

April 26, 2018

Ms. Barbara Barhydt
Development Review Services Coordinator
Planning Division
389 Congress Street, 4th Floor
Portland, ME, 04101

**208 Fore Street Development
Portland, Maine
Level III Site Plan & Subdivision Application**

Dear Barbara:

On behalf of Flagg Partners, LLC, Terradyn Consultants is pleased to submit the enclosed application materials and drawings for the 208 Fore Street Development, a proposed 37-unit residential building with commercial space on the first floor located at 208 Fore Street in Portland.

The project site is comprised of Lot 8 on Tax Map 29, Block N and Bradbury Court and is located in the City's India Street Form Based Code (IS-FBC) zoning district - Urban Transitional (UT) subdistrict, and the downtown Entertainment Overlay Zone. The enclosed materials include information about the existing project site and the proposed project and are intended to meet the Level III Final Site Plan submission requirements outlined in Section 14-527 of the City of Portland Land Use Ordinance.

Enclosed with this cover letter are the following written materials:

208 Fore Street – Application Materials	
	Level III Development Review Application Form
Section 1	Development Description
Section 2	Right, Title and Interest
Section 3	State & Federal Permits
Section 4	Land Ordinance Review
Section 5	Easements or Other Burdens
Section 6	Technical & Financial Capacity
Section 7	Construction Management Plan
Section 8	Natural Features
Section 9	Stormwater Management
Section 10	Consistency with Master Plans
Section 11	Utilities
Section 12	Solid Waste
Section 13	Fire Safety
Section 14	Conformity with Applicable Design Standards
Section 15	Verification of Proposed HVAC Equipment

In addition to the written materials, the following project drawings are enclosed:

208 Fore Street – Site Development Plans	
C-1.0	Cover Sheet
C-1.1	General Notes
C-2.0	Boundary Survey
C-2.1	Recording Plat - Pending
C-2.2	Existing Conditions & Demolition Plan
C-2.3	Construction Management Plan
C-3.0	Site Plan
C-4.0	Grading, Drainage & Erosion Control Plan
C-4.1	Erosion & Sediment Control Notes
C-5.0	Utility Plan
C-6.0	Site Details
C-6.1	Utility & Drainage Details
L-1	Landscape Plan
P-1	Lighting Photometric Plan

We look forward to your review of this project and request to be placed on the next available Planning Board agenda to discuss the project with the Board. In the interim, if you have any questions or need additional information, please contact me.

Sincerely,

TERRADYN CONSULTANTS LLC



Michael E. Tadema-Wielandt, P.E.
Vice President

cc Ted Hovivian, Flagg Partners, LLC
David Lloyd, Archetype PA
Peter Van Hemel, Bernstein Shur

Enc.

1 DEVELOPMENT DESCRIPTION

1.1 OVERVIEW

Flagg Partners, LLC intends to construct a 7-story, 37-unit residential building with commercial space on the first floor on an approximately 9,411 square foot parcel located at 208 Fore Street in Portland, Maine. The project site is comprised of two parcels, including Lot 8, Block N, on the City of Portland Assessors' Map 29, and Bradbury Court, a 25' wide private way, both of which are owned by the applicant. The combined parcel, which is a total of 12,860 square feet, is currently developed with an existing structure and paved parking.

1.2 PROJECT PURPOSE AND NEED

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

1.3 EXISTING CONDITIONS

The existing site includes one non-residential structure and paved parking and vehicle access surround the building. Nearly the entire site is covered with impervious surface. Underground utilities in Fore Street include water, gas, sewer, and storm drain. Overhead power and telecom services are on poles located along the southwestern side of India Street, and at the eastern corner of the site.

Brick sidewalks with granite curb exist along the site's Fore Street frontage, and limited on-street parking is available across Fore Street. Cobra-head style street lights are located on the utility pole on Fore Street directly in front of the site. Additional decorative street lights mounted at less than 20' high are located across Fore Street from the site.

Commercial uses and surface parking abut the site to the east, south and west, and Fore Street abuts the site to the north.

The site is currently accessed from Fore Street. Fore Street is an approximately 34-foot-wide paved way with two-way traffic and parallel parking on one side, across the street from the site.

The site has an elevation change of less than 5' across the approximately 140' long parcel. It generally slopes toward the western corner of the property. Photographs of the existing site are provided in Attachment A-1.

1.4 PROPOSED DEVELOPMENT

The development program includes the following components:

1.4.1 ON-SITE

A new seven-story building with a ground floor footprint of 8,560 square feet will be constructed on the site. The first floor will feature two retail units, a lobby for the residential units, an electrical room, a gym, and three residential units. Thirty-one parking spaces will be provided in a lower basement level with driveway access from Fore Street southwest of the building. The second through sixth floors will each feature 6 residential condominium units, and the seventh floor will feature 4 residential condominium units. A summary of the number of proposed residential units and number of bedrooms provided:

# of Bedrooms	# of Units
1-bedroom	13
2-bedroom	11
3-bedroom	13
Total # of Units:	37

The two retail spaces on the first floor will be along the Fore Street frontage. Elevation views and perspective renderings of the proposed building are provided in Attachment 1-B.

1.4.2 OFF-SITE IMPROVEMENTS

The sidewalk in front of the site will be reconstructed as part of this project. The applicant also proposes to re-construct the sidewalk along Fore Street extending towards Franklin Street to the west and towards India Street to the east. Overhead electric utilities will be moved from existing poles to an area underground the sidewalk in the vicinity of the project.

1.5 TRAFFIC

According to the ITE Manual, the 37-unit condominium project is expected to generate approximately 19 to 20 vehicle trips during the PM peak hour and approximately 217 vehicle trips on a weekday. The site currently functions as an office building and a paid parking lot so there is existing traffic entering and leaving the site daily. The relatively small amount of new traffic that will be generated by the project is not expected to have a detrimental effect on the surrounding street network. There is no parking on site for the first floor retail so additional vehicle trips to the site are not expected.

1.6 PARKING

The proposed project includes 37-units. The required number of parking spaces in the ISFBC zone is one parking space per residential unit, with the first three units exempt, which results in the need for 34 parking spaces. Thirty-one (31) parking spaces will be

provided on site in the lower level, and the developer will pay the fee in lieu for the remaining 3 required spaces. The two retail spaces are both less than 2,000 sf, so no parking spaces are required for these units.

1.7 UTILITIES AND STORMWATER

The proposed project will include the installation of new utility services to the building. All new utility services will be provided from the existing utilities available within Fore Street. The proposed locations of the new utility services are shown on the Utility Plan (Sheet C-5.0). More information on proposed utility services is provided in Section 11 of this application.

Post-development stormwater runoff will closely follow existing runoff patterns. Runoff from the building and paved areas on site will be collected and piped to the existing storm drain network in Fore Street. More information on stormwater runoff from the site is provided in Section 9 of this application.

1.8 ATTACHMENTS

Attachment 1-A – Existing Site Photographs

Attachment 1-B – Building Elevation Views & Renderings

ATTACHMENT 1-A

Existing Site Photographs



PHOTO 1 – STANDING ACROSS FORE STREET, FACING SOUTH



PHOTO 2 –STANDING ALONG THE SOUTHEASTERN PROPERTY BOUNDARY LOOKING INTO THE SITE, FACING NORTHWEST

ATTACHMENT 1-B

Building Elevation Views & Perspective Renderings



4 | EAST ELEVATION
3/32" = 1'-0"



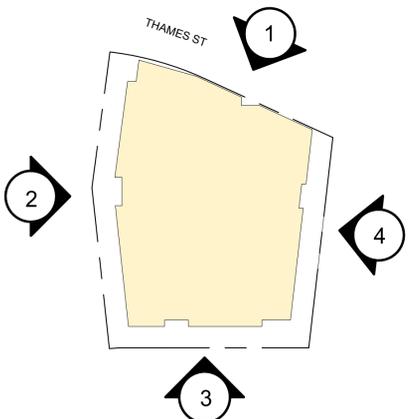
2 | WEST ELEV FRONT
3/32" = 1'-0"



3 | SOUTH ELEVATION
3/32" = 1'-0"



1 | FORE ST - EAST ELEV.
3/32" = 1'-0"



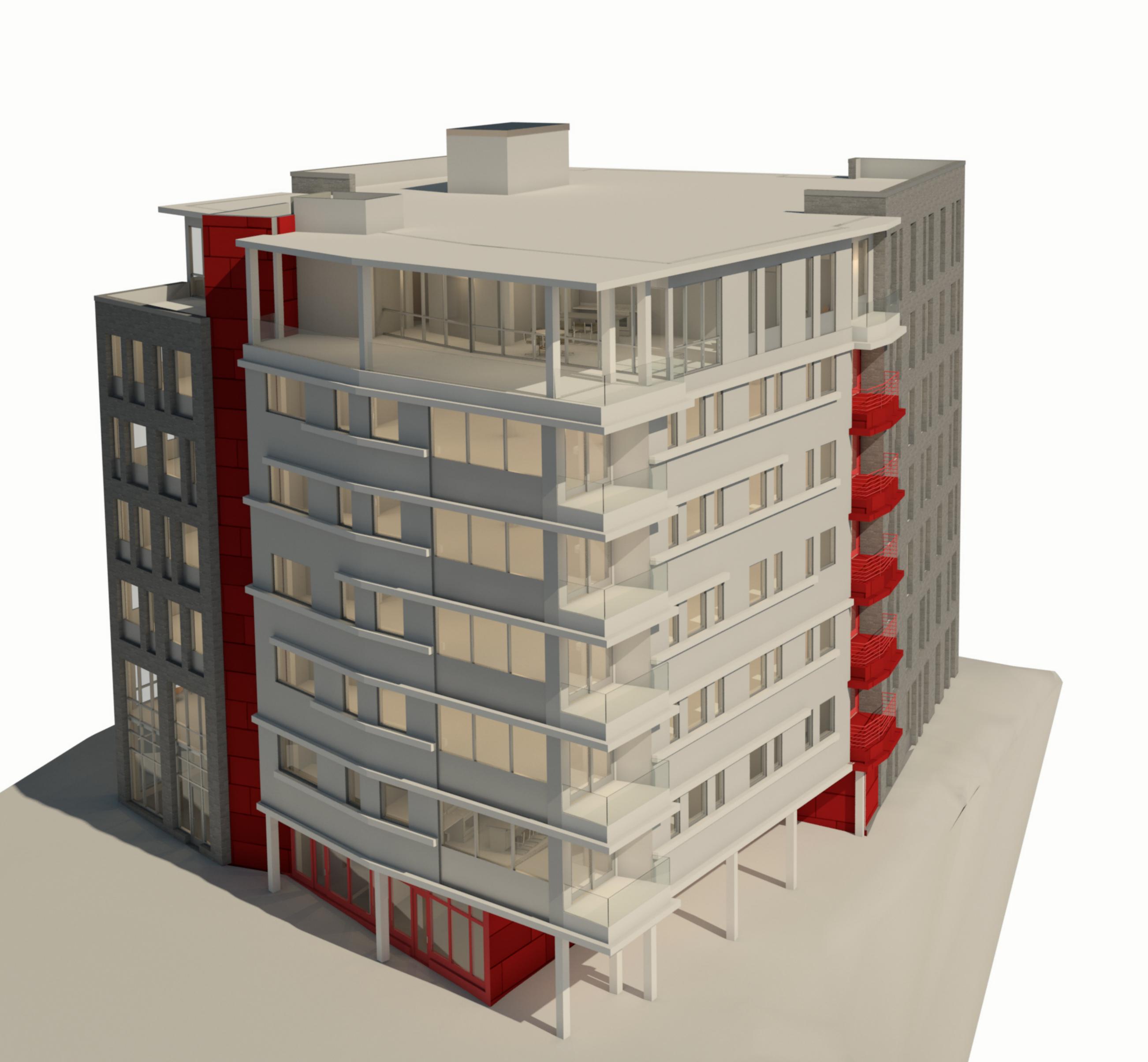
208 FORE STREET

PORTLAND, MAINE

18 DEC. 2017

A2.1

















2 Right, Title and Interest

2.1 OVERVIEW

The applicant and current owner of the property is Flagg Partners, LLC. The project site is made up of the following parcels:

Parcel	Area
Map 29, Block N, Lot 8	9,411 SF
Bradbury Court (Private)	3,449 SF
Total	12,860 SF

Included in Attachment 2-A is a letter from the applicant's attorney, which provides additional information on the applicant's title, right and interest in the project site.

2.2 ATTACHMENTS

Attachment 2-A – Title, Right and Interest Letter

ATTACHMENT 2-A

Title, Right, or Interest Documentation



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

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

Peter J. Van Hemel
207-228-7114 direct
Pvanhemel@bernsteinshur.com

April 16, 2018

Barbara Barhydt, Development Review Manager
City of Portland Department of Planning & Urban Development
389 Congress Street
Portland, ME 04101

Re: 208 Fore Street

Dear Barbara:

I am writing on behalf of Flagg Partners LLC in connection with the proposed development of 208 Fore Street (the "Project"). Specifically, I am writing in regards to Flagg Partners LLC's right, title and interest in the property, including that portion known as Bradbury Court.

As shown in the enclosed deed and accompanying plan prepared by Northeast Civil Solutions (the "Plan"), the Project consists of two contiguous parcels corresponding to the 9,411 square foot area generally known as 208-214 Fore Street together with the ownership of the 3,449 square foot parcel which has been known historically as "Bradbury Court," such that the total square footage is 12,860± square feet. To the extent that third parties may hold rights to the use of Bradbury Court, those rights (if still valid) are easement rights only. Please see enclosed deed to Simba, Inc. (at the end of the description to "Parcel 1") reciting rights in common to use Bradbury Court a/k/a Dyer Court. The required side setback will remain unobstructed and will therefore allow passage over Bradbury Court to and from Fore Street to the rear of the Project parcel. This letter does not constitute the applicant's admission as to the current viability of any such rights.

The enclosed deed from Antigonish Holding Co., LLC conveyed both parcels to the applicant as of June 29, 2017 and is recorded in the Cumberland County Registry of Deeds in Book 34121, Page 142. The enclosed plan is referenced in the recorded deed at the end of Exhibit A. The deed describes the applicant's interest both by the "historical" legal description contained in the chain of title to the applicant's parcel, as well as by an updated and surveyed metes and bounds description running from the Plan.

The City of Portland asserts no public rights in and to Bradbury Court (see enclosed November 12, 2014 supplement to Portland DPS Engineering Archives Street Records).

April 16, 2018
Page 2

The attached documents demonstrate that the applicant owns the necessary legal rights in the land necessary to construct and maintain the Project that is the subject of the pending application.

Thank you for your consideration. Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Peter J. Van Hemel". The letters are cursive and somewhat stylized, with the first name "Peter" and last name "Van Hemel" clearly legible.

Peter J. Van Hemel
Encl.

**QUITCLAIM DEED
WITH COVENANT
(Maine Statutory Short Form)**

KNOW ALL MEN BY THESE PRESENTS, that **ANTIGONISH HOLDING Co., LLC**, a Maine Limited Liability Company with offices in Freeport, Maine, for consideration paid, does hereby **GIVE, GRANT, CONVEY and RELEASE** unto **FLAGG, LLC**, a Maine Limited Liability Company with an address at 515 East 79th Street, Apt. 30E, New York, New York, 10075, with **QUITCLAIM COVENANTS**, the real estate described as follows:

A certain parcel of land, with buildings thereon, located in the City of Portland, County of Cumberland and State of Maine, on the southerly side of Fore Street in said Portland and bounded and described as follows:

Said lot being the premises numbered 208-214 on said Fore Street as appears by plan recorded in Cumberland County Registry of Deeds, Plan Book 5, Page 29, and bounded northerly by said Fore Street, easterly by lots now or formerly belonging to J. McGlinchey heirs, and to H.B. Hersey; southerly by land now or formerly of L. Dyer and by a passageway and westerly by the passageway and/or Court known as Bradbury Court; containing nine thousand three hundred and thirty (9,330) square feet of land, more or less; together with any and all title and rights of the Grantor herein in and to said Bradbury Court and to the use thereof.

Excepting and reserving therefrom the portion of said premises taken by eminent domain as more particularly described in Statement of Taking by the Slum Clearance and Redevelopment Authority dated July 12, 1957 and recorded in said Registry of Deeds in Book 234, Page 211.

Meaning and intending to convey the same premises as described in a deed to Antigonish Holdings Co., LLC, from Timm Real Estate, LLC, dated June 29, 2001 and recorded in Deed Book 16475, Page 211.

ALSO, ANTIGONISH HOLDING Co. LLC in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, do hereby **REMISE, RELEASE, BARGAIN, SELL and CONVEY** and forever **QUITCLAIM** unto **FLAGG, LLC**, its successors and assigns forever, as to metes and bounds of a certain lot or parcel of land, situated at Fore Street, so-called, in the City of Portland, County of Cumberland and State of Maine, more particularly described in the **attached Exhibit A**.

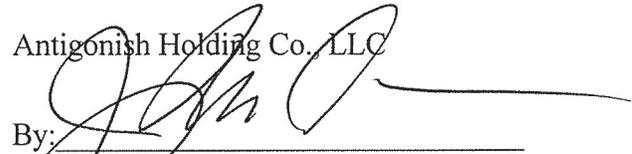
To have and to hold the same, together with all the privileges and appurtenances thereunto belonging, to the said **FLAGG, LLC**, its successors and assigns, to their own use and behoof forever.

MAINE REAL ESTATE TAX PAID

IN WITNESS WHEREOF, Antigonish Holding Co., LLC has caused this instrument to executed under seal this 29th day of June, 2017.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:



Antigonish Holding Co., LLC
By: 
James J. MacAdam
Its: Member

State of Maine
County of Cumberland ss.

