP1:

Inflow=7.02 cfs 0.756 af
Primary=7.02 cfs 0.756 af

Total Runoff Area = 4.166 ac Runoff Volume = 0.756 af Average Runoff Depth = 2.18"
90.27% Pervious = 3.761 ac 9.73% Impervious = 0.405 ac

Post Development

Prepared by BH2M

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

Printed 10/20/2021

Page 3

Summary for Subcatchment 1:

Runoff = 7.02 cfs @ 12.36 hrs, Volume= 0.756 af, Depth> 2.18"

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

Area (sf)	CN	Description
11,144	39	>75% Grass cover, Good, HSG A
1,052	74	>75% Grass cover, Good, HSG C
9,484	80	>75% Grass cover, Good, HSG D
24,855	30	Woods, Good, HSG A
75,546	70	Woods, Good, HSG C
41,757	77	Woods, Good, HSG D
* 17,652	98	Impervious
181,490	67	Weighted Average
163,838		90.27% Pervious Area
17,652		9.73% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
15.1	150	0.1133	0.17		Sheet Flow, Woods: Light underbrush n= 0.400 P2= 3.10"
9.0	457	0.0284	0.84		Shallow Concentrated Flow, Woodland Kv= 5.0 fps
0.1	41	0.0100	5.94	10.50	Pipe Channel, 18.0" Round Area= 1.8 sf Perim= 4.7' r= 0.38' n= 0.013
0.4	23	0.0200	0.99		Shallow Concentrated Flow, Short Grass Pasture Kv= 7.0 fps
24.6	671	Total			

Summary for Link AP1:

Inflow Area = 4.166 ac, 9.73% Impervious, Inflow Depth > 2.18" for 25-YR event

Inflow = 7.02 cfs @ 12.36 hrs, Volume= 0.756 af

Primary = 7.02 cfs @ 12.36 hrs, Volume= 0.756 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

Post Development

Prepared by BH2M

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

Printed 10/20/2021

Page 1

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

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

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

Subcatchment 1:

Runoff Area=181,490 sf 9.73% Impervious Runoff Depth>0.56"
Flow Length=671' Tc=24.6 min CN=67 Runoff=1.57 cfs 0.195 af

Link AP1:

Inflow=1.57 cfs 0.195 af
Primary=1.57 cfs 0.195 af

Total Runoff Area = 4.166 ac Runoff Volume = 0.195 af Average Runoff Depth = 0.56"
90.27% Pervious = 3.761 ac 9.73% Impervious = 0.405 ac

Post Development

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

Prepared by BH2M

Printed 10/20/2021

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Page 2

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

Subcatchment 1:

Runoff Area=181,490 sf 9.73% Impervious Runoff Depth>1.39"
Flow Length=671' Tc=24.6 min CN=67 Runoff=4.37 cfs 0.481 af

Link AP1:

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Total Runoff Area = 4.166 ac Runoff Volume = 0.481 af Average Runoff Depth = 1.39"
90.27% Pervious = 3.761 ac 9.73% Impervious = 0.405 ac



ANDREW S. MORRELL
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WALTER E. PELKEY
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Gorham, Maine 04038 www.bh2m.com

October 20, 2021

Jimmy Dealaman, Planner
City of Portland Planning and Urban Development
City Hall, 389 Congress Street, 4th Floor
Portland, Maine 04101

Re: Initial Review Comments
11 Pomeroy Street

Dear Jimmy;

We have reviewed the initial comments that were provided on October 13, 2021 and October 19, 2021 and offer the following responses. We have included the original comment (*italics*) and our responses (**bold**). Revisions to documents can be found on the project portal as referenced, and also included is the following list of attachments:

- Attachment 1 – Land Use Section 6.5.6.F Review
- Attachment 2 –Turning Template Figure
- Attachment 3 – First Floor Plan

Conditional Use:

Please submit narrative to meeting the specific zone criteria which is for 6.5.6.F, which is for institutional uses.

Response: Responses to each section of 6.5.6.F have been included as Attachment 1.

Transportation:

Please provide vehicle turning templates sized for the type of vehicles expected to use the site (Note: a waiver to the minimum driveway aisle width within the parking area may be needed. The minimum width in this area is 24 feet as specified in Sec 1.14.3 of the City's Technical Manual.)

Response: Please see the Attachment 2 showing turn templates for the proposed parking area. The vehicle shown is a Sprinter Van, a typical passenger van expected to access the site. This shows that a wider driving isle is necessary for vehicles to maneuver and remain on pavement. A 24' wide isle behind the proposed parking is now shown on the plan to be in conformance with the requirements of the technical manual and to meet the turning template. A waiver request will not be necessary. An updated site plan and stormwater report, showing the additional impervious area for the isle, have been uploaded to the portal.

The current driveway width of 16 feet does not meet the requirements of Section 1.7.2.3 of the City's Technical Manual which apply to the project requiring a minimum width of 20 feet. If the project cannot provide the minimum width please submit a waiver request providing justification as a basis for granting a waiver.

Response: Section 1.7.2.3 relates to Multi family, Commercial and Industrial uses, however, in this case we understand that is the most appropriate standard for an Institutional use as is proposed. The driveway width has been proposed based on feedback from the City Fire Department, requesting a minimum of 16' wide access. The driveway width is constrained at the frontage along Pomeroy Street by the property boundary and an existing tree to the north, and an existing fire hydrant and city easement for a hammerhead turn around to the south. The 16' width proposed is the widest practical driveway that can be provided without impacts to the adject properties or city easement. Additionally, the area of the existing wetland crossing would likely require additional wetland impacts to facilitate a wider driveway. We request a waiver from the 20' minimum width standard based on these constraints. An updated waiver table uploaded to the portal.

Please provide an estimate of traffic expected to the site and provide this information (i.e. measuring the # of trips that occur during a peak hour time of the week).

Response: Utilizing Trip Generation Rates from the 8'th edition of the ITE Trip Generation Report, reviewing "Synagogue", ITE Code 561, we find a total of 10 calculated daily trips and 2 pm peak trips expected given the 900 sf assembly area. While the ITE Report provides these values generally for this category, in reality less than 10 cars are expected on site.

Parking:

Please submit updated floor plans (or confirm if those submitted on 11/16/2018 are still current/accurate for the project) Staff are seeking to confirm the proposed square footage of the place of assembly use and the square footage used for single family home. Per Table 19-A of the City's Land Use Code, Places of Assembly must provide 1 parking space for 150 SF of floor area used for assembly purposes. Also, single family homes are required to provide 1 parking space. In order to confirm the combined parking requirement for the site is met, floor plans indicating the square footage of each use are needed.

Response: A copy of the first floor plan has been included as Attachment 3 showing of the area of religious assembly. Consistent with our initial submission, this shows 900 sf, corresponding to 6 parking spots required. The plans show six proposed conventional spots, one proposed handicap spot, with the existing garage space and the space outside in front of the garage reserved for residential use. There are sufficient spaces proposed and existing to meet requirements.

General:

During review of the project, feedback from peer reviewers asked whether the property was operating a summer camp? Please share more information about the operations of as they relate to trips to the site, hours of operation, drop-off/access, etc.

Response: There is a summer camp that is conducted from the premises. The summer camp is conducted for 3 weeks in July and there are 15 to 18 kids from 4 to 6 families that participate in the camp. Children are dropped off in the morning and picked up in the

afternoon of the weekdays. This summer camp is typically conducted off site with field trips and visits to other locations, but given the effects of Covid, one week of the camp was conducted onsite this past season.

Please clarify if the area highlighted below [note: highlighted 12x70 area] is denoted for any special reason (existing easement, etc)

Response: This is a previously granted landscaping easement for trees apparently existing prior development of the residence. This has been noted as “Landscaping Easement” on the updated site and existing condition plans, which have been updated on the portal.

Sec. 6.5.2 General conditional use standards:

The review authority shall, after review of the application, approve a conditional use upon a finding that the proposed conditional use, at the size and intensity contemplated at the proposed location, will not have substantially greater negative impacts than would normally occur from surrounding uses or other allowable uses in the same zone. The review authority shall find that this standard is satisfied if it finds that:

A. The volume and type of vehicle traffic to be generated, hours of operation, expanse of pavement, and the number of parking spaces required are not substantially greater than would normally occur at surrounding uses or other allowable uses in the same zone.

Response: The project does not generate vehicle volume substantially greater than the surrounding uses. Attendees are prohibited to drive on days when attendance will be at its highest, which will reduce the number of vehicles on site than what may be typically expected for religious assembly. The driveway and parking are proposed to be expanded to the minimal extent practical to meet the City’s code. The proposed 16’ wide driveway is not considered to be abnormally wide in comparison to the surrounding uses. Additional parking for 6 vehicles is effectively replacing informal gravel parking of the same size and location currently found on site.

B. The proposed use will not create unsanitary or harmful conditions by reason of noise, glare, dust, sewage disposal, emissions to the air, odor, lighting, or litter.

Response: The project does not generate harmful or unsanitary conditions. The existing building utilizes municipal water and sewer, hosting worshippers with no negative effects. No additional lighting or emissions are proposed with the use, and with the majority of activities occurring inside the building, no harmful generation of noise is anticipated.

C. The design and operation of the proposed use, including but not limited to landscaping, screening, signs, loading, deliveries, trash or waste generation, arrangement of structures, and materials storage will not have a substantially greater effect/impact on surrounding properties than those associated with surrounding uses or other allowable uses in the zone.

Response: The proposed use will not have impact on surrounding properties. The building and parking are well screened from abutting properties. No impacts to landscaping, arrangement of structures, screening and signage are proposed with this proposed use, as no tree removal or expansions of the building are proposed. No increases in deliveries, trash, or loading are proposed over what is currently occurring on site.

D. The proposed use will meet any additional zone or use-specific standards identified in Tables 6-A to 6-F and Subsections 6.5.6 and 6.5.7."

Response: The proposed use, a place of assembly under 10,000 sf, is identified in Table 6 A as a permissible conditional use in this Zone, R-3. A detailed response to the applicable items in Section 6.5.6.F has been included as Attachment 1.

We trust these responses will provide additional information helpful in your review of the project. We look forward to discussing the project with the Planning Board.

Sincerely,

A handwritten signature in blue ink, appearing to read "Christopher R. MacDonald".

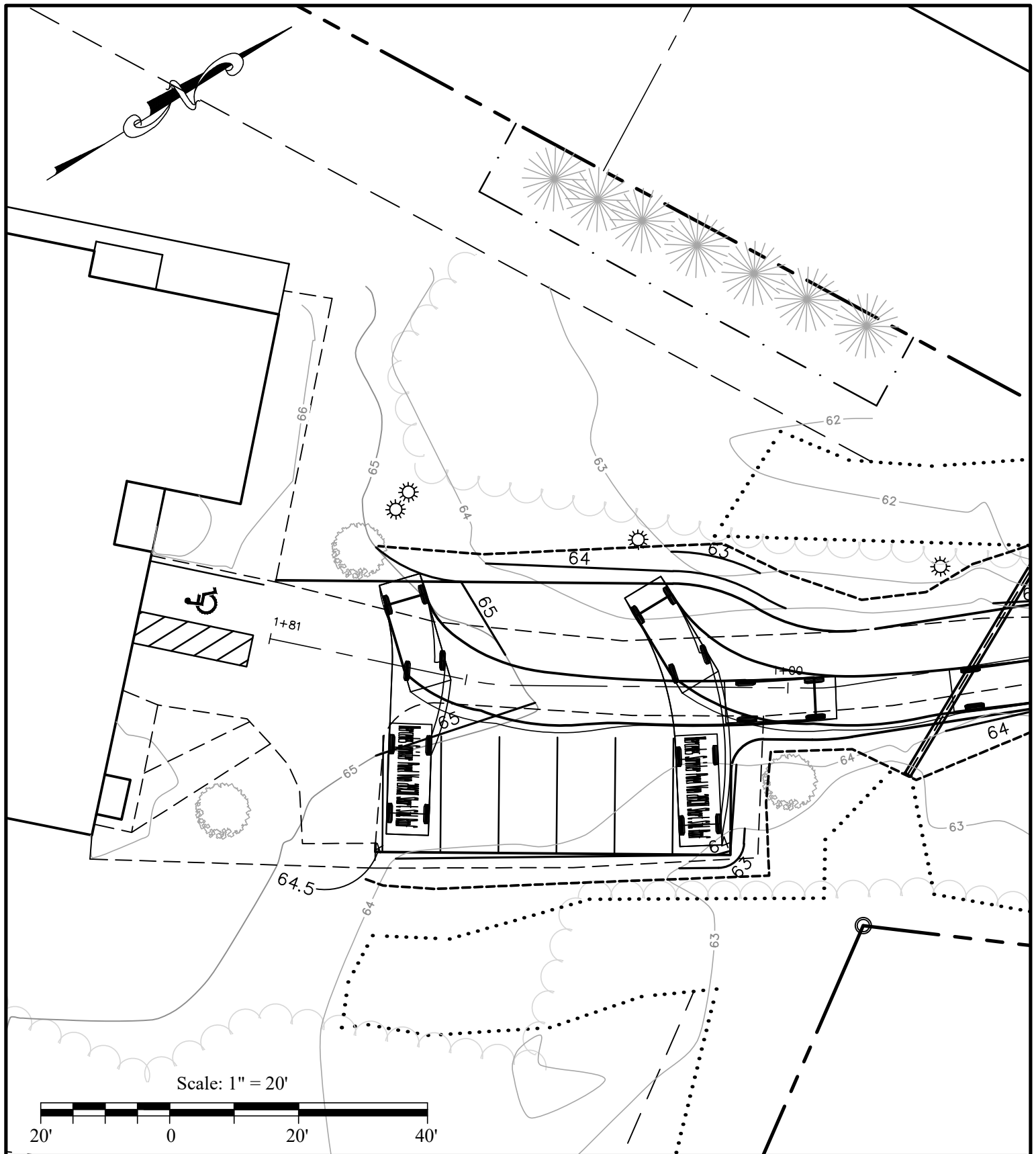
Christopher R. MacDonald, P.E.
Project Manager

Attachment 1. Land Use Section 6.5.6.F Review

The following enumerated sections relate to the individual sections of 6.5.6.F.

1. We understand the Planning Board has review authority for this change of use application.
2. The project does not propose any building expansions and all driveway expansions are proposed on existing property.
3. This item is not applicable as it relates to the IR-1 and IR-2 zones; this project is located in the R-3 zone.
4. The proposed project will have a residence and place of religious assembly. Per table 7-A, the R-3 district requires 6,500 sf for a residence, and 1 acre per place of assembly under 10,000 sf. The cumulative lot size requirement is 1.15 acres. The property consists of 1.695 acres, and therefore is in conformance with this requirement.
5. This item is not applicable as it relates to a community hall, no such use is proposed.
6. This item is not applicable as it relates to a private club serving alcoholic beverages; no such uses are proposed.
7. This item is not applicable as it relates to the R-2 zone and a post-secondary school, this is a different zone and no such use is proposed.
8. This item is not applicable as it relates to the R-5 zone and a post-secondary school, this is a different zone and no such use is proposed.

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ATTACHMENT 2
PARKING TURNING TEMPLATE
11 POMEROY CHANGE OF USE AND
MINOR SITE PLAN APPLICATIONS

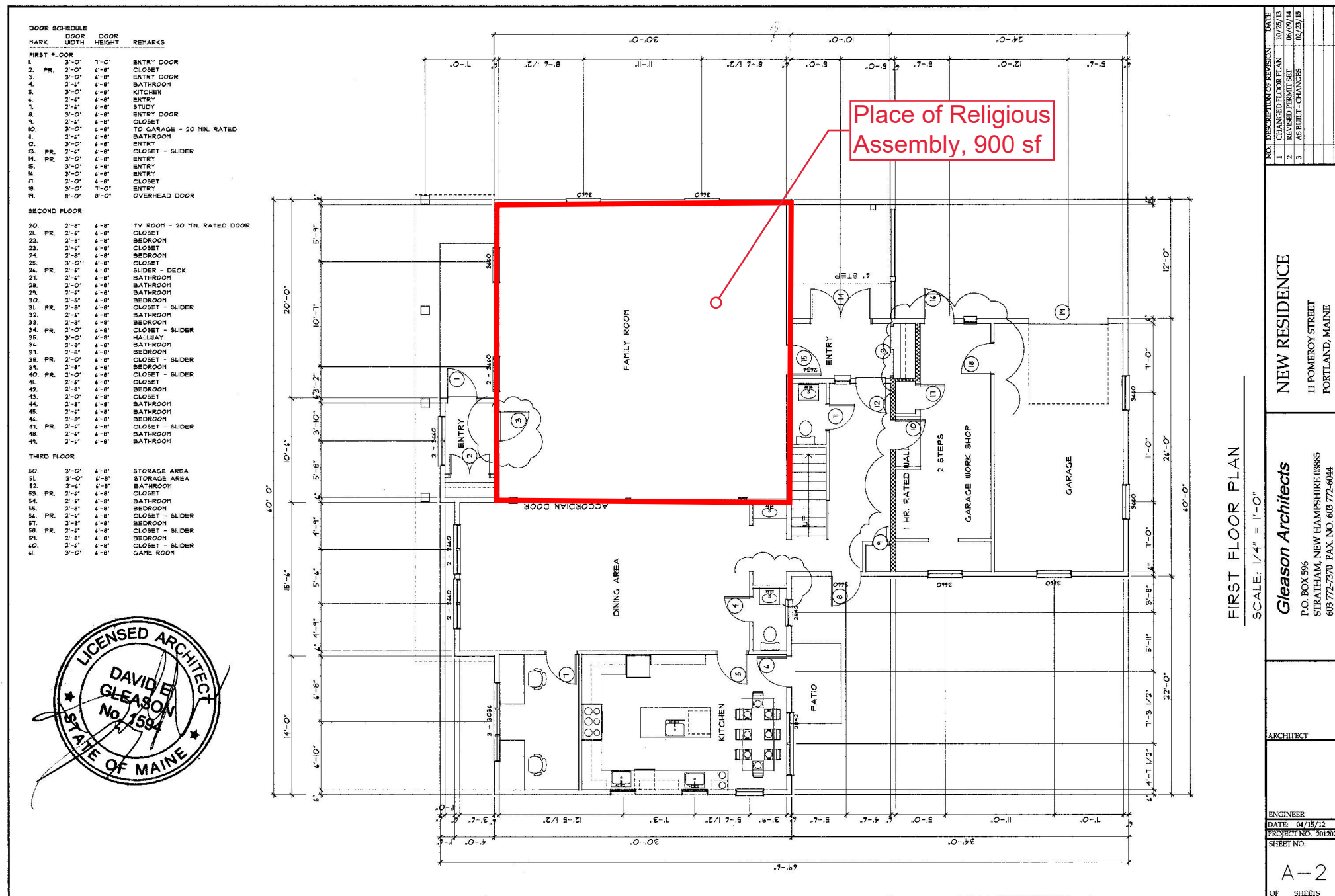


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January 24, 2021

Jimmy Dealaman, Planner
City of Portland Planning and Urban Development
City Hall, 389 Congress Street, 4th Floor
Portland, Maine 04101

Re: Planning Board Workshop Follow up Comments
11 Pomeroy Street Change of Use and Minor Site Plan

Dear Jimmy;

We have reviewed the comments that were provided in a November 23, 2021 email and offer the following responses. Below these, we also have included comments from other correspondence that is appropriate to include here. We have included the original comment (*italics*) and our responses (**bold**).

Estimated trip generation estimate and projections please share the maximum number of attendees expected and an assumption regarding vehicle occupancy. This should also factor in anticipated future participation levels, and should also define the hours of traffic generation for the place of assembly use including the special events and any other concurrent activities.

Response: The applicant team has met to discuss the specifics of attendance and parking needs for the proposed use. The main use for the physical place of assembly is for weekly worship services and occasional lectures. A summer camp, holiday celebrations, and other large gatherings that are typically conducted off site.

The typical worship services on site are attended by 3 members of the family and 7-9 worshippers from outside the household. There are no plans to expand these services. It is typical for some worshippers to walk to the site as they are close by, some arriving by car, and others will carpool to the site. These services occur on the following schedule, with attendees and anticipated parking demands noted:

**Sunday: 9:00 am – 10:00 am; 10-12 worshippers; 5-6 vehicles utilizing on-site parking
Thursday: 7:00 am – 8:15 am; 10-12 worshippers; 5-6 vehicles utilizing on-site parking
Saturday 10:30 am – 1:00 pm; 10-12 worshippers; 5-6 vehicles utilizing on-site parking**

Lectures are occasionally offered to worshippers throughout the year. These lectures are held at times outside the typical worship services noted above as many of the same attendees participate in the lectures and worship services. These lectures last approximately an hour, and are typically held during daytime hours and occasionally between 7:00 - 8:00 pm. As is similar to worship services, approximately 10-12 attendees are typical, and 5-6 vehicles are also typical. These lectures are conducted in a web format on some occasions and would not require on site

assembly. There are no plans to expand these lectures beyond the current levels of attendance. Approximate schedule for these lectures as follows:

Timed outside of typical scheduled worship during week day; 10-12 attendees; 5-6 vehicles

A summer camp is held as part of this place of worship, but is not conducted on site. These camps have met, and are expected to continue to meet off site at Congregation Bet Ha'am in South Portland. It is typical for the attendees to be dropped off directly at Congregation Bet Ha'am. As has been discussed previously, given the effects of Covid 19 and related facility closures, the summer camp was held at 11 Pomeroy for one week when it could not meet off site otherwise. The summer camp begins the end of June (end of school year) for 3-4 weeks until the end of July, and typically has 15 attendees and 4 vehicles. On the occasion that it had to meet at Pomeroy Street, attendees were dropped off and picked up; no attendee cars are parked for longer than loading and unloading, and there was no overlap with the typical worship services or lectures. The proposed parking would be sufficient for these needs.

It is important to note that there are a few large events that have been traditionally held off site in an acknowledgement to the limitations of the facilities at 11 Pomeroy. These larger events are held off site at locations more suited to the higher numbers of attendees expected to participate. Examples of these are lighting of the Menorah at City Hall in Portland and a Hanukkah parade that meets at the Jewish Community Alliance on Congress Street in Portland. Purim is celebrated off site and has been held at the Ocean Gateway, Italian Heritage Center, and Woodfords Club in past years.

Provide a parking demand estimate which considers the trip generation for the site and how parking demand will be accommodated. As with trip generation estimates, this should factor in all activities such as special events, etc and if there is any overlapping parking demand resulting from concurrent activities requiring parking.

Response: As discussed above, the typical worship services are not proposed in overlap with any of the other services offered. There are 7 proposed parking spots, not including the 2 existing spaces reserved for the family's use in the garage and outside the garage. The family members share cars, and 2 car spaces are sufficient for their needs. As 5-6 cars are expected during worship and lecture services, the 7 proposed on-site parking spots are adequate as proposed.

Regarding types of trips, there was a public comment at the previous workshop which raised concerns of a bus being used. If bus/es are expected or anticipated to visit the site, please incorporate this into your traffic/parking/loading assumption.

Response: The occasion that a group visited 11 Pomeroy Street in a bus was not a typical visit, and not related to the place of religious assembly. A group of students were traveling in New England and had stopped at 11 Pomeroy for a visit and to have dinner together with the family. This was not offered as a worship service, but rather was a visit to the family, and in line with a residential use. This visit was not during worship services. Food was not offered for sale, but rather was offered as hospitality during their visit.

Please clarify if the proposed place of assembly is just for the 900 square feet or for any additional portions of the structure. In other words, if bathrooms, storage, or any other areas are primarily being

used by the proposed place of assembly use, please indicate on floor plans and provide an updated square footage that factors in all areas primarily used by a Place of Assembly use.

Response: Additional areas for the entry and bathroom areas have been included in the calculation for place of assembly area. A marked-up floorplan indicating these areas has been included as Attachment 1. This brings the total area to 1,020 sf, requiring 6.8 parking spaces. This is met with the current design, proposing 7 spaces dedicated for use in the place of religious assembly.

For larger events how will trash/recycling generation be accommodated. Are trash bags and recycling currently brought to Bancroft Street for pick up?

Response: As discussed in our November 23 email correspondence, Public Works has reported that as long as there is a residence included with the place of worship, religious assembly spaces are eligible for trash pick up. As this space is also the family home, 11 Pomeroy would meet this condition. The intention is to continue to utilize municipal waste services.

From a November 11 email correspondence: *Additionally, as I review the project with the site plan standards, I would at this point also recommend submitting a site lighting plan as well as including some dense evergreen landscaping or equivalent buffer along the northern property edge on the plan. This will help minimize any impacts of the nonresidential use on the surrounding properties.*

Response: There is no additional lighting proposed on site. Existing lighting along the driveway is shielded behind a stand of evergreen trees, and an existing landscaping easement has been previously granted to neighboring properties to maintain an existing stand of evergreen trees. For the area along the rear of the building, only smaller conventional doorway lighting is existing, and no new lighting is proposed. A proposed area of Arborvitae landscaped screening is now proposed along the rear of the building. We understand a comment from the public was received about lighting concerns that may be highlighting this issue. Our understanding is that this member of the public lives at 88 Bancroft Street, which is on the north side of the intersection with Pomeroy and Bancroft Streets. Rather than lighting directly on site being an issue, it is likely that the lighting concern comes from the municipal street lights at the intersection, which were required to be installed at the time the street was constructed.

In general, an important thing to note about this site is the mixed use nature of this being a family home as well as a place of worship. Given that Rabbi Wilansky has a large family, many friends, and many connections inside and outside of the community, the family does host guests that would not be specifically attending worship services. While there may be a perception that all events on site would be for the place of worship, there are events that are of a more personal nature or family gatherings not related to the place of worship.

We trust these responses will provide additional information helpful in your review of the project. We look forward to further discussing the project with the Planning Board.

