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/Historic Preservation Board will hold a remote meeting on **Tuesday, June 28, 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 28, 2022 04:30 PM Eastern Time (US and Canada)
Topic: Planning Board Workshop and Public Hearing 6/28/2022

Please click the link below to join the webinar:
https://portlandmaine-gov.zoom.us/j/86227553735
Or One tap mobile :
US: +13126266799,,86227553735# or +19292056099,,86227553735#
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: 862 2755 3735
International numbers available: https://portlandmaine-gov.zoom.us/u/kbF7B3OzJV

WORKSHOP - 4:30 PM

i. Executive Session – Corporation Counsel (estimated time – 4:30 – 5:30 p.m.) The Board will go into Executive Session pursuant to 1 M.R.S 405(6)(E) to consult with its attorney regarding its legal rights and duties.

ii. Zoning Map Amendment; 50 County Way; Cumberland County Executive Office, Applicant. (estimated time 5:30 – 6:30 p.m.) The Planning Board will hold a remote workshop to consider the rezoning of the 14.83 acre County Jail and Law Enforcement Center property from I-L Light Industrial to B-2 Community Business. The map amendment, if approved, would facilitate future expansion of the County complex to accommodate office and medical uses.

PUBLIC HEARING - 6:30 PM

1. ROLL CALL AND DECLARATION OF QUORUM

2. COMMUNICATION AND REPORTS

3. REPORT OF ATTENDANCE AT THE MEETING HELD ON JUNE 14, 2022

Attendanace will be added as soon as it is finalized.

4. REPORTS OF DECISIONS AT THE MEETING HELD ON JUNE 14, 2022

i. Decisions will be added as soon as they are finalized.

5. NEW BUSINESS

i. Subdivision Application; 102 State Street; NewHeight Redfern, LLC., Applicant. (estimated time 6:30 – 7:30 p.m.) The Planning Board will hold a remote public hearing to consider an application to subdivide the development site approved by the Planning Board for a nine-unit townhouse condominium project on March 8, 2022 into ten new parcels. No new development is proposed in connection with this application. The subject property is 45,025 square feet in size and is zoned B-3 Downtown Business.

ii. Subdivision and Subdivision Amendment; 300 Rand Road/1190 Brighton Avenue; Dirigo Center Developers, LLC., Applicant. (estimated time 7:30 p.m.) The Planning Board will hold a remote public hearing to consider subdivision and subdivision amendment applications to facilitate changes to the lot configuration for the North and South Campuses of the Rock Row development via subdivision of the South Campus parcel into nine new lots and creation of a new lot, Lot 7, at the North Campus. All future land improvements associated with these actions would be located within the City of Westbrook. A related subdivision application, #2016-073, was originally approved by the Planning Board on October 25, 2018 and subsequently amended on January 20, 2020 under application PL-000910-2019. The subject parcels are zoned B-4 Commercial Corridor and I-L Low Impact Industrial.

Memorandum
Planning and Urban Development Department

To:	Chair Stanley & Members of the Planning Board
From:	Austen Torres Davis, Planner
Date:	June 24, 2022
Re:	Rezoning from I-L to B-2
Project ID:	ZN-001944-2022
Meeting Date:	June 28, 2022
CBL:	064 A013001

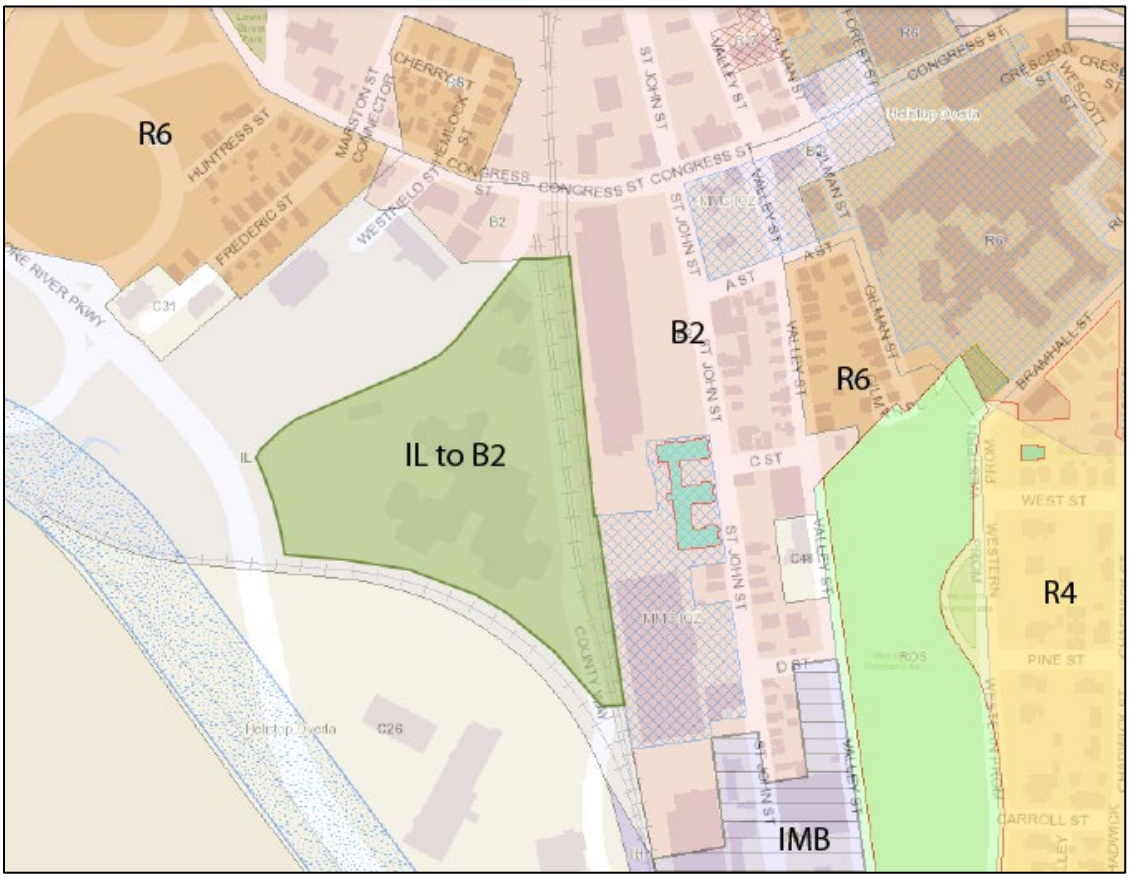


Figure 1: Existing zoning context with approximate rezoning area highlighted in green.

I. INTRODUCTION

Cumberland County Commissioners are seeking a zoning map amendment to map a B-2 Community Business zone onto portions of County property located at 50 County Way in the Libbytown neighborhood. The subject area for the zone change is approximately 15 acres in size and is currently zoned I-L Industrial Low-Impact. The I-L zone does not allow for governmental uses, general services, or pre-release facilities. Therefore, some of the uses at 50 County Way are currently non-conforming to the standards of the I-L zone.

The requested actions would facilitate the construction of an enhanced medical wing to the existing Cumberland County Jail, as well as the future construction of a building to house the Cumberland County Records. These actions would allow for the provision of improved medical care to inmates, as well as the future consolidation of most County functions on one property. The applicant has identified that a zoning map amendment is required to

undertake these future projects. Each of these future projects would be required to go through the site plan application process.

The Planning and Urban Development Department mailed 61 notices advertising this meeting to interested parties and property owners within 500 feet of the site. The legal advertisement ran in July 16 and 17, 2022 editions of the *Portland Press Herald*. The applicant held a neighborhood meeting on July 23, 2022. Information on the location and attendance at this meeting is forthcoming.

Figure 2: Aerial View of Site (facing north)

Owner/Applicant: Cumberland County Government
Agent: James H. Gailey, County Manager

II. PROJECT DATA

Existing Zoning	I-L Industrial – Low Impact
Proposed Zoning	B-2 Community Business
Existing Use	Governmental Uses
Proposed Use	Governmental Uses

III. EXISTING CONDITIONS

The subject property is comprised of three county-owned parcels at 50 County Way, including the existing Cumberland County Jail, as well as the Community Corrections and Sheriff's Office. The site is bordered on the east and southwest by active rail lines owned and operated by Amtrak. From the west, the site is accessed by a road leading from the Fore River Parkway, while the main entrance is from an access road leading from Congress Street. As is shown on proposed plans (see Figure 4), the northwest of the site is a proposed Amtrak right-of-way currently occupied by vegetation that may eventually be developed to form a rail-wye for improved Downeaster service. Across the rail line to the east is the Saint John Valley neighborhood and Union Station Plaza. The overall character of the surrounding area is mixed use, with commercial, industrial, and residential uses. The site is nearby to transportation infrastructure including the Portland Transportation Center (approximately one mile), GP Metro routes B, 1, 5, 9A, and 9B, Fore River Parkway Trail, as well as Interstate 295.

IV. BACKGROUND & SITE HISTORY

Historically, the site now known as 50 County Way was owned by the Portland Terminal Company, which managed railways in the Portland region. The Cumberland County Government, documented as the *Inhabitants of the County of Cumberland*, acquired the property from the Portland Terminal Company in 1990. The street now known as County Way was historically known as Ogdensburg Street, and retained that title until some point after the site changed ownership in 1990. The County acquired the site in order to build the current county jail, which opened in 1994. In addition to the jail, the roughly 15 acre complex includes a prerelease center and an office building used by the Cumberland County Sheriff's Office.

Prior to 1997, 50 County Way was zoned as I2, an industrial zone that no longer exists. 1997 zoning maps show the site within the I-L zone.

Figure 3: Plan View (facing west) Showing Site with Existing Buildings

V. CONCEPTUAL DEVELOPMENT PROPOSAL

The proposed rezoning from I-L to B-2 would facilitate the expansion of county government services in conformance with the Land Use Code.

The County wishes to build a 6,000 square foot addition to the existing County Jail for a new medical wing. The Covid-19 pandemic led the County to realize its medical services on site were inadequate to address needs of inmates. This wing will improve the ability of the County government to deliver services to inmates, as the County's current medical facility is undersized and dated. Additionally, the County may explore a small free standing building for administrative uses along the Fore River Parkway. This building would also be used to house the Cumberland County Registry of Deeds, which are currently housed in a facility that does not have the capacity for expansion.

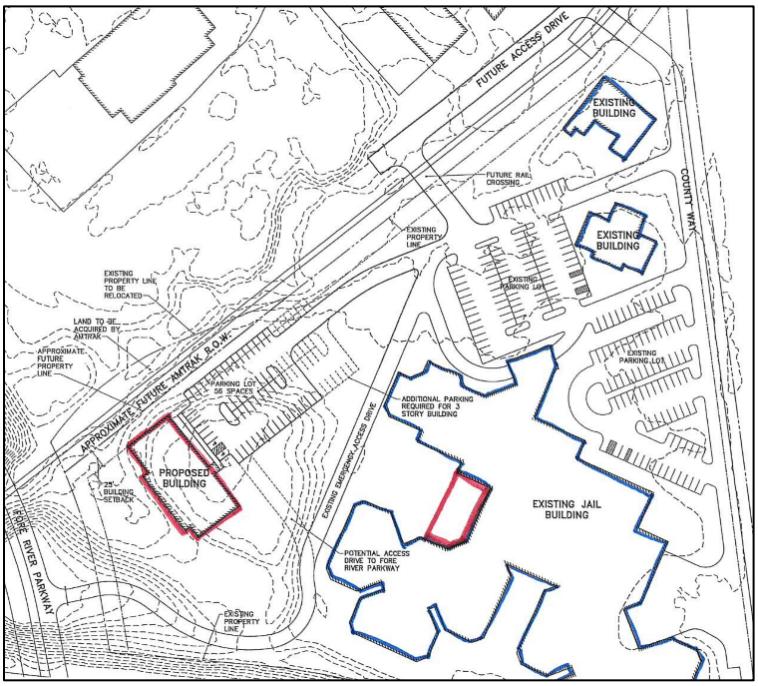


Figure 4: Proposed Development Facilitated by Rezoning

The development contemplated in this application is conceptual at this stage – no site plan application has yet been submitted - but the current 50 County Way map amendment application package submitted by the applicant includes a concept showing a new building, as well as an addition to the existing jail (see Figure 4).

Should the proposed rezoning be approved by the City Council, a site plan application would be submitted by the applicant. In addition to applicable land use standards, the project would be subject to the standards contained in the City's Technical Manual and B-2 design guidelines.

VI. PROPOSED ZONING MAP AMENDMENT

The B-2 Community Business zone is a moderate-density mixed-use zone mapped in locations throughout the city, both on and off-peninsula. The I-L Industrial Low-Impact zone is less widespread throughout the city, with small-scaled pockets of low intensity industries that border residential areas. Some examples of permitted uses in the I-L zone include bakeries and breweries, as well as warehousing and distribution.

The two zones permit a wide and sometimes-overlapping range of uses. However, they vary significantly in terms of the form of building that is promoted through the dimensional requirements, as well as permitted and conditional use standards. A map amendment from I-L to B-2 would allow Cumberland County to expand in better conformance with the City of Portland Land Use Code.

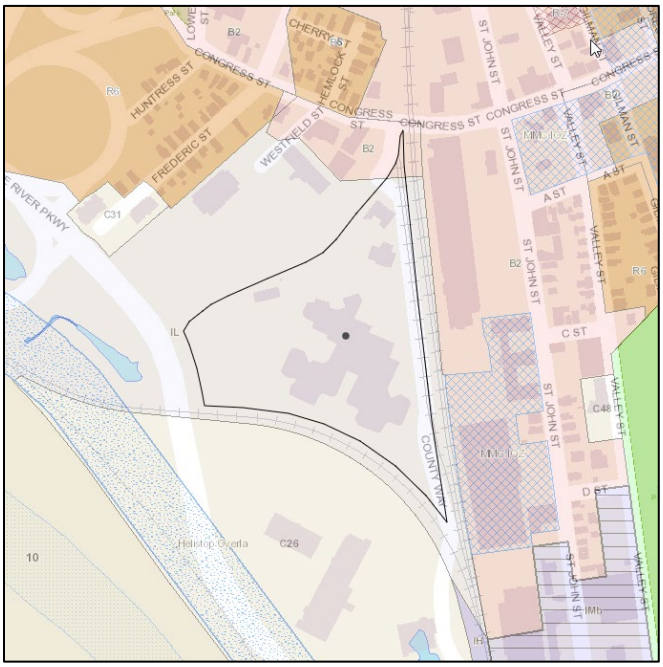


Figure 5: 50 County Way Property Line

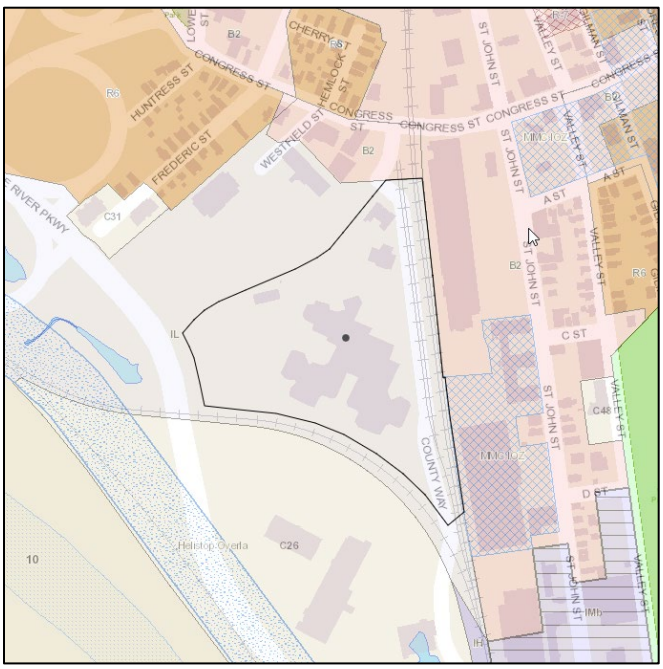


Figure 6: Area to be Rezoned

VII. ZONING ANALYSIS

A. Existing Zoning: I-L Industrial Low-Impact

The City's zoning code describes the purpose of the I-L Low Impact Industrial zone as:

"To provide areas in which low-impact industrial uses, and limited other uses serving employees and residents of the surrounding neighborhood, will be compatible with adjacent residential uses, will provide a buffer between residential neighborhoods and higher impact industrial zones, or will stand alone as a smaller scale industrial district. The I-L zone is located adjacent to residential neighborhoods, business uses and other industrial uses where the low-intensity nature of the uses, as well as their strict performance standards, will ensure the compatibility of the uses with other adjacent industrial and nonindustrial uses. Performance standards for uses in the I-L zone are designed to maintain compatibility between low impact industrial uses and neighboring nonindustrial and industrial uses."

B. Proposed Zoning: B-2 Community Business

The City's zoning code describes the purpose of the B-2 Community Business zone as:

"To provide appropriate locations for the development and operation of community centers offering a mixture of commercial uses, housing, and services serving the adjoining neighborhoods and the larger community. The variety,

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

Planning staff believe that B-2 is an appropriate district for the subject area due to the existing governmental and pre-release uses being non-conforming in the I-L zone and the mixed-use nature of the surrounding area. The site is currently being used by the County government a non-industrial use. Additionally, the B-2 zone abuts the site to the north and east, such that expanding the B-2 would fit within the character of the surrounding area.

Staff have conducted an analysis comparing the proposed B-2 zone requirements with the existing I-L industrial zone and have highlighted the differences in the tables below.

Use Summary:
The existing I-L zoning district permits a range of institutional, commercial, and industrial uses. These include Low-impact industrial uses, which do not include the processing of raw materials or salvaging operations. Instead, low-impact industrial uses involve manufacturing, packaging, assembly, and distribution of previously processed materials. Businesses that fit in this category range in operations from bakeries and breweries to machine shops and tree nurseries. In addition to these industrial operations that are generally compatible with adjacent residential and commercial zones, the I-L zone allows miscellaneous uses such as solar and wind generation.
Importantly, the I-L zone does not allow governmental uses such as those that already exist at 50 County Way or residential uses.

The B-2 zone is a mixed-use zone permitting residential, institutional, commercial/service, and industrial uses. Some permitted uses in the B-2 zone include institutional uses such as clinics, intermediate care facilities, as well as commercial uses such as bars, restaurants, and general offices. Low-impact industries are also permitted in the B-2 zone, such that this proposed map amendment would not preclude future industrial development in the area.
The B-2 zone would allow for the expansion of governmental uses at 50 County Way.

Neither the B-2 nor the I-L zones permit correctional pre-release facilities. While there is a pre-release facility on site, there are no plans for the expansion of that use in the future and it would continue as a legally non-conforming use.

***Table 1** provides a comparison of the permitted uses between existing and proposed zone. Uses marked with a 'P', are permitted uses in the zone. A 'C' indicates a conditional use, otherwise uses are not permitted. Highlighted in yellow shows any changes between zones*

TABLE 1: PERMITTED AND CONDITIONAL USES IN I-L Industrial & B-2 Business Community Zones		I-L	B-2	Notes
Residential	Single-family dwellings		P	
	Two-family dwellings		P	
	Multi-family dwellings		P	
	Combined living/working spaces		P	
	Lodging houses		P	
Institutional	Clinics		P	
	Elementary, middle, and secondary schools		P	
	Governmental Uses		P	*This would be the proposed use of the site at 50 County Way.*
	Intermediate Care Facilities		P	
	Long-Term and Extended Care Facilities		P	
	Places of assembly (< 10,000 SF)	P	P	
	Places of assembly (> 10,000 SF)		P	
	Preschool facilities	P	P	
	Emergency shelters	CU		
	Post-secondary schools		P	
Commercial	Adult business establishments		P	
	Auto, boat, and related dealerships		CU	
	Auto service stations		CU	
	Bars		P	
	Bed and breakfasts		P	
	Funeral homes		P	
	General offices (<5,000 SF)	P	P	
	General offices (>5,000 SF)	P	P	Cumberland County plans to eventually expand uses at 50 County Way to include more office space.
	General services (<5,000 SF)		P	
	General services (>5,000 SF)		P	
	Hotels		P	
	Recreation and amusement centers	P		
	Marijuana retail store		P	
	Registered marijuana dispensary		P	
	Restaurants		P	
	Retail (< 5,000 SF)		P	
	Retail (5,000 – 25,000 SF)		P	
	Retail (>25,000 SF)		P	
	Small-scale marijuana caregiver		P	
	Theaters and performance halls		P	
	Veterinary services		P	
Industrial	Communication studios		P	
	Animal-related services	P		
	Construction & engineering services	P		

	Dairies	P	P	
	Intermodal transportation facilities	P		
	Laboratory and research facilities	P	CU	
	Low-impact industrial (<10,000 SF)	P	P	
	Low-impact industrial (>10,000 SF)	P	P	
	Lumber yards	P		
	Marijuana cultivation facility (<2,000 SF plant canopy)	P		
	Marijuana manufacturing facility	P		
	Marijuana testing facility	P		
	Printing and publishing	P	CU	
	Repair services	P	P	
	Studios for artists and craftspeople	P	P	
	Warehousing, storage, and distribution	P	CU	
Other	Correctional pre-release facilities			Pre-release facilities are not permitted in either the I-L or the B-2 zones.
	Marinas	P		
	Parks and open spaces		P	
	Solar energy system (minor)	P	P	
	Utility substations	P	P	
	Wind energy system (minor)	CU	CU	

B-2 Community Business zone dimensional standards have no minimum lot area or lot coverage requirements. The lot area per dwelling unit is 435 square feet for residential uses. Buildings have a maximum setback of 10 feet, minimum rear setback of 10 feet, and no side setback. Buildings are permitted a maximum building height of 45 feet, except 50 feet if the first floor is in commercial use, and 65 feet on lots greater than five acres. There is a required 5 foot side stepback and 15 foot rear stepback for portions of buildings above 35 feet when the property line abuts a residential zone.

Table 2 provides a comparison of the dimensional requirements between existing and proposed zone. Highlighted in yellow shows any changes between zones

TABLE 2: Zoning Requirements by Use	I-L	B2
Lot area (min.)	None	None
Lot area per dwelling unit (min.)	N/A	435 SF (on-peninsula)
Lot area per rooming unit (min.)	N/A	150 SF (on-peninsula) 350 SF (off-peninsula)
Street frontage (min.)	60 ft	20 ft.
Lot width (min.)	None	None
Front setback (min.)	25 ft.	10 ft.
Rear setback (min.)	25 ft., except 40 ft. when abutting residential zone	10 ft. (principal) 5 ft. (accessory)
Side setback (min.)	25 ft., except 40 ft. when abutting residential zone	None 5 ft. (accessory)
Stepbacks (min.)	None	Side: 5 ft.; Rear: 15 ft.
Structure height (max.)	45 ft.	45 ft., except 50 ft. if first floor is in commercial use, 65 ft. in B-2 and B-2c on lots >5 ac. if required side and rear setbacks are increased by 1 foot for each foot of height over 45 ft
Lot coverage (max.)	None	None
Impervious surface ratio (min.)	65%	80% for non-residential
Pavement setback (min.)	15 ft.	None

VIII. COMPREHENSIVE PLAN ANALYSIS

Portland's Plan 2030

Comprehensive Plan goals and policies (state and local) relevant to the proposed zoning map amendment are included below as well as provided in the analysis submitted by the applicant (Attachment C). In the provided analysis the applicant lays out various portions of Portland's Plan 2030 that their proposal adheres to.

Figure 7. Visions of Portland's Plan 2030

Several aspects of the proposed map amendment to B-2 Community Business are consistent with the Comprehensive Plan. *Portland's Plan 2030,* places emphasis on areas most important to its growth over the coming years. It contains three maps including a map of identified corridors and nodes that are poised to accommodate additional growth. Nearby Congress Street and St. John Street are currently mapped B-2 and are identified as a priority corridor and priority node, respectively. In addition, the Fore River Parkway and adjacent lands is identified as an area to "evaluate", prioritized for its potential to support growth, accommodate a variety of services, and higher-density to take advantage of the nearby transit benefits and walkability. The comprehensive plan highlights the importance of priority corridors as major arterials that have the capacity to improve mobility by capitalizing on their potential for increased walking, bicycling, and transit use. The proposed change to B-2 would align with the mixed-use nature of the surrounding area and is consistent with the surrounding zoning, and land uses. The zone change would allow mixed-uses at a higher density and would accommodate residential development where residential is not currently permitted and non-residential job generating uses, including general office, general services, low-impact industrial, and retail among others. The site is proximate to transit, and offers potential connections to the Fore River Parkway Trail, which would further expand opportunities for multi-modal connections to and from the area.

Relevant Comprehensive Plan goals have been excerpted below:

Environment:

- Adopt sustainable land use and transportation policies that support connectivity, walkable neighborhoods, and multi-modal transportation.
- Coordinate future land use policy changes with long-range regional transportation planning, including planning for transit, pedestrian, and bicycle improvements, to reduce local and regional vehicle miles traveled.

Economic:

- Promote an economic climate that increases job opportunities and overall economic well-being.
- Ensure that new employment can be accommodated in priority growth areas across the 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.

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.
- Support the economic vitality by ensuring the efficient movement of goods, services, and people.

XI. PUBLIC COMMENT

As of the writing of this report no public comments have been received.

X. NEXT STEPS

-Incorporate feedback from Planning Board
-Return to Planning Board for future Public Hearing
-Forward recommendation to City Council for consideration for adoption

XI. ATTACHMENTS

PLANNING BOARD REPORT ATTACHMENTS

APPLICANT'S SUBMITTAL

A. Project Cover Letter
B. Map Amendment Application Checklist
C. Jail Deed
D. Consistency with Comprehensive Plan Analysis

PLANS

Plan 1. 50 County Way Boundary Survey with Photo
Plan 2. Draft County Building Expansion
Plan 3. Map Amendment
Plan 4. Vicinity Map – 50 County Way

Cumberland County Government
142 Federal Street, Portland, Maine 04101
207-871-8380 • cumberlandcounty.org

James H. Gailey, County Manager

Maine Cumberland **County**

March 3, 2022

City of Portland Planning Dept.
C/o Christine Grimando, Director
389 Congress Street, 4th Floor
Portland, Maine 04101

RE: Zoning Map Change – 50 County Way

Dear Director Grimando,

On behalf of the Cumberland County Commissioners I submit the enclosed Zoning Map Change for the County's property located at 50 County Way, Map 64 Lot A013, Map 75 Lot A001 and Map 76 Lot A039. The 14.83 acre site is currently the home of the County Jail and Law Enforcement Center (Sheriff's Office). The property currently has four buildings on the site.

The current zone of the property is Light Industrial I-L. In reviewing the City's Zoning Ordinance, the County finds that sometime between when the Jail was built in the early 1990's and today, the zoning was changed as the current I-L zone no longer allows Jails or Government uses. The I-L does allow Correctional pre-release facilities, which does exist on the property, but is accessory to the Jail use.

The pandemic taught us a lot of lessons and showed us our weaknesses, one of which was the lack of an appropriately sized medical facility at the Jail. The County currently has plans to construct a 6,000± SF medical wing onto the Jail. The County also is in the discussion stages of exploring a small office building on the Parkway side of the site for County offices in hopes of providing greater spacing of employees at the courthouse. It is our opinion that the current use at 50 County Way does not meet the I-L zoning district and that our future plans do not either.

The County requests the opportunity to rezone the property to the Mixed Use B-2 District, allowing for Government Uses. A portion of the B-2 Purpose Statement reads "The variety, sites and intensity of the permitted commercial uses in the B-2 zone are intended to be greater than those permitted in the B-1/B-1b zones." And "Development in the B-2 zone should relate to the surrounding neighborhoods by design, orientation and circulation patterns." The B-2 District currently abuts the County's I-L zoned property. This request would only extend the B-2 District.

We would request the opportunity to work with Planning staff and the Planning Board through the process of changing the zoning designation for this property from the I-L to the B-2.

I look forward to further contacts from the Planning Office as we move through this rezoning opportunity.

Sincerely,

James H. Gailey
County Manager

Cc: County Commissioners

CITY OF PORTLAND
Planning & Urban Development Department

MAP AMENDMENT SUBMISSION CHECKLIST * Please submit each document and drawing as a separate PDF file * Please submit all drawings in a 24 x 36 sheet size * 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** • Analysis of the consistency of the zone change request with the goals, policies and land use plan of Portland's Comprehensive Plan.
☑	**Completed Checklist – Map 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)** Provide a site plan of the property showing existing and proposed improvements, including such features as buildings, parking, driveways, walkways, landscape and property boundaries.

PLAN # ZN-001944-2022

BK9382PG0061

054412
RELEASE DEED

PORTLAND TERMINAL COMPANY, a corporation duly organized and existing under the laws of the State of Maine, with offices at Iron Horse Park, North Billerica, Middlesex County, Massachusetts (the "Grantor") in consideration of One Million Two Hundred Thousand ($1,200,000.00) Dollars paid to it by the **INHABITANTS OF THE COUNTY OF CUMBERLAND, STATE OF MAINE**, a body corporate and politic having a mailing address of 142 Federal Street, Portland, Maine 04101 (the "Grantee") hereby grants to the Grantee all the Grantor's right, title and interest, without any warranties or covenants of title whatsoever, in a certain parcel of land, and the buildings, bridges, structures, crossings, fixtures and improvements thereon, if any, situated in Portland, Cumberland County, Maine (the "Premises") described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE.

This conveyance is made subject to the following reservations, conditions, covenants and agreements:

1. This conveyance is made without granting any right of way, either by necessity or otherwise over any remaining land or location of the Grantor.

2. The Grantor excepts from this conveyance any and all railroad tracks, railroad track materials (including, but not limited to, ties, connections, switches and ballast), and/or related equipment of any description located in whole or in part within the Premises (the "Trackage") and this conveyance is subject to the right of the Grantor to enter the Premises from time to time and at any and all times within the ninety (90) day period commencing with and subsequent to the date of delivery of this deed, with such men, equipment and materials as, in the sole and reasonable opinion of the Principal Engineering Officer of the Grantor, are necessary for the removal of such Trackage. Days during the months of December, January, February and March shall not be included in the aforesaid ninety (90) day period. If the Trackage is not removed from the Premises by the expiration of said ninety (90) day period, the Trackage shall be deemed abandoned by the Grantor and shall then become the property of the Grantee.

3. By the acceptance of this deed and as part consideration therefor, the Grantee hereby assumes any and all agreements, covenants, obligations and liabilities of the Grantor in respect to any underground facilities, drainage culverts, walls, crossings and/or other structures of any nature and description located in whole or in part within the Premises.

4. By the acceptance of this deed and as part consideration therefor, the Grantee agrees to release and hold harmless the Grantor (including its officers, employees, agents, directors, shareholders and affiliates) from and against any and all loss, liability, damage, cost and expense (including reasonable attorneys' fees) occasioned by or associated with any claims, suits and/or enforcement actions (including any administrative or judicial proceedings and any remedial, removal or response actions) ever asserted, threatened, instituted or requested by any person and/or governmental agency on account of: (a) any release of oil or hazardous materials or substances of any description on, upon or into the Premises in contravention of any ordinance, law or statute (including, but not limited to, the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. Section 9601, et seq., as amended); and (b) any and all damage to real or personal property, natural resources and/or harm or injury to persons alleged to have resulted from such release of oil or hazardous materials or substances.

5. By the acceptance of this deed and as part consideration therefor, the Grantee hereby agrees to build and forever maintain fences (together with any necessary gates), suitable to the Principal Engineering Officer of the Grantor, along the boundaries of the Premises which are common to remaining land or location of the Grantor (the "Fences"), if Fences are ever required in the reasonable opinion of said Principal Engineering Officer in order to prevent encroachments or unauthorized entry upon adjoining land of the Grantor. If the Grantee fails to install, maintain, repair or replace the Fences within sixty (60) days after having been requested or ordered to do so by the said Principal Engineering Officer of the Grantor, then the Grantor shall have the right to so install,

maintain, repair or replace the Fences. The Grantee further covenants and agrees that, upon the rendering of a bill for the expense of such installation, maintenance, repair or replacement of the Fences, the Grantee shall pay said bill in full within thirty (30) days from the date of receiving it. The Grantee further covenants and agrees that if said bill is not paid within thirty (30) days, it shall become subject to a finance charge computed at a periodic rate of 1.5% per month applied to the previous balance after deducting any current payment. If said finance charge is not lawful, then the finance charge shall then be the highest lawful amount which does not exceed said 1.5% per month charge. If the Grantee, for any reason whatsoever, fails to pay said bill (and finance charges, if applicable) the Grantee shall pay all Grantor's costs of collection, including reasonable attorneys' fees and expenses.

6. This conveyance is subject to the following restrictions for the benefit of other land or location of the Grantor, to wit: that from the date of this deed, the Grantor shall not be liable to the Grantee or any lessee or user of the Premises (or any part thereof) for any damage to any buildings or property upon them caused by fire, whether communicated directly or indirectly by or from locomotive engines of any description upon the railroad operated by the Grantor, or otherwise.

7. By the acceptance of this deed and as part consideration therefor, the Grantee hereby agrees to make no use of the Premises which, in the reasonable opinion of the Principal Engineering Officer of the Grantor, unreasonably and adversely affects, increases or decreases drainage to, from, upon or in any remaining land or location of the Grantor. The Grantee agrees to indemnify and save the Grantor harmless from and against any and all loss, cost, damage or expense including, but not limited to, the cost of defending all claims and/or suits for property damage, personal injury or death arising out of or in any way attributable to any breach of the foregoing covenants.

8. The Grantor excepts from this conveyance any and all overhead, surface or underground signal and communication line facilities of the Grantor located

within the limits of the Premises and this conveyance is subject to the Grantor's use of any such facilities in their present looations and entry upon the Premises from time to time to maintain, repair, replace, renew, relay or remove such facilities.

9. Whenever used in this deed, the term "Grantor" shall not only refer to the **PORTLAND TERMINAL COMPANY**, but also its successors, assigns and affiliates and the term "Grantee" shall not only refer to the above-named Grantee, but also the Grantee's successors, assigns and grantees, as the case may be.

10. The several exceptions, reservations, conditions, covenants and agreements contained in this deed shall be deemed to run with the land and be binding upon the Grantee forever. In addition to the acceptance and recording of this deed, the Grantee hereby signifies assent to the said several exeptions, reservations, conditions, covenants and agreements, by joining in its execution.

IN WITNESS WHEREOF, the said **PORTLAND TERMINAL COMPANY** has caused this release deed to be executed in its name and its corporate seal to be hereto affixed by David A. Fink, its President, thereunto duly authorized this 9 day of November, 1990.

PORTLAND TERMINAL COMPANY

Witness

By: David A. Fink
David A. Fink, President

SEAL

GRANTEE:
INHABITANTS OF THE COUNTY OF CUMBERLAND, STATE OF MAINE

Witness

By: Joseph R. Mazzotta

Witness

By: Richard D. Hewes

Witness

By: _____

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss. November 9, 1990

Then personally appeared the above-named David A. Fink, the President of the **PORTLAND TERMINAL COMPANY** and acknowledged the foregoing release deed to be his free act and deed and the free act and deed of said **PORTLAND TERMINAL COMPANY**, before me.

Notary Public JOHN BYRNE CARROLL
My Commission Expires: 9-12-91

SEAL

STATE OF MAINE

Cumberland, ss. November 9, 1990

Then personally appeared Commissioners Richard Hewes & Joseph Mazziotti

and acknowledged the foregoing release deed to be ~~his/hers~~/their free act and deed, and the free and and deed of said **INHABITANTS OF THE COUNTY OF CUMBERLAND, STATE OF MAINE** before me.

Notary Public: Kenneth M. Cole III
My Commission Expires:

EXHIBIT A

A certain lot or parcel of land with any buildings thereon situated southerly of Congress Street, easterly of the Fore River and westerly of Saint John Street in the City of Portland, County of Cumberland and State of Maine, and being more particularly bounded and described as follows:

Beginning at a 5/8" rebar with cap stamped "ECJ RLS 509" located at the intersection of the southerly sideline of said Congress Street, with the westerly sideline of the Maine Central Railroad right-of-way as it crosses said Congress Street, being the northerly corner of the parcel herein described:

Thence along said Maine Central Railroad (MCRR) right-of-way following a curve to the left having a radius of 2474.92 feet, an arc distance of two hundred fifteen and sixty-nine hundredths (215.69) feet to a rebar;

Thence S 07°-08'-85" E along said MCRR right-of-way eight hundred twenty-five and eighty-four hundredths (825.84) feet to a rebar;

Thence continuing along said MCRR right-of-way following a curve to the left having a radius of 5776.94 feet, an arc distance of three hundred eighty-seven and ninety-seven hundredths (387.97) feet to a rebar;

Thence S 11°-04'-30" E along said MCRR right-of-way one hundred thirty-two and sixty-seven hundredths (132.67) feet to a rebar located at the intersection of the westerly sideline of said MCRR right-of-way with the easterly sideline of the Portland Terminal Company (PTC) rail right-of-way; provided, however that the Grantor and Grantee expressly agree that notwithstanding the line described by the preceding five paragraphs, the boundary between said parcel and said MCRR right-of-way shall be a line parallel to and thirty-three (33) feet westerly of the center line of the most western main line track in said MCRR right-of-way; except that this exception shall not apply to Parcel 2 described hereafter;

Thence along said PTC rail right-of-way, being 66 feet wide, 33 feet from the center line of the existing railroad tracks, following a curve to the left having a radius of 988.37 feet an arc distance of nine hundred forty-four and seventy-five hundredths (944.75) feet to a rebar;

Thence N 85°-15'-30" W along said PTC rail right-of-way, three hundred forty-seven and ninety-eight hundredths (347.98) feet to a set 5/8" rebar with aluminum cap stamped "SMRT RLS 1314" (set rebar 1314), said rebar being on the easterly sideline of the proposed Ogdensburg Street;

Thence N 04°-24'-55" E along said Ogdensburg Street eighty-three and ninety-two hundredths (83.92) feet to a rebar;

Thence along said Ogdensburg Street following a curve to the right having a radius of 375.00 feet an arc distance of four hundred nine and forty-seven hundredths (409.47) feet to a set rebar;

Thence N 66°-58'-35" E along said Ogdensburg Street three hundred thirty-four and ninety-five hundredths (334.95) feet to a set rebar;

Thence along said Ogdensburg Street following a curve to the left having a radius of 325.00 feet an arc distance of one hundred sixty and sixty-four hundredths (160.64) feet to a set rebar;

Thence N 38°-39'-25" E along said Ogdensburg Street two hundred fifty-nine and thirty-two hundredths (259.32) feet to a set rebar;

Thence N 47°-25'-55" E along said Ogdensburg Street thirty-two and seventy-seven hundredths (32.77) feet to a set rebar;

Thence along said Ogdensburg Street following a curve to the left having a radius of 205.00 feet, an arc distance of one hundred nineteen and seventy-six hundredths (119.76) feet to a set rebar;

Thence N 05°-11'-10" E along said Ogdensburg Street sixty-two and thirty-eight hundredths (62.38) feet to a set rebar;

Thence N 34°-16'-00" E along said Ogdensburg Street fourteen and eighty-eight hundredths (14.88) feet to rebar 509 being the point of beginning.

Said parcel containing 15.0 acres more or less.

ALSO another certain lot or parcel of land situated in said City of Portland, County of Cumberland and State of Maine located southerly of said Congress Street and being more particularly described as follows;

Beginning at a 5/8" rebar with cap stamped "ECJ RLS 509" located at the intersection of the southerly sideline of said Congress Street, with the westerly sideline of the Maine Central Railroad right-of-way as it crosses said Congress, said point also being the northeasterly corner of the proposed Ogdensburg Street and the northerly corner of the first parcel described above;

Thence S 34°-16'-00" W along said first parcel fourteen and eight-eight hundredths (14.88) feet to a 5/8" set rebar stamped "SMRT RLS 1314";

Thence S 05°-11'-10" W along said first parcel sixty-two and thirty-eight hundredths (62.38) feet to a set rebar;

Thence along said first parcel following a curve to the right having a radius of 205.00 feet an arc distance of one hundred nineteen and seventy-six (119.76) feet to a set rebar;

Thence S 47°-25'-55" W along said first parcel thirty-two and seventy-seven hundredths (32.77) feet to a set rebar;

Thence S 38°-39'-25" W along said first parcel two hundred fifty-nine and thirty-two hundredths (259.32) feet to a set rebar;

Thence along said first parcel following a curve to the right having a radius of 325 feet, an arc distance of one hundred sixty and sixty-four hundredths (160.64) feet to a set rebar;

Thence N 23°-01'-25" W across Ogdensburg Street fifty and no hundredths (50.00) feet to a set rebar;

Thence along other land of the PTC following a curve to the left having a radius of 275.00 feet an arc distance of one hundred thirty-five and ninety-two hundredths (135.92) feet to a set rebar;

Thence N 38°-39'-25" E along other land of the PTC two hundred fifty-nine and thirty-two hundredths (259.32) feet to a set rebar;

Thence N 29°-52'-55" E along other land of the PTC thirty-two and seventy-seven hundredths (32.77) feet to a set rebar;

Thence along other land of PTC following a curve to the left having a radius of 145.00 feet an arc distance of eighty-four and seventy-one hundredths (84.71) feet to a set rebar;

Thence N 5°-11'-10" E along other land of PTC sixty-two and thirty-eight hundredths (62.38) feet to a set rebar;

Thence N 23°-51'-15" W along other land of PTC fourteen and eight-six hundredths (14.86) feet to a rebar on the southerly sideline of Congress Street, also being the northeasterly corner of lands now or formerly of Hutchins recorded in the Cumberland County Registry of Deeds in Book 2982, Page 407;

Thence N 84°-48'-50" E along said Congress Street seventy-four and forty-five hundredths (74.45) feet to rebar 509, being the point of beginning.

Meaning and intending to describe a strip of land tapering from seventy-four and forty-five hundredths (74.45) feet wide to fifty (50.00) feet wide to be known as Ogdensburg Street.

Excepting herefrom and reserving to the Grantor, Portland Terminal Co., its successors and assigns, a right-of-way in common with the said Grantee, its successors and assigns, over the above described premises for access and egress to other land of said Portland Terminal Co. as if the above premises were an accepted City Street, including the right to install utilities over, in, under or through said premises but with the condition to restore said street thereafter, except to the extent that a portion of said premises may be still a City Street known as Ogdensburg Street.

A right-of-way in common with others for vehicular access and egress and surface and storm water drainage over a certain lot or parcel of land situated southerly of Congress Street in the City of Portland, County of Cumberland and State of Maine and being more particularly described as follows:

Beginning at the most southeasterly corner of the second parcel described above at a set 5/8" rebar with aluminum cap stamped "SMRT RLS 1314" (set rebar 1314) on the northwesterly sideline of the first parcel described above;

Thence S 66°-58'-35" W along said first parcel three hundred thirty-four and ninety-five hundredths (334.95) feet to a set rebar;

Thence along said first parcel following a curve to the left having a radius of 375.00 feet an arc distance of four hundred nine and forty-seven hundredths (409.47) feet to a set rebar;

Thence S 04°-24'-55" W along said first parcel eighty-three and ninety-two hundredths (83.92) feet to a set rebar, said rebar being at the northerly line of the Portland Terminal Co. (PTC) rail right-of-way also being the westerly corner of said first parcel;

Thence N 85°-15'-30" W along said PTC rail right-of-way fifty and no hundredths (50.00) feet to a set rebar, said rebar being on the westerly sideline of proposed Ogdensburg Street;

Thence N 85°-15'-30" W along said PTC rail right-of-way forty-one and eighty-two hundredths (41.82) feet to a 5/8" rebar with cap stamped "ECJ RLS 509";

Thence along said PTC rail right-of-way following a curve to the right having a radius of 922.37 feet an arc distance of four hundred ninety-four and ninety-seven hundredths (494.97) feet to a rebar;

Thence N 54°-28'-55" W along said PTC rail right-of-way thirty-four and ninety hundredths (34.90) feet to a rebar, said rebar being on the easterly line of lands now or formerly of the Maine Department of Transportation;

Thence along said Maine Department of Transportation land following a curve to the left having a radius of 375.00 feet an arc distance of sixty-three and sixty-two hundredths (63.62) feet to a set rebar;

Thence northerly of and fifty (50) feet distant from said PTC rail right-of-way following a curve to the left having a radius of 872.37 feet an arc distance of four hundred sixty-three and eighty-three hundredths (463.83) feet to a set rebar;

Thence S 85°-15'-30" E forty-one and fifty-four hundredths (41.54) feet to the westerly sideline of proposed Ogdensburg Street;

Thence N 04°-24'-55" E along said Ogdensburg Street thirty-three and sixty-four hundredths (33.64) feet to a set rebar;

Thence along other land of PTC following a curve to the right having a radius of 425 feet an arc distance of four hundred sixty-four and seven hundredths (464.07) feet to a set rebar;

Thence N 66°-38'-35" E along other land of PTC three hundred thirty-four and ninety-five hundredths (334.95) feet to a set rebar;

Thence S 23°-01'-25" E across said Ogdensburg Street fifty and no hundredths (50.00) feet to rebar 1314 being the point of beginning.

Meaning and intending to convey and hereby conveying a right-of-way over an extension of Ogdensburg Street and an easement running northwesterly thereof to provide access from the terminus of said Ogdensburg Street right-of-way as extended to land of the State of Maine, Maine Department of Transportation at the most southwesterly end of Frederick Street in said City of Portland, County of Cumberland and State of Maine, said right-of-way to be used for vehicular access and egress to parcels 1 and 2 described above, and parcel 4 hereafter, including the right to construct and maintain, including winter plowing as necessary, a graveled road over, under and through said right-of-way, and to construct and maintain a surface and storm water drainage system over, under and through said right-of-way, including specifically a drainage easement therein.

ALSO a non-exclusive easement for surface and storm water drainage and detention over a certain lot or parcel of land situated westerly of said proposed Ogdensburg Street, in the City of Portland, County of Cumberland and State of Maine being more particularly described as follows:

Beginning at a point on the westerly sideline of proposed Ogdensburg Street on a curve having a tie measurement along a chord of S 10°-54'-04" W, ninety-six and two hundredths (96.02) feet, and another chord of S 04°-24'-55" W, eighty-three and sixty-four hundredths (83.64) feet from a set 5/8" rebar with aluminum cap stamped "SMRT RLS 1314" located on the northerly line of the Portland Terminal Company (PTC) rail right-of-way at the southwesterly terminus of proposed Ogdensburg Street;

Thence from said point of beginning S 48°-21'-44" W through other land of the PTC seventy-three and seventy hundredths (73.70) feet to a point;

Thence S 14°-01'-25" E through other land of PTC seventy-nine and ninety-nine hundredths (79.99) feet to a point, said point being on the northerly right-of-way line of the third parcel described above;

Thence N 85°-15'-30" W along said third parcel twenty-six and fifty-four hundredths (26.54) feet to a set rebar;

Thence along said third parcel following a curve to the left having a radius of 872.37 feet an arc distance of ninety-five (95) feet, to a point;

Thence N 44°-20'-01" W through other land of PTC three hundred eight and thirteen hundredths (308.13) feet to a point, said point being on the easterly line of the lands now or formerly of the Maine Department of Transportation;

Thence along said lands of Maine Department of Transportation following a curve to the left having a radius of 375.00 feet an arc distance of seventy (70.00) feet to a point;

Thence S 53°-05'-10" E through other land of PTC three hundred thirteen and fourteen hundredths (313.14) feet to a point;

Thence N 48°-21'-44" E through other land of PTC one hundred thirty-four and nine hundredths (134.09) feet to a point, said point is on the westerly sideline of proposed Ogdensburg Street;

Thence along said Ogdensburg Street following a curve to the left having a radius of 425.00 feet an arc distance of sixty-seven and forty-eight hundredths (67.48) feet to the point of beginning.

Meaning and intending to describe in all the previously herein described parcels a portion of the premises conveyed to Portland Terminal Company by deeds dated July 1, 1911 and recorded in the Cumberland County Registry of Deeds, Book 881, Page 299 and Page 318, and as shown on the Recording Plat of the Cumberland County Jail for the Cumberland County Commissioners by Stevens Morton Rose & Thompson dated November 08, 1990 intended to be recorded. No monuments have been set as a result of this survey.

The basis of bearing is true north as shown on the above stated plan.

RECEIVED
RECORDED REGISTRY OF DEEDS
1990 NOV 13 AM 8:30
CUMBERLAND COUNTY

PORTLAND'S PLAN 2030

In reviewing the Portland Comprehensive Plan, one quickly realizes that Comprehensive Plans do not typically focus on government uses/buildings. Especially those government properties/buildings that are not associated with the community who undergoes the planning process. Government uses is a very narrow defined use that can only fit into a few areas. Many of the following are referring to City services, but one could believe that regional County services, particularly public safety could be a good fit.

After reading the Plan, the following areas could apply to the County's Zoning Map Change request:

Vision Statement – Page 6

Our success will be tied to our connections to each other, our state and our region.

As a region, government entities need to partner in order to provide the most cost effective and efficient service delivery for the tax payers.

Environment – Page 19

Local Goal: Make energy efficiency and renewable energy measures a city-wide priority.

Any current or new building gets a thorough review of energy consumption and whether this is mitigating opportunities.

Historical Resources – Page 27

Local Goal: Promote historical preservation as a key economic, sustainability and community development strategy.

Local Goal: Ensure an appropriate balance of continuity and change as Portland grows and evolves.

Strategies: Maintain City-owned historic resources to high preservation standards.

As stated in the cover letter, one discussing item under review is exploring a new office building down along the Fore River Parkway. The current office climate is at the seams in the 1908 courthouse and there is no space left, which has put employees in very close range to one another. Uncomfortable during good times, scaring during a pandemic. Expanding within the confines of the courthouse would be detrimental to the historical character of the building's

interior and common spaces. Opportunities outside the courthouse are the preferred route as we want to maintain our commitment to the historical character of the courthouse building.

Economy – Page 43

Local Goal: Invest in, attract, and retain human capital to support growing economy.

Future Strategies: Evaluate zoning and the condition of existing infrastructure in priorities areas – downtown, identified neighborhood nodes, and along transit corridors – to ensure that employment and housing growth can be supported.

The County property sits nicely between Congress and the Fore River Parkway, two major arterials able to handle traffic and growth in the area. A need exists to potentially provide a suitable and safe office environment for future County employees for attracting and retaining purposes.

Facilities & Services – Page 64

State Goal: To plan for, finance and develop an efficient system of public facilities and services to accommodate anticipated growth and economic development.

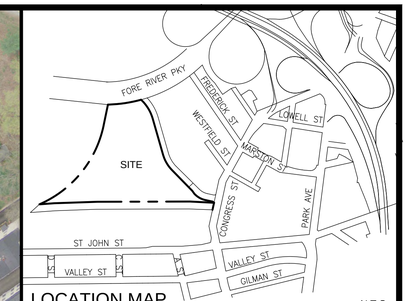
Local Goal: Provide public safety, emergency response, and emergency management facilities and services that can effectively meet the needs of the residents.

Strategies: Leverage community partnerships to plan and implement steps to improve emergency preparedness.

Strategies: Continue to develop partnerships to explore all available avenues to address the region's substance ~~abuse~~ misuse and addiction issues.

Strategies: Continue to work in partnership with regional and State agencies, neighboring communities, non-profit organizations, and private property owners in support of efficient, sustainable City services.

The Jail medical wing will be enhanced by a larger footprint building addition. This will allow the Jail to quarantine inmates in the medical facility, versus needed to open an empty Pod and staff the Pod 24/7. This significantly reduces staffing and requires alternative measures to take place due to the lack of staff (i.e. closing the jail). This will enhance the medical services at the Jail, create for a more efficient and safe medical practice and will allow the exploration of converting the existing medical office into a behavioral health clinic. The County offers many medical assisted treatment programs through a variety of grants. These grants not only help those who are incarcerated, but provides wrap-around services to those individuals upon their release from the Jail.



LOCATION MAP

N.T.S.

LEGEND

- IRON PIPE OR ROD FOUND
- MONUMENT FOUND
- UTILITY POLE
- MANHOLE
- EM/GM ELECTRIC/GAS METER
- SIGN
- CATCH BASIN
- HYDRANT
- WATER VALVE OR SHUTOFF
- LIGHT POLE
- FENCE
- CURB
- OHW OVERHEAD WIRES
- IPF/IRF IRON PIPE OR ROD FOUND
- N/F NOW OR FORMERLY
- 000/000 DEED BOOK / PAGE

PLAN REFERENCES

1. "RECORDING PLAT FOR CUMBERLAND COUNTY COMMISSIONERS, 142 FEDERAL STREET, PORTLAND, MAINE, CUMBERLAND COUNTY JAIL, 990 CONGRESS STREET, LOCATED IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, STATE OF MAINE" DEC. 11, 1991 BY STEVENS MORTON ROSE & THOMPSON RECORDED IN CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 191 PAGE 200.

2. "BOUNDARY SURVEY OF: PORTLAND TERMINAL CO. PROPERTY, COUNTY WAY, PORTLAND, MAINE FOR: PORTLAND TERMINAL COMPANY" MAY 20, 2002 REVISED THRU SEPT. 10, 2002 BY SEBAGO TECHNICS.

3. "ALTA/NSPS LAND TITLE SURVEY, UNION STATION PLAZA, 240–292 ST. JOHN STREET & 966–982 CONGRESS STREET, PORTLAND, CUMBERLAND COUNTY, MAINE MADE FOR RECORD OWNER UNION STATION LIMITED PARTNERSHIP" MAY 22, 2017 BY OWEN HASKELL, INC.

4. "ALTA/ACSM LAND TITLE SURVEY, 175 FORE RIVER PARKWAY, PORTLAND, CUMBERLAND COUNTY, MAINE MADE FOR STEWARD HEALTH CARE SYSTEMS, LLC" DATED NOVEMBER 12, 2012 BY OWEN HASKELL, INC.

5. "SAINT JOHN ST./VALLEY ST. STREETSCAPE IMPROVEMENTS EXISTING CONDITIONS PLAN" CITY OF PORTLAND, MAINE PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION DATED NOV. 2011

6. "RIGHT OF WAY MAP STATE HIGHWAY 10, CITY OF PORTLAND" DATED SEPTEMBER 2002 DOT FILE NO. 3–483.

GENERAL NOTES

1. OWNER OF RECORD:
   INHABITANTS OF THE COUNTY OF CUMBERLAND
   C.C.R.D. BOOK 9382 PAGE 61
   TAX MAP–BLOCK–LOT: 64–A–13, 74–A–8, 75–A–1, 75A–B–1, 76–A–39

2. BEARINGS AND COORDINATES ARE BASED ON CITY MONUMENTS AT "D" STREET AND "A" STREET AS SHOWN ON PLAN REFERENCE 5 AND PROVIDED BY THE CITY OF PORTLAND ENGINEERING DEPARTMENT.

3. COUNTY WAY (RENAMING OF OGDENSBURG ST.) IS A PUBLIC RIGHT OF WAY DESCRIBED IN DEED BOOK 12148, PAGE 146 AND ACCEPTED BY THE CITY OF PORTLAND BY BOOK 3, PAGE 53 DATED JULY 5, 1995.

4. FEATURES SHOWN ARE TAKEN FROM AN ORTHOMETRIC PHOTO DATED 2017 DOWNLOADED FROM THE MAINE GEOLIBRARY ORTHOIMAGERY DISCOVERY AND DOWNLOAD APPLICATION, EXCEPT FOR THE THE FEATURES ALONG COUNTY WAY AND THE NORTHERLY AND WESTERLY PROPERTY LINES.

CERTIFICATE

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

RANDY R. LOUBIER, PLS #2407

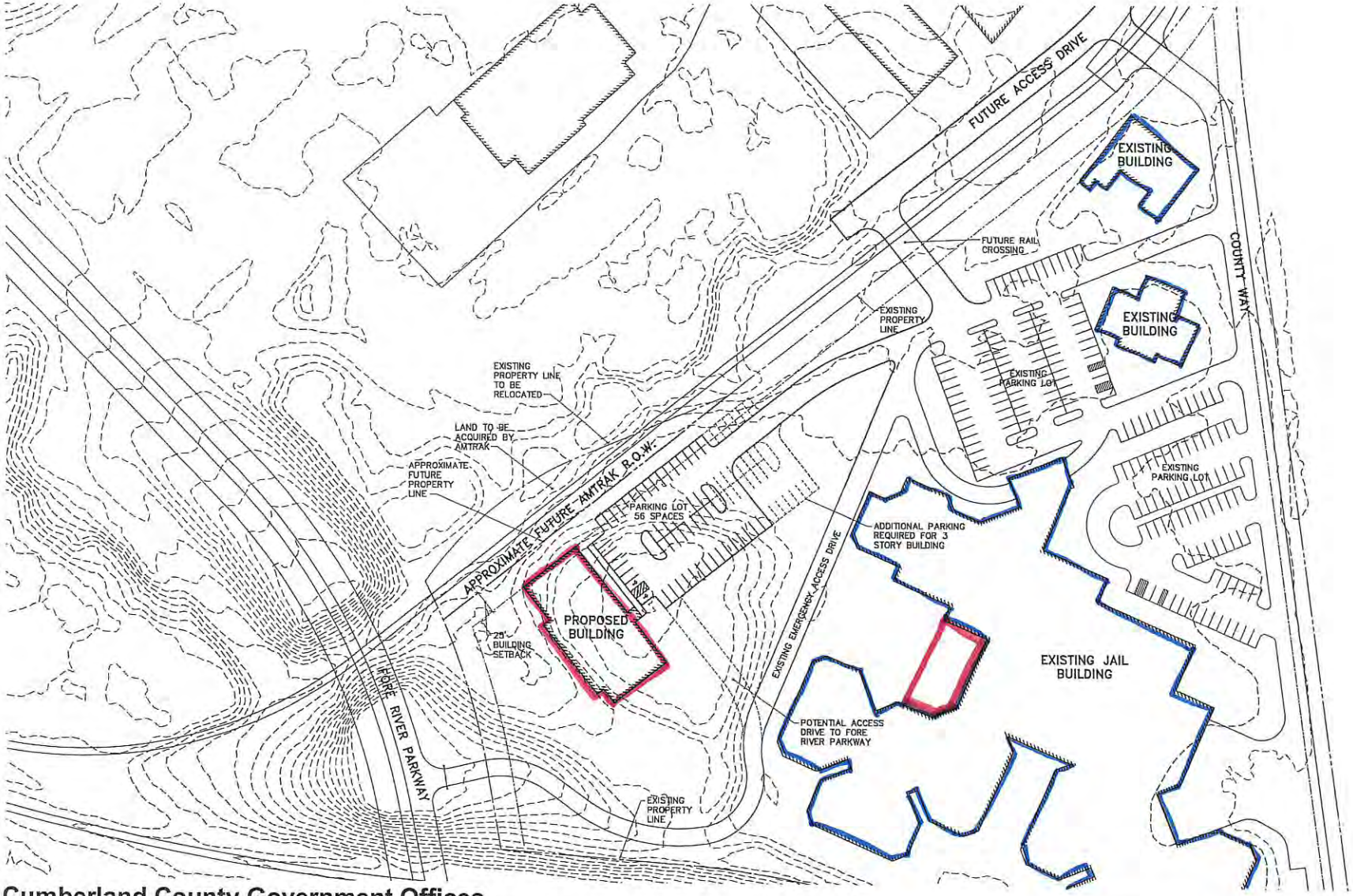
7/26/19
DATE

STATE OF MAINE
RANDY R. LOUBIER 2407
PROFESSIONAL LAND SURVEYOR

Boundary Survey
At
50 County Way, Portland, Maine
Made for
Cumberland County
42 Federal Street, Portland, Maine

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

DRAWN BY: RRL / JLW	DATE: JULY 26, 2019	JOB NO. 2019-099 P	
CHECKED BY: RRL	SCALE: 1" = 60'	DRWG. NO. 1	



Cumberland County Government Offices

Cumberland County Jail - Concept Site Plan

April 19, 2018

1"=50' 50' 25' 0 50' 100'

OAK POINT ASSOCIATES

ARCHITECTURE ■ ENGINEERING ■ PLANNING

ArcGIS Web Map

3/3/2022, 1:19:44 PM

1:3,102

0 0.04 0.07 0.14 mi

0 0.05 0.1 0.2 km

Override 1

Zoning

- IR-1 Island Residential
- IR-2 Island Residential
- IR-3 Island Residential
- I-B Island Business
- I-TS Island Transfer Station
- R1 Residential
- R2 Residential
- R3 Residential
- R4 Residential
- R5 Residential
- R-5A Residential
- R6 Residential
- R-6A Residential
- RP Residential Professional
- AB Airport Business
- OP Office Park
- B1 Neighborhood Business
- B1b Neighborhood Business
- B2 Business Community
- B2b Business Community
- B2c Business Community
- B3* Downtown Business
- B3c Downtown Business
- B4 Commercial Business
- B5 Urban Commercial Business
- B5b Urban Commercial Business
- B6 Urban Commercial Business
- B7 Urban Commercial Business
- IS-FBC India St Form Based
- IL Industrial - Low Impact
- ILb Industrial - Low Impact
- IM Industrial - Moderate Impact
- IMb Industrial - Moderate Impact
- IH Industrial - High Impact
- RPZ Resource Protection
- ROS Recreation Open Space
- WPDZ Waterfront
- WCZ* Waterfront
- WSUZ Waterfront
- EWPZ Waterfront
- Conditional or Contract (see list); C55

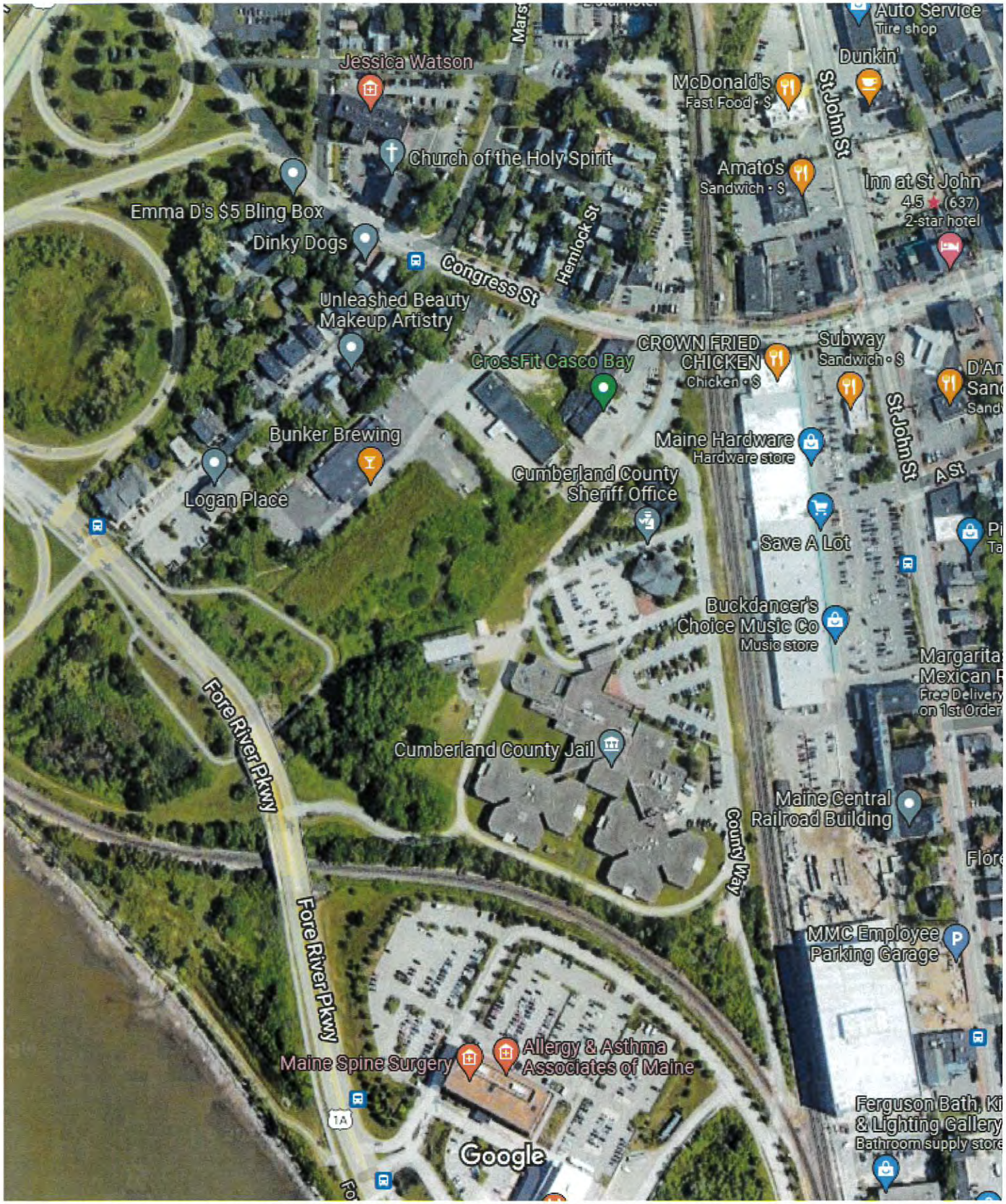
Overlay Zones

- Downtown Entertainment (DEOZ)
- MMC IOZ
- Munjoy Hill Neighborhood Conservation Overlay District
- Residential (R-6)

City of Portland, DPS

ArcGIS Web AppBuilder
City of Portland, DPS |

Google Maps 50 County Way



Imagery ©2022 Maine GeoLibrary, Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2022 200 ft

Winter Street Townhomes Subdivision
102 State Street
Subdivision
PL-002061-2022
NewHeight Redfern, LLC

Submitted to:	Portland Planning Board	**Prepared By:**	Charles Tetelman
Public Hearing Date:	June 28, 2022	**Date:**	June 24, 2022

I. INTRODUCTION

NewHeight Redfern, LLC has submitted a Subdivision application to subdivide a recently approved residential development at 102 State Street. At the March 8, 2022 Planning Board Hearing, the Planning Board approved application #PL-001840-2021 to construct a four-story residential development that includes nine townhouse-style condominium units along the Winter Street portion of the lot. NewHeight Redfern, LLC is proposing to subdivide the Winter Street lot into nine individual lots, one for each residential unit. This application is being referred to the Planning Board for compliance with the City of Portland's Land Use Code Subdivision Standards, Section 15.4.

Figure 1: Location of 102 State Street

Given the administrative nature of the subdivision without any proposed development, the application was scheduled for a Planning Board hearing without an initial workshop.

The Planning and Urban Development Department mailed 294 notices advertising this meeting to property owners within 500 feet of the site. A legal advertisement ran in the June 16, 2022 and June 17, 2022 editions of the *Portland Press Herald*.

Applicant:	NewHeight Redfern, LLC
Applicant Representatives:	Acorn Engineering, Inc.

II. REQUIRED REVIEWS

Review	*Applicable Standards*
Subdivision	Section 15.4

III. PROJECT DATA

Existing Zoning	B-3 Downtown Business
Property Size	45,025 sq. ft. (Total Lot, 102 State Street)

	16,198 sq. ft. (Lot A, Winter Street portion) 28,827 sq. ft. (Lot B, State Street portion)
Existing Use	Parking Lot
Proposed Use	Residential

	Existing	*Proposed*	*Net Change*
Building Footprint	0	9,493 sq. ft.	+9,493 sq. ft.
Building Floor Area	0	27,558 sq. ft.	+27,558 sq. ft.
Impervious Surface Area	41,928 sq. ft.	40,985 sq. ft.	-943 sq. ft.
Parking Spaces	144	18	-126

IV. BACKGROUND

In 2021, the City Council approved a zoning map amendment that rezoned the 102 State Street property and surrounding blocks from R-6 to B-3 (Council Order 164-20/21), along with changes to the Downtown Height Overlay Map (Council Order 165-20/21) to facilitate the redevelopment of the former Northern Light Mercy Hospital campus. In 2021, the Planning Board approved the adaptive reuse of the existing building at 144 State Street (PL-001259-2020) which included residential units, commercial retail space, and self-storage space. Community Housing of Maine and the Portland Housing Authority received approval to build two new residential buildings at 73 and 91 Winter Street (PL-001371-2020).

At the March 8, 2022 Planning Board Public Hearing, the Board voted 6-0 (Barker absent) to approve NewHeight Redfern, LLC Major Site Plan application to facilitate the construction of a four-story residential development (27,558 sq. ft.) including nine townhouse-style condominium units along Winter Street at 102 State Street (PL-001840-2021). In addition, the applicants split the parcel into two new lots, Lot A and Lot B.

V. EXISTING CONDITIONS AND SURROUNDING AREA

The location of the proposed project is within the B-3 zone, in the West End neighborhood. Most of the West End is zoned R-4 and R-6; however, there is some variety throughout. Pine and Congress streets are mapped with mixed-use B-1 and B-3 zones, respectively. The surrounding neighborhood context includes State Street, a wide, historic thoroughfare identified as a priority corridor in the City's Comprehensive Plan that has wide sidewalks and established street trees lined with a variety of building types. The buildings fronting State Street range from residential, retail, and places of assembly to historic mansions converted to other uses including a funeral home, the Portland Club, and offices. The character of Spring and Winter streets is predominantly small-to-mid scale residential, with some exceptions. Immediately to the east of the proposed project is 100 State Street, a six-story tower in the park style multi-family building constructed in 1979. As mentioned above, major housing projects have been approved for the former Northern Light Mercy Hospital building and two new residential buildings at 73 and 91 Winter Street that will bring a mix of affordable and market-rate units to the neighboring properties.

Portland's main thoroughfare, Congress Street, is approximately two blocks north and provides a variety of mixed-use residential and commercial buildings. Both Congress Street and the West End are characterized by vibrant historic districts – the Congress Street Historic District and the West End Historic District.

The site is directly along METRO Route 8 and is within a ten minute walk to most bus routes running along Congress Street and High Street (nearest transfer point located at the corner of Congress Street and Forest Ave.).

VI. SUBDIVISION PROPOSAL

The applicant is proposing to subdivide the Winter Street Townhomes lot (Lot A) into nine individual lots for each residential unit. Lot A is approximately 16,198 square feet.

The nine proposed lots for Lot A will extend from the Lot A property line along Winter Street to the Lot B parcel line. 37 Winter Street (2,161 square feet) and 53 Winter Street (2,131 square feet) will extend toward the Lot A northwestern parcel boundary and adjacent 45 State street parcel line accordingly. The remaining seven lots (39-51 Winter Street) are all identical in dimension at 1,702 square feet. Each lot along Winter Street includes the townhomes, Winter Street frontage, and rear parking space.

The applicant is proposing an access easement from Lot B owners (NewHeight Redfern LLC) to the townhome lot owners (NewHeight Redfern Townhomes LLC) as well as a utility and maintenance easement from NewHeight Redfern Townhomes LLC to NewHeight Redfern LLC.

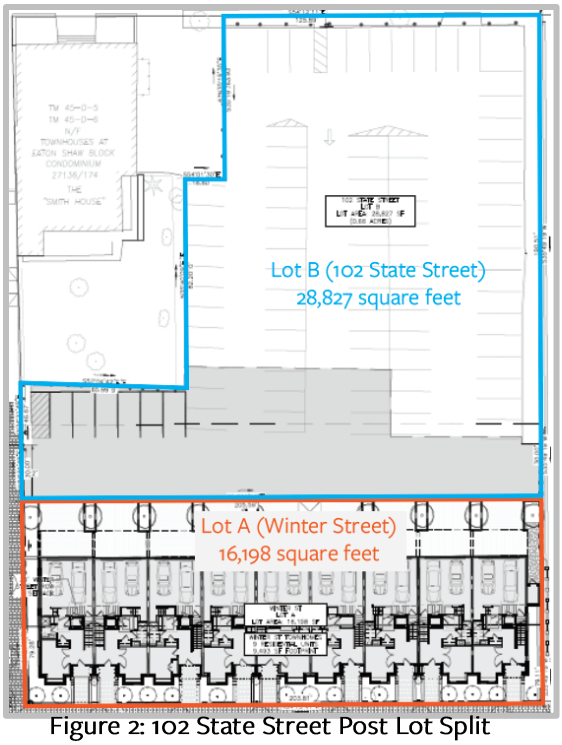


Figure 2: 102 State Street Post Lot Split

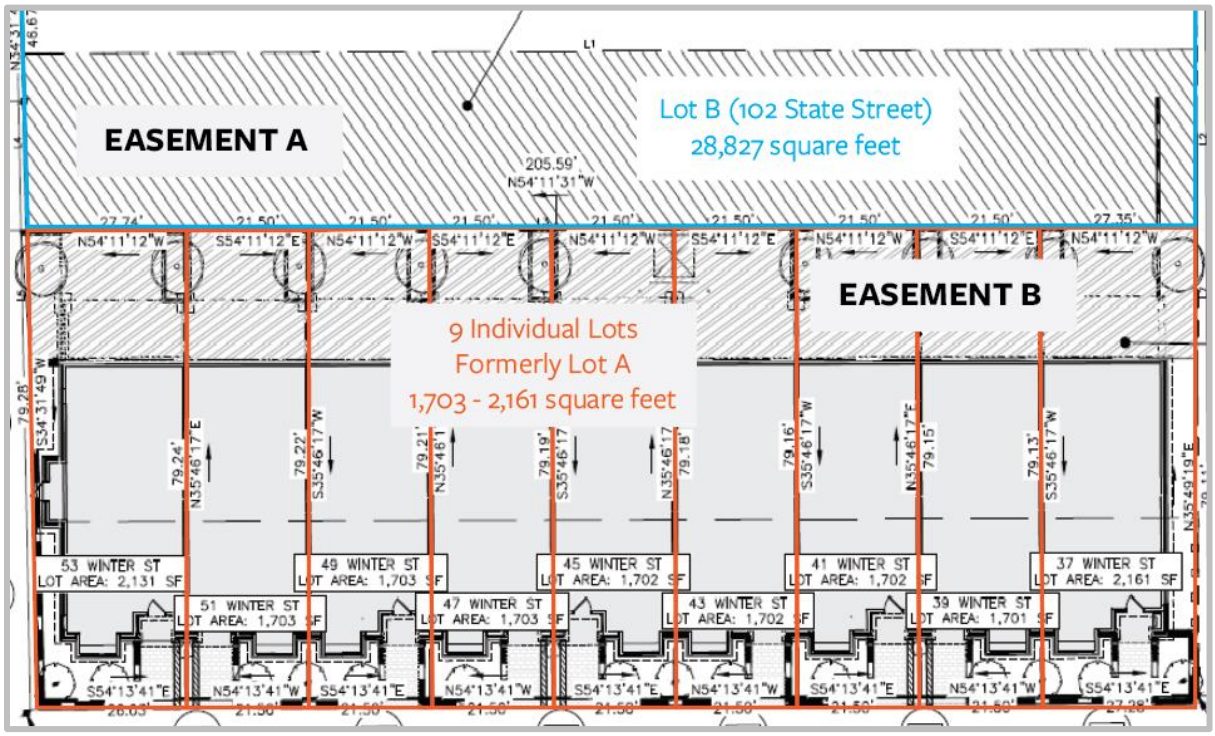


Figure 3: Lot A Subdivision Layout

VII. RIGHT, TITLE, & INTEREST

The applicant submitted a deed transferring two parcels (102 and 144 State Street) from Northern Light Mercy Hospital to NewHeight Redfern, LLC (Attachment C).