June 29, 2017

Then personally appeared before me, James J. MacAdam, in his capacity as Member of Antigonish Holding Co., LLC, and acknowledged the foregoing instrument to be his free act and deed in said capacity.

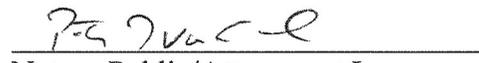

Notary Public/Attorney at Law
Peter J. Van Hemel

Exhibit A
(12,860± square feet)

A certain lot or parcel of land located on the southeasterly side of Fore Street, City of Portland, County of Cumberland, State of Maine, being more particularly bounded and described as follows:

BEGINNING at a property marker to be set on the southeasterly line of Fore Street at the westerly corner of land now or formerly (N/F) of Russell E. Lerman as described in Book 22864, Page 310, located S66°11'50"W 91.00' from the intersection of the southwesterly line of India Street with the southeasterly line of said Fore Street;

THENCE S66°11'50"W, along the southeasterly line of said Fore Street, 66.36' to a point of curvature;

THENCE along the southeasterly line of said Fore Street, following a curve to the left having a radius of 149.68' and an arc length of 21.74', a chord bearing of S62°02'09"W, and a chord distance of 21.72' to the northerly corner of Bradbury Court, a private way;

THENCE S40°48'07"E, along the northeasterly line of said Bradbury Court, 59.60' to a point;

THENCE S54°38'39"E, along the northeasterly line of said Bradbury Court, 75.47' to the northwesterly line of land N/F of Simba, Inc., as described in Book 9940, Page 159;

THENCE N41°35'03"E, along land of said Simba, Inc., and land N/F of Salt Of The Earth, Inc., as described in Book 14381, Page 337, 69.00' to a #5 rebar to be set with cap stamped "NCS 2080";

THENCE N41°50'23"W, along land of said Salt Of The Earth, Inc., and land of the aforementioned Lerman, 99.52' to the POINT OF BEGINNING

The above described parcel contains 9,411 square feet, more or less.

Meaning and intending to convey the same premises as described in a deed to Antigonish Holdings Co., LLC, from Timm Real Estate, LLC, dated June 29, 2001 and recorded in Deed Book 16475, Page 211.

Also, a certain lot or parcel of land located on the southeasterly side of Fore Street, City of Portland, County of Cumberland, State of Maine, being more particularly bounded and described as follows:

BEGINNING at a point of curvature on the southeasterly line of Fore Street at the northerly corner of land now or formerly (N/F) of Simba, Inc., as described in Book 9940, Page 159;

THENCE along the southeasterly line of said Fore Street, following a curve to the right having a radius of 149.68', an arc length of 25.09', a chord bearing of N53°04'24"E, and a chord distance of 25.06' to the westerly corner of the above-described parcel;

THENCE S40°48'07"E, along the southwesterly line of said above-described parcel, 59.60' to a point;

THENCE S54°38'39"E, along the southwesterly line of said above-described parcel, 75.47' to the northwesterly line of said Simba, Inc.;

THENCE S41°35'03"W, along land of said Simba, Inc., 20.50' to a point;

THENCE S37°22'44"W, along land of said Simba, Inc., 4.62' to a point;

THENCE N54°38'39"W, along land of said Simba, Inc., 76.12' to a point;

THENCE N40°48'07"W, along land of said Simba, Inc., 64.32' to the POINT OF BEGINNING

The above described parcel contains 3,449 square feet, more or less.

Meaning and intending to convey Bradbury Court, a private way, as referenced in a deed to Antigonish Holdings Co., LLC, from Timm Real Estate, LLC, dated June 29, 2001, and recorded in Deed Book 16475, Page 211.

The basis of bearing for the above described parcels is Grid North of the Maine State Coordinate System, West Zone.

The above described parcels are shown on a plan entitled "Boundary Survey, 208 Fore Street, Portland, Maine" prepared for Flagg, LLC, by Northeast Civil Solutions, Inc., dated June 12, 2017, NCS Project No. 41263.

Received
Recorded Register of Deeds
Jun 29, 2017 12:36:35P
Cumberland County
Nancy A. Lane

QUITCLAIM DEED

11934
MAINE REAL ESTATE TAX PAID

FLEET BANK OF MAINE, assignee of FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC), Receiver for MAINE SAVINGS BANK, a Maine corporation, with a principal place of business in Portland, Maine, for full value and consideration paid, hereby grant to SIMBA, INC., a Maine corporation of Portland, Maine, certain real estate in the City of Portland, County of Cumberland, State of Maine:

Parcel 1:

A certain lot or parcel of land, with the buildings thereon, at the intersection of the southeast side of Fore Street with the northeast side of Franklin Street, and being more particularly bounded and described as follows:

Beginning at the intersection of the southeast side of Fore Street with the northeast side of Franklin Street;

Thence N 38° 35' 10" E, 255.09 feet along the southeast side of Fore Street to a point;

Thence continuing along the southeast side of Fore Street an arc distance of 26 feet, which arc has a radius of 149.68 feet, to an iron and land now or formerly of M. E. Watson;

Thence S 40° 32' 54" E, 29.80 feet to an iron;

Thence S 30° 03' 05" E, 111 feet to an iron;

Thence N 40° 35' 55" E, 94.36 feet to an iron;

Thence N 46° 26' 52" W, 3.02 feet to an iron;

Thence N 43° 33' 08" E, 91.75 feet to an iron at the southwest side of India Street;

Thence S 46° 26' 52" E, along the southwest side of India Street, 124.88 feet to a drill hole and land now or formerly of M. E. Haley;

Thence S 43° 33' 08" W, 90 feet to an iron pin;

Thence N 46° 26' 52" W, 35 feet to an iron;

Thence S 43° 33' 08" W, 32.75 feet to an iron;

Thence N 48° 32' 38", W 21.75 feet to an iron;

Thence S 41° 07' W, 186.65 feet to a point;
Thence S 33° 23' 20 W, 28.89 feet to a railroad spike;
Thence N 56° 36' 40 W, 37.60 feet to a railroad spike;
Thence S 33° 23' 26" W, 11.70 feet to a railroad spike;
Thence N 56° 35' 40" W, 14.84 feet to a railroad spike;
Thence N 37° 45' 46" E, 40.90 feet to a railroad spike;
Thence N 55° 41' 06" W, 93.54 feet to an iron pipe;
Thence S 38° 28' 02" W, 50.30 feet to a drill hole;
Thence N 51° 03' 28" W, 40 feet to a drill hole;
Thence S 38° 51' 02" W, 82.03 feet to a spike in the northeast side of Franklin Street;
Thence N 51° 3' 28" W, by the northeast side of Franklin Street 17 feet to a drill hole and the point of beginning.

Containing 51,817 square feet, more or less.

Together with the right in common with others to use Bradbury Court, also known as Dyer Court.

Parcel 2:

A certain lot or parcel of land, with the buildings thereon, at the corner of India Street and Commercial Street, bounded and described as follows:

Beginning at the intersection of the southwest side of India Street and the northwest side of Commercial Street;

Thence west along Commercial Street forty-five (45) feet to land formerly of Patrick Keating;

Thence north by the Keating land sixty (60) feet, more or less, to land formerly of P.A. Sullivan;

Thence east by the Sullivan land forty-five (45) feet, more or less, to India Street;

Thence south by India Street sixty (60) feet, more or less, to the point of beginning;

Containing approximately twenty-seven hundred (2700) square feet.

ALSO, another certain lot or parcel of land, with any buildings thereon, on Commercial Street, bounded and described as follows:

Beginning on the northwest side of Commercial Street, forty-five (45) feet, more or less, southwest from the west side of India Street, which point is at the southwest corner of land formerly of Elizabeth W. Fuller;

Thence northwest by the Fuller land, on a line parallel with the west side of India Street, sixty (60) feet, more or less, to the northwest corner of the Fuller lot;

Thence southwest forty-five (45) feet, more or less, to a point sixty (60) feet, more or less, away from Commercial Street, which is ninety (90) feet, more or less, away from the west side of India Street;

Thence southeast on a line parallel with the west side of India Street and by land now or formerly of Carney, 60 feet, more or less, to Commercial Street;

Thence northeast along Commercial Street forty-five (45) feet, more or less, to the point of beginning.

Being Lot No. 2 on the plan recorded in Plan Book 3, Page 15 of the Cumberland County Registry of Deeds.

ALSO, another certain lot or parcel of land, with the buildings thereon, on the north side of Commercial Street, being Lot No 3 on the Plan "N" in the partition among the heirs of Lemuel Dyer described on Page 468, Book 231 of the Cumberland County Registry of Deeds, which plan "B" is recorded in the Registry in Plan Book 3, Page 15, and which lot is bounded and described as follows:

Beginning on the north side of Commercial Street ninety (90) feet from the corner of Commercial and India Streets;

Thence north, generally parallel with India Street, 91' more or less;

Thence west, generally parallel with Commercial Street, about 32' 9";

Thence south, generally parallel with India Street, 91' more or less to Commercial Street;

Thence east along commercial Street about 32' 9" to the point of beginning.

Both Parcel 1 and Parcel 2 are the same premises conveyed to Maine Savings Bank by deed dated March 15, 1990 and recorded in Book 9120, Page 125.

Further reference is made to the Affidavit of Fleet Bank of Maine regarding the transfer from Maine Savings Bank to Fleet Bank of Maine recorded in the Cumberland County Registry of Deeds in Book 9477, Page 129.

Dated this 27th day of February 1992.

FLEET BANK OF MAINE

By: *[Signature]*

Print Name: Pamela W. Cook

Its: Ass't. Vice-President & Ass't Treasurer

State of Maine
County of Cumberland

February 27, 1992

Then personally appeared before me the above-named Pamela W. Cook in his/her said capacity, and acknowledged the foregoing instrument to be his/her free act and deed, and the free act and deed of Fleet Bank of Maine.

Before me,

Patricia E Purdy
Notary Public

Patricia E. Purdy
(type or print name)

SEAL

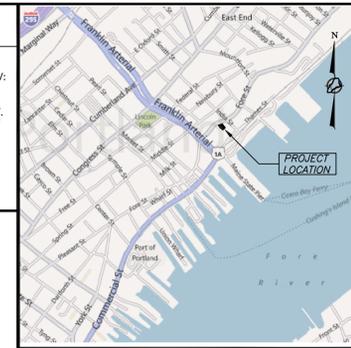
MY COMMISSION EXPIRES
OCTOBER 24, 1994

CSR/D54061.AD2

Recorded
Cumberland County
Registry of Deeds
03/06/92 01:47:51PM
Robert P. Titcomb
Register

NOTES CON'T.

- ELEVATIONS AND CONTOURS ARE BASED ON CITY OF PORTLAND DATUM TAKEN FROM A DRILL HOLE ON THE CUSTOM HOUSE STEPS (RM-41, ELEV: 14.04' NGVD 1929).
- THE UTILITIES SHOWN ON THIS PLAN WERE FROM FIELD OBSERVATION ONLY. THERE MAY BE OTHER UTILITIES EXISTING THAT ARE NOT SHOWN. CONTACT DIG-SAFE AT 1-888-DIG-SAFE PRIOR TO ANY EXCAVATION WORK.
- THE PARCEL SURVEYED IS LOCATED IN ZONE C AS SHOWN ON FEMA MAP 2300510014B, EFFECTIVE JULY 17, 1986.



VICINITY MAP
N.T.S.

LEGEND

- #5 REBAR WITH PLASTIC CAP OR PK NAIL TO BE SET
- FOUND IRON (SIZE & TYPE AS NOTED)
- FOUND MONUMENT (SIZE & TYPE AS NOTED)
- UTILITY POLE (NUMBER AS NOTED)
- GUY WIRE ANCHOR
- BOUNDARY LINE
- - - EDGE OF GRAVEL
- - - EDGE OF PAVEMENT
- - - RIGHT-OF-WAY LINE
- - - ABUTTER LINE
- - - BUILDING SETBACK
- - - OVERHEAD UTILITY
- - - FORMER DEED LINES
- - - NOW OR FORMERLY OWNED BY DEED BOOK AND PAGE (CCRD)
- - - TAX MAP-LOT (123.45)
- - - DENOTES RECORD DEED DATA

NOTES

- RECORD OWNER OF THE PARCEL SURVEYED IS ANTIGONISH HOLDINGS CO., LLC, AS DESCRIBED IN A DEED FROM TMM REAL ESTATE, LLC, DATED JUNE 29, 2001 AND RECORDED IN DEED BOOK 16475, PAGE 211 IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS.
 - THE PARCEL SURVEYED IS IDENTIFIED ON THE CITY OF PORTLAND TAX ASSESSOR'S MAP 29, BLOCK N, PARCEL 8 (208-214 FORE STREET).
 - THE BEARINGS SHOWN ON THIS PLAN ARE BASED ON GRID NORTH OF THE MAINE STATE COORDINATE SYSTEM, WEST ZONE.
 - REFERENCE IS MADE TO THE FOLLOWING PLANS:
 - "NO. 29" (APPARENT ASSESSOR'S VALUATION PLAN) DATED 1882, BY THE CITY ENGINEER, RECORDED IN PLAN BOOK 5, PAGE 29.
 - "ALTA/ACSM LAND TITLE SURVEY, 1 COMMERCIAL STREET, PORTLAND, MAINE" PREPARED FOR CASCO PORTLAND PARTNERS, LLC, BY NORTHEAST CIVIL SOLUTIONS, INC., DATED SEPTEMBER 14, 2011, REVISED SEPTEMBER 22, 2011.
 - "STANDARD BOUNDARY SURVEY FOR ALLIED CONSTRUCTION, INC., 208-214 FORE STREET, PORTLAND, ME" BY SEBAGO TECHNICS, INC., DATED NOVEMBER 19, 1985, REVISED DECEMBER 9, 1987.
 - "SURVEY OF A PART OF THE ESTATE OF THE LATE JAS. MCGILCHRY" BY E.C. JORDAN, C.E., DATED NOVEMBER 19, 1880, RECORDED IN PLAN BOOK 4, PAGE 27.
 - VARIOUS STREET RIGHT OF WAY PLANS, DATED 1905, 1922, AND 1925 FROM THE CITY OF PORTLAND, MAINE, DEPARTMENT OF PUBLIC WORKS, ENGINEERING DIVISION.
 - "PLAN B" DATED NOVEMBER 1867 BY CHAS. H. HOWE (AND OTHER AUTHORS UNKNOWN), RECORDED IN PLAN BOOK 3, PAGE 15.
 - "VINE-DEER-CHATHAM REDEVELOPMENT PROJECT CONDEMNATION PLAN" A/K/A "PLAN OF PROPERTY IN PORTLAND, MAINE" MADE FOR THE SLUM CLEARANCE AND REDEVELOPMENT AUTHORITY OF PORTLAND, MAINE, BY H.I. & E.C. JORDAN SURVEYORS, DATED MAY 24, 1957.
 - "SUBDIVISION PLAN OF HOTEL, RESTAURANT AND PORTSIDE RESIDENCES, 207 & 209 FORE STREET, PORTLAND, MAINE" MADE FOR OLD PORT HOSPITALITY, LLC, BY SEBAGO TECHNICS, INC., DATED FEBRUARY 8, 2010, REVISED APRIL 23, 2010, AND RECORDED IN PLAN BOOK 210, PAGE 194.
 - "ALTA/ACSM LAND TITLE SURVEY OF JORDAN'S MEAT PROPERTY, FORE ST., INDIA ST., MIDDLE ST., FRANKLIN ST. ARTERIAL, PORTLAND, MAINE" MADE FOR OLD PORT HOSPITALITY, LLC, BY SEBAGO TECHNICS, INC., DATED DECEMBER 4, 2009, REVISED MARCH 23, 2010, AND RECORDED IN PLAN BOOK 210, PAGE 291.
 - "BOUNDARY SURVEY, 216 & 234 FORE STREET, PORTLAND, MAINE" FOR SIMBA, INC., BY SURVEY, INC., DATED JUNE 6, 2008.
 - THE WIDTH OF FORE STREET IS 50' BASED ON THE RELOCATION DESCRIPTION IN THE CITY OF PORTLAND RECORDS, VOLUME 75, PAGE 161, ACCEPTED BY ORDER OF THE CITY COUNCIL, PASSED JULY 7, 1958. THE LAYOUT OF THE RIGHT-OF-WAY LIMITS IS BASED ON MONUMENTATION FOUND.
 - THE PARCEL SURVEYED IS LOCATED IN THE INDIA STREET FORM-BASED CODE (IS-FBC) ZONE, URBAN TRANSITIONAL (UT) SUBDISTRICT, AND THE DOWNTOWN ENTERTAINMENT OVERLAY ZONE (DEOZ). BULK & SPACE REQUIREMENTS INCLUDE THE FOLLOWING:
 - MAXIMUM LOT COVERAGE: 90%
 - SETBACKS:
 - FRONT: 10' MAXIMUM (NO MINIMUM)
 - SIDE: 10' MINIMUM
 - REAR: 10' MINIMUM
 - BUILDING HEIGHT: 3 STORIES MINIMUM, 6 STORIES (65') MAXIMUM
- OTHER MUNICIPAL AND STATE OVERLAY ZONES MAY EXIST AND APPLY. BEFORE PROCEEDING ON ANY PROJECT VERIFY CURRENT ZONE AND ALL APPLICABLE SETBACKS AND RESTRICTIONS WITH THE APPROPRIATE AGENCIES.