Sincerely,

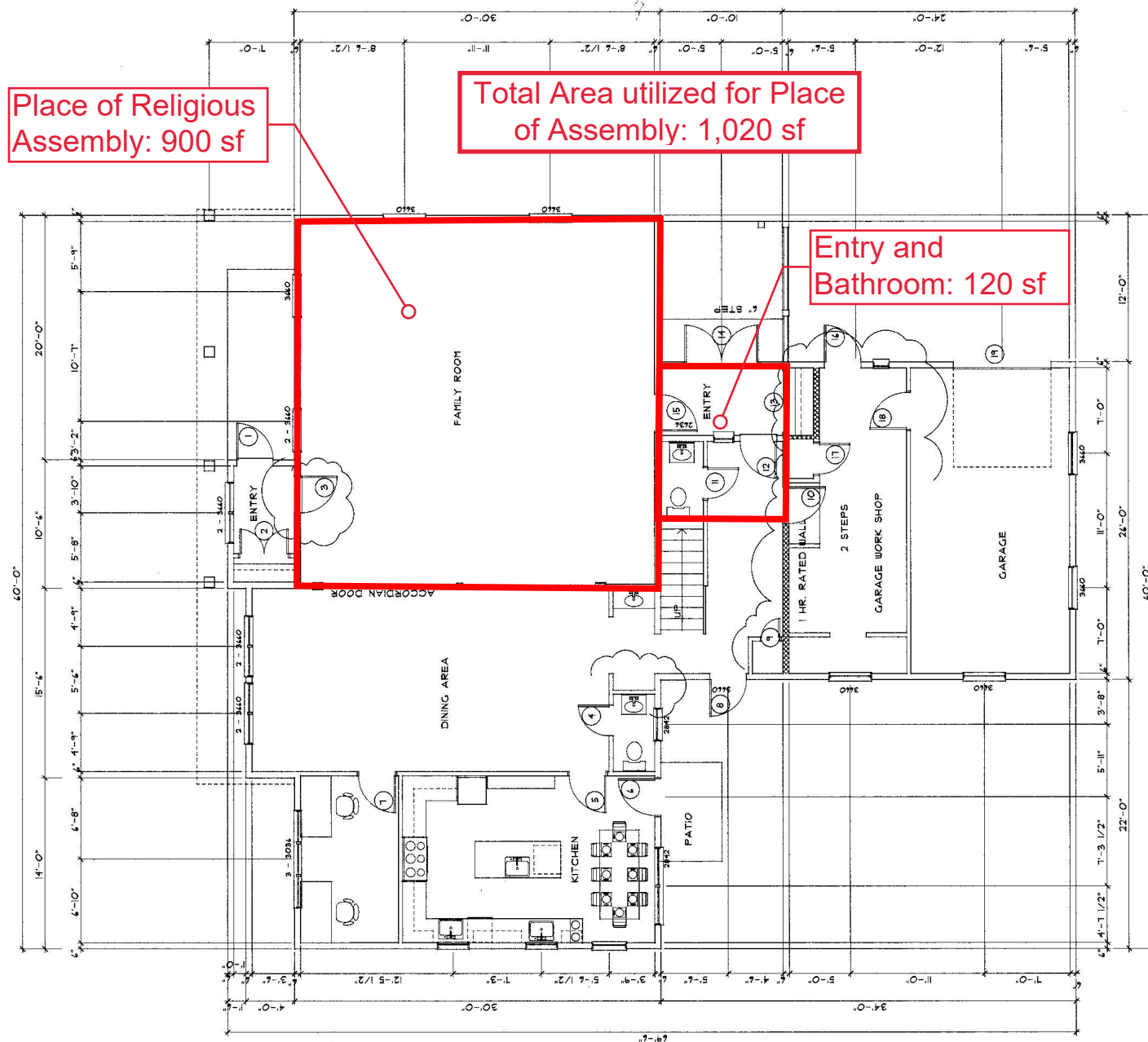
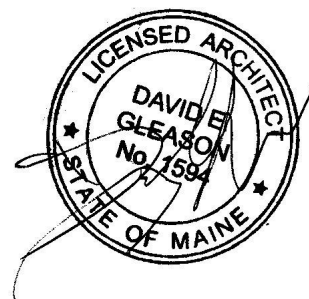


Christopher R. MacDonald, PE
Project Manager

DOOR MARK	SCHEDULE	DOOR WIDTH	DOOR HEIGHT	REMARKS
1.	PR.	3'-0"	7'-0"	ENTRY DOOR
2.	PR.	2'-0"	6'-8"	CLOSET
3.	PR.	3'-0"	6'-8"	ENTRY DOOR
4.	PR.	2'-4"	6'-8"	BATHROOM
5.	PR.	3'-0"	6'-8"	KITCHEN
6.	PR.	2'-4"	6'-8"	ENTRY
7.	PR.	2'-4"	6'-8"	STUDY
8.	PR.	3'-0"	6'-8"	ENTRY DOOR
9.	PR.	2'-4"	6'-8"	CLOSET
10.	PR.	3'-0"	6'-8"	TO GARAGE - 20 MIN. RATED
11.	PR.	2'-4"	6'-8"	BATHROOM
12.	PR.	3'-0"	6'-8"	ENTRY
13.	PR.	2'-4"	6'-8"	CLOSET - SLIDER
14.	PR.	3'-0"	6'-8"	ENTRY
15.	PR.	3'-0"	6'-8"	ENTRY
16.	PR.	3'-0"	6'-8"	ENTRY
17.	PR.	2'-0"	6'-8"	CLOSET
18.	PR.	3'-0"	7'-0"	ENTRY
19.	PR.	8'-0"	8'-0"	OVERHEAD DOOR

20.	PR.	2'-8"	6'-8"	TV ROOM - 20 MIN. RATED DOOR
21.	PR.	2'-4"	6'-8"	CLOSET
22.	PR.	2'-8"	6'-8"	BEDROOM
23.	PR.	2'-4"	6'-8"	CLOSET
24.	PR.	2'-8"	6'-8"	BEDROOM
25.	PR.	3'-0"	6'-8"	CLOSET
26.	PR.	2'-4"	6'-8"	SLIDER - DECK
27.	PR.	2'-4"	6'-8"	BATHROOM
28.	PR.	2'-0"	6'-8"	BATHROOM
29.	PR.	2'-4"	6'-8"	BATHROOM
30.	PR.	2'-8"	6'-8"	BEDROOM
31.	PR.	2'-8"	6'-8"	CLOSET - SLIDER
32.	PR.	2'-8"	6'-8"	BEDROOM
33.	PR.	2'-8"	6'-8"	BEDROOM
34.	PR.	2'-0"	6'-8"	CLOSET - SLIDER
35.	PR.	3'-0"	6'-8"	HALLWAY
36.	PR.	2'-8"	6'-8"	BATHROOM
37.	PR.	2'-8"	6'-8"	BEDROOM
38.	PR.	2'-0"	6'-8"	CLOSET - SLIDER
39.	PR.	2'-8"	6'-8"	BEDROOM
40.	PR.	2'-0"	6'-8"	CLOSET - SLIDER
41.	PR.	2'-4"	6'-8"	CLOSET
42.	PR.	2'-8"	6'-8"	CLOSET
43.	PR.	2'-0"	6'-8"	CLOSET
44.	PR.	2'-8"	6'-8"	BATHROOM
45.	PR.	2'-4"	6'-8"	BATHROOM
46.	PR.	2'-8"	6'-8"	BEDROOM
47.	PR.	2'-4"	6'-8"	CLOSET - SLIDER
48.	PR.	2'-4"	6'-8"	BATHROOM
49.	PR.	2'-4"	6'-8"	BATHROOM

50.	PR.	3'-0"	6'-8"	STORAGE AREA
51.	PR.	3'-0"	6'-8"	STORAGE AREA
52.	PR.	2'-4"	6'-8"	BATHROOM
53.	PR.	2'-4"	6'-8"	CLOSET
54.	PR.	2'-4"	6'-8"	BATHROOM
55.	PR.	2'-8"	6'-8"	BEDROOM
56.	PR.	2'-4"	6'-8"	CLOSET - SLIDER
57.	PR.	2'-8"	6'-8"	BEDROOM
58.	PR.	2'-4"	6'-8"	CLOSET - SLIDER
59.	PR.	2'-8"	6'-8"	BEDROOM
60.	PR.	2'-4"	6'-8"	CLOSET - SLIDER
61.	PR.	3'-0"	6'-8"	GAME ROOM



FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"

NO.	DESCRIPTION OF REVISION	DATE
1	CHANGED FLOOR PLAN	10/25/13
2	REVISED PERMIT SET	06/09/14
3	AS BUILT - CHANGES	02/23/15

NEW RESIDENCE	11 POMEROY STREET PORTLAND, MAINE
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Gleason Architects	P.O. BOX 596 STRATHAM, NEW HAMPSHIRE 03885 603.772.7370 FAX: NO. 603.772.6044
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ARCHITECT	ENGINEER
	DATE: 04/15/12
	PROJECT NO. 201207
	SHEET NO.

A-2	OF SHEETS
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Jimmy Dealaman <jdealaman@portlandmaine.gov>

11 Pomeroy Street - Checking in

Chris MacDonald <cmacdonald@bh2m.com>

Fri, Feb 4, 2022 at 4:11 PM

To: Jimmy Dealaman <jdealaman@portlandmaine.gov>

Cc: "RABBI@CHABADOFMAINE.COM" <RABBI@chabadofmaine.com>, Marshall Tinkle <mtinkle@thomport.com>

Good afternoon Jimmy,

On the topic of the summer camp: These are held off site between the hours of 9:00 am and 3:00 pm on week days. There are no plans to have these conducted on site, and the only exception to this has been during Covid related closures. In the rare event that the summer camp would have to be held at 11 Pomeroy Street it is outside the window of worship services, given this, there are no overlaps. If it is helpful we can clarify our response letter to include this timing.

On Circulation: Per previous comments we have received on the site layout, we are now including a 24' wide drive isle behind the proposed parking. This drive isle provides maneuvering room for cars to enter and exit the parking spaces inside the driveway, similar to a larger parking lot. The turn around area to remain is primary to be used by the handicap spot parallel to the resident parking. Resident parking includes one parking space outside and one space inside the garage, so in effect, resident parking will be parallel to the handicap parking spot and will not block access to the turn around area. There will be sufficient space for a car to back out and there will be no conflicts for circulation.

Thank you for the clarification on signage and anticipated timing. Please keep us in the loop as soon as this project is placed on the agenda and we will make sure the signage is installed as required.

[Quoted text hidden]

September 12, 2018

To: Portland Planning Board
 Jon Jennings
 Greg Mitchell
 Tuck O'Brien
 Brian Batson

From: Douglas Babkirk, 55 Redlon Park Road

Re: Rabbi Wilansky's request for change of use permit (Plan # PL-000058-2018)

As a ten-year resident of Redlon Park, and neighbor to the Chabad House of Maine at 11 Pomeroy Street, I am writing to request that the change of use permit be denied. To approve the permit would sanction the expansion of scheduled worship, lodging and youth activities at the home that was approved as a private residence in 2014 in an R-3 zone that allows for conditional activities. Three areas of concern underlie my request:

Expansion to housing overnight guests

1. The facility has expanded beyond a private residence to serving as a quasi hotel charging "donations" for overnight lodging as described on the Chabad House of Portland Maine website: https://www.chabadofmaine.com/templates/articlecco_cdo/aid/3338110/jewish/Reservations-at-Chabad.htm.
2. When I telephoned this spring to inquire about the number of guests the House could accommodate, Mrs. Wilansky informed me they could serve 15 and expand to 18 if needed. This was before the current two-story addition was under construction. The traffic, parking and outdoor activities relative to such a year-round lodging facility is unacceptable in a residential neighborhood.

Noise Levels of On-Site Activities

3. Since the Chabad House arrival, we have experienced as neighbors living within 300 feet of the property:
 - Loud outdoor recreation noise after sunset by children playing basketball and other games outside of the Chabad House. The website outlines year-round youth activities: https://www.chabadofmaine.com/templates/articlecco_cdo/aid/2905574/jewish/Camp-Gan-Israel.htm
 - Construction activity beginning at 7am on Sundays this summer that ceased upon my request
 - Children screaming and playing so loudly in the daytime that I sent a recording to Tuck O'Brien to confirm the noise. He said he would make a site visit to the property but I never heard back from him regarding his findings.

Traffic congestion

4. It is my understanding that most of the Orthodox worshipers who attend services do not drive vehicles to the Chabad House, yet there have been events at the facility when cars have filled the parking area, both sides of the short, dead end Pomeroy Street and spilled

into Bancroft Street. Such congestion is a potential safety hazard if fire department vehicles had to maneuver on these streets.

By approving a change of use permit for the Chabad House, the Planning Board would condone these past and current practices that have significantly stretched, if not ignored, the approved conditional use in 2014 as a place of worship for 15 or fewer people. By expanding the religious events capacity and allowing the guest lodging and scheduled youth activities to continue, the Planning Board would set a poor precedent in the future for other taxpayers who request changes in use within the residential neighborhoods of Portland as well as open the door to possible future change of use requests by Rabbi Wilansky.

Please do not approve this change of use request so that we may maintain the residential Rosemont neighborhood that we have without expanded large group activities and guest lodging facilities.

Chabad House application

Judy Gailen <judy@judygailendesigns.com>

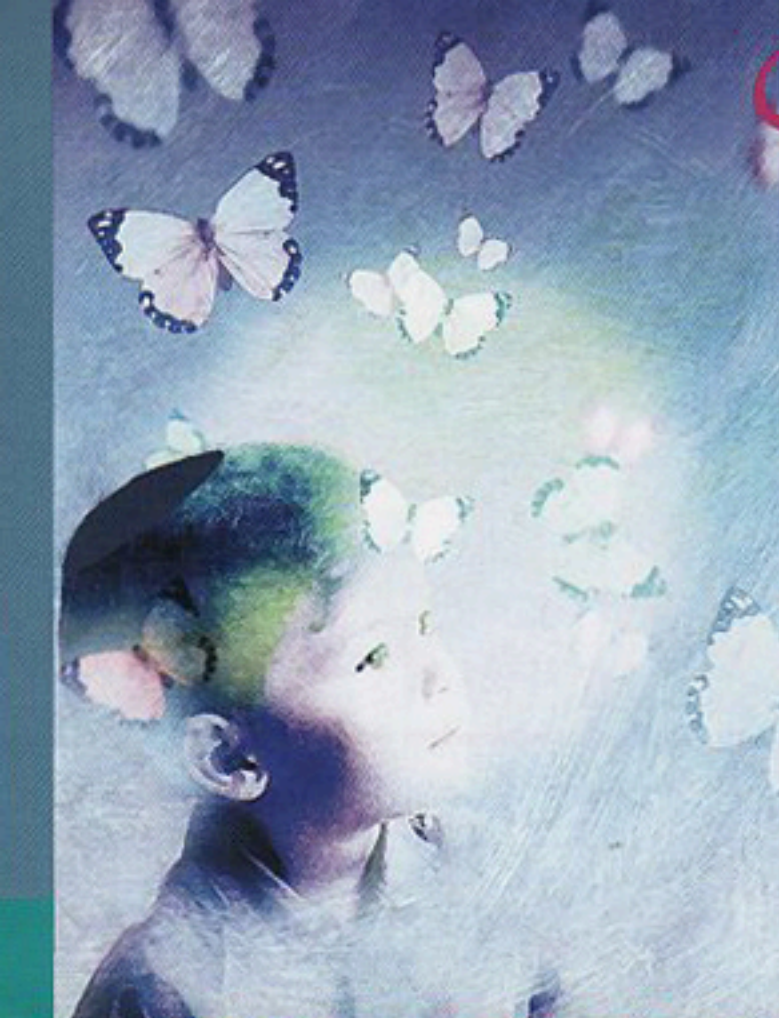
Sep 6, 2018 11:39 AM

Posted in group: **Planning Board**

I am writing in response to the postcard I just received about the request for conditional use at the Chabad House on Pomeroy St.

I recently came across this brochure that I received (because I am Jewish and was a member of a temple and the JCA) as they were building the "house" (and I put that in quotations, because it was never meant to be just a single family house, no matter what they said).

I always meant to to submit it with the question, " Is this what you ask for when you are building a single family home? This is a temple, and it has always been the idea to build a temple, and I feel like it was deceptively presented from the very beginning. I cannot believe that the city did not realize what they were doing. The postcard says no changes to the structure are proposed, but they have been building all summer.



Chabad Lubavitch of Maine is celebrating 28 years of serving the Jewish communities of Maine with dedication and pride. Our programs, some of which are highlighted in this publication, are at the forefront of Jewish culture and learning. From educational programs to social services and everything in between, all of our activities are a reflection of our commitment to strengthen Judaism and Jewish families in Maine. We are an open and welcoming community. Our success in this mission is a direct result of your generosity, encouragement and participation.

As we look toward the future of Jewish life in Maine, we have recognized the need to expand our facilities in order to better serve the escalating needs of a growing population. We have nearly completed construction on a 2.2 acre property in Brighton Corner, a few blocks away from Stevens Avenue. The physical edifice is completed on a three story facility with a sanctuary and study hall, classrooms, hospitality suites, office space, activity rooms, a sukkah plaza and a full service kitchen and dining room. This Chabad House is set on a beautiful property surrounded by woods just off Bancroft Street.

This will be a new Center for Jewish Life in Maine. We are in the midst of applying for grants and donations to realize the fulfillment of this reality. This publication serves as a summary of our plan for the completed facility. We hope that you will consider supporting this important and exciting project by significantly contributing to our Building Campaign Fund. More importantly, we hope to see you and your family enjoying the warmth and beauty of Jewish life by participating in some of our enriching programs. We reach out to you as full time and also summer residents of Maine, visitors to Maine, and proactive Jewish community leaders who seek to strengthen and enrich Jewish communal life. By investing in the growth of Jewish life in Maine today, we are assured a strong foundation for tomorrow.

With warm wishes to you and your family,

Rabbi Moshe and Chana Wilansky



Let's Complete
our dream
Together

Dear Rabbi,

Please accept our small gift as a token of appreciation for an amazing work that you do and for helping us so many times. May you, your family and congregation have a joyous and healthy year.

— JS



Dear Rabbi Wilansky,

Thank you for volunteering your time to make candles with us. We liked using different wax this year. The beeswax felt cool and smelled good. We used our candles in our menorahs and they burned beautifully.

Happy Chanukah!

Levey Day School
Portland, Maine



Dear Rabbi Wilansky,

Thank you for your time and dedication to our community here at the Cedars. We truly appreciate your presence with your family during Chanukah and all the Jewish holidays.

Cedars Nursing Home

FEATURES

Imagine a place where Jews from all walks of life can come together and experience the joy of their heritage; where we can bask in the warmth of community life and share joyous occasions; where the environment is as welcoming as your own home, and the friendships formed last forever; where each person can learn, and grow as one chooses; where we can discover together what makes us unique and transmit this uniqueness to our children.

- 2,500 square feet of community space
- A large Social Hall that can accommodate community celebrations
- Meeting rooms for lectures, seminars and community gatherings
- Private study/library for individual and group learning
- Classrooms for adult education classes
- 500-square-foot space to house our extensive children's programs
- Kosher kitchen and Passover kitchen
- Administrative offices
- State of the Art Playground
- Sukkah Plaza

Let's Complete
our dream
Together

☐ Campus Dedication	\$300,000	☐ Sefer Torah	\$36,000	☐ Holy Ark	\$18,000	☐ Offices	ea. \$5,000
☐ Building Dedication	\$250,000	☐ Computer Lab	\$36,000	☐ Lobby Furniture	\$12,000	☐ Builder Sponsor	\$3,600
☐ Sanctuary	\$100,000	☐ Hospitality Room (2)	\$25,000	☐ Study Furnishings	\$10,000	☐ Sanctuary Seating	\$3,600
☐ Library	\$100,000	☐ Playground	\$25,000	☐ Luvor-Sanctuary	\$10,000	☐ Front Entrance Mezuzah	\$1,800
☐ Main Entrance	\$75,000	☐ Passover Kitchen	\$20,000	☐ Yahrzeit Board	\$10,000	☐ Prayer Book Cabinet	\$1,800
☐ Social Hall	\$72,000	☐ Coat Room	\$18,000	☐ Founder Sponsor	\$7,200	☐ Sponsor	ea. \$1,800
☐ Kosher Kitchen	\$50,000	☐ Platforms (Bimah)	\$18,000	☐ Ner Tamid (Lamp)	\$5,000	☐ Supporter Sponsor	ea. \$1,000
☐ Hospitality Suite	\$50,000	☐ Landscaping	\$18,000	☐ Tallis Rack	\$5,000	☐ Tree of Life Leaf	ea. \$360
☐ Rabbi's Study	\$50,000	☐ Classroom	\$18,000	☐ Chazan's Lectern	\$5,000	☐ Memorial Plaque	\$360
☐ Tree of Life Display	\$36,000	☐ Camp/Game Room	\$18,000	☐ Office Furnishings (4)	ea. \$5,000	☐ Mezuzahs	ea. \$250

✓ **Yes**, I am pleased to sponsor the above dedication (please select option(s) from above) in honor of: _____

I hereby pledge to pay a total of \$_____ (please select payment option:) ☐ in Full or ☐ in _____ installments over _____ months/years.
(Maximum of 5 years for dedications over \$10,000; 3 years for dedications over \$3,600; 1 year for all other dedications)

Name: _____ Last Name: _____

Address: _____ City: _____ State: _____ Zip: _____

Tel: (____) _____ E-mail: _____

Credit Card #: _____ Exp Date: ____/____ Security Code: _____

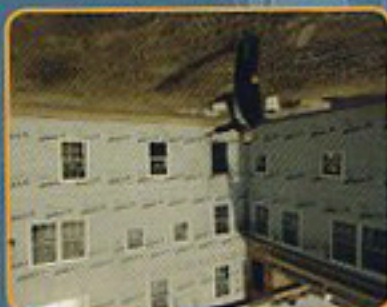
Billing Address: _____ City: _____ State: _____ Zip: _____

Amount: \$_____ Other Donation Your Choice: \$_____ Signature: _____

Let's Complete
our dream
Together

Please complete and detach this form and mail it to the address on the reverse.

Chabad House Lubavitch of Maine
Address: 101 Craigie Street, Portland, ME 04102
T: 207.871.8947 F: 760.875.8947
E: rabbi@chabadofmaine.com W: Chabadofmaine.com



Let's Complete
our dream
Together

PL-000058-2018 11 Pomeroy Street Portland Maine

KMRAJACOBS JACOBS <kmrajacobs@outlook.com>

Sep 9, 2018 3:04 PM

Posted in group: **Planning Board**

Hello,

I would like to express my concerns before this plan is approved.

This is a quiet residential neighborhood and I feel that opening this up to a place of worship of 15+ individuals is a tremendous mistake.

There is enough traffic using Bancroft Street as a cut through between Brighton Avenue and Capisic Street without adding more.

The residents at 11 Pomeroy Street are plentiful enough and have already added 3 - 5 vehicles on an already crowded street.

I would ask that you consider the re-zoning carefully before approving.

Kristine & Rick

Chabad of Maine Change of Use Request

Jeff D. Emerson <jdemerson@northendgroup.com>

Sep 11, 2018 5:02 AM

Posted in group: **Planning Board**

I am a resident of Redlon Park Road which is adjacent to the Chabad of Maine (Chabad) on Pomeroy Street. Chabad has applied to the City of Portland for a change of use permit. I oppose this application.

- The change of use application, for Chabad to expand its scope beyond the limit of 15 non-family members present at any one time on its site (a limit placed on it by the City of Portland (City) and in Section 14-90 of the Land Use Code), is precisely the "incrementalism" to which I referred in my December 1, 2017 e-mail to Tom Federle, Chabad's attorney. A copy of that e-mail is included in the attached collection of documents (it is the first document). As you can see, from this partial file of documents, there is a long history with Chabad and its incrementalism
- This incrementalism was entirely predictable once the City permitted the construction of a mixed use 8,000 square foot property in a residential neighborhood. Indeed, the first example of incrementalism was the increase in size of the structure to 10,000 square feet, also permitted by the City
- Chabad has been engaged in religious services, provision of kosher meals, lodging and summer camps as evidenced by its web site. None of these activities was specifically permitted by the City. None of these activities is appropriate to a residential neighborhood. All of these activities are examples of incrementalism
- If the City authorizes this change of use we reasonably can expect more examples of incrementalism which are unlikely to comport with a residential neighborhood
- Part of the application would include, as I understand it, a tax exempt status for Chabad. If granted, this would add insult to injury as I will be paying for Chabad's expansion and services in a residential neighborhood
- Less than one (1) mile from Chabad is a large Jewish Community Center, appropriately sited in a commercial area. Why do we need an expanded Chabad in a residential neighborhood?

Let me be very clear: I am Jewish. I understand Chabad and its mission. I support Chabad--but not in a residential neighborhood. In my e-mail to Tom Federle I noted that I want what all people want: a good neighbor. Chabad has not been a good neighbor; any expansion of Chabad in its facility or its services will change fundamentally the nature of its neighborhood and is inappropriate to a residential neighborhood. It is particularly inappropriate when there is a large Jewish Community Center at Congress and Stevens less than one (1) mile from Chabad. We cannot un-ring the bell for Chabad, its facility or its (current) services. But it would be totally inappropriate for the City to permit the change of use. The expansion of Chabad, in size and services, needs to stop now.



Jeff D. Emerson

President

NorthEnd Group LLC

18 Redlon Park Road

Portland, ME 04102

Tel: (240) 752-7143

Efax: (207) 221-1159

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Jeff D. Emerson

From: Jeff D. Emerson
Sent: Friday, December 01, 2017 6:47 AM
To: 'Tom Federle'
Cc: 'Tuck O'Brien'; Doug Babkirk
Subject: Chabad of Maine

Tom, thank you for visiting with me yesterday about Chabad of Maine (CM). It was a cordial, reasonable and productive discussion. As I told you, we cannot un-ring the bell for the construction of the Chabad House, its size or services which it provides, however inappropriate the City of Portland may have been in permitting it. I am willing to accept the status quo, albeit I do take exception to an 8,000 to 10,000 square foot dwelling, providing religious and commercial services, which is exempt from taxes (which means that I am paying for it).

You asked me what the Redlon Park Road neighbors want. I said that I am not in the habit of speaking for other people but, speaking for myself, I want what all people want: good neighbors. Specifically, as the *quid pro quo* for my acceptance of the Chabad House, I want

- No further increase in the size of CM beyond that which already is approved and permitted by the City of Portland
- No increase in the services which CM offers beyond those services (kosher meals, religious services, lodging and summer camp for kids) which CM currently offers
- A commitment not to purchase other homes in the CM neighborhood for the purposes of incorporating them in the CM activities
- Honoring the no more than 15 non-Wilansky family members at CM at any one-time restriction which was imposed by the City of Portland and as codified in, *inter alia*, Section 14-90 of the Land Use Code

We discussed the incrementalism which the Chabad of Maine seemingly has pursued: from an application to build a Single-Family Residence to a Chabad House with religious and commercial services to an application for Change of Use and tax-exempt status. I would not consider the Chabad of Maine to be a good neighbor if it continues down this path of incrementalism.

Finally, we discussed my suggestion that the Rabbi should invite his neighbors (not just from Redlon Park Road) to the Chabad House as a way to demystify it and as an opportunity for us to talk and exchange our respective thoughts and concerns. You thought that this was a good idea.

The Rebbe, Rabbi Menachim Schneerson, of righteous memory, would frequently quote the Maimonidean adage: Each person should see himself as though the entire world is in delicate balance and, with but **one deed**, he or she can tip the scales for good. Let's work together to tip the scales for good.

Jeff

Jeff D. Emerson

President

Jeff D. Emerson

From: Jeff D. Emerson
Sent: Thursday, September 14, 2017 8:51 AM
To: 'ARL@portlandmaine.gov'
Cc: Doug Babkirk
Subject: Chabad of Maine

Importance: High

Dear Ms. LaChance,

It is my understanding that the City of Portland (City) is re-assessing its approval of an expansion of the facility of Chabad of Maine. I am the Treasurer of the Redlon Park Association (Association); several association members' homes abut the Chabad of Maine. I also am Jewish and well-informed about Chabads. So, let me be very clear about where I stand on this issue: it is inappropriate for the City to have permitted the construction of an 8,000 square foot facility in a residential neighborhood which is used for, inter alia, religious services, lodging and summer camps for children. Having done so, over the objection of the Association, the City attorneys parsed their way to a rationale by saying that the use of the Chabad of Maine facility would be limited to no more than fifteen (15) non-family members at any one time. It is unclear how, or even if, this limit is enforced.