VIII. ZONING ANALYSIS

The proposed project is located in the B-3 Downtown Business zone and the table below shows the relevant dimensional standards required as described in Table 7-E Mixed-Use Zone Dimensional Standards:

	Required	Proposed
Minimum Street Frontage	15 ft.	21.50+ ft.
Front Setback Maximum	5 ft.	7 ft.*
Step Back	30 ft. State | >35 ft. Winter	37.7 ft.
Height	85 ft. State | 45 ft. Winter	48.4 ft. | 37.7 ft.
Off Street Parking Spaces	9	18

*B-3 Build-to Line: The Winter Street townhomes (PL-001840-2021) were approved with seven-foot front yard setbacks and was subject to the standards for increasing the setback beyond the build-to-line found in the B-3 Downtown Design Guidelines (within the *City of Portland Design Manual*). The applicant noted that "substantial and viable accessible open space" is provided to the premises that contribute to the overall neighborhood. Furthermore, they mentioned that the additional setback did not detract from the Winter Street street wall and is consistent to the neighborhood character. City Staff found their analysis adequate and that the additional setback met the standards set forth in the *City of Portland Design Manual*. The Planning Board reviewed this analysis and approved the additional front setback.

IX. SUBDIVISION REVIEW STANDARDS (Section 15.4)

The proposed development has been reviewed by staff for conformance with the relevant review standards of Portland's Subdivision Ordinance and applicable regulations. Staff comments are listed below.

1. **Will Not Result in Undue Water and Air Pollution (Section 15.4.1.A), and will not result in undue soil erosion (Section 15.4.1.D)**
   Staff finding: The proposed subdivision will not result in undue water, air pollution, or soil erosion. The new development will not emit significant air emissions or impact the surrounding water. The site is currently a surface parking lot.

2. **Has sufficient water available and will not cause unreasonable burden on existing water supply (Section 15.4.1.B and C)**
   Staff finding: The applicant has submitted an Ability to Serve Determination from the Portland Water District dated December 1, 2021 (Attachment O). Proposed easements include a utility easement between the State Street lot and the nine lots along Winter Street.

3. **Will not cause unreasonable highway or public road congestion or unsafe conditions with respect to use of the highway or public roads existing or proposed (Section 15.4.1.E)**
   Staff finding: As approved, the site is only accessible via the Spring Street entrance. Parking spaces are located towards the rear of each townhome. The proposed subdivision would not cause unreasonable highway congestion, public road condition, or unsafe roadway conditions. Each townhome unit has two separate parking units in a garage while the total number of parking spaces

in the State Street lot has been reduced. The applicant will be reconstructing the sidewalks along Winter Street and Spring Street as part of the major site plan approval.

4. Will provide for adequate sanitary sewer and stormwater disposal (Section 15.4.1.F) and will not cause an unreasonable burden on municipal solid waste and sewage (Section 15.4.1.G)
   Staff finding: The applicant's approved plan includes a proprietary modular wetland system to provide water quality treatment and stormwater attenuation which will serve both the State Street lot and the Winter Street lot. City Staff find that the water quality treatment and stormwater management on site are adequate and meet City Standards.

5. Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat (Section 15.4.1.H)
   Staff finding: The site is an existing surface parking lot and there are no significant natural features on site. The approved site plan is providing new landscaping along Winter Street frontages while maintaining an existing tree along State Street. Additionally, the applicant's approved plan includes underground electric utilities along Winter Street.

   The proposed subdivision is located in the West End Historic District and the Historic Preservation Board issued a Certificate of Appropriateness in connection with the site plan application on February 16, 2022.

6. Is in conformance with the Comprehensive Plan (Section 15.4.1.I)
   Staff finding: The proposed subdivision is in keeping with the stated goals of Portland Plan 2030 regarding housing and the policy of creating complete neighborhoods. The project takes advantage of a central, downtown location near transit and walkable services.

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

   A Healthy City: Environment – local goals met by this project:
   -Adopt sustainable land use and transportation policies that support connectivity, walkable neighborhoods, and multi-modal transportation.

   An Enduring City: Historic Resources – local goals met by this project
   - 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.

7. Adequate financial and technical capacity (Section 15.4.1.J)
   Staff finding: The applicant submitted a letter dated December 1, 2021 from Machias Savings Bank Senior Vice President Francine V. Cam which demonstrates that the applicant NewHeight Redfern, LLC has adequate financial capacity to complete the proposed project (Attachments G + H).

8. Whenever situated, in whole or in part, within the watershed of any pond or lake or within 250 feet of any wetland, great pond, or river, will not adversely affect the quality of such body of water or unreasonably affect the shoreline of such body of water (Section 15.4.1.K)
   Staff finding: The proposed subdivision is not located within the watershed of any pond or lake or within 250 feet of any wetland, great pond, or river.

9. Will not, adversely affect the quality and quantity of groundwater (Section 15.4.1.L)
   Staff finding: City Staff noted no concerns with stormwater management as the site plan standards were met as part of a previous approval; this subdivision proposal has no additional or new development as part of the application.

10. Is or is not in a flood-prone area (Section 15.4.1.M)
    Staff finding: The site is not within a flood-prone area.

11. Will provide for adequate stormwater management (Section 15.4.1.N)
    Staff finding: The applicant's approved project includes a proprietary modular wetland system to provide water quality treatment and stormwater attenuation which will serve both the State Street lot and the Winter Street lot. City Staff find that the water quality treatment and stormwater management on site are adequate and meet City Standards.

12. Will not have lots with a lot depth-to-shore frontage ratio greater than 5 to 1 if any lots in the proposed subdivision have shore frontage on a river, stream, brook, great pond, or coastal wetland (Section 15.4.1.O)
    Staff finding: The proposed subdivision does not have shore frontage on a river, stream, brook, great pond, or coastal wetland.

13. For any proposed subdivision that crosses municipal boundaries, will not cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality in which part of the subdivision is located (Section 15.4.1.P)
    Staff finding: The proposed subdivision does not cross municipal boundaries.

X. NEIGHBORHOOD MEETING & PUBLIC COMMENT

The applicant held a neighborhood meeting on June 23, 2022 at 5:30pm with six members of the public and four members of the applicant team in attendance. The applicant team presented an overview of the subdivision. Most of the conversation focused on construction in the area related to development at 102 State Street and the Mercy Hospital Redevelopment (Attachments U-X).

No public comment has been submitted to the Planning & Urban Development Department.

XI. STAFF RECOMMENDATION

Subject to the proposed motion and conditions of approval listed below, Planning Department staff find that the proposal to subdivide 102 State Street into ten lots meets the applicable standards of Portland's Land Use Code and recommends that the Planning Board approve the subdivision application.

XII. PROPOSED MOTIONS

A. SUBDIVISION REVIEW

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report for the public hearing on June 28, 2022 for application #PL-002061-2022 relevant to the subdivision regulations, and the testimony presented at the Planning Board hearing, the Planning Board [**finds/does not find**] that the plan is in conformance with the subdivision standards of the land use code subject to the following conditions of approval:

PRIOR TO THE SUBMISSION OF THE PLAT FOR PLANNING BOARD SIGNATURE

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

XIII. ATTACHMENTS

APPLICANT SUBMITTAL

A. Cover Letter
B. Site Plan Checklist
C. Right, Title, and Interest
D. Zoning Assessment
E. Certification Letter
F. Waivers
G. Financial Capacity
H. Technical Capacity
I. Conformity with Land Use Ordinance
J. Stormwater Management Plan
K. Erosion & Sediment Control Report
L. Fire Department Letter
M. Lighting
N. Architectural Design Narrative
O. Utilities
P. Public Notice Sign Certification Letter
Q. Solid Waste Disposal
R. Comment Response Letter
S. Tree Maintenance Plan
T. Parking Demand Memo
U. Neighborhood Meeting Certification
V. Neighborhood Meeting Sign-In Sheet
W. Neighborhood Meeting Minutes
X. Neighborhood Meeting Letter

PLANS

Plan 1. 102 State Street Plat
Plan 2. Approved Site Plan
Plan 3. Architectural Renderings

ACORN ENGINEERING, INC.

Planning and Urban Development Department
Planning Division, Attn: James Rather
City of Portland, Maine
389 Congress Street, 4th Floor
Portland, ME 04101

May 25, 2022

Subject: Winter Street Townhomes Subdivision Application

To James,

On behalf of NewHeight Redfern, LLC we are pleased to submit the accompanying package of materials related to the proposed Winter Street Townhomes development at 102 State Street in Portland. Maine.

The project site is currently designated as Chart 45, Block D, Lot 1, encompassed by State, Spring, and Winter Streets. The lot is located within the B3 Downtown Business District with height limitations along Winter Street. It is abutted on the south, east, and north sides by the R-6 zone. The parcel is approximately 1.03 acres and is currently comprised of a surface parking lot.

The Winter Street Townhomes project was previously approved by the Planning Board as part of a Site Plan review (PL-001840-2021), which had consisted of a division of the existing 102 State Street land into two parcel; the Winter Street Townhomes parcel, and remaining land at 102 State Street. The project is now proposing to subdivide the previously approved Winter Street Townhome lot, into (9) individual lots for each townhome, with the remaining 102 State Street proposed as the tenth lot. Please refer to the attached Subdivision Plat for specific information.

NewHeight Redfern LLC and the design team look forward to your review of this exciting project.

Sincerely,

Peter F. Heil, P.E., CPESC
Project Manager
Acorn Engineering, Inc.

Drawings:

- Subdivision Plat
- Architectural Elevation (previously approved)

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

Right, Title, or Interest

The Quitclaim Deed with Covenant is attached to this section providing the applicant with Right, Title and Interest in the property.

DLN: 1002040088241

QUITCLAIM DEED WITH COVENANT

DLN#_____

MERCY HOSPITAL, a.k.a. NORTHERN LIGHT MERCY HOSPITAL, a Maine non-profit corporation with a principal place of business in Portland, Cumberland County, Maine, for consideration paid, grants to **NEWHEIGHT REDFERN LLC**, a Maine limited liability company with a principal place of business in Portland, Cumberland County, with a mailing address of 167 Newbury Street, Suite 503, Portland, ME 04101, Maine, with quitclaim covenant, the land in **Portland**, Cumberland County, Maine, described as follows:

MAINE REAL ESTATE TAX PAID

PARCEL 1 (102 STATE STREET): A certain lot or parcel of land, with the buildings thereon, lying on the southerly side of Spring Street in said Portland described as follows

Beginning at a point of intersection of the northeasterly sideline of Winter Street with the southeasterly sideline of Spring Street;

Thence N48°34'00"E along the southeasterly sideline of said Spring Street 125.93 feet to the southerly line of land now or formerly of Town Houses at Eaton Shaw Block Condominiums (Cumberland County Registry of Deeds ("CCRD") Book 27136, Page 174);

Thence the following courses and distances along said Town Houses at Eaton Shaw Block Condominiums:

S38°02'31"E 65.99 feet;

N49°42'19"E 82.20 feet;

S40°38' 15"E 15.59 feet;

N49°21'45"E 63.93 feet to the southwesterly sideline of State Street;

Thence S40°10'00"E along the southwesterly sideline of said State Street 125.89 feet to land now or formerly of State Street Housing Preservation Corporation (CCRD Book 21735, Page 205);

Thence S49°51'30"W along the northerly line of said State Street Housing Preservation Corporation 269.62 feet to the northeasterly sideline of Winter Street;

Thence N40°11'30"W along the northeasterly sideline of Winter Street 203.81

feet to the point of beginning.

THE ABOVE DESCRIBED PARCEL 1 IS SUBJECT TO the following recorded in CCRD:

1. Rights and easements as set forth in an instrument from Mercy Hospital to Central Maine Power Company and New England Telephone and Telegraph Company dated August 22, 1966, CCRD Book 2978, Page 31.

2. Rights and easements set forth in an instrument from Mercy Hospital to Central Maine Power Company and New England Telephone and Telegraph Company dated March 6, 1968, CCRD Book 3046, Page 716.

3. Easement Deed from Mercy Hospital to Central Maine Power Company dated November 21, 1977, CCRD Book 4171, Page 66.

4. Terms and conditions set forth in a deed from the City of Portland to Mercy Hospital dated December 18, 1980, CCRD Book 4925, Page 317 and noted as: "The Mercy Hospital, its successors and assigns, will not discriminate on the basis of race, color, creed, sex, or national origin in the sale, lease or rental, or in the use or occupancy of the property described herein or any improvements erected or to be erected thereon, or any part thereof. Said covenant is to run with the land in perpetuity.".

5. The following matters shown on a plan entitled "ALTA/ACSM Land Title Survey, 102, 120 (AKA 144) & 148 State Street, Portland, Cumberland County, Maine made for Mercy Hospital and Eastern Maine Healthcare Systems," dated February 27, 2013, revised September 20, 2013, prepared by Owen Haskell, Inc.:

a. Pavement and curbing encroach .5 feet +/- onto northerly abutter;
b. Overhead wires crossing premises from Winter and Spring Streets; and
c. Note 3 regarding location of utilities.

PARCEL 2 (120 STATE STREET, A/K/A 144 STATE STREET, AND 148 STATE STREET): A certain lot or parcel of land, with the buildings thereon, lying on the southwesterly side of State Street in said Portland described as follows:

Beginning at a point of intersection of the southwesterly sideline of State Street with the northwesterly sideline of Spring Street;

Thence S48° 56' 10" W along the northwesterly sideline of said Spring Street 270.49 feet to the northeasterly sideline of Winter Street;

Thence N 40° 09' 30" W along the northeasterly sideline of said Winter Street 400.49 feet to land now or formerly of the Portland Club;

Thence N 50° 12' 30" E along land of said Portland Club 272.95 feet to the southwesterly sideline of said State Street;

Thence S 39° 47' 50" E along the southwesterly sideline of said State Street 394.48 feet to the point of beginning

THE ABOVE DESCRIBED PARCEL 2 IS SUBJECT TO the following recorded in CCRD:

1. Rights and easements from Mercy Hospital to Central Maine Power Company and New England Telephone and Telegraph Company as set forth in an instrument dated March 6, 1968, CCRD Book 3046, Page 716.

2. Terms and conditions set forth in a deed from the Portland Renewal Authority to Mercy Hospital dated June 4, 1975, CCRD Book 3692, Page 343, as affected by a Certificate of Completion by the Portland Renewal Authority dated March 22, 1982, CCRD Book 4934, Page 96 and noted as: "FIFTH: The Grantee agrees for itself and any successor in interest not to discriminate upon the basis of race, creed, color, or national origin in the sale, lease, or rental or in the use or occupancy of the property hereby conveyed or any part thereof or of any Improvements erected or to be erected thereon or any part thereof."

3. Easement Deed from Mercy Hospital to Central Maine Power Company dated November 21, 1977, CCRD Book 4171, Page 66.

4. Easement and Memorandum of Agreement by and between Mercy Hospital and Time Warner Cable of Maine dated November 18, 1998, CCRD Book 15936, Page 165.

5. Easement Deed from Mercy Hospital to Central Maine Power Company and Verizon New England, Inc. dated May 24, 2001, CCRD Book 16391, Page 232.

6. Easement from Mercy Hospital to Central Maine Power Company and Northern New England Telephone Operations, LLC dated September 4, 2010, CCRD Book 28512, Page 45.

7. The following matters shown on a plan entitled "ALTA/ACSM Land Title Survey, 102, 120 (AKA 144) & 148 State Street, Portland, Cumberland County, Maine made for Mercy Hospital and Eastern Maine Healthcare Systems," dated February 27, 2013, revised September 20, 2013, prepared by Owen Haskell, Inc.:

a. Pavement and parking encroach 3 feet +/- onto northerly boundary;
b. Overhang 3 feet +/- into Spring Street;
c. Overhead wires cross onto premises from Spring and Winter Streets;
d. Granite wall encroaches into right of way of State Street; and
e. Note 3 regarding location of utilities.

For Grantor's source of title, reference may be had to the deeds recited in Exhibit A attached hereto.

EXHIBIT A

For Grantor's source of title to the above-described premises, reference may be had to the following deeds recorded in the Cumberland County Registry of Deeds:

PARCEL 1 (102 STATE STREET):

a. Deed from Basil Ballides and Katherine Ballides dated February 14, 1957, recorded in Book 2337, Page 148.

b. Deed from Freda M. Morrill dated November 10, 1961, recorded in Book 2642, Page 436.

c. Deed from Aman Maria dated December 12, 1961, recorded in Book 2649, Page 180.

d. Deed from George H. Hinckley, Guardian of Arthena Wiggin, dated February 1, 1962, recorded in Book 2657, Page 71.

e. Deed from Fernando P. Giobbi and Margaret O. Giobbi dated April 23, 1962, recorded in Book 2669, Page 105.

f. Deed from Thomas J. Donahue, Charles R. O'Connell, Jr. and Edith M. O'Connell dated November 10, 1964, recorded in Book 2863, Page 456.

g. Deed from Sigmund S. Dyro and Mary A. Dyro dated July 30, 1965, recorded in Book 2911, Page 334,

h. Deed from Marie V. Hetu dated September 30, 1965, recorded in Book 2924, Page 259.

i. Deed from James A. Desmond, Conservator of Bertha Smite, dated November 3, 1965, recorded in Book 2932, Page 500.

j. Deed from Mary G. Smith, also known as Mary Morgan Smith, dated March 27, 1970, recorded in Book 3121, Page 446.

k. Deed from Theodore R. Brownlee dated October 31, 1970, recorded in Book 3149, Page 363.

l. Deed from the City of Portland dated December 18, 1980, recorded in Book 4925, Page 317.

PARCEL 2 (120 STATE STREET, A/K/A 144 STATE STREET, AND 148 STATE STREET):

a. Deed from Alice A. Oxnard dated June 9, 1948, recorded in Book 1914, Page 495.

b. Deed from Harriet E. Frates dated October 8, 1948, recorded in Book 1930, Page 450.

c. Deed from St. Joseph's Convent and Hospital dated January 30, 1950, recorded in Book 1989, Page 3.

d. Deed from Guy A. Shaw dated October 1, 1952, recorded in Book 2103, Page 238.

e. Deed from Earle W. Watson and Maybelle C. Watson dated November 30, 1953, recorded in Book 2156, Page 232.

f. Deed from Raymond L. Baillargeon and Cora M. Baillargeon dated September 5, 1963, recorded in Book 2773, Page 347.

g. Deed from James B. McKenney and Beatrice M. McKenney dated May 2, 1964, recorded in Book 2821, Page 441.

h. Deed from John Malconian dated July 1, 1964, recorded in Book 2833, Page 323.

i. Deed from Samuel Levey and Helen G. Levine dated November 5, 1965, recorded in Book 2932, Page 498.

j. Deed from Irene L. Fisher dated August 1, 1964, recorded in Book 2942, Page 39.

k. Indenture with Portland Renewal Authority dated June 4, 1975, recorded in Book 3692, Page 343.

l. Deed from Robert M. Morrison dated December 2, 1975, recorded in Book 3779, Page 204.

IN WITNESS WHEREOF, Mercy Hospital, has caused the foregoing instrument to be signed in its corporate name and sealed by its undersigned officer, duly authorized, this 25th day of February, 2020.

Mercy Hospital:

By: _____
Anthony J. Filer, Treasurer

STATE OF MAINE

Penobscot County February 25, 2020

Personally appeared before me the above named Anthony J. Filer, Treasurer of Mercy Hospital, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said non-profit corporation.

Jane C Black
Notary Public/~~Attorney at Law~~

Jane C. Black
Print or type name as signed

Jane C. Black
Notary Public, State of Maine
My Commission Expires September 13, 2023

SEAL

Received
Recorded Register of Deeds
Feb 27,2020 01:07:06P
Cumberland County
Nancy A. Lane

{EP - 03379491 - v2 }

Zoning Assessment

The development is in accordance with applicable standards consistent with the B3 Downtown Business Zoning District with height limitations along Winter Street. See attached zoning analysis for the B3 zone.

ZONING ANALYSIS Relevant Zone(s) B3

All Projects:

	Required	Proposed
Lot Size	N/A	0.48 Ac
Area Per Dwelling Unit	N/A	0.053 Ac
Minimum Street Frontage	15'	126 ft
Front Yard Minimum	N/A	7.00'
Front Yard Maximum	5'	7.00'
Rear Yard	N/A	34.20'
Yard Right	N/A	0.31'
Yard Left	N/A	4.00'
Side Street Setback	N/A	N/A
Step Back	30'@45' Winter	37.7'
Maximum Lot Coverage	100%	45.8%
Minimum Lot Coverage	0%	45.8%
Maximum Height	85'/45'*	48.4'/37.7'
Open Space	N/A	N/A
Maximum Impervious Area	100%	91%
Pavement Setback	N/A	N/A
Floor Area Ratio	N/A	N/A
Off Street Parking Spaces	9	18
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):			

ACORN ENGINEERING, INC.

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

June 24, 2022

Subject: Winter Street Townhomes Subdivision Neighborhood Meeting

I, Peter Heil, hereby certify that a neighborhood meeting was held on June 23, 2022, with a hybrid remote and physical meeting held, both via Zoom and within the parking lot located at 42 Winter Street, across Winter Street from the project development, at 5:30 pm.

I also certify that on June 13, 2022, invitations were mailed to the following:

1. All addresses on the mailing list provided by the Planning Division which includes property owners within 500 feet of the proposed development.
2. Residents on the "interested parties" list.

Sincerely,

Peter Heil, P.E.
Project Manager
Acorn Engineering, Inc.

Included with this certification are:

1. Copy of the invitation sent
2. Sign-in sheet
3. Meeting minutes

Waivers

No waivers are proposed for this project.

Financial Capacity

A letter from the Applicant's bank confirming financial capacity is attached to this section.

Machias
Savings Bank

December 1, 2021

Christine Grimando, Director
Planning and Urban Development Department
City of Portland
389 Congress Street
Portland, ME 04101

Dear Ms. Grimando:

I am writing this letter on behalf of NewHeight Redfern LLC in reference to the site application for 9 townhouse units along the Winter Street side of the Mercy parking lot at 102 State Street.

Machias Savings Bank (MSB) provided the lending for the for the group's purchase of the entire Mercy Campus this past winter. Although this project is still in its early stages, MSB has had previous lending experience with the principals of the NewHeight Redfern group on other large commercial construction projects. They have proven to be a highly qualified, effective, and professional development team.

MSB is aware of their current site plan application and would be pleased to entertain financing requests from the group for that project as well as other future projects on this site.

If you have any questions and or concerns, please do not hesitate to contact me at 207-561-3937.

Sincerely,

Francine V. Cram
Senior Vice President
Business Banking Relationship Manager

4 Center Street, PO Box 318 | Machias, ME 04654-0318
(T) 800-339-3347 | (W) machiassavings.bank
Member FDIC | Equal Housing Lender

Technical Capacity

NewHeight Redfern, LLC is a collaboration between the principals of two Portland-based development firms, Erin Cooperrider of NewHeight Group, and Jonathan Culley of Redfern Properties.

The NewHeight Redfern team, along with the Ryan Senatore Architecture, Acorn Engineering, and Aceto Landscape Architecture have most recently completed permitting of the Mercy Hospital Redevelopment. This project redeveloped the existing Mercy Hospital into a mixed use building including 170 residential units, 70 on-site parking spaces, a medical clinic, a fitness facility, commercial/retail space, office space, a self-storage facility, and tenant amenities. The Mercy Hospital Site is directly next to the site of this project, on the opposite side of Spring Street.

NewHeight Group has also developed multiple high-end condominium projects in Portland, including 118 on Munjoy, Luminato, and Verdante at Lincoln Park. These project have raised the bar for new construction in the city.

Redfern Properties also develops, owns, and operates a portfolio of properties that includes the highest quality rental apartments in Portland. Redfern Properties is committed to developing innovative residential properties, and focuses on infill and other "smart-growth" development in creating unique residences and commercial spaces, while making neighborhoods and communities more vibrant and sustainable.

Ryan Senatore Architecture has designed many residential and mixed-use buildings in Portland and throughout Southern and Central Maine. Multifamily residential projects include 70 Anderson 89 Anderson Street, Munjoy Heights, the Hiawatha, and most recently 200 Federal Street, an 18-story, 180,000 sf mixed use building with 266 residential units & ground floor commercial space.

Acorn Engineering specializes in providing urban redevelopment, civil/site design, environmental services, municipal consulting and construction administration. Together, Acorn Engineering, Inc. and Ryan Senatore Architecture have successfully designed and permitted more than 20 medium to large residential and mixed use projects in Portland during the past 6 years, including five for Redfern Properties: 200 Federal St, Munjoy Heights, East Bayside Lofts, The Hiawatha, and 70 Anderson.

Aceto Landscape Architecture is a process-driven, landscape architecture and urban design firm committed to thoughtful, creative intervention at the intersection of environment, economics, art, and culture. ALA has worked on a number of important projects throughout Maine and the U.S. Locally, ALA has been the prime design consultant for the redevelopment of the 500-acre Scarborough Downs property in addition to numerous public and private development projects across Maine. ALA has also recently teamed with both Ryan Senatore Architecture and Acorn Engineering on the Mercy Hospital Redevelopment as well as 200 Federal Street. ALA's clients include private developers, housing authorities, and municipalities.

Conformity with Land Use Ordinance

The following outline is made in accordance with the City of Portland Code of Ordinances, Chapter 14 Land Use, Section 14.6 as well as the City of Portland Technical Manual, Chapter 14 Standards for Local Site Location of Development Review.

OVERVIEW

The proposed Winter Street Townhomes residential development at has been designed to conform to City standards. This project conforms with the applicable standards of Portland's Land Use Ordinance Section 14-526 as demonstrated in the following narrative.

14.6.1 Transportation Standards

This project conforms with the design standards of Section 14.6.1 as demonstrated in the following narrative.

A. Impact on Surrounding Street Systems:

The site is located at the corner of State, Spring and Winter Streets. State Street is classified as a minor arterial with an average annual daily traffic volume of approximately 15,550 vehicles per day. Winter and Spring Streets are classified as a local roads. Spring Street with an average annual daily traffic volume of approximately 4,820 vehicles per day and Winter Street has an average annual daily traffic volume of approximately 222 vehicles per day (Maine DOT 2017). The 9 residential units are not expected to cause any significant increase in motorized traffic. The project provides 2 parking spots for each residential unit but decreases total parking on the site by 39. The project design provides 105 on-site parking spaces.

B. Access and Circulation:

1. In general:

a. The development will provide safe access and internal circulation for both pedestrians and vehicles in conformance with the design standards of the Technical Manual as seen on the Site Plan.

b. Building entrances on the site will be adjacent to the existing sidewalk on Winter Street, with walkways connecting the entrances to the public sidewalk. Entrances will also be on the rear of the buildings through the garages.

c. Vehicular access to the site will match the existing drive location. This is also located directly across from the planned entrance to the adjacent development at the Mercy Hospital Site.

d. The proposed driveway has the ability to stack cars as necessary for the proposed use.

2. Loading and servicing: It is not anticipated that delivery vehicles will be regularly accessing the site.

3. Curbs and sidewalks:

   a. Sidewalks along the project frontage will be reconstructed per City standards.

   b. Sidewalks along the project frontage will be reconstructed per City Standards.

   c. No waiver for sidewalk installation requirements will be requested.

   d. Existing curbing will be reused where possible for sidewalk reconstruction.

C. Public Transit Access:

   1. There is a public metro bus stop directly adjacent to the site on Spring Street. As a result, no public transit facility is required for the project.

   2. The existing public metro station is along the sidewalk on Spring Street.

   3. No waiver for public transit access will be requested.

D. Parking:

   1. Parking for the proposed units will be provided with one compact space in the garage, and one standard space in the garage Bicycle parking will be provided in the garages. The 102 State Street lot will retain 86 standard spaces.

   2. Secure bicycle storage is provided by the garage that is part of each individual unit. This exceeds the standard of 2 spaces/5units.

   3. Snow will be trucked off-site as necessary .

   4. Electrical vehicle infrastructure may be provided to the parking units in the garages.

E. Transportation Demand Management (TDM):

   1. A TDM is not required per the City of Portland Land Use Code Chapter 14.

14.6.2 Environmental

A. Preservation of significant natural features:

   1. There are no significant natural feature existing on the site.

   2. There are no significant natural features on the site.

3. No waivers for significant natural features are requested for this project.

B. Landscape preservation:

1. One existing tree is to be removed for the proposed development. This is the only existing tree on the site.

2. There is little to no existing vegetation on the site.

3. There is no required setback in this zone.

4. No waiver will be requested.

5. The tree proposed to be removed will be replaced by multiple new street trees along Winter and Spring Streets.

C. Site Landscaping & Buffers

1. A landscaping plan has been prepared for the project by Aceto Landscape Architects, and plans are included in the submitted plan set. The landscaping has been designed to meet applicable standards in the Technical Manual.

2. Buffers

a. Loading and servicing areas, trash and recycling, storage areas, and roof and ground-mounted utility structures will be located on the rear and roof of building, screened from the public sidewalk by the building itself & site landscaping.

b. This is a residential development.

c. The residential development is providing landscaping on the east and west sides of the building to allow for adequate buffering for the residential use.

3. Parking and vehicle display lot landscaping

a. No new parking rows are proposed as part of the development. The parking rows on the lot are to remain as existing. Each individual driveway will be separated by a landscaped island with one tree.

b. The parking rows on the lot are to remain as existing. The maximum length of a parking row on the site is 17 spaces.

c. No waiver is requested.

A. Street trees

1. 8 street trees will be provided along the frontages on Winter & Spring Streets.

2. 9 street trees are required per the standards set out in the Technical Manual. The last street tree requirement will be met by the installation of other planted features along the frontage of Winter Street within 10 feet of the right of way per Technical Manual section 4.6.4.

D. Water Quality, stormwater management, and erosion control

1. Overall impervious on the site is reduced by about 600 sf. A stormwater management report is included in this application package which addresses applicable stormwater standards that the project meets.

2. The development complies with all applicable standards of the Technical Manual. Refer to the Stormwater Management Report for further info.

3. There is no proposed subsurface sanitary sewage disposal as part of this project, therefore groundwater protection measures are not required.

14.6.3 Public Infrastructure and Community Safety Standards

A. Consistency with City Master Plans:

1. There is no City-council approved master plan that is applicable to this development.

2. The development utilizes public infrastructure where possible. An easement is to be provided for development of the adjacent subdivided lot at 102 State Street to access the site & utilities.

B. Public Safety and Fire Prevention

1. All development shall incorporate the following public safety principles for Crime Prevention through Environmental Design (CPTED) into site design to enhance the security of public and private spaces and to reduce the potential for crime.

a. No public spaces and areas are proposed anywhere except for along the street frontages & public right of ways.

b. No access control is proposed at this time. The parking spaces to remain will be leased. The proposed townhomes will be access through the existing parking lot & existing parking lot entrance.

c. The proposed driveways north of the garages for the townhomes will provide a sense of ownership for the townhomes & separation from the existing parking lot.

2. Emergency vehicles will be able to access the site from the frontage along Winter & Spring Streets, as well as on the north side of the building though the driveway/parking area.

C. Public Utilities

1. DPW has been contacted regarding ability to serve the development. When DPW has replied regarding their ability to serve, it will be forward on to the City.

2. The site will be service by underground electric. The existing overhead electrical lines on the project frontage along Winter Street will be relocated underground as part of the project.

3. All sewer lines will be designed to be in conformance with the Technical Manual.

4. The project will utilize public sewer.

5. Not applicable

14.6.4 Site Design Standards

A. Massing, Ventilation and Wind Impact:

1. See attached Section O: Architectural Design Narrative

2. See attached Section O: Architectural Design Narrative

3. HVAC systems will locate venting mechanisms to direct exhaust away from public spaces and residential properties.

B. Shadows: See attached Section O: Architectural Design Narrative

C. Snow and Ice Loading: The structures will not distribute snow and ice onto adjacent properties.

D. View Corridors: See attached Section O: Architectural Design Narrative

E. Historic Resources:

1. The development is located in the West End historic district and therefore will conform to the standards set in Appendix 8 of the Portland Maine Design Manual. The building has yet to go through the historic preservation approval process.

2. The development is generally compatible with the character-defining

elements of the neighborhood. The development be reviewed and approved by historic preservation staff.

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

F. Exterior Lighting:

1. Site Lighting:

a. Exterior lighting will be designed to meet the requirements of Section 12 of the Technical Manual. A photometric plan will be provided under separation cover.

b. Proposed lighting will be designed to not adversely impact adjacent residential properties.

2. Architectural and specialty lighting:

a. No architectural or specialty lighting is proposed as part of this development.

b. No up-lighting is proposed as part of this development.

3. Street Lighting: All existing street lighting in the public right of way is proposed to remain as existing.

G. Noise and Vibration: The HVAC system will meet the applicable state and federal emissions requirement. See Architectural Plans for additional information.

H. Signage and Wayfinding:

1. There is no proposed signage on the site. Existing signage in the Right of Way shall be reset in existing place.

2. There is no proposed signage on the site.

I. Design Standards:

1. The project is located in the B-3 zone. This project is a dense residential development, consistent with design standards and intent of the zoning. The development does exceed the maximum setback of the zoning standards of 5'. It is understood that the City of Portland Design Manual allows for standards for increasing the max front setback beyond the street build to line, including exemptions related to open space, prevailing character and continuity, support for existing open space, and quality and orientation. The proposed building location is required to allow for ADA access to the front doors as well as providing the desired front entry and landscaping which will enhance the street view of the development. The project is also located within the west end historic zone, and is required to

comply with the historic board standards.

A C O R N
ENGINEERING, INC.

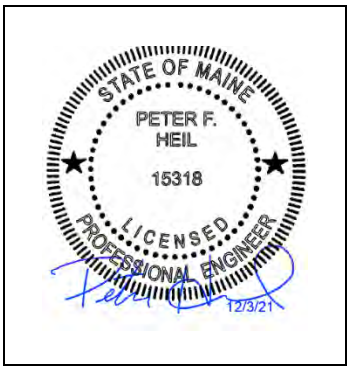
STORMWATER MANAGEMENT REPORT

Prepared For:

NewHeight Redfern, LLC
217 Commercial Street, Suite 205
Portland, ME 04101

Prepared By:

Acorn Engineering, Inc.
PO Box 3372
Portland, Maine 04104



December 2021

INTRODUCTION

Acorn Engineering, Inc. has been retained by NewHeight Redfern, LLC to provide civil engineering services for the proposed work located at 102 State Street, Portland, ME 04101. The site is currently comprised of a surface parking lot that serves as visitor & patient parking for Mercy Hospital. The project proposes to develop nine (9) town-house style condos on the south side of the site along Winter Street.

A stormwater analysis was prepared to demonstrate that the project will meet the following requirements of the City of Portland (the City):

- City of Portland Land Use Ordinance Chapter 14, Section 14.6.2.D. Required Approvals and Applicability (F) Major Site Plan Review.
- City of Portland Technical Manual – Section 5 – Portland Stormwater Management Standards and Maine DEP Chapter 500 Stormwater Management.

The property consists of approximately 1.03 acres of land in Portland's West End neighborhood. The site is currently comprised of approximately 0.96 acres of impervious area. The proposed project will decrease the impervious area by approximately 600 sf. It will redevelop a non-roof impervious area greater than 5,000 sf.

EXISTING CONDITIONS

The proposed project site is located at 102 State Street, bounded by State Street, Spring Street and Winter Street. A Boundary & Topographic Survey has been prepared by Owen Haskell, Inc., dated August 4, 2020.

The existing property is covered by approximately 93% impervious surfaces, a majority of which is pavement. The existing site slopes to the east, averaging about 4.5% slope. There is a retaining wall on the southwest boundary of the property, abutting the driveway to the neighboring residential development at 100 State Street. Existing storm drains on the site deliver stormwater to the combined sewer on State Street.

The project team is not aware of the presence of any existing significant natural features located on the site. Given the urban setting and existing impervious surfaces, a field inventory of significant natural features was not undertaken. The project is not located within a watershed classified as an Urban Impaired Stream.

PROPOSED DEVELOPMENT

The project proposes to build nine town-house style condos along the south property line of the property on Winter Street. The units will be accessed both by front entrances with stoops on Winter Street, as well as by garages that open to the existing parking lot on the north side of the units. The development will be served by Portland Water District, Department of Public Works (sewer/storm), Unitil (natural gas), CMP (electric), Charter (cable), and Fairpoint (telephone).

The proposed project will reduce the site's impervious area by approximately 600 sf. The City's water quality requirement is triggered by the redevelopment of non-roof impervious area greater than 5,000 sf. Water quality treatment will be provided by collecting the runoff through a new storm drain system which leads to a proprietary modular wetland system prior to discharging into the combined sewer within Spring Street. The project has been designed to meet Chapter 500 General Standards.

BASIC STANDARDS – EROSION & SEDIMENT CONTROL

The development shall provide erosion and sediment control, inspection and maintenance, and housekeeping standards as specified in the attached Exhibit K: Erosion and Sediment Control Report and that the grading and construction activity will not impede or otherwise alter drainageways so as to have an unreasonable adverse impact on an adjacent downslope parcel.

GENERAL STANDARDS - WATER QUALITY

The development shall provide water quality treatment in accordance with the DEP Chapter 500 General Standards for no less than 50% of the redeveloped impervious area. Water quality treatment will be provided through the use of proprietary modular wetland system, which is an approved system per Appendix B of the Maine Stormwater BMP Manual. Filtration BMPs have been shown to be very effective at removing a wide range of pollutants from stormwater runoff.

The treatment of the impervious & disturbed areas are as follows:

Table 1 – Impervious Area Treatment Table

Existing Impervious Area (SF)	Total Proposed Impervious Area (SF)	Redeveloped Impervious Area (SF)	Proposed Impervious Area with Treatment (SF)	Overall New Imp. Area Treated
41,923	41,348	22,684	12,225	53.9%

As shown above, the project anticipates meeting and exceeding the required treatment for 50% of the redeveloped impervious surfaces as ample stormwater treatment is being provided.

SOILS

Onsite soil information includes the following:

- Soil Conservation Service Medium Intensity Soil Survey for Cumberland County

The area within and surrounding the project includes soils types listed in the table below.

Table 2 – Hydrologic Soil Group

Soils Type	HSG
Hinkley Loamy Sand, 3-8% slopes	A

The HSG for the soils, listed above, show soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained sands, with a high rate of water transmission. Implementation of the proposed Erosion & Sedimentation Measures by the contractor will be of the utmost importance to provide proper stabilization of the site.

Conclusion

The proposed development was designed to meet the requirements implemented by the MDEP under the Stormwater Management Statute (38 M.R.S.A. § 420-D) as well as the City of Portland Technical Manual – Section 5 – Portland Stormwater Management Standards. The proposed project as designed is not anticipated to cause flooding or erosion problems within the subject site, abutters' sites, nor within the right-of-way.

Attachments

Attachment A: Soils Map
Attachment B: Pre- and Post-Development Plans

United States Department of Agriculture

Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Cumberland County and Part of Oxford County, Maine

August 31, 2021

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (https://offices.sc.egov.usda.gov/locator/app?agency=nrcs) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

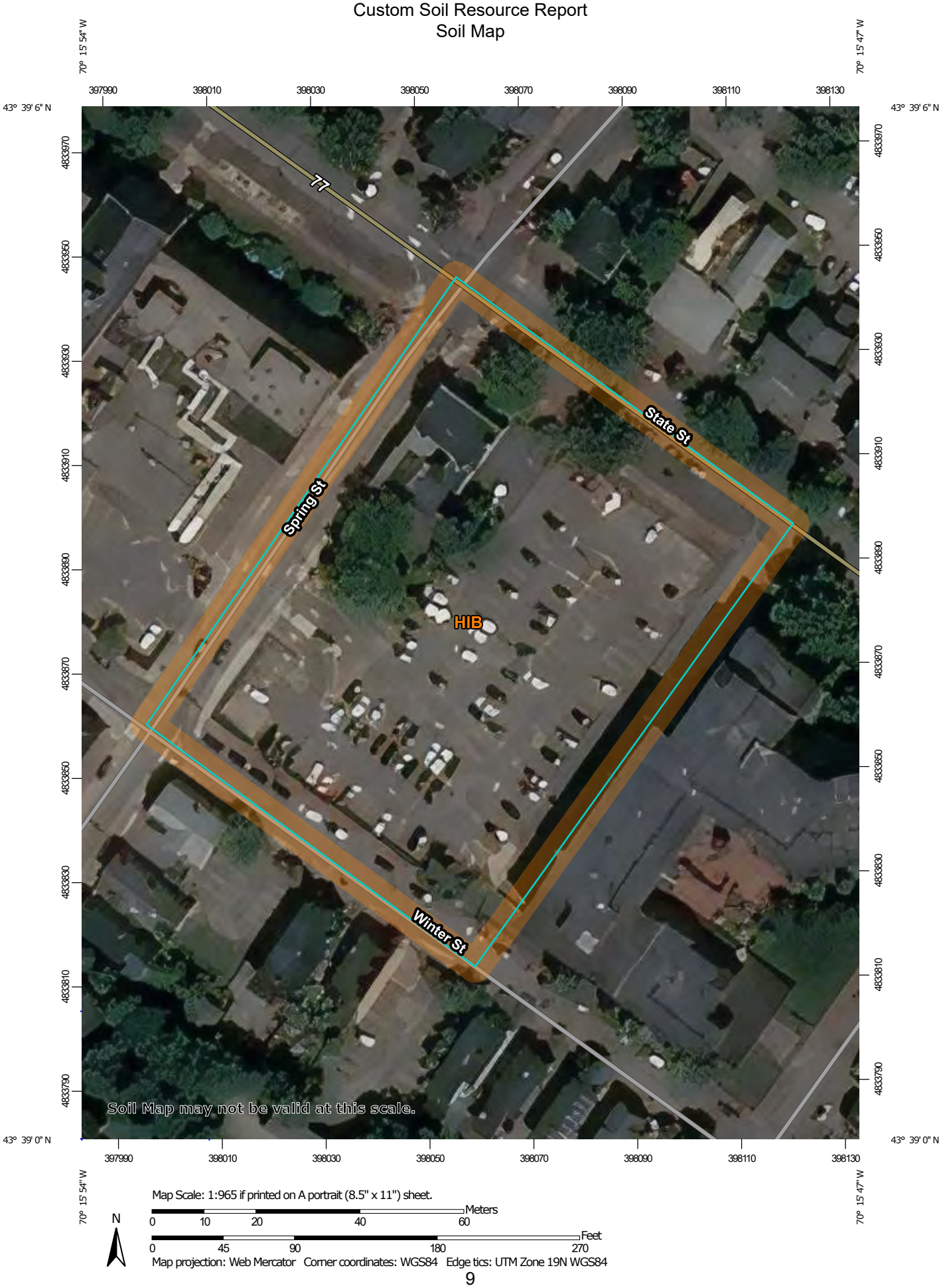
Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.


70° 15' 54" W
70° 15' 47" W
43° 39' 6" N
43° 39' 0" N
397990
398010
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398130
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77
State St
Spring St
Winter St
HIB
Soil Map may not be valid at this scale.
Map Scale: 1:965 if printed on A portrait (8.5" x 11") sheet.
N
Meters
0
10
20
40
60
Feet
0
45
90
180
270
Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 19N WGS84

MAP LEGEND

Area of Interest (AOI)

- Area of Interest (AOI)

Soils

- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features

- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features

- Streams and Canals

Transportation

- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background

- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Cumberland County and Part of Oxford County, Maine
Survey Area Data: Version 17, Jun 5, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Data not available.

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
HIB	Hinckley loamy sand, 3 to 8 percent slopes	2.1	100.0%
Totals for Area of Interest		**2.1**	**100.0%**

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Cumberland County and Part of Oxford County, Maine

HIB—Hinckley loamy sand, 3 to 8 percent slopes

Map Unit Setting

National map unit symbol: 2svm8
Elevation: 0 to 1,430 feet
Mean annual precipitation: 36 to 53 inches
Mean annual air temperature: 39 to 55 degrees F
Frost-free period: 140 to 250 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Hinckley and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Hinckley

Setting

Landform: Outwash terraces, outwash deltas, outwash plains, eskers, moraines, kame terraces, kames
Landform position (two-dimensional): Summit, shoulder, backslope, footslope
Landform position (three-dimensional): Nose slope, side slope, base slope, crest, riser, tread
Down-slope shape: Linear, convex, concave
Across-slope shape: Convex, linear, concave
Parent material: Sandy and gravelly glaciofluvial deposits derived from gneiss and/or granite and/or schist

Typical profile

Oe - 0 to 1 inches: moderately decomposed plant material
A - 1 to 8 inches: loamy sand
Bw1 - 8 to 11 inches: gravelly loamy sand
Bw2 - 11 to 16 inches: gravelly loamy sand
BC - 16 to 19 inches: very gravelly loamy sand
C - 19 to 65 inches: very gravelly sand

Properties and qualities

Slope: 3 to 8 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Excessively drained
Runoff class: Very low
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to very high (1.42 to 99.90 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline (0.0 to 1.9 mmhos/cm)
Available water supply, 0 to 60 inches: Very low (about 3.0 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 3s
Hydrologic Soil Group: A

Ecological site: F144AY022MA - Dry Outwash
Hydric soil rating: No

Minor Components

Windsor

Percent of map unit: 8 percent
Landform: Moraines, outwash terraces, outwash deltas, kame terraces, outwash plains, kames, eskers
Landform position (two-dimensional): Summit, shoulder, backslope, footslope
Landform position (three-dimensional): Nose slope, side slope, base slope, crest, riser, tread
Down-slope shape: Linear, convex, concave
Across-slope shape: Convex, linear, concave
Hydric soil rating: No

Sudbury

Percent of map unit: 5 percent
Landform: Outwash terraces, outwash deltas, kame terraces, outwash plains, moraines
Landform position (two-dimensional): Backslope, footslope
Landform position (three-dimensional): Side slope, base slope, head slope, tread
Down-slope shape: Concave, linear
Across-slope shape: Linear, concave
Hydric soil rating: No

Agawam

Percent of map unit: 2 percent
Landform: Moraines, outwash terraces, outwash deltas, kame terraces, outwash plains, kames, eskers
Landform position (two-dimensional): Summit, shoulder, backslope, footslope
Landform position (three-dimensional): Nose slope, side slope, base slope, crest, riser, tread
Down-slope shape: Linear, convex, concave
Across-slope shape: Convex, linear, concave
Hydric soil rating: No

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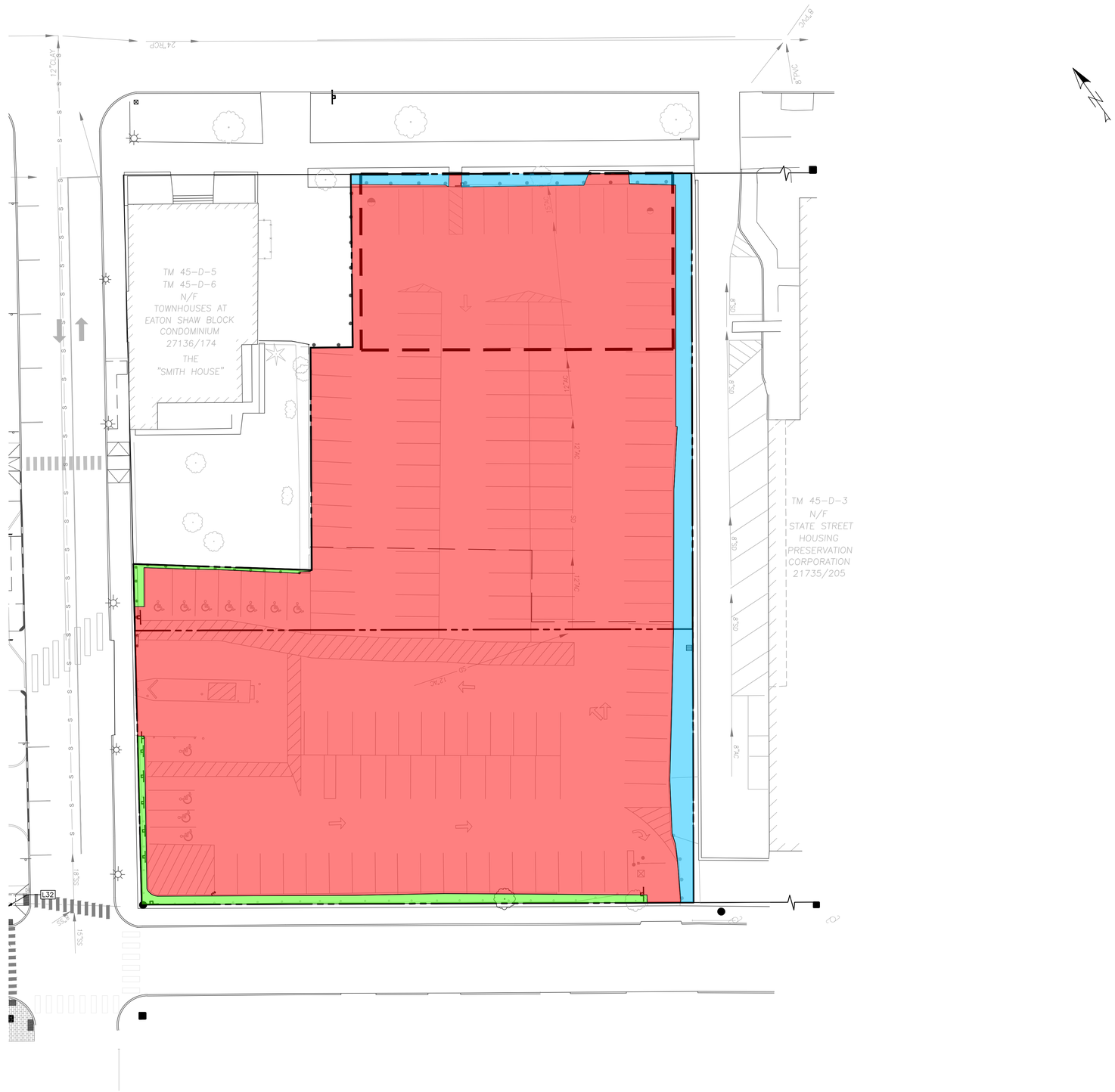

LAND USE AND POLLUTANT SUMMARY TABLE				
LAND USE	COLOR	POLLUTANT RANKING	EXISTING AREA	WEIGHTED AVE. RANKING
ROADS WHERE IDLING MAY OCCUR PERIODICALLY DUE TO TRAFFIC AND INTERSECTIONS; HIGH USE PARKING LOTS		5	0	0
OTHER ROADS; MEDIUM USE PARKING LOTS		4	0.96 AC	3.84
OTHER PARKING LOTS AND DRIVEWAYS; FLAT ASPHALT ROOFTOPS; ROOFS ON AN INDUSTRIAL FACILITY		3	0	0
OTHER ROOFTOPS; BIKEWAYS; GRASSED AREAS MOWED MORE THAN TWICE PER YEAR; WALKWAYS / FOOT TRAFFIC-ONLY PAVEMENT		2	0.05 AC	0.10
NON-GRASS LANDSCAPED AREAS; STORMWATER TREATMENT / STORAGE SYSTEMS (EXCEPT BUFFERS)		1	0.02 AC	0.02
TOTAL			1.03 AC	3.96

20 0 20 40

SCALE: 1"=20'

PERMIT LEVEL
NOT ISSUED FOR
CONSTRUCTION

ISSUED FOR	BY	DATE
SITE PLAN SUBMISSION	PFH	12/3/21

DRAWING NAME: STORMWATER REDEVELOPMENT PLAN – PREDEVELOPMENT

PROJECT NAME: WINTER STREET TOWNHOMES
PORTLAND, MAINE

CLIENT: NEWHEIGHT REDFERN, LLC
167 NEWBURY STREET, SUITE 503 PORTLAND, ME, 04101

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JN:	1140.1
SCALE:	AS NOTED
DESIGNED BY:	MKT
DRAWN BY:	MKT
CHECKED BY:	PFH

STATE OF MAINE
PETER F. HEIL
15318
LICENSED
PROFESSIONAL ENGINEER
12/03/21

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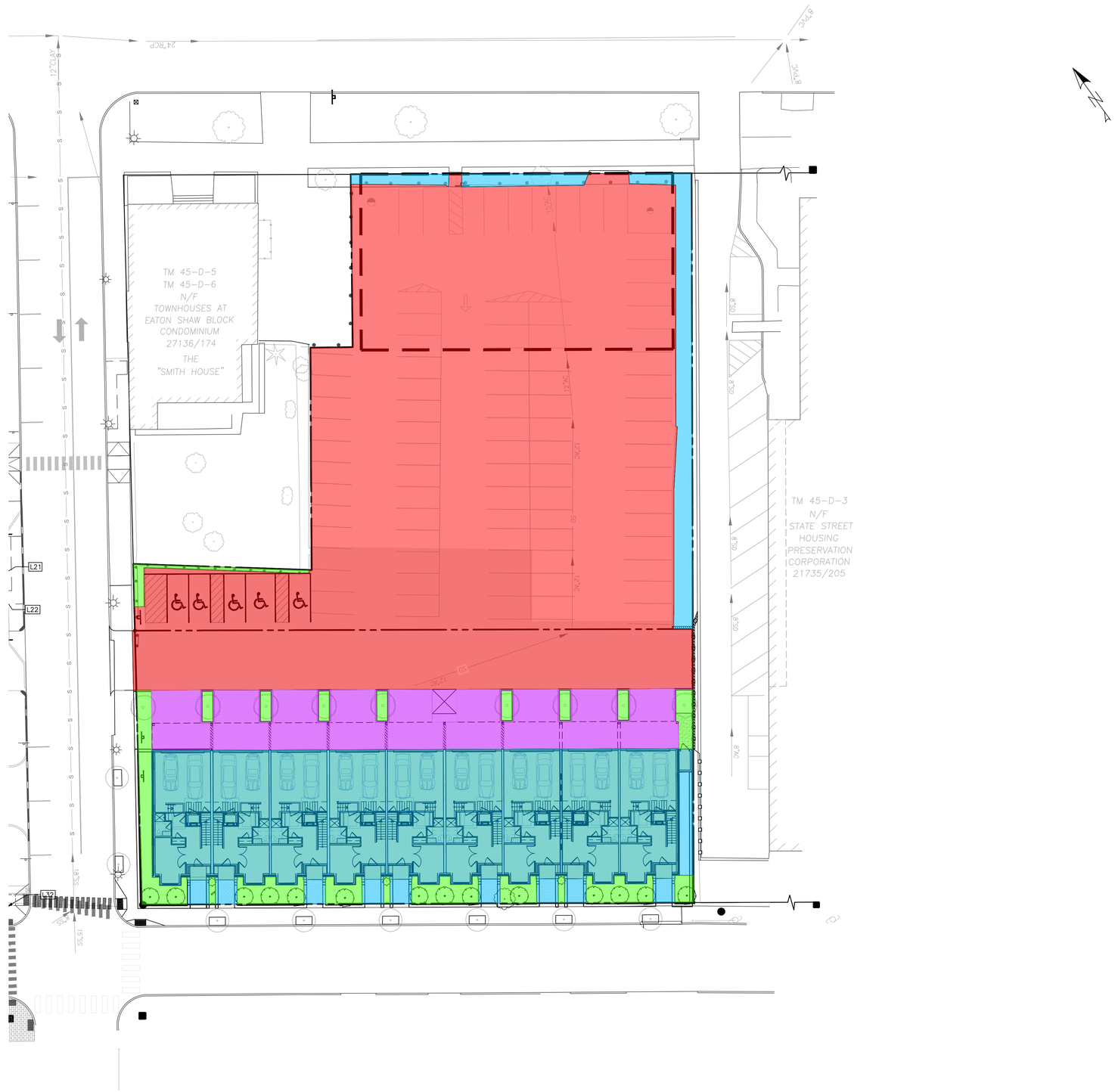

LAND USE AND POLLUTANT SUMMARY TABLE				
LAND USE	COLOR	POLLUTANT RANKING	EXISTING AREA	WEIGHTED AVE. RANKING
ROADS WHERE IDLING MAY OCCUR PERIODICALLY DUE TO TRAFFIC AND INTERSECTIONS; HIGH USE PARKING LOTS		5	0	0
OTHER ROADS; MEDIUM USE PARKING LOTS		4	0.63 AC	2.52
OTHER PARKING LOTS AND DRIVEWAYS; FLAT ASPHALT ROOFTOPS; ROOFS ON AN INDUSTRIAL FACILITY		3	0.09	0.27
OTHER ROOFTOPS; BIKEWAYS; GRASSED AREAS MOWED MORE THAN TWICE PER YEAR; WALKWAYS / FOOT TRAFFIC-ONLY PAVEMENT		2	0.26 AC	0.52
NON-GRASS LANDSCAPED AREAS; STORMWATER TREATMENT / STORAGE SYSTEMS (EXCEPT BUFFERS)		1	0.05 AC	0.05
TOTAL			1.03 AC	3.36

20 0 20 40

SCALE: 1"=20'

PERMIT LEVEL
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CONSTRUCTION

ISSUED FOR	BY	DATE
SITE PLAN SUBMISSION	PFH	12/3/21

DRAWING NAME: STORMWATER REDEVELOPMENT PLAN – POST DEVELOPMENT

PROJECT NAME: WINTER STREET TOWNHOMES
PORTLAND, MAINE

CLIENT: NEWHEIGHT REDFERN, LLC
167 NEWBURY STREET, SUITE 503 PORTLAND, ME, 04101

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DRAWN BY:	MKT
CHECKED BY:	PFH

STATE OF MAINE
PETER F. HEIL
15318
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PROFESSIONAL ENGINEER
12/03/21

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POST

EROSION & SEDIMENTATION CONTROL REPORT

Prepared For:

NewHeight Redfern, LLC
217 Commercial Street, Suite 205
Portland, ME 04101

Prepared By:

Acorn Engineering, Inc.
P.O. Box 3372
Portland, Maine 04104

December 2021

1.0 INTRODUCTION

Acorn Engineering, Inc. has been retained by NewHeight Redfern, LLC to provide civil engineering services for the proposed work located at 102 State Street, Portland, ME 04101. The site is currently comprised of a surface parking lot that serves as visitor & patient parking for Mercy Hospital. The project proposes to develop nine (9) town-house style condos on the south side of the site along Winter Street.

The following Erosion and Sedimentation Control Report was developed in accordance with the Maine DEP Chapter 500 Stormwater Management Appendix A and B (1) and the City of Portland Code of Ordinance, Chapter 14, Article V, Section 14-526, as well as the City of Portland Technical Manual. This narrative also meets the standards required in the 2016 Maine DEP's Erosion & Sediment Control BMP's Manual.

2.0 EXISTING CONDITIONS

The proposed project includes a boundary and topographic survey that has been prepared by Owen Haskell, Inc. dated August 4, 2020.

2.1 Existing Soils

Per the attached USDA NRCS Web Soil Survey, the site is mapped with Hinckley loamy sand, 3-8% slopes with a Hydrologic Soil Group A.

2.2 Existing Erosion Problems

The existing site surface is largely impervious and does not show signs of erosion within the property.

2.3 Critical Areas

There were no critical areas identified.

2.4 Protected Natural Resource

There are no known protected natural resources on site.

2.5 Previous Construction Activity (5 years)

Acorn Engineering, Inc. is not aware of any construction related activities or timber harvesting within the project limits within the past 5 years.

2.6 Timber Harvesting

Acorn Engineering, Inc. is not aware of any significant timber harvesting within the past five years.

3.0 EROSION CONTROL MEASURES AND SITE STABILIZATION

As part of the project, the following temporary and permanent erosion and sedimentation control devices shall be implemented. Devices shall be installed as described in this report or within the plan set. See the Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices for further reference.

3.1 Temporary Erosion Control Measures

The following temporary erosion and sedimentation control measures are planned for the project's construction period:

3.1.1 Construction activities will be performed in a manner to prevent impact to trees and shrubs within and adjacent to the property that are to remain.

3.1.2 Siltation fence, erosion control berm, and/or filter socks shall be installed down gradient of any disturbed areas to trap runoff borne sediments until permanent stabilization is achieved. The sediment barrier shall be installed per the details provided in the plan set and inspected before and immediately after each rainfall and at least daily during prolonged rainfall. Repairs shall be made if there are any signs of erosion or sedimentation below the fence line or berm. If there are signs of undercutting at the center or the edges or impounding of large volumes of water behind the fence or berm, the barrier shall be replaced with a stone check dam.

3.1.3 Hay mulch including hydro seeding is intended to provide cover for denuded or seeded areas until revegetation is established. Mulch placed between April 15th and November 1st on slopes of less than 15 percent shall be covered by fabric netting and anchored with staples in accordance with the manufacturer's recommendation. Mulch placed between November 1st and April 15th on slopes equal to or steeper than 8 percent and equal to or flatter than 2:1 shall use mats or fabric netting and anchored with staples in accordance with the manufacturer's recommendation.

3.1.4 Winter Street and Spring Street shall be swept to control mud and dust as necessary.

3.1.5 If a silt fence is used, silt fence stake spacing shall not exceed 6 feet unless the fence is supported with 14-gauge wire in which case the maximum spacing shall not exceed 10 feet. The silt fence shall be "toed" into the ground.

3.1.6 Temporary loam, seed, and mulching shall be used in areas where no other erosion control measure is used, including in any areas where there has been site disturbance, but unworked areas > 7 days. Application rates for seeding are provided at the end of this report.

3.1.7 Stockpiles shall be stabilized within 7 days of formation unless a scheduled rain event occurs prior to the 7-day window, in which case the stockpile shall be stabilized prior to the rain event. Methods of stabilization shall be mulch, erosion control mix, or erosion control blankets/mats. Silt fence or a wood waste compost filter berm shall be placed downhill of any soil stockpile location.

3.1.8 For disturbance between November 1 and April 15, please refer to winter stabilization plan in this report and the Maine Erosion and Sediment Control BMP manual for further information.

3.2 Permanent Erosion Control Measures

The following permanent erosion control measures are intended for post disturbance areas of the project.

3.2.1 All disturbed areas during construction, not subject to other proposed conditions, shall receive a minimum 4" of loam, limed, fertilized, seeded, and mulched. Erosion control blankets or mats shall be placed over the mulch in areas noted in paragraph 3.1 of this report.

3.2.2 Refer to the Maine Erosion and Sediment Control BMP manual for additional information.

4.0 EROSION AND SEDIMENTATION CONTROL PLAN

The Erosion and Sedimentation Control Plan is included within the plan set.

5.0 DETAILS AND SPECIFICATIONS

Erosion Control Details and Specification are included in the plan set.

6.0 STABILIZATION PLAN FOR WINTER CONSTRUCTION

Winter Construction consists of earthwork disturbance between the dates of November 1 and April 15. If the construction site is not stabilized with pavement, a road gravel base, 75%

mature vegetation cover or riprap by November 15, then the site shall be protected with overwinter stabilization. Any area not stabilized with pavement, vegetation, mulching, erosion control mix, erosion control mats, riprap or gravel base on a road shall be considered open.

The contractor shall limit the work area to areas that work will occur in during the subsequent 15 days and so that it can be mulched one day prior to a snow event. The contractor shall stabilize work areas prior to opening additional work areas to minimize areas without erosion control measures.

The following measures shall be implemented during winter construction periods:

6.1 Sediment Barriers

During frozen conditions, sediment barriers may consist of erosion control mix berms or any other recognized sediment barriers as frozen soil prevents the proper installation of hay bales or silt fences.

6.2 Mulching

All areas shall be considered to be denuded until seeded and mulched. Hay and straw mulch shall be applied at a rate of 150 lb. per 1,000 square feet or 3 tons/acre (twice the normal accepted rate of 75-lbs./1,000 s.f. or 1.5 tons/acre) and shall be properly anchored. Erosion control mix must be applied with a minimum 4-inch thickness. Mulch shall not be spread on top of snow. The snow shall be removed down to a one-inch depth or less prior to application. After each day of final grading, the area shall be properly stabilized with anchored hay or straw or erosion control matting. An area shall be considered to have been stabilized when exposed surfaces have been either mulched or adequately anchored so that ground surface is not visible through the mulch. Between the dates of November 1 and April 15, all mulch shall be anchored by either mulch netting, tracking or wood cellulose fiber. The cover will be considered sufficient when the ground surface is not visible through the mulch. After November 1st, mulch and anchoring of all exposed soil shall occur at the end of each final grading workday.

6.3 Soil Stockpiling

Stockpiles of soil or subsoil shall be mulched for over winter protection with hay or straw at twice the normal rate or with a four-inch layer of erosion control mix. This shall be done within 24 hours of stocking and re-established prior to any rainfall or snowfall.

6.4 Seeding

Between the dates of October 15th and April 1st, loam or seed shall not be required. During periods of above freezing temperatures finished areas shall be fine graded and either protected with mulch or temporarily seeded and mulched until such time as the final treatment can be applied. If the date is after November 1st and if the exposed area has not been loamed, final grading with a uniform surface, then the area may be dormant seeded at a rate of 3 times higher than specified for permanent seed and then mulched.

Dormant seeding may be placed prior to the placement of mulch or erosion control blankets. If dormant seeding is used for the site, all disturbed areas shall receive 4" of loam and seed at an application rate of 5 lbs/1,000 s.f. All areas seeded during the winter shall be inspected in the spring for adequate catch. All areas insufficiently vegetated (less than 75% catch) shall be revegetated by replacing loam, seed and mulch. If dormant seeding is not used for the site, all disturbed areas shall be revegetated in the spring.

6.5 Over winter stabilization of disturbed soils

By September 15th, all disturbed soils on areas having a slope less than 15% shall be seeded and mulched. If the disturbed areas are not stabilized by this date, then one of the following actions shall be taken to stabilize the soil for late fall and winter:

- Stabilize the soil with temporary vegetation – By October 1st, seed the disturbed soil with winter rye at a seeding rate of 3lbs per 1,000 s.f., lightly mulch the seeded soil with hay or straw at 75 lbs per 1,000 s.f., and anchor the mulch with plastic netting. Monitor growth of the rye over the next 30 days. If the rye fails to grow at least three inches or fails to cover at least 75% of the disturbed soil before November 1st, then mulch the area for over-winter protection.

- Stabilize the soil with sod – Stabilize the disturbed soil with properly installed sod by October 1st. Proper installation includes pinning the sod onto the soil with wire pins, rolling the sod to guarantee contact between the sod and underlying soil, and watering the sod to promote root growth into the disturbed soil.

- Stabilize the soil with mulch – By November 15th, mulch the disturbed soil by spreading hay or straw at a rate of at least 150 lbs per 1,000 s.f. on the area so that no soil is visible through the mulch. Immediately after applying the mulch, anchor the mulch with plastic netting to prevent wind from moving the mulch off the disturbed soil.

6.6 Over winter stabilization of disturbed slopes

All stone-covered slopes shall be constructed and stabilized by November 15th. All slopes to be vegetated shall be seeded and mulched by September 1st. A slope is considered a grade greater than 15%. If a slope to be vegetated is not stabilized by September 1st, then one of the following actions shall be taken to stabilize the slope for late fall and winter:

- Stabilize the soil with temporary vegetation and erosion control mats – By October 1st the disturbed slope shall be seeded with winter rye at a seeding rate of 3 lbs per 1,000 s.f. and then install erosion control mats or anchored mulch over the seeding. If the rye fails to grow at least three inches or fails to cover at least 75% of the slope by November 1st, then the contractor shall cover the slope with a layer of erosion control mix or with stone riprap.

- Stabilize the soil with sod – The disturbed slope shall be stabilized with properly installed sod by October 1st. Proper installation includes the contractor pinning the sod onto the slope with wire pins, rolling the sod to guarantee contact between the sod and underlying soil, and watering the sod to promote root growth into the disturbed soil. The contractor shall not use late-season sod installation to stabilize slopes having a grade greater than 3H:1V or having groundwater seeps on the slope face.

- Stabilize the soil with erosion control mix – Erosion control mix shall be properly installed by November 15th. The contractor shall not use erosion control mix to stabilize slopes having grades greater than 2H:1V or having groundwater seeps on the slope face.

- Stabilize the soil with stone riprap – Place a layer of stone riprap on the slope by November 15th. A registered professional engineer shall be hired to determine the stone size needed for stability on the slope and to design a filter layer for underneath the riprap.

7.0 INSPECTION AND MAINTENANCE

The Contractor has a responsibility for complying with the Erosion and Sedimentation Report/Plan, including control of fugitive dust. The Contractor shall be responsible for any monetary penalties resulting from failure to comply with these standards. Contractor to inspect after a rainfall event, and at least monthly and shall use the City's ESC inspection form.

8.0 IMPLEMENTATION SCHEDULE

The following implementation sequence is intended to maximize the effectiveness of the above described erosion control measures. Contractors should avoid overexposing disturbed areas and limit the amount of stabilization area.

1. Install perimeter silt fence or erosion control berm and construction entrance.
2. Install all other erosion control devices as necessary throughout the remainder of this schedule.
3. Pave any areas that were disturbed during construction.
4. Loam, lime, fertilize, seed and mulch disturbed areas and complete all landscaping.
5. Once the site is stabilized and 90% catch of vegetation has been obtained, remove all temporary erosion control measures.
6. Touch up areas without a vigorous catch of grass with loam and seed.
7. Execute proper maintenance of all temporary and permanent erosion control measures throughout the project.

The above implementation sequence should be generally followed by the site contractor. However, the contractor may construct several items simultaneously. The contractor shall submit to the owner a schedule of the completion of the work. If the contractor is to commence the construction of more than one item above, they shall limit the amount of exposed area to those areas in which work is expected to be undertaken during the following 30 days.

The contractor shall revegetate disturbed areas as rapidly as possible. All areas shall be permanently stabilized within seven (7) days of final grading or before a storm event. The contractor shall incorporate planned inlets and drainage systems as early as possible into the construction phase.

9.0 CONCLUSION

The above erosion control narrative is intended to minimize the development impact by implementing temporary and permanent erosion control measures. The contractor shall also refer to the Maine Erosion and Sediment Control BMP manual for additional information.

10.0 ATTACHMENTS

- Temporary Seeding Plan
- Permanent Seeding Plan
- Housekeeping Plan

TEMPORARY SEEDING PLAN

Site Preparation

The seeded areas shall be feasibly graded out to provide the use of equipment for seedbed preparation, seeding, mulch application, and mulch anchoring. If necessary, the site may require additional temporary erosion control measures outlined in the Erosion Control report.

Seedbed Preparation

Fertilizer shall be applied to the site at a rate of 13.8 pounds per 1,000 square feet. The composition of the fertilizer shall be 10-10-10 (N-P2O5-K2O) or equivalent.

Limestone shall be applied to the site at a rate of 138 pounds per 1,000 square feet.

Seeding

The composition and amount of temporary seed applied to a site shall be determined by the following table:

Seed	Pounds / 1,000 S.F.	Recommended Seeding Dates
Winter Rye	2.57	Aug-15 to Oct-1
Oats	1.84	Apr-1 to Jul-1 Aug-15 to Sep-15
Annual Ryegrass	0.92	Apr-1 to Jul-1
Sudangrass	0.92	May-15 to Aug-15
Perennial	0.92	Aug-15 to Sep-15

Mulching

Mulch shall be applied at a rate of 70 lbs – 90 lbs per 1,000 square feet. The mulch shall be installed at a minimum depth of 4 inches. The seeded area shall be mulched immediately after seed is applied. Mulching during the winter season shall be double the normal amount.

Conclusion

Please refer to the Maine Erosion and Sediment Control BMP manual for additional information pertaining to temporary seeding and mulching.

PERMANENT SEEDING PLAN

Site Preparation

The seeded areas shall be feasibly graded out to provide the use of equipment for seedbed preparation, seeding, mulch application, and mulch anchoring. If necessary, the site may require additional temporary erosion control measures outlined in the Erosion Control report.

Seedbed Preparation

Fertilizer shall be applied to the site at a rate of 13.8 pounds per 1,000 square feet. The composition of the fertilizer shall be 10-10-10 (N-P2O5-K2O) or equivalent.

Limestone shall be applied to the site at a rate of 138 pounds per 1,000 square feet.

Seeding

The composition and amount of permanent seed applied to a site shall be determined by the following table:

Seed	Pounds / 1,000 S.F.
Kentucky Bluegrass	0.46
Creeping Red Fescue	0.46
Perennial Ryegrass	0.11
Total	1.03

Mulching

Mulch shall be applied at a rate of 70 lbs – 90 lbs per 1,000 square feet. The mulch shall be installed at a minimum depth of 4 inches. The seeded area shall be mulched immediately after seed is applied. Mulching during the winter season shall be double the normal amount.

Recommendations

Permanent seeding is recommended to be completed in the spring. Later summer seeding is allowed if completed prior to September 1st. If seeding cannot be accomplished during the periods recommended for permanent seeding, then the contractor shall perform temporary seeding per the temporary seeding plan.

Conclusion

Please refer to the Maine Erosion and Sediment Control BMP manual for additional information pertaining to permanent seeding and mulching.

HOUSEKEEPING PLAN

The following housekeeping plan has is developed in accordance with Maine DEP Chapter 500 Stormwater Management standards. For additional information, reference Appendix C of Chapter 500.

1. **Spill prevention.** Controls must be used to prevent pollutants from construction and waste materials stored on site to enter stormwater, which includes storage practices to minimize exposure of the materials to stormwater. The site contractor or operator must develop, and implement as necessary, appropriate spill prevention, containment, and response planning measures.

NOTE: Any spill or release of toxic or hazardous substances must be reported to the Department. For oil spills, call 1-800-482-0777 which is available 24 hours a day. For spills of toxic or hazardous material, call 1-800-452-4664 which is available 24 hours a day. For more information, visit the Department's website at: http://www.maine.gov/dep/spills/emergspillresp/

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2. **Groundwater protection.** During construction, liquid petroleum products and other hazardous materials with the potential to contaminate groundwater may not be stored or handled in areas of the site draining to an infiltration area. An "infiltration area" is any area of the site that by design or as a result of soils, topography and other relevant factors accumulates runoff that infiltrates into the soil. Dikes, berms, sumps, and other forms of secondary containment that prevent discharge to groundwater may be used to isolate portions of the site for the purposes of storage and handling of these materials. Any project proposing infiltration of stormwater must provide adequate pre-treatment of stormwater prior to discharge of stormwater to the infiltration area, or provide for treatment within the infiltration area, in order to prevent the accumulation of fines, reduction in infiltration rate, and consequent flooding and destabilization.