Revised:	By:	Date:	Change:

PROJECT: 41263 DRAWING NAME: 41263.dwg
 ISSUED: JUNE 12, 2017 SCALE: 1"=10' FB # 445 DRAWN BY: BS
 FIELD BY: BS & JAP FIELD DATE: 5/19/2017 CHECKED BY: TFM

BOUNDARY SURVEY
208 FORE STREET, PORTLAND, MAINE

Owner:
ANTIGONISH HOLDINGS CO., LLC
236 GANNON DRIVE, SOUTH PORTLAND, ME 04106

Prepared For:
FLAGG, LLC
515 EAST 79TH STREET, NEW YORK, NY 10075

SURVEYING • ENGINEERING • LAND PLANNING

Northeast Civil Solutions
INCORPORATED

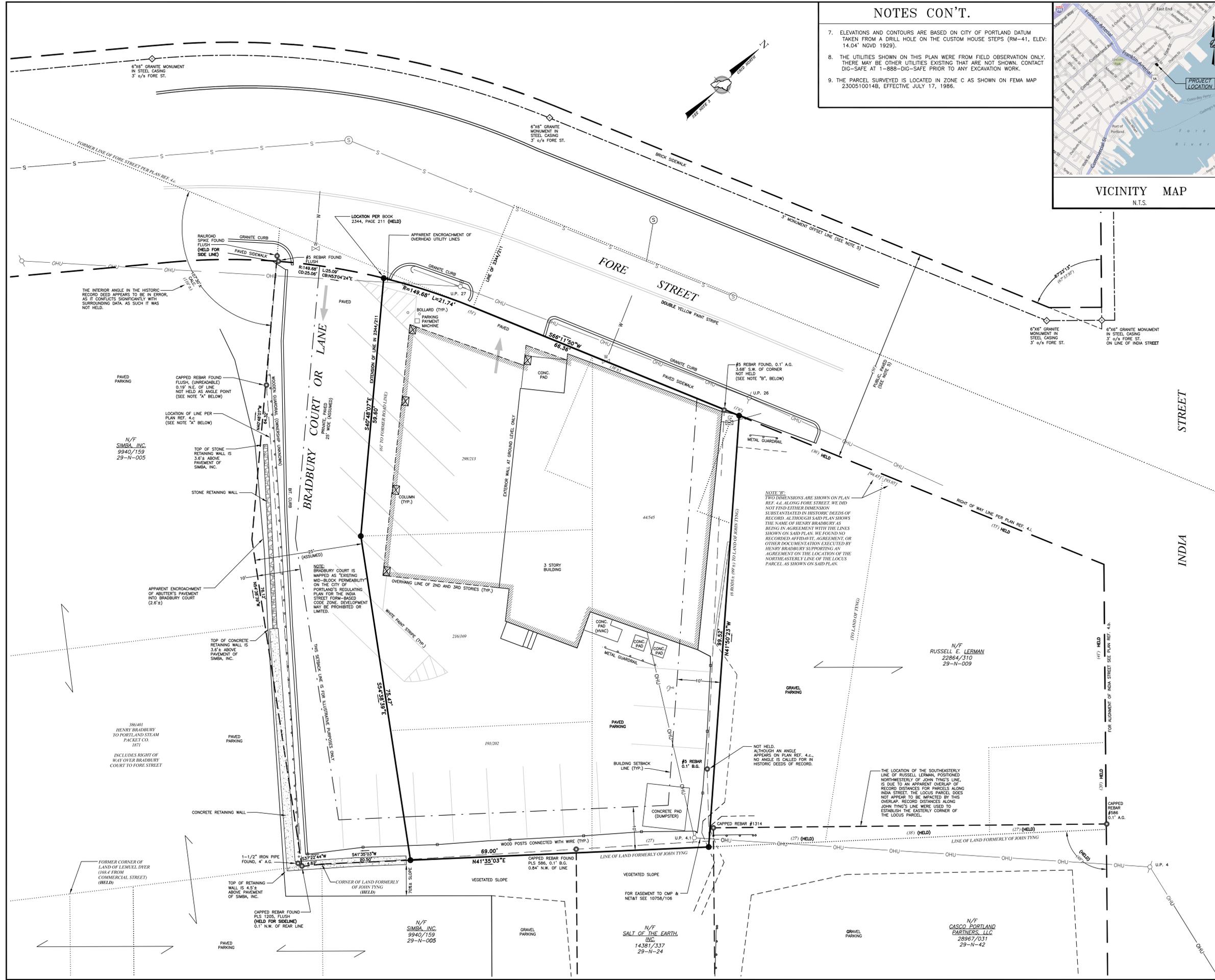
381 PAYNE ROAD, SCARBOROUGH, MAINE 04074

tel 207.883.1000 fax 207.883.1001 e-mail / website
 info@northeastcivilsolutions.com www.northeastcivilsolutions.com

STAMP AND SIGNATURE

TROY F. McDONALD
MAINE PROFESSIONAL LAND SURVEYOR No. 2080

DATE: 6-2-2017



E:\Land Projects\10009\1009_V1263_HOWMAN_208 FORE STREET PORTLAND.dwg V1263.dwg

BRADBURY CT

PRIVATE WAY

Southerly side Fore Street @ #208 Fore Street.

November 12, 2014

This is to supplement the Portland DPS Engineering Archives Street Records in regards to Bradbury Court which runs southerly from Fore Street along the westerly side of #208 Fore Street.

Bradbury Court is considered by the City of Portland DPS Engineering Archives to be a Private Way.

Bradbury Court has not been accepted by the City of Portland.

Bradbury Court is not listed on the City of Portland City Council Order #84 titled "Order Excepting Streets From Deemed Vacation", as passed on September 3, 1997 and recorded in the Cumberland County Registry of Deeds in Deed Book 13326, Page 19.

Bradbury Court is shown on the 1882 Revaluation Plan 29 as part of the parcel of H. Bradbury, and was not delineated as a way or passageway at that time.

Bradbury Court is shown on the 1914 Richards City Atlas plate 3, and is designated as Bradbury Court on that map.

William B. Clark, Jr. PLS #2100 Portland Public Services Department - Engineering Division

3 STATE AND FEDERAL PERMITS

The development is subject to Site Plan and Subdivision approval by the City of Portland and Building Permit(s) are also required. No additional State or Federal Permits are required.

4 LAND ORDINANCE REVIEW

4.1 OVERVIEW

The property currently lies within the City of Portland India Street Form Based Code Zone (IS-FBC) Urban Transitional (UT) Subdistrict, and within the Downtown Entertainment Overlay Zone (DEOZ). The following Space and Bulk requirements apply to the IS-FBC Zone, UT Subdistrict:

IS-FBC Zone UT Subdistrict Summary Dimensional and Parking Requirements Applied to 208 Fore Street		
Zoning Requirements	IS-FBC Zoning Standard	Project Site
Minimum Lot Size	None	12,860 s.f. *
Minimum Lot Area per Dwelling Unit	None	348 s.f.
Maximum Building Length	100 feet	92 feet
Min. Lot Width	None	113 feet
Front Yard	Min: 0 feet Max: 10 feet	0.67 feet
Minimum Side Yard	10 feet	10 feet
Minimum Rear Yard	10 feet	10 feet
Maximum Impervious Surface**	90%	50%
Maximum Building Height**	65 feet + 12 feet	77 feet
Lot Pervious Area for Height Bonus**	50% of lot for height bonus =6,430 s.f. pervious	7,011 s.f.
Parking Residential Use Parking Retail Use	1 spaces per unit, first 3 units exempt = 34 spaces 1 space per 200 sf retail space in excess of 2,000 sf = 0 spaces	31 on-site residential spaces & pay the fee in lieu for remaining 3 spaces No retail parking required

*The project site lot size includes the approximately 9,411 s.f. parcel identified as Lot 8, Block N on Tax Map 29, and the adjoining Bradbury Court for a total of 12,860 s.f..

**The proposed building will be 77 feet in height, which meets the IS-FBC maximum building height standard through the height bonus provisions. The frontage is along a UT Street so the building is eligible for a height bonus of one additional story up to 12' for implementing a green roof. The green roof must cover 50% of the building roof, and a total of 50% of the cumulative lot area must be pervious (6,430 s.f.). Approximately 2,223 s.f. of vegetated area surrounds the building and driveway on the site, and there is a 4,788 s.f. green roof (50% of the roof area) for a total of 7,011 s.f. of pervious area on the lot, which is 54.5% of the lot.

4.2 SHORELAND ZONING

The site is not located within the Shoreland Zoning District.

5 EASEMENTS OR OTHER BURDENS

5.1 OVERVIEW

Northeast Civil Solutions, Inc. completed a boundary survey of the site in May of 2017. A 25' wide private lane known as "Bradbury Court" exists along the southern property boundary. A letter discussing the applicants rights over this lane are included in Attachment 2-A in Section 2 – Right, Title and Interest. The applicant owns Bradbury Court, and any third party rights to the use of Bradbury Court are easement rights only.

6 TECHNICAL AND FINANCIAL CAPACITY

6.1 TECHNICAL CAPACITY

The applicant has assembled a highly qualified team of professionals to plan, permit, and develop construction documents for the project. The Team is working under the direction of Mr. Toros and Mrs. Marianne Hovivian of Flagg Partners, LLC as Project Developers. The Team services will be provided by the following companies and their respective team leaders:

6.2 CONSULTANT TEAM

<i>Civil Engineer</i>	Michael Tadema-Wielandt, P.E. Terradyn Consultants, LLC 565 Congress Street Portland, ME 04101 (207) 632-9010 – Cell (207) 221-1317 – Fax mtw@terradyconsultants.com
<i>Surveyor</i>	Troy F. McDonald Northeast Civil Solutions, Inc. 381 Payne Road Scarborough, Maine 04074 (207) 883-1000 – Work (207) 883-1001 – Fax info@northeastcivilsolutions.com
<i>Architect</i>	David Lloyd Archetype, PA 48 Wharf Street Portland, ME 04101 (207) 772-6022 – Work (207) 772-4056 – Fax lloyd@archetypepa.com
<i>Electrical/ Mechanical Engineer</i>	William Bennett Bennett Engineering P.O. Box 297 Freeport, ME 04032 (207) 865-9475 will@bennettengineering.net
<i>Construction Management</i>	John Ryan / Cordelia Pitman Wright-Ryan Construction, Inc. 10 Danfort Street Portland, ME 04101 (207) 773-3625 – Work info@wright-ryan.com

6.3 EXPERIENCE OF PROJECT TEAM

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

The applicant has significant experience in the development and management of large residential and commercial projects. A company resume, including a summary of completed projects under the direction of the applicant, is provided in attachment 6-A.

6.4 FINANCIAL CAPACITY

The applicant has the capacity to finance the proposed project. A letter of financial capacity for the project is contained in Attachment 6-B.

6.5 CONSTRUCTION COST ESTIMATE

The project has an overall construction cost estimate of \$15 million. This construction cost value is considered preliminary and subject to change as building design and project layout is refined, etc.

6.6 ATTACHMENTS

Attachment 6-A – Flagg Partners, LLC Resume & Project Experience

Attachment 6-B – Evidence of Financial Capacity

ATTACHMENT 6-A

Flagg Partners, LLC Resume & Project Experience

FLAGG LLC
TOROS AND MARIANNE HOVIVIAN
NOVEMBER 27, 2017

PROJECT DEVELOPMENT RESUME

Toros and Marianne Hovivian have been active in the real estate industry since 1982 with management and development of projects in Brooklyn, New York. In 1982 they purchased a 100,000 square foot manufacturing building, 56 Bogart Street, in Brooklyn. Over the years the building has evolved from a site for 6 manufacturing tenants to now a home for over 150 artists, crafts people and art galleries. They have renovated the entire building and successfully managed tenants throughout.

Soon thereafter they purchased 150 North Fifth Street, Brooklyn, a 40,000 square foot facility that they renovated to house their manufacturing business. By 2005 the neighborhood zoning changed and they took the opportunity to convert the building to 37 luxury residential condominiums. In spite of the downturn in the economy, they sold 32 of the units successfully and maintained ownership of 5 units. The project is one of the hallmark condominiums in Williamsburg, Brooklyn.

Now they have completed a ground up project adjacent to 56 Bogart Street on vacant land they own. The new project is a 40,000 square foot commercial rental building in a vibrant part of Williamsburg, Bushwick. At least one floor is already rented to an upscale billiards parlor/restaurant.

The Hovivian's have had over 35 years of experience in real estate, both commercial, residential, new construction, gut renovation and management.

ATTACHMENT 6-B

Evidence of Financial Capacity

Camden NATIONAL BANK

MARK V. STASIUM
SENIOR VICE PRESIDENT
Direct Dial: 207.699.3392
mstasium@camdennational.com

August 24, 2017

Toros Hovivian
Marianne Hovivian
515 East 79th Street Apartment 30DEF
New York, NY 10075

RE: 208 Fore Street, Portland Maine – Proposed 39-unit Condominium Project

Dear Ted and Marianne:

Camden National Bank is pleased to issue this offering letter which shall serve to outline the salient business points of a loan proposal (the “Loan”) for the construction of the above referenced project. This letter is for discussion purposes and does not constitute a commitment to lend on the part of Camden National Bank (“Bank” or “Camden”). Prior to issuance of a formal commitment to lend, I will need to conduct further due diligence and fully underwrite the request in order to obtain all required internal loan approvals. Our terms are summarized as follows:

Borrower:	Flagg Partners LLC
Purpose:	The loan shall fund construction of a condominium project to be located at 208 Fore Street, Portland, ME (the “Project”). The Project as presently proposed consists of 37 total residential units, 2 retail units, and an underground parking garage. The total cost of the Project is estimated at \$20,806,000+/- based on land acquisition cost of \$2,700,000, building construction cost of \$14,904,400+/-, and soft costs of \$3,201,600+/-.
Loan Amount:	\$15,604,500+/- (75% of total Project cost).
Required Equity:	\$5,201,500+/- (25% of total Project cost).
Collateral:	First mortgage and assignment of leases and rents on Project; assignment of all relevant plans and contracts related to construction of the Project; assignment of required Purchase & Sale Agreements as outlined below.
Loan Term:	30 months (estimated based on approximate construction period of 12 months and sellout period of 18 months).
Interest Rate:	One Month LIBOR + 2.25% floating, adjusted monthly. Interest accrues based on a 360 day year.



- Interest Only Period:** Borrower shall be required to make monthly payments of interest only based on the outstanding principal balance.
- Repayment:** Bank shall require repayment of principal as follows:
- 95% of net sales proceeds until such time that the Loan is 50% repaid
 - 85% of net sales proceeds thereafter, provided this amount is projected to be sufficient to have Bank debt repaid in full at such time that 70% of the Project residential inventory is sold out.
- Origination Fee:** 0.5% of the Loan Amount. Bank shall be paid a 1% Letter of Credit fee for any letters of credit required by the City of Portland.
- Recourse:** Toros & Marianne Hovivian shall provide joint and several guarantees of all obligations to Bank and shall provide a construction completion guaranty.
- Required Presales:** Prior to loan closing, Borrower must have acceptable Purchase and Sales Agreements in place. The minimum amount of Purchase and Sales Agreements shall be determined upon Bank receipt of the Underwriting Documents outlined below. As a guideline, the bank will want presales in place for a minimum of 25% of the Project inventory value and sufficient to repay 50% of the Loan Amount upon closing of the unit sales. The Bank reserves the right to adjust these amounts upon review of final unit pricing and the Project appraisal.
- All Required Presales shall be evidenced by the following:
- Purchase & Sale Contract (“P&S”) executed by both buyer and seller. Borrower’s P&S form shall be approved by Bank.
 - Minimum nonrefundable cash deposit of 10% of the purchase price held by agent acceptable to Bank. Agent shall hold funds in a Camden deposit account.
 - Certificate from Borrower that P&S contracts are with bona fide third parties unrelated to Borrower
 - Buyers to provide evidence of pre-approval for financing if applicable. Contracts with cash buyers are acceptable provided said contracts are not subject to financing approval or any other unacceptable contingencies (such as sale of another property).
- Absorption Covenant:** Borrower shall generate minimum unit sales as follows:
- All Required Presales shall close within 2 months of construction completion
 - For every 3 month period thereafter, Borrower shall close a minimum of 2 unit sales
 - All sales must be within 5% of Sales Price stated on Pricing Sheet approved by Camden prior to Loan closing
- Appraisal:** The Loan is subject to Bank review and acceptance of an appraisal report performed for Camden providing (1) a minimum as is value of the land of \$2,700,000, and (2) a maximum loan-to-value ratio of 75% based on completion of the proposed improvements, such valuation to be based on a “Developer Method” appraisal. Further, the Loan Amount may not exceed 60% of the aggregate value of individual units based on the appraisers concluded value for all units.

Environmental Due
Diligence:

Camden shall require a Phase I Environmental Assessment which shall be subject to Camden review and acceptance.

Financial Reporting:

Borrower shall provide the following financial reports during the term of the Loan:

- Borrower and Guarantor tax returns – annually
- Guarantors personal financial statement – annually
- Marketing updates from Borrower and/or listing broker - quarterly

Construction
Requirements:

Construction requirements shall include the following:

- General Contractor shall be acceptable to Bank and shall provide a satisfactory guaranteed maximum price contract for the construction of the Project.
- Borrower's general contractor to provide a construction bond acceptable to Bank. Bank may consider waiving bond requirement upon review of general contractor financial statements, acceptable bonding company reference, and other due diligence.
- The loan shall be subject to a preconstruction review of plans, specifications, and construction budget by a Bank-designated construction consultant
- Acceptable construction schedule provided by General Contractor
- List of subcontractors provided by General Contractor
- Borrower shall provide monthly requisitions on industry-standard construction requisition forms, lien waivers, and any further documentation required by Camden or its consultant
- Bank consultant shall inspect Project with each requisition and review monthly requisitions for approval and funding by Camden
- Pre-construction review fee and requisition review/inspection fees of Bank construction consultant shall be paid by Borrower
- Other customary requirements of a Construction Loan Agreement

Underwriting
Documents:

Camden requires the following additional documents to fully underwrite the loan request:

- Construction contract with general contractor acceptable to Bank with complete Schedule of Values
- Detailed architect drawings and specifications for the Project including detailed site plans, floor plans for all units, and building specifications, amenities, features, finishes, etc.
- Unit price list for all units in the Project
- Marketing plan from broker to be selected by Borrower
- Other documents as requested by Bank

Permanent Financing

Option: In the event Borrower does not sell the retail/commercial units, Bank would agree to provide permanent commercial financing at terms to be negotiated on the two retail/commercial units in the Project, subject to acceptable leases on the units with tenants acceptable to Bank.