Now the Association has learned that the City has approved an expansion of the Chabad of Maine facility by more than 2,000 square feet. This makes the facility (it is not a home) larger than any residential building in the area by at least a factor of two. That alone should have been sufficient reason for caution in permitting the expansion. However, if you go to the Chabad of Maine web site (<http://www.chabadofmaine.com>), you will observe that it advertises services for food, lodging, day care and other services not appropriate to a residential neighborhood.

The Chabad of Maine facility already is built. It already is serving people kosher meals, providing lodging and religious services. That bell cannot be un-rung. But I urge the City to reign in the activities of the Chabad of Maine now by declining the permit for expansion and by enforcing the City's determination that no more than fifteen non-family members can be there at any one time.



Jeff D. Emerson

President
NorthEnd Group LLC
18 Redlon Park Road
Portland, ME 04102

tel: (240) 752-7143
efax: (207) 221-1159
e-mail: jdemerson@northendgroup.com

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Jeff D. Emerson

From: Jeff D. Emerson
Sent: Thursday, July 20, 2017 2:20 PM
To: 'jrioux@portlandmaine.gov'
Cc: Doug Babkirk; 'bbatson@portlandmaine.gov'
Subject: Portland Chabad House

Importance: High

Dear Jon,

This e-mail is a follow-up to Doug Babkirk's call to you this morning (and subsequent e-mail) inquiring about the permitted use of the City of Portland Chabad House property at 11 Pomeroy Street. Doug is President of the Redlon Park Road Association and I am its Treasurer.

Our concern focuses on the originally permitted use of the property as a single residence that now is advertised online and acting as a Chabad House with communal activities, a day youth camp and **paid accommodations** for visiting guests.

The URL for accommodations at the Portland Chabad House, which is in a residential neighborhood and which abuts homes in the Redlon Park Road Association neighborhood, is:

http://www.chabadofmaine.com/templates/articlecco_cdo/aid/304355/jewish/Accommodation-Info.htm

We now understand that the City recently has permitted a two-story addition to the Chabad residence/Center which will increase daily activities and overnight lodging capacity and traffic in a residential zone of Portland.

This simply is outrageous. Initially the City issued a permit for an 8,000-square foot personal residence which already was several times larger than any other residence in the abutting neighborhoods. Then the City agreed to permit the use of 11 Pomeroy as a commercial and religious establishment provided that no more than 15 non-family members were present at the Chabad House at any one time. Now the City apparently is agreeing to permit the substantial expansion of the Chabad House which clearly, by its own web site, is a commercial and religious establishment.

This is an unacceptable use of a residentially zoned area. We expect the City to deny any further construction at 11 Pomeroy Street and to investigate the current use of the Chabad House in light of the City ordinances and zoning regulations. We will appreciate your prompt response to this request.

Jeff

Jeff D. Emerson

President
NorthEnd Group LLC
18 Redlon Park Road
Portland, ME 04102

Jeff D. Emerson
18 Redlon Park Road
Portland, ME 04102

Helen Donaldson
City of Portland
389 Congress Street
Portland, Maine 04101

April 16, 2016

RE: Residence at 11 Pomeroy Street

Dear Ms. Donaldson:

We write to you on behalf of the Redlon Park Association (the Association) and its members who are residents of Redlon Park Road in Portland. As you know, the Association has long been interested in the zoning for, and construction of, a single family home at 11 Pomeroy Street. That property abuts one or more existing homes in the Association.

The Association took no position with respect to the zoning for, or construction of, a single family home on that site, though we would note that it is an unusually large single family home relative to the size of homes in the neighborhood. However, the Association does note that the zoning in this neighborhood is limited to single family homes. We understand this limitation to mean that the home is for the principal residence of one family and is not intended for any other uses, especially commercial uses.

The Association has reason to believe that the property is being used as a Chabad House (http://www.chabad.org/centers/default_cdo/aid/117638/jewish/Chabad-Lubavitch-of-Maine.htm) which means that religious services are conducted there. We are concerned that the strain on neighborhood resources may become significant, including but not limited to, foot and vehicle traffic. In addition, since the road and driveway were built the amount of still water pooling in the woods from the construction has doubled due to poor drainage. This issue alone should require an inspection by the City. We request that the City of Portland take such steps as may be necessary and advisable to ensure that the use of this property is limited to a dwelling exclusively for use as a single family home.

We are happy to discuss this matter with you or your designate. You may contact me at (240) 752-7143 or at jdemerson@northendgroup.com. If I have not heard from you within ten (10) days of the date of this letter I will call you.

Thank you.

Sincerely,



Jeff D. Emerson
Treasurer
Redlon Park Association

cc: Ed Suslovic

Jeff D. Emerson

From: Doug Babkirk <doug.babkirk@maine.edu>
Sent: Thursday, July 20, 2017 6:11 PM
To: Jeff D. Emerson
Subject: Fwd: 11 Pomeroy Street

She did not address the issue of running a hotel in a single residence
Perhaps a meeting with the woman she recommended is in order

Sent from my iPhone

Begin forwarded message:

From: "Jeff D. Emerson" <jdemerson@northendgroup.com>
Date: July 20, 2017 at 2:29:41 PM EDT
To: Doug Babkirk <doug.babkirk@maine.edu>
Subject: FW: 11 Pomeroy Street

From: Barbara Barhydt [mailto:BAR@portlandmaine.gov]
Sent: Tuesday, June 24, 2014 11:50 AM
To: Jeff D. Emerson <jdemerson@northendgroup.com>
Cc: Ann Machado <AMACHADO@portlandmaine.gov>; Alex Jaegerman <AQJ@portlandmaine.gov>; Helen Donaldson <HCD@portlandmaine.gov>; Jeff Levine <JLEVINE@portlandmaine.gov>; Marge Schmuckal <MES@portlandmaine.gov>; Philip DiPierro <PD@portlandmaine.gov>
Subject: Re: 11 Pomeroy Street

Dear Mr. Emerson:

Thank you for your e-mail regarding 11 Pomeroy Street.

The application approved for 11 Pomeroy Street is for a single family home and for the extension of Pomeroy Street to serve the home. The permits for construction were issued last week. The site is within the Residential R-3 zone, which permits single family homes and planned residential developments.

Please note that the R-3 zone does include other uses that are called conditional uses. Conditional uses require additional review by the Planning Board or the Zoning Board of Appeals. A place of assembly is one of the institutional uses that requires conditional use review by the Planning Board. If such a use were to be proposed for this site, the applicant would be required to submit an application and the request would be considered by the Planning Board at a public hearing. There are limitations regarding the size of such facilities that are proposed on local streets (refer to Section 14-90 in the Land Use Code, <http://www.portlandmaine.gov/DocumentCenter/Home/View/1080>) . Also, please note that the zoning ordinance defines a place of religious assembly as a gathering of more than 15 people beyond the immediate family. The definition is as follows:

Place of assembly: A building or portion of a building used as a community hall, neighborhood center, private and fraternal organization or place of religious assembly. This definition shall not include buildings or portions of buildings used as a community hall, neighborhood center, private and fraternal organization or place of religious assembly

where fifteen (15) or fewer people, not including the permanent residents of a single family dwelling, assemble.

If you have concerns about the use of the property once construction is complete and the building is occupied, then you may submit your concerns and any evidence to Marge Schmuckal, Zoning Administrator, and to me.

Thank you.

Barbara

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

>>> "Jeff D. Emerson" <jdemerson@northendgroup.com> Friday, June 20, 2014 5:06 PM >>>
Dear Ms. Barhydt,

I write to you as a concerned citizen who owns property at 18 Redlon Park Road in an area near to 11 Pomeroy Street where Rabbi Moshe Wilansky apparently has been approved to construct a rather large dwelling. As you may know, Rabbi Wilansky heads Chabad of Maine in Portland. I met with Rabbi Wilansky last year and I have reason to believe, based on that meeting and other information and belief, that Rabbi Wilansky may intend to use the dwelling as a Chabad House, as well as his personal residence. A Chabad House would be used for religious services and to offer visiting Jews a place where they may have a kosher meal and stay overnight. I have no problem with Chabad House. But I do not think that it is appropriate in a residential community.

My understanding from Nell Donaldson is that the property at 11 Pomeroy Street is zoned for a single family dwelling. Consequently, I request that the City of Portland take such steps as may be necessary and advisable to ensure that any dwelling built on this property is limited exclusively to use as a single family home. Thank you.

Jeff D. Emerson

President
NorthEnd Group LLC
18 Redlon Park Road
Portland, ME 04102

tel: (240) 752-7143
efax: (207) 221-1159
e-mail: jdemerson@northendgroup.com

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DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

CITY OF PORTLAND BUILDING PERMIT



This is to certify that

CHABAD LUBAVITCH OF MAINE INC

Located at

11 POMEROY ST

PERMIT ID: 2017-00377

ISSUE DATE: 04/26/2017

CBL: 193 E001001

has permission to **Construction of two-story addition 21' x 26'**

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of the buildings and structures, and of the application on file in the department.

Notification of inspection and written permission procured before this building or part thereof is lathed or otherwise closed-in. 48 hour notice is required.

A final inspection must be completed before this building or part thereof is occupied. If a certificate of occupancy is required, it must be procured prior to occupancy.

N/A

Fire Official

/s/ Greg Gilbert

Building Official

**THIS CARD MUST BE POSTED ON THE STREET SIDE OF THE PROPERTY
THERE IS A PENALTY FOR REMOVING THIS CARD**

Approved Property Use - Zoning
single family dwelling

Building Inspections

Use Group: Type:
Single Family Residence
ENTIRE
MUBEC / 2009 IRC

Fire Department

PERMIT ID: 2017-00377

Located at: 11 POMEROY ST

CBL: 193 E001001

BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703

or email: buildinginspections@portlandmaine.gov

Check the Status of Permit or Schedule an Inspection at
<http://www.portlandmaine.gov/planning/permitstatus.asp>

With the issuance of this permit, the owner, builder or their designee is required to provide adequate notice to the City of Portland Inspections Division for the inspections listed below. Appointments must be requested 48 to 72 hours in advance. The inspection date will need to be confirmed by this office.

- Please read the conditions of approval that are attached to this permit.
- Permits expire in 6 months if the project is not started or ceases for 6 months.
- If the inspection requirements below are not followed, then additional fees may be incurred due to the issuance of a "Stop Work Order" and subsequent release to continue.
- Per Section 107.3.1 of the Maine Uniform Building and Energy Code (MUBEC), one set of printed approved stamped construction documents will be kept at the site of work and open to inspection by building officials.

REQUIRED INSPECTIONS:

Setbacks and Footings Prior to Pouring

Foundation/Backfill

Close-in Plumbing/Framing

Electrical - Residential

Final Inspection

The project cannot move to the next phase prior to the required inspection and approval to continue.

If the permit requires a certificate of occupancy, it must be paid and issued to the owner or designee before the space may be occupied.

City of Portland, Maine - Building or Use Permit

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No:	Date Applied For:	CBL:
2017-00377	03/23/2017	193 E001001

Proposed Use:

Same: Single Family

Proposed Project Description:

Construction of two-story addition 21' x 26'

Dept: Zoning**Status:** Approved w/Conditions**Reviewer:** Christina Stacey**Approval Date:** 04/07/2017**Note:** R-3 zone**Ok to Issue:** ✓

Front setback 25' min - addition >150' scaled - OK

Rear setback 25' min - addition >150' scaled - OK

Side setback 14' min - Left - addition >70' scaled - OK

Right - addition >100' scaled - OK

Lot coverage is <35%

Max height 35' - addition 25' grade to peak - OK

Conditions:

- 1) This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.
- 2) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.

Dept: Building Inspection **Status:** Approved w/Conditions**Reviewer:** Greg Gilbert**Approval Date:** 04/26/2017**Note:****Ok to Issue:** ✓**Conditions:**

- 1) For conditioned space- insulation shall comply with the IECC, 2009 (Maine State Energy Codes).
- 2) Roof Trusses may not be used unless engineered drawings are submitted to and approved by Inspections Department
- 3) R401.2 Requirements. Foundation construction shall be capable of accommodating all loads according to Section R301 and of transmitting the resulting loads to the supporting soil. Fill soils that support footings and foundations shall be designed, installed and tested in accordance with accepted engineering practice. Gravel fill used as footings for wood and precast concrete foundations shall comply with Section R403.
Foundation Drainage: Fabric, Damp proofing shall comply with Section R405 & R406, see attachment.
- 4) All construction shall comply with City Code Chapter 10.
All smoke detectors and smoke alarms shall be photoelectric.
Hardwired Carbon Monoxide alarms with battery backup are required on each floor.
A sprinkler system is recommended but not required.
- 5) Separate permits are required for any electrical: plumbing, sprinkler, fire alarm, HVAC systems, commercial hood exhaust systems and fuel tanks. Separate plans may need to be submitted for approval as a part of this process.
- 6) This permit is approved based upon information provided by the applicant or design professional. Any deviation from the final approved plans requires separate review and approval prior to work.

PERMIT ID: 2017-00377**Located at:** 11 POMEROY ST**CBL:** 193 E001001



Permitting and Inspections Department
Michael A. Russell, MS, Director



Received for Code Compliance
Project Name Design:
Approved with Conditions:
Date: 04/26/17

General Building Permit Application

Project Address: 11 Danvers Street

Tax Assessor's CBL: 193 E 1 Chart # Block # Lot # Cost of Work: \$ \$30,000

Proposed use (e.g., single-family, retail, restaurant, etc.): Single Family

Current use: Single Family Past use, if currently vacant: _____

☐ Commercial ☐ Multi-Family Residential ☐ One/Two Family Residential

Type of work (check all that apply):

- | | | |
|---|--|---|
| ☐ New Structure | ☐ Foundation Only | ☐ Change of Ownership - Condo Conversion |
| ☒ Addition | ☐ Fence | ☐ Change of Use |
| ☐ Alteration | ☐ Pool - Above Ground | ☐ Change of Use - Home Occupation |
| ☐ Amendment | ☐ Pool - In Ground | ☐ Radio/Telecommunications Equipment |
| ☐ Shed | ☐ Retaining Wall | ☐ Radio/Telecommunications Tower |
| ☐ Demolition - Structure | ☐ Replacement Windows | ☐ Tent/Stage |
| ☐ Demolition - Interior | ☐ Commercial Hood System | ☐ Wind Tower |
| ☐ Garage - Attached | ☐ Tank Installation/Replacement | ☐ Solar Energy Installation |
| ☐ Garage - Detached | ☐ Tank Removal | ☐ Site Alteration |

Project description/scope of work (attach additional pages if needed):

Construction of a 2 story addition - approximately 21' x 26'

Applicant Name: Chabad Lubavitch Phone: (207) 650-8295

Address: 11 Danvers Street Email: _____

Lessee/Owner Name (if different): _____ Phone: () -

Address: Architect Email: _____

Contractor Name (if different): Gleason Architects Phone: (63) 772-7370

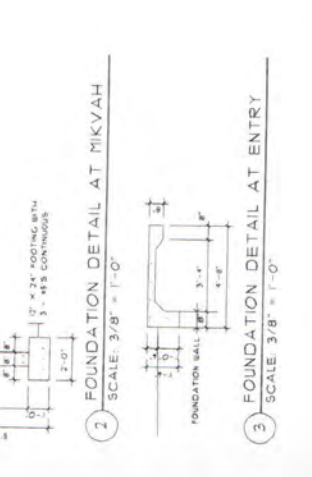
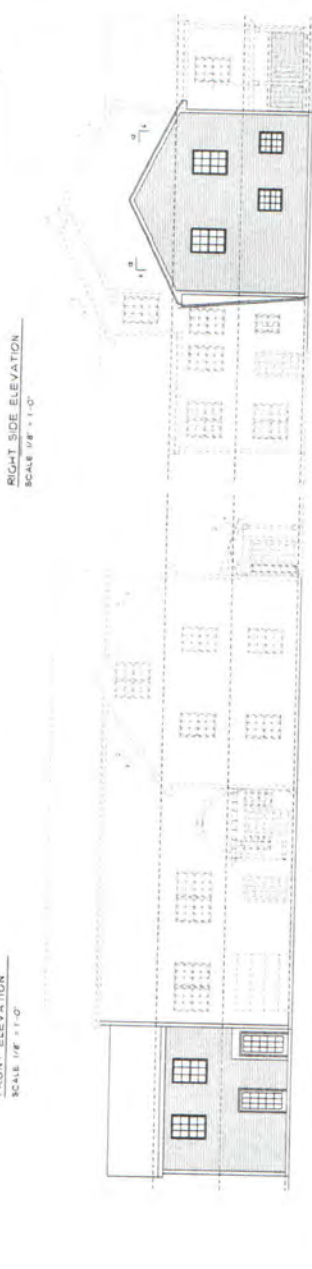
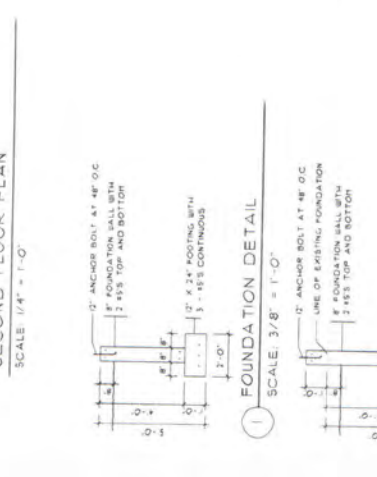
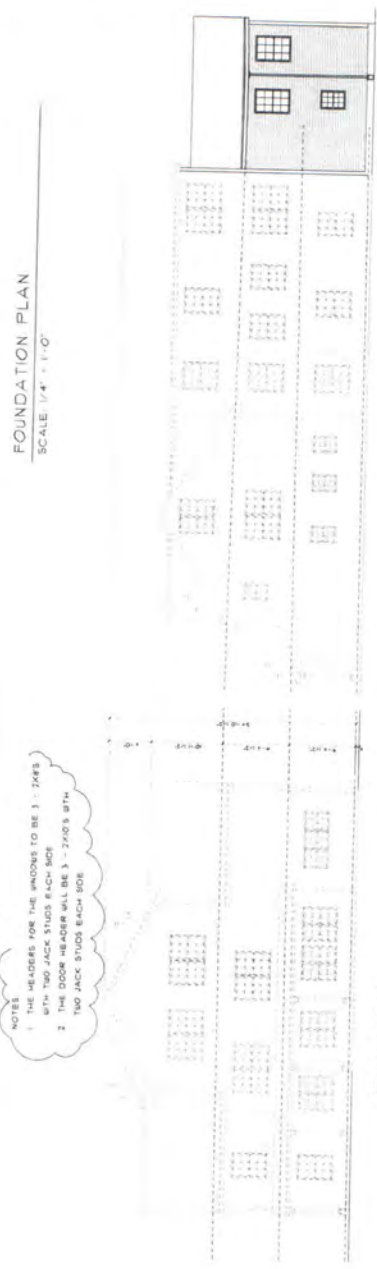
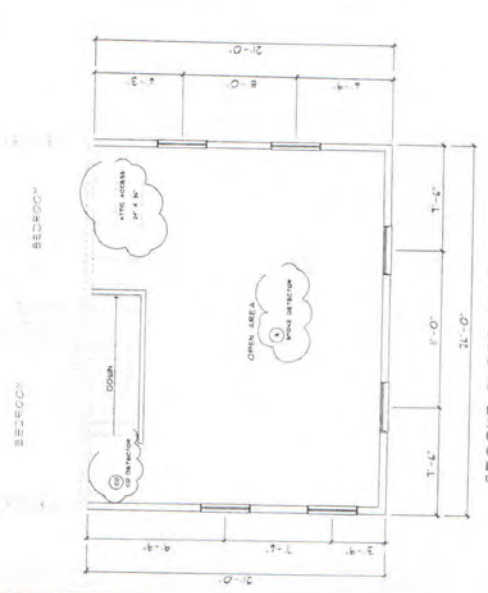
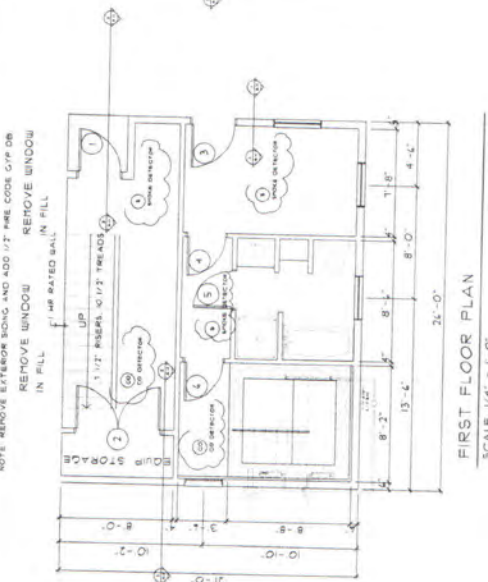
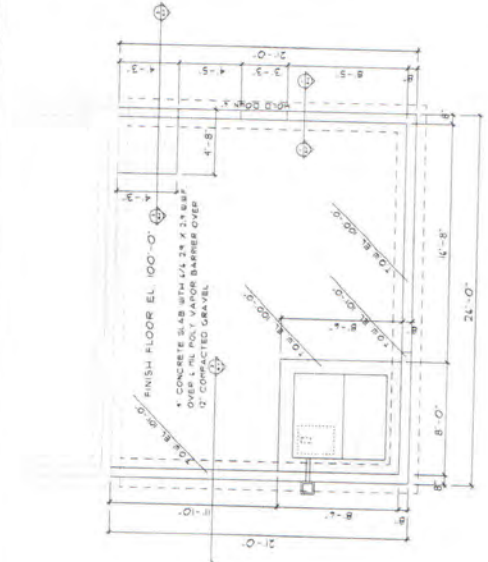
Address: P.O. Box 666 Stratham, NH Email: gleasonarchitects@gmail.com

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

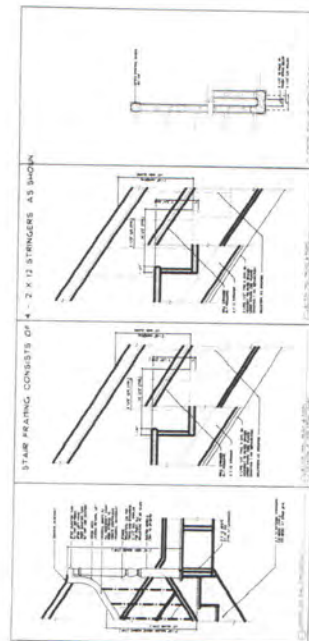
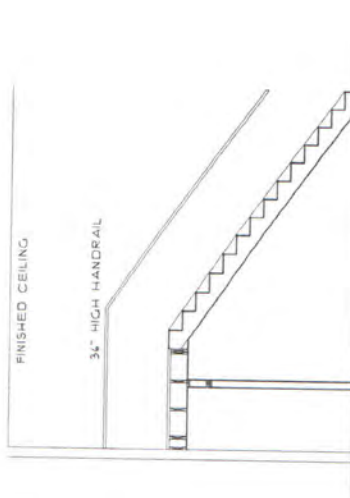
Signature: [Signature] and dated for the owner Date: 3/22/17

Review of this application will not begin until the permit payment is received. This is not a permit. Work may not commence until the permit is issued.

389 Congress Street/Portland, Maine 04101/ <http://portlandmaine.gov> /tel: (207) 874-8703/fax: (207) 874-8716



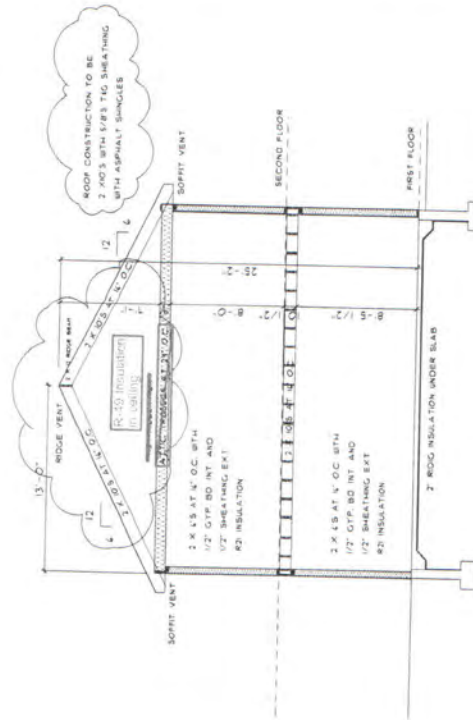
1. Perimeter foundations drainage was planned but illustrated on the drawings. The drains will be "extended 12" beyond the outside edge of the footings, 6" above the top of the footing covered with a filter membrane. These lines will drain to daylight or a downspout which will be located on site.
2. These will be a maximum of 6" on center, the plans reflect 4" on center and 12" from each corner. They will be 1/2" diameter, 12" steel bolts with a bend at the embedded end and be in the concrete foundation wall at least 7".
3. The design load of the roof is 50 psf ground snow load.
4. The roof framing will be 2 X 10's at 16" o.c. as is illustrated on the drawings, 12" o.c.
5. The sheathing will be 5/8" T & G, exterior grade plywood or equal and be nailed at center on the edges, 8" on center on support members.
6. The window schedule is illustrated on the drawings.
7. The roof will have ice and water shield 4" from the roof edges at the fascia and minimum of 15 pound felt under the architectural asphalt shingles.
8. The stair cross section is illustrated on the drawings.
9. The C/O monitor will be located in each bedroom and have a battery back-up. The fire separation detail for the wall between the garage and the house is illustrated on the drawings.
10. Windows to be ALLSIDE CUSTOM



ROOF FRAMING PLAN
SCALE 1/4" = 1'-0"



SECOND FLOOR FRAMING PLAN
SCALE 1/4" = 1'-0"



BUILDING SECTION
SCALE 1/4" = 1'-0"

NEW RESIDENCE

11 POWEROY STREET
PORTLAND, MAINE

Gleason Architects
P.O. BOX 596
STRATHAM, NEW HAMPSHIRE 03865
603 772-7370

ARCHITECT

ENGINEER
DATE 02/15/17
PROJECT NO. 201618
SHEET NO.