   See Chapter 500 Appendix D for license by rule standards for infiltration of stormwater.

NOTE: Lack of appropriate pollutant removal best management practices (BMPs) may result in violations of the groundwater quality standard established by 38 M.R.S.A. §465-C(1).

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3. **Fugitive sediment and dust.** Actions must be taken to ensure that activities do not result in noticeable erosion of soils or fugitive dust emissions during or after construction. Oil may not be used for dust control, but other water additives may be considered as needed. A stabilized construction entrance (SCE) should be included to minimize tracking of mud and sediment. If off-site tracking occurs, public roads should be swept immediately and no less than once a week and prior to significant storm events. Operations during dry months, that experience fugitive dust problems, should wet down unpaved access roads once a week or more frequently as needed with a water additive to suppress fugitive sediment and dust.

NOTE: Dewatering a stream without a permit from the Department may violate state water quality standards and the *Natural Resources Protection Act*.

4. **Debris and other materials.** Minimize the exposure of construction debris, building and landscaping materials, trash, fertilizers, pesticides, herbicides, detergents, sanitary waste and other materials to precipitation and stormwater runoff. These materials must be prevented from becoming a pollutant source.

NOTE: To prevent these materials from becoming a source of pollutants, construction and post-construction activities related to a project may be required to comply with applicable provision of rules related to solid, universal, and hazardous waste, including, but not limited to, the Maine solid waste and hazardous waste management rules; Maine hazardous waste management rules; Maine oil conveyance and storage rules; and Maine pesticide requirements.

5. **Excavation de-watering.** Excavation de-watering is the removal of water from trenches, foundations, ponds, and other areas within the construction area that retain water after excavation. In most cases the collected water is heavily silted and hinders correct and safe construction practices. The collected water removed from the ponded area, either through gravity or pumping, must be spread through natural wooded buffers or removed to areas that are specifically designed to collect the maximum amount of sediment possible, like a sedimentation basin. Avoid allowing the water to flow over disturbed areas of the site. Equivalent measures may be taken if approved by the Department.

NOTE: Dewatering controls are discussed in the "Maine Erosion and Sediment Control BMPs, Maine Department of Environmental Protection."

6. **Authorized Non-stormwater discharges.** Identify and prevent contamination by non-stormwater discharges. Where allowed non-stormwater discharges exist, they must be identified and steps should be taken to ensure the implementation of appropriate pollution prevention measures for the non-stormwater component(s) of the discharge. Authorized non-stormwater discharges are:

(a) Discharges from firefighting activity;

(b) Fire hydrant flushings;

(c) Vehicle washwater if detergents are not used and washing is limited to the exterior of vehicles (engine, undercarriage and transmission washing is prohibited);

(d) Dust control runoff in accordance with permit conditions and Section 3, above;

(e) Routine external building washdown, not including surface paint removal, that does not involve detergents;

(f) Pavement washwater (where spills/leaks of toxic or hazardous materials have not occurred, unless all spilled material had been removed) if detergents are not used;

(g) Uncontaminated air conditioning or compressor condensate;

(h) Uncontaminated groundwater or spring water;

(i) Foundation or footer drain-water where flows are not contaminated;

(j) Uncontaminated excavation dewatering (see requirements in Section 5, above);

(k) Potable water sources including waterline flushings; and

(l) Landscape irrigation.

7. **Unauthorized non-stormwater discharges.** The Department's approval under Chapter 500 does not authorize a discharge that is mixed with a source of non-stormwater, other than those discharges in compliance with Section 6, above. Specifically, the Department's approval does not authorize discharges of the following:

(a) Wastewater from the washout or cleanout of concrete, stucco, paint, form release oils, curing compounds or other construction materials;

(b) Fuels, oils or other pollutants used in vehicle and equipment operation and maintenance;

(c) Soaps, solvents, or detergents used in vehicle and equipment washing; and

(d) Toxic or hazardous substances from a spill or other release.

(8) Additional requirements. Additional requirements may be applied on a site-specific basis.

ACORN ENGINEERING, INC.

Chief Keith Gautreau
City of Portland Fire Department
380 Congress St.
Portland, ME 04101

December 3, 2021

Subject: Winter St Townhomes
102 State Street, Portland
Fire Department Checklist

On behalf of NewHeight Redfern, LLC, the design team is pleased to respond to the Portland Fire Department Site Review Checklist.

1. Name, address, telephone number of Applicant:
   NewHeight Redfern, LLC
   erin@newheightgroup.com
   (207) 720-0181

2. Name address, telephone number of Architect:
   Ryan Senatore Architecture
   Ryan Senatore
   ryan@senatorearchitecture.com
   (207) 650-6414

3. Proposed uses of any structures [R3 Townhomes]

4. Square footage of all structures : The Townhouse footprint is 9,503 sf, the total building square footage is 32,759 sf.

5. Elevation of all structures
   Based upon the average grade plane defined by the IBC, the existing building height is 44'-4". For additional information, please refer to the building elevations provided by the Architect.

6. Proposed fire protection of all structures

   The building shall have NFPA 13R fire protection system

7. Hydrant locations

   One existing hydrant is located directly adjacent to the proposed development on Spring Street, approximately 15 feet north of Winter Street. An additional hydrant is located

along Spring Street approximately 140 feet north of the property corner. Once received, hydrant flow data from Portland Water District may be made available to the Fire Department upon request.

8. Water main size and location

   There are existing mains located on Winter Street, Spring Street, and State Street. The proposed building will be serviced off of the existing 8" cast iron main on Spring Street. There will be a 2" tap for domestic service & a 4" tap for a fire suppression line. The Winer Street main is 8".

9. Access to all structures [min. 2 sides]

   Access to the proposed structure is provided directly on the south along Winter Street, west along spring street, and north within the parking area.

10. The Architect has provided code summaries (attached).

<u>NFPA 1 – Chapter 18 Fire Department Access and Water Supply</u>

18.2 Fire Department Access:

The portion of the parcel to be developed has frontage along both State Street, Spring Street and Winter Street, with the following public street widths available:

- State Street (Northeast): 99 feet
- Spring Street (Southeast): 50 feet
- Winter Street (Southwest): 40 feet

Per NFPA 1 – Chapter 18.2.3.3.1, there will be public street access within 50 feet of at least one exterior door. Per NFPA 1 – Chapter 18.2.3.2.2.1, all first story floors shall be located not more than 450 feet from a Fire Department access road.

City of Portland Technical Manual – Section 3 Public Safety
3.4.1 Every dead-end roadway more than one hundred fifty (150') feet in length shall provide a turnaround at the closed end. Turnarounds shall be designed to facilitate future street connectivity and shall always be designed to the right (refer to Figure I-5).

Response: Not applicable, the proposed parking area will have two-way access off Spring Street. A truck will be able to turn around by driving around the existing lanes in the parking area.

3.4.2 Where possible, developments shall provide access for Fire Department vehicles to at least two sides of all structures. Access may be from streets, access roads, emergency access lanes, or parking areas.

Response: As outlined in #9 above, the parcel's geometry allows for at least two sides of access along public streets (Winter Street and Spring Street), as well as access to the north side of the building within the parking area.

3.4.3 Building setbacks, where required by zoning, shall be adequate to allow for emergency vehicle access and related emergency response activities and shall be evaluated based on the following factors:

- *Building Height.*
- *Building Occupancy.*
- *Construction Type.*
- *Impediments to the Structures.*
- *Safety Features Provided.*

Response: The proposed development provides for safe and efficient access along the public street for emergency vehicles.

3.4.4. Fire Dept. access roads shall extend to within 50' of an exterior door providing access to the interior of the structure.

Response: The existing buildings have exterior doors within 50' of a Fire Department access route, along both Winter Street and Spring Street. Access is also provided from the parking lot area.

3.4.5. Site access shall provide a minimum of nine (9) feet clearance height to accommodate ambulance access.

Response: There are no proposed overhead obstructions between the street and proposed building, meeting the required 9-foot clearance height minimum.

3.4.6. Elevators shall be sized to accommodate an 80 x 24-inch stretcher.

Response: See Section O: Architectural Design Narrative

3.4.7. All structures are required to display the assigned street number. Numbers shall be clearly visible from the public right of way.

Response: The applicant will work with the City's Public Works Division to assign street addresses and numbering to meet City Standards.

Thank you for your review. Please let me know if you have any additional questions or comments.

Sincerely,

Peter F. Heil, P.E.
Project Manager
Acorn Engineering, Inc.

Attachments:
- Code Review
- Fire Truck Turning Exhibit

Code Review

Aug 25, 2021

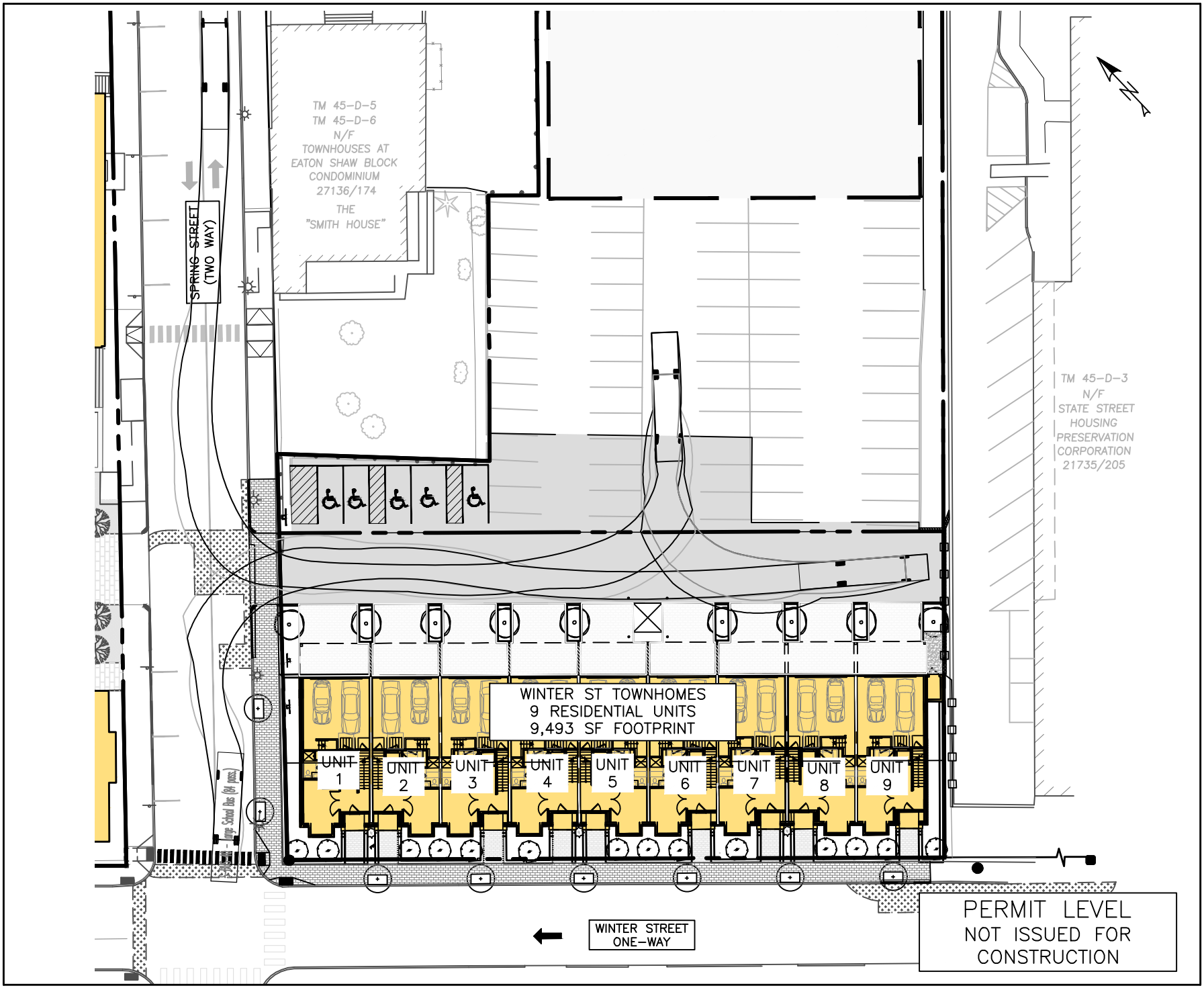
Winter Street Townhomes

	IBC 2015		NFPA 101 2018	
4 floors above grade	502.1			
	903.3.1.2.1	No roofs above balconies and decks - no sprinklers required at these locations		
	706.1.1	No openings or penetrations for utilities are allowed at unit Party Walls		
Sprinklers		NFPA 13R		NFPA 13R
Occupant Load	T 1004.1.1	Largest unit: 4,295 sf (Residential 200 gsf/oc) = 22	24.1.7	No Occupant Load Requirements
Use Group(s)	310.1	R3 - Townhouses	24.1	One and Two Family Dwelling
Construction Type	602.5	5B - combustible unprotected		V (000) combustible unprotected
Building Height	T 504.3, 504.4	Sprinkler increase = 4 stories and 60’ max.		
Building Area	T 506.2	Unlimited Area per floor		
Building Elements	T 601	0 hr Structural Frame	24.1.6	No Minimum Construction requirements
	T 601, 602	0 hr Bearing Walls Exterior (sep. dist >= 10’)		
	T 601, 602	1 hr Bearing Walls Exterior (sep. dist <10’)		
	T 601	0 hr Bearing Walls Interior		
	T 601	0 hr Non-Bearing Walls Interior		
	T 601, 602	0 hr Non-Bearing Walls Exterior (sep. dist >= 10’)		

		T 601, 602	1 hr Non-Bearing Walls Exterior (sep. dist <10')			
		705.5	Exterior Wall with >10' sep. needs rating only from inside			
		T 601	0 hr Floor Construction			
		T 601	0 hr Roof Construction			
Townhouse		202 - comm.	2 hr Firewalls to separate every other unit (2 units max)		8.2.1.3	Considered Separate Bldgs with 2 hr FireBarrier
Firewalls		706.3	Exception - materials can be combustible in type 5 const.			
			Fire retardant Plywood is used in wall types E2 and E4			
		T 706.4	R3 firewalls to be 2hr rated			
		706.5 ex. 3	Firewalls can terminate at non-combustible exterior sheathing			
			when both sides of firewall have 13R sprinkler system			
		706.5.2	Horiz. Projecting Elements - firewalls to extend out to balconies			
		706.2	The Area Separation Wall system utilized between units is designed			
			with 'melt away' clips so each unit on each side of the wall is			
			is structurally independent.			
Parapet		706.6 ex. 4	Firewalls can terminate at underside of combustible roof deck			
			if no openings in roof 4' out from firewall AND roof has Class B			
			finish rating AND fire retardant wood sheathing 4' out from each			
			side of firewall			
		705.11	Parapets at fire rated Exterior walls, if wall can have 25%			
			unprotected openings per705.8 then no parapet required (>5' sep)			
			If sep. is <5' R3 needs class C roofing (use class B) and			
			4' fire rated plywood			
Separations		406.3.4.1	1/2" GWB ceiling minimum between dwelling unit and garage plus			
			1/2 hr between habitable portions of dwelling unit and garage			
		2009 708.2 ex 1	Note: exceptions permitting shaft enclosures not to be used have		8.6.5	2 hr fire rated shafts for a 4 story building
			been removed from the 2015 version of the IBC			
		708.1, 420.2	1 hr Between Dwelling Units			
		1019.3 ex. 2	Stair shafts not required within individual Dwelling Unit			
		T 509	1 hr Boiler Room or Automatic Fire Suppression System			

Distances and Exits	1006.2.1 ex. 1	Single Exit from and within Dwelling unit when occupancy is under 20	24.2.2.1.2	Second means of escape not required with 13R
	T 1017.2	250’ Travel Distance to exits with Sprinklers	24.1	Not found in 1 and 2 family
	T 1006.2.1	125' Common Path of Travel	24.1	Not found in 1 and 2 family
	1020.4	20‘ Dead End (exceptions do not apply to R3)	24.1	Not found in 1 and 2 family
Unprotected Openings	T 705.8	10% when exterior wall sep. dist. is 3’>5’		
	T 705.8	25% when exterior wall sep. Dist. Is 5'>10'		
	T 705.8	45% when exterior wall sep. dist. is 10’>15’		
	T 705.8	75% when exterior wall sep. dist. is 15’>20’		
	T 705.8	Unlimited when exterior wall sep. dist. is 25’>30’		
	T 705.8	Unlimited when exterior wall sep. dist. is >30’		
		East facade - 3'>5' separation - 6.58% (1F), 6.36% (2F, 3F), 5.95% (4F)		
Elevator Lobby	3006.2	Not required as Sprinkled with 13R		
Elevator as MoE	1009.2.1	Not required as bldg. is not 4 stories above the level of exit discharge		
Egress Windows	1030.1	Required from Bedrooms in R3	24.2.2.1.2	Second means of escape not required with 13R
Egress Stairs	1011.2	Occ. Load >50 = 44” min width	24.2.5.4	36” min. stair width
	1011.2	Occ. Load <=50 = 36” min width	7.2.2.2.1.2(B)	44” min. over 50 occ.
	1003.3.3 ex	Handrails can protrude into stair 4.5” max	7.2.2.2.1.2	Handrails can protrude into stair 4.5” max
	1005.7.1 ex 2	Door encroachment into egress path unrestricted in R3 dwelling units		
	1011.3	80” min headroom	7.2.2.2.1.1(a)	6’-8” min. headroom
	1011.5.2 ex 3	7 3/4" max riser	7.2.2.2.1.1(a)	7” max. riser in means of egress
	1011.5.2 ex 3	10” min Tread depth	7.2.2.2.1.1(a)	11” min. tread in means of egress
	1011.8	12’ max. total rise between floors or landings	7.2.2.2.1.1(a)	12’ max. height between landings

Ramps	1012.2	1:12 (8%) Max slope	7.2.5.3(a)	1:12 max. slope
	1012.6	60” long landings at top and bottom		
	1012.6	2% max slope of landings	7.2.5.3(a)	1:48 max. cross slope
	1012.8	>6” rise must have handrails on both sides of ramp		
Egress Corridors	T 1020.2	44” min. when Occ. >= 50	24.2.6.1	36” min. Hallway width
	T 1020.2	36” min. within a dwelling unit OR when Occ. < 50		
	T 1020.2	24” min. at service corridors to mechanical equipment		
Sound	1207.2	STC >= 50 at walls and floors/ceilings		
	1207.3	IIC >= 50 at walls and floors/ceilings		
Energy IECC 2021	T 402.1.1	0.35 Fenestration U-Factor		
Zone 6		R-49 Ceiling		
		R-20+ 3.8 ci or 13+7.5 ci (h) Framed wall		
		R-38 (g) Floor		
		R-15 Basement wall (c)		
		R-20 to 4ft Slab		
101.2		ComCheck is used for compliance method		
501.2		Design will comply with 502, 503, 504 and 505		
Accessibility	Fair Housing Act Applies because the units have an elevator			
	Maine Human RIghts Act Applies			



ISSUED FOR	BY
SITE PLAN SUBMISSION	DATE PFH 12/3/21
	REV. DATE

DRAWING NAME: FIRE TRUCK TURNING EXHIBIT

PROJECT NAME: WINTER STREET TOWNHOMES

CLIENT: NEWHEIGHT REDFERN, LLC

ACORN ENGINEERING, INC

ACORN ENGINEERING, INC. P.O. BOX 3372
PORTLAND, MAINE 04104 (207) 775-2655

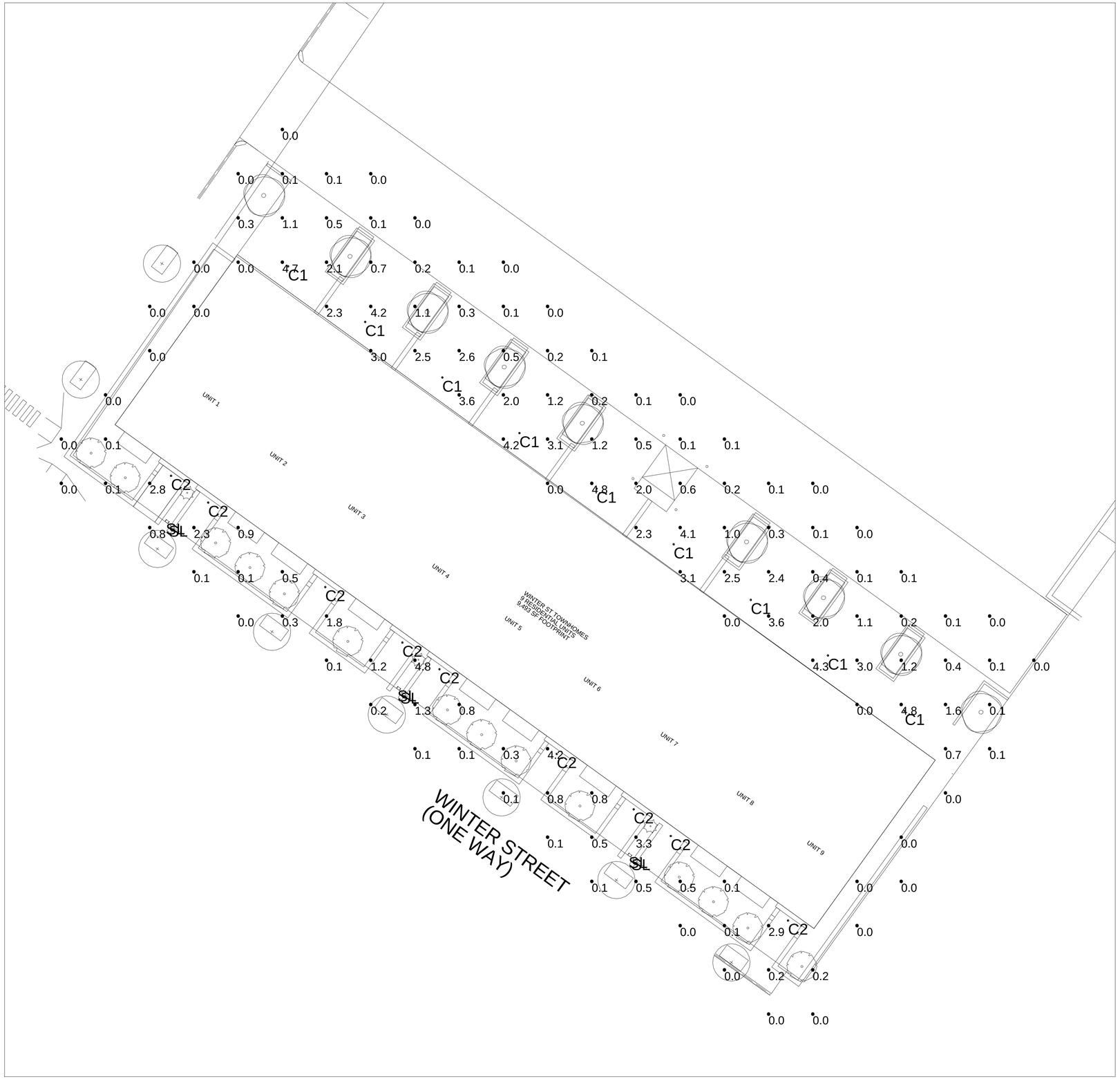
FILE:	1140.1_CIVIL
DATE:	12/3/2021
JN:	1140.1
SCALE:	1":40'
DESIGN BY:	MKT
DRAWN BY:	MKT
CHECKED BY:	PFH

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

DRAWING NO.
EX-1

Lighting

Please find attached the photometric plan and cut sheets.



PLAN VIEW

NOTES:
1) EXACT MOUNTING DETAILS TO BE DETERMINED AT JOBSITE BY OTHERS.
2) CALCULATIONS MAY or MAY NOT SHOW THE EFFECT OF SHADOWING CAUSED BY BUILDINGS AND OBJECTS WITHIN THE CALCULATED SPACE OR IN THE SITE AREA.
3) READINGS SHOWN ARE INITIAL HORIZONTAL FOOTCANDLES ON A FLAT SITE WITHOUT REFLECTIONS OR OBSTRUCTIONS UNLESS OTHERWISE INDICATED.
4) THIS CALCULATION IS BASED ON LIMITED INFORMATION SUPPLIED BY OTHERS TO SWANEY LIGHTING ASSOCIATES AND STANDARD ASSUMPTIONS OF THE SPACE AND/OR SITE.
5) CONFORMANCE TO CODES AND OTHER LOCAL REQUIREMENTS AS DETERMINED BY THE AHJ ARE THE RESPONSIBILITY OF THE OWNER AND/OR THE OWNER'S REPRESENTATIVE.
6) THIS LAYOUT DRAWING MUST BE COORDINATED WITH THE SITE LOCATION FOR CORRECT FIXTURE ORIENTATION.
7) DOCUMENTS PRINTED OR PLOTTED FROM ELECTRONIC FILES MAY APPEAR AT OTHER THAN THE DESIRED OR ASSUMED GRAPHIC SCALES. IT IS THE RESPONSIBILITY OF THE RECIPIENT TO VERIFY THAT THE PRINTED OR PLOTTED-TO-SCALE DRAWING IS PRINTED TO SCALE.

Calculation Summary

Label	Avg	Max	Min
SITE	0.94	4.8	0.0

Luminaire Schedule (note fixture cataloge numbers are not complete)

Type	Qty	Lumens	LLF	Watts	Mounting Height (FT)	Description
C1	9	1487	0.900	24	12	3021-B1-S-10-LRTD4-9033-C3-30KS-90-NC-120V MOD to 24W
C2	9	803	0.900	12	9	3021-B1-S-10-LRTD4-9033-C3-30KS-90-NC-120V MOD to 12W
SL	6	133	0.850	9.5	1.5	YK-D-LED-A3080-WHP-H-LD-010-MT

SITE 12-1-21.AGI

GENERATED BY SWANEY LIGHTING, SCARBOROUGH ME - 207-883-7100 - swaneylighting.com

TITLE
WINTER STREET TOWNHOMES
PORTLAND, ME
SITE LIGHTING LAYOUT

Date:12/1/2021

GENERATED FOR:
ACETO LANDSCAPE ARCHITECTURE

SCALE NOT TO SCALE

Page 1 of 1

SWANEY LIGHTING ASSOCIATES, INC.

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THE PRODUCTS, PRICES AND SPECIFICATIONS SHOWN ARE BASED ON THE BEST UTILIZATION OF LIGHTING FIXTURES INCLUDED IN THIS DRAWING. IT IS PROVIDED USING FIXTURE PHOTOMETRICS PUBLISHED BY THE MANUFACTURER. NO WARRANTY WHATSOEVER IS EXPRESSED OR IMPLIED. THE PERFORMANCE SHOWN IN IES FILE IS NOT THE RESPONSIBILITY OF THE MANUFACTURER. IT'S USE FOR ANY OTHER PURPOSE IS NOT AUTHORIZED BY SWANEY LIGHTING ASSOCIATES.

CONFIGURABLE SPEC SHEETS COMING SOON

BeveLED Block® Surface - BLRD5 Round Downlight

USAI® Lighting

SURFACE MOUNT

CONDUIT CUT OUT

usailighting.com/block

Keep ceiling height right where it is! Specifically designed to work with surface-mounted conduit and junction boxes, BeveLED BLOCK has a modern look that's perfect for lofts, offices, and open architectural spaces. Also available with solid-sides styling shown above, Block also creates a finished look when recessed conduit is possible.

FEATURES

- High performance architectural lighting solution for industrial or exposed concrete ceiling types where recessed lighting is not an option
- Convenient conduit cutouts provide access for surface-mounted conduit to pass through the luminaire
- Smooth, modular solid and keyhole slots are interchangeable and user configurable to allow for simple on site customization in the field.
- BeveLED BLOCK is available in a range of standard and custom colors to complement your project, whether an industrial or refined look is desired.
- Industry leading illumination and craftsmanship

BEVELED BLOCK DOWNLIGHT PERFORMANCE DATA

LED COLOR CHOICES

DELIVERED* PERFORMANCE:	Classic White 9W		12W		16W		24W		Warm Glow Dimming 16W	
Coloring Rendering Index:	80+	90+	80+	90+	80+	90+	80+	90+	80+	90+
Source Lumens:	1150	900	1300	1025	1725	1350	2400	1875	1275	1025
Lumens Per Watt:	93	68	86	67	86	67	80	63	69	55
Delivered Lumens:	775	600	1025	800	1375	1075	1925	1500	1100	875

*Performance based on 3000K. See IES files for exact values at usailighting.com.

CORRELATED COLOR TEMPERTURE	Classic White 2700K		3000K		3500K		4000K		Warm Glow Dimming 2700K		3000K	
Coloring Rendering Index:	80+	90+	80+	90+	80+	90+	80+	90+	80+	90+	80+	90+
Multiplier for Lumen Output:	0.94	0.78	1.00	0.78	1.00	1.00	1.06	1.06	0.94	0.79	1.00	0.81

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BeveLED Block® Surface - BLRD5 Round Downlight with Integral Driver

USAI® Lighting

FAMILY | LED COLOR CHOICES | FIXTURE

BLRD5								
BeveLED Block Downlight	**Wattage Options**	**LED Color Temperature Options**	**Beam Options**	**Lens Options**	**Body Finish Options**	**Mounting Options**	**Voltage Options**	**Dimming Driver Options**
BLRD5 BeveLED BLOCK 5" Round Downlight	**Classic White**			**S** Solite (provided standard) **BF** Borosilicate Frosted **SF** Solite Frosted	**WH** White **BZ** Bronze **BL** Black **GR** Grey **SC** Conduit Silver **RAL** Custom Color (specify RAL #)	**CC** Conduit cutout for surface mounted 4" octagonal junction box **SJ** Surface mounted to surface mounted 4" octagonal junction box	**For use with CC and SJ Mounting**	
	09C3 9W LED **12C3** 12W LED **16C3** 16W LED **24C3** 24W LED	**27KS** 2700K, 80+ CRI **27KH** 2700K, 90+ CRI **30KS** 3000K, 80+ CRI **30KH** 3000K, 90+ CRI **35KS** 3500K, 80+ CR **35KH** 3500K, 90+ CRI **40KS** 4000K, 80+ CR **40KH** 4000K, 90+ CRI	**25** 25° beam **50** 50° beam **90** 90° beam				**UNV** 120V-277V	***For use with Universal Voltage 120V - 277V*** **D2** 0-10V dim, 10% (provided standard)
							120V	***For use with 120V only*** **D19** Phase dimming 1%, 120V only (1, 3)
	Warm Glow Dimming					**RB** Surface mounted to recessed mounted 4" octagonal junction box	**For use with RB Mounting Only**	
	16WG2 16W LED	**2722KS** 2700K-2200K, 80+ CRI **2722KH** 2700K-2200K, 90+ CRI **3022KS** 3000K-2200K, 80+ CRI **3022KH** 3000K-2200K, 90+ CRI	**30** 30° beam **50** 50° beam **90** 90° beam				**UNV** 120V-277V	***For use with Universal Voltage 120V - 277V*** **D2** 0-10V dim, 10% (provided standard) **D4A** Lutron ECO, 0.1% (2, 3, 4) **D4H** Lutron H ECO, 1% Fade (1, 2, 3) **D4P** Lutron ECO, 1% (2, 4) **D6A** EldoLED 0-10V, 0.1% (2) **D6B** EldoLED 0-10V, 0.1% (2) **D6E** EldoLED 0-10V, 1% (2) **D6F** EldoLED 0-10V, 1% (2) **D7** EldoLED DALI, 0.1% (2)
							120V	***For use with 120V only*** **D3** Lutron Hi-Lume 1% 2-wire, 120V only (2) **D19** Phase dimming 1%, 120V only (1, 3)
								1 Not available with 9W *2 For use with RB mounting only* *3 Not available for Warm Glow* *4 Not available with 24W*

FINISH OPTIONS

White (WH)

Bronze (BZ)

Black (BL)

Grey (GR)

Conduit Silver (SC)

Custom colors also available

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BeveLED Block® Surface - BLRD5 Round Downlight with Remote Driver

USAI® Lighting

FAMILY | LED COLOR CHOICES | FIXTURE

BLRD5							RM
BeveLED Block Downlight	**Wattage Options**	**LED Color Temperature Options**	**Beam Options**	**Lens Options**	**Body Finish Options**	**Mounting Options**	**Remote Power Supply**
BLRD5 BeveLED BLOCK 5" Round Downlight	**Classic White**			**S** Solite (provided standard)	**WH** White	**CC** Conduit cutout for surface mounted 4" octagonal junction box	**RM** Remote Power Supply (Specify in table below)
	09C3 9W LED **12C3** 12W LED **16C3** 16W LED **24C3** 24W LED	**27KS** 2700K, 80+ CRI **27KH** 2700K, 90+ CRI **30KS** 3000K, 80+ CRI **30KH** 3000K, 90+ CRI **35KS** 3500K, 80+ CR **35KH** 3500K, 90+ CRI **40KS** 4000K, 80+ CR **40KH** 4000K, 90+ CRI	**25** 25° beam **50** 50° beam **90** 90° beam	**BF** Borosilicate Frosted **SF** Solite Frosted	**BZ** Bronze **BL** Black **GR** Grey **SC** Conduit Silver **RAL** Custom Color (specify RAL #)	**SJ** Surface mounted to surface mounted 4" octagonal junction box **RB** Surface mounted to recessed mounted 4" octagonal junction box	USAI Power Supply Must Be Specified
	Warm Glow Dimming						
	16WG2 16W LED	**2722KS** 2700K-2200K, 80+ CRI **2722KH** 2700K-2200K, 90+ CRI **3022KS** 3000K-2200K, 80+ CRI **3022KH** 3000K-2200K, 90+ CRI	**30** 30° beam **50** 50° beam **90** 90° beam				

2. Specify Remote Power Supply

RPC-01				
Remote Power Supply	**Wattage Options**	**Voltage**	**Remote Dimming Type and Level**	**Remote Emergency Option**
RPC-01 BeveLED Block Remote Power Supply	**Classic White**	**UNV** 120V - 277V	**D4A** Lutron ECO, 0.1% (2, 3) **D4H** Lutron H ECO, 1% Fade (1, 2) **D4P** Lutron ECO, 1% (3) **D6A** EldoLED 0-10V, 0.1% **D6B** EldoLED 0-10V, 0.1% **D6E** EldoLED 0-10V, 1% **D6F** EldoLED 0-10V, 1% **D7** EldoLED DALI, 0.1% **D28** EldoLED DMX, 0.1%	**EM5** EM battery requires remote enclosure by others, minimum size 11" L x 6.75" W x 3.25" H
	09C3 9W LED **12C3** 12W LED **16C3** 16W LED **24C3** 24W LED			
	Warm Glow	**120V** 120V Only	**D3** Lutron 2-wire, 1% **D19** Hatch Phase 2-wire, 1% (1, 2)	
	16WG2 16W LED		*1 Not available for 9W* *2 Not available for Warm Glow* *3 Not available for 24W*	

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BeveLED Block® Surface - BLRD5 Round Downlight

USAI® Lighting

KEY ACCESSORIES

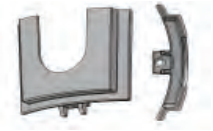
CONDUIT CUTOUT KEYS

Each conduit cutout mounting option (CC style) is provided with three conduit cutout keys (KAR-CC-xx) and three solid cover keys (KAR-VK-xx) in the fixture finish specified. For more keys, or for extended length keys, please use the ordering table below.

KEY ACCESSORY ORDERING INFORMATION

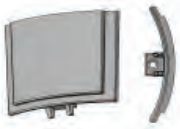
Fixture Family	Key Accessory	Finish
KAR Key Accessory Round	**CC*** Conduit Cutout Key **XC** Conduit Cutout Key, Extended Length **VK*** Solid Cover Key *3 provided with each conduit cutout canopy	**WH** White **SC** Conduit Silver **GR** Grey **BL** Black **BZ** Bronze **RAL** Custom Color

ROUND CONDUIT CUTOUT KEY (STANDARD) KAR-CC

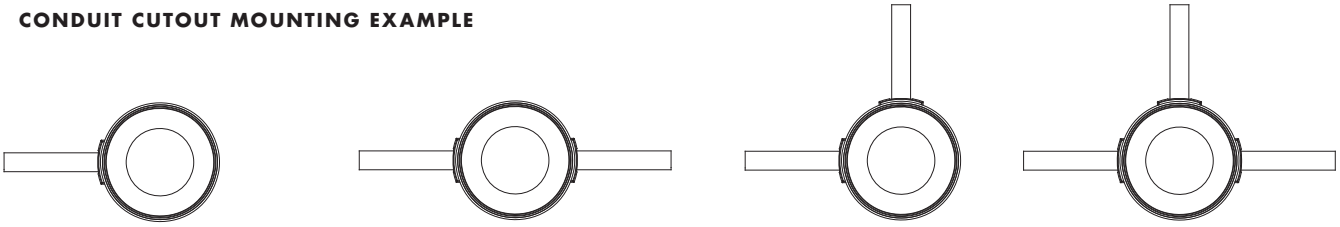


ROUND CONDUIT CUTOUT KEY EXTENDED DEPTH KAR-XC

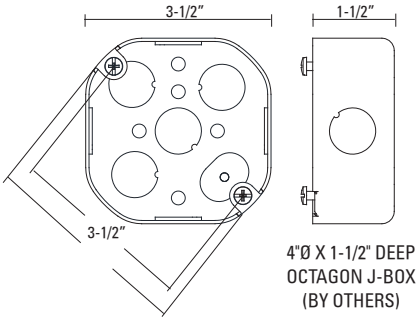
ROUND SOLID COVER KEY (STANDARD) KAR-VK



CONDUIT CUTOUT MOUNTING EXAMPLE



4"OCTAGONAL JUNCTION BOX DETAIL



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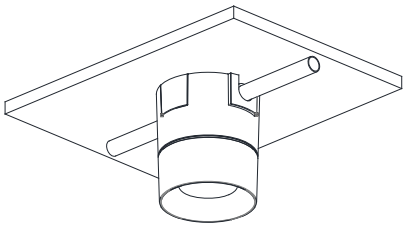
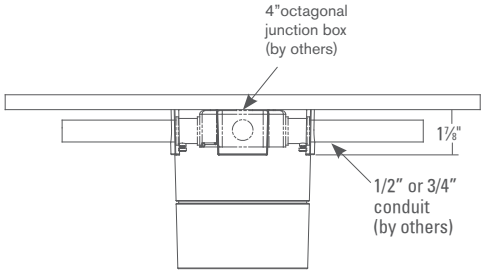
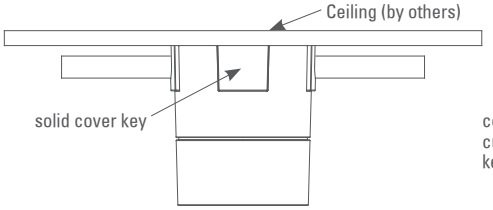
BeveLED Block® Surface - BLRD5
Round Downlight

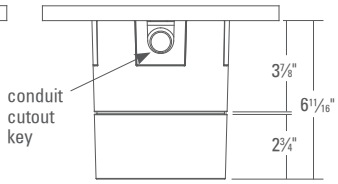
USAI® Lighting

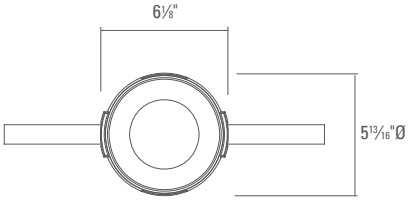
CC - CONDUIT CUTOUT MOUNTED



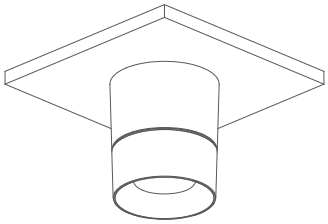


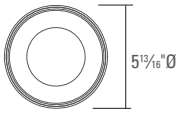




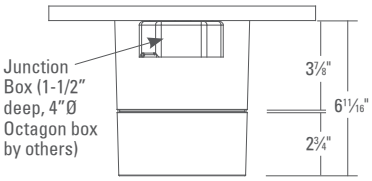


SJ - Surface mount to surface mounted 4"octagonal j-box
RB - Surface mount to recessed mounted 4"octagonal j-box

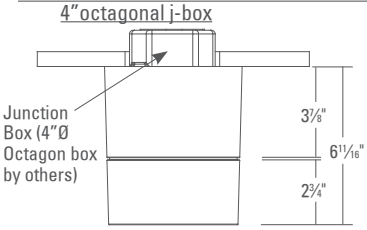




SJ - Surface mount to surface mounted 4"octagonal j-box



RB - Surface mount to recessed mounted 4"octagonal j-box



See drawing above for junction-box (by others) details.

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BEVELED BLOCK SPECIFICATIONS

FIELD REPLACEABLE LED LIGHT ENGINE

is serviceable without tools. All USAI Lighting Classic White and Warm Glow Dimming light engines feature industry-leading color consistency

FIELD REPLACEABLE DRIVER

0-10V, 100%-10% solid state electronic constant current D2 dimming driver with a high power factor provided standard and sources 2mA. Other dimming drivers optionally available. D6 dimming drivers source 2mA. Driver complies with IEEE C62.41 surge protection. Some on-time delay may be experienced depending on control system used.

REMOTE LOCATION DRIVER

If a remote dimming driver is required, specify "RM" in the fixture part number and proceed to the RP table to complete the dimming driver specification. All remote power supplies must be clearly specified in the "RP" table, with one remote power supply required per fixture. Remote power supplies require enclosures by others that meet local codes and must be located in an accessible service panel within 100ft of the light fixture; see table below for coordination of enclosure sizes. All dimming drivers comply with IEEE C62.41 surge protection.

REMOTE LOCATION EMERGENCY

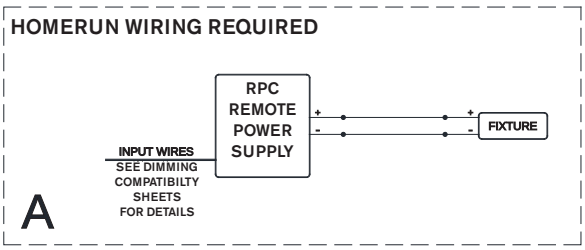
Remote emergency battery IOTA ILB-CP05 provides 5W to one fixture for 90 minutes. Remote power supplies with EM option require an enclosure by others with minimum size of 11"L x 6.75"W x 3.25"H that meets local codes. Emergency battery remote power supplies cannot be located any more than 50 feet from light fixture.

BEVELED BLOCK REMOTE POWER SUPPLY REQUIREMENTS AND WIRING DIAGRAM

Remote Power Supply Dimming Option			Wire Gauge Required*	Minimum Enclosure Size Required (by others) RP Only	RP with EM Option**
RPC-01-09C3 RPC-01-12C3 RPC-01-16C3 RPC-01-24C3 RPC-01-16WG2	**UNV-D4A**	Lutron ECO, 0.1% (2, 3)	14/12	6.25" L x 4" W x 2" H	11" L x 6.75" W x 3.25" H
	UNV-D4H	Lutron H ECO, 1% fade (1, 2)			
	UNV-D4P	Lutron ECO, 1% (3)			
	UNV-D6A	EldoLED 0-10V, 0.1%	18/16		
	UNV-D6B	EldoLED 0-10V, 0.1%			
	UNV-D6E	EldoLED 0-10V, 1%			
	UNV-D6F	EldoLED 0-10V, 1%			
	UNV-D7	EldoLED DALI, 0%			
	UNV-D18	Moon's DMX 0.1% (2)	18/16	9" L x 4" W x 2" H	
	120V-D3	Lutron 2-wire phase, 1%	14/12	6.25" L x 4" W x 2" H	
	120V-D19	Hatch 2-wire phase, 1% (1,2)	14/12	5.75" L X 2.625" W X 2" H	

1 Not available for 9W
2 Not available for Warm Glow
3 Not available with 24W

* Wire gauge 14/12 = Maximum distance from light fixture to remote power supply is 100' using 12 gauge wire, 50' using 14 gauge wire.
* Wire gauge 18/16 = Maximum distance from light fixture to remote power supply is 100' using 16 gauge wire, 50' using 18 gauge wire.
** Emergency battery remote power supplies cannot be located any more than 50 feet from light fixture.



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BEVELED BLOCK SPECIFICATIONS

FIXTURE WEIGHT
BeveLED Block weighs 5 lbs

BODY
5-13/16" round die cast aluminum body available in a variety of powder coated paint finishes. Custom colors also available (provide RAL #).

MOUNTING
CC: Conduit cutout mounting fixtures are designed to mount to surface-mounted 4"octagonal junction boxes with surface-mounted conduit connections. CC housings have 4 keyslots, one in each side, and ship with one conduit cutout key and three solid cover keys installed in the housing. 2 additional conduit cutout keys are shipped with the fixture, and the different key types are interchangeable in the field. Please see installation instructions for drawings and more details.
RB: Recessed ceiling 4" octagonal junction box mounting fixtures are designed to mount to a ceiling retaining a recessed 4"octagonal junction box. The sides are solid and have no cutouts, please see drawings and installation instructions for more details.
SJ: Surface mounted 4" octagonal junction box mounting fixtures are designed to mount to a surface-mounted junction box that has electrical supply coming from the plenum (no surface-mounted conduit). The sides are solid and have no cutouts, please see drawings and installation instructions for more details

WARRANTY
Based on IESNA LM80-2008, BeveLED Block has a 50,000 hour rated life at 70% lumen maintenance (L70). USAI Lighting Warranty covers replacement parts for 5 years from date of shipment.

LISTINGS
Dry/Damp/Wet for RB and SJ mounting. CC mounting style is dry/damp only. NRTL/CSA-US tested to UL standards. IBEW union made.

NOTES
- Ambient temperatures at fixture location should not exceed 40°C during normal operation.
- Consult factory for video capture applications.

PHOTOMETRICS
Consult factory or website for IES files. Tested in accordance with IESNA LM79. www.usailighting.com/block

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DIMMING DRIVER COMPATIBILITY SELECTION GUIDE
D3 / DIML3

DIMMING DRIVER WIRING SCHEMES:

NOTES:

Wiring diagrams are examples of typical installations intended to illustrate the number of wires that must be run to fixture. These diagrams are not intended to specify all equipment necessary for a given dimming circuit. Refer to specific dimmer manufacturer's documentation for details.

IMPORTANT SAFETY INSTRUCTIONS - SAVE THESE INSTRUCTIONS

1. Keep these instructions in a safe place for future reference.
2. Only qualified electricians in accordance to local codes should install these fixtures.
3. De-energize the electrical circuit at the circuit breaker prior to installation process or servicing.
4. Make sure all connections are in accordance with the National Electrical Code and any local regulations.
5. Cap any wires not used separately (not together).

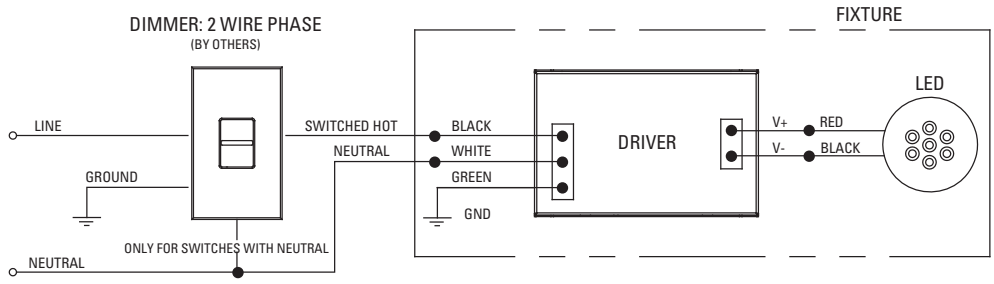
D3 / DIML3 LED: Lutron Hi-Lume A-Series 2 Wire Fwd Phase (with neutral) / LED Dimming Driver Wiring (Dims down to 1%) 120V

D3 / DIML3 Dimmer Compatibility Chart

Manufacturer	Product	Part Number	Dimmed Light Output Range	Qty Fixtures Per Dimmer* Fixture Wattage	
120V Only				39W and Less	40W - 80W
ETC	Sensor+ Cabinet	ELV10	100% - 1%	1 – 26	1 – 13
ETC	Unison DRd Cabinet	ELV10	100% - 1%	1 – 26	1 – 13
Lutron	Maestro Wireless® 600W dimmer	MRF2-6ND-120-	100% - 1%	1 – 8	1 – 4
Lutron	Maestro Wireless® 1000W dimmer	MRF2-10ND-120-	100% - 1%	1 – 13	1 – 6
Lutron	HomeWorks® QS adaptive dimmer	HQRD-6NA-	100% - 1%	1 – 8	1 – 4
Lutron	HomeWorks® QS 600W dimmer	HQRD-6ND-	100% - 1%	1 – 8	1 – 4
Lutron	HomeWorks® QS 1000 W dimmer	HQRD-10ND-	100% - 1%	1 – 13	1 – 6
Lutron	Caseta Wireless® Pro 1000W dimmer	PD-10NXD-	100% - 1%	1 – 13	1 – 6
Lutron	Stanza® dimmer	SZ-6ND-	100% - 1%	1 – 8	1 – 4
Lutron	RadioRA® 2 adaptive dimmer	RRD-6NA-	100% - 1%	1 – 8	1 – 4
Lutron	RadioRA® 2 1000 W dimmer	RRD-10ND-	100% - 1%	1 – 6	1 – 3
Lutron	myRoom DIN power module	MQSE-4A1-D	100% - 1%	1 – 6	1 – 3
Lutron	HomeWorks® QS wallbox power module	HQRJ-WPM-6D-120-	100% - 1%	1 – 26	1 – 13
Lutron	Homeworks® DIN power module	LQSE-4A1-D	100% - 1%	1 – 6	1 – 3
Lutron	HomeWorks® wallbox power module	HWI-WPM-6D-120	100% - 1%	1 – 26	1 – 13
Lutron	GRAFIK Eye® QS control unit	QSGR-, QSGRJ-	100% - 1%	1 – 26	1 – 13
Lutron	GRAFIK Eye® 3000 control unit	GRX-3100-, GRX-3500-	100% - 1%	1 – 26	1 – 13
Lutron	RPM-4U module	HW-RPM-4U-120, LP-RPM-4U-120	100% - 1%	1 – 26	1 – 13
Lutron	RPM-4A module	HW-RPM-4A-120, LP-RPM-4A-120	100% - 1%	1 – 26	1 – 13
Lutron	GP dimming panels	Various	100% - 1%	1 – 26	1 – 13
Lutron	Ariadni CL 250W dimmer	AYCL-253P-	100%-1%	1 – 8	1 – 4
Lutron	Diva CL 250W dimmer	DVCL-253P-, DVSCCL-253P-	100%-1%	1 – 8	1 – 4
Lutron	Grafik T CL or RF CL dimmer	GT-250M-, GTJ-250M-	100%-1%	1 – 8	1 – 4
Lutron	Nova T CL 250W dimmer	NTCL-250-	100%-1%	1 – 10	1 – 5

* NOTE: Refer to dimmer manufacturer's documentation for installation instructions and circuit details.

D3 / DIML3
2 WIRE PHASE DIMMING



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I2-264-3 Revised 03/22/2017

DIMMING DRIVER COMPATIBILITY SELECTION GUIDE
D4A / DIML4A and D4P / DIML4P

DIMMING DRIVER WIRING SCHEMES:

NOTES:
Wiring diagrams are examples of typical installations intended to illustrate the number of wires that must be run to fixture. These diagrams are not intended to specify all equipment necessary for a given dimming circuit. Refer to specific dimmer manufacturer's documentation for details.

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4. Make sure all connections are in accordance with the National Electrical Code and any local regulations.
5. Cap any wires not used separately (not together).

D4A / DIML4A LED: Lutron Hi-Lume Premier EcoSystem LED Driver (Dims down to 0.1%)

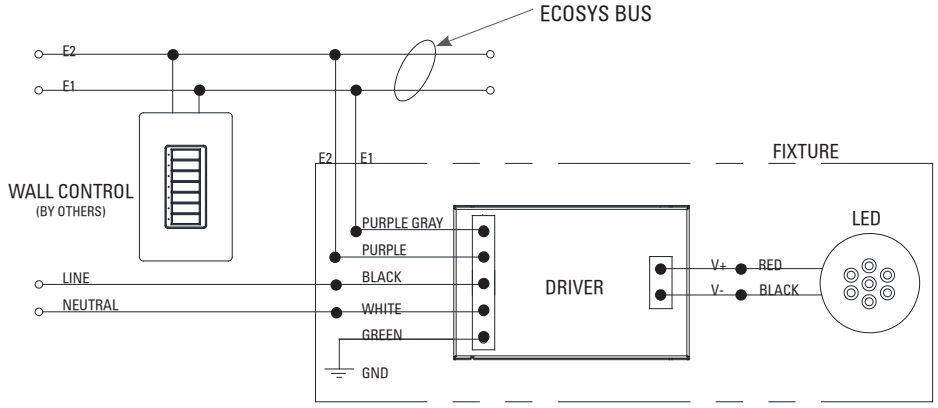
D4P / DIML4P LED: Lutron Hi-Lume Premier EcoSystem LED Driver (Dims down to 1%)

D4A / D4P EcoSystem Controls Dimmer Compatibility Chart

Manufacturer	Product	Part Number	Maximum Quantity Light Fixtures Per Control
120V / 277V			
Lutron	PowPak dimming module	RMJ-ECO32-DV-B	32
		FCJ/FCJS-ECO	3
120V ONLY			
Lutron	Energi Savr Node	QSN-1ECO-S	64
		QSN-2ECO-S	128
	GRAFIK Eye QS/ Homeworks QS control unit	QSGRJ-_ E, QSGR-_E	64
	Quantum Hub	QP2-__2C	128
		QP2-__4C	256
		QP2-__6C	384
		QP2-__8C	512
	HomeWorks QS / myRoom Plus power module	LQSE-2ECO-D	128

* NOTE: Number of fixtures may be higher if wattage is less than maximum values shown. Refer to dimmer manufacturer's documentation for installation instructions and circuit details.

D4A / DIML4A and D4P / DIML4P EcoSystem CONTROLS



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DIMMING DRIVER WIRING SCHEMES:

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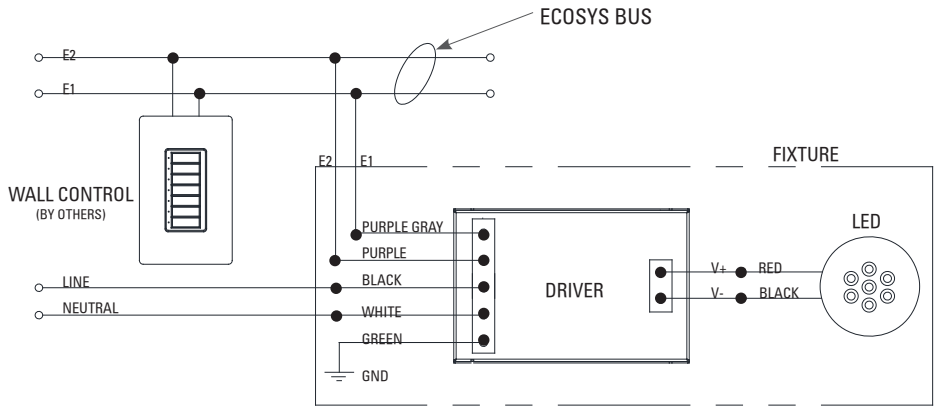
D4H / DIML4H LED: Lutron H Series EcoSystem LED Driver with Fade to Black (dims down to 1%)

D4H / DIML4H EcoSystem Dimmer Compatibility Chart					
Manufacturer	Product	Part Number	Dimmed Light Output Range	Qty Fixtures Per Control* Fixture Wattage	
120V / 277V				39W and Less	40W - 80W
Lutron	PowPak dimming module	RMJ-ECO32-DV-B	100%–1%	1–32	1 – 16
Lutron	Energi Savr Node	QSN-1ECO-S, QSN-2ECO-S	100%–1%	1–64	1 – 32
Lutron	GRAFIK Eye QS (120V ONLY)	QSGRJ- E, QSGR- E	100%–1%	1–64	1 – 32
Lutron	Quantum	Various	100%–1%	1–64	1 – 32

* NOTE: Number of fixtures may be higher if wattage is less than maximum values shown. Refer to dimmer manufacturer's documentation for installation instructions and circuit details.

D4H / DIML 4H
EcoSystem CONTROLS



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DIMMING DRIVER COMPATIBILITY SELECTION GUIDE
D6A / DIML6A and D6E / DIML6E
D6B / DIML6B and D6F / DIML6F

IMPORTANT SAFETY INSTRUCTIONS
- SAVE THESE INSTRUCTIONS

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3. De-energize the electrical circuit at the circuit breaker prior to installation process or servicing.
4. Make sure all connections are in accordance with the National Electrical Code and any local regulations.
5. Cap any wires not used separately (not together).

D6A / DIML6A and D6E / DIML6E LED Dimming Compatibility Table

D6A / DIML6A and D6E / DIML6E are linearly programmed dimming drivers for use with the dimming controls listed in the table below.
D6A / DIML6A = EldoLED SOLOdrive 0-10V control dims from 100% to 0.1%
D6E / DIML6E = EldoLED ECOdrive 0-10V control dims from 100% to 1%

D6A / DIML6A and D6E / DIML6E Dimmer Compatibility Chart

Manufacturer	Product	Part Number	Dimmed Light Output Range			Qty Fixtures Per Dimmer*
120V & 277V			DIML6A		6E	Refer to manufacturer's dimmer load rating for maximum and minimum fixture quantities per dimmer. Enlighted compatible.
Lutron	Diva	DVTV/NFTV with PP-20	99% -	0.1%	1%	
Lutron	Nova T	NTFTV with PP-20	99% -	0.1%	1%	
Lutron	Energi Savr Node	QSN-4T16-S	100% -	0.1%	1%	
Lutron	GP Dimming Panels	TVM2 Module	99% -	0.1%	1%	
Lutron	Interfaces	GRX-TVI w/ GRX3503	100% -	0.1%	1%	
Sensor Switch	nIO	nIO EZ	100% -	0.1%	1%	
enlighted	Control Unit	CU-3E-1R	100% -	0.1%	1%	

D6B / DIML6B and D6F / DIML6F LED Dimming Compatibility Table

D6B / DIML6B and D6F / DIML6F are logarithmic-programmed dimming drivers for use with the dimming controls listed in the table below.
D6B / DIML6B = EldoLED SOLOdrive 0-10V control dims from 100% to 0.1% D6F / DIML6F = EldoLED ECOdrive 0-10V control dims from 100% to 1%

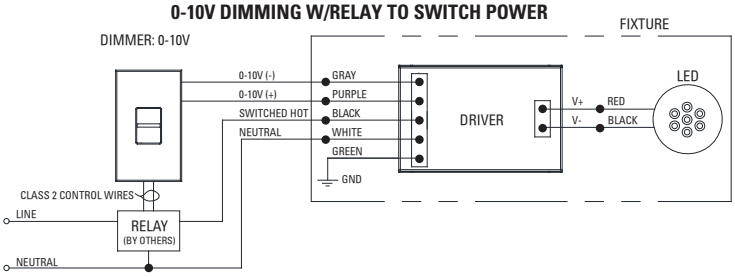
D6B / DIML6B and D6F / DIML6F Dimmer Compatibility Chart

Manufacturer	Product	Part Number	Dimmed Light Output Range			Qty Fixtures Per Dimmer*
120V & 277V			DIML6B		6F	Refer to manufacturer's dimmer load rating for maximum and minimum fixture quantities per dimmer. Enlighted compatible.
Bush-Jaeger	Electronic potentiometer	2112U-101	100% -	0.1%	1%	
Jung	Electronic potentiometer	240-10	100% -	0.1%	1%	
Leviton	Iluma Tech dimmer	IP710-DLX	100% -	0.1%	1%	
Lightolier (Philips)	Momentum (120V ONLY)	ZP600FAM120	100% -	0.1%	1%	
Merten	Electronic potentiometer	5729	100% -	0.1%	1%	
Pass & Seymour	Titan	CD4FB-W	100% -	0.1%	1%	
Watt Stopper	Miro	DCLV1	100% -	0.1%	1%	
Synergy	Wallbox Dimmers	ISD BC	100% -	0.1%	1%	
ABB	i-bus	SD/S 2.16.1	100% -	0.1%	1%	
Crestron	Modules	GLX-DIMFLV8, GLXP-DIMFLV8	100% -	0.1%	1%	
Crestron	Green Light	GLPAC-DIMFLV4-, GLPAC-DIMFLV8-	100% -	0.1%	1%	
Crestron	Green Light Power Pack	GLPP-DIMFLVEX-PM, GLPP-1DIMFLV2EX-PM, GLPP-1DIMFLV3EX-PM	100% -	0.1%	1%	
Crestron	DIN Rail Analog Output Module	DIN-A08	100% -	0.1%	1%	
Crestron	DIN Rail 0-10V Fluorescent Dimmer	DIN-4DIMFLV4	100% -	0.1%	1%	
Crestron	iLux 0-10V Dimmer Expansion Module	CLS-EXP-DIMFLV	100% -	0.1%	1%	
enlighted	Control Unit	CU-3E-1R	100% -	0.1%	1%	

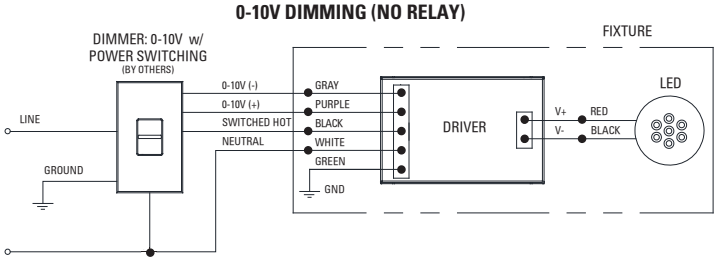
DIMMING DRIVER WIRING SCHEMES:

NOTES: Wiring diagrams are examples of typical installations intended to illustrate the number of wires that must be run to fixture. These diagrams are not intended to specify all equipment necessary for a given dimming circuit. Refer to specific dimmer manufacturer's documentation for details.

D6 / DIML6
0-10V DIMMING W/RELAY TO SWITCH POWER



D6 / DIML6
0-10V DIMMING (NO RELAY)



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I2-264-6 Revised 08/16/2019

DIMMING DRIVER WIRING SCHEMES:

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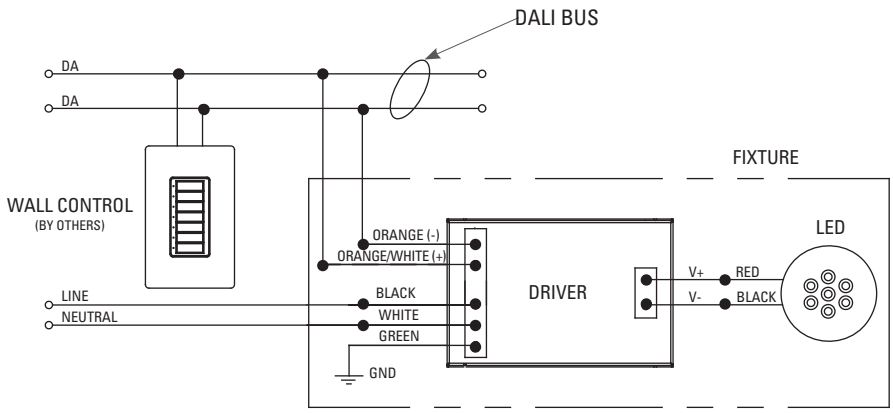
5. Cap any wires not used separately (not together).

D7 / DIML7 and D7E Dimming Driver Wiring

D7 / DIML7 and D7E are linearly programmed dimming drivers.
D7 / DIML7 = EldoLED SOLOdrive DALI control dims from 100% to 0.1%
D7E = EldoLED ECOdrive DALI control dims from 100% to 1%

D7 / DIML7 / D7E DALI CONTROLS



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I2-264-7 Revised 08/14/2017

DIMMING DRIVER COMPATIBILITY SELECTION GUIDE
D19 / DIML19

DIMMING DRIVER WIRING SCHEMES:

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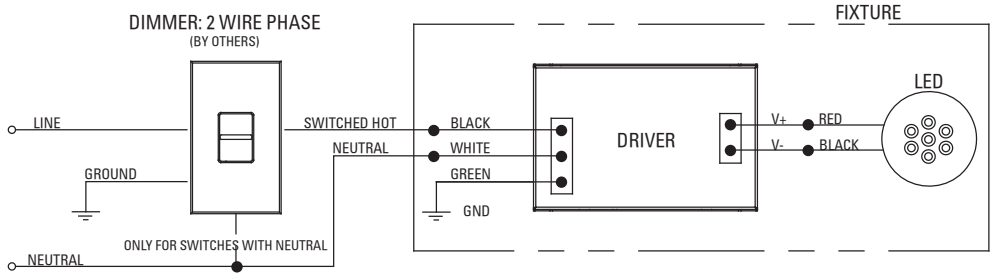
D19 / DIML19 LED: Hatch XTC series or equivalent - Forward and Reverse Phase Dimming Driver. Dims down to 1% contingent upon dimmer specification and load. 120V only.

D19 / DIML19
2 WIRE PHASE DIMMING



D19 / DIML19 Dimmer Compatibility Chart

120V ONLY		
Forward Phase / TRIAC Dimming		
Manufacturer	Product	Qty Fixtures Per Dimmer
Leviton	IPL06-10Z	Use fixture wattage per fixture specification sheet to determine number of fixtures per dimmer. Max number of fixtures is limited by dimmer load rating.
	6613-xxx	
Lutron	S-600P	
	S-603P	
	DVSC-603P	
	CT-600P	
	CT-603P	

120V ONLY		
Reverse Phase / ELV Dimming		
Manufacturer	Product	Qty Fixtures Per Dimmer
Leviton	6615	Use fixture wattage per fixture specification sheet to determine number of fixtures per dimmer. Max number of fixtures is limited by dimmer load rating.
	IPE04-xxx	
Lutron	NTELV-300	
	NTELV-600	
	SELV-300P	
	SELV-303P	
	DVELV-300P	
	DVELV-303P	

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1. Keep these instructions in a safe place for future reference.
2. Only qualified electricians in accordance to local codes should install these fixtures.
3. De-energize the electrical circuit at the circuit breaker prior to installation process or servicing.
4. Make sure all connections are in accordance with the National Electrical Code and any local regulations.
5. Cap any wires not used separately (not together).

D28 Dimming Driver Wiring

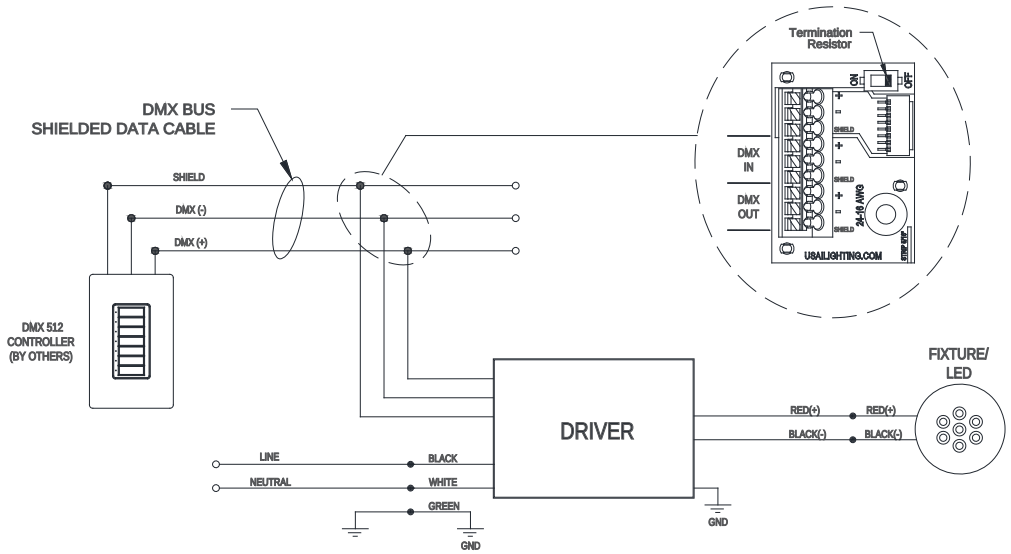
D28 are programmed dimming drivers.
D28 Eldo DMX control dims from 100% to 0.1%

DMX BUS -
SHIELDED DATA CABLE

The data cable used must meet the following requirements:
- type: shielded, 2-conductor twisted pair
- maximum capacitance between conductors: 30 pF/ft
- maximum capacitance between conductor and shield: 55 pF/ft
- maximum resistance: 0.02 ohms/ft
- normal impedance: 100-140 ohms
- conductive core: 24 AWG is recommended

If 3-wire data cables are preferred, we suggest a Belden 9841 or equivalent cable which meets the specifications for EIA RS-485 applications. Do not use standard microphone cables: they cannot transmit DMX512 data reliably over long distances. NOTE: DMX link termination device, provided through Dip Switch on connection board, should be used on last fixture in line on a circuit to avoid signal loss.

D28
DMX CONTROLS



www.usailighting.com
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1126 River Road
New Windsor, NY 12553
T 845–565–8500
F 845–561–1130
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YUKON LED (DIRECT)

DATE:	PROJECT:	TYPE:

CATALOG NUMBER LOGIC:

**120V only*

Housing may be shipped ahead upon request.

CATALOG NUMBER LOGIC			
Example: B - YK - D - LED - A2780 - MAC - V - SD - 010 - MT			
MATERIAL			
(Blank) - Aluminum B - Brass S - Stainless Steel			
SERIES			
YK - Yukon Commercial Steplight			
STYLE			
D - Direct			
SOURCE			
LED - Linear Array			
LED TYPE			
A2780 - 10W/2700K/80CRI	A2790 - 10W/2700K/90CRI		
A3080 - 10W/3000K/80CRI	A3090 - 10W/3000K/90CRI		
A3580 - 10W/3500K/80CRI	A3590 - 10W/3500K/90CRI		
A4080 - 10W/4000K/80CRI	A4090 - 10W/4000K/90CRI		
FINISH (See page 2 for full-color swatches)			
Standard Finishes (BZP, BZW, BLP, BLW, WHP, WHW, SAP, VER)			
Premium Finish (ABP, AMG, AQW, BCM, BGE, BPP, CAP, CMG, CRI, CRM, HUG, MDS, NBP, OCP, RMG, SDS, SMG, TXF, WCP, WIR)			
Also available in RAL Finishes			
Brass Finishes (MAC, POL, MIT)			
Stainless Steel Finishes (MAC, POL)			
ORIENTATION			
V - Vertical			
H - Horizontal			
FACEPLATE			
SD - Standard	LD - Louvered	VR - Visor	DO - Deco
CO - Compass	RN - Ribbon	LY - Layered	
CONTROL TYPE			
ELV - 10W Dimming Driver (For use with Electronic Low Voltage Dimmer)*			
INC - 10W Dimming Driver (For use with Incandescent Dimmer)*			
0-10 - 10W Dimming Driver (For use with 0-10 Dimmer)			
INPUT VOLTAGE			
MT - 120-277 VAC			

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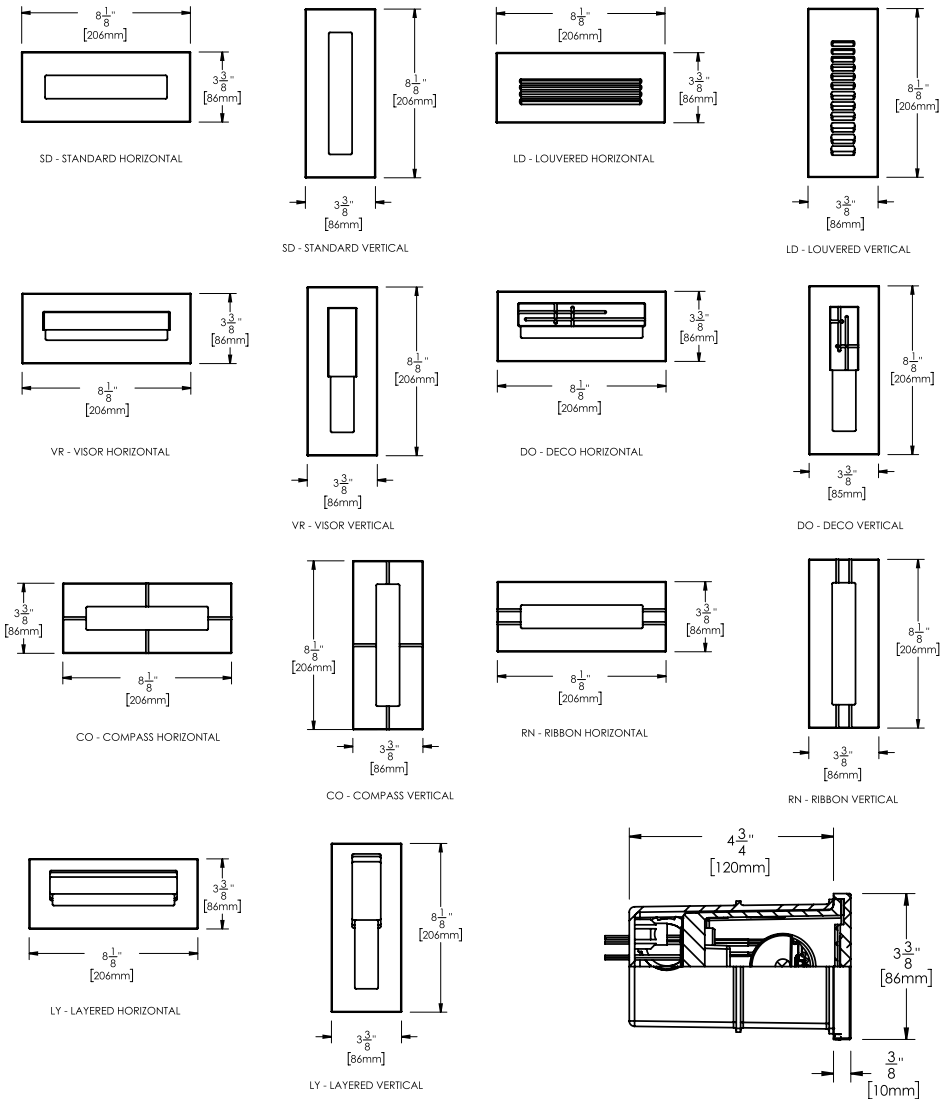
09/11/2020 SKU-1341
SUB-2819-00

YUKON LED (DIRECT)

DATE:	PROJECT:	TYPE:

* Fixture Weight ≈ 2.88lbs max



STANDARD FINISHES

Satin Black (BLP)	Satin Bronze (BZP)	Satin White (WHP)	Satin Aluminum (SAP)
Black Wrinkle (BLW)	Bronze Wrinkle (BZW)	White Wrinkle (WHW)	Verde (VER)

Click Here to view larger, full-color swatches of all available finishes on our website.

