

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, June 14, 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: Jun 14, 2022 04:30 PM Eastern Time (US and Canada)

Topic: Planning Board Workshop and Public Hearing 6/14/2022

Please click the link below to join the webinar: <https://portlandmaine-gov.zoom.us/j/84787960034>

Or One tap mobile :

US: +13126266799,,84787960034# or +19292056099,,84787960034#

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: 847 8796 0034

International numbers available: <https://portlandmaine-gov.zoom.us/j/84787960034>

WORKSHOP - 4:30 PM

- i. Zoning Map and Text Amendment; 1 Bean Pot Circle; IDEALS (The Institute for Digital Engineering and Life Sciences), Applicant. (estimated time – 4:30 – 6:00 p.m.) The Planning Board will hold a remote workshop to consider a zoning map and text amendment application to facilitate the creation of an Institutional Development Plan (IDP) and Institutional Overlay Zone (IOZ) for their Portland campus, to be located at 1 Bean Pot Circle. The IOZ, if approved, will include the 13-acre property located at 1 Bean Port Circle (parcels 447-A001 and A002), currently zoned I-M Moderate Impact Industrial. A related text amendment to modify Land Use Code Section 8.5.2 to add the applicant's parcels to the list of eligible IOZ areas has also been provided.
- ii. Master Development Plan and Traffic Movement Permit; 385 Congress Street; 385 Congress Street LLC., Applicant. (estimated time 6:00 – 7:00 p.m.) The Planning Board will hold a remote workshop

to consider a Master Development Plan and Traffic Movement Permit application to facilitate a 365,575 square foot mixed use development to include a 152 room hotel, 312 dwelling units, structured parking, ground-floor retail space, and associated site improvements at 385 Congress Street. The subject property is 2.26 acres in size and is zoned B-3 Downtown Business.

PUBLIC HEARING - 7:00 PM

1. ROLL CALL AND DECLARATION OF QUORUM

2. COMMUNICATION AND REPORTS

3. REPORT OF ATTENDANCE AT THE MEETING HELD ON 5-24-2022

Afternoon Workshop

180 Washington Avenue: Barker, Mazer, Murphy, Silk, and Smith present; Chann and Stanley absent.

Evening Hearing

11 Pomeroy Street: Barker, Mazer, Murphy, Silk, and Smith present; Chann and Stanley absent.

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

4. REPORTS OF DECISIONS AT THE MEETING HELD ON 5-24-2022

- i. Conditional Use Permit; 11 Pomeroy Street; Chabad Lubavitch of Maine, Applicant. Silk moved and Murphy seconded a motion to reopen the public hearing to allow for public comment. Vote 5-0, Chann and Stanley absent. Silk moved and Smith seconded a motion to find the proposed conditional use to meet the standards of Land Use Code Sections 6.5.2 and 6.5.6(F) with four conditions of approval. Vote 5-0, Chann and Stanley absent.
- ii. Major Site Plan; 57 Douglass Street; Douglass Commons, LLC., Applicant. Silk moved and Barker seconded a motion to waive Technical Manual Section 1.14.3 to allow for a reduced parking lot drive aisle width of 22 feet. Vote 5-0, Chann and Stanley absent. Silk moved and Smith seconded a motion to find the proposed conditional use for workforce housing to meet the standards of Land Use Code Section 18.2 with two conditions of approval. Vote 5-0, Chann and Stanley absent. Silk moved and Murphy seconded a motion to approve the site plan with four conditions of approval. Vote 5-0, Chann and Stanley recused.

5. NEW BUSINESS

- i. Major Site Plan; 7 Marion Street; Nathaniel Green and Samantha Connelly, Applicants. (estimated time 7:00 p.m.) The Planning Board will hold a remote public hearing to consider a three-story, three-unit residential building at 7 Marion Street. The subject property is 2,030 square feet in size and is zoned B-2b Community Business.

To: Chair Stanley and Members of the Portland Planning Board
From: Zach Powell, Senior Planner
Date: June 10, 2022
Re: Institutional Overlay Zone, Map and Text Amendment: Roux Institute/IDEALS
Applicant: IDEALS/Roux Institute
Project ID: ZN-001934-2022
Meeting Date: June 14, 2022

I. INTRODUCTION

The Initiative for Digital Engineering and Life Sciences (IDEALS) has submitted a zoning map and text amendment application to amend the existing Institutional Overlay Zone (IOZ) regulations to permit IDEALS/ The Roux Institute at Northeastern University to pursue an IOZ as an identified major City institution, change the underlying zoning of the site from I-M to B-5, and adopt a new IOZ for this property. This effort is in anticipation of significant future development planned for the site in the coming



Figure 1: Artist rendering of Campus. View from I-295 NB

years, including a major new academic building for the Roux Institute, along with new campus-oriented housing, hotel, lab and or incubator spaces, structured parking, and retail uses, among others.

The process for designation of an IOZ requires the institution to prepare an Institutional Development Plan (IDP), which is a proactive planning document for identifying and addressing anticipated change and growth by an institution. The IOZ also requires that a Regulatory Framework be submitted, to be included in the Land Use Code, which identifies the land area to be included on the zoning map as the Institutional Overlay Zone along with associated use, dimensional and design requirements. The Planning Board is authorized to review and approve an Institutional Development Plan that is consistent with the IDP standards provided in Section 8.5.4.D of the City's Land Use Code. The Planning Board reviews and recommends to City Council the Regulatory Framework and the IOZ boundaries.

To date, the City has met with the applicant on several occasions to provide initial feedback on the content of the IDP and proposed regulations of the Regulatory Framework. These meetings precede a more thorough review of key IDP and Regulatory Framework focus areas by the Planning Board in future meetings. Therefore, this workshop is intended to introduce the overall proposal with an overview of IDEALS' short and long-term plans for their campus, and provide the Planning Board with an opportunity to provide early feedback. Subsequent meetings will be scheduled with a focus on one or more specific topic areas, such as design, transportation, environmental mitigation, and zoning framework.

The Planning and Urban Development Department mailed 153 notices advertising this meeting to property owners within 500 feet of the site. A legal advertisement ran in the June 4, 2022 edition of the *Portland Press Herald*.

II. WHAT IS AN INSTITUTIONAL OVERLAY ZONE?

The Institutional Overlay Zone (IOZ) is a regulatory tool currently available to four of the City's major institutions, which recognizes that the operational and developmental needs of such institutions are often incongruous with the City's base zoning districts, and which provides an opportunity to create a unique overlay district tailored to the needs of each institution. Section 8.5.2 of the Land Use Code designates Maine Medical Center (MMC), Northern Light Mercy Hospital, the University of Southern Maine, and the University of New England as the four eligible institutions. Maine Medical Center piloted the first IOZ in 2017, immediately following the adoption of the IOZ regulatory tool. The Maine Medical Center IOZ was adopted by the Portland City Council, and the associated Regulatory Framework can be found under Section 8.5.6 of the City's Land Use Code.

Section 8.5 of the Land Use Code requires the following items as part of an IOZ submission:

- ***Institutional Development Plan (IDP):*** The IDP is a longer-term development or master plan, to be developed by the eligible institutions, which are intended to guide each institution's development over the life of the plan. The IDP is envisioned as the basic building block of the Institutional Overlay Zone. The IDP is intended as a stand-alone document. This would be approved by the Planning Board, subject to a finding that the IDP meets the content and review standards, listed under Sections 8.5.4.(C & D).
- ***Regulatory Framework:*** The Regulatory Framework is within the Land Use Code as the ordinance requirements for each institution, and is intended to evolve from the IDP. The Regulatory Framework establishes the parameters to allow each institution to grow as envisioned in the IDP, yet also formalize requirements, guidelines, and performance measures that address the major ramifications of institutional growth and change. The Regulatory Framework would be adopted into the Land Use Code by the City Council.
- ***IOZ - Zoning Map:*** The boundaries of each institution's IOZ would be defined as a geographic element represented as an amendment to the city's zoning map. This would be adopted by the City Council.

The application before the Planning Board is contingent upon a text amendment being requested by the applicant, which would add IDEALS/The Roux Institute at Northeastern University to the list of institutions eligible to pursue an IOZ.

III. BACKGROUND AND CONTEXT

The Initiative for Digital Engineering and Life Sciences (IDEALS) is a Maine non-profit corporation, formed in 2018 with the intent of developing a graduate level institute targeting known talent gaps for digital and life-sciences companies in the greater Portland area.

Northeastern University was recruited by IDEALS to develop and run this institute, which was announced in 2020 as the Roux Institute at Northeastern University in Portland, Maine. The institute offers post-



Figure 2: Neighborhood context of IDEALS/Roux Institute Campus

graduate degrees and certifications in the key areas of artificial intelligence, computer and data sciences, digital engineering, advanced life sciences, and medicine. Today, the Roux Institute operates out of temporary leased space on Portland's peninsula.



Figure 3: View of the B&M Baked Beans Facility today

IDEALS was responsible for locating and developing a campus for the Roux Institute, a campus that would allow for the continued growth of educational and research programs at the Roux Institute, while providing space for collaborative partnerships, with services and amenities that both support those programs and serve the local community. After a four-year search, IDEALS entered into a purchase and sale agreement for land formerly occupied by the B&M Baked Beans facility along the Portland waterfront.

The former B&M Baked Beans facility operated continuously from this site between 1913 and 2021, with the signature cannery building dating back to 1912. This property totals 13 acres, with an additional 11 acres of submerged land, and is zoned Moderate Impact Industrial (I-M), and contains several large-scale connected buildings in addition to the five-story cannery building and three-story cod fish building, built over the existing pier. Most of the property is impervious surface, with 10 of the 13 acres being either building area, off-street parking, or vehicle maneuvering/loading area. The remainder of the site is either lawn or early successional non-lawn area.



Figure 4: View of the 1912 Cannery Building, to be preserved

In terms of surrounding context, the site is geographically constrained; bordered by Casco Bay to the South, Maine DOT rail right-of-way to the north and east, and Maine DOT I-295 right-of-way to the north and west. There is a single vehicular access point to the site via Sherwood Street, which connects with Veranda Street. Surrounding uses, aside from those just mentioned, include the Maine Yacht Center, located just north of the rail corridor, which is zoned Low Impact Industrial (I-L), residential uses to the north and west of the site, zoned R-3 and R-5 Residential, respectively, and commercial uses along both Veranda Street and Washington Avenue, zoned B-2 Community Business.

IV. TEXT AMENDMENT TO ARTICLE 8 (OVERLAY ZONES)

The City of Portland currently limits the Institutional Overlay Zone (IOZ) as a regulatory tool to four of the city's major medical and higher education institutions; those being Maine Medical Center, Northern Light Mercy Hospital, the University of Southern Maine, and the University of New England. In order to pursue an IOZ, IDEALS and the Roux Institute have submitted a text amendment application to amend Article 8.5 of the Land Use Code. The amendment reads as follows:

8.5.1 Purpose

"The Institutional Overlay Zone (IOZ) designation provides a regulatory mechanism available to the city's ~~four~~ five major medical and higher education campuses..."

And;

8.5.2 Location and Applicability

The city's ~~four~~ five primary major medical and higher education institutions are eligible to apply for designation as Institutional Overlay Zones. The eligible institutions are the two major hospital institutions of Maine Medical Center and Mercy Hospital and the ~~two~~ three major academic institutions of University of Southern Maine, ~~and~~ University of New England, and the Initiative for Digital Engineers and Life Sciences / The Roux Institute at Northeastern University, their successors and assigns. Designation as an IOZ is the preferred mechanism where the eligible institution's proposed development is inconsistent with the existing zoning.

The proposal to have IDEALS/the Roux Institute added to the list of institutions eligible to pursue an IOZ is a different model for inclusion of a major education institution in that the other four institutions are already established in their respective campuses, and may apply for an IOZ/IDP to support their future physical and programmatic expansion, whereas IDEALS/Roux is still in the early stages of its evolution, and involves a partnership between IDEALS, the non-profit tasked with developing the Roux Campus, with the Roux Institute as primary tenant and institutional anchor of the site. The proposed campus, as stated in the IDP, is intended to be a space for collaboration and innovation, mutually benefitted by the presence of a major academic institution and its partners, to facilitate a mixed-use space for higher education, research, and ancillary uses in support of IDEALS/Roux mission. The proposed buildout and purpose of the site make IDEALS/Roux match the type of phased institutional development the IOZ was intended to support.

V. ZONING MAP AMENDMENT TO B-5 URBAN COMMERCIAL ZONE

In addition to the IOZ, the applicant has requested that the subject property be rezoned from the Moderate Impact Industrial (I-M) zone to the Urban Commercial (B-5) mixed-use zone. The purpose of the B-5 is:

“To provide for areas of the peninsula near the downtown where a mixture of uses, including marine, industrial, commercial, and residential uses are encouraged. The B-5 and B-5b zone is typically characterized by larger underdeveloped lots with potential for denser, clustered, urban mixed-use development and more efficient use of existing land and buildings. It is anticipated that the dense, mixed-uses of the B-5 will rely on a shared infrastructure system, including service alleys, parking lots, public transportation facilities, stormwater management, and driveways.”

The Roux Campus as proposed is consistent with this purpose statement, and as stated by the applicant, similar in many ways to Thompson’s Point, which was similarly rezoned to B-5. When comparing the B-5 with the I-M zone, the most notable distinctions include use provisions and dimensional standards. Key differences are provided in the tables below.

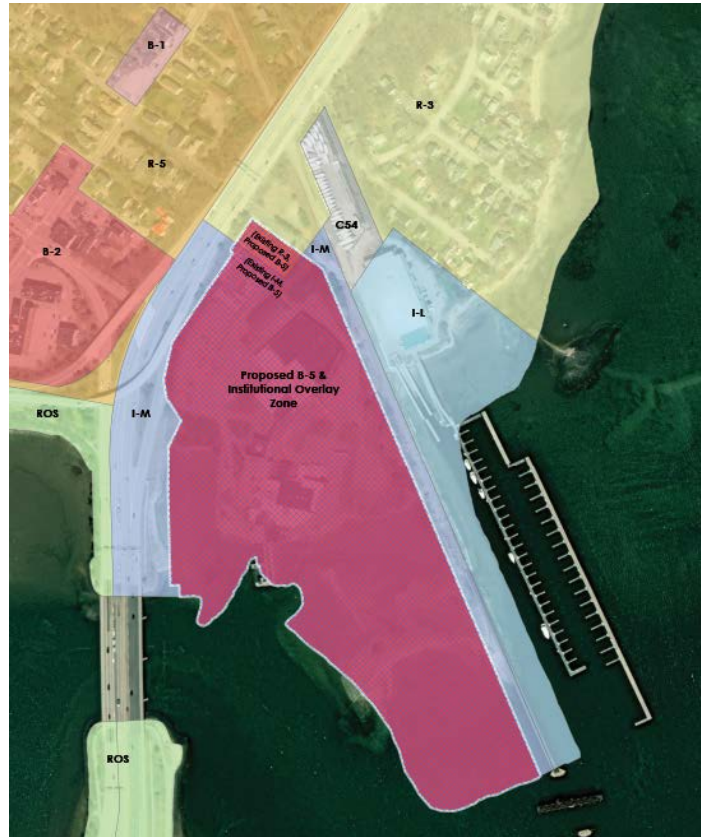


Figure 5: Proposed Map Amendment to B-5

Table 1: List of Permitted and Conditional Uses		
Uses	I-M	B-5
Single-Family Residential		P
Two-Family Dwellings		P
Multi-Family Dwellings		P
Handicapped Family Units		P
Combined Living and Working Spaces		P
Lodging Houses		P
Clinics		P
Cultural Facilities		P
Schools		P
Emergency Shelters	C	C
Government Uses		P
Places of Assembly (All)		P
Pre-School Facilities	P	P
Post-Secondary Schools		P
Intermediate Care Facilities	P	
Auto Service Stations		P
Bars		P

Exhibition, Meeting, Convention Hall		P
General Offices (All)	P	P
General Services (All)		P
Hostels		P
Hotels		P
Recreation and Amusement Centers	P	P
Restaurants		P
Retail (All)		P
Theaters and Performance Halls		P
Communication Studios		P
Intermodal Transportation Facilities	P	P
Low Impact Industrial (<10,000 SF)	P	P
Low Impact Industrial (>10,000 SF)	P	C
Laboratory & Research Facilities	P	
Lumberyard	P	
Marijuana Cultivation (<7,000 SF)	P	
Marijuana Manufacturing Facility	P	
Marijuana Testing Facility	P	
Printing & Publishing	P	P
Recycling and Solid Waste Disposal	P	
Repair Services	P	P
Construction & Engineering Services	P	
Dairies	P	
Food and Seafood Processing, Packaging and Distribution	P	
Studios for Artists & Crafts People	P	P
Warehousing, Storage & Distribution	P	P
Telecommunications Tower	P	
Tow Lots	P	
Correctional Pre-Release Facilities	P	
Marine Uses		P
Off-Street Parking		P
Parks & Open Spaces		P
Solar Energy Systems (Minor)	P	P
Solar Energy Systems (Major)	P	
Utility Substations	P	P
Wind Energy System (Minor)	P	C
Wind Energy System (Major)	P	

As can clearly be seen in the use table above, the two zones have entirely different purposes with use provisions reflective of their stated purpose. The I-M zone is geared toward low to moderate impact industrial uses, which frequently rely upon convenient access to regional transportation infrastructure, benefit from regulations which account for the need to store materials and equipment outdoors dealt with through appropriate performance measures, and necessitate buffers between residential and/or other sensitive uses. Conversely, the B-5 zone, as can be seen in the uses listed above, is among the more permissive mixed-use zones, anticipating scenarios such as that of the proposed development, in which large, underutilized properties are redeveloped at a higher intensity, supporting both job generating uses and residential uses. As might be expected, this zone broadly permits residential, office, retail, restaurant and other service-based uses. In addition, the zone permits a range of

institutional uses, as well as some light industrial and transportation related uses, reflective of the types of redevelopment envisioned and alluded to within the zone's purpose statement.

Similar to use standards, both zones differ in their regulation of dimensional requirements, as seen below:

Table 2: Dimensional Standards by Zone		
Dimensional Standard	I-M	B-5
Street Frontage	60 Ft.	
Front Setback	1 Ft. for each Ft. of building height	
Rear Setback	1 ft. for each ft. of building height up to 25 ft., except 35 ft. when abutting residential zone	
Side Setback	1 ft. for each ft. of building height up to 25 ft., except 35 ft. when abutting residential zone	
Structure Height	75 Ft	65 Ft
Impervious Surface Ratio	75%	
Pavement Setback	10 Ft.	

Both zones are fairly permissive in terms of dimensional standards, however the I-M zone exhibits restrictions intended to buffer industrial uses from abutters, while also requiring minimum frontage, and limiting the amount of impervious surface. The B-5 anticipates a truly high-density urban form, and aside from limits on building heights, does not generally restrict uses or development dimensionally. In this instance, the I-M does permit taller buildings, however through the established Regulatory Framework would permit taller heights for this property.

Staff agree that the proposed program of uses for the Roux Institute appear to better align with the purpose of the B-5 zone as compared with the I-M zone, and would note that several of the goals of Portland's Plan would be furthered through this rezoning, notably:

Environment:

- Plan for the mitigation and redevelopment of brownfields to support productive uses and a healthier environment for residents.

Housing:

- Encourage additional contextually appropriate housing density in and proximate to neighborhood centers.

Recreation and Open Space:

Encourage physical and visual access to Portland's waterfront, Casco Bay, Back Cove, and the Stroudwater, Presumpscot and Fore Rivers, as a 'blue-way' network and an extension of public space for local and regional recreation and transportation needs.

Historic Resources:

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

Economy:

- Ensure that the growth of Portland's educational, medical and cultural institutions is integrated into Portland's urban fabric through the use of high-quality design, management of impacts, community partnerships, and innovative planning.

VI. IDEALS INSTITUTIONAL DEVELOPMENT PLAN**A. Development Plans**

The IDEALS IDP identifies numerous projects which may be developed in the coming years, and in accordance with IOZ regulations, identifies short-, medium-, and longer-term priorities. The strategy around phasing involves development of the core Roux Institute programming at the start of the overall development, which would allow for corporate office and laboratory partners to be housed within the primary academic building during the site's first years in operation, before extending outward in the medium term. Additionally, in the first phase, the proposed 8-story hotel will be constructed on the western portion of the site and a residential building will be constructed in the center of the campus. As the site develops and the Roux Institute becomes more established, IDEALS anticipates increasing demand for residential, retail and restaurant uses and associated off-street parking. The anticipated phasing of the project is as follows:

Table 3: Anticipated Phasing (Cumulative Totals)			
Building Program	Near Term (0-5 years)	Medium Term (10 years)	Long Term (20 years +)
Roux Institute at Northeastern University	1,750 students 222,000 SF	2,500 students 372,000 SF	4,500 students 372,000 SF
Office/Lab Partners	Included in the Roux Institute	Included in the Roux Institute	200,000 SF
Business Incubation	40,000-50,000 SF	40,000-50,000 SF	40,000-50,000 SF
Residential	175-250 units 150,000-200,000 SF	350-425 units 300,000-350,000 SF	525-650 units 450,000-550,000 SF
Commercial (Retail, Dining, Hotel)	100,000 SF	105,000 SF	125,000 SF



Figure 6: Aerial View of Near Term Campus Concept. The Near Term Concept includes the construction of the new Roux Campus Building to the East, Hotel and Residential Building to the West, rehabilitation of the Cannery Building to the South, and modification to existing surface parking to the North.



Figure 7: Aerial View of Long Term Campus Concept. The Long Term Concept includes the northern expansion of Roux Campus Building to the East, enclosure of the surface parking areas and construction of two residential buildings above the surface parking, and construction of a partner lab building to the North.

Unlike past IOZ applications, the application before the Planning Board now is unique, in that IDEALS and the Roux Institute are developing a new campus on a site that will be almost entirely redeveloped. While the principal tenant of the development would be the Roux Institute, IDEALS indicates in their application materials that partnerships with private, public, and non-profit entities will be important elements in the vision for the campus. As stated in the IDP, the development scheme is organized around the tenets of urbanism; which are to provide a mixture of uses, allow for creativity and entrepreneurship, and encourage recreation.

Aside from major programming listed above, the Campus would also feature significant public open space in the form of one or more quadrangles or campus greens, open space along the waterfront, and a significant new multi-use pathway connection into the site connecting the existing Back Cove Trail underneath Tukey's Bridge. Other commitments include the use of shoreland rehabilitation, climate friendly and sustainable design, and transportation demand management (TDM) strategies to reduce parking demand and encourage the use of alternative modes of transportation.

B. Impact Mitigation

1. *Traffic and Parking:* As the site transitions from an industrial use associated with the B&M Baked Beans Facility to a large-scale new mixed-use institutional and commercial use, the expectation is that there will be a significant increase in the amount of traffic entering and exiting the site, notably, vehicular traffic. Of the new trips being generated, a full 50% of this traffic is expected to originate from I-295 traveling northbound, with an additional 15% arriving via I-295 southbound, 11% from Washington Avenue, and 7% from Veranda Street southbound. Collectively, all vehicle traffic will arrive at the site from Veranda Street and Sherwood Street, and 80% of all traffic will pass through the Washington Ave/Veranda Street intersection. It is anticipated that three trips will be added per minute during peak hours in the near term and increase to 10 additional trips per minute during peak hours in the long term.

Noting this, the applicant identifies a number of factors and/or improvements that may be made to reduce strains on the local street network. To start, the IDP anticipates generous mode split, as shown in the table below. These figures do not reflect internal capture, only external trips, and were developed by a transportation engineer in consultation with the City and Maine DOT.

Table 4: Estimated Mode Split (%)				
Land Use	Transit	Ped. & Bike	Vehicle	Carpool Rider
Office	10	10	75	5
Retail	10	50	40	0
Restaurant	10	50	40	0
University	10	20	65	5
Residential	10	20	65	5
Hotel	10	10	75	5

The IDP identifies a number of strategies to either reduce the number of vehicle trips being generated or alleviate the impact of those trips. The first set of strategies involve improvements to area-wide bicycle and pedestrian routes, with two examples provided. This includes elimination of the sweeping turn lane at the intersection of Bates Street and Baxter Boulevard to improve the functionality of that intersection for pedestrians, and the extension of the Back Cove trail under Tukey's Bridge/I-295 to provide another direct access point for cyclists and pedestrians into the site.

The applicant also commits to working closely with transit providers to provide improved public transit access to the site. Two METRO routes, Routes 9A/B and Route 7, have existing stops within the vicinity of the project, and a further ten local and express routes are accessible with no more than one transfer. The Roux Institute plans to promote and incentivize transit use through subsidies for student transit passes, and is in discussions with METRO to improve the quality and frequency of transit connections to the Roux Campus. Further, it is anticipated that a new pier will be developed at the site, which would likely be accessible to water taxis, and potentially future ferry connections.

Transportation Demand Management (TDM) strategies are central to mitigating traffic and parking demand on-site. As stated above, bicycle and pedestrian connections are to be enhanced, and transit use is to be subsidized. Still, it is anticipated that peak parking demand upon full build-out may be as high as 1,900 spaces. In response to this, IDEALS plans aggressive targets of non-single occupant auto trips and intends to limit on-site parking, with a stated reduction goal of 37%. As stated in the IDP, this may be achieved through continued support of local transit providers through either direct subsidies or additional transit pass subsidies. Through lease agreements, IDEALS would also be able to encourage transit pass subsidies by other on-site employers. Other strategies being considered include the use of decoupled parking fees, investment in facilities for bicycle users, prioritization of parking placement for carpool users, encouragement of shared parking, and continued monitoring of trends to assess future opportunities for further parking demand reduction.

Inevitably, a significant percentage of trips to and from the site will continue to be single-occupancy vehicles. Based upon the number of peak hour trips, it is fully anticipated that the applicant will be required to pursue a MaineDOT Traffic Movement Permit (TMP) as part of the Phase I development, which will require a more detailed analysis of future traffic conditions and strategies for mitigation. As part of the IDP, IDEALS identifies several potential roadway improvements to alleviate additional traffic burden. This includes the possibility of widening of Veranda Street to accommodate a longer left-turn lane onto I-295 southbound and bike lane, the widening of Sherwood Street to accommodate both a left-turn and right-turn lane as well as a bike lane, the addition of a signal at Sherwood Street and Veranda Street, reconfiguration of the I-295 northbound exit ramp at Exit 8, and improvements to Bates Street between Baxter Boulevard and Veranda Street to increase capacity. As stated in the IDP, these improvements are not tied to specific development phases, and are listed as possible mitigation measures to be considered as future traffic warrants.

Based on continuing conversations with MaineDOT, the applicant is proposing to design the western portion of the site to provide space for a future direct off-ramp from I-295 Northbound Exit 8.

2. *Natural Resources:* As a former industrial site, IDEALS commits to significantly improving the environmental qualities of the development site. Today, the site is approximately 75% impervious, and features limited shoreline buffer, with pavement areas extending to the armored embankment along much of the shoreline. The existing site grades adjacent to the cannery building are just one foot above the highest astronomical tide, which poses significant risk for future flooding as sea levels rise due to climate change. In recognition of these existing characteristics and vulnerabilities, the redevelopment will raise interior site grades and soften landscapes to reduce impervious surface area and increase flood resilience. The IDP states that living shoreline techniques will be explored to enhance some of the natural features along the water's edge.

3. *Infrastructure:* Given the site's prior industrial use, there is substantial utility infrastructure already in place to service this development. The IDP describes in detail the existing utility service, which includes water, wastewater, stormwater, electricity, telephone & data, and natural gas. As described by the applicant, the majority of improvements associated with utility infrastructure relate to the reconfiguration of the site, and the need to relocate existing infrastructure, as opposed to requiring capacity upgrades. Improvements cited include the employment of low-impact development (LID) techniques to further improve water quality and the use of green development techniques to reduce energy consumption and further sustainability goals.
4. *Design:* The proposed program of uses and scale of the development would dramatically alter the existing site and increase visibility of the site from all vantage points. This is perhaps most noteworthy with respect to building heights. The height map provided as part of the regulatory framework would allow for buildings of up to 170 feet on the site. The scale of this development, and its prominence, will require careful consideration of how and where buildings are sited to ensure permeability throughout and within the site for light, air, views and access, how buildings interface at the pedestrian level, building materials selection to create a cohesive campus identity and reduce the perceived scale of development, among other design considerations. Based on community feedback and discussions with City Staff, the applicant has shifted taller buildings towards the center of the site to mitigate shadow and visual impacts.



Figure 8: Proposed Height Map

As an entirely new campus, there is no existing campus context from which to derive inspiration. The five-story cannery building is the sole building to be retained, and will be given ample buffering to celebrate this historic landmark. The core design principles are as follows:

Table 5: Design Principles			
Landmark on the Waterfront	Places to Convene	Sustainable & Resilient	Integrated Landscape
Engage all waterfront areas	Welcome neighborhood into the site	Employ sustainability benchmarking for environmental stewardship	Enhance access through TDM and multi-modal support
Promote visual and physical connectivity	Foster community with shared spaces and interaction	Incorporate state of the art features and techniques	Contribute to Portland's open space network
Encourage connection through diverse spaces	Build strong association with City of Portland	Reduce energy consumption	
Create a holistic built environment	Develop a critical mass for desirable connections to occur regularly	Build for resilience and prepare for extreme weather and climate change	

Restore, repurpose, and revitalize the cannery building	Provide public open space	Maximize green space through appropriate building height	
Create an iconic architectural expression	Provide spaces where neighbors can work and read while enjoying the campus' built environment		

All of the mitigation strategies listed above will be reviewed in detail, and will be the focus of future Planning Board workshops on this proposed IOZ application.

The applicant has also nominated the B&M Cannery Building to be designated as a local landmark. On [June 1, 2022](#), the Historic Preservation Board held a public hearing on the nomination and unanimously voted to recommend designation of the B&M Cannery as a local landmark to the City Council.

VII. REGULATORY FRAMEWORK

Building off of the IDP, the proposed Regulatory Framework would codify a wide-range of uses and activities in line with IDEALS stated purpose, and would establish a new, context-based set of dimensional requirements to permit the development identified in the IDP. As an institution of higher education, many of the uses proposed to be permitted within the IOZ reflect typical uses found on a college campus, such as classrooms, laboratory and research facilities, offices, dining halls, bookstores, gymnasiums, libraries and auditoriums. In addition to these uses, the regulatory framework also proposes permitting other uses likely associated with the Roux Institute's partners, which includes high-tech manufacturing and low-impact industrial (>10,000 SF). As stated elsewhere in this report, the applicant is also pursuing a separate map amendment for the property, from I-M to B-5. The B-5 zone, is a mixed-use zone, that would expand the types of uses permitted on the property, and would cover a number of uses not listed here such as hotels, restaurants, retail, and multi-family housing. As a note, if both the B-5 map amendment and the IDEALS Regulatory Framework are adopted by the City Council, and a specific use, dimensional or performance standard is not listed within the Regulatory Framework, then the prevailing regulation would be the underlying zoning.

The proposed campus program, not exclusively limited to traditional education such as teaching space, is consistent with the intent of the IOZ, and how it has been previously applied in the Maine Medical Center IDP. Maine Medical Center's IDP (sec. 8.5.6.C), for example, specifies that in addition to all the uses permitted in the underlying base zones (Maine Medical's IDP has R-6 and the B-2 as its underlying zones), that their healthcare facilities may encompass a variety of uses that support their mission, such as restaurants, guest houses, housing, offices, gyms, and others (see Figure 9). The IOZ was crafted to anticipate related, associated uses for the City's major institutions, and the regulatory framework is written to accommodate not just physical growth but programmatic growth, including a diversity of uses. Requirements that an applicant for an IDP provide information about its anticipated uses, facilities, programs and services are referenced in multiple places in Article 8.5.4, with the implication that no major educational or medical institution consists of any one activity, such as teaching or direct medical care, alone. These include lodging, housing, food service, research space, offices, supporting services, and related uses.

With respect to dimensional standards, the Regulatory Framework generally relies upon the underlying zoning of the B-5, with the exception being building height, and building scale and siting requirements for portions of buildings that exceed 50 feet in height. Please see the proposed height map (Figure 8) for more detail.

Other components of the regulatory framework include performance measures related to transportation and parking, the environment, design, neighborhood integration, and ongoing mitigation. The standards read largely as aspirational statements associated with each of these themes and generally refer back to information contained within the IDP.

VIII. NEIGHBORHOOD MEETINGS and PUBLIC COMMENT

As required by the Land Use Code, at least two neighborhood meetings shall be required. The first shall be held prior to formal submission of a zone change application and the second shall be held during the City's review. The applicant has held two separate neighborhood meetings, the first, held before the application was submitted, and a second, following submission and acceptance of a formal application. In addition to these meetings, the applicant has now held six 'Roux Roundtable' discussions, which are more broadly advertised events that have been held periodically to provide neighbors with plan updates and to collect feedback on the proposal. This information is included as Attachment L.

As of the writing of this memo, six written public comments have been received on this application. These comments express general support for the proposal, though raise concerns generally about the proposed height of new buildings within the development, and the impact that new traffic will have on the neighborhood.

IX. STAFF REVIEW

As the focus of this first workshop is simply to introduce the project and orient the Board and members of the public to the IOZ as a regulatory tool, this memo will go into limited detail on staff's review of the various components of the IDP or Regulatory Framework. To date, staff have met with the applicant on 11 separate occasions, to discuss traffic and parking, design, neighborhood engagement, the environment, utility infrastructure and the regulatory framework. The applicant has convened a regular working group to meet around transportation components of the project, which includes City staff as well as representatives from MaineDOT and METRO.

Following the June 14th workshop, the City envisions there being multiple Planning Board workshops on this application, with each workshop focusing on one or more key components of the IDP and/or Regulatory Framework. At these meetings staff will present review comments and provide a detailed overview of feedback provided to the applicant for each of these topic areas.

TABLE 8-C: PERMITTED USES

Healthcare facilities, including but not limited to the following ancillary and/or supporting uses:

- Hospital
- Medical Office/Clinic
- Laboratory Center / Services
- Research and Development (R&D) Laboratory or Facility
- Educational Facility / Conference Center
- Administrative / Business Office
- Accessory Service or Trade Uses
- Guest House
- Multi-family Housing for Healthcare Staff and Students
- Rehab / Skilled Nursing Facility
- Retail
- Restaurant/Cafe
- Employee Service Amenities
- Day Care Center
- Fitness Center or Gymnasium
- Parking Lot or Garage
- Bicycle Storage
- Heliport
- Antenna Station
- Outdoor use areas, such as green areas, parks, gardens, art installations, and other active and passive non-commercial recreation spaces

Figure 9: Table 8-C, Maine Medical Center Permitted IDP Uses

The table below provides a summary view of IDEALS' IDP content review, with the 'Requirements' column, simplified and consolidated to include one or more sub-requirements of the IOZ ordinance. For a complete list of IOZ content requirements, please see Section 8.5.4.C in the Land Use Code.

Table 3: Required Content of the IDP (8.3.4.C)		
Requirements	Provided	Notes
Mission Statement	Yes	IDP clearly identifies the mission statement and vision of the University, and how future development furthers these aims.
Baseline Institutional Data	Yes	All required baseline data is provided in detail.
Institutional Characteristics	Yes	All required baseline data is provided in detail.
Summary of Public Involvement	Partial	Staff would request that meeting minutes be provided for all required neighborhood meetings and additional 'Roux Roundtable' meetings to be included in the public record.
Identify Institutional Needs	Yes	The rationale provided for the program of uses being proposed is consistent with IDEALS' and the Roux Institute's stated values and mission, with key metrics provided for the various phases of development. There is some ambiguity around later phases, but this is acceptable given the conceptual nature of the development.
Transportation & Access	Partial	The IDP includes future projections on trip generation and parking demand based upon the program of new uses being introduced to the site, however there is limited information regarding thresholds that would trigger roadway improvements as discussed in the IDP. Staff and the Board will need to confirm whether this level of detail is appropriate for the IDP.
Environmental Impacts	Yes	The IDP includes significant baseline data and narrative discussing current environmental conditions, and a detailed overview of strategies being considered which would significantly improve environmental conditions for the site. These include reductions to impervious surfaces, raising of site grades to improve flood resilience, introduction of LID techniques to aid in stormwater treatment, the use of green building technologies in future development, and natural restoration of the shoreline among others.
Infrastructure	Yes	The IDP clearly identifies that existing utility infrastructure is sufficient to service the development at full build-out. This is supplemented with additional narrative that describes measures to be taken by the applicant to reduce energy consumption through the use of sustainable design, and reduce stormwater impacts through the introduction of LID techniques. Further, the IDP identifies that while utilities are sufficient to service the development that certain infrastructure may need to be relocated dependent upon the siting of development.
Design	Partial	The IDP provides detailed rationale for its design framework, through the use of design principles, supplemented by a set of design guidelines. As this site is being completely redeveloped,

		save for the Cannery Building, there is no existing campus context to draw inspiration from, and surrounding uses are physically separated from the site by Casco Bay, I-295, and the rail line. While the materials provided appear complete, staff will need to further evaluate the approach using graphics and renderings being developed by the applicant, which should be included as part of the IDP.
Neighborhood Engagement	Yes	The IDP details ongoing mechanisms to ensure continued community engagement, through the upkeep of a project website, to regular updates to community groups as project cycles become active, to the appointment of a community liaison to maintain open lines of communication.

A. Institutional Development Plan Review Standards

The IDP is subject to 13 separate review standards, each of which are intended to ensure first that the IDP contains sufficient information to provide a reasonable, well-calculated depiction of what campus growth will look like in the subsequent 20-year period, providing a strong foundation and basis for the Regulatory Framework. The second principal element of the IDP is to accurately project impacts before development occurs, so as to facilitate timely and strategic improvements to minimize or mitigate those impacts.

As referenced above under the content section, the emphasis of this workshop is primarily to introduce the project and provide an overview the IOZ framework, not to delve into specific topic areas of the IDP or Regulatory Framework. Noting this, the discussion of standards below is limited, and intended only to focus future discussions with the Board and City review team.

1. *Address all content requirements, unless explicitly modified by the planning authority or planning board.*

Staff Comment: The IDP will need to be revised to incorporate staff's feedback listed under the preceding 'Content' section of this memo, and as needed to address future Board and staff comments.

2. *Reflect the issues/topics identified in the required public process.*

Staff Comment: Staff understand that the applicant continues to develop new materials in response to feedback received by members of the public, notably around traffic and design impacts. This for example includes concept plans for improvements to Sherwood Street, a massing plan illustrating the impact and visualization of buildings at their maximum permissible scale from multiple vantage points, and a shadow study. These materials will be included as part of the Planning Board packet for June 14th however staff will require additional time to review and provide feedback on these materials.

3. *Demonstrate consistency with the city's comprehensive plan and the purpose of this ordinance.*

Staff Comment: The IDP clearly identifies where this development proposal supports and furthers particular goals of Portland's Plan 2030, many of which are listed in the discussion of the B-5 map amendment earlier in this memo.

The proposal to have IDEALS/the Roux Institute added to the list of institutions eligible to pursue an IOZ is somewhat different from the other institutions on this list, in that IDEALS is a non-profit corporation tasked with developing the Roux Campus, which would include the Roux Institute as the principal tenant, but would also feature a number of partners not directly overseen or administered by the Institute. Presumably, IDEALS would maintain overall ownership of the property. The proposed campus, as stated in the IDP, is a space for collaboration and innovation, mutually benefitted by the presence of a major academic institution and its partners, and together, their presence would help to facilitate a more vibrant mixed-use space than say a typical college campus. As the uses proposed are all connected with the broader mission of the Roux Institute, staff support the inclusion of IDEALS into the list of eligible institutions for the IOZ regulatory tool.

4. *Demonstrate how the property ownership, proposed growth, and requested regulatory framework relate to the institution's mission.*

Staff Comment: The IDP establishes a clear mission for both IDEALS and the Roux Institute, which together serve to create a collaborative, mutually supportive space for both their private, public, and non-profit partners and the Roux Institute to further the fields of artificial intelligence, computer and data sciences, digital engineering, advanced life sciences, and medicine, fill existing talent gaps within these areas, and support Maine's economy. The proposed program and regulatory framework appear consistent with this mission, and are sized to be responsive to community concerns around scale.

5. *Demonstrate that traffic and parking impacts have been anticipated and that the proposed parking provision is justified as based on an assessment of options for reducing traffic and parking demands.*

Staff Comment: While the IDP provides information on how trip generation is calculated, assigns mode split by use type, and provides anticipated peak parking demand, staff would request that all of this information be provided numerically. The IDP further details potential off-site multi-modal improvements and TDM measures to alleviate traffic impacts and on-site parking demand, with a stated reduction goal of 37%. From the information provided, it is difficult to determine whether the strategies listed are sufficient to achieve this target.

6. *Outline an approach to open space, natural, and historic resources that supports preservation and enhancement*

Staff Comment: The IDP outlines an approach to open space, natural resource, and historic resource protection and enhancement. The IDP prioritizes open space as a defining element of the development, with buildings and vehicular circulation concentrated around the perimeter of the site, framing a large open space. Similarly, the Cannery Building, a historic building dating back to 1913, is to be preserved and repurposed. IDEALS has requested that the Cannery Building be designated as a local historic landmark and the on June 1, 2022, the Historic Preservation Board unanimously voted to recommend designation of the B&M Cannery as a local landmark to the City Council. Lastly, areas along the shore are to be maintained for public access, and the shoreline itself is to be restored to a more natural state.

7. *Demonstrate that potential cumulative environmental impacts have been anticipated and can be minimized or satisfactorily mitigated.*

Staff Comment: Given that this is a former industrial site, the improvements are likely to significantly improve environmental conditions of the site. Through the use of sustainable design, removal of impervious surfaces, raising of on-site grades, restoration of the shoreline, and introduction of low impact development techniques, the net change in environmental impact from its current state to proposed condition will likely be very positive.

8. *Demonstrate that utility impacts have been anticipated and can be minimized or satisfactorily mitigated.*

Staff Comment: The IDP identifies existing utility infrastructure that serviced the B&M Baked Beans Facility, which given its industrial nature, required significant utility capacity. Noting this, the IDP states that no upgrades to capacity are required. Further, the IDP details strategies to minimize energy usage, such as through the use of geothermal heating and cooling, photo voltaic panels, high performance building envelopes with triple glazing, green roofs and blue roofs among other strategies.

9. *Reflect a comprehensive design approach that ensures appropriate transitions with the existing or future scale and character of the neighboring urban fabric.*

Staff Comment: As stated elsewhere in this memo, the development is geographically constrained on all sides, which provides separation between the development and surrounding uses. This minimizes the need for specific transition zones. Nevertheless, the height map of the regulatory framework clusters the tallest development towards the center of the site, with a narrow zone depicted nearest to the Kensington neighborhood where building heights are more limited to ensure a more gradual transition. Additionally, the regulatory framework limits the heights of buildings near the Cannery Building, to gradually step up from this iconic building.

10. *Promote compatibility with existing or future uses in adjacent neighborhoods, maintain housing, and support local amenities.*

Staff Comment: The Roux Institute and its partners are dissimilar to existing or future uses within surrounding neighborhoods. IDEALS has indicated that they'd like to foster a close relationship with the neighborhood and are strengthening physical connections with the surrounding neighborhoods, through extension of the Back Cove Trail, potential improvements to Sherwood Street, and the potential for connections for rail or rail trail along the existing rail right-of-way. The site will be open to the public and will feature new public open space, including areas along the waterfront.

Aside from providing new benefits for area-wide residents, the development will be a significant generator of new employment for the area, and at full build-out, the Roux Institute is expected to enroll up to 4,500 students. The development will likely result in many of the students, staff and faculty associated with Roux, along with staff for other employers based at the campus to relocate either to the campus itself or surrounding neighborhood. This growth will increase demand for housing, services and amenities within the neighborhood, and will serve to support existing local businesses.

11. *Anticipate future off-site improvements that would support the integration of the institution into the community and citywide infrastructure.*

Staff Comment: As mentioned elsewhere in this report, the applicant states that off-site improvements may become necessary as the project undergoes development, first to encourage access by pedestrians and

cyclists via the Back Cove Trail extension, and improvements to Bates Street and elimination of the sweeping turn lane. The IDP also identifies roadway improvements that could be considered to improve traffic conditions, namely the widening of Sherwood Street and introduction of bicycle, left and right turn lanes, the widening of Veranda Street and introduction of a bicycle lane, and extension of the left turn lane for I-295 southbound, and potentially, the reconfiguration of the two I-295 Exit 8 off-ramps to reduce vehicle queuing lengths and provide direct access northbound to the site. These improvements would be flushed out in more detail as part of the traffic movement permit (TMP) for the project.

12. *Conform with the standards of Article 17 for designated landmarks or for properties within designated historic districts or designated historic landscapes, if applicable. When proposed adjacent to or within 100 feet of designated landmarks, historic districts, or historic landscapes, the IDP shall be generally compatible with the major character-defining elements of the landmark or portion of the district in the immediate vicinity.*

Staff Comment: The applicant is pursuing designation of the Cannery Building as a local historic landmark. If this designation occurs, future phases of development will be subject to HP review within the designated area, in the case of work proposed on the Cannery Building itself. The local landmark designation recommended by the Historic Preservation Board includes language that limits Historic Preservation review to only the portions of the site designated as a local landmark, without 100 foot advisory review. The IDP identifies that the Cannery Building will be prominently featured on the site, with other development set back and limited in height within close proximity of the Cannery Building. New development is expected to deviate in terms of scale, design, and materiality from the Cannery Building.

13. *Incorporate strategies to support clear communication and ongoing public engagement between institutions and nearby neighbors.*

Staff Comment: IDEALS has developed a variety of strategies to engage members of the community in on-going planning work. This includes semi-regularly scheduled 'Roux Campus Roundtable' meetings, which are to be periodically scheduled during active phases of the project development cycle. In addition, IDEALS maintains a website, www.rouxcampusportland.org, where relevant project information is regularly updated, with opportunities to take surveys, provide feedback, or contact a representative to ask questions. Additionally, IDEALS has designated a community contact who serves as direct liaison between IDEALS and members of the public.

X. NEXT STEPS

- Address Staff and Board Comments
- Attend content focused review meetings with City staff
- Schedule future Planning Board workshop

XI. ATTACHMENTS

Staff Attachments

1. Public Comment
 - a. PC1: James Pratt
 - b. PC2: Bonnie Craig

- c. PC3: East Deering Neighbors
- d. PC4: Justin Litchfield
- e. PC5: Joyce and Paul Stone
- f. PC6: East Deering Neighbors

Applicants Submittal

- A. Cover Letter
- B. Cover Letter for Supplemental Submission
- C. Map and Text Amendment Checklist
- D. IDP Page Reference Document
- E. Right, Title and Interest
- F. Right, Title and Interest – Supplemental Memorandum
- G. Institutional Development Plan
- H. Regulatory Framework
- I. Text Amendment Redline
- J. Concept Massing Figures
- K. Neighborhood Views
- L. Shadow Studies
- M. Neighborhood Meeting Summary
- N. Proposed Zoning Map
- O. Vicinity Map

February 25, 2022

Att. A

Christine Grimando, Director of Planning and Urban Development
City of Portland
389 Congress St.
Portland, ME 04101

RE: The Initiative for Digital Engineering and Life Sciences
Application for Text and Map Amendment at 1 Bean Pot Circle

Dear Christine:

We are pleased to submit this application for a text and map amendment on behalf of The Initiative for Digital Engineering and Life Sciences (IDEALS). IDEALS is a Maine non-profit corporation tasked with developing a campus for the Roux Institute at Northeastern University (the “Roux Campus”) at the former B&G Foods site at 1 Bean Pot Circle.¹ This application includes: 1) a text amendment to allow IDEALS to utilize the Institutional Overlay Zone (“IOZ”) provisions of the Land Use Code; and 2) a map amendment to change the zoning on the site from I-M to an underlying B-5 Mixed-Use Business Zone with an IOZ overlay.

The Roux Institute at Northeastern University (“Roux Institute”) is an institution for cutting-edge educational, research and collaborative programs in areas including artificial intelligence, computer and data sciences, digital engineering, advanced life sciences, and medicine. The Roux Institute launched in early 2020 and now offers post-graduate degrees and certifications and conducts research while partnering with private companies and government entities to spur innovation, entrepreneurialism, and workforce talent. In order to fulfill its educational and economic potential, the Roux Institute seeks to develop a campus that will allow for continued growth of the education and research programs of the Roux Institute while providing space for collaborative partnerships, with services and amenities that both support those programs and serve the community.

Consistent with the purpose of the IOZ as a regulatory mechanism to facilitate a consistent, predictable, and clear growth management process, IDEALS seeks designation of an IOZ for the Roux Campus. We have provided documentation to support the two components of an IOZ designation: an Institutional Development Plan (IDP) and a Regulatory Framework. The proposed IDP establishes baseline institutional data for existing land uses and services while also communicating planned growth, forming the basis for the Regulatory Framework. Unlike other institutions for which the IDP process was established, the Roux Institute is in its early years and has not established a stand-alone campus. The IDP allows IDEALS to memorialize its long-term strategic plan in consultation with the Portland community at the very outset of development.

IDEALS will simultaneously seek to change the underlying zone to B-5 Mixed-Use Business. The purpose of the B-5 Zone is “to provide areas of the peninsula near the downtown where a mixture of uses, including

¹ IDEALS is under contract to purchase the property and closing is expected to occur within the month.

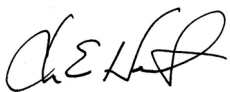
marine, industrial, commercial, and residential, is encouraged. The B- 5 and B-5b zones are characterized by larger underdeveloped lots with great potential for denser, clustered, urban mixed-use development and more efficient reuse of existing land and buildings. It is anticipated that the dense, mixed-uses of the B-5 and B-5b zones will rely on a shared infrastructure system, including service alleys, parking lots, public transportation facilities, stormwater management, and driveways.” The Roux Campus fits squarely within this purpose. For point of reference, Thompson’s Point is zoned B-5 and has many similarities to the former industrial use and future mixed uses envisioned on this site.

IDEALS intends to create a dynamic, mixed-use campus that contributes to the City of Portland and the East Deering neighborhood without encroaching on them or unduly burdening City resources. Permitted uses on the site will include educational, research, collaboration, and entrepreneurial uses, anchored by a signature academic building, as well as ancillary uses such as office and lab space for institutional partners, housing for students, faculty, and employees, a hotel for visitors, retail and personal services. By providing these ancillary uses on site, the Roux Campus will support the demand created by the Roux Institute and will minimize the impact on existing City resources by, for example, the creation of hundreds of new housing units and minimizing vehicle trips from the site to access services. The Roux Institute offers scholarship funds to students from a wide variety of diverse backgrounds and the campus will offer an accessible venue for them to learn, experiment and grow.

The creation of a new campus provides the opportunity to establish a people-oriented space right from the start. It will prioritize people over cars by creating a pedestrian-friendly landscape supported by multi-modal programs that provide incentives for alternative transportation options. The campus will improve site resilience and sustainability by replacing much of the existing pavement and roof tops with green space and incorporating sustainable building practices. To the extent practicable, the campus will deploy carbon neutral construction and rely on renewable energy. The campus will feature extensive open space for all members of the public to enjoy and to have new opportunities to access Portland’s waterfront.

Thank you for your consideration. We look forward to working with you on this exciting new campus.

Sincerely,



Charles E. Hewett, Ph.D.

June 6, 2022

Att. B

Zachary Powell, Planner
City of Portland
389 Congress St.
Portland, ME 04101

RE: The Initiative for Digital Engineering and Life Sciences
Revisions to Application for Text and Map Amendment at 1 Bean Pot Circle

Dear Zach:

I am writing on behalf of The Initiative for Digital Engineering and Life Sciences (IDEALS) with several updates to our proposed text and map amendment. Since our original submission of the application in February, we have held three meetings with neighbors (in addition to the three meetings held pre-submission) and have had numerous conversations with City planning staff and members of the community regarding our proposal. We revisited a number of aspects of the proposal and continued to refine design concepts for the Roux Campus. As a result, we have made some significant modifications to the proposed Institutional Development Plan (“IDP”) and Regulatory Framework.

First, in response to concerns about the scale of development, we have reduced the development program by 468,000 sq. ft., which is a 27% reduction from the original program presented in our application. Next, we have reduced building heights in the Regulatory Framework and have moved the greatest allowable heights to the center of the site. We have also added limitations on the hotel use, which is a permitted use in the proposed underlying zone. In response to concerns about having hotels as a permitted use, we have limited hotel use to only one hotel permitted in the zone, which is limited to a maximum of 130 rooms and maximum of eight floors, not including structured parking. Finally, we have amended some areas of text in the IDP and Regulatory Framework in response to initial feedback received from the planning staff.

The attached revised IDP includes the following changes:

- Page 13: table and image updated to reflect modified development plan
- Page 14: text and sketches updated
- Pages 15-17: edits to text
- Page 22: text and graphic amended to include third high crash location
- Page 23: text and graphic amended
- Page 24: one image replaced, one text change re: Parking Demand and Capacity
- Page 28: text and sketches updated
- Page 30: text updated
- Additional minor, non-substantive edits to text

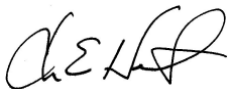
The attached revised Regulatory Framework includes the following changes:

- Amended Height Map
- Added limitations on hotel use
- Amended use table limited to include only those uses not permitted in the proposed underlying B-5 Zone
- Edits to environmental standards
- Additional minor edits to text

We have also included, as supplemental information, massing figures, neighborhood views, and shadow studies. Prior to the second workshop we will provide more detailed supplemental information related to transportation.

Thank you for your consideration. Please let us know if you have any questions or need additional information.

Sincerely,



Charles E. Hewett, Ph.D.

CITY OF PORTLAND
Planning & Urban Development Department

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	
GENERAL APPLICATION DOCUMENTS	
☒	Project Description Cover Letter with detailed project description
☒	Consistency with Comprehensive Plan (Please see page 9 of IDP document)
☒	Proposed Text Amendment Provide proposed language for text amendment(s) and cite the relevant sections to be revised in the Land Use code.
☒	Completed Checklist – Map and Text Amendment Application (this document)
☒	Right, Title and Interest Deeds, leases, or purchase and sales agreements
PLANS	
☒	Vicinity Map
☒	Proposed Map Amendment (please use the Portland zoning map as a reference)
☐	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.

IDP Content Requirements and Corresponding Pages per IOZ Ordinance

1. Context

Generally, see Section 1 (pages 2 – 10).

- a. Adopted Mission, Vision, or Purpose Statement**
Page 3
- b. Relevant Baseline Institutional Data**
 - i. Neighborhood context plan**
Page 5
 - ii. Inventory of current programs and services**
Page 4
 - iii. Current census of people using the institution (employees, enrollment), max / min over time**
Page 4
 - iv. Inventory of property holdings within Portland; Indicate functional land-use links**
Page 4
 - v. Inventory of existing facilities (inc. use, floor area, inter-facility connections)**
Page 4
- c. Summary of Existing Campus Characteristics and Context**
 - i. Summary of existing resources, inc. historic, open space, natural resources**
Pages 5 - 8
 - ii. Summary of existing transportation system, inc. mode, demand, utilization, parking**
Page 22
 - iii. Summary of existing supporting public infrastructure, inc. demand, utilization, capacity**
Page 27
 - iv. Relevant municipal plans/projects/studies that may influence the area, institution's growth**
Pages 9 and 10
- d. Summary of Public Involvement, inc. major areas of public concern**
Page 30

2. Assessment of Future Institutional Growth and Change

Generally, see Sections 2 and 3 (pages 11 – 30).

- a. Description of institutional needs, areas of future institutional growth and change**
 - i. Projected census of users (enrollment / employment / visitors, anticipated variations)**
Page 13
 - ii. Institutional objectives for property within and outside IOZ, inc. connections outside**
Pages 12, 14, and 21
 - iii. Development plan: institutional needs, physical improvements, inc. phasing**

- b. Analysis and Plans for Growth and Impacts Supporting the Regulatory Framework Parameters**
 - i. Transportation and access**
 - a) Analysis of changes in parking demand, supply, impacts to off/on-street parking**
Pages 23, 24, and 26
 - b) Analysis of projected changes in vehicle/ped/transit/bike access / capacity / safety**
Pages 18 and 22 - 25
 - c) Transportation, access, circulation plan inc. potential improvements, TDM, TMP**
Pages 18 and 22 – 26
 - ii. Environment**
 - a) Analysis of potential cumulative impacts on natural resources and open spaces**
Pages 7, 17, 19, and 29
 - b) Analysis of projected energy consumption, hazmat / noise / nuisance generation**
Pages 17, 27, and 29
 - c) Environmental plan inc. program for preservation / enhancement / mitigation**
Pages 7, 14 - 17, 19 and 28 -29
 - iii. Infrastructure**
 - a) Analysis of projected public utility demand and capacity**
Page 27
 - b) Analysis of projected public safety needs, impacts to capacity of these services**
Pages 5, 21, and 27
 - c) Infrastructure plan, inc. program to support sustainable growth**
Pages 17, 21, 27, and 29
 - iv. Design**
 - a) Analysis of projected impacts to area, inc. shadow / wind / light / height / historic**
Pages 8 and 28
 - b) Analysis of transition between institution and neighborhood, inc. defining features**
Pages 5, 21, and 28
 - c) Analysis of existing CPTED issues and CPTED integration into development**
Page 29
 - d) Conceptual built environment plan inc. design guidelines, edge treatments**
Pages 14 - 19
 - v. Neighborhood engagement**
 - a) Plan for ongoing community engagement representing best practices, collaboration**
Page 30

- b) **Property management framework re: process for handling issues with neighbors**
Page 30
- c) **Strategies for assuring communication re: property acquisition & disposition**
Page 30
- d) **Construction management principles applying to all institutional construction**
Page 30

[Execution Copy]

AGREEMENT FOR THE PURCHASE AND SALE OF REAL ESTATE

THIS AGREEMENT is effective as of August 30, 2021, by and between **B&G Foods North America, Inc.**, a Delaware Corporation (successor to **Heritage Acquisition Corp.**, herein "Heritage") having a mailing address of 4 Gatehall Drive, Suite 110, Parsippany, New Jersey 07054 ("Seller") and **The Institute for Digital Engineering And Life Sciences**, a Maine non-profit corporation with an address of 100 Commercial Street, Portland, Maine 04101 ("Buyer"), WHO AGREE AS FOLLOWS:

WITNESSETH AS FOLLOWS:

1. **PURCHASE AND SALE.** Seller agrees to sell and Buyer agrees to buy, on the terms and conditions hereinafter set forth, approximately 13 acres of land and buildings generally situated at 1 Bean Pot Circle, Portland, Maine, together with all improvements thereon (except as specified below) and all rights and easements appurtenant thereto, which parcel is more particularly referenced by the City of Portland Assessor's Office as Map 447 Lot A001 and Lot A002 (although there is no separate assessed value or tax bill for Lot A-002) and described in certain deeds to Heritage recorded in the Cumberland County Registry of Deeds in Book 14616, at Page 50 and 14616, at Page 57, together with and including all of Seller's interest in abutting or adjacent tidal flats, intertidal lands, and State of Maine Submerged Lands Lease No. 0637-L-34 (together the "Property"). A survey purporting to show the Property as it existed in February of 1999 is recorded in said Registry in Plan Book 199, Page 159.

2. **NO CONTINGENCIES.** Prior to execution of the Agreement Buyer has completed such due diligence investigations relating the Property as it determined in is discretion to be desirable and it is expressly understood and acknowledged by Buyer that this Agreement and Buyer's obligations hereunder are not contingent or conditioned upon any further due diligence or other investigations. It is also expressly understood and acknowledged by Buyer that this Agreement and Buyer's obligations hereunder are not contingent or conditioned upon obtaining any zoning changes or any governmental permits or approvals or upon obtaining a commitment for or closing any financing for any portion of the Purchaser Price or for any costs to be incurred by Buyer after the Closing.

3. **PURCHASE PRICE.** Subject to any adjustments and prorations hereinafter described, Buyer agrees to pay for the Property the sum of [REDACTED] Dollars and 00/100 (\$ [REDACTED]) (the "Purchase Price"), payable as follows:

(a) **Deposit.** The sum of [REDACTED] Dollars (\$ [REDACTED]) as a deposit (the "Deposit") shall be paid to Seller directly within one (1) business day of Seller's acceptance hereof and held in escrow by Seller, which Deposit shall be credited towards the Purchase Price at the closing. The Deposit shall be non-refundable except in the case of Seller's default hereunder.

(b) Closing. The balance of the Purchase Price, [REDACTED] Dollars (\$[REDACTED]), as adjusted for pro-rations and any other payments referenced herein, shall be paid to Seller at the closing in immediately available funds by a wire transfer to Seller (in accordance with wiring instructions provided to Buyer in writing within a reasonable time prior to the time of closing).

4. TITLE. Seller shall convey the Property to Buyer at the closing in fee simple with good, marketable and insurable title, free and clear of liens and encumbrances and other matters of record except as disclosed in Buyer's Title Commitment issued by Monument Title Company as agent for CATIC, Commitment No. 031521-01 dated March 16, 2021, a copy of which has been provided to Seller. Seller shall deliver the Property free and clear of any leases or occupancies except as otherwise provided herein.

5. CLOSING. Buyer acknowledges the need for the Seller to continue operations at the Property for a period following the date hereof and that Seller will need an additional period after operations cease to remove equipment and perform its other obligations under Section 7 hereof. The Closing Date shall be set forth in a notice to Buyer from Seller based on its schedule for ceasing operations and completing such obligations, provided however, that the closing shall take place in any event at the offices of Bernstein, Shur, Sawyer and Nelson, 100 Middle Street, Portland, Maine, no later than December 31, 2021 (the "Closing Date") or at such earlier or later date and location as Buyer and Seller shall mutually agree in advance and in writing. At the closing, Seller shall execute and/or deliver to Buyer, against payment of the purchase price: (a) a Quitclaim Deed with Covenant to the Property, in accordance with the Short Form Deeds Act, 33 M.R.S.A. § 761 et seq., (the "Deed"), (b) all keys, access cards, security codes and similar items to the Property in Seller's possession and (c) a Bill of Sale (without warranty) for five (5) large steel bean pots of the size and type historically used for the cooking of baked beans (the "Bean Pots"). Seller further agrees to execute and deliver to or cause to be delivered to Buyer and/or its designees at the closing such documents, affidavits and certificates as are otherwise required by this Agreement, required by law and/or reasonably necessary for Buyer's acquisition of the Property, including without limitation a Certificate of Non-Foreign Status (as required by Internal Revenue Service regulations), an affidavit regarding underground storage tanks (as required by Maine Law), applicable Maine State REW forms and satisfactory evidence of Seller's existence and authority to convey the Property. At the closing Seller and Buyer shall execute assignment and assumption agreements that transfer to Buyer, and pursuant to which Buyer assumes all obligations arising after the Closing Date under: (i) the State of Maine Submerged Lands Lease No. 0637-L-34, (ii) the Commercial Lease between Seller as Landlord and [REDACTED] as tenant relating to a portion of the Property, (iii) Maine Department of Environmental Protection Air Emission License A-77-71-M-R (SM) relating to the Property and (iv) Maine Department of Environmental Protection Maine Pollutant Discharge Elimination System Permit and Waste Discharge License ME0001741 W000980-5R-H-R relating to the Property. The documents to be executed and delivered at the closing as described in this Section are sometimes herein called the "Closing Documents."

6. RISK OF LOSS, DAMAGE AND INSURANCE.

(a) All risk of loss to the Property prior to the closing shall be borne by Seller. Seller shall keep the Property insured against fire and other extended coverage risks as currently insured until the closing and shall name Buyer as an additional insured as its interest may appear.

(b) In the event that, prior to the closing, any part of the Property is damaged by fire or other casualty, then Seller and Buyer shall perform their respective obligations under this Agreement and at closing, Seller shall (x) deliver to Buyer at the Closing any insurance proceeds or condemnation awards received by Seller in respect of or allocable to the Property less any amount for the cost repairs performed by Seller prior to Closing; and (y) assign to Buyer all of Seller's interest in and to any insurance proceeds and/or condemnation awards allocable to the Property which have not yet been received by Seller on that date less any amount for the cost repairs performed by Seller prior to Closing; and (z) refrain from accepting or agreeing upon the amount of any payment of any proceeds or awards without Buyer's prior written consent, which consent shall not be unreasonably withheld. Seller agrees that it shall limit any repairs to be paid from insurance proceeds to repairs needed to continue operations at the Property through the scheduled date for ceasing such operations and thereafter shall be limited to securing the damaged area.

7. PRE-CLOSING OBLIGATIONS.

(a) Although Buyer has completed all of its due diligence investigations, it may have reason for its architects, engineers and consultants to enter upon or in any part of the Property for purposes of taking measurements and similar actions needed to prepare plans for work to be done after the closing or to complete applications for permits and approvals related to such work. Seller agrees to reasonably grant permission to any such entry by Buyer's architects, engineers and consultants provided that (i) such entry will be scheduled in advance through Seller's representative and shall be subject to reasonable restrictions to prevent any interference with Seller's operations or the performance of the obligations set forth in this Section 7, (ii) Buyer shall indemnify and hold Seller harmless from and against any property damage or personal injury claim or any mechanics' lien against the Property that arises out of or in connection with such entry by Buyer's architects, engineers and consultants, and (iii) Buyer's architects, engineers and consultants entering the Property shall carry liability insurance in commercially reasonable amounts, naming Seller as an additional insured and certificates of such insurance in form satisfactory to Seller shall be delivered to Seller prior to any such entry.

(b) Buyer has already conducted due diligence of the Property including environmental site assessments (ESAs) prior to the date hereof and accepts the Property in its as-is condition except as specifically set forth herein. In the event that Seller obtains knowledge of any spill or release of hazardous materials on the Property that occurred after the date hereof and prior to the Closing Date it shall promptly notify Buyer and undertake any remedial actions related thereto that are required by applicable law and the Closing Date hereunder shall be extended to the extent reasonably necessary to complete any such remedial actions.

(c) Seller agrees to pay all contractors and other persons engaged by it to perform work on the Property between the date hereof and the Closing as necessary to prevent any mechanics' liens from being recorded against the Property pursuant to 10 M.R.S.A. §3251. If Seller's title to the Property is further encumbered, Seller shall promptly after obtaining knowledge of any such encumbrances take actions necessary to have such encumbrance released prior to closing, and the Closing Date hereunder shall be extended to the extent reasonably necessary to

obtain such release. The foregoing is not a consent or permission to further encumber the title and Seller specifically agrees it shall not voluntarily further encumber the title to the Property.

(d) Prior to closing Seller shall take all actions required by the federal Worker Adjustment and Retraining Notification Act of 1988 and 26 M.R.S.A. §625-B (together, the “Plant Closure Laws”) with respect to the closing of Seller’s operations at the Property and shall relocate or terminate the employment of all of its employees working at the Property. Seller shall be solely responsible, and Buyer shall have no obligations whatsoever for, any compensation, severance pay or other amounts payable to any current or former employee of Seller as a result to the closing of Seller’s operations at the Property, whether under the Plant Closure Laws (or by reason of Seller’s breach thereof), collective bargaining agreements or any applicable employee benefit plans (collectively, “Plant Closure Liabilities”). In the event that Buyer receives notice of the commencement of any action by any person who is not a party to this Agreement or an affiliate of a party claiming that Buyer is liable for any Plant Closure Liabilities due to the fact that Buyer is a successor owner of the Property (“Third Party Claims”), Buyer shall promptly notify Seller and Seller shall indemnify Buyer against any losses damages, costs or expenses (including reasonable attorneys’ fees) arising from such Third Party Claims. The provisions of this Section 7(d) are solely for the benefit of Buyer, and nothing herein, express or implied, shall confer upon any employee or former employee of Seller or other person any rights or remedies of any nature whatsoever under or by reason of this this Section 7(d) and nothing contained herein shall be construed to establish, amend or modify any benefit plan, program, agreement or arrangement.

(e) Prior to Closing Seller shall remove all of its production equipment (other than the Bean Pots) and other personal property from the Property, including all trash and debris. At the closing Seller shall deliver possession of the Property to Buyer free and clear of all leases and tenancies other than the Lease to [REDACTED]. In the event that during the process of removing such personal property Seller discovers any plans, specifications or reports relating to the improvements on the Property that might be useful to Buyer in connection with the renovation or maintenance of such improvements, Seller shall deliver such materials to Buyer prior to the Closing.

(f) In the event that some specific portion of the Seller’s obligations set forth in this Section 7 has not been completed as of the Closing Date (other than Section 7(d) which is addressed by the indemnification provision therein) and the parties are able to agree on the estimated cost of completing such uncompleted obligations, the parties may enter into an escrow agreement (the “Escrow Agreement”) pursuant to which a portion of the Purchase Price equal to such estimated cost will be held in escrow by a mutually acceptable escrow agent as security for such completion after the Closing Date (the “Escrow Funds”). If the Seller and Buyer do not execute any such Escrow Agreement, the provisions set forth in Section 10(a) shall be applicable with respect to any such uncompleted obligations. Any such Escrow Agreement shall include provisions relating to the remedies available to the parties if the uncompleted obligations are not completed as set forth therein and for the payment to Seller of any unused balance of the Escrow Funds.

8. “AS IS” SALE; RELEASE OF CLAIMS.

(a) Except for Seller’s representations and warranties set forth in Section 9, Seller makes no express or implied representation or warranty with respect to the Property, and Buyer agrees that except for Seller’s representations set forth in Section 9, and Seller’s covenants set forth in Section 7, Buyer is not relying on and has not relied on any statements, promises, information or representations made or furnished by Seller or by any real estate broker, agent or any other person representing or purporting to represent Seller but rather is relying solely on its own expertise and on the expertise of its consultants and on the inspections and investigations Buyer and its consultants have conducted.

(b) Buyer hereby acknowledges and agrees that the acceptance of the Deed and the other Closing Documents by Buyer shall be deemed to be full performance and discharge of every agreement and obligation on the part of Seller to be performed under this Agreement except those, if any, which are herein specifically stated to survive delivery of the Deed and the Closing Documents. No agreement or representation or warranty made in this Agreement by Seller will survive the Closing and the delivery of the Deed or Closing Documents, unless expressly provided otherwise, provided that for the avoidance of doubt, Seller is bound to perform its obligations under Section 7 hereof and Buyer’s remedies with respect thereto will survive the Closing to the extent provided in Section 10(a).

(c) EXCEPT AS SPECIFICALLY SET FORTH TO THE CONTRARY IN THIS AGREEMENT, INCLUDING, BUT NOT LIMITED TO, SELLER’S OBLIGATIONS UNDER SECTION 7 HEREOF, BUYER AGREES (A) TO TAKE THE PROPERTY “AS IS, WHERE IS, WITH ALL FAULTS” AND (B) THAT NO REPRESENTATIONS OR WARRANTIES ARE MADE OR RESPONSIBILITIES ASSUMED BY SELLER AS TO THE CONDITION OF THE PROPERTY, AS TO THE TERMS OF ANY LEASES OR OTHER DOCUMENTS OR AS TO ANY INCOME, EXPENSE, OPERATION OR ANY OTHER MATTER OR THING AFFECTING OR RELATING TO THE PROPERTY, NOW OR ON THE CLOSING DATE. BUYER AGREES TO ACCEPT THE PROPERTY IN THE CONDITION EXISTING ON THE CLOSING DATE, SUBJECT TO ALL FAULTS OF EVERY KIND AND NATURE WHATSOEVER WHETHER LATENT OR PATENT AND WHETHER NOW OR HEREAFTER EXISTING. BUYER ACKNOWLEDGES THAT AS OF THE CLOSING DATE, BUYER WILL HAVE INSPECTED THE PROPERTY AND OBSERVED ITS PHYSICAL CHARACTERISTICS AND CONDITIONS AND WILL HAVE HAD THE OPPORTUNITY TO CONDUCT SUCH INVESTIGATIONS AND STUDIES ON OR OVER THE PROPERTY AND ADJACENT AREAS AS IT DEEMS NECESSARY AND, EXCEPT FOR THE EXCEPTED CLAIMS (AS DEFINED BELOW), HEREBY WAIVES ANY AND ALL OBJECTIONS TO OR COMPLAINTS REGARDING THE PROPERTY AND ITS CONDITION, INCLUDING, BUT NOT LIMITED TO, FEDERAL, STATE OR COMMON LAW-BASED ACTIONS AND ANY PRIVATE RIGHT OF ACTION UNDER STATE AND FEDERAL LAW TO WHICH THE PROPERTY IS OR MAY BE SUBJECT, INCLUDING, BUT NOT LIMITED TO, CLAIMS RELATING TO PHYSICAL CHARACTERISTICS AND EXISTING CONDITIONS, INCLUDING STRUCTURAL AND GEOLOGICAL CONDITIONS, SUBSURFACE SOIL AND WATER CONDITIONS, AND SOLID AND HAZARDOUS WASTE AND HAZARDOUS MATERIALS (AS DEFINED BELOW) ON, UNDER, ADJACENT TO OR OTHERWISE AFFECTING THE PROPERTY. BUYER

FURTHER ASSUMES THE RISK OF CHANGES IN APPLICABLE LAWS AND REGULATIONS RELATING TO PAST, PRESENT AND FUTURE ENVIRONMENTAL CONDITIONS ON THE PROPERTY AND THE RISK THAT ADVERSE PHYSICAL CHARACTERISTICS AND CONDITIONS, INCLUDING THE PRESENCE OF HAZARDOUS MATERIALS OR OTHER CONTAMINANTS, MAY NOT HAVE BEEN REVEALED BY ITS INVESTIGATION.

(d) Except with respect to the Seller's fraud, the Seller's representations set forth in Section 9, Buyer's remedies for defaults in Seller's obligations under Section 7 as described in Section 10(a), or as otherwise expressly provided in this Agreement, Buyer hereby fully and forever waives, and Seller hereby fully and forever disclaims and shall not be liable or bound in any manner by, any and all warranties, guarantees, promises, statements, representations or information of whatever type or kind with respect to the Property, whether express, implied or otherwise, including warranties of fitness for a particular purpose, tenantability, habitability or use. Buyer agrees that except for any Claims (as defined below) arising out of a breach of any of Seller's representations and warranties in Section 9 or the Closing Documents executed by Seller and any and all Claims for fraud by Seller ("Excepted Claims"), Buyer and anyone claiming by, through or under Buyer hereby waives its right to recover from and fully and irrevocably releases Seller and Seller's employees, officers, directors, trustees, shareholders, members, partners, representatives, agents, servants, attorneys, affiliates, parents, subsidiaries, successors and assigns ("Released Parties") from any and all claims, responsibility and/or liability that it may now have or hereafter acquire against any of the Released Parties for any and all costs, losses, claims, liabilities, damages, expenses, demands, debts, controversies, claims, actions or causes of actions (collectively, "Claims") arising from or related to the condition (including any construction defects, errors, omissions or other conditions, latent or otherwise, and the presence in the soil, air, structures and surface and subsurface waters of materials or substances that have been or may in the future be deemed to be Hazardous Materials or otherwise toxic, hazardous, undesirable or subject to regulation and that may need to be specifically treated, handled and/or removed from the Property under current or future federal, state and local laws, regulations or guidelines or common law), valuation, salability or utility of the Property, condition of title to the Property, compliance with any applicable federal, state or local law, rule or regulations or common law with respect to the Property, or the Property's suitability for any purposes whatsoever, and any information furnished by the Released Parties in connection with this Agreement. Buyer will indemnify Seller with respect to any environmental liabilities associated with the Property that may be discovered or arise post-closing, regardless of when the action(s) leading to such liabilities occurred.

(e) Seller and Buyer have agreed upon the Purchase Price relating to the Property and other provisions of this Agreement in contemplation and consideration of Buyer's agreeing to the provisions of this Section 8, which Section shall survive the closing and the delivery of the Deed and the Closing Documents.

9. REPRESENTATIONS AND WARRANTIES OF SELLER. Seller represents and warrants to Buyer that the following are true as of the date of this Agreement and will be true as of the closing:

(a) Seller is duly organized and in good standing under the laws of the State of Delaware, with full capacity, power and authority to enter into and fully perform the obligations and transactions contemplated by this Agreement;

(b) The execution and delivery of this Agreement and the performance by Seller of its obligations hereunder are within Seller's corporate powers, and have been duly authorized and approved by all necessary actions on behalf of Seller and will not result in a breach of Seller's articles of incorporation or bylaws, or any injunction, judgment, court order or agreement to which Seller is a party;

(c) The person executing this Agreement on behalf of Seller is duly authorized to do so and the person who will execute the Deed and the other Closing Documents on behalf of Seller will be duly authorized to do so;

(d) To the best of Seller's knowledge, no consent, approval, order or authorization of any court or other governmental entity is required to be obtained by Seller in connection with the execution and delivery of this Agreement or the performance hereof by Seller, other than (i) approvals by the Maine Department of Environmental Protection relating to the transfers of the Air Emission License and the Pollutant Discharge Elimination System Permit and Waste Discharge License relating to the Property and (ii) approval from the Maine Department of Agriculture, Conservation and Forestry relating to the transfer of the Submerged Lands Lease;

(e) There are no litigation, liens, judgments, violations, or proceedings pending, or to the best of Seller's knowledge, threatened in writing against or relating to the Property nor does Seller know or have reasonable grounds to know of any basis for any such action, or of any governmental investigation relating to the Property, and there is no other litigation pending or to the best of Seller's knowledge, threatened in writing against Seller, which if determined adversely would restrain the consummation of the transaction contemplated by this Agreement or would declare illegal, invalid or non-binding any of the obligations or covenants of Seller hereunder;

(f) Seller is not a "foreign person" within the meaning of §1445 of the Internal Revenue Code; and

(g) To the best of Seller's knowledge, there are no purchase options or rights of first refusal relating to any portion of the Property and there are no contracts or agreements between Seller and third parties relating to the Property (other than the Lease to [REDACTED]) which will be binding on Buyer after the Closing.

For purposes of this Agreement and any Closing Document executed by Seller the phrases "to the best of Seller's knowledge," or the "knowledge" of Seller, or words of similar import are used, they shall be deemed to refer to the actual knowledge of Bruce Wacha or Tyler Wallace, without any independent investigation. The provisions of this Section 9 shall survive the closing and the delivery of the Deed and the Closing Documents for a period of twelve (12) months.

10. DEFAULT AND REMEDIES.

(a) In the event that Seller defaults in the performance of its obligations under Section 7 hereof, Buyer may send Seller a default notice specifying such default at least five (5) days

prior to the scheduled Closing Date. Seller may respond to any such default notice by agreeing to cure such default in which case the Closing Date will be postponed for a period of time not to exceed thirty (30) days in order for Seller to perform such cure. If Seller fails to cure any default set forth in such notice prior to Closing, or if Seller fails to remove any mechanics' liens as required by Section 7(c) whether or not a default notice with respect thereto was given prior to Closing, Buyer's sole remedy shall be to pursue a claim against Seller for actual damages caused by such default including, without limitation, reasonable attorneys' fees, but excluding incidental or consequential damages, and Buyer's right to pursue such a damage claim for such defaults under Section 7 shall survive the closing and the delivery of the Deed and the Closing Documents for a period of twelve (12) months.

(b) In the event that Seller defaults in the performance of its obligation to convey the Property to Buyer hereunder, Buyer's sole remedy shall be to within sixty (60) days of when the Closing Date was to have occurred, to commence and diligently prosecute an action in the nature of specific performance. If such an action in the nature of specific performance is not so commenced within said time, or is unsuccessful, Seller shall refund the Deposit and upon payment of such refund the parties will be released from their obligations under this Agreement. Under no circumstances will Buyer have available to it any remedy that includes the termination of this Agreement or (except as provided in Section 10(a) above) an action at law or otherwise for damages.

(c) In the event that Buyer defaults in its obligation to close hereunder, Seller shall retain the Deposit, as full and complete liquidated damages in lieu of any other legal or equitable remedy, and this Agreement will terminate and neither party will be under any further obligation hereunder. The parties acknowledge that Seller's damages due from Buyer's default hereunder are difficult or impossible to ascertain and that the amount of the Deposit represents a reasonable estimate by both parties of Seller's damages.

11. OFF MARKET. Seller may not list or offer the Property for sale and shall not seek, accept, solicit or negotiate any third party offers for all or any portion of the Property while this Agreement is in effect. This Section does not limit Seller's right to sell its equipment or other personal property located at the Property to others.

12. BROKERAGE. The parties agree that no broker has been involved in this transaction other than Tony McDonald of The Boulos Company ("Broker") representing Buyer, and each agrees to indemnify the other from and against any damages, costs or expenses (including reasonable attorneys' fees) that the other party may suffer as a result of claims made or suits brought by any other broker, finder or agent in connection with this transaction, the obligated party hereunder to be the party whose conduct gives rise to such claims. This indemnity shall survive the closing and any termination of this Agreement. Buyer shall be responsible for and shall pay directly any commission owing to Broker.

13. ADJUSTMENTS, PRORATIONS AND CLOSING COSTS.

(a) Real estate taxes, assessments, rentals, fuel oil, and utilities shall be prorated as of the date of closing based upon amounts thereof actually paid or received (as the case may be) as of the Closing Date.

(b) The Maine real estate transfer tax shall be paid by Seller and Buyer in accordance with 36 M.R.S.A. § 4641-A.

(c) The recording fee for the deed of conveyance will be paid by Buyer.

(d) A portion of the purchase price shall be withheld at the closing by Buyer if required by 36 M.R.S.A. § 5250-A unless Seller furnishes to Buyer an affidavit stating, under penalty of perjury, that Seller is a resident of Maine or that the transfer is otherwise exempt from withholding tax.

(e) If the parties enter into an Escrow Agreement as described in Section 7(e), a portion of the purchase price equal to the Escrow Funds will be paid to the escrow agent named therein.

14. MISCELLANEOUS.

(a) Time. Time is of the essence of this Agreement.

(b) Notices. Any notices required or permitted to be given under this Agreement shall be sufficient if in writing and if sent: (i) by first class mail, postage prepaid, registered or certified, return receipt requested; (ii) by hand delivery; (iii) by FedEx, or similar overnight express mail service, prepaid; or (iv) by electronic mail transmission, each to the addresses listed below:

TO SELLER: B&G Foods North America, Inc.
4 Gatehall Drive
Parsippany, NJ 07054
Attention: Mr. Bruce Wacha,
Executive Vice President and Chief Financial Officer
Email: Bruce.Wacha@bgfoods.com

WITH A COPY TO: B&G Foods North America, Inc.
4 Gatehall Drive
Parsippany, NJ 07054
Attention: General Counsel
Email: corporatesecretary@bgfoods.com

AND WITH A COPY TO: James C. Palmer, Esq.
Verrill Dana, LLP
One Portland Square
Portland, ME 04101-4054
Email: jpalmer@verrill-law.com

TO BUYER: Charles E Hewett, Chief Executive Officer
IDEALS
100 Commercial Street
Portland, ME 04101
chuck.hewett@ideals.org

WITH A COPY TO: James Broder, Esq.
Bernstein Shur
100 Middle Street
PO Box 9729
Portland, ME 04104-5029
jbroder@bernsteinshur.com

All such communication shall be deemed made upon the earlier of (3) business days following deposit with the U.S. Mail or the date of receipt as disclosed on the return receipt (if sent by registered or certified mail), or upon delivery (if hand delivered), or upon delivery as indicated on the proof of delivery (if sent via FedEx or similar overnight express mail service), or if sent via email with proof of receipt by the primary addressee, effective upon the day sent if received prior to 3:00 p.m. local time or the next business day if received thereafter. With respect to any of the above-referenced methods of delivery, rejection or other refusal to accept or the inability to deliver because of a change of address of which no notice was given shall be deemed to be receipt of the notice sent. Either party may change its address for purposes of this subparagraph by giving the other party notice of the new address in the manner described herein.

(c) Binding Effect/Assignment. This Agreement shall not become a binding contract until signed by both parties and that fact has been communicated to all parties or their agents. This Agreement will inure to the benefit of and bind the respective heirs, successors, personal representatives and assigns of the parties hereto and may be cancelled, modified or amended only by a writing executed by the parties hereto or their legal representatives. Buyer shall have the right to assign its interest hereunder to an entity formed and controlled by Buyer prior to closing, provided that any such assignment shall not release the assignor from any its obligations or liabilities hereunder.

(d) Construction. This Agreement sets forth the entire agreement between the parties, and there are no other agreements or understandings between them related to the subject matter hereof. Without limiting the forgoing, the Non-Binding Letter of Intent dated February 2, 2021 between Seller and Buyer is superseded hereby and neither party shall have any further rights, obligations or claims thereunder. As used in this Agreement, the singular number shall include the plural, the plural the singular, and the use of one gender shall be deemed applicable to all genders. This Agreement shall be governed by and construed in accordance with the laws of Maine. If any provision of this Agreement is determined to be invalid or unenforceable, it shall not affect the validity or enforcement of the remaining provisions hereof.

(e) Counterparts/Electronic Signatures. This Agreement may be simultaneously executed in any number of counterparts, each of which when so executed and delivered shall be an original, but such counterparts shall constitute one and the same instrument. This Agreement may be signed electronically and such shall be treated as original signatures.

(f) Attorney's Fees. If any legal action (including without limitation mediation and arbitration) is brought or compelled by either party to enforce any provisions of this Agreement, the prevailing party shall be entitled to recover from the other party its reasonable attorneys' and paralegals' fees and court costs, subject to and limited by the provisions of the Default and Remedies section of this Agreement.

(g) Effective Date. The Effective Date of this Agreement shall be deemed to be the date first set forth above in this Agreement, provided that if no date is filled in, the Effective Date shall be the last date of the signature of either Buyer or Seller.

[Balance of page intentionally left blank]

IN WITNESS WHEREOF, Seller and Buyer have executed this Agreement under seal as of the dates indicated above.

SELLER:

B&G Foods North America, Inc.

By: Bruce C. Wacha

Print Name: Bruce C. Wacha

Title: Executive Vice President of Finance and Chief Financial Officer

Date: August 30, 2021

BUYER:

The Institute for Digital Engineering and Life Sciences (IDEALS)

By: _____

Print Name: Dr. Charles E. Hewett

Title: Executive Director

Date: August 30, 2021

IN WITNESS WHEREOF, Seller and Buyer have executed this Agreement under seal as of the dates indicated above.

SELLER:

B&G Foods North America, Inc.

By: _____

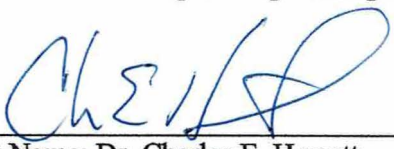
Print Name: Bruce C. Wacha

Title: Executive Vice President of Finance and Chief Financial Officer

Date: August 30, 2021

BUYER:

The Institute for Digital Engineering and Life Sciences (IDEALS)

By:  _____

Print Name: Dr. Charles E. Hewett

Title: Executive Director

Date: August 30, 2021



**Bernstein, Shur,
Sawyer & Nelson, P.A.**
100 Middle Street
PO Box 9729
Portland, ME 04104-5029

T (207) 774 - 1200
F (207) 774 - 1127

Mary E. Costigan
(207) 228-7147 direct
mcostigan@bernsteinshur.com

June 10, 2022

Christine Grimando
Director of Planning and Urban Development
City of Portland
389 Congress Street
Portland, Maine. 04101

RE: IDEALS/Roux Institute Rezoning Application

Dear Christine:

I am writing in regard to the proposed map and text amendment submitted by the Initiative for Digital Engineering and Life Sciences (IDEALS) for the former B&G Foods site at 1 Bean Pot Circle. Specifically, this letter is submitted to further satisfy Section 8.5.5.B. of Chapter 14 related to right, title or interest.

Section 8.5.5.B. states that “the regulatory framework shall apply only to properties that are within the IOZ boundary and to which the eligible institution holds right, title, or interest.” As provided in the documentation with the application, IDEALS is the owner of the 13-acre parcel located at 1 Bean Pot Circle (the “Property”). IDEALS is a Maine non-profit corporation founded for the following specific purposes:

- (1) To develop a campus in Greater Portland for a graduate institute instructing students in the fields of artificial intelligence, digital science, genomics and life sciences;
- (2) To develop content and pedagogy for a graduate institute in Greater Portland instructing students in the fields of artificial intelligence, digital science, genomics and life sciences;
- (3) To facilitate the creation of a graduate institute in Greater Portland and recruit a reputable institution of higher learning to instruct students in the fields of artificial intelligence, digital science, genomics and life sciences; and
- (4) To conduct any other activities as are permissible for a corporation organized under the Maine Nonprofit Corporation Act and exempt from federal income taxation pursuant to section 501(c)(3) of the Code and for corporate contributions to which are deductible under section 170(c)(2) of the Code that may be necessary, useful, or desirable for the furtherance or accomplishment of the foregoing purposes.

IDEALS accomplished purposes #2 and #3 above when it helped develop the Roux Institute and recruited Northeastern University to house the Institute. Through the purchase of the Property and the proposed rezoning, IDEALS is on its way to accomplishing the remaining founding purpose of developing a campus for the Roux Institute. For purposes of the requirements of the

Institutional Overlay Zone, IDEALS can be viewed as the development partner of the Roux Institute. As part of the development, the Roux Institute will lease the Academic Building site from IDEALS along with access rights to the entire campus. All other facilities developed on the site (housing for grad students and faculty, a small hotel for visitors, limited retail facilities, and office and lab space for partners of the Roux Institute), will be developed with the approval of the Roux Institute and strictly to create a campus that serves its ends. Said development will occur through ground leases. Such leases will not be in perpetuity and will eventually revert to the Roux Institute. At some point in the future, IDEALS will convey the Property and all of its rights in any developments to the Roux Institute at Northeastern University which will become the fee owner of the Property. It should also be pointed out that the Roux Institute was established with funding from the Roux Family Foundation which is also the primary financial supporter of IDEALS.

Although this ownership structure is unique, it complies with Section 8.5.5.B and is completely consistent with the purpose of the Institutional Overlay Zone. Section 8.5.5.B requires that the eligible institution hold right, title, or interest in all land in the IOZ. Further, and more importantly, including the Roux Institute, along with IDEALS, as an eligible institution and allowing it to utilize the Institutional Overlay Zone provisions of the Code fulfills the purpose of the IOZ to provide a regulatory mechanism to facilitate a consistent, predictable, and clear growth management process.

The specific purposes of the IOZ enumerated in the Code are:

- A. Acknowledge that the city's major academic and medical institutions play a prominent role in the health and well-being of the local and regional community, and in order to sustain that role, these institutions need flexibility to change and grow.
 - Although very young, the Roux Institute is quickly playing a prominent role in the health and well-being of the region and the state.
- B. Encourage proactive planning for institutional change and growth which identifies and addresses likely long-term institutional needs and cumulative impacts while leveraging potential benefits at the neighborhood, city, and regional level.
 - While not required to adhere to the requirements of the IOZ, IDEALS chose to propose an IOZ in order to provide the City and its residents with a plan for growth and change that identifies its long term needs and impacts.
- C. Ensure that institutional change and growth both complements and, as appropriate, integrates adjacent or surrounding neighborhoods through carefully planned transitions.
 - The proposed plan for the Roux Institute campus has been carefully planned to complement the surrounding neighborhood by adding at least three acres of public open space, public waterfront access, and connectivity to existing pedestrian and bike paths, such as the Back Cove and Eastern Prom Trails. The Property has existing natural buffers and also has planned step-downs in building height toward the existing residential neighborhood.

June 10, 2022

Page 3

- D. Support the formation and continuation of mutually beneficial public-private cooperation.
 - Development of the site will form and continue public-private cooperation in the form of the aforementioned areas of public access, as well as other aspects of the development.
- E. Support an ongoing public engagement process that benefits both the institutions and nearby neighborhoods.
 - IDEALS has begun and will continue a robust public engagement process. With six neighborhood meetings already held prior to the first Planning Board workshop, the proposed development has already benefited from the feedback received.
- F. Reflect Comprehensive Plan and other policy objectives.
 - The IDP addresses the number of ways the proposed IOZ is consistent with the Comprehensive Plan, reflecting goals in all six of the major categories, such as the economy and historic preservations; the IDP also reflects the Goals of the One Climate Future Plan.
- G. Provide a consistent regulatory approach to all major institutions which allows unique regulatory requirements that balance the particular needs of institutions with the needs of the surrounding neighborhood and wider community.
 - IDEALS and the Roux Institute share the same particular needs of the City's more established major institutions and shares similar impacts on the surrounding neighborhoods and wider community. Those similarities all point to the Roux Institute as precisely the type of Institution whose campus should be established utilizing the IOZ regulatory tools.

Thank you for your time and consideration. Please contact me if you have any questions or need further information.

Sincerely,



Mary E. Costigan

cc: Chuck Hewett

Institutional Development Plan

Roux Campus

June 2022

Att. G



Table of Contents

Introduction	1
1. Establishing the Context	2
Our Roots	3
Institutional Context	4
Neighborhood Context	5
Site Context	6
Coastal & Natural Resources	7
Historic Resources	8
Municipal Plan Context	9
One Climate Future	10
2. Imagining the Future	11
Campus Programming	12
Phasing	13
Design Principles	14
A Destination on the Waterfront	15
Places to Gather	16
A Sustainable & Resilient Campus	17
Enhance Access	18
Contribute to Portland's Open Space Network	19
3. Creating the Path Forward	20
Assessment of Growth	21
Transportation	22
Trip Generation	23
Transportation Improvement Opportunities	24
Other Roadway Improvement Opportunities	25
Managing Transportation Demand	26
Infrastructure	27
Design Guidelines	28
Environment	29
Neighborhood Engagement	30



Introduction

Artist Interpretation

1



The Initiative for Digital Engineering and Life Sciences (IDEALS) is a Maine non-profit corporation tasked with locating and developing a campus for the Roux Institute at Northeastern University in Portland, Maine: a space for cutting-edge educational, research, and collaborative programs in areas including artificial intelligence, computer and data sciences, digital engineering, advanced life sciences, and medicine. IDEALS was formed in 2018 with support from David Roux, a technology entrepreneur and Lewiston native, and his wife Barbara. They sought to create a graduate institute to fill talent gaps for growing digital and life sciences companies while ensuring the 21st century success of greater Portland and Maine's economies. IDEALS recruited Northeastern University to establish and run the program, and the Roux Institute at Northeastern University launched in 2020. The Roux Institute now offers post-graduate degrees and certifications, conducts research, and assists start-up entities, while partnering with private, public, and non-profit entities to spur innovation and workforce talent.

The Roux Institute is temporarily located in leased space in Portland. A permanent home for the Roux Institute is necessary to fulfill its educational and economic potential. The vision for that home - the Roux Campus - is one that allows for continued growth of the education and research programs of the Roux Institute while providing space for collaborative partnerships, with services and amenities that both support those programs and serve the community. After completing an exhaustive four-year search both on and off the Portland peninsula and its surrounding area, IDEALS acquired land formerly occupied by the B&M Baked Beans facility along the Portland waterfront.

Recognizing the prominent role that major educational and healthcare institutions play in the health and well-being of the community, the City of Portland's Land Use Code allows for the creation of Institutional Overlay Zones (IOZ) to "provide a regulatory mechanism where an improved regulatory structure is

needed to facilitate a consistent, predictable, and clear growth management process." Consistent with that purpose, IDEALS seeks designation of an IOZ for the Roux Campus. IDEALS will simultaneously seek to change the underlying zone to B-5 Mixed-Use Business. The IOZ designation process requires two components: an Institutional Development Plan (IDP, this document) and a regulatory framework. The purpose of this IDP is to establish baseline institutional data for existing land uses and services while also communicating planned growth; it is the basis of the proposed regulatory framework, submitted under separate cover. The regulatory framework translates the IDP into a set of clear and specific zoning requirements, which will constitute the text and map amendment to the City's Land Use Code. Unlike other institutions for which the IDP process was established, the Roux Institute is in its early years and has not established a stand-alone campus. The IDP allows IDEALS to memorialize its long-term strategic plan in consultation with the Portland community at the very outset of development.

Creation of a new campus provides the opportunity to establish a people-oriented space right from the start. It will prioritize people over cars by creating a pedestrian-friendly landscape supported by multi-modal programs that provide incentives for alternative transportation options. The campus will improve site resilience and sustainability by replacing much of the existing pavement and rooftops with green space while improving coastal ecology and incorporating sustainable building practices.

IDEALS intends to create a dynamic, mixed-use campus that contributes to the East Deering neighborhood without encroaching on it or burdening City resources. By providing ancillary uses on site (office and lab space for institutional partners, housing for students, faculty, and employees, a hotel for visitors, retail and personal services) the Roux Campus will meet demand created by the Roux Institute at Northeastern University and its collaborating partners.

1. Establishing the Context



Our Roots

The Roux Institute at Northeastern University



The Roux Campus will be the first of its kind in the Northeast. It will integrate graduate education in technology and science with ground-breaking research and business to spark innovation and economic development. The campus is being designed at a scale that will facilitate learning, collaboration, and research breakthroughs and innovations, encourage start-up businesses, and strengthen existing Maine businesses and institutions. Every component of the campus is directly linked to the mission of the Roux Institute, from the housing – keep students and faculty on campus to foster collaboration and reduce traffic, to the hotel – provide a convening space and accommodation for Institute guests from around the globe so that, together, they can spark new ideas. The iconic waterfront location minutes from downtown Portland (by bike, bus, boat, car, or on foot) with striking architecture and a vibrant community will attract talent from around the globe and spread economic advancement throughout Portland and beyond.

IDEALS will oversee the design and construction of a primary academic building on a “build to suit” basis and will lease it to the Institute. IDEALS will also seek partnerships from the private sector to construct and operate housing, parking, a hotel, and commercial office and laboratory buildings to support the primary academic uses—all of which would be on a ground lease basis. In the future, IDEALS will transfer ownership of the campus to the Roux Institute.

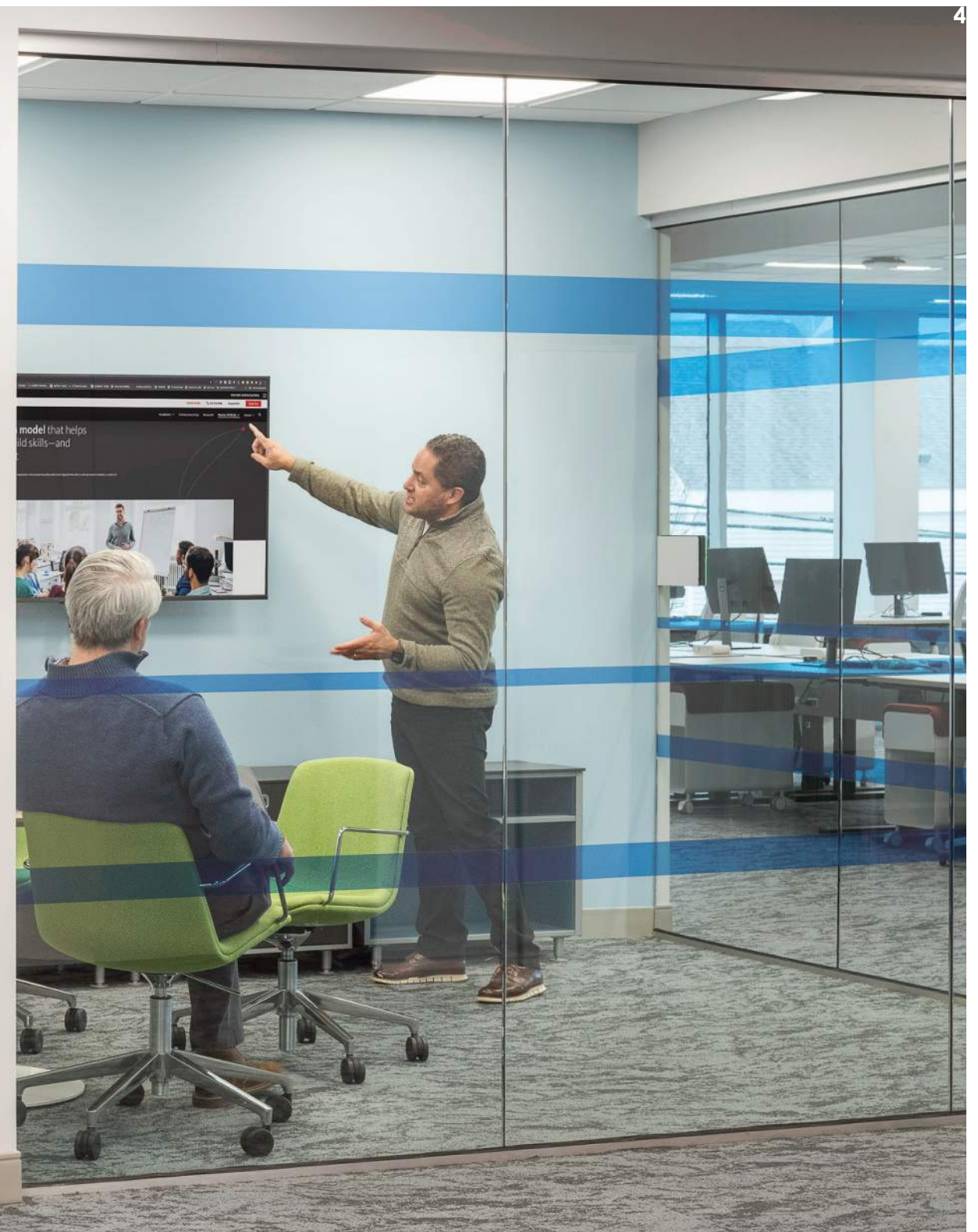


The Roux Institute at Northeastern University was established to develop talent, conduct research, and encourage entrepreneurialism to support and attract businesses that will thrive in the 21st century economy.

Vision: The State of Maine will be home to a thriving, high-tech economy fueled by people and businesses leading in experiential artificial intelligence, machine learning, big data, life sciences and medicine, engineering, and data visualization. This new economy will attract people and businesses from around the world to the region and provide unprecedented opportunities for all Mainers in a manner that honors and enriches the Maine lifestyle and culture.

Mission: With a vision to enable the creation of a synergistic technology and life science-driven economy and workforce, the Roux Institute designs, curates and integrates learning, research, and entrepreneurial solutions in collaboration with industry, academic institutions, and community organizations to catalyze talent development and economic impact throughout Maine.

Institutional Context



The Roux Institute at Northeastern University currently has 72 full-time, Maine-based employees, 50 of whom are faculty and post-doctoral staff. The Institute taught a total of 817 learners during fiscal year 2021. Of these 817 learners, 317 are matriculating graduate students and the remainder are pursuing courses and certificates while working full time. Of Maine's 16 counties, 15 are represented in the student body. The Institute offers 16 graduate programs in computer and data science, analytics, cloud software, cybersecurity, life sciences, and project management.

These educational programs are bolstered by collaboration; the Institute has 54 industry partners, 14 academic partners, and 12 community partners. Approximately 450 of these partners' employees took courses designed by the Roux Institute in concert with their employers, and over 70% of partners provided paid, cooperative work opportunities for Institute students. Additionally, the Institute has hosted 10 accelerator companies and has 6 established companies in residence. The Roux Institute at Northeastern University currently occupies 44,000 square feet of space leased at 100 Fore

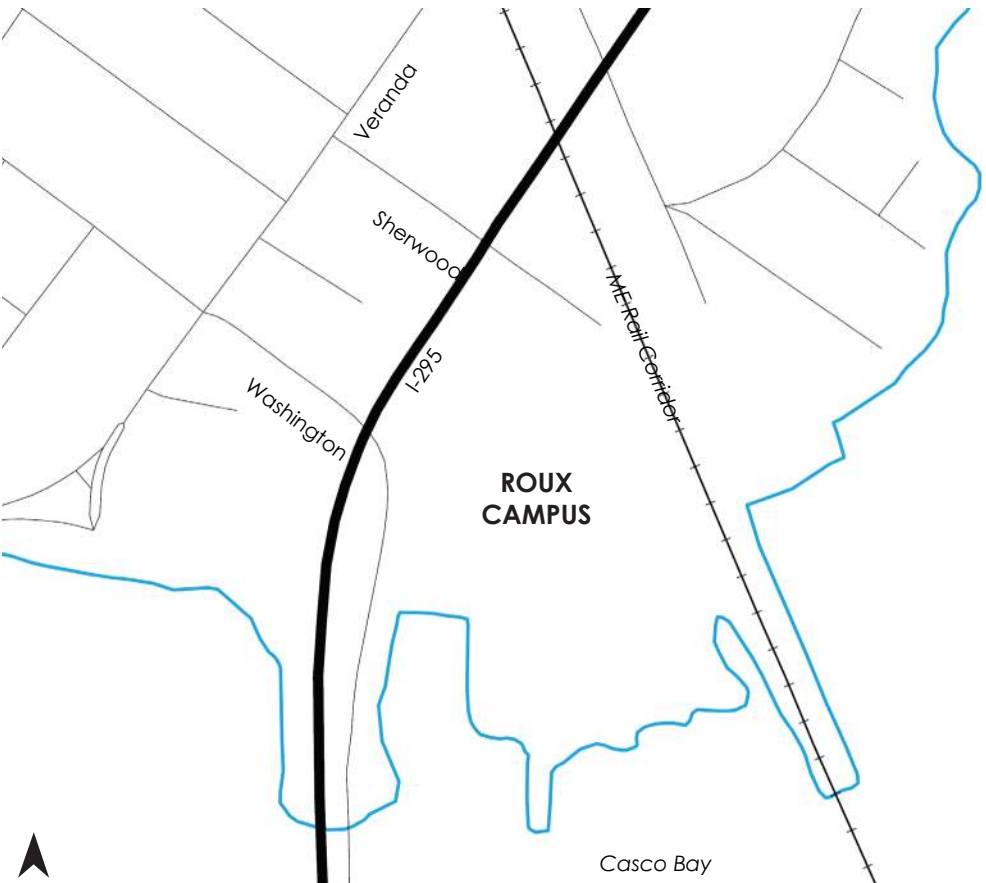
Street. This space enabled the Roux Institute to begin providing post-secondary education services in Portland, but significantly more physical space is needed to meet its Mission & Vision. In the near term (0-5 years), the Roux Institute anticipates enrollment expanding to 1,750 learners; in the medium term (10-20 years), enrollment is anticipated to grow to 2,500 students, and in the long term (20+ years) enrollment is projected to grow to 4,500 students. The Roux Institute intends to transfer all operations from 100 Fore Street to the new Roux Campus.

Neighborhood Context

The proposed Roux Campus is located within Portland's East Deering neighborhood, near a residential area of single-family homes and a commercial node featuring restaurants, bars, mechanics, offices, and three-story apartments. While proximate to these areas, the site is remarkably buffered. I-295 to the west, state-owned vacant parcels to the north, a disused rail corridor and marine business to the east, and Casco Bay to the south collectively surround the property. Access to the site is via Sherwood Street at the intersection with Veranda Street, through a 40-foot-wide highway underpass.

This setting makes for a campus full of potential. Due to its relatively large 13+ acre size and existing buffers, the site lends itself to dense development. Taller buildings with smaller footprints will allow for additional public open space, a mix of landscaped and natural green space, and public waterfront access while helping to reduce impact on Portland's challenged housing stock. The Roux Campus will connect to and enhance the surrounding East Deering neighborhood while simultaneously fostering its own identity.

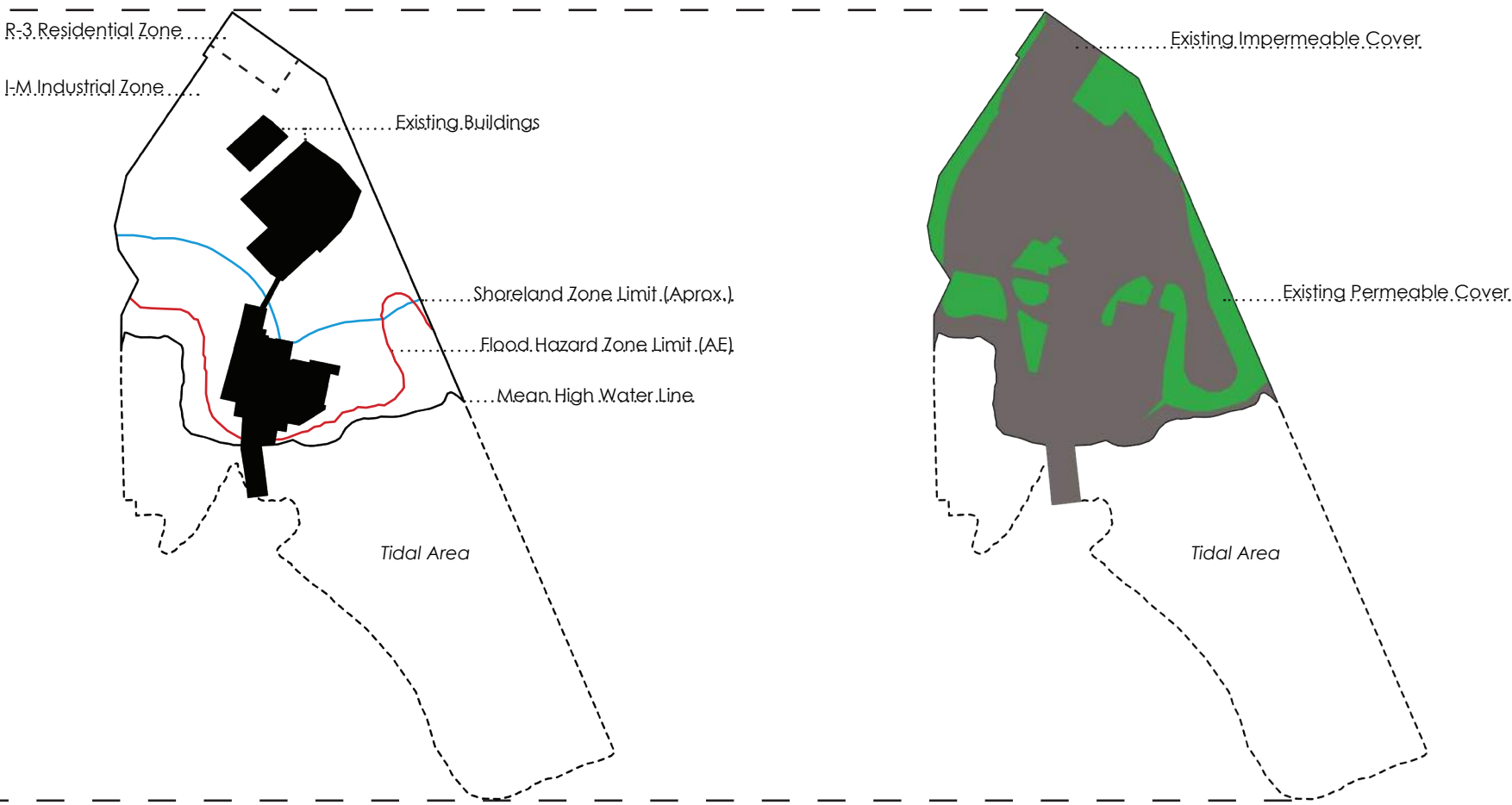
Future development will acknowledge these advantages and constraints. The site must be planned responsibly to maximize community access while minimizing off-property impacts. The creation of compelling pedestrian, bicycle, water taxi, and public transit connections to the Roux Campus and the waterfront will be particularly crucial.



The site's current industrial use does not allow for public open space or amenities or access to considerable shoreline frontage.



The site is near several of Portland's most popular bike and pedestrian trails, including Back Cove Trail, Bayside Trail, and Eastern Prom Trail. Its redevelopment can facilitate better community access to Portland's waterfront, as public open space enhancement is a key design parameter for the Roux Institute at Northeastern University.



Zoning
The majority of the site is currently zoned I-M Moderate-Impact Industrial, with the area immediately adjacent to Sherwood Street zoned R-3 Residential. Parcels adjacent to the site include I-L Low-Impact Industrial at the Maine Yacht Center to the east and R-3 Residential to the north. Parcels west of I-295 are generally zoned R-5 Residential and B-2 Mixed-Use Business.

Relationship to Water
The parcel includes approximately 13 acres above mean high water line (the site) as well as an adjacent 11 acres of submerged lands. The site has 1,000 linear feet of waterfront, with associated Flood Hazard and Shoreland Zones.

The City of Portland designates a shoreland zone within 250 feet of tidal water bodies. Within the shoreland zone, a minimum setback of 25 feet from the normal high-water level is required for structures, roads, and driveways.

Portions of the site are delineated as Special Flood Hazard Areas

according to FEMA's Flood Insurance Rate Map (FIRM). The current and effective FIRMs for Cumberland County, based upon FEMA's 1986 publication, indicate portions of the site are within the AE Zone, representing 1% annual chance of flooding. Base flood elevations range from 9 to 11 feet.

Impervious Areas
The majority of the site is developed land, with limited areas of natural vegetation. Approximately 10 acres of land above the mean high-water line are impervious (paved areas, building roofs, etc.). The remaining 2.5 acres of permeable area include lawn and approximately half an acre of vegetated, early successional non-lawn area adjacent to the rail corridor abutting the site to the east.

Not only is the site largely covered in pavement and building structures, it is also inaccessible to the public. Fencing prevents access to the waterfront and the interior of the site. This security was necessary for industrial use. However, new development can "soften" site edges and provide improved access to the waterfront.



Under current conditions, the site is inaccessible to the public.

Coastal & Natural Resources

Immediately adjacent to this highly developed site are natural resource areas including: an estuarine intertidal emergent marsh located east of the site near the rail corridor; coastal wetlands for all areas below highest annual tide; tidal waterfowl and wading bird habitat, and blue mussel habitat. Portions of the Site are delineated as Special Flood Hazard Areas according to FEMA's Flood Insurance Rate Map (FIRM).

Topography of the Site slopes downward from the north to the south, toward the water. The highest elevations are near Sherwood Street, at elevation 28 +/- . The lowest grades are near the loading dock at the B&M cannery building, at elevation 8.5 +/- . These low areas are only 1-foot above Highest Astronomical Tide.

In recognition of existing vulnerabilities and future sea level rise,

resiliency will be key to the Roux Campus. The redevelopment will raise site grades and incorporate infrastructure improvements to create a flood resilient landscape. It will also rehabilitate this brownfield site, enhance natural resource areas, and reduce the impacts of current impervious, industrial conditions by creating habitats that foster ecological diversity and productivity at the water's edge.



The coastal wetland includes rockweed anchored to rocks in tidal mudflat.



Stormwater outfalls drain into the wetland where a scour channel cuts across the mudflat.



The tidal flat is home to tidal waterfowl and wading bird habitat.



Blue mussels are abundant under the pier, where soft-shell clams also grow.



The tidal mudflat portion of the site stretches far into the inlet, resulting in dramatic daily change.



Outfall pipes drain to wetlands in the ravine.



The ravine's slope is vegetated with native sumac and invasive Japanese knotweed.



The estuarine system extends up a ravine along the site's eastern boundary.



Historic Resources

The project site was occupied by residences and a lobster cannery prior to 1913, when Burnham & Morrill (B&M) relocated its operations to the site from Franklin Street. The address of the B&M facility at that time was Water Street, which granted access from the west (and is visible on the map below) prior to construction of I-295. By 1913, the five-story B&M cannery building stood on site, as well as the cod-fish building located on the pier. In the 1920s, B&M began experimenting with brick-oven baked beans in an attempt to offset declines in other product lines (canned fish, meat, and vegetables), and in the 1920s and 1930s began selling brick-oven baked beans in cans. In 1965, B&M's address was designated as 1 Bean Pot Circle. With an appreciation for the B&M history at the site, IDEALS is seeking City Historic Landmark status for the B&M cannery building.

Cannery Building

The cannery building is the cornerstone and flagship of the B&M food manufacturing facility. Constructed circa 1912 by Aberthaw Construction Co., Boston, MA, the building housed the baked bean manufacturing processes and the plant management offices. It is a robust five-story, reinforced-concrete building with a high live-load floor capacity. The concrete frame is exposed on the exterior of the building with brick and masonry infill walls and glass windows. The building is structurally sound with only minor structural modifications required. The main entry is on the 2nd floor level, which is at elevation 21.5', well above the 100-year flood zone elevation of 10'. This, along with the rugged structure and historic community value, make the building an ideal candidate for reuse. A permanent exhibit of artifacts and photographs is planned for the site.



Previously, another street (Water Street) extended on to the site.

A Changing Shoreline

Buildings are not the only changes that occurred onsite over the last 100-plus years; as indicated in the diagram at right, the shoreline has significantly shifted in reach and shape across decades. Some of the shifts were caused by intentional human manipulation; others appear to have been natural changes where mud flats (with limited salt marches) extended onto the site.



Municipal Plan Context

The former B&M site is ripe for renewed use and redevelopment. The proposed project includes adaptive re-use of the B&M cannery building, facilitates public interaction with the waterfront, creates a new walkable core of diverse uses, and bolsters economic opportunity in East Deering, the City of Portland, and beyond.

Portland's Plan 2030 focuses primarily on eight aspects of Portland's identity and performance: environment, waterfront, transportation, housing, recreation and open spaces, facilities, historic resources, and economy. While the facilities section generally focuses on municipal operations and the waterfront section is focused on the working western, central, and eastern waterfront areas of the peninsula, the other six sections are directly relevant to the proposed plan. Excerpts relevant to the Roux Campus are provided here.



Portland's Plan 2030, adopted in 2017, is the City's comprehensive plan.

Environment

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

"Plan for the mitigation and redevelopment of brownfields to support productive uses and a healthier environment for residents."

Transportation

"Promote multi-modal accessibility, enabling residents and visitors of all ages and abilities to participate fully in the social and economic life of the community."

Housing

"Encourage additional contextually appropriate housing density in and proximate to neighborhood centers."

"Identify priority growth areas."

"Allow for a range of housing models in City codes, whether small units, co-housing, or others that may suit changing needs and demographics."

Recreation & Open Space

"Encourage physical and visual access to Portland's waterfront – Casco Bay, Back Cove, and the Stroudwater, Presumpscot, and Fore Rivers – as a "blueway" network and an extension of public space for local and regional recreation and transportation needs."

Historic Resources

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

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

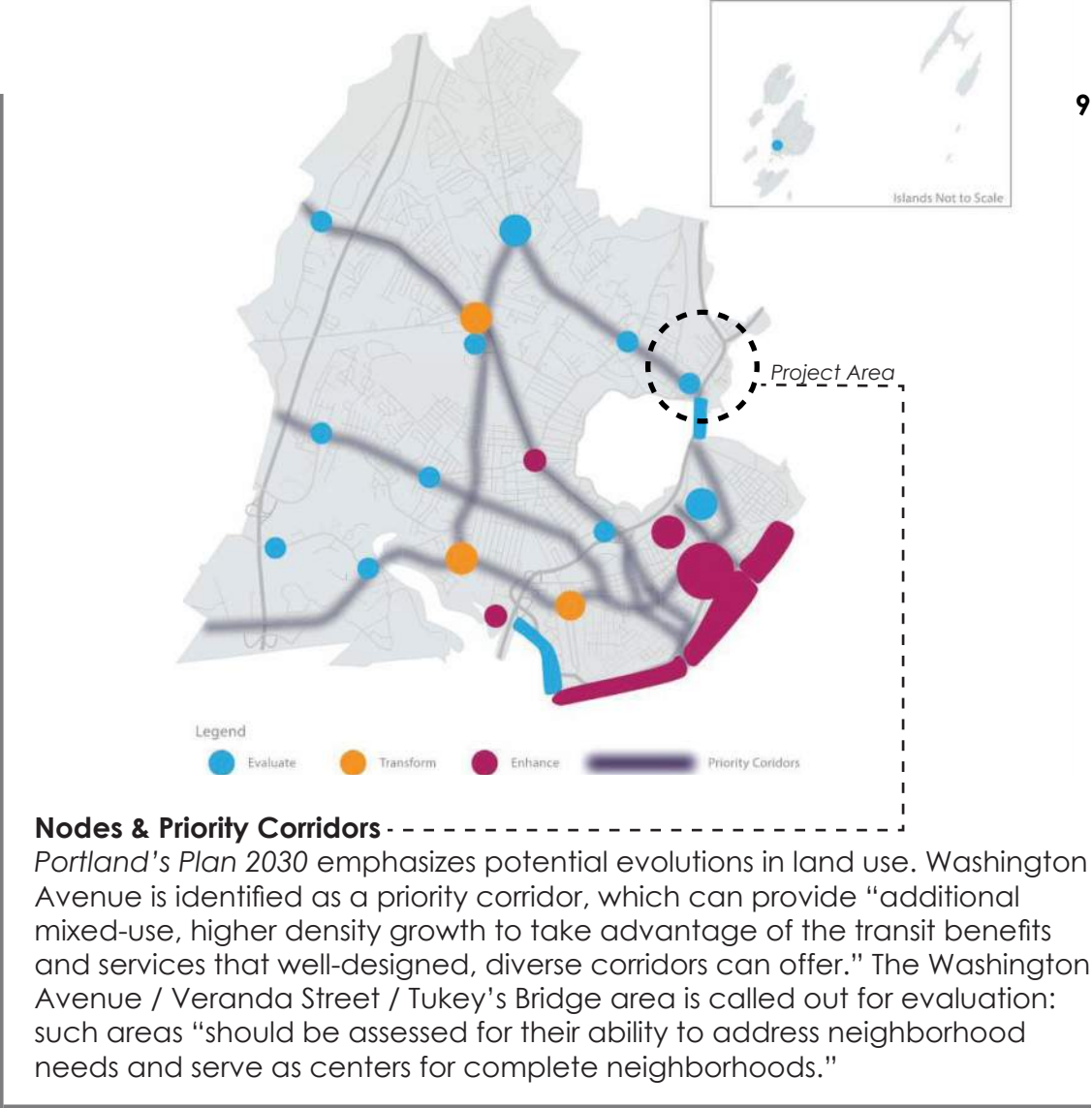
Economy

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

"Develop programs that support industries with high-growth / high-value potential such as life sciences, food production, information technology, and marine-related industries."

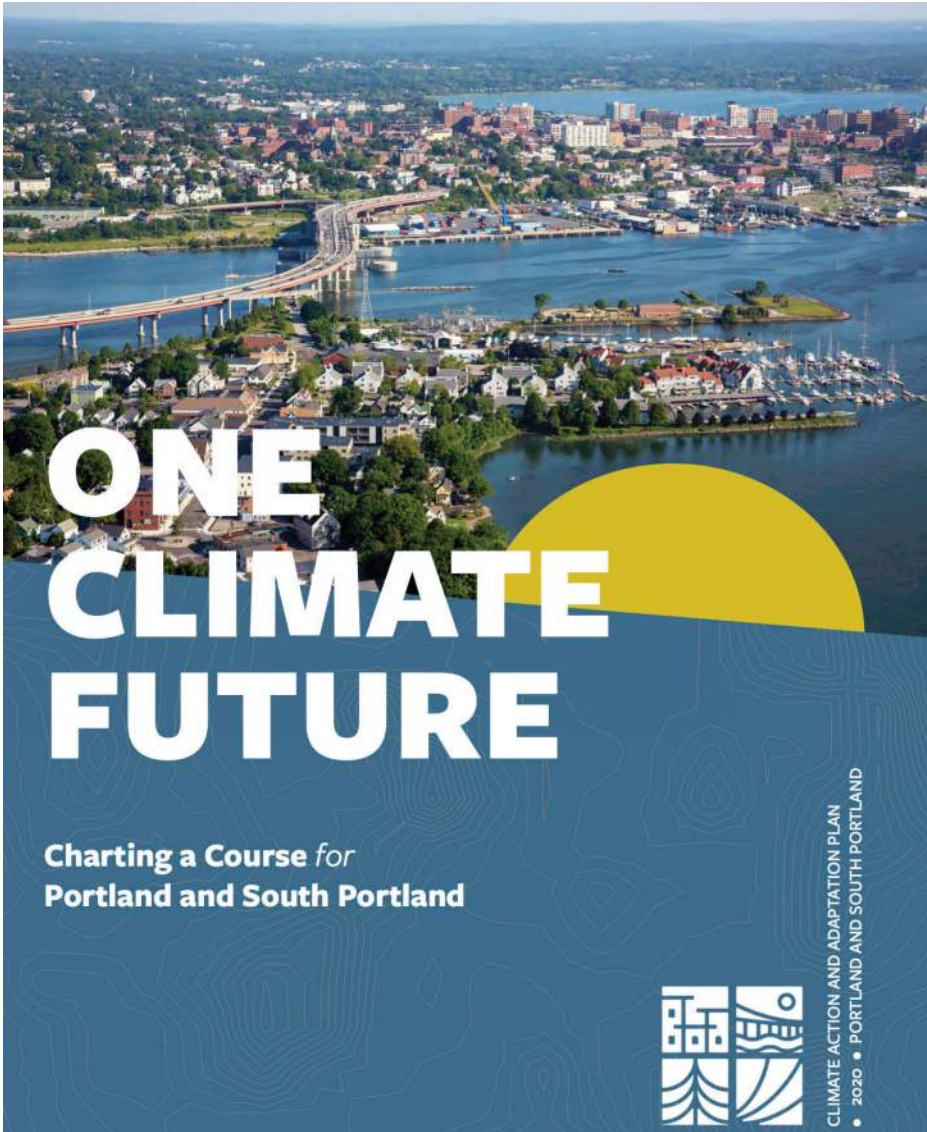
"Modify ordinances and make strategic investments to better promote business development and job creation in priority areas."

"Ensure that the growth of Portland's educational, medical, and cultural institutions is integrated into Portland's urban fabric through the use of high-quality design, management of impacts, community partnerships, and innovative planning."



The Roux Campus is an opportunity to showcase sustainable and resilient buildings, reinforcing and fostering a resilient community across East Deering and the Portland region. Its waterfront location demands proactive planning for extreme weather and storm surge events. Its location on a developed, industrial piece of land with a single point of access/egress, means that the campus development must take advantage of existing infrastructure within the East Deering neighborhood, facilitating trips by active alternative, multimodal and mass-transit options.

In 2020, the Cities of Portland and South Portland both adopted a collaborative sustainability and resilience plan: One Climate Future. The plan addresses many challenges, priorities, and strategies for responsible climate stewardship and mitigation of climate-related public health threats. It includes great specificity and is summarized by six general action items. Following are One Climate Future's "six big moves" and discussion of their relevance to the Roux Campus.



Portland and South Portland both adopted the One Climate Future plan in 2020.

1. Build better buildings.

A new campus of higher education, research, and development deserves thoughtful design; it represents an opportunity to implement best practices for energy efficiency, healthy communities, human comfort, and interaction with the surrounding environment. Aside from the iconic B&M cannery building, existing on-site buildings are not suitable for adaptive reuse. Much of the site will be redeveloped with new construction. In order to attract and respect climate-conscious students and corporate partners, these new buildings will be created with sustainability and resilience top-of-mind. As described in the Design Guidelines within this Plan, IDEALS is committed to high-performance buildings and at the same time setting a standard for design through signature architecture.

2. Connect people to places, to opportunity.

Graduate education, research, and development exist in order to provide opportunity. At their best, they do this in a collaborative and social setting. The Roux Institute at Northeastern University will achieve both. By siting within the existing neighborhood of East Deering as depicted in a 15-minute walkshed within this Plan, the campus expands this opportunity outward to the nearby community, where on-site resources become community resources. Finally, by establishing itself within and supporting existing public transportation networks, the Roux Campus will be accessible to all Portlanders as well as those in the broader greater Portland region, and beyond.

3. Power everything* with clean renewable electricity.

Electrification allows for appliances, buildings, and systems to support the shift to renewable energy in our power grid, without cementing a need for fossil fuels moving forward. This entails moving away from carbon intensive heating and energy sources, so that as more energy is produced by clean energy renewable sources like solar and wind. IDEALS will evaluate power purchase agreements for renewal energy sourcing, incorporate passive solar and photovoltaics, consider the use of geothermal heating and cooling for buildings, and encourage EV usage through on-site charging capacity.

4. Grow a circular economy.

Fostering technology knowledge and life-science research in Portland will diversify its economy and help prepare for the future. Yet workers in these fields will still rely on other, existing aspects of the regional economy. Food producers and preparers, makers and artists, essential workers and support staff, all make the City of Portland a compelling and delightful place to live. On a small-scale, the Roux Campus will facilitate a circular economy through mixed-use, neighborhood-scaled urbanism that creates a place to live, learn, work and play. On a broader scale, it will strengthen the region and support other initiatives and opportunities through education and research, an investment in people and collaboration with Corporate Partners that are (and will be) fueling progress through innovation.

5. Nourish ecosystems, which nourish us.

The Roux Campus' tidal waterfront location will allow it to meaningfully contribute to ecological health by designing with nature in mind. While B&M has been a steward of their property, this project will result in a significant reduction in impervious surfaces, and yield a healthier site that protects and enhances the local ecosystem, which has been diminished through the historically industrial development of the property.

6. Build collaborative capacity to create this future.

The Roux Campus will develop technology and life science talent, and position Mainers, new-Mainers, and international students for financially stable and personally rewarding careers. The campus will proactively weave budding talent with existing Corporate Partners, and thus create opportunity for fresh thinking and an innovative future. The Roux Institute at Northeastern University will shape tech talent and innovation in Portland.



The Roux Campus will contribute to meaningful stewardship of resources, limit energy consumption with building technologies, and help Portland prepare for climate and economic stressors.

2. Imagining the Future



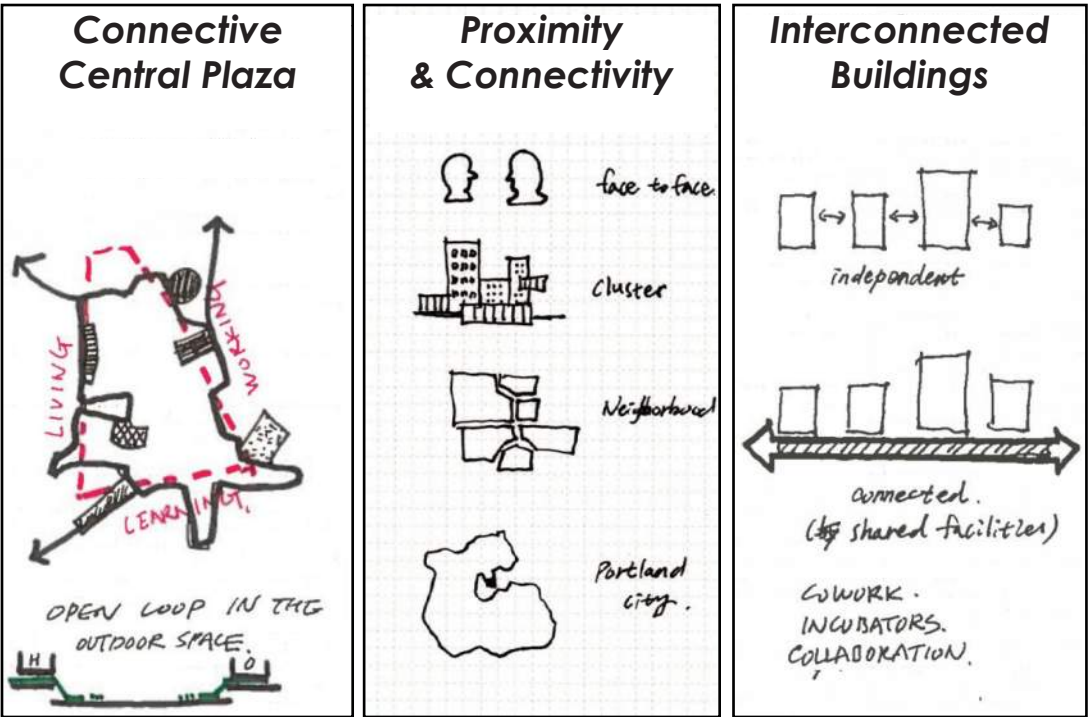
Campus Programming

The Roux Campus will encompass mixed uses regularly associated with graduate education and research: classrooms and laboratories, faculty offices, an incubator, dining areas, convening spaces, fitness centers, retail facilities, and housing. The campus will support collaboration with private industry, other institutions, and community organizations. This collaboration is essential to the Roux Institute at Northeastern University's approach to learning through integrated research, student work opportunities, and entrepreneurial endeavors. Light manufacturing, research and design facilities, and other industry-oriented spaces will allow start-up businesses and established companies to contribute employment opportunities, foot traffic, and dynamism to the area. Hotel rooms will cater to prospective students, visiting lecturers, specialists, business partner guests, and parents of students.

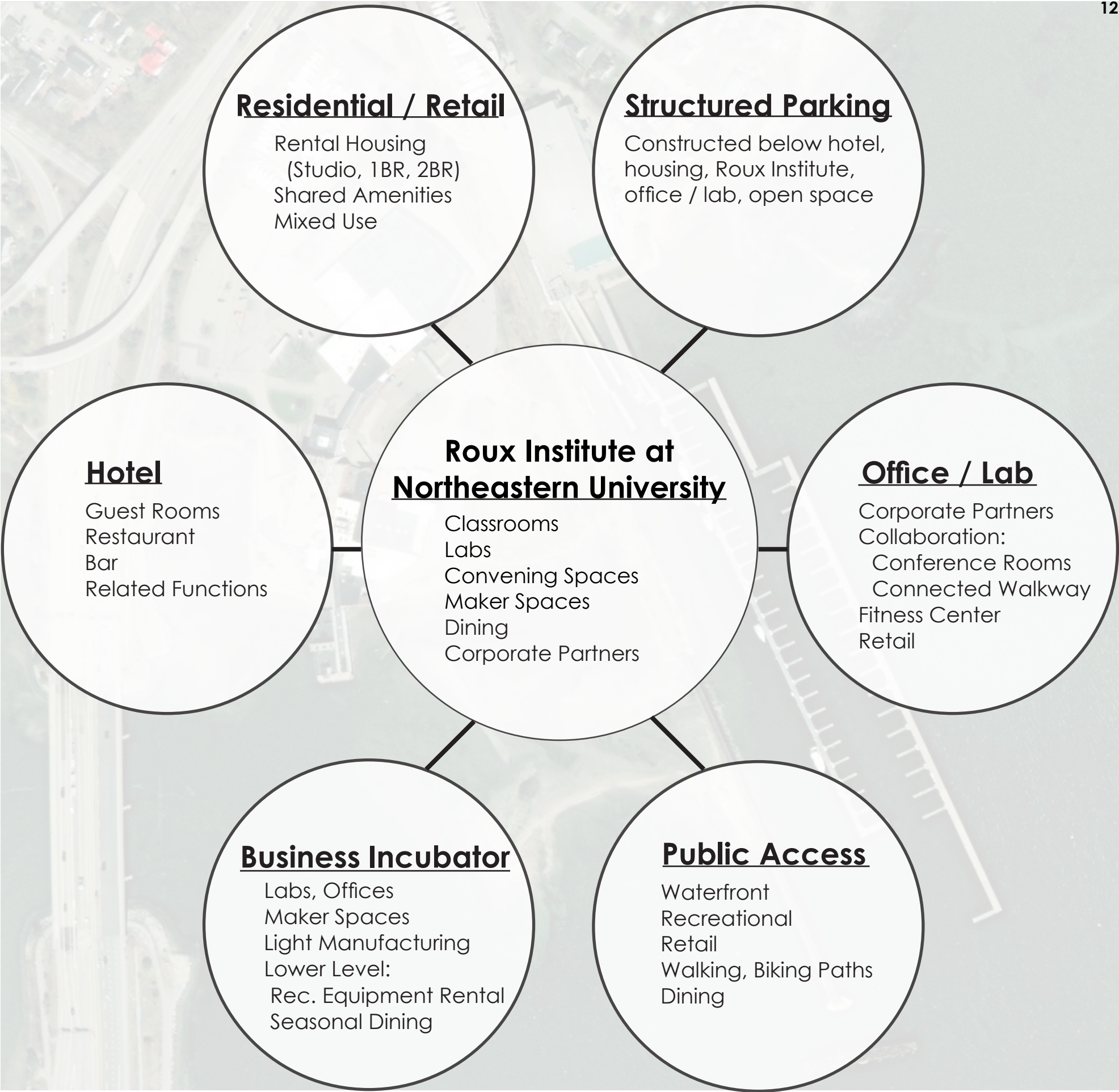
A range of rental housing options will foster community and provide on-site opportunities for students, faculty, staff, and their families. These units will ease some of the housing pressure that might otherwise result from new residents attracted to Portland by the Institute. Housing units not occupied by residents affiliated with the Roux Institute may be made available to the public.

Public open space, including waterfront access and recreational uses, will foster connection to the East Deering neighborhood. Restaurant, grocery, and/or other retail options will provide another means for welcoming the community while reducing dependence on automobiles. IDEALS and the Roux Institute will incentivize transportation options including buses, bikes, pedestrian access, and water shuttle or taxi connections.

IDEALS' long-term vision for the site is to maximize green space and public shoreline access. That vision includes a potential bike and pedestrian path under Tukey's Bridge and bicycle and pedestrian connections at Sherwood Street, Veranda Street, and beyond. These would link to the Back Cove, Eastern Promenade, Bayside, Martin's Point Bridge, and future trail systems.



Concept sketches by Tsoi Kobus Design display the intent to build dynamic, community-rooted space.



Phasing

Before shifts in transportation and distribution networks, the site offered a competitive location for food processing and manufacturing in the 20th century. Now, the site's many compelling attributes enable the pursuit of science, education, and entrepreneurship for the 21st century and beyond. The Roux Campus is envisioned as a hotbed of collaboration, innovation, and inspiration that contributes to Maine's economy and enriches the lives of Portlanders through the resources it offers.

While the proposed vision represents an ambitious undertaking, the entire endeavor is based on simple tenets of urbanism: provide a mix of uses, allow for creativity and entrepreneurship, and encourage recreation. This vision takes time to grow and develop. Understanding that institutional uses have multiple planning horizons, this IDP considers near, medium, and long-term growth plans. The resulting phasing of the development is represented in the figure to the right.

Fortunately, the nature of the Roux Institute at Northeastern University lends itself well to phasing strategies. Corporate partnerships are a core part of the Institute's identity, meaning that office and laboratory partners will sit comfortably within the primary academic building during its first years, before extending outward in the longer term. As the site develops and builds its reputation, more and more students, faculty, and employees will be drawn to live and work on site. As the population of students, residents, and employees grow, so will demand for limited retail and restaurants.

The proposed vision offers a realistic framework for flexible growth. As the Roux Campus evolves, and the world changes, new opportunities and needs may present themselves. Neighborhood feedback will also inform future growth. A core presence of educational, research, incubator, and corporate space will provide the Campus with a strong start, around which additional community needs and services can thrive over time.

Anticipated Phasing (Cumulative Totals)

Building Program	Near Term (0-5 Years)	Medium Term (10 Years)	Long Term (20 Years +)
Roux Institute at Northeastern University	1,750 Students 222,000 sf.	2,500 Students 372,000 sf.	4,500 Students 372,000 sf.
Office / Lab Partners	Included in the Roux Institute	Included in the Roux Institute	200,000 sf.
Business Incubation	40,000 - 50,000 sf.	40,000 - 50,000 sf.	40,000 - 50,000 sf.
Residential	175 - 250 Units 150,000 - 200,000 sf.	350 - 425 Units 300,000 - 350,000 sf.	525 - 650 Units 450,000 - 550,000 sf.
Hotel	90,000 sf.	90,000 sf.	90,000 sf.
Retail (Restaurant, Café, Market, Kayak, etc.)	10,000 sf.	15,000 sf.	25,000 sf.



Design Principles

The Roux Campus will be a paradigm for 21st-century urban, sustainable, and resilient design. All elements of the campus are conceived holistically in relation to the broader whole. Near-and-long-term planning support a vibrant campus environment with views and connections to the waterfront, a variety of public spaces, and site access via bike paths, walkways, and the public pier. Key principles of the design approach to this campus include:

A Destination on the Waterfront

- Engage the waterfront along the west, east, and south boundaries
- Promote visual and physical connectivity
- Encourage connections to the waterfront through diverse spaces
- Create a holistic built environment
- Restore, repurpose, and revitalize the cannery building
- Create an iconic architectural expression

Places to Gather

- Welcome the surrounding neighborhood
- Foster community with shared spaces and interaction
- Build a strong association with the City of Portland
- Develop a critical mass for desirable connections to occur regularly
- Provide public open space
- Provide spaces where neighbors can work and read while enjoying the campus' built environment

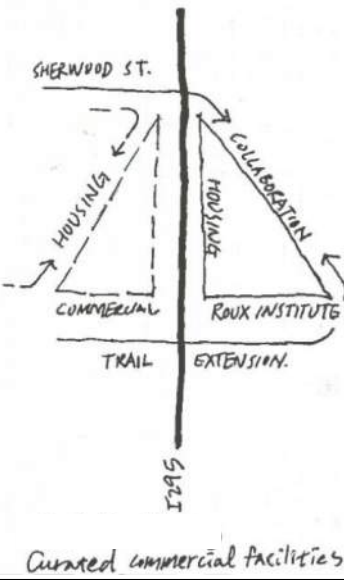
A Sustainable & Resilient Campus

- Employ sustainability benchmarking for environmental stewardship
- Incorporate state-of-the-art features, systems, and techniques
- Reduce energy consumption campus-wide
- Build for resilience; prepare for extreme weather and climate change
- Maximize green space through appropriate building height

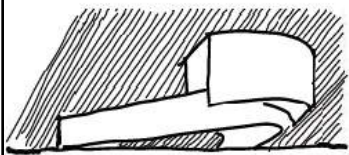
Integrated Landscape

- Enhance access through TDM and multi-modal support
- Contribute to Portland's open space network

Welcoming the Neighborhood

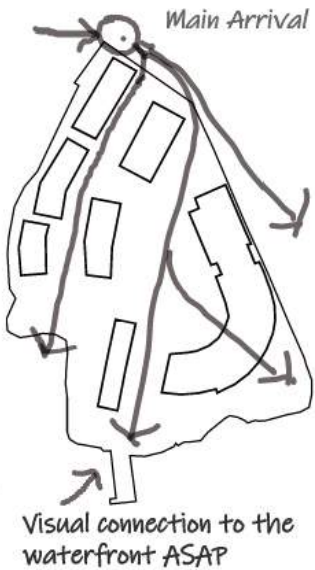


Iconic Architectural Expression

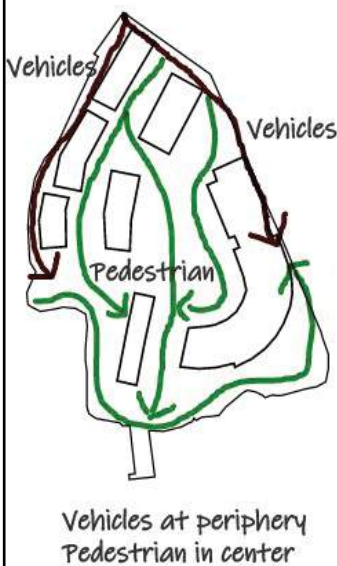


Iconic feature on the Portland skyline & waterfront

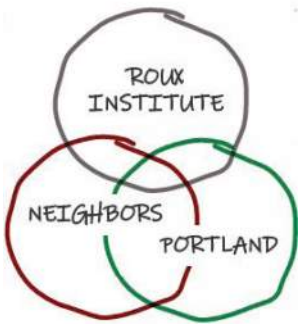
Waterfront Connections



Pedestrian Campus



Foster Community



Artist Interpretation



Above: Concept sketches by Cambridge Seven and Tsoi Kobus Design

A Destination on the Waterfront

Artist Interpretation



Development of a new landmark campus, with focus toward the community and the waterfront, will enhance the East Deering neighborhood. New, forward-looking campus buildings adjacent to the restored and repurposed cannery building will update and respect its legacy. The waterfront will integrate with the entire campus through ecologically-focused design. Water views from the ground and buildings will emphasize the site's uniqueness and become an integral part of the campus identity. Pedestrian / bicycle trail connections and water shuttle or taxi service will let the waterfront serve as an entrance to the campus.

Places to Gather

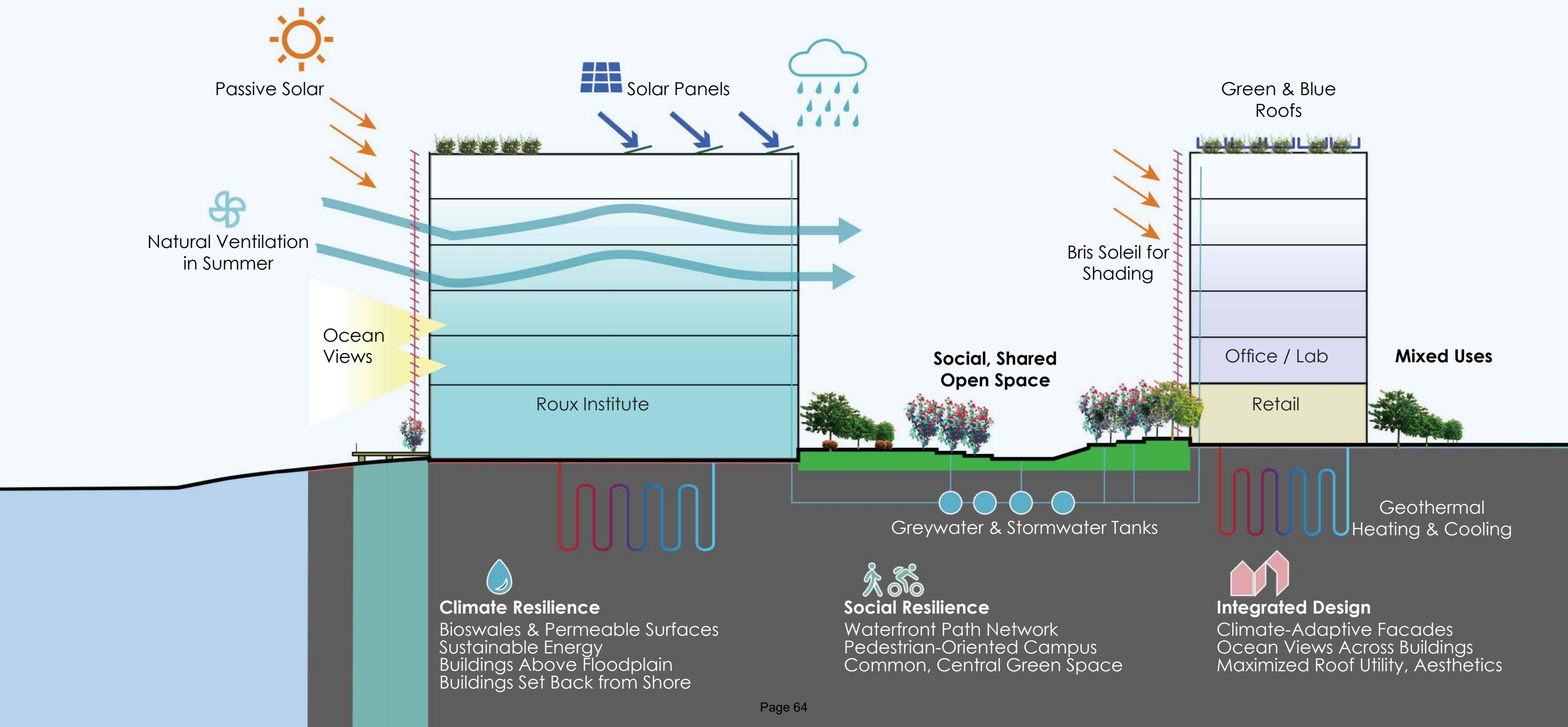
Artist Interpretation



All new buildings will connect through linking landscaped terraces with a central, pedestrian-oriented green space. The campus will maximize publicly accessible open space through building height and density. This plan will foster a mixed-use environment encouraging interaction and innovation. Internal connections are echoed by external circulation and access points (pedestrian, bicycle, public transit, potential water taxi, automobile) that further strengthen the connection with neighboring communities and the city of Portland.

A Sustainable & Resilient Campus

The Roux Campus intends to incorporate state-of-the-art sustainable technologies to the maximum extent practicable. Examples of possible technologies (illustrated below) that will be thoroughly studied include: geothermal heating and cooling, photo-voltaic solar panels, high-performance building envelopes with triple glazing, green roofs, blue roofs, storm water / greywater management, passive solar gain, sea water cooling, and natural summer ventilation. Resilience strategies like constructing buildings well above the 100-year flood zone will also be deployed to account for rising sea levels and severe weather events.



Enhance Access

The striking campus is visible from Interstate 295, as well as from its on and off-ramps which are located nearby. US Route 1 and downtown Portland are both accessible within minutes. Via Sherwood Street, the Roux Campus will connect to the East Deering and Back Cove neighborhoods. Bus routes within easy walking distance, and waterfront pedestrian and bicycle trails (including a potential new connection under Tukey's Bridge and improvements to Sherwood and Veranda Streets) will link the Roux Campus to the neighborhood as well as to the Back Cove Trail, Bayside Trail, Eastern Promenade, and future trail networks. Within the site, ADA pathways and inclusive design principles will ensure the site benefits all visitors.

Adjacent to the Roux Campus (but not on its property) is the former Grand Trunk Railway line, which could one day provide a new transportation pathway. Connections to Casco Bay ensure water access to the peninsula, islands, and the entire Maine coast.



Contribute to Portland's Open Space Network

The Roux Campus will add significantly to Portland's open space network via a modern waterfront with public amenities such as lawns, a pier, plazas, and a large central green space. Enhanced sidewalks and bike lanes, a potential direct connection to the Back Cove, Eastern Promenade, and Bayside trails, along with a pier for a water shuttle and / or taxi, will help the public get to the Campus. Gardens, native meadows, trees, and natural areas will offer new, calming spaces and create a variety of healthy habitats.

The primary academic building of the Roux Institute at Northeastern University will anchor a cohesive campus of learning, research, and collaboration along with residential and retail facilities that support them; natural systems will integrate with everyday life. A network of inland pathways across various landscapes will thread uses together.

The Roux Campus will transform an industrial site into an ecologically diverse, urban waterfront setting. Many existing impervious surfaces will give way to open spaces inspired by natural landscapes from the Greater Portland area. Stormwater management strategies will further contribute to the environmental function of the site.



Open Recreational Space

Forested Area

3. Creating the Path Forward



Assessment of Growth

The City's Land Use Code establishes content requirements for Institutional Development Plans, including considerations of transportation, environment, infrastructure, design, and neighborhood engagement. The following pages apply these lenses to the Roux Campus, how they interact, and the opportunities they create.

Transportation

With one vehicle entry point, the project must be properly planned to minimize impacts on the surrounding street network. Reductions in trip generation through complementary on site uses, alternative modes of transportation, and transportation demand management are crucial.

Infrastructure

Any development is limited by the capacity of nearby utilities infrastructure. Fortunately, the site's previous industrial demands dovetail nicely with the needs of a mixed-use development. High-performance buildings can help reduce further infrastructure demands.

Environment

One compelling aspect of the Roux Campus is the waterfront location; yet decades of production and transportation-oriented industrial use diminished its ecological function. Thoughtful redevelopment will restore some of this function.

Design

While the Roux Institute at Northeastern University seeks to inspire aesthetically, the Roux Campus will be designed with neighborhood context and nature in mind. It can serve as a proving ground for best practices in ecological and urban design.

Neighborhood Engagement

The Roux Institute at Northeastern University cannot thrive without the support and goodwill of its neighbors. By establishing and maintaining community engagement, the organization will incorporate fresh ideas and build trust.

The environment of the site influences its design. That design leads to higher or lesser demands on transportation networks and utility infrastructure, which in turn impact the environment. Underlying the entire process is neighborhood engagement, without which the Roux Institute at Northeastern University cannot succeed.