A-2

OF SHEETS

NO.	DESCRIPTION OF REVISION	DATE
1	REVISED PER CODE	04/2017

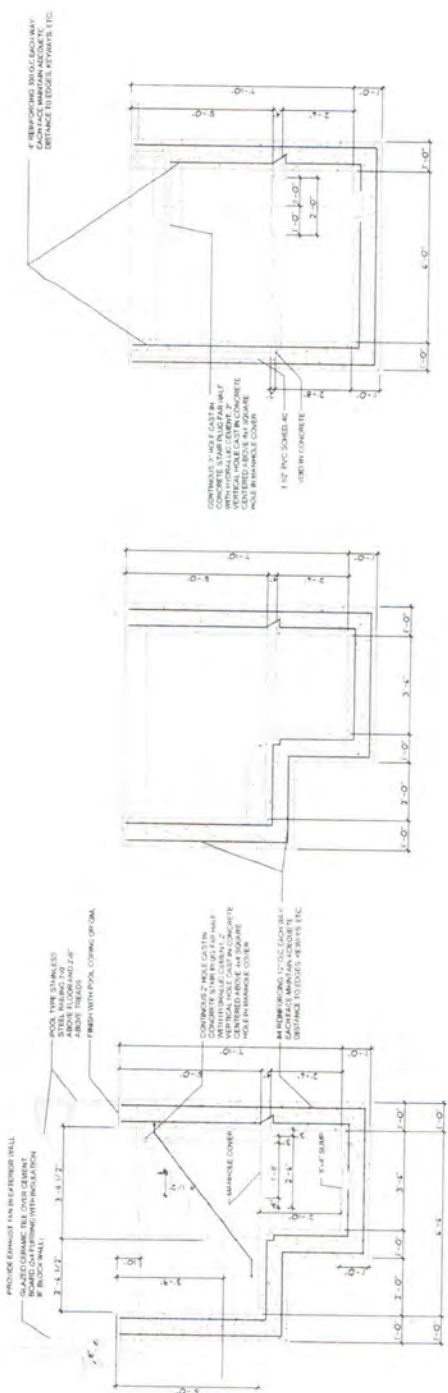
NEW RESIDENCE
11 POMEROY STREET
PORTLAND, MAINE

Gleason Architects
P.O. BOX 596
STRATHAM, NEW HAMPSHIRE 03885
603 772-7370

ARCHITECT

ENGINEER
DATE: 02/19/17
PROJECT NO.: 201613
SHEET NO.

A-3
OF SHEETS



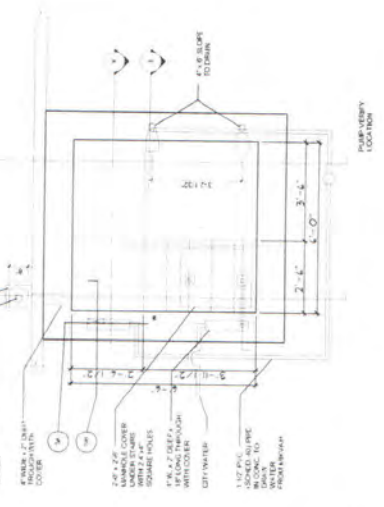
1 MIKVAH SECTION
SCALE 1/2" = 1'-0"

2 MIKVAH SECTION
SCALE 1/2" = 1'-0"

3 MIKVAH SECTION
SCALE 1/2" = 1'-0"



5A TROUGH SECTION
SCALE 1 1/2" = 1'-0"



5B TROUGH SECTION
SCALE 1 1/2" = 1'-0"

MIKVAH PLAN
SCALE 1/2" = 1'-0"

4 MIKVAH SECTION
SCALE 1/2" = 1'-0"

Re: Comments regarding Rabbi Wilansky's change of use permit request for 11 Pomeroy Street

Jonathan Matt <jmatt001@maine.rr.com>

Sep 12, 2018 10:00 PM

Posted in group: **Planning Board**

Well done Doug! I like the fact that you recorded the noise.

On Sep 12, 2018, at 5:47 PM, Douglas Babkirk <doug.babkirk@maine.edu> wrote:

September 12, 2018

To: Portland Planning Board

Jon Jennings

Greg Mitchell

Tuck O'Brien

Brian Batson

From: Douglas Babkirk, 55 Redlon Park Road

Re: Rabbi Wilansky's request for change of use permit (Plan # PL-000058-2018)

As a ten-year resident of Redlon Park, and neighbor to the Chabad House of Maine at 11 Pomeroy Street, I am writing to request that the change of use permit be denied. To approve the permit would sanction the expansion of scheduled worship, lodging and youth activities at the home that was approved as a private residence in 2014 in an R-3 zone that allows for conditional activities. Three areas of concern underlie my request:

Expansion to housing overnight guests

1. The facility has expanded beyond a private residence to serving as a quasi hotel charging "donations" for overnight lodging as described on the Chabad House of Portland Maine website: https://www.chabadofmaine.com/templates/articlecco_cdo/aid/3338110/jewish/Reservations-at-Chabad.htm.
2. When I telephoned this spring to inquire about the number of guests the House could accommodate, Mrs. Wilansky informed me they could serve 15 and expand to 18 if needed. This was before the current two-story addition was under construction. The traffic, parking and outdoor activities relative to such a year-round lodging facility is unacceptable in a residential neighborhood.

Noise Levels of On-Site Activities

1. Since the Chabad House arrival, we have experienced as neighbors living within 300 feet of the property:
 - Loud outdoor recreation noise after sunset by children playing basketball and other games outside of the Chabad House. The website outlines year-round youth activities: https://www.chabadofmaine.com/templates/articlecco_cdo/aid/2905574/jewish/Camp-Gan-Israel.htm
 - Construction activity beginning at 7am on Sundays this summer that ceased upon my request

- Children screaming and playing so loudly in the daytime that I sent a recording to Tuck O'Brien to confirm the noise. He said he would make a site visit to the property but I never heard back from him regarding his findings.

Traffic congestion

1. It is my understanding that most of the Orthodox worshipers who attend services do not drive vehicles to the Chabad House, yet there have been events at the facility when cars have filled the parking area, both sides of the short, dead end Pomeroy Street and spilled into Bancroft Street. Such congestion is a potential safety hazard if fire department vehicles had to maneuver on these streets.

By approving a change of use permit for the Chabad House, the Planning Board would condone these past and current practices that have significantly stretched, if not ignored, the approved conditional use in 2014 as a place of worship for 15 or fewer people. By expanding the religious events capacity and allowing the guest lodging and scheduled youth activities to continue, the Planning Board would set a poor precedent in the future for other taxpayers who request changes in use within the residential neighborhoods of Portland as well as open the door to possible future change of use requests by Rabbi Wilansky.

Please do not approve this change of use request so that we may maintain the residential Rosemont neighborhood that we have without expanded large group activities and guest lodging facilities.

September 12, 2018

To: Portland Planning Board
Jon Jennings
Greg Mitchell
Tuck O'Brien
Brian Batson

From: Douglas Babkirk, 55 Redlon Park Road

Re: Rabbi Wilansky's request for change of use permit (Plan # PL-000058-2018)

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Please do not approve this change of use request so that we may maintain the residential Rosemont neighborhood that we have without expanded large group activities and guest lodging facilities.

Pomeroy St. Proposal?

jessica teesdale <teamteesdale@me.com>

Sep 23, 2018 11:34 AM

Posted in group: **Planning Board**

When is the planning board meeting for the Pomeroy St. proposal# PL-000058-2018? The Citizen self serve portal is unavailable currently. I have not received any response from the questions I sent regarding this project.

RE: Pomeroy St. Level 1 site alteration and Conditional Use application plan # PL-000058-2018

I received a postcard notification that we are within 500 ft of the proposed site. Chabad of Maine was built as a "single family home" with 16 bedrooms and 14 bathrooms. The Chabad is advertised already online as a Hotel.

This is from the Chabad of Maine website:

https://www.chabadofmaine.com/templates/articlecco_cdo/aid/304355/jewish/Accommodation-Info.htm

This house is anything but a single family home.

Here are the questions I have:

- 1.What impact will this change have on the traffic and parking in our quiet neighborhood?
2. Will Pomeroy street remain Public access? Can anyone park there?
3. Is the application proposing to change the Zone status? Will this remain zone R-3?
4. will the approval of this application open any doors for zone change in the future?
5. How will this effect property taxes for the surrounding properties?
5. Is Chabad of Maine a business profiting from hotel style accommodations?
6. How large will the assemblies be? What is the maximum capacity for an assembly?
7. Does this effect the value of my home.
- 8.Will paving more of the woods have an environmental impact on the water in our basements?
- 9.When will final decision be made about this?

We live in a quiet residential neighborhood. This is not the ideal location for increased traffic, a hotel, or regular large assemblies. I was against such a large building going in that site back when it was proposed and built against the will of the neighborhood. The neighborhood knows that the Chabad of Maine is a place of Worship, and has been since the building was built. We have nothing against having religious neighbors. We have concerns about the size and scope of the business that is operating out of the "single family" home.

Every neighbor I spoke to so far would sign a petition to limit any changes that would increase traffic, effect property value, and bring business into our quiet pocket neighborhood.

This type of building/business model would be much better suited for Brighton Ave, or even Capisic St.

Thank you for taking the time to listen. Please advise on what steps you think we should take as a neighborhood to organize and get answers to our questions. Should I forward this directly to the planning board?

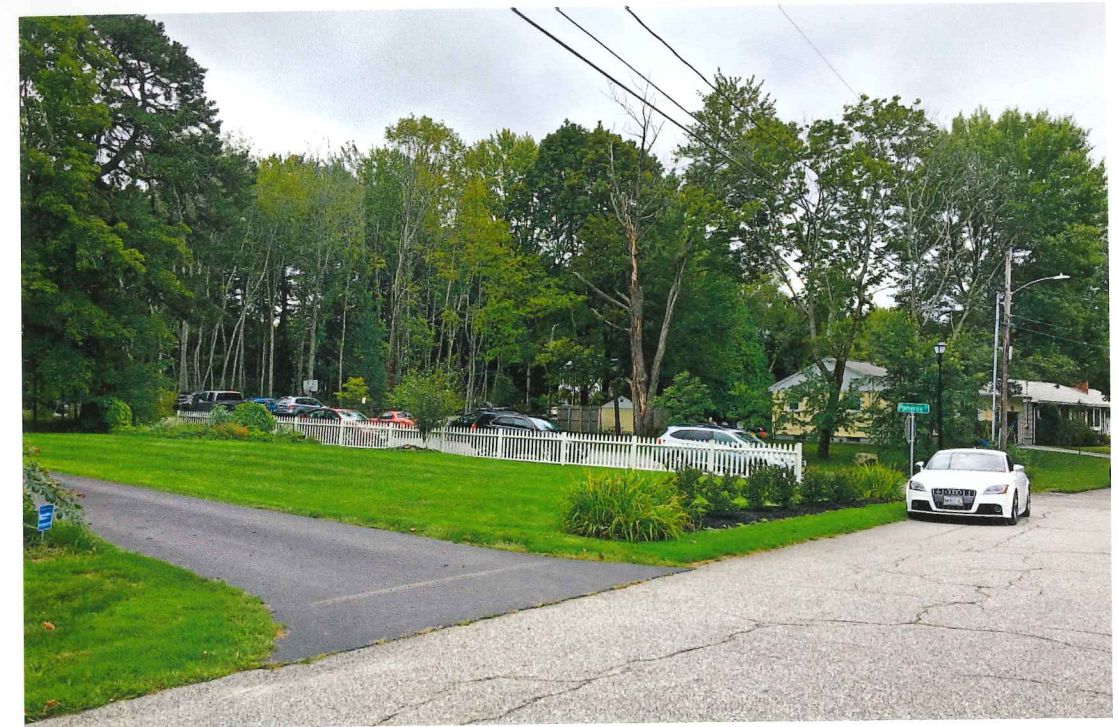
Jessica Teesdale

IMPORTANT NOTICE FROM CITY OF PORTLAND PLANNING DIVISION

IN THE VICINITY OF 11 POMEROY ST

To residents and property owners: Chabad of Maine, has submitted a Level I Site Alteration application and a Conditional Use application for a place of assembly at 11 Pomeroy Street. The applicant is seeking a conditional use review for a place of religious assembly serving over 15 people within the existing single family home. No changes to the existing structure are proposed. The site plan has an increase in impervious surface of 975 sf to accommodate parking for 6 vehicles. The 73,821 sf parcel is in the R-3 zone. The proposal is subject to Portland's conditional use review criteria and site plan standards. In accordance with the Portland Land Use Ordinance, notices of receipt of a Level I Site Alteration application must be sent to property owners located within 500 ft. of the subject property (or 1,000 ft. if the property is located in an Industrial Zone). This application will be reviewed administratively by City Staff. This is the only notice you will receive.

A project and plan summary is available for viewing on the Citizen Self Service Portal (<https://egweb.portlandmaine.gov/energovprod/selfservice>), by referencing Plan Number PL-000058-2018. Written comments should be submitted to planningboard@portlandmaine.gov. If you have any questions regarding the proposal, please contact Christian Roadman, Planner, by phone at 207-874-8984 or e-mail at croadman@portlandmaine.gov





SO. MAINE P&DC 0410
CITY OF PORTLAND
PLANNING AND URBAN DEPARTMENT
389 CONGRESS ST.
PORTLAND ME 04101



TO: GREEN WILLIAM D VN VET & RUTH L GREEN JTS
22 ROCKLAND AVE
PORTLAND ME 04102



Sept. 19, 2018
Pomeroy St

Sept. 19, 2018
Pomeroy St

is needed to accurately reflect the increase to more than 15 worshippers at the site, which also offers lodging and summer camps. The home is in an R-3 zone, where places of assembly are allowed as a conditional use.

According to the application, more than 15 worshippers regularly attend services at Chabad of Maine, which is also expanding to two floors totaling 1,000 square feet.

The change of use will also require Chabad to add eight more parking spaces to meet parking standards, according to the application filed by Sevee & Mahar Engineers.

"However, even with the growth in worshippers there is no anticipated increase in impact to the surrounding street system, as attendees are prohibited from bringing a vehicle on days when attendance is at its highest," the application notes.

While Wilansky said relations with immediate neighbors are good, Chabad and its expansion have drawn objections from residents of the Redlon Park subdivision which sits behind the Pomeroy Street property.

Jeff Emerson, who is treasurer of the neighborhood association, said his communications with city officials have reflected his own concerns. What he worries about is the city allowing incremental growth by Chabad that is not consistent with the residential setting.

"Chabad has been engaged in religious services, kosher meals, lodging and summer camps as evidenced by its website," Emerson said in a Sept. 5 email. "None of these activities was specifically permitted by the city. All of these activities are examples of incrementalism."

Wilansky bought the property in 2004, according to the deed, and the home was completed in 2015.

While objecting to allowing the incremental growth, Emerson also said he was concerned because the religious place of assembly designation would make the site tax exempt. It is now valued at \$574,000, according to city records, and taxed at more than \$12,900.

"Which means that, as it grows in size and services, my neighbors and I are paying for it," he said.

David Harry can be reached at 781-3661 ext. 110 or dharry@theforecaster.net. Follow him on Twitter: @DavidHarry8.

the Portland FORECASTER

www.theforecaster.net

September 12, 2018

News of The City of Portland



DAVID HARRY / THE FORECASTER

Rabbi Moshe Wilansky of Chabad of Maine is seeking a zoning change to make this home at 11 Pomeroy St. in Portland a religious place of assembly.

Neighbors wary about religious center's growth

By David Harry

PORTLAND — A single-family home in the Rosemont section of the city could be redesignated as a place of religious assembly.

Chabad of Maine, part of an Orthodox Jewish, Hasidic

movement known for its outreach, is based at 11 Pomeroy St. For nearly a year, it has considered seeking the conditional use change in its neighborhood.

The change will require Planning Board approval.

Rabbi Moshe Wilansky on Sept. 5 said the change will not mean an increase in activities, and said he wants to continue being a good neighbor.

The conditional use change
Chabad, Page 2.

Bill Gillett

723-8619

407-6756

Google Groups

Chabad of Maine

Jonathan Matt <Jonathan.Matt@rmsmortgage.com>

Sep 10, 2018 2:19 PM

Posted in group: **Planning Board**

Hello,

I live on Redlon Park Rd which is adjacent to the Chabad of Maine facility. I received notification that this facility has applied for a change of use. My response is "... well of course it has!". The permitting of this facility has been a charade from the beginning. No one who researched what "Chabad" is ever believed this was a private home and the change of use application confirms that it was never intended to be a private home. Any fair minded person looking at its website (<https://www.chabadofmaine.com/>) would agree that calling it anything other than a hotel is semantic hairsplitting.

This commercial facility has caused a great deal of stress and anger to the residents that surround it. I feel the city has been cowed by fear of being called anti-Semitic to detriment of this residential neighborhood. Only a mile away is the beautiful new Jewish Community Center which is situated as it should be in a commercial zone.

Please do not approve this change, stand up for the law and the people you serve.

Thank you,

Jonathan Matt

**Jonathan Matt**

Data Warehouse Architect
Residential Mortgage Services, Inc.
24 Christopher Toppi Drive | South Portland, ME 04106

☎ 207-775-6105 x20105

☎ 207-808-4105

📅 207-358-2316

Jonathan.Matt@rmsmortgage.com

www.RSMortgage.com

NMLS# 1760; Equal Housing Opportunity



BEWARE OF WIRE FRAUD: During your transaction with us, RMS will **NEVER** ask you, via email, text or mobile app to wire or send funds to **ANYONE**, including a title company. **DO NOT COMPLY WITH EMAIL, TEXT OR MOBILE APP BASED INSTRUCTIONS TO WIRE FUNDS!** Contact your RMS representative by telephone instead.

croadman@portlandmaine.gov, sgo@portlandmaine.gov, gmitchell@portlandmaine.gov, bbatson@portlandmaine.gov, jpj@portlandmaine.gov, jdemerson@northendgroup.com, bab@portlandmaine.gov, jlevine@portlandmaine.gov

Douglas Babkirk <doug.babkirk@maine.edu>

Nov 29, 2018 5:31 PM

Posted in group: **Planning Board**

November 29, 2018

To: City of Portland Planning Board & Staff
 From: Douglas G. Babkirk, 55 Redlon Park Road, Portland
 Re: Chabad of Maine request for change of use permit

I am writing to follow up my experience of the November 27th Planning Board workshop and to reaffirm my opposition to the request for change of use permit so that the current level of activities at the Chabad House remains intact without further expansion.

As a ten-year resident of Portland living within sight and sound of the Chabad House, I introduced myself and welcomed Rabbi Wilansky when he moved to 11 Pomeroy Street. Moreover, last spring I assisted him in troubleshooting a malfunctioning smoke alarm system when I heard his multiple alarms go off from my yard. We have been good neighbors.

Since the arrival of Chabad House and its sponsored activities I have experienced an increase in outdoor activity and noise level when children and older youth visiting the Chabad House were playing outdoors beyond 9PM on several occasions. I left a voice message on Rabbi Wilansky's phone asking that the play activity be confined to indoors or cease by 9 PM but never received a response.

Since the Chabad House construction, I have noticed an increase in standing water in the woods behind our home and the home of the Krieger family that abuts 11 Pomeroy Street. At the November 27th workshop, two individuals claimed that water runoff from the Redlon Park neighborhood was creating the problem, but our neighborhood drainage system built and approved by the City in 1999 directs water south of the Chabad property and not into our woods. The idea of six, additional, impervious surface parking spaces is problematic for increasing the amount of stagnant water from parking runoff and mosquitoes in our woods after a summer rain event.

I have noticed traffic congestion with cars parked on both sides of Bancroft Street and Pomeroy Street during periodic holy day and worship services at 11 Pomeroy Street; this has implications for public safety vehicles and their ability to respond to any crisis.

My specific requests of the Planning Board as you consider the Rabbi's request for change in use:

- Cap indoor worship services to no more than 20 non-resident individuals.
- Limit room and board guests to no more than 6 bedrooms and ensure the building meets all safety and short-term rental codes given the not for profit facility has expanded to more than just a private residence as described on the Chabad of Maine website.
- Ensure parking is restricted to one side of Bancroft and Pomeroy Streets during Chabad events.
- Require any new parking spaces to include improved and effectively maintained storm water runoff management.

- Restrict outdoor activities (youth camp, worship services and recreational activities, building construction) to operate only between 9AM-6PM.
- Develop procedures for the City to monitor any levels of activity at the Chabad House going forward.

At the workshop no one opposing a change of use requested that the current level of Chabad activities be curtailed. They asked that the Planning Board not approve any activity expansion beyond what is in place to maintain the residential nature of the neighborhood.

I found it offensive, shameful and disgraceful that several men including Paul Aronson, a former District Attorney, supporting the Rabbi's request for change of use implied that my neighbor, Jeff Emerson, and anyone else in opposition were anti Semitic. Mr. Aronson then went on to use this anti Semitic argument to caution the City in doing anything less than granting the change of use request. Mr. Emerson is Jewish and clearly articulated his concerns about the incremental and unmonitored nature of expanded activities, (room and board for up to 18 guests; youth camp activities, holy day gatherings involving more than the maximum allowed 15 worshipers), ever since the Chabad House of Maine was built on Pomeroy Street. Mr. Emerson's opposition to any expansion of activities was not formed with any religious bias to the Jewish faith as insinuated by supporters who spoke at the workshop.

I support the Chabad of Maine as a service to the Orthodox Jewish community and request that the Planning Board allow it to continue at its current level of activity and not approve any expansion of activity.

I look forward to the public hearing to discuss this in greater depth and appreciate your due diligence in comprehensively reviewing the Rabbi's request for change of use with its potential impact on the surrounding neighborhood.

Chabad of Maine (11 Pomeroy Street)

Jeff D. Emerson <jdemerson@northendgroup.com>

Nov 28, 2018 11:38 AM

Posted in group: **Planning Board**

Dear Planning Board Members:

Last evening I testified at the Chabad of Maine (11 Pomeroy Street) (Chabad) Workshop in opposition to the grant of conditional use for expansion of Chabad facilities and activities. It was unfortunate that I was accused, by several speakers, of "fear of the Other" which is code for anti-Semitism. I elected not to state that I am Jewish since that should be irrelevant to my comments. Rabbi Wilansky knows that I am Jewish since, when I visited him at his Chabad on Craigie Street, he invited me to join his congregation to make a minion.

One of the rabbis who spoke last night made the point that there are so few Orthodox Jews in Portland that Rabbi Wilansky regularly has a problem making a minion (10 men). One might reasonably wonder why, if there are so few Orthodox Jews in Portland, Chabad would need a 10,000 square foot facility, much less an expansion of that facility in size, parking spaces, occupancy and activities.

The Chair of the Planning Board stated that the speakers had failed to identify any limits which they wanted on the conditional use permit for Chabad. Actually, I have done so repeatedly, in writing, to the Planning Board. The limits which my neighbors and I seek are these:

- No further increase in the size of Chabad
- No increase in the services which Chabad offers
- A commitment not to purchase other homes in the Chabad neighborhood for the purposes of incorporating them in the Chabad activities
- Honoring the no more than 15 (or 25 if that is approved) non-family members at Chabad at any one-time restriction and policing of that limit by the City of Portland

Chabad has been built and increased incrementally in size and scope of activities. That bell cannot be un-rung. But, as staff pointed out several times last night, if the size and scope of activities of Chabad increases further (beyond that which it seeks in the conditional use permit) the facility will be inappropriate for an R-3 zoned neighborhood.

The Rebbe, Rabbi Menachim Schneerson, of righteous memory, would frequently quote the Maimonidean adage: each person should see himself as though the entire world is in delicate balance and, with but **one deed**, he or she can tip the scales for good.

Let's work together to tip the scales for good.



Jeff D. Emerson

President

NorthEnd Group LLC

18 Redlon Park Road

Portland, ME 04102

Tel: (240) 752-7143

Efax: (207) 221-1159

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Not if but when

KenCapron1 <kcapron1@maine.rr.com>

Nov 27, 2018 5:32 PM

Posted in group: **Planning Board**

Dear sirs,

Watching the discussion of the application by Chabad to expand 11 Pomeroy Street, my one observation is that they seem to have taken a residential home and over time added bits and pieces such that eventually the question will come as to when they will make the decision to move to a larger facility in a non-residential area.

Having run and supported many non-profits, we all have reached that point of decision as to when to move out of the basement and cough up the money for a 'real' place of business.

Whether it is size of staff or need for meeting space, there are many things that can act as tipping points.

I would like to recommend that this would be a good time to make such a move to better accommodate the fluctuating number of patrons. If not this time, then when. Or will we see at some point in the future an effort to change the zoning for that specific property. Slow creep may be effective but at some point people will either need to change the zoning or simply say no to expansion.

I would also like to raise the issue of property tax exemption and the advantage of having a residence be identified "officially" as a non-profit in order to gain property exemption.

I also heard during the testimony that Chabad does occasionally have short term overnight guests – not unlike a BnB.

I hope this helps. All of us non-profits have to make the decision sooner or later to move and grow. Whatever the decision, I wish them well.

Sincerely,

Kenneth A. Capron
1375 Forest Avenue D-11
Portland, Maine 04103
Phone: 207-797-7891
Email: kcapron1@maine.rr.com

Virus-free. www.avg.com

Judy Richard <judithrichard1@yahoo.com>
to planningboard@portlandmaine.gov

Oct 6, 2021, 12:09:45 PM (13 days ago)

I am writing in response to the notice I received from the City regarding an application to facilitate site improvements at 11 Pomeroy Street.

I am opposed to the City approving and granting these permits.

This site is located in R-3 Residential Zoning and only residences should be allowed within this zone. This site has grown significantly in the amount of guests on a regular basis and is no longer conducive to residential zoning. The resident(s) had a large gathering earlier in the summer with lots of noise and loud music that was disruptive to the neighbors.

I am a resident in the neighborhood and stopped to chat with another neighbor out walking in the vicinity of Pomeroy Street on Bancroft Street and the amount of traffic that was entering and departing this area is not conducive to a residential area. They guests of 11 Pomeroy were barely stopping and whizzing right by my neighbor and her dog while she was standing on the side of the street (I was in my vehicle). By allowing driveway expansion and additional parking, it will allow for more guests and traffic. I do not wish to see this residence increase the amount of guests they have. This will translate into more traffic and more danger to the neighborhood.

I am not opposed to this staying the same as it is now but I am opposed to it expanding in driveway and parking spaces as well as clarifying as a place of Religious Assembly. This does not comply with current local zoning ordinances. I disagree with Attachment E Section 14.6.1A that states "it will not create or aggravate any significant hazard." It then goes on to state that "the project is in a neighborhood with relatively low traffic." I walk these streets daily and have seen the increase in traffic and do not wish to see a non-residential use in the neighborhood that wishes to be recognized as a place of Religious Assembly or any other non-residential use. Please keep this as a family friendly and safe neighborhood for those who wish to walk and bike without an increase in traffic.

Thank you for allowing me to voice my concerns.

Judy Richard

LRICHARD14@maine.rr.com <LRICHARD14@maine.rr.... Oct 6, 2021, 5:27:42 PM (11 days ago)
to planningboard@portlandmaine.gov, lrichard14@maine.rr.com

I am writing in response to the postcard notice recently received from the City regarding an application to facilitate site improvements at 11 Pomeroy Street.

I am not in favor to have the city grant any permits.

It was my understanding when this location was constructed a few years back that it was for residential purposes only. The site is located in R-3 Residential Zoning and should stay residential only. As it is, there has been increased traffic to this location in recent months. The residents had a gathering of some sort earlier this summer with lots of noise and music that I could hear from a street away.