PREMIUM FINISHES

Cascade Mtn. Granite (CMG)	Rocky Mtn. Granite (RMG)	Sierra Mtn Granite (SMG)	Aleutian Mtn Granite (AMG)	Textured Forest (TXF)
Black Chrome (BCM)	Beige (BGE)	Weathered Copper (WCP)	Old Copper (OCP)	Hunter Green (HUG)
Cracked Ice (CRI)	Mojave Desert Sandstone (MDS)	Antique Brass Powder (ABP)	Brown Patina Powder (BPP)	Sonoran Desert Sandstone (SDS)
Weathered Iron (WIR)	Clear Anodized Powder (CAP)	Cream (CRM)	Antique White (AQW)	Natural Brass Powder (NBP)

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09/11/2020 SKU-1341
SUB-2819-00

YUKON LED (DIRECT)

DATE:	PROJECT:	TYPE:

Accessories (Configure separately)

SPECIFICATIONS

ELECTRICAL	WATTAGE	9.5W
	OPERATING VOLTAGE	120-277 VAC
	DRIVER	With [1] 350mA, Class II, constant current integral driver. 50/60 Hz. >0.9 Power Factor, 5A in-rush current(typical at 120 VAC), ≤20%THD (nominal at 120 VAC full load). Output over-voltage, over-current, and short circuit protection with auto recovery. Dimming driver for use with 0-10V, Incandescent, Standard TRIAC, or ELV dimmers. 1-100% range. *TRIAC/ELV dimming at 120 VAC only.
PHYSICAL	MATERIALS	Furnished in copper-free aluminum (6061-T6)
	HOUSING	Corrosion-free composite, made from high strength, thermo-formed, sheet molded polyester compound. Glass reinforced, flame retardant with knockout plugs and four (4) side flats for 1/2" or 3/4" conduit adapters.
	WATER MANAGEMENT	Anti-condensation and corrosion vent equalizes fixture pressure and eliminates potential for damage to internal components.
	FACEPLATE	Fully machined. Offered with non-visible, tamper-resistant set screws.
	WIRING	18GA Stranded, XLPE, 150°C, 600V wire.
	FINISH	StarGuard®, our exclusive RoHs compliant, 15 stage chromate-free process cleans and conversion coats aluminum components prior to application of Class 'A' TGIC polyester powder coating. Brass components are available in powder coat or handcrafted metal finish. Stainless steel components are available in handcrafted metal finish.
	WARRANTY	5-year limited warranty.
	CERTIFICATION & LISTING	UL tested to IESNA LM-79. UL Listed. Certified to CAN/CSA/ANSI Standards. RoHS compliant. Suitable for indoor or outdoor use, in wet locations, and for installation within 4' of the ground. IP66 Rated. Made in the USA.

c UL us LISTED

RoHS

MADE IN THE USA

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09/11/2020 SKU-1341
SUB-2819-00

LAMP & DRIVER DATA (YUKON DIRECT - HORIZONTAL)

DATE: | PROJECT: | TYPE:

LM79 DATA

BK No.	CCT (Typ.)	CRI (Typ.)	Input Watts (Typ.)	L70 Data
A2780	2700	80	9.5	50,000
A2790	**2700**	**90**	**9.5**	**50,000**
A3080	3000	80	9.5	50,000
A3090	**3000**	**90**	**9.5**	**50,000**
A3580	3500	80	9.5	50,000
A3590	**3500**	**90**	**9.5**	**50,000**
A4080	4000	80	9.5	50,000
A4090	**4000**	**90**	**9.5**	**50,000**
A2780	2700	80	9.5	50,000
A2790	**2700**	**90**	**9.5**	**50,000**
A3080	3000	80	9.5	50,000
A3090	**3000**	**90**	**9.5**	**50,000**
A3580	3500	80	9.5	50,000
A3590	**3500**	**90**	**9.5**	**50,000**
A4080	4000	80	9.5	50,000
A4090	**4000**	**90**	**9.5**	**50,000**
A2780	2700	80	9.5	50,000
A2790	**2700**	**90**	**9.5**	**50,000**
A3080	3000	80	9.5	50,000
A3090	**3000**	**90**	**9.5**	**50,000**
A3580	3500	80	9.5	50,000
A3590	**3500**	**90**	**9.5**	**50,000**
A4080	4000	80	9.5	50,000
A4090	**4000**	**90**	**9.5**	**50,000**
A2780	2700	80	9.5	50,000
A2790	**2700**	**90**	**9.5**	**50,000**
A3080	3000	80	9.5	50,000
A3090	**3000**	**90**	**9.5**	**50,000**
A3580	3500	80	9.5	50,000
A3590	**3500**	**90**	**9.5**	**50,000**
A4080	4000	80	9.5	50,000
A4090	**4000**	**90**	**9.5**	**50,000**

OPTICAL DATA

Orientation	Faceplate	Accessory/ Optic	Roadway Class	BUG	Del. Lumens	Multiplier
Horizontal	SD	1	Type II	B0 U3 G1	304.5	0.92
Horizontal	**SD**	**1**	**Type II**	**B0 U3 G1**	**252.8**	**0.83**
Horizontal	SD	1	Type II	B0 U3 G1	314.5	0.95
Horizontal	**SD**	**1**	**Type II**	**B0 U3 G1**	**261.0**	**0.83**
Horizontal	SD	1	Type II	B0 U3 G1	334.3	1.01
Horizontal	**SD**	**1**	**Type II**	**B0 U3 G1**	**277.5**	**0.83**
Horizontal	SD	1	Type II	B0 U3 G1	331.0	
Horizontal	**SD**	**1**	**Type II**	**B0 U3 G1**	**274.7**	**0.83**
Horizontal	SD	2	Type III	B0 U3 G1	447.1	0.92
Horizontal	**SD**	**2**	**Type III**	**B0 U3 G1**	**371.1**	**0.83**
Horizontal	SD	2	Type III	B0 U3 G1	461.7	0.95
Horizontal	**SD**	**2**	**Type III**	**B0 U3 G1**	**383.2**	**0.83**
Horizontal	SD	2	Type III	B0 U3 G1	490.9	1.01
Horizontal	**SD**	**2**	**Type III**	**B0 U3 G1**	**407.4**	**0.83**
Horizontal	SD	2	Type III	B0 U3 G1	486.0	
Horizontal	**SD**	**2**	**Type III**	**B0 U3 G1**	**403.4**	**0.83**
Horizontal	LV	1	Type I	B0 U2 G1	122.4	0.92
Horizontal	**LV**	**1**	**Type I**	**B0 U2 G1**	**101.6**	**0.83**
Horizontal	LV	1	Type I	B0 U2 G1	126.4	0.95
Horizontal	**LV**	**1**	**Type I**	**B0 U2 G1**	**104.9**	**0.83**
Horizontal	LV	1	Type I	B0 U2 G1	134.3	1.01
Horizontal	**LV**	**1**	**Type I**	**B0 U2 G1**	**111.5**	**0.83**
Horizontal	LV	1	Type I	B0 U2 G1	133.0	
Horizontal	**LV**	**1**	**Type I**	**B0 U2 G1**	**110.4**	**0.83**
Horizontal	VR	1	Type I	B0 U2 G1	182.2	0.92
Horizontal	**VR**	**1**	**Type I**	**B0 U2 G1**	**151.2**	**0.83**
Horizontal	VR	1	Type I	B0 U2 G1	188.1	0.95
Horizontal	**VR**	**1**	**Type I**	**B0 U2 G1**	**156.1**	**0.83**
Horizontal	VR	1	Type I	B0 U2 G1	200.0	1.01
Horizontal	**VR**	**1**	**Type I**	**B0 U2 G1**	**166.0**	**0.83**
Horizontal	VR	1	Type I	B0 U2 G1	198.0	
Horizontal	**VR**	**1**	**Type I**	**B0 U2 G1**	**164.3**	**0.83**

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LAMP & DRIVER DATA (YUKON DIRECT - VERTICAL)

DATE: | PROJECT: | TYPE:

LM79 DATA

BK No.	CCT (Typ.)	CRI (Typ.)	Input Watts (Typ.)	L70 Data
A2780	2700	80	9.5	50,000
A2790	**2700**	**90**	**9.5**	**50,000**
A3080	3000	80	9.5	50,000
A3090	**3000**	**90**	**9.5**	**50,000**
A3580	3500	80	9.5	50,000
A3590	**3500**	**90**	**9.5**	**50,000**
A4080	4000	80	9.5	50,000
A4090	**4000**	**90**	**9.5**	**50,000**
A2780	2700	80	9.5	50,000
A2790	**2700**	**90**	**9.5**	**50,000**
A3080	3000	80	9.5	50,000
A3090	**3000**	**90**	**9.5**	**50,000**
A3580	3500	80	9.5	50,000
A3590	**3500**	**90**	**9.5**	**50,000**
A4080	4000	80	9.5	50,000
A4090	**4000**	**90**	**9.5**	**50,000**
A2780	2700	80	9.5	50,000
A2790	**2700**	**90**	**9.5**	**50,000**
A3080	3000	80	9.5	50,000
A3090	**3000**	**90**	**9.5**	**50,000**
A3580	3500	80	9.5	50,000
A3590	**3500**	**90**	**9.5**	**50,000**
A4080	4000	80	9.5	50,000
A4090	**4000**	**90**	**9.5**	**50,000**
A2780	2700	80	9.5	50,000
A2790	**2700**	**90**	**9.5**	**50,000**
A3080	3000	80	9.5	50,000
A3090	**3000**	**90**	**9.5**	**50,000**
A3580	3500	80	9.5	50,000
A3590	**3500**	**90**	**9.5**	**50,000**
A4080	4000	80	9.5	50,000
A4090	**4000**	**90**	**9.5**	**50,000**

OPTICAL DATA

Orientation	Faceplate	Accessory/ Optic	Roadway Class	BUG	Del. Lumens	Multiplier
Vertical	SD	1	Type II	B0 U3 G1	307.3	0.92
Vertical	**SD**	**1**	**Type II**	**B0 U3 G1**	**255.0**	**0.83**
Vertical	SD	1	Type II	B0 U3 G1	317.3	0.95
Vertical	**SD**	**1**	**Type II**	**B0 U3 G1**	**263.4**	**0.83**
Vertical	SD	1	Type II	B0 U3 G1	337.3	1.01
Vertical	**SD**	**1**	**Type II**	**B0 U3 G1**	**280.0**	**0.83**
Vertical	SD	1	Type II	B0 U3 G1	334.0	
Vertical	**SD**	**1**	**Type II**	**B0 U3 G1**	**277.2**	**0.83**
Vertical	SD	2	Type II	B0 U3 G1	454.5	0.92
Vertical	**SD**	**2**	**Type II**	**B0 U3 G1**	**377.2**	**0.83**
Vertical	SD	2	Type II	B0 U3 G1	469.3	0.95
Vertical	**SD**	**2**	**Type II**	**B0 U3 G1**	**389.5**	**0.83**
Vertical	SD	2	Type II	B0 U3 G1	498.9	1.01
Vertical	**SD**	**2**	**Type II**	**B0 U3 G1**	**414.1**	**0.83**
Vertical	SD	2	Type II	B0 U3 G1	494.0	
Vertical	**SD**	**2**	**Type II**	**B0 U3 G1**	**410.0**	**0.83**
Vertical	LD	1	Type I	B0 U2 G1	149.0	0.92
Vertical	**LD**	**1**	**Type I**	**B0 U2 G1**	**123.7**	**0.83**
Vertical	LD	1	Type I	B0 U2 G1	153.9	0.95
Vertical	**LD**	**1**	**Type I**	**B0 U2 G1**	**127.7**	**0.83**
Vertical	LD	1	Type I	B0 U2 G1	163.6	1.01
Vertical	**LD**	**1**	**Type I**	**B0 U2 G1**	**135.8**	**0.83**
Vertical	LD	1	Type I	B0 U2 G1	162.0	
Vertical	**LD**	**1**	**Type I**	**B0 U2 G1**	**134.5**	**0.83**
Vertical	VR	1	Type I	B0 U2 G1	161.9	0.92
Vertical	**VR**	**1**	**Type I**	**B0 U2 G1**	**134.4**	**0.83**
Vertical	VR	1	Type I	B0 U2 G1	167.2	0.95
Vertical	**VR**	**1**	**Type I**	**B0 U2 G1**	**138.8**	**0.83**
Vertical	VR	1	Type I	B0 U2 G1	177.8	1.01
Vertical	**VR**	**1**	**Type I**	**B0 U2 G1**	**147.5**	**0.83**
Vertical	VR	1	Type I	B0 U2 G1	176.0	
Vertical	**VR**	**1**	**Type I**	**B0 U2 G1**	**146.1**	**0.83**

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RYAN SENATORE ARCHITECTURE

November 3, 2021

Deb Andrews
Historic Preservation Program Manager
City of Portland Maine
389 Congress Street
Portland, Maine 04101

Re: Winter Street Townhomes - Design Narrative

The proposed building to be located on Winter Street in Portland's West End Neighborhood consists of 9 residential townhouse units intended. The building is a 3 story structure along Winter street with a daylight basement parking level access from the rear.

Prior to developing the building concept we spent much time walking the streets of the West End, analyzing existing streetscapes, building massing, forms, materials and textures. This approach allowed us to develop a design concept that is grounded by the existing neighborhood context.

The neighborhood is comprised of a diverse palate of Architectural forms, scales and density. Winter Street and the surrounding neighborhood blocks have a variety of Architectural forms and massing.

We designed the building using color, massing and texture to scale the building as reflected on the Winter Street elevation, to create a facade rhythm similar in proportion to the local residential building types. The building is broken along the street wall with projecting facade bays and entries to scale the facade and create visual interest and shadow lines. The punched opening window pattern also helps scale the facade, which is a common pattern throughout the surrounding neighborhood. All of the units have direct access to the sidewalk and street. The roof top program elements consist of an interior lounge space and exterior rooftop deck.

207-747-5159

senatorearchitecture.com

ryan@senatorearchitecture.com

500 Congress Street, Suite 2
Portland, Maine 04101

The primary siding material is brick with accents of factory finished composite panel siding, trim and composite lap siding, all chosen for their traditional crisp appearance and long term durability. The windows proposed are dark in color to compliment the siding colors and also further reinforce the crisp simplicity of the design. The roofing proposed is an EPDM roof membrane.

We look forward to discussing the project at the upcoming Historic Preservation Board workshop.

Sincerely,

Ryan Senatore, AIA LEED AP

Principal

207-747-5159

senatorearchitecture.com

ryan@senatorearchitecture.com

500 Congress Street, Suite 2
Portland, Maine 04101

Utilities

The proposed project will include installation of multiple utility services to the new building.

Water:

Proposed domestic and fire suppression water services will be tapped individually off of the existing 8" cast iron main in Spring Street. The domestic service will go into a meter pit and then extend into the site, with individual services to each unit. The individual 1" services for each unit will be tapped off of the single 2" service from the meter pit. Each unit will be provided a shut off valve in the driveway. The fire suppression line will have a gate valve in the roadway of Spring Street and will run directly to a sprinkler room on the east side of the building.

Sewer:

Sanitary sewer for each unit will feed into one 6" SDR 35 PVC on the north side of the building. The service will enter the 18" combined sewer main on Spring Street with a doghouse manhole.

Stormwater:

There are three proposed catch basins on the site which will collect stormwater for the proposed parking area and driveway. From the catch basins, the stormwater will be piped to the proposed modular wetland system that will provide proprietary water quality treatment. This system will connect to the combined sewer main in Spring Street with a doghouse manhole. Please see the Stormwater Management Report for more information.

UGE/T/C:

The existing overhead wires on Winter Street are to be relocated underground. Two existing utility poles on Winter Street, just west of the site, and one pole on Spring Street, just south of the intersection of Spring and Winter Streets are proposed to be upgraded. Power will be fed from the upgraded poles to a 38Y manhole on Winter Street and a switchgear MH on Spring Street. From there, power will be run to the proposed 38Y manhole that is located in the sidewalk on Spring Street, which will be constructed as part of the Mercy Hospital redevelopment. From the new Spring Street structure, three phase power will be run to the underground to a 38Y manhole in the parking area/driveway of the development. A service will feed the proposed pad mounted transformer, and will serve each townhome with an individual secondary service.

Gas:

Gas will serve the site by a service off of Winter Street. A meter will be located on the east side of the building and will be routed internally to each unit.

Ability to serve letters were sent out to the respective utility companies on November 29, 2021 in accordance with the City of Portland Code of Ordinances Chapter 14 Land Use, Section 14-527(g)(7). Responses from the utility companies will be forwarded upon receipt.

Portland Water District

FROM SEBAGO LAKE TO CASCO BAY

December 1, 2021

Mike Triglione, EI
Acorn Engineering, Inc
PO Box 3372
Portland, Maine 04104

Re: 102 State Street, PO
Ability to Serve with PWD Water

Dear Mr. Triglione:

The Portland Water District has received your request for an Ability to Serve Determination for the noted site submitted on October 14, 2021. Based on the information provided per plans dated November 29, 2021, we can confirm that the District will be able to serve the proposed project as further described in this letter. **Please note that this letter constitutes approval of the water system as currently designed and is valid for eighteen (18) months after the date of issue. Any changes affecting the approved water system will require further review and approval by PWD.**

Conditions of Service

The following conditions of service apply:

- A new 4-inch fire service and 2-inch domestic water service, with a 1.5-inch meter, may be installed from the water main in Spring Street. The services should enter through the property's frontage on Spring Street at least 10-feet from any side property lines.
- Please note that only one meter and one bill will be associated to each domestic service line. This one master meter would be located in a common space that all tenants could gain access to if necessary.
- The Portland Water District does not have record of any other existing infrastructure in public roads and recommends a survey and test pitting be performed by the development team prior to construction. Any conflicts that arise during construction are at the risk of the developer and may result in job shutdown until new plans are submitted by the developer and reviewed and approved by PWD.
- 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.

Prior to construction, the owner or contractor will need to complete a Service Application and pay all necessary fees for each proposed service. When the project is ready for construction, an Application for each service can be requested by contacting the MEANS Group at MEANS@pwd.org or 207-774-5961 ext. 3199. Once a completed Application has been submitted with payment, please allow seven (7) days for processing.

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

Existing Site Service

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

Water System Characteristics

According to District records, there is an 8-inch diameter cast iron water main in Spring Street and a public fire hydrant located adjacent to the site. The most recent static pressure reading was 69 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

ACORN ENGINEERING, INC.

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

June 16, 2022

Subject: 102 State Street, Winter Street Townhomes Notice of Public Meeting Sign

I, Peter Heil, hereby certify that one (1) Notice of Public Meeting sign was posted on June 16, 2022 prior to the June 28, 2022 Planning Board hearing. The sign is posted facing Winter Street and is related to the NewHeight Redfern, LLC proposed Winter Street Townhomes project (PL-002061-2022) located at 102 State Street in Portland. Picture of the sign is shown below.

Sincerely,

Peter F. Heil, P.E.
Project Manager
Acorn Engineering, Inc.

Solid Waste Disposal

The development will utilize City weekly curbside track pickup along Winter Street. The units will be able to utilize garage space for solid waste storage between pickup dates.

Att. R

ACORN ENGINEERING, INC.

Charles Tetelman, Planner
Planning & Urban Development Department
389 Congress Street, 4th Floor
Portland, ME 04101

March 2, 2022

Subject: Winter Street Townhomes – Comment Response Letter
102 State Street, Portland, ME

Charles,

On behalf of NewHeight Redfern, LLC, we are pleased to respond to the site/civil related comments received from Staff on February 23, 2022.

GENERAL

Comment – *Please provide updated plans and drawings according to the comments provided at the Planning Board Workshop (2.8.22) and comments found in this document.*

Response – Updated plans and drawings addressing comments received at the Planning Board workshop on February 2, 2022 and found in the below comments have been uploaded to the projects ePlan folder.

Comment – *DPW and applicant discussed moving underground electric either closer to the lot or in the Winter Street ROW. Please make sure to note which option the applicant is moving forward with and provide confirmation with DPW.*

Response – As discussed during a call with DPW to review the proposed underground electric utilities, the majority of the underground electrical conduits have been pushed closer to the edge of the Winter Street ROW / project property line to provide additional separation between the conduit duct bank and the proposed street trees. Please refer to the updated C-20 Utility Plan for additional information.

Comment – *Potential solution to Street Trees and Adequate ADA access on Winter St. frontage: Could the applicant shift the building footprint/ front yard/ etc. one foot back to increase space along frontage. Would be wide enough to allow for adequate ADA path and increased space for raised granite tree wells.*

Response – Based on discussions with the City's Arborist, Jeff Tarling, we understand he is in agreement with the flush tree grates to install the street trees on the backside of the curb. The sidewalk on the backside of the tree grates provides the required ADA access width, while the flush tree grates then provide additional flush conditions for pedestrians. The flush tree grates and street trees mirror the recently approved developments across Spring Street (73 & 91 Winter Street) to provide a consistent design throughout the neighborhood.

Comment – *Please provide a maximum potential build out document for the 102 State Street lot. The applicant showed renderings at the Planning Board Workshop and the City has received comments regarding future development on the site. Where no development is required as part of this application, visualizing the site build out would be helpful for the Board.*

Response – The graphic provided at the Planning Board Workshop was a rendering showing a potential building maximizing the tallest building that could be built within the zoning requirements (85 feet). Within the B3 Zoning District, there are no residential density requirements, lot areas, or setbacks for buildings below 125 feet in height (Table 7-E). The allowed uses within the B3 Zoning District also provide multiple permitted and conditional uses (Table 6-C), including residential. At this time there are no development plans for the remaining 102 State Street land and providing a "maximum potential build out" is unfeasible.

Comment – *The applicant must demonstrate to the Planning Board that the introduction of additional setback at the street level satisfies the following: open space and amenity, prevailing character and continuity, support for existing open space, and quality and orientation. The applicant is required to submit an analysis demonstrating to the Planning Board that the introduction of additional setbacks at the street level satisfies the above.*

Response – In accordance with the B-3 Downtown Business Zone Standards for increasing setback beyond build-to line as outlined in the City's Design Manual, the additional 2 foot setback from the maximum 5 foot setback (7 feet total from property line) provides the following:

i. Substantial and viable accessible open space and additional amenities at the street level is provided with the additional setback, including additional room for landscaping and open space between the back side of the sidewalk and the building façade.
ii. The additional setback does not detract from the prevailing street wall character and maintains the same 7 foot setbacks from the recently approved affordable housing projects (74 & 91 Winter Street) across Spring Street along the Winter Street frontage. To the east of the project, the existing 100 State Street building is setback approx. 18 feet from the ROW. By providing an additional setback, the townhomes maintain the general characteristics of the neighborhood.
iii. The additional 2 foot setback does not create an excessive amount of open space. The existing site along Winter Street is currently a parking lot, by providing additional room for landscaping, the project supports new open space and does not detract from existing open space (none existing).
iv. The additional setback is north facing; however the additional setback is not intended to create a sizable open space and therefore, the standard is generally not applicable. The additional space will allow for more viable landscape and residential transition frontage with a buffer between public and private realms.

Comment – *Please clarify where the location of the HVAC units will be in the revised plans. There were some discrepancies noted by the Planning Board.*

Response – As approved by the Historic Preservation Board, the final locations are shown in two potential locations: 1) behind the units adjacent to the garages and below the rear decks and 2) on the top story wall (not on the roof), which is setback approximately 30' from Winter Street and out of view from pedestrians that may be walking along Winter Street.

Comment – *The applicant will need to identify the location of snow storage in the site plan (for final development) and during construction (including projects utilizing the State Street lot for construction staging).*

Response – Please refer to C-10 Site Plan for the location of snow storage on site.

TRANSPORTATION

Comment – *The applicant is proposing 27 parking spaces (three per unit) which exceeds the parking requirements by more than 10%. The applicant will need to provide a Parking Study.*

Response – As discussed with the Board and Staff, the project is proposing 18 spaces total (two per unit) within the interior garages. Please refer to the attached Parking Demand Memo which provides justification on the additional parking more than 10% of the minimum parking spaces per Code for additional information.

Comment – *Although the applicant noted that bicycle parking could be included in the garage of the unit, City Staff would like to see some sort of exterior bicycle parking. As proposed, the Winter St public ROW frontage is too narrow (~7') for bike racks but Spring St is right at 8' so there could be two racks between the two trees on Spring placed 2' off the back of curb with the racks spaced 6' apart on center (min.) and a minimum of 4' from the edge of a tree well. It certainly would be better for the racks to be along the street frontage of the townhouse entrances. They could do this by installing some concrete pads (4'x6') for bike racks in the planting beds in front of the buildings behind the sidewalk. If Winter St frontage is extended, the applicant could place racks along Winter St which would contribute to a better public streetscape.*

Response – Bicycle parking is provided within the garage and interior of the units that meet the City's zoning requirements. Due to narrow space along both Winter Street and Spring Street, parked bicycles could impede on the travel way. Additionally, the subsurface utilities, including electrical manholes, submersible transformers, and concrete encased electrical conduit duct banks within the sidewalk, including between the two street trees on Spring Street would be prohibitive to have bike racks installed on top of these structures and infrastructure. As discussed with Planning Staff, we understand the suggested bike racks are not necessary due to the various site constraints and as the requirement is met within the units.

WATER QUALITY, STORMWATER, & INFRASTRUCTURE

Comment – *City Staff noted that the applicant could look to add additional stormwater storage on site to help alleviate runoff from surrounding sites.*

Response – The project is proposing a proprietary modular wetland system to provide water quality treatment and stormwater attenuation for the entire site, including the townhomes and the remaining 102 State Street land.

Comment – *The applicant shall provide ability server letters from all utility providers associated with the proposed project.*

Response – Please refer to the attached ability to serve letter from the Portland Water District. An Ability to serve letter request was sent to DPW on November 29, 2022 and will be provided to Staff upon receipt. The applicant requests this be a condition of approval.

Comment – *The applicant should provide written confirmation from DPW confirming the approved location for the underground electric utility.*

Response – Final underground electrical utility layout is being finalized by Central Maine Power, however based on our meeting with DPW, we have made their suggested revisions, including reducing the amount of street crossings / openings. The applicant requests final written confirmation from DPW be provide as a condition of approval.

Comment – *Please confirm which sidewalks will be maintained, repaired, or replaced on the plans.*

Response – Please refer to C-10 Site Plan for the limits of the sidewalk replacement, which includes the entire frontage of Winter and Spring Streets for this parcel.

Comment – *CMP Plan indicates sidewalk could be closed for duration of project. Could the applicant mitigate sidewalk closure during ongoing projects?*

Response – Due to the installation of the underground electric utilities below the sidewalk, and installation of street trees, along with grading and reconstruction of the sidewalk, the sidewalk will need to be closed for periods of time. The contractor will coordinate with DPW on the closures as necessary.

ZONING

Comment – *Please include SE and SW corners in the grading plan. Specifically, the locations of the 121 and 127 height calculations on sheet.*

Response – Please refer to the attached revised C-30 Grading & Drainage Plan for the additional spot grades at the SE and SW building corners that correspond to the building height calculation table.

Comment – *Please update the elevations with the following information: Average Grade Line, 30' Setback, 45' or less line, top of High Roof, and 7' setback line.*

Response – Please refer to the revised elevations depicting the requested additional information.

LANDSCAPING & ENVIRONMENTAL QUAILTY

Comment – *Applicant team has been working with City Arborist regarding landscaping, street trees, and other elements of the proposal. Please be sure to note the specific changes from the original plans and incorporate the City Arborist's comments into the response.*

Response – Please refer to the revised landscaping plans and Street Tree Maintenance Plan for specific information and approval from the City's Arborist on the proposed designs. Specific updates based on discussions with Jeff Tarling include:

- Specifying Zelkova Serrata "Green Vase" as a street tree species, with a maximum caliper size of 2.5"
- Using the city standard NEENA tree grate and employing the additional base frame system, which further supports the grate and prevents sagging
- Extending the warranty on the street trees by the development team to 3-years (from the standard 1-year required by the city). This was a suggestion of the planning board during the workshop on 2/8/2022
- The Development team will devise a street tree maintenance plan and winter-deicing strategy to be handed off to the Winter Street Town Homes HOA (see attached Street Tree Maintenance Plan).

Comment – *Section below 22' entrance on Spring St. - no vehicle parking curb. End unit could be pulling out onto the landscape area.*

Response – Please refer to the revised plans which includes additional curbing separating the driveway and the landscaped area.

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

Sincerely,

Peter F. Heil, P.E., CPESC
Project Manager
Acorn Engineering, Inc.

William H. Savage, P.E.
Principal
Acorn Engineering, Inc.

Street Tree Maintenance Plan
Winter Street, Portland, Maine

1. **Material Selection:**

   Tree Size and Type
   Specified trees are salt tolerant, hardy Zelkova Seretta "Green Vase", with a maximum caliper size of 2.5 inches. The selected tree has proven to be a hardy species and has been used successfully on challenging sites across the City of Portland.

   Plant Material Selection Process
   The Landscape Architect will select trees from the nursery prior to planting. The landscaper will install the selected trees according to the plans and specifications, and maintain them during establishment in accordance with the specifications.

   Planting Medium
   The Landscape Architect will specify the location for planting, type and quantity of the soil, any required soil amendments, and inspect and approve the installation of the trees.

   Warranty Period
   The landscape contractor will provide a one-year warranty, replacing any trees that do not survive. Following the warranty period, the Owner will replace dead or significantly ailing trees for an additional 2 years. This is an extension of the city's standard required one-year warranty period.

2. **Site Design:**

   Exposure
   The Winter and Spring Street sidewalks where the street trees will be planted have a southern and western exposure, and will be in the sun for most of the day, thereby reducing ice and snow build up.

3. **Operations**

   Salt Reduction Strategies
   Winter Street Town Homes HOA will conduct an annual site walk to discuss winter operations with the maintenance contractor, including discussion of equipment proposed for use, such as brine applicator to make a pre-storm application of a brine solution, which has been shown to minimize the overall amount of salt used.

   To ensure the health of the street trees, maintenance crews will be instructed to use chemical deicing products judiciously, applying it only where and when needed for safety.

ACORN ENGINEERING, INC.

Parking Demand Memo

The Winter Street Townhomes project is proposing nine (9) condominium/townhome style residential units. The proposed unit garages currently provide space for a standard residential vehicle, along with adequate room for one compact space or additional storage for a total of up to two (2) spaces per unit which is greater than 10% of the minimum requirement of 1 space/unit for multi-family housing. Each unit will have three (3) bedrooms to provide housing for families, empty nesters and urban professionals. As a result, it is expected that the property would see a number of residents relying on multiple vehicles and a standard commute to their workplace.

Based upon the applicant's research there is a demand for townhomes that include two parking spaces per unit that is presently not being met. With the recently approved larger developments adjacent to the site, providing additional parking within the individual unit garages reduces spillover into the neighborhood and frees up on-street parking for other residents in the area to address concerns associated with the increased parking demand the neighborhood will see associated with new developments. By providing each unit with individual garages underneath the building, the project makes efficient use of space and minimizes the land area dedicated to parking. With the COVID-19 pandemic subsiding, more businesses are having their employees return to the office putting an increased demand on providing off-street parking in the development.

Given the type of proposed unit owners, bedroom count, unit size, lack of available on street parking, neighbors' concerns, and desire for flexibility, the applicant respectfully requests the Planning Board allow the applicant to exceed the minimum parking standard.

Please let me know if you have any additional questions or comments.

Sincerely,

Peter F. Heil, P.E.
Project Manager
Acorn Engineering, Inc.

ACORN ENGINEERING, INC.

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

January 28, 2022

Subject: Winter Street Townhomes Neighborhood Meeting

I, Peter Heil, hereby certify that a neighborhood meeting was held on January 27, 2022 remote via Zoom at 5:30 pm.

I also certify that on January 12, 2022, invitations were mailed to the following:

1. All addresses on the mailing list provided by the Planning Division which includes property owners within 500 feet of the proposed development.

2. Residents on the "interested parties" list.

Sincerely,

Peter Heil, P.E.
Project Manager
Acorn Engineering, Inc.

Included with this certification are:

1. Copy of the invitation sent
2. Sign-in sheet
3. Meeting minutes

Sign In Sheet

1/27/2022
Winter Street Townhomes Neighborhood Meeting

Members of the Public In Attendance:

NAME:	**EMAIL**:
Paul Smith	psmith@hakins.com
Vivian Smith	vlsmith28@hakins.com
Liz Parsons	lizacline33@gmail.com
Kip and Barbara DeSerres	
Linda Atherton	l.atherton@twc.com
Jane Page	jpage@sustainmetrix.com
Ginger Raspiller	mainelyearth@aol.com
Lauren Ginsberg	lauren.r.ginsberg@gmail.com
Laura Currier	lacurrier@aol.com
Donna Jones	donna3569@yahoo.com
Pamela Shaw and Kent Redford	

Developer & Consultant Team in Attendance:

Name:	**Email:**
Peter Heil	pheil@acorn-engineering.com
Mike Triglione	mtriglione@acorn-engineering.com
Ryan Senatore	ryan@senatorearchitecture.com
Margo Barajas	mb@acetola.com
Erin Cooperrider	erin@newheightgroup.com
Jonathan Culley	jonathan@redfernproperties.com

Winter Street Townhomes
Major Site Plan Submission

Neighborhood Meeting Minutes
January 27, 2022 / 5:30 pm
Remote meeting via Zoom

Project Team Attendees:

Peter Heil (PH): Civil Engineer/Presenter (Acorn Engineering)

Mike Triglione (MT): Civil Engineer/Note Taker (Acorn Engineering)

Ryan Senatore (RS): Architect/Presenter (RSA)

Margo Barajas (NA): Landscape Architect/Presenter (ALA)

Erin Cooperrider (EC): Owner/Applicant (NewHeight Redfern LLC)

Jonathan Culley (JC): Owner/Applicant (NewHeight Redfern LLC)

Meeting started at approximately 5:30 pm.

Presentation:

Peter Heil:
- Zoom housekeeping

Jonathan Culley:
- Redfern Properties
- Team introduction,
    - NewHeight Redfern (Developer):
        - Jonathan Culley
        - Erin Cooperrider
    - Acorn Engineering (Civil Engineer):
        - Peter Heil
        - Will Savage

  - Ryan Senatore Architecture (Architect)
    - Ryan Senatore
  - Aceto Landscape Architecture
    - Margo Barajas
    - Nick Aceto
- Bigger picture, Mercy campus development with NewHeight Redfern
  - Zoning changes on the site
- Existing & proposed renderings of campus shown. Explanation of 102 State Street site, the large building shown is not planned or permitted as of now
- Mercy hospital patients have been moved out, the active presence of the hospital in the neighborhood is over
- In the coming months, Marcy hospital emergency room & radiology wing will be demolished to make room for Community Housing of Maine (CHOM) buildings
- Explanation of Winter St townhomes,
  - 9-unit condominium, row style townhomes
  - Site history – originally senior living planned for this site. In 2020, Monarch Communities planned to buy the site, but they backed out of the contract. So, NewHeight Redfern sought out other developers, but the requirements of the Green New Deal had a negative impact on the economics of building senior housing here. NewHeight Redfern had to go back to an earlier idea of building townhomes.
  - Planned development is row homes consistent with built environment in the West End. Homes to be targeted towards families living in the city.
  - This project is consistent with NewHeight Redfern's expressed intent to provide a range of housing choice, for renters and homeowners, both affordable and market rate.
  - Townhouses as planned are smaller building height, with an increased front setback for a larger landscape buffer
  - Townhomes to be cream colored brick
  - Of the 9 homes, 5 have already been reserved

Pete Heil:

- Project civil engineer
- West End neighborhood adjacent to Mercy Hospital, nearby Reiche School, One Longfellow Square, Rosemont Market
- Subdivision into two lots
- State Street lot to remain parking for time being
- West End neighborhood & historic district, height limitations along Winter Street
- Site features
  - Compact residential development
  - Growth in housing stock in line with City's comprehensive plan
  - Setback to provide street trees, landscaping along Winter Street
  - Utility upgrades
    - Overhead powerlines to go underground along frontage of Winter Street & also Spring Street into the site

- Access for site across from Mercy Access
- Planning board on February 8th

Ryan Senatore:

- Project Architect
- Rendering of project in streetscape shown
- Façade treatment for projecting bays & to break up streetscape – darker color grey contrasting with cream brick – designed to blend building into historic fabric of neighborhood
- Large windows & natural light into units
- 4 Story, primary mass of building is 3 stories with rooftop deck & stepback on top story
- Integrated landscape design with architecture
- Renderings around structure shown
- Stepping down with groupings of three units along the street line
- Walk through floor plans
    - 2 car bay parking garage on rear – half level below entry on Winter Street in rear
    - Units to be handicap accessible from Winter Street
    - First floor active den on street
    - Living room on Winter Street, dining in center & deck on the rear
    - Third floor bedrooms & bathrooms
    - Fourth floor half story with stepback & roof deck

Margo Barajas:

- Landscape Architect
- Building offset – waiver to increase front setback to seven feet for mature street trees & robust garden plantings
- Rear driveways to have tree wells to further add to urban street canopy
- Plant species with feedback from historic preservation, woody species to fit in with neighborhood
- Along Winter Street: evergreen bands of junipers, chokeberries, sumac, magnolias, arborvitaes, ornamental grasses
- Edges of buildings arborvitaes & sumac
- Rear elms & chokeberries
- Imagery of plant selection & streetscape renderings shown

Pete Heil:

- Planning board & historic preservation board dates, February 8th & February 16th, respectively

<u>Comments, Questions & Answers:</u>

Please note that the following questions and answers were not recorded verbatim and aim to represent and summarize the actual questions, answers, and discussion that took place at the meeting.

Paul & Vivian Smith Expected start and completion date?

- **Jonathan**: Goal is to start construction in May & take 12-14 months. Hope is to be done in mid 2023.

Ginger Raspiller: Changes have happened to the original plan of the campus project, originally it was supported due to the senior housing. Morrison house was sold to another developer. What are the processes for changes to the original plan? Should a comprehensive plan be prepared for the entirety of the parcel?

- **Jonathan**: We never did a master plan. We did a zone change to B3 to accommodate Monarch senior living proposal & CHOM projects, & also change the setback along Winter Street. Sale of the Morrison House did not change the plan, it was sold to another developer. Monarch leaving did change the plan. The best way to approach is to look at the parcels at two separate sites. There is no plan for the 102 State Street parcel yet, that is why the subdivision of the parcel is happening. The townhomes as planned will be less intrusive to neighborhood than the commercial senior living property.

Pamela Shaw: Concerns about brick sidewalks & mobility around the site due to trees. Concerns about tree species due to Ash Bore.

- **Peter**: Project will meet city standards for sidewalks & match neighborhood. They will be ADA compliant. Separation requirements will allow movement along sidewalk.
- **Margo**: Trees not effected by Ash Bores. Are susceptible to Dutch Elm Disease, but the species selected is resistant to Dutch Elm Disease. Size of trees: city has asked trees to be planted smaller to adjust to urban conditions. They will be 2.5 inch caliper, 8-9 feet high when installed.

Liz Parsons: What are the extents to change the asphalt due to underground electric, are there plans to retain cobble along Winter Street? How far down Winter Street will the overhead electric go underground? Will street tree maintenance be part of the condo association responsibilities?

- **Jonathan**: Trees will be maintained by condo association.
- **Peter**: Powerlines to be replaced along frontage of site at the corner of property line & will go to a vault in Winter Street then under the sidewalk along Winter Street from there. Street will not be exposed due to power being in the sidewalk. Utilities in Winter Street will be minimal. Some of the houses will have their power go underground. Overhead powerlines at intersection with Spring Street will be replaced.
- **Erin**: There is three phase power overhead in this location, all those lines will go underground.
- **Margo**: Entryways will have granite stone to go with historic neighborhood.

Lauren Ginsberg: Timing of second parcel development?

- **Jonathan**: There is no plan as of now. We are looking at subsidies for affordable housing, workforce condominiums. Looking at no subsidies where units will be higher end. It is the highest priority once Mercy is constructed. It could be sold off but that is not the intent as of now. We will let you know.

Lauren Ginsberg: Is there similar idea for State Street to what you are doing for Winter Street?

- **Jonathan**: It is not likely. State Street buildings will likely be taller and higher density. State Street is more of a grand boulevard with taller buildings. The plan is to develop more housing in walking distance to downtown amenities.
- **Erin**: The rendering is of the biggest possible building, and we are not saying that that is what is going to happen there.
- **Jonathan**: It is unlikely that the biggest possible building will be most viable.

Ginger Raspiller: Mercy building is rental, will there be more opportunity for home ownership with the rest of the 102 State St Parcel?

- **Jonathan**: Affordable housing along Winter Street in the CHOM buildings is intended for 50-60% of median income. Rental housing in the Mercy building is intended for 80-120% of median income with 10% being deed-restricted workforce housing. So Winter Street development is only high-end development on the campus.

Laura Currier: A 2-3 story building at 116-118 State St (the Smith House) will be dwarfed by the building depicted on the slide.

- **Jonathan**: I understand where you are coming from. Right now, there is no good option to build a taller building, but more conversation will be had before anything happens there.

<u>Closing Comments</u>

Jonathan Culley:

- Planning Board Workshop on 2/8/21
- Comments can be submitted to city & can be shared with the developers as well
- Thanks everyone for joining and the discussion

Peter Heil:

- Meeting minutes will be shared on the city's website, available as early as next week through the city's Citizen Self Service

Meeting concluded at approximately 6:20 pm.

The abovementioned material was as interpreted and recorded from handwritten notes. Please note and relay any discrepancies or disputed information in the recorded minutes to the below address so that they can be reviewed, revised, and resubmitted, as necessary.

Recorded by,

Peter F. Heil, PE
Project Manager, Acorn Engineering, Inc.
pheil@acorn-engineering.com

Dear Neighbor: January 14, 2022

On behalf of NewHeight Redfern LLC, we are pleased to invite you to a virtual neighborhood meeting to discuss a proposed Winter Street Townhomes development at 102 State Street in Portland. Maine. The project proposes to subdivide the existing lot into two lots. The north lot (102 State Street) will be 0.56 acres (24,288 sf). The south lot (Winter Street lot) will be 0.48 acres (20,7272 sf). The proposed development will construct nine (9) town-house style condos along Winter Street on the Winter Street lot. The nine proposed units will have a footprint of 9,493 sf. Each individual unit will have a front entrance with stoops & front entrances on Winter Street. The existing parking lot north of the building will be maintained, and the condos will have garages with driveways on the parking lot side. The townhomes will have 18 standard spaces (one in the garage & one in the driveway of each unit) & 9 compact spaces (one in each townhome garage).

Meeting Location:

This meeting will **be held remotely via Zoom** according to state and local requirements around social distancing and will be available for public viewing and participation. **Please email office@acorn–engineering.com to request a link or phone number to join the meeting.** You may also call the office line (listed below) to request this information.

Meeting Date/Time: Thursday, January 27, 2022 at 5:30 p.m.

The City code requires that property owners within 500 feet of the proposed development and residents on an "interested parties list" be invited to participate in a neighborhood meeting. Both the sign-in sheet and recorded meeting minutes will be submitted to the Planning Board. If you have any questions, please do not hesitate to call the office at (207) 775–2655. We look forward to seeing you at the meeting.

Sincerely,

Peter F. Heil, P.E.
Acorn Engineering, Inc.

Sign In Sheet

1/27/2022
Winter Street Townhomes Subdivision Neighborhood Meeting

Members of the Public In Attendance:

NAME:	**EMAIL**:
Paul Smith	psmith@hakins.com
Laura Currier	lacurrier@aol.com
Lydia Montana	lmontana1@maine.rr.com
Elizabeth Parsons	lizacline33@gmail.com
M. Linwood Parsons	linparsons@maine.rr.com
Ian Jacob	ias@blueanchordsgn.com

Developer & Consultant Team in Attendance:

Name:	**Email:**
Peter Heil	pheil@acorn-engineering.com
Mike Triglione	mtriglione@acorn-engineering.com
Jonathan Culley	jonathan@redfernproperties.com
Greg Pomerleau	greg@newheightgroup.com

ACORN ENGINEERING, INC.

Winter Street Townhomes
Subdivision Submission

Neighborhood Meeting Minutes
June 23, 2022 / 5:30 pm
Hybrid Meeting: Remote via Zoom
and in-person at 42 Winter Street

Project Team Attendees:

Jonathan Culley (JC): Owner/Applicant/ In-Person Presenter (NewHeight Redfern LLC)

Greg Pomerleau (GP): Owner/Applicant/ In-Person Presenter (NewHeight Redfern LLC)

Peter Heil (PH): Civil Engineer/Remote Presenter/Note Taker (Acorn Engineering)

Mike Triglione (MT): Civil Engineer/In-Person Presenter (Acorn Engineering)

Meeting started at approximately 5:30 pm.

Presentation:

Peter Heil
- Zoom housekeeping

Jonathan Culley:
- Team introduction,
  - NewHeight Redfern (Owner/Applicant):
    - Jonathan Culley
    - Erin Cooperrider
  - Acorn Engineering (Civil Engineer):
    - Peter Heil
    - Mike Triglione

- Official neighborhood meeting for Subdivision amendment to previous site plan approval for the Winter Street Townhomes. No other changes to the previously approved site plan development are being proposed as part of this application submission. Legal maneuver to draw and sell lots.

- Construction costs came in over budget. due to construction financing to allow future owners under contract to "pay as you go" during construction.
- Originally approved as a condominium, State law doesn't allow the developers to use the money received from the sale of the units to finance the project from condominium buyers until after construction. By formally creating a subdivision for (9) individual townhome lots, removing the condominium, it allows the perspective buyers to "pay as you go" to the developers to collect through construction to finance the project, and keep the sale prices of the units as originally agreed upon.
- Final planning board hearing next Tuesday, June 28, 2022.

Comments, Questions & Answers:

Please note that the following questions and answers were not recorded verbatim and aim to represent and summarize the actual questions, answers, and discussion that took place at the meeting.

Ian Jacob: Surprised it wasn't originally approved as a subdivision. Why not include subdivision on remaining land on 102 State Street? HOA for the Townhomes? Who will handle maintenance?

- **Jonathan Culley:** No plans for development on remaining land at this time. HOA to remain the same as previously set up as part of the condominium who will handle the maintenance.

Jonathan Culley: Any other questions on this subdivision? (None)

Jonathan Culley: Any other questions regarding the Mercy construction?

Ian Jacob: When will utility poles be removed?

- **Greg Pomerleau:** CMP has indicated by September, but subject to their timelines and schedule

Paul Smith: Are you still on track for construction timeline?

- **Jonathan Culley:** Yes, still on track, be complete by late 2023. Demo and abatement almost complete. CHOM projects financing to close late 2022, begin construction spring of 2023

Lydia Montana: Is the entire lot going to be used?

- **Jonathan Culley:** At this time, only the winter street townhomes, no set development plans at this time for remaining 102 State Street land.

Paul Smith: Heard rents for Mercy building were $1,300 to $2,000/month, will these all be rental?

- **Jonathan Culley:** Yes, all rentals, and yes approx. rates

Lydia Montana: Parking and site access to Townhomes?

- **Pete Heil:** No changes to previously approved plans. The Townhome site access drive will be directly across the Mercy access drive off Spring Street and the individual townhomes will have garage access from this drive.

Lydia Montana: My name is on the "Interest List" for Winter Landing, are there going to be any subsidized apartments for elderly disabled?

- **Jonathan Culley:** That project is being developed by the Community Housing of Maine (CHOM), and you should keep in contact with them, but yes, I believe the Winter Landing building will have affordable housing units for people 55-years and older.

Closing Comments

Jonathan Culley:

- Planning Board hearing on June 28, 2022
- Thanks everyone for joining and the discussion

Meeting concluded at approximately 5:50 pm.

The abovementioned material was as interpreted and recorded from handwritten notes. Please note and relay any discrepancies or disputed information in the recorded minutes to the below address so that they can be reviewed, revised, and resubmitted, as necessary.

Recorded by,

Peter F. Heil, PE
Project Manager, Acorn Engineering, Inc.
pheil@acorn-engineering.com

ACORN ENGINEERING, INC.

June 20, 2022

On behalf of NewHeight Redfern LLC, we are pleased to invite you to a virtual neighborhood meeting to discuss a proposed Winter Street Townhomes Subdivision Application at 102 State Street in Portland. Maine. The Winter Street Townhomes project was previously approved by the Planning Board as part of a Site Plan Review, which had consisted of dividing the parcel into two lots. The previous approval proposed to subdivide the existing lot into two lots, the Winter Street Townhomes parcel, and the remaining land at 102 State Street. This application is now proposing to subdivide the previously approved Winter Street Townhome lot into (9) individual lots for each townhome, with the remaining 102 State Street parcel as the tenth lot.

Meeting Location:

This meeting will **be held remotely via Zoom** according to state and local requirements around social distancing and will be available for public viewing and participation. **Please email office@acorn–engineering.com to request a link or phone number to join the meeting.** You may also call the office line (listed below) to request this information.

Meeting Date/Time: Thursday, June 23, 2022 at 5:30 p.m.

The City code requires that property owners within 500 feet of the proposed development and residents on an "interested parties list" be invited to participate in a neighborhood meeting. Both the sign-in sheet and recorded meeting minutes will be submitted to the Planning Board. If you have any questions, please do not hesitate to call the office at (207) 775–2655. We look forward to seeing you at the meeting.

Sincerely,

Peter F. Heil, P.E.
Acorn Engineering, Inc.

GENERAL NOTES:

1. FOR INFORMATION REGARDING PROPOSED GROUND LEVEL LAYOUT, REFER TO SITE PLAN, SHEET C–10, MOST RECENT VERSION.
2. FOR INFORMATION REGARDING PROPOSED UTILITIES, REFER TO THE UTILITY PLAN, SHEET C–20, MOST RECENT VERSION.
3. FOR INFORMATION REGARDING PROPOSED GRADING AND STORMWATER, REFER TO THE GRADING PLAN, SHEET C–30, MOST RECENT VERSION.
4. TOTAL SITE AREA FOR 102 STATE STREET INCLUDES 1.03 ACRES (45,025 SF).
5. PROPOSED SITE AREAS FOR 102 STATE STREET IS 0.66 ACRES (28,818 SF), 55 WINTER STREET IS 0.49 ACRES (2,131 SF), 53 WINTER STREET IS 0.39 ACRES (1,703 SF), 51 WINTER STREET IS 0.39 ACRES (1,703 SF), 49 WINTER STREET IS 0.39 ACRES (1,703 SF), 47 WINTER STREET IS 0.39 ACRES (1,702 SF), 45 WINTER STREET IS 0.39 ACRES (1,702 SF), 43 WINTER STREET IS 0.39 ACRES (1,702 SF), 41 WINTER STREET IS 0.39 ACRES (1,701 SF), 39 WINTER STREET IS 0.50 ACRES (2,161 SF).
6. R.O.W. WIDTHS FOR STATE STREET, SPRING STREET, AND WINTER STREET ARE 99', 50', AND 40' WIDE, RESPECTIVELY, PER BOUNDARY SURVEY COMPLETED BY OWEN HASKEL, INC. DATED AUGUST 2020.
7. SITE BOUNDARIES PER BOUNDARY SURVEY & TOPOGRAPHICAL MAP WITH EXISTING CONDITIONS PROVIDED BY OWEN HASKELL, INC. ON A PLAN ENTITLED BOUNDARY & TOPOGRAPHIC SURVEY AT 102 & 120 STATE STREET, PORTLAND, MAINE MADE FOR NEWHEIGHT REDFERN, LLC C/O ERIN COOPERRIDER, 167 NEWBURY STREET, #503 PORTLAND, MAINE, DATED AUGUST 2020.
8. AS OF 5/19/2020, THE SITE IS BOUNDED BY THE B–3 ZONE ON ALL SIDES PER CITY REZONE APPROVAL.
9. LOCUS PARCEL DOES NOT FALL IN A SPECIAL FLOOD HAZARD AREA PER FEMA FLOOD INSURANCE RATE MAP COMMUNITY–PANEL NUMBER 2300510013B, INDEX DATED 7/17/1986.
10. THE OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND MANAGEMENT OF DRIVEWAYS, SIDEWALKS, STORMWATER DEVICES, SITE LIGHTING, TRASH REMOVAL, RETAINING WALLS, AND SNOW REMOVAL.
11. THE OWNER SHALL BE RESPONSIBLE FOR COMPLYING WITH THE CONDITIONS OF CHAPTER 32 STORMWATER INCLUDING ARTICLE III, AT A MINIMUM. IN ADDITION, THE OWNER SHALL BE RESPONSIBLE FOR COMPLYING WITH THE CONDITIONS OF THE SUBMITTED STORMWATER MANAGEMENT PLAN AND THE APPROVED PLANS, AND MEET CITY STANDARDS AND STATE GUIDELINES.
12. THE PROPOSED DEVELOPMENT MUST COMPLY TO THE FOLLOWING AS APPROVED BY THE CITY:
    12.1. POST–CONSTRUCTION STORMWATER MANAGEMENT AGREEMENT TO BE FILED WITHIN THE CUMBERLAND COUNTY REGISTRY OF DEEDS.

SURVEY NOTES:

1. PREMISES IS SHOWN AS TM 45–D–1 ON THE CITY OF PORTLAND ASSESSORS MAPS.
2. BEARINGS ARE BASED ON MAGNETIC 1957. COORDINATES ARE BASED ON CITY DATUM UTILIZING THE MONUMENTS SHOWN.
3. THE LOCATIONS OF ALL UTILITIES SHOWN ON THE SURVEY ARE FROM VISIBLE SURFACE EVIDENCE ONLY.
4. ELEVATIONS ARE BASED ON CITY DATUM AS PER MONUMENT T104–45–11 AT CORNER OF CLARK AND SPRING STREETS, ELEVATION = 127.91 FEET.
5. PLAN REFERENCE NOTES:
   5.1. "PLAN OF PROPERTY IN PORTLAND, MAINE MADE FOR MERCY HOSPITAL DATED 3 FEB. 1982 REVISED THROUGH 15 MARCH 1982" BY H.I. & E.C. JORDAN, SURVEYORS.
   5.2. "PLAN OF PROPERTY IN PORTLAND, MAINE MADE FOR MERCY HOSPITAL DATED JUNE 17, 1981 REVISED OCT. 2, 1981" BY H.I. & E.C. JORDAN, SURVEYORS.
   5.3. "STANDARD BOUNDARY &TOPOGRAPHIC SURVEY ON STATE STREET, PORTLAND, MAINE MADE FOR MERCY HOSPITAL DATED NOVEMBER 30, 1999 REV. 2 OCT. 04, 2012" BY OWEN HASKELL, INC.
   5.4. "ALTA/ACSM LAND TITLE SURVEY, 102, 120 (AKA 144) & 148 STATE STREET, PORTLAND, CUMBERLAND COUNTY, MAINE MADE FOR MERCY HOSPITAL AND EASTERN MAINE HEALTHCARE SYSTEMS: FEBRUARY 27, 2013 LAST REVISION DATE: SEPT. 20, 2013 BY OWEN HASKELL, INC.

EASEMENTS:

1. EXISTING EASEMENTS AS DESCRIBED IN DEED TO 102 STATE STREET, BOOK 36459 PAGE 219
2. PROPOSED EASEMENTS:
   2.1. ACCESS, UTILITY & MAINTENANCE EASEMENT A FROM NEWHEIGHT REDFERN LLC TO NEWHEIGHT REDFERN TOWNHOMES LLC
   2.2. UTILITY & MAINTENANCE EASEMENT B FROM NEWHEIGHT REDFERN TOWNHOMES LLC

SPACE AND BULK STANDARDS

ZONE: B–3	REQUIRED	PR – 55 WINTER ST	PR – 53 WINTER ST	PR – 51 WINTER ST	PR – 49 WINTER ST	PR – 47 WINTER ST	PR – 45 WINTER ST	PR – 43 WINTER ST	PR – 41 WINTER ST	PR – 39 WINTER ST	PR – 102 STATE ST
MINIMUM LOT AREA	NONE	2,131 SF	1,703 SF	1,703 SF	1,703 SF	1,702 SF	1,702 SF	1,702 SF	1,701 SF	2,161 SF	28,818 SF
MIN LOT FRONTAGE	15'	SPRING: 79.28' WINTER: 26.03'	WINTER: 21.50'	WINTER: 21.50'	WINTER: 21.50'	WINTER: 21.50'	WINTER: 21.50'	WINTER: 21.50'	WINTER: 21.50'	WINTER: 27.28'	SPRING: 46.67' STATE: 125.89'
MIN LOT WIDTH	NONE	26.03'	21.50'	21.50'	21.50'	21.50'	21.50'	21.50'	21.50'	27.28'	125.89'
MAX HEIGHT	85' *	37.7'*/48.4'	37.7'*/48.4'	37.7'*/48.4'	37.7'*/48.4'	37.7'*/48.4'	37.7'*/48.4'	37.7'*/48.4'	37.7'*/48.4'	37.7'*/48.4'	N/A
STRUCTURE SETBACKS											
FRONT (MAX)	5'	7'**	7'**	7'**	7'**	7'**	7'**	7'**	7'**	7'**	N/A
SIDE (MIN)	NONE	0'	0'	0'	0'	0'	0'	0'	0'	0'	N/A
REAR (MIN)	NONE	12.17'	12.17'	12.17'	12.17'	12.17'	12.17'	12.17'	12.17'	12.17'	N/A
MAX IMPERVIOUS COVERAGE	100%	80%	91%	91%	91%	91%	91%	91%	91%	84%	94%
NET RESIDENTIAL DENSITY		1	1	1	1	1	1	1	1	1	N/A

* 45' MAX HEIGHT WITHIN 30' OF WINTER STREET RIGHT OF WAY.

** AS PREVIOUSLY APPROVED BY THE PLANNING BOARD DURING THE SITE PLAN REVIEW (PL–001840–2021)

ACCESS, UTILITY & MAINTENANCE EASEMENT A

LINE	BEARING	DISTANCE
L1	S54°11'22"E	206.27'
L2	S35°49'19"W	30.00'
L3	N54°11'12"W	205.59'
L4	N34°31'49"E	30.00'

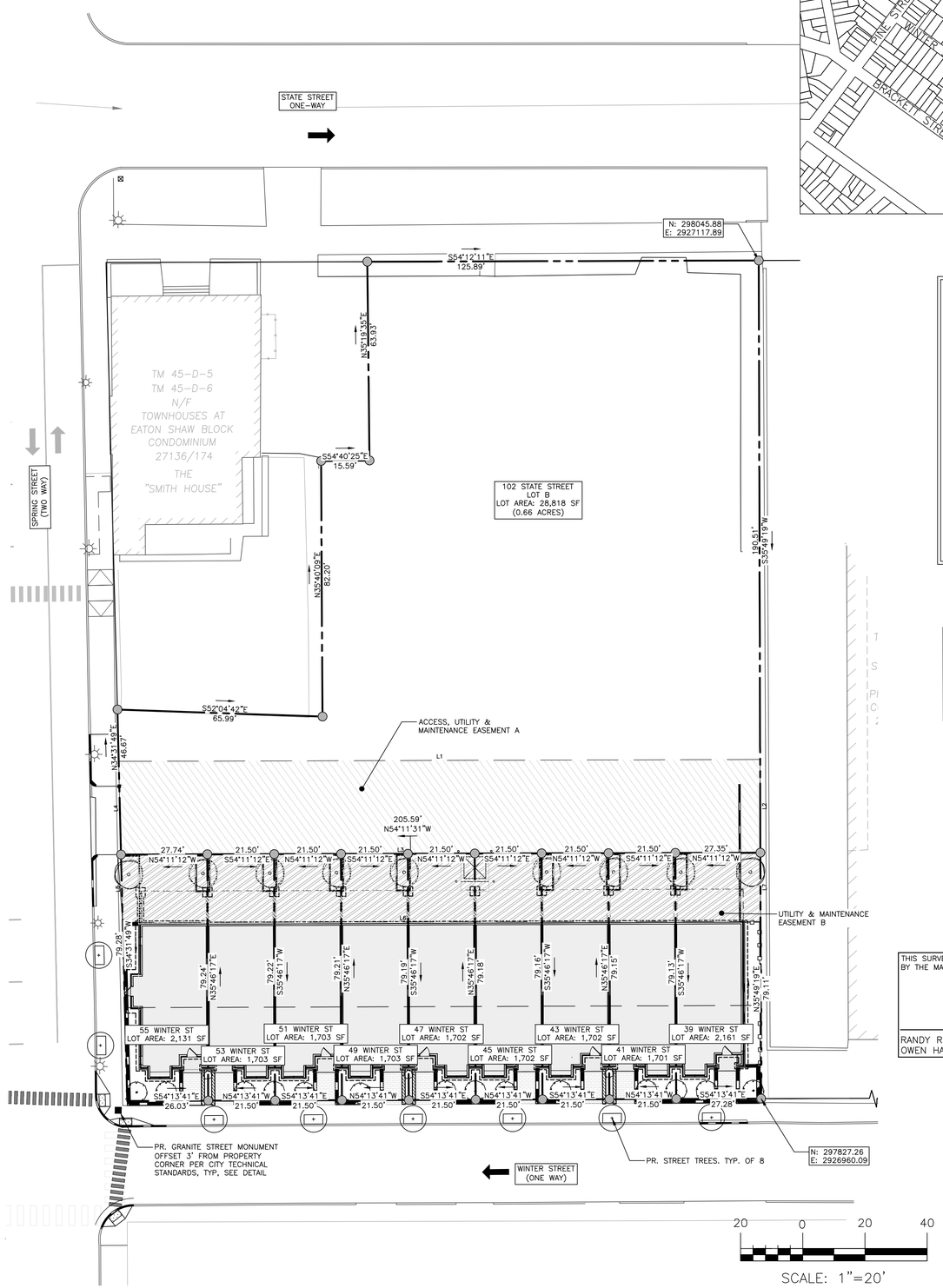
UTILITY & MAINTENANCE EASEMENT B

LINE	BEARING	DISTANCE
L3	N54°11'12"W	205.59'
L5	S34°31'49"W	21.82'
L6	S54°06'06"E	205.10'
L7	N35°49'19"E	22.11'

APPROVED: PORTLAND PLANNING BOARD

CHAIRPERSON: DATE:

DRAFT
NOT ISSUED FOR
RECORDING



VICINITY MAP
NOT TO SCALE

CLIENT:

NEWHEIGHT REDFERN LLC
217 COMMERCIAL ST, SUITE 205
PORTLAND, MAINE 04101
CONTACT: ERIN COOPERRIDER

CIVIL/SITE ENGINEER:

ACORN ENGINEERING, INC.
500 WASHINGTON AVENUE, SUITE 202
PORTLAND, MAINE 04103
CONTACT: PETER F. HEIL, P.E.

SURVEYOR

OWEN HASKELL, INC.
390 US ROUTE 1, UNIT 10
FALMOUTH, MAINE 04105
CONTACT: RANDY LOUBIER, P.L.S.

PROPERTY MARKER
EX. PROPERTY LINE
PR. PROPERTY LINE
PR. STREET MONUMENT

THIS SURVEY CONFORMS TO THE CURRENT STANDARDS OF PRACTICE SET FORTH BY THE MAINE STATE BOARD OF LICENSURE FOR LAND SURVEYORS.

RANDY R. LOUBIER, MAINE P.L.S. #2407 DATE:
OWEN HASKELL, INC.

STATE OF MAINE, CUMBERLAND, ss
REGISTRY OF DEEDS

RECEIVED _____

AT ____ hr. ____ min. ____ m AND RECORDED

IN PLAN BOOK _____, PAGE _____

ATTEST: _____
REGISTER

ISSUED FOR	BY	DATE
DRAFT	PFH	5/25/22
CITY COMMENTS	PFH	6/21/22

DRAWING NAME: SUBDIVISION PLAT

PROJECT NAME: WINTER STREET TOWNHOMES
PORTLAND, MAINE

CLIENT: NEWHEIGHT REDFERN LLC
217 COMMERCIAL STREET, SUITE 205 PORTLAND, ME, 04101

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ACORN ENGINEERING, INC.
167 PARK ROW, PORTLAND, MAINE 04104
PO BOX 3287 (207) 775–2655

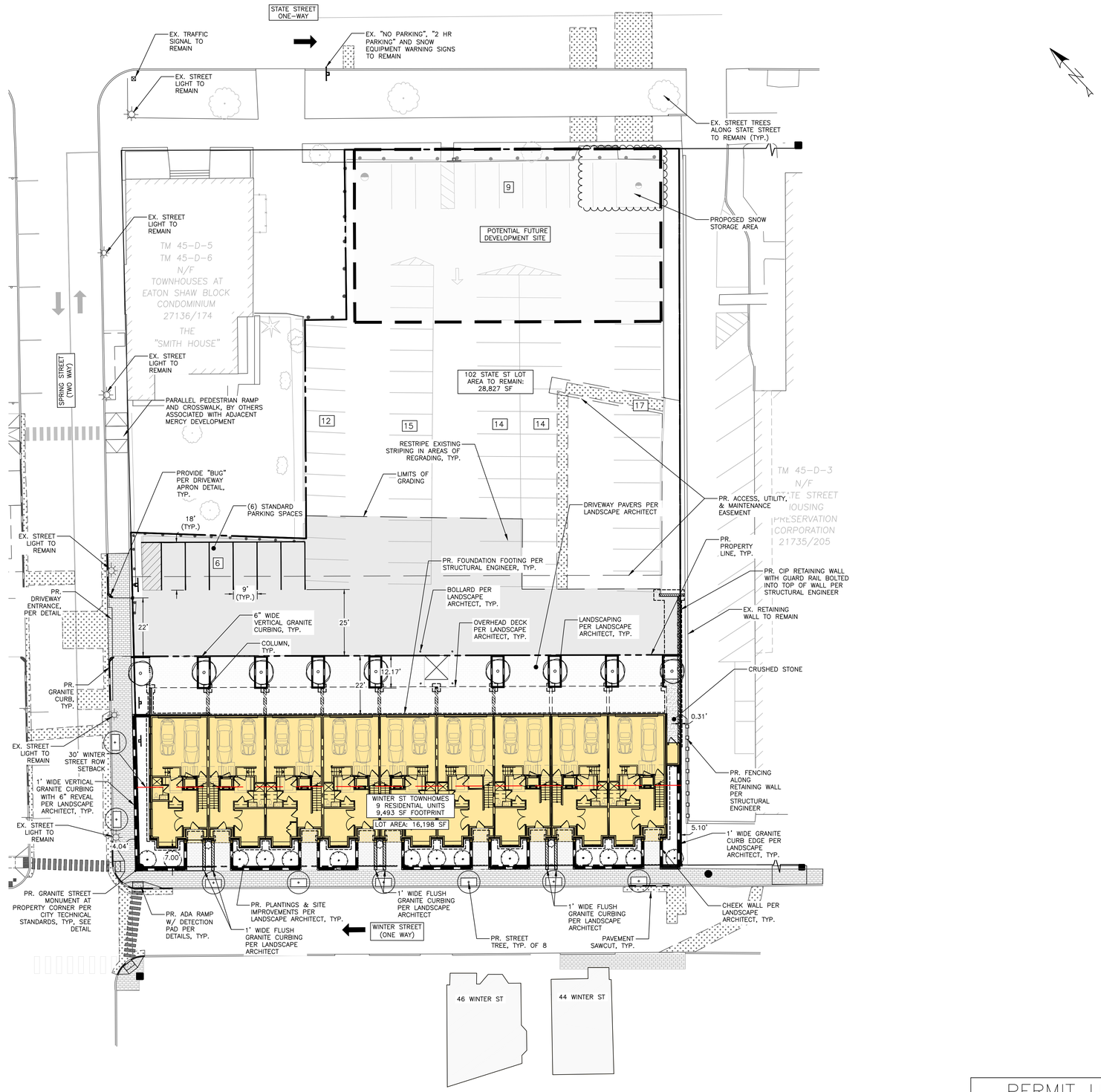
FILE:	1140.1_CIVIL
JN:	1140.1
SCALE:	AS NOTED
DESIGNED BY:	MKT
DRAWN BY:	MKT
CHECKED BY:	PFH

STATE OF MAINE
PETER F. HEIL
15318
LICENSED PROFESSIONAL ENGINEER
6/21/22

DRAWING NO.
PLAT

SPACE AND BULK STANDARDS			
ZONE: B-3	REQUIRED	PROPOSED – WINTER ST LOT	PROPOSED – 102 STATE ST
MINIMUM LOT AREA	NONE	16,198 SF	28,827 SF
MIN LOT FRONTAGE	15'	204'	126'
MIN LOT WIDTH	NONE	204'	126'
MAX HEIGHT	85' *	37.7'/48.4'	–
STRUCTURE SETBACKS			
FRONT (MAX)	5'	7'	–
SIDE (MIN)	NONE	0.3'	–
REAR (MIN)	NONE	12.2'	–
MAX IMPERVIOUS COVERAGE	100%	88%	94%
OFF STREET PARKING	9	18	87
NET RESIDENTIAL DENSITY		9	–
* 45' MAX HEIGHT WITHIN 30' OF WINTER STREET RIGHT OF WAY.			

PARKING SUMMARY	
	# PARKING SPACES
EXISTING	144
STANDARD – NORTH PARCEL (9'X18')	87
COMPACT – NORTH PARCEL (9'X16')	0
ADA – NORTH PARCEL (8'X18')	0
STANDARD – SOUTH PARCEL (9'X18')	9
COMPACT – SOUTH PARCEL (9'X16')	9
ADA – SOUTH PARCEL (8'X18')	0
TOTAL PROPOSED SPACES	105



PERMIT LEVEL
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY DATE
CSS SUBMISSION	PFH 10/29/21
SITE PLAN SUBMISSION	PFH 12/3/21
PARKING LAYOUT	PFH 1/31/22
COMMENT RESPONSE	PFH 3/2/22
BID SET	PFH 3/15/22

DRAWING NAME: SITE PLAN

PROJECT NAME: WINTER STREET TOWNHOMES PORTLAND, MAINE

CLIENT: NEWHEIGHT REDFERN, LLC 167 NEWBURY STREET, SUITE 503 PORTLAND, ME, 04101

ACORN ENGINEERING, INC.

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ACORN ENGINEERING, INC.
PO BOX 3235, PORTLAND, MAINE 04104
(207) 775-2655

FILE:	1140.1_CIVIL
JN:	1140.1
SCALE:	AS NOTED
DESIGNED BY:	MKT
DRAWN BY:	MKT
CHECKED BY:	PFH

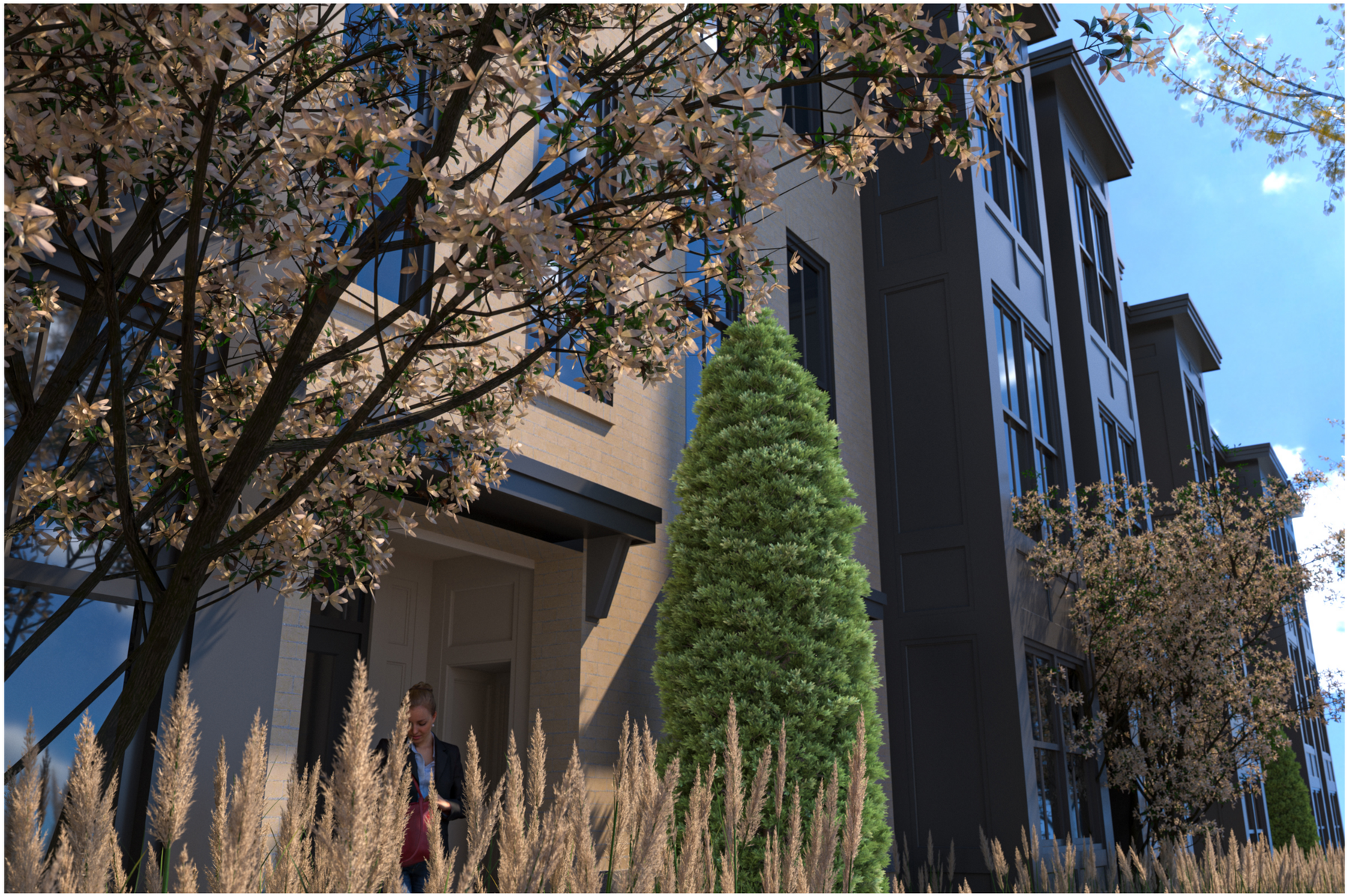
STATE OF MAINE
PETER F. HEIL
15318
LICENSED
PROFESSIONAL ENGINEER

DRAWING NO.
C-10

DO NOT
ENTER

102A
102A

PRIVATE
PROPERTY



Planning Board Report
Planning and Urban Development Department

Rock Row North & South Campus
1190 Brighton Avenue | 300 Rand Road
Subdivision Amendment | Subdivision
PL-002021-2022 | PL-002022-2022
Dirigo Center Developers LLC and Waterstone Rock Row Medical Campus LLC, (applicants)

Submitted to:	Portland Planning Board	**Prepared By:**	Charles Tetelman
Public Hearing Date:	June 28, 2022	**Date:**	June 24, 2022

I. INTRODUCTION

Dirigo Center Developers, LLC and Waterstone Rock Row Medical Campus, LLC have submitted a Subdivision application to subdivide the Rock Row South Campus into nine separate lots.