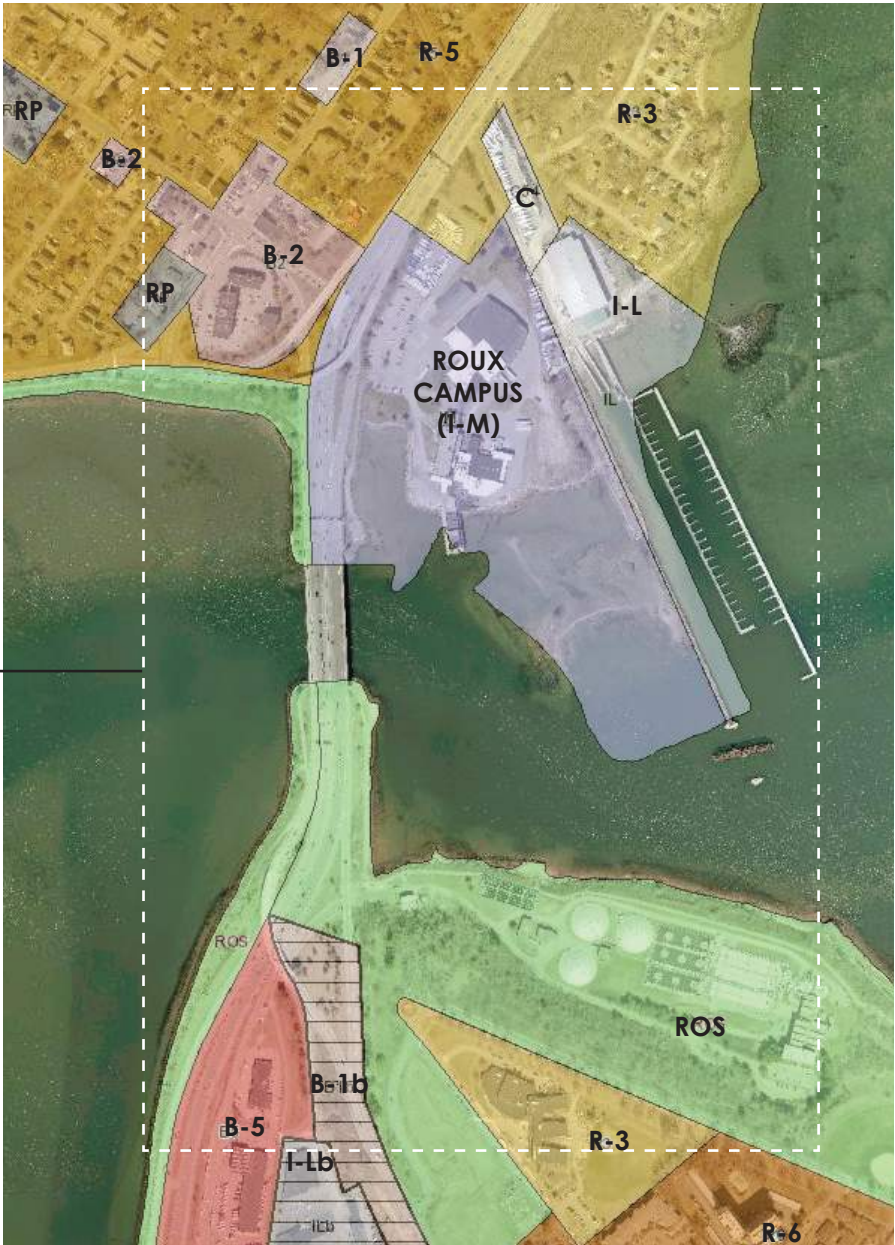
Boundary of Proposed B-5 & IOZ



The proposed Roux Campus aligns well with the B-5 Mixed-Use Business zone's purpose statement in the City of Portland's Land Use Code:

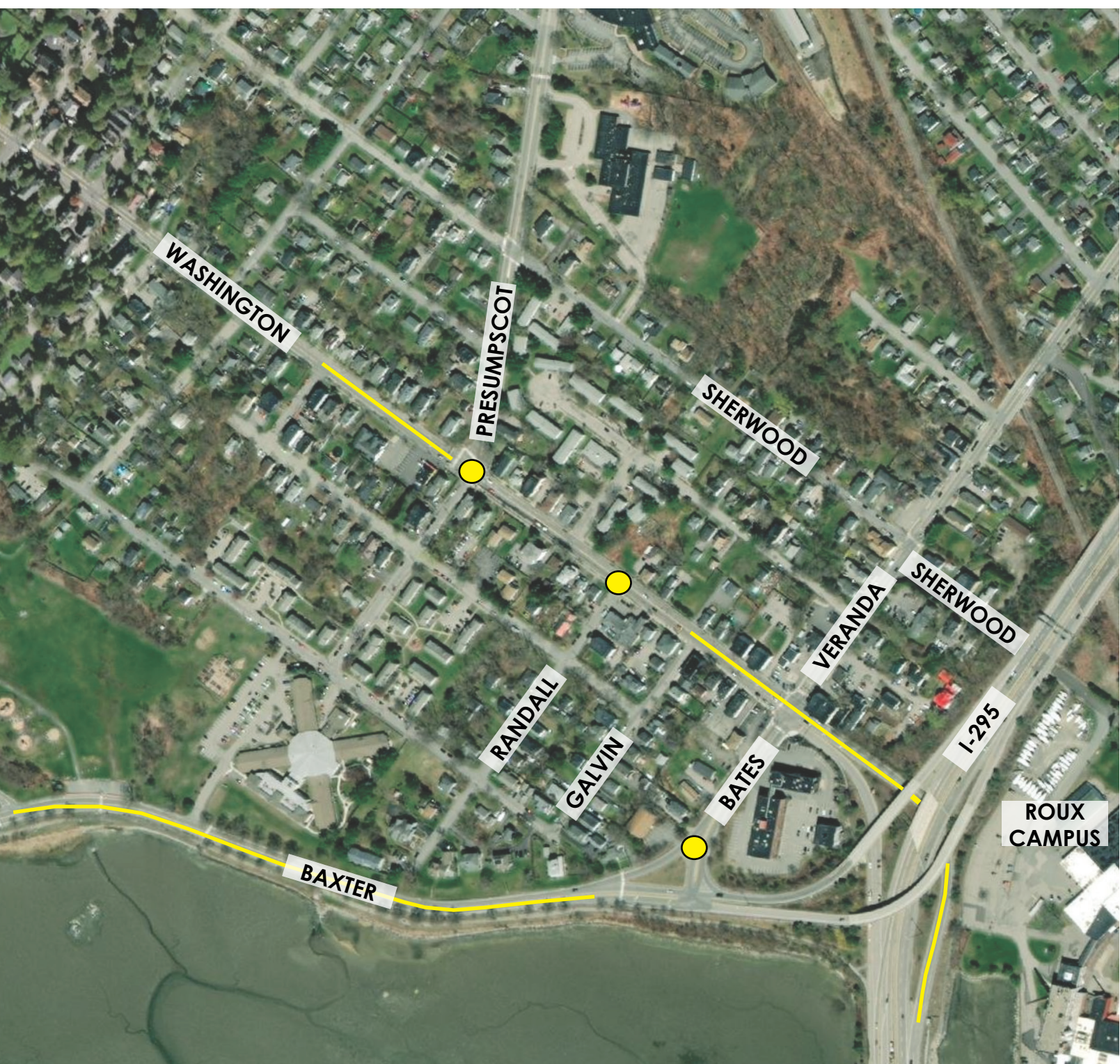
"To provide areas of the peninsula* near the downtown where a mixture of uses, including marine, industrial, commercial, and residential, is encouraged. The B-5 and B-5b zones are characterized by larger underdeveloped lots with great potential for denser, clustered, urban mixed-use development and more efficient reuse of existing land and buildings. It is anticipated that the dense, mixed-uses of the B-5 and B-5b zones will rely on a shared infrastructure system, including service alleys, parking lots, public transportation facilities, stormwater management, and driveways."

*Per the City of Portland's Land-Use Code, "on-peninsula" is defined as all land south of I-295. The proposed Roux Campus is south of I-295.



Transportation

The Roux Campus is well-situated to several major thoroughfares, including I-295, US Route 1, Washington Avenue, and Baxter Boulevard. The site has a single access point, located on Sherwood Street; that access will continue to provide vehicular access in and out of the site in the future. Access to Sherwood Street is provided via Veranda Street which connects to Washington Avenue, I-295, Baxter Boulevard, and US Route 1.



Washington Avenue accommodates all users, with traffic using two lanes in each direction south of Presumpscot Street, one lane in each direction north of that point, and buffered bike lanes north of Presumpscot. Bus routes run along Washington Avenue and pedestrian accommodations are present. In addition, the traffic signal system along Washington Avenue is a traffic responsive system operating with high efficiency. Intersections of Washington Avenue at Veranda Street, at Presumpscot Street, and at Ocean Avenue are each signalized intersections with pedestrians processed concurrently to traffic.

Veranda Street accommodates vehicular traffic with a single lane in each direction. Sharrows (faded) indicate that bicycles share the travel lane. Sidewalks are provided on both sides of Veranda Street and transit stops are present. Sherwood Street is a two-way roadway that is not striped and allows parking. Sherwood Street intersects Veranda Street to form a slightly offset four-way intersection. Both Sherwood Street approaches are stop controlled at Veranda Street as well as Presumpscot Street.

Bates Street extends from the intersection of Washington Avenue and Veranda Street toward Baxter Boulevard, and consists of a vehicular traffic lane in each direction and a bike lane from Washington Avenue to Baxter Boulevard. A sidewalk runs along the west side of the street, but narrows and is periodically blocked by utility poles. A single lane in each direction at the intersection of Bates Street and Baxter Boulevard provides access north on I-295. Access south on I-295 is via a two-lane connection in each direction at the intersection of Washington Avenue at Veranda Street and Bates Street. This widens at Washington Avenue for turn lanes.

Adjusted Traffic Volumes at Washington Avenue and Veranda Street (2021)

Approach	Movement	AM Peak Hour Volume	PM Peak Hour Volume
Veranda St. Southbound	Left	130	70
	Through	65	95
	Right	50	60
Washington Ave. Eastbound	Left	35	50
	Through	1195	995
	Right	65	90
Veranda St. Northbound	Left	65	65
	Through	45	95
	Right	160	155
I-295 Exit Ramp Westbound	Left	100	150
	Through	650	1090
	Right	80	190

The intersection of Washington Avenue and Veranda Street is critical. Traffic from I-295, Baxter Boulevard, and Washington Avenue all travel through it to reach the site.

Several high crash locations (segments or intersections with eight or more traffic crashes and a critical rate factor exceeding 1.00 over the most recent three-year period) are located near the project site:

Intersections (with Crash Totals):

- Washington Ave. at Randall St. (8)
- Washington Ave. at Presumpscot St. (32)
- Washington Ave. at Bates St. (34)

Segments (with Crash Totals):

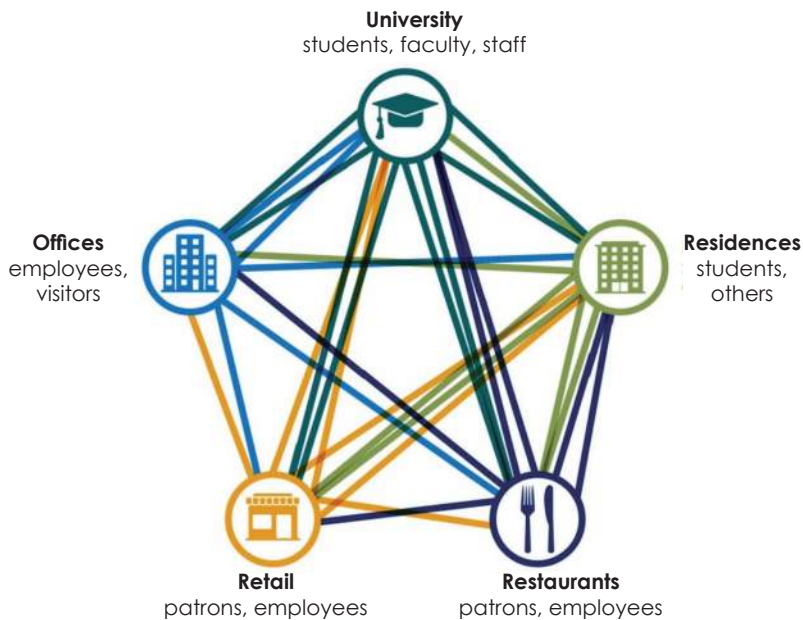
- Washington Ave. from I-295 to Veranda St. (11)
- Washington Ave. from Veranda St. to Galvin St. (12)
- Washington Ave. from Galvin St. to Randall St. (8)
- Washington Ave. from Presumpscot St. to Cummings St. (10)
- Baxter Blvd. from Bates St. to Catafalque Dr. (9)

From 2018 to 2020, no fatal crashes occurred at any of these locations. Most were rear end or sideswipe crashes, with some intersection movement crashes. One pedestrian crash occurred, at Washington Avenue and Presumpscot Street. Four bicycle crashes occurred: one each at Washington Avenue and Presumpscot Street, Washington Avenue between Presumpscot Street and Cummings Street, Washington Avenue and Veranda Street, and at Bates Street and Veranda Street.

Trip Generation

Trip generation was evaluated using standard rates and Maine DOT guidance for the long-term development of the site. Trip generation rates were obtained from the Institute of Transportation Engineers Trip Generation Manual, 11th Edition. Relevant uses for the Roux Campus include university/ college (LUC 550), general office building (LUC 710), multi-family housing mid-rise (LUC 221), high-turnover sit-down restaurant (LUC 932), strip retail plaza (LUC 822), and hotel (LUC 310). As a mixed-use development, many trips will occur between destinations on the campus. Students, faculty, and staff will eat in on-site restaurants and shop at on-site retail stores. Some students will live in the residential units or work in the office space. Office workers may travel between offices, university buildings, restaurants, and stores.

Inclusion of ancillary uses on the campus, such as housing, hotel, office space and retail, will reduce the number of external trips to the site; internal trips will not generate external traffic or impact the adjacent road network. For traffic generation purposes, internal trips are separated from total trips estimated using engineering standards.



Mode Share

The East Deering Neighborhood is served by multiple bus routes and features a pedestrian and bicycle network. With improvements to these resources, the project site will be well-suited for trips by modes other than single-occupant vehicles. IDEALS and the Roux Institute are committed to working with Portland METRO to support increased transit opportunity to and from the campus area. These factors, in addition to a Transportation Demand Management (TDM) plan, will reduce auto mode share.

A transportation engineer developed target mode shares for each envisioned Roux Campus land use, in consultation with City of Portland and Maine Department of Transportation officials. These shares were applied to external trips to determine the likely number of trips by each mode, yielding the estimates in the table at right.

Vehicle Trip Assignment

Vehicle trips were assigned to area roadways by estimating the proportion of trips arriving or leaving on each approach to the area. Estimates were based on data from several sources, including population density maps and US Census Journey to Work data. The process was repeated using catchment areas of various sizes, with minimal change in results. Trip distribution for people within a commuting distance of the site is shown in the adjacent top graphic.

Approximately 50 percent of trips are anticipated to travel from the south to reach the site and 15 percent are anticipated to approach from the north. (The thicknesses of arrows are scaled to indicate the share of trips that will use that route.)

Anticipated distribution of vehicular trips on neighborhood streets is shown in the adjacent bottom graphic. Almost 90 percent of trips are expected to travel through the intersection of Washington Avenue and Veranda Street. However, to access I-295 southbound, some drivers may choose instead to exit by taking a right and traveling up to the southbound on-ramp.

Additionally, almost 30 percent of the site traffic is oriented to points west /southwest along local roadways or to and from the north on I-295; this will impact the intersection of Bates Street and Baxter Boulevard.



Estimated Mode Split (%)				
Land Use	Transit	Ped. & Bike	Vehicle	Carpool Rider
Office	10	10	75	5
Retail	10	50	40	0
Restaurant	10	50	40	0
University	10	20	65	5
Residential	10	20	65	5
Hotel	10	10	75	5



A Portland METRO bus travels north on Veranda Street from a stop near its intersection with Sherwood Avenue.

Transportation Improvement Opportunities

Bicycle and Pedestrian Connection Opportunities

Infrastructure improvements can alleviate some neighborhood traffic impacts. These improvements include roadway reconfigurations, pedestrian and cyclist connections, and additional transit provisions. Two opportunities stand out when considering bicycle and pedestrian improvements (illustrated below and in the map at right).



Above: The Back Cove Trail connects with the Eastern Promenade Trail via Tukey's Bridge.



Above: potential extension of the existing Back Cove Trail to the Roux Campus.

The first is an improved connection between the Back Cove Trail and Washington Avenue. At present, users of the Back Cove Trail face a 90-foot mid-block crossing to reach the northwest side of Bates Street. Converting the intersection of Bates Street and sweeping right-turn maneuver would create a shorter, safer crossing. The second improvement is a direct connection from the Roux Campus to the Back Cove Trail, extending the shared-use path below and alongside Tukey's Bridge and through the site.

Parking Demand and Capacity

Parking will be built over time as part of the development program. All vehicular trips are intended to park on-site. As demand increases during the phased development, parking will be introduced incrementally to avoid excess supply and inadvertent encouragement of driving to the site.

Base parking demand (calculated for each hour of the day using ITE Parking Generation Manual rates, 5th Edition, and the same land use codes as for trip generation) indicate that total parking demand across all uses on the site will peak at 11 AM. At completion of the first phase of development, parking demand is expected to be approximately 700 vehicles. Demand at full build-out could be as high as 1900 vehicles, inclusive of day users and residents. All site parking is intended to be communal; availability in the closest lot to a destination will not be guaranteed. Additionally, uses with opposing peak parking demands will be able to share parking resources.

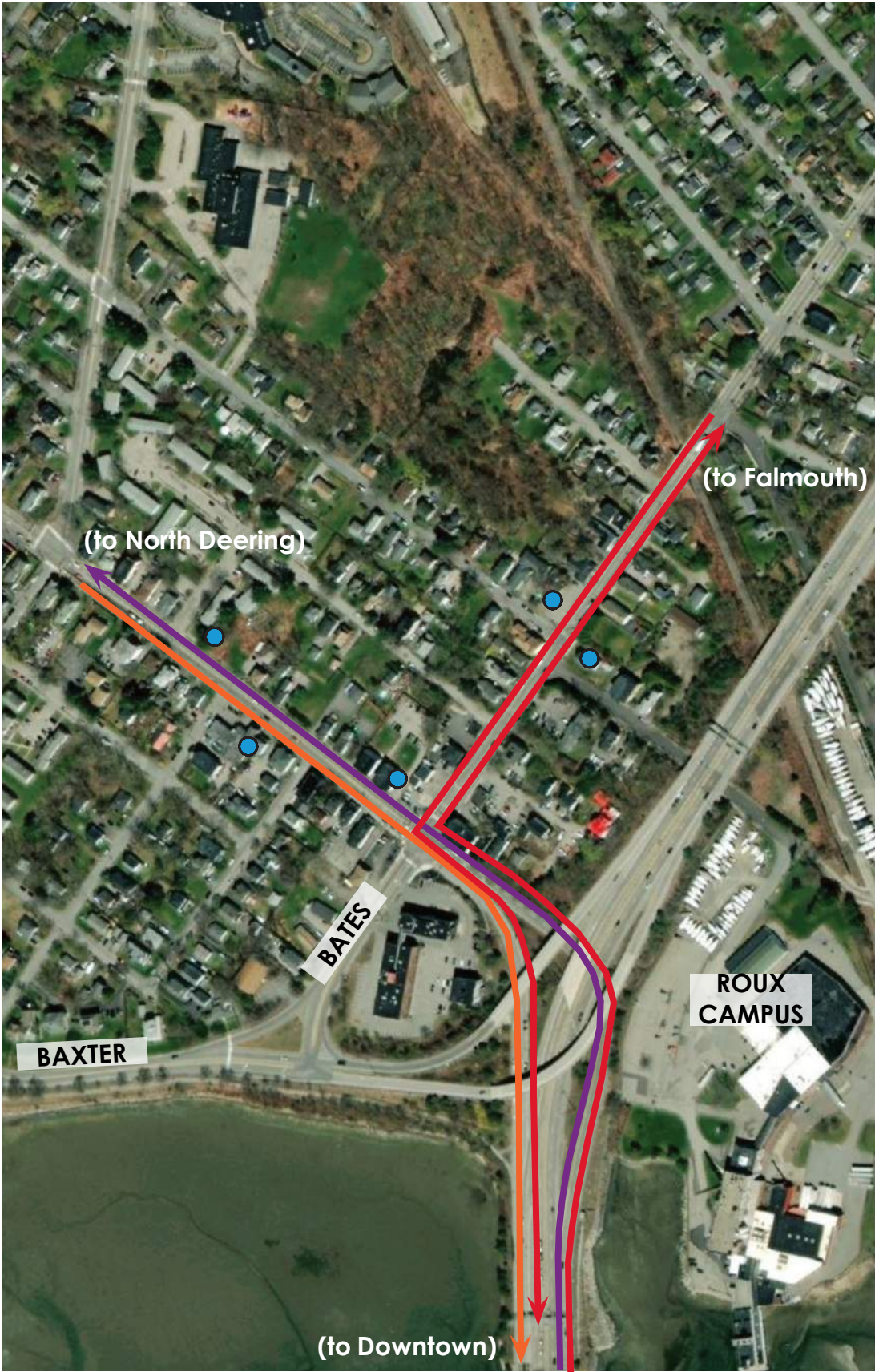
All parking will be paid parking, and a parking office will be created to handle permitting and enforcement for the campus. Parking costs and regulations may vary between classes of users (students, staff, residents, office tenants, visitors, etc.). The Roux Campus may include on-site car share, enabling travel to and from the site using other modes, with the comfort that vehicles are available if necessary.

Public Transit

Two bus lines currently stop near the site: METRO Route 7 and METRO Routes 9A / 9B. These routes provide direct connections to the peninsula, western Portland, and Falmouth. With a transfer at the Downtown Transportation Center, riders can reach the rest of Portland and several outlying towns.

Buses run continuously throughout the day, readily accommodating the varied schedules of students and other campus users. METRO BREEZ express bus service to Yarmouth, Freeport, and Brunswick and the Husky Line to Westbrook and Gorham establish a regional footprint for transit service. Ten local and express routes connect the campus to most of the Portland area with no more than one transfer.

The Roux Institute at Northeastern University will promote and incentivize transit use. It plans to subsize transit passes for students, and will work with METRO to improve the quality and frequency of transit connections to the Roux Campus.



Other Roadway Improvement Opportunities

The Roux Campus is constrained on three sides by the Bay, I-295, and a rail line, leaving Sherwood Street as the only viable access road. The campus' vehicle traffic will be highly concentrated on certain streets and intersections immediately surrounding the site. Targeted roadway improvements at these locations can increase capacity and prevent excessive congestion.

These improvements are not tied to specific years or development phases. They are held out as possible mitigation measures to be considered as future traffic warrants. As development continues, the Roux Institute will apply for traffic movement permits (TMP). Potential improvements will be evaluated during the TMP process in collaboration with the Maine Department of Transportation and City of Portland.

Traffic from the campus to southbound I-295 will make two lefts, once onto Veranda Street and again at Washington Avenue. The left turn lane from southbound Veranda Street to Washington Avenue currently has a storage length of only 130 feet. At higher traffic volumes, the line of vehicles waiting to turn left may extend beyond this length, delaying through and right turning vehicles from reaching the intersection. If this type of congestion becomes frequent, it may be mitigated by extending the left turn lane further back. This will require widening Veranda Street between Washington Avenue and Sherwood Street within the existing right of way. Widening on Veranda Street would also allow bicycle lanes to be added.

With 100% of campus traffic traveling through the intersection of Sherwood Street and Veranda Street, improvements may become necessary. The intersection is currently controlled with a stop sign on Sherwood Street. To improve traffic flow, Sherwood Street could be widened at the intersection within available city right-of-way to separate outbound traffic into left and right turn lanes. A bicycle lane could also be added within this space. This would substantially increase capacity on the Sherwood Street approach. If traffic volumes eventually exceed this new capacity, a traffic signal could be installed at the intersection.

Traffic approaching the campus from I-295 southbound will exit at Baxter Boulevard and make a right onto Bates Street. There is significant unused right of way on Bates Street between Baxter Boulevard and Veranda Street that could be repurposed to increase capacity. Another northbound turn lane could be added (isolating left, through, and right movements) at the intersection as well as adding a bike lane. A bike lane would also have the benefit of completing the trail connection from the Back Cove Trail. The intersection of Washington Avenue, Veranda Street, and Bates Street may eventually need other mitigating measures to increase capacity, such as reconfiguring lanes on the I-295 exit ramp approach.



Active Transportation

In addition to the transit options in the study area, the Roux Campus development will benefit from existing pedestrian and bicycle infrastructure. Sidewalks are in good condition and pedestrians are accommodated at signalized intersections with crosswalks and concurrent pedestrian signal phasing. Future visitors will benefit from

upgraded pedestrian accommodation along Sherwood Street. Once on the site, pedestrian connections will link site uses and points along the waterfront.

The Roux Campus can promote human-powered trips to the site through improved connections to this infrastructure. The area is

densely populated, bicycle lanes are provided along Washington Avenue and other roadways, and the Back Cove Trail is nearby. In the future, cyclists will be accommodated on Veranda Street and into the site on Sherwood Street via dedicated bicycle lanes.

Transportation Demand Management (TDM)

TDM programs seek reductions in traffic impacts by subsidizing and marketing alternative commute options. IDEALS plans aggressive targets of non-single occupant auto trips and intends to limit on-site parking - the goal is a 37 percent reduction in automobile trips from ITE Trip Generation predictions, and a minimum of 20 percent reduction in parking demand compared to anticipated ITE Parking Generation. As mixed uses are created during development, internal trip-making will increase, and these targets may be revised.

Transportation Coordinator: IDEALS plans to follow industry best practice by appointing a campus-wide transportation coordinator. This person will collect data on the TDM program to ensure it evolves as the site develops. Once aspects of the site are operational, they will conduct a transportation survey to establish a baseline for future trip reduction goals. They will also collect and disseminate information (including non-automobile travel options) among the employers and facility managers on-site to encourage TDM participation.

Public Transit Support: IDEALS intends to partner with Portland METRO to subsidize shorter headway service to the Roux Campus. Student subsidies will enable frequent and reliable service to and from the site.

To further support trips via public transit, the Roux Institute at Northeastern University intends to subsidize bus trips for students and employees (for employees, their purchase can also be included as a pre-tax benefit). Lease agreements will allow IDEALS to encourage transit pass subsidies by other on-site employers.

Carpools: IDEALS will prioritize parking for carpools near building entrances. The transportation coordinator can facilitate carpools by maintaining a database of interested parties; commuters may be matched with others who live near them or can access a park and ride location along their route. The coordinator can also participate in the Maine DOT commuter resource program, which facilitates carpools across nearby sites and provides participants with rewards for carpooling.

Parking Fees: Parking is intended to be shared across uses on the Roux Campus, not guaranteed in individual lots.

Bicycle Travel: IDEALS will support active transportation by investing in complete streets and trail connections, bike storage, and shower facilities and lockers.

Water Travel: IDEALS plans to build a modern pier over the footprint of the current pier, in order to accommodate water shuttles and taxis.



Infrastructure

B&M's facilities required intensive utility and infrastructure development sized appropriately for industrial use. Fortunately, this sizing translates well to re-use in a denser development, as proposed.

Water

Domestic and fire protection services are provided by Portland Water District's (PWD) infrastructure at Sherwood Street. The public water mains nearest to the site are 8-inch and 12-inch, consisting of ductile iron and cast iron. The site is, and will continue to be, serviced by a combined domestic / fire protection loop.

Wastewater

Wastewater will continue to discharge to a gravity public sewer along the I-295 corridor. Downstream of the service connection, public sewer transitions from 15-inch to 48-inch reinforced concrete gravity line conveying combined storm and sanitary sewer from the East Deering neighborhood west of I-295. The 48" combined sewer transitions to a 3-barrel (two 18" and one 30") siphon along Tukey's bridge and discharges through a pumping station prior to treatment at the East End Wastewater Treatment Facility.

Wastewater is conveyed across a portion of the site near Sherwood Street and I-295 from properties to the northeast (Lennox, Berwick, and Kensington Streets) via an easement benefiting PWD. This easement will remain in place unless otherwise approved by PWD.

Stormwater

Stormwater runoff from the site is managed through a combination of catch basins, buried infrastructure, and overland flow, discharging via outfalls to the bay. The Roux Campus redevelopment allows for reduction of site impervious area and incorporation of low-impact development techniques; these will improve the water quality of runoff prior to its discharge into Casco Bay.

In addition to private stormwater outfalls, a public stormwater outfall is located at the site's southwest corner. This outfall will continue to convey drainage from the neighborhood west of I-295 through an easement located near the southwest corner of the site.

Electricity

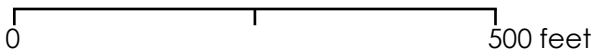
Central Maine Power provides electric power via an overhead 12.47kV 3-phase distribution system. The facility has two main secondary metered services. New utility corridors will include electrical infrastructure improvements. Energy-saving technologies and renewable energy sources will be incorporated into building and campus design to reduce electricity consumption and advance sustainability goals.

Telephone & Data

Fiber-optic internet is located along Veranda Street and Sherwood Street.

Natural Gas

Unitil provides natural gas service to the site via a 6-inch diameter service. Natural gas infrastructure in the East Deering neighborhood is provided at intermediate pressure and is suitable for campus needs.



① Buildings shall:

- be characterized by excellence in architectural design, sustainability, & craftsmanship
- be organized to take advantage of views, site circulation, and public space along the waterfront
- incorporate materials, landscape, signage, & lighting that reflect Portland's character yet look to a high-tech future
- utilize durable materials resistant to the marine climate & which contribute to an attractive public realm
- screen rooftop appurtenances & set back mechanical enclosures from roof edges to reduce shadow & visual impact
- share visual connections with other campus buildings to achieve a holistic campus appearance
- support and augment activation of public spaces and public access to the site
- identify the primary academic program area through signature architecture
- limit sound transmission via acoustical attenuation
- respect and provide a buffer from the historic B&M cannery building
- employ sustainability benchmarking to foster environmental stewardship and resilience
- create a strong identity & sense of place

② Parking shall:

- ensure EV charging capability meets EV demand & is scalable as demand increases
- utilize durable building materials & provide architectural interest, with visual connection to campus buildings
- support street activation & pedestrian scale when adjacent to public open space or right-of-ways
- conceal the view of parked vehicles & and internal light sources as much as possible

③ Campus circulation shall:

- be bike & pedestrian-centered, with other vehicle circulation generally at the perimeter where practicable
- provide bike / pedestrian connectivity where feasible
- provide wayfinding & amenities to create a safe & welcoming environment for the community

④ Open space shall:

- create a strong identity & sense of place
- be designed for safety, comfort, & year-round enjoyment
- enable access to building entrances
- utilize a combination of planting & hardscape
- provide an appropriate buffer adjacent to & complementing the historic B&M cannery building

⑤ Waterfront shall:

- provide access & amenities to connect the public to the shoreline & ocean
- support site resilience in consideration of flooding from storm events & sea level rise
- support ecological functions & values

⑥ Height & massing shall:

- coordinate project requirements for use & density with open space / amenities for the public & urban design
- vary across the site, with the tallest building located toward the center of the campus & somewhat lower heights on the eastern and western boundaries and adjacent to the historic cannery building
- utilize building articulation & material selections to provide character and scale
- ensure permeability through & within the site for light, air, views, & access
- be appropriately scaled to support pedestrian activity, utilizing step-backs where appropriate

Visualizing the Guidelines: Potential Site Layouts



Environment

Strengthening Resilience & Ecology

Under current conditions, the site is approximately 75% impervious with approximately 10 acres of building roofs, parking areas, and loading dock space. Minimal shoreline buffer is present at the site, with pavement extending right up to the armored embankment along much of the shoreline. Existing site grades adjacent to the cannery building are only 1-foot above highest astronomical tide. In recognition of these existing vulnerabilities and with a desire to improve ecological function for the site, the redevelopment will raise interior site grades and soften landscapes to reduce impervious area and increase flood resilience. Living shoreline techniques for landscape will enhance some of the natural resource areas along the water's edge.

Energy Consumption

The development presents an opportunity to mitigate energy consumption through high performance building envelopes, particularly with the likely southern exposure of the Institute building. Similarly, IDEALS intends to explore and hopefully incorporate renewable energy sources such as active and passive solar, sea water cooling, and / or geothermal.

Noise Generation

The proposed mixed-use academic campus is compatible in uses with the surrounding East Deering neighborhood. The Roux Campus is buffered by I-295, the abandoned Grand Trunk Railway, and adjacent marine uses. Development will adhere to City of Portland technical standards regarding noise, vibration, and other potential nuisances. In addition, building materials will be selected to minimize campus and internal building noise from I-295 traffic, benefiting residents, students, and all users of the site.

Hazardous Materials

Use of hazardous materials, if any, will be in academic and laboratory contexts, and managed in conformance with all local, state and federal requirements.

Lighting

All exterior lighting, and, to the extent practicable, interior lighting, will be designed to reduce impact on the night sky.

Shadows

Massing and orientation of buildings can limit shadows on adjoining neighborhoods. Mechanical enclosures will be set back from roof edges to minimize impact.

Wind

Wind engineering specialists will provide insight into microclimate factors. Their recommendations will guide massing and orientation of buildings to maximize comfort in outdoor spaces. Tree placement and landscape features may also mitigate wind impact.

Crime Prevention Through Environmental Design (CPTED)

The site will maximize activity via mixed uses to provide “eyes on the street,” especially along primary sidewalks. Lighting and clear sight lines (particularly along bridge underpasses) will improve connections to the site and experiences within it.

Existing Condition



Artist Interpretation



Neighborhood Engagement

The Roux Campus is intended to become a beloved extension of the East Deering neighborhood, which is separated from the site by Interstate 295 and the rail corridor. The site will be a walkable addition to the neighborhood, with open spaces, waterfront, retail, and restaurant amenities, but it also represents a change. To ensure the campus is designed in a manner benefiting the neighborhood will require robust communication with interested stakeholders.

The City of Portland requires two Neighborhood Meetings related to the Institutional Overlay Zone and Institutional Development Plan processes. IDEALS is using those requirements as a starting point for ongoing dialogue. The first Neighborhood Meeting was held virtually on November 18, 2021, with 23 registered attendants. The feedback was very positive, and attendees expressed interest in construction job opportunities, sought additional information regarding traffic and associated transportation improvements, indicated a desire for bike/pedestrian connectivity, requested that lighting plans be considerate of adjacent neighborhoods, and asked about climate resilience and disturbance during construction. A second Neighborhood Meeting was held in person at the Ocean Avenue Elementary School on April 6, 2022. Although the City only requires that abutters within 500 feet of the project be notified of the meeting, IDEALS expanded the list of invitees to include a much broader radius and mailed over 1700 meeting notices. Forty-seven people attended the meeting at the school. Many attendees expressed concerns about the scale of the proposed development, building height, and traffic.

In addition to Neighborhood Meetings required by the regulatory process, IDEALS is hosting periodic virtual forums called Roux Campus Roundtables as a way to engage with the East Deering neighborhood on an on-going basis. The first such event occurred December 14, 2021. Additional meetings occurred on February 1, 2022, March 23, 2022, and June 2, 2022. More Roundtables will be scheduled in 2022 and beyond to keep the neighborhood informed of progress in development.

To keep all potential stakeholders apprised of the development plans, IDEALS maintains a website, www.rouxcampusportland.org, to showcase up to date plans, present information about the Roux Institute at Northeastern University, and provide notice of upcoming events with links to recordings of prior forums. The site is an interactive platform with an email link for questions and a feedback section that probes for input on a wide variety of issues. This platform will also be a valuable communication tool during construction, providing a means to share information related to construction schedule, work hours, management plans, public safety, and site access.

Additionally, IDEALS has a designated community contact for members of the public. This contact works closely with neighborhood and city stakeholders to solicit feedback and ensure that any concerns are dealt with promptly, whether reported in person or through the website.

Finally, members of the IDEALS team are conducting regular outreach to interested stakeholders and potential partners to gain broad input into development plans. This will facilitate assessment and calibration regarding how the Roux Campus can fit into the Portland landscape and ways it can best live up to its potential as a model for education, economic development, recreation, and aesthetics.



REGULATORY FRAMEWORK

8.5.7 The Initiative for Digital Engineering and Life Sciences / The Roux Institute at Northeastern University Overlay Zone Regulatory Framework

A. Applicability: All development proposed by the Initiative for Digital Engineering and Life Sciences / The Roux Institute at Northeastern University (“IDEALS/Roux”) within the boundary of the IDEALS/Roux Institutional Overlay Zone (IOZ) shall be consistent with the approved Institutional Development Plan (IDP), consistent with the Comprehensive Plan, and meet applicable standards of the Land Use Code, unless such standards are superseded by the following regulatory framework. This regulatory framework shall govern future development by IDEALS and Roux within the IOZ unless amended by the Portland City Council upon formal application of IDEALS and/or Roux. The IDEALS/Roux Institutional Overlay Zone shall have the boundaries depicted below and shall include the approximately thirteen-acre property located at 1 Bean Pot Circle and identified as parcels 447-A001 and A002 in the City’s assessing records.

Proposed B-5 & IOZ



B. Phasing and monitoring.

1. The Roux Campus will be developed in phases, as set forth in the IDP. The IDP will be updated on a regular basis to ensure that the data is current and that the document remains accurate. Accordingly, monitoring reports will be filed every three years and shall include a summary of progress on IDP implementation and of acquisitions and divestment since the date of IDP approval. At the time of the submission of the monitoring report, IDEALS/Roux shall identify any updates to the IDP which may result from updated master planning, changes in baseline information, or changes in the adjacent neighborhood which affect IDEALS/Roux, to allow the IDP to remain current. Updates and minor amendments not described below shall be reviewed administratively by the Planning Authority.
2. Minor amendments that change the approach to parking, transportation, neighborhood engagement or design shall be reviewed by the Planning Board for consistency with the objectives of the IDP. This review may occur simultaneously with the site plan review of a proposed project.
3. Major amendments shall be reviewed by the Planning Board and are required under the following circumstances:
 - (a) A change to the regulatory framework is required.
 - (b) The IDP is no longer representative of the institutional mission or approach to community as a result of redevelopment in the area or City upgrades to neighborhood planning (such as roadway changes, infrastructure upgrades, community design, lighting).
 - (c) Development proposed by IDEALS/Roux is inconsistent with the master facility plan, transportation plan intent, design plan intent, or environment and infrastructure plan intent identified in the IDP.
4. Annual monitoring reports will be submitted for IDEALS/Roux's Transportation Demand Management (TDM) Plan. TDM monitoring reports shall include a summary of progress towards targets established in the TDM Plan.

C. Uses.

1. In addition to the uses permitted in the underlying zone, the uses in Table 8-E are permitted as a matter of right. In recognition that The Roux Institute is a graduate-level educational and research institution with a number of corporate partners, and in recognition of its location outside of the downtown, the following uses and many that are permitted in the underlying zone, such as multi-family housing, hotels, offices and retail, are ancillary to and support the vision and mission of the Institution. In addition, ground floor retail, restaurant, or comparable community-oriented uses that provide services to local residents, students, faculty and staff shall be provided. Such uses are expressly permitted whether ancillary or supporting the educational institution or not, and shall be open and welcoming to the general public in addition to students, faculty, staff, or visitors of The Roux Institute. All of the following uses shall be permitted in all buildings located within the IOZ that are either owned by IDEALS or The Roux Institute or located on land owned by IDEALS or The Roux Institute.

Table 8-E Permitted Uses
All Uses Permitted in the Underlying B-5 Zone
Laboratory and Research Facilities
Structured Parking
Low-impact Industrial (>10,000 SF)
High-tech Manufacturing

2. Hotels shall be limited as follows:

- No more than one hotel shall be located in the IOZ.
- The hotel shall contain no more than 130 rooms.
- The hotel shall be no more than eight stories in height, not including structured parking.

D. Dimensional requirements.

All buildings and structures located within the IOZ and either owned by IDEALS or The Roux Institute or located on land owned by IDEALS or The Roux Institute shall be subject to the dimensional requirements of the underlying zone, except as set forth in Table 8-F.

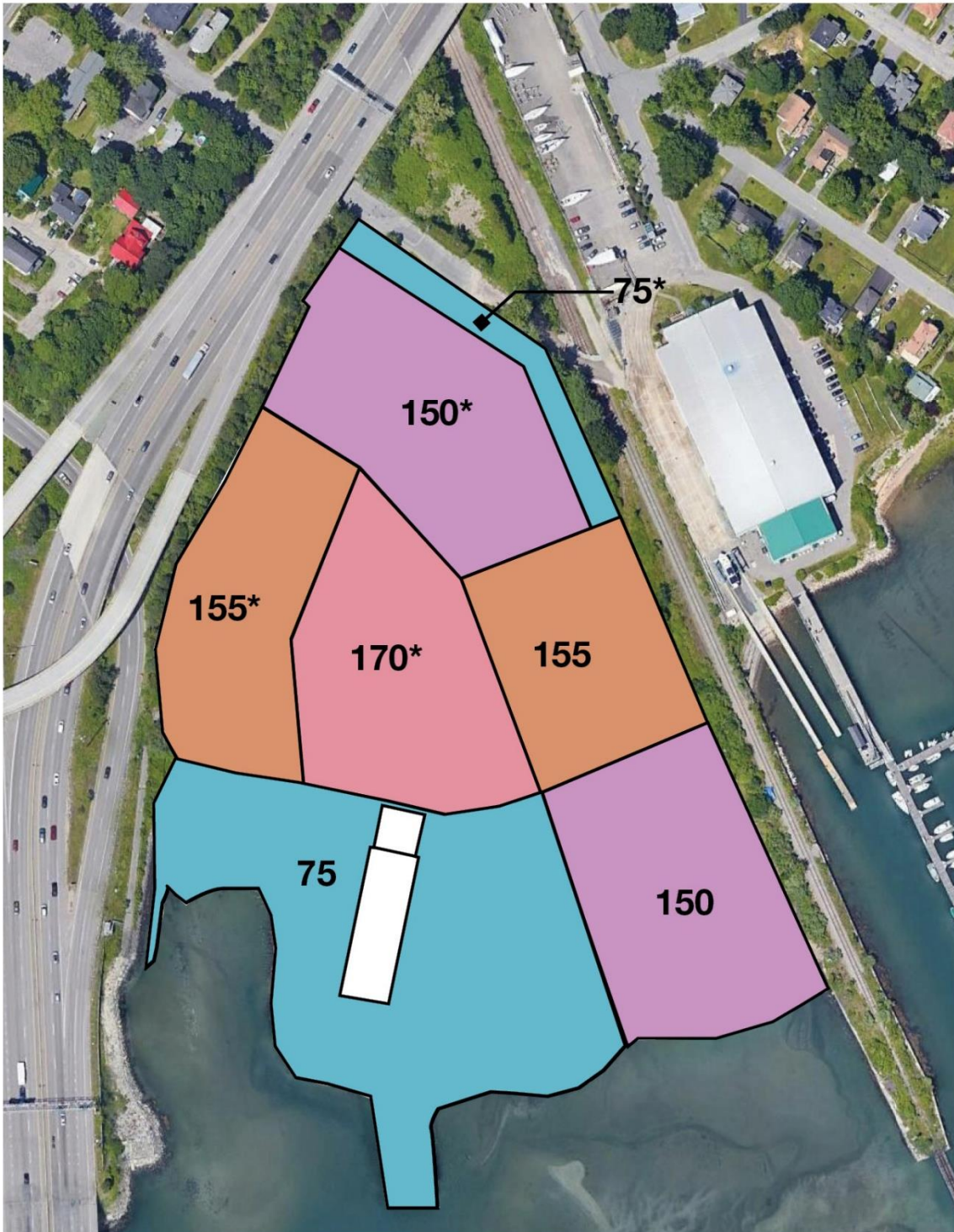
Table 8-F Dimensional Requirements	
Building Height (max.)	Maximum building heights for new buildings in the IOZ shall be governed by the IDEALS/Roux Height Map (Figure 8-E)

E. Transportation.

1. Transportation Demand Management (TDM)

- At the time of the first site plan review following IDP approval, IDEALS/Roux shall submit a campus-wide TDM Plan substantially in accordance with those TDM objectives and strategies identified in the approved IDP. The TDM Plan may be phased into short-, mid-, and long term actions to allow for progressive implementation over time.
- The TDM Plan shall be designed to provide transportation choice with the goal of reducing parking demand and single-occupancy vehicle trips to and from the Roux Campus by students, faculty, staff, institutional partners, and visitors.
- The TDM Plan shall establish parking, mode share, and trip reduction targets associated with each phase of development, as well as a data collection plan.

Figure 8-E: Height Map



NOTES

1. Applies to zones shown with an asterisk (*): above height of 75 feet, no building floorplate shall exceed 35,000 square feet.
2. Above height of 50 feet no two buildings shall be closer than 40 feet apart.

2. Bicycle and Pedestrian Access and Safety

- At the time of the first site plan review following IDP approval, IDEALS/Roux shall submit a bicycle/pedestrian access plan. Where possible, the bicycle and pedestrian access routes shall connect to established accessways. IDEALS/Roux shall look to establish new bicycle and pedestrian accessways where feasible.

3. Parking.

- Parking requirements in the IOZ shall be established at the time of site plan review for each phase of development based on a parking study that includes a campus-wide analysis of demand and supply. Parking studies developed by IDEALS/Roux shall integrate parking and trip reduction achievements and data contained in the TDM Plan.

F. Environment.

1. The IOZ shall contain a minimum of three acres of public open space designed to enhance waterfront access and provide bicycle/pedestrian network connectivity.
2. Development shall utilize sustainable building practices to the maximum extent practicable.
3. Development shall utilize lighting designs required for safety and comfort and that minimize impact to the night sky in accordance with light pollution reduction standards in ANSI/ASHRAE/IESNA 90.1-2007 or its most current edition.
4. Development shall be carried out in such a way as to minimize the impacts of sea level rise, protecting infrastructure and site features by designing to a minimum of 2-feet above the Base Flood Elevation (BFE) as shown on the most current FEMA Flood Insurance Rate Map.
5. Design of the exterior building envelope will be developed in conjunction with the American Bird Conservancy and Cornell Ornithology Lab standards to mitigate bird strikes to the extent practicable.

G. Mitigation measures.

IDEALS/Roux shall mitigate site plan impacts to off-premise infrastructure in a manner proportionate to those impacts. Mitigation may include financial or in-kind contributions to existing or planned City projects focused on mitigating the impacts of the development. Mitigation contribution shall be determined based on the City's standard procedure in effect at the time of site plan review.

H. Design.

New development in the IOZ shall adhere to the design guidelines set forth in the IDP and the site plan standards of the City of Portland.

I. Neighborhood integration.

1. For the purpose of keeping surrounding residential areas apprised of its future development plans, and to address any neighborhood issues related to the operations of the Roux Campus, IDEALS/Roux shall adhere to the ongoing neighborhood engagement principles identified in the IDP.
2. IDEALS/Roux shall conduct ongoing community engagement, including the continuation of Roux Campus Roundtables and maintenance of the Roux Campus website.
3. IDEALS/Roux shall employ or contract with a designated community liaison to be the point of contact for providing information to the neighborhood and receiving feedback.

8.5 INSTITUTIONAL OVERLAY (IOZ)

8.5.1 Purpose

The Institutional Overlay Zone (IOZ) designation provides a regulatory mechanism available to the city's ~~four~~five major medical and higher education campuses where an improved regulatory structure is needed to facilitate a consistent, predictable, and clear growth management process. The purposes of the Institutional Overlay Zone are to:

- A. Acknowledge that the city's major academic and medical institutions play a prominent role in the health and well-being of the local and regional community, and in order to sustain that role, these institutions need flexibility to change and grow.
- B. Encourage proactive planning for institutional change and growth which identifies and addresses likely long-term institutional needs and cumulative impacts while leveraging potential benefits at the neighborhood, city, and regional level.
- C. Ensure that institutional change and growth both complements and, as appropriate, integrates adjacent or surrounding neighborhoods through carefully planned transitions.
- D. Support the formation and continuation of mutually beneficial public-private cooperation.
- E. Support an ongoing public engagement process that benefits both the institutions and nearby neighborhoods.
- F. Reflect Comprehensive Plan and other policy objectives.
- G. Provide a consistent regulatory approach to all major institutions which allows unique regulatory requirements that balance the particular needs of institutions with the needs of the surrounding neighborhood and wider community.

8.5.2 Location and applicability

The city's ~~four~~five ~~primary~~major medical and higher education institutions are eligible to apply for designation as Institutional Overlay Zones. The eligible institutions are the two major hospital institutions of Maine Medical Center and Mercy Hospital and the ~~two~~three major academic institutions of University of Southern Maine, ~~and~~ University of New England, and the Initiative for Digital Engineering and Life Sciences / The Roux Institute at Northeastern University, their successors and assigns. Designation as an IOZ is the preferred mechanism where the eligible institution's proposed development is inconsistent with the existing zoning.

Campus Concept | near-term

Att. J



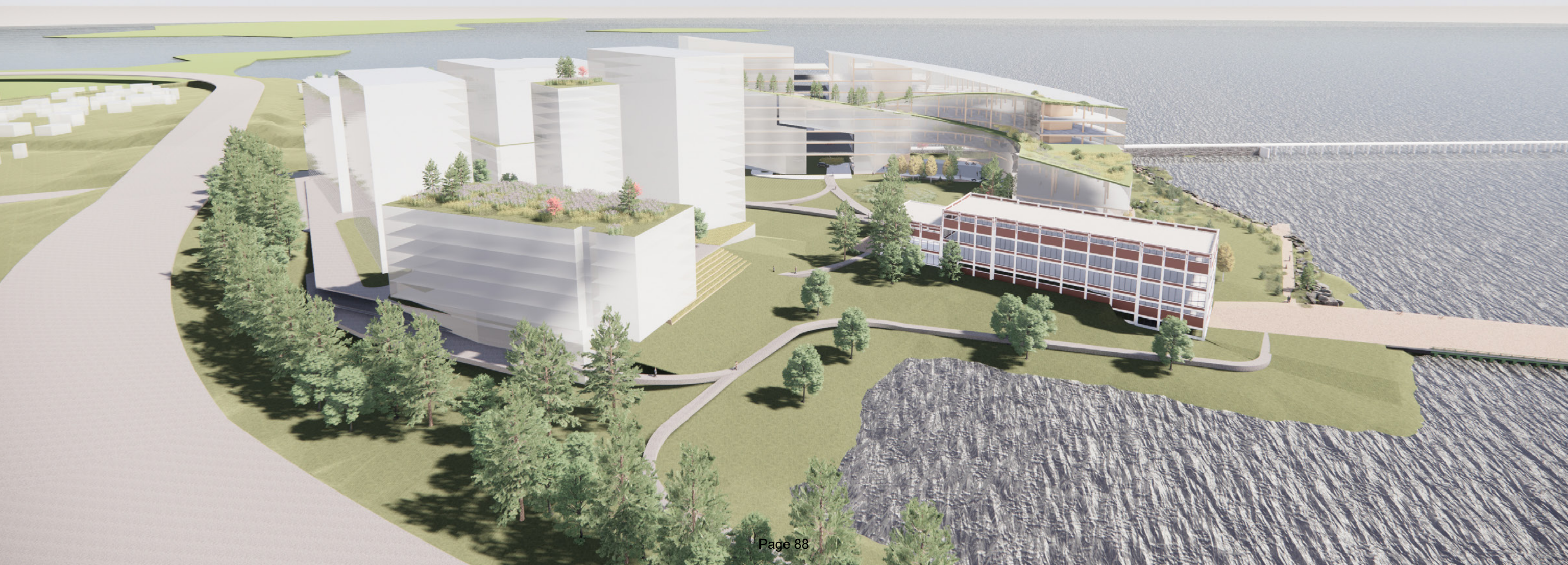
Campus Concept | near-term



Campus Concept | long-term



Campus Concept | long-term



Neighborhood View | Back Cove Trail & city panorama looking East: near-term *Att. K*



Neighborhood View | Back Cove Trail & city panorama looking East: long-term



Neighborhood View | Washington Avenue at Veranda Street looking East: near-term



Neighborhood View | Washington Avenue at Veranda Street looking East: long-term



View | I-295 looking Northeast: near-term



View | I-295 looking Northeast: long-term



Neighborhood View | Berwick Street view looking West: existing condition



Neighborhood View | Berwick Street view looking West: near-term



Neighborhood View | Berwick Street view looking West: long-term



Neighborhood View | Kensington Street looking South: long-term



Neighborhood View | Kensington Street looking South: near-term



Neighborhood View | Veranda Street at rail corridor looking South: near-term



Neighborhood View | Kensington Street looking South: long-term



Shadow Study | December/June: 9am, 10:30am Noon, 1:30pm & 3pm, near-term & long-term



June 6, 2022

Att. M

Zachary Powell, Planner
City of Portland
389 Congress St.
Portland, ME 04101

RE: The Initiative for Digital Engineering and Life Sciences
Neighborhood Meeting Information

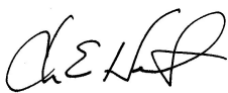
Dear Zach:

On behalf of The Initiative for Digital Engineering and Life Sciences (IDEALS), I have enclosed the required information pertaining to our two formal Neighborhood Meetings held prior to and following submission of our application in accordance with Section 8.5.3(B) of the Land Use Code. The meetings were held on November 18, 2021 (23 attendees) and April 6, 2022 (47 attendees). Although the Code only requires that abutters within 500 feet of the project be notified of the public meeting, we expanded that radius for the second meeting and mailed over 1700 meeting notices.

In addition to the required neighborhood meetings, we have also held informal meetings with the neighborhood that we have called "Roux Campus Round Tables." These meetings were each also noticed to over 1,000 property owners and tenants. To date, we have held four Round Table meetings, for a total of six public meetings regarding our application. We were able to hold the April 6th meeting in public, but the other meetings have been held via Zoom, due to public health concerns. The first Round Table was held on December 14, 2021 and we had 36 attendees from the public; the second was held on February 1, 2022 with 44 attendees from the public; the third was held on March 23, 2022 with 44 attendees; and the fourth was held on June 2, 2022 with 50 attendees.

Please let us know if you have any questions or need additional information.

Sincerely,



Charles E. Hewett, Ph.D.
Executive Director

**THE INITIATIVE FOR DIGITAL ENGINEERING AND LIFE SCIENCES
PROPOSED INSTITUTIONAL OVERLAY ZONE FOR THE ROUX INSTITUTE
PRE-APPLICATION SUBMISSION NEIGHBORHOOD MEETING
November 18, 2021**

The Neighborhood Meeting was held via Zoom Webinar, beginning at 6:30 pm and lasting approximately one hour. Twenty-three members of the public were in attendance, as well as eight representatives of the applicant, IDEALS.

The public comment and questions are summarized below. Major areas of focus included traffic, construction impacts and sustainability.

- I am with the Laborers International Union of North America. This is a big opportunity for construction in this town. I'd like to hear more about the employment opportunities for our union workforce, in terms of construction and environmental work.
- I am so excited that this institution has chosen our neighborhood. I live behind the Martins Point Bridge. We knew it would become something other than the Bean factory, and we are thrilled it's you. There is a big construction project on Veranda Street. Part of that is a multi-use pathway, from the Martins Point Bridge, possibly to connect to Back Cove. Have there been any discussions about connecting into that short span? MDOT had a plan to connect but it never came to fruition. It would be a big deal for those of us nearby.
- I was just wondering about the bridge at Kensington Street, and the rail and trails. It would be possible to have a walkway, but the trail takes a steep drop. That path is supposed to be done, but the MDOT has not completed it. As an alternative commuter, I want to know if you are invested in that? The connection to the rail/trail has not occurred.
- We own one of the two multi-families on the street from Veranda to Sherwood. We think it's wonderful to repurpose this facility. We have concerns about access on Sherwood Street, which is very narrow. And we are also concerned about the duration of construction for our tenants.
- I am a neighbor and a data scientist for one of your partner companies, and very excited about what the Roux Institute means for Portland. Veranda Street can back up a lot from Washington Ave traffic.
- I am really grateful to be a part of this conversation. I'd like to recognize that I'm most impressed that you are going above and beyond what is required for public engagement and planning the roundtables (Roux Campus Roundtables) to make sure people are heard and their input is requested. Being open and honest is very refreshing. There is a lot of excitement, about the Roux Institute potential for education and the city. Hopefully we can get as many residents and businesses as possible to participate.
- How are you going to build the physical infrastructure with respect to climate change. We all know the flood zone figures will be changing.
- What will the area lighting be? We already have the lights from Rt 295.

Neighborhood Meeting for the IDEALS Roux Campus Project

Thursday, November 18, 2021

Via Zoom

First Name	Last Name	Email	Address	City
Christopher	Bruni	chrisbruni111@gmail.com	32 Lennox street,	Portland
Nancy	Olmstead	nancy_olmstead@hotmail.com	14 Berwick St	Portland
SA	Scott	shaesby@gmail.com	100 Kensington St.	Portland
Cheryl	Leeman	cal4161@yahoo.com	37 Savoy Street	Portland
Brian.Harris		BRIAN@MAINEYACHT.COM	100 Kensington Street	PORTLAND
Denise	Kaserman	dkaserman@me.com	4 Country Lane	Falmouth
Julie	Carling	captainjulie225@gmail.com	81 Sherwood St	Portland
Jason	Shedlock	jshedlock@LNEROF.org	93 High Street #303	Portland
Jeraldine	Herrera	jeraldine.herrera@powereng.com	45 Harpswell Rd	Brunswick
Mike	McGuigan	mmcguigan@nasrcc.org	65 Rainmaker Dr	Portland
Michael	Flaherty	michaelflaherty58@yahoo.com	45 Berwick St.	Portland
John	Napolitano	johnlocal716@gmail.com	86 Walnut Hill Rd	N. Yarmouth
Justin	Desmond	jdesmond@iupatdc35.org	DC 35 Member Representative	DC 35 Member Representative
Patrick	Carroll	pcarroll@tcco.com	218 Eastern Promenade, Apt #4	Portland
Adam	Parys	aparys@tcco.com	177 Paradise Road	Bethel
Jaime	Parker	jaime@trails.org	305 Commercial St	Portland
Kathy	Spiegelman	K.Spiegelman@northeastern.edu	360 Huntington Avenue	Boston
Grant	Provost	gprovost@iwlocal7.org	131 spring streetSuite 2C	Portland
Aura	Russell-Bedder	arussellbedder@gmail.com	8 Arcadia St	Portland
Robert	Burr	r.burr@iuoelocal4.org		
cheri	juniewicz	cj@maine.rr.com	38 Bismark St	Portland
Andrew	Zarro	azarro@portlandmaine.gov	389 Congress St	Portland
Paul	Goodrich	paulgoodrich@yahoo.com		

**THE INITIATIVE FOR DIGITAL ENGINEERING AND LIFE SCIENCES
PROPOSED INSTITUTIONAL OVERLAY ZONE FOR THE ROUX INSTITUTE
POST-APPLICATION SUBMISSION NEIGHBORHOOD MEETING
APRIL 6, 2022**

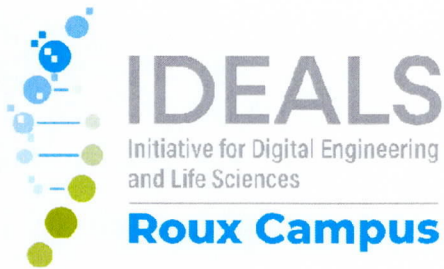
The Neighborhood Meeting was held at the Ocean Avenue School, beginning at 5:30 pm and lasting approximately two and a half hours. Forty-seven members of the public were in attendance, as well as eight representatives of the applicant, IDEALS.

The public comment and questions are summarized below. Major areas of focus included traffic, parking, proposed uses, and scale and height of buildings.

- When did you first become interested in buying this property?
- When do you plan to break ground?
- Will there be blasting?
- We haven't talked about the new construction on Dalton Street, a large apartment complex with 48 units, that will empty out onto Sherwood Street. And the school is also growing, both of which will increase pedestrian and vehicular traffic. I have concerns about all the additional traffic. It's pretty heavy as it is. I want all of it to be taken into consideration.
- How would the hotel add to traffic concerns? There's one way in and out. I drive on Sherwood Street twice a day. Is there secondary access? Are there any traffic predictions?
- Do you have data about the current use of cars at the Roux Institute?
- The height and scale of the buildings do not respect the neighborhood context.
- What will stop people from parking in the neighborhood?
- There is a lot of missing information – wind studies, shadow studies. These are missing from your IDP.
- What percent on campus will be using the hotel and what will be outsiders?
- I am conflicted on this project. While it seems like just what this city needs, no one wants an industrial site in their back yard. How will it change access to the water? I am also concerned about increased traffic.
- We are concerned about traffic as there is only one egress. We think what you say you will do about the traffic (turning lane, etc.) is unrealistic. I suspect you have a backup plan we do not know about. I don't believe the traffic will only be impacted by 10
- Your plans go far beyond what is needed for an educational technology center. You are a developer. You wouldn't be developing this area if there wasn't a profit.
- I don't trust that one hotel will be enough.
- I have friends and family who have had to move out of Portland, because working class people can't afford to live here anymore. We feel you are taking something symbolic of Portland and replacing it with something that has gutted other cities.

- Maine Med has a micro bus system that maybe you could partner with. And consider a satellite parking lot.
- Do you have an estimate of trips in and out of Sherwood Street? How many cars will be coming and going?
- At the last meeting you had a drawing of ideas for Veranda Street. Do you have one for Sherwood?
- This is a nice use of the space. You guys are being considerate. However, the large scale of your plans doesn't seem appropriate for that space.
- I'm excited about your vision but I am very concerned about the traffic and the scale of the project. We have a quiet neighborhood and what you are proposing is going to completely change it. I don't know who came up with the 10% traffic increase, but if the study was done from May-October, it would be much higher. The traffic just sits there.
- We are working on bringing battery electric train power, from Portland to Lewiston. This might alleviate the serious traffic impact on not only this neighborhood, but the climate. This is a solution that is environmentally friendly and economically feasible.
- We have a number of questions that you say are in process, undetermined, etc. It makes us a little nervous that you are pursuing maximum zoning flexibility before you figure those things out.
- As a result of the study, is there a bottom line where the City says "no" to Sherwood Street, that this is not going to work for IDEALS?
- What is the tax gain for a non-profit in this location?
- What is the current waterfront access for the neighborhood? How will that be impacted? How is the neighborhood using that waterfront right now?
- What was your impression of our neighborhood when you were there? Did you notice the noise? As our neighbor, we want to know that you care about our lives and our homes.
- Human behavior being what it is, people aren't going to use public transportation. Have you considered the symbolic impact of building on this property? It represents Maine, as people drive past on I-295. What gives you the right to put the Roux Institute there?
- I want to compliment Roux for meeting with me. I'm offering an alternative for public transportation – Micro Rail. Metro has a long history of keeping people waiting. Have you looked into possible pollutants inside and outside the B&M building?
- At times it sounds like it's going to be a conference center maybe being supported by an education facility. At what point are you able to scale back the project if you're not able to overcome some of the objections? Would you continue with the project if the only thing that was approved was the Roux Institute? Would Phase 1 just be for the Roux Institute, hotel, housing, etc.? And Phase 2 would be to expand all that?
- What advantages are you going to bring to the neighborhood?
- Will you want more space than what you have right now?

- The process I have seen you display in these round tables, has been more transparent than most development projects. You're doing a good job.
- Have you guys purchased other land or intend to?
- What is the % of domestic/international learners?



Neighborhood Meeting Sign-In Sheet

Wednesday April 6, 2022

Ocean Avenue Elementary School - 150 Ocean Ave, Portland, ME 04103

IDEALS: Roux Campus 1 Bean Pot Circle, Portland, ME

Developer and Consultant Team in Attendance:

Name:	Email:
Chuck Hewett IDEALS	
Sam Reiche IDEALS	
Elizabeth Swain IDEALS	
Jenn Conley VHB	
Mary Costigan Bernstein Shur	
Jamie Broder Bernstein Shur	
Barry Sheff Woodard & Curran	
Denise Cameron Woodard & Curran	

Neighborhood Meeting Sign-In Sheet

Wednesday April 6, 2022

Ocean Avenue Elementary School - 150 Ocean Ave, Portland, ME 04103

IDEALS: Roux Campus 1 Bean Pot Circle, Portland, ME

Members of the Public in Attendance:

Name:	Email:
Doug Cole	C64DTK@gmail.com
JOAN O'NEIL	101 Acadia St
Ashley Lepre	Ashley.Lepre@gmail.com
Todd Zukowski	tzukowski@hotmail.com
Kevin Freeman	kfreeman@landayfrench.com
JAY SETLIFF	JWKS@aol.com
Allison Brown	abrown125@gmail.com
Karen Bates	karevalanebates@gmail.com
CARA McCRACKEN	calocken@aol.com
Patty Peters	pattybp@maine.rr.com
Katherine Caldwell	caldwk@hotmail.com
Rebecca Morton	rebecca.k.morton@gmail.com
Susan Abt	
Carlene Peterson	c.peterson3@maine.rr.com
M. Zichella	zichella@yahoo.com
Justin Litchfield	
JAMES PRATT	jpratt@hotmail.com

Neighborhood Meeting Sign-In Sheet

Wednesday April 6, 2022

Ocean Avenue Elementary School - 150 Ocean Ave, Portland, ME 04103

IDEALS: Roux Campus 1 Bean Pot Circle, Portland, ME

Members of the Public in Attendance:

Name:	Email:
Phyllis Reames	phyllisreames@yahoo.com
Robert Muller	SEASMORE2@TWC.COM
Nick VAUGHN	nvaughn@smrtinc.com
Ben Carling	gbencarling@gmail.com
Ken Capron	watchdog@maine.rr.com
PIXIE LAVALLEE	MSPICKS@AOL.COM
Clare Hannan	hannanvanvogt@gmail.com
Tony Donovan	me likes RAIL @ GMAIL.COM
Hannan Van Vogt	Hannan Van Vogt @ gmail. com
Karen Gersen	Klik2zg@gmail.com
Callan Cassidy	callan@waypointbikers.com
Daniel Cassidy	dan@danielcassidy.com
Jer Witting	jwittingball@gmail.com



IDEALS

Initiative for Digital Engineering
and Life Sciences

Roux Campus

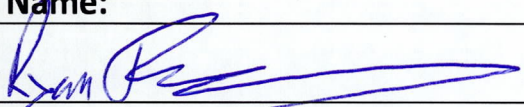
Neighborhood Meeting Sign-In Sheet

Wednesday April 6, 2022

Ocean Avenue Elementary School - 150 Ocean Ave, Portland, ME 04103

IDEALS: Roux Campus 1 Bean Pot Circle, Portland, ME

Members of the Public in Attendance:

Name:	Email:
	Ryanfitzsim@gmail.com
MASON SEARS	mason@sfmarineusa.com
Tom CARTER	TomCARTERagent@gmail.com
Christopher Brown	chrisbrown11@gmail.com
JAMES TROTT	James.Trott58@gmail
Chris Briley	cbriley@briburn.com

Neighborhood Meeting Sign-In Sheet

Wednesday April 6, 2022

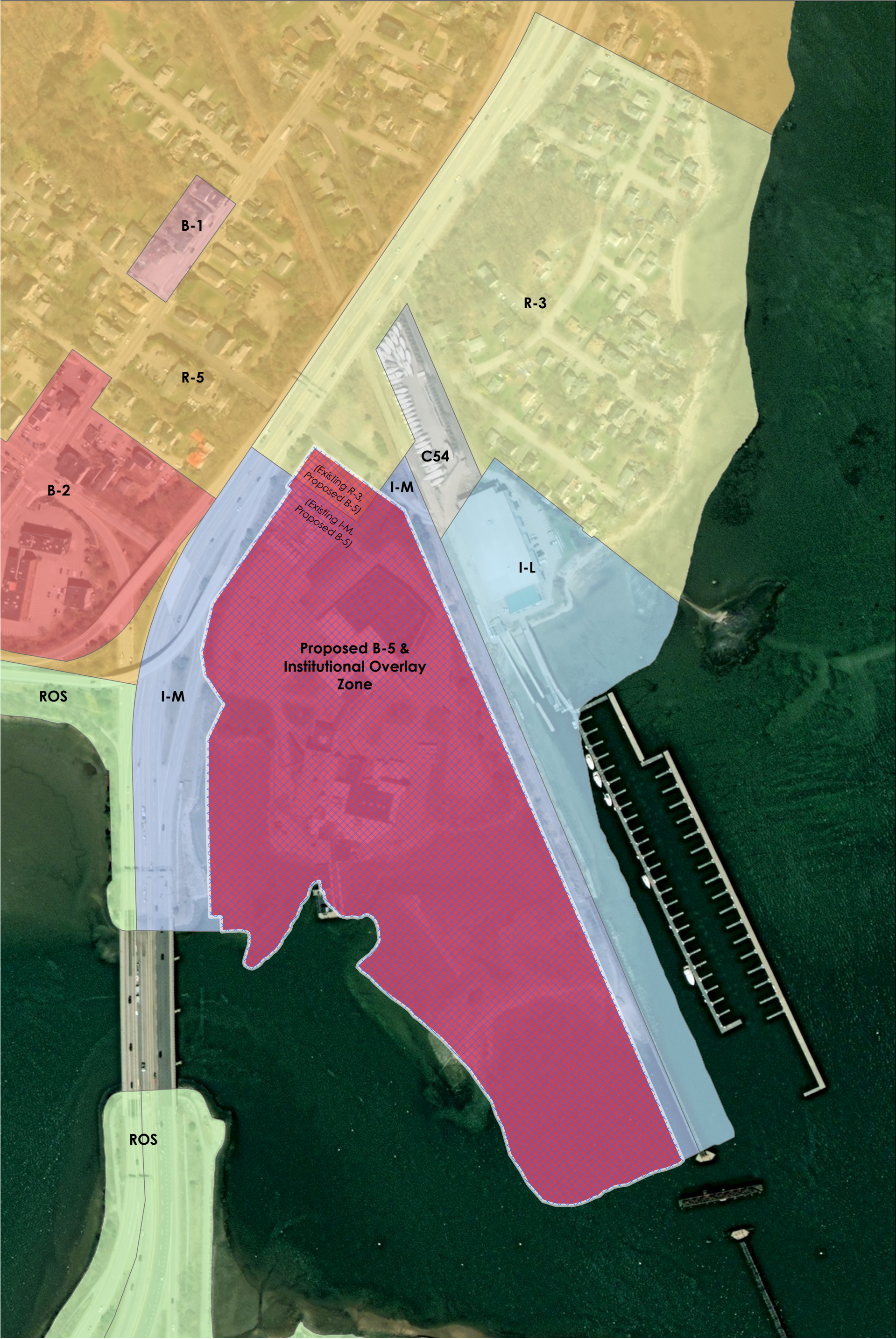
Ocean Avenue Elementary School - 150 Ocean Ave, Portland, ME 04103

IDEALS: Roux Campus 1 Bean Pot Circle, Portland, ME

Members of the Public in Attendance:

Name:	Email:
Colin Ellis	Colin@portlandphoenix.me
Heather Doolittle	hdoolittle@gmail.com
STEVE BUEGEN	SBUEGEN1@gmail.com
Joshua Loring	Loringjoshua@gmail.com
Michael Flannery	Michael.Flannery50@yahoo.com
John Danling	jdanning2@Maine.nh.com
Didne Lawton	efinsterwald@gmail.com
Ben Chipman	Ben.Chipman@legislature.maine.gov
Sandy Constable	sandycnstod3@gmail.com
James Maxner	jimboats1@yahoo.com
Victoria Fisk	vickifiskshop@gmail.com

Proposed Zoning





Bonnie Craig <craig.portland@yahoo.com>
to planning@portlandmaine.gov

Apr 6, 2022, 4:59:10 PM (yesterday)

I live next to payson park and am completely against the rezoning they want. Please don't approve it.

EastDeering Neighbors <ednfrd@gmail.com>

Apr 7, 2022, 10:07:01 AM (22 hours ago)

to Planning@portlandmaine.gov, cdg, mrooms@portlandmaine.gov, azarro@portlandmaine.gov

Dear Portland Planning Department:

As provided for in the standards for the Institutional Overlay Zone (IOZ), comments and concerns expressed by the neighborhood shall provide direction for the direction of the Institutional Development Plan (IDP).

To ensure that neighborhood comments, concerns and feedback are included to provide direction for the IDP, the East Deering Neighborhood for Responsible Development is submitting language we would like to have included in the IDP for the IDEALS Institutional Overlay Zoning request for the former B&M site at 1 Beanpot Circle.

On behalf of the East Deering Neighbors for Responsible Development

Stephen Von Vogt

East Deering Neighbors for Responsible Development
Windsor Heights
Portland, ME 04103

Consideration of Inclusion in the IDEALS Institutional Development Plan (IDP)

Scooping meeting, Section 8.5.4 and 8.5.5 requires “comments from neighborhood meetings shall provide direction for the content of the IDP.”

- 1.) **Purpose** statement should include language to establish an overlay zone that protects the values and integrity of established residential neighborhood with a compatible development at medium densities appropriate to the existing neighborhood in meeting the city's Comprehensive Plan.
- 2.) **Permitted Uses** as described in approved overlays for USM and Waynflete as School Uses (Sections 8.10.3 and 8.11.4) and other buildings customarily incidental to an academic institution.
 - Include regulatory standards to define “substantially” supportive uses.
 - Faculty and student housing shall not be considered Residential housing.
 - Prohibited uses to include hotel, retail, commercial and other uses not specific to the function and operation of an academic institution (ample supply for access to all to of these amenities currently exist in our downtown).
 -
- 3.) **Dimensional Requirements** subject to the underlying B-5 zone of 65ft height of buildings except for 85 ft buildings (similar to USM Overlay restriction for height of buildings).
- 4.) **Parking/Transportation** studies shall determine parking and transportation requirements to sufficiently accommodate the short-term and long-term needs of IDEALS high-tech hub and the neighborhood to be considered by the Planning Board including the following:
 - Applicant shall provide 'actual' # of vehicle trips generated by the project and the methodology used including MDOT required trip generation based on trip tables in the 11th edition of Trip Manual.
 - Plan shall provide trip generation data for 'actual' # of internal trips & public traffic into the site.
 - Applicant shall provide Mitigation Plan to improve safety at high crash location of Washington and Veranda Street intersection and along school walking routes in the area.
 - Applicant shall develop a "Trips Model" to define travel routes more accurately.
 - Plan to include data-based evidence of proposed 37% reduction in cars from ITE trip generation and 20% reduction in parking demand and address seasonal impact.

- Applicant shall provide specific off-site improvements to maintain acceptable and safe levels of service and provide data-based detail regarding the far-reaching traffic impacts.

Applicant shall develop a Parking Management Plan which discourages on-street parking (example UNE experience) and seek alternative ways to reduce traffic demand including a second point of access to the site.

- Requirement as to specific details of garage capacity, availability to who, and terms of contractual agreement with privately run operation of garage.

5.) Parking Demand and Capacity shall provide plan for meeting long-term implications rather than building parking demand over time.

- Include projections for all vehicular trips intended to park on-site.

6.) Campus Housing shall require a campus housing analysis as outlined in Section 8.10.10 from USM Overlay requirements

- Contractual agreement with privately operated housing to provide housing for student and faculty (not the public).

7.) Neighborhood Integration and Engagement to include language that IDEALS shall “adhere to ongoing community engagement going community engagement principles” to be identified in the IDP. And IDEALS shall “conduct ongoing community engagement, including the **formation of a Neighborhood Advisory** comprised of members from the East Deering Residents for Responsible Development and the East Deering Neighborhood Association.

- Specific plan in IDP for community engagement principles.
- A process that represents best practices, promotes problem solving around community issues, fosters transparency and identifies mechanisms for neighborhood feedback beyond a web page approach and institutional accountability.

8.) Mitigate site impacts on surrounding neighborhood infrastructure including, but not limited to the older storm/sewer system. Mitigation plan shall include financial obligation to pay for these impacts outside the site.

9.) Shoreline zoning runs through the site; therefore, a **geological study** should be required as to impact of proposed build-out of the site.

10.) Legal contractual documentation of future ownership transfer to Roux as requirement for approval of an IOZ change to meet the IOZ requirement that property owner must be held in right, title, or interest by eligible institution.

- 11.) Clear description and clarifying language** related to IDEALS plan to design on a **“build to suit” basis** and will lease it to IDEALS. They also plan to develop partnerships with the private sector to construct and operate housing, parking, hotel, commercial office, and laboratory buildings to support the primary academic uses – all of which will be on a ground lease basis.
- Specific language as to how the privately operated and leased facilities will guarantee adherence to academic uses supportive of the Roux Institute.
 - Language regarding taxes/payments to the city in lieu of property taxes.

List of clarifying questions:

- 1.) If zoning change granted, how will the city guarantee that the Roux Institute building will be built in the project time frame is projected of 2025 or 2026? The first phase of site development appears to include hotel and retail components but not all the academic/tech facilities.**
- 2.) Clarification on IDEALS paying property taxes which is relevant to the city and taxpayers getting something in return for a tradeoff for expanded uses?**
- 3.) The standards for requesting an IOZ rezoning includes language that “comments from neighborhood meetings shall provide direction for the content” of the IDP. What specific changes has IDEALS made to address neighborhood concerns and provide direction for the content of the IDP?**
- 4.) How does Shoreland Zoning affect the development of the site in terms of the placement of buildings?**
- 5.) Is the B-5 zone restricted to the peninsula and are there design standards for the B-5?**
- 6.) There are lingering questions about the garage, as to where it is to be located, capacity and who will it serve. Can this be clarified?**
- 7.) How will issues of transformation of the East Deering neighborhood as an existing middle- and working-class neighborhood be protected from gentrification similar to what has happened in Portland on the East End and other neighborhoods.**
- 7.) When and where can the public get the detailed documentations and studies required in the IDP and as part of the approval process? The application itself is lacking in detail nor has specific detail been provided by the applicant at neighborhood roundtable forums.**

EastDeering Neighbors <ednfrd@gmail.com>

Jun 8, 2022, 10:40:43 AM (22 hours ago)

to EastDeering Neighbors

To the members of Portland's Planning Board:

On behalf of the East Deering Neighbors for Responsible Development, we ask that you give serious consideration to our concerns and questions in your review of the application submitted by IDEALS. Below is the introduction and summary along with full text in the attached memo outlining our concerns and questions. We respectfully request you to consider our suggested language for inclusion in the IDP and require that the important details be clarified in advance, and not allow the promise of more detail as the project is phased, or at the site plan level. Thank you!

INTRODUCTION:

East Deering with its quiet charm and character is one of the few, if only, remaining working class neighborhoods in the city with its stoic history of a multi-ethnic, working-class suburb to intown Portland. The Burnham & Morrill's (B&M) factory was a major employer for many of the residents with a commitment to our community beyond employment. Yes, we will miss B&M, but fully understand that someday there would be changes to the site.

The neighborhood truly looked forward to welcoming Roux Institute as a new neighbor and working with them to develop a positive addition to the neighborhood. That being said, we have been surprised and disappointed by the posture of public engagement to date. While IDEALS has had many meetings, they tend to be presentations with a "full-court press" to sell us and other neighborhood groups on their proposal as opposed to a collaborative effort, working together to achieve "mutually beneficial public-private cooperation" as is required in the IOZ language.

SUMMARY:

Simply stated, this is a massive commercial development project with a dense, clustered, urban, mixed- use design with Roux Institute as one of the tenants. The threshold question is one of IDEALS eligibility for an IOZ zone change as the applicant, not Roux Institute and legal questions about this relationship and development of the site. Additionally, IDEALS has not met many of the required standards, has not adequately responded to neighborhood concerns as required nor used neighborhood comments from meetings to provide direction for the content of the IDP which is "*bare bones*" that does not support the level of analysis required for approval. And IDEALS has not provided data-based justification for ancillary uses (hotel, retail, coffee shop, grocery store, residential, etc.). Proposed traffic solutions are minimal at best and based on peak traffic not total traffic impact throughout the week and in different seasons. There is a total lack of definitive solutions to the traffic/parking demand. Concerns about height and massing were met with an IDEALS proposed 27% reduction based on flawed assumptions by taking the highest number in the original range of proposed square footage to do calculations, inflating the numbers. Not mentioned is the fact that building heights have only been reduced by only 9%. Finally, the neighborhood has not received a response to our suggested language for inclusion into the IDP. **Clearly, there are a lot of questions that need to be answered and serious consideration given to rezoning and a text amendment. It is unacceptable and insufficient to have a promise that questions will be answered as the project is phased or at the site plan level.**

Thank you for your attention.
Respectfully, on behalf of EDFRD
Stephen Von Vogt

East Deering Neighbors for Responsible Development
Windsor Heights
Portland, ME 04103

INTRODUCTION:

East Deering with its quiet charm and character is one of the few, if only, remaining working class neighborhoods in the city with its stoic history of a multi-ethnic, working class suburb to intown Portland. The Burnham & Morrill's (B&M) factory was a major employer for many of the residents with a commitment to our community beyond employment. Yes, we will miss B&M, but fully understand that some day there would be changes to the site.

The neighborhood truly looked forward to welcoming Roux Institute as a new neighbor and working with them to develop a positive addition to the neighborhood. That being said, we have been surprised and disappointed by the posture of public engagement to date. While IDEALS has had many meetings, their presentations tend towards a “full-court press” to sell us and other neighborhood groups on their proposal as opposed to a *collaborative* effort, working together to achieve “mutually beneficial public-private cooperation” as is required in the IOZ language.

SUMMARY:

Simply stated, this is a massive commercial development project with a dense, clustered, urban, mixed-use design with Roux Institute as one of the tenants. The threshold question is one of IDEALS eligibility for an IOZ zone change as the applicant not Roux Institute and legal questions about this relationship and development of the site. Additionally, IDEALS has not met many of the required standards, has not adequately responded to neighborhood concerns as required nor used neighborhood comments from meetings to provide direction for the content of the IDP which is “bare bones” that does not support the level of analysis required for approval. And IDEALS has not provided data-based justification for ancillary uses (hotel, retail, coffee shop, grocery store, residential, etc.). Proposed traffic solutions are minimal at best and based on peak traffic not total traffic impact throughout the week and in different seasons. There is a total lack of definitive solutions to the traffic/parking demand. Concerns about height and massing were met with an IDEALS proposed 27% reduction based on flawed assumptions by taking the highest number in the original range of proposed square footage to do calculations, inflating the numbers. Not mentioned is the fact that building heights have only been reduced by only 9%. Finally, the neighborhood has not received a response to our suggested language for inclusion into the IDP. Clearly, there are a lot of questions that need to be answered and serious consideration given to rezoning and a text amendment. It is unacceptable and insufficient to have a promise that questions will be answered as the project is phased or at the site plan level.

DETAIL ASSOCIATED WITH SUMMARY SECTION:

8.5 Institutional Overlay Zone (IOZ) The IOZ was put in place specific to the city's existing, grandfathered 4 major medical and higher education campuses to address the growing concerns of encroachment into the surrounding neighborhoods as the institutions expanded. It was not designed for instantaneous new institutional uses.

- The IOZ applies to properties within the boundary and which the legal institution holds the right, title or interest. Roux Institute does not meet this standard.
- IDEALS is the applicant, a registered non-profit business (T13-B), with James Broder of Bernstein Shur as the Registered Agent.
- According to their 990 form, Chuck Hewett is paid a salary to provide services to the Non-

profit Business Corporation.

- IDEALS, in the future, will transfer ownership of the campus to Roux Institute. Where is the contractual agreement? Dissolution of said non-profit corporation must distribute its assets to an organization for similar purposes. How do proposed lease-back contractual agreements get transferred?
- IDEALS intends to have long-term leases with the developers for construction, maintaining and managing the buildings.
- Zone change approval is a blank check and IOZ can be amended by applicant at any time and taxation is unclear.

8.5-5 C. Uses. IDEALS has not provided a data-based justification for the ancillary and/or substantially related uses to support the Roux Institute such as hotel, retail, commercial, coffee shop, small grocery store and housing.

- Portland has over 20 hotels and 723 registered Airbnb's far exceeding the demand needed for Roux Institute visiting guests and adjunct professors estimated at 5-10 weekly
- Other local amenities are ample in the neighborhood and downtown who should be supported not competed against
- Increases traffic to the site as a destination described by IDEALS "as a fun place to go"
- Housing is not student/faculty rather proposed as lease-back, privately constructed and operated for market rate units, with no mention of workforce housing

8.5-4 B. I. Transportation and Access. IDEALS has provided a Transportation/Total Trips Mode Share Chart and total vehicle counts showing anticipated additional trips into the site and Veranda and intersection at Veranda and Washington Avenue.

- No methodology provided for Trip Mode Chart nor TDM plan that reduces the impact over time as presented except to say they are working on Metro service, bicycles and water taxis
- No reference to current street capacities nor data-based detail regarding far reaching traffic impacts
- Mitigation plan includes minor changes to single access in and out of site on Sherwood Street with widening of street at Veranda, addition of sidewalks and bike lanes with signage upon exiting site to turn right on Veranda to the Interstate
- Sight distance and blind spot as you approach Kensington Street from Sherwood headed to the Interstate
- Extending turn lane from Veranda to Washington at the intersection – no reference to traffic impact to Washington Avenue which is currently a high traffic connector street
- Crash data shows a # of locations that meet MDOT criteria locations. No mitigation plan to improve safety due to increased traffic.
- No data-based evidence to more accurately define travel routes and reductions in ITE trip generation and parking demand
- No specific information as to garage parking on site except to say there would be some under certain buildings and too expensive for people to park there
- Parking in the neighborhood not addressed similar to UNE problem
- No reference to fire safety with only one entrance and equipment needed for the proposed building heights

Building Heights and Site Coverage is major concern to the neighborhood.

- B-5 underlying zone is intended for on-peninsula not off-peninsula
- Height restriction precedent has been set in other IOZ plans

- Height and massing remain out of scale in relationship to the surrounding neighborhood and calculations for reductions is based on flawed assumptions
- No study or discussion on the transformation and gentrification effect on the larger East Deering neighborhood which will be profound

Storm/sewer system site impacts on surrounding neighborhood requiring upgrade

- Will there be required financial obligation by IDEALS?

IDEALS IDP Concerns

James Pratt <jrpratt@hotmail.com>

Thu, Mar 31, 2022 at 4:14 PM

To: "azarro@portlandmaine.gov" <azarro@portlandmaine.gov>

Hi Andrew,

I wanted to let you know my thoughts on the current Roux campus IDP. I live on Kendall Street, which is the neighborhood just north of the Roux site. I have attended multiple meetings IDEALS has hosted to voice my concern over the proposed building scale/heights. Our neighborhood (and a portion of the Roux site) is zoned R3. Portland's zone purpose statement for R3 is to provide medium density development characterized by single family homes on individual lots. Structure height is limited to 35' in an R3 zone. Roux is currently proposing all of their buildings to be among the tallest in the state of Maine next to our neighborhood.

At the last meeting, I asked them to comment on building heights based on their own rendering (see image below) that is included in their IDP and has been submitted to the city. I was told that this rendering no longer represents what they are doing, so it wasn't really worth discussing. You will notice they conveniently left the houses in our neighborhood off of the rendering.

It is also a little unclear to me how the second required neighborhood meeting is next week when we have been told what is in their IDP and what has been submitted to the city is not accurate. We also haven't seen anything else from IDEALS to comment on.

I have reviewed the IDP and feel it is incomplete, as it appears to be missing many required items. One such item is that areas of major concern are not listed. IDEALS' IDP says the feedback from the first neighborhood meeting was 'very positive' and lists items discussed at that meeting. The document then says roundtable meetings also occurred but does not list the comments/concerns neighbors mentioned at those meetings.

I am not against the Roux campus being located at this location, but I am asking for the campus to respect the context of the neighborhood. Both USM and UNE fit into the context of their neighborhoods in a more appropriate way.



Thanks for your time,
James Pratt
2 Kendall Street

IDEALS and traffic

2 messages

Chris Briley <cbriley@briburn.com>

Thu, Mar 31, 2022 at 2:28 PM

To: "azarro@portlandmaine.gov" <azarro@portlandmaine.gov>

Cc: "ednfrd@gmail.com" <ednfrd@gmail.com>

Hi Andrew

Thanks for taking the time to hear from us, the East Deering Neighborhood, regarding the new IDEALS development on the B&M Beans site. As you probably already know, traffic is a major concern, and tops the list for Jen, my partner, and me as we live on Veranda St. between Sherwood and Washington. So we will have probably 99% of all the traffic that goes to their site pass in front of our house.

On this subject, we need your assistance in protecting the neighborhood from the traffic that this development will most certainly create. As you can see in their IDP (attached) on pg. 13 of their document, over the next 20 years, they plan to eventually cram 1,755,000 square feet of building on that site and service ALL of it through little Sherwood St. which is currently a 2 lane neighborhood road. (for perspective, the Maine Mall is just over 1,000,000 sq.ft.). Complicating matters is that nearly all of that traffic leaving the site will be turning left to get to the interstate. And 80% of that traffic will be then turning left onto Washington to head south on 295. It's a Fairy tale and they know it.

I really want them to address and solve the problem. They pay it lip service, and say they will start with their first phase and see how it goes, but their first step is getting approval from the city for an overlay zone that will allow them to build at their incredible 20 year density day one. Seeing how it goes is an unacceptable plan for the neighborhood.

Feel free to reach out anytime to chat if you'd like.

Chris

CHRISTOPHER BRILEY, CPHC, LEED AP

Maine Licensed Architect

Certified Passive House Consultant

Author: [Pretty Good House](#)

BRIBURN architecture for life

28 Maple Street | Suite 202 | Portland, Maine 04101

O: 207-774-8482 | M: 207-286-6774 | [BRIBURN.com](#)

Proposed Roux project

hoose@gwi.net <hoose@gwi.net>

Fri, Apr 1, 2022 at 10:56 AM

To: azarro@portlandmaine.gov

Cc: EastDeering Neighbors <ednfrd@gmail.com>

Good Morning Andrew,

My name is Phil Hoose. I live at 60 Watson St. in the Windsor Terrace neighborhood of East Deering. I am writing to express concern about the scope and size of the proposed Roux project as it has been presented to various audiences. Roux seeks permission to build a towering hotel, a parking garage, a shopping plaza and several other buildings to support campus activities.

I do not think IDEALS has seriously considered the traffic such a colossal project would bring. The intersection of Washington Ave. and Veranda is already one of the most dangerous intersections in Portland. At present, there is but one skimpy street—Sherwood St—to handle all the traffic that would inch to and from the proposed Roux site. Even if they secured the permissions to construct new roadways to accommodate the new traffic, that would mean years of living in a construction zone, with all the clamor and blockage and dust of major construction.

I'm also concerned about a 200' tall building that would rise from the campus. Visual blockage, glare, altered wind patterns, and impact on migrating birds are but a few issues. I hope that the City Council and Planning board will consider these concerns and dramatically reduce the scope and scale of the Roux submission. Your help will be greatly appreciated

Regards,

Phil Hoose

IDEALS Project

jimboats1@yahoo.com <jimboats1@yahoo.com>

Fri, Apr 1, 2022 at 7:55 PM

To: azarro@portlandmaine.gov

Cc: EastDeering Neighbors <ednfrd@gmail.com>

I live on Watson Street in the East Deering neighborhood of Portland. The massive size of the planned IDEALS project appears to be out-of-scale for the site, which is adjacent to a residential neighborhood. The height of the projected buildings, some of which may reach 200 feet tall, will have a major impact on nearby homes by blocking sunlight and causing major shadowing, as well as changes in wind patterns and velocity. Even if they were to cap the height at 100' the buildings would still be out of place at that site. There are also concerns regarding an extreme increase in traffic in an area that is already plagued by a very dangerous exit off of I-295 at the intersection of Washington and Veranda Streets. The intersection of Kensington and Veranda Streets is also treacherous due to the lack of visibility caused by the crest of the hill on the rail overpass for cars heading north on Veranda. Cars on Veranda Street already drive well over the speed limit on this narrow street. Adding large numbers of vehicles to this mix presents a danger to the public.

The B&M site has been used for more than 150 years and there is also concern that there may be environmental issues resulting from removing structures, including piers that are on wooden pilings which may be contaminated with chemical preservatives such as creosote, which can be released into the intertidal zone if the pilings are removed. The site may also contain chemicals and environmentally damaging substances in the soil due to the use of the site as a manufacturing location for 150 years.

I believe that Portland has a responsibility to protect the interests of its residents and not bow to the pressures of developers who will not have to deal with the consequences of their projects.

Sincerely,

James Maxner

Sent from my iPad

IDEALS/Roux

Justin Litchfield <justinlitchfield26@gmail.com>

Sun, Apr 3, 2022 at 3:26 PM

To: azarro@portlandmaine.gov

Bcc: ednfrd@gmail.com

Hi Andrew,

I live in East Deering and sent you a list of concerns a while back. Thank you for getting back to me. I wasn't sure how to proceed at the time but since I've joined the East Deering Neighbors for Responsible Development and have been asked to send you a list of concerns again to have some questions and concerns on record as an individual but also as part of our group.

First off, IDEALS is not an educational institution in any way shape or form, they are a development company. There needs to be a distinction between the Roux Institute and the developer IDEALS. Most everyone I've talked to is happy about the Roux Institute, however many are unhappy with how IDEALS is going about trying to develop this site. By calling it the Roux Campus, it's hard for people to see IDEALS for what they are, a development company that is out to make money. In general I have no problem with developers, in fact I'm pro development as long as it is done responsibly. It's obvious that IDEALS has no intention of doing this responsibly and have flat out ignored the concerns of the local area residents.

The scale of what they are proposing is clearly not responsible. If they were to build everything they proposed, they are estimating that it would be around 1.8 million square feet. I understand the need for increased density and additional housing in Portland, but this is not the right location for that level of density. For comparison purposes, the Maine Mall is about 1 million square feet, so this would be about double the square footage of the Maine Mall crammed into this small area with only one way in and out. Washington Avenue is already a very busy intersection and Veranda Street as well as Sherwood Street can not handle this level of traffic.

To appease our traffic concerns, at the last neighborhood roundtable, they proposed eliminating green space on Veranda street to make the street wider. While it's only a small strip of grass, IDEALS has again and again claimed they need to have such tall buildings because of the green space. Eliminating this small strip of grass is not going to alleviate any traffic concerns that IDEALS will be creating with their proposed development and eliminate the only greenery on Veranda Street.

I know IDEALS is applying for the IOZ in order to circumvent zoning height restrictions. This is unprecedented as no other development company has ever been able to apply for the IOZ. As I'm sure you're aware, IOZ applicants are supposed to be a major educational or medical institution, of which IDEALS is neither. At one of their meetings they discussed handing the campus over to Roux in the future. Why is that the route that IDEALS is taking? Why don't they do that now so that Roux can apply for the IOZ? I won't speculate why I think that may be the case, but I don't trust it's for a reason that will benefit Portland or Maine. Approving the IOZ for a development company would set a very dangerous precedent for Portland and for what purpose? To benefit a development company?

At a recent meeting with the City of Portland, we were informed that although the language in the requirements for the IOZ state that buildings must be ancillary to the educational institute, apparently there isn't any specific percentage of requirement (Which is confusing to me since the lack of a specific percentage allowable would then imply the required percentage be 100%, especially considering the very definition of ancillary). IDEALS is using this knowledge to develop non-ancillary buildings and has been very honest about how the bars, restaurants, and the hotel would be open to the public and at one meeting Chuck Hewitt said only 60-70% of the campus would be for educational purposes. If the verbiage says it needs to be ancillary, then it needs to be ancillary. Otherwise, what is to stop a future developer from applying for the IOZ by claiming some small percentage of an educational institute? Let's stick to the requirements and require that IOZ applicants not be developers and buildings must be 100% ancillary.

As I'm sure you're aware, one of the many purposes of the IDP/IOZ is to allow planning in a responsible way. There is very clear language in the zoning rules regarding the intent of the IOZ, for example, "to ensure that institutional change and growth both compliments and, as appropriate, integrates adjacent or surrounding neighborhoods, through carefully planned transitions." We brought up concerns about transitions and those concerns have not been addressed in an appropriate manner. IDEALS said that the Maine Yacht center is "nearly 50 feet at its peak." First of all, that is deceptive as the grade of the land slopes quite a bit on one side, the ocean side. On the side visible from our neighborhood, it's closer to 35 feet than it is to 50 feet. Secondly, going from 50 feet to 210 feet or even 150 feet is not a carefully planned

transition. The IDP/IOZ requires "appropriate transitions with the existing or future scale and character of the neighboring urban fabric". Nothing to this scale exists anywhere in our neighborhood and is closer to the type of density that we see in the most dense parts of downtown Portland. Perhaps IDEALS purchased the wrong land to develop their Mega Campus?

When asked about the hotel, IDEALS said it's necessary to create a culture of collaboration and therefore it's necessary to have a hotel. That's false. It's convenient for them to have a hotel for the few visitors they will have, but at the cost of convenience for our neighborhood. They also included in their IDP application that they will open the hotel up to the general public. That tells you everything you need to know, the hotel is not for educational purposes. I can only imagine what they will fetch per night for one of these hotel rooms. If it were up to me, I'd agree to a hotel under one condition, it not be open to the public. I can almost guarantee they would remove the hotel if that was the condition. What percentage of the hotel will be used for students versus the public? I'd also like to see the data to back that up. So far they haven't been able to provide data to back up many of their claims, which makes me wonder how they are answering questions without data to back it up?

So far we have asked about shadow studies, wind studies, traffic data, data about percentage of students who drive their own vehicles versus those that take other modes of transportation and there has been zero data to back up any of what they are telling us. For comparison purposes, all of this information can easily be found in Maine Medical Center's IDP. We tried to discuss "appropriate transitions" that are required by the IOZ, from our neighborhood to their site and again, we were brushed off. They said those weren't the final renderings. It doesn't matter what the building looks like in a rendering, we are talking about building heights of 35 feet and how they plan to transition from 35 feet to 210 feet. They couldn't answer the question because there isn't a plan to have an appropriate transition to go from a small residential neighborhood to some of the tallest buildings in the state of Maine.

Every concern we have had has been brushed off. While they claim to be transparent and working with us, they have made zero adjustments to their plans. They haven't lowered building heights, they haven't reduced proposed square footage. What have they done? They talked about removing a strip of grass on Veranda street to make the street wider and make parking expensive. That is not going to make the traffic problems go away.

With the level of density that IDEALS is proposing, we are not just talking about the proposed 4500 students and professors. We are also talking about all the necessary traffic to support a hotel, restaurant and a bar. Vendors, visitors, tourists, shipments of supplies, increased garbage/recycling pick ups, food delivery, etc all coming and going multiple times a day in a neighborhood who does not have the infrastructure to support that level of density.

The specific questions I would like IDEALS to answer.

What changes have IDEALS made to alleviate the concerns of local area residents?

What percentage of the hotel will be for visitors of the Roux versus the general public?

Why is it necessary for the hotel to be opened to the general public?

What percentage of Roux's students drive versus other modes of transportation?

It was mentioned there were wind and shadow studies, can IDEALS provide the conclusions of those studies and the data used to make those conclusions?

What is holding IDEALS back from transferring the property to the Roux Institute now and why does it need to be in the future?

Where is the analysis of transition areas between the institution and adjoining neighborhoods as required by the IDP?

At one of the neighborhood round tables, it was mentioned that there were drawings that show what the proposed buildings would look like from different areas of our neighborhood and that those would be provided to us, where are those drawings?

It's obvious to myself and many others that the IDEALS development plan is incomplete and ignores the concerns of local area residents. By denying the IOZ request, we get to see what they can do with building heights of 65 feet. In keeping with current zoning height restrictions, I think we will see a much more appropriate level of density for this section of Portland and I think we can keep these developers honest. Even with building heights restricted at 65 feet, IDEALS will still be able to develop a sizable campus, not only accommodating their current student enrollment but their future projected enrollment as well. As the campus grows and develops within the confines of current zoning, IDEALS will have a valuable opportunity to build trust with neighbors and perhaps in the future after seeing what IDEALS can do responsibly, I would be more open to allowing reasonable increases to existing building heights.

Thank you,

Justin Litchfield
2 Kendall St

Roux Institute Madness

Gabriel Ben Carling <gbencarling@gmail.com>

Sun, Apr 3, 2022 at 7:17 PM

To: azarro@portlandmaine.gov

Cc: EastDeering Neighbors <ednfrd@gmail.com>

Good Evening Mr. Zarro,

I hope that you are able to read this email before your meeting with IDEALS tomorrow. From what I have seen so far, you are a valued part of the community and your voice is a force for good. I believe you are already concerned about the scale of this proposed development and their backhanded tactics. I would like to add my own voice, as a resident of the portion of Sherwood Street that will be the sole access road to the site.

We just moved here in August and so far we love our new and welcoming community of East Deering. We've met a few of our neighbors and there are plenty of great people here. We were especially drawn to how quiet this neighborhood is in spite of the proximity to I-295. The roadway is elevated and you don't really notice the noise. There is very little traffic on our road—I imagined our future children playing street hockey, shouting "car" every so often like I did growing up.

To the contrary, when IDEALS looked at this neighborhood, I think they saw an area ripe for exploitation. There are many renters, many immigrants, and less-income folks in this area compared with a lot of Portland, that I imagine being filled with WASPish busybodies that make development near impossible. They figure anyone renting now will likely be gone in five years, or otherwise will be less invested in the future of our neighborhood. They figure a place that looks less moneyed will be easier to work with or against—or even more offensively, they may think that this area NEEDS improvement, which they want to bring personally. (I admit, it is hard to know their intentions when their prodigious assets are being used in a full-court press of Public Relations)

When we bring up issues such as building height, traffic patterns, or scale of development, IDEALS presents a resounding "We'll see how things go in the next five years" as if our concerns won't exist in the future.

Take the traffic for example. Our little Sherwood St and the underpass below 295 are fixed, immovable boundaries. We have no reason to believe that the situation will be any different in 25 years. Meanwhile, IDEALS is planning on putting eventually 4500 students here, who can't ALL live on campus, and the hundreds of support personnel and university staff to keep a place like that running—all going back and forth on two lanes in a thickly settled neighborhood. And that's just the University. IDEALS also plans one (maybe two!) hotels, shopping, even a brewery, and outdoor sporting facilities. They talk about the green space and the public waterfront as benefitting the community, but realistically that will just draw in more vehicle traffic.

I do not find it responsible to move forward on development at this scale without a longterm plan for traffic in and out of the campus. I understand the permits only require five years, but I think a move to require a more longterm plan is warranted. They will build a campus—in skyscraper form—to accomodate all those businesses and that student population. Why build something on that scale if that ingress can't possibly support that size?!

As far as the building height—let's be frank. What they are proposing is none other than a new building that will become the quintessential Portland landmark, or even a symbol of Maine. This campus will be extremely visible to one of the highest volume roadways in the state of Maine. And right there, they plan on building the tallest building in Maine (without a steeple) at 210'. ([Tallest Buildings in Maine](#)) Whatever goes there will be a recognizable landmark to any Mainer, and most tourists to Maine as well. IDEALS may act humble and friendly at times, but they're really after the reputation and caché that this campus may afford them.

Now don't get me wrong, I'm all about the collective benefit, and I believe that the Roux campus is a net positive to the community. They seem committed to bringing Mainers to this campus and starting businesses in Maine. I'd rather it be them, than a fancy condo with bile-inducing modern aesthetic. But who will really benefit from this project? Venture Capitalists will make a killing if they can raise businesses here in the Bio/Tech industries if they can compete with Silicon Valley industry-wise while paying wages and property at a Maine price. Many of these start-ups I'm sure will be great for Maine, but this campus represents a business-making venture, while technically itself maintaining non-profit status. I believe local-owned businesses, as you can surely attest, treat their workers better than others, and best of all are the owner-operated variety. But this seems bigger than that—like they're trying to mold the next tech billionaire, like the original donors for the Roux Institute.

For this reason, this campus is considered to be "sustainable." Not in terms of the community or the environment per se, but in paying for itself. The hotels, shops, and businesses are meant to offset the costs of building the campus in the first place. If I know the word "sustainable" in a business sense, they want the campus to make them a profit--while their stated purpose would lead us to believe they are selflessly driven to support the community.

I'm tired of hearing "We're taking these issues seriously" without any real action or change of plan on their part. They keep their cards close to the vest, clearly keeping information hidden from the community, with several examples of actions that inhibit community involvement--like you had mentioned the meetings always HAPPEN to occur during council meetings. Or invitations ACCIDENTALLY go out at the last minute.

We in the community do not have the sort of power to compete with an organization with these kinds of resources. But with our combined voices and pressure, hopefully we can at least get some measure of sanity in this IDP and finally get them to adjust the traffic plan and/or scale of the project. Please help us, and stand your ground at your meeting with these people tomorrow.

A Concerned Resident,

Ben Carling
81 Sherwood St



EastDeering Neighbors <ednfrd@gmail.com>

Roux Project

Karen Gersen <klik22g@gmail.com>
To: azarro@portlandmaine.gov

Sun, Apr 3, 2022 at 10:06 PM

Hi Andrew,

I reside in the East Deering neighborhood and am writing to express some of my concerns regarding the development of the historic B&M factory site.

Along with many of my neighbors, I was very excited to hear that the Roux Institute was going to become part of our neighborhood. However, as the developer's plans have unfolded, I have become increasingly concerned and unsatisfied with the information that has been provided to us by IDEAL.

What I initially understood to be an educational facility now includes plans for a large hotel and an apartment complex. The proposed height of the hotel would make it one of the tallest buildings in the state. I certainly understand and support the value of development but, I am concerned that the scope of the project is incompatible with our neighborhood. In addition, Sherwood St. provides the only means of access to the B&M site. This hardly seems an adequate route. I am also quite concerned about the increase of traffic on the roads and in and out of our neighborhood. The area is already struggling with traffic congestion at the Washington Ave and Veranda St. intersection off 295. I would like to see the developer address these issues in a concrete way.

Thank you for taking the time to listen to my concerns.

Karen Gersen
13 Lennox St.
Portland, ME.

Sent from my iPhone



Roux Institute

Sue Hubley <suehubley@gmail.com>

Thu, Mar 31, 2022 at 3:23 PM

To: azarro@portlandmaine.gov

Cc: EastDeering Neighbors <ednfrd@gmail.com>

Dear Mr. Zarro:

I live at 32 Berwick Street. The only things between my street and the proposed Roux Institute are the Maine Yacht Center and state-owned unused railroad tracks.

I feel strongly that the scale of the Roux development, as proposed, will be overwhelming for our neighborhood. As you know, IDEALS' plans include space for classes and labs, ultimately for 4,500 students (not to mention faculty and staff); a business incubator, residences, a hotel, grocery store, restaurant and coffee shop — with at least one high-rise — as well as recreational green space and parking. All this will be crammed onto a piece of land boxed in by water, Tukey's Bridge and I-295, a busy marina, short, residential Sherwood Street, and busy Veranda Street. Access will be only available on one street, Sherwood. It's hard to see what they could do to create additional access.

The traffic is already difficult on Veranda Street, especially at the intersection with Washington Ave., where many vehicles navigate in a steady stream between I-295, our neighborhood, and Washington Ave.

IDEALS seems to be counting on the attractions of its campus to cut down on students and employees leaving the campus, but that idea doesn't strike me as realistic. The developer also seems to think that encouraging walking and biking will cut down on car use. I don't think that's realistic, either. Both seem to me like solutions that sound good on paper, but whose effect would be minimal.

I'm also extremely concerned about the environmental impact of a development that huge. I hope that aspect will be examined very closely. I contacted Maine Audubon, and they are monitoring the project but had not formulated a position yet when I contacted them. A possible concern they mentioned was birds being killed by colliding with the glass in the buildings. A personal concern of mine is the ospreys' nest on the tracks just before the old trestle. That's one of my favorite walks in the neighborhood. The Audubon staffer said that these and ospreys in general have proven to be pretty tolerant of human activity, but I hope the city and IDEALS will be mindful of the wildlife and wild vegetation around them.

Thank you!

Susan Hubley
32 Berwick Street
Portland ME 04103
207-572-0247
suehubley@gmail.com

IDEALS Roux Institute

Sandy Comstock <sandycomstock3@gmail.com>

Sat, Apr 2, 2022 at 7:28 AM

To: azarro@portlandmaine.gov

Cc: EastDeering Neighbors <ednfrd@gmail.com>

I have loved living in the Windsor Heights neighborhood of Portland for thirty years.

Like many of my neighbors, I am happy to have the Roux Institute graduate school move into the former site of the B&M Bean Factory. However, I would like to add my name to those who have voiced their concerns about the massive scale and scope of this project and the serious traffic issues which will accompany it.

The extraordinary size of this project adjacent to a small residential neighborhood is very concerning: the square footage of this projected development is equivalent to that of the Maine Mall and the height of the buildings could well exceed the tallest buildings on the peninsula. It cannot help but have a dramatic and damaging impact on ALL of the surrounding East Deering neighborhoods.

Additionally, Exit 8 off of I-295 is already at capacity and dangerous with traffic veering across lanes on Tukey's Bridge to exit the highway. The intersection of Washington and Veranda Streets is equally treacherous with southbound traffic racing to get through the light to access the highway. I, like many others, have narrowly missed being hit at this intersection. I am also deeply concerned for the safety of the elementary school children walking to and from school on Washington, Sherwood, Veranda and all of our other neighborhood streets with this massively increased traffic.

IDEALS has shared with us that driving cars to the site will be discouraged by making parking on the Roux site expensive and encouraging public transportation, ride sharing and cycling. I believe it is unrealistic to hope that Roux Institute students (projected to increase from 2,000 to 5,000 students in 20 years), faculty, visitors and those connected to the incubator businesses, along with the on-site hotel and restaurant guests and employees, will take public transportation, ride share or ride bikes to this site, especially in the winter months. In reality, most will try to find free street parking in a small neighborhood which barely has room for its own residents' parking. IDEALS is even encouraging more traffic to the area by calling it a green space destination for all of Portland to visit.

It seems to me that IDEALS is trying to fit a square peg into a round hole and a more reasonable and scaled down plan could work for all involved.

Thank you for your concern about this important issue.

Sandy Comstock

Concerns about Roux traffic and campus scale

Andrew Wallace <andrewtwallace72@gmail.com>

Mon, Apr 4, 2022 at 10:34 AM

To: azarro@portlandmaine.gov

Bcc: ednfrd@gmail.com

Good morning Andrew - I hope you are doing well and look forward to maybe meeting you in person soon (we're both on the PPL Board - but Zoom doesn't quite feel the same).

I am reaching out today as a resident of East Deering, specifically Kensington Heights. I have concerns about the potential traffic impact of the new Roux Institute. I support the concept of the school and venture as an academic/entrepreneurial hub, but worry about the other elements which would potentially bring a lot more traffic into a very small neighborhood which already deals with a flawed off ramp at Washington Ave.

I am dubious that mid career professionals who will likely attend Roux are typical public bus riders, or 4 season bike riders, or water ferry riders or walkers, which are some of the proposed mitigation approaches to what will likely be a considerable amount of traffic. I know these are trendy, well interventions and important ways to be responsible commuters, but these approaches often just make people feel good and score points on reports and proposals, but don't often yield appreciable benefits. The other approach of intentionally limiting parking or making it cost prohibitive will lead to spill over into our quiet neighborhood.

I hope you can ask the planners of this project some more pointed questions.

I wonder also about egress from the site. Does Roux intend to buy an additional parcel that would change even further the neighborhood's landscape?

Does the City of Portland plan to remove street parking for long time businesses along Veranda Street? Will any roads need to be widened? Does Maine DOT support an extra off ramp? Would Roux want that, or is that a deal breaker?

I worry that Portland continues to be over-developed, and wonder how projects like the one behind Presumpscot School are approved without real (my perception of that - maybe there was a good design) consideration of extra traffic on Sherwood Street - to the trails which are now blocked to the public and to the wooded spaces which are now razed. I am sad to say that don't have a lot of faith in our processes, and hope you as Councilor can help be sure all voices are heard on this topic.

Unfortunately I am unable to attend the IDEALS meetings typically because I teach on Weds nights when most events happen.

I hope you can share with me your thoughts or experiences w the folks at Roux. I sincerely hope there is a way to make this work for everyone.

Thank you - Andy Wallace 46 Watson Street

IDEALS/Roux Institute

Vicki Fisk <vickifiskshop@gmail.com>

Tue, Apr 5, 2022 at 11:41 PM

To: azarro@portlandmaine.gov, EastDeering Neighbors <ednfrd@gmail.com>

April 5, 2022

Dear Councillor Zarro

We have all been dazzled with the development plans presented by IDEALS on behalf of "The Roux Institute". Graduate level education programs, apartment complex, restaurants, hotel, walking trails, bike lanes, kayak rental, water taxis, public access, Green Space, sustainability, etc are akin to promises of a chicken in every pot, and one might think we illustrate the NIMBY acronym to point out the obvious concerns.

At the most recent neighborhood meeting, as I understood it, The Roux Institute shared that there are 450 students currently enrolled in their graduate program and they expect to have 40 students in their 2022 Portland graduating class. However they estimate a very aggressive enrollment of 1700 to 2000 "when they open" their campus, hopefully in 2025, growing to 5000-7000 students over the next 20 years. Learning is done onsite, yet the majority of the students have jobs, and internships offsite.

No estimates were given regarding the additional number of faculty & support staff for the education facility, hotel guests & management, restaurants, etc.

However based on 7k students it is reasonable that the staff required to support the educational and commercial ventures will swell this number considerably. While references were made to a provision for public transportation in our opinion, bus routes will not serve the needs for working students or support staff.

For comparison, consider the population of Freeport, Maine (2020 estimate of 8700 people) as an example of the proposed population living/working on the B & M site, all of whom have needs to leave this setting to venture offsite. To leave, they will be required to travel only via Sherwood Street, a 2 way neighborhood street for which IDEALS has proposed an additional turning lane, and bike paths. This is the only egress for the equivalent of the town of Freeport. With no emergency services onsite, the traffic pattern could have significant safety concerns especially in the event of a fire or need for an emergency transport.

Once out onto Veranda St, a left turn against opposing traffic will require the driver to engage in the already congested Washington Ave/ Bates St/ Veranda St light where intersection gridlock is a valid concern. A right turn towards Falmouth will bring the driver to a new traffic light at a yet to be proven new traffic pattern due to the replacement Veranda St/295 bridge. Since southbound 295 traffic here will be released en masse in accordance with a new traffic light, it has the potential of causing a snarl up as traffic attempts to merge or exit at the shared lane between this entry point and the other entry at Washington Ave can affect traffic flow.

Per IDEALS, a traffic study has not yet been completed, but the conceptual drawing they presented showed "no Parking" on Veranda St, a shared turning lane, and bike paths. Veranda St is already heavily traveled, and congested and we are concerned that gridlock at the existing traffic light will ensue, potentially causing traffic to back up onto 295, and related safety issues for motorists.

It is ludicrous that the development plans have proceeded without a reasonable plan for safely managing traffic. Reopening the 295 exit ramp that had served B & M will help access TO this "village" but the only exit from "the village" remains to be via Sherwood/Veranda. We cannot understand why a "village" of this many people can have only 1 egress, whereas a multiunit is required to have 2.

Does the city of Portland have a minimum standard for egress, and a maximum recommendation for traffic control at sensitive streets? If these standards can't be met, then how can a project of this magnitude proceed? Will the Fire and Emergency Services Department be satisfied with the traffic impact and accessibility? What role does the State of Maine play in any project that could strain traffic flow on 295/ Route 1? IDEALS stated that they have consulted both the city and state but did not disclose their findings during our previous meeting.

If it is deemed at the end of Phase 1 that the traffic impact is considerable, and to ameliorate the situation it is required that streets be widened, eminent domain will be a possibility. If so, would the cost be borne by Portland taxpayers to compensate the property owners and to build the street improvements?

The scope of the development of the B & M site is such that housing needs will not be met. This city already has an affordable housing shortage. Where are the students and support staff for ancillary business going to live?

I am not knowledgeable about zoning changes, but know enough to realize that by starting the approval process by seeking a zoning change many of the concerns we have may be moot. A zoning change could circumvent addressing the real challenges associated with developing this portion of the city. Please help us understand the ramifications of a zoning change.

We would also benefit from understanding tax ramifications. What aspects of the development proposal by IDEALS for Roux Institute will be tax exempt?

While the concept of an advanced learning facility is attractive, the associated commercial & retail businesses components are unnecessary. The city of Portland has numerous hotels and restaurants "on the peninsula" to adequately serve the influx of people associated with the Roux Institute. Perhaps the ultimate goal of the investors is to develop the B & M site commercially, using the educational component of the Roux Institute as a front.

In closing, we thank you for conveying our concerns. We ask that you not be impressed with the dazzle of trendy plans and instead focus on the impact a project of this scope will have for the adjacent residential neighborhoods, current commuters, and Portland taxpayers so that it does not become the Boondoggle of 2022.

Sincerely

Victoria Fisk & Thomas Carter

3 Chester St

James Pratt <jrpratt@hotmail.com>
to planningboard@portlandmaine.gov

Apr 1, 2022, 11:33:24 AM (6 days ago)

I wanted to provide some comments on the current Roux campus IDP. I live on Kendall Street, which is the neighborhood just north of the Roux site. I have attended multiple meetings IDEALS has hosted to voice my concern over the proposed building scale/heights. Our neighborhood (and a portion of the Roux site) is zoned R3. Portland's zone purpose statement for R3 is to provide medium density development characterized by single family homes on individual lots. Structure height is limited to 35' in an R3 zone. Roux is currently proposing all of their buildings to be among the tallest in the state of Maine next to our neighborhood.

The rendering (see image below) that is included in their IDP and has been submitted to the city shows how out of scale these building heights are to the surrounding neighborhood context. You will notice they conveniently left the houses in our neighborhood off of the rendering.

I have also reviewed the IDP and feel it is incomplete, as it appears to be missing many required items. One such item is that areas of major concern are not listed. IDEALS' IDP says the feedback from the first neighborhood meeting was 'very positive' and lists items discussed at that meeting. The document then says roundtable meetings also occurred but does not list the comments/concerns neighbors mentioned at those meetings.

I am not against the Roux campus being located at this location, but I am asking for the campus to respect the context of the neighborhood. Both USM and UNE fit into the context of their neighborhoods in a more appropriate way.



Thanks for your time,
James Pratt
2 Kendall Street

B&M Bakery Beans Property

 Assigned to...Subscribe 

1 view



paul S <pjstone73@gmail.com>
to planningboard@portlandmaine.gov

Apr 25, 2022, 1:31:33 PM (21 hours ago)

Planning Board,

I am writing you concerning the Roux project at the former B&M Bakery Beans property. A zoning change should not be given for construction of what would be Maine's tallest building. A building of that height would be very much out of place in that area and also create a negative impact on the surrounding neighborhood. Please vote against this zoning change!

Thank you.
Joyce & Paul Stone

Justin Litchfield <justinlitchfield26@gmail.com> Apr 11, 2022, 12:23:28 PM (21 hours ago)
to planningboard@portlandmaine.gov, mgrooms@portlandmaine.gov

Hi,

I am writing to express some serious concerns over the IDEALS/Roux project being planned at the B&M site.

As I know they recently submitted the IDP I'd like to start there.

The IDP requires that applicants be an educational or medical institution, of which IDEALS is neither as they are a development company. I understand they are developing the Roux Campus on behalf of the educational institute, but there are several components of their proposed project which are not ancillary to the educational components. As far as I know, it is unprecedented for a development company to apply for an Institutional Overlay Zone and I'm concerned about the future ramification this would have for future developers. They have said they will hand over the property to the Roux Institute in the future, but this is a red flag for me. Why isn't Roux applying for the IOZ instead of IDEALS? Another major concern, how is IDEALS going to get an approval if they are going to hand the property over in five years anyway and then become a defunct organization?

Applicants are not only supposed to be a medical or educational institution, but be a major one. IDEALS is not an educational institution, and Roux itself isn't what I would consider a "major" institution. Currently they have about 450 students enrolled. I understand they are piggy backing off of Northeastern which is a major educational institution, but Roux itself is not and Northeastern isn't an institution that exists in Maine.

In addition to those issues, there are several components of the IDP that are missing. At neighborhood meetings and roundtables, we have requested these items several times and several times we have been blown off. This is not how this process is supposed to work. Specifically the items required by the IDP and still missing are an analysis of wind studies, shadow studies, and neighborhood transitions.

At the last neighborhood meeting, I brought up these missing items and was told by their lawyer Mary, that they had no idea these items were required by the IDP. Chuck also informed me that the planning board has received the IDP and told them it was "complete". Can the planning board clarify that for me? I'm wondering if he meant that the submission was completed and not that the actual document itself is complete?

The document submitted by IDEALS is not a very thorough document, and personally I don't feel it is acceptable as many items are missing or briefly mentioned. The length of the document is very telling as to its lack of thoroughness, IDEALS IDP is only 32 pages, in comparison Maine Medical Centers IDP is 124 pages.

Many of our questions have gone unanswered and before IDEALS' IDP gets a nod of approval, these items need to not only be complete but much more thorough.

If someone could get back to me in regards to the comment Chuck made about the IDP being complete and clarify if the document is in fact complete I would greatly appreciate that.

I have several other concerns about this project but I'd like to start with clarification about the completeness of the document before proceeding.

Thank you,

Justin Litchfield

Memorandum

Planning and Urban Development Department



To: Chair Stanley & Members of the Planning Board
From: Zach Powell, Senior Planner
Date: June 10, 2022
Re: 385 Congress Street Master Development Plan
Project ID: PL-001970-2022
CBL: 027 Doo1001
Meeting Date: June 14, 2022

I. INTRODUCTION

385 Congress Street LLC has submitted an application for a Master Development Plan (MDP) and Traffic Movement Permit (TMP) to facilitate the phased development of the subject property with three, 12-story attached buildings that include a hotel with 152 rooms, 312 condominium units, four retail units totaling ±6,700 square feet, two restaurants totaling ±9,144 square feet, two passive recreation spaces (Amenity Deck and Pocket Park) totaling ±20,313 square feet, and three parking structures with a total of 361 automobile spaces. This application is being referred to the Planning Board for compliance with the City of Portland's Land Use Code, Master Development Plan Standards, Section 14.7. An approved Master Development Plan is valid for a period of six years, which may be extended and/or amended.



Figure 1: Photo of the site showing the former Portland Press Herald Printing Facility and current surface parking facing north at Congress & Myrtle Street.

The application is also subject to review under the Downtown Urban Design Guidelines and an advisory historic preservation review based on the site being within 100 feet of the Congress Street Historic District and City Hall, which is an individually designated landmark (Section 14.7.3.B). While not yet submitted, future major site plan applications and a subdivision application to subdivide the parcel into three lots are anticipated.

The June 14, 2022 Planning Board Workshop will be the first workshop on the MDP and will primarily focus on establishing the Board's purview and role in the review and focus on the site layout, building design and access management and traffic circulation.

The Planning and Urban Development Department mailed 104 notices advertising this meeting to property owners within 500 feet of the site. A legal advertisement ran in the June 4, 2022 edition of the *Portland Press Herald*. As of the writing of this memorandum, two written public comments have been received (Attachment 6). These comments pertain to concerns about traffic circulation around the site and the support of street trees & new landscaping as a component of the proposed project.

The applicant held a Neighborhood Meeting on May 23, 2022 and three members of the public attended (Attachments 4 and 5). Questions raised at the Neighborhood Meeting addressed the following topics:

- Project application materials including historic photos of the site and whether the proposed project will incorporate historic site elements (e.g., restoration of Chapel Street, design elements from Payson Memorial Church)
- The proposed number and location of parking spaces and whether the parking levels have the ability to be retrofitted for commercial or residential uses
- Levels of access to the amenity deck and activation of the streetscape

Applicant: Joe Dasco, Reger Dasco Properties

Anticipated Hotel Operator: Marieke Thormann and Robin Payne, The Fathom Companies

Consultants: Derek Caldwell and Daniel Riley, Sebago Technics Inc.
Henry Weinberg and Dylan Dasco, CBT Architects

II. REQUIRED REVIEWS

Review	Applicable Standards
Master Development Plan (MDP)	Section 14.7
Traffic Movement Permit	Section 1.1 of the City of Portland Technical Manual
Historic Preservation Board Advisory Review	Section 14.7.3.B
Submitted Waiver Request	Applicable Standard
Sec. 7.3 – Table 7-E: Mixed-Use Zone Dimensional Standards – to vary the front setbacks on Cumberland Avenue, Myrtle Street, and Pearl Street up to 10 feet.	Sec. 7.3 – The maximum permitted front setback from all street frontages in the B-3 zone is 5 feet.
Staff Recommendation: Staff have not yet formalized a recommendation on this waiver request.	

Master Development Plan Framework

A Master Development Plan (MDP) is a regulatory option, applied for at the discretion of the applicant, for sites with one acre or more in cumulative lot area that's designed as a cohesive and integral development program consisting of multiple buildings and associated site improvements built in phases over an extended timeframe (Section 14.7). An approved MDP establishes parameters to be adhered to for the full development, including total residential units, types of uses, lot coverage, open space, stormwater management, infrastructure, traffic, parking, site layout and circulation. MDPs may be developed concurrently with site plans and/or subdivisions, or independently. Approval does not constitute an authorization for development, but it does maintain the applicability of regulations in effect at the time of the approval for as long as the MDP approval remains valid. MDP submission requirements are deliberately not as detailed as site plan and subdivision requirements to allow for some flexibility in the final buildout of a large, phased project. Site plan applications, and any other required approvals are required before any development on the site can proceed, as outlined by the City's Land Use Code:

As stated in Sections 14.3.2.B.- of the City's Land Use Code a *Master Development Plan approval, including an approval of waivers, establishes the general parameters for the development, including the general*

development program, massing, open space plan, and infrastructure plan. A Master Development Plan approval shall not be construed as final authorization of the development. Approval shall confer pending proceeding status upon the development in effect at the time of approval for as long as the Master Development Plan approval remains valid, including permissible extensions if granted. Subsequent site plan approvals shall be required.

III. PROJECT DATA

Existing Zoning	B-3 Downtown Business, Downtown Entertainment Overlay, PAD Encouragement Area		
Existing Use	Off-Street Parking (Surface and Structured) (141 spaces) Storage (±3,914 SF)		
Proposed Use	Condominiums	357,200 SF (312 units)	
	Hotel	80,000 SF (152 rooms)	
	Retail Space	6,700 SF (4 units)	
	Restaurant	9,144 SF (2 restaurants)	
	Structured Parking	133,700 SF (361 spaces)	
	Passive Recreation Space	20,313 SF (Amenity Deck & Pocket Park)	
Property Size	98,470 SF (2.26 acres)		
	<i>Existing</i>	<i>Proposed</i>	<i>Net Change</i>
Building Footprint	17,322 SF	730,000 SF	+712,678 SF
Building Floor Area	17,322 SF	730,000 SF	+712,678 SF
Impervious Surface Area	97,744 SF	Not Stated	Unable to Calculate at this Time
Parking Spaces	173 spaces	361 spaces	+188 spaces
Bicycle Parking Spaces	0 spaces	Not Stated	Unable to Calculate at this Time
Curb Cuts	7 (3 blocked)	8	+1
Trees in Streetscape	9 (3 street trees)	34 (27 street trees)	+25 (+24 street trees)

IV. EXISTING CONDITIONS AND SITE CONTEXT

The project site occupies the entirety of a city block that is 2.26 acres in area. The site is bounded to the north by Pearl Street, to the South by Myrtle Street, to the East by Congress Street, and to the West by Cumberland Avenue. The Comprehensive Plan, *Portland 2030*, identifies Congress Street as a priority corridor. The site was previously bisected by Chapel Street, which was discontinued in 1973 (Figure 2).

Previously, the site was occupied by a number of commercial and residential structures, including Payson Memorial Church. In the 1960s, a portion of the site served as the printing facilities to the Portland Press Herald. Currently, the site serves as an off-street parking (both surface and structured) for daily and monthly parking and is currently occupied by surface and structured parking, totaling 173 spaces. Additionally, the structure on the northwestern corner of the site is used for auxiliary storage. Both of the existing structures (Storage Building $\pm 3,914$ SF; Parking Structure: $\pm 13,408$ SF) are proposed to be demolished to facilitate the development of the site.

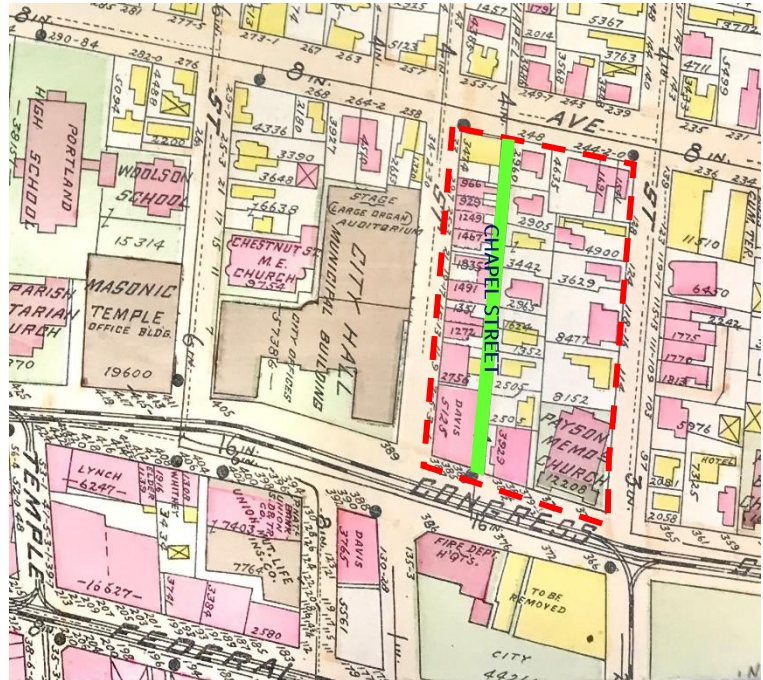


Figure 2: 1912 Sanborn Map of the subject property (outlined in red) and surrounding area. The previous bisection of the subject property by Chapel Street is shown in light green.



Figure 3: Northwest view of the subject property in 1900. Source: Maine Historical Society.



Figure 4: Western view of the subject property in 1965 showing the construction of the Portland Press Herald Printing Facility. The original alignment of Chapel Street can be seen in the portion of the site cordoned off for materials storage. Source: Maine Historical Society

The site serves as a transitional area in a number of regards, including:

- Lots to the north with no building coverage (Top of the Old Port Parking & Lincoln Park) to lots to the south with high building coverage (City Hall, Press Hotel)
- Lower-density multi-family and smaller institutional uses from the west on Cumberland Avenue to medium-density commercial & institutional uses to the east on Congress Street
- Blocks to the west and south occupied by numerous lots to blocks to the east and north that are occupied by one lot (Central Fire Station, Top of the Old Port Parking, Lincoln Park)
- Smaller blocks and larger blocks with pedestrian access points to the south and southeast to larger blocks providing limited or no breaks for pedestrian access
- Downtown Neighborhood to Bayside Neighborhood
- Auto-centric uses & building design to the north and northeast to urban, pedestrian-centric uses to the west, south, and southeast

The subject block and immediate area is well-served by public transit. Approximately two blocks to the southwest is the METRO PULSE at Elm Street (Downtown Transportation Center), the hub for METRO where bus routes, #2, #4, #5, #7, and the Husky Line begin and end their routes. METRO bus routes #1, #7, #8, #9A, #9B and the Biddeford Saco Old Orchard Beach Transit 60 Green line can be accessed along Congress Street within one block of the site. South Portland Bus routes 21, 24A, and 24B can be accessed along Congress Street roughly two blocks southwest of the site. METRO bus route 8 is located along Cumberland Avenue less than one block from the site.

V. PROPOSED MASTER DEVELOPMENT PLAN PROGRAM

The proposal now under consideration is a mixed-use development, with residential, hotel, retail, and restaurant uses, served by structured parking. The site would also include two bicycle parking vestibules at mid-block points on Myrtle Street and Pearl Street and two passive recreation spaces. The proposed recreation spaces are a ±5,969 square foot, publicly accessible pocket park at street level fronting Congress Street, and a ±14,344 square foot private amenity deck for condominium residents and hotel guests on the top of the podium level.

Immediately adjacent to the pocket park, the Applicant is proposing valet operations for the hotel off of Congress Street with off-street queuing for four vehicles in the driveway. The driveway is proposed to primarily be used as a one-way driveway into the structured parking, but would have the width for bi-directional traffic. The Applicant has stated that there is a need to allow for this given that Myrtle Street has scheduled street closures for events held at Merrill Auditorium every year. City Staff have calculated that Myrtle Street closes approximately 25 times a year and generally not for extended periods of time. Additionally, the submitted design for both parking levels include forms of ingress and egress on Pearl Street.

Other proposed changes to the site include:

- The relocation of curb cuts (**Shown in Yellow**) on the site and expansion of actively used curb cuts from 4 to 8 (Please note that there are 7 existing curb cuts with 3 that are blocked by guard rails or chained off).

- Removal of left turn lane on the eastbound approach of Pearl Street into Top of the Old Port Parking Lot and restriping of lanes to accommodate 11 on-street parking spaces (Outlined in Red – **Figure 6**) on the southern side of the street.
- Removal of the existing 9 trees in the streetscape and planting of 34 new trees (Shown in Green) in the streetscape (27 street trees)

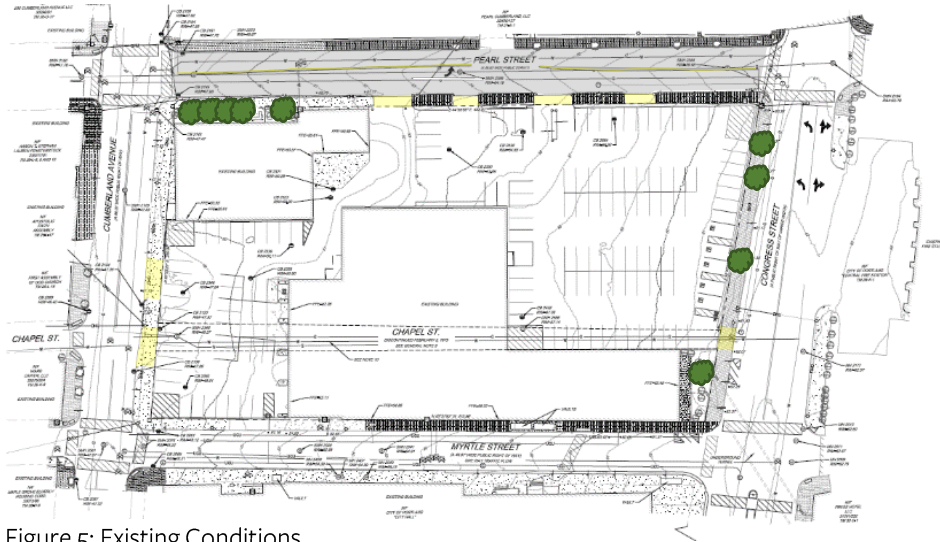


Figure 5: Existing Conditions

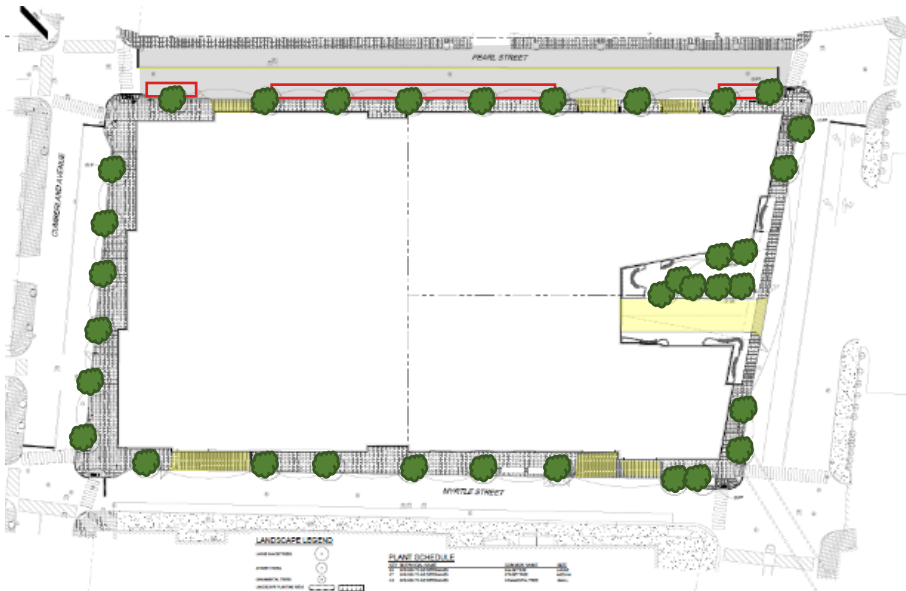


Figure 6: Proposed Streetscape Improvements

A. Phase Components

The development would be constructed in up to four separate phases.

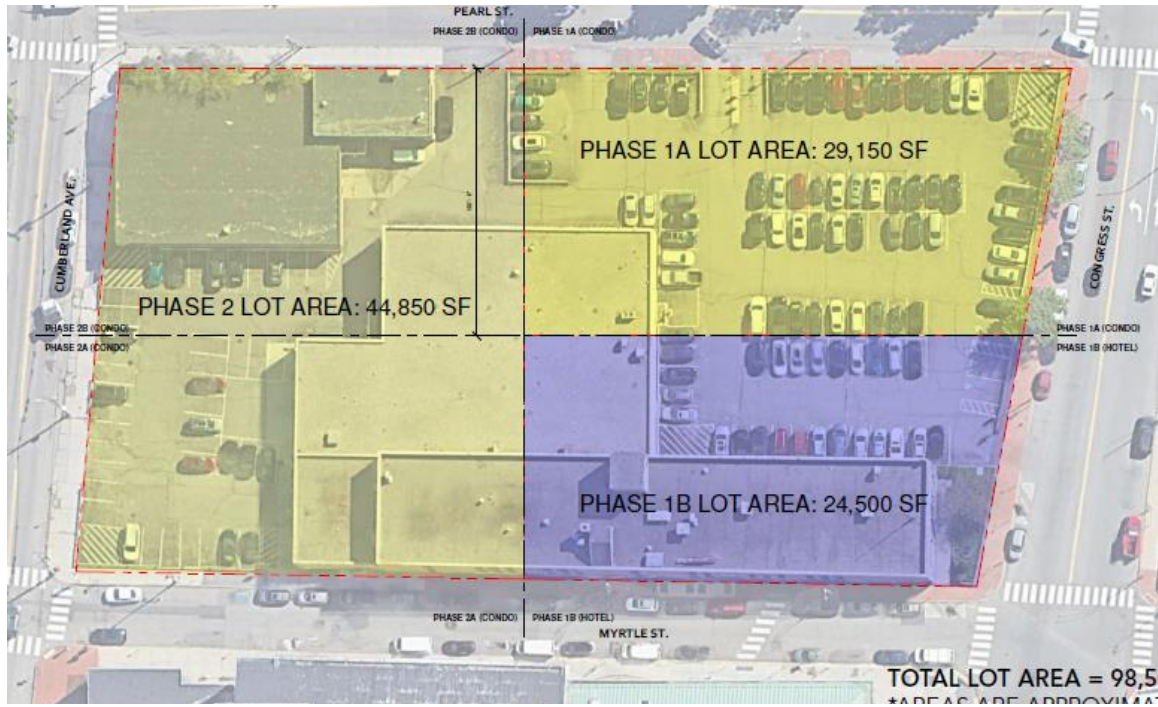
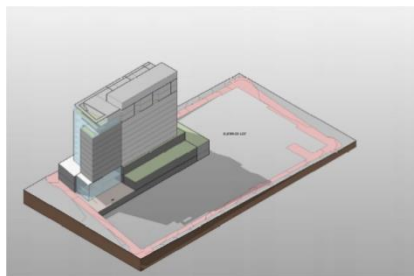


Figure 7: Submitted Phasing Plan, with the dashed quadrants noting the proposed phasing lines

Phase 1 (Listed in Application Documents as Phase 1B): ±180,000 square foot, 14-story building with a 152-room hotel, 9 condominium units, two restaurants totaling 9,144 square feet, and 70 enclosed parking spaces. As part of Phase 1, the majority of the other three quadrants will be utilized for surface parking with 200 spaces and an interim park space will be established at the corner of Congress and Pearl Streets since the proposed pocket park would not be accessible until construction is complete in the second phase.



Phase 1 Photosimulation



Phase 1 Ground Floor Plan



Phase 1 Podium Plan

Phase 2 (Listed in Application Documents as Phase 1A): $\pm 245,000$ square foot, 14-story building with 110 condominium units, a $\pm 2,500$ square foot retail unit, and 126 enclosed parking spaces. Similar to Phase 1, half of the project site will be utilized for surface parking with 114 spaces. The interim park space established in Phase 1 will be removed and the proposed pocket park will be opened once a Certificate of Occupancy has been received. In the submitted application materials, the Applicant stated that Phase 1 and 2 may occur concurrently, but has provided diagrams in the event that they are phased.



Phase 2 Photosimulation

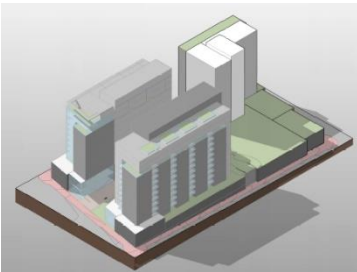


Phase 2 Ground Floor Plan



Phase 2 Podium Plan

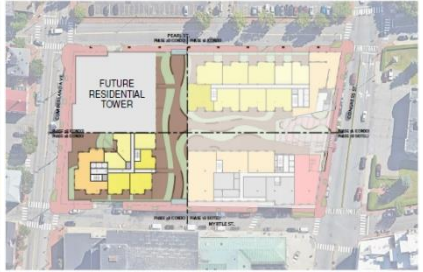
Phase 3 (Listed in Application Documents as Phase 2A): $\pm 192,200$ square foot, 13-story building with 94 condominium units, three retail units totaling $\pm 4,200$ square feet, and 165 enclosed parking spaces. In the submitted application materials, the Applicant stated that Phase 3 may occur concurrently with Phase 4, but has provided diagrams in the event that they are phased.



Phase 3 Photosimulation

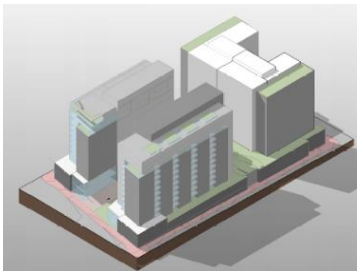


Phase 3 Ground Floor Plan



Phase 3 Podium Plan

Phase 4 (Listed in Application Documents as Phase 2B): A $\pm 97,700$ square foot, 12-story addition with 99 condominium units.



Phase 4 Photosimulation



Phase 4 Ground Floor Plan



Phase 4 Podium Plan

VI. ZONING ANALYSIS

The site is encompassed by the B-3 Downtown Business Zone, the Pedestrian Activities District (PAD) encouragement area, and the Downtown Entertainment Overlay Zone.

The purpose statement for the B-3 zone includes the following relevant to the proposal:

- *Enhance and promote the orderly expansion of retail and service businesses downtown, satisfying the related needs of the city's resident, working and visitor populations;*
- *Encourage increased housing opportunity downtown for a diverse residential population;*
- *Enhance the pedestrian environment through the encouragement of intensive mixed-use activities, through the enhancement and maintenance of public and private open space, and through the enlivenment and increased attractiveness of the street environment;*
- *To encourage excellence in urban design;*
- *In the PAD Overlay zone, to create continuity of pedestrian-oriented uses along streets where such uses predominate and along streets which, over time, will establish and maintain a strong retail and pedestrian-oriented use pattern.*

The zoning dimensional requirements are intentionally permissive in this urban downtown zone – in most cases the requirements are intended to create dense, taller buildings that fill the site and maintain a street wall line. Regarding height for this block, there is a 90 foot maximum street wall height along Pearl Street, 50 foot maximum street wall height along and a maximum building height of 150 feet as per the Downtown Height Overlay map.

As submitted, the Master Development Plan does not comply with all of the zoning requirements of the B-3 zone. While the submitted application meets the minimum street frontage requirements and maximum length of undifferentiated blank wall space along all of the publicly accessible ways, the proposed design is seeking a waiver of the maximum permitted front setback. In addition, the proposal currently exceeds the maximum floor area for floors above 125 feet, and maximum lot coverage for portions of structures exceeding 125 feet in height. Further, staff is requesting confirmation that the proposed rooftop mechanical areas that extend to a height of 163 feet from grade are not used for human occupancy. Compliance with B-3 dimensional standards is shown in the table below. Each future site plan and subdivision (if applicable) will be evaluated for conformance with zoning, site plan, and subdivision standards requirements as well as undergoing advisory Historic Preservation review.

Standard	Required	Proposed
Minimum street frontage	15 feet	1315 feet
Maximum front setback	5 feet	10 feet
Maximum length of undifferentiated blank wall	30 feet	< 5 feet
Maximum Floor Area	15,000 square feet for each floor above 125 feet	±17,203 square feet for Level 12 in Phase 2 Building
Maximum Structure Height	150 feet, with 90 foot maximum street wall height on Pearl Street and 50 foot maximum on Congress and Myrtle Streets	143 feet – 149 feet with street wall heights ranging from 30-37 feet
Maximum Lot Coverage	25% of lot area for portions of structures exceeding 125 feet in height	±45,370 square feet (46% of current lot area) (Based on the anticipated subdivision, lot coverages would still exceed the maximum permitted (Lot 1: 50.4%; Lot 2: 54%; Lot 3: 38%))

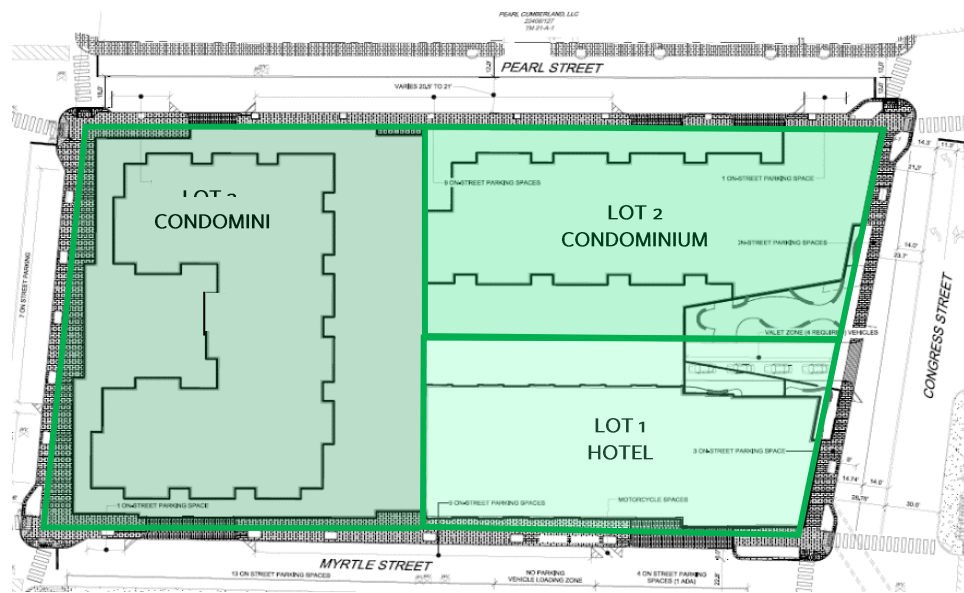


Figure 8: Anticipated Subdivision of Subject Property into Three Lots with proposed lot lines outlined in green.

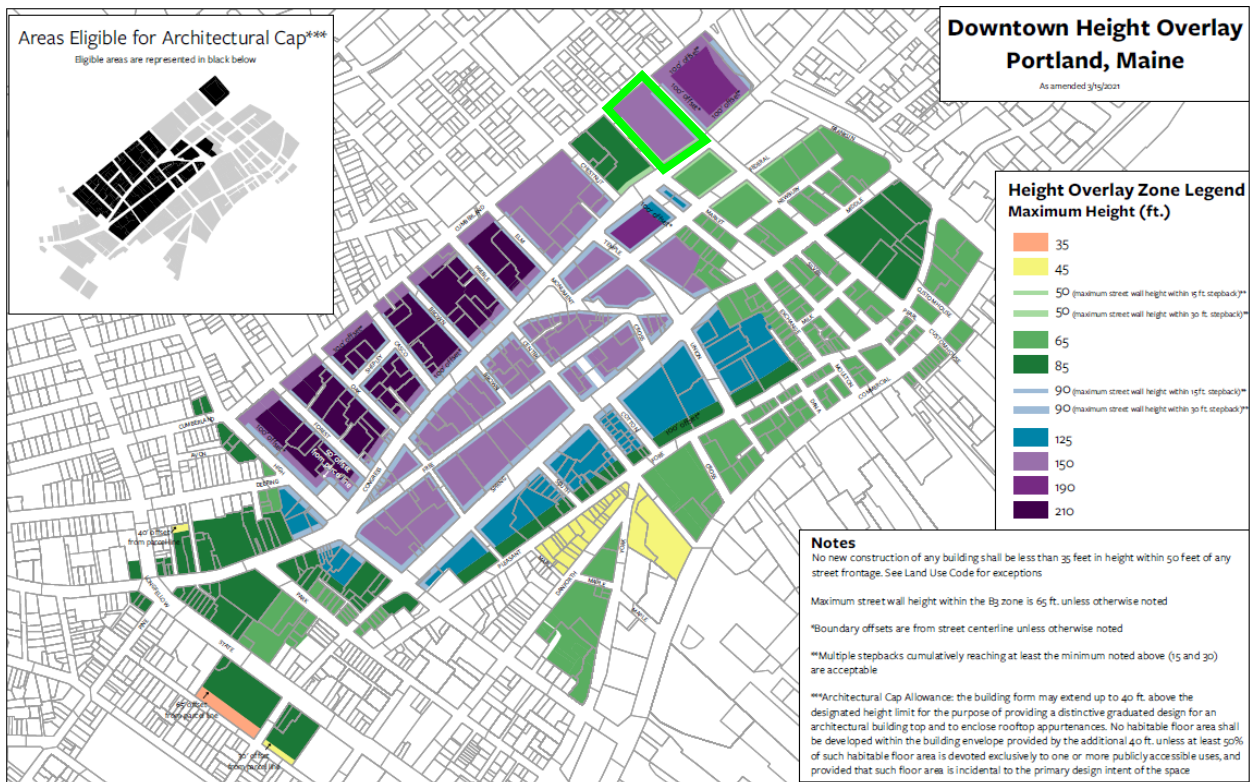


Figure 9: Downtown height overlay map. Project site is outlined in green. The maximum street wall height on Pearl Street is 90 feet and the maximum street wall height for Myrtle and Congress Streets is 50 feet.

Waiver Request

As mentioned above, the Applicant has submitted a waiver request to have front setbacks up to 10 feet on Myrtle Street, Pearl Street, and Cumberland to facilitate a 10 foot distance from overhead power lines on Cumberland Avenue and to accommodate proposed streetscape improvements on Pearl and Myrtle Street. Additionally, the proposed development includes an 89-foot front setback on Congress Street for the proposed pocket park.

The list of proposed uses are all permitted uses within the B-3 zone: multi-family residential, hotel, structured off-street parking, restaurants, and parks. Surface off-street parking, which already exists on a significant portion of the site and is proposed to be temporarily expanded on the northwestern portion of the site, is a conditional use.

Pedestrian Activities District (PAD):

The Congress Street frontage falls within the Pedestrian Activities District (PAD) encouragement area. This overlay zone, is intended to encourage ground floor uses that activate pedestrian spaces, creating a safe and vibrant pedestrian environment in Portland's downtown. Buildings located within the encouragement area are required to be designed and constructed to be reasonably capable of being converted to accommodate uses permitted in the PAD overlay zone and all sidewalk areas and open space shall complement the general pattern of the downtown pedestrian environment. City Staff has prepared a memorandum and presentation (Attachments 1 and 2) relating to the design of the streetscape and ingress, that more fully discusses how the proposed site interrelates with the Downtown context.