Other: Borrower agrees to work with Camden National Bank Mortgage Lending Department as preferred lender for the Project. Details to be arranged between Borrower, selected broker, and Camden Mortgage Lending Division.

Pre-Closing requirements and other conditions:

- Copies of LLC documents including Articles of Incorporation and LLC Operating Agreement
- Project operating account and escrow account (to hold buyers' deposits) shall be maintained at Camden
- Borrower to be responsible for all third party expenses incurred by the Bank whether or not the loan is approved or closes.
- Bank counsel satisfaction with respect to all matters of title, enforceability and loan documentation.
- Acceptable site visit by Bank staff

At such time that Borrower has provided all required Underwriting Documents and Camden is ready to move forward with an appraisal and full underwriting of the loan, Camden shall require a \$15,000 good faith deposit to be paid at that time.

I look forward to hearing your thoughts on this proposal. I stand ready to move diligently to obtain loan approval once the above Underwriting Documents are received. In the event the loan is not approved substantially as outlined above, the good faith deposit will be returned less any third party costs incurred by Camden.

Thank you for the opportunity to review your banking needs and provide a proposal for the financing of this project.

Very Truly Yours,



Mark V. Stasium
Senior Vice President

Accepted and Acknowledged:

Toros Hovivian

Date

Marianne Hovivian

Date

7 CONSTRUCTION MANAGEMENT PLAN

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

7.1 CONSTRUCTION MANAGEMENT PLAN

Flagg Partners, LLC is seeking to commence construction during the summer of 2018 and complete work by the fall of 2019. The construction will involve site work and new building construction. The attached construction plan outlines the anticipated timeline and sequence of activities.

7.2 ATTACHMENTS

Attachment 7-A – Construction Management Plan
Attachment 7-B – Construction Schedule

ATTACHMENT 7-A

Construction Management Plan

CONSTRUCTION MANAGEMENT PLAN

Project:

208 Fore Street
Portland, Maine 04101

Applicant:

Flagg Partners, LLC
c/o Ted and Marianne Hovivian
515 East 79th Street, Apt 30E
New York, New York 10075

Prepared By:

Terradyn Consultants, LLC
565 Congress Street, Suite 310
Portland, Maine 04101

Construction Manager:

Wright-Ryan Construction, Inc
10 Danfort Street
Portland, Maine 04101

A. Construction Management Principles

The following narrative provides an overview of the construction management principles that the Applicant and Contractor have identified to minimize impacts from the construction of 208 Fore Street, such as noise, vibrations, ground movement, truck traffic, and other construction related factors to the surrounding building and communities.

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

Prior to scheduling a preconstruction meeting and the issuance of any city required permits, the Applicant and Contractor shall meet all of the requirements contained in Section 14-530. Development review fees and post approval requirements and 14-532. General requirements and enforcement of Portland's Land Use Code.

Other permits, as applicable, include

- 1. Street Opening and Street Occupancy Permits:** Construction activity in the public right-of-way are controlled by Chapter 25 and sewer and stormwater system connections are controlled by Chapters 24 and 32 of the Land Use Code. All required permits shall be obtained through the Department of Public Works and the requests shall conform with the approved construction management plan.
- 2. Blasting:** Blasting, if required, shall conform with all measures of Article VIII. Regulation of Explosives in the Land Use Code and Section 3.7 Standards for Blasting and Regulation of Explosives in Portland's Technical Manual.

C. Construction Administration and Communication

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

The following person is designated the Contact Person and will be available 24 hours in the event of an emergency:

CONTACT PERSON:

John Ryan
Wright-Ryan Construction, Inc.
(207) 773-3625

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

D. Construction Schedule

1. The contractor shall submit a schedule or time line for the construction project, including any Phasing, prior to construction.
2. Hours of Construction: Construction may occur during the daytime hours as defined in Section 17-18 of the City Code (Construction Activities) and Section 25-129 of the City Code (Noise, dust and debris).
3. Extended Hours or Night Work: Pursuant to Section 17-18, this section does not apply to emergency utility work or "Situations where the public works authority or the office of building inspections determines that the construction activity is of a unique character which cannot reasonably be completed or performed during the permitted hours and which is not of a recurring nature, provided that prior to engaging in such activity the contractor or his representatives gives notice of the time and scope of such proposed activity, the notice to be given in a manner approved by the public works authority."
4. Material Deliveries: Delivery of materials shall take place during the Hours of Construction listed above and shall be stored on the 208 Fore Street property in the locations noted on the Construction Management Plan (Sheet C-2.3).

E. Security & Public Safety

1. The Contractor shall erect the temporary barriers and access gates shown on the Construction Management Plan (Sheet C-2.3) with the intent of separating pedestrian and vehicle circulation from the construction site. Pedestrian traffic will be direct to the northern side of Fore Street as shown on Sheet C-2.3.
2. The Applicant or Contractor shall purchase and install a Knox padlock from the Portland Fire Department to allow access by the Portland Fire Department at the primary access gate.
3. Structures undergoing construction, alteration, or demolition operations, including those in underground locations, shall comply with NFPA 1 Chapter 16. *Safeguarding Construction, Alteration, and Demolition Operations*.
4. Fire Safety Program. An overall construction or demolition fire safety program shall be developed. Essential items to be emphasized include the following:
 - Good Housekeeping
 - On-site security
 - Installation of new fire protection systems as construction progresses
 - Preservation of existing systems during demolition
 - Organization and training of an on-site fire brigade
 - Development of a pre-fire plan with the local fire department
 - Rapid communication
 - Consideration of special hazards resulting from previous occupancies
 - Protection of existing structures and equipment from exposure fires resulting from construction, alteration, and demolition operations
5. Blasting, if required, shall conform with all measures of Article VIII. Regulation of Explosives in the Land Use Code and Section 3.7 Standards for Blasting and Regulation of Explosives in Portland's Technical Manual.
6. Any temporary security lighting fixtures shall feature full cutoff optics to reduce light trespass onto abutting properties.

F. Construction Permitting and Traffic Control Plans

1. Construction Activity in Public Streets: Construction activity in the public right-of-way is controlled by Chapter 25 Article VII of the City Code of Ordinances. Required licenses and permits, restrictions on activity, and fees & area are outlined in that Chapter. Rules and Regulations for Excavation Activity are available through the Street Opening Clerk at the Department of Public Works. At no time can construction activity including delivery vehicles close or block streets or affect public safety access without prior notice and approval of the Department of Public Works.
2. Public Sidewalk Closures: The Fore Street sidewalk in front of the site will be reconstructed as part of the proposed project. The Fore Street sidewalk reconstruction will include the bituminous sidewalk in front of the Simba Parking lot, the brick sidewalk in front of the site at 208 Fore Street, and the brick sidewalk extending from the site to the India Street-Fore Street

intersection. The sidewalk directly in front of the site will be closed for the duration of the building construction, and signage will be posted as shown on the Construction Management Plan. Short term closure of the sidewalk extending in front of the Simba Parking lot is expected to be up to a week. Short term closure of the sidewalk extending to the India Street intersection is expected to be up to three days, and a temporary pedestrian walkway will be provided to accommodate access to an adjacent gravel parking lot, as shown on the Construction Management Plan. While this temporary pedestrian walkway is in place for up to three days, approximately three parking spaces along the northern side of Fore Street will be posted for no parking to maintain two way traffic. Pedestrian traffic will be re-directed to the sidewalk on the northern side of Fore Street For the duration of the project.

3. Sewer and Stormwater: Sewer and stormwater system connections are controlled by Chapters 24 and 32 of the City Code of Ordinance. Required permits for new connections and/or abandonment of existing connections are available through the Street Opening Clerk at the Department of Public Works. Rules and Regulations for these utility systems are available through the City Engineer's office of the Department of Public Works and in Section II of the Technical Manual. Sewer and stormwater system connections within Fore Street are expected to result in reduced travel way width and reduced parking along the northern side of Fore Street for up to three days.
4. Work within City Right of Way: Construction activity that impacts the existing public street system must be controlled to protect the safety of the construction workers and all modes of the traveling public.

Construction operations shall provide for the safe passage of the public through or along the construction work zone. On a case-by-case basis, the Contractor may be allowed to close a street and/or detour a mode of traffic when absolutely necessary for safety. The Contractor shall employ the appropriate techniques and devices as called for in the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD). In addition:

- Construction speed signing may be used as needed to slow traffic
- Traffic Control signs shall not be placed where they are an obstruction to bicycles or pedestrians.
- In extreme situations, flaggers may be required.
- Police detail is required at lighted intersections and may be requested by the City's transportation engineer or his designee.

All existing modes of travel in work zone area shall be accommodated if impacted by the activity. The safe passage of pedestrians, bicyclists, transit providers, and motorists are of equal importance when planning out the work

zone; no pre-existing travel mode may be eliminated without the express approval of the Department of Public Works.

- Traffic control bicycle and pedestrian facilities or routes through work zones shall be maintained until the bicycle and pedestrian facilities or routes are ready for safe operation. Traffic control will not be removed to allow auto travel at the expense of bicycle and pedestrians.
- Barrier systems utilized to separate the construction activity from the public street and /or sidewalk shall not inhibit sight distances, particularly for visibility of pedestrians and bicyclists.
- ADA compliance shall be maintained.

Use of public parking spaces or the blockage of any portion of sidewalk for the purpose of construction activity shall require an occupancy permit and appropriate fee as assessed by the Department of Public Works.

G. Site Management and Controls

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

1. A solid waste dumpster shall be located on site for the disposal of trash and debris.
2. The Fore Street right of way shall be swept regularly to control the tracking of mud onto adjacent public streets.
3. Dust controls: The construction shall comply with Portland's requirements under Section 25-129 on Noise, dust and debris.
4. Noise: The construction shall comply with Portland's requirements under Section 17-18 of the City Code and Section 25-129 on Noise, dust and debris.
5. Rodent Control will be provided, if applicable, by a professional exterminator and consistent with Chapter 22 of the City Code.
6. Snow Removal: Pursuant to Section 25-173 Contractors to ensure a safe means of travel within the work zone.
 - 1) Snow/ice removal or commence automatically from (1" of snow and up) or Ice
 - 2) Remove snow as needed within the work zone, including parking spaces & not to block any driveways or site lines with the piles of snow.
 - 3) Clear all walks & ramps with the work zone
 - 4) Sand or Salt as needed
 - 5) Clear all basin or drainage to help snow melt
 - 6) This would include Monday-Friday Sat/Sunday/Holidays

H. Erosion Control and Preservation of Trees

1. The Contractor shall install all erosion and sedimentation controls as depicted on the approved erosion and sedimentation control plan prior to the pre-construction meeting for inspection by the City. The Contractor shall regularly inspect the control measures, no less than weekly and after significant storm events, and maintain any installed temporary or permanent stormwater management systems in working order. The Contractor shall document all inspection activities and corrective actions and be prepared to provide these documents for inspection by the City, Maine Department of Environmental Protection or the U.S. Environmental Protection Agency upon request.
2. The Contractor shall maintain all tree and landscaping preservation measures as depicted on the Landscape Plan (Sheet L-1) within the area of construction.
3. The storage of materials shall be located in the areas depicted on the Construction Management Plan (Sheet C-2.3) and avoid being located under/near trees.

I. Construction Staging and Deliveries

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

J. Parking During Construction

1. Construction Parking: Construction workers shall utilize off-site parking for the duration of construction. Adjacent parking lots are paid or assigned parking, and not part of the project site.

ATTACHMENT 7-B

Construction Schedule

8 NATURAL FEATURES

8.1 OVERVIEW

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

9 STORMWATER MANAGEMENT

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

9.1 OVERVIEW

Flagg Partners, LLC intends to redevelop two parcels totaling 12,860 square feet at 208 Fore Street in Portland. The project will result in a decrease in impervious area. This narrative describes the stormwater runoff patterns and methods of stormwater management for the existing and proposed conditions.

9.2 EXISTING CONDITIONS

The existing project site is entirely developed and relatively flat. Stormwater runoff from most of the project site drains overland across the western property boundary. The southeastern portion of the existing parking lot drains overland across the southeastern property boundary and over a vegetated slope. There are no known areas of erosion or flooding on or adjacent to the site. The existing project site, including Bradbury Court, contains approximately 11,554 square feet of impervious surface.

9.3 PROPOSED PROJECT

Post development stormwater runoff will generally follow existing patterns. Runoff from the proposed building will drain to a roof drain system that outlets to a proposed catch basin structure in front of the site in Fore Street. The proposed catch basin will connect to the city's separated storm drain system in Fore Street. The roof will be made up of a 4,788 sf green roof that stores stormwater. The green roof reduces stormwater runoff from the roof through retention, evaporation and evapotranspiration, and is considered pervious for zoning impervious calculations.

The impervious areas of the site not covered by the building include a 4' wide paved walkway to the northeast of the proposed building, a portion of the entrance drive to the southwest of the building, and a small portion of the brick sidewalk in front of the building along Fore Street that is not under the building roof overhang. This is approximately 1,019 sf of non-roof impervious surface. The runoff from the paved walkway, brick sidewalk, and vegetated areas will drain overland across the property boundaries, as it does today. Runoff from the entrance drive not covered by the roof will flow to a trench drain at the entrance to the garage and be conveyed to the proposed catch basin system in Fore Street. The project is not expected to cause ponding, flooding or erosion problems on or downstream of the site. The relatively small amount of runoff entering the City's storm drain network is not expected to overburden the system.

The redeveloped project site will have approximately 5,849 square feet of impervious surface. This is a decrease of approximately 5,705 square feet of impervious area from the existing condition. Therefore, the project is not required to meet the General or

Flooding Standards. The non-roof impervious area being redeveloped is less than 5,000 square feet, so the project is not required to meet the Redevelopment Standards.

10 CONSISTNECY WITH CITY MASTER PLANS

10.1 OVERVIEW

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

11 UTILITIES

11.1 OVERVIEW

The proposed project will involve installation of new utility services to the building. All new utility services will be provided from the franchise utilities available within Fore Street. The proposed locations of the new utility services are shown on the Utility Plan (Sheet C-5.0).

11.2 WATER SUPPLY

The proposed project will receive its water supply from the Portland Water District's (PWD) public water supply system. Separate 6" fire and 4" domestic services will be installed to the building from PWD's existing main in Fore Street. PWD has indicated in a letter dated December 6, 2017 that the district will be able to serve the proposed project.

11.2.1 Total Project Water Usage

The total average daily water demand for the proposed project is estimated to be 7,098 gallons per day, based on design flows published in the State of Maine Subsurface Wastewater Disposal Rules.

13 x 1 Bedroom Residential Units at 120 gpd/unit	= 1,560 gpd
11 x 2 Bedroom Residential Units at 180 gpd/unit	= 1,980 gpd
13 x 3 Bedroom Residential Units at 270 gpd/unit	= 3,510 gpd
2 x Retail Unit with 2 Employees at 12 gpd/employee	= 48 gpd
	Total = 7,098 gpd

11.3 WASTEWATER DISPOSAL

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

The overall project is anticipated to generate an average daily flow of approximately 7,098 gpd. Based on the existing sewer system in the area, there appears to be adequate capacity to handle these projected flow amounts.

11.4 ELECTRICITY SUPPLY

CMP currently maintains overhead and underground utilities in the area. The proposed building will be served by a new underground feed from an existing utility pole located on the west side of India Street, east of the project site. The existing overhead utilities along the project's Fore Street frontage will be re-located underground.

11.5 ATTACHMENTS

Attachment 11-A – Correspondence with Utilities

ATTACHMENT 11-A

Correspondence with Utilities

November 16, 2017

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

Request for Ability to Serve Letter
37-Unit Residential Development
with First Floor Retail Space
208 Fore Street, Portland, Maine

Dear Sir or Madam:

Terradyn Consultants LLC has been retained by Ted Hovivian, 56 Bogart Street, LLC, to assist with site design and permitting for a proposed 37-unit condominium development project located at 208 Fore Street in Portland, Maine. We are writing to request a letter confirming the Portland Water District's ability to serve the proposed development.

The 9,257 square foot parcel is identified as Block N, Lot 8 on the City of Portland Tax Map 29. The site is located on the southeasterly side of Fore Street south of the Fore Street and India Street Intersection. One existing non-residential structure is located on the site with an existing 1" water service.

The proposed project includes the construction of an 8,370 square foot, 7-story building, including 37 residential units and first floor retail space. Parking will also be provided below the building at the basement level. A utility room is also proposed at the basement level along the Fore Street frontage. Public water and sewer utilities will be installed to serve the project. It is anticipated that a new 6" fire protection water service and a new 2" domestic water service will be installed for the new building.

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

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

If you have any questions or need more information to make your determination on ability to serve, please contact me at (207) 322-1223 or adrienne@terradyconsultants.com.

Sincerely,

TERRADYN CONSULTANTS LLC



Adrienne Fine, P.E.
Design Engineer

cc: Ted Hovivian, 56 Bogart Street, LLC
David Lloyd, Archetype

Enc.