Dirigo Center Developers, LLC has also submitted a separate Subdivision Amendment application to amend a previous subdivision located at 1190 Brighton Avenue to create a new lot in the Rock Row North Campus. Both applications include parcels that bisect the Portland-Westbrook municipal border. The applications will facilitate future development and operation of both the North and South Rock Row campuses. This application is being referred to the Planning Board for compliance with the City of Portland's Land Use Code Subdivision Standards, Section 15.4.

Given the administrative nature of the subdivision without any proposed development, these applications were scheduled for a Planning Board hearing without an initial workshop. This report contains two separate applications with a separate motion for each application.

Figure 1 – Aerial of Rock Row Development

The Planning and Urban Development Department mailed 48 notices advertising this meeting to property owners within 500 feet of the site. A legal advertisement ran in the June 16, 2022 and June 17, 2022 of the *Portland Press Herald*.

Applicants:	Dirigo Center Developers, LLC. Waterstone Rock Row Medical Campus, LLC.
Applicant Representatives:	Perkins Thompson, P.A. Jones & Beach Engineers, Inc.

II. REQUIRED REVIEWS

Review	*Applicable Standards*
Subdivision	Section 15.4

III. PROJECT DATA

Existing Zoning	B-4 Commercial Corridor I-L Low-Impact Industrial
Property Size	Parcel 1 – 300 Rand Road: 3,173,388 sq. ft. (56.84 ac.) Parcel 2 – 1190 Brighton Avenue: 2,726,334 sq. ft. (62.85 ac.)
Existing Use	Industrial, Mixed-Use
Proposed Use	Mixed-Use

IV. BACKGROUND

In 2016, the Portland Planning Board approved a subdivision application (Project # 2016-073) from Dirigo Center Developers, LLC to subdivide the Rock Row North Campus (Parcel 2) at 1190 Brighton Avenue into three lots shown in Figure 2. This application also included a Four-Phased development plan on both campuses (Parcel 1 and Parcel 2). The Rock Row development consists of two parcels separated by an existing railroad. Phase 1 consists of development in the Westbrook portion of the North Campus that now includes tenants such as Market Basket and REI as well as a variety of restaurants and commercial businesses. Phase 2 development will occur on the remainder of the North Campus and building the crossing between the two campuses (through an easement across the railroad). Phase 3 and 4 will consist of development on the Rock Row South Campus (Parcel 1) with potential uses including a medical office building, transit center, parking garage, retail, and service opportunities. With no development located in Portland, the Planning Board approval and City Staff review focused primarily on stormwater and traffic impacts.

In 2020, the Portland Planning Board approved a Subdivision Amendment (PL-000910-2019) to the 2016

Figure 2 – 2016 Subdivision

Subdivision. The amendment created three additional lots in the North Campus bringing the total to six shown in Figure 3. This amendment defined new lots based off of the Phase 1 development.

Under the State of Maine's subdivision statute, 30-A M.R.S. §4403 (1-A), "If any portion of a subdivision crosses municipal boundaries, all meetings and hearings to review the application must be held jointly by the reviewing authorities from each municipality... The reviewing authorities in each municipality, upon

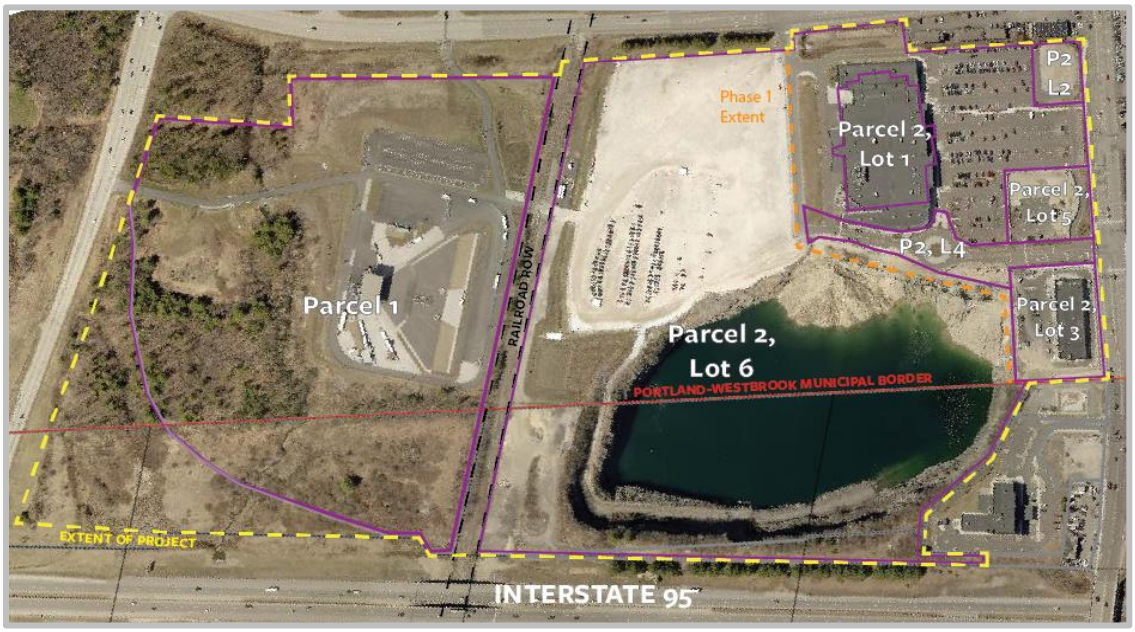


Figure 3 – 2020 Subdivision Amendment

written agreement, may waive the requirement under this subsection for any joint meeting or hearing." As part of the 2016 Subdivision approval, the Cities of Portland and Westbrook agreed to waive the state subdivision joint meeting requirement and all future joint meeting requirements related to the Rock Row development. This standing joint meeting waiver applied to the 2020 subdivision approval and applies to these actions as well.

V. PROPOSED DEVELOPMENT

The applicants are proposing a **new Subdivision for Parcel 1** (South Campus) as well as a **new Subdivision Amendment for Parcel 2** (North Campus) as shown in Figure 4 below:

1. PL-002022-2022: 300 Rand Road
The **Subdivision Application** for the South Campus subdivides Parcel 1 into nine separate lots (Plan 2). Parcel 1 has been reconfigured as the applicants have worked with the Maine Department of Transportation to purchase and adjust the property boundaries. The old Parcel Boundary can still be seen in Figure 4. Parcel 1, Lot 9 is the only lot in the South Campus that will cross the Portland-Westbrook municipal boundary if approved. Parcel 1, Lot 2 will serve as the Rock Row right-of-way that is planned to connect to the railroad crossings and into the North Campus.

2. PL-002021-2022: 1190 Brighton Avenue
The **Subdivision Amendment Application** for the North Campus will bring the total number of lots from six to seven, an increment of one additional lot (Plan 3). This amendment will align the almost complete Phase 1 developments to new parcels and provide for a separate lot for the parking area surrounding Parcel 2 Lot 1. Parcel 2, Lot 7 is the only lot in the North Campus that will cross the Portland-Westbrook municipal boundary if approved. Parcel 2, Lot 4 is the current North Campus section of Rock Row right-of-way.

The Cities of Portland and Westbrook waived the Maine state subdivision requirement to hold a joint meeting as part of the standing agreement following the 2016 and 2020 Rock Row subdivision approvals.

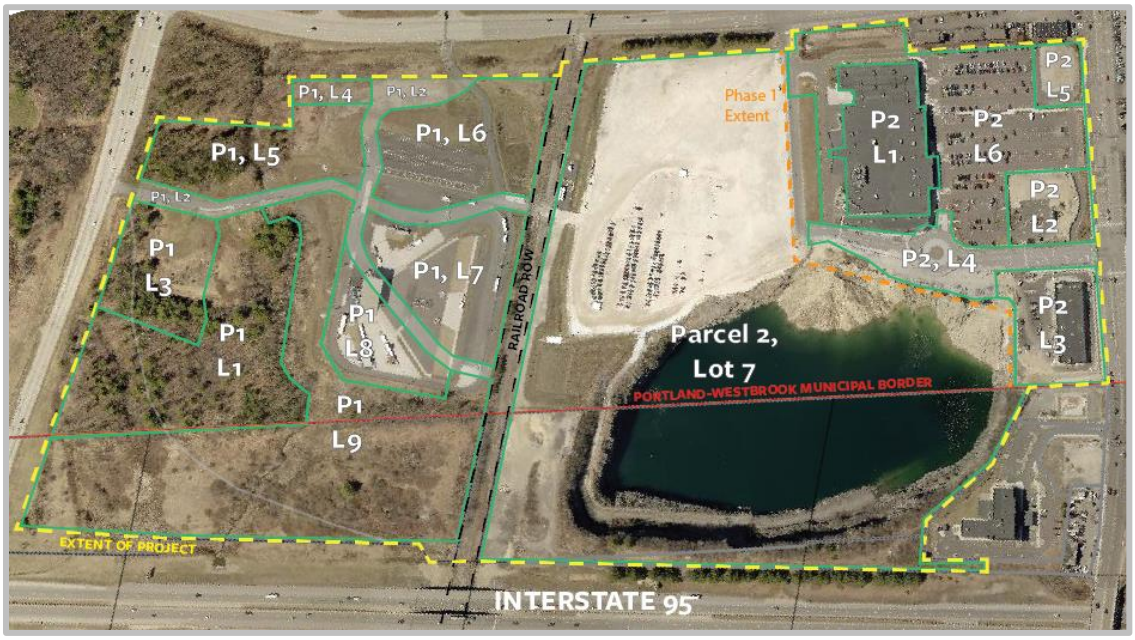


Figure 4 – 2022 New Subdivision (Parcel 1) and 2022 Subdivision Amendment (Parcel 2)

VI. RIGHT, TITLE, & INTEREST

Dirigo Center Developers, LLC and Waterstone Rock Row Medical Campus, LLC have provided deeds demonstrating right, title, and interest for Parcel 1 that includes Portland Lots 252-A001 and 253-A001. The documentation also includes agreements between the applicants and Maine Department of Transportation to establish new boundaries between Parcel 1 Lot 9 and the Interstate 95 right-of-way. The documentation demonstrates ownership of the remainder of Parcel 1 that includes Westbrook parcels (Attachment D).

Dirigo Center Developers, LLC has provided deeds demonstrating right, title, and interest for Parcel 2 that includes Portland Lots 264-A002, 264-A004, 265-A003, and 265-A0055. The deeds also demonstrate ownership of the remainder of Parcel 2 that includes Westbrook parcels (Attachment D).

VII. FINANCIAL & TECHNICAL CAPACITY

Waterstone Properties, Ltd. Own and control both applicants (Dirigo Center Developers, LLC and Waterstone Rock Row Medical Campus, LLC) and have provided financial statements as of March 31, 2021 (Attachment J). Through these submissions, the applicants have demonstrated adequate financial capacity.

Dirigo Center Developers, LLC and Waterstone Rock Row Medical Campus, LLC are both owned and controlled by Waterstone Properties Group (a real estate development company located in Needham, Massachusetts). Waterstone's portfolio includes a variety of large developments in Maine and Massachusetts. Additionally, the applicants have worked with and plan to work with a variety of consultants, legal attorneys, and other professionals for the planning and development of Rock Row (Attachment K). The ownership and team of professionals listed demonstrate adequate technical capacity.

VIII. ZONING ANALYSIS

Currently, the Portland portion of Parcel 1 is located entirely in the I-L Low-Impact Industrial zone. As proposed, Parcel 1 Lot 9 will remain in the I-L Low-impact Industrial zone and meets the dimensional standards. The dimensional standards for this zone can be found in *Table 7-G: Industrial & Airport Zone Dimensional Standards:*

Dimensional Standard	Proposed	Required
Lot area (min.)	531,561 square feet	None
Street Frontage (min.)	140 feet	60 feet
Structure Height (max.)	None	45 feet
Impervious surface ratio (max.)	None	65%

The Portland portion of Parcel 2 is located in both the I-L Low-Impact Industrial zone and the B-4 Commercial Corridor zone. As proposed, Parcel 2 Lot 7 will remain in both the I-L Low-Impact Industrial zone and the B-4 Commercial Corridor zone and meets the dimensional standards. The dimensional standards for the B-4 Commercial Corridor zone can be found in *Table 7-E: Mixed-Use Zone Dimensional Standards:*

Dimensional Standard	Proposed	Required
Lot area (min.)	1,019,510 square feet	10,000 square feet
Street Frontage (min.)	>400 feet (along Larrabee Road)	60 feet
Structure Height (max.)	None	65 feet
Impervious surface ratio (max.)	None	80%

IX. SUBDIVISION REVIEW STANDARDS (Section 15.4)

The proposed development has been reviewed by staff for conformance with the relevant review standards of Portland's Subdivision Ordinance and applicable regulations. Staff comments are listed below:

1. <u>Will Not Result in Undue Water and Air Pollution (Section 15.4.1.A), and will not result in undue soil erosion (Section 15.4.1.D)</u>
   Staff Finding: The stormwater for the site flows into the Nason's Brook Watershed, which is one of Portland's Urban Impaired Streams. Although no development is being considered as part of either Subdivision or Subdivision Amendment application, future development would still need to meet permitting requirements as part of the Maine Department of Environmental Protection review of SLODA, NRPA, and Stormwater Management plan. The applicant will need to provide final permits as a condition of approval.

2. <u>Has sufficient water available and will not cause unreasonable burden on existing water supply (Section 15.4.1.B and C)</u>
   Staff Finding: Portland Water District has issued an Ability to Serve letter stating that the municipal water system will support future development of both Rock Row campuses. Additionally, the Portland Water District approved the plans for Rock Row Phase 1 development.

3. <u>Will not cause unreasonable highway or public road congestion or unsafe conditions with respect to use of the highway or public roads existing or proposed (Section 15.4.1.E)</u>
   Staff Finding: The Maine Department of Transportation (MaineDOT) issued a Traffic Movement Permit (TMP) for Phase 1 development of Rock Row. MaineDOT is the review authority for this TMP because the Rock Row development crosses the Portland-Westbrook municipal border (normally MaineDOT delegates review authority to Portland). The applicant intends to revise the approved TMP and is working with MaineDOT with input from Portland City Staff. The applicant will need to provide an updated TMP approved by the MaineDOT as a condition of approval.

4. Will provide for adequate sanitary sewer and stormwater disposal (Section 15.4.1.F) and will not cause an unreasonable burden on municipal solid waste and sewage (Section 15.4.1.G)
   Staff Finding: The proposed Subdivision and Subdivision Amendment applications do not alter the previously approved sewer designs and approvals associated with Phase 1 development. Future development will need to receive approval for any changes or increase to the Portland sewer or water systems.

   Rock Row Phase 1 development utilizes private solid waste removal for all recyclable and non-recyclable solid waste.

5. Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat (Section 15.4.1.H)
   Staff Finding: The NRPA and SLODA Maine DEP reviews involve reviewing impact on the scenic beauty, natural beauty, aesthetics, historic sites, and significant wildlife habitat at the Rock Row campuses. As a former quarry, the site contains limited landscape features and wildlife elements. DEP found that future development would not result in an unreasonable adverse effect on the surrounding area.

6. Is in conformance with the Comprehensive Plan (Section 15.4.1.I)
   Staff Finding: No development is currently proposed within the City Limits of Portland.

7. Adequate financial and technical capacity (Section 15.4.1.J)
   Staff Finding: As mentioned in sections VI and VII of this report, the applicants have demonstrated adequate financial and technical capacity.

8. Whenever situated, in whole or in part, within the watershed of any pond or lake or within 250 feet of any wetland, great pond, or river, will not adversely affect the quality of such body of water or unreasonably affect the shoreline of such body of water (Section 15.4.1.K)
   Staff Finding: The applicants have stated that the Portland Planning Board approved the stormwater design which demonstrated no adverse effect to Nasons Brook (designated urban impaired stream) located on Parcel 1. With no future development currently proposed, the amended subdivision will not result in any impact to wetlands or water bodies.

9. Will not, adversely affect the quality and quantity of groundwater (Section 15.4.1.L)
   Staff Finding: DEP's SLODA review established a stormwater design that will not adversely affect the quality and quantity of groundwater in the development or surrounding lots.

10. Is or is not in a flood-prone area (Section 15.4.1.M)
    Staff Finding: The Rock Row development is not located within any designated flood zones.

11. Will provide for adequate stormwater management (Section 15.4.1.N)
    Staff Finding: Stormwater management is encompassed by the DEP SLODA review and meets the basic, general, urban impaired stream, and flood standards.

12. Will not have lots with a lot depth-to-shore frontage ratio greater than 5 to 1 if any lots in the proposed subdivision have shore frontage on a river, stream brook, great pond, or coastal wetland (Section 15.4.1.O)

Staff Finding: The Rock Row development does not have shore frontage on any lots.

13. For any proposed subdivision that crosses municipal boundaries, will not cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality in which part of the subdivision is located (Section 15.4.1.P)
Staff Finding: The Maine Department of Transportation (MaineDOT) issued a Traffic Movement Permit (TMP) for Phase 1 development of Rock Row. MaineDOT is the review authority for this TMP because the Rock Row development crosses the Portland-Westbrook municipal border (normally MaineDOT delegates review authority to Portland). The applicant intends to revise the approved TMP and is working with MaineDOT with input from Portland City Staff. . The applicant will need to provide an updated TMP approved by the MaineDOT as a condition of approval.

X. NEIGHBORHOOD MEETING & PUBLIC COMMENT

The applicant held a Neighborhood Meeting on June 10, 2022 at 6pm. The notice was sent to all property owners within 500 feet of the proposed subdivision as well as the interested party list. No members of the public attended the meeting (Attachments M+O).

No public comment has been submitted to the Planning & Urban Development Department.

XI. STAFF RECOMMENDATION

Subject to the proposed motions and conditions of approval listed below, Planning Department staff recommends to the Planning Board that the proposed projects, PL-002022-2022 (300 Rand Road) and PL-002021-2022 (1190 Brighton Avenue), meets the applicable standards of Portland's Land Use Code.

XII. PROPOSED MOTIONS

A. SUBDIVISION REVIEW (300 Rand Road – Subdivision)

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report for the public hearing on June 28, 2022 for application #PL-002022-2022 relevant to the subdivision regulations, and the testimony presented at the Planning Board hearing, the Planning Board [finds/does not find] that the plan is in conformance with the subdivision standards of the Land Use Code subject to the following conditions of approval:

PRIOR TO THE SUBMISSION OF THE PLAT FOR PLANNING BOARD SIGNATURE

1. The subdivision plat shall be finalized to the satisfaction of the Planning Authority, Corporation Counsel and Department of Public Works and include clear descriptions of the number, location, type and size of all subdivided units, along with relevant notes and conditions.
2. The applicant shall provide a revised Site Location of Development permit approved by the Maine Department of Environmental Protection and a revised Traffic Moving Permit approved by the Maine Department of Transportation.

B. SUBDIVISION REVIEW (1190 Brighton Avenue – Subdivision Amendment)

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 28, 2022 for application #PL-002021-2022 relevant to the subdivision regulations, and the testimony presented at the Planning Board hearing, the Planning Board [finds/does not find] that the plan is in conformance with the subdivision standards of the Land Use Code subject to the following conditions of approval:

PRIOR TO THE SUBMISSION OF THE PLAT FOR PLANNING BOARD SIGNATURE

1. The subdivision plat shall be finalized to the satisfaction of the Planning Authority, Corporation Counsel and Department of Public Works and include clear descriptions of the number, location, type and size of all subdivided units, along with relevant notes and conditions.
2. The applicant shall provide a revised Site Location of Development permit approved by the Maine Department of Environmental Protection and a revised Traffic Moving Permit approved by the Maine Department of Transportation.

XIII. ATTACHMENTS

APPLICANT SUBMITTAL

A. Cover Letter
B. Project Description
C. Checklist
D. Right, Title, and Interest
E. Evidence of Approvals
F. Zoning Assessments
G. Subdivision Standards Assessment
H. Existing or Proposed Easements
I. Waiver Requests
J. Financial Capability
K. Technical Capability
L. Plans
M. Drainage Analysis + E&S Controls
N. Neighborhood Meeting Sign In
O. Neighborhood Meeting Minutes
P. Site Posting Certification

PLANS

Plan 1. Overall Site Plan
Plan 2. South Campus Plat (300 Rand Road)
Plan 3. North Campus Plat (1190 Brighton Avenue)

JONES&BEACH
ENGINEERS INC.
85 Portsmouth Avenue, PO Box 219, Stratham, NH 03885
603.772.4746 - JonesandBeach.com

May 6, 2022

Portland Planning Board
Attn.: James Rather, Development Review Manager
City of Portland
389 Congress Street
Portland, ME 04101

Re: **Rock Row:**
58 & 80 Main Street; 901, 903 & 905 Rock Row, and 53 Westbrook Arterial
CBL: 252-A-001; 253-A-001; 264-A-002; 264-A-004; 265-A-003; 265-A-005
(the "Property")

Dear James:

On behalf of our clients, Dirigo Center Developers, LLC ("Dirigo") and Waterstone Rock Row Medical Campus LLC ("Waterstone") and together ("Applicants"), we are submitting the enclosed Application for Subdivision Approval (South Campus) and Application for Amended Subdivision Approval (North Campus). Each of these Applications is summarized below.

A. Subdivision Application, South Campus

Through this Application, the Applicants propose to subdivide the separate South Campus tract or parcel, creating six lots:

- Lot 1, the proposed Medical Office Building Lot;
- Lot 2, Rock Row, from Westbrook Arterial to the railroad tracks;
- Lot 3, the parking garage associated with the Medical Office Building;
- Lot 4, the proposed Sewer Lift Station location;
- Lot 5, between the Lift Station and Rock Row;
- Lot 6, the potential Conference Center lot; and
- Lot 7, the remaining land (a portion of which is in Portland: Parcels CBL: 252-A-001 and 253-A-001).

In support of this Subdivision Application, enclosed please find a completed Subdivision Checklist and Application with all supporting documentation and a plan set.

B. Amended Subdivision Application, North Campus

Through this Application, Applicant Dirigo proposes to amend the North Campus Subdivision approval, granted October 25, 2016 to:

- Create Lot 7, from Rock Row to Larrabee Road (behind Market Basket). This is simply a land division with no roads or buildings presently proposed, and a portion of it includes four parcels located in Portland: CBL: 264-A-002; 265-A-003; 265-A-004; and 265-A-005.

In support of this Subdivision Application, enclosed please find a completed Subdivision Checklist and Application with all supporting documentation and a plan set.

Notably, no new structures, or development or roads are being proposed on the Portland portions of these properties as part of the Applications.

C. Development Permitting History

The project has received several other approvals to date, including a Maine DEP Site Location of Development (SLODA) Permit (with Amendments and Minor Revisions) and Natural Resources Protection Act (NRPA) Permit; a Maine DOT Traffic Movement Permit (TMP); coverage under the Maine General Permit issued by the U.S. Army Corps of Engineers, as well as Site Plan, Subdivision and Conditional Use approvals from the City of Westbrook. The Rock Row project received initial subdivision approval from the City of Portland Planning Board October 18, 2016. Portland's Planning and Urban Development Director approved minor changes to the North Campus subdivision plan on October 25, 2018 in accordance with Section 14-496(c) of the Portland City Code of Ordinances (the "Code"), which permits the Planning Authority (the Director of Planning and Urban Development) to approve a subdivision amendment that: only affects lot lines and does not increase the number of lots; does not affect any street, alley, utility easement or drainage easement; meets codes; and is approved by the public works authority and the fire department. Copies of prior approvals from the City of Portland are included with this submittal. On January 20, 2020, the Portland Planning Board approved an application to amend the subdivision approval to increase the number of lots on the North Campus from three to six.

Because the subdivision tracts or parcels cross city boundaries, the subdivision and subdivision amendments would require both Westbrook and Portland Planning Board approvals; however, under a standing order by both Boards, the Boards have waived joint review and will review the subdivision Applications separately. The Westbrook Planning Board has held a workshop on the Applications on April 5, 2022. We will seek minor revision approval of the overall development under the SLODA permit from DEP to show lot lines after both Cities' Planning Boards approve the subdivision and subdivision amendment.

D. Conclusion

We look forward to presenting these Applications to the Planning Board on June 28, 2022. In the meantime, if you have any questions or need additional information, please let me know.

Very truly yours,

JONES & BEACH ENGINEERS, INC.

E. Ian MacKinnon

Ian MacKinnon, P.E.
Project Manager

cc: Josh Levy, Waterstone Properties
Tom Godfrey, Granite Development
Andre Cardoso, Scalora Consulting
Derek Caldwell, Sebago Technics
James N. Katsiaficas, Esq., Perkins Thompson

Section 1 - Project Description

As summarized in the cover letter submitted with this Application, Dirigo Center Developers, LLC ("Dirigo" or the "Applicant"), proposes amending the subdivision plan of the North Campus of Rock Row (hereinafter, the "Project") to create Parcel 2, Lot #7 by striking a new property line from the southern limits of Parcel 2, Lot no. 4 west towards the Larrabee Road right-of-way. No construction or development is proposed pursuant to this Application.

Section 1 - Project Description

As summarized in the cover letter submitted with this Application, Dirigo Center Developers, LLC ("Dirigo" or the "Applicant"), proposes amending the subdivision plan of the North Campus of Rock Row (hereinafter, the "Project") to create Parcel 2, Lot #7 by striking a new property line from the southern limits of Parcel 2, Lot no. 4 west towards the Larrabee Road right-of-way. No construction or development is proposed pursuant to this Application.

CITY OF PORTLAND
Planning & Urban Development Department

SUBDIVISION
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 of 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	**Subdivision Standards Assessment** (see Article 15.4 of the land use code) • Summary of compliance with subdivision review standards of the land use code
Yes	NA	**Existing and/or Proposed Easements or Covenants, applicable.** • Evidence of existing easements and any proposed easements
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

SUBDIVISION SUPPLEMENTAL SUBMISSIONS CHECKLIST Provide assessment of compliance with standards and include supplemental documentation, as applicable. Please submit each document as a separate PDF file.	
Yes NA	• When private sewage systems are used, the results and supporting data of a soil test of each lot in the subdivision conducted by a soil evaluator licensed in the state.
Yes NA	• When the adequacy of the subdivision's load bearing capacity is in question, a geotechnical report with supporting data that includes the result of test borings shall be prepared by a professional engineer registered in the state and submitted.
Yes NA	• Price range of houses that will be built in the subdivision.
Yes NA	• Traffic impact analysis.
Yes NA	• High intensity soil survey, if required by the Planning Authority.
Yes NA	• Types and estimated quantities of solid waste to be generated by the development.
Yes NA	• A narrative describing all proposed buffer strips, their dimensions, and maintenance plans and responsibilities.
Yes NA	• A description of any wetlands, wildlife and fisheries habitats, archaeological sites or unusual natural areas located on or near the project site and a description of the methods that will be used to protect such area.
Yes NA Yes NA	• Construction plan outlining the anticipated sequence of construction of the major features of the project including without limitation roads, retention basins, sewer lines, seeding and other erosion and sedimentation control measures, and pollution abatement measures and also setting forth the approximate dates for commencement and completion of the project.
Yes NA	• When conditions warrant, a program to control dust, erosion and sedimentation and/or vehicular traffic during construction.
Yes NA	• At the option of the subdivider, any other information that may be necessary for the full and proper consideration of the subdivision shall be submitted in writing.

SUBDIVISION
DRAWINGS CHECKLIST

Please submit each document as a separate PDF file.

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

SUBDIVISION PLAT (at a scale not more than 1"=60', unless lots are more than one acre in size)

1. Date, north point, title and graphic scale.
2. Names, addresses and stamp or certification, if applicable, of registered professional engineer, subdivider, and owner
3. Vicinity sketch (may be shown on separate plan);
4. Names of adjacent property owners with parcels over 25,000 square feet or names of adjacent subdivision;
5. Location and designation of any zoning district boundaries affecting the subdivision;
6. Total site data, including total area of the subdivision, total area in streets, total area in recreation or open space and number of house lots;
7. Based on a recent survey by the subdivider, existing contours at two foot intervals or as otherwise required by the Public Works Authority. Existing structures which are to remain will shall be delineated;
8. Tract boundary lines and property lines of lots, with accurate dimensions and either bearings or deflection angles. All lots shall be numbered;
9. Names of proposed streets, width of rights of way, typical cross section reservation, and depth of construction materials;
10. Locations, widths and purposes of other rights of way or easements to be recorded;
11. All appropriate street geometry information, including point of curvature, point of tangency, tangent distance, radii and interior angle, in standard engineering format;
12. Location of those utilities existing on or adjacent to the tract to be subdivided, including size and elevation of buried or underground utilities (may be shown on separate plan);
13. Designation of flood hazard areas, as defined by the National Flood Insurance Program and shown on the city flood hazard boundary map, as well as any other areas in the subdivision subject to inundation by stormwater or storm sewer overflow;
14. All potential wetlands within the proposed subdivision, regardless of the size of those wetlands;

15. Any river, stream or brook within or abutting the proposed subdivision. For purposes of this section, "river, stream or brook" has the same meaning as in 38 M.R.S. § 480 B, Subsection 9.

16. Existing historic sites and structures which either appear on the National Register or are nominated to the National Register by the state historic preservation officer;

17. Proposed private and public utility system including water, gas, telephone, fire hydrants, and any other services which shall supply the area (may be shown on separate plan);

18. Sanitary sewer and storm drain plans and profiles showing size, kind and slope of pipe, proposed manhole rim and invert elevations and catch basin locations and drains (may be shown on separate plan);

19. Lighting plan showing the location, design, height and spacing from each other of the support poles, in accordance with standards and specifications established by the Public Works Authority (may be shown on separate plan);

20. Tree plan showing groups of existing, sizeable trees which the subdivider intends to preserve (may be shown on separate plan);

21. A detailed plan of the entire subdivision and the immediate vicinity showing all existing and proposed drainage both on- and off-site including drainage swales, ditches, etc., with directional flow arrows and approximate slope grades, and showing proposed finished "spot elevations" around the perimeter of the subdivision. Proposed drainage shall be shown as it may affect or restrict development on individual lots and with reference to improvements for which a performance guarantee is required under this article. Where deemed feasible by the Public Works Authority, proposed finished contours at intervals of two feet shall be provided on the drainage plan upon request (may be shown on separate plan);

22. All future phases and sections of the subdivision proposed by the subdivider (may be shown on separate plan);

23. Proposed parks and school sites, or other public open space that the developer proposes to convey to the city;

24. Streets and right of way monuments and property line markers;

25. Profiles of each street or way in the subdivision shall be shown on the subdivision plat. They shall be drawn to a longitudinal scale of 40 feet to one foot and a vertical scale of four feet to one inch. Such profiles shall include separate profiles of each side line and center line of the street or way. Any buildings abutting on the street shall be shown in standard engineering format as requested by the Public Works Authority.

26. Where submission drawings are available in electronic form, the applicant shall submit any available electronic CAD files with final plans.

Section 3 - Right, Title, and Interest

Enclosed are the following deeds evidencing Dirigo Center Developers, LLC's right, title and interest in the subject property:

- Book 34380, Page 164:
  - Westbrook Tax Map 42B, Lots 10 & 11* (described as Parcel 1 in the deed)
  - **Portland Tax Map 264, Lots A002 & A004 and Tax Map 265, Lots A003 & A005 (Parcel 3)**

- Book 34161, Page 294
  - Westbrook Tax Map 42B, Lot 9*

*Lots formerly identified as Westbrook Tax Map 42, Lots 9, 10, 11 have been consolidated into a single Lot 11 according to City of Westbrook Assessor's records.

Attachments: Deeds

MAINE REAL ESTATE TAX PAID

LIMITED WARRANTY DEED

Know all persons by these presents, that **PIKE INDUSTRIES, INC.**, a Delaware corporation, also known as Pike Industries (the "Grantor"), whose address is 3 Eastgate Park Road, Belmont, New Hampshire 03220, in consideration of the sum of Ten Dollars ($10.00), cash in hand and other good and valuable consideration paid by **DIRIGO CENTER DEVELOPERS, LLC**, a Maine limited liability company ("Grantee"), whose mailing address is One Canal Plaza, Portland, Maine 04101, the receipt of which is hereby acknowledged by Grantor, do hereby give, grant, bargain, sell and convey unto the said Grantee, its heirs and assigns forever, the following described real estate, to wit:

SEE SCHEDULE A ATTACHED HERETO AND MADE A PART HEREOF, (the "Premises").

To have and to hold the aforegranted and bargained Premises, with all the privileges and appurtenances thereof, unto the said Grantee, its heirs and assigns, to their use and behoof forever.

And the said Grantor does covenant with the said Grantee, its heirs and assigns, that Grantor is lawfully seized in fee of the Premises, that Premises are free of all encumbrances, that Grantor has good right to sell and convey the same to the said Grantee to hold as aforesaid; and that Grantor and its heirs shall and will warrant and defend the same unto the said Grantee, its heirs and assigns forever, against the lawful claims and demands of all persons by through and under Grantee, but no other. Grantor hereby quitclaims to Grantee all right, title and interest in and to the approximately 9 foot by 103 foot strip of land shown on the ALTA/NSPS Land Survey of 80 Main Street, Westbrook, ME, dated April 6, 2016 by Jones & Beach Engineers, Inc.

[Signature appears on following page]

IN WITNESS WHEREOF, this 22nd day of September, 2017.

Signed, sealed and delivered
in the presence of:

Witness

Kathryn Davis
Witness

GRANTOR:

PIKE INDUSTRIES, INC.

By:
Name: David M. Toolan
Title: Assistant Secretary

State of Georgia
County of DeKalb ss:

Personally appeared before me, this 22nd day of September, 2017, David M. Toolan, as the Assistant Secretary of Pike Industries, Inc., a Delaware corporation, and acknowledged the foregoing instrument as the official act and deed of Pike Industries, Inc.

Kathryn Davis
My Commission Expires
Notary Public
February 12, 2020
DeKalb County, Georgia

[AFFIX SEAL]

Kathryn Davis
Notary Public
Printed Name: Kathryn Davis

My Commission Expires: 2/12/20

SCHEDULE A
LEGAL DESCRIPTION

PARCEL 1: WESTBROOK TAX MAP 42B, LOTS 10 & 11

A CERTAIN LOT OR PARCEL OF LAND LOCATED ON THE EASTERLY SIDE OF LARRABEE ROAD AND THE SOUTHERLY SIDE OF MAIN STREET IN THE CITY OF WESTBROOK BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON ROD, ON THE SOUTHERLY SIDELINE OF MAIN STREET, SO-CALLED, ON THE TOWN LINE OF WESTBROOK AND PORTLAND, SAID POINT BEING S 14° 03' 36" W 5.39 FEET FROM A STONE BOUND ON SAID TOWN LINE, AND BEING THE MOST SOUTHEASTERLY CORNER OF THE WITHIN DESCRIBED PARCEL;

THENCE, S 14° 03' 36" W A DISTANCE OF 1779.47 FEET TO A POINT ON THE NORTHERLY SIDE OF LAND NOW OR FORMERLY OF THE PORTLAND TERMINAL COMPANY RAILROAD;

THENCE, TURNING AND RUNNING N 60°58'29" W ALONG THE NORTHERLY SIDELINE OF THE PORTLAND TERMINAL COMPANY RAILROAD A DISTANCE OF 1113.15 FEET TO A POINT ON THE EASTERLY SIDE OF LARRABEE ROAD, SAID POINT BEING N 15°02'03" E 1.67 FEET FROM A CONCRETE HIGHWAY BOUND;

THENCE: ALONG A CURVE TO THE LEFT WITH A RADIUS OF 11524.16 FEET, A DISTANCE OF 561.11 FEET, MAKING AN INCLUDED ANGLE OF 2° 47' 23", SAID CURVE HAVING A CHORD WITH A BEARING OF N 13° 56' 24" E AND A LENGTH OF 561.06 FEET, TO A POINT;

THENCE: ALONG A CURVE TO THE LEFT WITH A RADIUS OF 11524.16 FEET, A DISTANCE OF 7.23 FEET, MAKING AN INCLUDED ANGLE OF 0° 02' 09", SAID CURVE HAVING A CHORD WITH A BEARING OF N 12° 31' 38" E AND A LENGTH OF 7.23 FEET, TO A POINT;

THENCE: N 77° 29' 27" W A DISTANCE OF 15.00 FEET TO A POINT ON THE EASTERLY SIDE OF LARRABEE ROAD;

THENCE: ALONG A CURVE TO THE LEFT WITH A RADIUS OF 11509.16 FEET, A DISTANCE OF 388.80 FEET, MAKING AN INCLUDED ANGLE OF 1° 56' 08", SAID CURVE HAVING A CHORD WITH A BEARING OF N 11° 32' 29" E AND A LENGTH OF 388.78 FEET, TO A POINT;

THENCE: S 79° 53' 31" E A DISTANCE OF 68.91 FEET TO A POINT;

THENCE: N 14° 33' 07" E A DISTANCE OF 99.92 FEET TO AN IRON ROD;

THENCE: N 15° 01' 17" E A DISTANCE OF 181.30 FEET TO AN IRON ROD;

THENCE: N 79° 58' 26" W A DISTANCE OF 1.45 FEET TO A POINT;

THENCE: N 14° 55' 10" E A DISTANCE OF 233.84 FEET TO A POINT, SAID POINT BEING N 14° 55' 10" E 1.21 FEET FROM A IRON PIPE;

THENCE: ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 2782.76 FEET, A DISTANCE OF 26.79 FEET, MAKING AN INCLUDED ANGLE OF 0° 33' 06", SAID CURVE HAVING A CHORD WITH A BEARING OF

S 77° 14' 34" E AND A LENGTH OF 26.79 FEET, TO A POINT, SAID POINT BEING N 15° 15' 17" E 0.19 FEET FROM AN IRON ROD;

THENCE: S 15° 15' 17" W A DISTANCE OF 413.14 FEET TO AN IRON ROD;

THENCE: S 79° 40' 48" E A DISTANCE OF 74.64 FEET TO AN IRON PIPE;

THENCE: N 15° 08' 31" E A DISTANCE OF 408.62 FEET TO A POINT, SAID POINT BEING N 15° 08' 31" E 0.13' FROM AN IRON PIPE;

THENCE: S 75° 41' 30" E A DISTANCE OF 204.97 FEET TO A CONCRETE BOUND;

THENCE: N 13° 44' 59" E A DISTANCE OF 4.90 FEET TO A CONCRETE BOUND;

THENCE: S 76° 01' 52" E A DISTANCE OF 50.23 FEET TO A CONCRETE BOUND;

THENCE: S 77° 36' 10" E A DISTANCE OF 150.08 FEET TO A POINT;

THENCE: S 75° 41' 37" E A DISTANCE OF 192.49 FEET TO A POINT;

THENCE: ALONG A CURVE TO THE LEFT WITH A RADIUS OF 5774.65 FEET, A DISTANCE OF 290.59 FEET, MAKING AN INCLUDED ANGLE OF 2° 53' 00", SAID CURVE HAVING A CHORD WITH A BEARING OF S 77° 08' 07" E AND A LENGTH OF 290.56 FEET, TO A POINT;

THENCE: S 78° 34' 17" E A DISTANCE OF 3.12 FEET TO A POINT;

THENCE: ALONG A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 1387.69 FEET, A DISTANCE OF 42.50 FEET, MAKING AN INCLUDED ANGLE OF 1° 45' 17", SAID CURVE HAVING A CHORD WITH A BEARING OF S 77° 41' 59" E AND A LENGTH OF 42.49 FEET, TO THE POINT OF BEGINNING.

CONTAINING 39.19 ACRES

PARCEL 2: WESTBROOK TAX MAP 42B, LOT 14

A CERTAIN LOT OR PARCEL OF LAND LOCATED ON THE EASTERLY SIDE OF LARRABEE ROAD AND THE NORTHERLY SIDE OF WESTBROOK ARTERIAL IN THE CITY OF WESTBROOK BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, AT THE MOST NORTHWESTERLY CORNER OF THE WITHIN DESCRIBED PARCEL, BEING THE INTERSECTION OF THE EASTERLY SIDELINE OF LARRABEE ROAD, SO-CALLED, AND THE SOUTHERLY SIDELINE OF THE PORTLAND TERMINAL COMPANY RAILROAD;

THENCE, RUNNING S 60°58'29" E ALONG THE SAID SOUTHERLY SIDELINE OF THE PORTLAND TERMINAL COMPANY RAILROAD A DISTANCE OF 1078.76 FEET TO A POINT ON THE TOWN LINE BETWEEN WESTBROOK AND PORTLAND, SAID POINT BEING N 60°58'29" W 0.89 FEET FROM AN IRON PIPE;

THENCE, TURNING AND RUNNING S 14°03'36" W BY THE SAID TOWN LINE BETWEEN WESTBROOK AND PORTLAND A DISTANCE OF 864.32 FEET TO AN IRON ROD ON THE NORTHERLY SIDELINE OF THE WESTBROOK ARTERIAL, SO-CALLED;

THENCE, TURNING AND RUNNING S 57°12'11" W ALONG THE NORTHERLY SIDELINE OF THE WESTBROOK ARTERIAL, SO-CALLED A DISTANCE OF 147.65 FEET TO A CONCRETE BOUND;

THENCE, RUNNING WESTERLY, ALONG A NON-TANGENT CURVE TO THE RIGHT, CONTINUING ALONG THE NORTHERLY SIDELINE OF THE WESTBROOK ARTERIAL, SO-CALLED, HAVING A RADIUS OF 305.00 FEET, AN INCLUDED ANGLE OF 43°29'50", A DISTANCE OF 231.55 FEET, A CHORD OF S 78°58'25" W 226.03 FEET TO A CONCRETE BOUND;

THENCE, RUNNING WESTERLY, ALONG A NON-TANGENT CURVE TO THE RIGHT, CONTINUING ALONG THE NORTHERLY SIDELINE OF THE WESTBROOK ARTERIAL, SO-CALLED, HAVING A RADIUS OF 595.00 FEET, AN INCLUDED ANGLE OF 22°50'02", A DISTANCE OF 237.12 FEET, A CHORD OF N 68°00'01" W 235.56 FEET TO A POINT;

THENCE, RUNNING N 67°33'48" W, CONTINUING ALONG THE NORTHERLY SIDELINE OF THE WESTBROOK ARTERIAL, SO-CALLED, A DISTANCE OF 104.20 FEET TO A CONCRETE BOUND;

THENCE, RUNNING N 55°21'41' W, CONTINUING ALONG THE NORTHERLY SIDELINE OF THE WESTBROOK ARTERIAL, SO-CALLED, A DISTANCE OF 187.24 FEET TO A POINT, SAID POINT BEING S 18°12'52" W 0.48 FEET FROM AN IRON ROD AT THE CORNER OF LAND NOW OR FORMERLY OF THE DEVISEES OF LLEWELLYN A. RANDALL SR;

THENCE, TURNING AND RUNNING N 18°12'52" E A DISTANCE OF 123.29 FEET TO A POINT;

THENCE, RUNNING N 14°44'46" E A DISTANCE OF 84.56 FEET TO A POINT;

THENCE, RUNNING N 13°21'04" E A DISTANCE OF 189.80 FEET TO AN IRON PIPE;

THENCE, TURNING AND RUNNING N 78°40'14" W A DISTANCE OF 139.26 FEET TO A POINT;

THENCE, RUNNING N 67°42'19" W A DISTANCE OF 88.28 FEET TO A CONCRETE BOUND;

THENCE, RUNNING N 68°25'34" W A DISTANCE OF 25.35 FEET TO A CONCRETE BOUND ON THE EASTERLY SIDELINE OF LARRABEE ROAD, SO-CALLED;

THENCE, TURNING AND RUNNING N 15°23'23" E ALONG THE EASTERLY SIDELINE OF SAID LARRABEE ROAD, SO-CALLED, A DISTANCE OF 826.52 FEET TO THE POINT OF BEGINNING.

CONTAINING 25.41 ACRES

PARCEL 3: PORTLAND TAX MAP 264, LOTS A002 & A004. AND PORTLAND TAX MAP 265, LOTS A003 & A005

A CERTAIN LOT OR PARCEL OF LAND LOCATED ON THE SOUTHERLY SIDE OF MAIN STREET IN THE CITY OF PORTLAND BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, AT THE MOST NORTHERLY CORNER OF THE WITHIN DESCRIBED PARCEL AND BEING ON THE TOWN LINE OF WESTBROOK AND PORTLAND, SAID POINT BEING S 14° 03' 36" W 216.42 FEET FROM AN IRON ROD ON SAID TOWN LINE AND ON THE SOUTHERLY SIDELINE OF MAIN STREET, SO-CALLED;

THENCE, RUNNING S 48°15'15" E A DISTANCE OF 273.48 FEET TO A POINT;

THENCE, RUNNING S 22°23'45" E A DISTANCE OF 252.50 FEET TO AN IRON ROD FOUND;

THENCE, TURNING AND RUNNING S 71°36'48" E A DISTANCE OF 111.65 FEET TO AN IRON ROD FOUND;

THENCE, TURNING AND RUNNING N 18°23'09" E A DISTANCE OF 168.44 FEET TO A POINT;

THENCE, TURNING AND RUNNING S 75°32'48" E A DISTANCE OF 31.32 FEET TO A POINT ON THE WESTERLY SIDE OF THE MAINE TURNPIKE;

THENCE, TURNING AND RUNNING S 18°07'11" W ALONG THE WESTERLY SIDE OF THE SAID MAINE TURNPIKE A DISTANCE OF 1513.73 FEET TO A POINT ON THE NORTHERLY SIDE OF LAND NOW OR FORMERLY OF THE PORTLAND TERMINAL COMPANY RAILROAD;

THENCE, TURNING AND RUNNING N 60°58'29" W ALONG THE NORTHERLY SIDELINE OF THE PORTLAND TERMINAL COMPANY RAILROAD A DISTANCE OF 455.86 FEET TO A POINT ON THE TOWN LINE BETWEEN PORTLAND AND WESTBROOK;

THENCE, TURNING AND RUNNING N 14°03'36" E ALONG SAID TOWN LINE A DISTANCE OF 1563.05 FEET TO THE POINT OF BEGINNING.

CONTAINING 16.48 ACRES

ALSO INCLUDING

A CERTAIN LOT OR PARCEL OF LAND, SITUATED ON THE SOUTHERLY SIDE OF MAIN STREET IN THE CITY OF WESTBROOK CUMBERLAND COUNTY, MAINE, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A IRON PIPE ON SAID SOUTHERLY SIDE OF SAID STREET, SAID IRON PIPE BEING THE NORTHEASTERLY CORNER OF THE WITHIN DESCRIBED PARCEL;

THENCE: N 75°41'30" W ON THE SOUTHERLY SIDE OF SAID STREET A DISTANCE OF 7.48 FEET TO A BOUND;

THENCE: WESTERLY ON THE SOUTHERLY SIDE OF SAID STREET, ALONG A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 2782.76 FEET, HAVING A CENTRAL ANGLE OF 00°01'20", AN ARC LENGTH OF 1.08 FEET, A CHORD OF N 75°37'02" W 1.08 FEET TO A POINT;

THENCE: S 15°15'17" W A DISTANCE OF 103.26 FEET TO A POINT;

THENCE: S 75°40'56" E A DISTANCE OF 8.76 FEET TO A POINT;

THENCE: N 15°08'31" E A DISTANCE OF 103.25 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.02 ACRES

Received
Recorded Register of Deeds
Oct 11,2017 03:06:56P
Cumberland County
Nancy A. Lane

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS, that **L.L. LATHROP, INC.**, a Maine corporation whose mailing address is 10 Moulton Street, 4th Floor, Portland, ME 04101, for and in consideration of one dollar and other valuable consideration paid by **DIRIGO CENTERS DEVELOPERS, LLC** ("Grantee") whose mailing address is c/o Waterstone Retail Development, Inc., 322 Reservoir Street, Needham, MA 02494, does hereby grant to the said Grantee, its successors and assigns with **WARRANTY COVENANTS**, a certain lot and parcel of land, with the buildings thereon more particularly described as follows:

A certain lot or parcel of land, with the buildings thereon, situated on the southerly side of Main Street in the City of Westbrook, Cumberland County, Maine, bounded and described as follows, to wit:

BEGINNING at a point on said southerly side of said street, said point being 26 feet easterly from land of one Lufkin; thence southerly along a line parallel with said Lufkin, 125 feet to a point; thence easterly on a line parallel with said street 65 feet to a point; thence northerly on a line parallel with the first named bounds 125 feet to said Main Street; thence westerly along the line of said street 65 feet to the point of beginning.

Also another certain lot or parcel of land adjoining the southerly boundary line of the above-described parcel, said lot being 74 feet wide, and being all that land contained between the easterly and westerly boundary line of the above described parcel extended southerly to a point which is 435 feet distant southerly from said southerly side line of Main Street and the land now or formerly of Franz M. Hansen.

This conveyance is made subject to the following:

1. Rights and easements set forth in conveyance from Hans Nyholm Hansen to Franz M. Hansen and Eva Hansen by deed dated May 14, 1947 and recorded in Book 1868, Page 483.

2. Rights and easements granted from Hans Nyholm Hansen to Socony-Vacuum Oil Company, Incorporated, by deed dated August 20, 1947 and recorded in Book 1891, Page 16.

3. Rights and easement of Central Maine Power excepted in conveyance from the City of Portland to Blue Rock Quarry by deed dated July 13, 1948 and recorded in Book 1921, Page 59.

MAINE REAL ESTATE TAX PAID

4. Rights and easements granted from Blue Rock Quarry to Central Maine Power Company by deed dated October 28, 1950 and recorded in Book 2024, Page 115.

5. Rights and easements of Central Maine Power Company, Portland Pipe Line Corporation, Portland Water District, and New England Telephone and Telegraph Company excepted in conveyance from the City ofPortland to the Maine Turnpike Authority by deed dated April 8, 1955 and recorded in Book 2244, Page 15.

6. Rights and easements granted from Blue Rock Quarry to Central Maine Power Company by deed dated September 20, 1963 and recorded in Book 2783, Page 216; as affected Indenture between Blue Rock Industries and Central Maine Power Company dated December 10, 1971 and recorded in Book 3204, Page 758.

7. Rights and easements granted from Blue Rock Quarry to the State of Maine by deed dated April 13, 1964 and recorded in Book 2817, Page 85; and as depicted on Right of Way Map State Highway "12", Westbrook dated August 1963 and recorded in Plan Book 74, Page 4.

8. Rights and easements granted from Blue Rock Quarry to Portland Pipe Line Corporation by deed dated February 8, 1965 and recorded in Book 2881, Page 459.

9. State of facts shown on a plan of survey entitled "Engineering Laboratory Service Westbrook, Maine Property of Blue Rock Quarry, Westbrook Maine" by Charles F. Pander Chief Engineer, dated February 24, 1965 and recorded in Plan Book 68, Page 40.

10. Notice of Layout and Taking by the State of Maine Highway Commission dated February 19, 1969 and recorded in Book 3079, Page 107; and as depicted on Right of Way Maps State Highway "127", Westbrook dated May 1968 and recorded in Plan Book 103, Pages 25, 26, 27 and 28, including, without limitation, noted controlled access limitations.

11. Rights and easements granted from Blue Rock Quarry to Central Maine Power Company by deed dated March 8, 1969 and recorded in Book 3079, Page 702.

12. State of facts as shown on Right of Way Maps, State Highway "12" dated October 1972 and recorded in Plan Book 127, Pages 24, 25, 26, 27 and 28, including, without limitation, noted controlled access limitations.

13. State of facts shown on a plan of survey entitled "Subdivision-Lot Consolidation Plat, Dirigo Plaza, 80 Main St. & 11 Larrabee Rd, Westbrook, ME" dated February 23, 2015, revised through October 17, 2016 by Jones & Beach Engineers, Inc., including: i) 40' Access crossing land of Portland Terminal Company, to be recorded; ii) Utility lines & substation; iii) Wetlands; iv) Petroleum easement; v) Portland Pipe Line easement (2881/759); vi) CMP Utility easement (3204/758); vii) Proposed 50' easement; and, viii) Notes thereon.

Also quitclaiming and releasing unto the Grantee, without warranty covenants or title representations of any type or description, such rights, if any, as Grantor may have in and to an approximately 9 foot by 103 foot strip of land on the easterly boundary of the property above described as may be shown on an "ALTA/NSPS Land Title Survey, 80 Main Street, Westbrook, Maine" dated April 6, 2016 by Jones & Beach Engineers, Inc.

Reference is made to a Warranty Deed to L.L. Lathrop, Inc. dated August 2, 2004 recorded in the Cumberland County Registry of Deeds in Book 21632, Page 224.

IN WITNESS WHEREOF, the said Grantor has caused this instrument to be signed this 11 day of July, 2017.

Witness

L. L. Lathrop, Inc.

By: _____
Lloyd L. Lathrop, Jr.
Its: President

State of Maine
Cumberland, ss.

July 11, 2017

Personally appeared the above-named Lloyd L. Lathrop and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of L.L. Lathrop, Inc.. Before me,

Notary Public/Attorney-at-Law

Melissa Hansen
Printed Name

SEAL

MELISSA HANSEN
NOTARY PUBLIC
State of Maine
My Commission Expires
April 1, 2024

Received
Recorded Register of Deeds
Jul 17,2017 11:54:34A
Cumberland County
Nancy A. Lane

Section 4 – Evidence of State and Federal Approvals

The Project has received the following State and Federal Approvals to-date:

Maine DEP Natural Resources Protection Act ("NRPA") and Site Location of Development Act ("SLODA") Permit.

The entire Rock Row development (consisting of both the North Campus and the South Campus) first received combined NRPA/SLODA approval on October 7, 2016, which approval authorized the construction of a commercial and retail center creating approximately 52.6 acres of new development, of which approximately 43.3 acres was impervious. The SLODA/NRPA Permit has since been amended several times to reflect changes in the proposed development of the site (all such development to-date has occurred in Westbrook). On March 28, 2019, the DEP (through Order L-02734-26-G-A) approved the development of so-called "Phase I" on the North Campus of Rock Row, consisting of mixed-use retail and restaurant space that includes eight buildings with a total building footprint of 153,889 square feet. Phase I approved the development 18 acres of developed area, of which 16.2 acres will be impervious area. The 2019 Amendment also approved a second project, known as the Amphitheater, on the South Campus of Rock Row in Westbrook. The amphitheater has since been abandoned and instead the Applicant is proposing to redevelop the South Campus as part of Rock Row Phase 4, consisting of a medical office campus to be located on the Westbrook portion of the South Campus. The Medical Office campus is currently under review by DEP and has been assigned #L-02734-23-P-A.

The most recent amendment to the SLODA/NRPA Permit, approved March 25, 2022, is included with this application and includes additional details regarding the history of DEP approvals relating to the development of both the South and North Campuses. The latest amendment approved the proposed elimination of Building 1-H on the North Campus and in its place the construction of a seasonal event space, a pedestrian footpath, and landscaped areas along the edge of the quarry, delineation and paving 41,230 square feet of an existing gravel parking lot, expansion of a drive-thru lane, expansion of an outdoor seating area, and slight modifications to the sidewalks.

Maine DOT Traffic Movement Permit

The overall Project – North and South Campuses – received an amended Traffic Movement Permit (TMP) from the Maine DOT on September 20, 2018. A copy of the amended TMP is included with this application. Notably, the TMP approves a 500,000-square-foot mixed use retail development, including 155,224 square feet of mixed-use retail development as part of Phase I of the Project. Phase I has since been revised since the issuance of the TMP, but the

scale of the development remains consistent with what was previously reviewed and approved by Maine DOT.

U.S. Army Corps of Engineers Maine General Permit

On June 15, 2016, the development received approval from the Army Corps of Engineers to place temporary fill in 1,319 square feet of wetlands and permanent fill in 64,218 square feet of wetlands in conjunction with the development of a retail shopping center and associated infrastructure. On May 7, 2021, the Army Corps of Engineers amended the approval and authorized an additional 12,275 square feet of wetland impact. Copies of the Maine General Permit Authorization Letter and later amendment are enclosed.

Attachments:

1. DEP SLODA/NRPA Order L-02734-23-O-B, dated March 25, 2022
2. Maine DOT Traffic Movement Permit, dated September 20, 2018
3. U.S. Army Corps of Engineers Maine General Permit, dated May 7, 2021

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
17 STATE HOUSE STATION AUGUSTA, MAINE 04333-0017

DEPARTMENT ORDER

IN THE MATTER OF

DIRIGO CENTER DEVELOPERS, LLC	) SITE LOCATION OF DEVELOPMENT ACT
Westbrook, Cumberland County	)
PHASE I CHANGES	)
L-02734-23-O-B (approval)	) FINDINGS OF FACT AND ORDER

Pursuant to the provisions of 38 M.R.S. §§ 481–489-E and Chapters 375, and 500 of Department rules, the Department of Environmental Protection (Department) has considered the application of DIRIGO CENTER DEVELOPERS, LLC (applicant) with the supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

1. PROJECT DESCRIPTION:

A. History of Project: In Department Order #L-02734-14-A-X, dated October 10, 1971, the Department approved the development of a quartzite stone quarry. In Department Order #L-02734-80-B-T dated May 25, 2006, the Department approved the transfer of the quarry from Blue Rock Industries to Pike Industries, Inc. The development covers an area of approximately 82 acres. Activities that were conducted on site include open pit mining, rock crushing, asphalt recycling, and concrete mixing. The quarry pit lies along the municipal boundaries of the Cities of Westbrook and Portland. Development on the parcel is located within the City of Westbrook and bounded by the Westbrook Arterial, Larrabee Road, Main Street (Westbrook) and Interstate I-95.

In Department Order #L-02734-23-C-N/L-02734-TG-D-N, dated October 7, 2016, the Department approved the development of Dirigo Plaza, a commercial and retail center located on the former quarry site, commonly known as Rock Row. The project was authorized to create approximately 52.6 acres of new development, of which approximately 43.3 acres will be impervious area. The Department has subsequently approved several modifications and amendments related to the current development plans for this site. Most recently, in Department Order #L-02734-23-N-M, dated September 3, 2021, the Department approved a change in the general concept design for Phase 4 and the construction of pre-load surcharge pads over future building footprints at the site. Meanwhile, the applicant has submitted an application to revise its development plan for Phase 4 into a medical campus, which is currently being reviewed by the Department and has been assigned #L-02734-23-P-A.

B. Summary: The applicant proposes to eliminate Building 1H in the Phase 1 portion of the development and instead develop that area with approximately 10,660 square foot hardscape area to serve as seasonal event space, a pedestrian footpath, and landscaped areas along the edge of the quarry. The applicant also proposes to delineate and pave approximately 41,230 square feet of parking lot over an existing gravel parking lot. Finally, the applicant proposes to make minor changes within the footprint of the

lease area associated with Building 1B, which include expansion of the drive-thru lane, expansion of the outdoor seating area, and slight modifications to the sidewalks. The proposed project is shown a set of plans the first of which is titled "Rock Row – Phase 1 & 2 Quarry Edge & Satellite Parking Lot," prepared by Jones & Beach Engineers, Inc., and dated June 17, 2021, with a last revision date of July 26, 2021. The project site is located to the east of Buildings 1F & 1G (currently containing The Paper Store) and south of Building 1A (currently containing Starbucks and other tenants) in the City of Westbrook.

C. Current Use of Site: The site of the proposed project is currently developed as a gravel parking lot, is the upland edge of a quarry, or under construction as is the case with Building 1B.

2. FINANCIAL CAPACITY:

The total cost of the project is estimated to be $744,000. The applicant proposes to self-fund the project and submitted financial statements of Waterstone Properties, Ltd. The parent company of Dirigo Center Developer, LLC. The financial documents show that Waterstone Properties, Ltd. has adequate financing available to fund the project.

The Department finds that the applicant has demonstrated adequate financial capacity to comply with Department standards.

3. TECHNICAL ABILITY:

The applicant provided resume information for key persons involved with the project and a list of projects successfully constructed by the applicant. The applicant also retained the services of Jones & Beach Engineers, Inc., a professional engineering firm; Sebago technics, Inc., environmental consultant; Hayley & Aldrich, geotechnical engineer; Perkins Thompson, land use attorney; Michael Cuomo, soil scientist; and Scalora Consulting Group, owner's project manager, to assist in the design and engineering of the project.

The Department finds that the applicant has demonstrated adequate technical ability to comply with Department standards.

4. SCENIC CHARACTER:

The proposed projects are located within the Rock Row development and alongside the existing quarry. Historically, the project area had limited landscape features with highly visible paved and gravel areas related to an asphalt plant and quarry operations. The applicant submitted a landscape plan and site rendering plan detailing the proposed project.

Based on the project's location and design, the Department finds that the proposed project will not have an unreasonable adverse effect on the scenic character of the surrounding area.

5. STORMWATER MANAGEMENT:

The proposed project includes approximately 0.31acres of developed area, of which 0.03 acres is impervious area. It lies within the watershed of Nasons Brook, which is an Urban Impaired Stream. The applicant submitted a stormwater management plan based on the Basic, General, and Flooding Standards contained in Chapter 500 Stormwater Management rules (06-096 C.M.R. ch. 500, effective August 12, 2015). The proposed stormwater management system will utilize existing stormwater treatment systems previously approved by the Department, specifically, Chamber System #2, Jellyfish Filter #2, Chamber System #2, Jellyfish Filter #3, and Gravel Wetland #1.

A. Basic Standards:

(1) Erosion and Sedimentation Control: The applicant submitted an Erosion and Sedimentation Control Plan (Section 14 of the application) that is based on the performance standards contained in Appendix A of Chapter 500 and the Best Management Practices outlined in the Maine Erosion and Sediment Control BMPs, which were developed by the Department. This plan and plan sheets containing erosion control details were reviewed by, and revised in response to the comments of, the Bureau of Land Resources (BLR).

Erosion control details will be included on the final construction plans and the erosion control narrative will be included in the project specifications to be provided to the construction contractor.

(2) Inspection and Maintenance: The applicant submitted a maintenance plan that addresses both short and long-term maintenance requirements. The maintenance plan is based on the standards contained in Appendix B of Chapter 500. This plan was reviewed by BLR. The applicant will be responsible for the maintenance of all common facilities including the stormwater management system.

(3) Housekeeping: The proposed project will comply with the performance standards outlined in Appendix C of Chapter 500.

Based on BLR's review of the erosion and sedimentation control plan and the maintenance plan, the Department finds that the proposed project meets the Basic Standards contained in Chapter 500, § 4(B).

B. General Standards:

The applicant's stormwater management plan includes general treatment measures that will mitigate for the increased frequency and duration of channel erosive flows due to

runoff from smaller storms, provide for effective treatment of pollutants in stormwater, and mitigate potential temperature impacts. This mitigation is being achieved by using Best Management Practices (BMPs) that will control runoff from no less than 95% of the impervious area and no less than 95% of the developed area.

The stormwater management system proposed by the applicant was reviewed by, and revised in response to comments from, BLR. After a final review, BLR commented that the proposed stormwater management system is designed in accordance with the General Standards contained in Chapter 500, § 4(C).

Based on the stormwater system's design and BLR's review, the Department finds that the applicant has made adequate provision to ensure that the proposed project will meet the General Standards contained in Chapter 500, § 4(C).

C. Urban Impaired Stream Standard:

The proposed project is in the watershed of Nasons Brook, an urban impaired stream. The Department Order #L-02734-23-C-N/L-02734-TG-D-N required the payment of a compensation fee for the original development. The applicant made this payment to the City of Portland on November 2, 2017. The proposed project will not result in additional development in the Nasons brook watershed beyond that authorized in Department Order #L-02734-23-C-N/L-02734-TG-D-N.

Based on the earlier payment of a compensation fee, the Department finds that the applicant has made adequate provision to ensure that the proposed project will meet the Chapter 500 Urban Impaired Stream Standard.

D. Flooding Standard:

The applicant is proposing to utilize a stormwater management system based on estimates of pre- and post-development stormwater runoff flows obtained by using Hydrocad, a stormwater modeling software that utilizes the methodologies outlined in Technical Releases #55 and #20, U.S.D.A., Soil Conservation Service and detains stormwater from 24-hour storms of 2-, 10-, and 25-year frequency. The post-development peak flow from the site will not exceed the pre-development peak flow from the site and the peak flow of the receiving water will not be increased as a result of stormwater runoff from the development site.

BLR commented that the proposed system is designed in accordance with the Flooding Standard contained in Chapter 500, § 4(F).

Based on the system's design and BLR's review, the Department finds that the applicant has made adequate provision to ensure that the proposed project will meet the Flooding Standard contained in Chapter 500, § 4(F) for peak flow from the project site, and channel limits and runoff areas.

6. WATER SUPPLY:

As a result of the proposed project, specifically the elimination of Building 1H from the quarry edge area, the water supply demand for Phase 1 of the development (originally estimated to be 21,000 gallons of water per day) will be reduced by approximately 7,200 gallons of water per day. Portland Water District is currently supplying water for Phase 1 and will continue to do so.

The Department finds that the applicant has made adequate provision for securing and maintaining a sufficient and healthful water supply.

7. WASTEWATER DISPOSAL:

The proposed project will reduce the amount of wastewater discharged to the City of Westbrook's wastewater treatment facility by approximately 7,200 gallons per day. The City of Westbrook's wastewater treatment facility is currently servicing Phase 1 of the development and will continue to do so. The City of Westbrook's wastewater treatment facility has the capacity to treat these flows and is operating in compliance with the water quality laws of the State of Maine.

The Department finds that the applicant has made adequate provision for wastewater disposal at a facility that has the capacity to ensure satisfactory treatment.

8. ALL OTHER:

All other Findings of Fact, Conclusions and Conditions remain as approved in Department Order #L-02734-23-C-N/L-02734-TG-D-N, and subsequent Orders.

BASED on the above findings of fact, and subject to the conditions listed below, the Department makes the following conclusions pursuant to 38 M.R.S. §§ 481–489-E:

A. The applicant has provided adequate evidence of financial capacity and technical ability to develop the project in a manner consistent with state environmental standards.

B. The applicant has made adequate provision for fitting the development harmoniously into the existing natural environment and the development will not adversely affect existing uses, scenic character, air quality, water quality or other natural resources in the municipality or in neighboring municipalities.

C. The proposed development will be built on soil types which are suitable to the nature of the undertaking and will not cause unreasonable erosion of soil or sediment nor inhibit the natural transfer of soil.

D. The proposed development meets the standards for storm water management in 38 M.R.S. § 420-D and the standard for erosion and sedimentation control in 38 M.R.S. § 420-C.

E. The proposed development will not pose an unreasonable risk that a discharge to a significant groundwater aquifer will occur.

F. The applicant has made adequate provision of utilities, including water supplies, sewerage facilities and solid waste disposal required for the development and the development will not have an unreasonable adverse effect on the existing or proposed utilities in the municipality or area served by those services.

G. The activity will not unreasonably cause or increase the flooding of the alteration area or adjacent properties nor create an unreasonable flood hazard to any structure.

THEREFORE, the Department APPROVES the application of DIRIGO CENTER DEVELOPERS, LLC to eliminate Building 1H, construct a seasonal event space, a pedestrian footpath, and landscaped areas along the edge of the quarry; delineate and pave a parking lot, and to make minor changes within the footprint of the lease area associated with Building 1B as described in Finding 1, SUBJECT TO THE FOLLOWING CONDITIONS and all applicable standards and regulations:

1. The Standard Conditions of Approval, a copy attached.

2. In addition to any specific erosion control measures described in this or previous orders, the applicant shall take all necessary actions to ensure that its activities or those of its agents do not result in noticeable erosion of soils or fugitive dust emissions on the site during the construction and operation of the project covered by this approval.

3. Severability. The invalidity or unenforceability of any provision, or part thereof, of this License shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

4. All other Findings of Fact, Conclusions and Conditions remain as approved in Department Order #L-02734-23-C-N/L-02734-TG-D-N, and subsequent Orders, and are incorporated herein.

THIS APPROVAL DOES NOT CONSTITUTE OR SUBSTITUTE FOR ANY OTHER REQUIRED STATE, FEDERAL OR LOCAL APPROVALS NOR DOES IT VERIFY COMPLIANCE WITH ANY APPLICABLE SHORELAND ZONING ORDINANCES.

DONE AND DATED IN AUGUSTA, MAINE, THIS 25TH DAY OF MARCH, 2022.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY:_____

For: Melanie Loyzim, Commissioner

PLEASE NOTE THE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES.

DH/L02734OB/ATS#87950

FILED
March 29th, 2022
State of Maine
Board of Environmental Protection

Department of Environmental Protection

SITE LOCATION OF DEVELOPMENT (SITE) STANDARD CONDITIONS

A. Approval of Variations from Plans. The granting of this approval is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from these plans, proposals, and supporting documents is subject to review and approval prior to implementation. Further subdivision of proposed lots by the applicant or future owners is specifically prohibited without prior approval of the Board, and the applicant shall include deed restrictions to that effect.

B. Compliance with All Applicable Laws. The applicant shall secure and comply with all applicable federal, state, and local licenses, permits, authorizations, conditions, agreements, and orders prior to or during construction and operation, as appropriate.

C. Compliance with All Terms and Conditions of Approval. The applicant shall submit all reports and information requested by the Board or the Department demonstrating that the applicant has complied or will comply with all preconstruction terms and conditions of this approval. All preconstruction terms and conditions must be met before construction begins.

D. Advertising. Advertising relating to matters included in this application shall refer to this approval only if it notes that the approval has been granted WITH CONDITIONS, and indicates where copies of those conditions may be obtained.

E. Transfer of Development. Unless otherwise provided in this approval, the applicant shall not sell, lease, assign or otherwise transfer the development or any portion thereof without prior written approval of the Board where the purpose or consequence of the transfer is to transfer any of the obligations of the developer as incorporated in this approval. Such approval shall be granted only if the applicant or transferee demonstrates to the Board that the transferee has the technical capacity and financial ability to comply with conditions of this approval and the proposals and plans contained in the application and supporting documents submitted by the applicant.

F. Time frame for approvals. If the construction or operation of the activity is not begun within four years, this approval shall lapse and the applicant shall reapply to the Board for a new approval. The applicant may not begin construction or operation of the development until a new approval is granted. A reapplication for approval may include information submitted in the initial application by reference. This approval, if construction is begun within the four-year time frame, is valid for seven years. If construction is not completed within the seven-year time frame, the applicant must reapply for, and receive, approval prior to continuing construction.

G. Approval Included in Contract Bids. A copy of this approval must be included in or attached to all contract bid specifications for the development.

H. Approval Shown to Contractors. Work done by a contractor pursuant to this approval shall not begin before the contractor has been shown by the developer a copy of this approval.

STORMWATER STANDARD CONDITIONS

STRICT CONFORMANCE WITH THE STANDARD AND SPECIAL CONDITIONS OF THIS APPROVAL IS NECESSARY FOR THE PROJECT TO MEET THE STATUTORY CRITERIA FOR APPROVAL

Standard conditions of approval. Unless otherwise specifically stated in the approval, a department approval is subject to the following standard conditions pursuant to Chapter 500 Stormwater Management Law.

(1) Approval of variations from plans. The granting of this approval is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the permittee. Any variation from these plans, proposals, and supporting documents must be reviewed and approved by the department prior to implementation. Any variation undertaken without approval of the department is in violation of 38 M.R.S. §420-D(8) and is subject to penalties under 38 M.R.S.. §349.

(2) Compliance with all terms and conditions of approval. The applicant shall submit all reports and information requested by the department demonstrating that the applicant has complied or will comply with all terms and conditions of this approval. All preconstruction terms and conditions must be met before construction begins.

(3) Advertising. Advertising relating to matters included in this application may not refer to this approval unless it notes that the approval has been granted WITH CONDITIONS, and indicates where copies of those conditions may be obtained.

(4) Transfer of project. Unless otherwise provided in this approval, the applicant may not sell, lease, assign, or otherwise transfer the project or any portion thereof without written approval by the department where the purpose or consequence of the transfer is to transfer any of the obligations of the developer as incorporated in this approval. Such approval may only be granted if the applicant or transferee demonstrates to the department that the transferee agrees to comply with conditions of this approval and the proposals and plans contained in the application and supporting documents submitted by the applicant. Approval of a transfer of the permit must be applied for no later than two weeks after any transfer of property subject to the license.

(5) Time frame for approvals. If the construction or operation of the activity is not begun within four years, this approval shall lapse and the applicant shall reapply to the department for a new approval. The applicant may not begin construction or operation of the project until a new approval is granted. A reapplication for approval may include information submitted in the initial application by reference. This approval, if construction is begun within the four-year time frame, is valid for seven years. If construction is not completed within the seven-year time frame, the applicant must reapply for, and receive, approval prior to continuing construction.

(6) Certification. Contracts must specify that “all work is to comply with the conditions of the Stormwater Permit.” Work done by a contractor or subcontractor pursuant to this approval may not begin before the contractor and any subcontractors have been shown a copy of this approval with the conditions by the permittee, and the permittee and each contractor and sub-contractor has certified, on a form provided by the department, that the approval and conditions have been received and read, and that the work will be carried out in accordance with the approval and conditions. Completed certification forms must be forwarded to the department.

(7) Maintenance. The components of the stormwater management system must be adequately maintained to ensure that the system operates as designed, and as approved by the Department. If maintenance responsibility is to be transferred from the permittee to another entity, a transfer request must be filed with the Department which includes the name and contact information for the person or entity responsible for this maintenance. The form must be signed by the responsible person or agent of the responsible entity.

(8) Recertification requirement. Within three months of the expiration of each five-year interval from the date of issuance of the permit, the permittee shall certify the following to the department.

(a) All areas of the project site have been inspected for areas of erosion, and appropriate steps have been taken to permanently stabilize these areas.