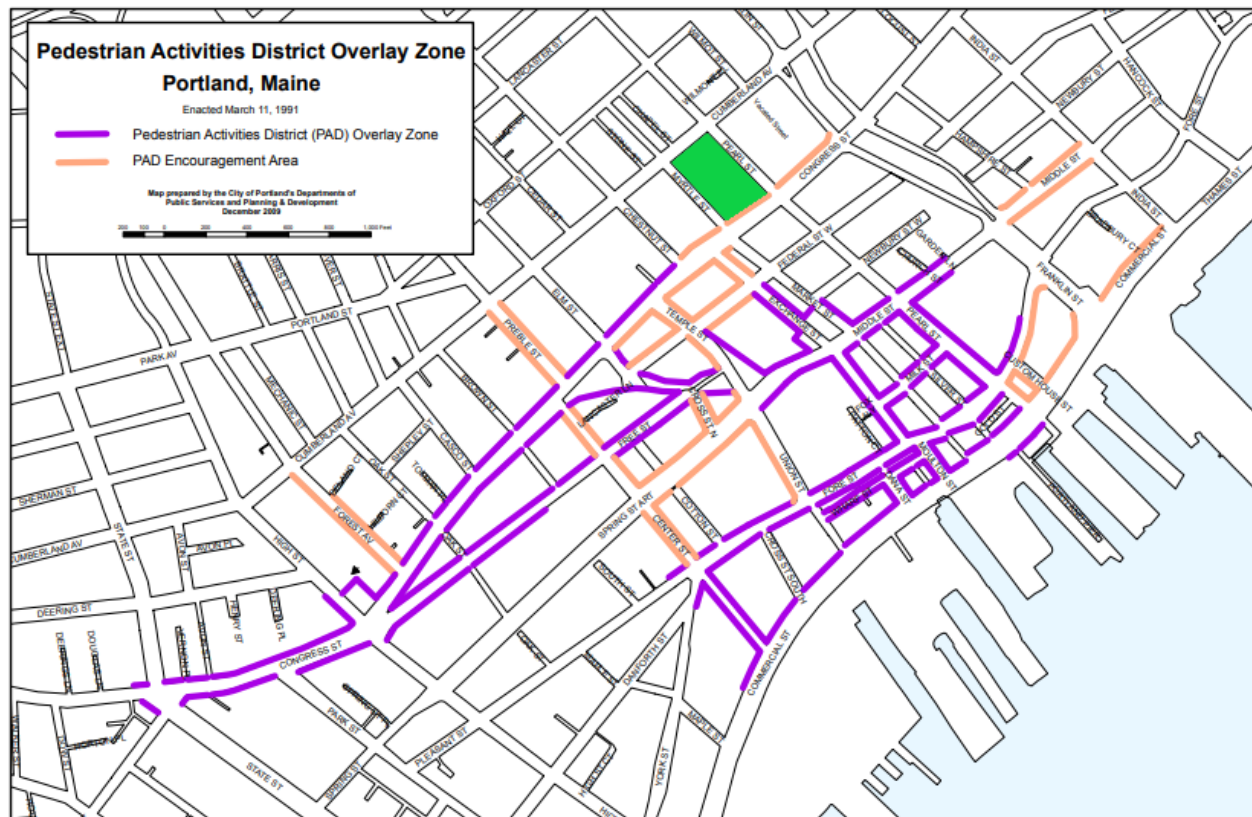


Figure 10: Pedestrian Activities District Map, with Project Site Shown in Green

VII. STAFF REVIEW

A. Master Development Plan Review Standards Section 14.7

Section 14.7 of the City's Land Use Code establishes standards under which Master Development Plan applications must be reviewed. Per this section, Master Development Plans shall adhere to the following requirements:

In general

- a. *Designed to integrate with the surrounding context with respect to land use, architecture, open space and pedestrian networks, vehicular access and circulation, off-site public facilities and all other infrastructure.*

Staff Comment: As part of the initial review stage, larger design topics relating to open space and pedestrian networks, relationship with neighboring architecture, and vehicular access and circulation have been identified by City Staff as continuing discussion topics. Recommended design solutions to address these issues have been included in a memorandum to the Applicant (Attachment 1).

MDP submission requirements state that an application must include information on impacts to view and historic features. While the application references adjacent building heights and the fact that the site is adjacent to the Congress Street Historic District, the submitted application materials do not demonstrate how the application will not result in negative visual/shadow impacts on neighboring historic resources and landmarks (e.g., City Hall & Lincoln Park). Such information should be included as part of any follow-up submission.

The proposed project generates traffic volumes that require a Traffic Movement Permit. The Applicant has submitted a Traffic Movement Permit application and the Scoping Meeting was held on May 17, 2022. It is anticipated that future Planning Board workshops will focus on traffic, and provide opportunity for the Applicant to further address staff comments related to traffic.

A summary of the items discussed at the TMP Scoping Meeting is included as Attachment 3.

b. Consistent with the objectives of this ordinance, consistent with the City's Comprehensive Plan, and consistent with City Council-approved master plans and facility plans for off-premise infrastructure.

Staff Comment: Staff is requesting that the Applicant provide a written narrative describing the project's consistency with the Comprehensive Plan and city approved master plans.

The Comprehensive Plan goals and policies (state and local) relevant to the proposed master development plan are included below. The master development plan aligns with these vision statements and goals by infilling an underdeveloped site primarily used for automobile parking located at the heart of Portland's walkable downtown, proximate to some of the tallest structures in the city, with residential units, commercial uses, and publicly accessible open spaces and pedestrian connections that better reflect the downtown location.

The increase in height allows for an increase in dwelling units within a walking and transit-oriented site. Along with increasing the viability of downtown, the proposed infill project potentially reduces new construction in green field or outlying areas, which promotes more sustainable development practices.

In addition, anticipated updated project documents include a publicly accessible amenity deck in the center of the site that would serve as a positive connection between adjacent open space sites (City Hall and Lincoln Park), provide site permeability to enhance pedestrian connections, and increase the number of recreational opportunities within close proximity to the Bayside Neighborhood.

Vision Statements

- Sustainable: Portland has been built and rebuilt to endure; we will balance our historic fabric, sound infrastructure, and the best of new technology and design for the future.
- Sustainable: Portland will grow in order to sustain our community, infrastructure, and economy.
- Dynamic: Portland will plan for a built environment that encourages an active citizenry.

- **Connected:** We will enable meaningful access to the natural world and recreational opportunities as a central component of community health.

Land Use

- **Reinforce the Center:** Though Portland's commercial and entrepreneurial activity takes place throughout the city, downtown Portland remains at the center of the region's arts and cultural, economic, and civic health, and Portland's Plan embraces the principle that downtown should continue to be a predominant locus of activity for the broader region.

Environment

- Adopt sustainable land use and transportation policies that support connectivity, walkable neighborhoods, and multi-modal transportation.
 - Continue to develop land use policies which support complete neighborhoods.

An Enduring City – Historic Preservation

- Stabilize and enhance historic areas of the city by ensuring quality investment in existing structures and compatible infill development.
- Ensure an appropriate balance of continuity and change as Portland grows and evolves.

A Livable City: Housing

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

An Active City – Recreation & Open Space

- Strengthen connections between open spaces
 - Ensure Equity
 - Improve Safety, Visibility, and Accessibility
 - Incorporate Multiple Functions
 - Connect the Chain

An Accessible City – Transportation

- Promote multi-modal accessibility, enabling residents and visitors of all ages and abilities to participate fully in the social and economic life of the community.
 - Enhance the pedestrian realm

Future Land Use

- Complete Neighborhoods

- Reinforce the Center

Natural features and open space

- a. Developed so as to locate buildings and improvements in a manner that considers existing topography, provides usable open space, preserves significant natural features as defined in Subsection 14.6.2, and preserves existing trees to the maximum extent possible.***

Staff Comment: The proposed design of the site has taken some steps to incorporate the grade change from Congress Street to Cumberland Avenue. However, open questions relating to the phasing of the site, screening of the on-site parking, functioning of the pocket park, and the ability to retrofit the parking levels, are some of the larger streetscape and site activation topics that merit further discussion and clarification.

The property is entirely developed, with minimal landscaping around the perimeter and no significant natural features. The MDP eliminates all of the existing landscaping and proposes the creation of a publicly-accessible pocket park at street level, planting of street trees around the perimeter of the site, and the establishment of a private amenity deck for residents and hotel guests. City Staff has sent a memorandum and presentation to the Applicant recommending the conversion of the proposed pocket park to a linear park along the Congress Street frontage to align with other City standards, to better support and connect existing adjacent open spaces such as City Hall Plaza and Lincoln Park, and utilize a design that better activates the streetscape for future commercial tenants, hotel guests, and events.

- b. Include provisions for the ownership and maintenance of usable open space as appropriate.***

Staff Comment: The applicant has verbally indicated that the passive recreation facilities will be maintained by the Applicant, but has not included any provisions to support these statements. At this point, maintenance mechanisms and delineated ownership for proposed stormwater infrastructure, such as easements and or/written agreements, have not been provided and may evolve throughout the course of the MDP review and subsequent major site plan reviews and subdivision review. Staff is requesting any draft or finalized documents be provided for review and that the supporting narratives be submitted to address maintenance responsibilities between the Applicant and the hotel operator, identify any changes in agreements based on future subdivisions of the lot, and how the phasing will change any approach to ownership and maintenance of the open spaces.

Historic Preservation

- a. Developed as so to conform with standards for designated landmarks or for properties within designated historic districts or historic landscape districts as found in Article 17.***

Staff Comment: Not applicable. The site is not a designated landmark or located within a historic district or historic landscape district.

- b. When proposed adjacent to or within one hundred (100) feet of designated landmark, historic district, or historic landscape, the master development plan shall be developed so as to be***

generally compatible with the major character-defining elements of the landmark or portion of the district in the immediate vicinity of the proposed development.

Staff Comment: The site is located within 100 feet of the Congress Street Historic District and Portland City Hall, an individually designated landmark, therefore the MDP will require a Historic Preservation advisory review. Staff has provided initial design comments, and will seek feedback from the Planning Board before further historic preservation review.

Infrastructure

a. *Designed with sizing of street and other infrastructure systems to accommodate the overall service demand of the plan.*

Staff Comment: The proposed development will be serviced by public water, sanitary sewer, electric, natural gas and telecommunications. As part of the application, a new 8" water main supporting the condominium units in Phases 3 and 4 is proposed to run under Pearl Street.

Regarding stormwater improvements, the applicant has developed a general concept plan to service the overall development. This concept is to be refined and designed with more detail as part of each individual phase. The proposal qualifies as a redevelopment under Maine DEP Chapter 500, and is required to treat 50% of impervious surface. Two subsurface storage and treatment systems are proposed, with one system serving the hotel for Phase 1 and the second serving the condominium and retail uses in Phases 2-4. At this time the systems will either utilize a subsurface sand filter or storm filter system, with both being identified/approved as a Maine DEP stormwater best practice. Based on initial calculations, the system is anticipated to treat and detain 50 to 66% of the project's developed area.

The submitted application materials state that more detailed utility plans will be submitted upon submission of each separate major site plan application. City reviewers have requested more detailed documentation to better understand the interrelationship of the phases, including issues relating to the order and completion of phasing, as well as ownership and maintenance since systems are proposed to cross proposed parcel boundaries.

b. *Designed to create a street grid pattern that reflects average city block sizes of the surrounding neighborhood.*

Staff Comment: The submitted MDP retains the existing city block size of 1,315 feet and does not propose pedestrian connections through the site at street level. As noted earlier in this memorandum, the site is located in a transitional location between large sites that occupy full City blocks and limited or no pedestrian connections and blocks that are smaller in scale or provide breaks for pedestrian connections. While there is context that supports the retention of the existing block size, City standards in the Design Manual and Subdivision Standards recommend a shift towards a more pedestrian-scale site layout.

In the submitted Staff Design Recommendations Memorandum (Attachment 1), a street/woonerf connection or connections is proposed to resolve a number of these conflicts with City standards, allow for a more pedestrian-centered building design, and potentially improve traffic circulation in and

around the site. City Staff recommends that the Applicant update the Application materials to include one or more street/woonerf connections that bisect the site, either from Congress Street to Cumberland Avenue and/or from Myrtle to Pearl Street.

Design

- a. *Designed to create a cohesive identity through building scale, massing, and articulation; use of quality exterior materials and architectural detailing at pedestrian scale; consistency of design and materials for streetscape and pedestrian amenities; framing of outdoor open space and linkages; a clear conveyance of the function and significance of various buildings, entrances, and features; and to generally comply with design and development standards of the zone in which it is located.*

Staff Comment: An initial design review was completed on May 27, 2022, conducted by Sean King, Urban Designer, Rob Wiener, Historic Preservation Compliance Coordinator, Kevin Kraft, Deputy Director of Planning and Urban Development, and Zach Powell, Senior Planner. A memorandum and presentation (Attachments 1 and 2) identifying larger site and building design issues and design recommendations was prepared and offered the following recommendations:

- Convert the Proposed Pocket Park into a Linear Park: City Staff recommend converting the proposed pocket park on Congress Street into a linear park. The proposed shift would enable the project to comply with the contextual front setback with City Hall required by the Design Manual, serve as a space that better activates the Congress streetscape, connects existing open spaces at City Hall Plaza and Lincoln Park.

Two options were suggested, with the first retaining the proposed driveway or accommodating a new street/woonerf connection from Congress Street to Cumberland Avenue, and the second presents the concept without a driveway, street, or woonerf mid-block.

Option 1



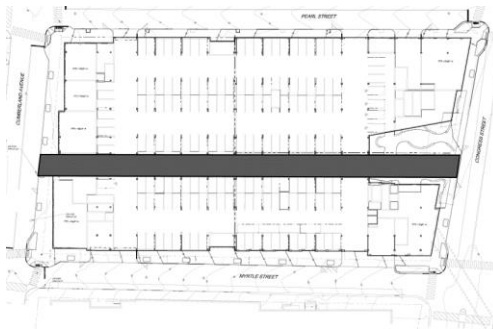
Option 2



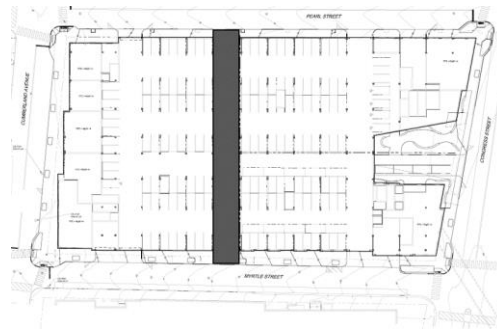
- Establish Street/Woonerf On-Site: As mentioned in the previous review standard, one or more street/woonerf connections on-site are recommended to comply with subdivision review standards and shift towards a more pedestrian-friendly, urban design.

Along with these issues, creation of a street or woonerf would also address concerns raised by City Staff about the proposed valet queuing spilling into Congress Street, reducing potential vehicular conflicts for on-site loading operations and the adjacent Central Fire Station, and better comply with transportation standards (i.e., number of driveways, driveway widths, distances of driveways from intersections) in the City's Technical Manual.

The graphics below show two potential options, with the first connecting Congress Street to Cumberland Avenue and the second option connecting Myrtle Street to Pearl Street.



Option 1 – Connection from Congress Street to Cumberland Avenue



Option 2 – Connection from Myrtle Street to Pearl Street

Upon a preliminary review of the application materials against the B-3 Design Standards by the City's Urban Designer, additional comments related to the design of the site included:

- Increased permeability into the site along Myrtle Street, Cumberland Avenue, and Pearl Street to support street activation and connections

- Distinguishing the lower floor building façade to reinforce prevailing pattern and proportions of adjacent buildings along each frontage, particularly along Cumberland Avenue
- Additional information relating to the proposed signage for building uses and materiality of the façade and screening devices for the structured parking and rooftop appurtenances/mechanical equipment to confirm consistency in design in and around the site

Based on these larger comments and suggestions, future Planning Board workshops will discuss and speak to the site's compliance with this review standard.

VIII. NEXT STEPS

Staff is looking for initial feedback on the overall concept as it relates to:

- Site and building design,
- Access management, and
- Streetscape design.

Based upon feedback from the TMP Scoping Meeting, the applicant should compile data as requested and resubmit an updated application. Once that information is available, staff will coordinate with the applicant and Planning Board to schedule a second workshop.

IX. ATTACHMENTS

Staff Attachments

1. City Staff Design Recommendations Memorandum
2. City Staff Design Recommendations Presentation
3. TMP Scoping Meeting Notes
4. May 23, 2022 MDP Neighborhood Meeting Notice
5. May 23, 2022 MDP Neighborhood Meeting Minutes
6. Public Comment
 - a. PC1: Aurelia C Scott
 - b. PC2: Avery Yale Kamila

Applicant's Documents

- A. Cover Letter and Description
- B. Master Development Plan Checklist
- C. Right Title and Interest
- D. Evidence of State/Federal Approvals
- E. Zoning Analysis Table
- F. Assessment of Compliance
- G. Waiver Table
- H. Financial Capacity
- I. Technical Capacity
- J. Master Development Context and Building Design
- K. Natural Features
- L. Views and Historic Features

- M. Public Safety
- N. TMP Application and Sections 1-6
- O. Transportation Assessment
- P. Utilities
- Q. Masterplan Stormwater Narrative

Plans

- P1. Cover Sheet
- P2. General Notes and Legend
- P3. Site Plan – Street Level
- P4. Grading Plan – Street Level
- P5. Utility Plan – Street Level
- P6. Schedules
- P7. Landscape Plan – Street Level
- P8. Landscape Plan – Level 2
- P9. On-Street Parking Comparison Plan
- P10. Building Sections
- P11. Floor Plan – Level 0
- P12. Floor Plan – Level 1
- P13. Floor Plan – Level 2
- P14. Floor Plan – Levels 3-6
- P15. Floor Plan – Levels 7-11
- P16. Floor Plan – Level 12 (Level 11 Hotel)
- P17. Floor Plan – Level 13 (Level 12 Hotel)
- P18. Floor Plan – Penthouse Level
- P19. Perspective View from Congress & Myrtle
- P20. Perspective View from Congress & Pearl
- P21. Perspective View from Cumberland & Myrtle
- P22. Perspective View from Cumberland & Pearl
- P23. Phasing Diagram -1
- P24. Phasing Diagram -1A
- P25. Phasing Diagram -1B
- P26. Phasing Diagram -2A
- P27. Phasing Diagram -2B

Memorandum
Planning and Urban Development Department



To: Kevin Kraft, Deputy Director of Planning and Urban Development Department
From: Zach Powell, Senior Planner
Date: May 27, 2022
Re: 385 Congress Street – Master Development Plan
Project ID: PL-001970-2022
CBL: 027 DOO1001

City Staff has completed an initial review of the application materials and the following items were identified as conflicts with City Standards:

- Lack of a contextual front setback along Congress Street with City Hall (§(i)(1)(a)(2) of the Design Manual)
- Lack of building entrance fronting along Congress Street for Phase 1B (Hotel) to promote prominence along public right of way (§(i)(1)(a)(2) of the Design Manual)
- The massing of the building should consider additional building articulation that takes into account neighboring structures. (§(i)(1)(a)(2) of the Design Manual)
- View corridors may be obstructed and shadow impacts may occur on City Hall Plaza, with potential impacts for Lincoln Park (§(b)(8) and §(b)(1)(f) of the Design Manual)
- The proposed driveways on Congress Street and the easternmost most driveway on Myrtle Street exceed the maximum permitted driveway width of 24 feet (§1.7.2.4 of the City's Technical Manual)
- The backing out of vehicles from driveways is prohibited. (§1.7.2.6 of the City's Technical Manual)
- The proposed spacing between driveways and intersections does not meet the minimum requirements (§1.7.2.7 of the City's Technical Manual)
- The number of proposed driveways exceeds the maximum permitted (§1.7.2.8 of the Land Use Code)
- The proposed size of the block post-subdivision exceeds the maximum permitted (§15.5.6.B. of the Land Use Code)

Given the impact that these areas of non-compliance have on the site layout, Planning Department Staff identified the following design solutions for the applicant to consider to address these issues:

- **Convert the proposed pocket park along Congress Street into a linear park**

The submitted application includes a proposed pocket park between Phase 1A and Phase 1B. The pocket park proposes landscaping and seating elements immediately adjacent to a proposed driveway that would be used for loading and unloading activities for the hotel & valet service.

The current design of the pocket park presents potential pedestrian-vehicular conflicts and would likely lead to an unpleasant experience, given the adjacent vehicular uses. In addition, the current pocket park layout lacks coherent pedestrian circulation patterns and does not lead visitors to where they want to go. As a result, the space does not create good connections between the

adjacent buildings and active frontages and the space would be challenging to see from a distance, which would discourage use.

Shifting the design from a pocket park to a linear park that is parallel to Congress Street:

- Creates a public space that would be oriented towards the street that provides a visual and thematic connection from City Hall Plaza to Lincoln Park,
- Provides opportunities for outdoor seating that can support businesses on the site and events along Congress Street (e.g., First Fridays),
- Meets contextual setback requirements for a continuation of the Congress street wall,
- Enhances the tree canopy along Congress Street which would reduce heat island effect, and
- Presents a cost-savings potential, given that streetscape improvements (e.g., sidewalk repair, street trees), are existing requirements in the Technical Manual.

Staff are proposing two options for the Applicant to consider with this memorandum.



Option 1 - Contextual Front Setback and Linear Park with Driveway

As shown above, Option 1 retains the existing driveway orientation with access from Congress Street.

Option 2, shown below eliminates the proposed driveway, which allows increased lobby floor area for the hotel and condominium buildings, which creates additional leasable ground floor space.



Option 2 - Contextual Front Setback and Linear Park without Driveway

The proposed conversion of the pocket park at $\pm 5,969.20$ square feet ($\pm 4,016$ square feet excluding driveway) to a linear park at $\pm 4,355$ square feet ($\pm 5,695.42$ square feet in option with proposed driveway), would result in a minimal change in site area occupied by the park. With the shift to a linear park, some reorganization of the lobby and loading areas would be required and align with the second recommended design change for the creation of a new street or woonerf.

Standards completely or potentially addressed include:

- Lack of a contextual front setback along Congress Street with City Hall
 - Building entries in Phases 1A and 1B orient to Congress Street to accommodate pedestrian-oriented uses, access and prominence along the street
 - The building design considers the visual relationship along Congress Street and at Myrtle Street corner to align with the intent of the Pedestrian Activities District (PAD) encouragement area
 - View corridors and shadow impacts on City Hall Plaza and potentially Lincoln Park
- **Reduce the number of proposed driveways and shift their location to a new street or woonerf**

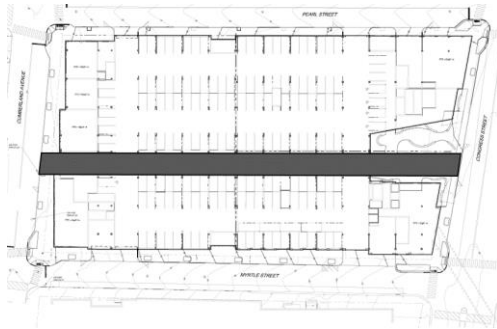
The submitted site plan includes eight driveways, with four on Myrtle Street, three on Pearl Street, and one on Congress Street. Four of the driveways are collocated (Two on Myrtle and Two on Pearl Street) for garage access and loading. It is important to note that the proposed development is located in one of the most walkable and transit accessible sites in the city.

The number of driveways exceeds the maximum permitted for a project (6) and there are a number of issues of noncompliance based on the maximum permitted width, spacing, and proximity to intersections. Additionally, City Departments have raised concerns about the

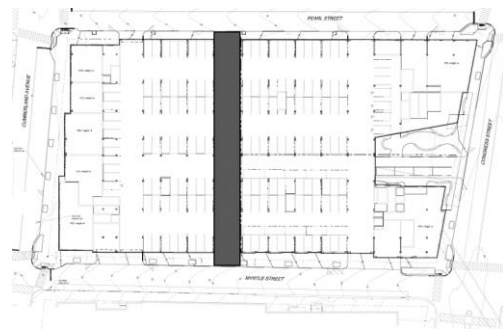
proposed valet operations on and in close proximity to Congress Street to Planning Staff and the Applicant. The proposed valet operations may lead to issues of queuing into Congress Street and have the potential to interfere with the operations of the Fire Department at the adjacent Central Station as well as create additional conflicts with pedestrians utilizing the sidewalk.

In the submitted application materials, the Applicant states that the number of driveways and temporary use of the Congress Street driveway as a two-way driveway are needed to ensure that vehicular operations are not negatively impacted when Myrtle Street is closed for events at Merrill Auditorium. Staff note that Myrtle Street closes approximately 25 times a year and generally not for extended periods of time. Given that these events happen on a limited basis, compliant forms of ingress and egress are available on Pearl Street, and the proposed driveways do not comply with numerous other vehicular and design standards, the submitted justification is insufficient and waivers of these standards would likely not be supported.

Taking all of these factors into consideration, Planning Staff has recommended that the Applicant consider breaking up the block and accommodating all vehicle circulation, loading, and valet operations along streets within the site. Staff are proposing that the Applicant consider one of the following two mid-block connections. The proposed connections would provide a mid-block connection from either Myrtle Street to Pearl Street and/or from Congress Street to Cumberland Avenue.



Option 1 - Connection from Congress Street to Cumberland Avenue



Option 2 - Connection from Myrtle Street to Pearl Street

Each of these options provides unique benefits. The connection from Congress Street to Cumberland Avenue likely requires less of a shift in the site plan and restores a historic street connection previously provided by Chapel Street. This option would also avoid any issues with street closures on Myrtle. The option connecting Myrtle Street to Pearl Street removes a potential conflict point for the recommended linear park on Congress Street, and could help support connections/programming around Merrill Auditorium.

The addition of a street connection or connections at these points are recommended since they run along the proposed phasing lines and could help provide a solution to achieve the requested valet service. A similar implementation of this approach at the AC Hotel Portland in the India Street neighborhood has been identified by Planning Staff and is included below.



Implementation of Recommendation – AC Hotel Portland



Implementation of Recommendation – AC Hotel Portland

Standards completely or potentially addressed include:

- The maximum permitted number of driveways for the site
- Creating a more contextual building articulation of the lower stories
- The proposed size of the block for the development would comply with the maximum permitted perimeter.
- The maximum permitted widths for driveways
- Removing potential vehicular conflicts from the backing out of vehicles from driveways
- Minimum required spacing between driveways and intersections

Att. 2

385 CONGRESS STREET

STAFF DESIGN RECOMMENDATIONS

May 27, 2022

SITE OVERVIEW

385 Congress Street is situated in a prominent location that serves as a gateway to Downtown and will influence first impressions of the City.

The proposed redevelopment is an exciting opportunity to activate the site and add to the high quality of design seen in neighboring buildings along Congress Street.



CONGRESS STREET CONTEXT

The variety of design on Congress Street adds to the character of vibrancy of the street. With these different designs, they share similar elements such as:



Pedestrian-centered design that is tourist- and resident-friendly



A street wall that help define the street and improve wayfinding



Multiple connection points to make the street feel approachable and walkable

CURRENT DESIGN

The current design brings a number of pedestrian and design improvements to the site, such as:



Shade trees around the entirety of the site



Pedestrian amenities and passive recreation space



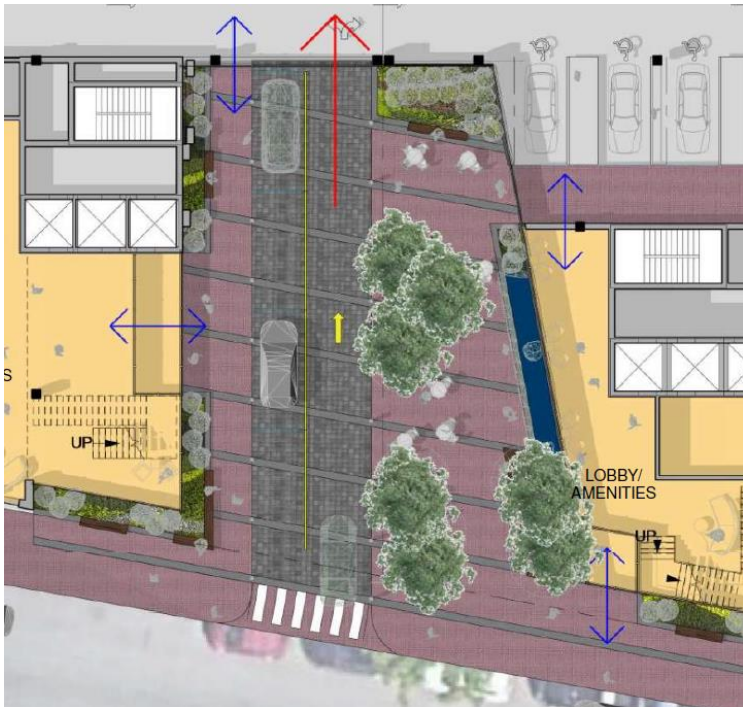
Design elements to reflect the design of neighboring structures

SITE DESIGN STANDARDS

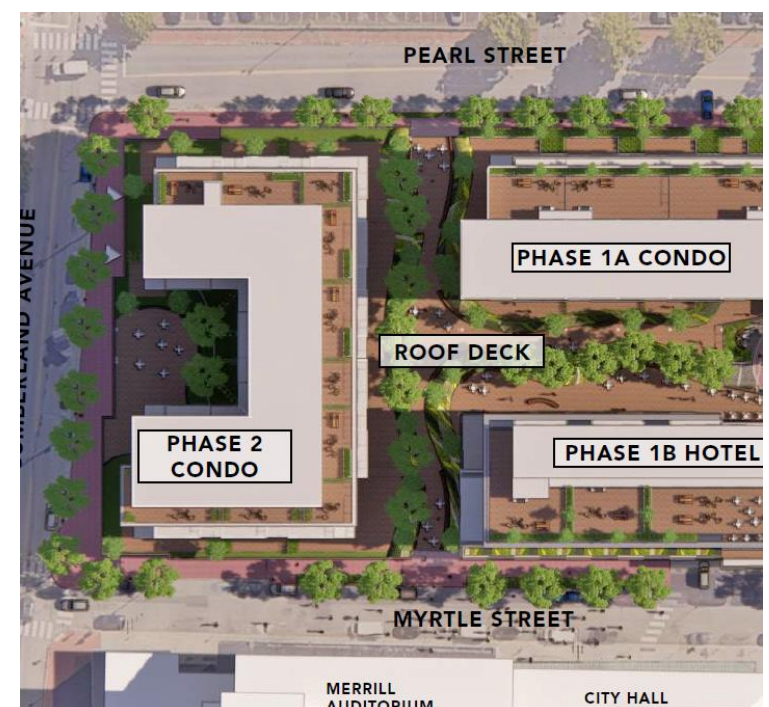
City Staff has reviewed the application for compliance with subdivision, landscaping, and downtown design standards. While the current design aligns with some of these standards, the design presents some questions related to:



The massing of the current structure and connection points on each street frontage



The location of the proposed pocket park



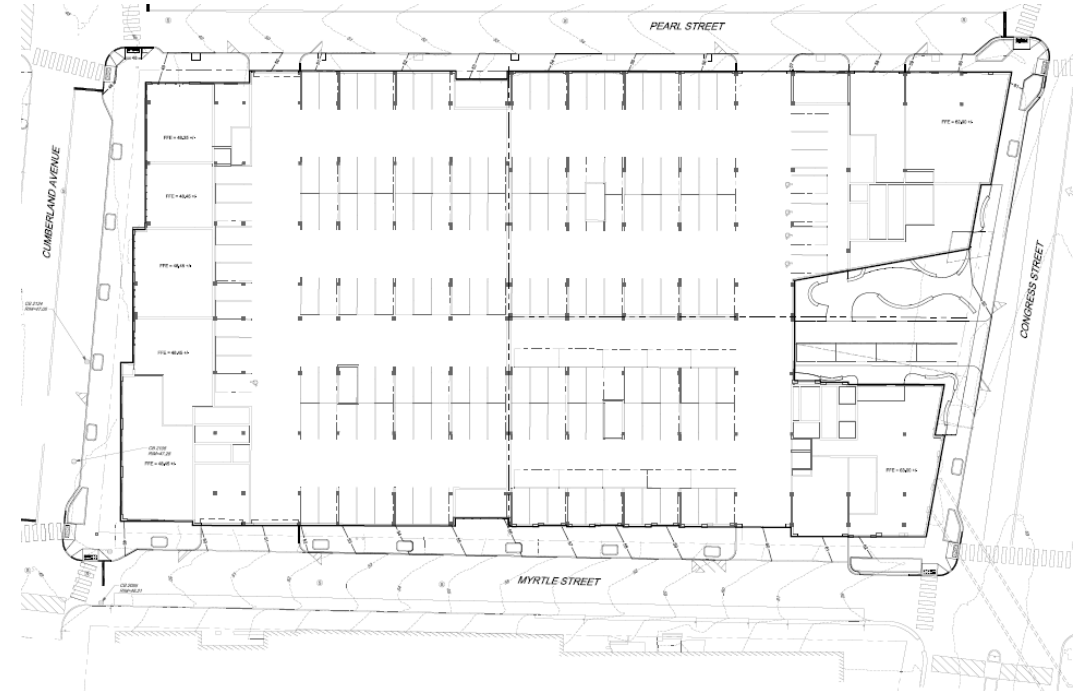
How light and air will carry throughout the entire site and along the streetscape

DESIGN SOLUTIONS

Building on the positive design elements currently on Congress Street and shown in the project design, Planning Staff have identified options to help meet these design requirements and help improve the resident/visitor experience:



Transform the proposed pocket park into a linear park



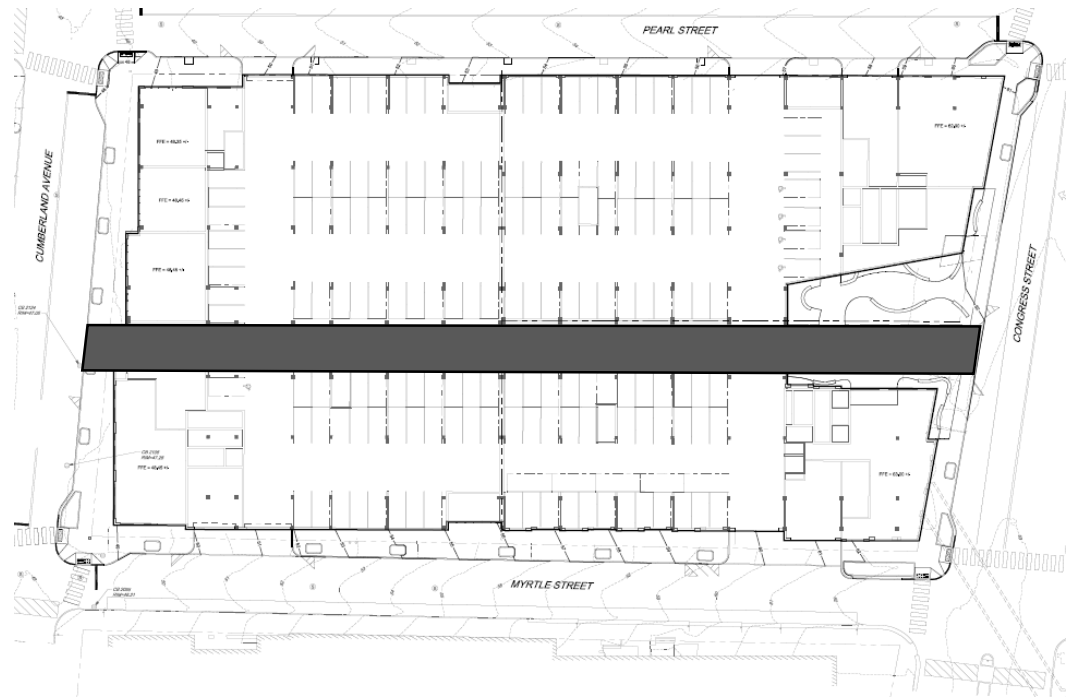
Establish street connection(s) along phasing lines

DESIGN SOLUTIONS

Building on the positive design elements currently on Congress Street and shown in the project design, Planning Staff have identified options to help meet these design requirements and help improve the resident/visitor experience:



Transform the proposed pocket park into a linear park



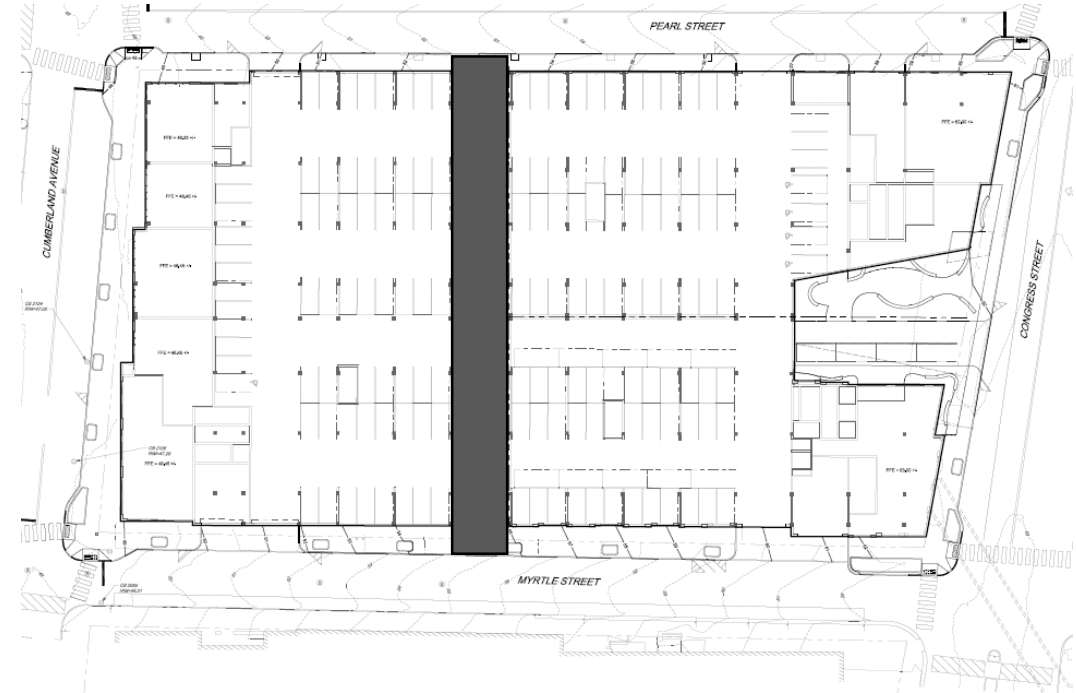
Establish street connection(s) along phasing lines

DESIGN SOLUTIONS

Building on the positive design elements currently on Congress Street and shown in the project design, Planning Staff have identified options to help meet these design requirements and help improve the resident/visitor experience:



Transform the proposed pocket park into a linear park



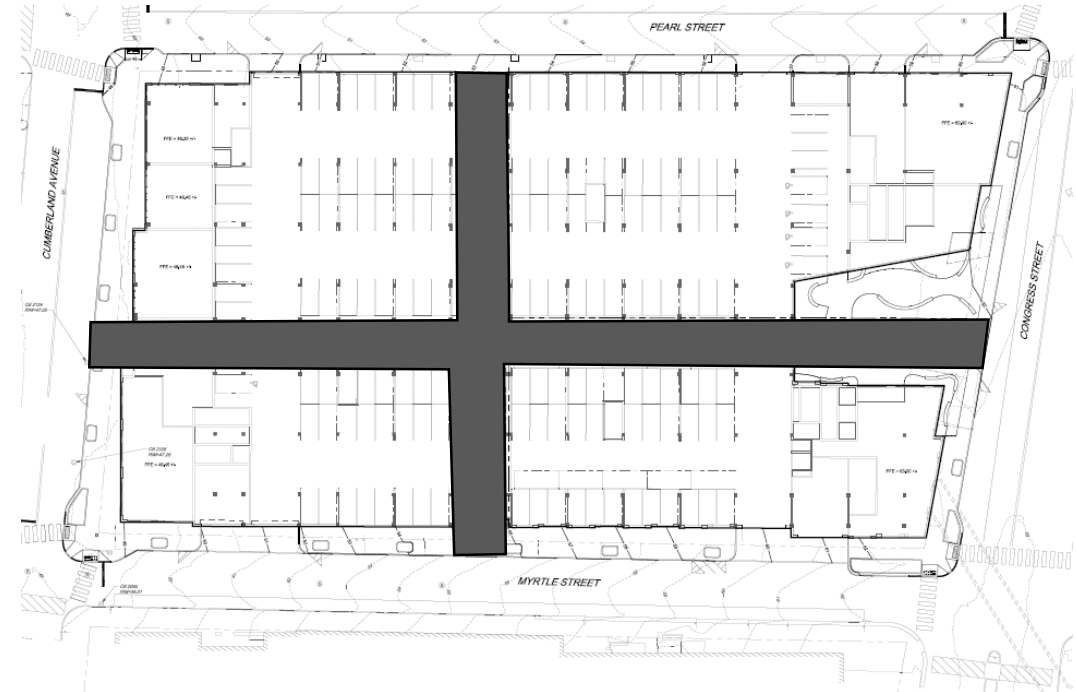
Establish street connection(s) along phasing lines

DESIGN SOLUTIONS

Building on the positive design elements currently on Congress Street and shown in the project design, Planning Staff have identified options to help meet these design requirements and help improve the resident/visitor experience:



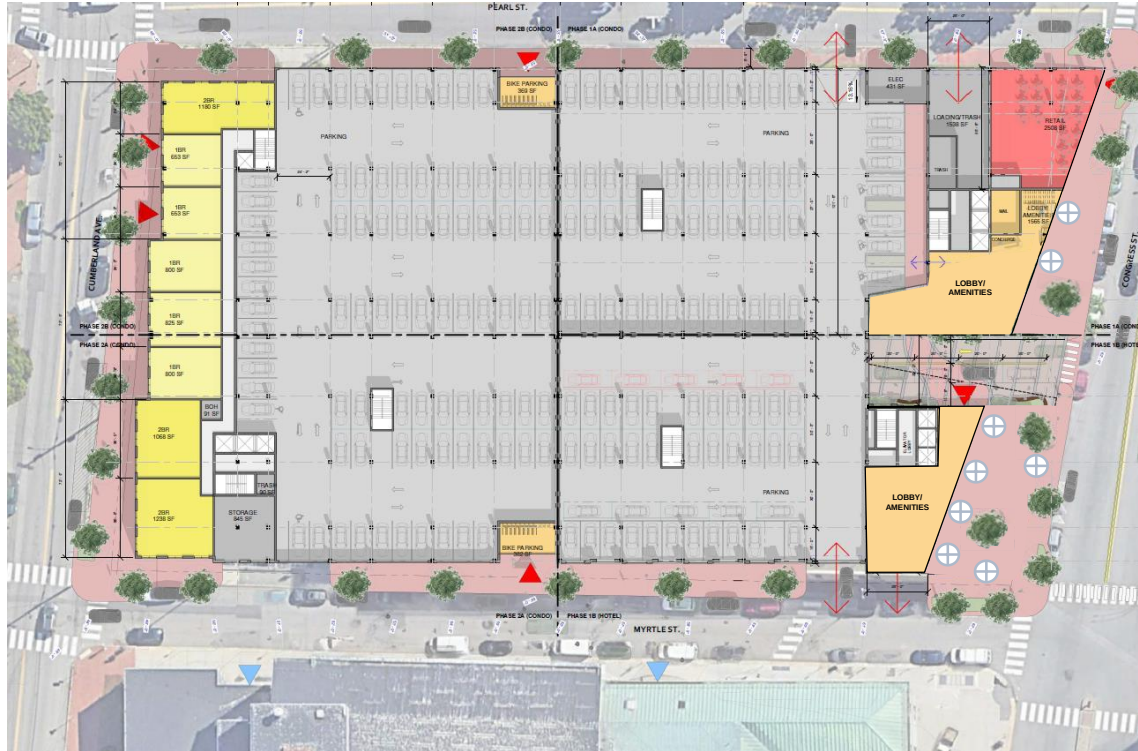
Transform the proposed pocket park into a linear park



Establish street connection(s) along phasing lines

LINEAR PARK

Benefits of a linear park along Congress Street include:

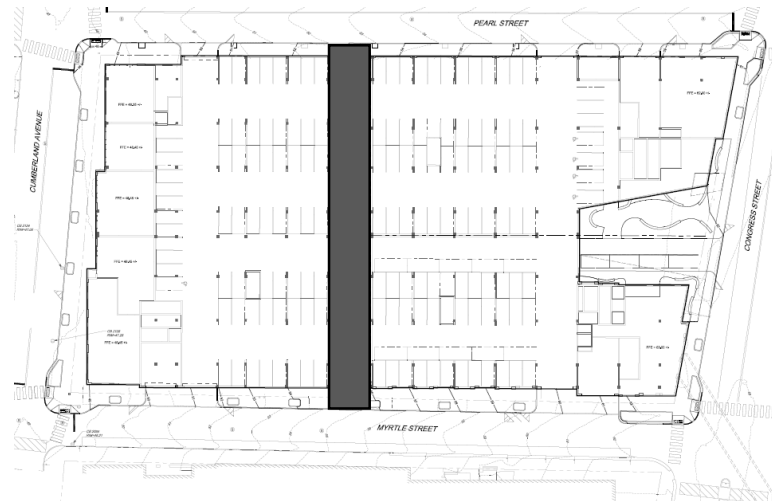
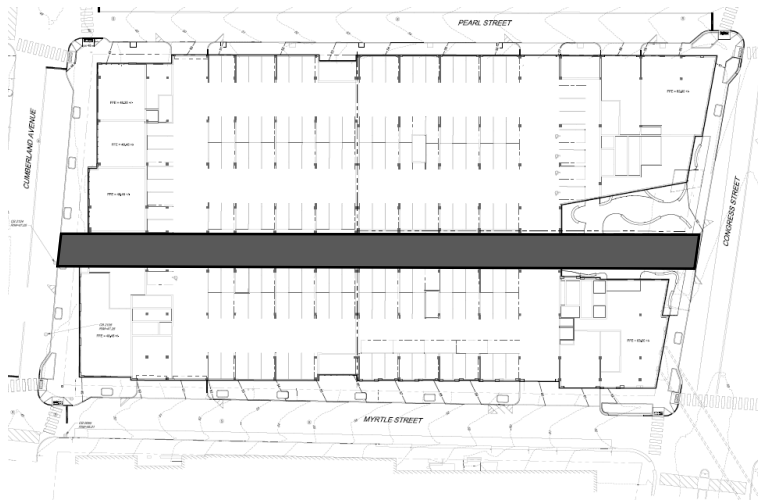


- **An enhanced streetscape with elements that are already required under landscaping standards**
- **Enhances the visual connection between City Hall Plaza and the site**
- **Provides opportunities for outdoor seating and events that can complement uses on site and the surrounding neighborhood**

STREET CONNECTIONS

Benefits of a new street connection(s) include:

- **Opportunity to retain desired valet service**
- **Ability to consolidate the number of driveways and avoid conflicts with events at Merrill Auditorium**
- **Location would align with proposed phasing and increase connectivity at the site.**
- **Capacity for loading and vehicular operations internal to the site**



Permit Category: X 100 - 200 PCEs 200 + PCEs
 New Modification

Date: May 18, 2022

Address:

Page 182

1B. Existing and Proposed Site Uses

Type of development:

<u>USE</u>	<u>SIZE</u>
See application	

1C. Site and Vicinity Boundaries

Yes, Boundary or title survey signed and sealed by a professional land surveyor
Yes, Vicinity map provided

1D. Proposed Uses in the Vicinity of Proposed Development

Other approved development(s):

1E. Trip Generation

Summary tables for each land use code:

ITE (LUC)	Weekday	AM Peak	PM Peak	Saturday Peak
See Application				

Trip rates obtained from other sources:

Number of locations where driveway counts taken: _____
Dates & time periods when driveway counts taken: _____
Locations where driveway counts where taken: _____
OTHER: _____

1F. Trip Distribution

____ Stick diagram for each major intersection on either side of the development driveway(s)?
____ ITE trip generation handbook
____ Actual survey done? Location? _____
____ Other. Explain. _____

Comments: _____

1G. Trip Assignment

_____ Stick diagram for each major intersection on either side of the development driveway(s)?
Percent primary trips _____
Percent passer-by trips _____
Percent diverted trips _____

Basis for using above-listed percentages:

_____ Existing traffic patterns of adjacent street
_____ Zip code survey
_____ Gravity model
_____ Other. Explain. _____

Comments: _____

Section 2 - Traffic Crashes

_____ Year(s) of MDOT crash records for study area
_____ Number of high crash locations
_____ Collision diagrams provided

Mitigation provided for each high crash location: _____

Other traffic problems: _____

Comments: _____

Section 3 - Development Entrances and Exits

3A. Entrance and Exit Locations

 X Distance to nearest intersecting road or town line (to the nearest hundredth of a mile)

 X Number, width and surface of each proposed entrance/exit

3B. Plan View of Each Intersection Created

Names of intersecting road _____

Posted speed limits _____

Entrance/Exit Sight Distance:	Left	Right
_____	_____	_____
_____	_____	_____
_____	_____	_____

3C. Entrance/Exit Design

- ☐ Lighting
- ☐ Driveway spacing and corner clearance (Access Management)
- ☐ Adequate sight distance for vehicles exiting development
- ☐ Entrance grade (see fact sheet)
- ☐ Entrance/exit widths less than 42 feet (12.8 meters)
- ☐ Left turn lane
- ☐ Right turn lane
- ☐ Signal warranted
- ☐ Lane encroachment
- ☐ Separation islands (see fact sheet)
- ☐ Drainage study using 50 year storm for culverts and to connect to MDOT system
- ☐ Capacity Analysis
- ☐ Queuing Analysis
- ☐ Study to be submitted to MDOT Division Engineer

Comments: _____

Section 4 - Title, Right or Interest

- ☒ Title, right or interest in project site
- ☒ Title, right or interest in entrance/exits
- ☒ Title, right or interest in drainage easement affecting MDOT

Section 5 - Public or Private Rights-of-Way

- ☒ Location and width or proposed streets, easements and other public or private rights-of-way
- ☒ No signs, structures or pavement connected to the entrance

Section 6 - Schedule

Project schedule: See Application

Further study items required (\$500.00 additional fee): _____

Section 7 - Full Traffic Study

KEY COMMENTS

- Age of traffic signal equipment is a concern at the Pearl Street intersections.
- List of developments will be provided by Planning staff.
- .25% for growth with the other development is reasonable for future traffic volume projections.
- Congress/Pearl – relocated signal equipment needs to occur as part of the project. The timing of changes will depend on phasing.
- The study area shall consist of the Congress and Cumberland intersections with Pearl and Myrtle.
- The project will need to evaluate conditions with the conditions at the Pearl Street/Top of the Port parking lot. The applicant will collect traffic data as part of the evaluation.
- It was noted that there would be benefits if the Valet routes directly to Pearl Street when circulating back to the Hotel for pick up. This will be investigated.
- The trip generation was estimated according to land use codes that were based on limited data. The applicant shall revise the trip generate estimate using land use codes with solid sample sizes.
- The applicant shall reassign trips to Pearl to and from Somerset Street. The applicant should review intersection turning movement data for the final assignment.
- ADA facilities shall be reviewed for all study area intersections (full intersection review).
- Traffic counts shall be performed for the AM (7-9) and PM (3-6) time periods. Traffic analysis shall be performed for the Weekday AM and PM peak hours.
- The applicant shall count the existing PPH lot to determine shift of traffic from the study area.
- The applicant shall include a figure to depict valet circulation movements.
- TMP would parallel first site plan.
- The applicant shall provide documents on notices and authorization.
- The applicant shall conduct a safety analysis at the Congress/Pearl and Cumberland/Chestnut intersections.
- The applicant shall incorporate the garage door opening delay into the traffic modeling.



May 10, 2022
19371

Dear Neighbor:

Please join us for a virtual neighborhood meeting to discuss 385 Congress Street, LLC's proposed Master Development Plan for 385 Congress Street; the city block bounded by Congress Street, Myrtle Street, Cumberland Avenue and Pearl Street in Portland.

The proposed development plan anticipates a 152-room full-service hotel with nine (9) condominium units on the corner of Myrtle and Congress Street; a 110-unit condominium tower located at the corner of Pearl Street and Congress Street and a 193-unit tower along Cumberland Avenue. The massing of the site is envisioned to include three towers rising from a shared two-story "pedestal" incorporating structured parking, street level hotel and commercial uses as well as condominium entrances.

The City of Portland Land Use Code requires that neighboring property owners within 500 feet of the site and residents on an "interested parties list" be invited to participate in this neighborhood meeting. Attendance will be recorded and minutes of the meeting will be taken. Both the attendance list and minutes will be submitted to the Planning Department. The virtual meeting will take place via Zoom and can be accessed online using the link shown below.

Meeting Location: Virtual

Zoom Link: https://us02web.zoom.us/webinar/register/WN_xrVuSrTHTJ-gbplLd4usRA

Copy the link above into your browser to **register in advance** for this webinar. After registering, you will receive a confirmation email containing information about joining the webinar.

Meeting Date: **Monday May 23, 2022**

Meeting Time: **7:00PM**

If you have any questions, please call or email Daniel Riley at Sebago Technics, Inc. (207) 200-2080, driley@sebagotechnics.com.

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

Sincerely,

SEBAGO TECHNICS, INC.

Daniel L. Riley, P.E.
Vice President, Engineering

DLR:

Meeting Summary

Memorandum

From:	Daniel Riley, Sebago Technics	Date: May 26, 2022
To:	City of Portland Planning Department	Project: 19371
Subject:	Neighborhood Meeting Summary Master Development Plan, 385 Congress Street (PL-001970-2022)	

Summary

A neighborhood information meeting for the Master Development Plan Application for 385 Congress Street (City application PL-001970-2022) was held virtually via a Zoom Webinar on Monday May 23, 2022 at 7:00 PM. This memorandum summarizes the meeting as required in the Land Use Ordinance Section 14.5.5

Notice

The written notice of the meeting was mailed to abutters within 500 feet of the project and to the entities on the City's interested parties list. A copy of the notice and the mailing list/labels for abutters and interested parties is attached (provided by the planning department) is attached. A total of 104 mailings were sent by US Mail on May 10, 2022.

Participants and Attendance List

A total of four members of the public registered for the online webinar meeting and three attended the meeting. An attendance list is attached including members of the public and project applicant(s) representatives

Presenters

The following individuals representing the applicant presented material, participated in discussions during question-and-answer period or commented during the meeting.

Presenters for the Applicant(s):

385 Congress Street, LLC: Joe Dasco, Reger Dasco Development

The Fathom Companies: Marieke Thorman, Robin Payne

CBT Architects: Henry Weinberg, Dylan Dasco

Sebago Technics: Dan Riley, Dylan Stuart

Other Project Representatives Attending

The Fathom Companies: Robin Payne

CBT Architects: Dylan Dasco

Sebago Technics: Dylan Stuart

Neighborhood Participants

The following individuals attended the meeting, an attendance sheet generated by Zoom Webinars is attached.

Ian Jacob, Portland
Aislynn Sawyer, Portland
Max Ashburn, Portland

Content

A copy of printed materials presented is attached

The meeting was initiated at 7:00 pm and the presentation began at 7:05 pm to allow attendees to log in. One member of the public noted that the webinar link made it difficult to join, requiring a Zoom registration and suggesting a different process in the future.

Daniel Riley with Sebago Technics opened the meeting explaining that the purpose of the meeting is to provide information regarding the project as required by the City's review process. Mr. Riley briefly explained the purpose of the Master Development Plan (MDP) application is to provide a Planning Board review of large-scale projects, particularly projects that are to be permitted and constructed in phases over a number of years. The MDP is not a final design review process, once an MDP is approved individual site plans for the components of the project are reviewed in a Level III Planning Board review. Which includes a separate public process.

The purpose of the MDP is to establish the overall parameters of a project including items such as scale and massing, allowable density (number of units), parking requirements and impacts to abutting streets and infrastructure that may be addressed through the City's impact fee programs or by design and construction as part of future Planning Board review of individual site plan applications.

The MDP established the big picture parameters of a project, allowing site plan reviews to address design details. The MDP process provides a level of certainty for applicants and the City related to what will be allowed or expected in future site plan applications.

Mr. Riley noted that the meeting was being recorded for the purpose of documenting attendance and for preparation of summary materials for submittal to the City.

Mr. Riley introduced the project representatives. Joe Dasco (property owner/applicant) made a brief introduction of his firm and its history developing projects in Portland. He stated that his company has worked in Portland since 2006 with the current project being their 5th major project in the City. He introduced other major projects that Reger Dasco has developed, including Hobson's Landing at 383/387 Commercial Street which is very similar in nature to this proposed development on Congress Street being a multiple phase project including a hotel and residential condominiums.

Mr. Dasco explained that the existing lot includes the former printing building for the Portland Press Herald. After acquiring the property in 2017 there have been no tenants interested in repurposing the building and the site is currently used as a paid parking lot. Mr. Dasco introduced the Fathom Companies who anticipate developing the Hotel component of the site noting their experience developing and operating hospitality development in Portland and other states, also noting their current operation of the Press Hotel across Congress Street from this site.

Henry Weinberg with CBT Architects presented the design materials and slides attached to this summary, these documents being materials that are all included in the MDP application on file with the City.

The presentation provided information including the design objectives; neighborhood context, zoning setback and height analysis slides. The presentation included a discussion of the massing evolution for the building beginning by extruding the building volume allowed under the zoning ordinance's height and setback

requirements, and then subdividing and sculpting that envelop to create visual porosity and to establish the character of the buildings.

A summary of the proposed building program and layout on the site was provided followed by context and precedent slides related to the development pattern for pocket parks in the project vicinity along with images of potential designs and inspirations for a public pocket park at the hotel drive entrance on Congress Street.

A summary of the street edge design and context along Myrte Street was presented. The presentation concluded with a review of the conceptual plans for the roof amenity deck and perspective views of the building from various angles.

Record of Feedback

At the conclusion of the presentation, the meeting was opened for comments. One member of the project spoke.

The following summarized the comments/feedback received and discussion:

1. Ian Jacob commented that the presentation noted a former church on the site and noted that "Chapel Street" formerly passed through the site and that the presentation referenced the former church as a design consideration. Questioning how does the design reflects this context.

Mr. Weinberg responded stating that building design doesn't intend to reflect the design of the church, or take inspiration but it may be noted or memorialized in images, artwork/murals that may be incorporated into future design details.

2. Mr. Jacob asked if any consideration was given to restoring the section of Chapel Street that is discontinued as a means of public access through the site, potentially as access from Congress Street to Cumberland Avenue.

A discussion of the practical difficulty of meeting the building program needs and mandated parking, combined with grade differences across the block make this approach difficult.

3. Mr. Jacob noted that that no discussions with Historic Preservation Committee or Portland Historical society have occurred.

This is a requirement of future site plan applications. There are no historic buildings on the site but the site is located in the vicinity of historic buildings.

4. Mr. Jacob stated concerns about the large amount of parking being proposed and the impact that the parking structure has on street activation on Myrtle and Peral Street and public access through the site.

Mr. Dasco responded that the project needs to meet requirements for parking established by the City ordinance. A discussion continued into areas of street activation with Mr. Jacob stating concerns street activation on Cumberland and Congress Street and asking about opportunities to use the second level amenity deck as public space.

Mr. Dasco noted parking is always a conundrum and that an extensive evaluation of the site was performed in 2019 and 2020 that included a separate structured parking solution to address the parking and program needs. But this solution was not economically viable and the focus of street activation is on the most used streets. Every project has a push and pull of requirements and their other projects have had some success in convincing residents to reduce from two cars to one car which is typically what they offer.

5. Mr. Jacob asked if consideration has been given to designing the parking levels in a way that they could be retrofitted in the future into more useful and active space, noting that vehicle ownership and use are evolving in Portland and there could be less parking needed in the future.

Mr. Dasco and Ms. Thormann both agreed that this was an interesting idea that had not yet been considered but has merit. Particularly, because the parking levels are not connected with ramps, providing more level areas on the floor plan than a ramped garage would provide.

6. Mr. Jacob asked about the amenity deck and what the reasoning was of not making it semi-public and questioning the activation at that level compared to the streets.

Mr. Dasco responded stating that reasons including security and safety were a concern, the site topography and elevation difference between Congress and Cumberland was also an issue, given the parking requirements and the need for ADA accessibility that would be necessary access from the street.

Mr. Dasco explained that the hotel needs functional space outside. The roof area includes that space and common space for residents and for residents with pets, but that much of the space is dedicated to private outdoor patios for individual unit owners at that level. The demand for private outdoor space from unit owners is very high has only increased post COVID with more people working from home.

Mr. Jacob stated that he would like the design team to look further into this. Mr. Dasco commented that the public cut through that was constructed at Hobsons' Landing (383-387 Commercial Street) from York Street to Commercial Street is not being utilized like they had hoped, noting that the Hobson's landing project was able to create that space without compromising their ability to meet the onsite parking requirements.

7. Mr. Riley closed the meeting by reviewing the next steps for the permitting process.
 - A Master Development Plan (MDP) application has been submitted to the City. We have had pre-application discussion with staff but have not yet received review comments.
 - A planning board workshop is scheduled with the City on June 14th. The meeting is open to the public and the planning Board takes comments at all of its workshops.
 - The next steps could include another workshop or a public hearing likely in the summer.
 - Individual components of the project will apply for Site Plan review in the summer of 2022. The site plan process will also involve a neighborhood meeting, Planning Board workshops and public hearings.
 - Construction is expected to begin in some time in 2023.
 - Zach Powell is the City planner assigned to the project, his phone and email address were provided

8. Mr. Riley provided his contact information and closed the meeting at 8:00 pm.



May 10, 2022
19371

Dear Neighbor:

Please join us for a virtual neighborhood meeting to discuss 385 Congress Street, LLC's proposed Master Development Plan for 385 Congress Street; the city block bounded by Congress Street, Myrtle Street, Cumberland Avenue and Pearl Street in Portland.

The proposed development plan anticipates a 152-room full-service hotel with nine (9) condominium units on the corner of Myrtle and Congress Street; a 110-unit condominium tower located at the corner of Pearl Street and Congress Street and a 193-unit tower along Cumberland Avenue. The massing of the site is envisioned to include three towers rising from a shared two-story "pedestal" incorporating structured parking, street level hotel and commercial uses as well as condominium entrances.

The City of Portland Land Use Code requires that neighboring property owners within 500 feet of the site and residents on an "interested parties list" be invited to participate in this neighborhood meeting. Attendance will be recorded and minutes of the meeting will be taken. Both the attendance list and minutes will be submitted to the Planning Department. The virtual meeting will take place via Zoom and can be accessed online using the link shown below.

Meeting Location: Virtual

Zoom Link: https://us02web.zoom.us/webinar/register/WN_xrVuSrTHTJ-gbplLd4usRA

Copy the link above into your browser to **register in advance** for this webinar. After registering, you will receive a confirmation email containing information about joining the webinar.

Meeting Date: **Monday May 23, 2022**

Meeting Time: **7:00PM**

If you have any questions, please call or email Daniel Riley at Sebago Technics, Inc. (207) 200-2080, driley@sebagotechnics.com.

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

Sincerely,

SEBAGO TECHNICS, INC.

Daniel L. Riley, P.E.
Vice President, Engineering

DLR:

**Abutters and Interested Parties
385 Congress Street**

COMPANY	FIRST NAME	LAST NAME	ADDRESS	CITY	STATE	ZIP
141 PLEASANT STREET LLC			307 MAIN ST	HANOVER	MA	02339
150 PEARL STREET LLC			225 CUMBERLAND AVE	PORTLAND	ME	04101
150 PEARL STREET LLC			PO BOX 4271	PORTLAND	ME	04101
151 PEARL STREET LLC			225 CUMBERLAND AVE	PORTLAND	ME	04101
155 PEARL STREET LLC			225 CUMBERLAND AVE	PORTLAND	ME	04101
161 PEARL STREET LLC			161 PEARL ST # 2	PORTLAND	ME	04101
223 CUMBERLAND AVENUE LLC			225 CUMBERLAND AVE	PORTLAND	ME	04101
227 CUMBERLAND AVENUE LLC			PO BOX 4271	PORTLAND	ME	04101
229 CUMBERLAND AVENUE LLC			PO BOX 4271	PORTLAND	ME	04101
231 CUMBERLAND AVENUE LLC			PO BOX 4271	PORTLAND	ME	04101
235 CUMBERLAND AVENUE LLC			PO BOX 4271	PORTLAND	ME	04104
385 CONGRESS LLC			2730 TRANSIT RD	WEST SENECA	NY	14224
42 WILMOT STREET LLC			225 CUMBERLAND AVE	PORTLAND	ME	04101
50-52 WILMOT STREET LLC			PO BOX 4271	PORTLAND	ME	04101
55 CHESTNUT STREET LLC			460 BAXTER BLVD	PORTLAND	ME	04103
56 WILMOT STREET LLC			PO BOX 4271	PORTLAND	ME	04101
APOSTOLIC FAITH ASSEMBLY			331 CONGRESS ST	PORTLAND	ME	04101
ASHBY TEAM LLC			415 CONGRESS ST STE 204	PORTLAND	ME	04101
AVESTA UNITY VILLAGE LP			307 CUMBERLAND AVE	PORTLAND	ME	04101
BAYSIDE CONDO			164 PEARL ST	PORTLAND	ME	04101
BOODILLY LLC			158 WOODVILLE RD	FALMOUTH	ME	04105
CASTANEA PRIME LLC			PO BOX 24	FRIENDSHIP	ME	04547
CHESTNUT STREET LOFTS			21 CHESTNUT ST	PORTLAND	ME	04101
CHESTNUT STREET LOFTS LLC			58 HANNAFORD COVE RD	CAPE ELIZABETH	ME	04107
CITY OF PORTLAND			389 CONGRESS ST	PORTLAND	ME	04101
CUMBERLAND COUNTY OF			142 FEDERAL ST	PORTLAND	ME	04101
CUMBERLAND PEARL CONDO			241 CUMBERLAND AVE	PORTLAND	ME	04101
DOWTOWN LODGING LLC			PO BOX 10250	PORTLAND	ME	04104
FEDERAL STREET PHOENIX LLC			PO BOX 15372	PORTLAND	ME	04112
FIRST ASSEMBLY OF GOD CHURCH			243 CUMBERLAND AVE	PORTLAND	ME	04101
FIRST INDEPENDENT ASSEMBLY OF GOD			243 CUMBERLAND AVE	PORTLAND	ME	04101
FIRST PARISH IN PORTLAND TRUSTEE			427 CONGRESS ST	PORTLAND	ME	04101
HAIR ETC LLC			705 WEBBS MILLS RD	RAYMOND	ME	04071
HOWLES CORPORATION			PO BOX 938	PORTLAND	ME	04104
HTLV PORTLAND LLC			101 CALIFORNIA ST STE 980	SAN FRANCISCO	CA	94111
I-95 PORTLAND PORTFOLIO I LLC			135 CHADWICK ST STE B	PORTLAND	ME	04101
KINGSLEY ENTERPRISES			225 CUMBERLAND AVE	PORTLAND	ME	04101
MASONIC TRUSTEES OF PORTLAND			415 CONGRESS ST	PORTLAND	ME	04101
MOJO PROPERTIES LLC			536 WASHINGTON AVE	PORTLAND	ME	04103
ONETEN EXCHANGE LLC			254 COMMERCIAL ST STE 118	PORTLAND	ME	04101
PEARL CUMBERLAND LLC			ONE CITY CENTER 4TH FLOOR	PORTLAND	ME	04101
PEARL MANOR LLC			225 CUMBERLAND AVE	PORTLAND	ME	04101
PO SQUARE BUILDING LLC			120 EXCHANGE ST	PORTLAND	ME	04103
PORTLAND BOYS CLUB ASSOC			277 CUMBERLAND AVE	PORTLAND	ME	04101
PORTLAND HOUSING AUTHORITY			14 BAXTER BLVD	PORTLAND	ME	04101
REDFERN DOWNTOWN LLC			PO BOX 8816	PORTLAND	ME	04104
RICH BUILDING LLC			104 EXCHANGE ST	PORTLAND	ME	04101
TOP OF EXCHANGE LLC			42 MARKET ST	PORTLAND	ME	04101
TRIPOD HOLDINGS LLC			1 DANA ST	PORTLAND	ME	04101
WARD CAPITAL LLC			139 ASHMONT ST	PORTLAND	ME	04103
	JEFFREY	TITCOMB	PO BOX 835	FRYEBURG	ME	04037
	THOMAS	MICHAUD	50 MYRTLE ST	PORTLAND	ME	04101
	THOMAS	SEPULVERES	43 MYRTLE ST	PORTLAND	ME	04101
	JULIE	GOFF	136 OXFORD ST	PORTLAND	ME	04101
	GIOVANNI	FRISONE	22 LANCASTER RD	CROMWELL	CT	06416
	SARA	YINDRA	21 CHESTNUT ST # 5N	PORTLAND	ME	04101
	MUNIRA	NAQUI	203 SHERIDAN ST	PORTLAND	ME	04101
	TERESA	CURTIN	21 CHESTNUT ST # 5W	PORTLAND	ME	04101
	PIERRE	AVIGNON	723 ISLAND AVE	LONG ISLAND	ME	04050
	LORINDA	FRAZER	123 HOPE RD	LINCOLNVILLE	ME	04849
	EMILY	DEGRAY	172 BOYCE ST	AUBURN	MA	01501
	DANIEL J	FITZPATRICK	PO BOX 143	WESTBROOK	ME	04098
	THOMAS	SEPULVERES	51 MYRTLE ST	PORTLAND	ME	04101
	BRUCE R	COUILLARD	110 MARGINAL WAY # 241	PORTLAND	ME	04101
	ANGELA F	HENRY	239 CUMBERLAND AVE	PORTLAND	ME	04101
	DOUGLAS A	SMITH	21 CHESTNUT ST # 2N	PORTLAND	ME	04101
	EVAN	ANDERSON	21 CHESTNUT ST # 2W	PORTLAND	ME	04101

**Abutters and Interested Parties
385 Congress Street**

	DONALD B	BAILEY	21 CHESTNUT ST # 406	PORTLAND	ME	04101
	CHARLES	KAUFMANN	21 CHESTNUT ST # 4S	PORTLAND	ME	04101
	AURELIA	SCOTT	21 CHESTNUT ST # 6N	PORTLAND	ME	04101
	PRUDENCE	BARRY	21 CHESTNUT ST # 6W	PORTLAND	ME	04101
	PETER	BUSQUE	21 CHESTNUT ST # 08W	PORTLAND	ME	04101
	JULIA P	GAULKE	60 BOLTON ST	PORTLAND	ME	04102
	ROSEMARY	FLACH	45 EASTERN PROMENADE # BG	PORTLAND	ME	04101
	JEAN M	MURPHY	PO BOX 10045	PORTLAND	ME	04104
	LOUIS	CHRISTEN	239 CUMBERLAND AVE	PORTLAND	ME	04101
	LEAH	BURKE	237 CUMBERLAND AVE # 2	PORTLAND	ME	04101
	AARON T	STEPHAN	142 PEARL ST	PORTLAND	ME	04101
	JOHN	YORK	58 WILMOT ST	PORTLAND	ME	04101
	CARA	JORDAN	9 MITCHELLWOOD DR	FALMOUTH	ME	04105
	VICTOR	MORREL	21 CHESTNUT ST # 202	PORTLAND	ME	04101
	STEPHEN D	SEARS	95 AMBROSE COVE	BELGRADE	ME	04917
	DANTON D	NYGAARD	21 CHESTNUT ST # 401	PORTLAND	ME	04101
	LARRY F	HAMM	11800 SUNSET HILLS RD # 820	RESTON	VA	20190
	JAMES C	SCHWELLENBACH	21 CHESTNUT ST # 602	PORTLAND	ME	04101
	JAN	WILLIAMS	21 CHESTNUT ST # 8S	PORTLAND	ME	04101
	ERGUN	DUNDAR	21 CHESTNUT ST # 2NW	PORTLAND	ME	04101
	CONOR	MAHON	21 CHESTNUT ST # 5SE	PORTLAND	ME	04101
	AVNER	EISENBERG	29 CITY POINT RD	PEAKS ISLAND	ME	04108
	CURTIS	HUSSEY	147 SAWYER ST	SOUTH PORTLAND	ME	04106
	ADAM	HILL	PO BOX 4242	PORTLAND	ME	04101
	PROPERTY	HELM	4420 GIBBONS ST # D	VANCOUVER	WA	98661
	JESSICA	OUELLETTE	164 PEARL ST # A	PORTLAND	ME	04101
	TANIA F	BOWEN	164 PEARL ST # B	PORTLAND	ME	04101
	JAMES W SR	MCDONALD	696 QUAKER RIDGE RD	CASCO	ME	04015
	GARRETT K	TILTON	21 CHESTNUT ST # 3N	PORTLAND	ME	04101
	JESSE	SAWYER	21 CHESTNUT ST # 302	PORTLAND	ME	04101
	JOHN	VANHOEWYK	21 CHESTNUT ST # 301	PORTLAND	ME	04101
	ALICIA	HARDING	21 CHESTNUT ST	PORTLAND	ME	04101
	MICHAEL P	POLLASTRI	235 POND ST	COHASSET	MA	02025
	MARILYN	KELLY	21 CHESTNUT ST # 702	PORTLAND	ME	04101
	MICHAEL	GUIGLI	21 CHESTNUT ST # 701	PORTLAND	ME	04101
	STEPHANIE	COTSIROLOS	21 CHESTNUT ST # 8N	PORTLAND	ME	04101
	JOSEPH	PALACCI	102 EXCHANGE ST	PORTLAND	ME	04101

385 Congress Street
Master Development Plan
Nieghborhood Meeting Attendance log

Attendee Report											
Report Generated:	5/27/2022 13:41										
Topic	Webinar ID	Actual Start Time	Actual Duration (minutes)	# Registered	# Cancelled	Unique Viewers	Total Users	Max Concurrent Views	Enable Registration		
385 Congress Stree	876 8930 8194	5/23/2022 18:20	96	12	0	9	15	0	Yes		
Host Details											
Attended	User Name (Original Name)	Join Time	Leave Time	Time in Session (minutes)	Is Guest	Country/Region Name					
Yes	Dan Riley (Henry Hess)	5/23/2022 18:20	5/23/2022 19:55	96	No	United States					
Panelist Details											
Attended	User Name (Original Name)	Join Time	Leave Time	Time in Session (minutes)	Is Guest	Country/Region Name					
Yes	Dylan Stuart - Sebago Technics (DylanStuart)	5/23/2022 18:59	5/23/2022 19:55	56	Yes	United States					
Yes	MariekeThormann	5/23/2022 19:00	5/23/2022 19:54	55	Yes	United States					
Yes	Henry Weinberg - CBT Architects (HenryWeinberg)	5/23/2022 19:04	5/23/2022 19:54	51	Yes	United States					
Yes	JoeDasco	5/23/2022 19:00	5/23/2022 19:54	55	Yes	United States					
Attendee Details											
									Time in Session (minutes)		
Attended	User Name (Original Name)	First Name	Last Name	City	Organization	Registration Time	Join Time	Leave Time		Is Guest	Country/Region
Yes	Ian Jacob	Ian	Jacob	Portland		5/12/2022 16:23	5/23/2022 18:57	5/23/2022 19:55	58	Yes	United States
Yes	Max Ashburn	Max	Ashburn	Portland		5/12/2022 19:12	5/23/2022 19:05	5/23/2022 19:54	50	Yes	United States
Yes	Aislynn Sawyer	Aislynn	Sawyer	Portland		5/16/2022 18:04	5/23/2022 18:59	5/23/2022 19:55	56	Yes	United States
Yes	Dylan Stuart	Dylan	Stuart	South Portland		5/18/2022 12:57	5/23/2022 18:56	5/23/2022 18:56	1	Yes	United States
Yes	Marieke Thormann	Marieke	Thormann	Portland	Fathom Companies	5/18/2022 13:09	5/23/2022 18:59	5/23/2022 19:00	1	Yes	United States
Yes	Henry Weinberg	Henry	Weinberg	Boston	CBT Architects	5/18/2022 13:19	5/23/2022 19:02	5/23/2022 19:04	2	Yes	United States
Yes	Joe Dasco	Joe	Dasco	Portland	385 Congress, LLC	5/18/2022 14:16	5/23/2022 18:59	5/23/2022 19:00	1	Yes	United States
Yes	Dylan Dasco	Dylan	Dasco	Boston	CBT architects	5/19/2022 11:23	5/23/2022 19:01	5/23/2022 19:54	54	Yes	United States
Yes	Robyn Payne	Robyn	Payne	Portland	Fathom Companies	5/20/2022 10:14	5/23/2022 18:57	5/23/2022 19:54	58	Yes	United States
No	Dan Riley (Henry Hess)	Dan	Riley	Portland	Sebago Technics, Inc	5/16/2022 8:40	--	--	--	--	
No	Jim	Jim	Monteverde	Cambridge	CBT	5/18/2022 12:54	--	--	--	--	
No	Peter	Peter	Busque	Portland		5/18/2022 14:35	--	--	--	--	

Master Development Plan 385 Congress Street



Submitted To:
City of Portland

Submitted By:
385 Congress Street, LLC
The Fathom Companies

Prepared By:
Sebago Technics, Inc
CBT Architects



AGENDA

Introductions

385 Congress Street LLC- Joe Dasco

The Fathom Companies- Marieke Thormann

CBT Architects- Henry Weinberg

Sebago Technics- Dan Riley, Dylan Stewart

Project Presentation

Questions

Next Steps and Contacts

GENERAL APPROACH & GOAL

Our approach is to create a **cohesive and complementary design** that **builds upon the historic context** of Downtown Portland with forward and innovative vision of providing **activation and scaled environment to the public realm and the neighborhood.**

1. **Respect historic context**
2. **Well scaled street environment**
3. **Create skyline**
4. **Timeless design approach**
5. **Sustainable approach**

CONTEXT IMAGES



NORTH-EAST VIEW



SOUTH-EAST VIEW



SOUTH-WEST VIEW



NORTH-WEST VIEW

NEIGHBORHOOD CONTEXT MAP & ZONING ANALYSIS



VIEW ANALYSIS



CUMBERLAND AVE

NORTH @ 150'



PEARL STREET

EAST @ 150'



CONGRESS STREET

SOUTH @ 150'

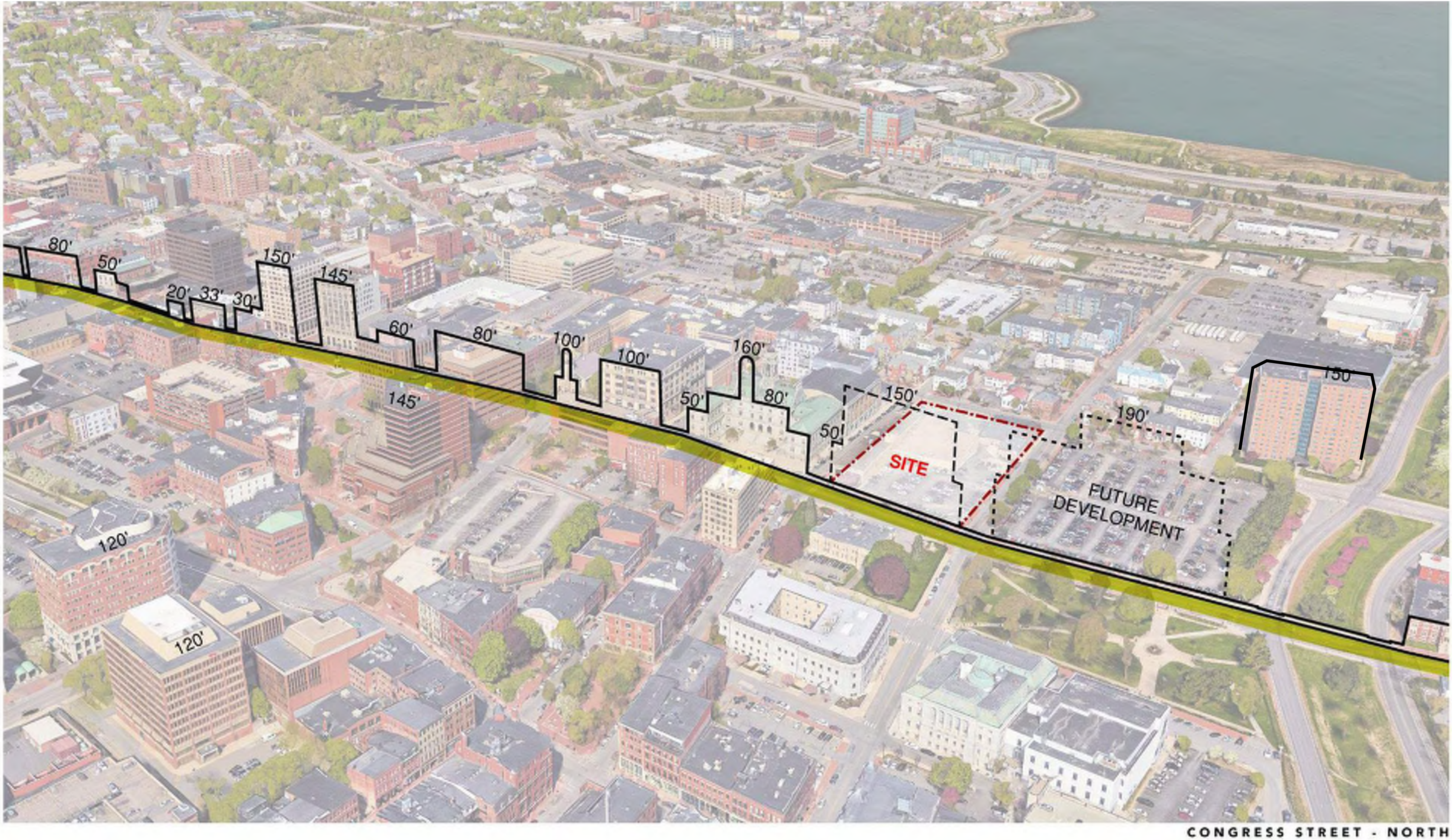


MYRTLE STREET

WEST @ 150'

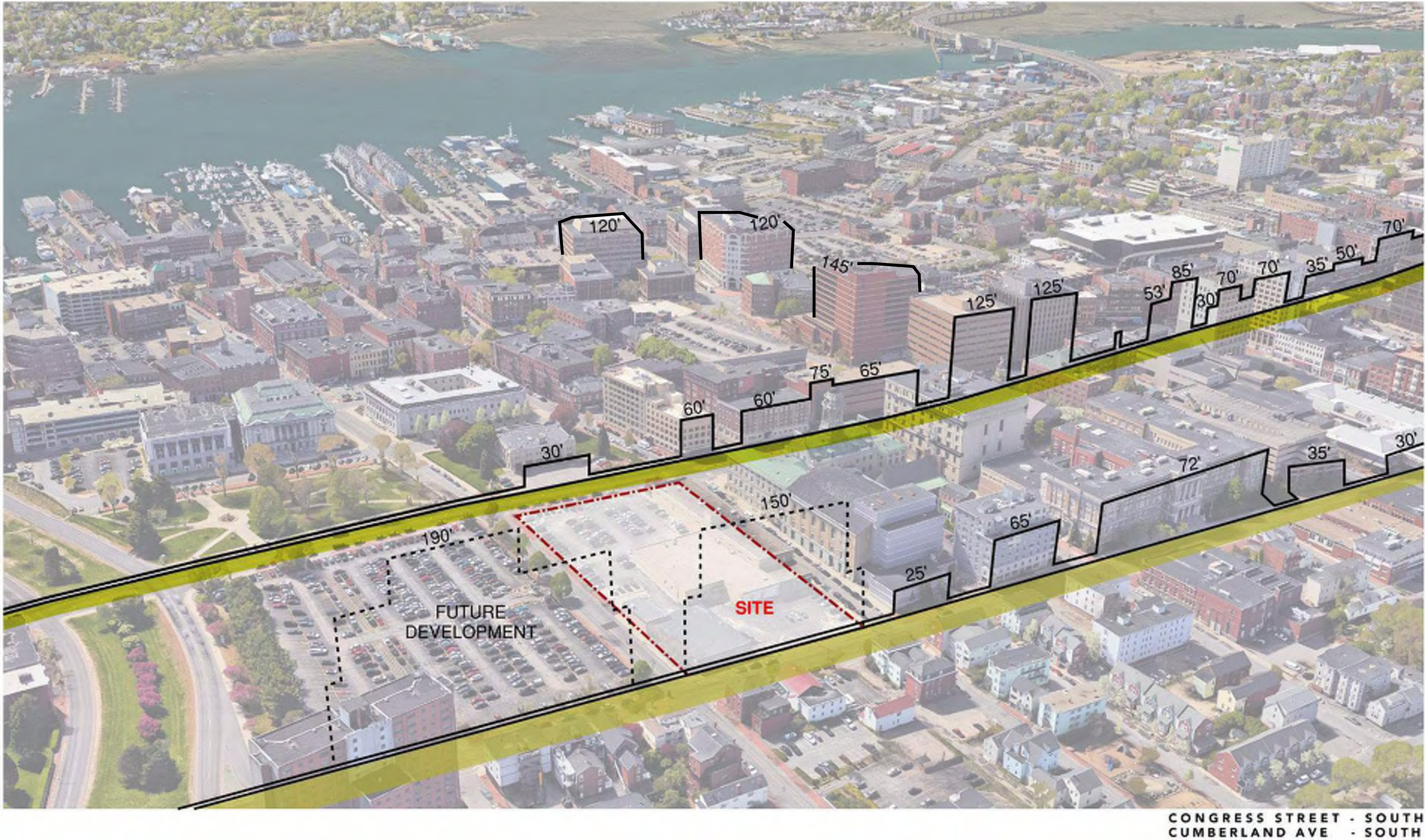
CONTEXT HEIGHT ANALYSIS

CONGRESS ST NORTH



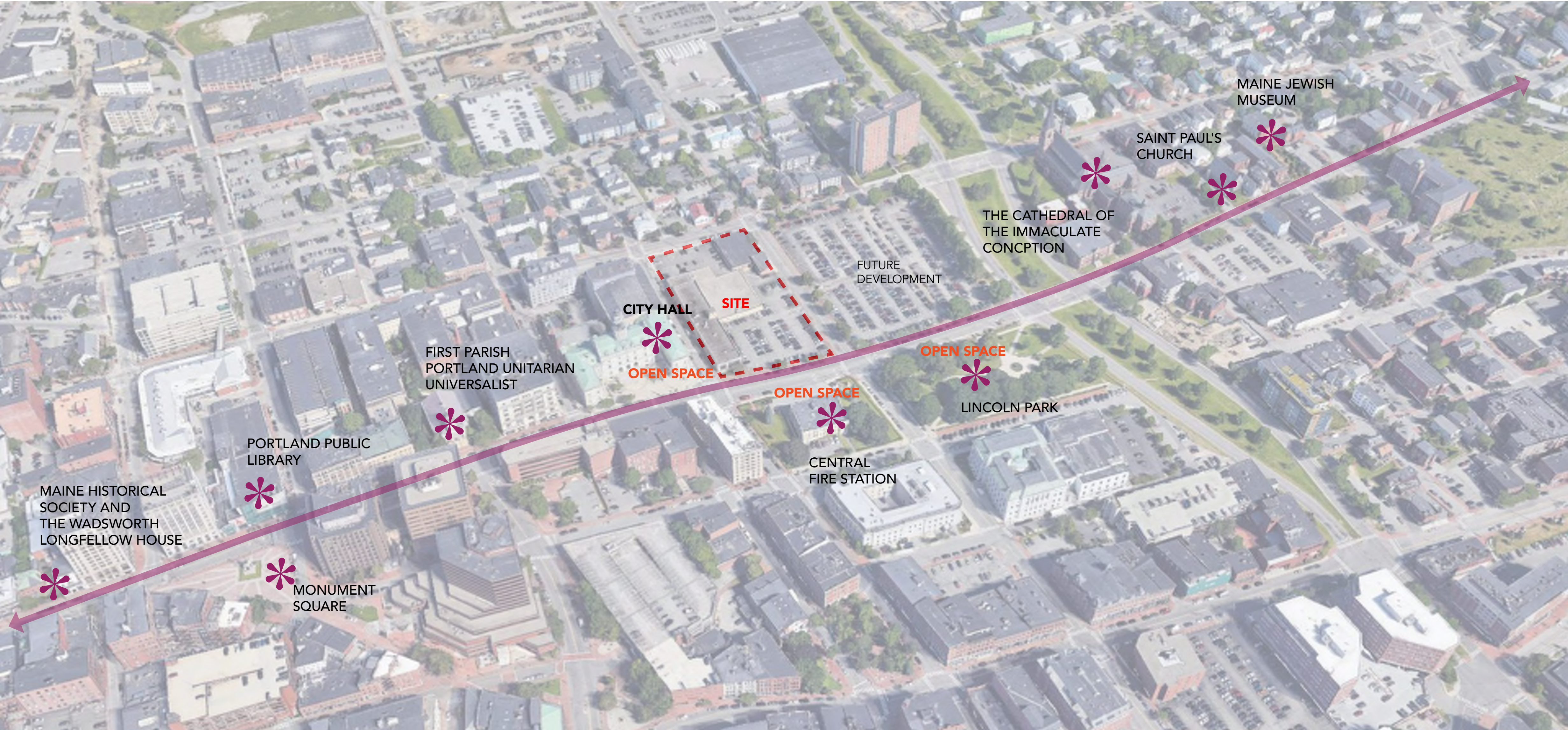
CONTEXT HEIGHT ANALYSIS

CUMBERLAND AVE



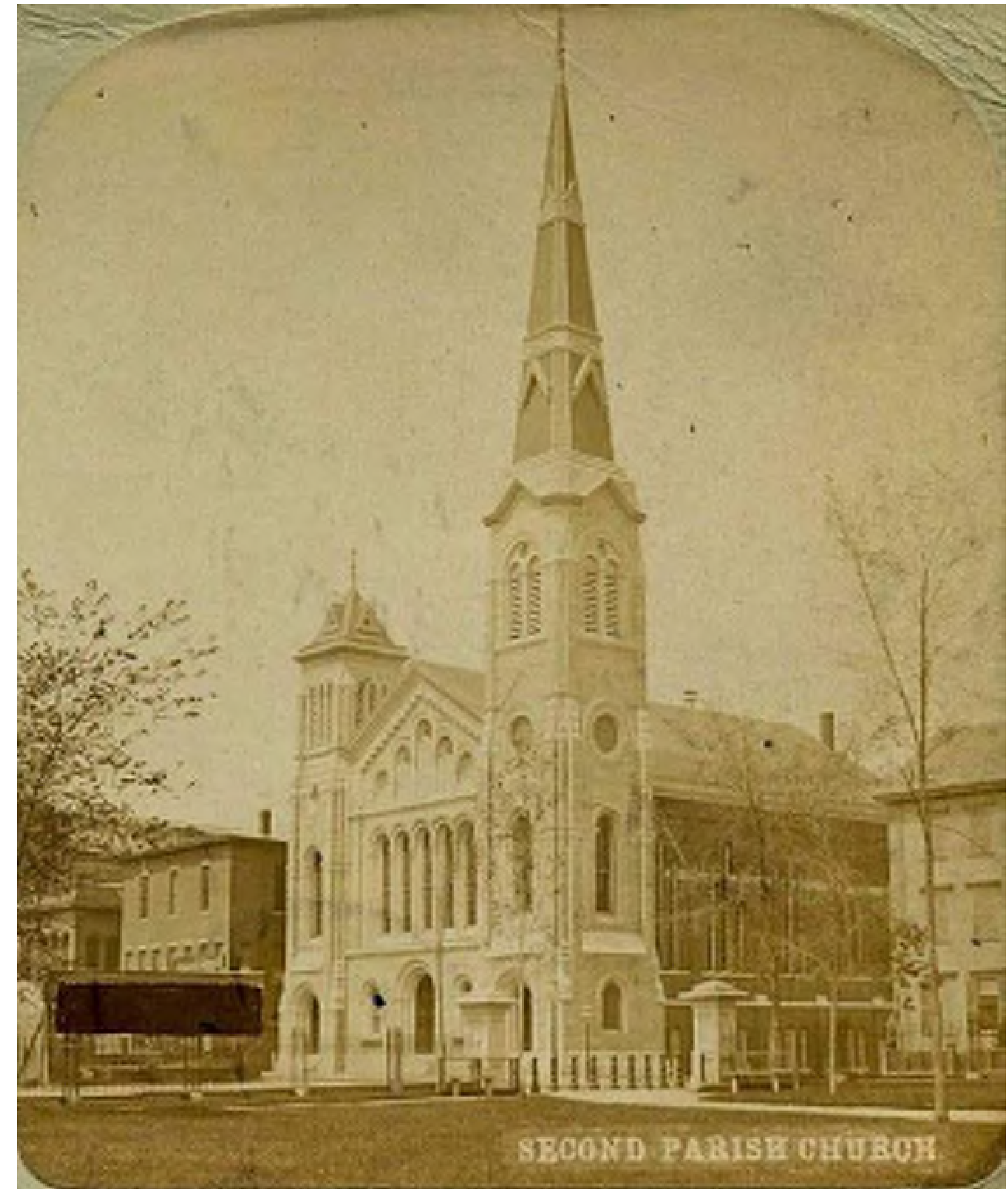
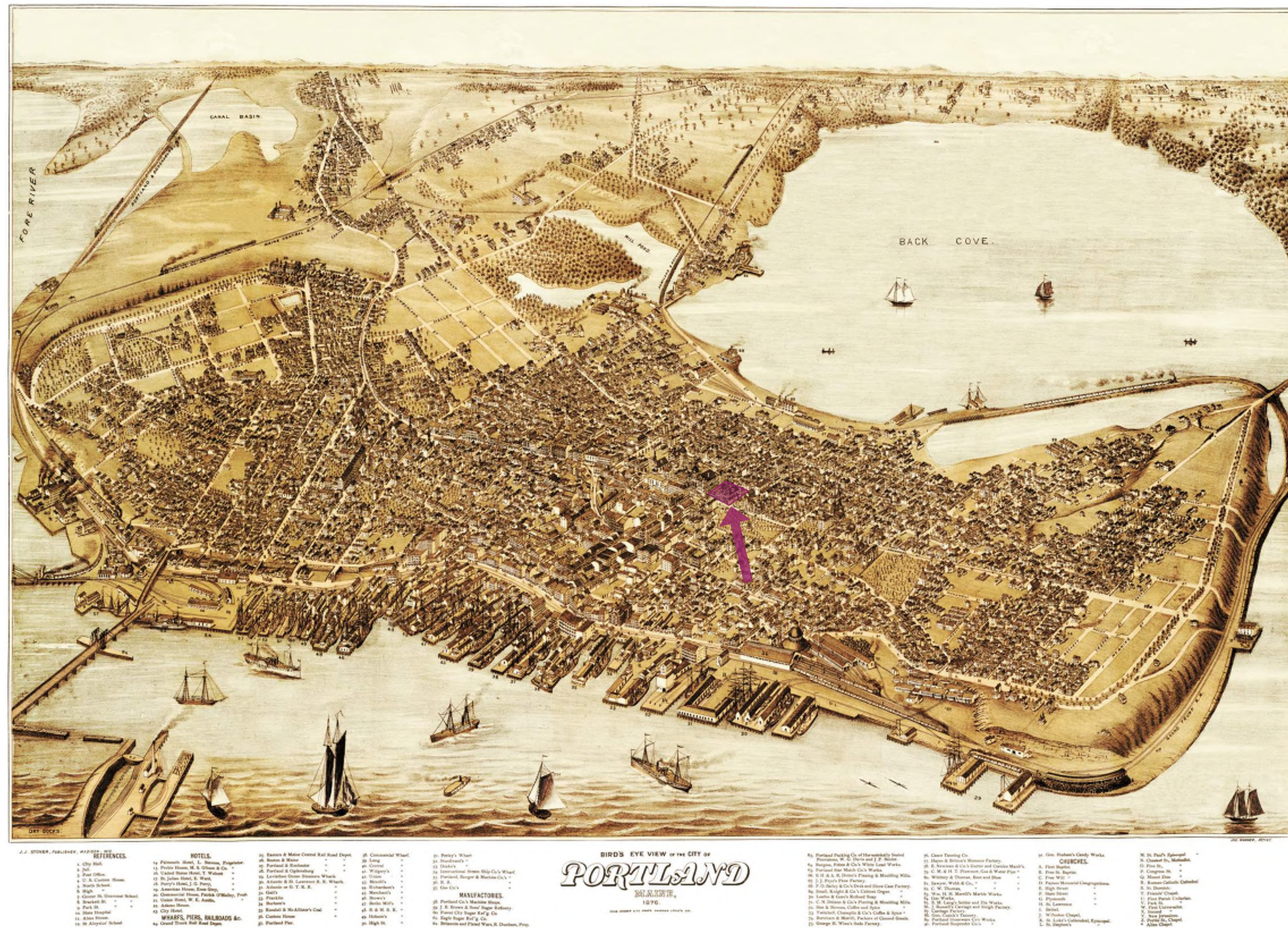
CONGRESS STREET ACTIVATION

THIS SITE PROVIDES THE OPPORTUNITY TO EXTEND THE ACTIVITY OF CONGRESS STREET TO THE EAST AND BRIDGE THE GAP BETWEEN DOWNTOWN AND THE EAST END. BY PROVIDING PROGRAMS THAT CAN BE ENJOYED BY THE BUILDING TENANTS AND MEMBERS OF THE PUBLIC, THIS PROJECT WILL ADD TO THE ALREADY VIBRANT NETWORK OF SPACES ALONG CONGRESS STREET.

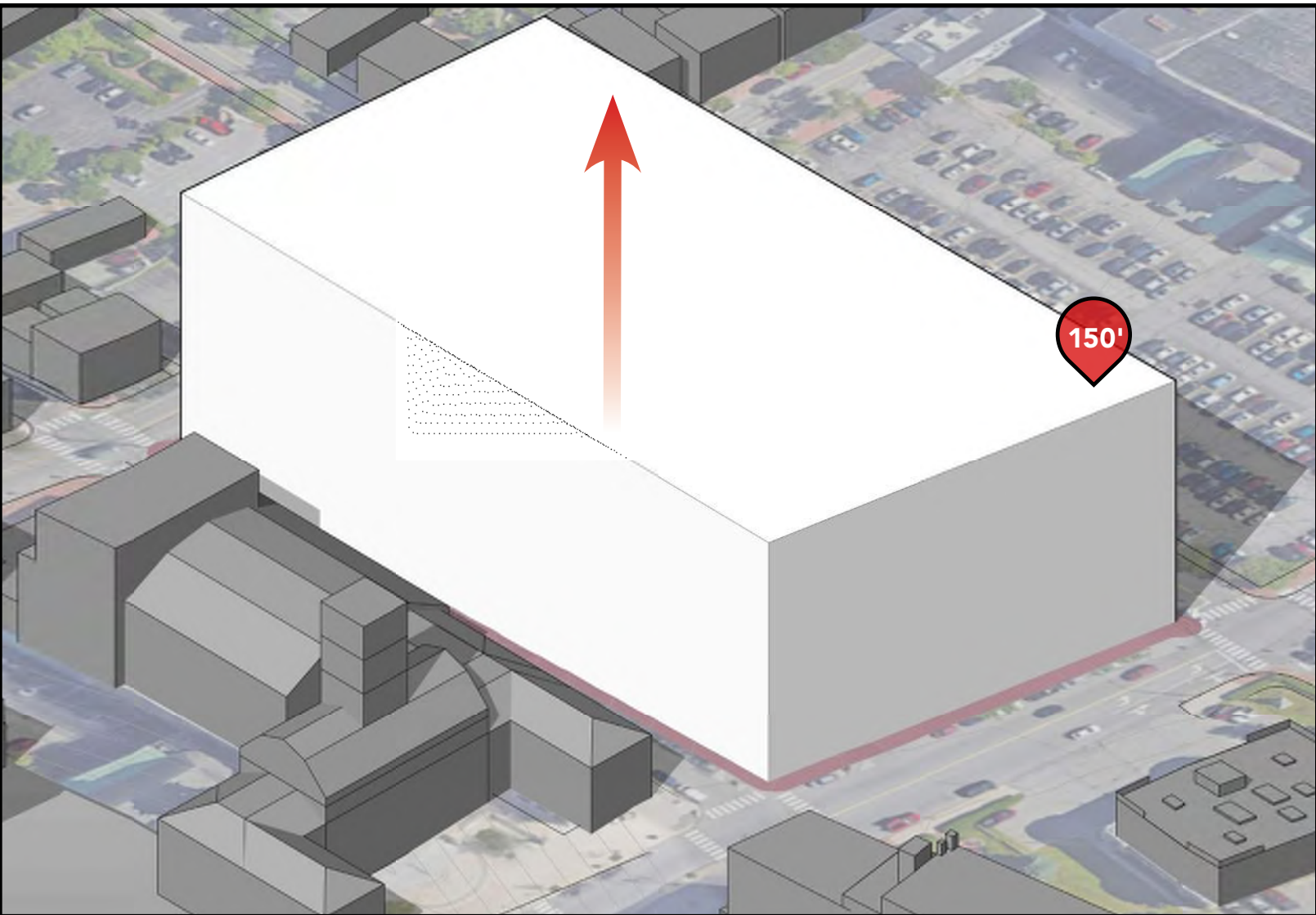


HISTORIC CONTEXT

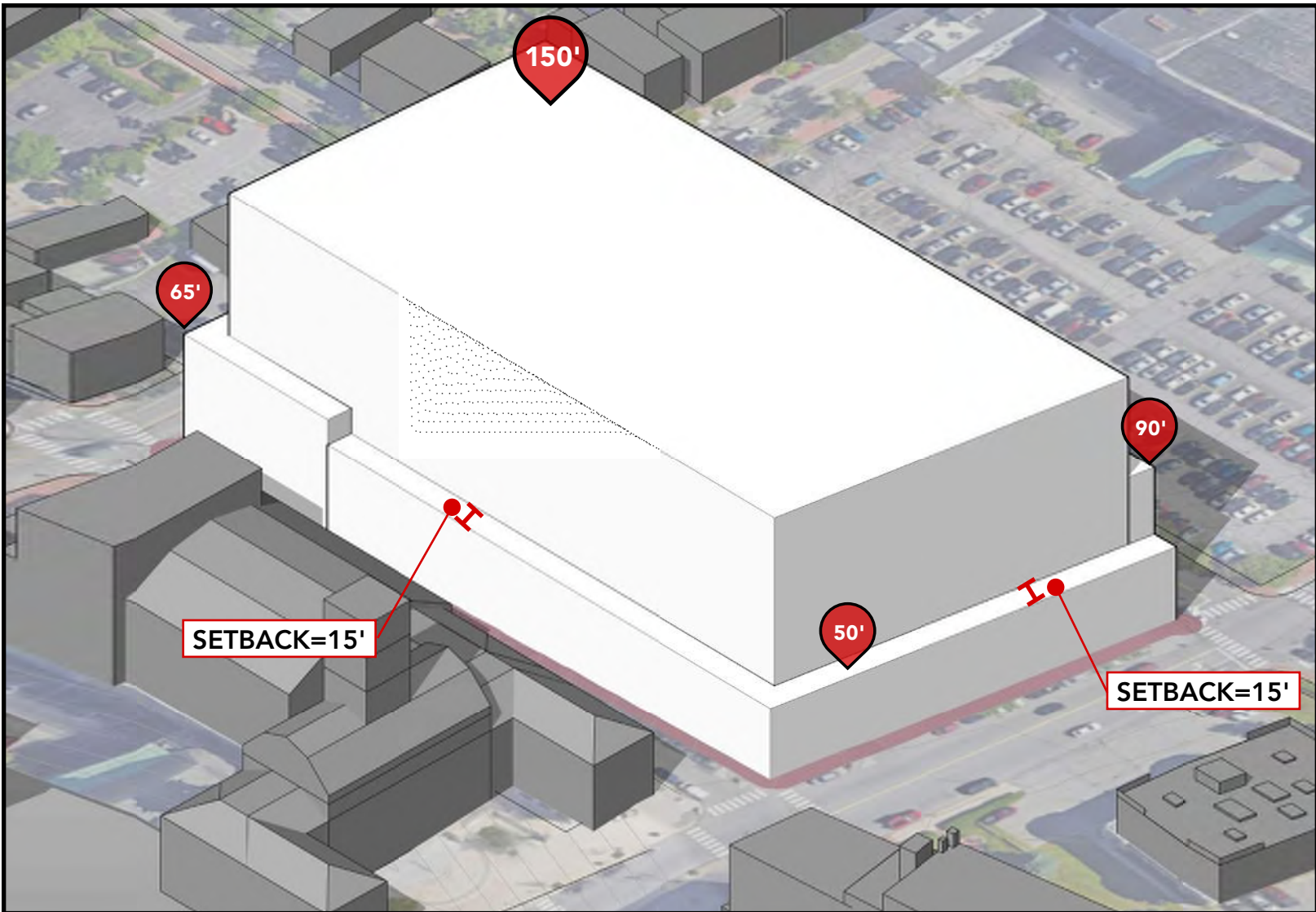
HISTORICAL MAPS REVEAL THAT THIS PARCEL WAS FORMERLY THE SECOND PARISH CHURCH.



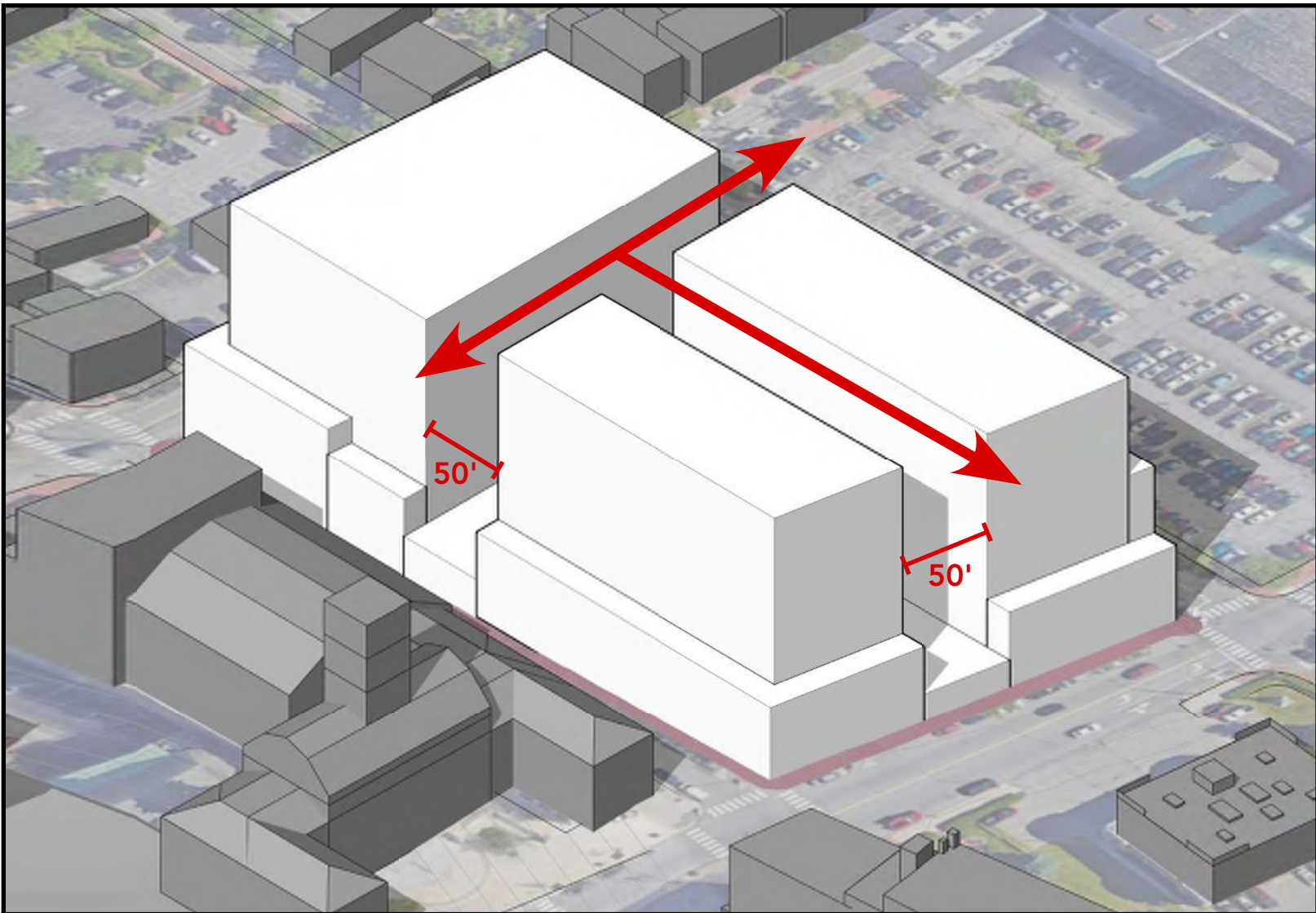
MASSING EVOLUTION



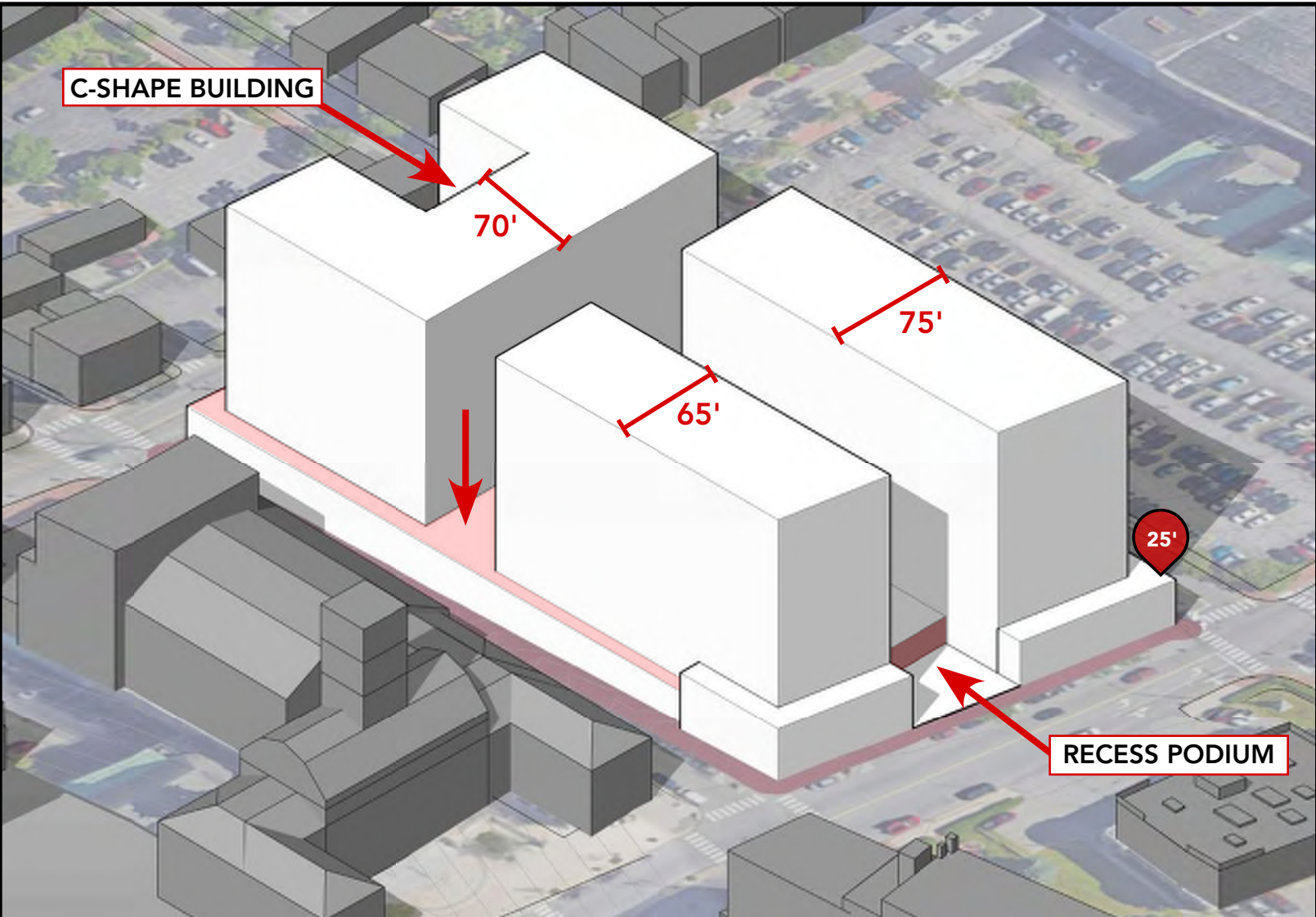
1_EXTRUDE SITE FOOTPRINT



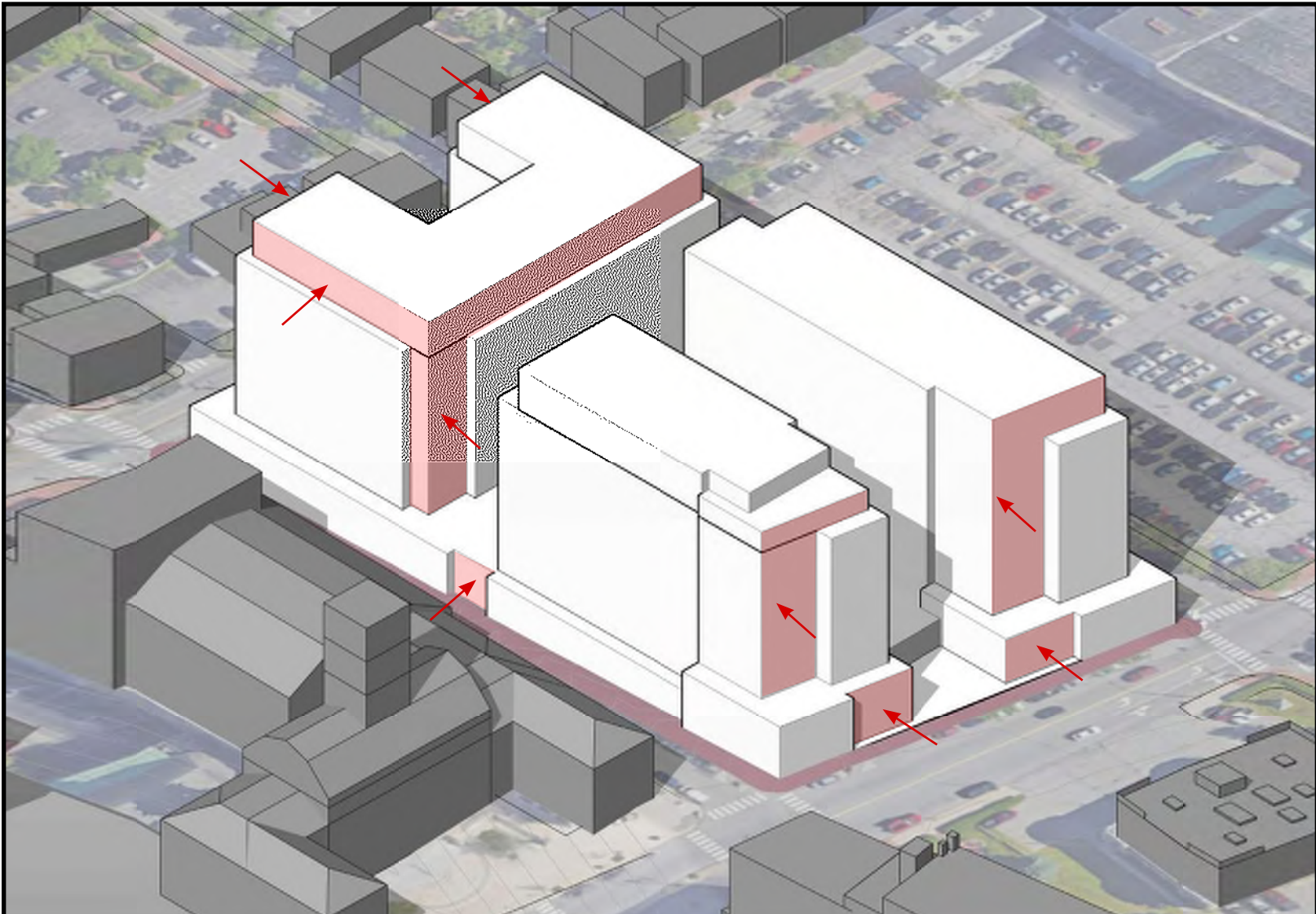
2_ZONING SETBACKS (AS OF RIGHT)



3_SUB-DIVIDE SITE FOR POROSITY



4_SHAPE BUILDING FOOTPRINTS; ESTABLISH SHARED PODIUM



5_SCULPT MASSING



6_ADD BALCONIES & MATERIALS

PARCEL SUBDIVISIONS

**VALUES ARE APPROXIMATE

		HOTEL SF	KEY COUNT	RESI SF	UNIT COUNT	LOBBY / AMENITY	RETAIL	BOH / SUPPORT	MECHANICAL	CIRCULATION	PARKING	PARKING COUNT	GSF TOTAL
Phase 1A	Pearl			158,100	110	4,900	2,500		12,000	24,200	43,300	126	245,000
Phase 1B	Myrtle	80,000	152	9,000	9	15,700		17,500	7,200	22,200	28,400	70	180,000
Phase 2A	Cumberland S			92,400	94	5,100	4,200		6,500	22,000	62,000	165	192,200
Phase 2B	Cumberland N			97,700	99	-	-		3,000	12,100	-	-	112,800
GRAND TOTALS		80,000	152	357,200	312	25,700	6,700	17,500	28,700	80,500	133,700	361	730,000



PROGRAM SUMMARY

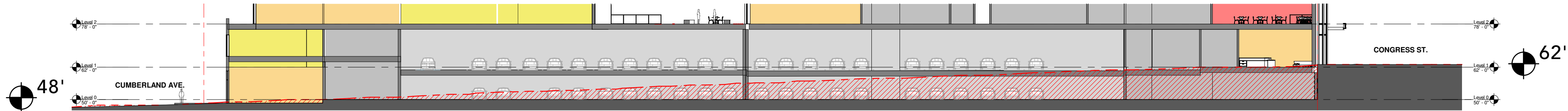
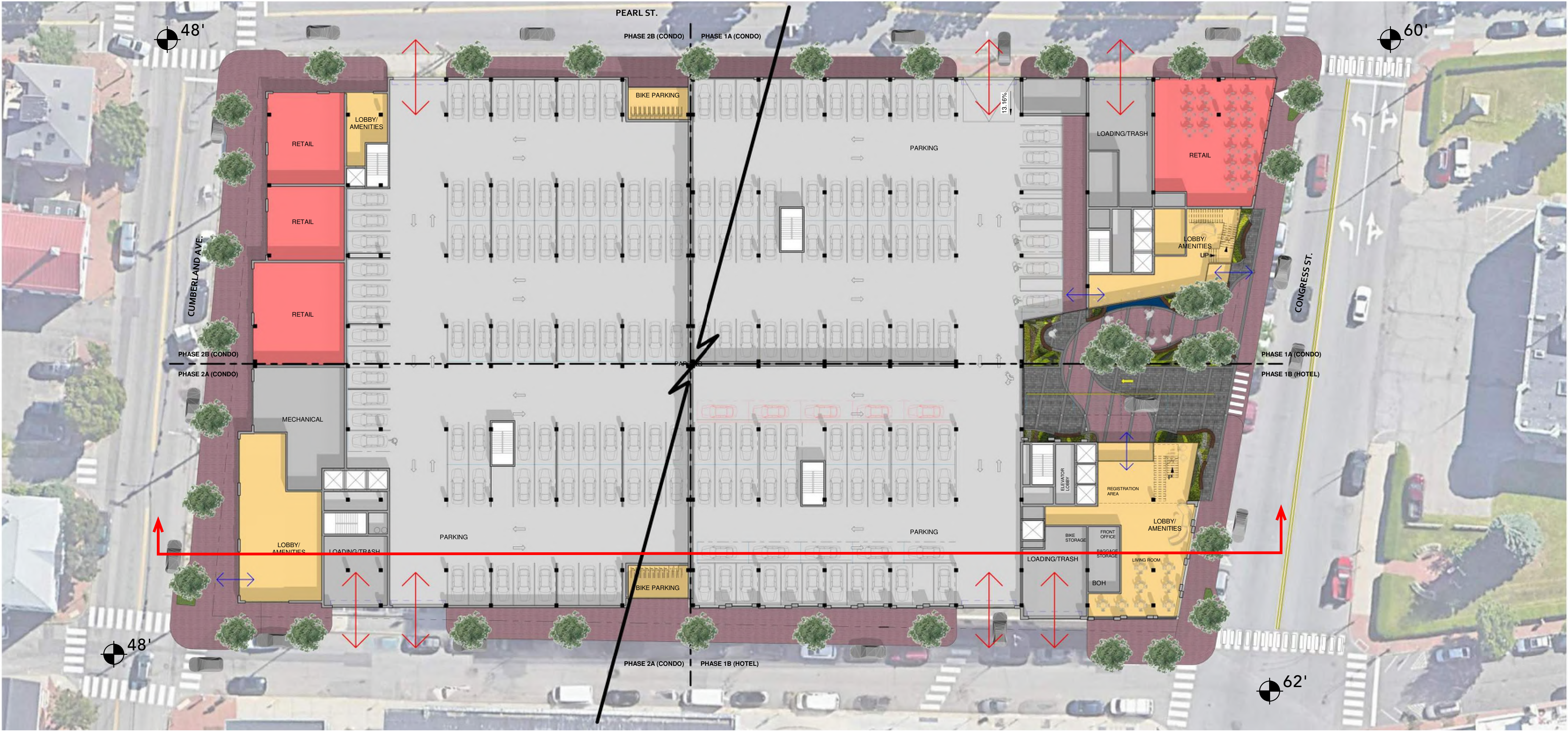


SITE PLAN



COMPOSITE GROUND FLOOR PLAN

THE TOPOGRAPHICAL NATURE OF THE BLOCK AFFORDS THE OPPORTUNITY TO MAXIMIZE GARAGE EFFICIENCY AND ELIMINATE INTERNAL RAMPING. THE SITE SLOPES DOWN FROM EAST TO WEST BY 12'. THIS ALLOWS US TO PROVIDE SEPARATE GARAGE ENTRANCES FOR THE UPPER AND LOWER LEVELS. THE LOWER LEVEL OF THE GARAGE (LEVEL 0) WILL BE AT THE ELEVATION OF CUMBERLAND AVE (48') AND THE UPPER LEVEL OF THE GARAGE (LEVEL 1) WILL BE AT THE ELEVATION OF CONGRESS ST. (60')

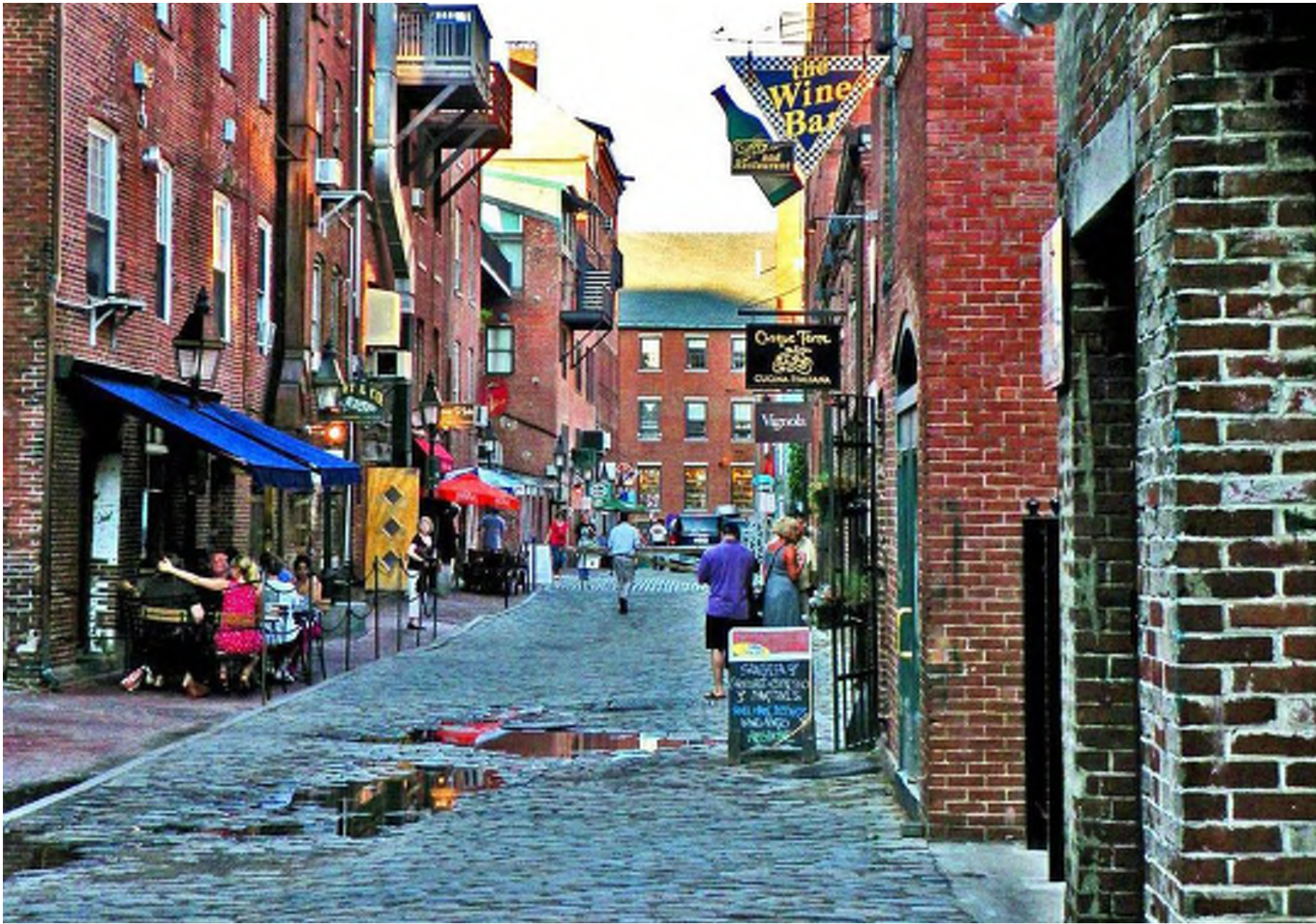


PORTLAND ALLEYWAYS AND POCKET PARKS

THE CITY BLOCK DEFINED BY CONGRESS, PEARL, MYRTLE AND CUMBERLAND AVE PROVIDES A UNIQUE OPPORTUNITY TO CONTINUE THE MULTI-LAYERED URBAN TEXTURE OF DOWNTOWN PORTLAND AND ADD TO THE DIVERSE & HISTORIC SKYLINE. WHILE STUDYING PORTLAND'S CITY GRID, WE FOUND A LAYERING OF SCALES THAT COMPOSES A UNIQUE URBAN FABRIC. THE IRREGULAR NATURE OF THE URBAN GRID PRODUCES OPPORTUNITIES FOR FOUND SPACES IN THE FORM OF POCKET PARKS AND OPEN PLAZAS.



 OPEN SPACE / POCKET PARKS



WHARF STREET

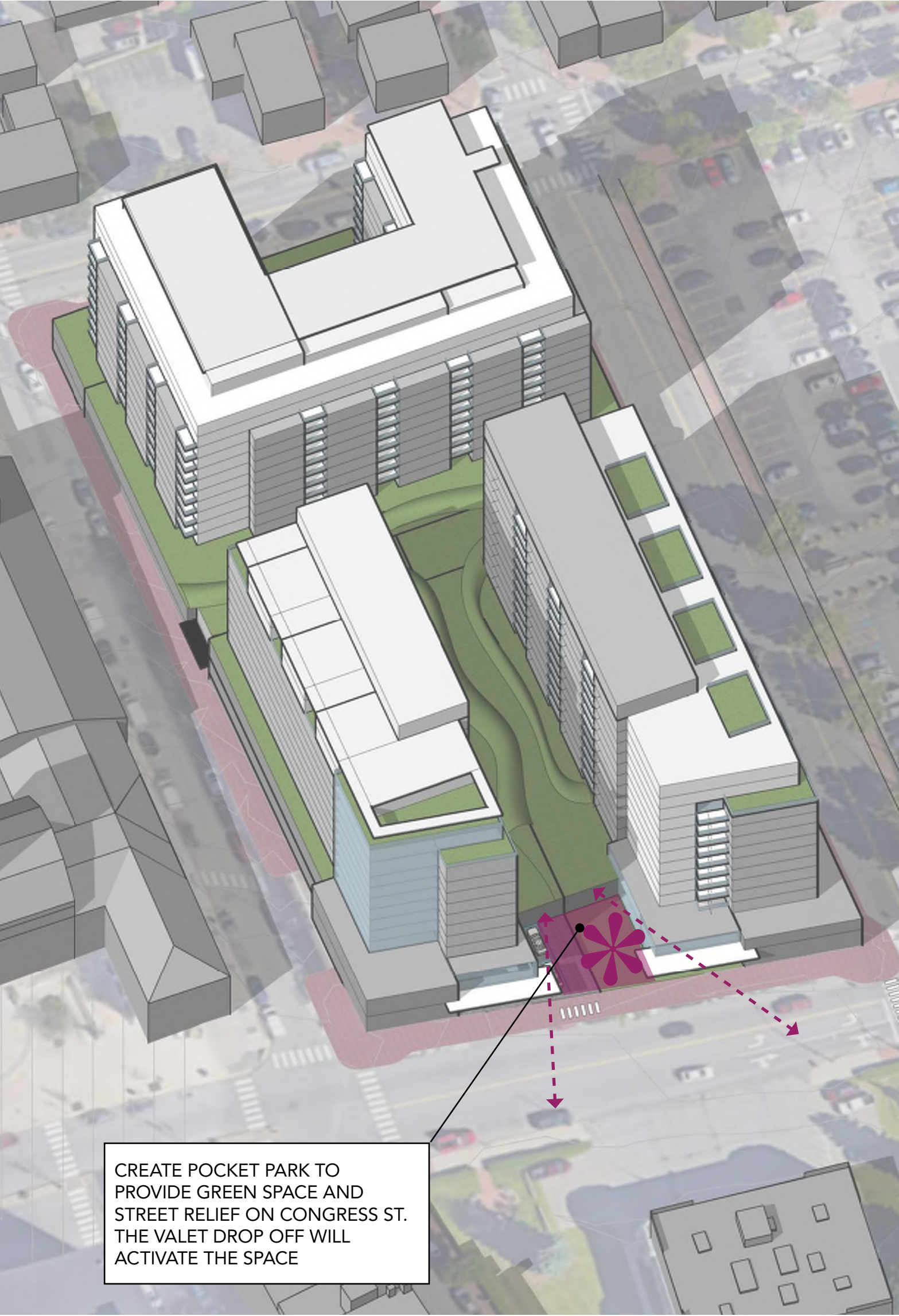


POST OFFICE PARK

POCKET PARK

BY SUBDIVIDING OUR BLOCK INTO THREE PARCELS, WE ARE ABLE TO STITCH OUR SITE INTO THE UNIQUE URBAN FABRIC OF DOWNTOWN. THE BUILDINGS ON CONGRESS STREET WILL BE SEPARATED BY A POCKET PARK WHICH WILL PROVIDE STREET WALL RELIEF AND PUBLIC GREEN SPACE. THE INTENT FOR THIS SPACE IS TO PROVIDE THE RESIDENTS AND MEMBERS OF THE PUBLIC AN OPPORTUNITY TO ENJOY A SANCTUARY SPACE OFF OF A BUSY STREET.

DESIGN CONCEPT



PRECEDENT



POCKET PARK DESIGN - CURVILINEAR SOFT-SCAPE OPTION

THE POCKET PARK IS POSITIONED BETWEEN THE HOTEL VALET DROP-OFF AND CONDO LOBBY WHICH WILL HELP ACTIVATE, AND KEEP EYES ON THE SPACE. THE POSITION OF THE SPACE LENDS ITSELF TO BE ENJOYED WHILE BEING VIEWED AND OCCUPIED. THE PARK WILL INCLUDE A WATER FEATURE TO GENERATE AMBIENT NOISE TO DEADEN THE SOUND OF THE STREET AND VALET AREA AS WELL AS RAISED PLANTERS THAT WILL PROVIDE BENCH SEATING AND SOIL DEPTH FOR A BOSQUE OF TREES. THE GROUND SURFACE WILL INCLUDE A VARIETY OF PAVING PATTERNS TO DEFINE THE SPACES. THE PARK ALSO PROVIDES THE OPPORTUNITY TO INCLUDE PUBLIC ART IN THE FORM OF MURALS OR SCULPTURE.



POCKET PARK DESIGN - LINEAR HARD-SCAPE OPTION

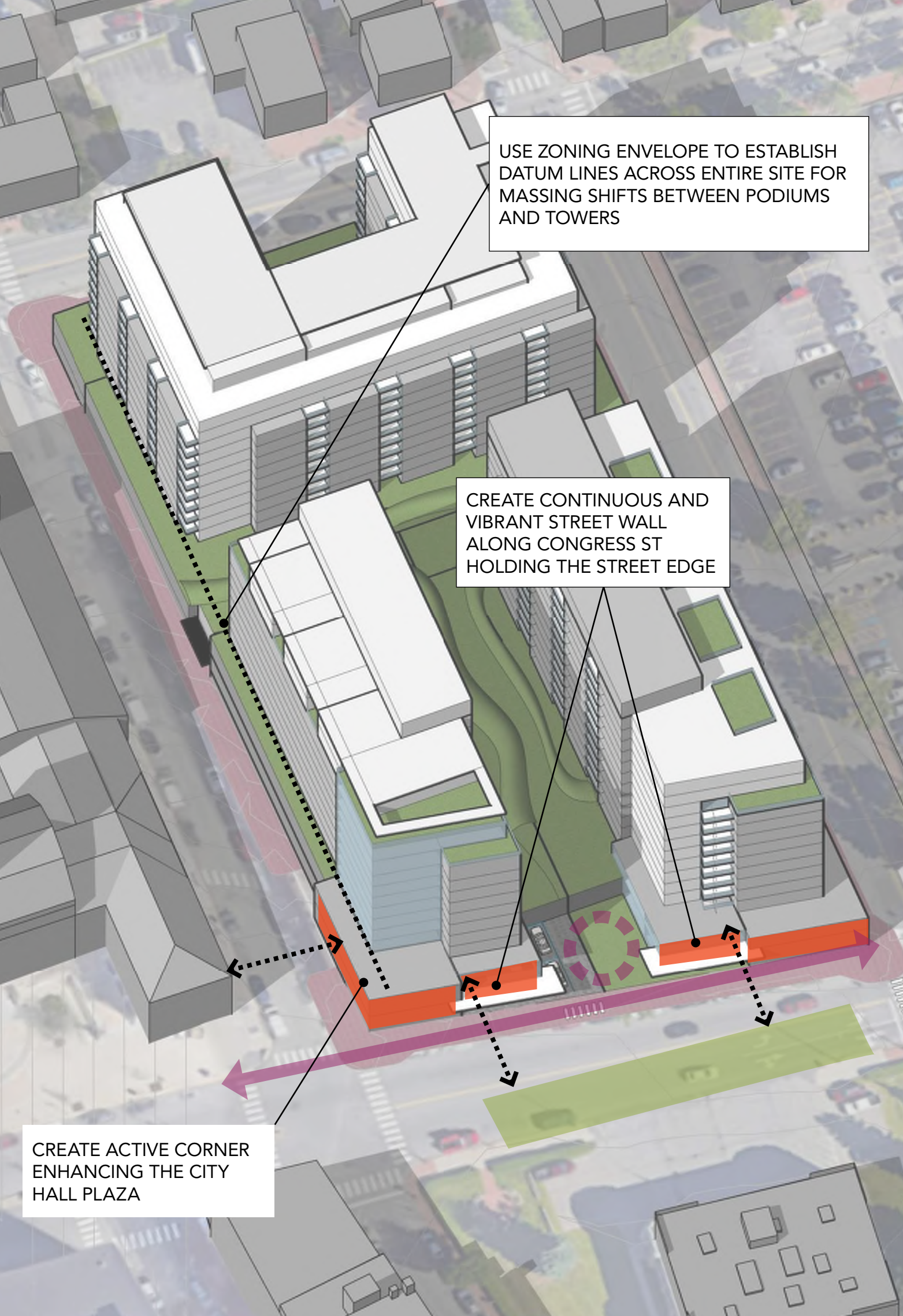
ANOTHER APPROACH FOR THE POCKET PARK IS TO USE TREE GRATES INSTEAD OF RAISED PLANTERS TO HOST THE TREES. THIS ALLOWS FOR A MORE CONTINUOUS GROUND PLANE THAT PROVIDES OPPORTUNITIES FOR MORE FLEXIBLE SEATING. THE VEHICLE ZONES AND PEDESTRIAN ZONES ARE DEFINED BY PAVING PATTERNS AND BOLLARDS. THIS DESIGN STILL PROVIDES OPPORTUNITIES FOR PUBLIC ART, WATER FEATURES, AND SEATING AREAS FOR ALL TO ENJOY.



WELL SCALED ACTIVE STREET EDGE

THIS SITE MUST CONNECT INTO THE URBAN FABRIC OF DOWNTOWN PORTLAND AND EXTEND THE NATURE OF OF CONGRESS STREET TO THE EAST. IT WILL DO SO BY MAINTAINING AN ACTIVE AND WELL-SCALED STREET EDGE. WE POSITIONED THE BUILDINGS RIGHT AT THE PROPERTY LINE AND PROVIDED ACTIVE PROGRAM ON THE GROUND FLOOR TO GENERATE POROSITY AND ACTIVITY. BY BREAKING DOWN THE SCALE OF THE BUILDINGS INTO SMALLER PIECES (BOTH VERTIALLY AND HORIZONTALLY) WE WILL CONTINUE THE LANGUAGE OF THE SURROUNDING AREA AND STITCH THIS SITE INTO THE CONTEXT.

CONCEPT



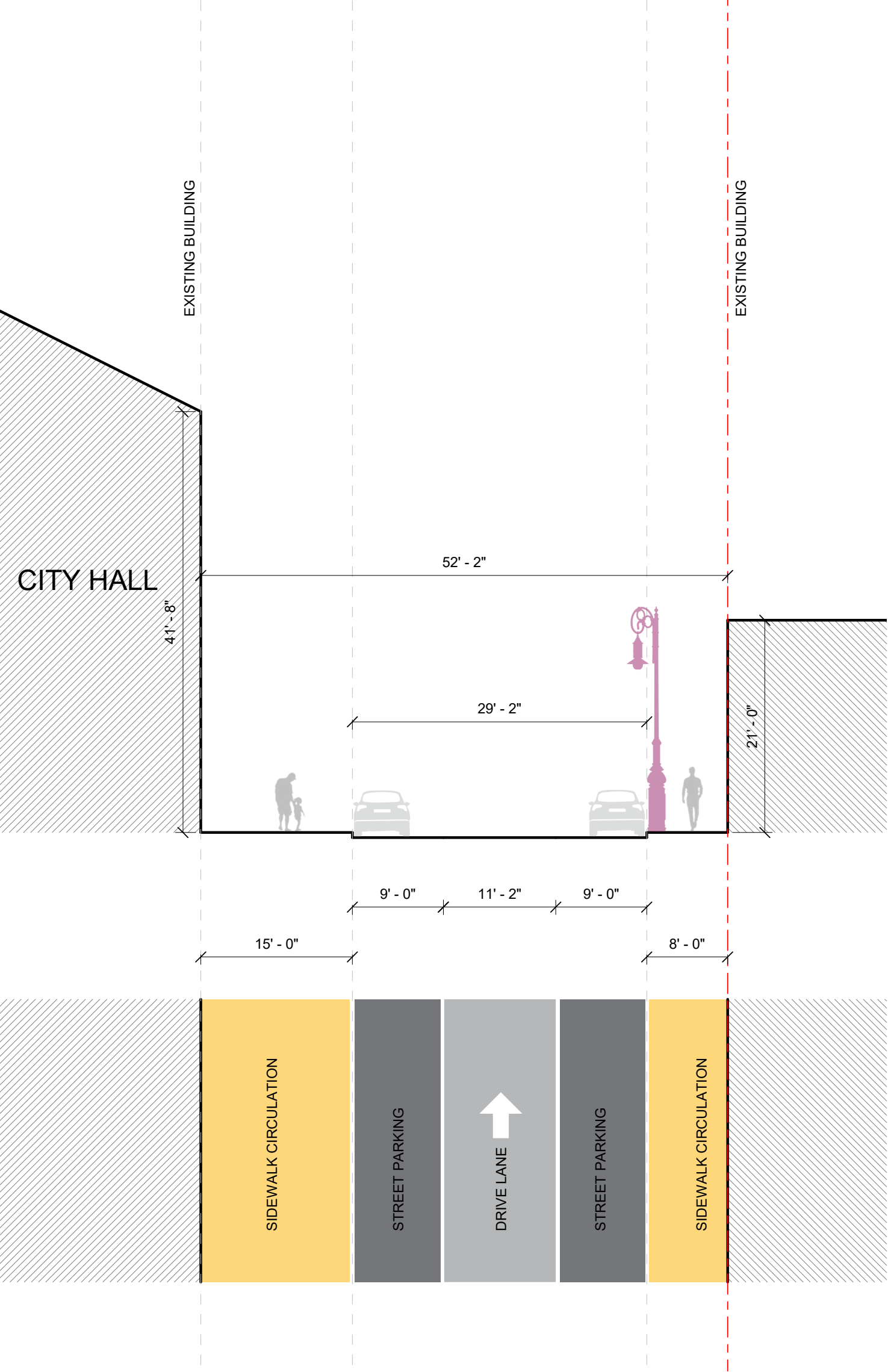
PRECEDENT



MYRTLE STREET - EXISTING

THE CURRENT NATURE OF MYRTLE STREET IS VERY NARROW AND UNINVITING. THE EXISTING BUILDING SITS RIGHT ON THE PROPERTY LINE, SQUEEZING ALL PEDESTRIAN TRAFFIC INTO AN 8' SIDEWALK THAT IS TOO TIGHT TO INCLUDE STREET TREES OR PLANTING.

STREET SECTION



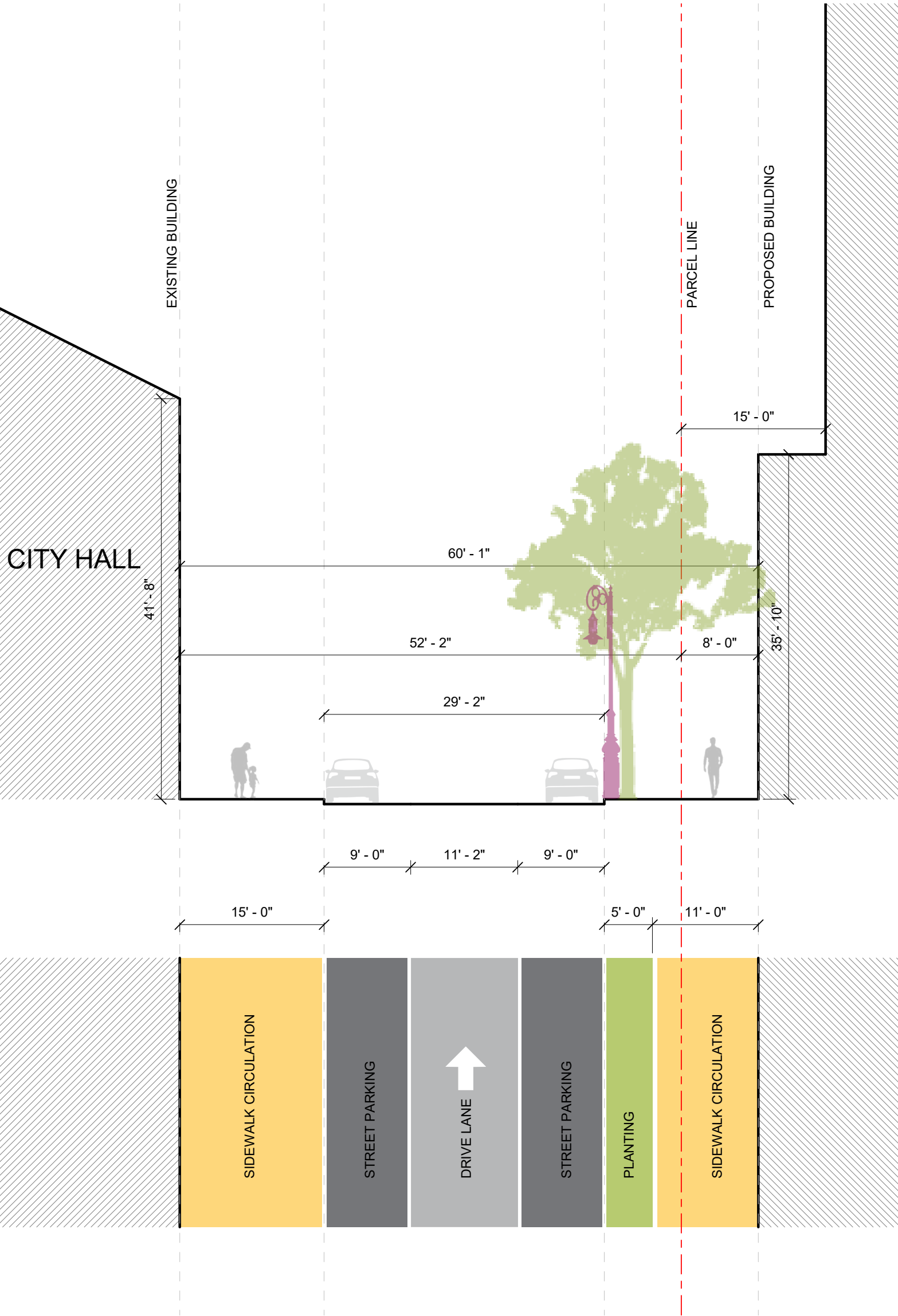
EXISTING CONDITIONS PHOTO



MYRTLE STREET - PROPOSED

THE PROPOSED CONDITION OF MYRTLE STREET WILL ENHANCE THE PEDESTRIAN EXPERIENCE ALONG THE SIDEWALK. WE PROPOSE TO ALIGN THE BUILDING TO BE PARALLEL TO PEARL STREET, THUS CREATING A WIDER SIDEWALK ON MYRTLE BY AN AVERAGE OF 3'. THIS ADDITIONAL SIDEWALK WIDTH ALLOWS ROOM FOR STREET TREES IN RAISED PLANTER BEDS AS WELL AS OTHER VEGETATION. THE GARAGE FACADE PROVIDES OPPORTUNITIES FOR MURALS, LIGHTING DESIGN, AND UNIQUE MATERIALS FOR SCREENING. ADDITIONALLY, THIS FACADE WILL BE ACTIVATED WITH THE INTRODUCTION OF THE BIKE STORAGE ROOM AT THE CENTER OF THE BLOCK.

STREET SECTION

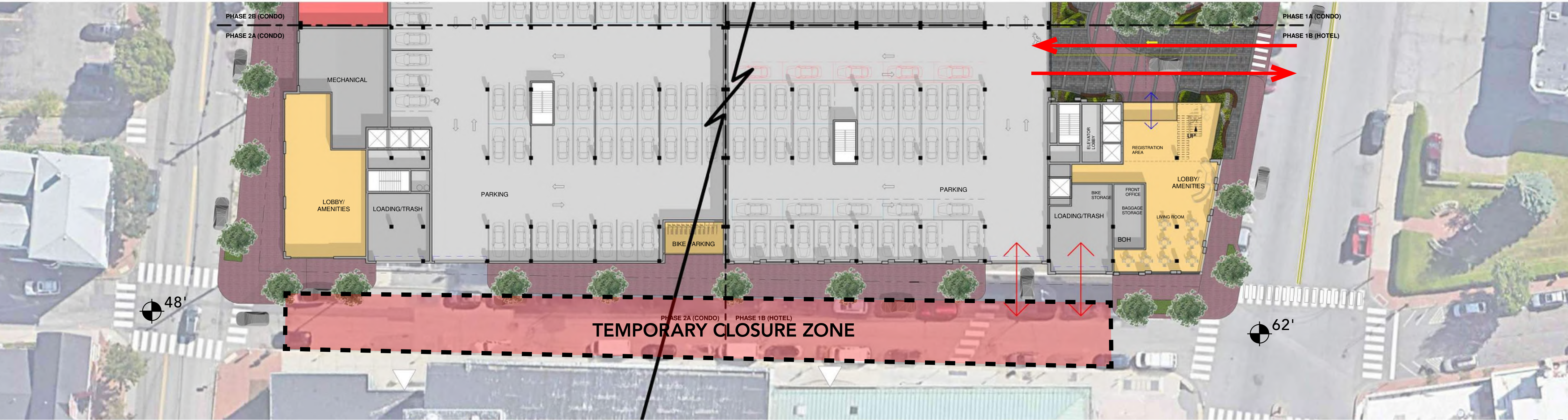


CONCEPT RENDERING



MYRTLE STREET - CLOSURE

WHEN MYRTLE STREET IS CLOSED FOR EVENTS (SUCH AS GRADUATION), THE PEDESTRIAN EXPERIENCE CAN BE FURTHER ENHANCED AS PEOPLE SPILL OUT OF THE AUDITORIUM. HOWEVER, THE STREET CLOSURE WILL CREATE CHALLENGES FOR HOTEL OPERATIONS. WHEN THE GARAGE ENTRY ON MYRTLE IS INACCESSIBLE, THERE WILL BE A NEED TO CREATE A TEMPORARY TWO-WAY TRAFFIC PATTERN AT THE VALET DROP-OFF ZONE. THE HOTEL WILL ALSO NEED TO COORDINATE LOADING OPERATIONS TO NOT CONFLICT WITH STREET CLOSURES.



AMENITY DECK

ON THE "ROOF" OF THE GARAGE WILL BE A SHARED AMENITY TERRACE FOR EACH OF THE BUILDING USERS TO ENJOY. THE HOTEL PROGRAM ON THIS LEVEL WILL CONSIST OF LARGE MEETING/CONFERENCE SPACE, FITNESS CENTER, AND RESTAURANT THAT ALL CAN SPILL OUT ONTO THE ROOF DECK. ADDITIONALLY, EACH OF THE CONDO BUILDING UNITS WILL HAVE PRIVATE TERRACE SPACE AS WELL AS SHARED TERRACE SPACE THAT WILL BE ACCESSED THROUGH THE AMENITY ROOMS RESPECTIVELY. THE SHARED OUTDOOR SPACE WILL HAVE AREAS FOR GRILLING, WALKING PATHS, AND PET RELIEF ZONES.



VIEW FROM CONGRESS & MYRTLE

THE PROPOSED HOTEL AT THE CORNER OF CONGRESS AND MYRTLE STREETS, IS A 12 STORY BUILDING CONSISTING OF 152 HOTEL KEYS, 9 RESIDENTIAL CONDOS AND RESTAURANT SPACE ON THE LEVEL 2 AND LEVEL 12. THE BUILDING MASSING COMMENCES AT GRADE WITH A 2 STORY PODIUM, THAT HOLDS THE STREET EDGE ALONG MYRTLE AND CONGRESS, PROVIDING AN ARCHITECTURAL NOD TO ITS CONTEXT OF THE ADJACENT CITY HALL, AND ANCHORING THE STRUCTURE WITH MORE TRADITIONAL MATERIALITY AND PROPORTIONS. THE GROUND LEVEL IS COMPRISED OF THE HOTEL LOBBY AND VALET DROP-OFF WHICH ACTIVATES THE SHARED POCKET PARK BETWEEN THE HOTEL AND THE CONDO BUILDING. THE TRANSPARENT FACADE WILL PROVIDE EYES ON THE SPACE AND PEDESTRIAN ACCESS POINTS INTO THE LOBBY. LEVEL 2 WILL HOST THE FITNESS CENTER, MAIN RESTAURANT SPACE, AND CONFERENCE ROOMS THAT ALL HAVE ACCESS OUT TO THE SHARED ROOF DECK ABOVE THE GARAGE. THE NEXT 8 LEVELS WILL COMPRISE OF THE 152 HOTEL ROOMS. ABOVE THAT, THE MASS STEPS BACK SLIGHTLY TO PROVIDE BALCONY SPACE FOR THE 7 RESIDENTIAL CONDO UNITS ON LEVEL 11. TWO MORE RESIDENTIAL UNITS WILL SHARE THE PENTHOUSE LEVEL WITH ANOTHER RESTAURANT SPACE AND PRIVATE AMENITY LOUNGE. THE ROOFTOP WILL HOST A MECHANICAL PENTHOUSE SPACE AS WELL AS A TWO PRIVATE ROOF DECKS AND ONE PUBLIC ROOF DECK FOR ALL BUILDING USERS TO ENJOY.