Portland Water District

FROM SEBAGO LAKE TO CASCO BAY

December 6, 2017

Adrienne Fine
Terradyn Consultants, LLC
565 Congress Street Suite 310
Portland, ME 04101

Re: 208 Fore Street, PO
Ability to Serve with PWD Water

Dear Ms.Fine :

The Portland Water District has received your request for an Ability to Serve Determination for the noted site submitted on November 16, 2017. Based on the information provided per plans dated September 12, 2017, we can confirm that the District will be able to serve the proposed project as further described in this letter. **Please note that this letter constitutes approval of the water system as currently designed. Any changes affecting the approved water system will require further review and approval by PWD.**

Conditions of Service

The following conditions of service apply:

- A new 6-inch fire service and 4-inch domestic service may be installed from the water main in Fore Street. The service should enter through the properties frontage on Fore Street at least 10-feet from any side property lines.
- It is the District's understanding that the existing property will be converted into a 37 unit residential complex. The property is currently served with a 1-inch domestic water service; the size of this service is undersized for the proposed use. This service must be terminated by shutting the corporation valve and cutting the pipe from the water main as part of the project.
- 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.

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



Existing Site Service

According to District records, the project site does currently have existing water service. A 1-inch diameter copper domestic service line provides water service to the site. Please refer to the “Conditions of Service” section of this letter for requirements related to the use of this service.

Water System Characteristics

According to District records, there is an 8-inch diameter ductile iron water main in Fore Street and a public fire hydrant located approximately 360 feet from the site. The most recent static pressure reading was 105 psi on August 15, 2017.

Public Fire Protection

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

Domestic Water Needs

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

Private Fire Protection Water Needs

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

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

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

Sincerely,
Portland Water District



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

12 SOLID WASTE

12.1 OVERVIEW

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

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

- 683 cubic yards of construction debris related to the new building construction activities (excluding volume of recycled materials).
- 1,258 pounds per week of solid waste will be generated by the operation of the development. Assuming that 50% of the waste is recycled, it is estimated that the project will generate 16.4 tons of recyclable waste and 16.4 tons of non-recyclable waste per year.

12.2 SOLID WASTE GENERATED DURING THE BUILDING CONSTRUCTION

Approximately 415 cubic yards of construction debris is expected to be generated during construction. Assuming that 80% of construction debris is recycled, construction of the project will generate approximately 83 c.y. of non-recyclable waste.

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

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

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

12.3 SOLID WASTE GENERATED FROM THE OPERATION OF THE DEVELOPMENT

Approximately 1,258 pounds of solid waste and recyclable material is expected to be generated every week by the residents of the project. The operational solid waste and recyclable material will be collected by a private trash collector selected through a bidding process.

12.4 ATTACHMENTS

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

ATTACHMENT 12-A

Computations of Types of Volumes of Solid Wastes

ATTACHMENT 12-A

SOLID WASTES COMPUTATIONS AND DISPOSAL

A. NEW BUILDING CONSTRUCTION:

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

Area: Approximately 62,318 square feet of finished space

Solid Waste: Approximately 415 c.y.

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

Total: 415 c.y. before recycling

Net: 83 c.y. if 80% of the material is recycled

Disposition:

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

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

Approximately 83 cubic yards of mixed construction debris that will be hauled to the Riverside Recycling Facility in Portland, WMI Crossroads facility in Norridgewock, Maine or the Juniper Ridge Facility in Old Town, Maine.

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

B. OPERATIONAL SOLID WASTE:

RESIDENTIAL USE:

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

Number of individuals: 74

Solid Waste: Approximately 1,258 pounds/week

13 FIRE SAFETY

13.1 OVERVIEW

The project site will be accessed from Fore Street, which is improved with an approximately 34' wide paved roadway in a 50' wide public ROW. An 8" ductile iron water main owned by the Portland Water District currently exists in Fore Street, and the closest fire hydrant is located on the southwest side of India Street at the Fore Street and India Street intersection, approximately 100 feet from the site.

The proposed building will be fully sprinkled in compliance with all applicable codes.

14 CONFORMITY WITH APPLICABLE DESIGN STANDARDS

14.1 OVERVIEW

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

(a) Transportation Standards

1. Impact on Surrounding Street Systems:

The project will not have a significant impact on the surrounding street system. Vehicles will access the site and parking areas from existing access points and the estimated number of new vehicle trips generated by the project is insignificant compared to existing trips on surrounding streets. The 37-unit condominium project is expected to generate approximately 19 to 20 vehicle trips during the PM peak hour and approximately 217 vehicle trips on a weekday.

2. Access and Circulation:

a. Site Access and Circulation

- (i) Pedestrian access to the site will be provided via the existing sidewalk along Fore Street. Door controlled access will be provided at the two residential building entry locations.
- (ii) The project will use existing points of access.
- (iii) Drive up features are not proposed
- (iv) Site access has been designed so as not to impede potential future connection to adjacent streets.

b. Loading and Servicing

- (i) Delivery or service vehicles are expected to be infrequent and may temporarily use on-street parking on Fore Street.

c. Sidewalks.

- (i) The existing sidewalk along the Fore Street frontage will be reconstructed as part of this project. All sidewalk improvements shall conform to the City of Portland Technical Manual as shown on the project drawings.
- (ii) The sidewalk ramps at the site entrance drive will be constructed in accordance with City of Portland Technical Design Standards.

(iii) The proposed walkway along the northerly side of the proposed building will connect directly to the existing city sidewalk on Fore Street.

3. Public Transit Access:

Metro Bus Route 8 runs east on Middle Street, south on Franklin Street, and north on India Street. The nearest bus stop to the project is at the corner of Middle Street and Franklin Street, approximately 650' west of the site. The project does not meet the minimum threshold to require a new transit facility.

4. Parking:

a. Location and Required Number of Vehicle Parking Spaces:

- (i) The project requires one parking space per unit after the first 3 units, or 34 total spaces. Thirty-one (31) spaces will be provided on site in the lower level garage and will be accessed from Fore Street. The fee in lieu will be paid for the remaining 3 required parking spaces.
- (ii) A parking study is not required for this project.
- (iii) Not Applicable
- (iv) The on-site parking spaces are within mechanical lift parking systems with fixed parking dimensions.
- (v) The proposed on-site parking area and driveway will be constructed of bituminous pavement, and be almost entirely covered by the building.

b. Location and Required Number of Bicycle Parking Spaces:

- (i) The project requires 2 bicycle parking spaces for every 5 dwelling units, or 15 spaces. Bicycle parking will be provided in the bike room on the ground floor.

c. Motorcycles and Scooter Parking:

- (i) Dedicated motorcycle/scooter parking is not provided.

d. Snow Storage:

- (i) Snow storage for the proposed driveway will be provided on the lawn area at the end of the driveway, west of the building.
- (ii) Snow will not be stored in parking areas, and no bio-retention is proposed.

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

(b) Environmental Quality Standards

1. Preservation of Significant Natural Features:

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

2. Landscaping and Landscaping Preservation:

- a. Landscape Preservation.

- (i) There are no existing trees on site, and the site is nearly entirely developed with impervious surface. There are no trees along the Fore Street sidewalk in front of the project site.
- (ii) Not applicable.
- (iii) Not applicable.
- (iv) Waiver: Not applicable.
- (v) The project is not in the Shoreland Zone

- b. Site Landscaping.

- (i) Landscaped Buffers:

- (a) Not applicable.
- (b) Plantings are proposed in a side yard setback area east of the proposed building along the proposed walkway. The side yard west of the proposed building is taken up by the proposed paved driveway along Fore Street, but landscaping will be provided south of the driveway.
- (c) Not applicable.
- (d) Not applicable.

(ii) Parking Lot Landscaping:

- (a) Not applicable.
- (b) Not applicable.
- (c) Not applicable.
- (d) Not applicable.
- (e) Not applicable.

(iii) Street Trees

- (a) No street trees are proposed along Fore Street due to the proximity of the proposed building to the Fore Street travel way. The existing sidewalk does not have an esplanade or space for street trees.
- (b) A contribution will be made for each required street tree to the City of Portland's Tree Fund as outlined in the Technical Manual.

3. Water Quality, Stormwater Management and Erosion Control:

a. Stormwater:

The existing project site is entirely developed and relatively flat. Stormwater runoff from most of the project site drains overland across the western property boundary. The southeastern portion of the existing parking lot drains overland across the southeastern property boundary and over a vegetated slope. There are no known areas of erosion or flooding on or adjacent to the site. The existing project site, including Bradbury Court, contains approximately 11,554 square feet of impervious surface.

Post development stormwater runoff will generally follow existing patterns. Runoff from the proposed building will drain to a roof drain system that outlets to a proposed catch basin structure in front of the site in Fore Street. The proposed catch basin will connect to the city's separated storm drain system in Fore Street. The roof will be made up of a 4,788 sf green roof that stores stormwater. The green roof reduces stormwater runoff from the roof through retention, evaporation and evapotranspiration, and is considered pervious for zoning impervious calculations.

The impervious areas of the site not covered by the building include a 4' wide paved walkway to the east of the proposed building, an entrance drive to the west of the building, and a small portion of the brick sidewalk in front of the

building along Fore Street that is not under the building roof overhang. The runoff from the paved walkway, brick sidewalk, and vegetated areas will drain overland across the property boundaries, as it does today. Runoff from the entrance drive not covered by the roof will flow either to the proposed catch basin system in Fore Street, or overland across the property boundaries. The project is not expected to cause ponding, flooding or erosion problems o or downstream of the site. The relatively small amount of runoff entering the City's storm drain network is not expected to overburden the system.

Redevelopment of the project site will result in approximately 5,849 square feet of impervious surface. This is a decrease of approximately 5,705 square feet of impervious area. Therefore, the project is not required to meet the General or Flooding Standards. The non-roof impervious area being redeveloped is less than 5,000 square feet so the project is not required to meet the Redevelopment Standards.

- (i) The project will not result in flooding of adjacent lots.
 - (ii) Runoff volumes and rates will not increase onto adjacent lots.
 - (iii) Volumes and rates of stormwater runoff into the Fore Street rights of way are expected to decrease. The project will not create ponding, flooding, or other drainage problems within the surrounding streets.
 - (iv) Volumes and rates of stormwater runoff into the city's storm drain network are expected to be similar to existing volumes and rates. The project will not create problems downstream or exceed the capacity of the system.
- b. The project will result in a decrease of approximately 5,705 square feet in impervious surface and is not required to meet the General or Flooding Standards.
 - c. Not Applicable. The project is not located in a watershed of an urban impaired stream.
 - d. Not applicable.
 - e. The project will be served by both a public wastewater system and public drainage system. The project will not pose a risk of groundwater contamination.
 - f. Wastewater will flow to the public sewer system, which is adequately sized for the project flows.

(c) Public Infrastructure and Community Safety Standards.

- 1. Consistency with City Master Plans:

a. The project has been designed to be consistent with the City of Portland Land Use Ordinance and off-premises infrastructure.

b. Not applicable.

2. Public Safety and Fire Prevention:

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

b. Emergency vehicle access will be via the existing Fore Street right of way.

c. An existing fire hydrant is located on the west side of India Street at the India Street and Fore Street intersection, approximately 100' from the project site. The proposed building will also feature sprinklers for fire suppression.

3. Availability and Adequate Capacity of Public Utilities:

a. The project will be served by new water and sewer utilities. An ability to serve letter was received from the Portland Water District on 12/6/17 indicating that their system has capacity to serve the project, and a Wastewater Capacity Application has been completed and will be forwarded to Brad Roland at the City of Portland.

b. Overhead electrical and telecommunications utilities exist in Fore and India Streets. The project site will be served by underground utilities. Overhead electrical and telecommunication utilities along the site's Fore Street frontage will be relocated underground as part of this project.

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

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

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

f. Solid waste will be stored in an area within the building.

(d) Site Design Standards

1. Massing, Ventilation and Wind Impact:

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

- b. The bulk, location and height of the proposed building will not substantially reduce the value or utility of adjacent structures.
- c. HVAC systems will be located on the roof of the proposed building. Venting is proposed to be directed away from public spaces.

2. Shadows:

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

3. Snow and Ice Loading:

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

4. View Corridors:

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

5. Historic Resources:

- a. The development is not within a designated historic district and does not affect designated landmarks.
- b. Not Applicable
- c. There are no known archaeological resources on the site.

6. Exterior Lighting:

a. Site Lighting

- (i) Exterior site lighting will be provided by building mounted lights, including recessed canopy and wall packs. All fixtures will feature full cut-off optics to prevent unintended light pollution. Proposed lighting is shown on the Lighting Photometric Plan (Sheet P-1).

b. Architectural and Specialty Lighting:

- (i) No architectural or specialty lighting is proposed.
- (ii) No up-lighting is proposed.

c. Street Lighting

- (i) No street lighting is proposed.

7. Noise and Vibration:

Noise levels are expected to meet the permitted levels for the IS-FBC Zone.

b. HVAC and Mechanical Equipment

HVAC equipment will be located on the roof of the proposed building and will meet all applicable state and federal emissions requirements. The units will not be visible from Fore Street or adjacent sites.

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

8. Signage and Wayfinding:

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

- (i) The project is not subject to a Certificate of Appropriateness.
- (ii) Not applicable. No commercial or directional traffic signage is proposed as part of the project.
- (iii) Not applicable. No on-site directional traffic signage is proposed as part of the project.
- (iv) Not applicable. No waiver is required.

9. Zoning Related Design Standards:

- a. Note applicable.

15 VERIFICATION OF PROPOSED HVAC EQUIPMENT

15.1 OVERVIEW

The following manufacturer cut sheets verify that all proposed HVAC and manufacturing equipment meets applicable state and federal emissions requirements.

15.2 ATTACHMENTS

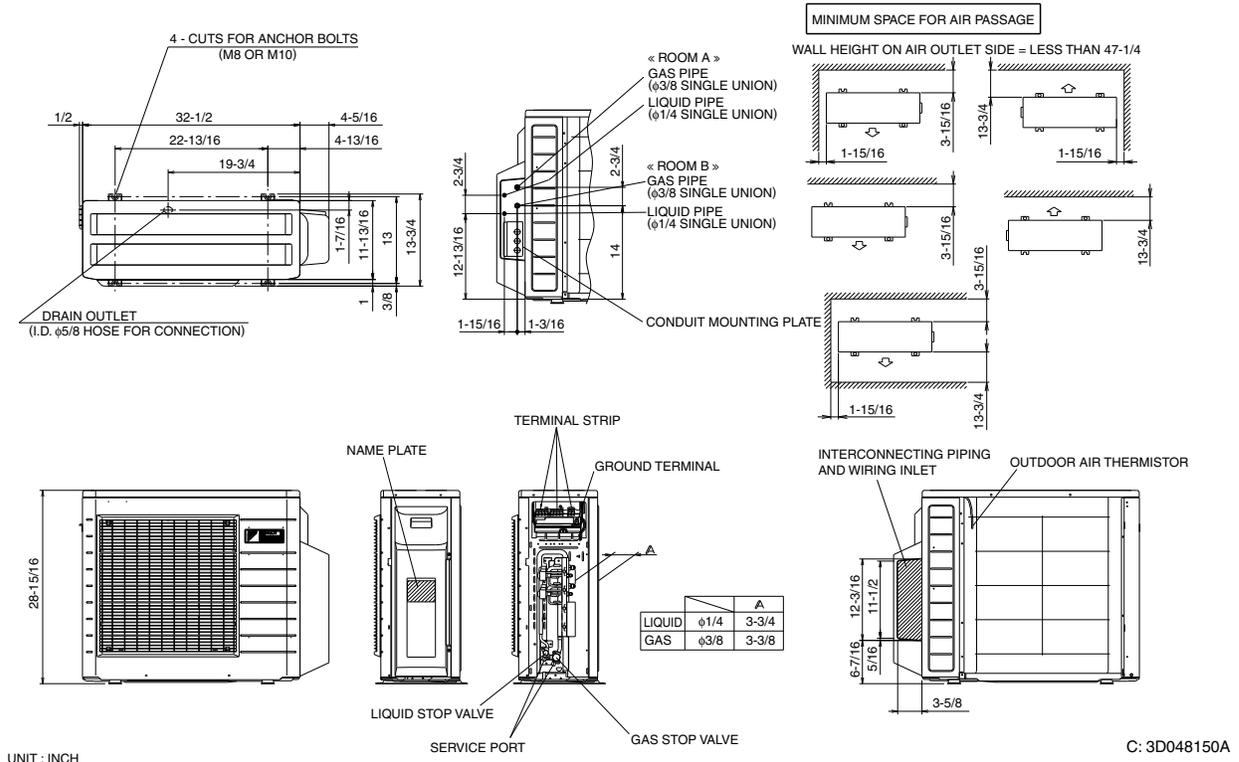
Attachment 15-A – HVAC Equipment Cut Sheets