I do not wish to see this residence increase the amount of guests they have. That will only translate into more traffic. I am fine with the way it is now, but am opposed to an increase of the driveway and adding parking spaces as well as clarifying this as a place of Religious Assembly. This does not comply with current local zoning ordinances.

I disagree with attachment E Section 14.6.1A that states "it will not create or aggravate any significant hazard". It then states that "the project is in a neighborhood with relatively low traffic". I disagree with that as people are driving through to cut over to Capisic and/or Brighten Ave quite frequently. My family and I walk the neighborhood streets in this area quite often and have seen an increase of traffic and do not wish to see a non-residential use in the neighborhood that wishes to be recognized as a place of religious Assembly or any other non-residential use,

Regards,
Lisa Richard

11 Pomeroy St 0 views

Subscribe ☐

Judy Gailen <judy@judygailendesigns.com> Oct 16, 2021, 6:12:46 PM (yesterday)
to planningboard@portlandmaine.gov

I am writing in response to a couple of postcards we received about the temple on Pomeroy St. I don't understand why you bother to send them. It doesn't seem to matter what anyone says about proposed building in the neighborhood...everything is already decided and whatever neighbors may have to say seems to be moot.

This never was intended to just be a single family home. Before it was even finished (because I belonged once to another temple and somehow got on their list), I received a glossy brochure fundraising for additional building for temple activities (which I have previously shared with you). They built an addition onto the building, and after that we received a card saying they wanted to expand their parking lot, and that no additional building was planned. Of course not...it was already done. And now they have applied for an "after the fact" permit? This is laughable. Everything they want to do will be done. How large is it going to be in the end? My property taxes are going up. Are they, as a religious organization, paying taxes?

To be honest, I don't really care about the temple at this point. It's a done deal. What is bothering me is the way the city approaches all of this. It was really brought into light with the 7-house development down the street. By the time there was a public meeting about that (in the developer's driveway at 4pm in the afternoon, which I and many others could not attend) the whole thing was designed and ready to go and the reps of the city seemed perfectly happy with it. There was no question it would be built, no matter how unhappy people were. So why pretend that what people want for their neighborhood really matters? And forget trying to make sense of the legalize of zoning.

I was never a person who felt it necessary to get embroiled in these matters. But now it just seems that the "planning board" is mostly about planning ways for developers and the city to make more money.

Thanks for listening to my rant, if you've made it this far.

Sincerely,
Judy Gailen
68 Bancroft St.

Matt Steege <matt.steege@gmail.com>
to planningboard@portlandmaine.gov

Oct 20, 2021, 3:40:51 PM (16 hours ago)

Good afternoon board members,

My name is Matthew Steege and I the homeowner of 28 Benjamin Way, Portland, ME. The purpose of this correspondence is to notify the members of the City of Portland Planning Board of my opposition to the subject property's application (see subject line for reference) for the following reasons:

1. I purchased property in a neighborhood zoned for residential use, and after many discussions with neighboring homeowners, the overwhelming consensus is that we would like it to remain that way. *Note: I have not spoken to anyone who feels differently on this matter.*
2. The Chabad at 11 Pomeroy Street backs up to my lot. Over the last year, I have personally witnessed many gatherings exceeding their approved capacity limits that have taken place both indoors and outdoors. These events include: an outdoor children's summer camp with a large tent shelter, multiple large tables, and outdoor seating; frequent religious ceremonies; and general celebrations. These events were often loud enough that they could be heard from inside my residence from the farthest upstairs bedroom with the doors and windows all closed. I am unaware if permits were issued for these gatherings, and I have not complained to the city in any instance. That said, I have absolutely no interest in these becoming a regular occurrence or growing larger in size increasing in noise disturbance. I believe that approving any increased use of The Chabad will make these minor nuisances more common and more invasive of my personal space and legal property.
3. It is my belief that if the property owners at 11 Pomeroy Street seek to establish a place of religious worship, that they should legally do so in an area zoned for such commercial use. I'm quite certain that if I were to submit an application to turn my property into an auto body shop, the City of Portland would receive numerous complaints and quickly deny my application. The Chabad's application should not be treated differently because it is religious in nature.

I would like to close by saying that I firmly believe our neighborhood is extremely tolerant of religious beliefs and practices, however we are also staunch in our trust that each of us respect the privacy and zoning rights regulated by the city. Based on their history of violating city ordinance and ignoring code enforcements, it is clear that The Chabad at 11 Pomeroy Street feels differently on the latter count, and I respectfully request that The City of Portland Planning Board deny their application.

Thank you for your time,

Matthew Steege

PC17

Richard Funnell <richard.funnell@me.com>
to planningboard@portlandmaine.gov

Oct 20, 2021, 4:36:36 PM (16 hours ago)

Hello,

My name is Richard Funnell, and I live at 130 Bancroft St in Rosemont.

I would like to voice my opposition to the application by the owners of 11 Pomeroy Street to operate as a place of assembly.

This neighborhood is safe and quiet for our residents: families, pedestrians, cyclists, and pets, and this change would bring large numbers of non-residents to a street that can ill afford additional cars and traffic.

Bancroft Street is the only way to reach Pomeroy St, and with its lack of sidewalks is susceptible to crowding from the already large gatherings which take place at 11 Pomeroy. Many of these vehicles do not respect street signs or speed limits, which shows a disregard for the safety of current residents of this neighborhood.

As a dog owner, I've noticed the increase in street traffic on my regular walks, and these conditions will only get worse when snow and ice set in. I do not feel comfortable seeing an increase in the number of vehicles on Bancroft St.

Additionally, as a homeowner who has dealt with stormwater and drainage issues stemming from the wetlands that are part of this community, I am very opposed to adding additional impermeable surfaces which can and will affect drainage in our neighborhood. This is an area that needs more green spaces, not additional parking lots.

The fact that this application is being requested "after the fact" shows a disregard for the codes and regulations which the City of Portland already has in place, and does not signal future intent to follow the rules which all residents must abide by.

I would hope that the city considers a history of past violations and no longer allows these and future violations to occur.

I would respectfully ask that this application for a place of assembly at 11 Pomeroy Street be denied.

Thank you for your time and consideration.

Richard Funnell
130 Bancroft St
Portland ME 04102
[714-625-1222](tel:7146251222)

PC18

Heather Shields <hshields@legacysir.com>

10:49 AM (3 minutes ago)

to planningboard@portlandmaine.gov

Dear Planning Board Members,

My name is Heather Shields. I am a resident and homeowner at 20 Benjamin Way — my home sits right behind 11 Pomeroy Street. Their backyard borders ours.

Please accept this email in strong opposition to the application for 11 Pomeroy Street to operate a place of assembly (Application PL-000058-2018 / Plan Number CU-001763-202). Our neighborhood is a residential neighborhood. Our streets and our neighborhood cannot support this change of use as well as the increased traffic and noise that ensue.

Furthermore, the Chabad at 11 Pomeroy Street is already in violation of City of Portland Code of Ordinances by operating illegal Short Term Rental Units, and operating an unlicensed commercial kitchen on premise and has yet to rectify these violations. With the Chabad already violating these ordinances, we as neighbors are subject to countless large outdoor gatherings, a summer camp and numerous out of state short term visitors. These visitors rarely obey the traffic signs or respect the fact that this is a residential neighborhood.

In discussion with many of our neighbors, I believe that I am not alone in opposing this change. We respectfully request that you deny the application for the place of assembly at 11 Pomeroy Street and associated applications, and direct the owners to address their outstanding code violations.

Thank you.

Heather Shields
20 Benjamin Way
Portland

Jeff D. Emerson <jdemerson@northendgroup.com>
to planningboard@portlandmaine.gov

8:14 AM (3 hours ago)

In advance of your workshop on October 26 please read the attached.

Jeff D. Emerson

President

NorthEnd Group LLC

18 Redlon Park Road

Portland, ME 04102

Tel: (240) 752-7143

Efax: (207) 221-1159

Jeff D. Emerson
18 Redlon Park Road
Portland, ME 04102

Christine Grimando
Department Director
Planning and Urban Development Department
City of Portland
389 Congress Street 4th Floor
Portland, Maine 04101

October 5, 2021

Re: Chabad Lubavitch of Maine
Change of Use and Minor Site Plan Applications

Dear Ms. Grimando,

The neighbors of Chabad Lubavitch of Maine (Chabad) received a Notice that Chabad has applied for an "after the fact" Conditional Use Permit for its operations at 11 Pomeroy Street. Setting aside that an "after the fact" application is an oxymoron, as a neighbor of Chabad, I oppose any permit to continue, much less expand, its violations of City of Portland regulations.

By her letter dated August 4, 2020 Anne Torregrossa, Associate Counsel for the City, detailed the violations by Chabad of the City of Portland Code of Ordinances. None of those violations would be cured by granting an "after the fact" permit to Chabad. Such a grant would merely institutionalize the violations and permit Chabad to expand its operations which it has done since its original construction. The amount of traffic and noise created by Chabad, including but not limited to Jewish holidays, is significant and a disruption to the quiet enjoyment of the neighborhood by its neighbors.

Since 2018 I have been clear with the City and its Planning Board that the limits on Chabad which my neighbors and I seek are these:

- No further increase in the size of Chabad
- No increase in the services which Chabad offers
- A commitment not to purchase other homes in the Chabad neighborhood for the purposes of incorporating them into the Chabad activities
- Honoring the no more than 15 non-family members at Chabad at any one-time restriction originally imposed by the City and policing of that limit by the City of Portland

Chabad has been built and increased incrementally in its size and the scope of activities over the years. That bell cannot be un-rung. But, as the Planning Commission pointed out (in 2018), if the size and scope of activities of Chabad increases further (beyond that which it seeks in the conditional use permit) the facility will be inappropriate for an R-3 zoned neighborhood.

Arguably, Chabad already is inappropriate for a residential neighborhood.

Sincerely,



To the Planning Board,

My name is Sarah Delisle and I am a resident and homeowner at 32 Benjamin way, previous to Benjamin way I lived on Bancroft Street for over 10 years. We have seen this residence violate residential Zoning since the erection of the building. They have a website for people to pay and stay, events with hundreds of people and have been in violation with the city for over a year. I have seen the city be Strick in all other areas of housing and I am still baffled as to how this has continued.

I'm writing to oppose the Applications under review for 11 Pomeroy Street to operate a place of assembly, Application PL-000058-2018 / Plan Number CU-001763-2021. My reasons for opposing the changes include the following:

- We purchased property in a neighborhood zoned for residential use only, and expected as such only residential neighbors. We are not interested in changing the character of the neighborhood by increasing traffic due to the proposed place of assembly.*
- The Chabad at 11 Pomeroy Street is already in violation of City of Portland Code of Ordinances by operating illegal Short Term Rental Units, and operating an unlicensed commercial kitchen on premise and has yet to rectify these violations.*
- An official place of assembly designation would increase traffic on Bancroft Street and result in more street parking making driving more dangerous in the neighborhood. We bought in a neighborhood to avoid this.*

In discussion with many of our neighbors, I am not alone in opposing this change. We respectfully request that you deny the application for the place of assembly at 11 Pomeroy Street and associated applications, and direct the owners to address their outstanding code violations.

Thank you.

*Sarah & Jon Delisle
32 benjamin way*

Richie Garcia <rich62684@gmail.com>

2:34 PM (1 hour ago)

PC21

to planningboard@portlandmaine.gov

To the Portland Planning Board,

My name is Joseph Garcia, a homeowner and resident near 11 Pomeroy Street.

I am opposed to the applications under review for 11 Pomeroy Street to operate a place of assembly (Application PL-000058-2018 / Plan Number CU-001763-2021).

My reasons for opposing the changes include the following:

- We prefer to live in a "residential-use only" area of town and would like to retain the charm and character of our neighborhood.

- It is my understanding that 11 Pomeroy street is already in violation of many ordinances including operating an unlicensed commercial kitchen and the use of illegal short-term rental units.

- Increasing traffic on Bancroft street would make walking in the neighborhood more dangerous. There are also no sidewalks on Bancroft St, so pedestrians must use the road.

I have discussed this with some of my neighbors and I am not alone in my opposition to their application. I request that the board deny the applications for 11 Pomeroy Street and direct the owners to rectify their current violations.

Thank you for your consideration,

Joseph Richard Garcia
21 Benjamin Way, Portland, ME 04102

Lee Lindenau <leelindenau@gmail.com>
to planningboard@portlandmaine.gov

Oct 21, 2021, 8:23:32 PM (12 hours ago)

PC22

Dear Planning Board Members,

My name is Lee Lindenau and I am a resident and homeowner at 20 Benjamin Way. My home sits right behind 11 Pomeroy Street and we share bordering backyards.

I am strongly in opposition to the application by the occupants of 11 Pomeroy Street to expand the capacity as a place of assembly (Application PL-000058-2018 / Plan Number CU-001763-2021). To my knowledge they are already in violation of City of Portland Code of Ordinances by operating illegal Short Term Rental Units and operating an unlicensed commercial kitchen on site. The increased traffic and noise will most certainly go from being a nuisance to a real problem for many of my neighbors. Over the last year, I have personally witnessed many gatherings exceeding their approved capacity limits that have taken place both indoors and outdoors. These events include: an outdoor children's summer camp with a large tent shelter, multiple large tables, and outdoor seating; frequent religious ceremonies; and general celebrations. These events were often loud enough that they could be heard from inside my residence from the farthest upstairs bedroom with the doors and windows all closed. I am unaware if permits were issued for these gatherings, and I have not complained to the city in any instance. Many of us in the neighborhood have witnessed both in and out of state short term visitors who rarely obey traffic signs or speed limits on our streets.

I have absolutely no interest in these events becoming a more regular occurrence or growing larger in size leading to more frequent noise disturbances. I believe that approving any expansion and associated increased use of the Chabad will make these minor nuisances more common and more invasive of my personal space and legal property.

I would like to point out that our neighborhood, while extremely tolerant of religious beliefs, are also united in our expectation that all of us respect the privacy and zoning rights of a residential neighborhood properly regulated by the city of Portland. Based on their history of violating past ordinances and ignoring code enforcements, it is clear that the Chabad at 11 Pomeroy Street does not share the same view of what it means to own in a residential neighborhood. I respectfully request the City of Portland deny the Chabad's application.

Thank you.

Lee Lindenau
20 Benjamin Way
Portland

Ali Goldstein <alison.goldstein@gmail.com>

10:01 AM (27 minutes ago)

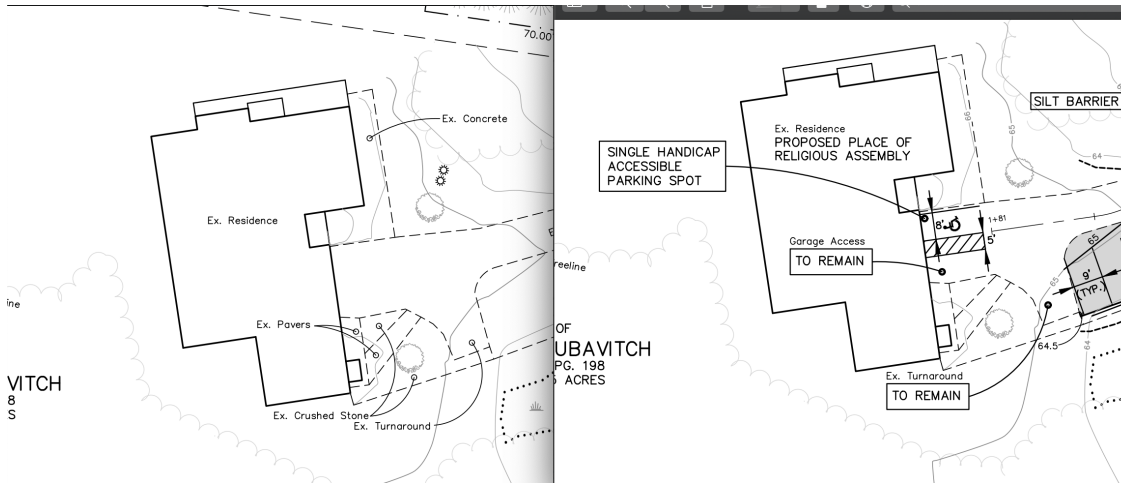
to planningboard@portlandmaine.gov, Daniel Norup

Subject: 11 Pomeroy Street Application PL-000058-2018 / Plan Number CU-001763-2021

To the Planning Board,

Our names are Daniel and Alison Norup, and we are residents and homeowners at 14 Benjamin Way - direct neighbors and within the immediate vicinity of 11 Pomeroy Street.

We write to oppose the Applications under review for 11 Pomeroy Street to operate a place of assembly, Application PL-000058-2018 / Plan Number CU-001763-2021. This is a distinct change of use as seen below:



Our reasons for opposing the changes include the following:

- **Change of Use:** *We purchased property in a neighborhood zoned for residential use only. In that purchase, we expected as such only residential neighbors and pulled the original permitting for the Chabbad to confirm that. We are not interested in changing the residential nature of the neighborhood.*
- **Preserving a Residential Neighborhood:** *An official place of assembly designation would increase traffic in the area even more than what we have seen since purchasing on July 27, 2020, especially on Bancroft Street. We already witnessed an uptick in traffic since The Chabbad at 11 Pomeroy Street's "after the fact" Conditional Use Permit for Short Term Rental Units was approved on January 27, 2021. The increased traffic deters and makes it less safe for residents to walk as families, with their dogs, and with their children as well as cyclist to bike in the neighborhood.*

In discussion with many of our neighbors, we believe that we are not alone in opposing this change. We respectfully request that you deny the application for the place of assembly at 11 Pomeroy Street and associated applications.

Thank you.

*Daniel and Alison Norup
14 Benjamin Way
Portland, ME 04102*

Douglas Dempsey <douglas.dempsey@gmail.com>
to planningboard@portlandmaine.gov, Laurel McCosham

10:04 AM (25 minutes ago)

Good Day,

Please see the attached document which serves as our comments regarding the after-the-fact conditional use permit application for 11 Pomeroy Street (CU-001763-2021).

Thank you for your time.

Sincerely,

Douglas Dempsey & Laurel McCosham

Douglas Dempsey & Laurel McCosham
25 Benjamin Way
Portland, ME 04102

October 22, 2021

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

**Re: Conditional Use Application, 11 Pomeroy Street
Place of Assembly CU and Minor SP
CU-001763-2021**

Dear Planning Board Members,

As the homeowners of 25 Benjamin Way here in Portland, ME, we wish to register our opposition to the above noted application on the following grounds:

Our neighborhood is residential. It is why we and our neighbors chose to live here. We feel that maintaining it as residential will ensure our community retains the qualities that drew us here.

We have observed that the property at 11 Pomeroy Street is not a single-family residence. We understand that under local zoning ordinances, an R-3 neighborhood such as ours is characterized by single-family homes on individual lots. In no way can the property accurately be described as a single-family dwelling.

The non-residential character of 11 Pomeroy Street has revealed itself on a number of occasions. Several very large gatherings and organized religious events have frequently been held, especially in the summer months. While we respect the right of anyone to practise their faith, many of these events were large and loud enough to easily be heard from our home across the street. The application to operate a place of assembly only stands to increase the volume and frequency of these gatherings. It will also further diminish our neighborhood's residential character. We respectfully suggest that such gatherings would be more appropriately held in a non-residential or mixed-use area of the city.

We trust you will consider our concerns and those of our neighbors who share our perspective. We care deeply about preserving this neighborhood as a quiet, residential space where privacy is respected. We hope you will look carefully at the non-residential uses of 11 Pomeroy Street and the suitability of their application to this residential neighborhood. Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in cursive script, reading "Douglas R. Dempsey & Laurel McCosham". The ink is dark and the signature is fluid, with the names connected by an ampersand.

Douglas Dempsey & Laurel McCosham

Emily Raisch <emily.raisch@gmail.com>
to planningboard@portlandmaine.gov, jdealaman

10:16 AM (14 minutes ago)

PC25

To the Planning Board,

My name is Emily Raisch and I'm a homeowner at 130 Bancroft Street. I'm writing in opposition to the application at 11 Pomeroy Street Application PL-000058-2018 / Plan Number CU-001763-2021 for the following reasons:

1. We purchased our property in a neighborhood zoned for residential use, and my feeling, as well as the sentiment expressed by all of the neighbors to whom I have spoken, is that we want it to remain residential. Any place of assembly should be built/established in a more appropriately zoned area.
2. The application proposes to convert a section of the property to a place of assembly. This would increase the amount of traffic coming down Bancroft Street and the number of vehicles parked on Bancroft and Pomeroy Street. We already see large numbers of vehicles parked on both streets around religious services and holidays, and more cars passing through on the days surrounding those days. More traffic and parked cars makes it more difficult and dangerous for pedestrians. We have many families with young children who play in yards in the area, as well as dogs and recreational walkers. Most importantly, Bancroft and Pomeroy Street both lack sidewalks as alternatives for pedestrians to use when the street is full of cars. In short, this is a residential neighborhood ill equipped to safely handle both the increase in traffic that would result from additional services and the additional parking needs generated when congregants park for extended periods of time during holidays.
3. The property owners at 11 Pomeroy Street have already been documented by the city as being in violation of a number of city ordinances, including operating Short Term Rentals without a permit and operating an unlicensed commercial kitchen. To me, this makes me concerned that they will not respect additional codes and ordinances in the future, which makes me especially wary of expanding their presence.
4. The Chabad already regularly hosts large gatherings which are audible from my property. I assume that approval of this application would further increase the frequency and size of these gatherings, compounding my concerns above.

It is my firm belief that religious organizations should be held to the same code that commercial organizations and private citizens are subject to, and I would hope that this application is reviewed accordingly. Thank you for your time!

Colin Wilke <wilke.colin@gmail.com>
to planningboard@portlandmaine.gov

10:16 AM (6 hours ago)

PC26

Good Morning Planning Board,

I would like to submit questions and comment on the after-the-fact Conditional Use permit application, CU-001763-2021. If this needs to be revised or sent to a different party, please let me know and I'll be happy to do so!

Questions

1. If the CU permit is granted, what is the new upper limit on people assembling?
2. What enforcement mechanisms are in place for existing issues (noise, parking, current attendance (<15), hours of operation, light) and future compliance (>15).
3. Is there awareness that the property was purchased and operated intentionally for years in breach of numerous zoning regulations (parking, unregistered short-term renting pre-2020, assembly) that all other surrounding properties are required to follow, and is there consideration for the precedent that granting this CU permit would set?
4. Is the "No Parking" sign that currently stands on the applicant's streetside basketball court a private sign or required by the Portland Fire Department? If the latter, who enforces it?
5. In Attachment G. Design and Operation, is the sentence "No signage is proposed, outside of the "No Parking" signs as required by the City Fire Department" referring to a new restriction on parking on the north side of Pomeroy Street? If so, what entity will be enforcing that and will that change be implemented regardless of permit outcome considering the *current* both-sides parking on Pomeroy creates a safety issue that PFD and applicant have documented in this application?

Comment

This past April, my wife and I moved to 88 Bancroft St, directly across Pomeroy Street from the applicant. While we adore meeting our neighbors (including their pets!), taking advantage of the beautiful parks and local cafes, and spending time in our yard, we have run into one unexpected, constant, and very unfortunate challenge we do not have any control over. The traffic, parking, noise, and light generated from the 11 Pomeroy; a significant and frustrating issue that impacts every household around it.

In our short time living here, some (certainly not all) of the disruptions we experience include:

1. 35+ vehicles parked at the property, filling Pomeroy Street and spilling out onto Bancroft Street (6/17/21, Portland Police responded)
2. A charter bus parked on Pomeroy Street (730p) in the evening with dozens of high school children who were allowed unsupervised to be yelling and playing in the street for hours (6/29/21, Portland Police responded)
3. Three 20-ft tall high intensity driveway lights that do not have shielding (which would appropriately block illumination from spilling to neighboring properties like ours), often left on well past midnight multiple nights per week
4. Disruptive horn playing for over an hour (8/15/21, stopped after we called twice to ask them)
5. Regular parking by visitors all along Pomeroy street, often blocking access to the back of our property (weekly)
6. Loud, unchaperoned non-resident summer campers in the street - a safety risk for the kids (multiple evenings in June)

These directly conflict with some of the claims made in the CU applications, notably:

1. No anticipated increase in impact to the surrounding street system as attendees are prohibited from bringing vehicles on days when attendance is at its highest (Site Plan App, 20180813)
2. Chabad of Maine's hours of operation are not out of keeping with those of surrounding uses (Site Plan App, 20180813)
3. Per discussions with PFD (Portland Fire Department), on street parking is proposed to be excluded for the opposite (North) side of Pomeroy Street to allow a fire truck sweep into the driveway (Attachment F)

Finally, I am concerned that this application uses nonspecific language ("no increase...is anticipated" - Site Plan App 20180813, "nor does it project any increased use" - A. Cover Letter [2021]) when referring to future expansion or

use. Considering current conditions and the applicant's past actions ignoring zoning and code requirements, this subjective assertion does not carry weight.

None of these would be insurmountable problems if the applicant made even a cursory effort to reach out to the neighbors in advance, build relationships, solicit concerns and come up with solutions. In fact, this would be welcomed! However, I am unaware of any outreach or attempts to proactively solve these clear, long-term (2015-present) issues, which implicitly removes any semblance of choice or agency from those of us who live around this place of business.

In light of this consistent, documented behavior, we ask that you help all of the residents of our neighborhood regain control of our homes by not granting the CU permit and enforcing existing zoning and code requirements.

Thank you for your time and consideration, and if you have questions or would like additional clarification or documentation please do not hesitate to reach out.

Best,
Colin Wilke & Kate Allen

From: Jeff D. Emerson <jdemerson@northendgroup.com>**Sent:** Thursday, October 28, 2021 4:43 PM

PC27

To: Brandon J. Mazer <bmazer@perkinsthompson.com>**Subject:** Chabad Lubavitch of Maine

In all of the Planning Board Workshops and Hearings about Chabad Lubavitch of Maine (Chabad) which I have attended, including the one Tuesday night, speakers in favor of Chabad expansion have cited the small Orthodox Jewish population in Portland. When I visited with Rabbi Wilansky he confirmed this when he asked me to join his congregation to make a minyan (in Judaism, the minimum number of males (10) required to constitute a representative "community of Israel" for liturgical purposes). So the Planning Board should ask itself: if the number of Orthodox Jews in Portland is so small that even the supporters of Chabad admit that the Rabbi's congregation cannot make a minyan, then why does Chabad need to be 10,000 square feet? One answer suggested by several speakers is that the Rabbi and his wife have a large family. That is true. But then they should have no problem restricting the number of non-family members at Chabad at any one time to 15 or fewer; this is a restriction which the City of Portland imposed on Chabad years ago but which the City has never enforced.

The City has failed to enforce its limitation of 15 non-family members at Chabad at any one time; the violations of City code which Anne Torregrossa cited in her August 4, 2020 cease and desist letter to Chabad; and the City has failed to curtail the incremental increases in Chabad's size and scope of services since it moved to Pomeroy Street. The neighbors of Chabad think that it is time to curtail the inappropriate activities of Chabad and to ensure that it conforms to City code.