AERIAL VIEW



GROUND VIEW

VIEW FROM CONGRESS & PEARL

OUR GOAL FOR THE CONDO BUILDING ON THE CORNER OF PEARL AND CONGRESS IS TO CREATE A CONTEXTUAL, YET CONTEMPORARY EXTENSION OF THE CONGRESS STREET ARTERY. BY USING THE ZONING ENVELOPE TO DEFINE THE MAJOR MASSING MOVES, WE HOPE TO DRAW UPON THE EXISTING DATUM LINES ALONG THIS IMPORTANT STREET. THE GROUND FLOOR IS COMPRISED OF THE BUILDING LOBBY THAT FACES THE SHARED POCKET PARK AS WELL AS A RETAIL SPACE TO HOLD THE CORNER AND PROVIDE SOME ACTIVITY ON BOTH CONGRESS AND PEARL STREET. ABOVE THIS WILL BE THE BUILDING AMENITY LOUNGE THAT CAN SPILL OUT ONTO THE SHARED ROOFDECK ABOVE THE GARAGE. MOVING DOWN PEARL STREET, THE STREET WALL STEPS DOWN TO THE BASE PODIUM HEIGHT. THIS ALLOWS US TO PROVIDE LARGE PRIVATE PATIOS FOR THOSE UNITS ON LEVEL 2. ABOVE THAT, EACH UNIT WILL HAVE A PRIVATE BALCONY SPACE THAT IS SET INTO THE FORM OF THE BUILDING. THAT IS, UNTIL LEVEL 12 WHEN THE BUILDING MASS STEPS BACK TO HELP SCALE THE TOWER AS WELL AS PROVIDE LARGER TERRACES FOR THE PENTHOUSE UNITS. THE ROOFTOP WILL HOST A MECHANICAL PENTHOUSE AS WELL AS PRIVATE PATIOS FOR THE UNITS ON THE TOP FLOOR AND ONE PUBLIC TERRACE FOR ALL BUILDING TENANTS TO ENJOY THE SWEEPING VIEWS OVER DOWNTOWN PORTLAND TO THE WATER. THE DESIGN OF THE INDIVIDUAL WINDOW PUNCHES IS REPLICATIVE OF THE MASONRY BUILDING TYPOLOGY ACROSS DOWNTOWN PORTLAND. THE SECONDARY MASSING MOVES HELP BREAK DOWN THE SCALE OF THE BUILDING. THE INTERLOCKING FORMS ALLOW FOR CLEAR MATERIAL TRANSITIONS WHILE SIMPLE PLANAR SHIFTS PROVIDE AN OPPORTUNITY FOR INTEGRATED BALCONIES. THIS BUILDING WILL BE A HIGHLY VISIBLE ADDITION TO THE DIVERSE SKYLINE, SO IT IS IMPORTANT THAT IT SEAMLESSLY STITCHES INTO THE EXISTING, AND EVOLVING, FABRIC OF DOWNTOWN PORTLAND.



AERIAL VIEW



GROUND VIEW

VIEW FROM CUMBERLAND AND PEARL

THE CONDO BUILDING IN PHASE 2 WILL ACTIVATE CUMBERLAND AVE WHILE ADDRESSING THE SCALE OF THE NEIGHBORING CONTEXT. BY USING THE ZONING ENVELOPE TO DEFINE THE MAJOR MASSING MOVES, THE SCALE OF THE BUILDING IS BROKEN DOWN INTO SMALLER COMPONENTS THAT RESPOND TO THAT CONTEXT. THE PODIUM WILL TIE INTO THE PODIUM OF THE BUILDINGS IN PHASE 1, THUS PROVIDING A CONTINUOUS PARKING STRUCTURE AND SHARED ROOF DECK SPACE. THE GARAGE WILL BE LINED WITH RETAIL AND BUILDING LOBBY ON THE GROUND FLOOR WITH UNITS ON THE LEVEL ABOVE FACING CUMBERLAND AVE. ABOVE THE PODIUM, THE C-SHAPED TOWER ADHERES TO THE 15' SETBACK ON ALL SIDES WHICH ALLOWS THE OPPORTUNITY TO PROVIDE PRIVATE TERRACES FOR THE UNITS DIRECTLY ABOVE THE PODIUM AS WELL AS A LARGE PUBLIC TERRACE WITHIN THE "C" TO BE ACCESSED THROUGH THE AMENITY/FITNESS AREA. THE C-SHAPE TOWER MINIMIZES THE MASS OF THE BUILDING BY REDUCING THE AMOUNT OF BUILDING ALONG THE STREET. SECONDARY MASSING MOVES FURTHER BREAK DOWN THE SCALE AND STITCH TOGETHER THE PODIUM AND THE TOWER. THE STEPS IN THE PODIUM FAÇADE ALONG CUMBERLAND AVE ALIGN WITH THE C-SHAPED MASS ABOVE. BY ALIGNING THE STEPS, WE CREATE THE EFFECT THAT THREE SEPARATE ELEMENTS COMPRISE THE OVERALL BUILDING, WHICH RELATES TO THE SMALLER SCALE OF THE BUILDINGS ACROSS THE STREET. SMALLER PLANAR SHIFTS ALLOW FOR SMOOTH MATERIAL TRANSITIONS AND INTEGRATED BALCONIES THAT REDUCE THE PERCEPTION OF THE TOWER'S HEIGHT WHILE PROVIDING SWEEPING WATER VIEWS. THIS BUILDING WILL HELP EASE THE TRANSITION BETWEEN THE DENSITY OF CONGRESS STREET WITH THE RESIDENTIAL SCALE NORTHWEST OF CUMBERLAND AVE.



AERIAL VIEW



GROUND VIEW

VIEW FROM CUMBERLAND AND MYRTLE



AERIAL VIEW



GROUND VIEW

Questions?

Next Steps

Master Development Plan

Planning Board Workshop (June 14)

Planning Board Public Hearing (TBD Summer 2022)

Level 3 Site Plan Review(s)

Summer/Fall 2022

Construction 2023

Contacts:

City of Portland Planning Department

Zachary Powell, Senior Planner

(207) 874-8719

zpowell@portlandmaine.gov

Dan Riley, PE

Sebago Technics, Inc.

(207) 200-2080

driley@sebagotechnics.com

Thank You



March 25, 2022
19371

City of Portland
Office of Planning and Urban Development
Congress Street
Portland, ME 04101

Pre-application, Master Development Plan
385 Congress Street

On Behalf of 385 Congress Street LLC, we pleased to submit the enclosed application for a Master Development Plan for the redevelopment of 385 Congress Street.

The subject site occupies 2.26 acres comprised of the city block bounded by Congress Street, Myrtle Street, Cumberland Avenue and Pearl Street. The site is currently fully developed with buildings previously housing the Portland Press Herald's printing operations which ceased operations at this location many years ago. The site is currently used as a private parking facility.

In 2017, the subject property was purchased by Reger Dasco Properties (dba 385 Congress Street LLC a Maine corporation) who will be the applicant for the Master Development Plan to redevelop and subdivide the site to support a hotel and condominium development. The massing of the site is envisioned to include three towers rising from a shared two-story "pedestal" incorporating structured parking and street level hotel and commercial uses as well as condominium entrances. The top of this shared pedestal will be developed as low-rooftop outdoor common areas, between the towers for use by the condominium and hotel residents and guests. This design creates no-build zones within the development to enhance the site's permeability and reduces the visual scale and mass of the towers. The building is aligned along the street line at Pearl Street and Congress Street and set back from the street line along Myrtle Street and Cumberland Avenue to allow for the widening of the Myrtle Street sidewalk to accommodate street trees and an expanded public realm. A public pocket park space is proposed adjacent to the valet entrance in the center of the site on Congress Street.

The proposed development program includes a 152-room full-service hotel with nine (9) condominium units on the corner of Myrtle and Congress Street. The applicant has entered an agreement with The Fathom Companies LLC, (dba Fathom Congress, LLC) who will develop and operate the hotel component.

The proposed condominium units will be located in a 110-unit condominium tower located at the corner of Pearl Street and Congress Street and a 193-unit tower along Cumberland Avenue.

The project includes two levels of structured parking which will support all three developments on the site. The garage will be accessed by five entrances; three at-grade with Congress Street and two at-grade with Cumberland Avenue. The entrances at the Congress Street level include a one-way (enter-only)

access on Congress Street and two-way entrances along Pearl and Myrtle Streets. The entrances to the Cumberland Avenue parking level includes two-way entrances on Myrtle Street and Pearl Street.

A valet drop-off area is entirely on site, accessed from a mid-block curb cut which replaces/relocates an existing two-way parking lot entrance near the center of the site's frontage on Congress Street. All hotel traffic will be valet parked, condominium owners and guests may valet park or self-park. This one-way entrance is flanked and integrated with a proposed public "pocket park" space to enhance the pedestrian experience along Congress Street.

Phases

Enclosed within the application are diagrammatic plans outlining the phases of the project which account for several potential build out sequences.

We anticipate that the project will be developed in up to four (4) phases. Phase 1A and Phase 1B include the condominium and hotel on Lot 1 and Lot 2 along Congress Street. Phase 2A and 2B include the condominiums on Lot 3 along Cumberland Avenue. Each phase will include the structured parking below the tower, with the remaining property continued as surface parking. The proposed plan includes temporary landscaping along the edges of the surface parking.

- Phase 1A and 1B will include the Hotel (Lot 1) and Condominium (Lot 2) along Congress Street including the structured parking below these towers and the street improvements on their frontages. When phase 1 is complete the remaining land along Cumberland Avenue will surface parking.

The construction of the hotel and Phase 1 condominiums may be completed on separate schedules or concurrently. Phasing diagrams 1A and 1B present alternate scenarios for construction sequences.

- Phase 2 will include the buildout of Lot 3 along Cumberland Avenue.

Phase 2A will include all of the remaining structured parking on the site, and the construction of a condominium tower at Cumberland Avenue and Myrtle Street.

Phase 2B will include the construction of a condominium tower at the corner of Cumberland Avenue and Pearl Street.

It is the goal of the development team to move from one phase to the next with a minimal time between phases. However, circumstances and market conditions can affect the timing of construction. The applicant is requesting that the Master Development Plan approval allow for the undeveloped areas of the site remain a surface parking lot, with minimal improvements for a duration of up to 24 months from the time one phase is complete (Certificate of Occupancy) until a site plan application is submitted for an adjacent parcel or phase. If the applicant does not submit a complete site plan application for the next phase of work within the 24 month "grace period", then the applicant will make improvements to the remaining parcel consistent with the design standards for a more permanent surface parking lot.

As the phasing relates to the pocket park along Congress Street, the applicant will install and maintain a temporary landscaped park area on Lot 2, until such time as the Lot 2 project is constructed. At that time the final construction of the park, consistent with this application can be constructed. The design of any temporary park landscaping and improvements (if required) will be addressed in the Level 3 Site Plan application for the first phase of the project. The final accepted version of the pocket park cannot be constructed until the building on Lot 2 at the corner of Pearl Street and Congress Street is constructed. This phase of the project will include foundations and underground garage construction directly below the park area. Any interim park will need to be removed to compete this construction.

The phasing strategy proposed with this plan is consistent with another large project (Hobson's Landing) that is underway along Commercial Street. We feel that the above approach is sound and has proven successful given the applicants experience.

Valet Parking

The enclosed plans include entirely on-site valet parking for the Hotel accessed from Congress Street. Myrtle Street is routinely closed by the City when there are functions at the Merrill Auditorium. This condition eliminates Myrtle Street as a reliable location for a valet operation and limits the site's usable frontage for this purpose to Congress Street.

To address this condition, the proposed design includes relocating an existing curb cut onto the property to the center of the block. This curb cut will be a one-way enter only access to the site for valet parking. The on-site valet area includes a dedicated drop off lane and a valet controlled through lane. This will allow for up to 8 vehicles in the valet area without encroachment onto the public sidewalk or Congress Street. A 20' wide curb cut is proposed to allow for the two-lane (entering) configuration necessary for valet controlled on site "double parking" to accommodate peak arrival times.

The design of the valet area incorporate pavers and surface materials to emphasize the area as a shared use plaza for vehicles and pedestrians, not a vehicle dominated area. The entrance plaza design will be integrated with the pocket park design, sidewalk and streetscape providing a clear and attractive arrival experience and presence for the face of the building on Congress Street. The sidewalk materials will continue across the driveway with grades that reinforce this sidewalk crossing as a pedestrian dominant area.

The adjacent park design extends the plaza hardscape materials into the park spaces and includes landscaping, bench seating with opportunities for alternative furnishing such as movable tables or chairs to create an inviting space for the public. The space is further described in the architectural plans and renderings included in our application.

Myrtle Street Access

The building includes two levels of parking, one each at roughly the elevation of Congress Street and Cumberland Street. Each level includes its own entrance from Myrtle Street. The upper-level entrance near Congress Street will include a hotel garage entrance/exit and service bay; the lower entrance near Cumberland Avenue will access the condominium parking and provide for loading and trash removal for the Phase 2A and 2B condominiums.

The Master Plan application requests that future closures of Myrtle Street, for events at Merrill Auditorium, allow access to these curbs cut locations.

Pearl Street Design

During the preapplication process the Public Works department noted that with a 32'-33' curb to curb width, Pearl Street can support on-street parking along the project frontage, if the left turn lane striping into the Top of the Old Port parking lot is removed. Public Works considers this turn lane striping to be superfluous.

In response, the plan proposes to re-stripe Pearl Street with 12' travel lanes in each direction and reconstruct the sidewalk on the south (project) side of the street to maintain the existing street pavement width. This restriping will eliminate the left turn lane and allow for up to 11 new public parking spaces on Pearl Street. This proposed plan, including the relocated entrance on Congress Street and the closing of driveway curb cuts on Cumberland Avenue results in a net increase in public on street parking on the streets surrounding the site and includes new street tree plantings on all of the project's frontages creating a street experience consistent with Portland's downtown urban fabric.

The curb line adjacent to the building on Pearl Street will be reconstructed maintaining its current location, providing an 8'9" wide sidewalk. Curb extensions are proposed at the street corners to create space for landscaping, enhanced crosswalks, and traffic signal equipment, specifically the strain pole and controller box at Congress Street that is located immediately adjacent to the right of way line will need to be relocated to construct the Lot 2 (Phase 1B) building foundations.

Providing on street parking on Pearl Street necessitates the installation of street trees in standard grates, similar to the condition on the north side of Pearl Street and on the block to the west. The sidewalk width, with on street parking is not sufficient for raised, curbed tree wells that will be provided on the other street frontages. We have discussed this installation option with the City arborist who we understand is supportive assuming that salt application is minimized. We note that the plantings located closest to the building's pedestrian entrances (where winter salt application is highest) remain within raised curb planters, it is only the mid-block areas on Pearl Street where tree grates are proposed.

Sincerely,

SEBAGO TECHNICS, INC.



Daniel L. Riley, PE
Vice President, Engineering

DLR/AT
Enc.

CITY OF PORTLAND
Planning & Urban Development Department

Att. 2

MASTER DEVELOPMENT PLAN SUBMISSION CHECKLIST GENERAL DOCUMENT AND DRAWINGS CHECKLIST Please submit each document as a separate PDF file. Please confirm by electronically checking the boxes to the left. ** PLEASE FILL OUT AND UPLOAD SEPARATELY THE ZONING ASSESSMENT TABLE AND WAIVER TABLE AS NOTED BELOW **		
GENERAL APPLICATION DOCUMENTS		
Yes ☒	NA	Project Description Cover letter with detailed project description
Yes ☒	NA	Completed Checklist – Master Development Plan (this document)
Yes ☒	NA	Evidence of Right, Title and Interest Deeds, leases, or purchase and sales agreements
Yes	NA ☒	Evidence of State or Federal Approvals, if applicable Permits or letters of non-jurisdiction, if applicable
Yes ☒	NA	Zoning Assessment (see Zoning Assessment Table) Table listing required and proposed uses and dimensional standards
Yes ☒	NA	Assessment of Compliance with Master Development Plan Standards (see Article 14.7)
Yes	NA ☒	Existing and/or Proposed Easements or Covenants, if applicable Evidence of existing easements and any proposed easements
Yes ☒	NA	Waiver Requests Written request for waiver describing request and reason Waiver Table
Yes ☒	NA	Financial Capability Letter or evidence from a financial institution or third party verifying financial capacity to undertake project
Yes ☒	NA	Technical Capability Evidence of technical capability of applicant and consultants – resumes and/or examples of past projects

MASTER DEVELOPMENT STANDARDS AND SUBMISSION CHECKLIST Provide assessment of compliance with master development plan standards and include supplemental documentation below, as applicable. Please submit each document as a separate PDF file.		
NEIGHBORHOOD CONTEXT		
Yes 	NA	Neighborhood Context Statement Provide a statement and/or plan as to the general impact of the proposed Master Development Plan upon the area, indicating how the Master Development Plan relates to surrounding properties and what measures will be taken to create appropriate transitions and access from the subject property to abutting public properties (i.e. parks, waterfront, etc.) or other neighboring tracts (if applicable)
SITE ANALYSIS		
Yes 	NA	Natural Features and Open Space - An analysis of existing and/or adjacent natural waterways, wetlands, floodplains topography, soil conditions and other natural features, as applicable. - Evidence demonstrating the provision of sufficient onsite open space to serve resident needs throughout all project phases, including interim spaces to be temporarily programmed as open space in advance of buildout of future phases
Yes 	NA	View and Historic Features A study of the designated view corridors, historic resources, and archaeological resources associated with the site.
Yes 	NA	Public Safety A summary of the public safety services needed to support the Master Development Plan.
Yes 	NA	School Impacts An analysis of the anticipated impacts on the public school system to support the Master Development Plan
Yes 	NA	Traffic Analysis A traffic impact analysis and recommendations prepared by a registered professional engineer, including current traffic counts for streets surrounding the project, analysis of existing capacity, projections of the amount of traffic that will be generated by the project, and the ability of the street system to absorb the traffic. (Note: In cases when a Master Development Plan is subject to a Traffic Movement Permit, those submission requirements shall supersede.)
Yes 	NA	Utilities A utility capacity report, including recommendations for needed improvements, prepared by a registered professional engineer, including an inventory of existing utilities (storm sewers and drains, sanitary sewers, electrical lines, fire alarm

QUITCLAIM DEED WITH COVENANT
(Maine Statutory Short Form)

METRO MEDIA PROPERTIES LLC, a Maine limited liability company with a mailing address of 201 Old Country Road, Suite 105, Melville, NY 11747 ("Grantor"), for consideration paid, grants to **385 CONGRESS LLC**, a Maine limited liability company with mailing address of 2730 Transit Road, West Seneca, NY 14224 ("Grantee"), with QUITCLAIM COVENANT, a certain lot or parcel of land with the buildings and improvements thereon located in the City of Portland, County of Cumberland and State of Maine, described as follows:

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

South: Congress Street;
East: Pearl Street;
North: Cumberland Avenue; and
West: Myrtle Street

This parcel of land is more particularly described as follows:

Beginning at the intersection of the Northerly sideline of Congress Street with the Easterly sideline of Myrtle Street;

Thence: N72° 54' E along the Northerly sideline of Congress Street approximately Two Hundred Forty Feet (240') to the intersection of the Northerly sideline of Congress Street with a Westerly sideline of Pearl Street;

Thence: N27° 21' W along the Westerly sideline of Pearl Street approximately Four Hundred Fifty Five Feet (455') to the intersection of the Westerly sideline of Pearl Street with a Southerly sideline of Cumberland Avenue;

Thence: Westerly along the Southerly sideline of Cumberland Avenue approximately One Hundred Seventy Feet (170') to a point;

Thence: Northerly to point A (point A being located at the intersection of the line of this call with the line of the next call extended N 67° 11' E);

Thence S67° 11' W approximately Sixty Feet (60') to the intersection of the Southerly sideline of Cumberland Avenue with the Easterly sideline of Myrtle Street;

Thence S26° 22' E along the Easterly sideline of Myrtle Street approximately Four Hundred Ten Feet (410') to the intersection of the Easterly sideline of Myrtle Street with the Northerly sideline of Congress Street and the point of beginning.

Also conveying the following parcel of land:

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

Beginning at a drill hole reset marking the intersection of the northwesterly sideline of Congress Street and the northeasterly sideline of Myrtle Street;

Thence N 55°-45'-03" E, 240.31 feet by and along the northwesterly sideline of said Congress Street to a drill hole set marking the northwesterly sideline of said Congress Street and the southwesterly sideline of Pearl Street;

Thence N 44°-35'-56" W, 433.81 feet by and along the southwesterly sideline of said Pearl Street to a point at the intersection of the southwesterly sideline of Pearl Street with the southeasterly sideline of Cumberland Avenue. Said point being witnessed by a granite right-of-way monument.

Thence S 50°-25'-20" W, 230.34 feet by and along the southeasterly sideline of said Cumberland Avenue to a point at the intersection of said southeasterly sideline of Cumberland Avenue with said northwesterly sideline of Myrtle Street. Said point being witnessed by a granite right-of-way monument.

Thence S 43°-37'-52" E, 410.86 feet by and along the northeasterly sideline of said Myrtle Street to the Point of Beginning, containing 2.26 acres more or less.

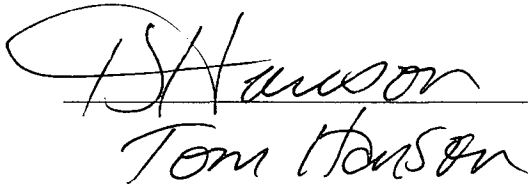
Also releasing to Grantee, Grantor's right, title and interest in a certain underground tunnel that runs from the subject premises to 390 Congress Street, by virtue of a license granted pursuant to approval of the City of Portland Inspector of Buildings dated May 14, 1965.

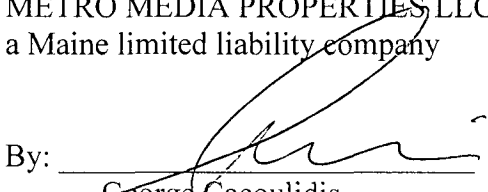
Being the same premises described in a Quitclaim Deed with Covenant from MTM Portland Properties, LLC to Metro Media Properties, LLC dated July 10, 2009 and recorded in the Cumberland County Registry of Deeds at Book 27079, Page 160.

IN WITNESS WHEREOF, Metro Media Properties LLC has caused this instrument to be signed and sealed in its company name by George Cacoulidis, its CEO, thereunto duly authorized, this 20th day of October, 2017.

WITNESS:

METRO MEDIA PROPERTIES LLC,
a Maine limited liability company


Tom Hanson

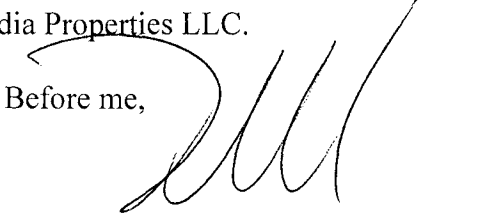
By: 
George Cacoulidis
Title: CEO

STATE OF MAINE
COUNTY OF CUMBERLAND, ss.

October 20, 2017

Then personally appeared the above named George Cacoulidis, CEO of Metro Media Properties LLC, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of Metro Media Properties LLC.

Before me,


~~Attorney at Law/Notary Public~~
Printed Name: Nicholas J. Merrill

Received
Recorded Register of Deeds
Oct 20, 2017 12:19:14P
Cumberland County
Nancy A. Lane

PARID: 027 D001001
385 CONGRESS LLC

385 CONGRESS ST

Parcel

Parcel ID	027 D001001
Property Location	385 CONGRESS ST
Unit	
Living Unit	1
Land Use Code	32 - WAREHOUSE & STORAGE Verify legal use with Inspections Division
Zoning	B3
Land Area (acreage)	2.2606
Land Area (square footage)	98472
Notes	27-D-1 CONGRESS ST 371-387 CUMBERLAND AVE 240-254 MYRTLE ST 1-35 PEARL ST 98470 SF
Utilities	1 - ALL PUBLIC - -

Owners

Owner	385 CONGRESS LLC
Address	2730 TRANSIT RD
City, State, Zip	WEST SENECA NY 14224
Deed Date	10/20/2017
Book	34401
Page	214

AGREEMENT OF PURCHASE AND SALE

between

FATHOM DEVELOPMENT, LLC,

as Buyer,

and

385 CONGRESS LLC,

as Seller

December 1, 2021

385 Congress Street
Portland, Maine 04101

AGREEMENT OF PURCHASE AND SALE

BY THIS AGREEMENT OF PURCHASE AND SALE (the “Agreement”) entered into this 1st day of December, 2021 (“Effective Date”), 385 CONGRESS LLC, a Maine limited liability company (hereinafter referred to as “Seller”), and FATHOM DEVELOPMENT, LLC a Maine limited liability company (hereinafter referred to as “Buyer”), hereby agree as follows:

ARTICLE I Terms and Definitions

Section 1.1. In addition to the other terms herein defined, the following terms shall have the meanings set forth in this Article I, unless the context otherwise requires:

Additional Deposit. Defined in Section 3.1.

Approvals. Defined in Section 6.5.

Approvals Period. Defined in Section 6.4.

Buyer’s Conditions Precedent. Defined in Section 6.1.

Buyer’s Knowledge. Means the knowledge of James Brady based upon his historical knowledge of the Real Property and assuming a commercially reasonable level of inquiry.

Buyer Project Information. Defined in Section 6.5.4.

Buyer’s Termination Notice. Defined in Section 6.2.2.

Cash Balance. Defined in Section 5.2.2.

Closing. The consummation of the purchase and sale of the Property pursuant to this Agreement.

Closing Date. Defined in Section 6.6.

Commitments. Defined in Section 14.3.

Condominium Project. Defined in Section 6.5.4.

Consideration. Defined in Section 5.1.

Construction License. Defined in Section 14.2.

Cross Easement Agreement. Defined in Section 14.3.

Deed. Defined in Section 6.1.1.

Deposit. Defined in Section 3.1.

Demolition is defined in Section 6.1.10.

Due Diligence Period. Defined in Section 6.4.12.

ESA. Defined in Section 6.4.4.

Escrow Agent. Defined in Section 3.1.

Execution Date. The date of this Agreement as hereinabove set forth.

Facilities Program. Means and refers to the facilities program set forth on Exhibit C.

Hazardous Materials. Mean any pollutants, contaminants or hazardous substances (as such terms are defined under CERCLA), pesticides (as such term is defined under the Federal Insecticide, Fungicide and Rodenticide Act, 7 U.S.C. §§ 136 et seq.), solid wastes and hazardous wastes (as such terms are defined under the Resource Conservation and Recovery Act, 42 U.S.C. §§ 6901 et seq.), chemicals, other hazardous, radioactive or toxic materials, oil, petroleum and petroleum products (and fractions thereof), asbestos and asbestos-containing materials, polychlorinated biphenels ("PCBs") or PCB-containing materials, or any other material (or article containing such material) listed or subject to regulation under any law, statute, rule, regulation, order, Permit, or directive due to its potential, directly or indirectly, to harm the environment or the health of humans or other living beings.

Improvements. All improvements constructed on the Real Property.

Initial Deposit. Defined in Section 3.1.

Mandatory Cure Items. Defined in Section 6.3.

Master Development. Means the Seller's development of the area shown in the Plan attached as Exhibit B as a residential condominium project.

Master Parcel. Defined in Section 6.5.6.

Monetary Liens. Defined in Section 6.3.

MP Application. Defined in Section 6.5.4.

MP Application Deadline. Defined in Section 6.5.4.

MP Application Period. Defined in Section 6.4.12.

MP Approval. Defined in Section 6.5.4 .

OFAC. Defined in Section 7.1.

Parking Agreement. Defined in Section 14.1.

Permitted Encumbrances. Defined in Section 6.3

Preliminary Title Report. The commitment for issuance of an owner's policy of title insurance issued by the Title Company.

Project. A full service hotel [REDACTED]

Property. The Real Property.

Purchase Price. Defined in Section 5.1.

Real Property. That portion of the real property located at 385 Congress Street, Portland, Maine, 04101, Tax Map 27, Block D, Lot 1, as more particularly depicted on Exhibit A attached hereto and by this reference made a part hereof, together with all rights in the streets lying adjacent to such land and owned by Seller, and all rights, privileges, easements and appurtenances thereto, [REDACTED], and including all additional rights and easements as necessary to service the Project pursuant to the Cross Easement Agreement. [REDACTED]

[REDACTED] The Real Property description shall be finally determined by an ALTA survey commissioned by Buyer and the Real Property shall be conveyed using that survey description, provided that the description is reasonably acceptable to Seller. The Real Property shall be configured as more particularly described herein. The illustration included in Exhibit A is for reference purposes only regarding the approximate boundaries and alleyway location, and the buildings are not necessarily indicative of the massing or design to be agreed upon by the parties as provided herein.

Seller's Conditions Precedent. Defined in Section 6.8.

Seller's Knowledge. Means the knowledge of Gordon Reger and Joseph Dasco based upon their historical knowledge of the Real Property and assuming a commercially reasonable level of inquiry.

Seller Project Information. Defined in Section 6.5.4.

Seller's Retained Land. Defined in Section 6.5.6.

Site Plan Application. Defined in Section 6.5.1

Site Plan Approval. Defined in Section 6.5.4.

Site Studies. Defined in Section 6.4.6.

SP Application Deadline. Defined in Section 6.5.4.

Subd Application. Defined in Section 6.5.4.

Subd Approval. Defined in Section 6.5.6.

Survey. Defined in Section 6.4.5.

Title Commitment. Defined in Section 6.3.

Title Company. A nationally recognized title insurance company to be selected by Buyer.

Title Inspection Period. Defined in Section 6.3.

Title Notice Deadline. Defined in Section 6.3.

[REDACTED]

[REDACTED]

Utilities. Defined in Section 6.4.7.

Zoning Confirmation. Defined in Section 6.4.3.

ARTICLE II Purchase and Sale

Section 2.1. Purchase and Sale. Seller agrees to sell and convey to Buyer, and Buyer agrees to purchase from Seller, the Property, on all of the mutual terms, covenants and conditions hereinafter set forth. Buyer shall have the right to designate an entity organized and controlled by Buyer for purposes of taking title to the Property as provided in Section 15.3 hereof. Seller shall be permitted to reserve certain rights and easements over the Property in accordance with the terms and provisions of Section 14.3

ARTICLE III Deposit

Section 3.1. Deposit. Upon execution hereof, Buyer shall deposit with Pierce Atwood LLP (the "Escrow Agent") the sum of [REDACTED] (the "Initial Deposit"). Upon completion of the Approvals Period if Buyer has not otherwise terminated this Agreement in accordance with its terms, Buyer shall deposit with the Escrow Agent the additional sum of [REDACTED] (the "Additional Deposit"). The Initial Deposit and the Additional Deposit are hereinafter collectively referred to as the "Deposit" and are to be held and applied as hereinafter set forth. The Deposit shall be held in a non-interest-bearing escrow account.

Section 3.2. Non-Refundable. Except as otherwise specifically set forth in this Agreement, the Initial Deposit shall be fully refundable until the completion of the Approvals Period, after which, assuming Buyer has not terminated this Agreement, it shall be non-refundable, except as otherwise specifically set forth in this Agreement. Except as otherwise specifically set forth in this Agreement, the Additional Deposit shall be non-refundable. Except as otherwise specifically set forth in this Agreement, the Deposit shall serve as Seller's liquidated damages (except for any Buyer indemnities) in the event of a breach of this Agreement by Buyer pursuant to Article IV, or shall be applied against the Purchase Price pursuant to Article V.

Section 3.3. Liability of Escrow Agent. In the event of any disagreement between the parties, Escrow Agent shall be entitled to refuse to comply with any claims or demands by either party as long as such disagreement may continue, and in so refusing, shall make no delivery or other disposition of the Deposit. Escrow Agent shall not become liable in any way for such refusal, and Escrow Agent shall be entitled to continue to refrain from acting until (a) the rights of the parties shall have been finally adjudicated in a court of competent jurisdiction, or (b) all differences shall have been settled by agreement and Escrow Agent shall have been notified in writing of such agreement signed by both parties.

ARTICLE IV Damages

Section 4.1. Buyer's Default. In the event that this transaction does not close as a consequence of a default by Buyer, and Seller has performed or tendered performance of its obligations hereunder, Seller's sole remedy shall be to retain the Deposit as liquidated damages. The parties hereby agree that if Buyer defaults, Seller's actual damages would be difficult or impossible to determine, and thus the amount of the Deposit is the best estimate of the damage Seller would suffer. Accordingly, the Deposit shall be the total amount that Seller is entitled to receive as liquidated damages (except for any Buyer indemnities).

Section 4.2. Seller's Default. In the event Seller fails to perform any obligation of Seller under this Agreement, including without limitation the obligation to convey title to the Property to Buyer on the Closing Date, as hereinafter defined, in accordance with the provisions of this Agreement, and Buyer has performed or tendered performance of its obligations hereunder, and such failure shall remain uncured for a period of thirty (30) days following written notice thereof from Buyer to Seller, then Buyer may (a) terminate this Agreement, in which event the Deposit shall be returned to Buyer, or (b) Buyer shall be entitled to pursue specific performance of Seller's obligations hereunder.

ARTICLE V Purchase Price

Section 5.1. Amount of Consideration. Buyer shall pay Seller consideration (the "Consideration") for the Property in the amount of [REDACTED] (the "Purchase Price"), subject to adjustment for credit, debits and other adjustments as expressly provided in this Agreement..

Section 5.2. Manner of Payment. Buyer shall pay and provide the Consideration to Seller at the Closing as follows:

5.2.1. Deposit. Applying the Deposit against the Consideration; and

5.2.2. Remaining Consideration. Paying the balance of the Consideration, by wire transfer to an account to be designated by Seller (the "Cash Balance").

ARTICLE VI Conditions Precedent to Closing

Section 6.1. Buyer's Conditions Precedent. Buyer's obligation to purchase the Property from Seller is subject to the following conditions precedent (the "Buyer's Conditions Precedent"):

6.1.1. Title. At the Closing, Seller shall sell, convey, transfer and deliver the Property to the Buyer by statutory Quitclaim Deed with Covenant Buyer (the "Deed"), and the Deed shall convey to the Buyer fee title free of Monetary Liens and Mandatory Cure Items, but subject to Permitted Encumbrances.

6.1.2. Seller's Representations and Warranties. Seller's representations and warranties set forth herein shall be true and correct in all material respects at and as of the Closing as though such representations and warranties were made at and as of such date.

6.1.3. Seller's Compliance. The Seller shall have in all material respects performed and complied with all covenants, agreements and conditions required by this Agreement to be performed or complied with by it prior to or at the Closing.

6.1.4. Approvals. The Approvals shall continue in full force and effect without imposition of any amendments, alterations or conditions not requested or pursued by Buyer or its agents or contractors, since receipt of the same by Buyer.

6.1.5. Lease Termination. Delivery by Seller of evidence reasonably satisfactory to Buyer that all leases, licenses or other use agreements of all or any portion of the Property, [REDACTED] have been terminated at or prior to Closing, at Seller's expense, and tenants have no further right to occupancy or use of the Property thereunder.

6.1.6. Consents and Approvals. The Seller shall have obtained all consents, approvals, authorizations, exemptions and waivers from governmental authorities and third parties, if any, as shall be necessary to convey the Property to Buyer.

6.1.7. Commitments. Buyer and Seller shall have executed and delivered the Commitments, as such documents have been negotiated and agreed upon by the parties prior to expiration of the Due Diligence Period, with only such revisions to the agreed upon forms as may be required under Article XIV, as applicable.

6.1.8. No Material Adverse Changes. There shall have been no material adverse change since the date of this Agreement in the Property, except changes contemplated or required by this Agreement, including without limitation, any change in the title, physical condition (except

for the Demolition), legal status, use or possession of the Property [REDACTED] from the conclusion of the Approvals Period through the date of closing that would cause the Property to be unsuitable for development of the Project; the foregoing is not intended to include any changes in the national, state or local economy or capital markets or any similar change that does not involve the physical, legal or land-use status of the Property.

6.1.9. No Legal Restraints or Litigation. No statute, rule, regulation or order of any court or administrative agency shall be in effect which restrains or prohibits the Seller from consummating the transactions contemplated hereby. In addition, no action, suit, or proceeding shall be pending before any court or quasi-judicial or administrative agency of any federal, state, local, or foreign jurisdiction wherein an unfavorable injunction, judgment, order, decree, ruling, or charge would (a) prevent consummation of any of the transactions contemplated by this Agreement, or (b) result in a material adverse change in the Property or the ability to develop the Project at the Property, except for an appeal of the Approvals, which is addressed in Section 6.5.1 below.

6.1.10. Demolition. Seller shall have completed the demolition (as more particularly described in Section 14.4) prior to Closing ("Demolition").

Section 6.2. Failure of Buyer's Conditions Precedent. If, at the time of the Closing, any of the foregoing Buyer's Conditions Precedent have not been fulfilled, Buyer may, at its option, do the following:

6.2.1. Waive and Close. Waive such condition and close in accordance with this Agreement; or

6.2.2. Terminate. Terminate this Agreement by delivery of a written notice to Seller and to Escrow Agent ("Buyer's Termination Notice") and enforce any remedy afforded by Section 4.2 in the event Seller has defaulted under any of its obligations under this Agreement (provided that the mere failure of the following conditions to closing shall not constitute a Seller default: Sections 6.1.6, 6.1.8, or 6.1.9); provided, however, that, if Buyer fails to deliver Buyer's Termination Notice to Seller at or prior to the Closing, the applicable condition or conditions shall be deemed waived by Buyer.

Section 6.3. Title Examination. From the date hereof through the date of expiration of the Due Diligence Period, as hereinafter defined (the "Title Inspection Period"), Buyer shall have the opportunity to review the commitment to insure title (the "Title Commitment"), any amendments thereto issued during the Title Inspection Period, the exceptions to title disclosed in the Title Commitment, all Survey Matters and all other aspects of Seller's title to the Property. The Title Commitment shall be for the benefit of the Buyer, at customary rates, in the ALTA form currently in use, subject only to the Permitted Encumbrances (as defined below) and with such standard exceptions deleted and standard endorsements included as Buyer may, in its sole discretion, require. On or before the date of the expiration of the Title Inspection Period (the "Title Notice Deadline"), Buyer shall notify Seller in writing of any defect in title to the Property, or any other matter which is indicated on the Title Commitment or any Survey Matter to which Buyer objects except for the following: (a) liens for real estate taxes not yet due and payable or for

betterments assessed after the Effective Date, (b) other encumbrances which may be removed or satisfied by the payment of a liquidated sum of money which Seller agrees to discharge at Closing to Buyer's satisfaction and (c) such easements, restrictions and reservations of record as are acceptable to Buyer, in its discretion. If Buyer does so notify Seller of a defect in title or other matter objectionable to Buyer prior to the Title Notice Deadline, Seller shall have ten (10) business days in which to determine whether to cure the defect or other matter so objected to by Buyer and to notify Buyer of Seller's decision in this regard. If Seller does not respond within such time frame, Seller shall be deemed to have elected not to cure the defect or other matter. Seller, at its sole cost and expense, will have until the Closing to cure the title objections which Seller has elected to cure, other than the Monetary Liens (as herein defined), which (to the extent not previously removed) Seller shall remove or cure by payment of funds at Closing. Those defects that Seller gives notice will be cured on or before the Closing Date, along with discharge of Monetary Liens, are referred to herein as "Mandatory Cure Items." If Seller elects (or is deemed to elect) not to cure the defect or other matter so objected to by Buyer, Buyer shall have the right, by not later than the tenth (10th) day after the date of Seller's notice (or failure to provide notice) to either (a) waive such defect or other matter and take title to the Property without any adjustment in the Purchase Price, or (b) terminate this Agreement by giving written notice thereof to Seller. If Buyer timely gives such notice of termination, this Agreement shall terminate and the Deposit shall be returned to Buyer. If Buyer fails to give Seller a notice of termination, Buyer (a) shall no longer have an right to terminate this Agreement under this Section 6.1.1 and shall be bound to proceed to Closing and consummate the transaction contemplated hereby pursuant to the terms of this Agreement and (b) shall be deemed to have approved the state of title to the Property as it exists on the effective date of the Title Commitment, as last amended during the Title Inspection Period. Seller shall be responsible for discharging any mortgages, voluntary monetary liens or tax liens (other than municipal liens not yet due and payable), including mechanics' liens for unpaid work at the Property performed on behalf of Seller but not mechanics' lien arising from due diligence and permitting and approvals work performed for Buyer (collectively, "Monetary Liens") at or prior to Closing. "Permitted Encumbrances" shall mean all matters of record as of the Effective Date affecting the Property, including without limitation easements, covenants, restrictions and agreements, as of the Effective Date, except for (i) items to which Buyer has objected and which Seller has agreed to cure, all as provided above in this Section, and (ii) Monetary Liens. Permitted Encumbrances also shall include the Parking Agreement, the Construction License, the Cross Easement Agreement and all governmental approvals and the conditions thereof contemplated or required by this Agreement.

Section 6.4. Buyer's Due Diligence. Notwithstanding any other provision of this Agreement to the contrary, Buyer shall be entitled to undertake a thorough investigation of the Property, including without limitation such reviews, analyses and studies of the Property and the development of the Project at the Property, as Buyer may, in its sole discretion, determine to be necessary or appropriate, including without limiting the generality of the foregoing:

6.4.1. Inspection of physical condition, [REDACTED]

[REDACTED]

[REDACTED]

6.4.3. Evaluation by Buyer of all necessary zoning, including zoning board approvals of required variances and any other matters, required in order to develop the Project ("Zoning Confirmation").

6.4.4. A Phase I Environmental Site Assessment for the Property, together with (i) any Phase II Environmental Site Assessments or other studies or analyses as may be required based upon the Phase I Environmental Site Assessment, and (ii) a Hazardous Materials Inventory of the building on the Property (together referred to as "ESA"). Seller agrees to allow Buyer, as

██████████ to take and analyze soil borings and perform groundwater testing both from the Master Parcel at locations determined by Buyer's engineering advisors, and underneath the buildings and structures located on the Real Property, including drilling through the foundations of any buildings or structures for purposes of access for soil and groundwater testing; provided, that in the event tenant consent is needed for any of the work contemplated by this Section 6.4.4, Seller shall use commercially reasonable efforts to assist Buyer in obtaining such required consent. Any damage associated with the Buyer's testing shall be restored at Buyer's expense.

6.4.5. An ALTA/ACSM Land Title Survey of the Property certified satisfactory to Buyer, in its sole opinion, sufficient in all respects to delete the standard survey exception from Buyer's title policy, and bearing a legal description, made by a licensed surveyor, and showing, among other things, the area, dimensions and location of the Property to the nearest monuments, streets, alleys on all sides, the topography, the location of all available utilities in adjoining streets, alleys, or property, the location of all recorded and apparent easements against or appurtenant to the Property, the location of all active and abandoned sewer and storm water lines on an as built basis, certifying the applicable zoning and flood zone classifications and not disclosing any condition rendering the Property unusable, in Buyer's sole opinion, for the Project (the "Survey").

6.4.6. A geotechnical report in form satisfactory to Buyer, boring, percolation and other soil tests and feasibility, demographic, traffic pattern, and other site assessment studies ("Site Studies") as required by Buyer. In connection therewith, Buyer shall have access to the Property as required ██████████

██████████ and may conduct such tests, studies, surveys and inspections (expressly including boring, drilling and other subsurface exploration as Buyer may reasonably deem appropriate). Buyer promptly shall restore to its former condition any portion of the Property disturbed by any activity conducted under this Agreement, which shall include repaving or otherwise filling any bore holes, shall repair all damage to the Property caused thereby and shall indemnify and hold Seller harmless from and against any claims, losses, liabilities, costs, fines, penalties or expenses (including without limitation reasonable attorneys' and paralegals' fees) asserted against or incurred by Seller in connection with any such activity, it being expressly understood and agreed that the foregoing provisions shall survive the Closing or the termination of this Agreement prior thereto. Buyer agrees not to assert as a defense to the enforcement of the foregoing indemnity any workers' compensation immunity. Damages under the foregoing indemnity are not limited by any liquidated damages provision in this Agreement. In addition, Buyer shall be afforded full opportunity by Seller, without warranty or recourse, to examine the following, to the extent in the possession of Seller and/or Seller's agents or employees, including the reasonable right to make copies of such books and records: environmental and engineering reports, surveys, title reports and title insurance policies, soil studies, and any reports or analyses

regarding the Demolition and the condition of the Property following the Demolition, but excluding Seller's internal memoranda, financial projections, budgets, appraisals, accounting and tax records, attorney work product, work protected by attorney-client privilege and similar proprietary or confidential information. Buyer shall take commercially-reasonable precautions to ensure that such materials and any information contained therein are disclosed only to such of Buyer's employees, agents, consultants, attorneys, investors and lenders as have need therefor, under conditions which will prohibit any further dissemination thereof not authorized by Seller.

6.4.7. Confirmation that all utilities, including without limitation, water, gas, electric power, telephone, cable, storm water systems and sanitary sewer, necessary or appropriate for development of the Project ("Utilities"), as determined by Buyer in its sole discretion, shall be located in the public way or ways adjacent to the Property ("Utility Confirmation") which confirmation may be in such form as Buyer may require.

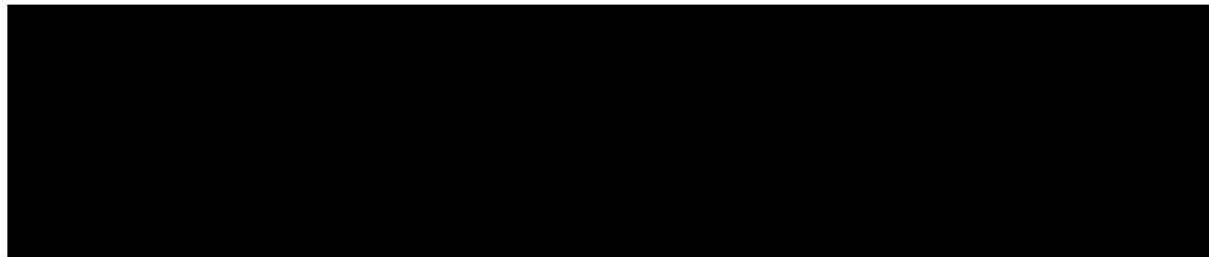
6.4.8. Confirmation that the Project can be integrated into the Seller's Master Development in a manner acceptable to Buyer, as determined by Buyer, in Buyer's sole discretion, including without limiting the generality of the foregoing all necessary service drives, commercial truck delivery facilities, parking improvements and valet program, footings and foundations, storm water management and Utilities. The foregoing confirmation shall include confirmation that the location of buildings and other structures on the Master Parcel satisfy the requirement that the clearance between the Project and adjacent building to be located at the corner of Pearl Street and Congress Street shall be no less than fifty-five (55) feet at hotel guest room and residence levels.

6.4.9. Such other traffic, lighting and other engineering or investigatory studies as may be necessary or appropriate, or required by planning authorities, for determining the adequacy of the Property for development of the Project.

6.4.10. Confirmation that the Property is sufficient in all respects to accommodate the full service hotel Facilities Program, including associated front of house, back of house, rooftop bar, underground garage, valet on Congress Street and residences and all associated improvements.

6.4.11. Confirmation of likely availability of all Approvals for the Project. Buyer shall have the right to contact and communicate with such governmental officials regarding the Property and the project as Buyer may deem appropriate, provided that, prior to Closing, Buyer shall make no application with the City of Portland for a permanent change in zoning or other permanent change to the land-use status of the Property.

6.4.12. Inspection by Buyer of the physical condition, title to, and other matters related to the tunnel under Congress Street.

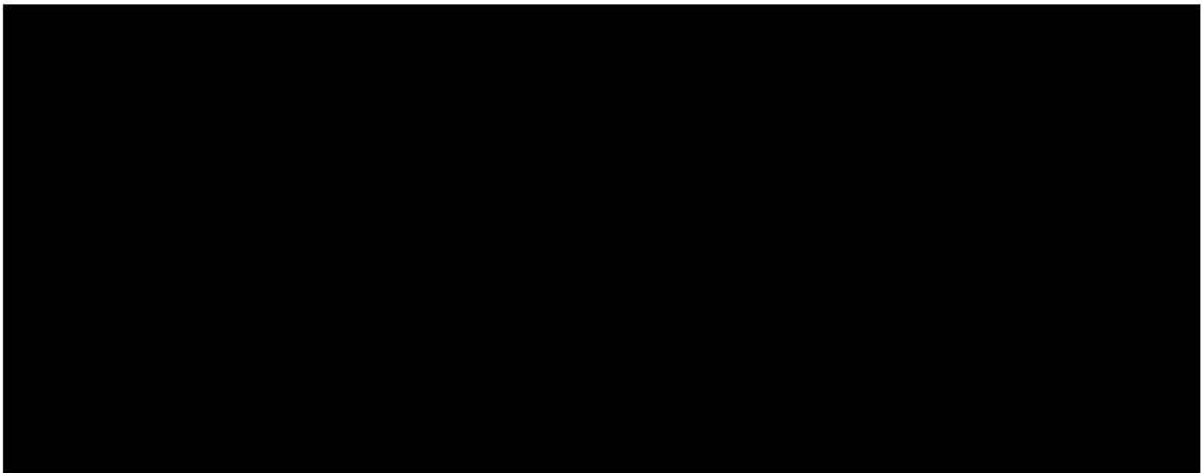
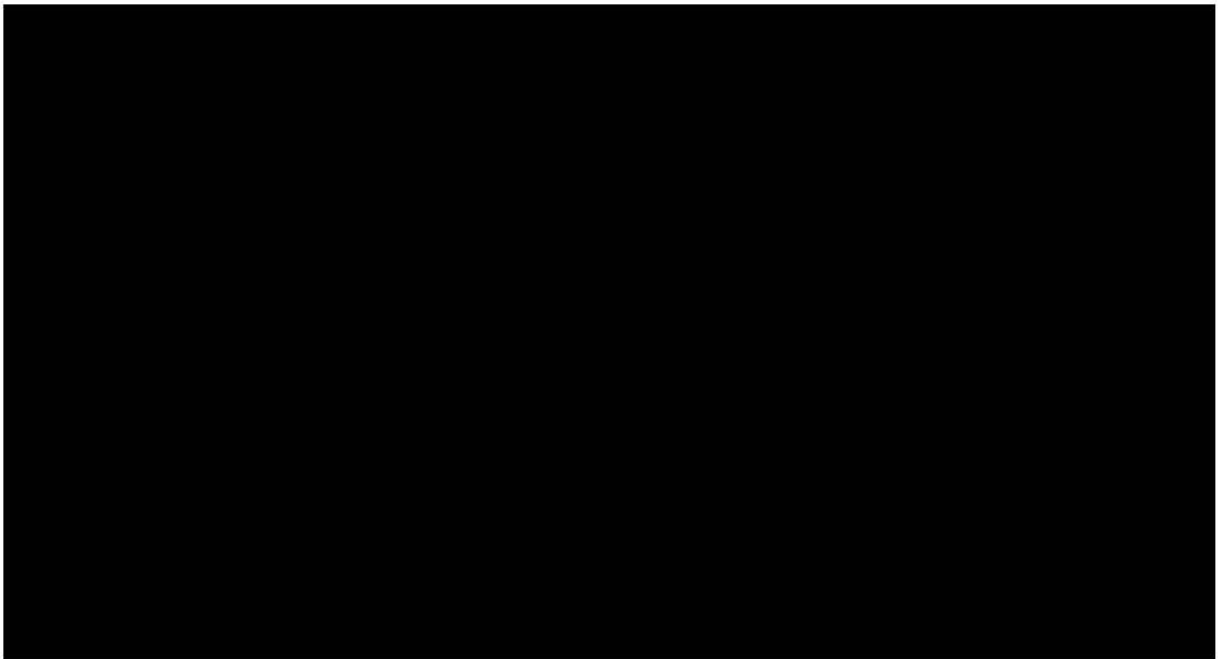
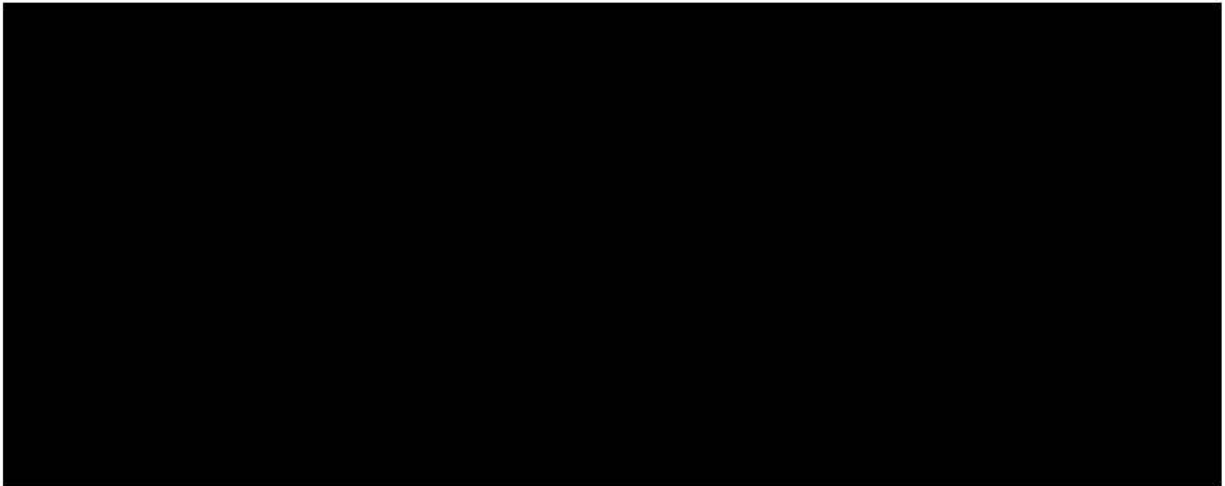


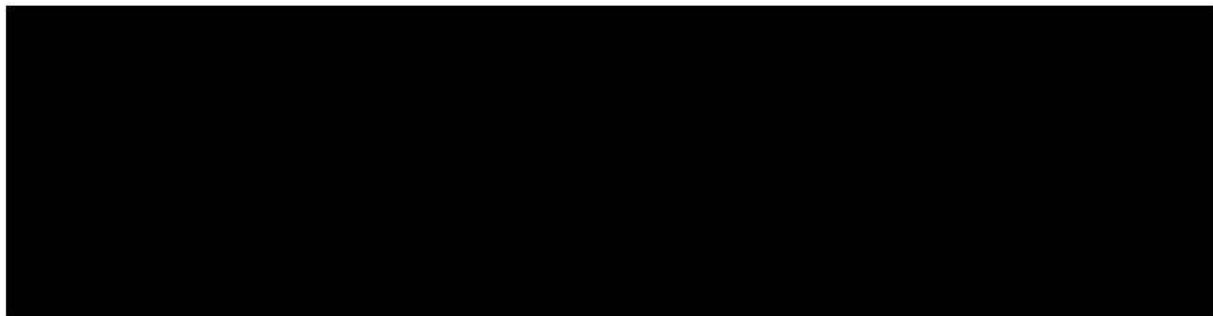
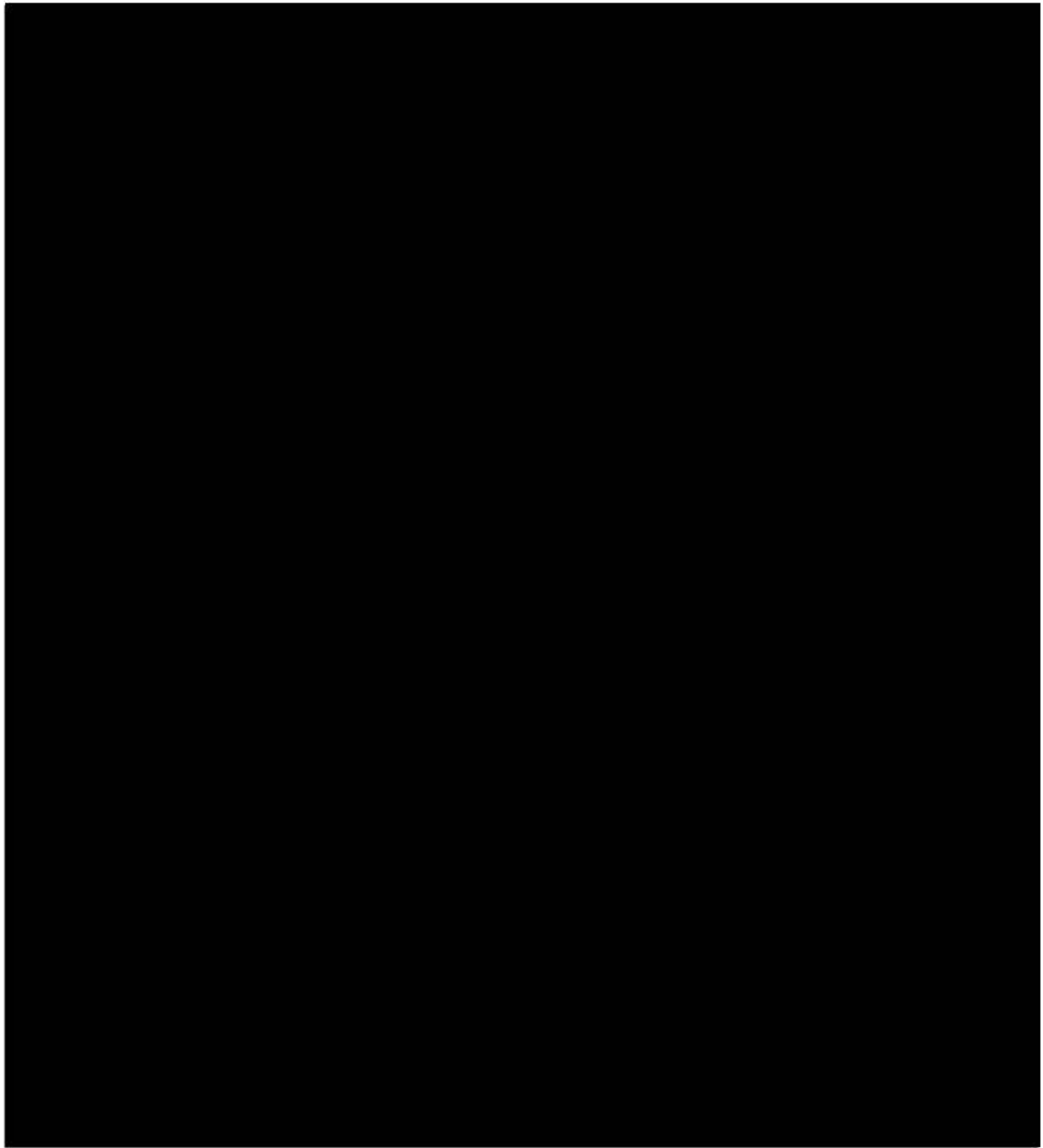


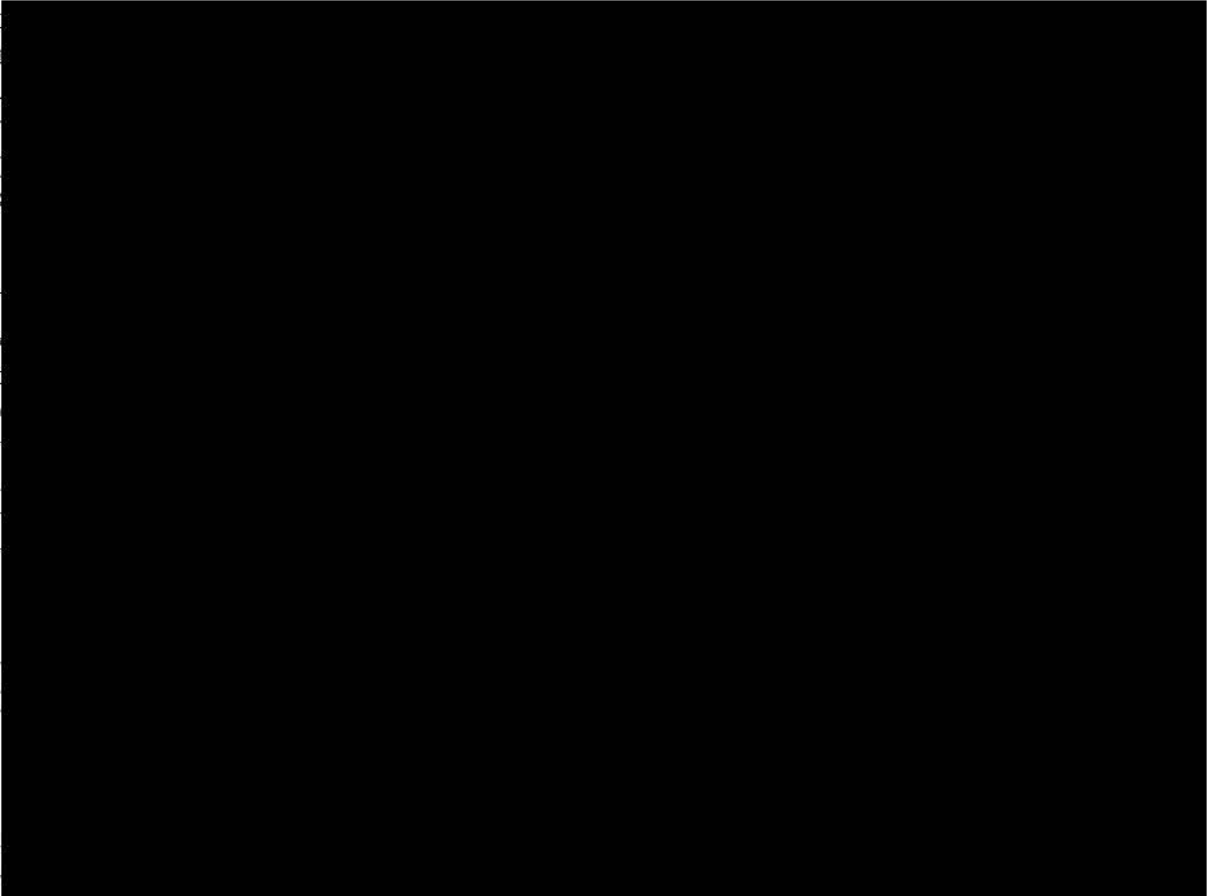
Section 6.5. Approvals. Notwithstanding any other provisions of this Agreement to the contrary, Buyer shall be entitled to apply for and obtain all necessary federal, state and local governmental land-use permits, licenses and approvals of any type or nature required, including historic preservation review, as may be necessary for the development on the Property of the Project, including without limiting the generality of the foregoing, all necessary site plan, and other governmental land-use permits, licenses, and approvals, of any type and from any necessary public or governmental authority or other party, for Buyer's development of the Project at the Property (excluding building permits and other construction related permits and approvals and hotel and restaurant operating permits and licenses).



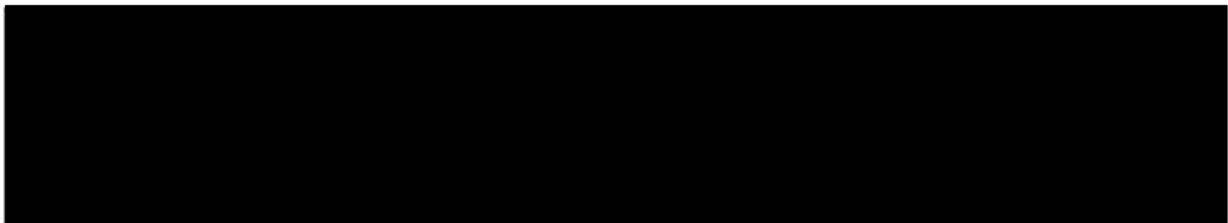
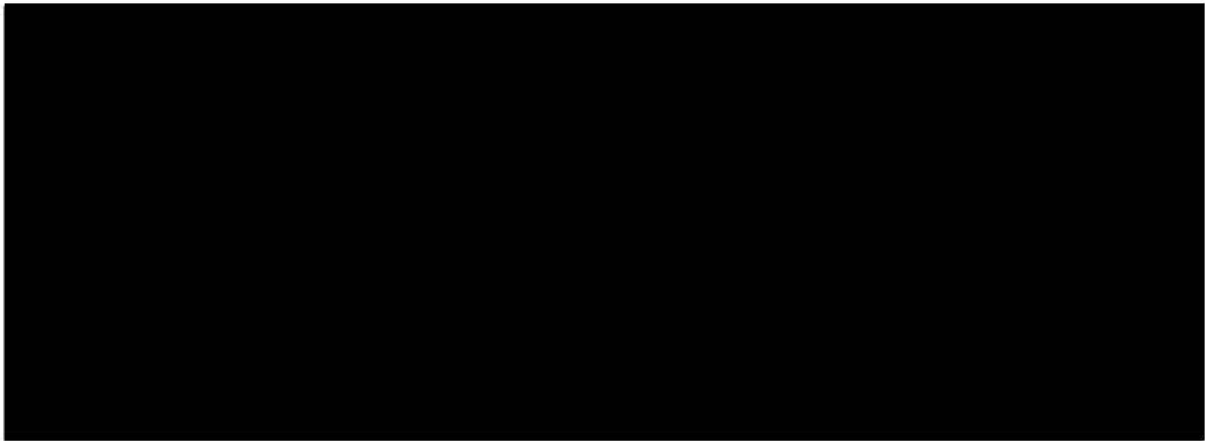
6.5.3. Buyer shall have the right to apply for and pursue the Site Plan Approval on a stand-alone basis, separate from the MP Application and MP Approval, so long as such Site Plan Application and Site Plan Approval do not interfere with Seller's Master Development and have been approved in writing in advance of submission to the City of Portland by Seller, as provided in Section 6.5.4 below.







6.5.5. Intentionally deleted.



Section 6.7. Effective Termination. If this Agreement is terminated pursuant to the provisions of this Article, all other obligations of the parties hereto shall cease and this Agreement shall be void and without recourse to the parties hereto, except as otherwise expressly set forth in Article IV and Section 6.2 hereof and except for obligations that expressly survive termination.

Section 6.8. Seller's Conditions Precedent. Seller's obligation to sell the Property to Buyer is subject to the following conditions precedent (the "Seller's Conditions Precedent"):

(a) Payment by Buyer of all sums due in accordance with this Agreement;

(b) As of the Closing Date, no statute, rule, regulation or order of any court or administrative agency shall be in effect which restrains or prohibits the Seller from consummating the transactions contemplated hereby, and to that end, Seller has obtained approval from the City of Portland to subdivide the Master Parcel. In addition, no action, suit, or proceeding shall be pending before any court or quasi-judicial or administrative agency of any federal, state, local, or foreign jurisdiction wherein an unfavorable injunction, judgment, order, decree, ruling, or charge would (a) prevent consummation of any of the transactions contemplated by this Agreement, or (b) result in a material adverse change in the Master Parcel or the ability to develop the Master Parcel;

(c) All of the representations and warranties of Buyer shall be true and correct in all material respects as of the Closing, and Buyer shall deliver a separate certificate certifying to that effect;

(d) Buyer shall have performed in all material respects each of its obligations under this Agreement to be performed at or prior to the Closing; and

(e) Seller shall have received Master Development plan and Subd Approval from the City of Portland.

ARTICLE VII

Representations and Warranties

Section 7.1. Buyer's Representations and Warranties. Buyer hereby represents, warrants and covenants to Seller the following as of the date hereof and as of the Closing. The representations and warranties shall survive Closing for a period of only one (1) year from the Closing:

(a) Buyer is duly organized, validly existing and in good standing under the laws of the State of Maine. Buyer has the requisite right, power and authority to buy the Property from Seller as provided herein, and has taken all action necessary to authorize the execution, delivery and performance of this Agreement. Buyer has obtained all consents and approvals necessary for Buyer's execution, delivery and performance of this Agreement, and the performance by Buyer of

Buyer's obligations hereunder will not constitute a default under the terms and provisions of any material agreement, document or instrument to which Buyer is a party or by which Buyer is bound.

(b) This Agreement constitutes the valid and binding obligation of Buyer, enforceable against Buyer in accordance with its respective terms, except to the extent that enforcement may be limited by applicable bankruptcy, insolvency, moratorium and other principles relating to or limiting the rights of contracting parties generally.

(c) There is no suit or proceeding pending or, to Buyer's knowledge, threatened against or affecting Buyer that might affect or relate to this Agreement or the transactions contemplated hereby, in any court or before or by any federal, state, county or municipal department, commission, board, bureau, or agency or other governmental instrumentality. No order, writ, injunction, subpoena or decree has been issued by or requested of any court or government agency which is reasonably likely to result in a material adverse change in the Property or the Buyer, or which could reasonably be expected to have a material adverse effect on the transactions contemplated by this Agreement.

(d) Buyer has engaged no broker or agent in connection with the sale. Buyer shall indemnify, defend and hold Seller harmless from and against any loss, damages, liabilities, costs or expenses, including without limitation attorneys' fees and court costs, resulting from any claim for a fee or commission by any broker or finder with whom Buyer has dealt, other than Malone Commercial.

(e) Neither Buyer nor any of its affiliates, nor any of their respective partners, members, shareholders or other equity owners, and none of their respective employees, officers, directors, representatives or agents is, nor will they become, a person or entity with whom United States persons or entities are restricted from doing business under regulations of the Office of Foreign Asset Control ("OFAC") of the Department of the Treasury (including those named on OFAC's Specially Designated Nationals and Blocked Persons List) or under any statute, executive order (including the September 24, 2001, Executive Order Blocking Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism), or other governmental action and is not and will not engage in any dealings or transactions or be otherwise associated with such persons or entities.

Section 7.2. Authority. Each party warrants and represents that this Agreement and all other documents delivered prior to or at the Closing (a) have been or shall be duly authorized and executed and delivered by such party; (b) are legal, valid, and binding obligations of such party; and (c) neither violate any provision of any agreement to which such party is a party, nor violate any charters, bylaws, operating agreements or other organizational documents of such party.

Section 7.3. Seller's Representations and Warranties. Seller hereby represents, warrants and covenants to Buyer the following. The Seller's representations and warranties shall survive Closing for a period of only one (1) year from the Closing:

(a) Seller is duly organized, validly existing and in good standing under the laws of the State of Maine. Seller has the requisite right, power and authority to sell and convey the Property to Buyer as provided herein, and has taken all action necessary to authorize the execution,

delivery and performance of this Agreement. Seller has obtained all consents and approvals necessary for Seller's execution, delivery and performance of this Agreement, and the performance by Seller of Seller's obligations hereunder will not constitute a default under the terms and provisions of any material agreement, document or instrument to which Seller is a party or by which Seller is bound.

(b) This Agreement constitutes the valid and binding obligation of Seller, enforceable against Seller in accordance with its respective terms, except to the extent that enforcement may be limited by applicable bankruptcy, insolvency, moratorium and other principles relating to or limiting the rights of contracting parties generally.

(c) Seller has not received any written notice of any pending condemnation, expropriation, eminent domain or similar proceeding affecting all or any portion of the Property and to Seller's Knowledge, no such proceeding is contemplated.



(e) No written notice has been given to Seller by the holder of any mortgage on the Property, any insurance company that has issued a policy with respect to the Property, or by any board of fire underwriters (or other body exercising similar functions) claiming any material defect or deficiency or requesting the performance of any material repairs, alterations or other work to the Property.

(f) There are no management, service, equipment, supply, maintenance or concession agreements to which Seller is a party with respect to or affecting all or any portion of the Property that are not terminable by Seller by the Closing.

(g) Seller has paid or will pay in full prior to the Closing all outstanding bills and invoices for Utility charges, labor, goods, materials, and services of any kind relating to the Property incurred by or for the benefit of Seller.

(h) No work has been performed or is in progress at, and no materials have been furnished to, at the direction of or for the benefit of the Seller, the Property which, though not presently the subject of, might give rise to mechanic's, materialmen's or other liens against the Property or any portion thereof. If any lien for work performed or materials furnished prior to the Closing, in either case pursuant to a contract with Seller, is filed before or after the Closing, Seller shall promptly discharge such lien by filing the requisite bond or in any other manner allowed by applicable law.

(i) There is no suit or proceeding pending or to Seller's Knowledge, threatened against or affecting Seller or the Property that might affect or relate to this Agreement or the transactions contemplated hereby, in any court or before or by any federal, state, county or municipal department, commission, board, bureau, or agency or other governmental instrumentality. No order, writ, injunction, subpoena or decree has been issued by or requested of

any court or government agency which is reasonably likely to result in a material adverse change in the Property or the Seller, or which could reasonably be expected to have a material adverse effect on the transactions contemplated by this Agreement.

(j) Seller has received no written notice of any outstanding violation of any federal, state, county, or municipal laws, ordinances, orders, codes, rules, regulations, or requirements affecting all or any portion of the Property, including without limitation violations of the housing, building, safety, health, fire, or zoning ordinances, codes, and regulations of the municipality or county within which the Property is located, issued by any governmental or quasi-governmental authority.

(k) Seller is not in violation or default under any agreement with any third party, or under any judgment, order, decree, rule or regulation of any court, arbitrator, administrative agency or other governmental authority to which it may be subject, which violation or default will, in any one case or in the aggregate, materially and adversely affect the ownership or operation of the Property or Seller's ability to consummate the transactions contemplated hereby. To Seller's Knowledge, there are no material violations of laws, regulations, permits or approvals affecting or pertaining to the Property. The execution, delivery and performance of this Agreement and the consummation of the transactions contemplated hereby will not (i) violate any law or any order of any court or governmental authority with proper jurisdiction and pertaining to Seller; (ii) result in a breach or default under any provision of the organizational documents of Seller; or (iii) require any consent, or approval or vote of any third person that, as of the Closing Date, has not been given or taken, and does not remain effective.

(l) There are no tax liens on any of the Property except for taxes not yet due and payable, and Seller has paid or will pay through the Closing all real estate taxes, withholdings and governmental charges due and payable with respect to the Personal Property under all applicable federal, state and local laws and regulations. To Seller's Knowledge, there are no legal, administrative or other tax proceedings currently in progress or threatened pursuant to which Seller is or could be made liable for any taxes.



(n) Seller is not a "foreign person" as defined in Section 1445(f)(3) of the Code.

(o) Neither Seller nor any of its affiliates, nor any of their respective partners, members, shareholders or other equity owners, and none of their respective employees, officers, directors, representatives or agents is, nor will they become, a person or entity with whom United States persons or entities are restricted from doing business under regulations of the Office of Foreign Asset Control ("OFAC") of the Department of the Treasury (including those named on OFAC's Specially Designated Nationals and Blocked Persons List) or under any statute, executive order (including the September 24, 2001, Executive Order Blocking Property and Prohibiting

Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism), or other governmental action and is not and will not engage in any dealings or transactions or be otherwise associated with such persons or entities.

Section 7.4. Waiver of Disclosure. Buyer hereby agrees that, notwithstanding the provisions of 33 M.R.S. § 193, the investigation of any and all matters relating to (i) the identification of any abandoned or discontinued town ways, public easements, or private roads located on or abutting the Property and (ii) the identification of the party or parties responsible for the maintenance of any abandoned or discontinued town way, public easement, or private road located on or abutting the Property (including any responsible road association) shall be the sole responsibility of Buyer and has been performed as part of Buyer's examination of all other matters of title respecting the Property. Buyer hereby knowingly, unconditionally, and expressly waives their right to receive a property disclosure statement from Seller pursuant to 33 M.R.S. § 193. Buyer's waiver of their right to receive a property disclosure statement from Seller pursuant to 33 M.R.S. § 193 shall not constitute a waiver of any other rights to disclosure afforded to Buyer pursuant to this Agreement or by law unless otherwise expressly provided herein. By execution of this Agreement, Buyer hereby releases Seller from and against and all claims, losses, costs, liabilities, expenses, demands, or obligations whatsoever arising from or related to (i) the identification of any abandoned or discontinued town ways, public easements, or private roads located on or abutting the Property and (ii) the identification of the party or parties responsible for the maintenance of any abandoned or discontinued town way, public easement, or private road located on or abutting the Property (including any responsible road association).

ARTICLE VIII Disclaimer of Warranties

EXCEPT AS EXPRESSLY SET FORTH IN SECTION 7.3 AND THE DEED, IT IS UNDERSTOOD AND AGREED THAT SELLER IS NOT MAKING AND HAS NOT AT ANY TIME MADE ANY WARRANTIES OR REPRESENTATIONS OF ANY KIND OR CHARACTER, EXPRESS OR IMPLIED, WITH RESPECT TO THE PROPERTY. BUYER AGREES, ACKNOWLEDGES AND REPRESENTS THAT EXCEPT AS SPECIFICALLY SET FORTH IN THIS AGREEMENT, BUYER IS ENTERING INTO THIS AGREEMENT AND SHALL PERFORM ALL OF ITS OBLIGATIONS HEREUNDER AND CONSUMMATE THE TRANSACTION CONTEMPLATED BY THIS AGREEMENT SOLELY IN RELIANCE ON AND AS A RESULT OF BUYER'S OWN INVESTIGATIONS AND EFFORTS (INCLUDING BUYER'S INSPECTION OF THE PROPERTY AND SUCH OTHER INVESTIGATIONS, EXAMINATIONS AND INSPECTIONS AS BUYER HAS CHOSEN TO MAKE OR HAS MADE) AND AT BUYER'S SOLE RISK, COST AND EXPENSE, INCLUDING, WITHOUT LIMITATION, THE RISK THAT BUYER'S INSPECTION OF THE PROPERTY AND SUCH OTHER INVESTIGATIONS, EXAMINATIONS AND INSPECTIONS MAY NOT REVEAL ANY OR ALL ADVERSE OR EXISTING CONDITIONS, ASPECTS OR ATTRIBUTES OF THE PROPERTY. BUYER ACKNOWLEDGES THAT SELLER HAS AFFORDED, AND, DURING THE DUE DILIGENCE PERIOD, SHALL AFFORD, BUYER THE OPPORTUNITY FOR FULL AND COMPLETE INVESTIGATION, EXAMINATION AND INSPECTION OF THE PROPERTY. BUYER ACKNOWLEDGES THAT THIS PARAGRAPH WAS A NEGOTIATED PART OF THIS AGREEMENT AND SERVES AS AN ESSENTIAL COMPONENT OF CONSIDERATION FOR THE SAME. WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, THE PARTIES SPECIFICALLY ACKNOWLEDGE THAT BUYER HAS HAD, AND, DURING THE DUE DILIGENCE PERIOD SHALL HAVE, AN OPPORTUNITY TO FULLY INSPECT THE PROPERTY,

INCLUDING, BUT NOT LIMITED TO, THE PHYSICAL CONDITION OF THE PROPERTY (INCLUDING ALL ENVIRONMENTAL CONCERNS), AND THE PURCHASE PRICE HAS BEEN NEGOTIATED TO ELIMINATE ALL CLAIMS EXCEPT THOSE ARISING UNDER REPRESENTATIONS, WARRANTIES OR AGREEMENTS CONTAINED IN THIS AGREEMENT OR OTHER AGREEMENTS OR DOCUMENTS ENTERED INTO IN CONNECTION WITH THE TRANSACTIONS CONTEMPLATED HEREIN, WHETHER KNOWN OR UNKNOWN, RELATING TO THE CONDITION OF THE PROPERTY AS OF THE DATE OF THIS AGREEMENT AND ALL ASPECTS AND ATTRIBUTES THEREOF, INCLUDING, WITHOUT LIMITATION, ALL ENVIRONMENTAL MATTERS. BUYER ACKNOWLEDGES AND AGREES THAT SELLER HAS MADE NO REPRESENTATION OR WARRANTY WITH RESPECT TO THE PROPERTY EXCEPT AS EXPRESSLY SET FORTH IN THIS AGREEMENT.

ARTICLE IX

Risk of Loss

Section 9.1. Risk of Loss. The risk of damage to the improvements on the Property or any portion thereof prior to Closing is Buyer's risk.

Section 9.2. Condemnation. Any taking or condemnation for any public or quasi-public purpose or use by any competent authority in appropriate proceedings or by any right of eminent domain of all or any material part of the Property between the Effective Date and the time of the Closing shall, at Buyer's option, cause a termination of this Agreement. The election to terminate provided for hereby must be exercised by Buyer by written notice to Seller to such effect, which notice shall be given by Buyer on or before the thirtieth (30th) day after Buyer's receipt of written notice of such condemnation (but in any event prior to the Closing; provided, however, that Buyer shall be entitled to extend the Closing Date to a date that is two business days beyond the date that would be the thirtieth (30th) day following such notice). If Buyer shall not elect so to terminate this Agreement, Seller shall be relieved of its duty to convey title to the portion of the Property so taken or condemned, but Buyer will be entitled to receive all proceeds of any such taking or condemnation with respect to the Property only provided Buyer takes title hereunder and Seller shall make no settlement or adjustment of such proceedings with respect to the Property only without Buyer's consent, and shall take at the Closing all action necessary to assign its entire interest in any such award with respect to the Property only to Buyer.

Section 9.3. Return of Deposit. The Deposit shall be returned to Buyer immediately following termination of this Agreement by Buyer under this Article and all other obligations of the parties hereto shall cease and this Agreement shall be void and without recourse to the parties hereto subject to the provisions of Section 6.3 and except for provisions that expressly survive termination.

ARTICLE X

Operation of Property



ARTICLE XI
Closing

Section 11.1. Closing Date. The Closing shall take place at the time and place specified in Section 6.6 hereof. The Cash Balance shall be held in escrow by the Buyer's attorney pursuant to customary conveyancing practice until the Deed is recorded; provided, however, that the Deed shall be recorded no later than 3:00 P.M. on the Closing Date unless Seller's attorney has been advised of any matter of record arising after a title update performed by Buyer's counsel the morning of the Closing and preventing Seller from conveying title to the Property in accordance with the applicable provisions of this Agreement.

Section 11.2. Closing Deposits. At the Closing, Seller and Buyer shall exchange the following documents and funds:

11.2.1. Seller's Deposits. Seller shall deliver to Buyer the following:

(a) Deed. The Deed conveying the Property to Buyer subject only to Permitted Encumbrances.

(b) Non-Foreign Affidavit. A duly executed original affidavit as to Seller's non-foreign status.

(c) Authority. Such evidence as may be reasonably required by the title insurance company as to the authority of the person or persons executing documents on behalf of Seller.

(d) Affidavits. Executed affidavits and indemnifications in form and substance reasonably satisfactory to the title insurance company regarding mechanics' and materialmen's liens and parties in possession sufficient to eliminate any title insurance exceptions for these matters with respect to the Property.

(e) Executed Commitments. Executed Commitments in the form agreed to on or before the expiration of the Due Diligence Period, with only such changes as the parties may mutually agree.

(f) Additional Documents. Such other documents, including without limitation settlement statements and escrow instructions, as are required of Seller to close in accordance with this Agreement and local conveyancing practice.

11.2.2. Buyer's Deposits. Buyer shall deliver to Seller the following:

(a) Cash Balance. The Cash Balance;

(b) Closing Costs. Additional cash in the amount necessary to pay Buyer's share of closing costs, as set forth in Section 12.2.;

(c) Executed Commitments (with execution of the Cross Easement Agreement required if necessary to bind Buyer and the Property to the Cross Easement Agreement); and

(d) Additional Documents. Such other documents, including without limitation authority documents, settlement statements and escrow instructions, as are required of Buyer to close in accordance with this Agreement and local conveyancing practice.

Section 11.3. Use of Purchase Price to Clear Title. To enable Seller to make conveyance as herein provided, Seller may, at the Closing, use the Purchase Price or any portion thereof to clear title of any or all encumbrances or interests so long as Seller has obtained and furnished to Buyer at or prior to the Closing a recordable release of each such encumbrance or interest or (in the case of an institutional mortgage or other security interest) written commitment from the holder thereof to provide such release upon receipt of a sum certain.

Section 11.4. Closing Statement. The parties shall execute and deliver a Closing and Proration Statement confirming the funds flow and prorations required under Article XII hereof.

ARTICLE XII

Closing Costs, Prorations

Section 12.1. Seller's Costs. Seller shall pay (a) one-half of the transfer taxes payable upon recordation of the Deed; and (b) the costs necessary to discharge Seller's obligations under this Agreement.

Section 12.2. Buyer's Costs. Buyer shall pay (a) one-half of the transfer taxes payable upon recordation of the Deed; (b) the cost of the Preliminary Title Report; (c) all title insurance premiums; (d) the cost of recording the Commitments; and (e) all other costs required in order to close in accordance with this Agreement (except as specified in Section 12.1).

Section 12.3. Prorations. Taxes and assessments (including any business and license taxes and any other state, county or municipal assessments), utility and fuel bills and other customarily-adjusted operating expenses shall be prorated as of the Closing Date and added to or subtracted from (as the case may be) the Cash Balance. All charges accruing prior to the Closing Date shall be prorated between the parties, and all charges accruing on or after the Closing Date shall be the obligation of Buyer. If the amount of such taxes is not known on the Closing Date, such taxes shall be prorated on the basis of taxes assessed for the preceding fiscal period, subject to reapportionment as soon as the new tax rate and valuation can be ascertained. In the event of any abatement of such taxes subsequent to the apportionment thereof, the amount of such abatement, less the reasonable cost of obtaining the same, shall be prorated as of the Closing Date.

ARTICLE XIII

Notices

Section 13.1. Notices. All notices required or permitted to be given hereunder shall be in writing and sent by electronic mail, with a confirmation copy sent by a recognized overnight courier

service offering confirmation of delivery to the appropriate address indicated below or at such other place or places as either Buyer or Seller may, from time to time, respectively, designate in a written notice given to the other:

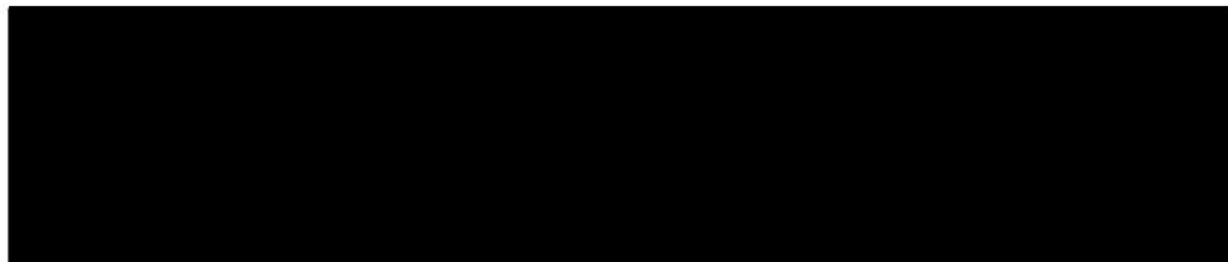
To Buyer: Fathom Development, LLC
80 Exchange Street, Suite 400
Portland, ME 04101
Attn: James H Brady, Manager
jameshbrady@gmail.com

With a copy to: Christopher E. Howard, Esq.
Pierce Atwood LLP
254 Commercial Street
Portland, Maine 04101
choward@pierceatwood.com

To Seller: 385 Congress LLC
2730 Transit Road
West Seneca, NY 14224
Attn: Gordon Reger
joedasco@comcast.net

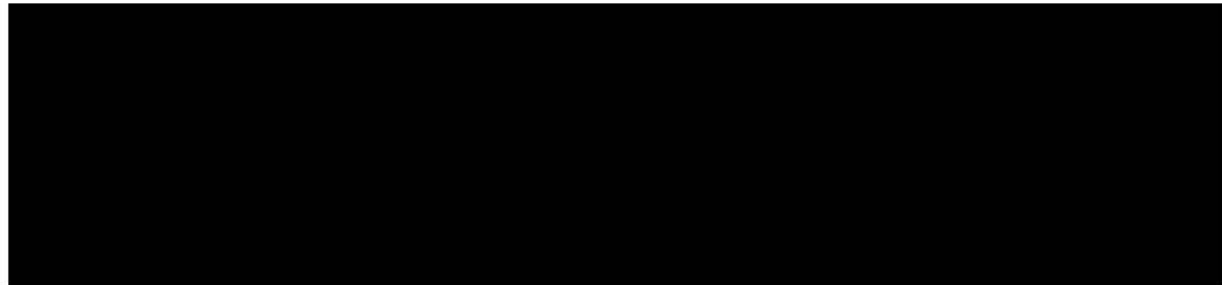
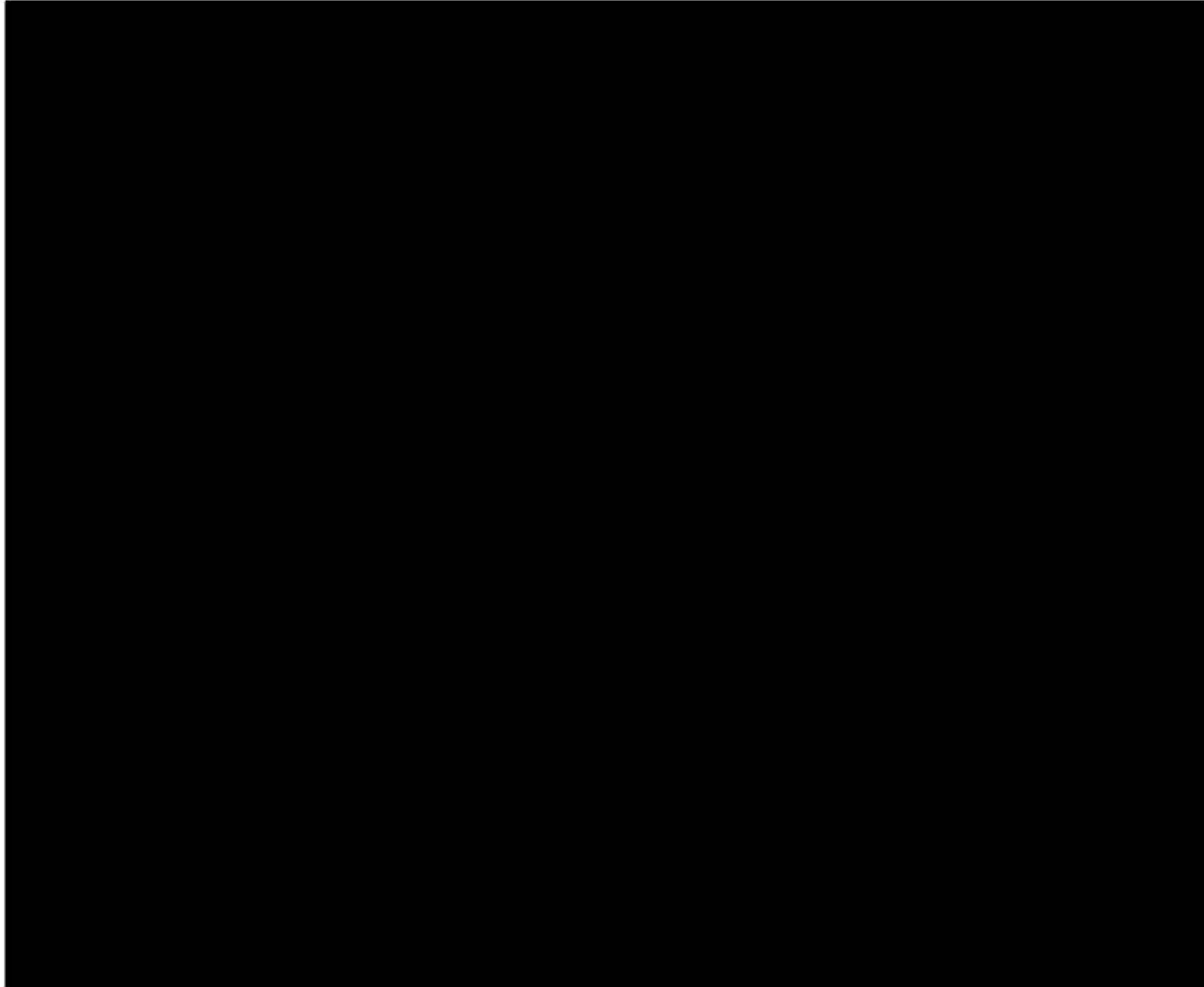
With a copy to: Tom Hanson
Bernstein Shur
100 Middle Street
Portland, ME 04101
thanson@bernsteinshur.com

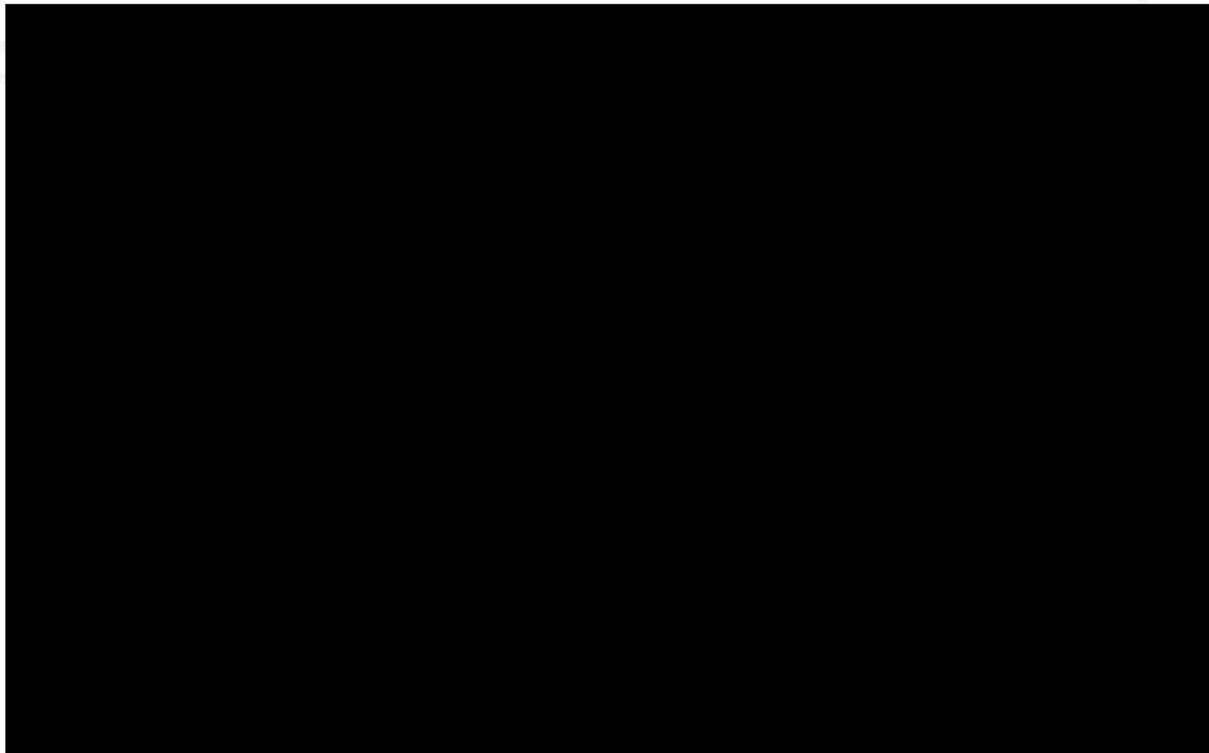
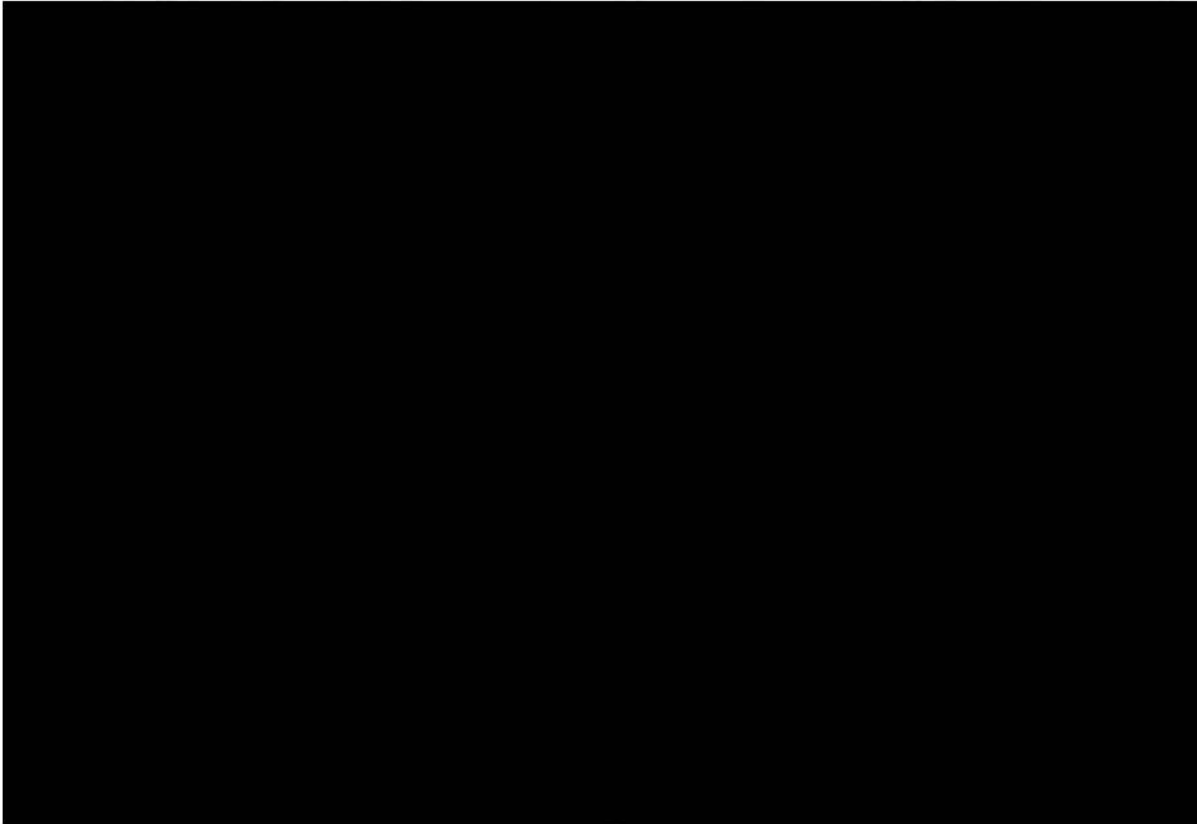
ARTICLE XIV
Additional Conditions

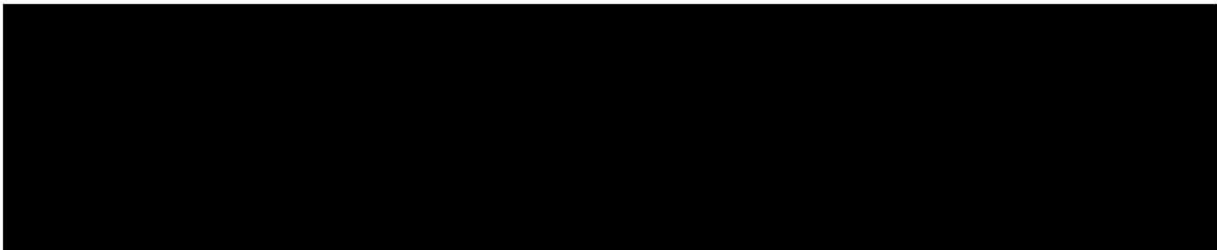


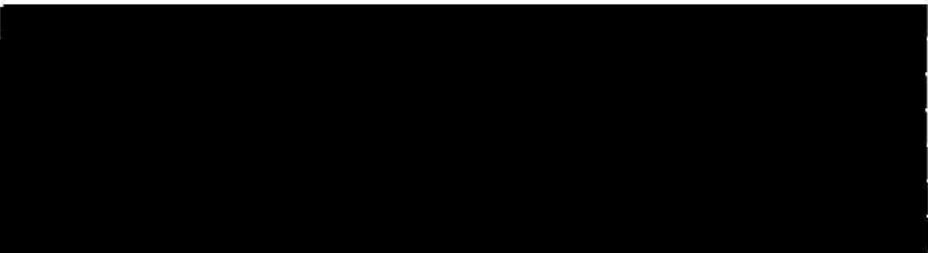
Section 14.1. Construction License. Seller shall provide Buyer with access to and right to use lay-down space for Project construction, the location of such lay-down space to be negotiated by the parties during the Due Diligence Period as provided below, and the parties shall enter into an agreement with respect to reasonable cooperation and coordination of construction activities with respect to the common boundary between the Property and Seller's Retained Land. Subject to agreement of the parties as provided below in this Section, a conditional license to use the lay-down area and for coordination of construction activities on the common boundary will be executed and delivered at Closing ("Construction License"). If the Construction License, including the

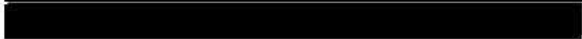
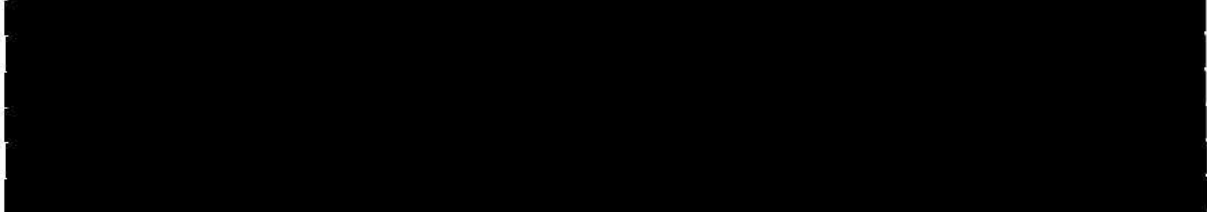
location of the lay-down space, is not finalized in a form reasonably acceptable to Buyer and Seller on or before the expiration of the Due Diligence Period, then Buyer or Seller may terminate this Agreement by giving the other party written notice thereof on or before the expiration of the Due Diligence Period, in which event the Deposit will be refunded to Buyer and this Agreement shall terminate and the parties shall have no further obligations of any nature whatsoever hereunder except those that expressly survive termination. Buyer and Seller agree to exercise reasonable good faith efforts to agree on any adjustments required in the lay-down space to accommodate the needs of both parties in the development of the Project and the Master Development as finally approved in the Site Plan Approval and the MP Approval.



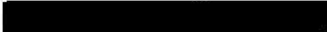




Section 14.5. 



Section 14.6. Intentionally deleted.

Section 14.7. Recordation. The form of Deed, the Cross Easement Agreement, the Parking Agreement, the Construction License,  will be memorialized in form and substance acceptable to both Seller and Buyer, to be executed and delivered by the parties at Closing (“Commitments”). If the Commitments are not finalized in a form reasonably acceptable to Buyer on or before the expiration of the Due Diligence Period, as provided in this Article XIV, then Buyer may terminate this Agreement by giving the other party written notice thereof on or before the expiration of the Due Diligence Period, in which event the Deposit will be refunded to Buyer and this Agreement shall terminate and the parties shall have no further obligations of any nature whatsoever hereunder, except those that expressly survive termination. The Commitments shall survive the Closing and shall be memorialized in a written agreement in recordable form that will be executed and delivered by Buyer and Seller at Closing. The order of recording the Commitments shall include recording the Cross Easement Agreement before the Deed unless those documents are combined into a single instrument.

ARTICLE XV Miscellaneous Provisions

Section 15.1. Attorneys’ Fees. If any suit or action be instituted to enforce the rights of either party under this Agreement, the prevailing party shall be entitled to reasonable attorneys’ fees and court costs.

Section 15.2. Further Assurances. Whenever reasonably requested to do so by the other party, Seller and Buyer shall execute, acknowledge, and deliver any and all such further reasonable conveyances, assignments, confirmations, satisfactions, releases, instruments of further assurance, approvals, consents and any and all such further instruments and documents as may be necessary in order to complete any and all conveyances, transfers, sales and assignments herein provided, and to do any and all other acts and to execute, acknowledge and deliver any and all documents as reasonably requested in order to carry out the intent and purpose of this Agreement.

Section 15.3. Buyer's Right to Assign. Buyer may, by written notice to Seller prior to the Closing Date, designate a nominee to take title to the Property and assign Buyer's interest in this Agreement in connection therewith to an entity in which the principals of Buyer own a membership or other equity interest. The named Buyer under this Agreement shall remain liable under this Agreement notwithstanding any such assignment.

Section 15.4. Successors and Assigns. Without waiver of the terms and conditions of Section 15.3, all of the rights, benefits, duties, liabilities, and obligations of the parties hereto shall inure to the benefit of, and be binding upon, their respective successors and assigns.

Section 15.5. Time. Time is of the essence of this Agreement and of every provision herein contained.

Section 15.6. Headings. The title and headings of the Sections hereof are intended solely for means of reference and are not intended to modify, explain or place any construction on any of the provisions of this Agreement.

Section 15.7. Modification. This Agreement may not be modified, amended or otherwise changed in any manner except by a writing mutually executed by both parties. To the extent there is any conflict between the terms and conditions of this Agreement and the terms and conditions of any other documents relating to the acquisition of the Property as they relate to rights and obligations between Buyer and Seller, the terms and conditions of this Agreement shall be deemed controlling.

Section 15.8. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Maine.

Section 15.9. Escrow Agent. Pierce Atwood, LLP agrees to serve as Escrow Agent as described herein pursuant to the Pierce Atwood LLP Standard Escrow Terms and conditions attached hereto as Exhibit D, which are incorporated herein by reference.

Section 15.10. Exclusivity. For so long as this Agreement remains in force, neither Seller nor any of its agents, affiliates, members, managers, subsidiaries, directors, officers or employees, will solicit, initiate, continue or participate in any discussions or negotiations with, or encourage or respond to any inquiries or proposals by, or provide any information to, or otherwise cooperate in any other way with, any corporation, company, partnership, person or other entity or group (other than Buyer and its affiliates, subsidiaries, partners, officers, directors, employees, consultants, agents, financing sources (and potential financing sources), accountants, and attorneys in connection with the development, sale, or acquisition of any interest in, the Property. Seller shall cause its agents, affiliates, members, managers, subsidiaries, directors, officers or employees, to comply with the provisions of this section.

Section 15.11. Counterparts. This Agreement may be executed in one or more counterparts, each of which when executed shall be deemed to be an original but all of which, when taken together shall constitute one and the same agreement. This Agreement may be executed by electronic or other facsimile signatures.

[Remainder of Page Intentionally Blank – Signature Page Follows]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

FATHOM DEVELOPMENT, LLC

By: 
Name: James Brady
Title: Manager

385 CONGRESS LLC

By: 
Name: Joseph Dasco
Title: Authorized Agent

ESCROW AGENT: PIERCE ATWOOD LLP

By: 
Name: Christopher E. Howard
Title: Partner

[Signature Page to 385 Congress Street Purchase and Sale Agreement]

EXHIBIT A

DESCRIPTION OF REAL PROPERTY

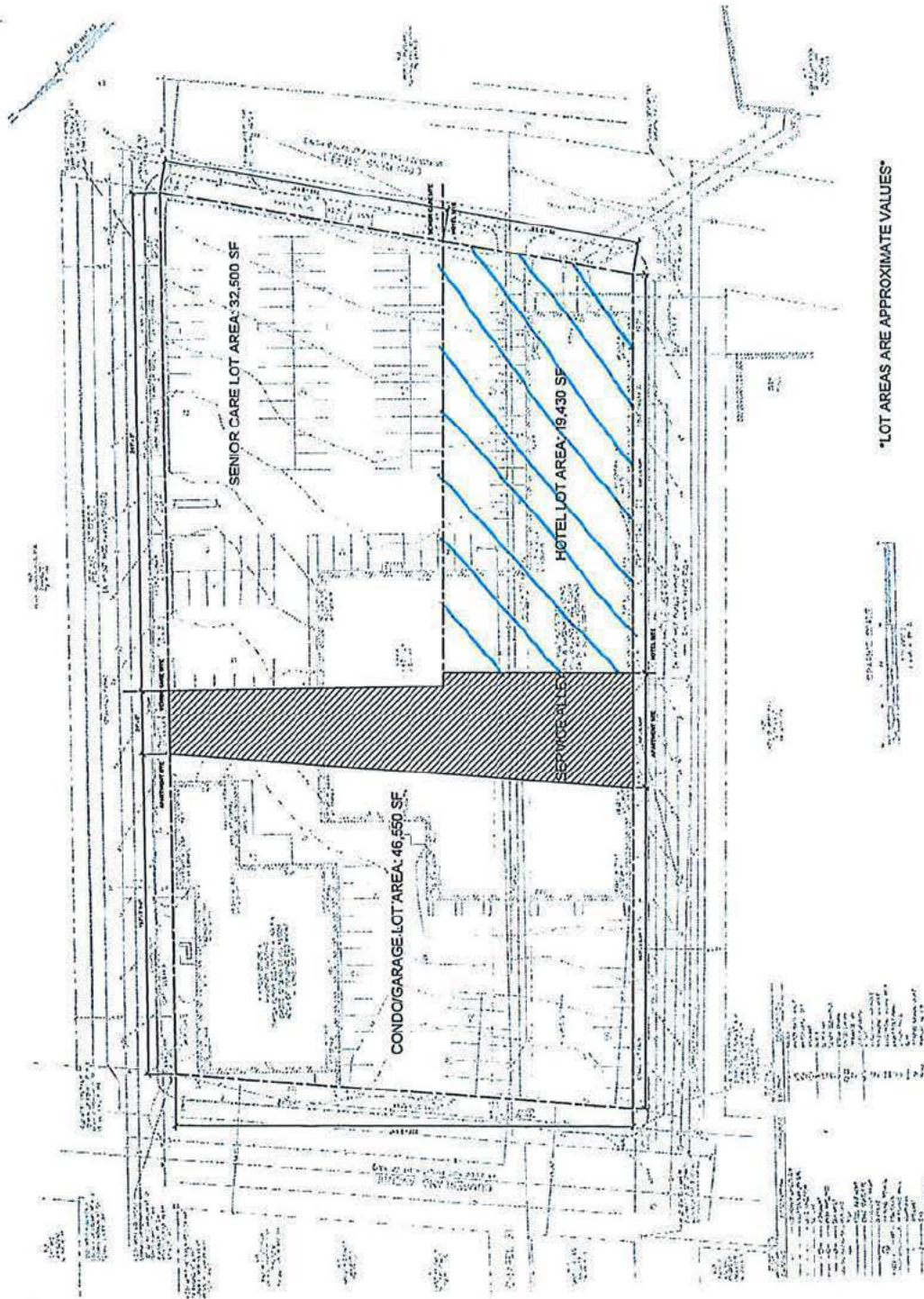
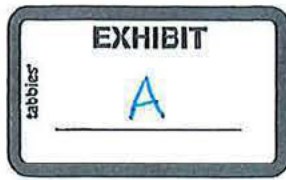


EXHIBIT B

DESCRIPTION OF MASTER DEVELOPMENT AREA

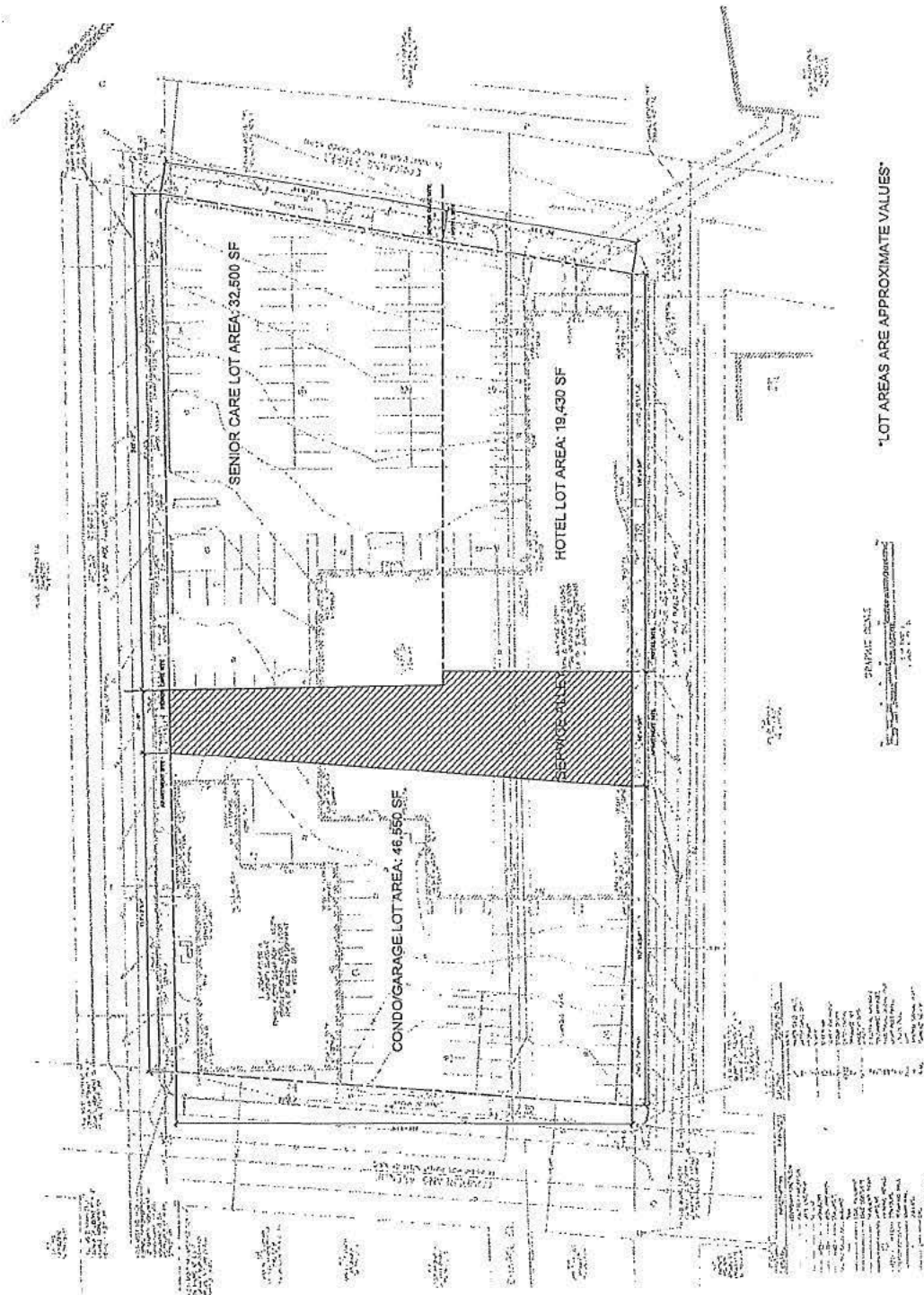
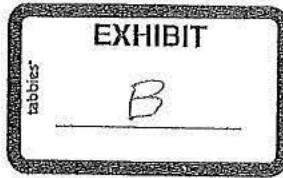


EXHIBIT C
FACILITIES PROGRAM

EXHIBIT D

PIERCE ATWOOD LLP

STANDARD ESCROW TERMS AND CONDITIONS

In consideration of Pierce Atwood LLP serving as the Escrow Agent (“Pierce Atwood” or “Escrow Agent”) pursuant to that certain Purchase and Sale Agreement dated as of December 1, 2020 between 385 CONGRESS LLC, a Maine limited liability company (hereinafter referred to as “Seller”), and FATHOM DEVELOPMENT, LLC a Maine limited liability company (hereinafter referred to as “Buyer”), (“Purchase Agreement”), to which these Standard Escrow Terms and Conditions (“Escrow Terms”) are attached as an Exhibit, the Seller and Buyer hereby acknowledge and agree as follows:

1. Acceptance by Pierce Atwood LLP of its duties as Escrow Agent under the Purchase Agreement to which this Exhibit is attached, is subject to the following Escrow Terms, which all parties to the Agreement hereby agree shall govern and control the rights, duties and privileges of the Escrow Agent and shall be deemed incorporated by reference into the Agreement as if set forth in full therein (the escrow provisions of the Purchase Agreement and the Escrow Terms shall together be referred to as the “Escrow Agreement”).

2. The duties of the Escrow Agent are to be determined solely by the express provisions of the Escrow Agreement, and the Escrow Agent shall have no responsibilities except the performance of such duties as are specifically set forth in the Escrow Agreement. The Escrow Agent shall not be deemed to be the agent of any party hereto with respect to its duties hereunder. The Escrow Agent shall not be liable for any error of judgment, any act taken or omitted by it, or any mistake in fact or law, except for its own willful misconduct and breach of the Escrow Term. The parties acknowledge that the duties of the Escrow Agent hereunder are solely ministerial and contractual in nature

and have been requested for their convenience. The Escrow Agent shall not be deemed to be the agent of any party hereto with respect to its duties hereunder. Without limiting the generality of the foregoing, the Escrow Agent shall not incur liability and shall be fully protected in respect of any action taken, omitted or suffered by it in good faith, except for a breach of the Escrow Terms.

3. The Escrow Agent shall be entitled to act on or rely upon any written notice, direction, request, waiver, consent, receipt or other document (including those transmitted by facsimile transmission, email, or other electronic transmission which is capable of producing a written record) which appears to the Escrow Agent to have been signed or presented by the party or parties entitled to execute or deliver such document, and the Escrow Agent shall have no duty to inquire of or investigate the authorization, signature or authenticity of such person or document.

4. The Funds are being deposited into a client trust account of the law firm of Pierce Atwood LLP for disbursement on behalf of the undersigned in accordance with the terms

of the Purchase Agreement of even date, to which these a copy of which is attached hereto and made a part hereof. The funds (the "Funds") shall be held in escrow by Pierce Atwood LLP in a non-interest-bearing account in accordance with the terms and conditions set forth herein. In the event of an inconsistency between the provisions of any other document and the provisions of these Escrow Terms, the provisions of these Escrow Terms shall govern. The Escrow Agent shall place any funds held in escrow in a non-interest-bearing account and shall have no duty to invest or earn interest on any such funds. The parties recognize that the amount of the funds deposited may exceed the amount of Federal Deposit Insurance Corporation or other insurance thereon and agree that the Escrow Agent shall have no responsibility for losses due to bank insolvency, whether or not the bank in which the funds are deposited was selected by it. Any payments by the Escrow Agent may be made, at the Escrow Agent's election, by check or by wire transfer.

5. The Escrow Agent may, but shall not be obligated to, in its sole and absolute discretion at any time and from time to time, for any reason or for no reason, commence an interpleader or other action, suit or proceeding for the resolution of any controversy regarding the Escrow Agreement or the subject matter of its escrow, and deposit the funds or other property held in escrow. Upon so depositing such property and filing its complaint in interpleader the Escrow Agent shall be relieved of all liability under the terms of the Escrow Agreement as to the property so deposited, and furthermore, the parties hereto for themselves, their heirs, legal representatives, successors and assigns do hereby submit themselves to the jurisdiction of said court and do hereby appoint the then Clerk or acting Clerk, of said

Court as their agent for the service of all process in connection with such proceedings. The institution of any such interpleader action shall not impair the rights of the Escrow Agent hereunder.

6. The parties to the Escrow Agreement other than the Escrow Agent (collectively referred to as the "Indemnitors") jointly and severally agree to indemnify each of the Escrow Agent and its attorneys, employees and agents (collectively referred to as the "Indemnitees") against, and hold them harmless of and from, any and all loss, liability, cost, damage and expense, including reasonable counsel fees (including those of the Escrow Agent computed at its regular hourly rates), which the Indemnitees may suffer or incur by reason of any action, claim or proceeding brought or threatened to be brought, whether by any party to the Escrow Agreement or by any other person or entity, against any Indemnitee or in which any Indemnitee may become involved arising out of or relating directly or indirectly in any way to the Escrow Agreement or any transaction to which the Escrow Agreement directly or indirectly relates (including any action, claim or proceeding to enforce any indemnity obligation or any other obligation of any party to the Escrow Agreement), excluding, however, any willful or intentional wrong doing on the part of the Escrow Agent or breach of the Escrow Terms as determined by final judgment. The provisions of this paragraph shall survive any termination of the Escrow Agreement, whether by disbursement of the property held in escrow, the resignation of the Escrow Agent or otherwise.

7. THE ESCROW AGREEMENT SHALL BE GOVERNED BY, AND CONSTRUED IN ACCORDANCE WITH, THE LAWS OF THE STATE OF MAINE APPLICABLE TO

CONTRACTS MADE AND TO BE PERFORMED ENTIRELY WITHIN SUCH STATE, WITHOUT REFERENCE TO CONFLICT OF LAWS PRINCIPLES, AND THE ESCROW AGREEMENT CANNOT BE CHANGED OR TERMINATED EXCEPT BY A WRITING SIGNED BY ALL OF THE PARTIES TO THE ESCROW AGREEMENT. THE PARTIES TO THE ESCROW AGREEMENT HEREBY AGREE THAT NO ACTION, SUIT OR PROCEEDING SHALL BE COMMENCED AGAINST THE ESCROW AGENT UNLESS (A) THE ESCROW AGENT SHALL FIRST HAVE BEEN GIVEN 30 DAYS' WRITTEN NOTICE OF THE CLAIM AND (B) THE SAME IS BROUGHT IN A COURT OF COMPETENT JURISDICTION LOCATED IN THE STATE OF MAINE. THE PARTIES TO THE ESCROW AGREEMENT OTHER THAN THE ESCROW AGENT AGREE THAT IN ANY ACTION, SUIT OR OTHER PROCEEDING COMMENCED BY THE ESCROW AGENT, SERVICE BY MAIL AS PROVIDED HEREIN SHALL BE DEEMED GOOD, PROPER AND EFFECTIVE SERVICE UPON SAID PARTY, AND EACH CONSENTS TO THE EXCLUSIVE JURISDICTION OF THE STATE AND FEDERAL COURTS SITTING IN THE STATE OF MAINE (OR ANY OTHER COURT SELECTED BY THE ESCROW AGENT) IN ANY ACTION, SUIT OR PROCEEDING UNDER OR IN CONNECTION WITH THE ESCROW AGREEMENT, HEREBY WAIVING ANY AND ALL RIGHT TO OBJECT TO THE JURISDICTION OR VENUE OF SAID COURT OR TO OBJECT THAT SUCH COURT IS AN INCONVENIENT FORUM.

8. If a controversy arises between one or more of the parties hereto, or between any of the parties hereto and any person not a party hereto, as to whether or not or to whom the Escrow Agent shall deliver the property held in escrow or any portion thereof, or as to any other matter arising out of or relating to the Escrow Agreement or the property held in escrow, the Escrow Agent shall not be required to make any inquiry or investigation, or make any determination as to such controversy, and need not make any delivery of such property but may retain it until the rights of the parties to the dispute shall have finally been determined by agreement in form, substance and formalities satisfactory to the Escrow Agent or by final order of a court of competent jurisdiction from which final order the time for appeal has expired without an appeal having been taken.

9. All notices, requests and other communications which may or must be given hereunder shall be in writing (including facsimile transmission, email, or other electronic transmission which is capable of producing a written record) and shall be deemed to have been duly given upon the earliest of receipt or attempted delivery or 3 days after deposit when mailed by registered or certified mail, return receipt requested, to each of the parties at their addresses set forth in the Escrow Agreement, or such other address of which notice may be given to all parties from time to time.

10. The Escrow Agreement shall be binding upon and inure to the benefit of Escrow Agent, Seller and Buyer, and their respective heirs, personal representatives, successors and permitted assigns, but not to the benefit of any third party other than the Indemnitees. The Escrow Agreement and any rights thereunder may not be assigned without the written consent of the Escrow Agent, and any

purported assignment without the Escrow Agent's written consent shall be null and void and of no effect whatsoever. The rights granted the Escrow Agent herein are cumulative and the exercise of any one or more rights hereunder shall not constitute a waiver of the Escrow Agent's right to assert all other legal and equitable remedies available to it under the circumstances. If one or more of the provisions or paragraphs of the Escrow Agreement shall be held to be illegal or otherwise void or invalid, the remainder of the Escrow Agreement shall not be affected and shall remain in full force and effect.

11. **Pierce Atwood LLP acting as Escrow Agent and is holding the Funds in its account at the request of the Seller and Buyer, and each of Seller and Buyer acknowledge that Pierce Atwood LLP represents Buyer and its Affiliates for this transaction and does not represent Seller. The Seller and Buyer both hereby confirm their consent to Pierce Atwood LLP's current and continued representation of Buyer in this transaction, any dispute, arbitration or litigation arising in connection herewith, including any dispute about the Funds, and any and all future representation of Buyer and its affiliates. In the event of a dispute between the parties, the commencement of an Interpleader action, or the resignation by Pierce Atwood LLP as Escrow Agent, Pierce Atwood LLP shall be free to continue to act as counsel for and represent Buyer, and each of Seller and Buyer hereby consent to such representation.**

12. That Pierce Atwood LLP is not liable for any portion of the Funds in excess of the limit of FDIC insurance on the account and is not liable for losses due to failure of the bank in which the account is held.

13. That Pierce Atwood LLP will not make any payment with respect to the Funds until it receives confirmation that the Funds are collected in its account.

Evidence of State or Federal Approvals

Not Applicable. No State or Federal approvals are required for this project at this time.



ZONING ANALYSIS Relevant Zone(s) B3

All Projects:

	Required	Proposed
Lot Size	none	2.26 ac
Area Per Dwelling Unit	none	none
Minimum Street Frontage	15 ft	1315 ft
Front Yard Minimum	none	0
Front Yard Maximum	none	none
Rear Yard	none	none
Yard Right	none	none
Yard Left	none	none
Side Street Setback	none	none
Step Back	none	none
Maximum Lot Coverage	100%	97%
Minimum Lot Coverage	none	none
Maximum Height	150 ft	150 ft
Open Space	none	~3800 sf*
Maximum Impervious Area	100%	TBD
Pavement Setback	none	N/A
Floor Area Ratio	none	N/A
Off Street Parking Spaces	353	361
Loading Bays	2	3
Other 1		
Other 2		
Other 3		

*The project includes a Pocket Park/Landscaped alley way that will be open to the public. The area will be owned and maintained by the developer.

Article 14-7 Master Development Plan Review Standards

14.7.1 In general

A. Integration with the surrounding context. The proposed master development plan has been designed to integrate with the surrounding context of the site. Please see the plan set.

B. Consistency with City plans. The proposed master development plan is consistent with the City's Comprehensive Plan and consistent with City Council-approved master plans and facility plans for off-premise infrastructure.

14.7.2 Natural features and open space

A. Preservation of natural features. The proposed buildings have been located considering the existing topography. The proposed project area is a previously developed, urban parcel. The site is fully developed with buildings and surface parking without any natural features of significance. Vegetation is limited to small amounts of landscaping within the parking lot. Useable open space has been provided as part of the design. Please see the plan set and the site analysis information.

There are no natural waterways or wetlands on or within close proximity of the project site.

B. Provisions for open space. The proposed master development plan has made provisions for usable open space including Level 2 and roof deck areas for hotel guests and condominium owners and guests. The site includes a public pocket park space on Congress Street. Please see the plan set and architectural renderings.

14.7.3 Historic Preservation

There are no buildings of historic significance on the site. The proposed development site is located in an area of the City that, like much of Portland, is a mix of modern and historic structures. The parcel is located next to City Hall and the Central Street Fire Station as well as being in close proximity of Portland High School and the U.S. Court House. All of these structures are historic landmarks and are located in the historic district overlay zone. Congress Street and Cumberland Avenue are a blend of modern and traditional architecture that are the hallmark of a vibrant City.

The proposed development has been designed to work cohesively with the historic fabric of the surrounding area. Please see the Master Development Plan included as supportive information for the Neighborhood Context section of this application.

14.7.4 Infrastructure

A. Adequacy of infrastructure capacity. The proposed project will utilize the existing street infrastructure.

B. Continuation of street grid. The proposed project will not result in the addition of streets to the existing city grid.

14.7.5 Design

A. Creation of a cohesive identity. The proposed master plan was designed to provide a cohesive identity along Congress Street. Please refer the neighborhood context and design narratives attached to this application

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.
Land Use Ordinance Section 7.3	All buildings or structures shall be located within 5 feet of the property line	Applicant proposes varying setbacks of up to 10 feet setback on Cumberland Ave, Myrtle Street and Pearl Street	Additional distance required to maintain 10 feet from overhead power lines on Cumberland Avenue and for streetscape improvements on Pearl and Myrtle Street. Design Manual (b) (1) e. 2.

Financial Capability

The proposed project is comprised of three separate developments and there are two different entities providing financing:

- Reger Dasco Properties (dba 385 Congress LLC) will develop the condominiums on Lots 2 and 3;
- The Fathom Companies (dba Fathom Congress, LLC) will develop the hotel and condominiums on Lot 1

Attached please find the following letters as proof of financial capability:

- Letter dated March 31, 2020 from Newmark Knight Frank for Reger Holdings (Reger Dasco Properties);
- Letter dated February 1, 2022 from Mascoma Bank for Fathom Congress LLC.



March 31, 2020

Portland Planning Staff
Portland City Hall
389 Congress Street
Portland, ME 04101

RE: Congress Street in Portland

To Whom it May Concern:

I'm writing regarding the future development of Congress Street in Portland being proposed by Reger Holdings. Our firm Newmark Knight Frank and my prior firm has acted as a financing intermediary for Reger Holdings for the past 15 years on numerous projects from condominiums to industrial. In the last 3 years alone, we arranged the financing for over \$150 million of development in Maine, Massachusetts and South Carolina. Two local examples include: (i) the 383 Commercial Street condominium development; we arranged a \$42 million loan from a Boston Bank; and (ii) the Bay House Condominiums in Downtown Portland; we arranged a \$20 million dollar construction loan with a Boston Bank that had a very successful sellout.

NKF Debt Group in Boston has the capacity to finance large development projects thru our long term lending relationships. We also have access to financing sources through our ownership group BGC Partners (NYSE: BGCP) and our proprietary lending platform Cantor Commercial as well as our GSE lending arm.

Reger Holdings is a third generation well respected real estate company with numerous holdings and experience. The company is run and spearheaded by Mr. Gordon Reger. Our dealing with him and his firm have always been handled in a first class manner. As a result, we would highly recommend Reger Holdings for the development of Congress Street.

If I can be of any assistance in your decision, please do not hesitate to give me a call. Thank you.

Regards,

David Douvadjian

A handwritten signature in black ink, appearing to read 'David Douvadjian'.

Head of Mortgage Banking
New England
(617) 863-8388
ddouvadjian@ngkf.com



SENT VIA EMAIL

February 1, 2022

City of Portland
Planning Board
385 Congress Street
4th Floor
Portland, Maine 04101

Re: Statement of Financial Capacity: Fathom Congress, LLC, as part of Fathom Development, LLC, and Mr. James Brady.

To Whom It May Concern,

We are pleased to confirm that Fathom Congress, LLC, as part of Fathom Development, LLC, and Mr. James Brady possess the full financial capacity and experience to successfully finance the proposed development to be located at 385 Congress Street, Portland, Maine 04101.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Tad Atwell
Tad.Atwell@MascomaBank.com
Senior Vice President
48 Free Street, Portland, Maine

Technical Capability

There is a highly qualified team of developer, architects, and engineers that have been compiled for the proposed project.

Residential Condominiums (Lots 2 and 3)

The proposed residential condominiums are to be developed by Reger Dasco Properties (dba 385 Congress Street LLC).

Reger Dasco Properties is a Portland-based partnership between Gordon Reger, Principal of Reger Holdings in West Seneca, NY, Demetri Dasco, Principal of Atlas Investment Group in Boston, MA and Joseph Dasco, Principal of Boulder Hill Development in western Massachusetts. Please see the attached writeup for more detailed information.

Hotel (Lot 1)

The proposed hotel is to be developed by Fathom Companies (dba Fathom Congress, LLC). The Fathom Companies is a fully integrated real estate development, management, and investment company based in Falmouth Maine. Fathom has developed and currently operates several hotel and commercial properties in Portland including the Press Hotel, 80 Exchange Street and Canopy by Hilton Waterfront Hotel

Architect

CBT is a Boston-based architectural firm with over 50 years of experience. They are a multi-disciplined firm that specializes in architecture, interior design, and urban design that has worked on projects both nationally and internationally. Please see the additional information included as part of this exhibit and the Neighborhood Context Statement exhibit for additional qualification information.

Civil/Survey/Permitting

Civil engineering, surveying, and permitting services are being provided by Sebago Technics.

Sebago Technics, Inc. (STI) is a multi-disciplined engineering firm with 40 years of experience, that offers a wide range of services specializing in land development, planning, permitting and engineering design services. We maintain a staff of multi-disciplinary professionals to provide services in the areas of general civil engineering, road and utility infrastructure design, construction management, permitting, landscape architecture, soil science, wetlands science, land surveying, and environmental engineering.

Please see the attached STI resumes for Steve Doe, RLA, Dan Riley, P.E., and Andrew Tufts, LA

Reger Dasco Properties

Reger Dasco Properties is a Portland-based partnership between Gordon Reger, Principal of Reger Holdings in West Seneca, NY, Demetri Dasco, Principal of Atlas Investment Group in Boston, MA and Joseph Dasco, Principal of Boulder Hill Development in western Massachusetts. Reger Dasco Properties has extensive experience with real estate investments, high-quality residential developments and mixed-use projects.

Gordon's career path began with Marc Equity Corporation, where he headed the company's new residential development division. His responsibilities included overseeing land development and new residential construction in western New York. Gordon also worked on numerous condominium conversions and new residential construction projects in Pennsylvania, Florida, South Carolina and Texas. Later in his career, as CEO of Reger Holdings, Gordon became involved in the redevelopment of historic buildings into luxury residences in Boston's Back Bay. One of his most notable projects was the Gateway Terraces, a premier, 230,000 sf, mixed-use development in the city's South End. Gordon led every aspect of the project, from concept to land acquisition, development, and retail sell-off.

Demetri established Atlas Investment Group in 2001 and currently oversees development acquisitions, construction management, and investment operations of the company's real estate portfolio. Under his leadership, Atlas has created transformational housing and retail opportunities, building strong, thriving, and diverse communities working in partnership with neighborhoods, residents, businesses and community groups. Demetri brings more than 25 years of experience to commercial real estate and development. Prior to founding Atlas Investment Group, Demetri was co-founder and president of his own specialty construction firm. Under his leadership, it grew into one of Boston's premier construction restoration companies

Joe started his career with Arthur Andersen and Company, a global accounting and consulting firm where he earned his CPA certification. Along with one of his Arthur Andersen associates, Joe later purchased AV Associates Inc., an Arthur Andersen client located in Storrs, CT. Together, they grew the multi-media/communications business from \$2.5 million annual revenues to a \$40 million business serving the large-scale needs of its Fortune 100 clients. Joe and his partner later sold the business to MCSI, a NASDAQ listed company. Joe then founded and continues to operate Boulder Hill Development, a boutique design-build real estate development and construction company located in western Massachusetts. Joe is also responsible for the day to day operations at Reger Dasco Properties.

Reger Dasco Properties has been working in Portland since 2006. The project resume in Portland includes, The Bay House, a mixed-use project which consists of 86 residential condominiums and over 6,000 square feet of commercial space, 113 Newbury Street, consisting of 35 residential condominiums, The Mason Block which consists of 27 condominiums and approximately 4,000 square feet of commercial space and Hobson's Landing which is currently under construction which is a multi-phase project consisting of a 150 room hotel (being developed by others), 85 condominiums, approximately 7,000 square feet of commercial space with an additional phase currently under design.



Completed Portfolio Fall 2021

info@fathomcompanies.com

www.fathomcompanies.com

207.808.8787

Fathom Companies is a fully integrated real estate development, management, and investment company focusing on exceptional properties in secondary and tertiary markets. We seek to add value to mixed-use, office, retail and hospitality facilities through thoughtful design and fastidious attention to detail. Our hospitality management branch brings decades of experience with some of the most successful brands in the industry. We aim to foster an environment of empowerment, creativity and teamwork.

The Press Hotel

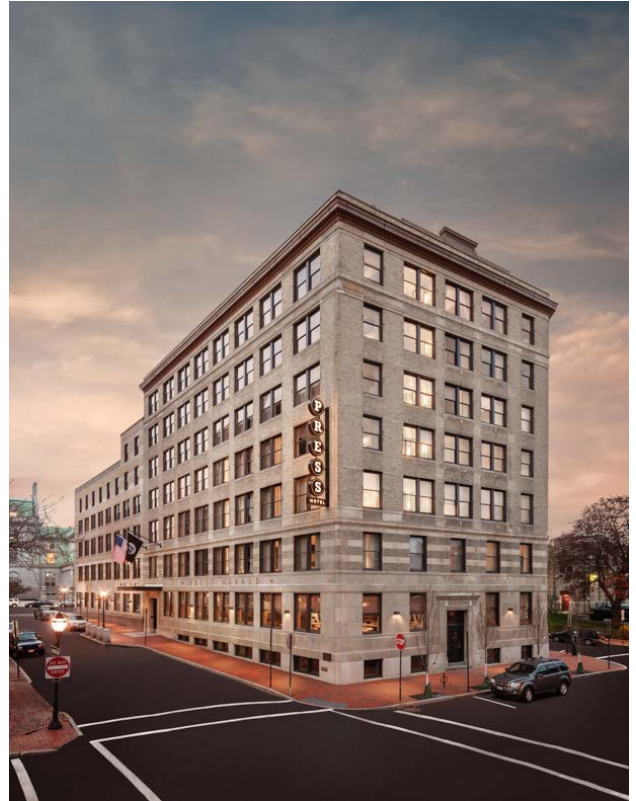
Portland, Maine

- Historic Rehabilitation Adaptive Reuse
- Former Newspaper Headquarters of the Portland Press Herald
- 110 Guest Room Boutique Hotel with 100 Seat Restaurant
- Ranked #1 and RevPAR leader in the market
- Opened May 2015

The opening marked the City of Portland's first lifestyle boutique hotel, breathing new life into a cherished, historic city landmark.

Design & Construction Team:

- Architype Architect
- Wright Ryan Construction



The Press Hotel

80 Exchange Street

Portland, Maine

- Historic Rehabilitation
- 15,000 Square Feet
- 4 Story Retail and Class A Office Space
- Opened January 2019

The project set out to bring back the once glorious building and restore its place in the urban fabric as a good neighbor and leader in design, and community development.



4th Floor Fathom Office at 80 Exchange Street

Design & Construction Team:

- Briburn Architects
- Warren Construction

Canopy by Hilton Portland Waterfront Hotel

Portland, Maine

- Ground Up Construction
- Canopy Lifestyle Brand by Hilton
- 135 Guestroom Lifestyle Hotel with indoor/outdoor rooftop bar and restaurant overlooking Casco Bay.
- Opened June 2021

Design & Construction Team:

- HKS Architects
- Baskervill Architects
- Cianbro Construction



Luna Rooftop Bar at Canopy Portland Waterfront Hotel



FIRM OVERVIEW



WE ARE A TEAM OF OVER 220 ARCHITECTS, PLANNERS, INTERIOR AND GRAPHIC DESIGNERS. WE'RE CURIOUS. WE'RE CREATIVE. WE CHANNEL OUR COLLECTIVE DRIVE AND EXPERTISE TO CREATE RESOURCEFUL, IMAGINATIVE, **TRANSFORMATIVE** SPACES.

ABOUT CBT

CBT is an award-winning design firm providing services in interior design, architecture, and urban design for a diverse range of clients in a variety of building types. Founded in Boston in 1967, CBT is proud of our 220 designers, architects, planners, and support personnel dedicated to innovative and responsive design across eight project sectors. Our interiors group is among the most robust in the region.

Our firm works nationally and internationally on projects that range from multi-family developments, urban mixed-use master plans, civic and cultural buildings, corporate interior design, and academic projects. Clients come to us for our real estate savvy, ability to provide strategic design services in a broad number of project types and styles, and our skill in blending high quality planning and design with practical goals of budget and schedule.

Our work benefits from a holistic approach that considers the scope of a project in its broadest definition from issues of long-range planning to ergonomic detail. In 50 years of practice, CBT has played an important role in a broad range of projects in diverse settings. It is our belief that for each of our projects to come to life and continue to thrive, it must support the business goals and culture of each client.

INTEGRATED PRACTICE

CBT's principals practice broadly in the fields of architecture, interior design and urban design with specialties in residential and commercial developments, workplace interiors, academic, large-scale site development and mixed-use design. We freely share our talents and our specialized staff so that each project gets the unique mix of creativity that it deserves. But, we manage projects independently so that each client relationship is personal, direct and professional.

CBT's recent award-winning residential projects in and around Boston include the Mandarin Boston Hotel and Residences; Avalon North Station; Twenty | 20 at Cambridge Crossing; AVA Theater District; and Watermark East. Projects currently in construction include the monumental new residential tower to replace the Government Center Garage, The Echelon Seaport and Parcel I at Cambridge Crossing.

For these, we have planned and programmed hundreds of residential units, common spaces, amenities, and ancillary living environments.



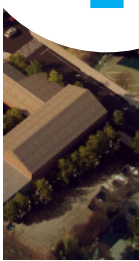
ARCHITECTURE

Architectural design plays a critical role at the street level as within a skyline. CBT holds dear every design commission that allows for a unique vision, creative design expression, and meaningful contribution to the surrounding neighborhood.



URBAN DESIGN

At the core of responsible urban design is an understanding of context: successful placemaking results from thoughtful exploration of the built and natural environment. Within the urban fabric, each project must be a complement to the surrounding parcels, while always appealing to the human experience.



INTERIOR DESIGN

We understand how the interior design and the base building inform one another, so that space is conceived in a responsive way. When the interiors are designed in conjunction with the architecture very early in the project, a much more appropriate and efficient result emerges.



CBT'S RECENT CLIENTS
(THE THREE-YEAR LIST)

ABRY Partners	Bryant University	Harvard Business School	Samuels & Associates
Abu Dhabi Future Energy Company	Cottonwood Management	Jefferson Apartment Group LLC	Sea-Dar Development
Abu Dhabi Urban Planning Council	Cabot, Cabot & Forbes of New England	HUBweek	Shawmut Design and Construction
Ajax Consulting Services	CIM Group	Jefferson Apartment Group LLC	Skanska USA Commercial Development Inc.
Alexandra Partners	Crane & Co.	Jones Day	Sterling Bay
Analysis Group	Curry College	Jones Lang LaSalle — JLL	Synergy Investments
Andover School of Montessori	Cushman & Wakefield	Leggat McCall Properties	The Brattle Group, Inc.
AvalonBay Communities	Deka Immobilien Investment	Massachusetts State Senate	The Druker Company, Ltd.
Babson College	DivcoWest	MIT Media Lab	The Fessenden School
Berkeley Investments	Dynatrace	National Development	The General Investment and Development Companies
BioMed Realty Trust	Eaton Vance Management	Natixis Investment Managers	The HYM Investment Group, LLC
Blue Cross Blue Shield of Massachusetts	Equinox Luxury Fitness	New England Aquarium	Tishman Speyer
BNY Mellon	Flatley Management Company, LLC	Norton Museum of Art	Trammell Crow Company
Boston College	FoxRock Properties	Oxford Properties Group	Tufts University
Boston Global Investors	Gables Residential	Pembroke Real Estate	Twining Properties LLC
Boston Properties, Inc.	Grantham, Mayo, Van Otterloo & Co.	Redgate Real Estate Advisors	UDR Apartments
Boston University	HarbourVest Partners, LLC	Reading Public Library	University of Massachusetts Building Authority
		Related Beal	WeWork

**Education**

Bachelor of Architecture, Syracuse University

Professional Affiliations

American Institute of Architects

Boston Society of Architects

National Council of Architectural
Registration Boards

Urban Land Institute

US Green Building Council

PRINCIPAL**PHILIP CASEY** AIA, LEED AP**PROFESSIONAL EXPERIENCE**

Phil Casey is a Principal at CBT and has over 20 years of professional experience in architectural design and project management with specialization in highly complex mixed-use and multi-family residential developments. He has far-reaching experience working with the Greater Boston area and its agencies. He is a skilled and facile senior project manager serving as executive liaison to many of CBT's clients. Phil's wide-ranging and adaptable leadership style has contributed to many award-winning projects within Boston and beyond.

Motor Mart Garage Redevelopment | Boston, MA

Reimagining an Art Deco parking structure as a 19-story tower is an exercise in design agility and artistry. The tower, when complete, will breathe new life into the surrounding urban neighborhood while maintaining the integrity and beauty of the original building.

60 Kilbuck | Boston, MA

Design for a new mixed-use residential building in Boston's Fenway neighborhood. The project includes 250 – 300 multi-family rental units and 50 – 100 condominium units, along with retail, parking, and public and private amenity spaces.

121 Seaport Boulevard | Boston, MA

Design for a dramatic new elliptical office tower in Boston's Seaport District. The 17-story building offers two floors of retail space and below-grade parking. The innovative building design has resulted in new strategies for environmental sustainability and the project is LEED-Platinum certified.

Cambridge Crossing, Parcel I | Cambridge, MA

This newest residential building in CBT's master-planned Cambridge Crossing neighborhood is a signature design to enrich the character and fabric of the development. At 21 stories, the residences at Parcel I will offer retail options along the street level and nearly 500 new market-rate rental units.

Echelon Seaport | Boston, MA

Site planning and design for a new mixed-use residential project covering a full city block in the heart of Boston's Seaport. Echelon is a three-building, 1.2-million-square-foot development with world-class amenities, ground-level retail, and more than 700 units of housing. In collaboration with KPF of New York.

380 Stuart Street Tower | Boston, MA

Executive Architect with SOM for the design of a new 26-story, 625,000-square-foot office tower in the heart of Boston's Midtown Cultural District.

Confidential Office Master Plan | MA

Design and master plan of a 1 million-square-foot multi-use campus comprised of 5 new, 6-story, lab-ready office buildings, 3-5 single story retail / commercial buildings, and parking for approximately 3,300 cars.

Confidential Residential Tower | Baltimore, MD

Full architectural design for a 44-story residential tower in Baltimore's Inner Harbor, contributing to the development and growth of this neighborhood. When complete, the new building will deliver nearly 400 new units of luxury apartments.

Avalon North Station | Boston, MA

Design for a new, 38-story luxury residential tower adjacent to Boston's famed TD Garden. The 635,000-square-foot project includes 503 residential units, a sky terrace on the 35th floor, 219 above-grade parking spaces, and a two-story retail arcade that connects the new tower to Causeway Street and North Station.

Commonwealth Pier | Boston, MA

Design in collaboration with SHL to revitalize the Seaport World Trade Center on Boston's Commonwealth Pier. The multi-year project will transform and rejuvenate the 705,000-square-foot building and pier with new amenities for greater public access to the waterfront, vibrant retail offerings, first-class event spaces, and a unique and flexible workplace for Fidelity Investments, who will occupy more than 600,000 square feet of new office space.

Gables Seaport | Boston, MA

Design for a 20-story, 300,000-square-foot mixed-use residential development including approximately 250 rental units, amenity spaces and common areas, ground floor retail space, and one level of parking.

AVA Theater District | Boston, MA

Design of a 30-story, 460,000-square-foot glass residential tower in the heart of Boston's cultural district. The building includes 400 modern rental units, 90,000 square feet of below-grade parking, fitness space, shared social spaces, and sky lounge with terrace.

Atlantic Wharf | Boston, MA

Design of Boston's first LEED Platinum high-rise. This 1.2-million-square-foot waterfront development includes a 31-story office tower, the restoration of historic buildings, new retail and residential space, and a dramatic reclaimed public space.

Lofts at Atlantic Wharf | Boston, MA

Adaptive reuse of an 1890 Peabody and Stearns building into 86 contemporary, luxury loft-style apartments, including seven two-story duplex units with club room, fitness room, and a new lobby. This project is a major component in CBT's 1.2-million-square-foot Atlantic Wharf development.

The Beverly | Boston, MA

Design for a 14-story, 496,000-square-foot mixed-use complex above the underground Central Artery. The program includes a 250-key hotel, 230 residential units, 180 elevated parking spaces, and ground-floor retail.

Tango Residences at Cambridge Crossing | Cambridge, MA

Design and construction of a new 236,000-square-foot, 230-unit residential tower with a variety of unit types; in collaboration with architects Alliance of Toronto.

Clippership Wharf | Boston, MA

Master planning and preliminary design for a five-building, 400-unit residential development on the East Boston waterfront overlooking downtown Boston and the Boston Harbor.

**Education**

Bachelor of Architecture, Advanced Studies in Studio Art and Art History, University of Minnesota

Professional Affiliations

American Institute of Architects

Association of College and University Housing Officers – International

Boston Society of Architects

Boston Architectural College Thesis Critic

Society of College and University Planning

PRINCIPAL**CHRISTOPHER A. HILL AIA****PROFESSIONAL EXPERIENCE**

Christopher has 31 years of experience in the design of a variety of projects ranging from academic and institutional facilities to mixed-use office and residential complexes. He is a sought expert on the design of campus residential environments often based around live/learn principles. He has served as a guest lecturer on residential hall design at both the Harvard Graduate School of Design summer program and the ERAPPA, SCUP, AIA, and ACUHO-i national conferences. He has published articles in SCUP's quarterly Planning magazine, ACUHO-i's Talking Stick publication and contributed research in Campus Architecture, a book by Richard P. Dober.

345 Harrison Avenue | Boston, MA

Design for a new 14-story, 714,600-square-foot residential building. The program include 585 one-, two-, and three-bedroom apartments, amenity space, street-level retail, and a 267-car structured parking garage.

J. Malden Center | Malden, MA

Design of a dynamic new building complex for downtown Malden including two new residential buildings with 320 units of rental housing, a new 44,000 square foot office building, 22,000 square feet of retail, a sky bridge spanning Pleasant Street, and a new above-ground parking garage.

The Harvey | Boston, MA

Planning and design of a new six-story, 177-unit residential building in the famed Hood Park in Charlestown, Massachusetts. The building is designed to complement the existing neighborhood buildings and to give life to the emerging Rutherford Avenue Corridor with 10,500 square feet of new retail space.

Charlesview Development | Boston, MA

Master plan and design for 708,000 square feet of residential, community, commercial and open space including 240 rental units, 100 new homeownership units, 26,533 square feet of commercial/community space and four acres of new open space.

Rollins Square | Boston, MA

Design of a new 184-unit condominium complex for the Archdiocese of Boston, comprised of four buildings surrounding a central park, retail space on the ground floor, and a below-grade parking garage.

Clippership Wharf | Boston, MA

Master planning and preliminary design for a five-building, 400-unit residential development on the East Boston waterfront overlooking downtown Boston and the Boston Harbor.

The Marlborough, 416 Marlborough Street | Boston, MA

Conversion of a ten-story apartment building to luxury condominiums including a one-story addition to the top of the building with common and private roof-deck patios.

101 Huntington Lobby, Prudential Center | Boston, MA

Interior rehabilitation of the 101 Huntington Avenue office tower as part of the Prudential Center redevelopment project.

111 Huntington at the Prudential Center | Boston, MA

Planning and design for an 850,000-square-foot landmark project within Boston's Commercial District. This iconic 30-story glass office tower includes a 400-foot-long winter garden overlooking a new park and a five-story precast base containing office, retail, and transit links.

The Belvedere at Prudential Center | Boston, MA

Design of a new 11-story residential tower providing 60 units of luxury one-, two-, and three-bedroom condominiums, and two stories of retail shops.

Sargent's Wharf | Boston, MA

Design of mixed-use complex that includes 265 housing units, office and retail space, underground parking, marina, and public open space, and an addition to the existing pilot house.