ATTACHMENT 15-A

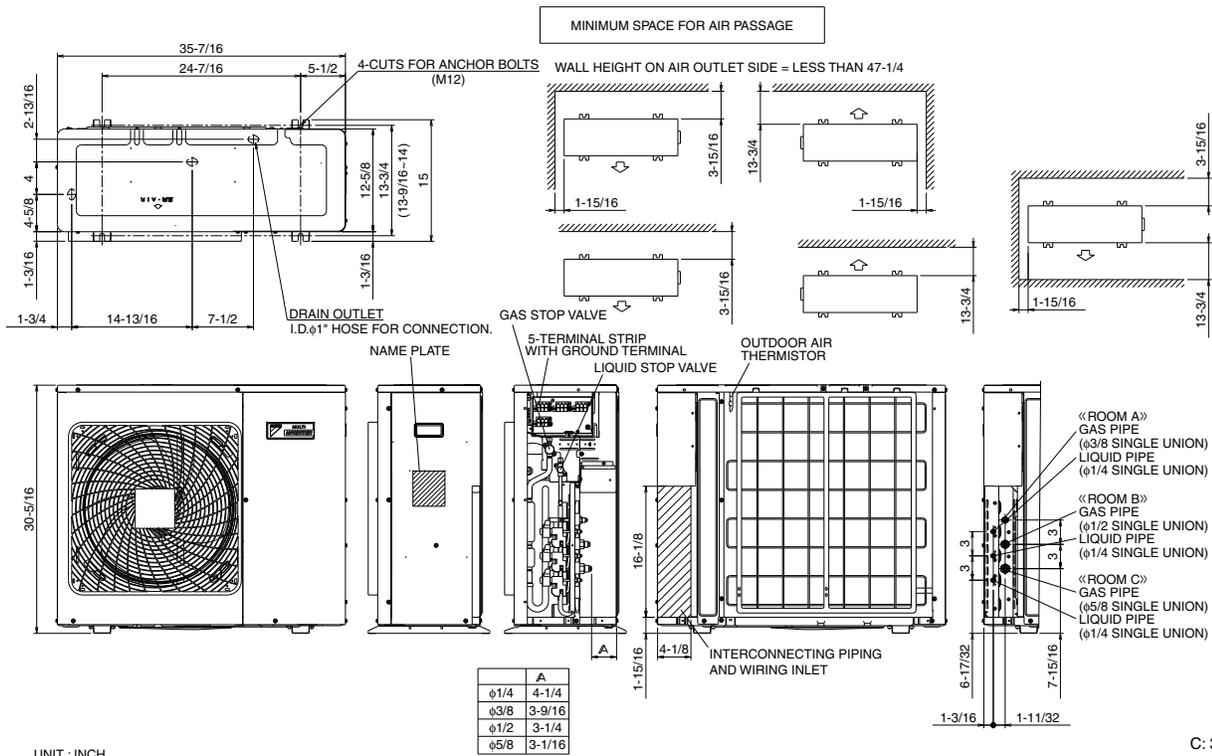
HVAC Equipment Cut Sheets

4.2 Outdoor Unit

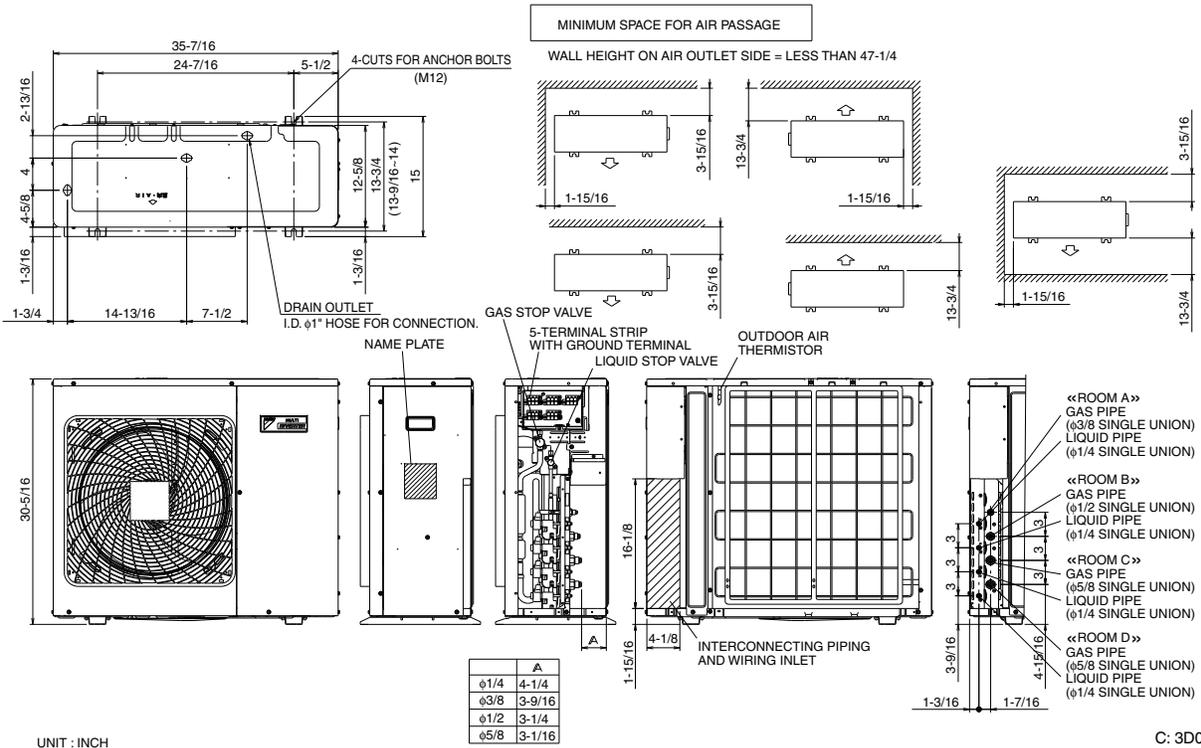
2MXS18GVJU



3MXS24JVJU

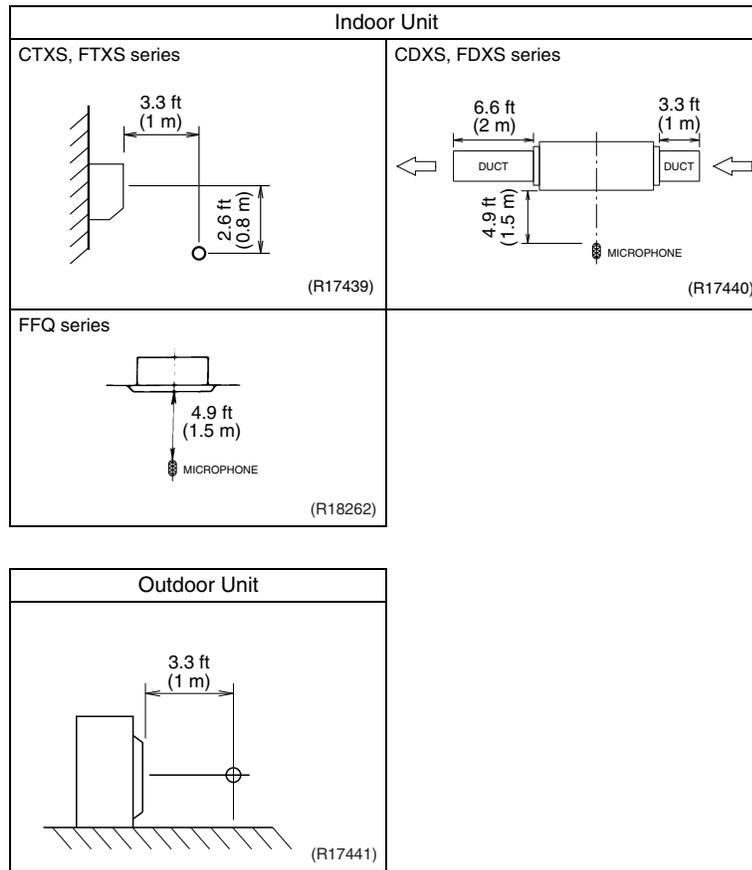


4MXS32GVJU



10. Sound Level

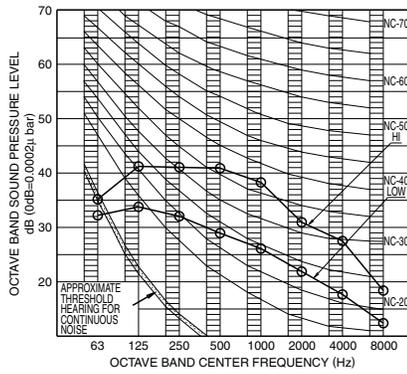
10.1 Measuring Location



- Note:**
1. Operation sound is measured in an anechoic chamber.
 2. The data are based on the conditions shown in the table below.

Cooling	Heating	Piping Length
Indoor ; 80°FDB (26.7°CDB) / 67°FWB (19.4°CWB) Outdoor ; 95°FDB (35°CDB) / 75°FWB (24°CWB)	Indoor ; 70°FDB (21°CDB) / 60°FWB (15.6°CWB) Outdoor ; 47°FDB (8.3°CDB) / 43°FWB (6°CWB)	16.4 ft (5 m)

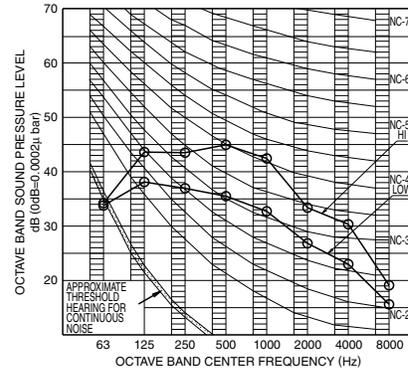
FFQ15LVJU



OVER ALL (dB)		
SCALE	HI	LOW
A	42.5	31.5
(B.G.N IS ALREADY RECTIFIED)		
OPERATING CONDITIONS		
POWER SOURCE 208/230V, 60Hz		
STANDARD CONDITION (JIS)		
4 DIRECTION DISCHARGE		

4D080698

FFQ18LVJU

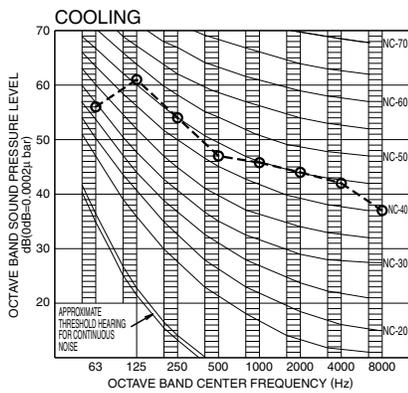


OVER ALL (dB)		
SCALE	HI	LOW
A	46.0	37.5
(B.G.N IS ALREADY RECTIFIED)		
OPERATING CONDITIONS		
POWER SOURCE 208/230V, 60Hz		
STANDARD CONDITION (JIS)		
4 DIRECTION DISCHARGE		

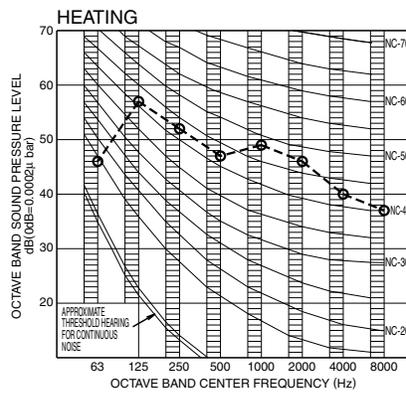
4D080699

10.2.2 Outdoor Unit

2MXS18GVJU



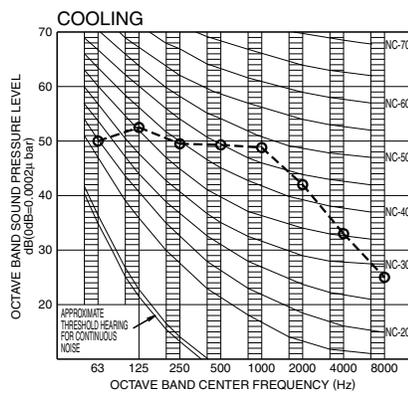
OVER ALL (dB)	
SCALE	60Hz
A	50
(B.G.N IS ALREADY RECTIFIED)	
OPERATING CONDITIONS	
POWER SOURCE 208/230V 60Hz	
JIS STANDARD (JIS9612)	
Cooling	



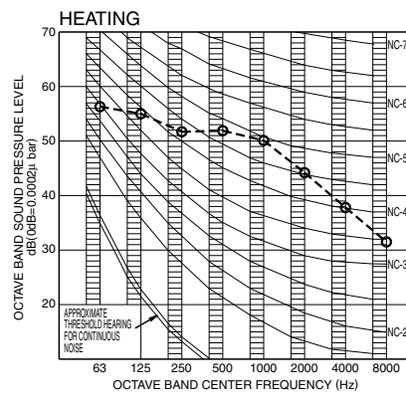
OVER ALL (dB)	
SCALE	60Hz
A	51
(B.G.N IS ALREADY RECTIFIED)	
OPERATING CONDITIONS	
POWER SOURCE 208/230V 60Hz	
JIS STANDARD (JIS9612)	
Heating	

3D048472A

3MXS24JVJU, 4MXS32GVJU



OVER ALL (dB)	
SCALE	60Hz 208/230V
A	52
(B.G.N IS ALREADY RECTIFIED)	
OPERATING CONDITIONS	
POWER SOURCE 208/230V 60Hz	
JIS STANDARD (JIS9612)	
Cooling	



OVER ALL (dB)	
SCALE	60Hz 208/230V
A	54
(B.G.N IS ALREADY RECTIFIED)	
OPERATING CONDITIONS	
POWER SOURCE 208/230V 60Hz	
JIS STANDARD (JIS9612)	
Heating	

3D058787A





LEVEL II and LEVEL III APPLICATION SUBMISSION CHECKLIST
 Submit each Tab as one PDF file and bookmark the items as noted below
 Please confirm by electronically checking the boxes to the left

Tab 1 – General Application Documents

Checklist	Items to be Provided
Yes NA Plan <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	PROJECT DESCRIPTION <ul style="list-style-type: none"> Cover Letter with detailed project description
Yes NA Plan <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	COMPLETED CHECKLIST – LEVEL III APPLICATION
Yes NA Plan <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	RIGHT, TITLE AND INTEREST <ul style="list-style-type: none"> Deeds, leases, or purchase and sales agreements
Yes NA Plan <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	EVIDENCE OF STATE OR FEDERAL APPROVALS, if applicable <ul style="list-style-type: none"> Permits or letters of non-jurisdiction, if applicable
Yes NA Plan <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	ZONING ASSESSMENT <ul style="list-style-type: none"> Table listing required and proposed uses and dimensional standards Zoning Assessment Table
Yes NA Plan <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	EXISTING &/OR PROPOSED EASEMENTS OR COVENANTS, if applicable <ul style="list-style-type: none"> Evidence of existing easements and any proposed easements
Yes NA Plan <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	WAIVER REQUESTS <ul style="list-style-type: none"> Written request for waiver describing request and reason. Waiver Table
Yes NA Plan <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	FINANCIAL CAPABILITY <ul style="list-style-type: none"> Letter or evidence from a financial institution or third party verifying financial capacity to undertake project
Yes NA Plan <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	TECHNICAL CAPABILITY <ul style="list-style-type: none"> Evidence of technical capability of applicant and consultants – resumes and/or examples of past projects

LEVEL II AND LEVEL III SITE PLAN STANDARDS AND SUBMISSION CHECKLIST

Provide assessment of compliance with standards and include supplemental documentation, as applicable.

Submit each Tab as one PDF file and bookmark the items as noted below

Tab 2 - TRANSPORTATION

Check list	Assess/Provide/Document:						
<table border="1" style="width: 100%;"> <tr> <td style="width: 33%;">Yes</td> <td style="width: 33%;">NA</td> <td style="width: 33%;">Plan</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Yes	NA	Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Transportation Analysis- Traffic Impact (14-526 (a) 1) <ul style="list-style-type: none"> • Provisions for pedestrian, bicycle, vehicle, and loading circulation and incremental volume of traffic impacts • Traffic Impact Study (Technical Manual, Section 1) if applicable
Yes	NA	Plan					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
<table border="1" style="width: 100%;"> <tr> <td style="width: 33%;">Yes</td> <td style="width: 33%;">NA</td> <td style="width: 33%;">Plan</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Yes	NA	Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Access and Circulation (14-526 (a) 2 a) <ul style="list-style-type: none"> • Access and internal circulation, addressing ADA access • Access and egress impacts on traffic flows • Description and use of drive-up features, if applicable
Yes	NA	Plan					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
<table border="1" style="width: 100%;"> <tr> <td style="width: 33%;">Yes</td> <td style="width: 33%;">NA</td> <td style="width: 33%;">Plan</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Yes	NA	Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Loading and Servicing (14-526 (a) 2 b) <ul style="list-style-type: none"> • Loading and servicing needs, route and travel way geometrics for deliveries • Turning templates for delivery vehicles, if applicable
Yes	NA	Plan					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
<table border="1" style="width: 100%;"> <tr> <td style="width: 33%;">Yes</td> <td style="width: 33%;">NA</td> <td style="width: 33%;">Plan</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Yes	NA	Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sidewalks (14-526 (a) 2 c) <ul style="list-style-type: none"> • Sidewalks and condition along street frontages and internal walkways • Engineered details for ADA ramps and public sidewalk details meeting sidewalk materials policy and ADA ramp construction details as applicable (Technical Manual, Section 1)
Yes	NA	Plan					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
<table border="1" style="width: 100%;"> <tr> <td style="width: 33%;">Yes</td> <td style="width: 33%;">NA</td> <td style="width: 33%;">Plan</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Yes	NA	Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Public Transit (14-526 (a) 3), if applicable <ul style="list-style-type: none"> • Existing available transit services • Proposed site plan design details, such as easement, pad base, and shelter
Yes	NA	Plan					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
<table border="1" style="width: 100%;"> <tr> <td style="width: 33%;">Yes</td> <td style="width: 33%;">NA</td> <td style="width: 33%;">Plan</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Yes	NA	Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Off-Street Parking: Vehicle & Motorcycle/Scooter) (14-526 (a) 4 a and c) <ul style="list-style-type: none"> • Expected parking demand, proposed parking supply, ADA parking, and applicable Zoning Requirements • Address Technical Manual standards (Section 1) for curb cut separation and parking lot layout and locate on site plan
Yes	NA	Plan					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
<table border="1" style="width: 100%;"> <tr> <td style="width: 33%;">Yes</td> <td style="width: 33%;">NA</td> <td style="width: 33%;">Plan</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Yes	NA	Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Bicycle Parking (14-526 (a) 4 b) <ul style="list-style-type: none"> • Address bicycle parking requirements and identify locations on-site • Construction details for bike racks (Technical Manual, Section 1)
Yes	NA	Plan					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
<table border="1" style="width: 100%;"> <tr> <td style="width: 33%;">Yes</td> <td style="width: 33%;">NA</td> <td style="width: 33%;">Plan</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Yes	NA	Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Snow Storage (14-526 (a) 4 d) <ul style="list-style-type: none"> • Management plan for snow removal and locate snow storage areas on plan
Yes	NA	Plan					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
<table border="1" style="width: 100%;"> <tr> <td style="width: 33%;">Yes</td> <td style="width: 33%;">NA</td> <td style="width: 33%;">Plan</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Yes	NA	Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Traffic Demand Management (TDM) (14-526 (a) 5), if applicable <ul style="list-style-type: none"> • Develop TDM with Trip Reduction Targets and Strategies
Yes	NA	Plan					
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>					