Jeff D. Emerson
President
NorthEnd Group LLC
18 Redlon Park Road
Portland, ME 04102

Judy Richard <judithrichard1@yahoo.com>
to planningboard@portlandmaine.gov

Oct 28, 2021, 3:57:19 PM (3 days ago)

The Tuesday evening meeting (10/26/21) regarding the above-mentioned property was a great opportunity for the City of Portland to hear the concerns of the neighborhood regarding the use of this property. There were several valid concerns from the neighborhood in opposition to this after the fact conditional use permit application. There was some support of the project but all from people that had an interest in the project or were tied to it or the family. Note that I did not hear one neighbor in close proximity to the property in support of it as is very important because there are A LOT of abutters to the property.

The meeting also brought up more questions which we hope the City is looking into. I was not in the neighborhood at the time the property was built but I am wondering how this got approved in the first place. How does a single family home with 900 sq ft of assembly space get approval in a R-3 zone? How can the City even consider a permit application when the subject property is not currently in compliance with City codes? How has this not been enforced and allowed to go on this long without remediation? I looked up the property on the Assessor's site and it shows a 12-bedroom home. That just supports the research spoken of at the meeting that the Chabad is renting out rooms. Is this permissible in a R-3 zone? I would think that would have to be zoned the same as other hotel properties in the City, would it not? It also noted on the Assessor's site that the legal use needed to be verified with the inspections division. Has this been done? What was the outcome of that?

When I asked what qualifies for a place of assembly, the City stated that if there are less than 15 people, it doesn't qualify for a place of assembly. The attorney for the Chabad, Mr. Tinkle, stated that there would be 3 weeks of summer camps and larger gatherings of 25-35 people approximately 8 times a year. That exceeds, by far, the limit set by the City defining a place of assembly as less than 15 people. A place of assembly is not conducive to R-3 zoning in a residential neighborhood.

Also brought up was the maximum occupancy allowance - what is the maximum occupancy allowance for 900 sf of worship space in a single family home?

I think further thought needs to be given to the past violations and why were they ignored/not remedied at the time of notification? Are they willing to remedy them now because they need City approval for their after the fact conditional use permit application?

I also feel that the applicants have been misleading with their past representation and future intent of the use of the property. The Chabad has significantly increased the traffic and noise in the neighborhood. They qualified it similar to book clubs and poker games which is a gross misrepresentation. They have vans at the property for transportation as well as numerous vehicles in and out of the site. If they state that it's the size of a book club or poker game, that would be < 15 people so they would not need to be applying for an after the fact conditional use permit to facilitate the operation of a place of assembly. There were several inconsistencies in their representation which makes it disingenuous.

I urge you to reject the conditional use permit application. It is not right for a residential neighborhood.

Thank you.

Judy Richard
31 Benjamin Way

Judy Gailen <judy@judygailendesigns.com>
to planningboard@portlandmaine.gov

Apr 2, 2022, 11:24:18 PM (5 days ago)

Hello,

Since we have recently received yet another postcard concerning the Chabad House expansion, I feel compelled to write...again. I am unable to attend the April 12th meeting online.

I'm writing even though I swore after the last time I wouldn't, because it seemed like an exercise in futility. However, this one is beyond understanding. In the previous postcard we received, they were asking to expand their parking lot, and it said no new construction was planned. Of course...because they had already spent the whole summer building an addition onto the house, which of course we heard nothing about, only witnessed.

Now they are asking for an "after the fact" conditional use permit? Is that even a thing? It is a sneaky way to get what they want. THIS WAS NEVER MEANT TO BE JUST A SINGLE FAMILY HOME! I don't know why you keep calling it that. It was always meant to be a synagogue, and anyone who has ever known them knows that. They can call it Chabad House, but it is meant to be more than a house.

I previously sent you a scan of the glossy brochure I received before they had even finished building the original house asking to raise about a million and a half dollars for their "campus", with a list of all the things your donation would be going towards. That doesn't sound like a single family home to me. (I am enclosing it here again, just in case you missed it). I fear that they will incrementally expand until they have filled their 73,281 sq. feet and then what? The Chabad in other places are known for buying up homes in a neighborhood to expand their campus...will they be allowed to do this here as well? It appears that they have violations already on the books that they have ignored, But they should be given this "after the fact" permit? It appears then they will have to enlarge the parking lot as well, correct? I tried looking up the Plan # on your site, but it didn't say anything about what they are actually doing...very confusing for non-developers.

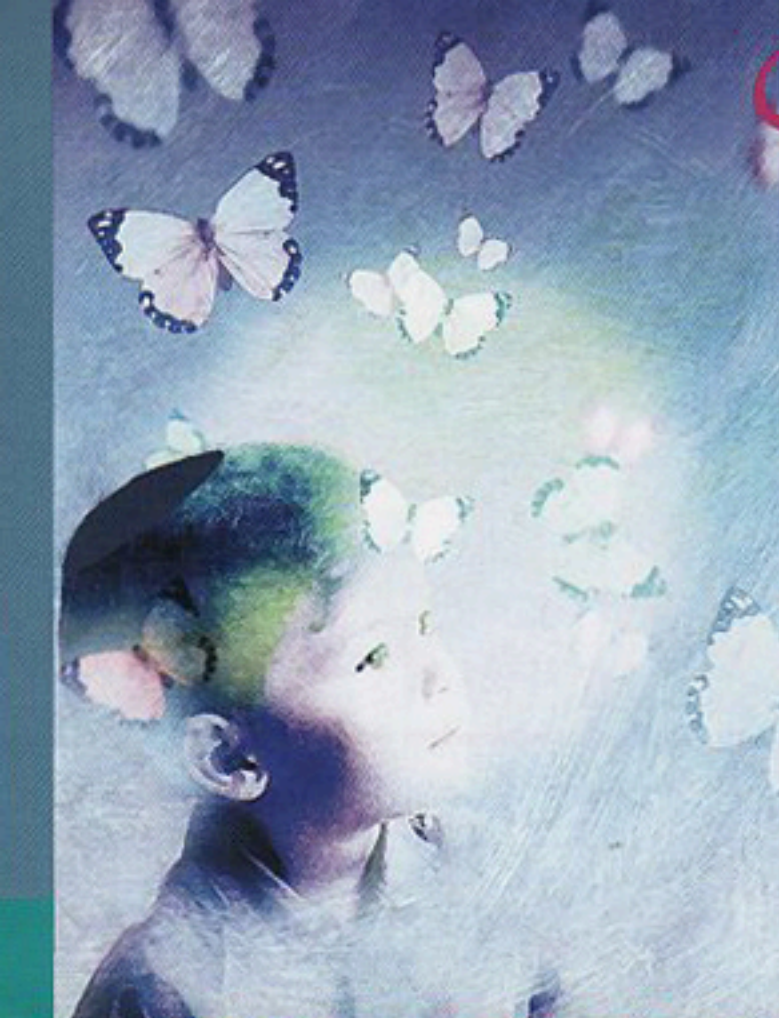
I am sure every step of this has been planned.

Do they pay taxes, or are they exempt as a religious organization? Are we paying their taxes, as well?

Does this mean that we can build a little house on our double lot and THEN ask for the permits to have it there? That never occurred to me! I always thought you had to get the permits before you build, and follow the rules. But then again, I can't make any sense out of the zoning rules...it's all legal gobbledygook.

We are among the many in this neighborhood who are opposed to this expansion, and wish that to go on the record. It is not appropriate for this neighborhood.

Thank you,
Judy Gailen
Michael Trautman
68 Bancroft St
Portland.



Chabad Lubavitch of Maine is celebrating 28 years of serving the Jewish communities of Maine with dedication and pride. Our programs, some of which are highlighted in this publication, are at the forefront of Jewish culture and learning. From educational programs to social services and everything in between, all of our activities are a reflection of our commitment to strengthen Judaism and Jewish families in Maine. We are an open and welcoming community. Our success in this mission is a direct result of your generosity, encouragement and participation.

As we look toward the future of Jewish life in Maine, we have recognized the need to expand our facilities in order to better serve the escalating needs of a growing population. We have nearly completed construction on a 2.2 acre property in Brighton Corner, a few blocks away from Stevens Avenue. The physical edifice is completed on a three story facility with a sanctuary and study hall, classrooms, hospitality suites, office space, activity rooms, a sukkah plaza and a full service kitchen and dining room. This Chabad House is set on a beautiful property surrounded by woods just off Bancroft Street.

This will be a new Center for Jewish Life in Maine. We are in the midst of applying for grants and donations to realize the fulfillment of this reality. This publication serves as a summary of our plan for the completed facility. We hope that you will consider supporting this important and exciting project by significantly contributing to our Building Campaign Fund. More importantly, we hope to see you and your family enjoying the warmth and beauty of Jewish life by participating in some of our enriching programs. We reach out to you as full time and also summer residents of Maine, visitors to Maine, and proactive Jewish community leaders who seek to strengthen and enrich Jewish communal life. By investing in the growth of Jewish life in Maine today, we are assured a strong foundation for tomorrow.

With warm wishes to you and your family,

Rabbi Moshe and Chana Wilansky



Dear Rabbi,
Please accept our small gift as a token of appreciation for an amazing work that you do and for helping us so many times. May you, your family and congregation have a joyous and healthy year.
— JS

FEATURES

Imagine a place where Jews from all walks of life can come together and experience the joy of their heritage; where we can bask in the warmth of community life and share joyous occasions; where the environment is as welcoming as your own home, and the friendships formed last forever; where each person can learn, and grow as one chooses; where we can discover together what makes us unique and transmit this uniqueness to our children.



Dear Rabbi Wilansky,
Thank you for volunteering your time to make candles with us. We liked using different wax this year. The beeswax felt cool and smelled good. We used our candles in our menorahs and they burned beautifully.
Happy Chanukah!
Levey Day School
Portland, Maine



Dear Rabbi Wilansky,
Thank you for your time and dedication to our community here at the Cedars. We truly appreciate your presence with your family during Chanukah and all the Jewish holidays.
Cedars Nursing Home

- 2,500 square feet of community space
- A large Social Hall that can accommodate community celebrations
- Meeting rooms for lectures, seminars and community gatherings
- Private study/library for individual and group learning
- Classrooms for adult education classes
- 500-square-foot space to house our extensive children's programs
- Kosher kitchen and Passover kitchen
- Administrative offices
- State of the Art Playground
- Sukkah Plaza

Let's Complete
our dream
Together

☐ Campus Dedication	\$300,000	☐ Sefer Torah	\$36,000	☐ Holy Ark	\$18,000	☐ Offices	ea. \$5,000
☐ Building Dedication	\$250,000	☐ Computer Lab	\$36,000	☐ Lobby Furniture	\$12,000	☐ Builder Sponsor	\$3,600
☐ Sanctuary	\$100,000	☐ Hospitality Room (2)	\$25,000	☐ Study Furnishings	\$10,000	☐ Sanctuary Seating	\$3,600
☐ Library	\$100,000	☐ Playground	\$25,000	☐ Luvor-Sanctuary	\$10,000	☐ Front Entrance Mezuzah	\$1,800
☐ Main Entrance	\$75,000	☐ Passover Kitchen	\$20,000	☐ Yahrzeit Board	\$10,000	☐ Prayer Book Cabinet	\$1,800
☐ Social Hall	\$72,000	☐ Coat Room	\$18,000	☐ Founder Sponsor	\$7,200	☐ Sponsor	ea. \$1,800
☐ Kosher Kitchen	\$50,000	☐ Platform (Bimah)	\$18,000	☐ Ner Tamid (Lamp)	\$5,000	☐ Supporter Sponsor	ea. \$1,000
☐ Hospitality Suite	\$50,000	☐ Landscaping	\$18,000	☐ Tallis Rack	\$5,000	☐ Tree of Life Leaf	ea. \$360
☐ Rabbi's Study	\$50,000	☐ Classroom	\$18,000	☐ Chazan's Lectern	\$5,000	☐ Memorial Plaque	\$360
☐ Tree of Life Display	\$36,000	☐ Camp/Game Room	\$18,000	☐ Office Furnishings (4)	ea. \$5,000	☐ Mezuzahs	ea. \$250

✓ **Yes**, I am pleased to sponsor the above dedication (please select option(s) from above) in honor of: _____

I hereby pledge to pay a total of \$_____ (please select payment option:) ☐ in Full or ☐ in _____ installments over _____ months/years.
(Maximum of 5 years for dedications over \$10,000; 3 years for dedications over \$3,600; 1 year for all other dedications)

Name: _____ Last Name: _____

Address: _____ City: _____ State: _____ Zip: _____

Tel: (____) _____ E-mail: _____

Credit Card #: _____ Exp Date: ____/____ Security Code: _____

Billing Address: _____ City: _____ State: _____ Zip: _____

Amount: \$_____ Other Donation Your Choice: \$_____ Signature: _____

Let's Complete
our dream
Together

Please complete and detach this form and mail it to the address on the reverse.

Chabad House Lubavitch of Maine
Address: 101 Craigie Street, Portland, ME 04102
T: 207.871.8947 F: 760.875.8947
E: rabbi@chabadofmaine.com W: Chabadofmaine.com



Let's Complete
our dream
Together

CHANGE OF USE & MINOR SITE PLAN

11 POMEROY STREET, PORTLAND, MAINE

For
CHABAD LUBAVICH OF MAINE INC.
11 POMEROY STREET
PORTLAND, MAINE

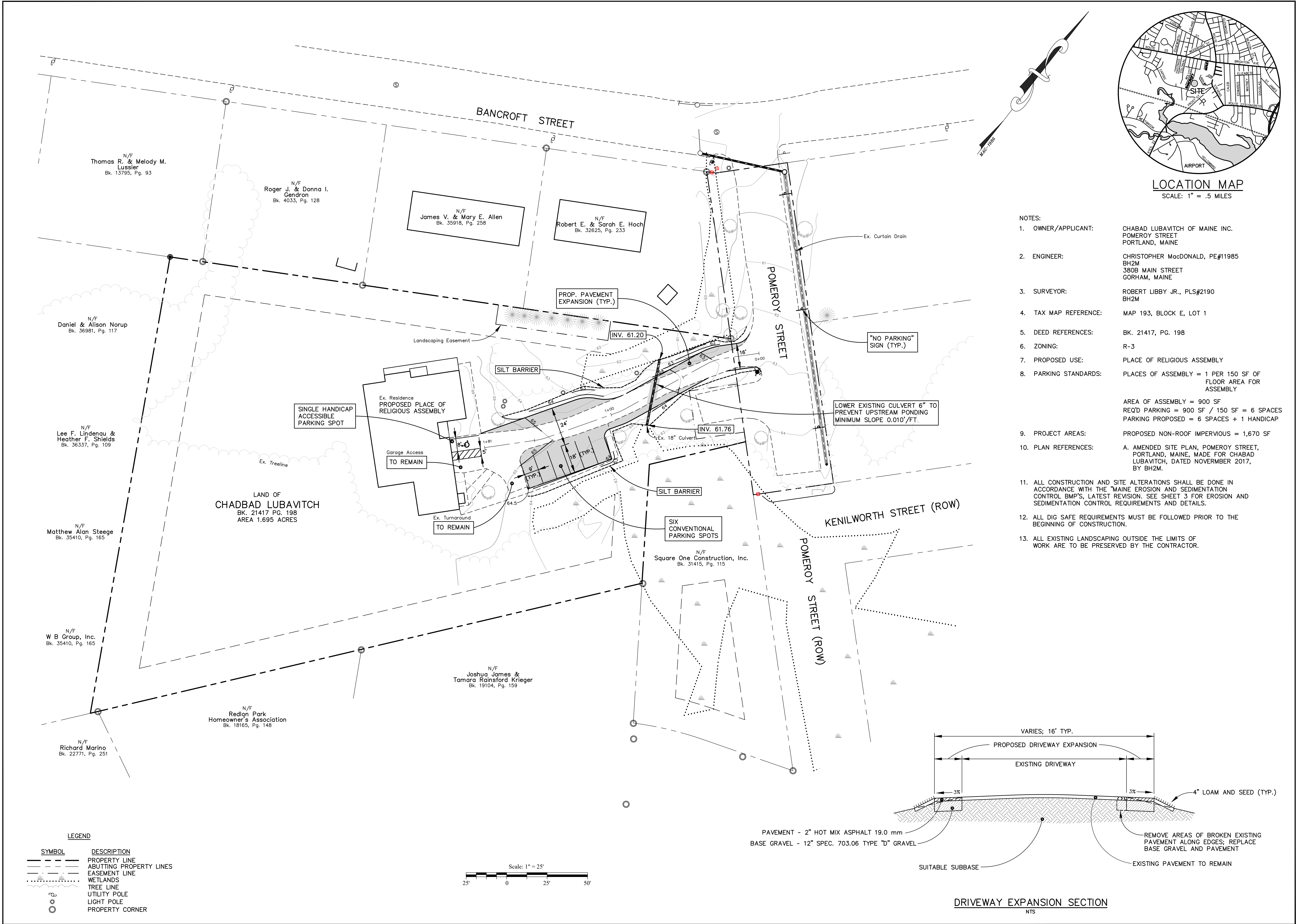
PLAN INDEX

- 1 SITE PLAN
- 2 EXISTING CONDITIONS
- 3 EROSION CONTROL DETAILS
- A STORMWATER PRE DEVELOPMENT CONDITIONS
- B STORMWATER POST DEVELOPMENT CONDITIONS

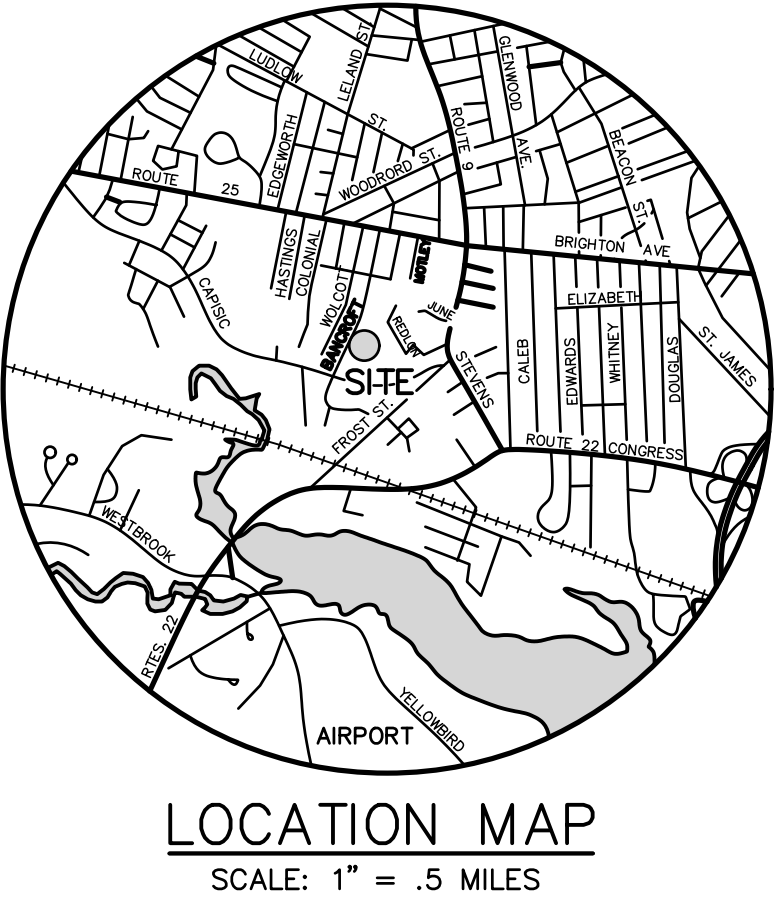


Berry, Huff, McDonald, Milligan Inc.
Engineers, Surveyors

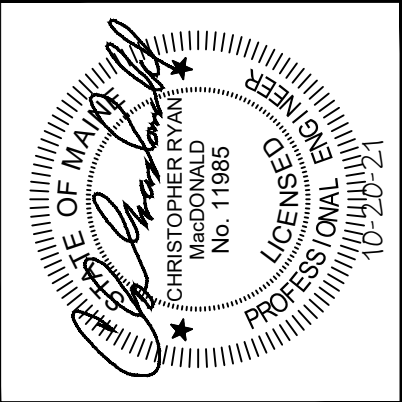
380B Main Street Tel. (207) 839-2771
Gorham, Maine 04038 www.bh2m.com



- NOTES:
- OWNER/APPLICANT: CHABAD LUBAVITCH OF MAINE INC. POMEROY STREET PORTLAND, MAINE
 - ENGINEER: CHRISTOPHER MacDonald, PE#11985 BH2M 380B MAIN STREET GORHAM, MAINE
 - SURVEYOR: ROBERT LIBBY JR., PLS#2190 BH2M
 - TAX MAP REFERENCE: MAP 193, BLOCK E, LOT 1
 - DEED REFERENCES: BK. 21417, PG. 198
 - ZONING: R-3
 - PROPOSED USE: PLACE OF RELIGIOUS ASSEMBLY
 - PARKING STANDARDS: PLACES OF ASSEMBLY = 1 PER 150 SF OF FLOOR AREA FOR ASSEMBLY
AREA OF ASSEMBLY = 900 SF
REQ'D PARKING = 900 SF / 150 SF = 6 SPACES
PARKING PROPOSED = 6 SPACES + 1 HANDICAP
 - PROJECT AREAS: PROPOSED NON-ROOF IMPERVIOUS = 1,670 SF
 - PLAN REFERENCES: A. AMENDED SITE PLAN, POMEROY STREET, PORTLAND, MAINE, MADE FOR CHABAD LUBAVITCH, DATED NOVEMBER 2017, BY BH2M.
 - ALL CONSTRUCTION AND SITE ALTERATIONS SHALL BE DONE IN ACCORDANCE WITH THE MAINE EROSION AND SEDIMENTATION CONTROL BMP'S, LATEST REVISION. SEE SHEET 3 FOR EROSION AND SEDIMENTATION CONTROL REQUIREMENTS AND DETAILS.
 - ALL DIG SAFE REQUIREMENTS MUST BE FOLLOWED PRIOR TO THE BEGINNING OF CONSTRUCTION.
 - ALL EXISTING LANDSCAPING OUTSIDE THE LIMITS OF WORK ARE TO BE PRESERVED BY THE CONTRACTOR.



NO.	DATE	REVISION	DESCRIPTION
1	08/24/21		Submitted to Planning Department for Initial Review
2	10/20/21		Revisions Based on Planning Department Comments



BH2M
Berry, Huff, MacDonald, Milfigan Inc.
Engineers, Surveyors
380B Main Street
Gorham, Maine 04038
Tel. (207) 839-2771
www.bh2m.com

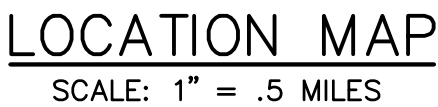
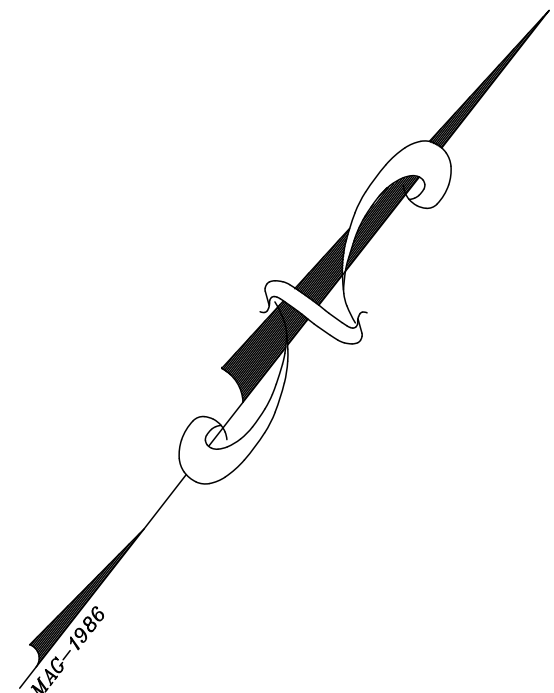
FOR
Chabad Lubavitch of Maine Inc.
11 Pomeroy Street
Portland, Maine

SITE PLAN
CHANGE OF USE & MINOR SITE
PLAN APPLICATION
LAND OF
CHABAD LUBAVITCH OF MAINE INC.
11 POMEROY STREET
PORTLAND, MAINE

DESIGNED C. MacDonald	DATE June 2021
DRAWN Dept.	SCALE As Noted
CHECKED W. Thompson	JOB. NO. 21100

SHEET 1

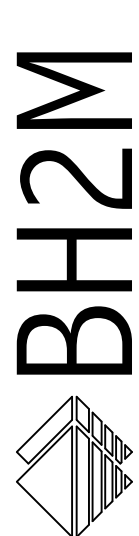
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NOTES:

1. OWNER/APPLICANT: CHABAD LUBAVITCH OF MAINE INC.
POMEROY STREET
PORTLAND, MAINE
2. SURVEYOR: ROBERT LIBBY JR., PLS#2190
BH2M
380B MAIN STREET
GORHAM, MAINE
3. TAX MAP REFERENCE: MAP 193, BLOCK E, LOT 1
4. DEED REFERENCES: BK. 21417, PG. 198
5. ZONING: R-3
6. PLAN REFERENCES: A. AMENDED SITE PLAN, POMEROY STREET
PORTLAND, MAINE, MADE FOR CHABAD
LUBAVITCH, DATED NOVEMBER 2017,
BY BH2M.

NO.	DATE	REVISION
1	08/24/21	Submitted to Planning Department for Initial Review
2	10/20/21	Revisions Based on Planning Department Comments



Berry, Huff, McDonald, Milligan Inc.
Engineers, Surveyors
380B Main Street
Gorham, Maine 04038
Tel. (207) 839-2771
www.bfm2m.com

FOR
Chabad Lubavitch of Maine Inc.
11 Pomeroy Street
Portland, Maine

EXISTING CONDITIONS
CHANGE OF USE & MINOR SITE
PLAN APPLICATION

LAND OF
CHABAD LUBAVITCH OF MAINE INC.
11 POMEROY STREET
PORTLAND, MAINE

DESIGNED C. MacDonald	DATE August 2021
DRAWN Dept.	SCALE As Noted
CHECKED W. Thompson	JOB. NO. 21100

SHEET
2

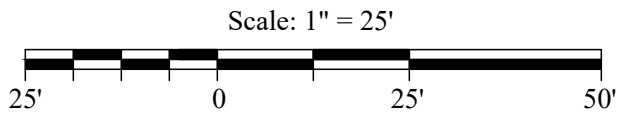
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I CERTIFY THAT THIS SURVEY CONFORMS
TO THE MAINE BOARD OF LICENSURE
FOR PROFESSIONAL LAND SURVEYORS
TECHNICAL STANDARDS OF PRACTICE FOR
A STANDARD BOUNDARY SURVEY WITH
THE FOLLOWING EXCEPTIONS:



ROBERT C. LIBBY JR. PLS #2190

<u>SYMBOL</u>	<u>DESCRIPTION</u>
	PROPERTY LINE
	ABUTTING PROPERTY LINES
	EASEMENT LINE
	WETLANDS
	TREE LINE
	UTILITY POLE
	LIGHT POLE
	PROPERTY CORNER



EROSION AND SEDIMENT CONTROL PLAN

THIS PLAN HAS BEEN DEVELOPED AS A STRATEGY TO CONTROL SOIL EROSION AND SEDIMENTATION DURING AND AFTER CONSTRUCTION. THIS PLAN IS BASED ON THE STANDARDS AND SPECIFICATIONS FOR EROSION PREVENTION IN DEVELOPING AREAS AS CONTAINED IN THE LATEST REVISION OF TO THE 2016 MAINE EROSION AND SEDIMENT CONTROL BMP'S MANUAL FOR DESIGNERS AND ENGINEERS, AND THE LATEST REVISION TO THE 2014 MAINE EROSION AND SEDIMENT CONTROL FIELD GUIDE FOR CONTRACTORS. SEE MANUALS FOR ADDITIONAL INFORMATION AND DETAILS.