Waterfront at Pitts Bay | Hamilton, Bermuda

Competition-winning design of a new 250,000 square foot mixed-use development for a prominent waterfront site located in Bermuda.

Watermill Place | Arlington, MA

Planning and design for 130 market-rate condominiums in a six-story building on a historic site.

927 Boylston Street | Boston, MA

Design for a 54,000-square-foot, 11-story mixed-use building. The program includes 11 high-end residential units, ground-floor office space, 24 parking spaces, and common roof deck.

Charles River Park Amenity Center | Boston, MA

Design of a new plaza level structure connecting Longfellow Place towers and including a leasing and business center, fitness club, pool, Wi-Fi café, activity room, sundeck, and site design.

Introduction to Sebago Technics, Inc.



Year Established: 1981 (38 years in business)

About Us: Sebago Technics, Inc. (STI) is a consulting firm of more than 70 design professionals and technical staff providing services throughout New England. From the start, our business plan was simple: “to provide quality, cost-effective civil engineering services that are responsive to a customer’s goals, schedule and budget.” Our One Company capabilities and resources provide clients with experience and solutions to respond to their planning, permitting and design needs.



Structure: Employee-owned since 1998

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

Employee Disciplines:

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



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

Location: South Portland, ME



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

Web Site: www.sebagotechnics.com

STEPHEN G. DOE, RLA, LEED-AP

Senior Landscape Architect



When Mr. Doe joined Sebago Technics, Inc. in 1988, he brought with him a versatile and highly proficient background in land planning, site development, landscape architecture and graphic presentation, and construction. With a fine understanding for detail and construction practices, he has continually proven his ability to prepare functional, yet aesthetically pleasing land development programs and Site Plans for both public and private sector clients. He is proficient in combining his technical knowledge with highly skilled graphic communications to prepare all levels of plan documents from Conceptual Site Plans to complete construction documents and specifications. His strong public presentation skills and attention to detail in preparing and administering Site Plan Applications with state and local regulators has proven beneficial to clients in receiving timely approvals and respect within their communities.

EXPERIENCE



Boothbay Harbor Country Club, Boothbay, Maine – Steve was Sebago's Project Manager and Lead Site Designer for this complete renovation of the Boothbay Harbor Country Club. Working in collaboration with Knickerbocker Group, Steve prepared the master plan, detailed site plan, landscaping and grading plan for this new world class country club and was fully involved in the construction administration of the entire project. This \$21M rebuild broke ground in 2013 and opened in 2016. The landscape planting budget alone exceeded \$1.2M and included the installation of 8 inch caliper trees along a boulevard entry drive. The golf course itself underwent a \$14M renovation during the same time frame as the clubhouse.

Boothbay Harbor Country Club Fitness Pavilion, Boothbay, Maine – Continuing with the BHCC and the Knickerbocker Group, Sebago completed the site design, engineering and permitting for an expansion to the campus by designing a fitness pavilion with an outdoor pool and spa. This development included a separate entry drive to the campus from the Boothbay Village Common. This design process started in 2014 and opened in Spring 2018.

Route 27 Street Improvement Project, Boothbay, Maine – Steve was the Project Landscape Architect for this upgrade and street improvement project in the heart of Boothbay Village. The design included landscaped median islands, central round-about, new street lights, signage and redevelopment of several properties, including the Town hall and Village Market that conflicted with street re-alignments. Steve also worked with the Town's Landscape Committee to collaborate with them on the landscape design and plant selection. Steve performed construction administration and inspections of the landscape installation. Project was completed in July 2018.

Kennebunkport Resort Collection- Various Properties, Kennebunk and Kennebunkport, Maine - Steve is the Lead Site Planner and Permitting Specialist for the entire holdings of the Kennebunkport Resort Collection. This group owns and operates numerous high-end hotels throughout the Kennebunk's. Sebago has been involved with KRC since its inception in 2015. These properties include: Hidden Pond and Earth Restaurant, The Tides Beach Club, Cabot Cove Cottages, The Grand, The Yachtsman, The Boathouse, The Lodge on the Cove, The Arundel Inn and The Old Fort Inn.

Residential Properties, Kennebunk, Kennebunkport, Maine - As a resident of Kennebunkport, Steve has developed a solid reputation with the Town Planning and Code Enforcement offices in these communities and consequently has received numerous referrals from the officials to assist homeowners, developers and architects with design, engineering and permitting for their projects. He is familiar with the regulations and permitting process in these Towns and has developed a respect with the Planning Boards in providing quality engineering and land planning work that complies with local codes.

EDUCATION



Ohio State University - Columbus, OH
Bachelor of Science, Landscape
Architecture, 1986

Architectural Technical Institute,
Ohio State University - Wooster, OH
Associated Degree in Applied
Science, 1980

MEMBERSHIPS

Sigma Lambda Alpha Honor Society
for Landscape Architects

National Landscape Architecture
Honor Society

Town of Kennebunkport Shade Tree
Committee Member

REGISTRATIONS

Registered Landscape Architect:
Maine #131

LEED Accredited Professional
CLARB Certified



DANIEL L. RILEY, PE, CFM

Vice President, Engineering



Mr. Riley is a Senior Project Manager and Vice President of Engineering with over 25 years of experience in the civil engineering field on projects for the private sector, as well as federal and municipal clients. He has a diverse background in civil engineering, site design, residential and commercial development and permitting.

He is experienced and well versed in presenting complex, controversial and publicly sensitive issues to a variety of audiences. Since 2008, Mr. Riley has been the Contract Manager and lead engineer for Sebago Technics' General Engineering Services Contract with the City of South Portland. In that role, he is responsible for coordinating the firm's services and providing engineering support for City Departments including Planning and Development, Bus/Transportation and Waterfront, Public Works, and Parks and Recreation.

Prior to joining Sebago Technics, Mr. Riley worked as a professional engineer in Colorado specializing in water resources engineering. In that role, he managed projects for federal and municipal clients, including stormwater master planning and floodplain studies and assisted communities with the implementation of Stormwater Management Utilities. He maintains status as an ASFPM Certified Floodplain Manager.

EXPERIENCE



City of South Portland Maine Engineering Services

Mr. Riley has been the Contract Manager and lead engineer for Sebago Technics' General Engineering Services Contract with the City of South Portland since 2009. In that role, he is responsible for coordinating the firm's services and providing engineering support for City Departments including Planning and Development, Bus/Transportation and Waterfront, Public Works, and Parks and Recreation. Since 2012 his focus for South Portland has been combined sewer separation projects. Notable projects include:

- Knightville Sewer Separation and Street Improvements Phases 1 and 2
- Thornton Heights Improvements Project Phases 1-3
- Pleasantdale Sewer Separation Project
- SWMM Model updates, Greenbelt Trunkline, West High Pump Station and Pearl street Pumps Station Service areas.
- Greenbelt Sewer Replacement Project

City of Portland Combined Sewer Separation Projects

Mr. Riley has been the Project Manager for several of Sebago Technics' Sewer Separation contracts with the City of Portland since 2010. Notable Relevant Projects include:

- Fall Brook Watershed Study- City of Portland Public Services Department
- Woodford Street and Melrose Street: Design and Inspection Services 2016-2017
- Forest Avenue, Deering Street and Ocean Avenue: Design and Inspection Services 2017-2018
- Mackworth-Ocean and Walnut Street: Design Services 2018-2019 for construction in 2020-2021

EDUCATION



Villanova University, Villanova, PA
Bachelor of Science, Civil Engineering
1991

REGISTRATIONS

Professional Engineer:
Maine #9967
Colorado: #32176

Certified Floodplain Manager
#32249

MEMBERSHIPS

Chi Epsilon, National Civil Engineering
Honor Society

Association of State Floodplain
Managers (ASFPM)



Our approach is to create a **cohesive and complementary design** that **builds upon the historic context** of Downtown Portland with forward and innovative vision of providing **activation and scaled environment to the public realm and the neighborhood.**

1. **Respect historic context**
2. **Well scaled street environment**
3. **Create skyline**
4. **Timeless design approach**
5. **Sustainable approach**

CONTEXT IMAGES



NORTH-EAST VIEW



SOUTH-EAST VIEW



SOUTH-WEST VIEW



NORTH-WEST VIEW

NEIGHBORHOOD CONTEXT MAP & ZONING ANALYSIS



VIEW ANALYSIS



CUMBERLAND AVE

NORTH @ 150'



PEARL STREET

EAST @ 150'



CONGRESS STREET

SOUTH @ 150'

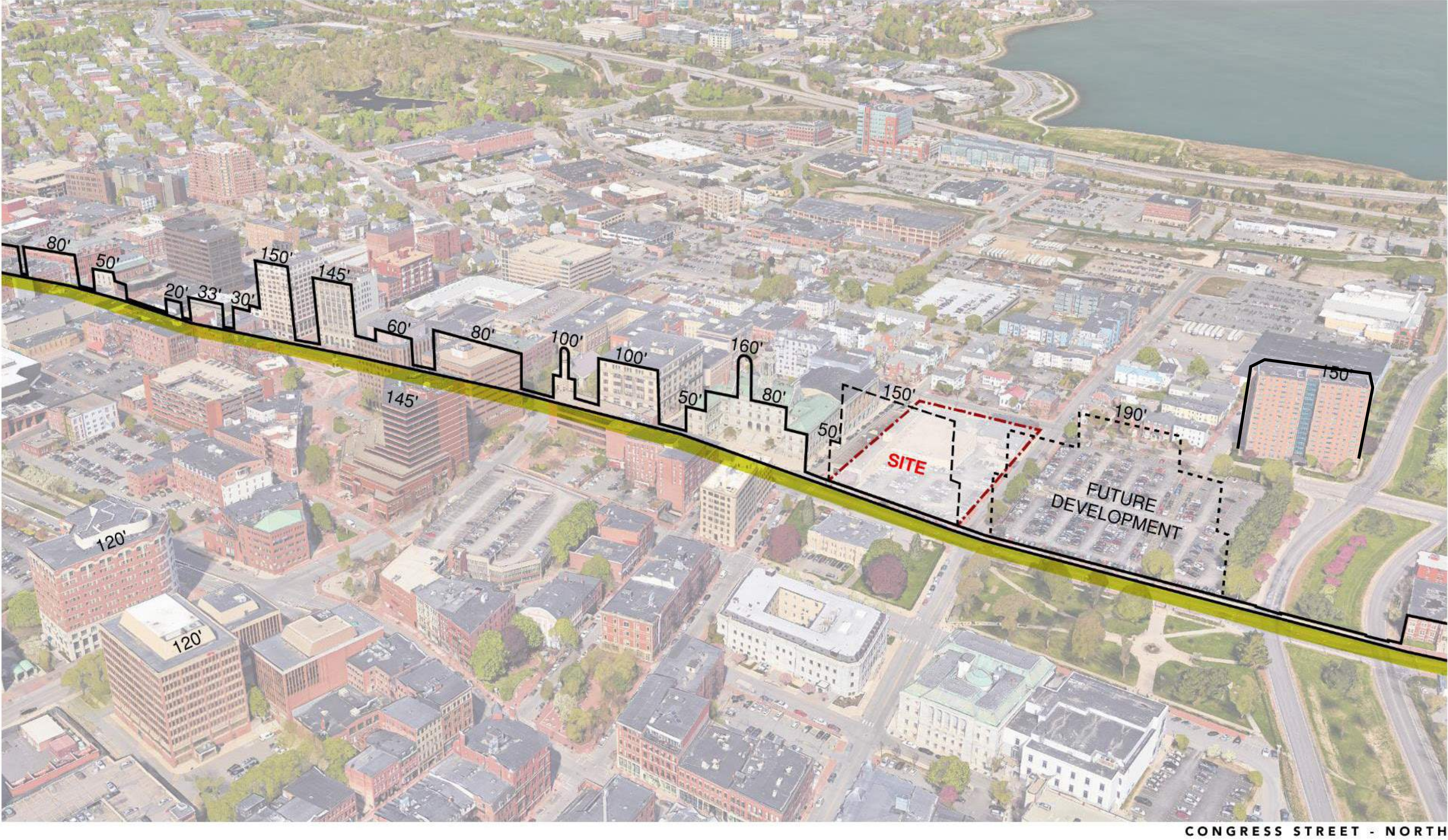


MYRTLE STREET

WEST @ 150'

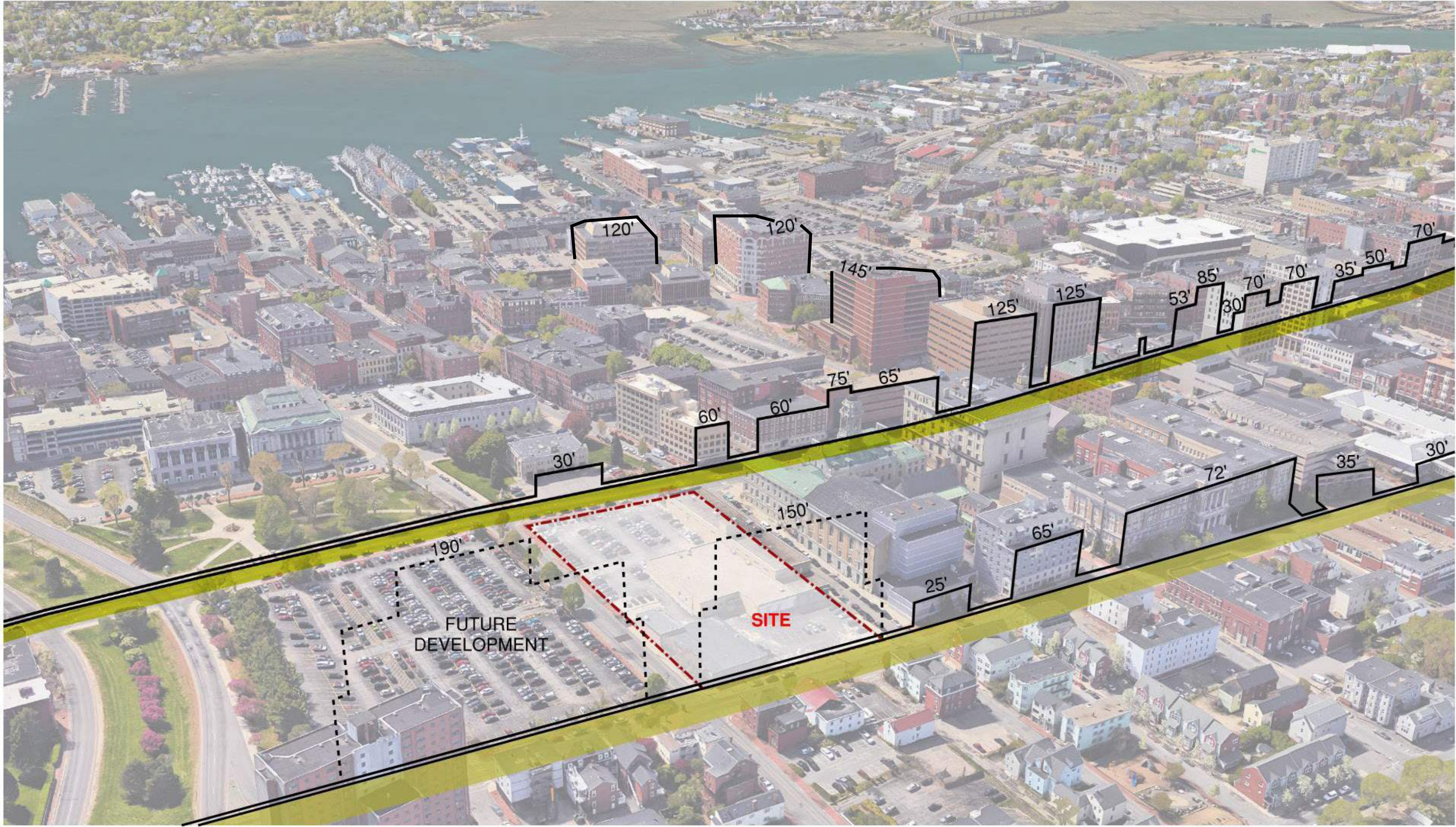
CONTEXT HEIGHT ANALYSIS

CONGRESS ST NORTH



CONTEXT HEIGHT ANALYSIS

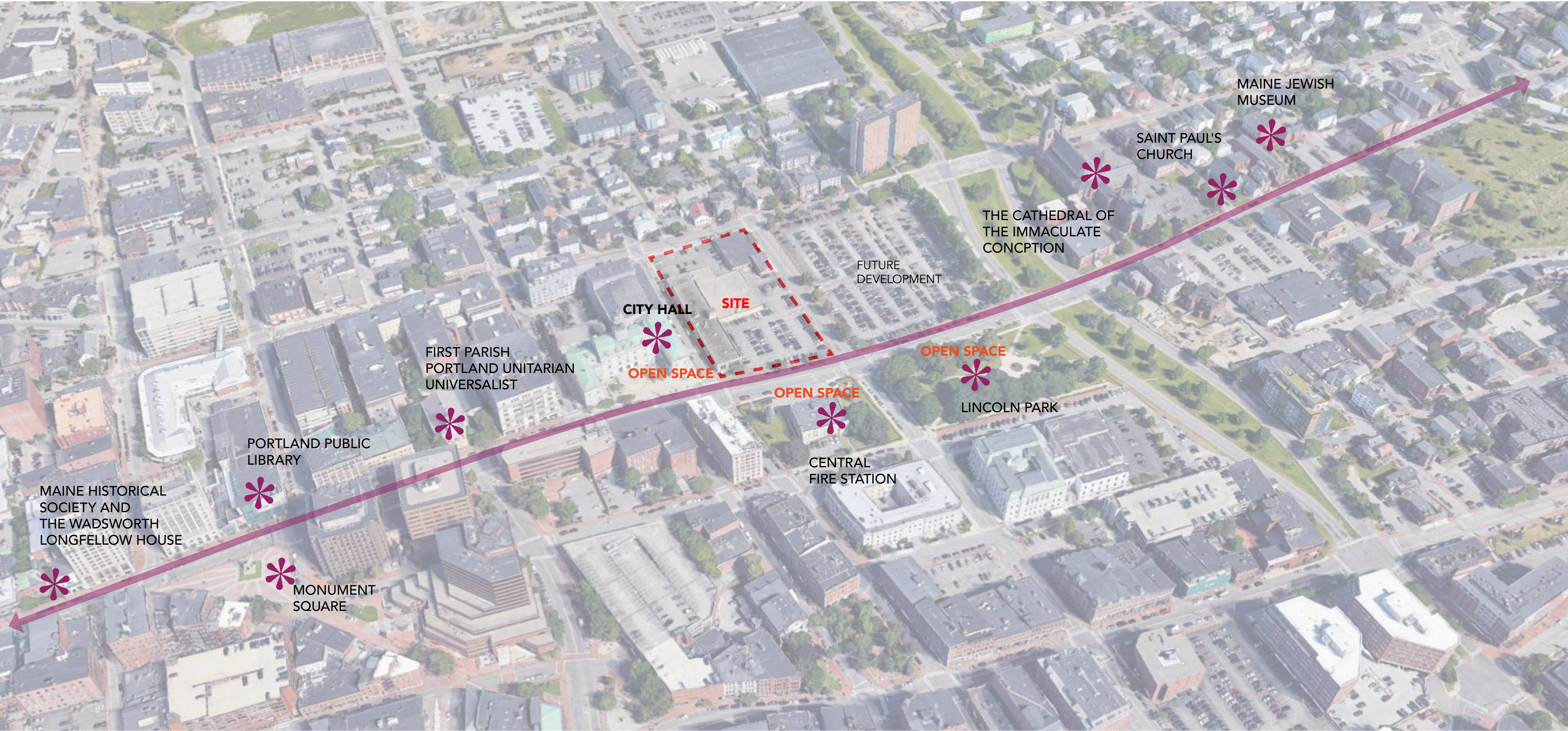
CUMBERLAND AVE



CONGRESS STREET - SOUTH
CUMBERLAND AVE - SOUTH

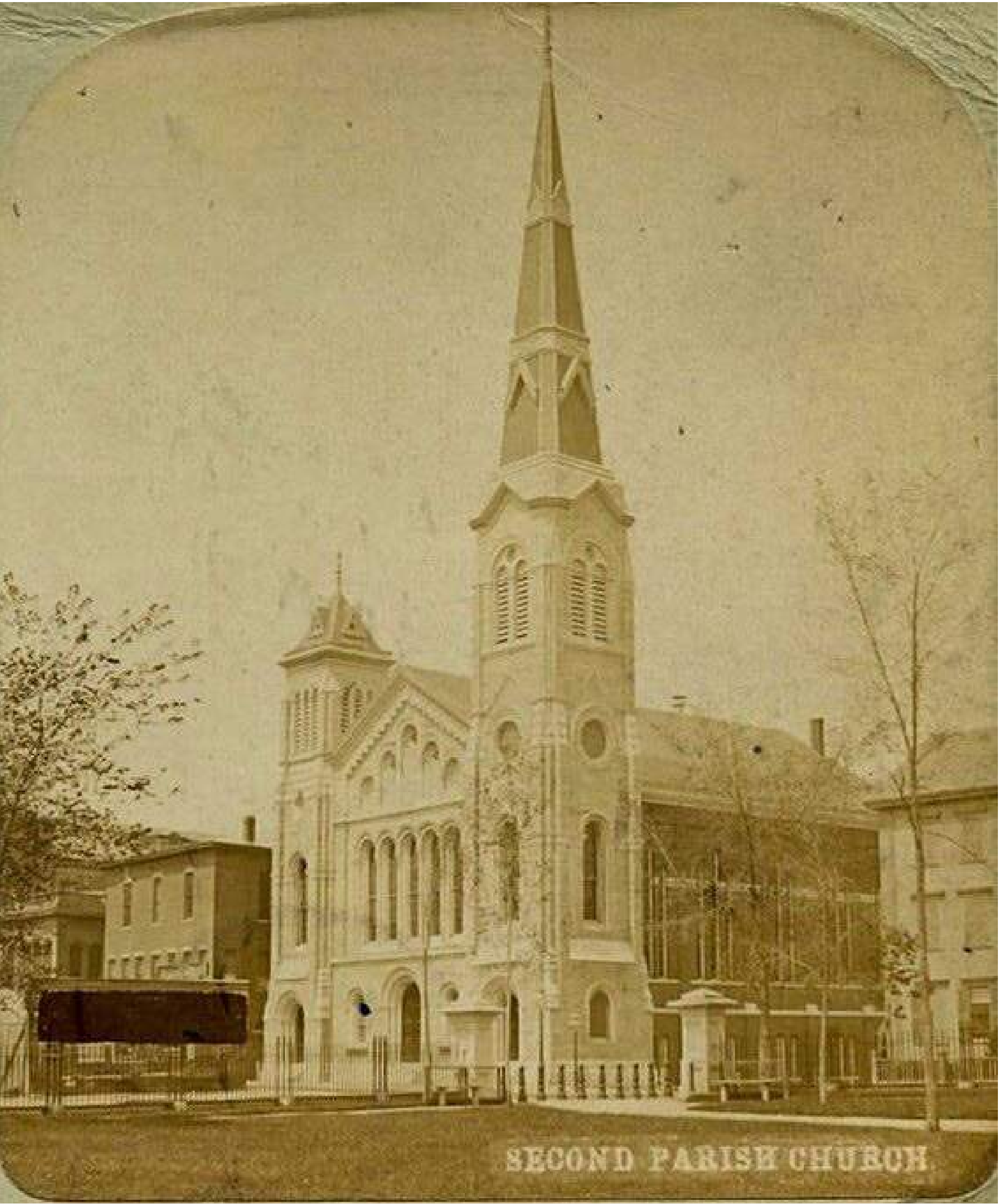
CONGRESS STREET ACTIVATION

THIS SITE PROVIDES THE OPPORTUNITY TO EXTEND THE ACTIVITY OF CONGRESS STREET TO THE EAST AND BRIDGE THE GAP BETWEEN DOWNTOWN AND THE EAST END. BY PROVIDING PROGRAMS THAT CAN BE ENJOYED BY THE BUILDING TENANTS AND MEMBERS OF THE PUBLIC, THIS PROJECT WILL ADD TO THE ALREADY VIBRANT NETWORK OF SPACES ALONG CONGRESS STREET.

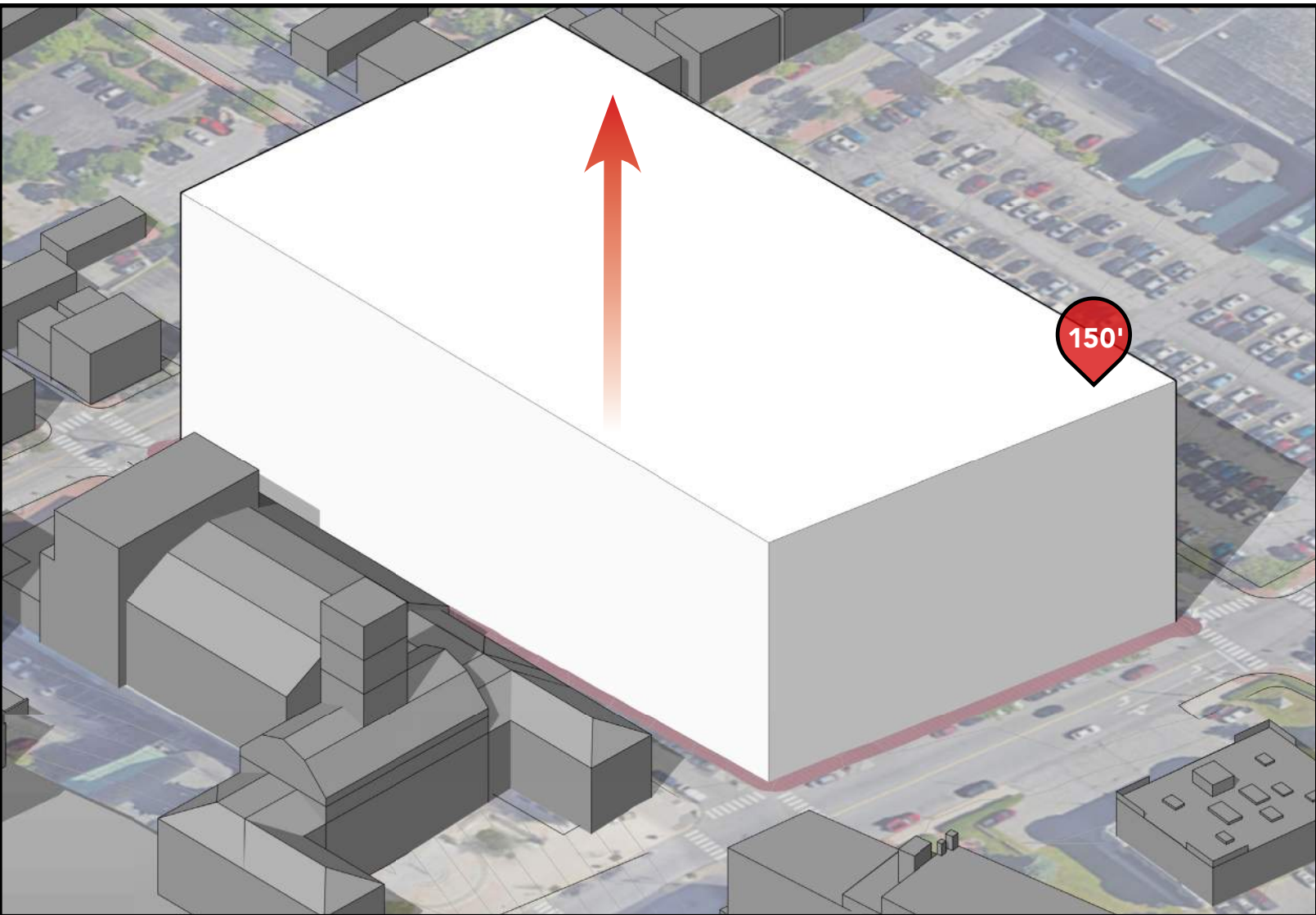


HISTORIC CONTEXT

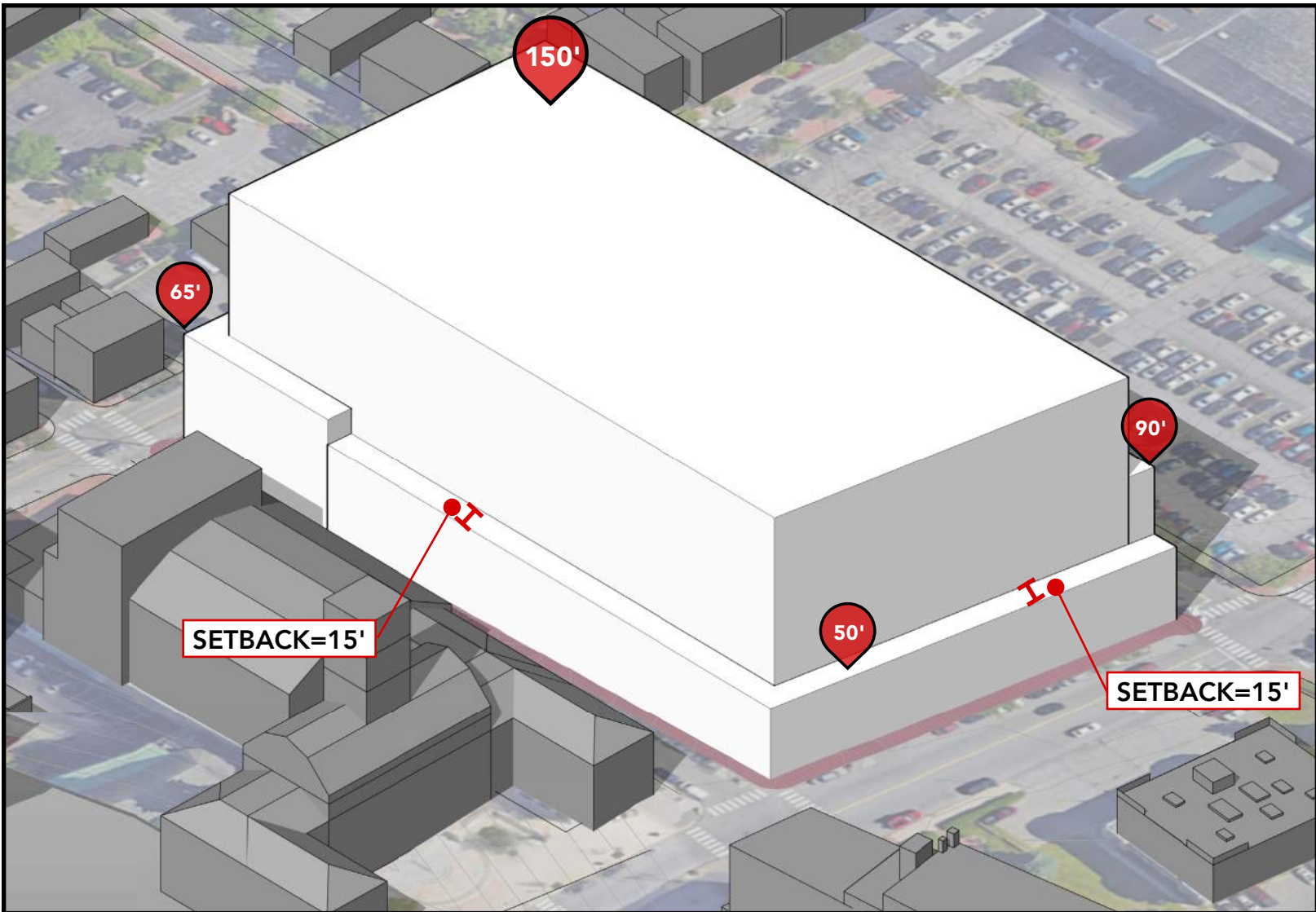
HISTORICAL MAPS REVEAL THAT THIS PARCEL WAS FORMERLY THE SECOND PARISH CHURCH.



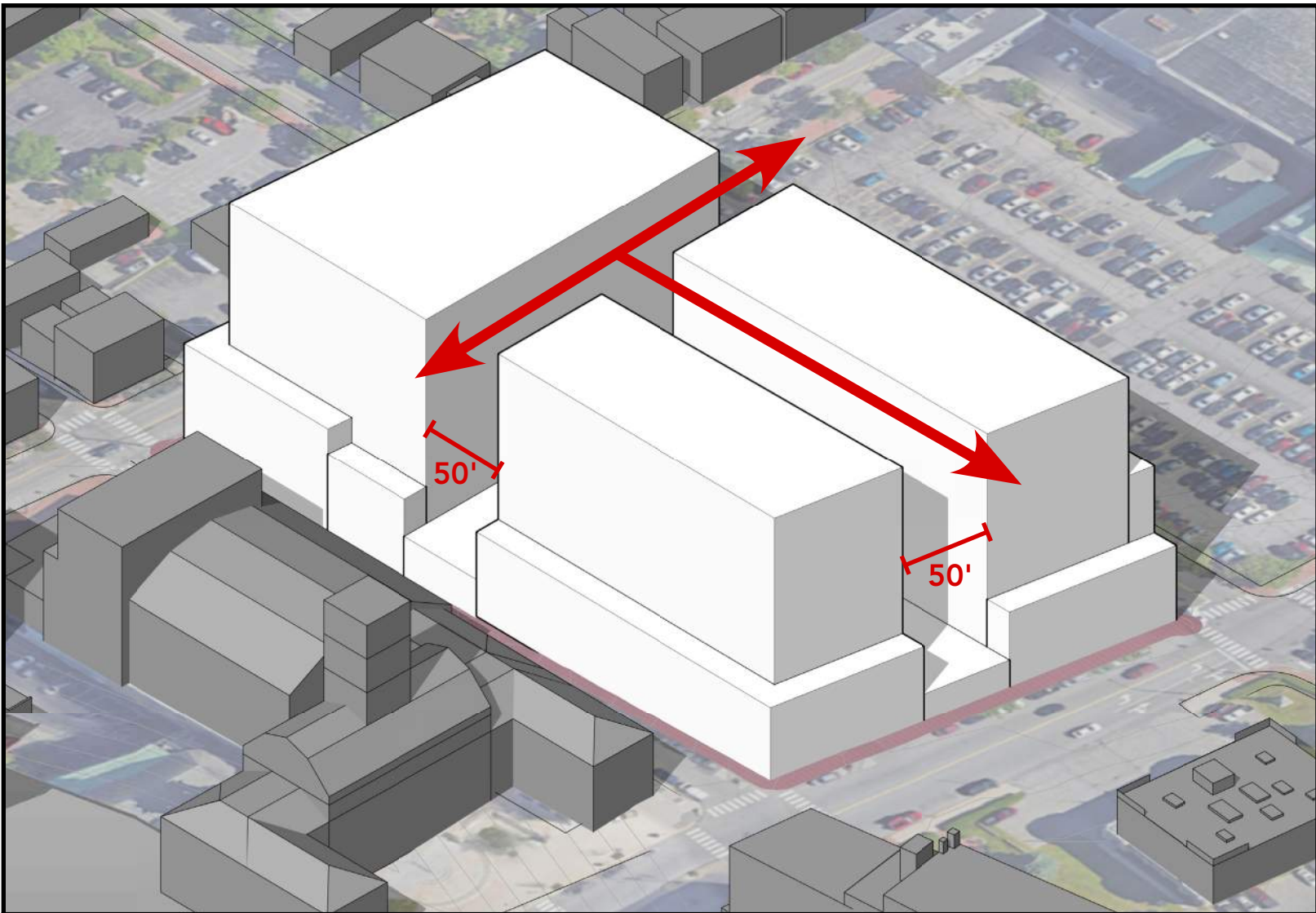
MASSING EVOLUTION



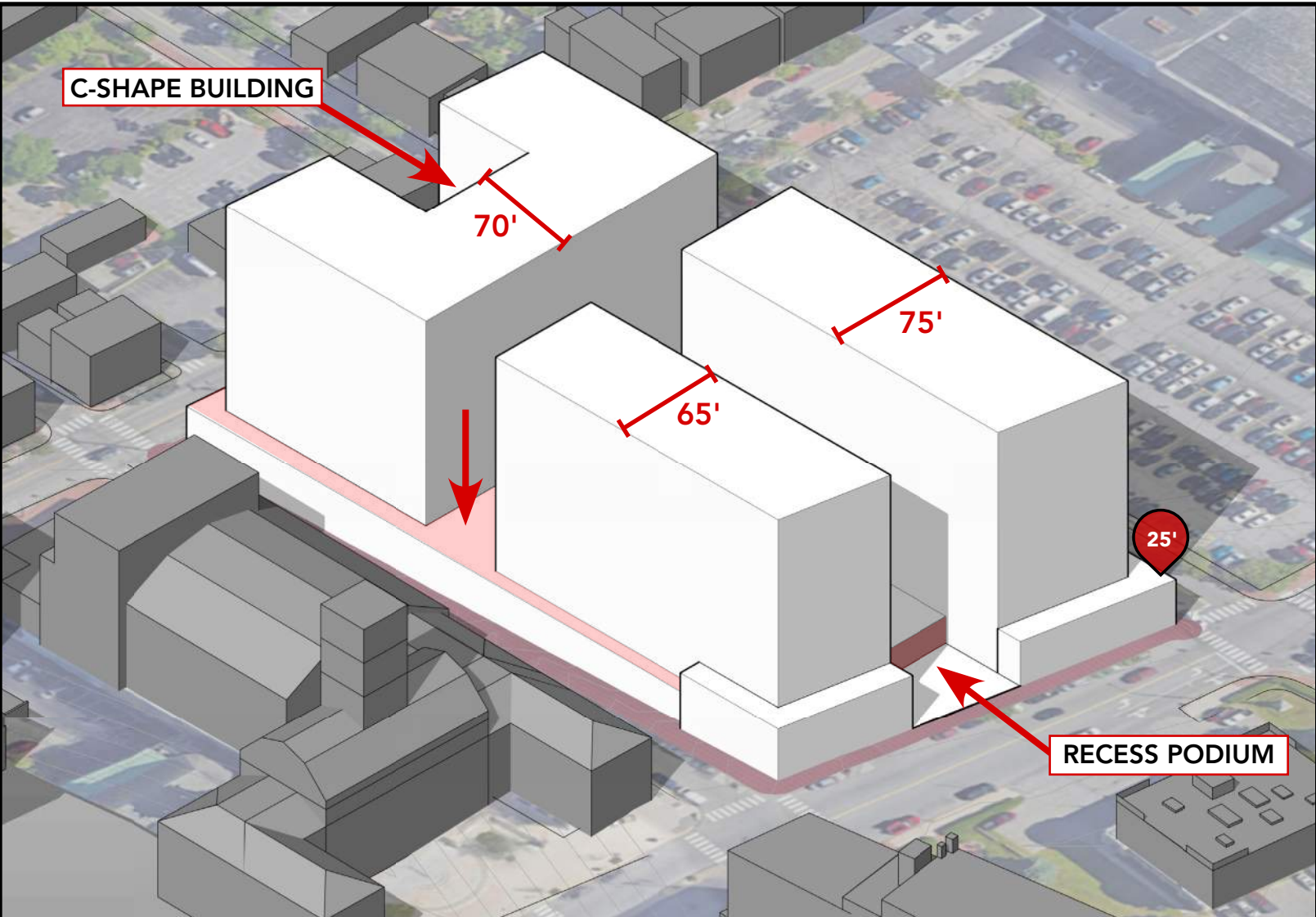
1_EXTRUDE SITE FOOTPRINT



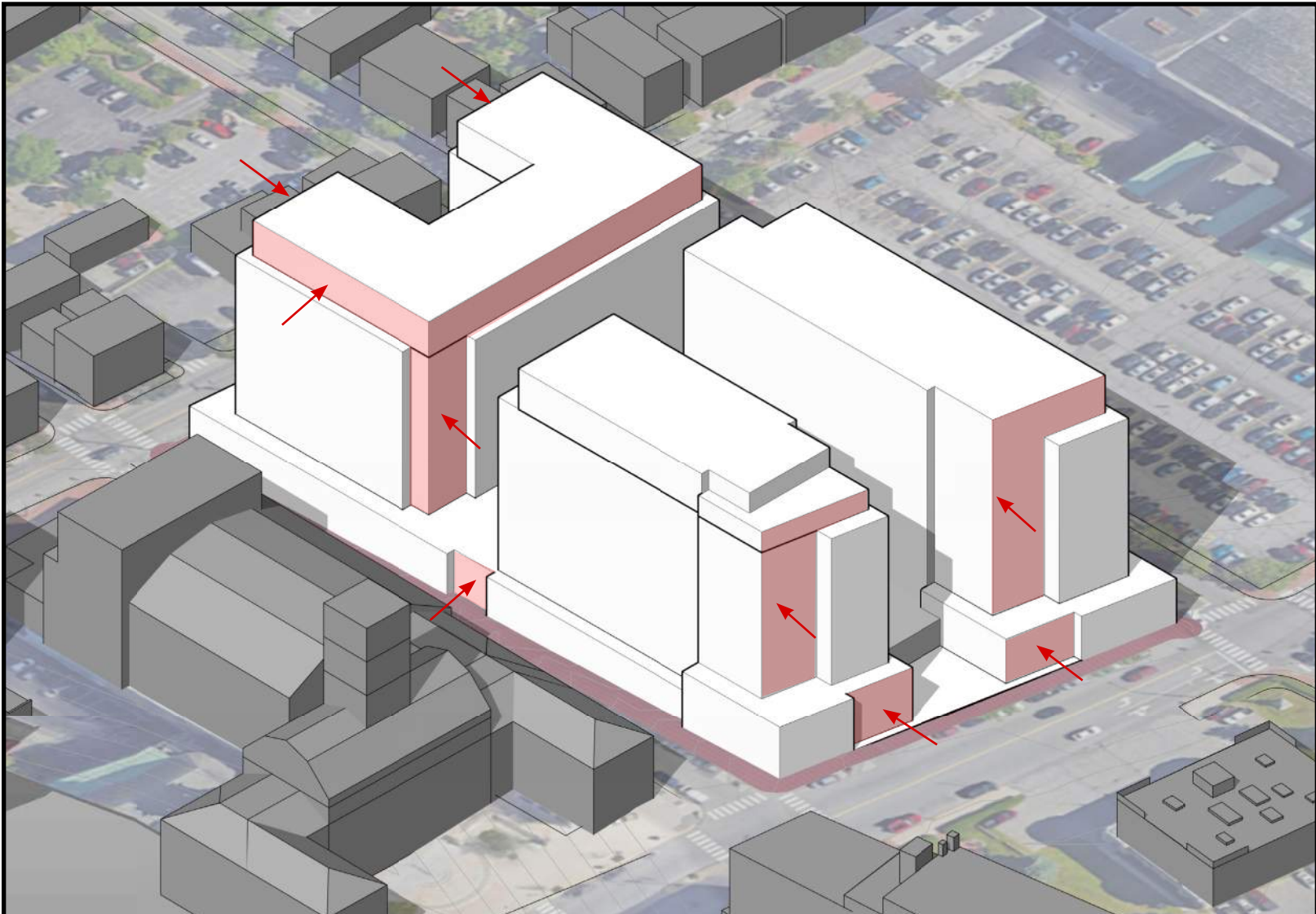
2_ZONING SETBACKS (AS OF RIGHT)



3_SUB-DIVIDE SITE FOR POROSITY



4_SHAPE BUILDING FOOTPRINTS; ESTABLISH SHARED PODIUM



5_SCULPT MASSING



6_ADD BALCONIES & MATERIALS

PARCEL SUBDIVISIONS

**VALUES ARE APPROXIMATE

		HOTEL SF	KEY COUNT	RESI SF	UNIT COUNT	LOBBY / AMENITY	RETAIL	BOH / SUPPORT	MECHANICAL	CIRCULATION	PARKING	PARKING COUNT	GSF TOTAL
Phase 1A	Pearl			158,100	110	4,900	2,500		12,000	24,200	43,300	126	245,000
Phase 1B	Myrtle	80,000	152	9,000	9	15,700		17,500	7,200	22,200	28,400	70	180,000
Phase 2A	Cumberland S			92,400	94	5,100	4,200		6,500	22,000	62,000	165	192,200
Phase 2B	Cumberland N			97,700	99	-	-		3,000	12,100	-	-	112,800
GRAND TOTALS		80,000	152	357,200	312	25,700	6,700	17,500	28,700	80,500	133,700	361	730,000



PROGRAM SUMMARY

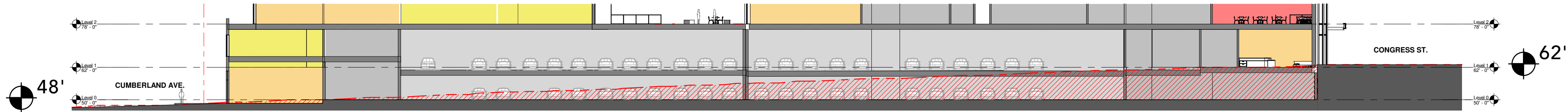
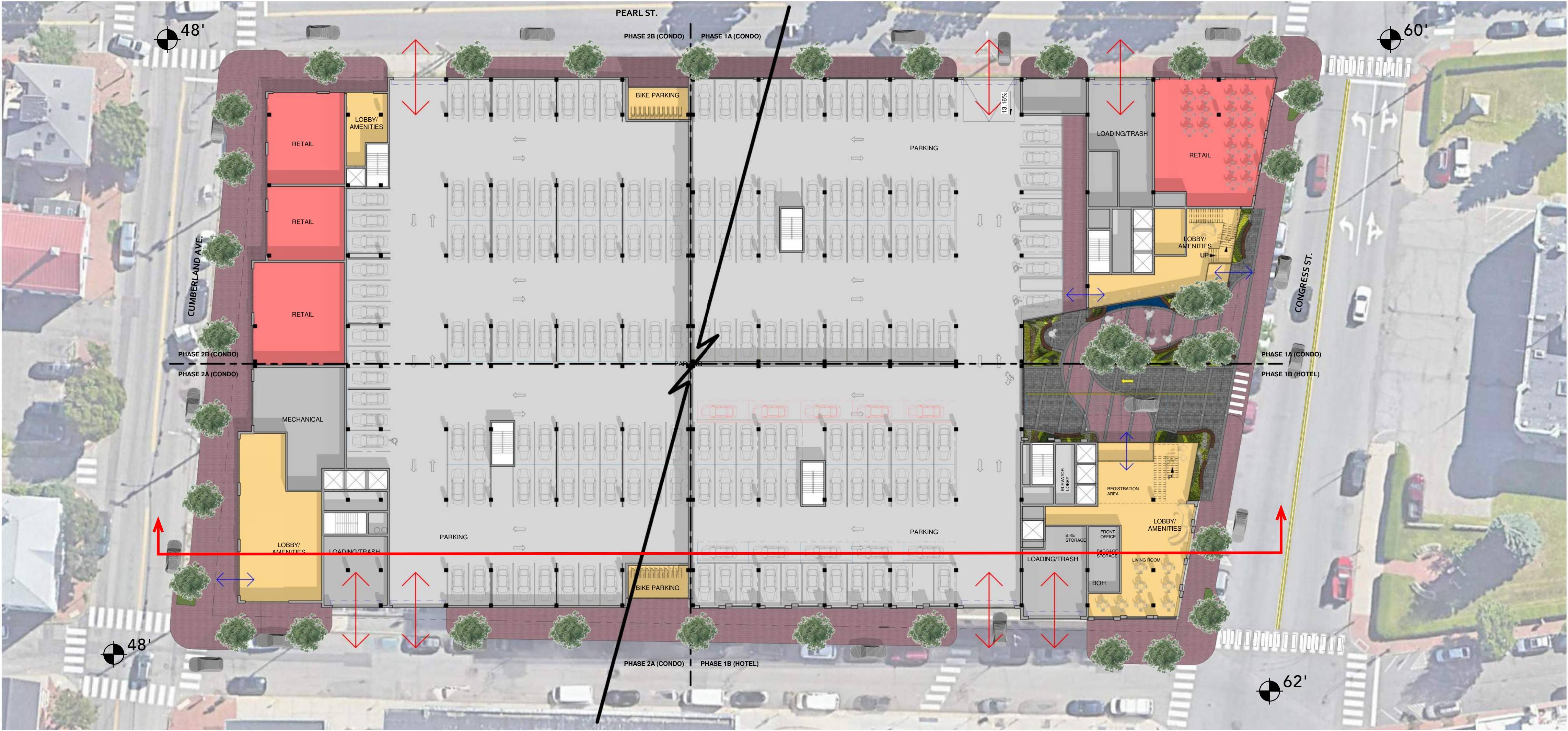


SITE PLAN



COMPOSITE GROUND FLOOR PLAN

THE TOPOGRAPHICAL NATURE OF THE BLOCK AFFORDS THE OPPORTUNITY TO MAXIMIZE GARAGE EFFICIENCY AND ELIMINATE INTERNAL RAMPING. THE SITE SLOPES DOWN FROM EAST TO WEST BY 12'. THIS ALLOWS US TO PROVIDE SEPARATE GARAGE ENTRANCES FOR THE UPPER AND LOWER LEVELS. THE LOWER LEVEL OF THE GARAGE (LEVEL 0) WILL BE AT THE ELEVATION OF CUMBERLAND AVE (48') AND THE UPPER LEVEL OF THE GARAGE (LEVEL 1) WILL BE AT THE ELEVATION OF CONGRESS ST. (60')

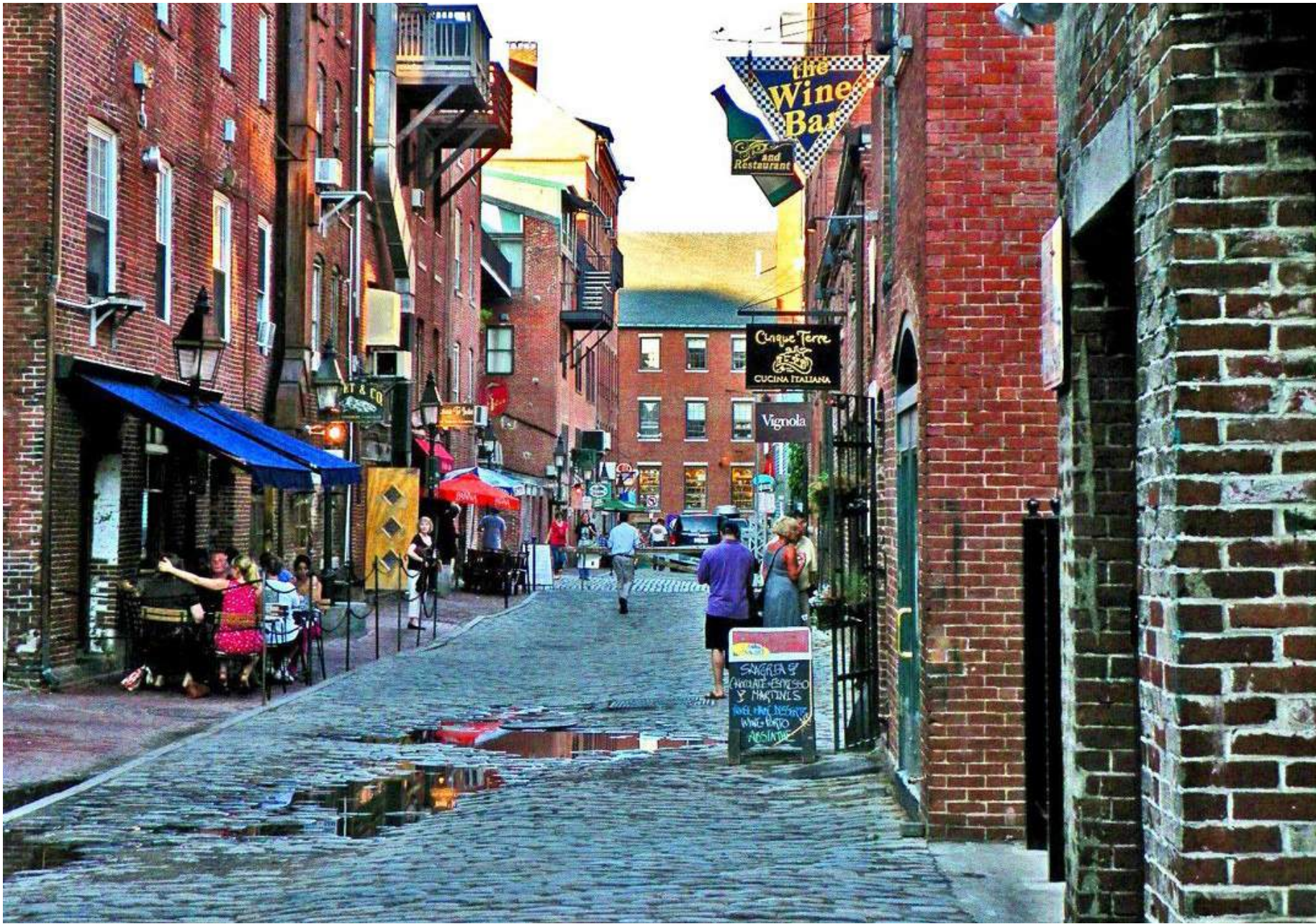


PORTLAND ALLEYWAYS AND POCKET PARKS

THE CITY BLOCK DEFINED BY CONGRESS, PEARL, MYRTLE AND CUMBERLAND AVE PROVIDES A UNIQUE OPPORTUNITY TO CONTINUE THE MULTI-LAYERED URBAN TEXTURE OF DOWNTOWN PORTLAND AND ADD TO THE DIVERSE & HISTORIC SKYLINE. WHILE STUDYING PORTLAND'S CITY GRID, WE FOUND A LAYERING OF SCALES THAT COMPOSES A UNIQUE URBAN FABRIC. THE IRREGULAR NATURE OF THE URBAN GRID PRODUCES OPPORTUNITIES FOR FOUND SPACES IN THE FORM OF POCKET PARKS AND OPEN PLAZAS.



 OPEN SPACE / POCKET PARKS



WHARF STREET

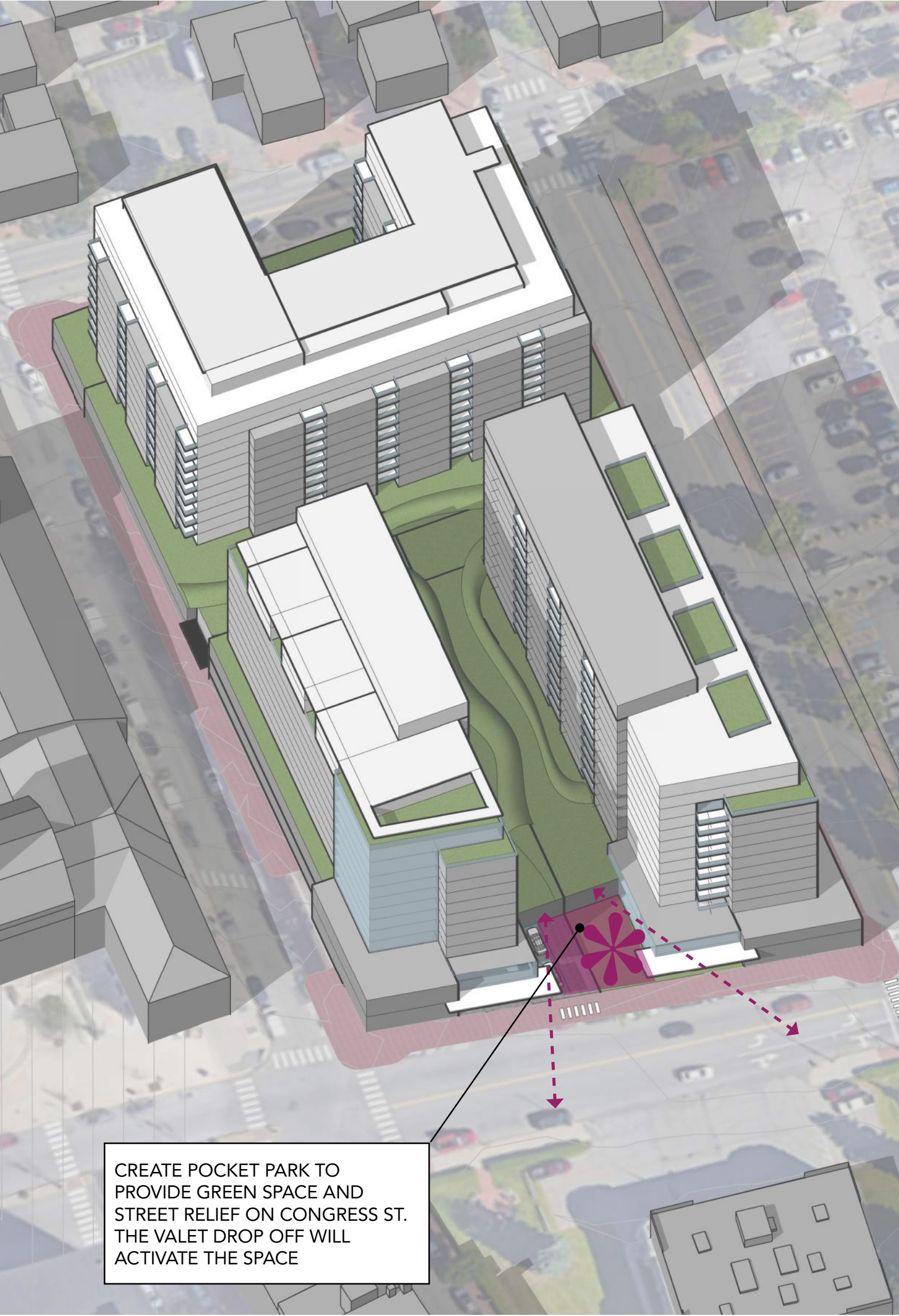


POST OFFICE PARK

POCKET PARK

BY SUBDIVIDING OUR BLOCK INTO THREE PARCELS, WE ARE ABLE TO STITCH OUR SITE INTO THE UNIQUE URBAN FABRIC OF DOWNTOWN. THE BUILDINGS ON CONGRESS STREET WILL BE SEPARATED BY A POCKET PARK WHICH WILL PROVIDE STREET WALL RELIEF AND PUBLIC GREEN SPACE. THE INTENT FOR THIS SPACE IS TO PROVIDE THE RESIDENTS AND MEMBERS OF THE PUBLIC AN OPPORTUNITY TO ENJOY A SANCTUARY SPACE OFF OF A BUSY STREET.

DESIGN CONCEPT



PRECEDENT



POCKET PARK DESIGN - CURVILINEAR SOFT-SCAPE OPTION

THE POCKET PARK IS POSITIONED BETWEEN THE HOTEL VALET DROP-OFF AND CONDO LOBBY WHICH WILL HELP ACTIVATE, AND KEEP EYES ON THE SPACE. THE POSITION OF THE SPACE LENDS ITSELF TO BE ENJOYED WHILE BEING VIEWED AND OCCUPIED. THE PARK WILL INCLUDE A WATER FEATURE TO GENERATE AMBIENT NOISE TO DEADEN THE SOUND OF THE STREET AND VALET AREA AS WELL AS RAISED PLANTERS THAT WILL PROVIDE BENCH SEATING AND SOIL DEPTH FOR A BOSQUE OF TREES. THE GROUND SURFACE WILL INCLUDE A VARIETY OF PAVING PATTERNS TO DEFINE THE SPACES. THE PARK ALSO PROVIDES THE OPPORTUNITY TO INCLUDE PUBLIC ART IN THE FORM OF MURALS OR SCULPTURE.



POCKET PARK DESIGN - LINEAR HARD-SCAPE OPTION

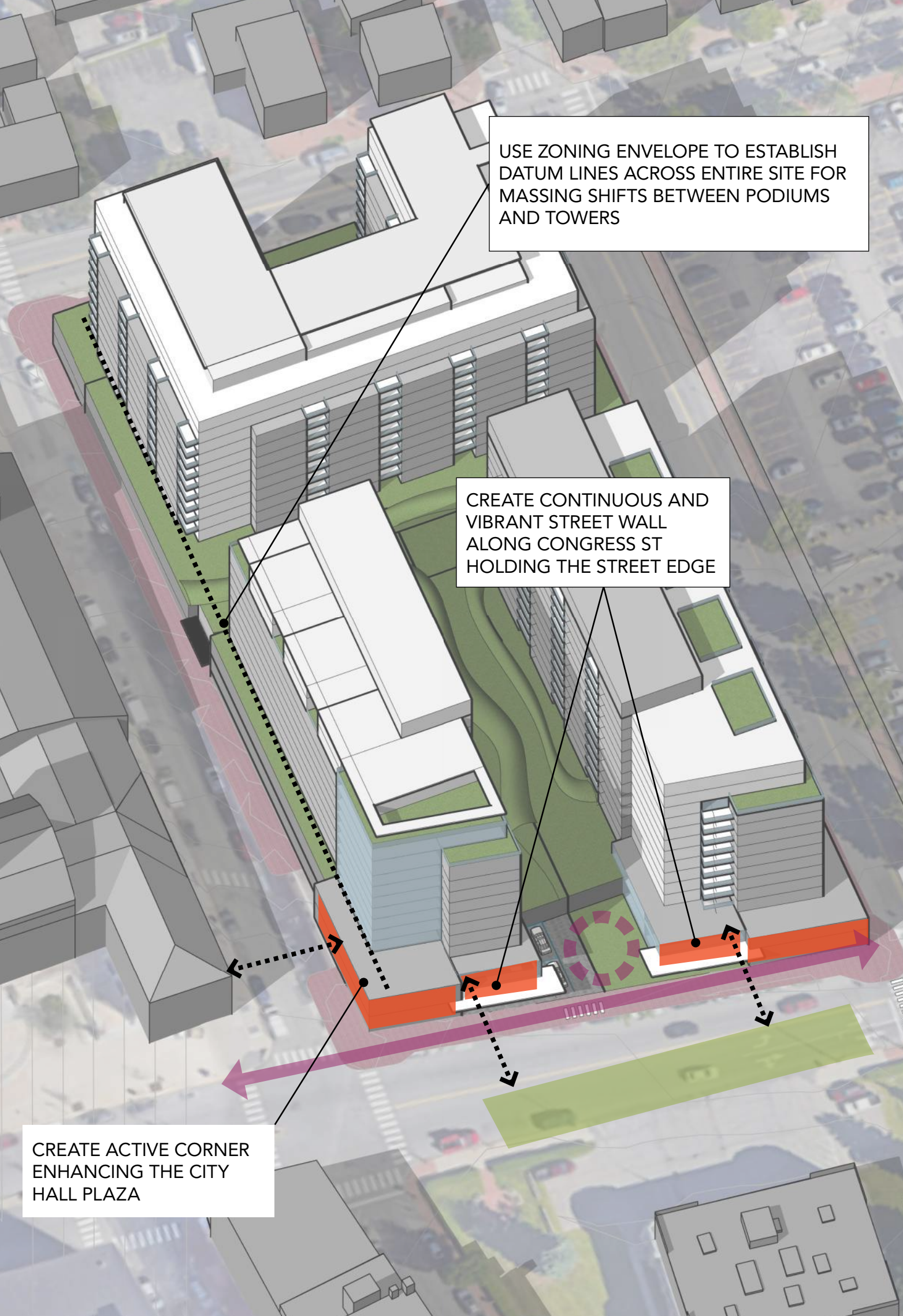
ANOTHER APPROACH FOR THE POCKET PARK IS TO USE TREE GRATES INSTEAD OF RAISED PLANTERS TO HOST THE TREES. THIS ALLOWS FOR A MORE CONTINUOUS GROUND PLANE THAT PROVIDES OPPORTUNITIES FOR MORE FLEXIBLE SEATING. THE VEHICLE ZONES AND PEDESTRIAN ZONES ARE DEFINED BY PAVING PATTERNS AND BOLLARDS. THIS DESIGN STILL PROVIDES OPPORTUNITIES FOR PUBLIC ART, WATER FEATURES, AND SEATING AREAS FOR ALL TO ENJOY.



WELL SCALED ACTIVE STREET EDGE

THIS SITE MUST CONNECT INTO THE URBAN FABRIC OF DOWNTOWN PORTLAND AND EXTEND THE NATURE OF OF CONGRESS STREET TO THE EAST. IT WILL DO SO BY MAINTAINING AN ACTIVE AND WELL-SCALED STREET EDGE. WE POSITIONED THE BUILDINGS RIGHT AT THE PROPERTY LINE AND PROVIDED ACTIVE PROGRAM ON THE GROUND FLOOR TO GENERATE POROSITY AND ACTIVITY. BY BREAKING DOWN THE SCALE OF THE BUILDINGS INTO SMALLER PIECES (BOTH VERTIALLY AND HORIZONTALLY) WE WILL CONTINUE THE LANGUAGE OF THE SURROUNDING AREA AND STITCH THIS SITE INTO THE CONTEXT.

CONCEPT



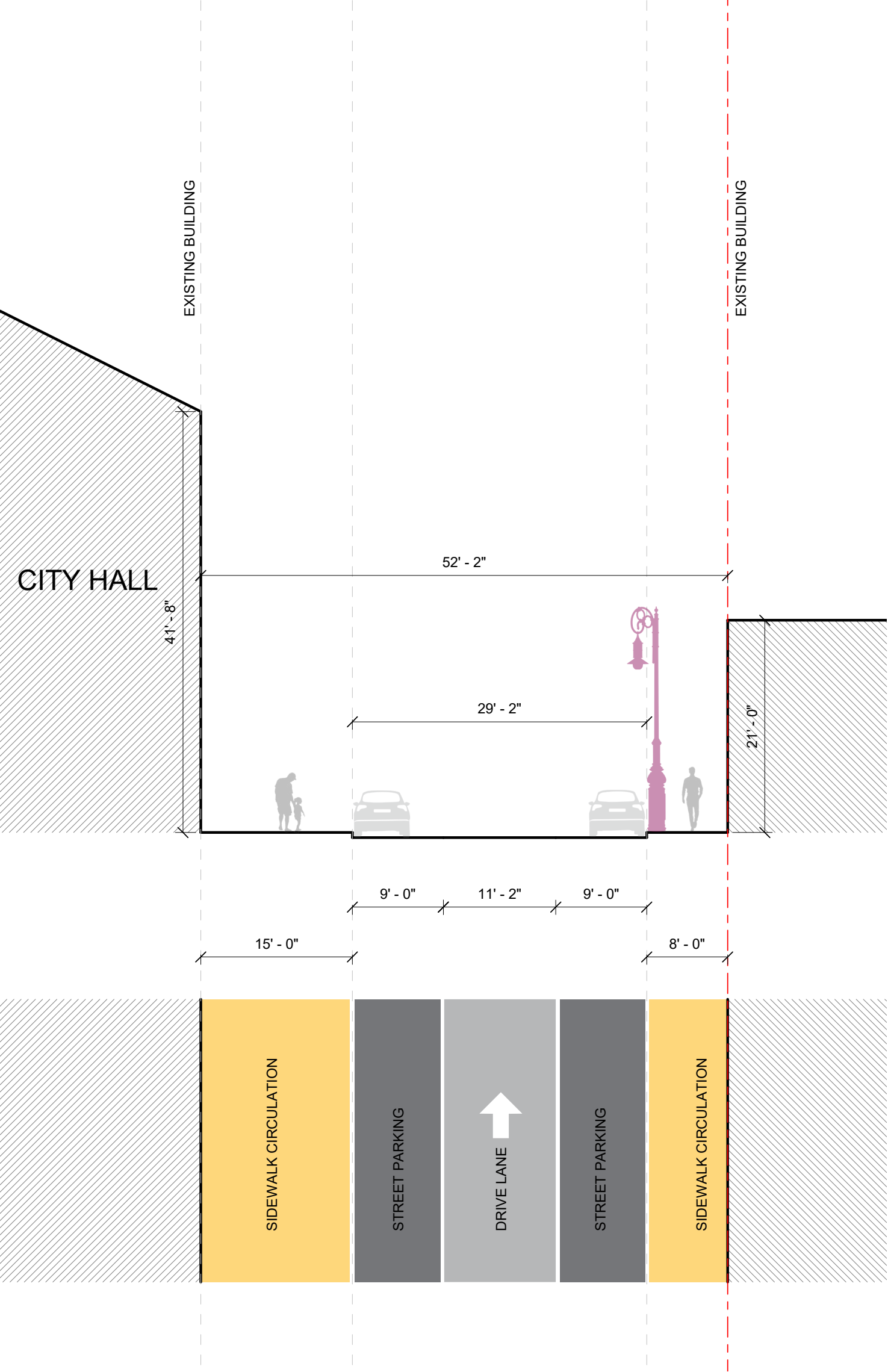
PRECEDENT



MYRTLE STREET - EXISTING

THE CURRENT NATURE OF MYRTLE STREET IS VERY NARROW AND UNINVITING. THE EXISTING BUILDING SITS RIGHT ON THE PROPERTY LINE, SQUEEZING ALL PEDESTRIAN TRAFFIC INTO AN 8' SIDEWALK THAT IS TOO TIGHT TO INCLUDE STREET TREES OR PLANTING.

STREET SECTION



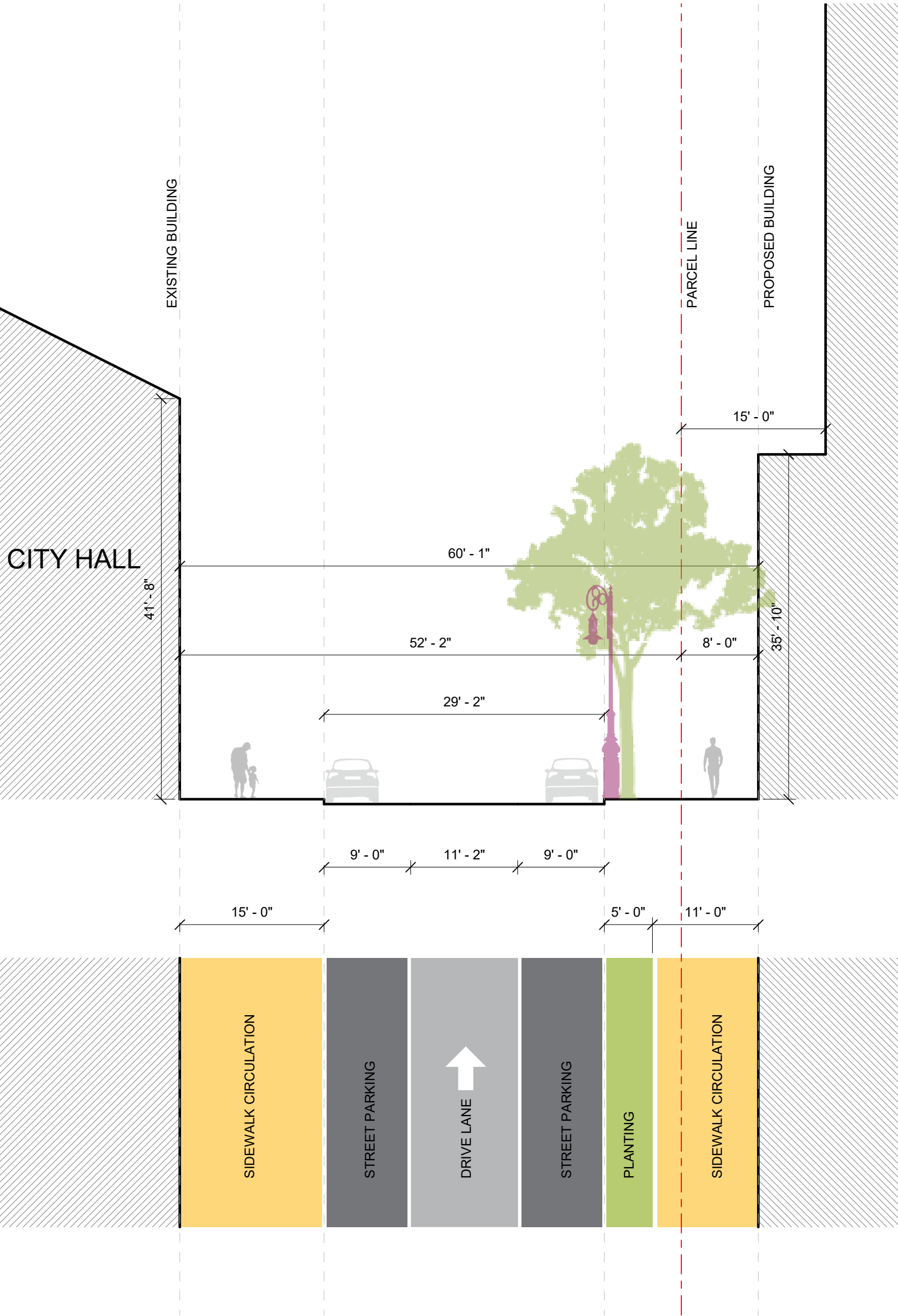
EXISTING CONDITIONS PHOTO



MYRTLE STREET - PROPOSED

THE PROPOSED CONDITION OF MYRTLE STREET WILL ENHANCE THE PEDESTRIAN EXPERIENCE ALONG THE SIDEWALK. WE PROPOSE TO ALIGN THE BUILDING TO BE PARALLEL TO PEARL STREET, THUS CREATING A WIDER SIDEWALK ON MYRTLE BY AN AVERAGE OF 3'. THIS ADDITIONAL SIDEWALK WIDTH ALLOWS ROOM FOR STREET TREES IN RAISED PLANTER BEDS AS WELL AS OTHER VEGETATION. THE GARAGE FACADE PROVIDES OPPORTUNITIES FOR MURALS, LIGHTING DESIGN, AND UNIQUE MATERIALS FOR SCREENING. ADDITIONALLY, THIS FACADE WILL BE ACTIVATED WITH THE INTRODUCTION OF THE BIKE STORAGE ROOM AT THE CENTER OF THE BLOCK.

STREET SECTION

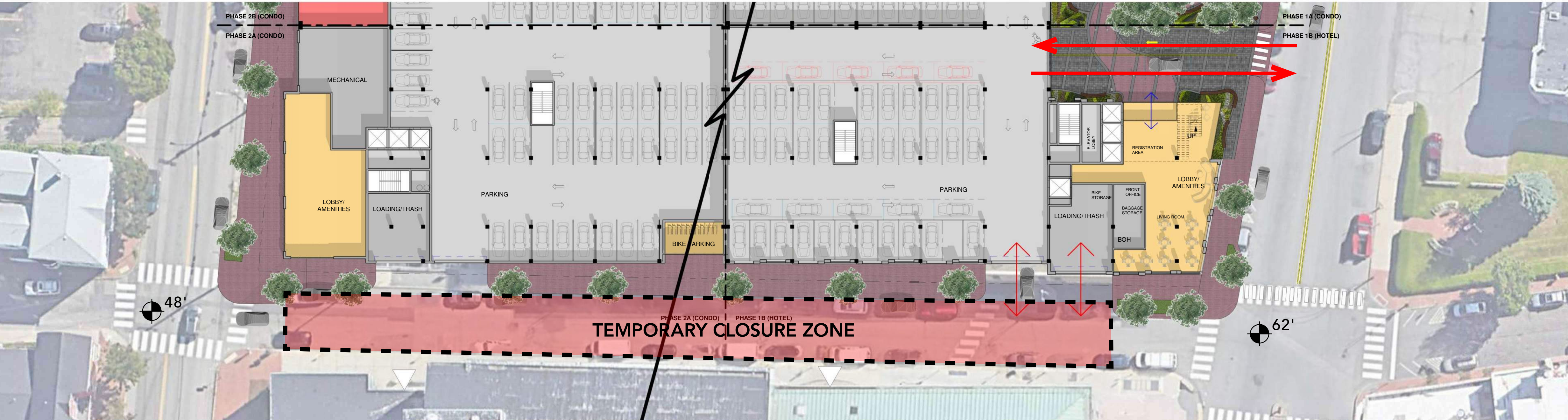


CONCEPT RENDERING



MYRTLE STREET - CLOSURE

WHEN MYRTLE STREET IS CLOSED FOR EVENTS (SUCH AS GRADUATION), THE PEDESTRIAN EXPERIENCE CAN BE FURTHER ENHANCED AS PEOPLE SPILL OUT OF THE AUDITORIUM. HOWEVER, THE STREET CLOSURE WILL CREATE CHALLENGES FOR HOTEL OPERATIONS. WHEN THE GARAGE ENTRY ON MYRTLE IS INACCESSIBLE, THERE WILL BE A NEED TO CREATE A TEMPORARY TWO-WAY TRAFFIC PATTERN AT THE VALET DROP-OFF ZONE. THE HOTEL WILL ALSO NEED TO COORDINATE LOADING OPERATIONS TO NOT CONFLICT WITH STREET CLOSURES.



AMENITY DECK

ON THE "ROOF" OF THE GARAGE WILL BE A SHARED AMENITY TERRACE FOR EACH OF THE BUILDING USERS TO ENJOY. THE HOTEL PROGRAM ON THIS LEVEL WILL CONSIST OF LARGE MEETING/CONFERENCE SPACE, FITNESS CENTER, AND RESTAURANT THAT ALL CAN SPILL OUT ONTO THE ROOF DECK. ADDITIONALLY, EACH OF THE CONDO BUILDING UNITS WILL HAVE PRIVATE TERRACE SPACE AS WELL AS SHARED TERRACE SPACE THAT WILL BE ACCESSED THROUGH THE AMENITY ROOMS RESPECTIVELY. THE SHARED OUTDOOR SPACE WILL HAVE AREAS FOR GRILLING, WALKING PATHS, AND PET RELIEF ZONES.



VIEW FROM CONGRESS & MYRTLE

THE PROPOSED HOTEL AT THE CORNER OF CONGRESS AND MYRTLE STREETS, IS A 12 STORY BUILDING CONSISTING OF 152 HOTEL KEYS, 9 RESIDENTIAL CONDOS AND RESTAURANT SPACE ON THE LEVEL 2 AND LEVEL 12. THE BUILDING MASSING COMMENCES AT GRADE WITH A 2 STORY PODIUM, THAT HOLDS THE STREET EDGE ALONG MYRTLE AND CONGRESS, PROVIDING AN ARCHITECTURAL NOD TO ITS CONTEXT OF THE ADJACENT CITY HALL, AND ANCHORING THE STRUCTURE WITH MORE TRADITIONAL MATERIALITY AND PROPORTIONS. THE GROUND LEVEL IS COMPRISED OF THE HOTEL LOBBY AND VALET DROP-OFF WHICH ACTIVATES THE SHARED POCKET PARK BETWEEN THE HOTEL AND THE CONDO BUILDING. THE TRANSPARENT FACADE WILL PROVIDE EYES ON THE SPACE AND PEDESTRIAN ACCESS POINTS INTO THE LOBBY. LEVEL 2 WILL HOST THE FITNESS CENTER, MAIN RESTAURANT SPACE, AND CONFERENCE ROOMS THAT ALL HAVE ACCESS OUT TO THE SHARED ROOF DECK ABOVE THE GARAGE. THE NEXT 8 LEVELS WILL COMPRISE OF THE 152 HOTEL ROOMS. ABOVE THAT, THE MASS STEPS BACK SLIGHTLY TO PROVIDE BALCONY SPACE FOR THE 7 RESIDENTIAL CONDO UNITS ON LEVEL 11. TWO MORE RESIDENTIAL UNITS WILL SHARE THE PENTHOUSE LEVEL WITH ANOTHER RESTAURANT SPACE AND PRIVATE AMENITY LOUNGE. THE ROOFTOP WILL HOST A MECHANICAL PENTHOUSE SPACE AS WELL AS A TWO PRIVATE ROOF DECKS AND ONE PUBLIC ROOF DECK FOR ALL BUILDING USERS TO ENJOY.



AERIAL VIEW



GROUND VIEW

VIEW FROM CONGRESS & PEARL

OUR GOAL FOR THE CONDO BUILDING ON THE CORNER OF PEARL AND CONGRESS IS TO CREATE A CONTEXTUAL, YET CONTEMPORARY EXTENSION OF THE CONGRESS STREET ARTERY. BY USING THE ZONING ENVELOPE TO DEFINE THE MAJOR MASSING MOVES, WE HOPE TO DRAW UPON THE EXISTING DATUM LINES ALONG THIS IMPORTANT STREET. THE GROUND FLOOR IS COMPRISED OF THE BUILDING LOBBY THAT FACES THE SHARED POCKET PARK AS WELL AS A RETAIL SPACE TO HOLD THE CORNER AND PROVIDE SOME ACTIVITY ON BOTH CONGRESS AND PEARL STREET. ABOVE THIS WILL BE THE BUILDING AMENITY LOUNGE THAT CAN SPILL OUT ONTO THE SHARED ROOFDECK ABOVE THE GARAGE. MOVING DOWN PEARL STREET, THE STREET WALL STEPS DOWN TO THE BASE PODIUM HEIGHT. THIS ALLOWS US TO PROVIDE LARGE PRIVATE PATIOS FOR THOSE UNITS ON LEVEL 2. ABOVE THAT, EACH UNIT WILL HAVE A PRIVATE BALCONY SPACE THAT IS SET INTO THE FORM OF THE BUILDING. THAT IS, UNTIL LEVEL 12 WHEN THE BUILDING MASS STEPS BACK TO HELP SCALE THE TOWER AS WELL AS PROVIDE LARGER TERRACES FOR THE PENTHOUSE UNITS. THE ROOFTOP WILL HOST A MECHANICAL PENTHOUSE AS WELL AS PRIVATE PATIOS FOR THE UNITS ON THE TOP FLOOR AND ONE PUBLIC TERRACE FOR ALL BUILDING TENANTS TO ENJOY THE SWEEPING VIEWS OVER DOWNTOWN PORTLAND TO THE WATER. THE DESIGN OF THE INDIVIDUAL WINDOW PUNCHES IS REPLICATIVE OF THE MASONRY BUILDING TYPOLOGY ACROSS DOWNTOWN PORTLAND. THE SECONDARY MASSING MOVES HELP BREAK DOWN THE SCALE OF THE BUILDING. THE INTERLOCKING FORMS ALLOW FOR CLEAR MATERIAL TRANSITIONS WHILE SIMPLE PLANAR SHIFTS PROVIDE AN OPPORTUNITY FOR INTEGRATED BALCONIES. THIS BUILDING WILL BE A HIGHLY VISIBLE ADDITION TO THE DIVERSE SKYLINE, SO IT IS IMPORTANT THAT IT SEAMLESSLY STITCHES INTO THE EXISTING, AND EVOLVING, FABRIC OF DOWNTOWN PORTLAND.



AERIAL VIEW



GROUND VIEW

VIEW FROM CUMBERLAND AND PEARL

THE CONDO BUILDING IN PHASE 2 WILL ACTIVATE CUMBERLAND AVE WHILE ADDRESSING THE SCALE OF THE NEIGHBORING CONTEXT. BY USING THE ZONING ENVELOPE TO DEFINE THE MAJOR MASSING MOVES, THE SCALE OF THE BUILDING IS BROKEN DOWN INTO SMALLER COMPONENTS THAT RESPOND TO THAT CONTEXT. THE PODIUM WILL TIE INTO THE PODIUM OF THE BUILDINGS IN PHASE 1, THUS PROVIDING A CONTINUOUS PARKING STRUCTURE AND SHARED ROOF DECK SPACE. THE GARAGE WILL BE LINED WITH RETAIL AND BUILDING LOBBY ON THE GROUND FLOOR WITH UNITS ON THE LEVEL ABOVE FACING CUMBERLAND AVE. ABOVE THE PODIUM, THE C-SHAPED TOWER ADHERES TO THE 15' SETBACK ON ALL SIDES WHICH ALLOWS THE OPPORTUNITY TO PROVIDE PRIVATE TERRACES FOR THE UNITS DIRECTLY ABOVE THE PODIUM AS WELL AS A LARGE PUBLIC TERRACE WITHIN THE "C" TO BE ACCESSED THROUGH THE AMENITY/FITNESS AREA. THE C-SHAPE TOWER MINIMIZES THE MASS OF THE BUILDING BY REDUCING THE AMOUNT OF BUILDING ALONG THE STREET. SECONDARY MASSING MOVES FURTHER BREAK DOWN THE SCALE AND STITCH TOGETHER THE PODIUM AND THE TOWER. THE STEPS IN THE PODIUM FAÇADE ALONG CUMBERLAND AVE ALIGN WITH THE C-SHAPED MASS ABOVE. BY ALIGNING THE STEPS, WE CREATE THE EFFECT THAT THREE SEPARATE ELEMENTS COMPRISE THE OVERALL BUILDING, WHICH RELATES TO THE SMALLER SCALE OF THE BUILDINGS ACROSS THE STREET. SMALLER PLANAR SHIFTS ALLOW FOR SMOOTH MATERIAL TRANSITIONS AND INTEGRATED BALCONIES THAT REDUCE THE PERCEPTION OF THE TOWER'S HEIGHT WHILE PROVIDING SWEEPING WATER VIEWS. THIS BUILDING WILL HELP EASE THE TRANSITION BETWEEN THE DENSITY OF CONGRESS STREET WITH THE RESIDENTIAL SCALE NORTHWEST OF CUMBERLAND AVE.



AERIAL VIEW



GROUND VIEW

VIEW FROM CUMBERLAND AND MYRTLE



AERIAL VIEW

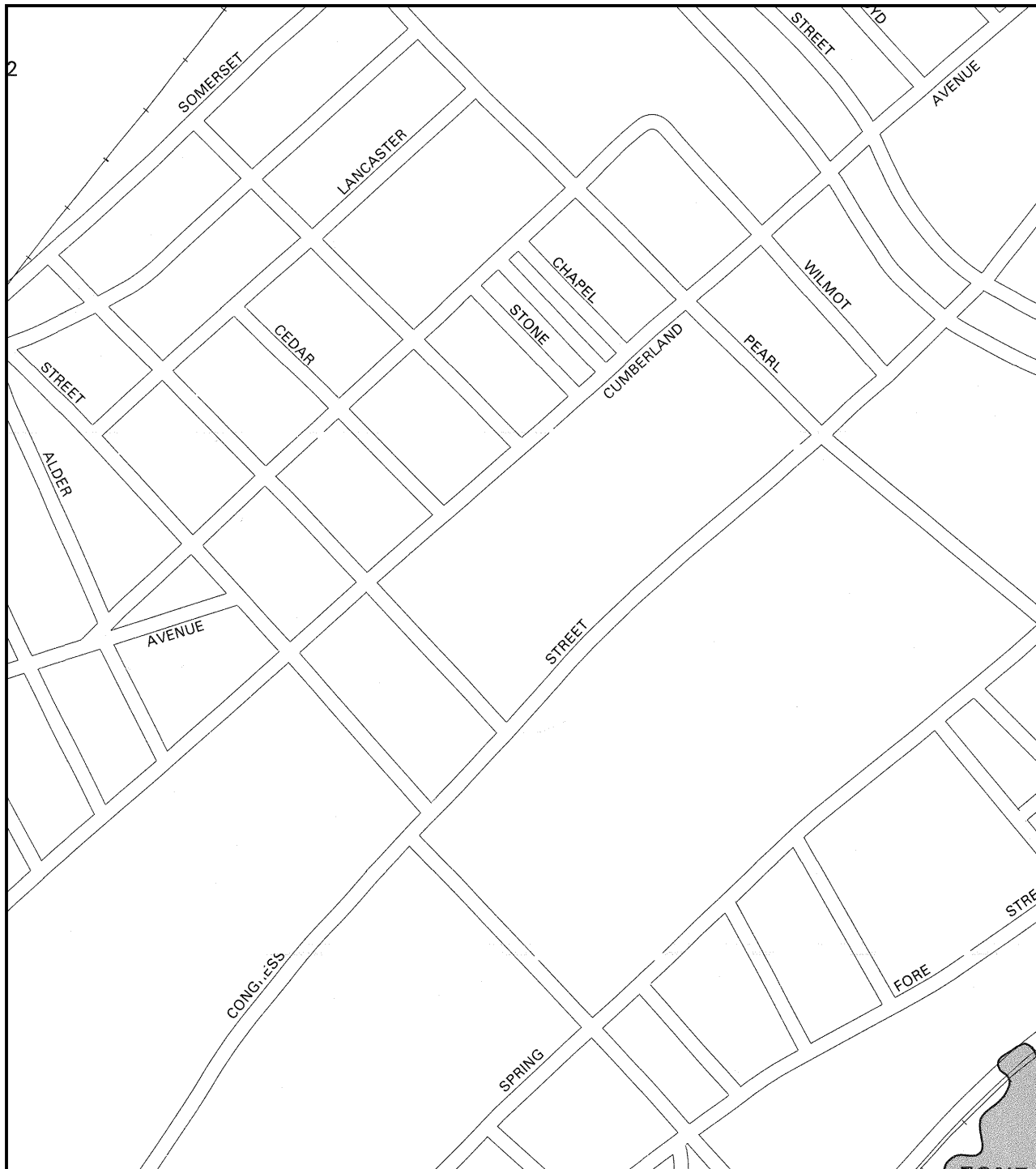


GROUND VIEW

Natural Features

The proposed project area is a previously developed, urban parcel. The project area comprises a city block that is bounded by Cumberland Avenue on the northwest, Myrtle Street on the southwest, Congress Street on the southeast, and Pearl Street on the northeast. There are two buildings on-site, as well as paved parking areas and concrete sidewalks. Vegetation is limited to small amounts of landscaping. There are no natural waterways or wetlands on or within proximity of the project site.

FEMA FIRM information was reviewed and found the project area to be located in Zone C which is described as areas of minimal flooding. Please see FEMA FIRM Community Panel Number 230051 0013 B included in this Section.



APPROXIMATE SCALE

400 0 400 FEET

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

CITY OF
PORTLAND, MAINE
CUMBERLAND COUNTY

PANEL 13 OF 17
(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER
230051 0013 B

EFFECTIVE DATE:
JULY 17, 1986



Federal Emergency Management Agency

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

View and Historic Features

The proposed development site is located in an area of the City that, like much of Portland, is a mix of modern and historic structures. The parcel is located next to City Hall and the Central Street Fire Station as well as in close proximity of Portland High School and the U.S. Court House. All of these structures are historic landmarks and are located in the historic district overlay zone. Congress Street and Cumberland Avenue are a blend of modern and traditional architecture that are the hallmark of a vibrant City.

The proposed development has been designed to work cohesively with the historic fabric of the surrounding area. Please see the Master Development Plan included as supportive information for the Neighborhood Context section of this application.

Public Safety Standards – Section 3 City of Portland Technical Manual

3.1 Crime Prevention Through Environmental Design Principles

Natural Surveillance. The proposed project has been designed to have formal and informal natural surveillance networks on site that increases the on-site visibility and the safety of legitimate users and to deter potential offenders.

- The site has been designed to allow for proper surveillance of walkways, entrances, and parking areas.
- Lighting at the site is designed in accordance with the City's technical standards as detailed in Section 12 of the City Technical Manual.

Access Management. The proposed site design provides visible pathways and offers proper guidance for legitimate users of the site to find access and discourages unauthorized use.

- The site has been designed in such a way that the layout, features, and signage clearly guide the movement of vehicles and pedestrians during both the daytime and nighttime. The proposed signage is such as to be clear and site features have been designed to avoid the creation of entrapment zone.

Territorial Reinforcement. The proposed development has been designed to clearly delineate private, semi-private, and public space. Private outdoor spaces are proposed in the second-level plaza, for the Hotel and common spaces for the Condominium owners. The private (common open space) for the condominium on the second level plaza will be defined delineated from outdoor hotel space by a railing, low planters with shrubs and possibly fencing. Individual condominiums on the second level will have private opens space patio areas separated from the common open space areas with fencing and gates. Rooftop units will also include private terraces.

Public access is encouraged in the Pocket Park adjacent to Congress Street.

3.2 Fire Hydrant Standards

The proposed project will occupy a full City block that contains three public fire hydrants located on: the corner of Cumberland Avenue and Myrtle Street; Cumberland Avenue and Pearl Street; and on Congress Street near Myrtle. Given the size of the subject parcel (approximately 240 ft x431 ft) and the proposed site design, there will be a hydrant within 500 feet of all structures.

There are no private hydrants proposed as part of this project. A 6-foot space will be maintained around the circumference of the existing City hydrants.

Please see the plan set for additional information.

3.4 Site Access Standards

- The proposed development is to be located on a full city block with road access on all four sides (3.4.2).

- All proposed building setbacks are in compliance with the City zone requirements (3.4.3).
- There is ample area around the entrance point of the buildings to accommodate ambulance parking and emergency personnel access (3.4.5).
- All proposed elevators have been sized to be able to accommodate an 84x24-inch stretcher (3.4.6).
- The proposed development will be in compliance with the City's 911 numbering system and all street numbers will be clearly visible from the public right of way (3.4.7 & 3.4.8)

Please see the plan set for additional information.

3.5 Standards for Emergency Access Lanes and Gates

Emergency Access to the buildings will be afforded by public streets on all four sides of the site. Please see the site plan for additional information.

**MaineDOT
Traffic Movement Permit Application
Sections 1-6**

**385 Congress Street
Portland, Maine**

Applicant:
385 Congress Street, LLC
2730 Transit Road
West Seneca, NY 14224

Prepared By:
Sebago Technics, Inc.
75 John Roberts Road, Suite 4A
South Portland, Maine 04106

March 24, 2022

MaineDOT Traffic Movement Permit Application
Sections 1-6
385 Congress Street
Portland, Maine

Table of Contents

Traffic Movement Permit Application

Notice of Intent to File

Location Map

Abutters List and Map

Section 1 – Site and Traffic Information

Section 2 – Traffic Accidents

Section 3 – Development Entrances and Exits

Section 4 – Title, Right, or Interest

Section 5 – Public or Private Rights-of-Way

Section 6 – Construction Schedule

List of Appendices

Appendix A. Crash Data

Appendix B. Existing Conditions Plan

Appendix C. Site Plan

Traffic Movement Permit Application

Department of Transportation
Traffic Engineering Division
16 State House Station
Augusta, Maine 04333
Telephone: 207-287-3775

FOR MDOT USE
ID #

1/2000

Total Fees:
Date Received:

PERMIT APPLICATION – TRAFFIC
TRAFFIC MOVEMENT PERMIT, 23 M.R.S.A. § 704 – A

Please type or print:

This application is for: Traffic 100-200 PCE's X
Traffic 200+ PCE's _____

Name of Applicant: 385 CONGRESS STREET, LLC

Address: 2730 TRANSIT ROAD Telephone: 413-244-9092

City/State/Zip: WEST SENECA, NEW YORK 14224

Name of local contact or agent: SEBAGO TECHINCS, INC – DEREK CALDWELL P.E., PTOE

Address: 75 JOHN ROBERTS ROAD – SUITE 4A Telephone: 207-200-2100

City/State/Zip: SOUTH PORTLAND, ME 04106

Name and type of development: 385 CONGRESS STREET – MIXED-USE DEVELOPMENT

Location of development including road, street, or nearest route number: 385 CONGRESS STREET

City/Town/Plantation: PORTLAND County: CUMBERLAND, Tax Map # 27 Lot # D001

Do you want a consolidated review with DEP pursuant to 23 M.R.S.A. § 704 – A (7)? Yes _____ No X

Was this development started prior to obtaining a traffic permit? NO

Is the project located in an area designated as a growth area (as defined in M.R.S.A. title 30 – A chapter 187)? Yes _____ No X

Is this project located within a compact area of an urban compact municipality? Yes X No _____

Is this development or any portion of the site currently subject to state or municipal enforcement action? No

Existing DEP or MDOT permit number (if applicable): N/A

Name(s) of DOT Staff person(s) contacted concerning this application: N/A

Name(s) of DOT staff person(s) present at the scoping meeting for 200+ applications:
N/A

1/2000

CERTIFICATION

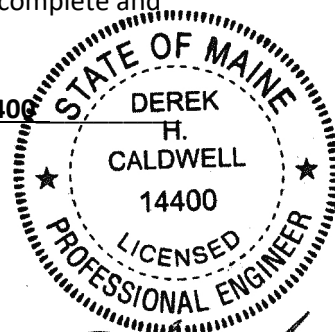
The traffic engineer responsible for preparing this application and/or attaching pertinent site and traffic information hereto, by signing below, certifies that the application for traffic approval is complete and accurate to the best of his/her knowledge.

Signature: _____

Re/Cert/Lic No.: PE # 14400

Name (print): Derek H. Caldwell

Date: March 24, 2022



If the signature below is not the applicant's signature, attach letter of agent authorization signed by applicant.

"I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I authorize the Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

Daniel L. Kelly (Agent)
Signature of applicant

March 25, 2021

Date

Notice of Intent to File

NOTICE OF INTENT TO FILE

Please take notice that

385 Congress Street, LLC
2730 Transit Road
West Seneca, NY 14224
(413) 244-9092

is intending to file a Traffic Movement Permit application with the City of Portland pursuant to the provisions of 23 M.R.S.A. § 704 - A on or about

March 24, 2022

The application is for

A mixed-use development at 385 Congress Street in Portland. The site currently houses the former Portland Press Herald printing building and surface parking. The development will consist of an approximate total of 312 residential units, a 152-room hotel, and approximately 6,765 square feet of retail space. The site will be served by proposed entrances to two levels of parking by way of new driveways on Myrtle Street and Pearl Street. New trips generated by the development will consist of 147 new trip ends during the AM Peak Hour and 114 new trip ends during the PM Peak Hour.

at the following location:

385 Congress Street
Portland, ME

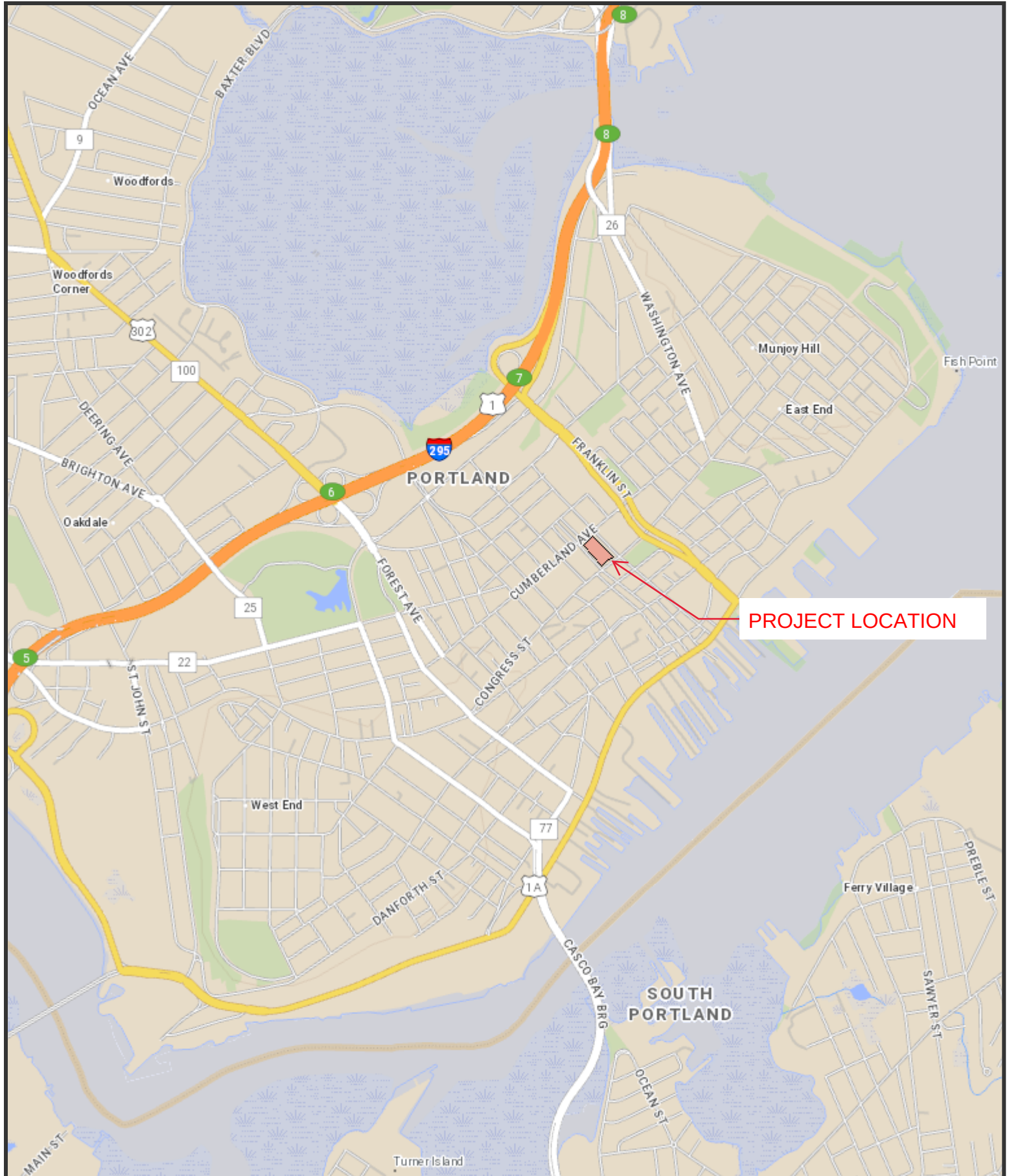
A request for a public hearing must be received by the City, in writing, no later than 20 days after the application is found by the City to be complete and is accepted for processing. Public comment on the application will be accepted throughout the processing of the application.

The application will be filed for public inspection at Portland City Hall during normal working hours.

Written public comments may be sent to the City of Portland, Planning and Urban Development Department, 389 Congress Street, 4th Floor, Portland, ME 04101.

Location Map

385 CONGRESS STREET - LOCATION MAP



The Maine Department of Transportation provides this publication for information only. Reliance upon this information is at user risk. It is subject to revision and may be incomplete depending upon changing conditions. The Department assumes no liability if injuries or damages result from this information. This map is not intended to support emergency dispatch.

0.4
Miles
1 inch = 0.43 miles

Date: 2/3/2022
Time: 1:07:54 PM

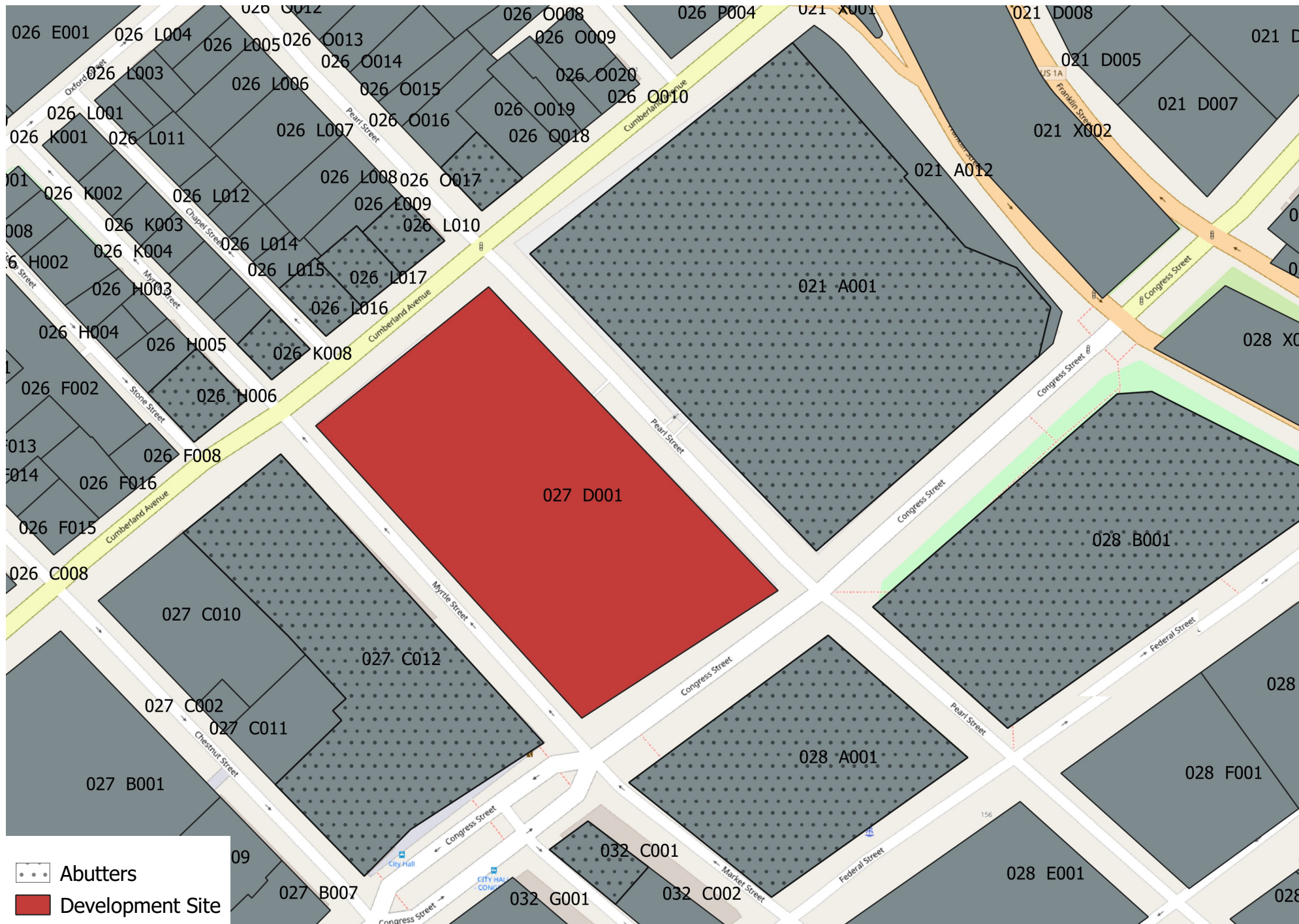
Abutters List and Map

19371

385 Congress Street Portland

Abutters List

Map-Lot	Grantee	Mailing 1	City	State	Zip
021 A001001	PEARL CUMBERLAND LLC	ONE CITY CENTER 4TH FLOOR	PORTLAND	ME	04101
026 H006	AVESTA UNITY VILLAGE LP	307 CUMBERLAND AVE	PORTLAND	ME	04101
026 K008001	WARD CAPITAL LLC	139 ASHMONT ST	PORTLAND	ME	04103
026 L008	COUILLARD BRUCE R JR & LAURA T WITHERS JTS	110 MARGINAL WAY # 241	PORTLAND	ME	04101
026 L008002	BURKE LEAH FRANCES	237 CUMBERLAND AVE # 2	PORTLAND	ME	04101
026 L008003	HENRY ANGELA F & LOUIS A CHRISTEN	239 CUMBERLAND AVE	PORTLAND	ME	04101
026 L008004	STEPHAN AARON T & LAUREN FENSTERSTOCK JTS	142 PEARL ST	PORTLAND	ME	04101
026 L016	FIRST ASSEMBLY OF GOD CHURCH	243 CUMBERLAND AVE	PORTLAND	ME	04101
026 L017	APOSTOLIC FAITH ASSEMBLY	331 CONGRESS ST	PORTLAND	ME	04101
026 O017	235 CUMBERLAND AVENUE LLC	PO BOX 4271	PORTLAND	ME	04104
027 C012	CITY OF PORTLAND	389 CONGRESS ST	PORTLAND	ME	04101
028 A001	CITY OF PORTLAND	389 CONGRESS ST	PORTLAND	ME	04101
028 B001	CITY OF PORTLAND	389 CONGRESS ST	PORTLAND	ME	04101
032 C001	PRESS HOTEL LLC	119 EXCHANGE ST	PORTLAND	ME	04101



Section 1 – Site and Traffic Information

A. Site Plan

385 Congress Street, LLC proposes to redevelop the 2.26 acre parcel known as 385 Congress Street in Portland, Maine. The site is bounded by Congress Street to the south, Myrtle Street to the west, Cumberland Avenue to the north and Pearl Street to the east. The site is presently developed consisting of two buildings and large area of paved surface parking. The site follows the natural topography of the surrounding roadways, sloping in a general northerly direction downward from Congress Street to Cumberland Avenue. The site currently has a total six curbs; one on Congress Street, two on Cumberland Avenue and three on Pearl Street. Sidewalk is present adjacent to the site along all four roadway frontages. On-street parking is present along the majority of the Congress Street and Myrtle Street frontages and partially along the Cumberland Street frontage. There is no on street parking on Pearl Street.

An existing conditions and site plan are included with this application.

B. Existing and Proposed Uses

The site is currently developed consisting of two buildings formerly used by the Portland Press Herald printing operations. The remaining areas of the site are paved parking areas currently operated as paid private parking.

The proposed development is to construct three towers housing a mix of residential condominium units, a hotel with restaurant, and first floor commercial space. The following table summarizes the proposed uses:

Table 1: Development Program Summary

Building	Number of Levels	Number of Residential Units	Number of Hotel Rooms	Retail Square Footage
Pearl St Tower	12	110	--	2,600
Myrtle St Tower	12	9	152	--
Cumberland Ave Tower	12	193	--	4,165
Total		312	152	6,765

The development includes two levels of structured parking which will support all three buildings on the site. Under full build out the garage will be accessed by five driveway, two full access drives each on Pearl Street and Myrtle Street and one entry only drive on Congress Street. The lower level of the garage (Level 0) will be at grade with Cumberland Avenue. The upper level of the garage (Level 1) will be at grade with Congress Street. The Congress Street entry would be used to serve only hotel guests arriving

and hotel valet operations. Residents of the residential units would utilize one of the driveways on Pearl or Myrtle Street to access the desired level of the parking areas.

C. Site and Vicinity Boundaries

The site is bounded by Congress Street to the south, Myrtle Street to the west, Cumberland Avenue to the north and Pearl Street to the east. In the immediate vicinity of the site there are a number of notable existing uses. Directly across Congress Street from the development is the City of Portland Central Fire Station. Portland City Hall and Merrill Auditorium are adjacent to the site across Myrtle Street. Adjacent to the site across Cumberland Avenue are a number of multi-family residences as well as church. And adjacent to the site across Pearl Street is a large private parking operation, known as “Top of the Old Port Parking”.

The site is bordered by four existing intersections:

1. Congress Street at Pearl Street (signalized)
2. Congress Street at Myrtle Street (unsignalized)
3. Myrtle Street at Cumberland Avenue (unsignalized)
4. Pearl Street at Cumberland Avenue (signalized)

D. Proposed Uses in the Vicinity of the Proposed Development

Contact was made with City of Portland officials to determine if any proposed but unbuilt uses in the vicinity of the development should be included in the background traffic volumes for this development’s traffic analysis. At this time, no other developments have been identified.

E. Trip Generation

Vehicular trip generation of the proposed development was calculated using the *Institute of Transportation Engineers Trip Generation Manual, 11th Edition*. The following table outlines the land use codes (LUC) and independent variables used for the calculation.

Table 2: Trip Generation Land Use Summary

Use	Land Use Code	Independent Variable	Setting/Location
Residential & Retail	232 – High-Rise Residential with Ground-Floor Commercial – GFA (1-25K)	312 Dwelling Units	Dense Multi-Use Urban
Hotel & Restaurant	310 – Hotel	152 Rooms	Dense Multi-Use Urban

The following tables detail the trip generation calculation for each of the above listed land use codes.

Table 3 – Trip Generation
Land Use Code 232 – High-Rise Residential w/ Ground-Floor Commercial
Dense Multi-Use Urban
312 Dwelling Units

Time Period	Trip Rate per DU	Total Trips	Entering % ^A	Exiting % ^A	Entering Trips	Exiting Trips
AM Peak Hour of Adjacent Street	0.31	97	41%	59%	40	57
PM Peak Hour of Adjacent Street	0.21	66	50%	50%	33	33
AM Peak Hour of Generator	0.31	97	41%	59%	40	57
PM Peak Hour of Generator	0.2	62	66%	34%	41	21

Note A- Trip Distributions not published for LUC 232. Listed Entering/Exiting percentages taken from published rates for LUC 222 – Multifamily Housing (High-Rise) Dense Multi-Use Urban

Table 4 – Trip Generation
Land Use Code 310 - Hotel
Dense Multi-Use Urban
152 Rooms

Time Period	Trip Rate per DU	Total Trips	Entering % ^A	Exiting % ^A	Entering Trips	Exiting Trips
AM Peak Hour of Adjacent Street	0.31	47	39%	61%	18	29
PM Peak Hour of Adjacent Street	0.21	32	44%	56%	14	18
AM Peak Hour of Generator	0.33	50	51%	49%	25	25
PM Peak Hour of Generator	0.34	52	30%	70%	16	36

The total unadjusted trip generation for the development is shown in Table 5, found by summing the values shown in Table 3 and Table 4.

Table 5 –Unadjusted Total External Trip Generation

Time Period	Total Trips	Entering Trips	Exiting Trips
AM Peak Hour of Adjacent Street	144	58	86
PM Peak Hour of Adjacent Street	98	47	51
AM Peak Hour of Generator	147	65	82
PM Peak Hour of Generator	114	57	57

F. Trip Distribution

Entering and exiting trip distribution for the development is shown above in Table 5. Both levels of the parking garage are proposed to have access to Myrtle Street and Pearl Street. The northerly access points, closer to Cumberland Ave, would serve Level 0 and the southerly access points, closer to Congress Street, would serve Level 1. Whether traffic uses the Pearl Street or Myrtle Street access is based upon the origin-destination of an individual trip. The following assumptions are made as to what entrance/exit a given vehicle associated with the residential portion of the development would use based on the external origin destination point:

- Traffic entering from Congress Street to the west would use Myrtle Street. Traffic exiting to Congress Street to the west would use Pearl Street.
- Traffic entering and exiting to Congress Street from the east would use Pearl Street.
- Traffic entering from Cumberland Avenue to the west would use Pearl Street. Traffic exiting to Cumberland Ave to the west would use Myrtle Street.
- Traffic entering and exiting from Franklin Street to the south would use Pearl Street via Cumberland Avenue.
- Traffic entering and exiting from Pearl Street points north and south would use the Pearl Street access points.

Traffic associated with the Hotel is assumed to enter the site via the Congress Street driveway and exit via the southerly Myrtle Street driveway (regardless of origin/destination). Valet operations would function as follows:

- Guests arrives via Congress Street driveway entering in own vehicle.
- Valet moves vehicle internally to parking area.
- Upon departure, valet would bring car to guest by exiting the southerly Myrtle Street drive, and circulating the block (right onto Cumberland Ave, right onto Pearl Street, right onto Congress Street) and reentering the site at Congress Street to bring vehicle to guest.
- Guest would exit the southerly Myrtle Street drive and proceed to desired destination.

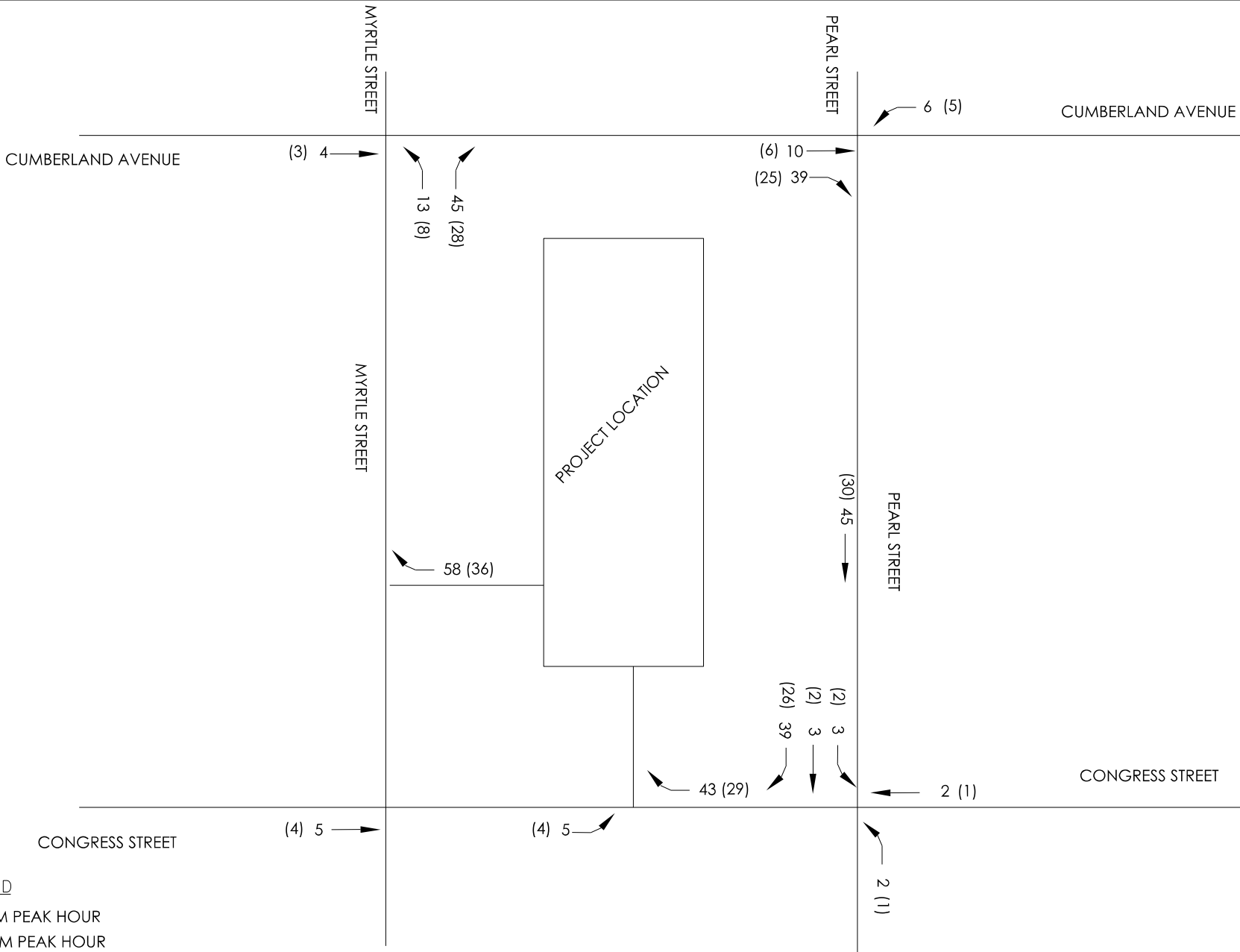
From there the vehicle would be assumed to travel to the ultimate destination, described below in Section G.

G. Trip Assignment

The proposed development generated trip assignment is based upon published MaineDOT AADT data and local traffic patterns. The following general trip assignment is proposed:

- 35% to/from Franklin Street to the north. This would encompass traffic from I-295 and points north.
- 25% to/from Congress Street to the west. This would encompass traffic from points west and south.
- 20% to/from Cumberland Avenue to the west. This would encompass traffic from points west and north.
- 10% to/from Pearl Street to the South. This would encompass traffic from points west and south.
- 10% to/from Congress Street to the east. This would encompass traffic from points east and north.

The proposed trip distribution and assignment related to the residential traffic is shown in Figure 1 and the trip distribution and assignment associated with the hotel in Figure 2. Figure 3 shows the overall trip distribution and assignment, found by summing the values in Figures 1 and 2.



LEGEND

XX = AM PEAK HOUR
(XX) = PM PEAK HOUR

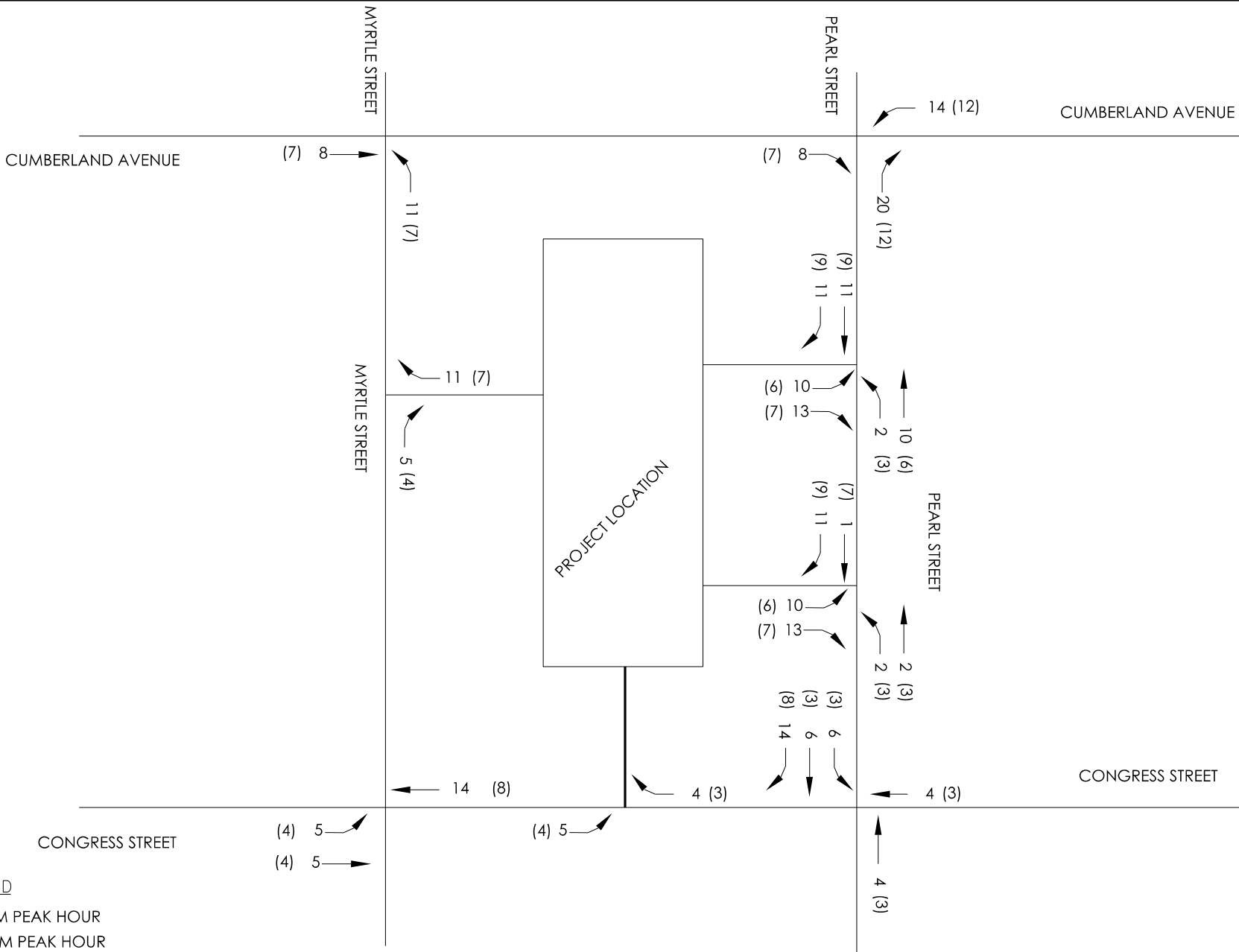


**HOTEL PROJECT GENERATED TRIPS
OF: 385 CONGRESS STREET DEVELOPMENT**

LOCATION: 385 CONGRESS ST
PORTLAND, MAINE

FOR: 385 CONGRESS STREET, LLC
2730 TRANSIT ROAD
WEST SENECA, NY 14224

SCALE: N.T.S.
DATE: 03/24/2022
SHEET: 1 OF 3



LEGEND

XX = AM PEAK HOUR
(XX) = PM PEAK HOUR



RESIDENTIAL PROJECT GENERATED TRIPS OF: 385 CONGRESS STREET DEVELOPMENT

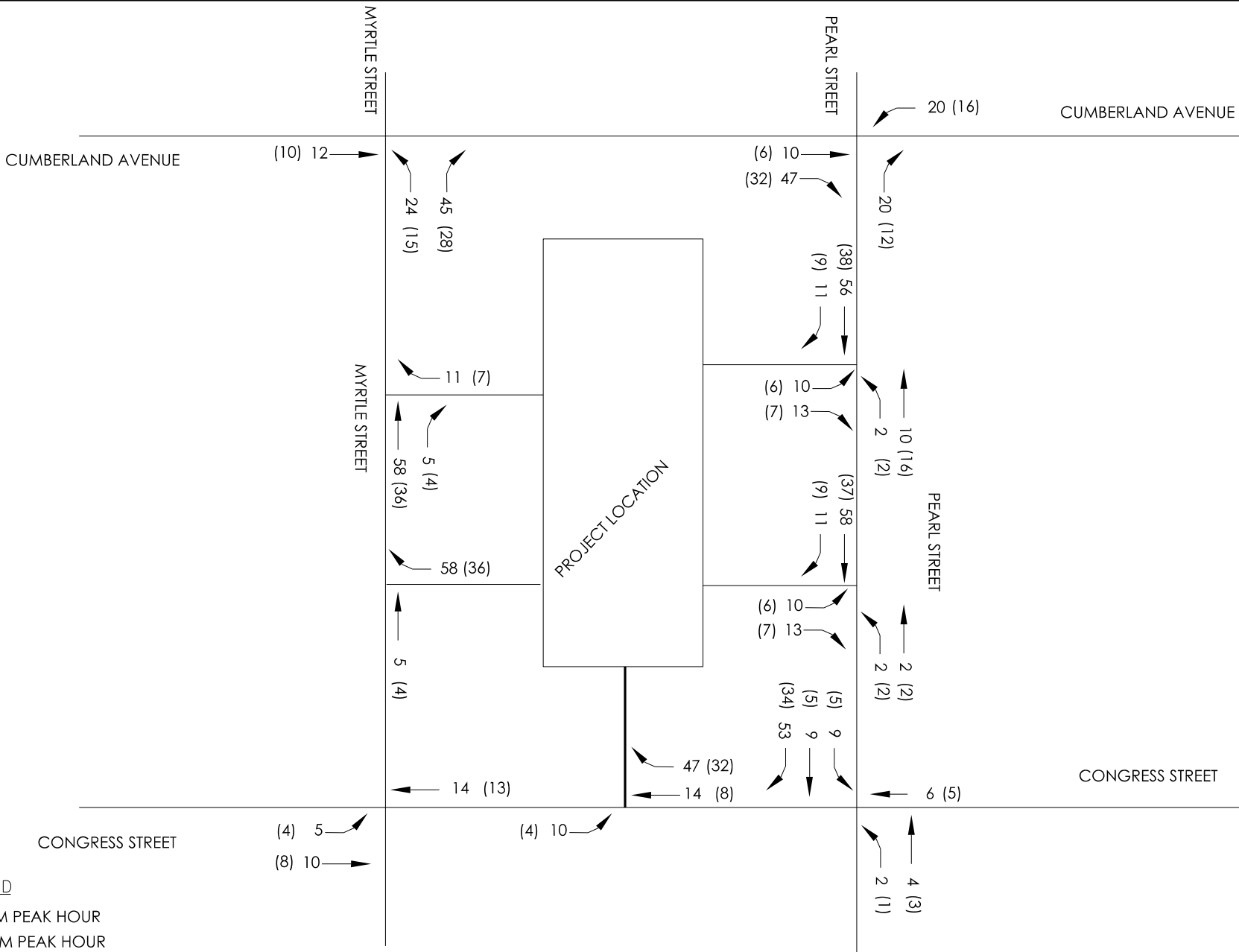
LOCATION: 385 CONGRESS ST
PORTLAND, MAINE

FOR: 385 CONGRESS STREET, LLC
2730 TRANSIT ROAD
WEST SENECA, NY 14224

SCALE: N.T.S

DATE: 03/24/22

SHEET:
2 OF 3



LEGEND

XX = AM PEAK HOUR
(XX) = PM PEAK HOUR

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

**TOTAL PROJECT GENERATED TRIPS
OF: 385 CONGRESS STREET DEVELOPMENT**

LOCATION: 385 CONGRESS ST
PORTLAND, MAINE

FOR: 385 CONGRESS STREET, LLC
2730 TRANSIT ROAD
WEST SENECA, NY 14224

SCALE: N.T.S
DATE: 03/24/2022
SHEET:
3 OF 3

Section 2 – Traffic Accidents

The most recent three (3) year crash history (2018-2020) was obtained from MaineDOT for the intersections and roadway links in the vicinity of the project site. Intersections and roadway links are considered to be High Crash Locations (HCL's) if they have a Critical Rate Factor (CRF) greater than 1.0 and have minimum of 8 accidents in a three (3) year period. No locations in the project area were identified as High Crash Locations. A summary of this information is presented below and the MaineDOT summary reports are included in the Appendix.

Table 6: Intersection Crash Data Summary

Node	Description	# of Crashes	CRF	HCL
18813	Congress Street at Pearl Street	16	0.90	No
18772	Congress Street at Myrtle Street	1	0.00	No
18990	Myrtle Street at Cumberland Avenue	0	0.00	No
18994	Cumberland Avenue at Chapel Street	0	0.00	No
18812	Cumberland Avenue at Pearl Street	12	0.68	No

Table 7: Segment Crash Data Summary

Link	Description	# of Crashes	CRF	HCL
18813-18772	Congress Street between Pearl Street and Myrtle Street	3	0.82	No
18772-18990	Myrtle Street between Congress St and Cumberland Avenue	2	1.41	No
18990-18994	Cumberland Avenue between Myrtle Street and Chapel Street	0	0.00	No
18994-18812	Cumberland Avenue between Chapel Street and Pearl Street	0	0.00	No
18812-18813	Pearl Street between Cumberland Avenue and Congress Street	2	0.00	No

Section 3 – Development Entrances and Exits

- a) Access to the development is proposed by way of four full access points to the proposed development parking structures on Myrtle Street and Pearl Street, as well as an entry only drive on Congress Street to serve the Hotel only. Access to the upper-level parking is proposed by a driveway at a point approximately 100' north from the intersection with Congress Street. Access to the lower-level garage on Myrtle Street is proposed by a drive approximately 70' north of the intersection with Cumberland Avenue. On Pearl Street, access to the upper-level parking is proposed by a driveway at a point approximately 130' north of the intersection with Congress Street and access to the lower-level parking by way of a drive at a point approximately 50' south of the intersection with Cumberland Avenue. Additionally, there are proposed loading/trash areas located adjacent to each of the four above-described access points. These loading areas would utilize the same curb cut created for the garage access drives.
- b) Sight distance looking from the project driveways was found to be adequate on both Pearl Street and Myrtle Street. On Pearl Street, sight distance available is the length of the city block between Cumberland Avenue and Congress Street looking from both driveway locations. On Myrtle Street, sight distance is similarly available the length of the block between Congress Street and Cumberland Avenue, however on-street parking may obstruct the view for an exiting vehicle. At the southerly drive on Myrtle Street on-street parking would not block an exiting vehicles sight line, since there would not be adequate room for on-street parking to be present between the driveway and Congress Street. At the northerly drive, vehicles may have an obstructed view if parked vehicles are present south of the drive. This could be partially mitigated by restricting parking in the immediate vicinity of the drive.

Section 4 – Title, Right, or Interest

A deed for the subject parcel is included.

QUITCLAIM DEED WITH COVENANT
(Maine Statutory Short Form)

METRO MEDIA PROPERTIES LLC, a Maine limited liability company with a mailing address of 201 Old Country Road, Suite 105, Melville, NY 11747 ("Grantor"), for consideration paid, grants to **385 CONGRESS LLC**, a Maine limited liability company with mailing address of 2730 Transit Road, West Seneca, NY 14224 ("Grantee"), with QUITCLAIM COVENANT, a certain lot or parcel of land with the buildings and improvements thereon located in the City of Portland, County of Cumberland and State of Maine, described as follows:

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

South: Congress Street;
East: Pearl Street;
North: Cumberland Avenue; and
West: Myrtle Street

This parcel of land is more particularly described as follows:

Beginning at the intersection of the Northerly sideline of Congress Street with the Easterly sideline of Myrtle Street;

Thence: N72° 54' E along the Northerly sideline of Congress Street approximately Two Hundred Forty Feet (240') to the intersection of the Northerly sideline of Congress Street with a Westerly sideline of Pearl Street;

Thence: N27° 21' W along the Westerly sideline of Pearl Street approximately Four Hundred Fifty Five Feet (455') to the intersection of the Westerly sideline of Pearl Street with a Southerly sideline of Cumberland Avenue;

Thence: Westerly along the Southerly sideline of Cumberland Avenue approximately One Hundred Seventy Feet (170') to a point;

Thence: Northerly to point A (point A being located at the intersection of the line of this call with the line of the next call extended N 67° 11' E);

Thence S67° 11' W approximately Sixty Feet (60') to the intersection of the Southerly sideline of Cumberland Avenue with the Easterly sideline of Myrtle Street;

Thence S26° 22' E along the Easterly sideline of Myrtle Street approximately Four Hundred Ten Feet (410') to the intersection of the Easterly sideline of Myrtle Street with the Northerly sideline of Congress Street and the point of beginning.

Also conveying the following parcel of land:

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

Beginning at a drill hole reset marking the intersection of the northwesterly sideline of Congress Street and the northeasterly sideline of Myrtle Street;

Thence N 55°-45'-03" E, 240.31 feet by and along the northwesterly sideline of said Congress Street to a drill hole set marking the northwesterly sideline of said Congress Street and the southwesterly sideline of Pearl Street;

Thence N 44°-35'-56" W, 433.81 feet by and along the southwesterly sideline of said Pearl Street to a point at the intersection of the southwesterly sideline of Pearl Street with the southeasterly sideline of Cumberland Avenue. Said point being witnessed by a granite right-of-way monument.

Thence S 50°-25'-20" W, 230.34 feet by and along the southeasterly sideline of said Cumberland Avenue to a point at the intersection of said southeasterly sideline of Cumberland Avenue with said northwesterly sideline of Myrtle Street. Said point being witnessed by a granite right-of-way monument.

Thence S 43°-37'-52" E, 410.86 feet by and along the northeasterly sideline of said Myrtle Street to the Point of Beginning, containing 2.26 acres more or less.

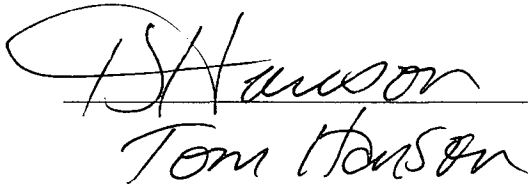
Also releasing to Grantee, Grantor's right, title and interest in a certain underground tunnel that runs from the subject premises to 390 Congress Street, by virtue of a license granted pursuant to approval of the City of Portland Inspector of Buildings dated May 14, 1965.

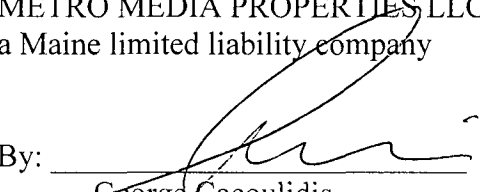
Being the same premises described in a Quitclaim Deed with Covenant from MTM Portland Properties, LLC to Metro Media Properties, LLC dated July 10, 2009 and recorded in the Cumberland County Registry of Deeds at Book 27079, Page 160.

IN WITNESS WHEREOF, Metro Media Properties LLC has caused this instrument to be signed and sealed in its company name by George Cacoulidis, its CEO, thereunto duly authorized, this 20th day of October, 2017.

WITNESS:

METRO MEDIA PROPERTIES LLC,
a Maine limited liability company


Tom Hanson

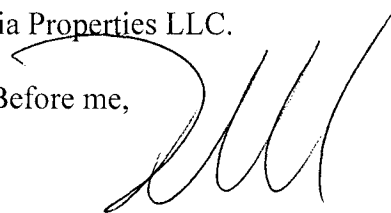
By: 
George Cacoulidis
Title: CEO

STATE OF MAINE
COUNTY OF CUMBERLAND, ss.

October 20, 2017

Then personally appeared the above named George Cacoulidis, CEO of Metro Media Properties LLC, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of Metro Media Properties LLC.

Before me,


Attorney at Law/Notary Public

Printed Name: Nicholas J. Merrill

Received
Recorded Register of Deeds
Oct 20, 2017 12:19:14P
Cumberland County
Nancy A. Lane

PARID: 027 D001001
385 CONGRESS LLC

385 CONGRESS ST

Parcel

Parcel ID	027 D001001
Property Location	385 CONGRESS ST
Unit	
Living Unit	1
Land Use Code	32 - WAREHOUSE & STORAGE Verify legal use with Inspections Division
Zoning	B3
Land Area (acreage)	2.2606
Land Area (square footage)	98472
Notes	27-D-1 CONGRESS ST 371-387 CUMBERLAND AVE 240-254 MYRTLE ST 1-35 PEARL ST 98470 SF
Utilities	1 - ALL PUBLIC - -

Owners

Owner	385 CONGRESS LLC
Address	2730 TRANSIT RD
City, State, Zip	WEST SENECA NY 14224
Deed Date	10/20/2017
Book	34401
Page	214

Section 5 – Public or Private Rights-of-Way

No Public or Private Rights-of-Way are proposed on the project parcel.

Section 6 – Construction Schedule

Construction is anticipated to begin in early 2023 once all permits are received with initial occupancy in late 2024. Construction will be phased; a proposed phasing schedule will be provided at the project's scoping meeting.

Appendix A. Crash Data

Crash Summary Report

Report Selections and Input Parameters

REPORT SELECTIONS

☒ Crash Summary I ☐ Section Detail ☒ Crash Summary II ☐ 1320 Public ☐ 1320 Private ☐ 1320 Summary

REPORT DESCRIPTION

Portland
Congress St., Myrtle St., Pearl St., Cumberland Ave. Block

REPORT PARAMETERS

Year 2018, Start Month 1 through Year 2020 End Month: 12

Route: 0560160	Start Node: 18813 End Node: 18772	Start Offset: 0 End Offset: 0	☐ Exclude First Node ☐ Exclude Last Node
Route: 0561238	Start Node: 18990 End Node: 18812	Start Offset: 0 End Offset: 0	☐ Exclude First Node ☐ Exclude Last Node
Route: 0560527	Start Node: 18772 End Node: 18990	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node
Route: 0560571	Start Node: 18813 End Node: 18812	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node

Crash Summary I

Nodes															
Node	Route - MP	Node Description	U/R	Total Crashes	K	Injury A	Crashes B	Crashes C	PD	Percent Injury	Annual M Ent-Veh	Crash Rate	Critical Rate	CRF	
18813	0560160 - 0.87	Int of CONGRESS ST PEARL ST	9	16	0	0	0	6	10	37.5	4.353	1.23	1.36	0.90	
												Statewide Crash Rate:	0.77		
18772	0560160 - 0.93	Int of CONGRESS ST MARKET ST MYRTLE ST	2	1	0	0	0	0	1	0.0	4.056	0.08	0.41	0.00	
												Statewide Crash Rate:	0.16		
18990	0561238 - 0.62	Int of CUMBERLAND AV MYRTLE ST	2	0	0	0	0	0	0	0.0	2.618	0.00	0.44	0.00	
												Statewide Crash Rate:	0.15		
18994	0561238 - 0.64	Int of CHAPEL ST CUMBERLAND AV	2	0	0	0	0	0	0	0.0	2.807	0.00	0.43	0.00	
												Statewide Crash Rate:	0.15		
18812	0561238 - 0.68	Int of CUMBERLAND AV PEARL ST	9	12	0	0	3	2	7	41.7	4.326	0.92	1.36	0.68	
												Statewide Crash Rate:	0.77		
Study Years:	3.00	NODE TOTALS:		29	0	0	3	8	18	37.9	18.160	0.53	0.67	0.79	

Crash Summary I

Sections																	
Start Node	End Node	Element	Offset Begin - End	Route - MP	Section U/R Length	Total Crashes	K	Injury A	Crashes B	Crashes C	PD	Percent Injury	Annual HMVM	Crash Rate	Critical Rate	CRF	
18772	18813	3938300	0 - 0.06	0560160 - 0.87	0.06	2	3	0	0	0	1	2	33.3	0.00181	553.41	671.84	0.00
Int of CONGRESS ST MARKET ST MYRTLE ST RD INV 05 60160														Statewide Crash Rate: 231.61			
18990	18994	3106833	0 - 0.02	0561238 - 0.62	0.02	2	0	0	0	0	0	0	0.0	0.00043	0.00	752.62	0.00
Int of CUMBERLAND AV MYRTLE ST RD INV 05 61238														Statewide Crash Rate: 179.30			
18812	18994	3119280	0 - 0.04	0561238 - 0.64	0.04	2	0	0	0	0	0	0	0.0	0.00139	0.00	593.51	0.00
Int of CUMBERLAND AV PEARL ST RD INV 05 61238														Statewide Crash Rate: 179.30			
18772	18990	194351	0 - 0.09	0560527 - 0	0.09	2	2	0	0	0	0	2	0.0	0.00030	2230.14	1576.57	1.41
Int of CONGRESS ST MARKET ST MYRTLE ST RD INV 05 60527														Statewide Crash Rate: 404.36			
18812	18813	5080413	0 - 0.09	0560571 - 0.31	0.09	2	2	0	0	0	0	2	0.0	0.00123	541.61	1121.39	0.00
Int of CUMBERLAND AV PEARL ST RD INV 05 60571														Statewide Crash Rate: 404.36			
Study Years:		3.00	Section Totals:		0.30	7	0	0	0	1	6	14.3	0.00515	452.67	568.95	0.80	
			Grand Totals:		0.30	36	0	0	3	9	24	33.3	0.00515	2328.00	744.95	3.13	

Crash Summary

Section Details

Start Node	End Node	Element	Offset Begin - End	Route - MP	Total Crashes	K	Injury Crashes				Crash Report	Crash Date	Crash Mile Point	Injury Degree
							A	B	C	PD				
18772	18813	3938300	0 - 0.06	0560160 - 0.87	3	0	0	0	1	2	2020-26845	11/04/2020	0.90	C
											2018-41353	12/25/2018	0.90	PD
											2020-17682	07/27/2020	0.91	PD
18990	18994	3106833	0 - 0.02	0561238 - 0.62	0	0	0	0	0	0				
18812	18994	3119280	0 - 0.04	0561238 - 0.64	0	0	0	0	0	0				
18772	18990	194351	0 - 0.09	0560527 - 0	2	0	0	0	0	2	2018-16265	06/05/2018	0.03	PD
											2019-64287	09/05/2019	0.08	PD
18812	18813	5080413	0 - 0.09	0560571 - 0.31	2	0	0	0	0	2	2018-15713	05/31/2018	0.35	PD
											2018-12710	05/01/2018	0.35	PD
Totals:					7	0	0	0	1	6				

Crash Summary II - Characteristics

Crashes by Day and Hour

Day Of Week	AM												PM												Un	Tot
	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11		
SUNDAY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	1	0	0	0	3
MONDAY	0	0	0	0	0	0	0	3	1	0	1	1	0	0	1	0	0	0	0	1	0	0	0	0	0	8
TUESDAY	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1	1	0	1	1	1	1	0	0	0	7
WEDNESDAY	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	3
THURSDAY	0	0	0	0	0	0	0	0	1	0	0	1	0	1	1	0	1	1	1	0	0	0	0	0	0	7
FRIDAY	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1	0	1	0	0	1	1	1	0	0	6
SATURDAY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	2
Totals	0	0	0	0	0	0	1	3	3	1	1	2	0	2	4	3	2	2	2	3	2	3	2	0	0	36

Vehicle Counts by Type

Unit Type	Total	Unit Type	Total
1-Passenger Car	30	23-Bicyclist	0
2-(Sport) Utility Vehicle	26	24-Witness	6
3-Passenger Van	1	25-Other	0
4-Cargo Van (10K lbs or Less)	1	26-Construction	0
5-Pickup	11	27-Farm Vehicle	0
6-Motor Home	0	Total	78
7-School Bus	0		
8-Transit Bus	1		
9-Motor Coach	0		
10-Other Bus	1		
11-Motorcycle	0		
12-Moped	0		
13-Low Speed Vehicle	0		
14-Autocycle	0		
15-Experimental	0		
16-Other Light Trucks (10,000 lbs or Less)	0		
17-Medium/Heavy Trucks (More than 10,000 lbs)	0		
18-ATV - (4 wheel)	0		
20-ATV - (2 wheel)	0		
21-Snowmobile	0		
22-Pedestrian	1		

Maine Department Of Transportation - Office of Safety, Crash Records Section

Crash Summary II - Characteristics

Crashes by Driver Action at Time of Crash

Driver Action at Time of Crash	Dr 1	Dr 2	Dr 3	Dr 4	Dr 5	Other	Total
No Contributing Action	9	22	0	0	0	0	31
Ran Off Roadway	1	0	0	0	0	0	1
Failed to Yield Right-of-Way	5	2	0	0	0	0	7
Ran Red Light	7	2	0	0	0	0	9
Ran Stop Sign	0	0	0	0	0	0	0
Disregarded Other Traffic Sign	1	0	0	0	0	0	1
Disregarded Other Road Markings	0	0	0	0	0	0	0
Exceeded Posted Speed Limit	0	0	0	0	0	0	0
Drove Too Fast For Conditions	0	0	0	0	0	0	0
Improper Turn	3	0	0	0	0	0	3
Improper Backing	1	1	0	0	0	0	2
Improper Passing	0	0	0	0	0	0	0
Wrong Way	0	0	0	0	0	0	0
Followed Too Closely	3	1	0	0	0	0	4
Failed to Keep in Proper Lane	2	0	0	0	0	0	2
Operated Motor Vehicle in Erratic, Reckless, Careless, Negligent or Aggressive Manner	0	0	0	0	0	0	0
Swerved or Avoided Due to Wind, Slippery Surface, Motor Vehicle, Object, Non-Motorist in Roadway	0	0	0	0	0	0	0
Over-Correcting/Over-Steering	1	1	0	0	0	0	2
Other Contributing Action	2	2	0	0	0	0	4
Unknown	0	0	0	0	0	0	0
Total	35	31	0	0	0	0	66

Crashes by Apparent Physical Condition And Driver

Apparent Physical Condition	Dr 1	Dr 2	Dr 3	Dr 4	Dr 5	Other	Total
Apparently Normal	32	29	0	0	0	1	62
Physically Impaired or Handicapped	0	0	0	0	0	0	0
Emotional(Depressed, Angry, Disturbed, etc.)	1	1	0	0	0	0	2
Ill (Sick)	1	0	0	0	0	0	1
Asleep or Fatigued	0	0	0	0	0	0	0
Under the Influence of Medications/Drugs/Alcohol	0	1	0	0	0	0	1
Other	0	0	0	0	0	0	0
Total	34	31	0	0	0	1	66

Driver Age by Unit Type

Age	Driver	Bicycle	SnowMobile	Pedestrian	ATV	Total
09-Under	0	0	0	0	0	0
10-14	0	0	0	0	0	0
15-19	1	0	0	0	0	1
20-24	8	0	0	0	0	8
25-29	8	0	0	0	0	8
30-39	18	0	0	0	0	18
40-49	9	0	0	0	0	9
50-59	11	0	0	0	0	11
60-69	9	0	0	0	0	9
70-79	4	0	0	0	0	4
80-Over	1	0	0	0	0	1
Unknown	2	0	0	1	0	3
Total	71	0	0	1	0	72

Crash Summary II - Characteristics

Most Harmful Event			
Most Harmful Event	Total	Most Harmful Event	Total
1-Overturn / Rollover	0	38-Other Fixed Object (wall, building, tunnel, etc.)	0
2-Fire / Explosion	0	39-Unknown	0
3-Immersion	0	40-Gate or Cable	0
4-Jackknife	0	41-Pressure Ridge	0
5-Cargo / Equipment Loss Or Shift	0	Total	70
6-Fell / Jumped from Motor Vehicle	0		
7-Thrown or Falling Object	0		
8-Other Non-Collision	0		
9-Pedestrian	0		
10-Pedalcycle	0		
11-Railway Vehicle - Train, Engine	0		
12-Animal	0		
13-Motor Vehicle in Transport	65		
14-Parked Motor Vehicle	5		
15-Struck by Falling, Shifting Cargo or Anything Set in Motion by Motor Vehicle	0		
16-Work Zone / Maintenance Equipment	0		
17-Other Non-Fixed Object	0		
18-Impact Attenuator / Crash Cushion	0		
19-Bridge Overhead Structure	0		
20-Bridge Pier or Support	0		
21-Bridge Rail	0		
22-Cable Barrier	0		
23-Culvert	0		
24-Curb	0		
25-Ditch	0		
26-Embankment	0		
27-Guardrail Face	0		
28-Guardrail End	0		
29-Concrete Traffic Barrier	0		
30-Other Traffic Barrier	0		
31-Tree (Standing)	0		
32-Utility Pole / Light Support	0		
33-Traffic Sign Support	0		
34-Traffic Signal Support	0		
35-Fence	0		
36-Mailbox	0		
37-Other Post Pole or Support	0		

Traffic Control Devices		
Traffic Control Device	Total	
1-Traffic Signals (Stop & Go)	25	
2-Traffic Signals (Flashing)	3	
3-Advisory/Warning Sign	0	
4-Stop Signs - All Approaches	0	
5-Stop Signs - Other	1	
6-Yield Sign	0	
7-Curve Warning Sign	0	
8-Officer, Flagman, School Patrol	1	
9-School Bus Stop Arm	0	
10-School Zone Sign	0	
11-R.R. Crossing Device	0	
12-No Passing Zone	0	
13-None	6	
14-Other	0	
Total	36	

Injury Data		
Severity Code	Injury Crashes	Number Of Injuries
K	0	0
A	0	0
B	3	4
C	9	10
PD	24	0
Total	36	14

Road Character	
Road Grade	Total
1-Level	32
2-On Grade	4
3-Top of Hill	0
4-Bottom of Hill	0
5-Other	0
Total	36

Light	
Light Condition	Total
1-Daylight	22
2-Dawn	0
3-Dusk	0
4-Dark - Lighted	14
5-Dark - Not Lighted	0
6-Dark - Unknown Lighting	0
7-Unknown	0
Total	36

Crash Summary II - Characteristics**Crashes by Year and Month**

Month	2018	2019	2020	Total
JANUARY	0	1	1	2
FEBRUARY	3	1	1	5
MARCH	1	1	1	3
APRIL	0	2	0	2
MAY	2	1	0	3
JUNE	2	1	0	3
JULY	0	2	2	4
AUGUST	1	1	0	2
SEPTEMBER	0	1	0	1
OCTOBER	5	1	0	6
NOVEMBER	1	1	1	3
DECEMBER	1	0	1	2
Total	16	13	7	36

Report is limited to the last 10 years of data.