(b) All aspects of the stormwater control system are operating as approved, have been inspected for damage, wear, and malfunction, and appropriate steps have been taken to repair or replace the system, or portions of the system, as necessary.

(c) The stormwater maintenance plan for the site is being implemented as approved by the Department, and the maintenance log is being maintained.

(d) All proprietary systems have been maintained according to the manufacturer's recommendations. Where required by the Department, the permittee shall execute a 5-year maintenance contract with a qualified professional for the coming 5-year interval. The maintenance contract must include provisions for routine inspections, cleaning and general maintenance.

(e) The Department may waive some or all of these recertification requirements on a case-by-case basis for permittees subject to the Department's Multi-Sector General Permit ("MSGP") and/or Maine Pollutant Discharge Elimination System ("MEPDES") programs where it is demonstrated that these programs are providing stormwater control that is at least as effective as required pursuant to this Chapter.

(9) Transfer of property subject to the license. If any portion of the property subject to the license containing areas of flow or areas that are flooded are transferred to a new property owner, restrictive covenants protecting these areas must be included in any deeds or leases, and recorded at the appropriate county registry of deeds. Also, in all transfers of such areas and areas containing parts of the stormwater management system, deed restrictions must be included making the property transfer subject to all applicable terms and conditions of the permit. These terms and conditions must be incorporated by specific and prominent reference to the permit in the deed. All transfers must include in the restrictions the requirement that any subsequent transfer must specifically include the same restrictions unless their removal or modification is approved by the Department. These restrictions must be written to be enforceable by the Department, and must reference the permit number.

(10) Severability. The invalidity or unenforceability of any provision, or part thereof, of this permit shall not affect the remainder of the provision or any other provisions. This permit shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

November 16, 2005 (revised August 15, 2015)

DEP INFORMATION SHEET

Appealing a Department Licensing Decision

Dated: August 2021 **Contact: (207) 314-1458**

SUMMARY

This document provides information regarding a person's rights and obligations in filing an administrative or judicial appeal of a licensing decision made by the Department of Environmental Protection's (DEP) Commissioner.

Except as provided below, there are two methods available to an aggrieved person seeking to appeal a licensing decision made by the DEP Commissioner: (1) an administrative process before the Board of Environmental Protection (Board); or (2) a judicial process before Maine's Superior Court. An aggrieved person seeking review of a licensing decision over which the Board had original jurisdiction may seek judicial review in Maine's Superior Court.

A judicial appeal of final action by the Commissioner or the Board regarding an application for an expedited wind energy development (35-A M.R.S. § 3451(4)) or a general permit for an offshore wind energy demonstration project (38 M.R.S. § 480-HH(1)) or a general permit for a tidal energy demonstration project (38 M.R.S. § 636-A) must be taken to the Supreme Judicial Court sitting as the Law Court.

I. ADMINISTRATIVE APPEALS TO THE BOARD

LEGAL REFERENCES

A person filing an appeal with the Board should review Organization and Powers, 38 M.R.S. §§ 341-D(4) and 346; the Maine Administrative Procedure Act, 5 M.R.S. § 11001; and the DEP's *Rule Concerning the Processing of Applications and Other Administrative Matters* (Chapter 2), 06-096 C.M.R. ch. 2.

DEADLINE TO SUBMIT AN APPEAL TO THE BOARD

Not more than 30 days following the filing of a license decision by the Commissioner with the Board, an aggrieved person may appeal to the Board for review of the Commissioner's decision. The filing of an appeal with the Board, in care of the Board Clerk, is complete when the Board receives the submission by the close of business on the due date (5:00 p.m. on the 30th calendar day from which the Commissioner's decision was filed with the Board, as determined by the received time stamp on the document or electronic mail). Appeals filed after 5:00 p.m. on the 30th calendar day from which the Commissioner's decision was filed with the Board will be dismissed as untimely, absent a showing of good cause.

HOW TO SUBMIT AN APPEAL TO THE BOARD

An appeal to the Board may be submitted via postal mail or electronic mail and must contain all signatures and required appeal contents. An electronic filing must contain the scanned original signature of the appellant(s). The appeal documents must be sent to the following address.

Chair, Board of Environmental Protection
c/o Board Clerk
17 State House Station
Augusta, ME 04333-0017
ruth.a.burke@maine.gov

The DEP may also request the submittal of the original signed paper appeal documents when the appeal is filed electronically. The risk of material not being received in a timely manner is on the sender, regardless of the method used.

At the time an appeal is filed with the Board, the appellant must send a copy of the appeal to: (1) the Commissioner of the DEP (Maine Department of Environmental Protection, 17 State House Station, Augusta, Maine 04333-0017); (2) the licensee; and if a hearing was held on the application, (3) any intervenors in that hearing proceeding. **Please contact the DEP at 207-287-7688 with questions or for contact information regarding a specific licensing decision.**

REQUIRED APPEAL CONTENTS

A complete appeal must contain the following information at the time the appeal is submitted.

1. *Aggrieved status*. The appeal must explain how the appellant has standing to bring the appeal. This requires an explanation of how the appellant may suffer a particularized injury as a result of the Commissioner's decision.
2. *The findings, conclusions, or conditions objected to or believed to be in error.* The appeal must identify the specific findings of fact, conclusions of law, license conditions, or other aspects of the written license decision or of the license review process that the appellant objects to or believes to be in error.
3. *The basis of the objections or challenge.* For the objections identified in Item #2, the appeal must state why the appellant believes that the license decision is incorrect and should be modified or reversed. If possible, the appeal should cite specific evidence in the record or specific licensing criteria that the appellant believes were not properly considered or fully addressed.
4. *The remedy sought.* This can range from reversal of the Commissioner's decision on the license to changes in specific license conditions.
5. *All the matters to be contested*. The Board will limit its consideration to those matters specifically raised in the written notice of appeal.
6. *Request for hearing.* If the appellant wishes the Board to hold a public hearing on the appeal, a request for hearing must be filed as part of the notice of appeal, and it must include an offer of proof regarding the testimony and other evidence that would be presented at the hearing. The offer of proof must consist of a statement of the substance of the evidence, its relevance to the issues on appeal, and whether any witnesses would testify. The Board will hear the arguments in favor of and in opposition to a hearing on the appeal and the presentations on the merits of an appeal at a regularly scheduled meeting. If the Board decides to hold a public hearing on an appeal, that hearing will then be scheduled for a later date.
7. *New or additional evidence to be offered.* If an appellant wants to provide evidence not previously provided to DEP staff during the DEP's review of the application, the request and the proposed supplemental evidence must be submitted with the appeal. The Board may allow new or additional evidence to be considered in an appeal only under limited circumstances. The proposed supplemental evidence must be relevant and material, and (a) the person seeking to add information to the record must show due diligence in bringing the evidence to the DEP's attention at the earliest possible time in the licensing process; or (b) the evidence itself must be newly discovered and therefore unable to have been presented earlier in the process. Requirements for supplemental evidence are set forth in Chapter 2 § 24.

OTHER CONSIDERATIONS IN APPEALING A DECISION TO THE BOARD

1. *Be familiar with all relevant material in the DEP record.* A license application file is public information, subject to any applicable statutory exceptions, and is made accessible by the DEP. Upon request, the DEP will make application materials available to review and photocopy during normal working hours. There may be a charge for copies or copying services.

2. *Be familiar with the regulations and laws under which the application was processed, and the procedural rules governing the appeal.* DEP staff will provide this information upon request and answer general questions regarding the appeal process.
3. *The filing of an appeal does not operate as a stay to any decision.* If a license has been granted and it has been appealed, the license normally remains in effect pending the processing of the appeal. Unless a stay of the decision is requested and granted, a licensee may proceed with a project pending the outcome of an appeal, but the licensee runs the risk of the decision being reversed or modified as a result of the appeal.

WHAT TO EXPECT ONCE YOU FILE A TIMELY APPEAL WITH THE BOARD

The Board will acknowledge receipt of an appeal, and it will provide the name of the DEP project manager assigned to the specific appeal. The notice of appeal, any materials admitted by the Board as supplementary evidence, any materials admitted in response to the appeal, relevant excerpts from the DEP's administrative record for the application, and the DEP staff's recommendation, in the form of a proposed Board Order, will be provided to Board members. The appellant, the licensee, and parties of record are notified in advance of the date set for the Board's consideration of an appeal or request for a hearing. The appellant and the licensee will have an opportunity to address the Board at the Board meeting. The Board will decide whether to hold a hearing on appeal when one is requested before deciding the merits of the appeal. The Board's decision on appeal may be to affirm all or part, affirm with conditions, order a hearing to be held as expeditiously as possible, reverse all or part of the decision of the Commissioner, or remand the matter to the Commissioner for further proceedings. The Board will notify the appellant, the licensee, and parties of record of its decision on appeal.

II. JUDICIAL APPEALS

Maine law generally allows aggrieved persons to appeal final Commissioner or Board licensing decisions to Maine's Superior Court (see 38 M.R.S. § 346(1); 06-096 C.M.R. ch. 2; 5 M.R.S. § 11001; and M.R. Civ. P. 80C). A party's appeal must be filed with the Superior Court within 30 days of receipt of notice of the Board's or the Commissioner's decision. For any other person, an appeal must be filed within 40 days of the date the decision was rendered. An appeal to court of a license decision regarding an expedited wind energy development, a general permit for an offshore wind energy demonstration project, or a general permit for a tidal energy demonstration project may only be taken directly to the Maine Supreme Judicial Court. See 38 M.R.S. § 346(4).

Maine's Administrative Procedure Act, DEP statutes governing a particular matter, and the Maine Rules of Civil Procedure must be consulted for the substantive and procedural details applicable to judicial appeals.

ADDITIONAL INFORMATION

If you have questions or need additional information on the appeal process, for administrative appeals contact the Board Clerk at 207-287-2811 or the Board Executive Analyst at 207-314-1458 bill.hinkel@maine.gov, or for judicial appeals contact the court clerk's office in which the appeal will be filed.

Note: This information sheet, in conjunction with a review of the statutory and regulatory provisions referred to herein, is provided to help a person to understand their rights and obligations in filing an administrative or judicial appeal. The DEP provides this information sheet for general guidance only; it is not intended for use as a legal reference. Maine law governs an appellant's rights.

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0016

Paul R. LePage
GOVERNOR

David Bernhardt
COMMISSIONER

Applicant:	Dirigo Center Developments, LLC 322 Resevoir Street Needham, MA 02494
Project Location:	Main Street / Larrabee Road / Westbrook Arterial, Westbrook, ME Westbrook Tax Map #32 Lot(s) #46-47
Project:	Commercial Shopping Center
Identification #:	Reg. 01-00185-A-M
Permit Category:	200 Plus PCE
Traffic Engineer:	Vanasse & Associates, Inc. Attn: Jeffrey S. Dirk, PE 35 New England Business Center Drive, Suite 140 Andover, MA 01810-1071 Sebago Technics, Inc. Attn: Derek H. Caldwll, P.E., PTOE 75 John Roberts Road, Suite 4A South Portland, ME 04106

Pursuant to the provision of 23 M.R.S.A. § 704-A and Chapter 305 of the MaineDOT's Regulations, the Maine Department of Transportation has considered the application of Dirigo Center Developments, LLC with supportive data, agency review and other related materials on file.

PROJECT DESCRIPTION

The project consists of 500,000 SF of mixed-use retail development. Access to the site is via four full movement entrances, one signalized entrance on Main Street, two stop-controlled entrances on Larrabee Road and one signalized entrance on the Westbrook Arterial. The project is estimated to generate 1,853 trip ends during a typical Saturday peak hour and 1,217 trips during a typical weekday PM peak hour.

The project is to be built in phases, with Phase 1 consisting of 155,224 SF of mixed-use retail development. Phase 1 of the project is estimated to generate 860 trip ends during a typical Saturday peak hour and 530 trip ends during a typical weekday PM peak hour. Phase 2 is to consist of the remainder of the full build development.

Findings

Based on a review of the files and related information, MaineDOT approves the Traffic Movement Permit Application of Dirigo Center Developments, LLC subject to the following conditions:

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THE MAINE DEPARTMENT OF TRANSPORTATION IS AN AFFIRMATIVE ACTION - EQUAL OPPORTUNITY EMPLOYER
PHONE: (207) 624-3000 TTY USERS CALL MAINE RELAY 711 FAX: (207) 624-3001

MITIGATION

The mitigation is intended to describe that conceptually shown on the following plans provided by Vanasse & Associates, Inc. and Jones & Beach Engineers, Inc.:

1. "Conceptual Improvement Plan Riverside Street Corridor" Last Rev 9-15-16
2. "Conceptual Improvement Plan Riverside Street At Larrabee Road and I-95 Exit 48 Ramps" Last Rev 9-22-16
3. "Rand Road At I-95 Exit 47 Ramps Conceptual Improvement Plan" Last Rev 9-13-16
4. "Figure 14 Conceptual Improvement Plan" Sheets 1 thru 5, Last Rev 9-22-16
5. "Stroudwater Street At Forest Street Conceptual Improvement Plan" Last Rev 9-13-16
6. "Site Plan Rock Row 80 Main St & 11 Larrabee Rd., Westbrook, ME 04092" Last Rev 7-12-18

If the descriptions contained herein conflict with the plans, these descriptions shall take precedence over the plans. Not all of the mitigation discussed herein maybe shown on those or any plan. The following mitigation shall be constructed or implemented to MaineDOT's satisfaction prior to the opening of the facility, unless otherwise approved by MaineDOT.

All proposed traffic signals and traffic signal upgrades shall be designed and specified to be in compliance with the PACTS, City of Westbrook, City of Portland and MaineDOT traffic signal specifications. All traffic signals will be fully-functional, integrated and have full communications with the PACTS existing Streetwise ATMS.

On-Site Mitigation

Site Entrance / Main Street (Signalized)

The site entrance shall consist of one ingress lane and two egress lanes. The entrance shall have all appropriate lane, center line, and directional pavement markings. All markings shall be supplied, installed/painted and maintained yearly.

Modify raised median to accommodate dedicated left-turn pocket on Main Street to the site entrance with appropriate storage lengths and tapers.

Reconstruct sidewalks to meet ADA requirements.

Install new fully actuated traffic signal and design and implement an optimal traffic signal timing, phasing and coordination plan. Install a hardwire (fiber optic) interconnect to the signal at Main and Larrabee Rd. and the signal at Main St. and Riverside St.

Site Entrance / Larrabee @ Terminal Street (Unsignalized)

The site entrance shall consist of one ingress lane and one egress lane. The entrance shall have all appropriate lane, center line, and directional pavement markings and shall be supplied, installed/painted and maintained yearly.

Construct a dedicated left-turn pocket into site entrance and Terminal Street with appropriate storage lengths and tapers.

Widen Larrabee Road to provide five-foot shoulders to accommodate bicycle travel for both directions of travel.

Provide six-foot sidewalks along both sides of Larrabee Road.

A MUTCD traffic signal warrant analysis shall be conducted for this intersection after occupancy of Phase 2. If a signal is warranted, design and implement an optimal traffic signal timing, phasing and coordination plan, and install the hardwire interconnect to the signal at Main Street and Larrabee Road, and the signal at Larrabee Road and Westbrook Arterial.

Site Entrance / Larrabee @ Saunders Way (Unsignalized)
The site entrance shall consist of one ingress lane and two egress lanes. The entrance shall have a STOP bar and all appropriate lane, center line, and directional pavement markings and shall be supplied, installed/painted and maintained yearly.

Construct a dedicated left-turn pocket into site entrance and Saunders Way with appropriate storage lengths and tapers.

This entrance is to be constructed prior to occupancy of Phase 2 of the development.

Site Entrance / Westbrook Arterial (Signalized)

The site entrance shall consist of one ingress lane and two egress lanes. The entrance shall have all appropriate lane, center line, and directional pavement markings and shall be supplied, installed/painted and maintained yearly.

Construct a dedicated left-turn pocket into site entrance with appropriate storage lengths and tapers. Construct a dedicated right-turn pocket into the site entrance with appropriate storage lengths and tapers.

Install new traffic signal and design and implement an optimal traffic signal timing, phasing and coordination plan. Install a hardwire interconnect to the signal at Westbrook Arterial and Larrabee Rd.

This entrance as well as the interconnect to the signal at Westbrook Arterial and Larrabee Road is to be constructed prior to occupancy of Phase 2 of the development.

General Requirements For All Entrances

A. The entrances shall provide overhead illumination, if not existing, to illuminate the intersections per MaineDOT standards at a minimum. Overhead lighting shall have an average of 0.6 to 1.0 foot candles, with the maximum to minimum lighting ratio of not more than 10:1 and an average to minimum light level of not more than 4:1.

Off-Site Mitigation

Optimize traffic signal timings in the coordinated system on Riverside St / Main St / Brighton Ave. New signal timings to be implemented within six months of occupancy of Phase 1.

Riverside Street

Intersection of Riverside St / Larrabee Rd (Exit 48)

Construct a second dedicated left-turn lane on the Riverside southbound approach to Exit 48. Restripe the southbound approach to include two dedicated left-turn lanes, a dedicated thru lane and a share thru-right lane. Lane widths shall be a minimum of 11 feet.

Install appropriate overhead lane-usage signs for the Riverside southbound approach both in advance of the intersection and at the intersection. Install appropriate lane-use signs at the intersection for the other intersection approaches.

Construct a second left-turn lane on Larrabee Road with appropriate storage length and taper.

Remove channelizing island for the right-turn movements from the Riverside Street northbound approach and the I-95 exit ramp. Construct a right turn lane with appropriate length and Taper

Reconstruct the traffic signal system to accommodate the new geometry and installation of conduit to the toll plaza to facilitate ramp pre-emption. Provide overlap phasing when possible.

Design and implement an optimal traffic signal timing, phasing and coordination plan. Install a hardwire (fiber optic) interconnect to the signal at Main and Larrabee Rd, as well as the adjacent intersections on Riverside Street. Provide signal heads with reflective back plates and install thermal detection in accordance with City standards.

Note: Work on Maine Turnpike Authority (MTA) property requires an MTA work permit and MTA review and approval.

Intersection of Riverside St / Forest Ave

Design and implement an optimal traffic signal timing, phasing and coordination plan. New signal timings to be implemented within six months of occupancy of Phase 1.

Intersection of Riverside St / Warren Ave

Design and implement an optimal traffic signal timing, phasing and coordination plan. Ensure there is a hardwire (fibre optic) interconnect between adjacent intersections. New signal timings to be implemented within six months of occupancy of Phase 1.

Provide design plans to the City of Portland for minor geometric and traffic signal improvements.

Intersection of Riverside St / Home Depot

Design and implement an optimal traffic signal timing, phasing and coordination plan. Ensure there is a hardwire (fiber optic) interconnect between adjacent intersections. New signal timings to be implemented within six months of occupancy of Phase 1.

Provide design plans to the City of Portland for minor geometric and traffic signal improvements.

Intersection of Riverside St / Brighton Ave / Main St

Design and implement an optimal traffic signal timing, phasing and coordination plan. Ensure there is a hardwire (fiber optic) interconnect between adjacent intersections. Install thermal detection in accordance with City of Portland standards.

Segment between Riverside Court (Berlin City) and Exit 48

Restripe to provide a two-way left-turn lane.

Construct sidewalk along the west side of Riverside, eliminating existing sidewalk gaps.

Segment between Exit 48 / Brighton Ave

Construct sidewalk along the east side of Riverside, eliminating existing sidewalk gaps.

Main Street

Intersection of Main St / Larrabee Rd

Remove existing raised triangular islands from Larrabee approaches to Main Street. Construct a dedicated right-turn pocket on the Larrabee Road southbound approach to Main Street with appropriate storage length and taper.

Provide ADA improvements to the sidewalks and signal equipment. Provide a hardwire (fiber optic) interconnect between adjacent intersections.

Upgrade traffic signal equipment, design and implement an optimal traffic signal timing, phasing and coordination plan.

Westbrook Arterial

Intersection of Rand Rd / Westbrook Arterial (Exit 47)

Widen I-95 ramp to provide a second left-turn lane to the Westbrook Arterial. Widen Rand Road to accept the dual-left turn lanes.

Install a raised median along the Rand Road eastbound approach to the intersection.

Upgrade traffic signal equipment, design and implement an optimal traffic signal timing, phasing and coordination plan.

The applicant shall contribute to the Maine Turnpike Authority (MTA) for improvements at Exit 47 as outlined in the agreement titled "Agreement Relating to the Construction of Transportation Improvements in the Vicinity of Maine Turnpike Exit 47" dated March 2018. This contribution shall constitute completion of the above listed mitigation for the intersection of Rand Road and Westbrook Arterial (Exit 47).

William Clarke Drive

The applicant should design and implement an optimal traffic signal timing, phasing and coordination plan for the weekday and weekend. New signal timings to be implemented within six months of occupancy of Phase 1.

Stroudwater Street

Construct a dedicated left-turn lane on Stroudwater Street to Forest Street and reconstruct the sidewalk and crosswalk for crossing Stroudwater Street at Forest Street as necessary to provide an ADA compliant crossing at the intersection.

Overall Requirements

A. Provide all necessary auxiliary signs, striping and pavement markings to implement the improvements described herein according to MaineDOT and/or National standards.

B. All plantings and signs (existing and/or proposed; permanent and/or temporary) shall be placed and maintained such that they do not block available sight distances and do not violate the State's "Installations and Obstructions" law. No signage, plantings or structures shall be allowed within the "clear zone" if they constitute a deadly fixed object as determined by MaineDOT. All signs shall meet MRSA Title 23, Chapter 21, Section 1914: "On-Premise Signs".

C. If any of the supporting data or representations for which this permit is based changes in any way or is found to be incorrect / inaccurate, the applicant shall request in writing from MaineDOT a decision of what impacts those changes will have on the permit. The applicant will then be required to submit those changes for review and approval and additional mitigation as a result of those changes may be required at the expense of the applicant.

D. Because the proposed project affects the State Highway and drainage systems and requires improvement to that system, the applicant must obtain approval of the design plans and coordinate work through MaineDOT's State Traffic Engineer or Assistant State Traffic Engineer, who can be reached at (207) 624-3620 in Augusta.

By:

Stephen Landry, P.E.
State Traffic Engineer

Date: 9/20/18

DEPARTMENT OF THE ARMY
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
696 VIRGINIA ROAD
CONCORD, MASSACHUSETTS 01742-2751

REPLY TO
ATTENTION OF

Regulatory Division
CENAE-RDC

May 7, 2021

Rebecca Gabryszewski
Sebago Technics, Inc.
75 John Roberts Road, Suite 4A
South Portland, Maine 04106

Dear Ms. Gabryszewski:

This concerns Department of the Army general permit, number NAE-2015-01814, issued on June 13, 2016, which authorized the filling of freshwater wetlands off Main Street and Larrabee Road at Westbrook, Maine in order to develop a retail center and associated infrastructure.

In accordance with your request on behalf of your client, Dirigo Center Developers, LLC, the permit is hereby amended to authorize an additional 12,275 s.f. of wetland impact in order to make improvements to the site access off Larrabee Road. Cumulative wetland impacts now total 76,493 s.f. (1.756 acres). This work is shown on the attached plans entitled "LOCATION MAP, DIRIGO CENTER DEVELOPERS, LLC" in one sheet dated "11/5/2020" and "ROCK ROW, WESTBROOK ARTERIAL/BACK DOOR ENTRANCE, WESTBROOK, MAINE" in 21 sheets dated "09/17/20".

All conditions of the original permit remain in full force and effect. For this amendment, please note the following additional condition:

1. Compensatory mitigation will be as indicated in ME DEP Permit No. L-02734-TG-L-N, dated May 3, 2021, Condition No. 4 to secure 0.282 acre compensation credits (see attached ILF worksheet). The completed ILF Project Data Worksheet which must be mailed with a cashier's check or bank draft, made out to "Treasurer, State of Maine", with the permit number noted on the check. The check and worksheet should be mailed to: ME DEP, Attn: ILF Program Administrator, State House Station 17, Augusta, ME 04333. **No project construction may begin until the permittee provides the Corps with a copy of the check, with the permit number noted on the check.** The ILF amount is only valid for a period of one year from the date on the authorization letter. After that time, the project would need to be reevaluated and a new amount determined.

We continually strive to improve our customer service. In order for us to better serve you, we would appreciate your completing our Customer Service Survey located at http://per2.nwp.usace.army.mil/survey.html

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

FOR Frank J. Del Giudice
Chief, Permits & Enforcement Section
Regulatory Division

MAINE IN-LIEU-FEE (ILF)
PROJECT IMPACT WORKSHEET

DEP Invoice # *Filled in by ILF Administrator in Augusta*

Project name: Dirigo Center Developers, LLC; Larrabee Road Site Access Improvements

Permittee(s): Dirigo Center Developers, LLC

DEP/Corps permit #: L-02734-TG-L-N/NAE-2015-01814-MOD *Attach a copy of the permit*

DEP/Corps Project Manager: R. Green/J. Clement

ILF Fee Amount: $66,899.00

Check Date: *Filled in by ILF Administrator in Augusta*

Project address: Larrabee Road; Westbrook, Maine *Attach a locus map*

Biophysical region - Section: Southern Maine

Biophysical region - Subsection: Gulf of Maine Coastal Lowland

Total impact area subject to compensatio 12,275 SF

Resource(s) impacted:

Resource Types (list all that apply)	**Functions & Values** (for wetland impacts) (list all that apply, by resource type)	**Types of Impacts** (list all that apply, by resource type)	**SF Impacted** (by resource type)	**Linear FT of Streams Impacted (for Corps use)**
PFO	NR, WH, STR, GWR, FF	Filling	12,275	
		Total impacts:	12,275	NA

Resource Types: Wetlands by NWI Type (PEM, PFO, PSS, PUB, M1, M2, E1, E2, etc), significant vernal pool depression (SVP), significant vernal pool critical terrestrial habitat (VPCTH), shorebird feeding & staging habitat (shorebird), inland waterfowl & wading bird habitat (IWWH), Tidal waterfowl & wading bird habitat (TWWH), lake or pond (L1, L2), river/stream/brook (RSB)

Wetland Functions & Values: Groundwater recharge/discharge (GWR); floodflow alteration (FF); fish & shellfish habitat (FSH); sediment toxicant retention (STR); nutrient removal (NR); production export (PE); sediment/shoreline stabilization (SS); recreation (R); education/scientific value (ESV); uniqueness/heritage (UH); and visual quality/aesthetics (VQ); wildlife habitat (WH)

Types of Impacts: May include: filling, dredging, vegetation conversion (e.g. forested to shrub/scrub), excavation with associated discharge, etc.

Section 5 – Zoning Assessment

A Zoning Assessment is not applicable to this amendment application. The land comprising the Portland portion of the Parcel 2, #7 is within the B-4 (Commercial Corridor) and I-L (Industrial and Airport) zones and is currently undeveloped. There is no development presently planned on the Portland side of the Project. Improvements on the Westbrook portion of the Project are under review by the City of Westbrook.

Section 6 – Subdivision Standards Assessment

The Project meets the Review Standards set forth in Section 15.4.1 of the City of Portland's Land Use Code. Those review standards are set forth below, along with the Applicant's corresponding responses.

Section 15.4.1 requires that before granting approval, the Planning Board shall determine that the proposed subdivision:

A. Will not result in undue water or air pollution. In making this determination the Planning Board shall at least consider the elevation of land above sea level and its relation to the floodplains, the nature of soils and subsoils and their ability to adequately support waste disposal, the slope of the land and its effect on effluents, the availability of streams for disposal of effluents, and the conformity to the applicable state and local health and water resources regulations.

   Response: The Applicant proposes amending the North Campus Subdivision approval, granted October 19, 2016 and amended September 25, 2018 and February 6, 2020, specifically to create Lot 7, from Rock Row to Larrabee Road (behind Market Basket). Because the buildings, improvements, and infrastructure will not change, the proposed Subdivision Amendment Application will have no impact on the air and water pollution impacts and findings previously made by the Planning Board. As part of the review of the original applications and associated amendments, the Planning Board examined the environmental impacts of those buildings and uses. The entire Rock Row project, both South and North Campus parcels (the "Project") also has been approved by the Maine Department of Environmental Protection (DEP) under a Site Location of Development Act (SLODA) permit process that reviewed the overall development's environmental impact. DEP approved the Project, confirming that the design, at a minimum, meets the State's water and air pollution requirements which are as strict or stricter than the City of Portland's regulations.

B. Has sufficient water available for the reasonably foreseeable needs of the subdivision.

   Response: The Project will be supplied by the municipal water system, managed by the Portland Water District (PWD). An ability to serve letter issued by PWD has previously been submitted.

C. Will not cause unreasonable burden on an existing water supply.

   Response: PWD has approved a water design that services the entire Rock Row Phase 1 area and buildings. The Subdivision Amendment Application will have no impact on the current water supply design, as it was designed to serve all of the buildings contemplated in the amended subdivision parcel.

D. Will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result.

Response: The Subdivision Amendment Application covers the same Rock Row Phase 1 area previously reviewed and approved by the Portland Planning Board under this standard, and the Applicant provided extensive erosion and sedimentation plans during those review processes. The Rock Row Phase 1 area also was approved by Maine DEP under a SLODA permit that reviews the overall Project's erosion impact. The State has approved the proposed sediment and erosion control plans. As the proposed Subdivision Amendment Application is intended only to create lot line divisions to accommodate the buildings, improvements and infrastructure already reviewed and approved by the Planning Board, it will have no impact to the current erosion & sediment control plans.

E. Will not cause unreasonable highway or public road congestion or unsafe conditions with respect to use of the highway or public roads existing or proposed.

Response: The overall Project – North and South Campuses – received an amended Traffic Movement Permit (TMP) from the Maine DOT on September 20, 2018. A copy of the amended TMP is included with this application. Notably, the TMP approves a 500,000-square-foot mixed use retail development, including 155,224 square feet of mixed-use retail development as part of Phase I of the Project. Phase I has since been revised since the issuance of the TMP, but the scale of the development remains consistent with what was previously reviewed and approved by Maine DOT

F. Will provide for adequate sanitary waste and storm water disposal and will not cause an unreasonable burden on municipal services if they are utilized.

Response: The City of Portland has approved the Rock Row Phase 1 sewer design. The Rock Row Phase 1 plan set contains multiple utility plans that depict the proposed sewer design. The Subdivision Amendment Application will have no impact on that sewer design, as it only seeks approval of revised and new lot lines to accommodate the buildings, improvements, and infrastructure already reviewed and approved by the Portland Planning Board.

G. Will not cause an unreasonable burden on the ability of the City to dispose of solid waste and sewage if municipal services are to be utilized.

Response: The Rock Row Phase 1 area development will utilize private solid waste companies to remove all recyclable and non-recyclable solid waste.

H. Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the Department of Inland Fisheries and Wildlife or by the City, rare and irreplaceable natural areas, or any public rights for physical or visual access to the shoreline. For subdivisions within local historic districts, the Planning Board shall apply the standards of Subsection 17.8.3(C). The Planning Board may request that the Historic Preservation Board prepare an evaluation of the proposed subdivision based upon the standards of Subsection 17.8.3(C).

Response: As summarized in Section 4 of this Application, the Development has received approval from the DEP under the Natural Resources Protection Act (NRPA) and the Site Location of Development Act (SLODA). These review processes involved an examination of the impacts of the Development on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the Department of Inland Fisheries and Wildlife, and rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline. Notably, the SLODA/NRPA permit issued by the DEP provides as follows:

> *The proposed projects are located within the Rock Row development and alongside the existing quarry. Historically, the project area had limited landscape features with highly visible paved and gravel areas related to an asphalt plant and quarry operations. The applicant submitted a landscape plan and site rendering plan detailing the proposed project.*
>
> *Based on the project's location and design, the Department finds that the proposed project will not have an unreasonable adverse effect on the scenic character of the surrounding area.*
>
> *The Property is not located within a local historic district and accordingly, the standards of Subsection 17.8.3(C) of the Land Use Code do not apply.*

I. Is in conformance with the Comprehensive Plan or its successor.

Response: No development is currently proposed on the Portland portion of the North Campus. The adjacent development in Westbrook is consistent with (and less intense than) the permitted uses authorized in the B-4 and I-L zoning districts in Portland.

J. The subdivider has adequate financial and technical capacity to meet the standards of this subsection.

Response: The Applicant has adequate financial and technical capacity to complete this Project. Please see Sections 9 and 10 of this Application for more detailed information regarding financial and technical capacity. We also note that, as part of the DEP's review of the Development and multiple amendments, the DEP found that Dirigo had the financial capacity and technical ability to complete the work authorized under the SLODA/NRPA permit.

K. Whenever situated, in whole or in part, within the watershed of any pond or lake or within 250 feet of any wetland, great pond, or river as defined in Title 38, Chapter 3, Subchapter I, Article 2B, will not adversely affect the quality of such body of water or unreasonably affect the shoreline of such body of water.

Response: The Portland Planning Board, during its subdivision review of the initial subdivision of the North Campus, reviewed the Project's proposed stormwater design to confirm that there will be no adverse effect to Nasons Brook, a designated urban impaired stream located on the South Campus. As the current Application only creates

an additional lot on which no development is currently proposed, the Project will not result in any additional impacts to wetlands or water bodies.

L. Will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater.

Response: The proposed stormwater design seeks to treat all stormwater runoff to the requirements set forth by the SLODA permit, so as not to adversely affect the quality of the groundwater.

M. Is or is not in a flood prone area, based on the Federal Emergency Management Agency's flood boundary and floodway maps and flood insurance rate maps, and information presented by the applicant. If the subdivision, or any part of it, is in such an area, the subdivider shall determine the 100-year flood elevation and flood hazard boundaries within the subdivision. The proposed subdivision plan must include a condition of plan approval requiring that principal structures in the subdivision will be constructed with their lowest floor, including the basement, at least one foot above the 100-year flood elevation.

Response: Not applicable; the Project is not impacted by any designated flood zones.

N. Will provide for adequate stormwater management.

Response: Stormwater management was, and will continue to be, extensively reviewed by the DEP as part of the SLODA permitting process. Please see DEP Order L-02734-23-O-B submitted with this Application, in which the DEP found that the most recent amendments to the Development meet applicable stormwater basic, general, urban impaired stream, and flooding standards.

O. Will not have lots with a lot depth-to-shore frontage ratio greater than 5 to 1 if any lots in the proposed subdivision have shore frontage on a river, stream, brook, great pond, or coastal wetland as these features are defined in Title 38 § 480-B.

Response: Not applicable. None of the lots have shore frontage.

P. For any proposed subdivision that crosses municipal boundaries, will not cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality in which part of the subdivision is located.

Response: The overall Project – North and South Campuses – received an amended Traffic Movement Permit (TMP) from the Maine DOT on September 20, 2018. A copy of the amended TMP is included with this application. Notably, the TMP approves a 500,000-square-foot mixed use retail development, including 155,224 square feet of mixed-use retail development as part of Phase I of the Project. Phase I has since been revised since the issuance of the TMP, but the scale of the development remains consistent with what was previously reviewed and approved by Maine DOT. A copy of the TMP is included in Section 4 of this Application.

Section 7 – Existing and/or Proposed Easements or Covenants

The land constituting the North Campus is subject to the easements listed in the table below, all of which are shown on the plans submitted with this Application. A railroad line owned in fee by the Portland Terminal Company bisects the site and separates the North and South Campuses of the development. Thus, the North and South Campuses are each considered separate tracts for subdivision purposes. The present application is limited to the North Campus.

Table of Easements

Easement	Book/Page	Location
30' Wide Pipeline Easement	2881/459	Portland
60' Wide Transmission Line Easement	3204/758	Portland /Westbrook
Unspecified-Width Transmission Line Easement	2024/115	Portland
60' Wide Transmission Line Easement	2783/216	Portland /Westbrook
Unspecified-Width Pipeline Easement	1891/16	Westbrook
60' Wide Access Easement**	34380/171	Westbrook
60' Wide Access Easement**	34380/224	Westbrook
50' Pipeline Easement	34286/255	Westbrook

**As described in Note 8 on Plan Sheet A8 submitted with this application, the location of these access easements (providing for two crossings of the railroad line owned in fee by the Portland Terminal Company) will be revised and shown on a separate plan.

Section 8 – Waiver Requests

Under Maine's subdivision law, if any portion of a subdivision crosses municipal boundaries, all meetings and hearings to review the application must be held jointly by the reviewing authorities from each municipality. 30-A M.R.S. § 4403(1-A). The reviewing authorities in each municipality may waive this requirement upon written agreement. Pursuant to a standing order applicable to this Project, the Westbrook and Portland Planning Boards have agreed to waive the requirement to hold joint meetings and have elected to review the Project separately. *See* Subdivision Plan A4 recorded in Cumberland County Registry of Deeds Plan Book 220, Page 67 with note: "Waiver Granted." Therefore, Applicant believes no specific waiver request is necessary as part of this Application. If, however, the Planning staff deems otherwise, consistent with Applicant's initial subdivision application approved by the Portland Planning Board on October 18, 2016 and the minor amendment approved by City Staff on October 25, 2018, and the amendment approved by the Planning Board in January 21, 2020, Applicant requests a waiver of the requirement to hold joint meetings and hearings to review this application.

Section 9 – Financial Capability

Applicants are both owned and controlled by Waterstone Properties, Ltd. ("Waterstone"). The DEP has previously determined that Waterstone has the financial capability to complete the entire Development (both North and South Campuses) as part of its review under the Site Location of Development Act. Additionally, the Portland Planning Board determined that Waterstone has the financial capability to complete the proposed development of the North Campus as part of its prior subdivision approval.

Attached please find Waterstone's Consolidated Interim Financial Statements as of March 31, 2021. The same evidence has been submitted to the DEP in support of Applicant's application for an amendment to its SLODA permit.

Attachment: Consolidated Interim Financial Statements as of March 31, 2021

The following translation is intended solely for the convenience of the reader although every effort has been made to ensure its accuracy. Only the original Hebrew text of the Written Representation is binding.

Waterstone Properties, Ltd.

Consolidated Interim Financial Statements as of March 31, 2021
(Unaudited)

USD in Thousands

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Re: Auditor's Review Report to Shareholders of Waterstone Properties, Ltd

Introduction

We have reviewed the attached financial information of Waterstone Properties, Ltd, which include the interim condensed consolidated statement of financial position as of March 31, 2021 and the interim condensed consolidated statements of comprehensive income, changes in equity and cash flows for the three month then ended. The Board of Directors and management are responsible for the preparation and presentation of the financial information for this interim period, in accordance with IAS 34 "Interim Financial Reporting", as well as for the presentation of the financial information for this interim period in accordance with Chapter D of the Securities Regulations (Periodic and Immediate Reports) - 1970. Our responsibility is to express a conclusion on the financial information for this interim period, based on our review.

Scope of the review

We performed our review in accordance with Review Standard 2410 (Israel) of the Institute of Certified Public Accountants in Israel "Review of Interim Financial Information Performed by the Independent Auditor of the Entity". The review of the financial information for interim periods is comprised of clarifications, mainly with those responsible for financial and accounting matters, and of the application of analytical and other review procedures. A review is substantially more limited in scope than an audit performed in accordance with generally accepted auditing standards in Israel, and therefore does not provide the assurance attainable in a financial statement audit that we will become aware of all the significant matters which could have been identified in a financial statement audit. Consequently, we are not expressing an audit opinion.

Conclusion

Based on our review, nothing came to our attention that causes us to believe that the above financial information has not been prepared, in all material respects, in accordance with IAS34.
In addition to the aforesaid in the previous paragraph, based on our review, nothing came to our attention which causes us to believe that the above financial information does not comply, in all material respects, with the disclosure provisions under Chapter D of the Securities Regulations (Periodic and Immediate Reports) - 1970.

Without qualifying our opinion we draw attention to:
1. The aforesaid in Note 6 (a) to the interim financial statements regarding the downgrade of the Company's debentures rating, which occurred after the reporting date and its possible implications for the debentures.
2. The aforesaid in Note 1 regarding the classification of short-term loans due to late payments of principal and interest.
3. The provisions of Note 2 (b) regarding the (Reastatment) of the comparative figures for the 1st quarter 2020 in order to reflect a record on the basis of the accumulation of fees to the controlling shareholder in respect of the lease of land and construction management.

Tel-Aviv, Israel
May 28 , 2021

Ziv Haft
Certified Public Accountants (Isr.)
BDO member firm

Consolidated Interim Statements of Financial Position

USD in thousands, except as specified otherwise

Tel Aviv | Jerusalem | Haifa | Beer Sheva | Bene Berak | Kiryat Shmona | Petach Tikva | Modiin Ilit | Nazareth | Eilat
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Waterstone Properties, Ltd.

	As of March 31		As of December 31
	2021	2020	2020
	Unaudited		Audited
Non-current assets			
Investment property	639,968	635,131	637,185
Investment in joint ventures	17,984	17,484	17,643
Restricted cash	11,028	6,779	5,808
	668,980	659,394	660,636
Current assets			
Lessees, other receivables and debit balances	5,535	4,037	6,173
Related parties	-	*458	-
Loan to related party	-	761	-
Restricted cash	2,599	2,183	2,557
Cash and cash equivalents	18,921	25,160	18,653
	27,055	*32,599	27,383
Total assets	696,035	*691,993	688,019
Capital			
Capital attributable to the Company's shareholders	193,746	*207,206	188,991
Non-controlling interests	442	*939	517
	194,188	*208,145	189,508
Non-current liabilities			
Loans from financial institutions and others	347,045	308,724	298,960
Bonds	82,579	87,537	85,501
Liabilities with respect to lease	12,111	11,967	11,922
Deposits from lessees	892	927	822
	442,627	409,155	397,205
Current liabilities			
Current maturities of bonds	12,035	11,255	12,481
Current maturities of loans from financial institutions and others	38,358	55,128	79,438
Current maturities with respect to finance lease	621	621	621
Related parties	440	-	402
Trade payables, other payables and credit balances	7,766	7,689	8,364
	59,220	74,693	101,306
Total liabilities	501,847	483,848	498,511
Total capital and liabilities	696,035	*691,993	688,019

*) Restatement, See note 2.B

The attached notes constitute an inseparable part of the consolidated interim financial statements.
Approval date of the financial statements: May 28, 2021.

Neal Shalom	**Anton Melchionda**	**Josh Levy**	**William Langlois**
Chairman of the Board	CEO	CEO	CFO

Waterstone Properties, Ltd.

Consolidated Interim Statements of Comprehensive Income

USD in thousands, except as specified otherwise

	For the 3 months ended March 31,		For the year ended December 31,
	2021	2020	2020
	Unaudited		Audited
Rental revenues	11,678	11,158	43,474
Property operating expenses	3,345	3,293	12,259
Gross profit	8,333	7,865	31,215
Adjustment to fair value of investment property, net	(373)	*(31,263)	(35,878)
Company's share in the income of joint ventures	341	274	475
General, administrative and other expenses	769	966	4,350
Other expenses	-	-	1,716
Operating (loss) / income	7,532	*(24,090)	(10,254)
Financing expenses	6,435	6,360	27,914
Financing income	-	66	83
Foreign currency valuation expenses	(3,583)	(3,228)	7,478
Financing expenses, net	2,852	3,066	35,309
Net Income (Loss)	4,680	*(27,156)	(45,563)
Net and comprehensive Income (Loss) attributable to:			
Company shareholders	4,755	*(27,034)	(45,019)
Non-controlling interests	(75)	*(122)	(544)
	4,680	*(27,156)	(45,563)

*) Restatement, See note 2.B

The attached notes constitute an inseparable part of the consolidated interim financial statements.

Waterstone Properties, Ltd.

Consolidated Interim Statements of Changes in Equity

USD in thousands, except as specified otherwise

	Shareholders' investments (distributions to shareholders)	Capital reserve for transactions with non-controlling interests	Retained earnings	Total capital attributable to Company shareholders	Non-controlling interests	Total
Balance as of January 1, 2021 (Audited)	1,502	4,037	183,452	188,991	517	189,508
Profit (Loss)	-	-	4,755	4,755	(75)	4,680
Balance as of March 31, 2021(Unaudited)	1,502	4,037	188,207	193,746	442	194,188

	Shareholders' investments (distributions to shareholders)	Capital reserve for transactions with non-controlling interests	Retained earnings	Total capital attributable to Company shareholders	Non-controlling interests	Total
Balance as of January 1, 2020 (Audited)	1,502	4,037	(* 228,701	(* 234,240	(* 1,061	(* 235,301
Profit (Loss)	-	-	(27,034)*	(27,034)	(122) *	(27,156)*
Balance as of March 31, 2020 (Unaudited)	1,502	4,037	(*201,667	(*207,206	(*939	(*208,145

	Shareholders' investments (distributions to shareholders)	Capital reserve for transactions with non-controlling interests	Retained earnings	Total capital attributable to Company shareholders	Non-controlling interests	Total
Balance as of January 1, 2020 (Audited)	1,502	4,037	(* 228,701	(* 234,240	(* 1,061	(* 235,301
Profit (Loss)	-	-	(45,019)	(45,019)	(544)	(45,563)
Dividend	-	-	(230)	(230)	-	(230)
Balance as of December 31, 2020 (Unaudited)	1,502	4,037	183,452	188,991	517	189,508

*) Restatement, See note 2.B

Waterstone Properties, Ltd.

Consolidated Interim Statements of Cash Flows

USD in thousands, except as specified otherwise

	For the 3 months ended March 31,		For the year ended December 31,
	2021	2020	2020
	Unaudited		Audited
Cash flows from operating activities			
Net gain (loss)	4,680	*(27,156)	(45,563)
Adjustments required to present cash flows from operating activities:			
Adjustment to fair value of investment property, net	373	*31,263	35,878
Financing expenses, Net	2,839	3,254	34,786
Company's share in the profits of the joint venture	-	-	1,397
Capital gain	(341)	(274)	(475)
Changes to assets and liabilities items:			
Decrease (Increase) in lessees, other receivables and debit balances	638	127	(1,902)
Increase (decrease) in trade payables, other payables and credit balances	(355)	(44)	(272)
Related Party, net	38	(388)	150
Change in deposits from lessees	55	3	(114)
Net cash from operating activities	7,927	6,785	23,885
Cash flows from investing activities			
Additions to investment property, net	(4,772)	(8,535)	(24,090)
Realization of investment property	-	-	6,906
Change in restricted cash	(5,262)	1,245	1,844
Decrease in debit balances of related parties	-	-	745
Investments in joint ventures, net	-	-	43
Net cash from (used in) investing activities	(10,034)	(7,290)	(14,552)
Cash flows from financing activities			
Receipt of loans from financial institutions and others	8,730	6,086	23,458
Repayment of loans from financial institutions and others	(1,894)	(1,401)	(4,545)
Bonds repayment	-	-	(12,068)
Interest paid	(4,449)	(4,324)	(22,077)
Repayments with respect to finance lease	-	-	(554)
Distributions to shareholders, net	-	-	(230)
Net cash from (used in) financing activities	2,387	361	(16,016)
Exchange rate on cash and cash equivalents	(12)	(9)	23
Increase (decrease) in cash and cash equivalents	268	(153)	(6,660)
Balance of cash and cash equivalents at start of period	18,653	25,313	25,313
Balance of cash and cash equivalents at end of period	18,921	25,160	18,653

*) Restatement, See note 2.B

The attached notes constitute an inseparable part of the consolidated interim financial statements.

Consolidated Interim Statements of Cash Flows

USD in thousands, except as specified otherwise

Annex A - Non-Cash Activity	For the 3 months ended March 31		For the year ended December 31
	2021	2020	2020
	Unaudited		Audited
Changes in trade payables with respect to construction of investment property	-	982	597

The attached notes constitute an inseparable part of the consolidated interim financial statements.

Note 1: **General**

Waterstone Properties, Ltd. was incorporated on March 7, 2017, in accordance with the provisions of the BVI Business Companies Act, 2004, in the British Virgin Islands, as a private company limited by shares. The Company was founded, inter alia, for the purpose of raising bonds (non-convertible to shares) and listing the bonds for trading on the Tel Aviv Stock Exchange Ltd. (hereinafter: the "Stock Exchange").

The Company and its subsidiaries (hereinafter: the "Group") operate in the United States, and are primarily engaged in the rental and betterment of commercial centers and logistical centers. The Company is held, directly and indirectly, by three founding partners: Neal Shalom, Anton Melchionda and Josh Levy (the "Controlling Shareholders").

The company examines the risk of cash shortages through monthly budgets. The company's goal is to maintain a balance between obtaining financing and the flexibility of using loans from financial and other institutions. The Company monitors the repayment dates of loans on an ongoing basis to ensure that all loans due over the next 12 months will be refinanced as usual in the real estate market. As of March 31, 2021, the Company has a working capital deficit of approximately $ 32 million, mainly due the classification of loans as current loans. Current maturities of loans are approximately $ 15 million (of which approximately $ 8.4 million loans that are due as described below), plus the payment of a bond fund in the amount of approximately $ 12 million. Additionally, the Company classified approximately $ 22.7 million (financing assets valued at USD 34.5 Million as of March 31, 2021) to short term liabilities due to CMBS loans, as the Company did not yet receive a confirmation from the lending banks that making the current payments of the loans late in 2020 does not constitute a violation of the terms of the loans.

Regarding the loans in the amount of $ 35 million classified as short term in the December 31, 2020 financial statements, the Company reached an agreement with the lenders regarding the late payments, and therefore the loans were classified as long term.

The Company expects its generated cash flows from operating activities, sale of assets, and the refinance of the loans due in the upcoming year, will cover the entire balance of the working capital deficit as follows:

A loan with a balance of approximately USD 4.8 million (financing an asset valued at USD 14 Million as of March 31, 2021) with a maturity in May 2021. The Company is actively negotiating an extension with the existing lender that they anticipate will be finalized within 30 days of the approval of the financial statements..

A loan with a balance of approximately USD 3.6 million (financing an asset valued at USD 8.3 Million as of March 31, 2021) with a maturity in July 2021. The Company fully anticipates a refinancing this loan.

Note 2: Significant Accounting Policies

A. Framework for preparation of the consolidated interim financial statements

These financial statements have been prepared in a condensed format as of March 31, 2021, and for the three month period then ended (hereinafter: the "**Consolidated Interim Financial Statements**"). These financial statements should be read in the context of the Company's annual consolidated financial statements as of December 31, 2020, and for the year then ended, and of the accompanying notes (hereinafter: the "Annual Consolidated Financial Statements").

The consolidated interim financial statements have been prepared in accordance with International Accounting Standard 34, "Interim Financial Reporting", and in accordance with the disclosure provisions in accordance with Chapter D of the Securities Regulations (Periodic and Immediate Reports).

The accounting policy and the calculation methods which were applied in the preparation of the consolidated interim financial statements are consistent with those which were applied in the preparation of the consolidated annual financial statements.

B. Restatement

A management company owned and controlled by the controlling shareholders (the "Property Management Company"), provides the property companies owned by the Group, inter alia, with marketing services for the Group's assets and construction management services. In return for the services, the asset management company is entitled to compensation in accordance with the management agreements.

In 2017 and 2018, some of these commissions were not recognized in the Company's financial statements. In the fourth quarter of 2019 and the first quarter of 2020, the company recorded and paid approximately $ 1,620,000 and $ 763,000, respectively, as a rental and construction management fee to the property management company for rentals and construction work performed in 2018 and 2017.

The Company adjusted the financial statements for first quarter of 2020 ended March 31, 2020 in order to retroactively reflect the effect of correcting the aforesaid error.

The following is the effect of restatement on the Company's financial statements:

In the Consolidated financial statements on the financial position

As of March 31, 2020	As previously reported	Correction	As presented in these financial statements
Related parties - Current assets	748	(290)	458
Capital attributable to the Company's shareholders	207,500	(294)	207,206
Non-controlling interests	935	4	939

Note 2: **Significant Accounting Policies (Contn'd)**

In the Consolidated Statements of Comprehensive Income

For the year ended at March 31, 2020	As previously reported	Correction	As presented in these financial statements
Adjustment of fair value of investment properties, net	(31,802)	539	(31,263)
Operating profit	(24,629)	539	(24,090)
Net and comprehensive income (Loss) attributable to company shareholders	(27,567)	533	(27,034))
Net and comprehensive income (Loss) attributable to non-controlling interest	(128)	6	(122)

Note 3: **Fair Value**

a) **Investment Property**

The company examined the effects of the corona virus, which began in March 2020, as part of its fair value of investment real estate and investment real estate in affiliated companies.

No changes in the value of the assets were recorded in the first quarter of 2021,This has resulted in the Company recording a decrease in fair market value for the period ended March 31, 2021 of $373 thousands due to investments that did not result in an increase of the asset's value.

b) **Financial instruments**

The fair value of the current loans approximates their book value, due to the fact that the impact of the discounting is immaterial. The fair value of non-current loans at variable interest is very close to their book value. The fair value relative to the book value of non-current loans at fixed interest amounted to a total of approximately USD 367 million and approximately USD 359 million as of March 31, 2021, respectively, and to a total of approximately USD 379 million and approximately USD 363 million as of March 31, 2020, respectively, and to a total of approximately USD 383 million and approximately USD 377 million as of December 31, 2020, respectively.

The fair value of the debentures as of March 31, 2021, as of March 31, 2020 and as of December 31, 2020 amounted to a total of approximately USD 74 million, approximately USD 66 million and approximately USD 70 million, respectively. The fair value measurement is classified at Level 1 in the fair value hierarchy.

Note 4: **Information Regarding Operating Segments**

As mentioned in note 15 to the annual financial statements, the group has the following operating segments: Commercial centers, Logistical centers and Others.

	For the 3 month period ended March 31, 2021				
	Commercial centers	Logistical centers	Others	Adjustments to financial reports	Total
Rental revenues	10,855	1,116	1,303	(1,596)	11,678

Property operating expenses	3,446	132	277	(510)	3,345
Gross profit	7,409	984	1,026	(1,086)	8,333
Adjustment to fair value of investment property, net	(375)	-	2	-	(373)
Company's share in the profits of joint ventures					341
General, administrative and other expenses					769
Operating gain					7,532
Financing expenses, net					2,852
Net loss					4,680

	For the 3 month period ended March 31, 2020				
	Commercial centers	Logistical centers	Others	Adjustments to financial reports	Total
Rental revenues	10,305	1,102	1,280	(1,529)	11,158
Property operating expenses	3,324	134	384	(549)	3,293
Gross profit	6,981	968	896	(980)	7,865
Adjustment to fair value of investment property, net	(31,075)	-	(188)	-	*(31,263)
Company's share in the profits of joint ventures					274
General, administrative and other expenses					966
Operating profit					*(24,090)
Financing expenses, net					3,066
					*(27,156)

*) Restatement, See note 2.B

	For the year ended December 31, 2020				
	Commercial centers	Logistical centers	Others	Adjustments to financial reports	Total
Rental revenues	40,071	4,415	5,130	(6,142)	43,474
Property operating expenses	12,548	516	1,382	(2,187)	12,259
Gross profit	27,523	3,899	3,748	(3,955)	31,215

Adjustment to fair value of investment property, net	(37,770)	1,130	(551)	1,313	(35,878)
Company's share in the profits of joint ventures					475
General and administrative expenses & other expenses					6,066
Operating Loss					(10,254)
Financing expenses, net					35,309
Net loss					(45,563)

Note 5: **Coronavirus impact**

a) Further to note 16 in the annual financial statements, the Company continues to monitor the Coronavirus and the government regulations in place across the United States and specifically in the states that it operates.

As of the day of the approval of the financial statements, according to the COVID DATA TRACKER on the CDC (Centers for Disease Control and Prevention) Website, approximately 132 million people are fully vaccinated. Approximately 50% of the U.S. population, has received at least one dose of the two dose vaccines. As a result, the Company estimated an overall increase in customer traffic across the portfolio and in the sales of tenants as the Country heads into the warmer months of the year.

Throughout the first quarter of 2021 the Company did not postpone/forfeit any material rent fees. The Company collected over 90% of recurring monthly charges.

The Company ended the first quarter with overall occupancy across the portfolio of approximately 92%.

Note 6 **Subsequent events**

a) Further to the Rating report published May 6, 2021, In which Maalot S&P announced that had downgraded the company's Bonds rating from ILBBB + with a negative rating outlook to ILBBB with a negative rating outlook, the interest rate on the bonds was updated by 0.25% in accordance with section 5.2 to of the Bond's deed of trust as follows:

1. Until the date of the Rating report (i.e. May 6, 2021) the Bond's remaining balance carried an interest rate of 6.20%.
2. From the date of the Rating report (i.e. May 6, 2021) the Bond's remaining balance carried an interest rate of 6.45%.
3. The semi annual interest rate is 3.225%.

An additional downgrade from the current rate ILBBB shall occur, shall be considered cause for immediate repayment of the bonds.

The Company anticipates, that in light of the recovery in the American economy (lifting of restrictions and return to normal) and its future influence on future activity, an additional downgrade shall not occur.

b) Dirigo loan refinance

During February 2021, the Company successfully refinanced the two loans associated with Westbrook, Maine

1. The first loan, whose balance was 13M, increased capacity to a new amount of $18M. the loan is to be repaid after 10 years and will carry an interest rate as follows:

   A floating monthly rate of interest shall apply at the Wall Street Journal Prime Rate plus, 0.50% through June 25, 2022;

   Commencing on July 26, 2022, the interest rate will be fixed for 5 years at the then current Federal Home Loan Bank "Classic" Five (5) year Interest Rate (the "Index") plus 3.0%, until June 25, 2027;

   Commencing June 26, 2027 the interest rate shall further adjust to a fixed rate for the balance of the Term to the then current Index rate, plus 3.0%;

2. The second loan, whose balance was $4.2M, with a maturity of February 2021 increased capacity to $6.44M with a new maturity of June 25, 2022. Interest will accrue at the floating monthly Wall Street Journal Prime Rate +.50% through the Loan Term to the Maturity Date.

3. $5M were deposited in a deposit that will be released in accordance with the progress of the land leases and refund requests.

Section 10 – Technical Capability

Dirigo Center Developers, LLC – Developer

Dirigo Center Developers, LLC is owned and controlled by Waterstone Properties Group, a real estate development company headquartered in Needham, Massachusetts. As the second largest retail developer in New England, Waterstone's portfolio includes office, residential, medical and warehousing/logistics facilities with a strong focus on mixed use and retail developments. With a portfolio of more than 300 national and local businesses across 14 states, Waterstone prides itself on maintaining longstanding, collaborative relationships with our tenants and community partners.

Waterstone's portfolio totals more than seven million square feet of existing space and an additional 3+ million square feet under development. In addition to Rock Row, Waterstone's Maine properties include the Kittery Outlet Center, 340 U.S. Route 1 Kittery, ME and the Scarborough Gallery, 700 Gallery Boulevard Scarborough, ME.

Waterstone has engaged a skilled team of professionals to assist in the permitting and development of Rock Row, including:

Jones & Beach Engineers, Inc. – Civil Engineer and Surveyor

Hayley & Aldrich – Geotechnical/Environmental Engineer

Michael Cuomo – Soil Scientist

Perkins Thompson, PA – Legal/Permitting Counsel

Sebago Technics – Environmental engineering, wetlands evaluations

Scalora Consulting Group – Construction and development project management

Attachment:

- Summary of relevant professional experience and professional resumes

JONES & BEACH ENGINEERS INC.

Company Qualifications

Rock Row
Westbrook & Portland, ME

Prepared for:

Maine Department of
Environmental Protection
Bureau of Land Resources
312 Canco Road
Portland, ME 04103

August 2021

Jones & Beach Engineers, Inc.
85 Portsmouth Avenue
PO Box 219
Stratham, NH 03885

jbe@jonesandbeach.com
www.jonesandbeach.com

JONES & BEACH ENGINEERS INC.

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IV. COMPANY SERVICES

V. PERSONNEL QUALIFICATIONS

- **Wayne G. Morrill –** President / Senior Project Manager
- **Bradford A. Jones** – Vice President / Construction Services Manager
- **Barry W. Gier, P.E.** – Vice President / Senior Project Manager
- **Joseph A. Coronati** – Vice President / Senior Project Manager
- **David M. Collier, LLS** – Survey Manager
- **Matthew Salvucci, LLS, PLS, EIT** – Associate / Assistant Survey Manager
- **Ian MacKinnon, P.E., CPESC-IT** – Associate / Project Manager

APPENDIX I.

- Hourly Rate Schedule

I. COMPANY INTRODUCTION

Since 1977, Jones & Beach Engineers, Inc., has provided a wide variety of engineering and surveying services to industrial, municipal, commercial, and residential clients. We have expertise and experience with site development including hotels, large and small commercial establishments, water and sewer improvements, and numerous residential and condominium projects. We have years of extensive experience with Town Zoning Ordinances, Site Plan and Subdivision Regulations, Stormwater design and management, surface water quality, wetland resource protection, innovative design (such as porous pavement), constructability, and inspecting contractor work.

Frequently, our staff becomes involved first with a property site walk, followed by mobilization of field survey crews to develop an existing conditions plan, which is the base for conceptual layouts. Our designers meet with the client to balance the maximum yield of the property with local and environmental concerns. Final design plans are prepared and submitted for the review and approval phase. Construction services are provided for full client support to ensure that the contractor completes the work according to the intent of the design plans. Cost saving measures are considered throughout the process.

Here at Jones & Beach Engineers, we work with many different clients and perform a wide variety of services to our clients. We have licensed engineers, surveyors, wetland scientist, septic system designers, and sediment and erosion control and stormwater quality professionals working here. We often collaborate with local structural and geotechnical engineers on projects. We are a full-service firm and often times manage projects from conceptual ideas through to approvals and finally construction management. All of our projects have a principal owner as a project manager in order to facilitate client input directly to the design engineers.

The firm has completed thousands of projects in the seacoast New Hampshire region, as well as Massachusetts and Maine. Specific Project experience and resumés are included for reference. Every one of our projects involves working with the utility companies and we have many years of experience with this. We have relocated many utility poles for subdivision roadway and site entrance construction, coordinated underground utility designs with power companies and surveyed many of the existing right-of-ways.

We look forward to consulting with you to assess your professional needs and to explore the ways in which we might be of service.

II. MUNICIPAL & PROJECT EXPERIENCE

Hampton Falls, NH – Town Engineer

Jones & Beach Engineers, Inc., has been the Town Engineer for Hampton Falls, NH, since 1994. Our involvement as Town Engineer begins at the Planning Board level with projects submitted by developers.

We are involved with projects that range from two-lot subdivisions up to the largest ones proposed with roadways, as well as all site plans for commercial uses along Route 1. We provide engineering review of plans, construction cost estimates, and construction field inspections with written reports. We have also provided the Town with NHDES Wetlands Bureau design and permitting services for culvert extensions, replacement culverts, roadway drainage improvements, and land survey for Right-of-Way plans on existing roads. We periodically encourage and work with the Town to update the Regulations for clarification and design improvements.

We have always provided quick response time and usually are able to review plans within one to two weeks from the date we receive them. Since we have two construction field inspectors, we can usually be on-site within 24 hours, if necessary.

Reference: Town of Hampton Falls
Attn. Lori Ruest, Acting Town Manager
1 Drinkwater Road
Hampton Falls, NH 03844
(603) 926-4618 Ext. 3

Derry, NH – Town Engineer

As the Town Engineer for Derry from 2008 to 2011, Jones & Beach Engineers, Inc., confirmed that all plans and materials submitted by applicants conformed with applicable ordinances, submittal procedures, regulations, and RSAs. The submissions must be prepared in accordance with sound engineering, design and construction practices. Occasionally we recommended additional studies that would be prudent to help the Board make an informed decision with regard to the application. Our written report identifies any missing, incorrect, incomplete or questionable information that was, or should have been, supplied with the application. We also performed reviews of any revised submissions and respond accordingly. Review of the submissions included, but was not limited to, field inspections of the proposed site, detailed review of the wetlands and soils information, stormwater drainage, roadway design, utility layout and design, and review of sedimentation and erosion control plans. Prior to final approval of a project, we assisted the Town in reviewing the Construction Cost Estimate amount for performance guarantee purposes. Keach-Nordstrom Associates also reviewed projects in Derry.

Reference: Community Development Department
Attn. George Sioras, AICP, Director
14 Manning Street
Derry, NH 03038
(603) 432-6110

Seabrook, NH – Sewer System

Jones & Beach Engineers, Inc., along with Stearns & Wheeler, of Cazenovia, New York, were awarded the contract to perform the engineering design and construction services for a town-wide sewage collection and treatment facility. This project was initiated with an existing conditions survey in 1987. The design consisted of 50 miles of gravity sewer and forcemain, in addition to 25 miles of individual house services, two wetwell/drywell pump stations, sixteen suction lift pump stations, treatment facilities and 45 miles of drainage improvements. This project entailed jacking under I-95 and NHDOT Coordination. During the spring of 1993, construction was initiated and all ten individual contracts are now completed. Jones & Beach provided construction inspection services for the Town of Seabrook and had a full-time Professional Engineer with four full-time Construction Inspectors assigned to the project. Total construction cost of the project was 55 million dollars.

Reference: Russell Bailey (Currently at the Town of Alton: (603) 875-2161)
Town of Seabrook
Lafayette Road
PO Box 456
Seabrook, NH 03874
(603) 474-3152

Auburn, NH – Chester Road & Bridge Improvements, Boundary Survey of Town Landfill, and & Town Hall Renovation

Jones & Beach Engineers, Inc., was retained by the Town of Auburn to perform Boundary Survey for the Town Landfill. We assisted in the upgrade of Chester Road by conducting a Route Survey and Wetland Delineation. Technical assistance has been provided for the upgrade to the Town Hall.

Reference: Town of Auburn
Attn. Mr. William Herman, CPM
Town Administrator
PO Box 309
Auburn, NH 03032
(603) 483-5052 Ext. 111

Epping, NH – Water and Sewer Commission Engineer

The Epping Board of Selectman and the Water and Sewer Commission have retained Jones & Beach for numerous projects in the Town of Epping. Key projects are listed below:

- **Water and Sewer Design:** Jones & Beach has assisted the Water and Sewer Commission on two Stimulus Projects as part of the Federal American Recovery and Reinvestment Act (ARRA), the Mill Street Sewer Pump Station upgrade and the extension of water and sewer mains north on Route 125. The projects are fully designed and were constructed in 2010. The Water and Sewer Project entailed NHDOT Review and Inspections and jacking under NH Route 125. JBE provide construction management and inspection services for the installation of more than 5,000 feet of 12" watermain along the State Highway. The Mill Street Sewer Pump Station improvements included the demolition of the existing pump station and installation of a new duplex-self priming suction pump lift station with back-up LPG generator. The project included design of new wetwell, pump house, pump station, electrical panels and connections, and LPG generator to supply the duplex 20-HP station. JBE has also been retained by the Water and Sewer Commission to upgrade the Town's water distribution maps.

- **Prescott Road Drainage Analysis:** A hydraulic analysis study along with preliminary construction plans

and Engineer's cost estimate were completed for the Prescott Road culvert replacement. The project is a result of the recent flooding over the past few years and wash out of the roadway. The project is awaiting final approval and grant assistance from FEMA.

The existing cross culvert was a 3' x 3' stone box, which appeared to be historic. The area of the watershed crossing the road was determined to contain approximately 1,026 acres. The watershed area and the roadway crossing were evaluated using HydroCAD software and were analyzed for 50-year and 100-year storm events, which resulted in flows of 524 cubic feet per second (cfs) and 676 cfs respectively. The two major storm events of 2006 and 2007 fell into these categories causing roadway damage and flooding across the road.

An eight (8') foot wide by four (4') foot high arch culvert with a natural bottom was sized parallel to the existing box culvert to handle the 50-year and 100-year storm events. The down slope embankment retaining wall along with the guardrail on that side of the road were severely destroyed during the flooding and need to be replaced.

- **Downtown Epping Core Project:** Jones & Beach designed plans for the Revitalization of the Downtown Epping Core Project. The project entailed drainage improvements along the Lamprey River.

Reference: Town of Epping
Attn. Dennis Koch, Public Works Coordinator
Epping Planning Board
157 Main Street
Epping, NH 03042
(603) 679-5441, Ext. 108

Raymond, NH – Epping Street Road Reconstruction

Jones & Beach Engineers, Inc., was retained by the Town of Raymond for the redesign of Epping Street. The roadway is approximately 4,000 linear feet long and required reclamation of the existing roadway, design of a new vertical and horizontal alignment, new drainage system, curbing and green space. The first phase of the project went to construction in 2010, and was funded through the CIP and possible Federal Stimulus funds.

Reference: Attn. Dennis McCarthy, Former Raymond Department of Public Works Director
Currently Rye Director of Public Works
309 Grove Road
Rye, NH 03870
(603) 964-5300

Candia, NH – Hillcrest Manor Apartment Complex Water System Pump House & Storage Upgrade

Jones & Beach Engineers, Inc. (JBE) worked on this Water System Pumphouse and Storage Upgrade Project for the Hillcrest Manor Apartments in Candia, NH. This is a DWSRF 2012 funded project and included Conceptual & Final Plans for this new water distribution, tank, and controls, Design-Build Specifications, Electrical Design (Subcontracted), and Pre-Bid Meeting and Bid Solicitation and Evaluation. This project has been awarded to a Contractor and construction is set to commence in the summer of 2012. JBE will be providing Construction Management services for the project as well.

Reference: Dube Investment Properties, LLC
Attn. Bill Dube
25 Riverside Street, Suite 101
Nashua, NH 03062
(603) 883-1313

Allenstown, NH – Old Towne Homeowner's Co-op Uranium Treatment and Second Source Well

Jones & Beach Engineers, Inc. worked on this Uranium Treatment and Second Source Well Stimulus Project for the Old Towne Homeowners Co-op located in Allenstown, NH. This was an ARRA 2009 funded project and included Topographic Survey, Existing Conditions Plan, Well Siting Plan, Bidding Documents and Specifications and Hydrogeotechnical Design. Construction for this project is complete and we are in the final stages of close-out with the State.

Reference: Olde Towne Homeowner's Cooperative
Attn. Dennis Fowler
1 Woodlawn Drive
Allenstown, NH 03275
(603) 485-5437

Newfields, NH – Route 85 Water and Sewer Extension

Jones & Beach Engineers, Inc is currently working on conceptual design plans for a 1700 linear foot water extension on NH Route 85. The work will entail the design of the water system of a stone box culvert, assessing system pressures and placement of hydrants for fire suppression needs and blow offs.

Reference: Town of Newfields, Water and Sewer Commission
Attn. Ray Buxton, Chairman
65 Main Street
Newfields, NH 03856
(603) 772-5651

Warren, NH – Studio Road Drainage Design & Baker River Bank Stabilization

Project 1: Jones & Beach has completed the Design Build Project for the Drainage Improvements along Studio Road. The project entailed survey, design and permitting for approximately 300 linear feet of drainage improvements along Studio Road with stormwater discharge into the Baker River. NHDES Wetland and Shoreline Permits were required for the project. JBE provided construction inspection for the project.

Project 2: Baker River Emergency slope stabilization at the Bixby Road. Jones & Beach completed the emergency design and permitting to prevent erosion on approximately 175 linear feet of stream bank. JBE will be assisting the Town to solicit bids for the construction of the work in the spring of 2010.

Project 3: Jones & Beach has been awarded the Restoration Design and Permitting for a section of the Baker River in Warren. The project will involve evaluating sediment transport and accelerated fluvial erosion, improvement of aquatic and riparian habitats, and floodplain restoration. The project will require a Hec-Ras Stormwater analysis. The project team includes John Field, PhD, a Fluvial Geomorphologist, and Gerald Lang, Hec-Ras. The project will require final design plans and construction cost estimates. A U.S. Army Corps. of Engineers and NHDES wetlands permit will be required.

Project 4: Jones & Beach is currently assisting the Town of Warren with Emergency Repairs to the Studio and Bixby Lane bridges for damage caused by Hurricane Irene.

Reference: Attn. Andrew Dorsett, Town Administrator
Town of Warren
8 Water Street
PO Box 40
Warren, NH 03279
(603) 764-5780

Bow, NH – Bow Bog Road Drainage Improvement Project

Jones & Beach Engineers, Inc. designed, permitted, and provided construction administrative services for this Drainage Improvement on Bow Bog Road at Center Brook for the Town of Bow. This included evaluating the Center Brook Watershed to determine the tier classification according to the new NHDES Stream Rule Regulations. The designed box culvert contains a closed bottom with stream in-bed for a tier 2 River. The project was completed in the summer of 2011.

Reference: Town of Bow
Attn. Timothy Sweeney, Director of Public Works
10 Grandview Road
Bow, NH 03304
(603) 228-2207

Barrington, NH – Pavement Management Program

Jones & Beach completed an Inventory and Assessment of road surfaces for the Town of Barrington. More than 70 miles of roadway were observed and the condition of the pavement was determined based on the UNH T2 Road Surface Management System (RSMS) software. The software develops a Pavement Condition Inventory (PCI) for each roadway system. The information prioritized the roadway system and determined the cost for roadway repairs.

Reference: Dawn Hatch and Peter Cook, Road Agent
Town of Barrington
333 Calef Highway, PO Box 660
Barrington, NH 03825
(603) 664-9007

Stratham, NH – The Cooperative Middle School

Working with Frank P. Marinace Architects, Jones & Beach Engineers, Inc., developed the site design package for local and state review and approvals. This 150,000 square foot building was designed with 256 parking spaces and 4,000 linear feet of roadway on 50 acres. Public water and sewer were brought to the site from the Town of Exeter. Great care was exercised to save as many existing mature trees as possible, while still providing desired parking and athletic fields. The stormwater design system incorporated a 36,000 square foot pond network with wetland enhancement.

Reference: Exeter Region Co-operative School District
Attn. Mr. Walter Pierce
24 Linden Street
Exeter, NH 03833
(603) 778-7772

Stratham, NH – Fire Station

Jones & Beach assisted in the Engineering design and permitting for the new Fire Station. The project was a fast track Design-Build project between the Town of Stratham, the General Contractor, Site Contractor with Jones & Beach Engineers preparing the Engineering Site Plan and permitting responsibilities.

Reference: Paul Deschaine, Town Administrator
Town of Stratham
10 Bunker Hill Avenue
Stratham, NH 03885
(603) 772-7391

Hampton Falls, NH – Sanborn Road

Subject to frequent flooding from the Taylor River, Sanborn Road in Hampton Falls, NH was a continual maintenance concern and a potential detriment to public safety. As the Town Engineer, Jones & Beach designed, permitted, and inspected a complete replacement of the existing concrete and stone box culvert. The cross culvert was upgraded with a new precast structure, the crossing also featured three additional culverts to provide additional discharge capacity above bank full elevation. With the placement of new granite retaining walls, the vertical alignment was raised out of the floodplain and a dry hydrant installed to service the surrounding neighborhood's fire protection needs. Together, these improvements reduced flooding so significantly that the characteristically inundated crossing was not overtopped during the epic "Mother's Day Storm" that overwhelmed southeastern New Hampshire in the spring of 2006.