Tab 3 - ENVIRONMENTAL AND LANDSCAPE FEATURES			
Check list			Assess/Provide/Document:
Yes	NA	Plan	<p>Preservation of Significant Natural Features (14-526 (b) 1), if applicable</p> <ul style="list-style-type: none"> • Trees, plants, habitats listed on State or Federal list of endangered or threatened • High and moderate value waterfowl and wading habitat • Aquifers on Casco Bay Islands • Waterbodies (including wetlands, watercourses, significant vernal pools and floodplains) • Proposed preservation areas and protection measures • Documentation from environmental consultants, determinations from applicable state agencies <p>Landscaping and Landscape Preservation (14-526 (b) 2 a)</p> <ul style="list-style-type: none"> • Preservation of trees and preservation within required zoning setbacks (Technical Manual, Section 4) • Protection measures of existing vegetation during construction • Protection measures within Shoreland Zone, if applicable <p>Site Landscaping (14-526 (b) 2 b)</p> <ul style="list-style-type: none"> • Screening and buffering of service areas and between non-residential and residential uses • Planting plans with plant schedule and sizes (Technical Manual, Section 4) <p>Parking Lot Landscaping (14-526 (b) 2 b ii), if applicable</p> <ul style="list-style-type: none"> • Landscaped islands within parking areas (Technical Manual, Section 4) <p>Street Trees (14-526 (b) 2 b iii)</p> <ul style="list-style-type: none"> • Existing Heritage or Feature Trees on site and measures to preserve • Identify street trees on the plan meeting the site plan and Technical Manual standards (Section 4) or identify alternative measures, if applicable
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Yes	NA	Plan	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Yes	NA	Plan	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Yes	NA	Plan	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Yes	NA	Plan	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Tab 4 - ENVIRONMENTAL AND STORMWATER			
Check list			Assess/Provide/Document:
Yes	NA	Plan	<p>Water Quality, Stormwater Management and Erosion Control (14-526 (b) 3 a)</p> <ul style="list-style-type: none"> • Stormwater report in compliance with Section 5 of Technical Manual and DEP Chapter 500 stormwater for basic, general and flooding standards, as applicable • Erosion control plan and measures • Evidence of compliance with Urban Impaired Stream Standards pursuant to DEP Chapter 500 stormwater, as applicable • Subsurface sanitary sewage disposal and groundwater protection
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Tab 5 - PUBLIC INFRASTRUCTURE AND SAFETY			
Check list			Assess/Provide/Document:
Yes	NA	Plan	Consistency with City Master Plans (14-526 (c) 1) <ul style="list-style-type: none"> Identify consistency with master plans Proposed easements, rights and improvements to connect or continue off-premises public infrastructure, as applicable
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Yes	NA	Plan	Public Safety and Fire Prevention (14-526 (c)) <ul style="list-style-type: none"> Address Crime Prevention through Environmental Design (CPTED) (Technical Manual, Section 3) Emergency vehicle access Address consistency with public safety standards (Technical Manual, Section 3) Submit a code summary referring NFPA 1 and all Fire Department standards (Technical Manual, Section 3) – Fire Checklist
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Yes	NA	Plan	Availability and Adequacy of Public Utilities (14-526 (c) 3) (Technical Manual, Sections 2 & 9) <ul style="list-style-type: none"> Electrical services, including providing underground services Identify existing and proposed connections for public utilities and required public utility upgrades Sewer line connections are required, if there is a main within 200 feet Proposed solid waste management facilities on-site and management for the site Written evidence of the ability to serve from utility companies, as applicable
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Tab 6 - SITE DESIGN			
Check list			Assess/Provide/Document:
Yes	NA	Plan	Massing, Ventilations and Wind Impact (14-526 (d) 1) <ul style="list-style-type: none"> Wind and ventilation impacts on adjoining structures and/or adjacent public spaces. Wind study, if applicable Bulk, location or height impacts on adjoining structures Identify and locate HVAC equipment and venting away from public spaces and residential properties Identify screening and manufacturing specifications for noise, if applicable
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Yes	NA	Plan	Shadows (14-526 (d) 2), if applicable <ul style="list-style-type: none"> Shadow analysis of impacts on publicly accessible open space (Technical Manual, Section 11)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Yes	NA	Plan	Snow and Ice Loading (14-526 (d) 3) <ul style="list-style-type: none"> Building design to prevent snow and ice from loading or falling onto adjacent properties or public ways
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Yes	NA	Plan	View Corridors (14-526 (d) 4), if applicable <ul style="list-style-type: none"> Protection of designated view corridors (Portland Design Manual, Appendix 1)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<table border="1"> <tr> <td>Yes</td> <td>NA</td> <td>Plan</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	Yes	NA	Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Historic Resources (14-526 (d) 5), if applicable</p> <ul style="list-style-type: none"> • Identify developments within Historic Districts or affecting Designated Landmarks • Certificate of Appropriateness or other evidence • Identify Developments within 100 feet of Historic Districts or affecting Designated Landmarks. Advisory HP review may be required • Address preservation and documentation of Archaeological Resources
Yes	NA	Plan					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
<table border="1"> <tr> <td>Yes</td> <td>NA</td> <td>Plan</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	Yes	NA	Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Exterior Lighting (14-526 (d) 6)</p> <ul style="list-style-type: none"> • Cut sheets of on-site light fixtures and any architectural or specialty lights (Technical Manual, Section 12) • Engineered details for any lights proposed in street right-of-way (Technical Manual, Section 10)
Yes	NA	Plan					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
<table border="1"> <tr> <td>Yes</td> <td>NA</td> <td>Plan</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	Yes	NA	Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Noise and Vibration (14-526 (d) 7)</p> <ul style="list-style-type: none"> • Evidence of noise levels for equipment, such as equipment specifications, to demonstrate consistency with zoning requirements
Yes	NA	Plan					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
<table border="1"> <tr> <td>Yes</td> <td>NA</td> <td>Plan</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	Yes	NA	Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Signage and Wayfinding (14-526 (d) 8), if applicable</p> <ul style="list-style-type: none"> • Signage plan showing the location, dimensions, height and setback of all existing and proposed signs. Signs in Historic Districts are reviewed by Historic Preservation staff • Proposed commercial and directional signage on site
Yes	NA	Plan					
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>					
<table border="1"> <tr> <td>Yes</td> <td>NA</td> <td>Plan</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	Yes	NA	Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Zone Related Design Standards (14-526 (d) 5)</p> <ul style="list-style-type: none"> • Address Historic Preservation Design Review, if applicable • Address any applicable design review standards by zone • Address submission requirements from Design Manual, page 1, addressing neighborhood context • Description of exterior materials, color, finish, and samples
Yes	NA	Plan					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Tab 7 - Construction Management Plan							
Check list							
<table border="1"> <tr> <td>Yes</td> <td>NA</td> <td>Plan</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	Yes	NA	Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Construction Management Plan</p> <ul style="list-style-type: none"> • Construction Management Document and Plan
Yes	NA	Plan					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					

Level II and Level III Site Plan Checklist

Please upload the following drawings with the listed details into e-Plan

RECENT BOUNDARY SURVEY (stamped by Maine Licensed Surveyor)

Must be in compliance with Technical Manual, Section 13

SITE PLAN(s) (stamped by Maine Licensed Engineer) including:

Existing Conditions

- Approximate location of structures on abutting property
- Topography
- Locate water courses
- Delineate wetlands
- Zone lines

Proposed Site Plan

- Ground floor area, and grade elevations for all buildings

Access, Circulation, and Parking

- Streets and intersections adjacent to site , any proposed geometric modifications
- Location, dimensions and materials of all existing and proposed driveways, vehicle, bicycle, & pedestrian access ways with corresponding curb lines
- Engineered specifications/ cross-sections for proposed driveways, sidewalks & paved areas
- Location and dimensions of proposed loading areas
- Existing and proposed transit infrastructure with dimensions/ engineering specifications
- Location of vehicle and bicycle parking with dimensions and engineering specifications

Site Considerations

- Identify snow storage areas
- Location of fire hydrants
- Location of solid waste management facilities

UTILITY PLAN including:

- Existing utilities on site and within public streets
- Location, sizing, and directional flows of all existing and proposed utilities
- Location and dimensions of off-premises public or publicly accessible infrastructure adjacent to site
- Electric utility infrastructure

<input checked="" type="checkbox"/> GRADING and DRAINAGE PLAN including:
<ul style="list-style-type: none"> • Existing grades and drainage • Proposed grades • Proposed stormwater management meeting Technical Manual (Section 5) standards • Location and proposed alteration of a water course • Preservation or alteration of wetlands
<input checked="" type="checkbox"/> EROSION CONTROL
<ul style="list-style-type: none"> • Must be in compliance with Technical Manual, Section 5
<input checked="" type="checkbox"/> LANDSCAPE PLAN including:
<ul style="list-style-type: none"> • Existing vegetation to be preserved and preservation measures • Proposed landscaping and buffers • Planting schedule
<input type="checkbox"/> RECORDING PLAT , if applicable
<ul style="list-style-type: none"> • IF SUBDIVISION: Must be in compliance with requirements of Section 14-496 (b)
<input checked="" type="checkbox"/> ARCHITECTURAL PLANS & RENDERINGS including:
<ul style="list-style-type: none"> • Exterior building elevations, color renderings, illustrations of all sides • Location and dimensions of all existing & proposed HVAC & mechanical equipment, all proposed screening • Provide context drawings, if applicable (Design Manual, page 1) • Floor plans



Level III – Preliminary and Final Site Plans Development Review Application Portland, Maine

Planning and Urban Development Department
Planning Division

Portland's Planning and Urban Development Department coordinates the development review process for site plan, subdivision and other applications under the City's Land Use Code. Attached is the application form for a Level III: Preliminary or Final Site Plan. Please note that Portland has delegated review from the State of Maine for reviews under the Site Location of Development Act, Chapter 500 Stormwater Permits, and Traffic Movement Permits.

Level III: Site Plan Development includes:

- New structures with a total floor area of 10,000 sq. ft. or more except in Industrial Zones.
- New structures with a total floor area of 20,000 sq. ft. or more in Industrial Zones.
- New temporary or permanent parking area(s) or paving of existing unpaved parking areas for more than 75 vehicles.
- Building addition(s) with a total floor area of 10,000 sq. ft. or more (cumulatively within a 3 year period) except in Industrial Zones.
- Building addition(s) with a total floor area of 20,000 sq. ft. or more in Industrial Zones.
- A change in the use of a total floor area of 20,000 sq. ft. or more in any existing building (cumulatively within a 3 year period).
- Multiple family development (3 or more dwelling units) or the addition of any additional dwelling unit if subject to subdivision review.
- Any new major or minor auto business in the B-2 or B-5 Zone, or the construction of any new major or minor auto business greater than 10,000 sq. ft. of building area in any other permitted zone.
- Correctional prerelease facilities.
- Park improvements: New structures greater than 10,000 sq. ft. and/or facilities encompassing 20,000 sq. ft. or more (excludes rehabilitation or replacement of existing facilities); new nighttime outdoor lighting of sports, athletic or recreation facilities not previously illuminated.
- Land disturbance of 3 acres or more (includes stripping, grading, grubbing, filling or excavation).

Portland's development review process and requirements are outlined in the [Land Use Code \(Chapter 14\)](#), [Design Manual](#) and [Technical Manual](#).

Planning Division

Fourth Floor, City Hall

389 Congress Street

(207) 874-8719

planning@portlandmaine.gov

Office Hours

Monday thru Friday

8:00 a.m. – 4:30 p.m.

I. Project Information (Please enter n/a on those fields that are not applicable)

Project Name:	
Proposed Development Address:	
Project Description:	
Chart/Block/Lot:	
Preliminary Plan	
Final Plan	

II. Contact Information (Please enter n/a on those fields that are not applicable)

APPLICANT

Name:	
Business Name:	
Address:	
City/State:	
Zip Code:	
Work #:	
Home #:	
Cell #:	
Fax #:	
E-mail:	

OWNER

Name:	
Address:	
City/State:	
Zip Code:	
Work #:	
Home #:	
Cell #:	
Fax #:	
E-mail:	

AGENT/REPRESENTATIVE

Name:	
Address:	
City/State:	
Zip Code:	
Work #:	
Home #:	
Cell #:	
Fax #:	
E-mail:	

BILLING (to whom invoices will be forwarded to)

Name:	
Address:	
City/State:	
Zip Code:	
Work #:	
Home #:	
Cell #:	
Fax #:	
E-mail:	

ENGINEER

Name:	
Address:	
City/State:	
Zip Code:	
Work #:	
Home #:	
Cell #:	
Fax #:	
E-mail:	

SURVEYOR

Name:	
Address:	
City/State:	
Zip Code:	
Work #:	
Home #:	
Cell #:	
Fax #:	
E-mail:	

ARCHITECT

Name:	
Address:	
City/State:	
Zip Code:	
Work #:	
Home #:	
Cell #:	
Fax #:	
E-mail:	

ATTORNEY

Name:	
Address:	
City/State:	
Zip Code:	
Work #:	
Home #:	
Cell #:	
Fax #:	
E-mail:	

DESIGNATED PERSON(S) FOR UPLOADING INTO e-PLAN

Name:	
E-mail:	
Name:	
E-mail:	
Name:	
E-mail:	

III. APPLICATION FEES

LEVEL III DEVELOPMENT (check applicable review)

	Less than 50,000 sq. ft.	\$750.00
	50,000 – 100,000 sq. ft.	\$1,000.00
	100,000 – 200,000 sq. ft.	\$2,000.00
	200,000 – 300,000 sq. ft.	\$3,000.00
	Over 300,000 sq. ft.	\$5,000.00
	Parking lots over 100 spaces	\$1,000.00
	After-the-fact Review	\$1,000.00 + applicable application fee above

PLAN AMENDMENTS (check applicable review)

	Planning Staff Review	\$250.00
	Planning Board Review	\$500.00

OTHER REVIEWS (check applicable review)

	Traffic Movement	\$1,500.00	
	Stormwater Quality	\$250.00	
	Subdivision	\$500.00 + applicable fee for lots/units below	
	# of Subdivision Lots/Units [] x \$25.00 each	\$	
	Site Location	\$3,500.00 + applicable fee for lots/units below	
	# of Site Location Lots/Units [] x \$200.00 each	\$	
	Change of Use		
	Flood Plain		
	Shoreland		
	Design Review		
	Housing Replacement		
	Historic Preservation		
TOTAL APPLICATION FEE DUE:			\$

IV. FEES ASSESSED AND INVOICED SEPARATELY

- Notices to abutters (receipt of application, workshop and public hearing meetings) (\$.75 each)
- Legal Ad in the Newspaper (% of total ad)
- Planning Review (\$52.00 hour)
- Legal Review (\$75.00 hour)
- Third Party Review (all outside reviews or analysis, eg. Traffic/Peer Engineer, are the responsibility of the applicant and will be assessed and billed separately)

V. PROJECT DATA (Please enter n/a on those fields that are not applicable)

TOTAL AREA OF SITE	sq. ft.
PROPOSED DISTURBED AREA OF THE SITE	sq. ft.
<i>If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with DEP and a Stormwater Management Permit, Chapter 500, with the City of Portland.</i>	
IMPERVIOUS SURFACE AREA	
Impervious Area (Total Existing)	sq. ft.
Impervious Area (Total Proposed)	sq. ft.
Building Ground Floor Area and Total Floor	
Building Footprint (Total Existing)	sq. ft.
Building Footprint (Total Proposed)	sq. ft.
Building Floor Area (Total Existing)	sq. ft.
Building Floor Area (Total Proposed)	sq. ft.
ZONING	
Existing	
Proposed, if applicable	
LAND USE	
Existing	
Proposed	
RESIDENTIAL, IF APPLICABLE	
# of Residential Units (Total Existing)	
# of Residential Units (Total Proposed)	
# of Lots (Total Proposed)	
# of Affordable Housing Units (Total Proposed)	
PROPOSED BEDROOM MIX	
# of Efficiency Units (Total Proposed)	
# of One-Bedroom Units (Total Proposed)	
# of Two-Bedroom Units (Total Proposed)	
# of Three-Bedroom Units (Total Proposed)	
PARKING SPACES	
# of Parking Spaces (Total Existing)	
# of Parking Spaces (Total Proposed)	
# of Handicapped Spaces (Total Proposed)	
BICYCLE PARKING SPACES	
# of Bicycle Spaces (Total Existing)	
# of Bicycle Spaces (Total Proposed)	
ESTIMATED COST OF THE PROJECT	

VI. APPLICANT SIGNATURE

By digitally signing the attached document(s), you are signifying your understanding this is a legal document and your electronic signature is considered a *legal signature* per Maine state law.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Planning Authority and Code Enforcement's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

This application is for a Level III Site Plan review. It is not a permit to begin construction. An approved site plan, a Performance Guarantee, Inspection Fee, Building Permit, and associated fees will be required prior to construction. Other Federal, State or local permits may be required prior to construction, which are the responsibility of the applicant to obtain.