Crash Summary II - Characteristics**Crashes by Crash Type and Type of Location**

Crash Type	Straight Road	Curved Road	Three Leg Intersection	Four Leg Intersection	Five or More Leg Intersection	Driveways	Bridges	Interchanges	Other	Parking Lot	Private Way	Cross Over	Railroad Crossing	Traffic Circle-Roundabout	Total
Object in Road	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rear End - Sideswipe	4	0	0	12	0	1	0	0	0	0	0	0	0	0	17
Head-on - Sideswipe	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Intersection Movement	0	0	0	17	0	1	0	0	0	0	0	0	0	0	18
Pedestrians	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Train	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Went Off Road	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
All Other Animal	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Bicycle	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Jackknife	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rollover	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fire	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Submersion	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Thrown or Falling Object	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Bear	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Deer	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Moose	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Turkey	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	5	0	0	29	0	2	0	0	0	0	0	0	0	0	36

Maine Department Of Transportation - Office of Safety, Crash Records Section

Crash Summary II - Characteristics

Crashes by Weather, Light Condition and Road Surface

Weather Light	Dry	Ice/Frost	Mud, Dirt, Gravel	Oil	Other	Sand	Slush	Snow	Unknown	Water (Standing, Moving)	Wet	Total
Blowing Sand, Soil, Dirt												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Blowing Snow												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Clear												
Dark - Lighted	5	0	0	0	0	0	0	0	0	0	2	7
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	13	0	0	0	0	0	0	0	0	0	2	15
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Cloudy												
Dark - Lighted	1	0	0	0	0	0	0	0	0	0	2	3
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	4	4
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0

Crash Summary II - Characteristics**Crashes by Weather, Light Condition and Road Surface**

Weather Light	Dry	Ice/Frost	Mud, Dirt, Gravel	Oil	Other	Sand	Slush	Snow	Unknown	Water (Standing, Moving)	Wet	Total
Fog, Smog, Smoke												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Other												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Rain												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	4	4
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	3	3
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Severe Crosswinds												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0

Crash Summary II - Characteristics**Crashes by Weather, Light Condition and Road Surface**

Weather Light	Dry	Ice/Frost	Mud, Dirt, Gravel	Oil	Other	Sand	Slush	Snow	Unknown	Water (Standing, Moving)	Wet	Total
Sleet, Hail (Freezing Rain or Drizzle)												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
Snow												
Dark - Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Not Lighted	0	0	0	0	0	0	0	0	0	0	0	0
Dark - Unknown Lighting	0	0	0	0	0	0	0	0	0	0	0	0
Dawn	0	0	0	0	0	0	0	0	0	0	0	0
Daylight	0	0	0	0	0	0	0	0	0	0	0	0
Dusk	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	19	0	0	0	0	0	0	0	0	0	17	36

Appendix B. Existing Conditions Plan

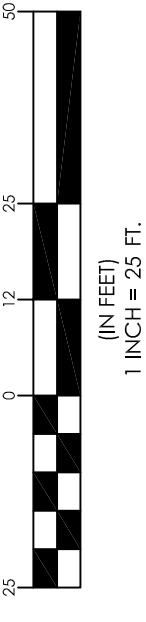
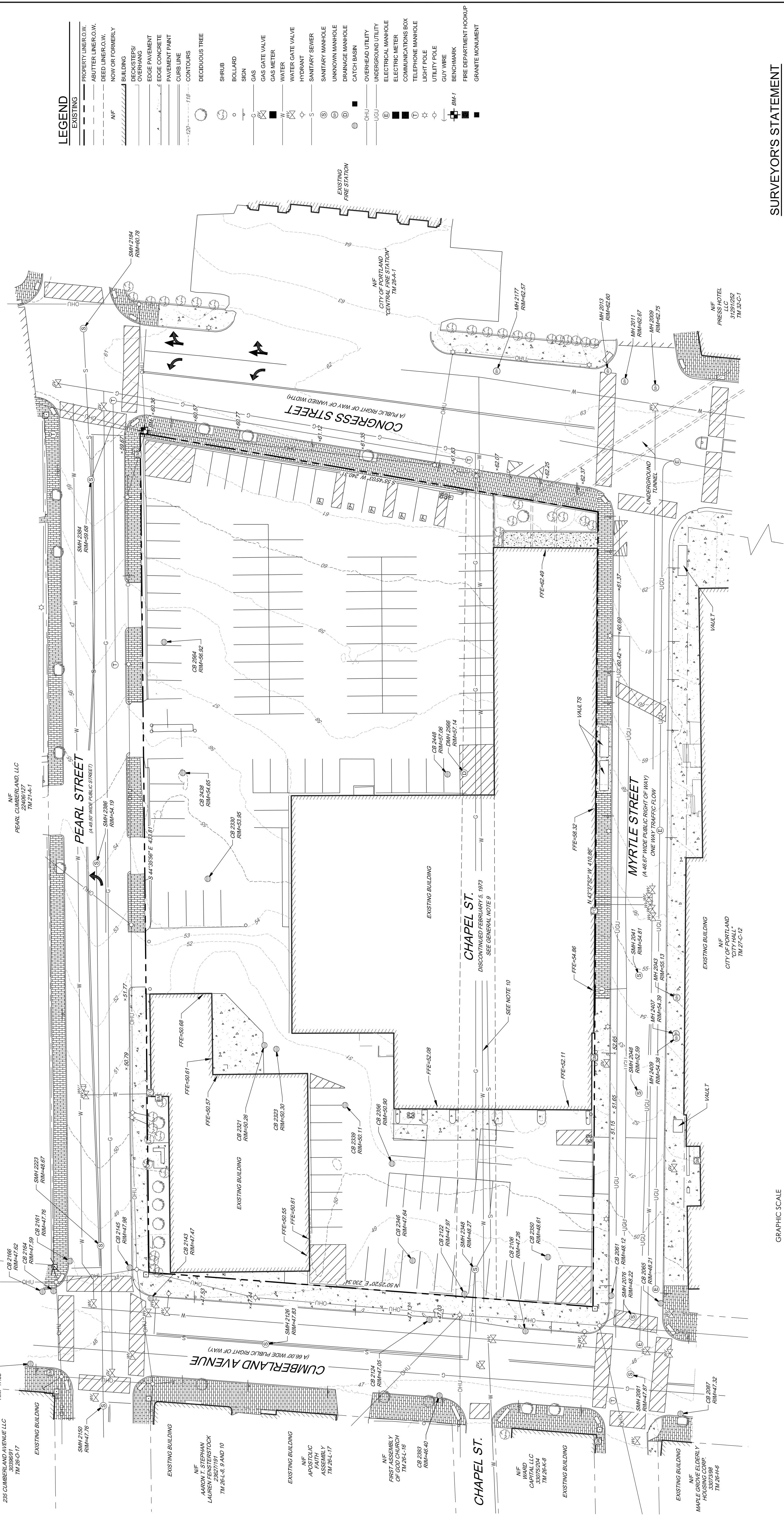
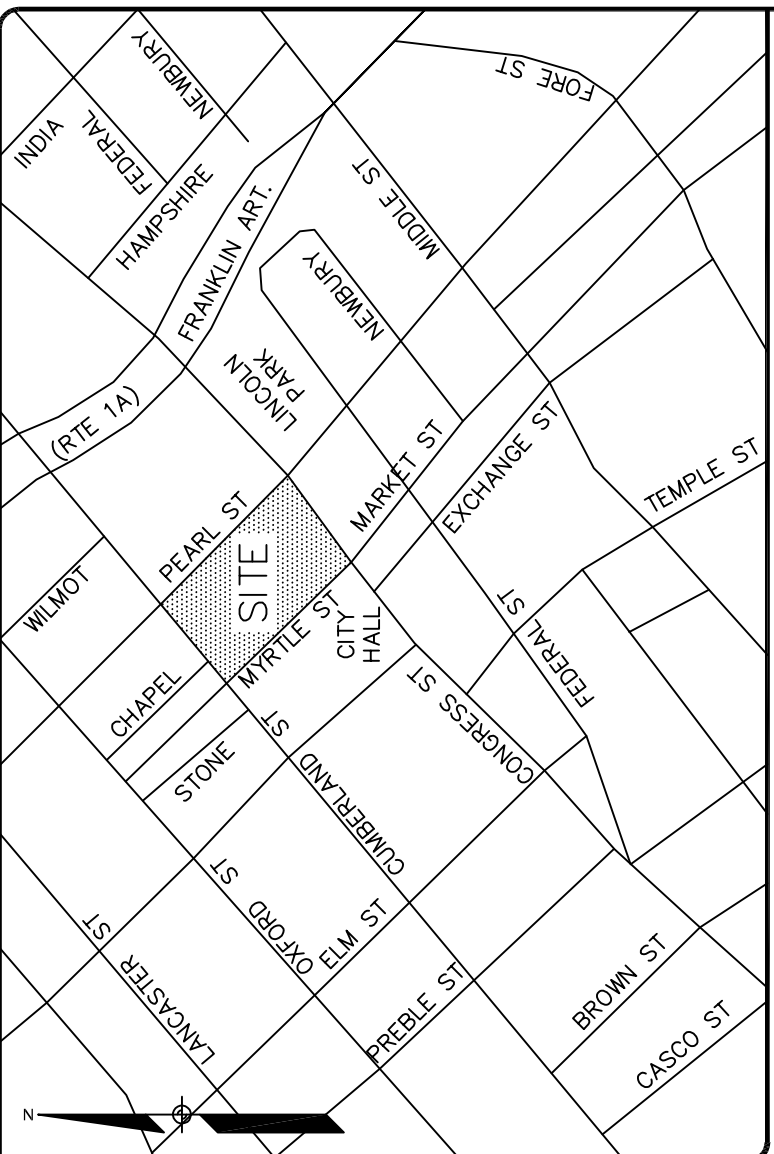
GENERAL NOTES:

1. THE RECORD OWNER OF THE PARCEL IS 385 CONGRESS LLC BY DEED DATED OCTOBER 20, 2017 AND RECORDED IN THE CONCORDIAN COUNTY REGISTRY OF DEEDS (CGRD) IN BOOK 3460, PAGE 214. THE PROPERTY IS SHOWN AS LOT 1 ON THE CITY OF PORTLAND TAX MAP 27 AND IS LOCATED IN THE B3 DOWNTOWN BUSINESS DISTRICT.
2. SPACE AND BULK CRITERIA FOR THE B3 DISTRICT ARE AS FOLLOWS:
- | | |
|--|--------------------------|
| N/A | MINIMUM LOT SIZE: |
| 15 FEET | MINIMUM STREET FRONTAGE: |
| N/A | MINIMUM FRONT YARD: |
| N/A | MINIMUM SIDE YARD: |
| N/A | MINIMUM REAR YARD: |
| N/A | MAXIMUM BUILDING HEIGHT: |
| 100% | MAXIMUM LOT COVERAGE: |
| * SEE ORDINANCE FOR MORE PARTICULAR INFORMATION. | |
3. TOTAL AREA OF PARCEL IS APPROXIMATELY 2.26 ACRES.
4. THE RECORD OWNER HAS PROVIDED THE FOLLOWING INFORMATION REGARDING THE BOUNDARY INFORMATION, REGARDING THE BOUNDARY INFORMATION.
5. IS BASED UPON FIELD WORK PERFORMED BY SEBAGO TECHINCS, INC. OCTOBER, 2019.

7. PLAN REFERENCES:
- A. PLAN OF CITY BUILDING LOT, PORTLAND, ME, DATED AUGUST 1904 BY THE CITY OF PORTLAND ENGINEER, AND ON FILE WITH THE PORTLAND DEPARTMENT OF PUBLIC WORKS AS 1595.
- B. PORTLAND DEPARTMENT OF PUBLIC WORKS STREET WORKSHEETS AND BLUEPRINTS FOR STREETS BOUNDING THE LOCUS PARCEL AND ON FILE WITH THE PORTLAND DEPARTMENT OF PUBLIC WORKS AS 8892.
- C. PLAN OF PUBLIC RECORD DATED JULY 1, 1964 AND ON FILE WITH THE PORTLAND DEPARTMENT OF PUBLIC WORKS AS 8892.
- D. NEW MECHANICAL BUILDING, GUY GANNETT PUBLISHING COMPANY, PORTLAND, ME, TUNNEL PLAN AND SECTIONS BY LOCKWOOD, GREENE ENGINEERS, INC. REVISED THROUGH MAY 12, 1965 AND ON FILE WITH THE PORTLAND DEPARTMENT OF PUBLIC WORKS AS 2032.
- E. PLAN OF PROPERTY IN PORTLAND, ME, MADE FOR GUY GANNETT PUBLISHING CO. BY H.L. & E.C. JORDAN - SURVEYORS, REVISED THROUGH FEBRUARY 6, 1973 AND ON FILE WITH OWEN HASKELL, INC.
- F. ALTA/GCSM LAND TITLE SURVEY OF CONGRESS STREET SITE, 385 CONGRESS STREET, PORTLAND, ME DATED JULY 1, 2009 BY SEBAGO TECHINCS INC. PROJECT NUMBER 09235.
8. PLAN ORIENTATION IS GRID NORTH. MAINE STATE PLANE COORDINATE SYSTEM WEST ZONE 1802NAD83. ELEVATIONS DEPICTED HEREON ARE NAVD83 PER CITY STANDARDS AS VERIFIED BY A SURVEYOR. THE LOCUS FALLS WITHIN AN AREA IDENTIFIED AS ZONE C AREAS OF MINIMAL FLOOD RISK.

9. THE CITY OF PORTLAND DISCONTINUED THE PORTION OF CHAPEL STREET RUNNING FROM THE GREEN STREET AND STREET CORNER OF CHAPEL STREET TO THE CORNER OF CHAPEL STREET AND RECORDS IN THE CITY OF PORTLAND RECORDS IN VOLUME 86 PAGE 61. PUBLIC AND PRIVATE RIGHTS MAY EXIST FOR PUBLIC HIGHWAY AND UTILITIES THAT STILL EXIST WITHIN THE DISCONTINUED PORTION OF CHAPEL STREET. IT IS SUGGESTED LEGAL COUNSEL BE SOUGHT TO CLARIFY THE INTEREST OF OTHERS IN THESE RIGHTS.
10. PURSUANT TO A CONVERSATION BETWEEN SEBAGO TECHINCS, INC. AND THE PORTLAND WATER DISTRICT, THE WATER LINE SHOWN AS BEING LOCATED IN THE DISCONTINUED PORTION OF CHAPEL STREET HAS BEEN REMOVED AND NO LONGER EXISTS.
11. UTILITY INFORMATION DEPICTED HEREON, UNLESS OTHERWISE NOTED, IS OF QUALITY LEVEL D AND IS BASED UPON FIELD WORK PERFORMED BY SEBAGO TECHINCS, INC. CONTRACTORS AND/OR DESIGNERS NEED TO CONTACT DIG-SAFE SYSTEMS, INC. (1-888-DIG-SAFE) AND FIELD VERIFY EXISTING UTILITIES WITHIN THE PROJECT AREA PRIOR TO CONSTRUCTION AND/OR DEPICTED HEREON MAY NOT NECESSARILY REPRESENT ALL EXISTING UTILITIES. CONTRACTORS SHOULD BE AWARE THAT THE LOCATION OF UTILITIES MAY VARY FROM THE INFORMATION DEPICTED HEREON.
12. THE LOCUS PROPERTY AS DEPICTED HEREON DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD AREA AS DELINEATED ON THE FLOOD INSURANCE RATE MAP FOR PORTLAND, MAINE, CUMBERLAND COUNTY, COMMUNITY-PANEL NUMBER 230051.0013 B, HAVING AN EFFECTIVE DATE OF JULY 17 1988. THE LOCUS FALLS WITHIN AN AREA IDENTIFIED AS ZONE C AREAS OF MINIMAL FLOOD RISK.
13. BENCHMARK: BM-1 EASTERN BOLT AT BASE OF UTILITY POLE ELEVATION: 61.55 (NOV028)

LOCATION MAP



PROJECT BENCHMARK
US2365 BENCH MARK SET IN
DESIGNATION: TDA 38 STA 84
STAMPED: 191933
ELEVATION: 69.95
NOV028 ELEVATION = 69.95

SURVEYOR'S STATEMENT

THIS SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION

IN ACCORDANCE WITH CHAPTER 90, PART 1 (PROFESSIONAL

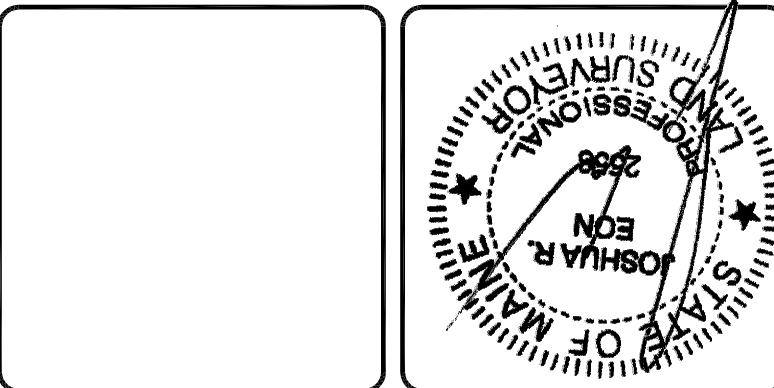
STANDARDS OF PRACTICE AND PART 2 (TECHNICAL STANDARDS

OF PRACTICE) OF THE MAINE BOARD OF LICENSED SURVEYORS.

PROFESSIONAL AND SURVEYORS.

JOSHUA R. EON, PLS 2558

12/16/2019



REV.	BY:	DATE:	STATUS:
A	JRE	12/16/2019	ISSUED TO CLIENT FOR REVIEW
B	JRE	1/08/2020	CORRECTED SPACE AND BULK CRITERIA PER PM REQUEST
C	JRE	1/20/2020	MINOR DRAFTING REVISIONS PER PM REQUEST
D	JRE	2/17/2020	MINOR DRAFTING REVISIONS PER PM REQUEST
E	JRE	2/10/2020	ADDED NOTE 10
F	JRE	2/20/2020	ADDED STRUCTURE INFO AND MINOR DRAFTING REVISIONS



EXISTING CONDITIONS PLAN
CONGRESS / PEARL BLOCK
PORTLAND, MAINE 04101
FOR RECORD OWNER:
385 CONGRESS STREET, LLC.
2730 TRANSMITT ROAD
WEST SENEC, NY 14224

DESIGNED	-
DRAWN	RHS/TSL
CHECKED	JRE/CDM
DATE	12/16/19
SCALE	1" = 25'
PROJECT	19371

SHEET 1 OF 2

Appendix C. Site Plan

Transportation Assessment

The proposed project area comprises the city block northeast of City Hall. The U.S. Courthouse and Central Street Fire Station are located southeast of the project area. The area is a highly traversed part of Portland whether it be by foot, car, bicycle, or public transportation.

Public transport

Public transportation is available around the parcel with closest established stops being located at Cumberland and Myrtle Street (Bus 8 line) and in front of City Hall (Bus 1, 7, 8, and 9A lines).

Vehicle Parking and Circulation

Below please find a comparison of the existing and proposed on-street parking for those streets immediately surrounding the proposed development site: Congress Street; Myrtle Street; Cumberland Avenue; and Pearl Street. The following summary is also shown on the ***On-Street Parking Comparison Plan***, in the plan set. The on-street parking comparison is as follows:

Street	Existing	Proposed
Congress Street	8 vehicles 2 motorcycle	8 vehicles
Myrtle Street (both sides)	34 vehicles (1 ADA) 2 motorcycles 1 City Hall loading zone	27 vehicles(1 ADA) 2 motorcycles 1 City Hall loading zone
Cumberland Avenue	4 vehicles	7 vehicles 2 Loading zone for Condominiums
Pearl Street	No Parking	11 vehicles
Total:	46 vehicles 4 motorcycles 1 City Hall loading zone	53 vehicles (public) 2 motorcycles 8 vehicles (valet)
Total On-Street	46 vehicles (public) 4 motorcycles (public) 1 Loading Zone	53 vehicles (Public) 2 motorcycles Public 3 loading zone
Change:		+7 vehicle (public) -2 motorcycles (public) +8 vehicle (valet) +2 Loading Zone

Bicycle parking

Bicycle parking racks will be located within the garage level of all three buildings.

Pedestrian movement

The project includes several improvements to the pedestrian network, including the following:

- Reconstruction of brick sidewalks per the City Technical Standards.
- Adding street lighting on all streets in accordance with the City Technical Standards.
- Adding curb extensions at intersections with improved ADA ramps and crosswalks.
- Allowing for public access through the pocket park.

Utilities

Water

The applicant has met with the Portland Water District. The Lot 1 (Phase 1) Hotel and the Lot 3 (Phase 2A) condominium will be served by the existing water main in Myrtle Street. The Lot 2 (Phase 1) Condominium and Lot 3 (Phase 2B) Condominium building will be served by a new water main to be installed by the applicant in Pearl Street. Portland Water District has confirmed that its infrastructure has the capacity to serve the project.

Sewer/Stormwater

The applicant has met with Brad Roland of the Department of Public Works, who has confirmed that the City has capacity to serve the project for stormwater and sanitary sewer capacity. Sewer and stormwater is separated on site with separate connections to the existing 18" combined sewer in Pearl Street. As discussed with Mr. Roland, the connections are as close as practicable to the Pearl Street/Cumberland Avenue intersection for connection to a potential future separated storm drain in Pearl Street.

Power and Gas

The applicant has had preliminary discussions Central Maine Power Company and Unitil in 2020, who have confirmed that they have the capacity to serve the project. Unitil has recently completed upgrades to the gas mains in Cumberland Avenue

The applicant has submitted preliminary Utility Plans as part of the application, which depict the anticipated locations of proposed utilities, including locations of sidewalk transformer vaults in the public right of way. A formal plan for infrastructure improvements, documenting timing, funding mechanisms and coordination with the City will be provided as each project prepares a Level III Site Plan Application.

Stormwater

The City of Portland stormwater ordinances adopt the MDEP Chapter 500 standards for stormwater management. The existing parcel comprises 2.3 acres and is fully developed with impervious surfaces constructed prior to the adoption of the Chapter 500 stormwater management regulations and the site is not subject to Site Location of Development review standards.

Pursuant to the City of Portland Technical Manual Chapter 5 section II.D All projects not subject to requirements of an existing Site Law or Stormwater Management Law Permit that include redevelopment of non-roof impervious area greater than 5,000 square-feet and are subject to City of Portland review shall provide stormwater quality treatment in accordance with the General Standards for no less than 50% of the redeveloped impervious area.

To meet the required redevelopment standards, treatment for at least 50% of the developed area is proposed. The preliminary design for the site includes two subsurface storage and treatment systems, one for the hotel development located on Lot 1 and a second located on Lot 3 for the Lot 2 and Lot 3 condominiums.

The system will be comprised of either a subsurface sand filter system (Stormtech by ADS) or a Storm filter system by Contech. The schematic design presented on the plans is based on Contech system using 60" corrugated metal pipes for storage with a Stormfilter water quality filtering units. A system similar to the Applicants recent project at 383 and 385 Commercial Street. It

This system a currently envisioned will be sized to treat and detain runoff from between 50% and 66% of the project's developed area.



Zachary Powell <zpowell@portlandmaine.gov>

385 Congress Street

1 message

Aurelia C Scott <rekacs2556@gmail.com>

Thu, Apr 28, 2022 at 11:15 AM

To: planningboard@portlandmaine.gov, zpowell@portlandmaine.gov

Hello,

I am writing with a couple of comments about the plans for redevelopment of [385 Congress Street](#).

I am glad that there will be something other than an unused building in the area, and am pleased that the plans include residential and commercial units. I'm relieved that there will be multiple buildings instead of one. However, I have three concerns.

The first concern is that the suggested height and the artist's rendition make the proposed building noticeably out of proportion with neighboring City Hall, Merrill, and the Press Hotel, and even further out of proportion with existing buildings on Cumberland. They've shown that the proposed buildings are no taller than City Hall's cupola. But that's many stories taller than City Hall's roof! Be honest, and visualize Portland Towers right beside City Hall. It doesn't work - 150 feet is too tall.

Second, such tall towers would increase the already noticeable wind tunnels along Congress and Cumberland.

Third, I wish that the planning board (and any other department that would need to be involved) would be bold and visionary when working with developers, including the one proposing the redevelopment of [385 Congress Street](#). I'm sure you all are talented, well-trained people. And I know that you want the best for Portland today and in the future. So, be forward-looking!

Demand imagination and cutting-edge technology from developers. Demand designs that make a visual statement and help address the city's challenges, including climate change. We could be a city with beautiful historical buildings **and** fascinating new architecture, including astonishing residential/commercial structures. Instead, so much of the new stuff is boiler plate. Every year, I attend Portland's Architalx lecture series and wonder why all that eye-opening imagination isn't harnessed right here at home.

I should note that I live on Chestnut Street. Part of my view will be affected by whatever is built, and yet, I am in favor of redeveloping the site. It's the out-of-proportion height beside City Hall and Merrill and across from Cumberland that most concern me, as well as the wind-tunnel effect.

Thank you for your consideration of my remarks.

Sincerely,
Aurelia C. Scott

--

Aurelia C. Scott
[21 Chestnut Street, Unit 605](#)
[Portland, Maine 04101](#)
she/her/hers
rekacs2556@gmail.com
www.aureliascott.com
207-712-7763



Zachary Powell <zpowell@portlandmaine.gov>

385 Congress Street comments

Avery Yale Kamila <avery.kamila@gmail.com>
To: planningboard@portlandmaine.gov
Cc: Zachary Powell <zpowell@portlandmaine.gov>

Mon, May 2, 2022 at 12:22 PM

Dear Honorable Planning Board members,

My family lives on Myrtle Street in Bayside within 500 feet of the proposed development at [385 Congress Street](#), and after receiving notification of the proposed buildings I am writing to offer written comments.

Currently this large parcel is an under-utilized lot dominated by the former Press Herald printing plant and heat-generating parking lots. The only greenery or trees exist in two small gardens at the corners of Congress and Myrtle and Cumberland and Pearl.

The census tract which encompasses the 385 Congress block is the second LEAST equitable tract in the entire city in terms of tree canopy. <https://treeequityscore.org/map/#16.46/43.659127/-70.255435> (The Bayside census tract that abuts the property below Cumberland is a majority Black neighborhood and the number one least equitable tract in the city.) Only 3 percent of the census tract is currently covered by tree canopy.

As neighbors, my family and I applaud the developer's intention expressed via artist renderings to incorporate significant street trees, a pocket park and a number of roof parklets with plants and trees. If built as envisioned, this influx of trees and greenery will improve the overall tree equity in the neighborhood. I urge the board to insert conditions requiring all the trees and parks depicted in the artist renderings and mentioned in the cover letter be completed to the standard shown or higher.

With low-income housing across the street and nearby in the form of rooming houses, two major Avesta complexes, the Franklin Towers building, the Oxford Street Shelter and the family shelter buildings, I also urge the board to ban generators and idling construction vehicles on the site. The neighbors in the abutting least equitable census tract have much higher than average levels of respiratory illnesses, along with higher levels of all other health challenges. Generators and idling diesel vehicles produce dangerously high levels of fine particulates and ground-level smog that converts to even more dangerous ground-level ozone in sunlight.

The low income neighbors stand to benefit greatly from the influx of trees and greenery into this current concrete jungle. However, neighbors with respiratory conditions will suffer greatly if generators or idling construction vehicles are allowed on the property, where their smog will blow into the homes of those living below the poverty line in a majority Black, least equitable census district.

Thank you for considering my comments and the health of the wider community.

Sincerely,
Avery

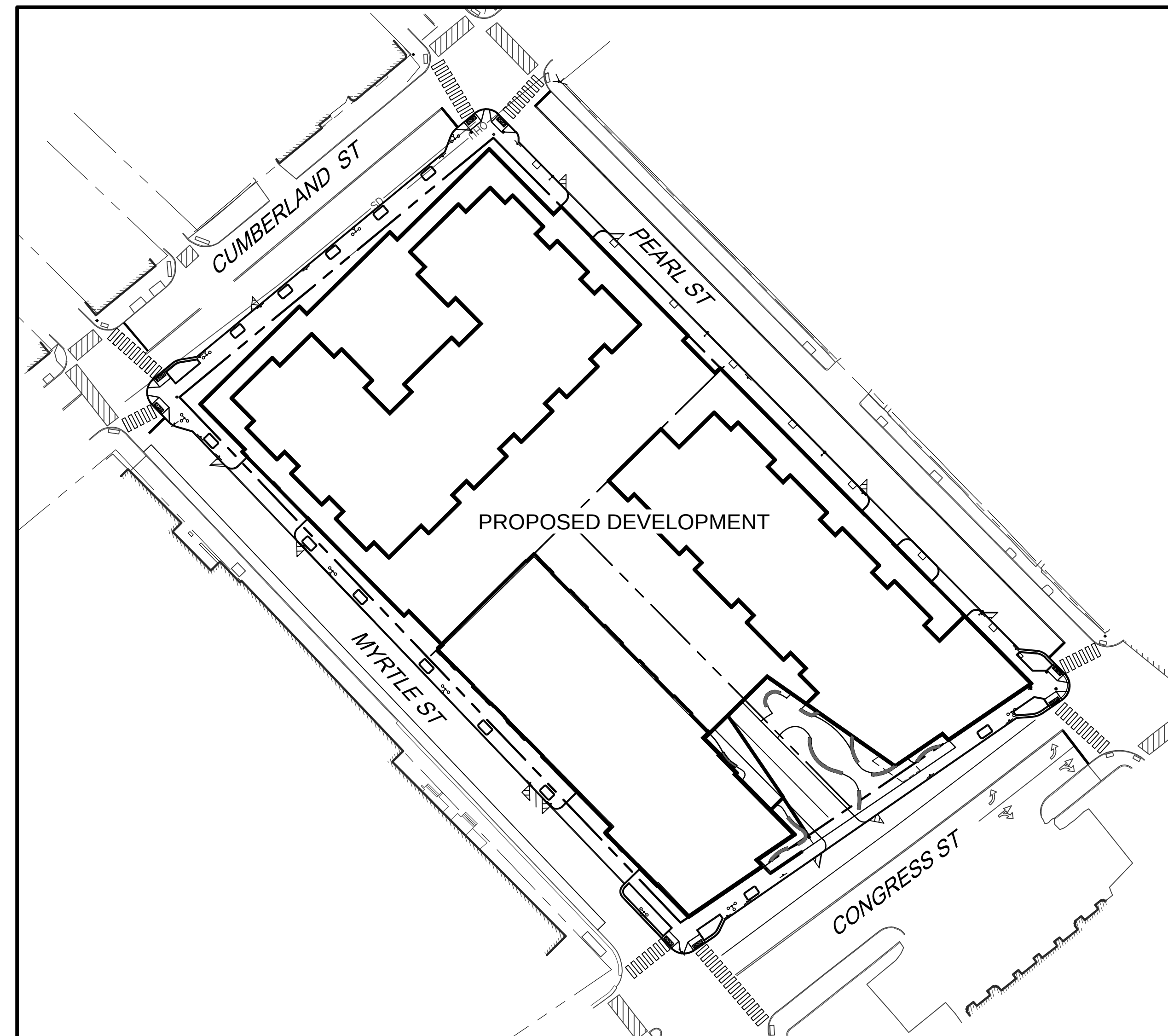
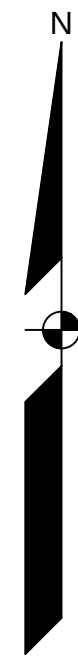
Avery Yale Kamila, AOLCP
Co-founder
Portland Protectors
PO Box 4242
Portland, ME 04101
207-780-0915
www.facebook.com/portlandprotectors

CONGRESS STREET AND PEARL STREET
PORTLAND, MAINE

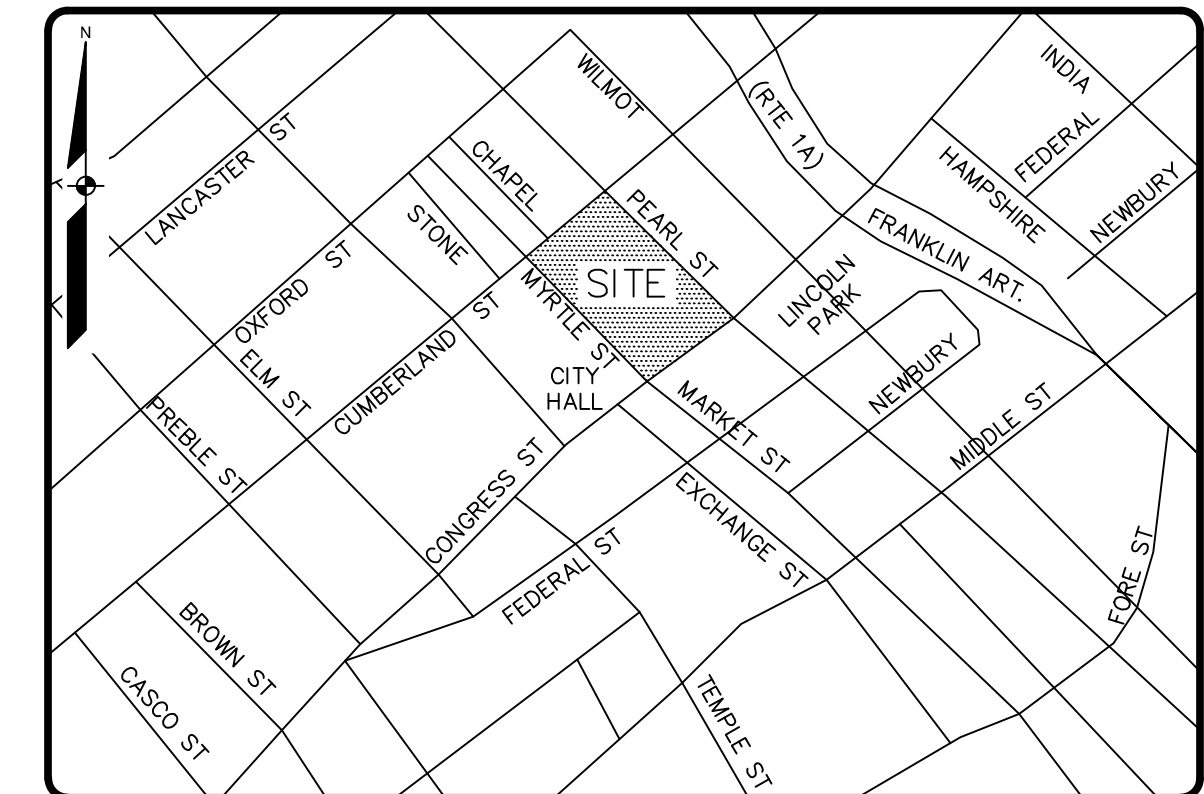
ENGINEER/SURVEYOR/
LANDSCAPE ARCHITECT:



CBT ARCHITECTS
110 CANAL ST.
BOSTON, MA 02114



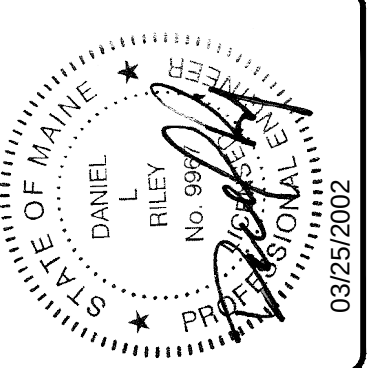
SCALE: 1" = 50'



LOCATION MAP

SHEET	TITLE
1	COVER SHEET
2	GENERAL NOTES AND LEGEND
3	SITE PLAN - STREET LEVEL
4	GRADING PLAN - STREET LEVEL
5	UTILITY PLAN - STREET LEVEL
6	SCHEDULES
7	LANDSCAPE PLAN - STREET LEVEL
8	LANDSCAPE PLAN - LEVEL 2
9	ON STREET PARKING COMPARISON PLAN

NOT FOR
CONSTRUCTION

[illegible]

COVER SHEET

OF: 385 CONGRESS STREET
CONGRESS STREET AND PEARL STREET
PORTLAND, MAINE

FOR: 385 CONGRESS STREET, LLC.
2730 TRANSIT ROAD
WEST SENECA, NY 14224

DESIGNED	DJS
DRAWN	BVD
CHECKED	DLR
DATE	02/04/2022
SCALE	AS NOTED
PROJECT	19371

SHEET 1 OF 9

EXISTING	PROPOSED
PROPERTY LINE/R.O.W.	PROPERTY LINE/R.O.W.
ADJUTER LINE/R.O.W.	ADJUTER LINE/R.O.W.
DEED LINE/R.O.W.	DEED LINE/R.O.W.
TIE LINE	TIE LINE
SETBACK	SETBACK
EASEMENT	EASEMENT
BUFFER	BUFFER
FLOODPLAIN	FLOODPLAIN
FLOODWAY	FLOODWAY
CENTERLINE	CENTERLINE
MONUMENT	MONUMENT
IRON PIPE/ROD	IRON PIPE/ROD
DRILL HOLE	DRILL HOLE
DEED CALL	DEED CALL
C1/L1	C1/L1
C1/L1	C1/L1
SOILS	SOILS
ZONE LINE	ZONE LINE
ZONE LINE ON PL	ZONE LINE ON PL
BENCHMARK DESCRIPTION WITH ELEVATION	BENCHMARK
SURVEY CONTROL	SURVEY CONTROL
TP-1	TP-1
MW-1	MW-1
B-1	B-1
BUILDING	BUILDING
DECK/STEPS/OVERHANG	DECK/STEPS/OVERHANG
EDGE WETLAND	EDGE WETLAND
WETLANDS	WETLANDS
UPLANDS	UPLANDS
STREAM	STREAM
LEDGE	LEDGE
EDGE PAVEMENT	EDGE PAVEMENT
PAVEMENT SAWCUT	PAVEMENT SAWCUT
EDGE CONCRETE	EDGE CONCRETE
PAVEMENT PAINT	PAVEMENT PAINT
EDGE GRAVEL	EDGE GRAVEL
CURB LINE	CURB LINE
EDGE OF WATER	EDGE OF WATER
TREELINE	TREELINE
CONTOURS	CONTOURS
SPOT GRADE	SPOT GRADE
CHAIN LINK FENCE	CHAIN LINK FENCE
BARB WIRE FENCE	BARB WIRE FENCE
STOCKADE FENCE	STOCKADE FENCE
GUARD RAIL	GUARD RAIL
STONE WALL	STONE WALL
RETAINING WALL	RETAINING WALL
DECIDUOUS TREE	DECIDUOUS TREE
CONIFEROUS TREE	CONIFEROUS TREE
BOLLARD	BOLLARD
SIGN	SIGN
RAILROAD	RAILROAD
GAS	GAS
GAS GATE VALVE	GAS GATE VALVE
GAS METER	GAS METER
GAS MANHOLE	GAS MANHOLE
WATER	WATER
WATER GATE VALVE	WATER GATE VALVE
WATER SHUT OFF	WATER SHUT OFF
HYDRANT	HYDRANT
WATER MANHOLE	WATER MANHOLE
WELL	WELL
SANITARY SEWER	SANITARY SEWER
FORCE MAIN	FORCE MAIN
SANITARY MANHOLE	SANITARY MANHOLE
SD	SD
UD	UD
DRAINAGE MANHOLE	DRAINAGE MANHOLE
CATCH BASIN	CATCH BASIN
OVERHEAD UTILITY	OVERHEAD UTILITY
UNDERGROUND UTILITY	UNDERGROUND UTILITY
TRANSFER PAD	TRANSFER PAD
ELECTRIC MANHOLE	ELECTRIC MANHOLE
ELECTRIC METER	ELECTRIC METER
HVAC UNIT	HVAC UNIT
TELEPHONE MANHOLE	TELEPHONE MANHOLE
LIGHT POLE	LIGHT POLE
UTILITY POLE	UTILITY POLE
GUY WIRE	GUY WIRE
DRAINAGE DITCH	DRAINAGE DITCH
EROSION CONTROL BLANKET	EROSION CONTROL BLANKET
RIPRAP	RIPRAP
CHECK DAM	CHECK DAM
INLET PROTECTION	INLET PROTECTION
BOULDER	BOULDER
STREAM	STREAM

MULCH LINE		SINGLE WHITE
LARGE SHADE TREES		DOUBLE YELLOW
STREET TREES		WHITE CRO
ORNAMENTAL TREES		WHITE STON
LANDSCAPE PLANTING BEDS		WHITE NO R
CITY SIDEWALK BRICK		
DRIVEWAY BRICK		
PRIVATE TERRACE		
COMMON PAVING AREAS		
BENCHES		

SINGLE WHITE LANE LINE	SWLL
DOUBLE YELLOW CENTERLINE	DYCL
WHITE CROSSWALK STRIPING	
WHITE STOP BAR STRIPING	
WHITE NO PARKING STRIPING	

1. THE RECORD OWNER OF THE PARCEL IS 385 CONGRESS BLVD BY DEED DATED OCTOBER 20, 2017 AND RECORDED AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS (CCRD) IN BOOK 34401, PAGE 214.

2. THE PROPERTY IS SHOWN AS LOT 1 ON THE CITY OF PORTLAND TAX MAP 27 AND IS LOCATED IN THE B3 DOWNTOWN BUSINESS DISTRICT.

3. SPACE AND BULK CRITERIA FOR THE B3 DISTRICT ARE AS FOLLOWS:

MINIMUM LOT SIZE: N/A

MINIMUM STREET FRONTAGE: 15 FEET

MINIMUM FRONT YARD: N/A

MINIMUM SIDE YARD: N/A

MINIMUM REAR YARD: N/A

MAXIMUM BUILDING HEIGHT: 150 FEET

MAXIMUM LOT COVERAGE: 100%

* SEE ORDINANCE FOR MORE PARTICULAR INFORMATION.

4. TOTAL AREA OF PARCEL IS APPROXIMATELY 2.26 ACRES.

5. THE BOUNDARY IS BASED ON PLAN REFERENCE 6F. TOPOGRAPHIC INFORMATION SHOWN HEREON, SEBAGO TECHNICS HAS UPDATED RECORDS RESEARCH FROM 2009 TO DATE REGARDING THE BOUNDARY INFORMATION.

6. IS BASED UPON FIELD WORK PERFORMED BY SEBAGO TECHNICS, INC. OCTOBER , 2019.

7. PLAN REFERENCES:

1. PLAN OF CITY BUILDING LOT, PORTLAND, ME, DATED AUGUST 1908 BY THE CITY OF PORTLAND ENGINEER, AND ON FILE WITH THE PORTLAND DEPARTMENT OF PUBLIC WORKS AS 1595.

A. PORTLAND DEPARTMENT OF PUBLIC WORKS STREET WORKSHEETS AND BLUESHEETS FOR STREETS SURROUNDING THE LOCUS PARCEL AND ON FILE WITH THE PORTLAND DEPARTMENT OF PUBLIC WORKS AS 1595.

B. PLAN OF PORTLAND IN PORTLAND, ME. MADE FOR GUY GANNETT PUBLISHING CO. BY H.I. & E.C. JORDAN - SURVEYORS, DATED JULY 1964 AND ON FILE WITH THE PORTLAND DEPARTMENT OF PUBLIC WORKS AS 6632.

C. NEW MECHANICAL BUILDING, GUY GANNETT PUBLISHING COMPANY, PORTLAND, ME, TUNNEL PLAN AND SECTIONS BY LOCKWOOD, GREENE ENGINEERS, INC. REVISED THROUGH MAY 12, 1965 AND ON FILE WITH THE PORTLAND DEPARTMENT OF PUBLIC WORKS AS 2032.

D. PLAN OF PORTLAND IN PORTLAND, ME. MADE FOR GUY GANNETT PUBLISHING PUBLISHING CO. BY H.I. & E.C. JORDAN - SURVEYORS, REVISED THROUGH FEBRUARY 6, 1973 AND ON FILE WITH OWEN HASKELL INC.

E. ALTA/ACSM LAND TITLE SURVEY OF CONGRESS STREET SITE, 385 CONGRESS STREET, PORTLAND, ME DATED JULY 1, 2009 BY SEBAGO TECHNICS INC, PROJECT NUMBER 09235.

F. F. ALTA/SPS LAND TITLE SURVEY OF CONGRESS/PEARL BLOCK, CONGRESS STREET AND PEARL STREET, PORTLAND, ME DATED FEBRUARY 11, 2022 BY SEBAGO TECHNICS, INC. FOR FATHOM COMPANIES PROJECT NUMBER 19371-02.

8. PLAN ORIENTATION IS GRID NORTH, MAINE STATE PLANE COORDINATE SYSTEM, WEST ZONE 1802-NA083. ELEVATIONS DEPICTED HEREON ARE NGVD29 PER CITY STANDARDS AS VERIFIED BY A UNITED STATES COAST & GEODETIC SURVEY BRASS DISK LOCATED IN A GRANITE BLOCK OF THE CITY HALL BUILDING HAVING A PUBLISHED ELEVATION OF 69.66' (NAVD88 68.95')

9. THE CITY OF PORTLAND DISCONTINUED THAT PORTION OF CHAPEL STREET " RUNNING FROM CONGRESS STREET TO CUMBERLAND STREET" BY ORDER OF CITY COUNCIL ON FEBRUARY 5, 1973 AND THEREAFTER THE CITY OF PORTLAND RECORDS IN VOLUME 86, PAGE 61, PUBLIC CONTRACT RIGHTS MAY EXIST FOR PUBLIC HIGHWAY AND UTILITIES THAT STILL LIE WITHIN THE LIMITS OF CHAPEL STREET. SEBAGO TECHNICS, INC. SUGGEST LEGAL COUNSEL BE SOUGHT TO CLARIFY THE INTEREST OF OTHERS IN THESE RIGHTS.

10. PURSUANT TO A CONVERSATION BETWEEN SEBAGO TECHNICS, INC. AND THE PORTLAND WATER DISTRICT, THE WATER LINE SHOWN ON THE PLAN IS LOCATED IN THE DISCONTINUED PORTION OF CHAPEL STREET HAS BEEN REMOVED AND NO LONGER EXISTS.

11. UTILITY INFORMATION DEPICTED HEREON, UNLESS OTHERWISE NOTED, IS OF QUALITY LEVEL D PER AMERICAN SOCIETY OF CIVIL ENGINEERS (ASCE) STANDARD CI/ASCE 38-02. UTILITIES DEPICTED HEREON MAY NOT NECESSARILY REPRESENT ALL EXISTING UTILITIES. CONTRACTORS AND/OR DESIGNER DESIGNED CONTACT DIG-SAFE SYSTEMS, INC. (1-888-DIG-SAFE) AND FIELD VERIFY EXISTING UTILITIES WITHIN THE PROJECT AREA PRIOR TO CONSTRUCTION AND/OR EXCAVATION.

12. THE LOCUS PROPERTY AS DEPICTED HEREON DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD AREA AS DELINEATED ON THE FLOOD INSURANCE RATE MAP FOR PORTLAND, MAINE, CUMBERLAND COUNTY, COMMUNITY-PANEL NUMBER 230051 0013 B, HAVING AN EFFECTIVE DATE OF JULY 17 1986. THE LOCUS FALLS WITHIN AN AREA IDENTIFIED AS ZONE C, AREAS OF AREAS OF MINIMAL FLOODING.

13. BENCHMARK: BM-1EASTERLY BOLT AT BASE OF UTILITY POLE ELEVATION: 61.95 (NGVD29)

14. PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR ANY PHASE OF THE SUBDIVISION A PERFORMANCE GUARANTEE MUST BE SUBMITTED TO AND APPROVED BY THE CITY OF PORTLAND.

15. ALL WORK SHALL CONFORM TO THE APPLICABLE CODES AND ORDINANCES.

16. CONTRACTOR SHALL VISIT THE SITE AND FAMILIARIZE HIM OR HERSELF WITH ALL CONDITIONS AFFECTING THE PROPOSED WORK AND SHALL MAKE PROVISIONS AS TO THE COST THEREOF. CONTRACTOR SHALL BE RESPONSIBLE FOR FAMILIARIZING HIM OR HERSELF WITH PUBLIC CONTRACT DOCUMENTS, FIELD CONDITIONS AND DIMENSIONS AND CONFIRMING THAT THE WORK MAY BE ACCOMPLISHED AS SHOWN PRIOR TO PROCEEDING WITH CONSTRUCTION. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO THE COMMENCEMENT OF WORK.

19. CONTRACTOR SHALL NOTIFY ENGINEER OF ALL PRODUCTS OR ITEMS NOTED AS "EXISTING" WHICH ARE NOT FOUND IN THE FIELD.

20. PROVIDE ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS AND OWNER'S REQUIREMENTS UNLESS SPECIFICALLY OTHERWISE INDICATED OR WHERE LOCAL CODES OR REGULATIONS TAKE PRECEDENCE.

21. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS IN THE FIELD PRIOR TO FABRICATION AND ERECTION OF ANY MATERIAL. ANY UNUSUAL CONDITIONS SHALL BE REPORTED TO THE ATTENTION OF THE ENGINEER PRIOR TO PROCEEDING WITH CONSTRUCTION.

22. CONTRACTOR SHALL CLEAN AND REMOVE DEBRIS AND SEDIMENT DEPOSITED ON PUBLIC STREETS, SIDEWALKS, ADJACENT AREAS, OR OTHER PUBLIC WAYS DUE TO CONSTRUCTION.

23. CONTRACTOR SHALL INCORPORATE PROVISIONS AS NECESSARY IN CONSTRUCTION TO PROTECT EXISTING STRUCTURES, PHYSICAL FEATURES, AND MAINTAIN SITE STABILITY DURING CONSTRUCTION. CONTRACTOR SHALL RESTORE ALL AREAS TO ORIGINAL CONDITION AND AS DIRECTED BY DESIGN DRAWINGS.

24. SITE CONTRACTOR SHALL OBTAIN ALL REQUIRED PERMITS PRIOR TO CONSTRUCTION.

25. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH "MAINE EROSION AND SEDIMENT CONTROL BMPs" PUBLISHED BY THE BUREAU OF LAND AND WATER. THE CONTRACTOR SHALL OBTAIN APPROVED EROSION PRIOR TO RELOCATION OF ANY EXISTING UTILITIES. THE CONTRACTOR SHALL CONTACT THE CONTRACTOR TO POSSESS A COPY OF THE EROSION CONTROL PLAN AT ALL TIMES.

26. THE CONTRACTOR IS HEREBY CAUTIONED THAT ALL SITE FEATURES SHOWN HEREON ARE BASED ON FIELD OBSERVATIONS BY THE SURVEYOR AND BY INFORMATION PROVIDED BY UTILITY COMPANIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING INFORMATION FROM ALL EXISTING UTILITIES. CONTRACTOR SHALL CONTACT DIG SAFE (811) AT LEAST THREE (3) BUT NOT MORE THAN THIRTY (30) DAYS PRIOR TO COMMENCEMENT OF EXCAVATION OR DEMOLITION TO VERIFY HORIZONTAL AND VERTICAL LOCATION OF ALL UTILITIES.

27. CONTRACTOR SHALL BE AWARE THAT SUCH DAMAGE OR OTHER UTILITY NOTIFIES ITS "MEMBER" UTILITIES ABOUT THE LOCATION OF EXISTING UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR IDENTIFYING AND CONTACTING NON-MEMBER UTILITIES. DIRECTLY, NON-MEMBER UTILITIES MAY INCLUDE TOWN OR CITY WATER AND SEWER DISTRICTS AND SMALL LOCAL UTILITIES, AS WELL AS USG PUBLIC WORKS SYSTEMS.

28. CONTRACTORS SHALL BE RESPONSIBLE FOR COMPLIANCE WITH THE REQUIREMENTS OF 23 MRS 330-A. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO COORDINATE WITH THE MAINTENANCE AND REPAIR DIVISION OF THE CITY OF PORTLAND TO OBTAIN APPROVED EROSION PRIOR TO RELOCATION OF ANY EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THESE PLANS. IF A UTILITY CONFLICT ARISES, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER, THE MAINTENANCE AND REPAIR DIVISION OF THE CITY OF PORTLAND, AND THE UTILITY COMPANY PRIOR TO PROCEEDING WITH ANY RELOCATION.

29. ALL PAVEMENT MARKINGS AND DIRECTIONAL SIGNAGE SHOWN ON THE PLAN SHALL CONFORM TO THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) STANDARDS.

30. ALL PAVEMENT JOINTS SHALL BE SAWCUT PRIOR TO PAVING TO PROVIDE A DURABLE AND UNIFORM JOINT.

31. NO HOLES, TRENCHES OR STRUCTURES SHALL BE LEFT OPEN OVERNIGHT IN ANY EXCAVATION ACCESSIBLE TO THE PUBLIC OR IN PUBLIC RIGHTS-OF-WAY.

32. IMMEDIATELY UPON COMPLETION OF CUTS/PILLS, THE CONTRACTOR SHALL STABILIZE DISTURBED AREAS IN ACCORDANCE WITH EROSION CONTROL NOTES AND AS SPECIFIED ON PLANS.

33. THE CONTRACTOR SHALL BE FULLY AND SOLELY RESPONSIBLE FOR THE REMOVAL, REPLACEMENT AND REIFICATION OF ALL DAMAGED AND DEFECTIVE MATERIAL AND WORKMANSHIP IN CONNECTION WITH THE CONTRACT WORK. THE CONTRACTOR SHALL REPLACE OR REPAIR AS DIRECTED BY THE OWNER ALL SUCH DAMAGED OR DEFECTIVE MATERIALS WHICH APPEAR WITHIN A PERIOD OF ONE YEAR FROM THE DATE OF SUBSTANTIAL COMPLETION.

34. ALL WORK PERFORMED BY THE GENERAL CONTRACTOR AND/OR TRADE SUBCONTRACTOR SHALL CONFORM TO THE REQUIREMENTS OF LOCAL, STATE OR FEDERAL LAWS, AS WELL AS ALL OTHER GOVERNING REQUIREMENTS, WHETHER OR NOT SPECIFIED ON THE DRAWINGS.

35. WHERE THE TERMS "APPROVED EQUAL", "OTHER APPROVED", "EQUAL TO", "ACCEPTABLE" OR OTHER GENERAL QUALIFYING TERMS ARE USED IN THESE NOTES, IT SHALL BE UNDERSTOOD THAT THE SAME REFERENCE IS MADE TO THE RULING AND JUDGEMENT OF SEBAGO TECHNICS, INC.

36. THE GENERAL CONTRACTOR SHALL PROVIDE ALL NECESSARY PROTECTION FOR THE WORK UNTIL TURNED OVER TO THE OWNER.

37. THE GENERAL CONTRACTOR SHALL MAINTAIN A CURRENT AND COMPLETE SET OF CONSTRUCTION DRAWINGS ON SITE DURING ALL PHASES OF CONSTRUCTION FOR USE OF ALL TRADES.
38. THE CONTRACTOR SHALL TAKE FULL RESPONSIBILITY FOR ANY CHANGES AND DEVIATION OF APPROVED PLANS NOT AUTHORIZED BY THE ARCHITECT/ENGINEER AND/OR CLIENT/OWNER.
39. DETAILS ARE INTENDED TO SHOW END RESULT OF DESIGN. ANY MODIFICATION TO SUIT FIELD DIMENSION AND CONDITION SHALL BE SUBMITTED TO THE ENGINEER FOR REVIEW AND APPROVAL PRIOR TO ANY WORK.
40. BEFORE THE FINAL ACCEPTANCE OF THE PROJECT, THE CONTRACTOR SHALL REMOVE ALL EQUIPMENT AND MATERIALS, REPAIR OR REPLACE PRIVATE OR PUBLIC PROPERTY WHICH MAY HAVE BEEN DAMAGED OR DESTROYED DURING CONSTRUCTION, CLEAN THE AREAS WITHIN AND ADJACENT TO THE PROJECT WHICH HAVE BEEN OBSTRUCTED BY HIS/HER OPERATIONS, AND LEAVE THE PROJECT AREA NEAT AND PRESENTABLE.
41. ALL GRAVITY CONDUIT PIPES SHALL BE INSTALLED USING A PIPE LASER AND TARGET SYSTEM THROUGH THE PIPE. ON PIPE RUNS 50 FEET OR LESS, THE CONTRACTOR SHALL REQUEST ENGINEER'S APPROVAL TO USE A GROUND LASER.
42. CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING FLOW THROUGH THE EXISTING CLOSED STORM DRAINAGE SYSTEM DURING CONSTRUCTION AND SHALL SUBMIT A WORK PLAN FOR APPROVAL BY THE DESIGN ENGINEER.

1. PROTECT EXISTING BOUNDARY LINE MONUMENTATION. IF DISTURBED, EXISTING MONUMENTATION TO BE RESET BY A PROFESSIONAL LAND SURVEYOR.
2. DEMOLITION OF UTILITIES REQUIRING TREE REMOVAL SHALL BE COORDINATED WITH THE OWNER AND IN ACCORDANCE WITH PROJECT PLANS.
3. UTILITY DEMOLITION SHALL BE COMPLETED IN COORDINATION WITH NEW INFRASTRUCTURE. CONTRACTOR SHALL ENSURE EXISTING SURFACE DRAINAGE IS MAINTAINED DURING CONSTRUCTION.
4. EXISTING SEWER AND STORM DRAINAGE INFRASTRUCTURE TO REMAIN ACTIVE DURING CONSTRUCTION AND UPON COMPLETION OF PROJECT. DEMOLITION/CONSTRUCTION ACTIVITIES SHALL NOT INTERFERE OR IMPEDE EXISTING FLOWS. CONTRACTOR SHALL PROVIDE BYPASS PUMPING AS REQUIRED DURING SEWER AND STORM DEMOLITION AND NEW CONSTRUCTION. DAMAGE TO EXISTING SEWER INFRASTRUCTURE SHALL BE REPAIRED BY CONTRACTOR AT THEIR EXPENSE.
5. PROTECT EXISTING UTILITIES NOT CALLED OUT TO BE REMOVED DURING CONSTRUCTION.
6. DEMOLITION SHOWN IS FOR MAJOR SITE ELEMENTS TO BE DEMOLISHED. OTHER MINOR DEMOLITION MAY BE REQUIRED AS PART OF CONSTRUCTION AND SHALL BE CONSIDERED INCIDENTAL TO THE COST OF CONSTRUCTION. COORDINATE ALL DEMOLITION WORK WITH SITE AND BUILDING DRAWINGS.
7. PRIOR TO ANY DEMOLITION, THE CONTRACTOR SHALL SUBMIT A SEQUENCE OF DEMOLITION PLANS TO THE OWNER. THIS PLAN SHALL DEPICT LOCATIONS OF PROPOSED TERMINATIONS AND ANY TEMPORARY SERVICES THAT WILL BE NEEDED.
8. CONTRACTOR REQUIRED TO CONFIRM/MAINTAIN BENCHMARKS. IF IMPACTED CONTRACTOR IS RESPONSIBLE FOR NOTIFICATION/RELOCATION AND COORDINATION WITH PROJECT TEAM.

1. SIDESLOPES SHALL NOT BE STEEPER THAN 3:1 (H:V) EXCEPT AS OTHERWISE IDENTIFIED ON THIS PLAN. ALL SIDESLOPES STEEPER THAN 3:1 (H:V) SHALL BE LINED WITH EROSION CONTROL BLANKET, OR ADDITIONAL MEASURES AS INDICATED.
2. ALL SEDIMENT AND EROSION CONTROL MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH THE "CONSTRUCTION EROSION CONTROL BMP'S" MANUAL PUBLISHED BY BUREAU OF LAND AND WATER QUALITY MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION, LATEST EDITION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO POSSESS A COPY OF THE EROSION CONTROL PLAN AT ALL TIMES.
3. ALL AREAS DISTURBED DURING CONSTRUCTION AND NOT RESTORED WITH IMPERVIOUS SURFACES (BUILDINGS, PAVEMENTS, WALKS, ETC.) SHALL RECEIVE LOAM AND SEED PER DETAIL.
4. SEE UTILITY DRAWINGS FOR PIPE AND STRUCTURE DATA TABLES.

1. PROVIDE EROSION CONTROL MEASURES PRIOR TO SITE DISTURBANCE.
2. GRADING AND CLEARING LIMITS SHALL NOT ENCRATCH ON ADJACENT PROPERTIES UNLESS NOTED OTHERWISE ON THE PLANS.
3. OPEN AREAS SHALL BE LIMITED TO AREAS BEING WORKED IN. THE AREA STRIPPED OF EXISTING VEGETATION AT ANY GIVEN TIME SHALL BE MINIMIZED AND BE PHASED WHERE PRACTICAL SO THAT AREAS ARE REVEGETATED AND PERMANENTLY STABILIZED BEFORE ADDITIONAL AREAS ARE STRIPPED. DISTURBED AREAS MUST BE STABILIZED WITH SEED, MULCH, OR STRIPES, SEED, MULCH, OR OTHER GROUND COVER WITHIN ONE WEEK FROM THE TIME IT WAS ACTIVELY WORKED. ALL EROSION CONTROL MEASURES SHALL BE DESIGNED TO PROTECT EXISTING AND FUTURE STORMWATER BMP'S. PLEASE REFERENCE FOR DRAINAGE PLANS FOR WATERSHED AREAS.

1. PLANT QUANTITIES SHOWN ON PLANT LISTS ARE FOR CONVENIENCE TO THE CONTRACTOR ONLY. THE CONTRACTOR IS RESPONSIBLE FOR ALL PLANT MATERIAL INSTALLATION AS SHOWN ON PLANS.
2. SIZE AND GRADING STANDARDS OF PLANT MATERIALS SHALL CONFORM TO THE LATEST EDITION OF "U.S.A. STANDARD FOR NURSERY STOCK," BY THE AMERICAN ASSOCIATION OF NURSERYMEN, INC.
3. ALL PLANT MATERIAL SHALL BE FREE FROM INSECTS AND DISEASE.
4. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH ACCEPTABLE HORTICULTURAL PRACTICES THIS IS TO INCLUDE PROPER PLANTING MIX, PLANT BED, AND TREE PIT PREPARATION, PRUNING, STAKING OR GUYING, WRAPPING, SPRAYING, FERTILIZATION, PLANTING AND ADEQUATE MAINTENANCE UNTIL ACCEPTANCE BY THE OWNER.
5. PLANT MATERIAL SHALL BE GUARANTEED FOR A PERIOD OF ONE YEAR BY THE CONTRACTOR AND A PERIOD OF TWO YEARS THEREAFTER BY THE OWNER FROM DATE OF INSTALLATION. DURING THE ONE YEAR GUARANTEE PERIOD, DEAD PLANT MATERIAL SHALL BE REPLACED AT NO COST TO THE OWNER. AT THE END OF THE ONE YEAR PERIOD, THE CONTRACTOR SHALL OBTAIN FINAL ACCEPTANCE FROM THE OWNER.
6. ALL GRASS, OTHER VEGETATION AND DEBRIS SHALL BE REMOVED FROM ALL PLANTING AREAS PRIOR TO PLANTING.
7. EXISTING TREES TO BE PRESERVED WILL BE PROTECTED DURING CONSTRUCTION AND SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.
8. THE LANDSCAPE CONTRACTOR IS ADVISED OF THE PRESENCE OF THE UNDERGROUND UTILITIES AND SHALL VERIFY THE EXISTENCE AND LOCATION OF SAME BEFORE COMMENCING AND DIGGING OPERATIONS. THE LANDSCAPE CONTRACTOR SHALL REPLACE OR REPAIR UTILITIES, PAYING, WALKS, CURBING, ETC. DAMAGED IN PERFORMANCE OF THIS JOB AT NO ADDITIONAL COST TO THE OWNER.
9. ALL SHRUB BEDS SHALL BE MULCHED WITH 3" CLEAN SHREDDED DARK BROWN BARK MULCH.
10. THE CONTRACTOR SHALL PROVIDE 4" LOAM FOR ALL AREAS TO BE SODDED OR SEEDED. PLANTING AREAS SHALL RECEIVE 12" ROOTED THICKNESS OF LOAM. THE LANDSCAPE CONTRACTOR SHALL COORDINATE SUBGRADE PREPARATION WITH THE GENERAL CONTRACTOR PRIOR TO PLACING LOAM.
11. ANY DEVIATION FROM THE LANDSCAPE PLAN, INCLUDING PLANT LOCATION, SELECTION, SIZE, QUANTITY OR CONDITION SHALL BE REVIEWED AND APPROVED BY THE OWNER AND LANDSCAPE ARCHITECT (AND MUNICIPAL AUTHORITY, IF APPLICABLE) PRIOR TO INSTALLATION ON SITE.

1. UTILITY INFORMATION DEPICTED HEREON IS COMPILED USING PHYSICAL EVIDENCE LOCATED IN THE FIELD. UTILITIES DEPICTED HEREON MAY NOT NECESSARILY REPRESENT ALL EXISTING UTILITIES, CONTRACTORS AND/OR DESIGNERS NEED TO CONTACT DIG-SAFE SYSTEMS, INC. (1-888-DIG-SAFE) AND FIELD VERIFY EXISTING UTILITIES PRIOR TO CONSTRUCTION AND/OR EXCAVATION. PROTECT EXISTING ONCE SEWER PIPE AND ADJUST MANHOLE RIMS TO GRADE WHERE APPLICABLE.
2. ALL GRAVITY CONDUIT PIPES SHALL BE INSTALLED USING A PIPE LASER AND TARGET SYSTEM THROUGH THE PIPE. ON PIPE RUNS 12" OR LESS, THE CONTRACTOR SHALL REQUEST ENGINEER'S APPROVAL TO USE OR NOT USE A GROUND LASER.
3. MAINTAIN MINIMUM 5'-6" OF COVER ABOVE TOP OF WATER SERVICE PIPE.
4. MAINTAIN MINIMUM 10 FEET HORIZONTAL SEPARATION BETWEEN WATER SERVICES AND OTHER UTILITIES. MAINTAIN MINIMUM 18 INCHES VERTICAL SEPARATION BETWEEN WATER SERVICES AND OTHER UTILITIES.
5. LOWER OR RAISE WATER SERVICES AS REQUIRED TO MAINTAIN MINIMUM 12 INCH VERTICAL SEPARATION FROM OTHER UTILITIES. WATER SERVICES CROSSING SEWERS SHALL MAINTAIN 12 INCH MINIMUM SEPARATION BETWEEN THE BOTTOM OF WATER LINE AND TOP OF SEWER UNLESS NOTED OTHERWISE ON THE PLANS.
6. PIPE:
 - SEWER PIPE SHALL BE SDR 35 PVC OR APPROVED EQUAL.
 - FORCEMAIN PIPE SHALL BE DR-11 HDPE OR APPROVED EQUAL.
 - STORMDRAIN SHALL BE ADS-N-12 DUAL WALL HOPE PIPE WITH SMOOTH-WALLED INTERIOR OR APPROVED EQUAL UNLESS NOTED OTHERWISE ON THE UTILITY PLANS.
 - WATER PIPE AND FITTINGS SHALL CONFORM TO PORTLAND WATER DISTRICT WATER PIPING SPECIFICATIONS. MAIN WATER SERVICE PIPE SHALL BE DUCTILE IRON, CLASS 52 PUSH-ON PIPE MEETING THE REQUIREMENTS OF AWWA/C111/A21.1 (LATEST REVISION). PIPE SHALL BE CEMENT-LINED AWWA/C111/A21.1 WITH LINING TWICE THE THICKNESS SPECIFIED, AND COATED TWICE WITH A BITUMINOUS SLURRY COATING. PROVIDE THRUST BLOCKS AT ALL WATER SERVICE BENDS.
7. COORDINATE FOUNDATION UNDERDRAIN LOCATIONS WITH ARCHITECTURAL AND STRUCTURAL DRAWINGS.
8. COORDINATE GREASE INTERCEPTOR LOCATIONS WITH ARCHITECTURAL & PLUMBING DRAWINGS.
9. COORDINATE UTILITY INVERTS AT BUILDING WITH ARCHITECTURAL, STRUCTURAL AND PLUMBING DRAWINGS.
10. COORDINATE LOCATION OF SEWER, WATER, GAS, FOUNDATION DRAINS AND ROOF DRAIN INVERTS AT THE BUILDING WITH ARCHITECTURAL DRAWINGS.
11. WATER SERVICE ENTRANCE DESIGNS TO INCLUDE METERS AND BACKFLOW PREVENTERS TO MEET ALL STANDARDS AND REQUIREMENTS OF THE PORTLAND WATER DISTRICT.
12. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY GRADE CHANGES THAT WILL IMPACT STORM DRAINAGE INFRASTRUCTURE OR OTHER UTILITIES.
13. UTILITIES WITHIN 5 FEET FROM FACE OF BUILDING ARE COORDINATED ON RELEVANT M.E.P. DRAWINGS. CONTRACTOR SHALL COORDINATE INVERTS, CONNECTIONS AND MATERIALS WITH ALL DRAWINGS.
14. CONTRACTOR SHALL FURNISH AND INSTALL TRENCHING, MATERIALS AND BACKFILL FOR ALL UTILITIES. ELECTRICAL AND TELECOM/DATA PROVIDERS WILL PULL PRIMARY SERVICE TO TRANSFORMER AND PANEL. CONTRACTOR RESPONSIBLE FOR TIMING AND COORDINATION WITH UTILITIES AND DRAWINGS. COORDINATE WITH ELECTRICAL DRAWINGS FOR CONDUIT SCHEDULE, TYPE AND SIZES.
15. COORDINATE ALL WATER RELATED WORK WITH PORTLAND WATER DISTRICT.
16. UTILITY CONTACTS:

ACF	ACRE
AFG	ABOVE FINISH GRADE
APPROX	APPROXIMATELY
B	BOTTOM OF CURB
BCC	BITUMINOUS CONCRETE CURB
BIT	BITUMINOUS
BW	BUILDING
BW	BOTTOM OF WALL
CB	CATCH BASIN
CNC	CONCRETE
CONT	CONTINUOUS
DUCT	DUCTILE IRON
DIA	DIAMETER
DI	DRAIN MANHOLE
E	EACH WAY
ELEV	ELEVATION
FIN	FINISH FIELD ELEVATION
FIN	FINISH GRADE
FTG	FOOTING
HDE	HIGH DENSITY POLYETHYLENE
HT	HEIGHT
HMA	HOT MIX ASPHALT
INV	INVERT
LF	LINEAR FEET
OC	ON CENTER
PVC	POLYVINYL CHLORIDE
PWD	PORTLAND WATER DISTRICT RAIL
R.O.F.	RIGHT OF WAY
S	SQUARE FEET
SCV	SCHEDULE
SCV	SUPPLY CONCRETE SLOPED SURFACE
SD	STANDARD GRADE
SD	SLOPE DRAIN
SS	SEWER MANHOLE SPECS SPEC
SS	SANITARY SEWER
SSG	SALVAGED SLOPED GRANITE
SV	SLOPED VERTICAL GRANITE
TC	TOP OF CURB
TC	TOP OF WALL
TYP	TYPICAL
VER	VERTICAL GRADE CURB
VIF	VERIFY IN FIELD

LOT 1		
REQUIRED PARKING		
CONDOMINIUM		9
PARKING REQUIRED (ZONING)	1 per Unit	9
BIKE PARKING REQUIRED (ZONING)	2 per 5 Units	4
HOTEL		152
PARKING REQUIRED (ZONING)	.25 per key	38
BIKE PARKING REQUIRED (ZONING)	2 per 10 cars	8
PROPOSED PARKING GARAGE		
	LEVEL 1	33
	LEVEL 0	37
TOTAL PARKING LOT 1		70
TOTAL PARKING PROPOSED:		
	70	DELTA
PARKING REQUIRED (ZONING)	47	23
BIKE PARKING REQUIRED	11	
LOT 3		
REQUIRED PARKING		
APARTMENTS		193
PARKING REQUIRED (ZONING)	1 per Unit	193
BIKE PARKING REQUIRED (ZONING)	2 per 5 Units	77
RETAIL		
PARKING REQUIRED (ZONING)	1/200sf-2000sf	
BIKE PARKING REQUIRED (ZONING)	2 per 10 cars	0
PROPOSED PARKING GARAGE		
	LEVEL 1	85
	LEVEL 0	80
TOTAL PARKING LOT 3		165
TOTAL PARKING PROPOSED:		
	165	DELTA
PARKING REQUIRED (ZONING)	193	-28
BIKE PARKING REQUIRED	77	

REQUIRE		110
CONDOMINIUM (UNITS)		110
PARKING REQUIRED (ZONING)	1 per Unit	110
BIKE PARKING REQUIRED (ZONING)	2 per 5 Units	44
RETAIL (SF)	2,600	1
PARKING REQUIRED (ZONING)	1/200sf-2000sf	3
BIKE PARKING REQUIRED (ZONING)	2 per 10 cars	1
PROPOSED PARKING GARAGE		
	LEVEL 1	53
	LEVEL 0	73
TOTAL PARKING LOT 2		126
TOTAL PARKING PROPOSED:		
	126	DELTA
PARKING REQUIRED (ZONING)	113	14
BIKE PARKING REQUIRED	45	
PARKING SUMMARY		
		SPACES
PARKING REQUIRED (ZONING)		353
BIKE PARKING REQUIRED		133
PARKING PROVIDED (GARAGE)		
		SPACES
LEVEL 1		171
LEVEL 0		190
TOTAL PARKING PROPOSED		361

GENERAL NOTES AND LEGEND

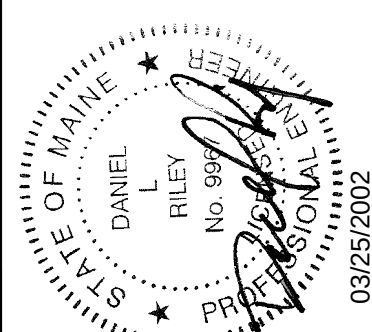
GENERAL NOTES AND LEGEND
OF:
385 CONGRESS STREET
CONGRESS STREET AND PEARL STREET
PORTLAND, MAINE

GENERAL NOTES AND LEGEND
OF:
385 CONGRESS STREET
CONGRESS STREET AND PEARL STREET
PORTLAND, MAINE
FOR:
385 CONGRESS STREET, LLC,
7330 TRANSIT ROAD
WEST SENECA, NY 14224

DESIGNED	DJS
DRAWN	BVD
CHECKED	DLR
DATE	02/04/2022
SCALE	1" = 20'
PROJECT	19371

SHEET 2 OF 9

DANIEL L RILEY, PE 9967



THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM SEBAGO TECHNIQS, INC. ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SEBAGO TECHNIQS, INC.

					A.	DLR	03/25/2025	MASTER PLAN APPLICATION
					REV:	BY:	DATE:	STATUS:

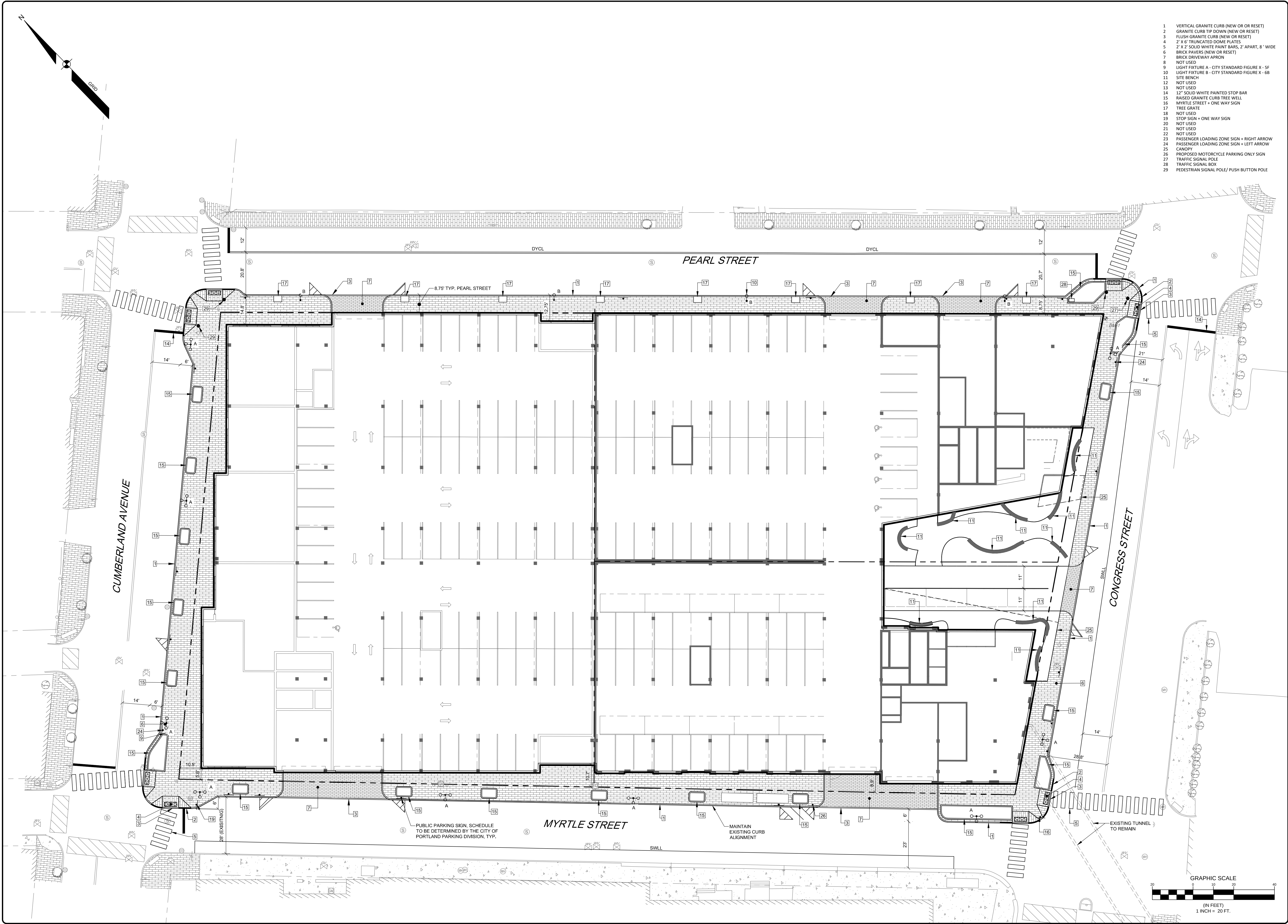
* THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM SEBAG TECHNIQUES INC AND ALL REVISIONS, ADDITIONS OR DELETIONS MUST BE APPROVED BY THE ENGINEER OF RECORD.

SEBAGO
TECHNICS
WWW.SERACOTECHNICS.COM

SEBAGO
TECHNICS

WWW.SEBAGOTECHNICS.COM

75 John Roberts Rd.
Suite 4A
South Portland, ME 04106
Tel. 207-200-2100



- 1 VERTICAL GRANITE CURB (NEW OR OR RESET)
- 2 GRANITE CURB TIP DOWN (NEW OR OR RESET)
- 3 FLUSH GRANITE CURB (NEW OR OR RESET)
- 4 2' X 6' TRUNCATED DOME PLATES
- 5 2' X 2' SOLID WHITE PAINT BARS, 2' APART, 8' WIDE
- 6 BRICK PAVERS (NEW OR OR RESET)
- 7 BRICK DRIVEWAY APRON
- 8 NOT USED
- 9 LIGHT FIXTURE A - CITY STANDARD FIGURE X - 5F
- 10 LIGHT FIXTURE B - CITY STANDARD FIGURE X - 6B
- 11 SITE BENCH
- 12 NOT USED
- 13 NOT USED
- 14 12" SOLID WHITE PAINTED STOP BAR
- 15 RAISED GRANITE CURB TREE WELL
- 16 MYRTLE STREET - ONE WAY SIGN
- 17 TREE GRATE
- 18 NOT USED
- 19 STOP SIGN - ONE WAY SIGN
- 20 NOT USED
- 21 NOT USED
- 22 NOT USED
- 23 PASSENGER LOADING ZONE SIGN + RIGHT ARROW
- 24 PASSENGER LOADING ZONE SIGN + LEFT ARROW
- 25 CANOPY
- 26 PROPOSED MOTORCYCLE PARKING ONLY SIGN
- 27 TRAFFIC SIGNAL POLE
- 28 TRAFFIC SIGNAL BOX
- 29 PEDESTRIAN SIGNAL POLE/ PUSH BUTTON POLE

NOT FOR
CONSTRUCTION



REV.	BY	DATE	STATUS
A	DLR	03/25/2025	MASTER PLAN APPLICATION

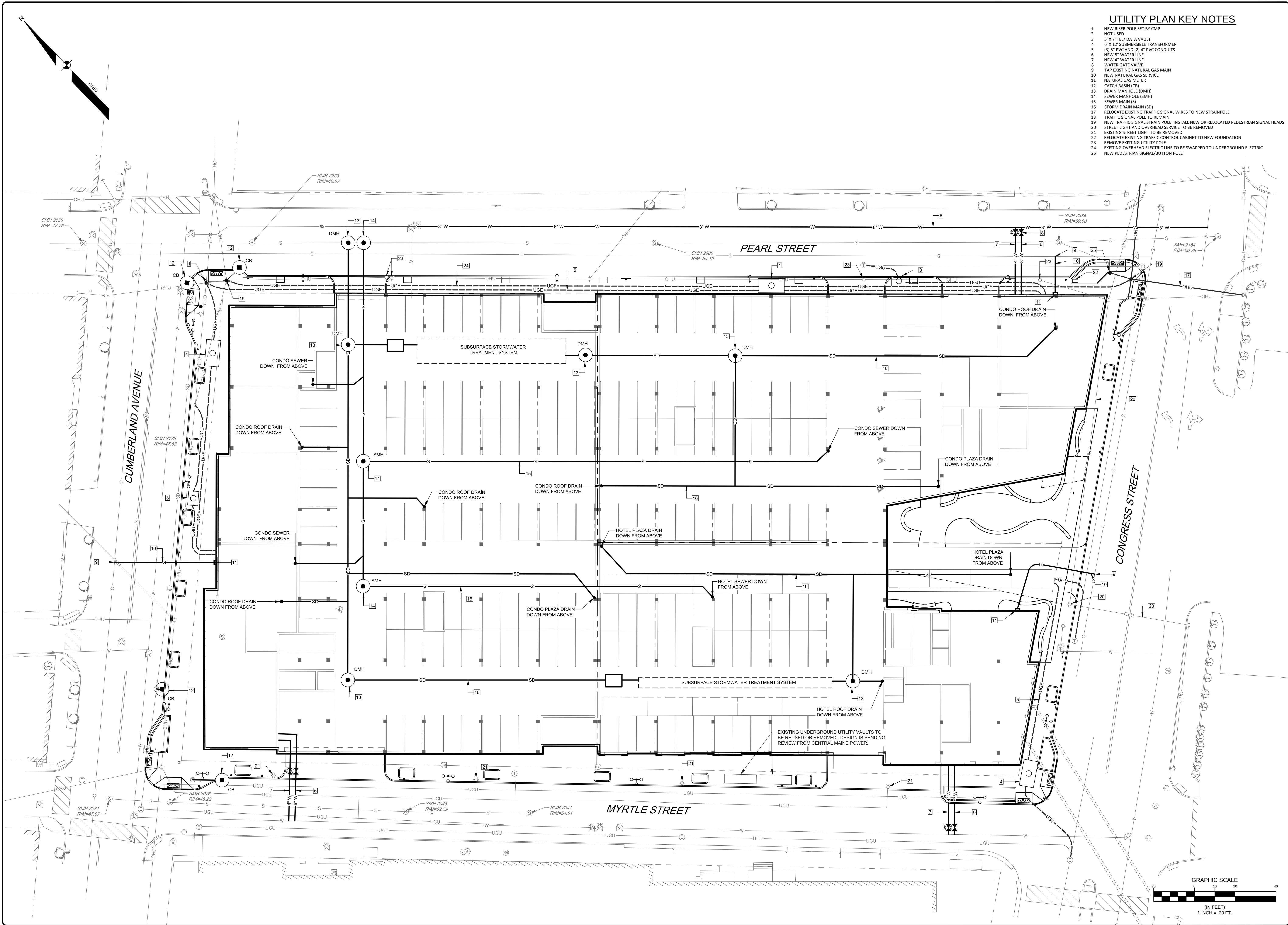
THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM SEBAGO TECHNIQS, INC. ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SEBAGO TECHNIQS, INC.

SEBAGO
TECHNIQS
www.sebagotechniqs.com
75 John Roberts Rd.
Suite 4A
South Portland, ME 04106
Tel. 207-200-2100

SITE PLAN - STREET LEVEL
OF:
385 CONGRESS STREET
CONGRESS STREET AND PEARL STREET
PORTLAND, MAINE
FOR:
385 CONGRESS STREET, LLC.
2730 TRANSIT ROAD
WEST SENECA, NY 14224

DESIGNED	DJS
DRAWN	BVD
CHECKED	DLR
DATE	02/04/2022
SCALE	1" = 20'
PROJECT	19371

SHEET 3 OF 9



UTILITY PLAN KEY NOTES

- 1 NEW RISER POLE SET BY CMP
- 2 NOT USED
- 3 5' X 7' TEL/ DATA VAULT
- 4 6' X 12' SUBMERSIBLE TRANSFORMER
- 5 (3) 3" PVC AND (2) 4" PVC CONDUITS
- 6 NEW 8" WATER LINE
- 7 NEW 4" WATER LINE
- 8 WATER GATE VALVE
- 9 TAP EXISTING NATURAL GAS MAIN
- 10 NEW NATURAL GAS SERVICE
- 11 NATURAL GAS METER
- 12 CATCH BASIN (CB)
- 13 DRAIN MANHOLE (DMH)
- 14 SEWER MANHOLE (SMH)
- 15 SEWER MAIN (S)
- 16 STORM DRAIN MAIN (SD)
- 17 RELOCATE EXISTING TRAFFIC SIGNAL WIRES TO NEW STRAINPOLE
- 18 TRAFFIC SIGNAL POLE TO REMAIN
- 19 NEW TRAFFIC SIGNAL STRAIN POLE. INSTALL NEW OR RELOCATED PEDESTRIAN SIGNAL HEADS
- 20 STREET LIGHT AND OVERHEAD SERVICE TO BE REMOVED
- 21 EXISTING STREET LIGHT TO BE REMOVED
- 22 RELOCATE EXISTING TRAFFIC CONTROL CABINET TO NEW FOUNDATION
- 23 REMOVE EXISTING UTILITY POLE
- 24 EXISTING OVERHEAD ELECTRIC LINE TO BE SWAPPED TO UNDERGROUND ELECTRIC
- 25 NEW PEDESTRIAN SIGNAL/BUTTON POLE

NOT FOR CONSTRUCTION

DANIEL RILEY, PE 9967

STATE OF MAINE
DANIEL RILEY
No. 9967
Professional Engineer
03/25/2012

REV.	BY	DATE	STATUS
A	DJR	03/25/2025	MASTER PLAN APPLICATION
THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM SEBAGO TECHINCS, INC. ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SEBAGO TECHINCS, INC.			

SEBAGO
TECHINCS

75 John Roberts Rd.
Suite 4A
South Portland, ME 04106
Tel. 207-200-2100

WWW.SEBAGOTECHINCS.COM

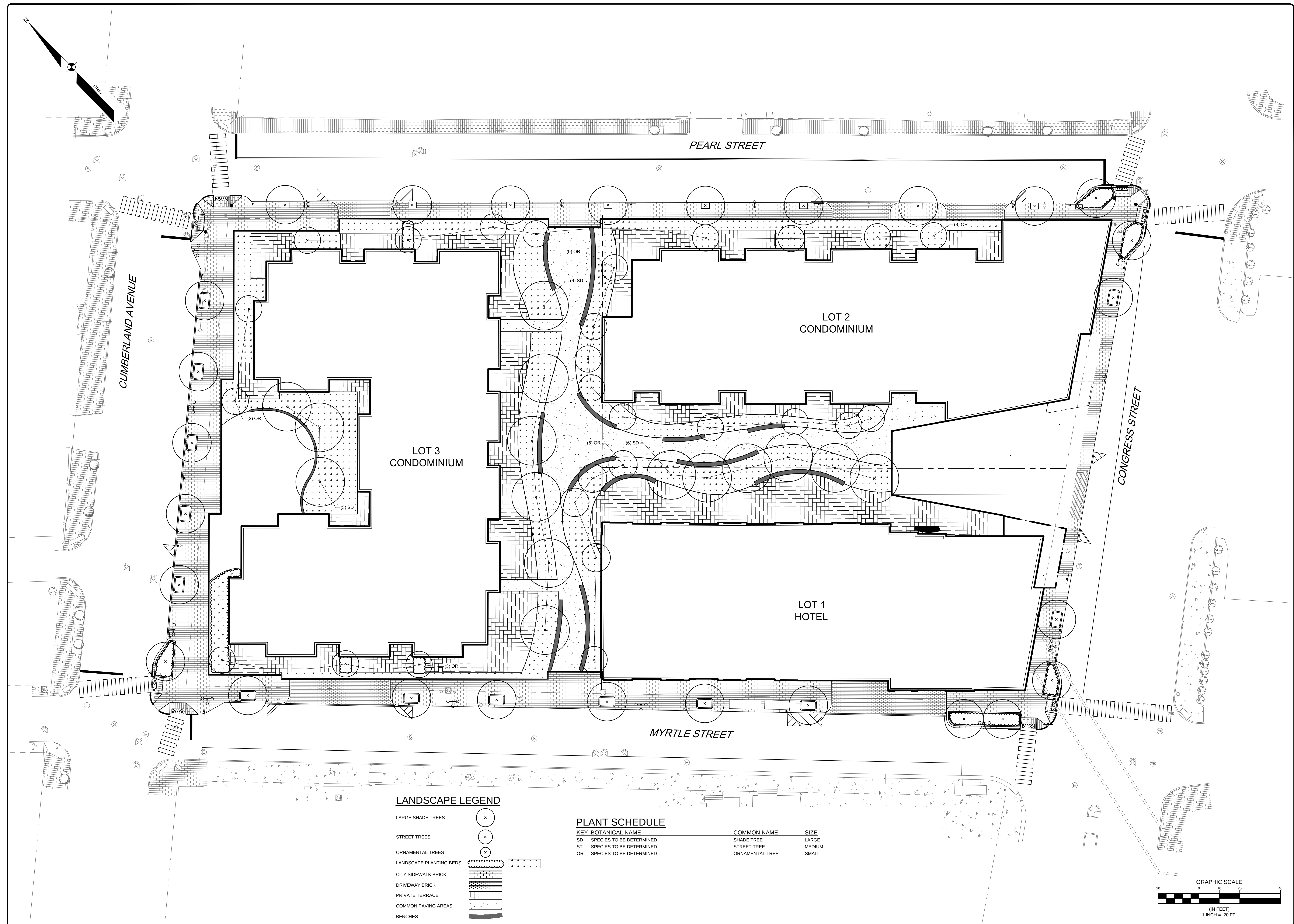
UTILITY PLAN - STREET LEVEL

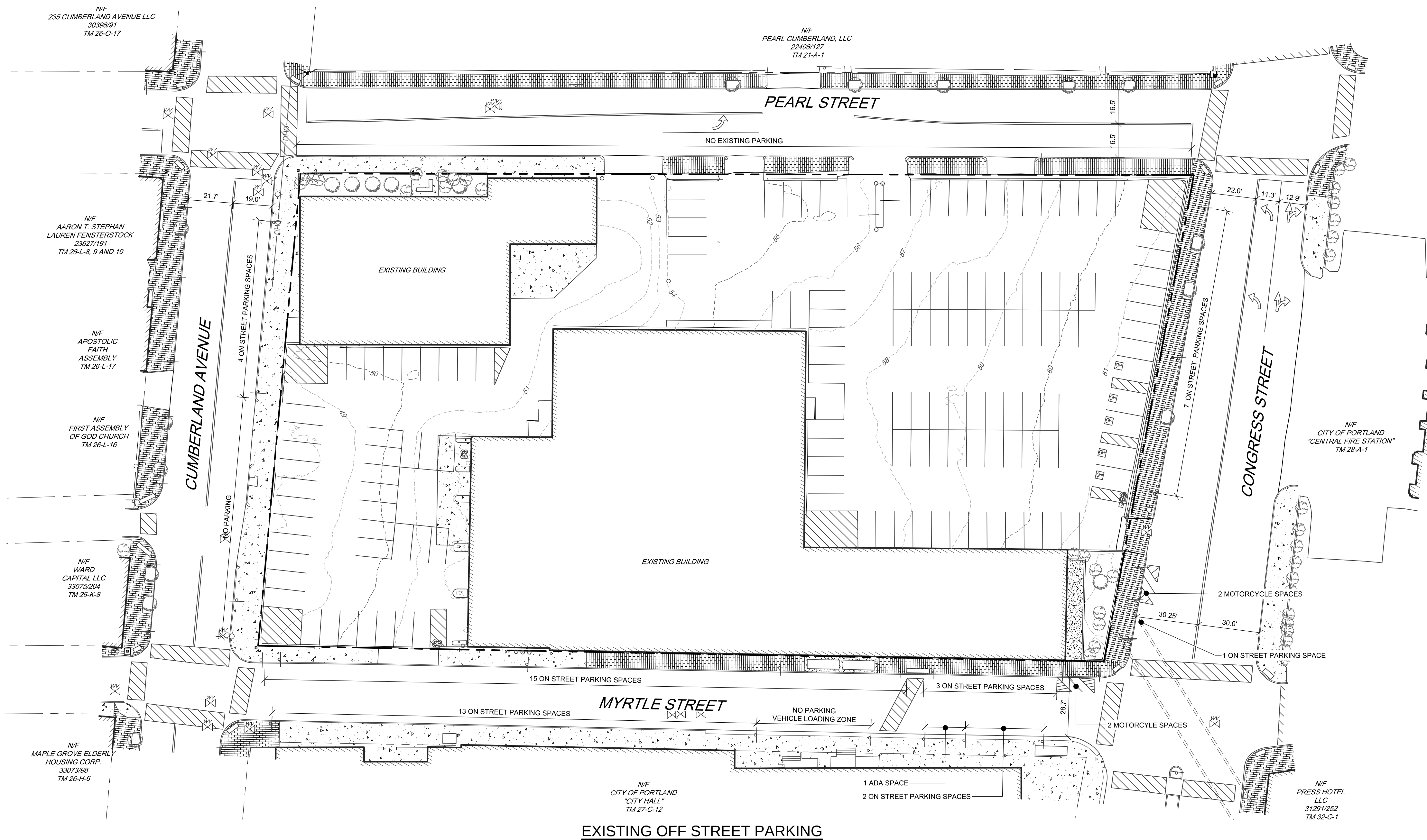
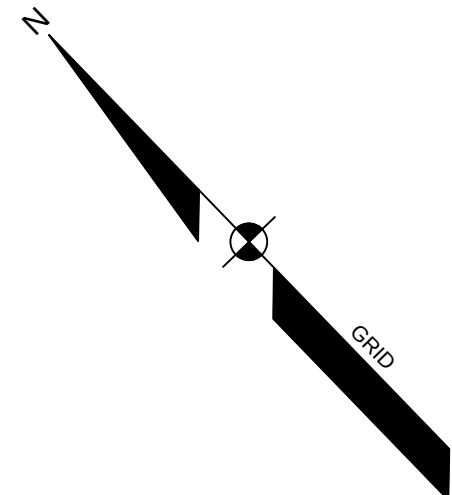
OF:
385 CONGRESS STREET
CONGRESS STREET AND PEARL STREET
PORTLAND, MAINE

FOR:
385 CONGRESS STREET, LLC.
2730 TRANSIT ROAD
WEST SENECA, NY 14224

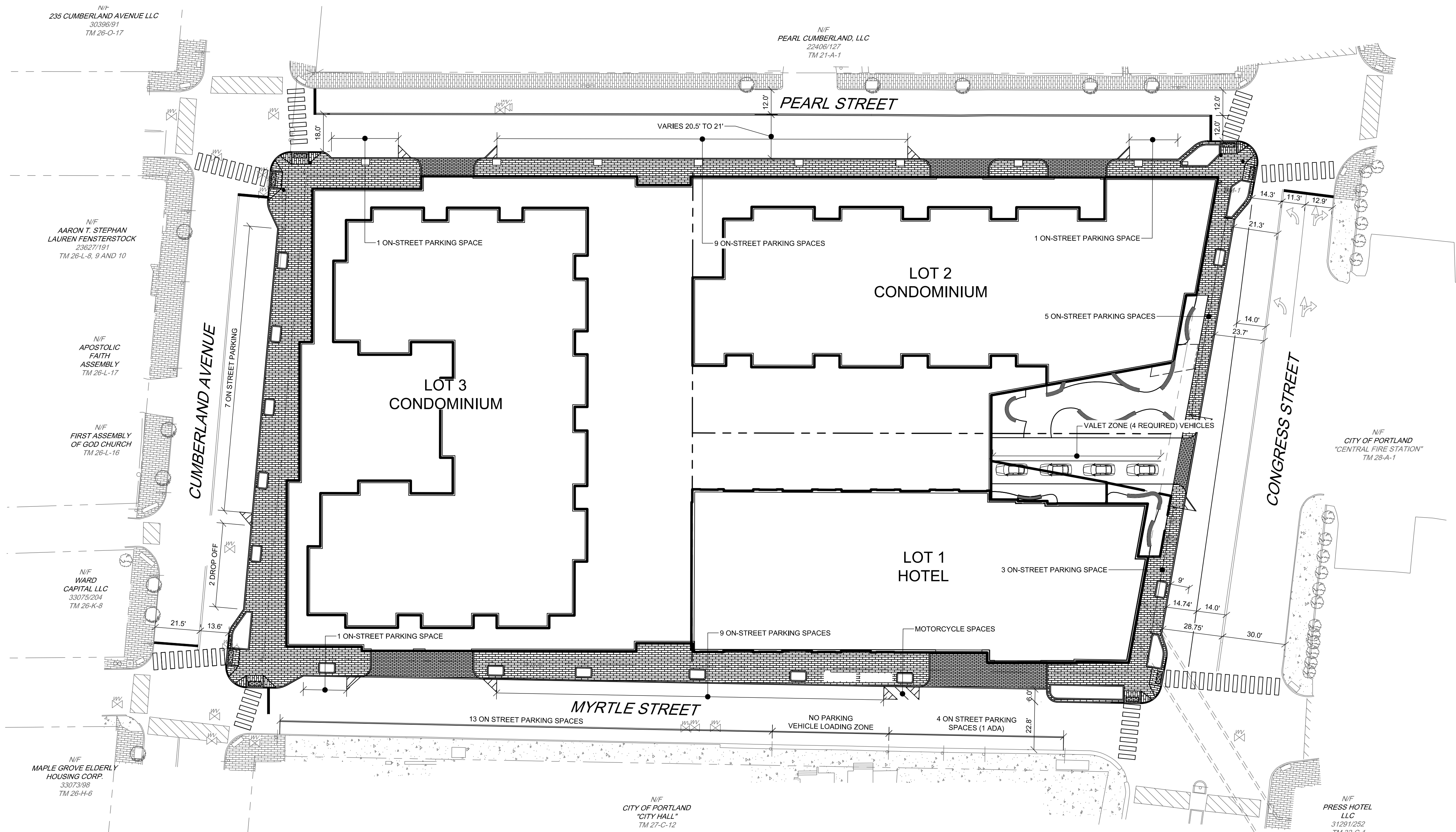
DESIGNED	DJS
DRAWN	BVD
CHECKED	DLR
DATE	02/04/2022
SCALE	1" = 20'
PROJECT	19371

SHEET 5 OF 9





EXISTING OFF STREET PARKING



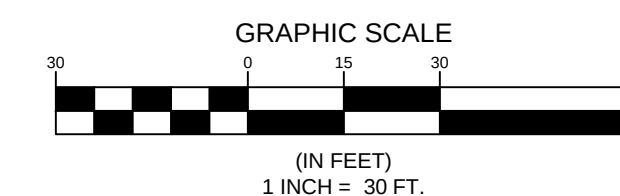
PROPOSED OFF STREET PARKING

EXISTING ON STREET PARKING SUMMARY:

TOTAL ON STREET PARKING = 46 VEHICLE SPACES AND 4 MOTORCYCLE SPACES

PROPOSED ON STREET PARKING SUMMARY:

PROPOSED PUBLIC SPACES: 53 VEHICLES AND 2 MOTORCYCLE SPACES
PROPOSED LOT 3 ON-STREET DROP OFF SPACES: 2
TOTAL ON-STREET PARKING SPACES: 55 VEHICLES AND 2 MOTORCYCLE SPACES



10712-15 On Street Comparison Parking Plan, TAB 5-05CP

ON STREET PARKING COMPARISON PLAN

OF: 385 CONGRESS STREET
CONGRESS STREET AND PEARL STREET
PORTLAND, MAINE

FOR: 385 CONGRESS STREET, LLC.
2730 TRANSIT ROAD
WEST SENECAL, NY 14224

DESIGNED: DJS
DRAWN: BVD
CHECKED: DLR
DATE: 02/04/2022
SCALE: 1" = 30'
PROJECT: 19371

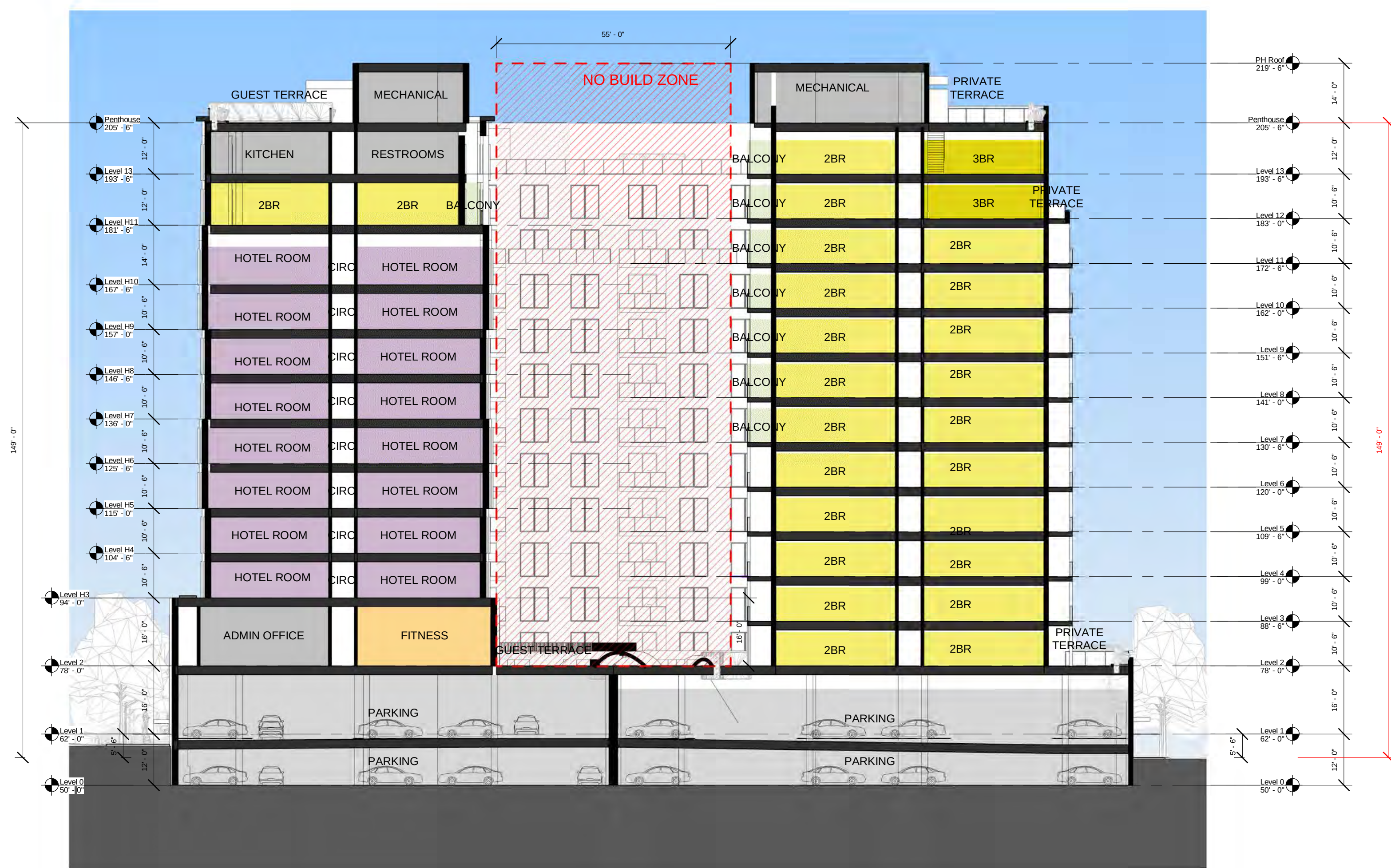
SHEET 9 OF 9

DANIEL RILEY, PE 9967

WWW.SEBAGOTECHNICS.COM

SEBAGO T E C H N I C S

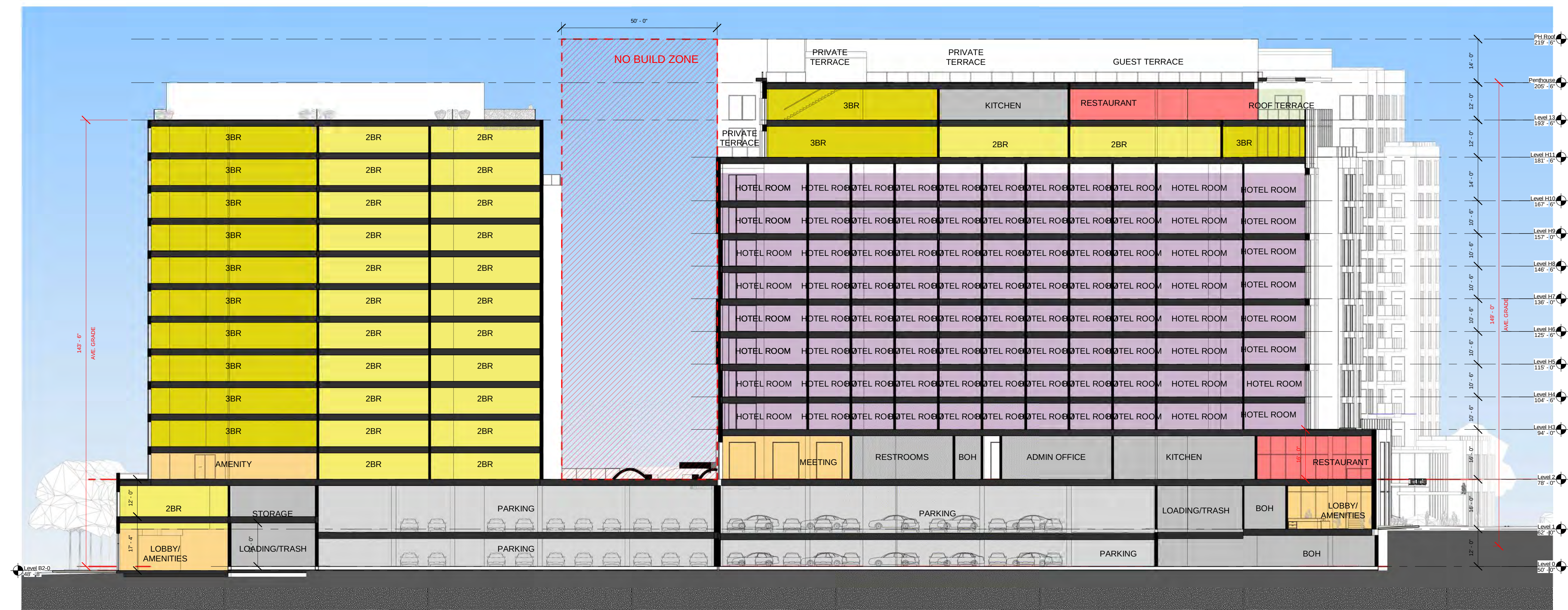
75 Sullivan Rd
South Portland, ME 04106
Tel: 207-207-2100



2 BUILDING SECTION - N/S
1" = 20'-0"

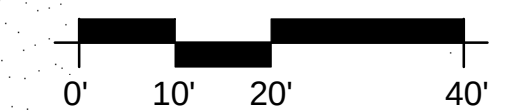


1 CONDO - NORTH/SOUTH
1" = 20'-0"



3 BUILDING SECTION - EAST-WEST
1" = 20'-0"

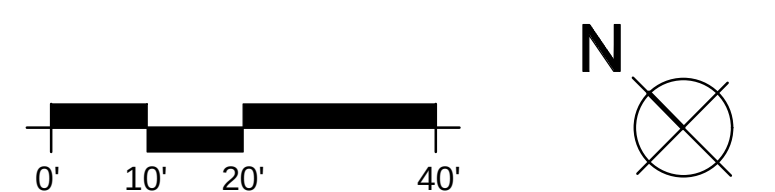
BUILDING SECTIONS PORTLAND - 385 CONGRESS STREET 3/25/22 1" = 20'-0"





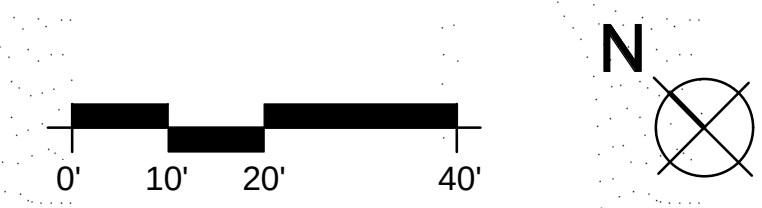


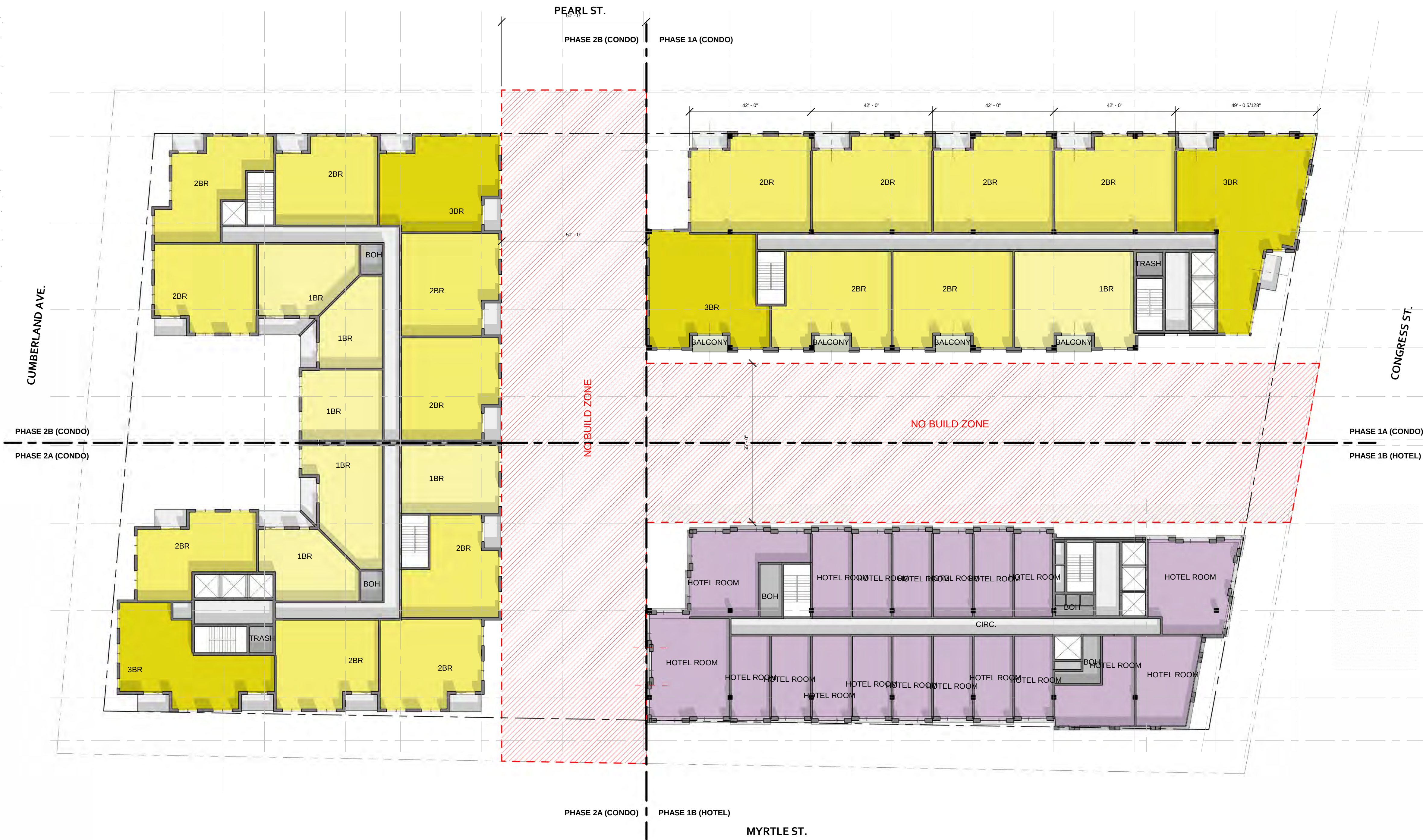
LEVEL 1 - PLAN
 PORTLAND - 385 CONGRESS STREET
 3/25/22 1" = 20'-0"



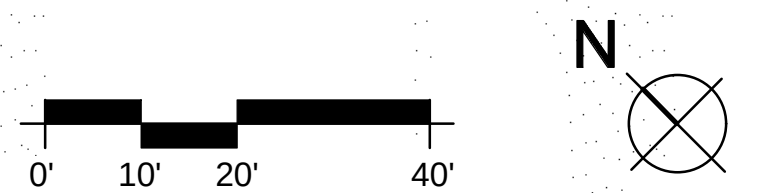


LEVEL 3-6 - PLAN
PORTLAND - 385 CONGRESS STREET
3/25/22 1" = 20'-0"



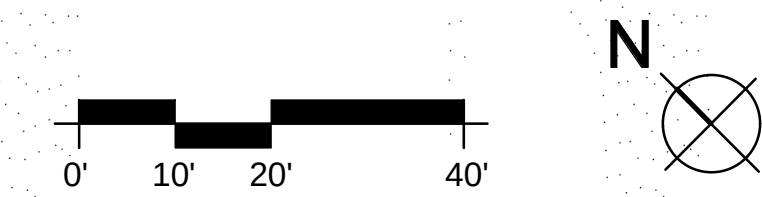


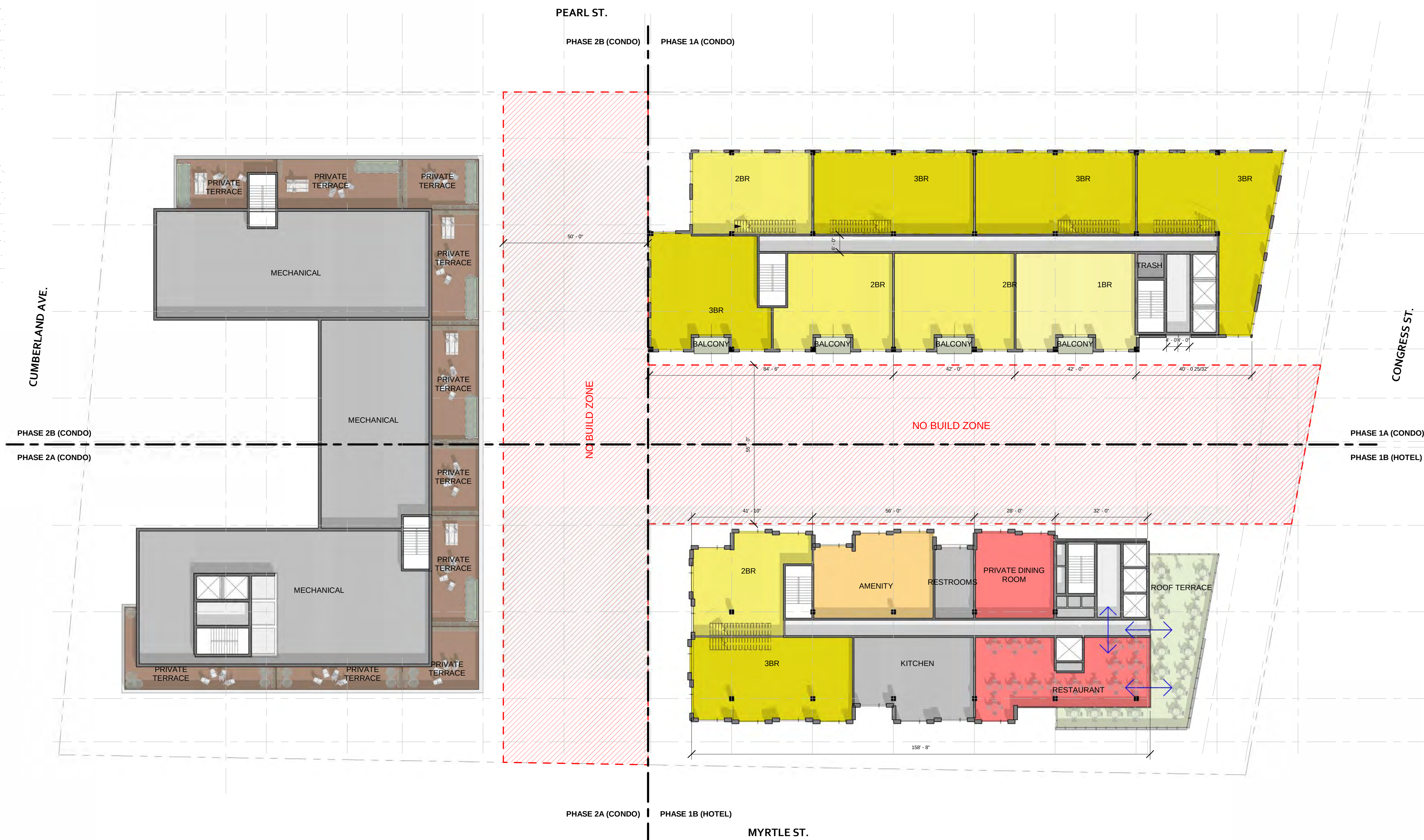
LEVEL 7-11 - PLAN
 PORTLAND - 385 CONGRESS STREET
 3/25/22 1" = 20'-0"



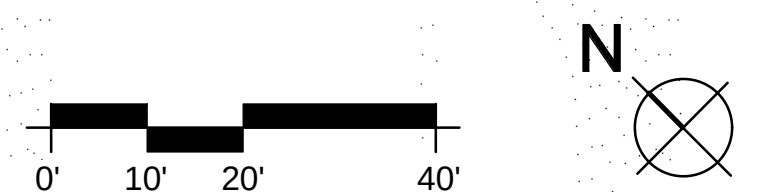


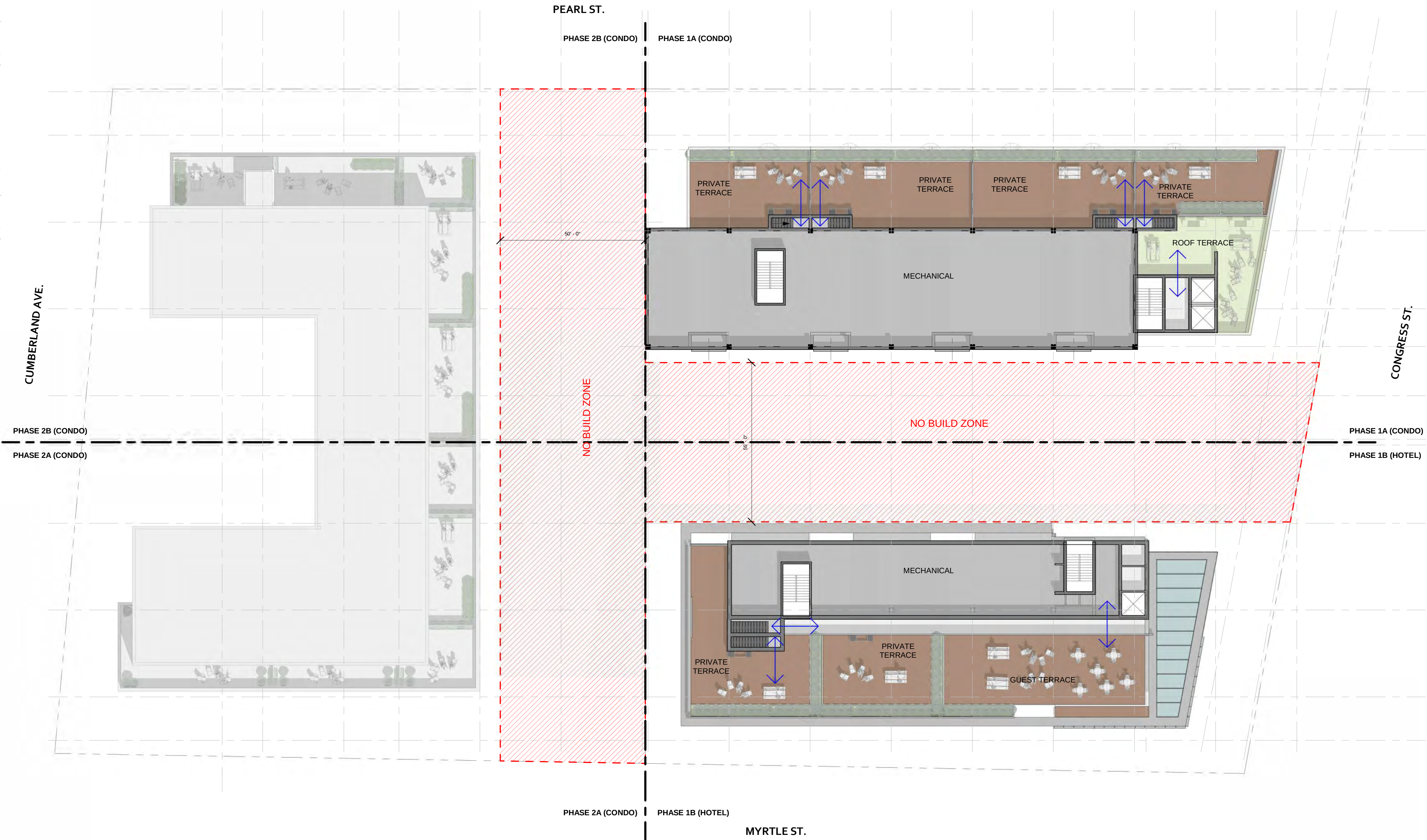
LEVEL 12 (L11 HOTEL) - PLAN
 PORTLAND - 385 CONGRESS STREET
 3/25/22 1" = 20'-0"





LEVEL 13 (L12 HOTEL) - PLAN
PORTLAND - 385 CONGRESS STREET
3/25/22 1" = 20'-0"





PENTHOUSE - PLAN
PORTLAND - 385 CONGRESS STREET
3/25/22 1" = 20'-0"

VIEW FROM CONGRESS & MYRTLE

THE PROPOSED HOTEL AT THE CORNER OF CONGRESS AND MYRTLE STREETS, IS A 12 STORY BUILDING CONSISTING OF 152 HOTEL KEYS, 9 RESIDENTIAL CONDOS AND RESTAURANT SPACE ON THE LEVEL 2 AND LEVEL 12. THE BUILDING MASSING COMMENCES AT GRADE WITH A 2 STORY PODIUM, THAT HOLDS THE STREET EDGE ALONG MYRTLE AND CONGRESS, PROVIDING AN ARCHITECTURAL NOD TO ITS CONTEXT OF THE ADJACENT CITY HALL, AND ANCHORING THE STRUCTURE WITH MORE TRADITIONAL MATERIALITY AND PROPORTIONS. THE GROUND LEVEL IS COMPRISED OF THE HOTEL LOBBY AND VALET DROP-OFF WHICH ACTIVATES THE SHARED POCKET PARK BETWEEN THE HOTEL AND THE CONDO BUILDING. THE TRANSPARENT FACADE WILL PROVIDE EYES ON THE SPACE AND PEDESTRIAN ACCESS POINTS INTO THE LOBBY. LEVEL 2 WILL HOST THE FITNESS CENTER, MAIN RESTAURANT SPACE, AND CONFERENCE ROOMS THAT ALL HAVE ACCESS OUT TO THE SHARED ROOF DECK ABOVE THE GARAGE. THE NEXT 8 LEVELS WILL COMPRISE OF THE 152 HOTEL ROOMS. ABOVE THAT, THE MASS STEPS BACK SLIGHTLY TO PROVIDE BALCONY SPACE FOR THE 7 RESIDENTIAL CONDO UNITS ON LEVEL 11. TWO MORE RESIDENTIAL UNITS WILL SHARE THE PENTHOUSE LEVEL WITH ANOTHER RESTAURANT SPACE AND PRIVATE AMENITY LOUNGE. THE ROOFTOP WILL HOST A MECHANICAL PENTHOUSE SPACE AS WELL AS A TWO PRIVATE ROOF DECKS AND ONE PUBLIC ROOF DECK FOR ALL BUILDING USERS TO ENJOY.



AERIAL VIEW



GROUND VIEW

VIEW FROM CONGRESS & PEARL

OUR GOAL FOR THE CONDO BUILDING ON THE CORNER OF PEARL AND CONGRESS IS TO CREATE A CONTEXTUAL, YET CONTEMPORARY EXTENSION OF THE CONGRESS STREET ARTERY. BY USING THE ZONING ENVELOPE TO DEFINE THE MAJOR MASSING MOVES, WE HOPE TO DRAW UPON THE EXISTING DATUM LINES ALONG THIS IMPORTANT STREET. THE GROUND FLOOR IS COMPRISED OF THE BUILDING LOBBY THAT FACES THE SHARED POCKET PARK AS WELL AS A RETAIL SPACE TO HOLD THE CORNER AND PROVIDE SOME ACTIVITY ON BOTH CONGRESS AND PEARL STREET. ABOVE THIS WILL BE THE BUILDING AMENITY LOUNGE THAT CAN SPILL OUT ONTO THE SHARED ROOFDECK ABOVE THE GARAGE. MOVING DOWN PEARL STREET, THE STREET WALL STEPS DOWN TO THE BASE PODIUM HEIGHT. THIS ALLOWS US TO PROVIDE LARGE PRIVATE PATIOS FOR THOSE UNITS ON LEVEL 2. ABOVE THAT, EACH UNIT WILL HAVE A PRIVATE BALCONY SPACE THAT IS SET INTO THE FORM OF THE BUILDING. THAT IS, UNTIL LEVEL 12 WHEN THE BUILDING MASS STEPS BACK TO HELP SCALE THE TOWER AS WELL AS PROVIDE LARGER TERRACES FOR THE PENTHOUSE UNITS. THE ROOFTOP WILL HOST A MECHANICAL PENTHOUSE AS WELL AS PRIVATE PATIOS FOR THE UNITS ON THE TOP FLOOR AND ONE PUBLIC TERRACE FOR ALL BUILDING TENANTS TO ENJOY THE SWEEPING VIEWS OVER DOWNTOWN PORTLAND TO THE WATER. THE DESIGN OF THE INDIVIDUAL WINDOW PUNCHES IS REPLICATIVE OF THE MASONRY BUILDING TYPOLOGY ACROSS DOWNTOWN PORTLAND. THE SECONDARY MASSING MOVES HELP BREAK DOWN THE SCALE OF THE BUILDING. THE INTERLOCKING FORMS ALLOW FOR CLEAR MATERIAL TRANSITIONS WHILE SIMPLE PLANAR SHIFTS PROVIDE AN OPPORTUNITY FOR INTEGRATED BALCONIES. THIS BUILDING WILL BE A HIGHLY VISIBLE ADDITION TO THE DIVERSE SKYLINE, SO IT IS IMPORTANT THAT IT SEAMLESSLY STITCHES INTO THE EXISTING, AND EVOLVING, FABRIC OF DOWNTOWN PORTLAND.



AERIAL VIEW



GROUND VIEW

VIEW FROM CUMBERLAND AND MYRTLE



AERIAL VIEW



GROUND VIEW

VIEW FROM CUMBERLAND AND PEARL

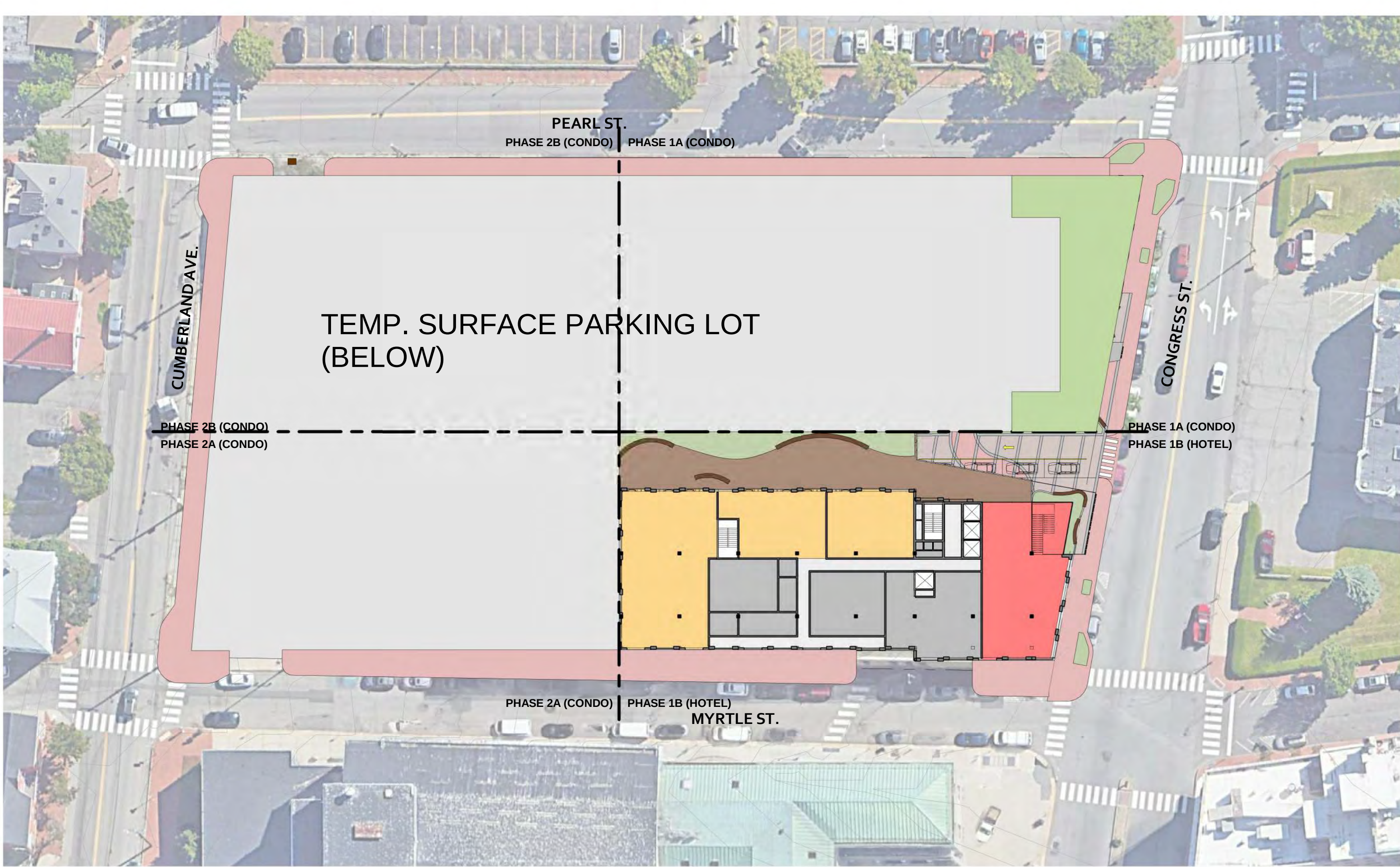
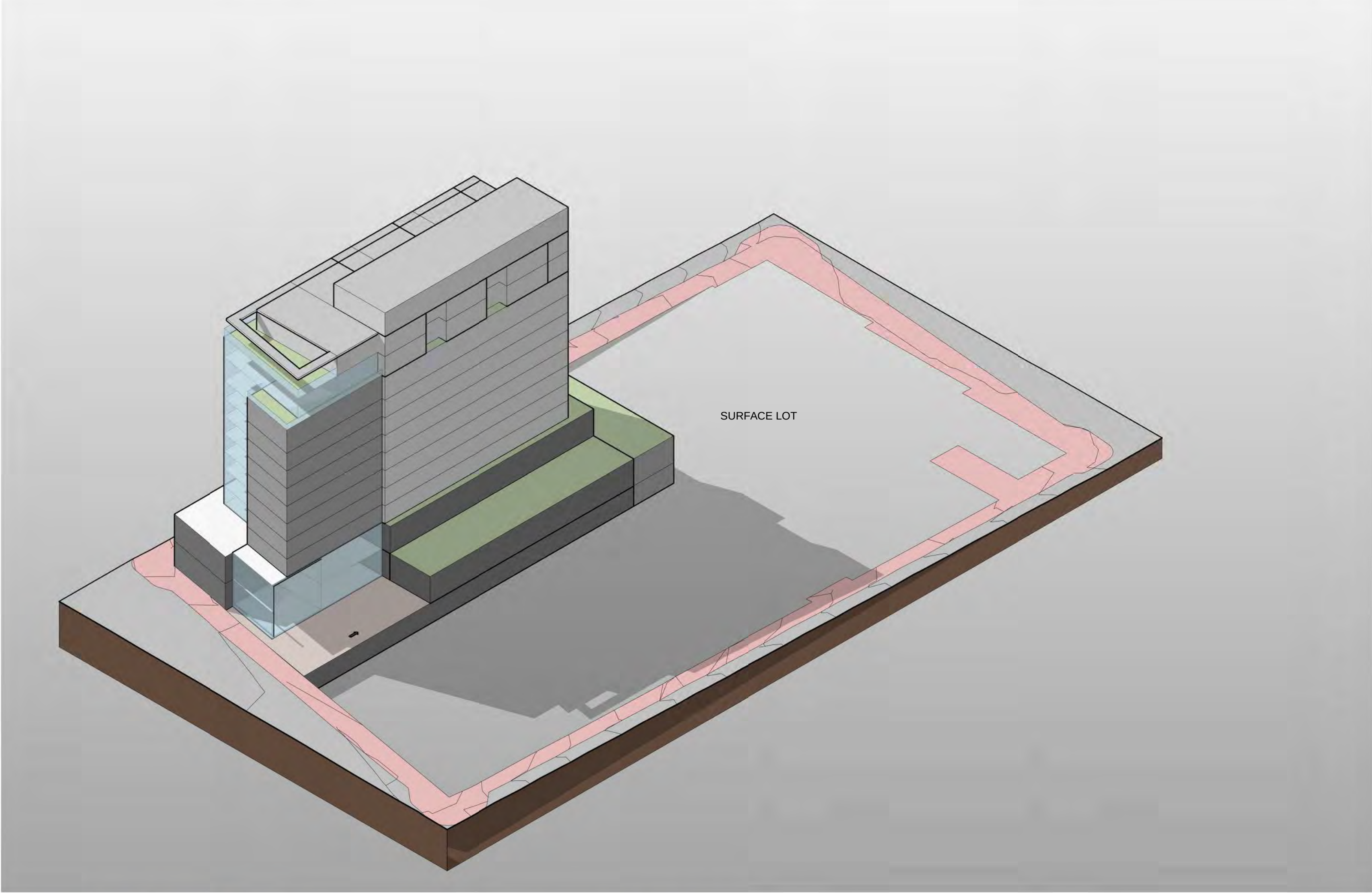
THE CONDO BUILDING IN PHASE 2 WILL ACTIVATE CUMBERLAND AVE WHILE ADDRESSING THE SCALE OF THE NEIGHBORING CONTEXT. BY USING THE ZONING ENVELOPE TO DEFINE THE MAJOR MASSING MOVES, THE SCALE OF THE BUILDING IS BROKEN DOWN INTO SMALLER COMPONENTS THAT RESPOND TO THAT CONTEXT. THE PODIUM WILL TIE INTO THE PODIUM OF THE BUILDINGS IN PHASE 1, THUS PROVIDING A CONTINUOUS PARKING STRUCTURE AND SHARED ROOF DECK SPACE. THE GARAGE WILL BE LINED WITH RETAIL AND BUILDING LOBBY ON THE GROUND FLOOR WITH UNITS ON THE LEVEL ABOVE FACING CUMBERLAND AVE. ABOVE THE PODIUM, THE C-SHAPED TOWER ADHERES TO THE 15' SETBACK ON ALL SIDES WHICH ALLOWS THE OPPORTUNITY TO PROVIDE PRIVATE TERRACES FOR THE UNITS DIRECTLY ABOVE THE PODIUM AS WELL AS A LARGE PUBLIC TERRACE WITHIN THE "C" TO BE ACCESSED THROUGH THE AMENITY/FITNESS AREA. THE C-SHAPE TOWER MINIMIZES THE MASS OF THE BUILDING BY REDUCING THE AMOUNT OF BUILDING ALONG THE STREET. SECONDARY MASSING MOVES FURTHER BREAK DOWN THE SCALE AND STITCH TOGETHER THE PODIUM AND THE TOWER. THE STEPS IN THE PODIUM FAÇADE ALONG CUMBERLAND AVE ALIGN WITH THE C-SHAPED MASS ABOVE. BY ALIGNING THE STEPS, WE CREATE THE EFFECT THAT THREE SEPARATE ELEMENTS COMPRISE THE OVERALL BUILDING, WHICH RELATES TO THE SMALLER SCALE OF THE BUILDINGS ACROSS THE STREET. SMALLER PLANAR SHIFTS ALLOW FOR SMOOTH MATERIAL TRANSITIONS AND INTEGRATED BALCONIES THAT REDUCE THE PERCEPTION OF THE TOWER'S HEIGHT WHILE PROVIDING SWEEPING WATER VIEWS. THIS BUILDING WILL HELP EASE THE TRANSITION BETWEEN THE DENSITY OF CONGRESS STREET WITH THE RESIDENTIAL SCALE NORTHWEST OF CUMBERLAND AVE.