Sanborn Road, Hampton Falls, NH

Exeter, NH – Exeter Hospital Site Plans

Jones & Beach has provided consulting services for the Exeter Hospital Campus since 1995. The most recent project highlight was the use of Porous Asphalt for the new 12,700 SF Dental Clinic located on Hampton Road. The use of porous asphalt was used as a stormwater management and water quality tool. The project was designed to take all stormwater runoff generated onsite by the new construction and infiltrate it through the pavement into a gravel medium below the pavement for storage, treatment, and temperature control.

Other key projects on the Campus have included four parking lots, a 250,000 square foot building addition and expansion, with a new 60,000 square foot parking garage. Relocation of existing utilities and design of new parking were keys to the success of the Campus.

Reference: Robert Corson, AIA
Exeter Hospital, Inc.
5 Alumni Drive
Exeter, NH 03833
(603) 580-7288

Exeter Hospital Campus - Alumni Drive, Exeter, NH

Working closely with Exeter Hospital since 1995, Jones & Beach has designed and implemented eight major facility improvement and expansion efforts on the campus. Including four parking lots, a four-story parking garage, and over 250,000 sf of new building space, this multi-phase undertaking demanded a masterwork of advance planning and construction sequencing. With the hospital in operation through the duration of the project, complex utility relocation and refurbishment had to be coordinated so as to maintain uninterrupted service. Adequate parking and access also needed to be preserved, requiring that work be carefully staged so as to not interfere with the day-to-day functions of the facility. An integrated pedestrian circulation plan was also included in the design to encourage safe walking passage throughout the campus. With the completion of this vast scope of improvements, including the new Center for Ambulatory Care shown here, Jones & Beach has diligently worked to provide this regional medical center with the tools it needs to meet the challenges and opportunities of 21st century medicine.

Exeter, NH - Exeter Health Reach Dental Site Plan

Jones & Beach teamed with Bruce Ronayne Hamilton Architect to provide civil/site and architectural services for a new 12,700 square foot dental clinic located on Hampton Road in Exeter, NH. Exeter Health Reach Dental is an expansion of services offered by Exeter Hospital.

Jones & Beach provided the site design which included:

- Site Grading
- Stormwater design and management plan
- Sanitary sewer design with pump station upgrades
- Design and coordination for utility connections
- Parking and pedestrian access

The project highlight would be the design and installation of Porous Asphalt used as a stormwater management and water quality tool. The project was designed to take all stormwater runoff generated onsite by the new construction and infiltrate it through the pavement into a gravel medium below the pavement for storage, treatment, and temperature control.

Reference: Robert Corson, AIA
Exeter Hospital, Inc.
5 Alumni Drive
Exeter, NH 03833
(603) 580-7288

Meredith, NH – 560-Acre Tract Survey

Jones & Beach Engineers, Inc., surveyed a 560-acre tract of land owned by The Wilds Christian Association, Inc., for The Trust for Public Lands in Meredith, New Hampshire. This contract was completed in June of 2008.

Stoddard, NH – 1740-Acre Tract Survey

Jones & Beach Engineers, Inc., surveyed a 1740-acre tract of land owned by The Trust for Public Lands, for The Trust for Public Lands in Stoddard, New Hampshire. This contract was completed in December of 2007.

III. SITE/CIVIL ENGINEERING EXPERIENCE

Westbrook, ME – Rock Row

Located on the Westbrook/Portland city lines, the Rock Row project has transitioned from an 87± acre mixed-use development with a focus on retail & restaurant uses to a 93± acre mixed-use development that will be comprised of retail, restaurant, office, medical, residential, entertainment, and personal care uses. The project began construction in Spring 2019 with the construction of an 8,000-seat outdoor amphitheater which hosted 16 events in its first season. In Summer 2019 construction began on Phase 1 of the project which covers the northernmost 20± acres of the project site. Phase 1 will resemble a standard mixed-use retail/restaurant site but will act as the gateway to the future phases which will seek to create an intimate pedestrian-focused development with multi-story structures that will host a variety of uses. The existing 20-acre quarry will be utilized as a visual feature that may be developed into an entertainment feature. Jones & Beach Engineers handled local site plan and subdivision approvals with the City of Westbrook and City of Portland, a contract zone approval from the City of Westbrook City Council, a Tier III NRPA Permit, Existing Conditions and As-Built Surveys, Construction Survey and Supervision, and a Maine Department of Environmental Protection - Site Location of Development Act Permit.

Epping, NH – Brickyard Square

Located at the intersection of Routes 101 and 125, this 48.67 acre parcel was developed with 277,000 square feet of retail space and a 5,200 square foot restaurant. The proposed retail development impacted 7.31 acres of forested wetlands within 29 acres of on-site disturbance, mitigation included a 12.87 acre conservation easement on-site and off-site mitigation of 109 acres. Jones & Beach Engineers handled the NHDES WQC, Town Planning Board and Zoning Board of Adjustment Approvals, NHDES Dam Permit, NHDES Site Specific Permit, Existing Conditions Survey, Construction Survey and Construction Supervision.

Seabrook, NH – Lowes Home Improvement Warehouse

Located on Lafayette Road (Route 1), this 17.45 acre parcel was developed for a 130,000 square foot Lowes Home Improvement Warehouse and a 5,000 square foot restaurant pad. The parcel was adjacent to Mary's Brook, which is a tributary river to the Cains Mill watershed. Mitigation for the project included preservation of a one acre lot on Cains Mill Pond and river sampling/monitoring before, during and after construction. Jones & Beach Engineers was responsible for Town Planning Board and Zoning Board of Adjustment approvals, NHDES Dam Permit, NHDES Site Specific Permit, Existing Conditions Survey, Construction Survey and Construction Supervision.

Plymouth, NH – Lowes Home Improvement Warehouse

This 120,000 square foot Lowe's Home Improvement Warehouse, 13,205 square foot Pharmacy and 5,000 square foot restaurant located on Tenney Mountain Highway (Routes 3A & 25) is adjacent to the Baker River to the North. This 77 acre parcel was located in the Shoreland Protection Zone, FEMA 100-Year Flood Plan and Regulatory Floodway, and within the Town's Environmentally Sensitive Zone. The development was on 15% of the entire parcel and a large portion of the remaining upland area was altered for floodplain compensation area. A Phase II Archaelogical Investigation, Comprehensive Environmental Assessment, Geo-Fluvial Morphology and Hec-Ras Studies were performed to prove that there would be non degredation of the Baker River with the development. Jones & Beach Engineers' responsibilities included Town Planning Board and Zoning Board of Adjustment Approvals, NHDES Site Specific Permits and NHDOT Roadway Design.

Plymouth, NH – Lowes – Offsite Improvements

The site is located on Tenney Mountain Highway (Routes 3A & 25) and is adjacent to the Baker River to the North. The parcel is located in the Shoreland Protection Zone, FEMA 100-Year Flood Plain and Regulatory Floodway, and within the Town's Environmentally Sensitive Zone. A NHDOT Permit for the Water System and Roadway Design was an integral part of the project.

Seabrook, NH – The Home Depot

This 135,000 square foot Home Depot was designed on a 21 acre parcel on the southerly end of Lafayette Road (Route 1). The project was adjacent to Mill Pond and Boston & Maine Railroad, mitigation for the project included an on-site constructed wetland, wet pond, design of a town park for access to Mill Pond and Route 1 box culvert design with a fish ladder. Jones & Beach Engineers' responsibilities included town Planning Board and Zoning Board of Adjustment Approvals, NHDOT roadway design, NHDES Dam Permit, NHDES Site Specific Permit, Existing Conditions Survey and Construction Survey and Construction Supervision.

Epping, NH – New England Dragway

New England Dragway is located on a 300+ acre site on the north side of Route 27. Jones & Beach Engineers has been the site engineer for the track since 1977. Past approvals have included NHDES Site Specific Permits and Subsurface Disposal Designs. In 2008, the track constructed a parking area on a nine acre section of land and filled approximately two acres of wetlands without permits. Working in conjunction with West Environmental, Jones & Beach Engineers permitted the fill of the wetland with mitigation of a 24 acre conservation easement and 13 acre wetland mitigation area. The design of a gravel wetland and conversion of a section of the pit area to porous pavement were key components of the design that obtained NHDES WQC, Army Corps of Engineers, and NHDES Alteration of Terrain Permits.

Epping, NH – Prescott Orchards Residential Subdivision

This 119-lot open space subdivision currently under construction is located on Prescott Road in Epping, NH. This project consists of 9 conventional frontage lots, 110 open space lots, 15,000 linear feet of road and 220 acres of open space. Offsite improvements were made to the Dearborn / Prescott Road Intersection.

Phase 1 of Prescott Orchards consisted of survey and construction work for the seven (7) frontage lots on Prescott Road. The scope of work involved topography survey, existing conditions plan, test pits, underdrain design, subdivision design engineering, construction inspection services, meeting representation, construction stakeout, building stakeout, foundation certificates, monumentation, SWPPP reports and inspections, leachfield design, lot line stakeout and construction services.

Phase 2 of Prescott Orchards consisted of survey and construction work for the twenty-eight (28) lots on Orchard Hill Road, which was the first proposed street. The scope of work involved topography survey, existing conditions plan, test pits, underdrain design, subdivision design engineering, construction inspection services, meeting representation, construction stakeout, building stakeout, foundation certificates, monumentation, SWPPP reports and inspections, leachfield design, lot line stakeout and construction services.

Reference: Tim Matte
Prescott Orchards Land Development, LLC
PO Box 837
Epping, NH 03042
(603) 396-6270

Seabrook, NH – Kohl's Department Store

This 89,911 s.f. Kohl's Department Store is located on Lafayette Road (Route 1) in Seabrook, NH. Jones & Beach provided survey, site plan engineering design, stormwater management, local and state permitting, meeting representation, and construction inspection. The project was completed in 2008.

Reference: Robert Korff
Mark Investments, Inc.
54 Jaconnet Street
Newton, MA 02461
(617) 332-8140

Hooksett, NH – Medical Office Building – Routes 3 & 28

Originally intended to be a supermarket and retail component of a larger project that Jones & Beach Engineers, Inc., completed in 1995, the site's remaining land now hosts a two-story medical office building. Together with the TD Bank, Monro Muffler Shop, and Wendy's Restaurant already in place, this latest component significantly broadens the scope of this multi-use development. Totaling 56,000 square feet, the new complex provides not only professional office space, but outpatient care and emergency services as well, bringing a wide range of health care options to the local community.

Reference: Alex Vailas
Phoenix Realty Group
103 Whitford Street
Manchester, NH 03104
(603) 628-6844 Ext. 5

DRAINAGE SYSTEMS

Exeter, NH – Forest Ridge Residential Subdivision

This 63-lot/90-unit cluster subdivision on a 265± acre parcel of land is located on the east side of Watson Road in Exeter, NH. The site development consisted of the aforementioned subdivision, featuring single and multi-family dwellings along with the construction of approximately 9,900 feet of roadway.

Reference: Eric Chinburg
Chinburg Builders
8 Newmarket Road, Suite 2
Durham, NH 03824
(603) 868-5995 Ext. 11

Exeter, NH – Forest Ridge

Sandy Brook Corporation proposes to construct a 63-lot/90-unit cluster subdivision on a 265± acre parcel of land located on the east side of Watson Road in Exeter, NH. A drainage analysis of the entire site and its offsite contributing watershed areas was conducted for the purpose of estimating the peak rate of stormwater runoff and to subsequently design adequate drainage structures. Two models were compiled, one for the area in its existing (pre-construction) condition, and a second for its proposed (post-construction) condition.

The subject parcel is located in Zone RU – rural residential open space. The subject parcel consisted primarily of woodlands, with minimal open space. The site was primarily undeveloped save for a 225-foot power line easement and numerous trail systems. The existing topography was such that the existing conditions site analysis required 24 subcatchments. The entire site, combined with approximately 36.23 acres of offsite runoff, drained northerly to an existing 24-inch RCP (Pond #5P), offsite into a large swamp at the southern property line (Reach #60), and offsite to the southeast (Reach #70).

The site development consisted of the aforementioned 63-lot/90-unit subdivision, featuring single- and multi-family dwellings. The construction of approximately 9,900 feet of roadway, driveways, and homes, in addition to site grading and curbing, divided the existing drainage basins into 103 subcatchments. The runoff from these subcatchments increased from that of the existing conditions due to the addition of the impervious buildings and paving. This runoff was directed via catch basins and overland flow to various treatment methods.

Epping, NH - Prescott Road Culvert Replacement

The existing cross culvert was a 3’ x 3’ stone box, which appeared to be historic. The area of the watershed crossing the road was determined to contain approximately 1,026 acres. The watershed area and the roadway crossing were evaluated using HydroCAD software and were analyzed for a 50-year and 100-year storm events, which resulted in flows of 524 cubic feet per second (cfs) and 676 cfs respectively. The two major storm events of the past two years fell into these categories causing roadway damage and flooding across the road.

An eight (8) foot wide by four (4) high arch culvert with a natural bottom was sized parallel to the existing box culvert to handle the 50 and 100 years storm events. The down slope embankment retaining wall along with the guardrail on that side of the road were severely destroyed during the flooding and need to be replaced.

Amesbury, MA – Merrimac Landing

A drainage analysis of the Proposed 62 Lot Subdivision and roadway was conducted with 8,000 linear feet of roadway. The entire roadway system included a closed drainage system with over 100 catch basins and drain manholes, which directed stormwater to one of three large detention and treatment ponds. The project was reviewed and approved by the Planning Board, Conservation Commission, Massachusetts Department of Environmental Protection (MADEP) and Massachusetts Environmental Protection Agency (MEPA). This project was designed in accordance with the Massachusetts Stormwater Management Policy guidelines for detention, infiltration, TSS removal and pollutant loading removal.

Hampton Falls, NH – Brown Road Culvert

The town of Hampton Falls proposed to install an additional 48" culvert at the Grapevine Run stream crossing located on Brown Road. Jones & Beach Engineers, Inc., reviewed and inspected the three Wetland Crossings off of Brown Road as requested by the Town. The existing topography was such that the existing conditions drainage analysis required only one subcatchment. This subcatchment was a 900-acre section of land extending back to Lamprey Road and New Road.

The proposed site improvements consisted of repairing and cleaning the existing culvert, as well as adding an additional 48" RCP culvert. This crossing had failed during a recent rain event, causing damage to the roadway. The additional culvert increased the flow capacity of this crossing. The proposed conditions did not handle the entire inflow for the 100-year storm event. However, there was sufficient attenuation to ensure that the two 48-inch culverts will adequately handle major storm events. In turn, the water levels will not reach the height of the road, preventing any further damage. The potential for increased sedimentation and erosion was handled using riprap outlet protection aprons.

Hampton, NH – Retail Plaza on Lafayette Road

Jones & Beach Engineers, Inc., performed professional surveying and engineering services for a Major Site Plan of property located on 845 Lafayette Road in Hampton, New Hampshire. The parcel consisted of approximately 2.02 +/- acres. We designed a retail plaza consisting of 8 retail spaces and a 200-seat Restaurant with patio for outdoor seating, the total building being 24,664 square feet. The site design of the project consisted of 122 parking spaces and the retail plaza. All the stormwater from the parking lot is caught and treated with catch basins and a StormTech system under the parking lot. The StormTech systems have an isolator row and trap any sediment that makes it past the catch basins. The isolator row requires annual maintenance for optimal performance. The site has catch basins and drain manholes that direct water into the underground detention structure. Independent leaching catch basins recharge stormwater from two grassed areas.

ROADWAY DESIGN

Raymond, NH – Epping Street Road Reconstruction for Municipality

Jones & Beach Engineers, Inc., is currently being retained by the Town of Raymond for the redesign of Epping Street. The roadway is approximately 4000 linear feet long and will require the reclamation of the existing roadway, design of a new vertical and horizontal alignment, new drainage system, curbing and green space. The project is anticipated to go to construction this spring and is being funded through CIP and possible Federal Stimulus funds.

Barrington, NH – Pavement Management Program

Jones & Beach Engineers, Inc., is currently completing the pavement management system for the Town of Barrington. More than 70 miles of roadway have been observed and the condition of the pavement has been determined based on the RSMS format. The project is an update from the last RSMS survey that was conducted in 2000 by UNH students.

Litchfield, NH - Gilcrest Farms

Jones & Beach Engineers, Inc., designed a 40 unit elderly housing complex along the Merrimack River. The project involved full roadway and drainage design and environmental restraints dealing with the Merrimack River.

SEWER SYSTEMS

Seabrook, NH – Sewer System

Jones & Beach Engineers, Inc., along with Stearns & Wheeler, of Cazenovia, New York, were awarded the contract to perform the engineering design and construction services for a Town wide sewage collection and treatment facility. This project was initiated with an existing conditions survey in 1987. The design consisted of 50 miles of gravity sewer and forcemain, in addition to 25 miles of individual house services, two wetwell/drywell pump stations, sixteen suction lift pump stations, treatment facilities and 45 miles of drainage improvements. During the spring of 1993, construction was initiated and all ten individual contracts are now completed. Jones & Beach provided construction inspection services for the Town of Seabrook and had a full time Professional Engineer with four full time Construction Inspectors assigned to the project. Total construction cost of the project was 55 million dollars.

SWPPPS (STORMWATER POLLUTION PREVENTION PLANS)

Portsmouth, NH – Oxford Road

This project involves pavement rehabilitation and drainage improvements on Oxford Road in Portsmouth, NH. The rehabilitation phase will consist of reclamation of the existing roadway surface. The drainage improvements include new catch basins with new piping between two existing homes that will outlet behind #130 Oxford Road. The stormwater will then travel through a vegetated treatment swale. During construction, appropriate BMP's will be applied so as to negate the potential for sediment-laden run-off to discharge into wetlands or any other existing waterways and structures prior to the final stabilization of the proposed grading.

Inspections were completed every 7-14 days and within 24 hours of a significant rain event of 0.5 inches or more and records were submitted as required with the EPA-NPDES-SWPPP

Spaulding Turnpike – 3 Stormwater Pollution Prevention Plan Projects

Jones & Beach Engineers, Inc., worked with NHDOT and Pike Industries on Stormwater Pollution Prevention Plans for 3 projects along the Spaulding Turnpike, this work included Engineering and routine Construction Inspections.

Epping, NH – Longmeadow Farms

Stormwater Pollution Prevention Plan and permit for a 33-lot subdivision on a 123-acre site. Environmental concerns due to the site location abutting the Hoar Pond and the Town of Epping drinking water supply.

Seabrook, NH - Lowe's Home Improvement Store

SWPPP permitting and construction management.

Epping, NH - Hamilton Heights Subdivision

SWPPP permit to construct a 38 lot subdivision on a ±137-acre parcel of land located on the west side of Nottingham Square Road.

Deerfield, NH - High Meadows Subdivision

Construct a subdivision on South Road.

Hampton, NH - Seacoast Woods Residential Condominium

Construct 23 condominiums on 8 acres of wooded property at the end of Walker Circle on Drakeside Road.

Lee, NH - Thurston Woods Cluster Development

Construct a forty-lot cluster development on a ±115.40-acre parcel of land located between NH 125 and NH 152.

Hampton, NH - Page's Meadow Condominium Complex

Construct a 48-unit condominium complex on a ±25.50-acre parcel of land located on the south side of Drakeside Road.

Epping, NH - Epping Self Storage

To add four self-storage units on a 14.5-acre parcel of land located on the north side of Calef Highway (Route 125).

Hampton, NH - 6 Lot Subdivision

Construct a 6-lot subdivision on a ±4.2-acre parcel of land located at 89 Woodland Road.

Hampton, NH - Retail Development

Construct a 24,664 square foot retail plaza with 6 retail stores and a 200-seat restaurant on Lafayette Road (Route 1).

Hampton, NH – Motor Court Condominiums

Construct 6 unit condominiums on a ±1.81-acre parcel of land located on the north side of Winnacunnet Road.

Salisbury, MA – Marsh Landing Condominiums

Proposed construction of condominium development on ±0.92-acre parcel located off of Beach Road.

Stratham, NH – Fire Station

SWPPP and drainage design. Coordination with NHDOT.

Exeter, NH – Forest Ridge Subdivision

Construct a 63-lot/90-unit cluster subdivision on a ±265-acre parcel of land located on the east side of Watson Road.

Amherst, NH – Granite Hills Subdivision

Construct a 21-lot subdivision on a ±66-acre parcel of land located on the south side of Walnut Hill Road.

Exeter, NH – Exeter Health Reach Dental Clinic

Construct a new dental complex with a footprint of 6,900 S.F. on ±3.76-acre parcel of land located on the southwest side of Hampton Road (Route 27).

Stratham, NH – CVS

Redevelop its existing facility located on the north side of Portsmouth Ave. (Routes 108 & 33). Located on a ±7.79-acre parcel of land, the proposal consists of the reconfiguration and repaving of an existing parking lot and the addition of a 13,000 S.F. retail building with associated access-ways, parking areas, and other infrastructure.

Salisbury, MA – CVS

Once the home of an unsightly abandoned gas station on a highly visible site at the center of Salisbury, on Lafayette Road (Route 1) & Beach Road, this development was afforded the utmost attention to aesthetic sensibilities during the planning process. Adjacent to the town hall and a congregational church, Jones & Beach Engineers, Inc., took every measure to complement the colonial feel exuded by this quaint New England village. Based on a "street-scape" motif, period architectural treatments and extensive landscaping were worked into the plan to ensure a harmonious blend with the surrounding area. With vehicular and pedestrian cross-connections to both the town hall and church, the site serves to further integrate the community's core and accentuate the small town feel one would expect to find along the coast of Massachusetts.

Seabrook, NH – Kohl's Department Store

Project consisted of an 89,911 s.f. Kohl's department store, an attached 12,500 s.f. retail space, and a 5,500 s.f. restaurant out parcel. With a new traffic signal on Route 1 and additional offsite improvements to Boynton Lane and an adjoining shopping center. The site required the design of a looped water system tieing in the abutting Lowe's Site and a gravity sewer system out to Route 1. Working with Municipal, State, and Federal Regulators, the project team incorporated a number of design elements to minimize impacts to the nearby resource areas of Mary's Brook and Mary's Pond. With steep slopes, retaining walls, and a comprehensive water sampling program, Jones & Beach took every possible care to reduce and monitor the project's environmental footprint.

Ellsworth, ME – Lowe's Home Improvement Store

Located on a 17.70-acre site comprising a portion of a previously approved commercial subdivision, Lowe's of Ellsworth presented a number of engineering challenges during the design phase of the project. In addition to the necessary minimization of wetland impacts, topographical and groundwater considerations played important roles in shaping the layout of the development. With the inclusion of a retaining wall over 1,800 feet long and over 25' in height in some locations, potential wetland fills were reduced by nearly two acres. This structure came with the added benefit of allowing the Lowe's building to remain in a position directly visible from the nearby U.S. Route
3, a busy commercial corridor. As mitigation, the project has enabled the preservation of over 25 acres of land adjacent to a nearby private wildlife refuge and the restoration and preservation of another degraded site elsewhere in the City. Combined with an extensive stormwater management and treatment system and a detailed landscaping plan, these efforts demonstrate the abilities of Jones & Beach to effectively balance ecological concerns and local interests with the economic realities of modern commercial development.

N. Windham, ME – Lowe's Home Improvement Store

Placed on a hill behind the local Wal-Mart in N. Windham's busy Route 3 corridor, this 169,793 sf Lowe's Home Improvement Center afforded a challenging engineering opportunity. Sitting astride three crude oil transmission lines, the 23.75-acre parcel also abutted a major interstate natural gas pipeline. Complicating this, the project required extensive blasting and the removal of 115,000 cubic yards of ledge. Working with the contractor and the respective utility service providers, Jones & Beach Engineers, Inc., was able to orchestrate a flawless phasing sequence that allowed this potentially catastrophic mix of elements to be negotiated without incident. Permitted through a Maine DEP Site Location of Development Application, the project included a thorough environmental analysis and stormwater mitigation plan. Throughout construction, the firm's diligent inspectors ensured that all work was done in complete accordance with the plans and specifications while keeping to an accelerated work schedule. With the knowledge that only experience can bring, Jones & Beach's guided the development through the site's difficult conditions and enabled on-time pad delivery and key turn over.

Plymouth, NH – Lowe's Home Improvement Store

Jones & Beach Engineers designed the proposed 111,724 s.f. Lowe's Home Center located along the Tenney Mountain Highway corridor in Plymouth. The project is at the epicenter of an area the Town's Master Plan has targeted for commercial growth. Due to its location near the Baker River's floodway and entirely in the 100-year floodplain, the development required the assistance from John Field. In 2007 a Fluvial Geomorphology Study of the Baker River was completed. The work included a complete HEC-RAS analysis, a Phase II Archaeological Investigation, and a comprehensive environmental assessment, the project team prepared countless individual studies evaluating the potential impact to the site and its surroundings. Resultant of this careful consideration of the site's environmental context, only 12.5 acres of the 77.46-acre parcel will be developed and more than three-quarters of the total area will be placed in permanent conservation easement. To accommodate aesthetic concerns, Jones & Beach worked with the Town of Plymouth to adjust the site's landscaping and architecture to harmonize with the character of the community.

Lee, NH – North East Credit Union

The site plan design and approval of the Northeast Credit Union located on Route 125 & Steppingstones Road in Lee, NH consisted of a 2,880 S.F. building with drive-through lanes and associated parking, access drives, drainage, utilities and on-site subsurface effluent disposal system.

Reference: Northeast Credit Union
Attn. Devin Parker
100 Borthwick Avenue
Portsmouth, NH 03801
(603) 422-9937

Stratham, NH – Shaw's Supermarket

Shaw's at Stratham Crossing is a 80,000 square foot Shaw's Supermarket that anchors this commercial development, which includes pad sites for a restaurant and bank. The stormwater detention facilities double for on-site fire protection requirements. The adjacent brook and nearby tidal river were permanently protected with conservation easements totaling 70 acres.

Seabrook, NH – Town Fair Tire

Jones & Beach Engineers, Inc., designed a 6,000 S.F. retail building with 24 parking spaces on a L-shaped lot on Route 1 in Seabrook, NH. This corner lot presented many design obstacles which were overcome by using underground detention of stormwater and integrating the site into the new highway construction.

Seabrook, NH – The Home Depot

A 135,000 square foot retail store and garden center were designed on 21 acres in Seabrook. Connection to Municipal water and sewer with improvements and widening of US Route 1 were completed. An extensive wetland creation and stormwater detention system were required.

Developer:	Topsfield Associates Attn: Mr. Jeff Gove 20 Burlington Mall Road Burlington, MA 01803 (781) 229-9939	Home Depot Attn: Butch Fuller 15 Dan Road Canton, MA 02021 (781) 830-4412

SUBDIVISIONS

Alton, NH – Alton Mountain Estates

The project involved subdividing the existing 80-acre parcel into 17 lots, with approximately 2,100 linear feet of roadway. The total amount of disturbance for the project is approximately 201,500 square feet with approximately 2,500 square feet of wetland impact. The stormwater is treated by filter strips and controlled by a detention pond.

Epping, NH – Hamilton Heights

Hamilton Heights conventional subdivision consists of 40 single-family lots with 6,000 linear feet of road situated on 130-acres. The project is located on Nottingham Square Road and was later tied into Long Meadow Farms West subdivision. A 26-acre parcel was donated to the Town in order to provide protective well radius easements. The land is situated so that an additional Municipal well can be drilled.

Epping, NH – Prescott Orchards

This 119-lot open space subdivision, which is currently under construction, is located on Prescott Road in Epping, NH. This project consists of 9 conventional frontage lots, 15,000 L.F. of road and 220 acres of open space. Offsite improvements were made to the Dearborn / Prescott Road Intersection.

Phase 1 of Prescott Orchards consisted of survey and construction work for the seven (7) frontage lots on Prescott Road. The scope of work involved topography survey, existing conditions plan, test pits, underdrain design, construction inspection services, meeting representation, construction stakeout, building stakeout, foundation certificates, monumentation, SWPPP reports and inspections, leachfield design, lot line stakeout and construction services.

Phase 2 of Prescott Orchards consisted of survey and construction work for the twenty-eight (28) lots on Orchard Hill Road, which is the first proposed street. The scope of work involved topography survey, existing conditions plan, test pits, underdrain design, construction inspection services, meeting representation, construction stakeout, building stakeout, foundation certificates, monumentation, SWPPP reports and inspections, leachfield design, lot line stakeout and construction services.

Epping, NH – Longmeadow Farms East & West

Longmeadow Farms consists of 33 single-family lots in an open space subdivision. The properties are located on either side of Plummer Road in Epping , NH. The existing farmstead, stables, horse paddocks and trails were preserved through deed restriction and conservation easement. The 80-acre open space, along with the land from Hamilton Heights, provided the protective well radius area necessary to activate the Town wells on Beniah Lane. The north end of Hoar Pond is protected within the conservation easement.

Greenland, NH - Barrett Green Subdivision - Great Bay Road

Project involved a lot line adjustment prior to the subdivision of subject parcel into sixteen (16) single-family residential lots with onsite water and septic.

Seabrook, NH - Pineo Farms Subdivision - Stard Road

Pineo Farms is a 23-lot subdivision located on 72.05 acres in Seabrook, NH. Just south of the Hampton Falls town line. Project involved subdividing the subject parcel into 23 residential building lots serviced by municipal water and sewer and 2,119 LF of roadway construction.

Lee, NH – Thurston Woods

Thurston Woods cluster subdivision is located on Route 155 & 125 in Lee, NH. It consists of 155-acres. A total of 46-units comprised of 34 single-family lots with 4,000 linear feet of road and 12 units in 6 duplexes on 700 linear feet of road. The open space is approximately 100 acres for passive recreation.

Stratham, NH – The Vineyards Retirement Community

This over 55 Community consists of 76, two-bedroom, residential, detached units on 78 acres off Guinea Road in Stratham. Jones & Beach Engineers, Inc., designed the project with 7,000 feet of roadway, onsite community leach fields and water system.

Exeter, NH – Blackford Place Subdivision

This open space cluster development is located on 102 acres of woodlands with 35 single-family residential lots and 5,300 linear feet of roadway. The project provided over 40 acres of the land as open space to be left in its natural condition. In addition, 350 feet of existing roadway was reconstructed to improve vehicular safety.

East Kingston, NH – Maplevale Estates

This subdivision consists of 22 single-family lots and 66 elderly housing condominiums located on two separate parcels. This project includes 5,000 L.F. of public road and 3,500 L.F. of private road to access the condominium development. A community water system and individual septic system design are required to provide utilities in this rural turkey farm and orchard. This centrally located project includes conservation land and offsite roadway improvements, and a donation of land to a local church and public library.

Brentwood, NH – The Meadows

This project was designed in five phases and consists of over 60 lots for single family development, with onsite wells and leach fields. Out of the total tract area of 215 acres, significant areas have been set aside as open space conservation. This project included crossing a stream with a large box culvert along with many other environmental considerations.

Seabrook, NH – Industrial Subdivision

The Stard Road development involved six lots with minimum building size of 15,000 square foot area, on municipal water and sewer, for industrial development.

MULTI-FAMILY CONDOS

Hampton, NH – Tidemeadow Condominiums

This 18-unit beach community residential condominium project is placed on one acre of land with municipal services. The developer restored 7,300 square feet of salt marsh habitat reclaimed from past disturbance. State approvals required NHDES Wetland Permit, Shoreland Protection Variance, NHDOT Driveway Permit, Wastewater Discharge Permit, Special Use Permit, and multiple variances from local regulations.

INSTITUTIONAL EXPERIENCE

Exeter, NH – Exeter Hospital

Exeter Hospital consists of eight projects constructed and designed on the Campus since Jones & Beach Engineers, Inc., began working for the facility in 1995, including four parking lots, 250,000 square foot building additions and expansions, with a new 60,000 square foot parking garage. Existing utilities required relocation and replacement parking has been developed in conjunction with other design consultants.

POROUS PAVEMENT

Exeter, Hospital, Hampton Road Dental Clinic

Jones & Beach Engineers, Inc., teamed Bruce Ronayne Hamilton Architect to provide civil/site and architectural services for a new 12,700 SF dental clinic located on Hampton Road in Exeter, NH. Exeter Health Reach Dental is an expansion of services offered by Exeter Hospital.

Jones & Beach Engineers provided the site design which included:

- Site Grading
- Stormwater design and management plan
- Sanitary sewer design with pump station upgrades
- Design and coordination for utility connections
- Parking and pedestrian access

The project highlight would be the design and installation of Porous Asphalt used as a stormwater management and water quality tool. The project was designed to take all stormwater runoff generated onsite by the new construction and infiltrate it through the pavement into a gravel medium below the pavement for storage, treatment, and temperature control.

CEMETERIES

Exeter, NH – Linden Street Cemetery

This project involved surveying and engineering services for under-drain design (approximately 2,000 linear feet) and construction work. This project consisted of multiple cemetery plots, service roads, and several buildings on approximately 46 +/- acres.

Reference: Exeter Cemetery Association
Attn: Robert Rowe or Judy Dufour
PO Box 29
Exeter, NH 03833
(603) 778-6167

Alton, NH – Riverside Cemetery

Alton Riverside Cemetery project was an expansion of the existing cemetery located off of Route 28 in Alton, NH. Jones & Beach completed a topographical survey of the existing conditions of the site including the first phase of the active cemetery. Based on the existing layout of the first phase of the site the second phase was designed including individual burial plots, crematorium site and small detention pond. After the second phase of the site was cut and filled Jones & Beach Engineers staked out the roadways and all of the reference monument locations. Final plans were submitted at the end of the project to be used for marketing and burial records.

Reference: Alton Riverside Cemetery
Attn: Shirley Lane
PO Box 659A
Alton, NH 03809
(603) 875-2162

IV. COMPANY SERVICES

Jones & Beach Engineers, Inc., is a full-service Civil Engineering and Land Surveying Company providing a wide range of services, including the following:

- Site Plan & Subdivision Approvals from Cities and Towns.
- Wetland Delineations and Assessments.
- State and Federal Permit Applications and Approvals for Wetland Impacts, Stormwater Design, Sanitary Sewer Discharges, State Highway Permits and USEPA Phase I and II Permits.
- Roadway and Stormwater Drainage Analysis and Design.
- Property Condition Assessment & Reports for Mobile Home Communities.
- State Highway Erosion Control Inspections.
- Stormwater Management and Hydraulic Studies.
- Wastewater & Water System Design and Modeling.
- Porous Pavement and Water Quality Design.
- Town Engineer Services (Hampton Falls, NH).
- Municipal Building and School Site Design and Review Services.
- Residential and Commercial On-Site Effluent Disposal Systems.
- Grant Writing and Application Submissions.
- Phase I and II Hydrogeologic Studies, Landfill Closure Design, and Permitting.
- Boundary Surveys.
- Existing Conditions Surveys.
- GPS Control for Aerial Photography Mapping.
- ALTA/ACSM Title Surveys.
- As-Built Surveys.
- Utility Route Surveys.
- Robotic and Global Positioning System (GPS) Instrumentation to Sub-Centimeter Accuracy.
- Plot Plans, Flood Elevation and Foundation Certificates.
- Construction Services, Survey Layout, Inspections and Cost Estimating.
- Solicitation and Preparation of Construction Documents and Specifications.

V. PERSONNEL QUALIFICATIONS

- **Wayne G. Morrill -** President / Senior Project Manager
- **Bradford A. Jones** – Vice President / Construction Services Manager
- **Barry W. Gier, PE** – Vice President / Project Manager
- **Joseph A. Coronati** – Vice President / Project Manager
- **David M. Collier, LLS** – Survey Manager
- **Matthew Salvuccis, LLS, PLS, EIT** – Associate / Assistant Survey Manager
- **Ian MacKinnon, P.E, CPESC-IT** – Associate / Project Manager

WAYNE G. MORRILL, JR.
PRESIDENT / SENIOR PROJECT MANAGER

Mr. Morrill attended the New Hampshire Technical Institute in Stratham and received his Associates Degree in Electro-Mechanical Drafting in 1988. He is proficient in the use of computer programs such as AutoCAD and Land Desktop Development. He is a NH Licensed Septic System Designer, Evaluator and Installer.

In 1988, Mr. Morrill joined Jones & Beach Engineers, Inc. (JBE) as a CAD Technician. As a Project Supervisor his responsibilities include, but are not limited to, project management, cost analysis, site inspection, design of subdivisions and commercial development plans, and municipal and state presentations. In 2001, he became an owner of the firm and was named a Vice President.

Mr. Morrill is extremely competent in all areas of project management and development. He is innovative, bright, dependable and thorough, paying close attention to detail. He has excellent rapport with clients, working closely with them, and quickly gaining their trust. He acts as a representative for clients at Planning Board Meetings, Zoning Board Hearings and during project negotiations.

Project Highlights:

- Seabrook, NH: 135,318 S.F. Home Depot Retail Development on Route 1 ~ Project Manager and Site Designer
- Ellsworth and Thomaston, ME: 165,000 S.F. Lowe's Home Improvement Stores ~ Principal-In-Charge
- Seabrook, NH: 150,000 S.F. Lowe's Home Improvement Warehouse Development on Route 1 ~ Project Manager and Site Designer
- Seabrook, NH: 12-lot Industrial Park with 1,025 L.F. of roadway on Ledge Road ~ Project Manager and Site Designer
- Seabrook, NH: 90,000 S.F. Kohl's Department Store, an attached 12,500 S.F. Retail Space, a 5,495 S.F. Restaurant, and associated access-ways and parking ~ Principal-In-Charge
- Lynn, MA: 13,013 S.F. CVS Pharmacy with associated parking, drainage and utilities ~ Principal-In-Charge
- Epping, NH: Brickyard Square of Epping was completed in three phases. Phase 1 was a 77,232 S.F. Retail Building with associated parking, drainage and utilities. Phase 2 was a total of 89,040 S.F. comprised of 20-Retail Building Units with associated parking, drainage and utilities. Phase 3 was a total of 110,676 S.F. comprised of 3 Retail Buildings and a Cinema with associated parking, drainage and utilities ~ Principal-In-Charge
- Concord, NH: 13,225 S.F. CVS Pharmacy and a 2,598 S.F. Burger King Restaurant with associated driveway, drive-thrus, parking, drainage and utilities ~ Principal-In-Charge
- Amesbury, MA: 13,225 S.F. CVS Pharmacy with associated parking, prescription drive-thru, drainage and utilities and 2,500 S.F. Mansard Mixed Use Building ~ Principal-In-Charge
- Brentwood, NH: 19,097 S.F. Tractor Supply Building and 15,000 S.F. Outdoor Fenced Merchandise Display Area, with associated parking, utilities and drainage ~ Principal-In-Charge

BRADFORD A. JONES
VICE PRESIDENT / SENIOR CONSTRUCTION SERVICES MANAGER

Mr. Jones attended the University of New Hampshire Thompson School for two years of Civil Engineering Technology. He holds a NH Installer's License for Septic Systems.

Mr. Jones began working in the engineering field at the age of 18 as a survey rod man, moved rapidly to crew chief, designer, and construction inspection. He spent five years at Midway Excavators gaining valuable experience in the field. In 1987, Mr. Jones began full-time employment at the family business bringing expertise in design review for constructability, cost estimation, site inspection, and field survey. In 2000, he became an owner of the firm and was named a Vice President.

Mr. Jones is extremely competent in the areas of road and site construction management and inspection, land development including roadway, drainage, fire cisterns, water and sewer systems, and subsurface disposal septic systems. Construction and contract maintenance provide invaluable tools for clients.

Project Highlights:

- Seabrook, NH: Sewer Main Contracts 3, 8 and 10, and PSNH Seabrook Power Station sewer connection. This work included 6 sewage pumping stations ~ Resident Construction Inspector

- Merrimack, NH: 150K GPD sewage pumping station and a 200+ unit residential development located in Bedford, NH ~ Construction Inspector

- Newfields, NH: Dunlin Woods 21 lot Residential Subdivision with 2,600 feet of road, 3,200 feet of gravity sewer and 3,600 feet of water main and drainage ~ Construction Inspector

- Acton, MA: Sewer Main and Pump Station of a 72 unit Condominium and Elderly Center project ~ Designer & Inspector

- Portsmouth, NH Residential Subdivisions: Tucker's Cove Estates, Wholey Way and Nathaniel Way ~ Construction Inspector

- Hampton Falls, NH: Spring Hill Subdivision, Field Stone Estates, The River at Heron Landing, Starvish Lane, and Linden Road Subdivision ~ Construction Inspector

- Maplevale 36 lot Subdivision in East Kingston, NH, Mitchell Road Residential Subdivision in Nottingham, NH, Home Depot in Seabrook, NH, Chisholm Farms Subdivision in Stratham, NH, and Windsor Meadows Condominiums ~ Construction Manager & Inspector

BARRY W. GIER, P.E.
VICE PRESIDENT/ SENIOR PROJECT MANAGER

Mr. Gier graduated from the University of Kansas in 1997 with a BS Degree in Civil Engineering. He is a Licensed Professional Civil Engineer in the State of New Hampshire.

Mr. Gier joined Jones & Beach Engineers, Inc. (JBE) in 2011 bringing more than fifteen years of experience with him. Given his level of expertise, accuracy and attention to detail, he is an extremely valuable resource. He began his career working with Civil Engineering firms developing site plans and subdivisions. He also worked on numerous Regional Airport projects involving Runway Designs and Construction, Safety Area Construction, and Wildlife Area Mitigation. He has extensive knowledge and experience with Roadway Design, Stormwater Design, Sanitary Sewer Design, Water Distribution System Design, Airport Design, Waste Water Treatment Plant Design, Construction Specifications and Construction Monitoring, and Stormwater Field Inspections. He has also handled Federal, State, and Local permitting for various public and private projects in addition to coordination with Regulatory Agencies, Municipal Officials, Commissions and Boards. His duties include the planning, designing and permitting of site development and subdivision projects, including parking areas, water and sewer systems, and drainage facilities, as well as handling environmental permitting.

Project Highlights:

- Westbrook, ME: Dirigo Plaza Retail Development, 400,000 S.F. of multi-building retail development including re-utilization of existing quarry as detention. ~ Lead Project Engineer and Site Designer

- Stratham, NH: Sanctuary Drive Subdivision – 8 Lot Subdivision including 850'+ roadway. ~ Project Manager and Project Engineer

- Hillsborough, NH: Weatherstone Crossing Retail Development – Wal-Mart Retail Development. Design included new pump station design, water booster pump station, flood plain mitigation, wetland mitigation with 600,000 cu. of earthwork. ~ Lead Project Engineer and Site Designer

- Nashua, NH: Amherst Street Retail Development – Multi-Building retail development on existing contaminated site. ~ Project Engineer

- Hooksett, NH: Java Joes – In-fill retail development within existing commercial plaza. ~ Project Manager and Project Engineer

- Barrington, NH: 93,000 S.F. Turbo Cam International Corporate Headquarters and manufacturing facility with associated parking, utilities and drainage ~ Project Manager and Project Engineer

- Barrington, NH: Convenience Store/Gas Station Site Design, Engineering and Permitting ~ Project Manager and Project Engineer

- Portsmouth, NH: Seacoast Helicopter – Site Design for helicopter and fixed wing aircraft hanger/office/and apron at Pease Airport ~ Project Manager and Project Engineer

- Durham, NH: Commercial Site Design of vehicle service station on a 0.25 acre redevelopment lot ~ Project Manager and Project Engineer

JOSEPH A. CORONATI
VICE PRESIDENT / SENIOR PROJECT MANAGER

Mr. Coronati graduated from Clarkson University in 1997, with a degree in Civil Engineering and concentration in transportation. After a summer internship, Mr. Coronati began working full-time at Jones & Beach Engineers, Inc. During his first two years of employment, he engineered site plans, subdivisions and municipal utilities. Specialties included drainage design, construction cost estimates and site inspections. Planning Board meetings quickly became a regular part of the job.

In order to gain construction experience, Mr. Coronati took a position with Modern Continental Construction Company on the Boston Central Artery project. He worked at solving construction problems with the use of AutoCAD, focused on design. Mr. Coronati left Modern to partner with a licensed engineer in a small civil/structural firm and managed projects through Local, State, and Federal approvals.

In the fall of 2000, Mr. Coronati returned to Jones & Beach, and in 2001 he became an owner of the firm and was named a Vice President. In his position as Project Manager, he is responsible for projects from condominium and commercial site plans to single family subdivisions with the Zoning Board of Adjustment and Planning Board approval. He pays close attention to detail within a timely manner and follows projects through to design completion and construction.

Project Highlights:

- Amesbury, MA: 63 unit Condominium & Single-Family Residential Subdivision with 9,000 LF of road with municipal water, sewer and drainage ~ Project Manager

- Epping, NH: 380 Single-Family Residential lots in 11 Subdivisions with a total of 52,000 L.F. of road. Projects included NHDES Site Specific, State Subdivision, Wetlands Bureau, Dam Bureau & EPA Phase II Permits ~ Project Manager & Site Designer

- Hampton, NH: 45 separate Condominium Developments and Subdivisions, Commercial Site Plans, and Town Municipal projects, which required variances, wetland special use permits and Planning Board approval. All sites have municipal sewer, water and drainage and require State permits ~ Project Manager & Site Designer

- Amherst, NH: 22 lot Single-Family Residential Subdivision with 2,600 L.F. of road and 3,000 L.F. of common driveways, on 90 acres with on-site leach fields and wells ~ Principal-In-Charge

- Nashua, NH: 45 unit, 4-story Condominium project with underground parking and stormwater detention, offsite roadway improvements, and municipal utilities ~ Principal-In-Charge

- North Andover, MA: 8-lot Single-Family Residential Subdivision with 1,000 L.F. of roadway on 14.43 acres with drainage and utility design including on-site leachfields and municipal water ~ Principal-In-Charge

- Epping, NH: 30,092 S.F. Exeter Hospital Medical Office Building including associated parking, drainage and utilities ~ Principal-In-Charge

DAVID M. COLLIER, L.L.S.
SURVEY MANAGER

Mr. Collier attended Old Dominion University-College of Engineering and Technology where he studied Land Surveying and he continued his studies at the University of New Hampshire. He became a Licensed Land Surveyor in the State of New Hampshire in 2001. His professional affiliations include the New Hampshire Land Surveyor's Association, where he has served as President, as a member of the Executive Committee, and as Liaison to New Hampshire Register of Deeds Association and the New Hampshire Planners Association. He is a member of the New Hampshire GPS Consortium, where he served as Director from 2004-2005, and of the Alton Planning Board, where he currently serves as Chairman. He also received the New Hampshire Land Surveyor's Association Survey Excellence Award in 2009.

Mr. Collier joined Jones & Beach Engineers, Inc. (JBE) in 2011 bringing with him more than twenty years of surveying experience while working at Richard D. Bartlett & Associates. While there he served as Project Manager and Vice President overseeing many different projects involving all types of surveying including Boundary Surveys, Topographic Surveys, Subdivisions, Lot Line Adjustments, Construction Layouts, and Elevation Certifications. The City of Concord exclusively used the firm as the surveyor for the City and Mr. Collier oversaw several of these projects and worked directly with City Officials to provide existing conditions plans for on-staff City Engineers to prepare designs.

Mr. Collier has first-hand experience and understanding of the Land Survey process from the initial research and field survey work, to the drafting and preparation of final documents for recording. He also has experience managing day to day field and office operations.

Project Highlights:

- Seabrook, NH: Kohl's Department Store, ALTA Land Title Survey of 13-acres ~ Project Manager, Land Surveyor.
- Epping, NH: Brickyard Square at Epping, Construction Layout, Coordination of Horizontal and Vertical Control ~ Project Manager, Land Surveyor.
- Hooksett, NH: Wal-Mart ACSM/ALTA Land Title Survey of 21-acres and corridor survey of 2,000 L.F. of roadway ~ Project Manager, Land Surveyor.
- Concord, NH: Topographic and Right-of-Way Survey for 4-mile Roadway Improvement Project ~ Project Manager, Land Surveyor.
- Isles of Shoals, White Island, NH: As-Built Survey of Piling Locations for Catwalk Restoration ~ Project Manager, Land Surveyor.
- Hampton, NH: Boundary Survey of 8.56-Acre parcels on Juniper Lane ~ Land Surveyor.
- Gilford, NH: Boundary and Topographic Survey of 21.56-Acre parcel and 1,700 L.F. Right-of-Way Survey ~ Land Surveyor.
- Seabrook, NH: Boundary, Topographic, and ACSM/ALTA Land Title Survey of 1.08-Acre parcel along Route 1 ~ Land Surveyor.
- Allenstown, NH: Boundary and Topographic Survey of 5.03-Acre NHDOT surplus parcel ~ Land Surveyor.

MATTHEW J. SALVUCCI, LLS, PLS, EIT
ASSOCIATE / ASSISTANT SURVEY MANAGER

Mr. Salvucci graduated from The University of New Hampshire in 2006 with a BS in Civil Engineering. He is a Licensed Land Surveyor in the State of New Hampshire, and a Professional Land Surveyor in the State of Maine.

Mr. Salvucci was first employed with Tritech Engineering in Dover, NH as a project engineer, with projects ranging from municipal road design to residential and commercial subdivisions, and NHDES shoreland and wetland permitting.

Mr. Salvucci joined Jones & Beach Engineers, Inc. in 2014 to focus on Land Surveying. He began in the position of survey crew chief, and eventually worked to become Assistant Survey Manager in 2019.

Project Highlights:

- Epping, NH: Pleasant View Farm Development – Boundary Survey and Existing Conditions plan for 200+ acre residential development

- Seabrook, NH: Cimarron Apartments – ALTA / NSPS Land Title Survey on 37 acres

- Westbrook, ME: Rock Row – Subdivision Plans, ALTA / NSPS Land Title Survey, and construction layout coordination on 95 acre commercial site

IAN S. MACKINNON, P.E., CPESC-IT
ASSOCIATE / PROJECT MANAGER

Mr. MacKinnon is an Associate and Project Manager at Jones & Beach Engineers, Inc. (JBE). He joined JBE in December 2015 as a part-time engineering intern while attending the University of New Hampshire (UNH). During his time as an intern, he was able to work on a wide variety of projects at varying stages and gained invaluable experience in preparation for a full-time position. Mr. MacKinnon graduated from UNH in 2015 with a B.S. in Civil Engineering and Minor in Architectural Studies. Since joining the company, he has worked on numerous large-scale commercial projects that involved all aspects of site, utility & stormwater design. In July 2020 he became a Project Manager and in December 2020 he obtained his Professional Engineer (P.E.) licensure and is licensed in New Hampshire and Maine.

As a Project Manager, Mr. MacKinnon handles all aspects of a project through the planning, design, and permitting phases. He works with clients, municipalities, and state agencies throughout the design and permitting process. Mr. MacKinnon has completed designs for many small to large-scale commercial and residential projects responsible for stormwater management/treatment design and analysis, utility design and coordination, roadway design, construction inspections, review of local and state regulations, and the submission and coordination of local, state, and federal permits. The added responsibility of project management includes client consultations, project budgeting and timelines, overseeing Project Engineers on design elements, managing subconsultants, technical plan review, and presenting project applications before public review boards.

Project Highlights:

- Westbrook, ME: Rock Row Multi-Use Development, 2,500,000± sq.ft. multi-use development spread over multiple phases and 80+ acres with a focus on utilizing the existing 20-acre quarry on the site as a recreation/visual amenity and stormwater feature. ~ Project Manager/Engineer

- North Conway, NH: Ridgeline Community Multi-Use Development, 9-lot residential/commercial/medical development spread over 120+ acres. Uses consist of a commercial tenants fronted on a state highway, studio-style residential cottage clusters, medical office buildings, a daycare facility, an assisted living, rehab and memory care building, an age-restricted cottage neighborhood, and two residential condominium buildings with views of Mt. Washington and other nearby panoramas. ~ Project Manager/Engineer

- Westbrook, ME: Dirigo Plaza Retail Development, 400,000 S.F. of multi-building retail development including re-utilization of existing quarry as detention. ~ Project Engineer

- Hudson, NH: Morgan Rd Commercial Development – CVS Pharmacy development with design for a future convenience store & fueling station and future restaurant. Design included water & sewer design, stormwater design, and state permitting ~ Lead Project Engineer

- Somersworth, NH: NH Liquor Store –New state liquor store involving the renovation and expansion of an existing historic carriage house. Consisted of state & local permitting to mitigate impact to adjacent municipal water source through innovative stormwater management. ~ Lead Project Engineer

- Wrentham, MA: Commercial Development – Design of a re-development project to construct a CVS Pharmacy and Cumberland Farms on land previously occupied by an existing gas station & vehicle repair shop. Coordinated with environmental consultant to mitigate the spread & disturbance of contaminated soils. ~ Lead Project Engineer

SEBAGO TECHNICS

AN INTRODUCTION

Welcome to the Sebago Way!

75 JOHN ROBERTS ROAD, SUITE 4A, SOUTH PORTLAND, MAINE 04106-6963 · SEBAGOTECHNICS.COM

WELCOME TO

SEBAGO TECHNICS!

100% EMPLOYEE-OWNED

Sebago Technics and its employee-owners are committed to our vision **"To be the best, employee-owned, engineering-land development services company – now and always."** We support that vision with a mission **"To build relationships and projects for the success of our clients, our company and our employee-owners."** We firmly believe that our ownership culture, collaborative approach, professional expertise and dedication to client needs sets us apart. We pledge to work hard on every project to provide the best services we can and to build a strong relationship with our clients based on trust and success. It's all what we call "the Sebago Way".

We hope that we have an opportunity to serve you.

Mark Adams
President/CEO

ABOUT US

Founded in 1981, Sebago Technics, Inc. is a consulting firm of more than 75 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. Guided by integrity, experience and teamwork we understand that we can only succeed when quality, responsive and cost-effective service is provided to our customers.

We engineer SOLUTIONS

Our design professionals employ the latest engineering and technological methods to develop practical, cost-effective solutions.

We stand for EXCELLENCE

Sebago Technics is recognized as a firm that excels in the permitting of projects through experienced knowledge and excellent reputation.

We do amazing PROJECTS

Sebago Technics' resources, services, and experience combined with our reputation and project team approach allow us to work on a wide range of projects for a diverse group of clients.

And we do it ON TIME

Our approach to project delivery provides a single point of contact, responsive scheduling, cost efficiency, and results.

ONE TEAM
FOR ALL YOUR NEEDS

OUR VISION
To be the best, employee-owned, engineering-land development services company – now and always.

OUR MISSION
Company: To build relationships and projects for the success of our clients, company and employee-owners.
Employees: To embrace our culture and enhance our reputation through our demonstrated commitment and abilities.

EMPLOYEE DISCIPLINES
Professional Engineers, Civil Engineers, Landscape Architects, Professional Land Surveyors, Survey Technicians, CAD Designers, Wetland Scientists, Soil Scientists, Construction Inspectors, Environmental Scientists, 3D Modelers, Community Planner, GIS Specialists, Information Technology, and Administrative, Marketing & Financial Professionals

OUR FIRM IN NUMBERS

75+ EMPLOYEE-OWNERS WORKING AS A TEAM

38 YEARS IN BUSINESS

30+ PROGRAMS & TECHNOLOGIES THAT WE UTILIZE EVERY DAY

16 AWARD-WINNING DISCIPLINES

2019 Best Places to Work in ME

WHAT SETS US APART?

ONE COMPANY - FIELD TO FINISH

Sebago Technics provides engineering, surveying, landscape architecture, environmental, transportation, permitting and planning services to both public and private sector clients. We believe our full-service abilities provide clients with improved delivery of services, responsiveness and an ability to adapt schedules to meet individual project needs. Over the years we have found this approach provides enhanced customer service, cost efficiencies and more successful project outcomes.

REPUTATION MATTERS

Built on a long history of success, Sebago Technics is recognized as a firm who understands design and the permitting process. Our employee-owners understand land use regulations, zoning ordinances and building codes. We perform hundreds of projects every year and consistently have multiple projects in various permitting phases. We enjoy excellent relationships state and federal agencies and regulators as well as dozens of local community planning boards and staff. Our knowledge and relationships allow us to meet project design goals and procure required permits in a timely, cost-effective fashion.

LOCAL EXPERIENCE & PRESENCE

Since 1981, Sebago Technics and our dedicated staff has amassed invaluable local experience. Our knowledge of the communities we work in, projects we've designed and relationships we've developed all work to contribute to and benefit every project we do. Our ongoing relationships with local contractors, builders, developers, real estate professionals, financing institutions, lawyers and others forms a basis of common understating, trust and confidence.

EVERY EMPLOYEE IS AN OWNER

Sebago Technics became an employee-owned firm with the institution of an Employee Stock Ownership Plan (ESOP) in 1998 and achieved 100% employee ownership in 2007. The culture fostered by employee-ownership reinforces our multidisciplinary team approach to projects and results in improved responsiveness, quality and accountability throughout the organization.

OUR APPROACH

As a 100% employee-owned company our employees set us apart through commitment and integrity. Our team-based approach to services provides each client with the expertise and input of multiple disciplines. Whether an engineer, surveyor, landscape architect or environmental scientist each project benefits from the perspective and skills of varied professionals. The combined experience and knowledge, all under one roof, benefits each project and customer for better results.

Clients rely on Sebago Technics to guide their projects through design, permitting and construction processes utilizing either traditional or design-build delivery. Our licensed professionals remain current in the latest engineering practices and are certified in LEED, Erosion, Sedimentation and Stormwater Control & Inspection, Wetlands, Soils, Septic Design, and Traffic Operations. Our One Company range of services and expertise allows us to assist projects from concept through construction.

CIVIL & SITE ENGINEERING

Civil Engineering is a broad based profession that deals with the design, construction and maintenance of the physical and naturally built environment. Civil and Site Engineering projects may include regulatory permitting at all levels of government, technical studies and evaluations, planning and implementation, feasibility assessments, stormwater modeling, infrastructure design, site and subdivision planning/design. Often, the Civil Engineer will take the lead on a project coordinating other disciplines such as environmental, geotechnical, survey and transportation components that comprise a complete project approach.

From the beginning, Sebago Technics, Inc. has focused on offering a broad range of Civil Engineering services to the public and private sector. Our diverse Civil Engineering staff provides customers the experience and expertise to evaluate, design and permit projects covering a broad spectrum. As technology advances and regulatory processes evolve, our Civil Engineering staff has remained flexible and adaptive with a focus on customer service. Our Civil Engineers work together in teams of experienced professionals to assist customers on a variety of projects. Our staff works from inception to completion to plan, design, permit and construct projects. Throughout a project, we strive to be attentive to the customer's goals and seek solutions that are cost-effective and responsive to regulatory requirements.

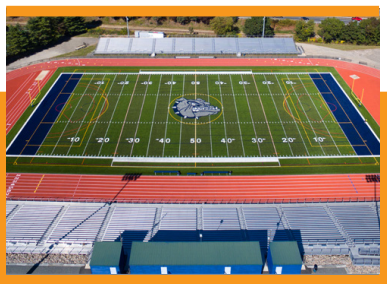
OUR SOLUTIONS,
YOUR SUCCESS

SOUTH PORTLAND MUNICIPAL SERVICES
South Portland, ME

NEVER COMPROMISE
ON QUALITY

ORONO PUBLIC WORKS FACILITY
Orono, ME

BEING RESPONSIVE
IS WHO WE ARE



FITZPATRICK STADIUM FIELD
Portland, ME

LAND SURVEYING & GIS

Land Survey is a fundamental data and design component required by almost every project. We believe maintaining a qualified in-house staff of survey professionals and technicians provides enhanced project coordination and responsive customer service. With one of the largest survey staffs in Maine, we are able to respond promptly to client and project needs. We can produce multiple survey crews on any given day with state of the art technical equipment including GPS systems, robotic instruments, total stations and technical support. Sebago Technics maintains our own GPS base station allowing us to complete real time kinematic GPS within a supporting network. Data collected in the field is processed electronically by survey technicians and professional land surveyors to produce quality final products whether it is a stand-alone survey plan or engineering data to be used in design and construction.

Our GIS team can work with all of today's mapping technologies to deliver superior spatial services to public and private clients. Through the use of today's spatial data sources like real time GPS (sub-meter and survey-grade), photogrammetry, orthoimagery, LIDAR, remote sensing, web mapping services (WMS), and mobile mapping we have been able to build and maintain geospatial datasets for local and state government throughout Maine and New England. Our staff is also involved with many state/ regional projects such as orthoimagery acquisition and can assist municipalities navigate the best solution for specific applications.

OUR SOLUTIONS,
YOUR SUCCESS

PENOBSCOT NARROWS BRIDGE

Verona Island - Prospect, ME

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ON QUALITY

KITTERY SHOREZONE MAPPING

Kittery, ME

BEING RESPONSIVE
IS WHO WE ARE

PORTLAND JETPORT TERMINAL EXPANSION

Portland, ME

HIGH DEFINITION LASER SCANNING & 3D MODELING

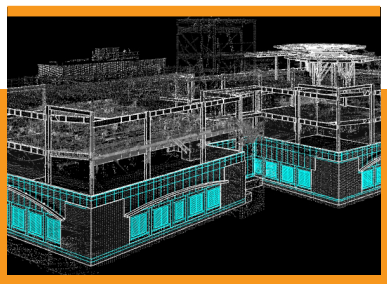
High Definition 3D Laser Scanning

Whether it's surveying a roadway, analyzing bridge components, documenting a historic building, quantifying material volumes or retrofitting an existing structure, High Definition 3D Laser Scanning is a highly efficient and accurate solution. Sebago Technics has been scanning since 2013 and has successfully completed a multitude of projects over a wide array of project disciplines. With a scan rate of 1,000,000 points per second, Sebago Technics can supply the highly-accurate and cost-effective dataset required to fully utilize today's 3D design software. Once point cloud data is processed, surfaces and 3D objects can be created through Leica Cyclone, Cloudworx and Revit software. The resulting deliverable can be viewed in AutoCAD, Revit, MicroStation, Sketchup & Solidworks. We can even create 3 dimensional views and videos for use in presentations and marketing.

3D Modeling

Design is complex, presenting it shouldn't be. Rendering your projects for presentations, Sebago Technics can take your design and produce graphic materials for company meetings, public events, or any other presentation for ease of understanding. Many large-scale projects such as civil design, public works projects, and buildings can be hard to describe with a plan. Instead, projects are modeled in full 3D, allowing any view of your project to be presented. We can deliver static images, video walkthroughs, and slideshows that will help show others your design and help ensure approval. Our team has the experience to understand your project's vision and present it realistically and accurately for your presentation requirements.

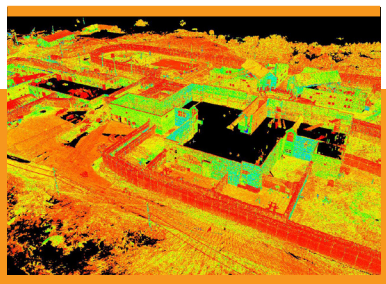
OUR SOLUTIONS,
YOUR SUCCESS



MAINE MEDICAL CENTER - EAST WING EXPANSION

Portland, ME

NEVER COMPROMISE
ON QUALITY



MAINE CORRECTIONAL CENTER

Windham, ME

BEING RESPONSIVE
IS WHO WE ARE

BLISS HALL - UNIVERSITY OF RHODE ISLAND

South Kingston, RI

LANDSCAPE ARCHITECTURE

Landscape Architecture was integrated into Sebago Technics' practice in 1988, bringing a creative design focus to the company and complementing its civil engineering capability. Landscape architects lead the design effort on all projects, working closely with our natural resource scientists and engineers. We listen closely to the needs of our clients, their goals for each project, and strive to accomplish their objectives, accounting for the environmental, site, and regulatory constraints affecting each project. Having practiced throughout the United States and overseas, observing regional and international design vocabulary, we bring diverse knowledge to each project. Our landscape architects focus on innovative design practices yet remain grounded by a strong technical knowledge that produces cost-effective, constructible solutions. A high standard of quality is our trademark. As LEED Accredited Professionals, we are committed to the principles of sustainable design practices. Embracing technology, we believe people understand design in a visual context therefore reflecting our designs through quality graphic communication and presentation.

OUR SOLUTIONS,
YOUR SUCCESS

AVITA STROUDWATER LANDING
Westbrook, ME

NEVER COMPROMISE
ON QUALITY

BOOTHBAY HARBOR COUNTRY CLUB
Boothbay, ME

BEING RESPONSIVE
IS WHO WE ARE

L.L. BEAN RETAIL CAMPUS
Freeport, ME

ENVIRONMENTAL SERVICES

Our environmental engineers and technical staff provide customers with planning, assessments, design, project management and permit acquisition for a variety of projects. Sebago Technics assists with the design of municipal and private water, wastewater and stormwater conveyance systems. Our experienced team has completed miles of sewer separation projects, designed numerous sanitary pump stations and solid waste facilities. We also support businesses, financing institutions, and landowners with the completion of Environmental Site Assessments (ESA's) and remediation prior to land transfers or project development. We complete high intensity soil surveys for development projects and environmental studies along with wetland and vernal pool assessments and mapping. Our licensed site evaluators and engineers work together to design subsurface wastewater disposal systems for both small and large engineered systems including local and state permits. Our engineering staff completes assessments and watershed modeling to develop stormwater design solutions along with Stormwater Pollution Prevention Plans (SWPP) and Spill Prevention Control and Countermeasure (SPCC) plans. We are also experienced in hydrologic modeling and flood plain mapping including FEMA permit applications. Our technical staff assists with compliance monitoring and permitting under the National Pollutant Discharge Eliminations System (NPDES) and Multi-Sector permitting.

OUR SOLUTIONS,
YOUR SUCCESS

FUEL STATIONS ESA
Central & Midcoast, ME

NEVER COMPROMISE
ON QUALITY

MUNICIPAL ENVIRONMENTAL SERVICES
South Portland, ME

BEING RESPONSIVE
IS WHO WE ARE

YORK TOLL PLAZA
York, ME

TRANSPORTATION/TRAFFIC ENGINEERING

Achieving the proper balance between mobility; pedestrian, bicycle and vehicular safety; and preservation of community character, is often the challenge we face today as transportation engineers in the urban environment. In addressing the efficient movement of people and goods for the vitality of our local and regional economies, we can no longer afford to solve our congestion concerns by solely constructing more system capacity. Today's fiscal realities demand more creative approaches that consider more fully the interrelationships between land use and transportation. Our solutions need to explore a wide range of alternatives that can make our current roadway networks more efficient and better able to accommodate a broader range of users beyond just motorized vehicles, i.e. pedestrians, bicyclists, and transit riders. What began 10-12 years ago as Context Sensitive Design, has now evolved into the Complete Streets and Green Streets movements – both of which are transforming our transportation facilities into more community friendly and environmentally responsible infrastructure systems.

At Sebago we embrace a holistic approach to transportation planning, engineering, and operations in urban settings. Our transportation engineers routinely collaborate with in-house land use planners and landscape architects to develop designs that achieve superior results in terms of mobility, safety, aesthetics, and environmental quality. We are passionate about developing design solutions that meet the needs of a wide variety of system users. Large or small – state level or community level – Sebago is equipped and experienced to offer you sage advice with regard to your transportation needs. While our talents are predominantly focused on planning and design activities, our skills don't end there. We also have a post-construction traffic signal system operations practice that is "unique" to the industry. Our Traffic Engineers are skilled in operating centrally controlled traffic signal systems for optimizing traffic flow and minimizing system maintenance costs.

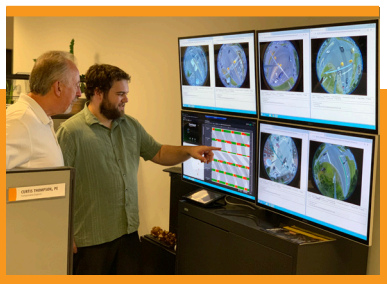
OUR SOLUTIONS,
YOUR SUCCESS

NEVER COMPROMISE
ON QUALITY

BEING RESPONSIVE
IS WHO WE ARE

ROUTE 27 IMPROVEMENTS
Boothbay, ME

SARAH MILDRED LONG BRIDGE
Kittery, ME - Portsmouth, NH



TRAFFIC SIGNAL OPERATIONS
Ellsworth, ME

PLANNING SERVICES

Development Proposals Review

- Review development proposals for compliance with local ordinances, and state regulations,
- Communicate with applicants, peer firms and municipal staff,
- Provide engineering review of proposed site features, road and/or parking lot construction, stormwater management and erosion control,
- Identify state and/or federal permits that will be necessary,
- Prepare background material for Planning Boards including findings of fact and conditions of approval.

Comprehensive Planning

- Develop Comprehensive Plans, including public participation processes for communities that are eligible for certification by the state.

Community Development Block Program

- Provide assistance to the Citizen Committees,
- Coordinate approved projects through design, implementation and compliance,
- Develop requests for proposals to select contractors for approved projects,
- Assist in selecting contractors.

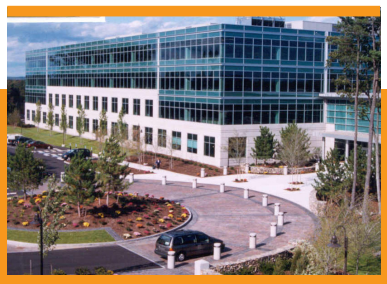
Strategic Planning and Ordinance Development

- Develop plans such as Bicycle and Pedestrian Plans, Crosswalk Plans, Energy Plans etc.,
- Develop new ordinances that meet established goals of the community,
- Propose amendments to existing ordinances as requested,
- Facilitate public input.

OUR SOLUTIONS,
YOUR SUCCESS

NEVER COMPROMISE
ON QUALITY

BEING RESPONSIVE
IS WHO WE ARE



UNUM HEADQUARTERS
Portland, ME

TOWN OF FREEPORT
Freeport, ME

CENTRAL MAINE MEDICAL CENTER
Lewiston, ME

SITE EVALUATION & REGULATORY PERMITTING

The site alternatives and selection process is often an evolutionary one that begins with defining the project needs and objectives. Over the past 35 plus years Sebago Technics, Inc. has participated in site selection and permitting for projects ranging in size and complexity. While there are commonalities in the process, no two projects are exactly the same. As a result, we apply our knowledge and depth of experience to develop specific solutions to each and every project.

We have gained a tremendous amount of experience over the years with permitting projects in many regulatory environments. In the development of a design we strive to anticipate the regulatory issues and address them in the design process so that they do not become obstacles later in the process. When considering alternative sites or alternative site designs we are able to quickly analyze the permitting considerations as well as the cost and design considerations.

When it comes to permitting we have a great reputation and experience with the Maine Department of Environmental Protection (MDEP) and the Army Corps of Engineers (ACOE). We have developed working relationships with the project analysts at the MDEP and the ACOE and as a result have been able to get projects through the permitting process with successful outcomes for our clients.

OUR SOLUTIONS,
YOUR SUCCESS

SANFORD HIGH SCHOOL & REGIONAL TECHNICAL CENTER
Sanford, ME

NEVER COMPROMISE
ON QUALITY

CLIFF ISLAND BARGE LANDING
Portland, ME

BEING RESPONSIVE
IS WHO WE ARE

BREWER BUSINESS PARK
Brewer, ME

LEADERSHIP TEAM

Mark Adams
President/CEO

Owens McCullough, PE, LEED-AP
Senior Vice President,
Strategy & Client Development

Shawn Frank, PE
Senior Vice President,
Commercial Development

Steven Sawyer, Jr., PE
Senior Vice President,
Transportation Services

Will Conway, RLA, LEED-AP
Senior Vice President,
Landscape Architecture

Keith McAlary
Chief Financial Officer

Kylie Mason, RLA, LEED-AP
Vice President,
Project Delivery

Dan Riley, PE
Vice President,
Engineering

Charlie Marchese, PLS
Director,
Survey Operations

Matt Ek, PLS
Director,
Survey/GIS Advancement

Seth Goucher
Director,
Geomatics

Gary Fullerton, CSS, LSE
Director,
Natural Resources

Bradley Lyon, PE, PTOE
Director,
Transportation Services

GARY M. FULLERTON, CSS, LSE

Director, Natural Resources

Mr. Fullerton joined Sebago Technics in 2000 as a Soil Scientist. Gary is a Licensed Site Evaluator and Certified Soil Scientist in Maine. He is a Certified Wetland Scientist and Subsurface Disposal System Designer in New Hampshire. He has designed septic systems for single-family residential dwellings, campgrounds and large commercial facilities. He performs vernal pool surveys, wetland delineations, stream determinations and peer reviews as a contractor for the Maine Department of Environmental Protection. As a soil scientist, Gary prepares High Intensity Soil Surveys for subdivisions and commercial projects and determines soil classification for stormwater treatment ponds.

As the Director of Natural Resources, Mr. Fullerton is responsible for managing the environmental aspects of all projects within the company. He works with his staff to prepare wetland reports and supporting documentation for state and federal applications for wetland, stream and vernal pool impacts.

EXPERIENCE

- **New England Clean Energy Connect:** Contracted by DEP to review streams, vernal pools, and wetlands on 54 miles of the proposed transmission line in Northwestern Maine.
- **Maine Turnpike Authority**: Seven mile stretch of vernal pools and wetlands.
- **Sanford High School & Regional Technical Center - Sanford, Maine:** Wetlands and vernal pools mapping on a 69-acre site.
- **Brewer Business Park - Brewer, Maine**: Natural resource mapping, surveying, preliminary planning and design.
- **Bigelow Laboratory - East Boothbay, Maine**: Soils and subsurface conditions investigation.
- **Thornton Heights and Pleasantdale Sewer Separation, City of South Portland, ME:** Residential sewer inspections for illicit connections as part of the Thornton Heights Sewer Separation project.
- **Scott Dyer Road Phase 2 Improvements – Cape Elizabeth, Maine:** Conducted natural resource mapping and prepared a wetland report to support local, State, and Federal permitting for a road improvement project.
- **Pollack Brook Bridge and Trail – Cape Elizabeth, Maine:** Conducted natural resource mapping of tidal and freshwater wetlands with a stream crossing and prepared a wetland report to support local and State permitting for a pedestrian trail.