DURING CONSTRUCTION THE DEVELOPER/APPLICANT OR THEIR REPRESENTATIVES WILL BE RESPONSIBLE FOR IMPLEMENTING THE EROSION AND SEDIMENT CONTROL BMP'S AS WELL ROUTINE INSPECTIONS AND MAINTENANCE OF THE BMP'S.

THE PROPOSED LOCATIONS OF SILTATION AND EROSION CONTROL STRUCTURES ARE SHOWN ON THE SITE PLAN.

- ALL CONSTRUCTION INSPECTIONS SHALL BE CONDUCTED BY SOMEONE WITH KNOWLEDGE OF EROSION AND STORMWATER CONTROL, INCLUDING STANDARDS AND PERMIT CONDITIONS. CONSTRUCTION INSPECTIONS SHALL BE PERFORMED AT LEAST ONCE A WEEK, AND PRIOR TO AND 24 HOURS AFTER A WET WEATHER EVENT (1 INCH OR MORE IN A 24 HOUR PERIOD). CONSTRUCTION INSPECTION AND CORRECTIVE ACTION DOCUMENTATION RECORDS SHALL BE MAINTAINED FOR A MINIMUM OF 5 YEARS.
- THE SCOPE OF CONSTRUCTION INSPECTIONS INCLUDE THE EROSION AND SEDIMENTATION CONTROL MEASURES AS WELL AS DISTURBED AREAS, MATERIAL STORAGE AREAS, AND LOCATIONS WHERE VEHICLES ENTER AND EXIT THE SITE.
- ALL SEDIMENT AND EROSION CONTROL MEASURES SHALL BE DONE IN ACCORDANCE WITH THE "MAINE EROSION AND SEDIMENT CONTROL BMP'S", DEPARTMENT OF ENVIRONMENTAL PROTECTION, LATEST REVISION.
- THOSE AREAS UNDERGOING ACTUAL CONSTRUCTION WILL BE LEFT IN AN UNTREATED OR UNVEGETATED CONDITION FOR A MINIMUM TIME. AREAS SHALL BE PERMANENTLY STABILIZED WITHIN 7 DAYS OF FINAL GRADING AND TEMPORARILY STABILIZED WITHIN 7 DAYS OF INITIAL DISTURBANCE OF THE SOIL. IF THE DISTURBANCE IS WITHIN 75 FEET OF A WETLAND OR WATERBODY, THE AREA SHALL BE STABILIZED WITHIN 2 DAYS OR PRIOR TO ANY STORM EVENT, WHICHEVER COMES FIRST.
- EXCAVATION AND EARTHWORK SHALL BE DONE SUCH THAT NO MORE THAN 1 ACRE OF THE SITE IS WITHOUT STABILIZATION AT ANY ONE TIME.
- EXPOSED AREA SHOULD BE LIMITED TO THAT WHICH CAN BE MULCHED IN ONE DAY.
- CONTINUATION OF EARTHWORK OPERATIONS ON ADDITIONAL AREAS SHALL NOT BEGIN UNTIL THE EXPOSED SOIL SURFACE ON THE AREA BEING WORKED HAS BEEN STABILIZED SUCH THAT NO MORE THAN ONE ACRE OF THE SITE IS WITHOUT EROSION CONTROL PROTECTION.
- SEDIMENT BARRIERS (EROSION CONTROL MIX, STONE CHECK DAMS, STABILIZED CONSTRUCTION ENTRANCE, ETC.) SHOULD BE INSTALLED PRIOR TO ANY SOIL DISTURBANCE OF THE CONTRIBUTING DRAINAGE AREA ABOVE THEM. THE CONTRACTOR SHALL MAINTAIN THE STABILIZED CONSTRUCTION ENTRANCE UNTIL ALL DISTURBED AREAS ARE STABILIZED.
- INSTALL EROSION CONTROL MIX AT TOE OF SLOPES TO FILTER SILT FROM RUNOFF. SEE E.C. MIX DETAIL FOR PROPER INSTALLATION. EROSION CONTROL MIX WILL REMAIN IN PLACE PER NOTE #7. THE USE OF AN EROSION CONTROL MIX BERM IS PROHIBITED AT THE BASE OF SLOPES STEEPER THAN 3:1 OR WHERE THERE IS FLOWING WATER.
- ALL EROSION CONTROL STRUCTURES WILL BE INSPECTED, REPLACED, AND/OR REPAIRED EVERY 7 DAYS AND IMMEDIATELY BEFORE AND FOLLOWING ANY SIGNIFICANT RAINFALL (0.5 INCH OR MORE IN A 24-HOUR PERIOD) OR SNOW MELT OR WHEN NO LONGER SERVICEABLE DUE TO SEDIMENT ACCUMULATION OR DECOMPOSITION. IF AN INSPECTION DETERMINES THAT A CORRECTIVE ACTION IS REQUIRED, THE ACTION OR REPAIR SHALL BE STARTED BY THE END OF THE NEXT WORKDAY AND COMPLETED WITHIN SEVEN DAYS OR BEFORE THE NEXT STORM EVENT. SEDIMENT DEPOSITS SHOULD BE REMOVED AFTER EACH STORM EVENT. THEY MUST BE REMOVED WHEN DEPOSITS REACH APPROXIMATELY ONE HALF THE HEIGHT OF THE BARRIER. SEDIMENT CONTROL DEVICES SHALL REMAIN IN PLACE AND BE MAINTAINED BY THE CONTRACTOR UNTIL AREAS UPSLOPE ARE STABILIZED BY TURF. EROSION CONTROL MEASURES SHALL BE REMOVED WITHIN 30 DAYS OF PERMANENT STABILIZATION. PERMANENT STABILIZATION IS BOX GRASS CATCH IN VEGETATED AREAS.
- NO SLOPES, EITHER PERMANENT OR TEMPORARY, SHALL BE STEEPER THAN ONE AND ONE HALF TO ONE (1.5:1 TO 1).
- IF FINAL SEEDING OF THE DISTURBED AREAS IS NOT COMPLETED 45 DAYS PRIOR TO THE FIRST KILLING FROST, USE TEMPORARY MULCHING (DORMANT SEEDING MAY BE ATTEMPTED AS WELL) TO PROTECT THE SITE AND DELAY SEEDING UNTIL THE NEXT RECOMMENDED SEEDING PERIOD.

- TEMPORARY SEEDING OF DISTURBED AREAS THAT HAVE NOT BEEN FINAL GRADED SHALL BE COMPLETED BY AUG. 15 OR 45 DAYS PRIOR TO THE FIRST KILLING FROST (OCT. 1) TO PROTECT FROM SPRING RUNOFF PROBLEMS.
- DURING THE CONSTRUCTION PHASE, INTERCEPTED SEDIMENT WILL BE RETURNED TO THE SITE AND REGRADED ON OPEN AREAS. POST SEEDING SEDIMENT, IF ANY WILL BE DISPOSED OF IN AN ACCEPTABLE MANNER.
- REVEGETATION MEASURES WILL COMMENCE UPON COMPLETION OF CONSTRUCTION EXCEPT AS NOTED ABOVE. ALL DISTURBED AREAS NOT OTHERWISE STABILIZED WILL BE GRADED, SMOOTHED, AND PREPARED FOR FINAL SEEDING AS FOLLOWS:
 - FOUR INCHES OF LOAM WILL BE SPREAD OVER DISTURBED AREAS AND SMOOTHED TO A UNIFORM SURFACE.
 - APPLY LIMESTONE AND FERTILIZER ACCORDING TO SOIL TEST. 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-P20S-K20) 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.).
 - FOLLOWING SEED BED PREPARATION, DITCHES AND BACK SLOPES WILL BE SEED TO A MIXTURE OF 47% CREEPING RED FESCUE, 5% REDTOP, AND 48% TALL FESCUE. THE LAWN AREAS WILL BE SEED TO A PREMIUM TURF MIXTURE OF 44% KENTUCKY BLUEGRASS, 44% CREEPING RED FESCUE, AND 12% PERENNIAL RYEGRASS. SEEDING RATE IS 1.03 LBS PER 1,000 SQ. FT. LAWN QUALITY SOD MAY BE SUBSTITUTED FOR SEED. SEED MIX SHALL CONTAIN 10% ANNUAL RYE GRASS.
 - HAY MULCH AT THE RATE OF 70-90 LBS PER 1,000 SQUARE FEET FOR OVER 75% COVERAGE. FOR UNPROTECTED OR WINDY AREAS, ANCHOR MULCH WITH PEG AND TWINE (1 SQ. YD./BLOCK). HYDRAULIC MULCHES MAY ALSO BE USED, APPLIED AT A RATE OF 5 LBS PER 1,000 SQUARE FEET FOR PAPER MULCH OR 40 LBS PER 1,000 SQUARE FEET OR AS DIRECTED BY THE MANUFACTURER. ON SLOPES GREATER THAN 3:1 EROSION CONTROL MIX MAY BE USED, SEE EROSION CONTROL MIX NOTES BELOW.
 - FOR DISTURBED AREAS TO BE MAINTAINED IN POST-CONSTRUCTION AS A MEADOW BUFFER, APPLY NEW ENGLAND CONSERVATION WILDLIFE MIX BY NEW ENGLAND WETLAND PLANTS, INC., OF AMHERST, MASSACHUSETTS OR APPROVED EQUAL.

- ALL TEMPORARY EROSION CONTROL MEASURES SHALL BE REMOVED WITHIN 30 DAYS ONCE THE SITE IS STABILIZED WITH 90% GRASS CATCH IN VEGETATED AREAS. TEMPORARY EROSION AND SEDIMENT CONTROL BLANKET SHALL BE USED IN ALL DITCHES AND SWALES AS SHOWN IN DETAILS.
- WETLANDS WILL BE PROTECTED WITH EROSION CONTROL MIX OR SILT FENCE INSTALLED AT THE EDGE FOR THE WETLAND OR THE BOUNDARY OF WETLAND DISTURBANCE. ALL AREAS WITHIN 75 FEET OF A PROTECTED NATURAL RESOURCE MUST BE PROTECTED WITH A DOUBLE ROW OF SEDIMENT BARRIERS DURING WINTER CONSTRUCTION.
- ALL STORMWATER WILL BE PREVENTED FROM RUNNING ONTO STOCKPILES. SEDIMENT BARRIERS WILL BE INSTALLED DOWNGRADIENT OF ALL STOCKPILES.

- PERMANENT POST-CONSTRUCTION BMP'S (VEGETATED SWALES, WET PONDS, ETC.) WILL NOT BE USED TO MANAGE FLOWS DURING CONSTRUCTION WITHOUT SPECIAL PROTECTION AND/OR RESTORATION.

ADDITIONAL TEMPORARY SEED MIXTURE (FOR PERIODS LESS THAN 12 MONTHS).

SEASON	SEED	RATE
SUMMER (5/15 - 8/15)	SUDANGRASS	40 LBS/ACRE
LATE SUMMER/EARLY FALL (8/15 - 9/15)	OATS	80 LBS/ACRE
FALL (9/15 - 11/1)	WINTER RYE	112 LBS/ACRE
WINTER (11/1 - 4/1)	MULCH W/ DORMANT SEED	80 LBS/ACRE**
SPRING (4/1 - 7/1)	OATS	80 LBS/ACRE
	ANNUAL RYEGRASS	40 LBS/ACRE

**SEED RATE ONLY

EROSION CONTROL MIX

EROSION CONTROL MIX (ECM) SHALL MEET THE REQUIREMENTS PROVIDED IN THE LATEST REVISION OF MAINE DEP'S EROSION AND SEDIMENTATION CONTROL BMP MANUAL. ECM IS ACCEPTABLE FOR USE ON SLOPES OF GREATER THAN 3:1 BUT LESS THAN 2:1. ECM SHALL CONSIST OF WELL-GRADED ORGANIC COMPONENT 50% - 100% OF DRY WEIGHT, AND COMPOSED OF FIBROUS AND ELONGATED FRAGMENTS. ECM SHALL BE FREE FROM REFUSE, MATERIAL TOXIC TO PLANT GROWTH OR CONSTRUCTION DEBRIS. ECM SHALL BE EVENLY DISTRIBUTED AND APPLIED AT A THICKNESS OF 2" ON 3:1 SLOPES, WITH AN ADDITIONAL 1/2" PER 20' OF SLOPE FOR A MAXIMUM OF 100' IN LENGTH. SLOPES GREATER THAN 3:1, ECM SHALL BE APPLIED AT THICKNESS OF 4" OR 5" FOR SLOPES GREATER THAN 60' IN LENGTH.

NO SLOPES, EITHER PERMANENT OR TEMPORARY, SHALL BE STEEPER THAN ONE AND ONE HALF TO ONE (1.5:1). EROSION CONTROL MIX IS AN ACCEPTABLE STABILIZATION MEASURE FOR SLOPES UP TO 3:1, WITH LIMITS THAT ARE COVERED BY NOTES ON THIS SHEET. SLOPES BETWEEN 3:1 AND 2:1 SHALL BE STABILIZED WITH EROSION CONTROL BLANKETS, AND ALL SLOPES GREATER THAN 2:1 SHALL BE STABILIZED WITH RIPRAP. SEE SLOPE STABILIZATION DETAIL FOR ADDITIONAL INFORMATION.

EROSION CONTROL DURING CONSTRUCTION

WINTER CONSTRUCTION

- WINTER CONSTRUCTION PERIOD: NOVEMBER 15 THROUGH APRIL 15
- OVERWINTER STABILIZATION OF DITCHES AND CHANNELS:

ALL STONE-LINED DITCHES AND CHANNELS MUST BE CONSTRUCTED AND STABILIZED BY NOVEMBER 15. ALL GRASS LINED DITCHES AND CHANNELS MUST BE CONSTRUCTED AND STABILIZED BY SEPTEMBER 1. IF A DITCH OR CHANNEL IS NOT GRASS-LINED BY SEPTEMBER 1, THEN ONE OF THE FOLLOWING ACTIONS MUST BE TAKEN TO STABILIZE THE DITCH FOR LATE FALL AND WINTER.

- INSTALL A SOD LINING IN THE DITCH:

A DITCH MUST BE LINED WITH STONE RIPRAP BY OCTOBER 1. PROPER INSTALLATION INCLUDES: PINNING THE SOD ONTO THE SOIL WITH WIRE PINS, ROLLING THE SOD TO GUARANTEE CONTACT BETWEEN THE SOD AND UNDERLYING SOIL, WATERING THE SOD TO PROMOTE ROOT GROWTH INTO THE DISTURBED SOIL, AND ANCHORING SOD AT THE BASE OF THE DITCH WITH JUTE OR PLASTIC MESH TO PREVENT THE SOD FROM SLIDING DURING FLOW CONDITIONS. SEE THE PERMANENT VEGETATION BMP SECTION.
- INSTALL A STONE LINING IN THE DITCH:

A DITCH MUST BE LINED WITH STONE RIPRAP BY NOVEMBER 15. A REGISTERED PROFESSIONAL ENGINEER MUST BE HIRED TO DETERMINE THE STONE SIZE AND LINING THICKNESS NEEDED TO WITHSTAND THE ANTICIPATED FLOW VELOCITIES AND FLOW DEPTHS WITHIN THE DITCH. IF NECESSARY, THE CONTRACTOR WILL REGRADE THE DITCH PRIOR TO PLACING THE STONE LINING SO TO PREVENT THE STONE LINING FROM REDUCING THE DITCH'S CROSS-SECTIONAL AREA.

- OVERWINTER STABILIZATION OF DISTURBED SLOPES:

ALL STONE-COVERED SLOPES MUST BE CONSTRUCTED AND STABILIZED BY NOVEMBER 15. ALL SLOPES TO BE VEGETATED MUST BE SEEDDED AND MULCHED BY SEPTEMBER 1. THE DEPARTMENT WILL CONSIDER ANY AREA HAVING A GRADE GREATER THAN 1:5% TO BE A SLOPE. IF A SLOPE TO BE VEGETATED IS NOT STABILIZED BY SEPTEMBER 1, THEN ONE OF THE FOLLOWING ACTIONS MUST BE TAKEN TO STABILIZE THE SLOPE FOR LATE FALL AND WINTER. STABILIZE THE SOIL WITH TEMPORARY VEGETATION AND EROSION CONTROL MATS. BY OCTOBER 1 THE DISTURBED SLOPE MUST BE SEEDDED WITH WINTER RYE AT A SEEDING RATE OF 3 POUNDS PER 1000 SQUARE FEET 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 1, THEN THE CONTRACTOR WILL COVER THE SLOPE WITH A LAYER OF EROSION CONTROL MIX OR WITH STONE RIPRAP AS DESCRIBED IN THE FOLLOWING STANDARDS.

- STABILIZE THE SOIL WITH SOD:

THE DISTURBED SLOPE MUST BE STABILIZED WITH PROPERLY INSTALLED SOD BY OCTOBER 1. 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 WILL NOT USE LATE SEASON SOD INSTALLATION TO STABILIZE SLOPES HAVING A GRADE GREATER THAN 1:5% (2:1 V) OR HAVING GROUNDWATER SEEPS ON THE SLOPE FACE.
- STABILIZE THE SOIL WITH EROSION CONTROL MIX:

EROSION CONTROL MIX MUST BE PROPERLY INSTALLED BY NOVEMBER 15. THE CONTRACTOR WILL NOT USE EROSION CONTROL MIX TO STABILIZE SLOPES HAVING GREATER THAN SOD (2:1 V) OR HAVING GROUNDWATER SEEPS ON THE SLOPE FACE. SEE THE EROSION CONTROL MIX NOTES FOR ADDITIONAL CRITERIA.
- STABILIZE THE SOIL WITH STONE RIPRAP:

PLACE A LAYER OF STONE RIPRAP ON THE SLOPE BY NOVEMBER 15. THE DEVELOPMENT'S OWNER WILL HIRE A REGISTERED PROFESSIONAL ENGINEER TO DETERMINE THE STONE SIZE NEEDED FOR STABILITY ON THE SLOPE AND TO DESIGN A FILTER LAYER FOR UNDERNEATH THE RIPRAP.

- OVERWINTER STABILIZATION OF DISTURBED SOILS:

BY SEPTEMBER 15, ALL DISTURBED SOILS OR AREAS HAVING A SLOPE LESS THAN 1:5% MUST BE SEEDDED AND MULCHED. IF THE DISTURBED AREAS ARE NOT STABILIZED BY THIS DATE, THEN ONE OF THE FOLLOWING ACTIONS MUST BE TAKEN TO STABILIZE THE SOIL FOR LATE FALL AND WINTER.

- STABILIZE THE SOIL WITH TEMPORARY VEGETATION:

BY OCTOBER 1, SEED THE DISTURBED SOIL WITH WINTER RYE AT A SEEDING RATE OF 3 POUNDS PER 1000 SQUARE FEET, LIGHTLY MULCH THE SEEDS WITH HAY OR STRAW AT 75 POUNDS PER 1000 SQUARE FEET, AND ANCHOR THE MULCH WITH PLASTIC NETTING. MONITOR GROWTH OF THE RYE. IF THE RYE FAILS TO GROW AT LEAST THREE INCHES OR FAILS TO COVER AT LEAST 80% OF THE DISTURBED SOIL BEFORE NOVEMBER 1, THEN MULCH THE AREA FOR OVER-WINTER PROTECTION AS DESCRIBED BELOW.
- STABILIZE THE SOIL WITH SOD:

STABILIZE THE DISTURBED SOIL WITH PROPERLY INSTALLED SOD BY OCTOBER 1. 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 15, MULCH THE DISTURBED SOIL BY SPREADING HAY OR STRAW AT A RATE OF AT LEAST 150 POUNDS PER 1000 SQUARE FEET ON THE AREA SO THAT NO SOIL IS VISIBLE THROUGH THE MULCH. IMMEDIATELY AFTER APPLYING THE MULCH, ANCHOR THE MULCH WITH PLASTIC NETTING TO PREVENT WIND FROM MOVING THE MULCH OFF THE DISTURBED SOIL. PROVIDE NETTING ON ALL SLOPES GREATER THAN 3:1.

- MAINTENANCE:

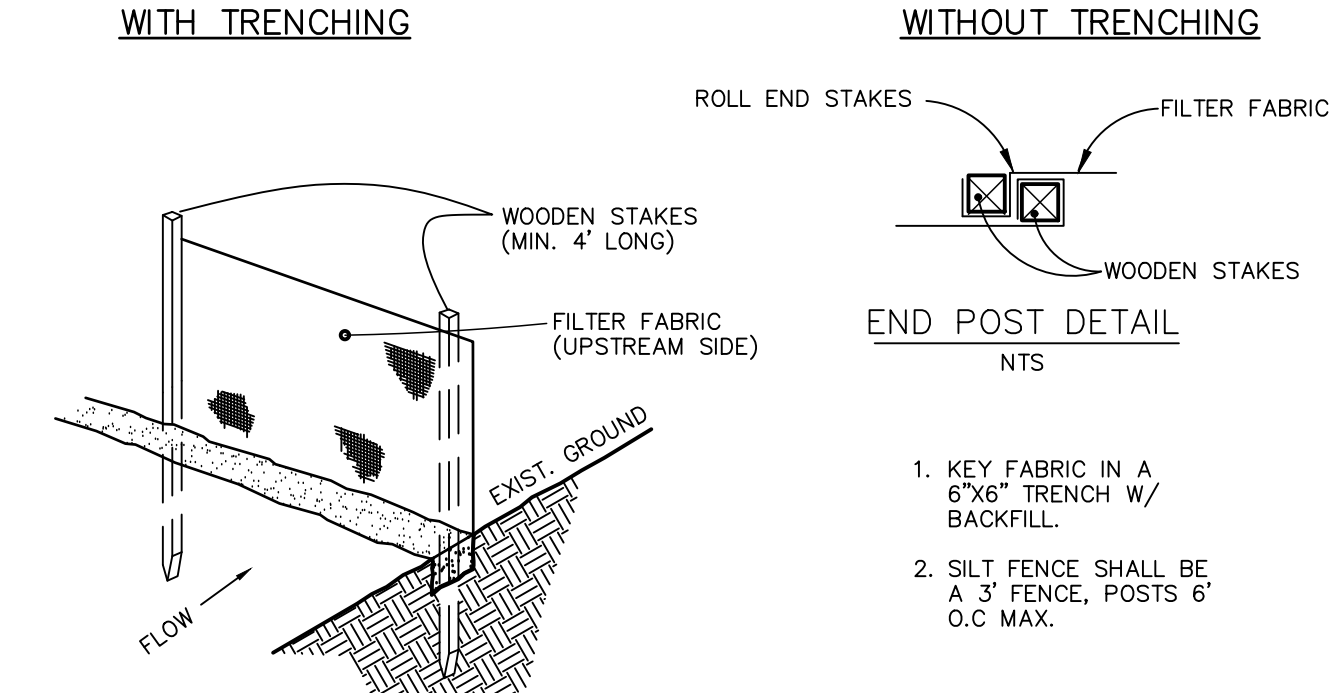
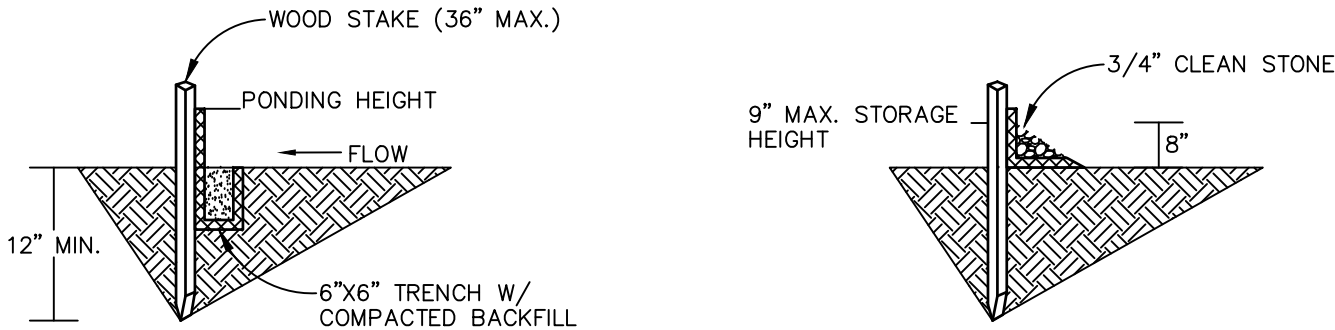
IF AN INSPECTION DETERMINES THAT A CORRECTIVE ACTION IS REQUIRED, THE ACTION OR REPAIR SHALL BE STARTED BY THE END OF THE NEXT WORKDAY AND COMPLETED WITHIN SEVEN DAYS OR BEFORE THE NEXT STORM EVENT. MAINTENANCE MEASURES SHALL BE APPLIED AS NEEDED DURING THE ENTIRE CONSTRUCTION SEASON. ONCE A CONTRACTOR SHALL PERFORM A VISUAL INSPECTION OF ALL INSTALLED EROSION CONTROL MEASURES AND PERFORM REPAIRS AS NEEDED TO INSURE THEIR CONTINUOUS FUNCTION. FOLLOWING THE TEMPORARY AND/OR FINAL SEEDING AND MULCHING, THE CONTRACTOR SHALL, IN THE SPRING, INSPECT AND REPAIR ANY DAMAGES AND/OR BARE SPOTS. AN ESTABLISHED VEGETATIVE COVER MEANS A MINIMUM OF 85 TO 90% OF AREAS VEGETATED WITH VIGOROUS GROWTH.