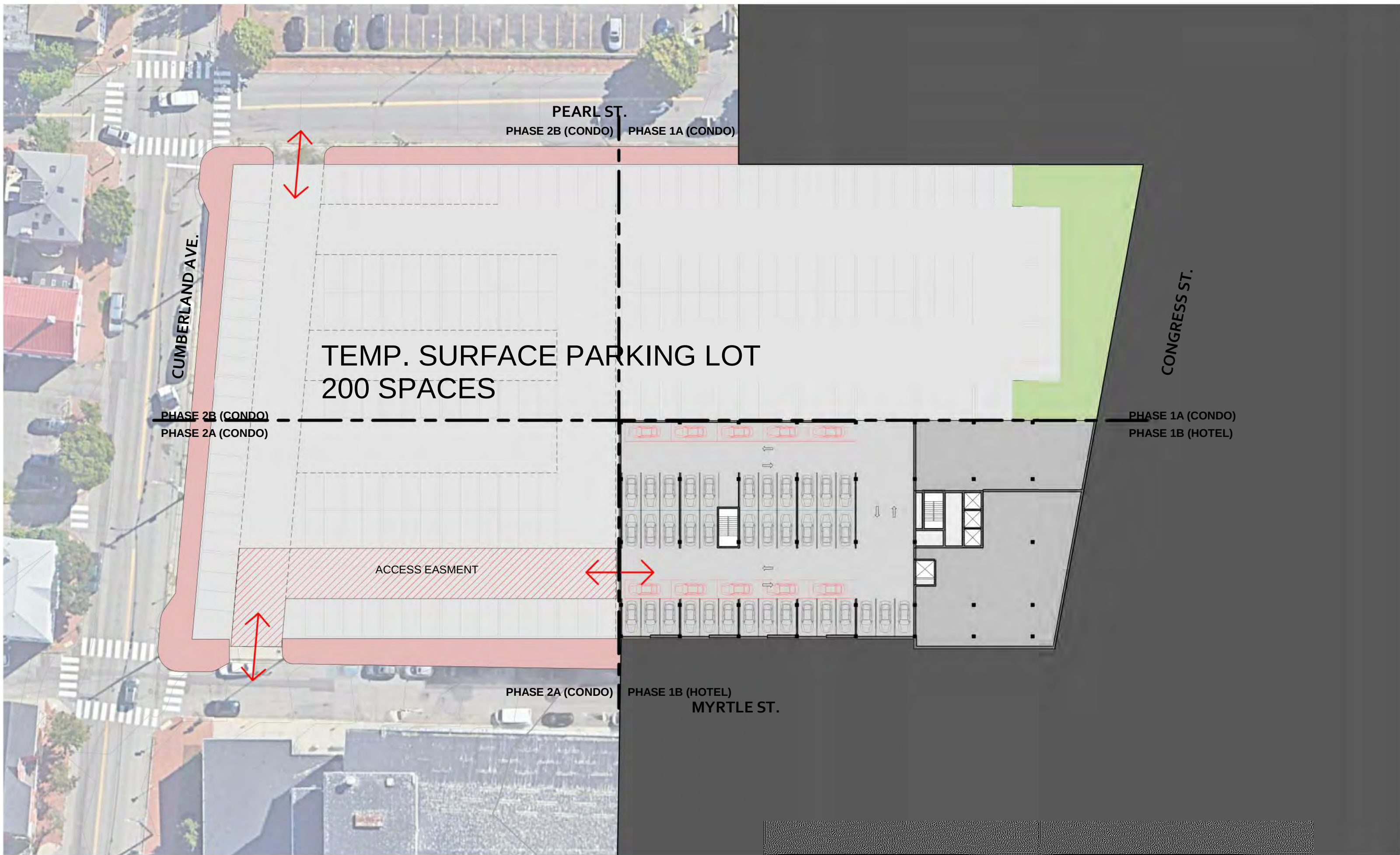
AERIAL VIEW



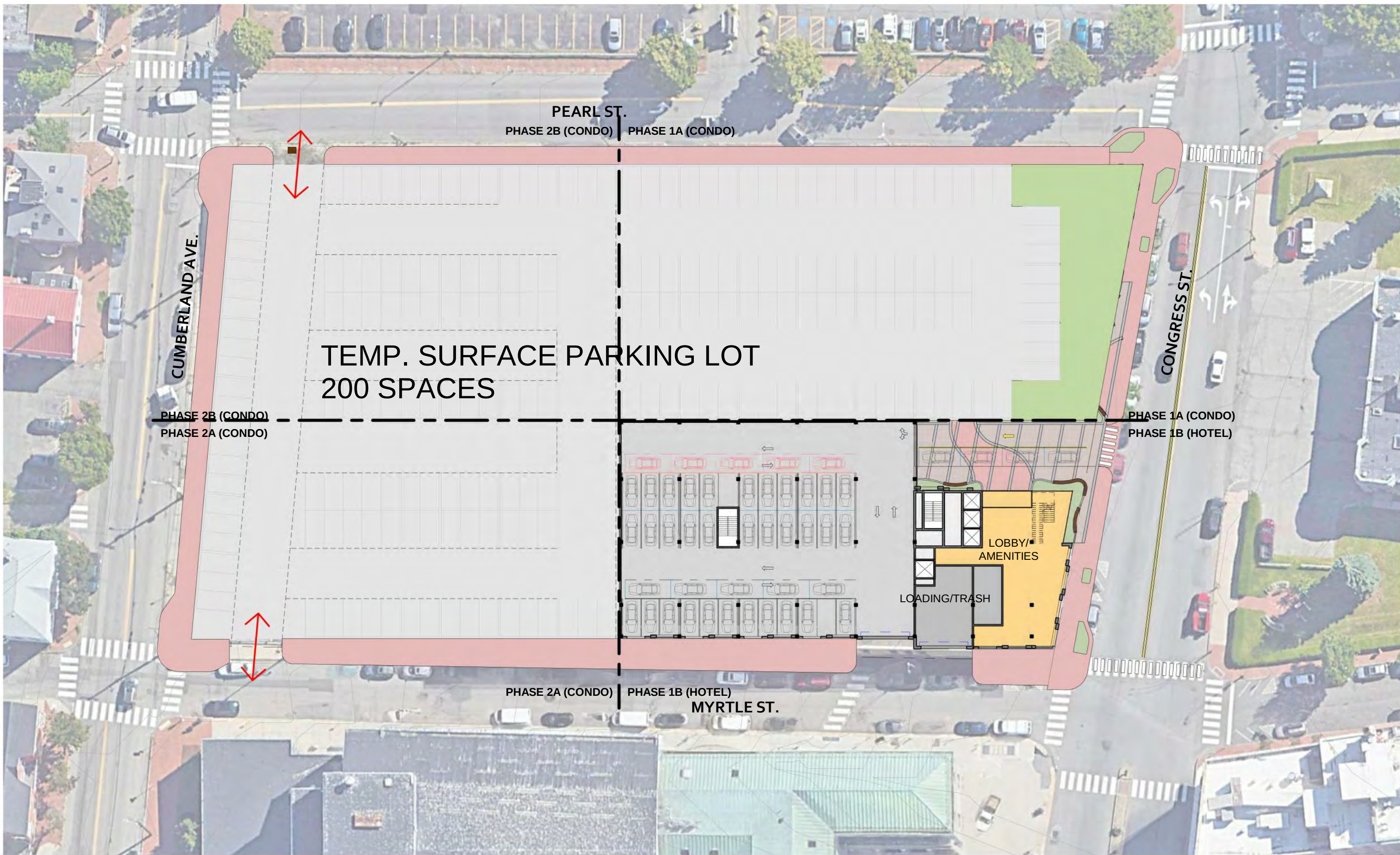
GROUND VIEW



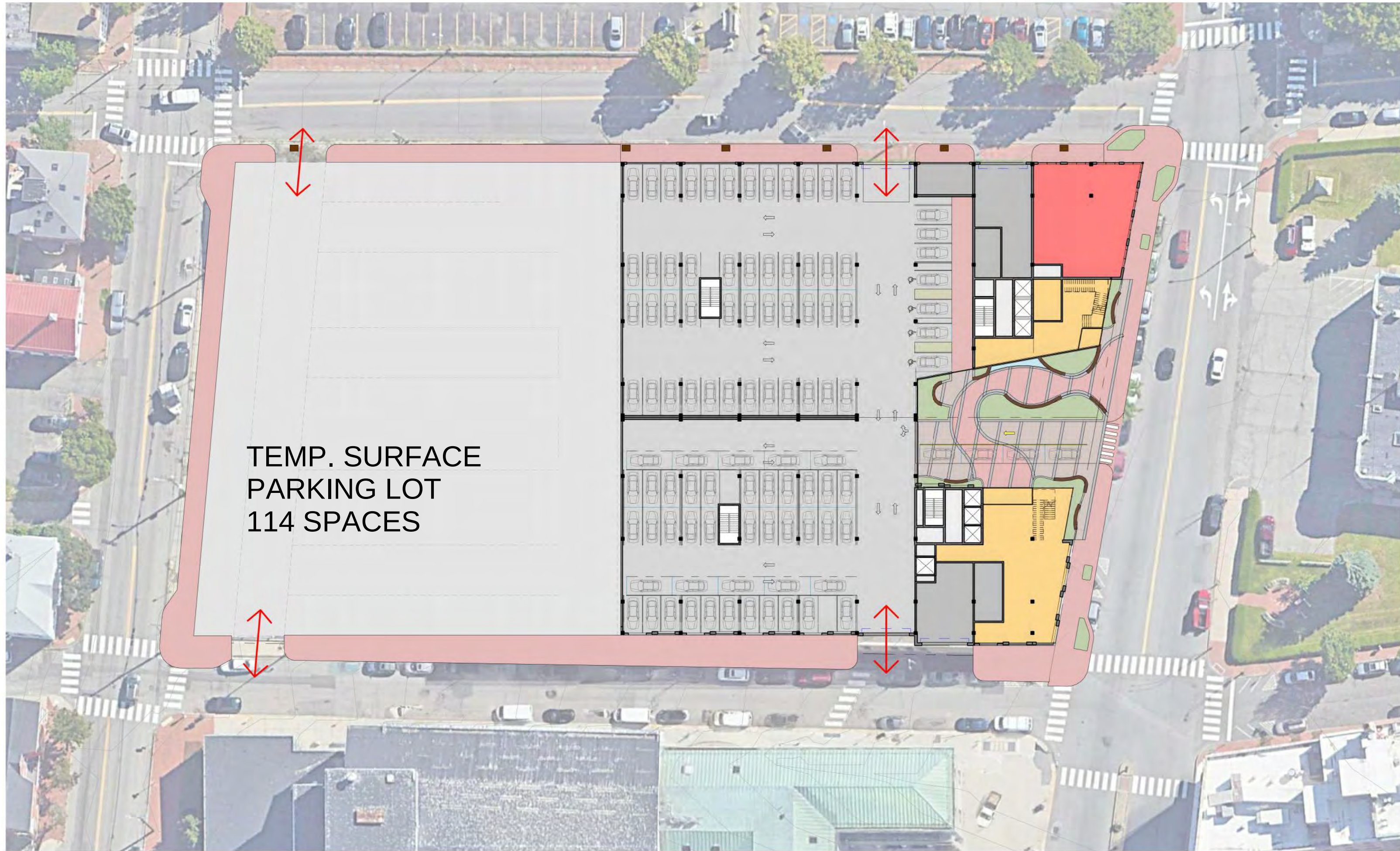
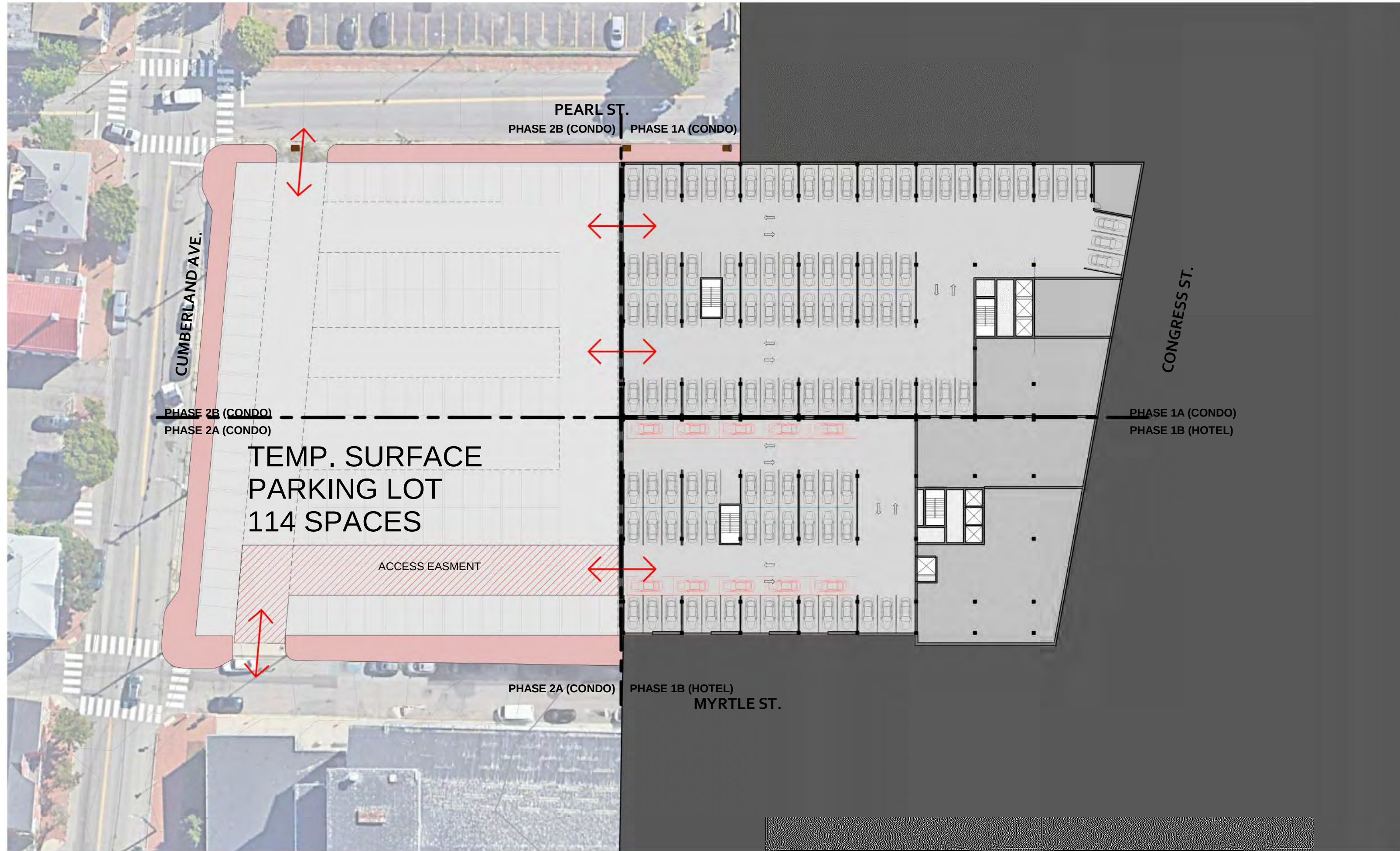
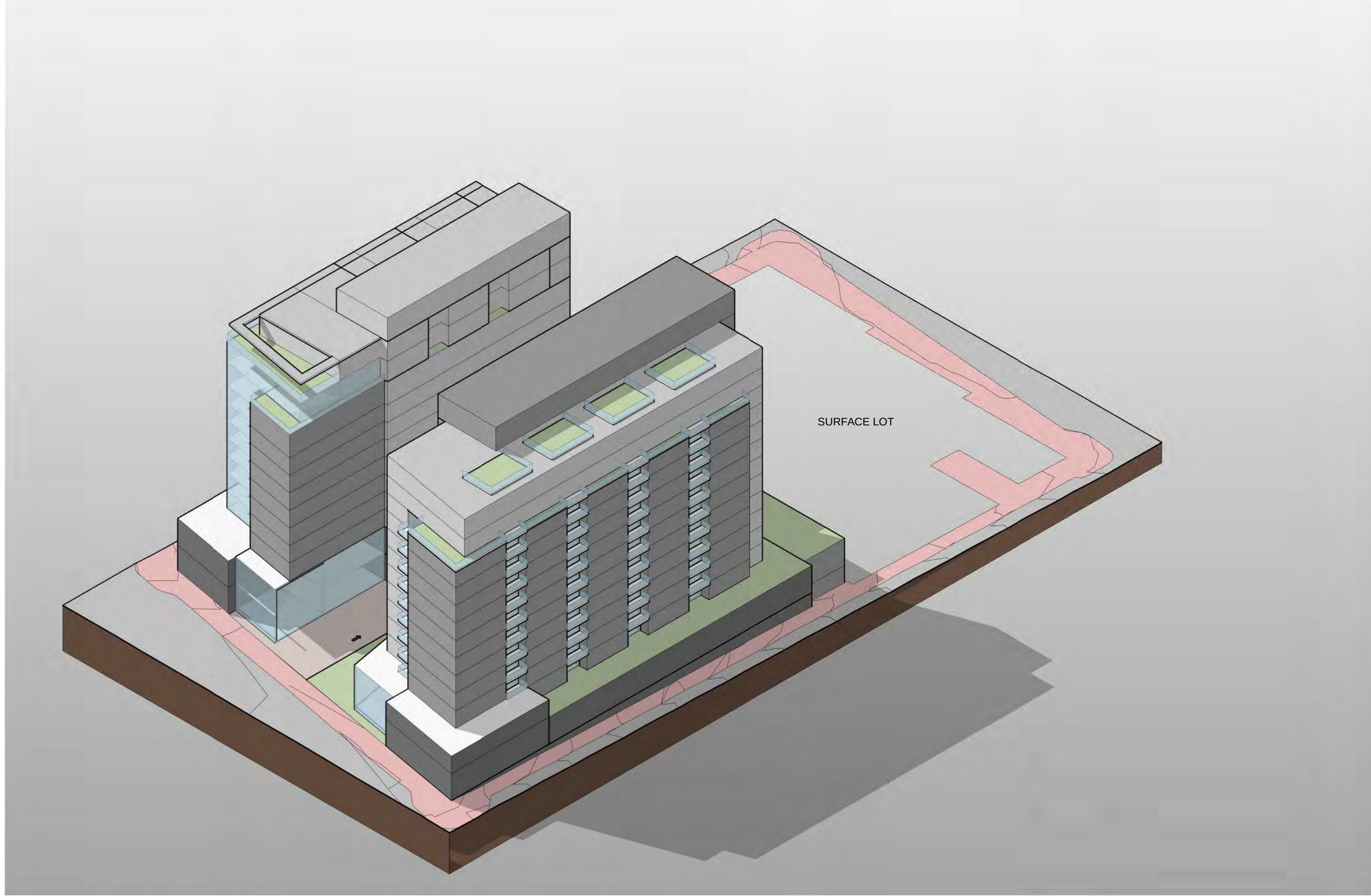
2 Level 2, Phase-1B
1" = 40'-0"



0 Level 0, Phase-1B
1" = 40'-0"

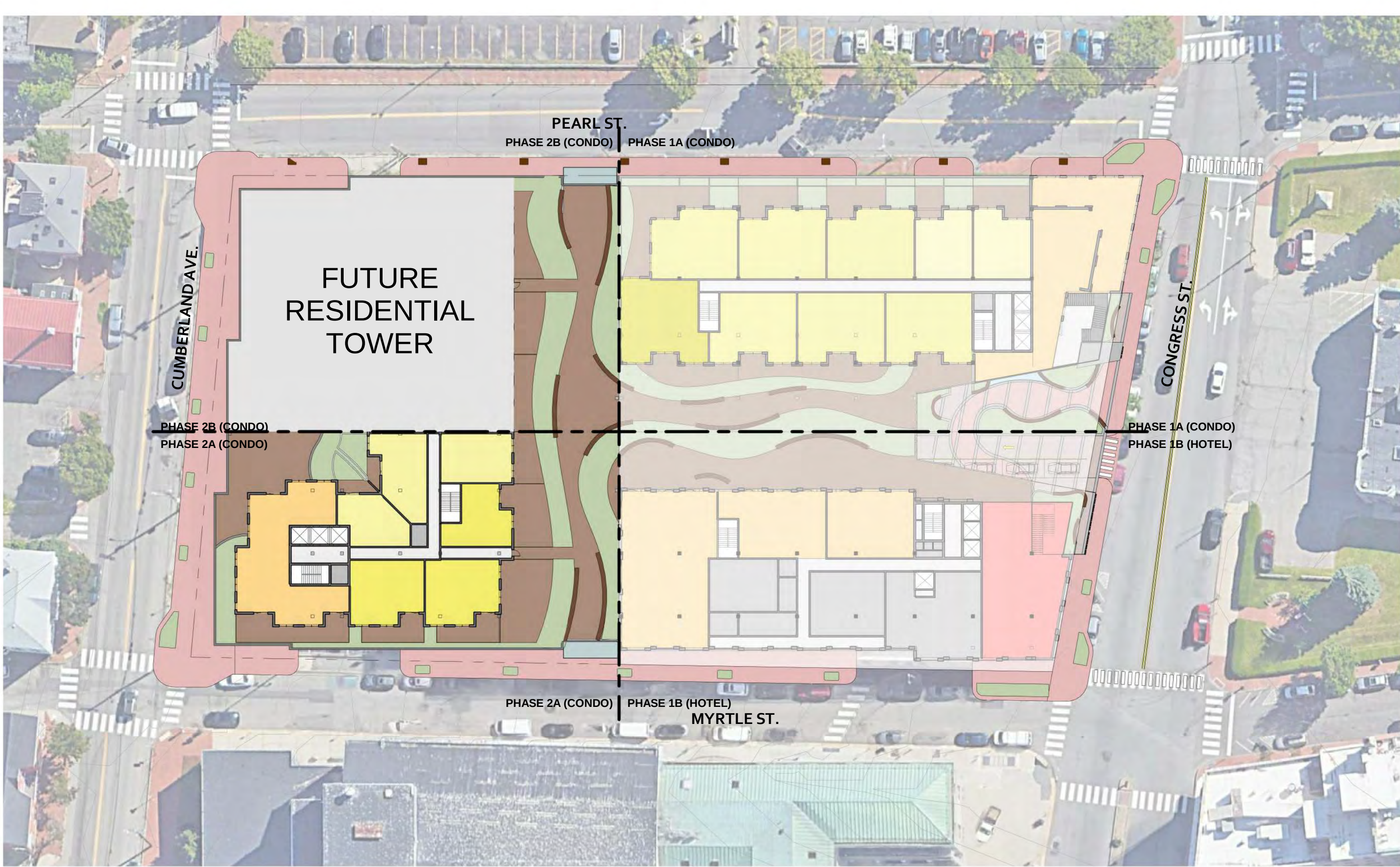
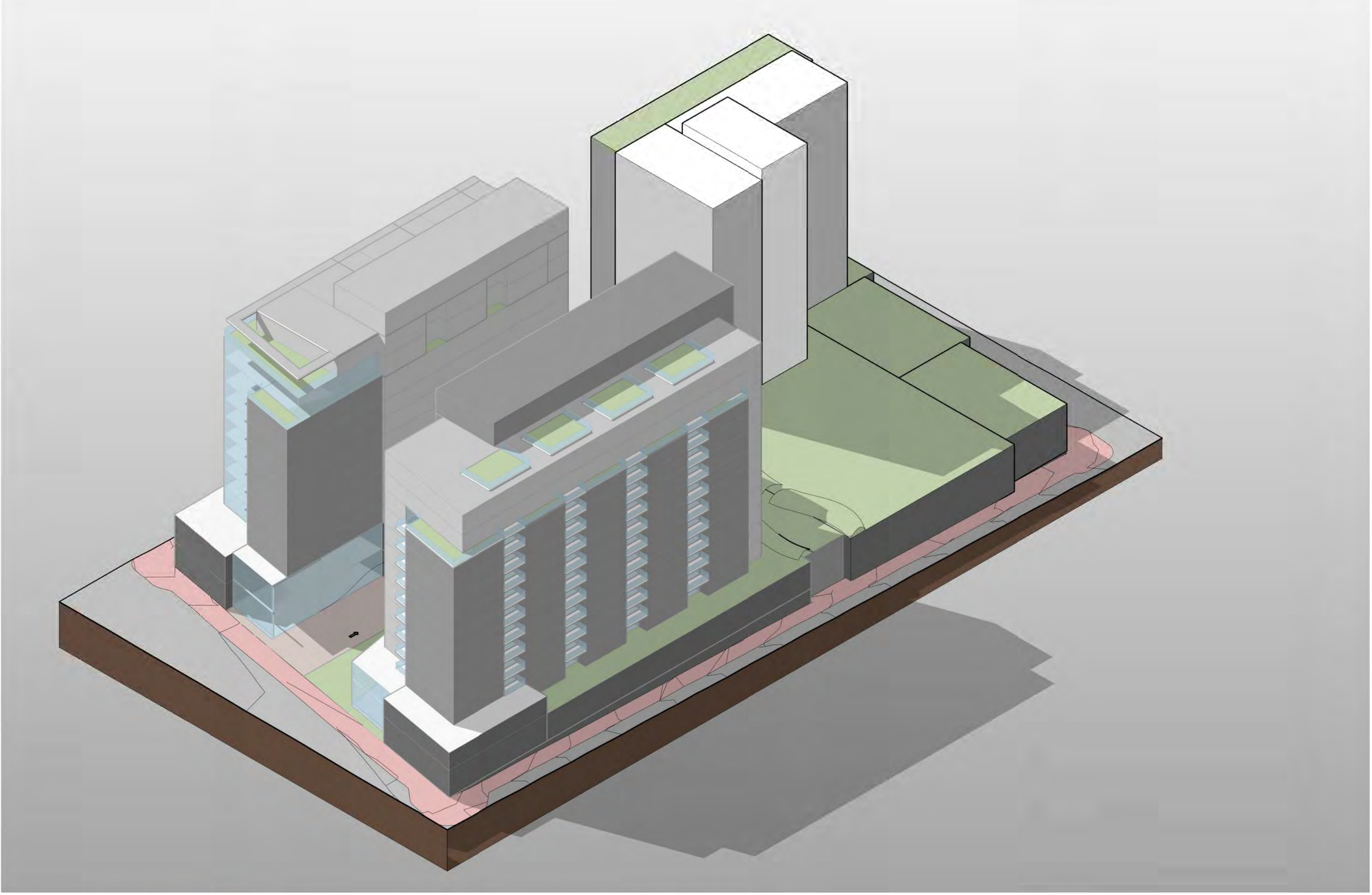


1 Level 1, Phase-1B
1" = 40'-0"



2 Level 0 Phase-1
1" = 40'-0"

3 Level 1 Phase-1
1" = 40'-0"



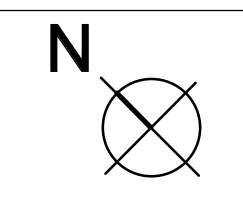
4 Level 2, Phase-2A
1" = 40'-0"

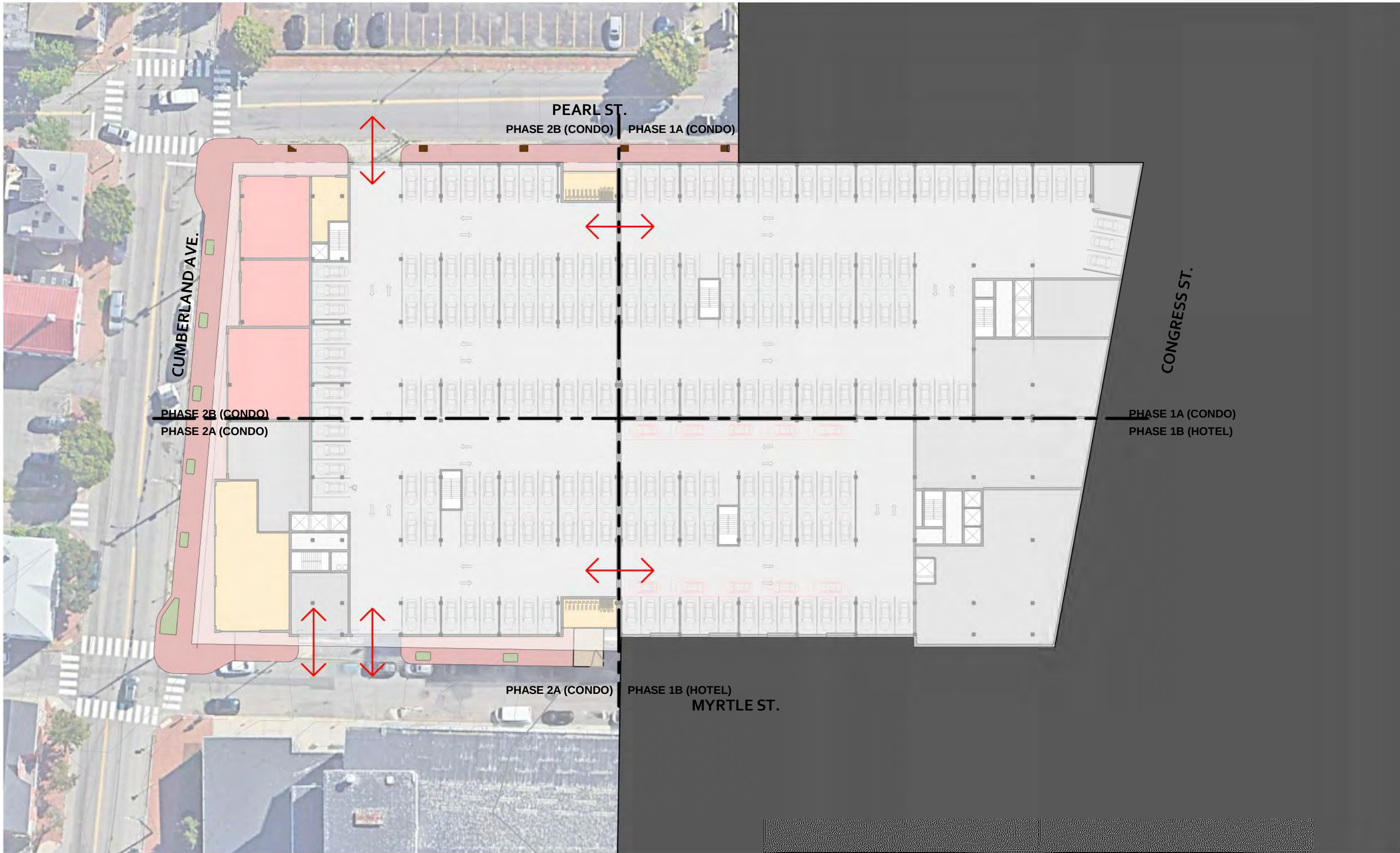
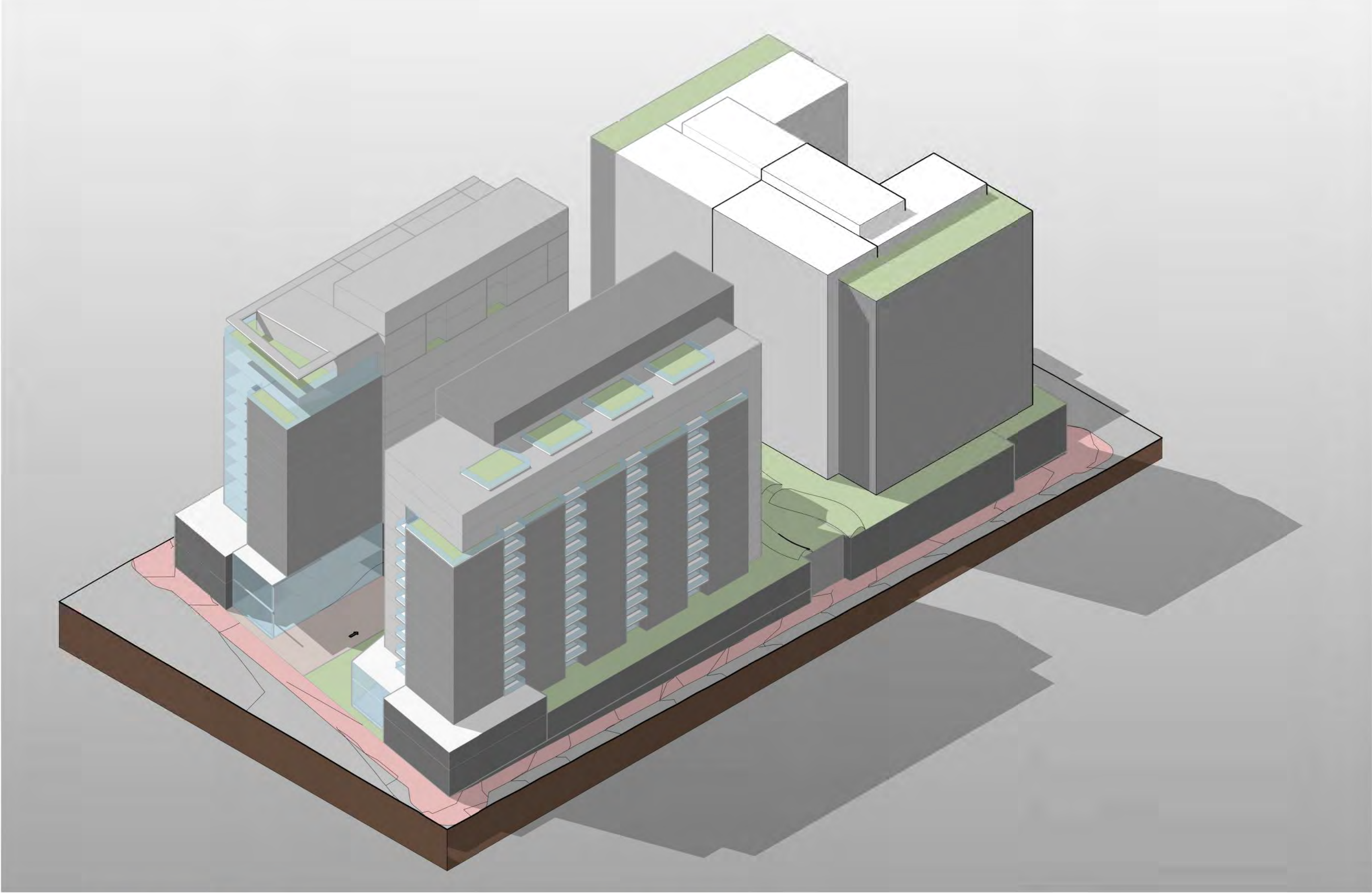


2 Level 0, Phase-2A
1" = 40'-0"



3 Level 1, Phase-2A
1" = 40'-0"



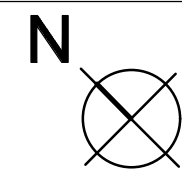


2 Level 0 Phase-2B
1" = 40'-0"

3 Level 1 Phase-2B
1" = 40'-0"

cbt

PHASING DIAGRAM-2B
PORTLAND - 385 CONGRESS STREET
3/25/22 1" = 40'-0"



Three-Unit Residential Building
7 Marion Street
Major Site Plan Review
PL-001894-2022
Green on the Hill Properties, LLC. , Applicant

Submitted to:	Portland Planning Board	Prepared By:	Austen Torres Davis
Public Hearing Date:	June 14, 2022	Date:	June 10, 2022

I. INTRODUCTION

Green on the Hill Properties has submitted a Major Site Plan application to facilitate the development of a three-story, three-unit residential building totaling approximately 3,907 square feet at 7 Marion Street in the Munjoy Hill neighborhood. The units differ substantially in size, with each unit totaling 2,448 square feet, 436 square feet, and 386 square feet respectively. The applicants and owners plan to reside in the largest unit, while the remaining two would be renter-occupied.

This application is being referred to the Planning Board for compliance with the City of Portland's Land Use Code Site Plan Standards, Section 14.1.



Figure 1. 7 Marion Street in Neighborhood Context

The Planning and Urban Development Department mailed 127 notices advertising this meeting to property owners within 500 feet of the site. A legal advertisement ran in the June 4 and June 7 editions of the *Portland Press Herald*.

A Planning Board workshop related to this development proposal was held on April 26, 2022.

Applicant: Green on the Hill Properties, LLC.
Applicant Representatives: Green on the Hill Properties, LLC; Atlantic Resource Consultants, Engineer

II. REQUIRED REVIEWS

<i>Review</i>	<i>Applicable Standards</i>
Site Plan Review	Section 14.6
Design Review	Design Guidelines: Multi-family

<i>Waiver Requests</i>	<i>Applicable Standards</i>
Request to waive standard requiring the construction of sidewalk along the right-of-way.	Land Use Code, Sec. 14.6.1

	All development shall provide curb and sidewalks along all frontages, installed to specifications as described in the Technical Manual.
--	---

III. PROJECT DATA

Existing Zoning	B-2b Community Business
Property Size	2,102 Square Feet
Existing Use	Single-Family Residential
Proposed Use	Multi-Family Residential
Proposed Development Program	Two One-Bedroom Units; One Three-Bedroom Unit

	<i>Existing</i>	<i>Proposed</i>	<i>Net Change</i>
Building Footprint	448	1,001	+553
Building Floor Area	448	3,907	+2,810
Impervious Surface Area	750	972	+222
Parking Spaces	0	1	+1
Bicycle Parking Spaces	0	0	0

IV. EXISTING CONDITIONS AND SURROUNDING AREA

The subject site is currently occupied by an owner-occupied single-family residence. The demolition of this extant residential structure on site is necessary to facilitate this proposed development.

The surrounding neighborhood is mixed-use in character, with adjacent properties including commercial, single-family, and multi-family residential structures. Numerous adjacent sites are either currently under Planning Authority review or have been approved by the Planning Board in recent years. These include:

- 155 Sheridan Street, multi-family residential development (shown in red in Figure 2.)
- 152-156 Sheridan Street, multi-family residential development (shown in green in Figure 2.)
- 105 Washington Avenue, parking lot and retaining wall improvements (shown in blue in Figure 2.)



Figure 2. 7 Marion Street in Relation to Nearby Developments

The property is accessed from Marion Street, a sloped right-of-way that rises from Washington Avenue, which terminates at a pathway leading to Fort Sumner Park. This pathway adjacent to the site is managed by Portland Trails. The site sits outside of the Fort Sumner Height Overlay District, and is not within a historic district. The subject lot is 2,102 square feet in area, and is relatively flat owing to an adjacent downward-sloping retaining wall. Access to GP Metro bus routes B, 7, 9A, and 9B, is along Washington Avenue about 300 feet from the site.

V. PROPOSED DEVELOPMENT

The proposed Major Site Plan application would facilitate the development of a three-story residential building totaling approximately 3,907 square feet with three residential units. The applicants plan to reside in the largest of the proposed units, while the remaining two will be renter-occupied.

One enclosed parking space would be provided at the northeastern section of the ground floor. This single-car garage would be accessed from a curb cut off Marion Street. Access to outdoor space is provided by a rooftop deck, as well as a Juliet balcony leading to the backyard.

The proposed development would include no street trees and no sidewalk along Marion Street, which is consistent with adjacent properties.

Marion Street is narrow and has a sidewalk only along the east side of the street. None of the properties on the west side of the street (same as the proposed development) have sidewalks or street trees due to narrow width of Marion Street and the historical built pattern.



Figure 3. Rendering of Proposed Building from Marion Street

VI. PREVIOUS WORKSHOPS

On April 26, 2022 a Planning Board Workshop was held to discuss the development proposal for 7 Marion Street. Concerns raised during this workshop included the need for information on the location of condensers and HVAC equipment, as well as information on electrical service entry and meter locations. The applicant has updated site plans and renderings of the proposed development showing the location of these features. Another major concern was the ability of the Department of Public Works to adequately service the site considering the narrowness and steepness of Marion Street. DPW has responded to these concerns noting that the site is difficult to service, though the addition of two units in the area would not inhibit snow and solid waste removal.

VII. RIGHT, TITLE, & INTEREST

The applicant has submitted a warranty deed showing that the site is owned by applicants Nathaniel Green and Samantha Connelly (Attachment C). There are no easements related to this site. The current structure and landscaping, including a fence and a shed, encroach on the adjacent property. Through the demolition of the current structure and removal of the shed and fence, the lot will be brought into conformance with land-use and zoning standards.

VIII. FINANCIAL & TECHNICAL CAPACITY

The applicant has submitted proof of financial capacity in the form of a letter from Bath Savings Institution approving the request for commercial financing (Attachment F). Proof of technical capacity has been provided in the form of resumes from the project architect and engineer, as well as a time line of development projects completed by the applicants (Attachment G).

IX. ZONING ANALYSIS

7 Marion Street sits within the B-2b zone, adjacent to the R-6 and B-4 Zones. Multi-family residential is a permitted use within the B-2b Zone. The proposed development will take up much of the site, and has the bulk and scale similar to that of surrounding structures. The B-2b zone does not have a minimum lot area requirement, side setback, or lot coverage requirements. There is additionally no impervious surface requirement. Rear setback minimums are 10 feet.

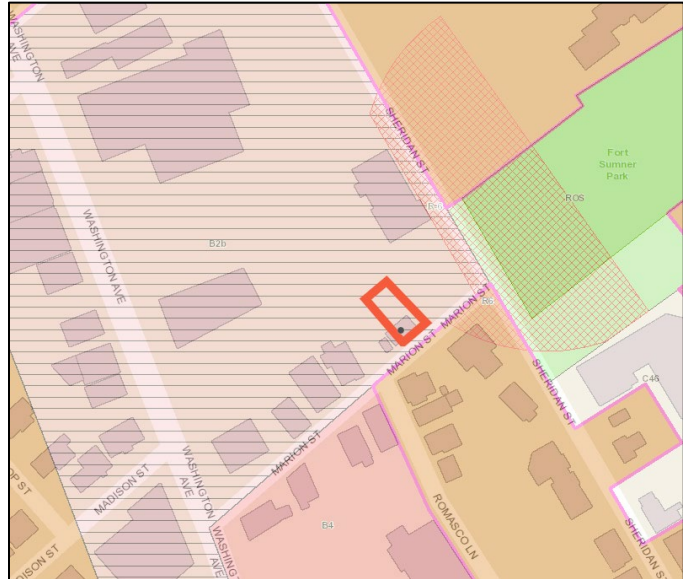


Figure 4. 7 Marion Street in the B-2b Zone

The following table shows the dimensional requirements of the B-2b zone which are met by this proposal:

<i>Standard</i>	<i>B-2b Zoning Requirement</i>	<i>7 Marion Street</i>
Minimum Lot Area	N/A	2,030 square feet
Minimum Lot Area Per Dwelling Unit	435 square feet	676.6 square feet
Minimum Street Frontage	20 feet	35 feet
Maximum Front Setback	10 feet	0 feet
Minimum Rear Setback	10 feet	16.3 feet
Minimum Side Setback	N/A	0 feet
Maximum Lot Coverage	N/A	75.7%

Minimum Lot Width	N/A	31.9 feet
Maximum Structure Height	45 feet	40.79 feet
Maximum Impervious Surface Ratio	N/A	81.7%
Minimum Off-Street Parking	0	1 space
Minimum Off-Street Bicycle Storage	0 spaces	0 spaces

X. SITE PLAN REVIEW 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. Staff comments are below.

1. Transportation Standards (Section 14.6.1)

A. Impact on surrounding street systems

Staff Response: The proposed project is located on Marion Street, which is a minor local dead-end street. The applicant is proposing to provide one parking space for a three unit residential building. The site is accessible to public transit. The owners hope to promote the use of public transit by not providing parking for the renter occupied units. The development as proposed is not anticipated to adversely affect surrounding street systems. However, as the site is difficult for DPW to service, it will be imperative for tenants at 7 Marion Street to be cognizant of trash pickup and snow removal schedules so as not to burden the transportation system.

Transportation Systems Engineer Jeremiah Bartlett Comments as Follows:

This location is very challenging for trash pickup and the fire department. DPW puts out special signs for Wednesday trash pickup so the vehicles can make the corner off Romasco Lane. On-street parking for the additional units might cause issues in this area and is discouraged.

B. Access and circulation

Staff Response: The proposed development includes a driveway accessing the garage, as well as walkways to each residential entrance. Access to the tenant-occupied units will be from a stoop accessed directly from Marion Street, while the owner-occupied unit is proposed at the side of the structure.

C. Public transit access

Staff Response: All residential developments consisting of 20 or more dwelling units shall provide a transit shelter adjacent to or within the public right-of-way along its frontage. The proposed project provides a total of three units, therefore this standard is not applicable.

D. Parking

Staff Response: This development proposes one parking space to be used by owner-occupants of the new building, yielding a parking ratio of 0.33 spaces per unit, with no changes to on-street parking. This amount is greater than the zero parking spaces which are required for this development per its proximity to public transit.

The applicant has not proposed to include any bicycle parking spaces. The single enclosed vehicular parking space is located on the ground floor tucked under the new building.

Traffic Engineering Peer Reviewer Tom Errico Comments as Follows:

The driveway apron area shall not be used for on-site parking as space is not sufficient without encroaching into the right-of-way. Parking shall only be permitted in the garage.

2. Environmental Quality Standards (Section 14.6.2)

A. Preservation of significant natural features

Staff Response: Aside from the existing building to be removed on site, the lot currently consists of denatured land devoid of significant natural features. Therefore, this standard does not apply.

B. Landscape preservation

Staff Response: While much of the overgrowth at the rear of the lot will need to be removed to facilitate this development, two on-site trees will be preserved, one maple tree and one poplar tree. The applicant proposes to plant no street trees. With three residential units proposed, the applicant is required to plant three street trees or may utilize a street tree alternative as described in the City's Technical Manual Section 4.6.4 to meet the requirement.

The applicant has elected to contribute \$1,200.00 to the City of Portland's Tree Fund, corresponding to three street trees at a rate of \$400.00 per tree.

C. Site landscaping and buffers

Staff Response: The applicant has provided a planting schedule including native species to be planted at the front of the site. These species include Culver's Root, Sweetfern, and Virginia Mountain Mint. Culver's Root and Virginia Mountain Mint are flowering plants that attract pollinators, while Sweetfern is a low-growing shrub. The applicant proposes plantings to create natural buffers to adjacent properties.

D. Water quality/storm water management/erosion control

Staff Response: The Applicant has provided a detailed Stormwater Management Report, as well as an Erosion and Sedimentation Control Report to meet the Basic Standards.

Stormwater Peer Reviewer Lauren Swett Comments as Follows:

The proposed sediment barrier along the entire western edge of the site stops halfway through the site. The applicant will need to manage erosion on that side of the site as part of their construction management plan.

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

A. Consistency with City Master Plans

Staff Response: This development is consistent with the goals and policies outlined in *Portland's Plan 2030*. The new housing development aligns with the City's vision statements and goals by increasing the overall housing supply in a contextual manner in a walkable, transit accessible location, which has the ability to enable people who work in Portland to have the option to live in Portland. Relevant vision statements and goals are provided below:

Goals:

- Housing: Increase, preserve, and modify the overall supply of housing city-wide to meet the needs, preferences and financial capabilities of all Portland residents.
- Housing: 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.
- Housing: Pursue policies to enable people who work in Portland to have the option to live in Portland.
- Environment: Adopt sustainable land use and transportation policies that support connectivity, walkable neighborhoods, and multi-modal transportation.



Figure 5. Visions of Portland's Plan 2030

B. Public safety and fire prevention

Staff Response: The Crime Prevention through Environmental Design (CPTED) standards in the site plan ordinance addresses the principles of natural surveillance, access control and territorial reinforcement so that the design of developments enhance the security of public and private spaces and reduce the potential for crime. The site's landscaping reinforces ownership while its windows and relation to neighboring buildings promote natural surveillance.

The Life Safety Peer Reviewer has viewed the plans and finds them satisfactory.

C. Availability and capacity of public utilities

The applicant has submitted an ability to serve letter from the Portland Water District, and has received notice that the city's infrastructure has the capacity to service wastewater from the site.

4. Site Design Standards (Section 14.6.4)

A. Massing, ventilation, and wind impact

Staff Response: The development proposal for this site would produce a structure of similar height and bulk as others within the neighborhood. As such, no negative impacts related to massing, ventilation, or wind are expected.

B. Shadows

Staff Response: The development proposal for this site would produce a structure of similar height and bulk as others within the neighborhood. Additionally, the site is not adjacent to parks and open spaces. As such, no negative impacts related to shadows are expected.

C. Snow and ice loading

Staff Response: On site snow and ice storage is expected for this site.

The applicant has shown on site snow and ice storage that will be located at the front of the property between the entrance and the garage.

D. View corridors

Staff Response: As the development site is located outside of the Fort Sumner Park Height Overlay, no detrimental impacts to view corridors are expected.

E. Historic resources

Staff Response: This site sits more than 100 feet from locally designated historic structures and districts. Therefore, no Historic Preservation Advisory Review is needed for this development.

F. Exterior lighting

Staff Response: As a condition of approval, applicants must submit an exterior site lighting plan and cut sheets that show compliance with lighting standards.

G. Noise and vibration

Staff Response: All heating, ventilation and air conditioning equipment (HVAC), air handling units (AHU), emergency generators, and similar equipment will be required to meet state and federal emissions requirements. HVAC mechanical equipment will be located on the north-facing exterior wall.

H. Signage and wayfinding

Staff Response: Standard Not applicable.

Staff Recommendation: Signage or painting indicating that parking is not allowed in the proposed driveway is encouraged as the driveway dimensions do not meet parking space dimensions of the Technical Manual and no parking in that area is allowed.

I. Zoning-related design standards

Staff Response: As this development is a multi-family building, located on a primarily residential side street a design review was conducted according to the City of Portland Design Manual Standards. Planning staff reviewed site plans and renderings against the *Two-family, Special needs independent living units, multiple-family, lodging houses, bed and breakfasts, and emergency shelters standards (Section (j) of the Design Manual)*.

This design review meeting was held on Monday, March 28, 2022. A final Design Review meeting was held on Monday, June 6, 2022. Concerns in these meetings were related to the lack of windows on the

southwest wall, as well as residents' access to open space on site. It has been determined that the southwest wall does not require windows due to its proximity to the lot line. Access to open space has been found to be satisfactory.

Design Review memos prepared by the City's Urban Designer are attached (Attachments 3 and 4).

XI. NEIGHBORHOOD MEETING & PUBLIC COMMENT

On April 6, 2022 at 7:00 pm the applicant held a neighborhood meeting. At this meeting concern was raised about maintaining pedestrian access to the trail leading from Marion Street to Fort Sumner during construction.

The applicant has provided minutes for this neighborhood meeting (Attachment L2)

Planning staff have received one comment from an abutting property owner Jeffrey Rosenblatt (Attached). This comment was related to site access to the adjacent property.

XII. STAFF RECOMMENDATION

Subject to the proposed motions and conditions of approval listed below, Planning Department staff find that the multi-family residential development at 7 Marion Street meets the applicable standards of Portland's Land Use Code. Planning staff recommend that the Planning Board approve the application to demolish the existing single-family home at 7 Marion Street and construct a three-unit residential structure.

XIII. PROPOSED MOTIONS

A. WAIVERS

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report for the public hearing on June 14, 2022 for application PL-001894-2022 relevant to the Site Plan Standards of the Land Use Code and Portland's Technical and Design Standards, and other regulations, and testimony presented at the Planning Board public hearing:

1. Curb and Sidewalks

The Planning Board [**finds/does not find**] based upon the Traffic Engineer's Review, that extraordinary conditions exist or undue hardship may result from strict compliance with Technical Manual Section 14.6.1 which requires all development to provide curbs and sidewalks along all frontages, installed to the specifications as described in the transportation systems and street design standards of the Technical Manual. The Planning Board [**waives/does not waive**] Technical Manual Section 14.6.1 to allow the applicant to not construct a sidewalk along their frontage.

B. SITE PLAN REVIEW

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the Planning Board Report for the public hearing on June 14, 2022 for application PL-001894-2022 relevant to the site plan regulations; and the testimony presented at the Planning Board hearing, the Planning Board [**finds/does not find**] that the plan is in conformance with the site plan standards of the Land Use Code subject to the following conditions of approval:

PRIOR TO APPLYING FOR A BUILDING PERMIT

1. The applicant shall submit a complete Construction Management Plan, including a narrative and drawing, for review and approval by the Planning Authority.
2. The applicant shall submit an exterior lighting plan, including photometrics and cut sheets, for review and approval by the Planning Authority pursuant to the lighting standards of the Land Use Code and Technical Manual.

PRIOR TO ISSUANCE OF A BUILDING PERMIT

3. The applicant shall contribute to the tree fund in the amount of \$400 per tree for three street trees for a total of \$1,200.

XIV. ATTACHMENTS**PLANNING BOARD REPORT ATTACHMENTS**

1. Preliminary Site Plan Review Comments from Staff
2. Secondary Site Plan Review Comments from Staff
3. Preliminary Design Review Comments
4. Secondary Design Review Comments
5. Planning Board Workshop Memo dated April 26, 2022

APPLICANT'S SUBMITTAL

- A. Cover Letter
- B. Major Site Plan Checklist
- C. Right, Title, and Interest
- D. Zoning Assessment
- E. Sidewalk Waiver Request
- F. Financial Capacity
- G. Technical Capability
- H. Conformity with Land Use Ordinance
- I. Consistency with City Master Plan
- J. Solid Waste Disposal
- K. Parking Analysis
- L1. Neighborhood Meeting Certification
- L2. Neighborhood Meeting Details
- M1. Preliminary Site Plan Review Comment Response Letter
- M2. Secondary Site Plan Review Comment Response Letter
- N. Design Review Comment Response Letter
- O. Stormwater Management Memo
- P. Erosion and Sedimentation Control Report
- Q. Wastewater Capacity Application
- R. Portland Water District Ability to Serve Letter

PLANS

- Plan 1 – Site Plan

Plan 2 – Survey and Existing Conditions
Plan 3 – Erosion Control Plan and Details
Plan 4 – Grading Drainage, and Utility Plan
Plan 5 – Foundation Plan
Plan 6 – First and Second Floor Plan
Plan 7 – Third Floor and Roof Plan
Plan 8 – North and South Elevations
Plan 9 – East Elevation
Plan 10 – West Elevation
Plan 18 – Architectural Renderings

Public Comment

1. Jeffrey Rosenblatt

Planning and Urban Development Department



Subject: Site Plan Review Comments – 7 Marion Street

Written by: Austen Torres Davis, Planner

Date Written: March 31, 2022

The proposed multi-family residential development proposal located at 7 Marion Street (PL-001894-2022) was reviewed against Chapter 14 of the City of Portland Land Use Code, as well as the City of Portland Technical Manual.

Dear Samantha Connelly,

Please find below, comments from Planning & Urban Development Department staff and site plan peer-reviewers.

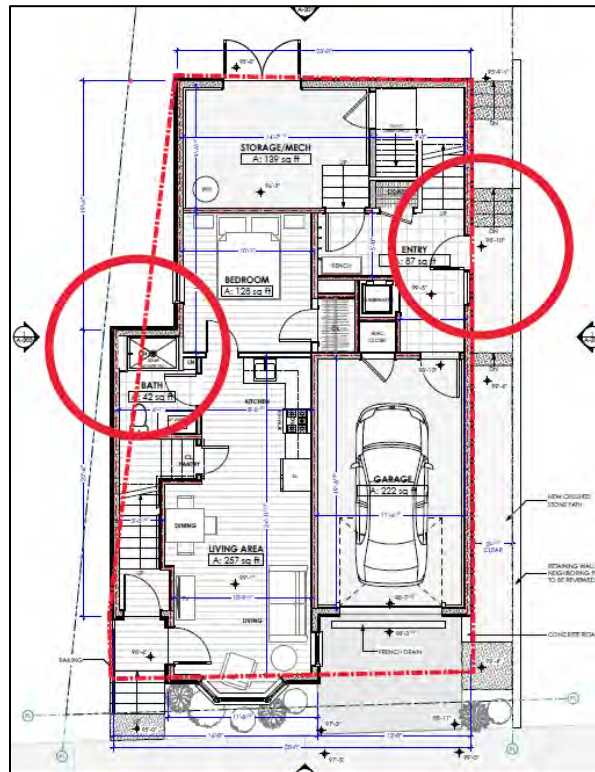


Figure 1



Figure 2

General Comments from Planning Staff:

- The street wall could be better defined by bringing the garage wall in line with the bay-window façade area. (See Dotted Line in Figure 1)
- Life safety access would be improved by aligning the southern wall more cohesively with the property line – allowing emergency access around the entire building. (See Dotted Line in Figure 1)
- The adjacent property owner at 146 Sheridan Street has expressed concern that illegally parked vehicles block site access. Tenants of 7 Marion Street should be made aware that no parking should block the gateway access point to the adjacent property (See Figure 2).
- Overhead utilities should be flagged on site plans.
- Removal of fence from neighboring properties to get rid of encroachment is necessary.
- There is an adjacent development at 105 Washington Avenue involving rebuilding the retaining wall adjacent to 7 Marion Street. This applicant team should be aware of those plans and their project team. The contact point for that project is Mike Triglione (mtriglione@acorn-engineering.com).
- More clarification on the silt fence, as well as snow and ice removal, should be provided.
- There should be no openings within 3 feet of the lot line – this may affect the placement of windows and doors on side facades (See Circled Areas in Figure 1).
- The provision of Street Trees, or payment of an In-lieu fee, may be necessary. Further coordination with the City Arborist will be necessary.
- More information on any back decks or stairs adjacent to the rear entrance should be provided. Currently the plans show a sliding glass door above the land elevation, so presumably there would be a deck or entrance in this area – which needs to be shown in plans.

Comments from Zoning Administrator:

- The applicant should provide more detail on how height is being measured. It needs to be measured from the average grade to a point midway between the eaves and the highest point of the ridge on a pitched roof. They need to provide the grades at the four corners of the building to determine the average grade, and then show the average grade line on the elevation and provide the measurement from this point to the midpoint of the roof
- Regarding the required number of off-street parking spaces, the Zoning Analysis Sheet states that none are required but the applicant is providing one space. The property is located in the B2b zone. Table 19-A requires one space per dwelling unit. Under Table 19-B there are no specific exemptions for parking spaces in the B2b zone for residential uses. What is the basis for the applicant's claim that no off-street parking spaces are required?
- The applicant needs to provide an ability to serve letter from the Portland Water District that includes the required meter size.
- The applicant will need to apply for a separate demolition permit for the existing single family home when they apply for the building permit to build the new three unit building after the site plan has been approved.

Comments from Traffic Engineer:

- We typically do not permit a project to utilize the public right-of-way for off-site parking. It appears the driveway includes use of the ROW to meet parking space dimensional requirements. The driveway should be dimensioned in plans.

Comments from Department of Public Works Engineer:

- The applicant should install a sidewalk in front of the property. It looks like it is a pretty narrow ROW so we would ask for a minimum 4' wide sidewalk but would prefer 5' if there is space. There is no sidewalk currently however it will set us up for future sidewalk improvements and is adjacent to a trail. This is a brick sidewalk district however it looks like a fairly steep road so if the road is over 10% they can install concrete (which is what we would prefer).

Planning and Urban Development Department



Subject: Site Plan Review Comments – 7 Marion Street

Written by: Austen Torres Davis, Planner

Date Written: April 15, 2022

The proposed multi-family residential development proposal located at 7 Marion Street (PL-001894-2022) was reviewed against Chapter 14 of the City of Portland Land Use Code, as well as the City of Portland Technical Manual.

Dear Samantha Connelly,

Please find below, comments from Planning & Urban Development Department staff and site plan peer-reviewers. As the upcoming Planning Board Meeting on the April 26 is a workshop, it is not necessary to make edits to plans prior to gaining feedback from the Planning Board. If revisions are made staff ask that these be submitted no later than Thursday April 21, in order to give staff time to update its report for the Planning Board.

General Comments from Planning Staff:

- The driveway dimensions should be shown on plans.
- Impervious surface calculations should be shown on plans.

Comments from Zoning Administrator:

- The Regarding the parking requirement, they are exempt because under Table 19-B, Categorical Vehicular Exemptions
Transit proximate development and uses No off-street parking shall be required within ¼ mile of fixed route transit service. New uses or changes of use of more than 10,000 SF taking advantage of this exception shall be required to provide a Transportation Demand Management Plan if they use this provision in lieu of parking requirements.

A TDM is not necessary because the change of use is less than 10,000 sf.

Comments from Water Resources Engineer:

- There is a separated storm drain in the immediate area the applicant would be required to connect any roof drain or foundation drains to.

Comments from Stormwater Management Reviewer:

- The Applicant's architectural plans in the latest submission show gutters with downspouts for roof drainage. The locations of the downspouts should be shown on the grading plan with consideration for permanent erosion control and grading as required. Some of the downspouts are very close to doors, and the site is generally pretty flat, so they'll want to consider where the water is going.
- The Applicant will be required to provide confirmation of utility ability to serve from the City for the proposed sewer connection and from the Portland Water District for the proposed water services.
 - o I will note from my own recent experience, PWD required that existing services be demolished to the main, and typically requires that new services be installed 3' from the old service location. The Applicant may want to take this into consideration with their service placement and pavement repair. PWD will review the layout as part of their consideration for ability to serve.
 - o Their existing conditions plan does not show the location of the existing sewer stub. They have noted that they will connect to the existing service. The location and size should be noted and confirmed as part of the coordination of ability to serve with the City's Department of Public Works.
- The project is required to comply with the Basic Standards, providing for erosion and sedimentation controls.
 - o Grades drop along the entire western side of the site, and sediment barrier should be planned for that entire length.
 - o A construction entrance should be accounted for.
 - o A silt fence detail has been provided. Additional details, and standard notes on erosion and sediment controls and housekeeping practices should be provided in accordance with Maine DEP standards.
 - o The architectural plans include notes on repairing disturbed lawn areas – I'd suggest these same notes be added to the civil plan.
- They have not provided details for the proposed site development work. Details for pavement repair within a City street, in accordance with the details in the Technical Manual <https://www.portlandmaine.gov/2300/Technical-Manual> should be provided. I would suggest utility connection details as well, as these may be required by the utilities as part of their review for ability to serve.

Design Review
Planning and Urban Development Department



Subject: 7 Marion Street
 Zone: B2b
 Date of Review: Thursday, April 21, 2022
 Reviewer(s): Sean King (Urban Designer), Austen Torres Davis (Planner), Kevin Kraft (Deputy Director)
 Project ID: PL-001894-2022

I. INTRODUCTION

The proposed three (3) residential units as a multiple-family development located at 7 Marion Street.

II. DESIGN REVIEW COMMENTS:

MULTIPLE-FAMILY STANDARDS. Multiple-family shall meet the following standards:

1. *The exterior design of the proposed structure, shall be designed to complement and enhance the nearest residential neighborhood. Proposed multiple-family development includes architectural style and façade materials that complement the existing residential neighborhood, in addition to gable roof type, building form / height, recessed building entry and a variation in façade as appropriate architectural elements.*
2. *The proposed development shall respect the existing relationship of buildings to public streets. New development is integrated into existing city fabric. The building is proposed close to the street line similar to other buildings on the block.*
3. *Open space on the site for all multiple-family development shall be integrated into the development site. Applicant to specify open space for multiple-family units within the development site that is easily accessible and available for use.*
4. *The design of proposed dwellings shall provide ample windows to enhance opportunities for sunlight and air in each dwelling in principle living areas and shall also provide sufficient storage areas. Applicant shall consider additional windows at proposed west elevation to provide sunlight and air into first and second floor 1-bedroom units and stairway, in addition to additional windows at proposed east elevation to provide visual clarity to additional residential unit located along the side of building.*
5. *The scale and surface area of parking and driveways and paved areas are arranged and landscape to properly screen vehicles from adjacent properties and streets. Parking lot is screened with landscaping and the applicant has provided a 5'-7' high cedar fence to meet this standard.*

6. *Multiple-family dwellings shall not be converted to lodging houses unless all units in building have been vacant for at least one (1) year.* Not applicable

Design Review

Planning and Urban Development Department



Subject: 7 Marion Street
Zone: B2b
Date of Review: Friday June, 3 2022
Reviewer(s): Sean King (Urban Designer), Austen Torres Davis (Planner), Kevin Kraft (Deputy Director)
Project ID: PL-001894-2022

I. INTRODUCTION

The proposed three (3) residential units as a multiple-family development located at 7 Marion Street.

II. DESIGN REVIEW COMMENTS:

MULTIPLE-FAMILY STANDARDS. Multiple-family shall meet the following standards:

1. *The exterior design of the proposed structure, shall be designed to complement and enhance the nearest residential neighborhood.* Proposed multiple-family development includes architectural style and façade materials that complement the existing residential neighborhood, in addition to gable roof type, building form / height, recessed building entry and a variation in façade as appropriate architectural elements.
2. *The proposed development shall respect the existing relationship of buildings to public streets.* New development is integrated into existing city fabric. The building is proposed close to the street line similar to other buildings on the block.
3. *Open space on the site for all multiple-family development shall be integrated into the development site.* **Applicant has specified open space for multiple-family units as lawn area at the rear of the building and landscape buffers at front and fencing at side setbacks.**
4. *The design of proposed dwellings shall provide ample windows to enhance opportunities for sunlight and air in each dwelling in principle living areas and shall also provide sufficient storage areas.* **Applicant has prioritized windows along the front façade through central bay window and double hung windows with upper glass paneling to meet the standard for ample windows. In addition, storage is provided in basement as shared that require coordination of proposed unit occupants. No additional windows proposed at west & east elevation as a means to screen proposed development from adjacent properties.**
5. *The scale and surface area of parking and driveways and paved areas are arranged and landscape to properly screen vehicles from adjacent properties and streets.* Parking lot is screened with landscaping and the applicant has provided a 5'-7' high cedar fence to meet this standard.

6. *Multiple-family dwellings shall not be converted to lodging houses unless all units in building have been vacant for at least one (1) year.* Not applicable

Green on the Hill Properties

Samantha Connelly and Nataniel Green, Members

7 Marion Street
Portland, Maine 04101
(207) 317 - 0033
greenonthehill.pm@gmail.com

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

Re: 7 Marion Street 3 Unit Residential
7 Marion Street
Chart, Block, Lot: 12- P- 27

January 2, 2022

To whom it may concern,

Green and Connelly of Green on the Hill Properties are pleased to submit a Major Site Plan along with supporting materials related to a multi use building at 7 Marion Street. The project includes a tear down of the current single- family residence and the new construction of a three unit, owner occupied, residential multi-unit on the 2030 sq. ft. lot. The current building is a 448 square foot single family home that the 1924 tax records identified “condition of repair” as “poor”. It was purchased and renovated in 2014 by Green and Connelly themselves. They have resided in the building since completion of renovations in April 2015.

Proposed building breakdown is as follows: first floor will consist of a one car garage, storage space, and a one-bedroom unit. On the second floor is a second, one-bedroom unit as well as part of the owner’s unit. The top floor consists of the remainder of the owner unit with living and dining space. Overall, the project is 2,693 sq. ft.

The current residential building has no parking spaces. The proposed number of parking spaces in the new construction is one.

We look forward to working with the Portland Planning Department throughout this process.

Sincerely,

SAMANTHA CONNELLY AND NATHANIEL GREEN

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 ****

**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
Yes 	NA	Completed Checklist (this document)
Yes 	NA	Evidence of Right, Title, and Interest Deeds, leases, or purchase and sales agreements
Yes 	NA	Evidence of State or Federal Approvals Permits or letters of non-jurisdiction, if applicable
Yes 	NA	Zoning Assessment (see Zoning Assessment Table) Summary of compliance with use and dimensional standards of the land use code
Yes 	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 	NA	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 	NA	Waiver Requests (see Waiver Table) Written request for waiver describing request and compliance with applicable waiver standards
Yes 	NA	Financial Capability Letter or evidence from a financial institution or third party verifying financial capacity to undertake project
Yes 	NA	Technical Capability Evidence of technical capability of applicant and consultants – resumes and/or examples of past projects

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

MAINE REAL ESTATE TAX-Paid

DLN: 1001440002143

Warranty Deed **(Maine Statutory Short Form)**

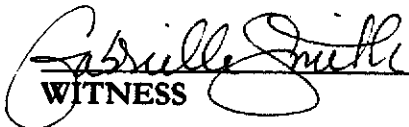
KNOW ALL PERSONS BY THESE PRESENTS, THAT, I, Nicholas M. Marchant, with a mailing address of 75 Webster Avenue, Westbrook, Maine 04092, for valuable consideration paid, by **Nathaniel Green and Samantha Connelly**, with a mailing address of 282 Woodford Street #1, Portland, Maine 04103, the receipt and sufficiency whereof is hereby acknowledged, does hereby GIVE, GRANT, REMISE, BARGAIN, SELL AND CONVEY, unto the said **Nathaniel Green and Samantha Connelly**, their heirs and assigns, with **WARRANTY COVENANTS**, as **joint tenants**, a certain lot or parcel of real property with any improvements thereon situated in the City of Portland, County of Cumberland, State of Maine, bounded and described as follows:

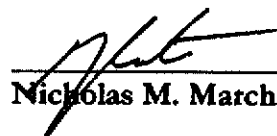
PROPERTY DESCRIBED IN "EXHIBIT A" ATTACHED HERETO AND MADE A PART HEREOF

Meaning and intending to convey the same premises conveyed to Nicholas M. Marchant by virtue of a deed from Mary A. Harvey, Personal Representative of the Estate of Edward F. Cogswell, dated July 11, 2014 and recorded on July 16, 2014 in Book 31638, Page 171 with the Cumberland County Registry of Deeds.

The premises are conveyed together with and subject to any and all easements or appurtenances of record, insofar as the same are in force and applicable.

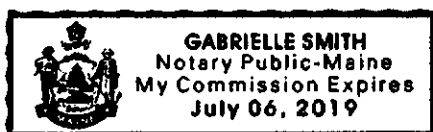
Witness my hand and seal this 26th day of November, 2014.


WITNESS


Nicholas M. Marchant

STATE OF MAINE
COUNTY OF CUMBERLAND, ss.

Personally appeared on this 26th day of November, 2014 the above named Nicholas M. Marchant and acknowledged the foregoing instrument to be his free act and deed.



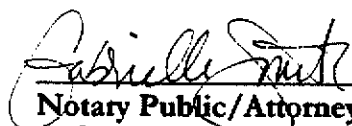
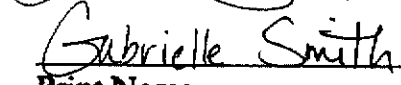

Notary Public/Attorney At Law

Print Name

EXHIBIT A

A certain lot of land situated on the Northerly side of Marion Street in Portland, County of Cumberland, State of Maine, bounded and described as follows, to wit:

Beginning at a point in said Northerly line of Marion Street three feet and four inches Easterly of the Northeasterly line side line of a house belonging to Elias Thomas et als, said point being also about two hundred forty-two feet Northeasterly of Washington Street by said Marion Street; thence Northwesterly parallel to the side line of said house and three feet and four inches therefrom about sixty (60) feet to land now or formerly of H.M. Pope; thence Northeasterly by said Pope land twenty-eight and one-half feet; thence Southeasterly about sixty feet to a point on said Marion Street thirty-five feet Northeasterly from point of beginning; thence Southwesterly by said Marion Street thirty-five feet to the point of beginning.



ZONING ANALYSIS Relevant Zone(s) B-2b

All Projects:

	Required	Proposed
Lot Size	none	2,030sf
Area Per Dwelling Unit	435sf	676sf
Minimum Street Frontage	20ft	35ft
Front Yard Minimum	none	none
Front Yard Maximum	no more than 10	0ft
Rear Yard	minimum 10ft	16' 4"
Yard Right	none	none
Yard Left	none	none
Side Street Setback	n/a	n/a
Step Back	n/a	n/a
Maximum Lot Coverage	90%	75.7%
Minimum Lot Coverage	n/a	
Maximum Height	45ft	40' 9 1/2"
Open Space	n/a	n/a
Maximum Impervious Area	90%	81.7%
Pavement Setback	n/a	n/a
Floor Area Ratio	n/a	n/a
Off Street Parking Spaces	0	1
Loading Bays	n/a	n/a
Other 1		
Other 2		
Other 3		

Planned Residential Unit Developments (PRUD) Requirements

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

Affordable Housing Density Bonuses (if applicable)

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

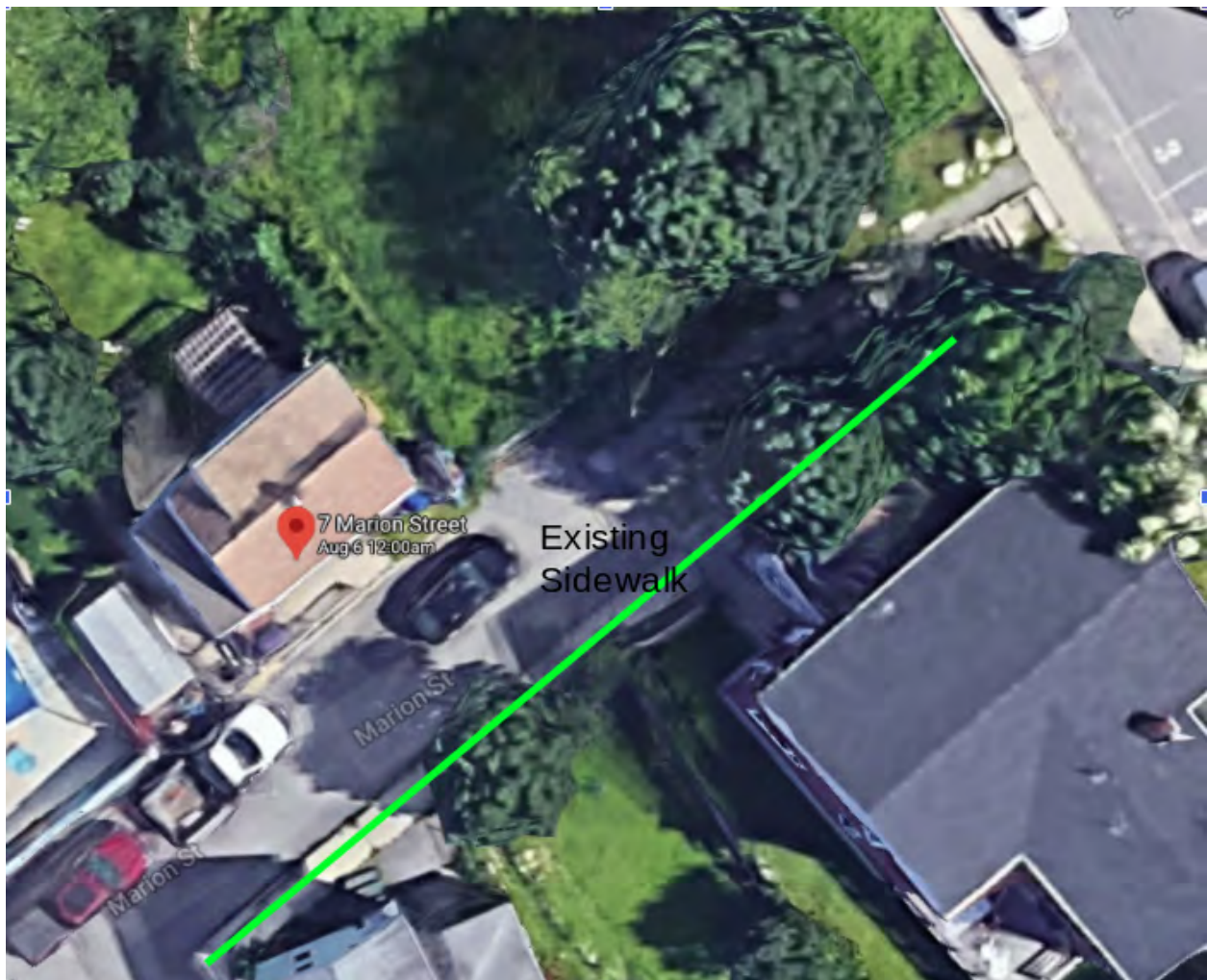
Standard to be Waived: Cite Ordinance or Technical Manual Standard	Cite Standard Language: Cite specific language of applicable Ordinance or Technical Manual Standard	Waiver Being Sought: Describe waiver being sought. Ex. – We are requesting a two-way parking lot drive aisle width of 20' feet.	Justification for Waiver: Address specific waiver criteria, if applicable, and document reasons for the waiver request.
14.6.1 B. 3. a. Curb and Sidewalks	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.	We are requesting that the frontage remains curb only.	There is no sidewalk in existence or expected within 1000 feet and the construction of sidewalks does not contribute to the development of pedestrian oriented infrastructure. A safe alternative walking

Green on the Hill Properties

Sidewalks (14-526 (a) 2 c)

- Sidewalks and condition along street frontages and internal walkways
- Engineered details for ADA ramps and public sidewalk details meeting sidewalk materials policy and ADA ramp construction details as applicable (Technical Manual, Section 1)

The proposed structure will have a 0' setback from the street. The section of road is a dead end with minimal traffic. There is an existing sidewalk on the right side of the street. The sidewalk goes up the right side of the street. There is no sidewalk on the left side of the St. even before the dead end.





Bath Savings Institution

Since 1852

December 6, 2021

Nathaniel A. Green
Samantha T. Connelly
Green on the Hill Properties, LLC
7 Marion Street
Portland, ME 04101

Dear Nathaniel & Samantha:

Pursuant to our recent discussion, Bath Savings Institution (the Lender or Bank) has approved your request for commercial financing. This approval is made under the following terms and conditions:

BORROWER: Green on the Hill Properties, LLC

AMOUNT: A draw-down line of credit loan in an amount up to \$825,000.

PURPOSE: Provide funds for construction/permanent financing for construction of a 3-unit residential apartment building to be built at 7 Marion Street, Portland.

RATE: The initial interest rate shall be fixed for a period of five (5) years at three and three-quarter percent (3.750%); then the interest rate shall adjust daily based on Prime (Wall Street Journal, Money Rate Section) plus one percent (1.000%), based on three hundred sixty five (365) days per annum.

FEES: Bath Savings Institution shall waive the loan origination fee.

TERM: The term of the loan shall be twenty-one (21) years, with amortization based on twenty-five (25) years.

PAYMENT SCHEDULE: Borrower shall make twelve (12) monthly interest payments starting one month from the Loan closing date. After the initial twelve (12) month interest only period, the line shall convert to a term loan and the unused availability will be eliminated. Borrower shall then make monthly payments of principal and interest in an amount sufficient to pay the loan in full by the loan maturity date. Monthly loan payment amounts will be determined based on the total amount advanced during the draw period. All unpaid principal and accrued interest shall be due at maturity.

SECURITY: Collateral for this loan shall be a first mortgage, assignment of leases and rents and a UCC-1 financing statement on property located at 7 Marion Street, Portland.

GUARANTY: Nathaniel A. Green and Samantha T. Connelly shall guaranty this loan.

CONDITIONS:

- Bath Savings Institution shall order an “as-is” land only appraisal on the subject property evidencing a maximum 75% loan to value and an “as-complete” appraisal of the subject property, loan approval shall be limited to seventy percent (70.000%) loan to value.
- Construction monitoring by a third party is required, to include a pre-construction meeting. Cost will be paid by the Borrower.
- Proof of appropriate permitting and zone approval from the City of Portland shall be provided to the Bank.

LATE FEE: A late fee equal to five (5.00%) percent shall be charged on any payment more than ten (10) days late.

**PREPAYMENT
PENALTY:**

There will be no prepayment penalty assessed if the Borrower partially or fully prepays the loan due to accelerated amortization or sale of the property. If the Borrower refinances with another financial institution, a prepayment penalty will be assessed during the fixed rate period, during years one through five as a percentage of the principal balance equal to 5%, 4%, 3%, 2% and 1%, respectively.

DISBURSEMENTS: Disbursements shall be made to the Borrower at closing.

ENVIRONMENTAL MATTERS:

Satisfactory results of an Environmental Questionnaire and environmental records check of 7 Marion Street, Portland, Maine are required prior to closing. Borrower shall execute an Indemnity Agreement in favour of Lender with regard to all environment matters.

INSURANCE:

Prior to closing, Borrower shall obtain and maintain all insurance policies as the Bank may require, including:

All-Risk Casualty Insurance – at written replacement cost value and with replacement cost endorsement, covering all of the personal property and Borrower’s personal property (or the highest such coverage available) in the premises (including, without limitation, inventory, trade fixtures, floor coverings, furniture and other property removable by Borrower under the provisions of this loan) and all improvements installed in the premises.

Comprehensive General Liability Insurance – including contractual liability coverage, completed operations coverage, broad form property damage endorsement and protective liability coverage.

Flood Insurance – if the real estate is located in any federally designated “special hazard area”

Builders Risk Insurance–required during the construction phase of the loan.

The Lender shall be named as a loss payee of any insurance proceeds payable on a claim. Borrower shall further provide Lender assurance that the insurer will notify Lender by thirty (30) days prior written notice if any policy or any provision thereof or any rider thereto is cancelled, not renewed, or materially changed. Such notice of a material change shall include either the change itself, or a summary of the change in which case the change itself shall be provide to Lender within thirty (30) days.

TITLE INSURANCE:

Borrower shall provide Lender, at least three (3) days prior to closing, with a mortgagee's title insurance binder or interim report of a title insurer acceptable to Lender in the face amount of \$825,000.00 on the mortgaged property. Such title insurance binder or interim report shall contain a description of the property satisfactory to the Bank's counsel and shall commit the title insurer to issue a policy in A.L.T.A form insuring the mortgage of Lender to be valid first lien on the property and improvements thereon, free and clear of all liens and encumbrances except those to which Lender has consented and without a survey or mechanics lien exception.

SECONDARY ENCUMBRANCES:

Borrower agrees that there shall be no additional financing of the property securing the loan during the term of the loan without Lender's written consent.

SUBORDINATION OF LEASES:

Any leases entered into between Borrower and any lessee with respect to all or any portion of the mortgaged property shall be subject to all of Lender's rights, and in addition, shall provide that Lender may succeed to the interest of Borrower under the lease. Borrower shall provide Lender with lease ratification's from each tenant stating that the lease is in full force and effect and unchanged, that there are no defaults, that the rent has not and will not be prepaid and that the tenant will subordinate its interest to Lender's mortgage.

PERMITS, APPROVALS AND COMPLIANCE:

Borrower shall provide to Lender or Lender's counsel at or prior to closing copies of all federal, state and municipal permits, approval and other regulatory and administrative permissions required by law. Borrower shall also provide to Lender or Lender's counsel all opinions of counsel and other documents requested by Lender or Lender's counsel in these regards.

FINANCIAL STATEMENTS:

Annually, the Borrower and Guarantor(s) shall furnish financial statements and such other evidence of Borrower's worth and income as the Bank shall require. Said figures are to be prepared in a manner suitable to the Bank and submitted to the Bank within one hundred twenty (120) days after the close of the Borrower's fiscal year.

Borrower shall bear all expenses incurred in connection with the loan including, but not limited to, attorney's and/or appraiser's fees.

Borrower shall confirm, by documents satisfactory to the Bank, the existence of all leases, insurances and other collateral reserved or taken by the Bank.

Any business conducted by Borrower shall have all requisite licenses, permits and approvals to operate, including proper zoning.

No significant air or water pollution shall be permitted from any business of Borrower in or to which Bank has a lien interest.

No liens or attachments whether or not superior to the lien of the Bank shall be placed or arise on the collateral other than those specifically approved in writing by the Bank. The property mortgaged to Bank shall be kept in good repair, and all taxes and assessments thereon shall be paid when due.

No commitment to loan given by the Bank to Borrower shall be assignable by the Borrower.

DEPOSIT RELATIONSHIP:

The principal deposit account of the Borrower and business shall be maintained with Bath Savings Institution for the term of the loan.

Any commitment given by the Bank to the Borrower shall expire if the commitment is not accepted by the Borrower in writing within twenty (20) days of the date of this letter. The loan is expected to close within sixty (60) days of the date of this letter. It is anticipated that the closing will occur on or before February 6, 2022. Any extension to the above must be in writing from the Bank.

The parties to this agreement agree that this commitment shall survive the loan closing contemplated hereunder and that each of the obligations and undertaking of the Borrower shall be continuing and shall not cease until the entire loan, together with interest and fees, is paid in full.

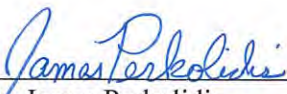
The provisions of this agreement cannot be waived or modified unless such waiver or modification is issued in writing and signed by the parties to this agreement.

You are hereby notified, pursuant to 10 M.R.S.A. Section 1146(2) (1991), that no oral discussions or representations by the Lender will constitute a promise, contract or agreement to lend money, extend credit, forbear from collection of a debt or make any other accommodation for the repayment of a debt, and that in the event any such promise, contract or agreement is ultimately reached between you and the Lender, such promise, contract or agreement to be effective or enforceable against the Lender, and in order for an action to be maintained, must be both (a) in writing; and (b) signed by the Lender.

Borrower shall execute such further documents to secure the loan as counsel for the Bank shall determine are necessary or advisable in the interest of the Bank.

If the foregoing is satisfactory for your needs, please sign a copy of this letter and return it to the Bank. Should you have any questions or comments, please do not hesitate to call.

BATH SAVINGS INSTITUTION

By: 
James Perkolidis
Its: Vice President

Seen and Agreed to:
GREEN ON THE HILL PROPERTIES, LLC

By: _____
Nathaniel A. Green
Its: Member _____
Date _____

By: Samantha T. Connelly Date _____
Its: Member

As Guarantors:

Nathaniel A. Green, Individually
Date

Samantha T. Connelly, Individually _____ Date _____

2021

350 US Rt 1 Yarmouth: Permitted and in process of building 21 unit mixed use building

2020

177 St. John St. Portland, ME Rehabbing vacant 2 unit into residential units

331 Gray Rd Falmouth, ME Constructed new accessory dwelling unit detached single family home on property

71 Court St. Bath, ME Rehabbed vacant foreclosed 2 unit into residential units

36 Dummer St. Bath, ME Rehabbed vacant foreclosed 3 unit into residential units

756 Middle St. Bath, ME Developed Vacant Church into 6 residential units

2019

6 Mt. Vernon St Biddeford, ME Rehabbed vacant foreclosed 2 unit into residential units

43 Green St Saco, ME Rehabbed vacant foreclosed single family into a residential unit.

60 Brackett St. Westbrook, ME Rehabbed vacant foreclosed 2 unit into residential units

242 Congress Ave Bath, ME Rehabbed vacant foreclosed 3 unit into residential units

2018

445 Main St. Saco, ME Rehabbed 13 unit historic building. Successfully went through historical committee to add 2000 sq ft of professional office space

133 Longwoods Rd. Cumberland, ME Rehabbed single family property

331 Gray Rd Falmouth Rehabbed single family property

44 Spring St. Gardiner, ME Rehabbed single family property

18 Clinton St. Gardiner, ME Rehabbed single family property 2 Gilman St. PI Augusta, ME Rehabbed single family property

22-26 Spring St Saco, ME Rehabbed three family property

2017 5 Liberty St. Bath, ME Rehabbed vacant foreclosed 2 unit into residential units

2016 91 Pleasant St. Brunswick, ME Rehabbed 9 unit into residential units

2014 7 Marion St. Portland, ME Rehabbed vacant foreclosed single family house

2013 282 Woodford St. Portland, ME Rehabbed 3 unit residential property



LEAH R SCHAFFER

5 Washington Street, Unit 201
Biddeford, ME 04005
p | 757.927.5324
e | leah.r.schaffer@gmail.com

EDUCATION

Fall 2019 - Spring 2020

UNIVERSITY OF PENNSYLVANIA

Executive Program for Social Innovation Design, Graduate Certification

Fall 2009 - Spring 2014

VIRGINIA TECH COLLEGE OF ARCHITECTURE AND URBAN STUDIES

Bachelor of Architecture
Magna Cum Laude, GPA | 3.72

Fall 2012 - Spring 2013

CEPT UNIVERSITY | AHMEDABAD, INDIA

Study Abroad

WORK EXPERIENCE

October 2019- Present

MOBILE STUDIO DESIGN | BIDDEFORD, ME | Project Architect

Working on and leading design projects in both residential and commercial construction. Responsible for overseeing projects from preliminary design through construction administration.

November 2015-October 2019

CALEB JOHNSON STUDIO | PORTLAND, ME | Licensed Architect

Working on projects ranging in scale from residential renovations to commercial construction. Project roles include regulatory review, schematic design, preliminary budgeting, design development, construction documents, and construction administration.

August 2014 - August 2015

AGAPE COMMUNITY CENTER | MILWAUKEE, WI | Neighborhood Revitalization VISTA

An Americorps VISTA position working on programs of neighborhood development focusing on the Northwest side of Milwaukee. Projects included rebuilding a community garden, home improvement grants, organizing community events, recruiting volunteers, and other community based projects.

Summer 2014 + Summer 2012

ONSITE ARCHITECTURE | BLACKSBURG, VA | Architectural Intern

Created a set of survey drawings for a small residence. Completed schematic design drawings and a model for a residential addition. Responsible for making competition boards and press kits for the Masonic Amphitheatre.

Fall 2011- Spring 2012

design/buildLAB | BLACKSBURG + CLIFTON FORGE, VA | Team Member

Design and construction of an amphitheatre in Clifton Forge, Virginia with a team of architecture students. Developed community presentations and prepared grant applications. Collaborated with multiple consultants: Structural Engineer, Civil Engineer, Theatre Consultant, Contractors, and the Historic Theatre Board. Responsible for construction documents and material take-offs.

BOARDS+ VOLUNTEER WORK

January 2019 - Present

MARBLE BLOCK REDEVELOPMENT BOARD | BIDDEFORD, ME | Board Member

Engine is a downtown arts nonprofit in Biddeford that has acquired an existing historic building downtown. We have been working through a strategic plan for how best to use the space and serve community needs. In addition to Board Member responsibilities I have been working as a Project Manager getting estimates for abatement, structural repairs and other needed building improvements. We are also coordinating architectural services for future space fitouts for Engine and other like minded tenants.

Spring 2016 - Present

HEART OF BIDDEFORD | BIDDEFORD, ME | Design Committee Chair + Board Member

HOB is a Main Street organization that works closely with the City, local businesses, and residents to foster economic development and improve the downtown and quality of life. As HOB Design Committee Chair I lead a group of volunteers that focuses on projects for the downtown that enhance the streetscape, promote walkability, work to address vacant buildings and blight, work with the city, and the Adopt-a-Park program.



LEAH R SCHAFFER

5 Washington Street, Unit 201
Biddeford, ME 04005
p | 757.927.5324
e | leah.r.schaffer@gmail.com

BOARDS+ VOLUNTEER WORK

- Fall 2018 - Present **ENGINE** | BIDDEFORD, ME | Volunteer
Responsible for helping to coordinate the annual York County Mini Makers Faire. This event is geared towards bringing together makers, crafters, and designers to share what they have made and learned. This specific event is geared towards STEM education for kids.
- Spring 2016 - Present **BIDDEFORD HISTORIC PRESERVATION** | BIDDEFORD, ME | Commissioner
- Summer 2011 **FREESSET GLOBAL** | KOLKATA, INDIA | Volunteer
Responsible for organizing financial data. Assisted with tote bag production alongside newly employed women no longer trapped in Kolkata's sex trade.

HONORS

- Fall 2009 - Spring 2014 **DEANS LIST**
- 2012 **MASONIC AMPHITHEATRE** | 3RD YEAR DESIGN/BUILD PROJECT
Building of the Year | american-architects.com
ONE Prize | Honorable Mention
SEED Award | Honorable Mention
AIA Blue Ridge + AIA Virginia Design Excellence Award
Architizer A+ Awards | Popular Vote Winner

SKILLS

- Software Adobe Creative Suite, AutoCAD, Rhino, ArchiCAD, V-Ray, Sketch-Up, ArcGIS, Microsoft Office
- Other Grant-writing, Project Management, Construction, Photography, Graphic Design, Hand Drafting, Model Making, Wood-working
- Languages Basic Spanish (4 years), Basic Hindi (1 year)

- REFERENCES** Available upon request.

FIRM PROFILE

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



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

KEY SERVICES

- Site Analysis and Selection
- Feasibility Studies & Land Planning
- Site/Civil Engineering Design
- Stormwater Management
- Land Use Permitting
- Water Resource Planning
- Resiliency and Sea Level Rise Planning
- Construction Inspection & Administration
- Data Gathering & Pre-Construction Services

MARKET SECTORS

- Residential Development
- Commercial Development
- Municipal Infrastructure
- Healthcare
- Education
- Athletic Facilities
- Corrections and Public Safety
- Resorts
- Golf Course Development

PRINCIPALS

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



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

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

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

Jason Vafiades, PE, LEED AP



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

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

KEY PERSONNEL



Michael Vachon – Senior Designer/CAD Manager

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



Gordon "Gordie" Smith – Director of Construction Services

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



Keegan Smith – Civil Engineering Technician

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



Tony Panciocco, PE – Senior Civil Engineer

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



Charlie Burnham, PE - Senior Civil Engineer

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



Tori Wilson - Engineer in Training

Victoria (Tori) Wilson graduated with a B.S. in Civil and Environmental Engineering from The University of Maine Orono and has been working with her family on a large project that consists of a Winery and Vineyard. Tori joined ARC in 2018 and assists with engineering designs, permit applications, and project administration. She is also a valued member of our construction inspection team and spends significant time in the field. Tori passed her fundamentals of engineering exam in 2020 and is progressing towards professional licensure.



Zachary Gold, EI - Engineer in Training

Zachary (Zach) Gold graduated with a B.S. in Civil and Environmental Engineering from The University of Maine Orono and has experience working on municipal and roadway design projects and construction inspections. Zach joined ARC in 2020 and assists with engineering designs, permit applications, construction inspections, stormwater modeling and project management.



Lucien Langlois - Environmental Project Manager

Lucien graduated from the University of Maine in Orono with Bachelor's of Science Degree in Ecology & Environmental Science. Lucien has over five years' experience working with natural resources, environmental regulations and associated permitting. He joined the ARC team in August of 2021. Education: B.S., Ecology & Environmental Science, University of Maine. Skills: Natural Resource Mapping (streams, wetlands, and vernal pools), Land Use Permitting, ArcGIS, GPS

Certifications: Maine NPS Contractor Training - Erosion Control BMPs

**Silas Canavan, PE, CFM – Senior Project Manager**

Silas graduated with a bachelor's degree in Civil Engineering from the University of Vermont in 2005. He has over sixteen years of engineering experience on a variety of projects throughout New England including, residential, commercial, industrial, and institutional projects. Silas is a licensed Civil Engineer in Maine, and a Certified Floodplain Manager. At ARC, Silas designs, oversees, and reviews projects and provides technical input on design and construction documents.

**Jake Angell – Civil Engineering Technician**

Jake graduated from University of Maine at Orono with a B.S. in Construction Engineering Technology, dual minor in Survey Engineering Technology and Engineering Entrepreneurial, and has OSHA 30 hour certification. Jake joined ARC in 2021 and works with the construction services team on data gathering, inspections and oversight of utility and infrastructure projects and tracking quantities.

Site Plan Standards Assessment

14.6.1 Transportation standards

We seek to mitigate any disruptions or changes to the transportation system created by the proposed construction, but do not anticipate any significant effects. Our goal is to create seamless integration through low impact design, so that any impact to the neighborhood is minor.

See “Sidewalks 14-526” and “Traffic_Parking 14-526” for details. We are requesting a sidewalk waiver. There is currently not a sidewalk on the front of the building. Additionally, as this is a dead end road, the sidewalk across the street provides an adequate and accessible alternative route.

On the Site Plan there are details for resetting and reinstalling curbing where necessary. See plan for details.

14.6.2 Environmental quality standards

Although there are no significant natural features as defined by 14.6.2 A. 1., we seek to preserve two large trees for natural barriers to the lot. While a significant portion of the backyard growth will be unsalvageable due to construction, landscape plans will replace any loss with native and indigenous plants. Please see “Landscape Preservation” and “Site Landscaping(1)” for details.

14.6.3 Public infrastructure and community safety standards

Our goal is to align the proposed project with the City Master Plan in order to provide a safe and efficient addition to Portland’s housing market. See “Consistency with City Master Plan”.

14.6.4 Site design standards

Site design will not negatively impact surrounding properties or community.

Landscape Preservation

One maple tree and one yellow poplar will be preserved in the back of the site.

Small shrubs and plants that cannot be preserved during the construction due to close proximity to the existing house will be replaced with native or indigenous plants, bushes, and trees. Emphasis will be placed on the creation of natural barriers between plots with special consideration to the health of local area species. Landscapers will consult local resources such as Maine Audubon for best practices and specific plant selection.

Site Landscaping



(2) Sweetfern,
Comptonia peregrina



(2) Virginia Mountain Mint
Pycnanthemum virginianum



(2) Culver's Root, *Veronicastrum virginicum*



Total Plants: 9-11

Sweetfern, 1-3 ft native shrub

Virginia Mountain Mint, 1-3 ft native plant with white or purple flowers, pollinator friendly

Culver's Root 3- 6 ft native plant, pollinator friendly

Additional perennials (3-5 plants) include Asters, Red Columbine, Cranesbill, and Blazing Star.

Because of their native/ indigenous status, plants are subject to availability. Replacements will similarly be native or indigenous species of comparable size.

14.6.4 Site design standards

The height of the building meets city requirements and shall not impact health and safety or value of surrounding spaces. HVAC exhausts will vent away from surrounding buildings. The height will not have a negative impact on public space (adjacent roadways). Additionally, height will not affect view corridors as defined by the *Downtown Vision View Corridor Protection Plan*.

Snow and ice removal will utilize the backyard for storage and will not impact nearby properties.

The site is neither within a historic or historic overlay zone.

Because of our 0ft setback, recommendations from Swaney Lighting Associates on a photometric plan were to exclude any significant exterior lighting other than small residential fixtures. We will follow those recommendations.

All HVAC, AHU, and similar units will meet requirements for sound.

The site will provide an established street wall through a raised 1st floor entrance for units 1 and 2 as well as side path access unit 3. The building will be oriented to and directly accessible from the public sidewalk and designed and scaled compatible with surrounding development. This proposed design respects and fits in with the surrounding residential developments.

14.6.3 Public infrastructure and community safety standards

The proposed construction will meet all community and safety standards through the CPED, utilizing natural and environmental barriers such as established and raised entrances and visibility. Emergency vehicles will have adequate access to the building.

In regards to utilities, the development will not overburden sanitary sewers and storm drains, water lines or supply, or other public infrastructure and utilities. In addition, we will provide adequate utility infrastructure on-site and in connection to surrounding locations and facilities. We are currently working with the town and Life Safety Fire Protection Inc. engineers on design and implementation of a sprinkler system that will not burden the city water lines.

Consistency with City Master Plan

As members of the community for over a decade, Samantha Connelly and Nathaniel Green both personally value preserving and enhancing the City of Portland and are confident in the proposed construction's adherence to the City Master Plan. The proposed building adds two units of market rate rental housing on Munjoy Hill, and creates responsible community housing.

In addition, plans include sustainable energy solutions that minimize carbon emissions through utilities such as heat pumps and electric stoves. The site plan also preserves a green space in the back of the building which includes a landscape plan to focus on native and indigenous plants.

Green and Connelly renovated the original house themselves and after living in it for 8 years, have decided to further invest in a future on Munjoy Hill. Green owns a real estate company that provides housing across Maine. Connelly works alongside Green as well as a local business down the hill on Cove st. The unique building design will allow them to stay in the neighborhood as they grow their family, further investing in the community that they love.

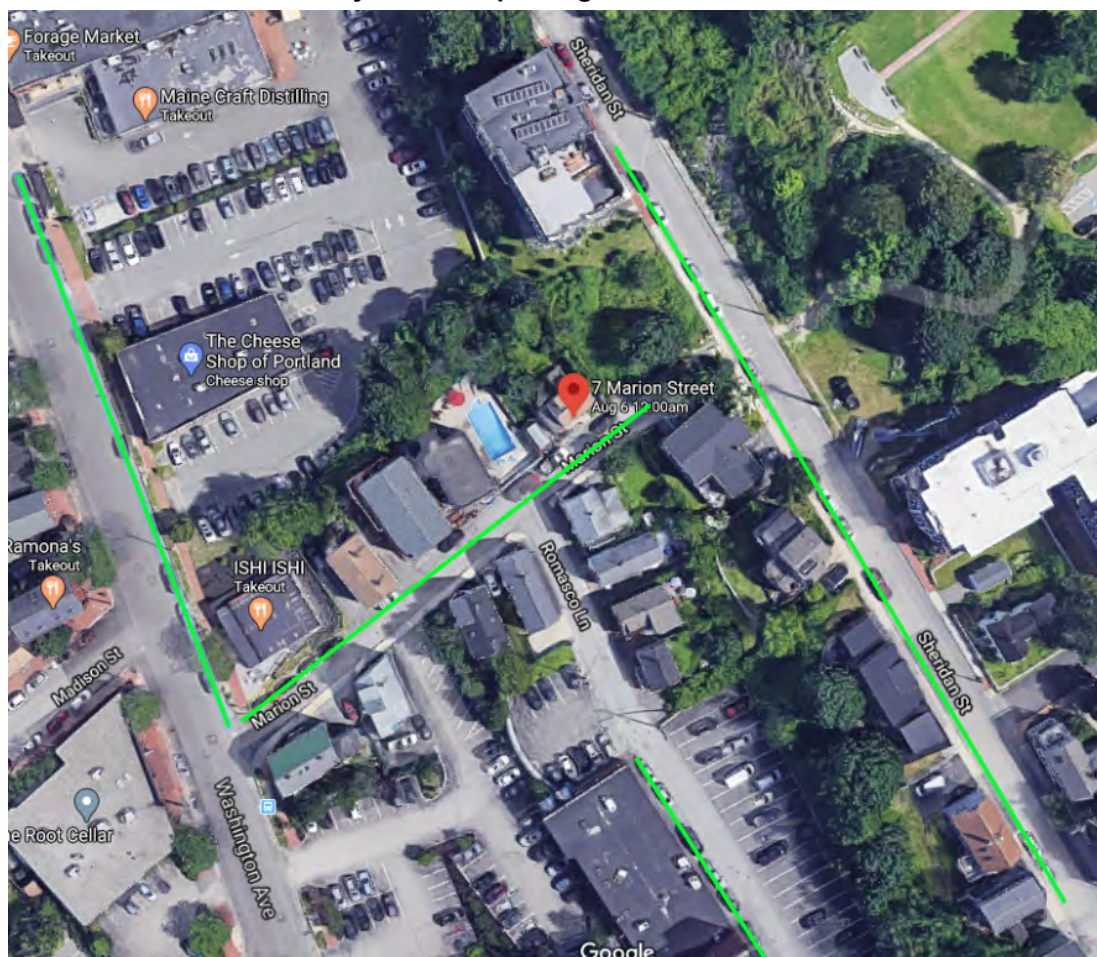
Green on the Hill Properties

The building is three units, therefore we will utilize curbside trash and recycling pickup.

Green on the Hill Properties

Off-Street Parking: Vehicle & Motorcycle/Scooter) (14-526 (a) 4 a and c)

- Expected parking demand, proposed parking supply, ADA parking, and applicable Zoning Requirements
- Address Technical Manual standards (Section 1) for curb cut separation and parking lot layout and locate on site plan
- **There are currently no off street parking spaces at the single family property at 7 Marion St.**
- **The proposed three unit project will have a 1st floor basement. This will include a single garage door entrance.**
- **The basement will have the capacity to park 1 car.**
- **The proposed structure will occupy a maximum of 6 adults or 6 vehicles. The remaining cars will park on street parking areas on Marion St., Romasco Ln, Washington Ave, and Sheridan St.**
- **The off street parking areas are indicated with green lines on the diagram below.**
- **The proposed development will generate a negligible impact on traffic and parking.**
- **See below for nearby off street parking**



Neighborhood Meeting Certification

I, Samantha Connelly hereby certify that a neighborhood meeting was held on 4/6/22 on an online forum, meet.google.com/vtn-qhpf-sbu, at 7:00pm for the proposed project located at 7 Marion Street in Portland, ME.

I also certify that on 3/2/22, 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 "Sam Connelly", written in a cursive style.

Samantha Connelly
4/8/22

Date: April 6, 2022

Location: Online via “Google Meet”

Proposed Project Name and Address: 7 Marion Street Demolition and Three Unit Construction

Start Time: 6:59

End Time: 7:31

Members of the Public in Attendance:

Carolyn and Randy Young, cbymaine@icloud.com

David D'Alessio, david.dalessio@gmail.com

Katrina Shaffer, Shaffer KatrinaJ@gmail.com

Developer and Consultant Team:

Samantha Connelly

Nathaniel Green

Record of Questions and Comments:

- Another neighborhood construction was referenced and there was concern that once approved by the city, “nothing would stop us from building something different...something taller or offensive to the neighbors”. (Young)
- Will the walking path from Marion to Sheridan remain open during the construction? (Shaffer and echoed by Young)
- Question about if we were planning on including an electric car charger (Young)
- Comment on an electric car charger in relation to rents for the two small units; “you could get higher rents” (Shaffer)
- On the look of the house, “modern, but fits the feel of the area” (Schaffer)
- Question on timing and length of construction (Young)
- Comment on the length of construction time of other properties in the area in comparison to our timeline (Shaffer: “The house next to us has been under construction for 10 months, and they look about half done.”)
- Shaffer: “I think you have a very good plan. Balancing the needs to stay in the neighborhood, fitting in the community and adding housing over all.”
- Questions about parking, how much we would be providing in the building and concerns about additions to street parking on Marion st. (D'Alession and Shaffer)
- Comment on the lot for sale next door, and a question about whether or not we are concerned about potential construction there (D'Alessio).
- Comment on the presence of the overlay zone in reference to the lot for sale next door (Young)
- “Is the exterior brick?”(Young)
- One question via phone on 5/6/22: “How many stories will the building be?” from “Mimy”. Connelly called back and left an answer via voicemail but was unable to get a full name or email as of 4/6/22.



Planning and Urban Development Department

Subject: Site Plan Review Comments – 7 Marion Street

Written by: Austen Torres Davis, Planner

Date Written: March 31, 2022

The proposed multi-family residential development proposal located at 7 Marion Street (PL-001894-2022) was reviewed against Chapter 14 of the City of Portland Land Use Code, as well as the City of Portland Technical Manual.

Dear Samantha Connelly,

Please find below, comments from Planning & Urban Development Department staff and site plan peer reviewers.

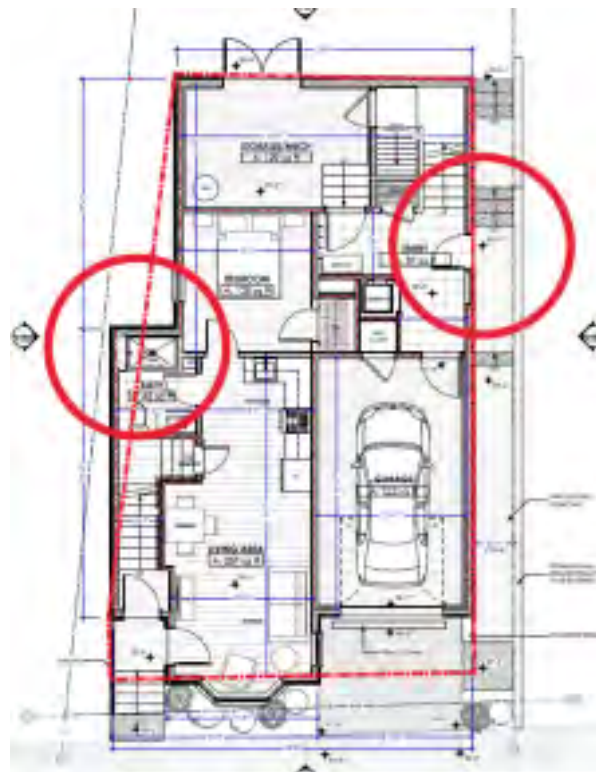


Figure 1



Figure 2

General Comments from Planning Staff:

- The street wall could be better defined by bringing the garage wall in line with the bay-window façade area. (See Dotted Line in Figure 1)
- Life safety access would be improved by aligning the southern wall more cohesively with the property line – allowing emergency access around the entire building. (See Dotted Line in Figure 1)

Because of the 0ft setback requirements and the extent to which this would require significant change to design and construction, we argue that there exists adequate access to the extent that we can provide it on the lot and zone.

- The adjacent property owner at 146 Sheridan Street has expressed concern that illegally parked vehicles block site access. Tenants of 7 Marion Street should be made aware that no parking should block the gateway access point to the adjacent property (See Figure 2).

We were unaware of concerns from 146 Sheridan and will be conscientious of this moving forward. If helpful, we would like to propose striking lines in the front of the house. Additionally, the Sheridan lot has access via Sheridan st, a much wider road and more

vehicle accessible road.

- Overhead utilities should be flagged on site plans.

[See engineer edits](#)

- Removal of fence from neighboring properties to get rid of encroachment is necessary. - There is an adjacent development at 105 Washington Avenue involving rebuilding the retaining wall adjacent to 7 Marion Street. This applicant team should be aware of those plans and their project team. The contact point for that project is Mike Triglione (mtriglione@acorn-engineering.com).

- More clarification on the silt fence, as well as snow and ice removal, should be provided. - There should be no openings within 3 feet of the lot line – this may affect the placement of windows and doors on side facades (See Circled Areas in Figure 1).

[See engineer edits](#)

- The provision of Street Trees, or payment of an In-lieu fee, may be necessary. Further coordination with the City Arborist will be necessary.
- More information on any back decks or stairs adjacent to the rear entrance should be provided. Currently the plans show a sliding glass door above the land elevation, so presumably there would be a deck or entrance in this area – which needs to be shown in plans.

[This is a “juliet balcony”; there is no back deck.](#)

2

Comments from Zoning Administrator:

- The applicant should provide more detail on how height is being measured. It needs to be measured from the average grade to a point midway between the eaves and the highest point of the ridge on a pitched roof. They need to provide the grades at the four corners of the building to determine the average grade, and then show the average grade line on the elevation and provide the measurement from this point to the midpoint of the roof

[See architect edits](#)

- Regarding the required number of off-street parking spaces, the Zoning Analysis Sheet states that none are required but the applicant is providing one space. The property is located in the B2b zone. Table 19-A requires one space per dwelling unit. Under Table 19-B there are no specific exemptions for parking spaces in the B2b zone for residential uses. What is the basis for the applicant’s claim that no off-street parking spaces are required?

[This was an error on our part. See parking narrative below.](#)

- The applicant needs to provide an ability to serve letter from the Portland Water

District that includes the required meter size.

We are currently working with the Portland Water District on obtaining this. As of 4/5/22, our Life Safety Systems engineer, Life Safety Fire Protection Inc., is waiting on PWD to provide updated hydrant flow data in order to provide accurate hydraulic calculations for the plan. Our contact at PWD is Adam Sellick.

- The applicant will need to apply for a separate demolition permit for the existing single family home when they apply for the building permit to build the new three unit building after the site plan has been approved.

A demo permit was initially submitted at the same time as the building permit. On 1/26/22, via communication with Christina Stacey, we decided to place the demo permit on hold due to the unknown length of the building permitting process as well as the property being the current primary residence of Samantha and Nate.

Comments from Traffic Engineer:

- We typically do not permit a project to utilize the public right-of-way for off-site parking. It appears the driveway includes use of the ROW to meet parking space dimensional requirements. The driveway should be dimensioned in plans.

Initially the driveway was pushed back to decrease visibility and for turning radius needs on the steeply sloped hill. No parking behind outside the garage or in the right-of-way is intended. See updated plans for precise dimensions.

Comments from Department of Public Works Engineer:

- The applicant should install a sidewalk in front of the property. It looks like it is a pretty narrow ROW so we would ask for a minimum 4' wide sidewalk but would prefer 5' if there is space. There is no sidewalk currently however it will set us up for future sidewalk improvements and is adjacent to a trail. This is a brick sidewalk district however it looks like a fairly steep road so if the road is over 10% they can install concrete (which is what we would prefer).

Because of the constraints of the lot, pushing the building back 2 feet is not possible with the existing building plans and would further decrease emergency access to the site. Currently foot traffic, primarily from the path above, flows directly without break onto the opposite side of the road's sidewalk. Because of 146 Sheridan's lot entrance at the top of Marion, after the path, there is a break in the curb for access. Additionally, there is no through traffic on the upper part of Marion where the site exists; it is a dead end. As avid users of neighborhood walkways, we argue that the addition of a sidewalk will not significantly improve the walkability of this section of the road. Furthermore, we saw no addition of sidewalk at the bottom of Marion st. with the construction of the Black Box retail spaces and inquire on the precedent.

Regarding Off Street Parking Requirements:

We take responsibility for the error in zoning requirements in regards to parking. With the current architectural plan, the addition of two more parking spaces is not possible. Because of the constrained dimensions of both the street and the lot, increasing off street parking to two or three spaces would require a full redesign and the paving of the remaining green space backyard. We are asking for a waiver of the standard based on this as well as the current building plan's alignment with The City of Portland's 2035 Comprehensive Plan.

In regard to Chapter 5: Housing, the Comprehensive Plan states the goal to "[e]stablish ways to mitigate gentrification and displacement,"; this project will financially allow us to remain in the increasingly inaccessible neighborhood, Munjoy Hill. Additionally, we seek, as the report states, "new and innovative housing types that meet the evolving needs of Portland households, and expand housing choices in all neighborhoods" with the addition of two residential units to the lot. With this lot, we have a unique opportunity to meet these evolving needs through non traditional routes.

The addition of two efficiency apartments increases accessibility to those seeking to live in the neighborhoods in which they work. This is in alignment with the 2035 Comprehensive Plan to promote housing growth, specifically goal 5A, that "Portlanders have access to high-quality affordable housing that accommodates their needs, preferences, and financial capabilities in terms of different types, tenures, density, sizes, costs, and locations". Additionally, the efficiency size of apartments (~400 square feet each) will allow for increased accessibility and diversity of renters.

Within our plan to house tenants who work in close proximity to the dwelling and who are willing to primarily walk and utilize a diverse array of transportation methods, we strive to promote goal 5C of the Comprehensive Plan for a Healthy and Connected City where, "Portlanders live in safe, healthy housing that provides convenient access to jobs and to goods and services that meet daily needs. This housing is connected to the rest of the city and region by safe, convenient, and affordable multimodal transportation". The lot's close proximity to both a bus stop and a plethora of local businesses and restaurants allow for increased walkability and environmentally friendly transportation for both tenants and owners. This is in alignment with "Modal policies Portland's commitment to "provid[e] a multimodal transportation system that offers affordable and convenient travel options within the city, region, and outside the Metro area". Zillow ranks our address' "Walk Score" as 95, "A Walker's Paradise". We seek to, as Policy 9.17 Pedestrian transportation states, "[e]ncourage walking as the most attractive mode of transportation for most short trips, within neighborhoods and to centers, corridors, and major destinations, and as a means for accessing transit", 9.49.b. "Maintain or decrease the number of peak period non-freight motor vehicle trips, system-wide and within each mobility corridor to reduce or manage congestion", and 9.49.c. "[b]y 2035, reduce the number of miles Portlanders travel by car to 11 miles per day or less, on average. Because of the location of the lot, we have the opportunity to build onto this rich community without the necessity of cars.

Anecdotally, I have worked on Free st. the past 4 years and currently work on Cove st. and from

home. In all cases, when traveling to an office, historically and currently, I choose to walk or ride a small scooter. It excludes parking difficulties, is more efficient, and better environmentally. Nate possesses and utilizes two electric bicycles as well as a small scooter that all increase his ability to move throughout the city. We grocery shop at Portland Coop and pick up our medications at the Walgreens on Congress. I walk to the library or pick up books at Print. It takes less than 15 minutes to walk to my eye doctor's on Middle st. The list goes on. We take pleasure and pride in supporting the local businesses in our neighborhood. We live that which we seek to promote.

Additionally, through a plan to choose tenants based on their similar proximity needs for work and desire to use multimodal methods of transportation over personal car, we strive to positively impact our environment. In alignment with the 2035 Comprehensive Plan, we believe we can have an impact on 9.49.g. and "[b]y 2035, reduce Portland's transportation-related carbon emissions to 50% below 1990 levels, at approximately 934,000 metric tons" as well as 9.49.h. "[b]y 2025, increase the percentage of new mixed use zone building households not owning an automobile from approximately 13% (2014) to 25%, and reduce the percentage of households owning two automobiles from approximately 24% to 10%". We will choose tenants who do not own multiple cars if any, who seek to live and work in this accessible community, and who actively choose to walk or bike. Although it requires a waiver of zone standards, we see our project as an opportunity to advance these city wide goals.

See in addition, Policy 9.58, Off-street parking: "Limit the development of new parking spaces to achieve land use, transportation, and environmental goals, especially in locations with frequent transit service. Regulate off-street parking to achieve mode share objectives, promote compact and walkable urban form, encourage lower rates of car ownership, and promote the vitality of commercial and employment areas, as well as GP9-21: "...parking in areas with high parking demand. Strive to provide adequate but not excessive off-street parking where needed, consistent with the preceding practices".

In regards to the necessity to pave the backyard for additional parking, as residents here, the backyard green space is invaluable to us and a significant component to our quality of life here on the hill. The size of the backyard has already been decreased in the original building plans in order to accommodate three units and one parking spot on the constrained lot. In addition, we see to promote economic development in regard to the Chapter 6 of the Comprehensive Plan, to "[e]nsure parks, trails, natural areas, and a healthy environment continue to protect the city's quality of life that attracts and retains businesses and work force".

The impact of climate change on Casco Bay and the state of Maine are astronomical. The value of an urban green space is immense. Our yard is a huge part of our life, before the pandemic and now. We share the yard with local wildlife- three bird feeders brought along the presence of a large Cooper's hawk last spring. We often have possums, who eat local pests. Past work with Audubon to promote benefits of native and indiginous gardens to Maine families at The Children's Museum & Theatre of Maine has me informed and excited to plant a native garden in the back. A large maple and a yellow poplar grow there. The value of maintaining some green space is of great importance.

In regards to Chapter 6: Economic Development, “[c]itywide neighborhood prosperity will depend on new approaches to concentrated commercial growth in centers, neighborhood revitalization, flexibility, affordability, and small business growth.” “The world economy is a dynamic system. Portland’s economy will continue to change in response to technology, social change, and global trends. Zoning and land use must respond to these changes. This kind of local economic innovation will be key to Portland being a significant player in the development of the future economy.” We understand that within our zone, these are the parking requirements, but seek some flexibility in order to promote what we believe is a unique opportunity to advance housing, environmental, and economic goals over the value of increased off street parking.

In response to The Comprehensive Plan’s Policy 9.61 to “Promote the development of new bicycle parking facilities”, we would also like to include the addition of a bicycle parking station.



Planning and Urban Development Department

Subject: Site Plan Review Comments – 7 Marion Street

Written by: Austen Torres Davis, Planner

Date Written: April 15, 2022

The proposed multi-family residential development proposal located at 7 Marion Street (PL-001894-2022) was reviewed against Chapter 14 of the City of Portland Land Use Code, as well as the City of Portland Technical Manual.

Dear Samantha Connelly,

Please find below, comments from Planning & Urban Development Department staff and site plan peer reviewers. As the upcoming Planning Board Meeting on the April 26 is a workshop, it is not necessary to make edits to plans prior to gaining feedback from the Planning Board. If revisions are made staff ask that these be submitted no later than Thursday April 21, in order to give staff time to update its report for the Planning Board.

General Comments from Planning Staff:

- The driveway dimensions should be shown on plans.

[See document, "Driveway Dimensions".](#)

- Impervious surface calculations should be shown on plans.

[See Engineer Site Plan, Note 6.](#)

Comments from Zoning Administrator:

- The Regarding the parking requirement, they are exempt because under Table 19-B, Categorical Vehicular Exemptions
Transit proximate development and uses No off-street parking shall be required within ¼ mile of fixed route transit service. New uses or changes of use of more than 10,000 SF taking advantage of this exception shall be required to provide a Transportation Demand Management Plan if they use this provision in lieu of parking requirements.

A TDM is not necessary because the change of use is less than 10,000 sf.

Comments from Water Resources Engineer:

- There is a separated storm drain in the immediate area the applicant would be required to connect any roof drain or foundation drains to.

See final civil plan. Connected roof and foundation drain to storm drain line.

Comments from Stormwater Management Reviewer:

- The Applicant's architectural plans in the latest submission show gutters with downspouts for roof drainage. The locations of the downspouts should be shown on the grading plan with consideration for permanent erosion control and grading as required. Some of the downspouts are very close to doors, and the site is generally pretty flat, so they'll want to consider where the water is going.

See final architectural plan as well as civil. Location of downspout shown and connected to storm drain.

- The Applicant will be required to provide confirmation of utility ability to serve from the City for the proposed sewer connection and from the Portland Water District for the proposed water services.

See ability to serve letters from PWD and DPW.

- I will note from my own recent experience, PWD required that existing services be demolished to the main, and typically requires that new services be installed 3' from the old service location. The Applicant may want to take this into consideration with their service placement and pavement repair. PWD will review the layout as part of their consideration for ability to serve.

See conditions in ability to serve letter for details specific to 7 Marion st.

- Their existing conditions plan does not show the location of the existing sewer stub. They have noted that they will connect to the existing service. The location and size should be noted and confirmed as part of the coordination of ability to serve with the City's Department of Public Works.

See final civil plans in Grading, Drainage and Utility drawing. See ability to serve letter from DPW.

- The project is required to comply with the Basic Standards, providing for erosion and sedimentation controls.
 - Grades drop along the entire western side of the site, and sediment barrier should be planned for that entire length.

See erosion control notes.

- A construction entrance should be accounted for.

See civil plans for construction entrance detail.

- A silt fence detail has been provided. Additional details, and standard notes on erosion and sediment controls and housekeeping practices should be provided in accordance with Maine DEP standards.

See Erosion Control Notes.

- The architectural plans include notes on repairing disturbed lawn areas – I'd suggest these same notes be added to the civil plan.

See addition to civil plan.

- They have not provided details for the proposed site development work. Details for pavement repair within a City street, in accordance with the details in the Technical Manual <https://www.portlandmaine.gov/2300/Technical-Manual> should be provided. I would suggest utility connection details as well, as these may be required by the utilities as part of their review for ability to serve.

See stormwater trench and road repair in civil plan detail.

- The trash storage area located along the property line should be screened. Fencing along the property line with a gate fronting onto marion street would work. **Orange Solid Line**
Clarification on if there is existing fencing to remain between property and neighbors.
Blue Dotted Line

See addition to architectural plan. The existing fence is the property of the abutter, Dobson. Plans to replace existing fence with cedar fence are in discussion.

- On site snow and ice storage is expected for this site, and should be shown on site plans.

See addition to architectural plan.

3.10.22

Project: 7 Marion Street

Client: Nate Green and Samantha Connelly
Project ID: PL-001894-2022

Sean King, Austen Torres Davis, Kevin Kraft and Planning Board,

I have reviewed your comments for Design Review and attached follow up documentation and responses as needed below.

Design Review Comments:

Standards

C/E. Building Entrances/Facade Character

- The site has a grade change of approximately 7'-0" along Marion Street and is only 35'-0" wide. These site restraints greatly limited access points to the proposed building especially with the off street parking requirement. The entry doors to Units 1+2 are located along the front elevation and are connected back to the street via deck and entry steps. The garage door is intentionally set back to create a visual connection to the pathway leading to the Unit 3 entry door. A second reason the garage door is set back is due to the sloping nature of the site. This distance allows for proper pitch of the driveway without "bottoming out" a car. Pulling the garage door forward towards the street would make entering into the garage quite difficult without greatly raising the grade which is not feasible on a site of this size.
- Historically, apartment buildings of this size and scale in this neighborhood do not have more than two doors along the front facade.
- In response to your comments we have added an additional door closer to the street corner of the building for easier access. The Unit 3 will clearly be marked with house numbers and an arrow pointing to the side entry.

D. Windows

- The windows proposed for this project will be Anderson 100 series. These windows have a VT of .72 as shown in attached product documentation titled *Product Performance*. Due to the sloping nature of the site the bay window sills are approximately 5'-0" to 4'-4" above the adjacent grade. This is typical of many local historic homes which are elevated to provide residential privacy and allow for windows in the basement while maintaining visual connection between street and pedestrian.

I. Landscaping and Buffers

- A 5'-7' high cedar fence has been proposed for all 3 sides of the property lines.

Mobile Studio Design, Inc.
128 Main Street, Unit 201
Biddeford, Maine 04005
207.494.8102

mobile studio design

B2B Standards

3. Orientation of Buildings and their entrances to the street
 - See response for Sections C/E above
4. Windows
 - See response for Section D above
5. Building Character
 - In the updated drawings we have added an additional window to the Unit 1 bedroom to provide better access to natural light. Along the east elevation we have added a door with glass into the garage to provide additional natural light and visual distinction to the owner's unit. Other areas along this facade at the 1st Floor have limited options for additional openings due to the stairs.

Multi-Family Standards

3. Open Space
 - The backyard lawn area will be accessible to all 3 units via a clearly marked landscaped path along the east side of the property.
4. Dwelling Design
 - See response for Section 5 in the B2B Standards section above.
5. Screening
 - A 5'-7' cedar fence has been proposed along the driveway side to screen vehicles from view of adjacent properties.

Please let me know if there are any additional questions. I look forward to hearing from you soon.

Best,



Leah Schaffer, NCARB
Project Architect

Mobile Studio Design, Inc.
128 Main Street, Unit 201
Biddeford, Maine 04005
207.494.8102

Stormwater Memorandum

To: Austen Torres Davis
Planner
Planning & Urban Development Department
City of Portland
389 Congress Street
Portland, Maine 04101

From: Tony Panciocco, P.E.

Project: 7 Marion Street, Residential Structure Construction

Date: May 26, 2022

RE: Stormwater

Austen:

Samantha Connelly and Nate Green are proposing to demolish their existing residential structure, located at 7 Marion Street in Portland and replace it with a 3-unit residential structure. The property is identified as Block P, Parcel 27 on the City of Portland Tax map 12. The property is 2,102 square feet (0.05 acres) in size.

The property is entirely developed with residential structure and lawn area. The property will be served by public water and public sewer. The property is not located in an urban impaired stream watershed and there are no natural resources such as streams or wetlands associated with the property. Runoff from the lot area currently either drains into Marion Street or into the back yard of the property.

The proposed project is the construction of a 3-unit 1,218 sf (footprint) residential structure, and associated landscaping. The project will result in an increase of 823 square feet of impervious surface area on the lot. Roof runoff will be captured in the gutter and down spout system and conveyed via a new storm drain line to the existing storm drain system located in Marion Street. The addition of the storm drain line and the connection to the existing drain manhole in Marion Street is reflected on the revised plans. Additionally, erosion control measures and an erosion control note sheet have been added to the plans.

If you have any questions or require any additional information, please let me know.

Thank You



Atlantic Resource Consultants

Anthony Panciocco, PE.

Senior Project Engineer

A. SOIL EROSION AND SEDIMENT CONTROL NOTES

TEMPORARY EROSION AND SEDIMENTATION CONTROL MEASURES INCLUDE THE USE OF STABILIZED CONSTRUCTION ENTRANCES, SILTATION FENCE, EROSION CONTROL MIX, STONE CHECK DAMS, HAY BALE BARRIERS, CATCH BASIN SEDIMENT COLLECTION BAGS, EROSION CONTROL BLANKET, AND TEMPORARY SEEDING AND MULCHING AS REQUIRED. PERMANENT DEVICES INCLUDE THE USE OF RIP RAP AT EXPOSED STORM DRAIN AND CULVERT INLETS AND OUTLETS, AND PERMANENT VEGETATION.

A. GENERAL

- IT IS ANTICIPATED THAT CONSTRUCTION MAY BEGIN AS SOON AS POSSIBLE FOLLOWING RECEIPT OF NECESSARY PERMITS.
- ALL SOIL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE MAINE EROSION & SEDIMENT CONTROL BMPS - MANUAL FOR DESIGNERS AND ENGINEERS (2016), OR AS CURRENTLY REVISED OR U.S. ENVIRONMENTAL PROTECTION AGENCY PUBLICATION 832/R-92-005 (SEPTEMBER, 1992) STORM WATER MANAGEMENT FOR CONSTRUCTION, CHAPTER 3, WHICHEVER IS MORE STRINGENT.
- ANY ADDITIONAL EROSION AND SEDIMENTATION CONTROL DEEMED NECESSARY BY THE OWNER'S REPRESENTATIVE, DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) PERSONNEL AND/OR MUNICIPAL OFFICIALS SHALL BE INSTALLED BY THE CONTRACTOR.
- THE CONTRACTOR IS RESPONSIBLE FOR ALL FINES RESULTING FROM EROSION OR SEDIMENTATION FROM THE SITE TO SURROUNDING PROPERTIES, WATER BODIES, OR WETLANDS AS A RESULT OF THIS PROJECT.

- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSPECTION, REPAIR/ REPLACEMENT/ MAINTENANCE OF ALL EROSION CONTROL MEASURES UNTIL ALL DISTURBED AREAS ARE STABILIZED TO THE SATISFACTION OF THE ABOVE PERSONNEL. DESCRIPTIONS OF ACCEPTABLE PERMANENT STABILIZATION FOR VARIOUS COVER TYPES FOLLOWS:
 - FOR SEEDED AREAS, PERMANENT STABILIZATION MEANS A 90% COVER OF THE DISTURBED AREA WITH MATURE, HEALTHY PLANTS WITH NO EVIDENCE OF WASHING OR RILLING OF THE TOPSOIL.
 - FOR SODDED AREAS, PERMANENT STABILIZATION MEANS THE COMPLETE BINDING OF THE SOD ROOTS INTO THE UNDERLYING SOIL WITH NO SLUMPING OF THE SOD OR DIE-OFF.
 - FOR MULCHED AREAS, PERMANENT MULCHING MEANS TOTAL COVERAGE OF THE EXPOSED AREA WITH AN APPROVED MULCH MATERIAL. EROSION CONTROL MIX MAY BE USED AS MULCH FOR PERMANENT STABILIZATION ACCORDING TO THE APPROVED APPLICATION RATES AND LIMITATIONS.
 - FOR AREAS STABILIZED WITH RIP RAP, PERMANENT STABILIZATION MEANS THAT SLOPES STABILIZED WITH RIP RAP HAVE AN APPROPRIATE BACKING OF A WELL-GRADED GRAVEL OR APPROVED GEOTEXTILE TO PREVENT SOIL MOVEMENT FROM BEHIND THE RIP RAP. STONE MUST BE SIZED APPROPRIATELY.
 - PAVED AREAS: FOR PAVED AREAS, PERMANENT STABILIZATION MEANS THE PLACEMENT OF THE COMPACTED GRAVEL SUBBASE IS COMPLETED.
 - FOR OPEN CHANNELS, PERMANENT STABILIZATION MEANS THE CHANNEL IS STABILIZED WITH MATURE VEGETATION AT LEAST THREE INCHES IN HEIGHT, WITH WELL-GRADED RIP RAP, OR WITH ANOTHER NON-EROSIVE LINING CAPABLE OF WITHSTANDING THE ANTICIPATED FLOW VELOCITIES AND FLOW DEPTHS WITHOUT RELIANCE ON CHECK DAMS TO SLOW FLOW. THERE MUST BE NO EVIDENCE OF SLUMPING OF THE LINING, UNDERCUTTING OF THE BANKS, OR DOWN CUTTING OF THE CHANNEL.

B. EROSION AND SEDIMENTATION CONTROL MEASURES

- PRIOR TO THE BEGINNING OF CONSTRUCTION, THE TEMPORARY SILT FENCE SHALL BE INSTALLED AS SHOWN ON THE PLANS OR AS DIRECTED BY THE OWNER'S REPRESENTATIVE, OR ENGINEER. SILT FENCE SHALL BE INSTALLED ALONG THE DOWNGRADIENT SIDE OF CONSTRUCTION WORK AREAS, WITH LOCATIONS BEING ADJUSTED ALONG WITH THE CONSTRUCTION PHASING AREAS. THE CONTRACTOR MAY USE EROSION MIX IN PLACE OF SINGLE SILT FENCE BARRIER.
- THE SILT FENCE SHALL BE INSTALLED PER THE DETAIL PROVIDED IN THE PLAN SET AND INSPECTED IMMEDIATELY AFTER EACH RAINFALL, AND AT LEAST WEEKLY IN THE ABSENCE OF SIGNIFICANT RAINFALL. ANY REQUIRED REPAIRS WILL BE MADE IMMEDIATELY. SEDIMENT DEPOSITS SHALL BE PERIODICALLY REMOVED FROM THE UPSTREAM SIDE OF THE SILT BARRIERS. THIS SEDIMENT WILL BE SPREAD AND STABILIZED IN AREAS OF THE SITE NOT SUBJECT TO EROSION. THE CONTRACTOR SHALL MAKE REPAIRS IMMEDIATELY IF THERE ARE ANY SIGNS OF EROSION OR SEDIMENTATION BELOW THE FENCE LINE. IF SUCH EROSION IS OBSERVED, THE CONTRACTOR SHALL TAKE PROACTIVE ACTION TO IDENTIFY THE CAUSE OF THE EROSION AND TAKE ACTION TO AVOID ITS REOCCURRENCE. PROPER PLACEMENT OF STAKES AND KEYING THE BOTTOM OF THE FABRIC INTO THE GROUND IS CRITICAL TO THE FENCE'S EFFECTIVENESS. IF THERE ARE SIGNS OF UNDERCUTTING AT THE CENTER OR THE EDGES, OR IMPOUNDING OF LARGE VOLUMES OF WATER BEHIND THE FENCE, THE BARRIER SHALL BE REPLACED WITH A STONE CHECK DAM AND MEASURES TAKEN TO AVOID THE CONCENTRATION OF FLOWS NOT INTENDED TO BE DIRECTED TO THE SILT FENCE. SILT FENCE SHALL BE REPLACED AS NECESSARY TO PROVIDE PROPER FILTERING ACTION.
- EROSION CONTROL BERMS MAY BE USED IN PLACE OF SILT FENCE IN THE AREA ADJACENT TO THE DRAINAGEWAY AT THE NORTHWEST CORNER OF THE PROPERTY.
- TEMPORARY SEDIMENT SUMPS WILL PROVIDE SEDIMENTATION CONTROL FOR STORMWATER RUNOFF FROM DISTURBED AREAS DURING CONSTRUCTION UNTIL STABILIZATION HAS BEEN ACHIEVED.
- A CONSTRUCTION ENTRANCE WILL BE CONSTRUCTED AT ALL ACCESS POINTS ONTO THE SITE TO PREVENT TRACKING OF SOIL ONTO ADJACENT LOCAL ROADS AND STREETS.
- SILTSACKS™ WILL BE UTILIZED IN CATCH BASINS IN OR NEAR WORK AREAS AT RISK FROM RECEIVING TRANSPORTED SEDIMENT.
- ALL CATCH BASINS AND FIELD INLETS, NEW OR EXISTING, THAT MAY RECEIVE RUNOFF FROM DISTURBED AREAS MUST BE PROTECTED DURING CONSTRUCTION.
- REMOVAL OF SOD, TREES, BUSHES AND OTHER VEGETATION AND SOIL DISTURBANCE WILL BE KEPT TO A MINIMUM WHILE ALLOWING PROPER SITE DEVELOPMENT.
- GRUBBINGS AND ANY UNUSABLE TOPSOIL SHALL BE STRIPPED AND REMOVED FROM THE PROJECT SITE AND DISPOSED OF IN AN APPROVED MANNER.
- ANY SUITABLE TOPSOIL WILL BE STRIPPED AND STOCKPILED FOR REUSE IN FINAL GRADING. TOPSOIL WILL BE STOCKPILED IN A MANNER SUCH THAT NATURAL DRAINAGE IS NOT OBSTRUCTED AND NO OFF-SITE SEDIMENT DAMAGE WILL RESULT. IF A STOCKPILE IS NECESSARY, THE SIDE SLOPES OF THE TOPSOIL STOCKPILE WILL NOT EXCEED 2:1. TOPSOIL STOCKPILES WILL BE TEMPORARILY SEEDED WITH AROOSTOOK RYE, ANNUAL OR PERENNIAL RYE GRASS WITHIN 7 DAYS OF FORMATION, OR TEMPORARILY MULCHED IF SEEDING CANNOT BE DONE WITHIN THE RECOMMENDED SEEDING DATES. SEDIMENT BARRIERS SHALL BE INSTALLED DOWNSTREAM OF STOCKPILES. STORMWATER SHALL BE DIVERTED AROUND STOCKPILE AREAS.
- TEMPORARY DIVERSION BERMS AND DRAINAGE SWALES SHALL BE CONSTRUCTED AS NECESSARY TO PREVENT OFF-SITE DRAINAGE FROM ENTERING THE WORK AREA.
- TEMPORARY STABILIZATION SHALL BE CONSTRUCTED WITHIN 7 DAYS OF INITIAL DISTURBANCE OF SOILS, PRIOR TO ANY RAIN EVENT, AND PRIOR TO ANY WORK SHUT DOWN LASTING MORE THAN ONE DAY. TEMPORARY STABILIZATION INCLUDES SEED, MULCH, OR OTHER NON-ERODABLE COVER.
- TEMPORARY SEEDING SPECIFICATIONS: WHERE SEEDBED HAS BEEN COMPACTED BY CONSTRUCTION OPERATIONS, LOOSEN SOIL TO A DEPTH OF 2 INCHES BEFORE APPLYING FERTILIZER, LIME, AND SEED. APPLY LIMESTONE AT A RATE OF 3 TONS PER ACRE (138 LB. PER 1,000 SQUARE FEET) AND 10-10-10 (N-P205-K20) FERTILIZER AT A RATE OF 600 LBS PER ACRE (13.8 LB. PER 1,000 SQUARE FEET). UNIFORMLY APPLY SEED AT THE RECOMMENDED SEEDING RATES AND DATES, APPLY HAY OR STRAW MULCH AT A RATE OF 2 TONS PER ACRES, AND ANCHOR AS NECESSARY. RECOMMENDED TEMPORARY SEEDING DATES AND APPLICATION RATES ARE AS FOLLOWS:
AROOSTOOK RYE: RECOMMENDED SEEDING DATES: 8/15 -10/1 APPLICATION RATE: 112 LBS/ACRE
ANNUAL RYE GRASS: RECOMMENDED SEEDING DATES: 4/1 - 7/1 APPLICATION RATE: 40 LBS/ACRE
PERENNIAL RYE GRASS: RECOMMENDED SEEDING DATES: 8/15 - 9/15 APPLICATION RATE: 40 LBS/ACRE

- PERMANENT SEEDING SPECIFICATION. IF A LANDSCAPE PLAN HAS BEEN PREPARED FOR THE PROJECT, SOIL PREPARATION AND SEED SPECIFICATIONS OF THAT PLAN SHALL SUPERSEDE THESE GENERAL PERMANENT SEEDING REQUIREMENTS. IT IS RECOMMENDED THAT PERMANENT SEEDING BE COMPLETED BETWEEN APRIL 1 AND JUNE 15 OF EACH YEAR. LATE SEASON SEEDING MAY BE DONE BETWEEN AUGUST 15 AND SEPTEMBER 15. AREAS NOT SEEDED OR WHICH DO NOT OBTAIN A SATISFACTORY GROWTH BY OCTOBER 1 SHALL BE SEEDED WITH AROOSTOOK RYE OR MULCHED AT RATES PREVIOUSLY SPECIFIED. SEE WINTER CONDITIONS NOTES FOR SEEDING STABILIZATION AFTER NOVEMBER 1.
 - APPLY TOPSOIL TO A MINIMUM DEPTH OF 4 INCHES. MIX TOPSOIL WITH THE SUBSOIL TO A MINIMUM DEPTH OF 6 INCHES.
 - APPLY LIMESTONE AND FERTILIZER ACCORDING TO SOIL TESTS. IN LIEU OF SOIL TESTS, APPLY GROUND LIMESTONE AT A RATE OF 3 TONS PER ACRE (138 LB. PER 1,000 SQUARE FEET) AND GRANULAR, COMMERCIAL-GRADE, 10-10-10 (N-P205-K20) FERTILIZER AT A RATE OF 800 LBS PER ACRE (18.4 LBS PER 1,000 SQUARE FEET).
 - UNIFORMLY APPLY SEED MIXTURE AT THE RECOMMENDED SEEDING RATES AND DATES, APPLY HAY OR STRAW MULCH AT A RATE OF 2 TONS PER ACRES, AND ANCHOR AS NECESSARY.
 - THE SEED MIXTURE FOR LAWN AND FILTRATION BASIN AREAS SHALL CONSIST OF SEEDS PROPORTIONED BY WEIGHT AS FOLLOWS:
30% CREEPING RED FESCUE
50% KENTUCKY BLUEGRASS
20% ITALIAN/PERENNIAL RYE GRASS
NOTE: SEED MIXTURE SHALL CONSIST OF AT LEAST TWO VARIETIES OF EACH TYPE OF GRASS. WHEN USED IN A FILTER BASIN, STORMWATER SHALL NOT BE DIRECTED TO THE BASIN UNTIL THE GRASS IS ESTABLISHED.
- MULCH ALL AREAS SEEDED SO THAT SOIL IS NOT VISIBLE THROUGH THE MULCH REGARDLESS OF THE APPLICATION RATE.
- DITCH LININGS, STONE CHECK DAMS, AND RIP RAP INLET AND OUTLET PROTECTION SHALL BE INSTALLED WITHIN 48 HOURS OF COMPLETING THE GRADING OF THAT SECTION OF DITCH OR INSTALLATION OF CULVERT.
- RIP RAP REQUIRED AT CULVERTS AND STORM DRAIN INLETS AND OUTLETS SHALL CONSIST OF FIELD STONE OR ROUGH UNHEWN QUARRY STONE OF APPROXIMATELY RECTANGULAR SHAPE.
- EROSION CONTROL BLANKET SHALL BE INSTALLED ON ALL PERMANENT SLOPES STEEPER THAN 20%, IN THE BASE OF DITCHES NOT OTHERWISE PROTECTED, AND ANY DISTURBED AREAS WITHIN 100 FEET OF A PROTECTED NATURAL RESOURCE (E.G. WETLANDS AND WATER BODIES). EROSION CONTROL BLANKET SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.

- TEMPORARY CONTROL MEASURES, SUCH AS SILT FENCE, SHALL BE REMOVED WITHIN 30 DAYS AFTER PERMANENT STABILIZATION IS ATTAINED.

C. SPECIAL MEASURES FOR SUMMER CONSTRUCTION

DURING DRY SUMMER CONDITIONS, THE CONTRACTOR SHALL:

- IMPLEMENT A PROGRAM TO APPLY DUST CONTROL MEASURES ON A DAILY BASIS EXCEPT THOSE DAYS WHERE PRECIPITATION IS SUFFICIENT TO SUPPRESS DUST FORMATION. THIS PROGRAM SHALL EXTEND TO AND INCLUDE SWEEPING OF ADJACENT STREETS.
- SPRAY ANY MULCHES WITH WATER AFTER ANCHORING TO DAMPEN THE SOIL AND ENCOURAGE EARLY GROWTH. SPRAYING MAY BE REQUIRED SEVERAL TIMES. TEMPORARY SEED MAY BE REQUIRED UNTIL THE LATE SUMMER SEEDING SEASON.
- COVER STOCKPILES OF FINE-GRAINED MATERIALS, OR EXCAVATED SOILS WHICH ARE SUSCEPTIBLE TO EROSION TO PROTECT FROM THE INTENSE, SHORT-DURATION STORMS WHICH ARE MORE PREVALENT IN THE SUMMER MONTHS.
- TAKE ADDITIONAL STEPS NEEDED, INCLUDING WATERING, OR COVERING EXCAVATED MATERIALS TO CONTROL FUGITIVE DUST EMISSIONS TO MINIMIZE REDUCTIONS IN VISIBILITY AND THE AIRBORNE DISBURSEMENT OF FINE-GRAINED SOILS. THIS IS PARTICULARLY IMPORTANT GIVEN THE POTENTIAL PRESENCE OF SOIL CONTAMINANTS, AND THEIR PROXIMITY ALONG THE ADJACENT STREETS AND PROPERTIES.
- THESE MEASURES MAY ALSO BE REQUIRED IN THE SPRING AND FALL DURING THE DRIER PERIODS OF THESE SEASONS.

D. WINTER CONDITIONS

- "WINTER CONSTRUCTION" IS CONSTRUCTION ACTIVITY PERFORMED DURING THE PERIOD FROM NOVEMBER 1ST THROUGH APRIL 15TH. IF AREAS WITHIN THE CONSTRUCTION ACTIVITY ARE NOT STABILIZED WITH TEMPORARY OR PERMANENT MEASURES OUTLINED ABOVE BY NOVEMBER 15TH, THEN THE SITE MUST BE PROTECTED WITH ADDITIONAL STABILIZATION MEASURES THAT ARE SPECIFIC TO WINTER CONDITIONS. NO MORE THAN ONE ACRE OF THE SITE MAY BE WITHOUT STABILIZATION AT ONE TIME.
 - SILT FENCE: IN LIEU OF PROVIDING THE 6" X 6" TRENCH, FOR FROZEN GROUND, STONY SOIL, THE PRESENCE OF LARGE ROOTS, OR OTHER PROHIBITIVE CONDITIONS, THE BOTTOM 8" TO 12" OF THE FABRIC MAY BE LAID ON EXISTING GRADE AND BACK FILLED WITH STONE ANCHORING MATERIAL, AS SHOWN ON THE DRAWINGS.
 - HAY MULCH SHALL BE APPLIED AT TWICE THE STANDARD TEMPORARY STABILIZATION RATE. AT THE END OF EACH CONSTRUCTION DAY, AREAS THAT HAVE BEEN BROUGHT TO FINAL GRADE MUST BE STABILIZED. MULCH MAY NOT BE SPREAD ON TOP OF SNOW.
 - AFTER NOVEMBER 1ST OR THE FIRST KILLING FROST FOR THE REGION AND BEFORE SNOW FALL, ALL EXPOSED AND DISTURBED AREAS NOT TO UNDERGO FURTHER DISTURBANCE ARE TO HAVE DORMANT SEEDING. THE DORMANT SEEDING METHOD: PREPARE THE SEEDBED, LIME AND FERTILIZE, APPLY THE SELECTED PERMANENT SEED MIXTURE AT DOUBLE THE REGULAR SEEDING RATE, AND MULCH AND ANCHOR. DORMANT SEEDINGS NEED TO BE ANCHORED EXTREMELY WELL ON SLOPES, DITCH BASES AND AREAS OF CONCENTRATED FLOWS. DORMANT SEEDING REQUIRES INSPECTION AND RESEEDING AS NEEDED IN THE SPRING. ALL AREAS WHERE COVER IS INADEQUATE MUST BE IMMEDIATELY RESEEDED AND MULCHED AS SOON AS POSSIBLE.
 - ALL VEGETATED DITCH LINES THAT HAVE NOT BEEN STABILIZED BY NOVEMBER 1ST, OR WILL BE WORKED DURING THE WINTER CONSTRUCTION PERIOD, MUST BE STABILIZED WITH AN APPROPRIATE STONE LINING BACKED BY AN APPROPRIATE GRAVEL BED OR GEOTEXTILE UNLESS SPECIFICALLY RELEASED FROM THIS STANDARD BY THE MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION.
 - MULCH NETTING MUST BE USED TO ANCHOR MULCH ON ALL SLOPES GREATER THAN 8% UNLESS EROSION CONTROL BLANKETS OR EROSION CONTROL MIX IS BEING USED ON THESE SLOPES.
- E. HOUSEKEEPING
- SPILL PREVENTION. CONTROLS MUST BE USED TO PREVENT POLLUTANTS FROM CONSTRUCTION AND WASTE MATERIALS STORED ON-SITE, INCLUDING STORAGE PRACTICES TO MINIMIZE EXPOSURE OF THE MATERIALS TO STORM WATER, AND APPROPRIATE SPILL PREVENTION, CONTAINMENT, AND RESPONSE PLANNING AND IMPLEMENTATION.
 - GROUNDWATER PROTECTION. DURING CONSTRUCTION, LIQUID PETROLEUM PRODUCTS AND OTHER HAZARDOUS MATERIALS WITH THE POTENTIAL TO CONTAMINATE GROUNDWATER MAY NOT BE STORED OR HANDLED IN AREAS OF THE SITE DRAINING TO AN INFILTRATION AREA. AN INFILTRATION AREA" IS ANY AREA OF THE SITE THAT BY DESIGN OR AS A RESULT OF SOILS, TOPOGRAPHY AND OTHER RELEVANT FACTORS, ACCUMULATES RUNOFF THAT INFILTRATES INTO THE SOIL. DIKES, BERMS, SUMPS, AND OTHER FORMS OF SECONDARY CONTAINMENT THAT PREVENT DISCHARGE TO GROUNDWATER MAY BE USED TO ISOLATE PORTIONS OF THE SITE FOR THE PURPOSES OF STORAGE AND HANDLING OF THESE MATERIALS.
 - AUTHORIZED NON-STORMWATER DISCHARGES. IDENTIFY AND PREVENT CONTAMINATION BY NON-STORMWATER DISCHARGES. WHERE ALLOWED NON-STORMWATER DISCHARGES EXIST, THEY MUST BE IDENTIFIED AND STEPS SHOULD BE TAKEN TO ENSURE THE IMPLEMENTATION OF APPROPRIATE POLLUTION PREVENTION MEASURES FOR THE NON-STORMWATER COMPONENT(S) OF THE DISCHARGE. AUTHORIZED NON-STORMWATER DISCHARGES ARE:
 - DISCHARGES FROM FIREFIGHTING ACTIVITY;
 - FIRE HYDRANT FLUSHINGS;
 - VEHICLE WASHWATER IF DETERGENTS ARE NOT USED AND WASHING IS LIMITED TO THE EXTERIOR OF VEHICLES (ENGINE, UNDERCARRIAGE AND TRANSMISSION WASHING IS PROHIBITED);
 - DUST CONTROL RUNOFF IN ACCORDANCE WITH PERMIT CONDITIONS AND APPENDIX C(3);
 - ROUTINE EXTERNAL BUILDING WASHDOWN, NOT INCLUDING SURFACE PAINT REMOVAL, THAT DOES NOT INVOLVE DETERGENTS;
 - PAVEMENT WASHWATER (WHERE SPILLS/LEAKS OF TOXIC OR HAZARDOUS MATERIALS HAVE NOT OCCURRED, UNLESS ALL SPILLED MATERIAL HAD BEEN REMOVED) IF DETERGENTS ARE NOT USED;
 - UNCONTAMINATED AIR CONDITIONING OR COMPRESSOR CONDENSATE;
 - UNCONTAMINATED GROUNDWATER OR SPRING WATER;
 - FOUNDATION OR FOOTER DRAIN-WATER WHERE FLOWS ARE NOT CONTAMINATED; UNCONTAMINATED EXCAVATION DEWATERING (SEE REQUIREMENTS IN APPENDIX C(5));
 - POTABLE WATER SOURCES INCLUDING WATERLINE FLUSHINGS; AND LANDSCAPE IRRIGATION.

- UNAUTHORIZED NON-STORMWATER DISCHARGES. THE DEPARTMENT'S APPROVAL UNDER THIS CHAPTER DOES NOT AUTHORIZE A DISCHARGE THAT IS MIXED WITH A SOURCE OF NON-STORMWATER, OTHER THAN THOSE DISCHARGES IN COMPLIANCE WITH APPENDIX C (6). SPECIFICALLY, THE DEPARTMENT'S APPROVAL DOES NOT AUTHORIZE DISCHARGES OF THE FOLLOWING:
 - WASTEWATER FROM THE WASHOUT OR CLEANOUT OF CONCRETE, STUCCO, PAINT, FORM RELEASE OILS, CURING COMPOUNDS OR OTHER CONSTRUCTION MATERIALS;
 - FUELS, OILS OR OTHER POLLUTANTS USED IN VEHICLE AND EQUIPMENT OPERATION AND MAINTENANCE;
 - SOAPS, SOLVENTS, OR DETERGENTS USED IN VEHICLE AND EQUIPMENT WASHING; AND
 - TOXIC OR HAZARDOUS SUBSTANCES FROM A SPILL OR OTHER RELEASE.
- 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.

- DEBRIS AND OTHER MATERIAL. LITTER, CONSTRUCTION DEBRIS, AND CONSTRUCTION CHEMICALS EXPOSED TO STORM WATER, MUST BE PREVENTED FROM BECOMING A POLLUTANT SOURCE.
- COMPLY WITH THE REQUIREMENTS OF SPECIFICATION SECTION 024116, STRUCTURE DEMOLITION MANAGEMENT, FOR REMOVAL AND DISPOSAL OF CONSTRUCTION DEBRIS AND WASTE.
- TRENCH OR FOUNDATION DE-WATERING. THE COLLECTED WATER REMOVED FROM THE PONDED AREA, EITHER THROUGH GRAVITY OR PUMPING, MUST BE SPREAD THROUGH NATURAL WOODED BUFFERS OR REMOVED AREAS THAT ARE SPECIFICALLY DESIGNATED TO COLLECT THE MAXIMUM AMOUNT OF SEDIMENT POSSIBLE, LIKE A COFFER DAM SEDIMENTATION BASIN. AVOID ALLOWING THE WATER TO FLOW OVER DISTURBED AREAS OF THE SITE.

F. INSPECTION AND MAINTENANCE

- INSPECT DISTURBED AND IMPERVIOUS AREAS, EROSION AND STORM WATER CONTROL MEASURES, AREAS USED FOR STORAGE THAT ARE EXPOSED TO PRECIPITATION, AND LOCATIONS WHERE VEHICLES ENTER OR EXIT THE SITE AT LEAST ONCE A WEEK AND BEFORE AND AFTER A STORM EVENT, PRIOR TO COMPLETION OF PERMANENT STABILIZATION. A PERSON WITH KNOWLEDGE OF EROSION AND STORM WATER CONTROLS, INCLUDING THE STANDARDS IN THE MAINE CONSTRUCTION GENERAL PERMIT AND ANY DEP OR MUNICIPAL COMPANION DOCUMENTS, MUST CONDUCT THE INSPECTION. THIS PERSON MUST BE IDENTIFIED IN THE INSPECTION LOG. IF BEST MANAGEMENT PRACTICES (BMPS) NEED TO BE MODIFIED OF IF ADDITIONAL BMPS ARE NECESSARY, IMPLEMENTATION MUST BE COMPLETED WITHIN 7 CALENDAR DAYS AND PRIOR TO ANY STORM EVENT (0.5IN OR GREATER IN 24-HOUR PERIOD). ALL MEASURES MUST BE MAINTAINED IN EFFECTIVE OPERATING CONDITION UNTIL AREAS ARE PERMANENTLY STABILIZED.

- AN INSPECTION AND MAINTENANCE LOG MUST BE KEPT SUMMARIZING THE SCOPE OF THE INSPECTION, NAME AND QUALIFICATIONS OF THE PERSON PERFORMING THE INSPECTION, DATE, AND MAJOR OBSERVATIONS RELATING TO OPERATION OF EROSION AND SEDIMENTATION CONTROLS AND POLLUTION PREVENTION MEASURES.

- INSPECTION OF THE PROJECT WORK SITE SHALL INCLUDE:
 - IDENTIFICATION OF PROPER EROSION CONTROL MEASURE INSTALLATION IN ACCORDANCE WITH THE EROSION CONTROL DETAIL SHEET.
 - DETERMINE WHETHER EACH EROSION CONTROL MEASURE IS PROPERLY OPERATING. IF NOT, IDENTIFY DAMAGE TO THE CONTROL DEVICE AND DETERMINE REMEDIAL MEASURES.
 - IDENTIFY AREAS WHICH APPEAR VULNERABLE TO EROSION AND DETERMINE ADDITIONAL EROSION CONTROL MEASURES WHICH SHOULD BE USED TO IMPROVE CONDITIONS.
 - INSPECT AREAS OF RECENT SEEDING TO DETERMINE PERCENT CATCH OF GRASS. A MINIMUM CATCH OF 90 PERCENT IS REQUIRED PRIOR TO REMOVAL OF EROSION CONTROL MEASURES.

- IF INSPECTION OF THE SITE INDICATES A CHANGE SHOULD BE MADE TO THE EROSION CONTROL PLAN, TO EITHER IMPROVE EFFECTIVENESS OR CORRECT A SITE-SPECIFIC DEFICIENCY, THE INSPECTOR SHALL IMMEDIATELY IMPLEMENT THE CORRECTIVE MEASURE AND NOTIFY THE OWNER OF THE CHANGE.

- ALL CERTIFICATIONS, INSPECTION FORMS, AND WRITTEN REPORTS PREPARED BY THE INSPECTOR(S) SHALL BE FILED WITH THE OWNER, AND THE PERMIT FILE CONTAINED ON THE PROJECT SITE. ALL WRITTEN CERTIFICATIONS, INSPECTION FORMS, AND WRITTEN REPORTS MUST BE FILED WITHIN ONE (1) WEEK OF THE INSPECTION DATE AND RECORDS MUST BE RETAINED FOR THREE YEARS FROM THE TIME PERMANENT STABILIZATION IS ACHIEVED.

- THE CONTRACTOR HAS SOLE RESPONSIBILITY FOR COMPLYING WITH THE EROSION/SEDIMENT CONTROL REPORT, INCLUDING CONTROL OF FUGITIVE DUST, AND SHALL BE RESPONSIBLE FOR ANY MONETARY PENALTIES RESULTING FROM FAILURE TO COMPLY WITH THESE STANDARDS.

G. CONSTRUCTION SCHEDULE & SEQUENCE (TIMELINES ARE APPROXIMATE AND WILL BE DEPENDENT ON WEATHER AND SITE CONDITIONS).

- PRE-CONSTRUCTION CONFERENCE: PRIOR TO ANY CONSTRUCTION AT THE SITE, REPRESENTATIVES OF THE CONTRACTOR, THE ARCHITECT, THE OWNER, AND THE SITE DESIGN ENGINEER SHALL MEET TO DISCUSS THE SCHEDULING OF THE SITE CONSTRUCTION AND THE DESIGNATION OF THE RESPONSIBLE PARTIES FOR IMPLEMENTING THE PLAN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR SCHEDULING THE MEETING. PRIOR TO THE MEETING, THE CONTRACTOR WILL PREPARE A DETAILED SCHEDULE AND A MARKED-UP SITE PLAN INDICATING AREAS AND COMPONENTS OF THE WORK AND KEY DATES SHOWING DATE OF DISTURBANCE AND COMPLETION OF THE WORK. THE CONTRACTOR SHALL CONDUCT A MEETING WITH EMPLOYEES AND SUB-CONTRACTORS TO REVIEW THE EROSION CONTROL PLAN, THE CONSTRUCTION TECHNIQUES WHICH WILL BE EMPLOYED TO IMPLEMENT THE PLAN, AND PROVIDE A LIST OF ATTENDEES AND ITEMS DISCUSSED AT THE MEETING TO THE OWNER. THREE COPIES OF THE SCHEDULE, THE CONTRACTOR'S MEETING MINUTES, AND MARKED-UP SITE PLAN SHALL BE PROVIDED TO THE OWNER.
- THE FOLLOWING CONSTRUCTION SEQUENCE SHALL BE REQUIRED TO INSURE THE EFFECTIVENESS OF THE EROSION AND SEDIMENTATION CONTROL MEASURES IS OPTIMIZED.
 - INSTALL SAFETY AND CONSTRUCTION FENCE TO SECURE THE SITE FOR CONSTRUCTION.
 - INSTALL ALL PERIMETER SILTATION FENCE AND EROSION CONTROL BARRIERS. PARTICULAR ATTENTION SHALL BE PAID TO AREAS UPSTREAM OF PROTECTED NATURAL RESOURCES. PROJECT LIMITS OF DISTURBANCE ARE CLEARLY DELINEATED ON THE DRAWINGS - NO ACTIVITY IS ALLOWED OUTSIDE THESE LIMITS. SIGNS SHALL BE ERECTED INDICATING THAT THE DOWNSTREAM AREAS ARE OFF LIMITS TO ALL CONSTRUCTION ACTIVITIES.
 - INSTALL CONSTRUCTION ENTRANCES.
 - CLEAR AND GRUB THE CONSTRUCTION AREA, REMOVE AND STOCKPILE UNSUITABLE FILL MATERIAL.
 - CONSTRUCT ACTIVITIES ON THE SITE TO OPTIMIZE THE HANDLING OF MATERIALS AND RESTRICT THE DENUDED AREAS TO THE TIME STIPULATED.
 - UNDERTAKE MAJOR EARTHWORK ACTIVITY TO ROUGH GRADE THE SITE.
 - INSTALL UTILITIES AND CONSTRUCT STABILIZED PAD FOR FOUNDATION CONSTRUCTION.
 - INSTALL AND COMPACT NEW PAVEMENT BASE GRAVEL MATERIALS AND INSTALL BINDER PAVEMENT.
 - LANDSCAPE (LOAM AND SEED).
 - INSTALL STRIPING, SIGNAGE, AND MISCELLANEOUS SITE IMPROVEMENTS.
 - REVIEW SITEWORK WITH ENGINEER AND OWNER AND COMPLETE ANY PUNCH LIST ITEMS.
 - REMOVE ANY TEMPORARY EROSION CONTROL MEASURES.
- THE CONTRACTOR MUST MAINTAIN AN ACCURATE SET OF RECORD DRAWINGS INDICATING THE DATE WHEN AN AREA IS FIRST DENUDED, THE DATE OF TEMPORARY STABILIZATION, AND THE DATE OF FINAL STABILIZATION. ON OCTOBER 1 OF ANY CALENDAR YEAR, THE CONTRACTOR SHALL SUBMIT A DETAILED PLAN FOR STABILIZING THE SITE FOR THE WINTER AND A DESCRIPTION OF WHAT ACTIVITIES ARE PLANNED DURING THE WINTER.

FOR PERMITTING ONLY
NOT FOR CONSTRUCTION

Department of Public Works

Mike Murray

Acting Director



Date: June 8, 2022

Re: Wastewater Capacity Authorization

Address: 7 Marion Street

Att. Q

Applicant: Samantha Connelly – Green on the Hill Properties

Planner: Austen Davis

Estimate of Anticipated Wastewater Flows				
Development	Unit Size	Number of Units	Gallons per Day per Unit	Total Gallons per Day
Existing Flow to be Removed				
Single Family Home	2-Bedroom		PWD Records for 2021 - Averaged	-123
Proposed flow				
Multiple Family Dwelling Units	1-Bedroom	2	120	240
Multiple Family Dwelling Units	3-Bedroom	1	270	270
Net Change				+ 387
*Values based on STATE OF MAINE: SUBSURFACE WASTEWATER DISPOSAL RULES, most recent edition and PWD Meter Records				

Comments:

The Department of Public Works, which includes the Water Resource Division, have reviewed and determined that the downstream sewers from the project address have the capacity to convey the estimated dry weather wastewater flows which will be generated from this development.

If the City can be of further assistance, please contact me at all 874-8840 or

brad@portlandmaine.gov

Sincerely,

A handwritten signature in dark ink that reads "Bradley A. Roland".

Bradley A. Roland, P.E.,

Senior Project Engineer



Att. R

Portland Water District
FROM SEBAGO LAKE TO CASCO BAY

June 7, 2022

Samantha Connelly
7 Marion Street
Portland, ME 04101

Re: 7 Marion Street, PO
Ability to Serve with PWD Water

Dear Ms. Connelly:

The Portland Water District has received your request for an Ability to Serve Determination for the noted site submitted on December 21, 2021. Based on the information provided per plans dated June 3, 2022, we can confirm that the District will be able to serve the proposed project as further described in this letter. **Please note that this letter constitutes approval of the water system as currently designed and is valid for eighteen (18) months after the date of issue. Any changes affecting the approved water system will require further review and approval by PWD.**

Conditions of Service

The following conditions of service apply:

- A new 4-inch HDPE water main shall be installed within Marion Street, from the intersection of Marion Street and Romasco Lane, to a point approximately equal to the last lot to be served within the Street.
- A new 2-inch fire service and a renewed 1-inch domestic service, with a 5/8-inch meter, may be installed from the water main to serve the property at 7 Marion Street.
- 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.
- Please note that only one meter and one bill will be associated to each domestic service line. This one master meter would be located in a common space that all tenants could gain access to if necessary.
- An approved backflow prevention device must be installed on each service line directly after the meter and before the sprinkler riser prior to service activation. Please refer to the PWD website for more information on cross-connection control policies.
- The project includes the renewal of a 1-inch water service to 142 Sheridan Street as well as temporary water for affected customers during construction.
- The Portland Water District does not manage sewer in this area.

Prior to construction, the owner or contractor will need to complete a Main Extension Initiation form and pay all necessary fees for each proposed service.

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. This service shall be renewed as part of the scope of work.

Water System Characteristics

According to District records, there is an 2-inch diameter galvanized water main in Marion Street and a public fire hydrant located approximately 80 feet from the site. The most recent static pressure reading was 77 psi.

Public Fire Protection

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

Domestic Water Needs

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

Private Fire Protection Water Needs

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

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

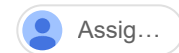
If the District can be of further assistance in this matter, please let us know.

Sincerely,
Portland Water District



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

7 Marion Street Portland Maine - Development



Subscribe ☐

1 view



Jeffrey Rosenblatt <jrosedeb@gmail.com> Mar 31, 2022, 7:59:49 AM (8 days ago)

to planningboard@portlandmaine.gov, austentd@portlandmaine.gov, Bryant, Richard N.

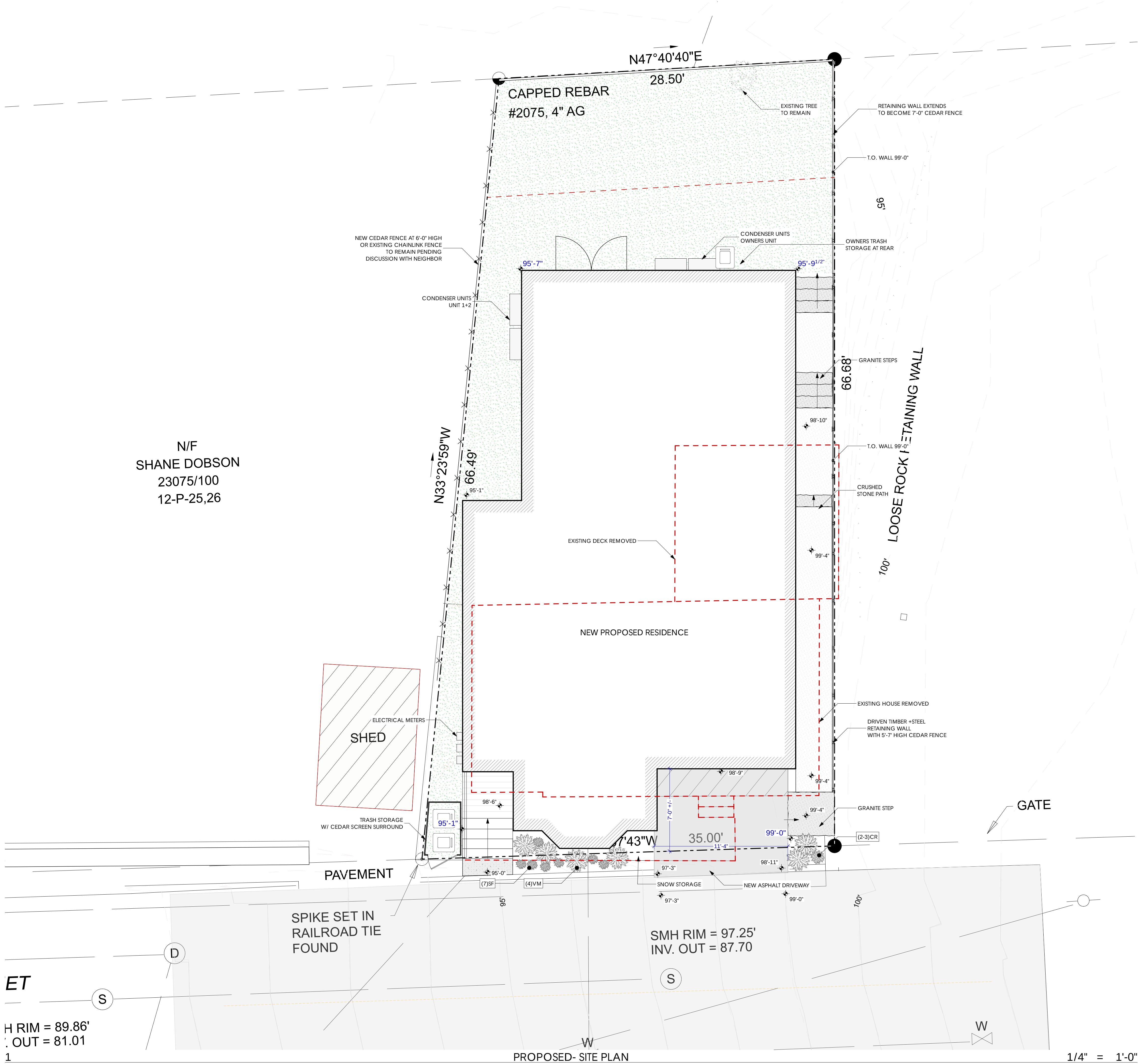
Dear planning board:

As a property owner of the adjacent lot to this proposed development site (146 Sheridan Street) I have contacted you to share my concerns and requests. While I have no objection to responsible development, I would like to be reassured that access to my property from Marion Street is not hampered. Nor is the property infringed upon. In the past (and currently) my legal access to the property has been impeded by illegal parking of vehicles. Despite my request, neither the city nor the police have enforced this. Additionally, I have had refuse repeatedly dumped on my property by adjacent landowners.