Signature of Applicant:	
Date:	

PRELIMINARY PLAN (Optional) - Level III Site Plan			
Applicant Checklist	Planner Checklist	# of Copies	GENERAL WRITTEN SUBMISSIONS CHECKLIST
X		1	Completed Application form
X		1	Application fees
X		1	Written description of project
X		1	Evidence of right, title and interest
X		1	Evidence of state and/or federal approvals, if applicable
X		1	Written assessment of proposed project's compliance with applicable zoning requirements
X		1	Summary of existing and/or proposed easement, covenants, public or private rights-of-way, or other burdens on the site
X		1	Written requests for waivers from site plan or technical standards, if applicable.
X		1	Evidence of financial and technical capacity
X		1	Traffic Analysis (may be preliminary, in nature, during the preliminary plan phase)
Applicant Checklist	Planner Checklist	# of Copies	SITE PLAN SUBMISSIONS CHECKLIST
X		1	Boundary Survey meeting the requirements of Section 13 of the City of Portland's Technical Manual
X		1	Preliminary Site Plan including the following: (information provided may be preliminary in nature during preliminary plan phase)
X			Proposed grading and contours;
X			Existing structures with distances from property line;
X			Proposed site layout and dimensions for all proposed structures (including piers, docks or wharves in Shoreland Zone), paved areas, and pedestrian and vehicle access ways;
X			Preliminary design of proposed stormwater management system in accordance with Section 5 of the Technical Manual (note that Portland has a separate applicability section);
X			Preliminary infrastructure improvements;
X			Preliminary Landscape Plan in accordance with Section 4 of the Technical Manual;
X			Location of significant natural features (including wetlands, ponds, watercourses, floodplains, significant wildlife habitats and fisheries or other important natural features) located on the site as defined in Section 14-526 (b) (1);
X			Proposed buffers and preservation measures for significant natural features, as defined in Section 14-526 (b) (1);
X			Location , dimensions and ownership of easements, public or private rights of way, both existing and proposed;
X			Exterior building elevations.



ZONING ANALYSIS Relevant Zone(s) _____

All Projects:

	Required	Proposed
Lot Size		
Area Per Dwelling Unit		
Minimum Street Frontage		
Front Yard Minimum		
Front Yard Maximum		
Rear Yard		
Yard Right		
Yard Left		
Side Street Setback		
Step Back		
Maximum Lot Coverage		
Minimum Lot Coverage		
Maximum Height		
Open Space		
Maximum Impervious Area		
Pavement Setback		
Floor Area Ratio		
Off Street Parking Spaces		
Loading Bays		
Other 1		
Other 2		
Other 3		

Planned Residential Unit Developments (PRUD) Requirements

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

Affordable Housing Density Bonuses (if applicable)

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

June 19, 2018

Ms. Barbara Barhydt
Development Review Services Coordinator
Planning Division
389 Congress Street, 4th Floor
Portland, ME, 04101

208 Fore Street, Portland
Conditional Use Application – Inclusionary Zoning

Dear Barbara:

On behalf of Flagg Partners, LLC, Terradyn Consultants is pleased to submit the enclosed Conditional Use Application for a proposed 37-unit condominium building located at 208 Fore Street in Portland.

A complete Level III Development Review application was submitted for the project on April 26, 2018, and updated on June 19, 2018. Because the project includes more than 10 residential units, a Conditional Use permit is also required, and the project must comply with the requirements of Section 14-487 of the city's Land Use Ordinance, which is intended to ensure an adequate supply of workforce housing. This project requires 3 Workforce Units.

The proposed building includes 13 one-bedroom units, 11 two-bedroom units, and 13 three-bedroom units. Floor Plans were previously submitted as part of the Level III Development Review Application. The developer will provide three Workforce Units within the vicinity of the project, however none of the units within the 208 Fore Street building will be designated as Workforce Units. The developer is working with an organization that develops, owns and manages low income housing in Portland to provide the three Workforce Units within the same neighborhood as 208 Fore Street. Specific units have not yet been identified.

The Workforce Units will all be rental units marketed and rented in accordance with the Inclusionary Zoning ordinance. The units will be deed restricted with income restrictions for perspective renters and a price set by the formula in the city's Inclusionary Zoning regulations. The attached vicinity map shows the allowed area for the workforce units. The proposed units will be owned and managed by an organization that provides low income housing within the Portland area.

The previously submitted Development Review Application materials contained many of the submission requirements for the Conditional Use application, including a description of the development, evidence of the applicant's right, title, and interest,

and proposed floor plans. Below is a description of how the project will meet the standards of Section 14-487.

1. The project will be constructed in a single phase.
2. The proposed workforce units will be in nearby residential buildings. They will be integrated within their buildings, and there will be no indications from common areas that they are workforce housing units.
3. The proposed units in 208 Fore Street vary from one to three bedrooms. The workforce units will also vary from one to three bedrooms.
4. If the applicant is unable to provide the required number of workforce units, the developer will pay the in-lieu fee into the City's Housing Trust Fund.
5. The proposed workforce units will be rental units subject to the income limits and other requirements for such units. The units will be marketed and managed by an organization that provides low income housing in Portland.
6. Fewer than 33% of the total units will be workforce units. Therefore, the project is not eligible for subsidy through an Affordable Housing TIF.
7. The workforce units will meet the minimum term of affordability required by the Land Use Ordinance.

We look forward to your review of this project and request to be placed on the next available Planning Board agenda to discuss the project with the Board. In the interim, if you have any questions or need additional information, please contact me.

Sincerely,
TERRADYN CONSULTANTS LLC



Michael E. Tadema-Wielandt, P.E.
Vice President

cc Flagg Partners, LLC
David Lloyd, Archetype PA

Enc. Application Form
Vicinity Map



Conditional Use for Ensuring Workforce Housing Inclusionary Zoning Planning Board Review Application Portland, Maine

Planning and Urban Development Department
Planning Division and Housing and Community Development

Portland's Planning and Urban Development Department coordinates the development review process for site plan, subdivision and other applications under the City's Land Use Code. Attached is the application form for a Conditional Use review of applications to ensure workforce housing in development projects that create ten or more new dwelling units. The units may be for rent or for sale and created through new construction, substantial rehabilitation of existing structures, adaptive reuse or conversion of a non-residential use to residential use, or any combination of these elements. At least ten percent (10%) of the units in the project shall meet the definition of workforce housing unit for sale or rent. All developments of ten units or more a conditional uses subject to Planning Board review on the condition that they comply with the requirements of section 14-487.

A. Ensuring Workforce Housing: Standards -Section 14-484

(d) Workforce Housing Minimum At least ten percent (10%) of the units in the project shall meet the definition of workforce housing unit for sale or for rent. The number of units required is rounded down to a whole number if providing units on- or off-site, or shall include a fractional value in cases where a project prefers to pay a fee-in-lieu as per (e)3. below.

(e) Standards

1. Projects shall not be segmented or phased to avoid compliance with these provisions. In cases where projects are completed in phases, affordable units shall be provided in proportion to the development of market rate units unless otherwise permitted through regulations.
2. Workforce units are encouraged to be integrated with the rest of the development, should use a common entrance and should provide no indications from common areas that these units are workforce housing units.
3. Workforce units need not be the same size as other units in the development but the number of bedrooms in such units, either on- or off-site, shall be 10 percent of the total number of bedrooms in the development. For the purposes of this section, for every 400 square feet in a market rate unit will count as a bedroom if the actual number of bedrooms in the unit is lower.
4. As an alternative to providing workforce housing units, projects may pay a fee in lieu of some or all of the units. In-lieu fees shall be paid into the Housing Trust Fund as defined in Sec. 14-489. The fee for affordable units not provided shall be \$100,000 per unit, adjusted annually in the same way as the fee under Division 29 for Housing Replacement.
5. Workforce housing units for sale, if converted to workforce housing units for rent, shall become subject to the income limits and other requirements of such units.
6. If at least 33 percent of the units in a development are workforce units, the development is eligible for subsidy through an Affordable Housing TIF, subject to City Council approval.

7. The term of affordability for the required 10 percent workforce units provided shall be defined as follows:

Percentage of Workforce Units Provided	Minimum Term of Affordability for Required Workforce Units
10%	Longest term permitted under federal, state and local laws and ordinances
25%	30 years
50%	20 years
100%	10 years

(f) Implementing Regulations. Regulations to further specify the details of this section shall be developed, including, but not limited to:

1. Specific methodology for income verification;
2. Situations where less than permanent affordability might be considered; and
3. Guidelines for meeting the requirement that off-site units be “in the same neighborhood”.

B. Site Plan Application: Please submit the Conditional Use Application in addition to the applicable Site Plan Application.

Portland’s development review process and requirements are outlined in the Land Use Code (Chapter 14) which is available on our website:

Land Use Code: <http://me-portland.civicplus.com/DocumentCenter/Home/View/1080>

Design Manual: <http://me-portland.civicplus.com/DocumentCenter/View/2355>

Technical Manual: <http://me-portland.civicplus.com/DocumentCenter/View/2356>

Planning Division

Fourth Floor, City Hall
389 Congress Street
(207)874-8719

Housing and Community Development

Room 313, Third Floor, City Hall
389 Congress Street
(207)482-5028

Office Hours

Monday thru Friday
8:00 a.m. – 4:30 p.m.

PROJECT NAME: 208 Fore Street

PROPOSED DEVELOPMENT ADDRESS: 208 Fore Street

CHART/BLOCK/LOT (s): 29 / N / Lot 8 & Bradbury Court **Applicable Zone:** IS-FBC

CONTACT INFORMATION:

Applicant – must be owner, Lessee or Buyer Name: Toros & Marianne Hovivian Business Name, if applicable: Flagg Partners, LLC Address: 515 East 79th Street, Apt 30E City/State : New York NY Zip Code: 10075	Applicant Contact Information Work # 917-673-6753 Home# Cell # Fax# e-mail: thovivian@56bogart.com
Owner – (if different from Applicant) Name: Address: City/State : Zip Code:	Owner Contact Information Work # Home# Cell # Fax# e-mail:
Billing Information Name: Toros Hovivian, Flagg Partners, LLC Address: 515 East 79th Street, Apt 30E City/State : New York, NY Zip Code: 10075	Billing Information Work # 917-673-6753 Cell # Fax# e-mail: thovivian@56bogart.com
Designated person/person(s) for uploading to e-Plan: Name: Michael Tadema-Wielandt, Terradyn Consultants e-mail: mtw@terradyconsultants.com Name: Adrienne Fine, Terradyn Consultants e-mail: adrienne@terradyconsultants.com Name: e-mail:	

RIGHT, TITLE OR INTEREST:

The project site is made up of one lot and Bradbury Court, which are owned by the applicant.

(Please identify the status provide documentary evidence, attached to this application, of the applicant’s right, title, or interest in the subject property (ex: deed, option or contract to purchase or lease the property.)

EXISTING USE: Describe the existing use of the subject property.

The existing site is developed with one non-residential structure and paved parking.

PROJECT DESCRIPTION:

Flagg Partners, LLC intends to construct a 7-story, 37-unit condominium building with first floor retail located at 208 Fore Street.

INCLUSIONARY ZONING:	
# IZ Units	3
On-Site IZ Units	0
Off-Site IZ Units	3
# IZ Homeownership Units	0
# IZ Rental Units	3
# IZ Efficiencies	0
# IZ 1-Beds	TBD
# IZ 2-Beds	TBD
# IZ 3-Beds	TBD
IZ Fee In-Lieu	0

APPLICATION FEES:

<p>___ Conditional Use Review to Ensure Workforce Housing (\$100.00)</p> <p>(Please submit a separate application for the applicable site plan review. Fees and charges are listed within the application)</p>	<p>The City invoices separately for the following:</p> <ul style="list-style-type: none"> • Notices (\$.75 each) • Legal Ad (% of total Ad) • Planning Review (\$50.00 hour) • Legal Review (\$75.00 hour) <p>Third party review fees are assessed separately. Any outside reviews or analysis requested from the Applicant as part of the development review, are the responsibility of the Applicant and are separate from any application or invoice fees.</p>
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INSTRUCTIONS FOR ELECTRONIC SUBMISSION:

Please refer to the application checklist (attached) for a detailed list of submission requirements.

1. Fill out the application completely and e-mail the **application only** to planning@portlandmaine.gov (Please be sure to designate a person who will be responsible for uploading documents and drawings.) This step will generate the project ID number for your project.
2. An invoice for the application fee will be e-mail to you. Payments can be made on-line at [Pay Your Invoice](#) , by mail or in person at City Hall, 4th Floor. Please reference the Application Number when submitting your payment which is located in the upper left hand corner of the invoice.
3. The designated person responsible for uploading documents and drawings will receive an email from eplan@portlandmaine.gov with an invitation into the project. At this time, you will upload all corresponding documents and plans into the project. For first time users you will receive a temporary password which you must change on entry. Make note of your username and password for any future projects.

Reminder: Before the project can move forward, the application fee shall be paid in full and all required documents and drawings shall be uploaded into e-plan correctly.

4. Follow the link below (Applying Online Instructions) for step by step instructions on how to do the following:
 Tab 1 - Setting up the appropriate compatibility settings for your PC and getting started in e-plan.
 Tab 2 - Preparing your drawings, documents and photos for uploading using the correct naming conventions
 Tab 3 - Preparing and uploading revised drawings and documents

[Applying Online Instructions](#)

5. When ready, upload your files and documents into the following folders:
 "Application Submittal – Drawings"
 "Application Submittal – Documents"
6. Once a preliminary check has been made of the submittal documents and drawings, staff will move them to permanent folders labeled Drawings and Documents. As the process evolves you will be able to log in and see markups, comments and upload revisions as requested into these folders.

Applicant Checklist	Planner Checklist	# of Copies	GENERAL WRITTEN SUBMISSIONS CHECKLIST
X		1	Completed Application Form
X		1	Cover letter stating the nature of the project.
X		1	Evidence of right, title and interest.
X		1	Written Submittals that address the conditional use standards of Sec. 14-484, including unit size and bedroom count
X		1	Proposed Marketing Strategy
X		1	Written Proposal for providing workforce units on-site, off-site, or payment of fee-in-lieu.
N/A		1	If the project is to be phased, provide written description of project phasing and accommodation of workforce units.
			Plans and Construction Details Submission Checklist
X		1	An accompanying site plan application, as applicable.
X		1	Floor Plans of all units and identifying proposed designated workforce housing units
X		1	Interior Standards for Units for market rate and workforce housing units, including kitchen, bathroom, flooring and closet amenities
X		1	If workforce units are proposed off-site, provide vicinity map with project location and workforce unit locations within the applicable census block group map or within 1500 feet of the project.

APPLICANT SIGNATURE:

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Planning Authority and Code Enforcement's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

This application is for a Conditional Use IZ Review. It is not a permit to begin construction. An approved site plan, a Performance Guarantee, Inspection Fee, Building Permit, and associated fees will be required prior to construction. Other Federal, State or local permits may be required prior to construction, which are the responsibility of the applicant to obtain.

Signature of Applicant:	Date:
<i>Toros Davirian</i>	<i>June 21, 2018</i>



PROJECT SITE

SHEET DESCRIPTION
**208 FORE STREET
 INCLUSIONARY ZONING VICINITY MAP**

PREPARED FOR
**FLAGG PARTNERS, LLC
 515 EAST 79TH STREET, APT 30E
 NEW YORK, NEW YORK 10075**



41 Campus Drive, Suite 101
 New Gloucester, ME 04260
 Office: (207) 926-5111
 Fax: (207) 221-1317
www.terradynconsultants.com

Civil Engineering - Land Planning - Stormwater Design - Environmental Permitting

JOB NO. 1719	FIGURE 1
DATE 6/18/2018	
SCALE 1"=500'	OF 1

July 26, 2018

Flagg Partners LLC
169 Wythe Avenue
Suite 102
Brooklyn, New York 11249

Dear Neighbor,

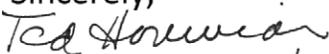
Please join us for a neighborhood meeting to discuss our plan for a mixed-use retail and residential development located at 208 Fore Street.

Meeting Location: 208 Fore Street
Meeting Date: Tuesday August 7, 2018
Meeting time: 6:30-8:30 pm

The City code requires that property owners within 500 feet of the proposed development and residents on an "interested parties list", be invited to participate in a neighborhood meeting. A sign-in sheet will be circulated and minutes of the meeting will be taken. Both the sign-in sheet and minutes will be submitted to the Planning Board.

If you have any questions, please call Mary Costigan, Bernstein Shur at 207-774-1200.

Sincerely,



Ted and Marianne Hovivian

Note: Under Section 14-32(C) and 14-524(a)d of the City Code of Ordinances, an applicant for a Level III development, subdivision of over five lots/units, or zone change is required to hold a neighborhood meeting within 30 days of submitting a preliminary application or 21 days of submitting a final site plan application, if a preliminary plan was not submitted. The neighborhood meeting must be held at least seven days prior to the Planning Board public hearing on the proposal. Should you wish to offer additional comments on this proposed development, you may contact the Planning Division at 874-8721 or send written correspondence to the Planning and Urban Development Department, Planning Division, 4th Floor, 389 Congress Street Portland, ME 04101 or by email: to_bab@portlandmaine.gov