- STABILIZATION SCHEDULE BEFORE WINTER:
- | | |
|--------------|--|
| SEPTEMBER 15 | ALL DISTURBED AREAS MUST BE SEEDDED AND MULCHED. ALL SLOPES MUST BE STABILIZED, SEEDDED AND MULCHED. ALL GRASS LINED DITCHES AND CHANNELS MUST BE STABILIZED WITH MULCH OR AN EROSION CONTROL BLANKET |
| OCTOBER 1 | IF THE SLOPE IS STABILIZED WITH AN EROSION CONTROL BLANKET AND SEEDDED, ALL DISTURBED AREAS TO BE PROTECTED WITH AN ANNUAL GRASS MUST BE SEEDDED AT A SEEDING RATE OF 3 POUNDS PER 1000 SQUARE FEET AND MULCHED. |
| NOVEMBER 15 | ALL STONE LINED DITCHES AND CHANNELS MUST BE CONSTRUCTED AND STABILIZED. SLOPES THAT ARE COVERED WITH RIPRAP MUST BE CONSTRUCTED BY THAT DATE. |

- DURING WINTER CONSTRUCTION PERIOD ALL SNOW SHALL BE REMOVED FROM AREAS OF SEEDING AND MULCHING PRIOR TO PLACEMENT.
- AREAS WITHIN 75 FEET OF STREAMS, WETLANDS, AND OTHER PROTECTED NATURAL RESOURCES THAT ARE NOT STABILIZED WITH VEGETATION BY DEC. 1 SHALL BE MULCHED AND ANCHORED WITH NETTING. IF WORK CONTINUES IN THIS AREA DURING THE WINTER, A DOUBLE LINE OF SEDIMENT BARRIERS MUST BE USED.

HOUSEKEEPING

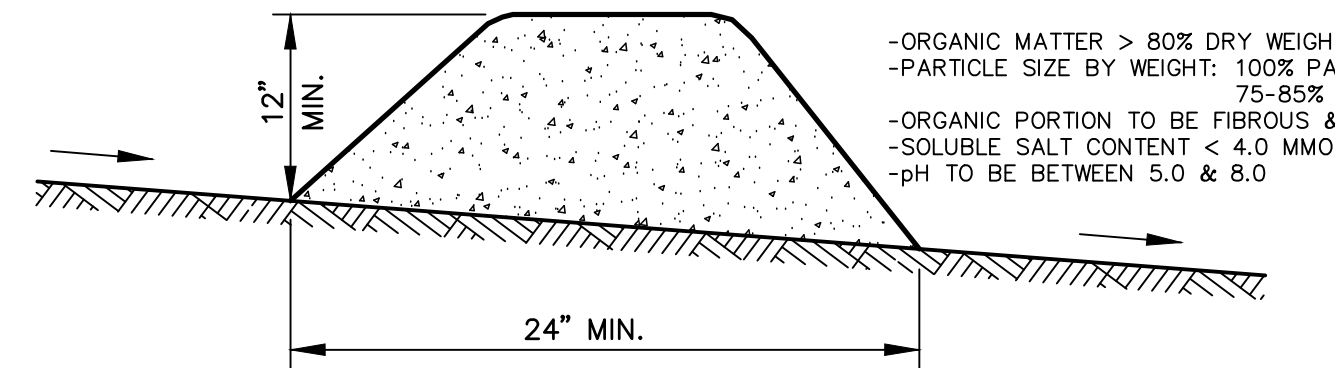
- SPILL PREVENTION: CONTROLS MUST BE USED TO PREVENT POLLUTANTS FROM BEING DISCHARGED FROM MATERIALS 1. ON SITE, INCLUDING STORAGE PRACTICES TO MINIMIZE EXPOSURE TO STORMWATER, AND APPROPRIATE SPILL PREVENTION, CONTAINMENT, AND RESPONSE PLANNING AND IMPLEMENTATION.
- GROUNDWATER PROTECTION: DURING CONSTRUCTION, 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. DYES, BERMES, SUMPES, 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.
- 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. ANY OFFSITE TRACKING OF MUD OR SEDIMENT SHALL BE VACUUMED IMMEDIATELY AND PRIOR TO THE NEXT SIGNIFICANT STORM EVENT.
- DEBRIS AND OTHER MATERIALS: LITTER, CONSTRUCTION DEBRIS, AND CHEMICALS EXPOSED TO STORMWATER MUST BE PREVENTED FROM BECOMING A POLLUTANT SOURCE.
- TRENCH OR FOUNDATION DE-WATERING: TRENCH DE-WATERING IS THE REMOVAL OF WATER FROM TRENCHES, FOUNDATIONS, COFFER DAMS, POND, AND OTHER AREAS WITHIN THE CONSTRUCTION AREA THAT RETAIN WATER AFTER EXCAVATION. IN MOST CASES THE COLLECTED WATER IS HEAVILY SILTED AND HINDERS CORRECT SAFE CONSTRUCTION PRACTICES. THE COLLECTED WATER MUST BE REMOVED FROM THE PONDED AREA, EITHER THROUGH GRAVITY OR PUMPING, AND MUST BE SPREAD THROUGH NATURAL, WOODED BUFFERS OR REMOVED TO AREAS THAT ARE SPECIFICALLY DESIGNED TO COLLECT THE MAXIMUM AMOUNT OF SEDIMENT POSSIBLE, LIKE A COFFERDAM SEDIMENTATION BASIN AVOID TO FLOW OVER THE WATER TO FLOW OVER DISTURBED AREAS OF THE SITE. EQUIVALENT MEASURES MAY BE TAKEN IF APPROVED BY THE DEPARTMENT.
- NON-STORMWATER DISCHARGES: IDENTIFY AND PREVENT CONTAMINATION BY NON-STORMWATER DISCHARGES, WHERE ALLOWED NON-STORMWATER DISCHARGES EXIST. THEY MUST BE IDENTIFIED AND STEPS SHOULD BE TAKEN TO ENSURE THE IMPLEMENTATION OF APPROPRIATE POLLUTION PREVENTION MEASURES FOR THE NON-STORMWATER COMPONENT(S) OF THE DISCHARGE. AUTHORIZED NON-STORMWATER DISCHARGES ARE:
 - DISCHARGES FROM FIREFIGHTING ACTIVITY;
 - FIRE HYDRANT FLUSHINGS;
 - VEHICLE WASHWATER IF DETERGENTS ARE NOT USED AND WASHING IS LIMITED TO THE EXTERIOR OF VEHICLES (ENGINE, UNDERCARRIAGE AND TRANSMISSION WASHING IS PROHIBITED);
 - DUST CONTROL RUNOFF IN ACCORDANCE WITH PERMIT CONDITIONS AND APPENDIX C(3) OF MAINE DEP 06-096 CHAPTER 500;
 - ROUTINE EXTERNAL BUILDING WASHDOWN, NOT INCLUDING SURFACE PAINT REMOVAL, THAT DOES NOT INVOLVE DETERGENTS;
 - PAVEMENT WASHWATER (WHERE SPILLS/LEAKS OF TOXIC OR HAZARDOUS MATERIALS HAVE NOT OCCURRED, UNLESS ALL SPILLED MATERIAL HAD BEEN REMOVED) IF DETERGENTS ARE NOT USED;
 - UNCONTAMINATED AIR CONDITIONING OR COMPRESSOR CONDENSATE;
 - UNCONTAMINATED GROUNDWATER OR SPRING WATER;
 - FOUNDATION OR FOOTER DRAIN-WATER WHERE FLOWS ARE NOT CONTAMINATED;
 - UNCONTAMINATED EXCAVATION DEWATERING (SEE REQUIREMENTS IN APPENDIX C(5) MAINE DEP 06-096 CHAPTER 500);
 - POTABLE WATER SOURCES INCLUDING WATERLINE FLUSHINGS; AND
 - LANDSCAPE IRRIGATION.
- UNAUTHORIZED NON-STORMWATER DISCHARGES: THE DEPARTMENT'S APPROVAL UNDER THIS CHAPTER DOES NOT AUTHORIZE A DISCHARGE THAT IS MIXED WITH A SOURCE OF NON-STORMWATER OTHER THAN THOSE DISCHARGES IN COMPLIANCE WITH APPENDIX C(6) MAINE DEP 06-096 CHAPTER 500. SPECIFICALLY, THE DEPARTMENTS APPROVAL DOES NOT AUTHORIZE DISCHARGES OF THE FOLLOWING:
 - WASTEWATER FROM THE WASHOUT OR CLEANOUT OF CONCRETE, STUCCO, PAINT, FORM RELEASE OILS, CURING COMPOUNDS OR OTHER CONSTRUCTION MATERIALS;
 - FUELS, OILS OR OTHER POLLUTANTS USED IN VEHICLE AND EQUIPMENT OPERATION AND MAINTENANCE;
 - SOAPS, SOLVENTS, OR DETERGENTS USED IN VEHICLE AND EQUIPMENT WASHING; AND
 - TOXIC OR HAZARDOUS SUBSTANCES FROM A SPILL OR OTHER RELEASE.
- ADDITIONAL REQUIREMENTS: ADDITIONAL REQUIREMENTS MAY BE APPLIED ON A SITE-SPECIFIC BASIS.



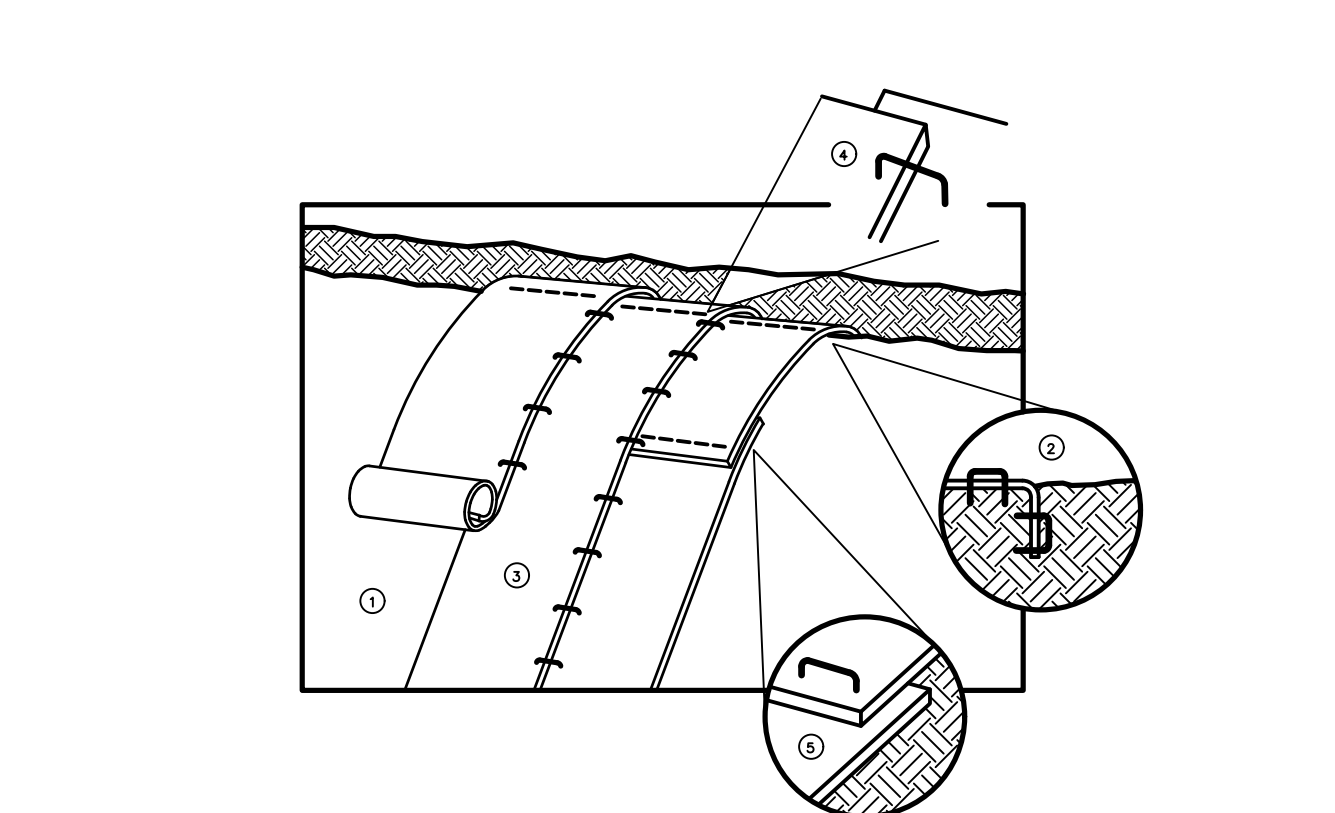
SILT FENCE DETAIL
N.T.S.

NOTE: SILT FENCE OR EROSION CONTROL BERM CAN BE USED FOR SILT BARRIERS INTERCHANGEABLY OR AS CONDITIONS WARRANT, WITH THE EXCEPTION OF AREAS DIRECTLY UPGRADEMENT OF WETLANDS WHERE THEY SHALL BE USED IN CONJUNCTION TO PROVIDE A DOUBLE-ROW OF SILT BARRIER.

PLACE BARRIER ALONG RELATIVELY LEVEL CONTOUR. EROSION CONTROL MIX SHOULD CONTAIN A WELL GRADED MIXTURE OF PARTICLE SIZES AND MAY BE USED ON SLOPES GREATER THAN 3:1 OR WHERE THERE IS FLOWING WATER. SEE MAINE EROSION AND SEDIMENT CONTROL FIELD GUIDE FOR CONTRACTORS FOR INSTALLATION INSTRUCTIONS.



EROSION CONTROL
MIX BERM
N.T.S.



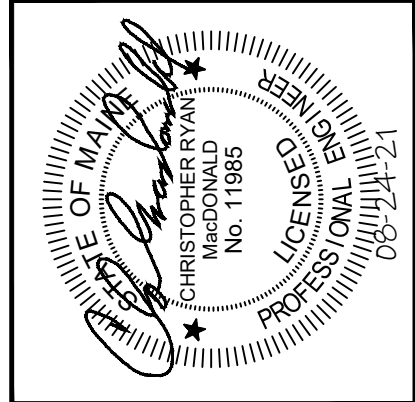
- Prepare soil before installing blankets.
- Begin at top of slope by anchoring blanket in 6" x 6" trench. Backfill & compact trench after staking.
- Roll blankets down or horizontally across slope.
- The edges of parallel blankets must be stapled with approx. 2" overlap.
- When blankets must be spliced down the slope, place blankets end over end (shingle style) with approx. 4" overlap. Staple through overlapped area, approx. 12" apart.
- Erosion control blankets shall be used on slopes steeper than 3:1 but limited to a max. of 2:1.

Slope Stabilization: Erosion Control Blanket shall be in accordance with M.D.O.T. standard specifications, Section 6.13, Temporary Erosion Control Blankets and Extended Use Erosion Control Blankets.

Slope Stabilization Detail
N.T.S.

LOW POINT
SEDIMENT CONTROL BARRIER
N.T.S.

REVISION	DESCRIPTION
NO.	DATE
1	08/24/21
Submitted to Planning Department for Initial Review	



BH2M

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FOR
Chabad Lubavitch of Maine Inc.
11 Pomeroy Street
Portland, Maine

**EROSION CONTROL
DETAILS**

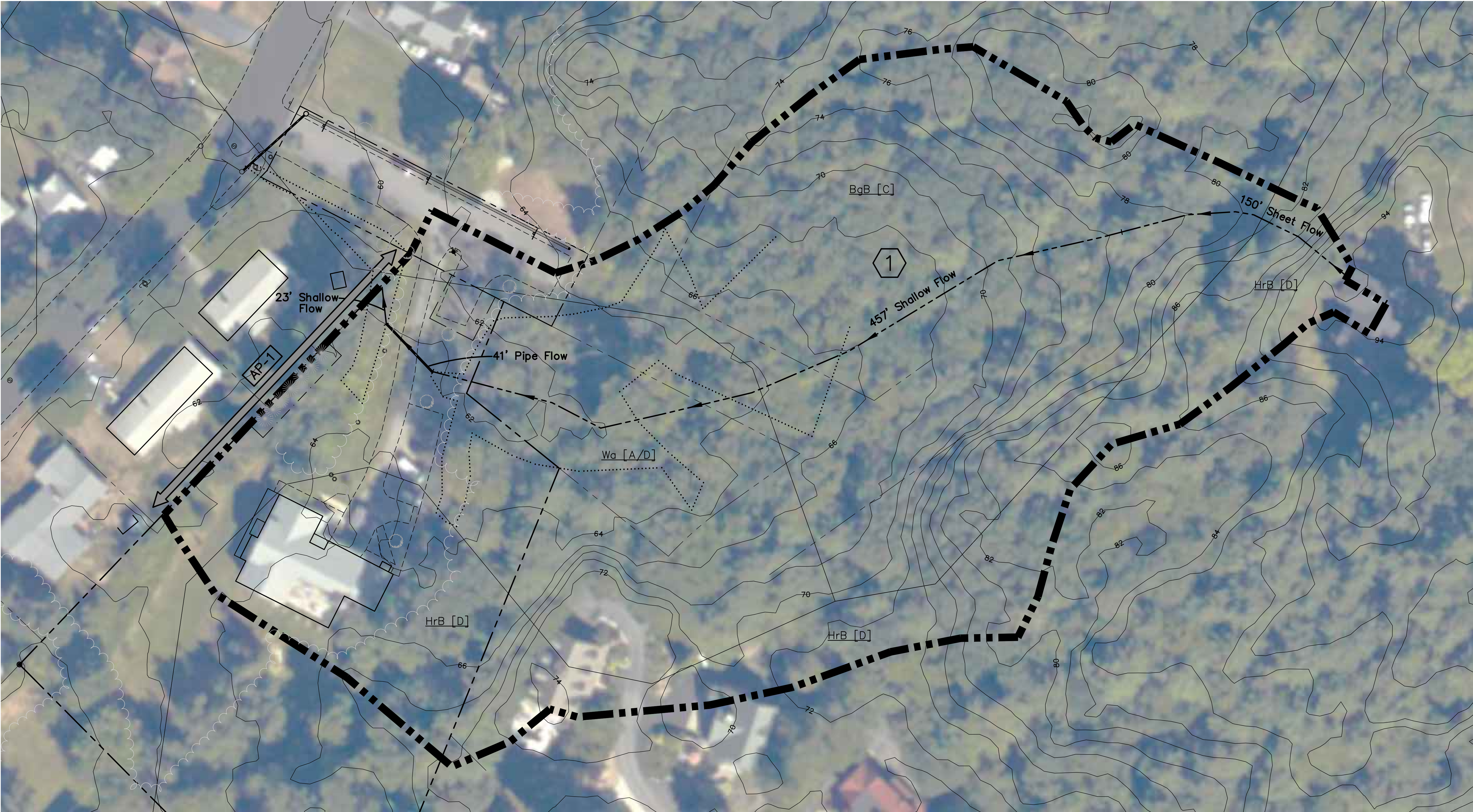
**CHANGE OF USE & MINOR SITE
PLAN APPLICATION**

LAND OF
CHABAD LUBAVITCH OF MAINE INC.
11 POMEROY STREET
PORTLAND, MAINE

DESIGNED C. MacDonald	DATE August 2021
DRAWN B. Monsen	SCALE As Noted
CHECKED C. MacDonald	JOB. NO. 21100

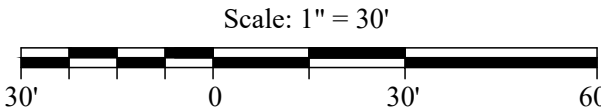
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3

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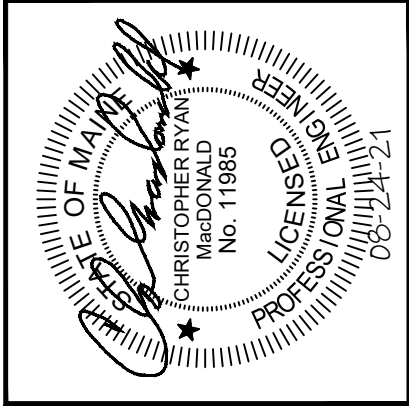


SYMBOL		LEGEND	
		SYMBOL	DESCRIPTION
			DRAINAGE SUB AREA
			DRAINAGE AREA BOUNDARY
			TIME OF CONCENTRATION ROUTE
PRE DEVELOPMENT FLOWS			
ANALYSIS POINT	2 YR. STORM	10 YR. STORM	25 YR. STORM
AP-1	1.57 CFS	4.37 CFS	7.02 CFS

SYMBOL		SOILS LEGEND	
		SYMBOL	DESCRIPTION
			SOIL BOUNDARY LINES
			LIMIT OF WETLANDS
HYDROLOGIC SOIL GROUP*			
SYMBOL	SOIL	GROUP	
BgB	NICHOLVILLE (0-8%)	C	
HrB	LYMAN-TUNBRIDGE (0-8%)	D	
Wa	WALPOLE	A/D	
* SOILS INFORMATION PROVIDED BY NRCS FROM USDA WEB SOIL SURVEY FOR CUMBERLAND COUNTY AND PART OF OXFORD COUNTY, MAINE, SURVEY AREA DATA VERSION 17, DATED JUNE 5, 2020.			



REVISION		DESCRIPTION	
NO.	DATE		
1	08/24/21	Submitted to Planning Department for Initial Review	



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Engineers, Surveyors
380B Main Street
Gorham, Maine 04038
Tel. (207) 839-2771
www.bh2m.com

FOR

Chabad Lubavitch of Maine Inc.
11 Pomeroy Street
Portland, Maine

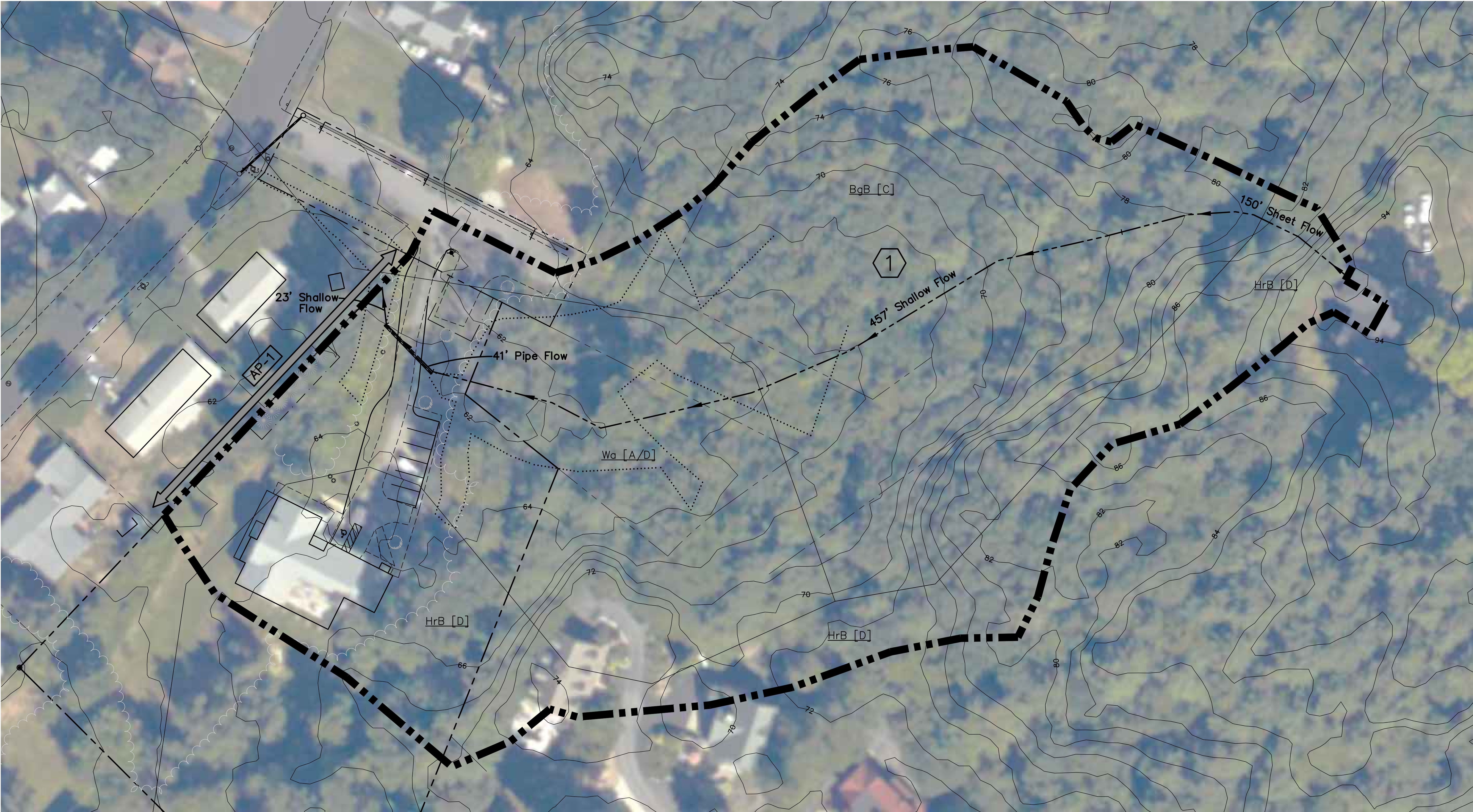
PRE DEVELOPMENT
DRAINAGE PLAN
CHANGE OF USE & MINOR SITE
PLAN APPLICATION
LAND OF
CHABAD LUBAVITCH OF MAINE INC.
11 POMEROY STREET
PORTLAND, MAINE

DESIGNED C. MacDonald	DATE August 2021
DRAWN Staff	SCALE 1" = 30'
CHECKED C. MacDonald	JOB. NO. 21100

SHEET

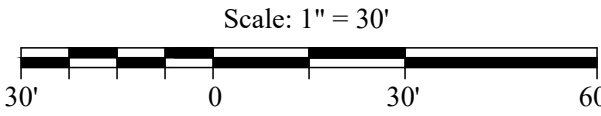
A

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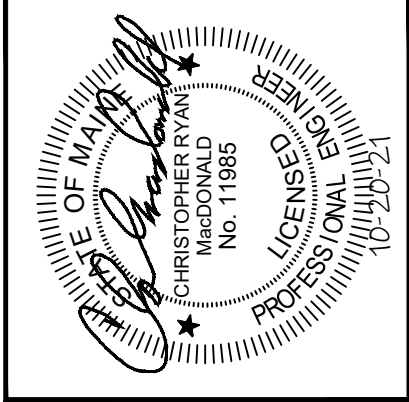


SYMBOL		LEGEND	
		SYMBOL	DESCRIPTION
			DRAINAGE SUB AREA
			DRAINAGE AREA BOUNDARY
			TIME OF CONCENTRATION ROUTE
POST DEVELOPMENT FLOWS			
ANALYSIS POINT	2 YR. STORM	10 YR. STORM	25 YR. STORM
AP-1	1.57 CFS	4.37 CFS	7.02 CFS

SYMBOL		SOILS LEGEND	
		SYMBOL	DESCRIPTION
			SOIL BOUNDARY LINES
			LIMIT OF WETLANDS
HYDROLOGIC SOIL GROUP*			
SYMBOL	SOIL	GROUP	
BgB	NICHOLVILLE (0-8%)	C	
HrB	LYMAN-TUNBRIDGE (0-8%)	D	
Wa	WALPOLE	A/D	
* SOILS INFORMATION PROVIDED BY NRCS FROM USDA WEB SOIL SURVEY FOR CUMBERLAND COUNTY AND PART OF OXFORD COUNTY, MAINE, SURVEY AREA DATA VERSION 17, DATED JUNE 5, 2020.			



REVISION		DESCRIPTION
NO.	DATE	
1	08/24/21	Submitted to Planning Department for Initial Review
2	10/20/21	Revisions Based on Planning Department Comments



Barry, Huff, MacDonald, Milligan Inc.
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