In summary, I am all for responsible and beautiful development in our city, and am hopeful that my rights as a property owner are respected in the process.

Sincerely and respectfully,
Jeffrey A Rosenblatt MD/
Millennium Trust

/Users/leahschaffer/Desktop/22.05.24_7 Marion CD.pln



GENERAL LANDSCAPE NOTES

- Contractor will review all drawings and specifications and confirm any unclear information with the Architect or Owner before proceeding. Sheets are not to be separated when distributed to subcontractors in order to maintain contextual information.
- Contractor shall verify locations of all existing utilities.
- See Civil Drawings for additional grading, site utilities, and erosion control information.

LANDSCAPE LEGEND

- EXISTING LAWN TO REMAIN
 - Areas disturbed during construction to be loamed and reseeded with Perennial Rye Grass/Kentucky Blue Grass Mix. Minimum of 6" depth of loam to be provided.
- GRANITE STEPS, HONED FINISH
 - Final selection by Owner
- CRUSHED STONE PATH WITH STEEL EDGING
 - Final selection by Owner
- ASPHALT PAVING
- NEW NATIVE PLANTINGS IN PLANTING BED
 - See Planting Schedule
- PLANT LABEL

PLANTING SCHEDULE

ID	SPECIES	QTY	NOTES
CR	CULVER'S ROOT, <i>Veronicastrum virginicum</i>	NA	TO BE PLANTED DIRECT FROM SEED
SF	SWEETFERN, <i>Comptonia peregrina</i>	8	#1 CONTAINER SIZE
VM	VIRGINIA MOUNTAIN MINT, <i>Pycnanthemum virginianum</i>	5	PLANTED FROM CONTAINER

Note: Because of their native/ indigenous status, plants are subject to availability. Replacements will be native or indigenous species of similar size. Area will be supplemented with additional perennials such as asters, Red Columbine, and Cranesbill. Landscapers will work with Maine Audubon to complete front garden.

PRELIMINARY
NOT FOR CONSTRUCTION
FOR PLANNING REVIEW ONLY

LEAH REBECCA
SCHAFER
No. AR04833
STATE OF MAINE

ISSUE
ID
DATE
DESCRIPTION
1
22/1/22
2
4/7/22
3
6/7/22

7 Marion - 3 Unit
Sam Connelly and Nate Green
7 Marion Street Portland, ME 04103

MOBILE STUDIO DESIGN
128 Main Street, Suite 201
Biddeford, ME 04002
office: 207.499.4208

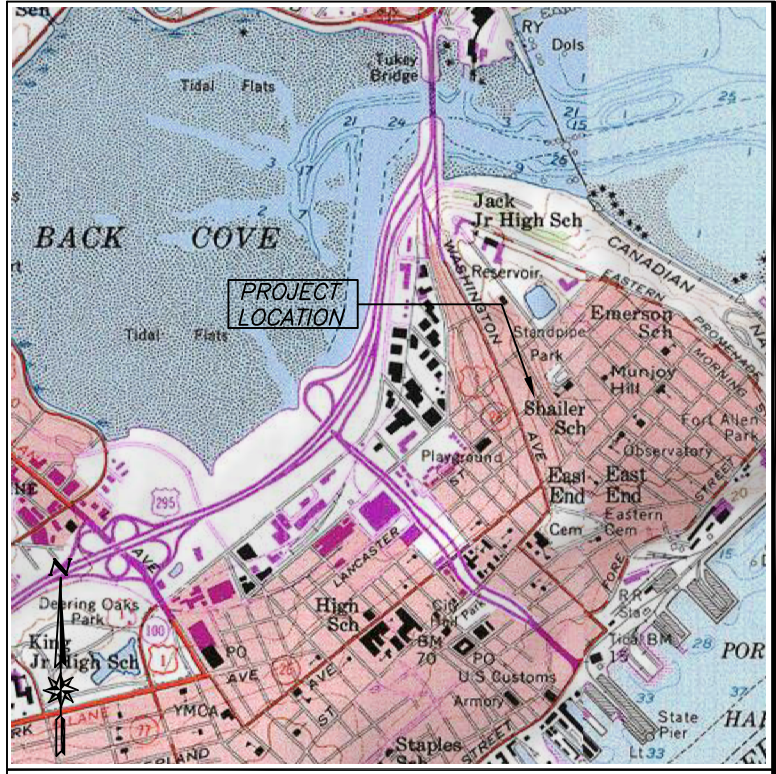
DATE OF ISSUE: 6/7/22
PROJECT STATUS: SD
ARCHITECT: Leah Schaffer
leah@mobilestudiodesign.com

CONSULTANTS:
CIVIL ENGINEER:
Atlantic Resource Consultants
207-317-9989
SURVEYOR:
Spurwink Consultants
207-799-2654
STRUCTURAL ENGINEER
TBD

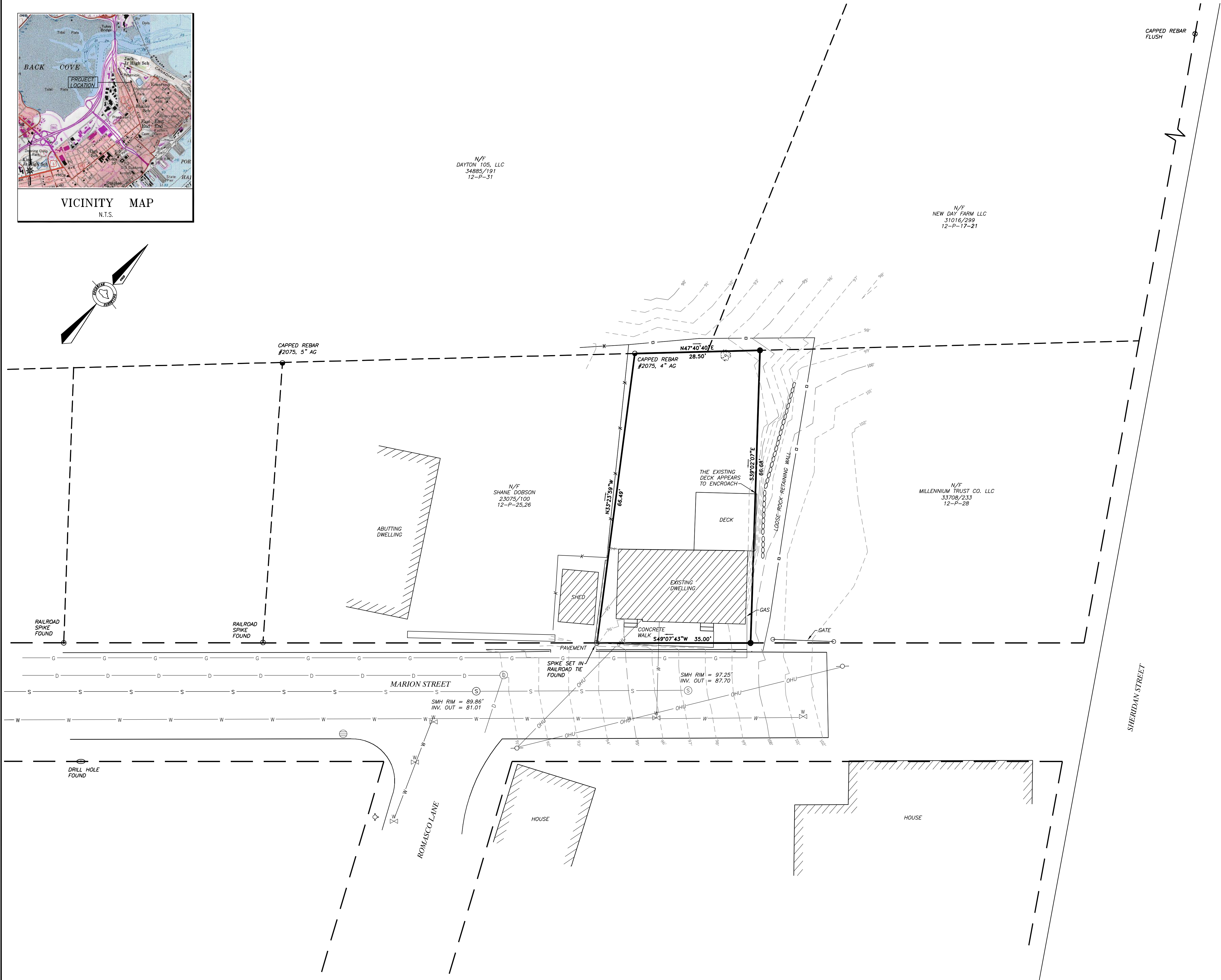
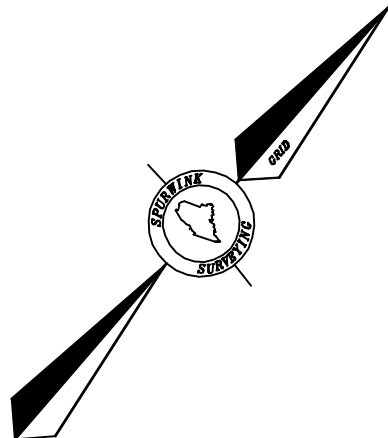
CONTRACTOR:
TBD

SITE PLAN
A-001
mobile
studio
design

Page 484



VICINITY MAP
N.T.S.



LEGEND

- #5 REBAR WITH PLASTIC CAP STAMPED #2028
- FOUND IRON PIPE (SIZE & TYPE AS NOTED)
- FOUND PINCHED IRON PIPE
- FOUND MONUMENT (SIZE & TYPE AS NOTED)
- FOUND IRON ROD
- FOUND CAPPED IRON ROD (NUMBER AS NOTED)
- UTILITY POLE (NUMBER AS NOTED)
- GUY WIRE ANCHOR
- FIRE HYDRANT
- FOUND TREE (SIZE & TYPE AS NOTED)
- BOUNDARY LINE
- ABUTTER LINE
- SETBACK LINE
- EDGE OF GRAVEL
- EDGE OF PAVEMENT
- RIGHT-OF-WAY LINE
- STOCKADE FENCE
- OVERHEAD UTILITY
- SEWER LINE
- WATER LINE
- GAS LINE
- NOW OR FORMERLY OWNED BY
- DEED BOOK AND PAGE (CORD)
- TAX MAP-BLOCK-LOT
- PARENTHESIS DENOTE RECORD DATA

NOTES

- THE BASIS OF BEARING FOR THIS SURVEY IS MAINE STATE GRID, WEST ZONE. ELEVATIONS AND CONTOURS ARE REFERENCED TO NGVD1929. BENCHMARK IS NAIL SET IN POLE IN FRONT OF 26 MARION STREET, ELEVATION = 77.19 ON CITY OF PORTLAND DATUM PER PLAN REFERENCE 4.b.
- DEED AND PLAN BOOK REFERENCES ARE TO THE CUMBERLAND COUNTY REGISTRY OF DEEDS.
- RECORD OWNERSHIP OF THE PARCEL SURVEYED CAN BE FOUND IN A DEED FROM NICHOLAS M. MARCHANT TO NATHANIEL GREEN AND SAMANTHA CONNELLY DATED NOVEMBER 26, 2014 AND RECORDED IN DEED BOOK 31941, PAGE 155.
- REFERENCE IS MADE TO THE FOLLOWING PLANS:
 - g. "BOUNDARY SURVEY, 13 & 15 MARION STREET, PORTLAND, MAINE FOR SHANE DOBSON" BY R.W. EATON ASSOCIATES DATED OCTOBER 21, 2014, UNRECORDED.
 - b. "PLAN OF BOUNDARY SURVEY AND EXISTING CONDITIONS, 93 WASHINGTON AVENUE - 19 & 16 MARION STREET, PORTLAND, MAINE" FOR JED HARRIS BY TITCOMB ASSOCIATES DATED APRIL 12, 2016. ON FILE AT CITY OF PORTLAND ENGINEERING OFFICE.
 - c. "SHERIDAN STREET TOWNHOUSES, 152 SHERIDAN STREET, PORTLAND, MAINE, SITE PLAN AND UTILITY LAYOUT (RECORDING PLAT)" FOR NEW DAY FARMS, LLC BY ARCHETYPE ARCHITECTS (BOUNDARY BY TITCOMB ASSOCIATES) LAST REVISED APRIL 2, 2014 AND RECORDED AT CORD IN PLAN BOOK 214, PAGE 191.
 - d. "PLAN OF PROPERTY (FORMER J.J. NISSEN PROPERTY) WASHINGTON AVENUE, ROMANSCO LANE, SHERIDAN STREET & MARION STREET, PORTLAND, MAINE" MADE FOR A & M PARTNERS BY TITCOMB ASSOCIATES LAST REVISED JUNE 25, 2009 AND RECORDED AT CORD IN PLAN BOOK 209, PAGE 190.
 - e. "CITY OF PORTLAND, MAINE, DEPARTMENT OF PUBLIC WORKS, ENGINEERING DIVISION, ROMANSCO LANE, MARION STREET, WASHINGTON AVENUE STREET LINES" DATED MARCH 24, 2015. PLAN # 882/31.
 - f. "CITY OF PORTLAND, MAINE, DEPARTMENT OF PUBLIC WORKS, MARION STREET RECONSTRUCTION (SHEET 2 OF 13)" DATED APRIL 24, 1989. PLAN # 928/2.
 - g. "PLAN OF MARION STREET" DATED DECEMBER 1893. ON FILE AT CITY OF PORTLAND ENGINEERING OFFICE.
- THE SURVEYED PARCEL IS IDENTIFIED ON THE CITY OF PORTLAND TAX ASSESSOR'S MAP 12, BLOCK P, PARCEL 27.
- THE SURVEYED PARCEL CONTAINS 2,102 SQUARE FEET OR 0.05 ACRES.
- THE SURVEYED PARCEL IS LOCATED IN THE B2B ZONE/DISTRICT*. PORTIONS OF BULK AND SPACE REQUIREMENTS ARE AS FOLLOWS:
 - MIN. FRONT SETBACK: NONE
 - MIN. SIDE SETBACK: NONE
 - MIN. REAR SETBACK: 10 FEET
 - MAX. FRONT SETBACK: 10 FEET* (PLANNING AUTHORITY MAY APPROVE A DIFFERENT AMOUNT FOR IRREGULAR LOTS OR THOSE WITH LESS THAN 40 FEET OF FRONTAGE.)
- *OTHER MUNICIPAL AND STATE OVERLAY ZONES MAY EXIST AND APPLY. BEFORE PROCEEDING ON ANY PROJECT WE RECOMMEND VERIFYING CURRENT ZONING / SETBACKS / RESTRICTIONS WITH THE APPROPRIATE AGENCIES.
- THE WIDTH AND LAYOUT OF MARION STREET IS PER PLAN REFERENCE 4.e. AND IS AN ACCEPTED CITY STREET.
- THE UTILITIES SHOWN ON THIS PLAN WERE FROM FIELD OBSERVATION ONLY. THERE MAY BE OTHER UTILITIES EXISTING THAT ARE NOT SHOWN. CONTACT DIG-SAFE (888)DIG-SAFE PRIOR TO ANY EXCAVATION WORK.

Revised:	By:	Date:	Change:
PROJECT:	201808	DRAWING NAME:	GREEN.DWG
DATE:	AUGUST 30, 2018	SCALE:	1"=10'
FIELD BY:	J.A.M. & J.B.P.	FIELD DATE:	APRIL 2018
		DRAWN BY:	J.A.M.

BOUNDARY SURVEY/EXISTING CONDITIONS PLAN
7 MARION STREET, PORTLAND, MAINE 04103

Owner:
NATHANIEL GREEN & SAMANTHA CONNELLY
7 MARION STREET, PORTLAND, MAINE 04103

Prepared For:
NATHANIEL GREEN & SAMANTHA CONNELLY
7 MARION STREET, PORTLAND, MAINE 04103

Surveying

LAND PLANNING

INCORPORATED

182 SPURWINK ROAD, SCARBOROUGH, MAINE

tel 207.799.2654 cell 207.321.8966 e-mail spurwinksurveying@gmail.com

010203040

010203040

STAMP AND SIGNATURE

James A. Mullen

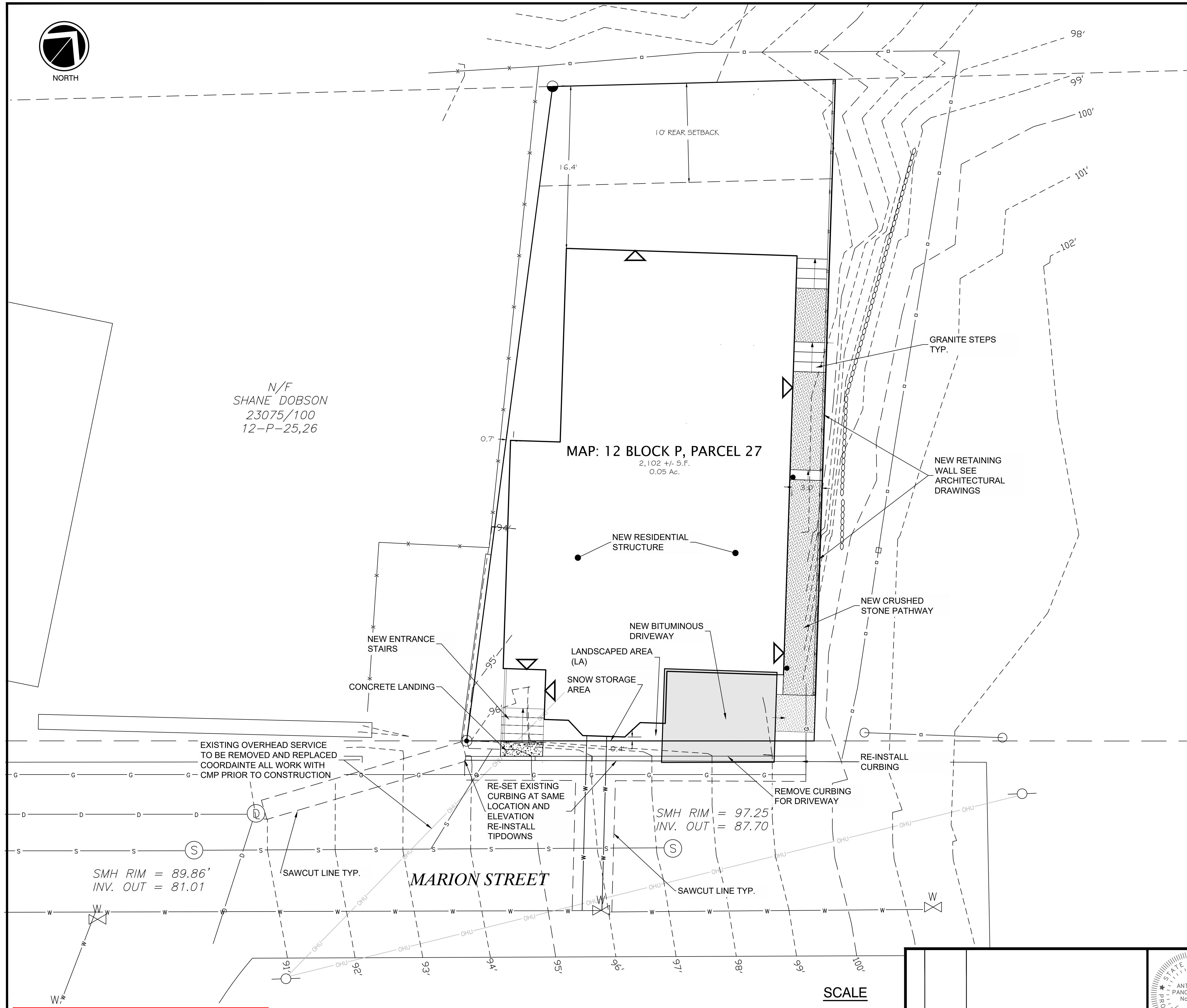
AUGUST 14, 2018

JAMES A. MULLEN
MAINE P.L.S. No. 2028

DATE

STATE OF MAINE
JAMES A. MULLEN
PLS 2028
PROFESSIONAL
LAND SURVEYOR

EMBOSSED SEAL ABOVE



PARCEL INFORMATION

MAP: 12, BLOCK: P, PARCEL 27
2,102 +/- square feet, 0.05 acres

OWNER OF RECORD

NATHANIEL GREEN AND SAMANTHA CONNELLY Book 31941, Page 155

PLAN REFERENCE

1. BOUNDARY SURVEY/EXISTING CONDITIONS PLAN, 7 MARION STREET PORTLAND MAINE
MADE FOR NATHANIEL GREEN & SAMANTHA CONNELLY DATED AUGUST 14, 2018
BY: SPURWINK SURVEYING, 182 SPURWINK ROAD SCARBOROUGH, MAINE

SITE PLAN NOTES

- 1. ALL DIMENSIONS ARE PERPENDICULAR UNLESS OTHERWISE NOTED.
- 2. CONTRACTOR SHALL VERIFY ALL DIMENSIONS IN THE FIELD PRIOR TO CONSTRUCTION.
- 3. LAYOUT AND LIMITS OF DISTURBANCE SHALL BE MARKED FOR OWNER'S APPROVAL PRIOR TO DISTURBANCE.
- 4. EXISTING CONDITIONS CONTOURS AND SITE ELEMENTS BASED ON NOTE PLAN REFERENCE #1 ABOVE. SOME FIELD LOCATIONS WILL VARY. CONTRACTOR TO NOTIFY & COORDINATE WITH ENGINEER WITH ANY DISCREPANCIES.
- 5. LAWN AREAS DISTURBED DURING CONSTRUCTION TO BE LOAMED AND RESEEDED WITH PERENNIAL RYE GRASS/KENTUCKY BLUE GRASS MIX. MINIMUM OF 6" DEPTH OF LOAM TO BE PROVIDED
- 6. THIS PROJECT WILL INCREASE THE ONSITE IMPERVIOUS SURFACE AREA BY 823 SQUARE FEET.

ZONING SUMMARY

CURRENT USE: SINGLE FAMILY DWELLING
PROPOSED USE: 3-UNIT RESIDENTIAL DWELLING
ZONE - B2B ZONE

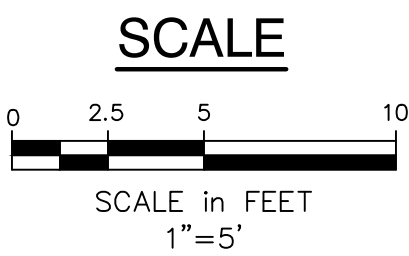
APPLICABLE SPACE AND BULK REGULATIONS	STANDARD	PROVIDED
LOT AREA PER DWELLING UNIT (3 UNITS/435 PER UNIT)	1,305 S.F.	2,102 S.F.
STREET FRONTAGE (MIN)	20'	35'

PRINCIPAL STRUCTURE:		
FRONT SETBACK (MAX)	10 FT.	<1 FT.
SIDE SETBACK	NONE	NA
REAR SETBACK (MIN)	10 FT.	16.4 FT.
LOT COVERAGE	NONE	NA
BUILDING HEIGHT	45 F.T.	40'-9.5"
IMPERVIOUS SURFACE RATIO	NONE	NA

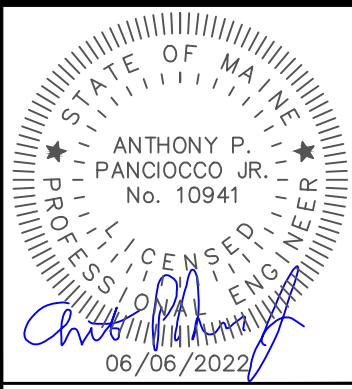
LEGEND

EXISTING	DESCRIPTION
---	BOUNDARY LINE/R.O.W.
---	ABUTTER LINE/R.O.W.
---	SETBACK
---	EASEMENT
---	IRON PIPE/ROD
---	CURVE/LINE NO.
---	BUILDING
---	WETLANDS
---	EDGE WETLAND
---	SIGN
---	EDGE PAVEMENT
---	EDGE CONCRETE
---	PAVEMENT PAINT
---	GRAVEL ROAD
---	CURBLINE
---	TREELINE
---	CONTOURS
---	SPOT GRADE
---	CHAIN LINK FENCE
---	WIRE FENCE
---	STOCKADE FENCE
---	RETAINING WALL
---	DECIDUOUS TREE
---	CONIFEROUS TREE
---	MULCH LINE
---	GUARDRAIL
---	GAS
---	POTABLE WELL
---	SEWER
---	CULVERT
---	OVERHEAD UTILITY
---	UTILITY POLE
---	GUY

FOR PERMITTING ONLY
NOT FOR CONSTRUCTION

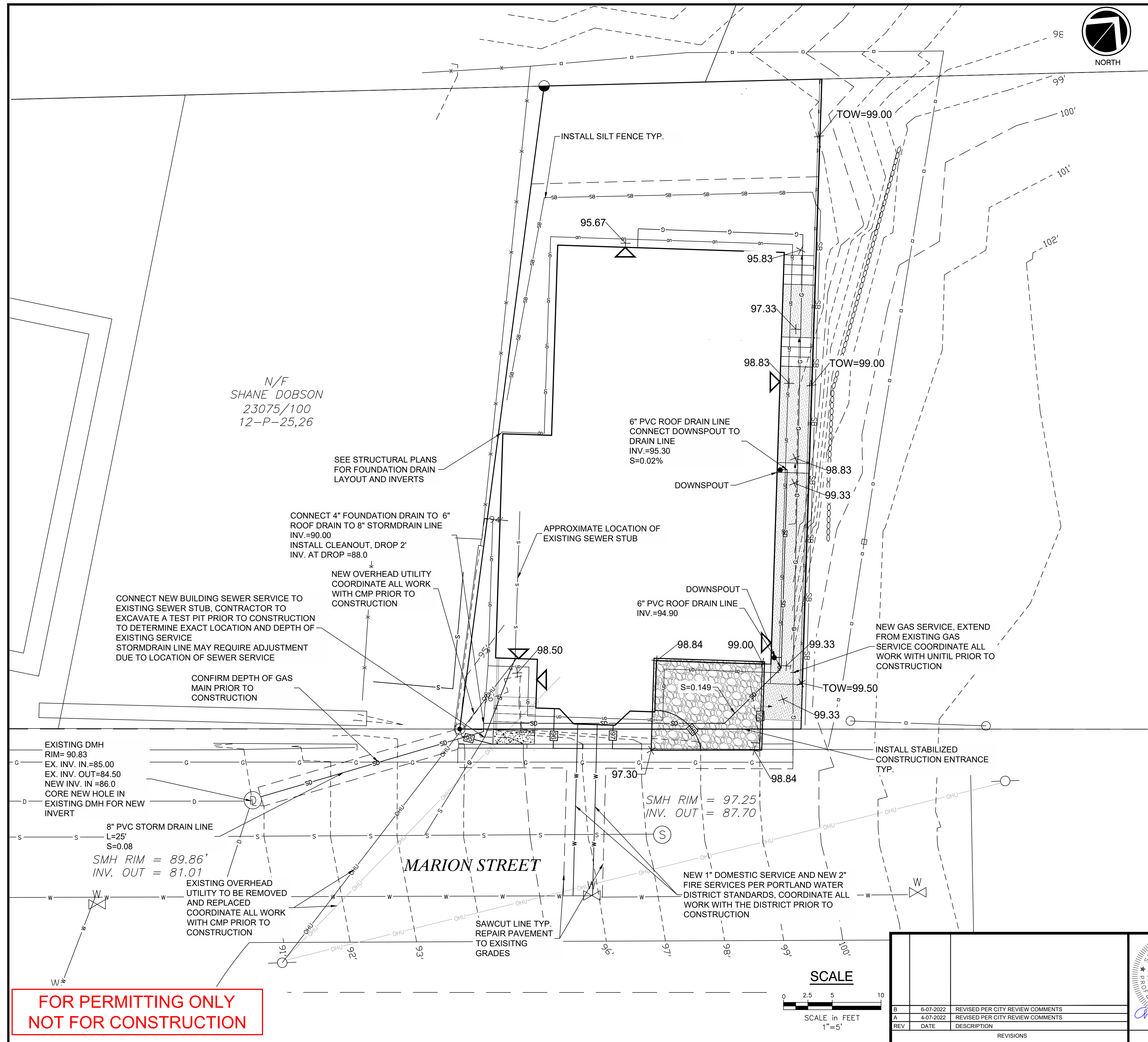


REV	DATE	DESCRIPTION	REVISIONS
B	6-07-2022	REVISED PER CITY REVIEW COMMENTS	
A	4-07-2022	REVISED PER CITY REVIEW COMMENTS	



PROJECT:	7 MARION STREET PORTLAND, MAINE
PLAN:	SITE PLAN
CLIENT:	SAMANTHA CONNOLLY & NATE GREEN 7 MARION STREET PORTLAND, MAINE

Atlantic Resource Consultants 541 US Route One Freeport, ME 04032 Tel: 207.869.9050	
DRAWN: TP	DATE:
DESIGNED: TP	SCALE: 1"=5'
CHECKED: AJ	JOB NO. 21-061
FILE NAME:	
SHEET: C-101	



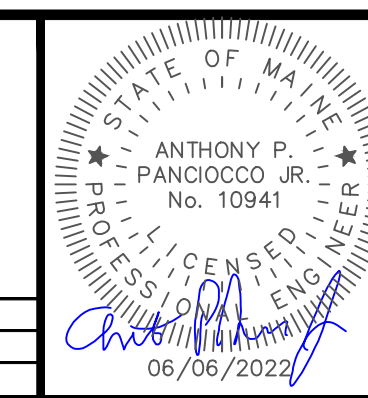
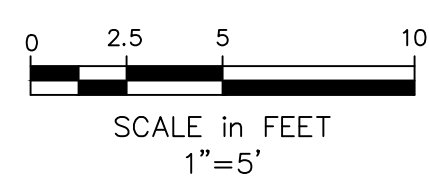
GENERAL NOTES:

- ALL UNDERGROUND UTILITIES SHOWN ON THESE PLANS HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND RECORD PLANS. THE ENGINEER MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR DOES NOT WARRANT THAT THE UTILITIES ARE IN THE EXACT LOCATIONS SHOWN, ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE AVAILABLE INFORMATION. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE LOCATION AND DEPTH OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION, AND TAKE SUCH MEASURES CONSIDERED PRUDENT TO PROTECT SUCH UTILITIES DURING AND AFTER CONSTRUCTION OF THE WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING, OR RESTORING AND EXISTING UTILITIES DAMAGED DURING CONSTRUCTION. CALL 1-888-DIGSAFE.
- THE CONTRACTOR IS INFORMED THAT EXISTING UTILITY LINES, INCLUDING WATER MAINS, SEWERS AND STORM DRAINS MAY BE CONSTRUCTED OF ASBESTOS CONTAINING MATERIALS. TEST PITS SHALL BE EXCAVATED BY THE CONTRACTOR TO IDENTIFY, AND CONFIRM THE LOCATIONS AND DEPTHS OF EXISTING UTILITY LINES. ASBESTOS PIPE MATERIALS DESIGNATED FOR REMOVAL SHALL BE EXCAVATED AND REMOVED IN WHOLE, UNBROKEN PIECES AND HAULED OFF-SITE FOR DISPOSAL BY A LICENSED HAULER, IN ACCORDANCE WITH STATE REGULATIONS. PIPE CUTTING, IF NECESSARY SHALL BE UNDERTAKEN USING SNAP CUTTERS, OR OTHER APPROVED EQUIPMENT THAT DOES NOT PRODUCE DUST, OR SHAVINGS. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR DISPOSAL COSTS OF ASBESTOS CONTAINING PIPES DAMAGED BY CONSTRUCTION ACTIVITY.
- THE CONTRACTOR SHALL NOT BEGIN WORK UNTIL ALL REQUIRED LOCAL, STATE AND FEDERAL APPROVALS HAVE BEEN OBTAINED.
- THE CONTRACTOR SHALL KEEP A COPY OF ALL PERMIT DOCUMENTS ON SITE FOR THE DURATION OF THE WORK. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO BECOME FAMILIAR WITH ANY AND ALL PERMIT CONDITIONS ASSOCIATED WITH THE PROJECT APPROVALS AND TO ENSURE THAT THE SITE REMAINS IN COMPLIANCE WITH ALL PERMITS ISSUED BY LOCAL, STATE AND FEDERAL AUTHORITIES.
- USE OF SITE - THE CONTRACTOR SHALL LIMIT USE OF THE SITE TO THOSE AREAS WITHIN THE LIMIT OF WORK. THE CONTRACTOR SHALL ENSURE THAT ACCESS IS MAINTAINED TO DRIVEWAYS, OPEN SPACE AREAS (EXCEPT THOSE UNDER CONSTRUCTION), AND ENTRANCES SERVING PREMISES ADJACENT TO THE PROJECT SITE.
- THE CONTRACTOR SHALL BE HELD SOLELY RESPONSIBLE FOR UNDERTAKING THE WORK IN A SAFE AND EFFICIENT MANNER, IN ACCORDANCE WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL REGULATIONS. ALL WORK AREAS SHALL BE CLEARLY DELINEATED AND FENCED APPROPRIATELY TO PREVENT UNAUTHORIZED ACCESS. OPERATION OF CONSTRUCTION EQUIPMENT OUTSIDE FENCED AREAS SHALL BE MINIMIZED TO THE EXTENT PRACTICAL. ALL EQUIPMENT OPERATION OUTSIDE OF CONSTRUCTION AREAS SHALL BE ACCOMPANIED BY APPROPRIATE PEDESTRIAN AND VEHICULAR TRAFFIC CONTROL. THE SITE SHALL BE LEFT SECURE AND IN A SAFE AND ORDERLY MANNER AT THE END OF EACH WORK DAY. OPEN TRENCHES SHALL BE COVERED OR PROTECTED TO PREVENT INJURY OR DAMAGE.
- THE CONTRACTOR SHALL PROVIDE ALL MATERIALS AND PERFORM ALL WORK NECESSARY TO MAINTAIN SAFE VEHICULAR AND PEDESTRIAN ACCESS TO AND FROM THE SITE DURING CONSTRUCTION THE COST OF THESE ITEMS ARE INCLUDED IN THE CONTRACT PRICE. THE MANAGEMENT OF VEHICLE, BICYCLE, AND PEDESTRIAN TRAFFIC APPLIES TO BOTH THE BETH CONDON PATHWAY AND U.S. ROUTE 1. CLOSURES AND DETOURS MUST BE APPROVED BY THE TOWN.
- TRAFFIC CONTROL MEASURES, WHERE NECESSARY SHALL CONFORM TO THE STANDARDS SET FORTH IN THE MANUAL FOR UNIFORM TRAFFIC CONTROL DEVICES (LATEST EDITION), PUBLISHED BY THE FEDERAL HIGHWAYS ADMINISTRATION.
- MATERIALS NOTED FOR REMOVAL SHALL BE REMOVED AND DISPOSED OF OFF-SITE AT A LICENSED FACILITY, AT THE CONTRACTOR'S EXPENSE.
- MATERIALS NOTED FOR SALVAGE SHALL BE REMOVED AND STOCKPILED FOR THE OWNERS USE AT AN ON-SITE LOCATION TO BE PROVIDED BY THE OWNER. SALVAGED MATERIALS SHALL REMAIN PROPERTY OF THE OWNER.

LEGEND

EXISTING	DESCRIPTION	PROPOSED
---	BOUNDARY LINE/R.O.W.	---
---	ABUTTER LINE/R.O.W.	---
---	SETBACK	---
---	EASEMENT	---
---	IRON PIPE/ROD	---
---	BUILDING	---
---	WETLAND	---
---	SIGN	---
---	EDGE PAVEMENT	---
---	CURBING	---
---	EDGE CONCRETE	---
---	PAVEMENT PAINT	---
---	GRAVEL ROAD	---
---	CURBLINE	---
---	TREELINE	---
---	CONTOURS	---
---	SPOT GRADE	---
---	STORMWATER FLOW	---
---	SEWER MANHOLE	---
---	CATCH BASIN	---
---	SEWER	---
---	STORM DRAIN	---
---	UNDERDRAIN	---
---	WATER	---
---	WATER GATE VALVE	---
---	WATER SHUT OFF	---
---	HYDRANT	---
---	THRUST BLOCK	---
---	UNDERGROUND UTILITY	---
---	OVERHEAD UTILITY	---
---	UTILITY POLE	---
---	TRANSFORMER	---
---	GUY	---
---	LIGHT POLE	---

SCALE



PROJECT:	7 MARION STREET PORTLAND, MAINE
PLAN:	GRADING, DRAINAGE & UTILITY PLAN
CLIENT:	SAMANTHA CONNOLLY & NATE GREEN 7 MARION STREET PORTLAND, MAINE

Atlantic Resource Consultants 541 US Route One Freeport, ME 04032 Tel: 207.869.9050	
DRAWN: TP	DATE:
DESIGNED: TP	SCALE: 1"=5'
CHECKED: AJ	JOB NO. 21-061
FILE NAME:	
SHEET: C-102	

**FOR PERMITTING ONLY
NOT FOR CONSTRUCTION**

A. SOIL EROSION AND SEDIMENT CONTROL NOTES

TEMPORARY EROSION AND SEDIMENTATION CONTROL MEASURES INCLUDE THE USE OF STABILIZED CONSTRUCTION ENTRANCES, SILTATION FENCE, EROSION CONTROL MIX, STONE CHECK DAMS, HAY BALE BARRIERS, CATCH BASIN SEDIMENT COLLECTION BAGS, EROSION CONTROL BLANKET, AND TEMPORARY SEEDING AND MULCHING AS REQUIRED. PERMANENT DEVICES INCLUDE THE USE OF RIP RAP AT EXPOSED STORM DRAIN AND CULVERT INLETS AND OUTLETS, AND PERMANENT VEGETATION.

A. GENERAL

1. IT IS ANTICIPATED THAT CONSTRUCTION MAY BEGIN AS SOON AS POSSIBLE FOLLOWING RECEIPT OF NECESSARY PERMITS.
2. ALL SOIL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE MAINE EROSION & SEDIMENT CONTROL BMPS - MANUAL FOR DESIGNERS AND ENGINEERS (2016), OR AS CURRENTLY REVISED OR U.S. ENVIRONMENTAL PROTECTION AGENCY PUBLICATION 832/R-92-005 (SEPTEMBER, 1992) STORM WATER MANAGEMENT FOR CONSTRUCTION, CHAPTER 3, WHICHEVER IS MORE STRINGENT.
3. ANY ADDITIONAL EROSION AND SEDIMENTATION CONTROL DEEMED NECESSARY BY THE OWNER'S REPRESENTATIVE, DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) PERSONNEL AND/OR MUNICIPAL OFFICIALS SHALL BE INSTALLED BY THE CONTRACTOR.
4. THE CONTRACTOR IS RESPONSIBLE FOR ALL FINES RESULTING FROM EROSION OR SEDIMENTATION FROM THE SITE TO SURROUNDING PROPERTIES, WATER BODIES, OR WETLANDS AS A RESULT OF THIS PROJECT.

5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSPECTION, REPAIR/ REPLACEMENT/ MAINTENANCE OF ALL EROSION CONTROL MEASURES UNTIL ALL DISTURBED AREAS ARE STABILIZED TO THE SATISFACTION OF THE ABOVE PERSONNEL. DESCRIPTIONS OF ACCEPTABLE PERMANENT STABILIZATION FOR VARIOUS COVER TYPES FOLLOWS:
 - a.a. FOR SEEDED AREAS, PERMANENT STABILIZATION MEANS A 90% COVER OF THE DISTURBED AREA WITH MATURE, HEALTHY PLANTS WITH NO EVIDENCE OF WASHING OR RILLING OF THE TOPSOIL.
 - a.b. FOR SODDED AREAS, PERMANENT STABILIZATION MEANS THE COMPLETE BINDING OF THE SOD ROOTS INTO THE UNDERLYING SOIL WITH NO SLUMPING OF THE SOD OR DIE-OFF.
 - a.c. FOR MULCHED AREAS, PERMANENT MULCHING MEANS TOTAL COVERAGE OF THE EXPOSED AREA WITH AN APPROVED MULCH MATERIAL. EROSION CONTROL MIX MAY BE USED AS MULCH FOR PERMANENT STABILIZATION ACCORDING TO THE APPROVED APPLICATION RATES AND LIMITATIONS.
 - a.d. FOR AREAS STABILIZED WITH RIP RAP, PERMANENT STABILIZATION MEANS THAT SLOPES STABILIZED WITH RIP RAP HAVE AN APPROPRIATE BACKING OF A WELL-GRADED GRAVEL OR APPROVED GEOTEXTILE TO PREVENT SOIL MOVEMENT FROM BEHIND THE RIP RAP. STONE MUST BE SIZED APPROPRIATELY.
 - a.e. PAVED AREAS: FOR PAVED AREAS, PERMANENT STABILIZATION MEANS THE PLACEMENT OF THE COMPACTED GRAVEL SUBBASE IS COMPLETED.
 - a.f. FOR OPEN CHANNELS, PERMANENT STABILIZATION MEANS THE CHANNEL IS STABILIZED WITH MATURE VEGETATION AT LEAST THREE INCHES IN HEIGHT, WITH WELL-GRADED RIP RAP, OR WITH ANOTHER NON-EROSIVE LINING CAPABLE OF WITHSTANDING THE ANTICIPATED FLOW VELOCITIES AND FLOW DEPTHS WITHOUT RELIANCE ON CHECK DAMS TO SLOW FLOW. THERE MUST BE NO EVIDENCE OF SLUMPING OF THE LINING, UNDERCUTTING OF THE BANKS, OR DOWN CUTTING OF THE CHANNEL.

B. EROSION AND SEDIMENTATION CONTROL MEASURES

1. PRIOR TO THE BEGINNING OF CONSTRUCTION, THE TEMPORARY SILT FENCE SHALL BE INSTALLED AS SHOWN ON THE PLANS OR AS DIRECTED BY THE OWNER'S REPRESENTATIVE, OR ENGINEER. SILT FENCE SHALL BE INSTALLED ALONG THE DOWNGRADIENT SIDE OF CONSTRUCTION WORK AREAS, WITH LOCATIONS BEING ADJUSTED ALONG WITH THE CONSTRUCTION PHASING AREAS. THE CONTRACTOR MAY USE EROSION MIX IN PLACE OF SINGLE SILT FENCE BARRIER.
2. THE SILT FENCE SHALL BE INSTALLED PER THE DETAIL PROVIDED IN THE PLAN SET AND INSPECTED IMMEDIATELY AFTER EACH RAINFALL, AND AT LEAST WEEKLY IN THE ABSENCE OF SIGNIFICANT RAINFALL. ANY REQUIRED REPAIRS WILL BE MADE IMMEDIATELY. SEDIMENT DEPOSITS SHALL BE PERIODICALLY REMOVED FROM THE UPSTREAM SIDE OF THE SILT BARRIERS. THIS SEDIMENT WILL BE SPREAD AND STABILIZED IN AREAS OF THE SITE NOT SUBJECT TO EROSION. THE CONTRACTOR SHALL MAKE REPAIRS IMMEDIATELY IF THERE ARE ANY SIGNS OF EROSION OR SEDIMENTATION BELOW THE FENCE LINE. IF SUCH EROSION IS OBSERVED, THE CONTRACTOR SHALL TAKE PROACTIVE ACTION TO IDENTIFY THE CAUSE OF THE EROSION AND TAKE ACTION TO AVOID ITS REOCCURRENCE. PROPER PLACEMENT OF STAKES AND KEYING THE BOTTOM OF THE FABRIC INTO THE GROUND IS CRITICAL TO THE FENCE'S EFFECTIVENESS. IF THERE ARE SIGNS OF UNDERCUTTING AT THE CENTER OR THE EDGES, OR IMPOUNDING OF LARGE VOLUMES OF WATER BEHIND THE FENCE, THE BARRIER SHALL BE REPLACED WITH A STONE CHECK DAM AND MEASURES TAKEN TO AVOID THE CONCENTRATION OF FLOWS NOT INTENDED TO BE DIRECTED TO THE SILT FENCE. SILT FENCE SHALL BE REPLACED AS NECESSARY TO PROVIDE PROPER FILTERING ACTION.
3. EROSION CONTROL BERMS MAY BE USED IN PLACE OF SILT FENCE IN THE AREA ADJACENT TO THE DRAINAGEWAY AT THE NORTHWEST CORNER OF THE PROPERTY.
4. TEMPORARY SEDIMENT SUMPS WILL PROVIDE SEDIMENTATION CONTROL FOR STORMWATER RUNOFF FROM DISTURBED AREAS DURING CONSTRUCTION UNTIL STABILIZATION HAS BEEN ACHIEVED.
5. A CONSTRUCTION ENTRANCE WILL BE CONSTRUCTED AT ALL ACCESS POINTS ONTO THE SITE TO PREVENT TRACKING OF SOIL ONTO ADJACENT LOCAL ROADS AND STREETS.
6. SILTSACKS™ WILL BE UTILIZED IN CATCH BASINS IN OR NEAR WORK AREAS AT RISK FROM RECEIVING TRANSPORTED SEDIMENT.
7. ALL CATCH BASINS AND FIELD INLETS, NEW OR EXISTING, THAT MAY RECEIVE RUNOFF FROM DISTURBED AREAS MUST BE PROTECTED DURING CONSTRUCTION.
8. REMOVAL OF SOD, TREES, BUSHES AND OTHER VEGETATION AND SOIL DISTURBANCE WILL BE KEPT TO A MINIMUM WHILE ALLOWING PROPER SITE DEVELOPMENT.
9. GRUBBINGS AND ANY UNUSABLE TOPSOIL SHALL BE STRIPPED AND REMOVED FROM THE PROJECT SITE AND DISPOSED OF IN AN APPROVED MANNER.
10. ANY SUITABLE TOPSOIL WILL BE STRIPPED AND STOCKPILED FOR REUSE IN FINAL GRADING. TOPSOIL WILL BE STOCKPILED IN A MANNER SUCH THAT NATURAL DRAINAGE IS NOT OBSTRUCTED AND NO OFF-SITE SEDIMENT DAMAGE WILL RESULT. IF A STOCKPILE IS NECESSARY, THE SIDE SLOPES OF THE TOPSOIL STOCKPILE WILL NOT EXCEED 2:1. TOPSOIL STOCKPILES WILL BE TEMPORARILY SEEDED WITH AROOSTOOK RYE, ANNUAL OR PERENNIAL RYE GRASS WITHIN 7 DAYS OF FORMATION, OR TEMPORARILY MULCHED IF SEEDING CANNOT BE DONE WITHIN THE RECOMMENDED SEEDING DATES. SEDIMENT BARRIERS SHALL BE INSTALLED DOWNSTREAM OF STOCKPILES. STORMWATER SHALL BE DIVERTED AROUND STOCKPILE AREAS.
11. TEMPORARY DIVERSION BERMS AND DRAINAGE SWALES SHALL BE CONSTRUCTED AS NECESSARY TO PREVENT OFF-SITE DRAINAGE FROM ENTERING THE WORK AREA.
12. TEMPORARY STABILIZATION SHALL BE CONSTRUCTED WITHIN 7 DAYS OF INITIAL DISTURBANCE OF SOILS, PRIOR TO ANY RAIN EVENT, AND PRIOR TO ANY WORK SHUT DOWN LASTING MORE THAN ONE DAY. TEMPORARY STABILIZATION INCLUDES SEED, MULCH, OR OTHER NON-ERODABLE COVER.

13. TEMPORARY SEEDING SPECIFICATIONS: WHERE SEEDBED HAS BEEN COMPACTED BY CONSTRUCTION OPERATIONS, LOOSEN SOIL TO A DEPTH OF 2 INCHES BEFORE APPLYING FERTILIZER, LIME, AND SEED. APPLY LIMESTONE AT A RATE OF 3 TONS PER ACRE (138 LB. PER 1,000 SQUARE FEET) AND 10-10-10 (N-P205-K20) FERTILIZER AT A RATE OF 600 LBS PER ACRE (13.8 LB. PER 1,000 SQUARE FEET). UNIFORMLY APPLY SEED AT THE RECOMMENDED SEEDING RATES AND DATES, APPLY HAY OR STRAW MULCH AT A RATE OF 2 TONS PER ACRES, AND ANCHOR AS NECESSARY. RECOMMENDED TEMPORARY SEEDING DATES AND APPLICATION RATES ARE AS FOLLOWS:
AROOSTOOK RYE: RECOMMENDED SEEDING DATES: 8/15 -10/1 APPLICATION RATE: 112 LBS/ACRE
ANNUAL RYE GRASS: RECOMMENDED SEEDING DATES: 4/1 - 7/1 APPLICATION RATE: 40 LBS/ACRE
PERENNIAL RYE GRASS: RECOMMENDED SEEDING DATES: 8/15 - 9/15 APPLICATION RATE: 40 LBS/ACRE

15. PERMANENT SEEDING SPECIFICATION. IF A LANDSCAPE PLAN HAS BEEN PREPARED FOR THE PROJECT, SOIL PREPARATION AND SEED SPECIFICATIONS OF THAT PLAN SHALL SUPERSEDE THESE GENERAL PERMANENT SEEDING REQUIREMENTS. IT IS RECOMMENDED THAT PERMANENT SEEDING BE COMPLETED BETWEEN APRIL 1 AND JUNE 15 OF EACH YEAR. LATE SEASON SEEDING MAY BE DONE BETWEEN AUGUST 15 AND SEPTEMBER 15. AREAS NOT SEEDED OR WHICH DO NOT OBTAIN A SATISFACTORY GROWTH BY OCTOBER 1 SHALL BE SEEDED WITH AROOSTOOK RYE OR MULCHED AT RATES PREVIOUSLY SPECIFIED. SEE WINTER CONDITIONS NOTES FOR SEEDING STABILIZATION AFTER NOVEMBER 1.
 - a. APPLY TOPSOIL TO A MINIMUM DEPTH OF 4 INCHES. MIX TOPSOIL WITH THE SUBSOIL TO A MINIMUM DEPTH OF 6 INCHES.
 - b. APPLY LIMESTONE AND FERTILIZER ACCORDING TO SOIL TESTS. IN LIEU OF SOIL TESTS, APPLY GROUND LIMESTONE AT A RATE OF 3 TONS PER ACRE (138 LB. PER 1,000 SQUARE FEET) AND GRANULAR, COMMERCIAL-GRADE, 10-10-10 (N-P205-K20) FERTILIZER AT A RATE OF 800 LBS PER ACRE (18.4 LBS PER 1,000 SQUARE FEET).
 - c. UNIFORMLY APPLY SEED MIXTURE AT THE RECOMMENDED SEEDING RATES AND DATES, APPLY HAY OR STRAW MULCH AT A RATE OF 2 TONS PER ACRES, AND ANCHOR AS NECESSARY.
 - d. THE SEED MIXTURE FOR LAWN AND FILTRATION BASIN AREAS SHALL CONSIST OF SEEDS PROPORTIONED BY WEIGHT AS FOLLOWS:
30% CREEPING RED FESCUE
50% KENTUCKY BLUEGRASS
20% ITALIAN/PERENNIAL RYE GRASS
NOTE: SEED MIXTURE SHALL CONSIST OF AT LEAST TWO VARIETIES OF EACH TYPE OF GRASS. WHEN USED IN A FILTER BASIN, STORMWATER SHALL NOT BE DIRECTED TO THE BASIN UNTIL THE GRASS IS ESTABLISHED.
16. MULCH ALL AREAS SEEDED SO THAT SOIL IS NOT VISIBLE THROUGH THE MULCH REGARDLESS OF THE APPLICATION RATE.
17. DITCH LININGS, STONE CHECK DAMS, AND RIP RAP INLET AND OUTLET PROTECTION SHALL BE INSTALLED WITHIN 48 HOURS OF COMPLETING THE GRADING OF THAT SECTION OF DITCH OR INSTALLATION OF CULVERT.
18. RIP RAP REQUIRED AT CULVERTS AND STORM DRAIN INLETS AND OUTLETS SHALL CONSIST OF FIELD STONE OR ROUGH UNHEWN QUARRY STONE OF APPROXIMATELY RECTANGULAR SHAPE.
19. EROSION CONTROL BLANKET SHALL BE INSTALLED ON ALL PERMANENT SLOPES STEEPER THAN 20%, IN THE BASE OF DITCHES NOT OTHERWISE PROTECTED, AND ANY DISTURBED AREAS WITHIN 100 FEET OF A PROTECTED NATURAL RESOURCE (E.G. WETLANDS AND WATER BODIES). EROSION CONTROL BLANKET SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
20. TEMPORARY CONTROL MEASURES, SUCH AS SILT FENCE, SHALL BE REMOVED WITHIN 30 DAYS AFTER PERMANENT STABILIZATION IS ATTAINED.

C. SPECIAL MEASURES FOR SUMMER CONSTRUCTION

DURING DRY SUMMER CONDITIONS, THE CONTRACTOR SHALL:

1. IMPLEMENT A PROGRAM TO APPLY DUST CONTROL MEASURES ON A DAILY BASIS EXCEPT THOSE DAYS WHERE PRECIPITATION IS SUFFICIENT TO SUPPRESS DUST FORMATION. THIS PROGRAM SHALL EXTEND TO AND INCLUDE SWEEPING OF ADJACENT STREETS.
2. SPRAY ANY MULCHES WITH WATER AFTER ANCHORING TO DAMPEN THE SOIL AND ENCOURAGE EARLY GROWTH. SPRAYING MAY BE REQUIRED SEVERAL TIMES. TEMPORARY SEED MAY BE REQUIRED UNTIL THE LATE SUMMER SEEDING SEASON.
3. COVER STOCKPILES OF FINE-GRAINED MATERIALS, OR EXCAVATED SOILS WHICH ARE SUSCEPTIBLE TO EROSION TO PROTECT FROM THE INTENSE, SHORT-DURATION STORMS WHICH ARE MORE PREVALENT IN THE SUMMER MONTHS.
4. TAKE ADDITIONAL STEPS NEEDED, INCLUDING WATERING, OR COVERING EXCAVATED MATERIALS TO CONTROL FUGITIVE DUST EMISSIONS TO MINIMIZE REDUCTIONS IN VISIBILITY AND THE AIRBORNE DISBURSEMENT OF FINE-GRAINED SOILS. THIS IS PARTICULARLY IMPORTANT GIVEN THE POTENTIAL PRESENCE OF SOIL CONTAMINANTS, AND THEIR PROXIMITY ALONG THE ADJACENT STREETS AND PROPERTIES.
5. THESE MEASURES MAY ALSO BE REQUIRED IN THE SPRING AND FALL DURING THE DRIER PERIODS OF THESE SEASONS.

D. WINTER CONDITIONS

1. "WINTER CONSTRUCTION" IS CONSTRUCTION ACTIVITY PERFORMED DURING THE PERIOD FROM NOVEMBER 1ST THROUGH APRIL 15TH. IF AREAS WITHIN THE CONSTRUCTION ACTIVITY ARE NOT STABILIZED WITH TEMPORARY OR PERMANENT MEASURES OUTLINED ABOVE BY NOVEMBER 15TH, THEN THE SITE MUST BE PROTECTED WITH ADDITIONAL STABILIZATION MEASURES THAT ARE SPECIFIC TO WINTER CONDITIONS. NO MORE THAN ONE ACRE OF THE SITE MAY BE WITHOUT STABILIZATION AT ONE TIME.
 2. SILT FENCE: IN LIEU OF PROVIDING THE 6" X 6" TRENCH, FOR FROZEN GROUND, STONY SOIL, THE PRESENCE OF LARGE ROOTS, OR OTHER PROHIBITIVE CONDITIONS, THE BOTTOM 8" TO 12" OF THE FABRIC MAY BE LAID ON EXISTING GRADE AND BACK FILLED WITH STONE ANCHORING MATERIAL, AS SHOWN ON THE DRAWINGS.
 3. HAY MULCH SHALL BE APPLIED AT TWICE THE STANDARD TEMPORARY STABILIZATION RATE. AT THE END OF EACH CONSTRUCTION DAY, AREAS THAT HAVE BEEN BROUGHT TO FINAL GRADE MUST BE STABILIZED. MULCH MAY NOT BE SPREAD ON TOP OF SNOW.
 4. AFTER NOVEMBER 1ST OR THE FIRST KILLING FROST FOR THE REGION AND BEFORE SNOW FALL, ALL EXPOSED AND DISTURBED AREAS NOT TO UNDERGO FURTHER DISTURBANCE ARE TO HAVE DORMANT SEEDING. THE DORMANT SEEDING METHOD: PREPARE THE SEEDBED, LIME AND FERTILIZE, APPLY THE SELECTED PERMANENT SEED MIXTURE AT DOUBLE THE REGULAR SEEDING RATE, AND MULCH AND ANCHOR. DORMANT SEEDINGS NEED TO BE ANCHORED EXTREMELY WELL ON SLOPES, DITCH BASES AND AREAS OF CONCENTRATED FLOWS. DORMANT SEEDING REQUIRES INSPECTION AND RESEEDING AS NEEDED IN THE SPRING. ALL AREAS WHERE COVER IS INADEQUATE MUST BE IMMEDIATELY RESEEDED AND MULCHED AS SOON AS POSSIBLE.
 5. ALL VEGETATED DITCH LINES THAT HAVE NOT BEEN STABILIZED BY NOVEMBER 1ST, OR WILL BE WORKED DURING THE WINTER CONSTRUCTION PERIOD, MUST BE STABILIZED WITH AN APPROPRIATE STONE LINING BACKED BY AN APPROPRIATE GRAVEL BED OR GEOTEXTILE UNLESS SPECIFICALLY RELEASED FROM THIS STANDARD BY THE MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION.
 6. MULCH NETTING MUST BE USED TO ANCHOR MULCH ON ALL SLOPES GREATER THAN 8% UNLESS EROSION CONTROL BLANKETS OR EROSION CONTROL MIX IS BEING USED ON THESE SLOPES.
- E. HOUSEKEEPING
1. SPILL PREVENTION. CONTROLS MUST BE USED TO PREVENT POLLUTANTS FROM CONSTRUCTION AND WASTE MATERIALS STORED ON-SITE, INCLUDING STORAGE PRACTICES TO MINIMIZE EXPOSURE OF THE MATERIALS TO STORM WATER, AND APPROPRIATE SPILL PREVENTION, CONTAINMENT, AND RESPONSE PLANNING AND IMPLEMENTATION.
 2. GROUNDWATER PROTECTION. DURING CONSTRUCTION, LIQUID PETROLEUM PRODUCTS AND OTHER HAZARDOUS MATERIALS WITH THE POTENTIAL TO CONTAMINATE GROUNDWATER MAY NOT BE STORED OR HANDLED IN AREAS OF THE SITE DRAINING TO AN INFILTRATION AREA. AN INFILTRATION AREA" IS ANY AREA OF THE SITE THAT BY DESIGN OR AS A RESULT OF SOILS, TOPOGRAPHY AND OTHER RELEVANT FACTORS, ACCUMULATES RUNOFF THAT INFILTRATES INTO THE SOIL. DIKES, BERMS, SUMPS, AND OTHER FORMS OF SECONDARY CONTAINMENT THAT PREVENT DISCHARGE TO GROUNDWATER MAY BE USED TO ISOLATE PORTIONS OF THE SITE FOR THE PURPOSES OF STORAGE AND HANDLING OF THESE MATERIALS.
 3. AUTHORIZED NON-STORMWATER DISCHARGES. IDENTIFY AND PREVENT CONTAMINATION BY NON-STORMWATER DISCHARGES. WHERE ALLOWED NON-STORMWATER DISCHARGES EXIST, THEY MUST BE IDENTIFIED AND STEPS SHOULD BE TAKEN TO ENSURE THE IMPLEMENTATION OF APPROPRIATE POLLUTION PREVENTION MEASURES FOR THE NON-STORMWATER COMPONENT(S) OF THE DISCHARGE. AUTHORIZED NON-STORMWATER DISCHARGES ARE:
 - DISCHARGES FROM FIREFIGHTING ACTIVITY;
 - FIRE HYDRANT FLUSHINGS;
 - VEHICLE WASHWATER IF DETERGENTS ARE NOT USED AND WASHING IS LIMITED TO THE EXTERIOR OF VEHICLES (ENGINE, UNDERCARRIAGE AND TRANSMISSION WASHING IS PROHIBITED);
 - DUST CONTROL RUNOFF IN ACCORDANCE WITH PERMIT CONDITIONS AND APPENDIX C(3);
 - ROUTINE EXTERNAL BUILDING WASHDOWN, NOT INCLUDING SURFACE PAINT REMOVAL, THAT DOES NOT INVOLVE DETERGENTS;
 - PAVEMENT WASHWATER (WHERE SPILLS/LEAKS OF TOXIC OR HAZARDOUS MATERIALS HAVE NOT OCCURRED, UNLESS ALL SPILLED MATERIAL HAD BEEN REMOVED) IF DETERGENTS ARE NOT USED;
 - UNCONTAMINATED AIR CONDITIONING OR COMPRESSOR CONDENSATE;
 - UNCONTAMINATED GROUNDWATER OR SPRING WATER;
 - FOUNDATION OR FOOTER DRAIN-WATER WHERE FLOWS ARE NOT CONTAMINATED; UNCONTAMINATED EXCAVATION DEWATERING (SEE REQUIREMENTS IN APPENDIX C(5));
 - POTABLE WATER SOURCES INCLUDING WATERLINE FLUSHINGS; AND LANDSCAPE IRRIGATION.

4. UNAUTHORIZED NON-STORMWATER DISCHARGES. THE DEPARTMENT'S APPROVAL UNDER THIS CHAPTER DOES NOT AUTHORIZE A DISCHARGE THAT IS MIXED WITH A SOURCE OF NON-STORMWATER, OTHER THAN THOSE DISCHARGES IN COMPLIANCE WITH APPENDIX C (6). SPECIFICALLY, THE DEPARTMENT'S APPROVAL DOES NOT AUTHORIZE DISCHARGES OF THE FOLLOWING:
 - WASTEWATER FROM THE WASHOUT OR CLEANOUT OF CONCRETE, STUCCO, PAINT, FORM RELEASE OILS, CURING COMPOUNDS OR OTHER CONSTRUCTION MATERIALS;
 - FUELS, OILS OR OTHER POLLUTANTS USED IN VEHICLE AND EQUIPMENT OPERATION AND MAINTENANCE;
 - SOAPS, SOLVENTS, OR DETERGENTS USED IN VEHICLE AND EQUIPMENT WASHING; AND
 - TOXIC OR HAZARDOUS SUBSTANCES FROM A SPILL OR OTHER RELEASE.
5. FUGITIVE SEDIMENT AND DUST. ACTIONS MUST BE TAKEN TO ENSURE THAT ACTIVITIES DO NOT RESULT IN NOTICEABLE EROSION OF SOILS OR FUGITIVE DUST EMISSIONS DURING OR AFTER CONSTRUCTION. OIL MAY NOT BE USED FOR DUST CONTROL.
6. DEBRIS AND OTHER MATERIAL. LITTER, CONSTRUCTION DEBRIS, AND CONSTRUCTION CHEMICALS EXPOSED TO STORM WATER, MUST BE PREVENTED FROM BECOMING A POLLUTANT SOURCE.
7. COMPLY WITH THE REQUIREMENTS OF SPECIFICATION SECTION 024116, STRUCTURE DEMOLITION MANAGEMENT, FOR REMOVAL AND DISPOSAL OF CONSTRUCTION DEBRIS AND WASTE.
8. TRENCH OR FOUNDATION DE-WATERING. THE COLLECTED WATER REMOVED FROM THE PONDED AREA, EITHER THROUGH GRAVITY OR PUMPING, MUST BE SPREAD THROUGH NATURAL WOODED BUFFERS OR REMOVED AREAS THAT ARE SPECIFICALLY DESIGNATED TO COLLECT THE MAXIMUM AMOUNT OF SEDIMENT POSSIBLE, LIKE A COFFER DAM SEDIMENTATION BASIN. AVOID ALLOWING THE WATER TO FLOW OVER DISTURBED AREAS OF THE SITE.

F. INSPECTION AND MAINTENANCE

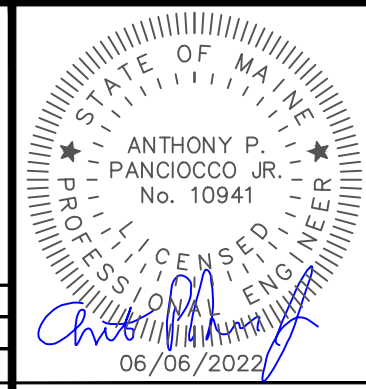
1. INSPECT DISTURBED AND IMPERVIOUS AREAS, EROSION AND STORM WATER CONTROL MEASURES, AREAS USED FOR STORAGE THAT ARE EXPOSED TO PRECIPITATION, AND LOCATIONS WHERE VEHICLES ENTER OR EXIT THE SITE AT LEAST ONCE A WEEK AND BEFORE AND AFTER A STORM EVENT, PRIOR TO COMPLETION OF PERMANENT STABILIZATION. A PERSON WITH KNOWLEDGE OF EROSION AND STORM WATER CONTROLS, INCLUDING THE STANDARDS IN THE MAINE CONSTRUCTION GENERAL PERMIT AND ANY DEP OR MUNICIPAL COMPANION DOCUMENTS, MUST CONDUCT THE INSPECTION. THIS PERSON MUST BE IDENTIFIED IN THE INSPECTION LOG. IF BEST MANAGEMENT PRACTICES (BMPS) NEED TO BE MODIFIED OF IF ADDITIONAL BMPS ARE NECESSARY, IMPLEMENTATION MUST BE COMPLETED WITHIN 7 CALENDAR DAYS AND PRIOR TO ANY STORM EVENT (0.5IN OR GREATER IN 24-HOUR PERIOD). ALL MEASURES MUST BE MAINTAINED IN EFFECTIVE OPERATING CONDITION UNTIL AREAS ARE PERMANENTLY STABILIZED.
2. AN INSPECTION AND MAINTENANCE LOG MUST BE KEPT SUMMARIZING THE SCOPE OF THE INSPECTION, NAME AND QUALIFICATIONS OF THE PERSON PERFORMING THE INSPECTION, DATE, AND MAJOR OBSERVATIONS RELATING TO OPERATION OF EROSION AND SEDIMENTATION CONTROLS AND POLLUTION PREVENTION MEASURES.
3. INSPECTION OF THE PROJECT WORK SITE SHALL INCLUDE:
 - a. IDENTIFICATION OF PROPER EROSION CONTROL MEASURE INSTALLATION IN ACCORDANCE WITH THE EROSION CONTROL DETAIL SHEET.
 - b. DETERMINE WHETHER EACH EROSION CONTROL MEASURE IS PROPERLY OPERATING. IF NOT, IDENTIFY DAMAGE TO THE CONTROL DEVICE AND DETERMINE REMEDIAL MEASURES.
 - c. IDENTIFY AREAS WHICH APPEAR VULNERABLE TO EROSION AND DETERMINE ADDITIONAL EROSION CONTROL MEASURES WHICH SHOULD BE USED TO IMPROVE CONDITIONS.
 - d. INSPECT AREAS OF RECENT SEEDING TO DETERMINE PERCENT CATCH OF GRASS. A MINIMUM CATCH OF 90 PERCENT IS REQUIRED PRIOR TO REMOVAL OF EROSION CONTROL MEASURES.
4. IF INSPECTION OF THE SITE INDICATES A CHANGE SHOULD BE MADE TO THE EROSION CONTROL PLAN, TO EITHER IMPROVE EFFECTIVENESS OR CORRECT A SITE-SPECIFIC DEFICIENCY, THE INSPECTOR SHALL IMMEDIATELY IMPLEMENT THE CORRECTIVE MEASURE AND NOTIFY THE OWNER OF THE CHANGE.
5. ALL CERTIFICATIONS, INSPECTION FORMS, AND WRITTEN REPORTS PREPARED BY THE INSPECTOR(S) SHALL BE FILED WITH THE OWNER, AND THE PERMIT FILE CONTAINED ON THE PROJECT SITE. ALL WRITTEN CERTIFICATIONS, INSPECTION FORMS, AND WRITTEN REPORTS MUST BE FILED WITHIN ONE (1) WEEK OF THE INSPECTION DATE AND RECORDS MUST BE RETAINED FOR THREE YEARS FROM THE TIME PERMANENT STABILIZATION IS ACHIEVED.
6. THE CONTRACTOR HAS SOLE RESPONSIBILITY FOR COMPLYING WITH THE EROSION/SEDIMENT CONTROL REPORT, INCLUDING CONTROL OF FUGITIVE DUST, AND SHALL BE RESPONSIBLE FOR ANY MONETARY PENALTIES RESULTING FROM FAILURE TO COMPLY WITH THESE STANDARDS.

G. CONSTRUCTION SCHEDULE & SEQUENCE (TIMELINES ARE APPROXIMATE AND WILL BE DEPENDENT ON WEATHER AND SITE CONDITIONS).

1. PRE-CONSTRUCTION CONFERENCE: PRIOR TO ANY CONSTRUCTION AT THE SITE, REPRESENTATIVES OF THE CONTRACTOR, THE ARCHITECT, THE OWNER, AND THE SITE DESIGN ENGINEER SHALL MEET TO DISCUSS THE SCHEDULING OF THE SITE CONSTRUCTION AND THE DESIGNATION OF THE RESPONSIBLE PARTIES FOR IMPLEMENTING THE PLAN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR SCHEDULING THE MEETING. PRIOR TO THE MEETING, THE CONTRACTOR WILL PREPARE A DETAILED SCHEDULE AND A MARKED-UP SITE PLAN INDICATING AREAS AND COMPONENTS OF THE WORK AND KEY DATES SHOWING DATE OF DISTURBANCE AND COMPLETION OF THE WORK. THE CONTRACTOR SHALL CONDUCT A MEETING WITH EMPLOYEES AND SUB-CONTRACTORS TO REVIEW THE EROSION CONTROL PLAN, THE CONSTRUCTION TECHNIQUES WHICH WILL BE EMPLOYED TO IMPLEMENT THE PLAN, AND PROVIDE A LIST OF ATTENDEES AND ITEMS DISCUSSED AT THE MEETING TO THE OWNER. THREE COPIES OF THE SCHEDULE, THE CONTRACTOR'S MEETING MINUTES, AND MARKED-UP SITE PLAN SHALL BE PROVIDED TO THE OWNER.
2. THE FOLLOWING CONSTRUCTION SEQUENCE SHALL BE REQUIRED TO INSURE THE EFFECTIVENESS OF THE EROSION AND SEDIMENTATION CONTROL MEASURES IS OPTIMIZED.
 - a. INSTALL SAFETY AND CONSTRUCTION FENCE TO SECURE THE SITE FOR CONSTRUCTION.
 - b. INSTALL ALL PERIMETER SILTATION FENCE AND EROSION CONTROL BARRIERS. PARTICULAR ATTENTION SHALL BE PAID TO AREAS UPSTREAM OF PROTECTED NATURAL RESOURCES. PROJECT LIMITS OF DISTURBANCE ARE CLEARLY DELINEATED ON THE DRAWINGS - NO ACTIVITY IS ALLOWED OUTSIDE THESE LIMITS. SIGNS SHALL BE ERECTED INDICATING THAT THE DOWNSTREAM AREAS ARE OFF LIMITS TO ALL CONSTRUCTION ACTIVITIES.
 - c. INSTALL CONSTRUCTION ENTRANCES.
 - d. CLEAR AND GRUB THE CONSTRUCTION AREA, REMOVE AND STOCKPILE UNSUITABLE FILL MATERIAL.
 - e. CONSTRUCT ACTIVITIES ON THE SITE TO OPTIMIZE THE HANDLING OF MATERIALS AND RESTRICT THE DENUDED AREAS TO THE TIME STIPULATED.
 - f. UNDERTAKE MAJOR EARTHWORK ACTIVITY TO ROUGH GRADE THE SITE.
 - g. INSTALL UTILITIES AND CONSTRUCT STABILIZED PAD FOR FOUNDATION CONSTRUCTION.
 - h. INSTALL AND COMPACT NEW PAVEMENT BASE GRAVEL MATERIALS AND INSTALL BINDER PAVEMENT.
 - i. LANDSCAPE (LOAM AND SEED).
 - j. INSTALL STRIPING, SIGNAGE, AND MISCELLANEOUS SITE IMPROVEMENTS.
 - k. REVIEW SITEWORK WITH ENGINEER AND OWNER AND COMPLETE ANY PUNCH LIST ITEMS.
 - l. REMOVE ANY TEMPORARY EROSION CONTROL MEASURES.
3. THE CONTRACTOR MUST MAINTAIN AN ACCURATE SET OF RECORD DRAWINGS INDICATING THE DATE WHEN AN AREA IS FIRST DENUDED, THE DATE OF TEMPORARY STABILIZATION, AND THE DATE OF FINAL STABILIZATION. ON OCTOBER 1 OF ANY CALENDAR YEAR, THE CONTRACTOR SHALL SUBMIT A DETAILED PLAN FOR STABILIZING THE SITE FOR THE WINTER AND A DESCRIPTION OF WHAT ACTIVITIES ARE PLANNED DURING THE WINTER.

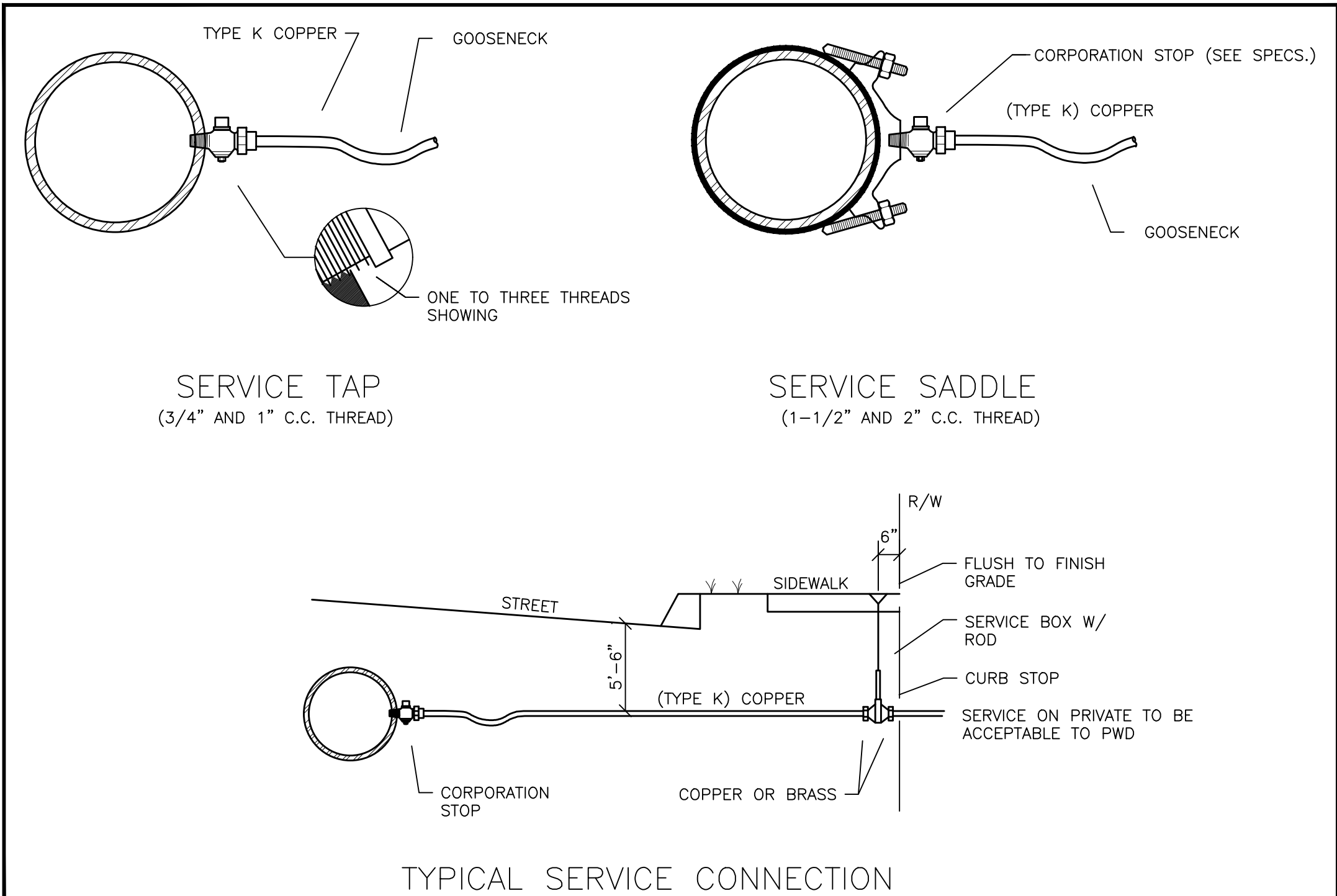
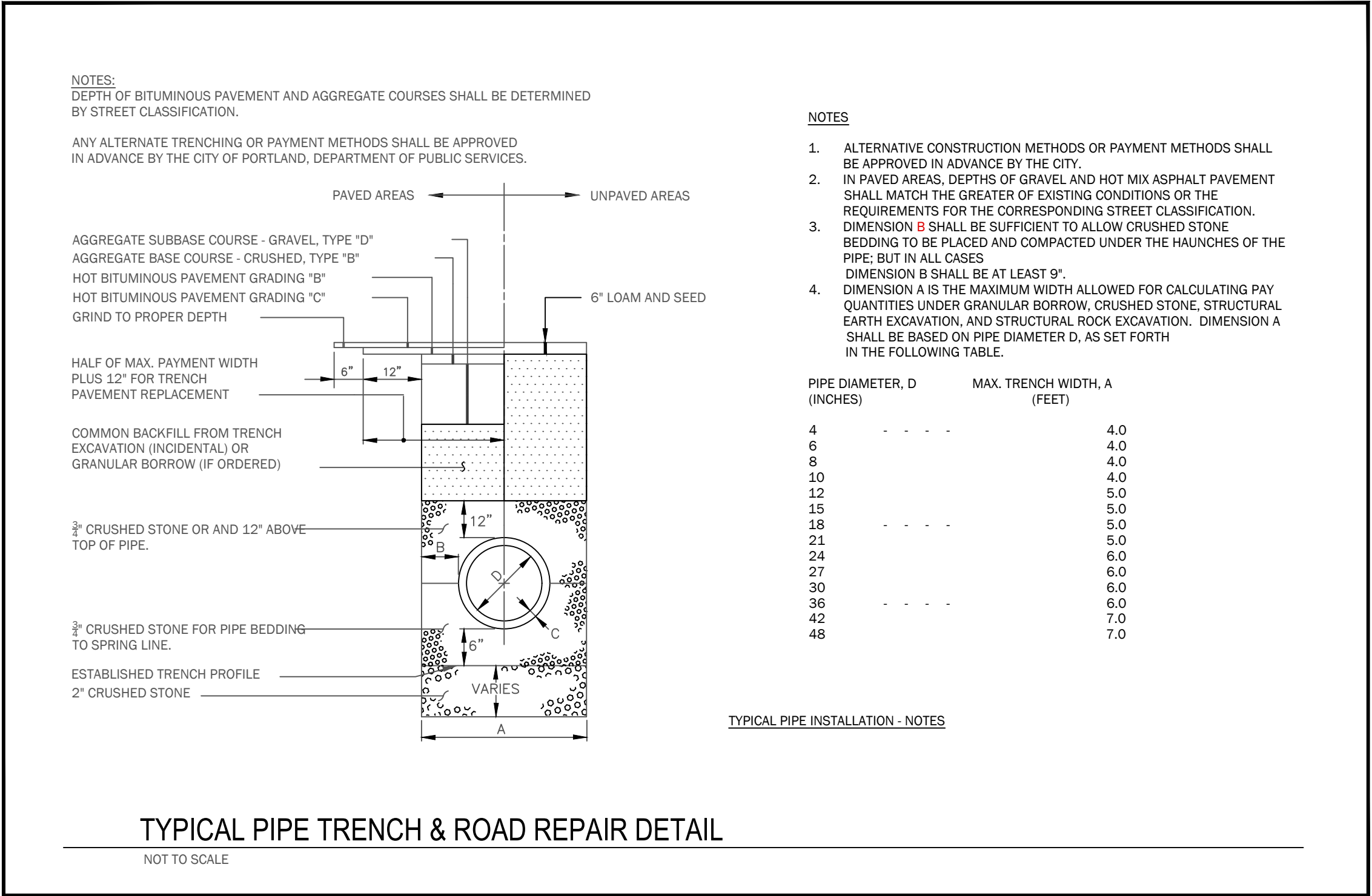
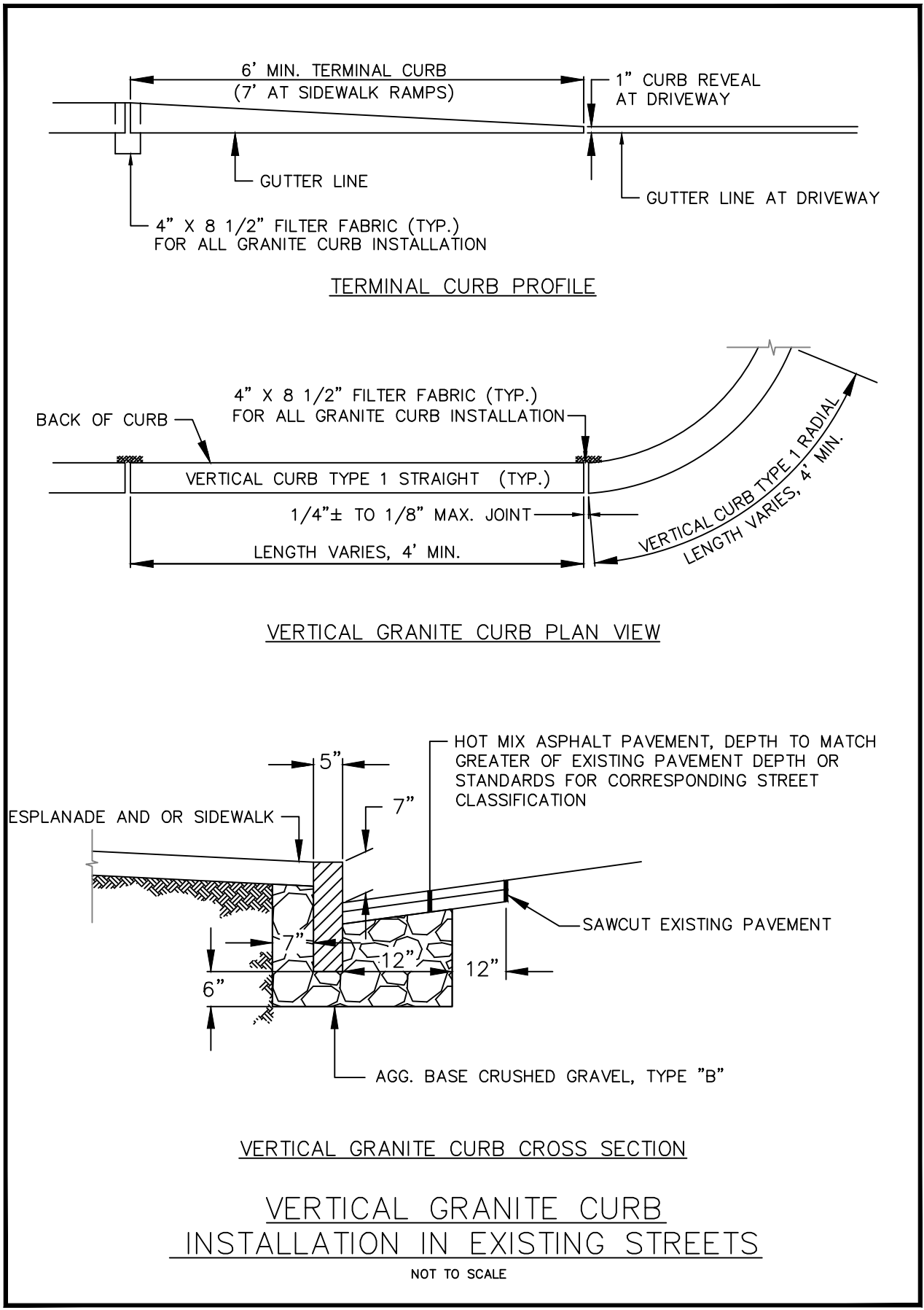
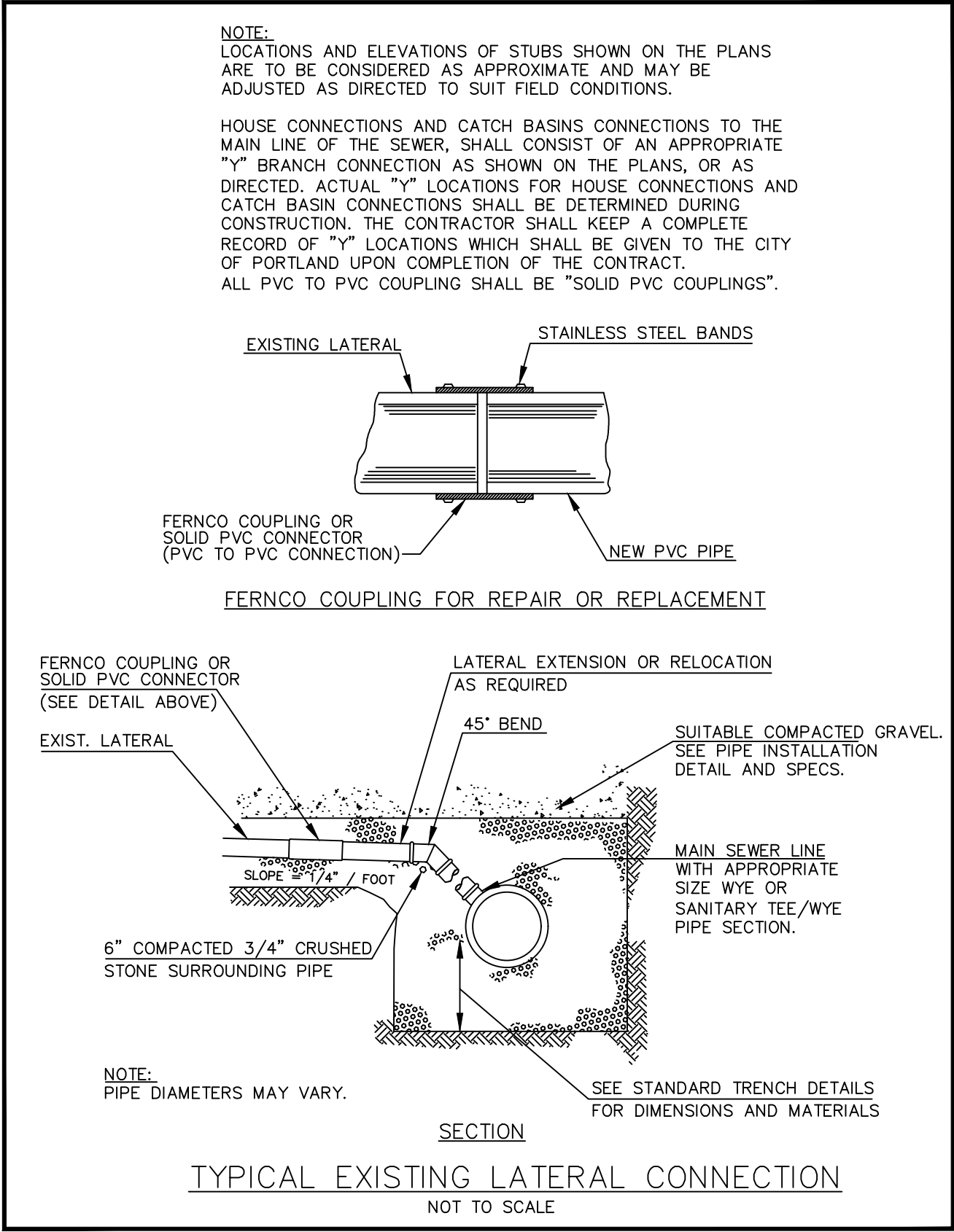
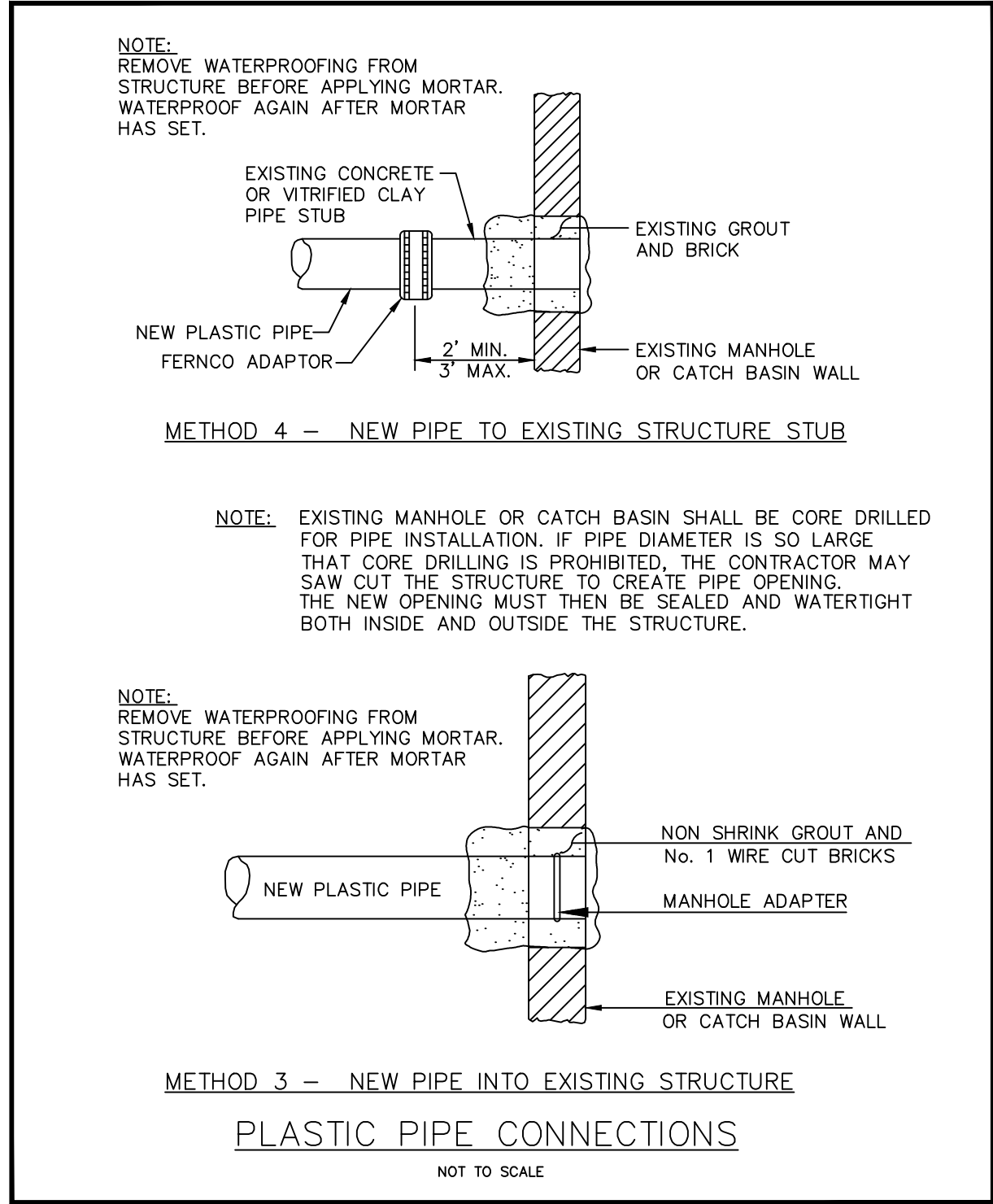
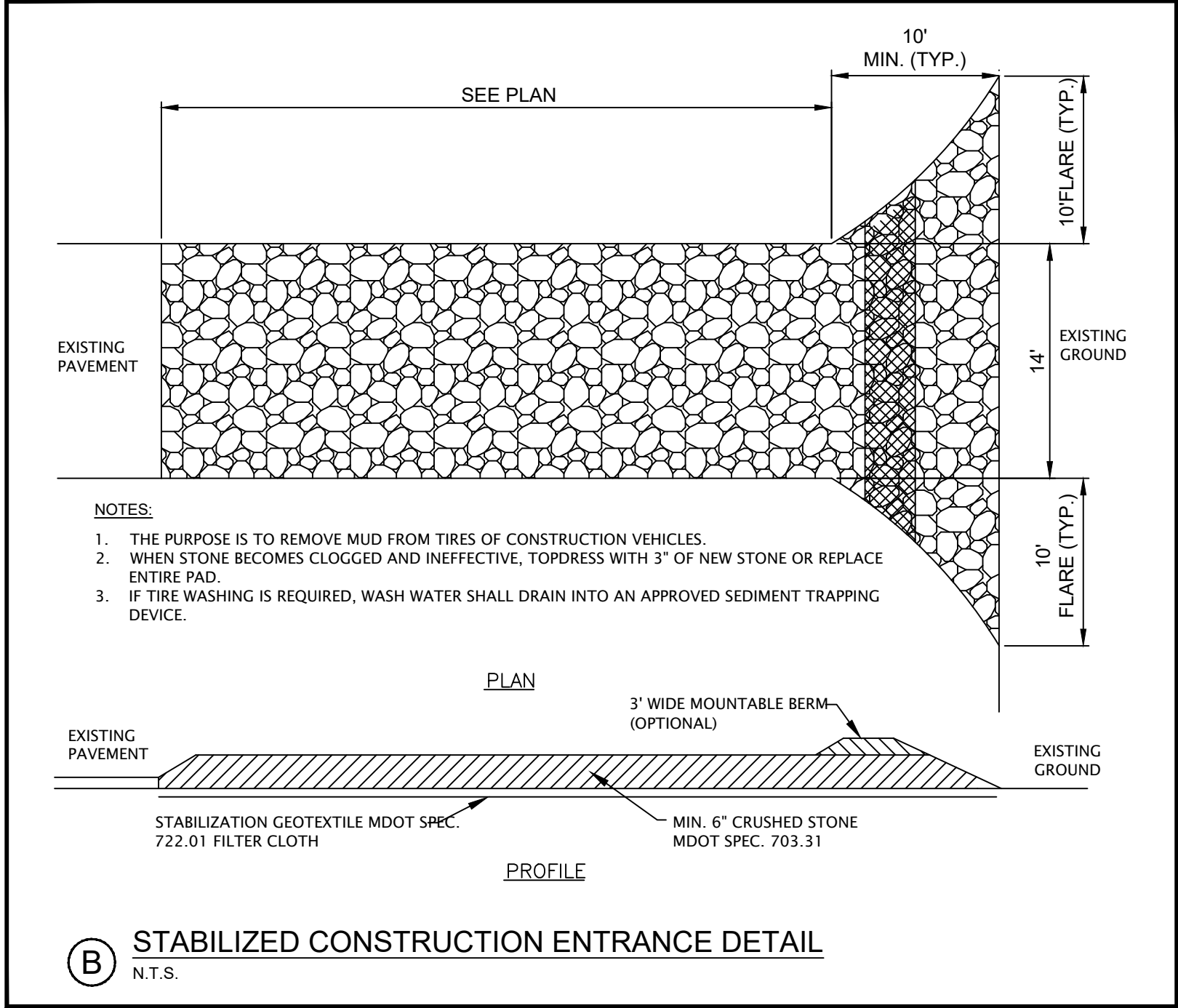
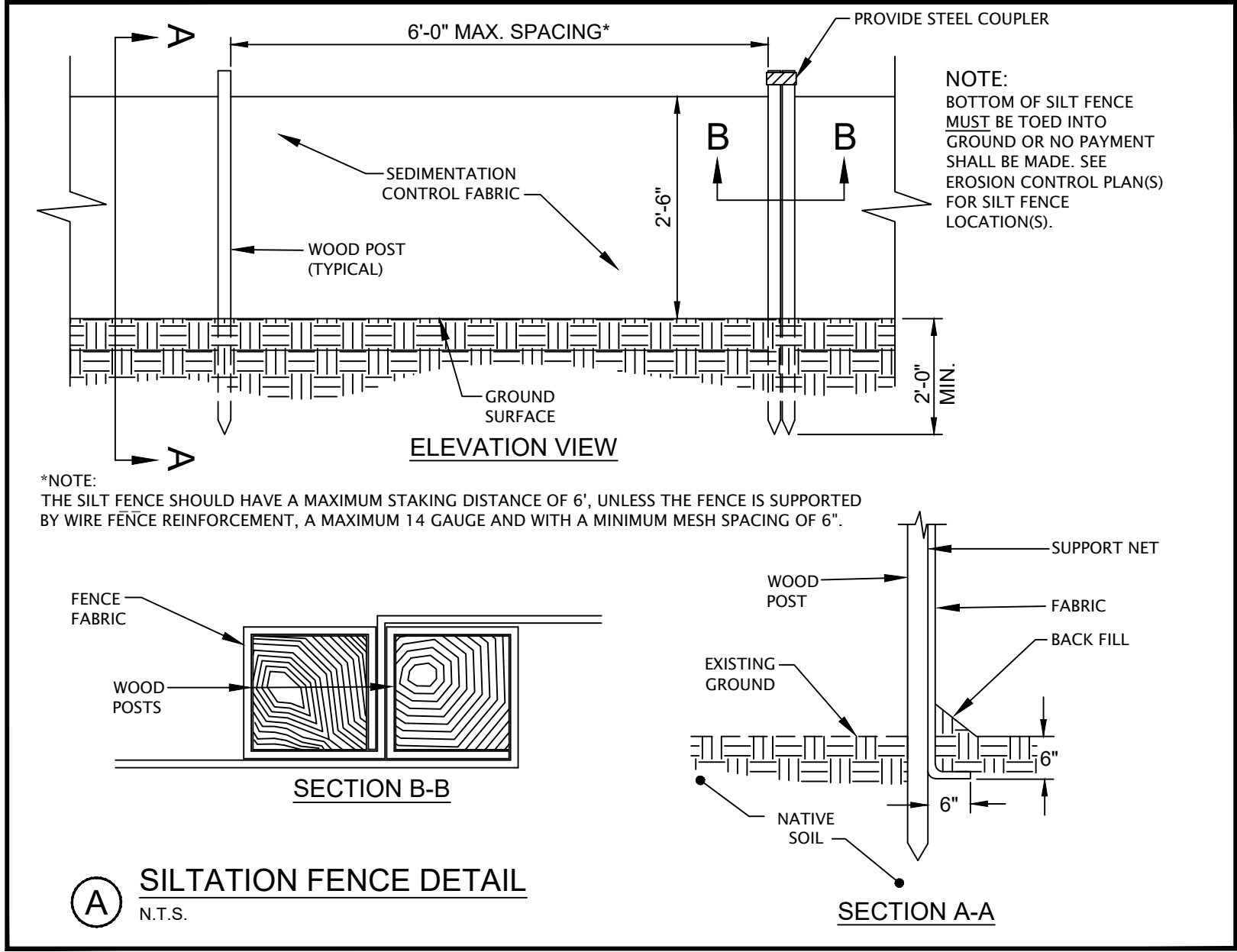
FOR PERMITTING ONLY
NOT FOR CONSTRUCTION

B	6-07-2022	REVISED PER CITY REVIEW COMMENTS
R	4-07-2022	REVISED PER CITY REVIEW COMMENTS
REV	DATE	DESCRIPTION
REVISIONS		



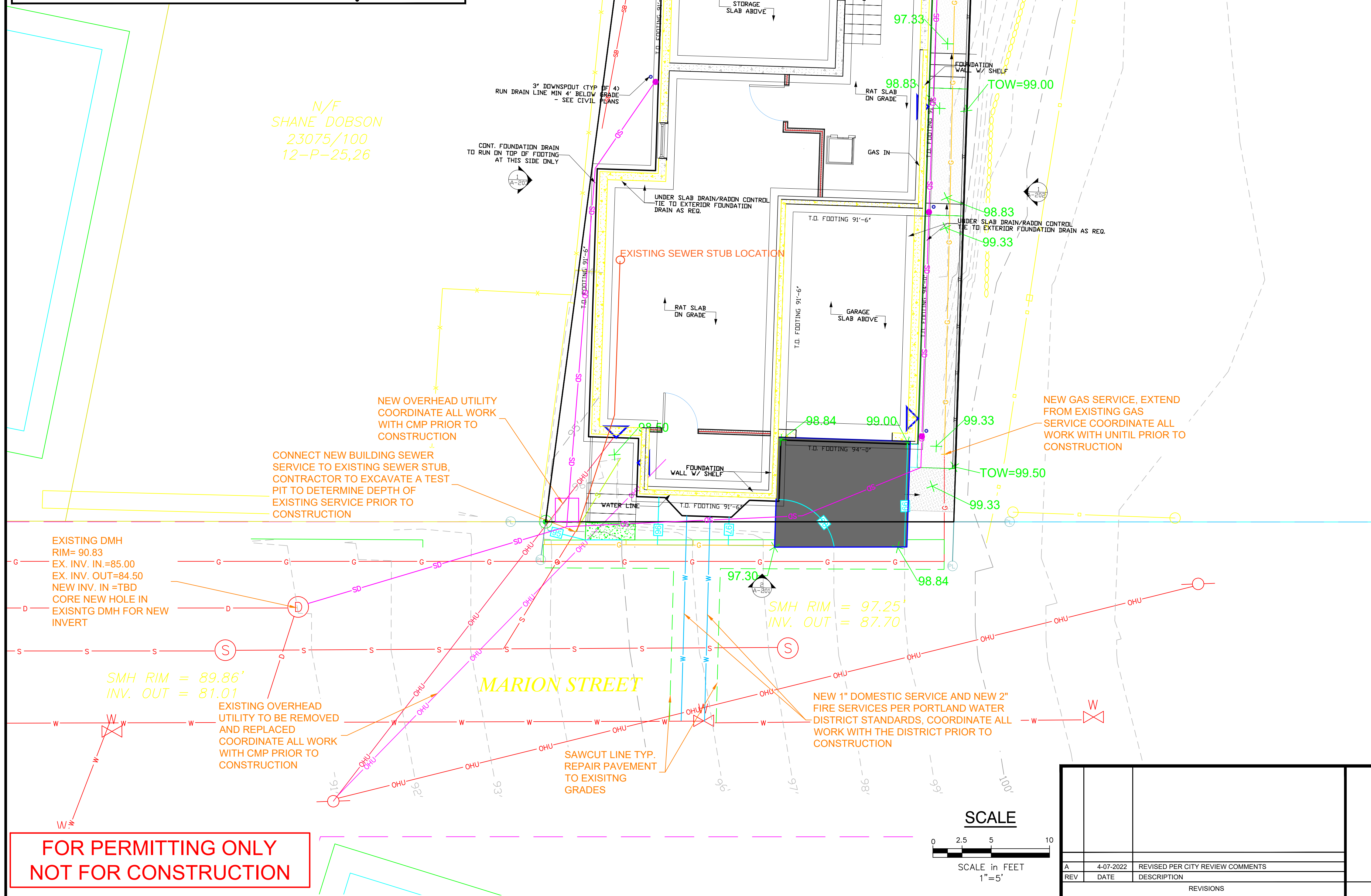
PROJECT:	7 MARION STREET PORTLAND, MAINE
PLAN:	EROSION CONTROL NOTES
CLIENT:	SAMANTHA CONNOLLY & NATE GREEN 7 MARION STREET PORTLAND, MAINE

 Atlantic Resource Consultants 541 US Route One Freeport, ME 04032 Tel: 207.869.9050	
DRAWN: TP	DATE:
DESIGNED: TP	SCALE: N.T.S.
CHECKED: AJ	JOB NO. 21-061
FILE NAME:	
SHEET: C-300	



**FOR PERMITTING ONLY
NOT FOR CONSTRUCTION**

					PROJECT: 7 MARION STREET PORTLAND, MAINE PLAN: EROSION CONTROL NOTES CLIENT: SAMANTHA CONNOLLY & NATE GREEN 7 MARION STREET PORTLAND, MAINE		Atlantic Resource Consultants 541 US Route One Freeport, ME 04032 Tel: 207.869.9050			
B	6-07-2022	REVISED PER CITY REVIEW COMMENTS					DRAWN:	TP	DATE:	
A	4-07-2022	REVISED PER CITY REVIEW COMMENTS					DESIGNED:	TP	SCALE:	N.T.S.
REV	DATE	DESCRIPTION					CHECKED:	AJ	JOB NO.	21-061
REVISIONS							FILE NAME:			
							SHEET:	C-300		



1. ALL UNDERGROUND UTILITIES SHOWN ON THESE PLANS HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND RECORD PLANS. THE ENGINEER MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR DOES NOT WARRANT THAT THE UTILITIES ARE IN THE EXACT LOCATIONS SHOWN, ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE AVAILABLE INFORMATION. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE LOCATION AND DEPTH OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION, AND TAKE SUCH MEASURES CONSIDERED PRUDENT TO PROTECT SUCH UTILITIES DURING AND AFTER CONSTRUCTION OF THE WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING, OR RESTORING OR EXISTING UTILITIES DAMAGED DURING CONSTRUCTION. CALL TO THE CITY ENGINEER FOR A LIST OF ALL EXISTING UTILITIES.
2. THE CONTRACTOR IS INFORMED THAT EXISTING UTILITY LINES, INCLUDING WATER MAINS, SEWERS AND STORM DRAINS MAY BE CONSTRUCTED OF ASBESTOS CONTAINING MATERIALS. TEST PITS SHALL BE EXCAVATED BY THE CONTRACTOR TO IDENTIFY, AND CONFIRM THE LOCATIONS AND DEPTHS OF EXISTING UTILITY LINES. ASBESTOS PIPE MATERIALS DESIGNATED FOR REMOVAL SHALL BE EXCAVATED AND REMOVED IN WHOLE, UNBROKEN PIECES AND HAULED OFF-SITE FOR DISPOSAL BY A LICENSED HAULER, IN ACCORDANCE WITH STATE REGULATIONS. PIPE CUTTING, IF NECESSARY SHALL BE UNDERTAKEN USING SNAP CUTTERS, OR OTHER APPROVED EQUIPMENT THAT DOES NOT PRODUCE DUST, OR SHAVINGS. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR DISPOSAL COSTS OF ASBESTOS CONTAINING PIPES DAMAGED BY CONSTRUCTION ACTIVITY.
3. THE CONTRACTOR SHALL NOT BEGIN WORK UNTIL ALL REQUIRED LOCAL, STATE AND FEDERAL APPROVALS HAVE BEEN OBTAINED. THE CONTRACTOR SHALL BE REQUIRED TO OBTAIN A TRUE COPY OF ALL PERMITS AND COMMENTS ON-SITE FOR THE DURATION OF THE WORK. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO BECOME FAMILIAR WITH ANY AND ALL PERMIT CONDITIONS ASSOCIATED WITH THE PROJECT APPROVALS AND TO ENSURE THAT THE SITE REMAINS IN COMPLIANCE WITH ALL PERMITS ISSUED BY LOCAL, STATE AND FEDERAL AUTHORITIES.
5. USE OF SITE - THE CONTRACTOR SHALL LIMIT USE OF THE SITE TO THOSE AREAS WITHIN THE LIMIT OF WORK. THE CONTRACTOR SHALL ENSURE THAT ACCESS IS MAINTAINED TO DRIVEWAYS, OPEN SPACE AREAS (EXCEPT THOSE UNDER CONSTRUCTION), AND ENTRANCES SERVING PREMISES ADJACENT TO THE PROJECT SITE.
6. THE CONTRACTOR SHALL BE HELD SOLELY RESPONSIBLE FOR UNDERTAKING THE WORK IN A SAFE AND EFFICIENT MANNER, IN ACCORDANCE WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL REGULATIONS. ALL WORK AREAS SHALL BE CLEARLY IDENTIFIED AND FENCED APPROPRIATELY TO PREVENT UNAUTHORIZED ACCESS. OPERATION OF CONSTRUCTION EQUIPMENT OUTSIDE FENCED AREAS SHALL BE MINIMIZED TO THE EXTENT PRACTICAL. ALL EQUIPMENT OPERATION OUTSIDE OF CONSTRUCTION AREAS SHALL BE ACCOMPANIED BY APPROPRIATE PEDESTRIAN AND VEHICULAR TRAFFIC CONTROL. THE SITE SHALL BE LEFT SECURE AND IN A SAFE AND ORDERLY MANNER AT THE END OF EACH WORK DAY. OPEN TRENCHES SHALL BE COVERED OR PROTECTED TO PREVENT INJURY OR DAMAGE.
7. THE CONTRACTOR SHALL PROVIDE ALL MATERIALS AND PERFORM ALL WORK NECESSARY TO MAINTAIN SAFE VEHICULAR AND PEDESTRIAN ACCESS TO AND FROM THE SITE DURING CONSTRUCTION THE COST OF THESE ITEMS ARE INCLUDED IN THE CONTRACT PRICE. THE MANAGEMENT OF VEHICLE, BICYCLE, AND PEDESTRIAN TRAFFIC APPLIES TO BOTH THE BETH CONDON PATHWAY AND U.S. ROUTE 1. CLOSURES AND DETOURS MUST BE APPROVED BY THE TOWN.
8. TRAFFIC CONTROL MEASURES, WHERE NECESSARY SHALL CONFORM TO THE STANDARDS SET FORTH IN THE MANUAL FOR URBAN TRAFFIC CONTROL DEVICES (LATEST EDITION), PUBLISHED BY THE FEDERAL HIGHWAYS ADMINISTRATION.
9. MATERIALS NOTED FOR REMOVAL SHALL BE REMOVED AND DISPOSED OF OFF-SITE AT A LICENSED FACILITY, AT THE CONTRACTOR'S EXPENSE.
10. MATERIALS NOTED FOR SALVAGE SHALL BE REMOVED AND STOCKPILED FOR THE OWNERS USE AT AN ON-SITE LOCATION TO BE PROVIDED BY THE OWNER. SALVAGED MATERIALS SHALL REMAIN PROPERTY OF THE OWNER.

EXISTING	DESCRIPTION	PROPOSED
	BOUNDARY LINE/R.O.W.	
	ABUTTER LINE/R.O.W.	
	SETBACK	
	EASEMENT	
	IRON PIPE/ROD	
	BUILDING	
	WETLAND	
	SIGN	
	EDGE PAVEMENT	
	CURBING	
	EDGE CONCRETE	
	PAVEMENT PAINT	
	GRAVEL ROAD	
	CURBLINE	
	TREELINE	
	CONTOURS	
	SPOT GRADE	
	STORMWATER FLOW	
	SEWER MANHOLE	
	CATCH BASIN	
	SEWER	
	STORM DRAIN	
	UNDERDRAIN	
	WATER	
	WATER GATE VALVE	
	WATER SHUT OFF	
	HYDRANT	
	THRUST BLOCK	
	UNDERGROUND UTILITY	
	UGU	
	OVERHEAD UTILITY	
	OHU	
	UTILITY POLE	
	TRANSFORMER	
	GUY	
	LIGHT POLE	

0 2.5 5 10

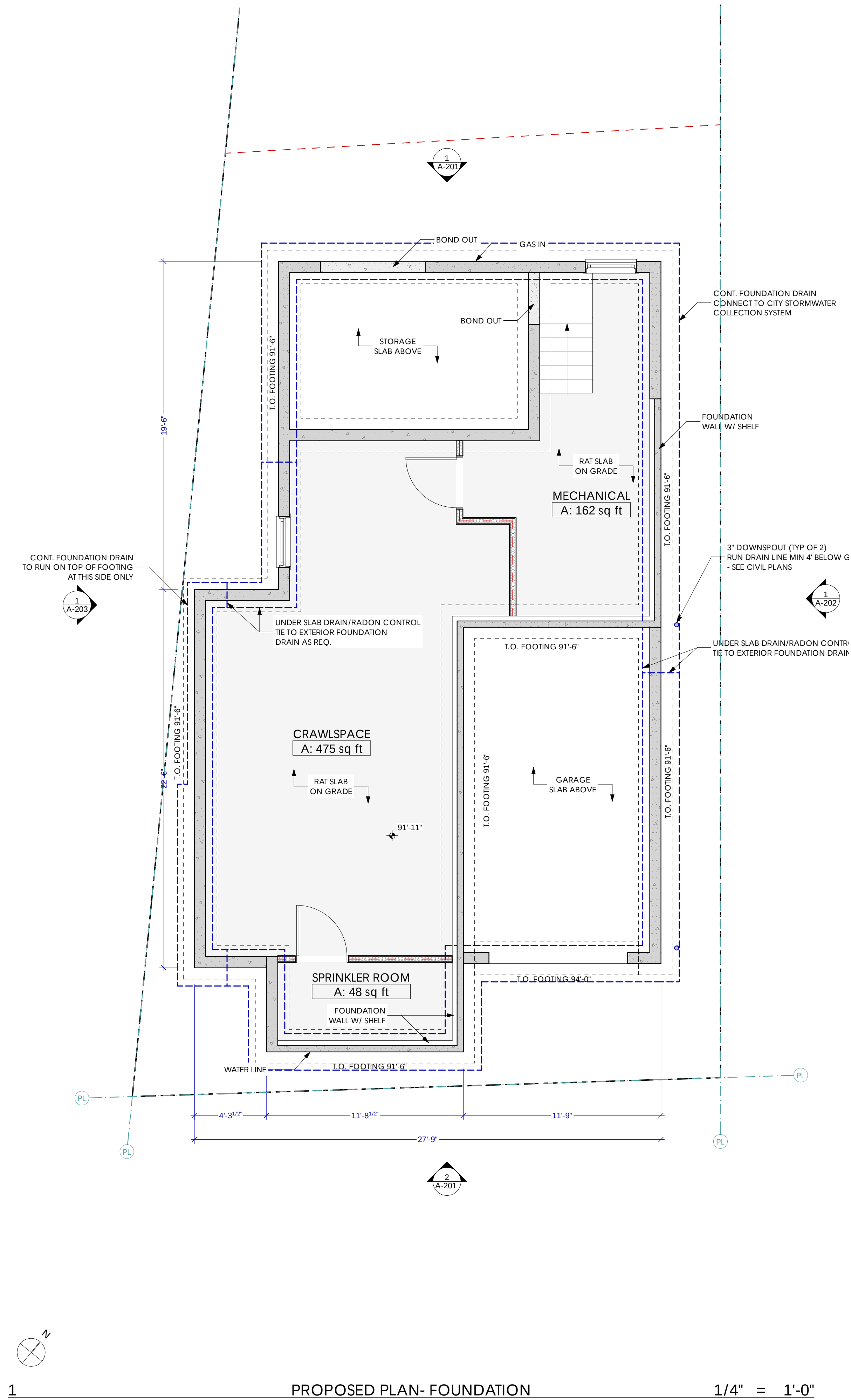
SCALE in FEET
1"=5'

PROJECT:	7 MARION STREET PORTLAND, MAINE
PLAN:	GRADING, DRAINAGE & UTILITY PLAN
CLIENT:	SAMANTHA CONNOLLY & NATE GRE 7 MARION STREET PORTLAND, MAINE

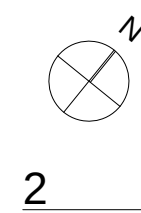
Atlantic Resource Consultants
541 US Route One
Freeport, ME 04032
Tel: 207.869.9050

DRAWN: TP	DATE:
DESIGNED: TP	SCALE: 1"=5'
CHECKED: AJ	JOB NO. 21-061
FILE NAME:	
SHEET: C-102	

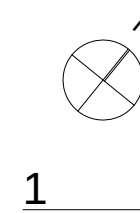
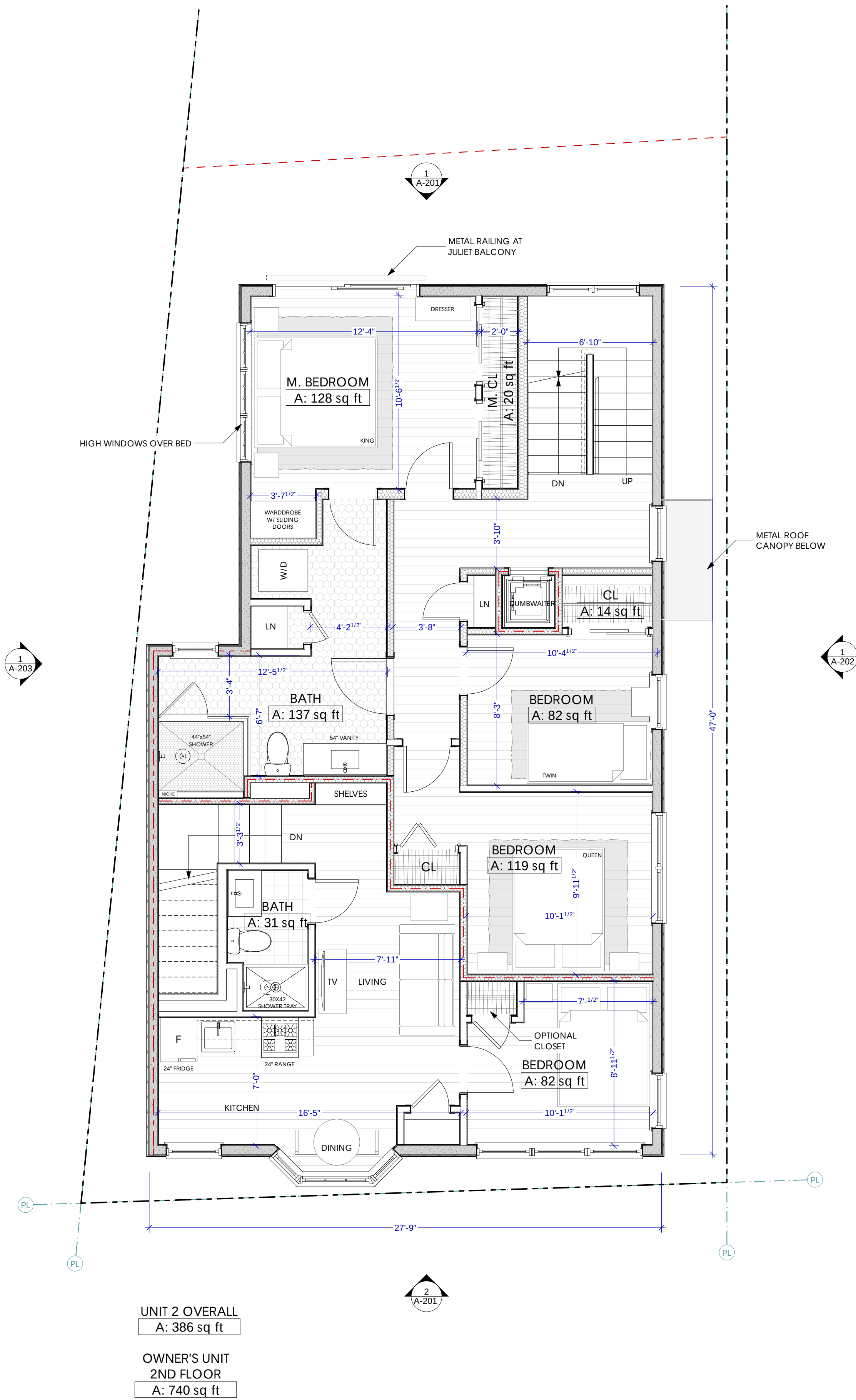
/Users/leahschaffer/Desktop/22.05.24_7 Marion CD.pln



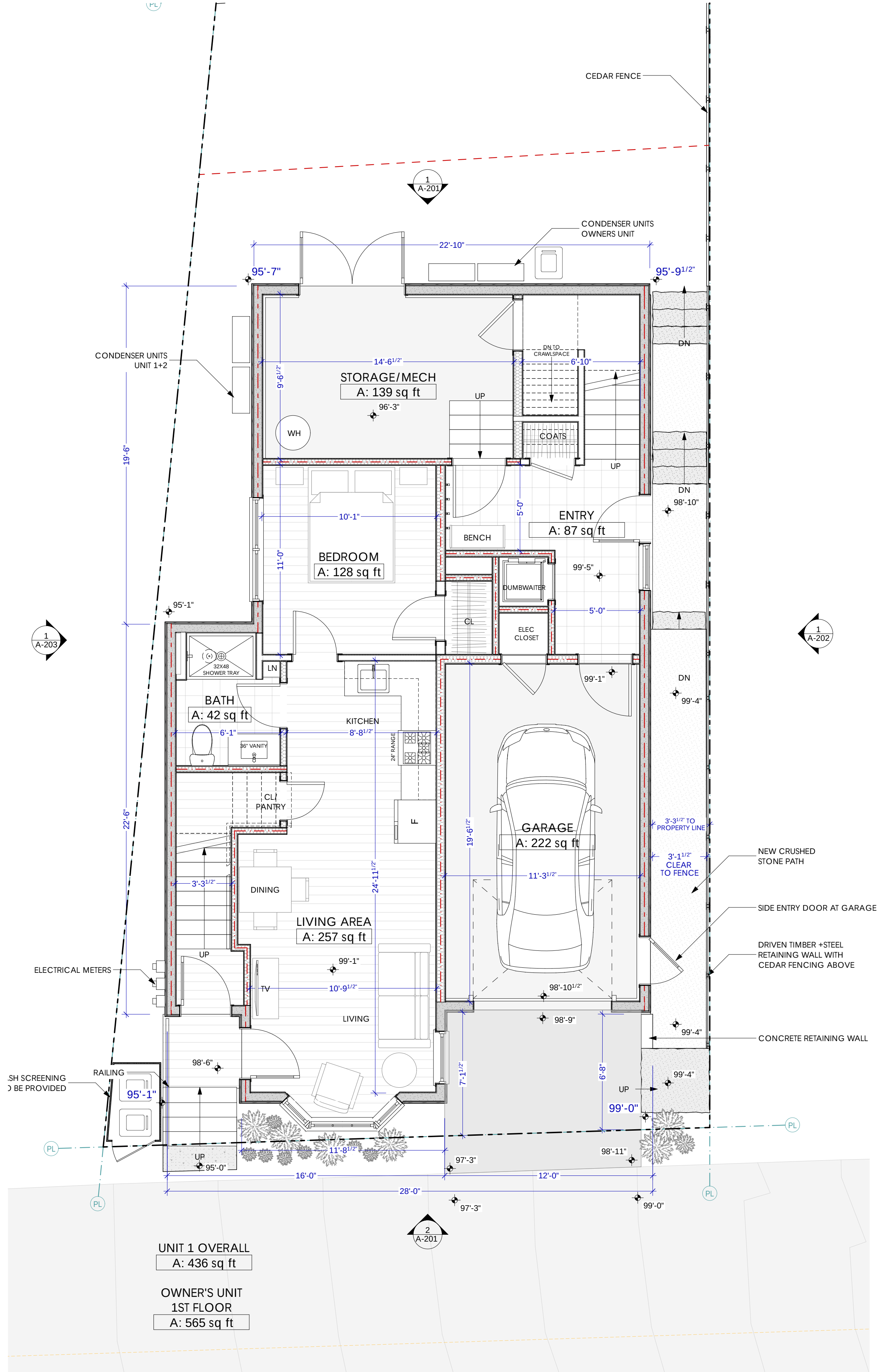
/Users/leahschaffer/Desktop/22.05.24_7 Marion CD.pln



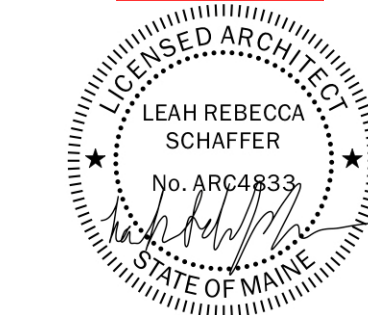
2



1



PRELIMINARY
NOT FOR CONSTRUCTION
FOR PLANNING REVIEW ONLY



CHANGES THIS ISSUE:	
ID	DESCRIPTION

SUBMISSIONS:	
ISSUE	DATE
01	2/21/22
02	4/7/22
03	6/7/22

7 Marion- 3 Unit
Sam Connelly and Nate Green
7 Marion Street Portland, ME 04103

MOBILE STUDIO DESIGN
128 Main Street, Suite 201
Biddeford, ME 04002
office: 207.499.4208

DATE OF ISSUE: 6/7/22
PROJECT STATUS:
SD
ARCHITECT:
Leah Schaffer
leah@mobilestudiodesign.com

CONSULTANTS:
CIVIL ENGINEER:
Atlantic Resource Consultants
207-317-9989
SURVEYOR:
Spurlock Consultants
207-799-2654

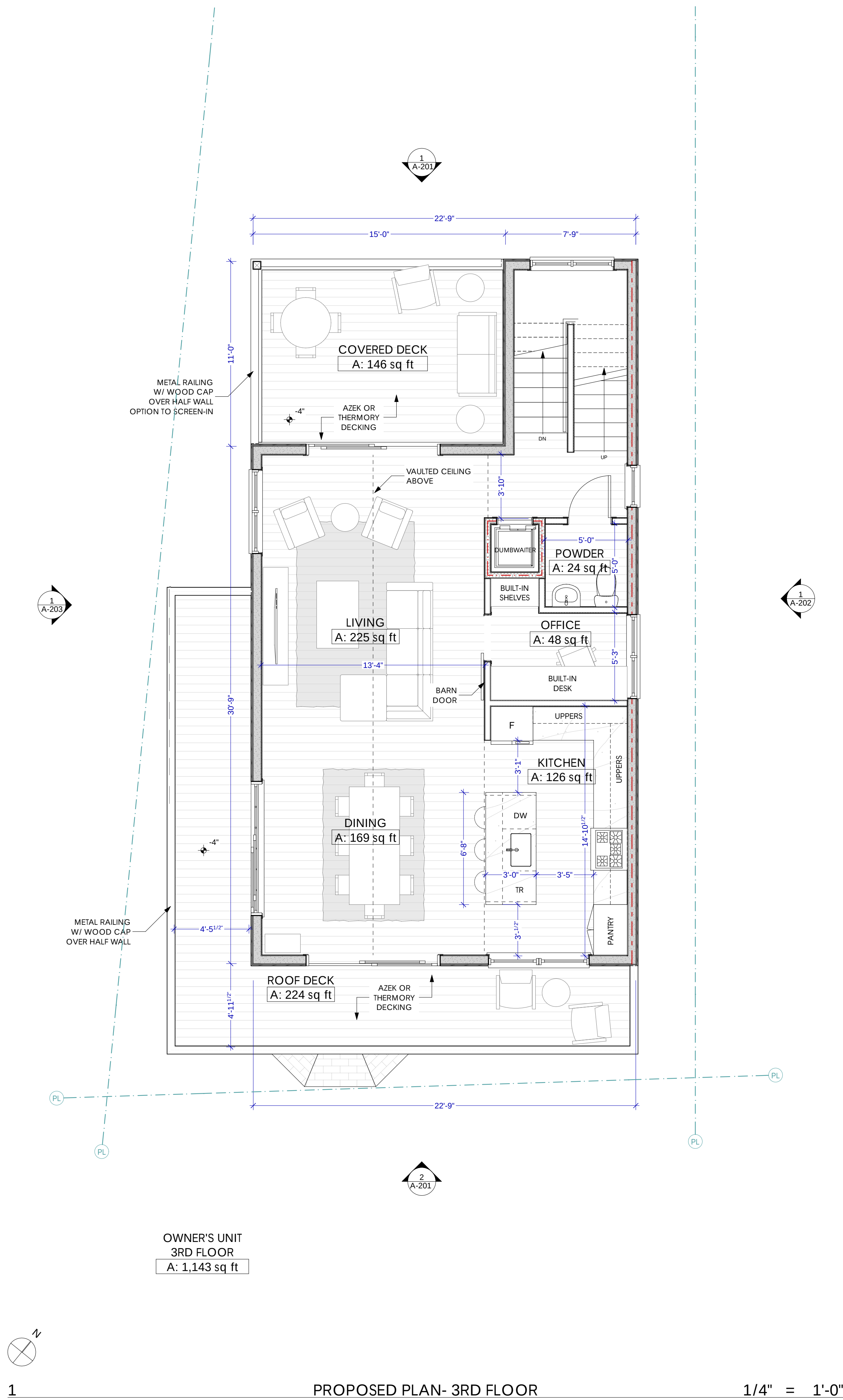
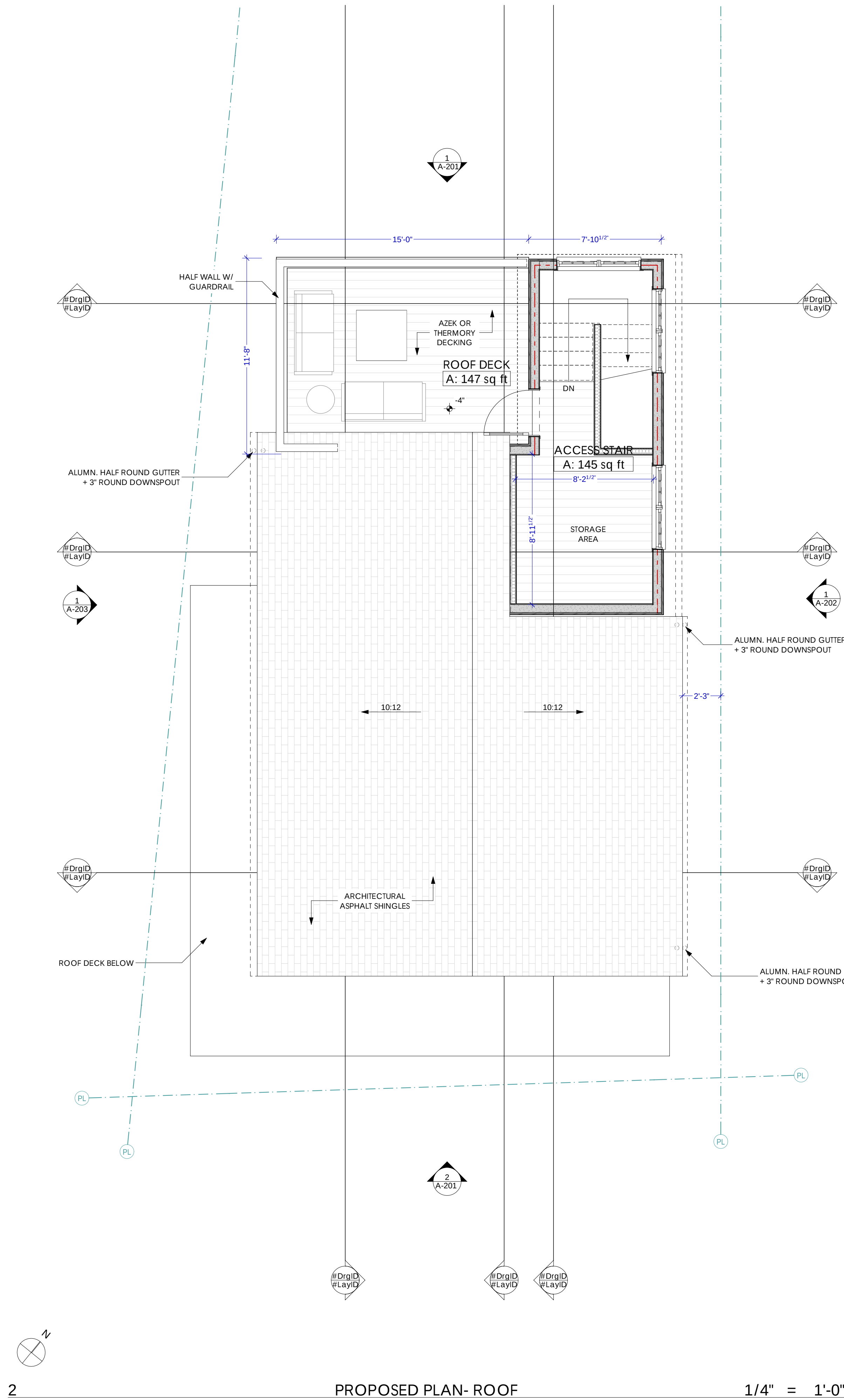
STRUCTURAL ENGINEER
TBD

CONTRACTOR:
TBD

PROPOSED PLANS

A-101
mobile
studio
design

/Users/leahschaffer/Desktop/p/22.05.24_7 Marion CD.pln



PRELIMINARY
NOT FOR CONSTRUCTION
FOR PLANNING REVIEW ONLY

LEAH REBECCA
SCHAFER
No. ARC4833
STATE OF MAINE

CHANGES THIS ISSUE:

ID	DESCRIPTION

SUBMISSIONS:

ISSUE	DATE	DESCRIPTION
01	7/21/22	SITE PLAN REVIEW
02	4/7/22	SITE PLAN REVIEW WORKSHOP SUBMISSION
03	6/7/22	SITE PLAN REVIEW FINAL SUBMISSION

7 Marion- 3 Unit

Sam Connelly and Nate Green
7 Marion Street Portland, ME 04103

MOBILE STUDIO DESIGN
128 Main Street, Suite 201
Biddeford, ME 04002
office: 207.499.4208

DATE OF ISSUE: 6/7/22
PROJECT STATUS: SD
ARCHITECT:
Leah Schaffer
leah@mobilestudiodesign.com

CONSULTANTS:
CIVIL ENGINEER:
Atlantic Resource Consultants
207-317-9989
SURVEYOR:
Spinwork Consultants
207-799-2654
STRUCTURAL ENGINEER
TBD

CONTRACTOR:
TBD

PROPOSED PLANS

A-102

mobile
studio
design

Page 493

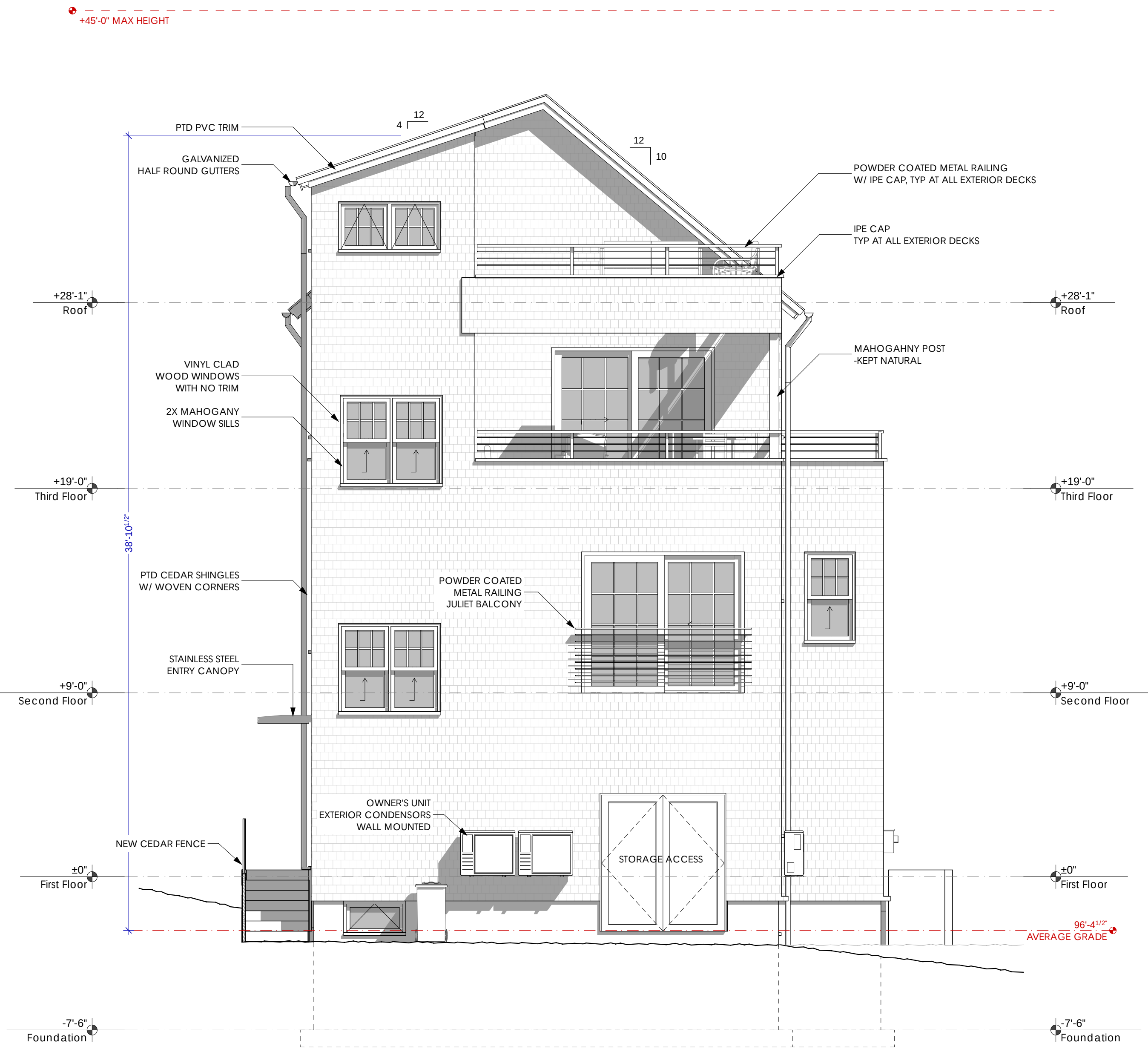
/Users/leahschaffer/Desktop/22.05.24_7 Marion CD.pln



PROPOSED- SOUTH ELEVATION

1/4" = 1'-0"

2

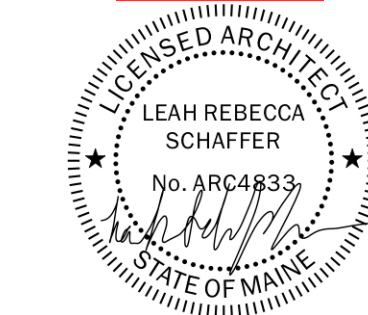


PROPOSED- NORTH ELEVATION

1/4" = 1'-0"

1

PRELIMINARY
NOT FOR CONSTRUCTION
FOR PLANNING REVIEW ONLY



ISSUE	DATE	DESCRIPTION
01	7/21/22	SITE PLAN REVIEW
02	4/7/22	SITE PLAN REVIEW WORKSHOP
03	6/7/22	SITE PLAN REVIEW FINAL SUBMISSION

ISSUE	DATE	DESCRIPTION
01	7/21/22	SITE PLAN REVIEW
02	4/7/22	SITE PLAN REVIEW WORKSHOP
03	6/7/22	SITE PLAN REVIEW FINAL SUBMISSION

7 Marion - 3 Unit
Sam Connelly and Nate Green
7 Marion Street Portland, ME 04103

MOBILE STUDIO DESIGN
128 Main Street, Suite 201
Biddeford, ME 04002
office: 207.499.4208

DATE OF ISSUE: 6/7/22
PROJECT STATUS:
SD
ARCHITECT:
Leah Schaffer
leah@mobilestudiodesign.com

CONSULTANTS:
CIVIL ENGINEER:
Atlantic Resource Consultants
207-317-9989
SURVEYOR:
Spurlock Consultants
207-799-2654
STRUCTURAL ENGINEER
TBD

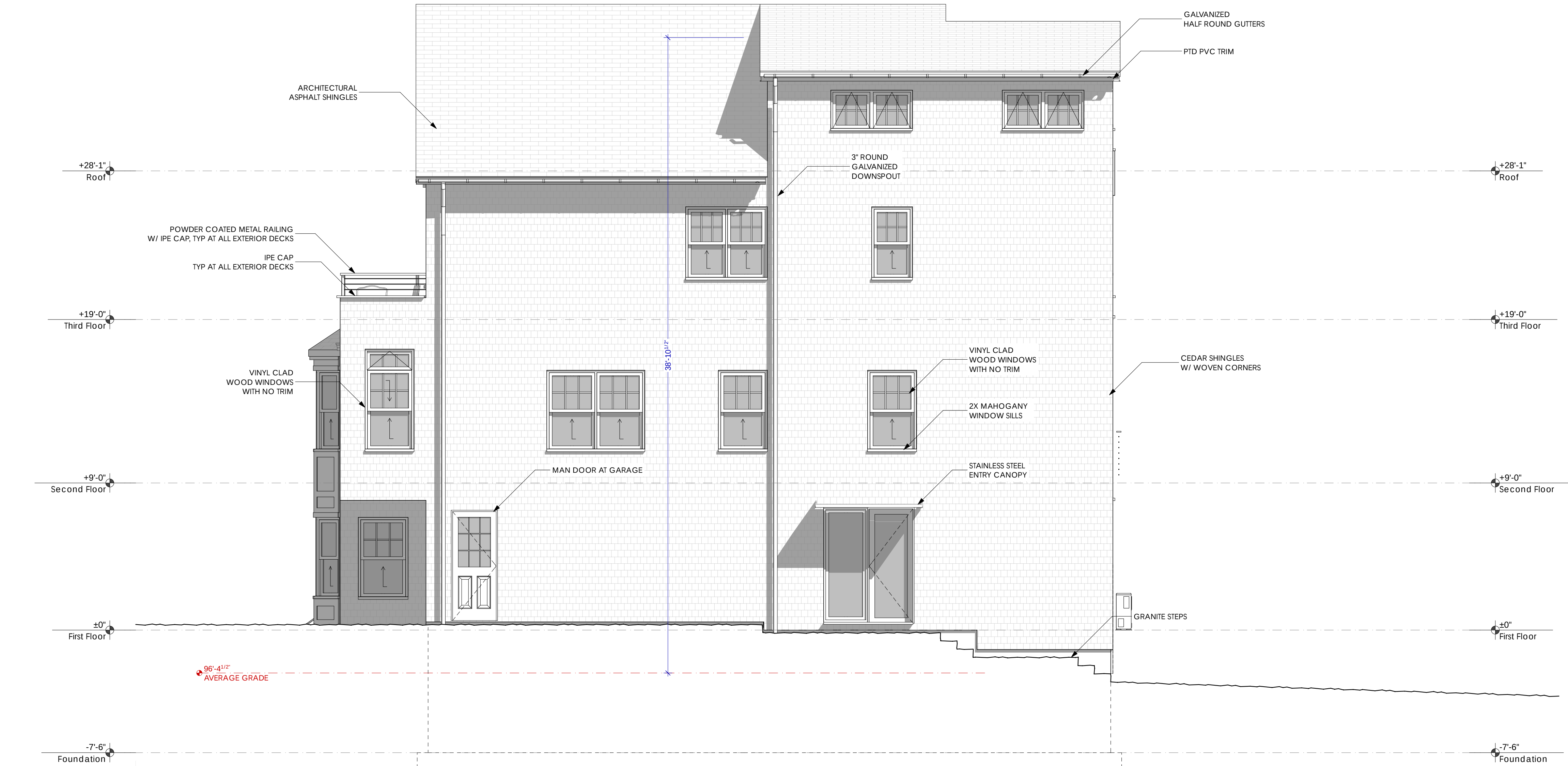
CONTRACTOR:
TBD

PROPOSED ELEVATIONS

A-201

mobile
studio
design

/Users/leahschaffer/Desktop/p/22.05.24_7 Marion CD.pln

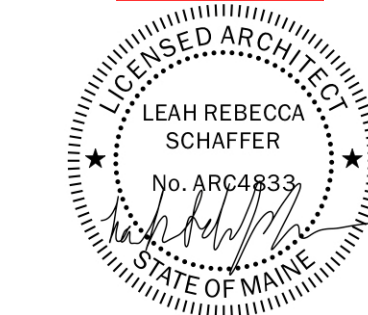


1

PROPOSED- EAST ELEVATION

1/4" = 1'-0"

PRELIMINARY
NOT FOR CONSTRUCTION
FOR PLANNING REVIEW ONLY



CHANGES THIS ISSUE:	
ID	DESCRIPTION

SUBMISSIONS:	
ISSUE	DATE
01	7/21/22
02	4/7/22
03	6/7/22

DESCRIPTION
SITE PLAN REVIEW
SITE PLAN REVIEW WORKSHOP
SUBMISSION
SITE PLAN REVIEW FINAL SUBMISSION

7 Marion - 3 Unit
Sam Connelly and Nate Green
7 Marion Street Portland, ME 04103

MOBILE STUDIO DESIGN
128 Main Street, Suite 201
Biddeford, ME 04002
office: 207.499.4208

DATE OF ISSUE: 6/7/22
PROJECT STATUS:
SD
ARCHITECT:
Leah Schaffer
leah@mobilestudiodesign.com

CONSULTANTS:
CIVIL ENGINEER:
Atlantic Resource Consultants
207-317-9989
SURVEYOR:
Spurwink Consultants
207-799-2654

STRUCTURAL ENGINEER
TBD

CONTRACTOR:
TBD

PROPOSED ELEVATIONS

A-202

mobile
studio
design

[illegible]

SUBMISSIONS:		
ISSUE	DATE	DESCRIPTION
01	2/21/22	SITE PLAN REVIEW
02	4/7/22	SITE PLAN REVIEW WORKSHOP SUBMISSION
03	6/7/22	SITE PLAN REVIEW- FINAL SUBMISSION

7 Marion- 3 Unit
Sam Connelly and Nate Green
7 Marion Street Portland, ME 04103

MOBILE STUDIO DESIGN
128 Main Street, Suite 201
Biddeford, ME 04002
office: 207.499.4208

DATE OF ISSUE: 6/7/22

PROJECT STATUS:
SD

ARCHITECT:
Leah Schaffer
leah@mobilestudiodesign.com

CONSULTANTS:
CIVIL ENGINEER:
Atlantic Resource Consultants
207-317-9989

SURVEYOR:
Spurwink Consultants
207-799-2654

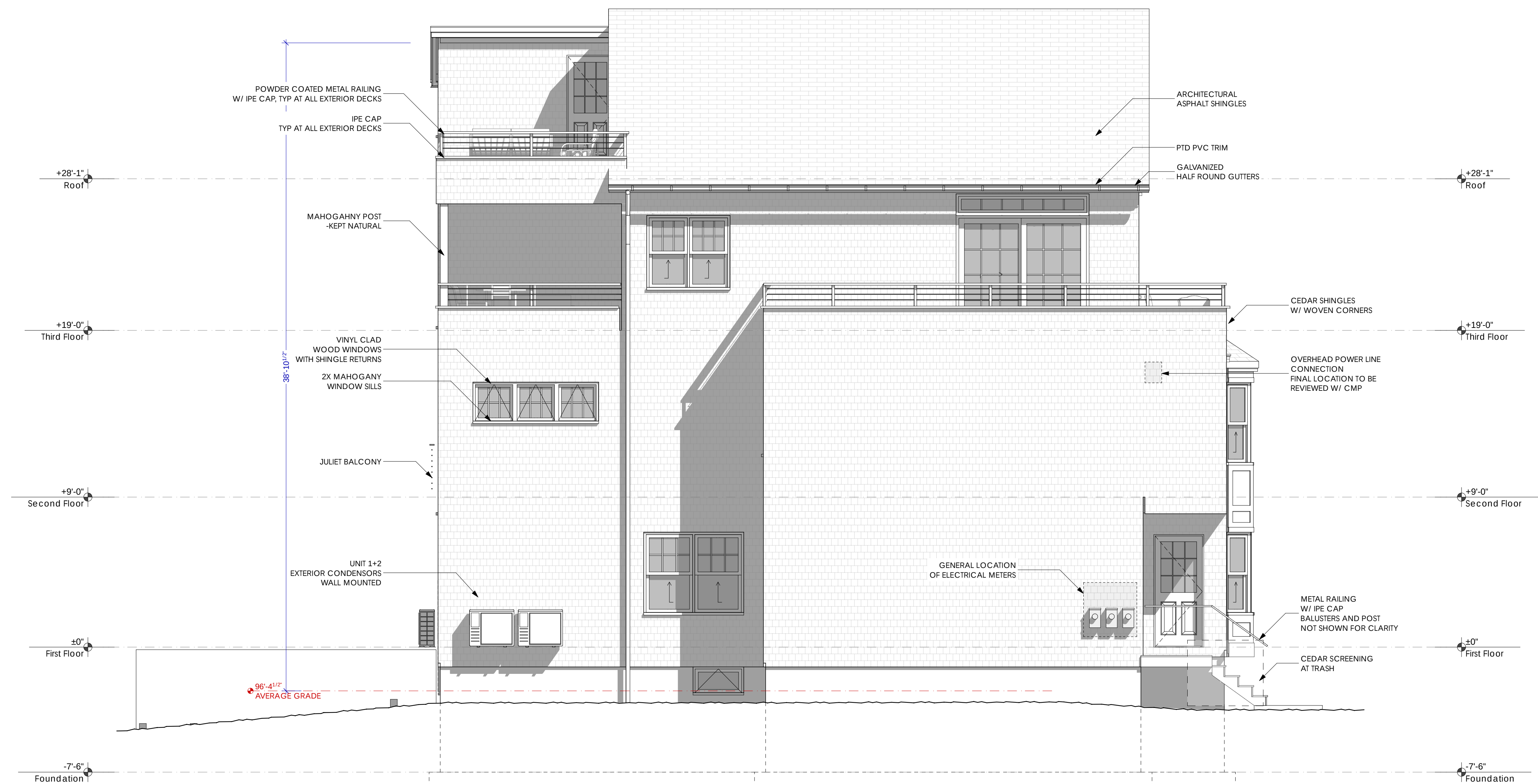
STRUCTURAL ENGINEER
TBD

CONTRACTOR:
TBD

PROPOSED ELEVATIONS

A-203

mobile
studio
design



PROPOSED- WEST ELEVATION

$$\underline{1/4'' = 1'-0''}$$

/Users/leahschaffer/Desktop/p/22.05.24_7 Marion CD.pln



3 STREET LEVEL VIEW



5 REAR VIEW



2 EAST ELEVATION



4 FRONT ELEVATION



1 BIRD'S EYE VIEW



CHANGES THIS ISSUE:
ID DESCRIPTION

SUBMISSIONS:		DESCRIPTION
ISSUE	DATE	
02	4/7/22	SITE PLAN REVIEW WORKSHOP SUBMISSION
03	6/7/22	SITE PLAN REVIEW FINAL SUBMISSION

7 Marion - 3 Unit
Sam Connelly and Nate Green
7 Marion Street Portland, ME 04103

MOBILE STUDIO DESIGN
128 Main Street, Suite 201
Bridgeton, ME 04002
office: 207.499.4208

DATE OF ISSUE: 6/7/22
PROJECT STATUS:
SD
ARCHITECT:
Leah Schaffer
leah@mobilestudiodesign.com

CONSULTANTS:
CIVIL ENGINEER:
Atlantic Resource Consultants
207-317-9989
SURVEYOR:
Squawk Consultants
207-799-2654

STRUCTURAL ENGINEER
TBD

CONTRACTOR:
TBD

3D VIEWS

A-900

mobile
studio
design