EDUCATION

University of Rhode Island
Kingston, RI
Bachelor of Science
Soil and Water Resources, 1998

CERTIFICATIONS

Licensed Site Evaluator:
Maine #355

Certified Soil Scientist:
Maine #462

Certified Subsurface Wastewater Disposal System Inspector:
Maine #291

Certified Wetland Scientist:
New Hampshire #246

Certified Designer of Subsurface Disposal Systems:
New Hampshire #1796

MEMBERSHIPS

Maine Association of Professional Soil Scientists

Maine Association of Site Evaluators

Maine Association of Wetland Scientists

NH Granite State Designer and Installers Association

TRAINING

U.S.A.C.O.E. Wetland Delineation Training Course

SEBAGO TECHNICS

Civil Engineering
Site Plans
Grading & Drainage Design
Utility Design (Water, Sewer)
Stormwater Management
Permitting (Local, State & Federal)
Quarry/Gravel Pit Studies & Permitting
Technical Review
Construction Inspection

Environmental Services
NRPA/NEPA Studies
Site Assessments (ESAs, VRAPs)
Septic Design & Analysis
Floodplain Studies & Permitting

Transportation Engineering
Signal Analysis, Design & Management
Traffic Analysis & Permitting
Intersection, Road & Highway Design
Alternatives Analysis & Route Design
Bicycle and Pedestrian Facilities

Landscape Architecture
Conceptual & Site Design
Park & Public Space Design
Urban Design
Master and Campus Planning
Waterfront Planning
Planting Design

Land Surveying
Technical Deed Research
Boundary & Topographic Survey
ROW Survey & Mapping
Land Title Survey
Subdivisions
GPS Survey & Mapping
Construction Layout (Vertical & Horizontal)
As-Built Surveys
High Definition 3D Laser Scanning
Hydrographic Surveying
Forensic Surveying
Aerial Photogrammetry
Tax Map Updates
Zoning & Shoreland Zoning Map Updates

Soil Sciences
Soil Surveys & Testing
Wetland Assessment & Permitting
Vernal Pool Mapping

Planning & Permitting
Industrial/Business Parks
Feasibility Assessments
Sand, Gravel and Quarry Mining
Wetland Assessments and Mitigation
NHDES and USACOE Permitting
NRPA/NEPA Studies
Local Permitting
Ordinance Development & Amendments

SEBAGO TECHNICS

CIVIL ENGINEERING ▪ SURVEYING ▪ LANDSCAPE ARCHITECTURE

75 John Roberts Road, Suite 4A
South Portland, Maine 04106
(207) 200.2100

FIRM OVERVIEW

We look inside and outside the box to deliver **value**.

Haley & Aldrich's scientists, engineers, and constructors think creatively to deliver greater value for your capital, operations, or environmental project. We build the right team for you from our nationwide staff known for their expertise in finding new sources of value. Often, our clients are able to reduce their overall operational costs because we work with them to consider the whole system and stakeholders that impact their project.

WE LISTEN AND RESPOND WITH CREATIVE SOLUTIONS.

Only a team that asks the right questions, truly listens—and considers novel and unexpected approaches—will create more value for you. For years, we have invested seriously in training our team to be active listeners and creative thinkers. A big part of that creative thinking—which in turn is the driver of value—is helping you get results more efficiently, and results that endure.

WE BRING THE RIGHT EXPERIENCE TO CREATE THE RIGHT SOLUTION FOR YOU.

We started out nearly 60 years ago in geotechnical engineering, and have built on that foundation nationally with services spanning the entire built environment lifecycle from initial conception through adaptive reuse to meet a new need. Our clients span U.S. Fortune 500 organizations, top higher-education institutions, and government agencies. And we bring this deep and varied experience to your opportunity as one team—our experts throughout the Haley & Aldrich nationwide network work together. We thrive with a culture of collaboration.

But that's just the foundation. We bring much more than our bench strength to the table. We leverage and adapt operational excellence principles from Lean manufacturing to balance conflicting and complex needs to create higher value at lower cost. We bring a whole-system approach to traditional engineering and environmental services that considers the needs of multiple stakeholders. Similarly, we take emerging technologies and apply them in innovative ways to deliver the best solution for you.

> "You can count on the Haley & Aldrich team to deliver outstanding—and enduring—results."

FIRM FACT SHEET

About us

Haley & Aldrich, Inc. is committed to delivering the value our clients need from their capital, operations, and environmental projects. Our one-team approach allows us to draw from our 600 engineers, scientists, and constructors in nationwide offices for creative collaboration and expert perspectives. Since our founding in 1957, we have one goal in all we do: deliver long-term value efficiently, no matter how straightforward or complex the challenge.

BY THE NUMBERS

- Nearly 60 years of national and international project experience
- 50,000+ consulting projects
- 600+ employees
- Employee owned; one company, one team

MARKETS WE SERVE

Aerospace
CERCLA/Superfund & Environmental Trusts
Educational, Healthcare & Cultural Institutions
Electric, Gas & Energy
Heavy Industry
Infrastructure
Manufacturing
Mining
Real Estate Developers

OUR SERVICE AREAS

ENGINEERING
Environmental Remediation Engineering
Civil & Geotechnical Engineering
Mining Engineering
System Design
Trenchless Engineering

ENVIRONMENT
Characterization of Soil, Groundwater, Surface Water, Sediment & Air
Natural Resources Assessment & Impact Mitigation
Stormwater Assessment & Management
Groundwater Fate & Transport Modeling
Vapor Intrusion
Remediation of Soil, Groundwater & Sediment

PLANNING, PERMITTING, & COMPLIANCE
Planning
Permitting
Risk Assessment
Regulatory Strategies
Closure & Post-Closure
Due Diligence
Operations Business Risk & Compliance
Air Quality

SPECIALTY SERVICES
Operational Excellence
Forensics & Litigation Support
Sustainability & Resilience
Haley & Aldrich Construction Services, Inc.

OFFICES

ANN ARBOR, MI	CLEVELAND, OH	DENVER, CO	MANCHESTER, NH	PHOENIX, AZ	SAN DIEGO, CA	WALNUT CREEK, CA
BOISE, ID	COLUMBUS, OH	GREENVILLE, SC	MCLEAN, VA	PORTLAND, ME	SAN JOSE, CA	WOODLAND HILLS, CA
BOSTON, MA	COSTA MESA, CA	HARTFORD, CT	OAKLAND, CA	ROCHESTER, NY	SANTA BARBARA, CA	
BURLINGTON, MA	DAYTON, OH	KANSAS CITY, KS	PARSIPPANY, NJ	ROCKFORD, MI	TUCSON, AZ	

WAYNE A. CHADBOURNE, P.E.

Lead Geotechnical Engineer | Vice President

EDUCATION

M.S., Geotechnical Engineering, Tufts University, 1994
B.S., Civil Engineering, University of Vermont, 1992

PROFESSIONAL REGISTRATIONS

1998/MA: Professional Engineer (Reg. No. 40695)
2004/ME: Professional Engineer (Reg. No. 10620)
2012/NH: Professional Engineer (Reg. No. 13710)
2012/GA: Professional Engineer (Reg. No. 037456)

During his 21 years with Haley & Aldrich, Mr. Chadbourne has been involved in a wide variety of projects dealing with geotechnical, environmental and geothermal aspects of design and construction, for both private and public clients. His responsibilities have included performing site investigations, foundation analyses/design, report and contract document preparation, contractor submittal review, and owner's representative services during construction for a variety of geotechnical projects. Mr. Chadbourne's geotechnical project experience includes aspects of foundation design for building projects, bridges and other infrastructure and using drilled shaft, mat, spread footing and various types of pile foundations; lateral support systems for deep excavations including slurry walls, soil-mix walls, steel and polyvinyl chloride sheeting, soil nails, soil tiebacks/rock anchors and soldier piles/lagging. Mr. Chadbourne's project experience also includes deep excavations, horizontal directional drilling, underpinning of structures, ground improvement, preload/surcharge/prefabricated vertical drain design and use of various types of light weight fills for building and embankment support. Mr. Chadbourne served as the geotechnical officer-in-charge or the geotechnical project manager for the following, recent higher education, capital development projects:

RELEVANT PROJECT EXPERIENCE

Thompson's Point Mixed Use Development, Portland, ME. Officer-in-charge responsible for the completion of geotechnical due diligence level subsurface investigations, laboratory testing and design evaluations for the proposed mixed use development. Responsible for coordinating and overseeing multiple subsurface investigation and laboratory testing programs and completion of technical evaluations to determine preliminary foundation support requirements for several proposed buildings located on different portions of the peninsula. Participated in discussions with potential tenants to discuss foundation support requirements for their facilities.

midtown Development, Portland, ME. Officer-in-charge responsible for providing geotechnical design and construction document preparation services for a mixed use development in the Bayside area of Portland. Currently in the process of providing foundation support and geotechnical design recommendations for the above ground parking- a 7-story, above ground parking garage and three, 6-story mixed use buildings. Deep, end-bearing piles will be used to support all of the structures due to the combination of the high column loads and presence of soft, compressible marine clay soil present at the site. Coordinated design efforts with a multi-disciplined team of engineers, architects and contractors and was responsible for preparation of geotechnical contract documents.

Ocean Gateway Parking Garage, Riverwalk, LLC, Portland ME. Officer-in-charge/project manager responsible for providing geotechnical design and construction phase services for a $40-million garage/retail development in the Old Port section of Portland. Provided geotechnical engineering services related to the design of pile and spread footing foundation elements, excavation/blasting and foundation drain systems, contract document preparation, consultation with the construction manager regarding pricing of geotechnical aspects of construction, and owner's representative services during installation of foundation elements, foundation drain and excavation of the in-situ soil and rock.

Mercy at the Fore Development, Mercy Hospital/KLMK, Portland, ME. Officer-in-charge/project manager responsible for providing geotechnical design and construction phase services for a $90-million institutional development of the new main hospital building and Fore River Campus in Portland. Provided geotechnical engineering services related to the design of the spread footing foundation elements and foundation drain, contract document preparation, consultation with the construction manager regarding pricing of geotechnical aspects of construction, and owner's representative services during installation of foundation elements, foundation drain, retaining walls and earthwork.

University of Southern Maine University Commons, USM Facilities Group, Portland, ME. Officer-in-charge responsible for providing geotechnical design and construction phase services for a $20-million institutional development in the Back Cove section of Portland. Provided geotechnical engineering services related to design of the foundation elements and use of geofoam lightweight fill and foundation piles, contract document preparation, review of estimator pricing of geotechnical aspects of construction, and owner's representative services during installation of foundation elements, foundation drain system, and lightweight fill.

Bayside/Maine Health United Way Development, City of Portland, Portland, ME. Officer-in-charge responsible for providing geotechnical design and construction document preparation services for a mixed use development in the Back Cove section of Portland. Provided geotechnical engineering services related to design of the parking garage and office tower foundation elements. Deep, end-bearing foundation piles were recommended due to the combination of the high column loads and the presence of soft marine clay at the site. Responsible for preparation of geotechnical and environmental contract documents.

The Waterview Apartments at Bayside, Portland, ME. Officer-in-charge responsible for determining foundation support recommendations for the 12-story residential condominium in the Bayside area Portland. Responsibilities included the design of 2, 3, and 4-ft diameter rock socketed drilled shafts, rock-supported spread footings and permanent rock anchors to resist uplift forces. Ultimate solution called for design and implementation of a preload/ surcharge program to meet post-construction settlement requirements of the building. Responsibilities also included the preparation and review of contract documents and specifications, and engineering oversight during foundation testing and construction.

Baker Library/Academic Center, Harvard Business School, Boston, MA. Project manager responsible for providing design and construction phase services for the five-story addition to a historic library building. Designed and executed the subsurface exploration program, provided foundation design recommendations and underslab drain system design, assisted in development of the pre-characterization program for excavated soil management, collaborated with subcontractors to determine feasibility of excavation support system types, prepared contract documents, evaluated construction related impacts to the adjacent library structure, assisted and reviewed contractor submittals during construction, and provided owner's representative services during construction. The two levels of below-grade space extended about 25 ft below grade and 15 ft below the groundwater level. A soil-mix wall and external (tiebacks) bracing system was used to construct the below grade space. The soil-mix wall was also used as a permanent groundwater cutoff system and permanent membrane waterproofing was placed around the below grade envelope.

PUBLICATIONS AND PRESENTATIONS

"Overview of Campus Geothermal Systems," presented to the Bowdoin College Board of Trustees, May 2010.

"Concrete Diaphragm Walls… One Size Does Not Fit All," with D.W. Finocchio, Structure Magazine, December 2006.

"Urban Parking Concepts for Planning Developments in Portland, Maine," presented to the Maine Real Estate & Development Association (MEREDA), Portland, Maine, December 2005.

"Factors Effecting the Performance of Deep Excavations," Proceedings from the 12th Pan-American Conference on Soil Mechanics and Geotechnical Engineering, Cambridge, Massachusetts, 2003.

BRYAN C. STEINERT, P.E.

Geotechnical Project Manager

EDUCATION

M.S., Geotechnical Engineering, University of Maine, 2005
B.S., Civil Engineering, University of Maine, 2002

PROFESSIONAL REGISTRATIONS

2009/ME: Professional Engineer (Reg. No. 12008)

Since joining Haley & Aldrich, Inc. in 2005, Mr. Steinert's project experience includes geotechnical analyses, foundation design and installation, ground improvement assessment, and implementation for a variety of transportation infrastructure projects. His responsibilities range from planning, coordinating and executing site investigations and laboratory testing programs to completing settlement and embankment stability evaluations, liquefaction analyses, deep and shallow foundation design and temporary/permanent lateral earth support analyses and design in accordance with multiple design codes. His experience also includes data and interpretive geotechnical report and contract document (plans and specifications) preparation for mixed-use and institutional development projects involving the use of lightweight fill, ground improvement, deep foundation systems as well as well as performance of quality assurance/quality control during design and construction.

RELEVANT PROJECT EXPERIENCE

Thompson's Point Mixed Use Development, Portland, ME. Project Manager and Project Engineer for the completion of geotechnical due diligence level subsurface investigations, laboratory testing and design evaluations for the proposed mixed use development. Responsible for coordinating and overseeing multiple subsurface investigation and laboratory testing programs and completion of technical evaluations to determine preliminary foundation support requirements for several proposed buildings located on different portions of the peninsula.

midtown Development, Portland, ME. Project Manager and Project Engineer responsible for providing geotechnical design and construction document preparation services for a mixed use development in the Bayside area of Portland. Currently in the process of providing foundation support and geotechnical design recommendations for the above ground parking a 7-story, above ground parking garage and three, 6-story mixed use buildings. Deep, end-bearing piles will be used to support all of the structures due to the combination of the high column loads and presence of soft, compressible marine clay soil present at the site. Coordinated design efforts with a multi-disciplined team of engineers, architects and contractors and was responsible for preparation of geotechnical contract documents.

Mercy at the Fore Development, Portland, ME. Resident geotechnical engineer providing full-time on site construction monitoring during earthwork and foundation excavation activities for the $90-million institutional development of the new main hospital building and Fore River Campus. Prepared, reviewed, and managed documentation including weekly field reports and soil density forms. Responsibilities included monitoring and observation of excavation and preparation of foundation bearing surfaces and dewatering activities. Made judgments regarding the need to over-excavate substantially disturbed or otherwise unsuitable material below footings. Observed placement and compaction of marine clay fill and judged the suitability of on-site and off-site materials for reuse as compacted fill. Observed the placement and compaction of soil fills adjacent to foundation elements and beneath the floor slab and beneath parking lots/roadways and performed in-situ density tests using a Humboldt B5001 EZ nuclear density gauge.

Ocean Gateway Garage and Watermark Development, Portland, ME. Project Engineer responsible for providing geotechnical design and construction phase services for a $80-million parking garage/mixed-use development in the Eastern Waterfront area of Portland. Provided geotechnical engineering services related to the design of driven pile and spread footing foundation elements, excavation/blasting and foundation drain systems, contract document

preparation, consultation with the construction manager regarding pricing of geotechnical aspects of construction. Resident Geotechnical Engineer providing construction oversight for parking garage construction including demolition monitoring and monitoring the installation of approximately 9,000 linear feet of driven HP14x102 and HP12x53 steel piles. Additional responsibilities included monitoring earthwork, fill/backfill placement and compaction testing. Interacted daily with client and subcontractors to insure compliance with design specifications. Prepared, reviewed, and managed documentation including weekly field reports and pile installation reports.

Bayside Parking Garage & Master Planning, Portland, ME. Project Engineer for exploration and design phases of a five-story parking garage located in the Bayside area of Portland. Responsibilities included design of high capacity steel H-piles driven through soft marine clay to support the 6-story garage and preparation/review of contract documents and specifications.

MaineHealth/United Way Development, Portland, ME. Project Engineer responsible for providing geotechnical design and construction document preparation services for a mixed use development in the Bayside area of Portland. Provided geotechnical engineering services related to design of parking garage and office tower foundation elements. Deep, end-bearing foundation piles were recommended due to the combination of the high column loads and the presence of soft marine clay at the site. Responsible for preparation of geotechnical and environmental contract documents.

The Waterview Apartments At Bayside, Portland, ME. Project Engineer for the design phase of a 12-story residential condominium in the Bayside area Portland. Responsibilities included the design of 2, 3 and 4-ft diameter rock socketed drilled shafts, rock-supported spread footings and permanent rock anchors to resist uplift forces. Responsibilities also included the preparation and review of contract documents and specifications.

University Commons, Portland, ME. Project Engineer responsible for providing geotechnical design and construction phase services for a $20-million institutional development at the University of Southern Maine campus in Portland. Provided geotechnical engineering services related to design of the foundation elements and use of geofoam lightweight fill, contract document preparation, review of estimator pricing of geotechnical aspects of construction, and owner's representative services during installation of foundation elements, foundation drain system and lightweight fill placement.

PUBLICATIONS

"Portland Internal Jetport Runway18-36 Extension Project," with James W. Weaver, proceedings of the 2nd Presumpscot Formation Symposium, Portland, Maine, October 2015.

"Three Low-Cost Techniques for Determining When to Place and Remove Spring Load Restrictions on Low Volume Roads," with M.A. Kestler, et al., proceedings of the Ninth International Conference on Low Volume Roads, Austin, Texas, 24-27 June 2007.

"Monitoring Stiffness of Gravel Surfaced Roads During Spring Thaw Using a Portable Falling Weight Deflectometer," with M.A. Kestler, and D.N. Humphrey, proceedings of the Thirteenth International Conference on Cold Regions Engineers, Orono, Maine, 23-26 July 2006.

"PFWDs for Tracking Seasonal Stiffness Variations in Asphalt Surfaced Roads," with D.N. Humphrey, and M.A. Kestler, CD from the 85th Annual TRB Meeting, Washington D.C., 2006.

TEAM RESUME

ENZO SCALORA PRESIDENT & CEO

With 24 years of experience in the industry, Enzo founded Scalora Consulting Group to help build a better world by investing in people, partnering to innovate, and being socially and environmentally responsible. As President & CEO, Enzo will help develop and implement the strategic initiatives of the firm, while maintaining responsibilities as Account Executive for select clients.

EDUCATION

- BS, Civil Engineering, Worcester Polytechnic Institute, Worcester, MA
- MBA, Bentley University, Waltham, MA

EXPERIENCE

WATERSTONE PROPERTIES

Westbrook, ME | 150,000 SF

Development support for a new Rock Row Medical Office Building with New England Cancer Center

CONFIDENTIAL CLIENT

Southeast USA | 92-acres

Mixed-use, state-of-the-art live/work/play development, Phase 1, 2024

MCWHINNEY: HYATT PLACE BOSTON SEAPORT

Boston, MA

12-story, 294-room limited service hotel including retail and amenities, 210,500 SF

ANALOG DEVICES

Wilmington, MA | $142M

Global Headquarters Relocation and Expansion including electronics labs

ORACLE USA

- **6 Van De Graaff Dr. | Burlington, MA | 125,000 SF**
  Ground up building with 700-space garage with photo voltaic
- **8, 10, and 4 VDG | Burlington, MA | 300,000SF+**
  Multiple renovations
- **Network Dr. | Burlington, MA | 325,000 SF**
  Campus-occupied renovation and restack, data center upgrade and conference center renovation

SIMON PROPERTY GROUP

- **South Shore Plaza | Braintree, MA | $75M | 300,000 SF**
  Expansion, mall renovation and anchor tenant pad delivery, Target Fitout management
- **Expansion | King of Prussia, PA | 60,000 SF | $25M**
  Expansion including 200,000 SF bridge connector preconstruction
- **Chestnut Hill Mall | Newton, MA | $7M**
  Utility upgrades and multiple restaurant build-outs

HARVARD JOHN A PAULSON SCHOOL OF ENGINEERING AND APPLIED SCIENCES

Cambridge, MA

Miscellaneous projects over multiple years including facade repairs, MEP building wide upgrades, Tepid water and pH upgrades.

HARVARD GRADUATE SCHOOL OF DESIGN

Cambridge, MA

- Gund Hall Expansion
- House Zero Project

HARVARD KENNEDY SCHOOL

Cambridge, MA

- Pavilions Project, $126M
- Belfer Conference Center, $1.9M
- Weiner Auditorium, $1.8M

HARVARD BUSINESS SCHOOL

Boston, MA

- Tata Hall, $111M
- Innovation Lab, $30M

SCALORA CONSULTING GROUP

TEAM RESUME

JON RICKER VICE PRESIDENT

With over 30 years of experience, Jon is involved with all aspects of construction projects, from concept to commissioning. He has built long-lasting and trust-based relationships with numerous clients, design teams and subcontractors. His positive attitude and attention to detail makes him an effective manager and team leader.

EDUCATION

BA, Construction Management
AS, Construction Technology
Wentworth Institute of Technology, Boston, MA

EXPERIENCE

CONFIDENTIAL CLIENT

Southeast USA | 92-acres
Mixed-use, state-of-the-art live/work/play development, Phase 1, 2024

WATERSTONE PROPERTIES

Westbrook, ME | 150,000 SF
Development support for a new Rock Row Medical Office Building with New England Cancer Center

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  Ground up building with 700-space garage with photo voltaic
- **8, 10, and 4 VDG | Burlington, MA | 300,000SF+**
  Multiple renovations
- **Network Dr. | Burlington, MA | 325,000 SF**
  Campus-occupied renovation and restack, data center upgrade and conference center renovation
- **100 Crosby | Bedford, MA | 8,000 SF**
  Data center upgrade, testing chamber, and office renovation
- **One Oracle Drive | Nashua, NH | 30,000 SF**
  New data center, office and common area renovation
- **Lab 1029 | Nashua, NH**
  Upgrades and reconfiguration
- **Nashua, NH | 30,000 SF**
  3rd and 4th floor renovation
- **1 Main St. | Cambridge, MA | 50,000 SF**
  Office renovation
- **200 Nickerson Drive | Marlborough MA | 50,000 SF**
  Occupied office renovation

KINIKSA PHARMACEUTICALS

Lexington, MA
Lexington GMP and R&D Lab Renovation

THE CENTER FOR LIFE SCIENCE

Boston, MA
24-story LEED-Gold lab building consisting of 18-above-ground floors and 6 below-grade as a parking garage

SIMON PROPERTY GROUP

- **South Shore Plaza | Braintree, MA | $75M | 300,000 SF**
  Expansion, mall renovation and anchor tenant pad delivery, Target Fitout management
- **Expansion | King of Prussia, PA | 60,000 SF | $25M**
  Expansion including 200,000 SF bridge connector preconstruction
- **Burlington Mall | Burlington, MA**
  Egress and life safety upgrades, mall expansion and restaurant pad preconstruction planning
- **Chestnut Hill Mall | Newton, MA | $7M**
  Utility upgrades and multiple restaurant build-outs
- **North Shore Mall | Peabody, MA | $6M**
  Container Store ground up out parcel and Restaurant Row Preconstruction

SCALORA CONSULTING GROUP

TEAM RESUME

ANDRE CARDOSO PROJECT MANAGER

Andre has more than 24 years of experience in the development, bio-pharmaceutical, healthcare, assisted-living, and higher education markets. As a Project Manager, he provides detailed control over cost, schedule, and quality while also supporting each project and client with strong communication and team-building experience.

EDUCATION

- MS, Project Management, Granite State College, Concord, NH
- BA, Philosophy, Millersville University of Pennsylvania, Millersville, PA
- MBA, University of New Hampshire, estimated completion Fall 2023

EXPERIENCE

WATERSTONE PROPERTIES

Westbrook, ME | 150,000 SF

Development support for a new Rock Row Medical Office Building with New England Cancer Center

ABBOTT LABORATORIES

Worcester, MA | 33,000 SF | $35M

Procure, manage, and coordinate installation and GMP validation for the manufacturing/ laboratory space renovation and office space expansion while limiting impacts from extensive MEP system upgrades.

CIBA CHEMICALS

Newport, DE | $50M

Project management for this Phoenix QA process chemical modernization and expansion project incorporating automated control and process systems, and new tank farm.

GENETICS INSTITUTE

Cambridge, MA | 222,000 SF

Management of buyout and installation of equipment at 200 Cambridge Park Drive for fit-up of laboratory space. Responsibilities included coordination of commissioning of all laboratory systems and facilities including clean rooms and animal research space.

ST. JOSEPH HOSPITAL

Nashua, NH | 103,000 SF

Renovation of emergency department, diagnostic imaging suit, breast cancer unit, surgery unit, ambulatory care facility, and pharmacy. Cancer Center includes PET scanner, MRI and CT and infusion area.

CATHOLIC MEDICAL CENTER

Manchester, NH

Assistant Superintendent on various renovation projects including "Mom's Place" birthing center, MEP system upgrades and hospital amenity improvements.

HARVARD MEDICAL SCHOOL

Boston, MA | $14M

Countway Library Renovation

BRIGHTVIEW SENIOR LIVING

Shelton, CT | 168,000 SF | $34M

Design-Build Project Manager for a new senior living community completed in 18 months and includes 161 units of independent living, assisted living, and Alzheimer care. Amenities included spa/fitness center, activity areas, elaborate therapeutic gardens designed.

UNIVERSITY OF NEW HAMPSHIRE

Durham, MA

- **Technology Dr., | 100,000 SF**
  Fit–up of office/manufacturing space for the John Olson Advanced Manufacturing Center and multiple off-campus departmental office spaces, including coordination of distinct design and delivery requirements for each customer.
- **Telecom Data Centers Cooling Replacement**
  Design and construction of new cooling systems and electrical service for two data centers. Coordinated construction activities to eliminate network outages.

SCALORA CONSULTING GROUP

PERKINS | THOMPSON
ATTORNEYS & COUNSELORS AT LAW

ESTABLISHED 1871

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PORTLAND ME 04112
207.774.2635

PERKINS THOMPSON has been providing legal services to U.S. and Canadian businesses, institutions and individuals for nearly 150 years. We represent major banking, utilities, energy, manufacturing, hospitality, oil and gas, real estate, forest products, and retail and wholesale distribution businesses, as well as innovative start-ups, emerging companies, entrepreneurs, private foundations, non-profit organizations, and families and individuals.

Our attorneys are dedicated to producing timely, quality legal services efficiently. Our moderate size assures personal attention to clients' needs by experienced, knowledgeable practitioners, and permits careful control of the quality of services, in addition to avoiding the dissipation of client resources through over-lawyering. We regularly discuss budgets for legal services with existing and potential clients and provides estimates of probable charges for specific projects.

Legal issues and legal problems no longer stop at the border. As clients increasingly operate in multiple states, the firm now actively provides legal counsel and litigation services to its clients on matters of New Hampshire law and on legal issues in other New England states. In addition to Maine, Perkins Thompson attorneys are registered to practice in other jurisdictions, including New Hampshire, Massachusetts, Connecticut, and New York.

LAND USE & ENVIRONMENTAL LAW SERVICES

PERMITTING

Our attorneys have extensive experience in helping our clients navigate the complex web of local, state, and federal permitting requirements, and their applicability to development projects large and small. We frequently represent developers, individual landowners, and businesses of all sizes in obtaining approvals from local planning boards and zoning boards of appeal, the Maine Department of Environmental Protection, the Land Use Planning Commission, and a host of other state and federal government agencies. Our expertise extends to a broad range of matters, including:

- Local Site Plan, Subdivision, Conditional Use, and Special Exception Approvals and Amendments
- Variances
- Zoning ordinance amendments and Contract Zones
- Shoreland Zoning
- Maine's Subdivision Law
- Site Location of Development Act
- Natural Resources Protection Act
- Submerged Lands Leases
- FEMA Floodplain regulation
- Stormwater regulation
- Wetlands Dredge and Fill Permits (Army Corps)

Our in-depth knowledge and strategic counsel serve as an invaluable asset to any development project, whether you are a developer seeking approval of a large-scale mixed use development, a business owner seeking expansion of a nonconforming (grandfathered) use, or a landowner seeking to develop property in the shoreland zone. Every project is different, and while we often find ourselves in a lead role, we frequently collaborate with engineers, architects, consultants, and surveyors to achieve timely, cost-effective solutions for our clients.

LAND USE ISSUES & DISPUTES

Land use issues come in all varieties, and sometimes the solution is not as straightforward as obtaining a permit. You might have questions regarding an easement on your property, or alternatively, your right to use an easement on another's property. You might be embroiled in a boundary dispute with your neighbor. Whatever the issue, we have a proven track record of finding creative solutions to challenging problems involving real property.

Our goal is to find the most practical, cost-effective solution for our client, which frequently means avoiding litigation. We don't shy away from conflict, however, and have the experience to skillfully represent our clients in the courtroom. We have represented developers, businesses, landowners, and abutters in appeals from and in defense of local zoning and planning and State land use law decisions. We have also defended individuals and business owners against land use violation claims by local and State government agencies. We have filed, argued, and defended dozens of appeals from local and State land use decisions and have briefed and argued many land use and municipal cases before the Maine Supreme Judicial Court.

ENVIRONMENTAL DUE DILIGENCE & COMPLIANCE

Environmental and land use permitting questions often arise in the context of an acquisition or major redevelopment of an ongoing business. The stakes are higher when the property involved has a history of soil or groundwater contamination. We frequently advise both lenders and businesses on permitting due diligence matters, permit transfers, and strategies to minimize environmental liability. Using our in-depth knowledge of the law and our strong working relationships with regulatory agencies, we also provide strategic counsel to our clients on a broad range of environmental matters, spanning from regulatory compliance to enforcement actions, negotiating the cleanup of contaminated sites, including petroleum, hazardous waste, and brownfield sites, with governmental authorities and third party landowners, and minimizing our clients' potential future liability.

We also spend much of our time evaluating and minimizing our clients' environmental risks as they pursue and complete real estate and business transactions that involve the transfer of contaminated or potentially contaminated properties.

Our expertise extends to a host of federal environmental laws, including CERCLA (also known as the "Superfund" law), the Resource Conservation and Recovery Act (RCRA), the Toxic Substances Control Act (TSCA), and the Clean Water Act, including federal point source discharge laws, and their Maine law counterparts, including the Maine Uncontrolled Sites Law, the Maine Oil Pollution Liability Act, the Maine hazardous waste laws, and the Maine Pollutant Discharge Elimination System (MPDES). We regularly assist clients with environmental due diligence in connection with acquisitions, mergers, and the sales of commercial and industrial properties. We advocate for our clients in connection with sale or lease agreements in which there are complicated allocations of environmental liability, and advise clients on a range of environmental issues including the closing out of environmental escrow accounts or the exercise of indemnification provisions.

It is our specialized knowledge of environmental law, coupled with our commitment to personal service, efficiency, and relationship-building, that makes us effective representatives for our clients.

REPRESENTATIVE MATTERS

Some recent matters we have handled illustrate the scope of our work:

- On behalf of a developer client, successfully obtained municipal and state permits and approvals required for a large-scale mixed use development spanning across the boundary between two municipalities.
- Successfully achieved the re-zoning of commercial property through the amendment of a local zoning ordinance by contract zone.
- Provided strategic counsel to an intervenor in a proceeding before the Maine Land Use Commission involving a hydropower permitting matter.
- Provided permitting and environmental due diligence counsel in connection with the financing of a grid-scale wind energy project.
- Successfully obtained approvals from the City Harbor Commission, Maine DEP, and U.S. Army Corps of Engineers in connection with a complex redevelopment project involving contaminated property.
- Successfully appealed a propane and natural gas inspector's decision to the Propane and Natural Gas Board of Maine, enabling the client to install an engineered, state of the art greenhouse heating and CO_2 production system.
- Represented a natural gas public utility in land asset disposition before the Maine Public Utilities Commission.
- Obtained a favorable decision from the Maine Law Court on behalf of Maine Rivers, Trout Unlimited, the Appalachian Mountain Club and the Natural Resources Council of Maine, intervenors in the case of *FPL Energy Maine Hydro v. DEP,* which affirmed a decision by the Maine Board of Environmental Protection.
- Obtained municipal approvals required in order for client to redevelop an existing building in the shoreland zone into retail and restaurant space, while simultaneously resolving a property dispute with an abutting landowner.

ATTORNEYS

JAMES N. KATSIAFICAS

Jim Katsiaficas, a shareholder and director of Perkins Thompson, practices environmental, land use, municipal, administrative, and real estate law.

Jim represents municipalities; water, sewer, and other special districts; counties; State agencies; and other public entities, as well as individuals, groups and businesses appearing before governmental agencies. His practice includes representation of clients before Maine's courts and administrative agencies, local and county boards, and the Maine Legislature. Some of the issues he assists clients with include: planning and zoning, environmental permitting, environmental and land use due diligence, property taxation and abatement, stormwater regulation, oil and hazardous substance site remediation, solid waste management, energy regulation, eminent domain, road law, and legislation/lobbying.

JOSEPH C. SIVISKI

Joe Siviski maintains a diverse administrative law practice that extends to environmental, land use, and business immigration matters. He regularly advises individuals, municipalities, banks, utilities, and local and international companies of all sizes on general business law matters and frequently represents those clients before municipal boards, state court, and state and federal agencies. Joe prides himself on finding the most practical solution to his clients' most challenging problems.

Prior to attending law school, Joe worked as an environmental consultant, and brings this experience to bear when advising clients on environmental liability, due diligence, and permitting issues.

BRANDON J. MAZER

Brandon Mazer is an associate attorney who joined Perkins Thompson in 2018 as part of the Business Practice and Craft Beverage Practice Groups. He was general counsel for a multi-state brewery for nearly a decade and has extensive knowledge of alcohol regulations and compliance across the U.S. and internationally. He also has significant experience advising clients with alcohol distribution agreements.

Having worked as general counsel for a variety of small businesses, Brandon brings an understanding of the unique needs of his business clients and approaches each of their issues in a solution-oriented way. His business practice focuses on advising clients on all aspects of their operation, including entity formation, sales and acquisitions, contract negotiations, real estate transactions and general, day-to-day business advice.

JAMES N. KATSIAFICAS

Experience

Perkins Thompson, Portland, Maine (September, 2005 to present).
Director and Shareholder. Representing municipal, quasi-municipal and private clients, with practice focus on municipal, land use, administrative and environmental law.

Maine Municipal Association, Augusta, Maine (March 1998 to September, 2005).
Senior Staff Attorney. Provided legal advice to 492 member municipalities and training for municipal officials; prepared training manuals and articles on municipal law topics and *amicus curiae* briefs in municipal appellate proceedings before Maine Supreme Judicial Court.
Assistant Director of State and Federal Relations (1985 - 1986). As lobbyist, represented municipal interests before State Legislature and administrative agencies.

James N. Katsiaficas, Esq., Portland Maine (December 1999 to 2005).
Part-time contract attorney; represented Town of Sanford in closure of uncontrolled hazardous substances site; represented City of Portland Zoning Board of Appeals; various projects.

Jensen Baird Gardner & Henry, Portland, Maine (1987 to March 1998).
Director, Associate. As associate and then as director, represented municipal, quasi-municipal and private clients, with focus on municipal, administrative and environmental law and litigation.

City of Portland, Maine (1986 to 1987).
Associate Corporation Counsel. Advised City departments and boards; defended City in litigation.

Robinson, Kriger & McCallum, Portland, Maine (1984 to 1985).

Education

University of Southern Maine, Certificate Program in Mediation, October 1999.

University of Maine School of Law, J.D. 1984.

University of Vermont, B.S. Biological Sciences, 1978.

Professional Activities

E2Tech (Environmental and Energy Technology Council of Maine) Member, 2005-present; Board of Directors, 2010-present; Chair Program Committee, 2010–2012; Chair, 2012–2016.

Maine State Bar Association, Member Municipal; Administrative; Government and Public Sector (Chair, 2003); Environmental and Energy Law (Chair, 2004); and Real Estate Sections.

International Municipal Lawyers Association (IMLA), State Chair 1990-1997; Section Chair, Health and Environment Section, 1996-1997.

Listed in **Best Lawyers in America** (Administrative and Municipal Law)

JOSEPH C. SIVISKI

EXPERIENCE

Perkins Thompson, Portland, Maine
Associate Attorney (2012-Present); *Summer Associate* (2011). Wide ranging administrative law practice that includes advising clients on environmental enforcement, permitting, and due diligence matters as well as assisting international clients with business immigration matters; Provide general regulatory counsel to municipalities, quasi-governmental entities, small and large businesses, banks, and utilities; General commercial litigation.

Summit Environmental Consultants, Augusta, Maine
Staff Scientist (2006 - 2009). Assisted clients in environmental due diligence matters; Drafted Phase I and Phase II Environmental Site Assessment reports regarding a variety of residential, commercial and industrial properties; designed soil sampling plan to determine the extent of contamination at a paint storage facility and developed a suitable remediation plan for the facility once contamination was delineated.

Ota English School, Ota, Japan
English Instructor (2004-2005). Taught English reading, writing, and conversation to Japanese students of all ages and abilities.

Maine Department of Environmental Protection, Augusta, Maine (Summers 2003 & 2004).
Conservation Aide. Provided technical and administrative support to the Department's Voluntary Response Action Program (VRAP) unit; conducted soil and groundwater sampling in support of environmental site investigations.

EDUCATION

University of Maine School of Law, Portland, Maine, J.D., *summa cum laude*, 2012.
Daniel E. Wathen Legal Writing Prize
Faculty Significant Achievement Award
Case Note & Comment Editor, Maine Law Review

Colby College, Waterville, Maine, B.A., *cum laude*, Environmental Studies, 2004
Minor: Japanese

PROFESSIONAL AND COMMUNITY ACTIVITIES

Portland Water District. Serve as an elected member of the Portland Water District's Board of Trustees, representing the City of South Portland and Town of Cape Elizabeth.
The Nathan & Henry B. Cleaves Law Library. Member, Board of Directors.
Yarmouth Alumni Association. Member, Board of Directors.
Maine State Bar Association. Member and Former Chair of the Environmental & Energy Law Section.

Michael Cuomo, Soil Scientist

6 York Pond Road, York, Maine 03909
(207) 363-4532
mcuomosoil@gmail.com

Education
Bachelor of Science in Soil Science, Univ. of New Hampshire, Magna Cum Laude, 1985. Minors: Resource Economics and Geography.

Master of Science in Soil Science, Univ. of New Hampshire, 1992. Thesis: *Analysis of Subjectivity in a Multiple Parameter Wetland Evaluation Method.*

Publication:
Keys to the Taxonomic Classification of New England Soils; Sidney A.L. Pilgrim and Michael Cuomo, editors; Dec. 2000.

Professional Licenses
Maine Cert. Soil Scientist #211;
Maine Lic. Site Evaluator #211;
New Hampshire Cert. Soil Scientist #006;
New Hampshire Cert. Wetland Scientist #004; and
New Hampshire Lic. Designer of Subsurface Wastewater Disposal Systems #788.

Professional Organizations
Society of Soil Scientists of Northern New England; Current President, past Vice Pres., Secretary, and Treasurer.
Maine Assoc. of Wetland Scientists; founding member and past Secretary/Treasurer.
Maine Association of Professional Soil Scientists.
Maine Association of Site Evaluators.
New Hampshire Association of Natural Resource Scientists; founding member, past Secretary/Treasurer; currently serving on Professional Ethics and Standards Committee.

Work Experience

1985 - 1989	Soil Scientist, The Barwick Companies, South Berwick, ME. Primary responsibility: high intensity soil survey.
1989 - 1990	Wetland/Soil Scientist, Eco-Analysts, Bath, ME. Primary responsibility: wetland delineation.
1990 - present	Self-employed. Primary focus: wetland delineation and high intensity soil survey for private landowners, developers, and industry. Site evaluation. Secondary focus: providing technical assistance to towns.

Current scope of services: identifying and delineating regulated wetlands; assessment of wetland functions and values; high intensity soil survey; environmental feasibility of development studies; on-site wastewater disposal feasibility studies; and project management.

Section 11 - Plans

Attachment: Jones & Beach Amended Subdivision Plat

Section 12 – Drainage Analysis and Erosion and Sediment Control Plan

This Amendment Application covers the same Rock Row Phase 1 area previously reviewed and approved by the City of Portland under the City's standards, and the Applicant provided extensive erosion and sedimentation plans during those review processes. The Rock Row Phase 1 area also was approved by Maine DEP under a SLODA permit that reviews the overall Project's erosion impact. The State has approved the proposed sediment and erosion control plans. As the proposed Subdivision Amendment Application is intended only to create lot line divisions to accommodate the buildings, improvements and infrastructure already reviewed and approved by the Planning Board, it will have no impact to the approved erosion & sediment control plans.

Neighborhood Meeting
Dirigo Center Developers / "Rock Row"
Subdivision and Amended Subdivision Applications
June 21, 2022

Name	Email Address
Wayne Morrill, PE, Jones & Beach Engineers, Inc. (for Applicants)	wmorrill@jonesandbeach.com
Tom Godfrey, Granite Development (for Applicants)	Tomg10@comcast.net
Jim Katsiaficas, Esq., Perkins Thompson (for Applicants)	jkatsiaficas@perkinsthompson.com

{P2035624.1}

Neighborhood Meeting Minutes
Dirigo Center Developers / "Rock Row"
Subdivision and Amended Subdivision Applications
June 21, 2022

On behalf of Applicants Dirigo Center Developers, LLC and Waterstone Rock Row Medical Campus, Jones & Beach Engineers Inc. sent notice on Friday, June 10, 2022 of the June 21, 2022 6 p.m. Neighborhood Meeting on the Applicants' pending subdivision and subdivision amendment applications. This notice was sent to all those on the City's abutter/interested party notification list, and it included a link to attend the Microsoft Teams online meeting, as well as a call-in telephone number.

The meeting commenced at 6 p.m. Present were Wayne Morrill, PE, Jones & Beach Engineers, Inc., Tom Godfrey, Granite Development, and Jim Katsiaficas, Esq., Perkins Thompson, all representing the Applicants. No member of the public joined the meeting, by internet or by telephone. Applicants' representatives remained online until 6:36 p.m., when due to lack of any public participation, the meeting was adjourned.

JONES & BEACH ENGINEERS INC.
85 Portsmouth Avenue, PO Box 219, Stratham, NH 03885
603.772.4746 - JonesandBeach.com

June 9, 2022
Portland Plan #PL-002021-2022

To whom it may concern,

Jones & Beach Engineers, on behalf of the Applicant, Dirigo Center Developers, LLC, certifies that a Notice of Public Meeting sign was posted on June 9, 2022 prior to the Public Hearing scheduled for June 28, 2022 for the proposed project PL-002021-2022 located at 1190 Brighton Avenue, Portland, ME.

Photo documentation of sign:

Photo documentation of sign in situ:

Very truly yours,
JONES & BEACH ENGINEERS, INC.

Ian MacKinnon, P.E.
Project Manager

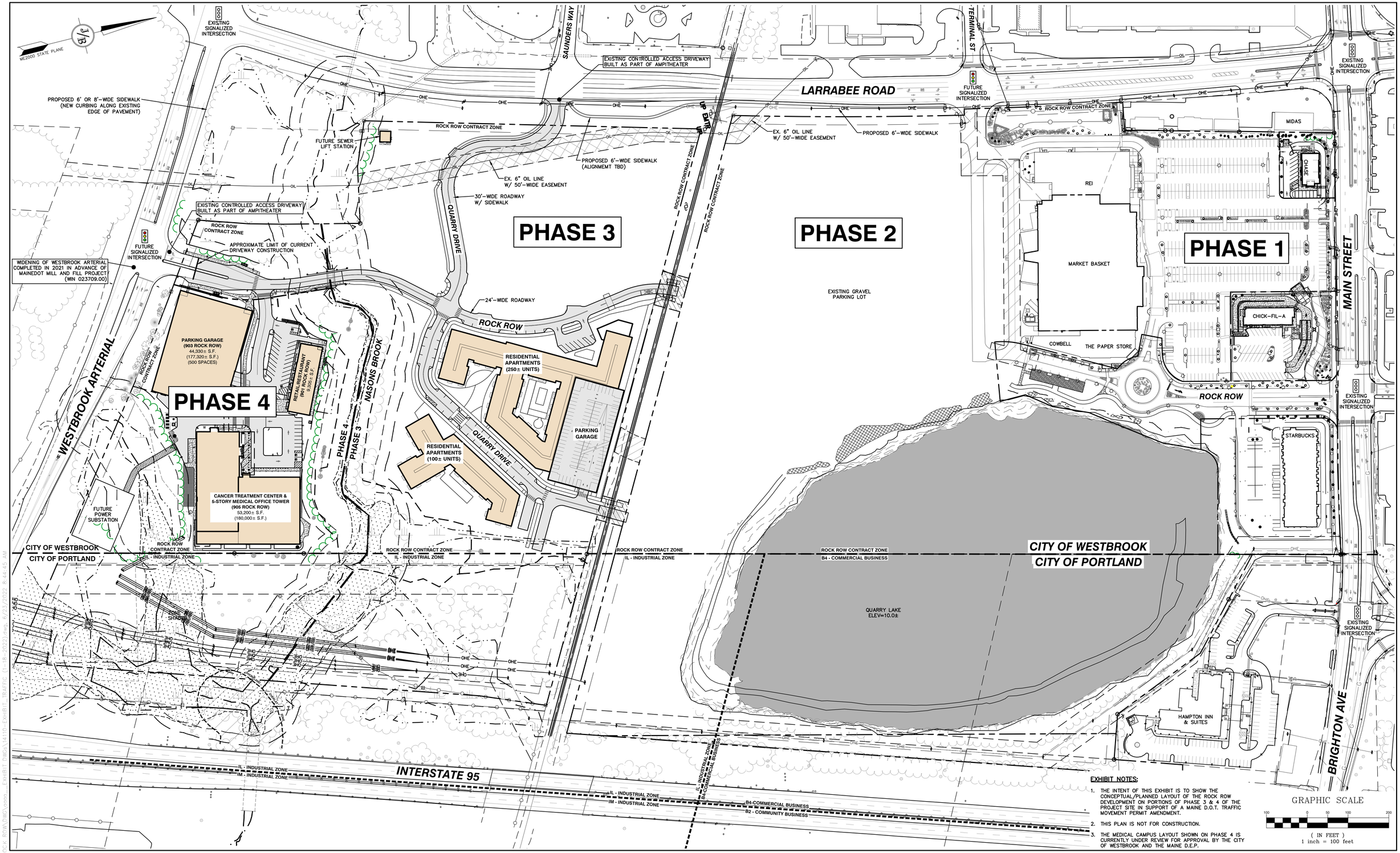


EXHIBIT NOTES:

1. THE INTENT OF THIS EXHIBIT IS TO SHOW THE CONCEPTUAL/PLANNED LAYOUT OF THE ROCK ROW DEVELOPMENT ON PORTIONS OF PHASE 3 & 4 OF THE PROJECT SITE IN SUPPORT OF A MAINE D.O.T. TRAFFIC MOVEMENT PERMIT AMENDMENT.
2. THIS PLAN IS NOT FOR CONSTRUCTION.
3. THE MEDICAL CAMPUS LAYOUT SHOWN ON PHASE 4 IS CURRENTLY UNDER REVIEW FOR APPROVAL BY THE CITY OF WESTBROOK AND THE MAINE D.E.P.

Design: ISM	Draft: ISM	Date: 1/18/22
Checked: WGM	Scale: AS SHOWN	Project No.: 14110.8
Drawing Name: 14110-EXHIBIT_TRAFFIC (1-18-2022).dwg		

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM JONES & BEACH ENGINEERS, INC. (JBE). ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO JBE.

REV.	DATE	REVISION	BY
4	6/23/22	PEDESTRIAN WALKWAY UPDATES	ISM
3	6/9/22	RESIDENTIAL COMPLEX UPDATES AND NEW SIDEWALKS	ISM
2	2/16/22	TEXT REVISIONS	ISM
1	2/10/22	MISC. PLAN REVISIONS	ISM
0	1/18/22	ISSUED FOR REVIEW	ISM

Designed and Produced in NH

Jones & Beach Engineers, Inc.

Civil Engineering Services

85 Portsmouth Ave.
PO Box 219
Stratham, NH 03885

603-772-4746
FAX: 603-772-0227
E-Mail: JBE@JONESANDBEACH.COM

Plan Name: MASTER PLAN - TRAFFIC EXHIBIT

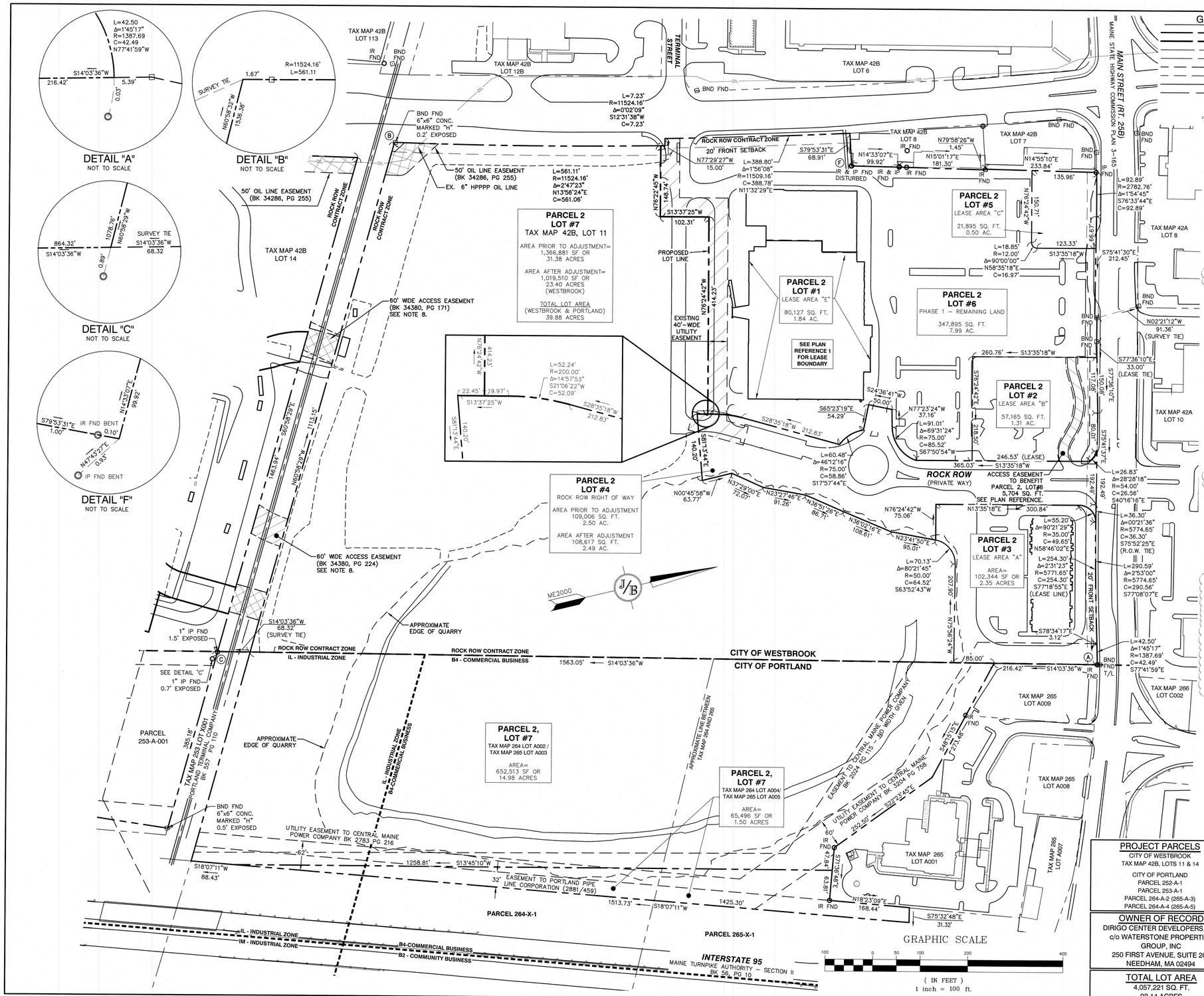
Project: "ROCK ROW - MASTER PLAN"
ROCK ROW & 59 WESTBROOK ARTERIAL, WESTBROOK, ME

Owner of Record: DIRIGO CENTER DEVELOPERS, LLC c/o WATERSTONE PROPERTIES GROUP, INC.
117 KENDRICK STREET, SUITE 325, NEEDHAM, MA 02494

DRAWING No.

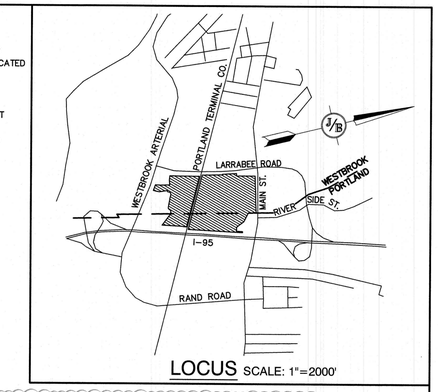
MP-T

SHEET 1 OF 1
JBE PROJECT NO. 14110.8



GENERAL LEGEND

- EXISTING PROPERTY LINES
- PROPOSED BOUNDARY LINES
- BOUNDARY LINES TO BE VACATED
- EXISTING ABUTTER LINES
- EXISTING EASEMENT
- SURVEY TIE LINES
- EXISTING EDGE OF PAVEMENT
- EXISTING STREAM
- FOUND IRON PIPE/IRON ROD
- FOUND CONCRETE BOUND
- EXISTING UTILITY POLE



LOCUS SCALE: 1"=2000'

NOTES:

1. THE INTENT OF THIS PLAN IS TO CREATE PARCEL 2, LOT #7 BY STRIKING A NEW PROPERTY LINE FROM THE SOUTHERN LIMITS OF PARCEL 2, LOT #4 WEST TOWARDS THE LARRABEE ROAD RIGHT-OF-WAY.
2. THE UTILITY LOCATIONS SHOWN HEREON WERE DETERMINED BY OBSERVED ABOVE GROUND EVIDENCE AND SHOULD BE CONSIDERED APPROXIMATE IN LOCATION ONLY. LOCATION, DEPTH, SIZE, TYPE, EXISTENCE OR NONEXISTENCE OF UNDERGROUND UTILITIES AND/OR UNDERGROUND STORAGE TANKS WAS NOT VERIFIED BY THIS SURVEY. ALL CONTRACTORS SHOULD NOTIFY IN WRITING ALL UTILITY COMPANIES AND GOVERNMENT AGENCIES PRIOR TO ANY EXCAVATION WORK OR CALL DIG-SAFE AT 1-888-DIG-SAFE.
3. THE SUBJECT PROPERTY IN WESTBROOK IS LOCATED WITHIN FEDERALLY DESIGNATED ZONE "C" – AREAS OF MINIMAL FLOODING. REFERENCE FEMA COMMUNITY PANEL NOs. 230054 0006 B, DATED JANUARY 2, 1981; THE SUBJECT PROPERTY IN PORTLAND IS LOCATED WITHIN FEDERALLY DESIGNATED ZONE "X" (UNSHADED) – AREAS DETERMINED TO BE OUTSIDE 500 YEAR FLOOD PLAIN. REFERENCE FEMA COMMUNITY PANEL NOs. 230051 006 C, DATED DECEMBER 8, 1998; AND 230051 0012C, DATED DECEMBER 8, 1999.
4. BASIS OF BEARING: HORIZONTAL – ME2000 WEST ZONE. VERTICAL – NGVD29.
5. THE TAX MAP AND LOT NUMBERS ARE BASED ON ASSESSORS' INFORMATION FROM THE CITIES OF PORTLAND AND WESTBROOK, AND ARE SUBJECT TO CHANGE.
6. THIS SURVEY IS NOT A CERTIFICATION TO OWNERSHIP OR TITLE OF LANDS SHOWN. OWNERSHIP AND ENCUMBRANCES ARE MATTERS OF TITLE EXAMINATION NOT OF A BOUNDARY SURVEY. THE INTENT OF THIS PLAN IS TO RETRACE THE BOUNDARY LINES OF DEEDS REFERENCED HEREON. OWNERSHIP OF ADJOINING PROPERTIES IS ACCORDING TO ASSESSOR'S RECORDS. THIS PLAN MAY OR MAY NOT INDICATE ALL ENCUMBRANCES EXPRESSED, IMPLIED OR PRESCRIPTIVE.
7. ANY USE OF THIS PLAN AND OR ACCOMPANYING DESCRIPTIONS SHOULD BE DONE WITH LEGAL COUNSEL, TO BE CERTAIN THAT TITLES ARE CLEAR, THAT INFORMATION IS CURRENT, AND THAT ANY NECESSARY CERTIFICATES ARE IN PLACE FOR A PARTICULAR CONVEYANCE, OR OTHER USES.
8. THE EXISTING EASEMENTS IN PLACE FOR CROSSING LAND OF PORTLAND TERMINAL COMPANY WILL BE REVISED ON A SEPARATE PLAN.
9. FOLLOWING THE COMPLETION OF CONSTRUCTION ON THE NORTH CAMPUS, THE PROJECT SURVEYOR WILL SET MONUMENTS AT NECESSARY PROPERTY CORNERS.

PLAN REFERENCE:

"AMENDED SUBDIVISION PLAT, ROCK ROW, 80 MAIN STREET & 11 LARRABEE ROAD, WESTBROOK, ME." DATED AUGUST 13, 2019. PREPARED BY JONES & BEACH ENGINEERS, INC. C.C.R.D. PLAN BOOK 220 PAGES 67 & 68.

DEED REFERENCES:

BOOK 34161, PAGE 294
BOOK 34380, PAGE 164
BOOK 36192, PAGE 297
BOOK 36260, PAGE 301

DIMENSIONAL REQUIREMENTS

CITY OF WESTBROOK
ZONING DISTRICT: ROCK ROW CONTRACT ZONE

	REQUIRED
LOT AREA MINIMUM	N/A
BUILDING SETBACKS (MINIMUM):	
FROM MAIN STREET	20'
FROM LARRABEE ROAD	20'
FROM WESTBROOK ARTERIAL	20'
SIDE/REAR SETBACK	0'
FROM INTERNAL LOT LINES	0'
MAX. BUILDING HEIGHT	150' (12-STORIES)
MIN. FRONTAGE	N/A
MAX. FOOTPRINT	160,000
MAX. FOOTPRINT FACTOR	85% (PHASE 1)
MAX. GROSS DENSITY FACTOR	85% (PHASE 1)

DENSITY CALCULATIONS – PHASE 1

	AREA	
TOTAL AREA	705,410 S.F.	
DEVELOPABLE AREA	705,410 S.F.	
LANDSCAPED AREA	153,714 S.F.	
BUILDING AREA (FOOTPRINT)	152,922 S.F.	
IMPERVIOUS AREA	398,774 S.F.	
BUILDING FOOTPRINT FACTOR	21.7%	(85% MAX.)
GROSS DENSITY FACTOR	78.2%	(85% MAX.)
LANDSCAPE FACTOR	21.8%	(15% MIN.)

CERTIFICATION:

I CERTIFY THAT THIS SURVEY PLAT CONFORMS TO THE STANDARDS OF PRACTICE OF THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS, CHAPTER 90, PARTS 1 & 2, WITH THE FOLLOWING EXCEPTIONS: MONUMENTATION HAS NOT BEEN SET AT ALL CORNERS
A WRITTEN BOUNDARY REPORT HAS NOT BEEN ISSUED

STATE OF MAINE — MATTHEW J. SALVUCCI 2569 — PROFESSIONAL LAND SURVEYOR

MATTHEW J. SALVUCCI, PLS 2569 — DATE: 6/23/22
ON BEHALF OF JONES & BEACH ENGINEERS, INC.

PROJECT PARCELS

CITY OF WESTBROOK
TAX MAP 42B, LOTS 11 & 14

CITY OF PORTLAND
PARCEL 252-A-1
PARCEL 253-A-1
PARCEL 264-A-2 (265-A-3)
PARCEL 264-A-4 (265-A-5)

OWNER OF RECORD

DIRIGO CENTER DEVELOPERS, LLC
c/o WATERSTONE PROPERTIES GROUP, INC
250 FIRST AVENUE, SUITE 202
NEEDHAM, MA 02494

TOTAL LOT AREA

4,057,221 SQ. FT.
93.14 ACRES

APPROVED - WESTBROOK, ME PLANNING BOARD	APPROVED - CITY OF PORTLAND PLANNING BOARD
DATE:	DATE:

Design: ISM	Draft: MJS	Date: 3/10/22
Checked: MJS	Scale: AS NOTED	Project No.: 14110.12
Drawing Name: 14110-SUBDIVISION_v2.dwg		

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM JONES & BEACH ENGINEERS, INC. (JBE). ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO JBE.

REV.	DATE	REVISION	BY
4	6/23/22	REVISIONS PER STAFF COMMENTS	ISM
3	6/8/22	REVISIONS PER CITY OF WESTBROOK COMMENTS	ISM
2	5/6/22	MINOR PLAN MODIFICATIONS	ISM
1	3/24/22	REVISED PER CITY STAFF COMMENTS	MJS
0	3/10/22	ISSUED FOR REVIEW	MJS

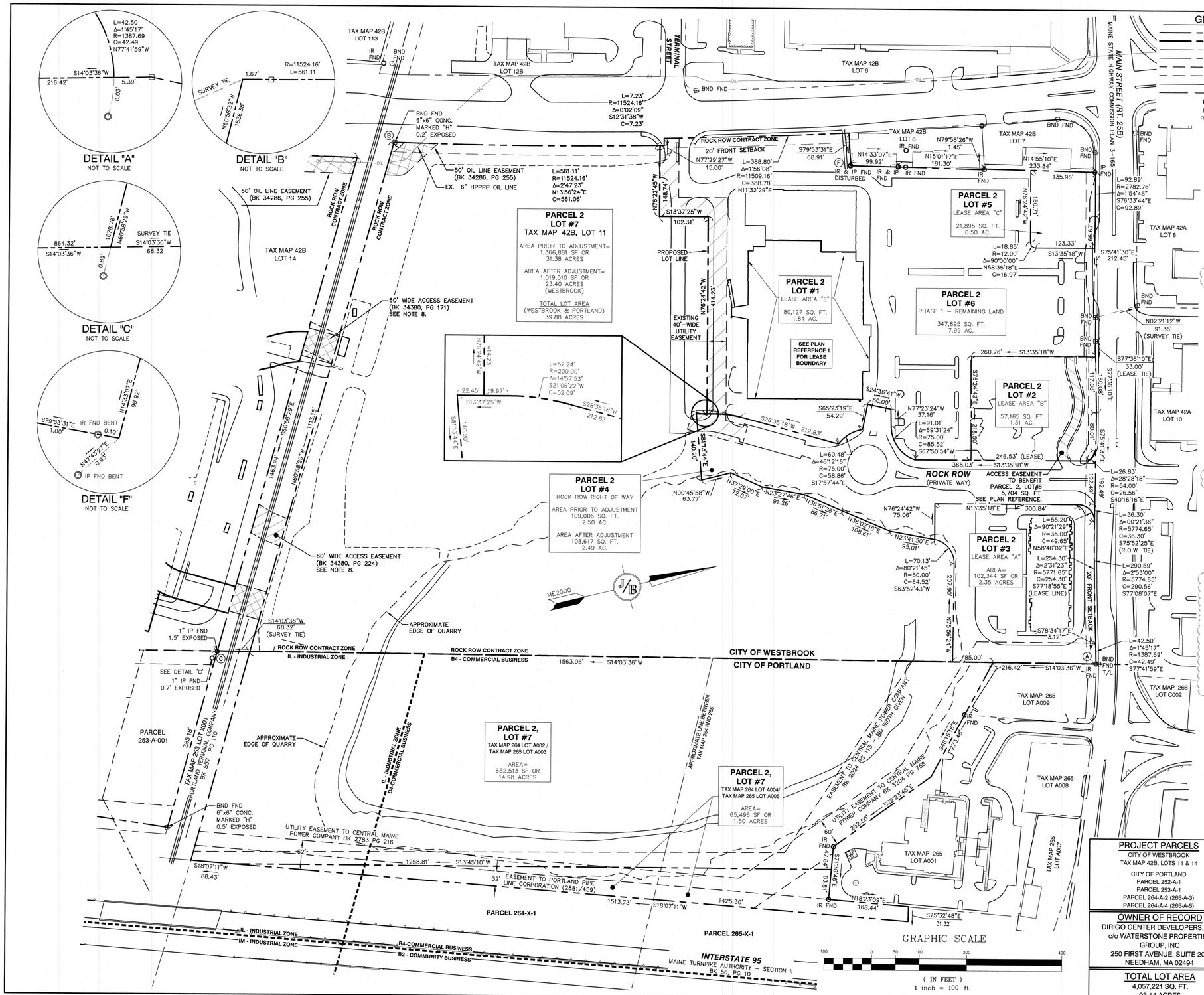
Jones & Beach Engineers, Inc.
Civil Engineering Services
85 Portsmouth Ave.
PO Box 219
Stratham, NH 03885
603-772-4746
FAX: 603-772-0227
E-Mail: JBE@JONESANDBEACH.COM

Plan Name: AMENDED SUBDIVISION PLAT

Project: "ROCK ROW - SUBDIVISION"
ROCK ROW & WESTBROOK ARTERIAL, WESTBROOK, ME

Owner of Record: DIRIGO CENTER DEVELOPERS, LLC. c/o WATERSTONE PROPERTIES, LLC
250 1st AVENUE, SUITE 202, NEEDHAM, MA 02494

DRAWING No.
A7
SHEET 1 OF 2
JBE PROJECT NO. 14110.12



GENERAL LEGEND

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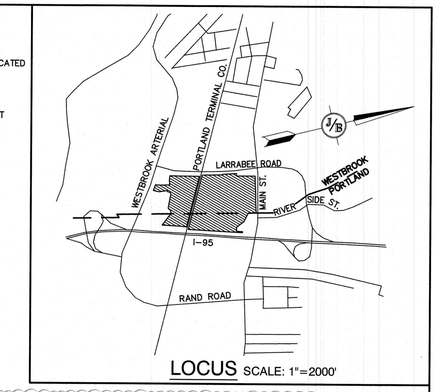

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NOTES:

1. THE INTENT OF THIS PLAN IS TO CREATE PARCEL 2, LOT #7 BY STRIKING A NEW PROPERTY LINE FROM THE SOUTHERN LIMITS OF PARCEL 2, LOT #4 WEST TOWARDS THE LARRABEE ROAD RIGHT-OF-WAY.
2. THE UTILITY LOCATIONS SHOWN HEREON WERE DETERMINED BY OBSERVED ABOVE GROUND EVIDENCE AND SHOULD BE CONSIDERED APPROXIMATE IN LOCATION ONLY. LOCATION, DEPTH, SIZE, TYPE, EXISTENCE OR NONEXISTENCE OF UNDERGROUND UTILITIES AND/OR UNDERGROUND STORAGE TANKS WAS NOT VERIFIED BY THIS SURVEY. ALL CONTRACTORS SHOULD NOTIFY IN WRITING ALL UTILITY COMPANIES AND GOVERNMENT AGENCIES PRIOR TO ANY EXCAVATION WORK OR CALL DIG-SAFE AT 1-888-DIG-SAFE.
3. THE SUBJECT PROPERTY IN WESTBROOK IS LOCATED WITHIN FEDERALLY DESIGNATED ZONE "C" - AREAS OF MINIMAL FLOODING. REFERENCE FEMA COMMUNITY PANEL NOs. 230054 0006 B, DATED JANUARY 2, 1981; THE SUBJECT PROPERTY IN PORTLAND IS LOCATED WITHIN FEDERALLY DESIGNATED ZONE "X" (UNSHADED) - AREAS DETERMINED TO BE OUTSIDE 500 YEAR FLOOD PLAIN. REFERENCE FEMA COMMUNITY PANEL NOs. 230051 006 C, DATED DECEMBER 8, 1998; AND 230051 0012C, DATED DECEMBER 8, 1999.
4. BASIS OF BEARING: HORIZONTAL - ME2000 WEST ZONE. VERTICAL - NGVD29.
5. THE TAX MAP AND LOT NUMBERS ARE BASED ON ASSESSORS' INFORMATION FROM THE CITIES OF PORTLAND AND WESTBROOK, AND ARE SUBJECT TO CHANGE.
6. THIS SURVEY IS NOT A CERTIFICATION TO OWNERSHIP OR TITLE OF LANDS SHOWN. OWNERSHIP AND ENCUMBRANCES ARE MATTERS OF TITLE EXAMINATION NOT OF A BOUNDARY SURVEY. THE INTENT OF THIS PLAN IS TO RETRACE THE BOUNDARY LINES OF DEEDS REFERENCED HEREON. OWNERSHIP OF ADJOINING PROPERTIES IS ACCORDING TO ASSESSOR'S RECORDS. THIS PLAN MAY OR MAY NOT INDICATE ALL ENCUMBRANCES EXPRESSED, IMPLIED OR PRESCRIPTIVE.
7. ANY USE OF THIS PLAN AND OR ACCOMPANYING DESCRIPTIONS SHOULD BE DONE WITH LEGAL COUNSEL, TO BE CERTAIN THAT TITLES ARE CLEAR, THAT INFORMATION IS CURRENT, AND THAT ANY NECESSARY CERTIFICATES ARE IN PLACE FOR A PARTICULAR CONVEYANCE, OR OTHER USES.
8. THE EXISTING EASEMENTS IN PLACE FOR CROSSING LAND OF PORTLAND TERMINAL COMPANY WILL BE REVISED ON A SEPARATE PLAN.
9. FOLLOWING THE COMPLETION OF CONSTRUCTION ON THE NORTH CAMPUS, THE PROJECT SURVEYOR WILL SET MONUMENTS AT NECESSARY PROPERTY CORNERS.

PLAN REFERENCE:

"AMENDED SUBDIVISION PLAT, ROCK ROW, 80 MAIN STREET & 11 LARRABEE ROAD, WESTBROOK, ME." DATED AUGUST 13, 2019. PREPARED BY JONES & BEACH ENGINEERS, INC. C.C.R.D. PLAN BOOK 220 PAGES 67 & 68.

DEED REFERENCES:

BOOK 34161, PAGE 294
BOOK 34380, PAGE 164
BOOK 36192, PAGE 297
BOOK 36260, PAGE 301

DIMENSIONAL REQUIREMENTS

CITY OF WESTBROOK
ZONING DISTRICT: ROCK ROW CONTRACT ZONE

	REQUIRED
LOT AREA MINIMUM	N/A
BUILDING SETBACKS (MINIMUM):	
FROM MAIN STREET	20'
FROM LARRABEE ROAD	20'
FROM WESTBROOK ARTERIAL	20'
SIDE/REAR SETBACK	0'
FROM INTERNAL LOT LINES	0'
MAX. BUILDING HEIGHT	150' (12-STORIES)
MIN. FRONTAGE	N/A
MAX. FOOTPRINT	160,000
MAX. FOOTPRINT FACTOR	85% (PHASE 1)
MAX. GROSS DENSITY FACTOR	85% (PHASE 1)

DENSITY CALCULATIONS - PHASE 1

	AREA	
TOTAL AREA	705,410 S.F.	
DEVELOPABLE AREA	705,410 S.F.	
LANDSCAPED AREA	153,714 S.F.	
BUILDING AREA (FOOTPRINT)	152,922 S.F.	
IMPERVIOUS AREA	398,774 S.F.	
BUILDING FOOTPRINT FACTOR	21.7%	(85% MAX.)
GROSS DENSITY FACTOR	78.2%	(85% MAX.)
LANDSCAPE FACTOR	21.8%	(15% MIN.)

CERTIFICATION:

I CERTIFY THAT THIS SURVEY PLAT CONFORMS TO THE STANDARDS OF PRACTICE OF THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS, CHAPTER 90, PARTS 1 & 2, WITH THE FOLLOWING EXCEPTIONS: MONUMENTATION HAS NOT BEEN SET AT ALL CORNERS
A WRITTEN BOUNDARY REPORT HAS NOT BEEN ISSUED

STATE OF MAINE — MATTHEW J. SALVUCCI 2569 — PROFESSIONAL LAND SURVEYOR

MATTHEW J. SALVUCCI, PLS 2569 — DATE: 6/23/22
ON BEHALF OF JONES & BEACH ENGINEERS, INC.

PROJECT PARCELS

CITY OF WESTBROOK
TAX MAP 42B, LOTS 11 & 14

CITY OF PORTLAND
PARCEL 252-A-1
PARCEL 253-A-1
PARCEL 264-A-2 (265-A-3)
PARCEL 264-A-4 (265-A-5)

OWNER OF RECORD

DIRIGO CENTER DEVELOPERS, LLC
c/o WATERSTONE PROPERTIES GROUP, INC
250 FIRST AVENUE, SUITE 202
NEEDHAM, MA 02494

TOTAL LOT AREA

4,057,221 SQ. FT.
93.14 ACRES

APPROVED - WESTBROOK, ME PLANNING BOARD	APPROVED - CITY OF PORTLAND PLANNING BOARD
DATE:	DATE:

Design: ISM	Draft: MJS	Date: 3/10/22
Checked: MJS	Scale: AS NOTED	Project No.: 14110.12
Drawing Name: 14110-SUBDIVISION_v2.dwg		

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM JONES & BEACH ENGINEERS, INC. (JBE). ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO JBE.

REV.	DATE	REVISION	BY
4	6/23/22	REVISIONS PER STAFF COMMENTS	ISM
3	6/8/22	REVISIONS PER CITY OF WESTBROOK COMMENTS	ISM
2	5/6/22	MINOR PLAN MODIFICATIONS	ISM
1	3/24/22	REVISED PER CITY STAFF COMMENTS	MJS
0	3/10/22	ISSUED FOR REVIEW	MJS

Jones & Beach Engineers, Inc.
Civil Engineering Services
85 Portsmouth Ave.
PO Box 219
Stratham, NH 03885
603-772-4746
FAX: 603-772-0227
E-Mail: JBE@JONESANDBEACH.COM

Plan Name: AMENDED SUBDIVISION PLAT

Project: "ROCK ROW - SUBDIVISION"
ROCK ROW & WESTBROOK ARTERIAL, WESTBROOK, ME

Owner of Record: DIRIGO CENTER DEVELOPERS, LLC. c/o WATERSTONE PROPERTIES, LLC
250 1st AVENUE, SUITE 202, NEEDHAM, MA 02494

DRAWING No. A7
SHEET 1 OF 2
JBE PROJECT NO. 14110.12